

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**JUNE 1, 2022
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the May 4, 2022, Planning Commission meeting.**
- 4. Public Hearings and Recommendations to City Council:**
 - a. Zoning Ordinance amendment [2022-803] regarding amendments to Section 2, Section 9, Chart 1, and Chart 4 pertaining to uses permitted, City of Murfreesboro Planning Department applicant. (Project Planner: Marina Rush)
 - b. Zoning application [2022-404] for approximately 1.5 acres located at 915 Haynes Drive to be rezoned from RS-15 to PRD (Beau Monde) Blue Sky Construction applicant. (Project Planner: Margaret Ann Green)
 - c. Zoning application [2022-405] for approximately 0.85 acres located at 1540 Commonwealth Court to be rezoned from RS-10 to PCD (Georgetown Park Parking Lot), Skeeter Beaulieu applicant. (Project Planner: Margaret Ann Green)
 - d. Annexation petition and plan of services [2021-504] for approximately 16.3 acres located along Emery Road, The Anne Watkins Family Emery Road Trust and The Samuel Watkins Family Emery Road Trust applicant. (Project Planner: Holly Smyth)
 - e. Zoning application [2022-406] for approximately 16.3 acres located along Emery Road to be zoned RS-10 simultaneous with annexation, Jeramie Taber applicant. (Project Planner: Holly Smyth)
 - f. Annexation petition and plan of services [2022-503] for approximately 11.4 acres located along Lascassas Pike and East Pitts Lane, Betty Taylor, Elizabeth Taylor, and Terry Taylor applicants. (Project Planner: Holly Smyth)

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- g.** Zoning application [2022-407] for approximately 11.4 acres located along Lascassas Pike and East Pitts Lane to be zoned CF simultaneous with annexation, Murfreesboro Medical Clinic applicant. (Project Planner: Holly Smyth)

5. Staff Reports and Other Business:

- a.** Mandatory Referral [2022-717] to consider the purchase of property at 103 SE Broad Street, City of Murfreesboro Legal Department applicant.
- b.** Mandatory Referral [2022-715] to consider the abandonment of a portion of a drainage easement located on property along Medical Center Parkway and Robert Rose Drive, Pradeep Agnihotri applicant.
- c.** Mandatory Referral [2022-716] for the transfer to the City of a portion of the Shalom Farms Apartments tract along Stoney Meadow Drive and the recording of an access easement on it, Spence Creek Properties applicant.
- d.** Zoning application [2021-403] clarifying the correct boundary of the property that was rezoned along Medical Center Parkway from MU, GDO-1, and GDO-2 to PUD, CH, GDO-1, and GDO-2 (Clari Park PRD), Hines Acquisitions, LLC applicant.

6. Adjourn.

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

4.a. Zoning Ordinance amendment [2022-803] regarding amendments to Chart 1 (Including Chart 1 Endnotes), Section 9, and Chart 4 pertaining to uses permitted, City of Murfreesboro Planning Department applicant.

The City's Planning Department is proposing an amendment to the Zoning Ordinance text pertaining to uses in Chart 1: Uses Permitted, along with ancillary changes to Section 9: Standards for Special Permit Uses, and to Chart 4: Required Off-Street Parking and Queuing Spaces By Use. The purpose of the amendment is to clarify several of the uses, address any gaps regarding uses in some of the zoning districts, and remove and/or combine some of the land uses to be more relevant for current zoning practices.

Chart 1

The complete list of changes is depicted in the staff report attachment, Chart 1 Amendment, with the additions identified by a red **X** or **S** and the deletions shown with strike-through font with dark yellow background. Of note, the recent Zoning Ordinance amendment regarding wineries, distilleries and micro-breweries is currently in process and not in effect. As such, these uses are depicted in the proposed Chart 1 and are highlighted in bright yellow. A summary of the key changes proposed to Chart 1 are below:

Chart 1 - New Uses:

- Medical, dental office or clinic – to be a permitted use within all the office, commercial, mixed-use, industrial, and medical zoning districts.
- Payday loan, title loan, or check cashing service – to be permitted use within CH, LI, GI and HI zoning districts. Currently, these businesses do not have a separate entry in Chart 1 and are classified as a “financial service” use. Other examples of “financial service” uses would be an accounting firm, a tax preparation service, or a financial advisor. Staff believes that it is appropriate to distinguish payday loan, title loan, and check cashing services from other type of financial service uses and include a separate entry in Chart 1 for these uses.

- Plasma donation center – to be permitted within the CM (commercial medical) and industrial zones.

Chart 1 - Existing Uses:

- Hospital – adding hospital as a permitted use within the CH zoning district and will remain as permitted use within OG-R, OG, MU, HI, GI, LI, and all three CM zoning districts.
- Customary general farming – general farming is a permitted use within most of the zoning districts, including all residential, commercial, and industrial districts. Staff is proposing to add this use to the remaining zoning districts.
- Campground, travel-trailer park – campground use is currently permitted by right in the CH, LI, GI and HI zoning districts. Staff proposes to change this to a use permitted upon approval of Special Use Permit to help ensure the development of any future campgrounds would be appropriate for that location. Currently, there are no campgrounds within the City limits.

Chart 1 - Deleting Uses:

- Fish hatcheries – removing this use from the CH district only. Remains as permitted use in the industrial districts.
- Petroleum refining – removing this use from Chart 1, not an appropriate use within the City limits.
- Contractor storage yards and wrecker/towing – removing both of these uses from the CH and CBD districts, and they remain as permitted uses within the industrial districts.
- Apothecaries, bank main offices, delicatessens, dry cleaning pick-up stations, photo finishing, towing, video rentals, and wholesale establishments – removed from the Chart 1 because they were combined with another use listed in the chart and/or were no longer relevant.

Chart 1 – Endnotes:

- Revise Note #1 regarding accessory dwelling units to include the CM, CM-R, and CM-RS-8 zones, consistent with the proposed Chart 1 revisions.
- Revise Note #3 to include references to motor vehicle rental, in addition to motor vehicle sales, consistent with the proposed Chart 1 revisions.

In addition to Chart 1, staff is proposing text changes to both *Section 9(D)(2)(ffff): Motor Vehicle Sales (automobile) Additional Standards* and *Chart 4* that correspond to the proposed changes proposed to Chart 1. A summary of these key changes is below:

Section 9(D)(2)(ffff): Motor Vehicle Sales (automobile) additional standards (not currently included in text):

- Include the text references to motor vehicle rental, in addition to motor vehicle sales, consistent with the proposed revisions to Chart 1 and Chart 1 endnotes.

Chart 4 - New Uses (not currently in Chart 4):

- Payday loan, title loan, or check-cashing service: 1 for each 300 square feet of floor area. Or 5 spaces, whichever is greater.
- Plasma donation center: 1 for each 200 square feet of floor area. Or 5 spaces, whichever is greater.

Chart 4 - Existing Uses:

- Public Assembly: Revise this use in Chart 4 to “Group Assembly” instead to match the language used in Chart 1.

Staff recommendation:

Staff is recommending the Zoning Ordinance amendment for text changes for the following reasons:

1. The purpose of the amendment is to clarify several of the uses, address any gaps regarding uses in some of the zoning districts, and remove and/or combine some of the land uses to be more relevant for current zoning practices.
2. The proposed zoning text amendment will minimize confusion by eliminating inconsistencies and out-of-date uses, thus improving customer service.
3. The proposed zoning text amendment will maintain consistency with the general purpose of the Zoning Ordinance and will not conflict with any state and federal laws.

Action needed:

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

ORDINANCE 22-O-XX amending Murfreesboro City Code Appendix A, Zoning, Chart 1, Chart 1 Endnotes and Chart 4, pertaining to uses permitted, City of Murfreesboro Planning Department, applicant [2022-803].

WHEREAS, the City desires to clarify several of the permitted uses, address any gaps regarding uses in some zoning districts and remove and/or combine some the land uses to be more relevant for current zoning practices.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Appendix A, Chart 1, Uses Permitted by Zoning District, of the Murfreesboro City Code is hereby amended by deleting it in its entirety and substituting in lieu thereof the attached Chart 1.

SECTION 2. Appendix A, Chart 1 Endnotes, of the Murfreesboro City Code is hereby amended at Endnotes 1 and 3 by deleting in their entirety and substituting in lieu thereof the following:

- 1. In the OG-R, OG, CL, CF, CH, MU, CBD, H-I, G-I, L-I, CM, CM-R, and CM-RS-8 zones a single dwelling unit shall be permitted as an accessory use in conjunction with a commercial or industrial use if such dwelling unit is attached to or located within the commercial or industrial building and is occupied by an employee of the business establishment occupying the commercial or industrial building.
- 3. Motor Vehicle Sales and/or Rentals (Automobile) shall be subject to the following additional standards:
 - (a) each lot used for automobile sales and/or rentals shall include a principal structure designed and constructed in accordance with the provisions of this article and all other applicable regulations and codes;
 - (b) in addition to meeting the minimum parking required in Chart 4 of this article, supplementary parking spaces meeting the following requirements shall be provided for customers, employees, and service vehicles:
 - (1) customer parking shall be clearly designated via signage and striping and shall be provided at the following minimum ratios:

Total number of vehicles on sales/rental lot	Minimum number of customer parking spaces required
0-25	2
25-50	3
51-75	4
76-100	5
101-150	6
151-200	7
201-250	8
251 or more	10

- (2) one employee parking space shall be provided for each employee on the largest shift;
 - (3) one parking space shall be provided for each service vehicle;

- (4) all driveways and parking areas, including automobile storage and display areas, shall be surfaced with asphalt, concrete, or other hard dustless surface material. Bituminous surface treatments (“tar and chip”) shall not be allowed on any driveway, automobile storage area, or parking lot.
- (5) Parking and display of automobile inventory shall occur only in areas designated in the special use permit application. Driveway aisles, public right-of-way, and landscaped areas shall not be used for automobile parking or display;
- (c) automobile parts and salvage/junk automobiles shall not be stored on any outdoors portion of the site;
- (d) all automobiles visible from the public right-of-way or lying adjacent to any area zoned for residential uses shall be operational;
- (e) tents and other temporary or accessory structures shall not be erected on the site except in accordance with the provisions of this article (Appendix A: Zoning);
- (f) outdoor sound amplification shall not be allowed;
- (g) the following landscape buffers shall apply to automobile sales and/or rental lots lying adjacent to residential, mixed use, and office zoning districts:

Adjacent Zoning	Buffer Required
RS-15, RS-12, RS-10, RS-8, RS-4, R-D, RM-12, RM-16, RS-A, R-MO, MU, OG-R OG, CU, P, CBD	Type E Type D

- (h) all loading and unloading of automobiles shall be accomplished on-site. Automobile loading, unloading, staging, and maneuvering shall not be permitted within any public right-of-way. Loading/unloading areas shall be provided as follows:
 - (1) each site used for automobile sales and/or rental shall provide a loading/unloading area of 150 feet in length by 25 feet in width;
 - (2) the required loading/unloading area shall not block or utilize any portion of the designated customer, employee, or service vehicle parking area(s) or any internal driveway as required by Section 26 of this article (Appendix A: Zoning);
- (i) fencing may be constructed in automobile inventory areas, provided that such fencing meets the following standards:
 - (1) no barbed wire or razor wire shall be permitted;
 - (2) chain-link fencing shall be plastic coated with black or green coating; and
 - (3) chain-link fencing shall not be allowed along the perimeter of any automobile storage area lying adjacent to a public right-of-way;
- (j) automobile service bays and overhead service area doors shall not be visible from any public right-of-way;
- (k) mechanical and other automobile services shall not be performed within 100 feet of any property zoned for residential use, regardless of any lesser minimum building setbacks;
- (l) hours of operation shall be limited to “daytime hours” as defined in the Murfreesboro Noise Control Ordinance;
- (m) if a site plan is required by Section 7 of this article (Appendix A - Zoning), the applicant shall provide a site plan showing all proposed structures,

parking areas, automobile storage areas, landscaped areas, buffers, delivery/loading areas, and fencing. The site plan shall also indicate the maximum number of for-sale, for-rent, and/or for-lease automobiles that can be accommodated by the provided parking and storage areas; and

(n) where the requirements of this subsection exceed those of other subsections and exhibits in this article excepting Section 24, Article III, the standards set forth in this subsection shall supersede those subsections and exhibits.

SECTION 3. Appendix A, Chart 4, Required Off-Street Parking and Queuing

Spaces by Use, of the Murfreesboro City Code is hereby amended by adding the following new uses, in alphabetical order, under the Use subheading “Commercial.”

Payday loan, title loan, or check-cashing service	1 for each 300 square feet of floor area or 5 spaces, whichever is greater
Plasma donation center	1 for each 200 square feet of floor area or 5 spaces, whichever is greater

SECTION 4. Appendix A, Chart 4, Required Off-Street Parking and Queuing

Spaces by Use, of the Murfreesboro City Code, is hereby amended under the Use subheading “Commercial,” by amending the following existing use to read as follows:

Public Assembly	Revise this use in Chart 4 to “Group Assembly” instead to match the language used in Chart 1.
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SECTION 5. Appendix A, Section 9, Standards for Special Permit Uses, of

the Murfreesboro City Code, is hereby amended at (D)(2)(ffff) by deleting in its entirety and substituting in lieu thereof the following:

ffff) Motor Vehicle Sales and/or Rentals (Automobile) shall be subject to the following additional standards:

- [1] each lot used for automobile sales and/or rentals shall include a principal structure designed and constructed in accordance with the provisions of this article (Appendix A: Zoning) and all other applicable regulations and codes;
- [2] in addition to meeting the minimum parking required in Chart 4 of this article (Appendix A: Zoning), supplementary parking spaces meeting the following requirements shall be provided for customers, employees, and service vehicles:
 - [a] customer parking shall be clearly designated via signage and striping and shall be provided at the following minimum ratios:

Total number of vehicles on sales/rental lot	Minimum number of customer parking spaces required
0-25	2
25-50	3
51-75	4
76-100	5
101-150	6
151-200	7

- [b] one employee parking space shall be provided for each employee on the largest shift;
- [c] one parking space shall be provided for each service vehicle;
- [d] all driveways and parking areas, including automobile storage and display areas, shall be surfaced with asphalt, concrete, or other hard dustless surface material. Bituminous surface treatments (“tar and chip”) shall not be allowed on any driveway, automobile storage area, or parking lot.
- [e] Parking and display of automobile inventory shall occur only in areas designated in the special use permit application. Driveway aisles, public right-of-way, and landscaped areas shall not be used for automobile parking or display;
- [3] automobile parts and salvage/junk automobiles shall not be stored on any outdoors portion of the site;
- [4] all automobiles visible from the public right-of-way or lying adjacent to any area zoned for residential uses shall be operational;
- [5] tents and other temporary or accessory structures shall not be erected on the site except in accordance with the provisions of this article;
- [6] outdoor sound amplification shall not be allowed;
- [7] the following landscape buffers shall apply to automobile sales and/or rental lots lying adjacent to residential, mixed use, and office zoning districts:

Adjacent Zoning	Buffer Required
RS-15, RS-12, RS-10, RS-8, RS-4, R-D, RM-12, RM-16, RS-A, R-MO, MU, OG-R	Type E
OG, CU, P, CBD	Type D

- [8] all loading and unloading of automobiles shall be accomplished on-site. Automobile loading, unloading, staging, and maneuvering shall not be permitted within any public right-of-way. Loading/unloading areas shall be provided as follows:
 - [a] each site used for automobile sales and/or rental shall provide a loading/unloading area of 150 feet in length by 25 feet in width;
 - [b] the required loading/unloading area shall not block or utilize any portion of the designated customer, employee, or service vehicle parking area(s) or any internal driveway as required by Section 26 of this article;
- [9] fencing may be constructed in automobile inventory areas, provided that such fencing meets the following standards:
 - [a] no barbed wire or razor wire shall be permitted;
 - [b] chain-link fencing shall be plastic coated with black or green coating; and
 - [c] chain-link fencing shall not be allowed along the perimeter of any automobile storage area lying adjacent to a public right-of-way;
- [10] automobile service bays and overhead service area doors shall not be visible from any public right-of-way;
- [11] mechanical and other automobile services shall not be performed within 100 feet of any property zoned for residential use, regardless of any lesser minimum building setbacks;
- [12] hours of operation shall be limited to “daytime hours” as defined in the Murfreesboro Noise Control Ordinance;
- [13] the applicant shall provide a site plan showing all proposed structures, parking areas, automobile storage areas, landscaped areas,

buffers, delivery/loading areas, and fencing. The site plan shall also indicate the maximum number of for-sale, for-rent, and/or for-lease automobiles that can be accommodated by the provided parking and storage areas;

[14] where the requirements of this subsection exceed those of other subsections and exhibits in this article (Appendix A: Zoning), excepting Section 24 Article III, the standards set forth in this subsection shall supersede those subsections and exhibits; and

[15] the Board of Zoning Appeals may require additional standards to ensure the compatibility of the automobile sales lot with other properties in the vicinity.

SECTION 6. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

Shane McFarland, Mayor

1st reading _____

2nd reading _____

ATTEST:

APPROVED AS TO FORM:

Jennifer Brown

City Recorder

Adam F. Tucker

City Attorney

SEAL

X = Use permitted by right.
S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

X = Use permitted by right.
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**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JUNE 1, 2022**

PRINCIPAL PLANNER: MARGARET ANN GREEN

- 4.b. Zoning application [2022-404] for approximately 1.5 acres located at 915 Haynes Drive to be rezoned from RS-15 to PRD (Beau Monde) Blue Sky Construction applicant.**

Introduction

The subject property is located along the south side of Haynes drive, south of Jamison Place subdivision and north of Victoria Park subdivision (Tax Map 069 Parcels 061.00 & 061.01). The subject properties consist of 2 parcel zoned RS-15 (Single-Family, Residential District). All properties surrounding the subject properties are zoned RS-15.

Beau Monde PRD- 1.45 acres

Overview

Beau Monde PRD is a 1.45-acre, residential development. The property will be sold via a Horizontal Property Regime. The plans propose 8 single-family, detached houses on 1.45 acres with a density of 5.5 dwelling units per acre. The applicant describes the homes as a New Orleans inspired architecture. The 4 homes that front along Haynes Drive has covered front porches, gas lamps, and detailing with rear-entry, two-car garages. The four homes located along the rear have front entry garage homes. All of the houses be primarily cementitious siding with brick water tables and a minimum 2,100 square feet. The plans propose 6 guest parking spaces and an amenity area in the center of the development (fire pit, pergola, and enhanced landscaping). The guest parking spaces are oriented toward the adjacent properties; therefore, staff requested the design team propose solutions to prevent the vehicle lights from shining into the neighboring property's homes and yards. The plan proposes an evergreen screen along the side and rear property lines; however, a physical barrier may be more effective in preventing the negative impacts.

The PRD proposed a reduction to the minimum building setback lines setbacks from what is required with the surrounding RS-15 properties (40-foot front, 12.5 sides & 30-rear). The Beau Monde development is proposed to have a side setback of 8-feet and a rear setback of 20-feet. This setback line applies to principal structures and not to fences, walls, hedges, parking and loading, statuary, arbors, trellises, barbecue stoves, awnings and canopies, bay windows/ porches/ balconies projecting no more than 60", recreational equipment, terraces, and uncovered decks. As a comparison, the house located at 921 Haynes Drive measures approximately 27 feet from the front property line to the porch and approximately 35 feet to the house front of the house. The house

at 903 Haynes Drive is approximately 90-feet from the front property line.

Transportation, Parking and Access:

During the due-diligence and pre-application meetings, members of the Planning and Public Infrastructure Departments provided preliminary feedback regarding the development of this property and its relationship to the existing transportation network and the Major Transportation Plan. Haynes Drive is identified on the Major Transportation Plan as a short-term improvement (STI-3) to be upgraded to a 3-lane street section with curbs, gutters, and sidewalks. A minimum 60-foot-wide right-of-way is needed for future improvements. Staff requested the applicant review survey information to determine if the existing right-of-way of Haynes Drive has sufficient width or if additional right-of-way is required to be dedicated. The developer of this project will be required to participate in street improvements with fees in lieu of construction in accordance with city policies.

Purposes of Planned Develop District:

According to the Zoning Ordinance, the purposes of planned development district regulations are as follows:

1. to promote flexibility in development design and to permit planned diversification in the location of structures;
2. to promote the efficient use of land by permitting a planned arrangement of buildings, circulation systems, land uses, and utilities;
3. to preserve existing landscape features and amenities and to utilize such features in a harmonious fashion;
4. to encourage the total planning of land tracts consistent with adopted long-range plans;
5. to permit the use of new and innovative land development techniques while assuring protection of existing adjacent development;
6. to encourage the functional and beneficial use of open spaces and to preserve natural features of a development site;
7. to promote the creation of a safe and desirable living environment for residential areas characterized by a unified site and development program;
8. to permit the creation of a variety of housing types compatible with surrounding development to provide a greater choice of types of environment and living units;
9. to promote the provision of attractive and appropriate locations for business and manufacturing uses in well-designed developments and the provision of opportunities for employment closer to residences with a reduction in travel time from home to work;
10. to encourage the revitalization of established commercial centers;
11. to promote the diversification in the uses permitted and variation in the relationship of uses, structures, open space, and height of structures in

- developments intended as cohesive, unified projects;
12. to encourage design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property; and,
 13. to promote the significance of architectural and aesthetic improvements and details in atypical developments.

Exceptions

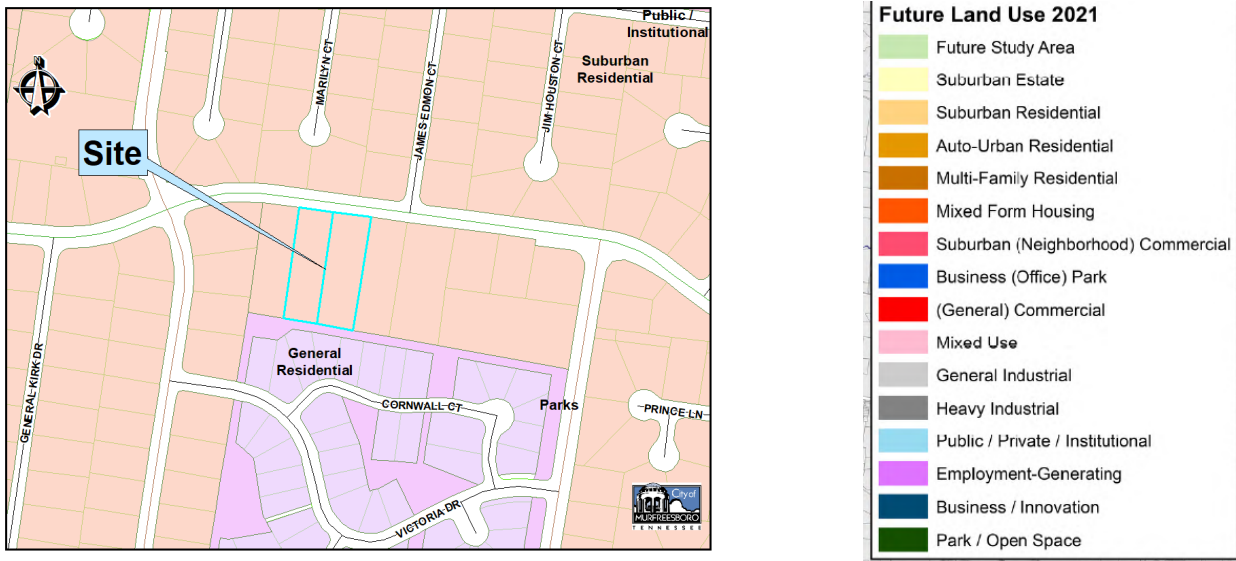
Exceptions must be specifically identified and requested in the application for a planned development. The Zoning Ordinance states the following regarding exceptions within planned developments:

The planned development approval may provide for such exceptions from the Subdivision Regulations, Design Guidelines, and from district and overlay district zoning regulations governing use, density area, bulk, parking, architecture, landscaping, and open space as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such exceptions are consistent with the standards and criteria contained in this section and have been specifically identified and requested in the application for a planned development. Unless the application for a planned development contains a clear statement of exceptions to them, the standards and criteria of the Subdivision Regulations, Design Guidelines, and district and overlay district zoning regulations will apply to all planned developments. The specific zone district used as a comparison for the planned development shall be the most like zone district to the planned development, as determined by the Planning Director.

The PUD book identify three exceptions on page 27 of the program book, however staff identified an additional exception for parking. They are:

1. Exceptions to the required parking for single-family, detached dwellings:
 - 4 parking spaces located on the same lot as the structure to which they are accessory; and
 - Parking spaces within garages, whether attached to or detached from the principal structure, shall not be considered as required parking spaces
2. Reduction to minimum building setback line along the side property lines (from 12.5-feet to setback of 8-feet),
3. Reduction to minimum building setback line along the rear property line from 30-feet to 20-feet,
4. Increase Maximum Gross Density to 5.5 dwelling units per acre.

Proposed Future Land Use Map



Suburban Residential Character (SR)

The existing and proposed *Murfreesboro 2035 Future Land Use Map* indicates that Suburban Residential character (SR) is most appropriate for the subject property. This community character classification varies from the Urban and Auto-Urban (General) residential character categories in that the character type includes small acreages, large lot estate development or may also be smaller lots clustered around common open space. Amenities may be passive recreation integrated into the master plan with an emphasis on bicycle, pedestrian, and greenway facilities.

Development Types:

The development type within the SR character area is detached residential dwellings.

Characteristics:

- There is accommodation of the automobile on sites; however, they are not the prominent view. Garages are typically integrated into the front and side of the home facades.
- Development options can be established which allow for smaller lot sizes in exchange for greater open space, with the additional open space devoted to maintaining the Suburban character and buffering adjacent properties and roads as well as enhancing onsite amenities.
- This land use character typically lends itself to larger front yards with increased front setbacks.
- Street trees consistent with surrounding, established lots.
- Owner associations maintains stormwater management elements and open

spaces.

- Typical density ranges from 1.0 to 4.5 (DU/ac), which aligns with the Zoning Ordinance's maximum gross densities RS-15 (2.9), RS-12 (3.63) and RS-10 (4.4).
- Specific densities must be evaluated based on infrastructure and utility capacities and availability.

The characteristics of the Beau Monde PRD are not consistent with Chapter 4 of the *Murfreesboro Comprehensive Plan* as the development exceeds the maximum density for the SR character. This development does allow for smaller lot sizes; however, the additional open space is not devoted to maintaining the Suburban character and buffering adjacent properties. This development pushes the structures to the sides and rear of the property and has located the additional open space in the center of the site.

Suggested City Zoning Districts:

A PRD that supports cluster development, complies with the maximum density permitted but allows smaller lot sizes and the remainder is preserved as common areas and open space is suggested for this character area. The Beau Monde PRD allows smaller lot sizes however it does not comply with the maximum density of 4.5 dwelling units per acre (the plan proposed 5.5 dwelling units per acre) and therefore is not consistent with either the existing Future Land Use Map or the Proposed Future Land Use Map.

Recommendation:

Staff would like the Planning Commission to consider the following items in its review of this request:

1. The proposed development type of "single-family detached" is consistent with the Future Land Use Map's Development Type, however the characteristics, the density, and the proposed PRD zoning is inconsistent with the proposed *Murfreesboro 2035 Comprehensive Plan* and the *Future Land Use Map*.
2. The Planning Commission should consider the appropriateness of the exceptions that are a part of the PRD.

The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning request. The Planning Commission will need to conduct a public hearing prior to forwarding a recommendation to the City Council.



Zoning Request for Property located along Haynes Drive RS-15 to PRD (Beau Monde PRD)

230 115 0 230 Feet

A horizontal scale bar with four segments. The first segment is black and labeled '230'. The second segment is white and labeled '115'. The third segment is black and labeled '0'. The fourth segment is white and labeled '230 Feet'.

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



Zoning Request for Property located along Haynes Drive RS-15 to PRD (Beau Monde PRD)

230 115 0 230 Feet

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

4.13.2022

Greg McKnight, Planning Director
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139

Re: Rezoning Request

Described as Tax Map 69 Parcel 61 consisting of 1.45 +/- ac. to be rezoned PRD.

Dear Mr. Greg,

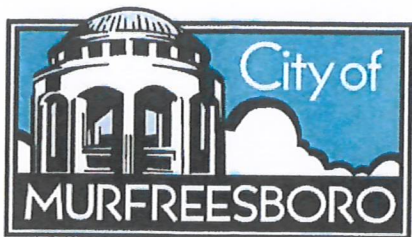
On behalf of our client, Blue Sky Construction, we hereby request the rezoning of the property identified by tax map 69 and parcel 61, consisting of approximately 1.45+/- acres from RS-15 to PRD. The purpose for this rezoning is to build 8 single family detached homes.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Clyde Rountree, RLA



T E N N E S S E E

Creating a better quality of life

City of Murfreesboro
Planning and Engineering Department
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139
(615) 893-6441 Fax (615) 849-2606
www.murfreesborotn.gov

Zoning & Rezoning Applications – other than rezoning to planned unit development	\$700.00
Zoning & Rezoning Applications – Planned Unit Development, initial or amended	\$950.00

Procedure for applicant:

The applicant must submit the following information to initiate a rezoning:

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A non-refundable application fee (prices listed above).

For assistance or questions, please contact a planner at 615-893-6441.

To be completed by applicant:

APPLICANT: CLYDE ROUNTREE, HUDDLESTON-STEEL ENG.

Address: 2115 NW BROAD ST. City/State/Zip: MURFREESBORO, TN 37129

Phone: 615-893-4084 E-mail address: rountree.associates@yahoo.com

PROPERTY OWNER: BWE SKY CONSTRUCTION, MATT WILSON, mhw221992@gmail.com

Street Address or
property description: 909/915 HAYNES DR

and/or Tax map #: 69 Group: _____ Parcel (s): 61

Existing zoning classification: PS-15

Proposed zoning classification: PED Acreage: 1.45

Contact name & phone number for publication and notifications to the public (if different from the applicant): _____

E-mail: _____

APPLICANT'S SIGNATURE (required): 

DATE: 4-13-22

*****For Office Use Only*****

Date received: _____ MPC YR.: _____ MPC #: _____

Amount paid: _____ Receipt #: _____

NAME AND ADDRESS OF NEW OWNER:
Blue Sky Construction, Inc.

W Public Sq N
Murfreesboro, TN 37130

SEND TAX NOTICES TO:
Owner

THIS INSTRUMENT PREPARED BY:
White & Polk, P.C.
Attorneys at Law
107 West College Street
Murfreesboro, Tennessee 37130

Map & Parcel: 069-06100
Account #R0038541

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 (\$10.00) DOLLARS, cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, **Roger R. Hopkins**, by and through his lawful Attorney-in-Fact, Mary Richardson, and wife, **Kimberly S. Hopkins**, have this day bargained and sold and do hereby transfer and convey unto **Blue Sky Construction, Inc.**, a Tennessee corporation, its successors and assigns, forever, that certain parcel of real estate situated and located in the 13th Civil District of Rutherford County, Tennessee, and being more particularly described as follows, to-wit:

Being all of Lot 2, Barry and Vicki Percy Subdivision, according to survey and plat of same appearing of record in Plat Book 20, page 359, of the Register's Office of Rutherford County, Tennessee, to which plat reference is here made for more complete details of location and description of said lot.

Being the same property conveyed to Roger R. Hopkins and wife, Kimberly S. Hopkins, by deed from William B. Trussell appearing of record in Record Book 1457, page 3936, of said Register's Office.

This conveyance is subject to a Right-of-Way Easement to Middle Tennessee Electric Membership Corporation filed in Deed Book 588, page 492, of said Register's Office; to all restrictions, conditions, reservations and covenants of record; to the minimum building setback lines, public utility and drainage easements, plat notes and all other matters shown on the survey and plat filed in Plat Book 20, page 359, and Deed Book 101, page 522, both of record in said Register's Office; and to the zoning regulations of the appropriate governmental body.

This is improved property having an address of 909 Haynes Drive, Murfreesboro, Tennessee 37129

TO HAVE AND TO HOLD said real estate together with all of the appurtenances, estate and title thereunto belonging unto the said grantee, its successors and assigns, forever.

The undersigned covenant with the said grantee that they are lawfully seized and possessed of said real estate; that they have a good right to convey the same, and that it is unencumbered except as set forth above and by lien of the 2021 real property taxes, which taxes are being prorated between the parties herein, with the grantee to pay said taxes when due.

The undersigned further covenant and bind themselves, their heirs and assigns, to forever warrant and defend the title to the said real estate unto the said grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

WITNESS OUR HANDS on this 6th day of August, 2021.

Roger R. Hopkins
Roger R. Hopkins

By: Mary Richardson
Mary Richardson, Attorney-in-Fact for
Roger R. Hopkins

Kimberly S. Hopkins
Kimberly S. Hopkins

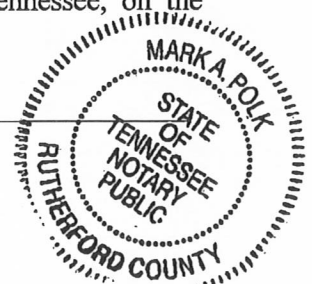
STATE OF TENNESSEE)
 ss.
COUNTY OF RUTHERFORD)

On this the 6th day of August, 2021, before me personally appeared Mary Richardson, to me known to be the person who executed the foregoing instrument (Warranty Deed) on behalf of Roger R. Hopkins, acknowledged that she executed the same as the free act and deed of the said Roger R. Hopkins, by virtue of a Power of Attorney duly executed by the said Roger R. Hopkins and appearing of record in Record Book 2122, page 3697, of the Register's Office of Rutherford County, Tennessee.

6th WITNESS MY HAND and official seal at office in Murfreesboro, Tennessee, on the 6th day of August, 2021.

My Commission expires: 4/23/2024

Mark A. Polk
Notary Public



On this the 6th day of August, 2021, before me personally appeared Kimberly S. Hopkins, to me known (or proved to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument (Warranty Deed) and acknowledged that she executed the same as her free act and deed.

My Commission expires: 4/23/2024

I hereby swear or affirm that the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is **\$265,000.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Sworn to and subscribed before me on this 9 day of August, 2021.

A circular notary seal for Kayla Dodd, a Notary Public in the State of Tennessee. The seal features her name "KAYLA DODD" at the top, "STATE OF TENNESSEE" in the center, and "NOTARY PUBLIC" below it. The commission expiration date "EXP. 04-19-2025" is at the bottom, and "RUTHERFORD COUNTY" is written along the outer edge. The seal is surrounded by a decorative border of small dots.

Record Book 2122 Page 3702



Beau Monde PRD

SUBMITTED MAY 11, 2022 FOR THE MAY, 2022 PLANNING COMMISSION MEETING



1. Development Team & Project Summary
2. Zoning Map
3. Utility Map: Water Resources
4. Utility Map: Sewer
5. Roadways
6. Topography and Soils Maps
7. Easements and Stormwater Infrastructure
8. Aerial Map
9. Existing Conditions Photos
10. Existing Conditions Photos (Cont'd)
11. Existing Conditions Photos (Cont'd)
12. Existing Conditions Photos (Cont'd)
13. Illustrative Rendering
14. Concept Plan
15. Front Elevation & Floor Plan House #1
16. Elevations House #1
17. Elevations & Floor Plan House #2
18. Elevations House #2
19. Front Elevation & Floor Plan House #3
20. Elevations House #3
21. Front Elevation & Floor Plan House #4
22. Elevations House #4
23. Formal Open Space Plan
24. Conceptual Landscape Plan
25. - 27. Development Standards

PROJECT SUMMARY

Beau Monde PRD is a new 1.45 acre development located on Haynes Drive across from the Jamison Place subdivision. The development will consist of 8 detached homes with a New Orleans inspired architecture, featuring covered front porches, gas lamps, and ornate detailing. The overall density of the development will be 5.5 units per acre. The homes will be a combination of brick and cementitious siding with a minimum size of 2100 square feet. The homes closest to Haynes Drive will have rear entry garages. The homes in the back portion of the property will have front entry garages. All the garages will be two car garages with parking for two additional parking spaces at each home and 6 guest parking spaces on the property. The formal open space is located in the center of the property and will have a fire pit, pergola, and enhanced landscaping. The property will have an evergreen screen along the side and rear property lines.

OWNER/DEVELOPER

Blue Sky Construction
Matt Wilson & Brian Burns
6 North Public Square
Murfreesboro, TN. 37130
615.653.5397
mhw221992@gmail.com

PLANNING AND ENGINEERING

Huddleston-Steele Engineering, Inc.
Clyde Rountree, RLA
2115 N.W. Broad Street
Murfreesboro, TN, 37129

RESIDENTIAL DESIGN

J. Taylor Designs
310 Uptown Square
Murfreesboro, TN. 37129
jamie@jtaylor design.com
615.617.6499

THE SUBJECT PROPERTY

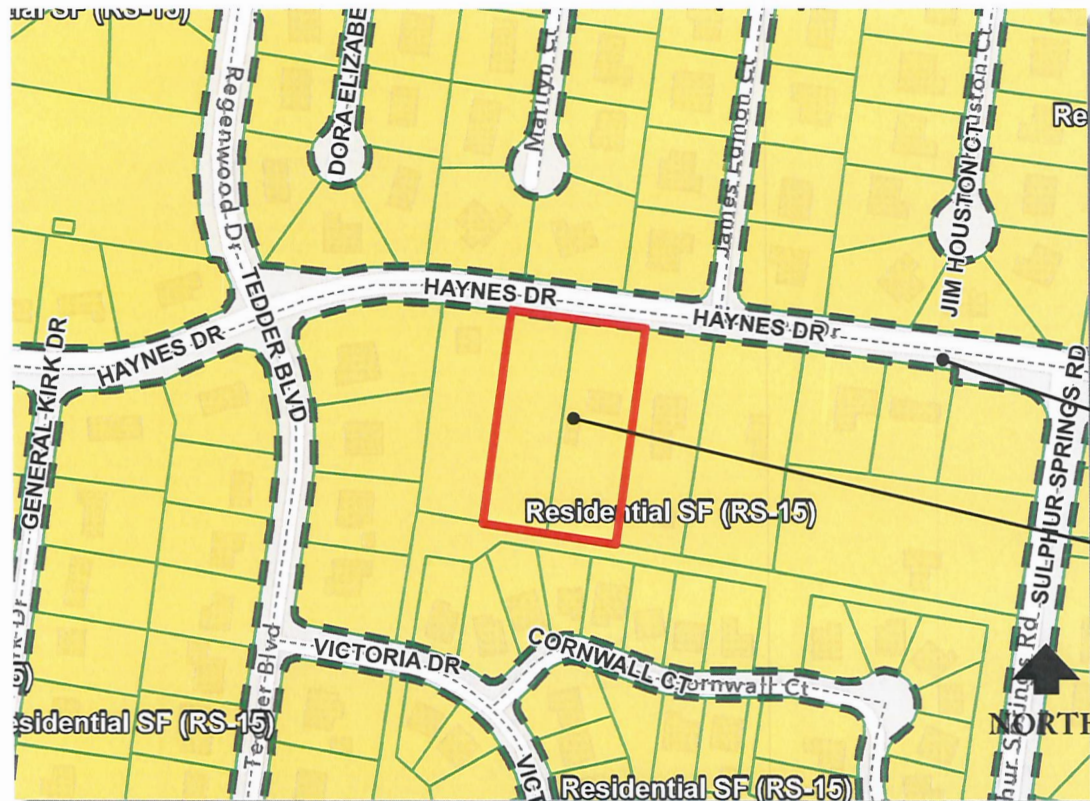
The subject property is currently zoned RS-15.

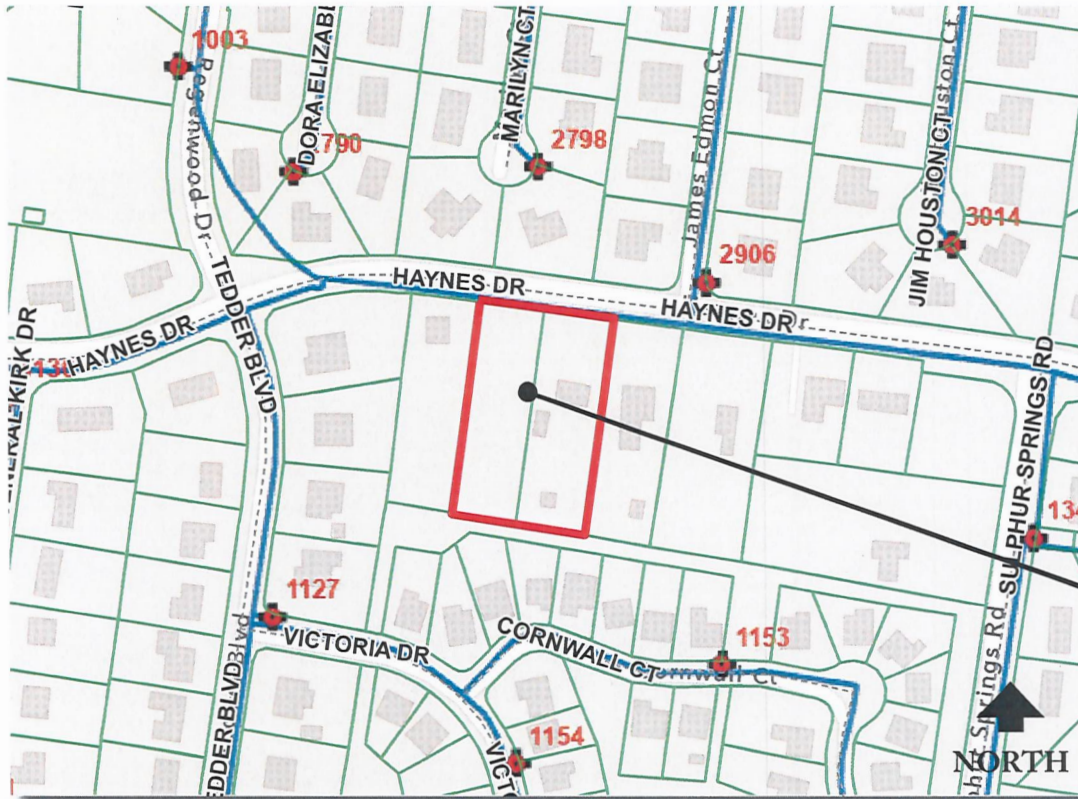
The property surrounding the subject property is currently zoned RS-15.

Requesting the property be rezoned PRD.

HAYNES DRIVE

SITE





THE SUBJECT PROPERTY

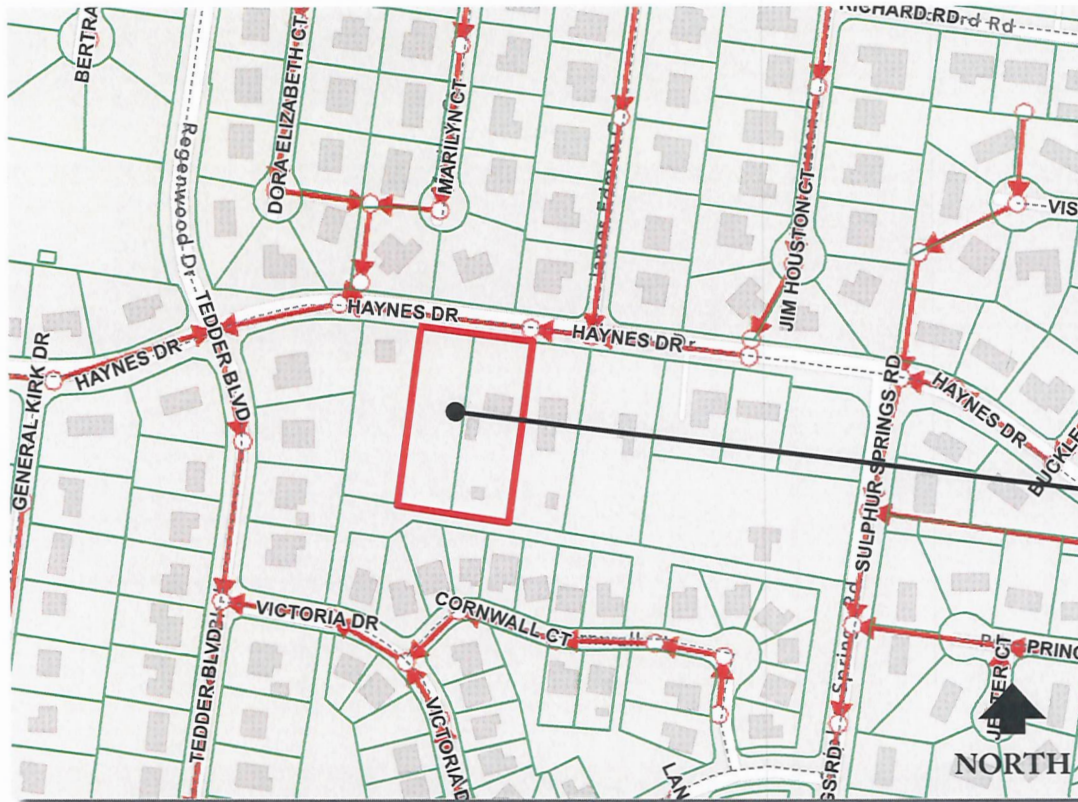
- Murfreesboro Water Resource Department
- 6" Ductile iron water line running along the north side of Haynes Drive
- Water service will come under Haynes Drive and will run along the driveway.

