

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**JANUARY 11, 2023
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the December 7, 2022 and December 14, 2022 Planning Commission meeting.**
- 4. Public Hearings and Recommendations to City Council:**
 - a. Zoning application [2022-426] for approximately 4.1 acres located east of Memorial Boulevard to be rezoned from RS-15 to PCD (Memorial Plaza), B & N Patel applicant. (Project Planner: Margaret Ann Green)
 - b. Annexation petition and plan of services [2022-507] for approximately 0.81 acres located along South Church Street and Highfield Drive, Sam Willard applicant. (Project Planner: Marina Rush)
 - c. Zoning application [2022-428] for approximately 0.54 acre located along South Church Street and Highfield Drive to be zoned PCD (South Church Street Corner PCD) simultaneous with annexation, Salem Investment Partners applicant. (Project Planner: Marina Rush)
 - d. Annexation petition and plan of services [2022-508] for approximately 22.3 acres located along Butler Drive, City of Murfreesboro Administration Department applicant. (Project Planner: Marina Rush)
 - e. Zoning application [2022-429] for approximately 22.3 acres located along Butler Drive to be zoned H-I simultaneous with annexation, City of Murfreesboro Administration Department applicant. (Project Planner: Marina Rush)
- 5. Staff Reports and Other Business:**
 - a. Mandatory Referral [2022-731] to consider the abandonment of drainage and sanitary sewer easements on property located north of Medical Center Parkway and along

MURFREESBORO PLANNING COMMISSION AGENDA

PAGE 2

January 11 2023

Roby Corlew Lane, Chris Mabery of Ragan Smith representing Hines Clari Park Land Holdings, LLC applicant. (Project Planner: Amelia Kerr)

- b.** Mandatory Referral [2022-732] to consider the abandonment of sanitary sewer and water line easements at St. Thomas Rutherford Hospital on Medical Center Parkway, Rob Whitson of Gresham Smith on behalf of St. Thomas Rutherford Hospital applicant. (Project Planner: Amelia Kerr)
- c.** Mandatory Referral [2022-730] to consider the dedication of an electric easement located on City-owned property west of Beasie Road, City of Murfreesboro applicant. (Project Planner: Joel Aguilera)

6. Adjourn.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023**

PRINCIPAL PLANNER: MARGARET ANN GREEN

- 4.a. Zoning application [2022-426] for approximately 4.1 acres located east of Memorial Boulevard to be rezoned from RS-15 to PCD (Memorial Plaza), B & N Patel applicant.**

Introduction

The subject property is located along the east side of Memorial Boulevard, north of Brentmeade Drive (Tax Map 069D group B Parcel 032.00). The property consists of 4.1 acres and is zoned RS-15 (Single-Family Residential District). The subject property is Lot 32 of the Brentmeade Section 1 single-family, subdivision. The single-family house that previously occupied the site has been demolished. The properties to the east and south are zoned RS-15 and are part of an established, single-family residential communities (Brentmeade subdivision). The properties to the north are zoned CL (Local Commercial District) and are developed, single-family attached dwellings (zero lot line) and an office. The properties to the west, across Memorial Boulevard, are zoned CH (Commercial Highway District) and are several commercial parcels.

Proposed Memorial Plaza PCD:

Overview

The application to rezone the property from RS-15 to PCD (Memorial Plaza PCD) is intended to allow the development of a neighborhood shopping center. The proposed plan anticipates 4 separate building on one lot of record to be constructed in 4 phases.

Page 8 lists development standards and uses permitted for each building. Buildings 'A' and 'B' are multi-tenant, strip retail buildings with frontage along Memorial Boulevard. Building A accommodates a restaurant drive-thru service for a restaurant, with 10 queing spaces to the side and rear of the building. Building 'C' is within phase 3 and building 'D' is within phase 4. Building C is similar to buildings A and B, however, it allows fewer uses. Building D is anticipated to be a daycare, however a list of additional uses that are proposed to be permitted is listed on page 8. The PCD prohibits payday loan/cash advance services and vape or smoke shops for the all of the property. Restaurant uses place a significant demand on parking and, therefore, the total floor area that can be devoted to this use is restricted to no more than 30% gross floor area, as defined by Neighborhood Shopping Center in the *Murfreesboro Zoning Ordinance*.

Additional conditions listed in the program book are:

- Undeveloped phases are to be attractively graded, grass planted, and maintained

as open green space until such time that those phases are developed

- Land in future phases is not to be used for parking of construction equipment or storage trailers after completion of Phase 1
- Land in future phases is not to be used for any temporary business (flea market, fireworks stand, etc.)

Transportation and Access:

The subject property has access to two streets - Memorial Boulevard, a major arterial and state highway (Highway 231) and Brentmeade Drive, a collector street, through a right-of-way stub. A traffic signal is located at the entrance to Brentmeade Drive onto Memorial Boulevard. The proposed PCD restricts construction traffic to this property so that Brentmeade Drive will not be used for construction traffic. To help manage the construction traffic, Brentmeade Drive is proposed to be blocked off until final connection is made to the street.

Stormwater and Drainage:

The topographic map on page 5 of the pattern book indicates that the site's topographic high point is located at the eastern perimeter of the property. From this point the property drains west into the existing drainage ditch along Memorial Boulevard (Highway 231). Stormwater eventually drains into a miscellaneous tributary to the East Fork of the Stones River located to the north of the property. This property is not located within the 100-year floodway or floodplain as delineated on FEMA's FIRM map (Flood Panel 47149C0145H eff. 1/4/2007).

Stormwater for this property is proposed to be handled via an underground stormwater storage system. Prior to construction plan review, a complete and thorough design of the stormwater management system and facilities will be completed.

Buffering & Landscaping

Common Formal Open Spaces is the responsibility of the developer and will be required to be installed with the completion of Phase 1. The Formal Open Space will be of a cohesive design with the overall development and include Formal Open Space features and furniture to comply with Murfreesboro Design Guidelines.

A 12-foot wide, type C landscape buffer is proposed along the northern property line, adjacent to the zero-lot line development. A 15-foot-wide type D buffer is proposed along the southern and eastern lot lines, adjacent to the Brentmeade subdivision. Staff requested the developer grading and install all buffers with the first phase of this project. The buffering will aid in separating the different land uses and zoning districts from each other and minimizing potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas. The developer requests the Planning Commission allow the developer to install half the widths of the buffers with phase 1 and plant the remaining half with development of each phase.

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

The Memorial Plaza PCD is not requesting any exceptions from the *Murfreesboro Subdivision Regulations* or *Murfreesboro Design Guidelines*.

Future Land Use Map

The existing and the proposed *Murfreesboro 2035 Future Land Use Map* indicates that (GENERAL) COMMERCIAL CHARACTER (GC) is most appropriate for the subject property. If the property develops as proposed within the PCD program book, then it will be consistent with the GC character.

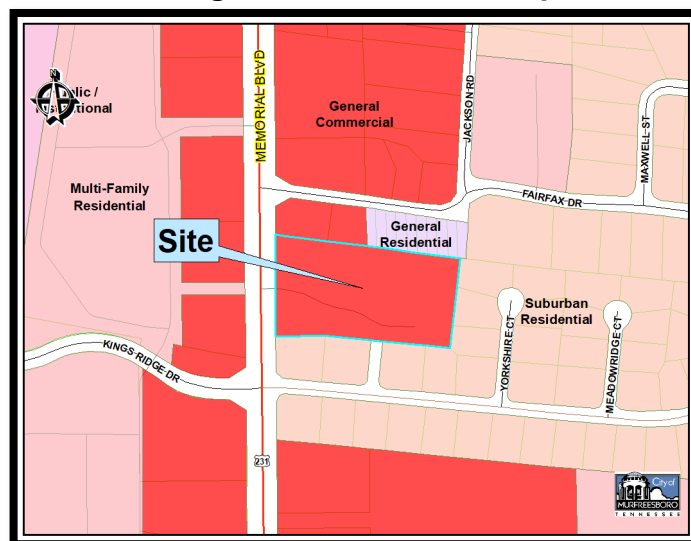
This designation pertains to commercial development as well as outparcels located on arterial and collector transportation routes. The primary difference in Urban and Auto-Urban character categories is the role of the automobile in its site design. Rather than buildings oriented to the street, as in an urban setting, such as what is found in downtown, auto-urban environments are characterized by large parking lots surrounding the buildings.

Auto-Urban commercial uses include high intensity commercial businesses that have a trade area outside of Murfreesboro and/or require a large amount of land for their operations. Uses like regional shopping center, grocery, hotels, gas stations, restaurants, and “big box” retailers. Due to the potential for these uses to generate high traffic volumes, their location should be on or with adequate access to arterial roadways.

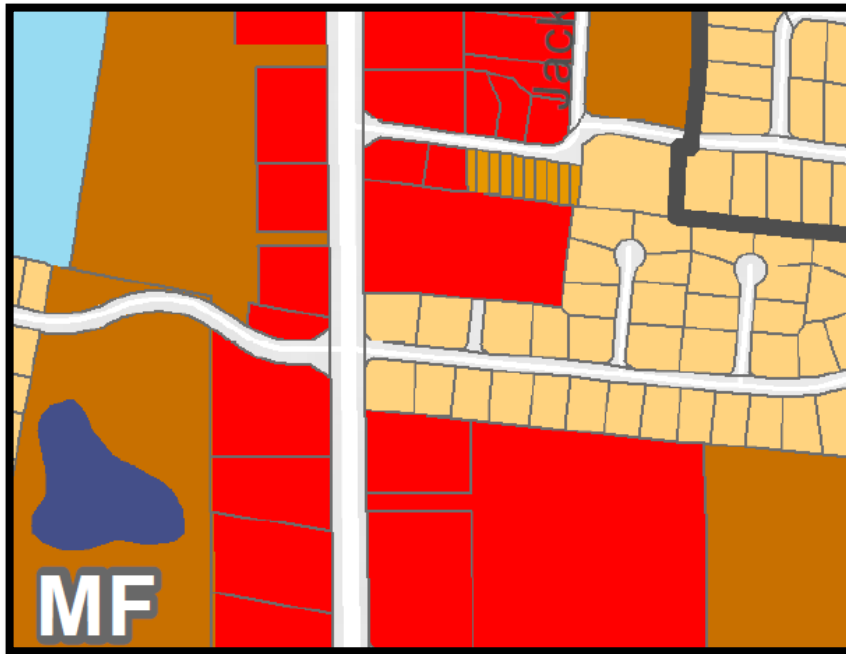
Characteristics of the GC (General Commercial Character) include:

- Significant portions of development sites devoted to vehicular access drives, circulation routes, surface parking, and loading/delivery areas;
- May include Formal Open Space;
- Pedestrian connections to public roadway required;
- Joint / shared parking and access between parcels is required.
- Shared plazas and/or seating area located between principal use and outparcels.

Existing Future Land Use Map



Proposed Future Land Use Map

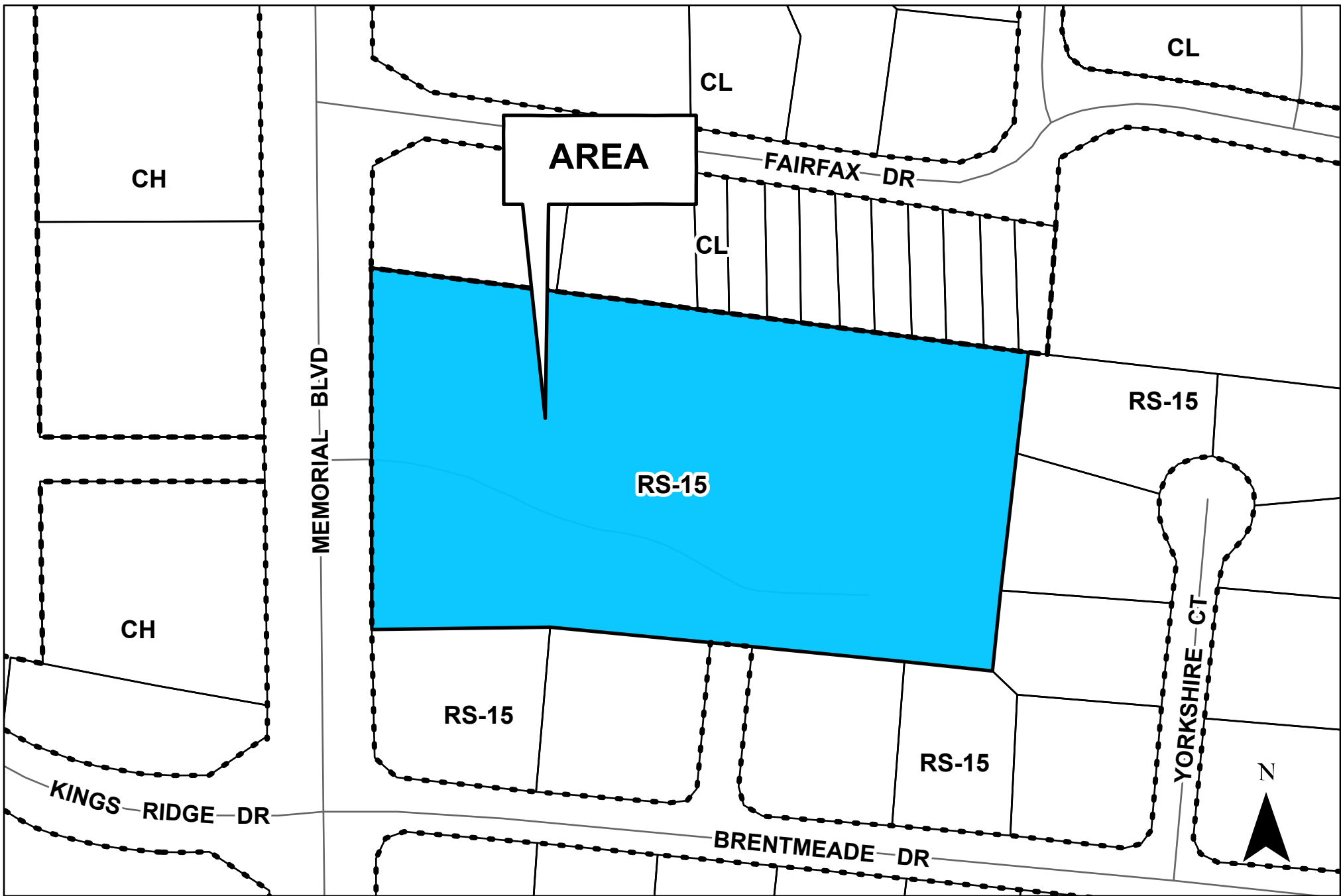


Recommendation:

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

1. The proposed development type and characteristics are consistent with the approved Chapter 4 of the *Murfreesboro 2035 Comprehensive Plan* and the *Future Land Use Map*.
2. The proposed development type and characteristics are consistent with the proposed Chapter 4 of the *Murfreesboro 2035 Comprehensive Plan* and the *Future Land Use Map*.

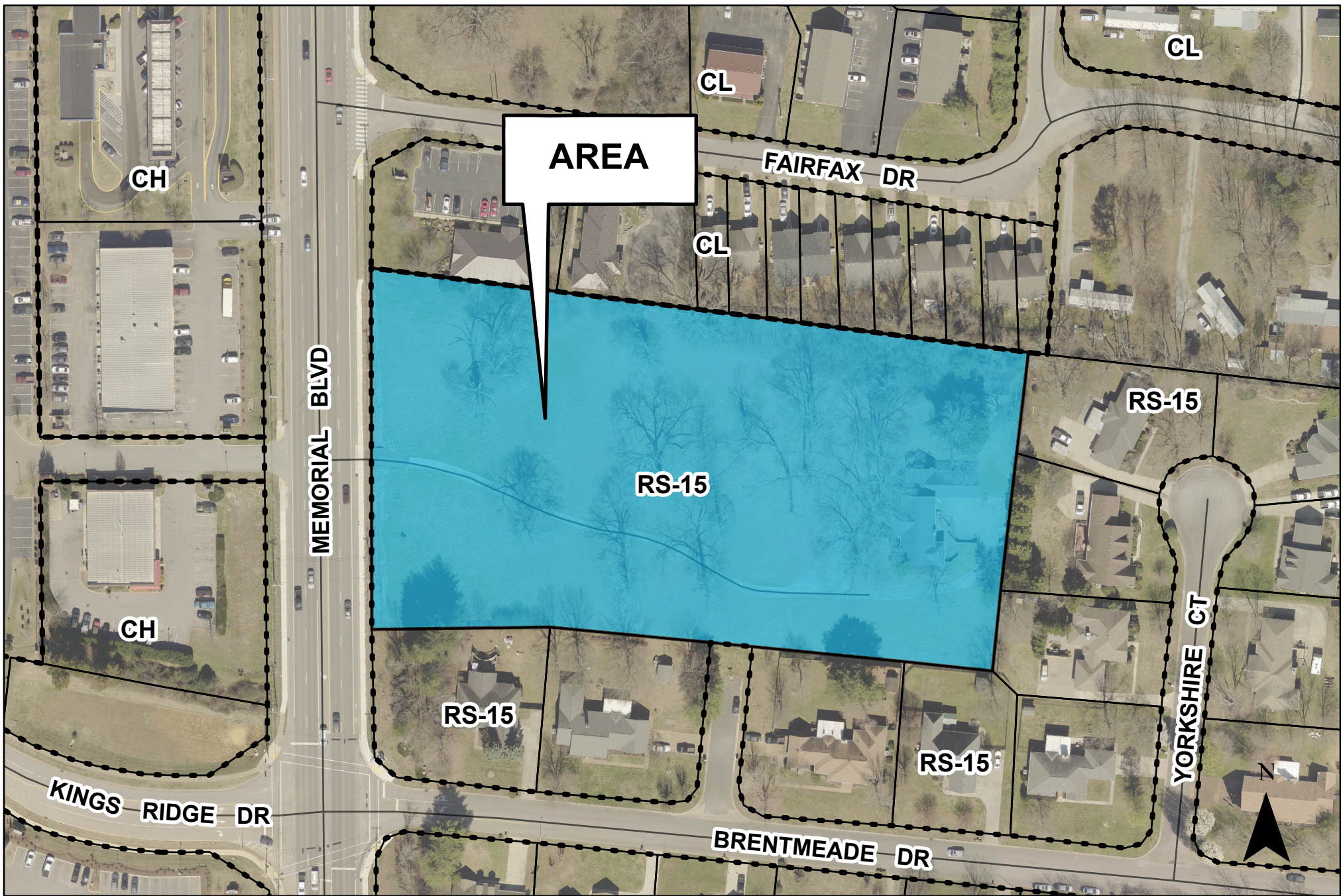
The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning request. A copy of the PCD program book is included with the agenda materials. The Planning Commission should conduct a public hearing prior to formulating a recommendation to the City Council.



Rezoning request for property along Memorial Boulevard
RS-15 to PCD (Memorial Plaza PCD)



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



Rezoning request for property along Memorial Boulevard
RS-15 to PCD (Memorial Plaza PCD)



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



Multi-Family
Residential

Site

MEMORIAL BLVD

General
Commercial

JACKSON RD

MAXWELL ST

FAIRFAX DR

General
Residential

Suburban
Residential

YORKSHIRE CT

MEADOW RIDGE CT

KINGS RIDGE DR

231





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: B & N Patel c/o Bhupen "Sonny" Patel

Address: 831 NW Broad Street City/State/Zip: Murfreesboro, TN 37129

Phone: 615-849-9662 E-mail address: bhupenpatel178@yahoo.com

PROPERTY OWNER: Bhupen K Patel

Street Address or property description: 831 NW Broad Street

and/or Tax map #: 69D Group: B Parcel (s): 32.00

Existing zoning classification: RS-15

Proposed zoning classification: PCD Acreage: 4.08 acres

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: _____

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

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

Amount paid: _____ **Receipt #:** _____



Sign-In Sheet for Neighborhood Public Meeting

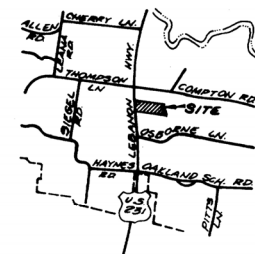
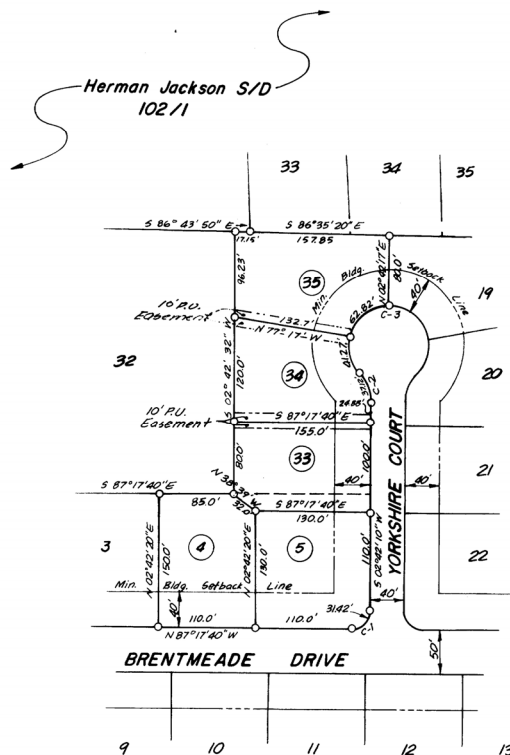
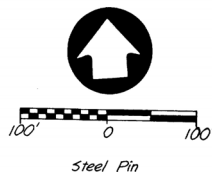
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024020

STATE OF TENNESSEE
RUTHERFORD COUNTY
OFFICE OF THE REGISTER Sept. 16, 1987
I, HOMER JONES, REGISTER DO CERTIFY THAT THE
FOREGOING INSTRUMENT AND CERTIFICATE ARE REGIS-
TERED IN MY SAID OFFICE IN BOOK NO. PLAT BOOK 11,
PAGE NO. 171 AND THAT THEY WERE
RECEIVED Sept. 16, 1987 AT 11:06
O'CLOCK A.M. AND ENTERED IN NOTE BOOK 35
PAGE 264
By Martha E. Wright HOMER JONES, Register
Dep. Reg.

RECORDING FEE 10.00
STATE TAX -
REGISTER'S FEE -
TOTAL PAID 10.00
RECEIPT NO. 42051

CURVE DATA					
NO.	Δ	R	D	L	T
1	90°00'00"	20.0'	286°28'45"	31.42'	20.0'
2	42°32'13"	50.0'	114°35'30"	37.12'	19.46'
3	265°04'26"	45.0'	127°19'27"	208.19'	---



LOCATION MAP
N. T. S.

CERTIFICATE OF OWNERSHIP AND LOCATION

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 9-10-87
Deed Bk: 376 OWNER W. H. Huddleston III
Pg: 446 OWNER W. H. Huddleston III

CERTIFICATE OF ACCURACY

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

Date 9-10-87
REGISTERED ENGINEER OR SURVEYOR W. H. Huddleston III

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 (town) specifications in the subdivision entitled Resubdivision Lots 4 & 5
BRENTMEADE SECTION I Lots 32, 33, 34
or (2) that a security bond in the amount of \$ 410-87-500-253 has been posted with the planning commission to assure completion of all required improvements in case of default.

Date 9-10-87 CITY MANAGER W. H. Huddleston III
Date 9-10-87 CITY ENGINEER W. H. Huddleston III
Date 9-3-87 POWER SYSTEM OFFICIAL W. H. Huddleston III
Date 9-10-87 SOUTH CENTRAL BELL W. H. Huddleston III

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision shown hereon has been found to comply with the Subdivision Regulations for 222 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 by the County Register.

Date 9-11-87 CHAIRMAN, PLANNING COMMISSION W. H. Huddleston III
Date 9-11-87 SECRETARY W. H. Huddleston III

POSTAL SERVICE CERTIFICATE

I certify that the property shown hereon will be served by the M. B. Co.
Post Office 92-87
Date 9-2-87 SIGNATURE OF AUTHORIZED OFFICIAL M. B. Co.

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 plan entitled Resub. Lots 4 & 5
BRENTMEADE SECTION I Lots 32, 33, 34
fully meet the requirements of the Tennessee State Health Department and Murreesboro Water and Sewer Department, and are hereby approved as shown.
Date Sept 9 1987 W. H. Huddleston III
Water and Sewer Department Official

Plat Book: 11 Page: 171

**LOTS 33, 34, 35 & RESUBDIVISION LOTS 4 & 5
SECTION I**

BRENTMEADE

9th. Civil District • Rutherford Co. • Tennessee

DATE July, 1987 SCALE 1" = 100' SHEET 1 OF 1



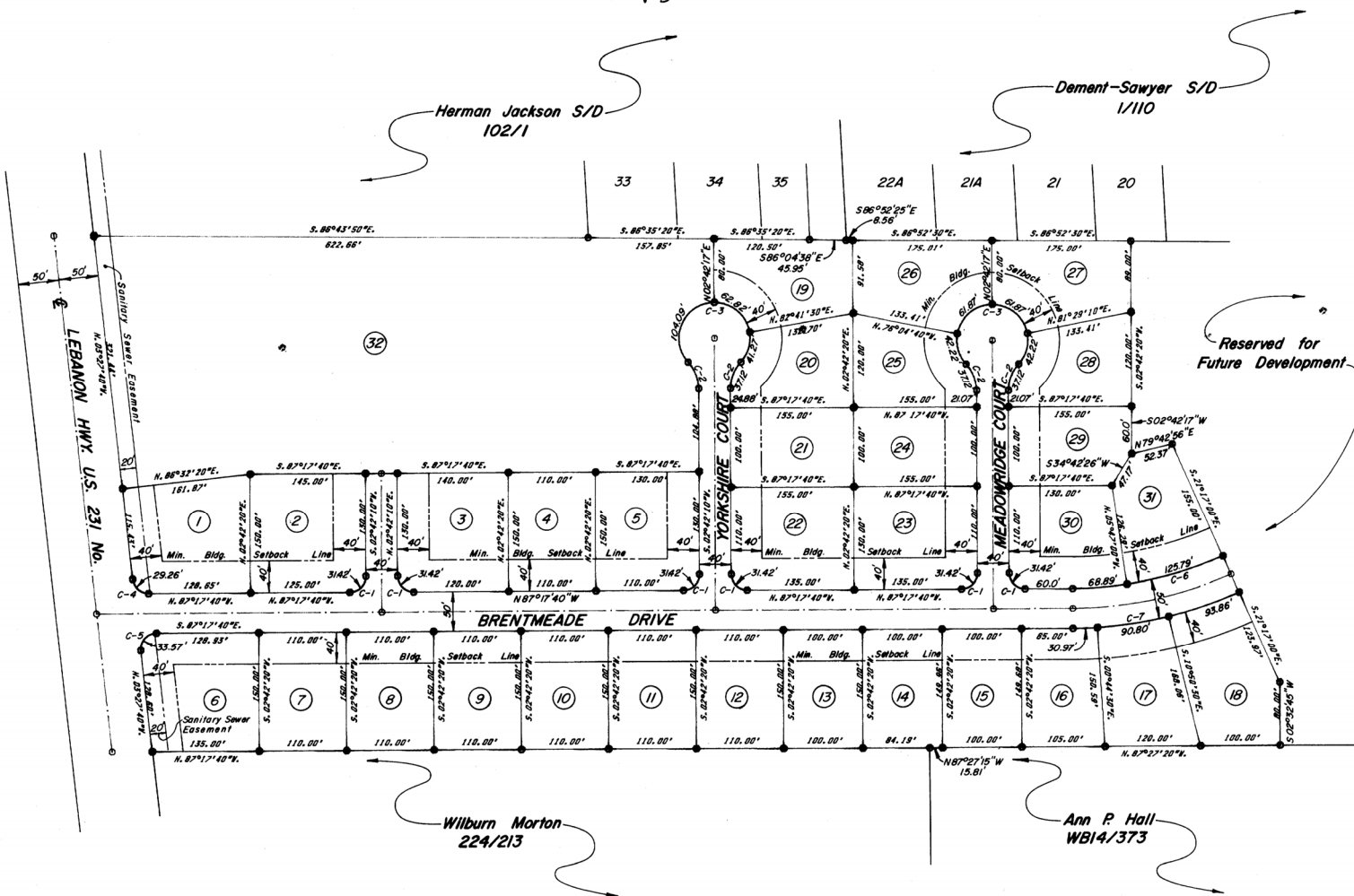
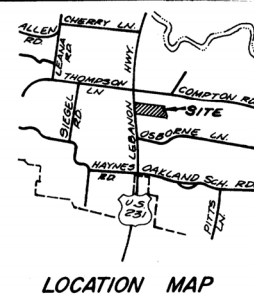
W. HENRY HUDDLESTON III
CIVIL ENGINEER
2115 N.W. BROAD ST.
MURFREESBORO, TENN. 37130

012459

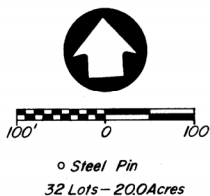
For Lots 33, 34, 35 + Resubdivision of Lots 4 & 5,
see Plat Book 11, page 171.

For Resubdivision of Lots 12 & 13, see
Plat Book 13, page 54.

For Resubdivision of Lots 19 & 20
see Plat Book 16, page 151.



CURVE DATA					
NO.	Δ	R	D	L	T
1	90°00'00"	20.0'	286°28'45"	31.42'	20.0'
2	42°32'13"	50.0'	114°35'30"	37.12'	19.46'
3	265°04'26"	45.0'	127°19'27"	208.19'	—
4	83°50'00"	20.0'	286°28'45"	29.26'	17.96'
5	96°10'00"	20.0'	286°28'45"	33.57'	22.28'
6	23°59'20"	465.0'	12°19'18"	194.69'	98.79'
7	23°59'20"	515.0'	11°07'31"	215.62'	109.41'



STATE OF TENNESSEE
RUTHERFORD COUNTY
OFFICE OF THE REGISTER
I, HOMER JONES, REGISTER 200 CERTIFY THAT THE
FOREGOING INSTRUMENT AND CERTIFICATE ARE REGIS-
TERED IN MY SAID OFFICE IN BOOK NO. Plat Book 11,
PAGE NO. 115 AND THAT THEY WERE
RECEIVED May 18, 1987 AT 2:00
O'CLOCK P.M. AND ENTERED IN NOTE BOOK 34
PAGE 500
By Martha E. Wright Register

RECORDING FEE 10.00
STATE TAX —
REGISTER'S FEE —
TOTAL PAID 10.00
RECEIPT NO. 31425



Plat: Book 11 Bk: Page 115

SECTION I BRENTMEADE

9th. Civil District • Rutherford Co. • Tennessee
DATE February, 1987 SCALE 1" = 100' SHEET 1 OF 1

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date 5-12-87
Deed Bk: 374 John T. Wilson OWNER
Pg: 446 Thelma Wilson OWNER

CERTIFICATE OF ACCURACY

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

Date May 12, 1987
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:

BRENTMEADE SECTION I
or (2) that a security bond in the amount of \$ — has been posted with the planning commission to assure completion of all required improvements in case of default.
Date 5-15-87 EC CITY MANAGER
Date May 14, 1987 W. H. Huddleston III CITY ENGINEER
Date May 8, 1987 W. H. Huddleston III POWER SYSTEM OFFICIAL
Date 5/18/87 W. H. Huddleston III SOUTH CENTRAL BELL

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision shown hereon has been found to comply with the Subdivision Regulations for 20020 Tennessee with the exception of such variations, 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 County Register.

Date 5-15-87 W. H. Huddleston III CHAIRMAN, PLANNING COMMISSION
Date 5-15-87 W. H. Huddleston III SECRETARY

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:

BRENTMEADE SECTION I
fully meet the requirements of the Tennessee State Health Department, and Murfreesboro Water and Sewer Department, and are hereby approved as shown.
Date May 7, 1987 W. H. Huddleston III Water and Sewer Department Official

Approved for Recording Purposes only:
Rutherford County Health Department

By: N/A
POSTAL SERVICE CERTIFICATE
I certify that the property shown hereon will be served by the MARI Post Office.
Date 5-3-87 Mc New SIGNATURE OF AUTHORIZED OFFICIAL



MEMORIAL PLAZA

A REQUEST FOR REZONING FROM SINGLE FAMILY RESIDENTIAL TO PLANNED COMMERCIAL DEVELOPMENT
Murfreesboro, Tennessee

Initial Submittal
November 9, 2022

Resubmittal
December 7, 2022 for December 14, 2022
Planning Commission Workshop Meeting

Resubmittal
December 20, 2022 for January 11, 2023
Planning Commission Public Hearing

SEC, Inc.

SEC Project #20020



Company Name: SEC, Inc.
Profession: Planning.Engineering.Landscape Architecture
Attn: Rob Molchan / Matt Taylor
Phone: (615) 890-7901
Email: rmolchan@sec-civil.com/ mtaylor@sec-civil.com
Web: www.sec-civil.com

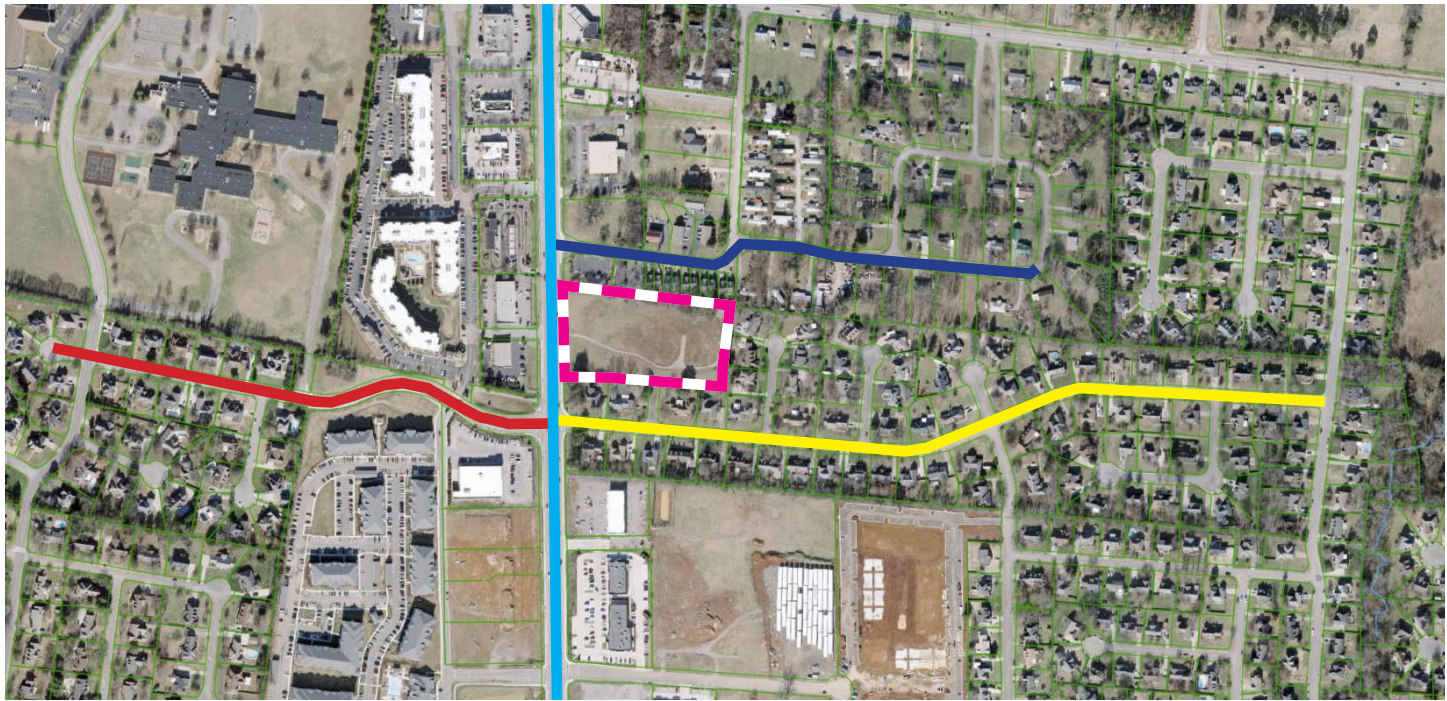
850 Middle Tennessee Blvd.
Murfreesboro, Tennessee 37129

Company Name: B&N Patel
Profession: Owner
Attn: Bhupen “Sonny” Patel
Phone: (615)-849-9662
Email: Bhupenpatel78@yahoo.com
Web:

831 NW Broad Street
Murfreesboro, Tennessee 37129

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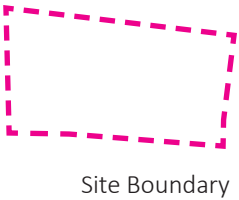
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This document shall not be reproduced, modified, published, or used in any way or form of media/print
without the expressed written consent of Site Engineering Consultants, Inc.



AERIAL PHOTOGRAPH

Not To Scale

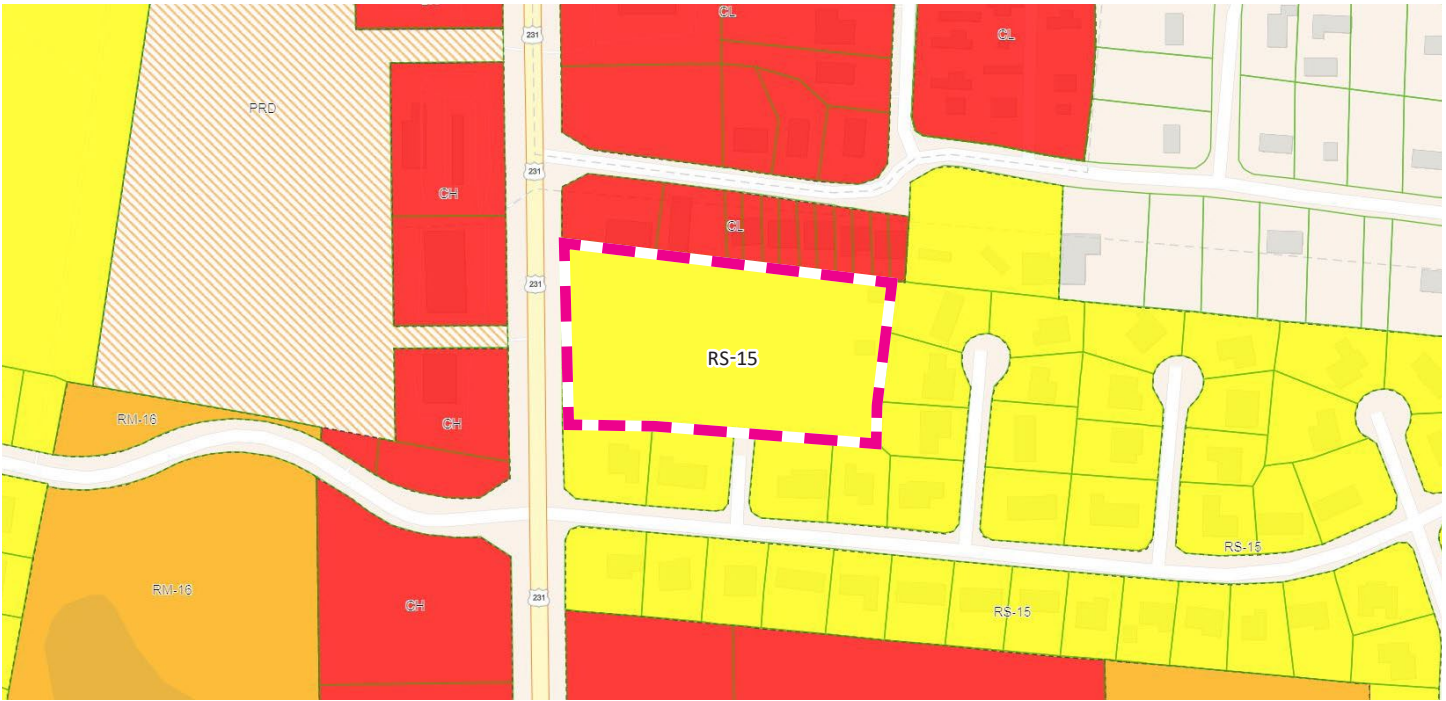
- Memorial Boulevard
- Brentmeade Drive
- King's Ridge Drive
- Fairfax Drive



Site Boundary

B&N Patel respectfully requests rezoning of the Patel Property at 3310 Memorial Boulevard from Single-Family Residential (RS-15) to Planned Commercial Development (PCD) to create Memorial Plaza. The property is located along the eastern side of Memorial Boulevard and north of Brentmeade Drive. The site is identified as Parcel 32.00 of Tax Map 69D, and is deeded for approximately 4.08 acres.

The development will consist of four single-story buildings. Memorial Plaza proposes a daycare along the eastern portion of the site, and three retail tenant buildings. The northwest tenant building also includes a proposed drive-thru. The development will provide a shared formal open space in the form of a outdoor seating plaza. A Type 'B' Buffer is proposed along the residential portion of the northern perimeter to help mitigate any impacts this development might have on the neighboring residential properties. The remaining northern property line adjacent to neighboring businesses will provide a Type 'A' Buffer between the properties. The southern and eastern boundaries of the site shall be screened using a Type 'D' buffer (Option 2) with a wood or vinyl fence. Development signage will be located along Memorial Boulevard and the shall be constructed with materials consistent with the proposed architecture and shall be anchored by landscaping.



