

# **CITY OF MURFREESBORO PLANNING COMMISSION AGENDA**

**City Hall, 111 W. Vine Street, Council Chambers**

**MARCH 6, 2024  
6:00 PM**

**Kathy Jones  
Chair**

- 1. Call to order.**
- 2. Determination of a quorum.**
- 3. Public Comments.**
- 4. Approve minutes of the February 21, 2024 Planning Commission meeting.**
- 5. Public Hearings and Recommendations to Council**
  - a.** Mandatory Referral [2024-703] to consider the abandonment of the entire right-of-way of Due North Drive north of Sulphur Springs Road, James Pinson applicant. (Project Planner: Holly Smyth)
  - b.** Annexation petition and plan of services [2024-501] for approximately 160 acres located at the western terminus of Asbury Road, The G.S. Dismukes & Barbara W. Dismukes Revocable Living Trust applicant. (Project Planner: Holly Smyth)
  - c.** Annexation petition and plan of services [2024-502] for approximately 0.47 acres located at 3416 South Church Street, Wesley H. Allen and Tonya C. Allen applicants. (Project Planners: Margaret Ann Green and Matthew Blomeley)
  - d.** Zoning application [2024-401] for approximately 0.47 acres located at 3416 South Church Street to be zoned to PCD (3416 South Church Street PCD) simultaneous with annexation, Greg Patel applicant. (Project Planners: Margaret Ann Green and Matthew Blomeley)
  - e.** Zoning application [2024-402] for approximately 2.2 acres located along West Thompson Lane to be rezoned from RS-15 to PRD (Kings Landing Annex PRD), Black Diamond Development applicant. (Project Planners: Margaret Ann Green and Matthew Blomeley)

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## **6. Staff Reports and Other Business:**

- a.** Mandatory Referral [2024-705] to consider the dedication of an electric easement on City-owned property located at 2032 Blanton Drive, Murfreesboro Water Resources Department applicant.
- b.** Zoning application [2023-422] for approximately 3.97 acres located along Southgate Boulevard and Westgate Boulevard to be rezoned from CH and CF to PUD (Westgate Commons PUD), Southgate Developers, LLC applicant. (Project Planner: Brad Barbee)

## **7. Adjourn.**



# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024**

**1:00 PM**

**CITY HALL**

## **MEMBERS PRESENT**

Kathy Jones, Chair  
Ken Halliburton, Vice-Chair  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

## **STAFF PRESENT**

Greg McKnight, Exec. Director Dev. Services  
Matthew Blomeley, Assistant Planning Director  
Holly Smyth, Principal Planner  
Brad Barbee, Principal Planner  
Gabriel Moore, Project Engineer  
Carolyn Jaco, Recording Assistant  
Roman Hankins, Assistant City Attorney

### **1. Call to order.**

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

### **2. Determination of a quorum.**

Chair Kathy Jones determined that a quorum was present.

### **3. Public Comments.**

Chair Kathy Jones announced that no one signed up to speak during the Public Comments portion of the agenda.

### **4. Approve minutes of the February 7, 2024 Planning Commission meeting.**

Ms. Jami Averwater made a motion to approve the February 7, 2024 Planning Commission meeting minutes; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Brian Prince

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

Shawn Wright

Nay: None

## 5. Consent Agenda:

**Gray Subdivision, Lots 1 & 2 [2024-2001]** final plat for 2 lots on 0.32 acres zoned OG-R & CCO located along Roberts Street, Robert Schneider & Tami Gray developers.

**Salem Glen Commercial, Lots 15-17 [2023-2107]** final plat for 3 lots on 2.7 acres zoned OG located along Saint Andrews Drive, Daniel Decker & Wayne Belt developers.

**Salem Glen Commercial, Lots 15-17 [2024-1001]** preliminary plat for 3 lots on 2.7 acres zoned OG located along Saint Andrews Drive, Daniel Decker & Wayne Belt developers.

**Kingdom Ridge Commercial, Lot 7 [2024-2004]** final plat for 1 lot on 1.5 acres zoned CH located along Malachite Drive, Swanson Development, LP developer.

**Stones River Mall, 2nd Resubdivision of Lot 1A [2024-2005]** final plat for 3 lots on 33 acres zoned PCD and PSO located along Old Fort Parkway and Stones River Mall Boulevard, Sterling Organization developer.

**Cherry Blossom Downs [2023-2007]** final plat for 26 lots on 10.1 acres zoned PRD located along West Thompson Lane, BNA Homes, LLC developer.

**ACOM Subdivision, Lots 1-3 [2024-2012]** final plat for 3 lots on 1.2 acres zoned CH & CCO located along Southeast Broad Street, East Castle Street, and South Maney Avenue, Acom Properties, LLC developer.

**Yanahli Group, Lot 1 [2024-2009]** final plat for 1 lot on 3.8 acres zoned CF located along South Church Street, Yanahli Church Street Partners developer.

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024**

**Yanahli Group, Lot 1 [2024-2010]** horizontal property regime plat for 5 units and common area on 3.8 acres zoned CF located along South Church Street, Yanahli Church Street Partners developer.

**Waites Creek Crossing, Resubdivision of Lots 49-52 [2024-2011]** final plat for 8 lots on 0.8 acres zoned RS-A, Type 1 located along Barringer Lane, O'Brien Loyd Venture developer.

**Nelson Subdivision, Lots 1 and 2 [2024-2013]** final plat for 2 lots on 9 acres zoned RS-15 located along Moccasin Trail and Nelson Lane, Margaret N. Nelson and Molly Nelson Ort developers.

There being no further discussion, Ms. Jami Averwater made a motion to approve the Consent Agenda 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  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

## **6. GDO:**

### **On Motion**

**Mark Pirtle, Lot 3 (Homewood Suites) [2023-6015 & 2023-3165] final design review & site plan review of an 84,154 ft2 hotel on 3.6 acres zoned MU and GDO-3 located**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

along Gateway Boulevard, Gateway Hotel Partners, LLC 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 incorporated into these Minutes by reference.

The design team was in attendance representing the application.

There being no further discussion, Mr. Shawn Wright made a motion to approve both the final design review and site plan review subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

Parkway Office Park, Lot 14 (Mental Health Cooperative) [2023-6018 & 2023-3166] final design review & site plan review of a 15,211 ft<sup>2</sup> medical office building on 1.8 acres zoned CH, L-I, and GDO-3 located along Gateway Boulevard and Carl Adams Drive, Holladay Properties 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 incorporated into these Minutes by reference.

Mr. Jeff Ottman (developer) and members of the design team were in attendance representing the application.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve both the final design review and site plan review subject to all staff comments; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Reggie Harris

Bryan Prince

Shawn Wright

Nay: None

**Clari Park, Lot 12 (Neighbors) [2024-6004 & 2024-3010] initial design review of a 4,182 ft<sup>2</sup> restaurant on 1.5 acres zoned CH, PUD, & and GDO-1 located along Roby Corlew Lane, Neighbors 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 incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance representing the application. Mr. Matt Taylor explained the layout, architecture, outdoor patios, outdoor space design, and materials for the proposed restaurant. Mr. Matt Taylor handed out revised elevations for the Planning Commission's review.

Vice-Chairman Ken Halliburton voiced his concerns about the rear of the building being very plain. Mr. Matt Taylor stated he would add more vertical elements against the back of the building.

There being no further discussion, Ms. Jami Averwater made a motion to approve the initial design review subject to all staff comments and to adding vertical design elements on the

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024**

back of the building; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

**Clari Park, Lot 15 (Buona Beef) [2024-6002 & 2024-3006] initial design review of a 4,706 ft2 drive-thru restaurant on 1.5 acres zoned CH and GDO-1 located along Willowoak Trail and Roby Corlew Lane, Buona Venture I 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 incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance representing the application. Mr. Matt Taylor explained the layout, design, and exterior materials of the proposed restaurant.

The Planning Commission discussed their concerns regarding the ice cream cone feature above the awning and asked for clarification if the ice cream cone would be considered as a sign or architecture. Mr. Matthew Blomeley explained he would find an answer to this question before final design review. Continuing, the Planning Commission requested for the drive-thru ordering station be mitigated due to it being close to future residential property. The Planning Commission suggested to add landscaping and a fence on the north side of the property.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

Mr. Matt Taylor said he would add a six-foot-tall fence and place it in the middle of the landscaping. This would have evergreen material along both sides of the fence. The proposed material for the fence would be provided at final design review.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve the initial design review subject to all staff comments and to adding a six-foot-tall fence with evergreen landscaping planted on both sides of the fence; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Reggie Harris

Bryan Prince

Shawn Wright

Nay: None

**Clari Park, Lot 9 (In N Out) [2024-6001 & 2024-3003] initial design review of a 3,885 ft2 drive-thru restaurant on 2 acres zoned CH and GDO-1 located along Medical Center Parkway and Roby Corlew Lane, In-N-Out Burger 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 incorporated into these Minutes by reference.

Mr. Jeff Bryant (developer) and members of the design team were in attendance representing the application. Mr. Jeff Bryant explained the layout, design elevations, exterior materials, and vehicular circulation.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

There being no further discussion, Mr. Shawn Wright made a motion to approve the initial design review subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

## 7. **Plats and Plans:**

### **On Motion**

**Big Blue Marble Academy [2024-3011] site plan for a 12,311 ft<sup>2</sup> daycare center on 1.4 acres zoned CH located along Jack Byrnes Drive, Jarman Development 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 incorporated into these Minutes by reference.

The Planning Commission began discussing the private road and wanted to know who would be responsible for maintaining it. Mr. Matt Taylor said the owners' association would be responsible. He also said that a traffic study has been provided with thresholds for future signalization along Veterans Parkway and Jack Brynes Drive.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve the site plan subject to all staff comments; the motion was seconded by Mr. Bryan Prince and passed by the following vote:



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Aye: Kathy Jones  
Ken Halliburton  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

Abstain: Jami Averwater

**Parkway Place, Lot 14 (OshKosh) [2024-3009] site plan for exterior improvements for a proposed electric vehicle assembly use at an existing 844,480 ft2 industrial building on 49.1 acres zoned PID (Parkway Place PID, Region 3) located at 2120 Logistics Way, OshKosh Corporation developer.** Ms. Holly Smyth presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

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

There being no further discussion, Mr. Bryan Prince made a motion to approve the site plan subject to all staff comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

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Spring Street Townhomes [2024-3004] site plan for 12 single-family residential attached townhomes within 3 buildings on 1.1 acres zoned RM-12 and CCO located along North Spring Street, The Hensley Group developer. Mr. Shawn Wright announced he would be abstaining from all discussion and vote.

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

Mr. Taylor McMurtry (civil engineer) was in attendance representing the application.

Ms. Jami Averwater voiced her concerns regarding whether emergency service vehicles from the Fire Department would be able to access the interior of the development.

Mr. Greg McKnight assured the Planning Commission that he would provide additional information and clarification regarding this issue.

Mr. Taylor McMurtry stated he would also work closely with the Fire Department to provide a truck turning template as well to address all concerns regarding emergency access.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve the site plan subject to all staff comments and to approval by the Fire Marschal regarding fire truck access; the motion was seconded by Mr. Reggie Harris and approved by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

Bryan Prince

Abstain: Shawn Wright

## 8. New Business:

### **Mandatory Referral [2024-703] to consider the abandonment of the entire right-of-way of Due North Drive north of Sulphur Springs Road, James Pinson applicant.** Ms.

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

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on March 6, 2024; the motion was seconded Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Reggie Harris

Bryan Prince

Shawn Wright

Nay: None

### **Annexation petition and plan of services [2024-501] for approximately 160 acres located at the western terminus of Asbury Road, Granville Dismukes applicant.** Ms.

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

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

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024**

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on March 6, 2024; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

**Annexation petition and plan of services [2024-502] for approximately 0.47 acres located at 3416 South Church Street, Wesley H. Allen and Tonya C. Allen applicants.**

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 incorporated into these Minutes by reference.

Mr. Chris Maguire (civil engineer) and Mr. Clyde Rountree (landscape architect) were in attendance to represent the application.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on March 6, 2024; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

Bryan Prince

Shawn Wright

Nay: None

**Zoning application [2024-401] for approximately 0.47 acres located at 3416 South Church Street to be zoned to PCD (3416 South Church Street PCD) simultaneous with annexation, Greg Patel 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 incorporated into these Minutes by reference.

Mr. Chris Maguire (civil engineer) and Mr. Clyde Rountree (landscape architect) were in attendance to represent the application. Mr. Clyde Rountree gave a brief presentation regarding the Pattern Book, which Pattern Book 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 made a motion to schedule a public hearing on March 6, 2024; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Reggie Harris

Bryan Prince

Shawn Wright

Nay: None

**Zoning application [2024-402] for approximately 2.2 acres located along West Thompson Lane to be rezoned from RS-15 TO PRD (Kings Landing Annex PRD)**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024

**Black Diamond Development 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 incorporated into these Minutes by reference.

Mr. Clyde Rountree (landscape architect) was in attendance to represent the application. Mr. Clyde Rountree gave a brief presentation regarding the Pattern Book, which Pattern Book 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 made a motion to schedule a public hearing on March 6, 2024; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Reggie Harris  
Bryan Prince  
Shawn Wright

Nay: None

## 9. Staff Reports and Other Business

None.

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION FEBRUARY 21, 2024**

## **10. Adjourn.**

There being no further business the meeting adjourned at 3:00 p.m.

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Chair

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Secretary

GM: cj

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
MARCH 6, 2024  
PROJECT PLANNER: HOLLY SMYTH**

**5.a. Mandatory Referral [2024-703] to consider the abandonment of the entire right-of-way of Due North Drive north of Sulphur Springs Road, James Pinson applicant.**

In this mandatory referral, the Planning Commission is being asked to consider abandoning the entire right-of-way (ROW) of Due North Drive, , which is approximately 280 feet in length and approximately 15,167 square feet in area. The ROW is located north of Sulphur Springs Road and was never constructed for its entire length nor does it meet current City standards as it does not include sidewalk/curb/gutter. Additionally, it does not have the opportunity to provide vehicular circulation to the adjacent developed neighborhood to the north (Breckenridge), which did not make the connection to this ROW stub. Lastly it does convey stormwater.

The Due North Drive ROW is currently being used for access to private driveways and parking areas at the two (2) adjacent homes located at 2892 and 2882 Sulphur Springs Road. Additionally, drainage facilities are located along the sides of the right-of-way and include pipes under the circular driveways. The primary reason the abandonment is being sought is to cure an illegally constructed garage structure's non-conforming 'front' setback on a corner lot. Should the ROW be abandoned, the garage structure would instead be adjacent to a 'side yard' setback of at least 12.5' required by the RS-15 zone district once a resubdivision plat is recorded. Staff recommended that the applicant pursue the abandonment of the Due North Drive ROW, as it appears to be serving very little public purpose as a City ROW.

Staff has obtained comments from other City departments and utility providers regarding the impact of the proposed ROW abandonment. Their responses are included in the attached memorandum from Planning staff. The report attachments include the map depicting the location of the ROW in question.

Based on the responses received, staff recommends the following conditions of approval be applicable to the ROW abandonment:

1. The applicant shall prepare and submit legal descriptions and exhibits necessary for the City Legal Department to draft any necessary legal instruments. Such instrument(s) shall be subject to the final approval of the City Legal Department.
2. The applicant shall be responsible for the recording of the legal instrument(s), including payment of the recording fee.
3. The 50' wide abandoned right-of-way shall be combined with contiguous property via a duly-approved and recorded subdivision plat while retaining a 50' drainage/utility/access easement in its place.



### **Action Needed**

The Planning Commission should conduct a public hearing and then discuss this matter and formulate a recommendation to the City Council regarding the abandonment. Staff recommends that any approval be made subject to the above conditions.

### **Attachments:**

- Memorandum from Planning Staff regarding responses
- Non-Ortho and Ortho maps depicting the abandonment area
- Applicant Request to Abandon ROW letter, legal descriptions, and engineer map

# Memorandum

**To:** Greg McKnight, Executive Director of Development Services  
Matthew Blomeley, Assistant Planning Director  
**From:** Holly Smyth, AICP Principal Planner  
**Date:** February 27, 2024  
**Re:** Mandatory Referral 2024-703: Abandonment of Due North Drive Right-of-way (ROW) north of Sulphur Springs Road

Following is a summary of the City department staff and utility provider comments regarding the requested right-of-way (ROW) abandonment.

## **Engineering & Streets Departments**

There is a drainage easement along the northern property line of the adjacent lots to the east and west and the City will need to maintain access to this easement. There are drainage flows in roadside ditches on both sides of Due North Drive, so easements for those existing ditches would need to be dedicated as well. The request to abandon ROW should be divided as shown in the request; however, the entire ROW should be converted to a 50' drainage/utility/access easement.

## **Planning Department**

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

## **Fire and Rescue Department**

MFRD does not have any comments on the abandonment.

## **Police Department**

The Murfreesboro Police Department has no objections to or concerns with the ROW abandonment request.

## **Solid Waste Department**

The abandonment will pose no problems for the Solid Waste Department.

## **Murfreesboro Water Resources Department (MWRD)**

The abandonment will not affect any water or sewer mainlines or services.

## **Consolidated Utility District (CUD)**

Not within CUD's service area.

**Middle Tennessee Electric Members Cooperative (MTE)**

MTE has no comments.

**AT&T**

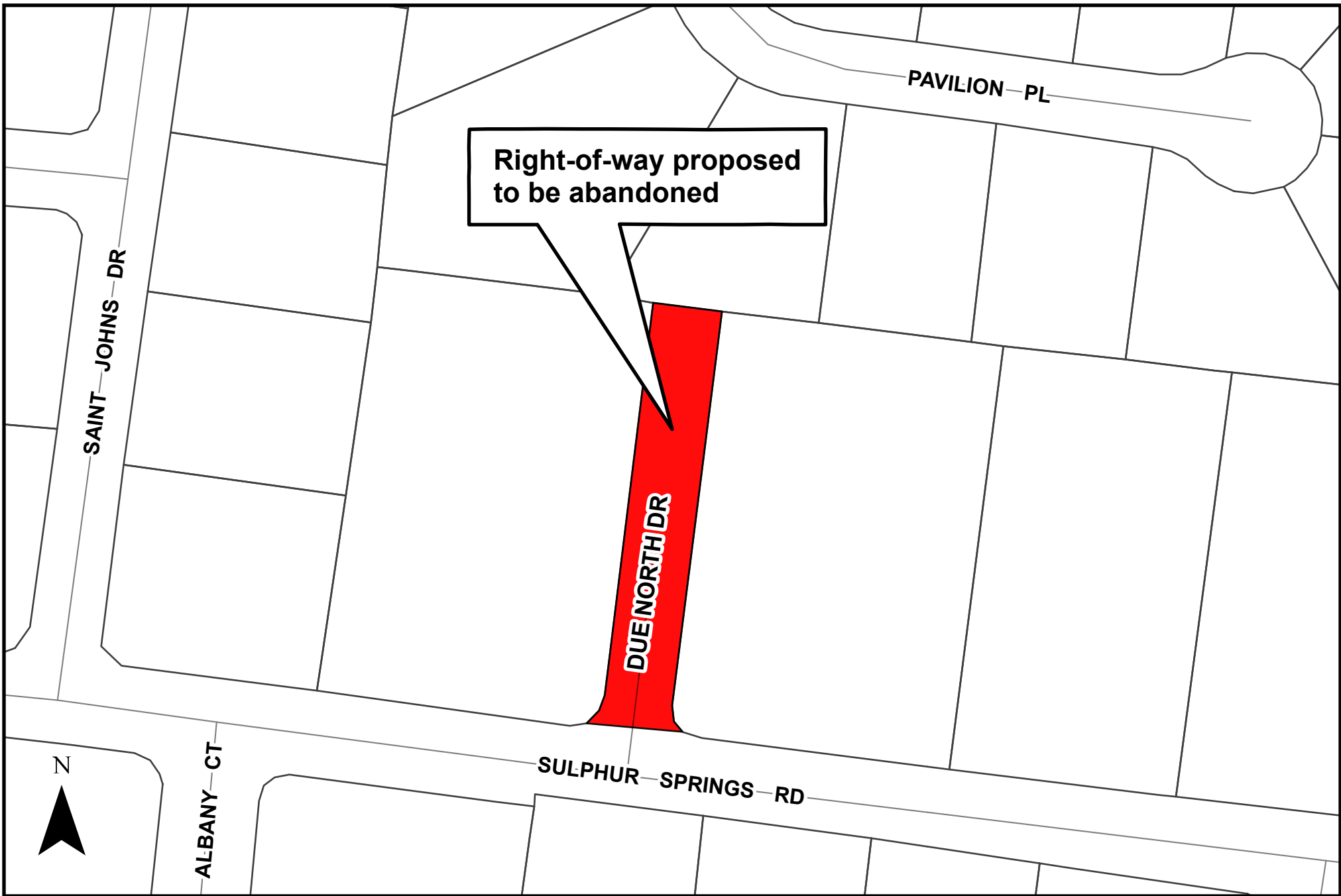
ATT does not have any facilities on Due North Drive.

**Atmos Energy**

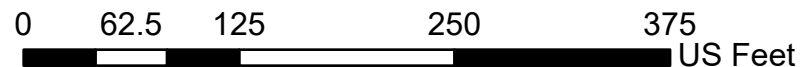
Atmos Energy has not responded to the Planning Department's requests for information regarding this proposed abandonment.

**Comcast**

Comcast does not have any conflicts.

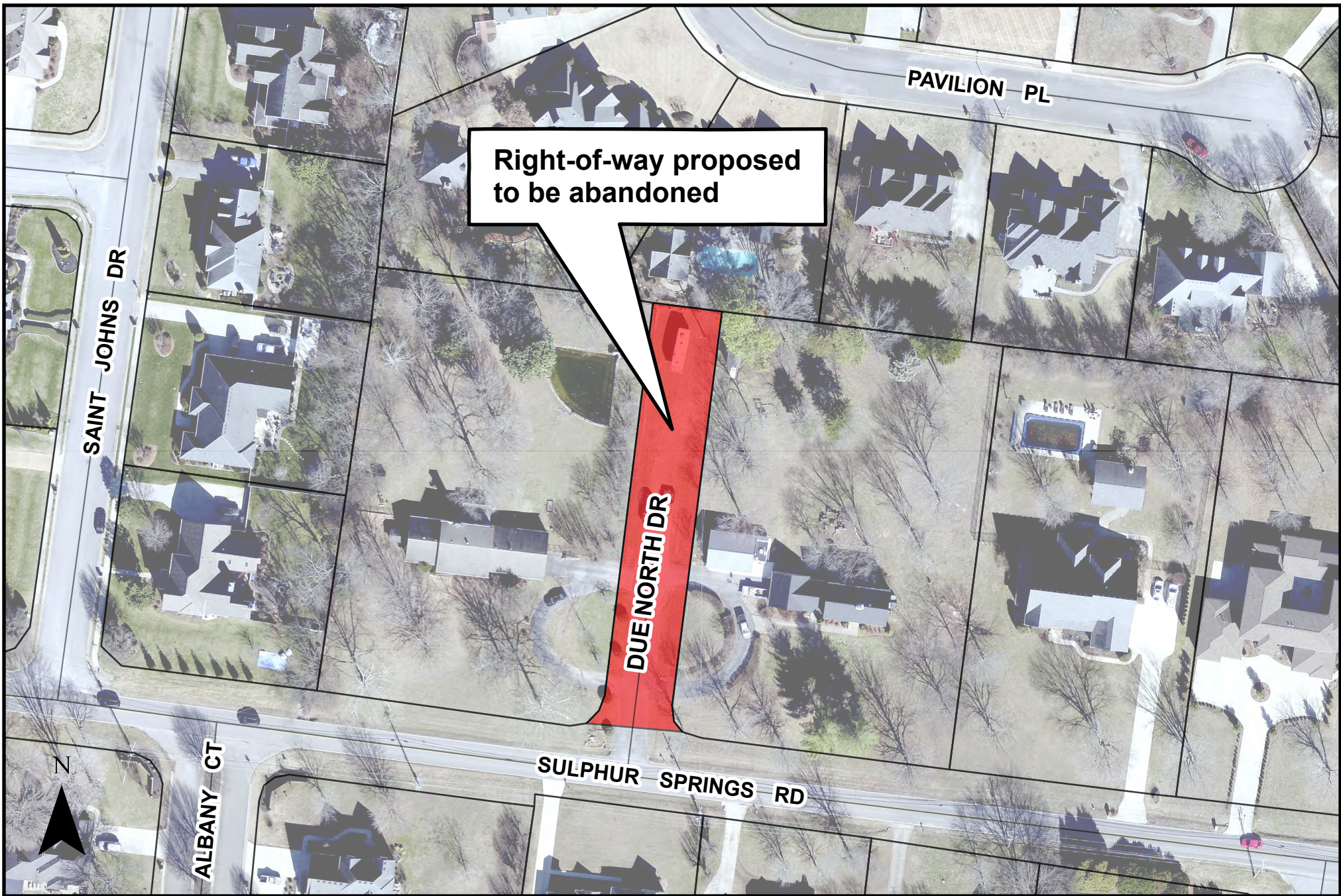


## Request to abandon Due North Drive public right-of-way

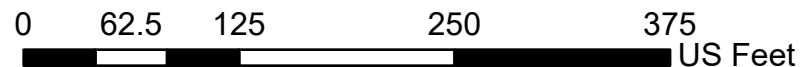


Planning Department  
City of Murfreesboro  
111 West Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





## Request to abandon Due North Drive public right-of-way



Planning Department  
City of Murfreesboro  
111 West Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





City of Murfreesboro  
Mandatory Referral Application

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

Mandatory Referral Fees:

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

Property Information:

Tax Map/Group/Parcel:

Address (if applicable):

Street Name (if abandonment of ROW): Due North Rd.

Type of Mandatory Referral: ROW Abandonment

Applicant Information:

Name of Applicant: James Pinson

Company Name (if applicable):

Street Address or PO Box: 2882 Sulphur Springs Rd

City: Murfreesboro

State: TN


Zip Code: 37129

Email Address: jpinsonlaw@gmail.com

Phone Number: (615) 785-2630

Required Attachments:

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

  
Applicant Signature

1-18-2024  
Date

January 18<sup>th</sup>, 2024

RE: Formal Road Abandonment Request for "Due North Dr.", Murfreesboro, TN, 37129

City of Murfreesboro:


We are requesting mutual permission to request a Formal Driveway Abandonment of "Due North Dr." between the properties of 2892 and 2882 Sulphur Springs Road from the City of Murfreesboro. The road and property will be equally divided between the two homes for personal use, with no intention of developing the road beyond the current construction. Upon formal abandonment from the City of Murfreesboro, the survey line will be drawn evenly and equally down the middle (see image below and attached formal survey) and will adjust the current setback of 100 feet to a standard setback line of 12.5 feet on the east and west sides, respectively, for both residential homes. All maintenance and upkeep will be assumed equally by the owners of 2882 Sulphur Springs Road (James and Jessica Pinson) and 2892 Sulphur Springs Road (Adam and Riki Webb).

Thank you for your consideration –

A handwritten signature in black ink, appearing to read 'JP', with a long horizontal stroke extending to the right.

James Pinson

1 inch = 50 ft.



SHEET 1 OF 1



## **SURVEYOR'S DESCRIPTION – ABANDONMENT OF DUE NORTH DRIVE**

Being all of Due North Drive as shown and recorded in Plat Book 004, Page 092, Register's Office of Rutherford County, Tennessee, and is more particularly described as follows:

Beginning at ½" Rebar (N) with Sexton Cap where the rights-of-way of Due North Drive and Sulphur Springs Road intersect, this being the southeast corner of the road abandonment herein described; thence coincident with the north right-of-way of Sulphur Springs Road North 82°59'53" West, 90.64 feet to a ½" Rebar (N) with Sexton Cap, said rebar being 1.30 feet, more or less, west of a ½" Rebar (O) with no cap, this being the southwest corner of the road abandonment herein described; thence leaving said right-of-way and coincident with the west right-of-way of Due North Drive and east line of Lot 10, Sulphur Springs Meadows, Section I (PB 004/092) for two calls: on a curve to the left having a radius of 20.65 feet and an arc length of 31.74 feet (chord bearing North 53°08'00" East, chord length 28.71 feet) to a ½" Rebar (N) with Sexton Cap; North 7°10'18" East, 280.00 feet to a ½" Rebar (N) with Sexton Cap on the south line of Lot 202, Breckinridge, Final Section VI and Resubdivision of Lot 111, Section III, this being the northeast corner of Lot 10 and the northwest corner of the road abandonment herein described; thence leaving Lot 10 and coincident with the south line of Lot 202 South 82°44'51" East, 50.00 feet to a ½" Rebar (N) with Sexton Cap, this being the northwest corner of Lot 9, Sulphur Springs Meadows, Section I (PB 004/092) and the northeast corner of the road abandonment herein described; thence leaving Lot 202 and coincident with the east right-of-way of Due North Drive and west line of Lot 9 for two calls: South 7°10'18" West, 279.63 feet to a ½" Rebar (N) with Sexton Cap; on a curve to the left having a radius of 20.00 feet and an arc length of 31.41 feet (chord bearing South 37°50'51" East, chord length 28.27 feet) to the Point of Beginning containing 15,166 square feet or 0.34 acres, more or less, according to a survey performed by Christopher Blake Sexton, RLS 2400, 5125 Bridgemore Boulevard, Murfreesboro, Tennessee 37129 on December 30, 2023.

Lot 9 and Lot 10, Sulphur Springs Meadows, Section I will receive approximately one-half of the total area abandoned above. See Exhibit "A" for a more detailed description.

**MURFREESBORO PLANNING COMMISSION**  
**STAFF COMMENTS**  
**MARCH 6, 2024**  
**PROJECT PLANNER: HOLLY SMYTH**

**5.b. Annexation petition and plan of services [2022-501] for approximately 160 acres located at the western terminus of Asbury Road, The G.S. Dismukes & Barbara W. Dismukes Revocable Living Trust applicant.**

The property owner listed above, represented by SEC Engineering, has submitted a petition requesting their property be annexed into the City of Murfreesboro. The subject area includes one parcel at the western terminus of Asbury Road. The property contains one barn and 5 billboard signs with no water or sewer service. The property tax map number is Tax Map 071, Parcel 011.00.

The annexation study area does not contain any right-of-way (ROW) because Justice Road, shown on the City's GIS, was abandoned by the County years ago with the former ROW being absorbed back into the parcel (See attached reference on survey map).

The subject parcel is located within the area depicted on the adopted Murfreesboro 2035 Comprehensive Plan Future Land Use Map shown below. The land use designations are Suburban Residential (SR) and General Commercial (GC), and the property is located within the Infill Service Line. No simultaneous request to zone the property has been made with the annexation petition and, therefore, an interim zoning classification of RS-15 would be automatically assigned upon annexation.

Staff has prepared a Plan of Services for the proposed annexation, which has been provided to the Planning Commission in the agenda packet. It demonstrates how services can be provided to the subject property upon annexation. No significant difficulties in providing services to the property as it exists today are identified in the plan of services. However, significant extensions of all infrastructure, including streets, sanitary sewer, water, and electricity, would need to be installed when development occurs.

**Staff Recommendation:**

Staff supports the annexation of this one parcel for the following reasons:

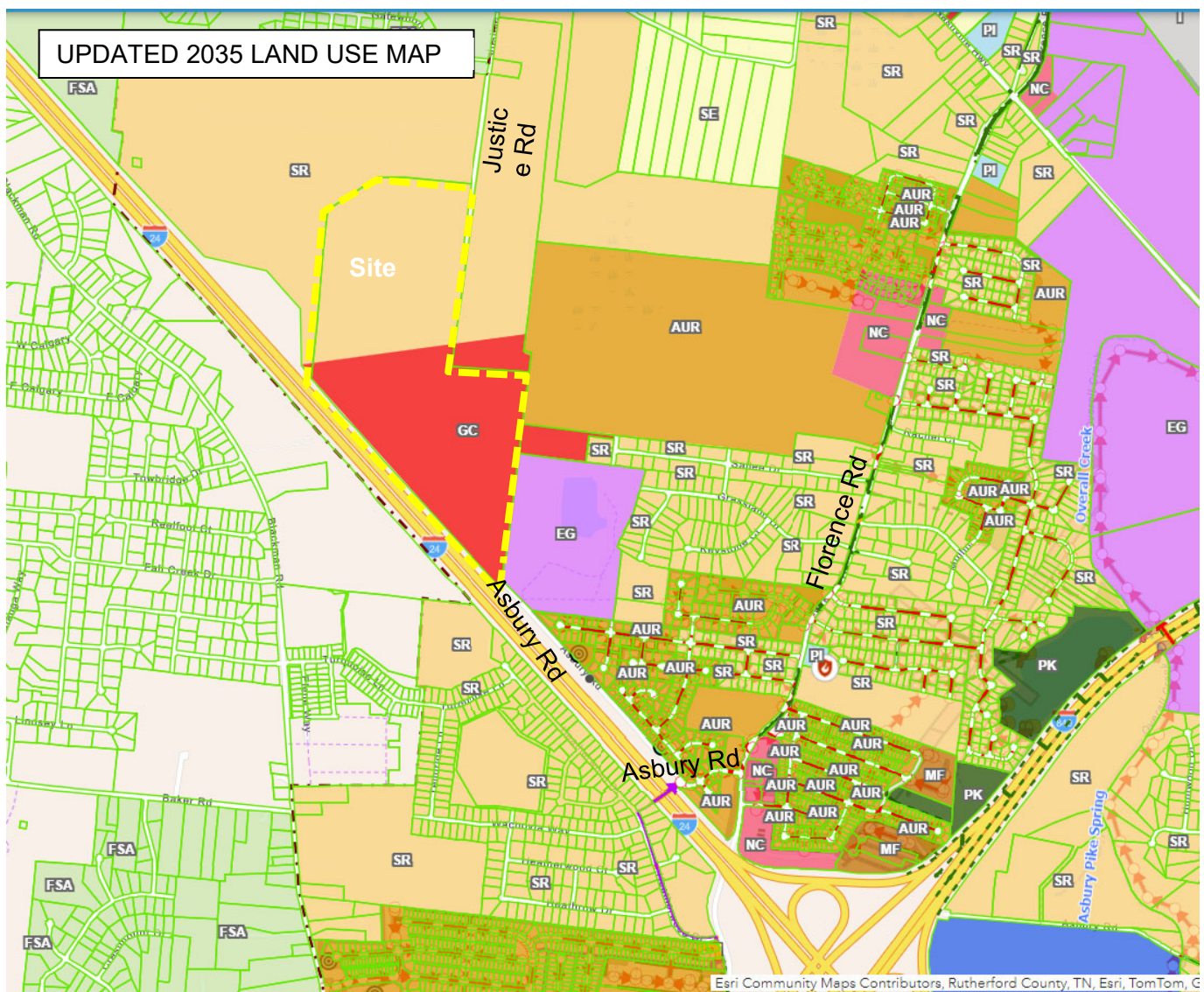
- 1) Inclusion of this property in the City, as well as its future development lends itself to potential Cherry Lane extension opportunities consistent with the 2040 Major Transportation Plan.
- 2) The area is within the proposed Infill Service Line as well as the City's Urban Growth Boundary. It is also contiguous with the existing City limits.
- 3) Although significant infrastructure extensions will be needed when it develops, annexation of the subject parcel in its current state will not pose any issues for delivery of services.

## **Action Needed:**

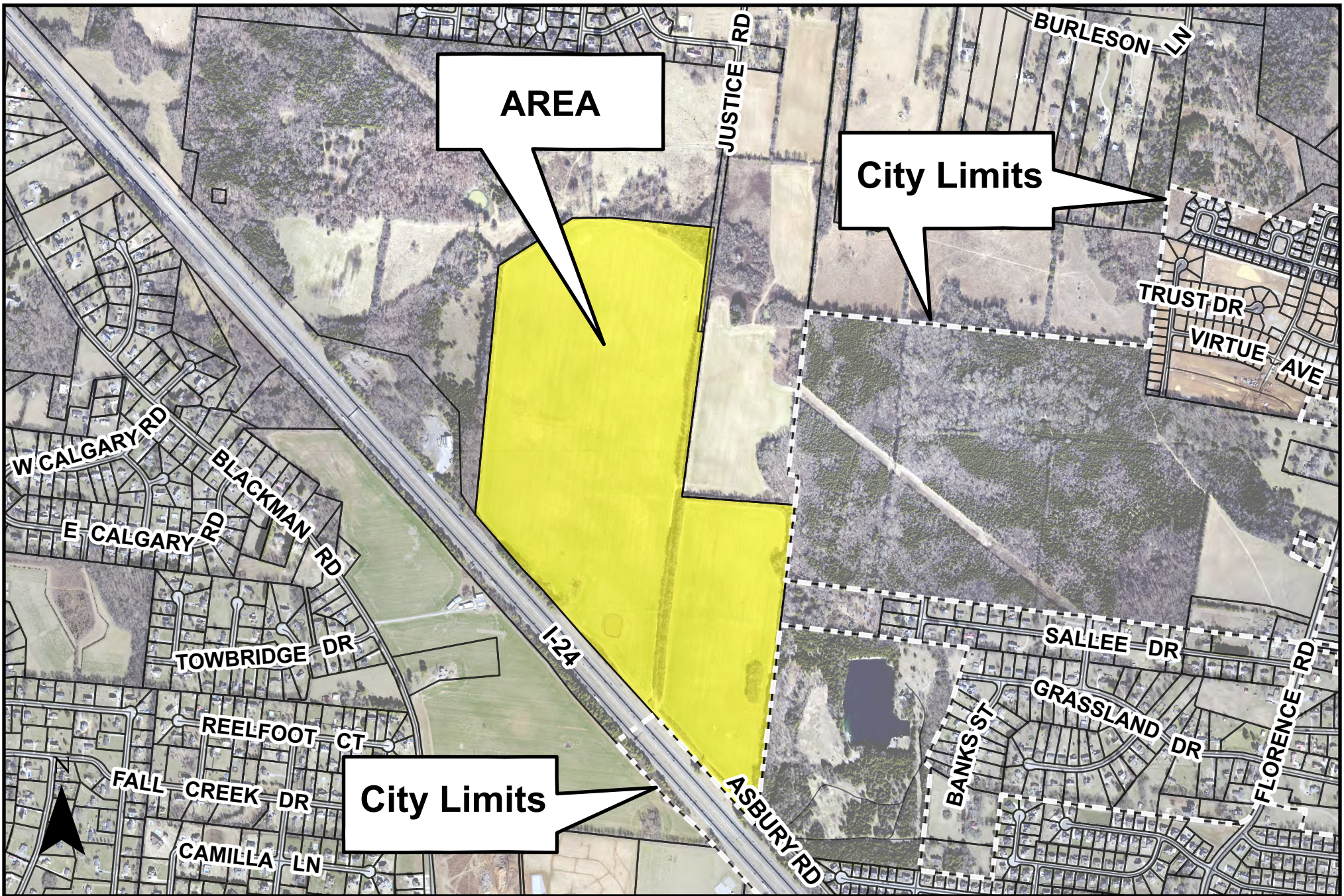
The applicant will be available at the Planning Commission meeting to discuss this proposed annexation petition and plan of services. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.

### Attachments:

- Ortho Map
- No Ortho Map
- Survey Map
- Plan of Service





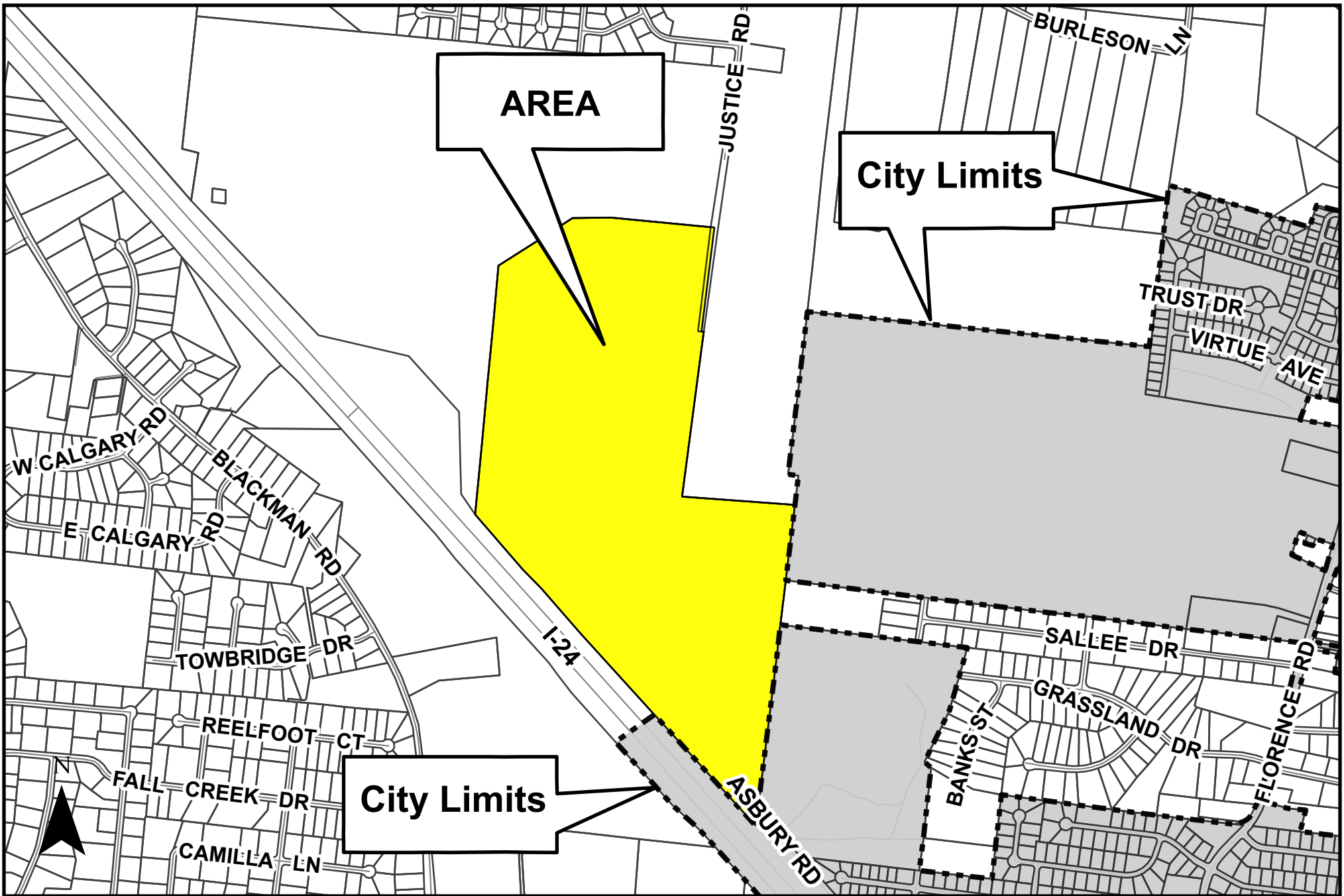


Annexation request for property along Asbury Road and I-24



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Murfreesboro, TN 37130  
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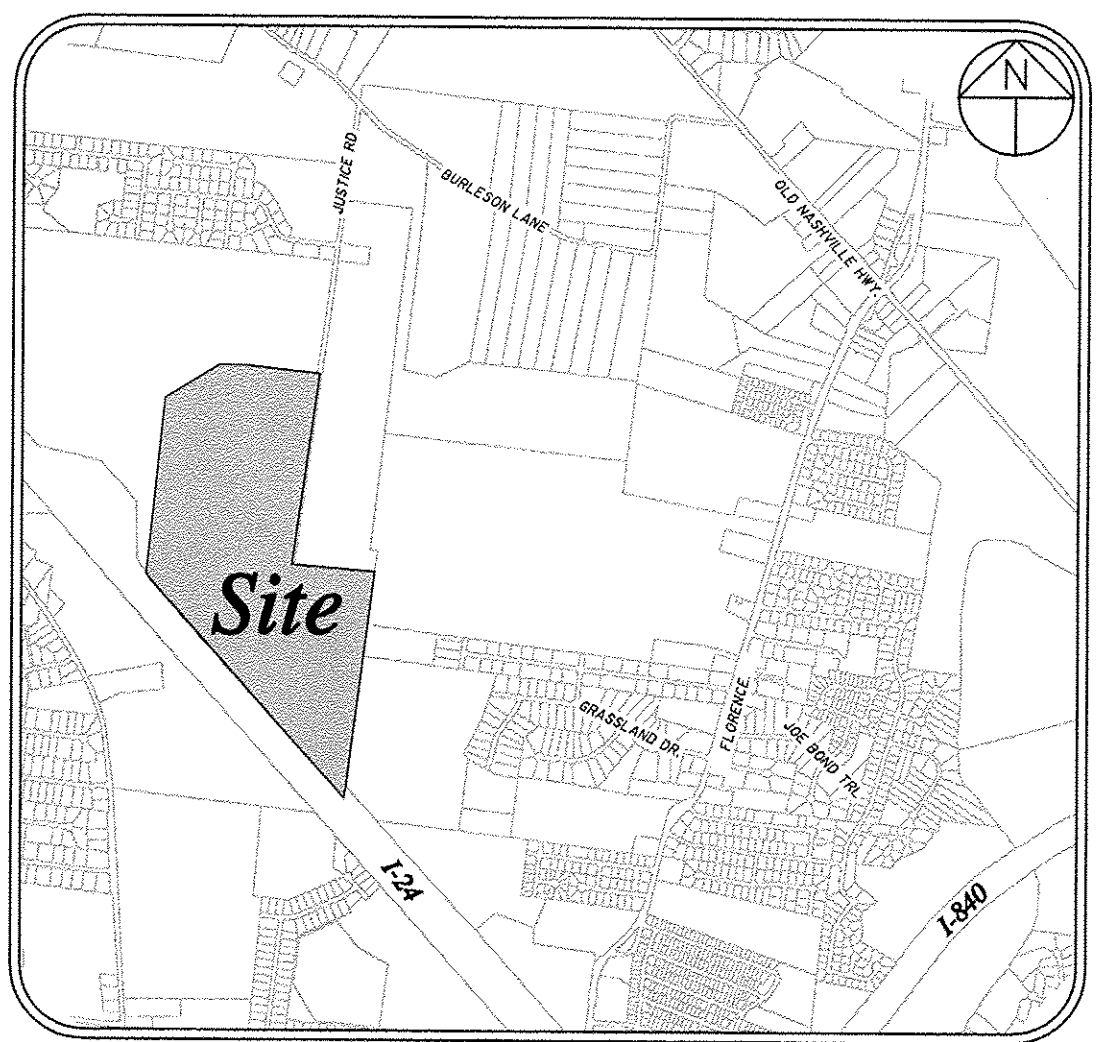


## Annexation request for property along Asbury Road and I-24



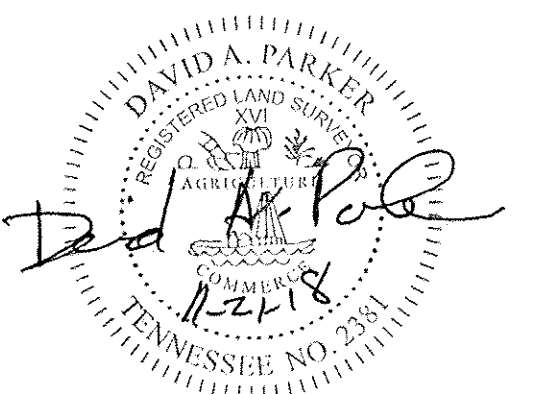
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- LEGEND**
- (CMONF) □ EXISTING CONC. MON.  
(IPF) □ EXISTING IRON PIN  
(IPS) ● SET IRON PIN  
— X — FENCE (AS NOTED)



LOCATION MAP  
Not to Scale

- SURVEYOR'S NOTES:**
1. BEARING SYSTEM IS BASED ON TENNESSEE STATE PLANE COORDINATES (NAD 83-96).
  2. PROPERTY SHOWN IS ZONED AGRI.
  3. SUBJECT PROPERTY IS IDENTIFIED AS PARCEL 11.0 ON RUTHERFORD COUNTY PROPERTY MAP 71.
  4. THIS PROPERTY LIES WITHIN ZONE X, NOT IN A SPECIAL FLOOD HAZARD AREA, AS DETERMINED FROM ELEVATIONS SHOWN ON FIRM MAPS FOR RUTHERFORD COUNTY, TENNESSEE, MAP NUMBER 47149C040H, EFFECTIVE DATE JANUARY 5, 2007.
  5. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ALL OF THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA OR THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. AVAILABILITY AND LOCATION OF UTILITIES SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY.