LEGEND

WATER



SITE



THE SUBJECT PROPERTY UTILITY PROVIDERS:

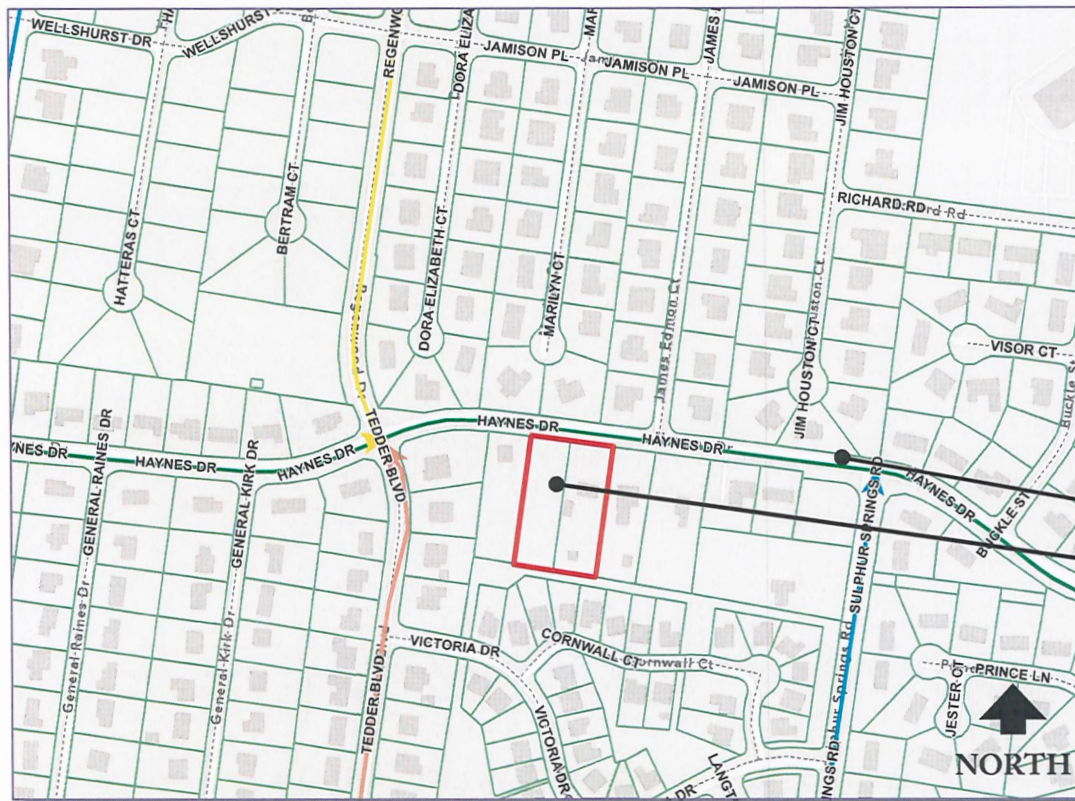
- Murfreesboro Water Resources Department
- 8" PVC line located on the north side of Haynes Drive
- The allowable number of homes under the current sewer allocation is 10 homes. Our request is for eight single family homes.
- The sewer will come from Haynes Drive and will run under the street and will run along the entrance drive.

SITE

LEGEND

SEWER ———

SHUDDLESTON-STEELE
ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: 615-893-4084 FAX: 615-893-0080



THE SUBJECT PROPERTY

Haynes Drive is proposed to be expanded to a three lane road section as documented in the Major Thoroughfare Plan.

Haynes Drive has a 60' R.O.W. in front of the subject property. This R.O.W width should accommodate the future expansion of Haynes Drive.

Currently Haynes Drive is 24' wide. The road is consider substandard and needing improvements. The developer of this project is required to participate with those road improvements with fees in lieu of construction in accordance with city policies.

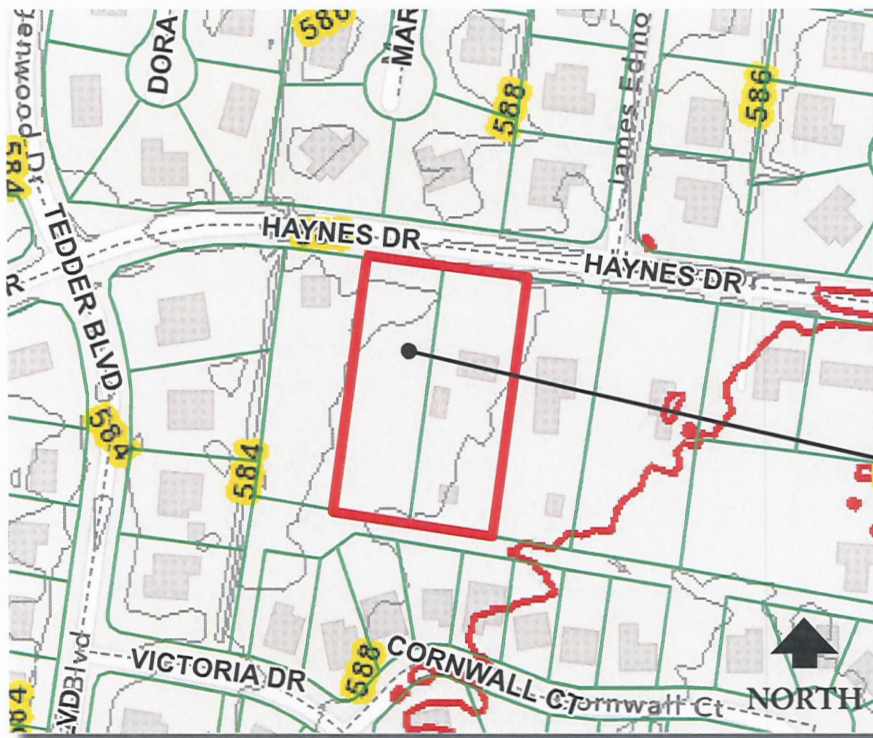
HAYNES DRIVE
SITE

LEGEND

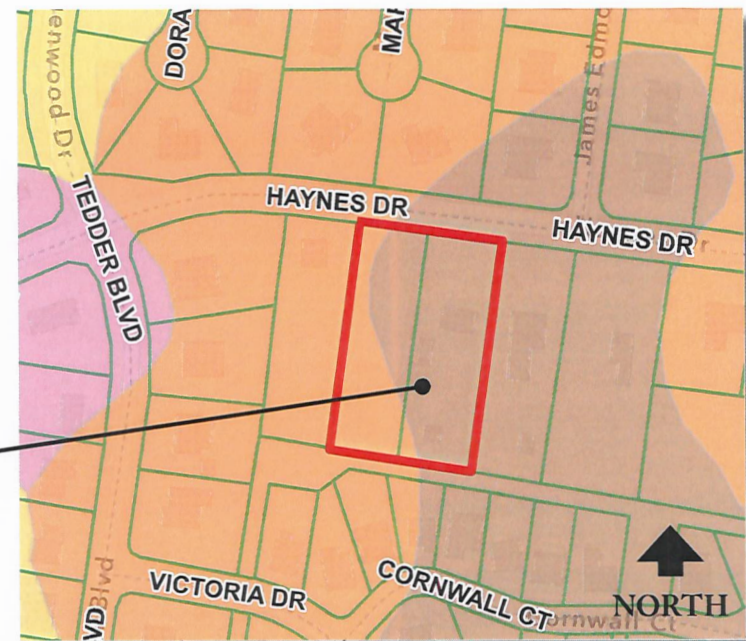
RESIDENTIAL COLLECTOR
RESIDENTIAL SUB COLLECTOR
COMMUNITY COLLECTOR
MINOR ARTERIAL



The subject property appears relatively flat from the vantage point of Haynes Drive. The site has an average of 2' of grade change running west to east. The natural drainage runs to the Northeast towards Haynes Drive. Based on initial study the development will have minimal impact on the natural flow of the area.



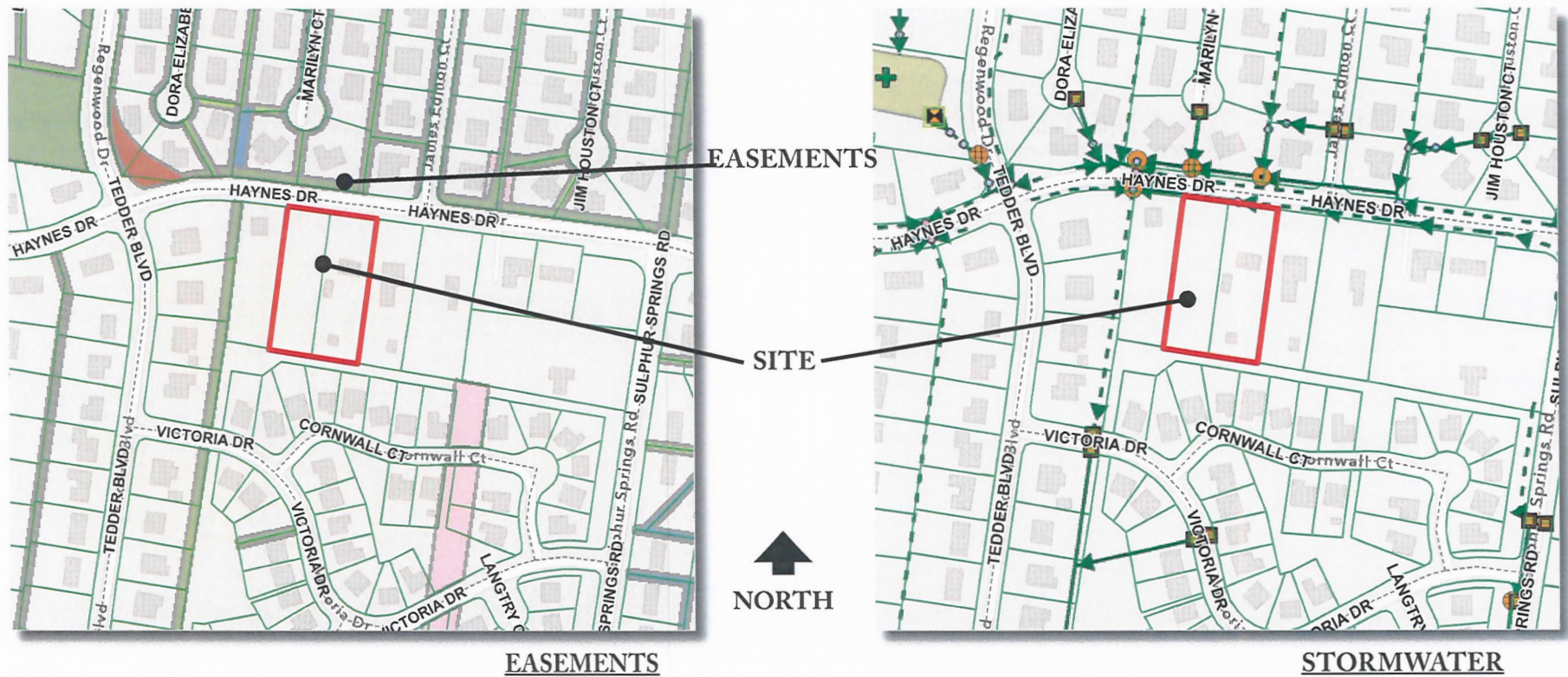
TOPOGRAPHY

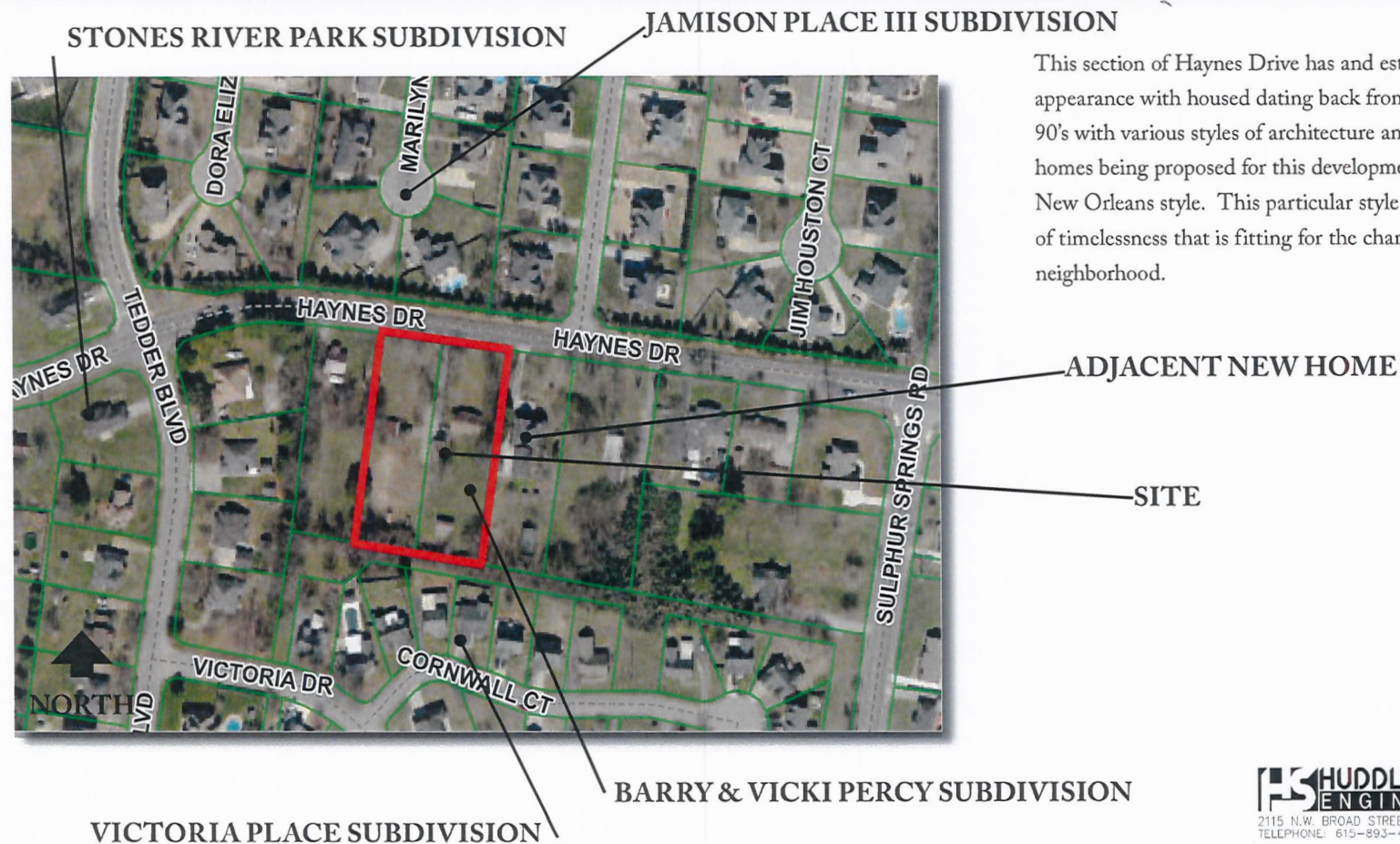


SOILS

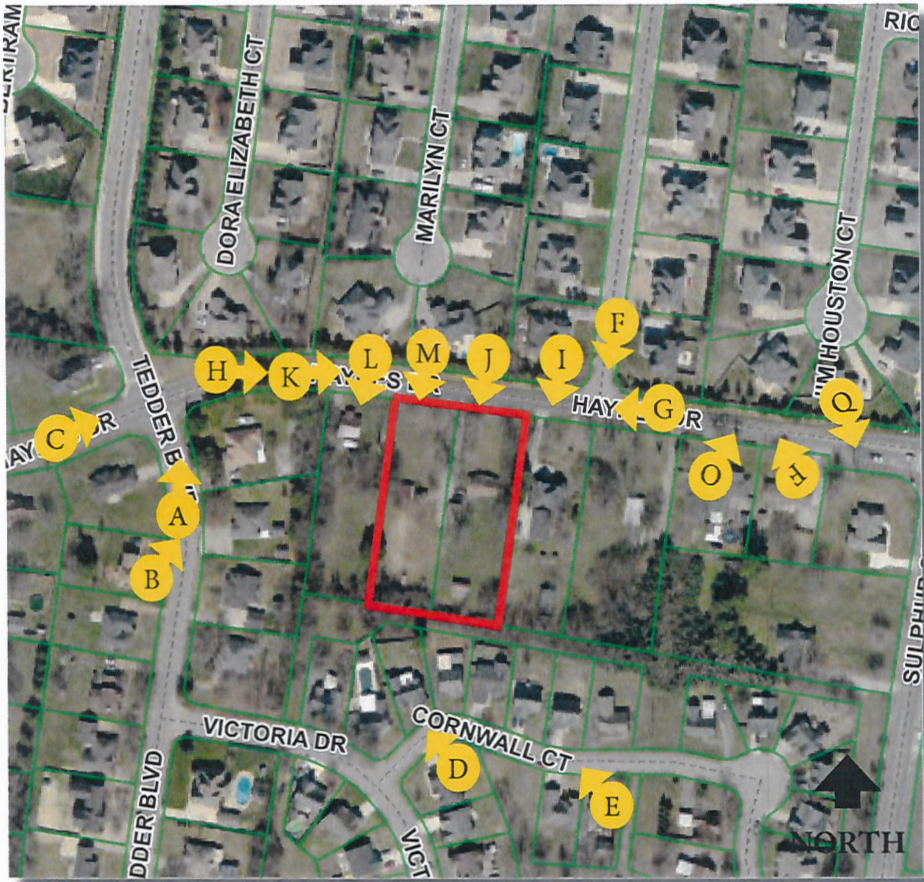
THE SUBJECT PROPERTY

- No easements are currently impacting the subject property.
- The subject property will incorporate pervious pavers as the method for stormwater management.





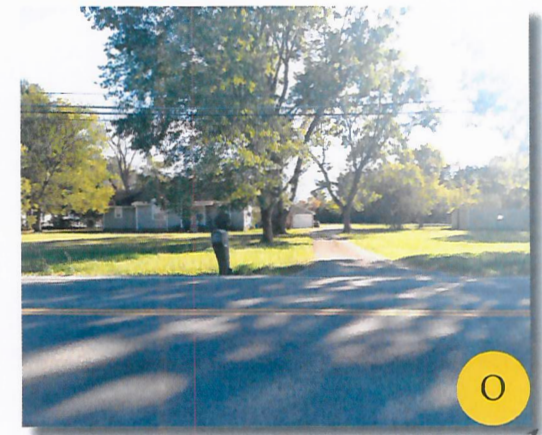
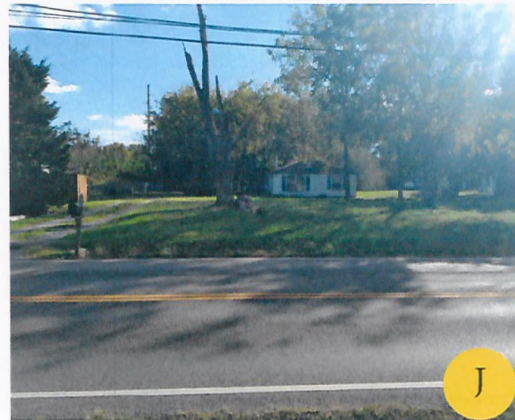
Existing Condition Photos



Existing Conditions (Cont'd)



Existing Conditions (Cont'd)



Existing Conditions (Cont'd)

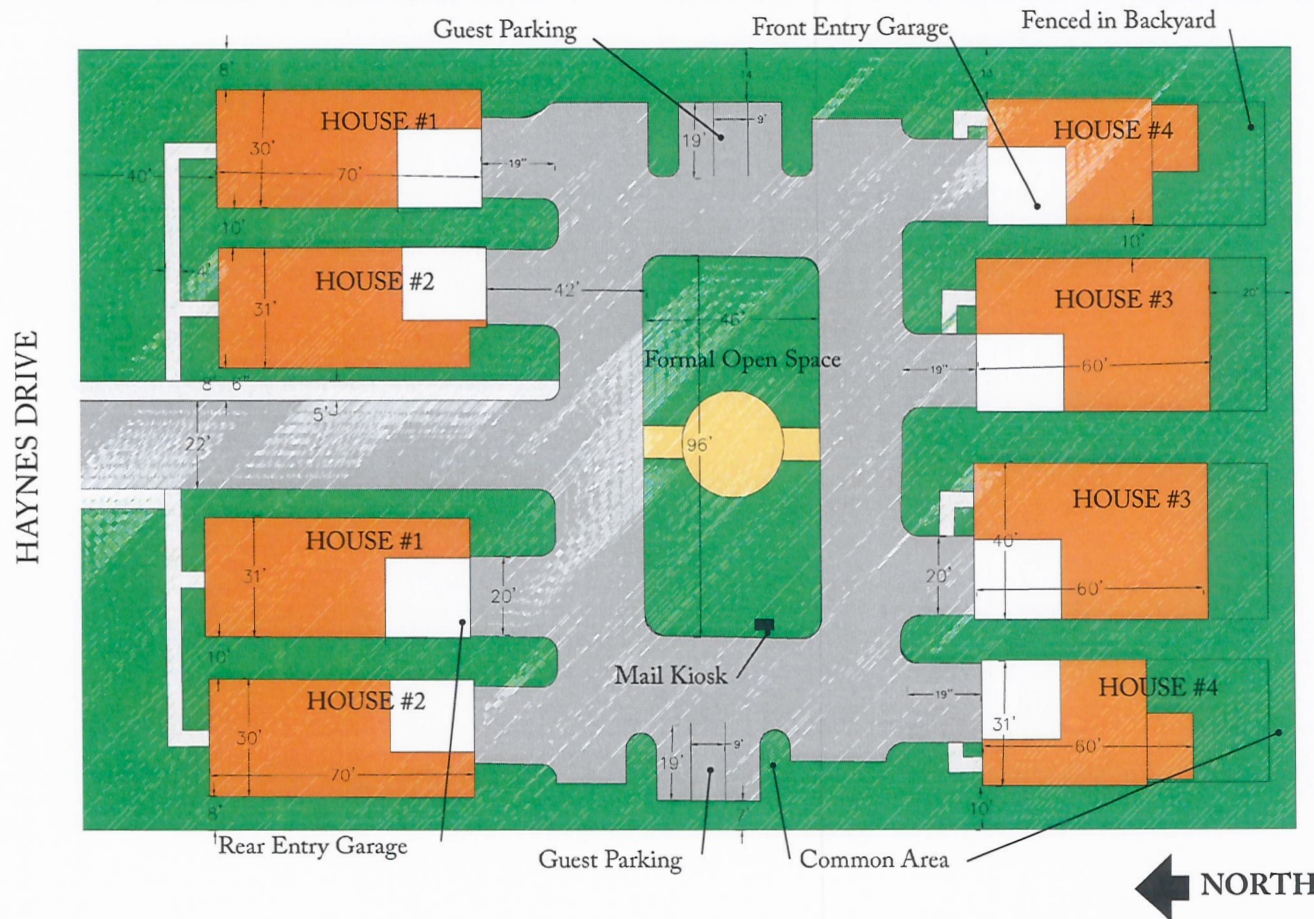




Concept Plan

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT



SITE DATA:

- AC UNITS: 1.45 Acres
- DENSITY UNITS/ACRE: 5.5
- ALL HOMES HAVE 3 BEDROOMS WITH A MINIMUM OF 2100SF
- SOLID WASTE WILL BE MANAGED BY A PRIVATE HAULER
- COMMON AREAS MAINTAINED BY HOA
- HOMES ARE PREDOMINATELY FIBER CEMENT SIDING WITH BRICK WATER TABLE.
- THE PROPERTY WILL BE A HORIZONTAL PROPERTY REGIME
- ALL HOMES WILL HAVE 2 CAR GARAGE

PROPOSED SETBACK:

FRONT: 40'
REAR: 20'
SIDE: 8'

MAXIMIZE HEIGHT: 35'

PARKING REQUIREMENTS: 32 (1.1 spaces per bedroom)

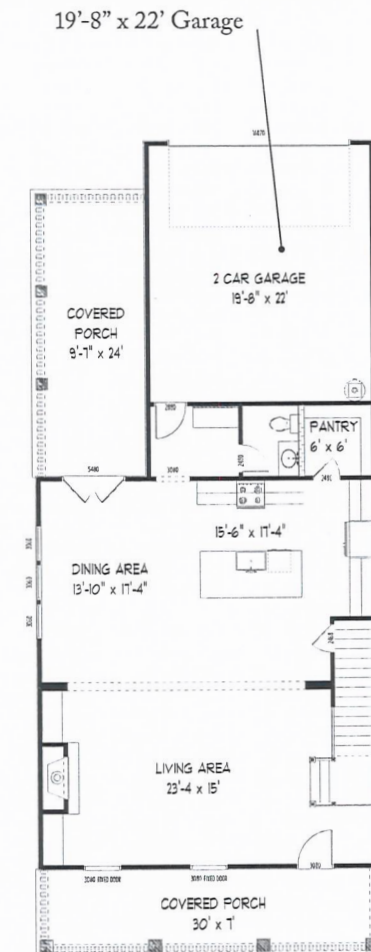
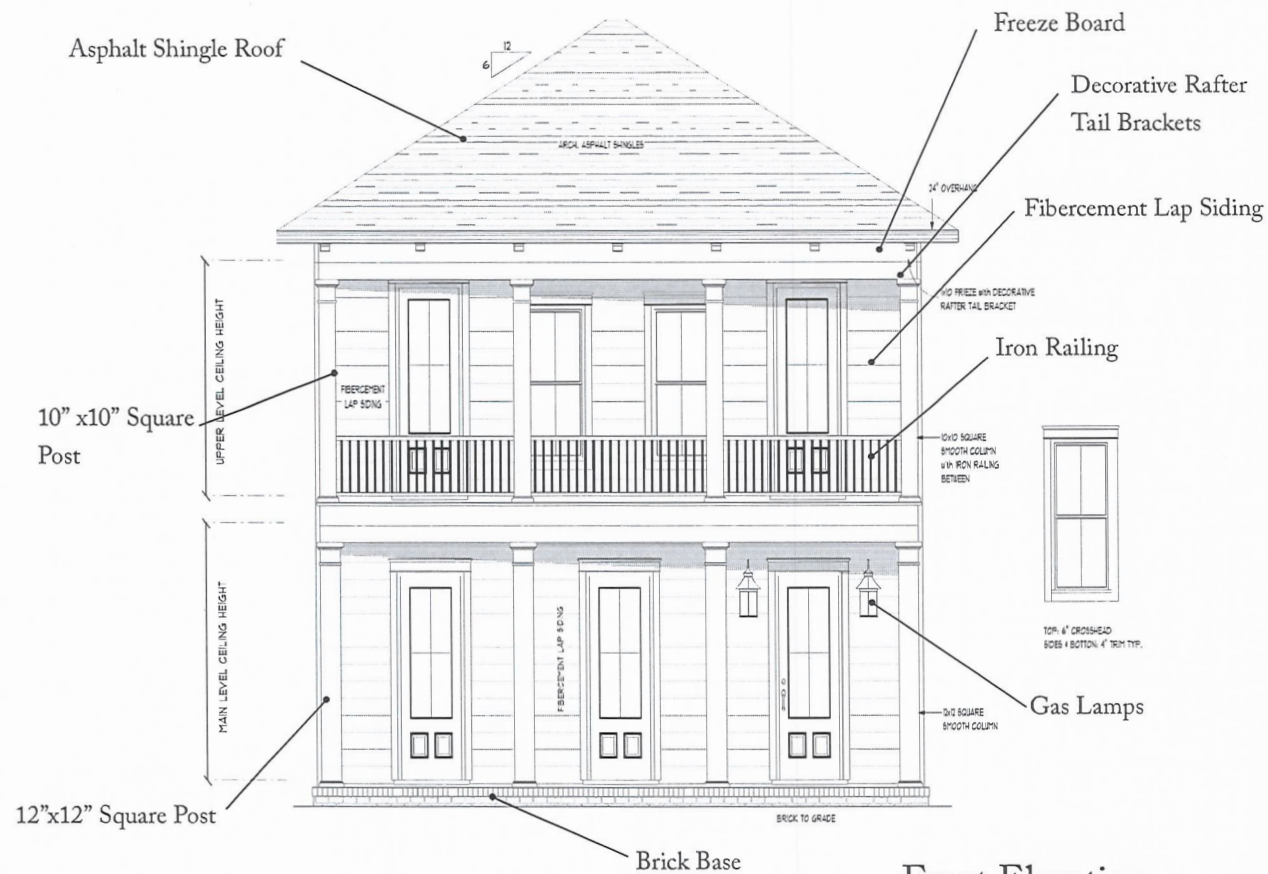
PARKING PROVIDED: 38
GARAGE PARKING: 16 SPACES
DRIVEWAY PARKING: 16 SPACES
GUEST PARKING: 6 SPACES

ALL GARAGES MEET THE MINIMUM REQUIREMENT FOR THE CITY OF MURFREESBORO

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT

PLANNED RESIDENTIAL DISTRICT



ELEVATIONS HOUSE #1

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT



FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION

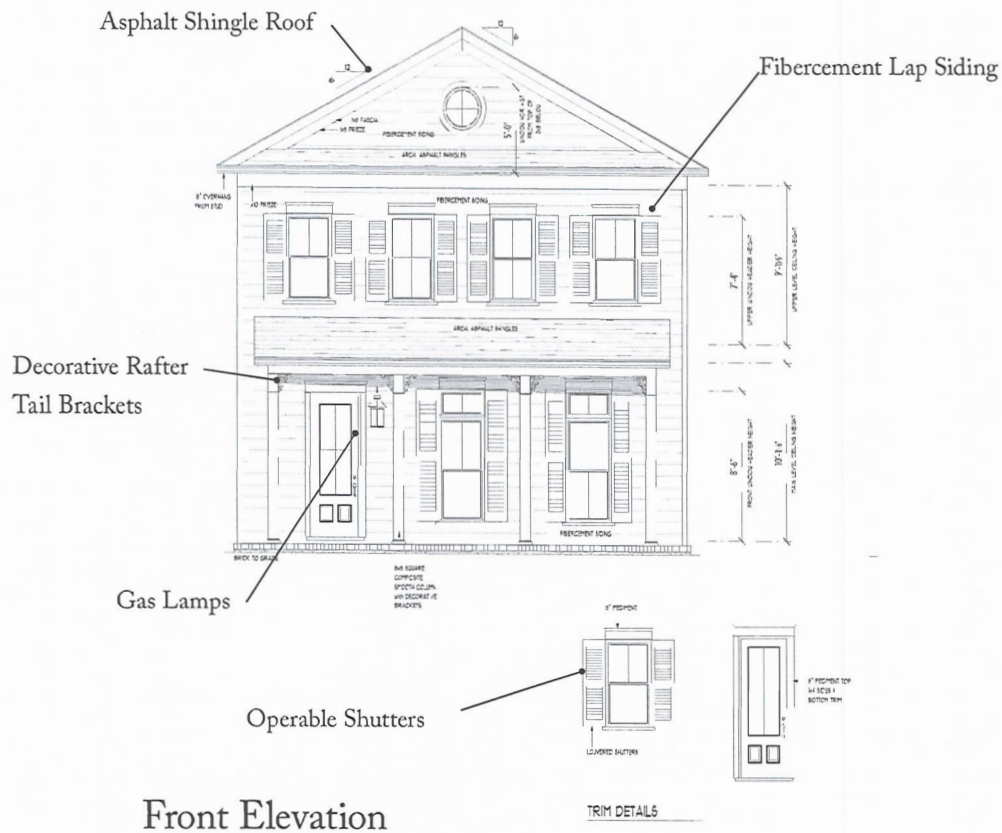


REAR ELEVATION

FRONT ELEVATION & FLOOR PLAN HOUSE #2

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT



Front Elevation



ELEVATIONS HOUSE #2

Beau Monde PRD

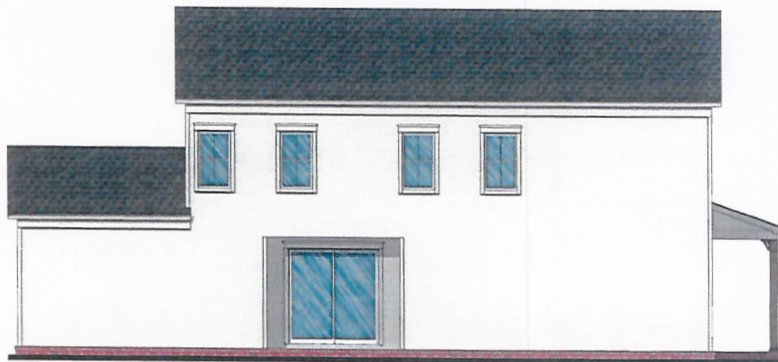
PLANNED RESIDENTIAL DISTRICT



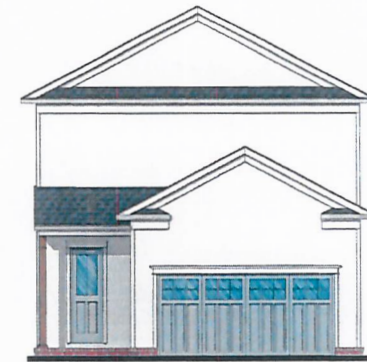
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION

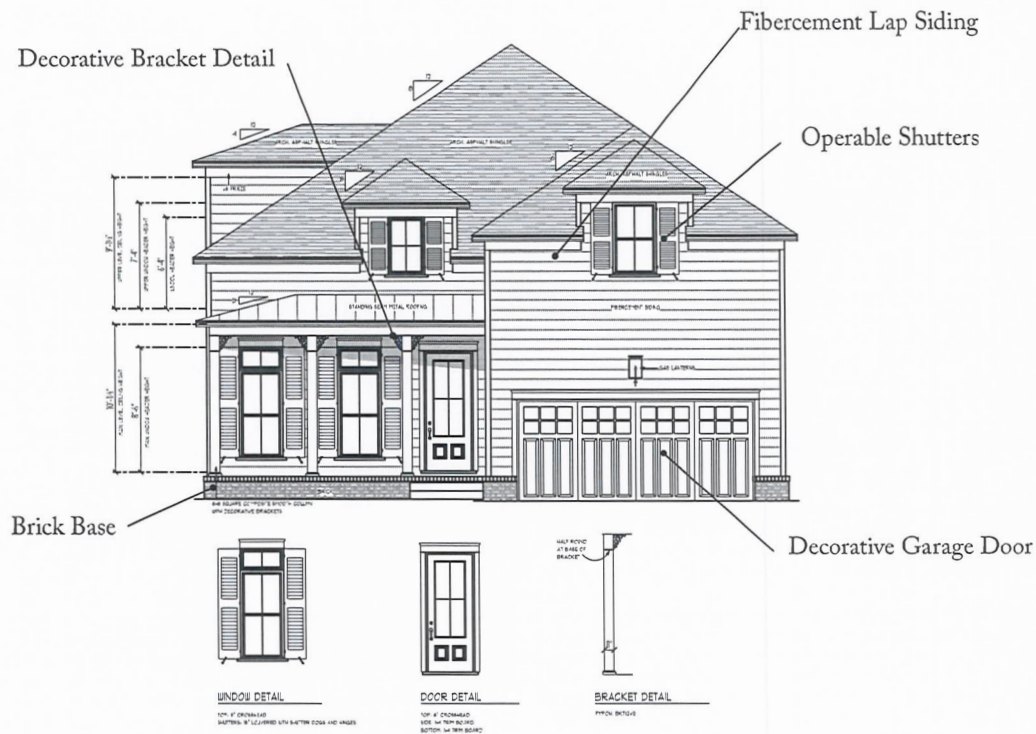


REAR ELEVATION

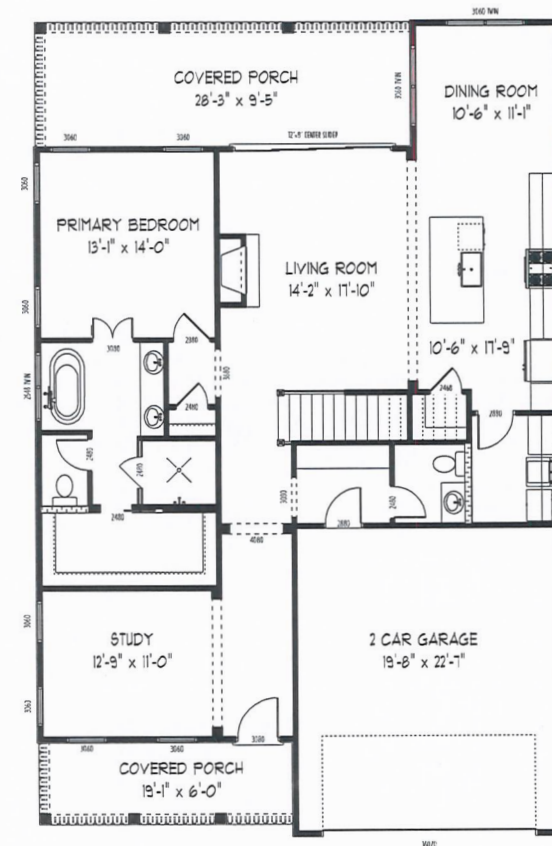
FRONT ELEVATION & FLOOR PLAN HOUSE #3

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT



Front Elevation



ELEVATIONS HOUSE #3

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT



FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION

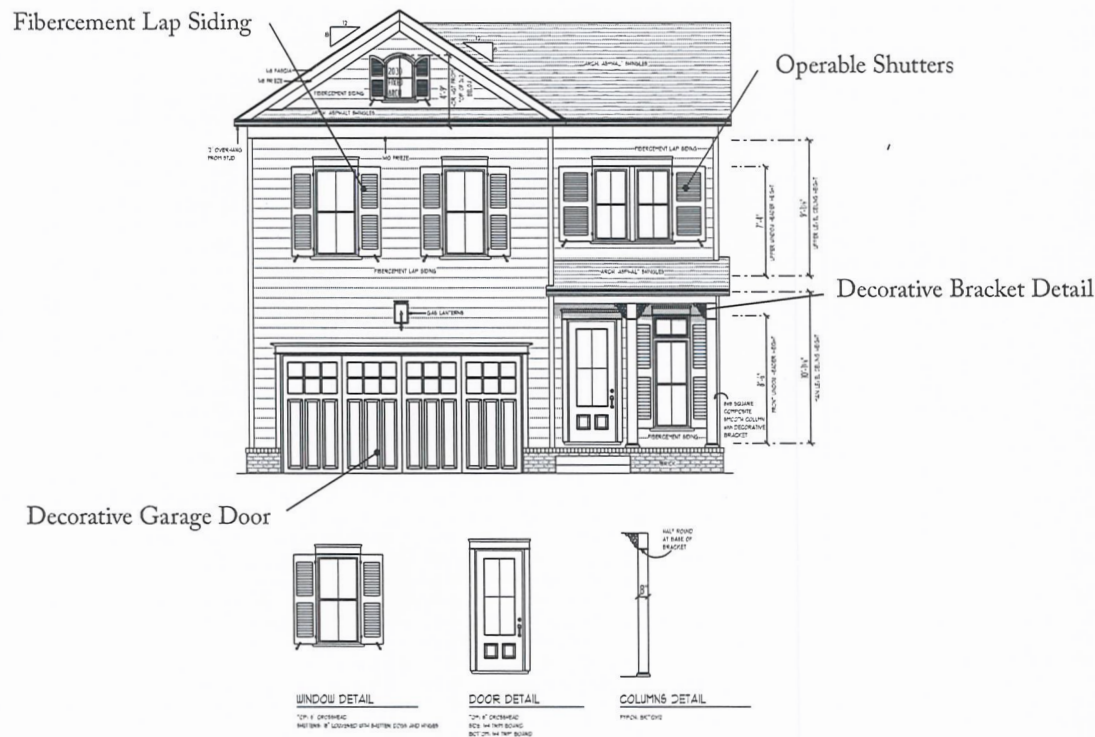


REAR ELEVATION

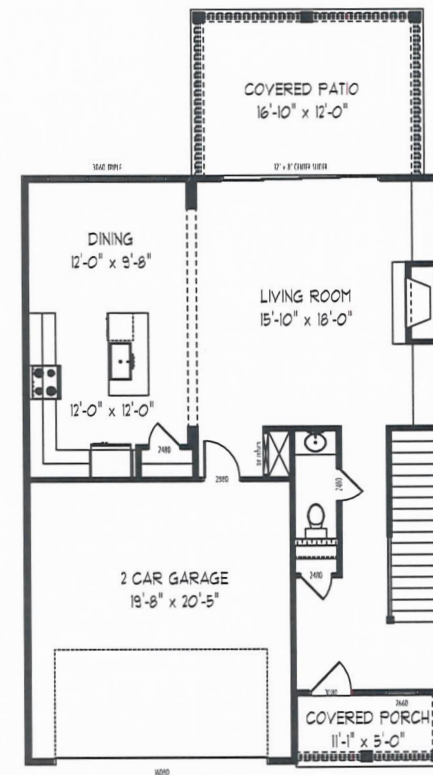
FRONT ELEVATION & FLOOR PLAN HOUSE #4

Beau Monde PRD

PLANNED RESIDENTIAL DISTRICT



Front Elevation



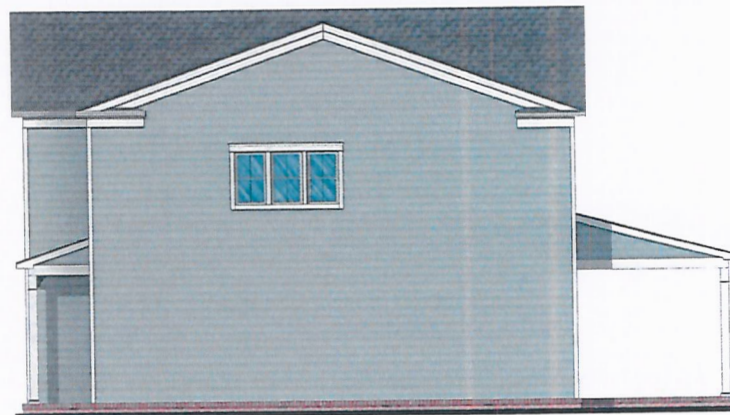
ELEVATIONS HOUSE #4

Beau Monde PRD

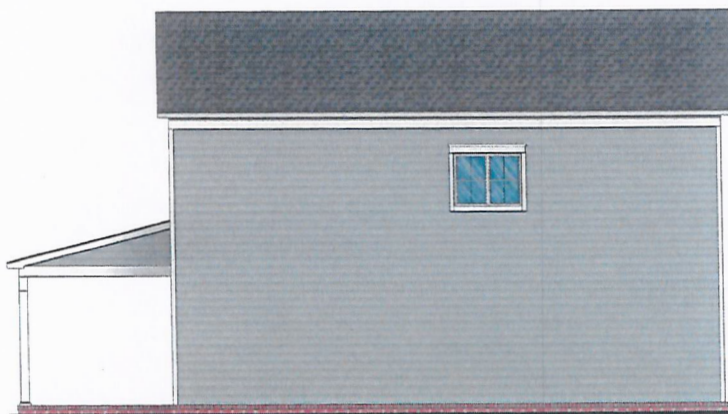
PLANNED RESIDENTIAL DISTRICT



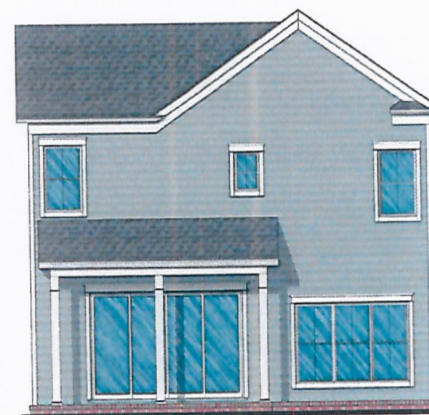
FRONT ELEVATION



SIDE ELEVATION

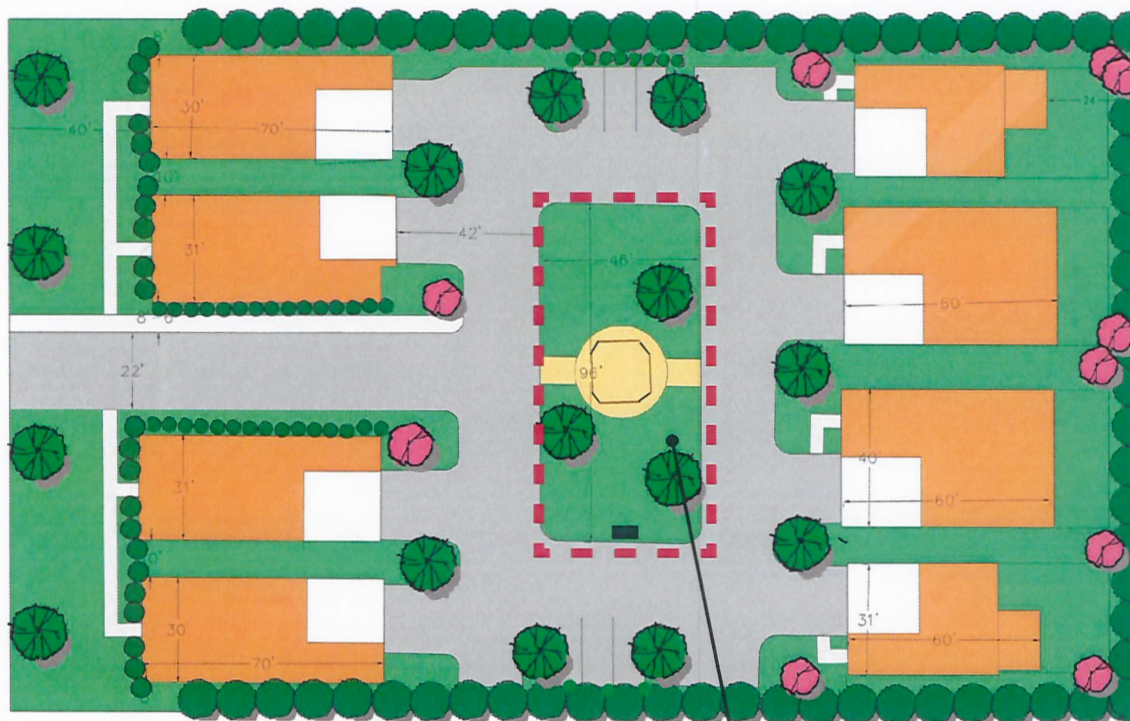


SIDE ELEVATION



REAR ELEVATION

HAYNES DRIVE



Center Green Space

NORTH

SITE DATA:

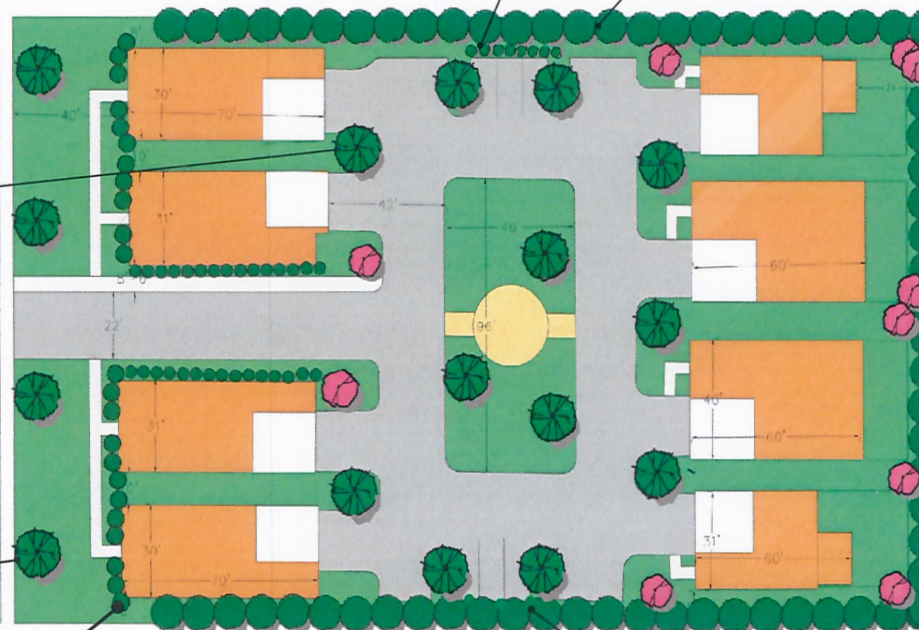
- Center Green space: 3177 SF
- Open spaces add quality to the life of the Home owners.
- The center green space will have a Fire pit and pergola for Gathering
- The space will be nicely landscaped to create a peaceful place for passive activities.
- The center green space will be maintained by the HOA



Center Green Rendering

Evergreen Shrub Row (4' Ht./4' o.c.)

