

# CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**APRIL 3, 2024  
6:00 PM**

**Kathy Jones  
Chair**

- 1. Call to order.**
- 2. Determination of a quorum.**
- 3. Public Comments.**
- 4. Approve minutes of the March 20, 2024 Planning Commission meeting.**
- 5. Public Hearings and Recommendations to Council**
  - a. Zoning application [2024-403] for approximately 0.38 acres located along North Maple Street to be rezoned from CH & CCO to PRD (Maple Five PRD) & CCO, Hamid Mehryar applicant. (Project Planner: Holly Smyth)
  - b. Proposed amendment to the Zoning Ordinance [2024-801] regarding warehouse uses and pertaining to Endnotes for Chart 1: Uses Permitted by Zoning District, City of Murfreesboro Planning Department applicant. (Project Planner: Matthew Blomeley)
- 6. Staff Reports and Other Business:**
  - a. Mandatory Referral [2024-706] to consider the dedication of an electric easement on City-owned property located along Overall Street, Middle Tennessee Electric applicant. (Project Planner: Matthew Blomeley)
  - b. Mandatory Referral [2024-707] to consider the dedication of an electric easement on City-owned property located at 802 Cason Lane, Middle Tennessee Electric applicant. (Project Planner: Matthew Blomeley)
- 7. Adjourn.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

1:00 PM

CITY HALL

## MEMBERS PRESENT

Kathy Jones, Chair  
Ken Halliburton, Vice-Chair  
Bryan Prince  
Chase Salas  
Shawn Wright

## STAFF PRESENT

Greg McKnight, Exec. Director of Dev. Services  
Ben Newman, Dir. Of Land Mngt. & Planning  
Matthew Blomeley, Assistant Planning Director  
Holly Smyth, Principal Planner  
Brad Barbee, Principal Planner  
Richard Donovan, Principal Planner  
Jennifer Knauf, Project Engineer  
Katie Noel, Project Engineer  
Gabriel Moore, Project Engineer  
Roman Hankins, Assistant City Attorney  
Carolyn Jaco, Recording Assistant

### 1. Call to order.

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

### 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 March 6, 2024 Planning Commission meeting.

Mr. Shawn Wright made a motion to approve the March 6, 2024 Planning Commission meeting minutes; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

## 5. Consent Agenda:

**Sullivans Retreat [2024-1004]** preliminary plat for 3 lots on 16.52 acres zoned PRD and PCD located along Veterans Parkway, Cornerstone Development, LLC developer.

**Dejarnette Place [2024-2006]** final plat for 3 lots on 23.7 acres zoned PCD located along Dejarnette Lane, Swanson Developments, LP developer.

**Bradyville Pike Townhomes [2024-2016]** easement plat and horizontal property regime plat for 11 units on 1.25 acres zoned RM-12 & RM-16 located along Bradyville Pike, Jason Yarusi developer.

**Northridge Park Commercial, Lot 1 [2024-2018]** final plat for 1 lot on 4.03 acres zoned CH located along Memorial Boulevard, Brightland Homes of Tennessee, LLC developer.

**Palmer Heights, Resubdivision of Lots 133 & 154 [2024-2019]** final plat for 2 lots on 1.22 acres zoned RS-15 located along Archer Avenue, Michael & Patsy Bacon and Alice & Donald Qualls developers.

**The Gardens of Three Rivers, Resubdivision of Lot 93 [2024-2015]** final plat for 4 lots on 0.42 acres zoned PRD located along Camrose Way, Harpeth Valley Homes, LLC developer.

There being no further discussion, Vice-Chairman Ken Halliburton 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:

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

## 6. GDO:

### On Motion

**Clari Park, Lot 12 (Neighbors) [2024-6004 & 2024-3010] final design review and site plan review of a 4,182 ft<sup>2</sup> restaurant located on 2 acres zoned CH & 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 and Mr. Aws Ahmed (design engineers) were in attendance representing the application.

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

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

**Clari Park, Lot 15 (Buona Beef) [2024-6002 & 2024-3006] final design review and site plan review of a 4,706 ft2 restaurant with drive-thru on 1.52 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. Brad Barbee stated the applicant had addressed the Planning Commission concerns with additional landscaping and a 6-foot fence on the left side of the property near the menu board and speaker box. In addition, they had removed one of the ice cream cones that had been on the building.

Mr. Matt Taylor and Mr. Aws Ahmed (design engineers) were in attendance representing the application.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve 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  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

**Clari Park, Lot 9 (In N Out) [2024-6001 & 2024-3003] final design review and site plan review of a 3,886 ft2 restaurant with drive-thru on 2.25 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

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

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

Mr. Jeff Bryant (developer) of In N Out was in attendance representing the application. Mr. Jeff Bryant and the Planning Commissioners discussed traffic operations for the site. Mr. Bryant made known they are working on the traffic operations for their grand opening for this location and would provide a traffic control plan as soon possible before the opening date.

There being no further discussion, Mr. Shawn Wright made a motion to approve the final design review and site plan review subject to all staff comments and the applicant providing a traffic control plan for their opening date to be approved by the Transportation Department and Planning Department prior to the issuance of any permits; the motion was seconded by Mr. Chase Salas and carried by the following:

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

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

### **On Motion**

**Kingdom Crest Commercial, Section 2 [2024-1003] amended master plan and amended preliminary plat for 5 lots on 16.1 acres zoned CH located along Veterans Parkway and Jack Byrnes Drive, Swanson Development, LP developer.** Mr. Brad Barbee presented the Staff Comments regarding this item, a copy of which is maintained

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

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, Vice-Chairman Ken Halliburton made a motion to approve the amended master plan and amended preliminary plat subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

**Kingdom Crest Commercial, Section 2, Lots 4-8 [2024-2003] final plat for 5 lots on 16.1 acres zoned CH located along Veterans Parkway and Jack Byrnes Drive, Swanson Development, LP 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.

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

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

Chase Salas

Shawn Wright

Nay: None

**Rucker Donnell Commercial [2024-1005] master plan and preliminary plat for 1 lot on 3.2 acres zoned CH located along New Salem Highway and Veterans Parkway, Rucker Donnell Foundation 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.

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

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

**WaWa - New Salem Highway & Veterans Parkway [2024-3023] site plan for a 5,915 ft2 convenience store with gas pumps on 3.2 acres zoned CH located along New Salem Highway and Veterans Parkway, Unicorp National Developments, Inc. 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.



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

There being no further discussion, Mr. Shawn Wright 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  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

**Hidden River Estates, Section 3 [2024-3021] site plan for 156 single-family attached dwelling units (townhomes) within 21 buildings on 19.5 acres zoned PUD located along Doc Johns Boulevard north of Cason Trail, Hidden River Holding Company, LLC 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.

The Planning Commission began discussing the proposal and had concerns where the individual trash containers and HVAC units would be stored.

Mr. Brian Burns (developer) and Mr. Chris Maguire (civil engineer) were in attendance representing the application. Mr. Brian Burns explained each trash container would be placed in the fenced-in patio areas next to each unit. Also, all HVAC units would be screened with landscaping located in the front of the units.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve the site plan subject to all staff comments including incorporating decorative

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

windows on all garage doors; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

**Hidden River Estates, Section 1B [2024-3022] site plan for 72 single-family attached dwelling units within 36 buildings on 13.35 acres zoned PUD located along Eastview Drive south of Queenie Johns Drive, Hidden River Holding Company, LLC 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.

The Planning Commission began discussing the proposal regarding changing the metal standing seam roof that had been approved from the applicant's pattern book.

Mr. Brian Burns (developer) and Mr. Chris Maguire (civil engineer) were in attendance representing the application. Mr. Brian Burns explained that he usually figures out roof accents in the field but for some buildings the metal standing seam roofs might not set up well as the accents. However, it was clarified that the staff comment is written to allow this flexibility to incorporate accent metal standing seam roofs into portions of the front elevations.

There being no further discussion, Mr. Shawn Wright made a motion to approve the site plan subject to all staff comments including the removal of partial staff comment number 6; the motion was seconded by Mr. Chase Salas and carried by the following vote:

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

**The Dutton Apartments [2024-3026] site plan for Phase 2 renovations to create 48 net new units from within the existing apartment footprints on 22 acres zoned PRD (The Murph PRD) located at 1345 Wenlon Drive, Eastman Residential developer.** Ms.

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. Marc Schofel (developer) and Mr. Chris Maguire (civil engineer) were 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 Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince  
Chase Salas  
Shawn Wright

Nay: None

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

## 8. New Business:

Zoning application [2024-403] for approximately 0.38 acres located along North Maple Street to be rezoned from CH & CCO to PRD (Maple Five Towns PRD) & CCO, Hamid Mehryar 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. Chris Maguire (civil engineer) and Mr. Clyde Rountree (landscape architect) were in attendance representing 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.

The Planning Commission asked for clarification on home occupations to be included in the applicant's pattern book.

Mr. Shawn Wright voiced his concerns that other proposed developments along North Maple Street had been denied at City Council due to the number of units on a small lot and that this proposal is similar. Second, City Council has concerns with commercial zoning being changed to residential zoning.

Mr. Clyde Rountree commented that this development would be more consistent in character and style for North Maple Street than the others.

There being no further discussion, Mr. Shawn Wright made a motion to schedule a public hearing on April 3, 2024; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Bryan Prince

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 20, 2024

Chase Salas

Shawn Wright

Nay: None

**Proposed amendment to the Zoning Ordinance [2024-801] regarding warehouse uses and pertaining to Endnotes for Chart 1: Uses Permitted by Zoning District, City of Murfreesboro Planning Department 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.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on April 3, 2024; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

## 9. Staff Reports and Other Business:

Mr. Matthew Blomeley reminded the Planning Commissioners about meeting continuing education requirements for the calendar year.

**MINUTES OF THE  
MURFREESBORO PLANNING COMMISSION  
MARCH 20, 2024**

**10. Adjourn.**

There being no further business the meeting adjourned at 2:25 p.m.

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Chair

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Secretary

BN: cj

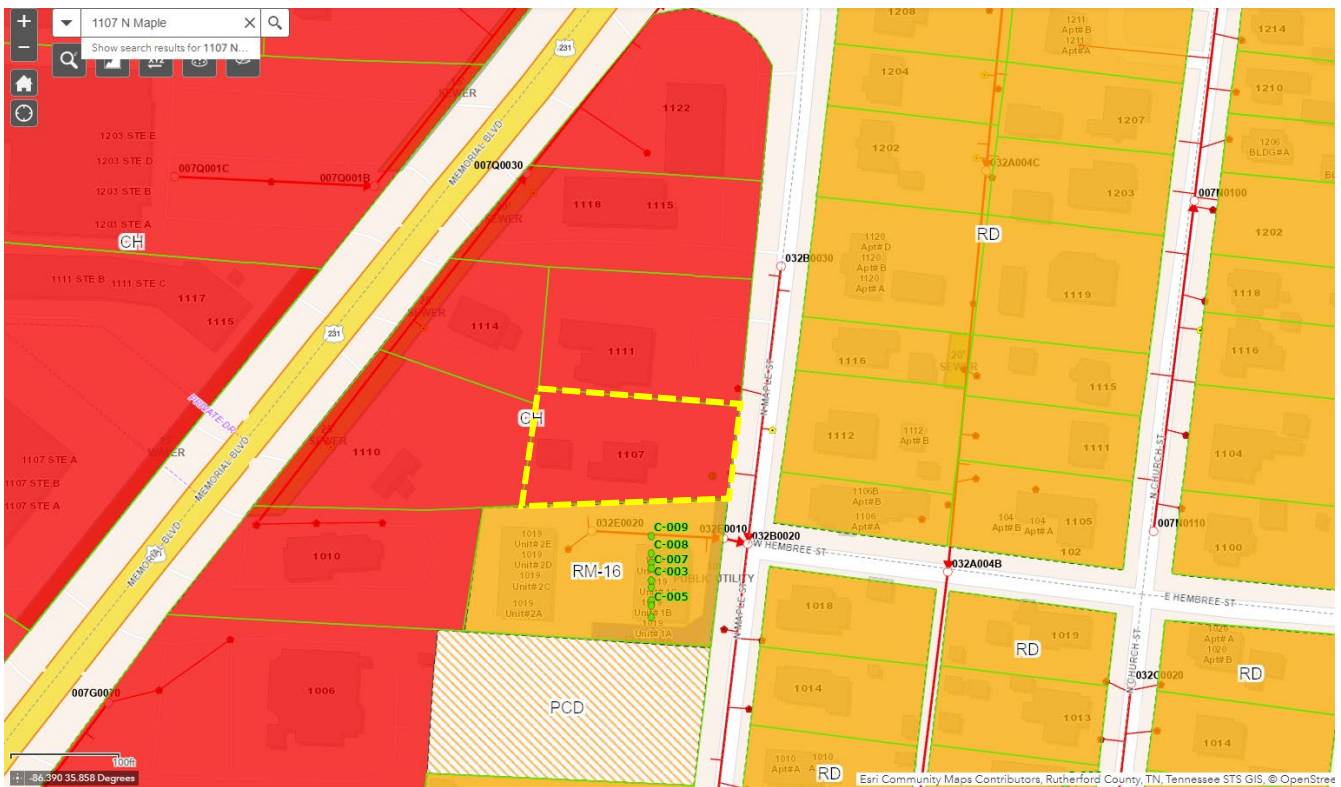
**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
APRIL 3, 2024  
PROJECT PLANNER: HOLLY SMYTH**

**5.a. Zoning application [2024-403] for approximately 0.38 acres located along North Maple Street to be rezoned from CH & CCO to PRD (Maple Five Towns PRD) & CCO, Hamid Mehryar applicant.**

The subject property is located at 1107 North Maple Street on the west side of the street just north of West Hembree Street and south of East McKnight Drive involving one parcel. The site is also identified as Tax Map 091F, Group E, Parcel 004.00 containing **approximately 16,735 square feet**. The site is proposed to be rezoned to Planned Residential District (Maple Five Towns PRD). The existing zoning is CH- Highway Commercial with the CCO – City Core Overlay. The proposed PRD would accommodate a total of 5 single family attached residential townhomes, equating to 13.15 dwelling units to the acre, and leave the CCO overlay in place.

**Adjacent Zoning and Land Uses**

The surrounding zone districts are CH (Highway Commercial) to the north and west, RM-16 (Residential Multi-Family 16) and PCD (Planned Commercial District) to the south, and R-D (Duplex Residential) to the east, as more particularly shown on page 3 of the program book. The primary surrounding land uses are single family homes, duplexes, and townhomes.



## **Proposed PRD**

**The PRD** overall layout and basic site data is best seen on **page 13** of the program book. The PRD is being requested to allow for 5 single family attached townhome units within a horizontal property regime (HPR). The single family attached units are most similar to what would be allowed in a RS-A, Type 3 zone district.

**Attached single-family** homes will include three 2-bedroom units with approximately 1,809 square feet each and two 3-bedroom units with approximately 2,251 square feet each. The front building will be 2-story, providing only surface parking in order to keep the front building height shorter to blend with the neighborhood. The rear building will be 3-story and have a 1 or 2 car garage and surface parking.

Specific architectural plans have been created specifically for this project to create a product that looks like a single family home from the street with lots of details, porch spaces, and varying roof heights. As seen on pages 14 and 15 of the program book, the front building splits the 2 units in the middle of the building and provides private open space within the front porch. The rear building contains 3 units with front-loaded garage entries. These units each have a fenced backyard open space shown on page 18 of the program book. Each unit will have a 1 or 2-car garage with decorative window-panel at the top and surface parking stalls adjacent to the garages. One separated guest parking space is also provided for the complex on-site. A total of 12 parking stalls are required for the project with 15 being provided on site (thereby providing 3 surplus stalls over the required parking).

Page 19 of the program book depicts the on-site landscaping, fencing, porches, and private backyards. Normally a Type A 10' buffer is required between PRD and CH zone districts which would affect the north and west property line. The applicant is requesting an 8' Type A buffer with wooden privacy fence along the westerly boundary and a 5' planting yard to the north with wooden privacy fence. Perimeter planting yards of 5' wide are provided on the south side of the property. Base of building plantings of at least 3' in depth are provided for along the front building facing the street and along the interior entry drive. All townhomes will have private open space through a front or rear porch area at each unit. An HOA shall be responsible for maintaining all open paved surfaces, stormwater, landscaping in common areas, and any shared amenities.

**Proposed setbacks and layout are depicted on page 13** of program book and summarized as follows:

- 20' front building setback along North Maple Street (CCO would require 19' build to line)
- 5' porch encroachment into front setback (5' encroachment is allowed by code)
- 5' side yard setbacks
- 10' rear yard setback (20' normally in a RS-A, Type 3 zone district)

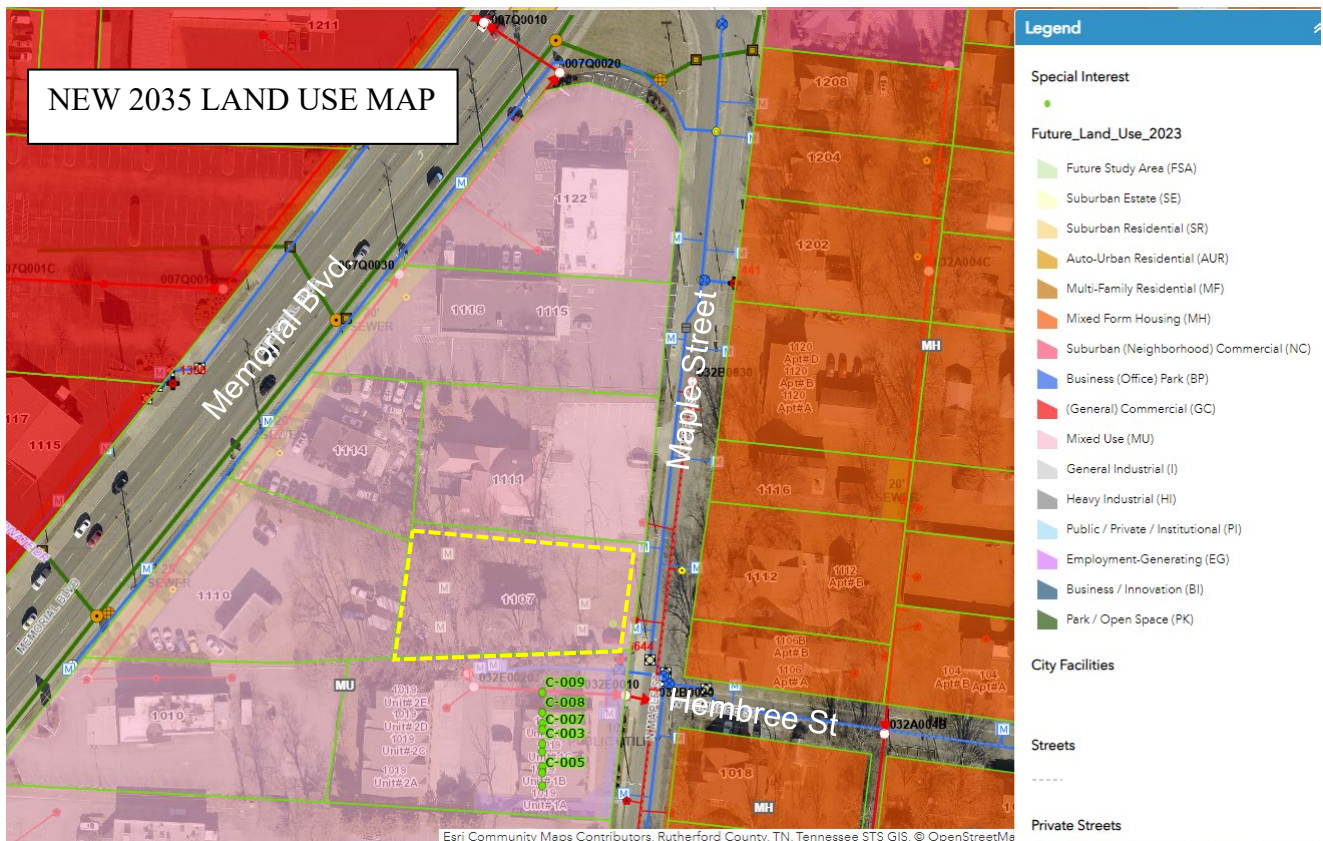
**Exception(s) Requested:** Page 21 of the Program Book shows the comparison for this development to the RS-A, Type 3 zone with the requested **exceptions shown in red text** and shown below:



- Exception #1: Request a 10' reduction in the rear setback.
- Exception #2: Request a 1.01 units/acre increase in overall density as comparable to the RS-A, Type3 zone
- Exception #3: Requesting a reduction of garage depth from 20' to 19'10".
- Exception #4: Requesting an allowance for 5' planting yard along north property line instead of 10'-wide Type A Buffer.
- Exception #5: Requesting a reduction from a 10 ft wide Type A Buffer to an 8 ft wide Type A along the westerly property line with privacy fence.

