

# **CITY OF MURFREESBORO PLANNING COMMISSION AGENDA**

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

**September 5, 2018  
7:00 PM**

**Bob Lamb  
Chairman**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the July 18, 2018 and August 1, 2018 Planning Commission meetings.**
- 4. Public Hearings:**
  - a. Annexation plan of services and annexation petition [2017-514] for approximately 39.94 acres located along Manson Pike, Kathleen Lowe and Constantine Evan Douvlis developer.
  - b. Zoning application [2018-420] for approximately 39.9 acres located along Manson Court to PUD simultaneous with annexation (Shelton Grove previously referred to as Hardeman Grove), Crescent Homes developer.
  - c. Zoning application [2018-427] for approximately 33.3 acres located along West Thompson Lane to amend the PRD (Generals Landing), Blue Sky Construction.
  - d. Mandatory Referral/ROW Abandonment [2018-716] to consider the abandonment of a portion of Florence Road right-of-way, Chris Bratcher applicant.
  - e. Zoning application [2018-426] for approximately 204 acres located south of John Bragg Highway to be rezoned from RS-15 to RS-A, Type 2 (approx. 26 acres), RS-6 (approx. 140 acres), and RS-10 (approx. 38 acres), Larry Elliott applicant.
  - f. Zoning application [2018-428] for approximately 29.44 acres located along Buffalo River Drive to be rezoned from RS-12 to PRD (The Gardens at Three

# **MURFREESBORO PLANNING COMMISSION AGENDA**

## **PAGE 2**

**September 5, 2018**

Rivers PRD) and to amend the existing Three Rivers PRD, Achiever Development applicant.

### **5. Mandatory Referrals**

- a. Mandatory Referral [2018-719] to consider the abandonment of a sanitary sewer easement along Fortress Boulevard, Matt Taylor applicant
- b. Mandatory Referral [2018-720] to consider the abandonment of a sanitary sewer easement along Old Salem Road, Matt Taylor applicant.

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

- a. Amendments to the 2018 Planning Commission calendar

### **7. Adjourn.**



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

**4.a. Annexation plan of services and annexation petition [2017-514] for approximately 39.94 acres located along Manson Pike, Kathleen Lowe, Pamela Flynn and Constantine Evan Douvlis developer.**

The subject property is located along Manson Pike, just north of I-840. The property consists of approximately 39.2 acres and includes 3 separate parcels. The properties are identified as follows:

- Tax Map 078, Parcel 012.00
- Tax Map 078, Parcel 013.00
- Tax Map 078, Parcel 013.01

The properties are largely undeveloped. Written petitions requesting annexation have been filed with the City by the three property owners.

The Planning Commission and City Council previously considered this annexation petition and adoption of the Plan of Services (Planning Commission public hearing November 1, 2017 & City Council public hearing December 14, 2017). The ordinance/ resolutions were held up until the conditions for providing Murfreesboro Fire & Rescue Department fire service could be met. Since that time, the applicant requested to amend the PUD zoning plan to allow single-family, attached dwellings. Because the annexation hasn't been approved, staff amended the Plan of Services study area to include a strip of property previously left out of the annexation that runs along the northern property line. The Planning Commission no longer needs to leave a 10' strip of unincorporated area along the northern boundary.

The developer has filed a request to have the property zoned PUD (Planned Unit District) simultaneous with annexation (file 2018-420 Shelton Grove). The zoning request will be the next item on the agenda.

The subject property is located within the City's Urban Growth Boundary and is contiguous with the current City limits. It appears that the City will be able to extend most City provided services either immediately upon the effective date of annexation or as development occurs. Staff has included an amended annexation feasibility study and plan of services in the future. Sewer is not readily available to the property and will need to be extended from the Shelton Springs single-family subdivision to the north. The MFRD is concerned with its ability to provide fire protection and emergency service response to the existing houses. If annexed, the property owners will be responsible for installing fire hydrants according to the locations prescribed by the Fire Marshall and for improving access to the homes so that a fire truck can access the homes. The access will need to be widened

and the brush and trees limbed back according to the Fire Marshal. Staff is proposing that these conditions be in place prior to second reading, similar to annexations in the past.

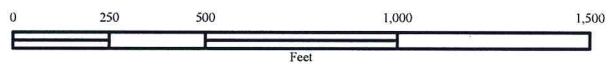
The Planning Commission will need to conduct a public hearing on the matter of the annexation petition and Plan of Services, after which it will need to discuss this matter and then formulate a recommendation for City Council.



## Annexation Request for Property Along Manson Court



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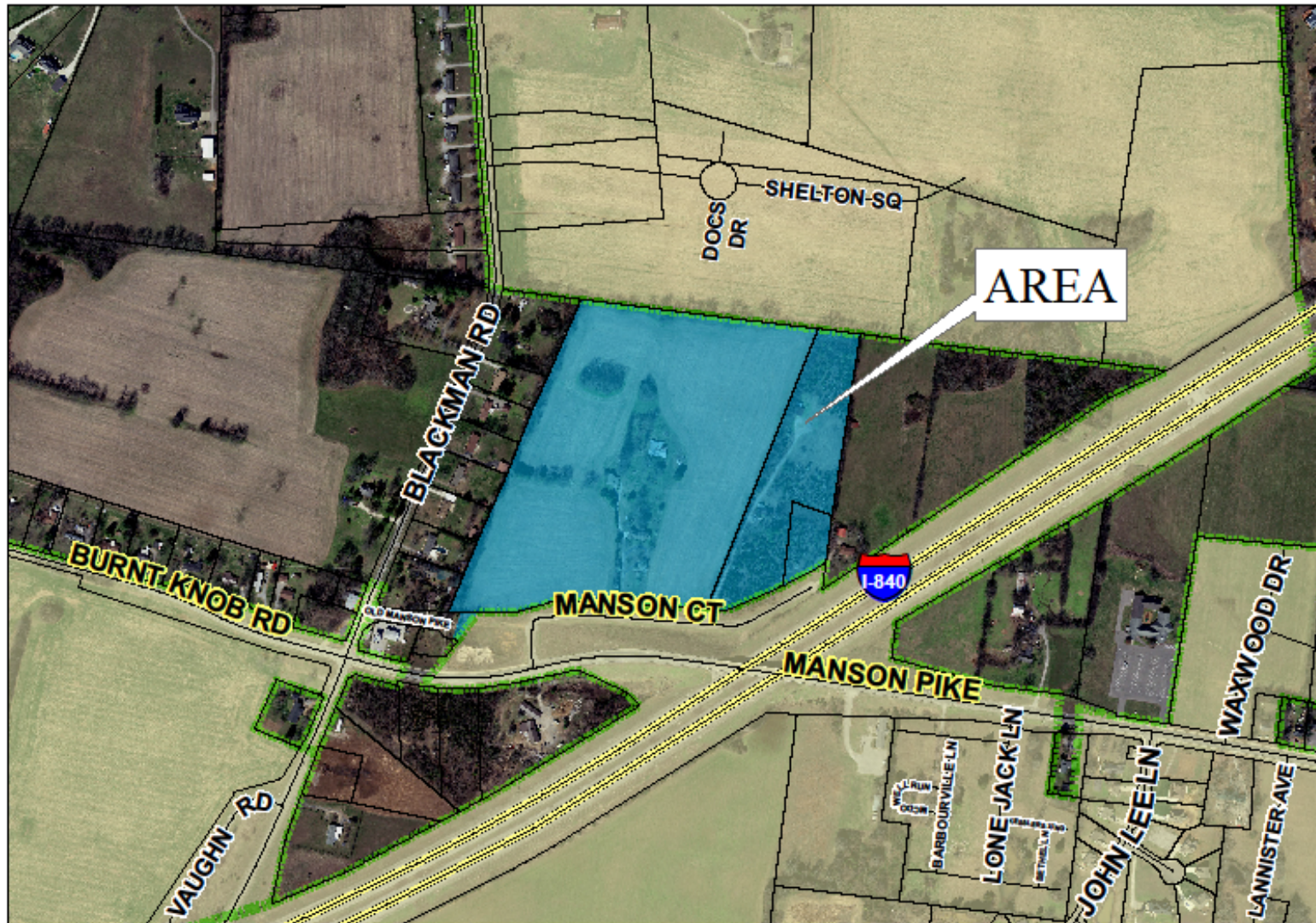
GIS Department  
City Of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

# **ANNEXATION REPORT FOR HARDEMAN GROVE FOR PROPERTY LOCATED ALONG MANSON COURT INCLUDING PLAN OF SERVICES**



**PREPARED FOR THE  
MURFREESBORO PLANNING COMMISSION  
November 1, 2017  
Revised September 9 2018**





### Annexation Request for Property Along Manson Court



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GIS Department  
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# INTRODUCTION

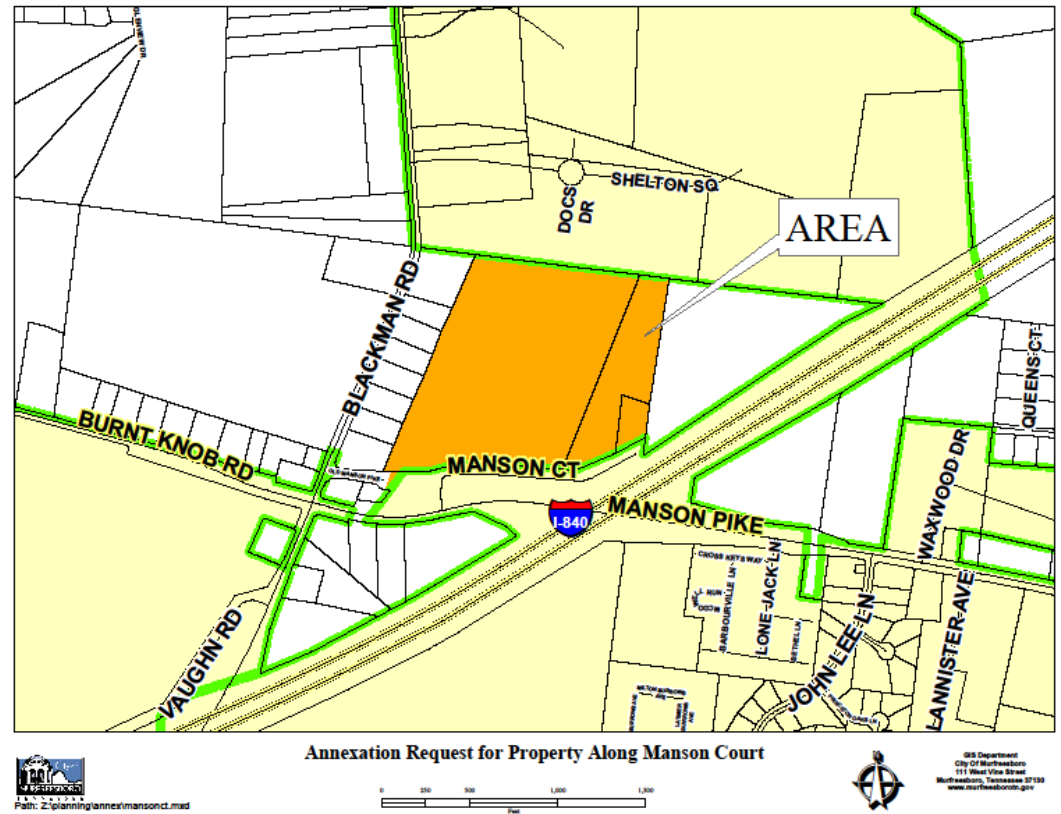
## **OVERVIEW**

The applicants, Kathleen Lowe, Pamela Flynn and Constantine Evan Douvlis, have requested the annexation of properties they own. The study area is located along Manson Pike and Manson Court, just north of I-840. A request to zone the properties PUD has been made simultaneous with the annexation. The PUD zoning application has been made by Crescent Homes and the proposed PUD consists of a mixture of single family, detached and single-family attached homes and two potential commercial outparcels.

The study area is located along the north side of Manson Court, off Manson Pike, east of the Blackman Road and Burnt Knob Road intersection. The study area currently has three single-family residence. The study area includes the following parcels:

- Map 078, Parcel 12.00-000 (28.0 acres)
- Map 078, Parcel 13.00-000 (6.10 acres)
- Map 078, Parcel 13.01-000 (1.0 acre)

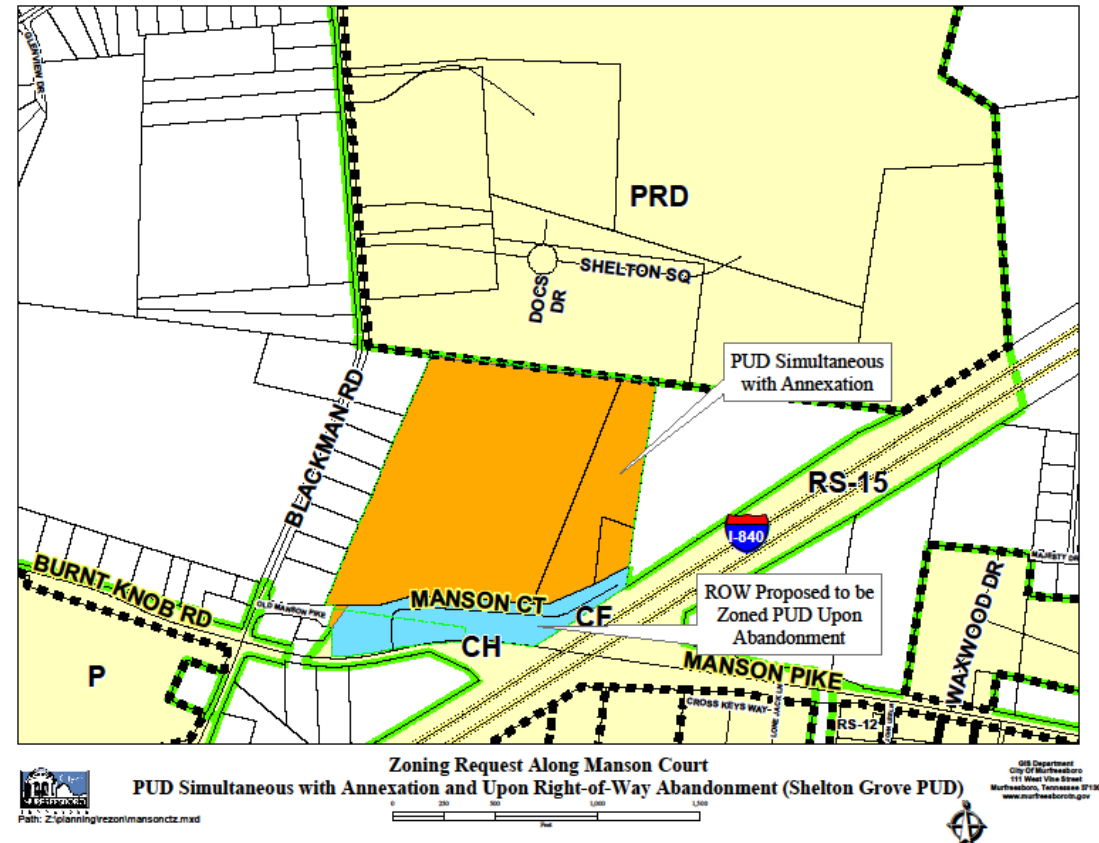
The study lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City on its north and south sides.



## CITY ZONING

The developer has filed a request to have approximately 39.9 acres rezoned PUD (Planned Residential District) simultaneous with annexation.

Adjacent City zoned property is Planned Residential Development (PRD) on the north. Adjacent property on the east, west and south are located in unincorporated Rutherford County and zoned RM.



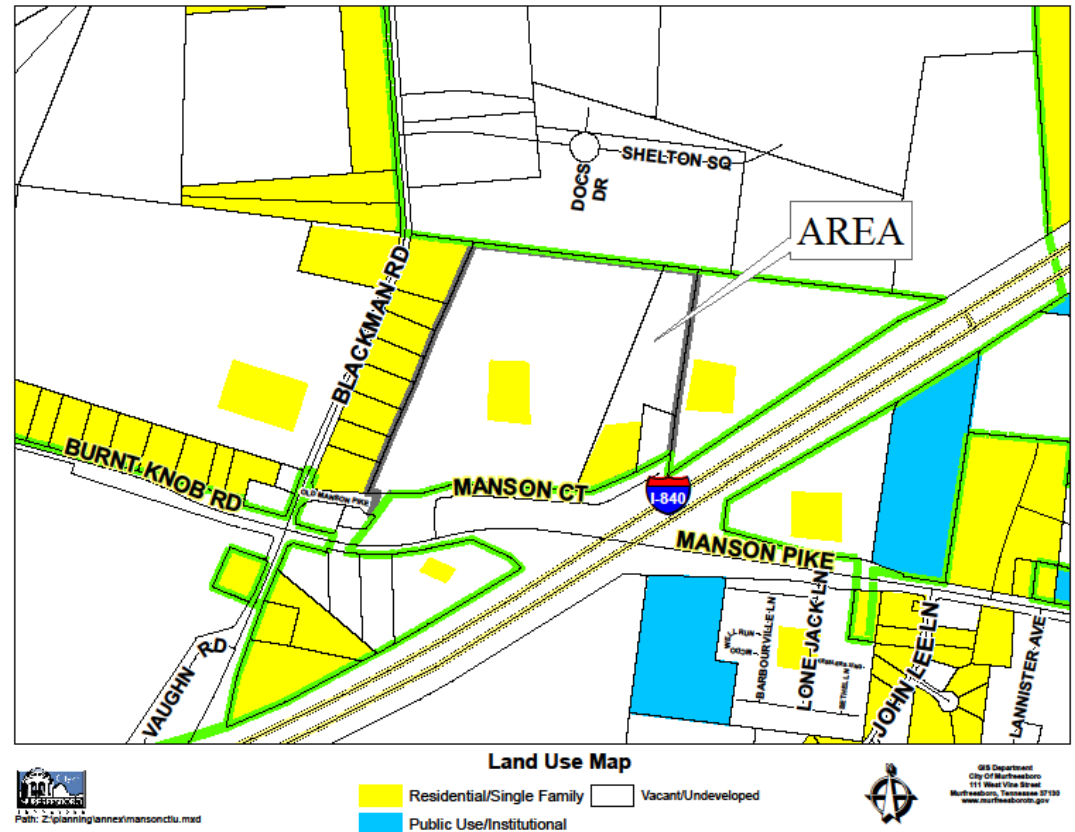


## PRESENT AND SURROUNDING LAND USE

The study area is developed with three single family residences: 105 Manson Court, 101 Manson Court and 117 Manson Court.

Surrounding land uses include:

- Single family detached residences in the County unincorporated area on Blackman Road, west of the study area;
- Single family residence and Interstate 840 located east of the study area; and
- Shelton Farms Subdivision (PRD), in the City of Murfreesboro located north of the study area.



## **TAXES AND REVENUE**

The first City tax bill for all property annexed during the calendar year of 2018 will be due on December 31, 2019. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2066/\$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.

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>
Kathleen Lowe and Pamela Flynn, etal	28.0	\$298,200	\$333,200	\$157,850	\$1,904.60
Constantine Evan Douvliis, etal	6.10	\$73,900	\$75,300	\$37,300	\$450.62
Constantine Evan Douvliis, etal	1.00	\$27,000	0.0	\$6,750	\$81.44
					<b>\$2,436.66</b>

These figures are for the property in its current state.

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2018-2019 per capita state revenue estimates for the City of Murfreesboro once the development is built out. The study area is proposed to be developed with 213 single-family homes.

**Table II**  
***Per Capita State Revenue Estimates***

<b>General Fund</b>	<b>Per Capita Amount</b>
State Sales Tax	\$85.00
State Beer Tax	\$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	\$2.05
Gross Receipts (TVA in-lieu taxes)	\$11.30
<i>Total General Revenue Per Capita</i>	\$98.85
<b>State Street Aid Funds</b>	<b>Per Capita Amount</b>
Gasoline and Motor Fuel Taxes	\$34.30
<b><i>Total Per Capita (General and State Street Aid Funds)</i></b>	<b>\$133.15</b>
<b>Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit for proposed 213 units)</b>	<b>\$73,171</b>

The per capita state revenue estimates apply only to new residents.

# **PLAN OF SERVICES**

## **POLICE PROTECTION**

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. This 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 #4.

## **ELECTRIC SERVICE**

The study area is located outside the service boundary of Middle Tennessee Electric Membership (MTEMC). The three residences are currently served by MTEMC. MTEMC will serve the development in the study area. MTEMC has adequate capacity. Since MTEMC's three phase line is across the road on the south side of Manson Pike, the developer will have to secure an easement from those property owners to a takeoff.

All new electrical infrastructure installed to serve the proposed development will be required to adhere to MTEMC standards.

## **STREET LIGHTING**

According to MTEMC, street lighting will be installed upon request by the City of Murfreesboro.

## **STREETS AND ACCESS**

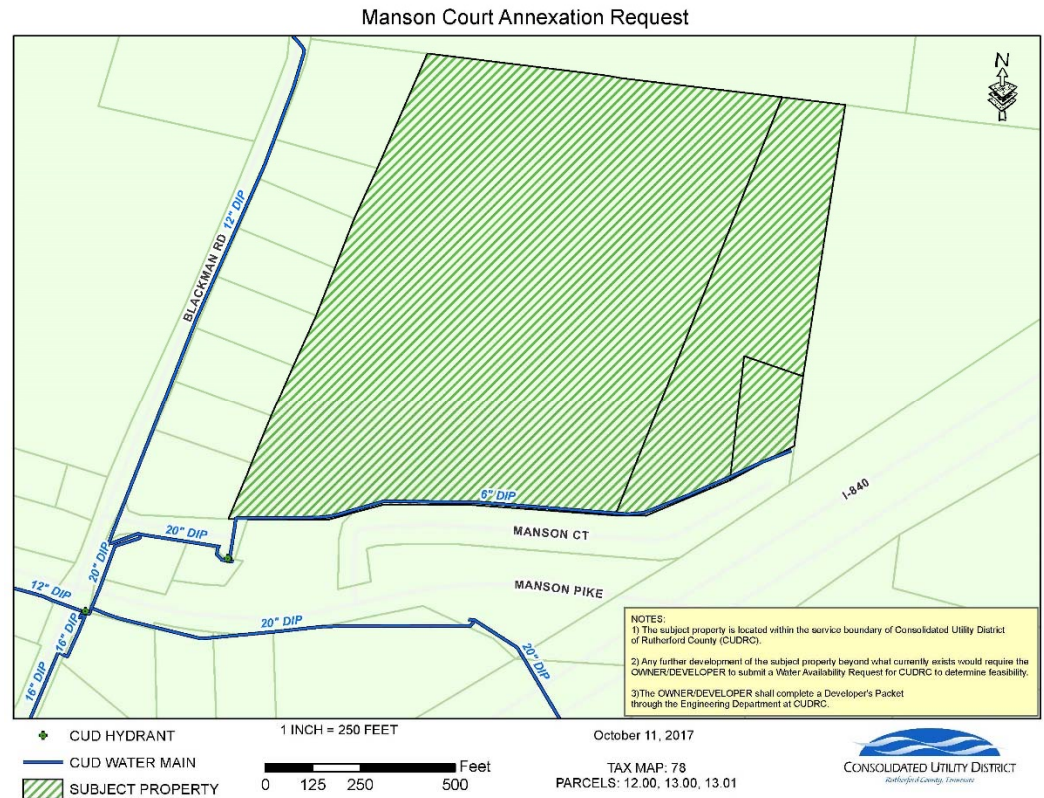
The Annexation Study Area does not include any additional public road roadway systems. Access to a public roadway system is available through Manson Court. Manson Court is a 2-lane ditch section and connects to Manson Pike. Manson Pike is currently a 3-lane curb and gutter section and is on the Major Thoroughfare Plan to be improved to a 5-lane curb and gutter section. Any future public roadway facilities to serve the study area must be constructed to City standards.

## WATER SERVICE

The study area is located within Consolidated Utility District's (CUD) service area. The property could be served by either the 20-inch ductile iron main (DIP) southwest of the study area.

The developer of the property will be required to submit a Water Availability Application to verify feasibility and complete CUD's Developer Packet through the Engineering Department to determine feasibility prior to entering the construction phase.

The existing CUD water lines are shown on the adjacent map. Any new water line development must be done in accordance with CUD's development policies and procedures.



## SANITARY SEWER SERVICE

Per the Department's current definition of "available", public sanitary sewer is not available to the properties requesting annexation. It is anticipated by the Department for these properties to participate with the developer of the Shelton Square Subdivision to the north for sewer service. Shelton Square will be served by a combination of gravity sewer, pump station and forcemain.

The proposed properties will need to submit a will serve request to the Department that details the number of units planned for the property in order for the pump station and forcemain to be sized properly. Although the annexation area is not within a defined assessment district boundary, the sewer would connect to what was built as part of the Overall Creek Assessment District. Therefore, all developments that connect into this sewer system would pay \$1000 per single family unit or equivalent in addition to the current and standard connection fees.

All main line extensions may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water & Sewer Department found on-line at:

<http://www.murfreesborotn.gov/DocumentCenter/View/144>

The red lines on the adjacent map represent existing sewer lines.





## **FIRE AND EMERGENCY SERVICE**

The Murfreesboro Fire and Rescue Department (MFRD) can provide limited fire protection to the requested parcels. The closest fire stations to the subject tract are Fire Station #5, located at 3006 Florence Road, 2.4 miles from the study area, Fire Station #9, located at 802 Cason Lane, 5.0 miles from the study area.

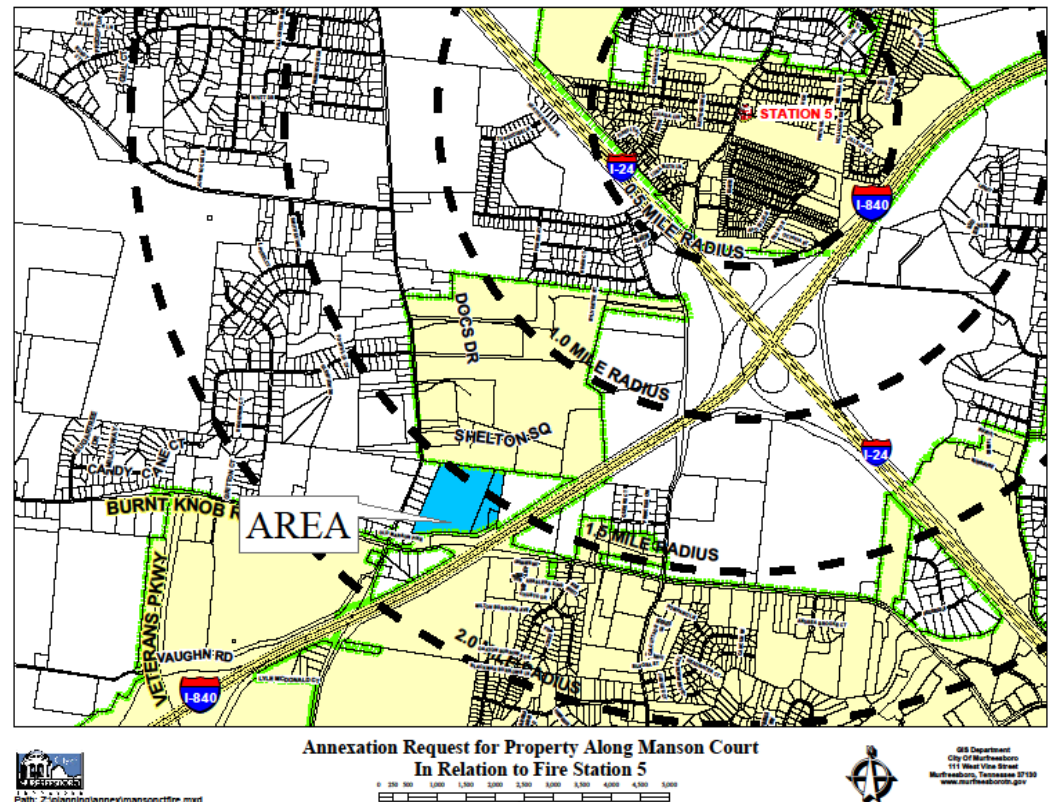
Currently, there are no fire hydrants on Manson Court. The nearest hydrant is near Blackman Road, which is approximately 1,500 feet to the west as the truck would drive. Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Murfreesboro Water and Sewer Department policies and procedures. MFRD will need to study the available fire flow along Manson Court to determine fire flow.

There are two occupied houses that sit within the study area. The first house is 320 feet off the road and the second house is 515 feet off the road. There is a barn on the property that is located over 700 feet from the road. The existing driveways to the structures are not adequate for fire truck access due to the width of the driveway and tree overhangs. In the properties current state, the MFRD cannot provide ISO Class Two (2) fire protection.

MFRD recommends that these houses be removed prior to the effective date of annexation

or the property owners install fire hydrants and improve/widen the driveways leading to the houses so that they are accessible by Murfreesboro fire trucks. After one of these conditions being met, MFRD can provide ISO Class Two (2) fire protection. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.

The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.





## **SOLID WASTE COLLECTION**

The City will provide brush/debris removal every two to three weeks. The Zoning Ordinance requires that multi-family developments of more than 15 dwelling units utilize private solid waste collection service. However, there is a process by which townhome developments of greater than 15 units can be approved for City solid waste collection service. If City service is approved as a part of the development review process, the City will provide weekly curbside solid waste collection service upon development. The proposed zoning will allow a maximum of 213 homes. The potential cost for the purchase, assembly, and delivery of solid waste carts is \$24,133 (\$113.30 x 213 homes). The day of the week for service will be Friday. It is expected that the commercial users will utilize a Dumpster and private hauler.

## **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.

## **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 tax payers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees.

## **CITY SCHOOLS**

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The property is in the Overall Creek School zone. This school is currently at capacity, but the City plans to open a new school for the start of the 2019 school year. This area will either be rezoned or other areas will be rezoned to reduce the capacity student situation at the school.

## **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.

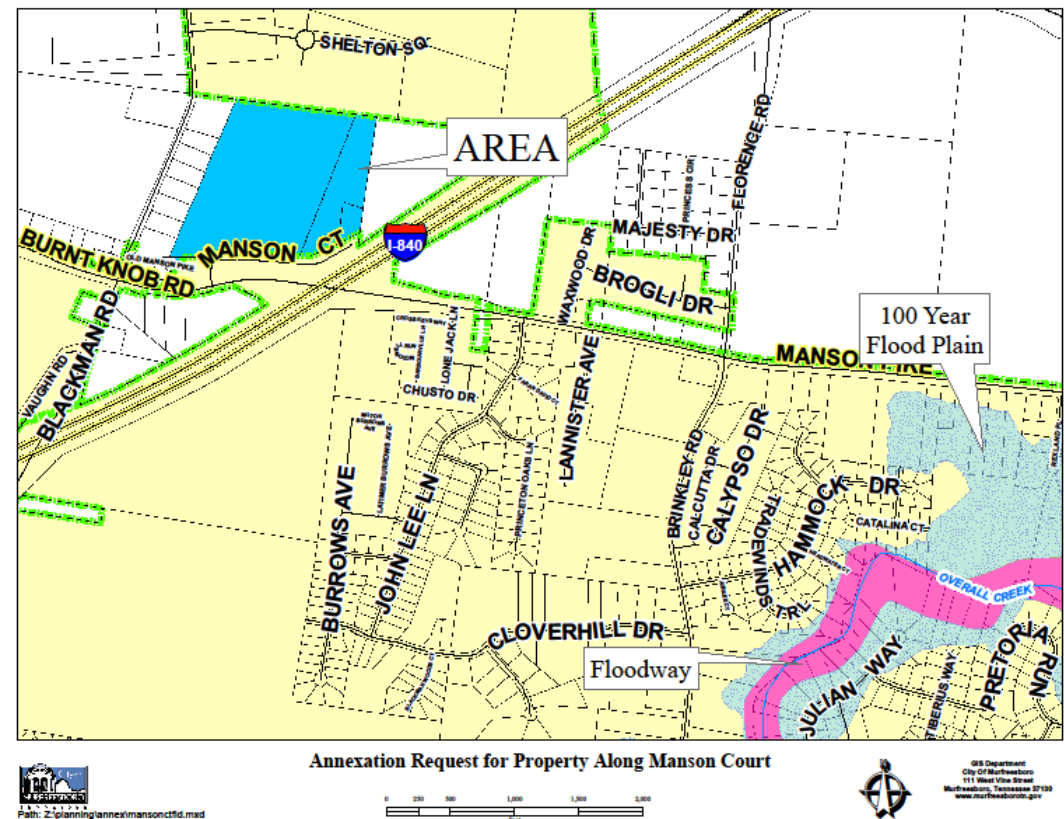
## **PLANNING, ENGINEERING, AND ZONING SERVICES**

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

### **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 purple and the 100-year floodplain boundary in blue.



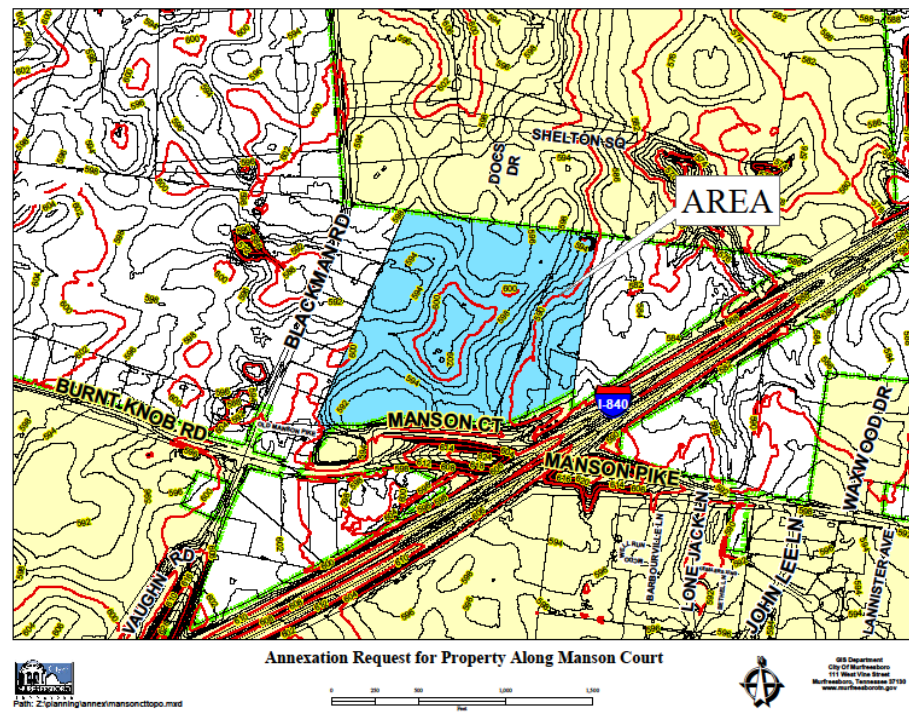
## **DRAINAGE**

No new public drainage facilities are included in the study area. Access to public drainage facilities are through the proposed Shelton Farms to the north and within the ROW of Manson Court and Manson Pike to the south. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

New development on the property must meet overall City of Murfreesboro Stormwater Quality requirements. A review of the regional drainage patterns indicates the Study Area and adjacent properties are controlled by karst-like drainage conditions. Numerous closed depressions and sinkholes dominate the topography while an absence of surface streams indicate most properties are poorly drained or internally drained to sinkholes or slowly draining closed depressions. A review of the 2010 aerial photography following the significant rainfall events of May 1 and 2 confirms the presence of numerous closed depressions and sinkholes with standing water 2 days after the rainfall stopped.

The Study Area is located approximately 1 mile from the nearest surface drainage system that provides access to a surface stream (Overall Creek). This distance and the intervening terrain precludes a traditional surface drainage system from being practical to serve the Study Area.

A review of a topographic map shows that the southern portion of the property drains poorly to internal closed depressions and generally southward to the ROW of Manson Pike, while the northern portion drains to the proposed development of Shelton Square. A portion also drains westward toward Blackman Road and a sinkhole beyond. Historical aerial photography indicates 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 red lines on the adjacent map represent ten-foot contours. The black lines represent two-foot intervals.



## **STORMWATER**

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The study area currently has 3 single family residences and will generate approximately \$117 per year in revenue for the Stormwater Utility Fee.

The subject property is proposed to be developed with 160 single family residences and 2.40 acres of commercial development. Based on this development scenario, it is anticipated that the site will generate approximately \$7,600 annually in revenue for the Stormwater Utility Fund upon full build out.

## **REGIONAL TRAFFIC & TRANSPORTATION**

The Study Area is served by Manson Pike as the major roadway facility. Manson Pike connects to Florence Road/Brinkley Road to the east while continuing to Fortress Boulevard and connects to Blackman Road and continues to Burnt Knob Road and Veterans Parkway to the west. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan shows Manson Pike 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 Manson Pike and Blackman Road fall to undesirable levels of service of D and F without the proposed improvements recommended in the 2040 Plan.

Brinkley Road/Florence Road is the first major intersection to the east and is operating at a Level of Service B. Blackman Road is the first major intersection to the west and

is operating at a Level of Service C. Previous Traffic Impact Studies indicate that both intersections warrant future improvements to address peak hour Level of Service reductions. Plans for improvements to Blackman Road/Manson Pike/Burnt Knob Road intersection as well as improvements to Burnt Knob Road are anticipated to be completed with improvements to the City's proposed West Park. Brinkley Road is proposed for improvements to a 3-lane curb and gutter roadway in the 2017 version of the Capital Improvement Plan. Blackman Road and Veterans Parkway are proposed for improvements and extensions to I-24 with the preliminary version of the 2040 Major Transportation Plan.

## **ANNEXATION FOLLOW-UP**

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

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

**4.b. Zoning application [2018-420] for approximately 39.9 acres located along Manson Court to PUD simultaneous with annexation (Shelton Grove previously referred to as Hardeman Grove), Crescent Homes developer.**

The subject properties are located north of Manson Pike, just north of I-840. The properties consist of 39.9 acres and are identified on Tax Map 078, Parcels 12.00, 12.00, and 13.01. The Planning Commission scheduled a public hearing on October 3, 2018, to consider the matter of right of way abandonment for an area included within this development plan.

The property consists of approximately 39.2 acres, includes 3 separate parcels and are identified as follows:

- Tax Map 078, Parcel 012.00
- Tax Map 078, Parcel 013.00
- Tax Map 078, Parcel 013.01
- 4.84 acres of public right of way

The subject property lies within unincorporated Rutherford County and is zoned RM (Medium Density Residential). Shelton Square, a single-family, residential development located within Murfreesboro city limits, is located to the north. The properties to the east and west are zoned RM and located in the unincorporated area. The properties to the south are zoned for commercial purposes in Rutherford County.

The owners of the property have petitioned the City to annex the unincorporated property. The applicant, Crescent Homes, has requested the property to be zoned PUD (Planned Unit District). The previously proposed PUD called Hardeman Grove proposed 160 single-family, detached dwelling units and 2 commercial lots. The now proposed Shelton Grove proposed to have 95 single-family, detached lots and 118 single-family, attached (townhomes) lots for a total of 213 single-family residences. This is an increase of 53 dwelling units with an increase in density from 4.26 d.u./acre to 5.67 d.u./acre.

**Residential Portion of the PUD- DETACHED Single-Family**

As proposed, there are 3 different detached lot sizes:

- minimum area of 5,740 square feet (41' wide),
- minimum 6,440 square feet (50' wide) and
- minimum 7,140 square feet (67' wide).