ZONING MAP

Not To Scale

- RS-15 Residential Single-Family (RS-15)
- CH Commercial Highway (CH)
- CL Local Commercial (CL)
- PRD Planned Residential Development (PRD)
- RM-16 Residential Multi-Family (RM-16)
- RM Medium Density Residential (RM) Rutherford County



Site Boundary

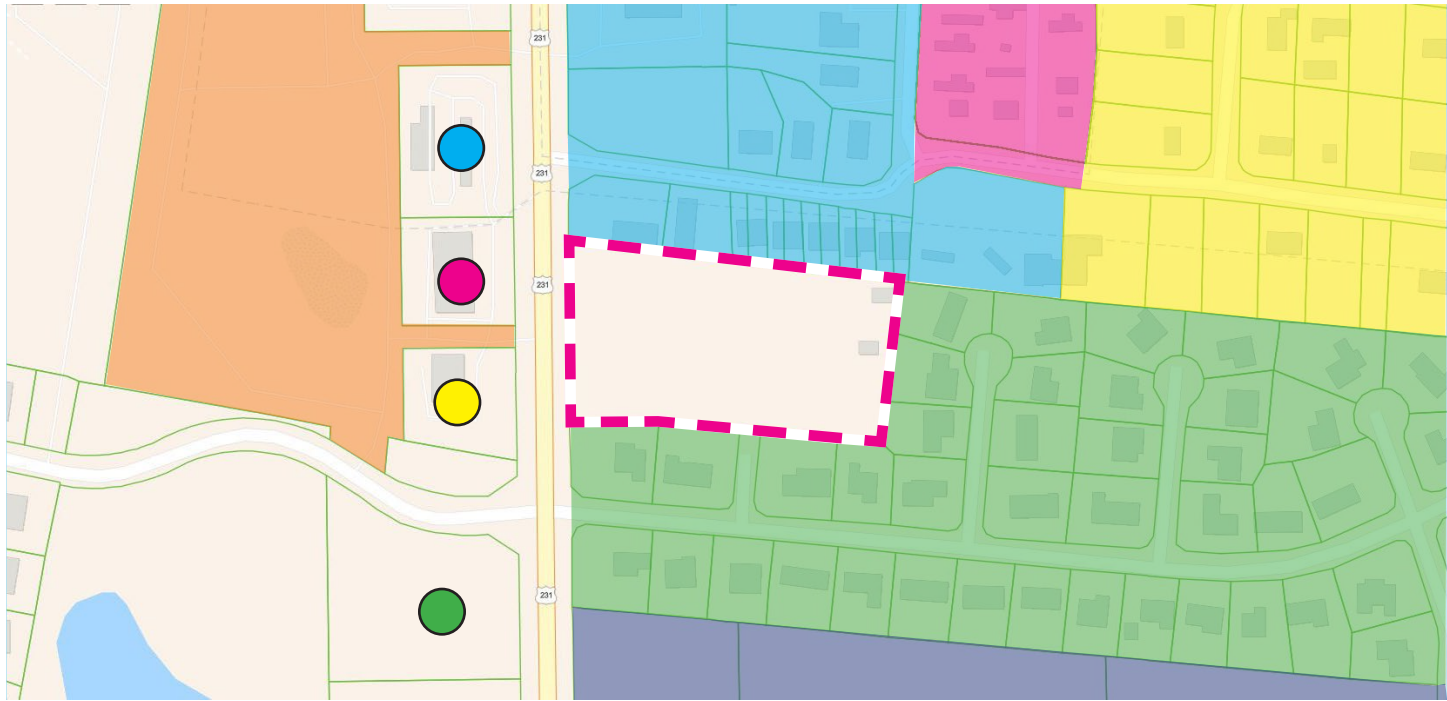
The surrounding area consists of a mixture of zoning types and uses. The land to the east and south is zoned RS-15. The land to the north is zoned CL, and the land to the west across Memorial Boulevard is zoned CH and PRD.



MURFREESBORO 2035 LAND USE PLAN:

The proposed 2035 Land Use Plan proposes this area as Auto-Urban General Commercial Character (GC). This character classification includes high intensity commercial businesses that have a trade area outside of Murfreesboro and/or require a large amount of land for their operations. Primary uses include auto and recreational vehicle sales, motels, outdoor sales, gas stations, restaurants and general retail.

The proposed development closely aligns with the proposed Future Land Use Plan characteristics for this area. This development will enhance the Memorial Boulevard commercial corridor by expanding available services to the area.



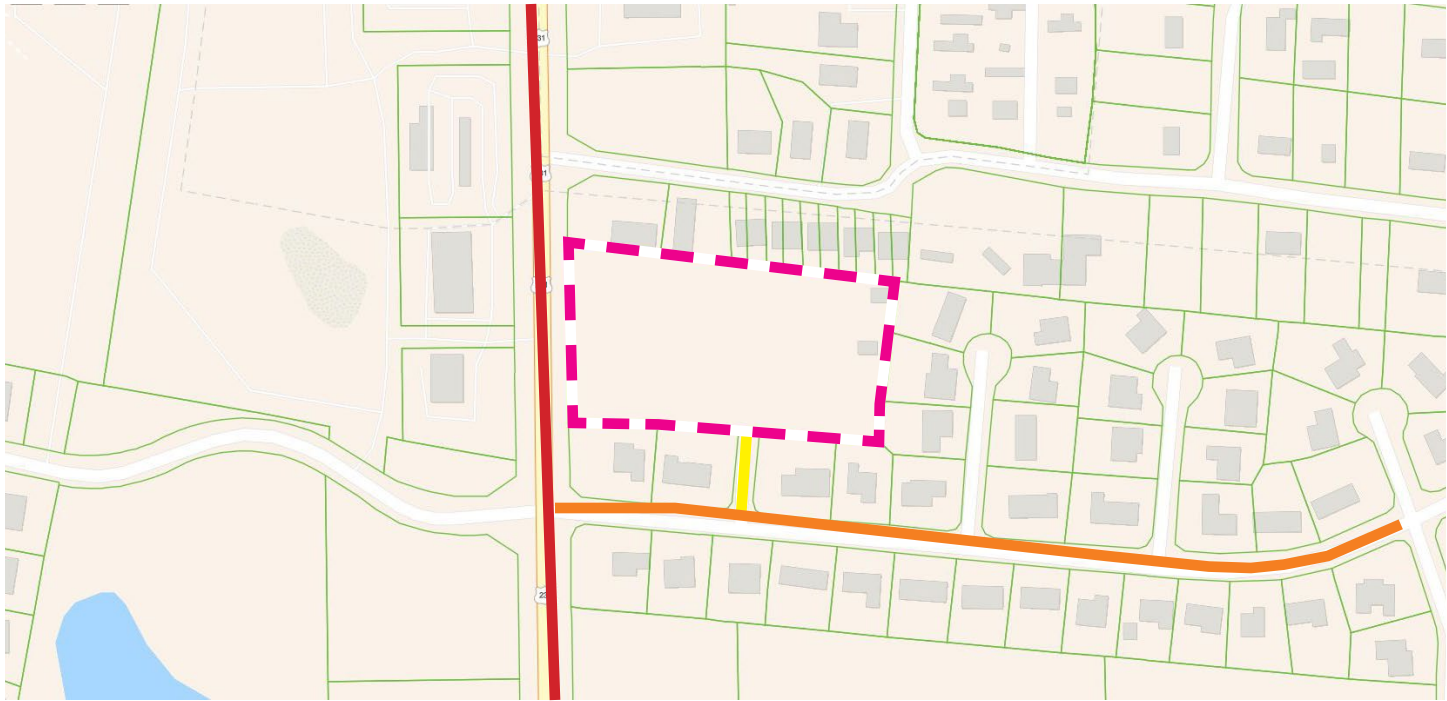
SUBDIVISION MAP

Not To Scale



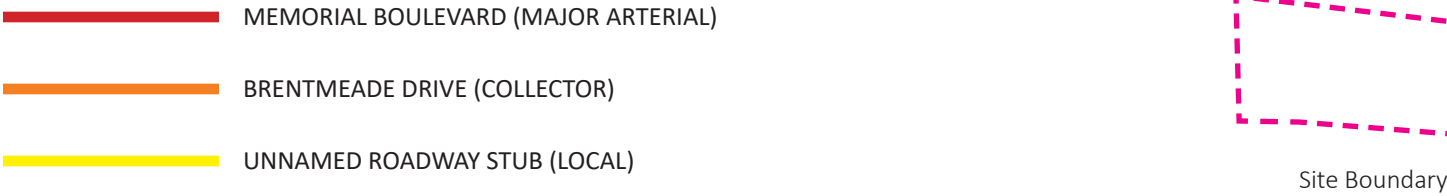
Memorial Plaza is surrounded by a mixture of residential subdivisions and commercial properties. Brentmeade is a residential development to the east and south of the development consisting of one to two story single family detached homes without garages. The exterior elevations consist of primarily brick along all elevations with vinyl siding accents. There is one primary point of ingress/egress to the development from Memorial Boulevard. Herman Jackson is a group of properties with varying residential and commercial uses including but not limited to; single-family duplex units, single-family attached townhomes, RHA Tennessee Group Homes, Taco Bell, and MAPCO.

The commercial corridor along Memorial Boulevard offers the neighboring residential properties with a variety of services including casual dining, automotive repair, grocery stores, and pharmacies. This proposed PCD will complement and expand commercial services for the surrounding neighborhoods.



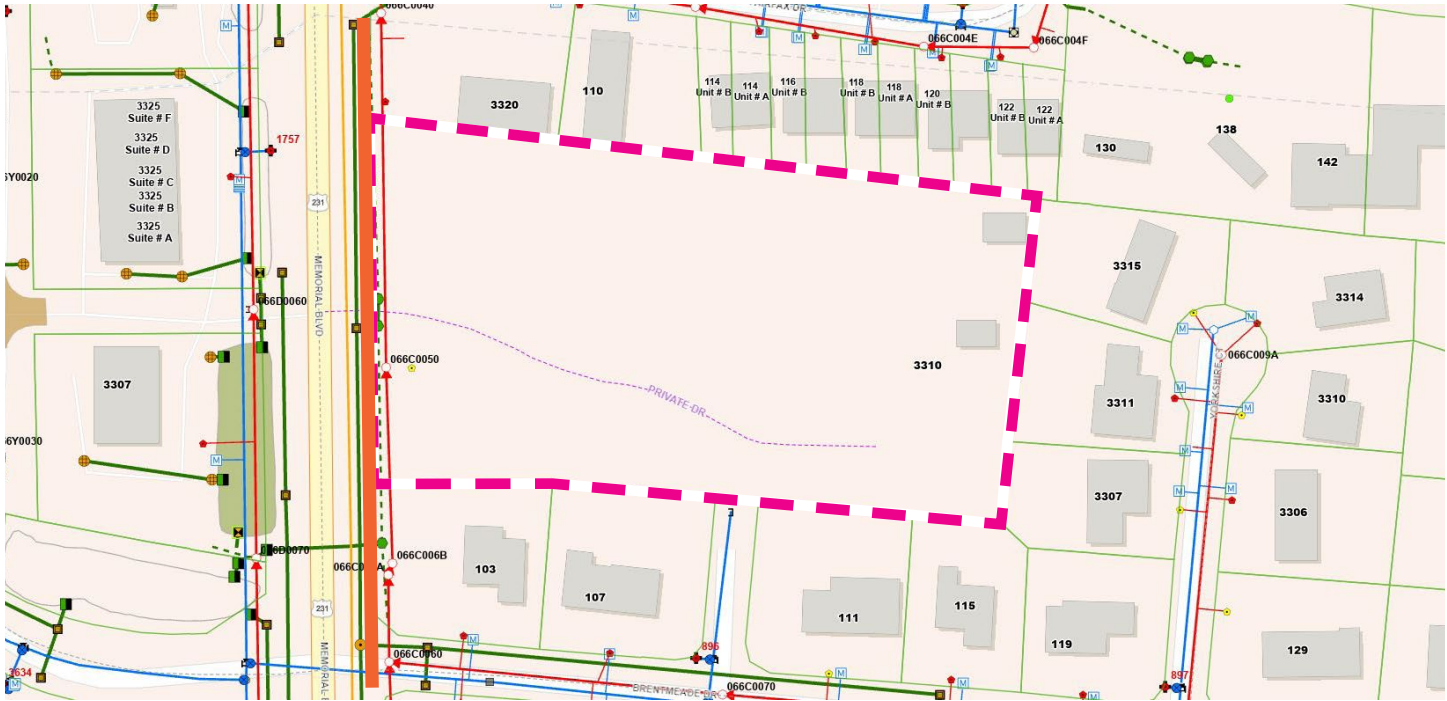
2040 MAJOR THOROUGHFARE PLAN

Not To Scale



The development will have one access point on Memorial Boulevard and direct access to the Brentmeade Drive stub. Brentmeade Drive is classified as a Collector roadway. All of the surrounding roadways are not slated for any improvements as per the 2040 Major Thoroughfare Plan. Memorial Boulevard is currently constructed as a 4-lane major arterial roadway, with a center turn lane, curb & gutter, and sidewalks lining both sides of the roadway.

This development will have access to a signalized intersection at Brentmeade Drive and Memorial Boulevard via a connection using the unnamed stub street back to Brentmeade Drive.



UTILITY MAP

Not To Scale

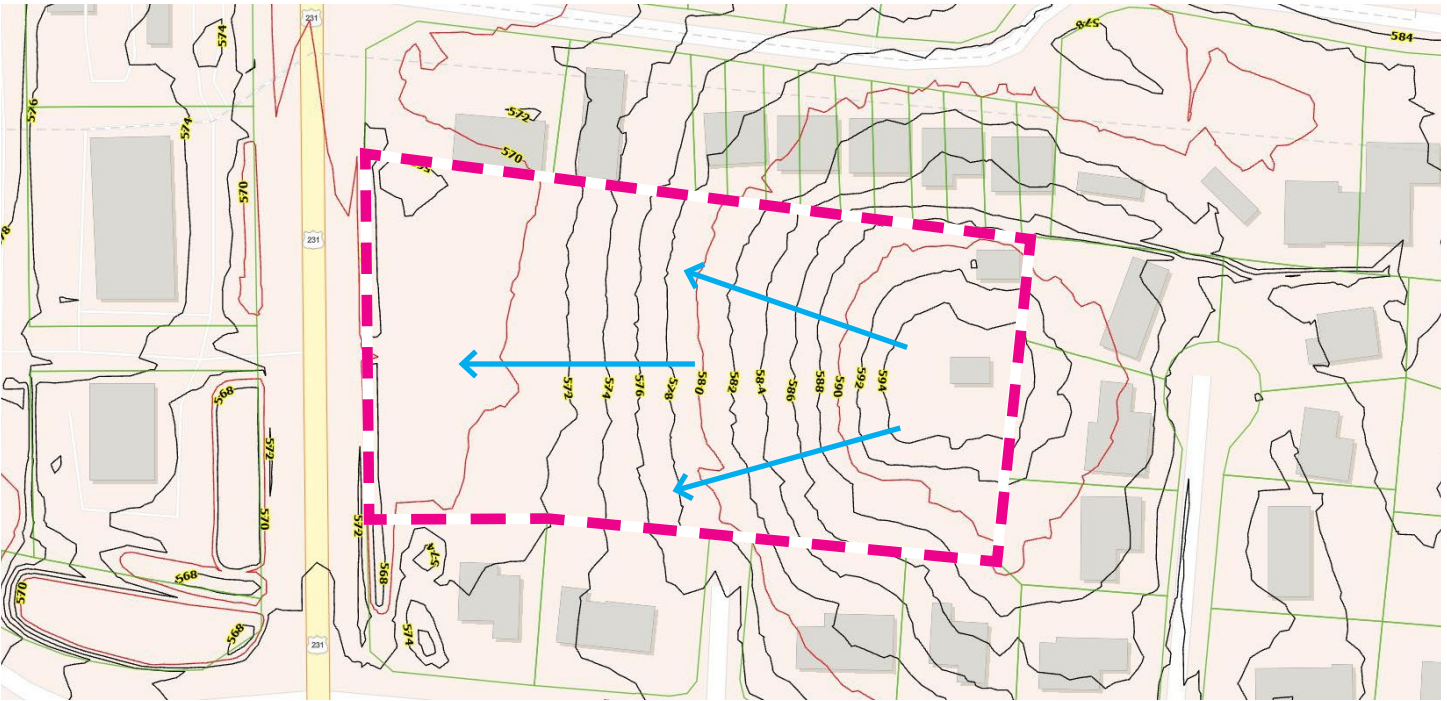


Water service will be provided by the Murfreesboro Water Resources Department. An existing 24 inch ductile iron water line along Memorial Boulevard and a four inch PVC water line within the roadway stub off of Brentmeade Drive shall provide water service into the site. The developer will be responsible for extending the waterline into the site for domestic and fire water service.

Sanitary sewer service will be provided by the Murfreesboro Water Resources Department. Sanitary sewer service can connect to an existing 8" PVC gravity sewer line within the R.O.W. of Memorial Boulevard. Construction will extend the sewer service into the site and the developer will be responsible for extending the sewer into this property. under the sewer allocation ordinance, PCD zones are permitted 2.5 single-family equivalents per acre. Future tenants that wish to exceed this allocation will be required to obtain a variance from the Murfreesboro City Council.



Electric service will be provided by Middle Tennessee Electric. Service will be extended from Memorial Boulevard. The developer will be responsible for extending the electric lines into the site, and all on-site electric will be underground.



HYDROLOGY AND TOPOGRAPHY

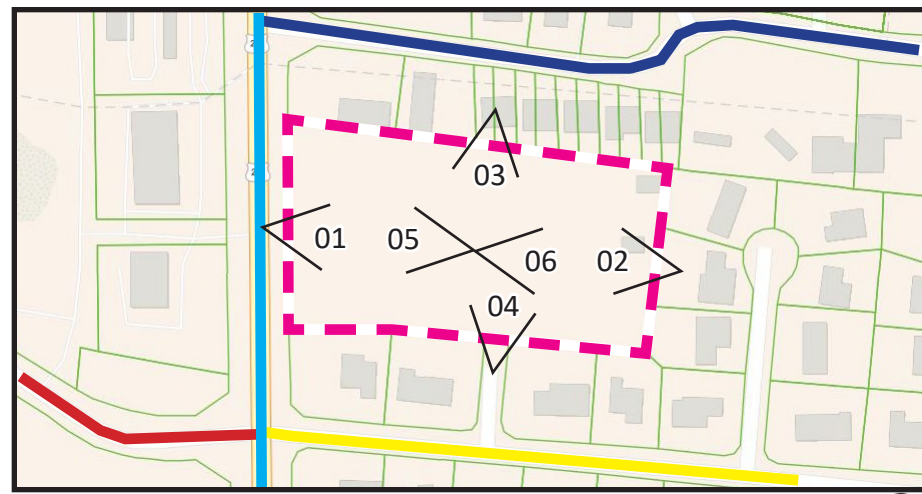
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The topographic map above shows the site's topographic high point generally at the eastern perimeter of the property. From this point the property drains west into the existing drainage ditch along Memorial Boulevard. Stormwater ultimately ends up in a miscellaneous tributary to the East Fork of the Stones River to the north of the property.

Stormwater for this property shall be handled via an underground stormwater storage system.

No portions of this property are within a floodway or floodplain per FEMA Flood Panel 47149C0145H eff. 1/4/2007.



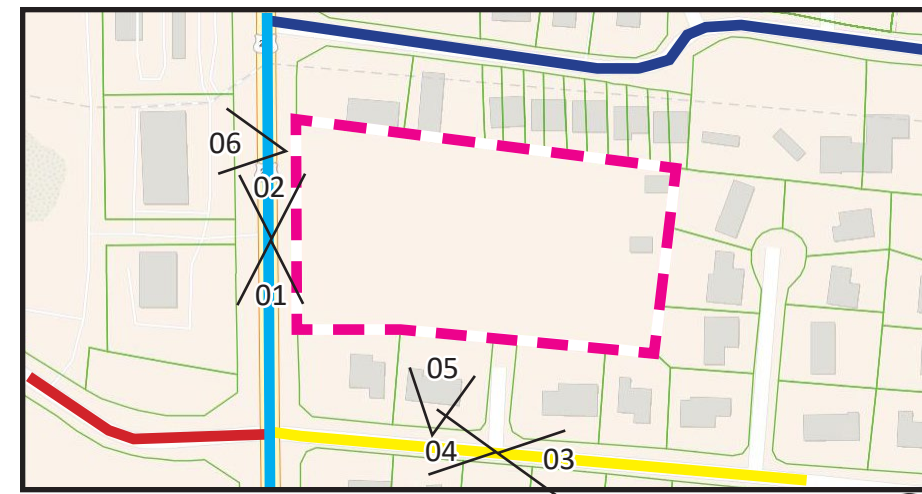
- Memorial Boulevard
- Brentmeade Drive
- King's Ridge Drive
- Fairfax Drive



PHOTO DIRECTION MAP

Not To Scale

Site Boundary



- Memorial Boulevard
- Brentmeade Drive
- King's Ridge Drive
- Fairfax Drive



PHOTO DIRECTION MAP

Not To Scale

Site Boundary





Site Data:

Total Land Area:	±4.08 Acres
Min. Open Space Required:	±0.82 Acres (20%)
Open Space Provided:	±1.00 Acres (25%)
Min. Formal Open Space Required:	±0.12 Acres (3%)
Formal Open Space Provided:	±0.12 Acres (3%)

Parking Requirements:

Building A - Neighborhood Shopping	7,600 SF
Parking Required: 1 space per 250 sf =	31 Spaces

Building B - Neighborhood Shopping	8,800 SF
Parking Required: 1 space per 250 sf =	36 Spaces

Building C - Neighborhood Shopping	8,125 SF
Parking Required: 1 space per 250 sf =	33 Spaces

Building D - Daycare	10,860 SF
Parking Required: 1 space per 300 sf =	37 Spaces
1.5 spaces per 2 employees =	12 Spaces

Total Parking Required =	149 Spaces
Total Parking Provided =	150 Spaces

Note:

Shared parking will be allowed between the multiple uses. A shared parking agreement will be completed per the Zoning Ordinance.

- Proposed Buildings
- Open Space
- Existing Tree Canopy to Remain
- Roadway
- Sidewalk
- Formal Open Space Patio

SEC, Inc.

SEC Project #20020

Murfreesboro, Tennessee

PROPOSED PLANNED COMMERCIAL DEVELOPMENT
CONCEPTUAL SITE AND LANDSCAPE PLAN

07

Development Standards:

- All parking will be located at least 10-feet from public rights-of-way and adjacent property lines.
- Building ‘A’ may have a drive-thru window for uses such as restaurants, financial institutions, dry cleaners, etc.
- All parking areas shall be screened from public rights-of-way via landscaping and/or berms.
- Any solid waste enclosures shall be constructed of materials consistent with building architecture, be at least 8 feet tall with opaque gates, and shall be enhanced with landscaping.
- All service areas shall be screened from R.O.W.s and adjacent properties.
- The development shall provide pedestrian connections to Memorial Boulevard and Brentmeade Drive.
- Monument signage shall be placed along Memorial Boulevard. Example location is provided on concept plan but may vary in exact location.
- Monument signage shall have materials consistent with the buildings architecture and be anchored with landscaping.
- Development signage shall comply with the City of Murfreesboro Sign Ordinance.
- All mechanical equipment located on the ground (i.e. HVAC and transformers) shall be screened with landscaping or fencing. If mechanical equipment is located on the roof, then they shall be screened from view via a parapet wall.
- All on-site utilities will be underground.
- On-site lighting will comply with the City of Murfreesboro standards to prevent light pollution.
- Parking will comply with the City of Murfreesboro Zoning Ordinance and the Shared Parking Study for this development.
- All parking will have curbing.
- Prior to construction plan review, a complete and thorough design of the stormwater management system and facilities will be completed.
- Mail service will be provided via CBU’s
- Outdoor Storage is prohibited, including garden and lawn supplies.
- Outdoor speakers for patios are permitted, they just can’t be amplified and shall only be for background ambiance.
- All Buildings will be established through a HPR.
- All common spaces will be maintained by owners association which will be managed by a 3rd party
- The proposed connection to Brentmeade Drive shall not be used for construction traffic and will be blocked off until final connection is made to the street.
- Common Formal Open Spaces shall be the responsibility of the developer, and shall be installed with the completion of Phase 1. The Formal Open Space shall be of a cohesive design with the overall development, and include Formal Open Space features and furniture to comply with Murfreesboro Design Guidelines.
- Restaurant spaces shall not occupy more than 30% Gross F.A. as defined by Neighborhood Shopping Center in the Murfreesboro Zoning Ordinance.

As a condition of the rezoning and delay of the development on remaining lands, the following shall be required as part of this phased development:

- All landscape buffers shall be installed with the completion of Phase 1. The Type ‘D’ Buffer along the eastern & southern boundaries shall have the fence and exterior landscaping installed at the completion of Phase 1. The internal buffer plantings along the development side of the fence shall be installed at the completion of the phase it resides in.
- Undeveloped phases are to be attractively graded, grass planted, and maintained as open green space until such time that those phases are developed
- Land in future phases is not to be used for parking of construction equipment or storage trailers after completion of Phase 1
- Land in future phases is not to be used for any temporary business (flea market, fireworks stand, etc.)

BUILDINGS A & B PERMITTED USES	
INSTITUTIONS	
Adult Day Care Center	X
Adult Day Care Home	X
Church ¹³	X
Day Care Center	X
Family Day Care Center	X
Group Day Care Center	X
Museum	X
Nursery School	X
Philanthropic Institution	X
Public Building ¹³	X
Senior Citizens Center	X
Student Center	X
AGRICULTURAL	
Farm Labor and Management Services	X
COMMERCIAL	
Amusement, Commercial Indoor	X
Animal Grooming Facility	X
Antique Shop <3,000 Sq.Ft.	X
Bakery, Retail	X
Bank or Credit Union, Branch Office or Main Office	X
Bank, Drive-Up Electronic Teller	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business School	X
Business and Communication Services	X
Catering Establishment	X
Clothing Store <3,000 Sq.Ft.	X
Convenience Sales and Service, Max. 5,000 Sq.Ft. Floor Area	X
Discount Store	X
Dry Cleaning	X
Financial Service (No Cash Advance)	X
Flower or Plant Store	X
Group Assembly, <250 Persons	X
Health Club	X
Interior Decorator	X
Janitorial Services	X
Karate, Instruction	X
Keys, Locksmith	X
Laboratories, Medical	X
Laboratories, Testing	X
Music or Dancing Academy	X
Neighborhood Shopping Center	X
Offices	X

Optical Dispensaries	X
Personal Service Establishment	X
Pet Shops	X
Pharmacies/Apothecaries	X
Reducing and Weight Control Service	X
Restaurant and Carry-Out Option	X
Restaurant, Specialty (Coffee, Food, or Beverage)	X
Restaurant, Specialty - Limited	X
Retail Shop, Other Than Enumerated Elsewhere	X
Specialty Shop	X
Veterinary Office	X
Veterinary Clinic	X
TRANSPORTATION AND PUBLIC UTILITIES	
Post Office or Postal Facility	X
Telephone or Communication Services	X
NOTES	
X = PERMITTED PROHIBITED USES: - Financial services payday loan/cash advance - Vape or smoke shops from retail or convenience store	

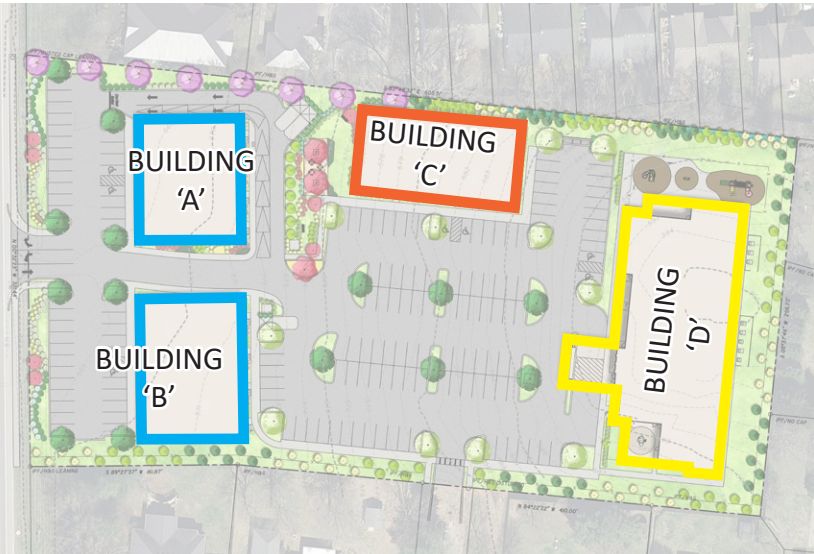
BUILDING C PERMITTED USES	
INSTITUTIONS	
Adult Day Care Center	X
Adult Day Care Home	X
Church ¹³	X
Day Care Center	X
Group Assembly <250 persons	X
Museum	X
Nursery School	X
Philanthropic Institution	X
Public Building ¹³	X
Senior Citizens Center	X
Student Center	X
AGRICULTURAL	
Farm Labor and Management Services	X
COMMERCIAL	
Antique Shop <3,000 Sq.Ft.	X
Bakery, Retail	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business and Communication Services	X
Catering Establishment	X
Clothing Store <3,000 Sq.Ft.	X
Dry Cleaning	X
Financial Service (No Cash Advance)	X
Flower or Plant Store	X
Health Club	X
Interior Decorator	X
Neighborhood Shopping Center	X
Offices	X
Personal Service Establishment	X
Pharmacies/Apothecaries	X
Reducing and Weight Control Service	X
Restaurant and Carry-Out Option	X
Restaurant, Specialty (Coffee, Food, or Beverage)	X
Restaurant, Specialty - Limited	X
Specialty Shop	X
Veterinary Office	X
TRANSPORTATION AND PUBLIC UTILITIES	
Post Office or Postal Facility	X
NOTES	
X = PERMITTED PROHIBITED USES: - Financial services payday loan/cash advance - Vape or smoke shops from retail or convenience store	

Allowable Uses:

The immediate end users for all of Memorial Plaza are, at this time, currently unknown. The allowable uses outlined on this page are reflected within the Commercial Fringe (CF) and the Commercial Local (CL) districts in the current August 18, 2022 zoning ordinance. Memorial Plaza will allow the following uses listed above .

BUILDING D PERMITTED USES	
INSTITUTIONS	
Adult Day Care Center	X
Adult Day Care Home	X
Church ¹³	X
Day Care Center	X
Group Assembly <250 persons	X
Museum	X
Nursery School	X
Philanthropic Institution	X
Public Building ¹³	X
Senior Citizens Center	X
Student Center	X
AGRICULTURAL	
Farm Labor and Management Services	X
COMMERCIAL	
Antique Shop <3,000 Sq.Ft.	X
Bakery, Retail	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business and Communication Services	X
Catering Establishment	X
Clothing Store <3,000 Sq.Ft.	X
Dry Cleaning	X
Financial Service (No Cash Advance)	X
Flower or Plant Store	X
Health Club	X
Interior Decorator	X
Neighborhood Shopping Center	X
Offices	X
Personal Service Establishment	X
Pharmacies/Apothecaries	X
Reducing and Weight Control Service	X
Restaurant, Specialty (Coffee, Food, or Beverage)	X
Specialty Shop	X
Veterinary Office	X
TRANSPORTATION AND PUBLIC UTILITIES	
Post Office or Postal Facility	X
NOTES	
X = PERMITTED PROHIBITED USES: - Financial services payday loan/cash advance - Vape or smoke shops from retail or convenience store	

Allowable Use Diagram





PHASES	PARKING SPACES	ACRES
PHASE 1	39 Spaces	1.38 AC
PHASE 2	29 Spaces	0.40 AC
PHASE 3	64 Spaces	1.02 AC
PHASE 4	21 Spaces	1.28 AC
TOTAL	153 Spaces	4.08 AC

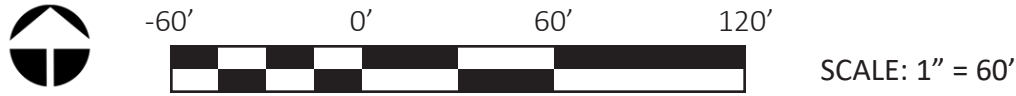
- Phase 1
- Phase 2
- Phase 3
- Phase 4

Conceptual Phasing Plan

- This project is anticipated to be built in 4 Phases.
- Construction of Phase 1 is planned to begin within 90-120 days after the completion of the rezoning process.
- Phase 1 will include Building 'A' and all parking along Memorial Boulevard.
- Phase 2 will include Building 'B', additional parking behind Building 'B', and the proposed connection to Brentmeade Drive.
- Phase 3 will include Building 'C', additional parking behind Building 'A', and the formalized open space for the site.
- Phase 4 will include Building 'D' and the remaining parking.
- Open space and associated amenities shall be constructed and operational prior to the final plat for the following phase.
- All formal open space furniture and improvements to be tenet drive.
- All landscape buffers shall be constructed with their respective phases.

SEC, Inc.

SEC Project #20020 Murfreesboro, Tennessee



Architectural Characteristics:

- Building heights shall not exceed 35 feet in height
- All buildings will be single-story
- Buildings shall have a well-defined architectural base via different materials, colors, changes in pattern, or a combination of these techniques. The building foundations shall be accented with a 3-ft wide landscaping bed except where drive-through windows are provided.
- Main entrances are to be well defined and easily recognizable by the use of; raised roof lines, canopies, glazing, change in materials, change in color, and/or change in building planes.
- Masonry materials (brick, stone, cast stone, synthetic stone) will be the primary building materials.
- All buildings shall comply with Murfreesboro Design Guideline standards.

Building Materials:

Front Elevations: All Masonry (Brick, Stone, Cement Board Siding)
Side Elevations: All Masonry (Brick, Stone, Cement Board Siding)
Rear Elevations: All Masonry (Brick, Stone, Cement Board Siding)
All Elevations: Vinyl Only Permitted in Trim & Soffit Areas

STONE



MANUFACTURER: GENERAL SHALE
STYLE: ARRIS STACK THIN STONE
COLOR: BEACH-STACK

BRICK A



MANUFACTURER: GENERAL SHALE
STYLE: MASONRY-DENVER
COLOR: HERITAGE 441

BRICK B



MANUFACTURER: GENERAL SHALE
STYLE: MASONRY-DENVER
COLOR: PARCHMENT

*Different cuts, colors, and patterns will be allowed for each architectural material.



Site Setbacks
Front Setback (Memorial Boulevard): 42-feet
Side Setback: 10-feet
Rear Setback: 20-feet



BUILDING A ELEVATIONS

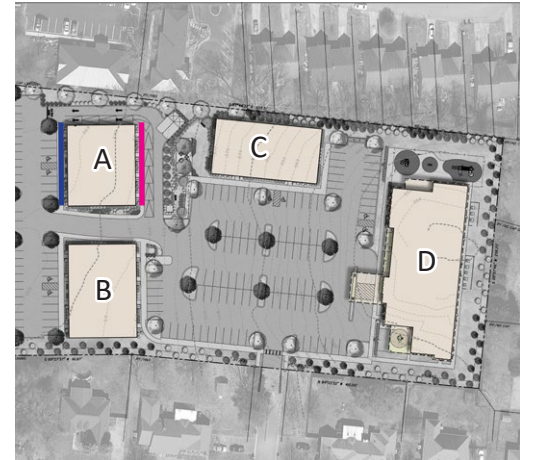


C1 WEST - EXTERIOR ELEVATION (Front)



C3 EAST - EXTERIOR ELEVATION (Rear)

BUILDING A ELEVATIONS



BUILDING A ELEVATIONS



C2 NORTH-EXTERIOR ELEVATION (Side)



C5 SOUTH- EXTERIOR ELEVATION (Side)



C1 WEST- EXTERIOR ELEVATION (Front)



C2 EAST- EXTERIOR ELEVATION (Rear)

BUILDING B ELEVATIONS



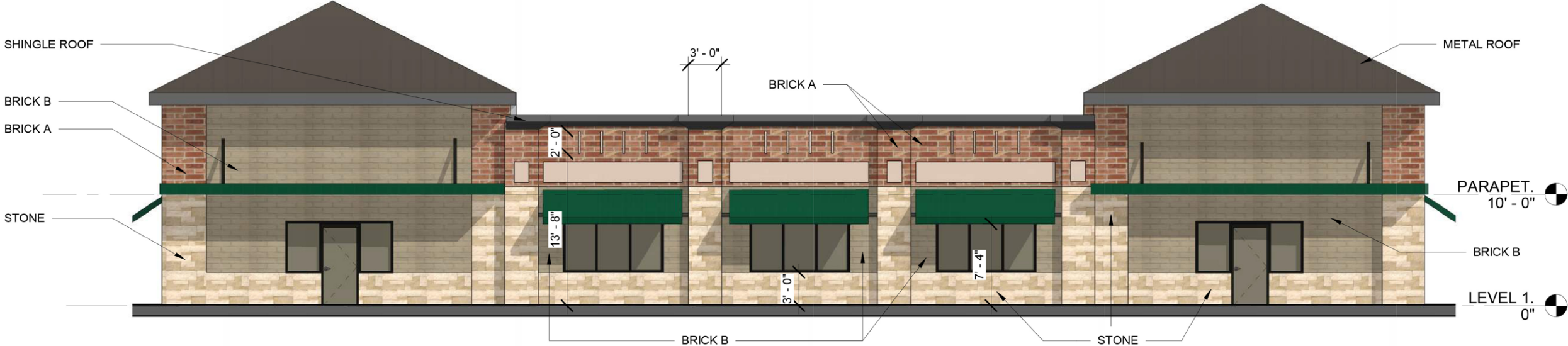
C4 NORTH- EXTERIOR ELEVATION (Side)



E4 SOUTH- EXTERIOR ELEVATION (Side)



C1 SOUTH- EXTERIOR ELEVATION (Front)



C2 NORTH- EXTERIOR ELEVATION (Rear)



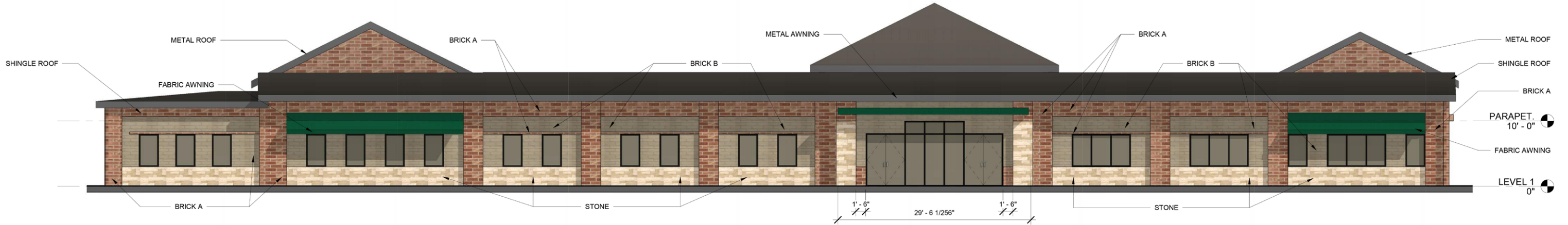
C5 EAST- EXTERIOR ELEVATION (Side)



C3 WEST- EXTERIOR ELEVATION (Side)



E2 WEST- EXTERIOR ELEVATION (Front)



E1 EAST- EXTERIOR ELEVATION (Rear)