Evergreen Tree Row (6' Ht/10' o.c.)



Evergreen Shrub Row (4' Ht./4' o.c.)

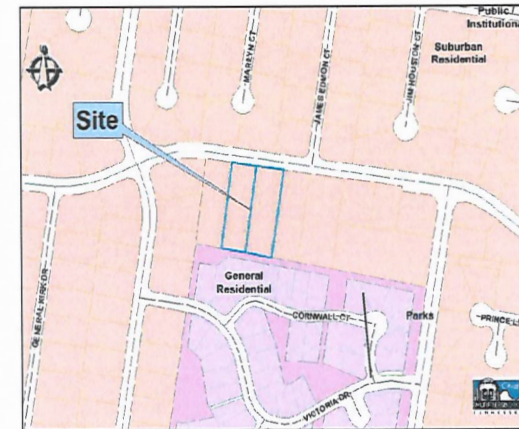


Development Standards:

- Development will include (8) 2-Story homes.
- The maximum building height of 35'-0"
- Parking will be a combination of surface parking and parking in garages
- Solid waste will be utilizing polly carts and private hauler.
- Sidewalks will not be provided along Haynes Drive.
- Mail delivery will be accommodated via a mail kiosk in the common area
- The garages are to meet standard city requirements
- Telecommunication and television

- equipment shall be located on the rear of the proposed buildings.
- AC units will be located on the rear of the homes
- Building Elevation Materials:: Brick and Hardie Board Siding
- All buildings will be a minimum of '10' apart

LAND REQUIREMENT TABLE			
	REQUIREMENT	PROPOSED	
SETBACKS	RS-15	PRD	DIFF.
HAYNES DRIVE	40'	40'	
SIDE SETBACK	12.5'	8'	4.5'
REAR SETBACK	30'	20'	10'
MIN. LOT AREA	NONE	NONE	
MIN. LOT WIDTH	NONE	NONE	
MAX. HEIGHT	75'	35'	40'
MAX. GROSS DENSITY	2.9	5.5	2.6
MAX. F.A.R.	NONE	NA	
MAX. L.S.R.	NONE	NA	
MAX. O.S.R.	NONE	NA	
MAX. LOT COVERAGE	25%	33%	8%



The Suburban Residential Character as defined in the 2035 Plan allows for a density of 2.0 to 3.54 dwelling units per acre. The density being requested is 5.5 units per acre. The SR Character does allow for smaller lot sizes in exchange for additional open space. The green space is a design emphasis on this plan being located in the center of the development and acting as the formal open space. The houses along Haynes Drive will have a 40' front setback that is consistent with the existing neighborhood and adds the feeling of green space to the development. The homes in the rear of the development will have private backyards, which is considered additional green space.

General Applicability Section 13B for Planned Development

1. Ownership and division of land: *The site is owned by the developer identified on Sheet 1, The lot is currently zoned RS-15 in the City of Murfreesboro.*

2. Waiver of BZA action: *No BZA actions will be required.*

3. Common space and common elements: *A large central open space is being planned.*

4. Accessibility of site: *Site will be accessed from Haynes Drive, designated as a community collector street.*

5. Off-street parking: *See Sheet 14 for parking calculations.*

6. Pedestrian circulation: *Sidewalk will not be constructed with this project along Haynes Drive.*

7. Privacy: *Currently there is no plan for privacy matters at this location.*

8. Relationship to zoning regulations and other zoning regulations: *A PRD is being requested for the subject property. See the Land Requirement Table on Sheet 25.*

9. Development Period; Phasing: *The project shall be completed in one phase.*

10. Annexation: *No annexation is required for this site.*

11. Landscaping: *Landscaping will be the responsibility of the new home owner. The common area will be maintained by the HOA. Evergreen trees will be planted along the side and rear property lines.*

SITE DATA	ENTIRE PARCEL
Total Land Area	63,558
Total Open Space	26,250
Formal Open Space	3,177
Total Impervious	38,820
Total Pervious	26,250
Total Building Coverage	21,120
Total Parking Lot Coverage	17,700

Section 13D – Planned Development Criteria Requirements

1. Identification of existing utilities, easement, roadways, rail lines and public right-of-way crossings and adjacent to the subject property: *Shown in pattern book on Sheets 3-5.*
2. A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; *Shown in pattern book Sheets 6-8.*
3. A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structure on-site and within two hundred feet of the subject property and the identification of the use thereof; *Shown in pattern book Sheets 9-12.*
4. A drawing defining the general location and maximum number of lots, parcels or sites proposed to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; *Shown in pattern book Sheet 14.*
5. A tabulation of the maximum number of dwelling units proposed including the number of units with two or less bedrooms and the number of units with more than two bedrooms; *Shown in pattern book Sheets 13.*
6. A tabulation of the maximum floor area proposed to be constructed, the F.A.R. (floor area ratio), the L.S.R. (livability space ratio), and the O.S.R. (open space ratio); *Not applicable in this situation.*
7. A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the City and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article; *See sheet 25*
8. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating:
 - (aa) the approximate date when construction of the project can be expected to begin; (bb) the order in which the phases of the project will be built; (cc) the minimum area and the approximate location of common space and public improvements that will be required at each stage; and, (dd) a breakdown by phase for subsections [5] and [6] above;*The PRD will be constructed in one phase.*

9. Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted; *Not applicable.*
10. A statement setting forth in detail either (1) the exceptions which are required from the zoning and Subdivision Regulations otherwise applicable to the property to permit the development of the proposed planned development or (2) the bulk, use, and/or other regulations under which the planned development is proposed; *Exception #1 Reduction in side setback of 4.5 feet, Exception #2 reduction in rear setback of 10 feet, Exception #3 Increase in allowable density by 2.6 units per acre.*
11. The nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article; *Not applicable in this situation.*
12. The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time; *The subject property is not influence by the Major Thoroughfare Plan.*
13. The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated; *See Sheet 1.*
14. Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. *See Sheets 15-22*
15. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign: *Not applicable in this situation.*

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JUNE 1, 2022**

PRINCIPAL PLANNER: MARGARET ANN GREEN

- 4.c. Zoning application [2022-405] for approximately 0.85 acres located at 1540 Commonwealth Court to be rezoned from RS-10 to PCD (Georgetown Park Parking Lot), Skeeter Beaulieu applicant.**

Introduction

The subject property is located along Commonwealth Court, adjacent to the Georgetown Park commercial development. The subject property consists of one lot within the Georgetown residential subdivision (Tax Map 080I Group B Parcel 016.33). The property is zoned RS-10 (Single-Family, Residential District). The properties to the north are also zoned for single-family, residential purposes (RS-10 and RS-15) and the parcels to the south are zoned CH (Commercial Highway District).

Georgetown Park parking lot PCD- 0.85 acres

Overview

Georgetown Park PCD is a single-family, residential lot located within the Georgetown subdivision. The owner of the adjacent commercial property, PGB Properties I LLC, purchased this lot. They now wish to incorporate the property within the existing Georgetown Park commercial retail center as additional parking. Upon the recommendation of staff, the applicant held a neighborhood meeting on November 16, 2021, at Five Senses restaurant. Feedback from that meeting lead the applicant to withdraw their application to rezone the property to CH (Commercial Highway District) and to pursue a PCD zoning application.

The PCD proposes to utilize this site for 66 parking spaces. The applicant has stated that they intend to reserve the spaces within this area for employee parking. The parking lot will provide lighting to create a secure environment and will be required to submit a plan that conforms with the City's lighting standards during site plan review.

Transportation and Access:

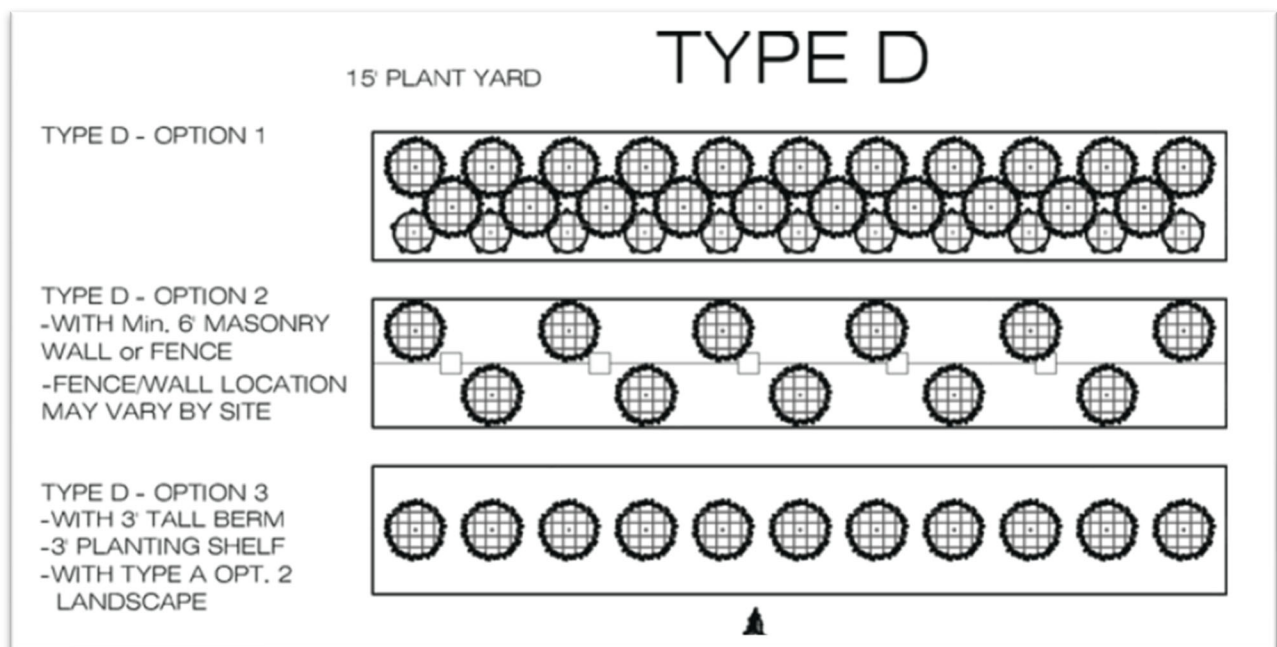
During the due-diligence and pre-application meetings, members of the Planning and Public Infrastructure Departments provided preliminary feedback regarding the development of this property and its relationship to the existing transportation network and the Major Transportation Plan. The plan does not propose a connection to Commonwealth Court, as it is a residential street and not designed to accommodate commercial traffic. However, a multi-modal path is proposed to connect to Commonwealth Court to provide access for neighboring visitors who may walk or bike

to the site. This multi-modal, or shared use path, will be required to meet typical sections as outlined in TDoT's standard drawing for lateral offsets for sidewalks and shared use mat (MM-TS-2).

The current drainage configuration located at the end of Commonwealth Court does not meet current city standards. This project will include improvements to be approved by the city engineer which will enhance both the drainage function and aesthetic appearance of this area.

Buffering:

A Type D Buffer is proposed along the property lines contiguous with single-family lots. An additional layer of evergreen shrubs will be added to make the buffer denser and help screen vehicle headlights. Additional accent trees are proposed along the multi-modal path. Below is information from the Zoning Ordinance on the Type D buffer.

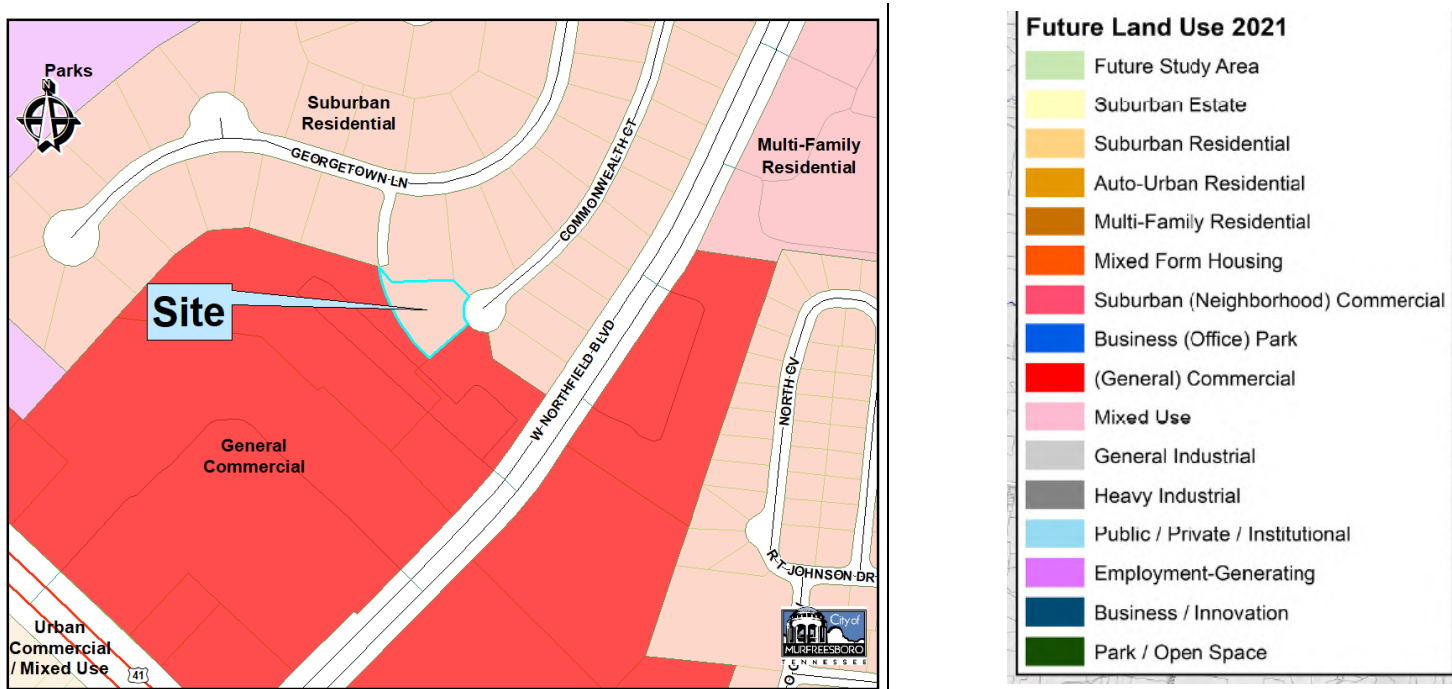


Purposes of Planned Develop District:

According to the Zoning Ordinance, the purposes of planned development district regulations are as follows:

1. to promote flexibility in development design and to permit planned diversification in the location of structures;
2. to promote the efficient use of land by permitting a planned arrangement of buildings, circulation systems, land uses, and utilities;
3. to preserve existing landscape features and amenities and to utilize such features in a harmonious fashion;
4. to encourage the total planning of land tracts consistent with adopted long-range plans;
5. to permit the use of new and innovative land development techniques while assuring protection of existing adjacent development;
6. to encourage the functional and beneficial use of open spaces and to preserve natural features of a development site;
7. to promote the creation of a safe and desirable living environment for residential areas characterized by a unified site and development program;
8. to permit the creation of a variety of housing types compatible with surrounding development to provide a greater choice of types of environment and living units;
9. to promote the provision of attractive and appropriate locations for business and manufacturing uses in well-designed developments and the provision of opportunities for employment closer to residences with a reduction in travel time from home to work;
10. to encourage the revitalization of established commercial centers;
11. to promote the diversification in the uses permitted and variation in the relationship of uses, structures, open space, and height of structures in developments intended as cohesive, unified projects;
12. to encourage design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property; and,
13. to promote the significance of architectural and aesthetic improvements and details in atypical developments.

Proposed Future Land Use Map



The existing and proposed Murfreesboro 2035 Future Land Use Map indicates that Suburban Residential character (SR) is most appropriate for the subject property.

This community character classification varies from the Urban and Auto-Urban (General) residential character categories in that the character type includes small acreages, large lot estate development or may also be smaller lots clustered around common open space. Amenities may be passive recreation integrated into the master plan with an emphasis on bicycle, pedestrian, and greenway facilities.

The proposed use and zoning are not consistent with the SR character in the *Future Land Use Map*. However, the amendments to the *Future Land Use Map* also create flexibility for transitions between designated areas on the *Future Land Use Map*.

Future Land Use Map transition policy:

The proposed amendment to the Future Land Use Map proposes a new general policy to allow for flexibility related to transitions between designated areas on the *Future Land Use Map*. The purpose of the transition policy is to give flexibility within or between property lines to allow land use policy to be shaped relative to a site's context as well as its designated property boundary. These same considerations could be used to support site specific changes to the Future Land Use Map. Some examples of where transitions or changes might occur include:

1. Land use boundaries at collector and arterial street intersections may support

multiple land use options across street rights of way.

2. More than one type of land use category may be suggested to occur within property boundaries, especially on large parcels.
3. More than one property has been consolidated into a proposed land development.
4. Unique geographical, environmental or infrastructure conditions shape development opportunities differently than property line configurations
5. Current land development patterns support the expansion or contraction of a specific land use boundary or a land use change.
6. Benefits the City by providing an opportunity to improve upon existing public services or general infrastructure needs.
7. Adjustments to the Future Land Use Map should generally consider possible improvements to quality-of-life issues, unique development opportunities and or job creations that can improve economic opportunities in the city.

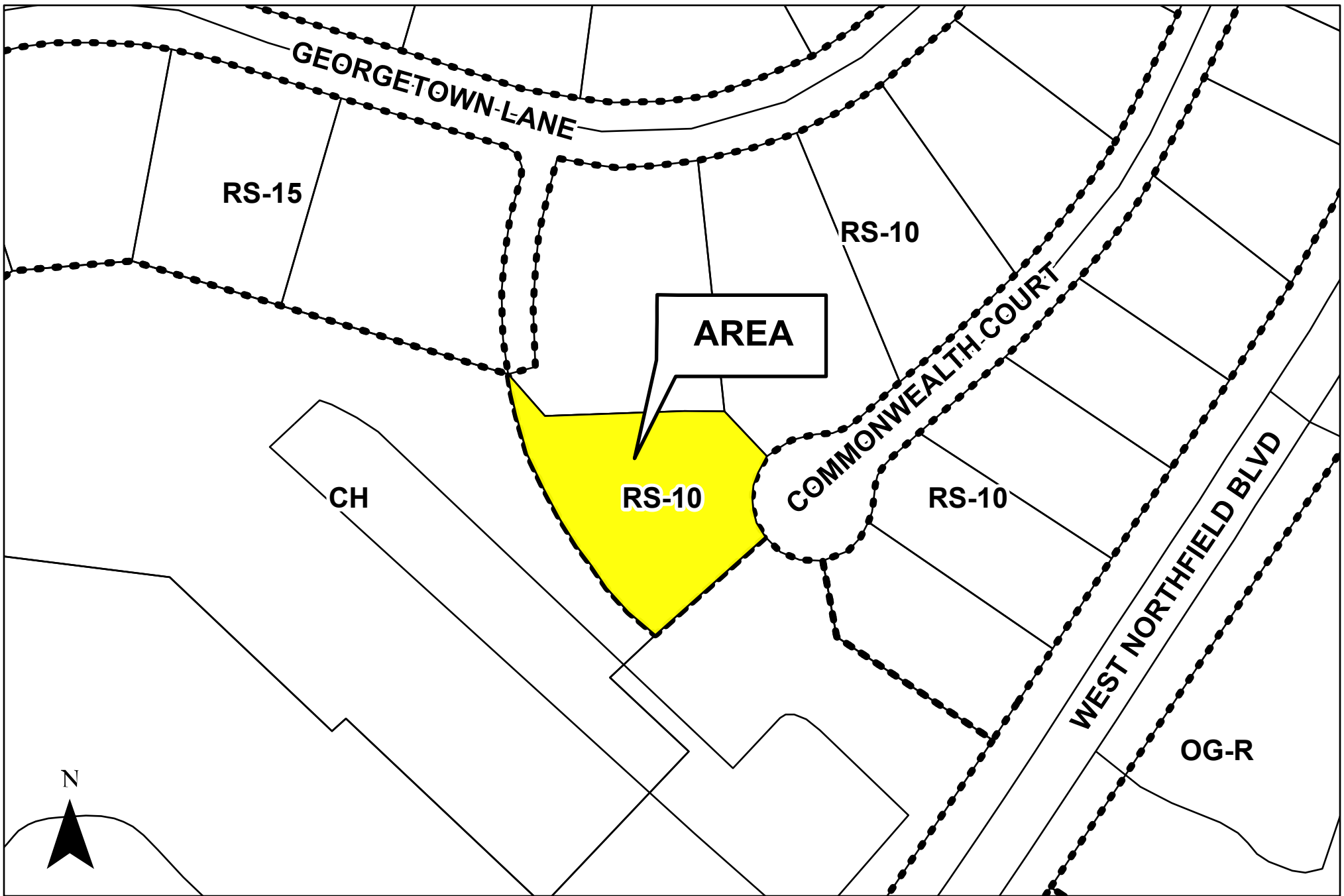
Reasons to allow for transition flexibility between land use or changes to the Future Land Use Map are not limited to these examples. Each proposed transition or change should be evaluated.

Recommendation:

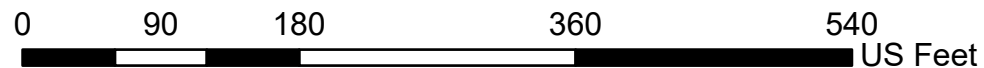
Staff would like the Planning Commission to consider the following items in its review of this request:

1. The proposed development type of “commercial parking lot” is not consistent with the Future Land Use Map’s Development Type, Character, or proposed zoning. However, the transition policy may be applicable to this lot based on more than one property has been consolidated into a proposed land development.

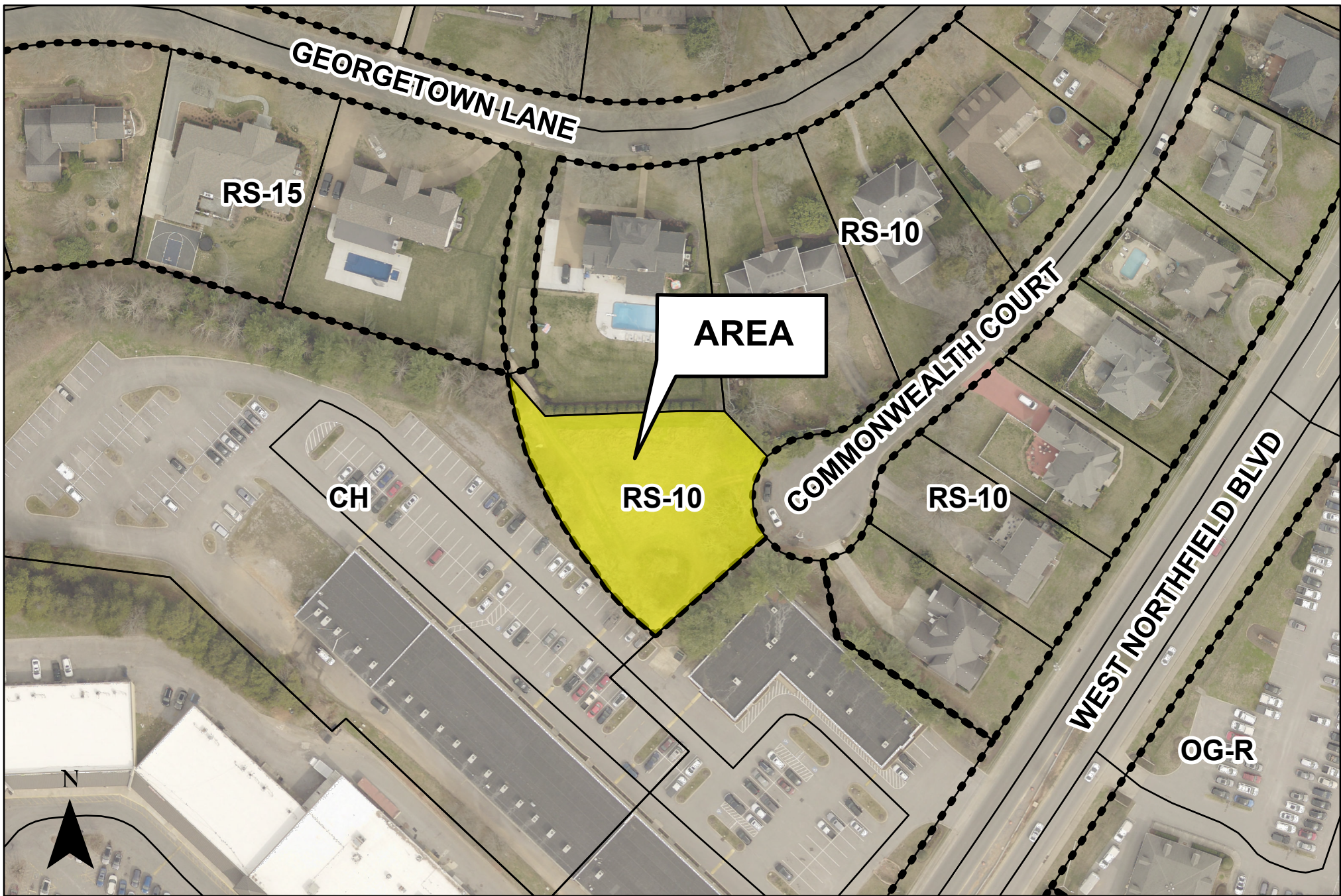
The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning request. The Planning Commission will need to conduct a public hearing prior to forwarding a recommendation to the City Council.



Rezoning request for property along Commonwealth Court
RS-10 to PCD (Georgetown Park Parking Lot PCD)



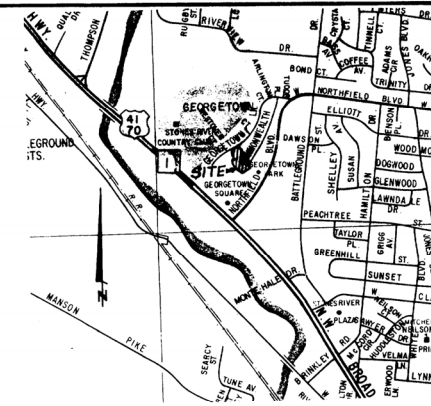
Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



Rezoning request for property along Commonwealth Court
RS-10 to PCD (Georgetown Park Parking Lot PCD)



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



LOCATION MAP

N.T.S.

CERTIFICATE OF OWNERSHIP AND THE UN-ATTACHED

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, parks and other open spaces to public or private use as noted.

Date 9-10-91
Deed Bk 361
Pg: 237
James W. Porter
Judy Porter
OWNER
OWNER

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is true and correct copy to the accuracy required by the Murfreesboro, Tennessee, Planning Commission and that the measurements have been placed as shown hereon, to the specifications of the County Road Commissioner or the City Engineer.

Date August 29, 91
W. Henry Huddleston III
REGISTERED ENGINEER OR SURVEYOR

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify (1) That streets, utilities, power pole locations and other improvements have been installed in an acceptable manner and according to city (county) specifications in the subdivision entitled:

Resubdivision Lot 38 GEORGETOWN
or (2) that a security bond in the amount of \$... has been posted with the planning commission to assure completion of all required improvements of case of default.
Date 12-28-91
City Manager

Date 9-12-91
City Engineer

Date 9-10-91
POWER AND OFFICIAL

Date 9-10-91
SOUTH CENTRAL BELL

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for 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 at the office of the County Registrar.

Date 9-12-91
CHAIRMAN, PLANNING COMMISSION

Date 9-10-91
SECRETARY

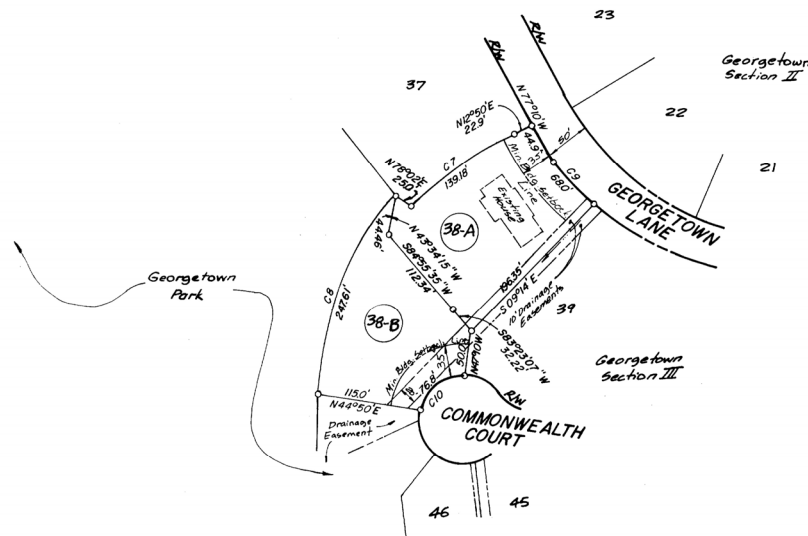
Date 8-10-91
772 Mans

CERTIFICATION OF THE APPROVAL OF WATER AND SEWERAGE SYSTEMS

I hereby certify that the water supply and sewage disposal utility systems installed, or proposed for installation in the subdivision plat entitled:

Resubdivision Lot 38 GEORGETOWN
fully meet the requirements of the Tennessee State Health Department, and Murfreesboro Water and Sewer Department, and are hereby approved as shown.

Date Sept 10, 91
Water and Sewer Department Official

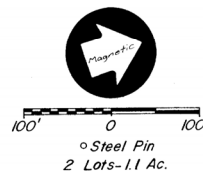


BART YEARGAN, REGISTER
RUTHERFORD COUNTY, TENNESSEE
Received September 20, 1991
Time 8:00 A.M.
Notebook 40 Page 249
PLAT BOOK 15 PAGE 18
Deputy Martha C. Wright

RECORDING FEE 10.00
STATE TAX -
REGISTER'S FEE -
TOTAL PAID 10.00
RECEIPT NO. 29233

I hereby certify that this is a Class "A" survey and the ratio of precision of the unadjusted survey does not exceed 1/7500 as shown hereon.

W. Henry Huddleston III, RLS
Tennessee Lic. No. 1057



CURVE DATA				
No	Delta	Radius	Dist. of Curve	Arc Length
C7	24°48'20"	321.47	1782306"	139.18
C8	40°26'48"	346.47	18.53703"	247.61
C9	38°44'30"	346.85	18.5189"	234.53
C10	88°00'00"	50.0	114.5916"	76.8

Bart Yeagan, Register
Rutherford County
Room 501, Judicial Bldg.
Murfreesboro, TN 37130

ZONED: R5-10
Front Setback 35'
Side Setback 10'
Rear Setback 25'

Plat Book: 15, Page: 18



W. HENRY HUDDLESTON III
CIVIL ENGINEER
2115 N.W. BROAD ST.
MURFREESBORO, TENN. 37130

(615) 893-4084

RESUBDIVISION LOT 38

GEORGETOWN

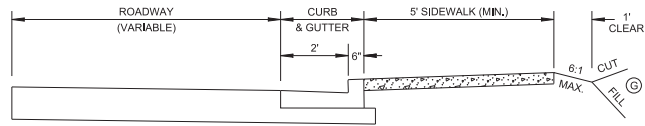
13th. Civil District · Rutherford Co. · Tennessee

DATE July, 1991

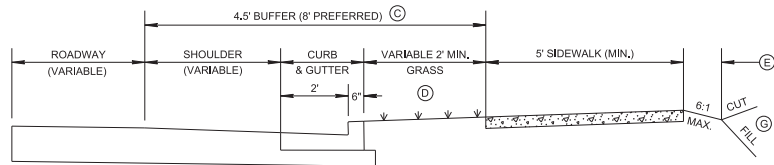
SCALE 1" = 100'

SHEET 1 OF 1

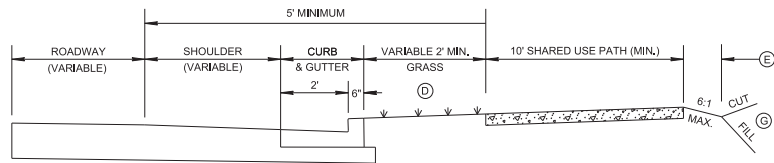
LATERAL OFFSET/BUFFER DETAILS



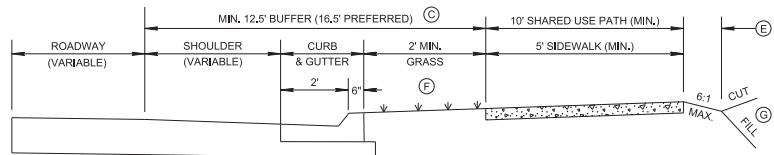
SIDEWALK ADJACENT TO CURB & GUTTER
POSTED SPEEDS ≤ 35 MPH (H)



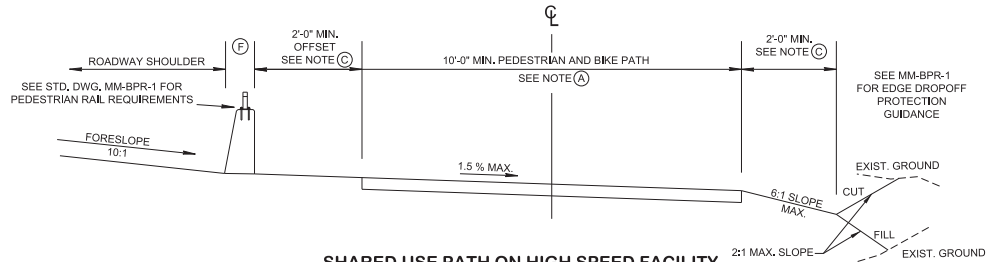
SIDEWALK W/ GRASS STRIP BEHIND CURB & GUTTER
POSTED SPEED = 40 MPH (H)



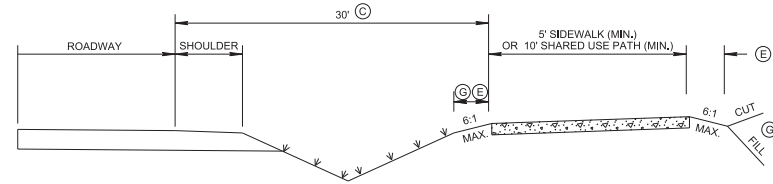
SHARED USE PATH W/ GRASS STRIP BEHIND CURB & GUTTER
POSTED SPEEDS ≤ 40 MPH (H)



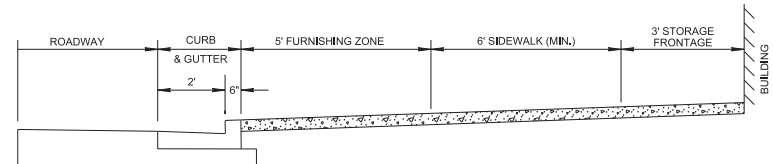
SIDEWALK OR SHARED USE PATH W/ GRASS STRIP BEHIND CURB & GUTTER
POSTED SPEEDS 45 TO 55 MPH (H)



**SHARED USE PATH ON HIGH SPEED FACILITY
WHEN MINIMUM BUFFER (12.5 FT) COULD NOT BE MAINTAINED
USE POSITIVE PROTECTION (K)**



SIDEWALK OR SHARED USE PATH ON HIGH-SPEED FACILITY
RURAL HIGH SPEED ROADWAYS



SIDEWALK IN CENTRAL BUSINESS DISTRICT/COMMERCIAL AREA
POSTED SPEEDS ≤ 35 MPH (DESIGN SPEEDS ≤ 40 MPH)

GENERAL NOTES

- (A) THE INTENT OF THIS DRAWING IS TO PROVIDE MINIMUM AND PREFERRED PEDESTRIAN BUFFER DESIGN CRITERIA FOR NEW, RECONSTRUCTION, AND RESURFACING PROJECTS.
- (B) SEE STD. DWG. MM-SW-1 FOR CONCRETE SIDEWALK DETAILS.
- (C) A SHOULDER/ PARKING LANE/ OR BIKE LANE CAN BE UTILIZED IN PLACE OF A GRASS STRIP (OR IN COMBINATION WITH A GRASS STRIP) TO MEET THE MINIMUM BUFFER REQUIREMENT SEPARATING PEDESTRIAN FACILITIES FROM THE TRAFFIC LANE. WHEN THE MINIMUM BUFFER REQUIREMENTS CANNOT BE MET ON NEW CONSTRUCTION OR RECONSTRUCTION PROJECTS, A MULTIMODAL DESIGN DEVIATION FORM SHALL BE COMPLETED AND SUBMITTED TO TDOT HEADQUARTERS DESIGN. FOR ADDITIONAL INFORMATION REFER TO SECTION 9 OF TDOT'S DESIGN GUIDELINES.
- (D) TYPICALLY GRASS STRIP. AREA CAN BE PAVED TO CREATE A FURNISHING ZONE.
- (E) 1' CLEAR ZONE FOR SIDEWALKS (MIN.), 2' CLEAR ZONE FOR SHARED USE PATHS (MIN.)
- (F) BARRIER BETWEEN SIDEWALK/SHARED USE PATH AND ROADWAY SHOULD BE USED WHEN SIDEWALK/ SHARED USE PATH IS PLACED WITHIN CLEAR ZONE OR MINIMUM LATERAL OFFSET CANNOT BE MAINTAINED.
- (G) SEE STD. DWG. MM-BPR-1 FOR GUIDANCE REGARDING SAFETY REQUIREMENTS OR MM-VPR-1 FOR GUIDANCE REGARDING VEHICLE AND PEDESTRIAN SAFETY RAILS.
- (H) POSTED SPEED IS 5 M.P.H., LESS THAN DESIGN SPEED.
- (I) SEE AASHTO, GUIDE FOR THE PLANNING, DESIGN, AND OPERATION OF PEDESTRIAN FACILITIES (CURRENT ADDITION).
- (J) FOR BUFFERS REFER TO STD. DWG. MM-TS-3, SEPARATED SHARED USE PATH TYPICAL SECTIONS.
- (K) LOCATIONS WHERE 30 FT CLEAR ZONE CANNOT BE PROVIDED, MIN. BUFFER 12.5 FT (16.5 FT PREFERRED)

REV. 01-07-19: REVISED DIMENSIONS TO ALIGN WITH SECTION 9 OF DESIGN GUIDELINES. REVISED DRAWING NAME AND THE GENERAL NOTES. REDREW SHEET.

REV. 06-15-21: ADDED EXAMPLE FOR SHARED USE PATH ON HIGH SPEED FACILITY WHEN MINIMUM BUFFER COULD NOT BE MAINTAINED USE POSITIVE PROTECTION.

NOT TO SCALE

STATE OF TENNESSEE
STANDARD
DRAWING
DEPARTMENT OF TRANSPORTATION

LATERAL
OFFSETS
FOR SIDEWALK
AND SHARED
USE PATH

08-24-2017

MM-TS-2

4.13.2022

Greg McKnight, Planning Director
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139

Re: Rezoning Request

Described as Tax Map 0801 Group B Parcel 03300 consisting of .85 +/- ac. to be rezoned PRD.
The property is located at 1540 Commonwealth Court.

Dear Mr. Greg,

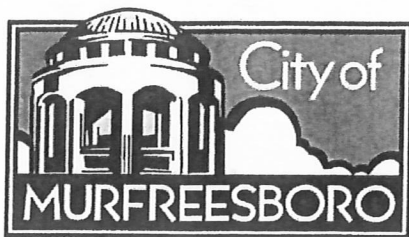
On behalf of our client, Skeeter Beaulieu, we hereby request the rezoning of the property identified by tax map 0801 Group B and parcel 03300, consisting of approximately .85 +/- acres from RS-10 to PCD. The purpose for this rezoning is to build additional parking area for the center.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Clyde Rountree, RLA



T E N N E S S E E

Creating a better quality of life

City of Murfreesboro
Planning and Engineering Department
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139
(615) 893-6441 Fax (615) 849-2606
www.murfreesborotn.gov

Zoning & Rezoning Applications – other than rezoning to planned unit development	\$700.00
Zoning & Rezoning Applications – Planned Unit Development, initial or amended	\$950.00

Procedure for applicant:

The applicant must submit the following information to initiate a rezoning:

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A non-refundable application fee (prices listed above).

For assistance or questions, please contact a planner at 615-893-6441.

To be completed by applicant:

APPLICANT: CLYDE ROUNTREE / HUDDLESTON - STEELE ENG.

Address: 2115 NW BROAD ST. City/State/Zip: MURFREESBORO, TN 37129

Phone: 615-893-4084 E-mail address: rountree.associates@yahoo.com

PROPERTY OWNER: SKEETER BEAULIEU

Street Address or
property description: 1540 COMMONWEALTH CT MURFREESBORO, TN 37129

and/or Tax map #: 0801 Group: B Parcel (s): 03300

Existing zoning classification: RS-10

Proposed zoning classification: PCD Acreage: .85± AC.

Contact name & phone number for publication and notifications to the public (if different from the applicant): _____

E-mail: _____

APPLICANT'S SIGNATURE (required): 

DATE: 4-13-22

*****For Office Use Only*****

Date received: _____ MPC YR.: _____ MPC #: _____

Amount paid: _____ Receipt #: _____

Revised 7/20/2018

NAME AND ADDRESS OF NEW OWNER:
PGB Properties I, LLC
2102 Oakbranch Circle
Franklin, Tennessee 37064

THIS INSTRUMENT PREPARED BY:
White & Polk, P.C.
Attorneys at Law
107 West College Street
Murfreesboro, Tennessee 37130

SEND TAX NOTICES TO:
Owner

Map & Parcel 080I-B-03300
Account #R0046425

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 (\$10.00) DOLLARS, cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, **Pinnacle Bank, Executor of the Estate of Ira Elizabeth Hay Rhea pursuant to the terms of the Last Will and Testament filed in Will Book 68, page 277, County Court for Rutherford County, Tennessee**, has this day bargained and sold and does hereby transfer and convey unto **PGB Properties I, LLC**, a Tennessee limited liability company, its successors and assigns, forever, that certain parcel of real estate situated and located in the 13th Civil District of Rutherford County, Tennessee, and being more particularly described as follows, to-wit:

Being all of Lot No. 38-B, Resubdivision of Lot 38, Georgetown, according to survey and plat of same appearing of record in Plat Book 15, page 18, of the Register's Office of Rutherford County, Tennessee, to which plat reference is here made for more complete details of location and description of said lot.

Being the same property conveyed to Creighton Rhea and wife, Elizabeth Rhea, by deed from Jimmy W. Porter and wife, Judy Porter, appearing of record in Deed Book 491, page 625, of the Register's Office of Rutherford County, Tennessee. Creighton Rhea died on September 15, 2004, leaving Elizabeth Rhea as his surviving spouse and owner in fee simple of the subject property. Elizabeth Rhea died testate on May 30, 2019, and by the terms of Article VII of her Last Will and Testament filed in Will Book 68, page 277, in the County Court for Rutherford County, Tennessee, authorized Pinnacle Bank as Executor of the Estate of Ira Elizabeth Hay Rhea to sell the real property to satisfy bequest. Elizabeth Rhea is one and the same person as Ira Elizabeth Hay Rhea.