Houses in the development are proposed to be a minimum of 1,500 square feet with two-bedrooms and will meet minimum parking standards. This is a decrease from the previous

plan of 100 square feet (1,600 to 1,500). The houses will have all front-entry, two-car garages and the exteriors of all houses would consist of cementitious and fiber cement composite siding, brick, cement stucco and/or cultured stone. Vinyl will be permitted along windows and trim. The amenity includes a playground in the center of the development and will be installed with Phase I of the development.

Proposed setbacks for lots with front-entry garages would be:

- FRONT: 35 feet to the garage and 15' to the house,
- SIDES: 5 feet minimum (and no HVAC units can be located in this area), and
- REAR: 20 feet.

New streets serving the single-family houses would be dedicated as public right of way. Trees are proposed to be planted within the front yards that will give the appearance and provide the benefit of street trees while being maintained by the property owners. All internal streets would have sidewalks on both sides. The development is proposed to have access on the east to Manson Pike and to the north through Shelton Springs. Additionally, the development would have access on the east to an undeveloped parcel.

#### **ZONING ORDINANCE EXCEPTIONS- SINGLE-FAMILY, DETACHED**

The Zoning Ordinance asks that planned development applications compare the proposed PUD to an existing bulk zone and, in this case, the RS-6 district is closest to the type of development they are asking the Planning Commission to approve. As such, they have gone through the RS-6 requirements and are asking for an exception to the front setback for the house (not garage) to allow the homes to be 15 feet from the property line as opposed to 25 feet from the front lot line. In the RS-6 district the remaining portion of the structure excluding the garage shall have a minimum front setback of 25 feet. They are also requesting an exception to the minimum lot size of 6,000 square feet to 5,500 square feet and minimum lot width from 50-feet wide to 41-feet wide.

#### **Residential Portion of the PUD- ATTACHED Single-Family (townhomes)**

As proposed, there is one lot size for the attached dwellings. The townhomes will:

- Be alley-loaded,
- A minimum area of 2,600 square feet (20' wide),
- a minimum of 1,000 ft<sup>2</sup>
- Garages are optional

Townhomes in the development are proposed to be a minimum of 1,000 square feet with two-bedrooms and will meet minimum parking standards. The houses will consist of cementitious and fiber cement composite siding, brick, and/or stone. Vinyl will be permitted along trim, soffit, fascia, and porch ceilings.

Proposed setbacks for lots with front-entry garages would be:

- FRONT: 10'
- SIDES: 5' (and no HVAC units can be located here), and
- REAR: 20 feet to garage.
- Rear: 35' feet to house without garage

New public streets will serve the townhomes as well as privately owned and maintained alleys. The lots will have options to have rear loaded garages which will be accessed through alleys. The front of the structures are required to have usable porches to create the desired streetscape with a reduced setback house. Trees are proposed to be planted within the front yards that will give the appearance and provide the benefit of street trees while being maintained by the property owners. All internal streets would have sidewalks on both sides.

### ZONING ORDINANCE EXCEPTIONS- SINGLE-FAMILY, ATTACHED

The Zoning Ordinance asks that planned development applications compare the proposed PUD to an existing bulk zone and, in this case, the RS-A Type 2 district is closest to the type of development they are asking the Planning Commission to approve. As such, they have gone through the RS-A Type 2 requirements and are asking for an exception to the front setback for the house to allow the homes to be 10 feet from the property line as opposed to 35 feet from the front lot line. They are also requiring an increase in the minimum lot size from the RS-A Type 2 from 2,000 ft<sup>2</sup> to 2,600 ft<sup>2</sup>.

### Commercial Portion of the PUD

The PUD plan includes 2 commercial lots at the entrance to the subdivision. The western lot is approximately 1.57 acres and the eastern lot is approximately 0.83 acres. The applicant is opting to ask for a PUD zone as opposed to bulk zone to provide minimum design standards. The proposed PCD requirements can be found on page 22 and 23. The proposed PUD requires that any new structures be a single story structure with a hip, gables or pitched roof. The exterior materials allowed are brick, cement fiber board siding, stone, Stucco, tilt-up precast concrete walls, integrally colored split-face block (secondary material), textured metal (secondary material), and EIFS (secondary material).

The plan allows many of the uses permitted in the CF district within the PUD. A list of uses permitted can be found on page 24. The commercial lots are not proposed to be a part of the Hardeman Grove owner's association. Staff is concerned with the geometry of the eastern commercial lot and the ability to properly site a commercial use on this lot. The applicant is aware that it will not be available to see a variance for development in the future with the PUD zone.

A portion of the commercial lots is currently public rights of way. The applicant, Crescent Homes, has made an application for the city to consider abandoning a portion of Manson Pike and Manson Court rights of way. A neighboring property owner has also made a similar request. These rights of way abandonment requests are the subject of an additional agenda item and will require separate study, separate public hearing and separate actions from the Planning Commission and City Council. Crescent Homes is aware that, if the City does not abandon the rights of way, it will likely impact the future development of the proposed commercial lots.

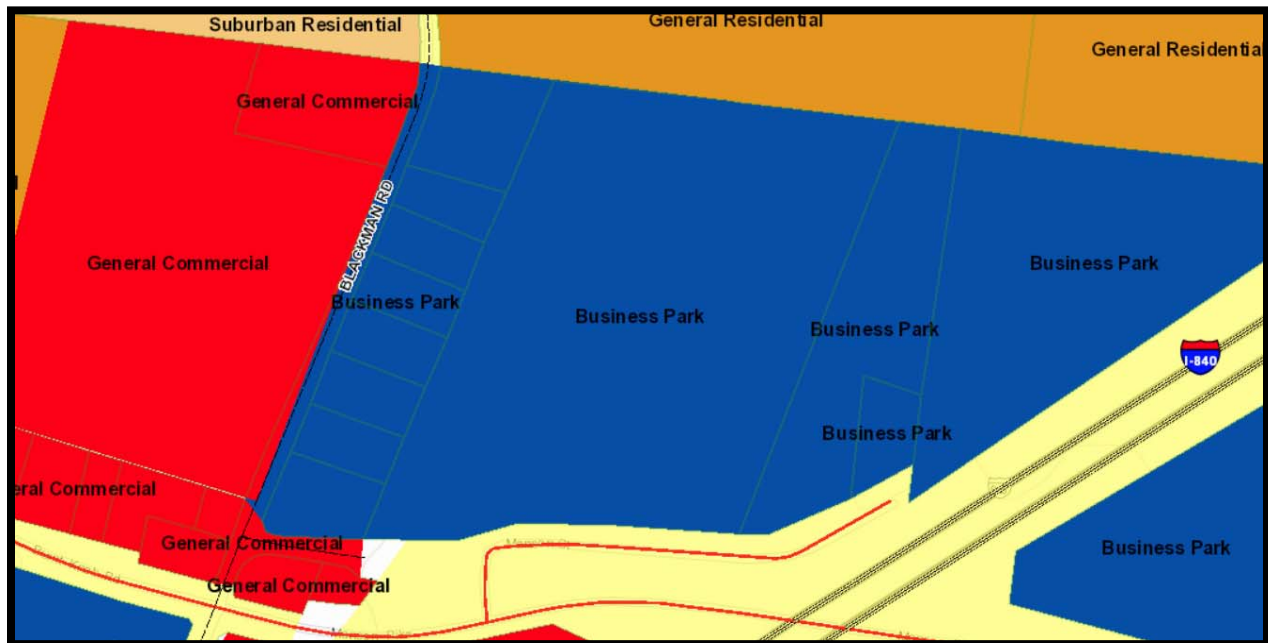
#### **ZONING ORDINANCE EXCEPTIONS- COMMERCIAL**

The Zoning Ordinance asks that planned development applications compare the proposed PCD to an existing bulk zone and, in this case, the CF district is closest to the type of development they are asking the Planning Commission to approve. As such, they have gone through the list of permitted uses for the CF district to determine which may be a good fit for this site. The list of permitted uses can be found on page 21 of the program book. The Planning Commission may recommend adding to the list of permitted uses or the removal of particular uses. The planned development zoning also allows for exceptions from the Zoning Ordinance or Subdivision Regulations. The developer is requesting an exception to the minimum required front setback to allow 30' front setback as opposed to the CF district requiring 42' front setback, which is a difference of 12 feet.

#### **Future Land Use Map**

The Murfreesboro 2035 Future Land Use Map indicates that Business Park is the most appropriate land use for the subject property. The purpose of the Business Park [BP] land use classification for this Comprehensive Plan's Future Land Use Map, is to foster stability and growth of high-quality office and office/distribution, technology, research and development, and similar industries that are enhanced by access transportation networks and that provide desirable employment opportunities for the general welfare of the community. Business Parks are suburban in character, are typically developed in a campus style setting that features reduced site coverage and increased open space; and may include offices and associated administrative, executive professional uses, and specified institutional and limited commercial uses. The proposed land uses does not appear to be consistent with the *Future Land Use Map*.





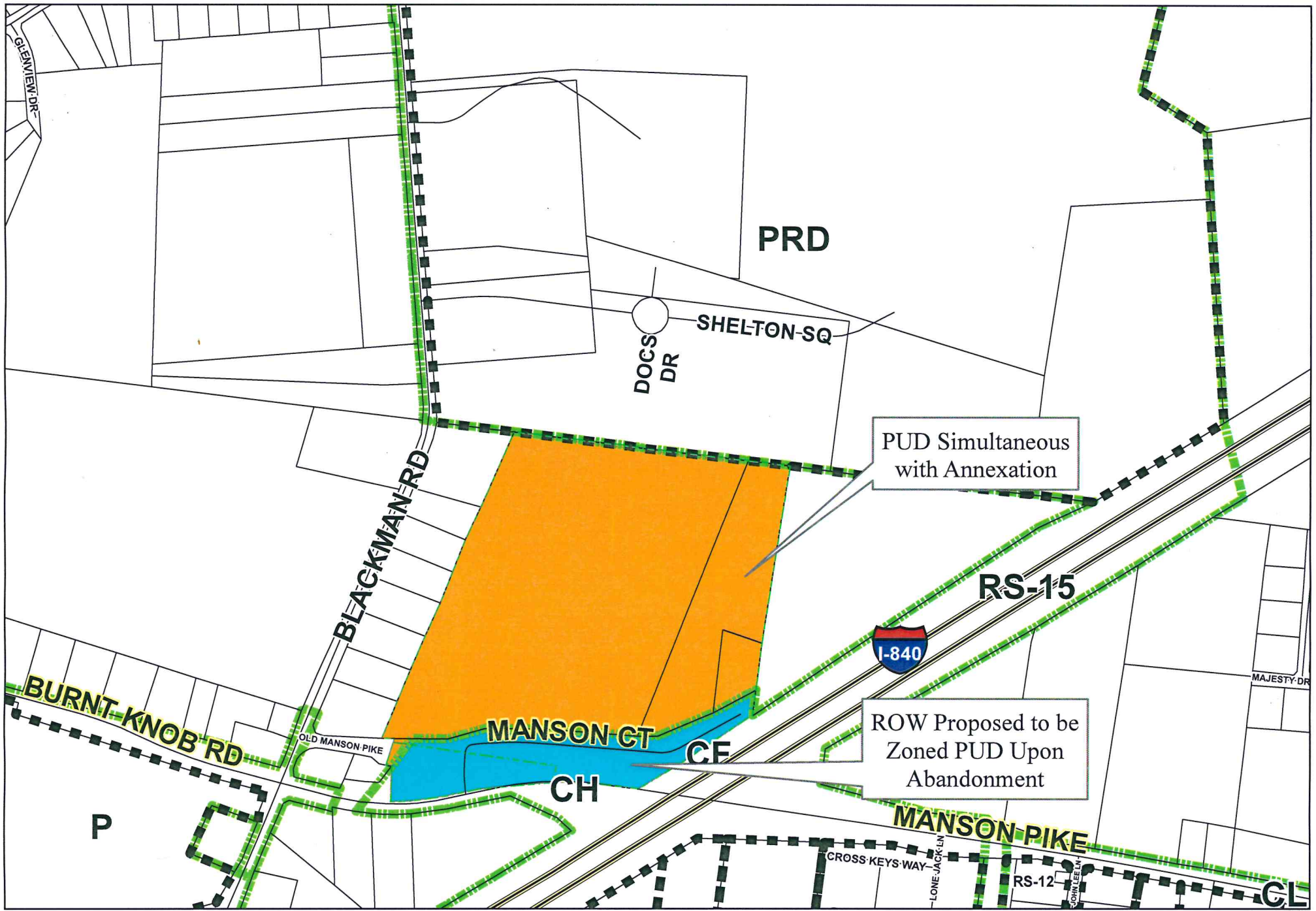
The residential portion of the proposed PUD is more consistent with Auto-Urban Residential. The Auto-Urban residential development includes detached residential dwellings; attached housing types (subject to compatibility and open space standards, e.g., duplexes, triplexes, townhomes, patio homes); planned developments (with a potential mix of housing types and varying densities, subject to compatibility and open space standards), etc. Development Types: Detached residential, Attached residential, The characteristics of the Auto-Urban Residential district are as follows:

Less openness and separation between dwellings compared to suburban character areas, due to size of parcel and proportion of building footprint to parcel; Automobile significantly influences the design and character of the dwelling. Front yard is consumed by the driveway and off-street parking. Landscape enhancements remain subordinate to the structure.

Density / Height Guidelines: 3.54 to 8.64 dwelling units per acre (DU/ac).

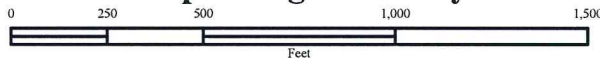
The commercial portion of the proposed PUD is more consistent with the Suburban (Neighborhood) Commercial Character. These neighborhood commercial centers occupy much smaller building footprints than typical businesses found on major arterial corridors and provide neighborhood conveniences such as drug 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. Proposed locations include smaller commercial centers adjacent to and surrounded by neighborhoods and at principal intersections of community collector streets.

The Shelton Grove PUD program book has been included with the agenda materials. The Planning Commission will need to conduct a public hearing on the matter of the PUD zone request, after which it will need to discuss this matter and then formulate a recommendation for City Council.



Path: X:\rezon\mansonctz.mxd

# **Zoning Request Along Manson Court** **PUD Simultaneous with Annexation and Upon Right-of-Way Abandonment (Hardeman Grove PUD)**



GIS Department  
City Of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37131  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)



# Shelton Grove

A REQUEST FOR ANNEXATION AND REZONING TO A PLANNED UNIT DISTRICT (PUD)

Submitted MAY 31, 2018

Resubmitted July 25, 2018

Resubmitted August 9, 2018 for August 15, 2018 Planning Commission Workshop

Resubmitted August 29, 2018 for September 05, 2018 Planning Commission Public Hearing



Craftsman

Wide porches, low roofs, tapered columns,  
perfect for couples, young families and  
casual southern living



Classical

Classic details, gracious flow and versatility-  
perfect for elegant entertaining,  
neighborhood gatherings and growing families



Farmhouse

Balanced and proportionate,  
ideal for couples and families with a  
simple yet classic sense of style

**SEC, Inc.**

SEC PROJECT # 17166

**CRESCENT**  
HOMES

**GDC**  
gamble design collaborative

**BEN JOHNSON ILLUSTRATIONS**





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## INTRODUCTION

CONTEXT MAP & SYNOPSIS ..... 3

## EXISTING CONDITIONS

UTILITIES MAP & MURFREESBORO MAJOR THOROUGHFARE PLAN, AND 2035 LAND USE PLAN.... 4

TOPOGRAPHY, FLOODPLAIN, ZONING MAPS ..... 5

EXISTING ON-SITE & OFF-SITE PHOTOS..... 6

## PROPOSED P.U.D.

CONCEPTUAL MASTER PLAN AND GENERAL DEVELOPMENT GUIDELINES ..... 7

LAND USE DATA: SINGLE FAMILY DETACHED HOMES..... 8

LAND USE DATA: SINGLE FAMILY ATTACHED HOMES ..... 9

CONCEPTUAL MASTER PLAN - SPECIAL FOCUS LOTS ..... 10

PHASING PLAN ..... 11

SINGLE FAMILY DETACHED STREETSCAPE VIEW ..... 12-13

SINGLE FAMILY ATTACHED STREETSCAPE VIEW ..... 14

ARCHITECTURAL MATERIALS SINGLE FAMILY DETACHED ..... 15

PROPOSED LOT STANDARDS SINGLE FAMILY DETACHED ..... 16

ARCHITECTURAL MATERIALS SINGLE FAMILY ATTACHED ..... 17

PROPOSED LOT STANDARDS SINGLE FAMILY ATTACHED ..... 18

CONCEPTUAL MASTER PLAN - LOT VARIETIES ..... 19

INGRESS/EGRESS ..... 20-21

AMENITIES & DEVELOPMENT STANDARDS ..... 22

COMMERCIAL DEVELOPMENT STANDARDS..... 23-24

## ZONING CHAPTER 13

SUBSECTION D ITEM 2A: 1 - 15 ..... 25

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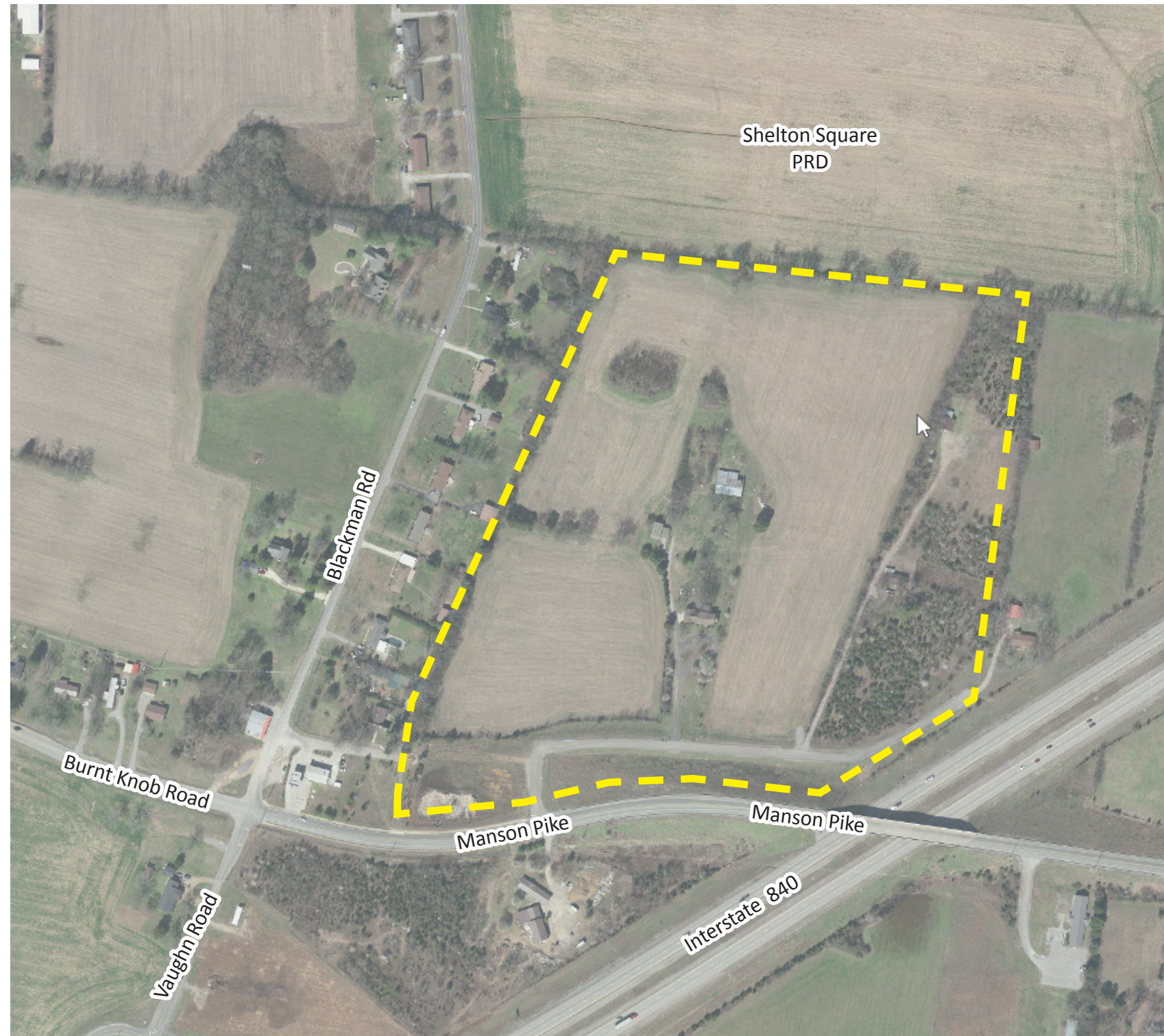
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Crescent Homes TN, LLC respectfully requests annexation and zoning of the Lowe & Douvli properties located at 101 and 117 Manson Court from RM (Medium Density Residential) to PUD -(Planned Unit District) to create Shelton Grove. The property is located to the north of Manson Pike, and to the east of Blackman Road. The site is identified as Parcels 12.00, 13.00 & 13.01 of Tax Map 78, and is approximately 35.10 acres. The project will also include approximately 4.84 acres of lands belonging to public right of way located along the northern side of Manson Pike, for an approximate total project size of 39.94 acres.

Shelton Grove will be a neighborhood that offers residents classical architecture, as well as amenities unique to the area. The development is a mixture of single-family attached townhomes and detached residential homes along with commercial uses. The residential portion of Shelton Grove will consist of 213 lots on roughly 37.54 acres, for a gross density of 5.67 lots per acre. The development will include 118 single-family attached townhomes, and 95 single-family detached homes. All homes will be for purchase. The single-family attached townhomes will have lots that are a minimum of 20 feet, with a minimum lot size of 2,600 sf. The single family detached lots will range in width from 41 feet wide up to 67 feet wide, with a minimum lot size 5,500 sf. All homes will have a minimum of 2 bedrooms. The exterior of all the homes will be constructed primarily of cementitious siding or masonry products, with vinyl only being used in the trim, soffit and fascia areas of the exterior elevations. Each lot will have landscaping along the front foundation and sodded front yards. To enhance the overall streetscape, there will be canopy trees planted in the front portion of the residential lots to mimic street trees. Decorative street lights along the streets will add character and continuity to the neighborhood. Signage will be incorporated at the neighborhood entrance off of Manson Pike. The development will be incorporating 6.43 acres to common open spaces. The main amenity area will offer residents an open space, outdoor seating areas, and playground area. The H.O.A. will maintain all the common areas and amenities.

The commercial portion of the development will create neighborhood scale retail opportunities for residents of Shelton Grove, and this area of the Blackman community. There are two commercial lots proposed on either side of the neighborhood entrance at the intersection with Manson Pike. The commercial properties will account for approximately 1.99 acres of the overall project.



Not To Scale





MWSD Utilities Map



Murfreesboro Water Resources Department

Sanitary sewer service will be provided by Murfreesboro Water and Sewer Department. The developer will be responsible for constructing the sanitary sewer system, while the sewer system will be operated and maintained by Murfreesboro Water and Sewer Department. Shelton Grove plans on extending an 8 inch sanitary sewer line stub from the Shelton Square development that is to the north of the site. This stub will serve as the sanitary sewer connection for the rest of the development.



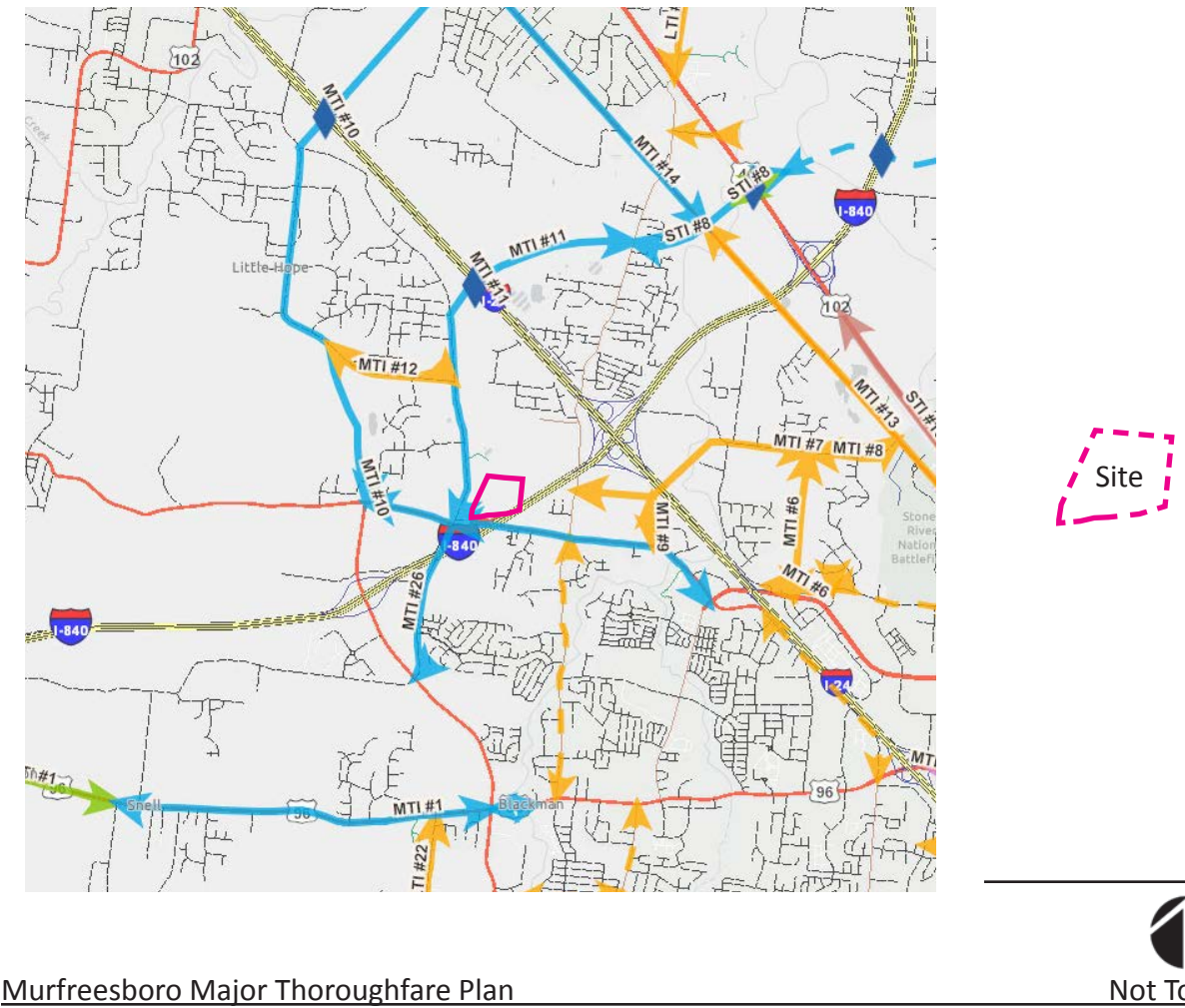
Consolidated Utility District of Rutherford County

There is currently water availability via a 30 inch water main located along the southern R.O.W. of Manson Pike. The developer will be responsible for extending the waterline under Manson Pike and into the site for domestic and fire water service. Water service will be provided by Consolidated Utility District.



Middle Tennessee Electric Membership Corporation

Middle Tennessee Electric will be providing electrical service. Currently above-ground electricity is located along the south side of Manson Pike. The developer will be responsible for extending power across Manson Pike, and into the site for electric service. All electric services will be underground within Shelton Grove.



Murfreesboro Major Thoroughfare Plan

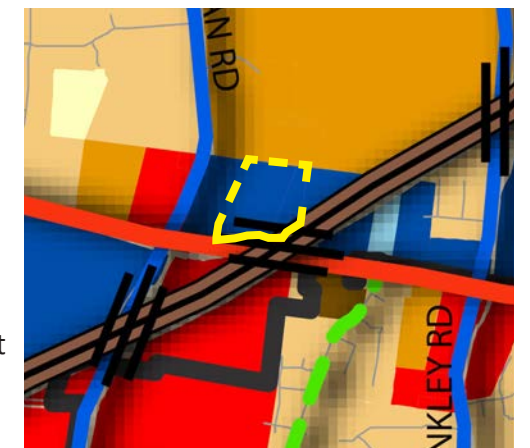


CITY OF MURFREESBORO

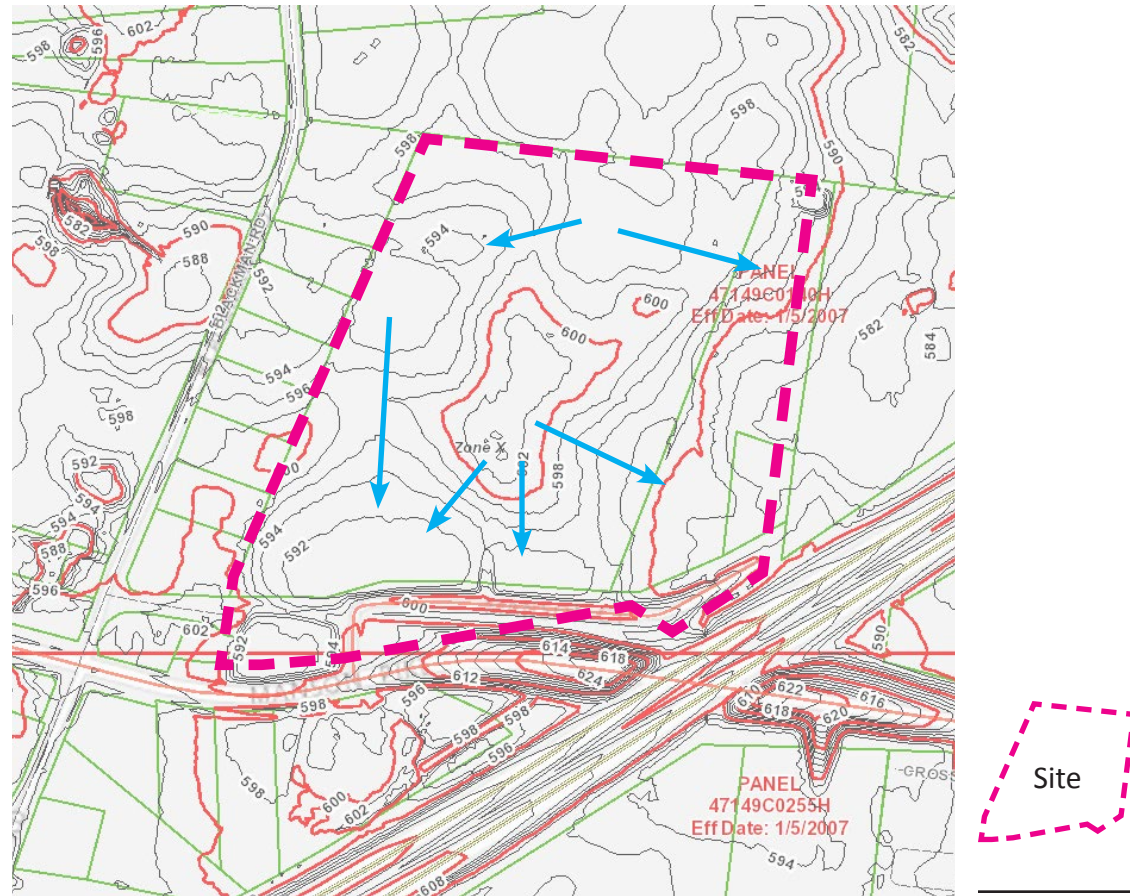
The property has/will have access to the existing public rights-of-way of Manson Pike at the current intersection of Manson Court. This connection will be the main entrance into Shelton Grove, with a future stub located to the north from Shelton Square for future access to the north. Manson Pike is on the Murfreesboro Major Thoroughfare Plan and is slated to become a five lane road. Currently Manson Pike is a 3 lane road.

**Murfreesboro 2035 Land Use Plan**

The Murfreesboro 2035 Plan recommends this property for a Business Park type of land use. This proposed Planned Unit District (PUD) deviates from the 2035 Plan. The reason this proposed development does not follow the recommendations of the 2035 Plan, is that the surrounding properties consists of residential and commercial zoned types of uses. The proposed PUD expands and complements the existing and growing residential character surrounding this property, while expanding on the commercially zoned properties to the south and southwest of the of the project at the intersection of Blackman Road and Manson Pike. The proposed Shelton Grove development is a better fit to the existing land uses that the recommended Business Park proposed in the 2035 Plan.

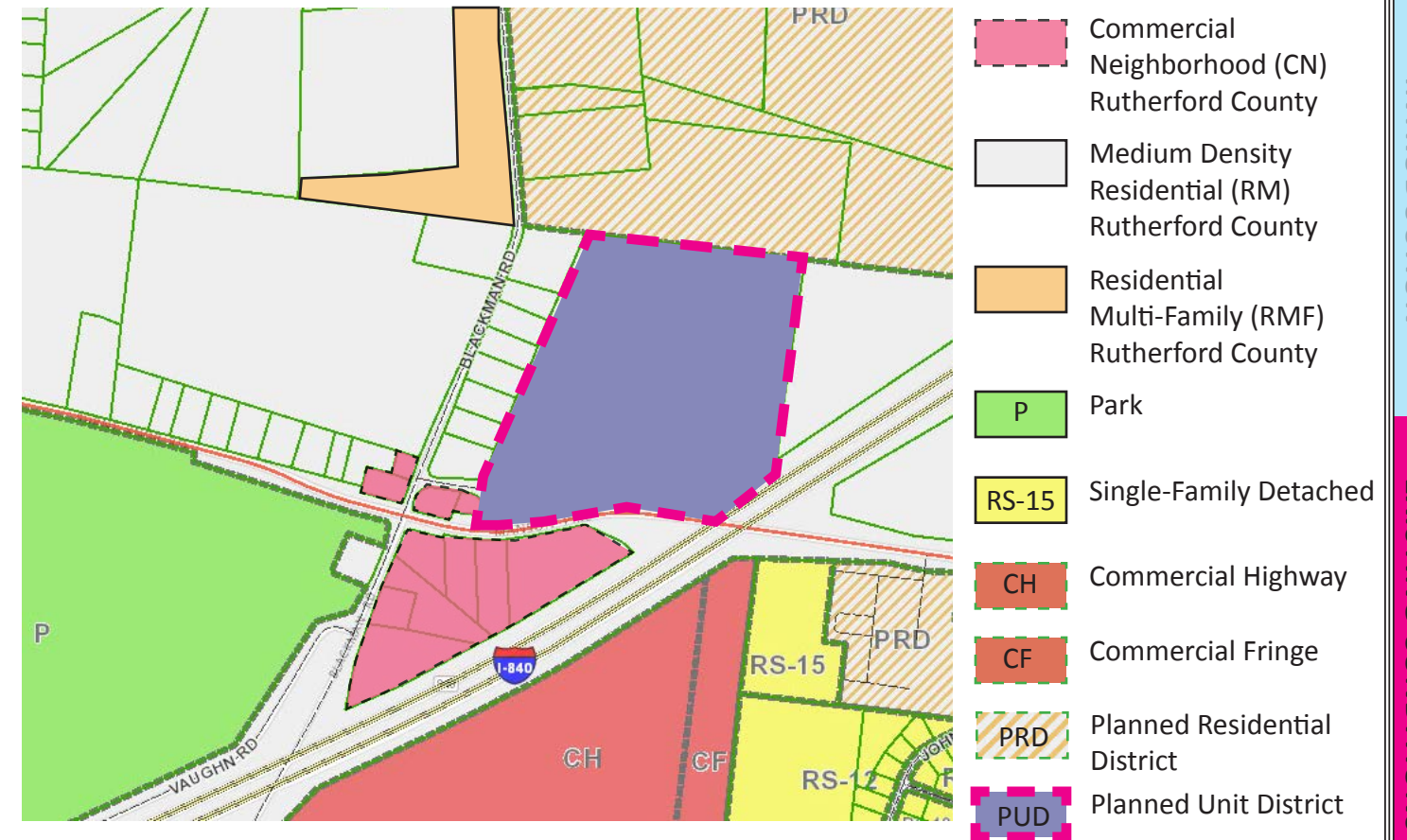






Topography & Floodplain Map

The existing topography of the site shows the highest point is located in the center of the property. From this high point or ridge, the property gradually falls towards all boundaries of the site. Stormwater that falls on the eastern side of the property gradually drains to the east and north to a sinkhole on the Shelton Square property. Any stormwater on the southern portion of the property flows towards Manson Court and Manson Pike. There is a closed depression exists in the southwest corner of the property where stormwater collects and gradually drains into the soils. Along the eastern side of the property, stormwater drains off-site and across existing residential properties toward Blackman Road. The northern portion of the site generally flows towards the north towards the sinkhole on the Shelton Square property. There are no FEMA floodways and floodplains associated with this property.



Not To Scale

Zoning Map

This site is currently zoned as Planned Unit District as per the PUD submittal and approval in 2017. The properties to the east and west of Shelton Grove consist primarily of Medium Density Residential (RM) zoning in Rutherford County. To the north of the site is Shelton Square, which is zoned Planned Residential District (PRD). Shelton Square consists of Lot widths ranging from 35 feet to 85 feet wide. Recently, 120 acres of the county was annexed and rezoned to Park (P) for the new city park to the southwest of the site. There are three parcels of property around the intersection of Manson Pike, Burnt Knob Road, and Blackman Road, that are zoned commercial neighborhood (CN) in Rutherford County. To the south of the site across I-840 are a few properties that are zoned Commercial Highway (CH) and Commercial Fringe (CF). There are a number of subdivisions to the southeast of the site that are a mixture of residential single-family (RS) zoning districts, as well as Planned Residential District (PRD). The properties to the east of the site are zoned (RM) in Rutherford County.





Photo Direction Map

Photo Direction Symbol

- The point where the two lines connect is the location of the image capture
- The convexing lines from said point indicate the perceived range of view



Not To Scale

Image 4

View of Eastern portion of site from property line off of Manson Court.

Image 5

View southwest onto Blackman Road from intersection of Blackman Road and Manson Pike/ Burnt Knob Road.

Image 6

View northeast onto Blackman Road from intersection of Blackman Road and Manson Pike/ Burnt Knob Road. CITGO convenience store and gas station can be found on the right, with the Blackman Grocery Store (no longer in business) seen on the left of the photo.

Image 7

View of the CITGO convenience store and gas station on the northeast corner of Blackman Road and Manson Pike intersection.

Image 8

Character photo of the single-family residential homes located on east side of Blackman Road. These homes will be along the western property boundary of Shelton Grove.

Image 1

View east along Manson Court towards I-840.

Image 2

View east from Manson Court onto Manson Pike towards the I-840 overpass.

Image 3

View west onto Manson Pike toward the intersection at Blackman Road where Manson Pike becomes Burnt Knob Road.



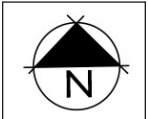
**Land Use Data: (Previously Approved)**

Total Land Area: ±39.94 Acres  
Commercial Area: ±2.4 Acres  
Residential Area: ±37.54 Acres  
Total Number Single Family Detached Lots: 160

Yield: 160 Lots/37.54 Acres= ±4.36 Lots/ Acres  
Total Open Space/ Stormwater: ±5.89 ACRES (16%)  
Minimum Lot Size (See Page 13): 5,500 S.F.  
Typical Lot Sizes: (78 Lots) 41' x 140' (5,740 S.F.)  
(78 Lots) 46' x 140' (6,440 S.F.)  
(4 Lots) 51' x 140' (7,140 S.F.)  
Minimum Home Size: 1,600 S.F.  
Typical Home Sizes: 1,600' - 3,500'+ S.F.