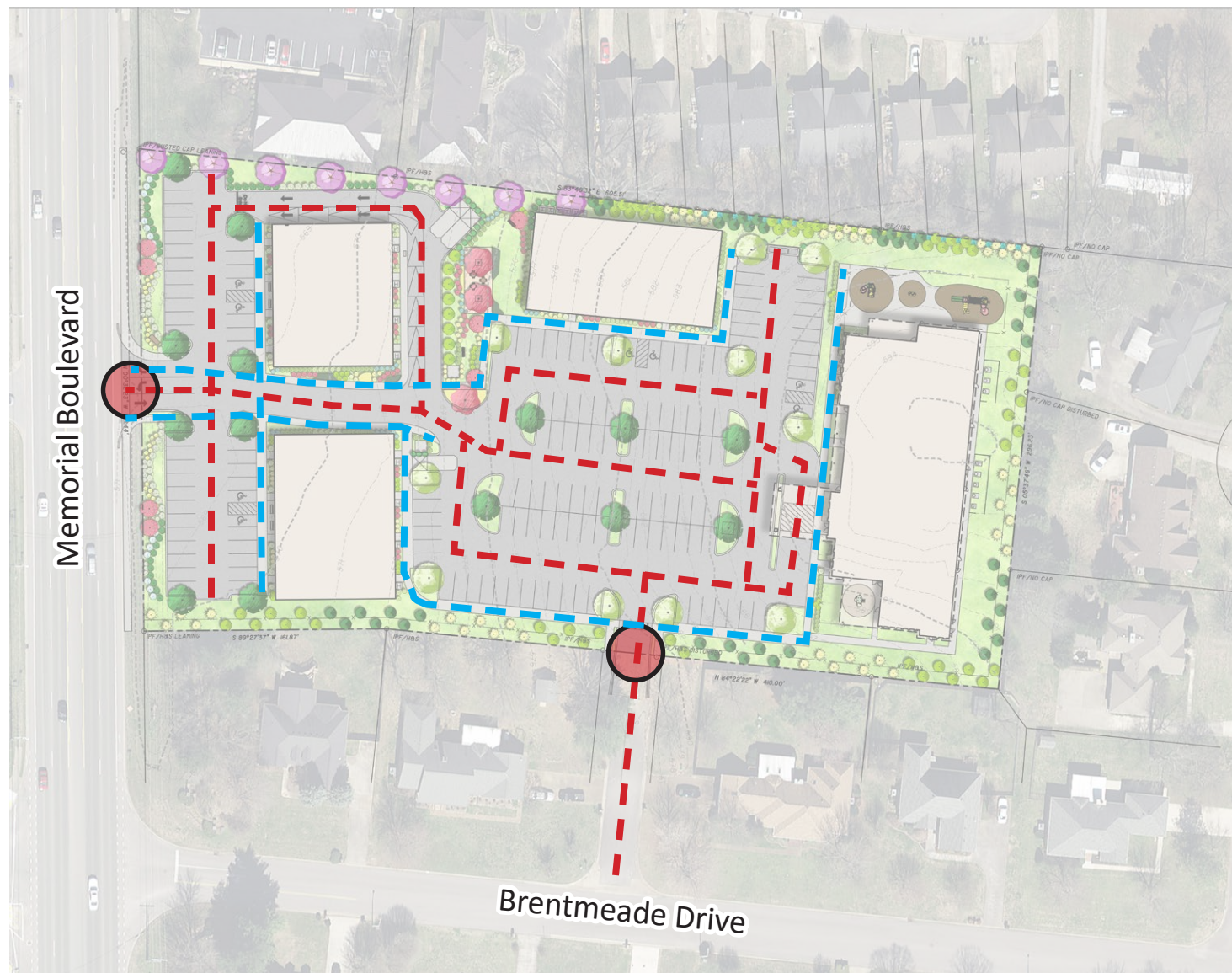
BUILDING D ELEVATIONS



E4 NORTH - EXTERIOR ELEVATION (Side)

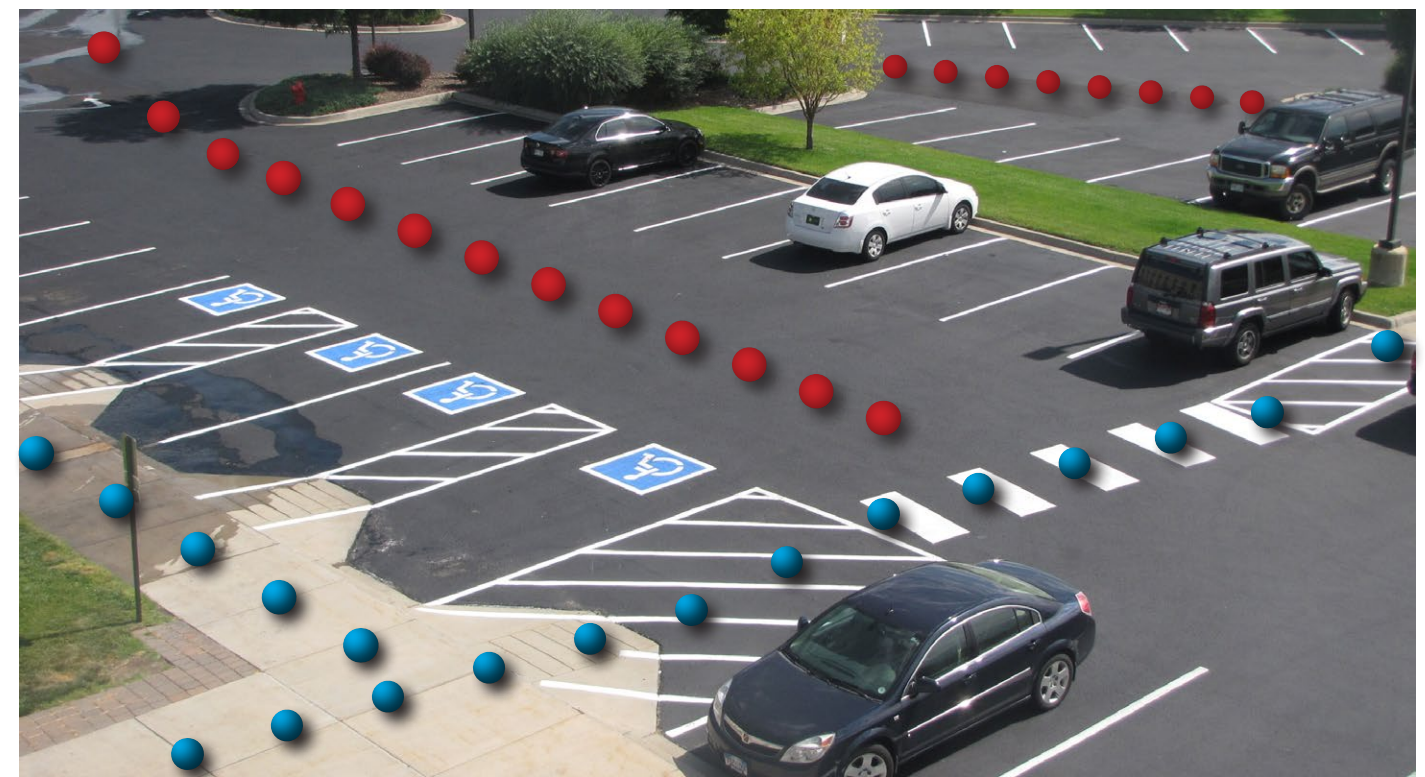


B4 SOUTH- EXTERIOR ELEVATION (Side)



Pursuant to the City of Murfreesboro's 2040 Major Thoroughfare Plan (MTP), none of the surrounding roadways in this development are slated for improvements. Memorial Boulevard is the thoroughfare where the majority of vehicular trips generated by this development will impact. It is currently built as a 4-lane cross-section with a central turning median and curb and gutter along with sidewalks on both sides of the roadway.

The primary means of ingress/egress from this site will be onto Memorial Boulevard and Brentmeade Drive. The proposed entrance onto Memorial Boulevard will incorporate three travel lanes for proper circulation into and out of the development. The concept plan has included multiple points of ingress/egress from the development to promote connectivity to the surrounding areas. The illustration above shows the proposed locations of all points of ingress/egress for the development.



Cross-walks shall be provided in areas where pedestrian and vehicular traffic conflict. The pedestrian circulation within the site will be connected to the existing sidewalks along Memorial Boulevard and the existing roadway of Brentmeade Drive.



- 12-ft Wide Type 'C' Landscape Buffer
- 15-ft Wide Type 'D' Landscape Buffer

The site has been designed with ample landscaping to provide not only an aesthetically pleasing experience for the business owners and their patrons, but to aid in mitigating impacts to the surrounding areas. To ensure these characteristics some of the standards are outlined on the next page, as well as images representing design elements on site.



EXAMPLE OF ENTRANCE SIGN



EXAMPLE OF VINYL FENCING



EXAMPLE OF PROPOSED LANDSCAPE BUFFERS

Landscaping Characteristics:

- A minimum 10 feet of landscape area between parking and all property lines.
- Public rights-of-way screened from parking by use of landscaping and/or berming.
- A Type 'D' Option 2 Landscape Buffer with a 10' tall opaque wooden or vinyl privacy fence, and a single row of 6-ft tall evergreen trees planted 10-ft on center on each side of the fence shall be installed along the eastern and southern boundaries with residential lots.
- A Type 'C' Landscape Buffer with a double staggered row of 6-ft tall evergreen trees planted 10-ft on center shall be installed along the portion of the northern boundary which abuts residential uses. In addition to the evergreen trees, single row of evergreen shrubs will fill in the gaps between the evergreen trees during the first few years of the buffer till the trees mature and fill in the buffer. The evergreen shrubs will be a minimum 2 feet tall at the time of planting.
- Landscape buffers will be installed within the phase they are constructed with.
- All above ground utilities and mechanical equipment shall be screened with landscaping and/or fences.
- The fronts and sides at the base of buildings will have a 3-ft wide landscape strip unless the facade is abutting a required landscape buffer or drive-thru window.
- Landscaping will be in conformance with the City of Murfreesboro's landscaping ordinance.
- Detention ponds and other stormwater facilities shall follow beautification standards per City of Murfreesboro landscaping ordinance.
- All common open space and landscape areas on the site shall be owned and maintained by the owners of each building or via a common commercial owners association for the development.

1.) A map showing available utilities, easements, roadways, rail lines and public right-of-way crossing and adjacent to the subject property.

Response: The exhibits given on Pages 3-6 meet this requirement.

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; location and extent of water courses, wet-lands, floodways, and floodplains on or within one hundred (100) feet of the subject property; existing drainage patterns; lo-cation and extent of tree cover; and community greenways and bicycle paths and routes in proximity to the subject property.

Response: The exhibits given on Pages 3-6 meet this requirement.

3.) A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the loca-tion of structures on-site and within two hundred (200) feet of the subject property and the identification of the use thereof.

Response: The exhibits given on Pages 3-6 meet this requirement.

4.) A drawing defining the location and area proposed to be developed for buildings and parking; standards for pedestrian and vehicular circulation; the proposed points of ingress and egress to the development; the provision of spaces for loading; proposed screening to be made in relation to abutting land uses and zoning districts; and the extent of proposed landscap-ing, planting and other treatment adjacent to surrounding property.

Response: Pages 7-8 provide exhibits and standards that provides the required materials.

5.) A circulation diagram indicating the proposed principal movement of vehicles, goods and pedestrian within the develop-ment to and from existing thoroughfare.

Response: Pages 7 &13 provide exhibits and standards that provides the required materials.

6.) 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 spaces and public improvements that will be required at each stage
- (DD): A breakdown by phase for subsections (5) and (6) above.

Response: The project is anticipated to be developed in four phases. Development is anticipated to begin within 180 days of rezoning approval, and will include all public infrastructure.

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 per-mit the development and use of neighboring property in accordance with the applicable regulations of this article.

Response: The property is currently zoned RS-15. The surrounding area has a mixture of residential and commercial properties. The concept plan and development standards combined with the architectural requirements of the buildings shown within this booklet align and closely mimic the type of developments in the surrounding neighborhoods and are envisioned to complement existing and future development in this area.

8.) A statement setting forth in detail the manner in which the proposed planned development deviates from the zoning and Subdivision Regulations which would otherwise be applicable to the subject property

Response: The applicant is requesting the following exceptions with this PCD.

SETBACKS	CH	PCD	DIFFERENCE
Front Setback	42.0’	42.0’	0.0’
Side Setback	10.0’	10.0’	0.0’
Rear Setback	20.0’	20.0’	0.0’
Minimum Lot Size	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A

9.) 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). These tabulations are for the PCD.

Response: This requirement has been addressed in the chart below.

TOTAL SITE AREA	177,646 s.f.
TOTAL MAXIMUM FLOOR AREA	40,000 s.f.
TOTAL LOT AREA	177,646 s.f.
TOTAL BUILDING COVERAGE	40,000 s.f.
TOTAL DRIVE/ PARKING AREA	69,691 s.f.
TOTAL RIGHT-OF-WAY	0 s.f.
TOTAL LIVABLE SPACE	107,955 s.f.
TOTAL OPEN SPACE	43,560 s.f.
FLOOR AREA RATIO (F.A.R.)	0.23
LIVABILITY SPACE RATIO (L.S.R.)	0.38
OPEN SPACE RATIO (O.S.R.)	0.77

10.) 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

Response: This property is not in the Gateway Design Overlay District , Airport Overlay District (AOD), Historic District (H-1), or Planned Signage Overlay District (PS). No portions of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0145H eff. 1/4/2007.

11.) The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as ad-opted and as it may be amended from time to time.

Response: Pages 3 & 19 discusses the Major Thoroughfare Plan.

12.) 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 represen-tative shall be designated.

Response: The primary representative is Matt Taylor of SEC, Inc. developer/ applicant is B&N Patel contact info for both is provided on cover.

13.) Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. The location and orientation of exterior light fixtures and of garages shall be shown if such are to be included in the structures.

Response: Pages 10-18 show the architectural character of the proposed building and building materials listed.

14.) If a development entrance sign is proposed the application shall include a description of proposed signage for the de-velopment including calculations of square footage and height. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.

Response: Examples of entrance signage are located on Page 20.

Land Use Parameters and Building Setbacks			
Zoning (Existing vs Proposed)	CH (Most Relevant)	Proposed PCD	Difference
Residential Density			
Maximum Dwelling Units Multi-Family	N/A	N/A	N/A
Minimum Lot Area	N/A	t	N/A
Minimum Lot Width	N/A	N/A	N/A
Minimum Setback Requirements			
Minimum Front Setback	42'	42'	0'
Minimum Side Setback	10'	10'	0'
Minimum Rear Setback	20'	20'	0'
Land Use Intensity Ratios			
MAX FAR	None	None	NA
Minimum Livable Space Ratio	None	None	NA
Minimum Open Space Requirement	20%	20%	0%
Minimum Formal Open Space Requirement	3%	3%	0%
Max Height	75'	35	-40'

PCD Exceptions Request Summary:

- No exceptions are being requested at this time.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: MARINA RUSH**

4.b. Annexation petition and plan of services [2022-507] for approximately 0.81 acres located along South Church Street and Highfield Drive, Sam Willard applicant.

The property owner, Sam Willard, has submitted a petition requesting his property be annexed into the City of Murfreesboro. The subject property is 0.54 acres, located along the west side of South Church Street and south of Highfield Drive, and is developed with an existing single-family residence. The annexation study area includes approximately 185 linear feet of Highfield Drive right-of-way (ROW). On December 5, 2022, the County Road Board granted its consent to annex this segment of ROW. Attached to this staff report are maps illustrating the annexation study area for the following:

- Tax Map Parcel 125 O, Group A, Parcel 3.00 (0.54 acres)
- Highfield Drive ROW (0.27 acres)

The annexation study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous to the City limits along the east property line at the South Church Street ROW. In addition, the City is in the process of updating the Murfreesboro 2035 Comprehensive Plan Chapter 4 Future Land Use Map, which includes a Service Infill Line. The subject property is located within the proposed Service Infill area.

Simultaneous with this application is a request to zone the property to Planned Commercial District (PCD) to allow for the development of a commercial multi-tenant building. A neighborhood meeting was held on November 28, 2022, at the Barfield Crescent Park Wilderness Station, and the neighbor comments made were primarily regarding the companion PCD zoning as it relates to site design and the uses proposed to be permitted. No comments were made by the neighbors regarding this requested annexation.

Staff has prepared a plan of services (POS) for the proposed annexation, which provides detailed information regarding each of the City services. It demonstrates that City services can be provided to the subject property. The POS is an attachment to this staff report for reference regarding the City services.

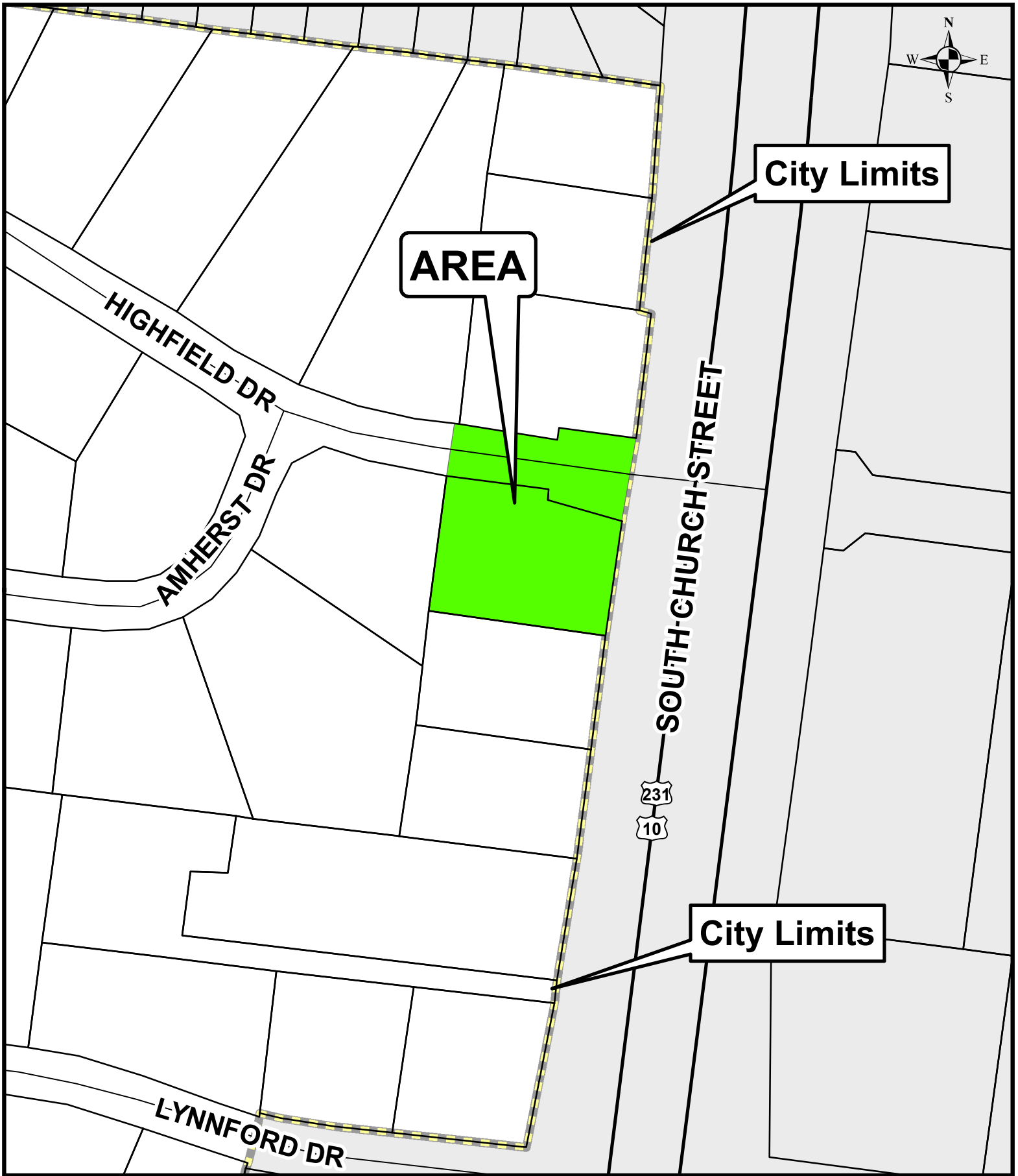
Staff Recommendations:

Staff recommends approval of the annexation based on the following reasons:

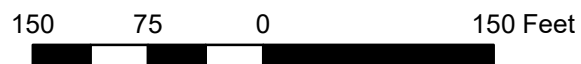
- a. Study area is contiguous with the existing City limits and is within the Murfreesboro Urban Growth Boundary.
- b. Study area is in the Service Infill area of the proposed update to the 2035 Comprehensive Plan Land Use Map.
- c. City services can be provided to the subject property upon annexation.
- d. Simultaneous with this application is a request to zone the property to PCD, and City services can be provided to the subject property for future commercial development.

Action Needed:

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



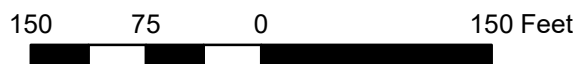
Annexation Request for Property located along South Church Street and Highfield Drive



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



**Annexation Request for Property located
along South Church Street and Highfield Drive**



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

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. Sam Willard

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

Signature: [Signature] Status: owner Date: 11-10-22

3400 S. Church St.
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**

pd. \$500.00
Receipt 818524



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: Salem Investment Partners c/o Bobby Kirby

Address: P.O. Box 669 City/State/Zip: McMinnville, TN 37111

Phone: 615-607-8770 E-mail address: bobby@investmentpartnersllc.com

PROPERTY OWNER: Sam Willard

Street Address or property description: 3400 South Church Street

and/or Tax map #: 1250 Group: A Parcel (s): 3.00

Existing zoning classification: RM - Rutherford County

Proposed zoning classification: PCD Acreage: 0.54 acres

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:

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

Amneration pl \$
Receipt 815524 500.00

Date received: MPC YR.: MPC #: 2022-507

Amount paid: Receipt #: 2022-428

Revised 7/20/2018

**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG SOUTH CHURCH STREET AND HIGHFIELD DRIVE
(ADDRESSED 3400 SOUTH CHURCH STREET)
INCLUDING PLAN OF SERVICES
(FILE 2022-507)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION – JANUARY 11, 2023**



Annexation Request for Property located along South Church Street

160 80 0 160 Feet

Planning Department
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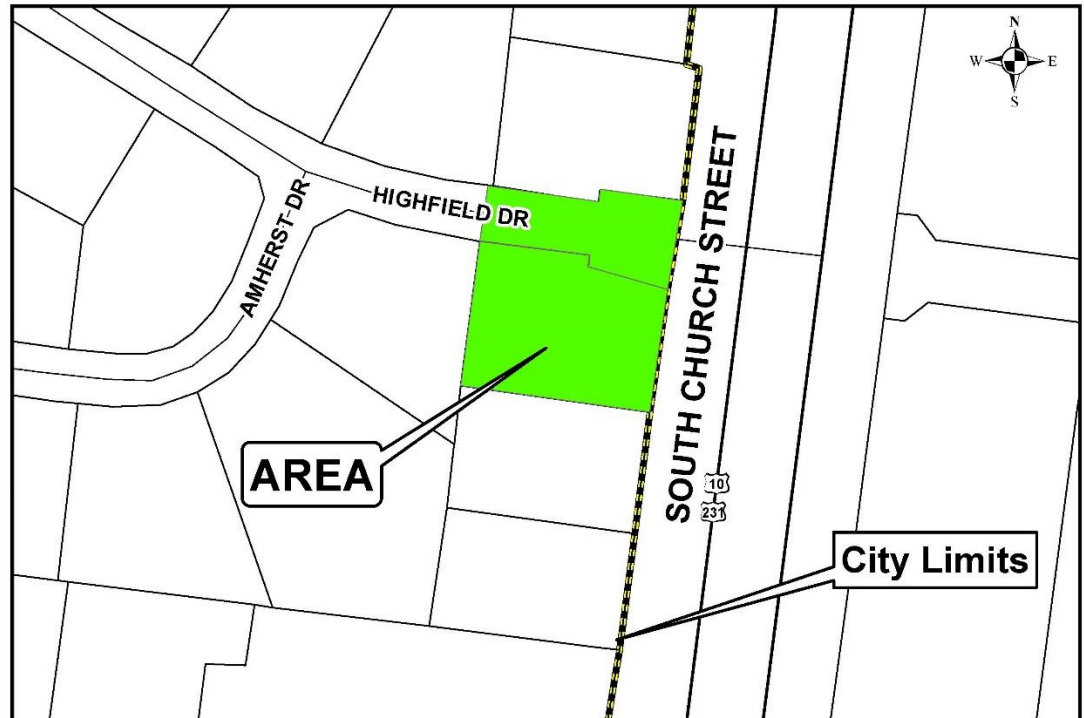
INTRODUCTION

OVERVIEW

The property owner, Sam Willard, has submitted a petition requesting his property be annexed into the City of Murfreesboro. The subject property is 0.54 acres, located along the west side of South Church Street and south of Highfield Drive. The annexation study area includes 185 linear feet of Highfield Drive right-of-way (ROW). The County Road Board granted its consent to annex this segment of ROW at its December 5, 2022, meeting.

The requested property is developed with a single-family residence. It is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the east property line at the South Church Street ROW. In addition, the City is in the process of updating the Murfreesboro 2035 Comprehensive Plan Chapter 4 and the Future Land Use Map, and the update includes a Service Infill Line. The subject property is located inside of this Service Infill area. The property tax map numbers are:

- Tax Map Parcel 125 O, Group A, Parcel 3.00 (0.54 acres)
- Highfield Drive ROW (0.27 acres)



Annexation Request for Property located along South Church Street

160 80 0 160 Feet

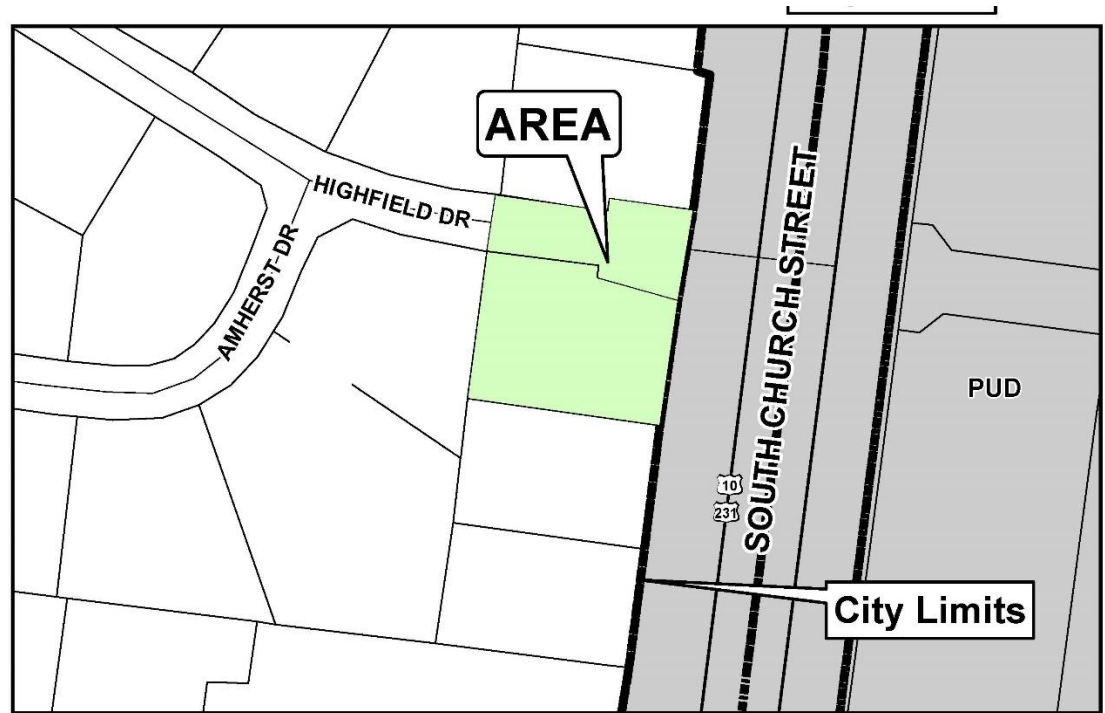
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CITY ZONING

A separate application has been submitted by Salem Investment Partners for PCD (Planned Commercial District) zoning for the study area simultaneous with annexation. The subject parcel is currently zoned Residential Medium-Density (RM) in the County of Rutherford.

The surrounding area consists of a mixture of zoning types and uses. The land to the north, west and south is zoned Medium Density Residential (RM) in Rutherford County. The land to the east across South Church Street is zoned Marketplace at Savannah Ridge PUD (Planned Unit District) and developed with an Aldi's and under construction for other retail buildings.

The property at the south property line is a residence and has an approved Conditional Use Permit (Rutherford County, file number A-841) to operate a commercial massage therapy and chiropractic business out of the home.



**Zoning Request for Property along South Church Street
and Highfield Drive
PCD (South Church Corner PCD)
Simultaneous with Annexation**

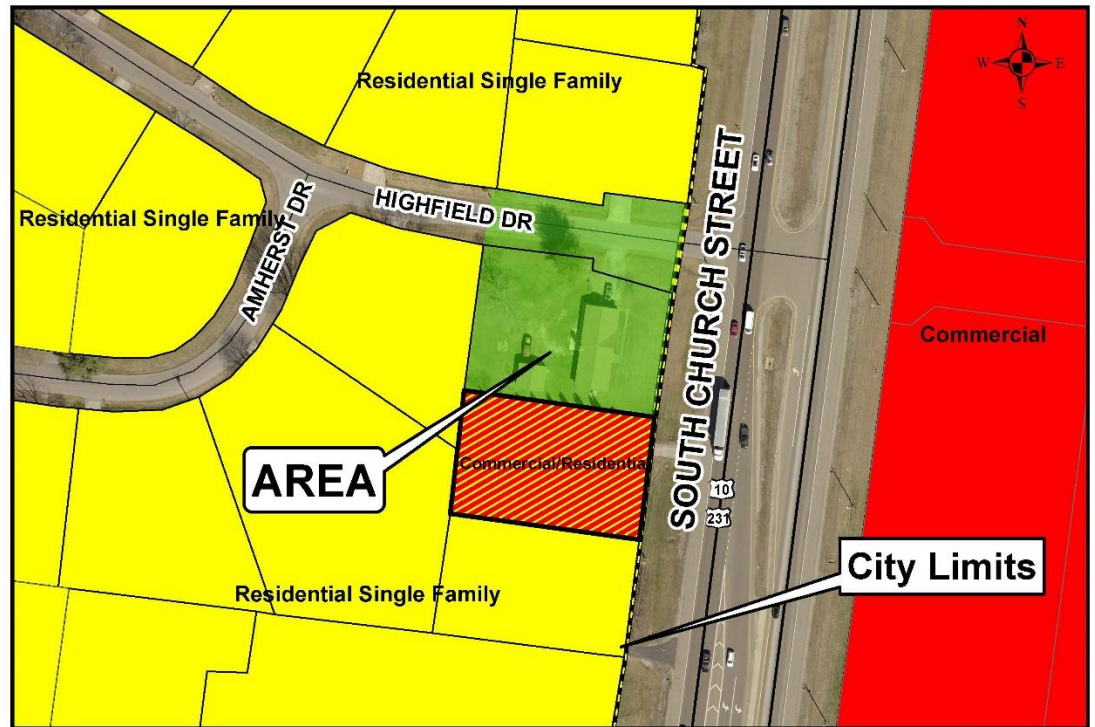
150 75 0 150 Feet

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PRESENT AND SURROUNDING LAND USE

The land uses for the subject property include an existing single-family residence on the 0.54-acre parcel. Surrounding properties are developed with single family residences to the west, north and south. Some of the residences fronting out to South Church Street have commercial businesses operating in the houses. The contiguous property to the south, in unincorporated Rutherford County, has a valid Conditional Use Permit to operate a commercial business from the house for a chiropractic service and massage therapist with gravel parking and sign located in the front along South Church Street (depicted with red hatching on the adjacent map).

The properties to the east are zoned PUD and being developed as a neighborhood shopping center, including Aldi's, and attached single family residences. To the southeast is Walmart.



Annexation Request for Property located along South Church Street

160 80 0 160 Feet

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TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2023 will be due on December 31, 2024. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is vacant. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements + Yard Item Value	Total Assessment	Estimated City Taxes
Sam Willard	0.54	\$55,000	\$243,600	\$77,750	\$1,002.51

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 such as patrol, criminal investigation, community policing, traffic operations, canine, DARE, and other community crime prevention programs to the subject parcel immediately upon the effective date of annexation. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation. This property is in Police Zone #7.

ELECTRIC SERVICE

The study area is currently served by Middle Tennessee Electric (MTE). MTE has existing electric facilities along the west side of South Church Street and has capacity to accommodate any future development. All new electrical infrastructure installed to serve the future development will be required to adhere to MTE standards.

STREET LIGHTING

Streetlights are installed along east side of South Church Street. New development would not impact existing streetlights.

SOLID WASTE COLLECTION

The study area is currently developed with a single-family residence. The service day would be on Tuesday, the cost of the cart will be \$53.30, and the monthly service to the property will be \$7.50 per month attached to the water bill. If the property is rezoned to commercial, PCD, any future development will need to be serviced by a private solid waste management service required at the time of development.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to any residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees.

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. There is one single family residence on the subject property, so the property will have minimal impact on MCS in its current state. The property, if annexed, would become part of the Salem Elementary school zone. Since the study area is proposed for commercial, PCD, zoning, there would not be any impacts to the City Schools with future development.

BUILDING AND CODES

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

PLANNING, ENGINEERING, AND ZONING SERVICES

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

structures for compliance with the City's development regulations.

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area has access to existing South Church Street and Highfield Drive. The study area includes approximately 180 linear feet of Highfield Drive ROW. Highfield Drive is an existing 2-lane, ditch section roadway. Upon annexation, the City will be responsible for operation and maintenance of this street. Based on a 15-year repaving cycle, the annualized maintenance cost for Highfield Drive is \$250 with State Street Aid and General Fund as funding sources. The addition of the ROW will also result in approximately \$45 of capital cost annually with State Street Aid and General Fund as funding sources. Any new connections to Highfield Drive must be approved by the City Engineer and any connections to South Church Street must be approved by TDOT and the City Engineer. Additionally, development of the property will require participation in construction of improvements to the roadway and ROW/easement dedication in accordance with the City's Substandard Street requirements.

No additional public roadways are included in the study area. Any new public roadways to serve the study area must be constructed to City Standards.

REGIONAL TRAFFIC & TRANSPORTION

The study area has access to South Church Street. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows South Church Street to be operating at a Level of Service C in the study area using average daily traffic (ADT) counts. The 2040 Level of Service Model indicates that South Church Street operates at a Level of Service of D without the proposed improvements recommended in the 2040 Plan.

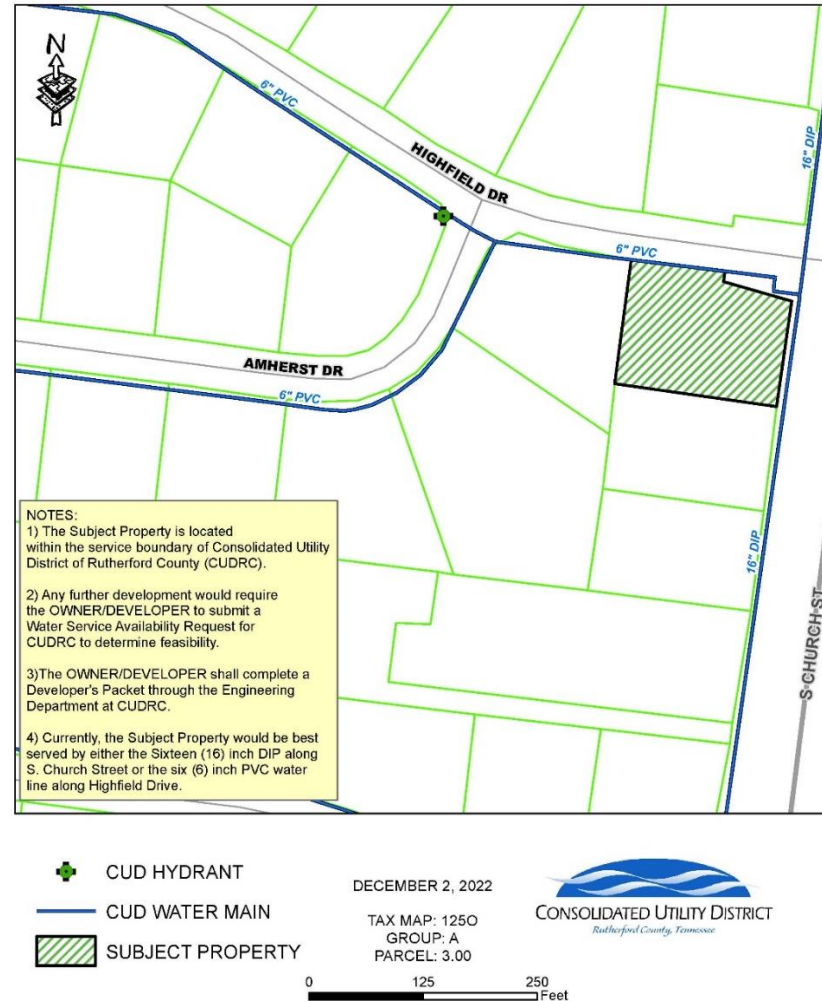
WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. The Study area can be served by the existing 16--inch ductile iron water main (DIP) located along South Church Street or the existing 6-inch PVC water line located along Highfield Drive.

Prior to any future development, the developer of the property will be required to submit a Water Availability Application to determine feasibility and to complete CUD's Developer Packet through CUD's Engineering Department prior to entering the construction phase. Any new water line

development must be done in accordance with CUD's development policies and procedures.

3400 S. Church Street Annexation Request



FIRE AND EMERGENCY SERVICE

The study area contains an existing single-family dwelling. The Murfreesboro Fire and Rescue Department (MFRD) can provide emergency services to the study area immediately upon the effective date of annexation at no additional expense. MFRD can also provide fire protection upon annexation at no additional expense.

Currently the study area is located 0.75 miles from Fire Station #2 (2880 Runnymede Drive). The red line on the adjacent map represents the linear distance from the nearest fire station.



Annexation request for property and right-of-way along
South Church Street and Highfield Drive

1,300 650 0 1,300 Feet

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111 West Vine St.
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SANITARY SEWER SERVICE

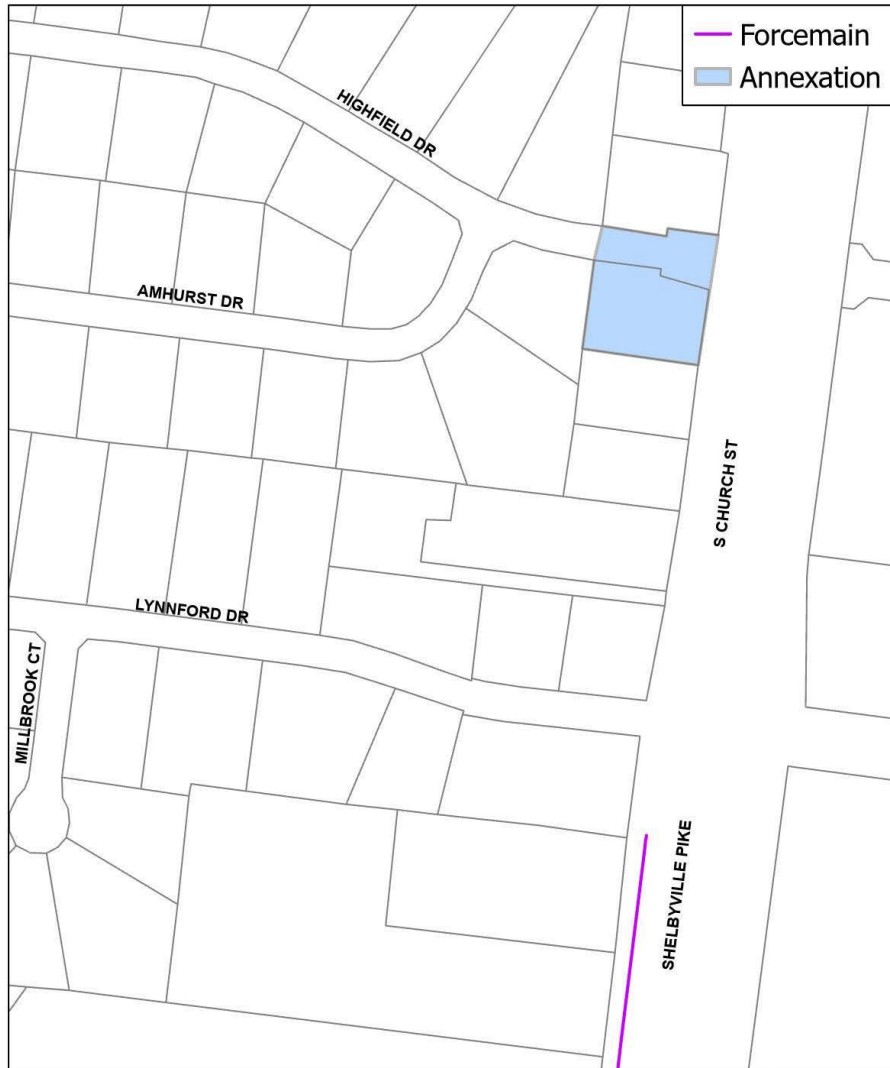
To serve the Study Area, off-site sewer must be extended by the developer. There is an existing 2 ½ " sewer force main south of Lynnford Drive, as depicted by the purple line on the following map. This force main must be extended from its current location to the north property line of the proposed development. Should the property remain in its current state, it would continue to use the existing septic system.

This property is not within the original limits of the South Church Street Sanitary Sewer Assessment District (AD); however, the Ordinance is written, that should anyone connect to the sewer installed within the AD, that they would pay the same assessment fee. This AD fee is \$10,600 per acre in addition to the standard and customary sewer connection fee of \$2,550 per single family unit or retail space.

Regarding the Sewer Allocation Ordinance (SAO), during the application meeting, it was determined that with the size of the property (0.54 acres), the planned zoning of Planned Commercial District (PCD), and the use of the building as an urgent care clinic, that this

use would meet the requirements of the SAO. Staff has determined there is capacity within this sewer force main as well as the downstream gravity sewer main to serve the development.