**SURVEY CERTIFICATION**

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED MEET THE REQUIREMENTS OF A CATEGORY I SURVEY AS DEFINED BY THE TENNESSEE BOARD OF EXAMINERS FOR LAND SURVEYORS.

*David A. Parker* 11-21-18  
DAVID A. PARKER, TN R.L.S. NO. 2391 DATE: NOV. 13, 2018  
DATE OF FIELD SURVEY: NOVEMBER 01, 2018.

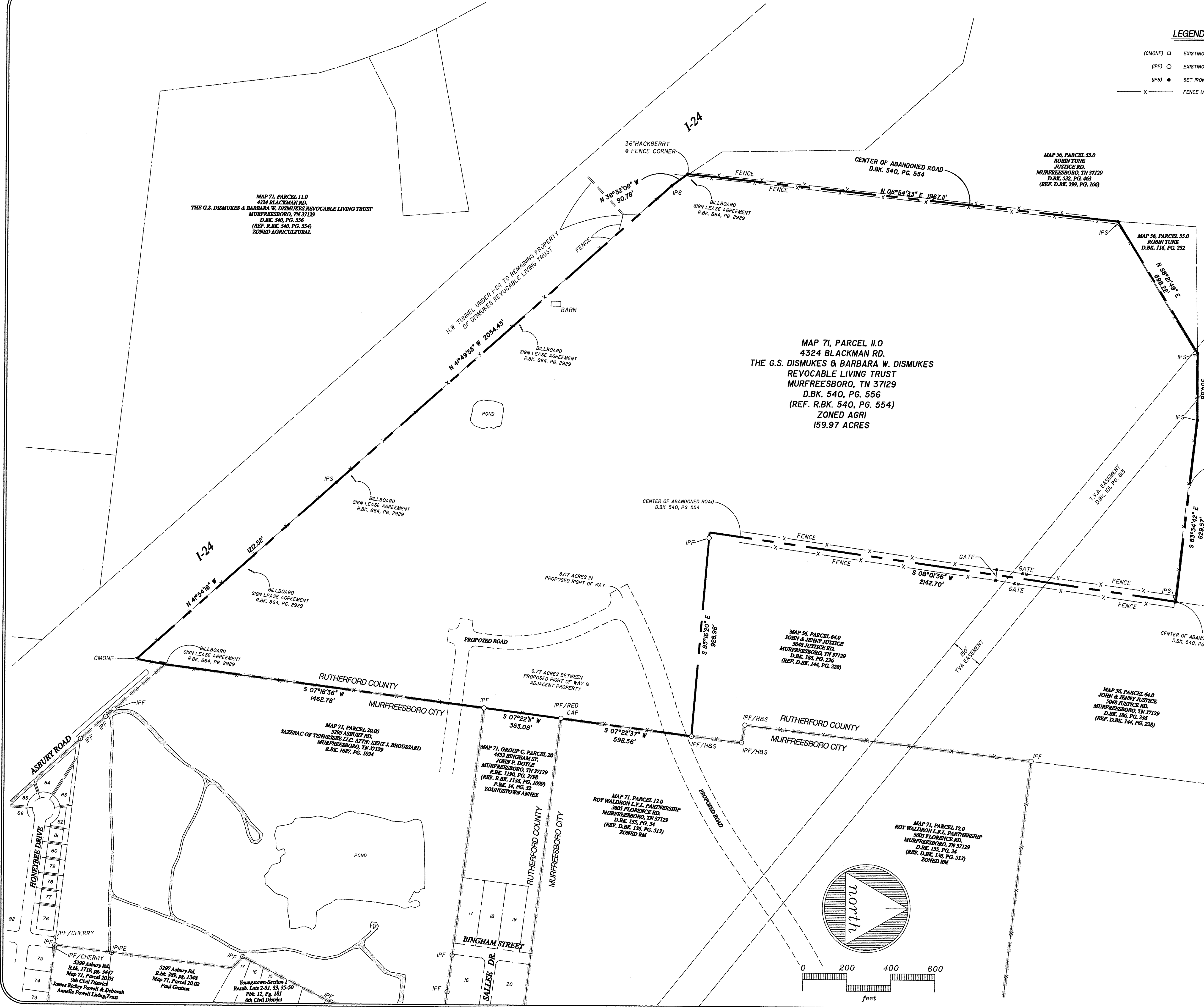
**BOUNDARY SURVEY**

**A Portion of The G. S. Dismukes & Barbara W. Dismukes Revocable Living Trust**  
4324 BLACKMAN ROAD, MURFREESBORO, TENNESSEE, 37129  
7th CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE

BARBARA DISMUKES REVOCABLE LIVING TRUST  
DEED BOOK 540, PAGE 556 AND DEED BOOK 540, PAGE 554, R.O.R.C., TN.  
MAP 71, PARCEL 11.0, R.O.R.C., TN.

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

PROJ. # 17014	DATE: 11-13-18	FILE: 17048DISMUKES	DRAWN BY: ACAD/TAF	SCALE: 1" = 200'	SHEET I OF I
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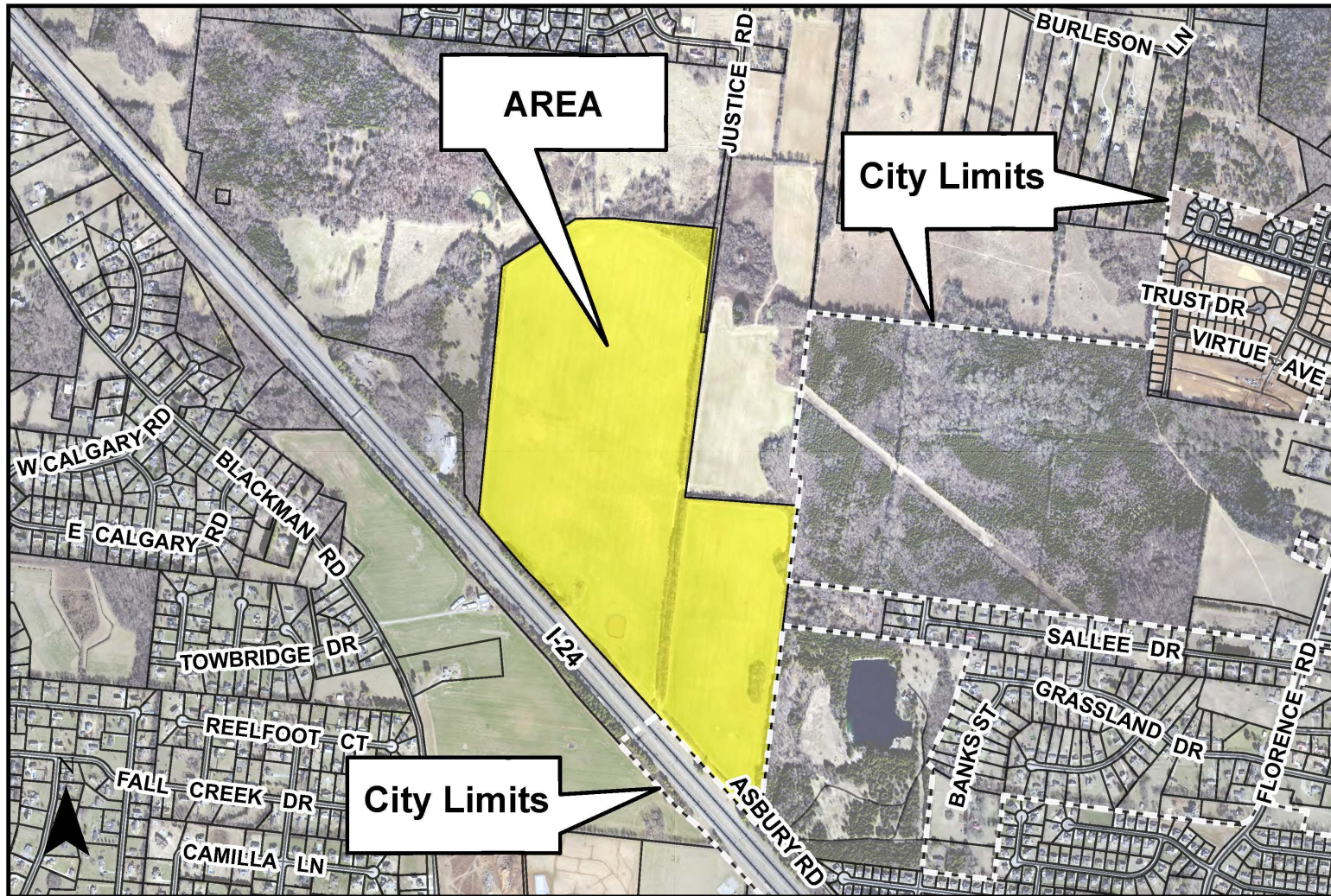


**ANNEXATION REPORT FOR PROPERTY LOCATED  
AT THE WESTERN TERMINUS OF ASBURY ROAD  
INCLUDING PLAN OF SERVICES  
(FILE 2024-501)**



**PREPARED FOR THE  
MURFREESBORO PLANNING COMMISSION – March 6, 2024**





Annexation request for property along Asbury Road and I-24



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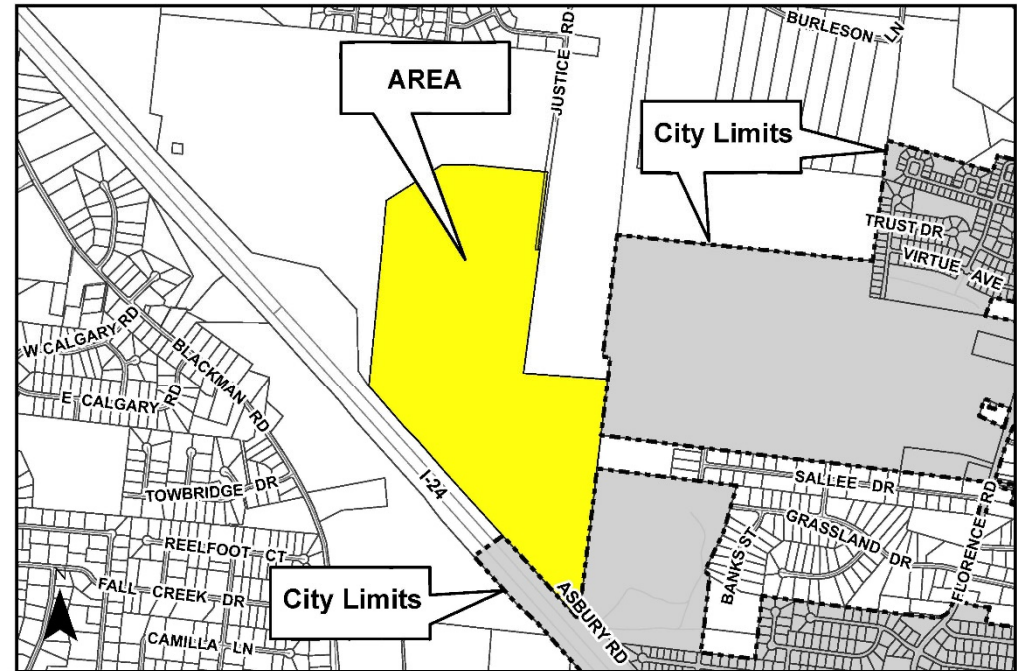


# INTRODUCTION

## **OVERVIEW**

The property owner, The G.S. Dismukes & Barbara W. Dismukes Revocable Family Trust, has submitted a petition requesting annexation by the City of Murfreesboro. The requested area is made up of 1 parcel containing approximately 160 acres. The property is located at the western terminus of Asbury Road adjacent to Interstate 24. The property tax map number is: Tax Map 071, Parcel 011.00. The property contains one barn and 5 billboards. No application to zone the property has been submitted; therefore, the property would default to a Residential Single Family 15 (RS-15) zone upon annexation.

The study area is located within the City of Murfreesboro's Urban Growth Boundary and half of the eastern property line is contiguous with the City limits.



Annexation request for property along Asbury Road and I-24

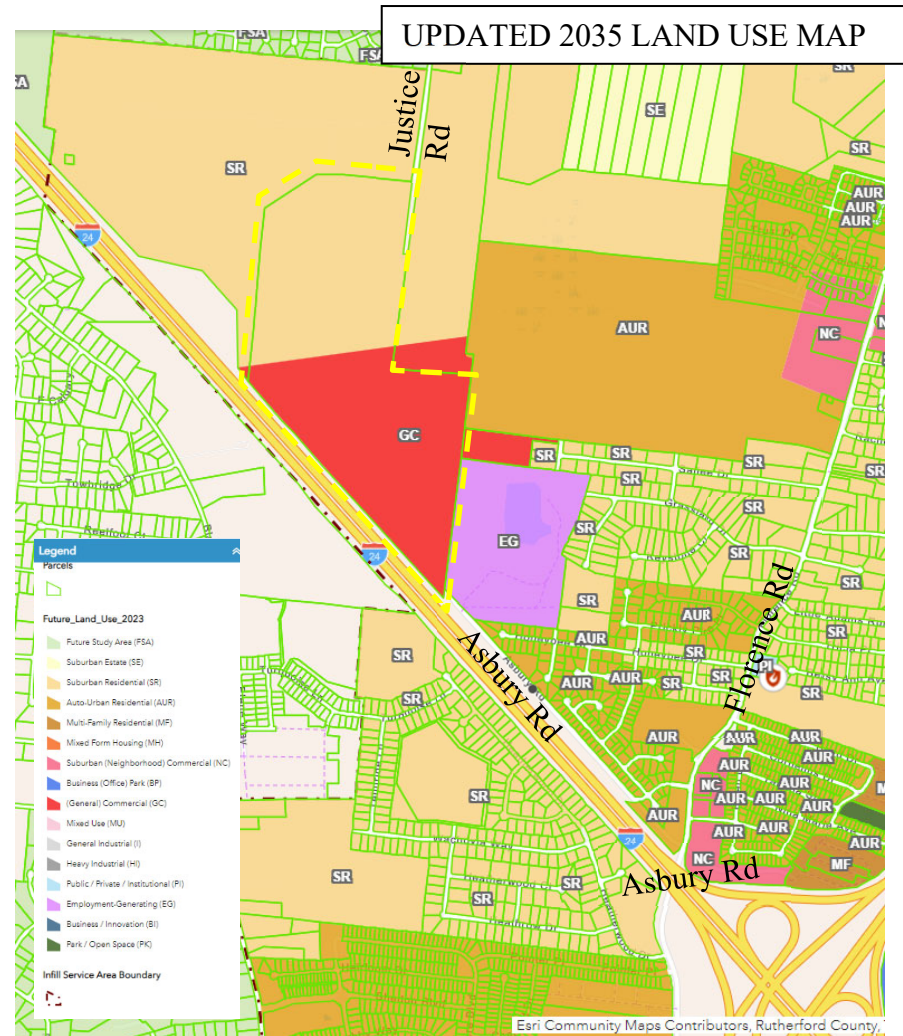
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US Feet

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## GENERAL PLAN LAND USE

The updated Murfreesboro 2035 Comprehensive Plan Future Land Use Map indicates that Suburban Residential (SR) is the most appropriate land use character for the northern half of the property and General Commercial (GC) is the most appropriate land use character for the southern half of the property. The SR classification recommends single-family residential development with a density of 1.0 to 4.0 dwelling units per acre. The GC classification recommends commercial centers with a range of uses indicative of high-profile “pad” sites along the roadway. Uses anticipated are auto-centric uses, gas stations, service stations, restaurants, “big-box” commercial, grocery, and hotels.

The property lies within the Infill Service Area of the City as shown on the adjacent map. The purpose of the proposed Infill Service Line is to help facilitate growth and development in an orderly, planned, and sustainable manner.





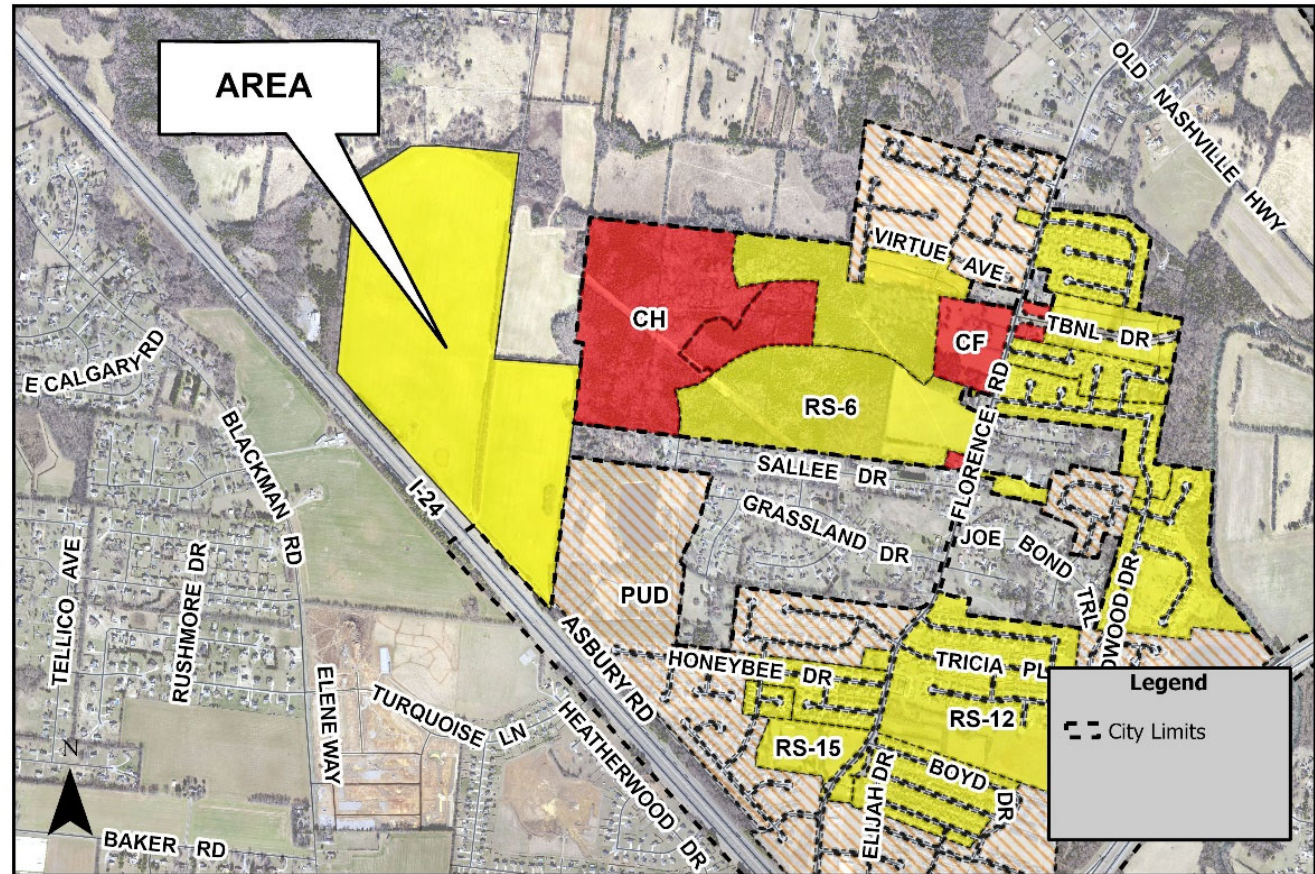
## ZONING

No zoning application has been submitted for the 160-acre study area simultaneous with annexation. If annexed, the property would be given an interim zoning classification of RS-15 (Single Family Residential 15).

The parcels requested for annexation are shown in yellow on the adjacent map and are currently zoned Residential Medium-Density (RM) in the unincorporated County.

The zoning on the adjacent properties to the south, west, north and a portion of the east are designated

Residential Medium-Density (RM) in the unincorporated County. Portions of the easterly boundary that are contiguous with City limits are zoned Commercial Highway



Annexation request for property along Asbury Road and I-24

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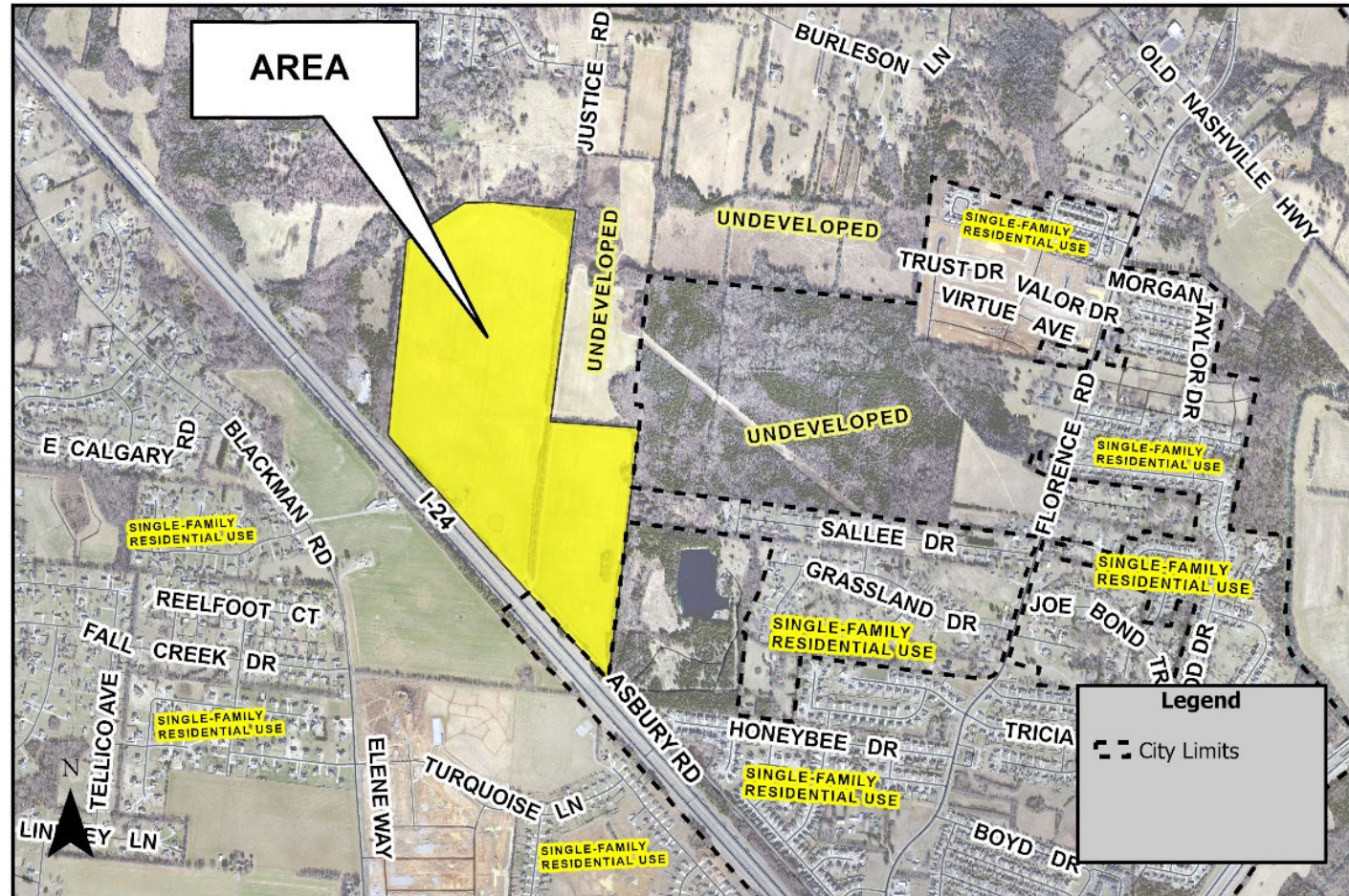
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(CH) and Planned Unit Development (PUD). This undeveloped PUD zoned property is known as the Sazerac property which was approved in 2017 to create Sazerac Distillery of Tennessee on approximately 55 acres of land.



## PRESENT AND SURROUNDING LAND USE

The study area shown in yellow is only developed with 1 barn and 5 billboards. The surrounding land uses are primarily undeveloped land. Several single family detached residential subdivisions are located south of the annexation study area.



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## **TAXES AND REVENUE**

The first City tax bill for all property annexed during the calendar year of 2024 will be due on December 31, 2025. 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 \$0.9526/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is vacant. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

***Table 1***  
***Estimated Taxes from Site***

<b>Owner of Record</b>	<b>Acres</b>	<b>Land Mkt Value</b>	<b>Improvement Value</b>	<b>Assessment Value</b>	<b>Estimated City Taxes</b>
Dismukes Trust	159.97	\$445,900	\$0.00	\$111,475	\$1,062

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

# **PLAN OF SERVICES**

## **POLICE PROTECTION**

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

The Murfreesboro Police Department can immediately provide police services to the property as it currently exists. The current police zone that borders the property is Zone 4.

## **SOLID WASTE COLLECTION**

The Solid Waste Department only services homes and not barn structures. Should there be residential uses developed on the site, the Solid Waste Department will be able to provide solid waste collection service as well as brush and debris removal, provided that adequate turn-around access would need to be provided to accommodate a 33' long solid waste vehicle at the dead-end of Asbury Road or full City streets extended to the new development.

If developed under the interim RS-15 zoning, the cost to the City for carts for 348 potential homes would be \$24,241.68 (\$69.66/cart).

## **RECREATION**

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

## **CITY SCHOOLS**

The Murfreesboro City School (MCS) system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area is located outside of the Northfield Elementary school zone, and it would become part of this school's zoned area upon annexation. The present state of the land contains no homes and therefore would have no impact on the City Schools. Additionally, there would be no need to provide services to this area.

Should the property be developed with approximately 348 single-family homes under the interim RS-15 zoning, it would add approximately 81 new students to the MCS school population.

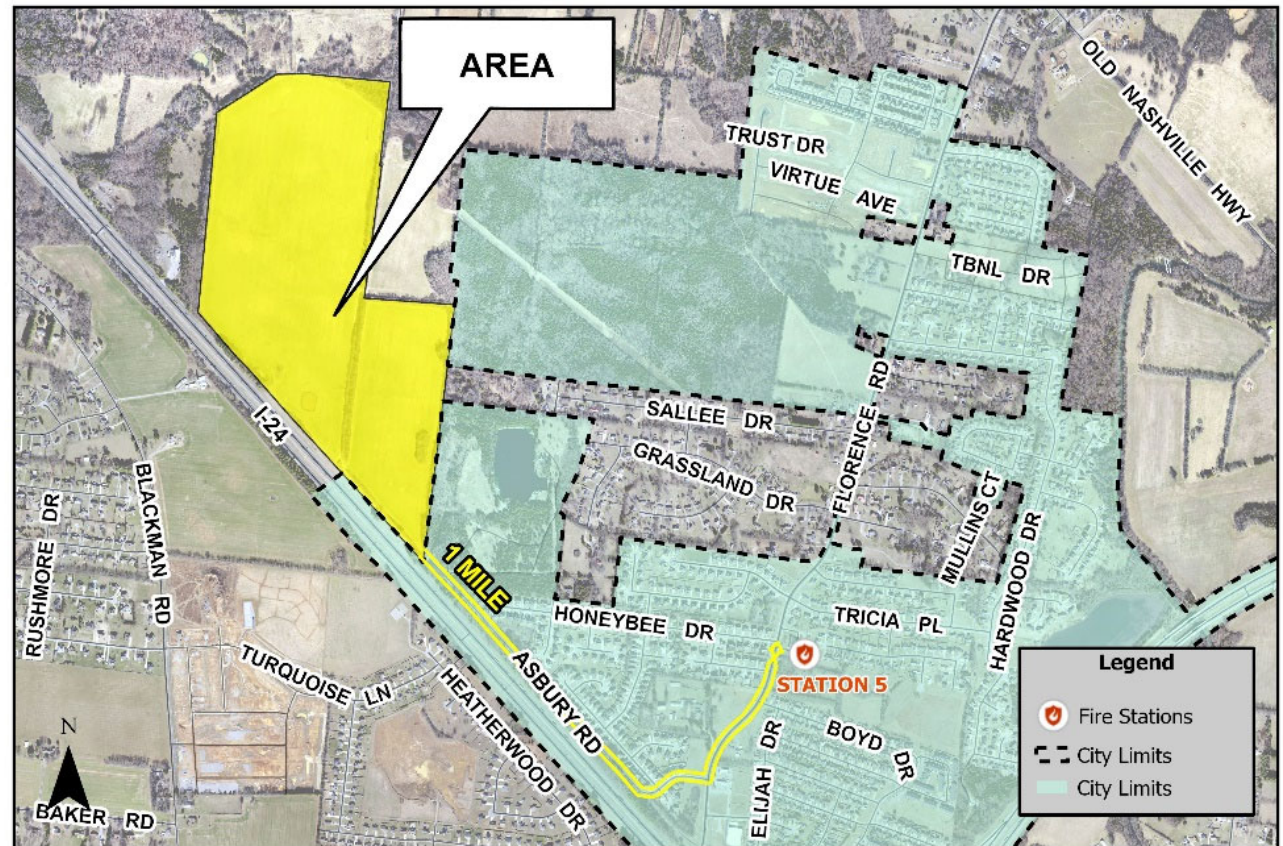


As of the 2023-2024 school year, enrollment at Northfield is 614 students with an ideal maximum student capacity for 720 students.

## **FIRE AND EMERGENCY SERVICE**

The study area is predominantly vacant, agricultural land but does contain 1 barn and 5 billboards. Murfreesboro Fire and Rescue Department (MFRD) can provide its standard complement of emergency services as well as fire protection and medical response to the property immediately upon the effective date of annexation.

Emergency services and fire protection can also be provided to any future subdivision development so long as appropriate infrastructure is extended to the site when it develops. Currently the study area is located 1 mile from Fire Station #5 (3006 Florence Rd). The yellow line on the adjacent map represents the linear distance range from the nearest fire station.



Annexation request for property along Asbury Road and I-24

0 1,000 2,000 4,000 6,000 US Feet

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## **BUILDING AND CODES**

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

## **PLANNING, ENGINEERING, AND ZONING SERVICES**

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

## **GEOGRAPHIC INFORMATION SYSTEMS**

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

## **ELECTRIC SERVICE**

Middle Tennessee Electric Membership Corporation (MTE) states that there is no electric infrastructure near the proposed parcel. Therefore, it cannot be served at the present time. Significant electrical infrastructure improvements will need to be made in order to serve any future development on the subject property. The applicant will need to contact MTE to discuss.

## **STREET LIGHTING**

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

## **STREETS AND ACCESS**

The annexation study area does not include any public roadway systems. Access to public roadway systems is available through existing Asbury Road.

The property is impacted by the 2040 Major Transportation Plan that indicates a 5-lane roadway through the study area. Any future development plans should consider this project and participate by dedication of ROW and easements and cost of construction. 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 and therefore no costs would be experienced by the City street maintenance in its existing state. Asbury Road as a substandard street is not suitable for significant traffic without reconstruction.

## REGIONAL TRAFFIC & TRANSPORTION

The study area is served by Asbury Road as the local roadway facility. Asbury Road connects to Florence Road to the east. Florence Road connects to Manson Pike to the southwest and connects to Old Nashville Highway to the northeast. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Florence Road to be operating at a Level of Service C in the study area using average daily traffic (ADT) counts.

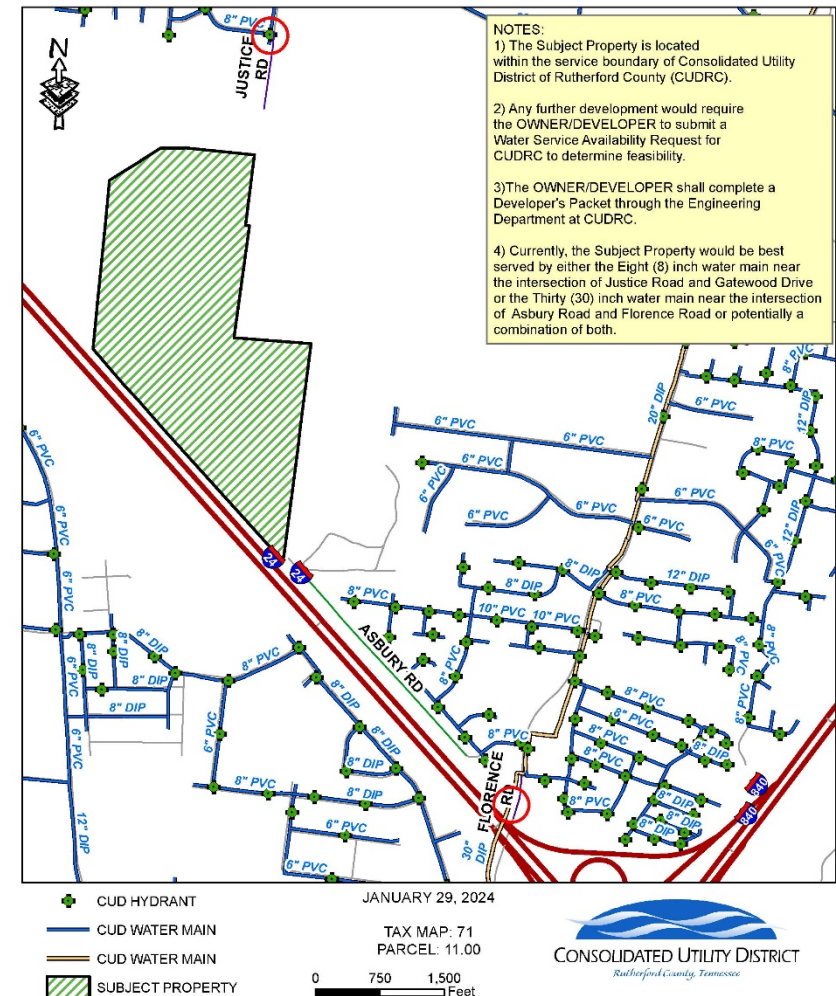
Florence Road/Brinkley Road at Manson Pike is the first major intersection to the south. Florence Road is operating at a Level of Service C, Brinkley Road is operating at a Level of Service B, and Manson Pike is operating at a Level of Service C. Florence Road at Old Nashville Highway is the first major intersection to the north and is operating at a level of service C on Florence Road and level of service C on Old Nashville Highway.

The 2040 Level of Service Model indicates that Florence Road will fall to an undesirable level of service of F without the proposed improvements recommended in the 2040 Plan; Brinkley Road will be at LOS of C, Manson Pike will be at LOS of E, and Old Nashville Highway will be at LOS of F. With the improvements recommended in the 2040 Plan, the 2040 Level of Service Model indicates that Florence Road will operate at a level of service D; Brinkley Road will be at LOS of C, Manson Pike will be at LOS of B, and Old Nashville Highway will be at LOS of C.

## WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. CUDRC's current infrastructure is sufficient to serve any existing structures; however, it does not provide any water services to the existing barn at this time.

Asbury Road Pan of Service Map 71 Parcel 11.00





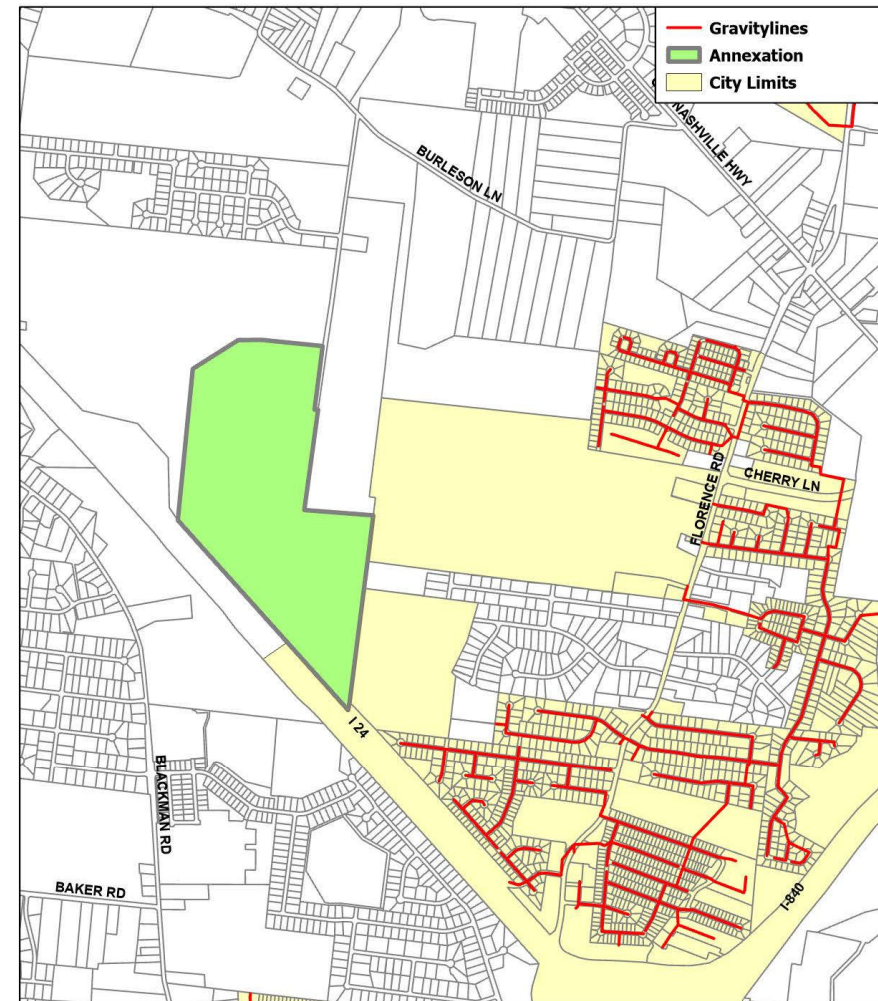
CUDRC has an existing eight (8) inch water main near the intersection of Justice Road and Gatewood Drive, and a thirty (30) inch water main near the intersection of Asbury Road and Florence Road to potentially serve the study area as illustrated in the attached exhibit.

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

### **SANITARY SEWER SERVICE**

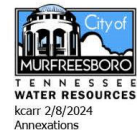
Currently sewer is not available to the property. The Murfreesboro Water Resources Department has a concept sewer master plan for the area; however, the improvements are not listed on the 5-year Capital Improvement Plan and Budget. These improvements are not planned until such time as Cherry Lane is extended from Florence Road west to I-24. The improvements include proposed gravity sewer draining to a sewer pump station and pumped by force main back to Florence Road.

The closest existing gravity sewer mains that could handle the anticipated flow from development in the study area are ~4200 feet to the east along Florence Road and ~3150 feet to the southeast along Asbury Road. The Asbury Road route would also require TDOT approval for proposed infrastructure to be located within their right-of-way.



MURFREESBORO WATER RESOURCES DEPARTMENT

### **Dismuke Property Annexation**



This property is within the Overall Creek Sanitary Sewer Assessment District and will be charged \$1,000 per single family unit (sfu) in addition to the standard connection fee of \$2,550 per sfu. One sfu is equal to 260 gallons per day.

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

## **DRAINAGE**

### **Public Drainage System**

No new 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**

The southeastern portion of property may be subject to sinkhole flooding which could impact the function of potential stormwater controls.

A review of the regional drainage patterns indicates the study area and adjacent properties are controlled by karst-like drainage conditions. A review of the 2010 aerial photography following the significant rainfall events of May 1 and 2 confirms the presence of standing water 2 days after the rainfall stopped.

## **Stormwater Management and Utility Fees**

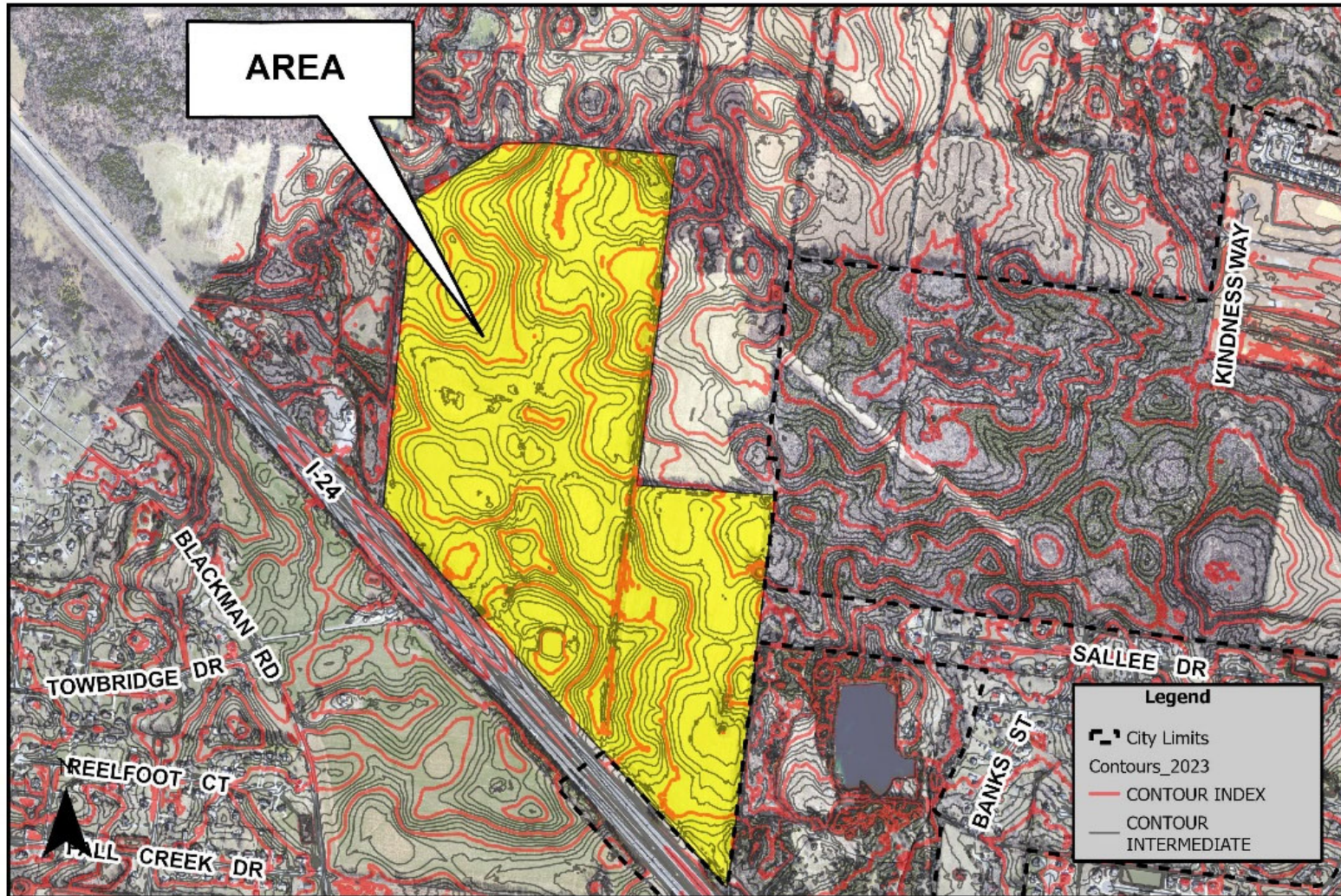
Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The study area currently is vacant will not generate revenue for the Stormwater Utility Fee.

If the subject property is developed with 348 dwelling units under the interim RS-15 zoning, it is anticipated that the site will generate approximately \$13,500 annually in revenue for the Stormwater Utility Fund upon full build-out.

Historical aerial photography does indicate significant areas of ponded water following rain events. Future development plans should address the existing drainage conditions. New development on the property must meet overall City of Murfreesboro Stormwater Quality requirements. Impacts on adjacent properties should also be considered in future development plans to ensure no net impact.

The map below shows the existing terrain with contour lines. Each line represents a 1' change in elevation. Due to the large area contained in the map, the actual elevation numbers will not show up.