**PREVIOUSLY APPROVED P.R.D.**



Scale: 1" = 200'

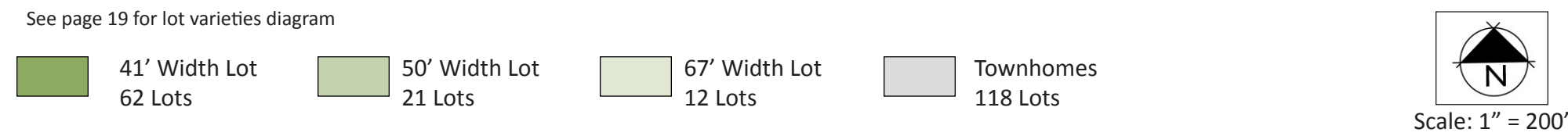


**Land Use Data:**

Total Land Area:	±39.94 Acres
Commercial Area:	±1.99 Acres
Residential Area:	±37.54 Acres
Total Number Single Family Lots:	213
Density: 213 Lots/37.54 Acres=	±5.67 Lots/ Acres
Total Open Space/ Stormwater:	±6.43 ACRES (17.13%)

**General Development Guidelines:**

- Entrance off of Mason Pike will have entrance signage constructed of masonry materials and anchored by landscaping
- Prior to construction plan review, a complete and thorough design of the stormwater management system and facilities will be completed by design engineer
- All streets will be public rights-of-way
- All streets have been designed to comply with Murfreesboro Streets Standards
- Public sidewalks will be provided on both sides of all streets throughout the development to create a pedestrian friendly community
- Solid waste will be provided by the City of Murfreesboro. Solid waste will be collected at the front curb on single-family detached lots, and along alley curbs for single-family attached lots.
- Mail service will be provided via decorative mail kiosks for all postal deliveries
- HVAC units will be located at the side or rear of each residence
- All on-site utilities will be underground
- All mechanical equipment (i.e. hvac and transformers) to be screened via landscaping
- All alleys will be private access easements
- All alleys have been designed to comply with Murfreesboro Streets Standards





Land Use Data: Single Family Detached Homes

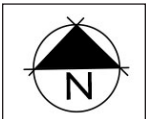
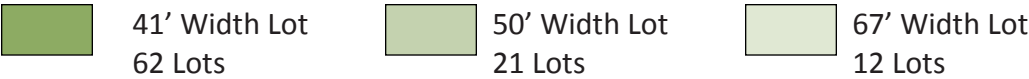
Total Number Single Family Lots:	213
Number of Detached Lots:	95 (45%)
Minimum Lot Size (Detached):	5,500 S.F.
Typical Lot Sizes:	41'-(62 Lots) 41' x 140' (5,740 S.F.)
	50'-(21 Lots) 50' x 140' (6,440 S.F.)
	67'-(12 Lots) 67' x 140' (7,140 S.F.)
Minimum Home Size:	1,500 S.F. (Heated Space)
Typical Home Sizes:	1,500 - 3,500 + S.F.

Residential Development Standards : Detached

- 95 single-family detached homes with 2 or more bedrooms
- The homes will be a minimum of 1,500 sf. of heated area
- All front entry garages shall be setback a minimum of 35 feet from public R.O.W.
- Single family detached lots will provide at least 4 parking spaces per lot (4 spaces in driveway).
- Single family detached lots will have concrete driveways wide enough for 2 vehicles , and have a minimum width of 16 feet.
- Builders shall install sod in the front yard and landscaping along the front foundation
- HVAC units will be located at the side or rear of each residence
- All on-site utilities will be underground
- All mechanical equipment (i.e. hvac and transformers) to be screened via landscaping.
- Solid waste will be provided by the City of Murfreesboro.



See page 19 for lot varieties diagram



Scale: 1" = 200'

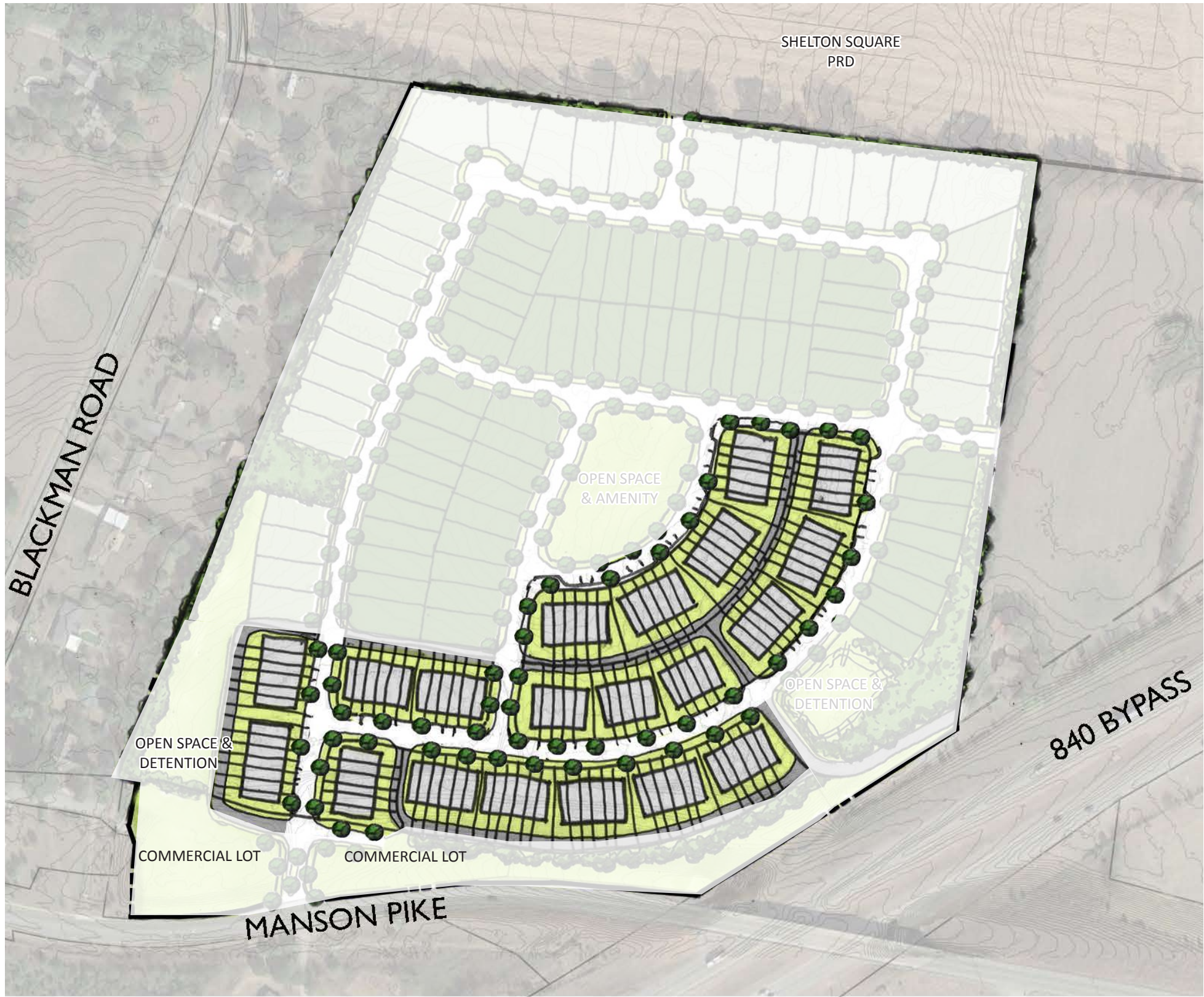


**Land Use Data: Single Family Attached Homes**

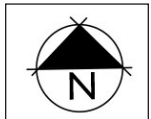
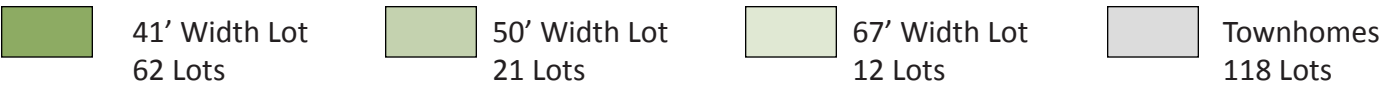
Total Number Single Family Lots:	213
Number of Attached Lots	118 (55%)
Minimum Lot Size (Attached):	2,600 S.F.
Typical Lot Sizes:	TH-(118 Lots) 20' x 132' (2,640 S.F.)
Minimum Home Size:	1,000 S.F. (Heated Space)
Typical Home Sizes:	2,000 S.F.

**Residential Development Standards : Attached**

- 118 single-family attached homes with 2 or more bedrooms
- The homes will be a minimum of 1,000 sf. of heated area
- All Townhomes will be sold fee simple
- Garages are not required on alley loaded lots
- Single family attached lots will provide at least 4 parking spaces per lot. Parking will be provided via 4 surface spaces located at the rear of the lot off of the private alleys. If a garage option is chosen, then there will be 2 spaces in the garage and 2 spaces between the garage and alley.
- Garage spaces will be restricted to vehicles only in the restrictive covenants, and will be enforced by the H.O.A.
- Single family attached lots will have concrete driveways wide enough for 2 vehicles , and have a minimum width of 16 feet.
- Ally loaded garages are optional, and will be set 20 feet from the alley access easement.
- Builders shall install sod in the front yard and landscaping along the front foundation
- All alleys will be private access easements
- All alleys have been designed to comply with Murfreesboro Streets Standards
- HVAC units will be located at the side or rear of each residence
- All on-site utilities will be underground
- All mechanical equipment (i.e. hvac and transformers) to be screened via landscaping.
- Solid waste will be provided by the City of Murfreesboro. Solid waste cans will be collected in the alleys, and solid waste cans will be stored in the courtyards of each lot on non-collection days.



See page 19 for lot varieties diagram




Scale: 1" = 200'



Special Focus Lots


Special Focus Homes are typically located at street and lane intersections, at the end of a street intersection or view corridor, and/or against a street edge that defines common property or public outdoor space. Special Focus Homes and all lots in which the proposed improvements will or may have a greater impact upon the character of the community, will receive more intense review in all aspects by Developer and Architectural Review Committees (DRC)

Final determination of the appropriate elevation pattern and variety is subject to review by the Developer & Architectural Review Committee (DRC) Once the DRC has given final approval, plans shall be submitted for final approval by the Murfreesboro Planning Department.

- 


Corner and Multiple-Frontage Homes

Homes that are located on corner lots and homes that have multiple frontages present a greater visual impact on the neighborhood.

  - Building facades fronting side streets shall be subject to guidelines and regulations governing front facades
  - For front garage entry lots, the garage shall be placed on the side of the lot opposite the street corner
  - Corner porches that wrap from the front facade to the side street facade are encouraged
- 

Homes Terminating Views

Homes located on lots that terminate views should be positioned and detailed to enhance the streetscape and view shed.

  - Garage doors shall be placed on the direct axis of the view shed
  - Two story homes are encouraged for these lots
  - Where practical, either the building massing or a major architectural massing element should be centered on the view axis
  - Where located on a corner lot, the building facade terminating a view axis shall be considered the front facade and shall include the front door
- 

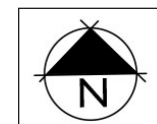
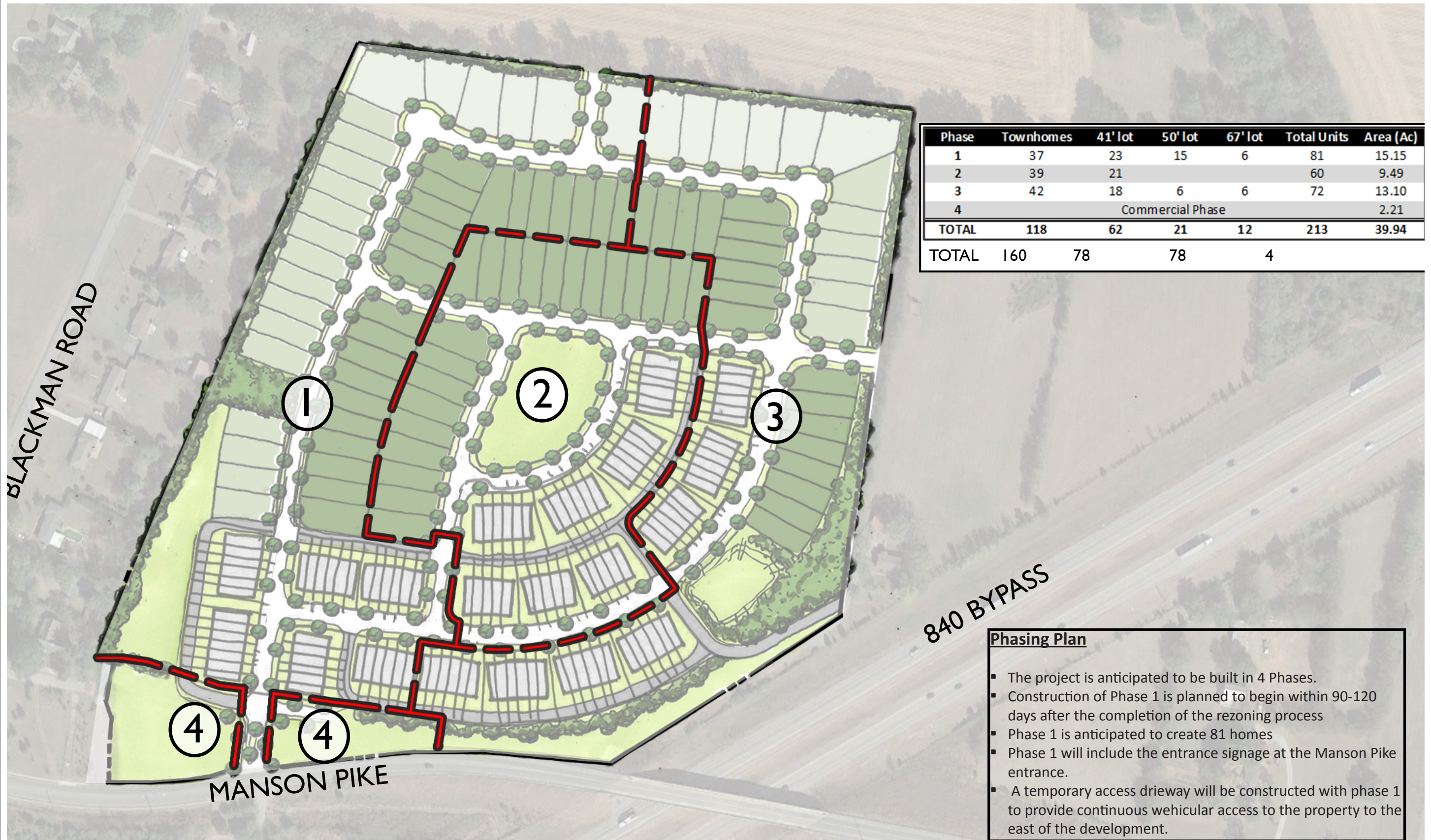
Homes Fronting Parks and Open Spaces

Homes that front parks and open spaces present a greater visual impact on the neighborhood. When a home properly addresses the open area, it helps to enclose and frame the space.

  - Full porches, stacked porches and balconies are encouraged
  - Home plans should be selected that optimize views from the home's interior to the park







Scale: 1" = 200'









Ben Johnson





Ben Johnson





**Appropriate Residential Materials**

**Single Family Detached**

**Appropriate Building Cladding (facade wall)**

- Brick veneer
- Painted brick veneer
- Cultured stone (ashlar pattern, drystack pattern)
- Cementitious and fiber cement composite siding (e.g. Hardie, Certainteed)
- Applied cement stucco

**Appropriate Windows and Doors**

- Pre-finished aluminum and vinyl clad wood windows
- Vinyl Windows (upon ARC review)
- Clear or slightly tinted glazing
- Simulated divided lights

**Appropriate Roofs**

- Sloped roofs of asphalt or standing seam metal

**Appropriate Architectural Detailing**

- Painted or stained wood
- High density rigid polyurethane (HRP)
- Smooth surface composite or cellular PVC or comparable in standard wood trim sizes
- Vinyl or aluminum soffit & fascia
- Cast stone

**Prohibited Residential Materials**

**Prohibited Building Cladding (facade wall)**

- Oversized brick -- non-modular
- Exterior Insulation Finish System (EIFS)
- Metal siding
- Vinyl siding
- Concrete masonry units (CMU) or split-faced
- Concrete panels

**Prohibited Windows and Doors**

- Glass block (on frontages)
- Dark tinted, color tinted or mirror finished glazing

**Prohibited Roofs**

- Spanish tile
- Wood shingle

**Prohibited Architectural Detailing**

- Extruded polystyrene
- PVC



\*Examples of Homes Demonstrating Appropriate Residential Materials



**Home Characteristics (41' Width Lots):**

- All homes will be a minimum 1,500 - 2,700+ s.f. (heated space)
- Minimum lot size 5,500 s.f.
- Minimum lot width will be 41 feet at the front setback
- Typical lot dimensions: 41' wide x 140' deep (5,740 s.f.)
- All homes will have a minimum of a 2 car front entry garage with decorative garage doors
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 10 Special Focus Lots.
- All homes will have exterior elevations comprised of brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
- All homes will have eaves
- Maximum building height shall be 35' as defined by zoning ordinance
- All homes will have a minimum of 2 bedrooms
- All homes will be for sale

Setbacks: (internal lot)

- Front 35' to Garage
- Front 15' to House
- Rear 20'
- Side 5'

Setbacks: (corner lot)

- Front 35' to Garage
- Side-Front 15' to House
- Rear 5'
- Side 5'



Lots Diagram (41' width lots)

**Home Characteristics (50' Width Lots):**

- All homes will be a minimum 1,700 - 3,500+ s.f. (heated space)
- Minimum lot size 6,500 s.f.
- Minimum lot width will be 50 feet at the front setback
- Typical lot dimensions: 50' wide x 135' deep (6,750 s.f.)
- All homes will have a minimum of a 2 car garage with decorative garage doors
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 8
- All homes will have exterior elevations comprised of brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
- All homes will have eaves
- Maximum building height shall be 35' as defined by zoning ordinance
- All homes will have a minimum of 2 bedrooms
- All homes will be for sale

Setbacks: (internal lot)

- Front 35' to Garage
- Front 15' to House
- Rear 20'
- Side 5'

Setbacks: (corner lot)

- Front 35' to Garage
- Side-Front 15' to House
- Rear 5'
- Side 5'



Lots Diagram (50' width lots)

**Home Characteristics (67' Width Lots):**

- All homes will be a minimum 1,700 - 3,500+ s.f. (heated space)
- Minimum lot size 8,500 s.f.
- Minimum lot width will be 67 feet at the front setback
- Typical lot dimensions: 67' wide x 135' deep (9,045 s.f.)
- All homes will have a minimum of a 2 car garage with decorative garage doors
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 8
- All homes will have exterior elevations comprised of brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
- All homes will have eaves
- Maximum building height shall be 35' as defined by zoning ordinance
- All homes will have a minimum of 2 bedrooms
- All homes will be for sale

Setbacks: (internal lot)

- Front 35' to Garage
- Front 15' to House
- Rear 20'
- Side 5'

Setbacks: (corner lot)

- Front 35' to Garage
- Side-Front 15' to House
- Rear 5'
- Side 5'



Lots Diagram (67' width lots)





**Appropriate Residential Materials**

**Single Family Attached**

**Appropriate Building Cladding (facade wall)**

- Brick veneer
- Painted brick veneer
- Cultured stone (ashlar pattern, drystack pattern)
- Cementitious and fiber cement composite siding (e.g. Hardie, Certainteed)
- Applied cement stucco

**Appropriate Windows and Doors**

- Pre-finished aluminum and vinyl clad wood windows
- Vinyl Windows (upon ARC review)
- Clear or slightly tinted glazing
- Simulated divided lights

**Appropriate Roofs**

- Sloped roofs of asphalt or standing seam metal

**Appropriate Architectural Detailing**

- Painted or stained wood
- High density rigid polyurethane (HRP)
- Smooth surface composite or cellular PVC or comparable in standard wood trim sizes
- Vinyl or aluminum soffit & fascia
- Cast stone

**Prohibited Residential Materials**

**Prohibited Building Cladding (facade wall)**

- Oversized brick -- non-modular
- Exterior Insulation Finish System (EIFS)
- Metal siding
- Vinyl siding
- Concrete masonry units (CMU) or split-faced
- Concrete panels

**Prohibited Windows and Doors**

- Glass block (on frontages)
- Dark tinted, color tinted or mirror finished glazing

**Prohibited Roofs**

- Spanish tile
- Wood shingle

**Prohibited Architectural Detailing**

- Extruded polystyrene
- PVC

\*Examples of Homes Demonstrating Appropriate Residential Materials



**Home Characteristics (Townhomes):**

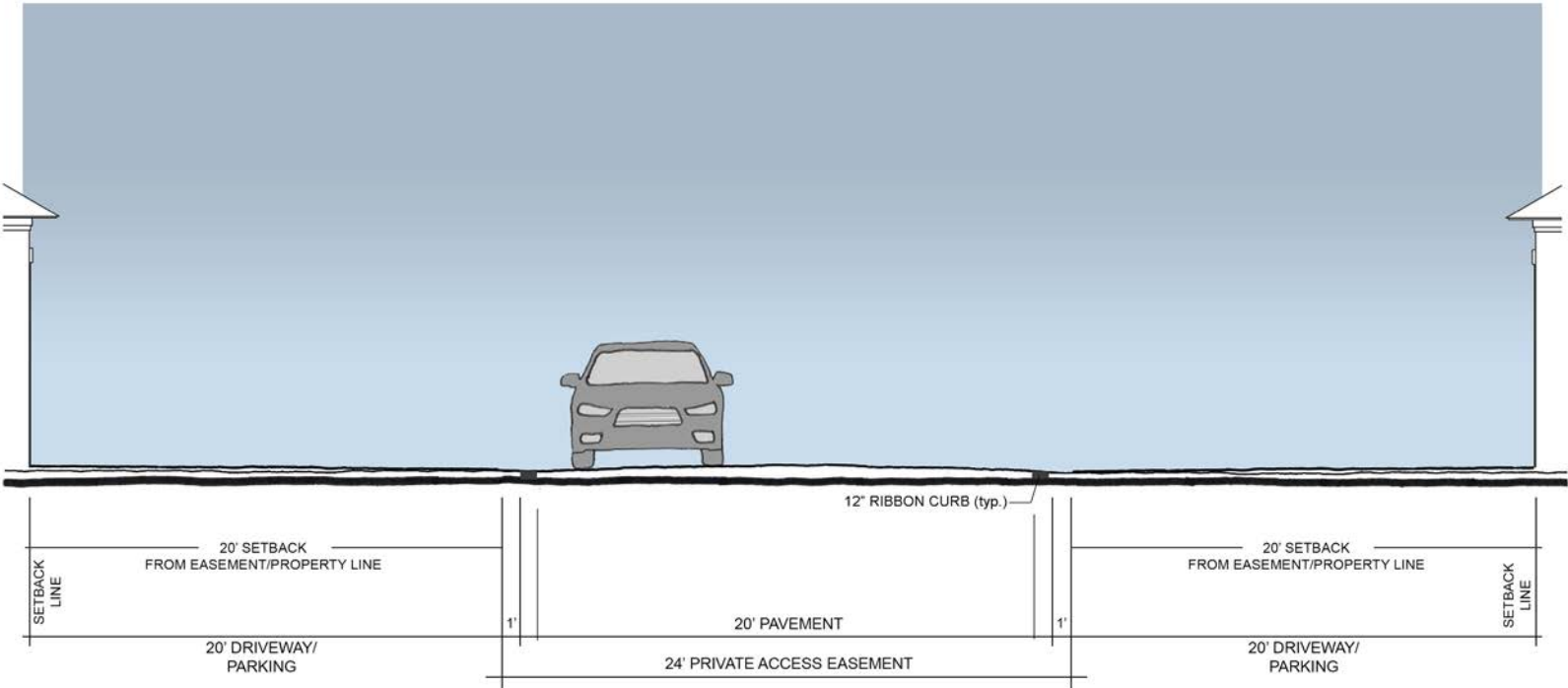
- Townhomes will be a minimum 1,000 + s.f. (heated space)
- Minimum lot size 2,600 s.f.
- Minimum lot width will be 20 feet at the front setback
- Typical lot dimensions: 20' wide x 132' deep (2,640s.f.)
- Garages are not required on alley loaded lots
- Single family attached lots will provide at least 4 parking spaces per lot. Parking will be provided via 4 surface spaces located at the rear of the lot off of the private alleys. If a garage option is chosen, then there will be 2 spaces in the garage and 2 spaces between the garage and alley.
- Garage spaces will be restricted to vehicles only in the restrictive covenants, and will be enforced by the H.O.A.
- Single family attached lots will have concrete driveways wide enough for 2 vehicles , and have a minimum width of 16 feet.
- Ally loaded garages are optional, and will be setback 20 feet from the alley access easement.
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 10 Special Focus Lots
- All homes will have exterior elevations comprised of brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
- All homes will have eaves
- Maximum building height shall be 35' as defined by zoning ordinance
- All homes will have a minimum of 2 bedrooms
- All homes will be for sale

**Setbacks: (internal lot)**

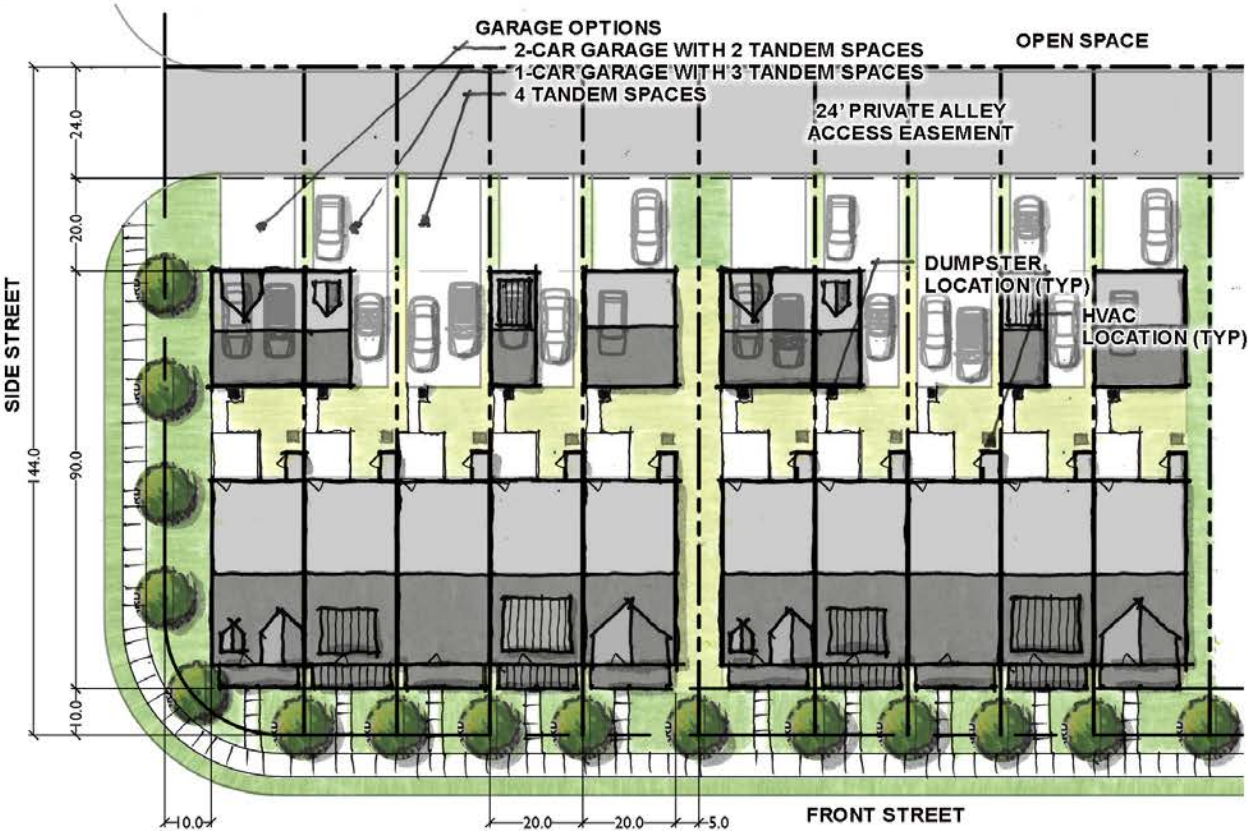
- Front : 10'
- Rear : 20' to Garage
- Side: 5'

**Setbacks: (corner lot)**

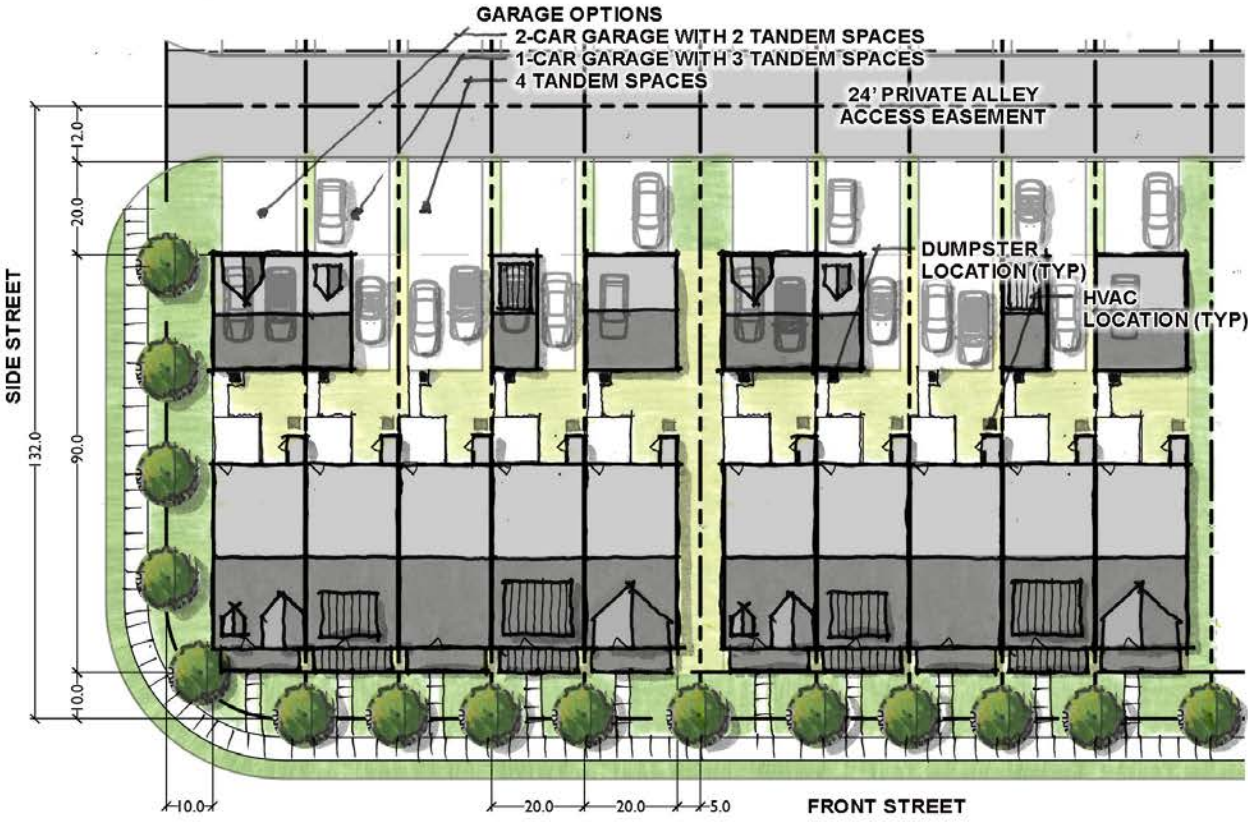
- Front : 10'
- Front-Side: 10'
- Rear: 20' to garage
- Side: 5'



Ally Cross Section

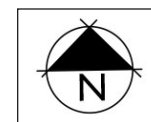
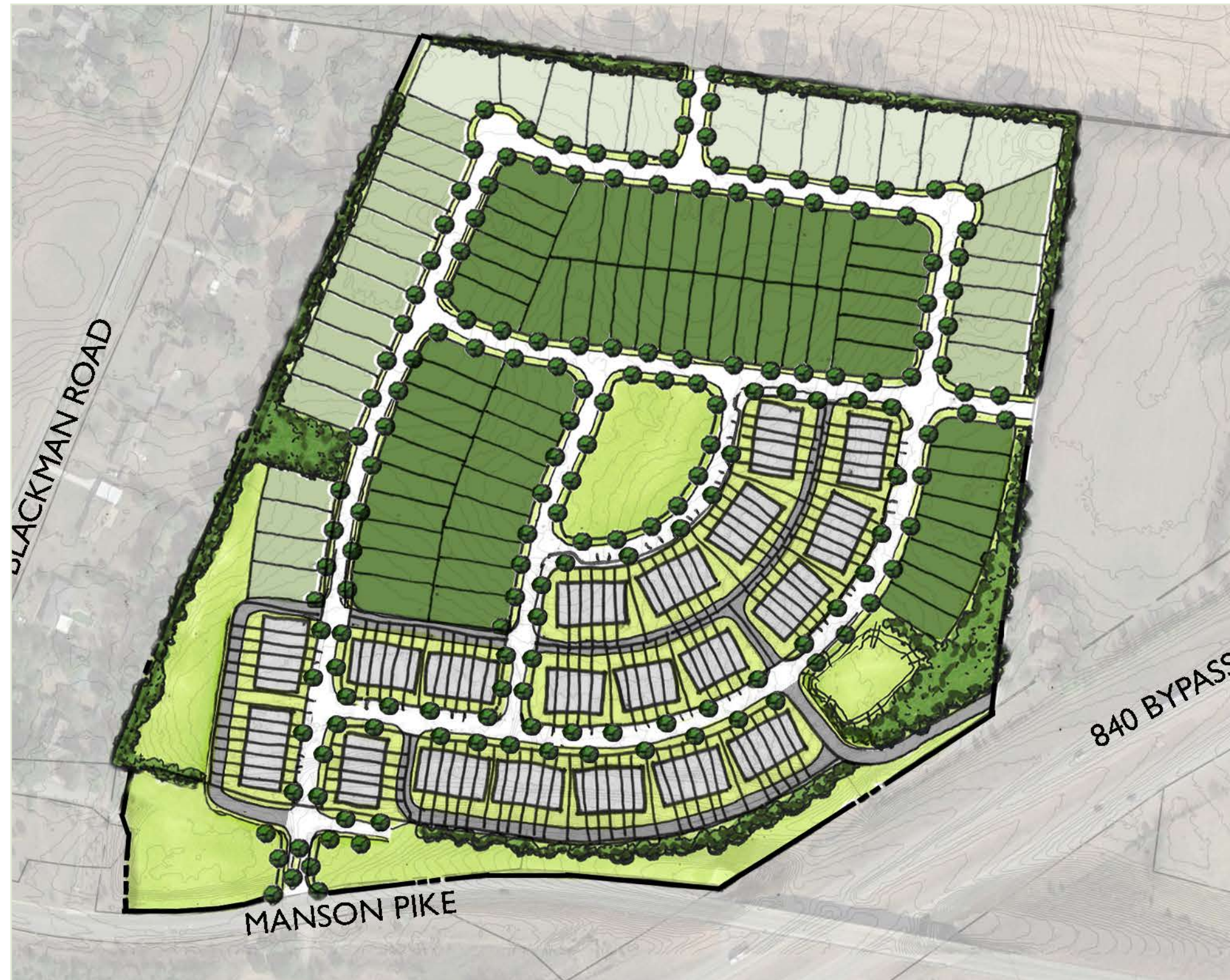


ALLEY LOT CONDITION B (BACK-TO-OPEN SPACE LOTS)  
24' ALLEY ACCESS EASEMENT WITH 22' ALLEY

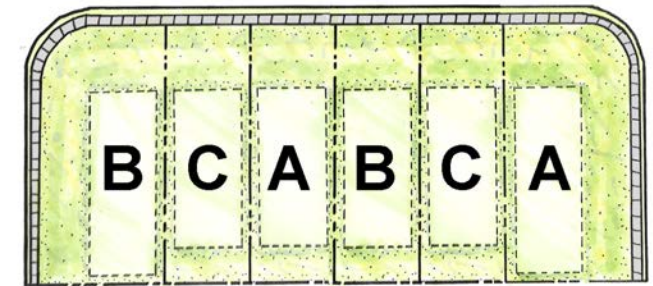
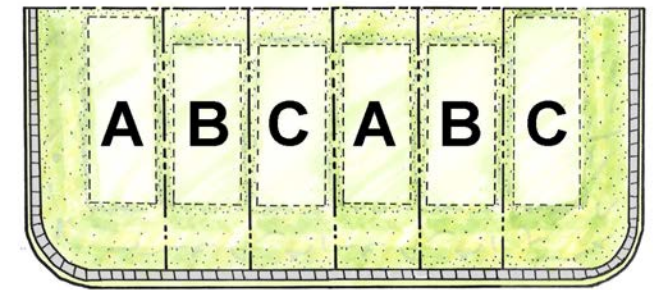


ALLEY LOT CONDITION A (BACK-TO-BACK LOTS)  
24' ALLEY ACCESS EASEMENT WITH 22' ALLEY





Scale: 1" = 200'



### **FACADE VARIETY DIAGRAM**

In order to avoid monotony of architectural design, no approval shall be issued for the construction of a dwelling if it is substantially like any proposed neighboring building for which an approval has already been issued or is being concurrently considered.

- A building shall be considered neighboring if it fronts on the same street as the building under construction or an intersecting street; no building elevation may be repeated across from, adjacent to, or diagonal to a identical building elevation. There shall be a minimum of a 2-lot gap between each identical building elevation (see diagram to above in which A, B, C represent different elevation styles).
- Vary roof orientation, ridge lines and eave heights between each lot when possible.
- Building facade colors and design elements should vary between each lot with a variation of massing and architectural details on each block.
- Townhomes will not fully meet the intent due to the elevations being attached. Although the elevations of the individual units making up a townhome building are attached, individual units will provide varieties of colors and materials to create individual unit appearances along the townhome building elevations.

Final determination of the appropriate elevation pattern and variety is subject to review by the Developer & Architectural Review Committee (DRC), and Murfreesboro Planning Department.