All main line extensions are the financial responsibility of the developer and must be extended in accordance with the Development Policies and Procedures of MWRD.



MURFREESBORO WATER RESOURCES DEPARTMENT

Annexation Request South Church St and Highfield Dr



DRAINAGE

Public Drainage System

The drainage systems are available in the study area and include facilities in South Church Street and Highfield Drive. The South Church Street drainage system is the responsibility of TDOT for routine maintenance. The Highfield Drive drainage system will become the responsibility of the City upon annexation of the right-of-way. Routine maintenance for these facilities is included within the expected annual maintenance costs for the public roadway. State Street Aid and Stormwater Utility Fee are anticipated sources for funding the public drainage facilities operation and maintenance.

No additional public drainage facilities are included in the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

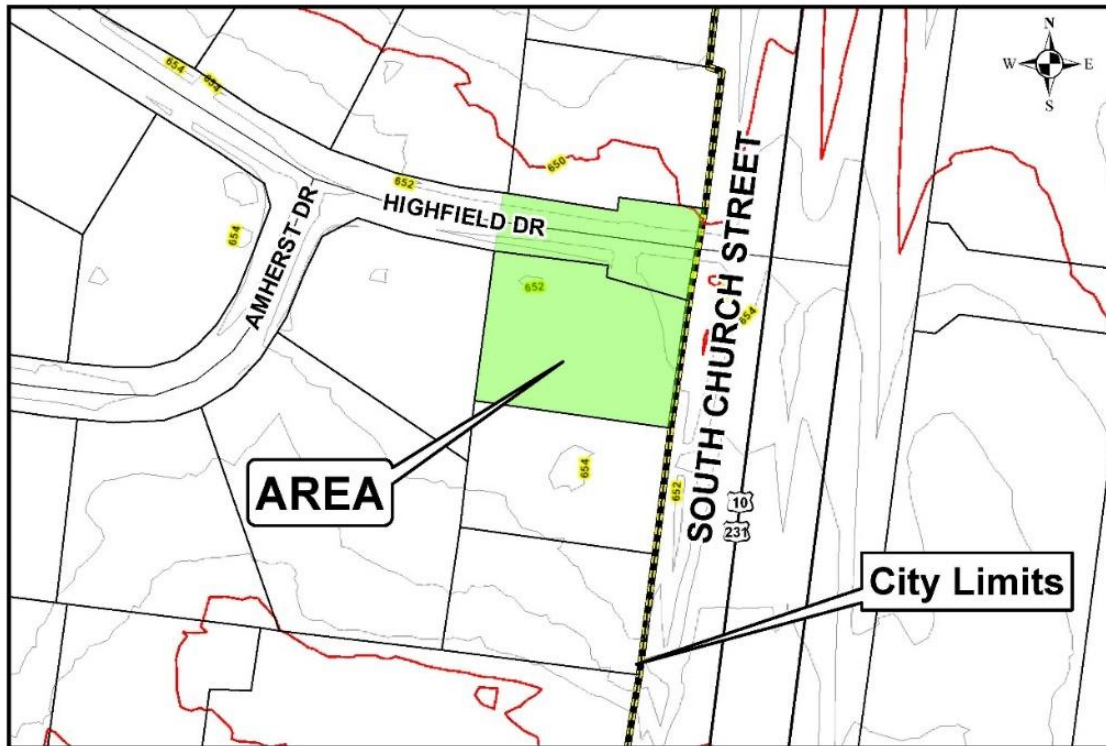
Regional Drainage Conditions

A review of the regional drainage patterns indicates the study area drains toward the right-of-way of South Church Street then north to Middle Fork of the Stones River. Overtopping of stormwater on South Church Street less than half a mile downstream from the study area has been an issue in past.

Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The study area currently has 1 single family residence and will generate approximately \$39 per year in revenue for the Stormwater Utility Fee. Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed PCD (Planned Commercial District) zoning, the future development of the study area will result in approximately \$115 additional revenue per year into the Stormwater Utility Fund upon full buildout.

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



Annexation Request for Property located along South Church Street

160 80 0 160 Feet

A horizontal scale bar with markings for 160, 80, 0, and 160 feet.

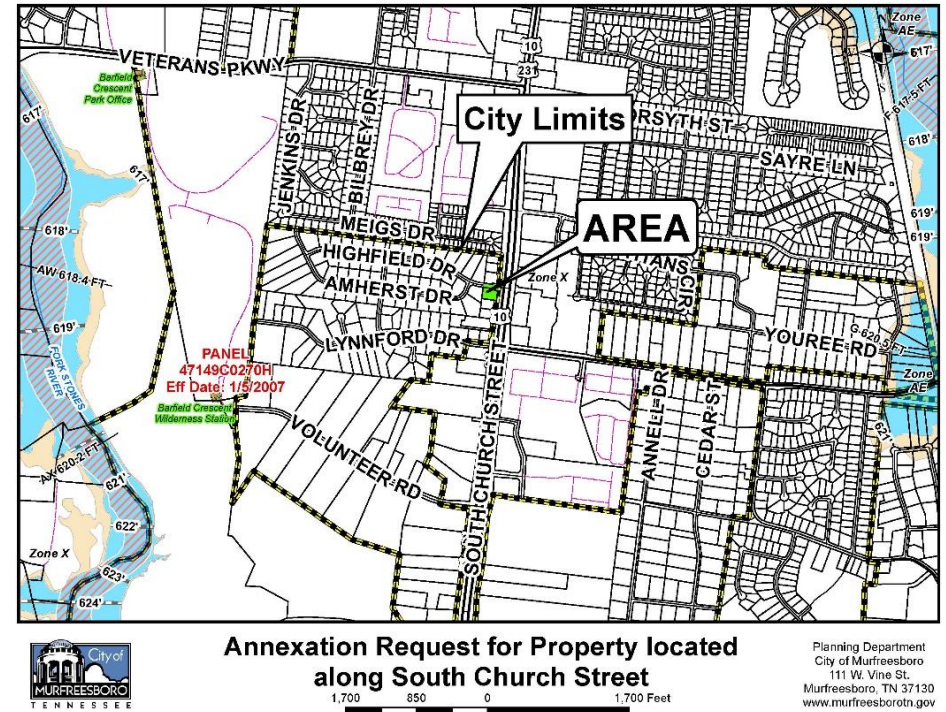
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FLOODWAY

The study area is not located within the 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The adjacent map depicts the 100-year floodplain in blue, approximately 1-mile to the west and 1-mile to the east of the subject property.

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



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: MARINA RUSH**

- 4.c. Zoning application [2022-428] for approximately 0.54 acres located along South Church Street and Highfield Drive to be zoned PCD simultaneous with annexation, Salem Investment Partners applicant.**

The subject property is approximately one-half acre and is located along the west side of South Church Street and south of Highfield Drive, addressed 3400 South Church Street. It is currently developed with a single-family residence. The applicant is requesting to zone the property to PCD (Planned Commercial District) simultaneous with annexation to allow for the development of a small commercial center. The property tax map number is:

- Tax Map 125 O, Group A, Parcel 3.00 (0.54 acres)

South Church Corner PCD

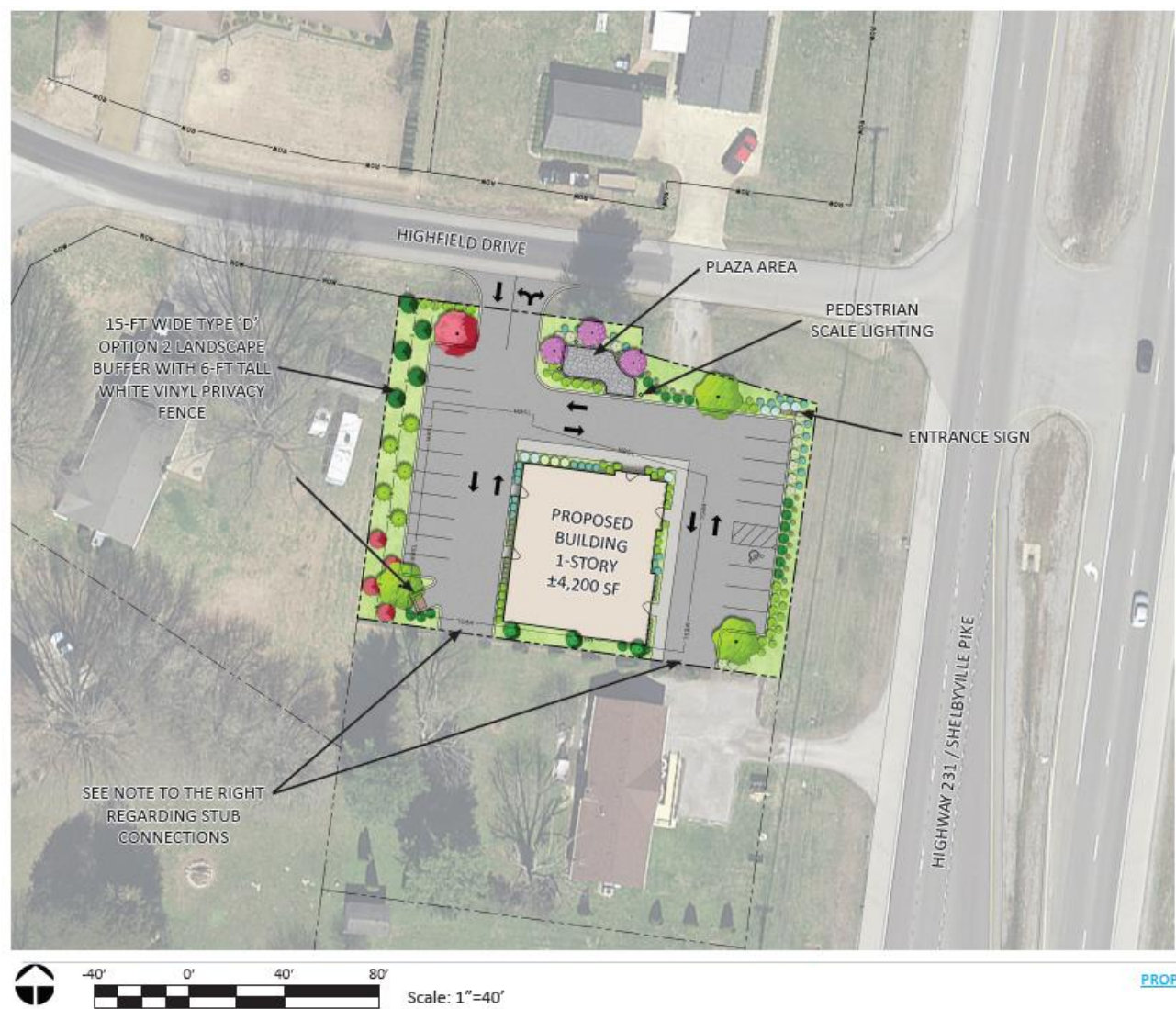
A neighborhood meeting was held on November 28, 2022, at the Barfield Crescent Park Wilderness Station. It was well attended, and neighbor comments were primarily regarding the site design and the proposed uses permitted. In response to the neighbor comments, the applicant added a privacy fence along the west property line and closed the future internal connection to the property to the south. These changes are reflected in the South Church Corner PCD program book (see attachments).

Uses: The PCD will allow a limited number of commercial uses that are similar to those allowed in the CF district. The program book also explicitly prohibits several uses for this property, including pain clinic, drug and alcohol rehabilitation center, and cigarette/vaping sales.

Site Design: The building will be approximately 4,200 square feet and faces South Church Street. The parking depicted meets the Zoning Ordinance required minimum stalls and is located in both the front and rear of the building. The proposed open space area is 20% of the site, and to screen the parking lot from the single-family residence to the west will be a Type D landscape buffer and 6-foot-tall privacy fence along the west property line. The requested setbacks are front = 42 feet; rear = 20 feet; and side = 5 feet. There is a combined residence/commercial use to the south and the side setback along the south property line, at 5-feet, is less than the minimum required by the zoning ordinance where the property abuts a property zoned or used for residential purposes. This requested reduction is included in the exceptions section of the program book.

The Planning staff requested for the zoning plan to provide a stub for future cross-connection for the subject property with future development to the south, for access to Highfield Drive for left-turns onto northbound South Church Street. The program book depicts two stub connections to the south but includes text, program book pages 7 and 12, requiring mutual agreements first be in place first. Staff recommends the stub connections be part of the proposed development. Staff will continue to work with the applicant regarding this text and will provide additional information at the January 11, 2023 public hearing. For reference, this text states the following:

The applicant is willing to provide cross connectivity to the south when the property to the south is redeveloped. The correct stub locations will be determined when the property to the south is redeveloped so the optimal locations for both properties are utilized. Furthermore, an access easement agreement will be recorded when the property to the south is redeveloped and the property owners enter into a mutually agreed upon maintenance and cross access easement agreement for any shared access points.



Building Design: The building is 1-story with a height not to exceed 35 feet. The proposed primary exterior material is brick with stone veneer for the base, and black metal canopies above the doorway entrances. The building color scheme is earthtone. As noted in the program book, the building design will be required to comply with the Murfreesboro Design Guidelines and is subject to Site Plan approval.

Exceptions Requested: The applicant is requesting two exceptions from the Zoning Ordinance standards for the proposed PCD.

1. Requesting an exception to the required 15-ft wide Type 'D' Landscape buffer along the southern property line. The request is based on fact that while the property to the south (see photograph below) is zoned Medium Density Residential (RM), it also has a Conditional Use Permit from Rutherford County that allows it to be used for commercial purposes. Since the neighboring property has that permit and is currently being used as a commercial establishment, an exception to the Type 'D' Buffer is being requested, as this property line would be dividing two properties with commercial uses, if this PCD is approved.
2. Requesting an exception to the 10-ft side setback to be reduced to 5-ft along the southern property line. The request is in conjunction with the first exception (see above) in that the property to the south is a commercial use. The proposed PCD is being compared to Commercial Highway (CH) zoning, which allows for a 10-ft wide side setback along that property line when the adjacent property is zoned residential. The CH zone also allows for the 10-ft side setback to be reduced to zero feet (0-ft), if the adjacent property has commercial zoning or land use. As the property to the south is a residentially-zoned property, functioning as a commercial property through the existing Conditional Use Permit with the County, the reduction request of 5-ft is in line with the side setback guidelines outlined in the Zoning Ordinance for a property similar to Commercial Highway (CH) zoning.



Also, of note, Planning staff has studied the properties facing South Church Street in the Palmer Acres South Subdivision through the FLUM update process and has recommended that the land use character for this segment along South Church Street be Neighborhood Commercial land use designation. As such, due to the commercial nature of the adjacent residence and the transitioning of the neighborhood along South Church Street, staff supports the requested exceptions for the reduced setback and landscaping.

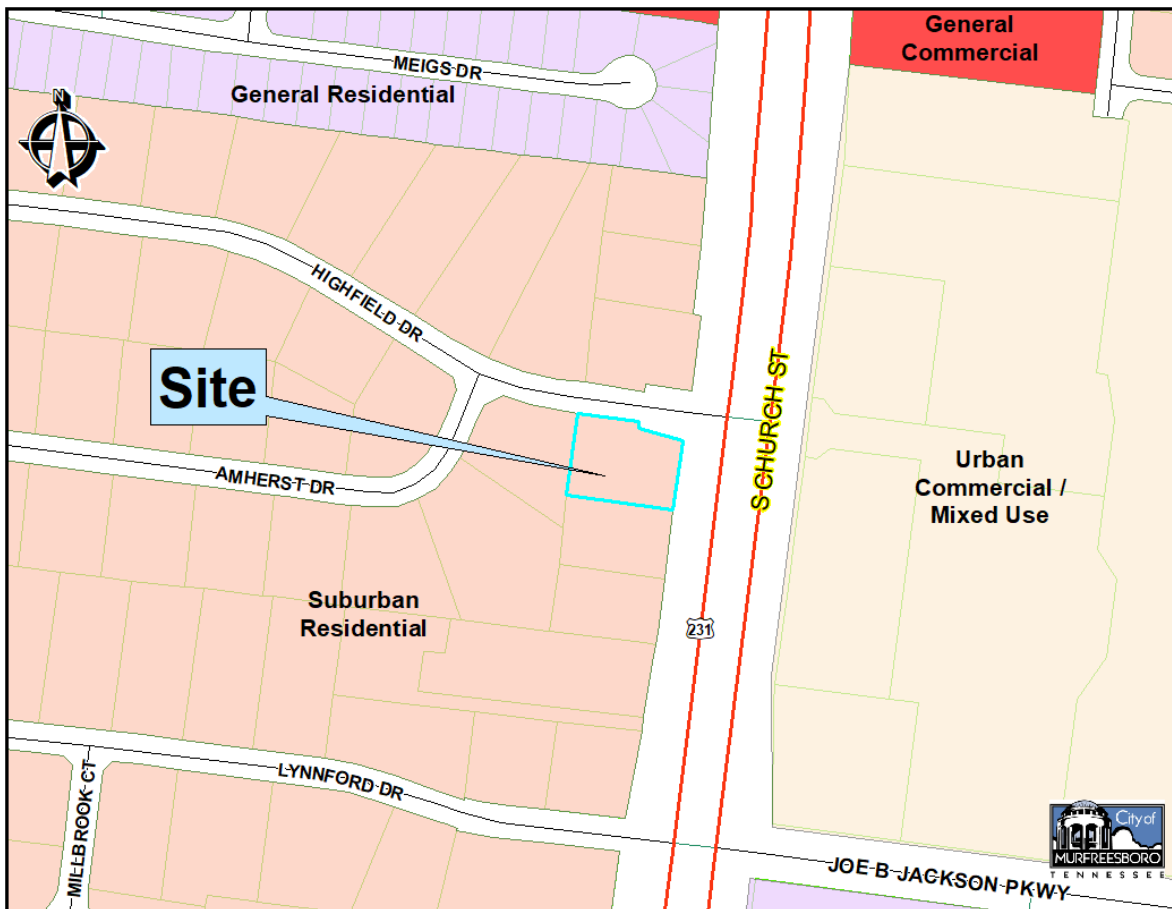
Adjacent Zoning and Land Uses

The surrounding area consists of a mixture of zoning types and uses. The land to the north, west and south is zoned Medium Density Residential (RM) in Rutherford County. The land uses are single family residential to the west, and a mixture of single-family residential and commercial to the north and south. The land to the east across South Church Street is in the City limits and is zoned Marketplace at Savannah Ridge PUD (Planned Unit District) and developed with an Aldi's and other commercial buildings currently under construction.

Future Land Use Maps

The current Future Land Use Map of the Murfreesboro 2035 Comprehensive Plan indicates that Suburban Residential is the most appropriate land use character for the project area. For reference, below are excerpts from the both the proposed Murfreesboro 2035 Comprehensive Plan – Future Land Use Map and the adopted Murfreesboro 2035 Future Land Use Map.

Adopted Murfreesboro 2035 Comprehensive Plan Future Land Use Map
(excerpt)



The future land use map and text of the Murfreesboro 2035 Comprehensive Plan is in the process of being updated. The proposed update to the Future Land Use Map (FLUM) of the Murfreesboro 2035 Comprehensive Plan indicates that Suburban (Neighborhood) Commercial is the most appropriate land use character for the project area. The characteristics are smaller scale neighborhood commercial configurations, smaller buildings, buffers adjacent to residential, localized trade uses within a community or neighborhood. The proposed PCD zoning is consistent with the Suburban (Neighborhood) Commercial designation.

Proposed Update to the Murfreesboro 2035 Comprehensive Plan Future Land Use Map (excerpt)



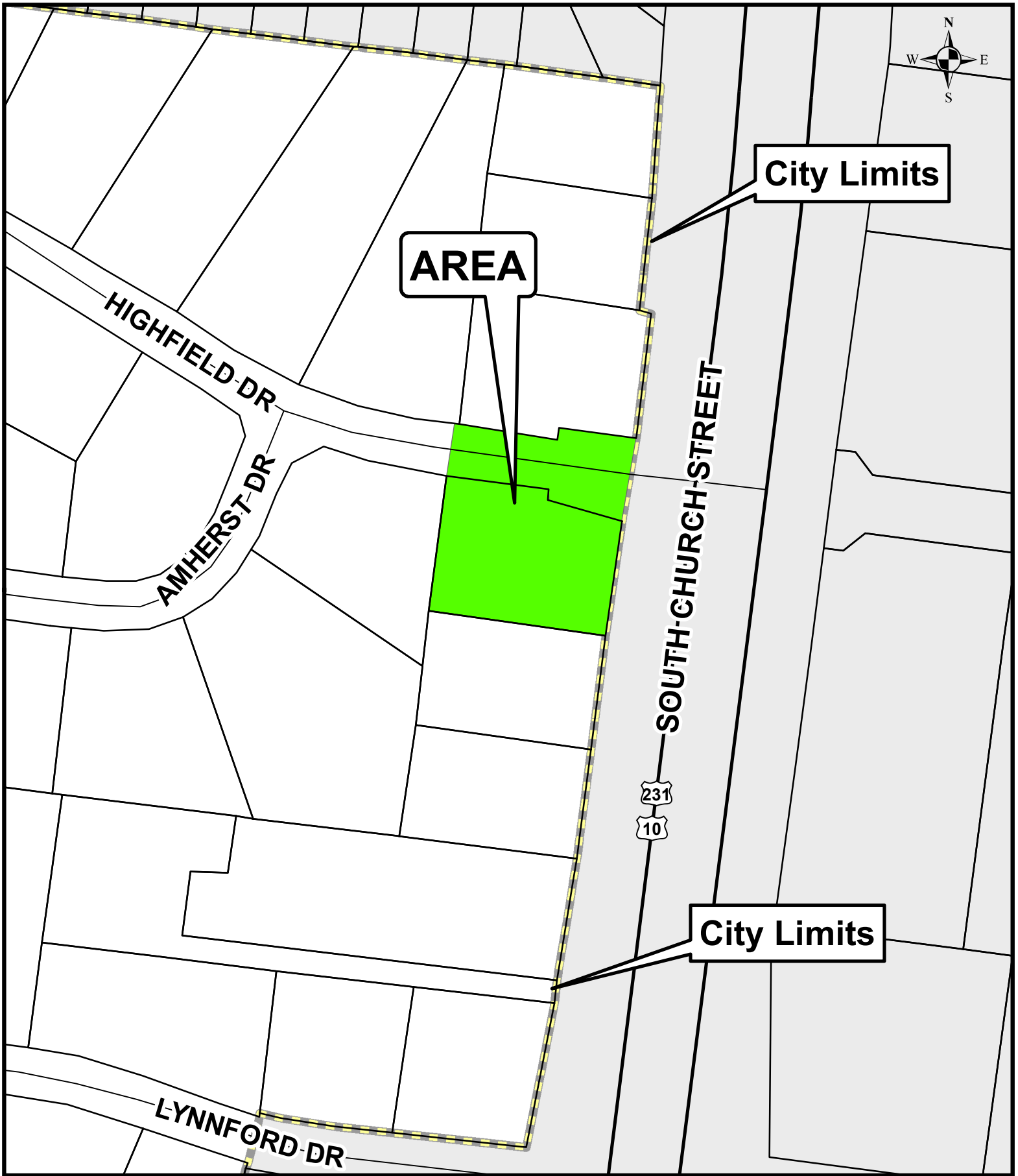
Recommendation:

Staff supports the zoning request to PCD for the following reasons:

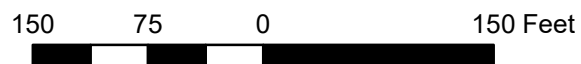
- 1) The PCD zoning, as proposed, is compatible with the commercial development occurring along this area of South Church Street, and is a lesser commercial zone used to transition from adjacent residential property to heavier commercial zoning in the area. Protections for adjacent residential zones are built into the PCD program book.
- 2) The PCD is intended for a limited list of neighborhood commercial uses, and expressly prohibits uses that have been requested by the neighbors to be prohibited, including vape and cigarette shop, pain clinic and alcohol/drug addiction rehabilitation centers.
- 3) The PCD is consistent with the proposed Future Land Use Map for the Suburban (Neighborhood) Commercial land use designation.

Action Needed:

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



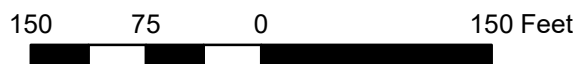
**Annexation Request for Property located
along South Church Street and Highfield Drive**



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



**Annexation Request for Property located
along South Church Street and Highfield Drive**



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

SOUTH CHURCH CORNER

A REQUEST FOR ANNEXATION AND REZONING FROM MEDIUM DENSITY RESIDENTIAL TO PLANNED COMMERCIAL DEVELOPMENT
Murfreesboro, Tennessee



**Investment
Partners**,LLC
commercial real estate / developer

SEC, Inc.

SEC Project #22012

Initial Submittal

November 9th, 2022

Resubmittal

December 8, 2022 for the December 14, 2022
Planning Commission Workshop Meeting

Resubmittal

January 4, 2023 for the January 11, 2023
Planning Commission Public Hearing



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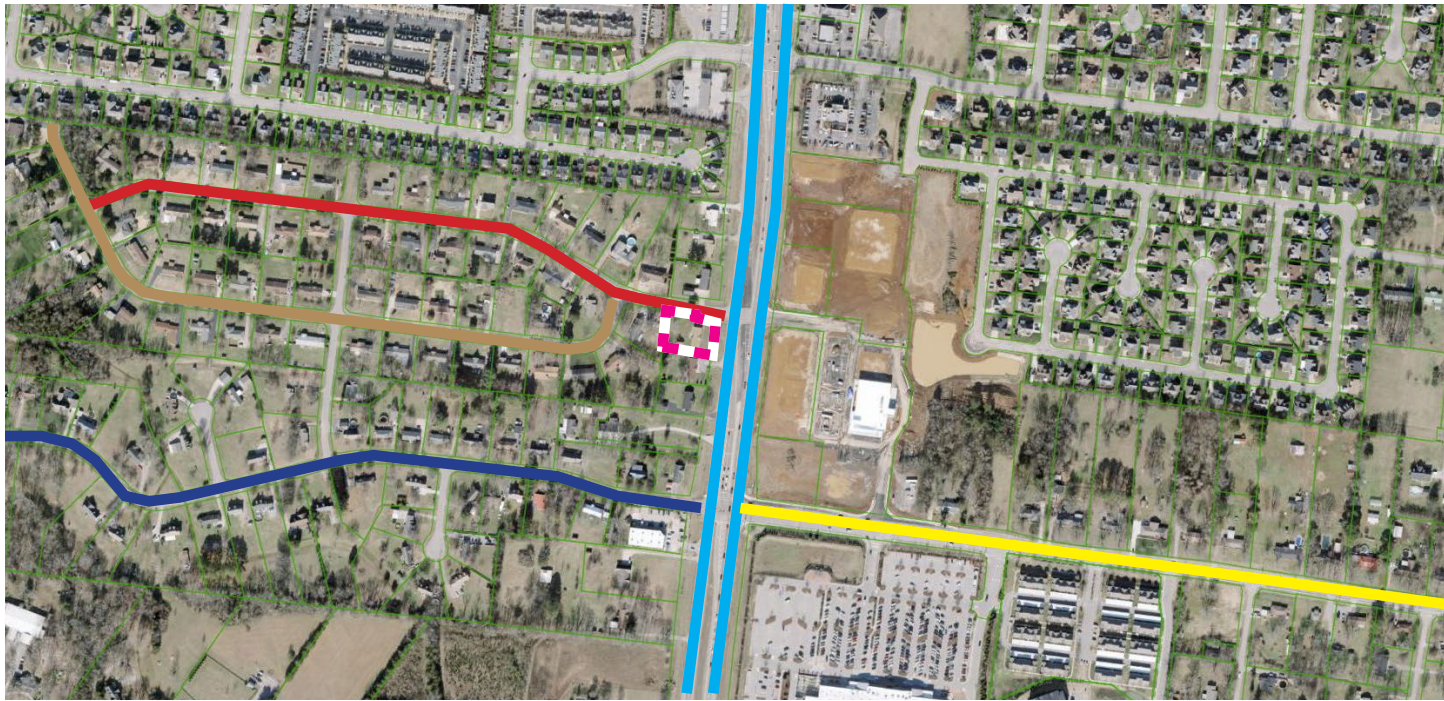
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AERIAL PHOTOGRAPH

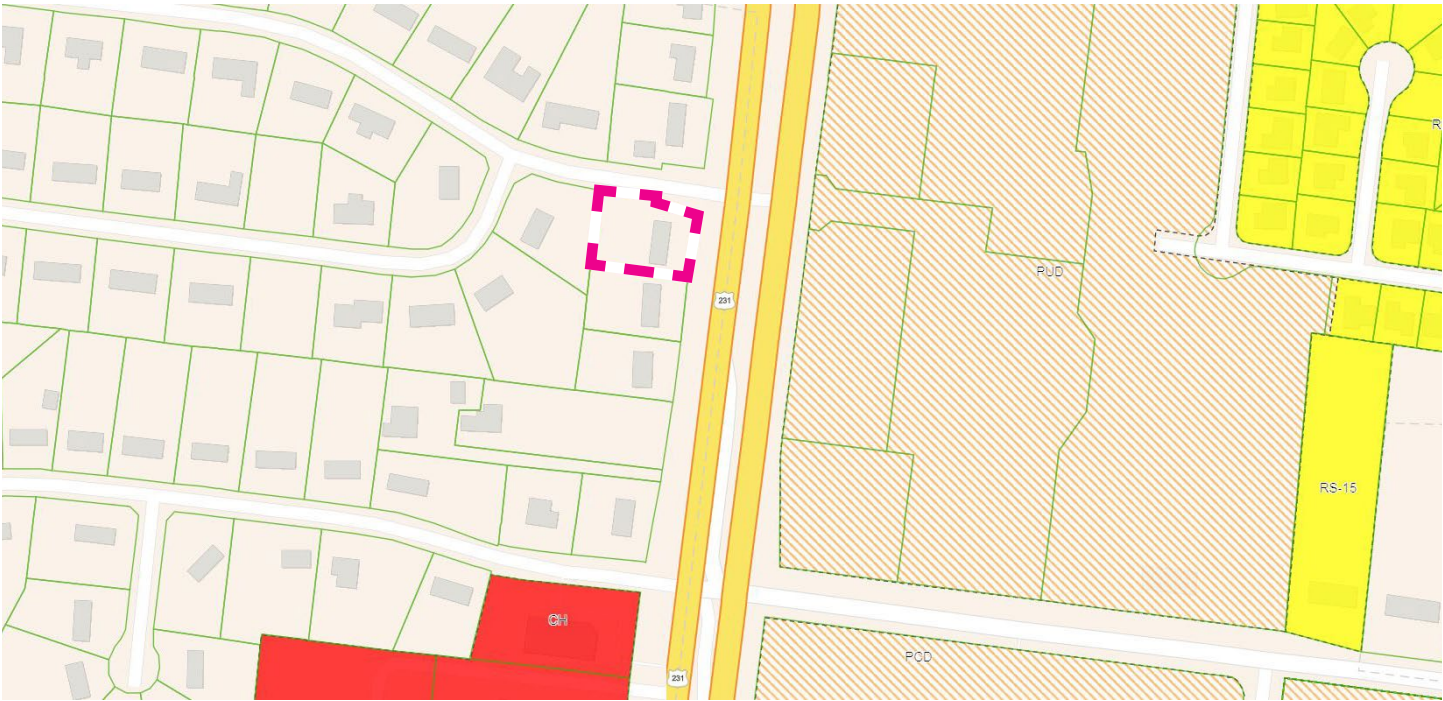
Not To Scale

- Highway 231/Shelbyville Pike
- Lynnford Drive
- Joe B Jackson Parkway
- Amherst Drive
- Highfield Drive



Investment Partners, LLC respectfully requests annexation and rezoning of the Willard Property at 3400 South Church Street from Medium Density Residential - RM (Rutherford County) to Planned Commercial Development (PCD) City of Murfreesboro to create South Church Corner. The property is located along the western side of Highway 231/Shelbyville Pike and south of Highfield Drive. The site is identified as Parcel 3.00 of Tax Map 125 O and is approximately 0.54 acres.

The development will consist of one single-story commercial building and associated parking areas. The building facade shall be constructed primarily of brick and stone. Development signage will be located along Highway 231/Shelbyville Pike and shall be constructed with materials consistent with the proposed architecture and shall be anchored by landscaping. A 15-ft wide Type 'D' Landscape Buffer shall be provided along the western property line to mitigate any impacts this development may have on the neighboring residential properties to the west of the development.



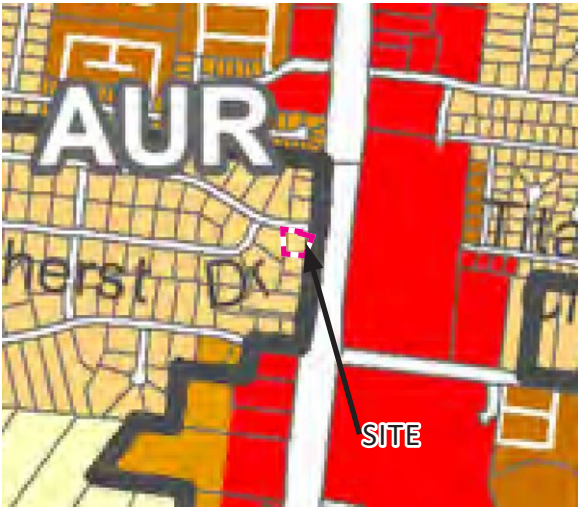
ZONING MAP

Not To Scale

- RS-8 Residential Single-Family (RS-8)
- RS-15 Residential Single-Family (RS-15)
- CH Commercial Highway (CH)
- PUD Planned Unit Development (PUD)
- PRD Planned Residential Development (PRD)
- RM Medium Density Residential (RM) Rutherford County

The surrounding area consists of a mixture of zoning types and uses. The land to the north, west, and south is zoned Medium Density Residential in Rutherford County (RM). The land to the east across Highway 231/ South Church Street is zoned Planned Unit Development. While the immediate lands surrounding the site are residential, the large majority of properties which abut Highway 231/Shelbyville Pike are of commercial use. Of special note, the property to the south is a residence and a commercial business that operates under a Conditional Use Permit with Rutherford County.

2035 LAND USE PLAN



The current 2035 Land Use Plan proposes this area as Suburban Residential Character (SUR). This character classification includes larger estate lots or clusters of homes around common open space. The proposed land use, (PCD), differs from the current Land Use Plan recommendations, however, the proposed plan works to complement and expand the existing commercial corridor along Highway 231.

The proposed update to the Land Use Plan Map is calling for this property to be designated Neighborhood Commercial and this proposed land use PCD is consistent with the forthcoming Land Use Plan update.



SUBDIVISION MAP

Not To Scale

Palmer Acres

Lynnford Oaks

Villages at Savannah

Wattson

Marketplace and Villages at Savannah Ridge

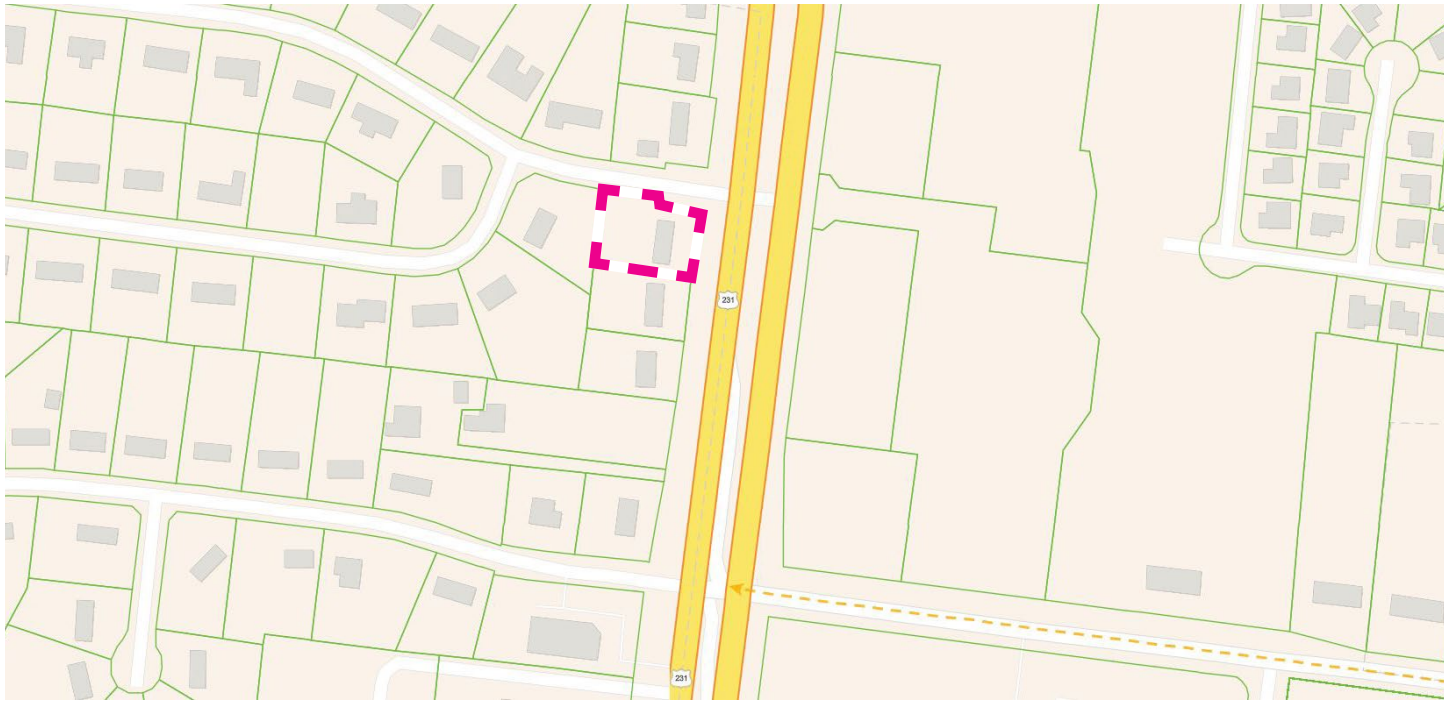
Aldi's

Walmart

Liquor Planet

Site Boundary

South Church Corner is surrounded by a mixture of residential subdivisions and commercial properties. Palmer Acres is a residential development to the north and west consisting of one story single family detached homes without garages. The exterior elevations consist of primarily vinyl siding or brick along all elevations. There is one primary point of ingress/egress to the development from Highway 231/Shelbyville Pike with a secondary point of ingress/egress to Lynnford Oaks to the south. Lynnford Oaks is a residential development to the south consisting of one story single family detached homes without garages. The exterior elevations consist of primarily vinyl siding or brick along all elevations. There is one primary point of ingress/egress to the development from Highway 231/Shelbyville Pike with a secondary point of ingress/egress to Palmer Acres to the north. East of the development is The Marketplace and Villages at Savannah Ridge, a Planned Unit Development consisting of undeveloped lots and a recently finished Aldi's Grocery Store on the north side of Joe B Jackson Parkway.



MAJOR THOROUGHFARE PLAN

Not To Scale

3 LANE ROADWAY

Site Boundary

The property has/will have access to the existing public R.O.W.s of Highway 231/Shelbyville Pike and Highfield Drive. The proposed development shall access Highfield Drive only, through a single entrance. The entrance to Highfield Drive is proposed to have one lane for traffic entering and one lane for traffic exiting the site. The Highfield Drive/Highway 231 intersection is slated to be improved to a signalized intersection with the proposed PUD to the east and this development. No roadways directly impacted by this development are on the Murfreesboro Major Thoroughfare Plan.