### **Future Land Use Map**

The newly adopted future land use map within the Murfreesboro 2035 Comprehensive Plan recommends that the subject property develop primarily with a "Mixed Use" land use character (see excerpt map below). This Mixed Use character "provides opportunities for residential mixed with commercial, retail, and office, typically with a vertical element of multiple uses in the same building. Mixed use areas can fit along primary transportation routes, nodes of commerce adjoining key intersections or at transition points between traditional commercial areas and residential neighborhoods. Mixed-Use centers have a greater concentration of housing types; the highest density is sited closest to transit stops, shopping and services, and places of employment." Development in these areas should focus on "multi-story structures" and "residential design is encouraged to utilize alley access to maximize the interface along the streetscape. Front entry garages that protrude beyond the front-face of the dwelling unit are prohibited." The comprehensive plan calls out CBD, MU, PUD and other zoning districts as may be evaluated on a case-by-case basis being compatible with this designation.



The development is designed for pedestrians and connectivity to surrounding neighborhoods and places of commerce located to the north. The buildings are designed to fit well into the surrounding context. The development is higher-density residential similar to adjacent but does not include any office, commercial or retail space. Due to the existing surrounding commercial uses, the adjacent residential uses, and the existing small lot size of the project, there is not ample opportunity to provide an integrated mixed use development. Some office type uses could be allowed as home-occupations; therefore, a statement was added that administratively approved home-occupations would be allowed within the development. Based on the above information, the proposed PRD form seems appropriate to the surrounding neighborhood and is a good transition between the existing use types.

### **Department Recommendation**

Staff is supportive of this rezoning request for single family attached residential along North Maple Street, with the five (5) requested exceptions stated above, for the following reasons:

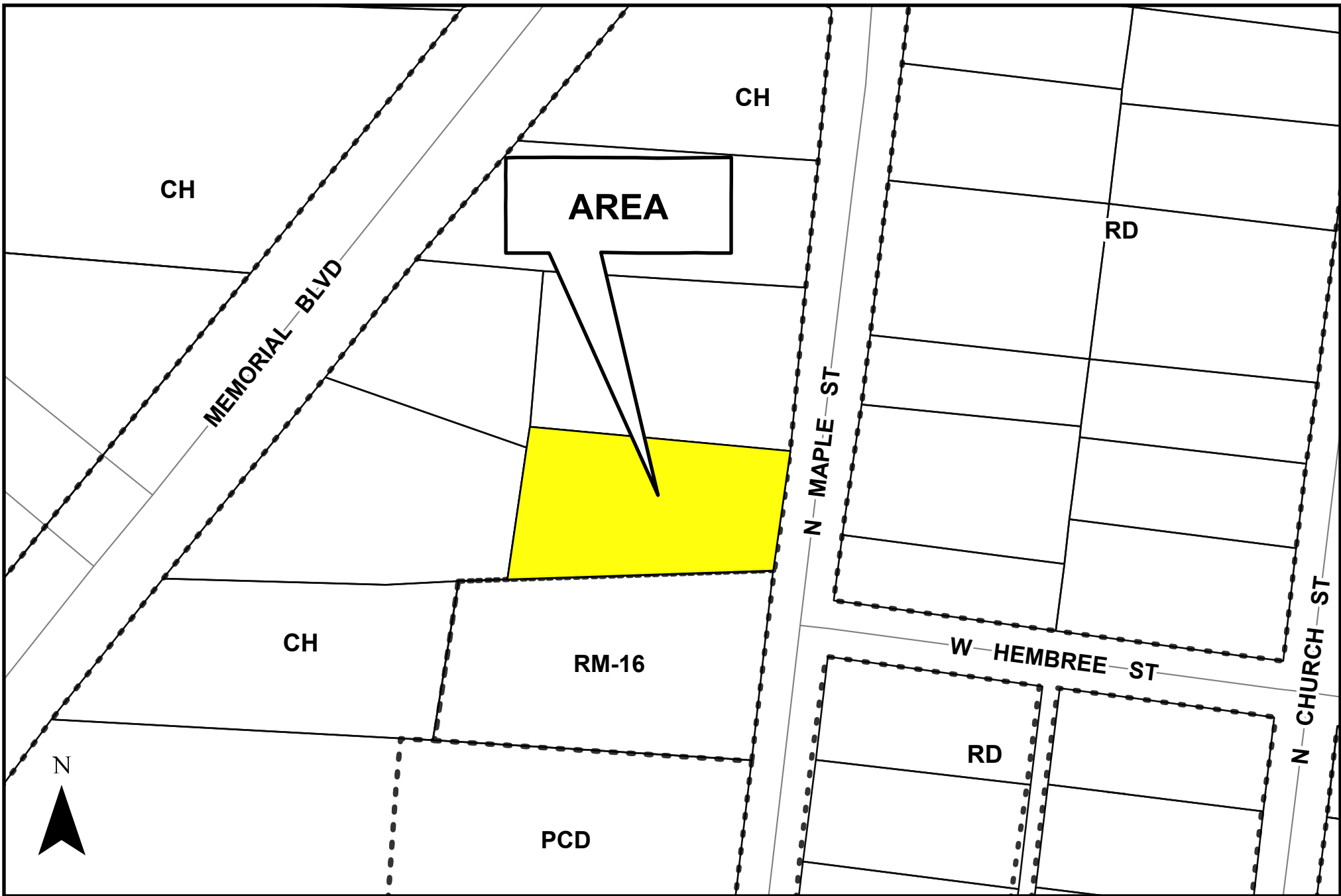
- 1) It is consistent with the future land use map and comprehensive plan by providing dense residential uses within walking distance of commercial services.
- 2) Onsite parking is oriented toward the rear or sides.
- 3) Residential architecture design fits well into the surrounding neighborhood context in that the primary structure is setback 20' and the building heights are 2-story adjacent to the street and 2½ stories for the back building.
- 4) Craftsman architecture blends well into the surrounding traditional neighborhood and the front house designs appears like a single family home.
- 5) The PRD use allows for office uses with an approved administrative home occupation permit which allows a good neighborhood transition.

### **Action Needed**

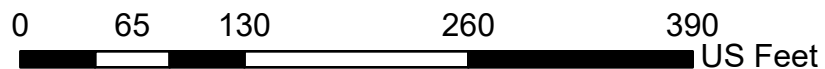
The applicant will make a presentation to the Planning Commission on the proposed zoning request. The Planning Commission should conduct a public hearing, after which it should discuss and then formulate a recommendation to City Council.

### **Attachments:**

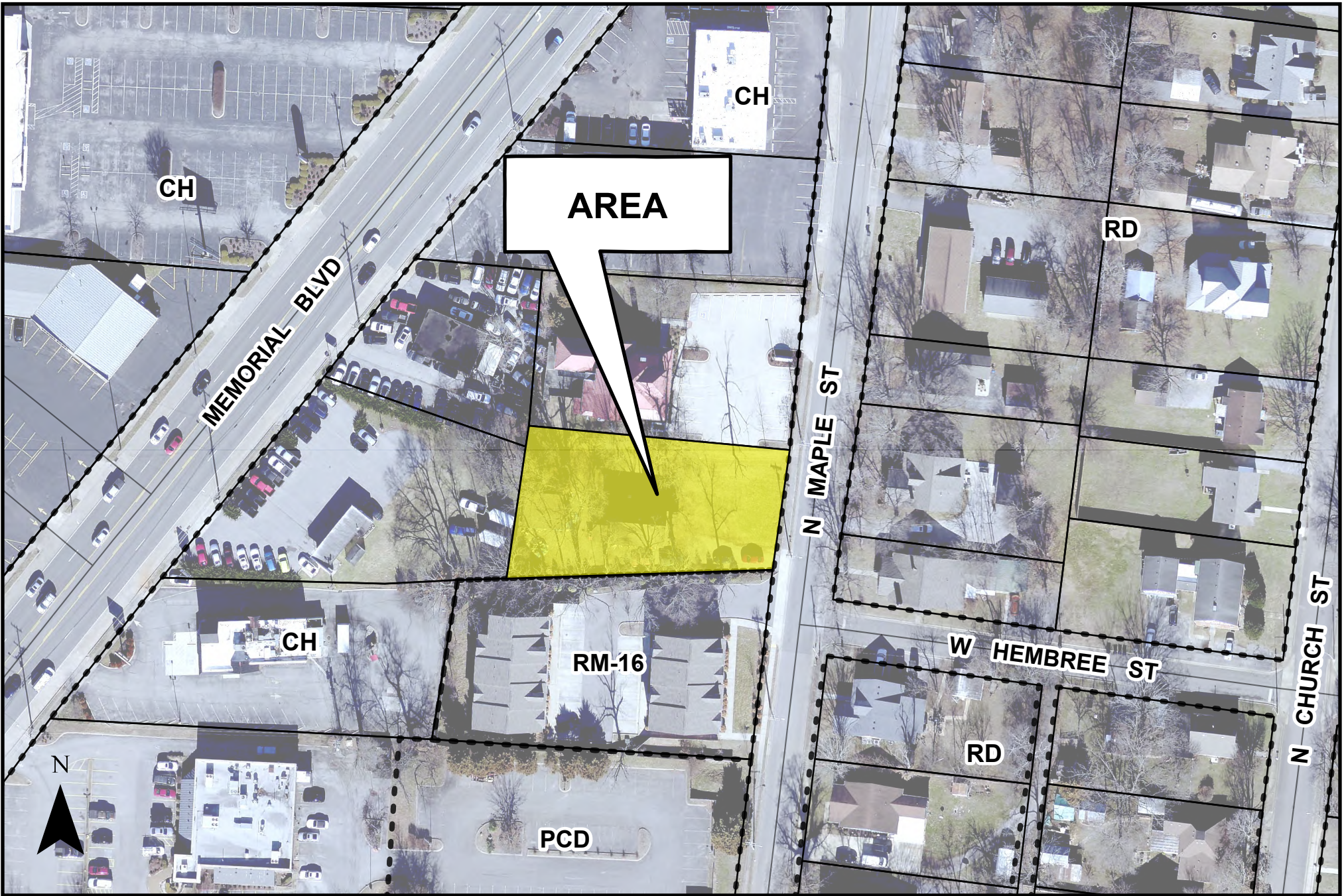
- NoOrtho Map
- Ortho Map
- Program Book



Rezoning request for property along North Maple Street  
 CH & CCO to PRD (North Maple Townhomes PRD) & CCO

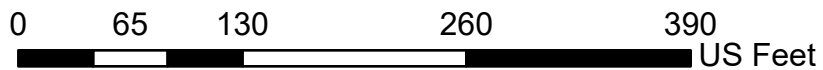


Planning Department  
 City of Murfreesboro  
 111 West Vine St  
 Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)



Rezoning request for property along North Maple Street  
 CH & CCO to PRD (North Maple Townhomes PRD) & CCO

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



# Maple Five

Request for Rezoning to  
Planned Residential  
Development (PRD).

SUBMITTED MARCH 26, 2024, FOR  
PUBLIC HEARING.



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## PROJECT SUMMARY

The Maple Five project has been a long-term project, which has undergone several revisions to ensure that it meets the needs of the community. The project has finally settled on constructing 5 townhomes on a lot size of .3842 acres within the CCO overlay, with a density of 13.01 units per acre. The townhomes will be a combination of 3 three-bedroom units and 2 two-bedroom units, with each unit designed to provide comfortable living spaces for residents.

The 2-story building adjacent to North Maple Street will have surface parking in the rear, to provide a shorter building adjacent to the roadway while still providing ample parking space for residents and their guests. In contrast, the 3 townhomes located at the back of the property will feature 3-floors, and front-entry garages, providing residents with a secure and convenient parking space.

The front units will feature a front porch that will serve as a private formal open space, which residents can use to relax and unwind while enjoying the outdoors. The rear units will have private fenced back patios as formal open spaces, which will provide residents with a private outdoor space to enjoy.

All townhomes will be constructed using high-quality masonry siding and brick, ensuring that they are durable, safe, and long-lasting. The Maple Five project is designed to provide residents with a comfortable and secure living environment that meets their needs close to downtown.

## DEVELOPMENT TEAM

**Attn:** Hamid Mehryar

**Profession:** Owner

**Address:** 1110 Memorial Blvd., Murfreesboro, TN 37129

**Phone:** 615.554.3285

**Email:** hamid\_m-a@yahoo.com

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

**Profession:** Planning

**Attn:** Clyde Rountree, RLA

**Address:** 2155 N.W. Broad Street, Murfreesboro, TN, 37129

**Phone:** 615.509.5930

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

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

**Profession:** Engineering

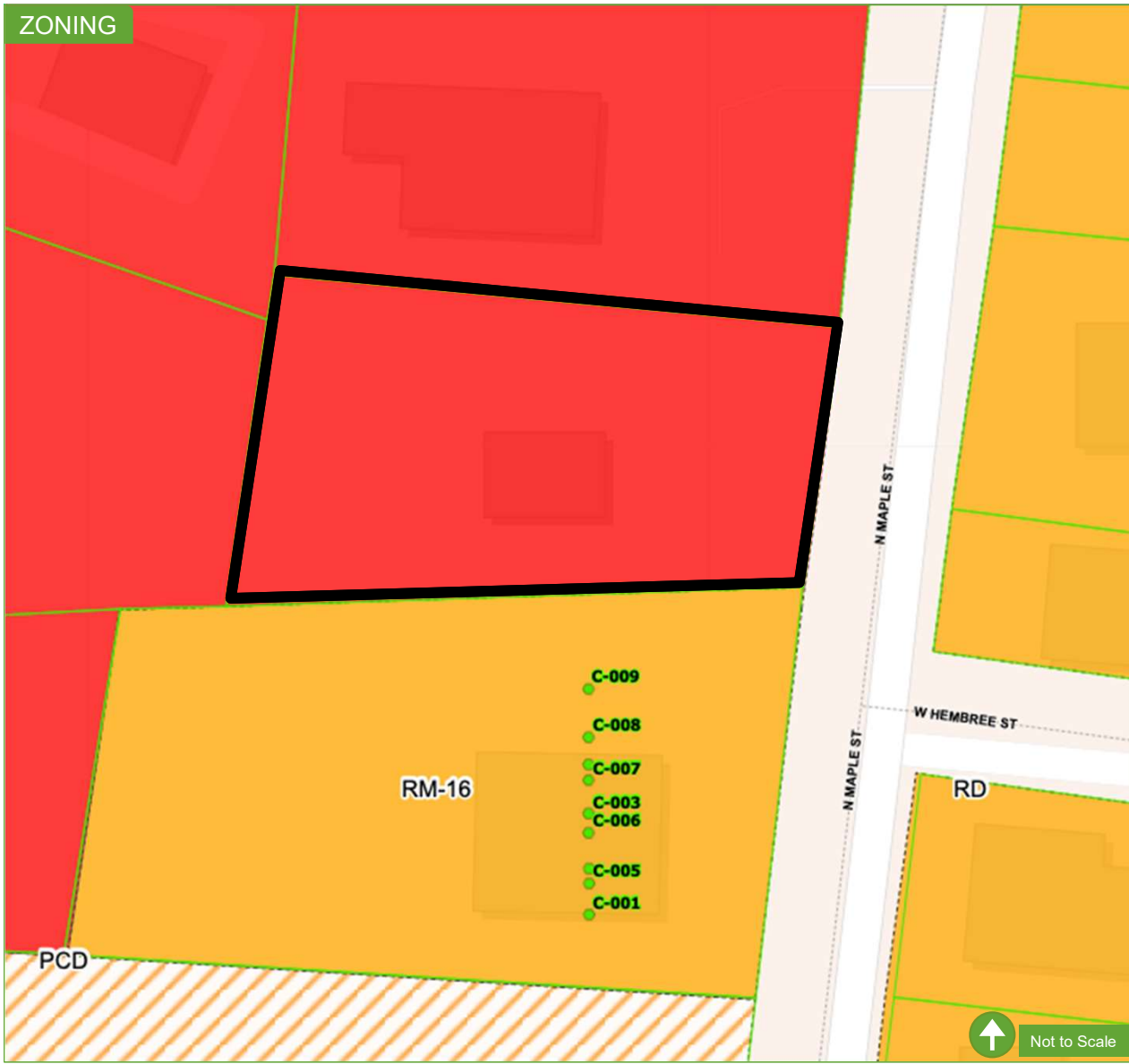
**Attn:** Chris Maguire, P.E.

**Address:** 2155 N.W. Broad Street, Murfreesboro, TN, 37129

**Phone:** 615.893.4084

**Email:** cmaguire@hsengr.com



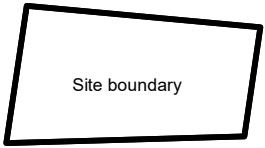


**SUMMARY**

- The property is currently zoned Commercial Highway.
- The property is within the City Core Overlay.
- The property to the south is zoned RM-16 and is a townhome development with surface parking.
- The property to the east is zoned RD and has single family homes on the property.
- The property to the west is zoned CH and is currently an automotive sales business.