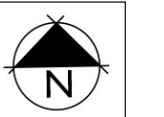
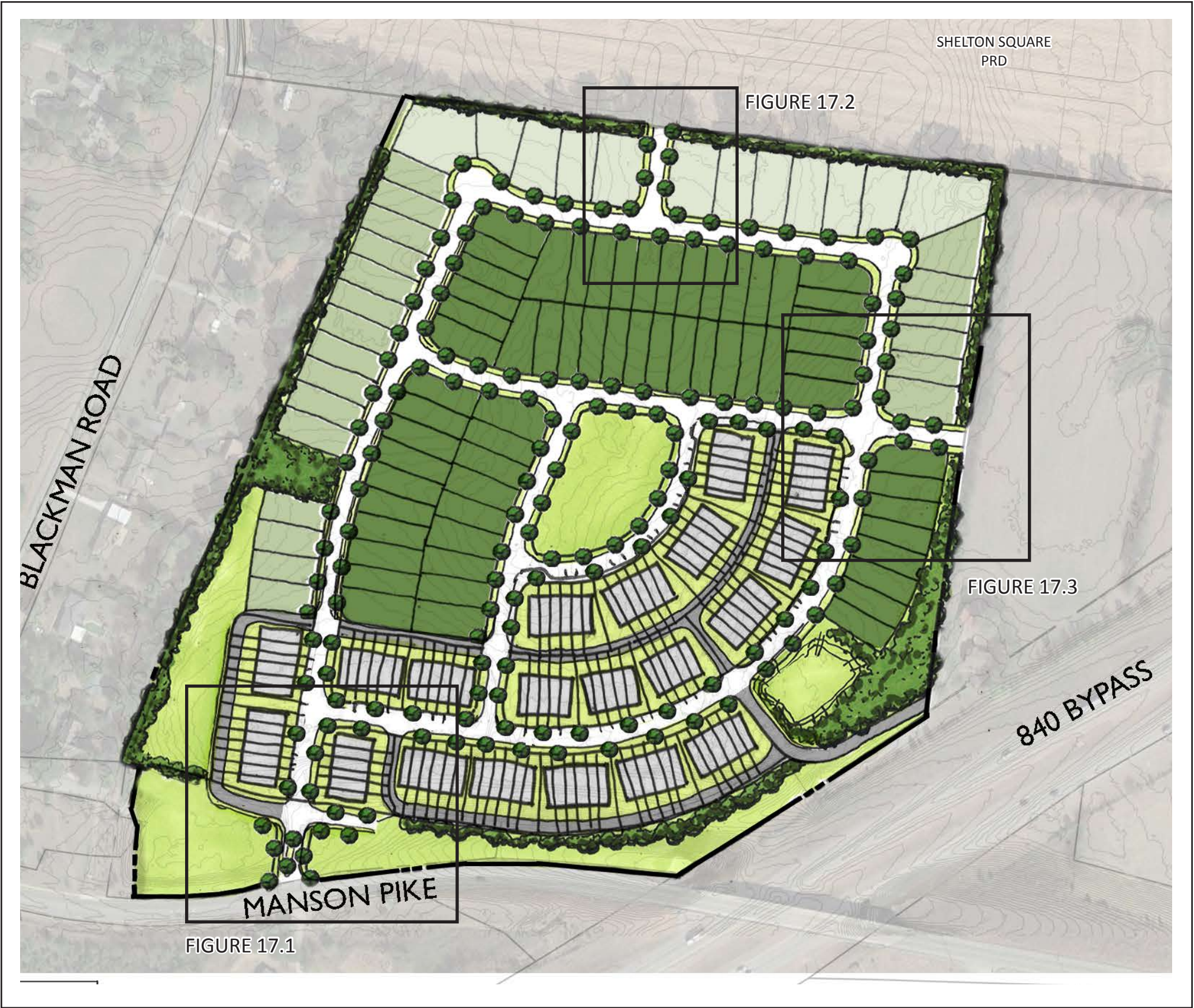


**Ingress and Egress**

The property will have two entrances into the neighborhood. The primary means of ingress/egress to this site will be off of Manson Pike (Figure 17.1) on page 21.. The Manson Pike Entrance will be installed with Phase 1 by the developer. The entrance is proposed to incorporate signage and landscaping at the entrance to accentuate the arrival into Shelton Grove. The entrance road will also provide curb cuts for the two commercial lots that are located on both sides of the entrance into the development. The second means of accessing the development is via a stub street that is located on the northern part of the property. This roadway will allow for a future connection to the Shelton Square PRD development to the north of Shelton Grove (Figure 17.2). A roadway stub incorporated for future connectivity to the remaining properties that are to the east of Shelton Grove (Figure 17.3). This roadway stub has been set aside with the anticipation that these properties might develop at some point, and this development wants to make sure that those lands have appropriate access to public R.O.W.

All streets within Shelton Grove will be local streets with a typical 50 foot R.O.W. cross-section. These streets will be built in accordance with the Murfreesboro Street Standards. Another unique element that Shelton Grove is incorporating into the neighborhood, is the addition of front yard trees to mimic street trees within the streetscape (See R.O.W. Cross-sections on Page 21. Streets tree will be located behind the sidewalks, but outside of the public 50 foot R.O.W. The street trees will create a greater sense of place for the residents of Shelton Grove.

Shelton Grove will also provide private alleys for rear vehicular access to the townhome lots. The private alleys will be 24 ft wide access easements, with 20 ft of pavement for two-way traffic. (See Cross-Section on page 18)



Scale: 1" = 200'



**Ingress and Egress**  
**Existing Driveway Connection**

Continuous access will be provided for the adjacent site. Phase one will include the construction of the alley to the existing drive as shown in the plan to the right. The remaining drive will be preserved until the completion of Phase 3, when access will be provided in the form of a stub connection to the adjacent property.







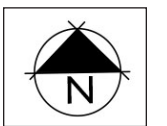
FIGURE 17.1



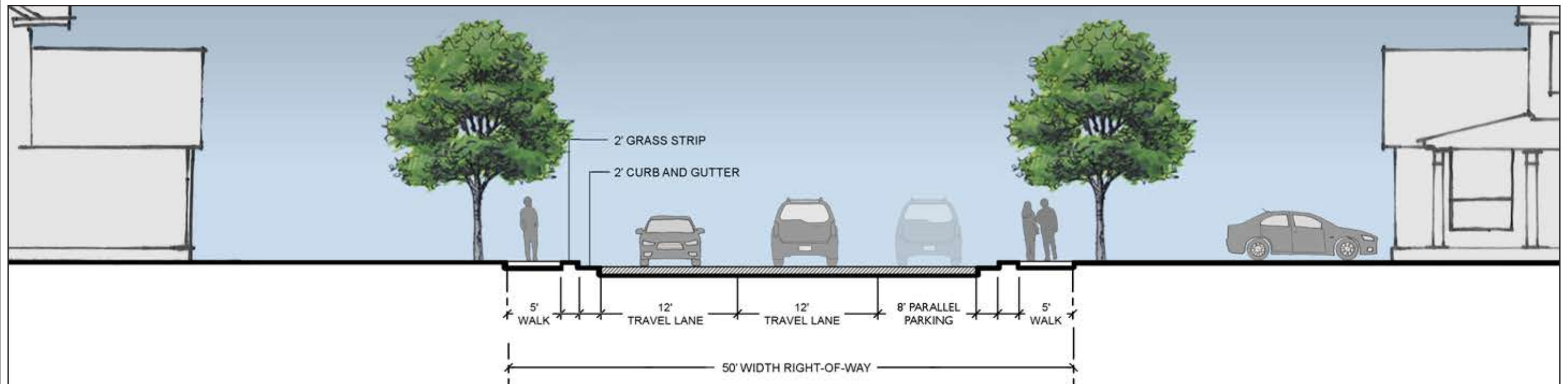
FIGURE 17.2



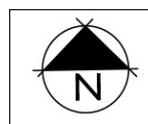
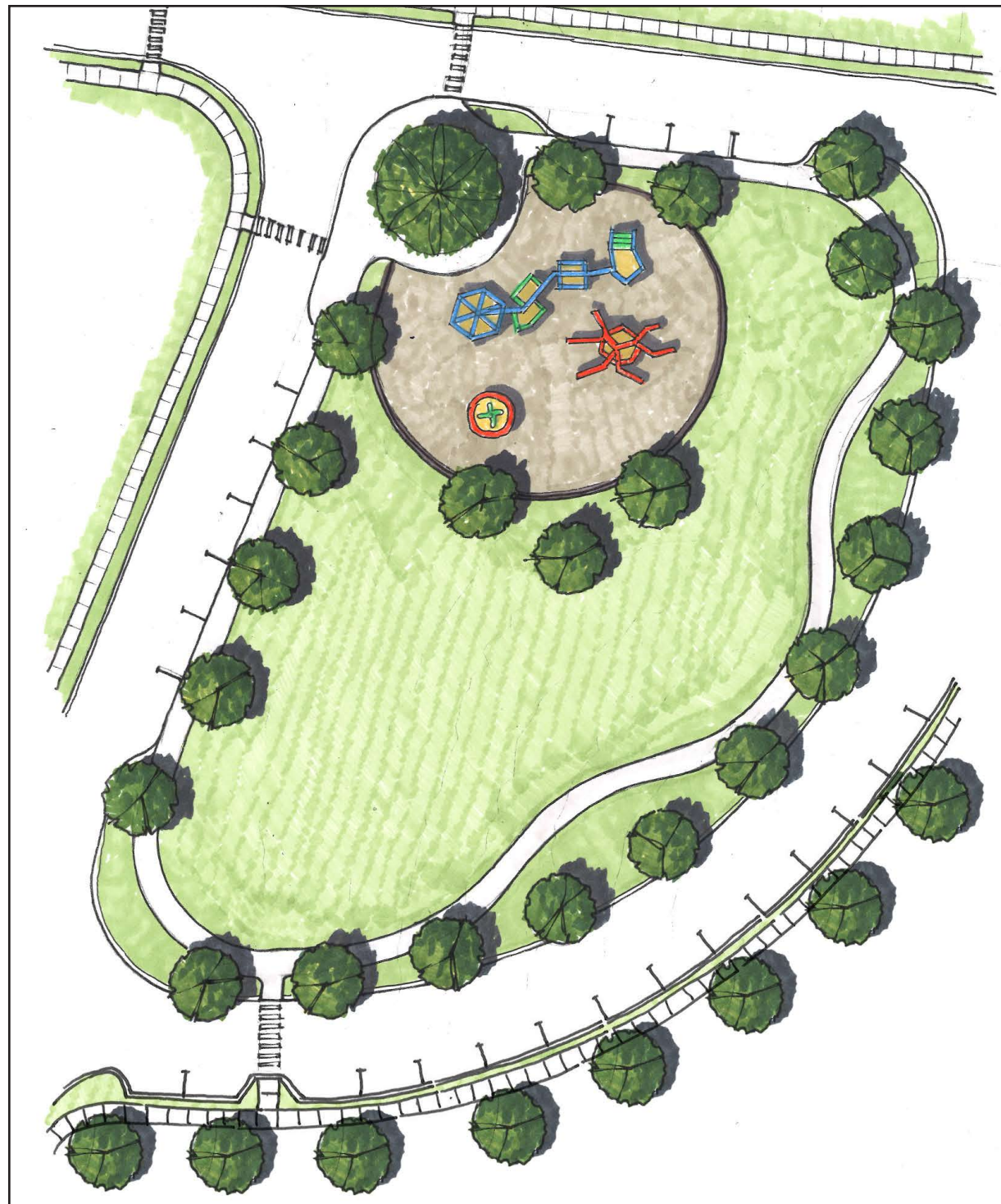
FIGURE 17.3



Not To Scale







Not To Scale

## PLAYGROUND FEATURES

### Amenities

The main amenity area for Shelton Grove is the centrally located neighborhood park. The park will provide residents with a focal gathering space for neighborhood functions. It will also provide for ample room for outdoor recreational activities for the residents. The large lawn area will be a great space for a game of pick-up football, throwing baseball, or tossing around a Frisbee. The park will also provide a playground area with modern playground equipment for active play for kids. The variety of playground elements will challenge kids, while providing physical activity necessary for better health in our children.



### Amenity Development Standards:

- Mail Kiosks will be accessible to residents throughout the development.
- Street lights will be decorative and coordinated with MTEMC standards for decorative poles and lights
- All home owners will be required to be a member of the H.O.A.
- As a member of the H.O.A., the residents will be subject to restrictive covenants, and be required to pay membership dues as determined by a 3rd party management company
- HOA will be managed by independent 3rd party management company
- All common areas and perimeter open spaces will be owned and maintained by an H.O.A.



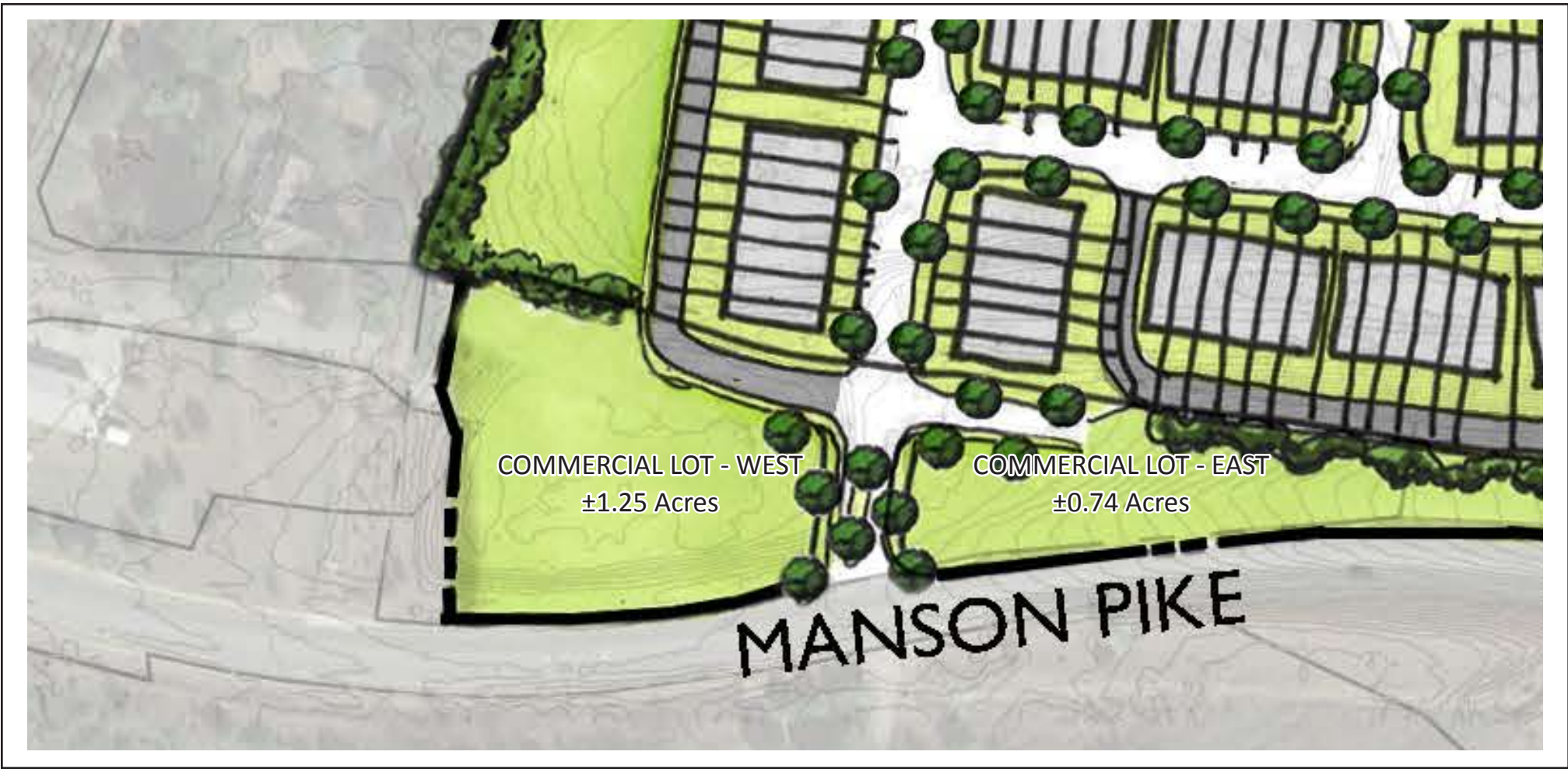


Commercial Lots

While the immediate end user of the two commercial lots is unknown at this time, additional standards for those anticipated uses have been outlined here below.

Minimum Site Characteristics - Commercial Lots:

- All parking will be located at least 8 feet from property lines (side, rear, and R.O.W.), and have curbing.
- All parking areas to be screened from public right-of-way by landscaping or a combination with mounds.
- Any solid waste enclosures will be constructed of materials consistent with building architecture, and be at least 8 feet tall with opaque gates.
- Type 'C' buffer accompanied by a 6 foot tall opaque pvc fence to be constructed along the northern property line of Commercial Lot East portion to screen the side and rear yards of the residential lots from the site's parking lot and shared access drive.
- Commercial buildings shall have pedestrian connections to Manson Pike and the residential entrance road.
- Buildings will have a well defined architectural base by use of different materials, colors or change in pattern or a combination of these techniques.
- Building elevations will have articulation or multiple building planes along the east, west and south elevations.
- The main entrances are to be well defined and easily recognizable by use of raised roof lines, canopies, glazing, changes in materials, changes in colors, and changes in building planes.
- Monument signage located at entrances along roadways to have materials consistent with building architecture and accented with landscaping.
- All mechanical equipment (i.e. hvac and transformers) to be screened. If mechanical equipment is located on the roof, then they should be screened from view.
- All on-site utilities will be underground.
- On-site lighting will comply with city standards to prevent light pollution.
- Parking will comply with Murfreesboro's zoning ordinance for uses that comply with Commercial Fringe (CF) District and those outlined on page 21.
- Construction on the commercial lots will begin once an end-user has chosen the site and receives site plan approval from the planning commission.
- All buildings on both commercial lots will have consistent materials & architecture to create an overall theme for the development.
- Commercial lots will not be part of the residential H.O.A.



Commercial Lots

The building architecture has been designed to be functional for the intended uses, while maintaining a residential character to blend with the proposed residential and adjoining properties.

Architectural Characteristis:

- Maximum building height of 35 Feet
- Single story buildings
- Hip, gable or pitched roof

Building Elevation Matertials:

- Brick or painted brick
- Cement fiber board siding
- Stone or cast stone
- Ashphalt shingles
- Applied cement stucco
- Integrally Colored Split Face Block (secondary material used in very limited amounts as accents)
- Tilt-up precast concrete walls
- Dryvit will be allowed, but only in combination with other materials. No single elevation shall be all dryvit.
- Textured metal (secondary material used in very limited amounts as accents)
- Vinyl and metal in trim and soffit areas
- Architectural materials and colors will be reviewed at the time of a site plan submittal by Murfreesboro planning staff and the planning commission.

Minimum Building Setbacks - Commercial Lots:

- Front: 30-foot
- Side: 10-foot
- Rear: 20-foot

Special Note:

Since the commercial lots are not anticipated to be built with Phase 1 of the residential development, the commercial lots will be brought up to grade and covered with turf. The finished commercial lots will be mowed and maintained until construction of the commercial lots commences.





1.) A map showing available utilities, easements, roadways, rail lines and public right-of-way crossing and adjacent to the subject property.  
**Response:** An exhibit is given on Page 4-5 along with descriptions of each.

2.) A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; location and extent of water courses, wetlands, floodways, and floodplains on or within one hundred (100) feet of the subject property; existing drainage patterns; location and extent of tree cover; and community greenways and bicycle paths and routes in proximity to the subject property.  
**Response:** Exhibits are shown on Page 4-5 that shows the existing contours and drainage patterns along with an aerial photograph of the area. No portion of the property is subject to floodplains or floodways.

3.) A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structures on-site and within two hundred (200) feet of the subject property and the identification of the use thereof.  
**Response:** Exhibits and photographs on Page 6 give the location of existing structures on the subject property and the surrounding properties. An exhibit on Page 5 gives the zoning of those same properties.

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; the general location and maximum amount of area to be devoted to open space and to be conveyed, dedicated, or reserved for parks, playgrounds, recreation uses, school sites, public buildings and other common use areas; the approximate location of points of ingress and egress and access streets; the approximate location of pedestrian, bicycle and vehicular ways or the restrictions pertaining thereto and the extent of proposed landscaping, planting, screening, or fencing.  
**Response:** Page 20 lists standards and exhibits pertaining to the commercial lots.

5.) A tabulation of the maximum number of dwelling units proposed including the number of units with two (2) or less bedrooms and the number of units with more than two (2) bedrooms.  
**Response:** Page 7 lists standards and exhibits showing the concept plan which shows each of these items.

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). These tabulations are for the PRD. This does not include the proposed commercial acreage.

TOTAL SITE AREA	1,635,242 S.F.
TOTAL MAXIMUM FLOOR AREA	577,900 S.F.
TOTAL LOT AREA	1,048,490 S.F.
TOTAL BUILDING COVERAGE	258,240 S.F.
TOTAL DRIVE/ PARKING AREA	146,797 S.F.
TOTAL RIGHT-OF-WAY	306,662 S.F.
TOTAL LIVABLE SPACE	1,488,445 S.F.
TOTAL OPEN SPACE	280,090 S.F.
FLOOR AREA RATIO (F.A.R.)	0.35
LIVABILITY SPACE RATIO (L.S.R.)	0.75
OPEN SPACE RATIO (O.S.R.)	0.84

7.) A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the city and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article.  
**Response:** The property is currently zoned RM. The surrounding areas has a mixture of residential and commercial properties. The concept plan and development standards combined with the architectural requirements of the homes and commercial buildings shown within this booklet will govern the look and character of this development. The development will provide common open space along the entire perimeter of the project to allow it to blend into the existing residential properties that surround this development.

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;*  
**Response:** The project is anticipated to be developed in four phases. Phasing information is described on Page 9.

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.  
**Response:** This requirement has been addressed on Page 19. An HOA will be established for maintaining common open spaces.

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

RESIDENTIAL SETBACKS	RS-6	PUD	DIFF.	RS-A2	PUD	DIFF.	COMM. SETBACKS	CF	PUD	DIFF.
FRONT SETBACK - HOME	25.0'	15.0'	-10.0'	35.0'	10.0'	-25.0'	FRONT SETBACK	42.0'	30.0'	-12.0'
FRONT SETBACK -GARAGE	35.0'	35.0'	0.0'	NA	NA	NA		NA	NA	NA
SIDE SETBACK -INTERNAL LOTS	5.0'	5.0'	0.0'	5.0'	5.0'	0.0'		NA	NA	NA
SIDE SETBACK-CORNER LOTS	35.0'	15.0'	-20.0'	35.0'	10.0'	25.0'	SIDE SETBACK	10.0'	10.0'	0.0'
REAR SETBACK-INTERNAL LOT	20.0'	20.0'	0.0'	20.0'	20.0'	0.0'		NA	NA	NA
REAR SETBACK-CORNER LOT	5.0'	5.0'	0.0'	20.0'	5.0'	-15.0'	REAR SETBACK	20'.0	20'.0	0.0'
MINIMUM LOT SIZE	6,000 S.F.	5,500 S.F.	-500 SF	2,000 S.F.	2,600 S.F.	+600 S.F.	BUILDING HEIGHT	45'	35'	-10'
MINIMUM LOT WIDTH	50'	41'	-9.0'	20.0'	20.0'	0.0'		NA	NA	NA

11.) Special flood hazard area as described in Section 34 of this article  
**Response:** This property is not in the Gateway Design Overlay District , Airport Overlay District (AOD), Battlefield Protection District (BPD), Historic District (H-1), or Planned Signage Overlay District (PS). No portion of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0140H and 47149C0255H Eff. Date 01/05/2007.

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.  
**Response:** Pages 4 discusses the Major Thoroughfare Plan. There are no roadways proposed for improvements associated with this project.

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.  
**Response:** The primary representative is Matt Taylor of SEC, Inc. developer/ applicant is Crescent Homes TN, LLC. Contact info for both is provided on cover.

14.) Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. The location and orientation of exterior light fixtures and of garages shall be shown if such are to be included in the structures.  
**Response:** Pages 10-15 show the architectural character of the proposed buildings and building materials listed. However, exact configuration for these items is unknown and will be determined as each building is built.

15.) If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.  
**Response:** Examples of entrance signage are located on Page 18.



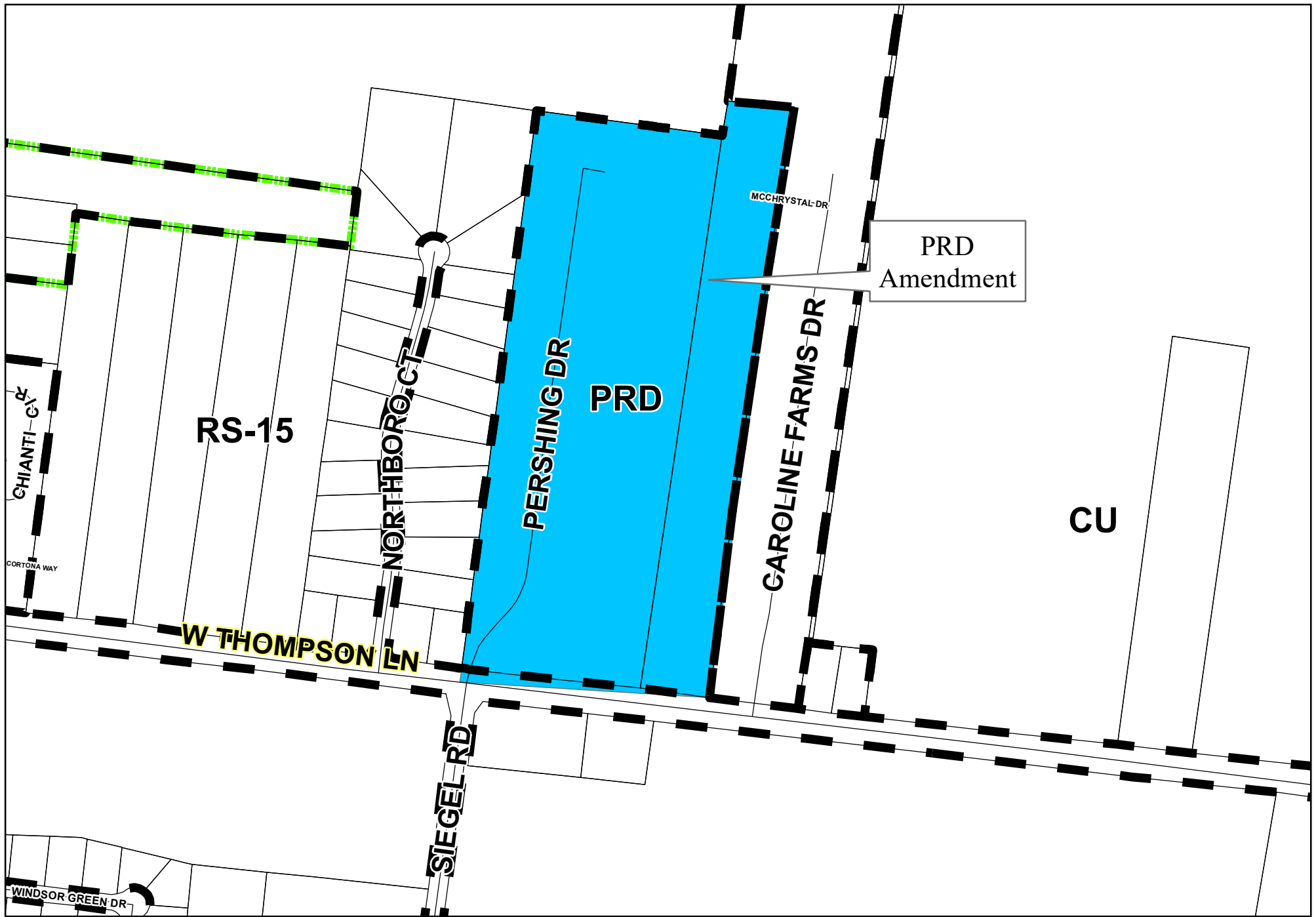
**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

**4.c. Zoning application [2018-427] for approximately 33.3 acres located along West Thompson Lane to amend the PRD (Generals Landing), Blue Sky Construction.**

The subject properties are located north of West Thompson Lane, just north of its intersection with Siegel Road. The properties were rezoned from RS-15 (Single-Family, Residential District) to PRD by the City Council in 2016. The PRD development is called Generals Landing (file # 2015-431). The total site consists of 33.3 acres and is currently under development with 31 single-family, detached lots and 130 single-family, attached lots for a total of 161 units (density of 4.87 dwelling units per acre).

The property developer is requesting to amend the PRD as it relates to solid waste management. The original plan required the owners of the property to serve the townhomes with a trash compactor. The developer now wishes to have the City of Murfreesboro provide solid waste carts and serve the property. They also wish to convert the area reserved for the compactor as a recycling center. Additionally, this plan will provide a mail service plan consistent with the United States Postal Service centralized mail delivery mandate.

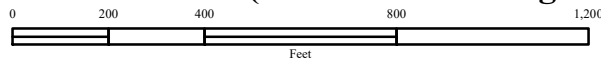
A copy of the pages being amended with the General's Landing PRD have been provided. The Planning Commission will need to schedule a public hearing on this matter. The Planning Commission will need to conduct a public hearing on the matter of the PUD zone request, after which it will need to discuss this matter and then formulate a recommendation for City Council



## Zoning Request for Property Along West Thompson Lane PRD Amendment (General's Landing PRD)



Path: Z:\planning\rezon\WThompsonLnPRDAmend.mxd



GIS Department  
City Of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

August 28, 2018

Mrs. Margaret Ann Green  
Senior Planner  
City of Murfreesboro  
111 W. Vine Street  
Murfreesboro, TN 37130

Re: General's Landing PRD Amendment

Dear Mrs. Green,

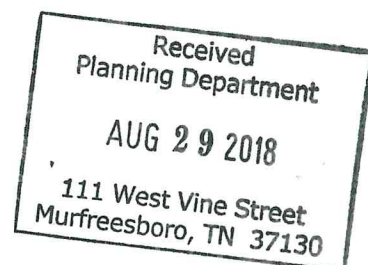
On behalf of our client, Mr. Brian Moore, we hereby request to amend the General's Landing PRD with the following three items: Item #1 replace the trash compactor with individual trash containers. The trash containers will be kept in the home owner's garage and rolled to the curb on trash collection day. Item #2 replace the trash compactor with a recycling center. The center will contain bends for various types of recycling products such as cardboard, plastic and aluminum. Item #3 replace individual mail boxes with a central mail kiosk. The location is noted on the plans provided. Thank you for considering our request.

Sincerely,



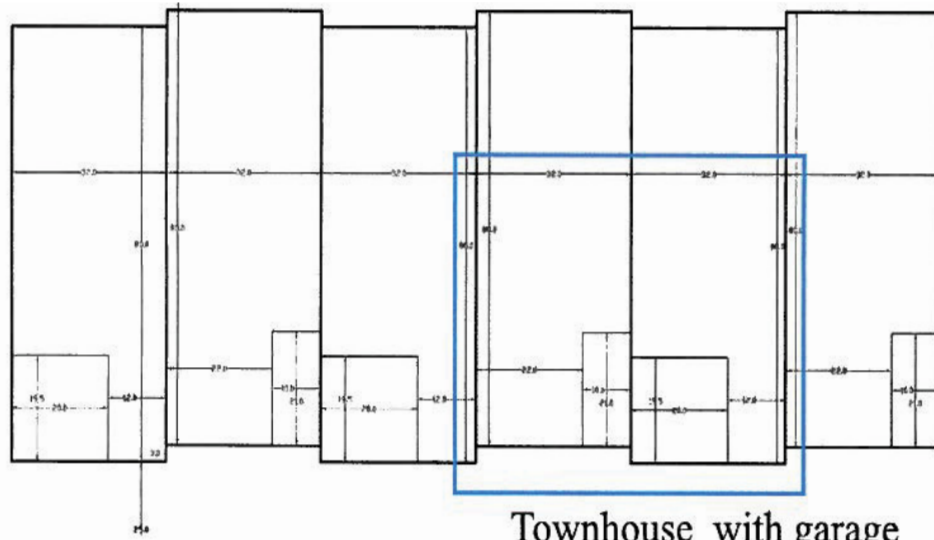
Clyde Rountree, RLA

HUDDLESTON-STEELE ENGINEERING, INC.





# General's Landing PRD Amendment



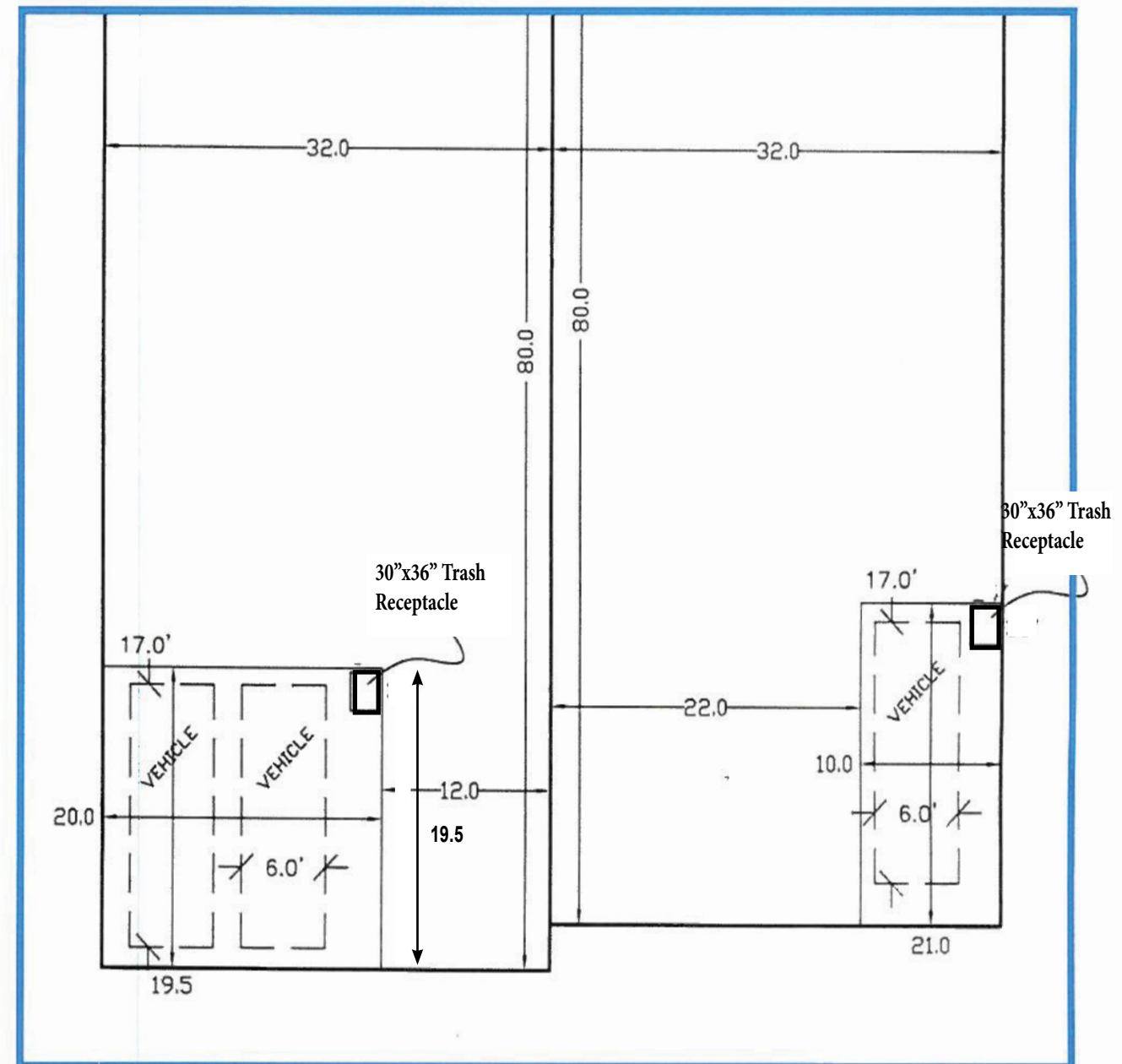
Townhouse with garage

Home Size: 1,800 SF minimum

Front Yard Setback: 30'

Rear Yard Setback: 25'

Garages: Front entry. Garage door is 25' back of sidewalk. Motor-court style. Carriage-style garage doors with glass. Two car garage Exteriors: Exterior materials to be brick, stone, or cement fiber. Vinyl may be used on soffits and fascia.



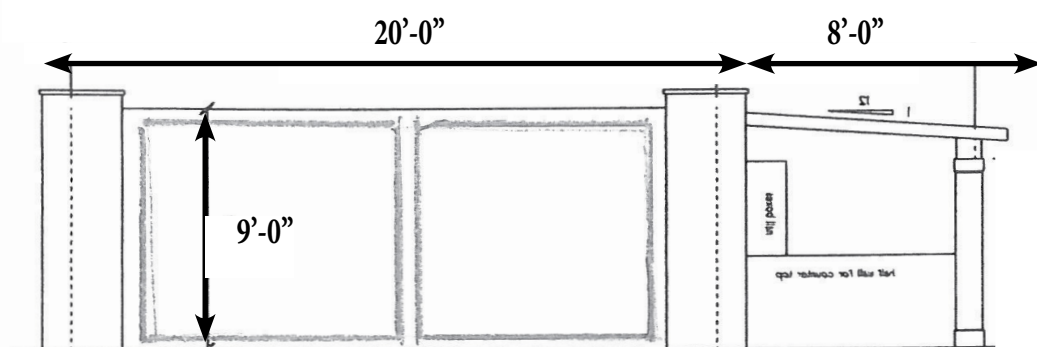
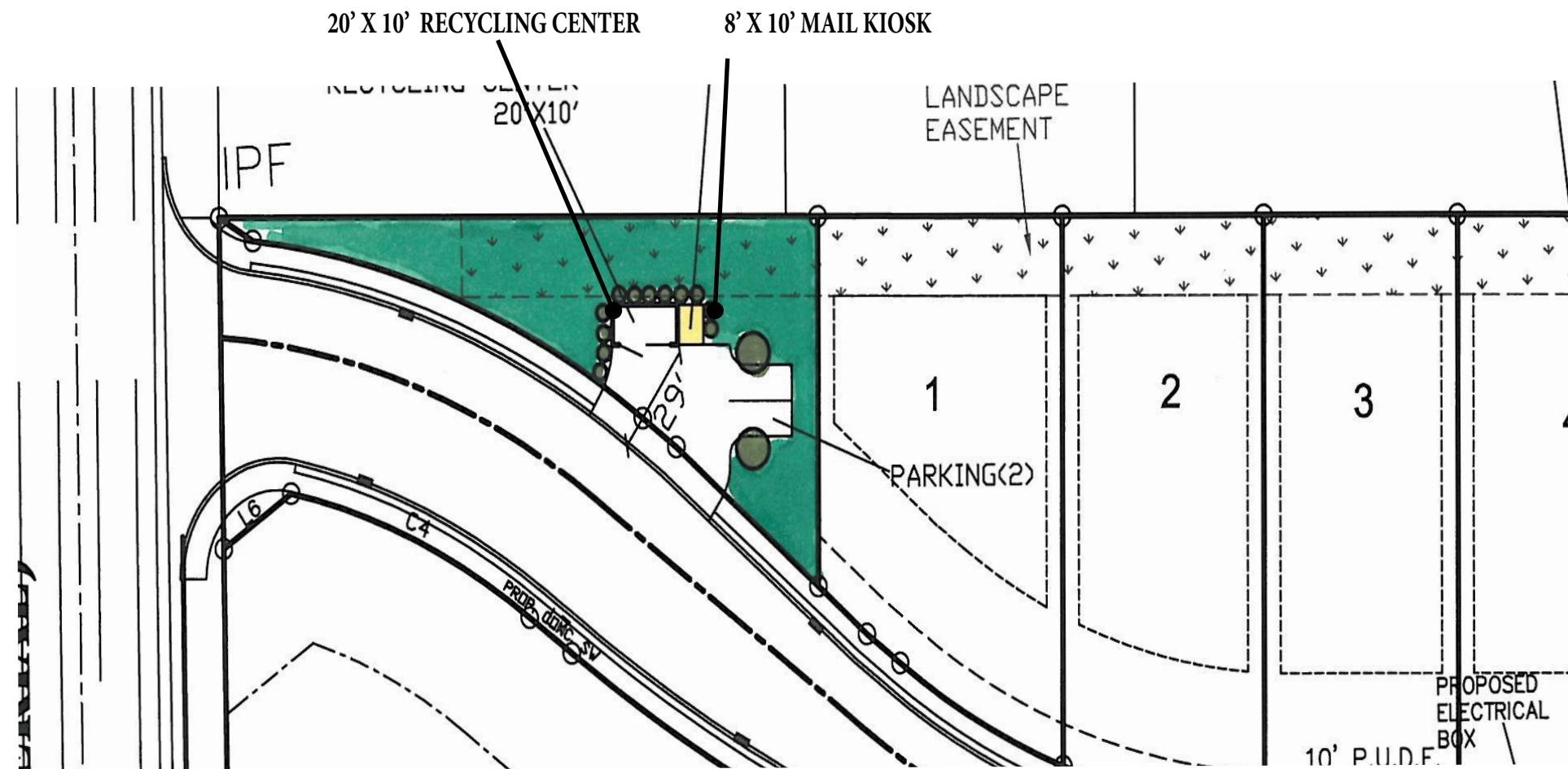
Garage exhibit showing car and trash Can in garage space

Amendment request to remove trash compactor and provide individual trash containers for the home owners.