UTILITY MAP

Not To Scale



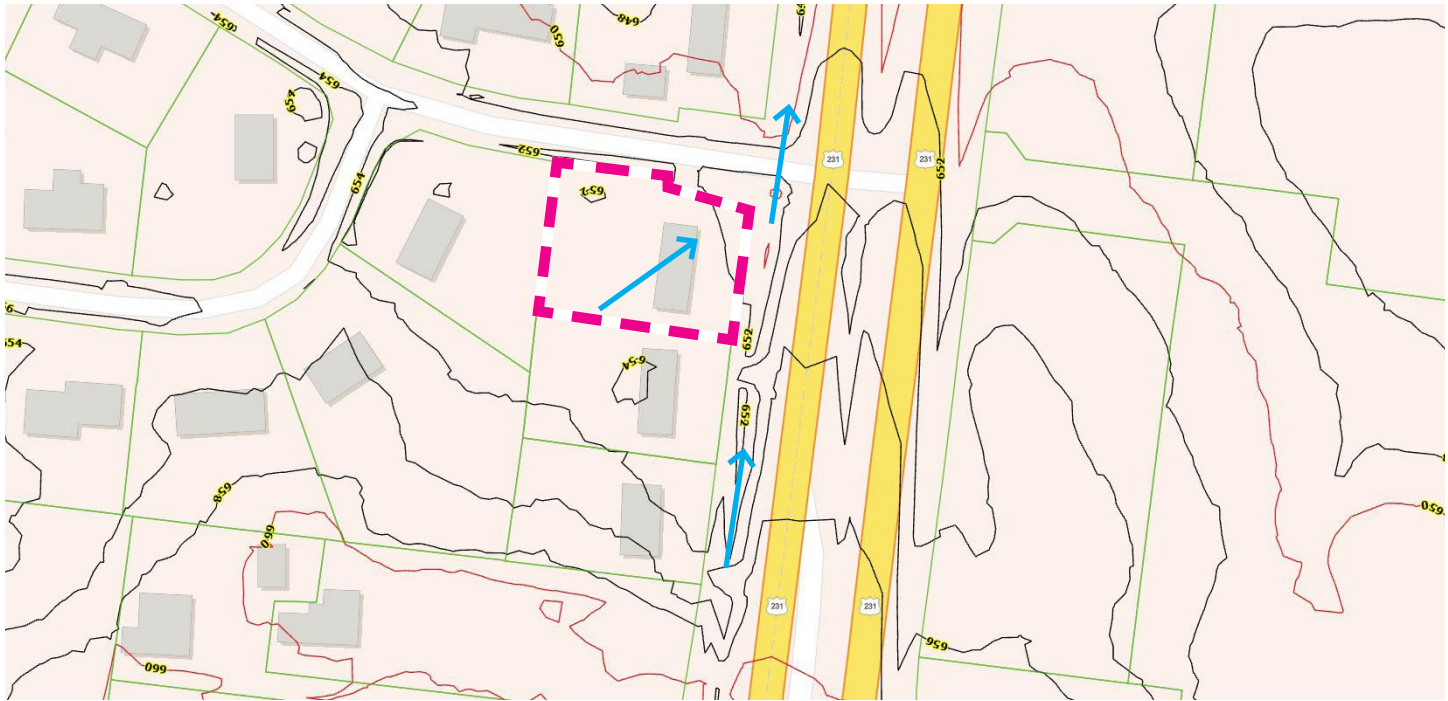
Water service will be provided by the Consolidated Utility District. There is an existing water line along Shelbyville Pike / Highway 231 for water service into the site. The developer will be responsible for extending the waterline into the site for domestic and fire water service.



Sanitary sewer service will be provided by the Murfreesboro Water Resources Department. Sanitary sewer service can connect to an existing private forcemain to the north within the R.O.W. of Shelbyville Pike / Highway 231. Construction will extend the sewer service into the site and the developer will be responsible for extending the sewer into this property. The development will utilize a grinder pump or other system for proper sanitary sewer service.



Electric service will be provided by Middle Tennessee Electric. Service will be extended from Highway 231/Shelbyville Pike. The developer will be responsible for extending the electric lines into the site, and all on-site electric will be underground.



HYDROLOGY AND TOPOGRAPHY

Not To Scale



The topographic map above shows the site’s topographic high point generally at the south western corner of the property. From this high point, the property drains towards the northeast and into the existing stormwater drainage ditch along Highway 231, Shelbyville Pike. Water that drains from this site ultimately ends up in the Middle Fork of the Stones River to the northeast.

No portions of this property are within a floodway or floodplain per FEMA Flood Panel 47149C0270H eff. 1/4/2007.



- Highway 231/Shelbyville Pike
- Highfield Drive
- Amherst Drive

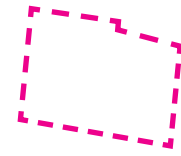
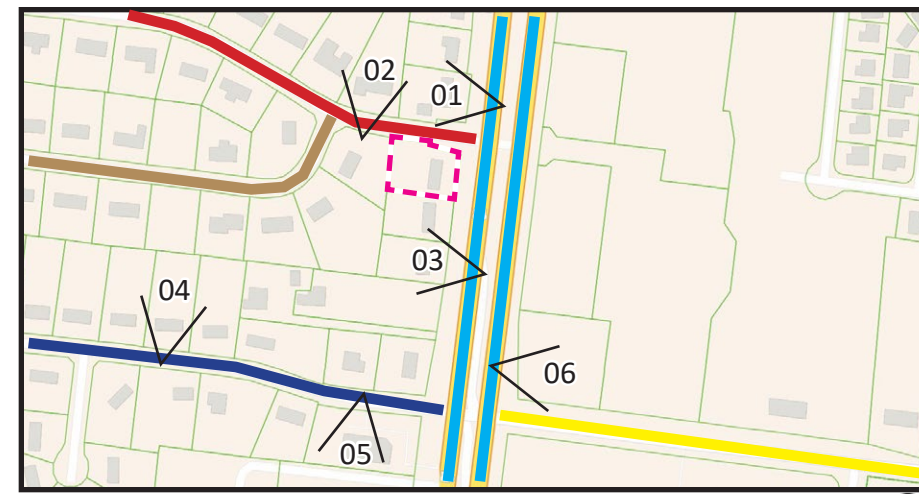


PHOTO DIRECTION MAP

Not To Scale

Site Boundary



- Highway 231/Shelbyville Pike
- Joe B Jackson Parkway
- Highfield Drive
- Lynnford Drive
- Amherst Drive

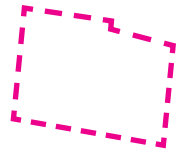
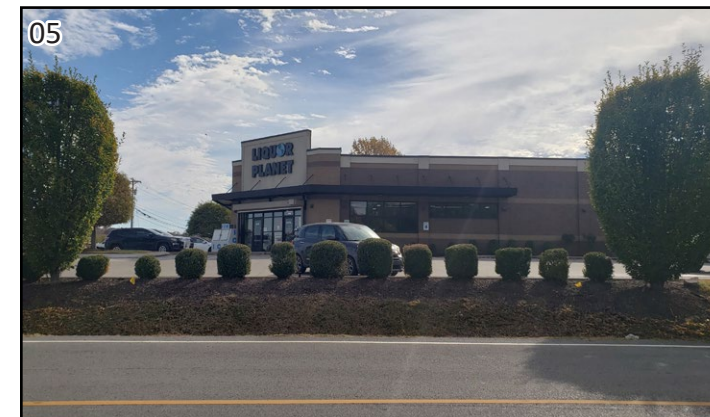
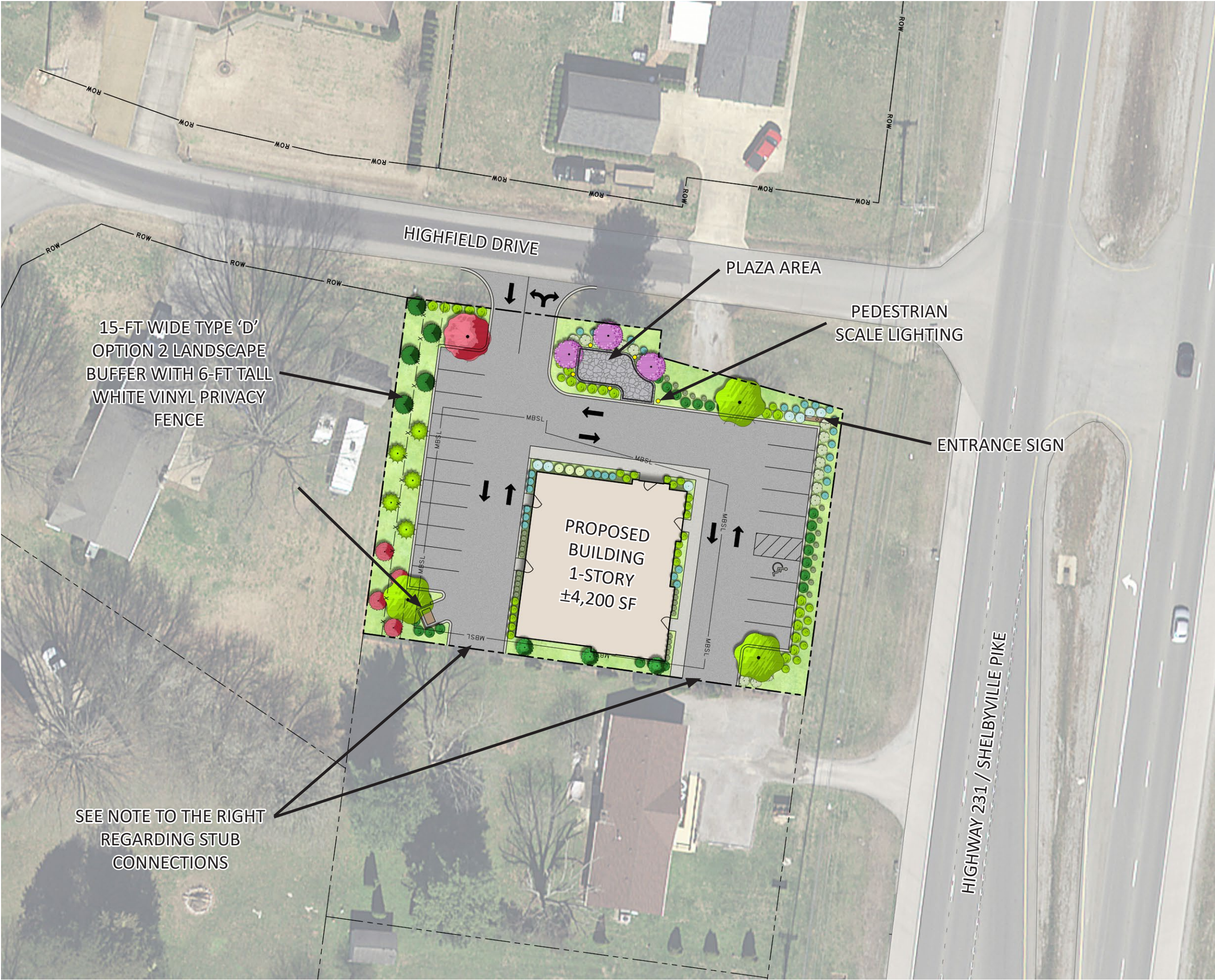


PHOTO DIRECTION MAP

Not To Scale

Site Boundary





Site Data:	
Total Land Area:	±0.54 Acres
Minimum Open Space Required:	±0.11 Acres (20%)
Total Open Space Provided:	±0.11 Acres (20%)
Minimum Formal Open Space Required:	±706 Sq.Ft. (3%)
Total Formal Open Space Provided:	±706 Sq.Ft. (3%)
Stormwater (Detention):	±0.05 Acres (9%)
Parking Requirements:	
Building Area:	4,200 SF
Required Parking (1 Space/225 SF) =	19 Spaces
Provided Parking =	19 Spaces (+1 HC)

- Proposed Building
- Open Space
- Roadway
- Sidewalk

Stub Connections
The applicant is willing to provide cross connectivity to the south when the property to the south is redeveloped. The correct stub locations will be determined when the property to the south is redeveloped so the optimal locations for both properties are utilized. Furthermore, an access easement agreement will be recorded when the property to the south is redeveloped and the property owners enter into a mutually agreed upon maintenance and cross access easement agreement for any shared access points.

SEC, Inc.

SEC Project #22012 Murfreesboro, Tennessee

Development Standards:

- All parking will be located at least 5-feet from public right-of-ways and adjacent property lines.
- All parking areas shall be screened from public R.O.W. via landscaping and/or berms.
- Any solid waste enclosures shall be constructed of materials consistent with building architecture, be at least 8-feet tall with opaque gates, and shall be enhanced with landscaping.
- All service areas shall be screened from R.O.W.s and adjacent properties.
- Monument signage shall be placed along Highway 231/Shelbyville Pike. Example locations are provided on the concept plan but may vary in exact location.
- Development signage shall comply with the Murfreesboro Sign Ordinance.
- All mechanical equipment located on the ground (i.e. HVAC and transformers) shall be screened with landscaping or fencing. If mechanical equipment is located on the roof, then they shall be screened from view via a parapet wall.
- All on-site utilities will be underground.
- On-site lighting will comply with the City of Murfreesboro standards to prevent light pollution.
- Parking will comply with the City of Murfreesboro Zoning Ordinance.
- All parking will have curbing.
- All common open space and landscape areas on the site shall be owned and maintained by the owners of the lot.
- Open space furniture and improvements shall be tenant driven.
- Pedestrian scale lighting shall be provided within the formal open.
- Prior to construction plan review, a complete and thorough design of the stormwater management system and facilities will be completed.
- Mail service will be provided via CBU’s
- Outdoor Storage is prohibited, including garden and lawn supplies.
- Outdoor speakers for patios are permitted, but they can’t be amplified and shall only be for background ambiance.

Allowable Uses:

The immediate end user for South Church Corner, at this time, is currently unknown. The allowable uses outlined on this page are reflected within the Commercial Highway (CH) district as per the August 18th, 2022 Murfreesboro Zoning Ordinance. South Church Corner will allow the following uses listed above.

PERMITTED USES	
COMMERCIAL	
Animal Grooming Facility	X
Antique Shop <3,000 Sq.Ft.	X
Art or Photo Studio or Gallery	X
Bakery, Retail	X
Bank or Credit Union, Branch Office or Main Office	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business and Communication Services	X
Catering Establishment	X
Clothing Store	X
Coffee, Food, or Beverage Kiosk	X
Convenience Sales and Service, Max. 5,000 Sq.Ft. Floor Area	X
Dentist	X
Discount Store	X
Dry Cleaning	X
Financial Service	X
Flower or Plant Store	X
Health Club	X
Interior Decorator	X
Karate, Instruction	X
Keys, Locksmith	X
Laboratories, Medical	X
Laboratories, Testing	X
Medical Office of Clinic	X
Medical Services	X
Offices	X
Optical Dispensaries	X
Personal Service Establishment	X
Pet Shops	X
Pharmacies, Apothecaries	X
Reducing and Weight Control Service	X
Restaurant and Carry-Out Option	X
Restaurant, Specialty	X
Restaurant, Specialty - Limited	X
Retail Shop, Other Than Enumerated Elsewhere	X
Specialty Shop	X
Urgent Care Clinics	
Veterinary Office	X
Veterinary Clinic	X
NOTES	
X = PERMITTED	

Prohibited Uses:

- Primary Pain Clinic
- Primary Drug & Alcohol Rehab Centers
- Vape/Cigarette Shop



EXAMPLE OF DEVELOPMENT SIGNAGE



EXAMPLE OF PEDESTRIAN SCALE LIGHTING



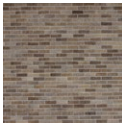
EXAMPLE OF TRASH ENCLOSURE



EXAMPLE OF WHITE VINYL PRIVACY FENCE

Architectural Characteristics:

- Building heights shall not exceed 35 feet in height
- All buildings shall be one-story
- Buildings shall have a well-defined architectural base via different materials, colors, changes in pattern, or a combination of these techniques.
- Main entrances are to be well defined and easily recognizable by the use of; raised roof lines, canopies, glazing, change in materials, change in color, and/or change in building planes.
- Masonry materials (brick, stone, cast stone, synthetic stone) will be the primary building materials.
- All buildings shall comply with Murfreesboro Design Guidelines standards.



Example of Brick
(different colors will be allowed)



Example of Stone Veneer
(different colors, cuts, patterns will be allowed)

Building Materials:

Front Elevations:

Masonry materials (i.e. Brick, Stone, Cast Stone, Synthetic Stone)

Side Elevations:

Masonry materials (i.e. Brick, Stone, Cast Stone, Synthetic Stone)

Rear Elevations:

Masonry materials (i.e. Brick, Stone, Cast Stone, Synthetic Stone)



Site Setbacks

Front Setback:

42-feet

Side Setback:

5-feet

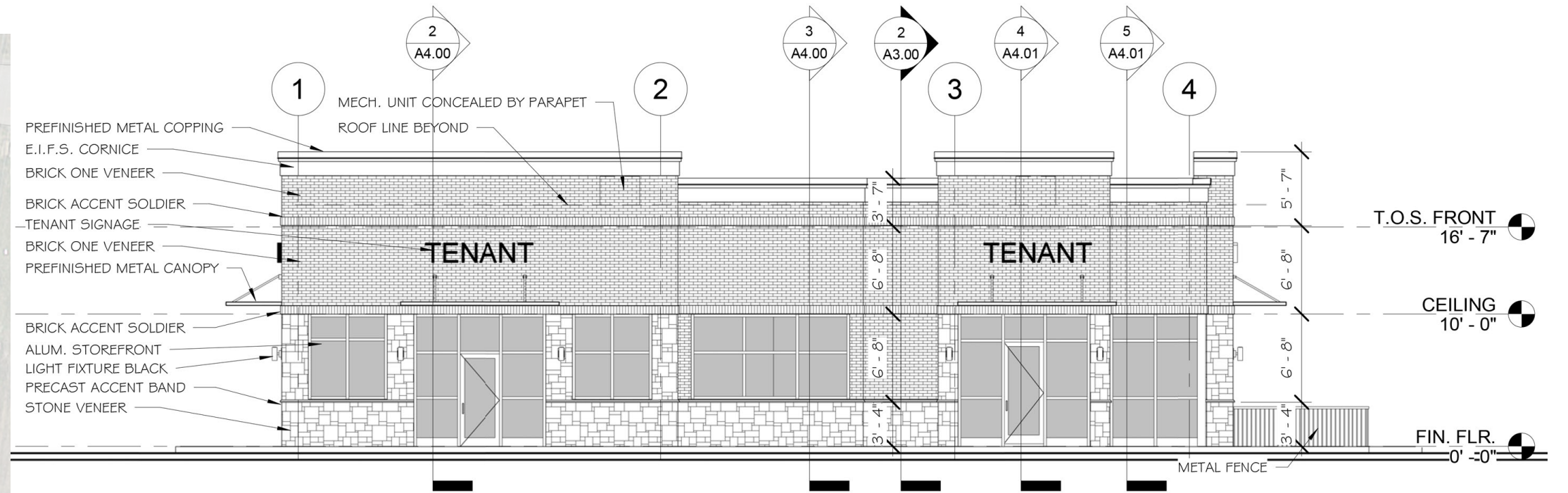
Rear Setback:

20-feet

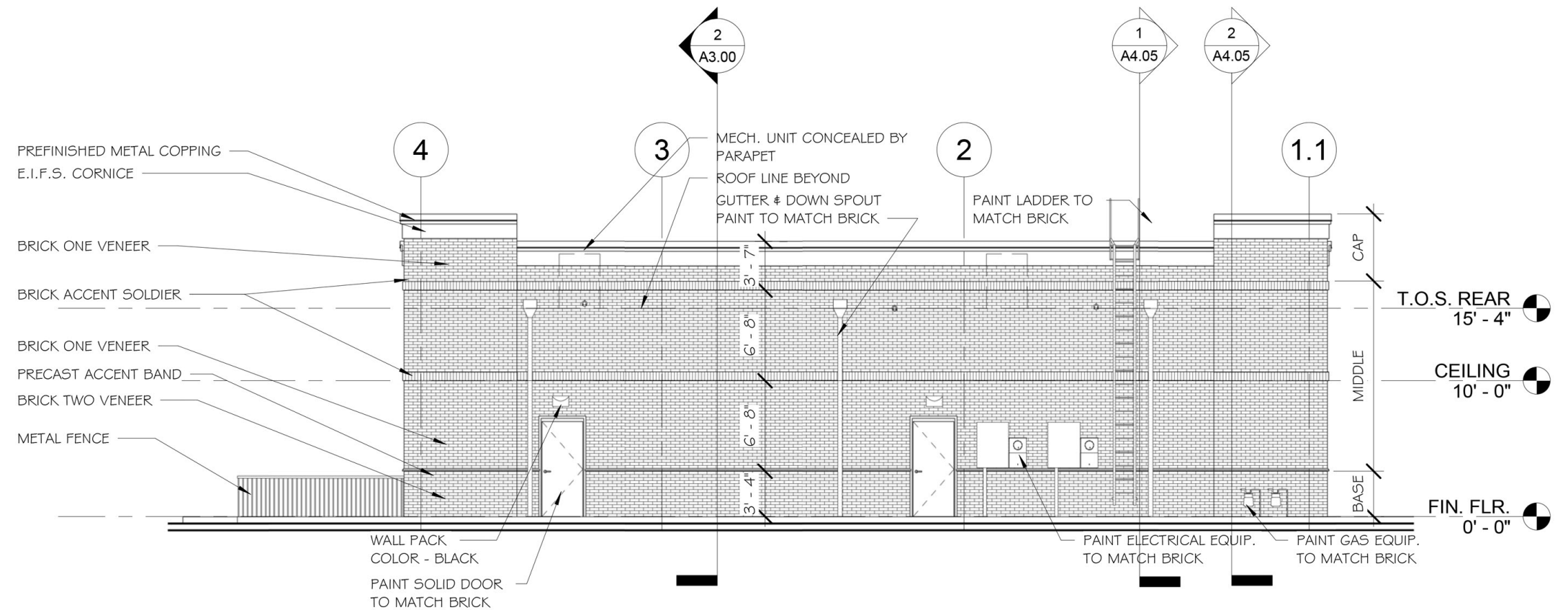


EXAMPLE OF PROPOSED ARCHITECTURE

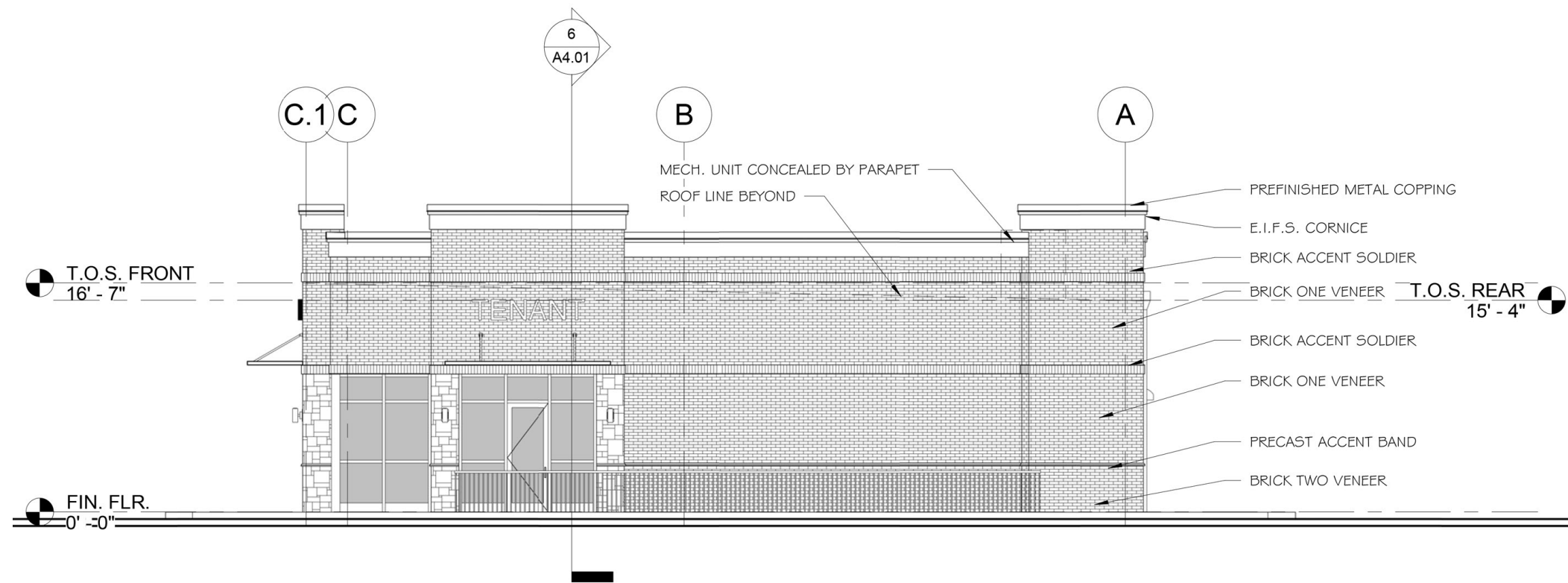
*Architecture shown is illustrative and only meant to convey the general appearance and character of the building. Final architecture shall be provided at the site plan level and will meet design guidelines.



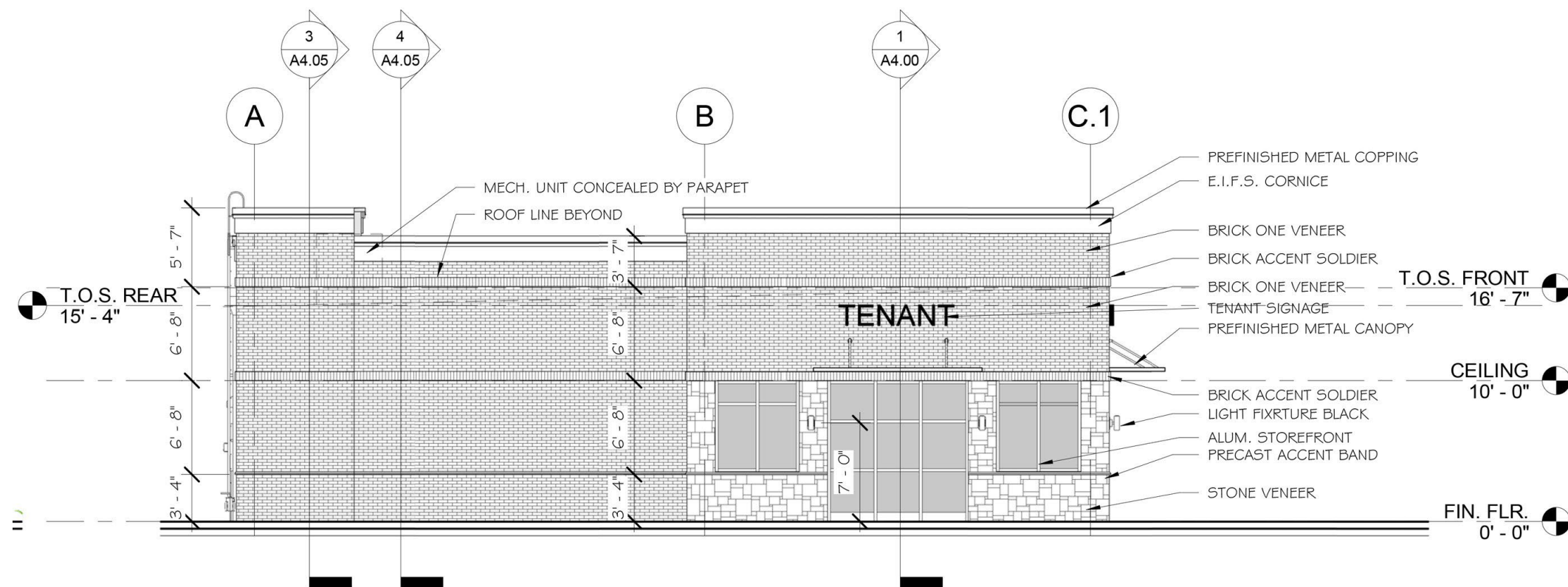
1 EAST ELEVATION



4 WEST ELEVATION



2 NORTH ELEVATION



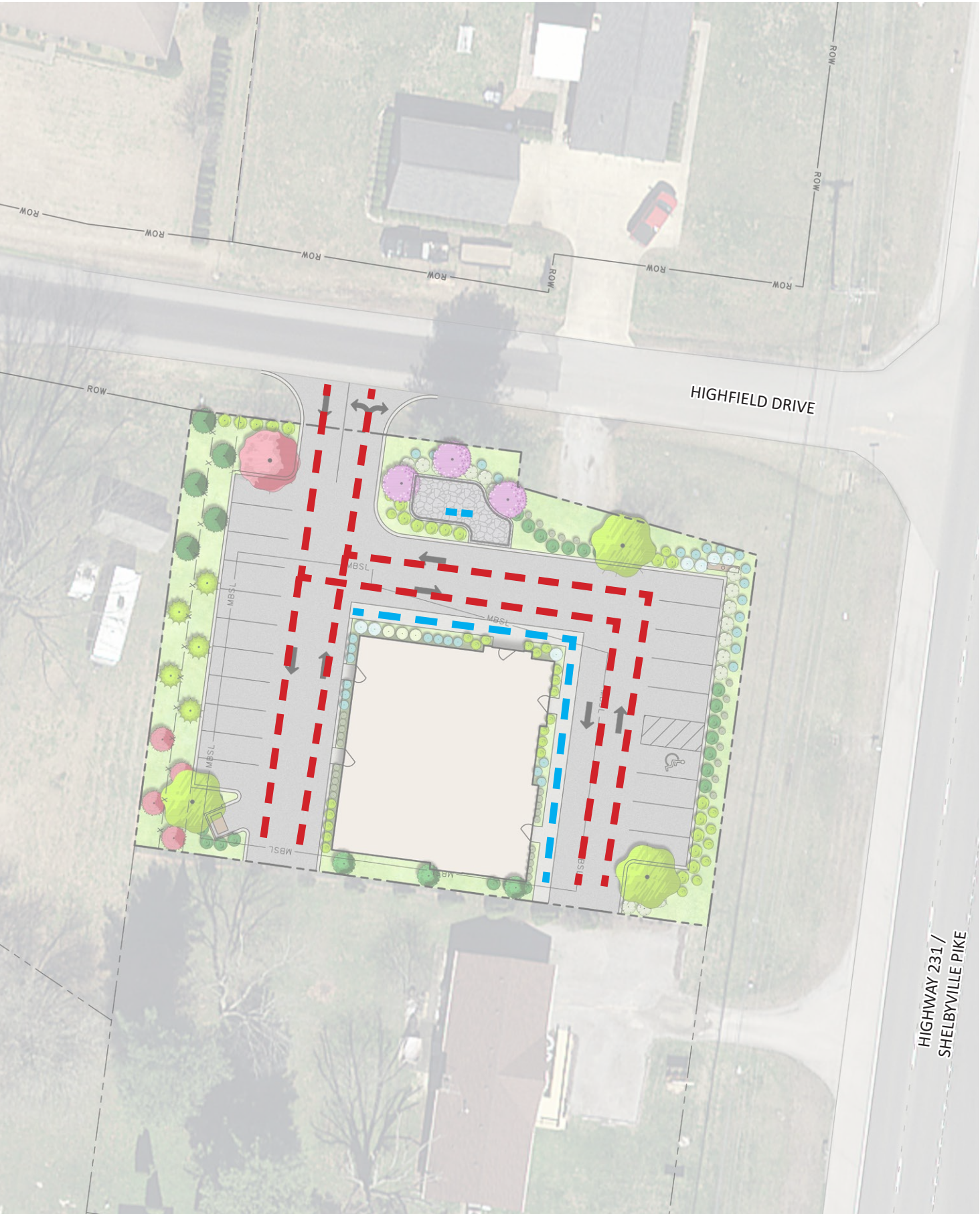
3 SOUTH ELEVATION



Pursuant to the City of Murfreesboro’s Major Thoroughfare Plan (MTP), none of the roadways surrounding this development are slated for improvements. Highway 231/Shelbyville Pike is a major thoroughfare where the majority of vehicular trips generated by this development will impact. It is currently built as a four-lane cross-section with a green median.

The entrance off Highfield Drive shall incorporate two travel lanes for traffic entering and exiting the development. There are also two potential access driveway stubs to the property to the south. The applicant is willing to provide cross connectivity to the south when the property to the south is redeveloped. The correct stub locations will be determined when the property to the south is redeveloped so the optimal locations for both properties are utilized. Furthermore, an access easement agreement will be recorded when the property to the south is redeveloped and the property owners enter into a mutually agreed upon maintenance and cross access easement agreement for any shared access points.

The illustration below shows the location of the proposed point of ingress/egress for the development. The illustration to the right shows the proposed paths for vehicular and pedestrian circulation.





15-ft Wide Type 'D' Option 2 Landscape Buffer

Formal Open Space Plantings



The site has been designed with ample landscaping to provide not only an aesthetically pleasing experience for the business and their patrons, but to aid in mitigating impacts to the surrounding areas. To ensure these characteristics, some standards are outlined.

Landscaping Characteristics:

- A minimum 5-feet of landscape area between parking and all property lines.
- Public rights-of-way screened from parking by use of landscaping and/or berming.
- A Type 'D' Option 2 Landscape Buffer with white vinyl privacy fence and a single row of staggered 6-ft tall evergreen trees planted 10-feet on center shall be installed along the western boundary with residential lots.
- All above ground utilities and mechanical equipment shall be screened with landscaping and/or fences.
- Solid waste enclosures will be screened with a masonry wall and enhanced with landscaping.
- The fronts and sides at the base of building will have at least 3-foot wide landscape strip unless abutting a required landscape buffer or drive-thru window.
- Landscaping will be in conformance with the City of Murfreesboro's landscape ordinance.
- Detention ponds and other stormwater facilities shall follow beautification standards per City of Murfreesboro Landscaping Ordinance.
- All common open space and landscape areas on the site shall be owned and maintained by the owners of the lot.

1.) A map showing available utilities, easements, roadways, rail lines and public right-of-way crossing and adjacent to the subject property.

Response: The exhibits given on Pages 3-6 meet this requirement.

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; location and extent of water courses, wet-lands, floodways, and floodplains on or within one hundred (100) feet of the subject property; existing drainage patterns; location and extent of tree cover; and community greenways and bicycle paths and routes in proximity to the subject property.

Response: The exhibits given on Pages 3-6 meet this requirement.

3.) A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structures on-site and within two hundred (200) feet of the subject property and the identification of the use thereof.

Response: The exhibits given on Pages 3-6 meet this requirement.

4.) A drawing defining the location and area proposed to be developed for buildings and parking; standards for pedestrian and vehicular circulation; the proposed points of ingress and egress to the development; the provision of spaces for loading; proposed screening to be made in relation to abutting land uses and zoning districts; and the extent of proposed landscaping, planting and other treatment adjacent to surrounding property.

Response: Pages 7-8 provide exhibits and standards that provides the required materials.

5.) A circulation diagram indicating the proposed principal movement of vehicles, goods and pedestrian within the development to and from existing thoroughfare.

Response: Pages 7 &13 provide exhibits and standards that provides the required materials.

6.) 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 spaces and public improvements that will be required at each stage
- (DD): A breakdown by phase for subsections (5) and (6) above.

Response: The project is anticipated to be developed in one phase. Development is anticipated to begin within 180 days of rezoning approval, and will include all public infrastructure.

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.

Response: The property is currently zoned RM (Rutherford County). The surrounding area has a mixture of residential, agricultural, and commercial properties. The concept plan and development standards combined with the architectural requirements of the buildings shown within this booklet align and closely mimic the type of developments in the surrounding neighborhoods and are envisioned to complement existing and future development in this area.

8.) A statement setting forth in detail the manner in which the proposed planned development deviates from the zoning and Subdivision Regulations which would otherwise be applicable to the subject property

Response: The applicant is requesting the following exceptions with this PCD.

SETBACKS	CH	PCD	DIFFERENCE
Front Setback	42.0’	42.0’	0.0’
Side Setback	10.0’ (0.0’)	5.0’	-5.0’ (+5.0’)
Rear Setback	20.0’	20.0’	0.0’
Minimum Lot Size	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A

9.) 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). These tabulations are for the PCD.

Response: This requirement has been addressed in the chart below.

TOTAL SITE AREA	23,551 s.f.
TOTAL MAXIMUM FLOOR AREA	4,200 s.f.
TOTAL LOT AREA	23,551 s.f.
TOTAL BUILDING COVERAGE	4,200 s.f.
TOTAL DRIVE/ PARKING AREA	9,593 s.f.
TOTAL RIGHT-OF-WAY	0 s.f.
TOTAL LIVABLE SPACE	13,958 s.f.
TOTAL OPEN SPACE	4,791 s.f.
FLOOR AREA RATIO (F.A.R.)	0.18
LIVABILITY SPACE RATIO (L.S.R.)	0.41
OPEN SPACE RATIO (O.S.R.)	0.82

10.) 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

Response: This property is not in the Gateway Design Overlay District , Airport Overlay District (AOD), Historic District (H-1), or Planned Signage Overlay District (PS). No portions of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0270H eff. 1/4/2007.

11.) 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.

Response: Pages 4 & 12 discusses the Major Thoroughfare Plan.

12.) 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.

Response: The primary representative is Matt Taylor of SEC, Inc. developer/ applicant is Investment Partners, LLC contact info for both is provided on cover.

13.) Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. The location and orientation of exterior light fixtures and of garages shall be shown if such are to be included in the structures.

Response: Pages 9-11 show the architectural character of the proposed building and building materials listed.

14.) If a development entrance sign is proposed the application shall include a description of proposed signage for the development including calculations of square footage and height. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.

Response: Examples of entrance signage are located on Page 8.

Land Use Parameters and Building Setbacks			
Zoning (Most Relevant vs Proposed)	CH (Most Relevant)	Proposed PCD	Difference
Residential Density			
Maximum Dwelling Units Multi-Family	N/A	N/A	N/A
Minimum Lot Area	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A
Minimum Setback Requirements			
Minimum Front Setback	42'	42'	0.0'
Minimum Side Setback	10' (Except Zero Feet when adjacent to commercial)	5'	-5.0' (+5.0')
Minimum Rear Setback	20'	20'	0.0'
Land Use Intensity Ratios			
MAX FAR	None	None	NA
Minimum Livable Space Ratio	None	None	NA
Minimum Open Space Requirement	20%	20%	0.0%
Minimum Formal Open Space Requirement	3%	3%	0%
Max Height	75'	35'	-40'
Parking Ratios (See Page 7 for Parking Calculations)	<u>All Other Uses:</u> Per Chart 4 of the 2022 Zoning Ordinance	Parking shall abide by Chart 4 of the 2022 Zoning Ordinance	

PCD Exceptions Request Summary:

- Requesting an exception to the required 15-ft wide Type ‘D’ Landscape buffer along the southern property line. The request is based on fact that the property to the south may be zoned Medium Density Residential (RM), it also has a Conditional Use Permit from Rutherford County, that allows is it to be used for commercial purposes. Since the neighboring property has that permit and is currently being used as a commercial establishment, the Type ‘D’ Buffer is not necessary, as this property line would be dividing two properties with commercial uses, if this PCD is approved.
- Requesting an exception to the 10-ft side setback to be reduced to 5-ft along the southern property line. The request is in conjunction with the first exception (see above) in that the property to the south is a commercial use. The proposed PCD is being compared to Commercial Highway (CH) zoning, which allows for a 10-ft wide side setback along that property line when the adjacent property zoned residential. The CH zone also allows for the 10-ft side setback to be reduced to Zero feet (0-ft), if the adjacent property has commercial zoning or land use. As the property to the south is a residential property, functioning as a commercial property through the existing Conditional Use Permit with the County, the reduction request of 5-ft is in line with the side setback guidelines outlined in the Zoning Ordinance for a property similar to Commercial Highway (CH) zoning.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: MARINA RUSH**

4.d. Annexation petition and plan of services [2022-508] for approximately 22.32 acres located along Butler Drive, City of Murfreesboro Administration Department applicant.

The property owner, the City of Murfreesboro, is requesting to annex this property into the City of Murfreesboro. The subject property is 22.32 acres, located along the west side of Butler Drive and north of Joe B Jackson Parkway, and is currently vacant land. No right-of-way (ROW) is included in this annexation request because Butler Drive is in the City limits. There are no residential structures currently located on the property. Simultaneous with this application is a request to zone the property to Heavy Industrial (H-I).

The study area is located within the City of Murreesboro's Urban Growth Boundary and is contiguous to the City limits along the west property line and along the east property line at the Butler Drive ROW. The City is proposing an update to the Murfreesboro 2035 Comprehensive Plan, Chapter 4 Future Land Use Map and text. The update proposes a "Service Infill Line"; this line is to help facilitate growth and development in the City in an orderly, planned, and sustainable manner and to help plan for future City services. This annexation study area is located within the Service Infill area. Attached to this staff report are maps illustrating the annexation study area for the following:

- Tax Map 126, Parcel 46.00 (20 acres, also identified as 2120 Butler Drive)
- Tax Map 126, Parcel 46.01 (2.32 acres, also identified as 2124 Butler Drive)

A Neighborhood Informational meeting to discuss both the annexation and zoning of the subject property will be held on January 9, 2023, at 5:30 PM at the City of Murfreesboro Fire Station #2, located at Runnymede Drive.

Staff has prepared a plan of services (POS) for the proposed annexation, which provides detailed information regarding each of the City services. It is attached to this staff report for reference. The annexation study demonstrates that City services can be provided to the subject property.