**LEGEND**

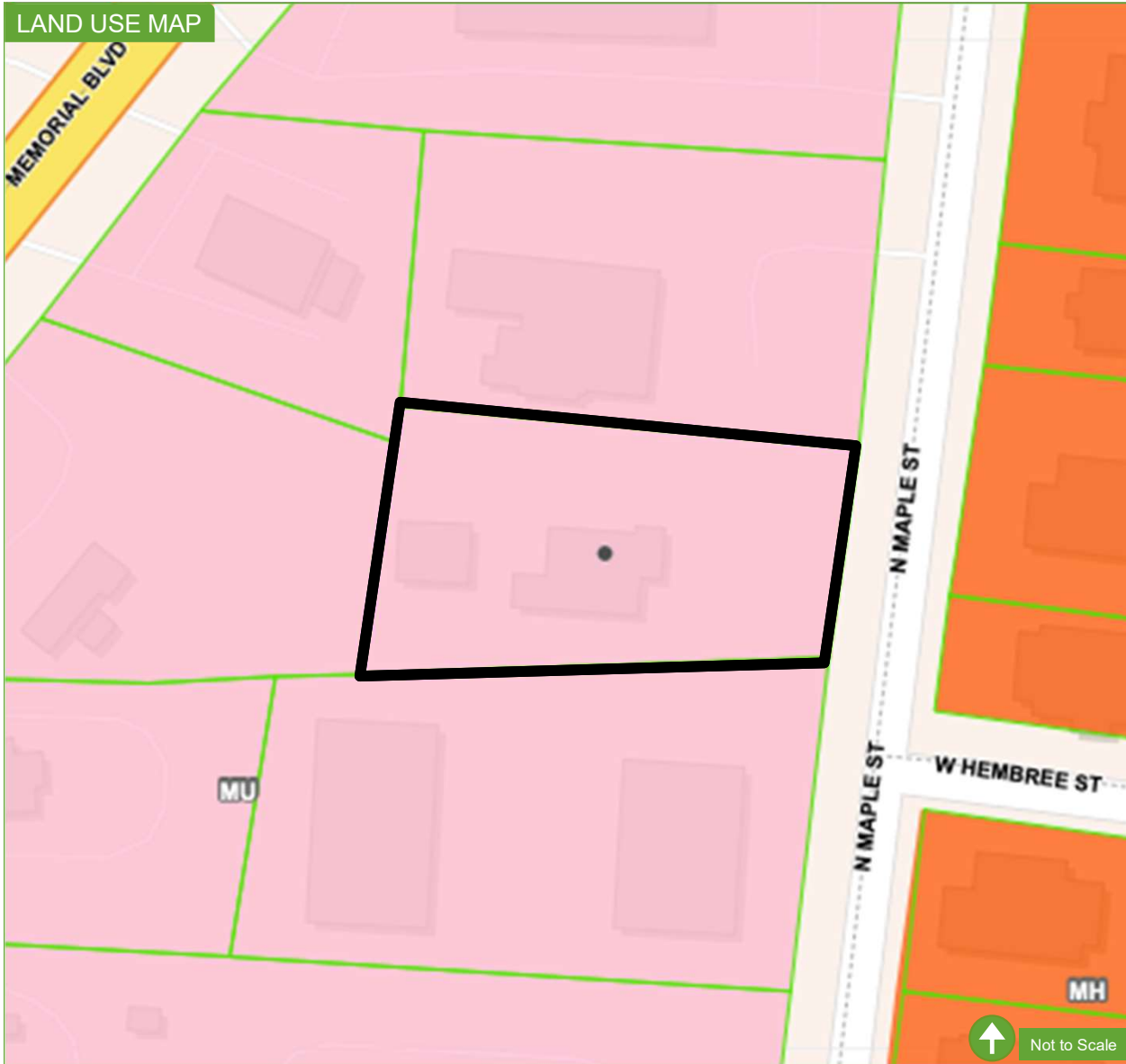
RS	Residential Single Family (RS)
RM	Residential Multi Family (RM)
RD	Residential Duplex (RD)
R-MO	Residential Mobile Home (R-MO)
CL	Commercial Local (CL)
CM	Commercial Medical (CM)
CP	Commercial Planned (CP)
CF	Commercial Fringe (CF)
CH	Commercial Highway (CH)
PCD	Planned Commercial Development (PCD)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



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LAND USE MAP

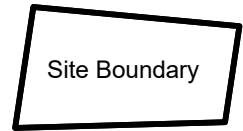


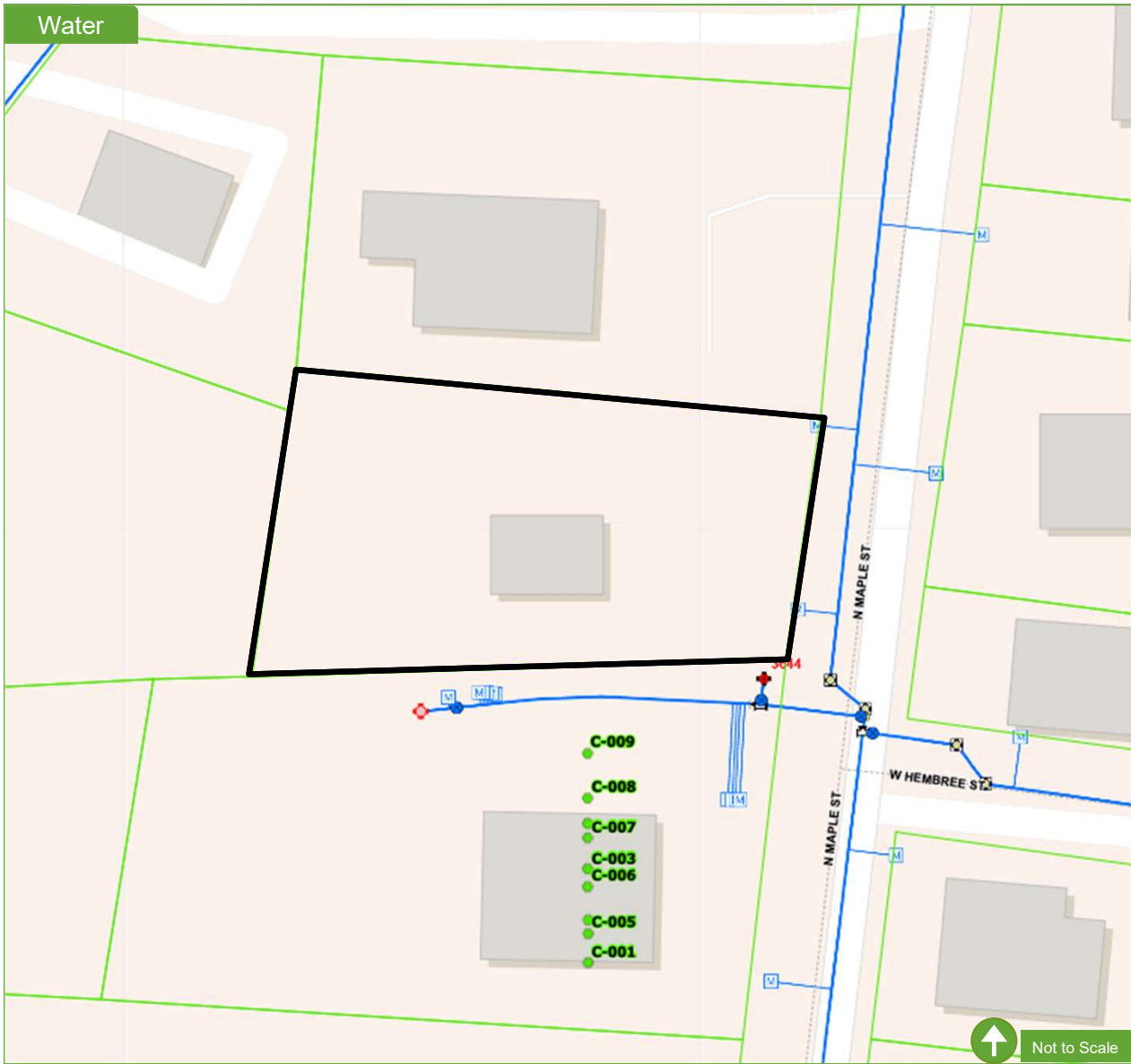
SUMMARY

The property is proposed "Mixed Use" in the Land Use Plan. The mixed-use designation provides for Planned Unit Developments. The townhomes along North Maple Street are designed to provide single-family residencies with a neighborhood character, architecture and materials.

LEGEND

-  Suburban Residential (SR)
-  Auto-Urban Residential (AUR)
-  Multi-Family Residential (MF)
-  Suburban (Neighborhood) Commercial (NC)
-  Business (Office) Park (BP)
-  (General) Commercial (GC)
-  Mixed Use (MU)
-  General Industrial (I)
-  Public/ Private/ Institution (PI)
-  Business/ Innovation (BI)
-  Park/ Open Space (PK)









**Map Summary**

- Water services will be provided by the Murfreesboro Water Resources Department.
- The waterline runs along the west of North Maple where two lines currently are currently stubbed to the property.
- The Gang Meter Vault is required to be 2.5' from the existing sidewalk, 5 feet from any other encroachments, and 10' from any building with exception to front porches.
- This development will be required to make a new tap on the water main and abandon the existing meter and service.

**Legend**

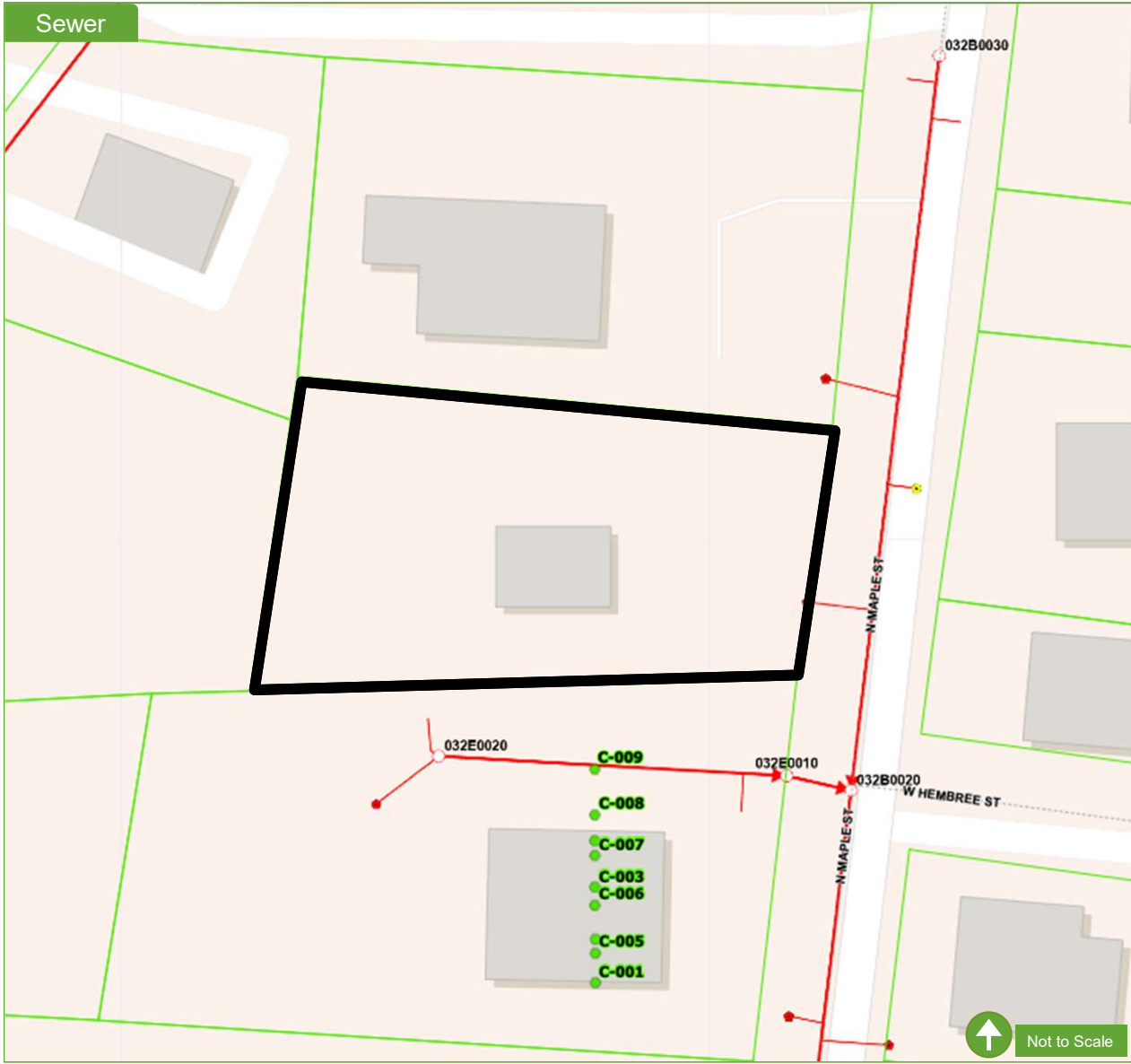
WATERLINE: 

FIRE HYDRANT: 

Site boundary

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**Map Summary**

- Sanitary sewer service will be provided by the Murfreesboro Water Resources Department.
- The sewer enters the property from the east side of North Maple Street.
- The project is exempt for the City of Murfreesboro sewer allocation ordinance within the CCO.
- The public sewer is subject to a 30' Sanitary Sewer Easement centered on the sewer that will be on site.

**Legend**

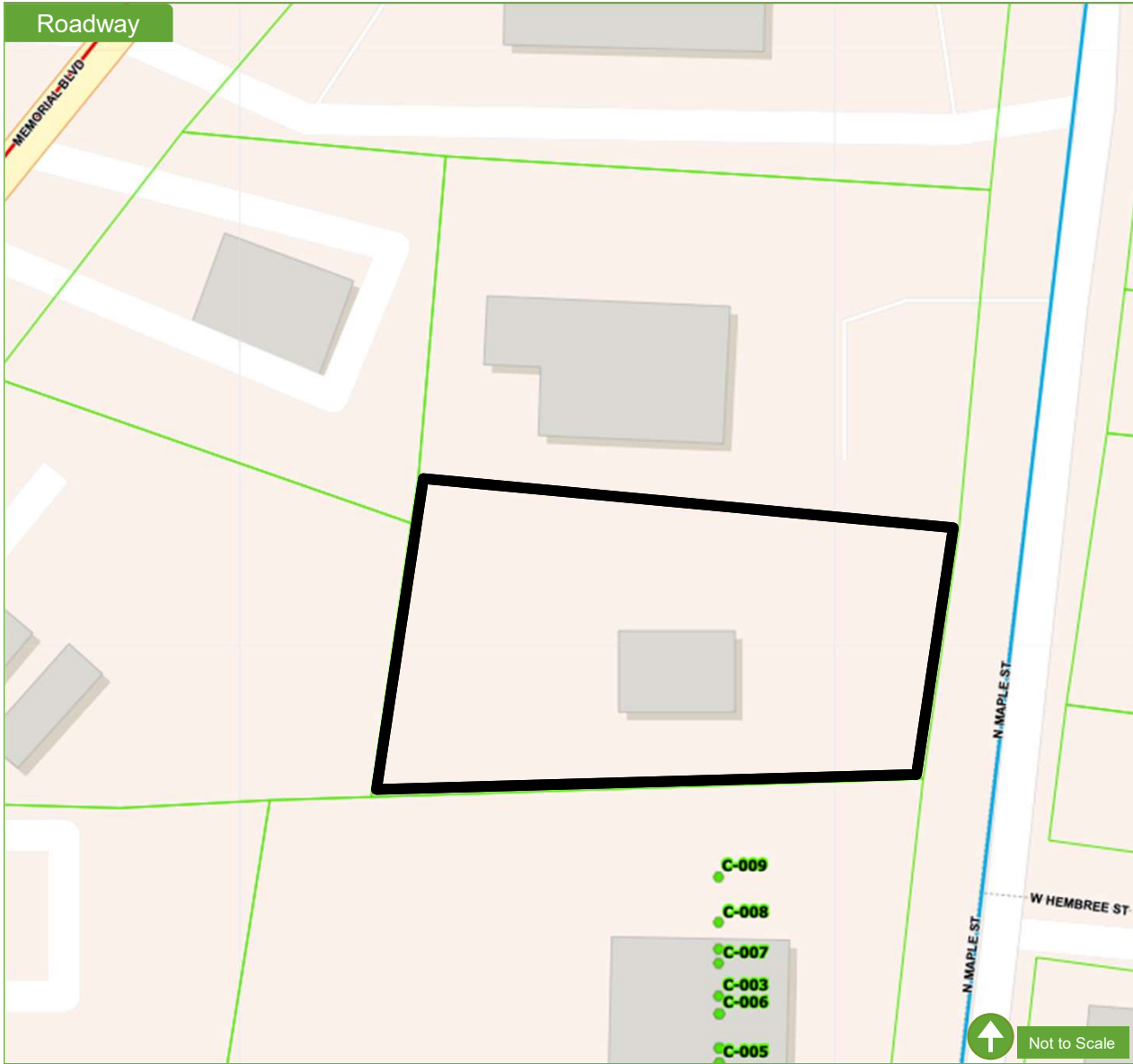
Existing Sanitary Sewer: ←

Existing Manhole: ○




Site boundary



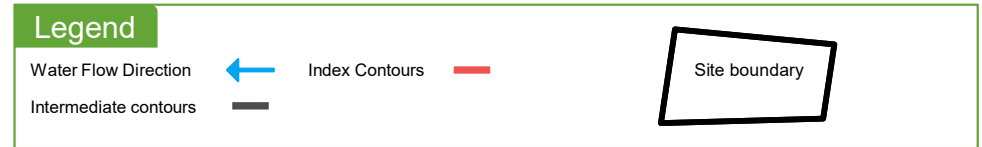
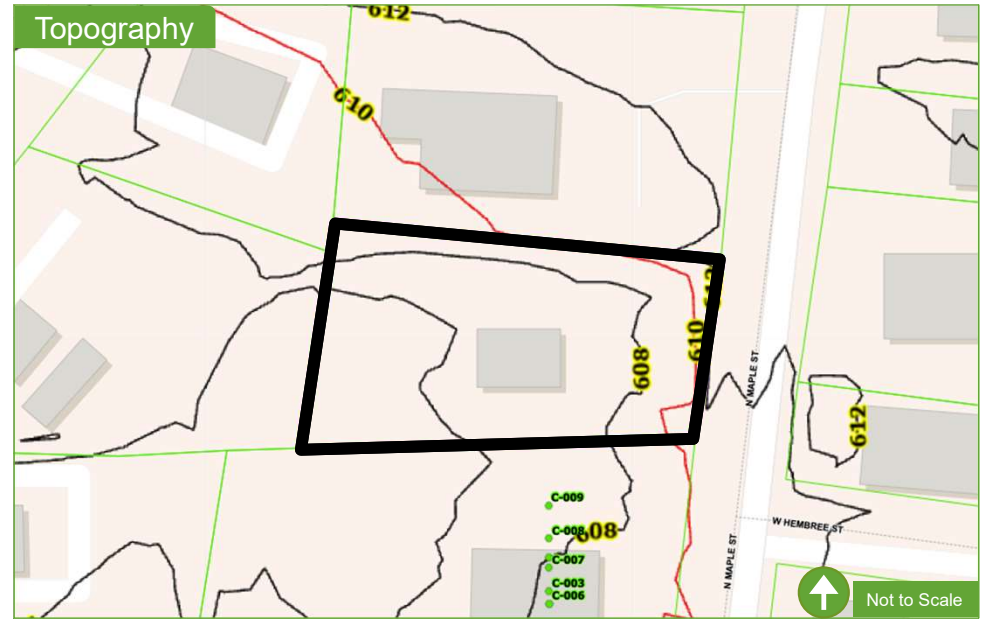
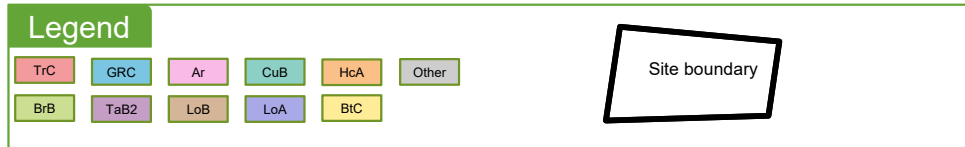
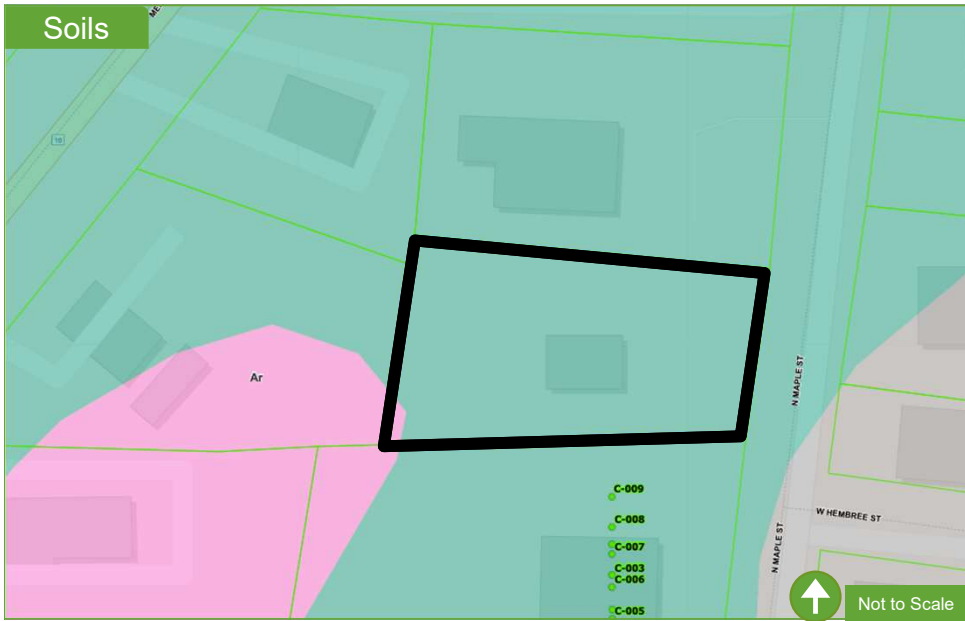


### Map Summary

- The site will be primarily accessed from North Maple Street in close proximity to Memorial Boulevard
- The site will have one primary entrance off of North Maple Street which is a community collector designated roadway.
- A 10' public utility easement will be dedicated along the front property line.
- A Final plat will be required to create a legal lot of record.