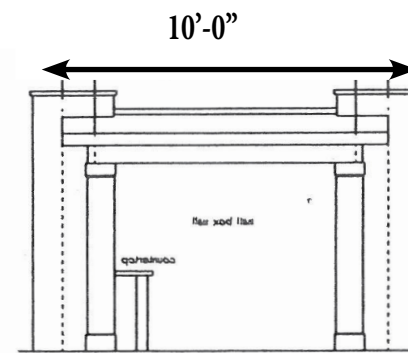
#1 Provide Trash Containers in Garage

**HUDDLESTON-STEELE**  
ENGINEERING, INC.

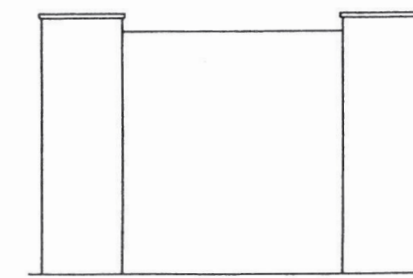
# General's Landing PRD Amendment



Front Elevation



Side Elevation

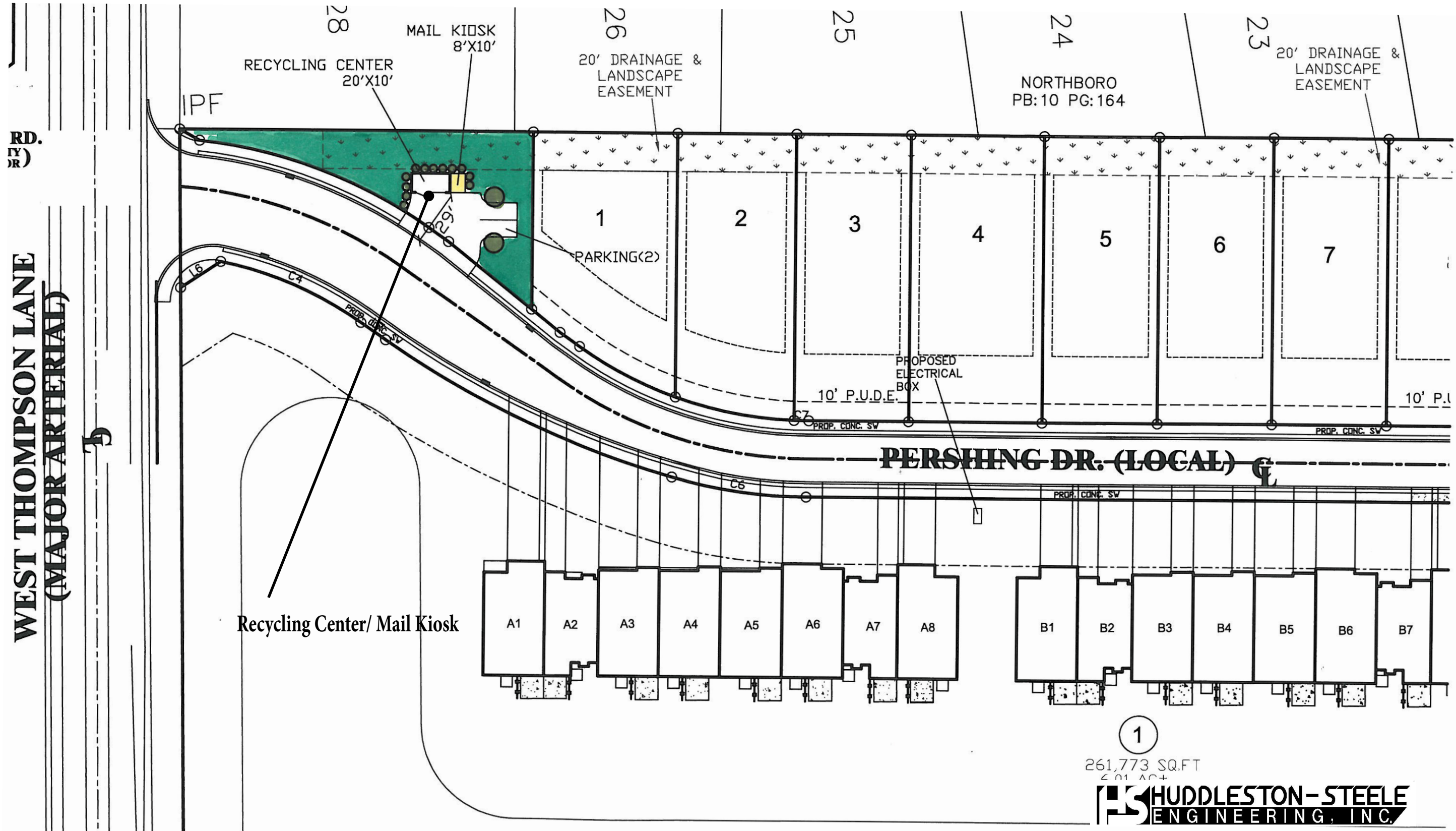


Side Elevation

Note: Structure to be all masonry to match the character of the proposed homes.  
Recycle center doors to be all metal painted an earth tone color.



# General's Landing PRD Amendment



# 2 REPLACE TRASH COMPACTOR WITH RECYCLING CENTER

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

**4.d. Mandatory Referral/ROW Abandonment [2018-716] to consider the abandonment of a portion of Florence Road right-of-way, Chris Bratcher applicant.**

The City has received a right-of-way (ROW) abandonment request from Mr. Chris Bratcher along Florence Road just south of Northwest Broad Street and the CSX railroad tracks. The requested ROW is adjacent to an existing parcel that Mr. Bratcher recently purchased from the City. In its current size and shape, the parcel does not have a very deep building envelope. He seeks to abandon excess ROW along Florence Road in order to incorporate it into his parcel. This, along with purchasing a portion of the parcel to the east owned by Rutherford County, will increase the depth of the subject property and make it more developable. Upon completion of the abandonment process, the applicant intends to record a plat creating the new lot of record with the abandoned ROW and the portion of the adjacent parcel that he is buying from the County. The excess ROW that he seeks to incorporate into his parcel came about with the realignment of Florence Road in the early 2000s. Prior to the realignment, Florence Road intersected with Northwest Broad Street at a less than ideal angle. The realignment project, which also impacted the alignment of Alexandria Drive, greatly improved the functionality and safety of the Broad and Florence intersection.

The ROW being considered for abandonment consists of the following three components:

- 1) Excess ROW of Florence Road along its current alignment;
- 2) Excess ROW of Florence Road along its previous alignment; and
- 3) Excess ROW of Alexandria Drive along its previous alignment.

Various utilities and City departments have been surveyed regarding the impact of this proposed ROW abandonment. A memo drafted by the Planning Staff summarizing their responses is included in the agenda packet. If the Planning Commission decides to recommend approval of this request, Staff recommends that any approval is subject to the following conditions:

- 1) The applicant shall be required to submit the necessary documents to the Legal Department required to draft the quitclaim deed.
- 2) The applicant shall be responsible for recording the quitclaim deed.



- 3) The abandoned ROW shall be incorporated into the existing parcel via a subdivision plat recorded at the Register of Deeds Office.
- 4) Utility easements shall be recorded to accommodate existing utilities, including but not limited to sanitary sewer and possibly AT&T.

On a side note, portions of the ROW being considered for abandonment are not currently in the City limits. However, abandonment action is being requested even for the ROW not currently in the City's jurisdiction in order to avoid duplicating this process in the future, should the City annex this ROW.

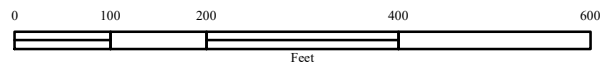
The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.



### Proposed Right-of-Way Abandonment Along Florence Road



Path: X:\ROW Abandonment\FlorenceRdROWAbandon.mxd



GIS Department  
City Of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

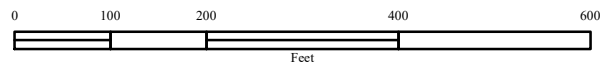




## Proposed Right-of-Way Abandonment Along Florence Road



Path: X:\ROW Abandonment\FlorenceRdROWAbandon.mxd



GIS Department  
City Of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

July 31, 2018

**VIA ELECTRONIC MAIL:** [mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)

Mr. Matthew Blomeley, AICP  
Assistant Planning Director  
Murfreesboro Planning and Zoning Department  
111 W Vine Street  
Murfreesboro, Tennessee 37130

**RE: FLORENCE ROAD R.O.W. ABANDONMENT REQUEST  
MURFREESBORO, TENNESSEE**

Dear Matthew:

On behalf of Chris Bratcher, the current owner of Parcel 1.02, Group A on Tax Map 57H, we are requesting the abandonment of approximately .47 acres of right-of-way of Florence Road, which borders the southern boundaries of his property, along with right-of-way that remained with the Old Florence Road alignment that borders the eastern edge of his property.

Included with this letter is an exhibit that defines the extent of right-of-way that is being requested to be abandoned. With this request, we are asking to be placed on the City of Murfreesboro's Planning Commission agenda and subsequent City Council agenda.

Please feel free to call should you have any questions.

Respectfully Submitted,

**RAGAN-SMITH ASSOCIATES, INC.**



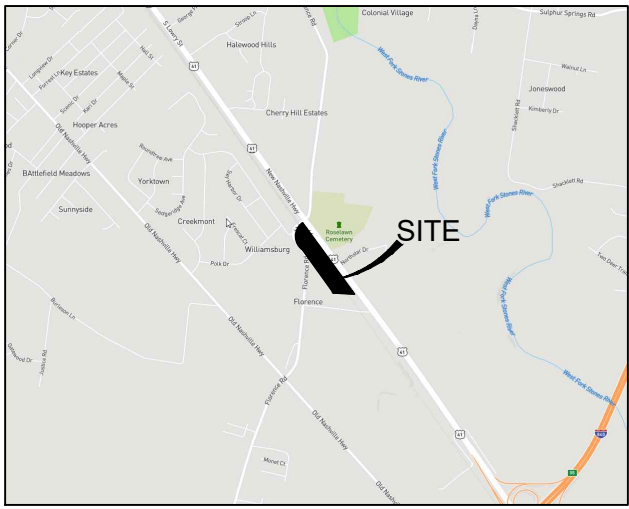
Randy Caldwell, RLA, LEED AP  
Executive Vice President

RCC:kal

Attachment

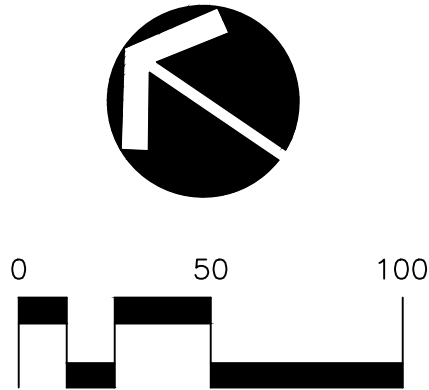
CC: Chris Bratcher





LOCATION MAP  
NTS

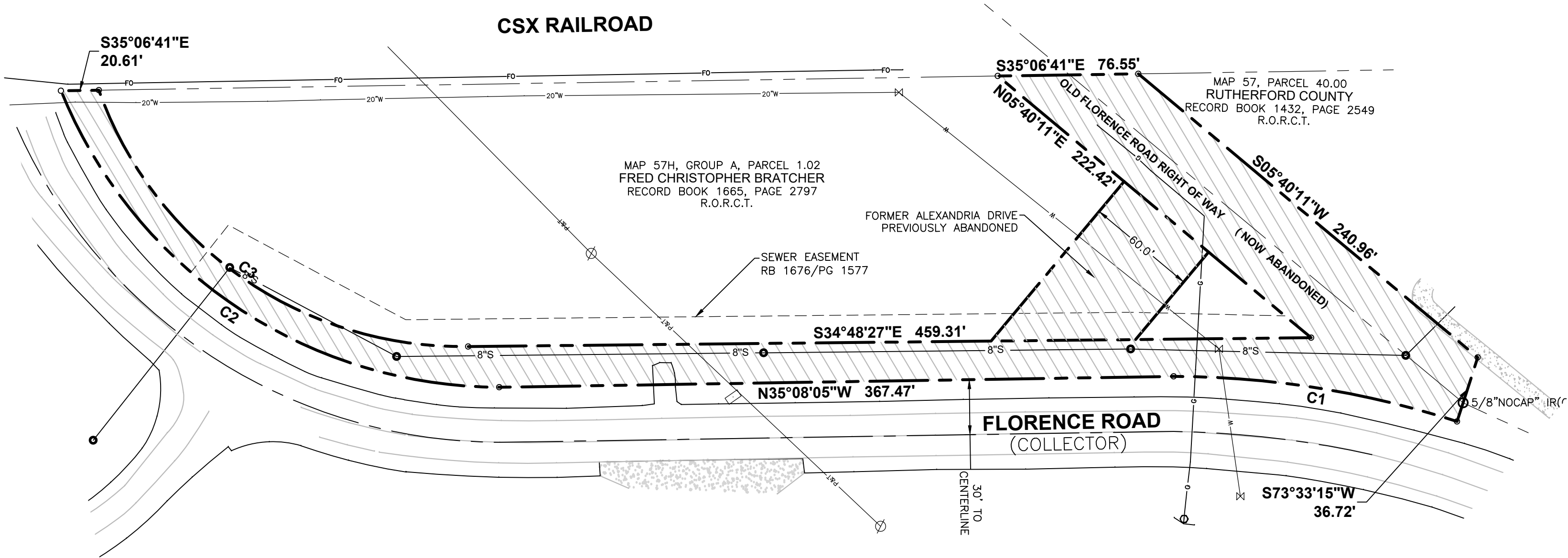
CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHD BRG
C1	503.00'	157.06'	17°53'24"	79.17	156.42'	N25°09'40"W
C2	258.30'	305.93'	67°51'36"	173.77	288.36'	N00°07'59"W
C3	209.96'	261.60'	71°23'15"	150.84	245.00'	S00°33'07"W



RAGAN•SMITH

LAND PLANNERS • CIVIL ENGINEERS  
LANDSCAPE ARCHITECTS • SURVEYORS

NASHVILLE  
1410 COMANCHE STREET  
NASHVILLE, TN 37206  
(615) 252-4501  
www.ragansmith.com



THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER  
RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS,  
CHAPTER 0820-3-07.THIS EXHIBIT IS NOT TO BE USED FOR TRANSFER OF PROPERTY.

RIGHT OF WAY RELEASE AREA ALEXANDRIA DRIVE  
5,258 S.F. OR 0.12 AC.  
RIGHT OF WAY RELEASE AREA FLORENCE ROAD AND OLD FLORENCE ROAD  
28,715 S.F. OR 0.66 AC.

RIGHT OF WAY RELEASE EXHIBIT  
FOR  
CHRIS BRATCHER

6TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE

DATE:	AUGUST 7, 2018
APPROVED:	JLD
DRAWN:	BKG
SCALE:	1"=50'
JOB NO.	WK. ORDER
17096	0912

REVISIONS

# Memorandum

**To:** Matthew Blomeley, Assistant Planning Director  
**From:** Joe Ornelas  
**Date:** August 23, 2018  
**Re:** Right of way abandonment- Florence Road

---

Please find below a summary of the responses received regarding the captioned right-of-way (ROW) abandonment. In summary:

## **AT&T**

Officials from AT&T indicated that they have cable lines, possibly on the subject property. If the AT&T cable lines are located within the ROW to be abandoned, then a utility easement will be needed.

## **Murfreesboro Electric Department (MED)**

MED does not have any issues with abandoning this ROW.

## **Murfreesboro Water and Sewer Department**

MWSD has an existing 8" sanitary sewer main within the ROW abandonment area of Florence Road and Old Florence Road. The department requests a sewer easement be retained thirty (30') feet in width minimum, centered over the existing sewer main.

## **Consolidated Utility District**

CUD has no issues with this ROW abandonment.

## **Engineering Department**

The Engineering Department does not have any concerns with abandoning this ROW. The submission and recording of a deed transferring the abandoned ROW will be required.



### **Transportation Department**

The Transportation Department has requested that the potential for future roadway improvements for this segment of Florence Road be considered in the review of this ROW abandonment request.

### **Police Department**

The ROW abandonment will not affect the Murfreesboro Police Department.

### **Solid Waste Department**

The Solid Waste Department will not be affected by this ROW abandonment.

**From:** [Matthew Blomeley](#)  
**To:** [Joe Ornelas](#)  
**Subject:** FW: (2018-712) Florence Road ROW Abandonment  
**Date:** Thursday, August 23, 2018 8:31:12 AM  
**Attachments:** [image001.png](#)

---

Joe,

See Jamal's response below.

Thanks,

Matthew

Matthew T. Blomeley, AICP  
Assistant Planning Director  
City of Murfreesboro Planning Department  
Office Phone: (615)-893-6441  
E-mail: [mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)  
Website: [www.murfreesborotn.gov](http://www.murfreesborotn.gov)

---

**From:** ABED, JAMAL Y <[ja2030@att.com](mailto:ja2030@att.com)>  
**Sent:** Thursday, August 23, 2018 7:05 AM  
**To:** Matthew Blomeley <[mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)>  
**Subject:** RE: (2018-712) Florence Road ROW Abandonment

May be add a note that AT&T has the right to be there or they are in Utility easement.  
And that also goes to the cable behind Exxon, City Limits Liquors & Wine and Floyd Auto sales.

Thanks,

*Jamal Abed*

MGR OSP PLNG & ENGRG DESIGN+  
AT&T CONSTRUCTION & ENGINEERING-SE  
(615)-867-1697 work  
(615)556-5825 Mobile  
[Ja2030@att.com](mailto:Ja2030@att.com)  
116 S Cannon Ave  
Murfreesboro, TN 37129

---

**From:** Matthew Blomeley <[mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)>  
**Sent:** Wednesday, August 22, 2018 1:32 PM  
**To:** ABED, JAMAL Y <[ja2030@att.com](mailto:ja2030@att.com)>  
**Cc:** Joe Ornelas <[jornelas@murfreesborotn.gov](mailto:jornelas@murfreesborotn.gov)>  
**Subject:** RE: (2018-712) Florence Road ROW Abandonment



Jamal,

Just following up on my question below.

Thanks,

Matthew

Matthew T. Blomeley, AICP  
Assistant Planning Director  
City of Murfreesboro Planning Department  
Office Phone: (615)-893-6441  
E-mail: [mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)  
Website: [www.murfreesborotn.gov](http://www.murfreesborotn.gov)

---

**From:** Matthew Blomeley  
**Sent:** Wednesday, August 22, 2018 8:19 AM  
**To:** 'ABED, JAMAL Y' <[ja2030@att.com](mailto:ja2030@att.com)>  
**Cc:** Joe Ornelas <[jornelas@murfreesborotn.gov](mailto:jornelas@murfreesborotn.gov)>  
**Subject:** RE: (2018-712) Florence Road ROW Abandonment

Good morning, Jamal. Do you need for us to note any special provisions for that cable in our report?

Thanks,

Matthew

Matthew T. Blomeley, AICP  
Assistant Planning Director  
City of Murfreesboro Planning Department  
Office Phone: (615)-893-6441  
E-mail: [mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)  
Website: [www.murfreesborotn.gov](http://www.murfreesborotn.gov)

---

**From:** ABED, JAMAL Y <[ja2030@att.com](mailto:ja2030@att.com)>  
**Sent:** Wednesday, August 22, 2018 8:08 AM  
**To:** Matthew Blomeley <[mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)>  
**Subject:** FW: (2018-712) Florence Road ROW Abandonment

Matthew,

Just letting you know that we do have cable coming across Florence Rd spanning across NW Broad St. as well which is on the same rout as power and CATV.

**From:** [Chris Barns](#)  
**To:** [Matthew Blomeley](#); [Joe Ornelas](#)  
**Cc:** [Engineering](#)  
**Subject:** RE: [EXT] RE: (2018-712) Florence Road ROW Abandonment  
**Date:** Monday, August 13, 2018 8:43:52 AM  
**Attachments:** [FlorenceRdROWAbandon.pdf](#)

---

Matthew,

Murfreesboro Electric does not have any issues with the ROW Abandonment for this project.

Chris Barns, P.E.  
Senior Engineer  
Office: (615) 494-0428  
Fax: (615) 898-6736  
Email: [cbarns@medtn.com](mailto:cbarns@medtn.com)

---

**From:** Matthew Blomeley [mailto:mbloomeley@murfreesborotn.gov]  
**Sent:** Wednesday, August 08, 2018 12:17 PM  
**To:** Joe Ornelas; Bryant Bradley CUD; Carl Peas; Carolyn Jaco; Chris Barns; Chris Griffith; Clayton Williams; cp8211@att.com; Dan Dement; David Ives; Gary Whitaker; ja2030@att.com; James Rambo; Jimmy Nguyen; Joey Smith; Karl Durr; Keith Thomason; LaFonda Rudd; Margaret Ann Green; Michael Bowen; Michele Emerson; Ram Balachandran; Sam Huddleston; Tim Jackson; Valerie Smith  
**Subject:** [EXT] RE: (2018-712) Florence Road ROW Abandonment

All,

After some internal discussion regarding this abandonment request, we have expanded the limits of the proposed right-of-way (ROW) abandonment. Attached is an updated map from the City GIS Department as well as an updated exhibit from the applicant's civil engineering firm, Ragan-Smith.

The study area includes 1) some excess ROW of the existing Florence Road; 2) excess ROW of the old Florence Road alignment; and 3) a segment of ROW of the former alignment of Alexandria Drive.

Please make sure that you analyze all three elements of the abandonment request. If you have already sent Joe a response and need to revise it based upon the revised study area, please send him a revised response.

If you have any questions, please let me know.

Thanks,

Matthew





*... creating a better quality of life*

# MEMORANDUM

DATE: August 15, 2018

TO: Joe Ornelas

FROM: Valerie H. Smith, PE

RE: Right-of-Way Abandonment  
Florence Road @ NW Broad Street

Pursuant to your request of August 3, 2018, we submit the following information on the location of existing water and sanitary sewer in the subject abandonment area:

## WATER LINES

The subject right of way abandonment area is within Consolidated Utility District's water service area.

## SEWER LINES

There is an existing 8" sanitary sewer main within the right of way abandonment area of Florence Road and Old Florence Road. The Department requests a sewer easement be retained, thirty (30) feet in width minimum centered over the existing sewer main. A legal description and exhibit will need to be submitted to the Department for review prior to Legal preparing the abandonment document.

pc: Darren Gore  
Anita Heck

Greg Harvey

C:\Users\jornelas\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\6ZB1A2VY\Florence Rd NW Broad - ROW Abandonment Request.doc

Water and Sewer 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)

**From:** [Brandon Hunter](#)  
**To:** [Matthew Blomeley](#)  
**Cc:** [Joe Ornelas](#); [Bryant Bradley CUD](#)  
**Subject:** RE: (2018-712) Florence Road ROW Abandonment  
**Date:** Monday, August 20, 2018 3:58:24 PM  
**Attachments:** [image001.png](#)

---

Matthew,

It appears that the plat Ragan-Smith has submitted doesn't show CUD's existing 30' CUD Water Line Easement on the existing parcel.

We don't see any issues with this ROW abandonment as existing ROW appears will remain on Florence Road.

Thanks,

---

***Brandon Hunter***  
***Project Manager***  
***Consolidated Utility District***  
709 New Salem Hwy., P.O. Box 249  
Murfreesboro, TN 37133-0249  
PH: 615-225-3319 Fax: 615-225-3314  
Email: [bhunter@ cudrc.com](mailto:bhunter@ cudrc.com)  
Visit Our Web at: [www.cudrc.com](http://www.cudrc.com)



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***Innovation***

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---

**From:** Matthew Blomeley <[mbloomeley@murfreesborotn.gov](mailto:mbloomeley@murfreesborotn.gov)>  
**Sent:** Monday, August 20, 2018 3:49 PM  
**To:** Ram Balachandran <[rbalachandran@murfreesborotn.gov](mailto:rbalachandran@murfreesborotn.gov)>; Michele Emerson <[memerson@murfreesborotn.gov](mailto:memerson@murfreesborotn.gov)>; ja2030@att.com; Bryant Bradley <[bbradley@ cudrc.com](mailto:bbradley@ cudrc.com)>; Clayton Williams <[0417@murfreesborotn.gov](mailto:0417@murfreesborotn.gov)>  
**Cc:** Brandon Hunter <[bhunter@ cudrc.com](mailto:bhunter@ cudrc.com)>; Joe Ornelas <[jornelas@murfreesborotn.gov](mailto:jornelas@murfreesborotn.gov)>  
**Subject:** FW: (2018-712) Florence Road ROW Abandonment

Good afternoon. Just reminding everyone to respond to this ROW abandonment request. Joe asked for responses by today. We need to complete this ROW abandonment study as soon as possible to put on the next Planning Commission agenda.

Thanks, as always, for your help.





## MEMORANDUM

**DATE:** August 20, 2018

**TO:** Joe Ornelas, Staff Planner

**FROM:** Cey Chase-Aguzzi, Engineer-in-Training

**RE:** (2018-712) ROW Abandonment of Florence Road

---

In response to your memo dated August 3, 2018, we have reviewed the ROW abandonment request for the portion of Florence Road and offer the following comments on behalf of both the Engineering Department and Street Division.

The request to abandoned ROW should be subject to submission and recording of a deed transferring the abandoned ROW.

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 any recording fees. In addition, the ROW abandonment should be subject to the final approval of the legal documents by the City Attorney.

C: Sam Huddleston  
Chris Griffith  
Michele Emerson  
Raymond Hillis  
David Ives

**From:** [Ram Balachandran](#)  
**To:** [Matthew Blomeley](#)  
**Cc:** [Michele Emerson](#); [Joe Ornelas](#); [Chris Griffith](#)  
**Subject:** Re: (2018-712) Florence Road ROW Abandonment  
**Date:** Monday, August 20, 2018 4:29:22 PM

---

Matthew,

We need to make sure that we have adequate ROW/Clear Zone for any roadway improvements along the the S-Curve.

Thanks

Ram

Sent from my iPhone

On Aug 20, 2018, at 3:48 PM, Matthew Blomeley <[mbloomeley@murfreesborotn.gov](mailto:mbloomeley@murfreesborotn.gov)> wrote:

Good afternoon. Just reminding everyone to respond to this ROW abandonment request. Joe asked for responses by today. We need to complete this ROW abandonment study as soon as possible to put on the next Planning Commission agenda.

Thanks, as always, for your help.

Matthew

Matthew T. Blomeley, AICP  
Assistant Planning Director  
City of Murfreesboro Planning Department  
Office Phone: (615)-893-6441  
E-mail: [mbloomeley@murfreesborotn.gov](mailto:mbloomeley@murfreesborotn.gov)  
Website: [www.murfreesborotn.gov](http://www.murfreesborotn.gov)

---

**From:** Matthew Blomeley  
**Sent:** Wednesday, August 8, 2018 12:17 PM  
**To:** Joe Ornelas <[jornelas@murfreesborotn.gov](mailto:jornelas@murfreesborotn.gov)>; Bryant Bradley CUD <[bbradley@ cudrc.com](mailto:bbradley@ cudrc.com)>; Carl Peas <[cpeas@murfreesborotn.gov](mailto:cpeas@murfreesborotn.gov)>; Carolyn Jaco <[cjaco@murfreesborotn.gov](mailto:cjaco@murfreesborotn.gov)>; [cbarns@medtn.com](mailto:cbarns@medtn.com); Chris Griffith <[cgriffith@murfreesborotn.gov](mailto:cgriffith@murfreesborotn.gov)>; Clayton Williams <[0417@murfreesborotn.gov](mailto:0417@murfreesborotn.gov)>; [cp8211@att.com](mailto:cp8211@att.com); Dan Dement <[ddement@mtmc.com](mailto:ddement@mtmc.com)>; David Ives <[dives@murfreesborotn.gov](mailto:dives@murfreesborotn.gov)>; Gary Whitaker <[gwhitaker@murfreesborotn.gov](mailto:gwhitaker@murfreesborotn.gov)>; [ja2030@att.com](mailto:ja2030@att.com); James Rambo <[James\\_Rambo@ cable.comcast.com](mailto:James_Rambo@ cable.comcast.com)>; Jimmy Nguyen <[jnguyen@medtn.com](mailto:jnguyen@medtn.com)>; Joey Smith <[jsmith@murfreesborotn.gov](mailto:jsmith@murfreesborotn.gov)>; Karl Durr <[kdurr@murfreesborotn.gov](mailto:kdurr@murfreesborotn.gov)>; Keith Thomason <[keith.thomason@mtmc.com](mailto:keith.thomason@mtmc.com)>;



**From:** [Clayton Williams](#)  
**To:** [Joe Ornelas](#)  
**Cc:** [Matthew Blomeley](#); [Michael Bowen](#)  
**Subject:** Re: (2018-712) Florence Road ROW Abandonment  
**Date:** Monday, August 20, 2018 3:53:11 PM

---

Mr. Ornelas,

This ROW abandonment will have no impact upon Police Services.

***Clayton Williams***

***Lieutenant***

***Administration***

Murfreesboro Police Department

1004 North Highland Avenue

Murfreesboro, TN 37130

Phone: 629-201-5572

Cell: 615-971-6370

email: [0417@murfreesborotn.gov](mailto:0417@murfreesborotn.gov)

---

**From:** Joe Ornelas

**Sent:** Friday, August 3, 2018 2:40 PM

**To:** Bryant Bradley CUD; Carl Peas; Carolyn Jaco; cbarns@medtn.com; Chris Griffith; Clayton Williams; cp8211@att.com; Dan Dement; David Ives; Gary Whitaker; ja2030@att.com; James Rambo; Jimmy Nguyen; Joe Ornelas; Joey Smith; Karl Durr; Keith Thomason; LaFonda Rudd; Margaret Ann Green; Matthew Blomeley; Michael Bowen; Michele Emerson; Ram Balachandran; Sam Huddleston; Tim Jackson; Valerie Smith

**Subject:** (2018-712) Florence Road ROW Abandonment

All, please view the attached memo for the ROW abandonment of Florence Road. Please respond by August 20, 2018.

Thank you,

Joe Ornelas, AICP

LEED Green Associate

City Planner

City of Murfreesboro

Planning Department

(615) 893-6441

**From:** [Matthew Blomeley](#)  
**To:** [Joe Ornelas](#)  
**Subject:** FW: (2018-712) Florence Road ROW Abandonment  
**Date:** Thursday, August 09, 2018 8:25:03 AM

---

FYI

Matthew T. Blomeley, AICP  
Assistant Planning Director  
City of Murfreesboro Planning Department  
Office Phone: (615)-893-6441  
E-mail: [mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)  
Website: [www.murfreesborotn.gov](http://www.murfreesborotn.gov)

---

**From:** Joey Smith  
**Sent:** Thursday, August 9, 2018 6:24 AM  
**To:** Matthew Blomeley <[mblomeley@murfreesborotn.gov](mailto:mblomeley@murfreesborotn.gov)>  
**Subject:** RE: (2018-712) Florence Road ROW Abandonment

This addition to the right away abandonment will not hinder in anyway the solid waste department.  
Joey Smith  
Solid Waste  
City of Murfreesboro

---

**From:** Matthew Blomeley  
**Sent:** Wednesday, August 08, 2018 12:17 PM  
**To:** Joe Ornelas <[jornelas@murfreesborotn.gov](mailto:jornelas@murfreesborotn.gov)>; Bryant Bradley CUD <[bbradley@ cudrc.com](mailto:bbradley@ cudrc.com)>; Carl Peas <[cpeas@murfreesborotn.gov](mailto:cpeas@murfreesborotn.gov)>; Carolyn Jaco <[cjaco@murfreesborotn.gov](mailto:cjaco@murfreesborotn.gov)>; [cbarns@medtn.com](mailto:cbarns@medtn.com); Chris Griffith <[cgriffith@murfreesborotn.gov](mailto:cgriffith@murfreesborotn.gov)>; Clayton Williams <[0417@murfreesborotn.gov](mailto:0417@murfreesborotn.gov)>; [cp8211@att.com](mailto:cp8211@att.com); Dan Dement <[ddement@mtmc.com](mailto:ddement@mtmc.com)>; David Ives <[dives@murfreesborotn.gov](mailto:dives@murfreesborotn.gov)>; Gary Whitaker <[gwhitaker@murfreesborotn.gov](mailto:gwhitaker@murfreesborotn.gov)>; [ja2030@att.com](mailto:ja2030@att.com); James Rambo <[James\\_Rambo@cable.comcast.com](mailto:James_Rambo@cable.comcast.com)>; Jimmy Nguyen <[jnguyen@medtn.com](mailto:jnguyen@medtn.com)>; Joey Smith <[jsmith@murfreesborotn.gov](mailto:jsmith@murfreesborotn.gov)>; Karl Durr <[kdurr@murfreesborotn.gov](mailto:kdurr@murfreesborotn.gov)>; Keith Thomason <[keith.thomason@mtmc.com](mailto:keith.thomason@mtmc.com)>; LaFonda Rudd <[0082@murfreesborotn.gov](mailto:0082@murfreesborotn.gov)>; Margaret Ann Green <[mgreen@murfreesborotn.gov](mailto:mgreen@murfreesborotn.gov)>; Michael Bowen <[0216@murfreesborotn.gov](mailto:0216@murfreesborotn.gov)>; Michele Emerson <[memerson@murfreesborotn.gov](mailto:memerson@murfreesborotn.gov)>; Ram Balachandran <[rbalachandran@murfreesborotn.gov](mailto:rbalachandran@murfreesborotn.gov)>; Sam Huddleston <[shuddleston@murfreesborotn.gov](mailto:shuddleston@murfreesborotn.gov)>; Tim Jackson <[tjackson@murfreesborotn.gov](mailto:tjackson@murfreesborotn.gov)>; Valerie Smith <[ysmith@murfreesborotn.gov](mailto:ysmith@murfreesborotn.gov)>  
**Subject:** RE: (2018-712) Florence Road ROW Abandonment

All,

After some internal discussion regarding this abandonment request, we have expanded the limits of the proposed right-of-way (ROW) abandonment. Attached is an updated map from the City GIS Department as well as an updated exhibit from the applicant's civil engineering firm, Ragan-Smith.



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS  
SEPTEMBER 5, 2018**

- 4.e. Zoning application [2018-426] for approximately 204 acres located south of John Bragg Highway to be rezoned from RS-15 to RS-A, Type 2 (approx. 26 acres), RS-6 (approx. 140 acres), and RS-10 (approx. 38 acres), Larry Elliott applicant.**

**Background**

The requested property, which totals approximately 204 acres, is located south of John Bragg Highway and west of Double Springs Road. It consists of the entirety of Tax Map 112, Parcel 01301 and approximately 69 acres of Tax Map 103, Parcel 03600. It is currently zoned RS-15 (Residential Single-Family 15) and is undeveloped. A portion of Tax Map 103, Parcel 03600 is zoned RM-16 (Multi-Family Residential District 16) but it is not included in this request. The property owner, Larry Elliott, has requested rezoning from RS-15 to RS-6 (Residential Single-Family District 6) for approximately 140 acres, RS-10 (Single-Family Residential District 10) for approximately 38 acres, and RS-A, Type 2 (Residential Single-Family Attached, Suburban Townhouse) for approximately 26 acres.

The RS-10 zone allows single-family residential lots with minimum lot sizes of 10,000 square-feet, while the RS-6 zone requires minimum lot sizes of 6,000 square-feet. The RS-6 zone requires that each building façade consist of a minimum of 75% brick, stone, or cementitious siding. The RS-A (Type 2) zone allows for single-family attached dwelling units at a maximum density of twelve dwelling units per acre. In this zoning district, each building façade is required to consist of a minimum 75% brick, stone, or cementitious siding. Buildings must consist of no less than three units each and no more than eight. In addition, there are minimum open space and formal open space requirements in the RS-A (Type 2) zone.

The Murfreesboro Water Resources Department (MWRD) has indicated that there is not sufficient sewer capacity to serve any new residential development on this property. A STEP (Septic Tank Effluent Pumping) system will be required. The STEP system will be constructed by the developer and then transferred to MWRD for ownership, operation, and maintenance. A STEP field will be required, which will reduce the overall developable acreage. Included in the agenda packet is a letter from the design engineer detailing the number of dwelling units that the proposed STEP system will support. From a transportation standpoint, the subject property will be impacted by two planned roadway improvements identified on the *2040 Major Transportation Plan*. First, Mid-Term Improvement #18 is the Haven Drive extension, a 3-lane cross-section from South Rutherford Boulevard east to

Double Springs Road. Second, Mid-Term Improvement #19 is the Irby Lane extension, a 3-lane cross-section from Manchester Pike northeast to East Main Street. Any development on the property would be required to honor the Major Transportation Plan and make the necessary provisions for these improvements in the design.

### **Surrounding Land Uses and Zoning**

The adjacent property to the south is a large undeveloped tract in the unincorporated County fronting on Veals Road. To the southwest are the Crestview and Stonegate single-family residential subdivisions, which are in the City and zoned RS-10. Directly to the west is the Aspen Heights apartment complex, which is in the City and zoned RM-12 (Multi-Family Residential District 12), and a large undeveloped tract in the unincorporated County. To the north is the balance of Tax Map 103, Parcel 03600, which is zoned RM-16, as well as an undeveloped parcel that is zoned CH (Highway Commercial District). To the east of the subject property are a number of undeveloped tracts and single-family residential parcels located in the unincorporated County.