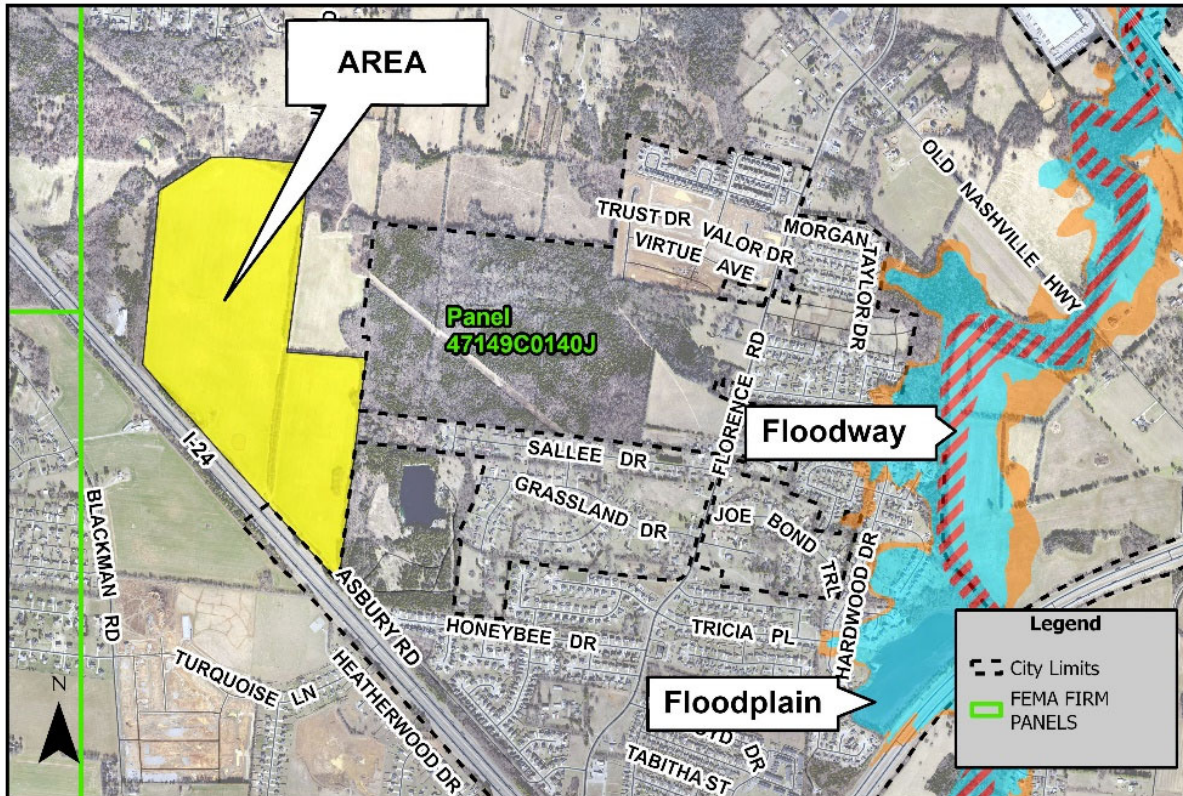


Annexation request for property along Asbury Road and I-24

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

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Annexation request for property along Asbury Road and I-24

0 1,250 2,500 5,000 7,500 US Feet

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## 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.

## FLOODWAY

No portion of the property is within the floodplain.  
The study area ultimately drains to Overall Creek approximately 1.5 miles east.

## **MURFREESBORO PLANNING COMMISSION**

### **STAFF COMMENTS, PAGE 1**

**MARCH 6, 2024**

**PROJECT PLANNERS: MARGARET ANN GREEN AND MATTHEW BLOMELEY**

**5.c. Annexation petition and plan of services [2024-502] for approximately 0.47 acres located at 3416 South Church Street, Wesley H. Allen and Tonya C. Allen applicants.**

The study area consists of one parcel located at 3416 South Church Street, just south of Highfield Drive. A written petition requesting annexation has been filed with the City by the property owners. The subject property is 0.47 acres in area. No right-of-way is included in the study area, as South Church Street is already within the Murfreesboro City limits.

Greg Patel has a contractual interest in the property and has submitted a companion zoning application requesting the property to be zoned PCD (Planned Commercial District) simultaneous with annexation. The area being considered for annexation is currently developed with a single-family house and home-based massage business- *Restoration Body Therapy* and is zoned RM (Medium Density Residential District) in the unincorporated County. The zoning application is to zone the property to PCD simultaneous with annexation to allow redevelopment of the property with a 3,600 square-foot, multi-tenant commercial center. A neighborhood meeting regarding the annexation and zoning of this property was held on January 22, 2024, at the Barfield-Crescent Park Wilderness Center.

The subject property consists of one parcel and no right-of-way:

**Owners: Wesley H. Allen and Tonya C. Allen**

Tax Map 125O, Group A Parcel, 002.00:

Approximately 0.47 acres.

The subject property is located within the City's Urban Growth Boundary and is contiguous with the current City limits on its north and east sides. It is also located within the City's Service Infill Area, as indicated on the adopted Murfreesboro 2035 Comprehensive Plan future land use map.

Staff has drafted a plan of services, which is included in the agenda packet. It details how and when services can be extended to the property, if annexed. Due to its close proximity to the existing City limits, it will be relatively easy to extend services to the subject property.

**Staff recommendation:**

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

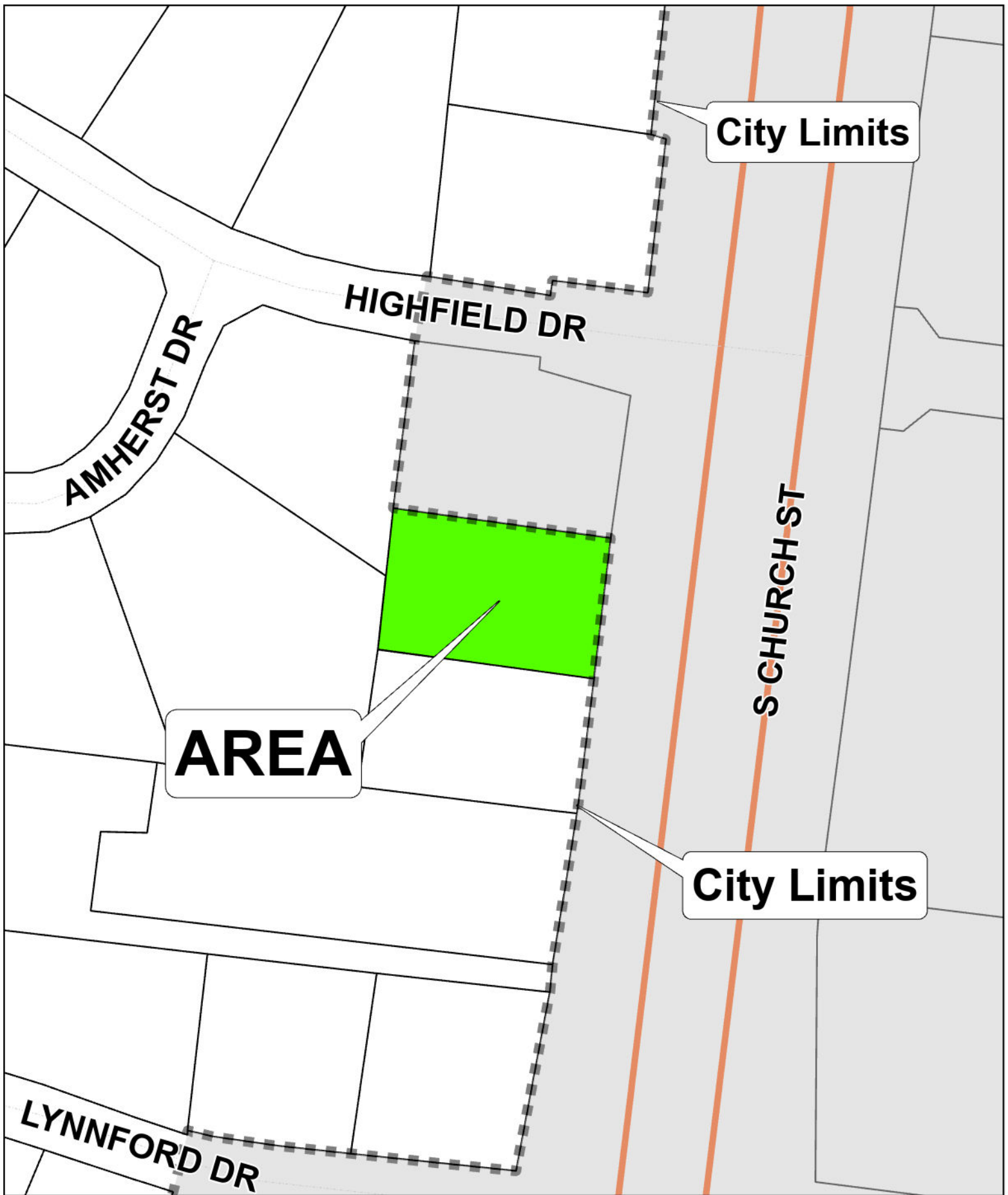
- 1) The subject property is contiguous with the existing City limits.



- 2) It is located within the Urban Growth Boundary and within the Service Infill Area.
- 3) Services can be extended to the subject property upon annexation.

**Action Needed:**

The Planning Commission will need to conduct a public hearing on this matter, after which it will need to formulate a recommendation for City Council.



## Annexation Request for Property located along South Church Street

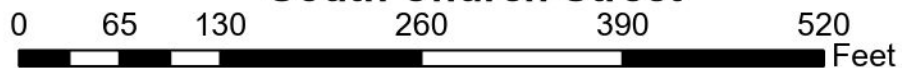
0 65 130 260 390 520 Feet

City of Murfreesboro  
Planning Department  
111 West Vine ST  
Murfreesboro, TN 37130  
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**Annexation Request for Property located along  
South Church Street**



City of Murfreesboro  
Planning Department  
111 West Vine ST  
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## 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. Wesley H. Allen

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

Signature: Wesley H. Allen Status: owner Date: 01/17/24

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

2. Tonya C. Allen

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

Signature: Tonya C. Allen Status: owner - co Date: 01/17/24

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**

1.17.2023

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

Re: Annexation and Rezoning Request

Described as Tax Map 1250, Group A, Parcel 00200 consisting of .47 +/- ac. to be rezoned from RM to PCD.

Dear Mr. Greg,

On behalf of our client, Greg Patel, we hereby request the annexation and rezoning of the property identified by tax map 1250, Group A, and parcel 00200, consisting of approximately .47+/- acres from RM to PRD. The purpose for this rezoning is to construct a 3600 SF commercial center.

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

Sincerely,

*Clyde Rountree*

Clyde Rountree, RLA

**ANNEXATION REPORT FOR PROPERTY LOCATED AT  
3416 SOUTH CHURCH STREET  
INCLUDING PLAN OF SERVICES**



**PREPARED FOR THE  
MURFREESBORO PLANNING COMMISSION  
MARCH 6, 2024**





**Annexation Request for Property located along  
South Church Street**

0 65 130 260 390 520  
Feet

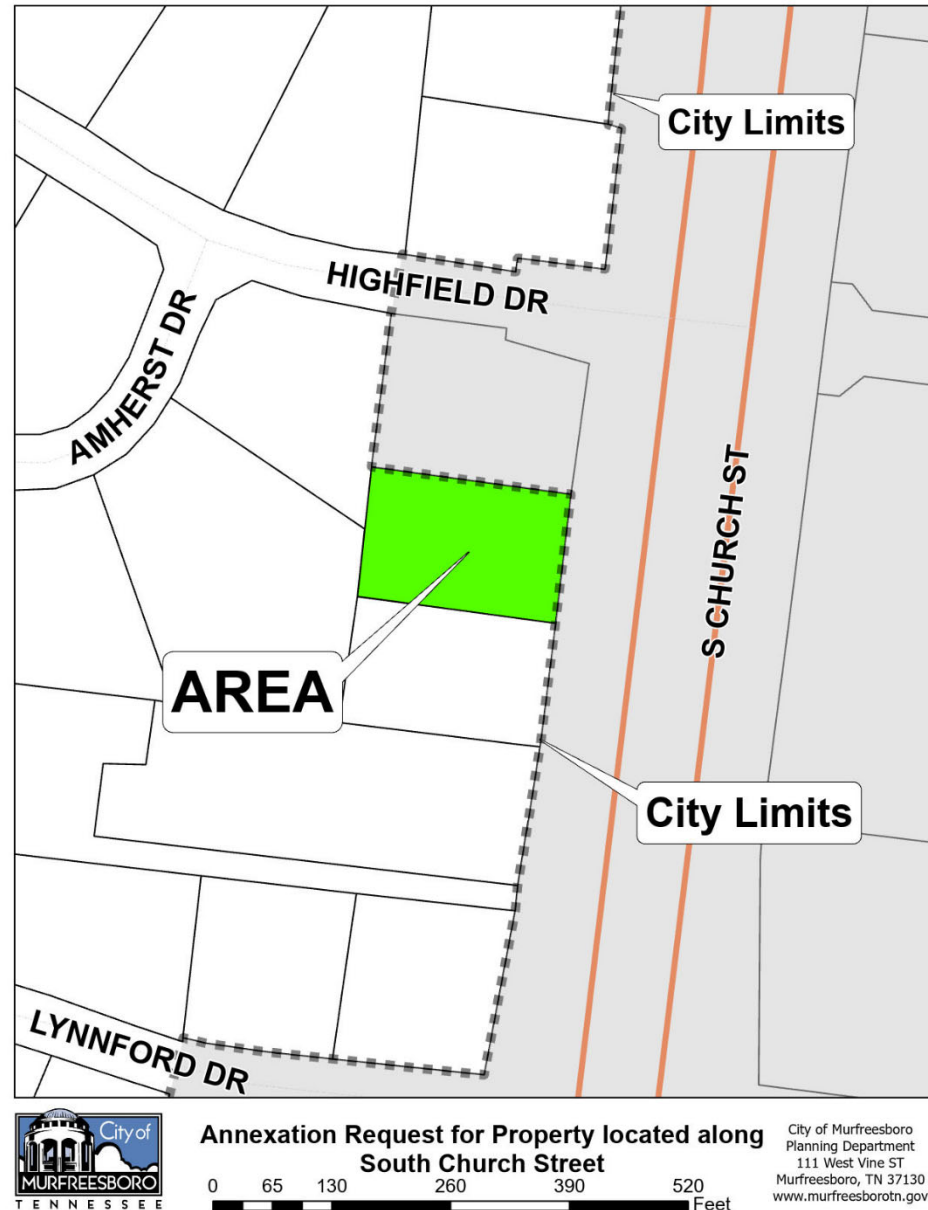
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Planning Department  
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# INTRODUCTION

## **OVERVIEW**

The study area consists of one parcel located at 3416 South Church Street, just south of Highfield Drive. A written petition requesting annexation has been filed with the City by the property owners. The subject property is 0.47 acres in area. Greg Patel has a contractual interest in the property and has submitted a zoning application requesting the property be zoned PCD (Planned Commercial District) simultaneous with annexation. The area being considered for annexation is currently developed with a single-family house and home-based business - Restoration Body Therapy. The rezoning application is to rezone the property to PCD to allow redevelopment of the property with a 3,600 square-foot, multi-tenant commercial center.

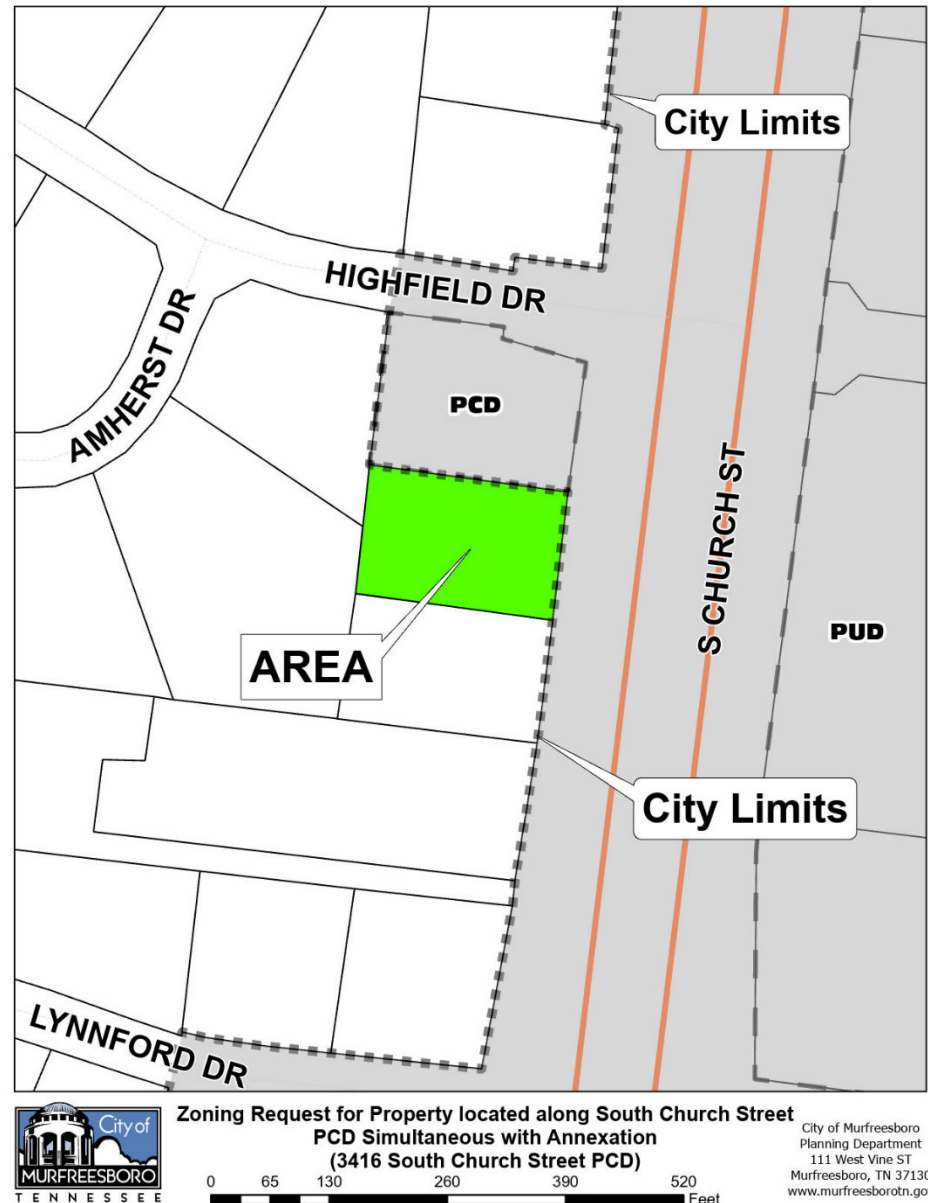
The subject property is located within the City's Urban Growth Boundary and is contiguous with the current City limits.



## CITY ZONING

The study area consists of one parcel located at 3416 South Church Street, just south of Highfield Drive. Greg Patel has a contractual interest in this property and has also submitted an application to zone it PCD (Planned Commercial District) simultaneous with annexation. The subject property is developed with a single-family house and home-based business - *Restoration Body Therapy*. The zoning request is to zone the property to PCD to allow redevelopment of the property with a 3,600 square-foot, multi-tenant commercial center.

The properties to the west and south are in the unincorporated area of Rutherford County and are zoned RM (Medium Density Residential). The requested PCD zoning aligns with the parcel directly to the north, which is located within the City of Murfreesboro and also zoned PCD. The property directly across South Church Street to the east is zoned PUD (Planned Unit District) and is currently developing with a shopping center.

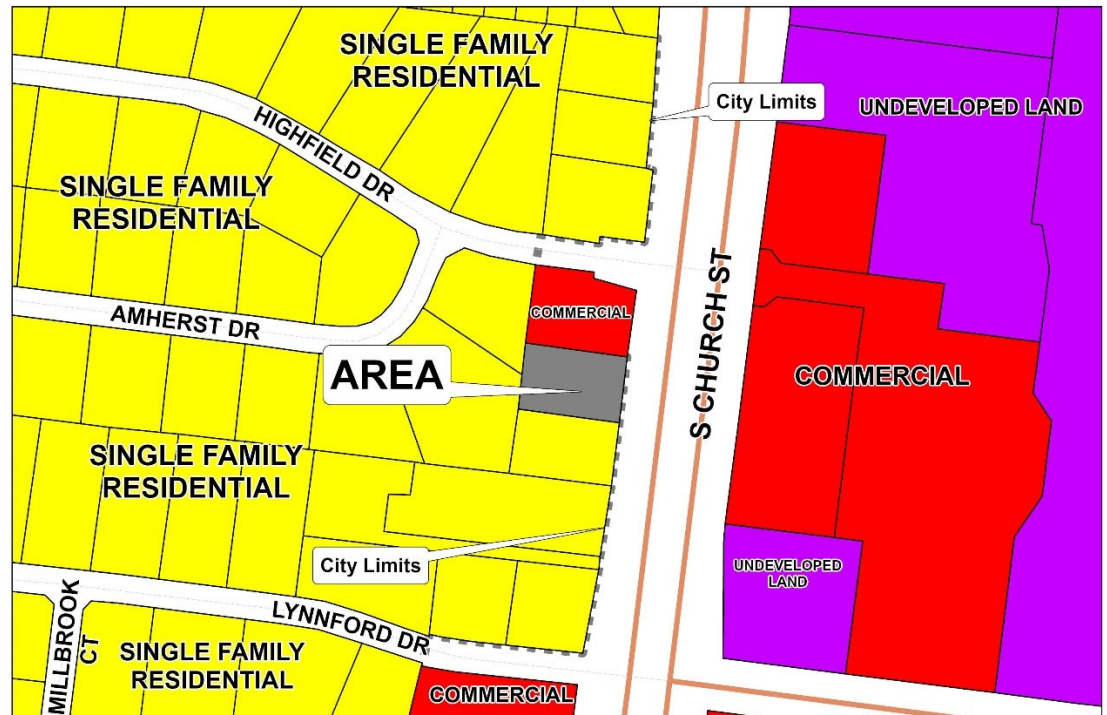


## SURROUNDING LAND USE

The area being considered for annexation is a 0.47-acre parcel. The property is developed with a single-family house and home-based business - Restoration Body Therapy.

The area surrounding the parcel is characterized by large lots with single-family residential uses. Across South Church Street are properties developed for commercial use, including the developing Marketplace at Savannah Ridge shopping center. The property directly to the north is developing with a two-tenant commercial building.

Access to the study area is directly onto South Church Street and also to the north to Highfield Drive via the adjacent commercial development.



Annexation request for property located along South Church Street  
Surrounding Land Use

0 145 290 580 870 1,160  
US Feet

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## **TAXES AND REVENUE**

The first City tax bill for all property annexed during the calendar year of 2024 will be due on December 31, 2025. 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 \$0.9526/\$100 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. 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***

<b>Owner of Record</b>	<b>Acres</b>	<b>Land Value</b>	<b>Improvements Value</b>	<b>Total Assessment</b>	<b>Estimated City Taxes</b>
Wesley and Tonya Allen	0.47	\$55,000	\$213,900	\$67,225	\$640.39

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



## **PLAN OF SERVICES**

### **POLICE PROTECTION**

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcel immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected. This property is located in Police Zone #7.

### **SOLID WASTE COLLECTION**

The City will provide weekly curbside solid waste collection service for the existing house immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. In its current state, no additional equipment or manpower other than a solid waste cart (\$69.66) will be needed to serve the study area. Upon development as a commercial center, however, the owner/developer will be required to arrange solid waste collection via a private hauler.

### **ELECTRIC SERVICE**

The study area is currently served by Middle Tennessee Electric (MTE). MTE has existing facilities and capacity along South Church Street to serve any future development on the property.

### **STREET LIGHTING**

Streetlights are currently located in this area along the east side of South Church Street. There are currently no plans to installed streetlights on the west side of South Church Street. MTE will study the installation of streetlights in the future if requested by the City. The cost to install will be borne by the City and approval to install them in the State ROW must be given by TDOT.

### **CITY SCHOOLS**

The Murfreesboro City School (MCS) system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area will be within the Salem Elementary school zone. With one existing single-family home on the property, impact to Salem Elementary and to MCS will be minimal. In addition, if the site redevelops consistent with the PCD zoning plan, the annexation of this property will have no impact on MCS.

### **RECREATION**

Murfreesboro's Parks and Recreation facilities will be immediately available to 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.

### **SANITARY SEWER SERVICE**

The property requesting annexation will be served by a proposed 2" sanitary sewer forcemain, along South Church Street, being installed by the developer of the property to the north. The sewer forcemain has been installed; however, it has not been tested and accepted by the Murfreesboro Water Resources Department. The development of the property will require the installation of a STEP tank by the developer in order to connect to sanitary sewer. Should the property remain in its current state, it could continue to use the existing septic system or connect to the sewer forcemain with the installation of a STEP tank as well.

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, 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 (sfu) or retail space.

With regard to the Sewer Allocation Ordinance (SAO), it was determined that with the size of the property (0.47 acres) and the planned zoning of Planned Commercial District (PCD), the allotted number of sfu's will be 1.2 sfu's. On January 11, 2024, the City Council approved a variance of 1.1 sfu's for a total allowance for this property of 2.3 sfu's.

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

### **STREETS AND ACCESS**

The annexation study area does not include any existing public right-of-way (ROW) or roadways. It has access to existing South Church Street. Any new connections to South Church Street must be approved by TDOT and the City Engineer. Any new public roadways to serve the study area must be constructed to City Standards.

The study area has access to South Church Street. The 2014 Level of Service Model in the proposed 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.

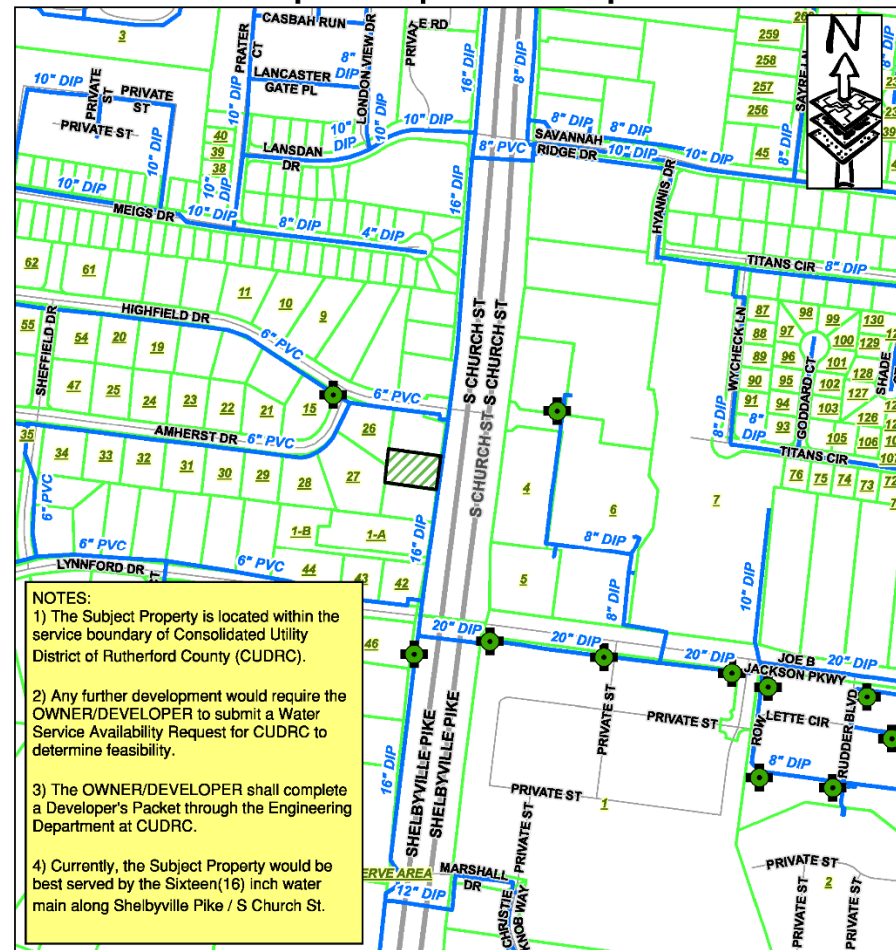
## WATER SERVICE

The study area is served by a 16-inch Consolidated Utility District (CUD) water line along South Church Street. This line is adequate for providing domestic water service and for maintaining the proper fire flows for the proposed development.

A Water Availability Request must be submitted to CUD for review and approval before any additional development on the property may occur. Any new water line development must be done in accordance with CUD's development policies and procedures.

A charge of \$7.50 per month for garbage pickup as well as \$3.25 per month for the stormwater fee will be added to the monthly Consolidated Utility District water bill.

## 3416 South Church Street Annexation Request Map 1250 Group A Parcel 00200



- NOTES:**
- 1) The Subject Property is located within the service boundary of Consolidated Utility District of Rutherford County (CUDRC).
  - 2) Any further development would require the OWNER/DEVELOPER to submit a Water Service Availability Request for CUDRC to determine feasibility.
  - 3) The OWNER/DEVELOPER shall complete a Developer's Packet through the Engineering Department at CUDRC.
  - 4) Currently, the Subject Property would be best served by the Sixteen(16) inch water main along Shelbyville Pike / S Church St.

- SUBJECT PROPERTY**
- CUD HYDRANT**
- CUD WATER MAIN**

February 12, 2024

TAX MAP: 1250  
GROUP: A  
PARCEL: 00200

0 250 500 750 1,000  
Feet

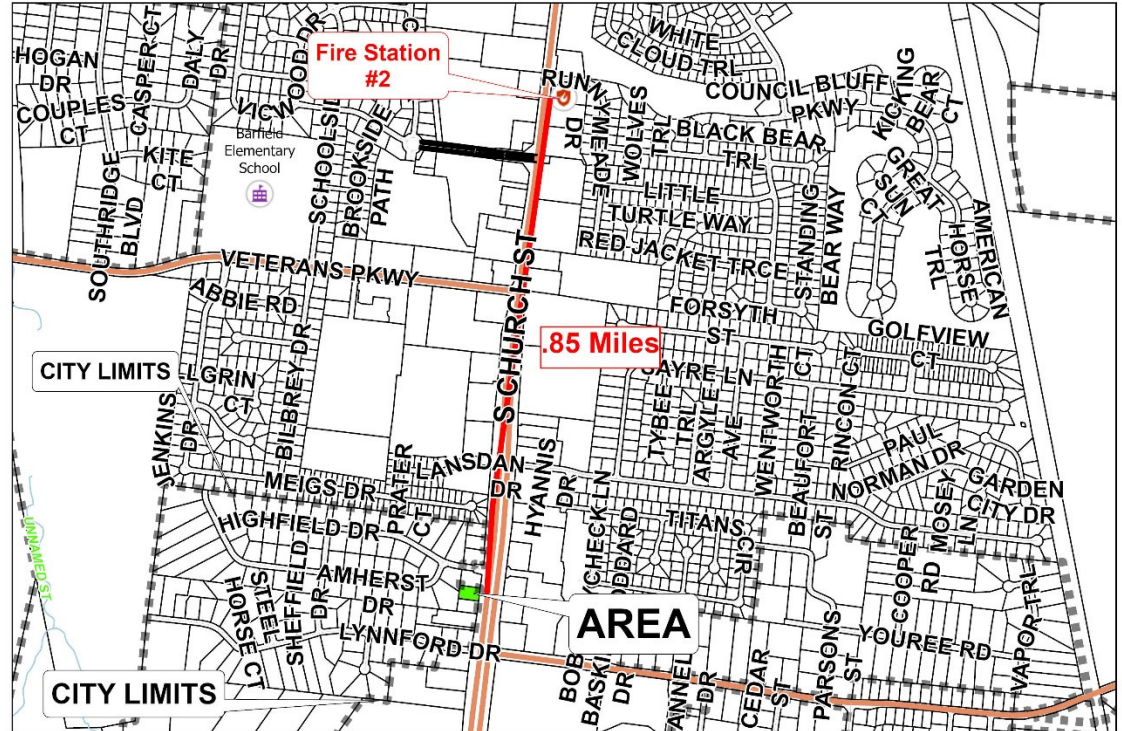




## FIRE AND EMERGENCY SERVICE

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

Currently the study area is located approximately 0.9 miles from Fire Station #2 (2880 Runnymede Drive). The red line on the adjacent map represents the linear distance range from the nearest fire station.



Annexation request for property located along South Church Street

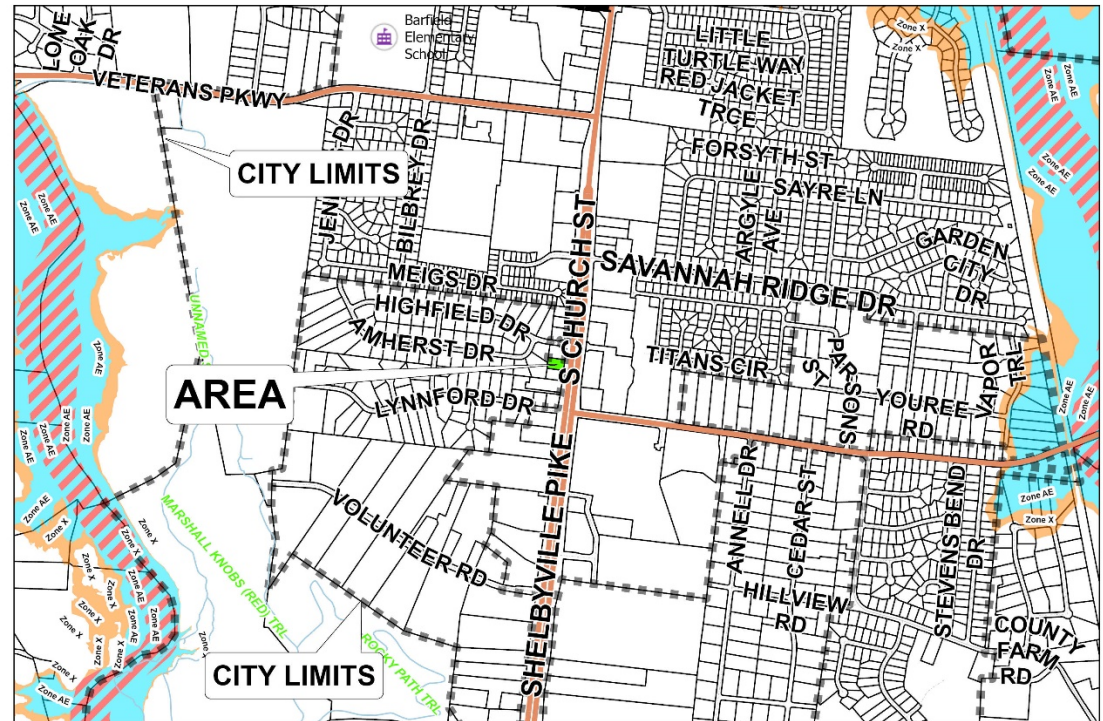
0 500 1,000 2,000 3,000 4,000  
US Feet

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## Floodway

The study area is not located within a floodway or 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 floodway boundary in pink hatching and the 100-year floodplain boundary in blue.



Annexation request for property located along South Church Street

0 500 1,000 2,000 3,000 4,000  
US Feet

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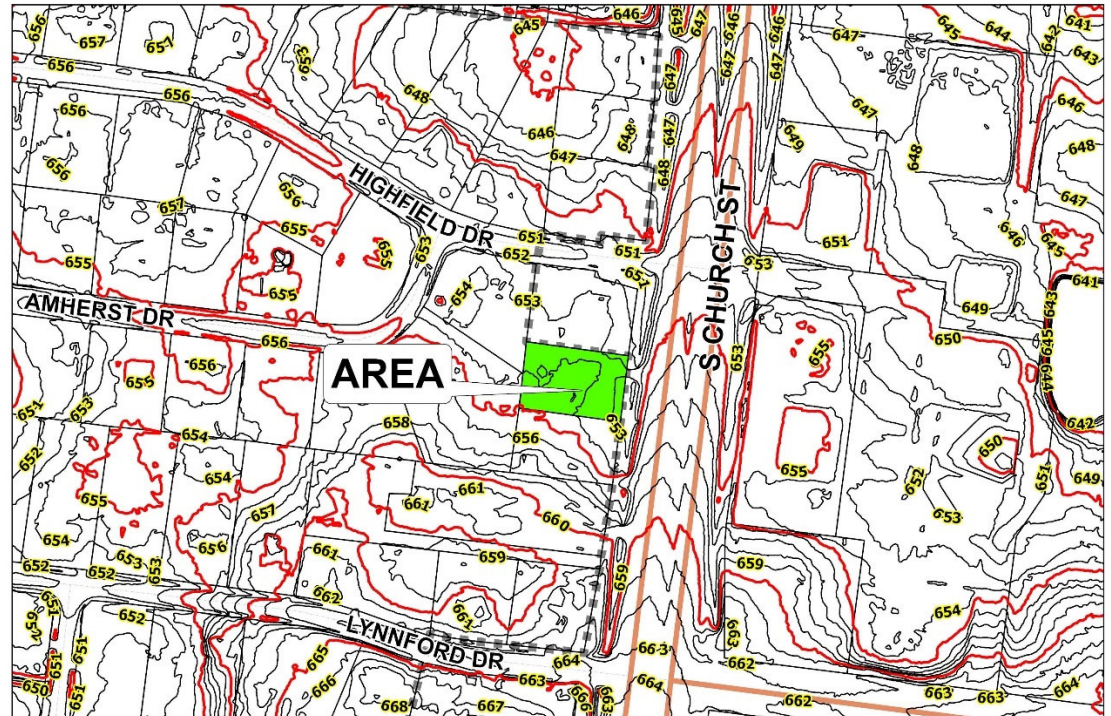
### Public Drainage System

Public drainage facilities available to the study area are located within the ROW of South Church Street. 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 System

A review of the regional drainage patterns indicates that most of the study area drains to the ROW 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 study area has been an issue in past.

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



Annexation request for property located along South Church Street

0 145 290 580 870 1,160  
US Feet

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### **STORMWATER MANAGEMENT**

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 currently has 1 single family residence and will generate approximately \$39 per year in revenue for the Stormwater Utility Fee.

The applicant is requesting Planned Commercial District (PCD) zoning with annexation. Based on the proposed development scenario, it is anticipated that the site will generate approximately \$115 annually in revenue for the Stormwater Utility Fund upon full build out.

### **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.

### **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.

### **BUILDING AND CODES**

The property will immediately 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.

### **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 Public Chapter 1101 passed by the Tennessee Legislature, 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

MARCH 6, 2024

PROJECT PLANNERS: MARGARET ANN GREEN AND MATTHEW BLOMELEY

- 5.d. **Zoning application [2024-401] for approximately 0.47 acres located at 3416 South Church Street to be zoned to PCD (3416 South Church Street PCD) simultaneous with annexation, Greg Patel applicant.**

The subject property is a 0.47-acre property located along the west side of South Church Street, just south of the South Church Corner PCD (file 2022-428). The study area consists of one parcel located at 3416 South Church Street, just south of Highfield Drive. Greg Patel has a contract to purchase this property and is requesting that it be zoned to PCD (Planned Commercial District) simultaneous with annexation. The subject property is developed with a single-family house and home-based massage business- *Restoration Body Therapy*. The zoning application is to zone the property to PCD simultaneous with annexation to allow redevelopment of the property with a 3,600 square-foot, multi-tenant commercial center. A neighborhood meeting regarding the annexation and zoning of this property was held on January 22, 2024, at the Barfield-Crescent Park Wilderness Center.

#### **Adjacent Land Use and Zoning**

The property to the north is zoned PCD in the City and is currently under development with a 2-tenant commercial building. The properties to the south and east are located in the unincorporated County, are developed with single-family dwellings, and are zoned RM (Medium Density Residential, Rutherford County). The property directly across South Church Street to the east is zoned PUD (Planned Unit District) and is being developed with the Marketplace at Savannah Ridge shopping center.

#### **3416 South Church Street PCD:**

**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/vape sales.

**Site Design:** The building will be approximately 3,600-square-feet and faces South Church Street. The number of parking spaces meets the minimum requirements in the Zoning Ordinance for a commercial center. It is proposed to be located in both the front and rear of the building, as well as two parallel spaces on the south side. Proposed landscaping will screen the parking from the right-of-way. In addition, a Type D landscape buffer and 6-foot-tall privacy fence is proposed along the west property line. This buffering plan mimics the buffering plan for the development to the north. In lieu of a formal open space, the subject property will have

dedicated seating area with enhanced landscaping, which will be constructed on the north side of the retail center. The requested setbacks are front = 42 feet; rear = 20 feet; and side = 8 feet.

**Building Design:** The building is 1-story with a height not to exceed 27 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 will be reviewed and approved during the site plan review process.

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

The planned development may provide for such exceptions from the zoning regulations governing use, density, area, bulk, parking, and such Subdivision Regulations as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such exceptions are consistent with the standards and criteria contained in this section and have been specifically identified and requested in the application for a planned development. Unless the ordinance approving a planned development contains a clear statement of exceptions to them, the standards and criteria and regulations of the most similar bulk zoning district will apply.

The PRD book identifies 3 exceptions for this development:

1. Requesting an exception to the required 15-ft wide Type 'D' Buffer along the southern property line.
2. Requesting an exception to the 5-ft setback required for the dumpster along the northern property line.
3. Requesting an exception from providing the required formal open space.

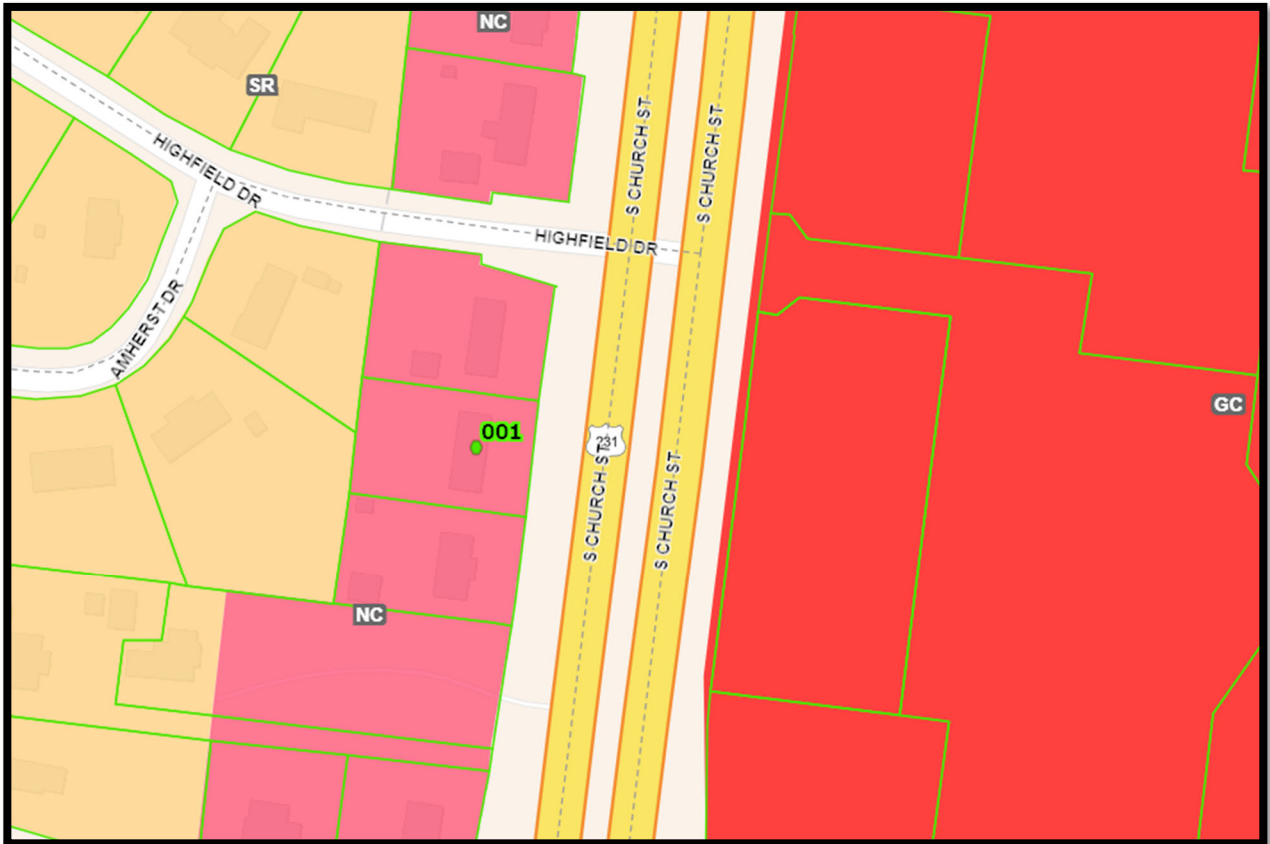
#### **Future Land Use Map and Chapter 4**

The Murfreesboro 2035 **Future Land Use Map** indicates that Neighborhood Commercial Character (NC) is most appropriate land use character for the subject property. Chapter 4 of the Murfreesboro 2035 comprehensive plan describes the NC land use character as:

Outside of Murfreesboro's Downtown, there are commercial and office nodes that are automobile-oriented but designed at a neighborhood scale and cater to pedestrians in Neighborhood Commercial configurations. Rather than designing linear strips, these neighborhood commercial centers occupy much smaller building footprints than typical businesses found at significant transportation intersections and provide neighborhood conveniences such as drug stores, professional services, and boutique retail uses. Small food markets are often accompanied by convenience stores and personal service establishments such as banks, dry cleaners, and small-scale drug stores. The Neighborhood Commercial category also includes residences that have been converted

into professional offices. Proposed locations include smaller commercial centers adjacent to and surrounded by neighborhoods and at principal intersections of community collector streets.

### **Future Land Use Map**



#### **Development Types:**

- Professional offices, convenience stores, dry cleaners, post offices, cafés & coffee shops, drug stores, personal service establishments, banks, and neighborhood retail.

#### **Characteristics:**

- Non-residential development should be small-scale, low-intensity land uses, generally about the same scale and intensity level (building size, shape, and footprint) as residential development within the Suburban Estate (SE) or Suburban Residential (SR) character categories; and clustered at intersections of community collector thoroughfares. Parking is often not the dominant view and may be screened by garden walls and ornamental hedges.

- Service vehicles typically are smaller in size (box trucks), than a conventional semi-trailer to accommodate deliveries in confined neighborhood areas.
- Signage is significantly reduced in size.
- Additional buffers and transitions will be important.
- Design of Suburban Neighborhood Commercial should promote a neighborhood scale to the architecture. Uses should be compatible with surrounding residential use and neighborhood character. Roof form is particularly important, height should transition down to the height of contiguous dwellings.
- Neighborhood shopping areas are typically designed to serve a localized trade area within a community. The neighborhood shopping areas serve a radius about one mile.
- Pedestrian and bicycle facilities integrated into the layout
- Drive-thru are discourage however they may be allowed if they are integrated into the design to not be prominent.

It is staff's opinion that the proposed zoning request is consistent with the recommendations of the future land use map, relative to this property.