21148

Heather Dawbarn, Register
Rutherford County Tennessee
Rec #: 1134776
Rec'd: 15.00 Instrument #: 2388181
State: 185.00
Clerk: 1.00 Recorded
Other: 2.00 9/2/2021 at 1:58 PM
Total: 203.00 in
Record Book 2135 Pgs 2631-2633

This conveyance is subject to Restrictive Covenants filed in Deed Book 286, page 758, Deed Book 261, page 373, Deed Book 338, page 637, Deed Book 361, page 232, and Deed Book 570, page 688, all of record in said Register's Office, all restrictions, conditions, reservations and covenants of record; to the minimum building setback lines, public utility and drainage easements, plat notes and all other matters shown on the survey and plat of record in Plat Book 10, page 120, and Plat Book 15, page 18, both of record in said Register's Office; and to the zoning regulations of the appropriate governmental body.

This is unimproved property having an address of 1540 Commonwealth Court, Murfreesboro, Tennessee 37129.

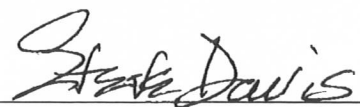
TO HAVE AND TO HOLD said real estate together with all of the appurtenances, estate and title thereunto belonging unto the said grantee, its successors and assigns, forever.

The undersigned covenants with the said grantee that it is lawfully seized and possessed of said real estate; that it has a good right to convey the same and warrants the title against all persons claiming under grantor and that it is unencumbered except by lien of the 2021 real property taxes, which taxes are being prorated between the parties herein, with the grantor to pay said taxes when due.

This conveyance is made and accepted without any warranties, express or implied, as to the condition of the property conveyed and said property is conveyed and accepted "as is". By acceptance of this deed, grantee acknowledges that it has inspected the property and is satisfied with its condition and it accepts the property "as is".

WITNESS MY HAND on this 1st day of September, 2021.

Pinnacle Bank, Executor of the Estate of Ira
Elizabeth Hay Rhea pursuant to the terms of
the Last Will and Testament filed in Will
Book 68, page 277, County Court for
Rutherford County, Tennessee

By: 
Steve Davis, Senior Vice President

STATE OF TENNESSEE)
)
) SS.
COUNTY OF RUTHERFORD)

Before me, the undersigned authority, of the state and county aforesaid, personally appeared Steve Davis, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged himself to be a Senior Vice President of Pinnacle Bank, the within name bargainor, a state-chartered Tennessee bank, and that he as such Senior Vice President executed the foregoing instrument (Special Warranty Deed) for the purposes therein contained, by signing the name of the Pinnacle Bank, Executor of the Estate of Ira Elizabeth Hay Rhea pursuant to the terms of the Last Will and Testament filed in Will Book 68, page 277, County Court for Rutherford County, Tennessee, by himself as Senior Vice President.

134 WITNESS MY HAND and official seal at office in Murfreesboro, Tennessee, on the
day of September, 2021.


My Commission expires: 10/17/21 Notary Public
AFFIDAVIT

poor Tennessee, on the

Whit

STATE OF TENNESSEE
NOTARY PUBLIC
RUTHERFORD COUNTY
GEORGE H. WHITE

I hereby swear or affirm that the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is **\$50,000.00**, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.


Affiant

Sworn to and subscribed before me on this 1st day of September, 2021.

My Commission expires: 10/17/21

day of September, 2021.

George H. White

Notary Public

STATE OF TENNESSEE
NOTARY PUBLIC
RUTHERFORD COUNTY
GEORGE H. WHITE

Georgetown Park Parking Lot

SUBMITTED MAY 27, 2022 FOR THE JUNE 1, 2022 PLANNING COMMISSION PUBLIC HEARING

Georgetown Park Parking Lot

SITE INDEX

1. Development Team & Project Summary
2. Zoning Map
3. Utility Map: Water Resources
4. Utility Map: Sewer
5. Roadways
6. Topography and Soils
7. Easements and Stormwater Infrastructure
8. Aerial Map
9. Existing Conditions Location Map
10. Existing Condition Photos
11. Site Plan
12. Conceptual Landscape Plan
13. Development Standards
14. Development Standards
15. Development Standards



PROJECT SUMMARY

The owner of the Georgetown Square, Skeeter Beaulieu, purchased the lot located at 1540 Commonwealth Court to provide additional employee parking for his commercial center. He originally requested to zone the property CH to be consistent with how the Georgetown Square is currently zoned. The .85 acre lot has been designed for parking 66 cars intended to serve but not limited to employee parking, thus freeing up prime parking for the center's patrons. A neighborhood meeting was conducted. At the meeting the neighbor's did not object to the parking lot, but wanted assurances that could only be provided by rezoning the property to PCD.

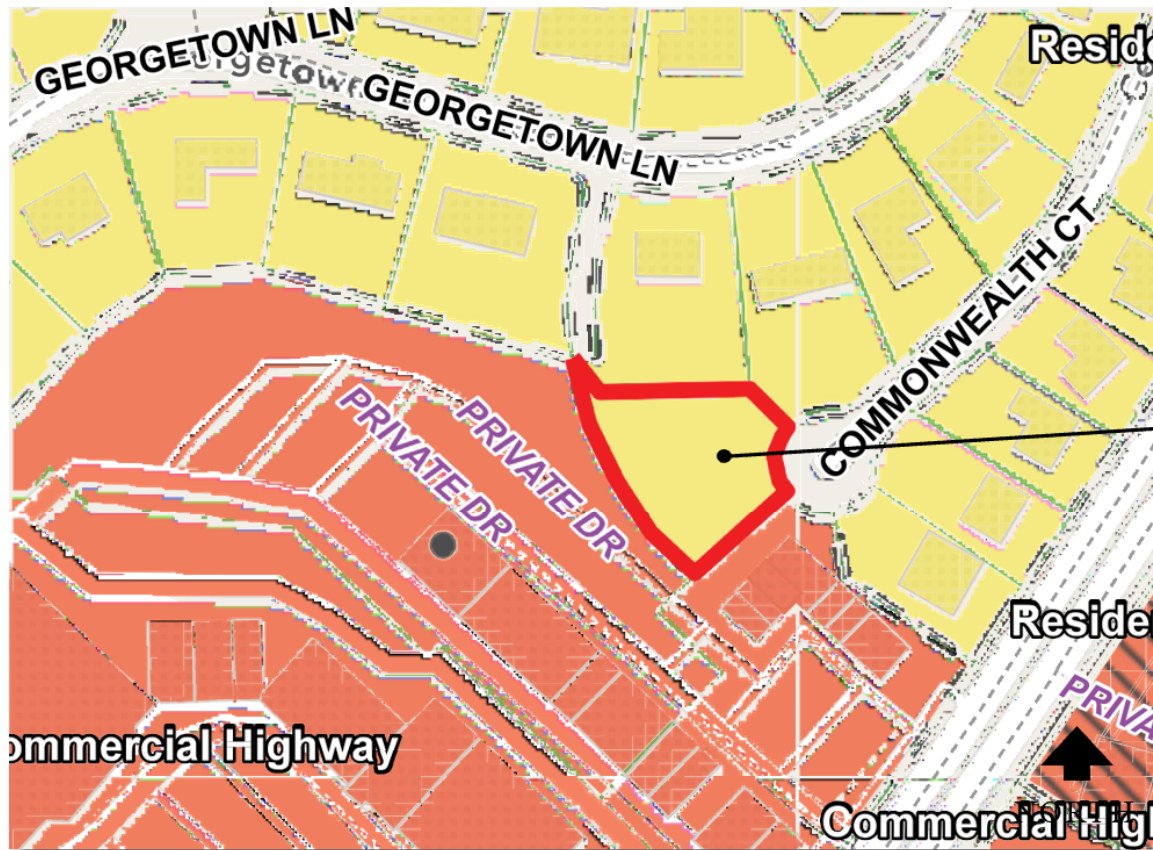
The owner agreed to proceed forward with the rezoning as a planned district that night. The pattern book reflects the desired result of the PCD zoning. The owner has also agreed to the neighbor's desire to have multi-purpose trail access to the shopping center. This will be provided via a 8' sidewalk that connects from the cul-de-sac to the parking lot.

OWNER / DEVELOPER

PGB Properties1, LLC
2102 Oakbranch Circle
Franklin, TN. 37064
Telephone: 615.595.9156
Fax: 615.791.4684
Contact: Skeeter Beaulieu
skeeterbeaulieu28@gmail.com

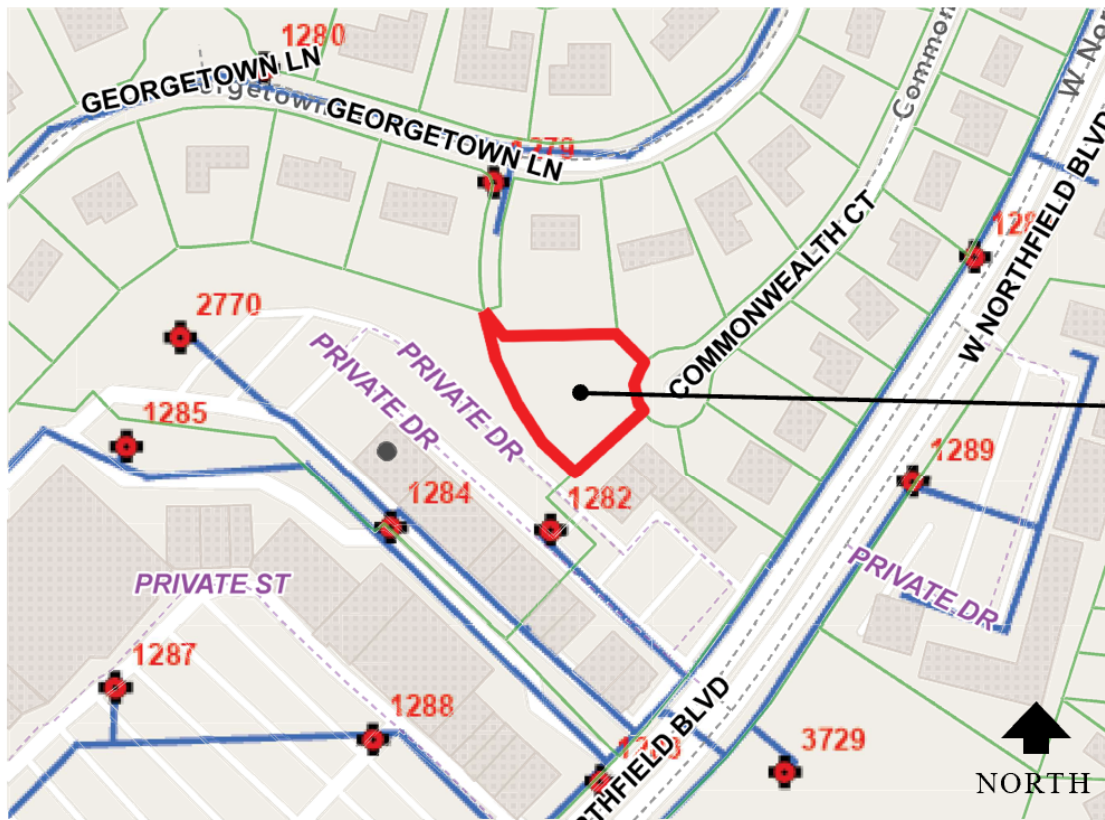
PLANNING AND ENGINEERING

Huddleston-Steele Engineering, Inc.
Clyde Rountree, RLA
2115 N.W. Broad Street
Murfreesboro, TN, 37129
Telephone: 615.893.4084
Fax: 615.893.0080



I, e subject property is currently zoned RS-10 within the Georgetown III subdivision. I, e property has remained vacant. I, e adjacent zoning is CH which is the location of the current Georgetown Square.

SITE



- Murfreesboro Water Resource Department
- No water lines will be utilized for the expansion of the existing parking lot. However, existing irrigation will be expanded into the new landscape areas.

SITE

LEGEND

WATER 6" DUCTILE IRON

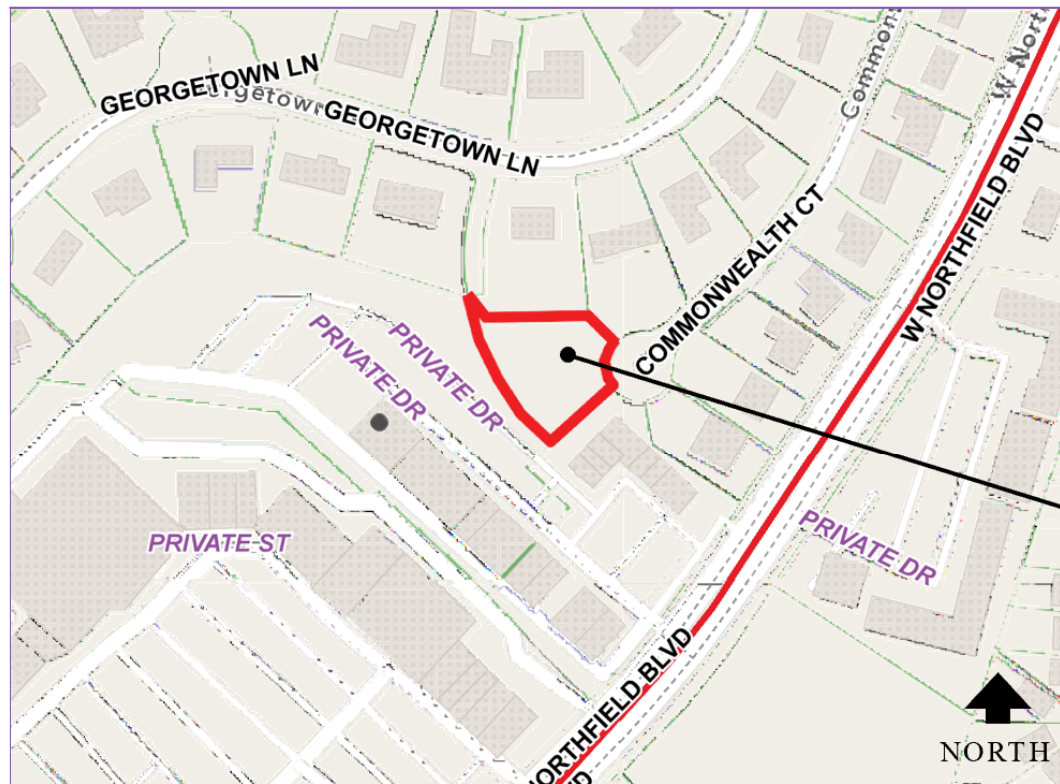


- The subject property utility provider is Murfreesboro Water Resources Department
- No sewer will be utilized for the expansion of the existing parking lot

LEGEND

SEWER: 6" PVC





- No access will be provided from Commonwealth Court
- The property is serviced by West Northfield Boulevard.

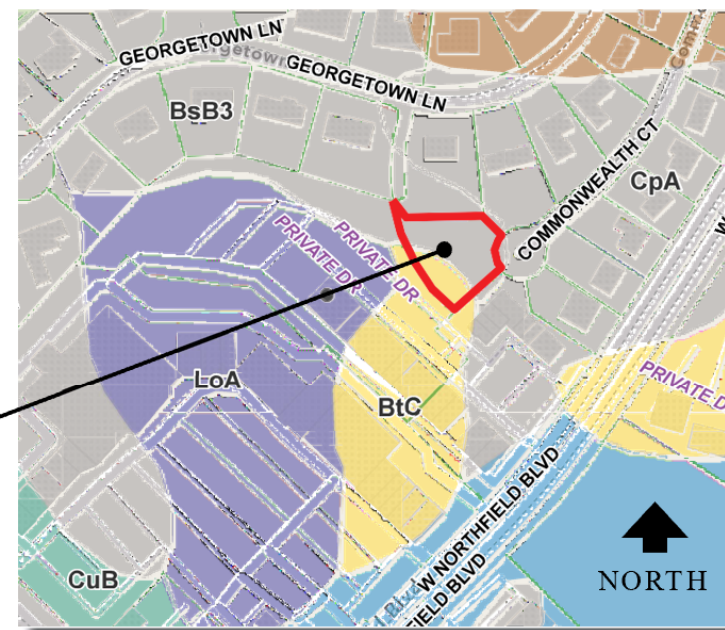
SITE

LEGEND

MAJOR ARTERIAL

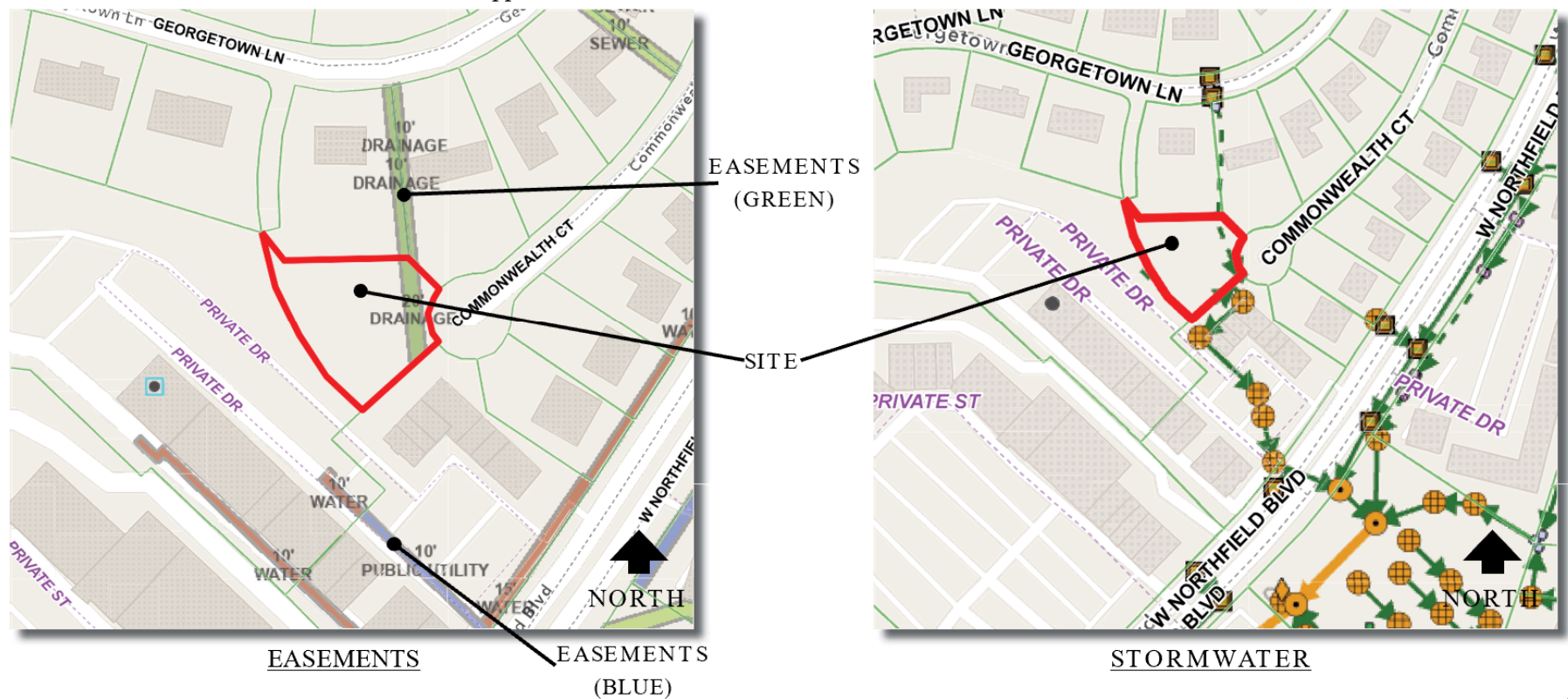


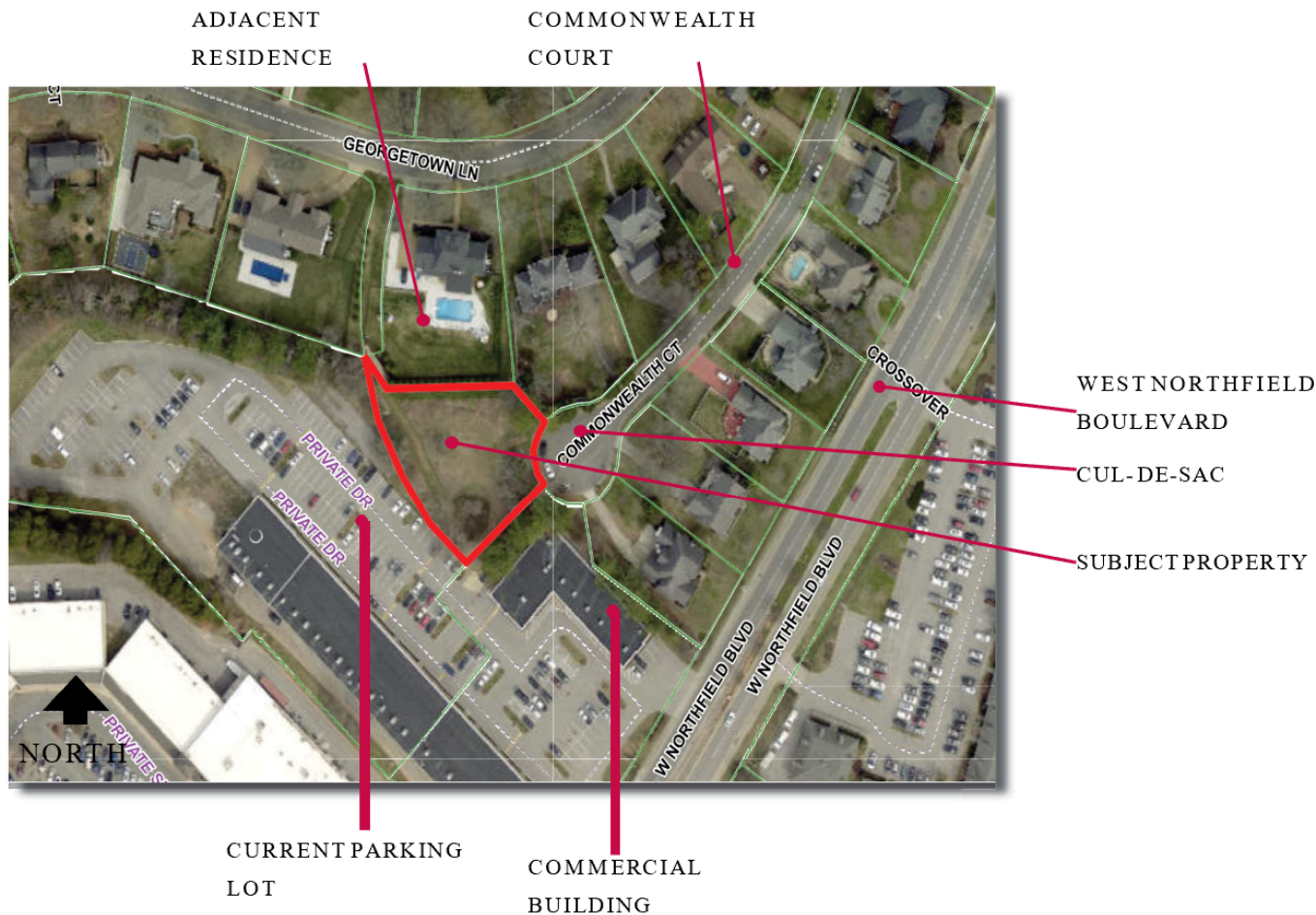
TOPOGRAPHY & DRAINAGE



SOILS

The subject property has a drainage easement that will remain. The current drainage configuration located at the end of Commonwealth Court does not meet current city standards. This project will include improvements to be approved by the city engineer which will enhance both the drainage function and aesthetic appearance of this area.

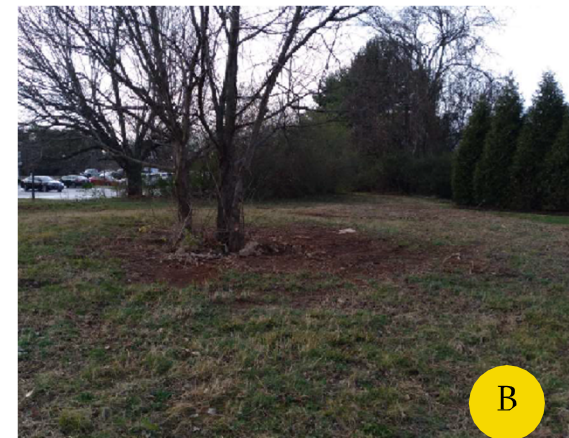
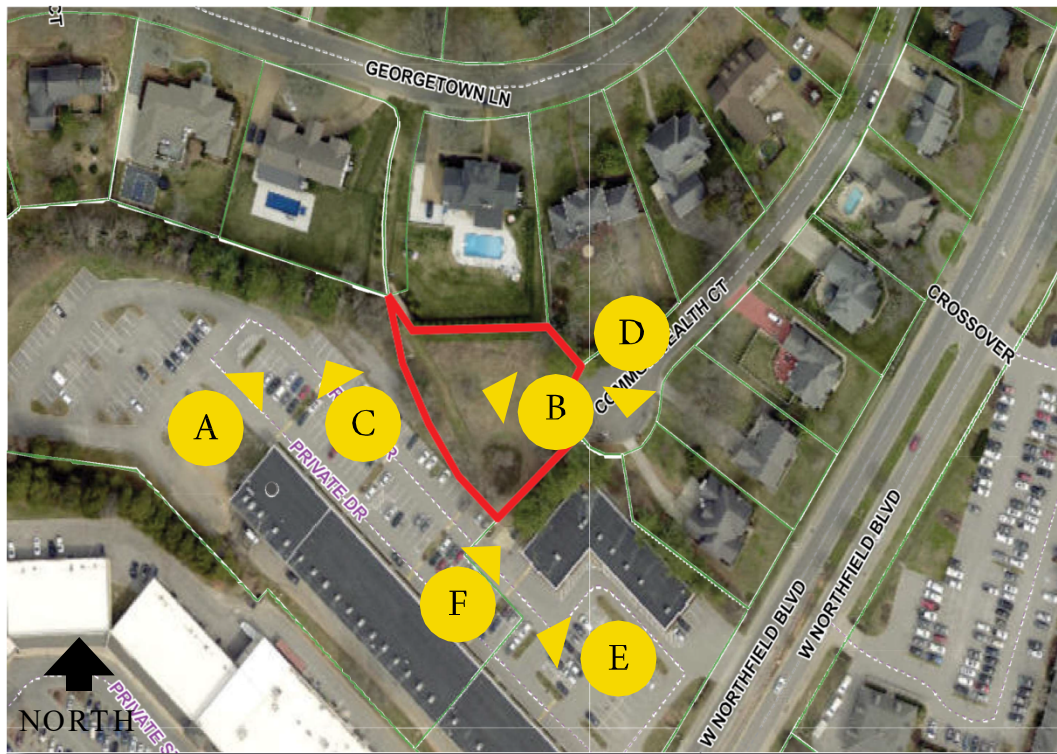




Existing Conditions Location Map

Georgetown Park Parking Lot

PLANNED COMMERCIAL DISTRICT



Existing Conditions Photos



Site Plan

Georgetown Park Parking Lot

PLANNED COMMERCIAL DISTRICT



SITE DATA:

- ACRES: Approx. .85 +/- AC
- PARKING PROVIDED: 66 spaces
- USE: Employee and Guest Parking.
- LIGHTING PROVIDED: Decorative lighting in interior islands. Security along outside perimeter of parking lot. Power will be extended from the existing parking lot. New lighting will be brought up to current city standards.



EVERGREEN TREE



ACCENT TREE



EVERGREEN SHRUBS



The landscape buffer will be a Type 'D' and will be a combination of evergreen trees mixed in with the accent trees. An additional layer of evergreen shrubs will be added to make the buffer denser and prevent any car headlight strobing. Additional accent trees will be planted along the multi-purpose path to add visual enhancement.

Development Standards:

-Development will include 66 new parking spaces

-Parking asphalt to match the existing parking lot.

-Signage will be located at the entrance to the multi-purpose path.

Decorative lighting will match the existing lighting character. New decorative lighting to meet current City standards.

Security lighting will match the existing security lighting character. New decorative lighting to meet current City standards.

The drainage system coming off of Common Wealth Court does not meet current City of Murfreesboro standards and will need to be brought up to current City standards when the parking lot is constructed.

LAND REQUIREMENT TABLE			
	REQUIREMENT	PROPOSED	
SETBACKS	COMMERCIAL HIGHWAY	PRD	DIFF. TO CH
FRONT SETBACK	42'	42'	
SIDE SETBACK	10'	10'	
REAR SETBACK	20'	20'	
MIN. LOT AREA	NONE	NONE	
MIN. LOT WIDTH	NONE	NONE	
MAX. HEIGHT	75'	75'	
MAX. GROSS DENSITY	NONE	NONE	
MAX. F.A.R.	NONE	NONE	

General Applicability Section 13B for Planned Development

1. Ownership and division of land: The site is owned by the developer identified on Sheet 1, The lot is currently zoned RS-10 in the City of Murfreesboro.
2. Waiver of BZA action: No BZA actions will be required.
3. Common space and common elements: A multi-purpose path with two benches and landscaping makes up the open space.
4. Accessibility of site: Site will be accessed from West Northfield Blvd.
5. Off-street parking . See Sheet 11 for parking lot design.
6. Pedestrian circulation: Multi-purpose path from the Georgetown neighborhood to the shopping center,
7. Privacy: A Type 'D' buffer will be installed along the property line bordering the residential homes.
8. Relationship to zoning regulations and other zoning regulations: APRD is being requested for the subject property.
9. Development Period; Phasing. The project shall be completed in one phase.
10. Annexation: No annexation is required for this site.
11. Landscaping: Landscaping will occur along the property line adjacent to the Georgetown subdivision and will be a Type D buffer. The landscaping will be maintained by the Georgetown Park management group.

SITE DATA	ENTIRE PARCEL
TOTAL LAND AREA	37,204 SF
TOTAL OPEN SPACE	12,130 SF
FORMAL OPEN SPACE	902 SF
TOTAL IMPERVIOUS	23,803 SF
TOTAL PERVIOUS	13,401 SF
TOTAL BUILDING COVERAGE	0 SF
TOTAL PARKING LOT COVERAGE	22,532 SF

PLANNED RESIDENTIAL DEVELOPMENT

Section 13D – Planned Development Criteria Requirements

1. Identification of existing utilities, easement, roadways, rail lines and public right-of-way crossings and adjacent to the subject property; Shown in pattern book on Sheet 3-5
2. A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; Shown in pattern book Sheet, 6-8.
3. A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structure on-site and within two hundred feet of the subject property and the identification of the use thereof; Shown in pattern book Sheet, 8..
4. A drawing defining the general location and maximum number of lots, parcels or sites proposed to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; Shown in pattern book Sheet, 11-13..
5. A tabulation of the maximum number of dwelling units proposed including the number of units with two or less bedrooms and the number of units with more than two bedrooms; NA.
6. A tabulation of the maximum floor area proposed to be constructed, the F.A.R. (floor area ratio), the L.S.R. (livability space ratio), and the O.S.R. (open space ratio); Not applicable in this situation.
7. A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the City and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article; See page 13 & 14.
8. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating:
 - (aa) the approximate date when construction of the project can be expected to begin;
 - (bb) the order in which the phases of the project will be built;
 - (cc) the minimum area and the approximate location of common space and public improvements that will be required at each stage; and,
 - (dd) a breakdown by phase for subsections [5] and [6] above;

The PRD will be constructed in one phase.

9. Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted; All maintenance to be executed by property management team.

10. A statement setting forth in detail either (1) the exceptions which are required from the zoning and Subdivision Regulations otherwise applicable to the property to permit the development of the proposed planned development or (2) the bulk, use, and/or other regulations under which the planned development is proposed; **No exceptions are being requested with regards to this rezoning..**

11. The nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article; NA

12. The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time; NA

13. The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated; See Sheet 1.

14. Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. NA

15. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign: NA

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

4.d. Annexation petition and plan of services [2021-504] for approximately 16.28 acres located along Emery Road, The Anne Watkins Family Emery Road Trust and The Samuel Watkins Family Emery Road Trust applicant.

The property owner, trustees Walter C Watkins, Patricia Stallings, Keith Watkins, and Kenisha LaKale Malone of the two trusts noted above, have submitted a petition requesting their properties be annexed into the City of Murfreesboro. The property tax map numbers are:

- Tax Map 68, Parcel 12.601 which is a vacant property of 11.00 acres
- Tax Map 68, Parcel 12.600 which has a home and accessory buildings on 5.28 acres (addressed 2909 Emery Rd)

The annexation study area does not contain any right-of-way.

The 2 subject properties are located along the west side of Emery Road, south of Pebblecreek Lane, west of Oakview Drive and Laurelstone Drive and east of Sandstone Circle.

The 2 subject parcels are located within the City of Murfreesboro's Urban Growth Boundary. The areas are contiguous with the City limits along the north and south property lines as well as most of the westerly property line (with one land locked County parcel at the southwest corner of the project site), and part of the south easterly property line. Simultaneous with annexation is a request to zone the two properties to Residential Single Family 10 (RS-10).

Staff has prepared a Plan of Services for the proposed annexation, which has been provided to the Planning Commission in the agenda packet. It demonstrates how services can be provided to the subject property upon annexation. No significant difficulties in providing services are identified in the plan of services with the exception of fire services, as there is an existing house with an existing driveway that is not suitable for providing access to fire trucks. Alternative emergency access must be provided off of Laurelstone Drive.

In addition, Laurelstone Drive stubs into the southerly study area parcel. Connecting the Laurelstone Drive street stub into this property is important to provide an additional point of access to the proposed development, to disperse traffic, and to provide an access to and from Lascassas Pike for the proposed development, especially because

the proposed residential development will not have a direct connection to Emery Road. The owners of the southerly parcel does not wish for the roadway connection to be made at this time and they have not given any indication as to when they would be amenable to that connection being made. However, the City believes that this roadway connection is integral to any future development on the subject property. Therefore, Staff recommends the execution of an agreement between the City, the property owners (the Watkins), and the developer prior to the annexation becoming effective that the Laurelstone Drive roadway connection will be recorded as a public right-of-way and constructed as a public street with the first section or phase of the proposed subdivision development.

Staff Recommendation:

Staff supports the annexation of these two parcels for the following reasons:

- 1) Zoning request to RS-10 is consistent with the 2030 Comprehensive Future Land Use Plan designation of Suburban Residential (SR)
- 2) Zoning request to RS-10 is consistent with the proposed Future Land Use Plan designation of SR and is located within the proposed Infill Service Line.

If the Planning Commission votes to recommend approval of the annexation and plan of services, staff recommends that approval be made subject to the following items being completed prior to the effective date of annexation:

- 1) Install a 20' wide emergency access drive from Laurelstone Drive to serve the existing house
- 2) Dedicate a temporary emergency access easement in the location of the new driveway (which can be extinguished upon the demolition of the existing house)
- 3) Execute an agreement between the City, the property owners (the Watkins), and the developer prior to the annexation becoming effective that the Laurelstone Drive roadway connection will be recorded as a public right-of-way and constructed as a public street with the first section or phase of the proposed subdivision development.

Action Needed:

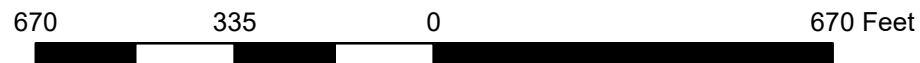
The applicant will be available at the Planning Commission meeting to discuss this proposed annexation petition and plan of services. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.

Attachments:

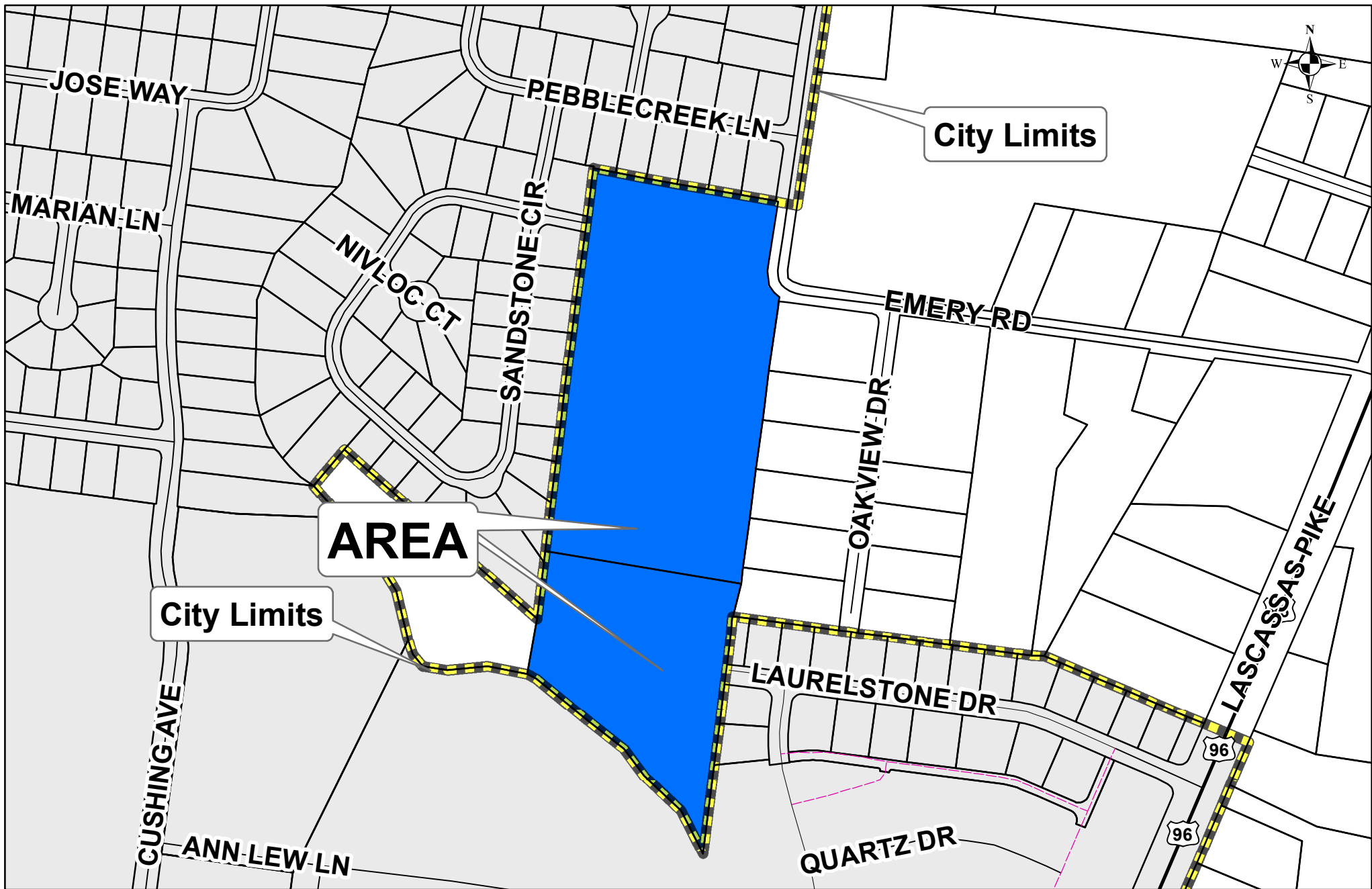
Plan of Services



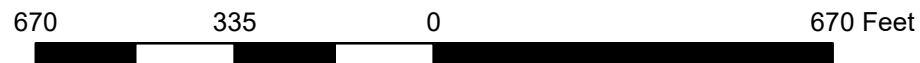
Annexation Request for Property located along Emery Road



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



Annexation Request for Property located along Emery Road



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

**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG EMERY ROAD
INCLUDING PLAN OF SERVICES
(FILE 2022-504)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION – June 1, 2022**



Annexation Request for Property located along Emery Road

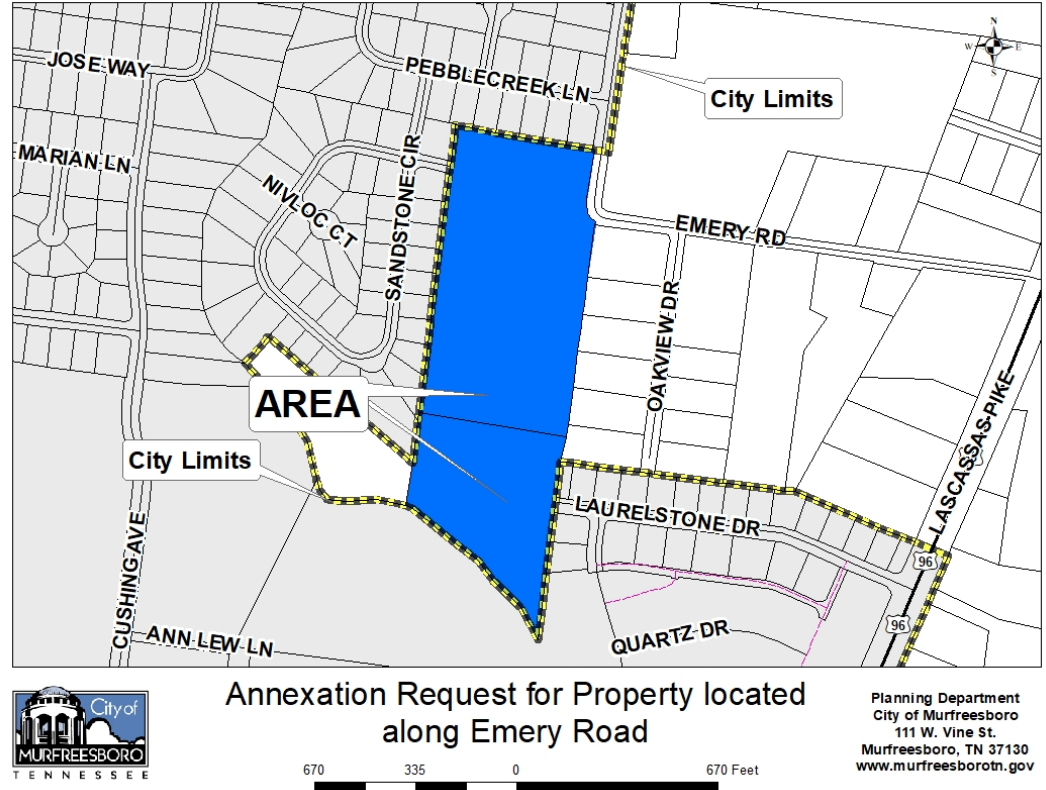
Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

INTRODUCTION

OVERVIEW

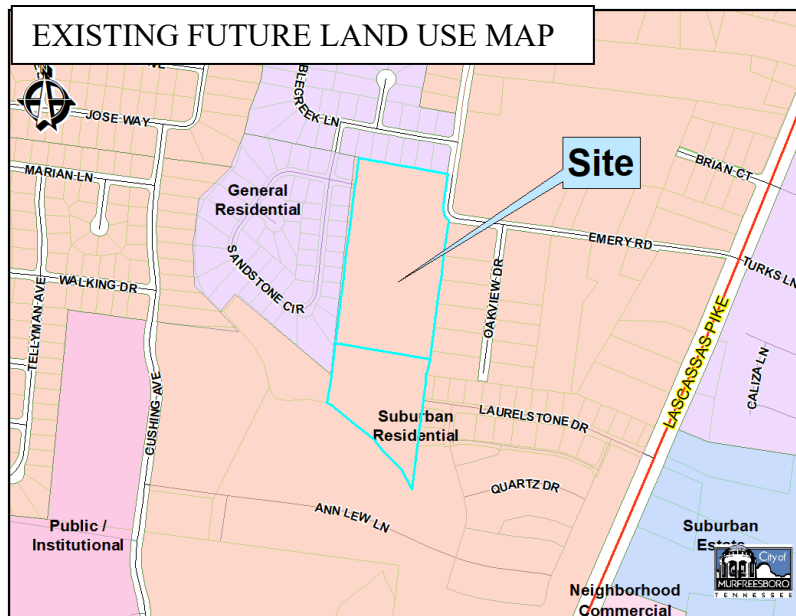
The trustee property owners of The Anne Watkins Family Emery Road Trust and The Samuel Watkins Family Emery Road Trust have submitted a petition requesting annexation by the City of Murfreesboro. The requested area is made up of 2 parcels, one containing 11.00 acres while the other contains approximately 5.28 acres. The properties are located south of Pebblecreek Lane and west of Emery Road and includes 2909 Emery Road. The property tax map numbers are: Tax Map 068, Parcels 126.01. and 126.00. The northerly property is currently undeveloped while the southerly property has one single family residence. Simultaneous with this application is a request to zone both properties to Residential Single Family 10 (RS-10).

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the majority of all property lines.