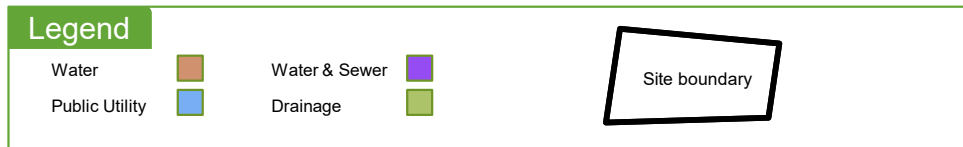
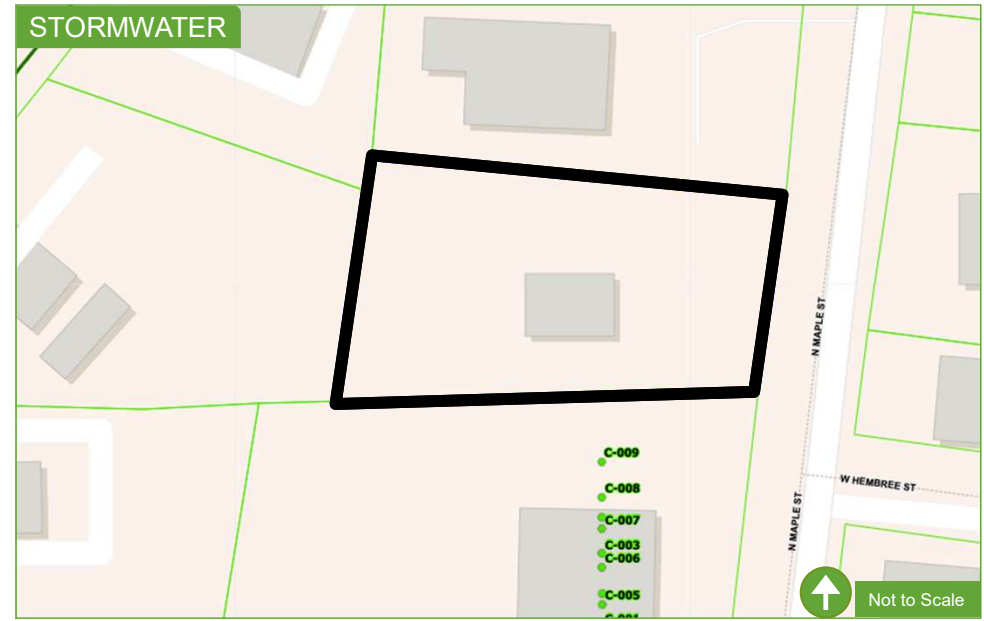
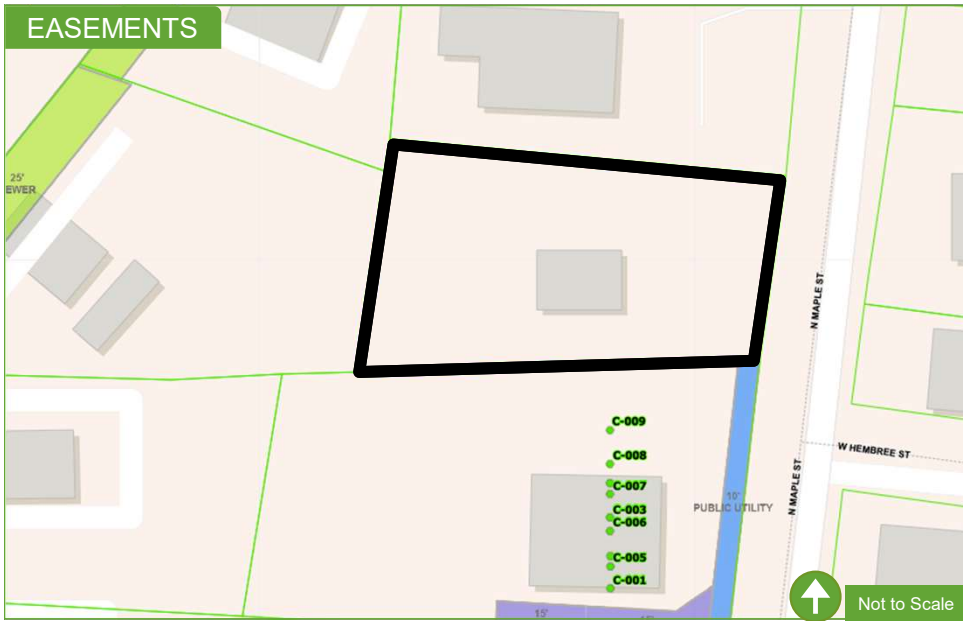
### Legend

Community Collector		Residential Collector		Site boundary
Major Arterial		Residential Sub Collector		
Minor Arterial		CBD		



**Map Summary**

The site drains from east to west towards the southwest corner of the site. The adjacent property to the south sits a few feet higher than the subject property and will be addressed in the site design.



### Map Summary

- No known easements are currently recorded on the subject property.
- A 10' public utility easement will need to be dedicated along the front property line.
- A 30' Sanitary Sewer Easement will be provided as required by MWRD.

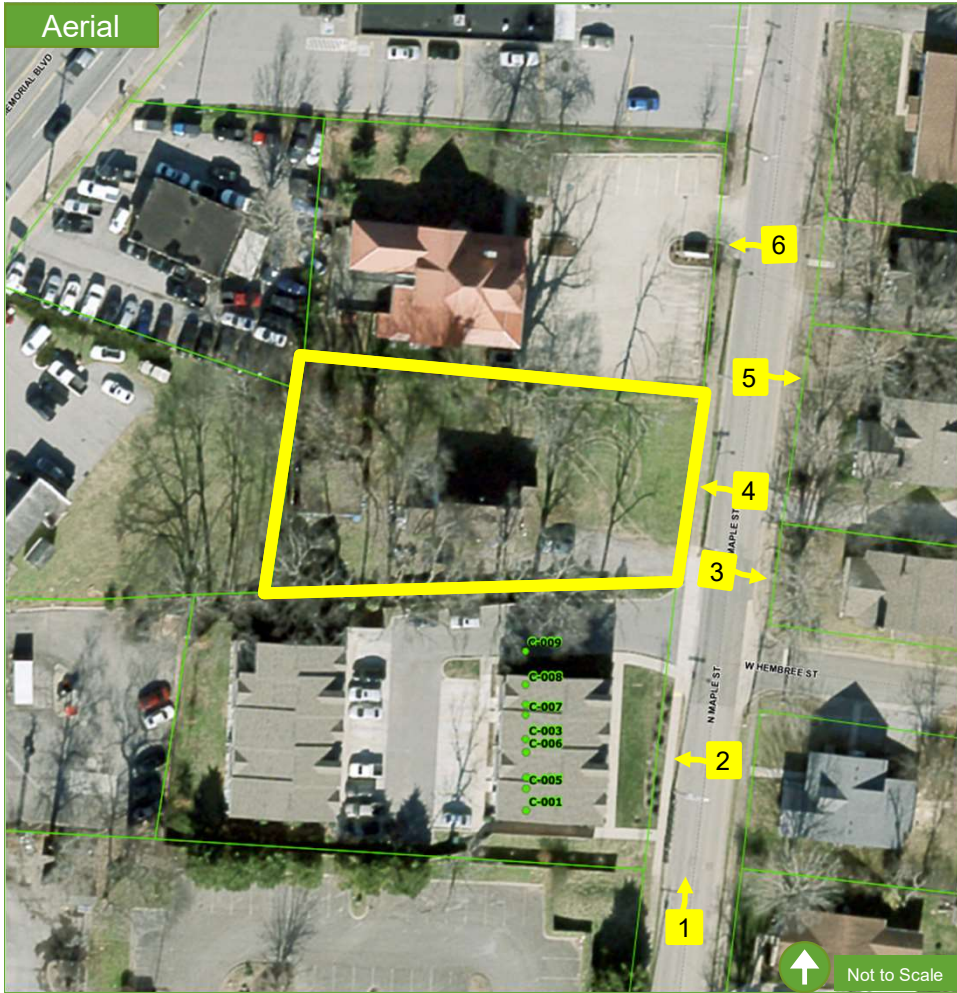
### Map Summary

Stormwater will be addressed using the “small site” option and will utilize pervious pavers in the parking stalls and downspouts draining into the paver system.

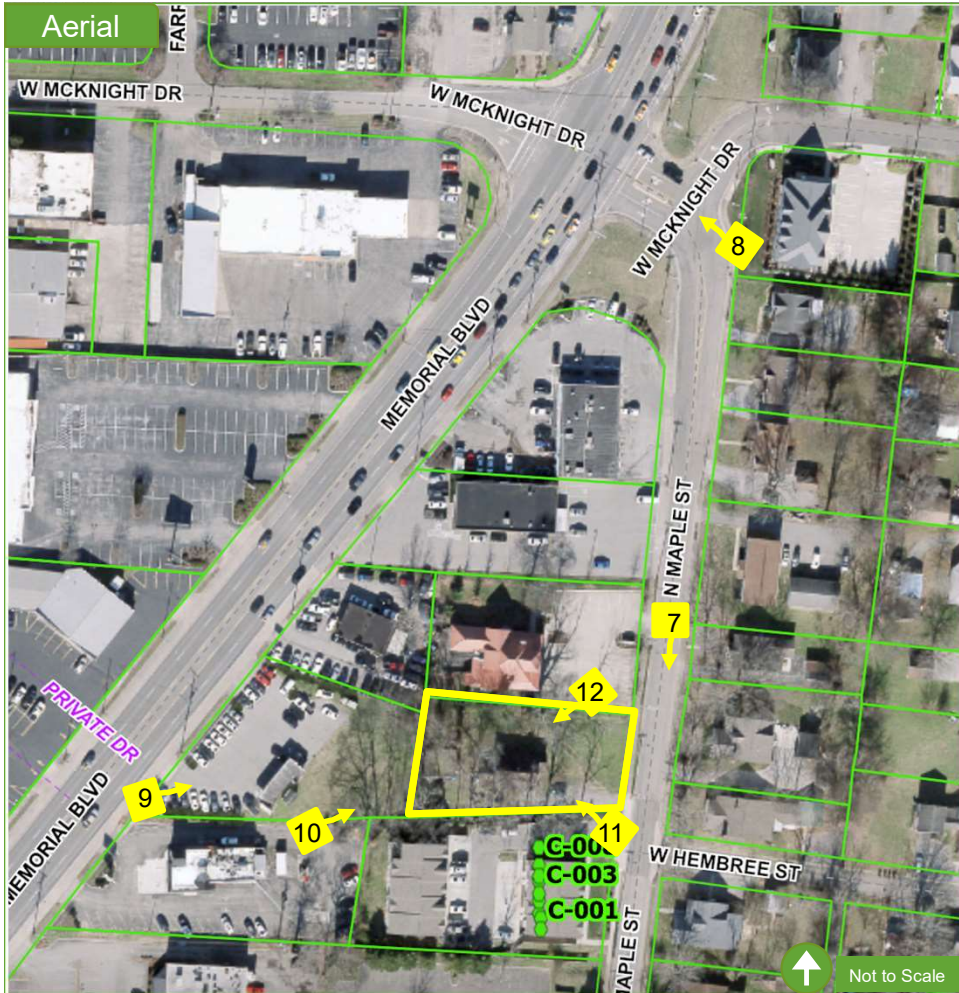


**Map Summary**

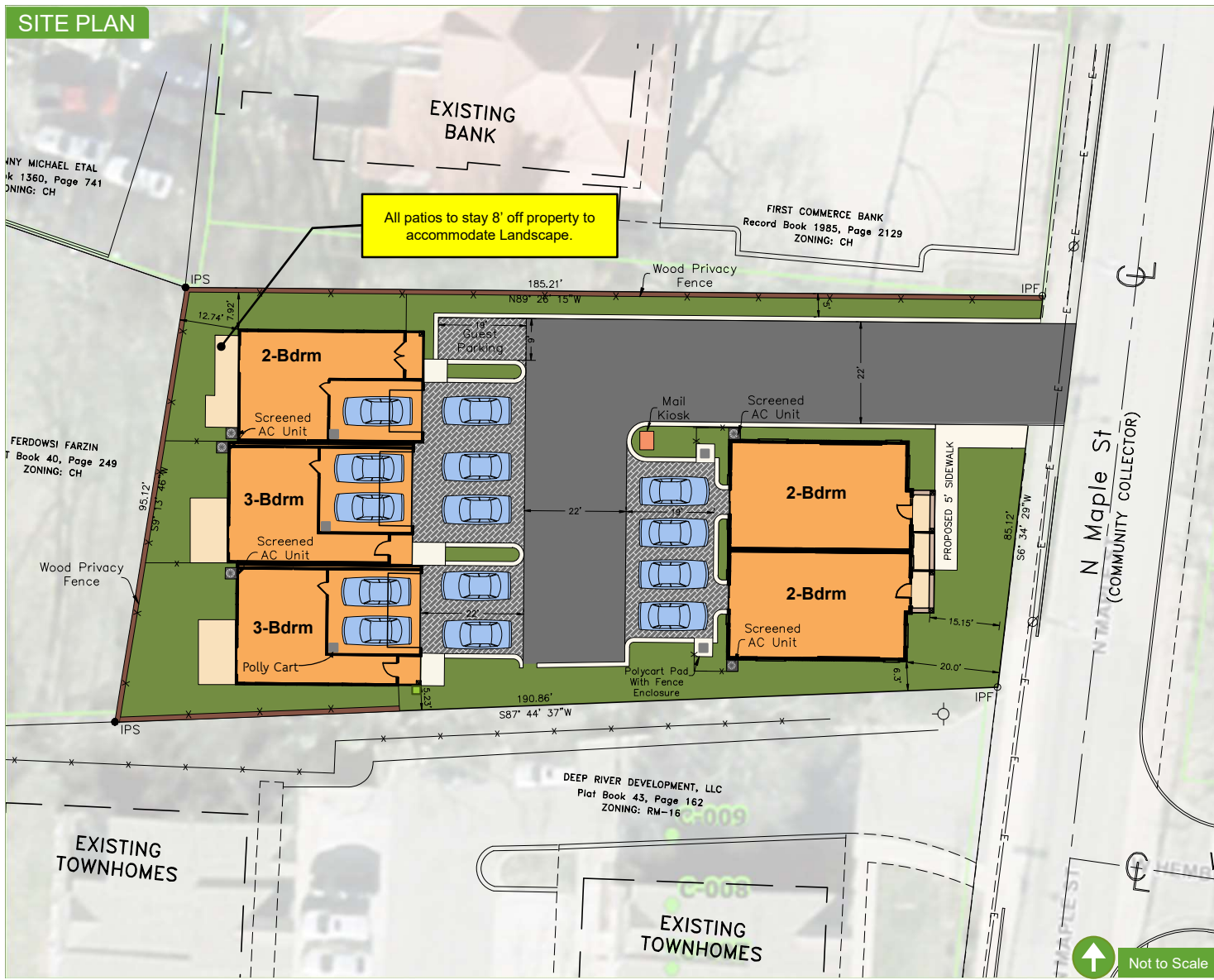
The subject property is embedded in a mixed-use area. To the north is a professional office building. To the west are two car lots and a restaurant. To the south is a recently constructed townhome development. Across North Maple Street are single family homes.







**SITE PLAN**



Site Data	Duplex (Front Units)	Triplex (Rear Units)
Total Area	0.3842 AC	
Lot size	16,735 sq.ft.	
Density	13.01 D.U./Acre	
Attached homes	2 Units	3 Units
Bedrooms	2-bdrm	1 x 2-bdrm 2 x 3-bdrm
Parking required	4 Spaces	8 Spaces
Parking provided (Garage)	N/A	5
Parking provided (Surface)	4	5
<b>Guest Parking</b>	<b>1</b>	
Private Open Space (Porches)	Front Porches	112 sq.ft. & Backyard
<b>Setbacks</b>		
Front	20 ft	N/A
Front Porch	15 ft	N/A
Side	5 ft	5 ft
Rear	N/A	8 ft
Height to Ridge	34 ft 8 in	35 ft

**LEGEND**

- Sites
- Green Space
- Sidewalk
- Porch and Entry Way
- Pervious Pavers
- Fencing

Site boundary

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VIEW FROM NORTH MAPLE STREET



REAR UNITS - FRONT PERSPECTIVE



FRONT UNITS - FRONT PERSPECTIVE



REAR UNITS - REAR PERSPECTIVE

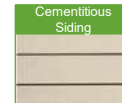


Characteristics

- All homes will have elevations consisting of masonry materials.
- All homes will have enhanced trim package
- Rear Triplex will have decorative Garage Doors