**Staff Recommendation:**

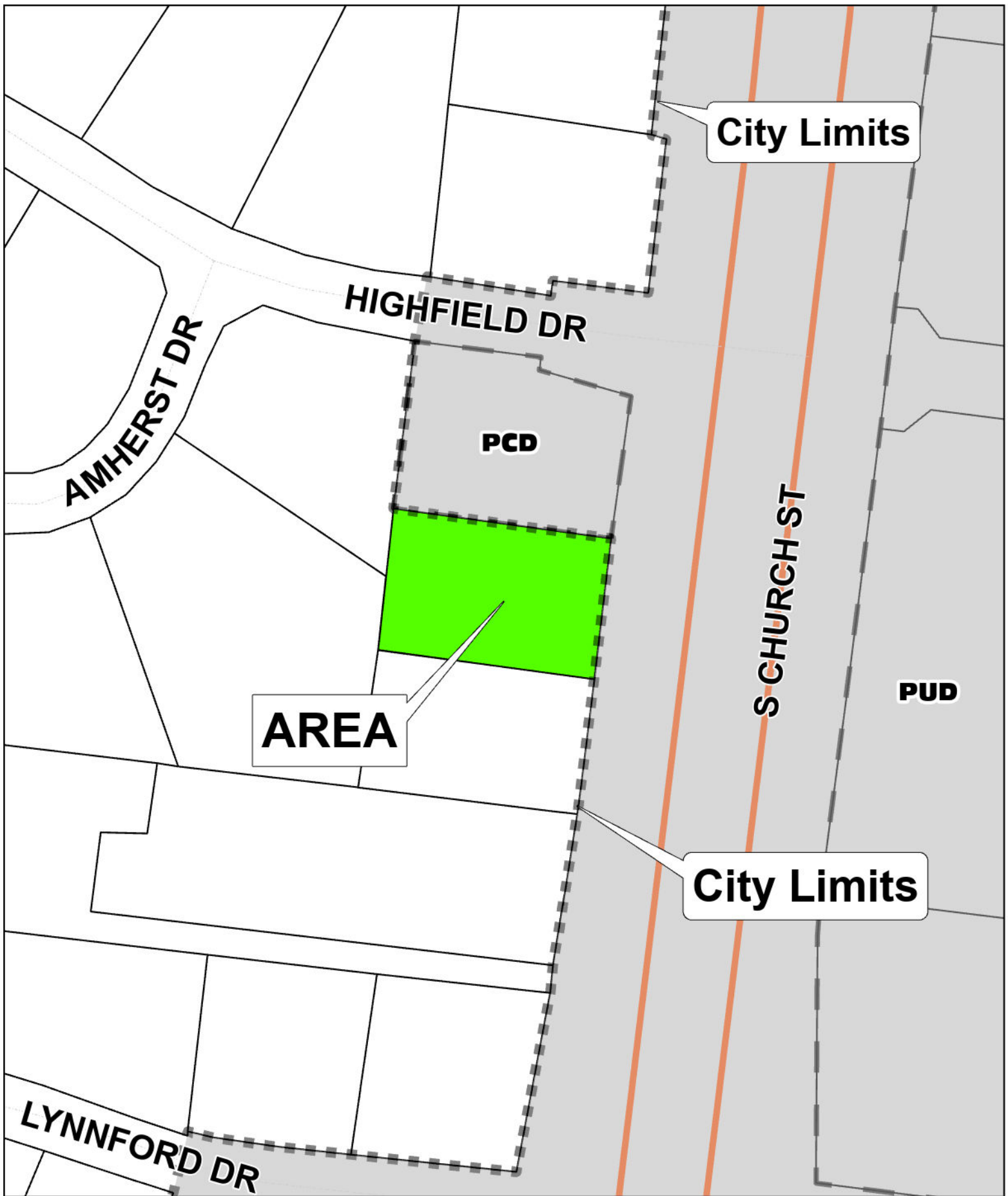
Staff is supportive of this zoning request for the following reasons:

- 1) It is consistent with the recommendations of the amended Murfreesboro 2035 Comprehensive Plan and Future Land Use Map.
- 2) The layout, design, and architecture are consistent with the already approved South Church Street Corner PCD directly to the north.
- 3) The plan includes landscape buffering and fencing to help mitigate any negative impacts on the residential properties to the west.

**Action Needed:**

The 3416 South Church Street program book and other associated materials are included with the agenda materials. The Planning Commission will need to conduct a public hearing and then formulate a recommendation for City Council.





**Zoning Request for Property located along South Church Street  
PCD Simultaneous with Annexation  
(3416 South Church Street PCD)**



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Planning Department  
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Murfreesboro, TN 37130  
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**Zoning Request for Property located along South Church Street  
PCD Simultaneous with Annexation  
(3416 South Church Street PCD)**



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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  
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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: Huddleston-Steele Engineering

Address: 2115 NW Broadstreet City/State/Zip: Murfreesboro, TN, 37129

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

PROPERTY OWNER: ALLEN, WESLEY ETUX TONYA

Street Address or property description: 3416 S Church St, Murfreesboro, TN, 37127

and/or Tax map #: 1250 Group: A Parcel (s): 00200

Existing zoning classification: RM (County)

Proposed zoning classification: PCD Acreage: 0.47 +/-

Contact name & phone number for publication and notifications to the public (if different from the applicant): Clyde Rountree, 615-509-5930

E-mail: rontree.associates@yahoo.com

APPLICANT'S SIGNATURE (required): 

DATE: 01/16/24

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

Date received: \_\_\_\_\_ MPC YR.: \_\_\_\_\_ MPC #: \_\_\_\_\_

Amount paid: \_\_\_\_\_ Receipt #: \_\_\_\_\_

1.17.2023

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

Re: Annexation and Rezoning Request

Described as Tax Map 1250, Group A, Parcel 00200 consisting of .47 +/- ac. to be rezoned from RM to PCD.

Dear Mr. Greg,

On behalf of our client, Greg Patel, we hereby request the annexation and rezoning of the property identified by tax map 1250, Group A, and parcel 00200, consisting of approximately .47+/- acres from RM to PRD. The purpose for this rezoning is to construct a 3600 SF commercial center.

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

Sincerely,

*Clyde Rountree*

Clyde Rountree, RLA



# 3416 South Church Street PCD

Request for Rezoning to  
Planned Commercial  
Development (PCD)

SUBMITTED FEBRUARY 27, 2024  
FOR THE MARCH 6, 2024 PLANNING  
COMMISSION PUBLIC HEARING.



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## Project Summary

The proposed project is a 3600 SF commercial center on a 0.47-acre site located on South Church Street that will closely mirror the approved building to the north. The proposed building will be mostly masonry with a large percentage of glass along the façade facing South Church Street facing east. The north and south facades have a low percentage of glass with added detail. The rear façade has two access doors. A formal seating area will be located on the north side of the building. Parking will be located on 3 sides of the building. Sixteen parking spaces are provided complying with the requirement for a commercial center of one space per 225 SF. The applicant will provide cross connectivity to the north and south when the property to the south is redeveloped. The driveway stubs shall be constructed up to the southern property line with site plans for this development. Furthermore, an access easement will be recorded when the property to the south is redeveloped, and both property owners enter into a mutually agreed upon maintenance and cross access easement agreement for any shared access points. Furthermore, an access easement must be recorded prior to the issuance of the certificate of occupancy of the proposed building at 3416 South Church Street. Such easement shall be entered into with the property owner to the south with mutually agreed upon terms for maintenance and cross access.

## Development Team

**Client:** Greg Patel

**Address:** 4606 Marymont Springs Blvd, Murfreesboro, TN 37219

**Phone:** 615.275.9287

**Email:** gpp2k@yahoo.com

**Company Name:** Huddleston – Steele Engineering Inc.

**Profession:** Planning

**Attn:** Clyde Rountree, RLA

**Address:** 2115 N.W. Broad Street, Murfreesboro, TN, 37129

**Phone:** 615.509.5930

**Email:** Rountree.associates@yahoo.com

**Company Name:** Huddleston – Steele Engineering Inc.

**Profession:** Engineering

**Attn:** Chris Maguire, P.E.

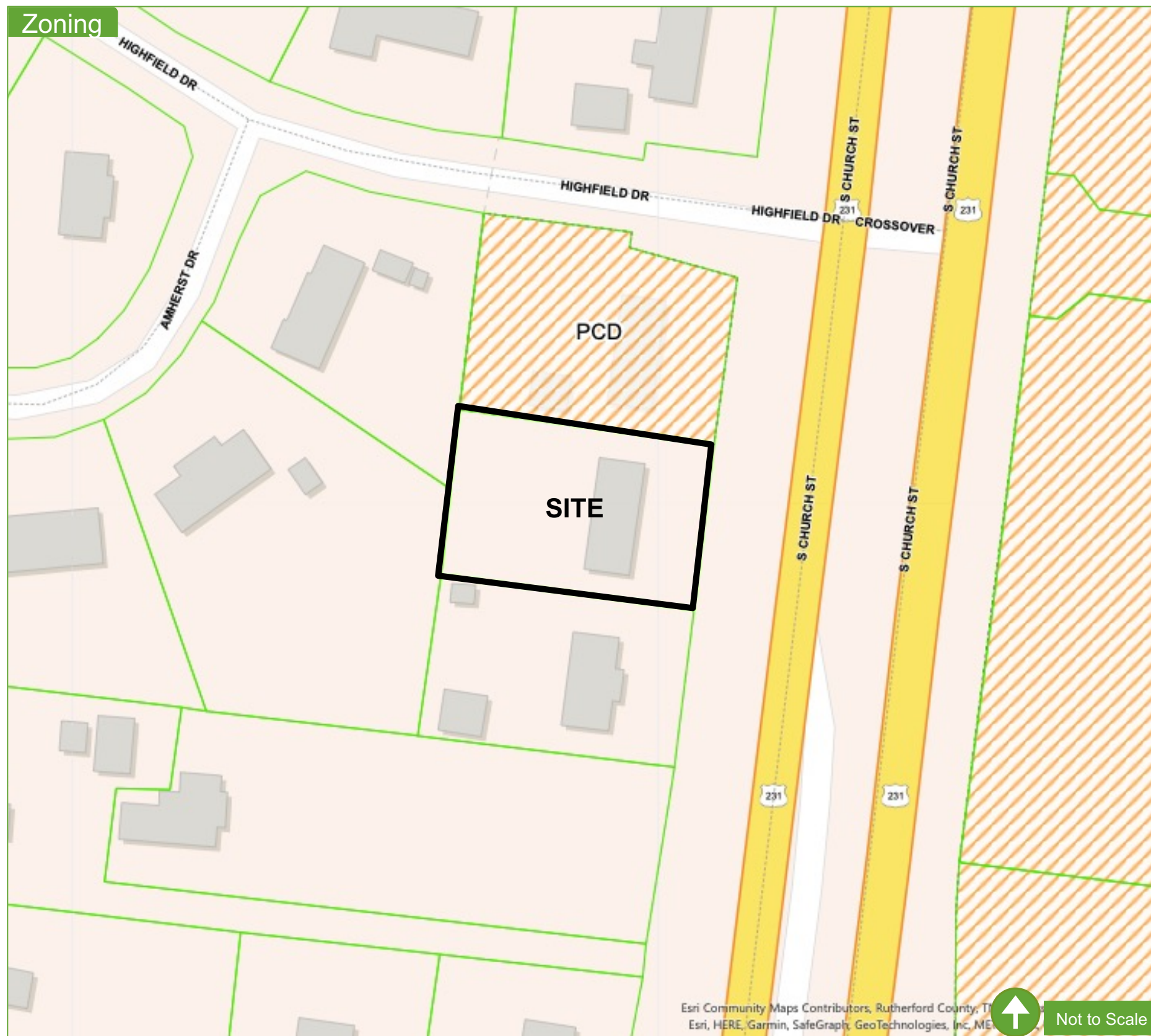
**Address:** 2115 N.W. Broad Street, Murfreesboro, TN, 37129

**Phone:** 615.893.4084

**Email:** cmaguire@hsengr.com




## Zoning

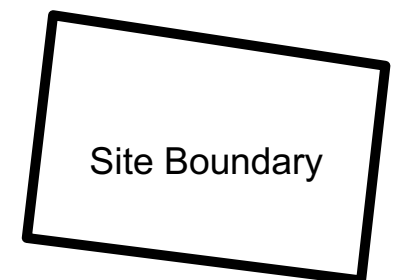


## Summary

- The subject property is currently located in the county.
- The property to the north has been annexed into the city and has been rezoned to PCD.
- The property to the east is zoned PCD in the city of Murfreesboro.
- The remaining surrounding property is zoned RM in the county.

## Legend

 PCD Planned Commercial Development (PCD)

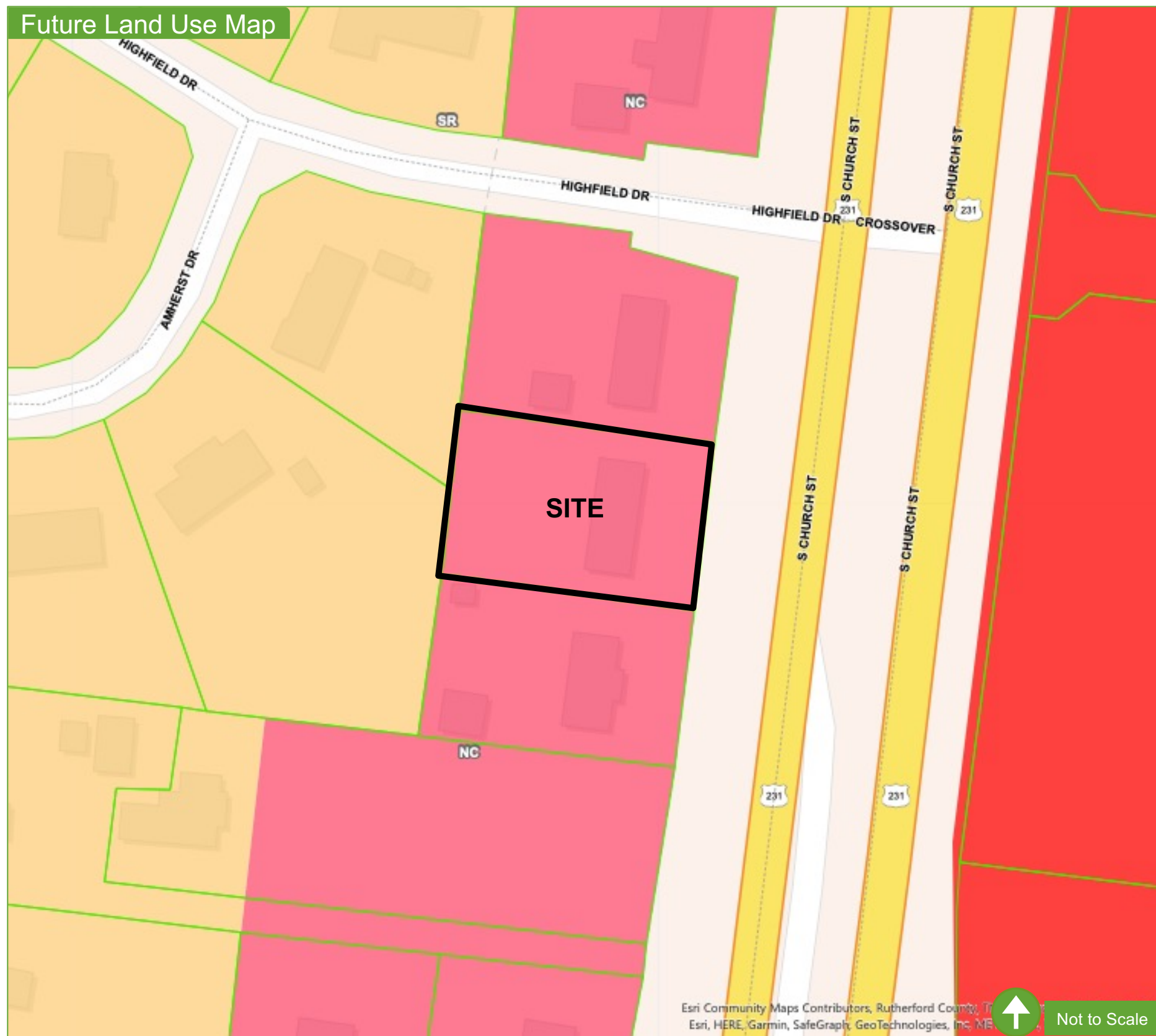


Site Boundary

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



## Future Land Use Map

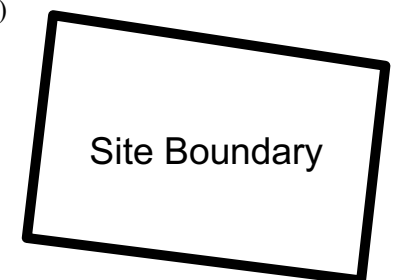


## Summary

- The city of Murfreesboro future land use map classifies this property as Suburban (Neighborhood) Commercial (NC). This designates that a significant portion of the development is devoted to vehicular access, has joint/shared parking and has an area committed for formal open space use.
- Recommended development uses include professional offices, convenience stores, dry cleaners, post offices, café's & coffee shops, drug stores, personal service establishment, banks and neighborhood retail.

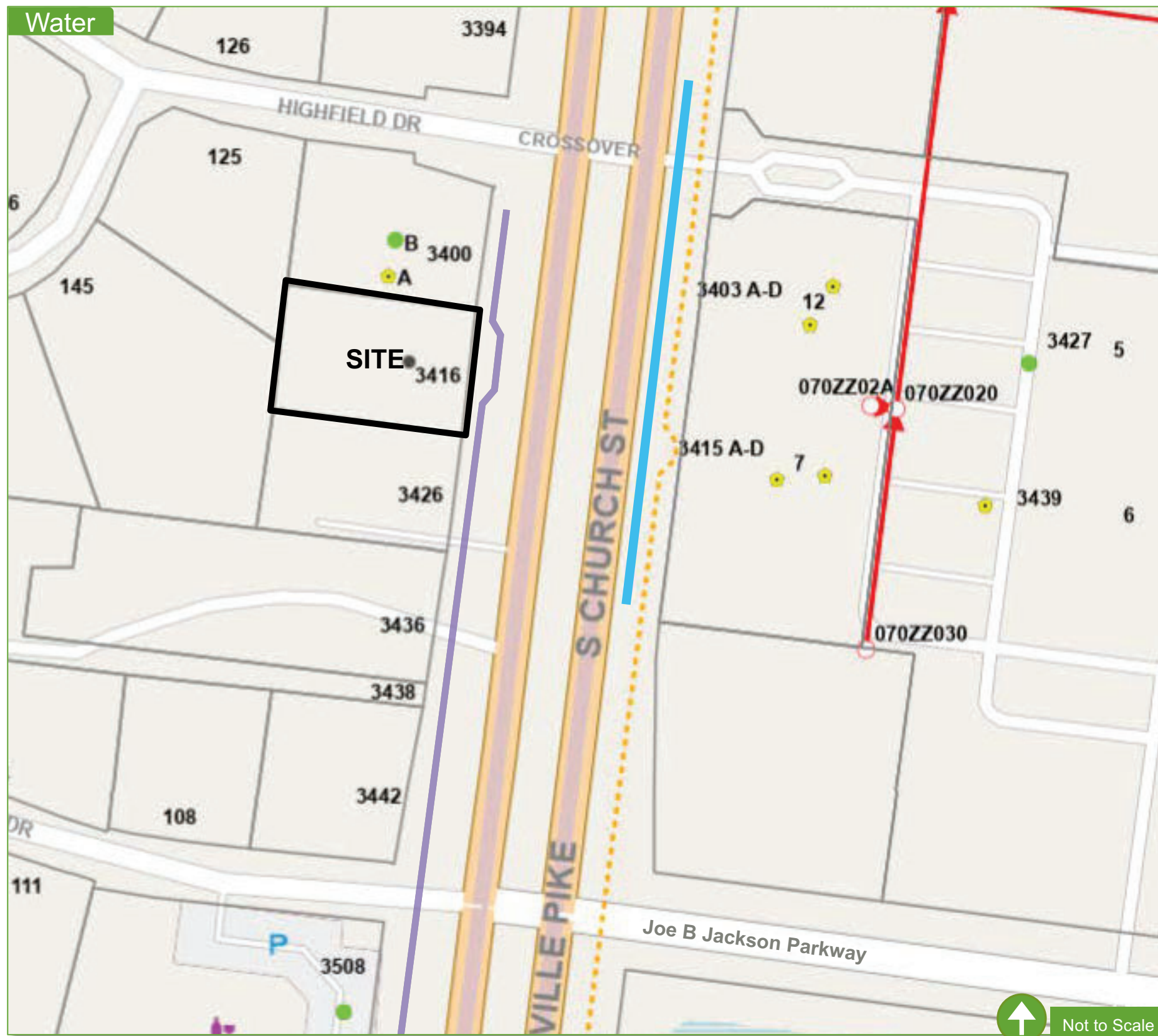
## Legend

- Suburban Residential (SR)
- Suburban (Neighborhood) Commercial (NC)
- (General) Commercial (GC)



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






## Water

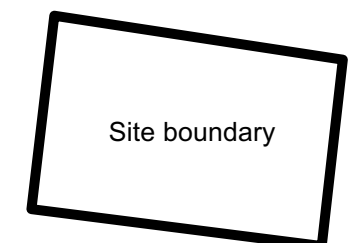


## Map Summary

- Water services will be provided by Consolidated Utility District.
- CUDRC has a 16" water main on South Church St. Developer understands that any further development on property will require a Water Service Availability Request to CUDRC for feasibility study.
- A fire hydrant will be required within 250' of the proposed building and will be installed by developer.
- Main line water and sewer taps will be made by the Murfreesboro Water Resources Department.
- Developer understands that connection fees will need to be paid to MWRD and all contractors for water and sewer work will require MWRD approval.

## Legend

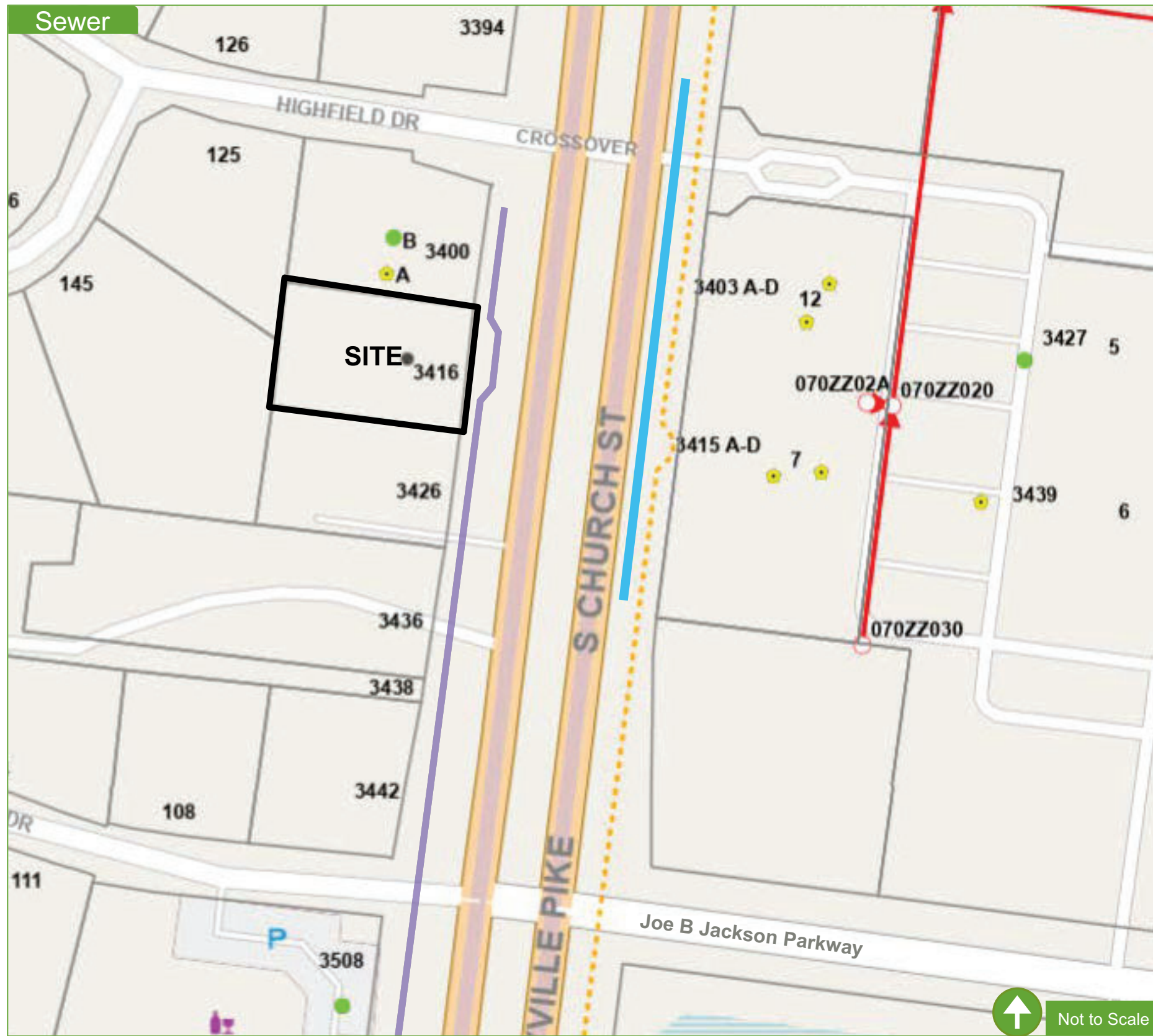
- Existing Sewer: 
- Existing Manhole: 
- Force Main: 
- Waterline: 
- Fire Hydrant: 



Site boundary

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



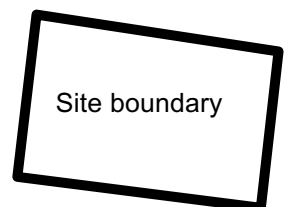


### Map Summary

- Sanitary sewer service will be provided by Murfreesboro Water Resources Dept.
- The sewer enters the property from South Church Street.
- The site currently being developed to the North is installing a force main within the right-of-way which will provide sewer service to this lot.
- Sewer will gravity feed to the septic tank and be pumped from the tank and tie into the pressure main which leads to the existing gravity sewer to the south.
- A Sewer Allocation Variance was approved by City Council for subject property on January 14, 2024.

### Legend

- Existing Sewer:
- Existing Manhole:
- Force Main:
- Waterline:
- Fire Hydrant:





### Map Summary

- The main access for this site will be through a right in right out onto South Church Street which is being proposed with this site.
- The site will have interconnectivity to Highfield Drive via property to the north.
- Access onto South Church Street is subject to TDOT approvals.

### Stub connections

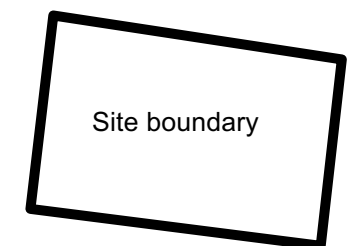
- The applicant will provide cross connectivity to the properties north and south of subject property. The driveway stubs shall be constructed up to the North and South property line with the site plan for this development.
- Furthermore, an access easement must be recorded prior to the issuance of the certificate of occupancy of the proposed building at 3416 South Church Street. Such easement shall be entered into with the property owner to the south with mutually agreed upon terms for maintenance and cross access.

### Legend

Major Arterial

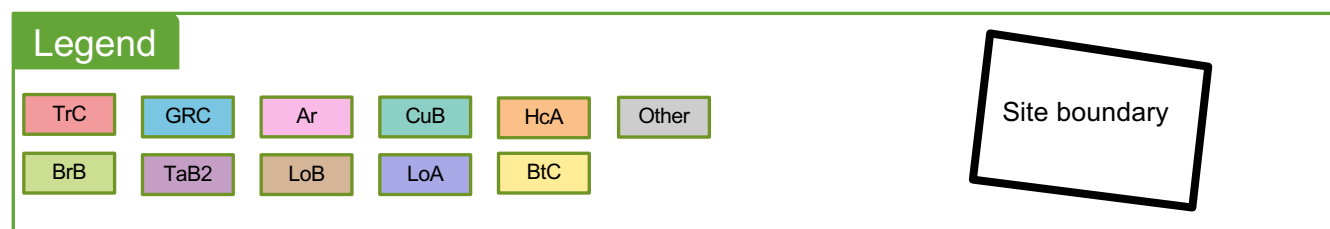
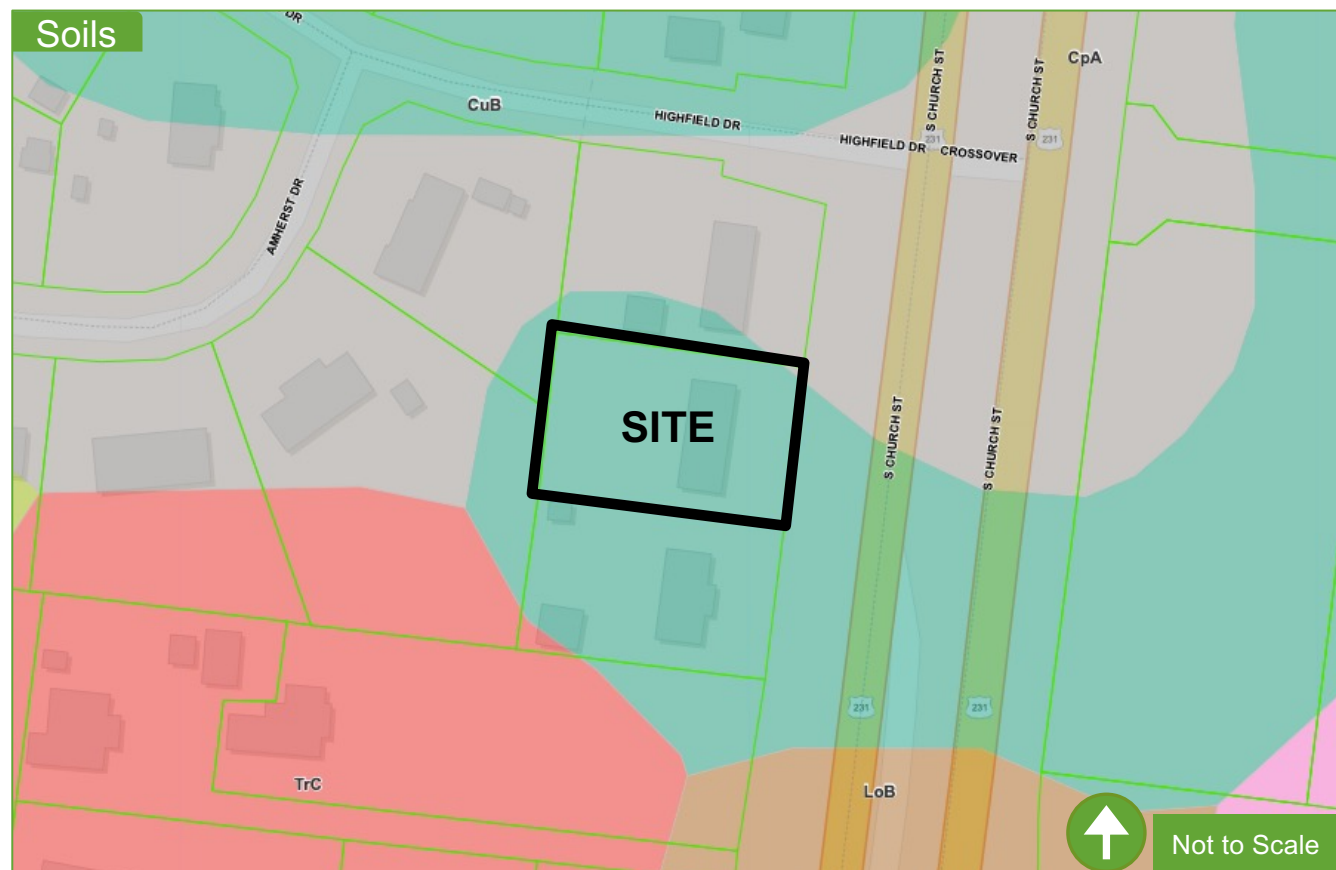


Site boundary



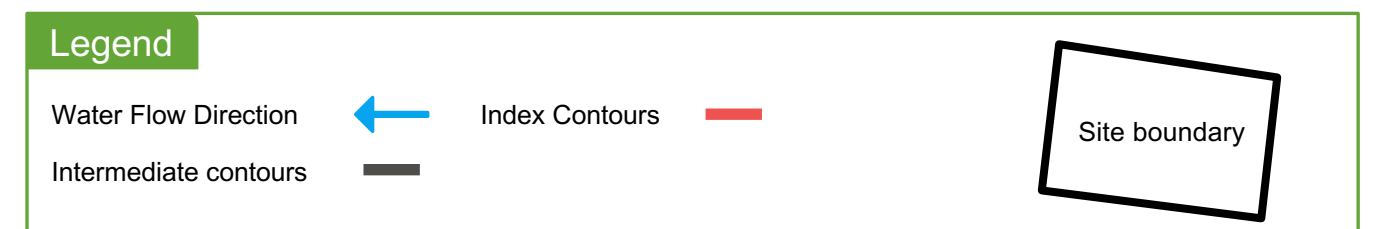
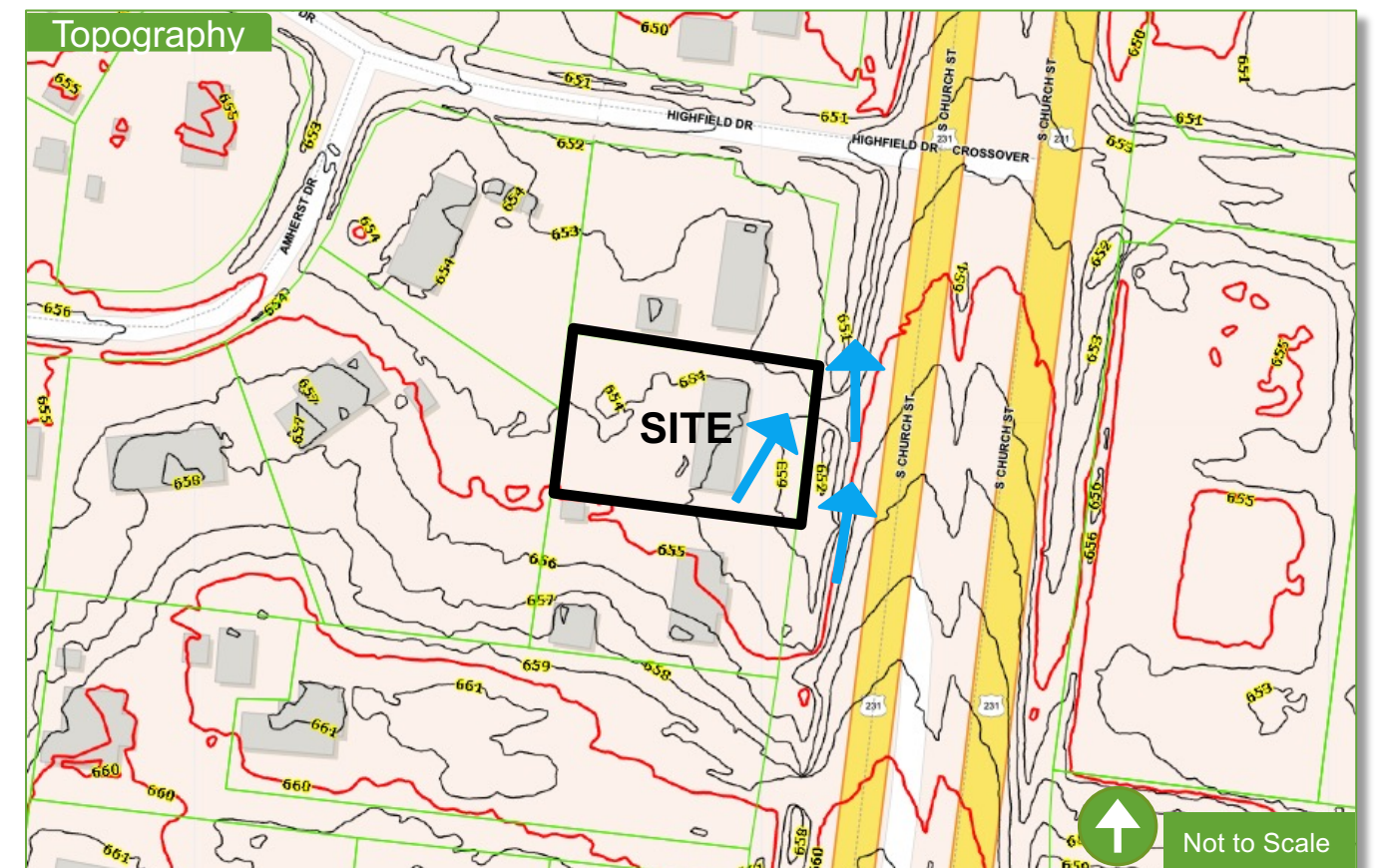
**H HUDDLESTON-STEELE**  
**ENGINEERING, INC.**  
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129  
TELEPHONE: 615-893-4084 FAX: 615-893-0080





**Map Summary**

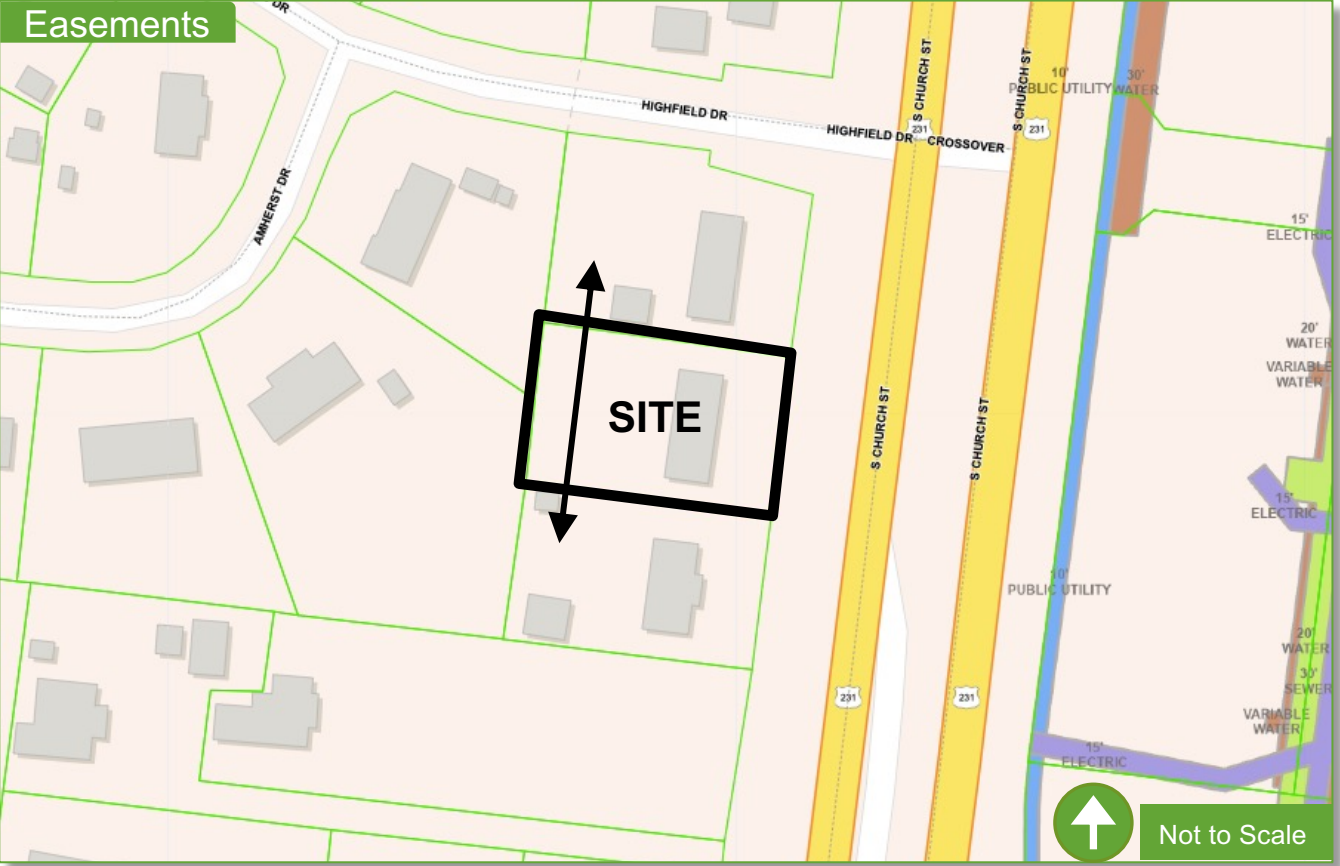
- The Site soils are primarily Gladeville Rock Outcrop. The Gladeville series consists of very shallow, well drained, flaggy soils that formed in residuum weathered from thin-bedded flaggy limestone.



**Map Summary**

- The Topography shows the site drains towards the northeast and the existing stormwater drainage ditch along South Church Street and eventually to Middle Fork Stones River.

Easements



Legend



Map Summary

- Cross access easement will be provided for adjacent properties.

Stormwater



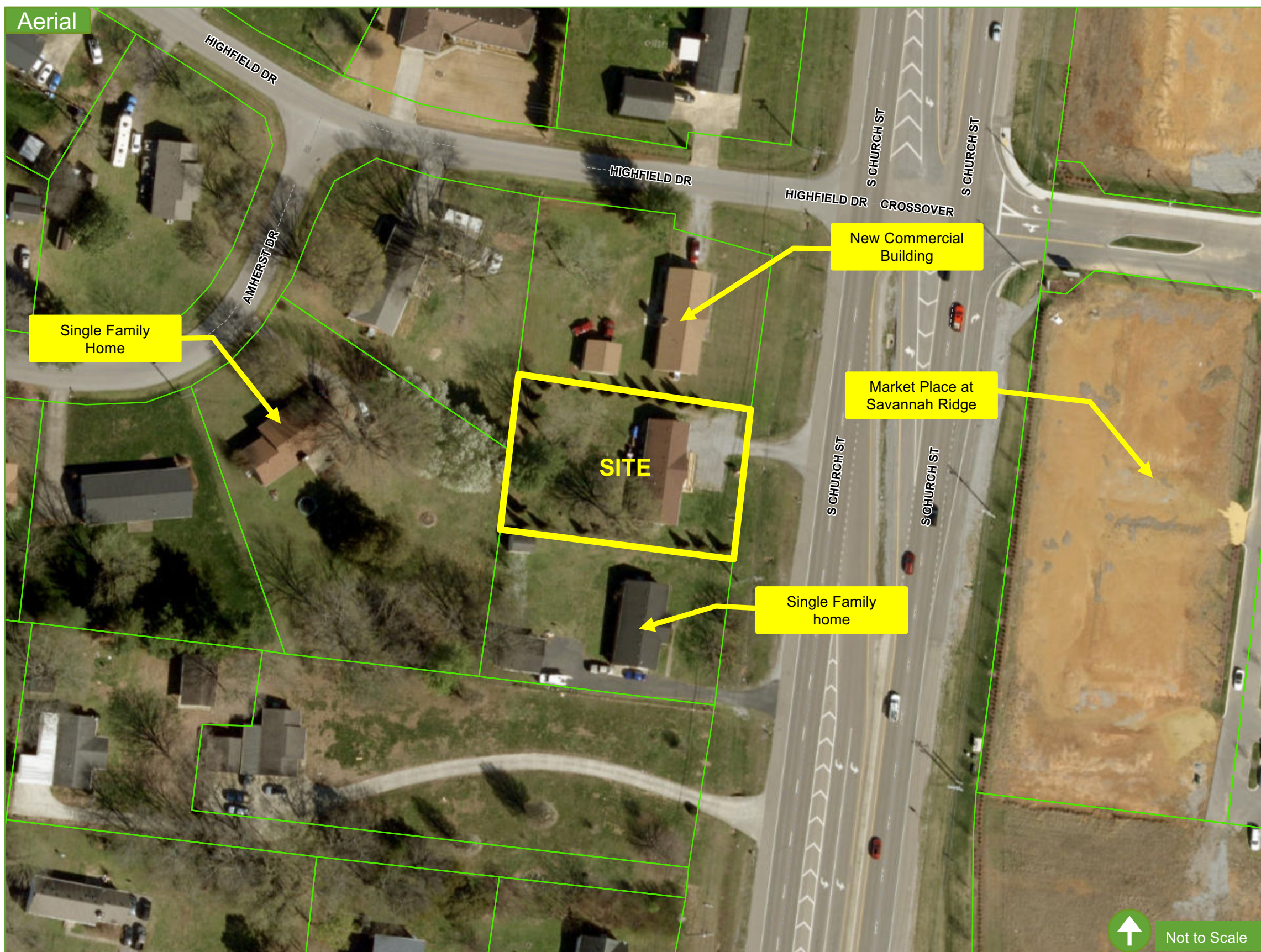
Legend



Map Summary

- The site will drain into existing stormwater drainage ditch along South Church Street and through existing infrastructure and eventually to Middle Fork Stones River. The site will utilize the small site design option to meet water quality and quantity requirements.