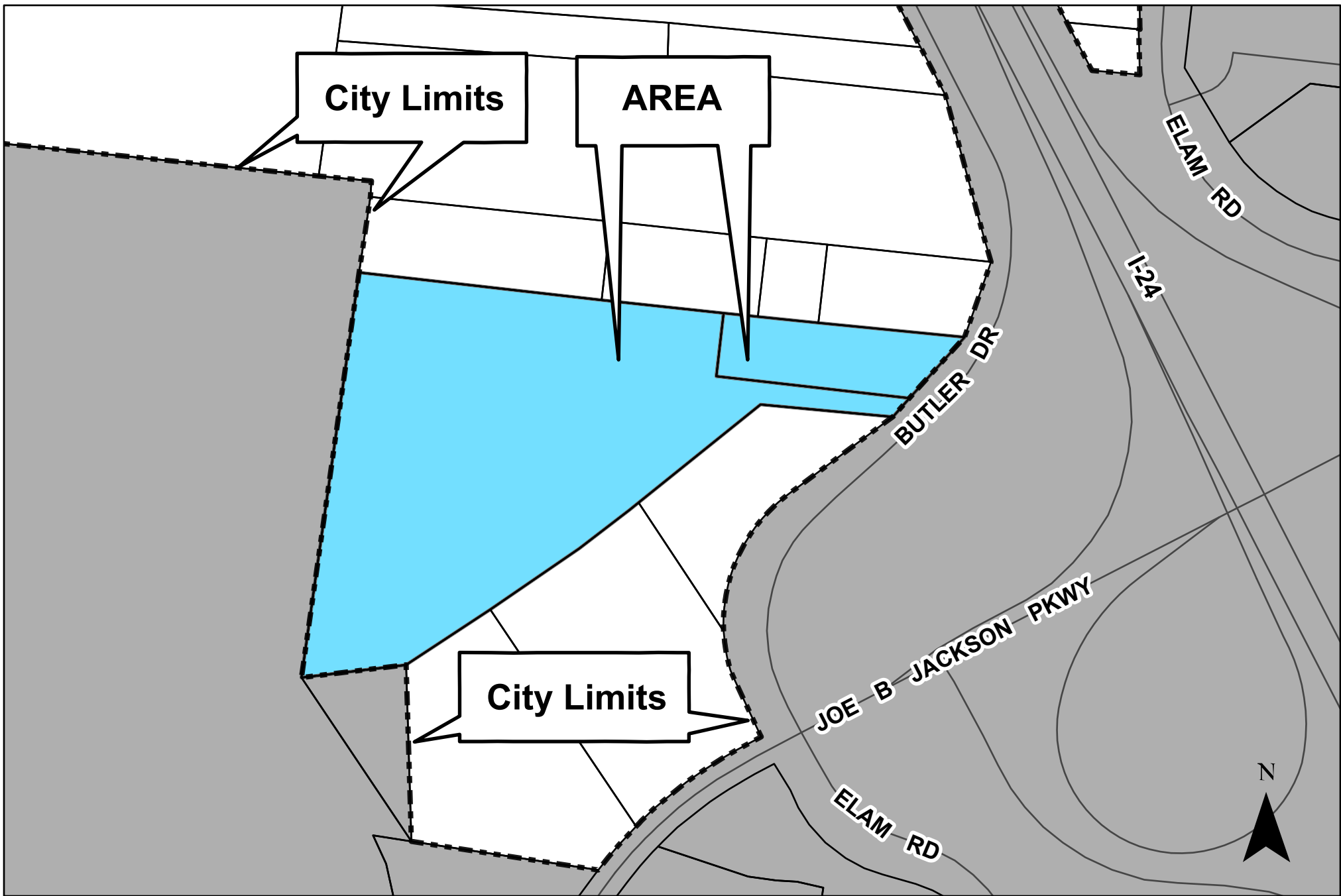
Staff Recommendations:

Staff recommends approval of the annexation based on the following reasons:

- a. Study area is contiguous with the existing City limits and is within the Murfreesboro Urban Growth Boundary.
- b. Study area is in the Service Infill area of the proposed update to the 2035 Comprehensive Plan Land Use Map.
- c. City services can be provided to the subject property upon annexation.
- d. Simultaneous with this application is a request to zone the property to H-I, and City services can be provided to the subject property for future development.

Action Needed:

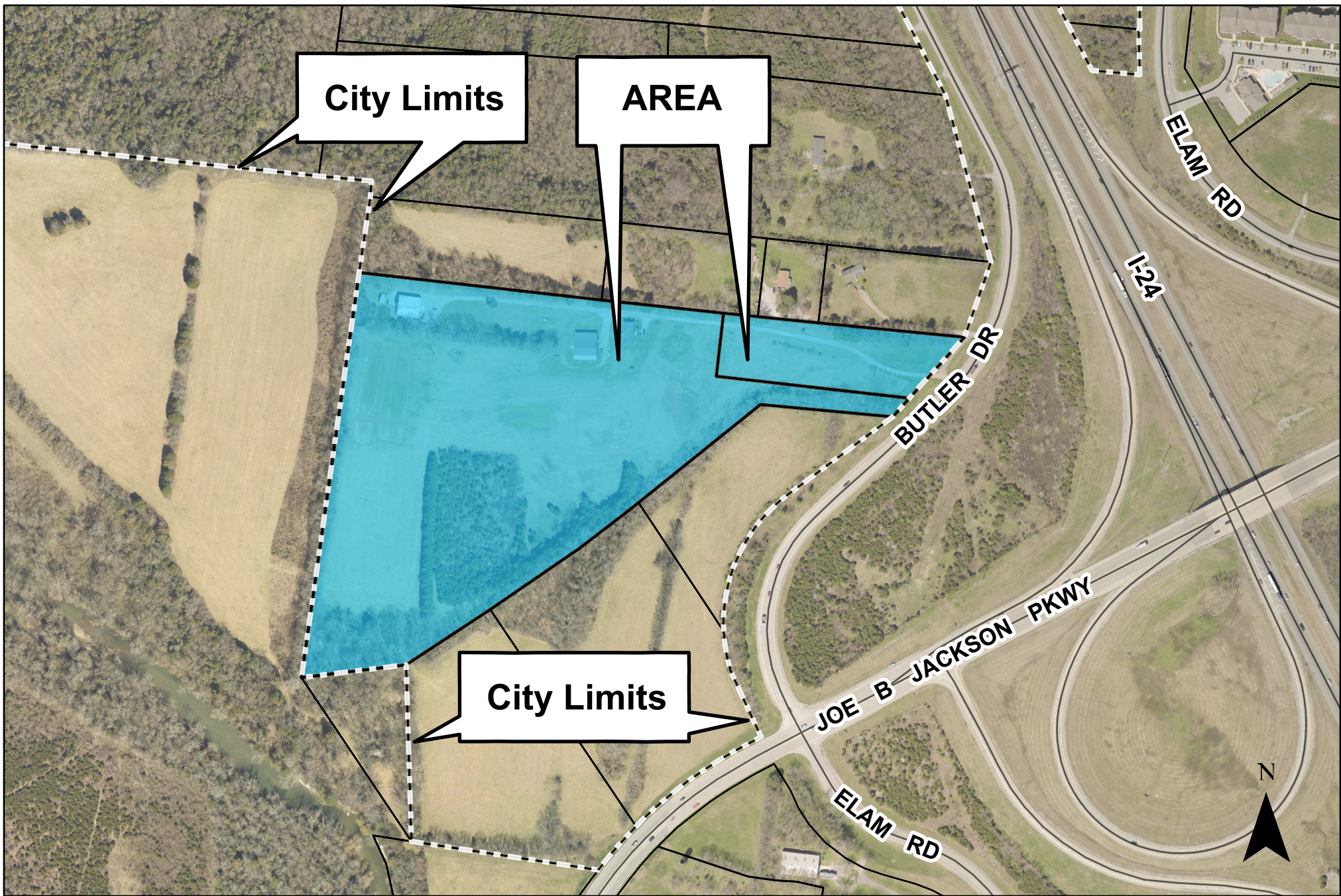
The Planning Commission will need to conduct a public hearing and then discuss the matter, after which it will need to formulate a recommendation for the City Council.



Annexation request for property along Butler Drive



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Annexation request for property along Butler Drive

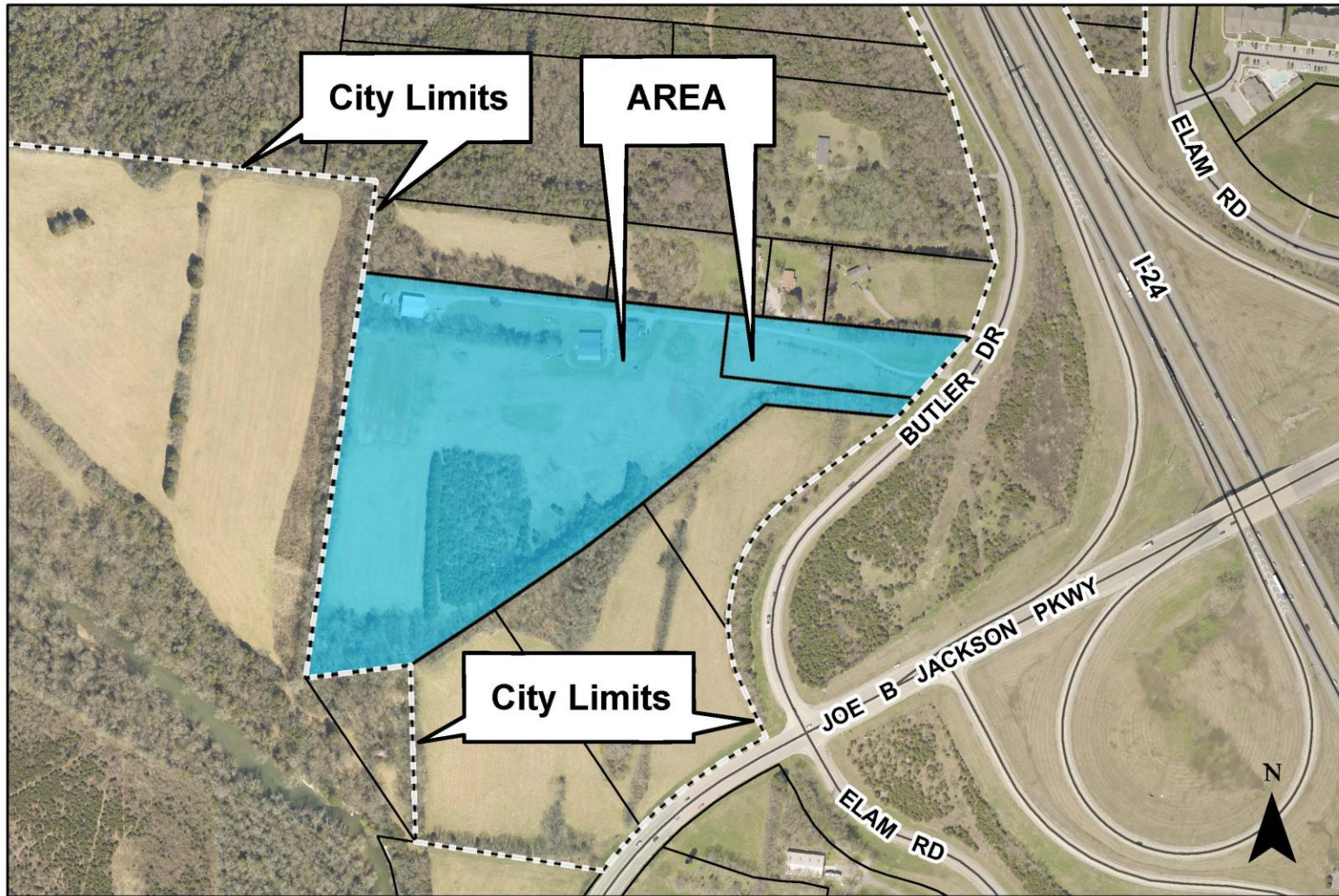


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**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG BUTLER DRIVE INCLUDING PLAN OF SERVICES
(FILE 2022-508)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION – JANUARY 11, 2023**



Annexation request for property along Butler Drive



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INTRODUCTION

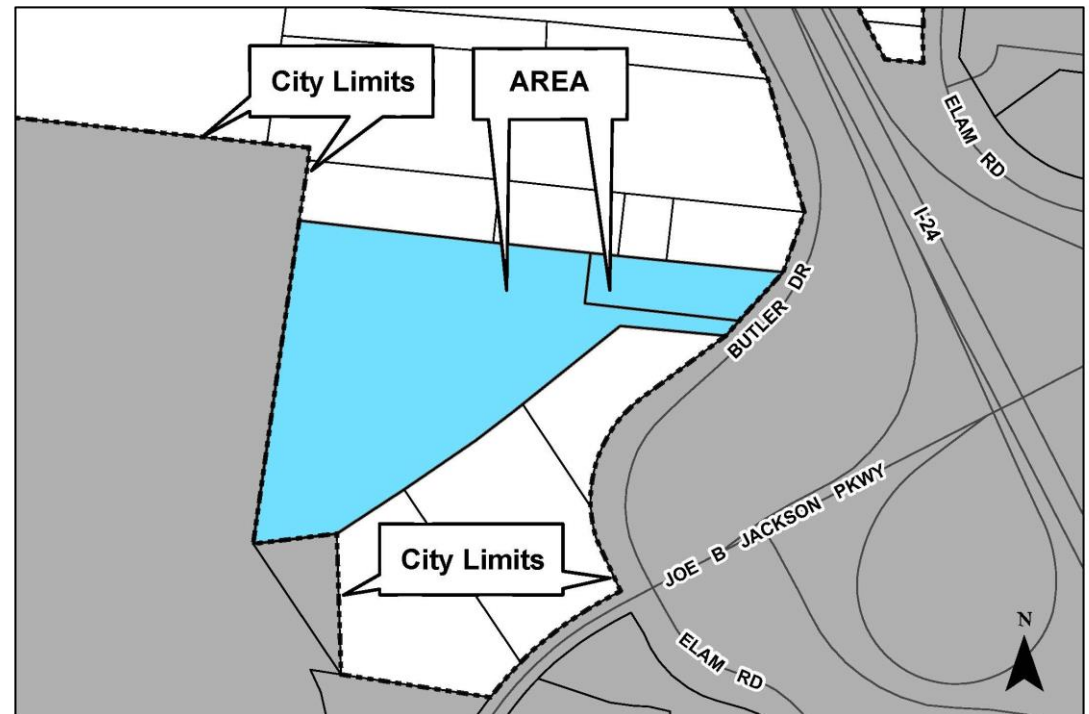
OVERVIEW

The property owner, the City of Murfreesboro, is requesting to annex this property into the City of Murfreesboro. The subject property is 22.32 acres, located along the west side of Butler Drive and north of Joe B Jackson Parkway, and is currently vacant land. No right-of-way (ROW) is included in this annexation request because Butler Drive is in the city limits. There are no residential structures currently located on the property.

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous to the city limits along the west property line and along the east property line at the Butler Drive ROW. The City is proposing an update to the Murfreesboro 2035 Comprehensive Plan, Chapter 4 Future Land Use Map and text. The update proposes a "Service Infill Line"; this line is to help facilitate growth and development in the City in an orderly, planned, and sustainable manner and to help plan for future city services. This annexation study area is located within the Service Infill area.

The study area includes the following properties:

- Tax Map 126, Parcel 46.00 (20 acres, also identified as 2120 Butler Drive)
- Tax Map 126, Parcel 46.01 (2.32 acres, also identified as 2124 Butler Drive)



Annexation request for property along Butler Drive

0 235 470 940 1,410 US Feet

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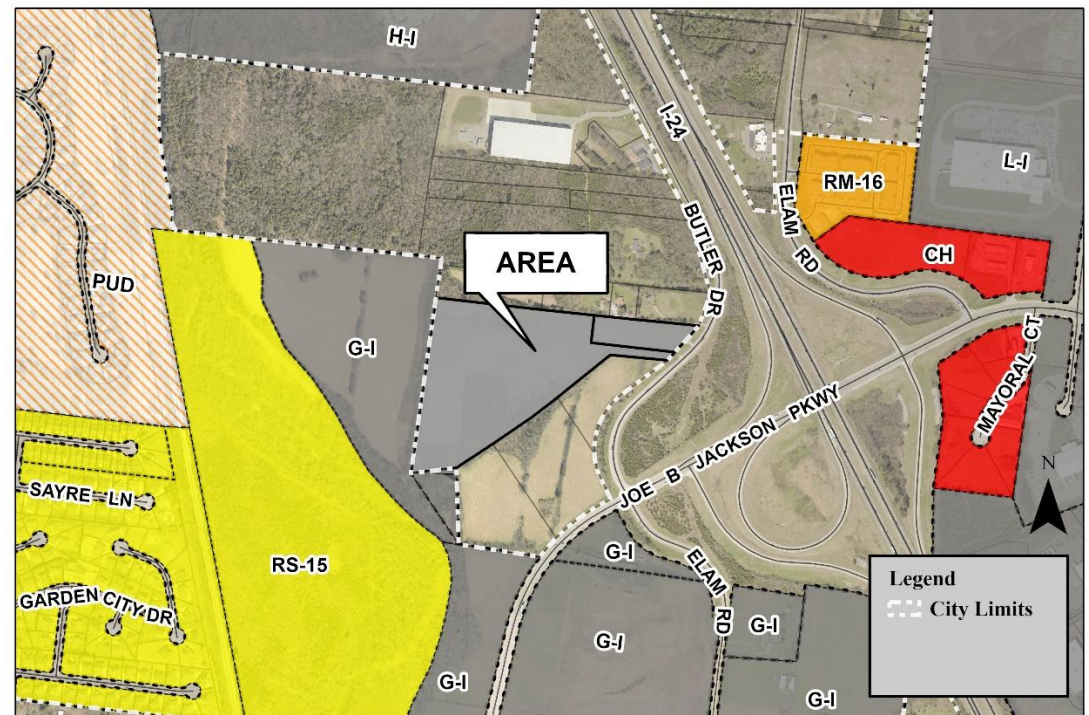
CITY ZONING

A separate application has been submitted by the City of Murfreesboro requesting H-I (Heavy Industrial) zoning for the study area simultaneous with annexation. The subject parcel is currently zoned Light Industrial (LI) in the County of Rutherford. The purpose of the requested H-I zoning is to allow for the future development of City facilities. These potentially could include a materials management and processing facility, salt/brine storage, outdoor vehicle and equipment storage, and an employee building with offices and restrooms.

The adjacent properties have a variety of zoning and existing land uses. To the east is the interstate, I-24. The properties directly to the north are in Rutherford County and zoned RM (Medium Density Residential). The properties further to the north of these are in the city limits and zoned H-I.

To the south of the study area, the contiguous properties are in Rutherford County and zoned Light Industrial. Further to the south of Joe B Jackson Parkway are properties zoned G-I (General Industrial).

The properties to the west are zoned G-I and RS-15 (Single Family Residential). Further west of the Stones River, the properties are single family residential (Indian Hills subdivision) and zoned PUD (Planned Unit District).



Annexation request for property along
Butler Drive

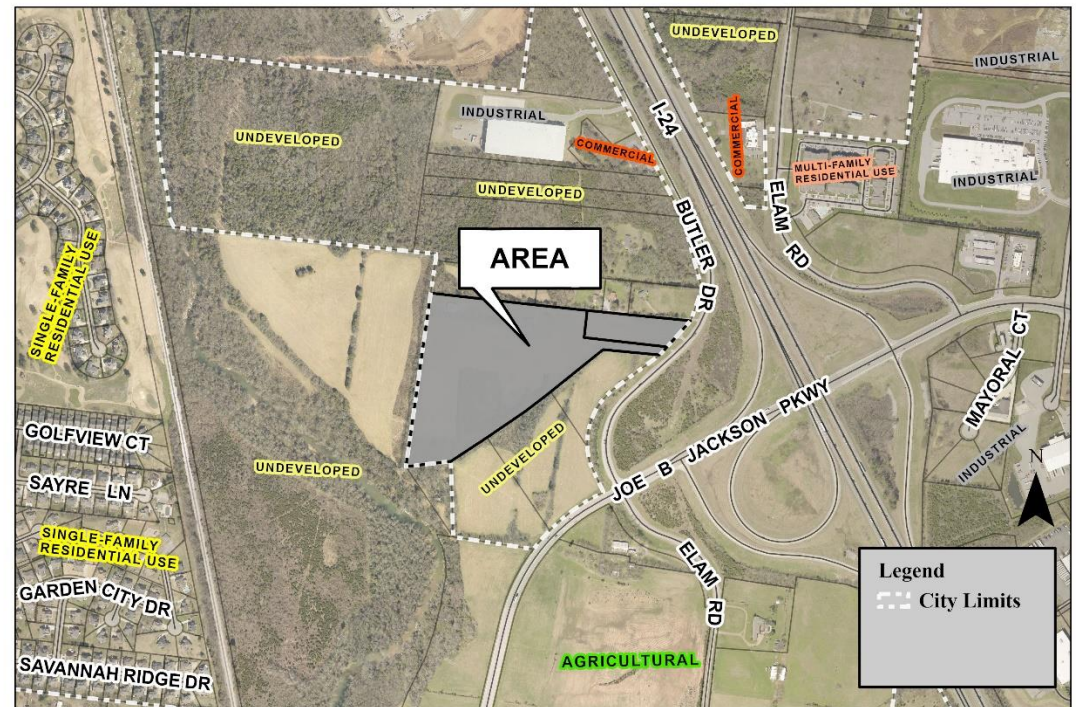


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PRESENT AND SURROUNDING LAND USE

The study area is currently vacant and prior residential structures located on the site have been removed. The adjacent properties have a variety of existing land uses. To the east is the interstate, I-24. The properties directly to the north are developed with single family residences, one is a child daycare center, and remaining are vacant lots. The properties further to the north of these are developed with a variety of heavy industrial uses.

To the south of the study area, the properties are currently vacant. The parcel located adjacent to the southbound on-ramp to I-24 has an approved site plan for a retail and fueling center (Buc-ee's). The properties to the west are vacant land and the Middle Fork of the Stones River. Further west of the Stones River, the properties are single family residential (Indian Hills subdivision).



Annexation request for property along
Butler Drive

0 0.05 0.1 0.2 0.3
Miles

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TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2023 will be due on December 31, 2024. 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, which are not applicable for City owned property.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements + Yard Item Value	Total Assessment	Estimated City Taxes
City of Murfreesboro	1.6	\$127,700	\$0.00	\$31,925	N/A
City of Murfreesboro	2.32	\$78,900	\$0.00	\$19,725	N/A

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 such as patrol, criminal investigation, community policing, traffic operations, canine, DARE, and other community crime prevention programs to the subject parcel immediately upon the effective date of annexation. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation. If the property is zoned H-I, it will have little impact upon police services. This property is in Police Zone #7.

ELECTRIC SERVICE

The study area is presently served by Middle Tennessee Electric (MTE). MTE has existing electric facilities along the east side of Butler Drive and has capacity to accommodate any future development. All new electrical infrastructure installed to serve the future development will be required to adhere to MTE standards.

STREET LIGHTING

Streetlights are installed along the west side of Butler Drive. New development would not impact existing streetlights.

SOLID WASTE COLLECTION

The study area is currently undeveloped. If the property is zoned H-I, any future development of City facilities will be serviced by the City's Solid Waste Department.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to any potential occupants of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees.

The study area is currently vacant. Since the study area is proposed for Heavy Industrial zoning, there would not be any impacts to the City Recreation Department with future development.

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 property is currently vacant and will have no impact on MCS in its current state. The property, if annexed, would become part of the Black Fox Elementary school zone. Since the study area is

proposed for Heavy Industrial zoning, there would not be any impacts to the City Schools with future development.

BUILDING AND CODES

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

PLANNING, ENGINEERING, AND ZONING SERVICES

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

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area does not include any additional public roadway systems. Access to a public roadway system is available through Butler Drive. Any new connections to Butler Drive must be approved by the City Engineer. This property is affected by the 2040 Major Transportation Plan. This includes realignment and improvements to Butler Drive to a 3-lane section. The developer (which will likely be the City) will be required to participate in those improvements and dedicate right-of-way as needed. Any future public roadway facilities to serve the study area must be constructed to City standards. No additional public roadways are included in the study area.

REGIONAL TRAFFIC & TRANSPORTION

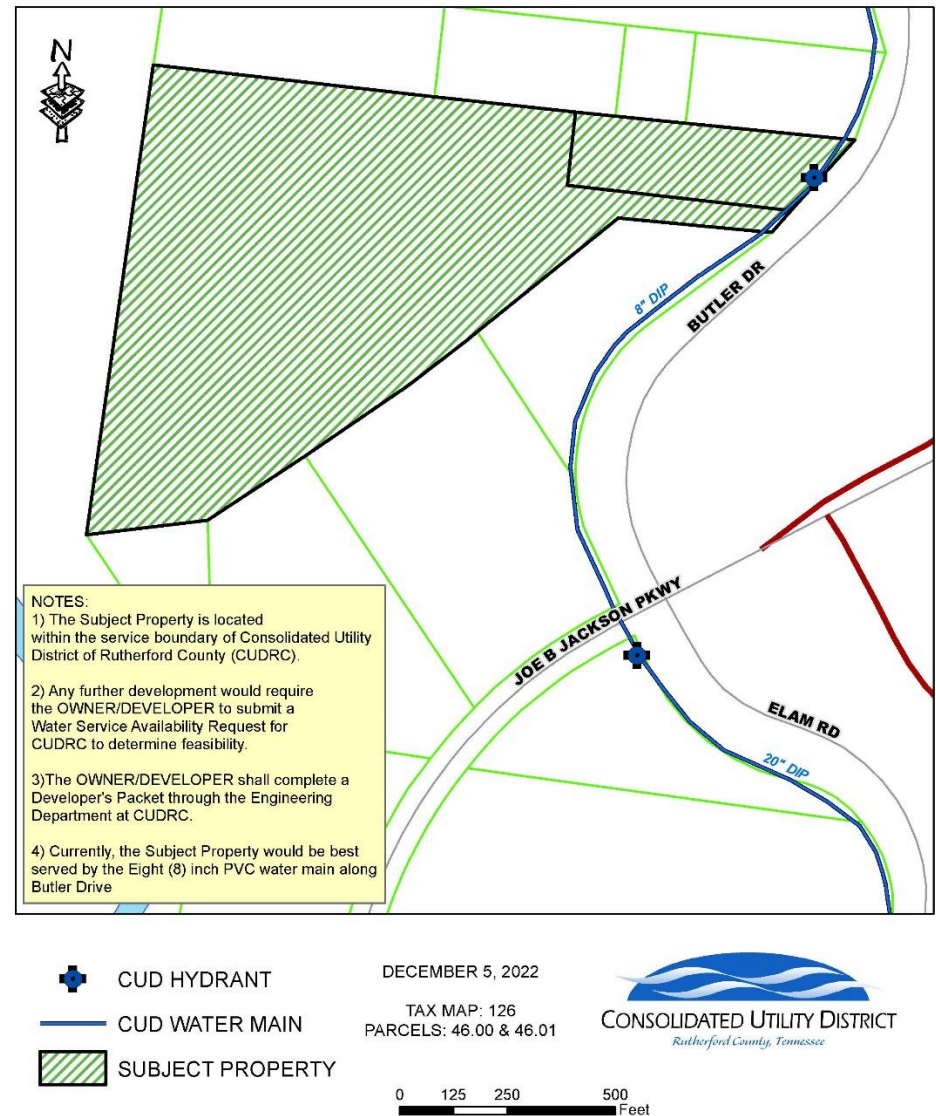
The study area is currently served by Butler Drive as the major roadway facility. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates Butler Drive to be operating at a Level of Service B in the study area based on average daily traffic (ADT). The 2040 Level of Service Model shows that Butler Drive will continue to operate at a level of service of B in the study area with the proposed improvements recommended in the 2040 MTP.

WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. An 8--inch PVC water main is located along Butler Drive. This water line can serve the annexation study area.

Prior to any future development, the developer of the property will be required to submit a Water Availability Application to determine feasibility and to complete CUD's Developer Packet through CUD's Engineering Department prior to entering the construction phase. Any new water line development must be done in accordance with CUD's development policies and procedures.

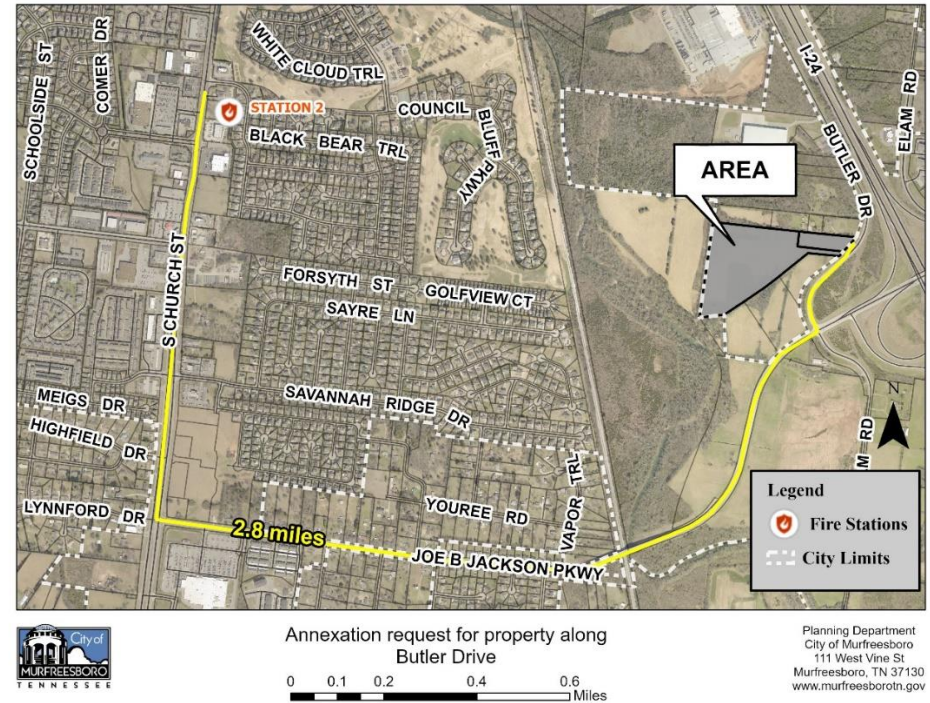
2120 & 2124 Butler Drive Annexation Request



FIRE AND EMERGENCY SERVICE

The study area is currently vacant. The Murfreesboro Fire and Rescue Department (MFRD) can provide emergency services to the study area immediately upon the effective date of annexation at no additional expense. MFRD can also provide fire protection upon annexation.

Currently the study area is located 2.8 miles from Fire Station #2 (2880 Runnymede Drive). The yellow line on the adjacent map represents the linear distance range from the nearest fire station.

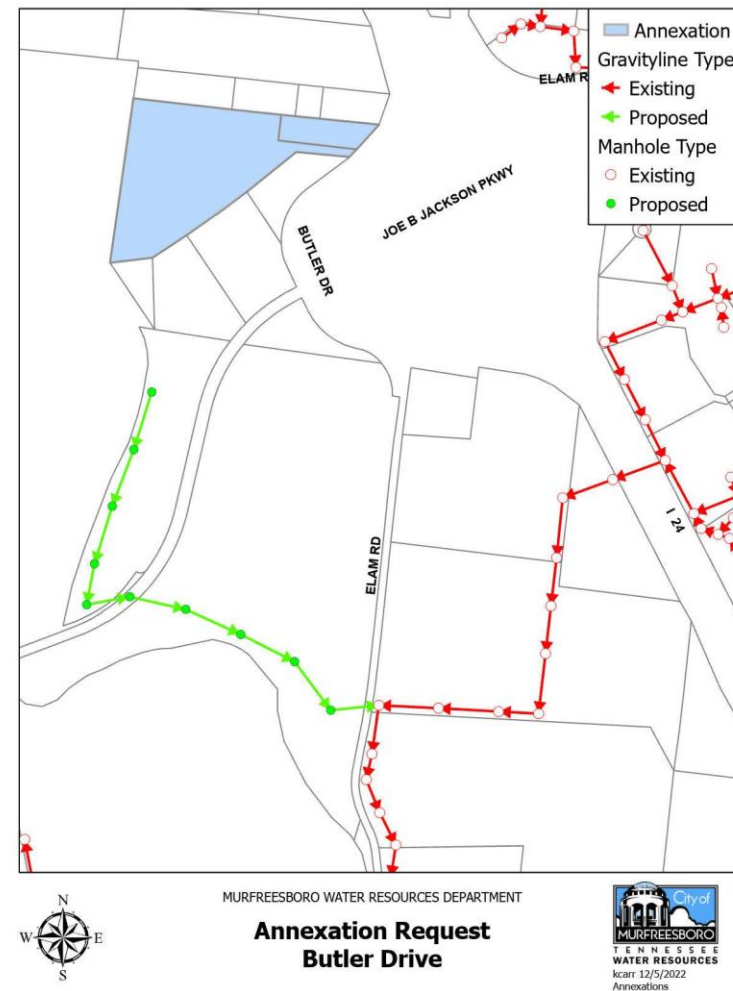


SANITARY SEWER SERVICE

In order to serve the properties requesting annexation, off-site sewer (shown as a green line) must be extended from an existing 15" sewer main (shown as a red line), south of Joe B Jackson Parkway. This 15" main is at the eastern edge of Elam Road in its current location and will be extended west across Elam Road, and then west and northerly along the northern bank of the Middle Fork of the Stones River and following the river north, crossing under Joe B Jackson Parkway and then northeasterly along the northern ROW of Joe B Jackson Parkway toward Butler Drive. This sewer main extension has been designed; however, easements have not been purchased.

In addition to this gravity sewer main extension, these properties requesting annexation are not at an elevation that would allow them to connect to the proposed gravity sewer extension by gravity. The development of these properties will require a pump and sewer force main to connect. It has not yet been determined as to whom will be responsible for this gravity sewer main extension from the south of Joe B Jackson Parkway.

These properties are within the Buchanan/Elam Sanitary Sewer Assessment District (AD) and will be charged \$1000 per single family unit (sfu) in addition to the standard sewer connection fees. All main line extensions are the financial responsibility of the developer and must be extended in accordance with the Development Policies and Procedures of MWRD.



DRAINAGE

Public Drainage System

Drainage systems are available in the study area and include facilities within the roadway of Butler Drive. The study area has access to these drainage systems. No additional public drainage facilities are included in the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

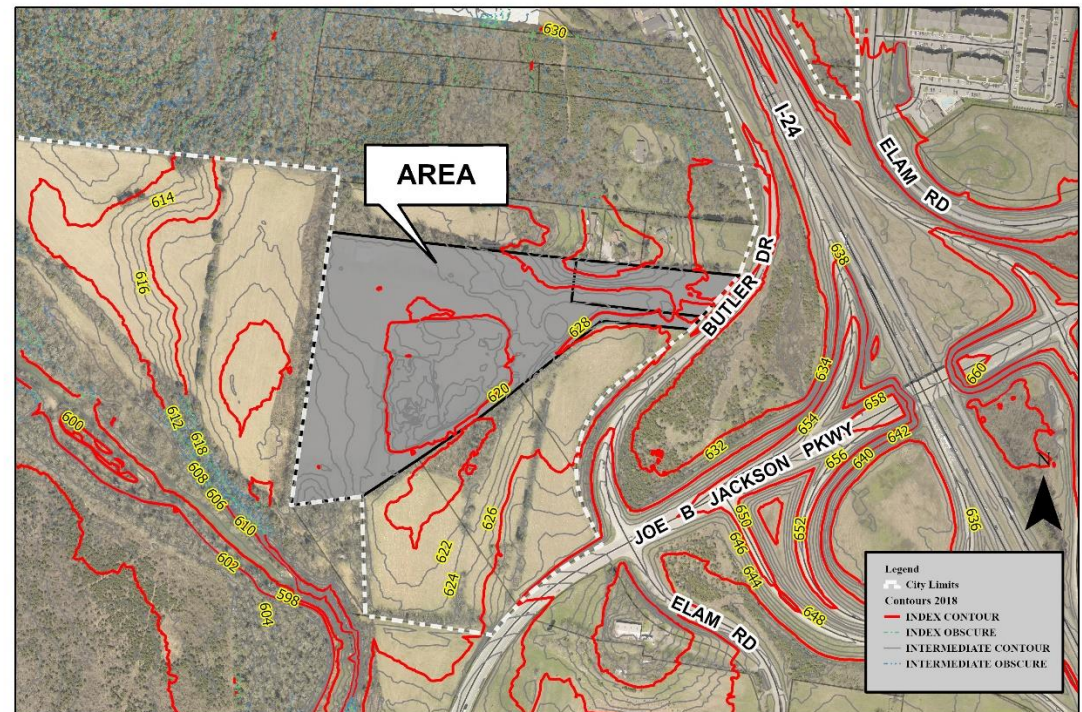
A review of the regional drainage patterns indicates the study area drains to closed depressions on-site. According to aerial photography, these closed depressions pond water.

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. The property is currently vacant and will not generate annual revenue for the Stormwater Utility Fee.

The study area has a proposed zoning of Heavy Industrial (H-I). Based on this development scenario, it is anticipated that the site will generate approximately \$3,500

in revenue per year into the Stormwater Utility Fund upon full build-out. The red lines on the adjacent map represent ten-foot contours. The grey lines represent two-foot intervals.



Annexation request for property along
Butler Drive

0 0.04 0.09 0.18 0.27
Miles

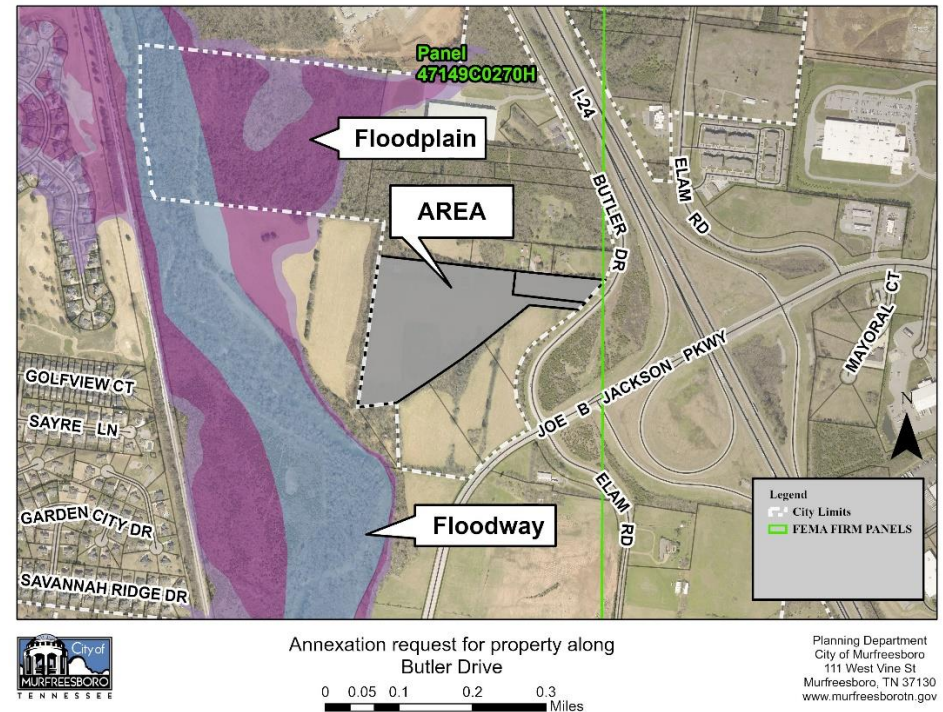
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FLOODWAY

The study area is not located within the 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The adjacent map shows the 100-year floodplain to the west and southwest of the subject property.

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.



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: MARINA RUSH**

4.e. Zoning application [2022-429] for approximately 22.32 acres located along Butler Drive to be zoned H-I simultaneous with annexation, City of Murfreesboro Administration Department applicant.

The applicant is the City of Murfreesboro Administration Department and is proposing to zone the subject property located along Butler Drive to Heavy Industrial (H-I) simultaneous with annexation. The subject parcel is currently zoned Light Industrial (L-I) in the County of Rutherford. It is 22.32 acres, is owned by the City, and is located along the west side of Butler Drive and north of Joe B Jackson Parkway. The property tax map numbers are:

- Tax Map 126, Parcel 46.00 (20 acres also identified as 2120 Butler Drive)
- Tax Map 126, Parcel 46.01 (2.32 acres also identified as 2124 Butler Drive)

The purpose of this zoning is to allow for the future development of City facilities. These potentially could include a materials management and processing facility, salt/brine storage, outdoor vehicle and equipment storage, and an employee building with offices and restrooms.

A Neighborhood Informational meeting will be held on January 9, 2023, at 5:30 PM at the City of Murfreesboro Fire Station #2, located at Runnymede Drive.

Adjacent Zoning and Land Uses

The adjacent properties have a variety of zoning and existing land uses. To the east is the interstate, I-24. The properties directly to the north are in unincorporated Rutherford County and zoned RM (Medium Density Residential). Of these, three are developed with single family residences, one is a child daycare center, and remaining are vacant lots. The properties further to the north of these are in the City limits and zoned H-I and are developed with a variety of heavy industrial uses.