### **Relationship to the Murfreesboro 2035 Comprehensive Plan**

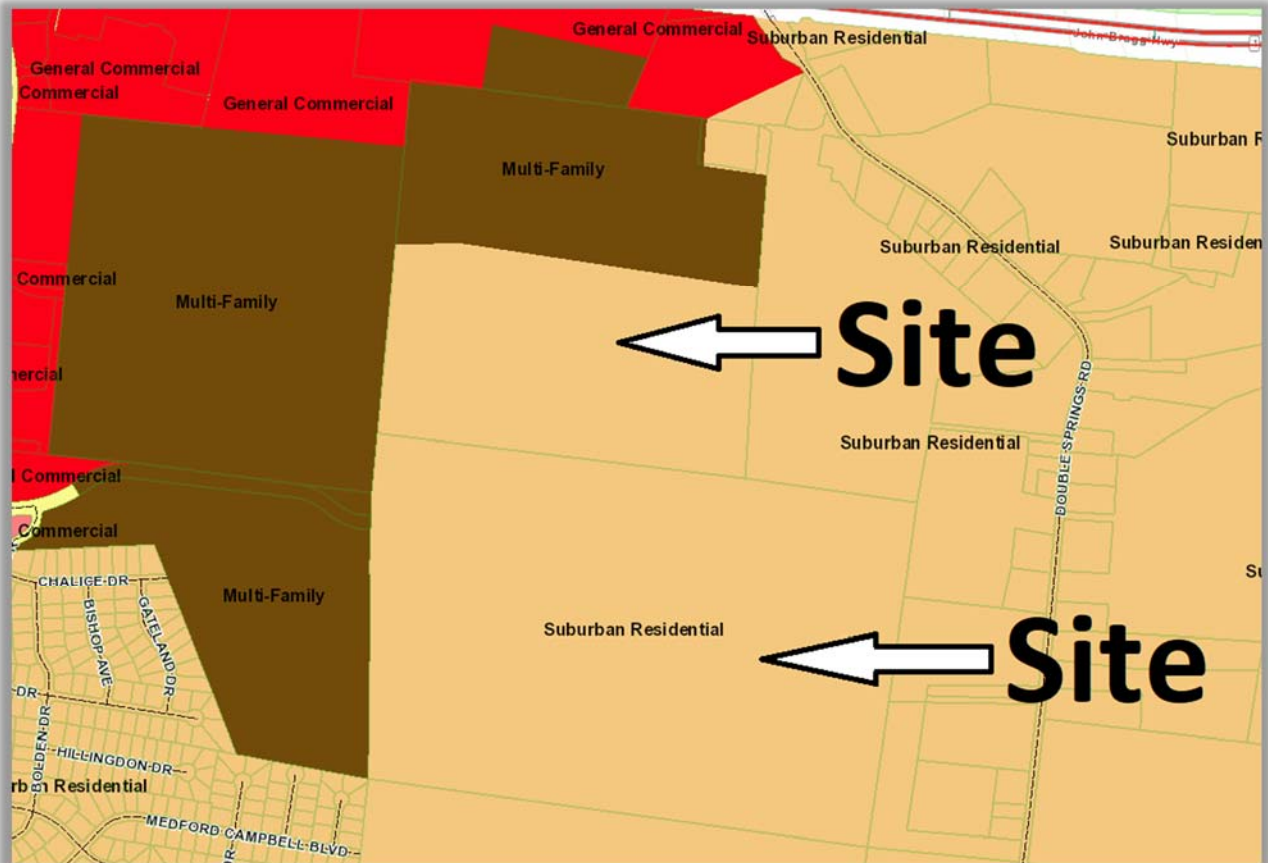
The future land use map contained in the *Murfreesboro 2035 Comprehensive Plan*, which was adopted by the Planning Commission in July 2017, depicts a future land use classification of *Suburban Residential* for the subject property. An excerpt from the future land use map can be found below. The *Suburban Residential* character is generally associated with the lower-density areas on the periphery of the City, transitioning to the more rural areas outside the City limits. The recommended density in this land use classification is 2.0 to 3.54 dwelling units per acre. Recommended development types are “detached residential dwellings” and “planned developments to provide other housing (e.g., Auto-Urban attached residential) but with increased open space to preserve a suburban character setting.” It further states that “development options can be established which allow for smaller lot sizes in exchange for greater open space, with the additional open space devoted to maintaining the suburban character and buffering adjacent properties and roads.” The plan specifically identifies the RS-15, RS-12, and RS-10 zoning districts as being compatible with the *Suburban Residential* character classification.

The request for RS-10 zoning is consistent with the comprehensive plan’s recommendations for this property. Both the RS-6 and RS-A (Type 2) zones, however, allow for a greater density than the *Suburban Residential* classification recommends. As mentioned above, though, in the *Suburban Residential* character classification, the comprehensive plan does make provisions for smaller single-family lots and single-family residential attached uses in conjunction with increased



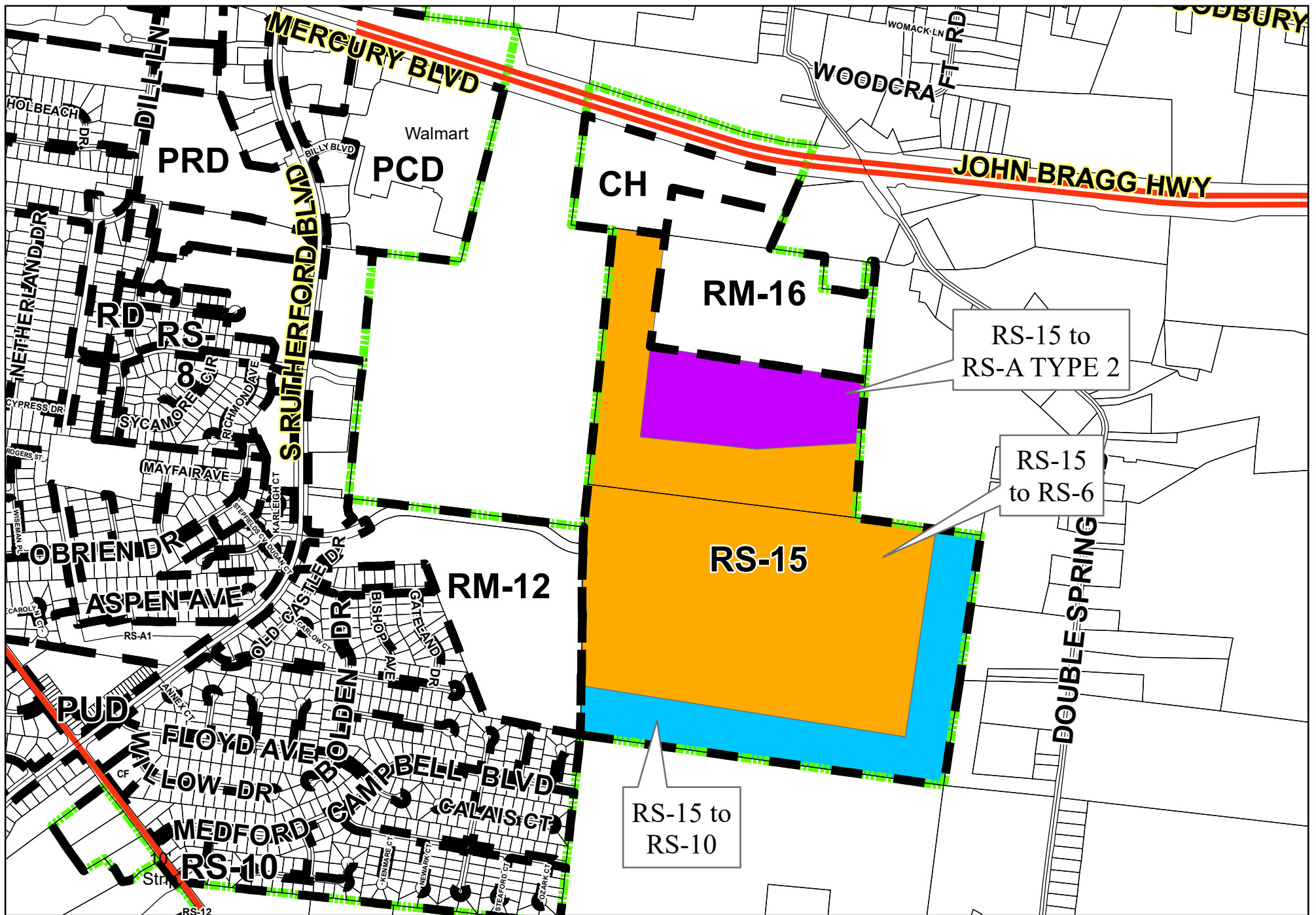
open space. Open space and formal open space are required by ordinance with any townhouse development that occurs in the RS-A (Type 2) zone. In addition, the STEP fields, which will likely be in the area designated as RS-6, will remain as open space. Because the rezoning request is not for a planned development, though, it is unknown at this time exactly how much open space the development in the proposed RS-6 and RS-A (Type 2) zones will contain. Staff believes that arguments could be made for or against this request being consistent with the *Suburban Residential* classification. The Planning Commission will need to discuss whether or not it views the request as consistent, and if not, determine whether this is an appropriate instance to deviate from the plan. The applicant will also need to be prepared to discuss how this request relates to the vision and goals of the comprehensive plan.

### **Murfreesboro 2035 Comprehensive Plan Future Land Use Map**



### **Planning Commission Action Needed**

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



## Rezoning Request for Property South of John Bragg Highway RS-15 to RS-6, RS-10, and RS-A (Type 2)

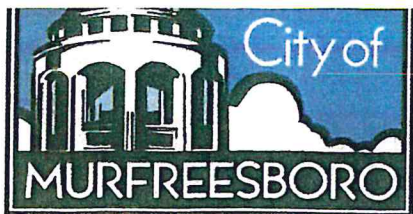


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GIS Department  
City Of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





T E N N E S S E E

Creating a better quality of life

## City of Murfreesboro

### Planning and Engineering Department

111 W. Vine Street, P.O. Box 1139

Murfreesboro, TN 37133-1139

(615) 893-6441 Fax (615) 849-2606

www.murfreesborotn.gov

## REZONING APPLICATION FORM

\$600.00 per application

### 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 \$600.00 non-refundable application fee.

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

### To be completed by applicant:

#### APPLICANT:

Address: 109 Lyon Street City/State/Zip: Murfreesboro, TN 37110

Phone: 931-808-6522 E-mail address: larrye@cci-tn.com

#### PROPERTY OWNER:

Street Address or  
property description:

and/or Tax map #: 103 / 112 Group: \_\_\_\_\_ Parcel (s): 03600 / 01301

Existing zoning classification: RS-15

Proposed zoning classification: RSA2, RS-6, RS-10 Acreage: 2.33 ± AC

Contact name & phone number for publication and notifications to the public (if different from the applicant): Larry Elliott Phone 931-808-6522

E-mail: larrye@cci-tn.com

APPLICANT'S SIGNATURE (required): [Signature]

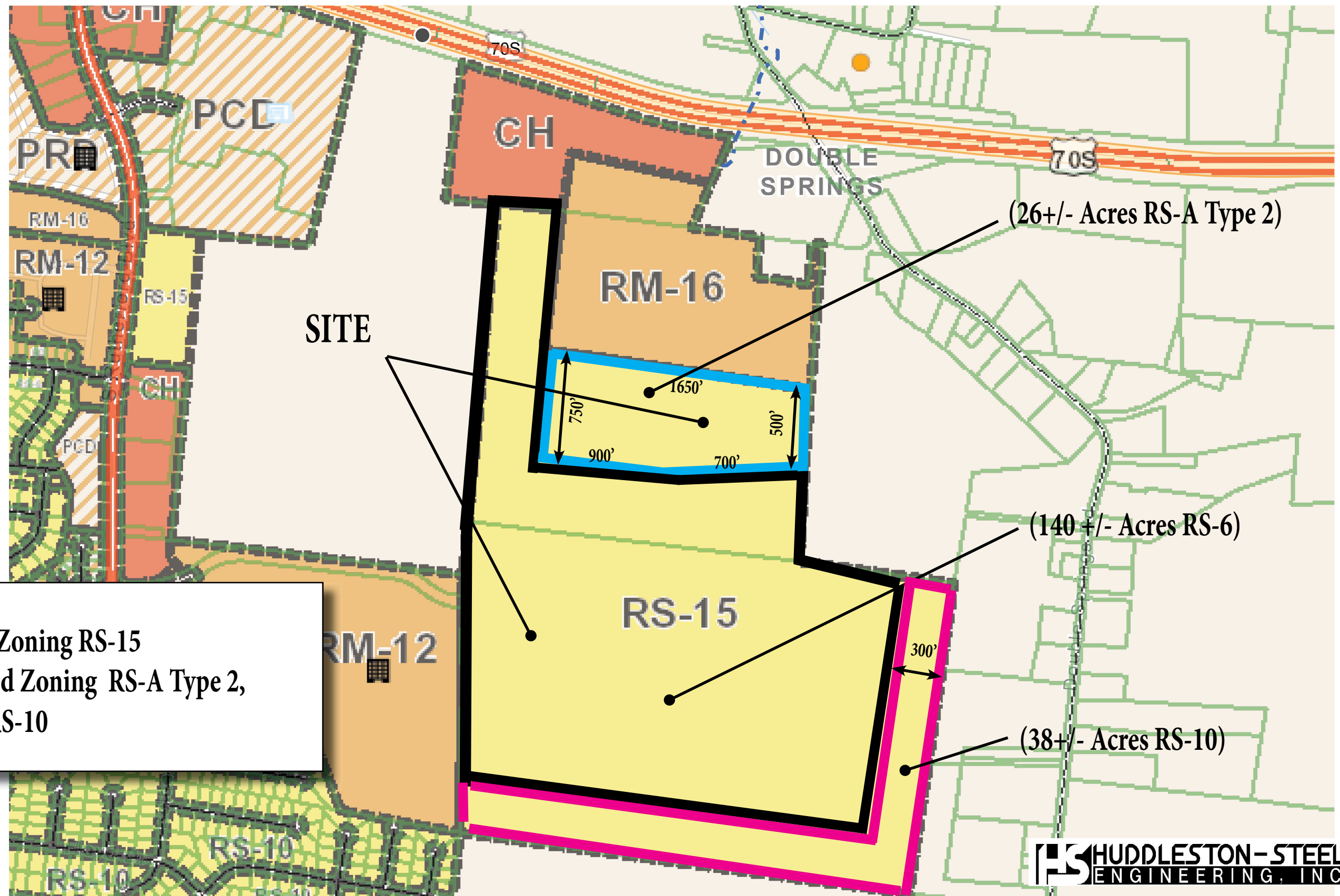
DATE: 7/12/10

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

Date received: \_\_\_\_\_ MPC YR.: \_\_\_\_\_ MPC #: 2018-426

Amount paid: \_\_\_\_\_ Receipt #: 276806

# Elliot Rezoning Exhibit





August 23, 2018

Mr. Matthew Blomeley, Assistant Planning Director  
City of Murfreesboro  
111 W. Vine Street  
Murfreesboro, TN 37130  
Email: mblomeley@murfreesborotn.gov

Re: Elliott Rezoning Request  
Elliott/Rhea/Lyons Property  
Murfreesboro, TN

Dear Matthew:

This letter is written as a statement that a proposed STEP system will be utilized to serve the subject property. We already have tested soil on the property and have found that up to 1578 bedrooms can be served. These 1578 bedrooms would correspond to 789 lots if 2 bedrooms per lot were assumed or 526 lots if 3 bedrooms per lot were assumed. This amount of lots or bedrooms will fit into the zoning as proposed.

One scenario using the currently tested soil would be to provide 100 2-bedroom apartment units in the existing RM-16 zoned area. This would allow for 459 3-bedroom lots to be developed on the balance of the property.

If more lots or bedrooms are to be developed within the proposed zoning, our clients understand that more suitable soil will have to be found on this property or adjacent properties.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.



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

Copy: Ms. Valerie Smith  
Mr. Larry Elliott

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

**4.f. Zoning application [2018-428] for approximately 29.44 acres located along Buffalo River Drive to be rezoned from RS-12 to PRD (The Gardens at Three Rivers PRD) and to amend the existing Three Rivers PRD, Achiever Development applicant.**

The subject property is located west of Cason Lane, west of the Three Rivers subdivision and north of the Rivers Edge subdivision. The property consists of 29.44 acres and includes one entire parcel and a portion of a second parcel.

- Tax Map 114, Parcel 15.11  
22.51 acres, currently zoned PRD
- Tax Map 114, Parcel 12.05 (portion)  
6.93 acres, currently zoned RS-12

Request for PRD Amendment and Rezoning to PRD

The applicant requests that the subject property in its entirety be rezoned to PRD (Planned Residential Development). The 22.51-acre parcel is already zoned PRD and is part of the Three Rivers PRD. If the proposed rezoning is approved, the 22.51-acre parcel and the 6.93-acre parcel would become part of a new planned development tentatively called The Gardens of Three Rivers PRD. The proposed development would consist of 151 dwelling units. Of those, 70 would be zero-lot line single-family units, and the remaining 81 would be single-family attached townhouses. Overall density would be 5.13 dwelling units per acre.

The pattern book submitted by the applicant notes the following standards for the proposed development:

- Minimum building setbacks: 20 feet front; 5 feet sides; and 20 feet rear
- Maximum building height: 2 stories or 35 feet
- Primary building materials: brick, stone, and cementitious siding
- Minimum resident parking: 2-car garage and 2 driveway spaces per unit
- Guest parking: 69 guest spaces across 6 parking lots
- Open space allotment: 10 percent of gross land area



The pattern book includes a phasing exhibit that shows townhouses on the western portion of the property being developed in phases 1 and 2. Additional townhouses and zero-lot line units on the eastern portion of the property would be developed in phases 3 and 4. Proposed amenities include a clubhouse and open recreation areas. Additionally, residents of the development would have access to all amenities available at the Three Rivers subdivision.

### Adjacent Zoning and Land Uses

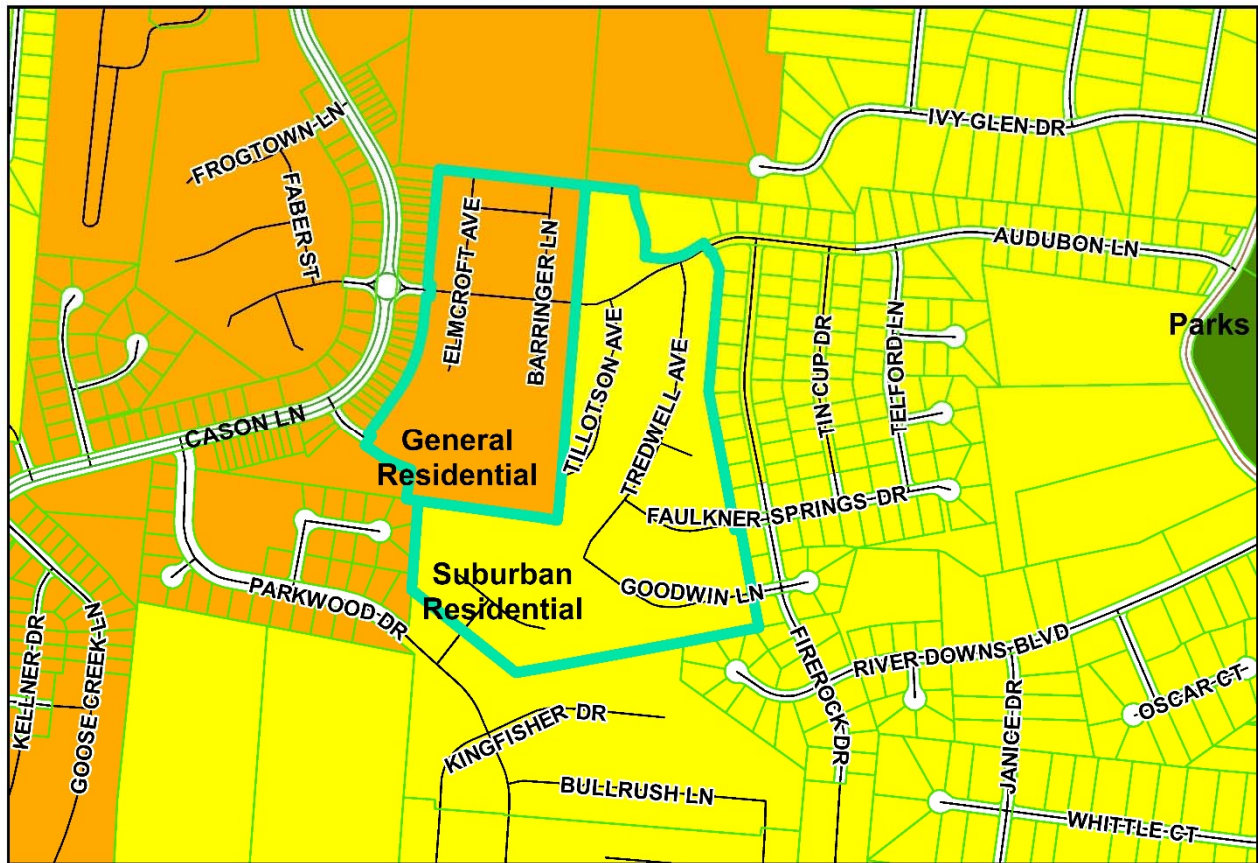
Adjacent zoning includes: PRD on the west; RS-A Type 1 on the north; RS-12 on the east; and RS-10 on the south. Adjacent land uses include: single-family detached houses in the Three Rivers subdivision on the west; undeveloped property on the north; a Spence Creek tributary on the east; and single-family houses in the Rivers Edge subdivision on the south.

### Future Land Use Map

The *Murfreesboro 2035* Land Use Plan indicates that Auto-Urban (General) Residential is the most appropriate land use for the 22.51-acre parcel, while Suburban Residential is the most appropriate land use for the 6.93-acre parcel. Both of these land use designations are characterized by considerable portions of front yards being consumed by automobile parking. The Land Use Plan includes the following guidance for development types and residential densities:

- The Auto-Urban (General) Residential designation supports both detached and attached residential dwellings with a recommended density of 3.54 to 8.64 dwelling units per acre. On the 22.51-acre parcel designated as Auto-Urban (General) Residential by the Land Use Plan, the applicant proposes 127 zero-lot line units and townhouses for a density of 5.64 dwelling units per acre. The applicant's request for this portion of the subject property is consistent with the Land Use Plan's recommendations.
- The Suburban Residential designation supports detached residential dwellings with a density of 2.0 to 3.54 dwelling units per acre. Attached residential dwellings are supported if they are supplemented by additional open space. On the 6.93-acre parcel designated as Suburban Residential by the Land Use Plan, the applicant proposes 24 zero-lot line units for a density of 3.46 dwelling units per acre. Approximately 35 percent of the 6.93-acre parcel is set aside as open space. The applicant's request for this portion of the subject property is consistent with the Land Use Plan's recommendations.

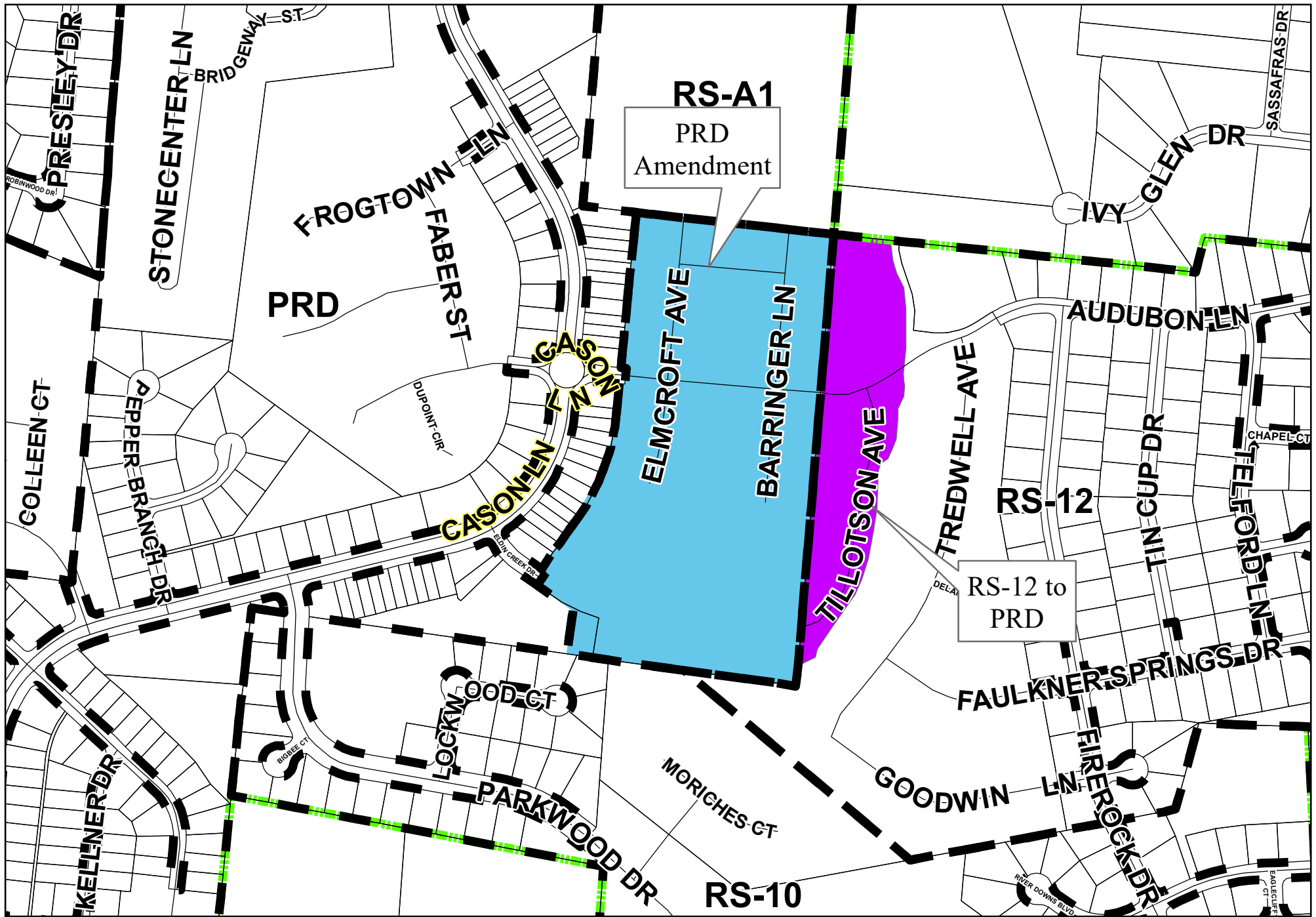
## Murfreesboro 2035 Land Use Plan



### Public Hearing

The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning. The Planning Commission should conduct a public hearing and then make a recommendation to the City Council.

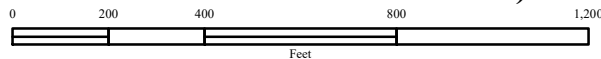




**Rezoning Request for Property Along Buffalo River Drive and Eldin Creek Drive  
RS-12 to PRD (The Gardens of Three Rivers PRD) and PRD Amendment**



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GIS Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

*The*  
*GARDENS*  
*of*  
*THREE RIVERS*

*A Request to Amend a PRD*

Submitted July 26, 2018

Resubmitted August 9<sup>th</sup>, 2018 for the August 15<sup>th</sup>, 2018 Planning Commission Workshop Meeting

Resubmitted August 29<sup>th</sup>, 2018 for the September 5<sup>th</sup>, 2018 Planning Commission Public Hearing



# Table of Contents

## Introduction

Synopsis	1
Proposed Plan	2

## Existing Conditions

Utilities, Topography, and Right-of-Way	3
Aerial and On-Site Photos	4
Surrounding Zoning and Development	5

## Proposed PRD

Development Standards	6&7
Phasing Plan	8
Proposed Villas	9
Proposed Cottages	10
Amenities	11

## Ingress/ Egress

Synopsis	12
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## Landscape

Conceptual Residential Landscape Plan	13
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## Chapter 13

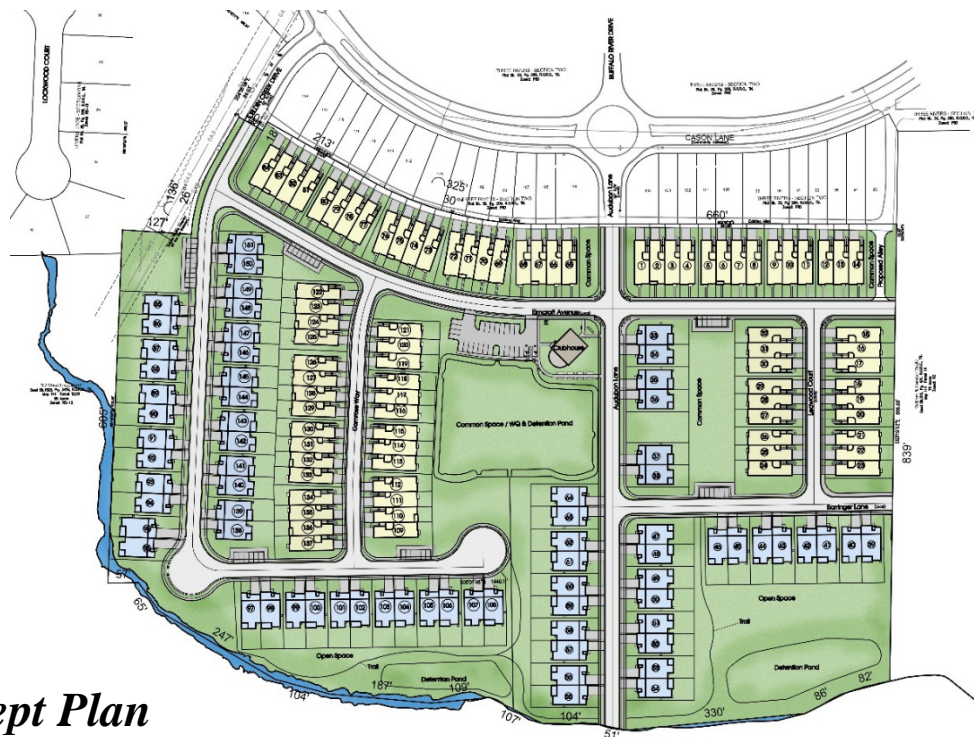
Subsection D Item 2a	
Items 1 thru 6	14
Items 7 thru 10	15
Items 11 thru 15	16

## The Request

Achiever Development, LLC respectfully requests an amendment to a portion of the Three Rivers PRD and to add area to the PRD. The portion of the site proposed to be amended is on Tax Map 114 Parcel 15.11 which is approximately 23.15 acres in size. The portion to be added is on Tax Map 114 Parcel 12.05 and is approximately 6.22 acres and is currently zoned RS-12. The total area of the request is 29.37 acres. The amendment request will keep the property zoned as a Planned Residential District (PRD) to create The Gardens of Three Rivers PRD. The property is located to the east of Cason Lane.

Current zoning of the property is PRD located in the city limits of Murfreesboro. The current PRD zoning allows for 127 single family attached homes on 22.51 acres for a density of 5.64 (lots/acre). The currently approved minimum home size is 1300 square feet on individual lots.

The rezoning request is to amend the 23.15 acres and include an additional 6.22 acres for a total of 29.37 acres of the overall Three Rivers Planned Residential District (PRD) and create 151 dwelling units. The proposed PRD will allow for a mixture of cottages and villas, both of which are age targeted. The amended PRD zoning will consist of a total of 70 villas and 81 cottages yielding an overall density of 5.14 d.u. per acre. Both home types will be sold fee simple. The cottages will range from 1,250-1500+ s.f., and the villas will range from 1400-1800+ s.f.. All dwelling units will be for purchase on separate lots of record.



Concept Plan



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## Introduction

### Synopsis



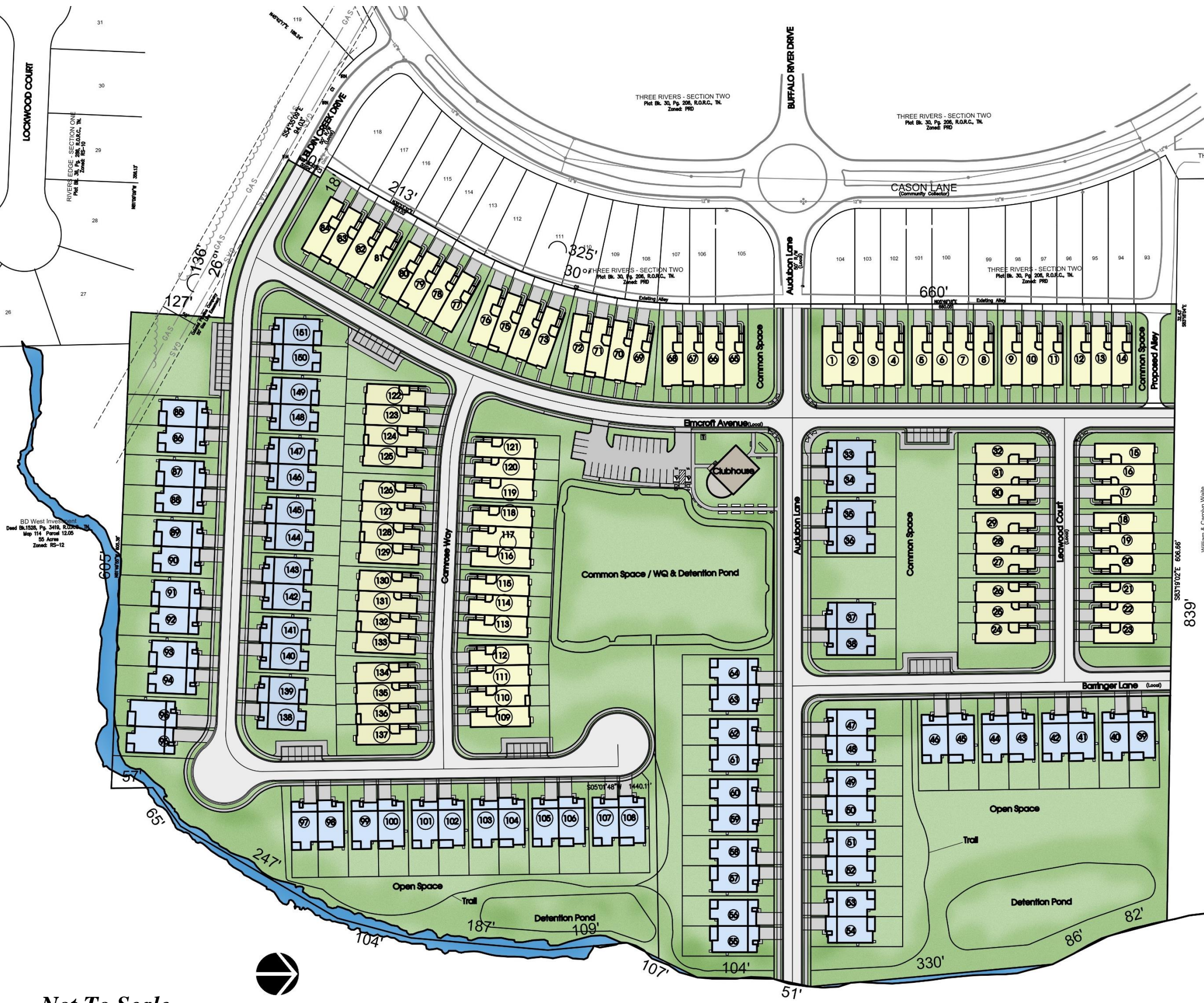
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### Vision

The Gardens of Three Rivers is envisioned to offer a new style of living in Three Rivers while respecting the original and existing design. The Gardens offers strategically located and usable green space while offering residents the convenience of city living in a completely age targeted community. The homes proposed to be offered in this development will complement and continue the quality of Three Rivers. The amenities offered are intended to allow ample space for passive recreation and relaxation of the residents of the development with previously tested and proven amenities for the targeted demographic.



# Concept Plan



## LEGEND

- Villas
- Cottages
- Open Space

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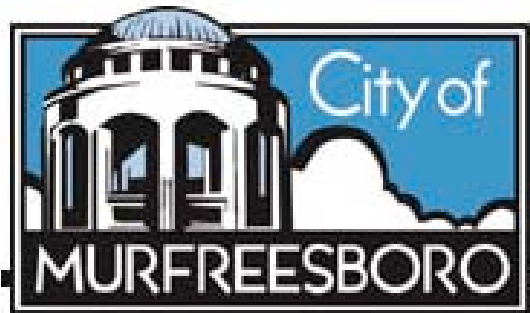


# Existing Conditions

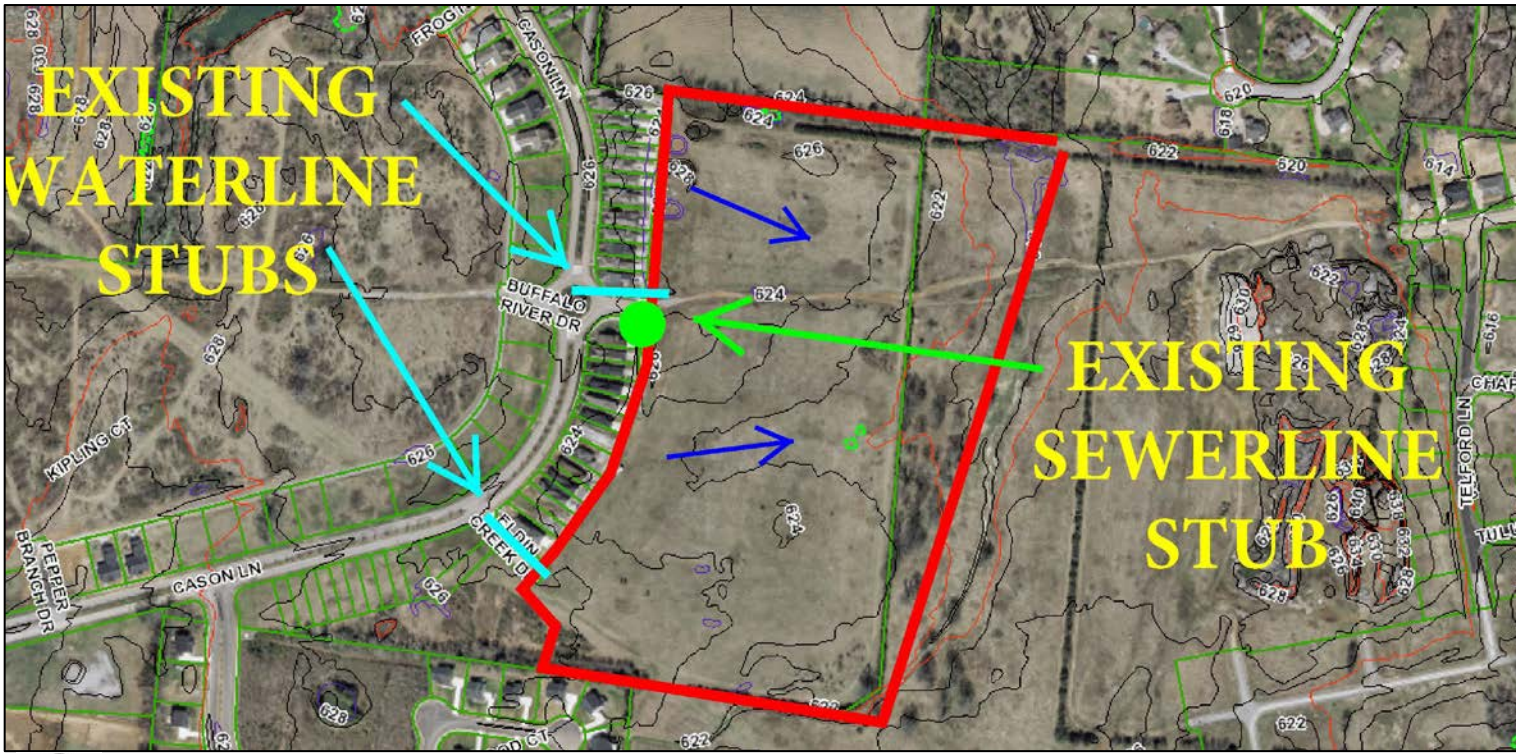
## Utilities, Topography, and Right-of-Way



An 8” sanitary sewer main is at the end of Audubon Lane on the west side of this property. The developer will be responsible for extending the sewer into this property. Sanitary sewer service will be provided by the Murfreesboro Water Resources Department.