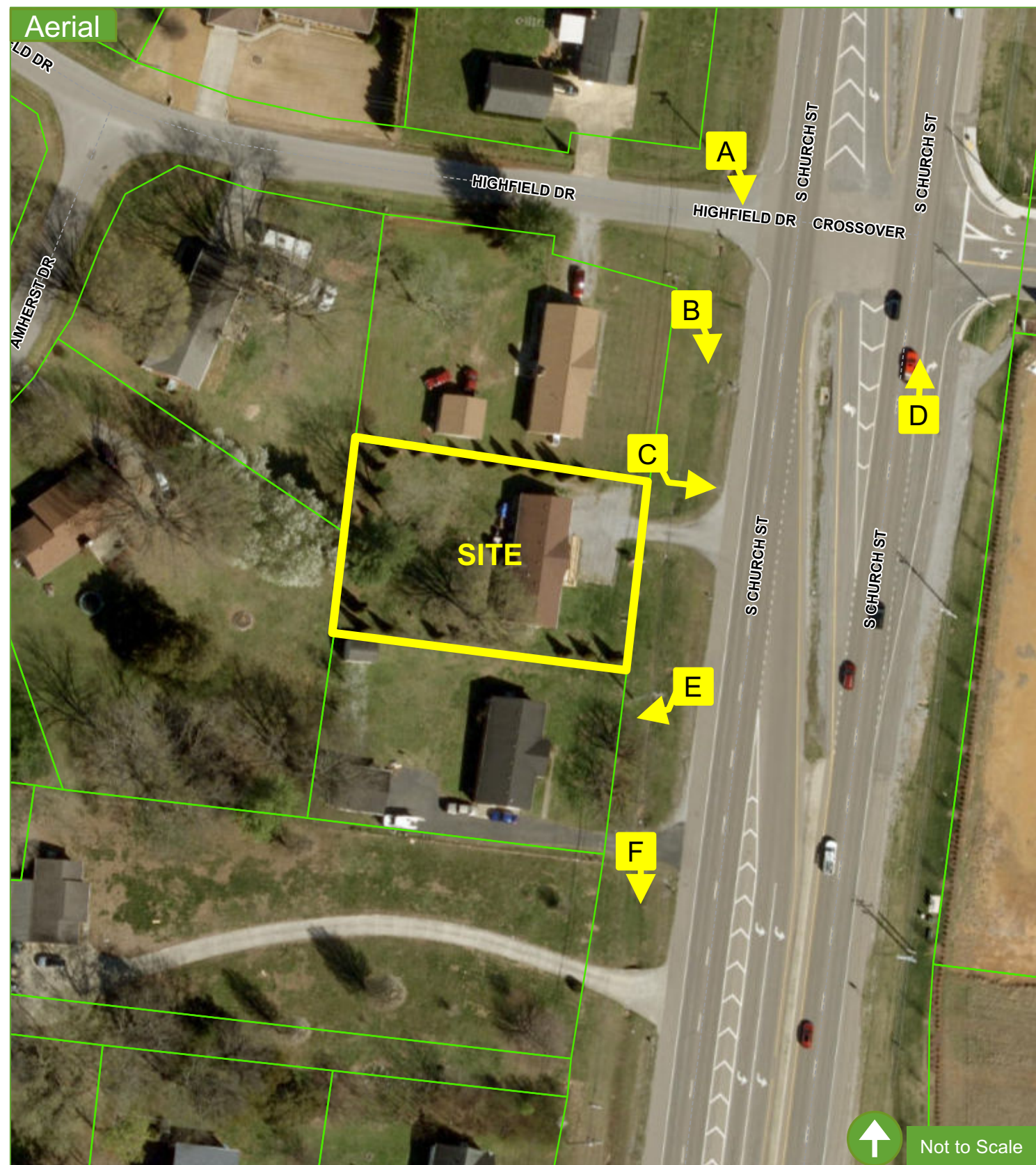




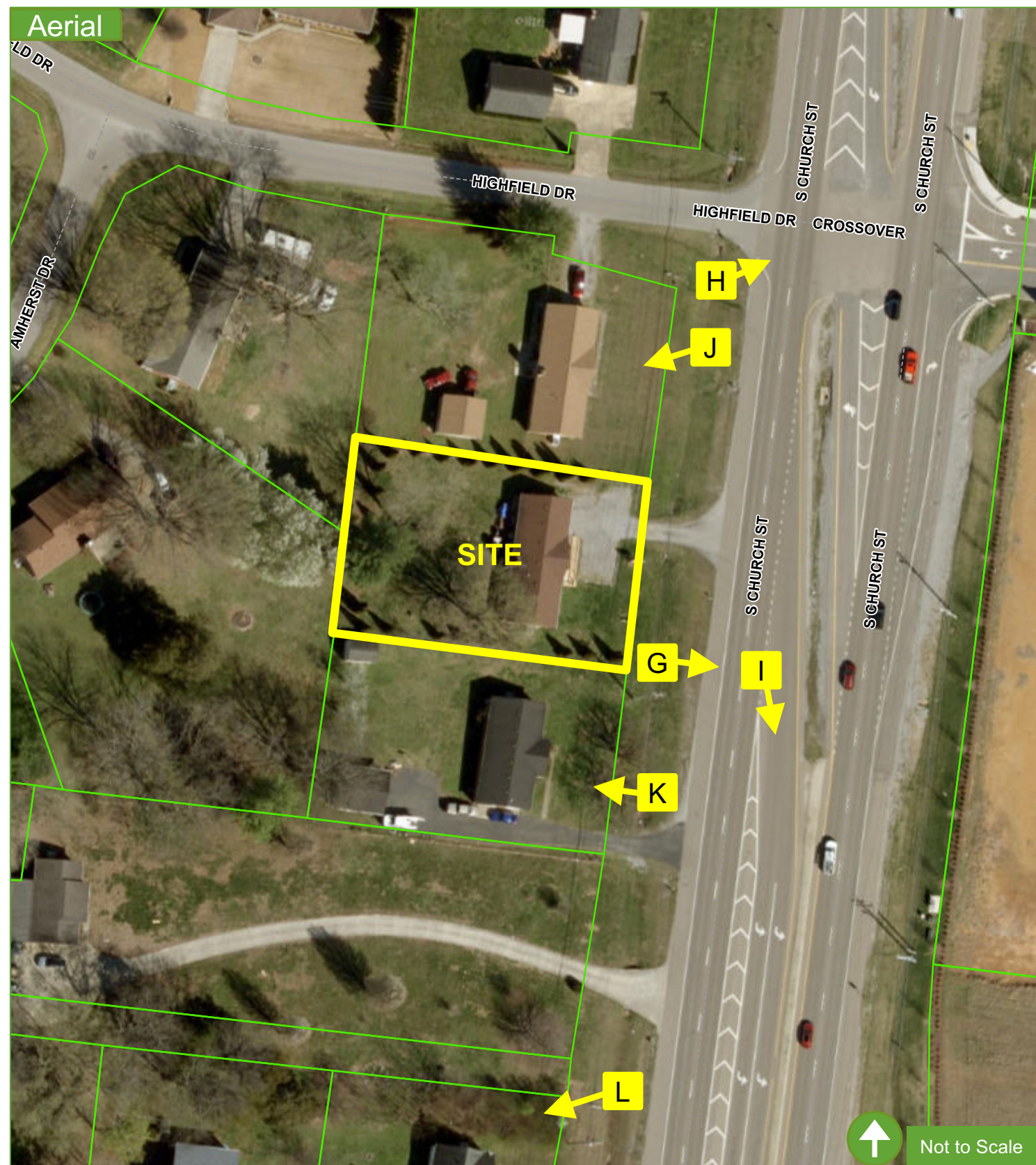
### Map Summary

The subject property is located in a rapidly changing commercial area. The new Marketplace at Savannah Ridge development has shaped the area to be primed for additional commercial development.

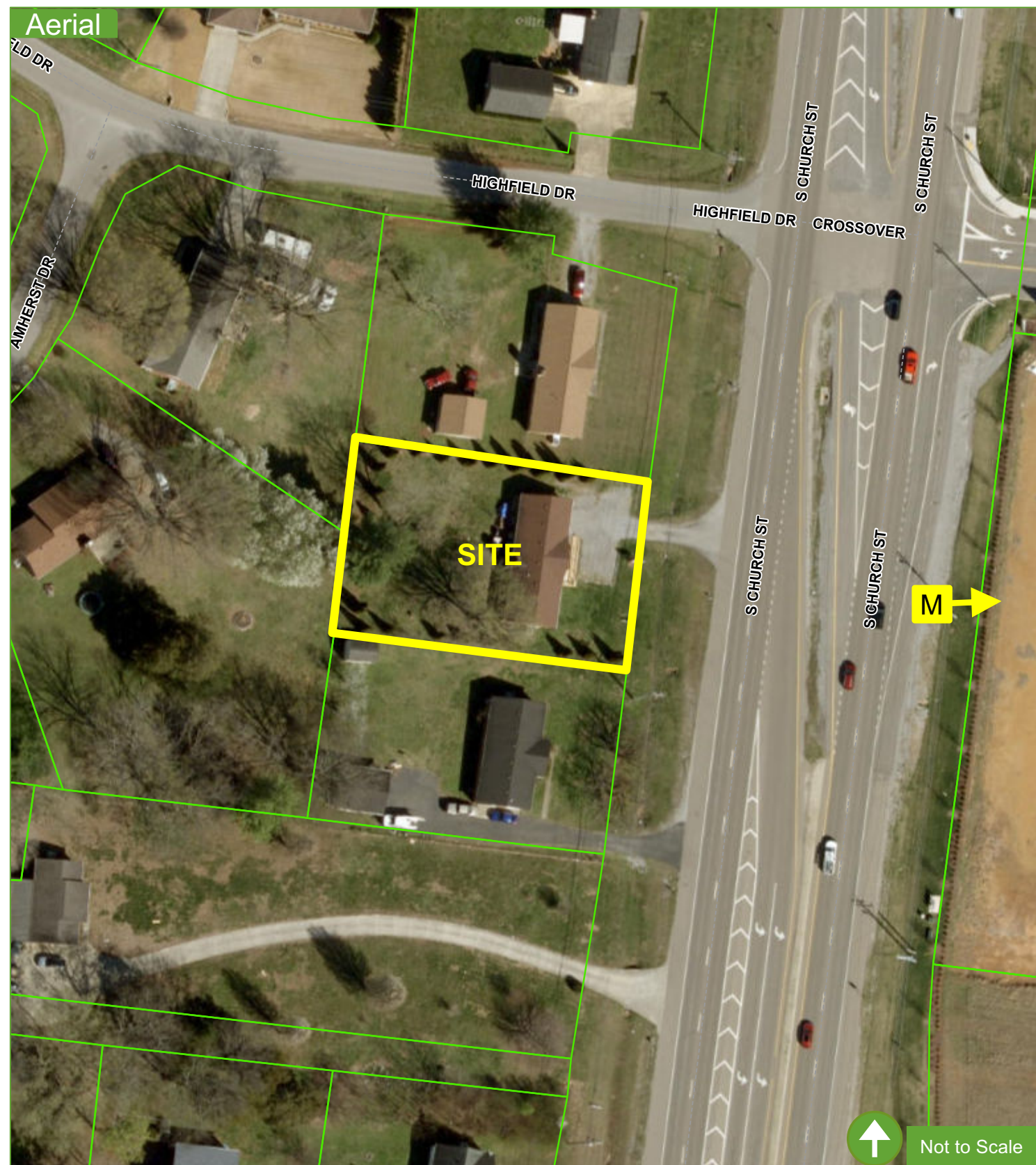






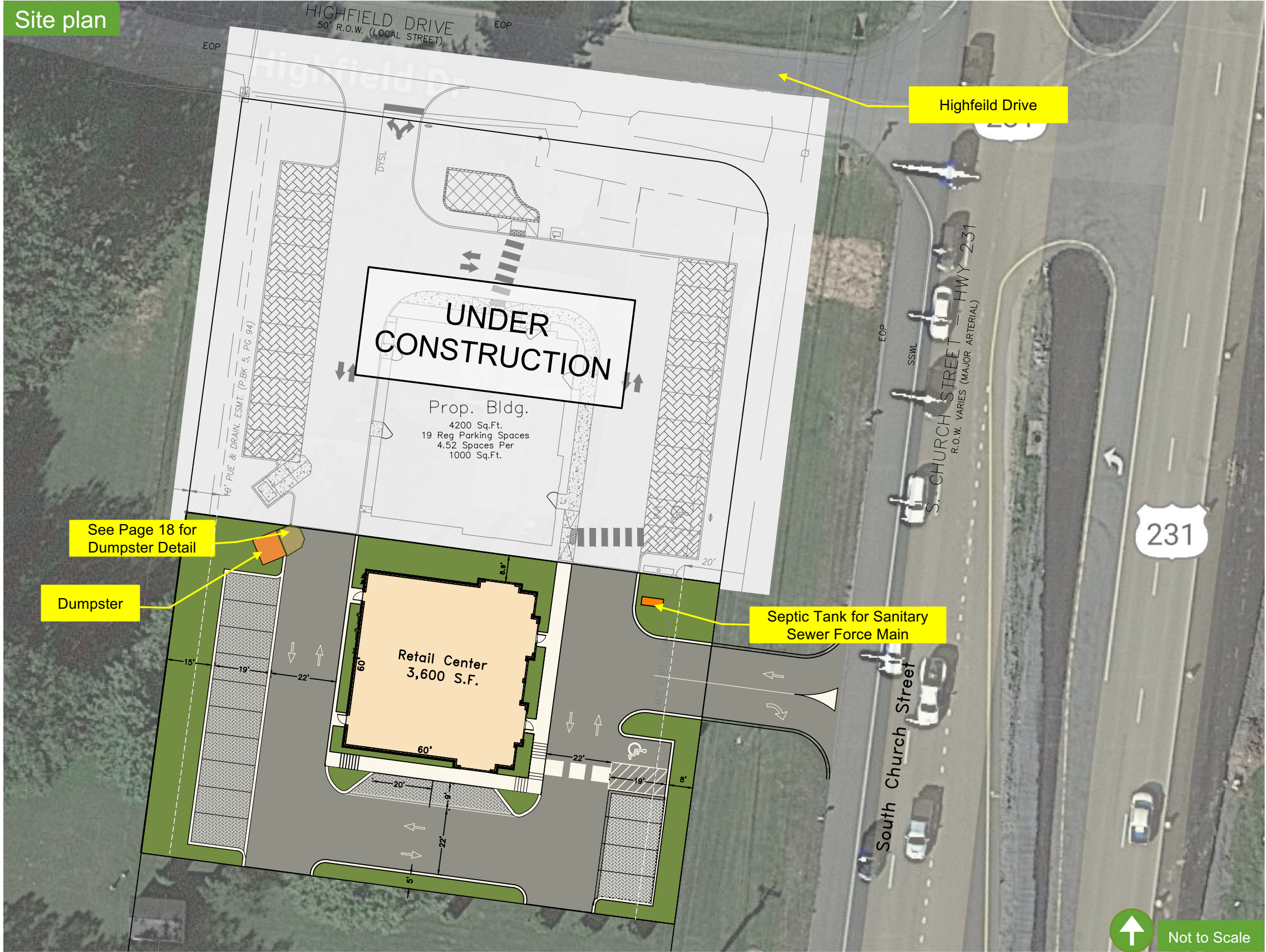








Site plan



Site Data	
Total Area	20,522 SF
Lot width	115 ft.
Square Footage	3600 SF
Parking required	16(1 per 225 SF)
Parking provided	16 (1 per 225 SF) 1 Handicap Space
Setbacks	
Front	42 ft.
Side	8 ft.
Rear	20 ft.

Legend

Sites

Green Space

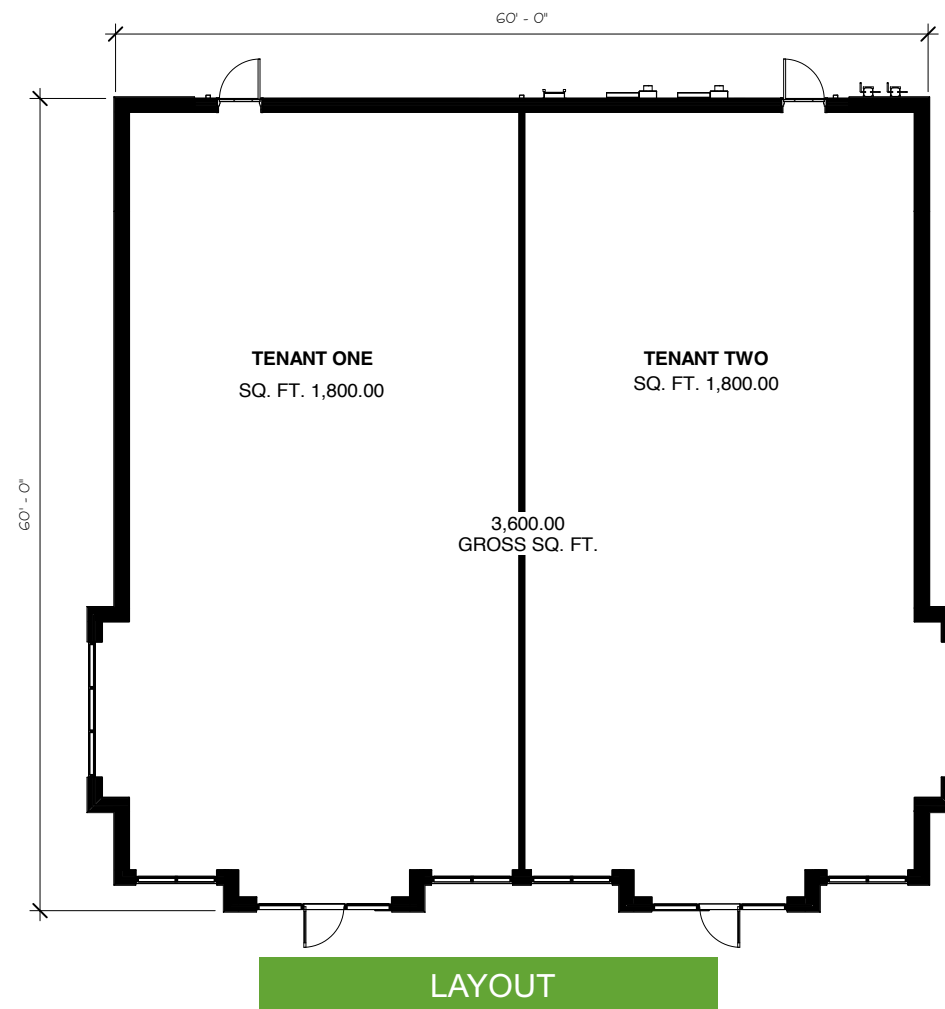
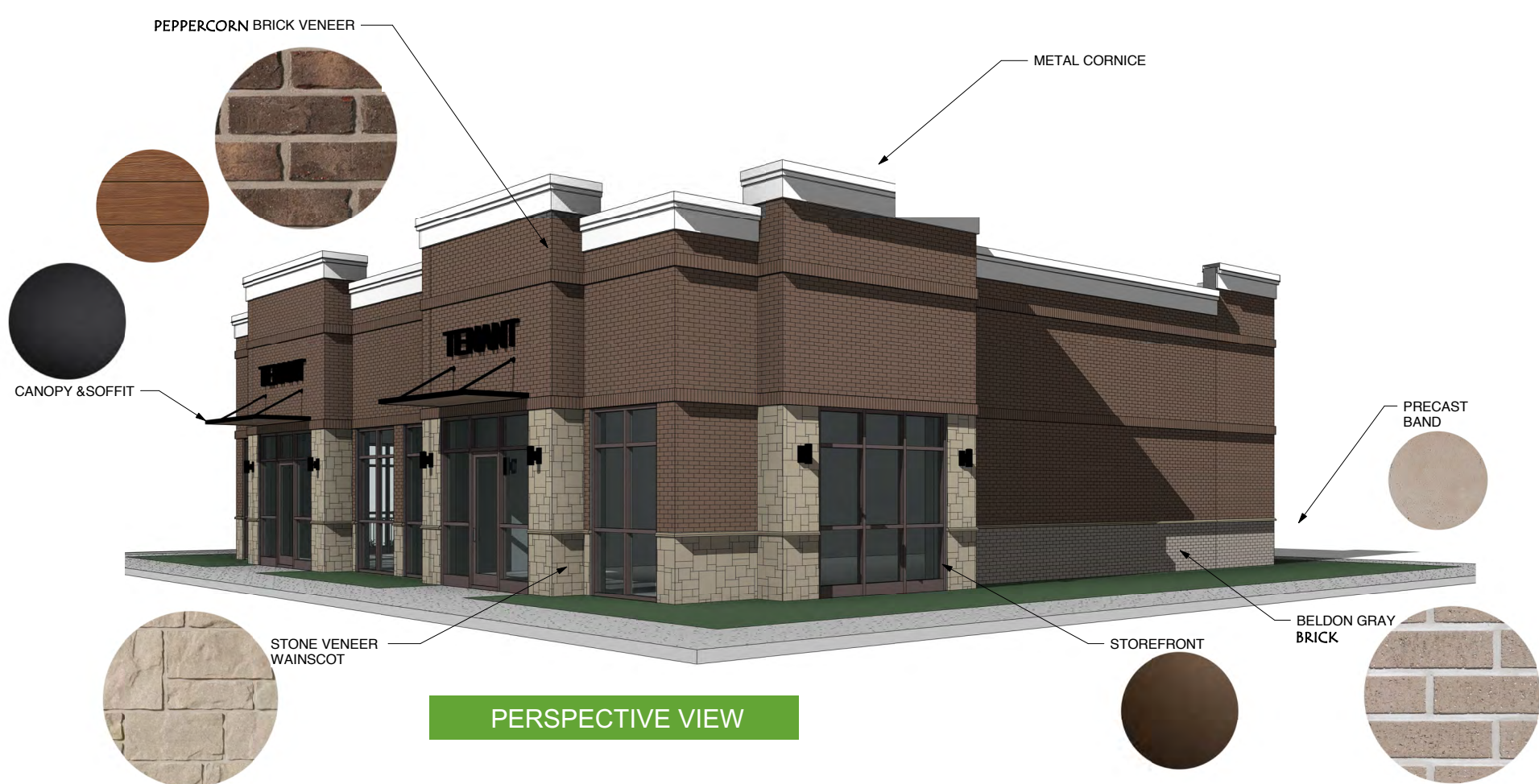
Sidewalk

Paved Drive

Pervious Pavers

Site boundary





## Building Elevations Materials

### BRICK VENEER ONE

MANUFACTURE: MERIDIAN BRICK  
 STYLE / SIZE: MODULAR  
 COLOR: PEPPERCORN  
 MORTAR COLOR: TYPE "N"

### STONE VENEER

MANUFACTURE: BRAMPTON BRICK  
 STYLE / SIZE: MULTIPLE  
 COLOR: VIVACE - DOVER  
 MORTAR COLOR: TYPE "N"

### STOREFRONT

MANUFACTURE: TUBELITE  
 STYLE / SIZE: 2"X4" ALUMINUM  
 COLOR: DARK BRONZE

### AWNINGS

MANUFACTURE: T.B.D.  
 STYLE / SIZE: FABRIC / METAL  
 COLOR: BLACK / BLACK  
 REMARK: 3'-0" OVERHANG

### BRICK VENEER TWO

MANUFACTURE: BELDON  
 STYLE / SIZE: MODULAR  
 COLOR: VELOUR GRAY  
 MORTAR COLOR: TYPE "N"

### PREFINISHED METAL CORNICE

MANUFACTURE: T.B.D.  
 STYLE / SIZE: T.B.D.  
 COLOR: WHITE  
 FINISH: SATIN

### GLAZING

MANUFACTURE: PPG  
 STYLE / SIZE: 1" INSULATED LOW-E  
 COLOR: LITE GREY

### UP & DOWNLIGHTS

MANUFACTURE: T.B.D.  
 STYLE / SIZE: T.B.D.  
 COLOR: BLACK

### PRECAST CONC. ACCENT

MANUFACTURE: CAST STONE  
 STYLE / SIZE: MODULAR  
 COLOR: MATCH STONE VENEER  
 MORTAR COLOR: TYPE "N"

### METAL CANOPY

MANUFACTURE: MAPES  
 STYLE / SIZE: METAL RECTANGULAR  
 COLOR: BLACK  
 REMARK: INTRICAL GUTTER  
 & WOOD SOFFIT

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

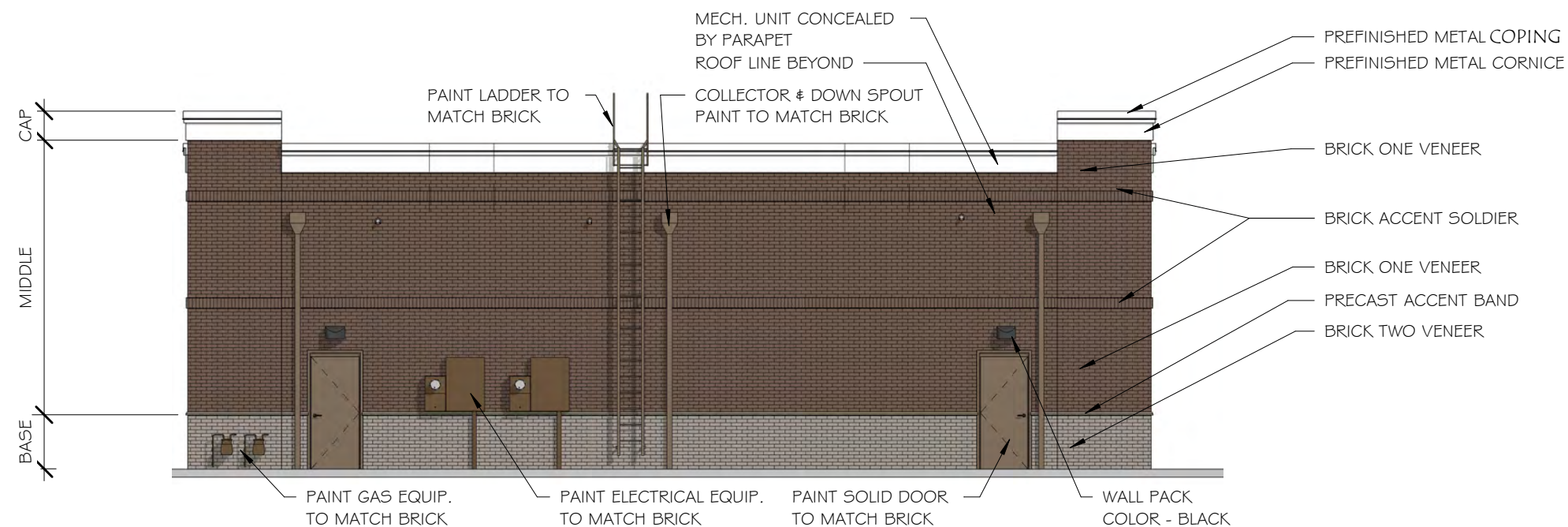


EAST FRONT REAR ELEVATION PRES

Building Elevations Materials - EAST FRONT

**FACADE MATERIAL SURFACE AREA:**

BRICK ONE	650.37 S.F.	47.49%
STONE VENEER.	156.97 S.F.	11.46%
METAL CORNICE	121.18 S.F.	8.84%
GLASS AREA	440.88 S.F.	32.21%
TOTAL MASS AREA	1,369.40 S.F.	



WEST REAR ELEVATION PRES

Building Elevations Materials - WEST REAR

**FACADE MATERIAL SURFACE AREA:**

BRICK ONE & TWO	1,079.26 S.F.	87.03%
METAL CORNICE	110.02 S.F.	9.21%
SOLID DOORS	50.69 S.F.	3.76%
TOTAL MASS AREA	1,239.97 S.F.	





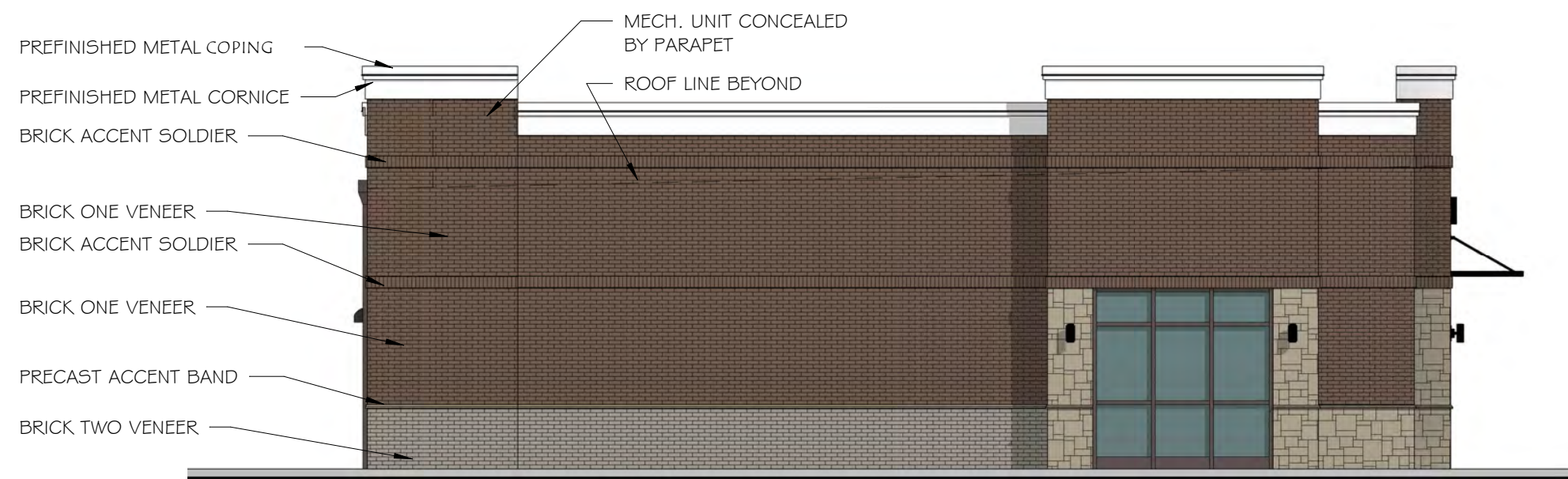
NORTH SIDE ELEVATION PRES

#### Building Elevations Materials - NORTH SIDE

##### FACADE MATERIAL SURFACE AREA:

BRICK ONE #TWO	973.68 S.F.	76.44%
STONE VENEER	88.85 S.F.	6.97%
METAL CORNICE	111.25 S.F.	8.73%
GLASS AREA	100.00 S.F.	7.86%
TOTAL MASS AREA	1,273.78 S.F.	

North Side elevation wall will be constructed with 1- hour fire rated assembly due to subject property being less than 15 ft from the property line of building to the North.



SOUTH SIDE ELEVATION PRES

#### Building Elevations Materials - SOUTH SIDE

##### FACADE MATERIAL SURFACE AREA:

BRICK ONE #TWO	973.68 S.F.	76.44%
STONE VENEER	88.85 S.F.	6.97%
METAL CORNICE	111.25 S.F.	8.73%
GLASS AREA	100.00 S.F.	7.86%
TOTAL MASS AREA	1,273.78 S.F.	



**Plan View - Dumpster**

The diagram illustrates the plan view of a dumpster with the following dimensions and features:

- Overall Dimensions:**
  - Length: 20'-0"
  - Width: 14'-0"
- Internal Layout and Dimensions:**
  - A central rectangular area with a width of 12'-4" and a length of 14'-0".
  - Vertical spacing within the central area: 2'-7" (top), 4'-0" (middle), and 2'-7" (bottom).
  - Horizontal spacing within the central area: 4'-0" (left) and 4'-0" (right).
  - A 3'-0" opening is located at the bottom center.
  - Three circular posts are located within the central area, with a typical post labeled "POST (TYP.)".
- Structural Features:**
  - Two diagonal lines labeled "GATE" are shown on the left side.
  - A section line "A-A" is indicated on the right side.

The diagram consists of two parts: a Plan View and a Section A-A.

**PLAN VIEW:** Shows a top-down view of the dumpster pad. It features a central rectangular area labeled "3'-0\" OPENING". This area is flanked by two vertical concrete pillars. The pillars are labeled "6\" STEEL PIPE PAINTED YELLOW (TYPICAL)". The top of the pillars is labeled "ROUND OFF CAP WITH CONCRETE (TYPICAL)". The pillars are set into a "6\" THICK CONCRETE SLAB REINFORCED WITH 6x6x10x10 WELDED WIRE MESH". The slab is labeled "SLOPE AS SHOWN ON SITE PLAN". The pillars are connected by a "MASONRY WALL W/ BRICK FACIA". The height of the wall is indicated as "8'-0\".

**SECTION A-A:** Shows a cross-section of the pad. It illustrates the "6\" THICK CONCRETE SLAB REINFORCED WITH 6x6x10x10 WELDED WIRE MESH" and the "ANCHOR BOLLARD IN ONE CUBIC YARD OF CONCRETE (TYPICAL)".

Final design of solid waste enclosure will be provided at site plan review and will comply w/ Design Guidelines.



Open Space Plan

HIGHFIELD DRIVE  
50' R.O.W. (LOCAL STREET)

UNDER CONSTRUCTION

Prop. Bldg.  
4200 Sq.Ft.  
19 Reg Parking Spaces  
4.52 Spaces Per  
1000 Sq.Ft.

Retail Center  
3,600 S.F.

Dumpster

Seating Area Location

Highfeild Drive

S. CHURCH STREET - HWY 231  
R.O.W. VARIES (MAJOR ARTERIAL)

231

South Church Street

↑  
Not to Scale

## Map Summary

In lieu of a formal open space, subject property will have dedicated seating area with enhanced landscaping that will be constructed on the north side of retail center.

# Seating Area Concept

Amenity areas will include the following items	
1	Pavers
2	Shade Tree
3	Seasonal Color
4	Bench

# 3416 South Church Street



Conceptual Landscape

HIGHFIELD DRIVE  
50' R.O.W. (LOCAL STREET)

UNDER CONSTRUCTION

Prop. Bldg.  
4200 Sq.Ft.  
19 Reg. Parking Spaces  
4.52 Spaces Per  
1000 Sq.Ft.

140' PUE & DRAIN, ESMT. (P.BK 5, PG 94)

Highfield Drive

S. CHURCH STREET - HWY 231  
R.O.W. VARIES (MAJOR ARTERIAL)

231

South Church Street

Type "D" Buffer

6' Privacy Fence

Signage

Foundation Planting

Screen Planting

6' Privacy Fence

19'

22'

60'

8.9'

20'

22'

19'

5'

↑

Not to Scale

- A Type D Buffer will be provided along the west side property, line. In addition, a 6' - tall privacy fence will be provided along this property line. It will supplement the buffer plantings and not be a substitute for any plantings.
- A 6' tall privacy fence will be installed along the south property line but will be removed at such time as property to the south develops.

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

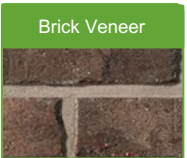


Developmental Standards

- Development will include an all-masonry commercial structure.
- Maximum Square Footage of 3600 SF.
- Maximum building height of 35 ft.
- Solid waste disposal will be provided by private hauler.
- No Sidewalks will be provided in the public R.O.W. of South Church St.
- Entry signage will be consistent with building materials.
- Telecommunication and television equipment will be mounted on the roof of the building and screened by parapet wall.
- AC units will be located on the roof of the building and screened by parapet wall.

Building Elevations Materials

Front Elevation:	Masonry Materials (Brick Veneer, Stone Veneer, Metal Canopy, Glass etc)
Side Elevations:	Masonry Materials (Brick Veneer, Stone Veneer, Metal Canopy, Glass etc)
Rear Elevations:	Masonry Materials (Brick Veneer, Stone Veneer, Metal Canopy, Glass etc)



\*Different colors, cuts and patterns will be allowed.

Allowable Uses

The immediate end user for the subject property is currently unknown. The allowable uses outlined on this page are reflected within the Commercial Highway (CH) District as per March 2023, Murfreesboro Zoning Ordinance. The subject property will allow the following uses listed in table to the right.

Prohibited Uses

The Applicant has also agreed to the following prohibited uses listed below

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

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

LAND USE PARAMETERS AND BUILDING SETBACKS			
ZONING (COMPARABLE VS PROPOSED)	COMPARABLE (CH)	PROPOSED	DIFFERENCE
MINIMUM EXTERNAL SETBACK REQUIREMENTS			
MINIMUM FRONT SETBACK (FT.)	42	42	-
MINIMUM SIDE SETBACK (FT.)	0	8	+8
MINIMUM REAR SETBACK (FT.)	20	20	-
MAX HEIGHT (FT.)	75	27	-48

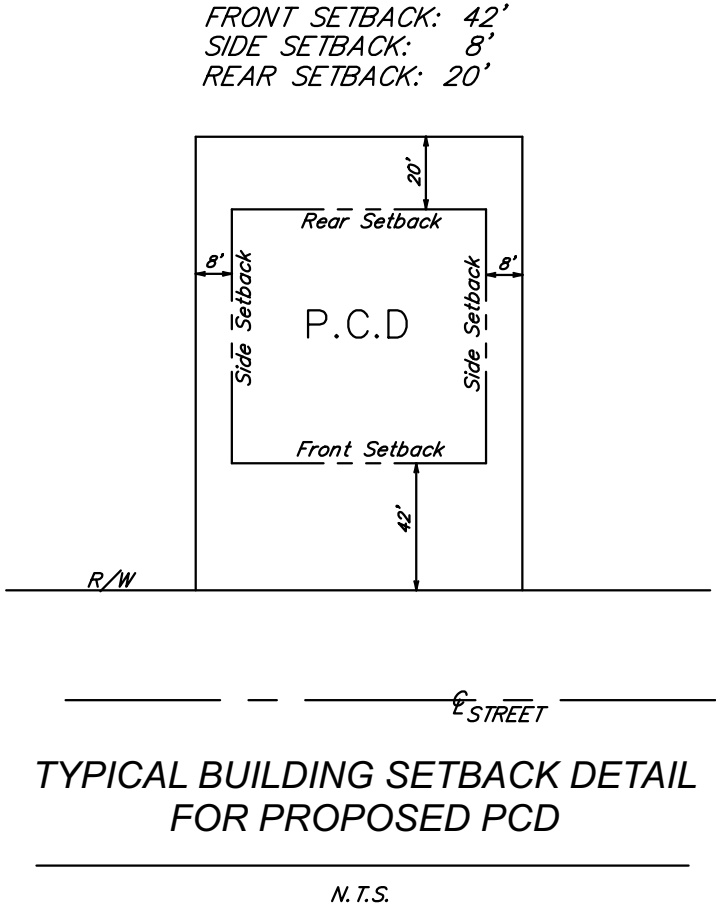
PCD Exception Request Summary

- Requesting an exception to the required 15-ft wide Type 'D' Buffer along the southern property line. This request is for a 5' Perimeter Planting Yard with an opaque fence in lieu of the buffer. This request is based on the probability that the properties to the south will be developed commercially in the future and when that time comes only a perimeter planting yard would be required. Our proposed site plan will have two stub access driveways to the southern property as recommended by the planning staff. To plant a full Type 'D' buffer with and opaque fence knowing it will all be torn out in the future is the reason behind our request.
- Requesting an exception to the 5-ft setback required for the dumpster along the northern property line. The request is for a 3-ft setback. The reduced setback will allow for required screen planting while maximizing the number of parking spaces along the northern parking lot.
- Requesting an exception from providing the required formal open space. The proposal will be a smaller seating cluster with pavers and three benches and enhanced landscaping around this patio area and along the building frontage. We are requesting this to have a more useful space in lieu of requirement as per staff recommendations.

SITE DATA	Entire Parcel (sq.ft.)
TOTAL LAND AREA	20,522
TOTAL IMPERVIOUS	12,419
TOTAL PERVIOUS	8,103
TOTAL BUILDING COVERAGE	3,600
TOTAL PARKING LOT COVERAGE	10,646

\*Areas are rounded up to the nearest sq.ft.

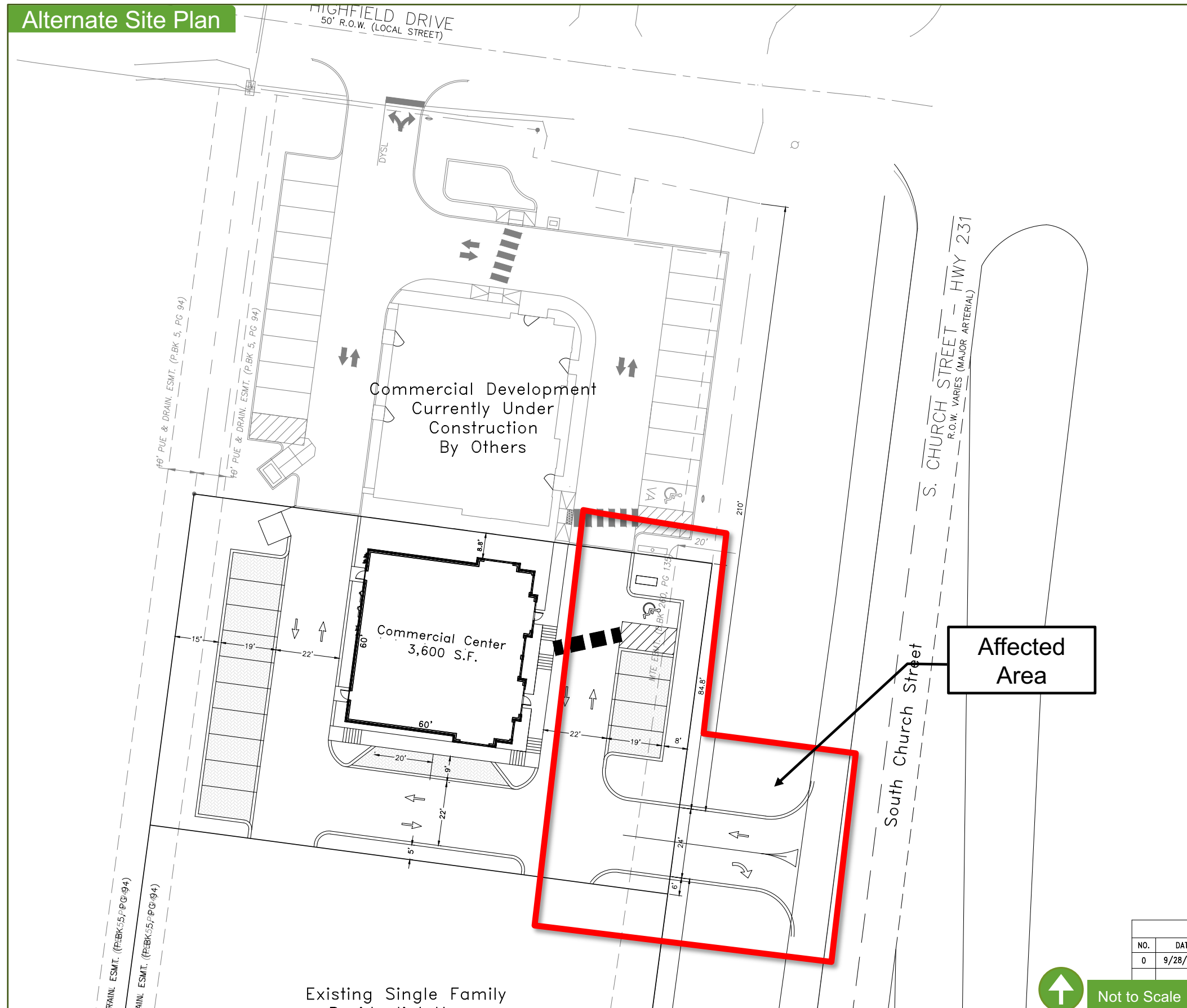
Setback Information



## City of Murfreesboro General Applicability Section 13b for Planned Development

1. Identification of existing utilities, easement, roadways, rail lines and public right-of-way crossings and adjacent to the subject property: [Shown in pattern book on pages 3-9.](#)
2. A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; [Shown in pattern book on pages 11-13.](#)
3. A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structure on-site and within two hundred feet of the subject property and the identification of the use thereof; [Shown in pattern book on Page 10.](#)
4. A drawing defining the general location and maximum number of lots, parcels or sites proposed to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; [Shown in pattern book on Page 14.](#)
5. A tabulation of the maximum number of dwelling units proposed including the number of units with two or less bedrooms and the number of units with more than two bedrooms; [Not Applicable in this situation.](#)
6. A tabulation of the maximum floor area proposed to be constructed, the F.A.R. (floor area ratio), the L.S.R. (livability space ratio), and the O.S.R. (open space ratio); [Not applicable in this situation.](#)
7. A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the City and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article; [Shown in pattern book pages 21-23.](#)
8. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating: (aa) the approximate date when construction of the project can be expected to begin; (bb) the order in which the phases of the project will be built; (cc) the minimum area and the approximate location of common space and public improvements that will be required at each stage; and, (dd) a breakdown by phase for subsections [5] and [6] above; [Development will be constructed in single phase.](#)
9. Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted; [Not applicable in this situation.](#)
10. A statement setting forth in detail either (1) the exceptions which are required from the zoning and Subdivision Regulations otherwise applicable to the property to permit the development of the proposed planned development or (2) the bulk, use, and/or other regulations under which the planned development is proposed;
  - [EXCEPTION 1: Requesting an exception to the required 15-ft wide Type 'D' Buffer along the southern property line.](#)
  - [EXCEPTION 2: Requesting an exception to the 5-ft setback required for the dumpster along the northern property line.](#)
  - [EXCEPTION 3: Requesting an exception from providing the required formal open space.](#)
11. The nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article; [The project is not within any overlays.](#)
12. The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time; [Not applicable in this situation.](#)
13. The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated; [Shown in pattern book on page 2.](#)
14. Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. [Shown in pattern book on pages 15-18.](#)
15. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign: [Shown in pattern book on page 19.](#)





### Map Summary

- If supported by City Staff & TDOT, and a variance is approved by TDOT the intention is to utilize this driveway alignment to accommodate better site circulation. Otherwise, the layout shown on the Site Plan will be utilized.

## **MURFREESBORO PLANNING COMMISSION**

### **STAFF COMMENTS, PAGE 1**

**MARCH 6, 2024**

**PROJECT PLANNERS: MARGARET ANN GREEN AND MATTHEW BLOMELEY**

- 5.e. Zoning application [2024-402] for approximately 2.2 acres located along West Thompson Lane to be rezoned from RS-15 to PRD (Kings Landing Annex PRD) Black Diamond Development applicant.**

The subject property is located along the north side of West Thompson Lane, just west of Northboro Court (Tax Map 058, Parcel 088.00). The property consists of 2.2 acres and is zoned RS-15 (Single-family Residential District 15). There is currently one single-family house located on the subject property, and it is intended to be demolished prior to development. The applicant, Black Diamond Development, is requesting to rezone the subject property to PRD (Planned Residential District) to add this parcel to the existing Kings Landing Villas development. When the original Kings Landing Villas PRD received zoning approval in 2021, it was anticipated at that time that this additional 2.2 acres would be rezoned in the future to integrate it into the development.

#### **Adjacent Land Use and Zoning**

The subject area is surrounded by the Kings Landing Villas PRD, which has been under development in recent years. Tuscany PRD is to the west and consists of single-family detached homes in a horizontal property regime. Generals Landing PRD is to the east and consists of single-family attached townhomes in a horizontal property regime as well as single-family detached lots. MTSU's Miller Coliseum and the City's Siegel Soccer Complex are further east and northeast, respectively. Northside Baptist Church is directly to the south of the subject property across West Thompson Lane and Siegel High School is to the southeast.

#### **Kings Landing Villas PRD:**

The applicants have made an application to rezone the property to PRD. 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; to promote the efficient use of land by permitting a planned arrangement of buildings, circulation systems, land uses, and utilities; to preserve existing landscape features and amenities and to utilize such features in a harmonious fashion; to encourage the total planning of land tracts consistent with adopted long-range plans;
2. to permit the use of new and innovative land development techniques while assuring

protection of existing adjacent development;

3. to encourage the functional and beneficial use of open spaces and to preserve natural features of a development site;
4. to promote the creation of a safe and desirable living environment for residential areas characterized by a unified site and development program;
5. 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;
6. 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;
7. to encourage the revitalization of established commercial centers;
8. 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;
9. 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,
10. to promote the significance of architectural and aesthetic improvements and details in atypical developments.

The Kings Landing Villas Annex PRD is a proposed 2.2-acre development with 12 townhomes (single-family attached) and 6 single-family detached houses. The Kings Landing Villas Annex PRD has a density of 8.2 dwelling units per acre prior to being combined with the Kings Landing Villas PRD. The development proposal includes the creation of public rights-of way, solid waste services provided by the City, and the incorporation of street trees within the development. The common areas are to be maintained by a homeowner's association.