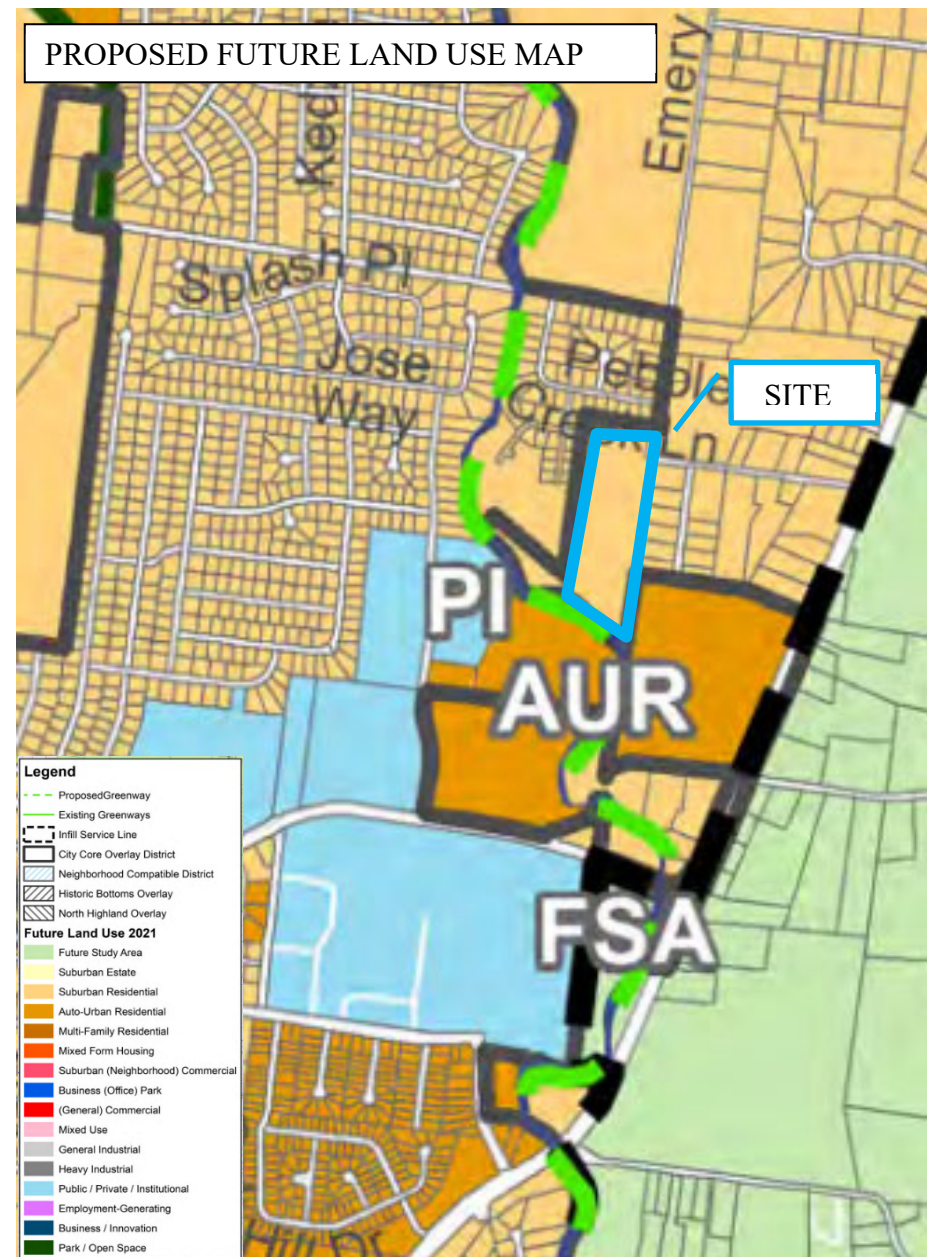
GENERAL PLAN LAND USE

The existing adopted Murfreesboro 2035 Comprehensive Plan Future Land Use Map on the next page indicates that Suburban Residential (SR) is the most appropriate land use character for the project area. This classification recommends development of 2.0 – 3.54 single family homes per acre.



The Planning Commission is currently considering proposed future land use map (shown to the right), which also identifies this property as Suburban Residential (SR) like the existing adopted map does. Additionally, the proposed updated map identifies an Infill Service Line. The purpose of the proposed Infill Service Line is to help facilitate growth and development in an orderly, planned, and sustainable manner.

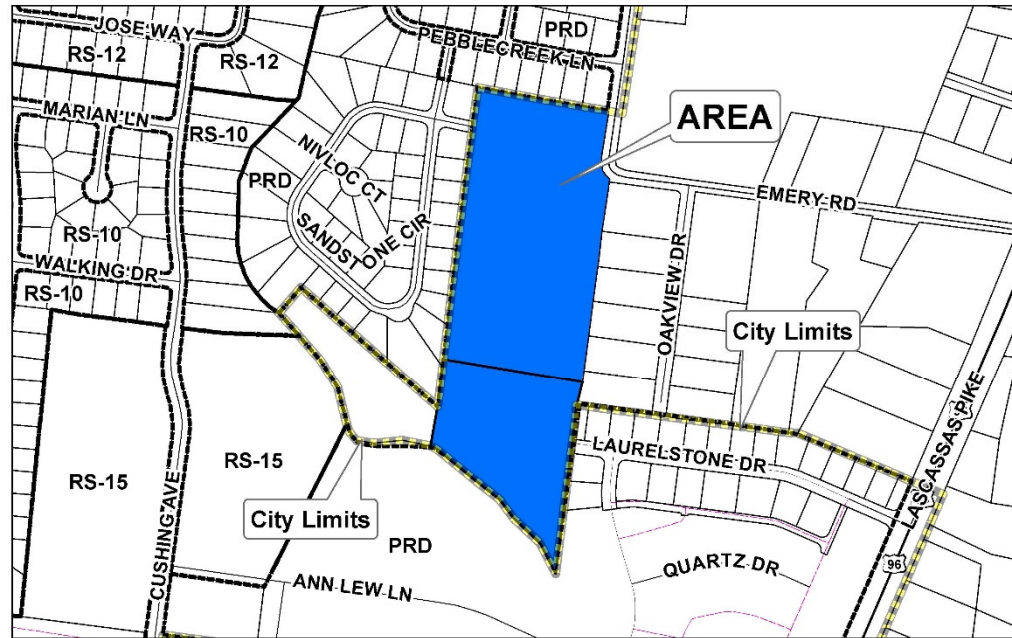
This proposal lies within the Infill Service Line and the simultaneous zoning to RS-10 is consistent with the SR land use category.



CITY ZONING

An application has been submitted by Jeramie Taber requesting Residential Single Family 10 (RS-10) zoning for the 16.28-acre study area simultaneous with annexation. The parcels requested for annexation are shown in blue and are currently zoned Residential Medium-Density (RM) in the unincorporated County.

The zoning on the adjacent properties to the north, west, south, and southeast are PRD, and to the east and one parcel to the southwest is zoned RM in the County.



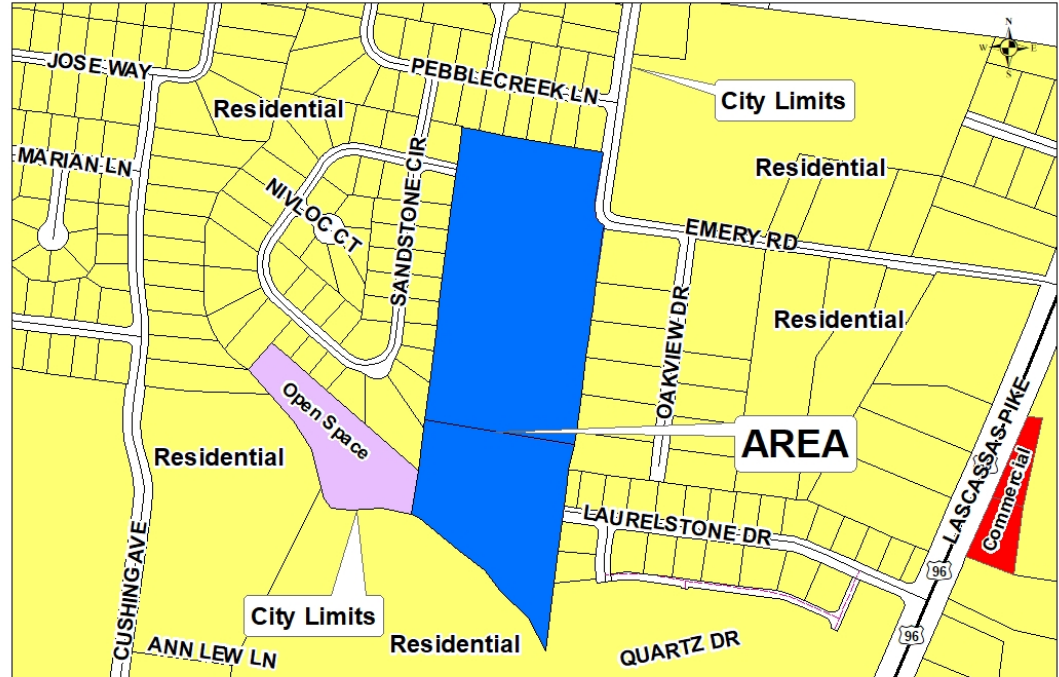
Zoning Request for Property located along Emery Road RS-10 Simultaneous with Annexation

640 320 0 640 Feet

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

PRESENT AND SURROUNDING LAND USE

The study area shown in blue is undeveloped land on the northerly parcel and one single-family residential home on the southerly parcel. The surrounding land uses are primarily single-family residential lots and undeveloped land. However, there are existing commercial uses on the east side of Lascassas Pike east of the study area as well.



Annexation Request for Property located
along Emery Road

670 335 0 670 Feet

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

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 1
Estimated Taxes from Site

Owner of Record	Acres	Land Mkt Value	Improvement Value	Assessment Value	Estimated City Taxes
Annie Watkins Family Emery Road Trust	11.0	\$199,700	\$0.00	\$49,925	\$644
Samuel Watkins Family Emery Road Trust	5.28	\$130,000	\$95,100	\$58,525	\$755

These figures are for the property in its current state and are subject to change upon development.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police services through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services which include patrol, traffic, and criminal investigations. Other services such as community crime prevention programs are also available. Services will be provided upon the effective date of annexation.

The Murfreesboro Police Department can immediately provide police services to the property as it currently exists. The current police zone that borders the property is Zone 3.

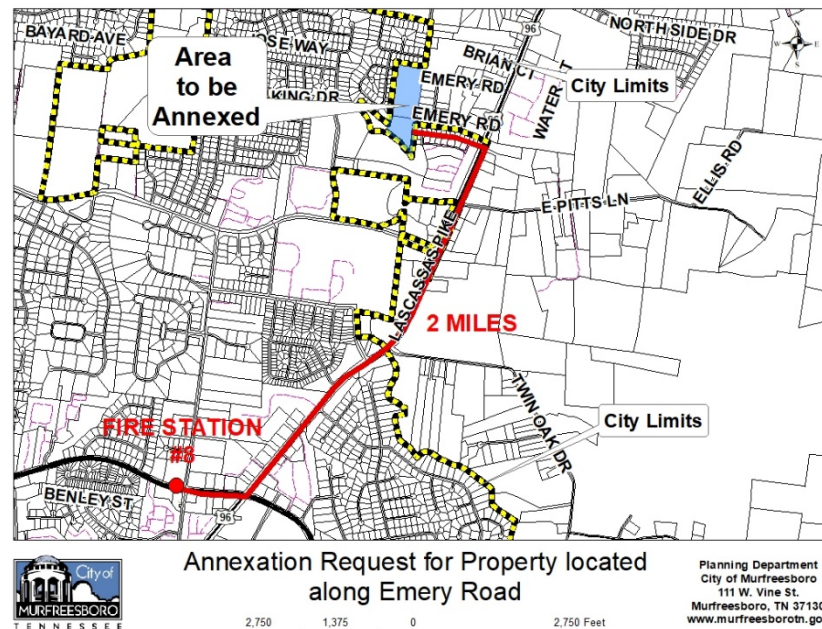
Police staffing numbers are assessed based upon cumulative residential population numbers. This development should be assessed with future population projections for the city for staffing considerations in the future.

FIRE AND EMERGENCY SERVICE

The study area contains a vacant parcel and a parcel with one single family residence with ancillary buildings at 2909 Emery Road. Because of access and water limitations, the Murfreesboro Fire and Rescue Department (MFRD) cannot provide fire protection to the existing house in the property's current state and can only provide limited emergency service response. In order for MFRD to provide fire protection to the existing house, the following steps must be taken prior to the effective date of annexation:

- Install a 20' wide emergency access drive from Laurelstone Drive to serve the existing house. (There is an existing fire hydrant on Laurelstone Drive that can serve the existing house if access is provided.)
- Record a temporary emergency access easement in the location of the new driveway (which can be extinguished upon the demolition of the existing house)

Once these steps are completed, MFRD can provide its standard complement of emergency services as well as ISO Class 1 fire protection to the existing house immediately upon annexation at no additional expense to the department. Emergency services and fire protection can also be provided to any future subdivision development. Additional fire protection measures will need to be extended to the site when it develops. Currently the study area is located 2 miles from Fire Station #8 (1730 E Northfield Blvd). The red line on the adjacent map represents the linear distance range from the nearest fire station.



SOLID WASTE COLLECTION

The Solid Waste Department can provide weekly solid waste collection service to the existing residence immediately upon the effective date of annexation. The resident will need to bring the solid waste cart to either the Emery Road curve, which is approximately 1,200 feet from the house, or at Laurelstone Drive which is approximately 350 feet from the house. Day of service is on Tuesdays. The cost of the cart is \$65.85. Brush and debris removal will also be provided. The monthly service fee is currently \$7.50. This bill will be on either the CUD or Water Resources monthly billing statement. However, if the site does not have water or sewer, then the City will need to determine another billing mechanism.

Once developed, the cost to the City for carts for 36 proposed homes would be \$2,478.60.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to any existing and future occupants of the study area. These facilities and programs are funded by the Murfreesboro taxpayers and include approximately 1,300 acres throughout a parks system that includes 8 recreational and cultural facilities, a 15-mile greenway system located mostly along the

Stones River, and 23 additional park sites. Murfreesboro Parks and Recreation develops programs and events to provide safe recreational and cultural activities for all demographics. Residents of the City of Murfreesboro may qualify for financial assistance for free or reduced recreational fees.

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 located outside of the John Pittard Elementary school zone, and they would become part of this school's zoned area upon annexation.

In its current state with one single family residential home, the annexation of the study area will have little to no impact on MCS. Any children living in the home would be eligible to attend John Pittard Elementary, but the number would be minimal. Should the property be developed with 36 single family homes, it would add approximately 6 to 11 new students to the MCS school population.

As of the 2021-2022 school year, enrollment at John Pittard is 699 students with an ideal maximum student capacity for 975 students.

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.

ELECTRIC SERVICE

Middle Tennessee Electric Membership Corporation (MTE) currently provides service to the existing house on the subject property. MTE has existing facilities adjacent to the property that will serve any future development.

STREET LIGHTING

The subject property only has street frontage along Emery Road, which does not have any streetlights. Streetlights will be installed throughout any future development if public streets are constructed.

STREETS AND ACCESS

The annexation study area has access to Emery Road; however, it is anticipated that future development would not connect Emery Road with Sandstone Circle. Emery Road is a 2-lane ditch section roadway and contains a curve that does not meet the minimum centerline radius requirements, contains fencing within the County right-of-way, and is considered a substandard road.

There are not any public rights-of-way within the annexation area and therefore no costs would be experienced by the City street maintenance in its existing state.

Any new connections to public roadways must be approved by the City Engineer. It is anticipated that a private emergency egress drive will need to be constructed from Laurelstone Drive to the existing house driveway in the alignment of the future Laurelstone Drive connection as discussed in the Fire section.

The future development may need to participate in improvements to upgrade the existing adjacent substandard street. Any new public roadways to serve the Study Area must be constructed to City Standards and dedicate right-of-way. Additionally, Sandstone Circle and Laurelstone Drive stub into the Study Area and will need to connect through any future subdivision, and it is anticipated that no connection to Emery Road would exist given the street constraints.

Laurelstone Drive stubs into the southerly study area parcel. Connecting the Laurelstone Drive street stub into this property is important to provide an additional point of access to the proposed development, to disperse traffic, and to provide an access to and from Lascassas Pike for the proposed development. Staff recommends the execution of an agreement between the City, the property owners (the Watkins), and the developer prior to the annexation becoming effective that the Laurelstone Drive roadway connection will be recorded as a public right-of-way and constructed as a public street with the first section or phase of the proposed subdivision development.

REGIONAL TRAFFIC & TRANSPORTION

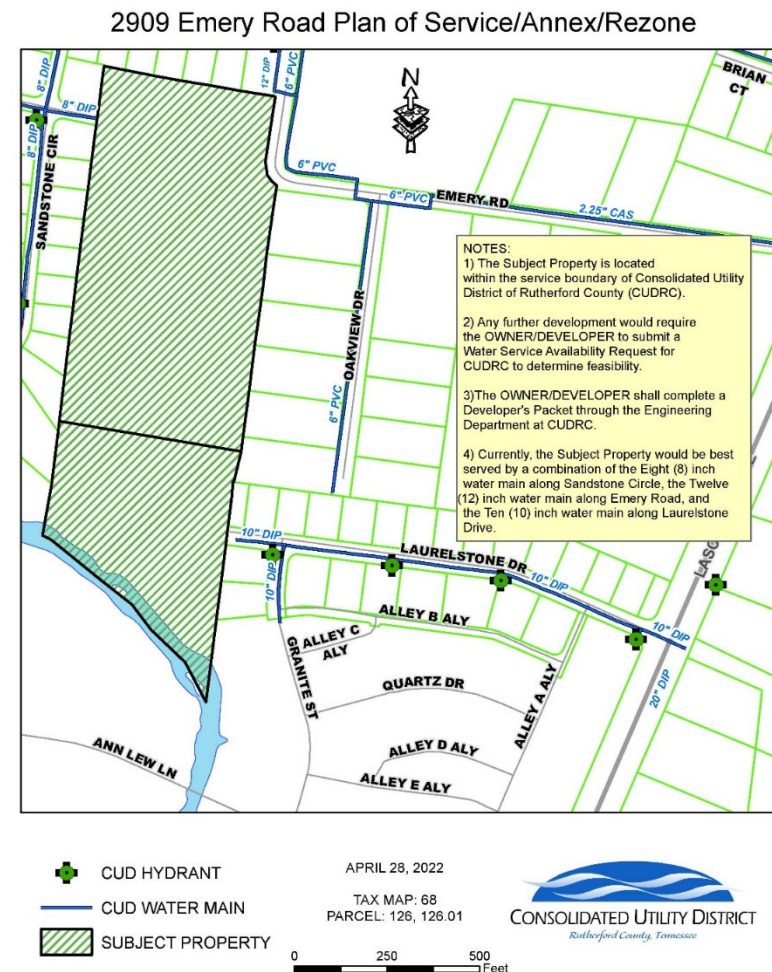
The study area is served by Lascassas Pike and Osborne Lane as the major roadway facilities. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Lascassas Pike to be operating at a Level of Service D in the vicinity of the study area using average daily traffic (ADT) counts. Without the recommended improvements in the 2040 Major Transportation Plan, Lascassas Pike will be operating at a Level of Service F. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Osborne Lane to be operating at a Level of Service A in the vicinity of the study area using average daily traffic (ADT) counts. Without the recommended improvements in the 2040 Major Transportation Plan, Osborne Lane will be operating at a Level of Service B.

WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. CUDRC's current infrastructure is sufficient to serve any existing structures; however, it does not provide any water services to the existing home at this time and the home is most likely currently using a well for its water supply.

CUDRC has an existing eight (8) inch water main along Sandstone Circle, twelve (12) and six (6) inch water mains along Emery Road, and a ten (10) inch water main along Laurelstone Drive to serve the study area as illustrated in the attached exhibit.

Any further development would be subject to the property owner(s) submitting a Water Service Availability Request to CUDRC for feasibility study and approval. Any water service provided to future structures would be dependent of the results of the Water Service Availability Request feasibility study in accordance with CUDRC's development policies and procedures.



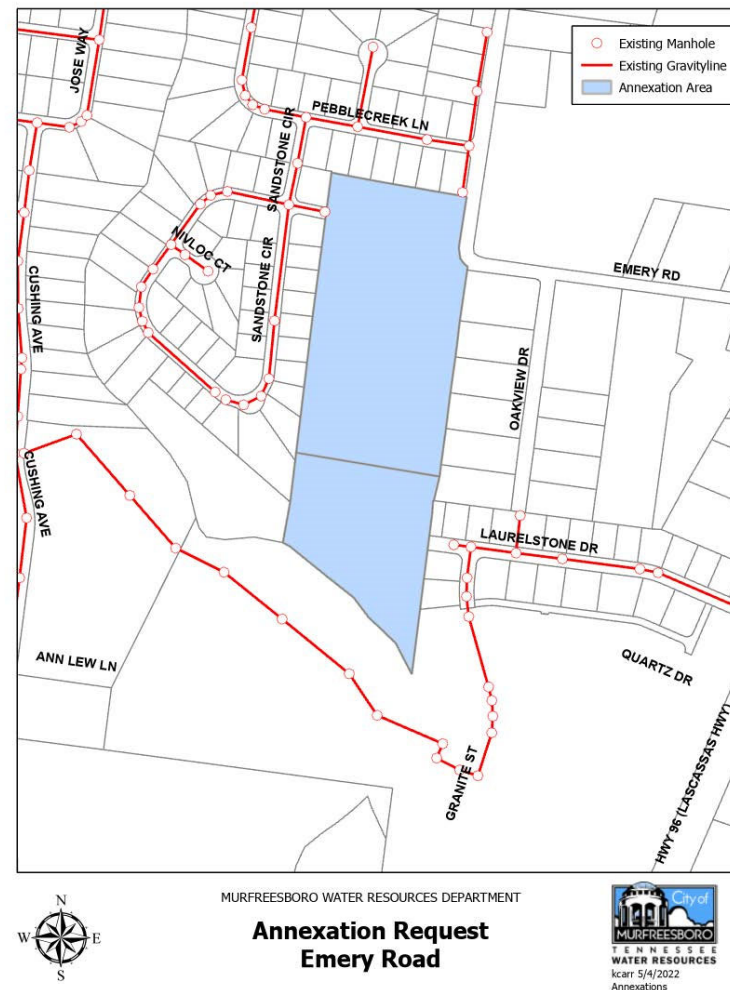
SANITARY SEWER SERVICE

The Water Resources Department (MWRD) would not be affected by this annexation if it remains in its existing state. The existing house would continue to be served with a private septic system as it is now.

With regard to any redevelopment, per the Department's definition of available, sanitary sewer is available to the northern property requesting annexation. Sewer is available at both the western and northern property lines. As the northern property develops, per MWRD policies and procedures, sewer must be extended to the southern property requesting annexation as well as to Emery Road. Sewer is also within the Laurelstone subdivision but may not be deep enough to extend by gravity.

With regard to redevelopment and the City's Sewer Allocation Ordinance, with the proposed zoning request of RS-10, the property would be allotted 3 single family units per acre (sfu's/acre) if approved. The total acreage is 16.8 total. Therefore, the Department would not have any issues with the development of 36 single-family homes, as proposed.

All 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.



DRAINAGE

Public Drainage System

The drainage systems along and within Emery Road right-of-way (ROW) and the study area has access to the roadway drainage systems. No additional public drainage systems are within the annexation study area. Funding for public drainage system operation and maintenance is anticipated from Stormwater Utility Fee. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

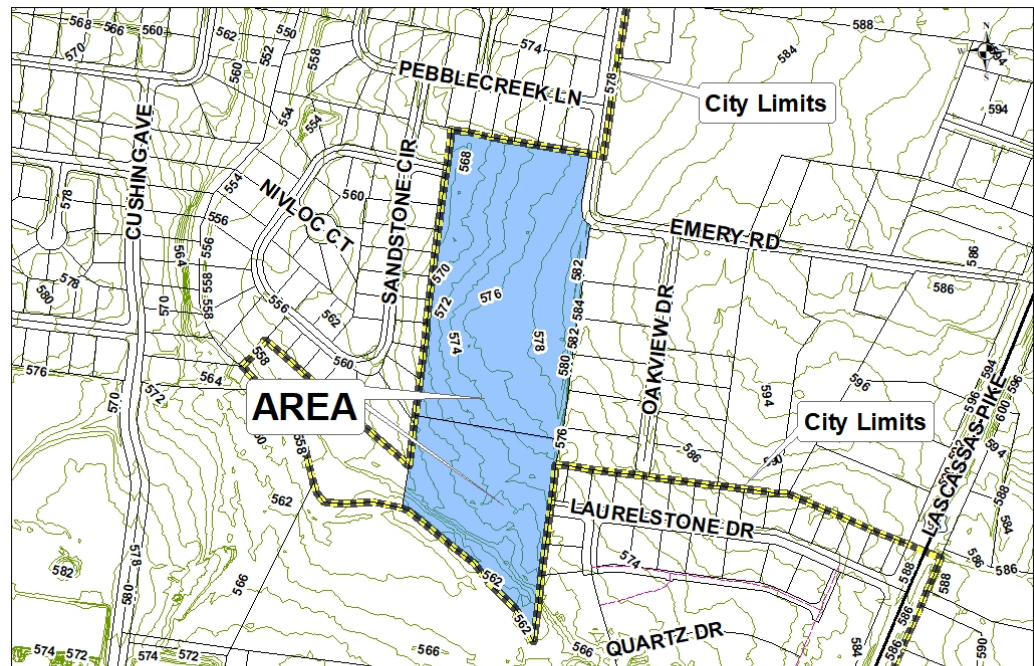
The study area drains to the West to the Pebblecreek development and on to Bushman Creek. Bushman Creek is located along the southerly boundary of the southerly parcel. The green lines on the adjacent map represent two-foot contour intervals.

Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area and existing and new improvements will be subject to the Stormwater Utility Fee. There is an existing single-family residence in the study area that will generate approximately \$39 per year in revenue for

the Stormwater Utility Fee. The subject property is proposed to be developed with 36 residential units on the northerly 11-acre parcel with no near-term plans for the southerly 5.28-acre parcel. Based on this development scenario, it is anticipated that the site will generate approximately \$1404 annually in revenue for the Stormwater Utility Fund upon full buildout.

New development in the study area must meet overall City of Murfreesboro Stormwater Quality requirements.



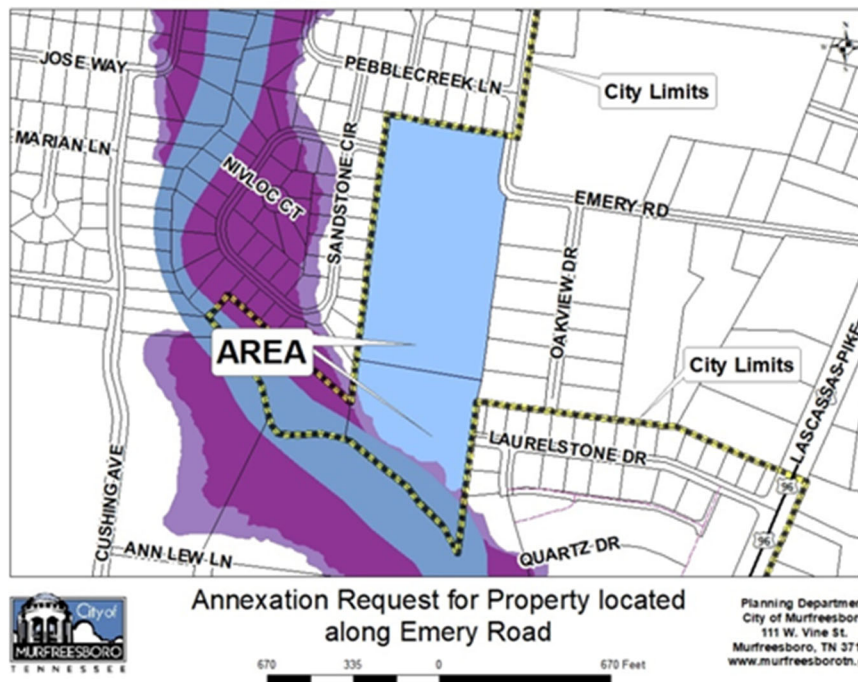
Annexation Request for Property located
along Emery Road

670 335 0 670 Feet

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

FLOODWAY

Approximately 1.1 acres of the study area is located within the regulatory floodway, approximately 0.06 acres is in the 100-year floodplain and approximately 0.41 acres is in the 500-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The adjacent map shows the floodplain layers in and around the subject property along the Bushman Creek Branch. The adjacent map shows the location of the 100-year floodplain in blue and the regulatory floodway in the purple areas.



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. The Anne Watkins Family Emery Road Trust

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Walter C Watkins dotloop verified
04/13/22 8:31 PM CDT
XSIL-YGM9-6HGC-PVLG Date: 04/13/2022

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

2. The Samuel Watkins Family Emery Road Trust

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Patricia Stallings dotloop verified
04/13/22 9:21 PM CDT
DYMA-GJSY-VCF9-OSOD Date: _____

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**

4.13.2022

Greg McKnight, Planning Director
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139

Re: Annexation and Rezoning Request

Described as Tax Map 68 Parcel 126.00 7 126.01 consisting of 16.28 +/- ac. to be rezoned PRD.

Dear Mr. Greg,

On behalf of our client, Jeramie Taber, we hereby request the annexation and rezoning of the property identified by tax map 68 and parcel 126.00 & 126.01, consisting of approximately 16.28 +/- acres from RM to RS-10. The property is located 2909 Emery Road. The purpose for this rezoning is to construct a 35 lot subdivision with single family detached homes.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Clyde Rountree, RLA

MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS
JUNE 1, 2022
PROJECT PLANNER: HOLLY SMYTH

4.e. Zoning application [2022-406] for approximately 16.28 acres located along Emery Road to be zoned RS-10 simultaneous with annexation, Jeramie Taber applicant.

The subject area includes two (2) properties containing 11.0 and 5.8 acres, respectively, located along the west side of Emery Road, south of Pebblecreek Lane, west of Oakview Drive and east of Sandstone Circle (Tax Map 068, Parcels 126.01 and 126.00). The subject properties are located within the unincorporated area of Rutherford County and are zoned RM (Medium Density Residential) in the County. The larger northerly parcel is vacant and the smaller southerly parcel is developed with one single-family residence and several accessory structures. A small portion of the southerly property includes 100-year and 500- year flood zones.

The surrounding properties are mostly developed or developing with single-family detached subdivisions, with the exception of a portion of Laurelstone that includes duplex and four plex townhome type units. Properties within the City are zoned PRD or RS-15 while those in the County are RM (Residential Medium Density). Surrounding single family home lot sizes range from approximately 11,000-30,000 square feet in Pebble Creek I PRD and 8,000-12,000 square feet in Pebble Creek II PRD and Laurelstone PRD has a mixture of duplex, fourplex with the single family lots being 6,500 square feet in the City Limits. Adjacent county properties have large suburban estate lot sizes.

The applicant, Jeramie Taber, is requesting to zone the subject property to RS-10 (Single-Family Residential District) simultaneous with annexation. The proposed zoning has the potential for approximately 36 residential lots on the northerly vacant parcel and an unknown amount on the southerly property. It is anticipated that the existing homestead on the southerly parcel will remain for the foreseeable future.

Local designated stub streets of Sandstone Circle and Laurelstone Drive will provide access into the subject parcels in the future subdivision, so long as an easement for future right-of-way dedication on the southerly parcel is recorded prior to the effective annexation. The City does not envision proposed development on the subject property having a direct roadway connection to Emery Road. The City's Major Transportation Plan (MTP) shows Emery Road classified as a Community Collector. The MTP also shows a future 3-lane recommended improvement to extend nearby Osborne Lane from Emery Road to Lascassas Pike to provide improved connectivity to the highway sometime in the future.

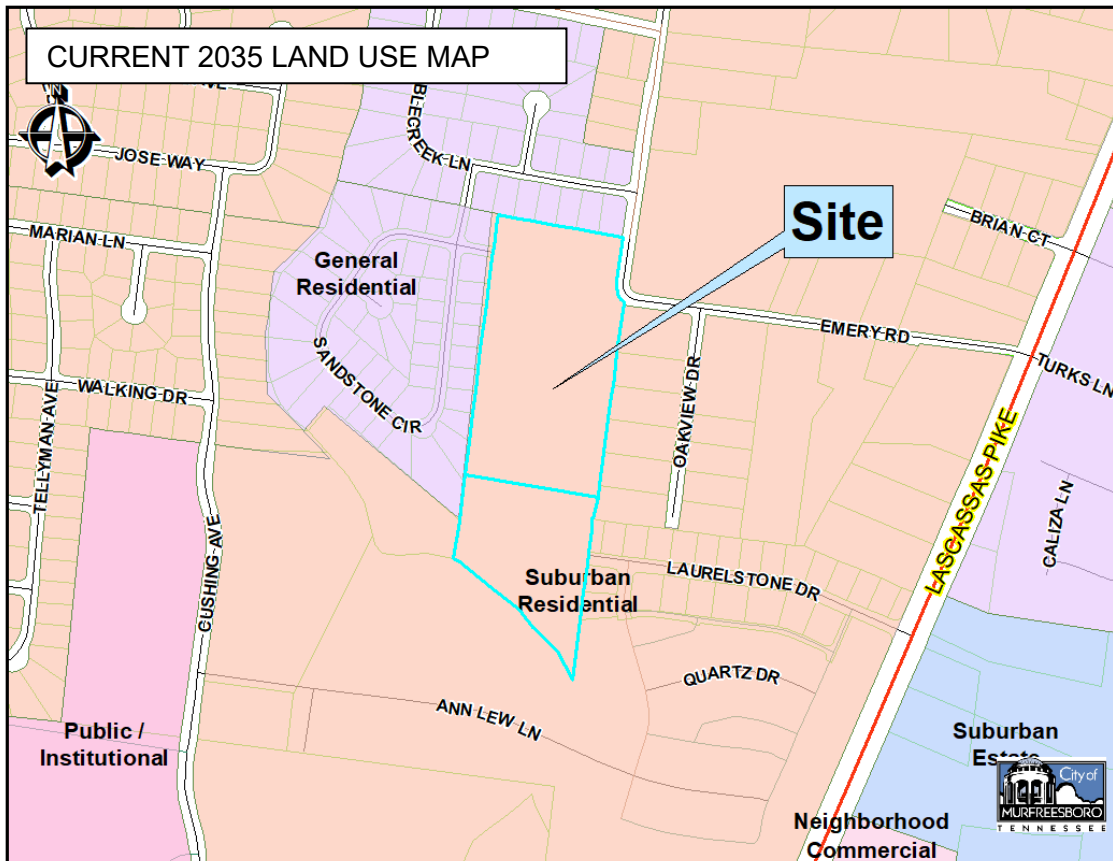
A neighborhood meeting was held on May 24, 2022 with approximately 15 neighbors. Concerns that were shared included:

- Preserving trees along the perimeter property lines
- The exacerbation of the current blasting problems being experienced by nearby subdivision that has caused sink holes
- Could construction traffic be accessed off Emery Road rather than via the Pebblecreek Subdivision
- Constructing the public street connection to Laurelstone Drive with the initial subdivision

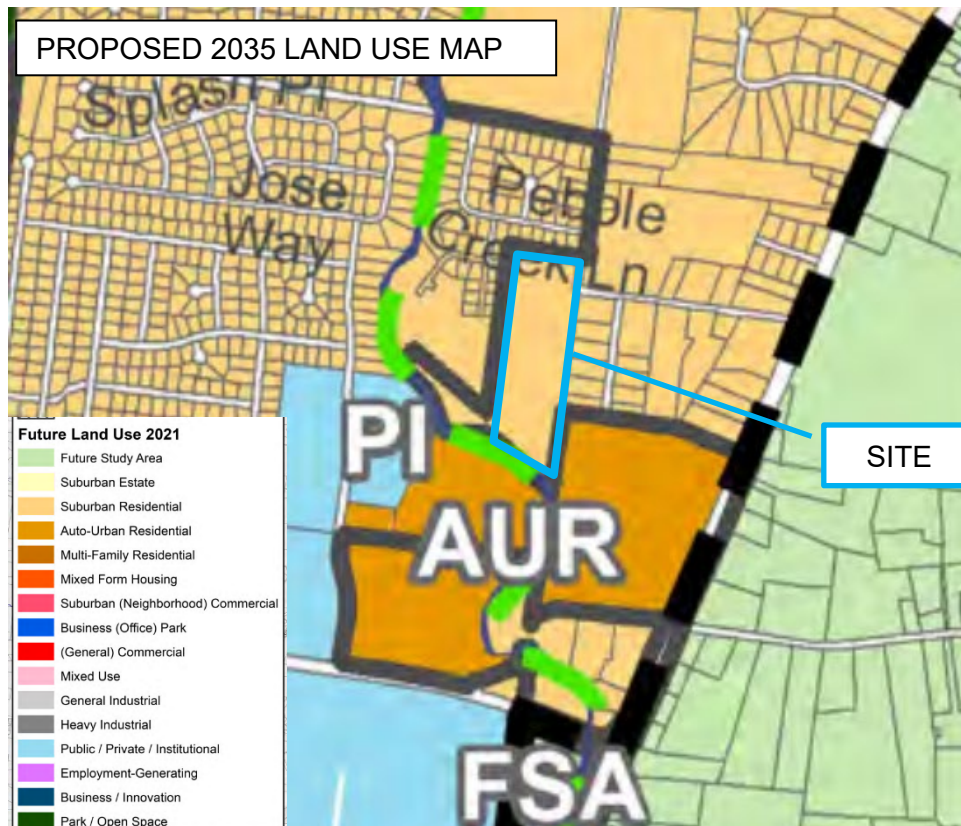
In the RS-10 district, lots are required to have a minimum lot size of 10,000 square feet and a minimum lot width of 65'. Setbacks for each lot are required to be 35' for front yards, 10' side yard, and 25' rear yard. The maximum allowed height is 35' and the maximum lot coverage is 25% within this district. Parking for four cars in each driveway is also required. There are no City standards in regards to design or building materials for single family homes in a bulk RS-10 district.

General Plan:

The existing Murfreesboro 2035 Comprehensive Plan Future Land Use Map and proposed future land use map (excerpts below) indicate that Suburban Residential (SR) is the most appropriate land use character for the project area. As new development continues around the City's periphery, a lower density *Suburban Residential (SR)* development will help to transition rural and urban development. This classification intends to serve as a transition from rural to urban residential development and is predominantly located along the periphery of the City. This character type includes small acreages or large lot estate development, or may also be smaller lots clustered around common open space. The comprehensive plan calls out residential single family homes with RS-15, RS-12, and RS-10 as existing zoning districts that are compatible with this designation with 2.0-3.54 dwelling units per acre as the recommended density. The attached General Plan description page provides more detailed information about this land use designation. The proposed future land use map pending before Planning Commission also recommends that the subject properties develop with a Suburban Residential land use character.



The requested RS-10 zone development type proposed is consistent with the Future Land Use Map's and the proposed future land use map's *Suburban Residential* (SR) character area. Additionally, the property is located within the Infill Service Line of the proposed land use map consideration under by the City.



Recommendation:

Staff is supportive of this zoning request for the following reasons:

- 1) Zoning request to RS-10 is consistent with the 2035 Comprehensive Future Land Use Plan designation of Suburban Residential (SR);
- 2) Zoning request to RS-10 is consistent with the proposed Future Land Use Plan designation of SR and is located within the proposed Infill Service Line.
- 3) RS-10 district allows for single family residential uses which are compatible with surrounding single family residential .

The applicant will be available at the Planning Commission meeting to discuss this proposed zoning request. The Planning Commission will need to conduct a public hearing prior to making a recommendation to the City Council.



Chapter 4

COMP PLAN TASK FORCE DRAFT 06.20.2016



SUBURBAN RESIDENTIAL CHARACTER (SR)

This community character classification is very different from the Urban and Auto-Urban (General) residential character categories. As new development continues around the City's periphery, a lower density Suburban Residential (SR) development will help to transition rural and urban development. This character type includes small acreages or large lot estate development, or may also be smaller lots clustered around common open space.

As in the case of many neighborhoods in Murfreesboro, particularly those in West Murfreesboro, or those that currently abut vacant land, the adjacent views that contribute to a semi-rural character are temporary, rather than permanent. The natural open space and views of the landscape are "borrowed" from the adjoining land. Consequently, as additional development occurs abutting these existing neighborhoods, the character will change. This is an important consideration as to the design of new subdivisions and whether they use the adjacent land or incorporate permanent open space into the development to sustain its original character. One means of achieving this character is by clustering development, thereby maintaining an equal or higher density while preserving permanent open space.

Development Types:

- ▶ Detached residential dwellings.
- ▶ Planned developments to provide other housing types (e.g., Auto-Urban attached residential) but with increased open space to preserve a suburban character setting.

Characteristics:

- ▶ Similar to Auto-Urban (General) Residential category, there is noticeable accommodation of the automobile on sites. Garages are typically integrated into the front facade of the dwelling with driveways on the side of homes or occupying a portion of the front yard space.

- ▶ Development options can be established which allow for smaller lot sizes in exchange for greater open space, with the additional open space devoted to maintaining the Suburban character and buffering adjacent properties and roads.

Density / Height Guidelines:

- ▶ 2.0 to 3.54 dwelling units per acre (DU/ac).

City Zoning Districts:

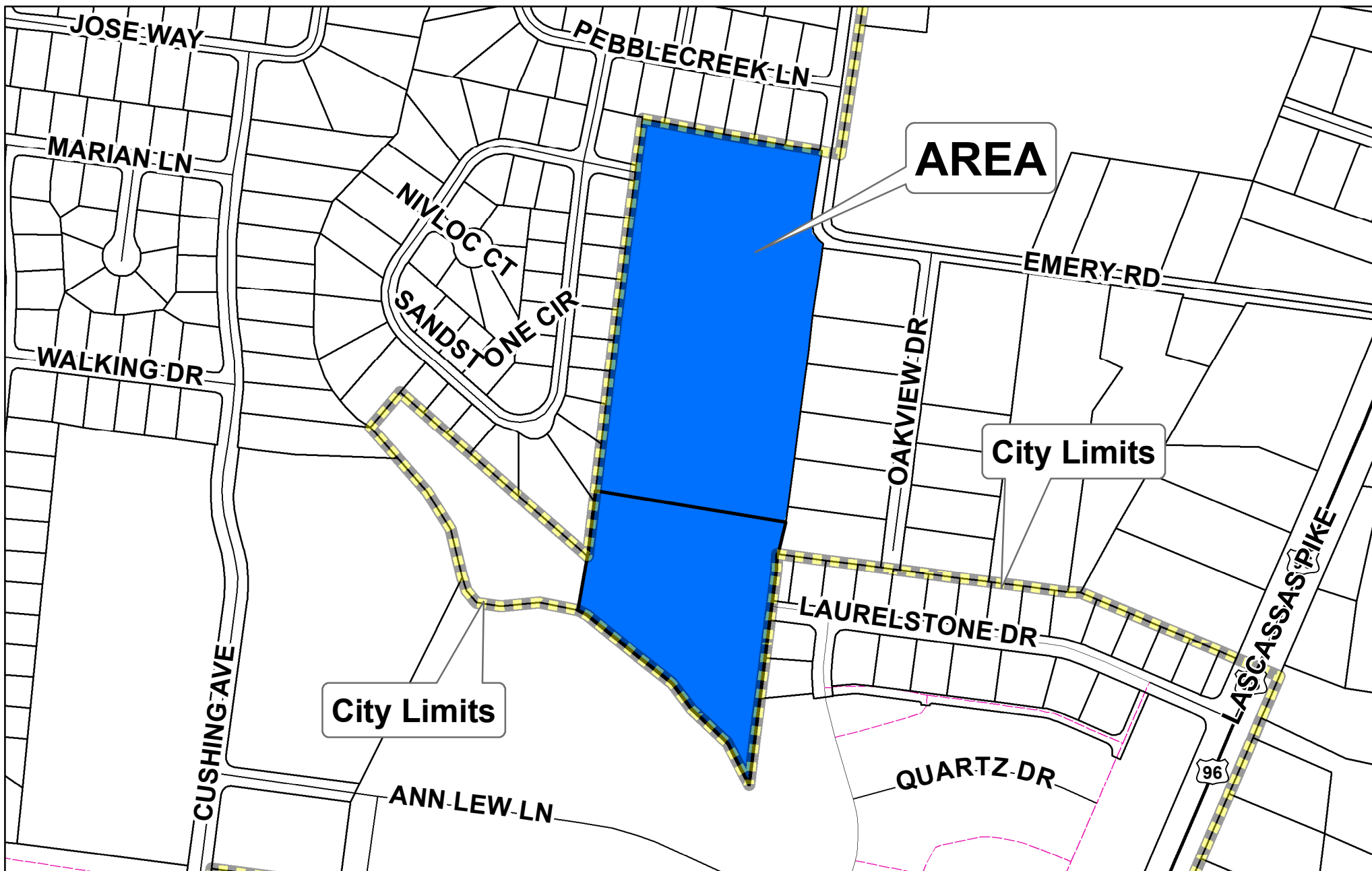
- ▶ Single Family Residential Districts:
 - RS-15
 - RS-12
 - RS-10



Zoning Request for Property located along Emery Road RS-10 Simultaneous with Annexation

640 320 0 640 Feet

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



Zoning Request for Property located along Emery Road RS-10 Simultaneous with Annexation

640 320 0 640 Feet



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



Creating a better quality of life

City of Murfreesboro
Planning and Engineering Department
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139
(615) 893-6441 Fax (615) 849-2606
www.murfreesborotn.gov

Zoning & Rezoning Applications – other than rezoning to planned unit development	\$700.00
Zoning & Rezoning Applications – Planned Unit Development, initial or amended	\$950.00

Procedure for applicant:

The applicant must submit the following information to initiate a rezoning:

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A non-refundable application fee (prices listed above).