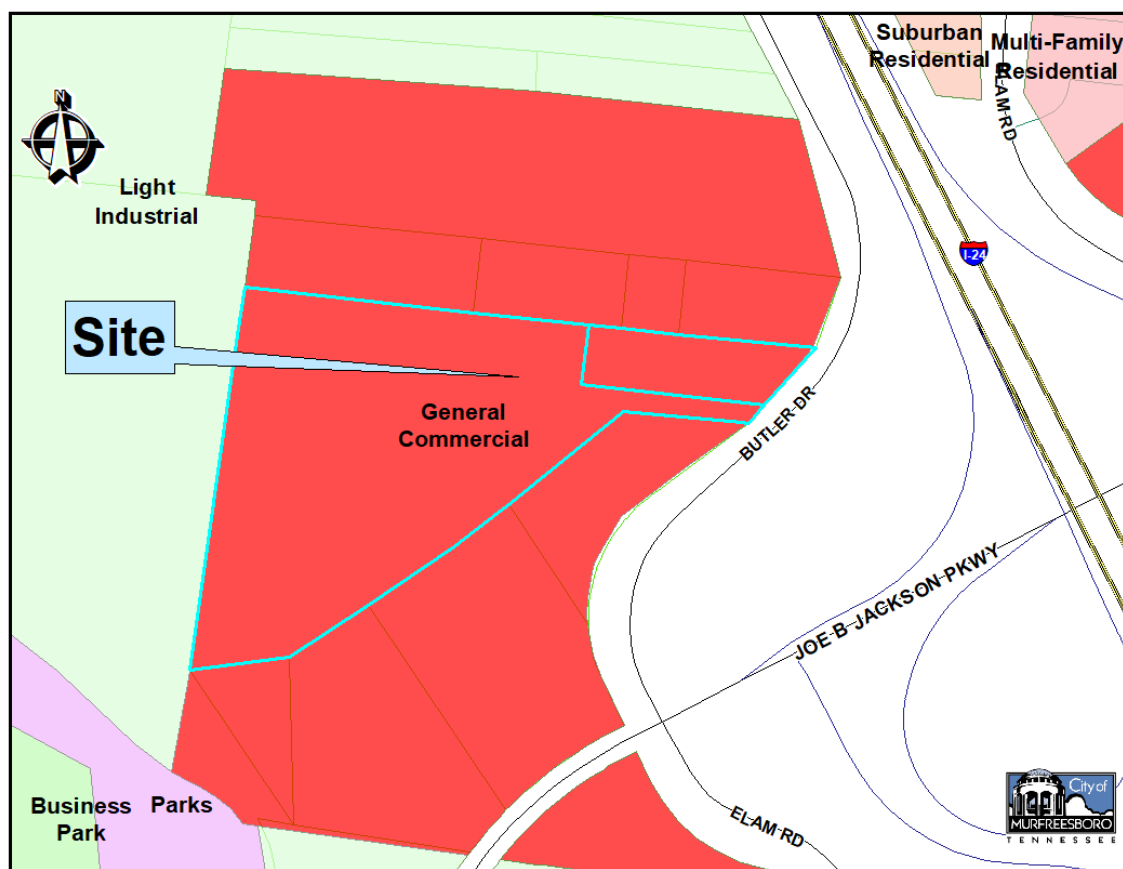
To the south of the study area, the contiguous properties are in Rutherford County and zoned Light Industrial; these properties are currently vacant. Further to the south of Joe B Jackson Parkway are properties located in the City limits and zoned

G-I (General Industrial). The parcel located adjacent to the southbound on-ramp to I-24 has an approved site plan for a retail and fueling center (Buc-ee's). The properties to the west are vacant land and the Middle Fork of the Stones River. Further west of the Stones River, the properties are single family residential (Indian Hills subdivision) and zoned PUD (Planned Unit District).

Future Land Use Map

The current Future Land Use Map of the Murfreesboro 2035 Comprehensive Plan indicates that Auto-Urban (General) Commercial is the most appropriate land use character for the project area. Characteristics of the General Commercial land use designation are high intensity commercial businesses that have a trade outside of Murfreesboro and require a large amount of land for their operations. The typical uses are shopping centers, hotels, and big-box retailers, and sites typically have good access to arterial roadways. The proposed H-I zoning would not be consistent with this land use character and, as studied for the proposed update, staff does not believe this would be an appropriate location for future development of general commercial uses.

Murfreesboro 2035 Comprehensive Plan Future Land Use Map (excerpt)



Currently, the future land use map and Chapter 4 text of the Murfreesboro 2035 Comprehensive Plan is in the process of being updated. The proposed update to the Future Land Use Map (FLUM) of the Murfreesboro 2035 Comprehensive Plan indicates “Public/Private Institutional” as the most appropriate land use character for the 20-acre parcel and “Business Innovation” for the 2.32-acre parcel.

Public/Private Institutional character: consists of lands or land-uses that are held in the public interest, typically exempt from property taxation, and encompasses City-owned facilities, other public and private buildings, and sites with an institutional nature. This land use category supports municipal and regional uses and functions, such as utilities, transportation-related infrastructure, hospitals, schools, cemeteries, wastewater treatment plant, airport, and uses that are public in nature. The suggested City zoning districts for this land use designation include:

- College and University District (CU)
- Planned Institutional Development (PND)
- Public Institutional land uses may occur in any number of underlying zoning districts if they are determined to be compatible with surrounding land uses and may require approval of a Special Use Permit by the Board of Zoning Appeals,
- Park
- Zoning districts other than these suggested districts may be evaluated on a case- by-case basis.

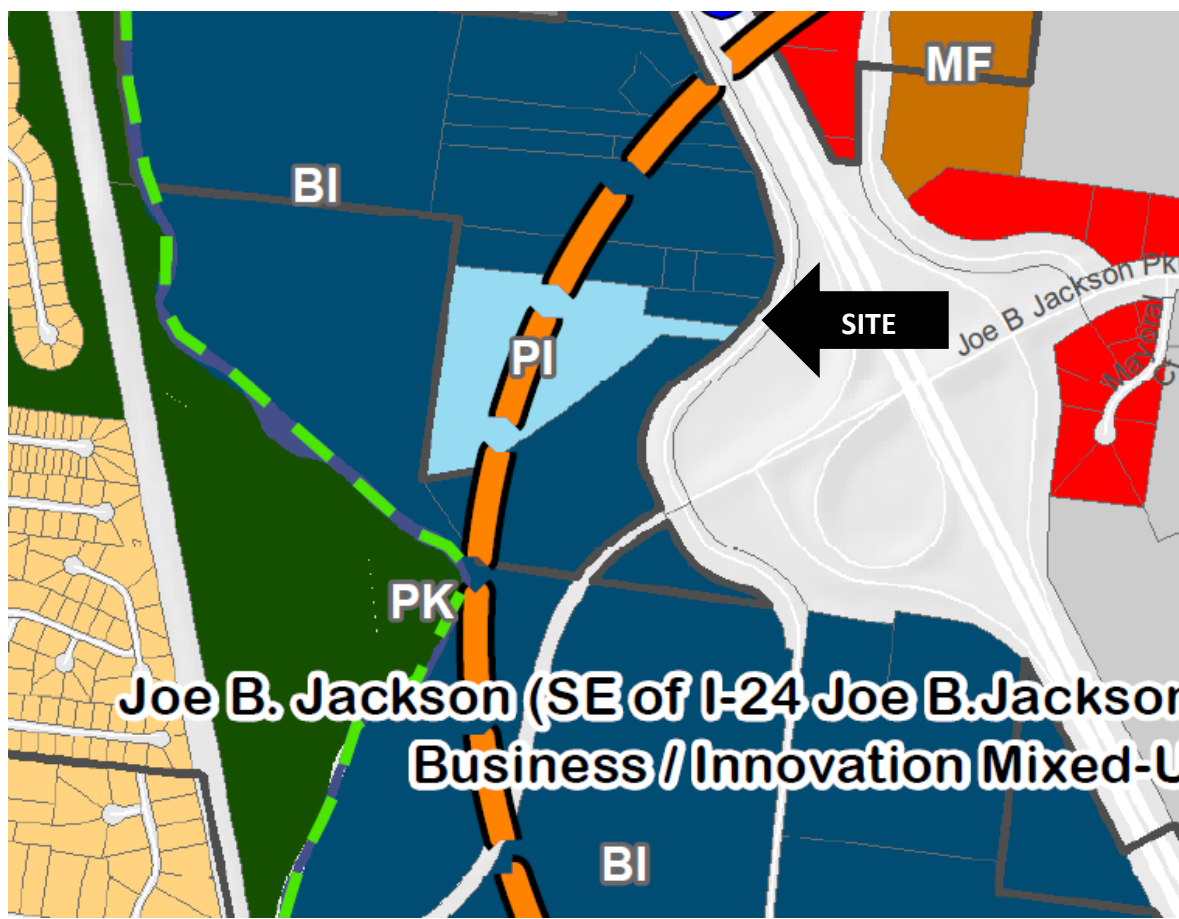
In this case, the H-I zoning district would be consistent with the proposed FLUM because it is compatible with the adjacent industrial zoning districts and surrounding land uses in the area.

Business Innovation character: consists of industrial and advanced manufacturing uses, larger scale buildings and industrial campuses, large scale developments, and research and development institutions. Suggested zoning districts include L-I (Light Industrial), G-I, PID (Planned Industrial District), and other zoning districts as evaluated on a case-by-case basis. In this case, the H-I zoning would be consistent because it is for public facilities that will be industrial in nature and located in an area that has other H-I zoning and uses.

In addition to the land use characteristics described above, the study area is located within an area identified in the proposed FLUM update as “Economic Development Site No. 3.” The economic development sites were key areas for the

City that have strong potential for economic development and job creation in Murfreesboro. Also, the FLUM update proposes a “Service Infill Line”, this line is to help facilitate growth and development in the City in an orderly, planned, and sustainable manner and to help for future City services. The study area is located within the Service Infill area. The exact nature and character of the uses will be determined by the City Council following the City’s Community Investment Plan (CIP) process.

Proposed Murfreesboro 2035 Comprehensive Plan - Future Land Use Map (excerpt)



It is staff's opinion that the proposed rezoning request for H-I is consistent with proposed revision to the FLUM, as well as the industrial uses in the area. The H-I zoning would not be consistent with the current adopted FLUM for General Commercial land use designation.

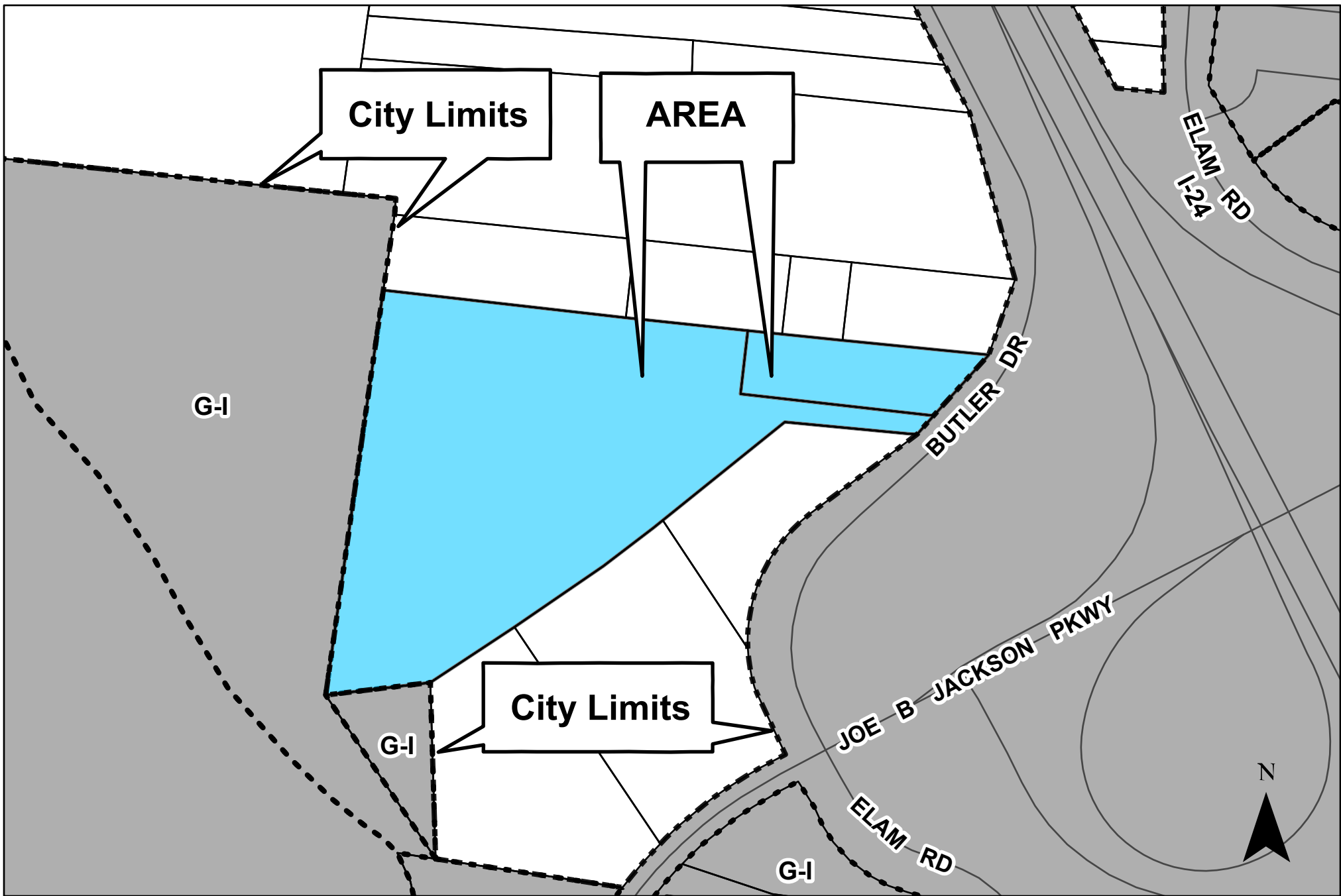
Recommendation:

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

- 1) H-I zoning district would be consistent with the proposed FLUM because it is compatible with the adjacent industrial zoning districts and surrounding land uses in the area.
- 2) H-I zoning allows for a variety of industrial uses, including municipal uses that are also industrial in nature, such as a materials management and processing facility, salt/brine storage, outdoor vehicle and equipment storage, and an employee building with offices.
- 3) Development of the property with heavy industrial municipal uses would provide a public benefit to the community.
- 4) H-I zoning would be consistent with existing zoning at this interchange, including properties to the north that are zoned H-I and to the south of Joe B Jackson Parkway that are zoned G-I, ready access to major arterial roadways and highway for the proposed municipal industrial uses, and the realignment of Butler Drive with the development of this property.

Action Needed:

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

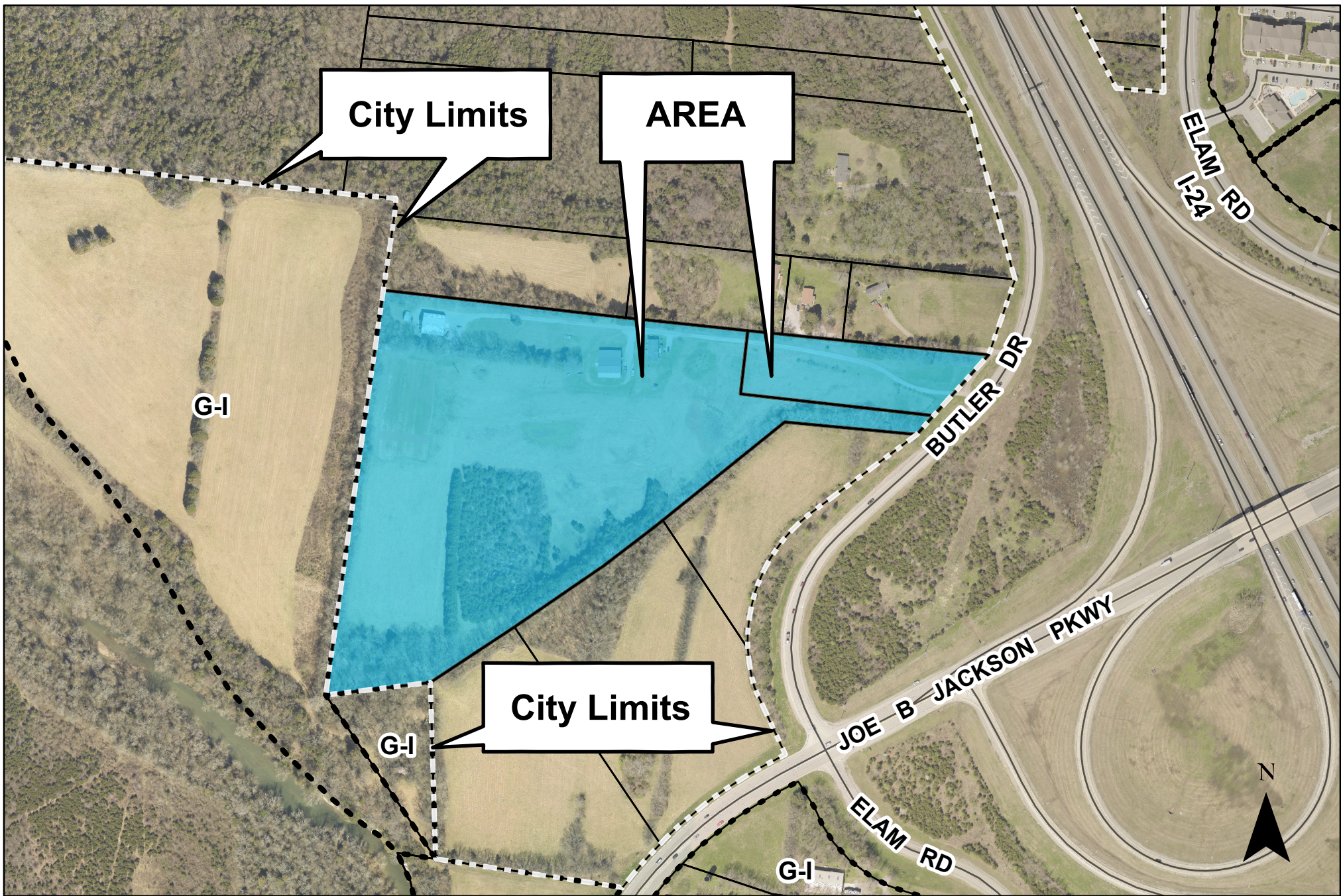


Zoning request for property along Butler Drive
H-I simultaneous with annexation

0 235 470 940 1,410 US Feet



Planning Department
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111 West Vine St
Murfreesboro, TN 37130
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Zoning request for property along Butler Drive
H-I simultaneous with annexation



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**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: AMELIA KERR**

- 5.a. **Mandatory Referral [2022-731] to consider the abandonment of drainage and sanitary sewer easements on property located north of Medical Center Parkway and along Roby Corlew Lane, Chris Mabery of Ragan Smith representing Hines Clari Park Land Holdings, LLC applicant.**



In this mandatory referral, the Planning Commission is being asked to consider abandoning a sanitary sewer easement and a drainage easement located on property north of Medical Center Parkway (Map 092, Parcel 8.22). The applicant seeks to abandon these easements to subdivide this property into multiple lots for commercial businesses. A final plat has been submitted for Clari Park Subdivision Section 2 in conjunction with these proposed abandonment requests for review and approval. A copy of the proposed final plat for Clari Park Subdivision Section 2 has been attached for your review.

The sanitary sewer easement was granted to the City of Murfreesboro on July 20, 2015 and was recorded with the North Church LLC subdivision Lots 4 thru 8, Section 1, Phase 2 final plat. An exhibit to show the abandonment of the 8,428 sq. ft. sanitary sewer easement is attached for your review. The proposed final plat for Clari Park Section 2 modifies the sanitary sewer layout to follow the proposed extension of Roby Corlew Lane and then tie into the existing system on the North Church Subdivision property. With the new final plat layout, the new portion of the sanitary sewer line will be installed on proposed Lots 9 and 10 that will then connect to the main trunk inside Roby Corlew Lane.

The Murfreesboro Water Resources Board met on December 13, 2022, and MWRD Staff recommended that the Board recommend to Planning Commission and City Council approval of the abandonment of the existing sewer easement. The memo from MWRD is attached for your review. The Water Resources Board voted to recommend abandonment of the easement at this meeting.

The drainage easement was granted to the City of Murfreesboro on July 20, 2022, and was recorded with the Clari Park Subdivision, Section 1 final plat. The proposed drainage easement abandonment crosses property belonging to Hines on lot 10 and is proposed to be realigned as shown on the attached Clari Park Section 2 final plat.

The City Engineer, Michele Emerson, has reviewed the proposed drainage easement abandonment and does not object to it, provided that appropriate conditions are placed on its approval. An e-mail from Ms. Emerson is included in the agenda packet for reference.

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

- 1) The drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.

- 2) If approved by the City Council, the applicant will be responsible for providing the information necessary for the Legal Department to prepare the legal documents for these easement abandonments (including, but not limited to, any exhibits and legal descriptions needed).
- 3) The applicant will be responsible for recording the legal documents, including payment of the recording fee. The drainage easement abandonment is subject to the submission and recording of a subdivision plat that relocates the easement as proposed by the applicant.
- 4) The drainage easement abandonment and final plat recording the new easement should be done simultaneously.
- 5) Plans for any required improvements need to be approved by the Development Services Division prior to the issuance of any required permits.



... creating a better quality of life

MEMORANDUM

DATE: November 30, 2022
TO: Water Resources Board
FROM: Valerie H. Smith
SUBJECT: Sewer Easement Abandonment
Clari Park – Roby Corlew Lane

BACKGROUND

This easement abandonment request is from Ragan Smith on behalf of Clari Park Land Holdings, LLC. They are requesting the abandonment of an existing sanitary sewer easement at the eastern end of the proposed Roby Corlew Lane within Clari Park Section 2. A portion of this existing easement will be re-dedicated, another portion will soon be overtaken by Roby Corlew city right of way and another portion is no longer needed because the sewer main was re-routed and the portion of sewer within the easement was abandoned with the project.

This request will also go before the Planning Commission as a mandatory referral for approval.

RECOMMENDATION

Staff recommends approval of abandoning this Sanitary Sewer Easement.

FISCAL IMPACT

This easement was dedicated by plat.

ATTACHMENTS

Easement Abandonment Request & Exhibit



APPLICANT LETTER FOR MANDATORY REFERRAL

December 8, 2022

VIA MURFREESBORO ONLINE PLAN SUBMISSION

City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

**RE: SANITARY SEWER EASEMENT ABANDONMENT
MAP 092, PARCEL 8.22 – CLARI PARK (PROPOSED SECTION 2)
MEDICAL CENTER PARKWAY
MURFREESBORO, TENNESSEE
RAGANSMITH JOB# 07137-1559**

To whom it may concern:

Ragan-Smith-Associates, Inc. (RaganSmith), on behalf of Hines Clari Park Land Holdings, LLC (Hines), would like to submit a request for Mandatory Referral of a Sanitary Sewer Easement across property belonging to Hines. The Sanitary Sewer Easement was granted to the city of Murfreesboro on July 20, 2015, as shown on the final plat entitled "Lots 4 thru 8, Section One, Phase 2, North Church LLC Subdivision" of record in Plat Cabinet 38, page 256, Register's Office for Rutherford County, Tennessee. Said easement lies on property identified as Parcel 8.22 as shown on Rutherford County Property Map 092.

Hines employed RaganSmith and SEC, Inc. (SEC), in partnership, to subdivide this property into multiple lots containing various commercial businesses. As shown on the current plans by SEC and the final plat for Clari Park, Section 2 being submitted by RaganSmith (concurrently with this request), the sanitary sewer layout has been modified to follow the proposed extension of Roby Corlew Lane and then tie into the existing system on the North Church Subdivision property. With this new layout, the portion of the sanitary sewer line lying on proposed Lot 10, Clari Park Subdivision, Section 2, will be abandoned. A sanitary sewer service will be installed on proposed Lots 9 and 10 that will then connect to the main trunk inside Roby Corlew Lane. Therefore, we request the portion of the existing easement shown on the attached exhibit be abandoned. An additional easement to the south of the proposed cul-de-sac of Roby Corlew Lane will be added on the new plat to connect with the easement on the North Church Subdivision property.

The abandonment of the subject easement is also currently being reviewed by the Murfreesboro Water Resources Department, and is scheduled to be considered at their Board meeting on December 13, 2022.

Attached, please find an exhibit and description showing the subject easement to be abandoned.

If you have any questions or need anything further, please let us know.

Sincerely,

RAGAN-SMITH ASSOCIATES, INC.

Chris Mabery, RLS
Survey Manager

NASHVILLE

315 Woodland Street
Nashville, TN 37206
(615) 244-8591

MURFREESBORO

100 East Vine Street, Suite 402
Murfreesboro, TN 37130
(615) 546-6050

CHATTANOOGA

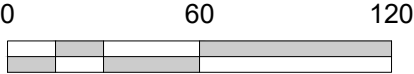
1410 Cowart Street, Suite 200
Chattanooga, TN 37408
(423) 490-9400

GENERAL NOTES

- 1. THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE PORTION OF A SANITARY SEWER EASEMENT BEING ABANDONED BY MANDATORY REFERRAL.
- 2. THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS, CHAPTER 0820-3-07.

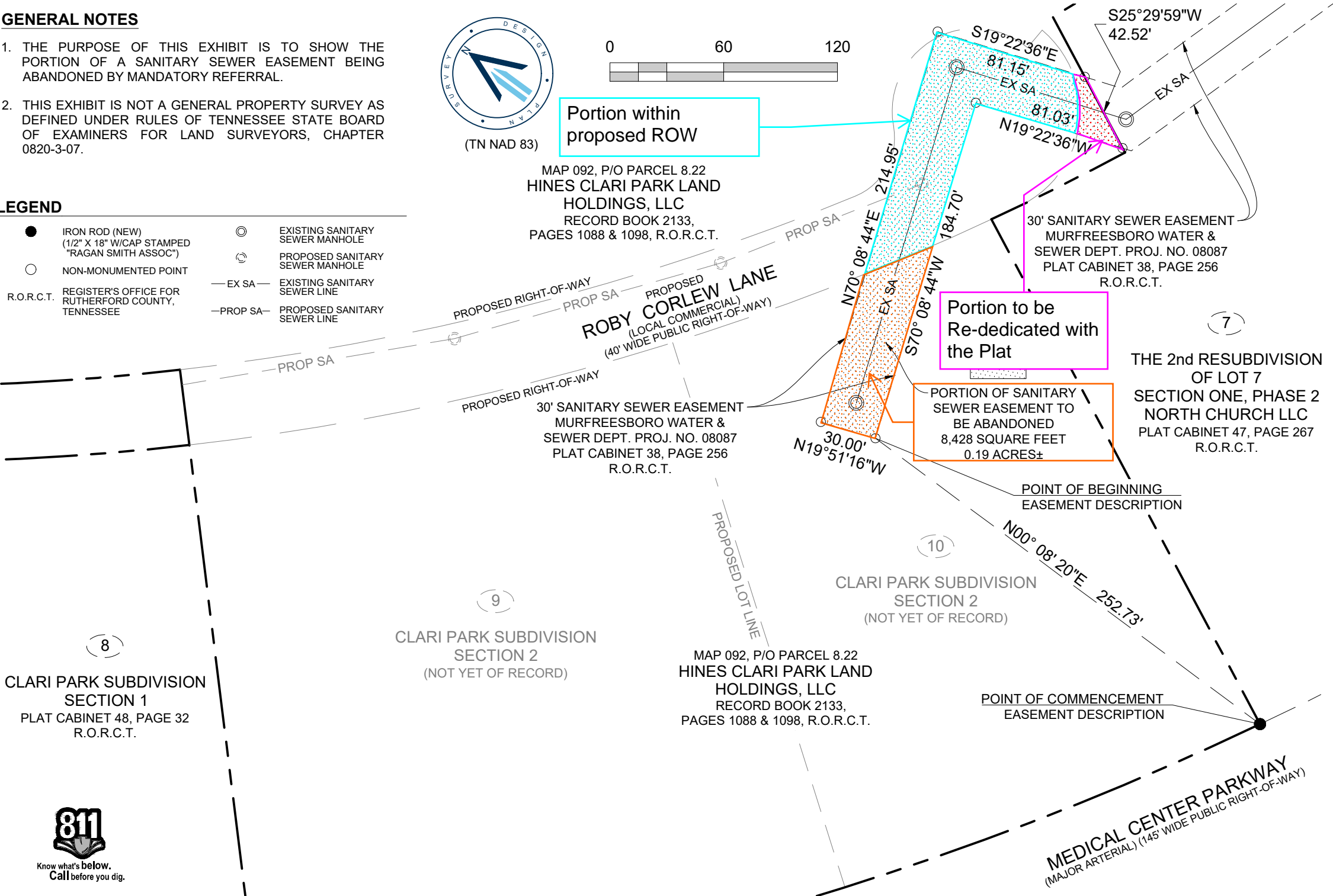
LEGEND

●	IRON ROD (NEW) (1/2" X 18" W/CAP STAMPED "RAGAN SMITH ASSOC")	⊙	EXISTING SANITARY SEWER MANHOLE
○	NON-MONUMENTED POINT	⊙	PROPOSED SANITARY SEWER MANHOLE
R.O.R.C.T.	REGISTER'S OFFICE FOR RUTHERFORD COUNTY, TENNESSEE	— EX SA —	EXISTING SANITARY SEWER LINE
		— PROP SA —	PROPOSED SANITARY SEWER LINE



Portion within
proposed ROW

MAP 092, P/O PARCEL 8.22
HINES CLARI PARK LAND
HOLDINGS, LLC
RECORD BOOK 2133,
PAGES 1088 & 1098, R.O.R.C.T.



RaganSmith

Nashville - Murfreesboro - Chattanooga
ragansmith.com

CLARI PARK
SANITARY SEWER EASEMENT ABANDONMENT

FOR
HINES

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

Scale: 1" = 60'

Date: NOVEMBER 30, 2022

Approved By: CJM

Revisions:

Drawing Title:
PARTIAL
EASEMENT
ABANDONMENT
EXHIBIT

Drawing No.

1 OF 1

Project No.
07137-1559



**SANITARY SEWER EASEMENT ABANDONMENT
CLARI PARK
MURFREESBORO, RUTHERFORD COUNTY, TENNESSEE
EXISTING EASEMENT DESCRIPTION**

Being a portion of an existing 30-foot wide Sanitary Sewer Easement lying and being in the Thirteenth (13th) Civil District of Rutherford County, city of Murfreesboro, Tennessee. Said easement lying 15 feet on either side of an existing sanitary sewer line and being a portion of said easement as recorded in Plat Cabinet 38, page 256, Register's Office for Rutherford County, Tennessee (R.O.R.C.T.), said easement being situated on a portion of the same property conveyed to Hines Clari Park Land Holdings, LLC by Warranty Deed of record in Record Book 2133, page 1088 and by Quitclaim Deed of record in Record Book 2133, page 1098, R.O.R.C.T. and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod (new) with cap stamped "Ragan Smith Assoc" in the northeasterly right-of-way of Medical Center Parkway (145-foot right-of-way), said iron rod being the westernmost corner of Lot 7 as shown on the final plat entitled "The 2nd Revision of Lot 7, Section One, Phase 2, North Church LLC" of record in Plat Cabinet 47, page 267, R.O.R.C.T.;

Thence, leaving the northeasterly right-of-way of said Medical Center Parkway, crossing said Hines Clari Park Land Holdings, LLC, North 00 degrees 08 minutes 20 seconds East, 252.73 feet to the southwest corner and **POINT OF BEGINNING** of the herein described easement;

Thence, continuing to cross said Hines Clari Park Land Holdings, LLC the following three (3) calls:

1. North 19 degrees 51 minutes 16 seconds West, 30.00 feet;
2. North 70 degrees 08 minutes 44 seconds East, 214.95 feet;
3. South 19 degrees 22 minutes 36 seconds East, 81.15 feet to a point in the northwesterly line of said Lot 7, Section One, Phase 2, North Church LLC;

Thence, with the northwesterly line of said Lot 7, in part, South 25 degrees 29 minutes 59 seconds West, 42.52 feet;

Thence, leaving the northwesterly line of said Lot 7, crossing said Hines Clari Park Land Holdings, LLC the following two (2) calls:

1. North 19 degrees 22 minutes 36 seconds West, 81.03 feet;
2. South 70 degrees 08 minutes 44 seconds West, 184.70 feet to the **POINT OF BEGINNING**, containing **8,428 square feet** or **0.19 acres**, more or less.

Being a portion of an existing 30-foot wide Sanitary Sewer Easement as recorded in Plat Cabinet 38, page 256, Register's Office for Rutherford County, Tennessee, said easement being situated on a portion of the same property conveyed to Hines Clari Park Land Holdings, LLC by Warranty Deed of record in Record Book 2133, page 1088 and by Quitclaim Deed of record in Record Book 2133, page 1098, Register's Office for Rutherford County, Tennessee.



APPLICANT LETTER FOR MANDATORY REFERRAL

December 8, 2022

VIA MURFREESBORO ONLINE PLAN SUBMISSION

City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

**RE: DRAINAGE EASEMENT ABANDONMENT
MAP 092, PARCEL 8.22 – CLARI PARK (PROPOSED SECTION 2)
MEDICAL CENTER PARKWAY
MURFREESBORO, TENNESSEE
RAGANSMITH JOB# 07137-1559**

To whom it may concern:

Ragan-Smith-Associates, Inc. (RaganSmith), on behalf of Hines Clari Park Land Holdings, LLC (Hines), would like to submit a request for Mandatory Referral of a Drainage Easement off Medical Center Parkway, across property belonging to Hines. The Drainage Easement was granted to the city of Murfreesboro on July 20, 2022, as shown on the final plat entitled "Clari Park Subdivision, Section 1" of record in Plat Cabinet 48, page 32, Register's Office for Rutherford County, Tennessee. Said easement lies on property identified as Parcel 8.22 as shown on Rutherford County Property Map 092.

Hines employed RaganSmith and SEC, Inc. (SEC), in partnership, to subdivide this property into multiple lots containing various commercial businesses. As shown on the current plans by SEC and the final plat for Clari Park, Section 2 being submitted by RaganSmith (concurrently with this request), the stormwater design has been modified since the final plat for Section 1 was recorded earlier this year. Therefore, we request the easement created on the Section 1 final plat be abandoned, to be replaced by an easement to be dedicated on the Section 2 plat.

Attached, please find an exhibit and description showing the subject easement to be abandoned.

If you have any questions or need anything further, please let us know.

Sincerely,

RAGAN-SMITH ASSOCIATES, INC.

Chris Mabery, RLS
Survey Manager

NASHVILLE

315 Woodland Street
Nashville, TN 37206
(615) 244-8591

MURFREESBORO

100 East Vine Street, Suite 402
Murfreesboro, TN 37130
(615) 546-6050

CHATTANOOGA

1410 Cowart Street, Suite 200
Chattanooga, TN 37408
(423) 490-9400

GENERAL NOTES

- 1. THE PURPOSE OF THIS EXHIBIT IS TO SHOW A DRAINAGE EASEMENT BEING ABANDONED BY MANDATORY REFERRAL.
- 2. THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS, CHAPTER 0820-3-07.

LEGEND

- IRON ROD (NEW)
(1/2" X 18" W/CAP STAMPED
"RAGAN SMITH ASSOC")
- NON-MONUMENTED POINT
- R.O.R.C.T. REGISTER'S OFFICE FOR
RUTHERFORD COUNTY,
TENNESSEE



Know what's below.
Call before you dig.

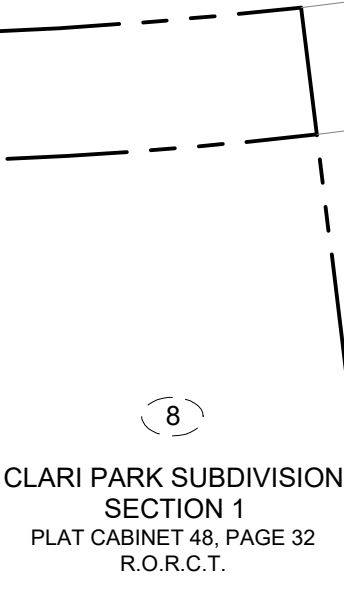
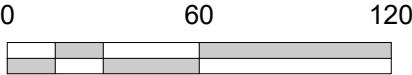
PLAT REFERENCE

BEING A 20-FOOT WIDE DRAINAGE EASEMENT SHOWN ON THE FINAL PLAT ENTITLED "CLARI PARK, SECTION 1" OF RECORD IN PLAT CABINET 48, PAGE 32, R.O.R.C.T.

MAP 092, P/O PARCEL 8.22
HINES CLARI PARK LAND
HOLDINGS, LLC
RECORD BOOK 2133,
PAGES 1088 & 1098, R.O.R.C.T.



(TN NAD 83)

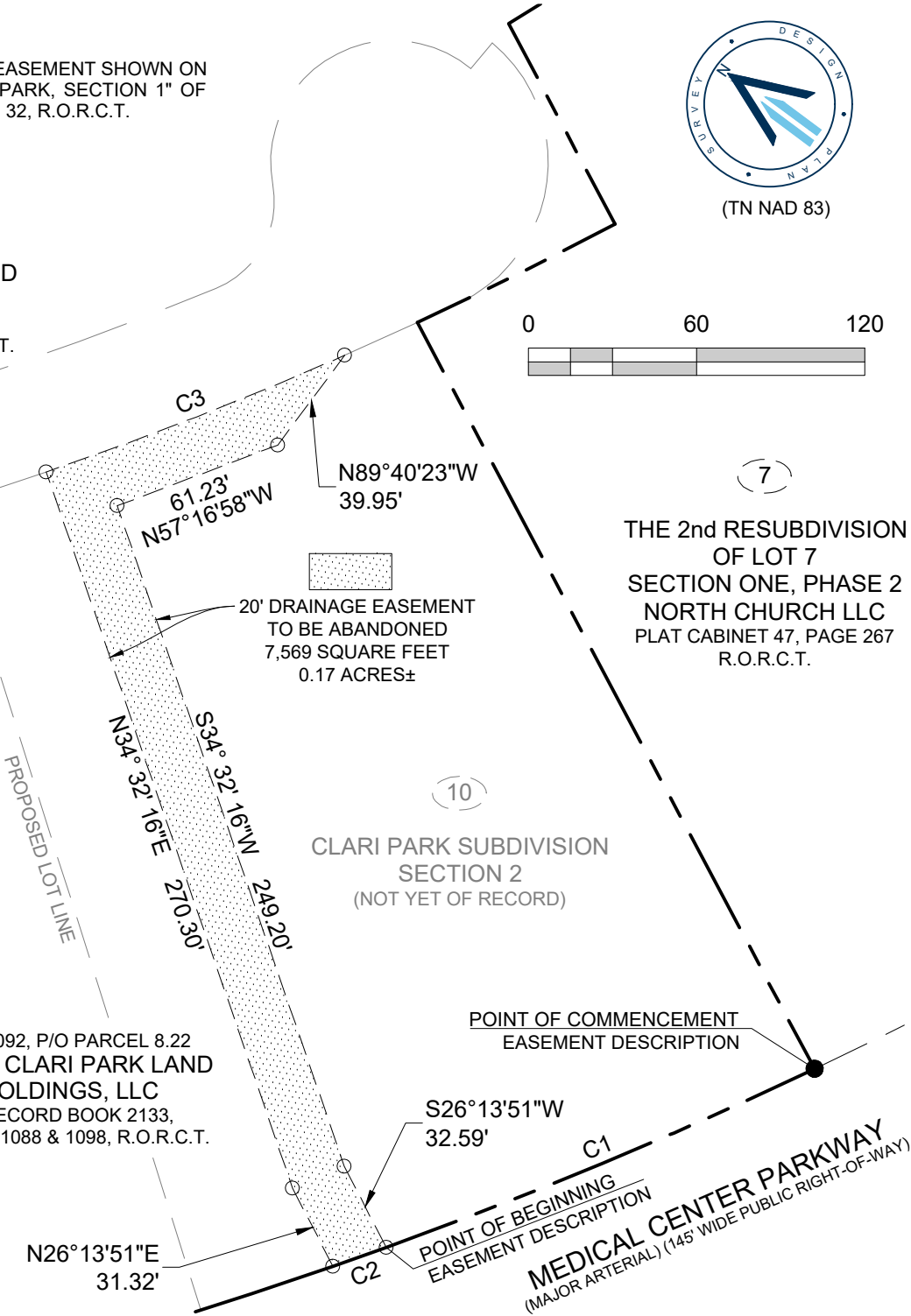


CLARI PARK SUBDIVISION
SECTION 1
PLAT CABINET 48, PAGE 32
R.O.R.C.T.



CLARI PARK SUBDIVISION
SECTION 2
(NOT YET OF RECORD)

CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BRG
C1	1727.50	165.63	5°29'37"	82.88	165.57	N59°07'17"W
C2	1727.50	20.18	0°40'10"	10.09	20.18	N56°02'23"W
C3	1375.00	114.37	4°45'56"	57.22	114.33	S57°50'42"E





. . . creating a better quality of life.

MEMORANDUM

DATE: December 15, 2022

TO: Amelia Kerr

FROM: Michele Emerson

RE: Drainage Easement Abandonment Clari Park Subdivision Section 1

In response to your December 14, 2022 request, we have reviewed the drainage easement abandonment request for Clari Park Subdivision Section 1 and offer the following comments on behalf of the Engineering Department.