#### **SINGLE-FAMILY DETACHED HOMES**

The single-family, detached homes will have 2-car garages. Each dwelling will maintain a 35-foot front setback that allows 4 cars to park in the driveway. These lots are comparable to the RS-6 (Single-family Residential District 6) zoning district. Below are the special standards that apply to RS-6 properties, which appear to be upheld by the plan:

- In the RS-6 district, the facades of principal structures shall consist primarily of one or more of the following materials: brick, stone, or cementitious siding. Other building materials such as EIFS, vinyl siding, and wood siding may be used for decorative or accent purposes and may constitute no more than 25 percent of any façade.
- In the RS-6 district, a garage attached to a single-family dwelling shall have a minimum front setback of 35 feet. The remaining portion of the structure shall have a minimum front setback of 25 feet. The driveway of an attached or detached garage in the RS-6



district shall have sufficient width and depth to accommodate four vehicles. A single-family dwelling unit that has no garage shall have a minimum front setback of 35 feet.

#### **SINGLE-FAMILY, ATTACHED TOWNHOMES**

The single-family, attached townhomes will be sold under a horizontal property regime (HPR). Of the 12 proposed townhome units, 4 are proposed to be 2-bedroom and 8 are proposed to be 3-bedroom. All units will have 2-car garages. Each dwelling maintains a 35-foot front setback for the garage with a 25-foot front setback for the balance of the structure. The townhome portion of the development will meet minimum parking requirements using the driveway spaces and does not need to rely on the garage spaces to meet minimum parking requirements. These units are most closely related to the RS-A (Single-Family Residential Attached), Type 2 Suburban Townhouse district. Below are the special standards that apply to RS-A, Type 2 developments.

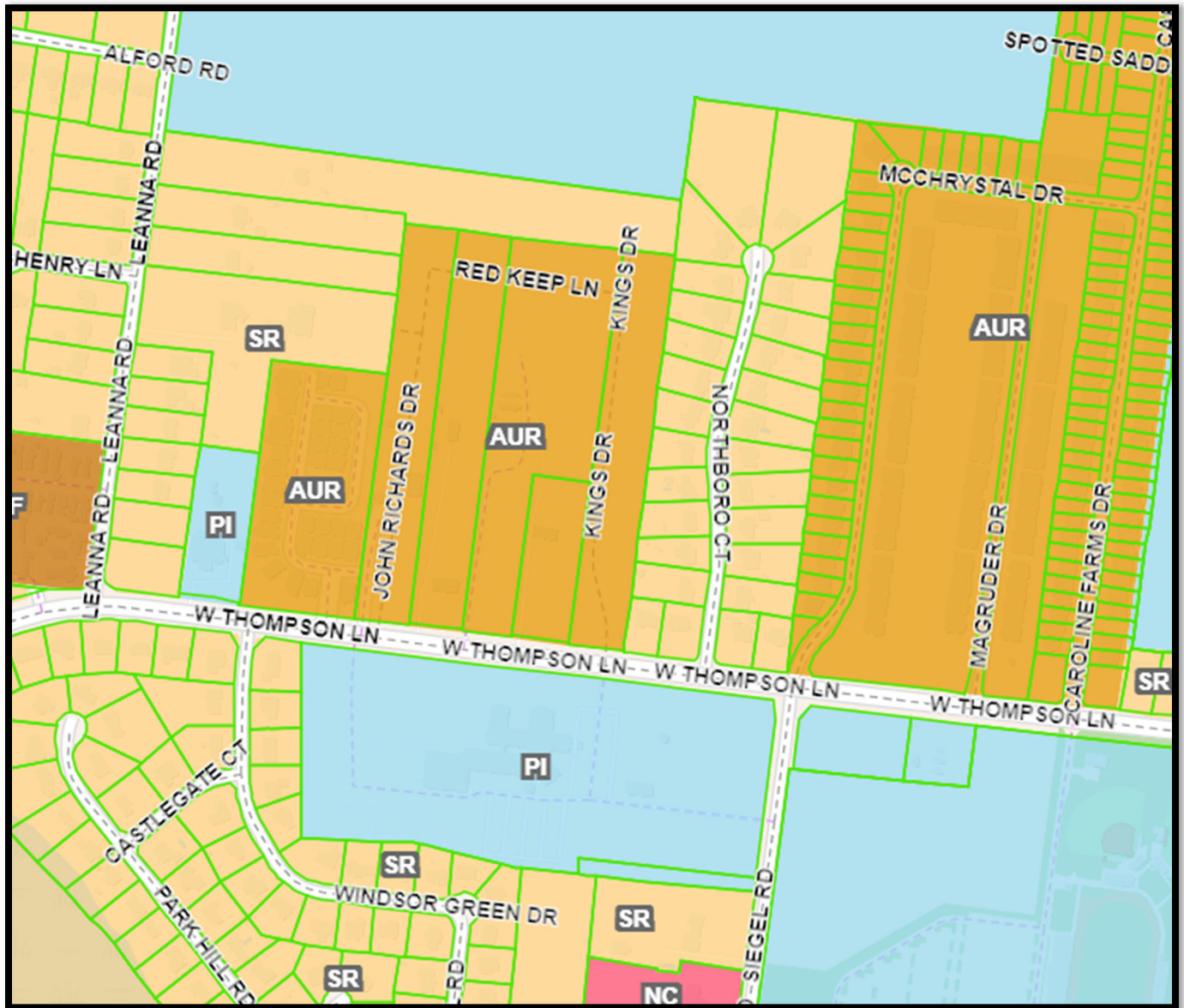
- In the RS-A district, the facades of townhouse units shall consist primarily of one or more of the following materials: brick, stone, or cementitious siding. Other building materials such as EIFS, vinyl siding, and wood siding may be used for decorative or accent purposes and may constitute no more than 25 percent of any façade.
- In the RS-A district, a row of Type 2 (Suburban Townhouse) townhouses shall consist of a minimum of 3 townhouse units and no more than 8 townhouse units or 240 feet of building length, whichever is less.
- In the RS-A district, Type 2 (Suburban Townhouse) developments shall set aside a minimum of ten percent (10%) of the gross development area as open space. At least fifty percent (50%) of the open space set-aside shall be designated as formal open space and shall be maintained in perpetuity by the developer and/or Homeowners Association (HOA). A formal open space shall consist of a minimum of 5,000 square feet and may include hardscape improvements, street furnishings, recreational facilities, and amenity structures (i.e., gazebos, arbors, band shells, etc.).

#### **EXCEPTIONS**

The ordinance approving the planned development may provide for such exceptions from the zoning regulations governing use, density, area, bulk, parking, and such Subdivision Regulations as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such exceptions are consistent with the standards and criteria contained in this section and have been specifically identified and requested in the application for a planned development. Unless the ordinance approving a planned development contains a clear statement of exceptions to them, the standards and criteria and regulations of the most similar bulk zoning district will apply.

The PRD pattern book identifies one exception for this proposed development -- allowing the non-garage portion of the townhomes to have a 25' front setback, instead of the required 35'.

## Future Land Use Map and Chapter 4



The Murfreesboro 2035 **Future Land Use Map** indicates that Auto-Urban Residential Character (AUR) is most appropriate land use character for the subject property. Chapter 4 of the Murfreesboro 2035 comprehensive plan describes the AUR land use character as:

This designation pertains to current and future residential development and includes primarily detached residential dwellings as primary use; and allows attached housing types (subject to compatibility and open space standards, e.g., townhomes, zero-lot line/patio homes, and three-family structures); planned developments (with a potential mix of housing types and varying densities, subject to compatibility and open space standards), etc.

**Development Types:**

- Detached single-family residential – primary development type.
- Attached single-family residential – limited development type integrated within the overall plan.

**Characteristics:**

- Landscape enhancements are relative to urban scale and land use.
- Strong amenity packages with active recreation areas that serve all age groups including amenities such as playgrounds, pools, multi-modal paths, clubhouses, and neighborhood recreational opportunities.
- Emphasis on connectivity within the development.
- Street trees or front yard trees located near lot line to help integrate new development patterns into established communities.
- Single-family, detached located adjacent to existing neighborhoods with other development types located away from the existing neighborhoods. Lots on periphery sized consistent with the existing lots within of adjacent city neighborhoods.
- Typical density ranges are from 4.0 to 12 (DU/ac.)
- Specific densities must be evaluated based on infrastructure and utility capacities and availability.
- Any densities that exceed the city sanitary sewer allocation ordinance and resolution must be approved by City Staff and City Council.

**Criteria for Attached Residential Development in the AUR District**

Developments with a lot size of 4 acres or less may be considered for townhome development with the following criteria;

- The PUD development is to include design principles that consider pedestrian access throughout the project and connecting to adjacent land use, street networks that promote multiple connection points, streetscape enhancements that include street trees and multi-modal design (pedestrians, bikes, and automobiles), usable open space and enhanced landscape at entrances and project perimeters when adjoining land use of less density.
- At least one active open space area shall be provided that meets the criteria as defined in the Murfreesboro Design Standards for residential development with the understanding that this applies to all developments.

While some of the characteristics and criteria above might not be met, the proposed residential uses and density are generally consistent with the recommendations of the comprehensive plan,



relative to this property. When taken in context with the fact that it is surrounded on three sides by a development that has been approved with an existing character, this appears to be an appropriate instance to apply the transition policy to allow for some amount of deviation from the specific recommended criteria for AUR.

**Staff Recommendation:**

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

- 1) It is generally consistent with the recommendations of the amended Murfreesboro 2035 Comprehensive Plan and Future Land Use Map.
- 2) It is compatible with the adjacent residential land uses.
- 3) The layout, design, architecture, and commitments are consistent with the already approved Kings Landing Villas PRD.

**Action Needed:**

The Kings Landing Villas program book and other associated materials are included with the agenda materials. The Planning Commission will need to conduct a public hearing and then formulate a recommendation for City Council.

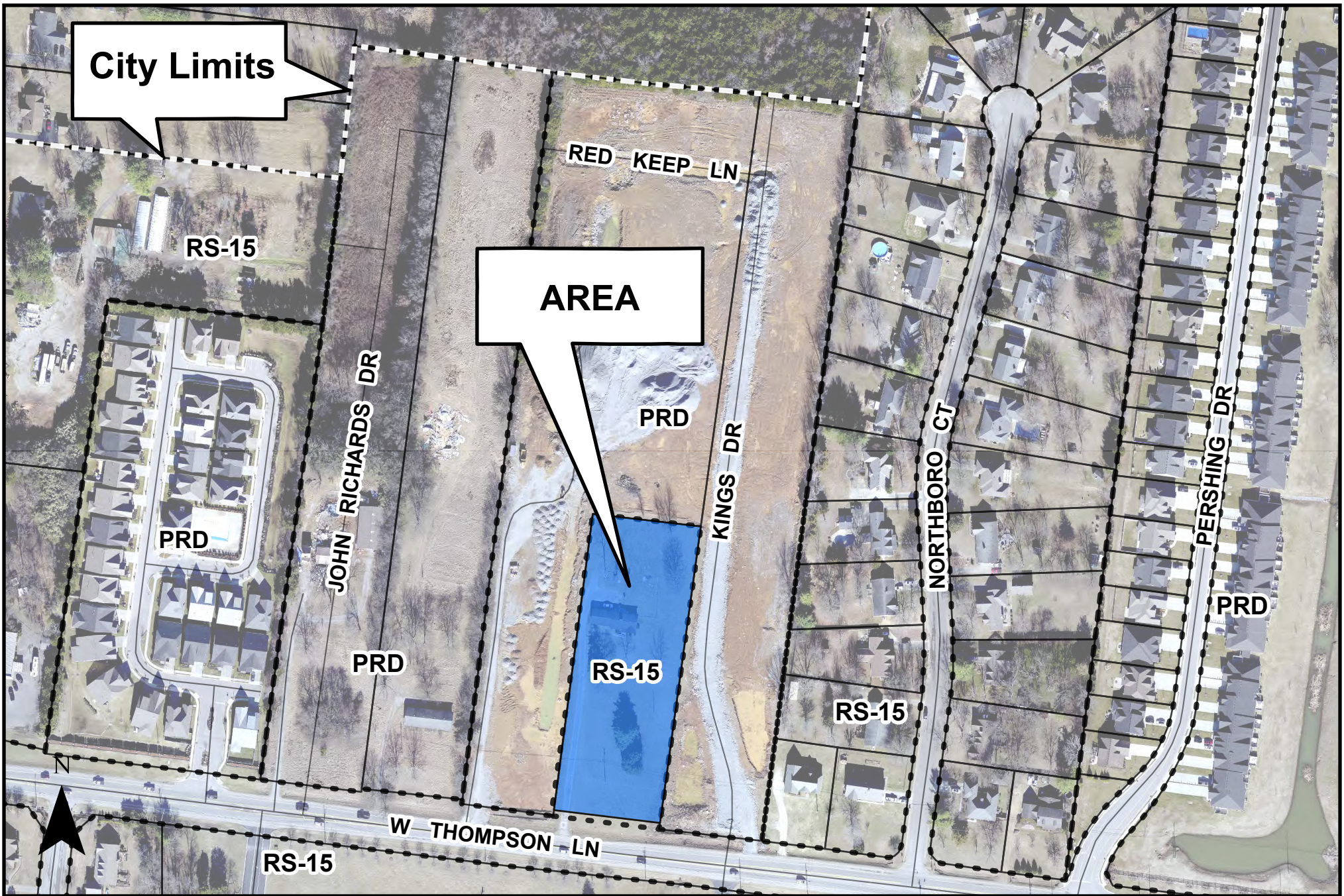


Rezoning request for property along West Thompson Lane  
RS-15 to PRD (Kings Landing Annex PRD)

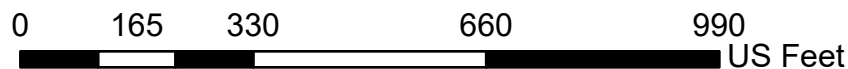
0 165 330 660 990  
US Feet

Planning Department  
City of Murfreesboro  
111 West Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





Rezoning request for property along West Thompson Lane  
RS-15 to PRD (Kings Landing Annex PRD)



Planning Department  
City of Murfreesboro  
111 West Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





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

Creating a better quality of life

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

**Procedure for applicant:**

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

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

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

**To be completed by applicant:**

APPLICANT: Huddleston-Steele Engineering

Address: 2115 NW Broadstreet City/State/Zip: Murfreesboro, TN, 37129

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

PROPERTY OWNER: Black Diamond Construction LLC

Street Address or property description: 674 W Thompson Lane, Murfreesboro, TN, 37129

and/or Tax map #: 058 Group: N/A Parcel (s): 08800

Existing zoning classification: RS-15

Proposed zoning classification: PRD Acreage: 2.2 +/-

Contact name & phone number for publication and notifications to the public (if different from the applicant): Clyde Rountree, 615-509-5930

E-mail: rontree.associates@yahoo.com

APPLICANT'S SIGNATURE (required): 

DATE: 01/16/24

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

Date received: \_\_\_\_\_ MPC YR.: \_\_\_\_\_ MPC #: \_\_\_\_\_

Amount paid: \_\_\_\_\_ Receipt #: \_\_\_\_\_

1.17.2023

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

Re: Rezoning Request

Described as Tax Map 058, Parcel 08800 consisting of 2.2 +/- ac. to be rezoned from RS-15 to PRD.

Dear Mr. Greg,

On behalf of our client, Black Diamond Construction, we hereby request the rezoning of the property identified by tax map 058, Parcel 08800, consisting of approximately 2.2+/- acres from RS-15 to PRD. The purpose for this rezoning is to construct an additional 6 single family detached homes and 12 attached townhomes.

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

Sincerely,

*Clyde Rountree*

Clyde Rountree, RLA



# Kings Landing Villas Annex

PLANNED RESIDENTIAL DEVELOPMENT



SUBMITTED ON FEBRUARY 27, 2024, FOR THE MARCH  
6<sup>TH</sup>, 2024 PLANNING COMMISSION PUBLIC HEARING

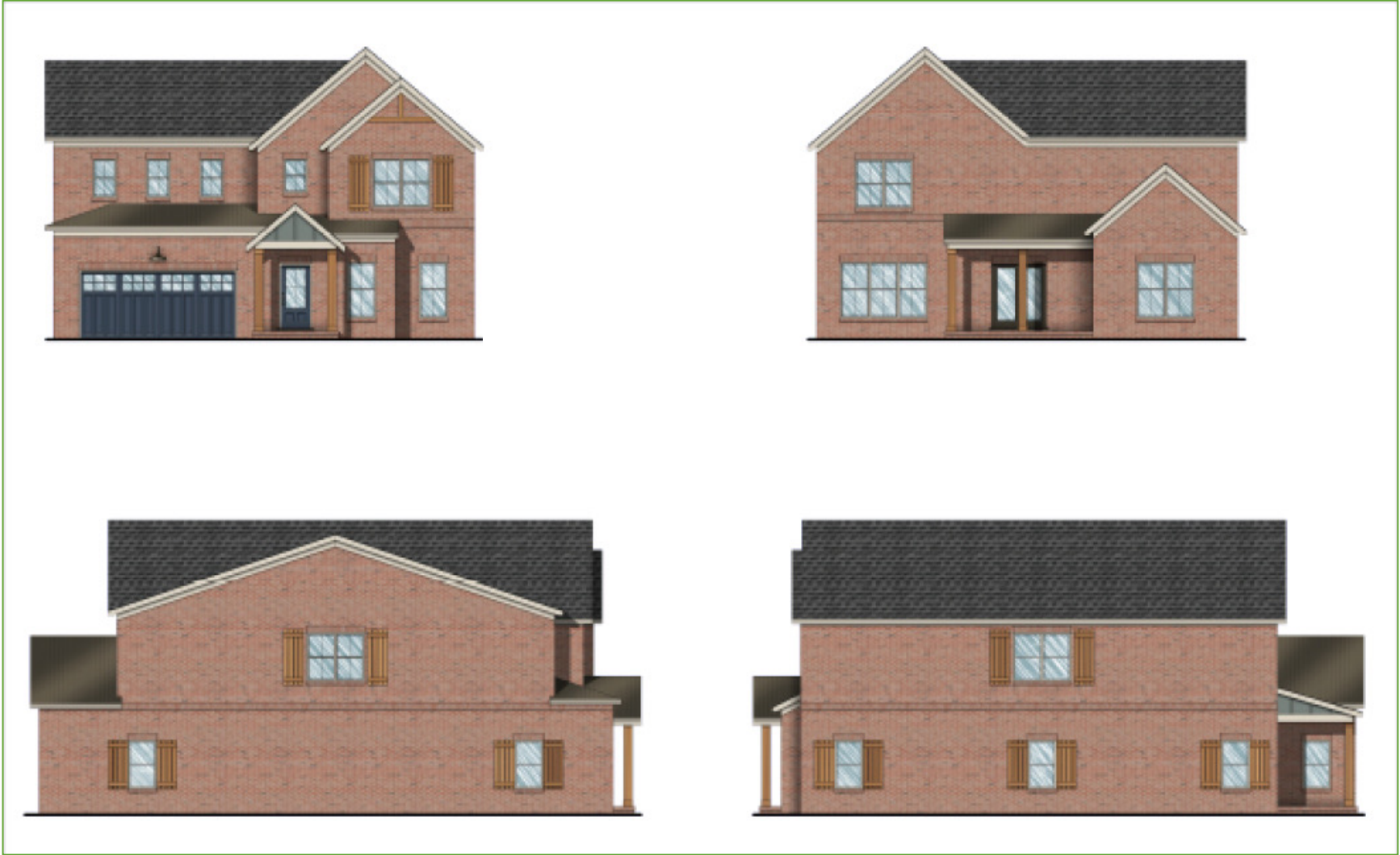
Plans Prepared By:

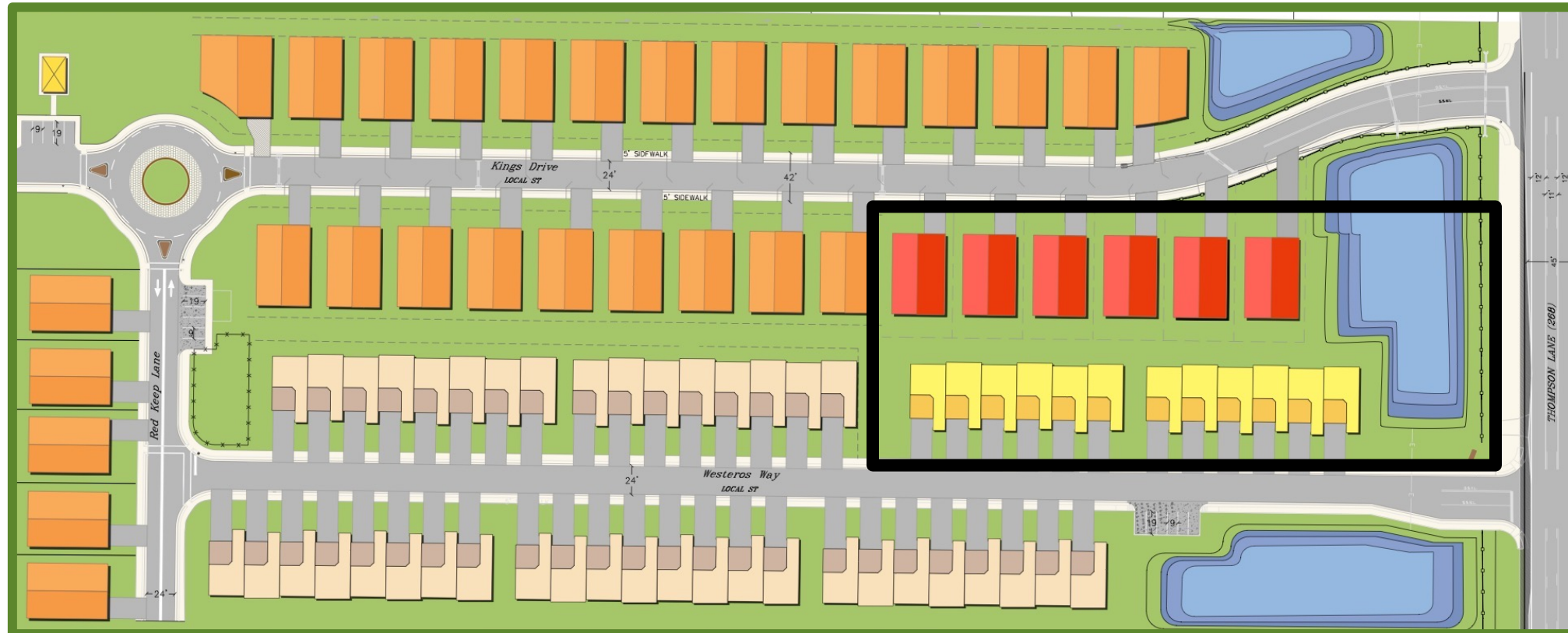




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- 1. DEVELOPMENT TEAM
- 2. PROJECT AMENDMENT SUMMARY
- 3. ZONING MAP
- 4. FUTURE LAND USE MAP
- 5. UTILITY MAP - WATER & ELECTRICITY
- 6. UTILITY MAP - SEWER
- 7. ROADWAY MAP
- 8. MAJOR THROUGHFARE PLAN
- 9. DRAINAGE & EASEMENT PLAN
- 10. SOIL & TOPOGRAPHY
- 11. EXISTING EASEMENTS & STORMWATER
- 12. AERIAL MAP
- 13. EXISTING CONDITIONS
- 14. EXISTING CONDITIONS CONT'D
- 15. SITE PLAN
- 16. ARCHITECTURAL ELEVATIONS - ATTACHED HOMES
- 17. ARCHITECTURAL ELEVATIONS - OPTION 1
- 18. ARCHITECTURAL ELEVATIONS - OPTION 2
- 19. ARCHITECTURAL ELEVATIONS - OPTION 3
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- 21. ARCHITECTURAL ELEVATIONS - OPTION 5
- 22. CONCEPTUAL LANDSCAPE PLAN
- 23. DETENTION PONDS & SIGNAGE
- 24. AMENITY PLAN
- 25. PHASING PLAN
- 26. PRD VS. BULK ZONING REQUIREMENT COMPARISON
- 27. PLANNED DEVELOPMENT CRITERIA
- 28. PLANNED DEVELOPMENT CRITERIA CONT'D





## Planning and Engineering



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

## Developer

**Black Diamond Development**  
**Att: Randy Friedsam & Kelly Wilson**  
**851 East Jefferson Pike**  
**Murfreesboro, TN, 37130**  
**Tel: 615.801.2702**  
**Mail: [randy192413@gmail.com](mailto:randy192413@gmail.com)**

## Architecture/Design

**JTaylor Designs**  
**Jamie Taylor**  
**310 Uptown Square**  
**Murfreesboro, TN, 37129**  
**Tel: 615.542.4675**  
**Mail: [jamie@jtaylor designs.net](mailto:jamie@jtaylor designs.net)**

# Project Amendment Summary

The northern portion of Murfreesboro continues to be one of the more active areas for development. The proximity to Siegel Elementary, Middle and High Schools make the location highly desirable for growing families. With the development of Tuscany and Generals Landing and now the introduction of the Kings Landing Villas this area is seeing quality new developments with a mixture of single family attached and single-family detached homes. This housing mixture broadens the home buying opportunities for a wider market of potential homeowners ranging from the first-time home buyer to the empty nester.

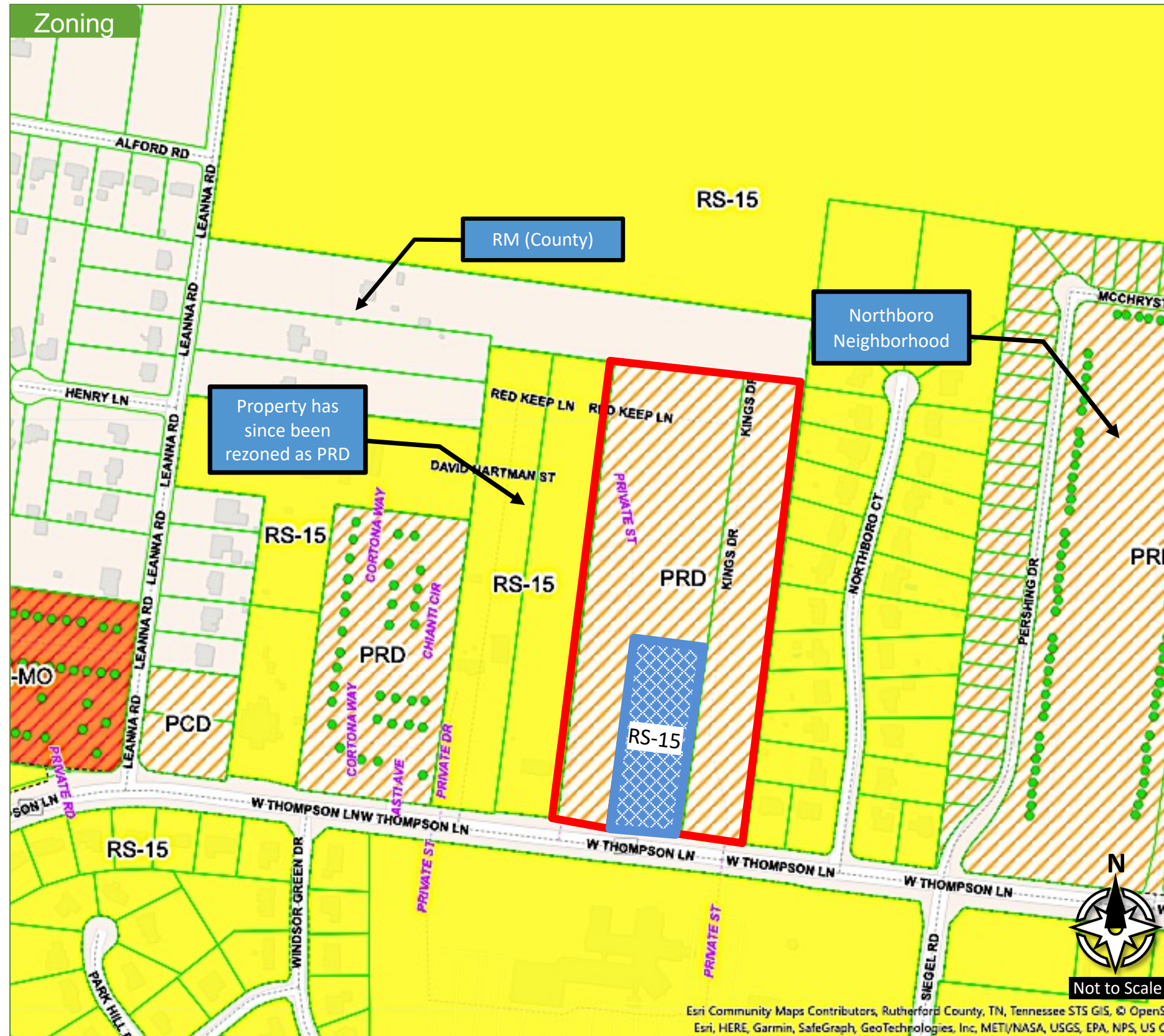
Kings Landing Villas Annex is a residential development on 2.20 acres of land with 18 homes planned. The development will be attached homes with front entry garages and nicely appointed landscaped yards and detached homes with front entry garages and a minimum of 6000 square foot lots. Annex will include the construction of 12 single family attached homes and 6 single family detached homes. Sidewalks will be constructed on both sides of the street throughout the development. Kings Landing Villas Annex will have minimum home sizes of 1600 square feet for the single-family detached homes and 1000 square feet for the single-family attached homes. The Kings Landing Villas development included the construction of a covered pavilion, mail kiosk, dog run and the associated parking.

The combined density of Kings Landing Villas and Annex development is 5.9 +/- units per acre. This density is below the maximum allowed by the sewer allocation ordinance and below the densities of the most recent developments along West Thompson Lane less than a 1/2 mile from the subject property. All common areas including amenities, open space, landscaping and stormwater facilities will be maintained by the HOA.



# Zoning Map

## - Kings Landing Villas Annex - PLANNED RESIDENTIAL DEVELOPMENT



## Summary

- The subject property is bordered by Kings Landing Villas.
- Kings Landing Villas and Kings Landing Villas Annex have a combined density of of 5.9 Units per Acre.
- The combined property is bordered by properties zoned RS-15 on the southern boundary, and PRD to the west. To the north is zoned RS-10; to the east, is zoned RS-15.
- The proposed zoning for the subject property is a Planned Residential Development (PRD) with a combination of townhouse types (HPR) and single-family detached homes.

## Legend

RS-15	Residential Single Family (RS-15)
RM	Residential Multi Family (RM)
RD	Residential Duplex (RD)
R-MO	Residential Mobile Home (R-MO)
CL	Commercial Local (CL)
CM	Commercial Medical (CM)
CP	Commercial Planned (CP)
CF	Commercial Fringe (CF)
CH	Commercial Highway (CH)
PCD	Planned Commercial Development (PCD)
PRD	Planned Residential Development (PRD)



# Future Land Use Plan

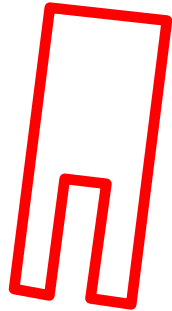


## Summary

- The Future Land Use map classifies this lot as an Auto-Urban Residential. The proposed development is consistent with the recommendation of the Land Use Plan in that it allows for the combination of both single-family detached and single-family attached homes with a density range between 4.0 to 12 units per acre.

## Legend

AUR	Auto-Urban Residential
PI	Public/Private/Institution
SR	Suburban Residential
MF	Multi-Family Residential



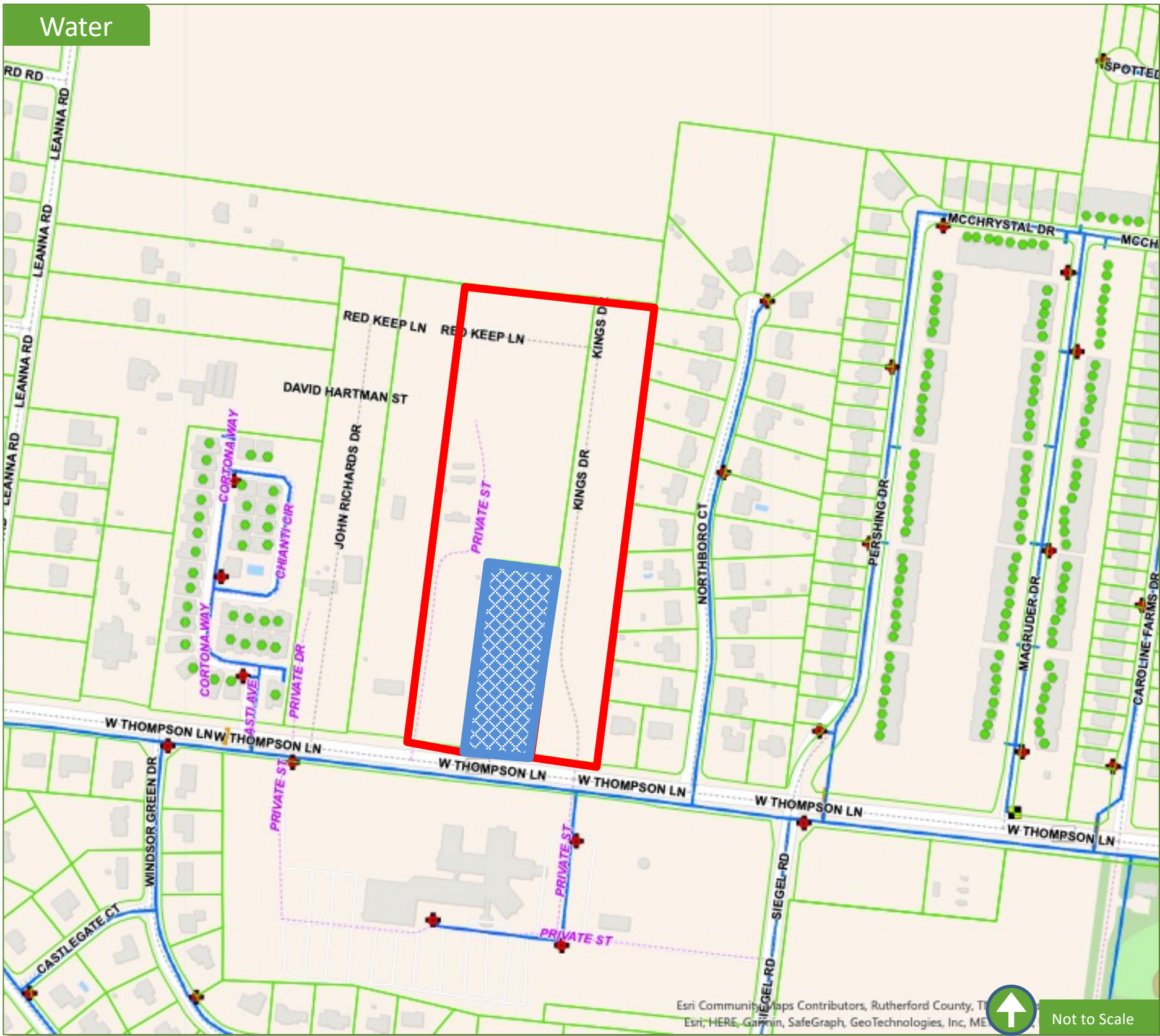
Kings Landing Villas



Annex



# Utility Map - Water, Electricity



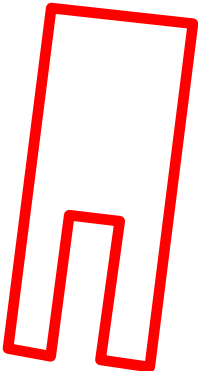
## Map Summary

- Water services will be provided by the Murfreesboro Water Resources Department.
- Electricity will be supplied by Middle Tennessee Electric (MTE).
- Natural Gas will be supplied by Atmos Energy.
- This property requires no sewer allocation variance.

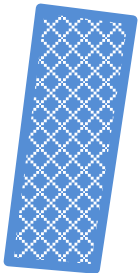
## Legend



WATERLINE:   
FIRE HYDRANT: 



Kings Landing Villas



Annex



# Utility Map - Sewer





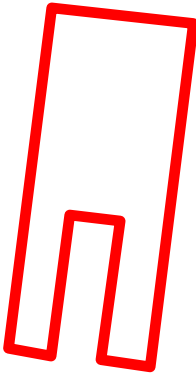
## Map Summary

- The developer has communicated with Murfreesboro Water Resources to confirm sewer capacity. The density proposed is under the 7 units per acre allocation as stated in the “Sewer Allocation Ordinance”.

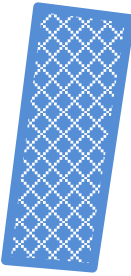
## Legend



Existing Sanitary Sewer:   
Existing Manhole: 



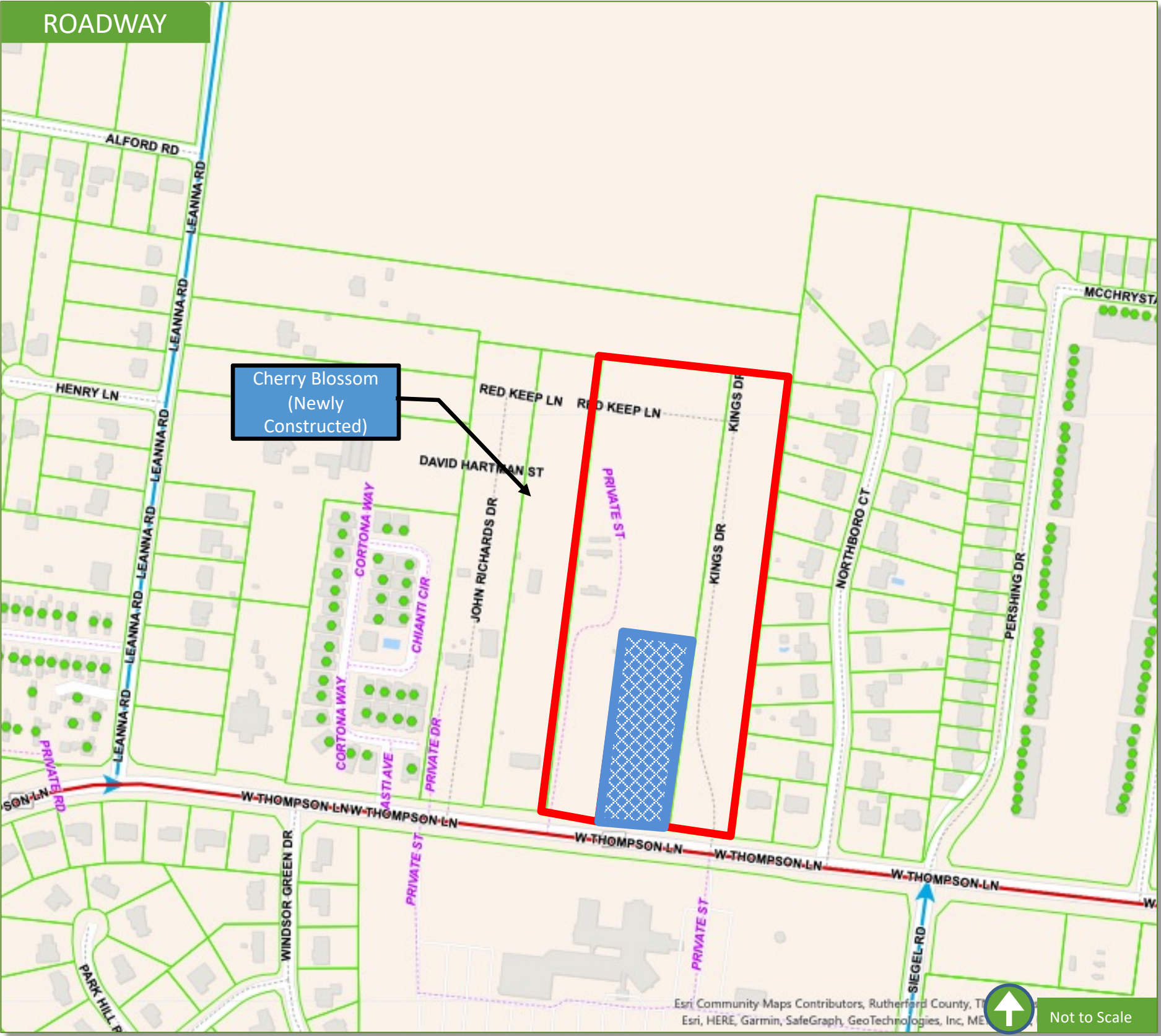
Kings Landing Villas



Annex



# Roadway Map

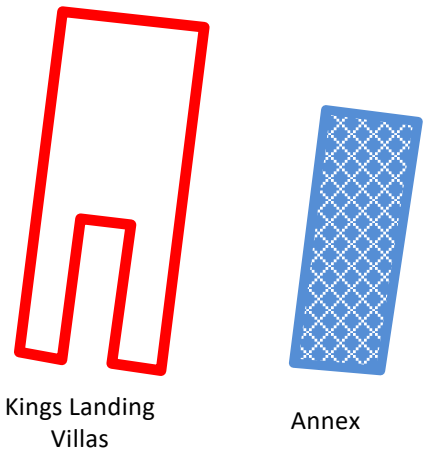


## Map Summary

- The site will be primarily accessed from West Thompson Lane.
- The site will have interconnectivity on Kings Drive, Red Keep Lane and Westeros Way.

## Legend

- Community Collector ———
- Major Arterial ———





# Major Thoroughfare Plan

## Kings Landing Villas Annex PLANNED RESIDENTIAL DEVELOPMENT

### ROADWAY



### Map Summary

West Thompson Lane will be expanded to a five-lane road section and the subject property will be dedicating R.O.W. for the expansion. The interior road systems will be public streets with a 42' R.O.W.. One roundabout will be designed into the street network to reduce the speed within the neighborhood.

### Legend

5 Lane Roadway

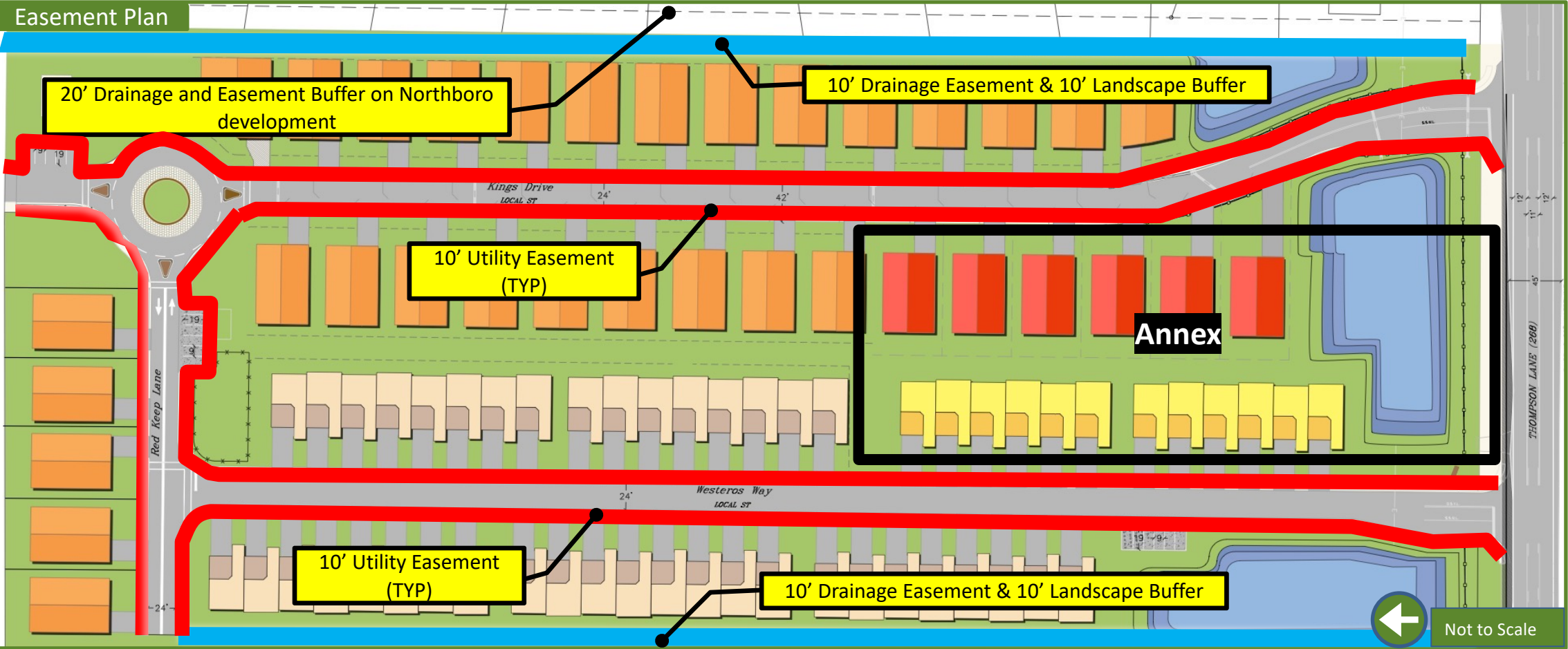


Kings Landing Villas

Annex



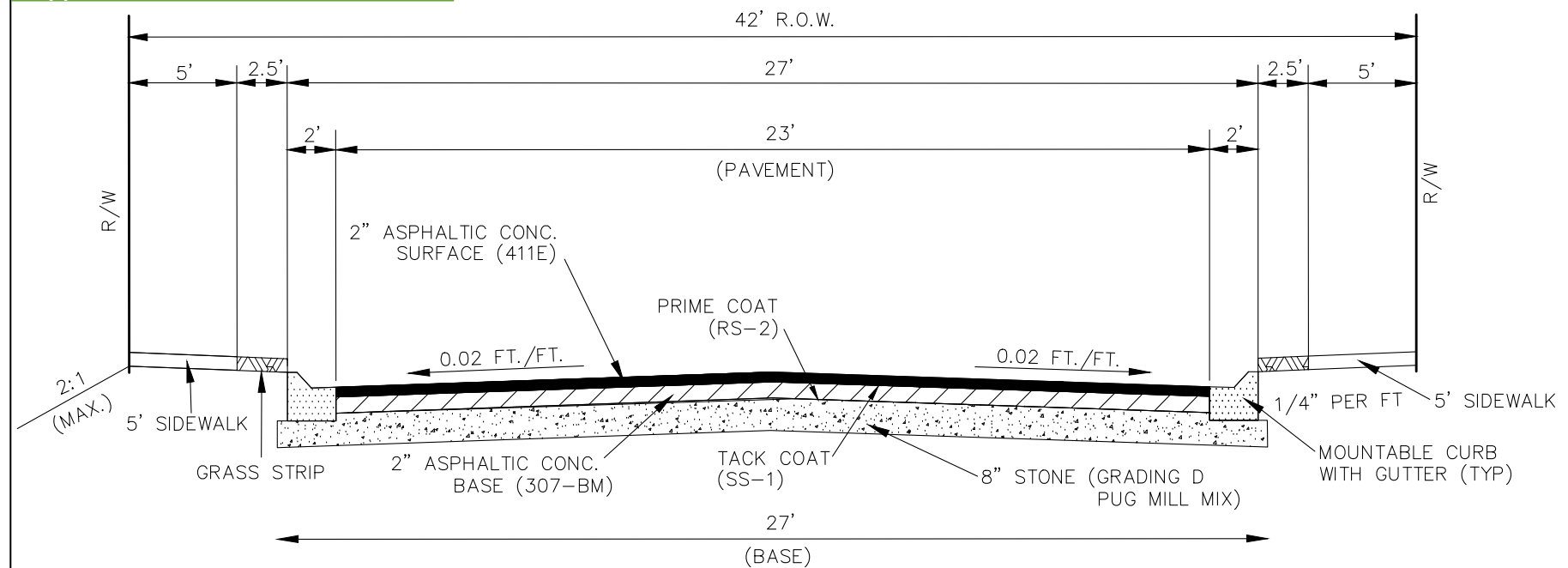
# Drainage & Easement Plan



## Map Summary

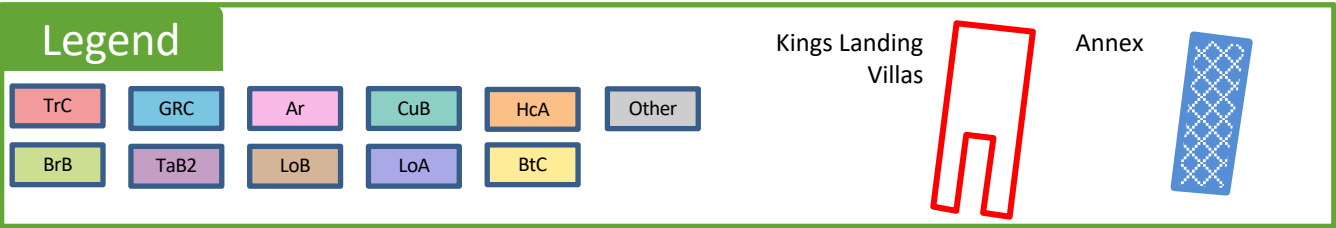
- Map shows all existing easements approved for Initial Kings Landing Villas Rezoning application.
- No new easements are currently affecting or required by subject property Annex.