Building Elevations Materials

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



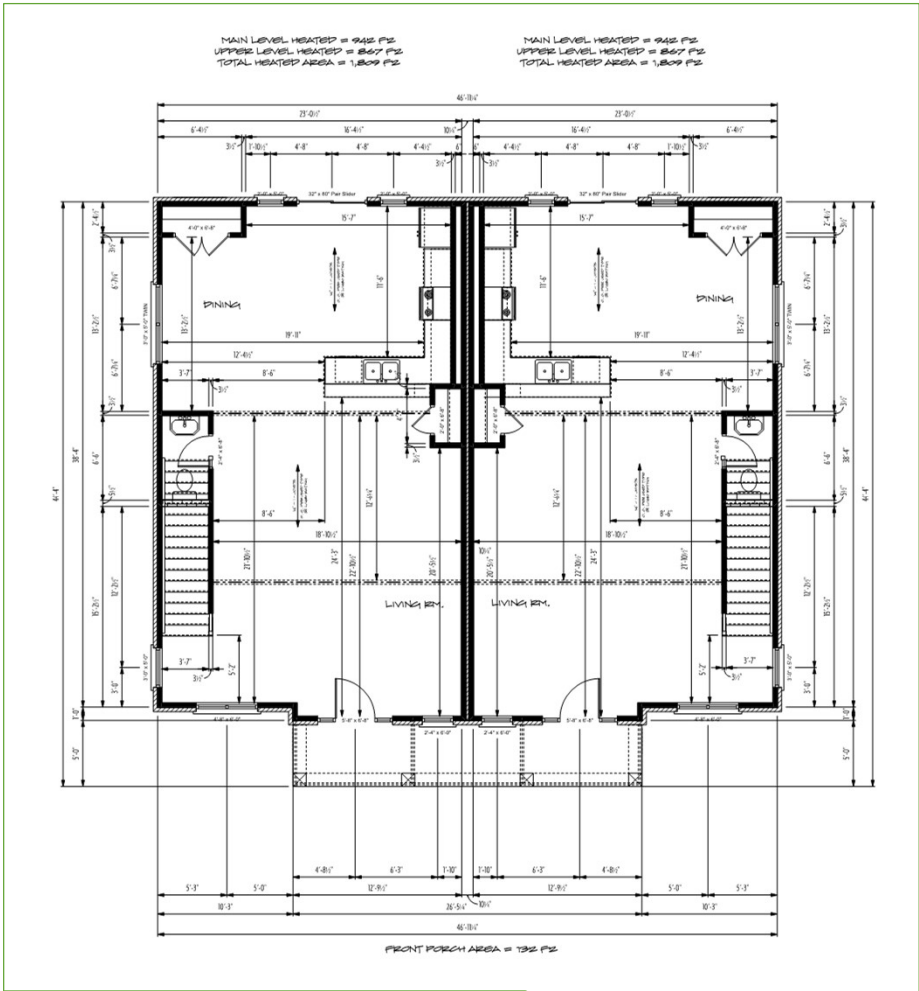
Cementitious Siding



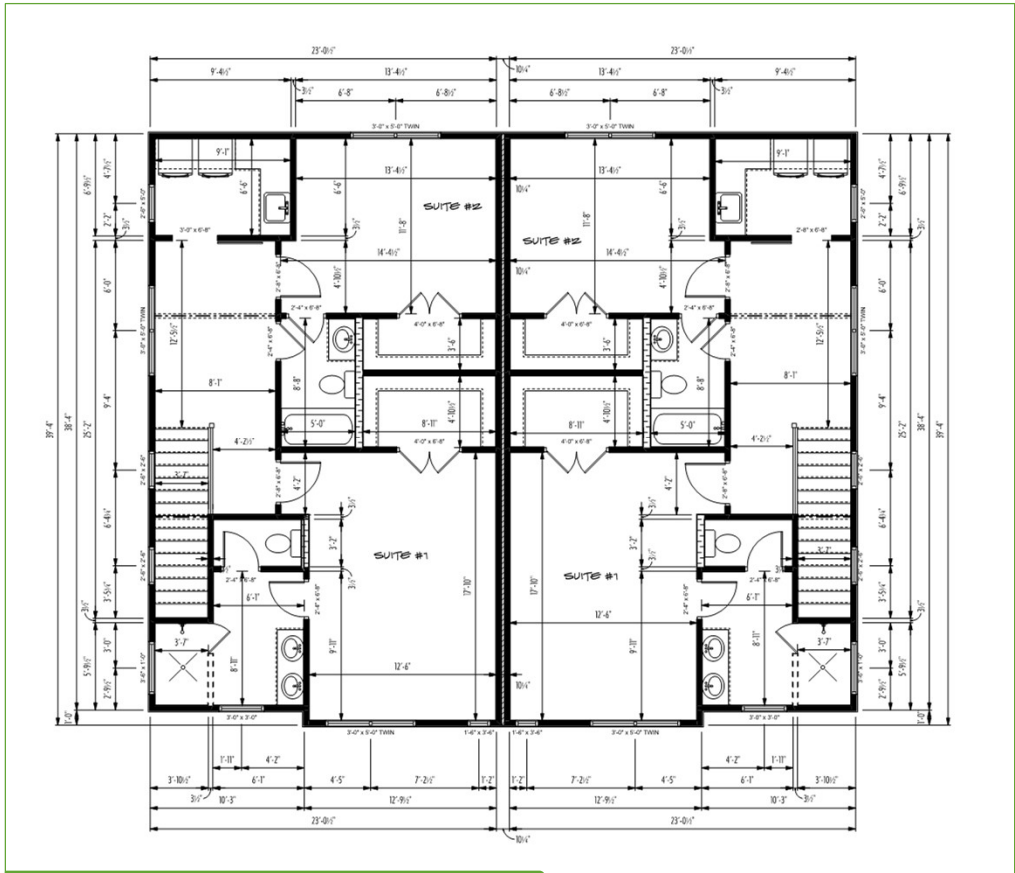
Brick

\*Different colors, cuts and patterns will be allowed

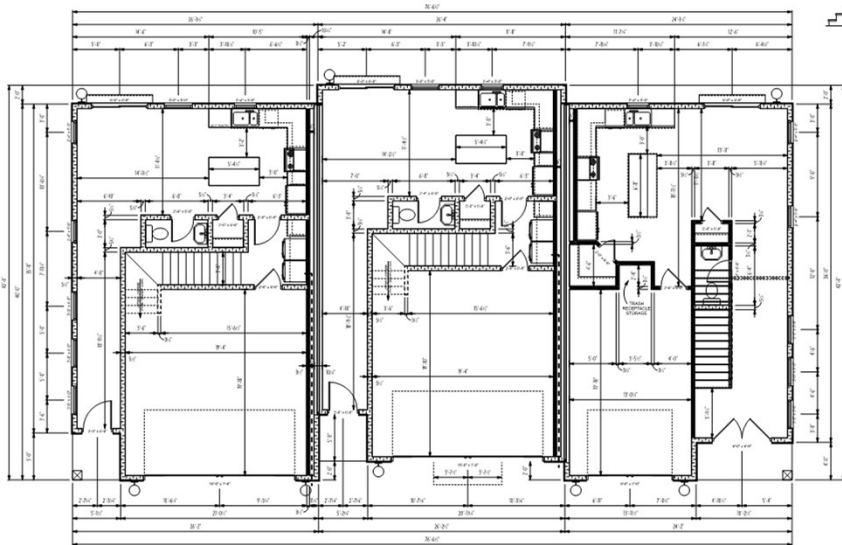
**HUDDLESTON-STEEL**  
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FRONT UNITS FLOOR PLAN - MAIN LEVEL

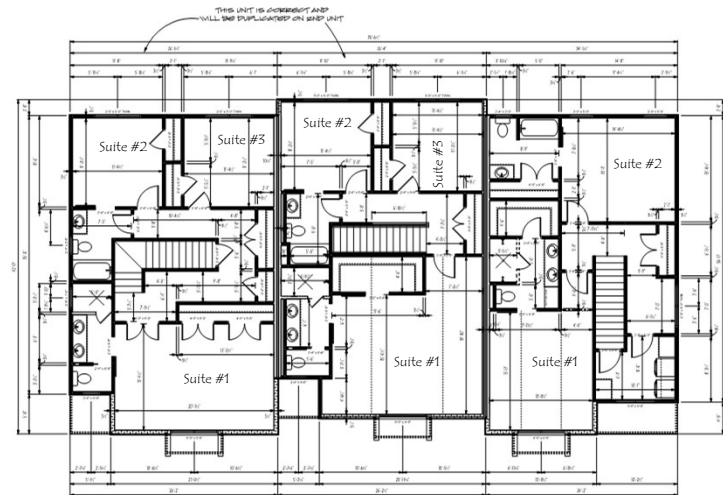


FRONT UNITS FLOOR PLAN - UPPER LEVEL

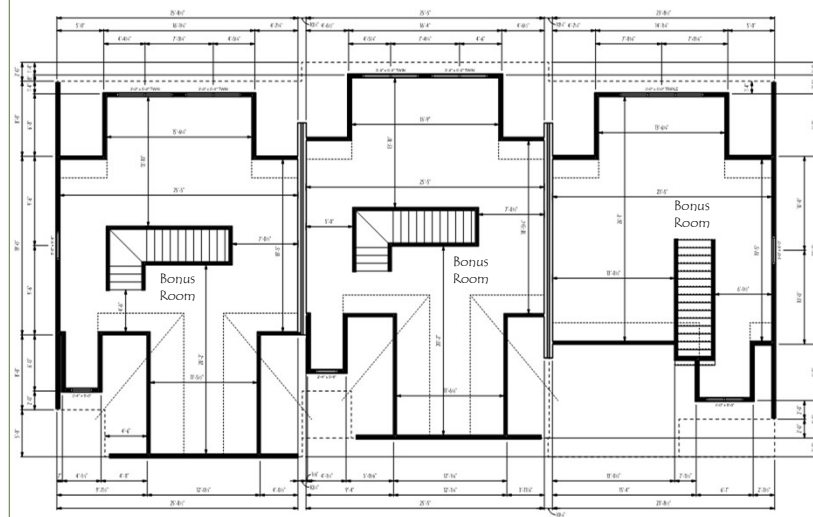


MAIN LEVEL - HEATEDFP = 9949 P.S.  
 UNHEATED LEVEL - HEATEDFP = 8649 P.S.  
 TOTAL HEATEDFP AREA = 18598 P.S.  
 CHILLED WATER HEATEDFP = 10849 P.S.  
 PLUMBING AREA = 4549 P.S.  
 ELECTRICAL PLUMBING AREA = 107 P.S.

REAR UNITS FLOOR PLAN - MAIN LEVEL

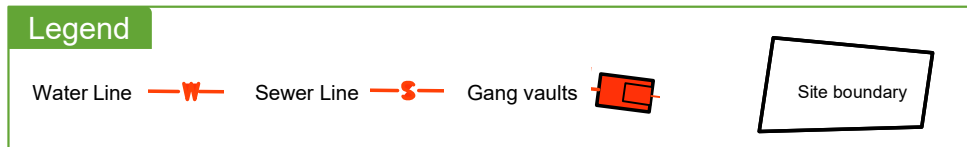
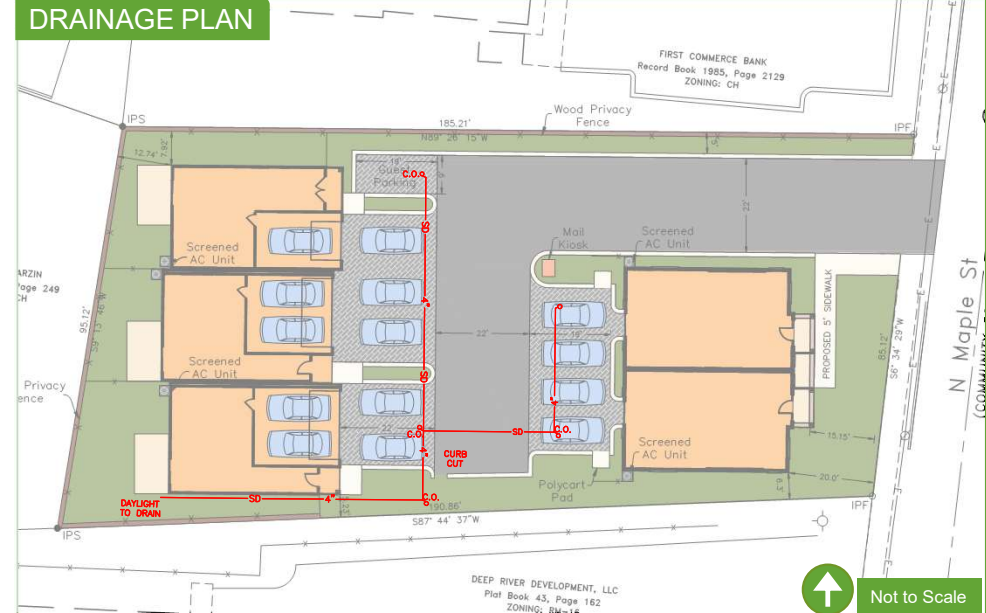
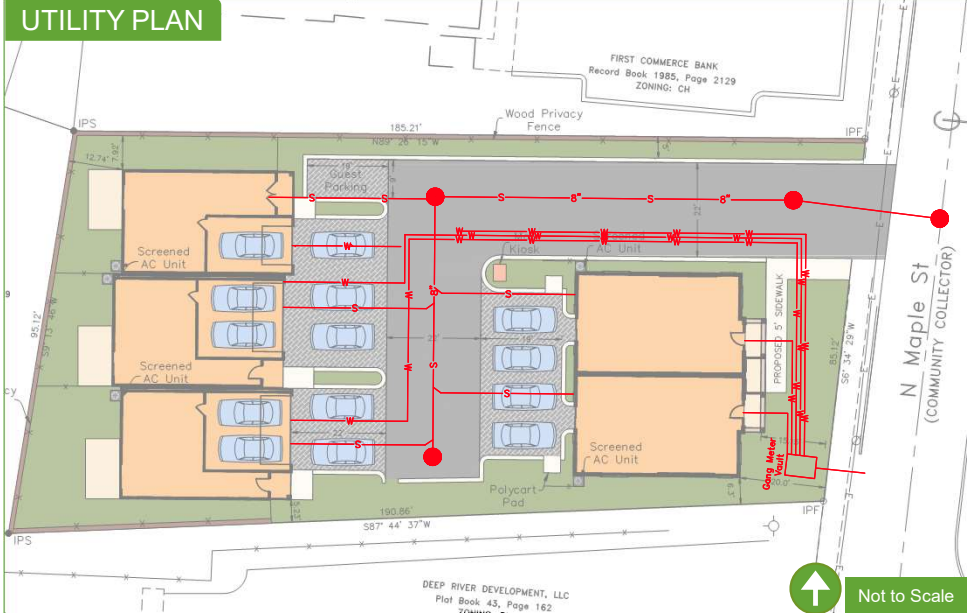


REAR UNITS FLOOR PLAN - UPPER LEVEL



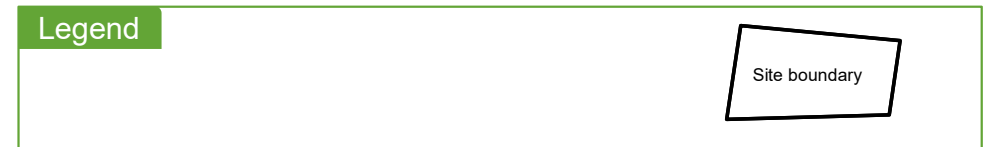
REAR UNITS FLOOR PLAN - THIRD LEVEL

**TON-STEEL**  
**ENGINEERING, INC.**  
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129  
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### Map Summary

This plan shows how the developer plans are running both the water lines and the sewer lines.



### Map Summary

This plan show how the drainage will be handled once it perks through the pervious pavers.

**OPEN SPACE PLAN**

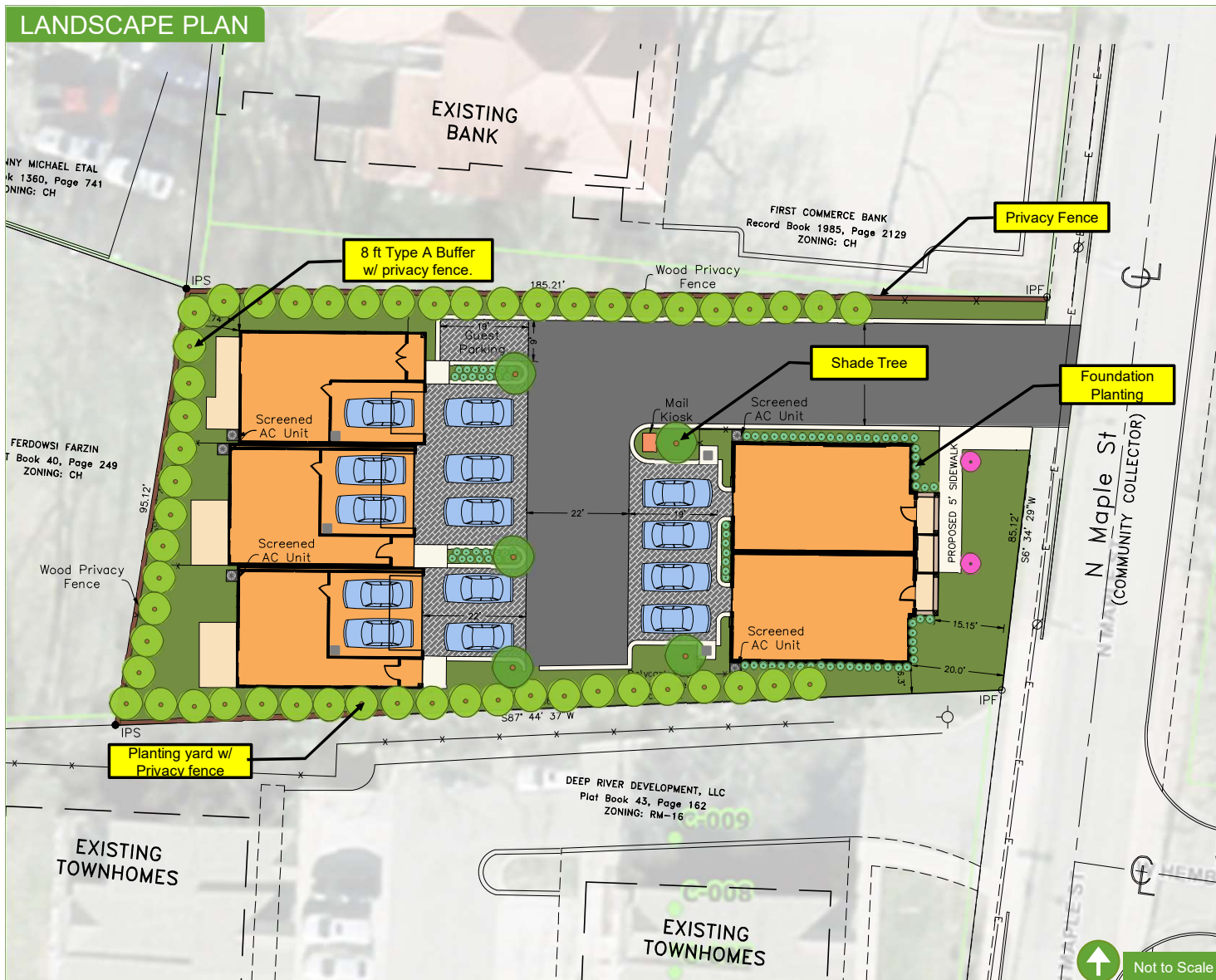


**Map Summary**

The number of townhomes being proposed on the site does not require designated formal open space. The developer will be providing 50 sq.ft. of private open space for each of the front two units and a minimum of 80 sq.ft. of private patios/small yards on each of the rear units. The developer will be providing a total of approximately 1,358 sq.ft. of private open space for the entire development with a total of 59% overall open space.



## LANDSCAPE PLAN



## Map Summary

The developer will be providing both a privacy fence and evergreen trees to soften the perimeter of the development. Type A Buffer areas are required between the PRD and CH zoning. Properties to the north and west are in the CH zone. We are requesting an 8' Type A buffer along the west and 5' planting yards to the north and south with fencing. The property to the south is RM-16 which is comparable to the PRD being requested, which does not require buffer planting.



## Developmental Standards

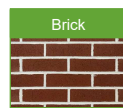
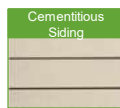
- Development will include five townhome units.
- Minimum Square Footage will be 1600 SF.
- Maximum building height to the ridge line of 35'.
- The homes will have only surface parking for the front units and garage & surface parking for the rear units. One guest space will be provided.
- Solid waste will be handled by the City of Murfreesboro by curbside poly carts.
- Sidewalks will be included along North Maple.
- No signage will be part of this development.
- Mail delivery will be handled utilizing a mail kiosk.
- The rear units will have 19'10" deep garages, 2" short of Murfreesboro design standards which require a minimum of 20' deep garages. An exception to this requirement has been requested. Garages will also house trash cart and units without garages will have a designated fenced area outside of the unit.
- Telecommunication and television will be on the back of the townhomes.
- HVAC units will be located on the side or back of the townhomes as indicated on the site plan.
- **Home occupations, accessory to a principal residential use, shall be permitted in this planned development if they demonstrate that they will comply with the administrative home occupation standards in the Murfreesboro Zoning Ordinance, as they may be amended from time to time. Home occupations that do not comply with said administrative home occupation standards shall not be permitted in this planned development.**

## General Applicability Section 13b for Planned Development

- **Ownership and division of land:**
- **Waiver of BZA action:** No BZA action is required
- **Common space and common elements:** Private open space is provided by the front patios on the front units and the rear patios and fenced yards on the back units.
- **Accessibility of site:** Site will be accessible from North Maple Street
- **Off-street parking:** The proposed site plan provides for the CCO standard of one space per bedroom.
- **Pedestrian circulation:** Developer will provide a sidewalk along North Maple Street
- **Privacy:** The townhomes will have a 6' privacy fence on the north, south, and west property lines.
- **Relationship to zoning regulations and other zoning regulations:** The development is consistent with the 2023 Land Use Plan.
- **Development Period; Phasing:** The project will be developed in one phase.
- **Annexation:** No annexation is required.
- **Landscaping:** The project will have a perimeter privacy fence with a single row of evergreen trees to beautify the project.