This drainage easement was recorded with Clari Park Subdivision Section 1 in plat book 48 pages 32-34. The request to abandon the drainage easement should be subject to the 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
Roman Hankins

**DRAINAGE EASEMENT ABANDONMENT
CLARI PARK
MURFREESBORO, RUTHERFORD COUNTY, TENNESSEE
EXISTING EASEMENT DESCRIPTION**

Being an existing 20-foot wide Drainage Easement lying and being in the Thirteenth (13th) Civil District of Rutherford County, city of Murfreesboro, Tennessee. Said easement being shown on the final plat recorded in Plat Cabinet 48, page 32, Register's Office for Rutherford County, Tennessee (R.O.R.C.T.), being situated on a portion of the same property conveyed to Hines Clari Park Land Holdings, LLC by Warranty Deed of record in Record Book 2133, page 1088 and by Quitclaim Deed of record in Record Book 2133, page 1098, R.O.R.C.T. and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod (new) with cap stamped "Ragan Smith Assoc" in the northeasterly right-of-way of Medical Center Parkway (145-foot right-of-way), said iron rod being the westernmost corner of Lot 7 as shown on the final plat entitled "The 2nd Revision of Lot 7, Section One, Phase 2, North Church LLC" of record in Plat Cabinet 47, page 267, R.O.R.C.T.;

Thence, with the northeasterly right-of-way of said Medical Center Parkway, with a curve to the right having a radius of 1727.50 feet, an arc length of 165.63 feet, a delta angle of 05 degrees 29 minutes 37 seconds and a chord bearing and distance of North 59 degrees 07 minutes 17 seconds West, 165.57 feet; to the southwest corner and **POINT OF BEGINNING** of the herein described easement;

Thence, continuing with the northeasterly right-of-way of said Medical Center Parkway, with a curve to the right having a radius of 1727.50 feet, an arc length of 20.18 feet, a delta angle of 00 degrees 40 minutes 10 seconds and a chord bearing and distance of North 56 degrees 02 minutes 23 seconds West, 20.18 feet;

Thence, leaving the northeasterly right-of-way of said Medical Center Parkway, crossing said Hines Clari Park Land Holdings, LLC the following seven (7) calls:

1. North 26 degrees 13 minutes 51 seconds East, 31.32 feet;
2. North 34 degrees 32 minutes 16 seconds East, 270.30 feet;
3. With a non-tangent curve to the left having a radius of 1375.00 feet, an arc length of 114.37 feet, a delta angle of 04 degrees 45 minutes 56 seconds and a chord bearing and distance of South 57 degrees 50 minutes 42 seconds East, 114.33 feet;
4. North 89 degrees 40 minutes 23 seconds West, 39.95 feet;
5. North 57 degrees 16 minutes 58 seconds West, 61.23 feet;
6. South 34 degrees 32 minutes 16 seconds West, 249.20 feet;
7. South 26 degrees 13 minutes 51 seconds West, 32.59 feet to the **POINT OF BEGINNING**, containing **7,569 square feet** or **0.17 acres**, more or less.

Being an existing 20-foot wide Drainage Easement as recorded in Plat Cabinet 48, page 32, Register's Office for Rutherford County, Tennessee, said easement being situated on a portion of the same property conveyed to Hines Clari Park Land Holdings, LLC by Warranty Deed of record in Record Book 2133, page 1088 and by Quitclaim Deed of record in Record Book 2133, page 1098, Register's Office for Rutherford County, Tennessee.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: AMELIA KERR**

- 5.b. **Mandatory Referral [2022-732] to consider the abandonment of sanitary sewer and water line easements at St. Thomas Rutherford Hospital on Medical Center Parkway, Rob Whitson of Gresham Smith on behalf of St. Thomas Rutherford Hospital applicant.**



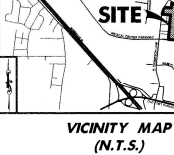
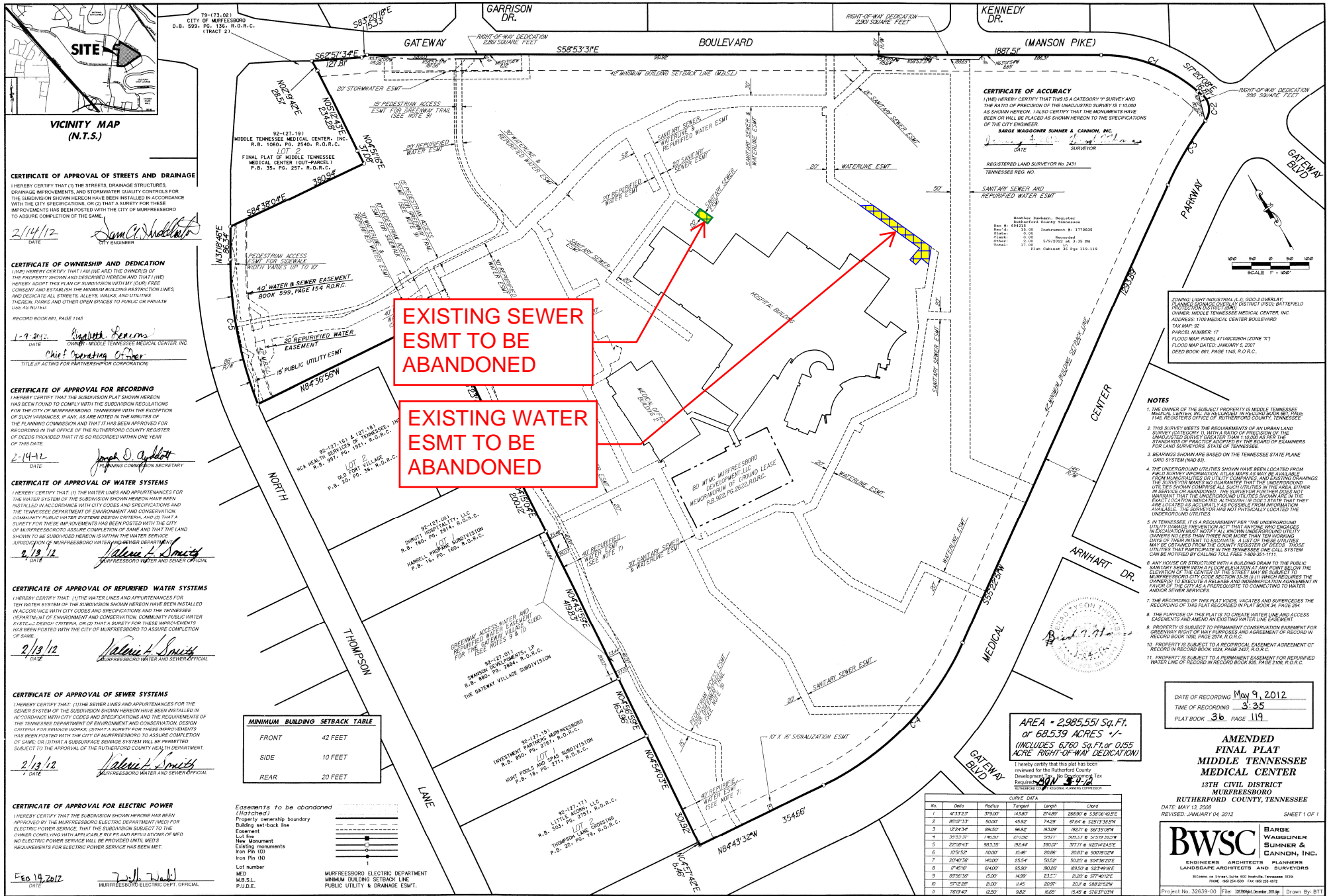
In this mandatory referral, the Planning Commission is being asked to consider abandoning sanitary sewer and water line easements located at 1700 Medical Center Parkway. These easements were recorded by plat on May 9, 2012. A copy of the original plat has been included in the agenda packet for reference.

The applicant seeks to abandon these easements on the St. Thomas Rutherford Hospital property for the development of Critical Care Unit (CCU) additions where the easements are in conflict with the proposed additions. These easements are shown on the attached exhibit. A new water line easement will be dedicated with the water relocation project at a location approved by the Murfreesboro Water Resources Department (MWRD) staff. The sanitary sewer will not be relocated, and the portion within the abandoned area will become private for the hospital to maintain.

The Murfreesboro Water Resources Board met on December 13, 2022, and MWRD Staff recommended that the Board recommend to Planning Commission and City Council approval of the abandonment of the existing water & sanitary sewer easements, as proposed. The memo from MWRD is attached for your review. The Water Resources Board voted to recommend approval of the request.

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

1. The new water line easement shall be dedicated before or simultaneously with the abandonment of the existing water line easement.
2. The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required to prepare and record the legal instrument.
3. The applicant will be responsible for recording the legal instrument, including paying any recording fees.



CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

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

2/14/12
DATE
CITY ENGINEER

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

RECORD BOOK 961, PAGE 1145

1-9-2012
DATE
OWNERS: MIDDLE TENNESSEE MEDICAL CENTER, INC.
Chief Operating Officer
TITLE (IF ACTING FOR PARTNERSHIP OR CORPORATION)

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.

2-14-12
DATE
PLANNING COMMISSION SECRETARY

CERTIFICATE OF APPROVAL OF WATER SYSTEMS

I HEREBY CERTIFY THAT: (1) THE WATER LINES AND APPURTENANCES FOR THE WATER SYSTEM OF THE SUBDIVISION SHOWN HEREON HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY CODES AND SPECIFICATIONS AND THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION, COMMUNITY PUBLIC WATER SYSTEM DESIGN CRITERIA, AND (2) THAT A SURETY FOR THESE IMPROVEMENTS HAS BEEN POSTED WITH THE CITY OF MURFREESBORO TO ASSURE COMPLETION OF SAME AND THAT THE LAND SHOWN TO BE SUBDIVIDED HEREON IS WITHIN THE WATER SERVICE JURISDICTION OF MURFREESBORO WATER AND SEWER DEPARTMENT.

2/13/12
DATE
MURFREESBORO WATER AND SEWER OFFICIAL

CERTIFICATE OF APPROVAL OF REPURIFIED WATER SYSTEMS

I HEREBY CERTIFY THAT: (1) THE WATER LINES AND APPURTENANCES FOR THE WATER SYSTEM OF THE SUBDIVISION SHOWN HEREON HAVE BEEN INSTALLED IN ACCORDANCE WITH CITY CODES AND SPECIFICATIONS AND THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION, COMMUNITY PUBLIC WATER SYSTEM DESIGN CRITERIA, AND (2) THAT A SURETY FOR THESE IMPROVEMENTS HAS BEEN POSTED WITH THE CITY OF MURFREESBORO TO ASSURE COMPLETION OF SAME.

2/13/12
DATE
MURFREESBORO WATER AND SEWER 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 THE REQUIREMENTS OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION, DESIGN CRITERIA FOR SEWER WORK, (2) THAT A SURETY FOR THESE IMPROVEMENTS HAS BEEN POSTED WITH THE CITY OF MURFREESBORO TO ASSURE COMPLETION OF SAME, OR (3) THAT A SURFACE SEWAGE SYSTEM WILL BE PERMITTED SUBJECT TO THE APPROVAL OF THE RUTHERFORD COUNTY HEALTH DEPARTMENT.

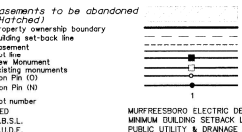
2/13/12
DATE
MURFREESBORO WATER AND SEWER OFFICIAL

CERTIFICATE OF APPROVAL FOR ELECTRIC POWER

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE MURFREESBORO ELECTRIC DEPARTMENT (MEDI) FOR ELECTRIC POWER SERVICE, THAT THE SUBDIVISION SUBJECT TO THE OWNER'S COMPLIANCE WITH ALL CITY OF MURFREESBORO AND STATE OF TENN. NO ELECTRIC POWER SERVICE WILL BE PROVIDED UNTIL MEDS REQUIREMENTS FOR ELECTRIC POWER SERVICE HAS BEEN MET.

Feb 14, 2012
DATE
MURFREESBORO ELECTRIC DEPT. OFFICIAL

MINIMUM BUILDING SETBACK TABLE	
FRONT	42 FEET
SIDE	10 FEET
REAR	20 FEET



EXISTING SEWER ESMT TO BE ABANDONED

EXISTING WATER ESMT TO BE ABANDONED

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

BARRE WAGGONER SUMNER & CANNON, INC.
DATE
SURVEYOR

REGISTERED LAND SURVEYOR NO. 2431
TENNESSEE REG. NO.

Heather Dabbs, Registrar	
Book	1500
Page	1145
Instrument	1779035
Recorded	1/10/12
Received	1/10/12
Time	1:10 PM
Total	1:10 PM

ZONING LIGHT INDUSTRIAL (L-1) OVERLAY
PLANNED SEWERAGE COLLECTION DISTRICT (PSCD) WATERFIELD PROTECTION DISTRICT (WPD)
OWNER: MIDDLE TENNESSEE MEDICAL CENTER, INC.
ADDRESS: 1700 MEDICAL CENTER BOULEVARD
544 MAP 52
PARCEL NUMBER: 17
FLOOD MAP PANEL: 47100000 (ZONE 7)
FLOOD MAP DATED: JANUARY, 2007
DEED BOOK: 961, PAGE 1145, R.O.R.C.

NOTES

1. THE OWNER OF THE SUBJECT PROPERTY IS MIDDLE TENNESSEE MEDICAL CENTER, INC. AS SHOWN IN RECORD BOOK 961, PAGE 1145, REGISTERED IN THE OFFICE OF THE RUTHERFORD COUNTY, TENNESSEE.
2. THIS SURVEY MEETS THE REQUIREMENTS OF AN URBAN LAND SURVEY (CATEGORY 1) WITH A RATIO OF PRECISION OF 1:10,000. UNADJUSTED SURVEY GREATER THAN 1:10,000 AS PER THE STANDARDS OF PRACTICE ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS, STATE OF TENNESSEE.
3. BEARINGS SHOWN ARE BASED ON THE TENNESSEE STATE PLANE GRID SYSTEM (NAD 83).
4. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. AS SUCH, THEY MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE. THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA (OTHER THAN SERVICE OF FUNDAMENTALS). THE SURVEYOR (OR THEIR AGENT) HAS EXERCISED REASONABLE DILIGENCE TO LOCATE SUCH UTILITIES. THE EXACT LOCATION INDICATED, ALTHOUGH IT DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE, DOES NOT GUARANTEE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
5. IN TENNESSEE, IT IS A REQUIREMENT PER THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS NO LESS THAN THREE (3) BUSINESS DAYS BEFORE THE DATES OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE UTILITY CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-361-1111.
6. ANY HOUSE OR STRUCTURE WITH A FOUND ELEVATION AT ANY POINT BELOW THE ELEVATION OF THE CENTER OF THE STREET MAY BE SUBJECT TO MURFREESBORO CITY CODE SECTION 22-801 (1) WHICH REQUIRES THE (OWNER) OF THE CITY AS A PREREQUISITE TO CONNECTING TO WATER AND/OR SEWER SERVICES.
7. THE RECORDING OF THIS PLAT LOCATES AND SUPERSEDES THE RECORDING OF THIS PLAT RECORDED IN PLAT BOOK 34, PAGE 284.
8. THE PURPOSE OF THIS PLAT IS TO CREATE WATER LINE AND ACCESS EASEMENTS AND MEND AN EXISTING WATER LINE EASEMENT.
9. PROPERTY IS SUBJECT TO PERMANENT CONSERVATION EASEMENT FOR GREENWAY RIGHT-OF-WAY AND AGREEMENT OF RECORD IN RECORD BOOK 106, PAGE 2974, R.O.R.C.
10. PROPERTY IS SUBJECT TO A PERMANENT EASEMENT AGREEMENT OF RECORD IN RECORD BOOK 102A, PAGE 2427, R.O.R.C.
11. PROPERTY IS SUBJECT TO A PERMANENT EASEMENT FOR REPURIFIED WATER LINE OF RECORD IN RECORD BOOK 835, PAGE 216, R.O.R.C.

AREA = 2,985,551 Sq.Ft.
or 68.539 ACRES +/-
(INCLUDES 6,760 Sq.Ft. or 0.155 ACRE RIGHT-OF-WAY DEDICATION)

I hereby certify that this plat has been prepared in accordance with the requirements of the Tennessee Surveying Act, Chapter 129, Tennessee Code Annotated, and the Rules of the Board of Examiners for Land Surveyors, State of Tennessee.

2/14/12
DATE
SURVEYOR

CURVE DATA					
No.	Delta	Radius	Tangent	Length	Chord
1	43.313°	574.00	43.30	274.89	286.90 ± 0.02
2	80.9713°	50.00	45.92	14.29	17.64 ± 0.01
3	102.434°	89.50	96.80	183.29	182.71 ± 0.01
4	29.573°	196.50	110.00	209.17	209.17 ± 0.01
5	22.074°	383.50	82.44	160.25	171.71 ± 0.01
6	175.52°	10.00	10.00	20.00	20.00 ± 0.01
7	107.403°	140.00	25.54	50.52	50.52 ± 0.01
8	174.97°	64.00	35.50	100.00	100.00 ± 0.01
9	87.903°	15.00	14.89	15.17	15.17 ± 0.01
10	57.228°	21.00	14.45	20.00	20.00 ± 0.01
11	76.947°	12.00	9.85	16.65	16.65 ± 0.01

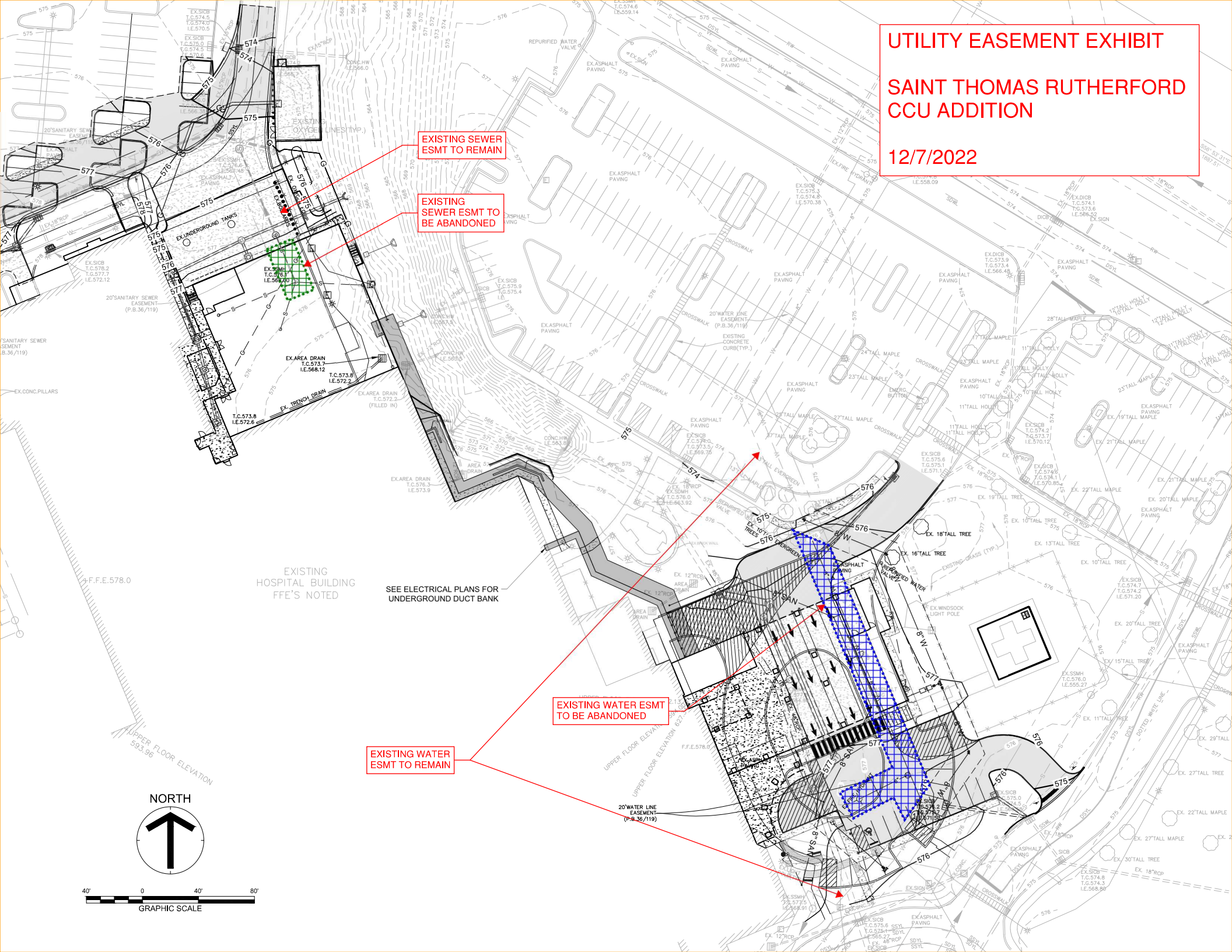
DATE OF RECORDING: May 9, 2012
TIME OF RECORDING: 3:35
PLAT BOOK: 36, PAGE 119

AMENDED
FINAL PLAT
MIDDLE TENNESSEE
MEDICAL CENTER
13TH CIVIL DISTRICT
MURFREESBORO, TENNESSEE

DATE: MAY 13, 2008
REVISED: JANUARY 04, 2012
SHEET 1 OF 1

BWSC BARGE WAGGONER SUMNER & CANNON, INC.
ENGINEERS ARCHITECTS PLANNERS
LANDSCAPE ARCHITECTS AND SURVEYORS
PHONE: 404-294-1600 FAX: 404-294-1603
Project No. 22639-00 Title: 2008pl.Locate 2012 Draw By: BTI
2011.2052

12/7/2022





... creating a better quality of life

MEMORANDUM

DATE: December 6, 2022
TO: Water Resources Board
FROM: Valerie H. Smith
SUBJECT: Water & Sewer Easement Abandonments
St. Thomas Hospital Addition

BACKGROUND

This easement abandonment request is from Gresham Smith on behalf of St. Thomas Hospital. They are requesting the abandonment of existing water and sewer easements which are in conflict with proposed additions to the Hospital. New water easement will be re-dedicated with the water relocation project at a location approved by staff. The sewer will not be relocated and the portion within the abandoned area will become private for the hospital to maintain.

This request will also go before the Planning Commission as a mandatory referral for approval.

RECOMMENDATION

Staff recommends approval of abandoning these Water and Sanitary Sewer Easements at the time that the new water easements are dedicated.

FISCAL IMPACT

This easement was dedicated by plat.

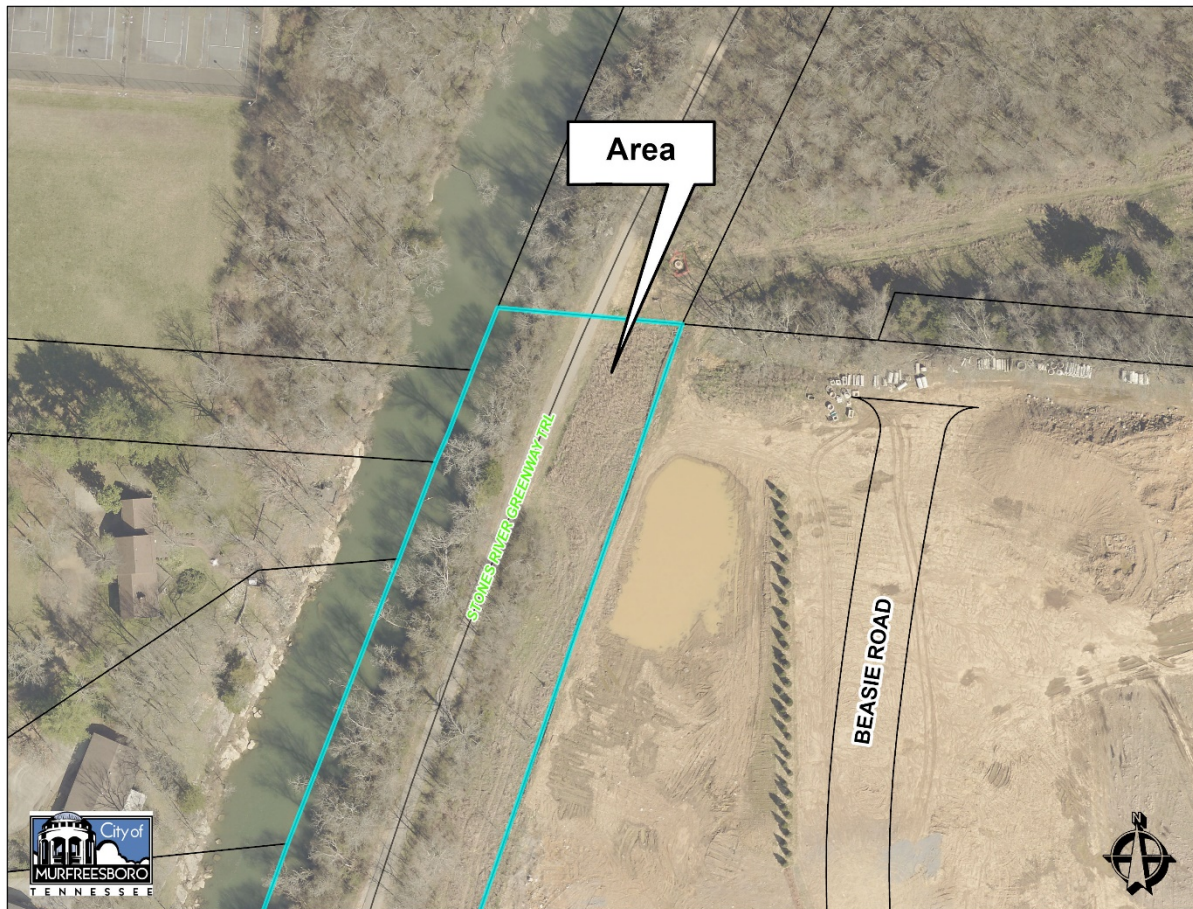
ATTACHMENTS

Easement Abandonment Request & Exhibit

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 11, 2023
PROJECT PLANNER: JOEL AGUILERA**

5.c. Mandatory Referral [2022-730] to consider the dedication of an electric easement located on City-owned property west of Beasie Road, City of Murfreesboro applicant.

This mandatory referral request to dedicate an electric easement on City-owned property is from the City of Murfreesboro. The requested easement is located on the Stones River Greenway Trail parcel, east of the Countryside Residential Subdivision.



In this mandatory referral, the Planning Commission is being asked to consider approving the dedication of an electric easement for Middle Tennessee Electric (MTE) on property owned by the City west of Beasie Road. The property is currently used as a part of the Stones River Greenway Trail. Per the 2040 Major Transportation Plan, the River Rock Connector Road/Bridge project is planned to extend over the subject property to provide connection from River Rock Boulevard going east and connecting to New Salem Highway.

The purpose for this request is dedicating easements for the MTE power lines and streetlights that will be associated the planned River Rock Connector project. The easement will run parallel with the new roadway extension to accommodate the required electric infrastructure. Public Works has confirmed that MTE will stop the power lines at the Beasie Road intersection with the current phase of the connector project and will extend them to the east, over the interstate, at a later date, when the next phase of the connector project begins.

Staff recommends that the Planning Commission recommend approval of this request to the City Council.



**MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT**

TO: Chair Jones and Members of the Planning Commission
FROM: David A. Ives *dai*
DATE: December 8, 2022
RE: Easement to MTEMC

For January 11, 2023
MANDATORY REFERRAL

In connection with the Beasie/River Rock Connector Road project, MTEMC needs a permanent easement across a portion of the City owned property that current serves the City's Greenway system.

A copy of a drawing illustrating the requested easement is attached.

I request your recommendation of granting this easement to City Council.






I will be happy to answer any questions.

MTEMC Proposed Easement





LEGEND

	EXISTING ELECTRIC UTILITY
	PROPOSED MTEMc EASEMENT
	PROPOSED ELECTRIC UTILITY
	PROPOSED UTILITY POLE
	EXISTING UTILITY POLE

- Easement Notes:
- MTEMc has the right to install and operate, on the Easement Tract, utility lines and related equipment for the utility service that MTEMc provides.
 - This Exhibit was prepared in accordance with existing field evidence and recorded information. It is not intended to be a Boundary Survey compliant with the minimum standard detail requirements of the State of Tennessee.

NOTE: PROPERTY LINES WERE COMPILED FROM TDOT DRAWINGS AND DO NOT REPRESENT AN ACTUAL BOUNDARY SURVEY OF AFFECTED PROPERTIES.

Middle
Tennessee
Eelectric

COUNTY OF: Rutherford		
STATE OF: TENNESSEE		
COUNTY CODE: 075		
MAP NUMBER: 102	GROUP NO.:	PARCEL NO.:00601
DEED BOOK: 725	PAGE: 3039	

EXHIBIT "1"
(TRACT #13)
Scale: N.T.S.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

6:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Bryan Prince
Warren Russell
Shawn Wright

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Amelia Kerr, Planner
Joel Aguilera, Planner
Carolyn Jaco, Recording Assistant
Teresa Stevens, Sign Administrator
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Executive Dir. Dev't Services

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. Approve minutes of the November 16, 2022 and November 30, 2022 Planning Commission meetings.

Vice-Chairman Ken Halliburton moved to approve the minutes of the November 16, 2022 and November 30, 2022 Planning Commission meetings; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

4. Old Business:

Zoning application [2022-404] for approximately 1.5 acres located at 915 Haynes Drive to be rezoned from RS-15 to PRD (Beau Monde PRD) Blue Sky Construction applicant. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Clyde Rountree (landscape architect), Mr. Brian Burns (developer), and Mr. Howard Wilson (developer) were in attendance for the meeting. Mr. Clyde Rountree gave a PowerPoint presentation with revisions from the original pattern book. The revised pattern book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

The Planning Commissioners discussed that landscaping should be included for the single-family homes.

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

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

Zoning application [2022-420] for approximately 22 acres located at 1925 & 1927 Memorial Boulevard to be rezoned from RS-15 to PUD (5.4 acres) and to amend the Adams Place PUD (16.6 acres), AdamsPlace, LLC applicant. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Clyde Rountree (landscape architect), Mr. Keaton Pettit (Architect), Mr. Andy Clark (Assistant VP, Development at NHC), and Ms. Terri Deal (Executive Director at Adams Place) were in attendance for the meeting. Mr. Clyde Rountree gave a PowerPoint presentation with proposed changes from the original pattern book. The revised pattern book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

The Planning Commission discussed the revised plan, including the improved viewshed from Haynes Haven Lane and the operation of the gate along Haynes Haven Lane.

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. Warren Russell and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Bryan Prince
Warren Russell
Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

5. Public Hearings and Recommendations to City Council:

Proposed amendment to the Sign Ordinance [2022-806] pertaining to electronic changeable graphic display signs, City of Murfreesboro Development Services Division applicant. Ms. Teresa Stevens presented the Staff Comments regarding this item, a copy of which 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 proposed amendment to the Sign Ordinance; therefore, Chair Kathy Jones closed the public hearing.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the proposed amendment to the Sign Ordinance subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

6. Staff Reports and Other Business:

Mandatory Referral [2022-725] to consider the abandonment of a portion of a detention pond and drainage easement located on property at 141-153 Veterans Parkway, Huddleston-Steele Engineering, Inc. on behalf of Mary Butler applicant.

Mr. Joel Aguilera presented the Staff Comments regarding this item, a copy of which is

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

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 conditions recommended by Staff in the Staff Comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

Mandatory Referral [2022-726] to consider the abandonment of a portion of a public utility and drainage easement located on property at 2704-2744 South Church Street, Huddleston-Steele Engineering, Inc. on behalf of Mary Butler applicant. Mr. Joel Aguilera presented the Staff Comments regarding this item, a copy of 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. Warren Russell moved to approve the mandatory referral subject to all conditions recommended by Staff in the Staff Comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

Mandatory Referral [2022-727] to consider the dedication of right-of-way and various easements on the City-owned property at the southwest corner of Burnt Knob Road and Blackman Road and to also consider the acquisition of off-site sanitary sewer easements and right-of-way in the vicinity of this City-owned property, City of Murfreesboro applicant. Ms. Amelia Kerr presented the Staff Comments regarding this item, a copy of 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 conditions recommended by Staff in the Staff Comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Bryan Prince
Warren Russell
Shawn Wright

Nay: None

Mandatory Referral [2022-728] to consider the dedication of an electric easement located on City-owned property at 3850 Shelbyville Pike, City of Murfreesboro applicant. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning 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 conditions recommended by Staff in the Staff Comments; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

Aye: Kathy Jones

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

Mandatory Referral [2022-729] to consider the dedication of an electric easement located on City-owned property along Barfield Church Road, City of Murfreesboro applicant. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy of 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. Warren Russell moved to approve the mandatory referral subject to all conditions recommended by Staff in the Staff Comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Warren Russell

Shawn Wright

Nay: None

Mr. Matthew Blomeley reminded the Planning Commissioners the next Planning Commission meeting is scheduled for December 14, 2022 at 2:30 p.m.

Lastly, Mr. Blomeley made known he had resources available for Planning Commissioners who need to complete education hours before the end of the year.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 7, 2022

7. Adjourn.

There being no further business the meeting adjourned at 7:45 p.m.

Chair

Secretary

GM: cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

2:30 PM

CITY HALL

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Brad Barbee, Planner
Carolyn Jaco, Recording Assistant
Katie Noel, Project Engineer
Gabriel Moore, Project Engineer
Jennifer Knauf, Project Engineer
David Ives, Deputy City Attorney
Chris Griffith, Exec. Dir of Pub. Infrastructure

1. Call to order.

Chair Kathy Jones called the meeting to order at 2:30 p.m.

2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

3. Consent Agenda:

Chair Kathy Jones announced that revised staff comments had been provided regarding the **Sealing Agents [2022-3145]** site plan on the consent agenda. The revised comments submitted should be included with the consent agenda motion.

Salem Glen, Lots 13 & 14 [2022-2068] final plat for 2 lots on 1.1 acres zoned OG located along Saint Andrews Drive and Oval Hesson Lane, Daniel Decker & Wayne Belt developer.

Windwoods, Section 2 [2022-2079] final plat for 39 lots on 9 acres zoned RS-A, Type 2 located along Effie Seward Drive, AMH TN Development, LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

Kingdom Crest Commercial, Section 1, Lot 4 [2022-2088] final plat for 1 lot on 1.8 acres zoned CH located along Veterans Parkway, Swanson Development, LP developer.

Traveler's Trace [2022-2087] final plat for 66 lots on 25.1 acres zoned RS-10 located along Veals Road, Traveler's Trace, LLC developer.

The Meadows at Kimbro Woods, Section 6, Phase 1 [2022-2089] amended final plat for 10 lots on 1.5 acres zoned PRD located along Holderwood Drive, Kimbro Development Group, LLC developer

715 North Spring Street Duplex [2022-3144] site plan for a 4,852 ft² duplex on 0.23 acres zoned RD located at 715 North Spring Street north of West Oak Street, The Hensley Group developer.

Sealing Agents [2022-3145] site plan for parking lot modifications for an office/warehouse use on 2.5 acres zoned H-I located at 1211 & 1231 Salem Park Court, HB Muph 1, LLC developer.

Burnt Knob Sanitary Sewer Pump Station [2022-3142] site plan for a sanitary sewer pump station on 116.7 acres zoned P located along the south side of Burnt Knob Road east of Veterans Parkway, City of Murfreesboro developer.

Parkway Place Mass Grading [2022-3147] mass grading plan for approximately 24.8 acres zoned PID located along Logistics Way and Elam Road, Swanson Development, LP developer.

Murfreesboro Fire Station #3 [2022-3137] site plan for 990 ft² addition to the existing fire station on 21.5 acres located north at 1511 Doctor Martin Luther King Jr. Boulevard, City of Murfreesboro developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

Brookhaven Place Subdivision [2022-1028] preliminary plat for 3 lots on approximately 12.3 acres zoned CH located along Memorial Boulevard and Eleanor Way, Redstone Federal Credit Union developer.

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

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

4. GDO:

On Motion

Notes Live [2022-3137 and 2022-6018] final design review and site plan review of 44,601 ft2 outdoor amphitheater, restaurant, and indoor music venue on 20 acres zoned MU and GDO-3 located along Medical Center Parkway and Gateway Boulevard, Notes Live developer. Mr. Brad Barbee presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer), Mr. Robert Mudd (developer), and Mr. Jeff Crocker (architect) were in attendance representing the application. Mr. Matt Taylor stated they

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

would continue working with staff on this project to address traffic. The particulars would be in place prior to the issuance of a certificate of occupancy.

Mr. Chris Griffith provided information on proposed City improvements to Medical Center Parkway.

Mr. Robert Mudd provided information on sound/noise mitigation efforts.

The Planning Commission discussed the improvements made to addresses traffic control and noise control.

There being no further discussion, Mr. Warren Russell moved to approve the final design review and site plan review 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
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

Meadowlark [2022-6019 & 2022-3148] master plan and initial design review of 77 townhouse dwellings and 27 single-family, detached dwellings on 10.8 acres zoned PRD, GDO-1, & GDO-2 along Willowoak Trail and Wilkinson Pike, Toll Southeast LP Company, Inc., developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

Mr. Matt Taylor (design engineer) and Mr. Michel Burton (developer) were in attendance representing the application. Mr. Taylor and Mr. Burton provided information on the proposed architectural design.

There being no further discussion, Mr. Chase Salas moved to approve the master plan and initial design review subject to all staff comments; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

5. Plats and Plans

On Motion

Westlawn Commercial, Lot 4 (MMC at Westlawn Phase II) [2022-3150] site plan review of a 29,780 ft2 medical office building located on 8.5 acres zoned PUD located along Shores Road, Veterans Medical Properties developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Enoch Jarrell (design engineer), Mr. Rob McKelvey (architect), Mr. Joey Peay (CEO, MMC), and Ms. Denise Flanagan (CCO, MMC) were present representing the application.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

Mr. Rob McKelvey explained the proposed architectural design. Mr. Joey Peay agreed to add a 24-inch masonry base to the building.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject to all staff comments and to include the 24-inch masonry base around the entire building, leaving the parapet wall as designed, leaving the metal design on top of the building and between the windows on the first and second floor as designed; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

Parkway Place, Lot 12, Phase II [2022-3138) site plan for 2 industrial warehouse buildings totaling approximately 90,000 ft2 on approximately 7.3 acres zoned PID located along Logistics Way, Swanson Development, LP developer. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

The Planning Commission discussed the removal of trees in the required tree preservation area. They requested the applicant continue to work with Staff regarding the size of trees that would be replanted to comply with the 125-foot preservation area agreement.

Mr. Chris Maguire (design engineer) was in attendance representing the application.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject all staff comments including the applicant filling in new plantings where trees had been removed in the /preservation area; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

6. New Business:

Schedule Public Hearings

Zoning application [2022-426] for approximately 4.1 acres located east of Memorial Boulevard to be rezoned from RS-15 to PCD (Memorial Plaza PCD), B & N Patel applicant. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of 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 representing the application.

There being no further discussion, Mr. Warren Russell moved to schedule a public hearing for January 11, 2023; the motion was seconded by Mr. Chase Salas and carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

Annexation petition and plan of services [2022-507] for approximately 0.81 acres located along South Church Street and Highfield Drive, Sam Willard applicant. Ms.

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

There being no further discussion, Mr. Chase Salas moved to schedule a public hearing for January 11, 2023; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION DECEMBER 14, 2022

Zoning application [2022-428] for approximately 0.54 acre located along South Church Street and Highfield Drive to be zoned PCD (South Church Street Corner PCD) simultaneous with annexation, Salem Investment Partners applicant. Ms.

Marina Rush presented the Staff Comments regarding this item, a copy of 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 representing the application. He explained the applicant is not opposed to cross-connectivity to the property to the south. However, the applicant has requested that any access drives to adjoining properties be required to have a maintenance agreement in place.

There being no further discussion, Mr. Warren Russell moved to schedule a public hearing for January 11, 2023; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

Annexation petition and plan of services [2022-508] for approximately 22.3 acres located along Butler Drive, City of Murfreesboro Administration Department applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy of

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

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There being no further discussion, Vice-Chairman Ken Halliburton moved to schedule a public hearing for January 11, 2023; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

Zoning application [2022-429] for approximately 22.3 acres located along Butler Drive to be zoned H-I simultaneous with annexation, City of Murfreesboro Administration Department applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy of 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. Warren Russell moved to schedule a public hearing for January 11, 2023; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

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7. Staff Reports and Other Business:

Mr. Matthew Blomeley encouraged the Planning Commissioners to complete their City of Murfreesboro and State of Tennessee Financial Disclosure Forms as soon as possible. Also, he will be providing information to all those who need to complete the State-mandated continuing education hours.

8. Adjourn.

There being no further business the meeting adjourned at 4:35 p.m.

Chair

Secretary

GM: cj