## Typical Street Cross Section



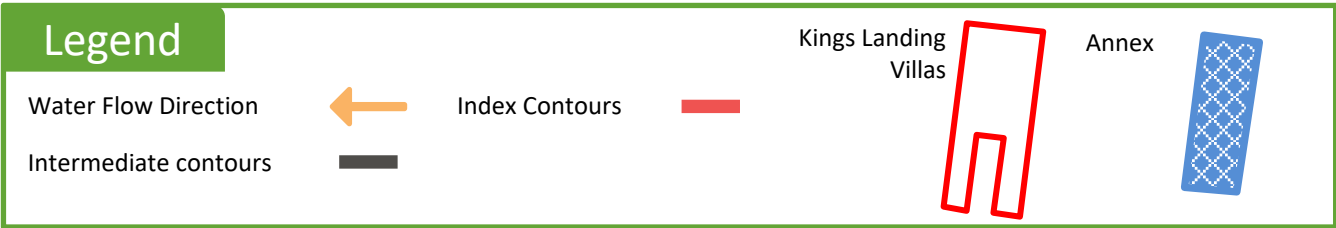
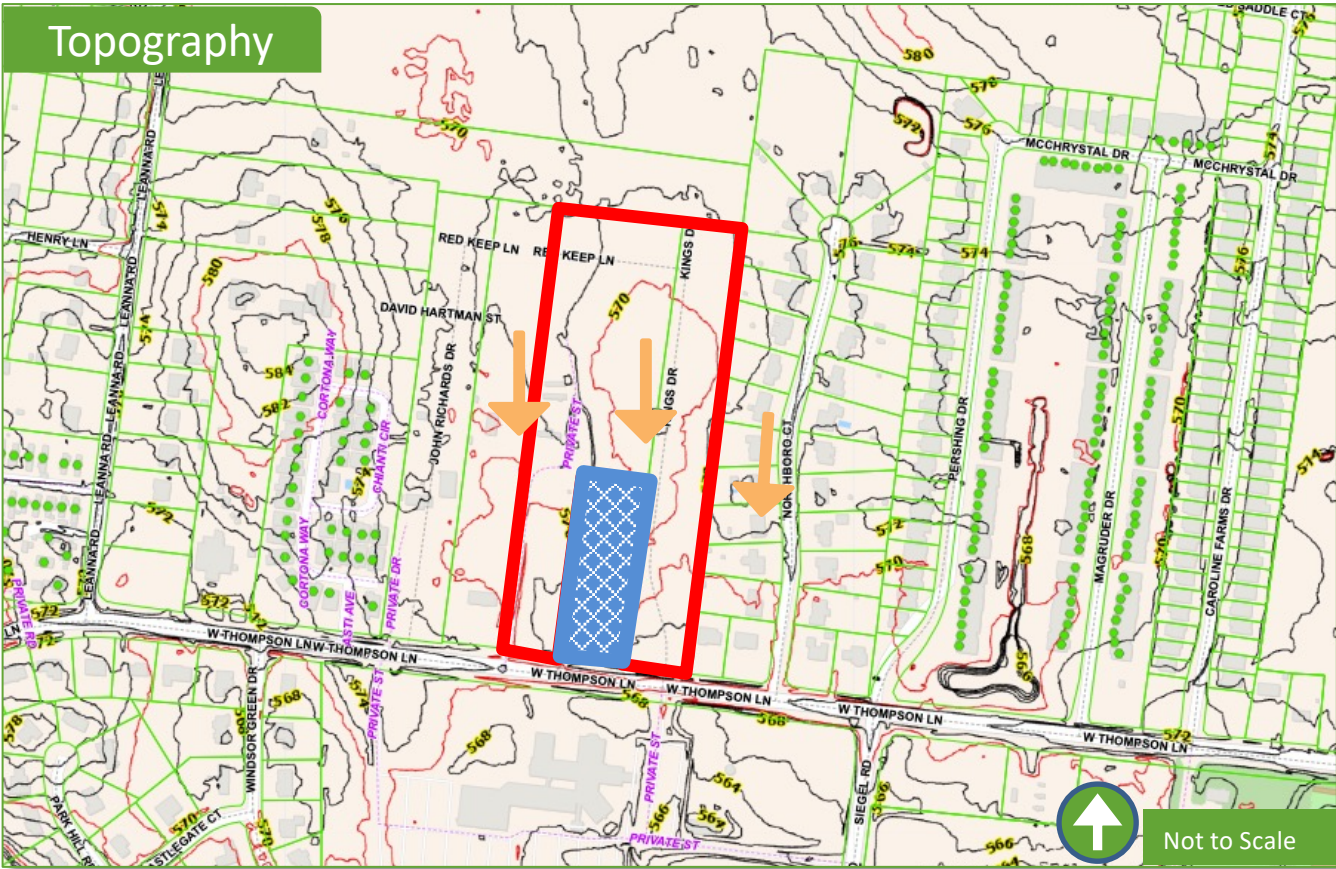


# Soils & Topography



Map Summary

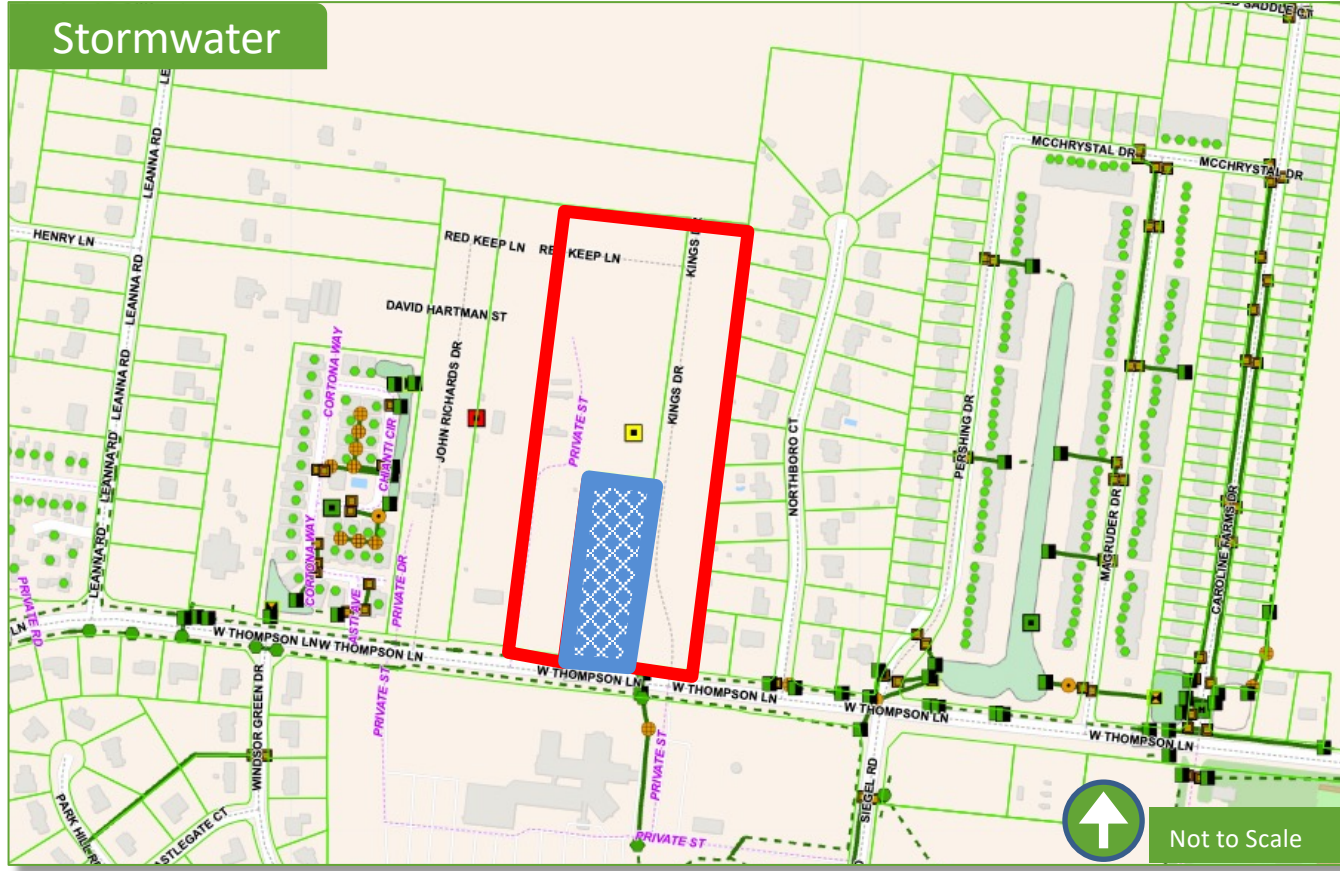
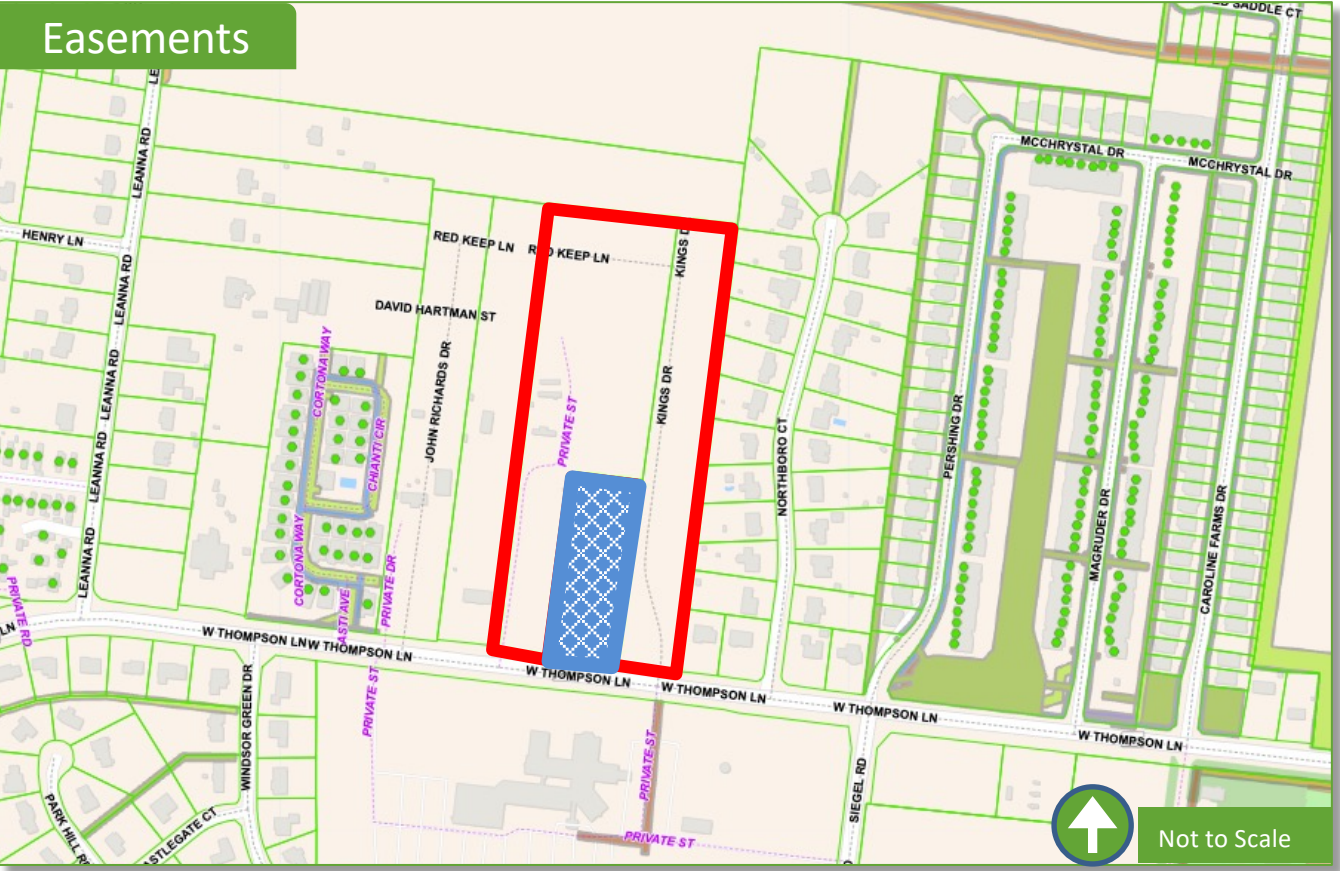
- See map above



Map Summary

The site drains to the south towards West Thompson Lane. Four feet of grade change exists across the whole site. The proposed residential lots will drain to the street on the front and along three drainage easements in the rear. The site will drain to three detention ponds on the south of the development and will drain under Thompson Lane and eventually into Hooper Bottom.





Legend

Water		Water & Sewer	
Public Utility		Drainage	

Kings Landing Villas

Annex

Legend

Collection Box		Open Channel	
Collector		Culvert	

Kings Landing Villas

Annex

Map Summary

No easements will be required or affected by the Annex development.

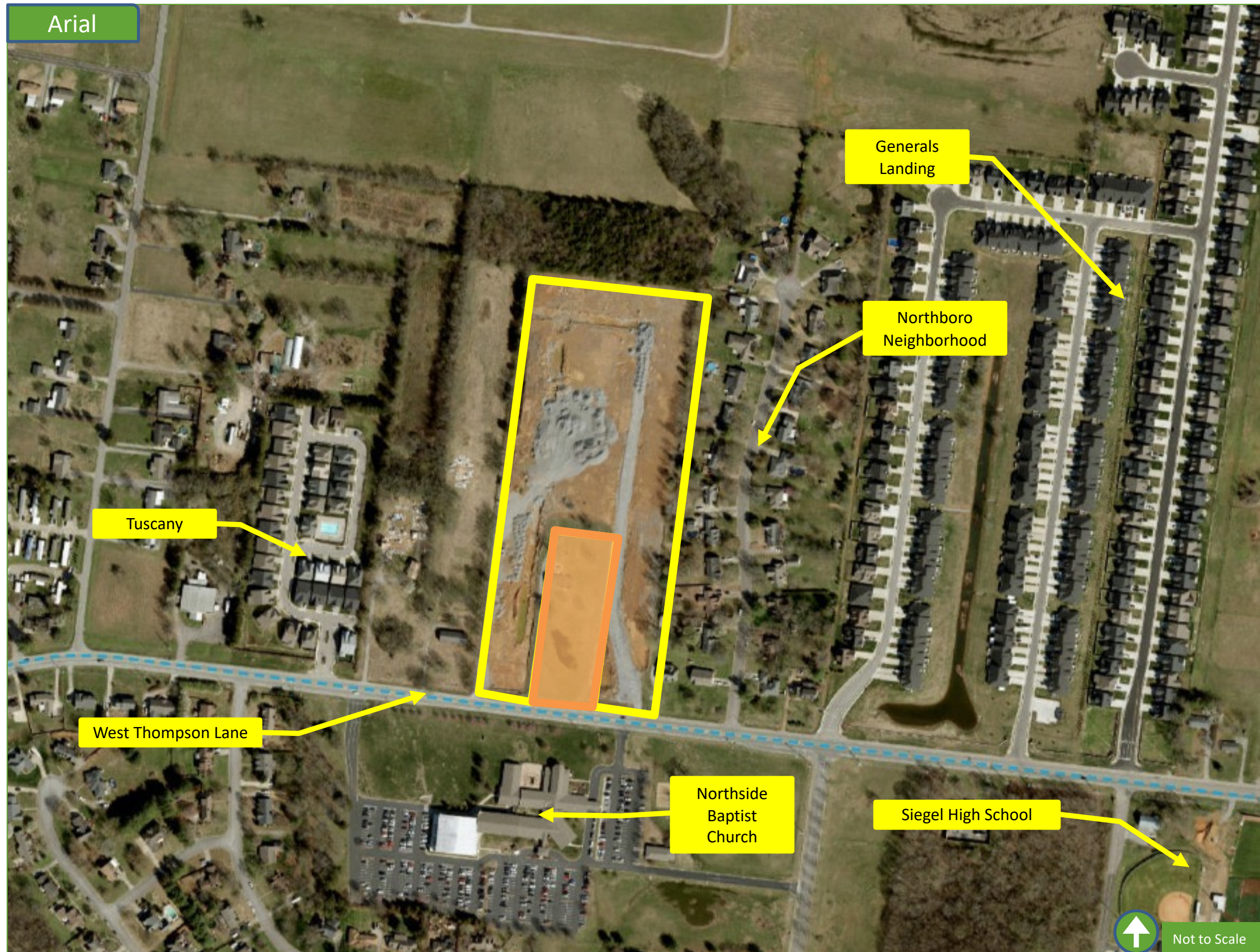
Map Summary

Both Kings Landing Villas and Annex will drain into three detention ponds at the southern portion of the property along West Thompson Lane.



# Aerial Map

## Kings Landing Villas Annex PLANNED RESIDENTIAL DEVELOPMENT



### Map Summary

- The Annex development shown in orange will be consistent with the already approved Kings Landing Villas development.
- Single family detached homes will border the eastern property line of the Northboro neighborhood. In Annex, the single family detached homes will be adjacent to those approved in Kings Landing Villas PRD.
- A new development (Cherry Blossom Downs) is under construction along the western property line of the Kings Landing Villas development.
- The area to the north is existing vegetation and pastureland.



# Existing Conditions





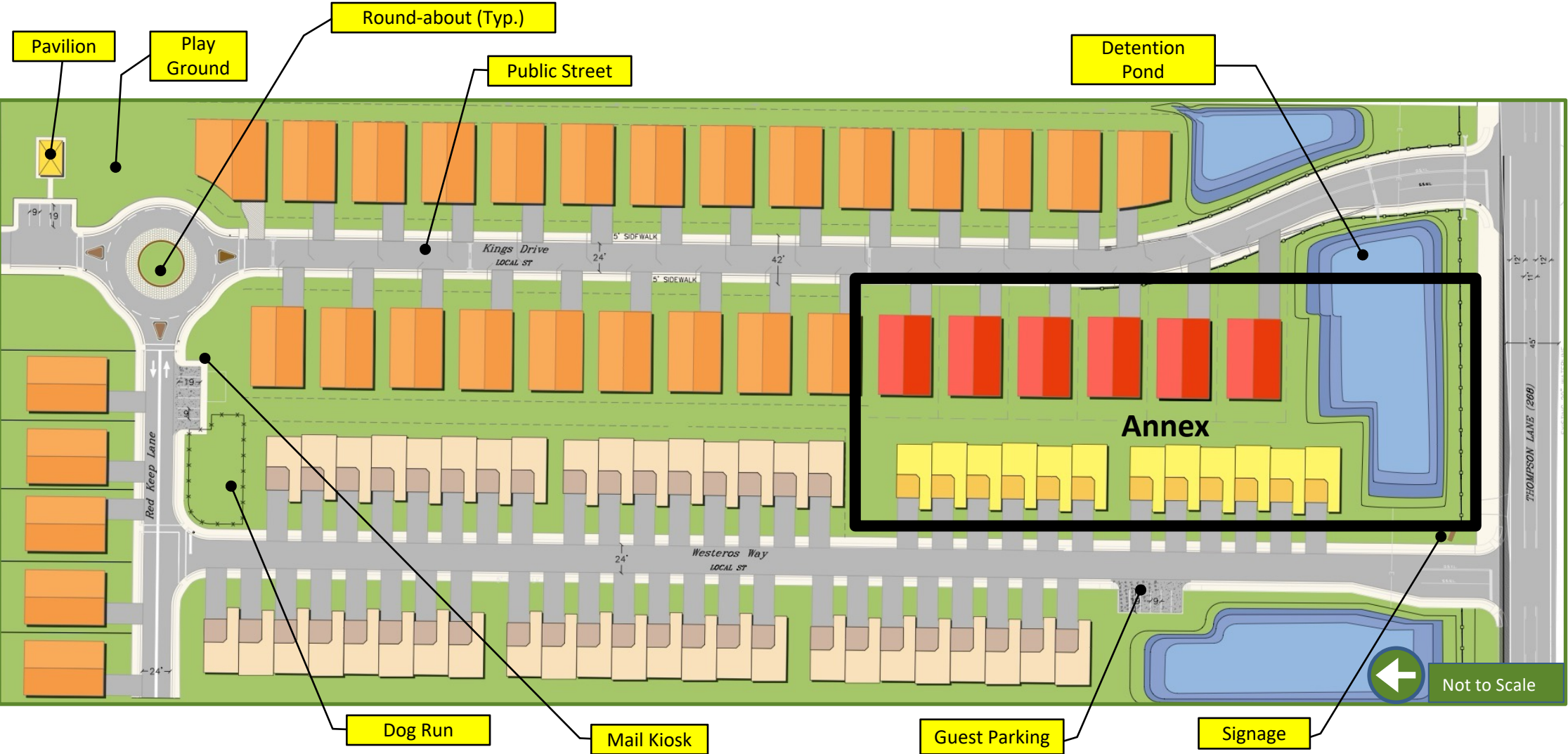
# Existing Conditions Cont'd





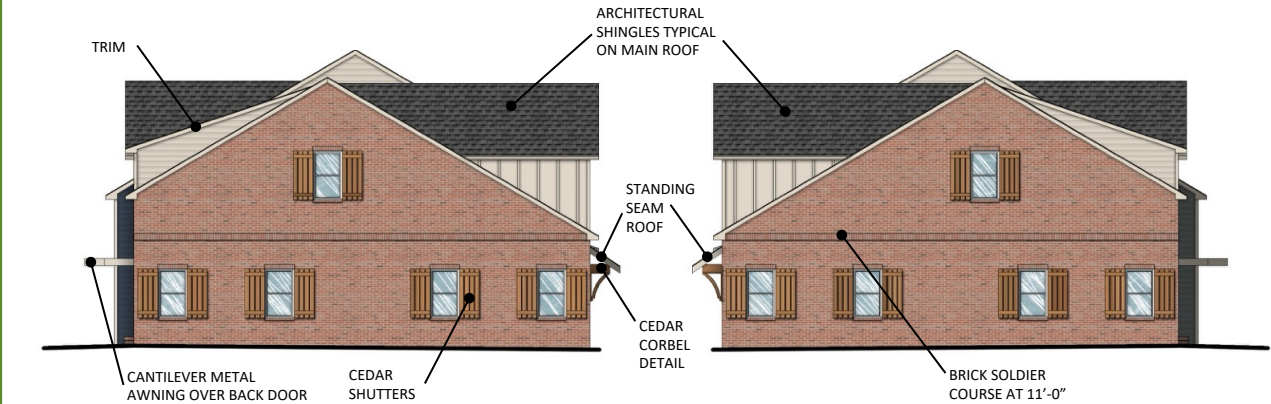
Site Plan

Kings Landing Villas Annex  
PLANNED RESIDENTIAL DEVELOPMENT



Site Data	Single Family Detached	Single Family Attached	
Total Area	2.2+/- Acres		
Density	8.18 +/- Units per Acre		
Proposed Dwelling Units	6	12 total - (4) 2-bed & (8) 3-bed	
Dwelling Unit Size (not including garages)	1600 SF Min.	1000 SF Min.	
Bedrooms	3	2	3
Parking required	24	8.8	26.4
Parking provided (Garage)	12	8	16
Parking provided (Surface)	24	16	32
Setbacks			
Front Setbacks	25' to Building 35' to Garage	25' to Building 35' to Garage	
Rear Setbacks	20'	20'	
Side Setbacks	7.5'	7.5'	
<ul style="list-style-type: none"><li>Attached Dwelling units will be divided into 2 clusters of 6.</li><li>The maximum cluster length should not exceed 192 feet.</li><li>Attached Dwelling Units Horizontal Property Regime Ownership w/City Services and Trash Pick-up.</li><li>Common Areas will be maintained by an HOA.</li></ul>			

# Architectural Elevations - Attached Homes

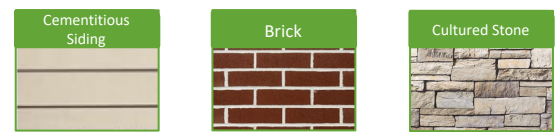


## COLOR SCHEME

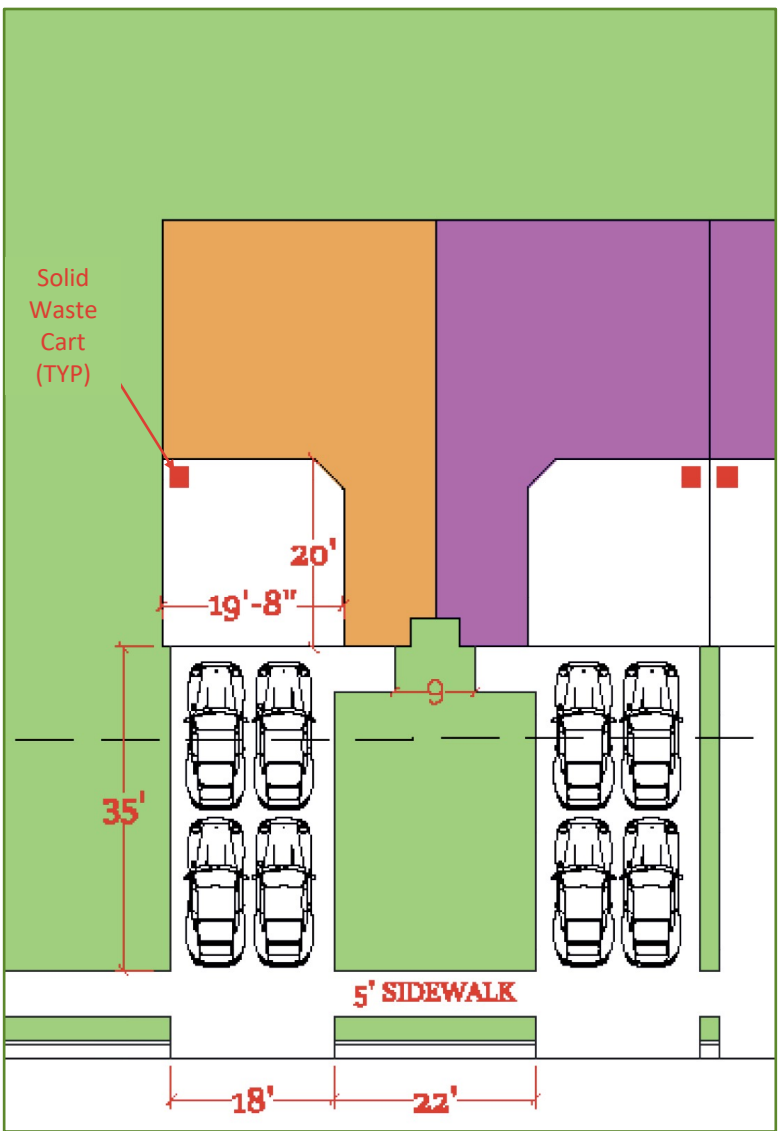
- COLOR 1 - "ACACIA HAZE"
- COLOR 2 - "SLEEPY HOLLOW"
- COLOR 3 - "ENDLESS SEA"
- COLOR 4 - "CHINA DOLL"
- COLOR 5 - "ELEPHANT EAR"

## Building Elevations Materials

Front Elevation:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Side Elevations:	All Masonry Materials (Brick, Fiber Cement Board, trim etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)

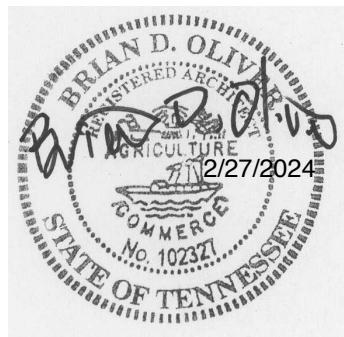


\*Different colors, cuts and patterns will be allowed



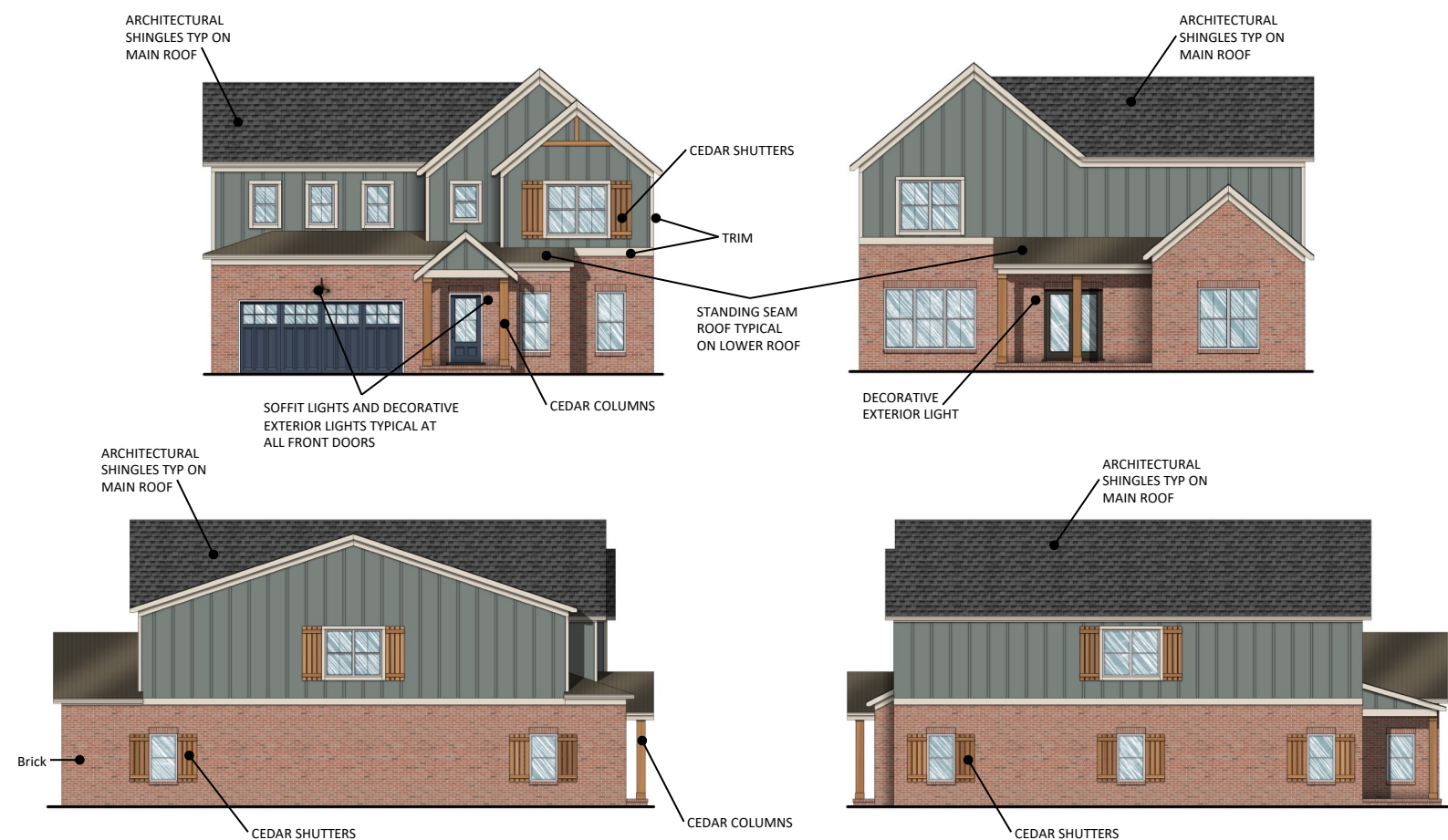
## ARCHITECTURAL CHARACTERISTICS

- The proposed homes have a mixture of the following materials: Brick cultured stone, Hardie board type cementitious siding, using lap and board & batten design. All trim board to be cementitious board as well.
- Roofs range in height from 11' to 30' feet giving building a varied visual height.
- All homes to have 2 Car garages and driveways that can park 4 Cars.
- The max building height should not exceed 35'
- Solid waste containers are to be stored in Garages
- 25' Front building setback, garage must maintain 35' Setback.





# Architectural Elevations - Option 1

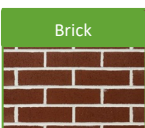
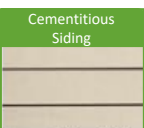


## COLOR SCHEME

- COLOR 1 - "ACACIA HAZE"
- COLOR 2 - "SLEEPY HOLLOW"
- COLOR 3 - "ENDLESS SEA"
- COLOR 4 - "CHINA DOLL"
- COLOR 5 - "ELEPHANT EAR"

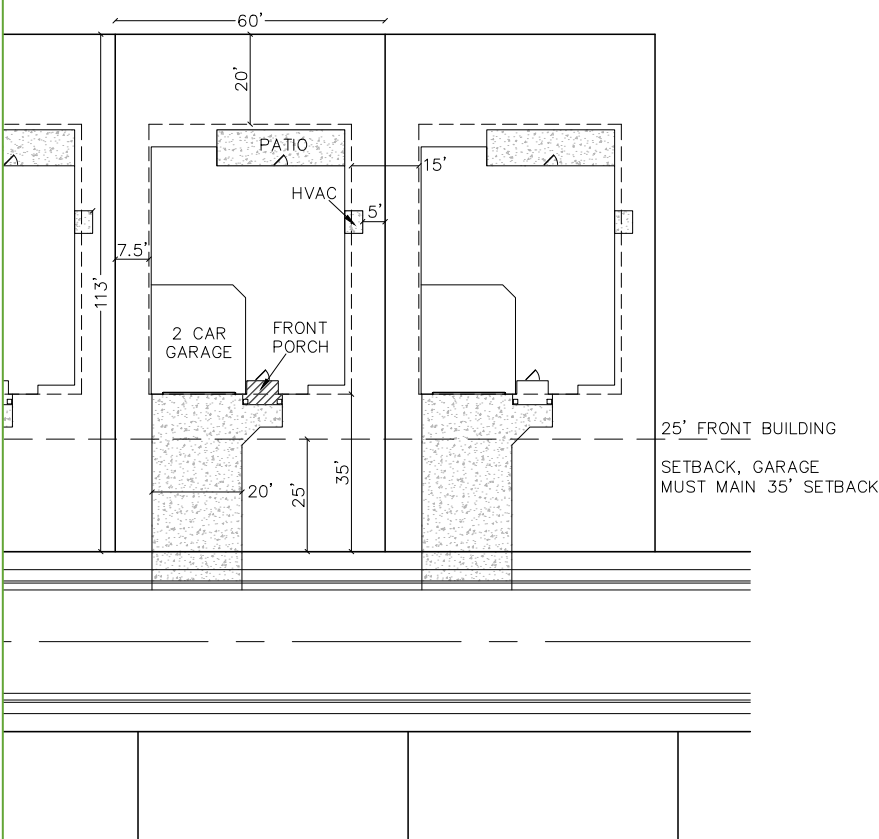
## Building Elevations Materials

Front Elevation:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Side Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)



\*Different colors, cuts and patterns will be allowed

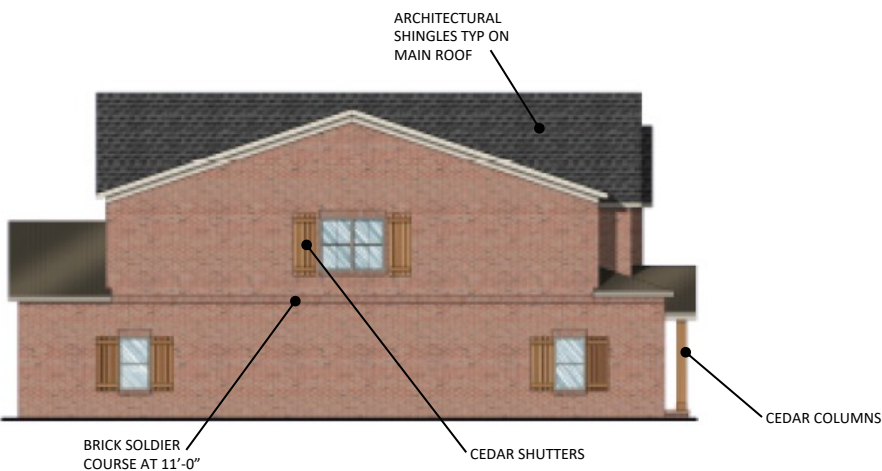
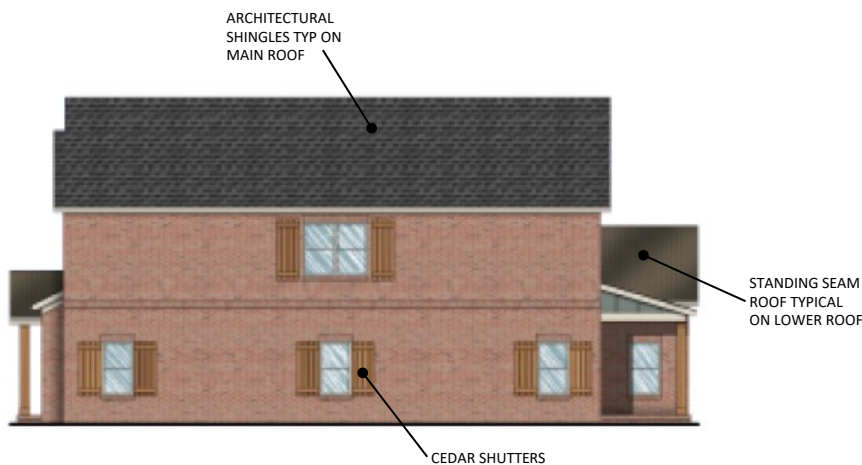
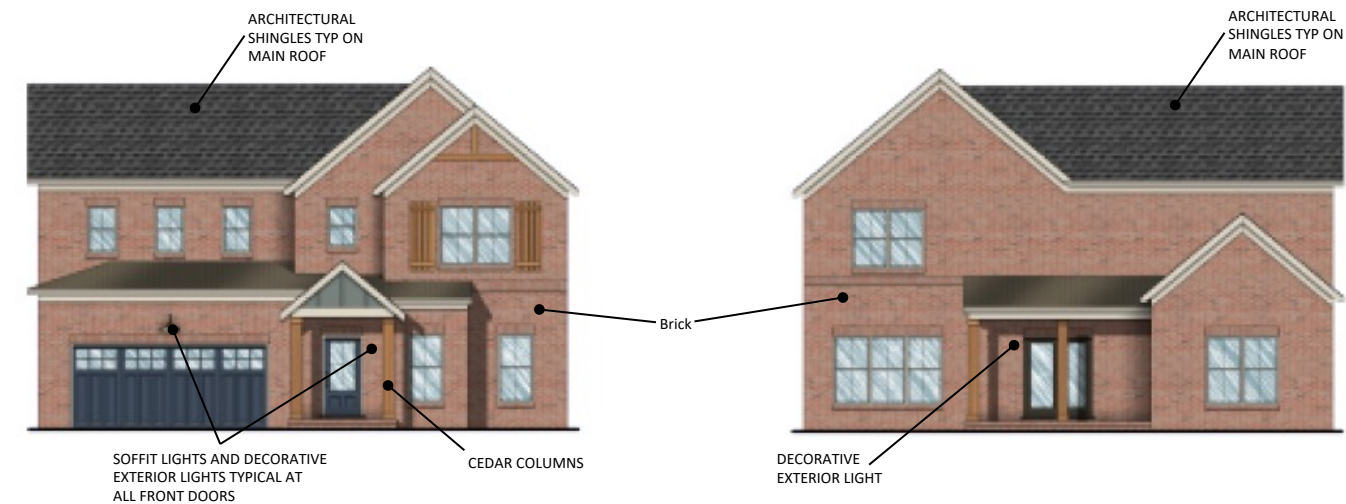
## Building Setbacks



## ARCHITECTURAL CHARACTERISTICS

- The proposed homes are of craftsman style with slightly more contemporary detailing. The primary building material will be cementitious siding with a combination of lap siding and board and batten design.
- The water table of the homes will be a complimentary brick defining the base of the homes.
- The homes will have a stoop style front porch, carriage house garage doors and windows with simple grids.
- The roof pitches are primary gables with a hip roof over the garage. Shutters will be applied to various windows to add detail.
- Roofs range in height from 11' to 30' feet giving the building a varied visual height.
- All homes to have 2 Car garages and driveways that can park 4 Cars.
- The max building height should not exceed 35'
- Solid waste containers are to be stored in Garages
- Minimum lot size 6000 SF, Minimum lot width 60' & Minimum Lot Depth 113'

# Architectural Elevations - Option 2

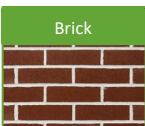
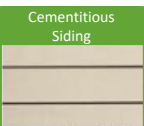


## COLOR SCHEME

- COLOR 1 - "ACACIA HAZE"
- COLOR 2 - "SLEEPY HOLLOW"
- COLOR 3 - "ENDLESS SEA"
- COLOR 4 - "CHINA DOLL"
- COLOR 5 - "ELEPHANT EAR"

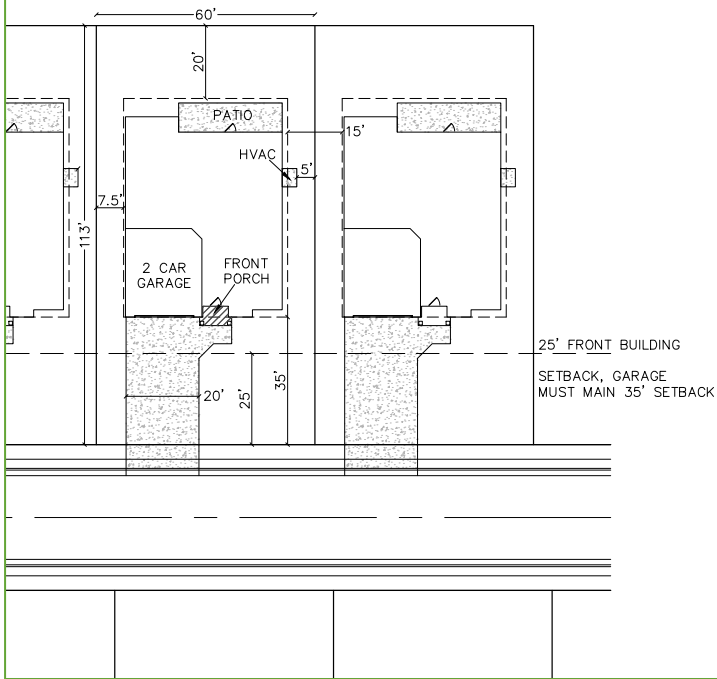
## Building Elevations Materials

Front Elevation:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Side Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)



\*Different colors, cuts and patterns will be allowed

## Building Setbacks



## ARCHITECTURAL CHARACTERISTICS

- The proposed homes are of craftsman style with slightly more contemporary detailing. The primary building material will be cementitious siding with a combination of lap siding and board and batten design.
- The water table of the homes will be a complimentary brick defining the base of the homes.
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- Solid waste containers are to be stored in Garages.