## Building Elevations Materials

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



\*Different colors, cuts and patterns will be allowed

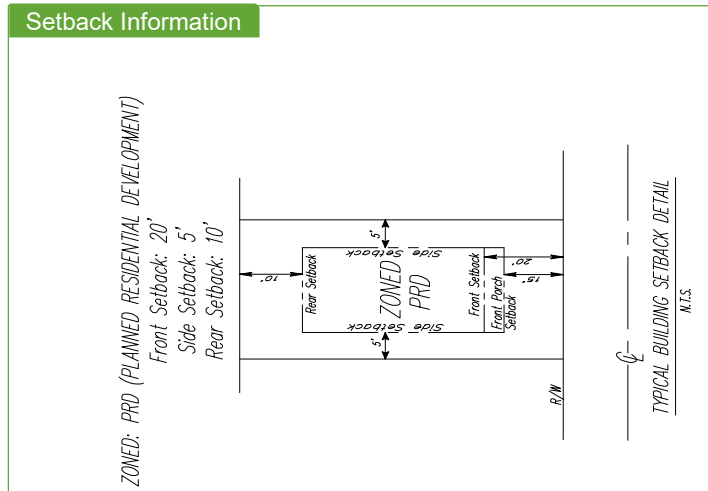
LAND USE PARAMETERS AND BUILDING SETBACKS				
ZONING (EXISTING VS PROPOSED)	RS-A3	CCO	PROPOSED	DIFFERENCE
<b>DENSITY</b>				
MAXIMUM GROSS DENSITY (D.U./ACRE)	12		13.01	1.01
MINIMUM LOT AREA (SQ.FT.)	2000		2000	
MINIMUM LOT WIDTH (FT.)	20		N/A - HPR	
MAXIMUM LOT COVERAGE (PERCENT)	none	50%	32%	
<b>MINIMUM EXTERNAL SETBACK REQUIREMENTS</b>				
MINIMUM FRONT SETBACK (FT.)	20	19	20	
FRONT PORCH SETBACK ENCROACHMENT (FRONT UNITS)	N/A	14	15	
MINIMUM SIDE SETBACK (FT.)	5		5	
MINIMUM REAR SETBACK (FT.)	20		10	10
<b>LAND USE INTENSITY RATIOS</b>				
MAX F.A.R.	1		.68	
MINIMUM LIVABLE SPACE RATIO	none		N/A	
MINIMUM OPEN SPACE REQUIREMENT	none		N/A	
MAX HEIGHT (FT.)	42		35	
OPEN SPACE (PERCENT)	15%		59%	
PRIVATE OPEN SPACE (SQ.FT)	N/A	50	1,358	

**PRD Exception Request Summary**

- Exception #1 Request a 10' reduction in the rear setback.
- Exception #2 Request a 1.01 units/acre increase in overall density as comparable to the RS A-3 zoning.
- Exception #3 Requesting a reduction of garage depth from 20' to 19'10".
- Exception #4 Requesting an allowance for 5' planting yard along north property line instead of Type A Buffer.
- Exception #5 Requesting a reduction from a 10 ft wide Type A Buffer to an 8 ft wide Type A Buffer w/ privacy fence.

SITE DATA	Entire Parcel (sq.ft.)	Percentage (%)
TOTAL LAND AREA	16,735	100%
FORMAL OPEN SPACE	N/A	
REGULAR OPEN SPACE	6,872	41%
TOTAL IMPERVIOUS	9,863	59%
TOTAL PERVIOUS	6,872	
TOTAL BUILDING COVERAGE	5,349	32%
TOTAL BUILDING SQUARE FEET	+/- 8,000	
TOTAL PARKING LOT COVERAGE	4,514	

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



Home occupations, accessory to a principal residential use, shall be permitted in this planned development if they demonstrate that they will comply with the administrative home occupation standards in the Murfreesboro Zoning Ordinance, as they may be amended from time to time. Home occupations that do not comply with said administrative home occupation standards shall not be permitted in this planned development.



## 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 Sheets 5-6.](#)
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 Sheets 9-12.](#)
3. A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structure on-site and within two hundred feet of the subject property and the identification of the use thereof; [Shown in pattern book Sheet 13,](#)
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 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 on 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); [Shown in pattern book on Sheet 21.](#)
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 4.](#)
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; [Project will be completed in one phase.](#)
9. Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted; [Property will be managed by 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 Request a 10' reduction in the rear setback.**
  - **Exception #2 Request a 1.01 units/acre increase in overall density as comparable to the RS A-3 zoning.**
  - **Exception #3 Requesting a reduction of garage depth from 20' to 19'10".**
  - **Exception #4 Requesting an allowance for 5' planting yard along north property line instead of Type A Buffer.**
  - **Exception #5 Requesting a reduction from a 10 ft wide Type A Buffer to an 8 ft wide Type A Buffer w/ privacy fence.**
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 the CCO.](#)
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 project has no impact on the Major Thoroughfare Plan.](#)
13. The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated; [See Sheet 2. .](#)
14. Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. [See Sheets 13-15. .](#)
15. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign: [No signage is being proposed with this development.](#)
16. **Home occupations, accessory to a principal residential use, shall be permitted in this planned development if they demonstrate that they will comply with the administrative home occupation standards in the Murfreesboro Zoning Ordinance, as they may be amended from time to time. Home occupations that do not comply with said administrative home occupation standards shall not be permitted in this planned development.**

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
APRIL 3, 2024  
PROJECT PLANNER: MATTHEW BLOMELEY**

**5.b. Proposed amendment to the Zoning Ordinance [2024-801] regarding warehouse uses and pertaining to Endnotes for Chart 1: Uses Permitted by Zoning District, City of Murfreesboro Planning Department applicant.**

This proposed amendment to the Zoning Ordinance seeks to modify Endnote 18 of *Chart 1: Uses Permitted by Zoning Ordinance*. This endnote pertains to the use “Warehousing, Transporting/Distributing” in Chart 1. This use is permitted in the L-I (Light Industrial), G-I (General Industrial), and H-I (Heavy Industrial) zoning districts. This endnote currently states that “warehouses incidental and accessory to another use are permitted by right wherever such other use is permitted.” The intent of this endnote is to permit warehouses that are accessory to a permitted principal use on the property, even if the property is not located in the L-I, G-I, or H-I zones. An example of this type of warehouse would be a small warehouse accessory to a contractor’s office, which is a permitted use in the CH (Commercial Highway) zone, where a contractor might store his/her equipment and materials indoors. Another example could be a warehouse accessory to a hardware store or plumbing supply retail business, which would be a use allowed in the CH zone as well, where the primary use of the property is a retail showroom for residential customers but where there also might be a warehouse where inventory is stocked for sale to contractors.

This amendment seeks to provide some additional clarity to this endnote. It clarifies that any warehouse that engages in “non-retail distribution activities” is classified as “Warehousing, Transporting/Distributing,” regardless of its size and relation to any other use on the property, and is only permitted in the L-I, G-I, and H-I zones. For example, a warehouse that is accessory to a retail establishment would only be permitted if the goods stored in the warehouse were for that particular location; whereas a warehouse attached to a retail establishment that is used for the distribution of its goods to other physical locations or stores would only be permitted in the L-I, G-I, and H-I zones. The types of accessory warehouses described in the first paragraph above, however, will continue to be permitted wherever their associated principal uses are permitted.

**Action Needed:**

A draft of the proposed ordinance amendment is included in the agenda packet for the Planning Commission’s review. The Planning Commission should conduct a public hearing on the proposed amendment and then formulate a recommendation for City Council.

**Proposed amendment to the Zoning Ordinance regarding Endnote 18  
for Chart 1: Uses Permitted by Zoning District**

***Endnote 18 currently reads as follows:***

“18. Warehouses incidental and accessory to another use are permitted by right wherever such other use is permitted.”

***Delete Endnote 18 in its entirety and replace it with the following:***

“18. Warehouses incidental and accessory to a permitted on-site principal use, and which do not include non-retail distribution activities, are permitted by right. Use of a facility for bulk delivery, storage, and handling items intended to be distributed for sale or assembly at another location: (1) shall in all cases be classified as a Warehousing, Transporting/Distributing use; (2) shall be subject to the provisions of this Zoning Ordinance as though such use were the principal use of the premises without regard to other uses on the premises; and (3) shall be permitted only in the zoning districts identified for such use in Chart 1.”

**ORDINANCE 24-O-XX** amending Murfreesboro City Code Appendix A, Zoning, Chart 1 Endnotes, dealing with permitted warehouse uses, City of Murfreesboro Planning Department, applicant [2024-801].

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

SECTION 1. Appendix A, Chart 1 Endnotes, Uses Permitted by Zoning District, of the Murfreesboro City Code is hereby amended at Endnote 18, by adding deleting it in its entirety and substituting in lieu thereof the following:

18. Warehouses incidental and accessory to a permitted on-site principal use, and which do not include non-retail distribution activities, are permitted by right. Use of a facility for bulk delivery, storage, and handling items intended to be distributed for sale or assembly at another location: (1) shall in all cases be classified as a Warehousing, Transporting/Distributing use; (2) shall be subject to the provisions of this Zoning Ordinance as though such use were the principal use of the premises without regard to other uses on the premises; and (3) shall be permitted only in the zoning districts identified for such use in Chart 1.

SECTION 2. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

\_\_\_\_\_  
Shane McFarland, Mayor

1<sup>st</sup> reading \_\_\_\_\_

2<sup>nd</sup> reading \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

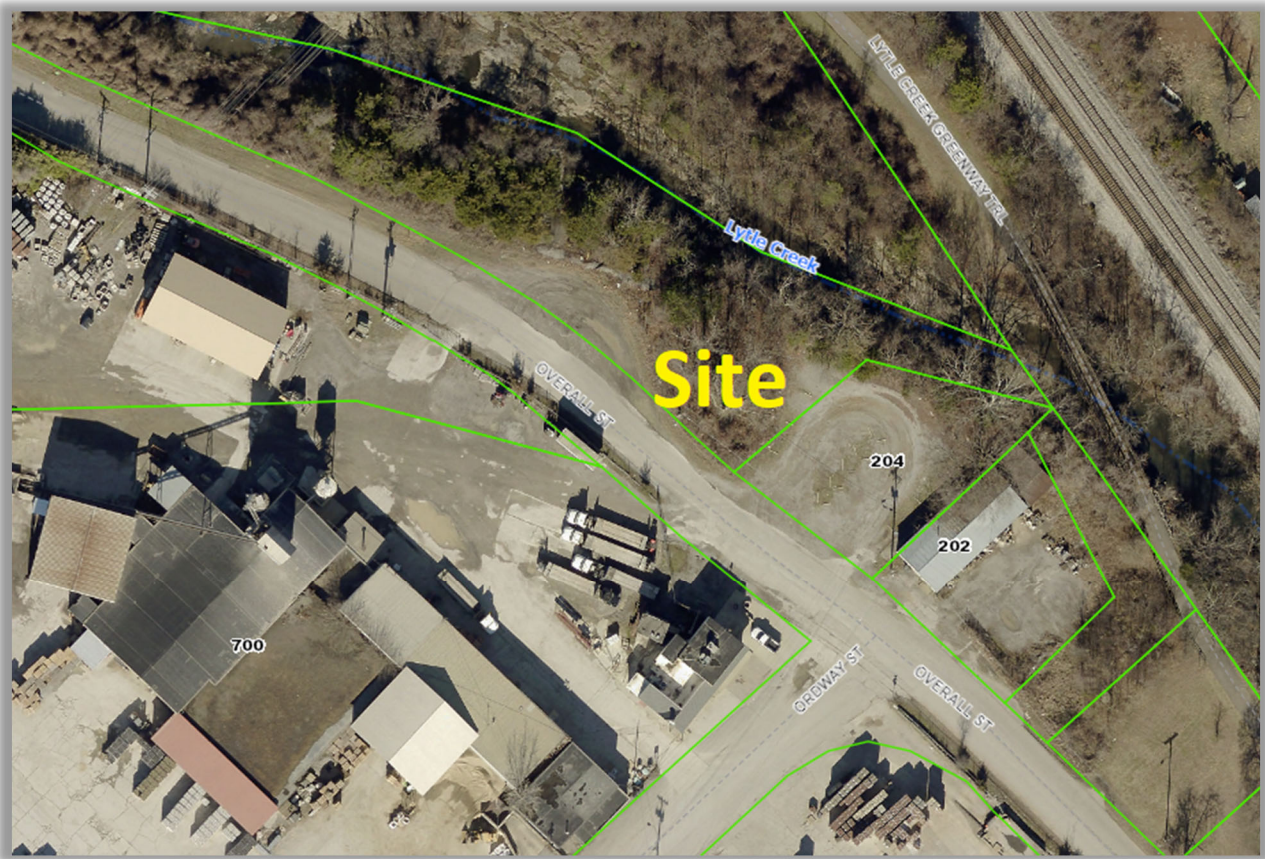
\_\_\_\_\_  
Jennifer Brown  
City Recorder

\_\_\_\_\_  
Adam F. Tucker  
City Attorney

SEAL

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
APRIL 3, 2024  
PROJECT PLANNER: MATTHEW BLOMELEY**

**6.a. Mandatory Referral [2024-706] to consider the dedication of an electric easement on City-owned property located along Overall Street, Middle Tennessee Electric applicant.**



In this mandatory referral, the Planning Commission is being asked to consider the approval of the dedication of an electric easement for Middle Tennessee Electric (MTE) on property that the City owns on Overall Street. The property in question is currently undeveloped and is adjacent to the Lytle Creek Greenway Trail and Old Fort Park. MTE proposes to upgrade its power lines in this area in order to provide backup power to Saint Thomas Rutherford Hospital, in the event the main power source is disrupted. The proposed easement will accommodate the proposed electric infrastructure to be located on the City's property. An exhibit depicting the location of the proposed easement is included in the agenda

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

1. If approved by City Council, MTE will be responsible for providing the information necessary (including, but not limited to, any exhibits and legal descriptions) for the Legal Department to prepare legal instruments to formally dedicate the proposed easement in question. The legal instruments will be subject to the final review and approval of the Legal Department.
2. MTE will also be responsible for recording these instruments, including payment of the recording fee.
3. Any new poles will need to be located a minimum of 3' from Atmos gas facilities. If the requested separation cannot be adhered to, then MTE will need to contact Atmos to discuss an alternative solution.
4. Comcast has both aerial and underground facilities at this pole. MTE will need to coordinate the proposed work with Comcast.





# City of Murfreesboro Mandatory Referral Application

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

### Mandatory Referral Fees:

Mandatory Referral, <b>INCLUDING</b> abandonment of right-of-way.....	\$350.00
Mandatory Referral, <b>NOT INCLUDING</b> abandonment of right-of-way.....	\$150.00

### Property Information:

Tax Map/Group/Parcel: **091 00900**

Address (if applicable): **910-1028 Golf Ln, Murfreesboro, TN**

Street Name (if abandonment of ROW): \_\_\_\_\_

Type of Mandatory Referral: **Not including abandonmnet of right of way**

### Applicant Information:

Name of Applicant: **Christopher Weaver**

Company Name (if applicable): **Middle Tennessee Electric**

Street Address or PO Box: **555 New Salem Hwy**

City: **Murfreesboro**

State: **TN**

Zip Code: **37129**

Email Address: **ChrisWeaver@mte.com**

Phone Number: **615-566-8035**

### Required Attachments:

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

*Christopher W. Weaver*

**March 15, 2024**

Applicant Signature

Date

**From:** [Weaver, Christopher](#)  
**To:** [dives@murfreesborotn.gov](mailto:dives@murfreesborotn.gov)  
**Subject:** MTE Easement for City of Murfreesboro Property  
**Date:** Tuesday, March 12, 2024 12:06:00 PM  
**Attachments:** [image001.png](#)  
[MTE right of way easement and exhibits.pdf](#)

---

David,

Good afternoon. Middle Tennessee Electric is upgrading our power line along Overall and Ordway St and then down Scott St. We are upgrading this line to provide an alternate feed to the hospital in the event TVA loses power on the transmission line. We will be replacing the pole and anchor on the City of Murfreesboro property across the street from Lee Building Products on Overall St. We will be adding an additional anchor and will need to remove a tree and some vegetation around the anchors. I have attached our easement and exhibit for signature and to be notarized. The exhibit that does not have the aerial will need to be initialed. The exhibit with aerial is for informational purposes and has notes for you and the city. If you have any questions please let me know. The Easement and Exhibit can be returned to my attention.

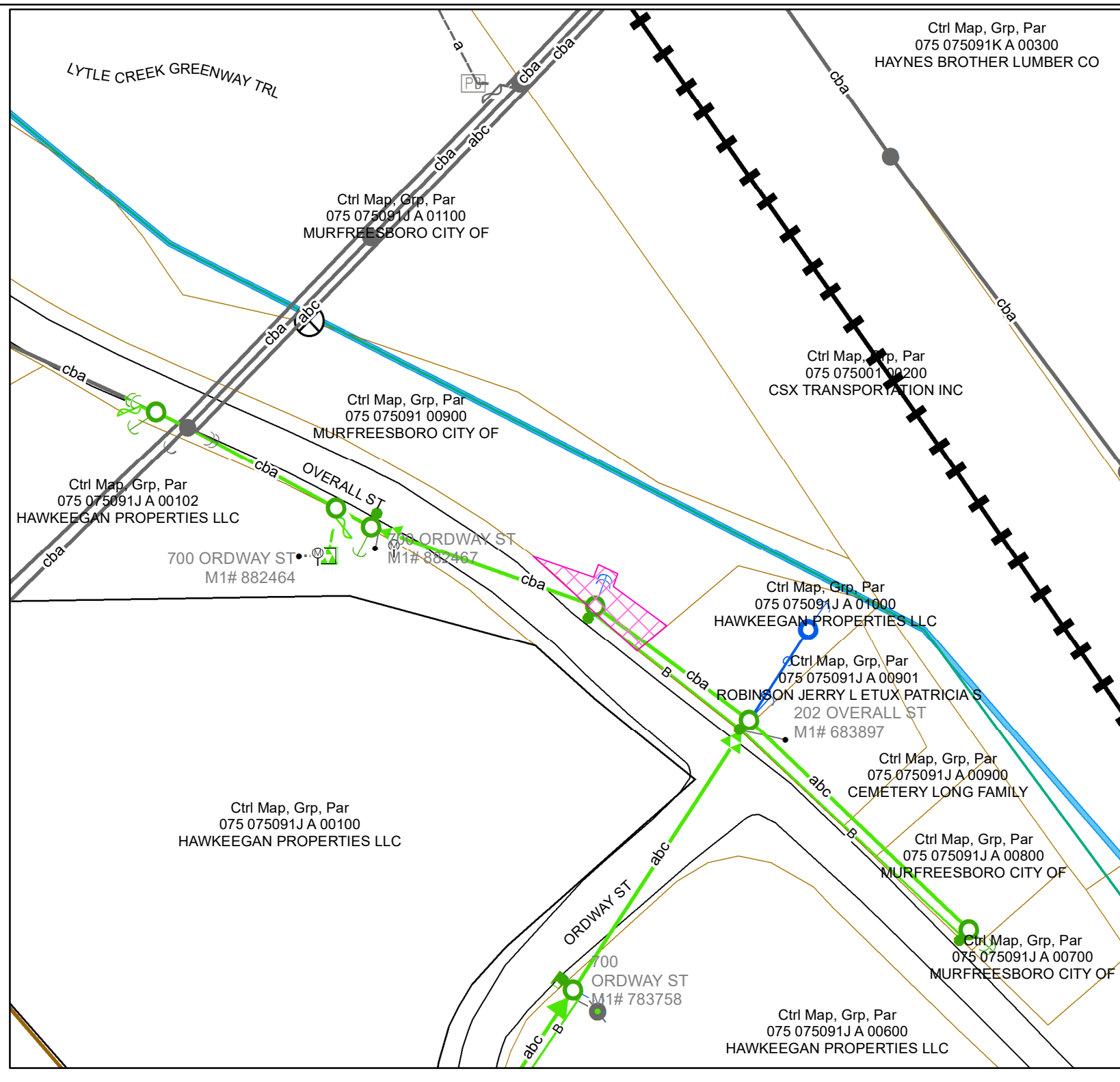
Thanks,

**Christopher W. Weaver**  
Project Engineer

Middle Tennessee Electric  
555 New Salem Highway, Murfreesboro, TN 37129  
**Office:** 615-494-1068  
**Mobile:** 615-566-8035



**Energy. Service. Life.**



- ### Legend
- Utility Lines
  - Existing Utility Pole
  - Proposed Utility Pole
  - Ⓜ Manhole
  - Ⓥ Vault
  - Ⓟ Primary Pullbox
  - Secondary Pullbox
  - UG Sector
  - ▶ Overhead Transformer
  - ◀ Underground Transformer
  - ↔ Anchor Guy
  - Span Guy

**Disclaimer:**  
 Middle Tennessee Electric Membership Corporation ("MTE") makes no representation, warranty, or certification as to map accuracy, including, but not limited to, its accuracy as to underground conductor locations, property boundaries, rights-of-ways, or placement and location of any map features or data. This exhibit is not intended to be an ALTA/ACSM, Category I Boundary, or any other type of land survey. The drawing is not to scale. The location of the easement centerline and/or easement dimensions as shown are approximate and may vary with actual construction. After actual construction, the as-built electric lines and/or equipment shall be deemed to be the centerline of the easement. MTE expressly disclaims liability for any errors or omissions.