For assistance or questions, please contact a planner at 615-893-6441.

To be completed by applicant:

APPLICANT: CLYDE POUNTREE, HUDDLESTON - STEELE ENG.

Address: 2115 NW BROAD ST. City/State/Zip: MURFREESBORO, TN 37129

Phone: 615-893-4084 E-mail address: pountree.associates@yahoo.com

PROPERTY OWNER: SAM WATKINS

Street Address or
property description: 2909 EMERY RD MURFREESBORO, TN 37130

and/or Tax map #: 08 Group: _____ Parcel (s): 126.00 & 126.01

Existing zoning classification: RM

Proposed zoning classification: RS-10 Acreage: 16.28

Contact name & phone number for publication and notifications to the public (if different from the applicant): _____

E-mail: _____

APPLICANT'S SIGNATURE (required): [Signature]

DATE: 4-13-22

*****For Office Use Only*****

Date received: _____ MPC YR.: _____ MPC #: _____

Amount paid: _____ Receipt #: _____

4.13.2022

Greg McKnight, Planning Director
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139

Re: Annexation and Rezoning Request

Described as Tax Map 68 Parcel 126.00 7 126.01 consisting of 16.28 +/- ac. to be rezoned PRD.

Dear Mr. Greg,

On behalf of our client, Jeramie Taber, we hereby request the annexation and rezoning of the property identified by tax map 68 and parcel 126.00 & 126.01, consisting of approximately 16.28 +/- acres from RM to RS-10. The property is located 2909 Emery Road. The purpose for this rezoning is to construct a 35 lot subdivision with single family detached homes.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Clyde Rountree, RLA

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

4.f. Annexation petition and plan of services [2022-503] for approximately 11.4 acres located along Lascassas Pike and East Pitts Lane, Betty Taylor, Elizabeth Taylor, and Terry Taylor applicants.

The property owners listed above, represented by SEC Engineering, have submitted a petition requesting their properties be annexed into the City of Murfreesboro with a simultaneous request to zone the properties CF (Commercial Fringe District). The subject area includes two properties fronting along the east side of Lascassas Pike (aka State Route 96) and one fronting the north side of East Pitts Lane. The two parcels along Lascassas Pike each contain one single family residence with accessory structures while the parcel fronting on East Pitts Lane is vacant. The property tax map numbers are:

- Tax Map 68, Parcel 117.01 (addressed 2684 Lascassas Pike with 1.5 acres)
- Tax Map 68, Parcel 106.01 (addressed 2664 Lascassas Pike with 5.71 acres)
- Tax Map 68, Parcel 113.00 (vacant 4.2 acre parcel)

The annexation study area does not contain any right-of-way (ROW) because Lascassas Pike fronting the subject property is within the current City limits. The ROW of East Pitts Lane was not included as part of the annexation study area given its substandard nature. The requested parcels are located within the City's Urban Growth Boundary.

The subject parcels are located within the existing adopted Murfreesboro 2035 Comprehensive Plan Future Land Use Map shown on page 5 of the Plan of Services and it indicates a Suburban Estate (SE) land use for the project area. However, the subject parcels are located outside of the proposed Infill Service Line on the proposed update to the Future Land Use Map, which is currently being considered by the Planning Commission, also as shown on page 5 of the Plan of Services. The purpose of the proposed Infill Service Line is to help facilitate growth and development in an orderly, planned, and sustainable manner and to minimize strain on City services. City growth beyond the line could occur if the area undergoes a study and it is determined that it would be beneficial to the City to include it within the City limits.

The proposed Infill Service Line is limited to only the west side Lascassas Pike from Compton Road to Bushman Creek just south of Twin Oak Drive (an approximately 2 mile-long segment of Lascassas Pike). The City's proposed Infill Service Line only crosses to the easterly side of Lascassas Pike south of Bushman Creek in an already developed area as shown in the excerpted map of page 5 of the Plan of Services.

Plan of Services:

Staff has prepared a Plan of Services for the proposed annexation, which is attached to this report for the public hearing. It details how all services will be provided to the subject property if the property were to be annexed.

The properties currently are served with a private septic system to the existing homes. Per the Water Resources Department's definition sanitary sewer is not currently "available" to the site. Sewer is located in the entrance of the Laurelstone Subdivision on the western side of Lascassas Pike, and the extension of sewer to the properties would require two off-site sewer easements to be dedicated to the City.

The adjoining two streets are ditch section roadways with no sidewalks. Traffic along Lascassas Pike is at LOS D with the current average daily traffic that is anticipated to fall to LOS F without the improvements as shown in the Major Transportation Plan to widen to 5-lanes.

Recommendation:

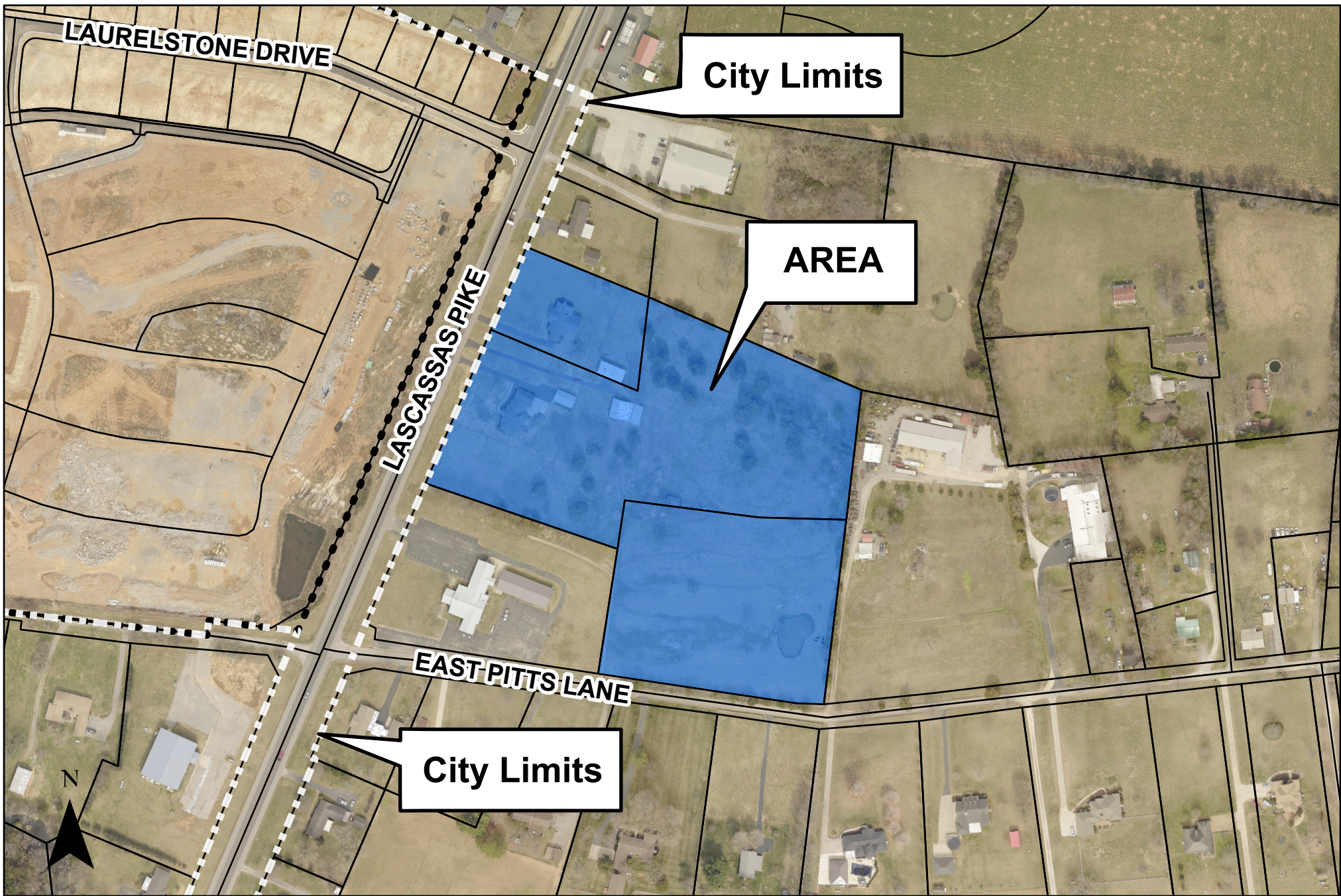
Staff Recommends the Planning Commission deny annexation and zoning of the subject properties (Tax Map 68 Parcels 117.01, 106.01, & 113.00) because:

1. The requested zone change to CF is in direct conflict with both the existing "Suburban Estate" General Plan Land Use designation and the proposed "Future Study Area" designation.
2. Per the Water Resources Department's definition of available, sanitary sewer is not available to the area.
3. It is Staff's position that infill occurring within the proposed Infill Service Line should occur first before considering annexing beyond the line to maximize the use of existing road and utility infrastructure.
4. Lascassas Pike is currently experiencing high peak hour traffic volumes that should not be further exacerbated by potentially more intense City development due to the provision of City sewer. Improvements to widen Lascassas Pike from 2 to 5 lanes, which are expected to exceed one million dollars in cost, are not planned anywhere in the near term to help offset the impact of further development in this area.
5. Any annexation beyond the proposed Infill Service Line may unduly trigger additional annexation requests on the easterly side of Lascassas Pike which have the above issues.
6. Staff is not supportive of bulk zoning requests on the fringe of the City where established development patterns do not exist and potential conflicting uses could occur and negatively impact surrounding uses.

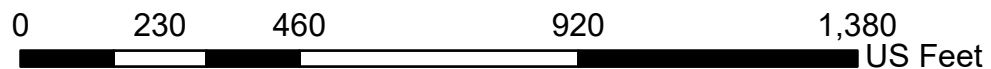
Action Needed:

The applicant has been advised of staff's position and has chosen to still pursue annexation and zoning of the subject properties.

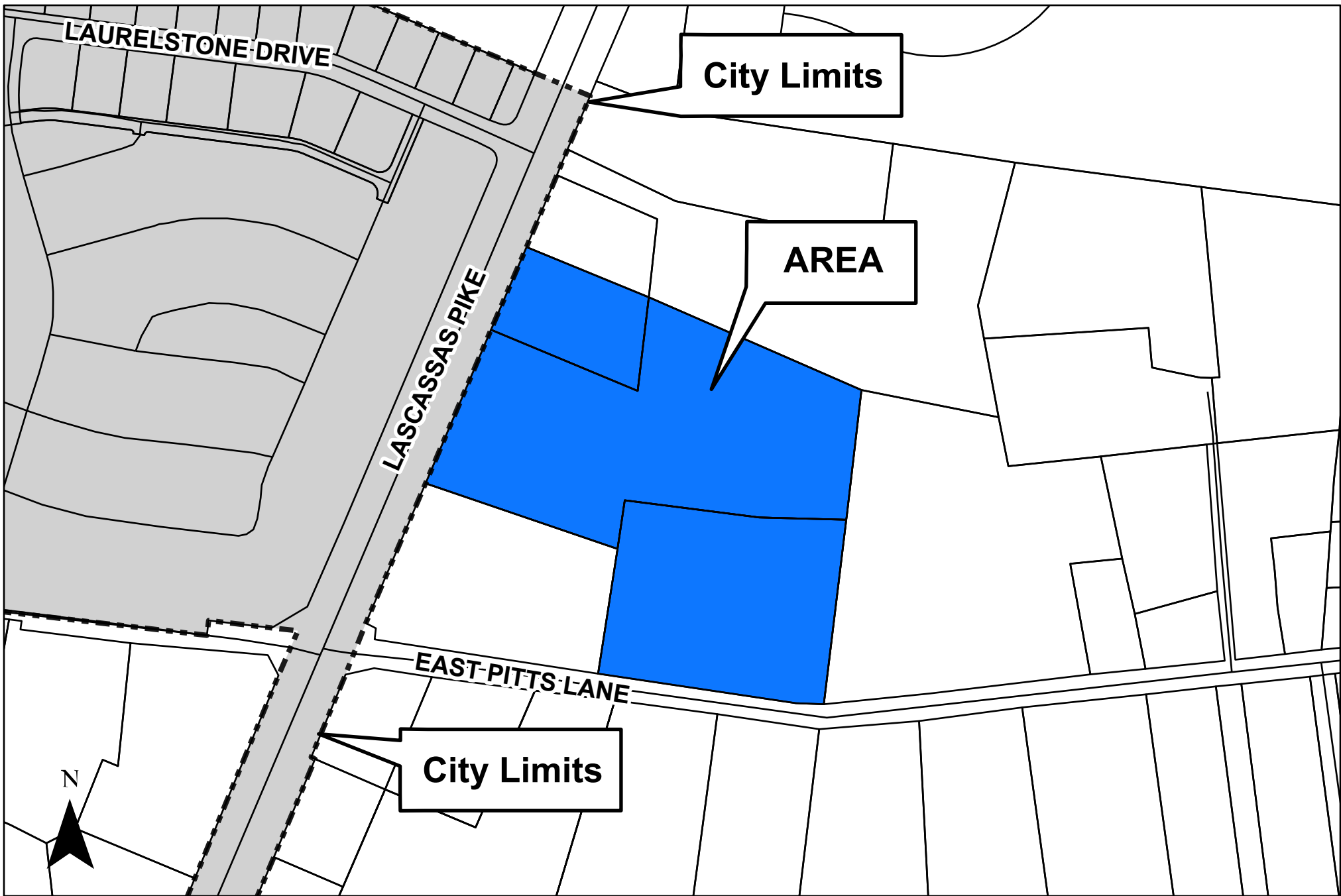
The applicant will be available at the Planning Commission meeting to discuss this proposed annexation petition and plan of services. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.



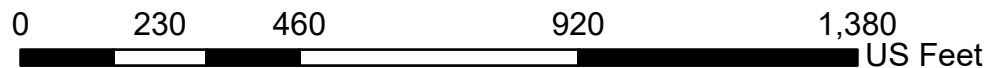
Annexation request for property along
Lascassas Pike and East Pitts Lane



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



Annexation request for property along
Lascassas Pike and East Pitts Lane

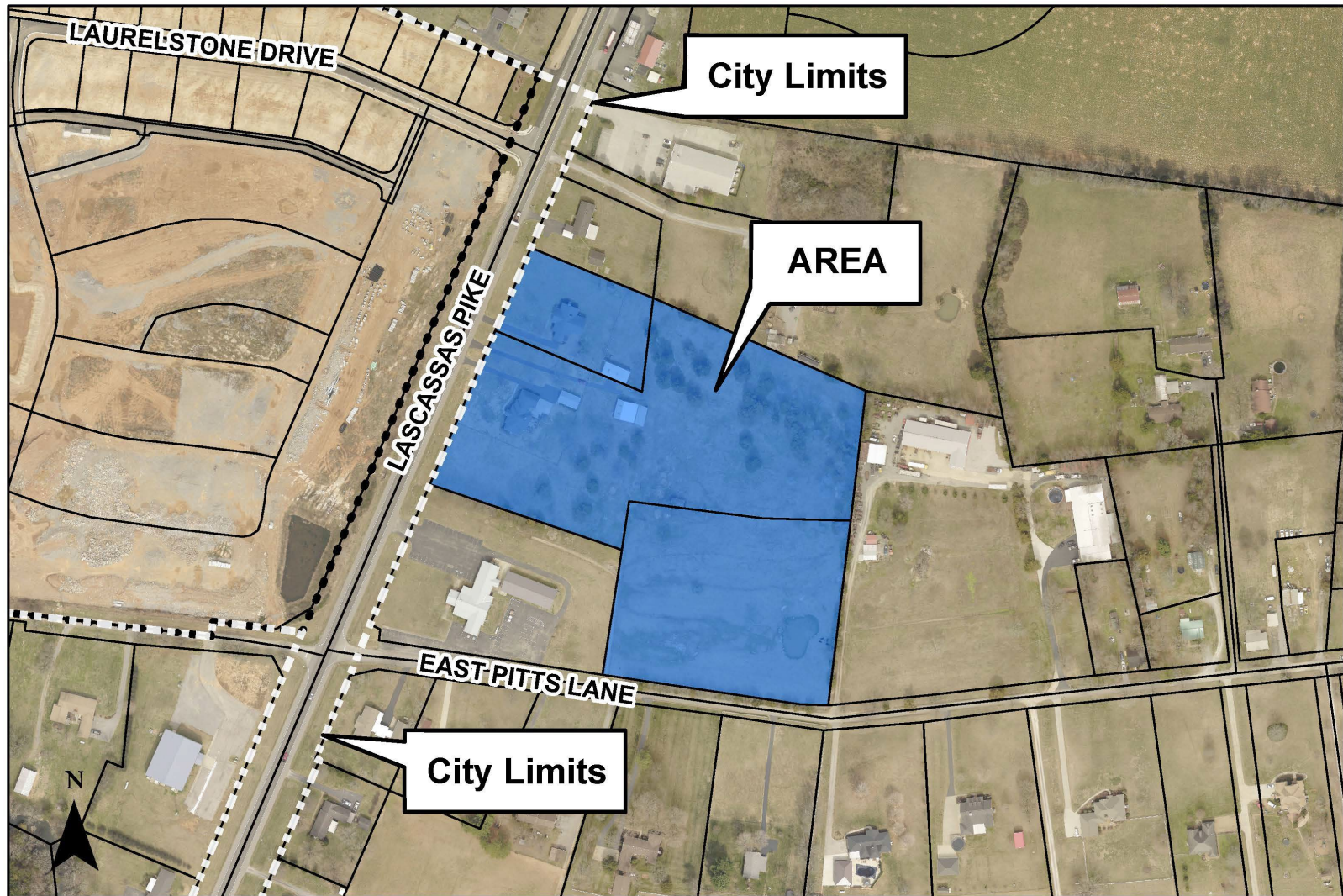


Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG LASSCASSAS PIKE NORTH OF EAST PITTS LANE
INCLUDING PLAN OF SERVICES
(FILE 2022-503)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION – June 1, 2022**



Annexation request for property along
Lascassas Pike and East Pitts Lane

0 230 460 920 1,380
US Feet

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

INTRODUCTION

OVERVIEW

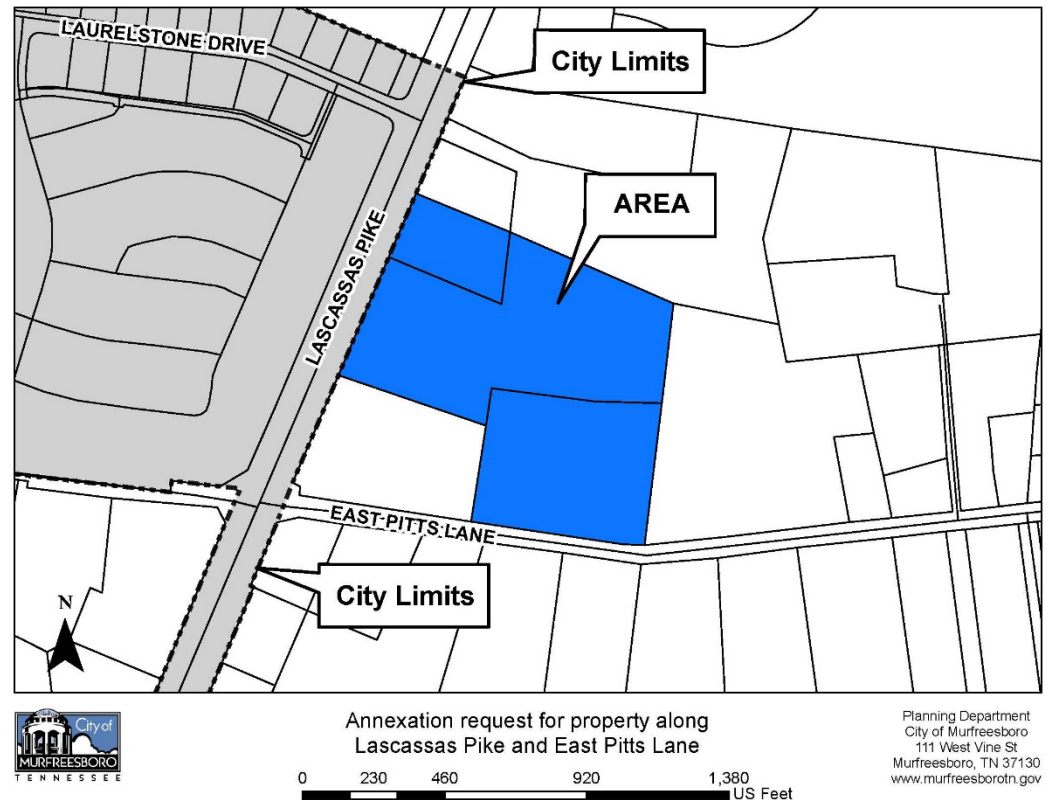
The property owners, Betty Taylor, Elizabeth Taylor, and Terry Taylor, have submitted a petition requesting annexation by the City. The subject area includes two properties fronting along the east side of Lascassas Pike (aka State Route 96) and one fronting the north side of East Pitts Lane. The two parcels along Lascassas Pike each contain one single family residence with accessory structures while the parcel fronting on East Pitts Lane is vacant. The property tax map numbers are:

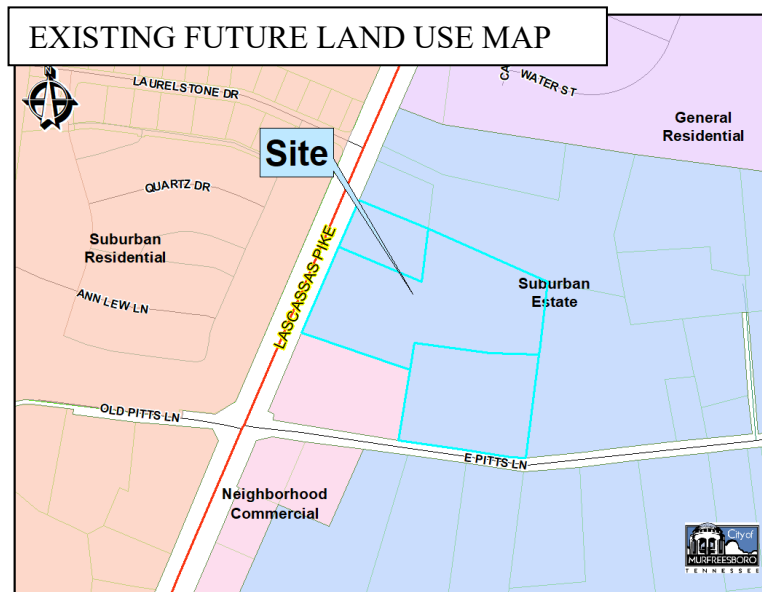
- Tax Map 68, Parcel 117.01 with 1.5 acres (addressed 2684 Lascassas Pike)
- Tax Map 68, Parcel 106.01 with 5.71 acres (addressed 2664 Lascassas Pike)
- Tax Map 68, Parcel 113.00 (vacant 4.2 acre parcel)

Simultaneous with this application is a request to zone the property to Commercial Fringe (CF).

GENERAL PLAN LAND USE

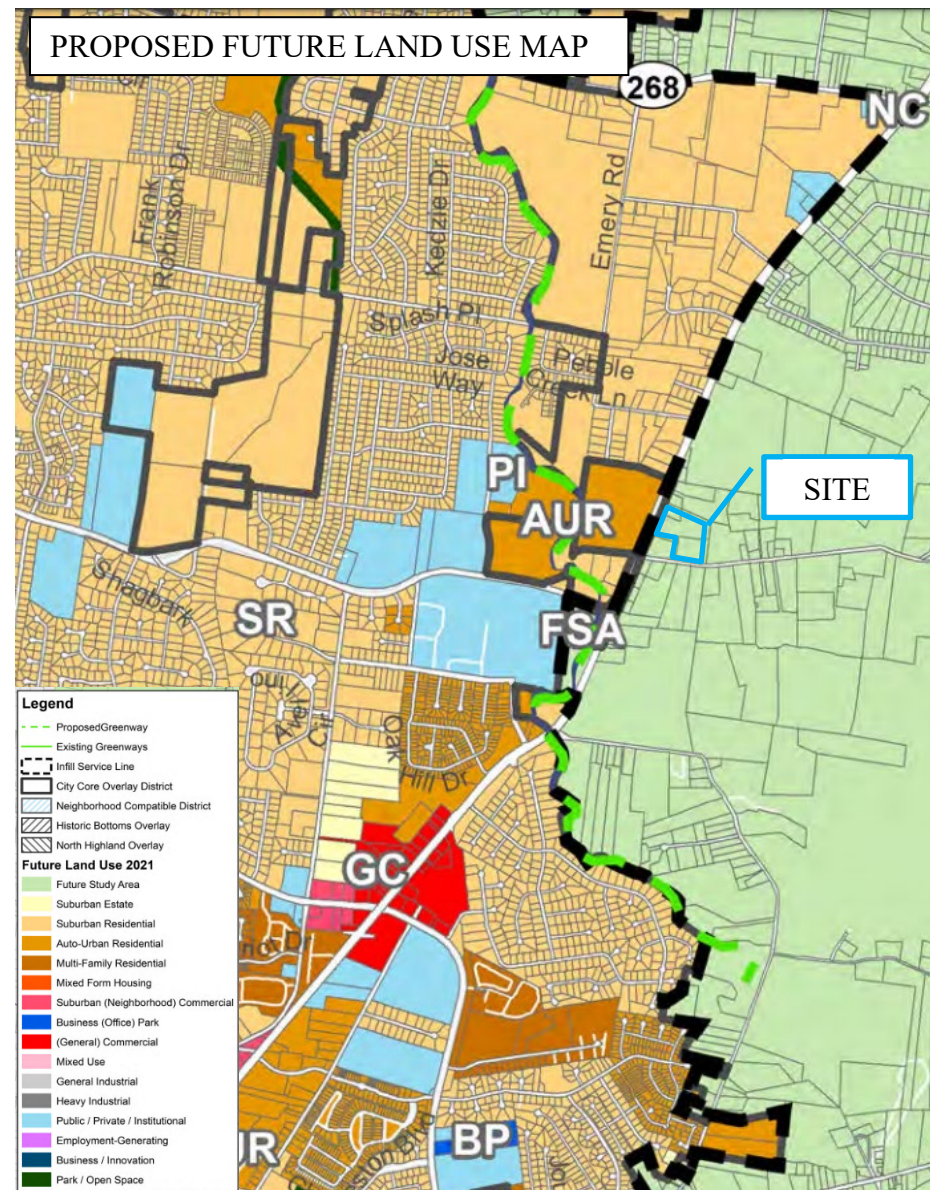
The study area is located within the City of Murfreesboro's existing Urban Growth Boundary and is only contiguous with the City limits along its western edge.





The Planning Commission is currently considering a proposed future land use map (shown to the right), which identifies a proposed Infill Service Line. The purpose of the proposed Infill Service Line is to help facilitate growth and development in an orderly, planned, and sustainable manner. The study area lies outside of the proposed Infill Service Line as does everything on the east side of Lascassas Pike for approximately 2 miles.

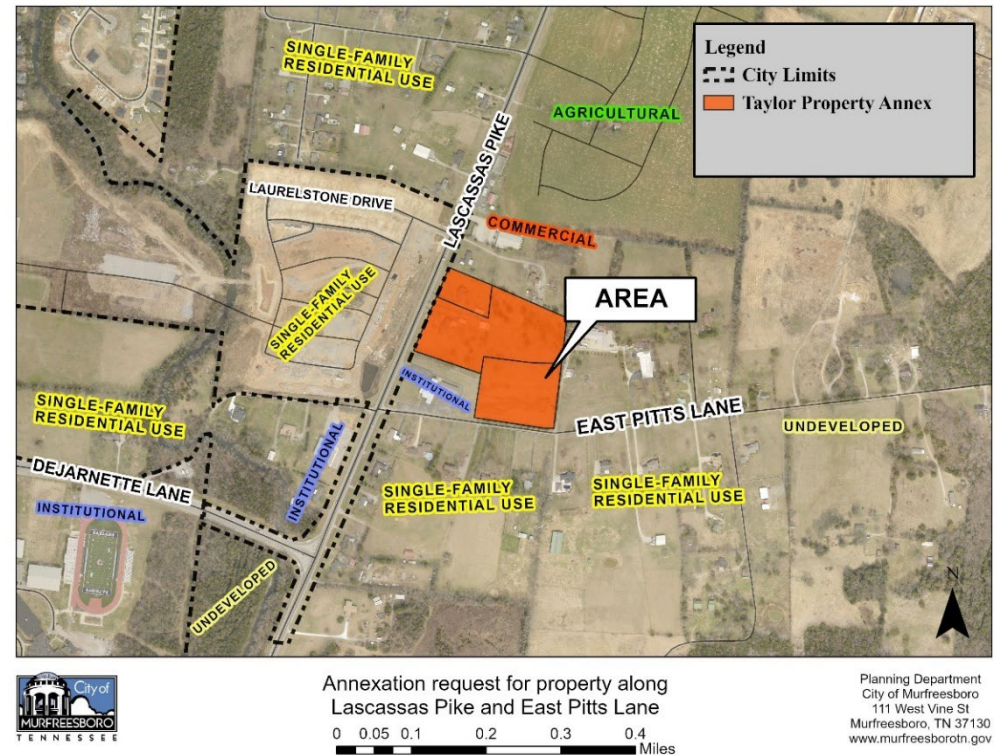
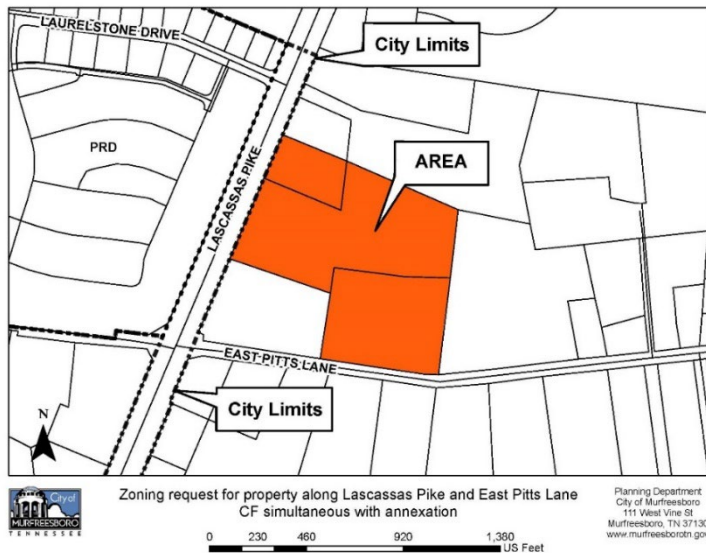
Areas outside the proposed Infill Service Line are classified as Future Study Area (FSA) because they are areas not anticipated to be annexed and developed within the next 14 years within the City. Also the FSA defined areas typically have limited sewer availability, roads are typically substandard with ditch-sections, no sidewalks, and no streetlights. Development in the County is not precluded.



CITY ZONING

A separate application has been submitted by Murfreesboro Medical Clinic, requesting Commercial Fringe (CF) zoning for the study area simultaneous with annexation. The parcels requested for annexation are shown in red in the adjacent drawing and are currently zoned Residential Medium-Density (RM) in the County of Rutherford as shown in the adjacent drawing.

The zoning on the adjacent properties to the west across Lascassas Pike are PRD (Planned Residential District) in the City. To the south and the east is RM in the County and to the north is RM, CS (Commercial Services), and PUD (Planned Unit Development) (for 108 unit single family residential subdivision) in the County.



PRESENT AND SURROUNDING LAND USE

The study area consists of two single family residential uses and an unimproved property. The properties on the west side of Lascassas Pike are in the City limits and are mostly developed or developing single-family residential subdivisions. Properties on the east side of Lascassas Pike are all in the unincorporated County and include a Dollar General, gas station, churches, single family detached homes, and a recently approved Planned Unit Development for 108 single family homes on a STEP sewer system in the area currently labeled Agricultural on the above map.

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 1
Estimated Taxes from Rutherford Co Assessor's Site

Owner of Record	Acres	Land Mkt Value	Improvement Value	Assessment Value	Estimated City Taxes
Betty S Taylor	1.5	\$114,200	\$267,700	\$99,475	\$1,283
Terry L Taylor	5.71	\$135,200	\$372,700	\$134,575	\$1,735
Betty S Taylor	4.2	\$70,100	\$0	\$17,525	\$226

These figures are for the property in its current state and are subject to change upon development.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police services through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services which include patrol, traffic, and criminal investigations. Other services such as community crime prevention programs are also available. Services will be provided upon the effective date of annexation.

The Murfreesboro Police Department can immediately provide police services to the property as it currently exists. The current police zone that borders the property is Zone 3.

Police staffing numbers are assessed based upon cumulative residential population numbers.

FIRE AND EMERGENCY SERVICE

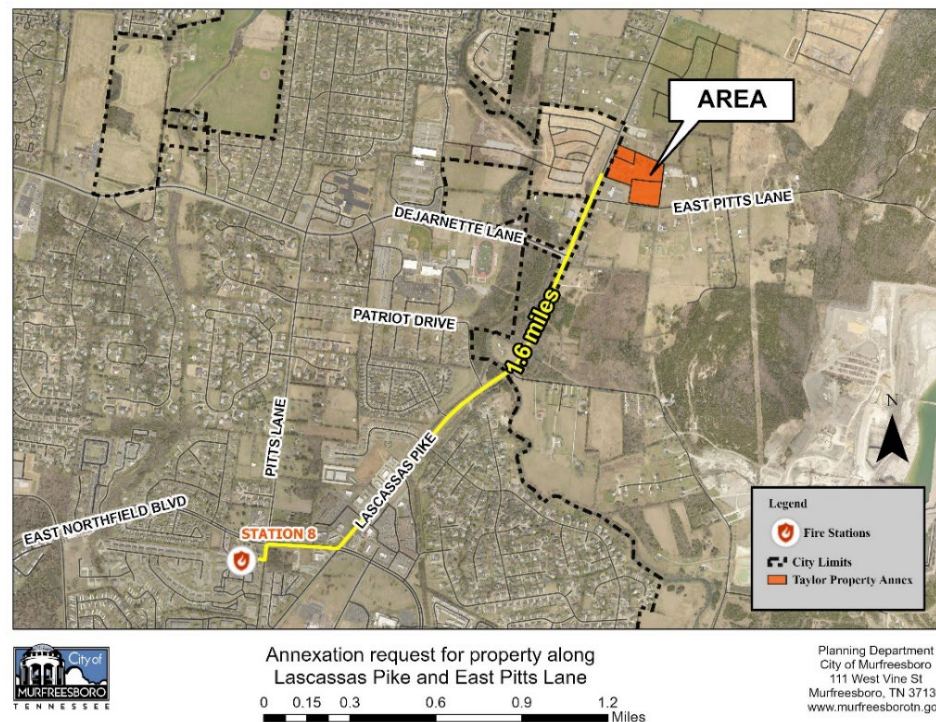
The study area includes two single family homes located at 2684 and 2664 Lascassas Pike and a vacant parcel.

The Murfreesboro Fire and Rescue Department (MFRD) can provide emergency services to the study area's existing structures immediately upon the effective date of annexation at no additional expense. Distance to station is within acceptable norms for response. Fire trucks carry 1,000 feet of hose to connect to existing hydrants to allow service to the homes.

The nearest fire hydrant to the north of the study area is on the nearby gas station property which is 670' north of 2684 Lascassas Pike home structure and 740' north of 2664 Lascassas Pike home structure as the truck drives. The nearest fire hydrant to the south of the study area is on the church property near the corner of Lascassas Pike and East Pitts Lane which is 810' south of 2664 Lascassas Pike home structure and 909' south of 2684 Lascassas Pike home structure.

Emergency services and fire protection can be provided upon development, as additional fire hydrants would be required when the site develops.

Currently the study area is located 1.6 miles from Fire Station #8 (1730 E Northfield Blvd). The yellow line on the adjacent map represents the linear distance range from the nearest fire station.



ELECTRIC SERVICE

Middle Tennessee Electric Membership Corporation (MTEMC) currently has service to the existing 2 homes.

Any new electrical infrastructure installed to serve new development will be required to adhere to MTEMC standards. Overhead power lines exist along the easterly side of Lascassas Pike and along the northerly side of East Pitts Lane which may be required to be undergrounded in the future when development occurs.

STREET LIGHTING

The subject properties have street frontage along Lascassas Pike and East Pitts Lane, with no street lights along the frontages. At the southwest corner of East Pitts Lane and Lascassas Pike there is one light on the wooden power pole at the intersection.

Streetlights will be installed within the development if public streets are constructed.

SOLID WASTE COLLECTION

The Solid Waste Department will provide residential trash service upon the effective date of annexation to the 2 homes at 2684 and 2664 Lascassas Pike. Their service day would be on Tuesdays. Brush and debris removal will also be provided. The cost to service these addresses is \$7.50 per month. The bill will be either on the CUD or Water Resources monthly billing statement.

Any future commercial development on the subject properties would require a private contractor to provide waste services.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to any existing and future occupants of the study area. These facilities and programs are funded by the Murfreesboro taxpayers and include approximately 1,300 acres throughout a parks system that includes 8 recreational and cultural facilities, a 15-mile greenway system located mostly along the Stones River, and 23 additional park sites. Murfreesboro Parks and Recreation develops programs and events to provide safe recreational and cultural activities for all demographics. Residents of the City of Murfreesboro may qualify for financial assistance for free or reduced recreational fees.

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 located outside of the John Pittard Elementary school zone, and it would become part of this school's zoned area upon annexation.

In its current state with two single family residential homes, the annexation of the study area will have little to no impact on MCS. Any children living in these homes would be eligible to attend John Pittard Elementary, but the number would be minimal.

The companion zoning change request to Commercial Fringe would result in the area having no impact on the city school system in terms of new students being added, as it would remove the existing residential homes.

As of the 2021-2022 school year, enrollment at John Pittard is 699 students with an "ideal" student capacity at 975 students.

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.

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

No additional public roadways are included in the study area. Access to a public roadway system is available through Lascassas Pike for 2 parcels and East Pitts Lane for 1 parcel.

The existing adjacent roadway are ditch sections with no sidewalks. Any new public roadways to serve the study area must be constructed or upgraded to City Standards.

REGIONAL TRAFFIC & TRANSPORTION

The study area is served by Lascassas Pike as the major roadway facility. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Lascassas Pike to be operating at a Level of Service D in the study area using average daily traffic (ADT) counts. Without the recommended improvements in the 2040 Major Transportation Plan (MTP), the regional transportation facilities fall to a Level of Service F on Lascassas Pike.

Both the City's 2040 MTP and the County's Long Range Transportation Plan recommend that Lascassas Pike be widened to 5 lanes sometime in the future.

The future development must address the City's Major Transportation Plan for Lascassas Pike as well as providing proper turning lanes for proposed new accesses onto Lascassas Pike.

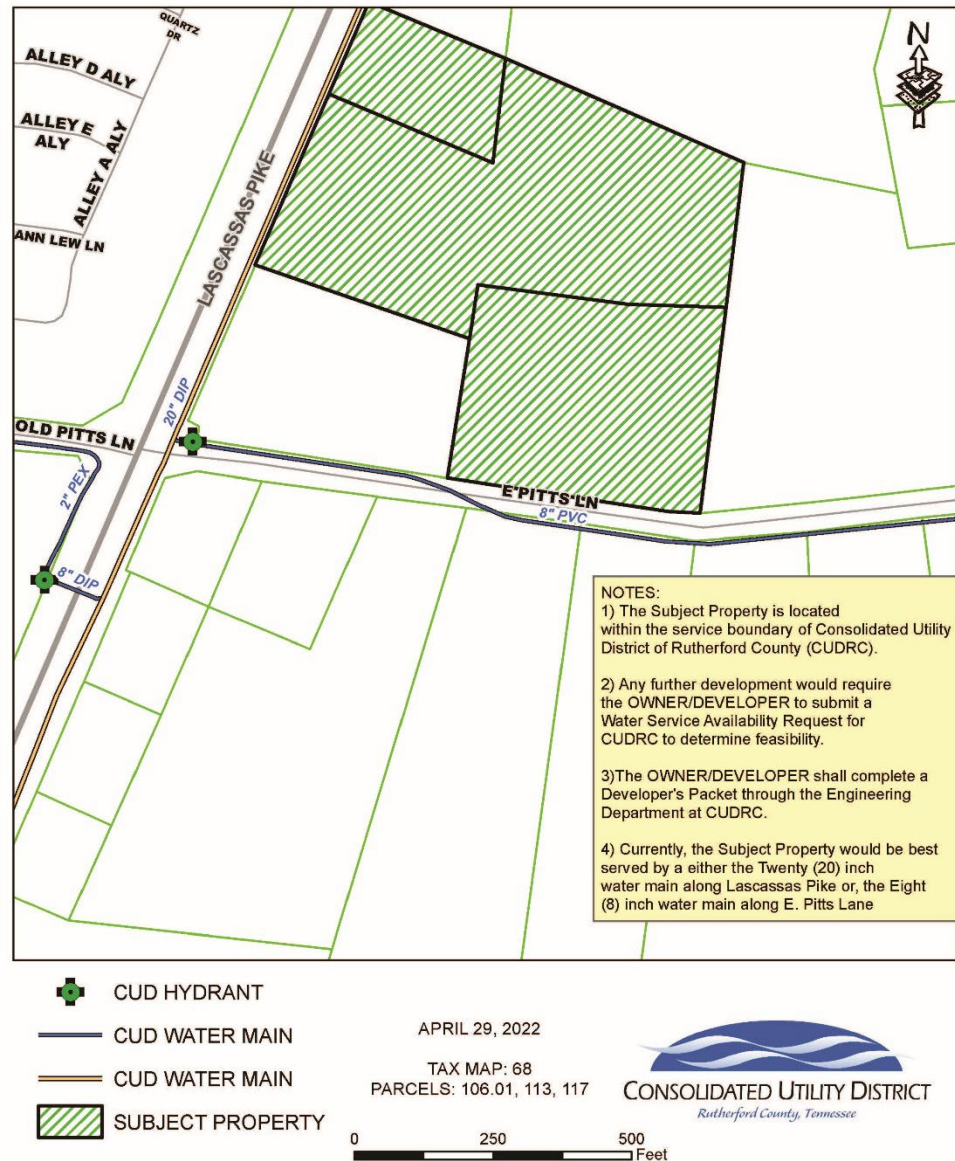
WATER SERVICE

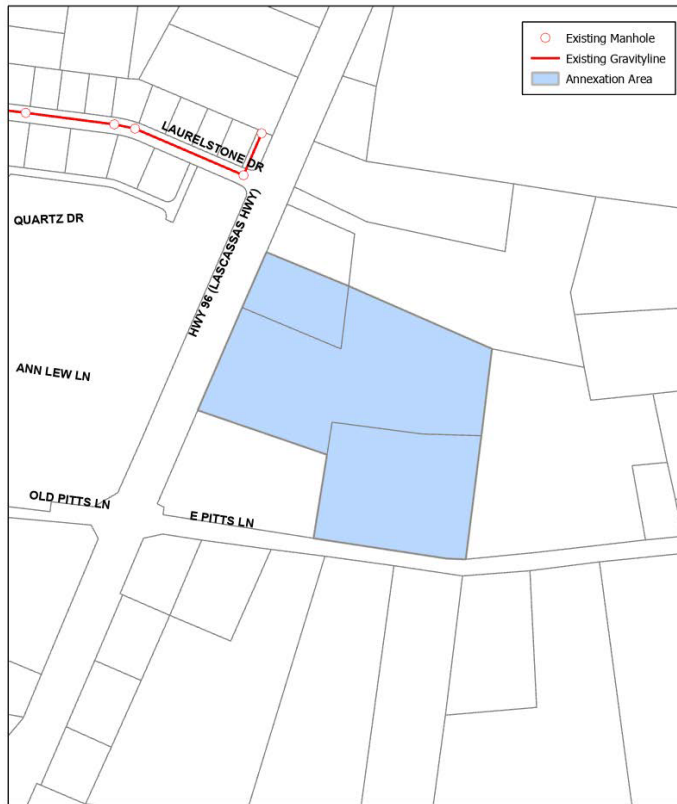
The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. CUDRC is providing water services to the existing homes at this time which will continue in the property's existing state.

CUDRC has an existing twenty (20) inch water main along Lascassas Pike and an eight (8) inch water main along East Pitts Lane to serve the study area, as illustrated in the attached exhibit.

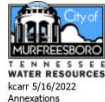
Any further development would be subject to the property owner(s) submitting a Water Service Availability Request to CUDRC for feasibility study and approval. Any water service provided to future structures would be dependent of the results of the Water Service Availability Request feasibility study in accordance with CUD's development policies and procedures.

2664 and 2684 Lascassas Pike Plan of Service/Annex/Rezone





MURFREESBORO WATER RESOURCES DEPARTMENT
Annexation Request
Lascassas Pike and E Pitts Lane



SANITARY SEWER SERVICE

The Water Resources Department (MWRD) would not be affected by this annexation if it remains in its existing state. The properties would continue to be served with a private septic system as they are now.

With regard to any redevelopment, per MWRD's definition of available, sanitary sewer is not available. Sewer is located in the entrance of the Laurelstone Subdivision on the western side of Lascassas Pike, and the extension of sewer to the properties would require two off-site sewer easements to be dedicated to the City.

With regard to redevelopment, to the City's Sewer Allocation Ordinance and the proposed zoning request of Commercial Fringe (CF), the property would be allotted 2.5 single family units per acre (sfu's/acre) if approved. The total acreage is 11.41 total. Therefore, the total allotted flow would be 28.5 sfu's (or $260 \times 28.5 = 2,966$ gpd).