The property has/will have access to public right-of-way at two locations. One access point is Audubon Lane and the other is Eldin Creek Drive. In addition to these existing connections, there are several other proposed connections via future roadway extensions toward properties located to the north and east to allow for adequate connectivity in the area.



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Consolidated Utility District of Rutherford County



An 8” water main is stubbed at the end of Audubon Lane and Eldin Creek Drive. The developer will be responsible for extending the line into this property and into the site for domestic and fire water service. Water service will be provided by the Consolidated Utility District of Rutherford County.



Murfreesboro Electric Department will be providing electrical service. All electric service will be underground.

The existing topography of the site shows the site’s drainage basin is generally from west to east. Stormwater runoff from the entire site enters Spence Creek to the north of the property. The site currently is covered in pasture with larger trees in the fence lines of the project boundaries. No portion of the site is encumbered with floodplain.



# Existing Conditions

## Aerial & On-site Photographs



**Picture #1**  
**Toward Front of Existing Units**



**Picture #2**  
**Toward Rear of Existing Homes**



*Not To Scale*



**Picture #3**  
**Across Property**



**Picture #4**  
**Toward Property Lines**



# Existing Conditions

## Surrounding Zonings & Developments



**Picture #1**  
**Three Rivers Overall Development**



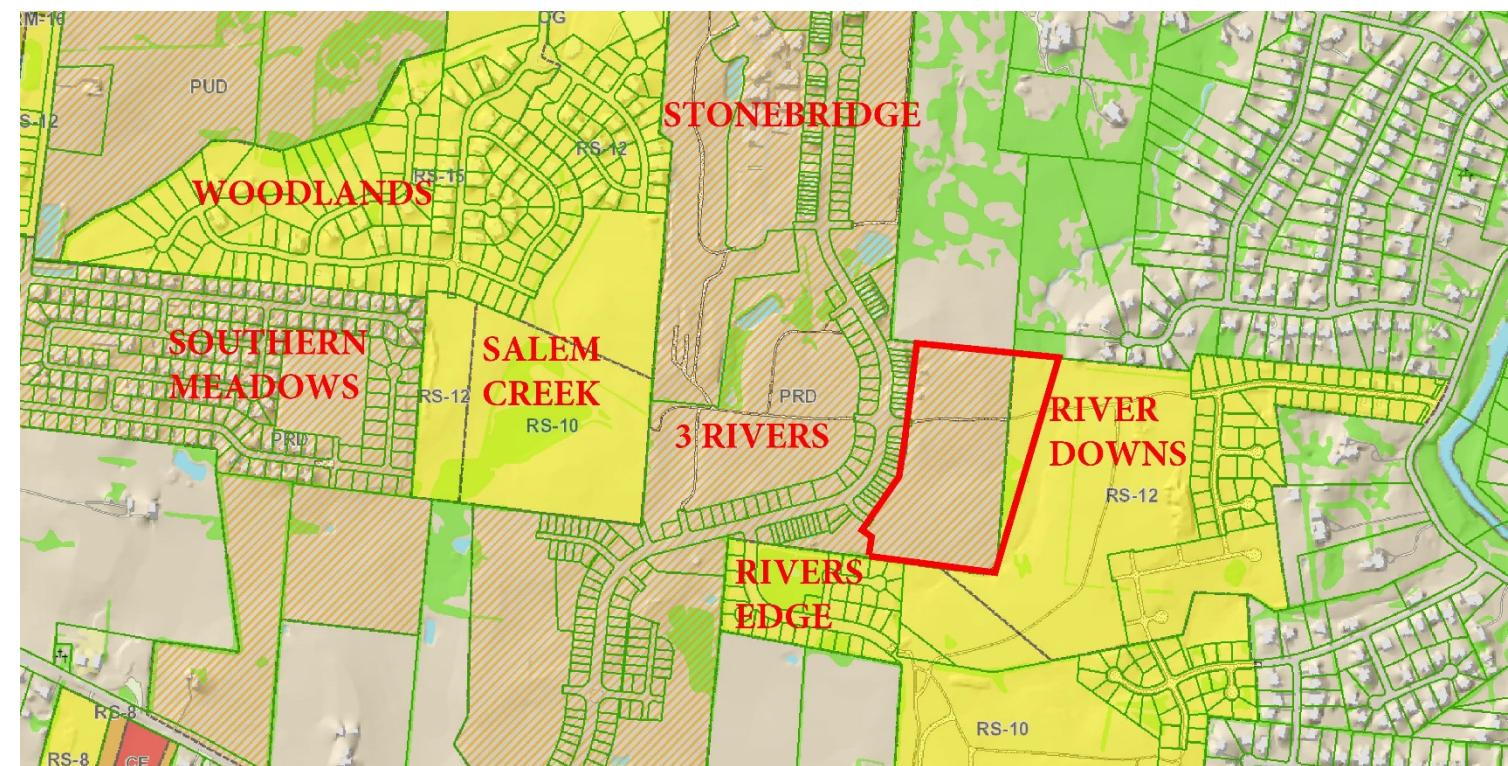
**Picture #2**  
**Stonebridge at Three Rivers  
Development**



**Picture #3**  
**Burger King Restaurant**



**Picture #4**  
**Rivers Edge Development**



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# Proposed PRD

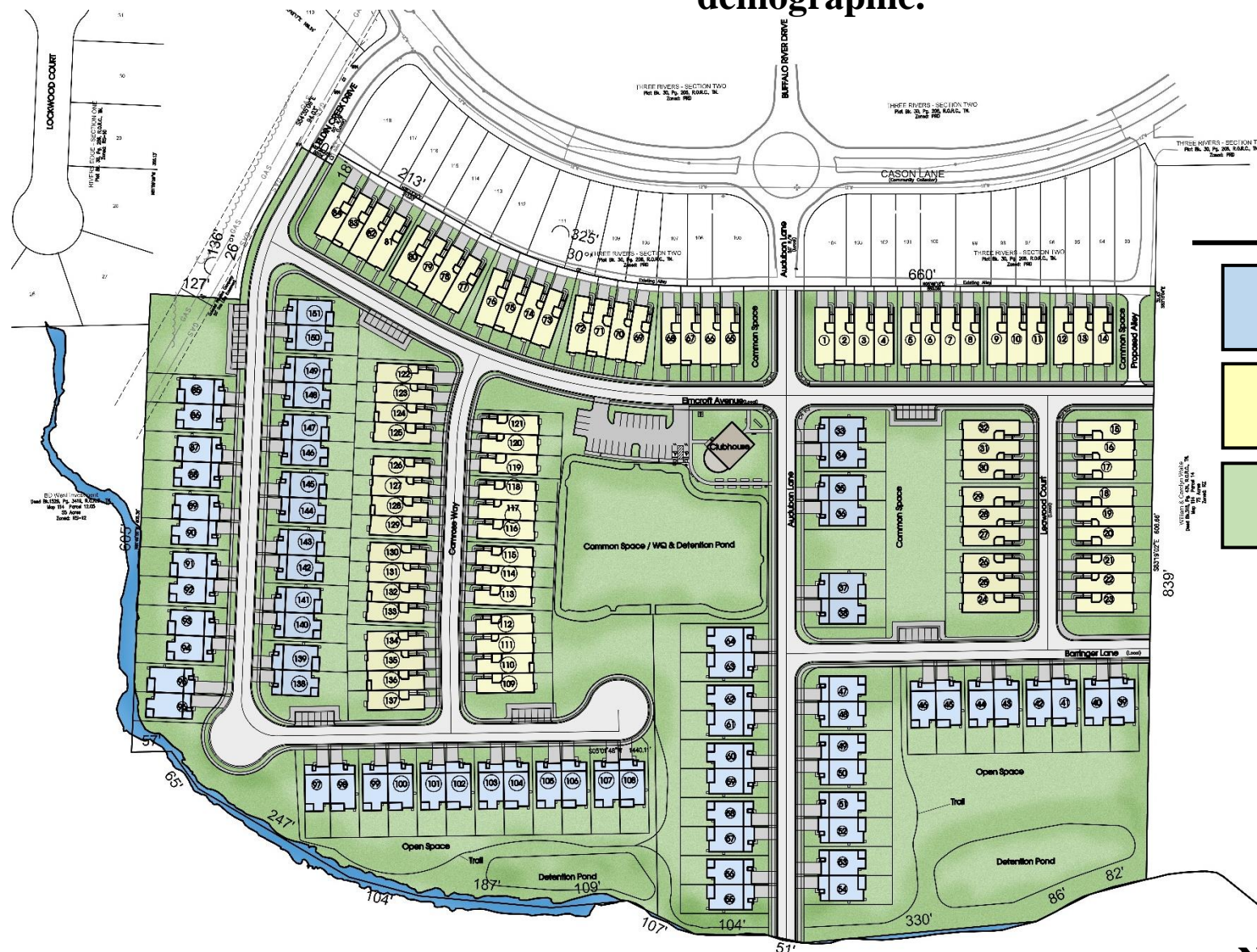
## Development Standards

- ✦ 151 Dwelling Units with 2 Bedrooms or more.
- ✦ Two varieties of dwelling units
  - Age Targeted Cottages
    - 81 Units
  - Age Targeted Villas
    - 70 Units
- ✦ Setbacks:
  - Front Setback = 20'
  - Side Setback = 5' (if not attached)
  - Rear Setback = 20'

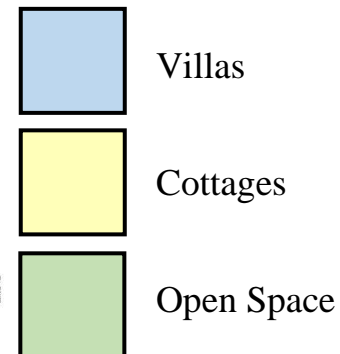
## Synopsis

The Gardens consists of 151 dwelling units on 29.44 acres for a density of 5.13 d.u. per acre. The concept provides over 20% of open space that will function as stormwater management areas as well as passive recreation areas. In addition to the unstructured open space, the project will include a clubhouse with patio, and community garden.

While the homes are not age restricted, they are targeted toward a 55 and older resident. Deliberate design features are included to target this demographic.



## LEGEND



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- ✦ Streets will be a mixture of public right-of-way and private alley (one at northwest corner).
- ✦ Audubon Lane entry will have a new entrance sign constructed of masonry materials and landscaping.
- ✦ All homes will be required to be constructed with a mixture of brick, stone, cement board siding, and vinyl siding. Representation of material mixtures are outlined in the proposed home pages.
- ✦ Garages shall set the minimum 20' front setbacks.
- ✦ The development provides a total of 302 driveway parking spaces for a 2.00 space/unit ratio. With 302 garage spaces that ratio rises to 4 space per unit. In addition, 69 guest parking spaces have been planned for the project.
- ✦ Each unit will provide at least 4 parking spaces per lot (2 in the driveway & 2 in the garage).
- ✦ Garages will be restricted to not allow storage so cars can park in garage.



# Proposed PRD

## Development Standards

- ✦ All public streets have been designed to comply with the City's subdivision regulations.
- ✦ Prior to preliminary plat review, a complete and thorough design of the stormwater management system and facilities will be completed.
- ✦ All homeowners will be required to be a member of the H.O.A.. The Gardens will have a sub-association that is a part of the larger Three Rivers H.O.A.
- ✦ All yards will be required to be sodded.
- ✦ All utilities will be underground.
- ✦ All homes will have minimum 2 car garages.
- ✦ Decorative mailboxes will help establish community continuity.
- ✦ All homes will have concrete driveways wide enough for 2 vehicles and a minimum of 16' in width.
- ✦ Sidewalks along both sides of all public streets.
- ✦ Solid waste services for the development will be provided by the City of Murfreesboro.
- ✦ The development is intended to utilize the MED standard streetlights, and not decorative streetlights, in either case the lighting will be coordinated with MED and to meet MED's standards.
- ✦ The single proposed alley will be private and maintained by H.O.A. The rest of the streets will be public R.O.W.
- ✦ Lots 1-34 will provide automatic lighting along private alley.



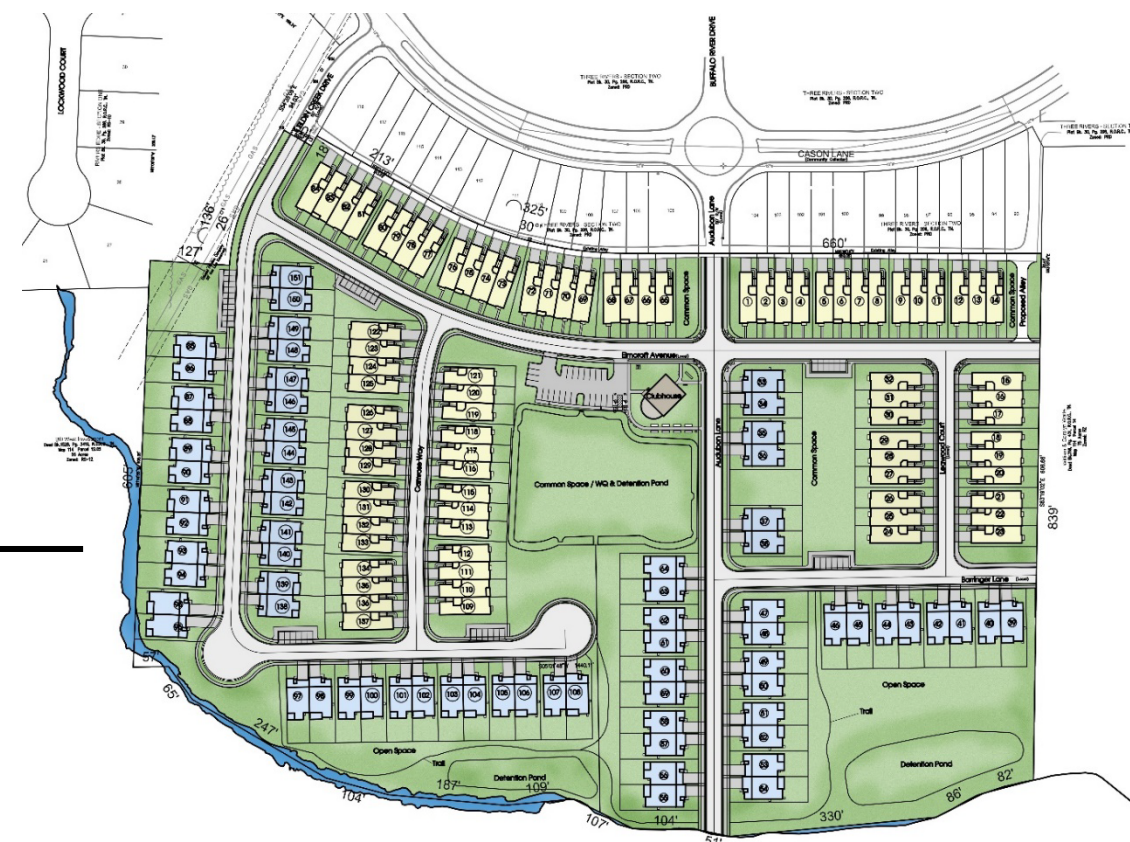
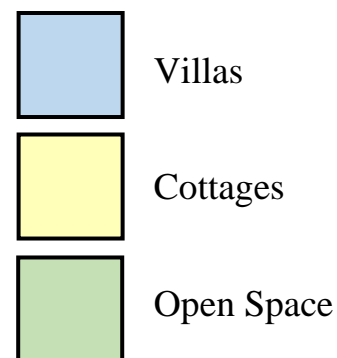
Example Mailbox



Example Entrance Sign

Section	Front Setback	Rear Setback	Side Setback	Corner Side Setback to ROW
Villa	20 feet	20 feet	5' with min., 10' b/w Buildings	10 feet
Cottage	20 feet	20 feet	5' with min., 10' b/w Buildings	10 feet

### LEGEND



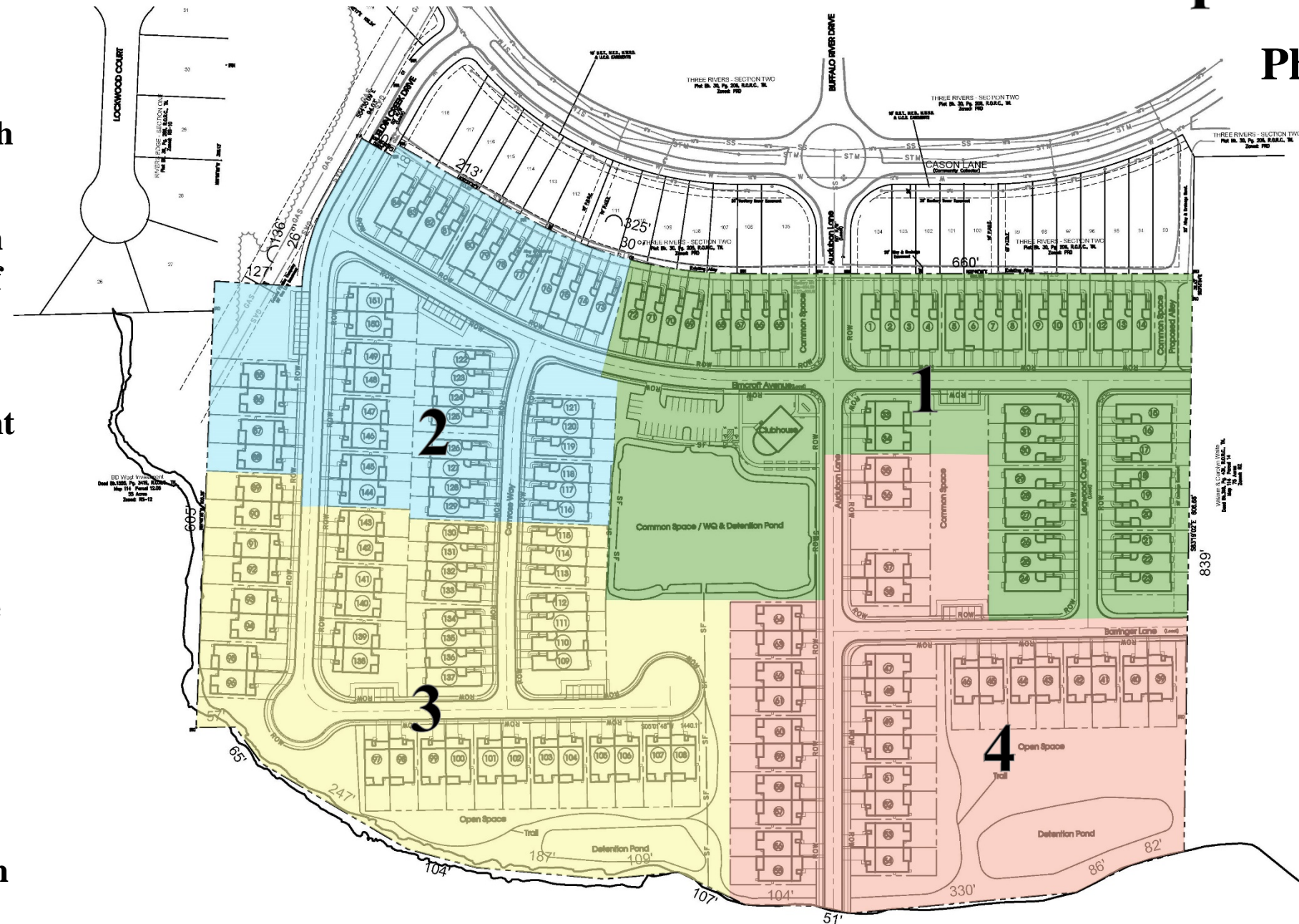
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# Proposed PRD

## Phasing Plan

- ✦ The project is anticipated to be built in 4 phases with a mixture of home types in each phase.
- ✦ Construction of Phase 1 is planned to begin within 120-150 days after the completion of the zoning process.
- ✦ Construction timing of the remaining phases will be market driven and dependent upon the absorption of the lots in the previous phase.
- ✦ In general, each subsequent phase will begin construction after the previous phase is 80%-85% sold.
- ✦ The sidewalks within each phase will be constructed by the home builders as the homes are constructed. If sidewalks are located along common area then, the developer will construct those portions with the infrastructure work.
- ✦ Each phase is anticipated to contain approximately 40 dwelling units.



Phase #	Villas	Cottages	Phase Acres
1	2	40	7.1
2	12	26	6.1
3	26	15	7.74
4	30	0	8.5

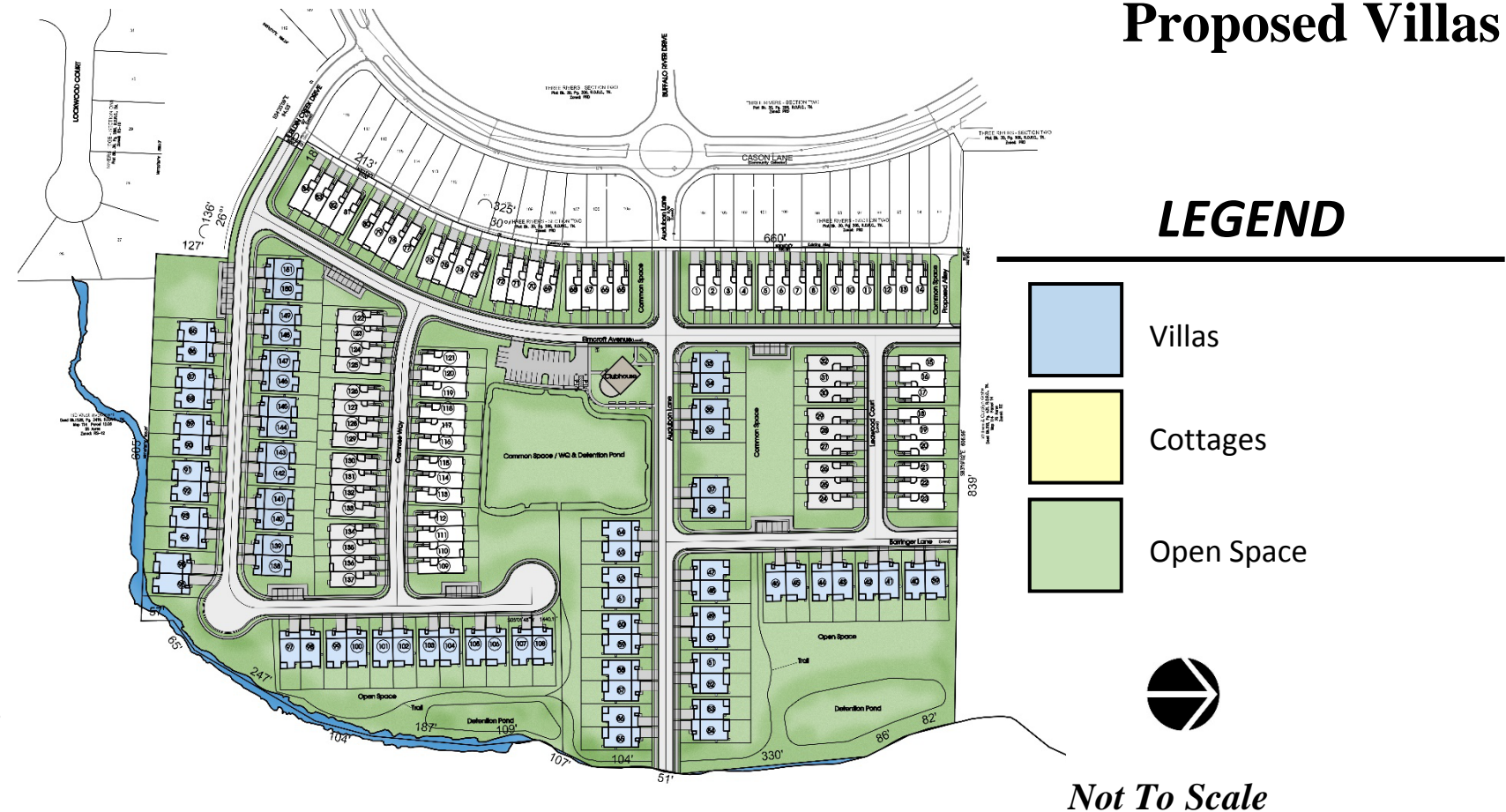
➡ Not To Scale



# Proposed PRD

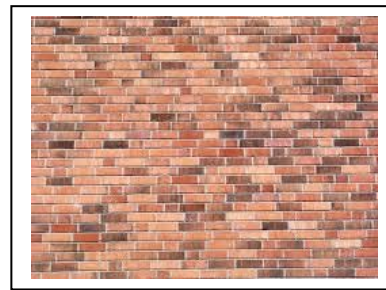
## Proposed Villas

- ❖ All villas will be minimum of 1400 s.f. with 2 bedrooms.
- ❖ All villas will have 2 car garages and will be 100% front entry.
- ❖ The villas can be 1, 1 ½, or 2-story buildings.
- ❖ All homes will be constructed with 100% all brick, stone, cement board siding front elevations.
- ❖ Vinyl siding will only be used in trim and soffit areas on all elevations per approved PRD, vinyl should not be used anywhere else.
- ❖ Cement Board siding allowed on side and rear elevations
- ❖ Garage doors will be decorative and have a neutral color (not white).
- ❖ The villas will be sold fee simple.
- ❖ Max Building Heights will be 35' to comply with the standards for RS-15 zoning in the City of Murfreesboro's Zoning Ordinance.
- ❖ Landscape maintenance will be maintained by H.O.A.



**Example of the Cement Board**

*(Different colors will be allowed with Planning Commission approval)*



**Example of Possible Brick**

*(Different colors will be allowed with Planning Commission approval)*



**Example of the Stone Veneer**

*(Different colors will be allowed with Planning Commission approval)*

**The elevations of the homes will vary across the development. They are meant to convey the general appearance and functionality of the buildings.**



**Example of elevations**



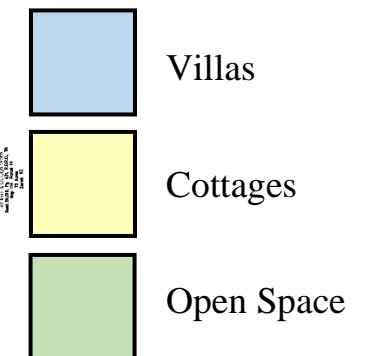
# Proposed PRD

## Proposed Cottages

- ❖ All cottages will be minimum of 1,250 s.f. with 2 bedrooms.
- ❖ All cottages will have 2 car garages.
- ❖ The cottages can be 1, 1 ½, or 2-story buildings.
- ❖ All cottages will constructed of a mixture brick, stone, cement board siding.
- ❖ The cottages are an age targeted project toward a 55 and older resident but not age restricted. Deliberate design features are included to target this demographic.
- ❖ Building heights will be less than 35'.
- ❖ Garage doors will be decorative and have a neutral color (not white).
- ❖ Landscaping will be required along all internal roads of the project, and be maintained by the H.O.A.
- ❖ All cottages will be sold fee simple, similar to zero lot line homes.



### LEGEND



*Not To Scale*

**Example of Front Elevations**



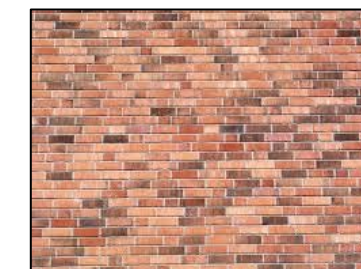
**Example of Rear Elevations**



The elevations of the homes will vary across the development. They are meant to convey the general appearance and functionality of the buildings.



**Example of the Cement Board**  
(Different colors will be allowed with Planning Commission approval)



**Example of Possible Brick**  
(Different colors will be allowed with Planning Commission approval)



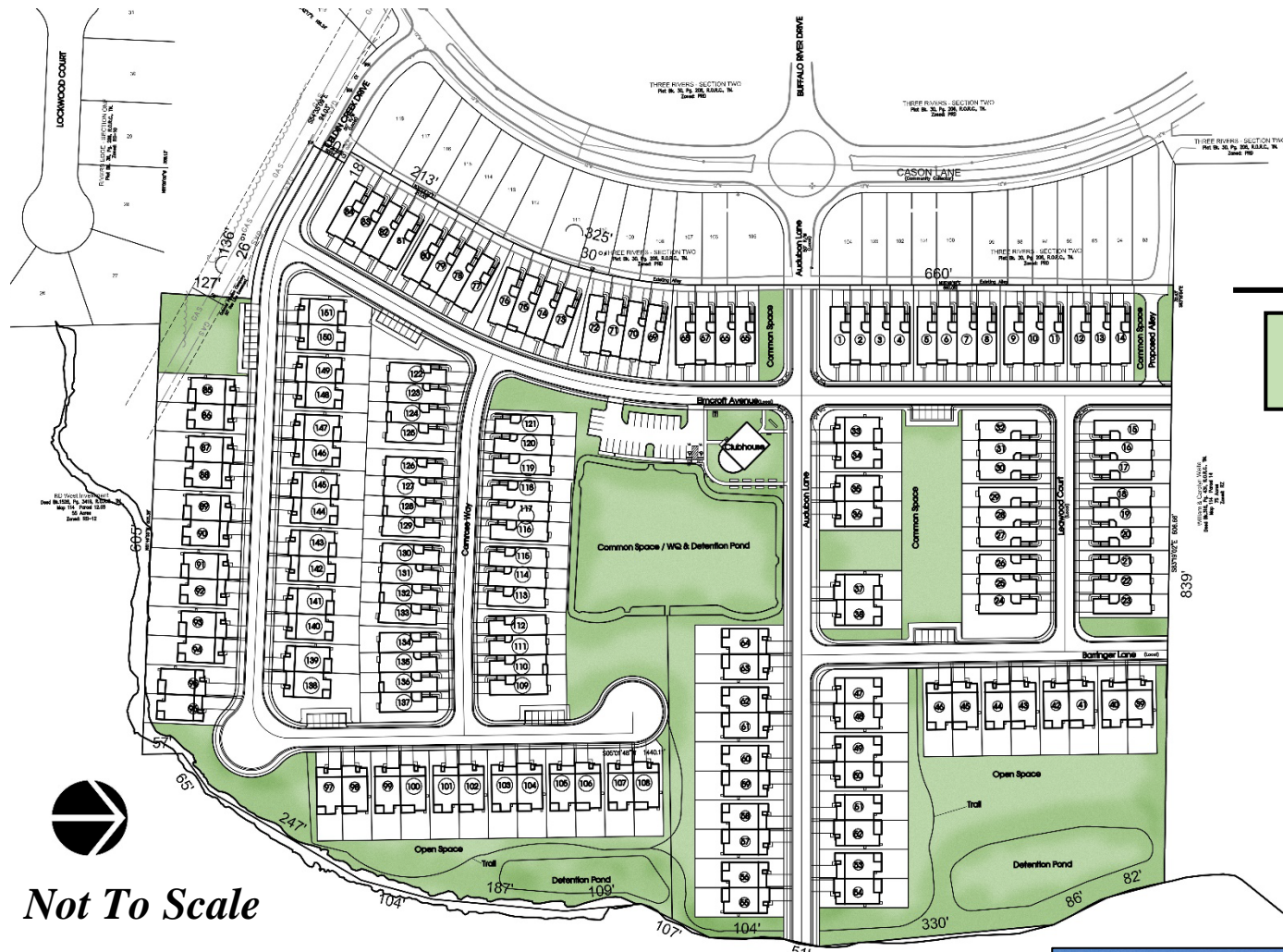
**Example of the Stone Veneer**  
(Different colors will be allowed with Planning Commission approval)



# Proposed PRD

## Amenities

With this request, the plan will be dedicating over 20% of ample and strategic open space. This open space area will contain the stormwater management areas as well as passive recreational areas. The plan also includes sidewalks throughout to link the entire neighborhood together and into Three Rivers proper. In addition, the project will have a clubhouse with a patio for its residents.



### LEGEND



Open Space  
7.08 Acres (24.11 Acres)



Example of Community Garden



Example Elevation of Clubhouse



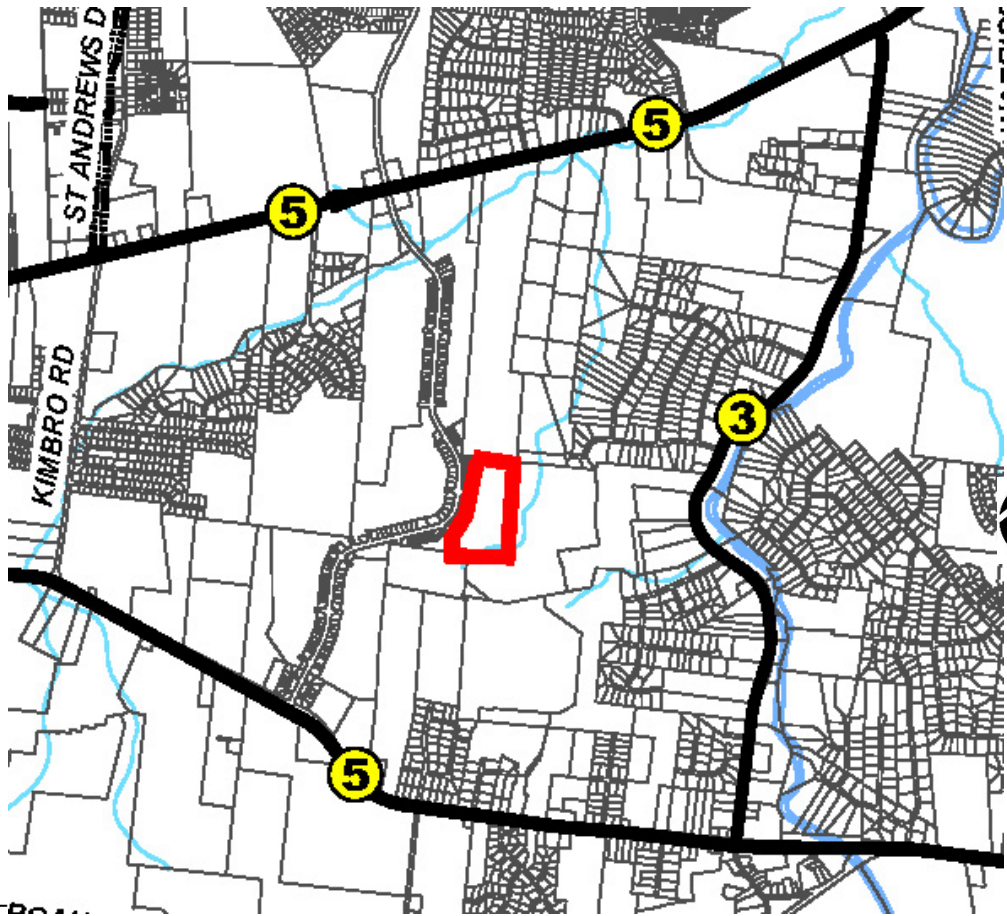
Clubhouse Outdoor Patio and Grilling Area

The residents of the Gardens development will be required to be members of the overall Three Rivers H.O.A. and have access to the proposed facilities and amenities within the overall subdivision. As a member of the H.O.A., the residents will be subject to restrictive covenants and be required to pay membership dues as determined by the 3<sup>rd</sup> party management company. The Gardens portion will have a sub-association of the main H.O.A. for the maintenance of exteriors and the extra common space.

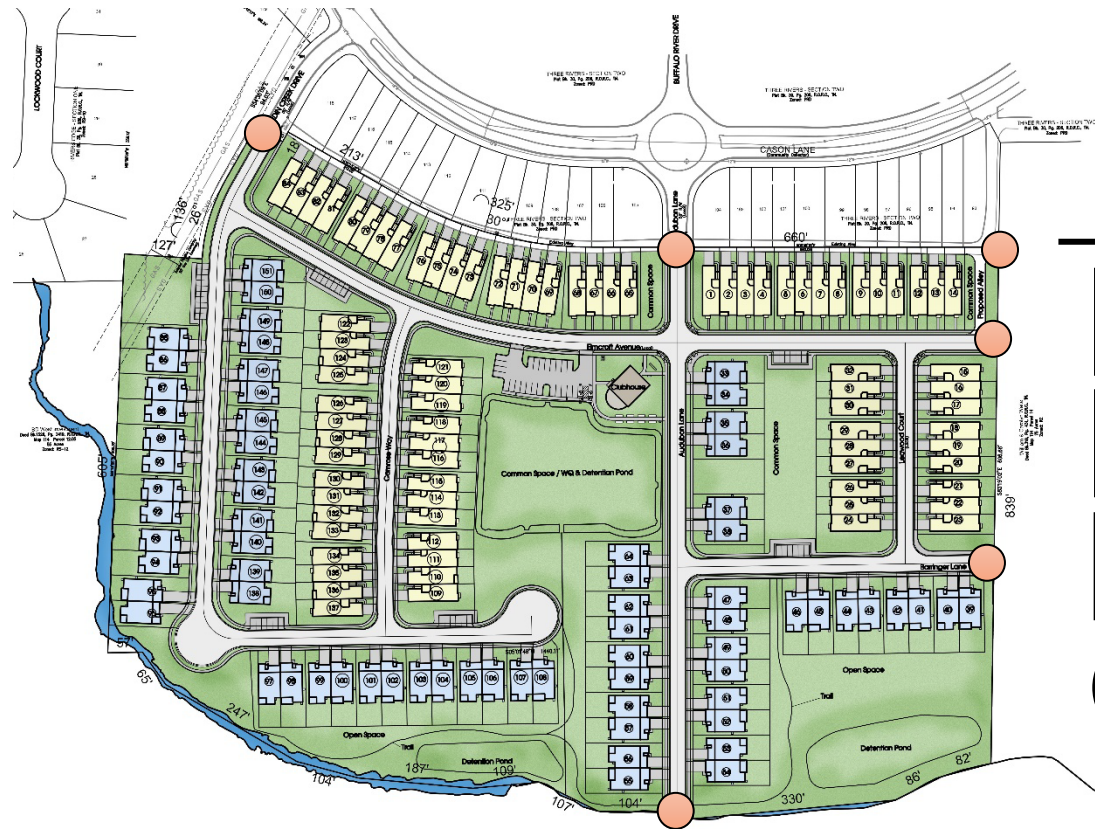
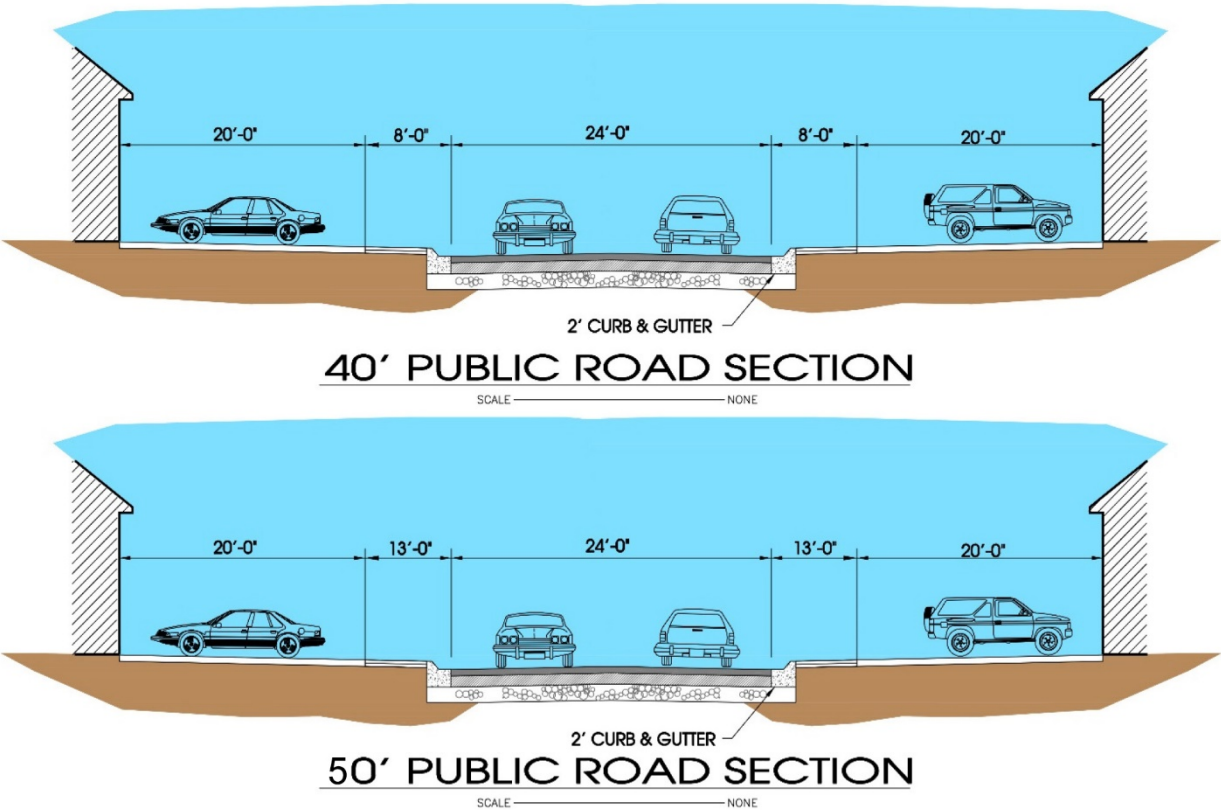


# Ingress/Egress Synopsis

Pursuant to the Murfreesboro Major Thoroughfare Plan, neither Cason Lane nor the stub streets are planned to be upgraded in the future.