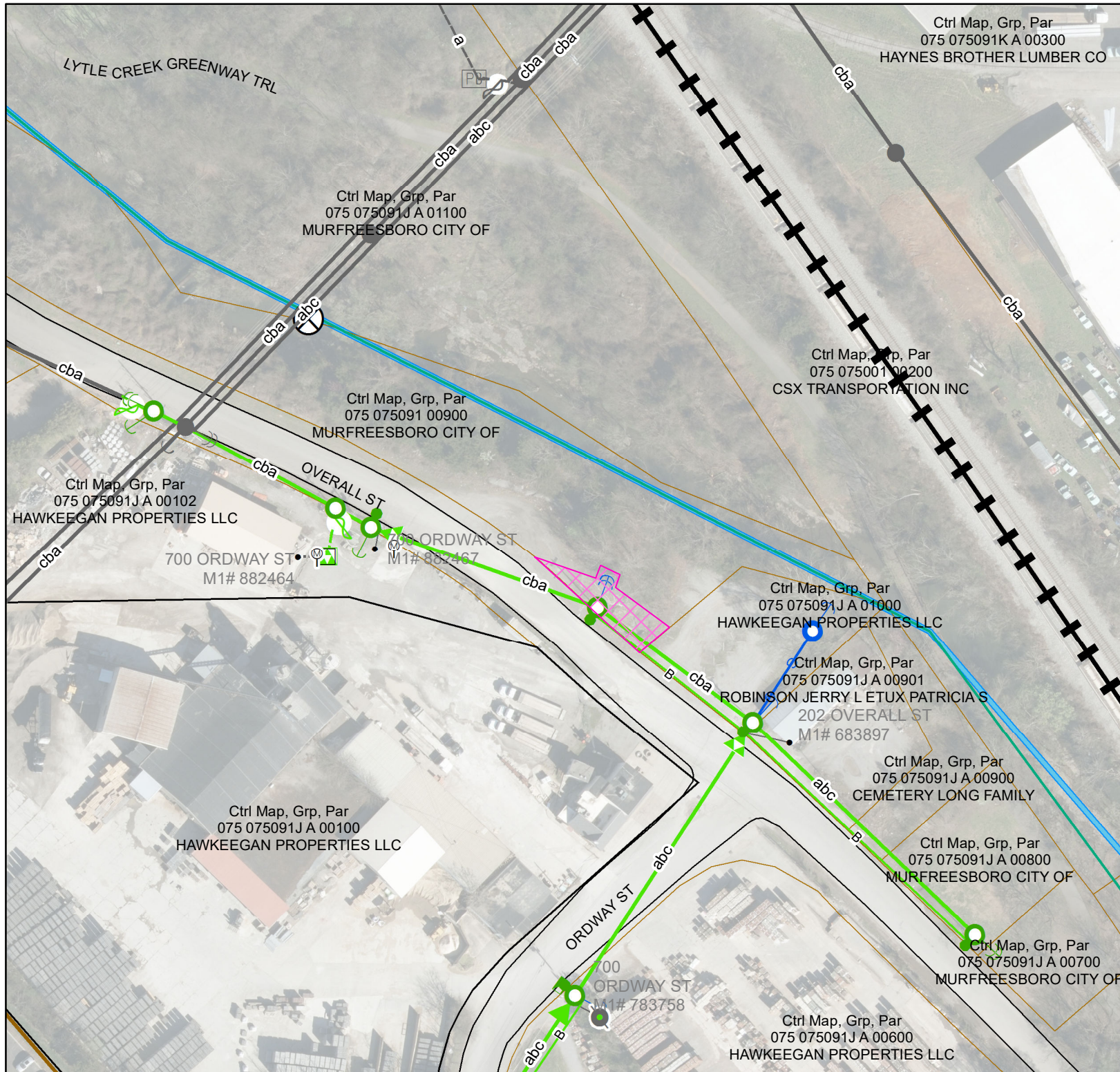
Initials: \_\_\_\_\_

Job Number: 16153639  
 Location: Overall - Ordway  
 Description:

Map: 5449-J  
 Scale: 1 inch = 100 feet  
 Print Date: 3/21/2024



# Exhibit "1"



- ### Legend
- Utility Lines
  - Existing Utility Pole
  - Proposed Utility Pole
  - Manhole
  - Vault
  - Primary Pullbox
  - Secondary Pullbox
  - UG Sector
  - ▶ Overhead Transformer
  - ◀ Underground Transformer
  - ← Anchor Guy
  - Span Guy

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Initials: \_\_\_\_\_

Job Number: 16153639  
 Location: Overall - Ordway  
 Description:

Map: 5449-J  
 Scale: 1 inch = 100 feet  
 Print Date: 3/21/2024



# Exhibit "1"

# Right-of-Way

## Easement

This instrument prepared by: MTE  
 555 New Salem Highway, Murfreesboro, TN 37129  
 \_\_\_\_\_ Employee Initials



Service Location # \_\_\_\_\_ Meter Set SO # \_\_\_\_\_ WO# \_\_\_\_\_

Grantor: \_\_\_\_\_ And/by \_\_\_\_\_

Select one of the following: unmarried married business entity

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the Grantor, whether one or more, does hereby grant unto Middle Tennessee Electric Membership Corporation, a Tennessee not-for-profit corporation ("Grantee" or "MTE"), its affiliates, successors or assigns, a perpetual easement (the "Easement") that, except as may be otherwise indicated on Exhibit 1, if attached, shall be twenty feet (20') from the centerline (total of 40') for any overhead transmission and/or distribution line or system, including anchoring, and ten feet (10') from the centerline (total of 20') for any underground transmission and/or distribution line or system with the right to:

- install, construct, reconstruct, rephase, operate and maintain an electric transmission and/or distribution line or system;
- inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as Grantee may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, poles, guy wire and anchors, hand holes, manholes, connection boxes, transformers and transformer enclosures;
- cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery within the Easement, or any tree that may interfere with or threaten to endanger the operation and maintenance of said line or system;
- prohibit, prevent and restrict the planting and/or maintenance of any trees, shrubbery or vegetation not approved in writing by Grantee (except those trees that appear on MTE's approved standard planting guide) which approval may be withheld by Grantee in its sole discretion if it determines said trees, shrubbery or vegetation may in the future interfere with or threaten to endanger the operation and maintenance of said line or system;
- prohibit the planting of any trees, shrubbery or vegetation within 15' of a pole or pad-mounted equipment;
- keep the Easement clear of all buildings, structures or other obstructions;
- license, permit or otherwise agree to the joint use or occupancy of the lines, system or, if any of said system is placed underground, of the trench and related underground facilities, by any other person, association or corporation for electrification, for other utility or commercial purposes;
- install and maintain guy additions to overhead lines if any portion of the lines or system is placed underground;

over, across; and through the land owned by Grantor as further described below (the "Property");

County \_\_\_\_\_ State of Tennessee Tax Map: \_\_\_\_\_ Group: \_\_\_\_\_ Parcel: \_\_\_\_\_

Address \_\_\_\_\_  
House/building# Street/Road Name City Zip

and such Property being of record in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, Register's Office of the above-named county, and as may be further described according to Exhibit 1 attached hereto and incorporated herein by reference, if attached, together with the right of ingress and egress over adjacent lands of the Grantor, and Grantor's successors and assigns for the purposes of this Easement.

The Grantor agrees that all poles, wires, and other facilities, including any main service entrance equipment, installed in, upon or under the Property at Grantee's expense shall remain the property of the Grantee and removable at the option of the Grantee. The Grantor hereby expressly releases any claims, demands, actions, or causes of action for trespass related to the Grantee's use of this Easement as described herein. The grant and other provisions of this Easement shall run with the land for the benefit of the Grantee, its affiliates, successor and assigns.

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
 Print Name/Title of Authorized Signatory

\_\_\_\_\_  
 Print Name/Title of Authorized Signatory

\_\_\_\_\_  
 Legal Signature

\_\_\_\_\_  
 Legal Signature

STATE OF \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

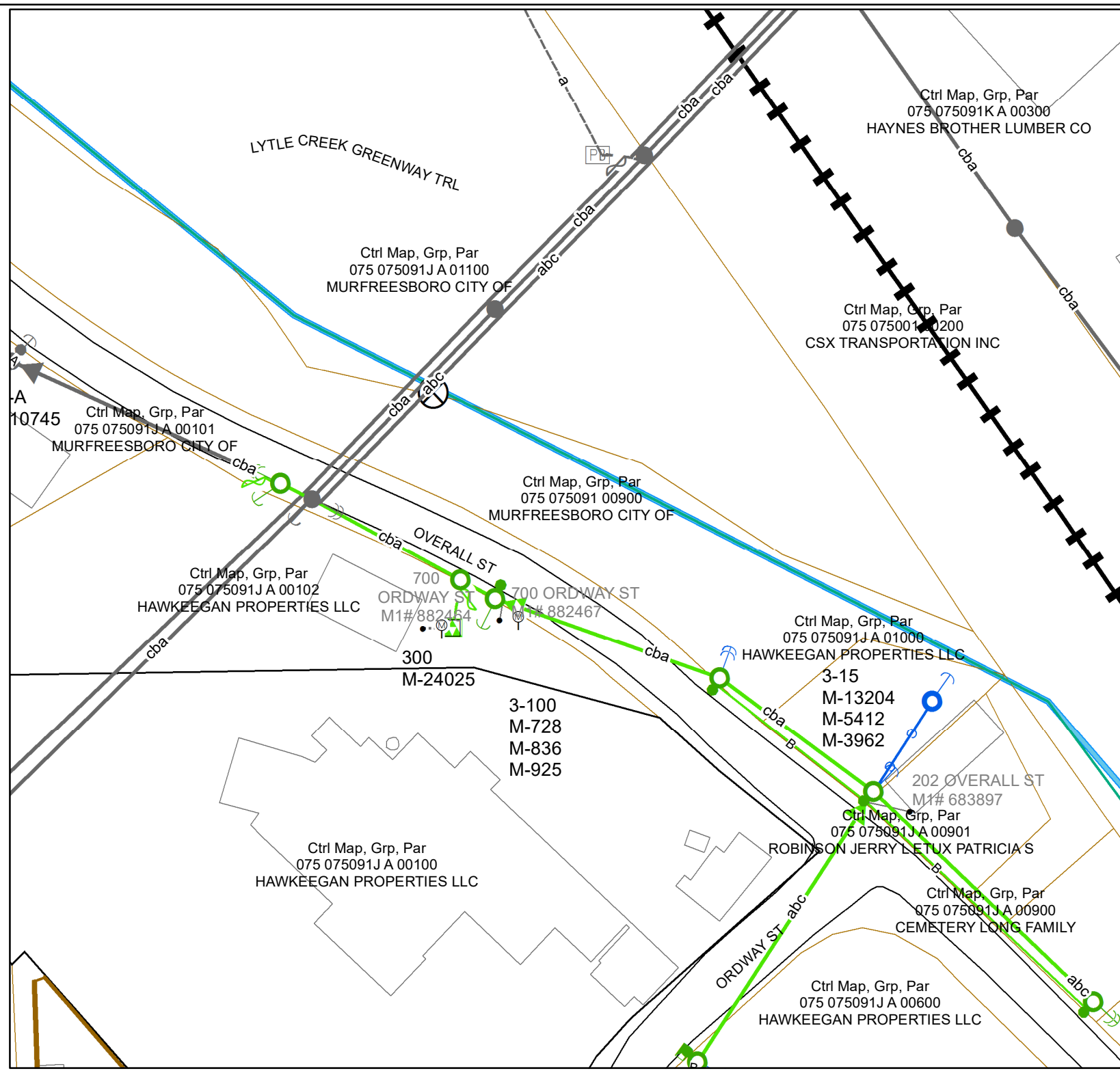
COUNTY OF \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, personally appeared before me, the within named bargainer(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

On the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, personally appeared before me, the within named bargainer(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

\_\_\_\_\_  
 Notary Signature My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
 Notary Signature My Commission Expires \_\_\_\_\_



- ### Legend
- Utility Lines
  - Existing Utility Pole
  - Proposed Utility Pole
  - ⊞ Manhole
  - ⊞ Vault
  - ⊞ Primary Pullbox
  - ⊞ Secondary Pullbox
  - UG Sector
  - ▶ Overhead Transformer
  - ◼ Underground Transformer
  - ← Anchor Guy
  - Span Guy

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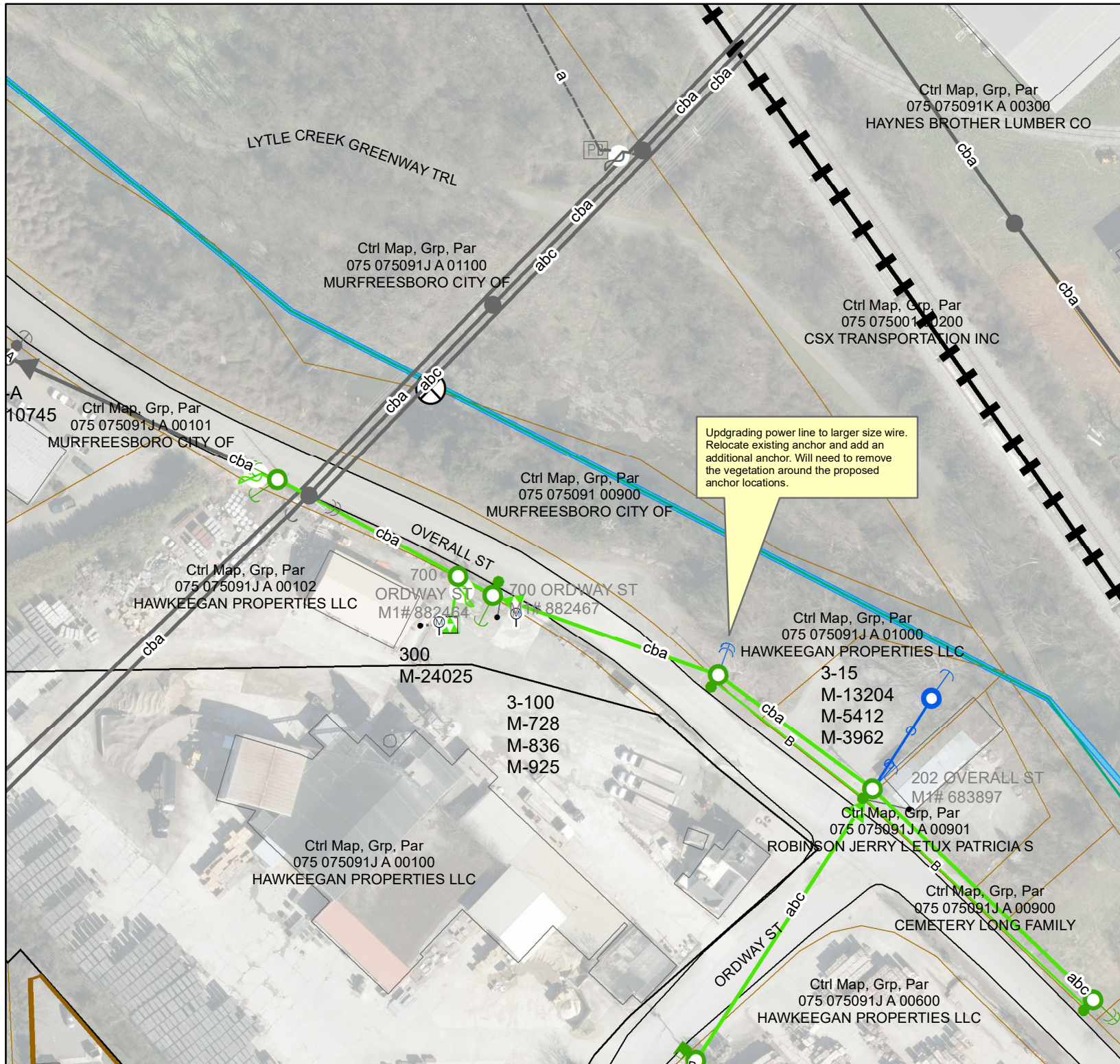
Initials: \_\_\_\_\_

Job Number: 16153639  
 Location: Overall - Ordway  
 Description:

Map: 5449-J  
 Scale: 1 inch = 100 feet  
 Print Date: 3/12/2024



# Exhibit "1"



- ### Legend
- Utility Lines
  - Existing Utility Pole
  - Proposed Utility Pole
  - ⊞ Manhole
  - ⊞ Vault
  - ⊞ Primary Pullbox
  - Secondary Pullbox
  - UG Sector
  - ▶ Overhead Transformer
  - ◻ Underground Transformer
  - ← Anchor Guy
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Upgrading power line to larger size wire. Relocate existing anchor and add an additional anchor. Will need to remove the vegetation around the proposed anchor locations.