All 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.

DRAINAGE

Public Drainage System

The study area has access to public drainage facilities in Lascassas Pike and East Pitts Lane. Drainage facilities within these public roadways are integral to the roadway, and drainage facility maintenance activities are included within the annualized maintenance costs. Funding for public drainage system maintenance is anticipated from Stormwater Utility Fee and General Fund sources.

Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

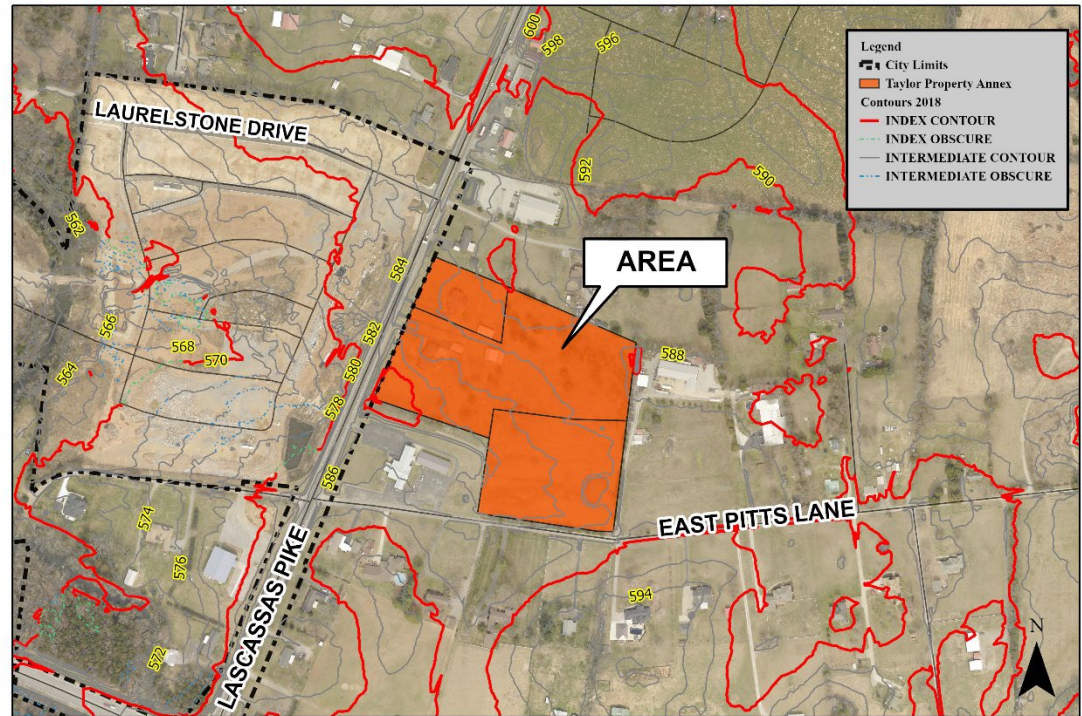
A review of the 2010 aerial photography following the significant rainfall events of May 1 and 2 confirms the presence of closed depressions and sinkholes with standing water 2 days after the rainfall stopped.

The constructed drainage facility within Lascassas Pike provides drainage outlets to Bushman Creek which is located approximately 0.2 miles to the west.

Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area, and existing and new improvements will be subject to the Stormwater Utility Fee. There are two existing single family residences in the study area that will generate approximately \$78 per year in revenue for the Stormwater Utility Fee.

The study area is approximately 11.41 acres and is proposed to be developed as CF (Commercial Fringe). Based on this development scenario, it is anticipated that the site will generate approximately \$2500 annually in revenue for the Stormwater Utility Fund upon full buildout.



Annexation request for property along
Lascassas Pike and East Pitts Lane

0 0.04 0.09 0.17 0.26 0.34 Miles

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

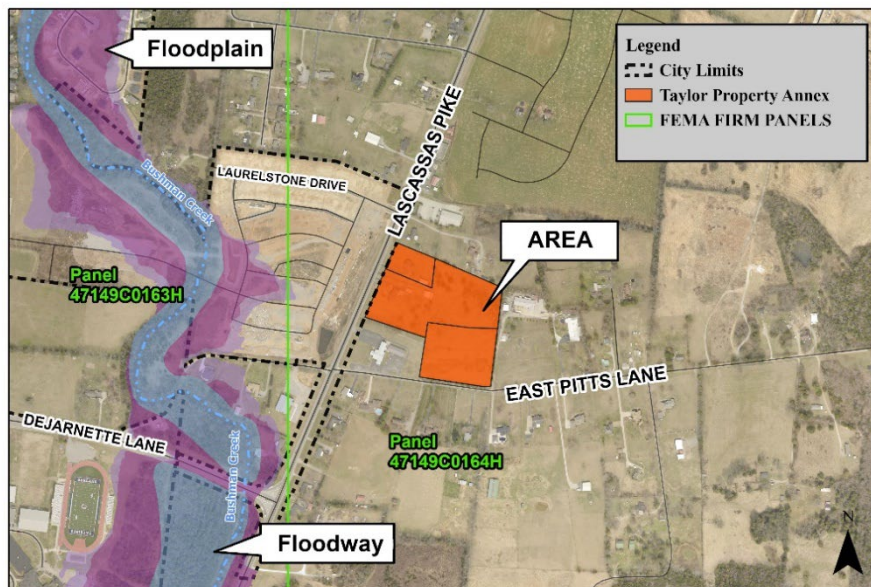
New development in the study area must meet overall City of Murfreesboro Stormwater Quality requirements.

The red lines on the adjacent map represent ten-foot contours. The grey lines represent two-foot intervals.

FLOODWAY

The study area is not located within the floodway or 100-year or 500-year floodplains as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The adjacent map shows the closest floodplain approximately 850' southeast of the subject property along the Bushman Creek.

The adjacent map shows the floodway boundary in light blue pattern, the 100-year floodplain boundary in dark purple, and the 500-year boundary in light purple.



Annexation request for property along
Lascassas Pike and East Pitts Lane

0 0.05 0.1 0.2 0.3 0.4
Miles

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

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.

2684 Lascassas Pike

Tax Map 68 Parcel 117.00

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. Betty Stacey Taylor

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Betty Stacey Taylor Status: OWNER Date: 4-12-2022

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

2.

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)

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

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1. Betty Stacey Taylor

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Betty Stacey Taylor

Signature: _____ Status: OWNER Date: 4-12-2022

2684 Lassater Pike Murfreesboro, TN 37130

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

2.

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)

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.

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. TERRY L. TAYLOR

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Terry L. Taylor Status: owner Date: 4/12/2022

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

2. ELISABETH ANN TAYLOR

Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Elisabeth Ann Taylor Status: owner Date: 4-12-2022

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**

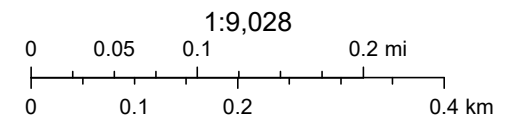
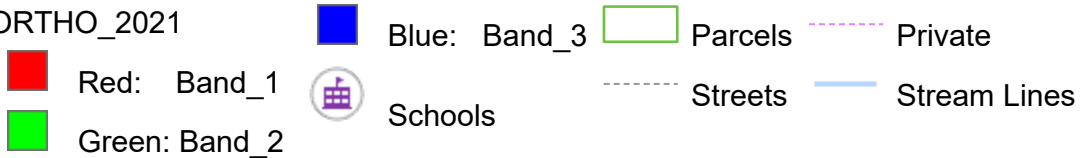
Power of Attorney applies and is attached: _____ **Yes** _____ **No**

Murfreesboro GIS Data



4/14/2022, 5:15:20 AM

ORTHO_2021



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS
JUNE 1, 2022
PROJECT PLANNER: HOLLY SMYTH**

4.g. Zoning application [2022-407] for approximately 11.4 acres located along Lascassas Pike and East Pitts Lane to be zoned CF simultaneous with annexation, Murfreesboro Medical Clinic applicant.

The subject area includes two (2) properties fronting the east side of Lascassas Pike (aka State Route 96) and one (1) property fronting the north side of East Pitts Lane (Tax Map 068, Parcels 117.01, 106.01, and 113.00, respectively). The Lascassas Pike parcels each contain one single family residence with accessory structures on 1.5 and 5.71 acres sized lots, respectively, while the parcel fronting on East Pitts Lane is vacant containing 4.2 acres.

The subject properties are located within the unincorporated area of Rutherford County and are zoned RM (Medium Density Residential). The surrounding properties that are in the City limits are all located on the west side of Lascassas Pike and are mostly developed or developing single-family residential subdivisions. Properties on the east side of Lascassas Pike are all in the unincorporated County and include a Dollar General, a gas station, churches, single family detached homes, and a recently approved Planned Unit Development for 108 single family homes on a STEP sewer system.

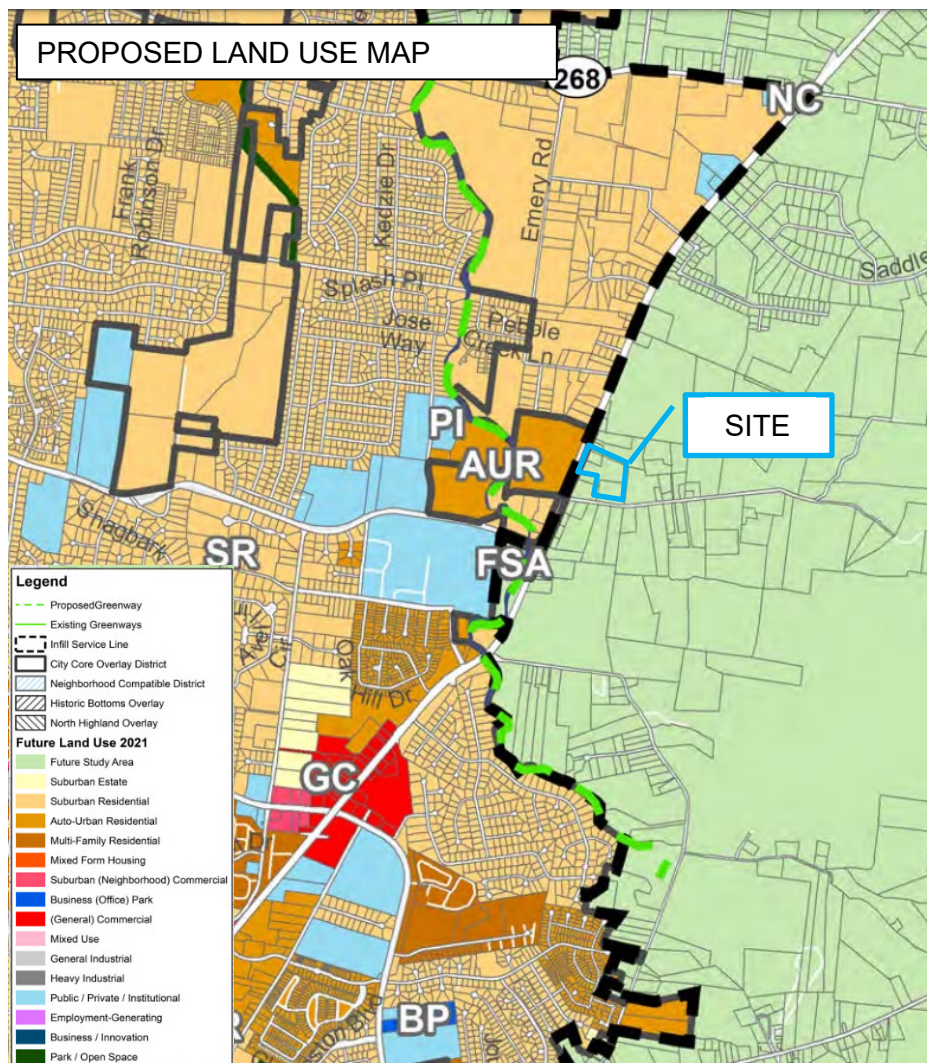
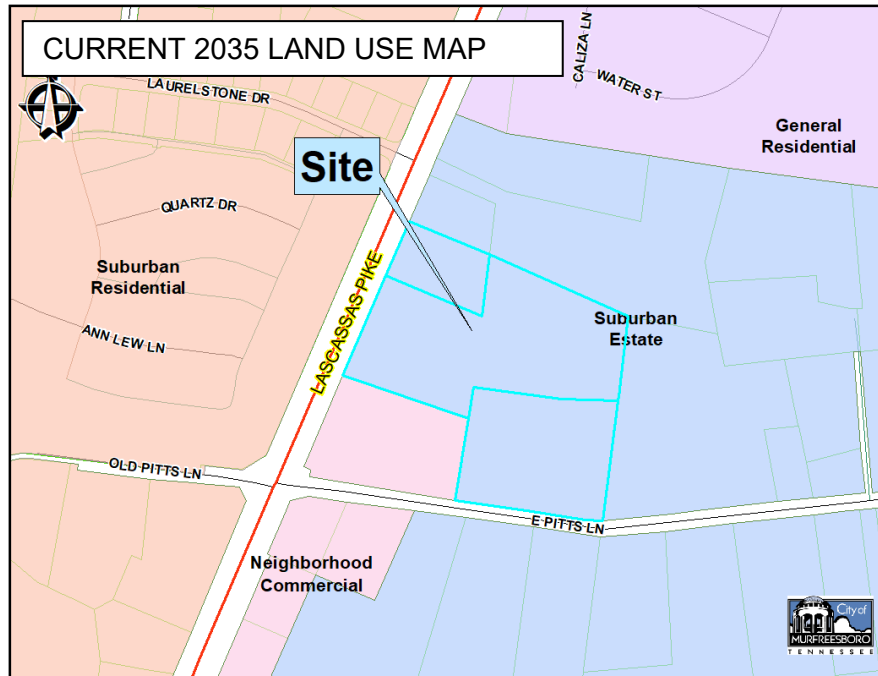
Zoning:

The applicant, Murfreesboro Medical Clinic, is requesting a zoning classification of CF (Commercial Fringe) simultaneous with annexation. Potentially the applicant wants to develop 6.3 acres of the site with a new 39,000 square foot medical clinic. This would leave 5.1 acres of developable outparcels remaining with no known use. Should a bulk rezone be granted, there are no guarantees that any particular use, including a proposed medical clinic, would actually be developed on some or all of the land.

General Plan:

The existing adopted Murfreesboro 2035 Comprehensive Plan Future Land Use Map shown below indicates that *Suburban Estate (SE)* is the most appropriate land use character for the project area. This classification recommends development of 1 to 0.35 single family homes per acre. The Suburban Estate Character is attached to this staff report for a more detailed description of the land use designation. The requested zone change is in direct conflict with the existing Suburban Estate General Plan Land Use designation.

The proposed future land use map update being review by the City (excerpted below) identifies the property as FSA (Future Study Area) and is outside a new proposed Infill Service Line that stops along Lascassas Pike adjacent to the subject property creating a hard line for approximately 2 miles. The purpose of the proposed Infill Service Line is to help facilitate growth and development in an orderly, planned, and sustainable manner and to minimize strain on City services. City growth beyond the line could occur if the area undergoes a study and it is determined that it would be beneficial to the City to include it within the City limits.



The requested CF zoning development type proposed is not consistent with the 2035 Future Land Use Map's *Suburban Estate (SE)* land use character designation nor the proposed future land use map's *Future Study Area (FSA)* designation. Additionally, the property is located outside of the proposed Infill Service Line of the proposed land use map under consideration by the City.

Transportation

Both the City's Major Transportation Plan and the County's Long Range Transportation Plan show Lascassas Pike being widened to 5-lanes sometime in the future. Nothing has been scheduled in the near term for these improvements which are anticipated to easily exceed \$1 million in costs. Lascassas Pike is currently experiencing high peak hour traffic volumes on the existing 2-lane roadway. Therefore, development on the eastern side of the highway should not be facilitated by the City at this time, as it could lead to more intense development due to the provision of City sewer. Additionally, East Pitts Lane is a substandard local County road that should not be used for any access into the site without improvements from the intersection of Lascassas Pike eastward to the subject property.

Recommendation:

Staff Recommends the Planning Commission deny annexation and zoning of the subject properties (Tax Map 68 Parcels 117.01, 106.01, & 113.00) because:

- 1) The requested zone change to CF is in direct conflict with both the existing "Suburban Estate" General Plan Land Use designation and the proposed "Future Study Area" designation.
- 2) Per the Water Resources Department's definition of available, sanitary sewer is not available to the area.
- 3) It is Staff's position that infill occurring within the proposed Infill Service Line should occur first before considering annexing beyond the line to maximize the use of existing road and utility infrastructure.
- 4) Lascassas Pike is currently experiencing high peak hour traffic volumes that should not be further exacerbated by potentially more intense City development due to the provision of City sewer. Improvements to widen Lascassas Pike from 2 to 5 lanes, which are expected to exceed one million dollars in cost, are not planned anywhere in the near term to help offset the impact of further development in this area.
- 5) Any annexation beyond the proposed Infill Service Line may unduly trigger additional annexation requests on the easterly side of Lascassas Pike which have the above issues.
- 6) Staff is not supportive of bulk zoning requests on the fringe of the City where established development patterns do not exist and potential conflicting uses could occur and negatively impact surrounding uses.

Action Needed:

The applicant has been advised of staff's position and has chosen to still pursue annexation and zoning of the subject properties.

The applicant will be available at the Planning Commission meeting to discuss this proposed zoning request. The Planning Commission will need to conduct a public hearing prior to making a recommendation to the City Council.



Suburban Estate Character (SE)

SUBURBAN ESTATE CHARACTER (SE)

Development of suburban character can be found throughout Murfreesboro, and within the Urban Growth Boundary. A Suburban Estate (SE) character exhibits low-density development on larger properties, thereby producing a visual openness. As a result of larger lot sizes, open space and vegetation are intended to be the more dominant views. The buildings remain the most apparent, dominant forms, with the landscape assuming a designed and apparent, yet secondary role. Depending on the size of the home and its percent of coverage and location on the lot, the Suburban Estate character category may more closely resemble a larger version of the typical suburban character. To achieve a Suburban Estate character, the design of these subdivisions must actively seek to imitate more rural areas through the use of rural street cross sections without sidewalks, significant open space throughout the development, the use of rural fence types and/or hedgerows to divide properties, the preservation or planting of native vegetation along property boundaries, and generous building setbacks on all sides.

As in other cities, Murfreesboro has fringe areas that have developed with residential intensities that are not appropriate to the location or level of public services available, which is why these areas still fall within the Suburban Estate character classification on the *Future Land Use Map*.

Development Types:

- ▶ Palatial residential dwellings set back from rural roads;
- ▶ Outbuildings are for leisure activities (e.g., pool houses, cabanas, recreational vehicle and boats storage) and landscape maintenance (lawn mowers).
- ▶ Ornamental landscape enhancements and manicured lawn areas;

Characteristics:

- ▶ Planned and coherent residential development on relatively large acreages, resulting in very high open

space ratios and very low site coverage (sometimes with residential "estate" areas providing a transition from rural to suburban densities, with estate lots typically being one to three acres).

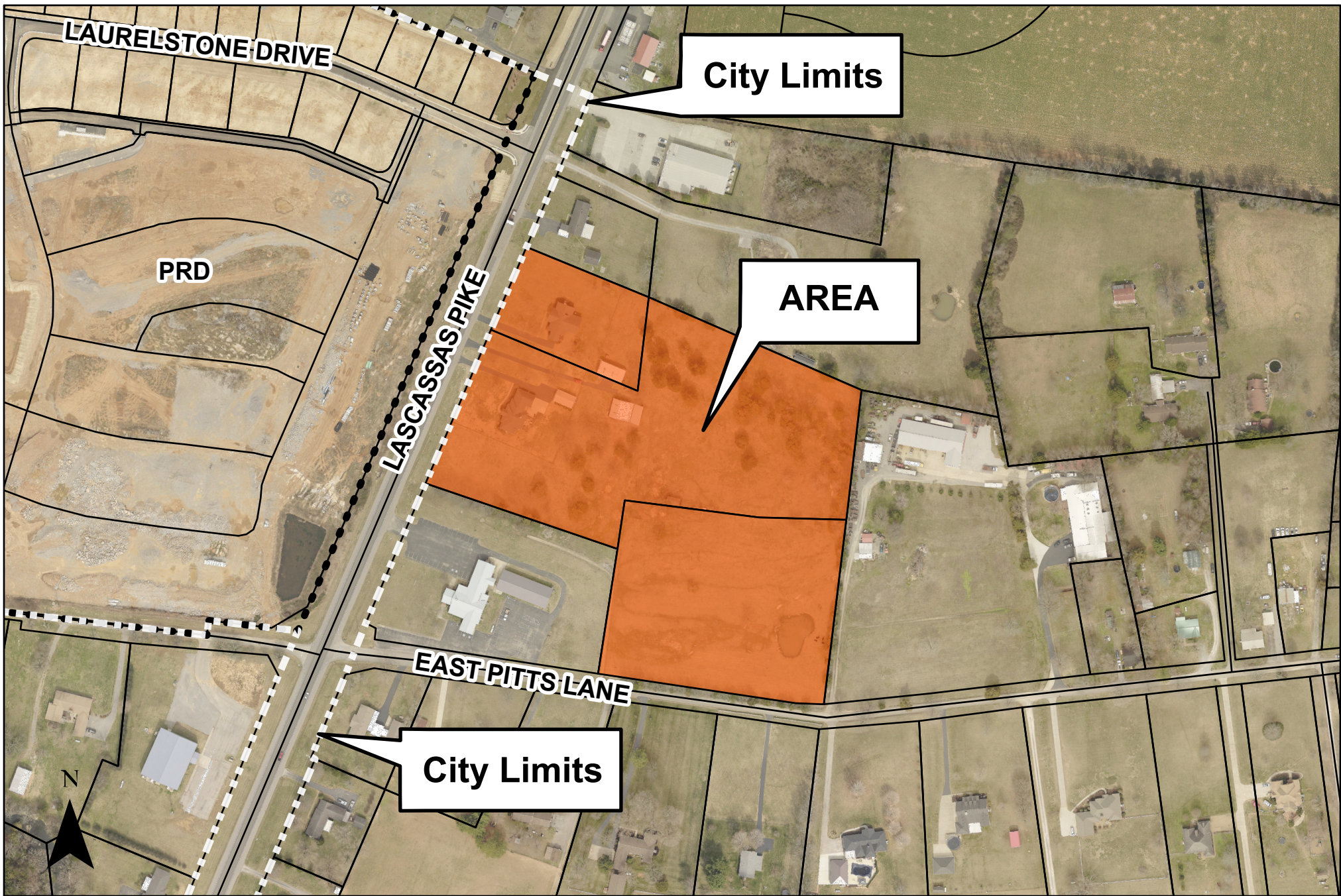
- ▶ The automobile is often celebrated as the driveway is a dominant element in the composition of the manicured landscape. Garages are often free-standing and situated to the side or rear of the main dwelling.

Density / Height Guidelines:

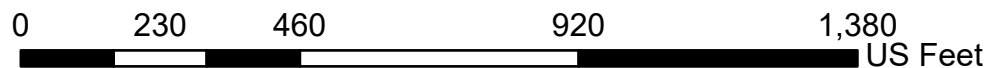
- ▶ 1.0 to .35 dwelling units per acre (DU/ac).

City Zoning Districts:

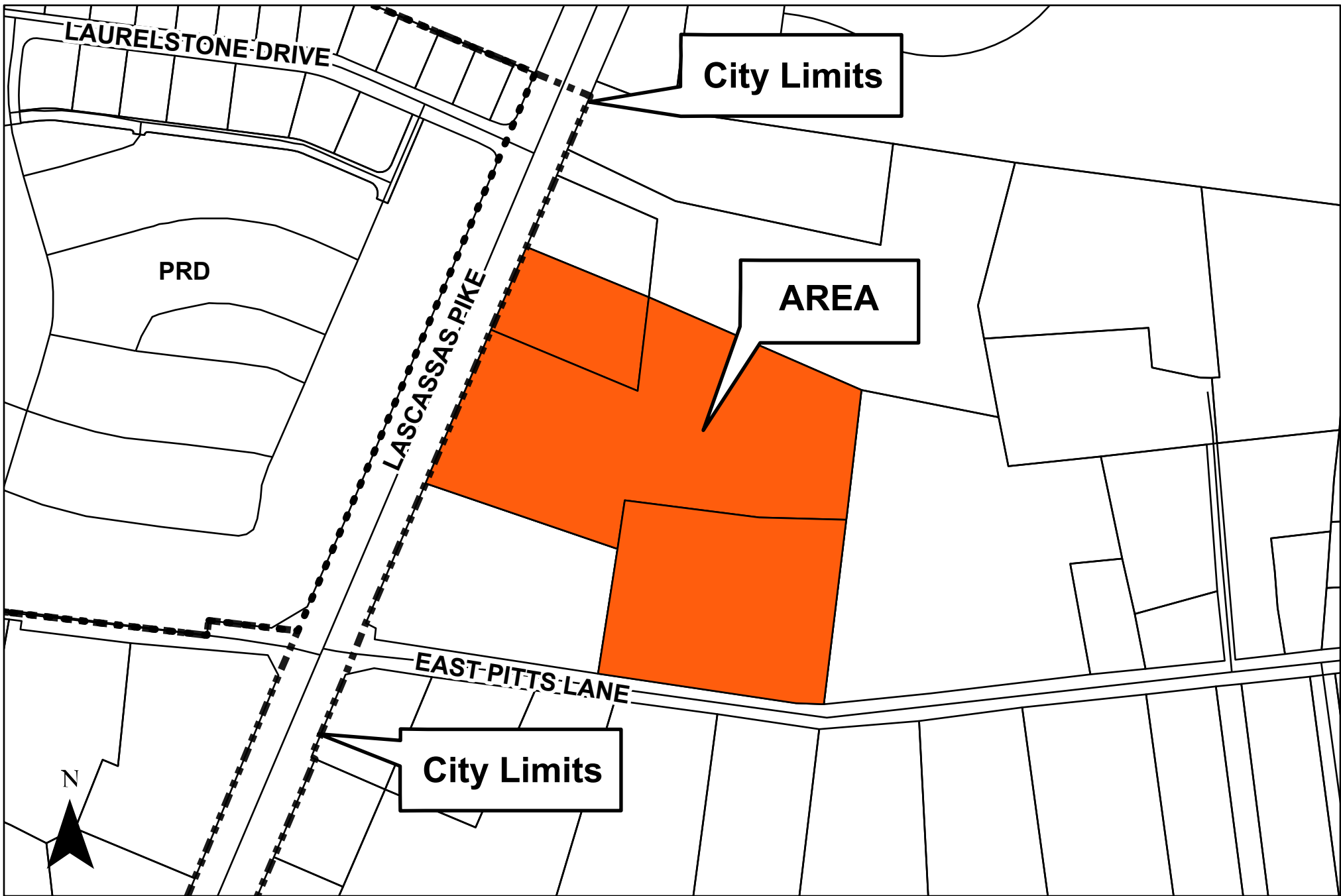
- ▶ Not Applicable



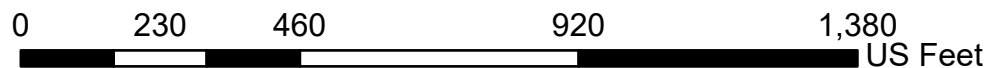
Zoning request for property along Lascassas Pike and East Pitts Lane
CF simultaneous with annexation



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



Zoning request for property along Lascassas Pike and East Pitts Lane
CF simultaneous with annexation



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



City of Murfreesboro
Planning and Engineering Department
111 W. Vine Street, P.O. Box 1139
Murfreesboro, TN 37133-1139
(615) 893-6441 Fax (615) 849-2606
www.murfreesborotn.gov

Creating a better quality of life

Zoning & Rezoning Applications – other than rezoning to planned unit development	\$700.00
Zoning & Rezoning Applications – Planned Unit Development, initial or amended	\$950.00

Procedure for applicant:

The applicant must submit the following information to initiate a rezoning:

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A non-refundable application fee (prices listed above).

For assistance or questions, please contact a planner at 615-893-6441.

To be completed by applicant:

APPLICANT: Murfreesboro Medical Clinic c/o Joey Peay

Address: 1272 Garrison Drive City/State/Zip: Murfreesboro, TN 37129

Phone: 615-893-4480 E-mail address: JPeay@mmclinic.com

PROPERTY OWNER: Terry, Lisa & Betty Taylor

Street Address or property description: 2664 & 2684 Lascassas Pike

and/or Tax map #: 68 Group: Parcel (s): 113.00, 106.01, 117.00

Existing zoning classification: RM (COUNTY)

Proposed zoning classification: CF Acreage: 11.2

Contact name & phone number for publication and notifications to the public (if different from the applicant): Matt Taylor 615-890-7901

E-mail: mtaylor@sec-civil.com

APPLICANT'S SIGNATURE (required):

DATE: 4/14/2022

*****For Office Use Only*****

Date received: MPC YR.: MPC #:

Amount paid: Receipt #:

Revised 7/20/2018



**MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT**

TO: Chair Jones and Members of the Planning Commission
CY: Gary Whitaker, Assistant City Manager
FROM: David A. Ives
DATE: May 20, 2022
RE: Purchase of 103 SE Broad Street

**OTHER BUSINESS
MANDATORY REFERRAL**

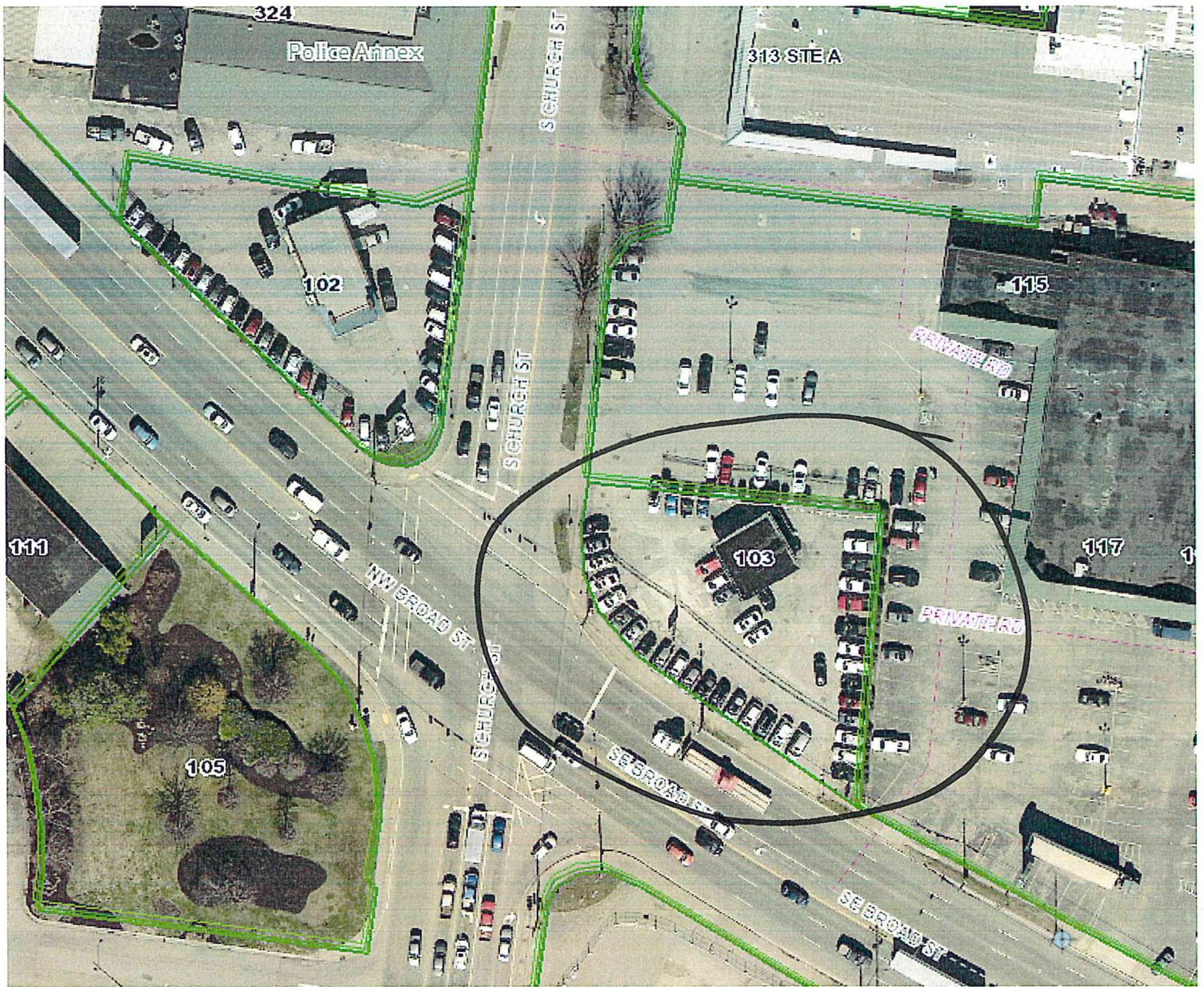
The City Engineer's plans for improvements to the intersection of South Church and Broad Street to improve traffic flow in and out of the downtown area include a dedicated Right Turn Lane from Northwest bound traffic on SE Broad onto South Church, with expanded sidewalk / streetscape improvements.

The amount of ROW and Permanent Easements required for this improvement will make it impossible for the business presently located at 103 SE Broad to continue in operation. Accordingly, the City proposes to acquire the entire property.

An overhead with the property outlined is attached.

Staff requests that Planning Commission recommend approval of this property acquisition to City Council.

I will be happy to answer any questions.



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

5.b. Mandatory Referral [2022-715] to consider the abandonment of a portion of a drainage easement located on property along Medical Center Parkway and Robert Rose Drive, Pradeep Agnihotri applicant.

This easement abandonment request is from Huddleston Steele Engineering, Inc. for Pradeep Agnihotri. The subject property is located along the east side of Robert Rose Drive and north of Medical Center Parkway.



In this mandatory referral, the Planning Commission is being asked to consider abandoning a 207'-long portion of an existing variable drainage easement on property to be developed by Pradeep Agnihotri with a Holiday Inn Express and Suites. This portion of the existing variable drainage easement is shown in the bolded outline area on the attached plat exhibit. This drainage easement was recorded with North Church LLC Subdivision Section 1, Phase 2, Lot 10 in plat book 47, page 135 December 1, 2021. With this request and the approval of a current site plan under review submitted by Huddleston Steele, Inc., the storm drainage system is proposed to be relocated with the Holiday Inn Express and Suites development.

In order to abandon the drainage easement, the Murfreesboro Engineering Department requires that 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. If this condition is placed on the approval, then the City Engineer does not object to the easement's abandonment. A copy of the correspondence from the City Engineer has been included in the agenda materials. Staff further recommends that this request be subject to the following conditions in order to facilitate the abandonment process:

- 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.
- 4) The final plat dedicating the new drainage easement shall be recorded simultaneously with the recording of the quit claim deed abandoning the easement.

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: May 17, 2022

TO: Amelia Kerr

FROM: Michele Emerson

RE: Drainage Easement Abandonment Section 1, Phase 2, Lot 10 North Church LLC
Subdivision

In response to your May 12, 2022 request, we have reviewed the drainage easement abandonment request for Section 1, Phase 2, Lot 10 North Church LLC Subdivision and offer the following comments on behalf of the Engineering Department.

This drainage easement was recorded with North Church LLC Subdivision Section 1, Phase 2 Lot 10 in plat book 47 page 135. 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: TM 92, Parcel 8.09 | Address (if applicable): none assigned yet
Street Name (if abandonment of ROW): _____
Type of Mandatory Referral: abandonment of drainage easement

Applicant Information:

Name of Applicant: Pradeep Agnihotri
Company Name (if applicable): Medical Center Parkway, LLC
Street Address or PO Box: PO Box 680129
City: Franklin
State: TN | Zip Code: 37068
Email Address: agnihotri@comcast.net
Phone Number: 615-351-4385

Required Attachments:

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


Applicant Signature

5/11/22
Date



HUDDLESTON-STEELE
ENGINEERING, INC.

2115 N.W. Broad Street • Murfreesboro, TN 37129 • Engineering 615-893-4084 • Surveying 615-890-0372 • FAX: 615-893-0080

May 12, 2022

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

Re: Abandonment of Variable Drainage Easement (north side)
Section 1, Phase 2, Lot 10, North Church LLC Subdivision
Murfreesboro, TN

Dear Mr. McKnight:

At the request of our client, Mr. Pradeep Agnihotri, we hereby make a request to abandon the Variable Drainage Easement (north side) on Section 1, Phase 2, Lot 10, North Church LLC Subdivision with a mandatory referral by Planning Commission and City Council. Property description and an exhibit are attached.

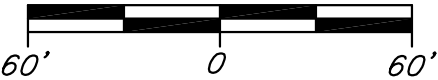
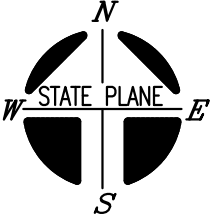
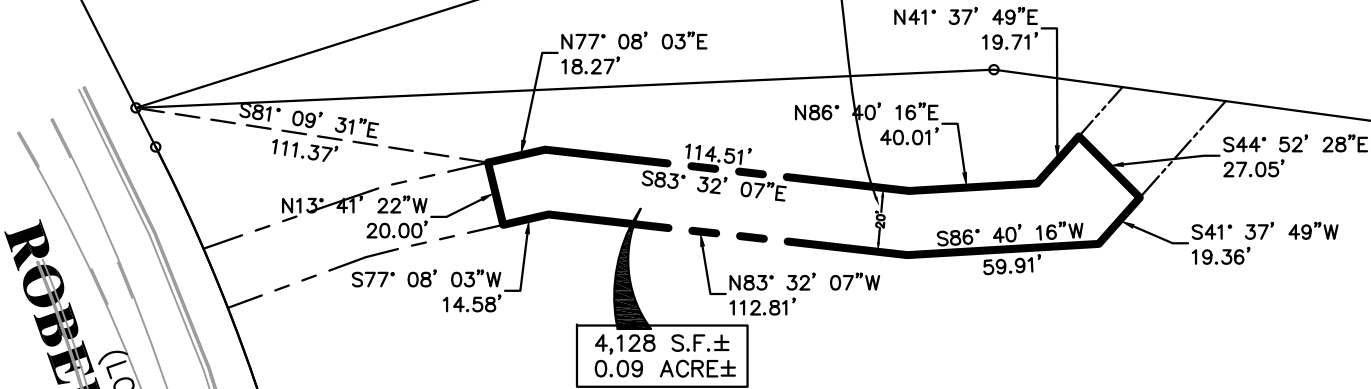
Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

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

VARIABLE DRAINAGE EASEMENT
(P.B.36/263)
(TO BE ABANDONED)

WILKERSON PIKE DRAINAGE ASSOCIATION
REC.BK.1182/3007
ZONED: MU & GDO-1



OWNER: MEDICAL CENTER PARKWAY, LLC
TAX MAP 92, PARCEL 8.09
13TH CIVIL DISTRICT
REC.BK.2195/3942

MANDATORY REFERRAL EXHIBIT

INVESTMENT PARTNERS, LLC
REC.BK.1505/2818
ZONED: MU & GDO-1

EVANSVILLE TEACHERS
FEDERAL CREDIT UNION
REC.BK.1735/2110
ZONED: MU & GDO-1

LOT 8
NORTH CHURCH LLC S/D
P.B.39/68
ZONED: MU & GDO-1

LOT 9
NORTH CHURCH LLC S/D
P.B.39/68
ZONED: MU & GDO-1

ROBERT ROSE DRIVE
(LOCAL COMMERCIAL)

EXISTING
PAVED DRIVE

EXISTING
PAVED DRIVE

EXISTING
PAVED DRIVE

EXISTING
PAVED DRIVE

Property Description
Planned Holiday Inn Express & Suites
Medical Center Parkway, LLC
Tax Map 92, Part of Parcel 8.09
Record Book 2195, Page 3942

Portion of Variable Drainage Easement to be abandoned
(Plat Book 47, Page 135)

Located in the 13th Civil District of Rutherford County, Tennessee. Bound on the north, south, east, and west by the remaining property of Medical Center Parkway, LLC (Holiday Inn Express & Suites) (Record Book 2195, Page 3942).

Commencing at an iron pin in the east right-of-way of Robert Rose Drive, being the southwest corner of Wilkerson Pike Drainage Association (Record Book 1182, Page 3007) and the northwest corner of the overall Medical Center Parkway, LLC tract;

Thence into the property of Medical Center Parkway, LLC, S81°09'31"E, 111.37 feet to the Point of Beginning, being the westernmost corner of the portion of this easement to be abandoned;

Thence continuing into the property the following calls:

N77°08'03"E, 18.27 feet to a point;

S83°32'07"E, 114.51 feet to a point;

N86°40'16"E, 40.01 feet to a point;

N41°37'49"E, 19.71 feet to a point, being the northernmost corner of the portion of this easement to be abandoned;

S44°52'28"E, 27.05 feet to a point, being the easternmost corner of the portion of this easement to be abandoned;

S41°37'49"W, 19.36 feet to a point;

S86°40'16"W, 59.91 feet to a point;

N83°32'07"W, 112.81 feet to a point;

S77°08'03"W, 14.58 feet to a point;

N13°41'22"W, 20.00 feet to the Point of Beginning, being 4,128 square feet or 0.09 acre, 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

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 ESTABLISHING 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.

11-11-21 C.M. GATTON, OWNER
DATE
RECORD BOOK 348, PAGE 2035 TRUSTEE OF C.M. GATTON TRUST
RECORD BOOK 369, PAGE 2616 UNDER AGREEMENT DATED JANUARY 7, 1995

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.

SEC. INC. 11-09-21 David A. Parker
DATE
TENN. R.L.S. No. 2301 REGISTERED SURVEYOR

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.

11-29-2021 Kati Nave
DATE
CITY ENGINEER

CERTIFICATE FOR APPROVAL OF WATER SYSTEMS

CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY WATER SERVICE JURISDICTION
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.

11/11/2021
DATE
CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY OFFICIAL

CERTIFICATE OF APPROVAL OF 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.

11/16/2021 Valerie H. Smith
DATE
MURFREESBORO WATER RESOURCES OFFICIAL

CERTIFICATE OF APPROVAL OF REPURIFIED WATER SYSTEMS

CITY OF MURFREESBORO WATER SERVICE JURISDICTION
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 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 CITY OF MURFREESBORO TO ASSURE COMPLETION OF SAME.

11/16/2021 Valerie H. Smith
DATE
MURFREESBORO WATER RESOURCES OFFICIAL

CERTIFICATE OF APPROVAL FOR ELECTRIC POWER

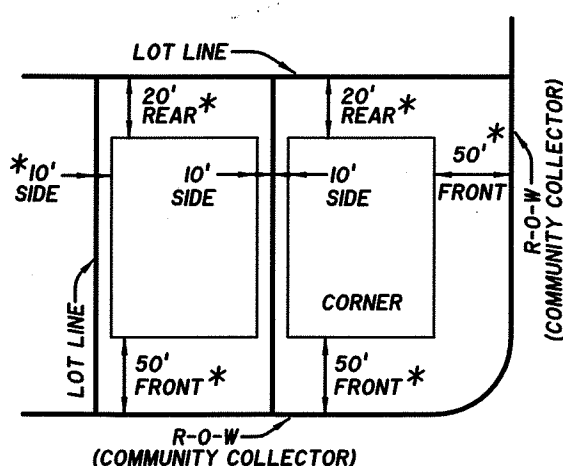
MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION ELECTRIC SERVICE JURISDICTION
MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION (MTEMC) WILL PROVIDE ELECTRIC SERVICE TO THE SUBJECT PROPERTY ACCORDING TO THE NORMAL OPERATING PRACTICES OF MTEMC AS DEFINED IN THE RULES AND REGULATIONS, BYLAWS, POLICY BULLETINS AND OPERATIONAL BULLETINS OF MTEMC, AND IN ACCORDANCE WITH THE PLAT APPROVAL CHECKLIST, TREE PLANTING GUIDELINES AND OTHER REGULATIONS CONTAINED ON THE MTEMC WEB SITE AT WWW.MTEMC.COM COLLECTIVELY THE "REQUIREMENTS". NO ELECTRIC SERVICE WILL BE PROVIDED UNTIL MTEMC'S REQUIREMENTS HAVE BEEN MET AND APPROVED IN WRITING BY AN AUTHORIZED REPRESENTATIVE OF MTEMC. ANY APPROVAL IS, AT ALL TIMES, CONTINGENT UPON CONTINUING COMPLIANCE WITH MTEMC'S REQUIREMENTS.

11/16/21 John Jung
DATE
MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORP. 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.