# Architectural Elevations - Option 3

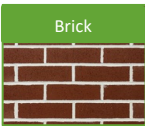
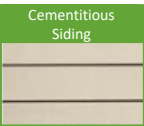


### COLOR SCHEME

- COLOR 1 - "ACACIA HAZE"
- COLOR 2 - "SLEEPY HOLLOW"
- COLOR 3 - "ENDLESS SEA"
- COLOR 4 - "CHINA DOLL"
- COLOR 5 - "ELEPHANT EAR"

### Building Elevations Materials

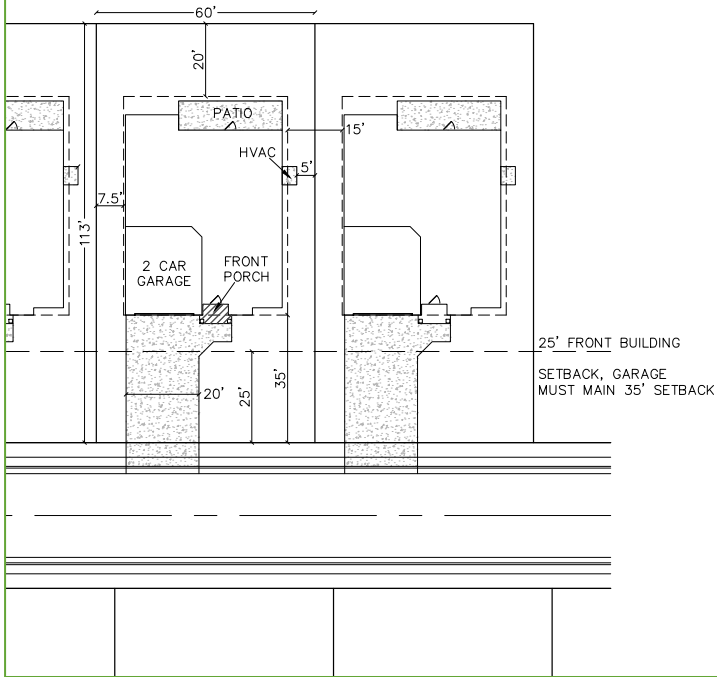
Front Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Side Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)



\*Different colors, cuts and patterns will be allowed



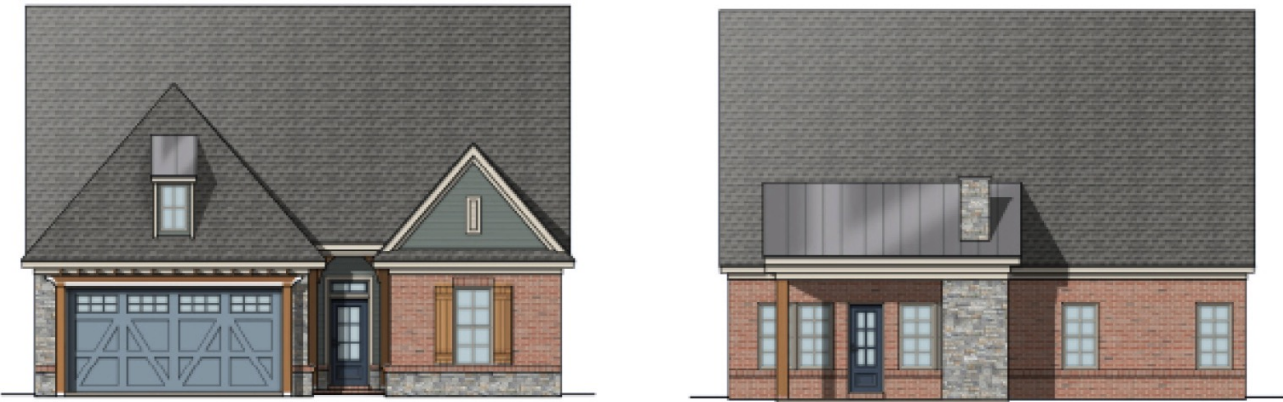
### Building Setbacks



### ARCHITECTURAL CHARACTERISTICS

- The proposed homes are of craftsman style with slightly more contemporary detailing. The primary building material will be cementitious siding with a combination of lap siding and board and batten design.
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# Architectural Elevations - Option 4

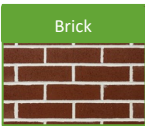
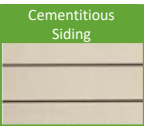


### COLOR SCHEME

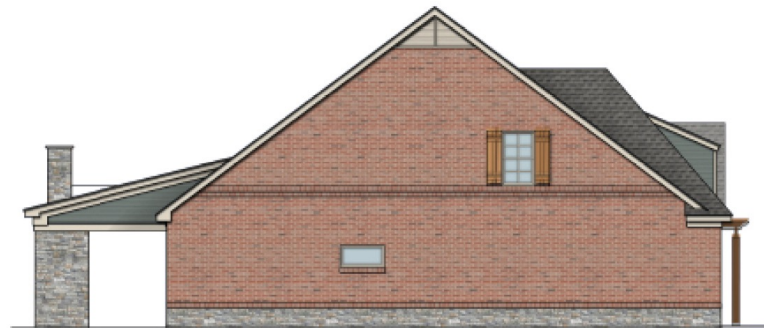
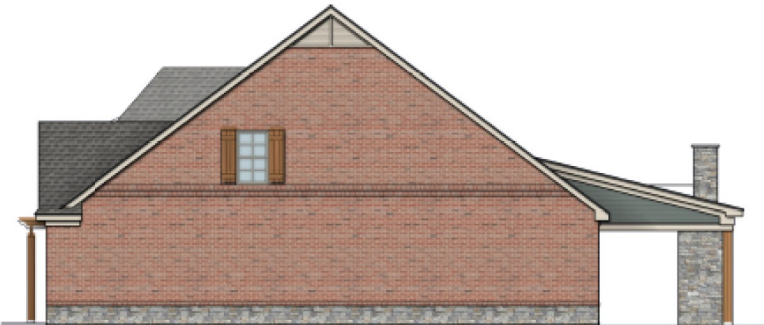
- COLOR 1 - "ACACIA HAZE"
- COLOR 2 - "SLEEPY HOLLOW"
- COLOR 3 - "ENDLESS SEA"
- COLOR 4 - "CHINA DOLL"
- COLOR 5 - "ELEPHANT EAR"

### Building Elevations Materials

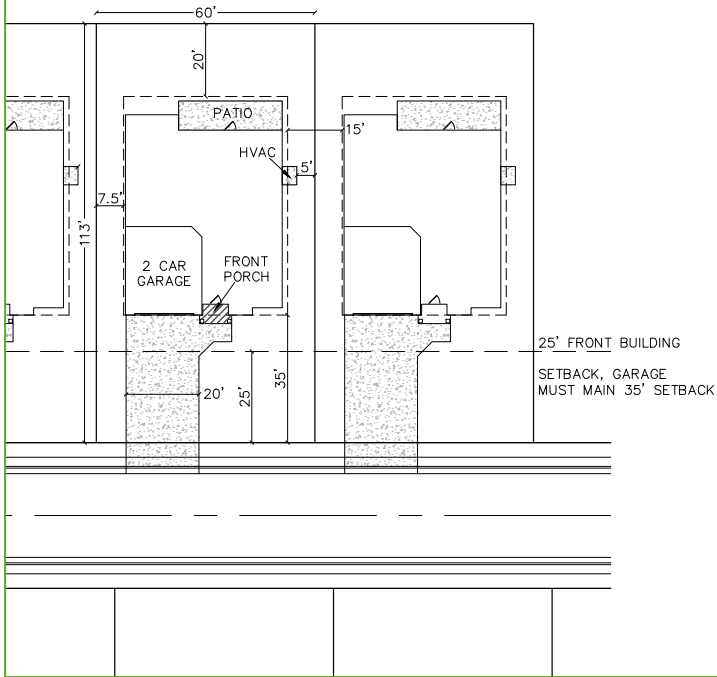
Front Elevation:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Side Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)



\*Different colors, cuts and patterns will be allowed



### Building Setbacks



### ARCHITECTURAL CHARACTERISTICS

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- Solid waste containers are to be stored in Garages



# Architectural Elevations - Option 5

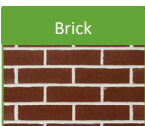
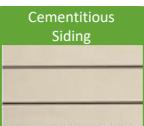


### COLOR SCHEME

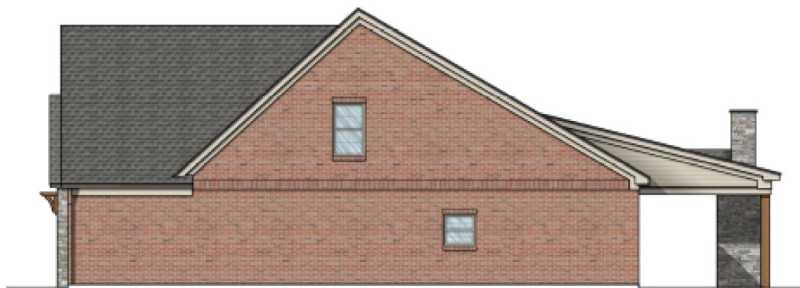
- COLOR 1 - "ACACIA HAZE"
- COLOR 2 - "SLEEPY HOLLOW"
- COLOR 3 - "ENDLESS SEA"
- COLOR 4 - "CHINA DOLL"
- COLOR 5 - "ELEPHANT EAR"

### Building Elevations Materials

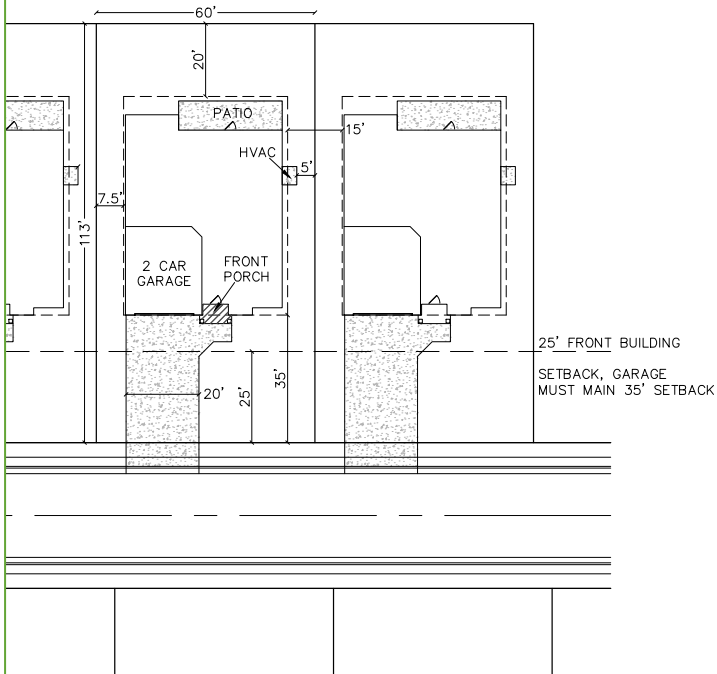
Front Elevation:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Side Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, trim etc)



\*Different colors, cuts and patterns will be allowed



### Building Setbacks



### ARCHITECTURAL CHARACTERISTICS

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- Roofs range in height from 11' to 30' feet.
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- The max building height should not exceed 35'
- Solid waste containers are to be stored in Garages



# Conceptual Landscape Plan



## Summary

- The Annex landscape is focused on screening the proposed detention pond.
- The landscaping is designed to provide screening from West Thompson Lane.
- Location of the street trees shall be coordinated with the location of utility lines and appurtenances to minimize potential conflict.
- All street tree installation shall be done in accordance with the current City of Murfreesboro Tree Management Ordinance.
- Developer is responsible for establishment and maintenance of street trees.
- Street trees shall be installed by the developer or builder at the time that 75% of a projects lots are developed and granted certificates of occupancy. If a project is phased, then street trees shall be installed at the completion of 75% of phase one.

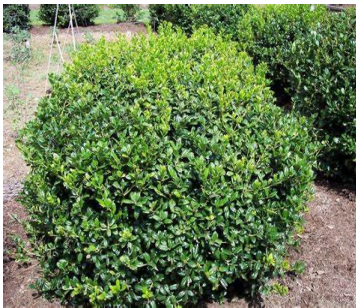
## Detention Pond Screening Plant Types



Tulip Poplar



Magnolia



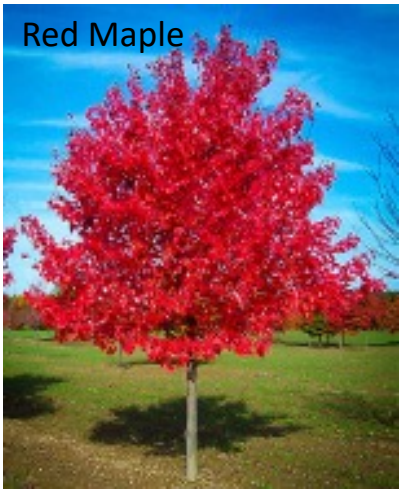
Burford Holly



Weigela



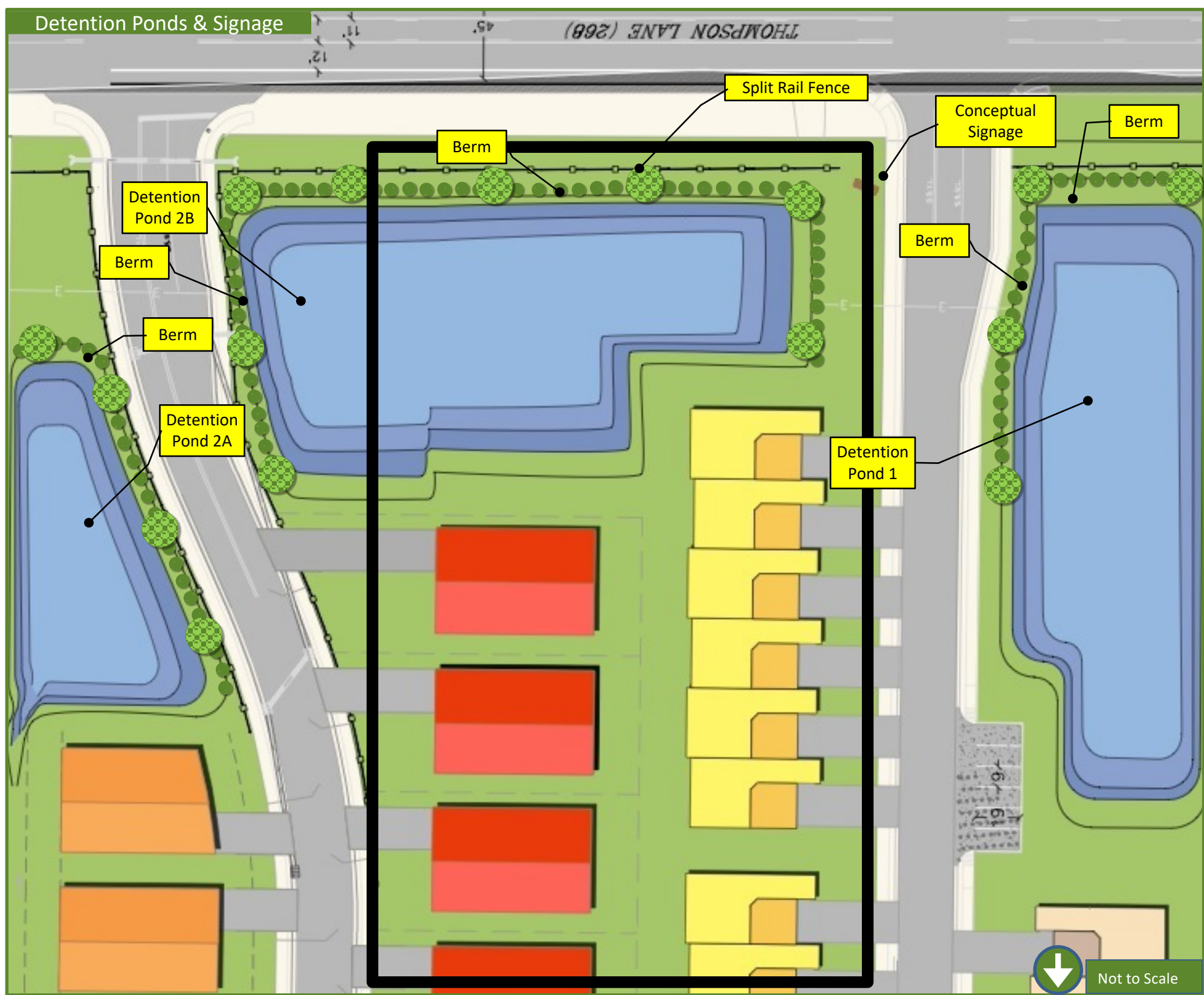
Willow Oak



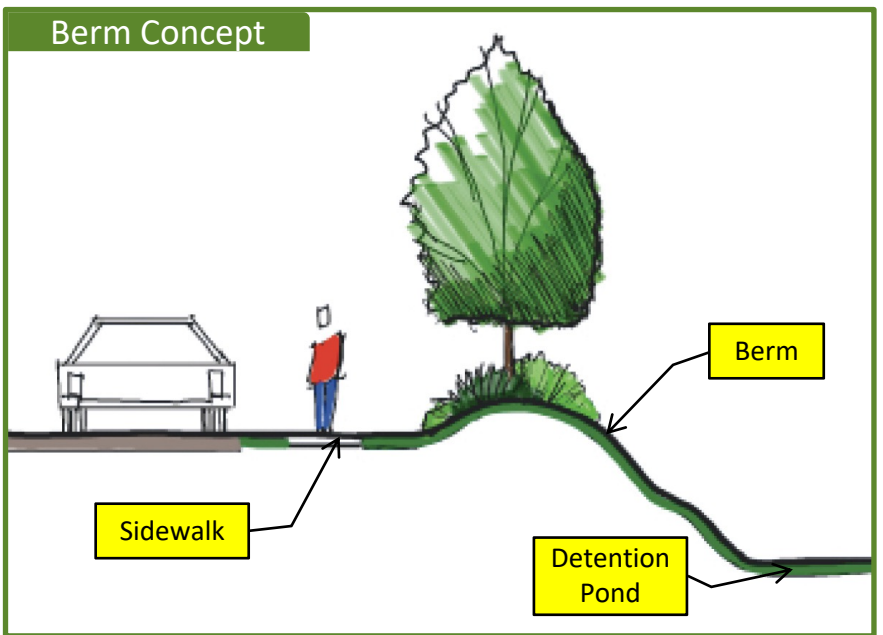
Red Maple



# Detention Ponds & Signage



- Summary
- The detention ponds are designed with soft curves to create a more natural look. The ponds will have enhanced landscaping and berms to add to their visual qualities.
  - Decorative sign wall to be a combination of stone veneer, brick and precast stone sign.
  - Decorative Landscaping with split rail fence along West Thompson Lane. A double row of shrubs and annual color will be planted.





# Amenity Plan



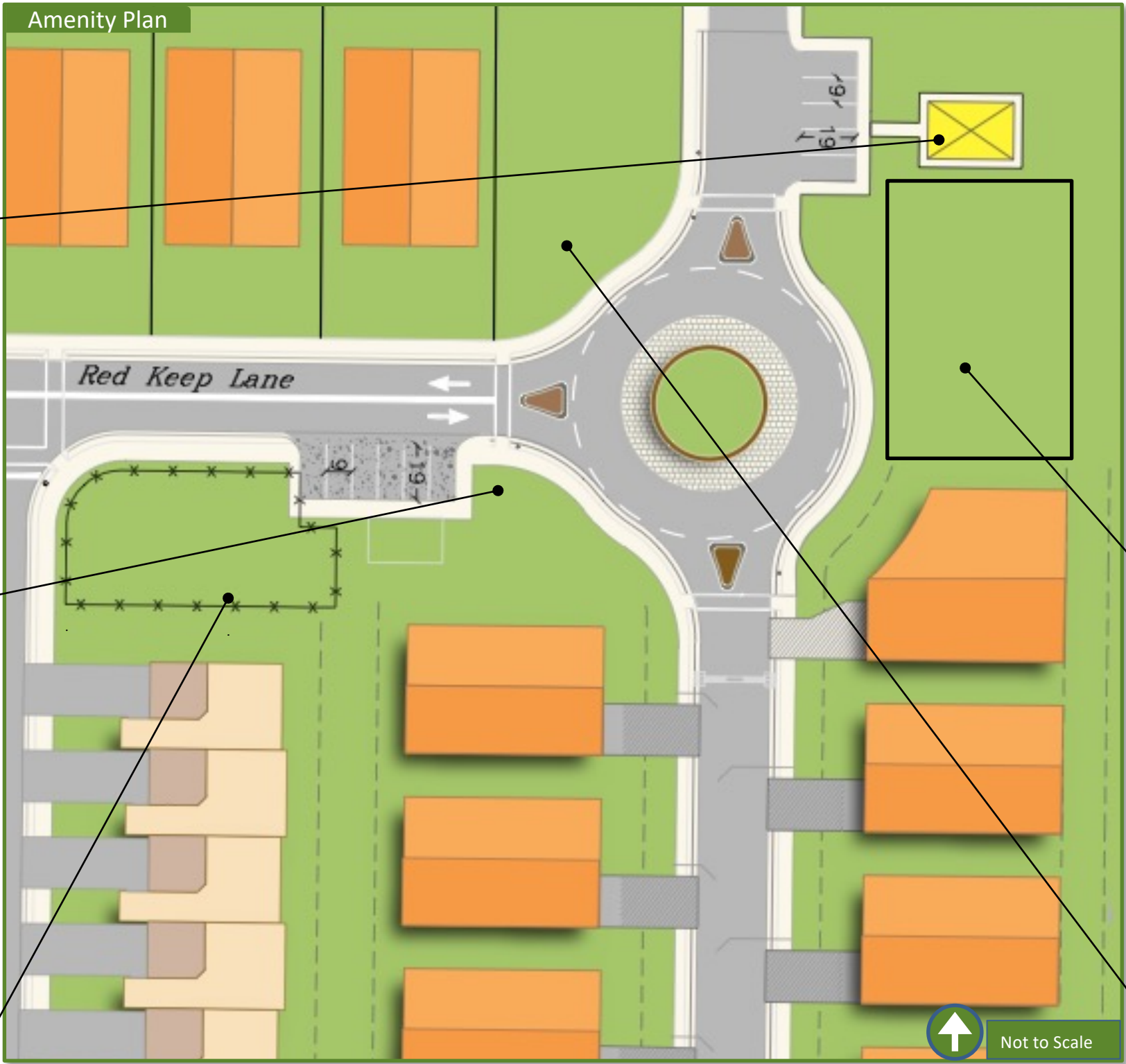
Pavilion



Mail Kiosk



Dog Area



## Summary

- Kings Landing has 3.32 acres of total open space of which .73 acres is committed to formal open space. The formal open spaces consists of an event lawn, playground, pavilion and mulch walking trail with benches.
- Twelve parking spaces are allocated for the open area and will also serve as parking for the mail kiosk and dog run. Six more shared parking spaces have been added to the southern portion of the site.
- The amenity area shown will be utilized by the homeowners in the Annex development.



Playground

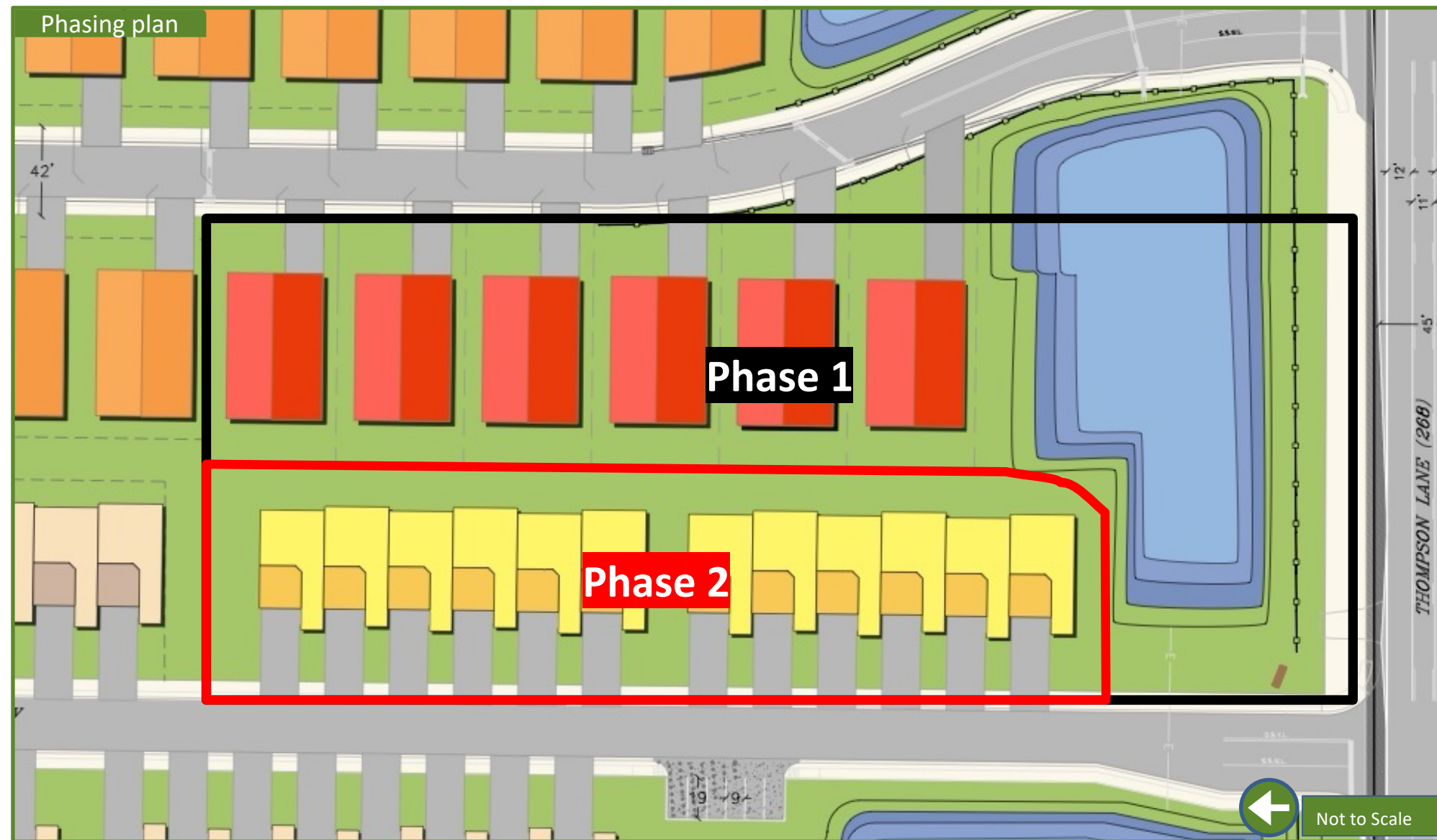


Event lawn with mulch walking path



# Phasing Plan

## Kings Landing Villas Annex PLANNED RESIDENTIAL DEVELOPMENT



### Summary

- The proposed Annex development plan will be constructed closely behind Kings Landing Villas development with various infrastructure design elements being constructed at the same time.
- The Annex development will be constructed in two phases

# PRD vs Bulk Requirement Comparison

LAND USE PARAMETERS AND BUILDING SETBACKS						
ZONING (EXISTING VS PROPOSED)	RS-6	PROPOSED PRD (SINGLE FAMILY)	DIFFERENCE	RS - A2	PROPOSED PRD (TOWNHOMES)	DIFFERENCE
RESIDENTIAL DENSITY						
MAXIMUM GROSS DENSITY (D.U./ACRE)	7.2	5.9	-1.3	12	N/A	—
MINIMUM LOT AREA (SQ.FT.)	6000	6000	—	N/A	N/A	—
MINIMUM LOT WIDTH (FT.)	50	60	+10	N/A	N/A	—
MAXIMUM LOT COVERAGE (PERCENT)	50	50	—	N/A	N/A	—
MINIMUM EXTERNAL SETBACK REQUIREMENTS						
MINIMUM FRONT SETBACK (FT.)	35 for Garage 25 for Structure	35 for Garage 25 for Structure	—	35 for Garage 25 for Structure	35	-10
MINIMUM SIDE SETBACK (FT.)	5	7.5	+2.5	5	7.5	+2.5
MINIMUM REAR SETBACK (FT.)	20	20	—	20	20	—
MAX HEIGHT (FT.)	35'	35'	—	35'	35'	—



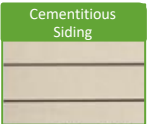
# Planned Development Criteria

## Developmental Standards

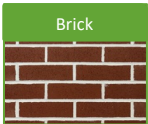
- Development will include 6 detached single-family homes and 12 attached single-family homes.
- The maximum building height is 35 feet.
- Parking will be a combination of surface parking and parking in garages.
- Solid waste will be disposed using service provided by city
- Sidewalks will be provided on both sides of the street.
- Mail delivery will be accommodated via a mail kiosk.
- The garages are to meet standard city requirements.
- Telecommunication and television equipment shall be located on the rear of the proposed buildings.
- AC units will be located on the rear and side of the homes.
- Building Elevation Materials: Brick, stone and Hardie Board Siding.

## Building Elevations Materials

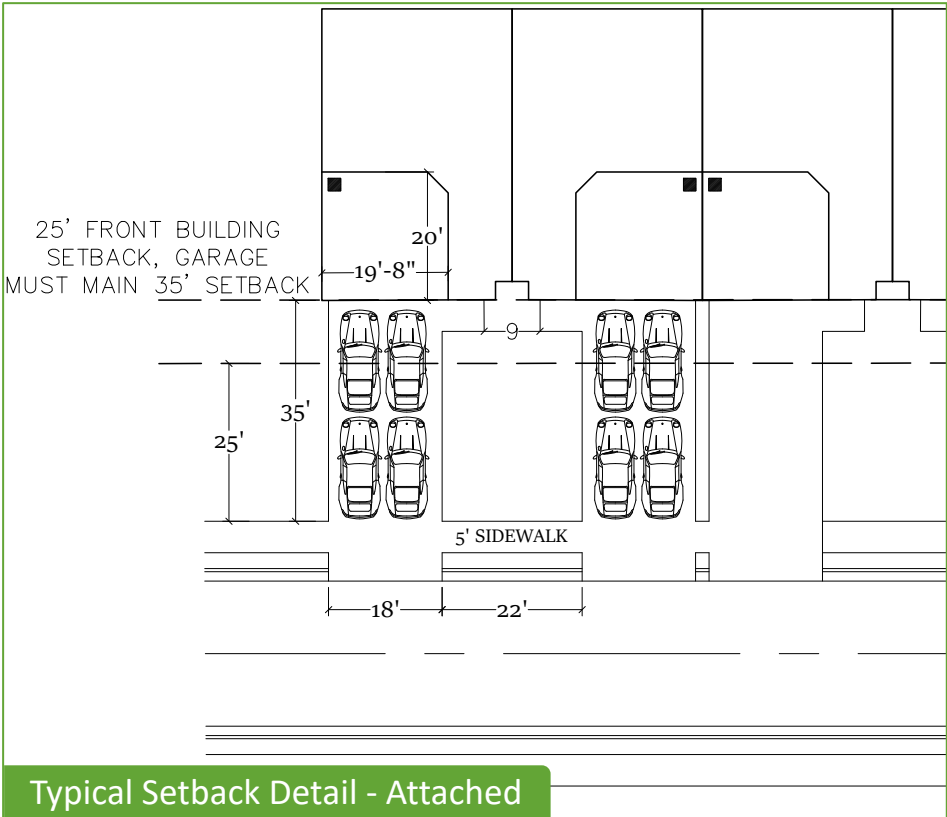
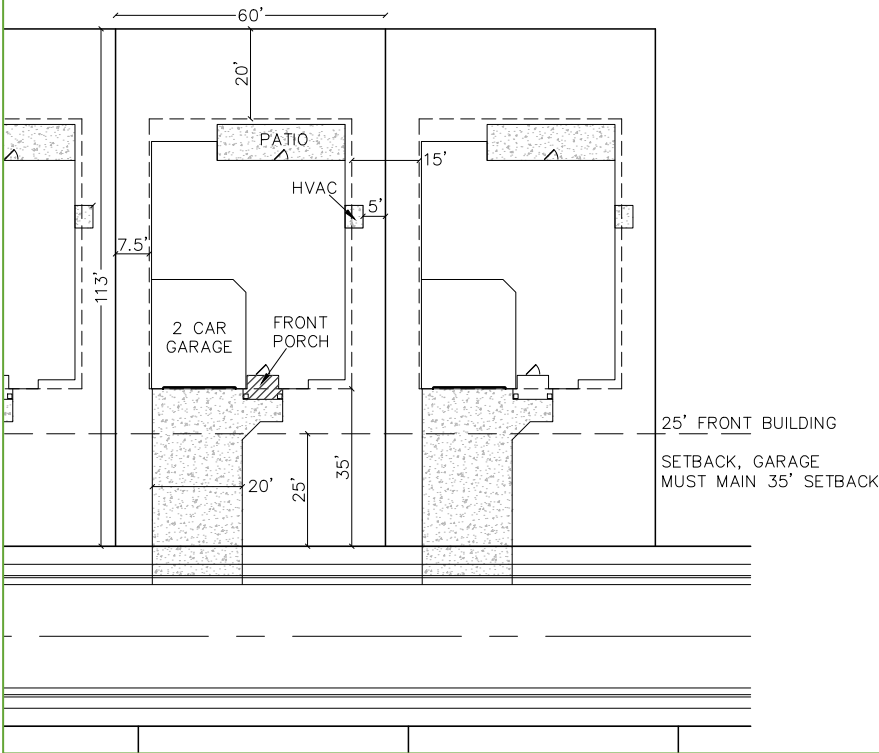
Front Elevation:	All Masonry Materials (Brick, Stone, Fiber Cement Board, etc)
Side Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, etc)
Rear Elevations:	All Masonry Materials (Brick, Stone, Fiber Cement Board, etc)
All Elevations	Enhanced trim Package



\*Different colors, cuts and patterns will be allowed



## Typical Setback Detail - Detached



## General Applicability Section 13b for Planned Development

1. Identification of existing utilities, easement, roadways, rail lines and public right-of-way crossings and adjacent to the subject property: [Shown in pattern book on Sheets 3-7.](#)
2. A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; [Shown in pattern book Sheets 8-9.](#)
3. A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structure on-site and within two hundred feet of the subject property and the identification of the use thereof; [Shown in pattern book Sheets 10-12.](#)
4. A drawing defining the general location and maximum number of lots, parcels or sites proposed to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; [Shown in pattern book Sheet 13.](#)
5. A tabulation of the maximum number of dwelling units proposed including the number of units with two or less bedrooms and the number of units with more than two bedrooms; [Shown in pattern book Sheet 13.](#)
6. A tabulation of the maximum floor area proposed to be constructed, the F.A.R. (floor area ratio), the L.S.R. (livability space ratio), and the O.S.R. (open space ratio); [Not applicable in this situation.](#)
7. A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the City and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article; [See sheet 2.](#)
8. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating: (aa) the approximate date when construction of the project can be expected to begin; (bb) the order in which the phases of the project will be built; (cc) the minimum area and the approximate location of common space and public improvements that will be required at each stage; and, (dd) a breakdown by phase for subsections [5] and [6] above; [The PRD will be constructed in two phases.](#)
9. Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted; [The entire development will have an HOA.](#)
10. A statement setting forth in detail either (1) the exceptions which are required from the zoning and Subdivision Regulations otherwise applicable to the property to permit the development of the proposed planned development or (2) the bulk, use, and/or other regulations under which the planned development is proposed;
  - [Exception 1: Front Setback for face of building to be 25 ft for garage and 35 ft for front of building \(Applies to townhomes only\).](#)
11. The nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article; [Not applicable in this situation.](#)
12. The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time; [The subject property will be influenced by improvements to West Thompson Lane. There will be an addition of a right hand turn lane into development.](#)
13. The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated; [See Sheet 2.](#)
14. Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. [See Sheet 14-18.](#)
15. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign; [Not applicable in this situation.](#)





*... creating a better quality of life*

# MEMORANDUM

**DATE:** February 16, 2024  
**TO:** Planning Department  
**FROM:** Valerie Smith, MWRD  
**SUBJECT:** MTE Easement Request  
At MWRD Water Resource Recovery Facility  
Service Requirement

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## Background

The Water Resources Board approved of the initial Task Order with Smith Seckman Reid (SSR) for the design of Komline Sanderson Biosolids Dryers at the WRRF in October of 2022. An Amendment to the Task Order, for the bidding and construction administration of the project, was also approved at last month's meeting. The design of the project is nearing completion and should advertise for bids in the next few months. MWRD staff and SSR have been working through the electric service requirements with MTE and MTE has requested a 20-foot permanent electric easement as shown in green on the attached, in order to provide service to the project.

This information is being presented to the Water Resources Board at the February 27<sup>th</sup> meeting for approval. The recommendation of staff is to approve of the dedication of the 20-foot permanent electric easement.

## Attachments

- MTE Easement Agreement
- GIS Exhibits

Water Resources Department

300 NW Broad Street \* P.O. Box 1477 \* Murfreesboro, TN 37133-1477 \* Office: 615 890 0862 \* Fax: 615 896 4259  
TTY 615 848 3214 \* [www.murfreesborotn.gov](http://www.murfreesborotn.gov)



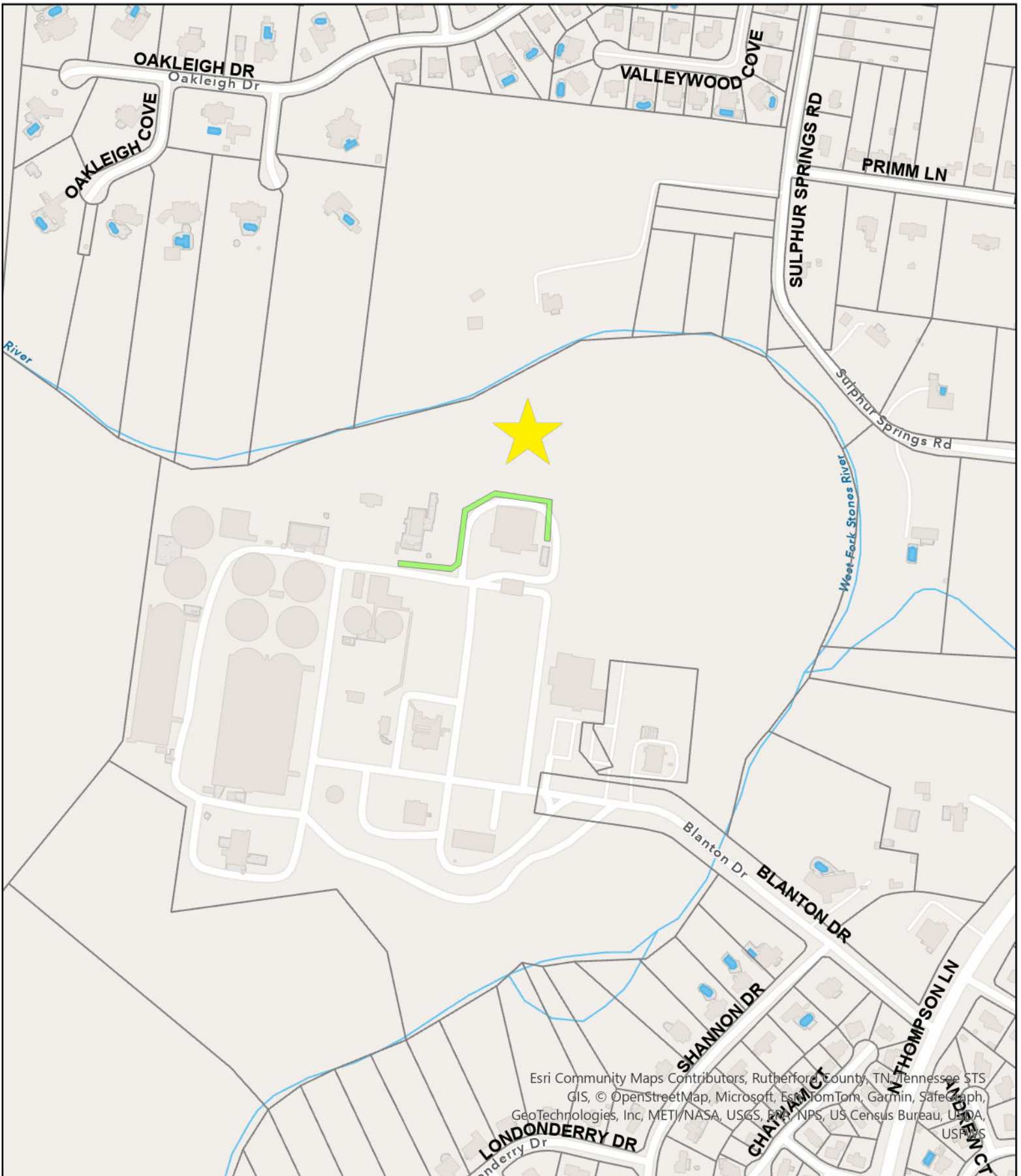


MURFREESBORO WATER RESOURCES DEPARTMENT

## Middle Tennessee Electric Easement







Esri Community Maps Contributors, Rutherford County, TN, Tennessee STS  
GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,  
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MURFREESBORO WATER RESOURCES DEPARTMENT

## Middle Tennessee Electric Easement



TENNESSEE  
WATER RESOURCES  
kcarr 2/16/2024  
Sewer\_new

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
MARCH 6, 2024  
PROJECT PLANNER: BRAD BARBEE**

- 6.b. Zoning application [2023-422] for approximately 3.97 acres located along Southgate Boulevard and Westgate Boulevard to be rezoned from CH and CF to PUD (Westgate Commons PUD), Southgate Developers, LLC applicant.**

The Murfreesboro Planning Commission has reviewed this application previously and presented a favorable recommendation to the Murfreesboro City Council at the February 7, 2024 meeting. Since that meeting, the developer has requested one small addition to the proposed plan book.

The developer has requested to modify the proposed PUD plan book to include a 1,000-gallon, divided fuel storage tank, and pumps to provide gasoline and diesel fuels for the rental equipment and vehicles that will be located on the subject property. This new site element is located behind the principal structure, out of the view of the public right-of-way and will be further screened by providing a brick enclosure designed to be consistent with the principal structure. The total area including the concrete pad with bollards, tank, pump, and fill tank box is approximately 400 square feet. The tank itself is only approximately 12' 10" in length by 5' 6" in width or slightly over 70 square feet in area.

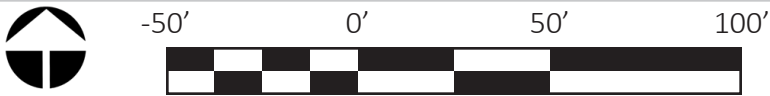
It is Staff's opinion that the addition of this accessory structure is not substantial enough to warrant an additional public hearing before the Planning Commission. Staff is requesting that the Planning Commission approve this proposed change before it is presented to the City Council on March 7<sup>th</sup>.



<b>Land Use Data</b>	
Existing Zoning:	CF & CH
Proposed Zoning:	PUD
Total Land Area:	±3.97Acres
Min. Open Space Required:	±0.79 Acres (20%)
Min. Open Space to be Provided:	±0.79 Acres (20%)
Stormwater (Detention):	±0.54 Acres (13%)
Max. Building SF:	10,500 SF
<b>Parking Requirements</b>	
Building Office Area:	±2,500SF
Required Parking (1 Space/300 SF):	8 Spaces
Number of Employees on Shift:	10 Employees
Max. Number of Employees on Shift:	10 Employees
Required Parking (1.5 Space/2 Emp.):	8 Spaces
Total Parking Required:	16 Spaces
Total Parking Provided:	22 Spaces (2 H.C.)

- Proposed Building
- Open Space
- Detention Pond
- Roadway
- Sidewalk

\*All vehicular use areas (parking, storage, maneuvering, and drive aisles) shall be paved with either concrete or asphalt.





- Commercial Development Standards:**
- Commercial buildings shall have pedestrian connections to Southgate Boulevard.
  - A 20-ft wide Landscape Easement shall be provided along the residential properties abutting the development, as seen in Figure 13.1 in red. Type ‘E’ Landscape Buffer shall be provided within this Landscape Easement. The southern portion of this buffer shall utilized the Type ‘E’ Option two, and include a 6’ opaque tan vinyl fence.
  - A minimum 15-ft wide landscape easement shall be provided along a portion of the northern boundary that abuts Westgate Boulevard. This easement shall contain a 6’-8’ tall chain link security fence with an additional 6’-8’ tall opaque, tan, vinyl fence. Landscaping within this easement shall comply with the Murfreesboro Streetscape Perimeter Landscaping Standards. The purpose of this landscape easement is to provide screening between the rollup garage bay doors and Westgate Boulevard.
  - Monument signage located along roadways shall be constructed of materials consistent with building architecture and anchored with landscaping.
  - 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.
  - Proposed fuel station shall be enclosed via a brick wall, with access facing the proposed building.
  - All on-site utilities will be underground.
  - On-site lighting will comply with city standards.
  - Parking will comply with Murfreesboro Zoning Ordinance.



\*EXAMPLE OF DEVELOPMENT SIGNAGE



\*EXAMPLE OF TRASH ENCLOSURE



\*EXAMPLE OF DEVELOPMENT SIGNAGE

**Allowable Uses:**

The immediate end user for this commercial lot at this time, is United Rentals. The allowable uses outlined below on this page are garnered from the Commercial Fringe (CF), Commercial Highway (CH) and Light Industrial (LI) zoning districts as per the January 24, 2023 Murfreesboro Zoning Ordinance. Westgate Commons will allow the uses listed below for potential future tenants, if United Rentals were to leave the property.

\*\*\*Contractor’s/Construction Equipment: Sales, Rental, and Repairs shall be for equipment similar to equipment on Page 13. No heavy construction equipment (Bulldozers, full-size excavators, etc.) are allowed.

PUD PERMITTED USES	
INSTITUTIONS	
Adult Day-Care Center	X
Church <sup>13</sup>	X
Day-Care Center	X
Museum	X
Nursing School	X
Philanthropic Institution	X
Public Building <sup>13</sup>	X
Senior Citizens Center	X
School, Public or Private, Grades K - 12 <sup>13</sup>	X
AGRICULTURAL	
Farm Labor and Management Services	X
COMMERCIAL	
Amusements, Commercial Indoor	X
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
Bank, Drive-Up Electronic Teller	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business School	X
Business and Communication Service	X
Catering Establishment	X
Clothing Store	X
Commercial Center	X
Convenience Sale and Services, maximum 5,000 sq. ft. floor area	X
Dry Cleaning	X
Financial Services (No Check Advance Businesses)	X
Flower or Plant Store	X
Glass-Stained and Leaded	X
Group Assembly, <250 persons	X
Health Club	X

Interior Decorator	X
Janitorial Service	X
Karate, Instruction	X
Keys, Locksmith	X
Laboratories, Medical - Excluding Plasma Donation	X
Laboratories, Testing	X
Music or Dancing Academy	X
Offices	X
Optical Dispensaries	X
Personal Service Establishment	X
Pet Shops	X
Pharmacies, Apothecaries	X
Reducing and Weight Control Services	X
Restaurant and Carry-Out Restaurant*	X
Restaurant , Specialty*	X
Restaurant, Specialty - Limited*	X
Retail Shop, other than enumerated elsewhere	X
Specialty Shop	X
Veterinary Office	X
Veterinary Clinic	X
INDUSTRIAL	
Contractor's/Construction Equipment: Sales, Rental, and Repair***	X
TRANSPORTATION AND PUBLIC UTILITIES	
Post Office or Postal Facility	X
Telephone or Communication Services	X

**Prohibited Uses:**

- Primary Pain Clinic
  - Primary Drug & Alcohol Rehab Centers
  - Vape/Cigarette Shop/Tobacco Shop
  - Liquor Store
  - Gasoline Sales
- Motor Vehicle Sales
  - Blood Donation
  - Pawn Shops
  - Motor Vehicle Repair