Initials: \_\_\_\_\_

Job Number: 16153639  
 Location: Overall - Ordway  
 Description:

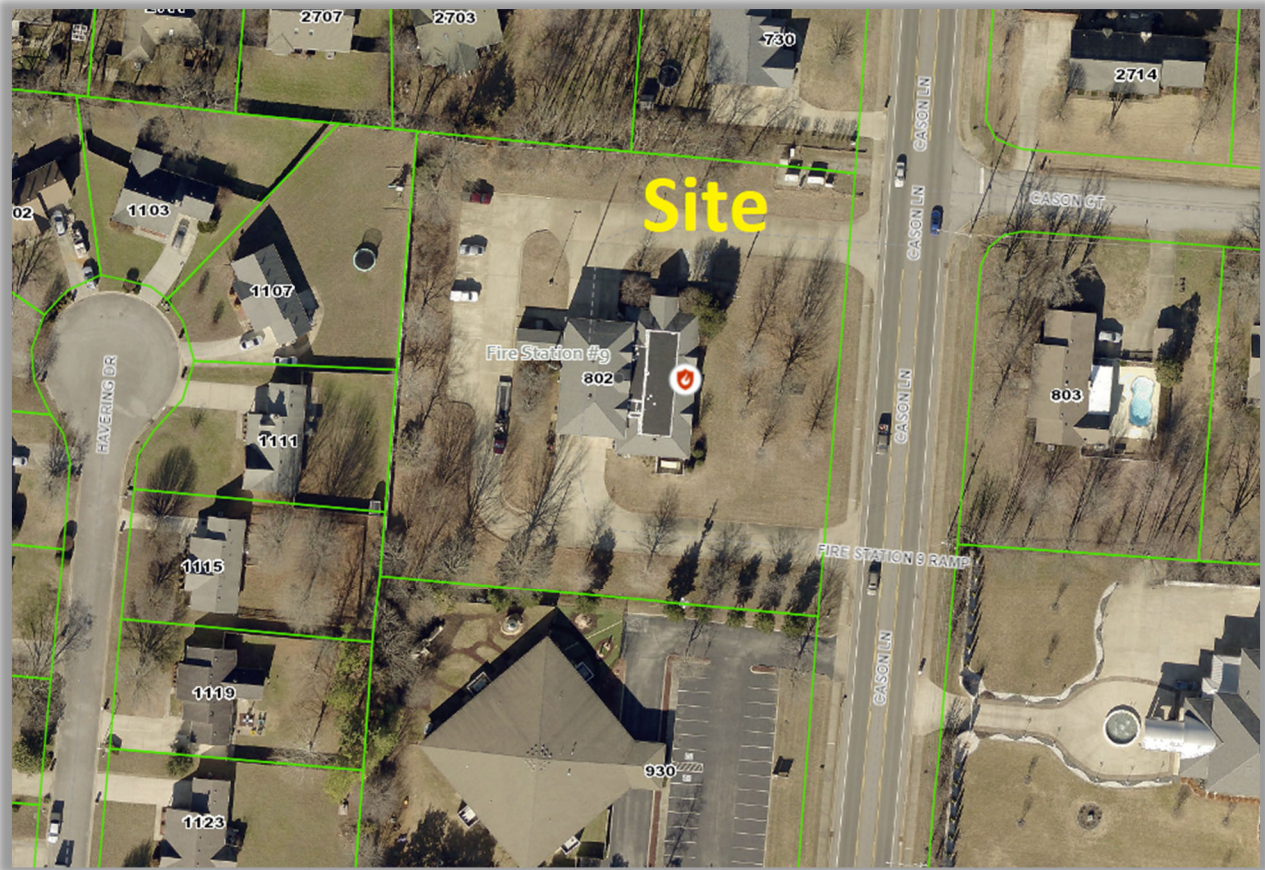
Map: 5449-J  
 Scale: 1 inch = 100 feet  
 Print Date: 3/12/2024



# Exhibit "1"

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
APRIL 3, 2024  
PROJECT PLANNER: MATTHEW BLOMELEY**

- 6.b. Mandatory Referral [2024-707] to consider the dedication of an electric easement on City-owned property located at 802 Cason Lane, Middle Tennessee Electric applicant.**



In this mandatory referral, the Planning Commission is being asked to consider the approval of the dedication of an electric easement for Middle Tennessee Electric (MTE) on property that the City owns at 802 Cason Lane. The property in question is currently developed with Fire Station #9. MTE proposes to upgrade its power lines in this area in order to “provide greater reliability and capacity to the area during peak winter and summer loading.” The proposed easement will accommodate the proposed electric infrastructure to be located on the City’s property. An exhibit depicting the location of the proposed easement is included in the agenda materials. Staff recommends that the Planning Commission



recommend approval of this request to the City Council subject to the following conditions:

1. If approved by City Council, MTE will be responsible for providing the information necessary (including, but not limited to, any exhibits and legal descriptions) for the Legal Department to prepare legal instruments to formally dedicate the proposed easement in question. The legal instruments will be subject to the final review and approval of the Legal Department.
2. MTE will also be responsible for recording these instruments, including payment of the recording fee.
3. Any new poles will need to be located a minimum of 3' from Atmos gas facilities. If the requested separation cannot be adhered to, then MTE will need to contact Atmos to discuss an alternative solution.
4. AT&T has buried facilities in this area. MTE will need to locate all cables before it digs.
5. MTE will need meet all MWRD separation requirements from existing water and/or sewer infrastructure.



# City of Murfreesboro Mandatory Referral Application

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

### Mandatory Referral Fees:

Mandatory Referral, <b>INCLUDING</b> abandonment of right-of-way.....	\$350.00
Mandatory Referral, <b>NOT INCLUDING</b> abandonment of right-of-way.....	\$150.00

### Property Information:

Tax Map/Group/Parcel: 101F C 001.00

Address (if applicable): 802 Cason Lane, Murfreesboro, TN 37129

Street Name (if abandonment of ROW):

Type of Mandatory Referral: Electrical Easement Request, Middle Tennessee Electric

### Applicant Information:

Name of Applicant: Adam Longstreth

Company Name (if applicable): Middle Tennessee Electric

Street Address or PO Box: 555 New Salem Hwy

City: Murfreesboro

State: TN

Zip Code: 37129

Email Address: adamlongstreth@mte.com

Phone Number: 615-580-6238

### Required Attachments:

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

*Adam Longstreth*

3/19/2024

Applicant Signature

Date

March 19, 2024

City of Murfreesboro  
111 W Vine Street  
Murfreesboro, TN 37130

RE: Cason Lane MTE Project – Murfreesboro, TN

To whom it may concern,

Middle Tennessee Electric has plans to rebuild the existing power lines on Cason Lane from Cason Trail to Rideout Lane in Murfreesboro, TN. The purpose of this project is to provide greater reliability and capacity to the area during peak winter and summer loading.

This is a request from MTE to install additional facilities on the City of Murfreesboro's property at 802 Cason Lane. The purpose for the proposed additional facilities on City property is to strengthen the physical properties of the main power line on Cason Lane. There is an existing water line in the area of the proposed pole and anchor. MTE has coordinated with MWRD on separation requirements from the water line. Please let me know if you have any questions or concerns.

You can reach me by phone at 615-580-6238 or by email at [adamlongstreth@mte.com](mailto:adamlongstreth@mte.com)

I look forward to hearing from you,



Adam Longstreth, E.I.

*Engineer*

 Middle Tennessee Electric Membership Corporation

555 New Salem Hwy. | Murfreesboro, TN 37129

Phone: 615.580.6238 | Fax: 615.898.6736

Email: [adamlongstreth@mte.com](mailto:adamlongstreth@mte.com)

# Right-of-Way

## Easement

This instrument prepared by: MTE  
 555 New Salem Highway, Murfreesboro, TN 37129  
 \_\_\_\_\_ Employee Initials



Service Location # \_\_\_\_\_ Meter Set SO # \_\_\_\_\_ WO# \_\_\_\_\_

Grantor: \_\_\_\_\_ And/by \_\_\_\_\_

Select one of the following: unmarried married business entity

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the Grantor, whether one or more, does hereby grant unto Middle Tennessee Electric Membership Corporation, a Tennessee not-for-profit corporation ("Grantee" or "MTE"), its affiliates, successors or assigns, a perpetual easement (the "Easement") that, except as may be otherwise indicated on Exhibit 1, if attached, shall be twenty feet (20') from the centerline (total of 40') for any overhead transmission and/or distribution line or system, including anchoring, and ten feet (10') from the centerline (total of 20') for any underground transmission and/or distribution line or system with the right to:

- install, construct, reconstruct, rephase, operate and maintain an electric transmission and/or distribution line or system;
- inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as Grantee may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, poles, guy wire and anchors, hand holes, manholes, connection boxes, transformers and transformer enclosures;
- cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery within the Easement, or any tree that may interfere with or threaten to endanger the operation and maintenance of said line or system;
- prohibit, prevent and restrict the planting and/or maintenance of any trees, shrubbery or vegetation not approved in writing by Grantee (except those trees that appear on MTE's approved standard planting guide) which approval may be withheld by Grantee in its sole discretion if it determines said trees, shrubbery or vegetation may in the future interfere with or threaten to endanger the operation and maintenance of said line or system;
- prohibit the planting of any trees, shrubbery or vegetation within 15' of a pole or pad-mounted equipment;
- keep the Easement clear of all buildings, structures or other obstructions;
- license, permit or otherwise agree to the joint use or occupancy of the lines, system or, if any of said system is placed underground, of the trench and related underground facilities, by any other person, association or corporation for electrification, for other utility or commercial purposes;
- install and maintain guy additions to overhead lines if any portion of the lines or system is placed underground;

over, across; and through the land owned by Grantor as further described below (the "Property");

County \_\_\_\_\_ State of Tennessee Tax Map: \_\_\_\_\_ Group: \_\_\_\_\_ Parcel: \_\_\_\_\_

Address \_\_\_\_\_  
House/building# Street/Road Name City Zip

and such Property being of record in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, Register's Office of the above-named county, and as may be further described according to Exhibit 1 attached hereto and incorporated herein by reference, if attached, together with the right of ingress and egress over adjacent lands of the Grantor, and Grantor's successors and assigns for the purposes of this Easement.

The Grantor agrees that all poles, wires, and other facilities, including any main service entrance equipment, installed in, upon or under the Property at Grantee's expense shall remain the property of the Grantee and removable at the option of the Grantee. The Grantor hereby expressly releases any claims, demands, actions, or causes of action for trespass related to the Grantee's use of this Easement as described herein. The grant and other provisions of this Easement shall run with the land for the benefit of the Grantee, its affiliates, successor and assigns.

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
 Print Name/Title of Authorized Signatory

\_\_\_\_\_  
 Print Name/Title of Authorized Signatory

\_\_\_\_\_  
 Legal Signature

\_\_\_\_\_  
 Legal Signature

STATE OF \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

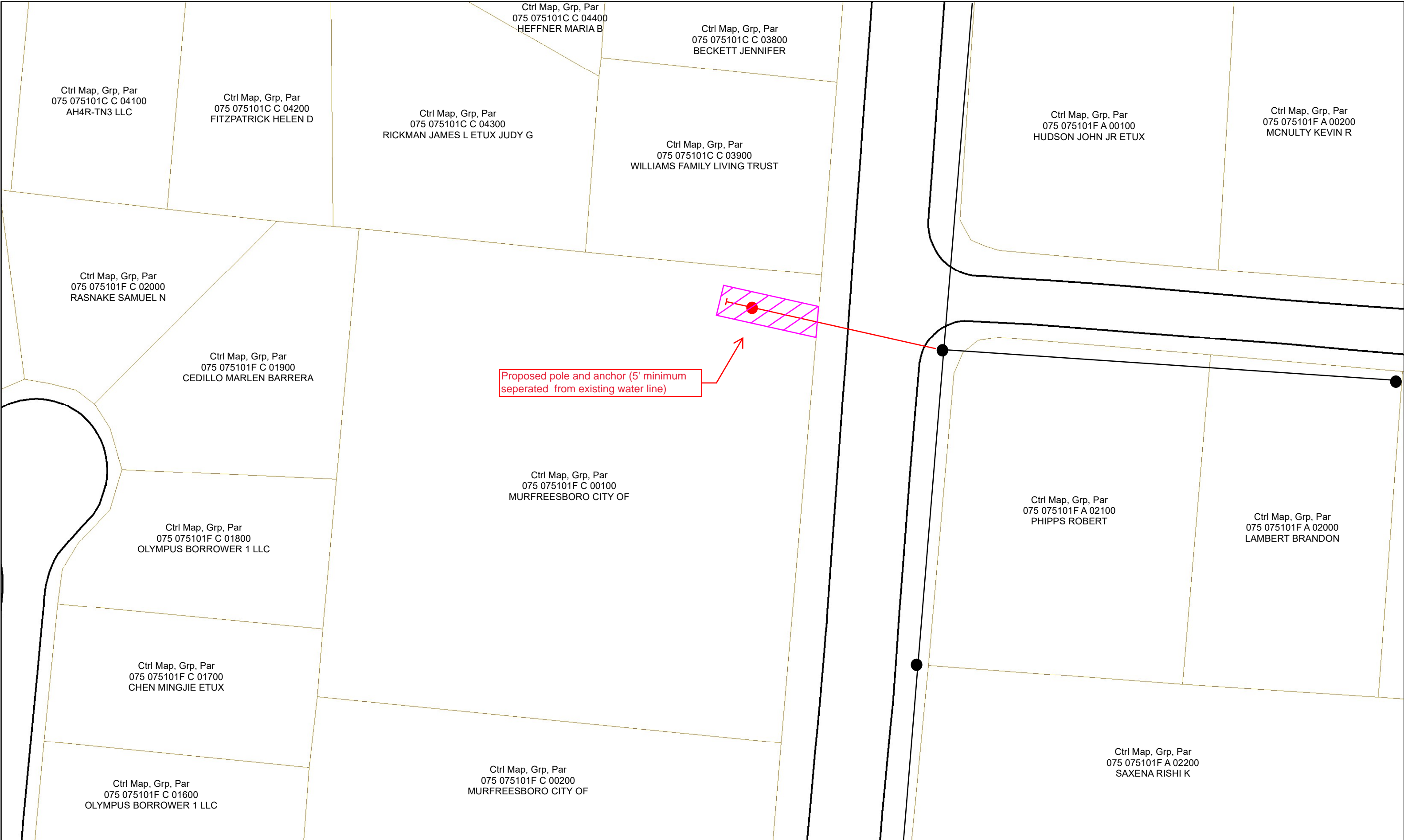
COUNTY OF \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, personally appeared before me, the within named bargainer(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

On the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, personally appeared before me, the within named bargainer(s), with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that such person(s) executed the within instrument for the purposes therein contained.

\_\_\_\_\_  
 Notary Signature My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
 Notary Signature My Commission Expires \_\_\_\_\_



Ctrl Map, Grp, Par  
075 075101C C 04100  
AH4R-TN3 LLC

Ctrl Map, Grp, Par  
075 075101C C 04200  
FITZPATRICK HELEN D

Ctrl Map, Grp, Par  
075 075101C C 04300  
RICKMAN JAMES L ETUX JUDY G

Ctrl Map, Grp, Par  
075 075101C C 04400  
HEFFNER MARIA B

Ctrl Map, Grp, Par  
075 075101C C 03800  
BECKETT JENNIFER

Ctrl Map, Grp, Par  
075 075101C C 03900  
WILLIAMS FAMILY LIVING TRUST

Ctrl Map, Grp, Par  
075 075101F A 00100  
HUDSON JOHN JR ETUX

Ctrl Map, Grp, Par  
075 075101F A 00200  
MCNULTY KEVIN R

Ctrl Map, Grp, Par  
075 075101F C 02000  
RASNAKE SAMUEL N

Ctrl Map, Grp, Par  
075 075101F C 01900  
CEDILLO MARLEN BARRERA

Proposed pole and anchor (5' minimum  
seperated from existing water line)

Ctrl Map, Grp, Par  
075 075101F C 00100  
MURFREESBORO CITY OF

Ctrl Map, Grp, Par  
075 075101F C 01800  
OLYMPUS BORROWER 1 LLC

Ctrl Map, Grp, Par  
075 075101F A 02100  
PHIPPS ROBERT

Ctrl Map, Grp, Par  
075 075101F A 02000  
LAMBERT BRANDON

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075 075101F C 01700  
CHEN MINGJIE ETUX

Ctrl Map, Grp, Par  
075 075101F A 02200  
SAXENA RISHI K

Ctrl Map, Grp, Par  
075 075101F C 01600  
OLYMPUS BORROWER 1 LLC

Ctrl Map, Grp, Par  
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MURFREESBORO CITY OF

1 inch = 50 feet

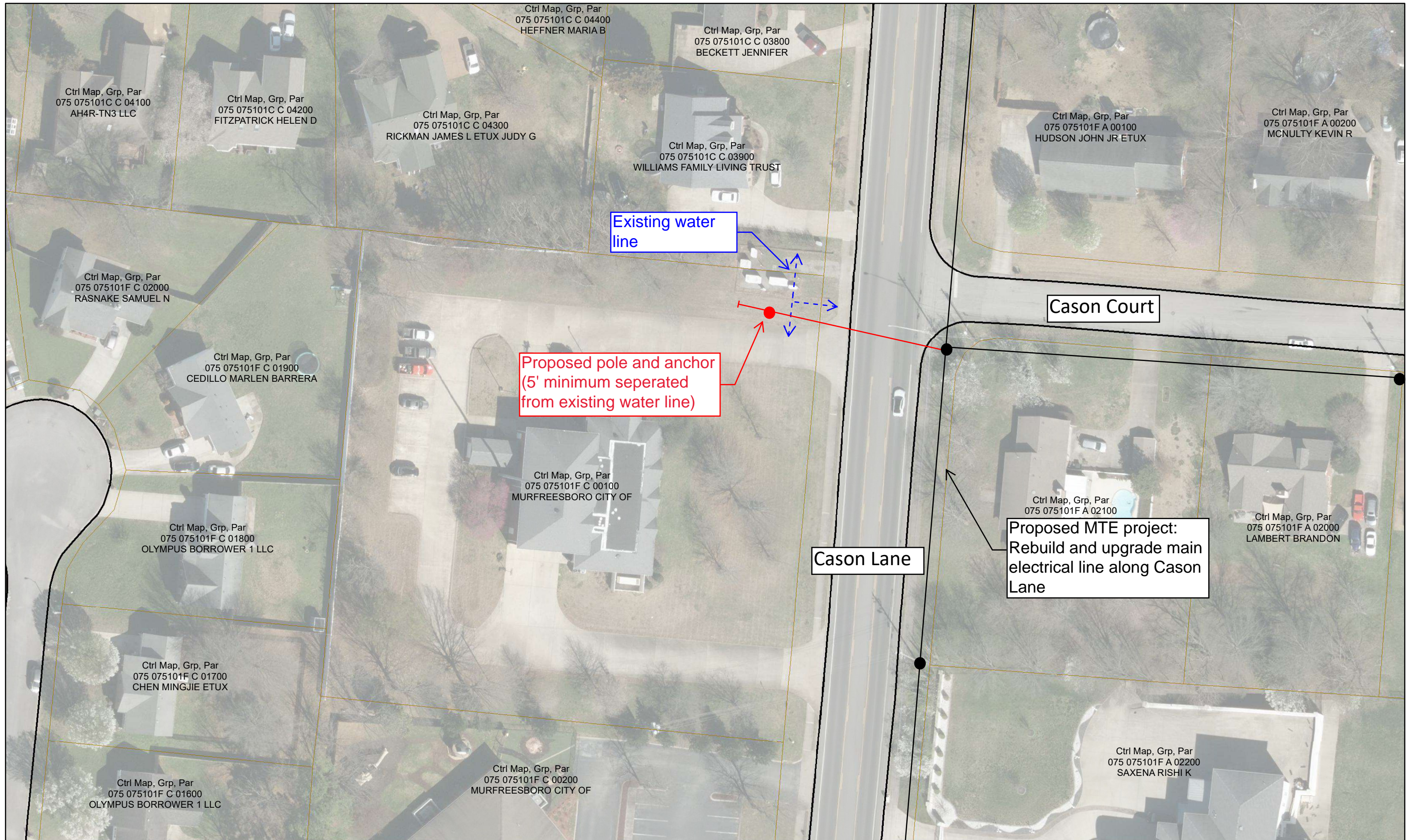


Printed: 3/5/2024



5348-N

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Ctrl Map, Grp, Par  
075 075101C C 04100  
AH4R-TN3 LLC

Ctrl Map, Grp, Par  
075 075101C C 04200  
FITZPATRICK HELEN D

Ctrl Map, Grp, Par  
075 075101C C 04300  
RICKMAN JAMES L ETUX JUDY G

Ctrl Map, Grp, Par  
075 075101C C 04400  
HEFFNER MARIA B

Ctrl Map, Grp, Par  
075 075101C C 03800  
BECKETT JENNIFER

Ctrl Map, Grp, Par  
075 075101C C 03900  
WILLIAMS FAMILY LIVING TRUST

Ctrl Map, Grp, Par  
075 075101F A 00100  
HUDSON JOHN JR ETUX

Ctrl Map, Grp, Par  
075 075101F A 00200  
MCNULTY KEVIN R

Existing water  
line

Cason Court

Proposed pole and anchor  
(5' minimum separated  
from existing water line)

Ctrl Map, Grp, Par  
075 075101F C 00100  
MURFREESBORO CITY OF

Proposed MTE project:  
Rebuild and upgrade main  
electrical line along Cason  
Lane

Cason Lane

Ctrl Map, Grp, Par  
075 075101F A 02000  
LAMBERT BRANDON

Ctrl Map, Grp, Par  
075 075101F C 01800  
OLYMPUS BORROWER 1 LLC

Ctrl Map, Grp, Par  
075 075101F A 02100

Ctrl Map, Grp, Par  
075 075101F C 01700  
CHEN MINGJIE ETUX

Ctrl Map, Grp, Par  
075 075101F A 02200  
SAXENA RISHI K

Ctrl Map, Grp, Par  
075 075101F C 00200  
MURFREESBORO CITY OF

Ctrl Map, Grp, Par  
075 075101F C 01600  
OLYMPUS BORROWER 1 LLC

1 inch = 50 feet



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