11-30-2021 M. D. R.
DATE
PLANNING COMMISSION SECRETARY

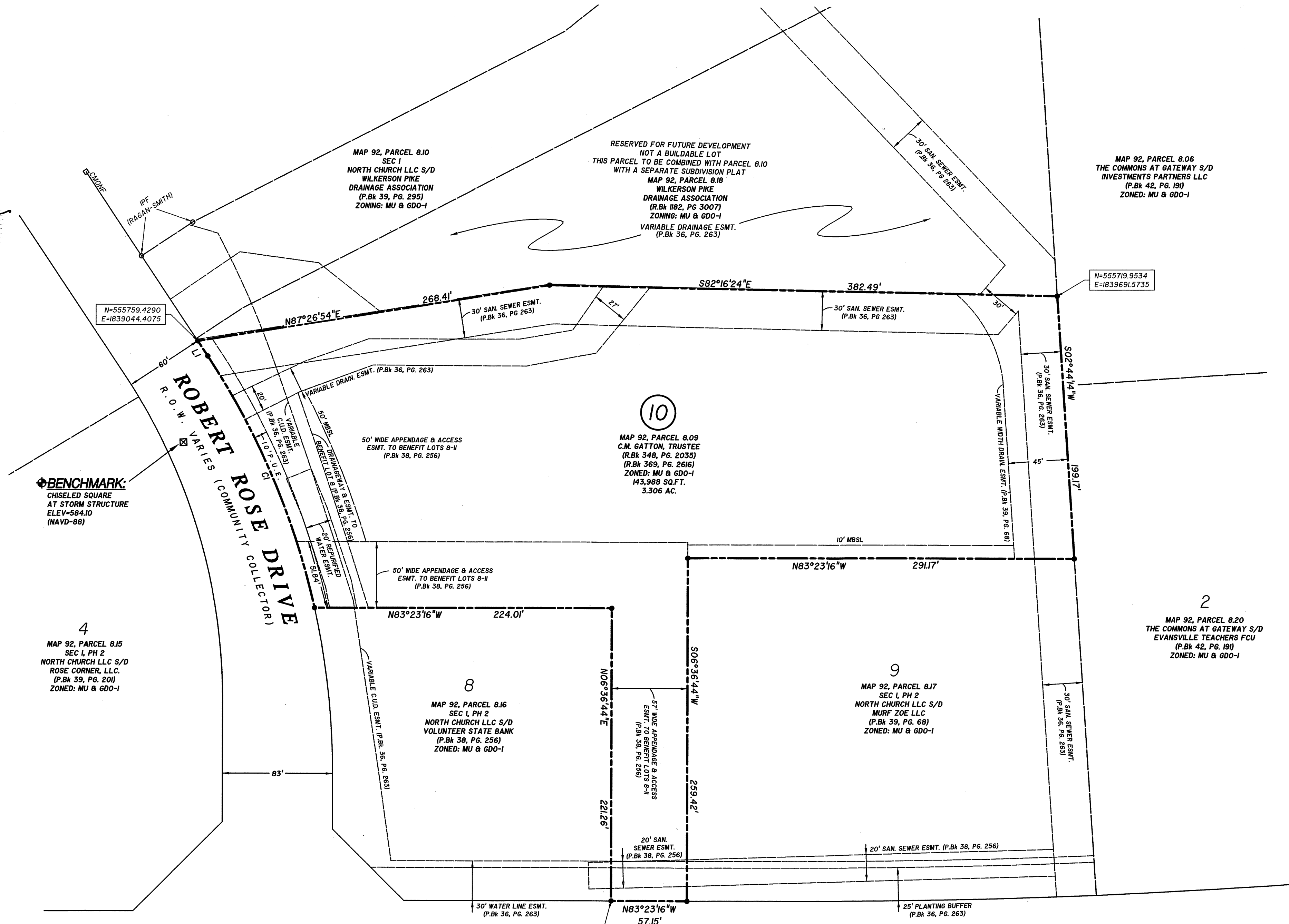


TYPICAL MINIMUM BUILDING SETBACKS FOR MU ZONING
N.T.S.

* MIN. FRONT YARD IS 15 FT. UNLESS ABUTTING ARTERIAL OR COLLECTOR STREETS, THEN IT IS 50 FT.
MIN. SIDE YARD IS 10 FT. UNLESS ABUTTING SINGLE FAMILY ZONING, THEN IT IS 20 FT. PLUS ADDITIONAL 10 FT. FOR EACH STORY OVER 2.
MIN. REAR YARD IS 20 FT. UNLESS ABUTTING SINGLE FAMILY ZONING, THEN IT IS 20 FT. PLUS ADDITIONAL 10 FT. FOR EACH STORY OVER 2.

LEGEND

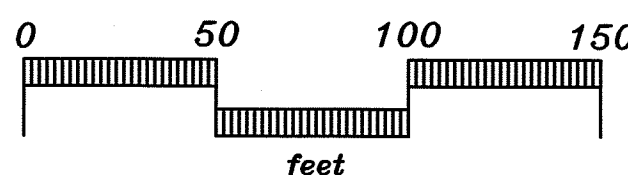
- IRON PIN (FOUND)
- IRON PIN SET (NEW)
- CONC. MONUMENT (FOUND)



LINE DATA		
LINE	BEARING	DISTANCE
1	N26°52'02"W	13.77

CURVE DATA				
CURVE	RADIUS	DELTA	ANGLE	ARC LENGTH
1	171.64	20°45'17"	207.79'	N27°26'26"W

C.U.D. NOTE:
CONSOLIDATED UTILITY DISTRICT MAY REQUIRE AN AMENDMENT PLAT OR SURVEY METES AND BOUNDS DESCRIPTION WITH EXHIBIT TO DEDICATE ANY NECESSARY EASEMENTS ONCE CONSTRUCTION IS COMPLETE FOR LOT 10.

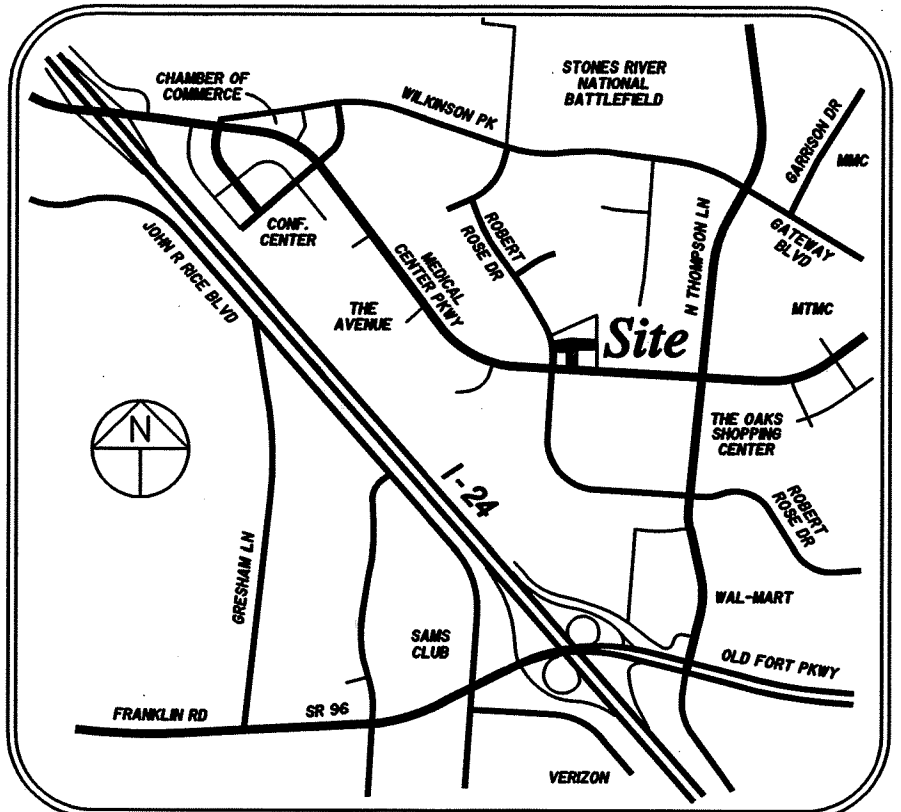


DATE OF RECORDING: December 1st, 2021
TIME OF RECORDING: 11:58 a.m.
PLAT BOOK 47, PAGE 135

OWNER:
C.M. GATTON, TRUSTEE
1000 WEST STATE ST
BRISTOL, TN 37621
MAP 92, PARCEL 8.09
R.B.K. 348, P.G. 2035, R.O.R.C., TN
R.B.K. 369, P.G. 2616, R.O.R.C., TN

SITE DATA:
TOTAL AREA = 3.306 ± ACRES
NO. OF LOTS = 1
MINIMUM LOT SIZE = 1 ACRE
ZONING = MU & GDO-1

*REVISIONS PER CITY/CUD COMMENTS & REDUCED TO 1 LOT 10-6-21
*REVISIONS PER MWRD TO ADD RPW ESMT 10-21-21
*REVISIONS PER CITY TO ADD 10' FUE 10-25-21



GENERAL NOTES

- THE PURPOSE OF THIS FINAL PLAT IS TO CREATE 1 LOT OF RECORD AND TO RECORD EASEMENTS AS SHOWN.
- BEARING SYSTEM IS BASED ON TENNESSEE STATE PLANE COORDINATES TIED TO CITY OF MURFREESBORO URBAN GROWTH BOUNDARY MONUMENT UGBO2-193 (NAD 83-96) (NAD-88).
- 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. 4748C0225 H, EFFECTIVE DATE JANUARY 5, 2007. ADDITIONALLY, THIS PROPERTY IS LOCATED IN AN UPDATED LOMR AREA: LOMR 0904-3567P, EFFECTIVE DATE: APRIL 23, 2010.
- 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 MU & GDO-1. MINIMUM BUILDING SETBACKS FOR THIS SITE ARE: MIN. FRONT YARD IS 15 FT. UNLESS ABUTTING ARTERIAL OR COLLECTOR STREETS, THEN IT IS 50 FT. MIN. SIDE YARD IS 10 FT. UNLESS ABUTTING SINGLE FAMILY ZONING, THEN IT IS 20 FT. PLUS ADDITIONAL 10 FT. FOR EACH STORY OVER 2. MIN. REAR YARD IS 20 FT. UNLESS ABUTTING SINGLE FAMILY ZONING, THEN IT IS 20 FT. PLUS ADDITIONAL 10 FT. FOR EACH STORY OVER 2.
- 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 PONDING 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 AND OTHERS.
- UNDER THE CURRENT ADOPTED PLUMBING CODE, THE CITY OF MURFREESBORO REQUIRES THE MINIMUM FLOOR ELEVATION (M.F.E.) TO BE SET AT OR ABOVE THE TOP OF CASTING ELEVATION OF THE NEAREST MANHOLE THAT IS UPSTREAM OF THE SEWER SERVICE CONNECTION. AS AN ALTERNATIVE, THE HOME OWNER SHALL INSTALL A BACKWATER VALVE PER THE PLUMBING CODE AND EXECUTE AND RECORD A RELEASE OF INDEMNIFICATION AGAINST THE CITY OF MURFREESBORO WITH REGARDS TO THE SANITARY SEWER CONNECTION. THE HOME BUILDER AND/OR HOME OWNER SHALL BE RESPONSIBLE FOR COMPLYING WITH THIS REQUIREMENT.
- 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.
- THE COMMON AREAS SHOWN ON 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.
- PROPERTY IS WITHIN THE OVERALL CREEK AND MEDICAL CENTER PARKWAY ASSESSMENT DISTRICTS.
- WATER SERVICE, DOMESTIC AND FIRE, IS PROVIDED BY C.U.D.R.C.
- THIS SITE CONTAINS POST-CONSTRUCTION BEST MANAGEMENT PRACTICES UTILIZED IN TREATING STORMWATER RUNOFF IN ORDER TO COMPLY WITH MURFREESBORO CITY CODE. A STORMWATER MAINTENANCE AGREEMENT IS RECORDED WITH THIS PROPERTY AND OBLIGATES ALL SUBSEQUENT OWNERS TO ADHERE TO THE STORMWATER MAINTENANCE PLAN ON FILE WITH THE CITY OF MURFREESBORO.

Heather Dabarn, Registrar	
Rutherford County Tennessee	
Rec #:	110281
Rec'd:	15.00
State:	0.00
Clerk:	0.00
Other:	2.00
Total:	17.00
12/1/2021 at 11:58 AM	
Plat Cabinet 47 Pgs 135-135	

FINAL PLAT

Section 1, Phase 2
Lot 10
North Church LLC
SUBDIVISION

CITY OF MURFREESBORO, TENNESSEE
13th CIVIL DISTRICT OF RUTHERFORD COUNTY

SEC, Inc. 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

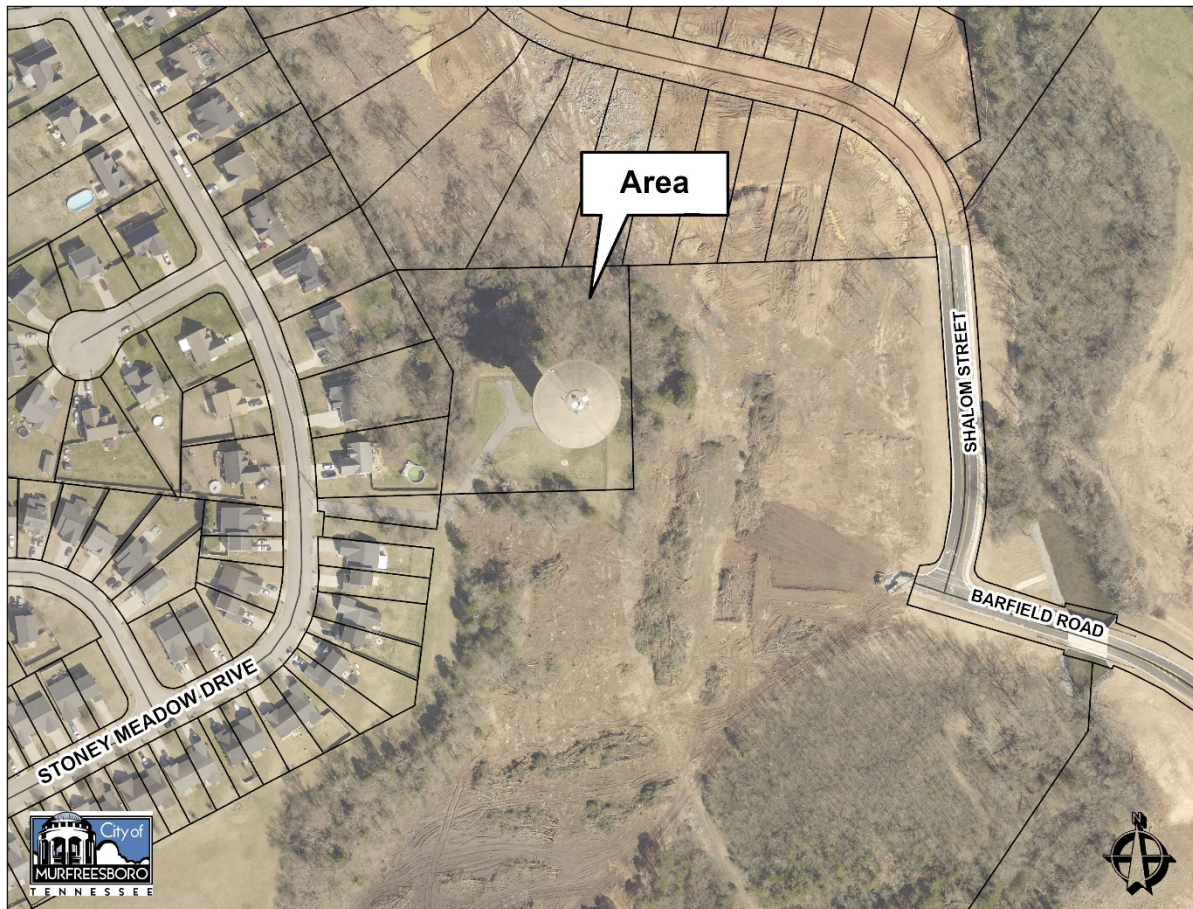
PROJ. #	DATE:	FILE:	DRAWN BY:	SCALE:	SHEET
13260	9-16-21	NCLC-L-10-01-21-21	JDB	1" = 50'	1 OF 1

2021-2090

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JUNE 1, 2022
PROJECT PLANNER: JOEL AGUILERA**

5.c. Mandatory Referral [2022-716] for the transfer to the City of a portion of the Shalom Farms Apartments tract along Stoney Meadow Drive and the recording of an access easement on it, Spence Creek Properties applicant.

This mandatory referral request, to transfer a portion of a parcel of land to the city, is from Matt Taylor of SEC, Inc. on behalf of Spence Creek Properties which is located on the northwest portion of the property along Stoney Meadow Drive.



In this mandatory referral, the Planning Commission is being asked to consider a transfer to the City of a portion of land along Stoney Meadow Drive in the Shalom Farms Apartments site. The property in question is to be combined with the adjacent City property that houses a water tank. Currently, the water tank facility has no frontage on a public right-of-way. Matt Taylor of SEC, Inc. has requested for the transfer of land, in conjunction with the Murfreesboro Water Resources Department, so the water tank facility lot may have frontage on a public street and to dedicate an access easement for the apartment development to have emergency access through the subject property. A final plat (file 2021-2080) has been submitted and approved by the Planning Department for the purpose of creating one lot of record, re-subdividing the water tank lot, and dedication of new easements. The Planning Department's Project Engineer, Murfreesboro Water Resources Department, and Legal Department have reviewed this request and concur that this transfer of land to the City is acceptable.

Staff recommends that the Planning Commission recommend approval of this request to the City Council subject to the following conditions:

1. If approved by City Council, the applicant will be responsible for providing the information necessary for the Legal Department to prepare legal instruments for the transfer of the property. The legal instruments will be subject to the final review and approval of the Legal Department.
2. The applicant will also be responsible for recording these instruments, including payment of the recording fee.
3. The plat creating the lot of record for the apartment site and adding the subject area to the water tank lot shall be recorded.



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: 114/9.04

Address (if applicable): Shalom Street

Street Name (if abandonment of ROW): n/a

Type of Mandatory Referral: Adding Property to existing water tank lot

Applicant Information:

Name of Applicant: Spence Creek Properties LLC c/o Matt Taylor

Company Name (if applicable):

Street Address or PO Box: 216 Noah Drive, Ste 100

City: Franklin

State: TN

Zip Code: 37064

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)


Applicant Signature

5/12/2022
Date

May 12, 2022

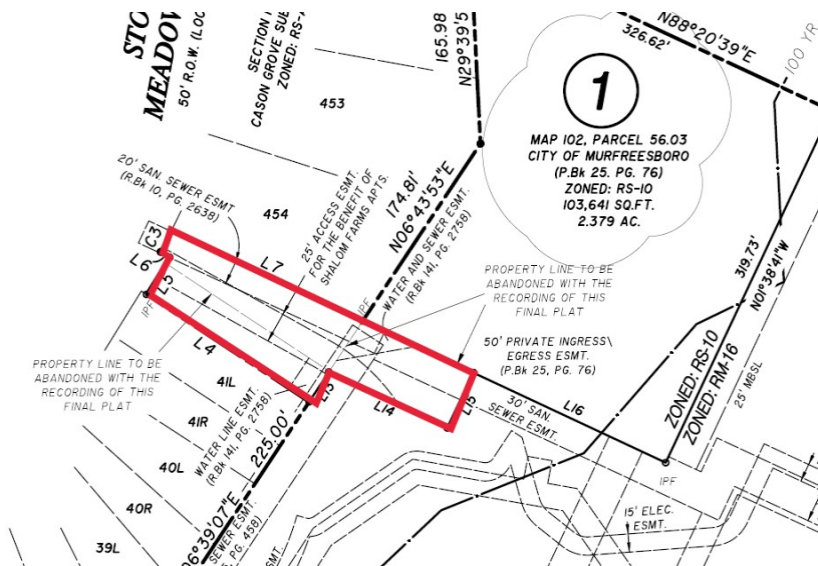
Ms. Marina Rush
City of Murfreesboro Planning Dept.
111 West Vine Street
Murfreesboro, TN 37133-1139

RE: Shalom Farms Apartments
Adding Property to Water Tank Parcel Mandatory Referral
SEC Project No. 99174

Dear Marina,

Please find the attached supplemental documents to support the mandatory referral request to add land to the water tank parcel.

Should you need any clarification concerning the request, please feel free to contact me at 615-890-7901 or mtaylor@sec-civil.com.



Sincerely,

Matt Taylor

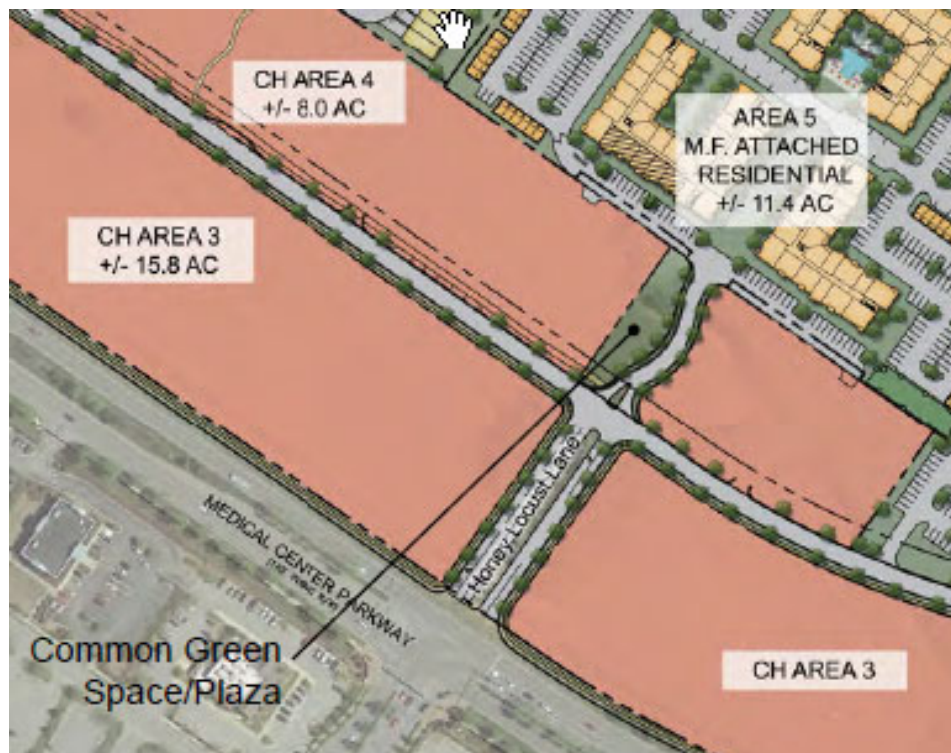
Matt Taylor, P.E.
SEC, Inc.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JUNE 1, 2022**

5.d. Zoning application [2021-403] clarifying the correct boundary of the property that was rezoned along Medical Center Parkway from MU, GDO-1, and GDO-2 to PUD, CH, GDO-1, and GDO-2 (Clari Park PUD), Hines Acquisitions, LLC applicant.

Hines Acquisitions, LLC submitted a zoning application in 2021 [2021-403] to rezone approximately 78 acres along Medical Center Parkway and several other adjacent streets to CH (Highway Commercial District) and PUD (Planned Unit District). After a recommendation of approval from the Planning Commission, City Council approved the zoning request on second and final reading on July 8, 2021.

Recently, Staff has determined that there was a clerical error on the map the Planning Department prepared for the rezoning, including on the map attached to the effective ordinance approved by Council. Staff has observed that the zoning map used with the ordinance does not match the PUD documents that were submitted at the time of rezoning and presented to both the Planning Commission and City Council. Specifically, there were two small areas along the northeast side of Medical Center Parkway in between Willowoak Trail and Robert Rose Drive requested for PUD zoning that were erroneously shown as being zoned to CH. An excerpt from the pattern book is below, depicting the intended limits of the CH zoning, specifically the area of Honey Locust Lane and the entrance into Area 5.

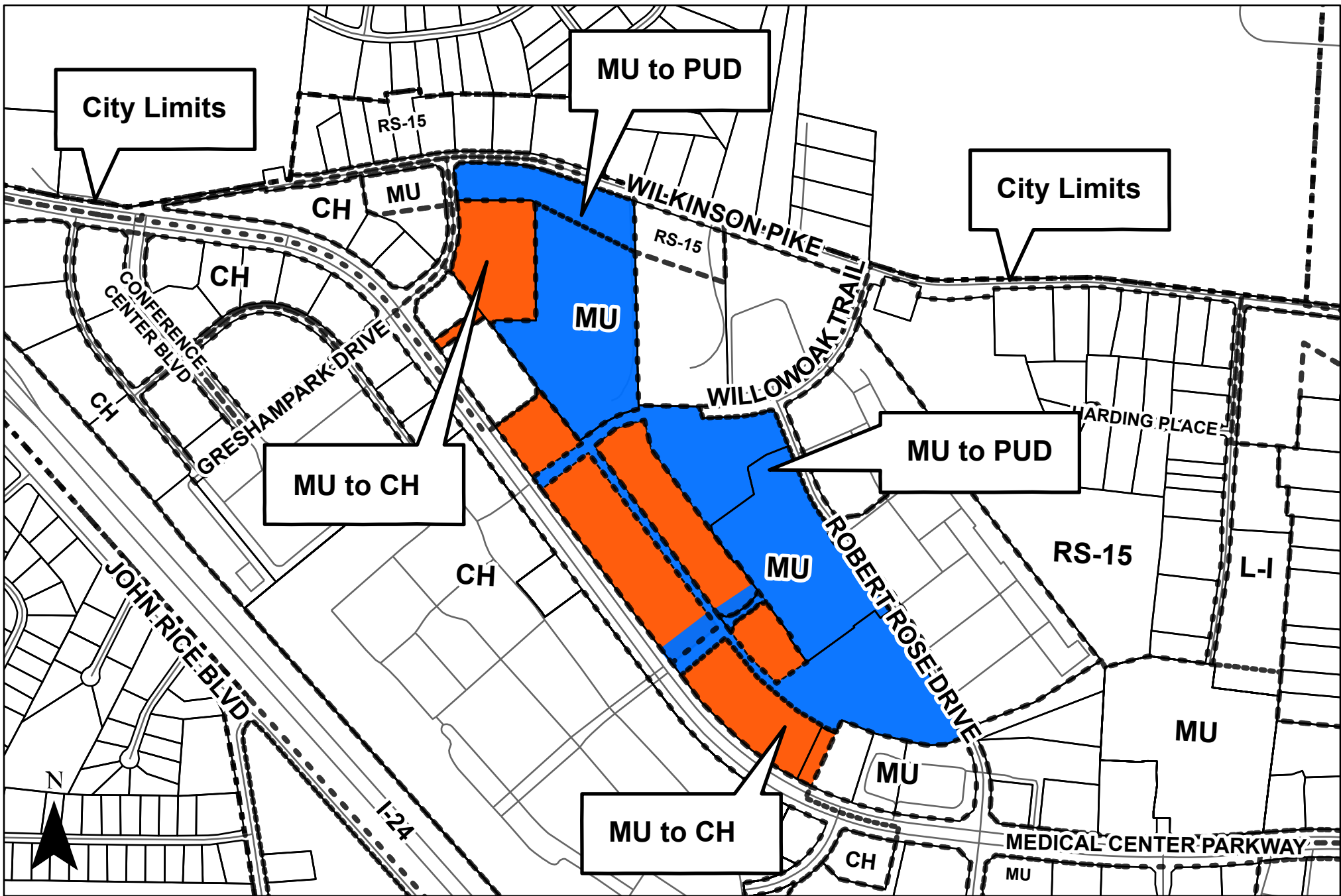


The developer is in the process of platting the Clari Park property and wants the zoning boundaries to match the proposed property lines, consistent with the PUD documents that were submitted in 2021. With the zoning boundaries erroneously drawn, some of the proposed lots will be encumbered with the incorrect CH zoning designation if not corrected. The areas proposed to be revised from CH to PUD are to be developed with a public street, a private drive for the Area 5 apartment development, and a common greenspace, consistent with how these areas were depicted in the pattern book provided to both Planning Commission and Council. All of these specified uses are less intense uses than would be permitted under the CH zone erroneously placed upon these areas.

After consultation with Legal, it was determined that the best course of action was to bring this item back to Planning Commission and Council for a vote to correct this clerical error. If approved by Council, the zoning shown on the City's zoning map for the portion of the Clari Park zoning request in question will be revised from CH to PUD, consistent with how it was depicted in the approved Clari Park PUD pattern book.

Action Needed:

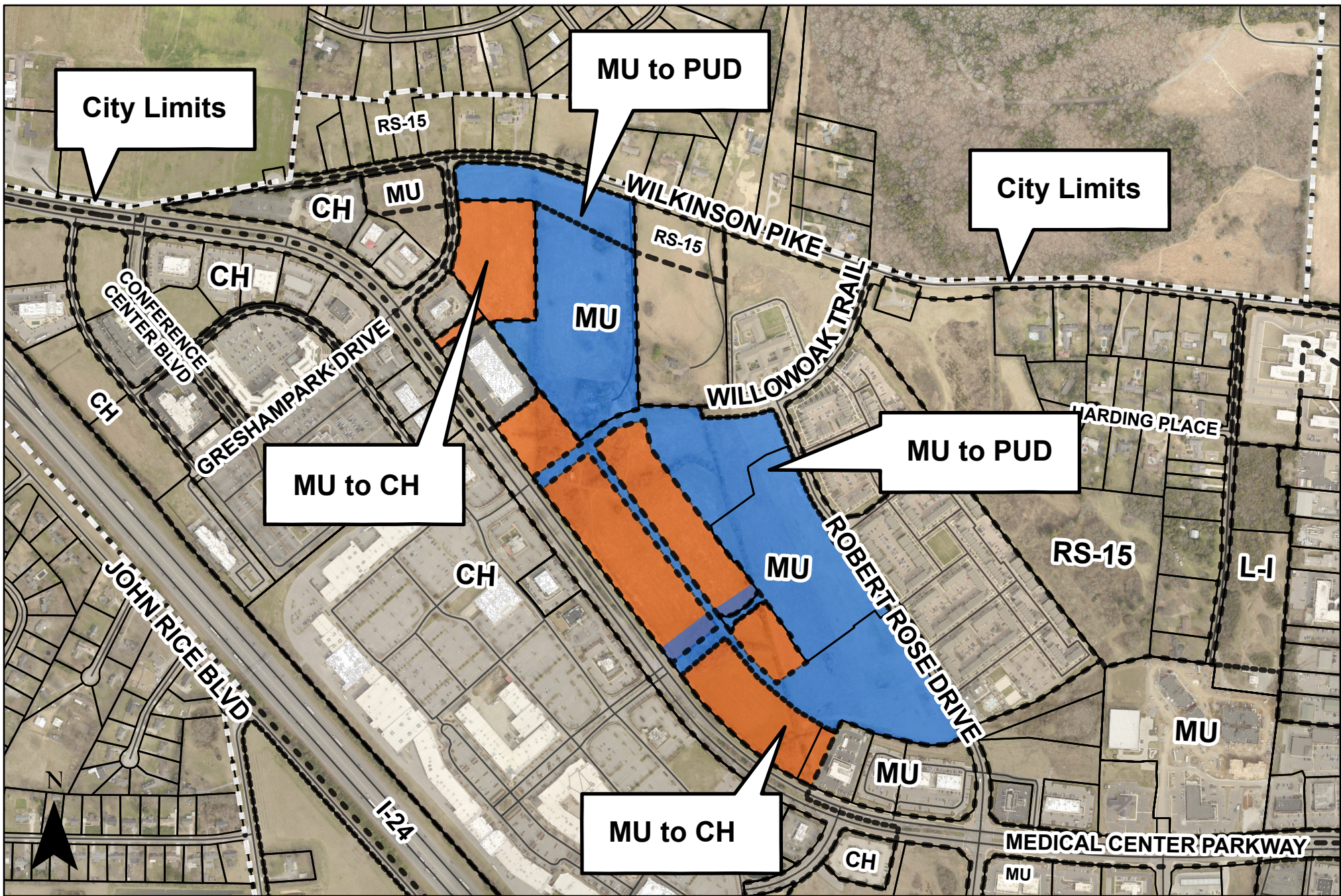
Staff recommends that the Planning Commission vote to recommend approval to Council of the correction of this clerical error. Attached for the Planning Commission's reference is the approved ordinance with the erroneous map, as well as a map exhibit showing the corrected zoning boundaries.



Corrected rezoning exhibit for Clari Park (2021-403)
 Rezoning along Medical Center Parkway
 MU to CH and MU to PUD (Clari Park PUD)
 (The existing GDO-1 and GDO-2 boundaries were not affected by this zoning request)

0 500 1,000 2,000 3,000 US Feet

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



Corrected rezoning exhibit for Clari Park (2021-403)
 Rezoning along Medical Center Parkway
 MU to CH and MU to PUD (Clari Park PUD)
 (The existing GDO-1 and GDO-2 boundaries were not affected by this zoning request)

0 500 1,000 2,000 3,000 US Feet

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

ORDINANCE 21-OZ-16 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 78 acres located along Medical Center Parkway, Robert Rose Drive, Wilkinson Pike, and Willowoak Trail from Mixed Use (MU) District, Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2) District to Planned Unit Development (PUD) District (Clari Park PUD), Highway Commercial (CH) District, Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2); Hines Acquisitions, LLC, applicant(s) [2021-403].

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. That the same having been heretofore recommended to the City Council by the City Planning Commission, the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as herein referred to, adopted and made a part of this Ordinance as heretofore amended and as now in force and effect, be and the same are hereby amended so as to rezone the territory indicated on the attached map.

SECTION 2. That, from and after the effective date hereof, the area depicted on the attached map shall be zoned and approved as Planned Unit Development (PUD) District, Highway Commercial (CH) District, Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2) District, as indicated thereon, and shall be subject to all the terms and provisions of said Ordinance applicable to such districts. The City Planning Commission is hereby authorized and directed to make such changes in and additions to said Zoning Map as may be necessary to show thereon that said area of the City is zoned as indicated on the attached map. This zoning change shall not affect the applicability of any overlay zone to the area.


SECTION 3. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

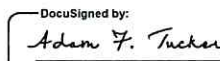
1st reading June 24, 2021
2nd reading July 8, 2021


Shane McFarland, Mayor

ATTEST:


Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

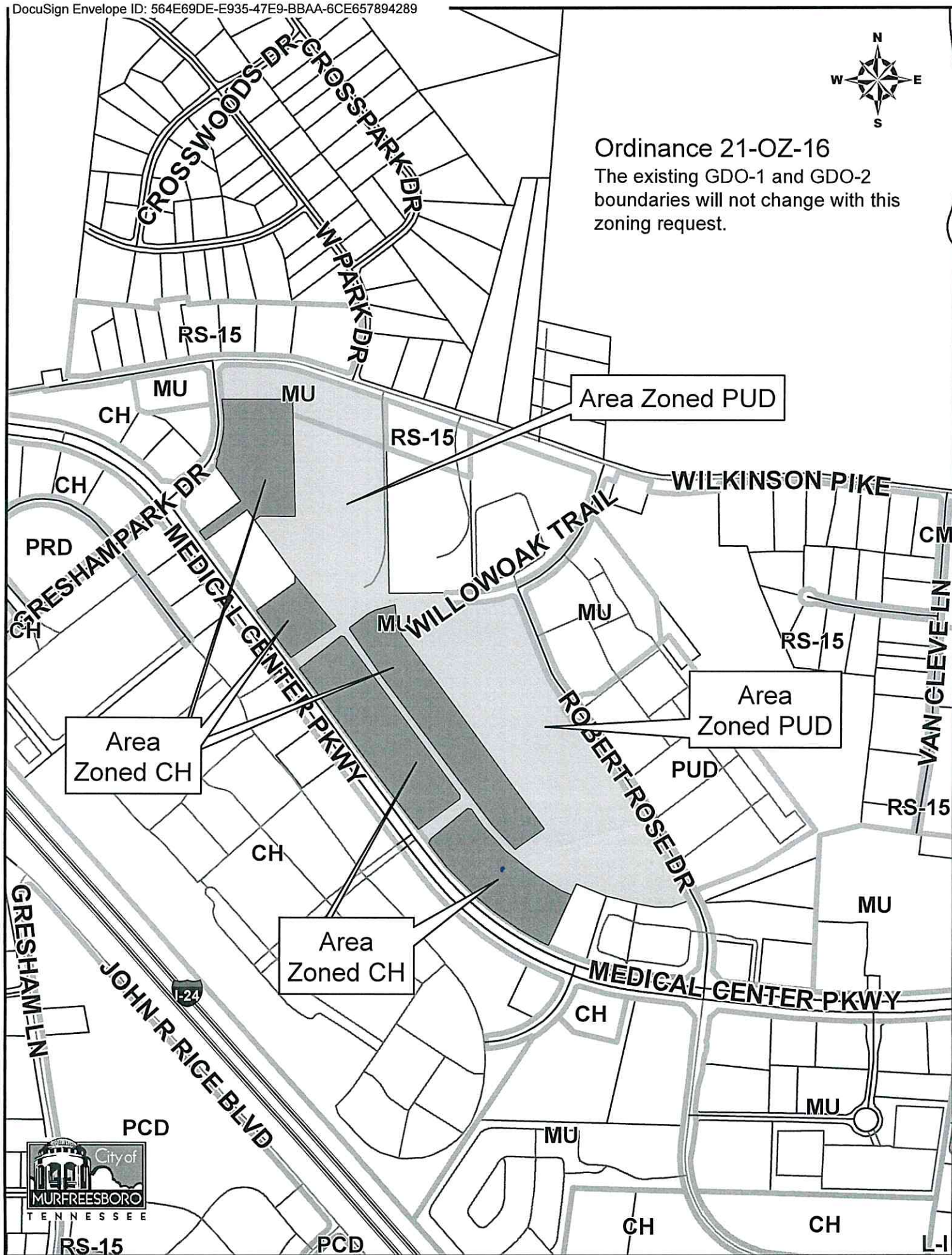
DocuSigned by:

Adam F. Tucker
City Attorney





Ordinance 21-OZ-16

The existing GDO-1 and GDO-2 boundaries will not change with this zoning request.



MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

6:00 PM

CITY HALL

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Joel Aguilera, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Executive Dir. Dev't Services
Matthew Blomeley, Asst. Planning Director

1. Call to order.

Chair Kathy Jones called the meeting to order at 6:00 p.m.

2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

3. Public Hearings and Recommendations to City Council

Zoning Ordinance amendment [2022-802] regarding amendments to Sections 2, 7, 24, Chart 1, and Chart 4 pertaining to alcohol manufacturing, City of Murfreesboro Planning Department applicant. Mr. Roman Hankins gave a PowerPoint presentation on the Zoning Ordinance Amendments for Alcohol Beverage Manufacturing. His presentation included topics such as Current Zoning, Stakeholder Involvement, Separate Uses for Breweries, Distilleries, Brewpubs, Wineries, and Parking.

Ms. Margaret Ann Green made known Staff is supportive of this rezoning request for the following reasons:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

1. The Zoning Ordinance amendment provides further clarity to alcohol manufacturing.
2. The proposed regulations are consistent with industry licensing and standards.
3. The amendment seeks to evolve the City's zoning regulations as the industry evolves, eliminating antiquated regulatory roadblocks for businesses that add value to the community.

Chair Kathy Jones opened the public hearing.

1. **Mr. Tony Johnston, Professor at Middle Tennessee State University, Director of Fermentation Science** –is in favor of the Zoning Ordinance amendment.
2. **Mr. and Ms. Mike Mattson owner of Iluzion Meads** – is in support of the Zoning Ordinance amendment.
3. **Mr. Brandon Bingman, 1112 North Spring Street** – is in support of the Zoning Ordinance amendment.
4. **Mr. Anthony Coon, 849 Double Glen Drive, Nashville** – is in support of the Zoning Ordinance amendment.
5. **Mr. Rick Lowe, 4208 Welchance Road** - is in favor of the Zoning Ordinance amendment.

Chair Kathy Jones closed the public hearing.

The Planning Commission discussed the proposed amendments and agreed the changes would help small businesses within the city.

There being no further discussion, Mr. Shawn Wright moved to approve the Zoning Ordinance amendment subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

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

Nay: None.

Zoning application [2022-403] for approximately 13.7 acres located along Medical Center Parkway, Robert Rose Drive, and Maplegrove Drive to be rezoned from MU and GDO-1 to PUD, CH, and GDO-1 (Vintage Apartments and TDK office PUD), TDK Construction applicant. 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.

Ms. Green made known Staff would like the Planning Commission to consider the following items in its review of this request:

1. The zoning request is inconsistent with the proposed Murfreesboro 2035 Comprehensive Plan Future Land Use Map.
2. The Zoning Ordinance limits on multi-family residential uses for master planned developments in the MU zone.
3. The proposed reduction of 150 parking spaces for the project.
4. Other exceptions as noted on sheet 26.

Mr. Matt Taylor (design engineer), Mr. Ross Bradley (developer), Mr. Ken Ayers (TDK), Mr. John David Blankenship (TDK), Ms. Gina Emmanuel (architect), and Jeff Rosiak (landscape architect) were all in attendance for the meeting. Mr. Taylor gave a PowerPoint

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

presentation of the Pattern Book, which Pattern Book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Vice-Chairman Ken Halliburton requested for the commercial lot restrictive covenants to exclude gas station, convenience store, liquor store, and beer & tobacco store. Mr. Taylor agreed.

Chair Kathy Jones opened the public hearing.

1. **Mr. Darren Douglas, 1728 Lannister Avenue** – provides door to door trash and recycle services for luxury apartment complexes. He is in favor of the application.
2. **Mr. Maurice Martin, 5033 Asbury Lane** – is in favor of the zoning application.

Chair Kathy Jones closed the public hearing.

The Planning Commission began discussing the proposal with questions regarding the number of apartments and shared parking for the apartments with the commercial use.

The Planning Commissioners expressed their concerns regarding the requested exceptions. Mr. Rick LaLance expressed concerns regarding the number of multi-family units proposed. Mr. Warren Russell stated there needed to be a good balance with the number of apartments and the amount of office space.

Vice-Chairman Ken Halliburton stated he was for the development due to the applicant providing a business building for professional jobs. Mr. Chase Salas made known he was for the development due to TDK's long history of being good stewards in the community.

Mr. Matt Taylor asked to defer action to continue working on this application.

There being no further discussion, Mr. Warren Russell moved to defer the zoning application; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

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

Nay: None.

Zoning application [2022-409] for approximately 238 acres located along Northwest Broad Street to be removed from the GDO-1 zoning overlay district (with approximately 20.8 acres remaining in the GDO-1 overlay), City of Murfreesboro 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.

Mr. Matt Taylor (design engineer) was in attendance to represent the application. He explained the proposed Type D buffer would be discussed further during site plan review. Mr. Matthew Blomeley explained any additional landscaping could be addressed during site plan review.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the request; therefore, Chair Kathy Jones closed the public hearing.

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

Aye: Kathy Jones
Ken Halliburton

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

Annexation petition and plan of services [2022-502] for approximately 7.3 acres located along Veterans Parkway, David Scott Rowlett 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.

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

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the request; therefore, Chair Kathy Jones closed the public hearing.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the annexation petition and plan of services 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

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

Zoning application [2022-402] for approximately 1.6 acres located along Veterans Parkway to be zoned CH simultaneous with annexation; 5.7 acres to be zoned PRD (The Villas at Veterans PRD) simultaneous with annexation; and to amend the existing Villas at Veterans PRD zoning on 7.1 acres located along Franklin Road, Harney Homes, LLC 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.

Ms. Rush explained the applicant has made improvements to their detached units, however the elevations that were presented are not acceptable. The revised plan book was submitted April 28, 2022 and included side and rear elevations of the detached single-family residential models as requested. Based on the renderings provided in the PRD plan book, the design quality of the detached product should be, at a minimum, equivalent to the design quality of the attached townhome product. In addition, other opportunities were not addressed with the revised pattern book. Ms. Marina Rush requested for a revised pattern book be provided before the next Planning Commission meeting with design changes for review.

Mr. Matt Taylor (design engineer), Mr. Justin Harney (developer), and Mr. John Harney (developer) were in attendance representing the application. Mr. Taylor gave a PowerPoint presentation of the Pattern Book, which Pattern Book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the request; therefore, Chair Kathy Jones closed the public hearing.

There being no further discussion, Mr. Rick LaLance moved to approve the zoning application subject to the applicant continuing to work with staff on elevations and materials, revising the pattern book prior to the City Council public hearing, and including in the pattern book that the development would not be sold to a corporation as rental

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

properties and all other 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

Warren Russell

Chase Salas

Shawn Wright

Nay: None

4. Staff Reports and Other Business

Mandatory Referral [2022-709] to consider the abandonment of a drainage easement located on property at the southwest corner of South Church Street and Westgate Boulevard, Josh Hutcheson of Fulmer Lucas applicant. 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. Mr. Blomeley recommended that approval 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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

There being no further discussion, Mr. Rick LaLance moved to approve the mandatory referral 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
Warren Russell
Chase Salas
Shawn Wright

Nay: None.

Mandatory Referral [2022-710] to consider the abandonment of a drainage easement located on property along the east side of Medical Center Parkway, Chris Mabery of Ragan Smith applicant. 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. Mr. Blomeley recommended that approval 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.
- 4) The final plat dedicating the new drainage easement shall be recorded simultaneously with the recording of the quit claim deed abandoning the easement.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

There being no further discussion, Mr. Chase Salas moved to approve the mandatory referral 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
Warren Russell
Chase Salas
Shawn Wright

Nay: None.

Mandatory Referral [2022-711] to consider the adjustment of easements located on property at property at 106 SE Broad Street and City-owned property at the corner of SE Broad Street and S. Church Street, City of Murfreesboro Legal Department applicant. Mr. David Ives 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 approve the mandatory referral subject to all staff comments; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

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

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

Shawn Wright

Nay: None.

Mandatory Referral [2022-712] to consider the purchase of property at 316 Robert Rose Drive, City of Murfreesboro Administration Department applicant. Mr. David Ives presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Commission Department and is incorporated into these Minutes by reference.

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

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

Nay: None.

5. Adjourn.

There being no further business the meeting adjourned at 9:25 p.m.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

Chair

Secretary

GM: cj