Not To Scale



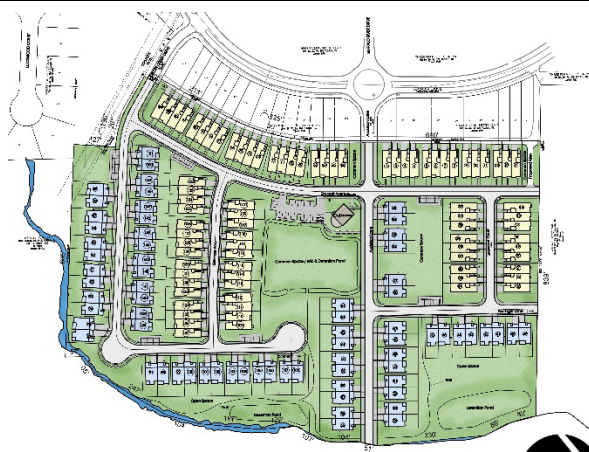
## LEGEND

- Villas
- Cottages
- Open Space
- Ingress/Egress Points

Not To Scale

The Gardens is proposed to have 6 points of ingress/egress planned at various locations throughout the property. These road connections will not only aid in providing the residents of the new development with access, but will allow the residents of the surrounding developments extra access points. All proposed streets within the development will be public right-of-way and developed in conformance with the City of Murfreesboro's Street Specifications except for the proposed alley which will be private.





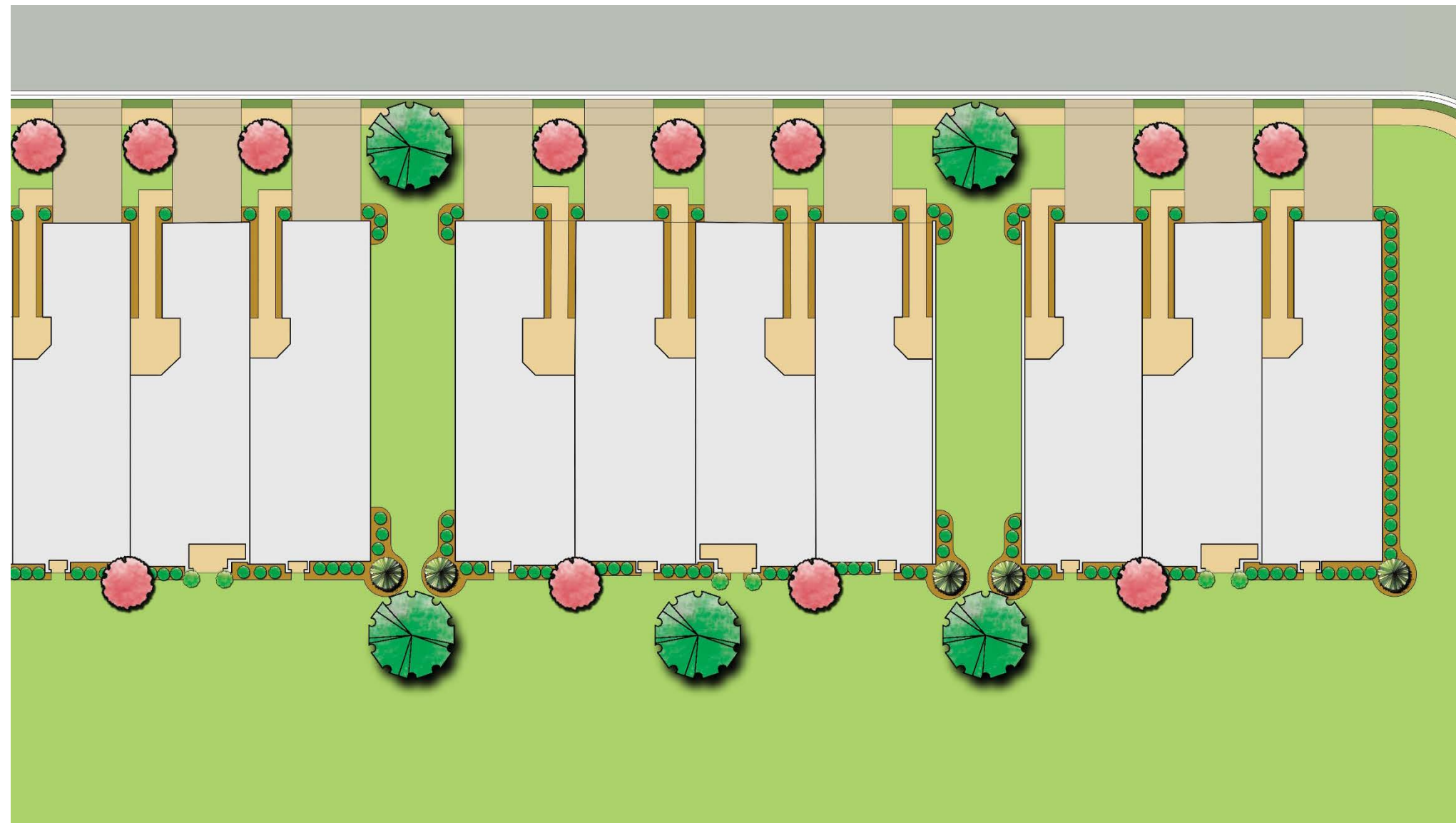
*Not To Scale*



# Landscape

## Conceptual Residential Landscape Plan

The homes will have landscaping to enhance the look of the building's architectural style, while creating a great curb appeal for the community. The rear of the buildings will have landscaping consisting of a mixture of deciduous and evergreen shrubs along the base of the foundation to create year-round interest. Perennials and grasses to add a variety of shapes, colors and textures to help accent these units. Canopy and understory trees will add vertical elements to the buildings and streetscape. The garage side of the cottages will have foundation plantings. As well as canopy and understory trees to help create a streetscape appearance and minimize the hardscape of the driveways leading to these units.



*Conceptual  
Not To Scale*



# Section 13 Subsection D Item 2a Requirements

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

**Response: An exhibit is given on Page 3 along with descriptions of each.**

- 2.) A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; location and extent of water courses, wetlands, floodways, and floodplains on or within one hundred (100) feet of the subject property; existing drainage patterns; location and extent of tree cover; and community greenways and bicycle paths and routes in proximity to the subject property.

**Response: An exhibit is given on Page 3 that shows the existing contours and drainage patterns along with an aerial photograph of the area. No portion of the property is subject to floodplains and floodways.**

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

**Response: Exhibits and photographs on Pages 3, 4, & 5 give the location of existing structures on the subject property and the surrounding properties.**

- 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; the general location and maximum amount of area to be devoted to open space and to be conveyed, dedicated, or reserved for parks, playgrounds, recreation uses, school sites, public buildings and other common use areas; the approximate location of points of ingress and egress and access streets; the approximate location of pedestrian, bicycle and vehicular ways or the restrictions pertaining thereto and the extent of proposed landscaping, planting, screening, or fencing.

**Response: Pages 6-14 lists standards and exhibits showing the concept plan which shows each of these items. In addition, a full-size attachment of the concept plan has been attached at the rear of the pattern booklet.**

- 5.) A tabulation of the maximum number of dwelling units proposed including the number of units with two (2) or less bedrooms and the number of units with more than two (2) bedrooms.

**Response: Page 6 lists this information.**

- 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). *These tabulations are for the PRD.*

FLOOR AREA RATIO (F.A.R.) OF PRD		
TOTAL FLOOR AREA =	543,600	S.F.
TOTAL SITE AREA =	1,279,383	S.F.
FLOOR AREA RATIO =	0.42	

LIVABILITY SPACE RATIO (L.S.R.) OF PRD		
TOTAL LOT AREA =	653,719	S.F.
TOTAL BUILDING COVERAGE =	272,995	S.F.
TOTAL DRIVEWAY AREA =	496,791	S.F.
LIVABILITY SPACE AREA =	782,592	S.F.
LIVABILITY SPACE RATIO =	0.40	

OPEN SPACE RATIO (O.S.R.)		
TOTAL SITE AREA =	1,279,383	S.F.
TOTAL BUILDING COVERAGE =	272,995	S.F.
TOTAL R.O.W. =	224,802	S.F.
TOTAL OPEN SPACE =	308,571	S.F.
TOTAL FLOOR AREA =	543,600	S.F.
OPEN SPACE RATIO =	0.79	

**Response:**

# Section 13 Subsection D Item 2a Requirements (cont.)

- 7.) A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the city and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article.

**Response:** The property is currently zoned PRD in the city. The surrounding areas has a mixture of residential properties. The concept plan and development standards combined with the architectural requirements of the homes shown within this booklet align and closely mimic the type of developments in the surrounding neighborhoods and are envisioned to complete the development in this area.

- 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;

**Response:** The Phasing of the development is discussed on Page 8.

- (bb) the order in which the phases of the project will be built;

**Response:** The Phasing of the development is discussed on Page 8.

- (cc) the minimum area and the approximate location of common space and public improvements that will be required at each stage;

**Response:** The Phasing of the development is discussed on Page 8.

- (dd) a breakdown by phase for subsections [5] and [6] above;

**Response:** The exact size and location of each phase is unknown at this time, but a representative phasing plan has been provided.

- 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.

**Response:** This requirement has been addressed on Page 11.

- 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.

**Response:** The front setbacks requested are up to 20-feet less than the required setback for a RS-15 development. The side setbacks requested are up to 7.5-feet less than required for a RS-15 development. The rear setbacks are up to 10-feet less than the required setback for a RS-15 development. The density is approximately 2.23 d.u./acre greater than allowed for a RS-15 development. The lot coverage is up to 25% greater than allowable in a RS-15 development.



# Section 13 Subsection D Item 2a Requirements (cont.)

- 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  
**Response: This property is not in the Airport Overlay District (AOD), Battlefield Protection District (BPD), Gateway Design Overlay District (GDO), Historic District (H-1), or Planned Signage Overlay District (PS). No portion of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel.**
- 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.  
**Response: Page 12 discusses 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.  
**Response: The primary representative is Matt Taylor of SEC, Inc.**
- |  |   |
|--|---|
| <b>Achiever Development, LLC</b><br>4015 Travis Drive, Ste 100<br>Nashville, TN 37211<br>Contact: Gray Palmer<br>Ph #: 615-210-2651<br>gpalmer@achieverdevelopment.com | <b>SEC, Inc.</b><br>Engineering, Surveying, Land Planning & Landscape Architecture<br>850 Middle TN Blvd<br>Murfreesboro, TN 37129<br>Contact: Matt Taylor, P.E.<br>Ph #: 615-890-7901<br>Fax #: 615-895-2567 |
|--|---|
- 14.) Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. The location and orientation of exterior light fixtures and of garages shall be shown if such are to be included in the structures  
**Response: Pages 9-10 show the architectural character of the proposed homes with garages shown and building materials listed. Each home will be allowed to have rear porches and attached lighting. However, exact configuration for these items is unknown and will be determined as each home is built. The public streets will have standard street lights spaced per Murfreesboro Electric Department guidelines.**
- 15.) If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.  
**Response: Page 2 shows the site plan indicating the location of the entrance sign. Also, Page 7 provides a picture of a similar sign. The sign will be constructed of masonry. If lit, the sign will have uplighting. The sign will have landscaping around its base. All elements of the sign will be in accordance with the City of Murfreesboro's Sign Ordinance.**

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

- 5.a. Mandatory Referral [2018-719] to consider the abandonment of a sanitary sewer easement along Fortress Boulevard, Matt Taylor applicant.**



In this mandatory referral, the Planning Commission is being asked to consider abandoning an existing sanitary sewer easement adjacent to Fortress Boulevard. This easement is located on property being developed with a Mazda car dealership. The Mazda dealership wishes to construct a sign where the easement is currently located. According to the applicant, there is no sanitary sewer infrastructure located in the subject easement. The Murfreesboro Water Resources Department has indicated that the easement is no longer necessary and recommends its abandonment. In addition, at its August 28, 2018 regular



meeting, the Murfreesboro Water Resources Board voted to recommend approval of this abandonment as well.

Staff recommends that the Planning Commission recommend approval of this request to the City Council. If approved by the City Council, the applicant will be responsible for providing the information necessary for the Legal Department to prepare the legal documents for the easement abandonment. The applicant will also be responsible for recording those documents.

August 16, 2018

Mr. Matthew Blomeley  
Murfreesboro Planning and Engineering Dept  
111 West Vine Street  
Murfreesboro, Tennessee 37129

RE: Mazda  
Sanitary Sewer Easement Abandonment Request  
Murfreesboro, Tennessee  
SEC Project No. 03122

Dear Mr. Blomeley:

Please accept this as our formal request for the City of Murfreesboro to abandon a portion of the Sanitary Sewer Easement that is shown in Plat Book 955 Page 1399. Furthermore, the attached exhibit highlights this area.

The easement is not occupied and is no longer necessary.

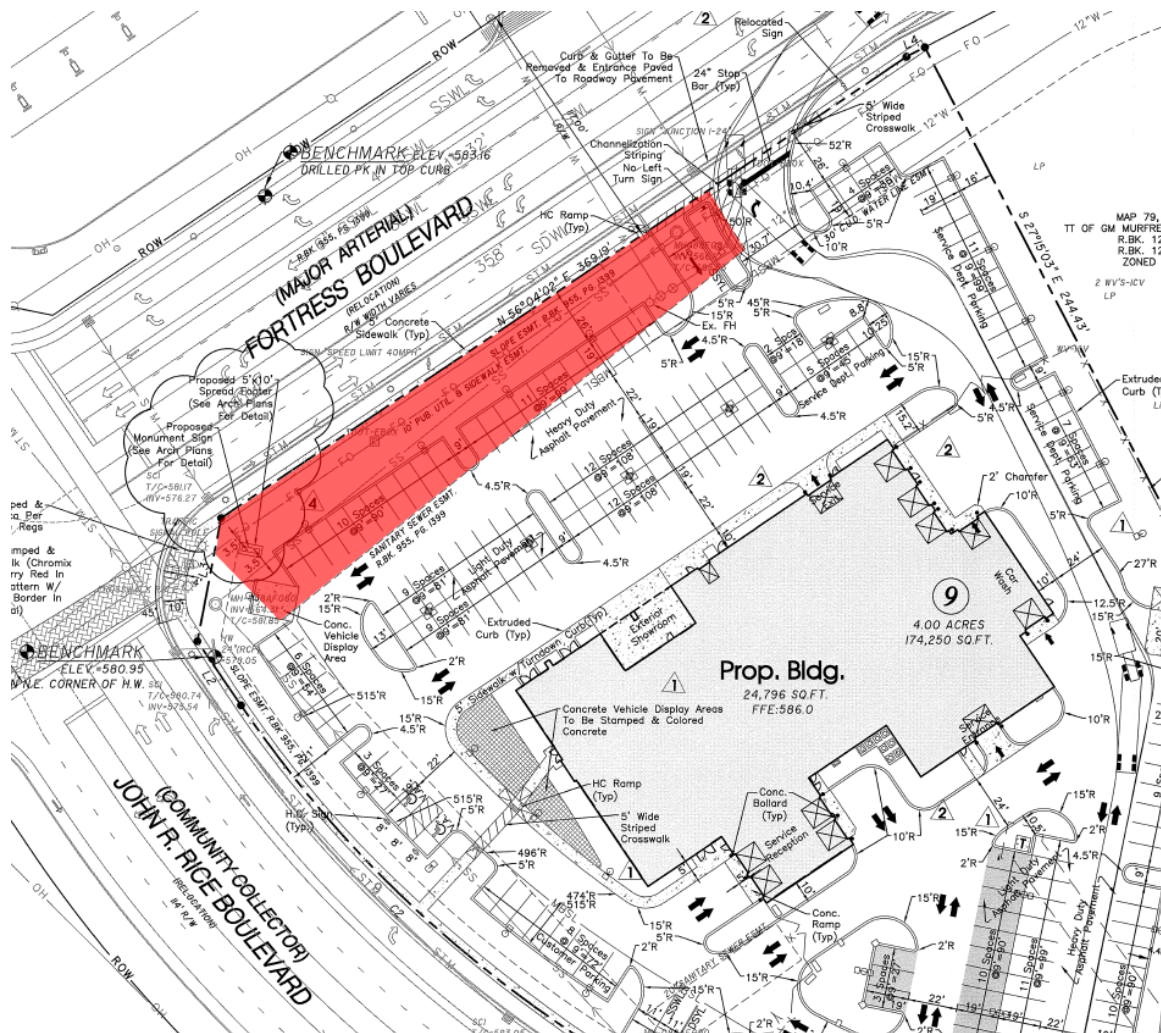
If you should have any questions concerning this letter, please feel free to call me at (615) 890-7901 or via email at [mtaylor@sec-civil.com](mailto:mtaylor@sec-civil.com)

Sincerely,



Matt Taylor, P.E.  
Vice-President  
SEC, Inc



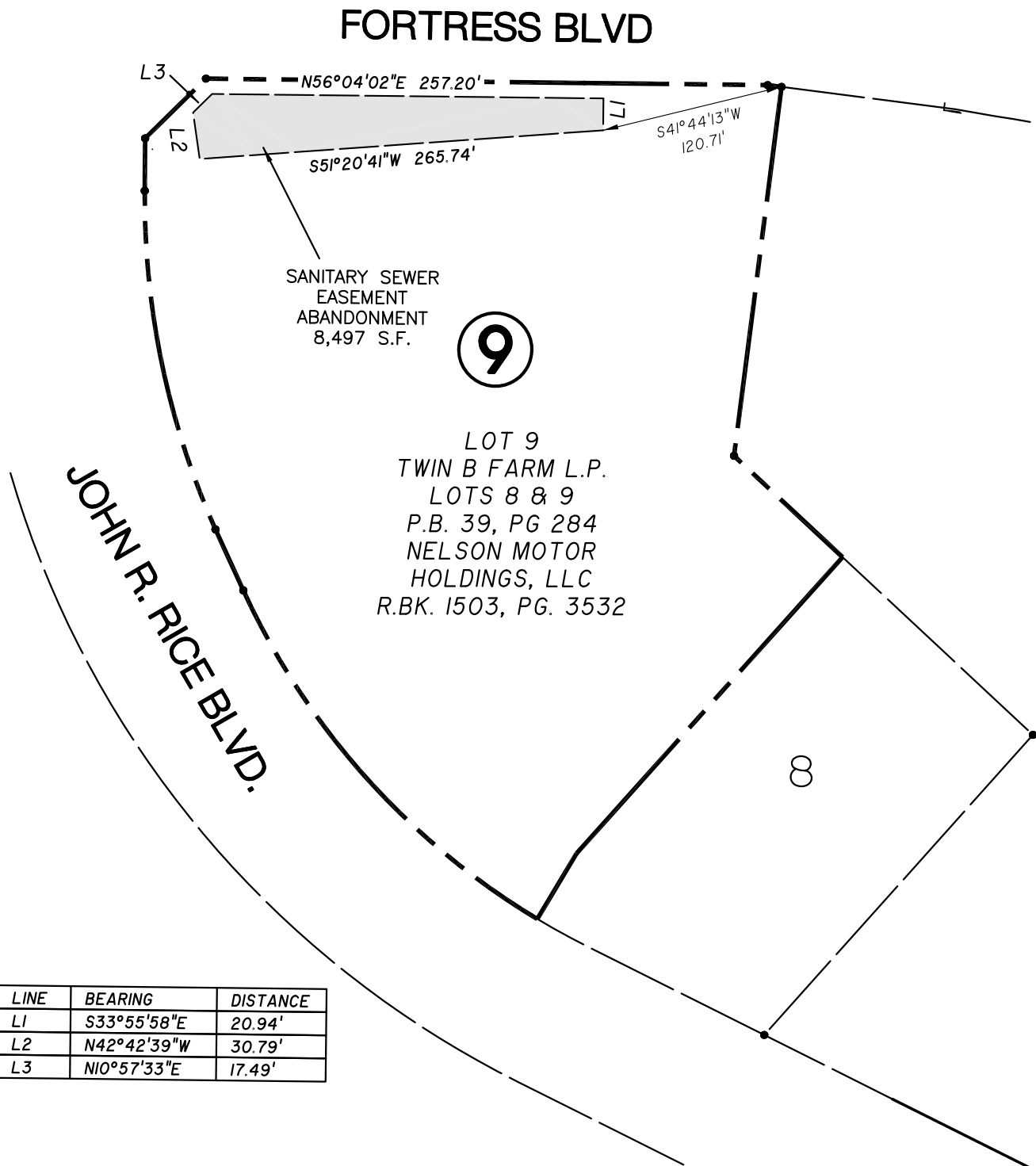




**SANITARY SEWER EASEMENT ABANDONMENT**  
**LOT 9**  
**TWIN B FARM, L.P. SUBDIVISION**  
**LOTS 8 & 9**  
**PLAT BK . 39 , PG. 284**

**1214 FORTRESS BOULEVARD - CITY OF MURFREESBORO**  
**7th CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE**

**OWNER: NELSON MOTOR HOLDINGS, LLC**  
**RECORD BOOK 1503, PAGE 3532, R.O.R.C., TN**



**SEC, Inc.**

SCALE: 1" = 100'  
DATE: 08-22-18

**SITE ENGINEERING CONSULTANTS**

**ENGINEERING • SURVEYING • LAND PLANNING**

850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129  
PHONE (615) 890-7901 • FAX (615) 895-2567

03/22



SANITARY SEWER EASEMENT

LOT 9

TWIN B FARM, L.P. SUBDIVISION – LOTS 8 & 9

A TRACT OF LAND IN THE CITY OF MURFREESBORO, 7TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST NORTHERLY CORNER OF LOT 9, TWIN B FARM, L.P. SUBDIVISION – LOTS 8 & 9 (PLAT BK. 39, PG. 284) THENCE S41°44'13"W, A DISTANCE OF 120.71' TO THE POINT OF BEGINNING, THENCE WITH A NEW LINE SEVERING LOT 9 WITH THE FOLLOWING CALLS:

S51°20'41"W, A DISTANCE OF 265.74';

THENCE, N42°42'39"W, A DISTANCE OF 30.79';

THENCE, N10°57'33"E, A DISTANCE OF 17.49';

THENCE, N56°04'02"E, A DISTANCE OF 257.20';

THENCE, S33°55'58"E, A DISTANCE OF 20.94' TO THE POINT OF BEGINNING,

HAVING AN AREA OF 8,497 SQUARE FEET OR 0.195 ACRES, MORE OR LESS.

BEING A PORTION OF LOT 9, TWIN B FARM, L.P. SUBDIVISION, LOTS 8 & 9, RECORDED IN PLAT BOOK 39, PAGE 284 AND BEING A PORTION OF THE LANDS CONVEYED TO NELSON MOTOR HOLDINGS, LLC, BY WARRANTY DEED RECORDED IN RECORD BOOK 1503, PAGE 3532, IN THE OFFICE OF THE REGISTER OF DEEDS FOR RUTHERFORD COUNTY, TENNESSEE.



*... creating a better quality of life*

# MEMORANDUM

DATE: August 20, 2018  
TO: Water Resources Board  
FROM: Valerie H. Smith  
SUBJECT: Sewer Easement Abandonment  
Mazda

---

## Background

This easement abandonment request is from Matt Taylor, with SEC., on behalf of the Mazda Development. They are requesting the abandonment of a portion of the existing sewer main easement. This easement was recorded when the sewer main was extended for the Fortress Blvd and Manson Pike Roadway realignment. This portion of the existing sewer main and easement, shown on the attachment is no longer necessary. The Mazda Development abandoned this portion of sewer main and requests the abandonment of the easement since they plan to install a sign in this area.

## Recommendation

Staff recommends that the Board recommend to the Planning Commission and City Council approval of abandoning this portion of the existing sewer easement.

## Fiscal Impact

Not applicable. The easement was dedicated by plat by the developer.

## Attachments

Request for Abandonment  
Easement Abandonment Exhibit



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 5, 2018**

- 5.b. Mandatory Referral [2018-720] to consider the abandonment of a sanitary sewer easement along Old Salem Road, Matt Taylor applicant.**



In this mandatory referral, the Planning Commission is being asked to consider abandoning an existing sanitary sewer easement east of Old Salem Road. This easement is located on property developed and used by American Geothermal. A site plan was approved by the Planning Commission in June for an expansion to American Geothermal's existing facility. According to the Murfreesboro Water Resources Department (MWRD), there is no sanitary sewer infrastructure located in the subject easement. MWRD has indicated that the easement is no longer necessary and recommends its abandonment, provided that a new sanitary sewer easement is recorded for the proposed sewer main that will serve American Geothermal's proposed expansion. In addition, at its August 28, 2018 regular

meeting, the Murfreesboro Water Resources Board voted to recommend approval of this abandonment as well.

Staff recommends that the Planning Commission recommend approval of this request to the City Council. If approved by the City Council, the applicant will be responsible for providing the information necessary for the Legal Department to prepare the legal documents for the easement abandonment. The applicant will also be responsible for recording those documents. Finally, the applicant will be responsible for recording a new easement for the sanitary sewer main that will be constructed in order to serve the proposed building addition.



August 21, 2018

Mr. Matthew Blomeley  
Murfreesboro Planning & Engineering Dept  
111 W. Vine St  
Murfreesboro, Tennessee 37130

RE: American Geothermal  
Sanitary Sewer Easement Abandonment Request  
Murfreesboro, Tennessee  
SEC Project No. 18082

Dear Mr. Blomeley:

Please accept this as our formal request for the City of Murfreesboro to abandon the Sanitary Sewer Easement that is shown in Plat Book 25 Page 78. Furthermore, the attached exhibit highlights this area.

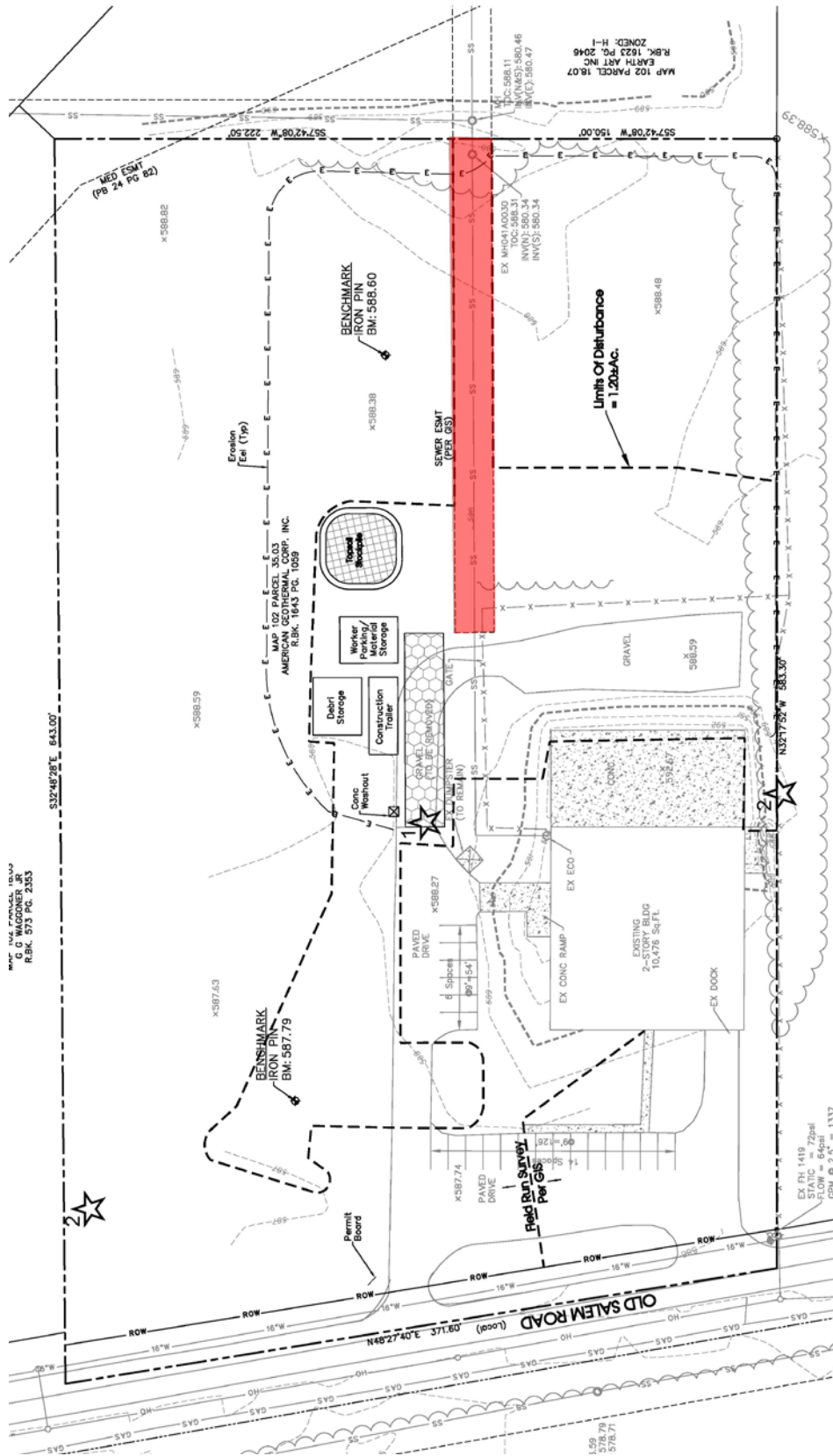
The easement is not occupied by public sewer and is no longer necessary.

If you should have any questions concerning this letter, please feel free to call me at (615) 890-7901 or via email at [mtaylor@sec-civil.com](mailto:mtaylor@sec-civil.com)

Sincerely,



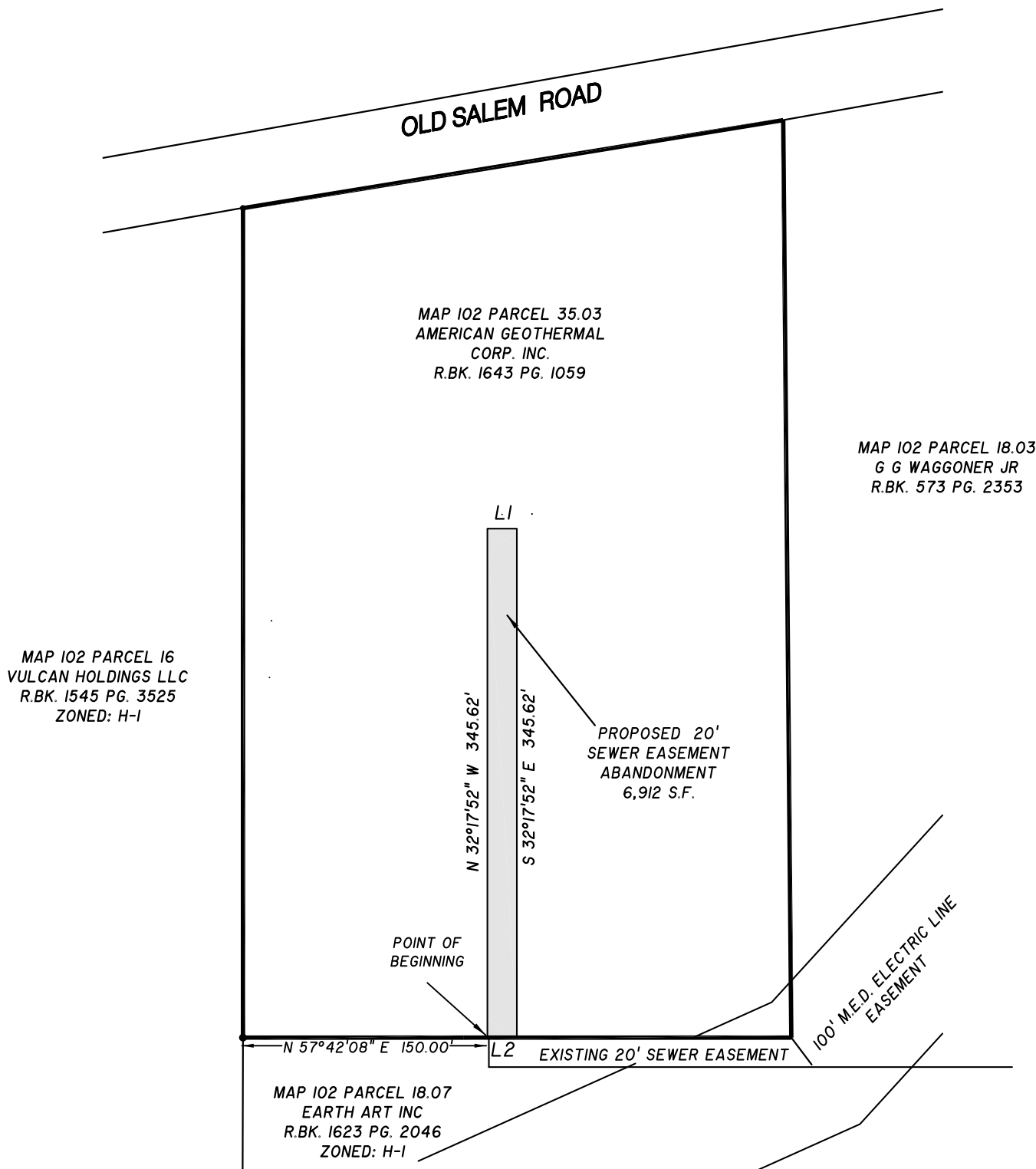
Matt Taylor, P.E.  
Vice-President  
SEC, Inc







LINE	BEARING	DISTANCE
L1	N 57°42'08" E	20.00'
L2	S 57°42'08" W	20.00'



**20' SANITARY SEWER EASEMENT ABANDONMENT**  
**AMERICAN GEOTHERMAL CORPORATION**  
**1037 OLD SALEM ROAD**  
**CITY OF MURFREESBORO**  
**13th CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE**  
**TAX MAP 102, PARCEL 35.03**  
**OWNER: AMERICAN GEOTHERMAL CORPORATION, INC.,**  
**RECORD BOOK 1643, PAGE 1059, R.O.R.C., TN**

**SEC, Inc.**

**SITE ENGINEERING CONSULTANTS**

**ENGINEERING • SURVEYING • LAND PLANNING**

850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129  
PHONE (615) 890-7901 • FAX (615) 895-2567

SCALE: 1" = 60'  
DATE: 08-22-2018

18082

20' WIDE SANITARY SEWER EASEMENT  
PART OF MAP 102, PARCEL 35.03  
AMERICAN GEOTHERMAL CORPORATION, INC.

A 20' WIDE STRIP OF LAND IN THE CITY OF MURFREESBORO, 13<sup>TH</sup> CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF AMERICAN GEOTHERMAL CORPORATION, INC. . (R.B. 1643, PG. 1059), THENCE WITH THE SOUTHERLY LINE OF AMERICAN GEOTHERMAL CORPORATION, N57°42'08"E, A DISTANCE OF 150.00' TO THE POINT OF BEGINNING

THENCE WITH A NEW LINE SEVERING THE LANDS OF AMERICAN GEOTHERMAL CORPORATION, INC., WITH THE FOLLOWING CALLS:

N32°17'52"W, A DISTANCE OF 345.62';

THENCE, N57°42'08"E, A DISTANCE OF 20.00';

THENCE, S32°17'52"E, A DISTANCE OF 345.62' TO THE SOUTHERLY LINE OF AMERICAN GEOTHERMAL CORPORATION, INC.,;

THENCE WITH SAID SOUTHERLY LINE, S57°42'08"W, A DISTANCE OF 20.00' TO THE POINT OF BEGINNING, HAVING AN AREA OF 6912 SQUARE FEET OR 0.159 ACRES, MORE OR LESS.

BEING A PORTION OF THE SAME LANDS CONVEYED TO AMERICAN GEOTHERMAL CORPORATION, INC, BY DEED RECORDED IN RECORD BOOK 1643, PAGE 1059, IN THE OFFICE OF THE REGISTER OF DEEDS FOR RUTHERFORD COUNTY, TENNESSEE.





*... creating a better quality of life*

# MEMORANDUM

DATE: August 20, 2018  
TO: Water Resources Board  
FROM: Valerie H. Smith  
SUBJECT: Sewer Easement Abandonment  
American Geothermal

---

## Background

This easement abandonment request is from Matt Taylor, with SEC., on behalf of the developer. They are requesting the abandonment of a portion of an existing 20-foot sewer main easement. This easement was recorded with a plat in 2002. This portion of the existing sewer easement is not necessary since there is not a public sewer main within the easement. Per our Development Policies & Guidelines, public sewer will be extended for an expansion, and new easement will be obtained prior to acceptance of the sewer main, by a recorded easement document or future plat.

## Recommendation

Staff recommends that the Board recommend to the Planning Commission and City Council approval of abandoning this portion of the existing sewer easement.

## Fiscal Impact

Not applicable. The easement was dedicated by plat by the developer.

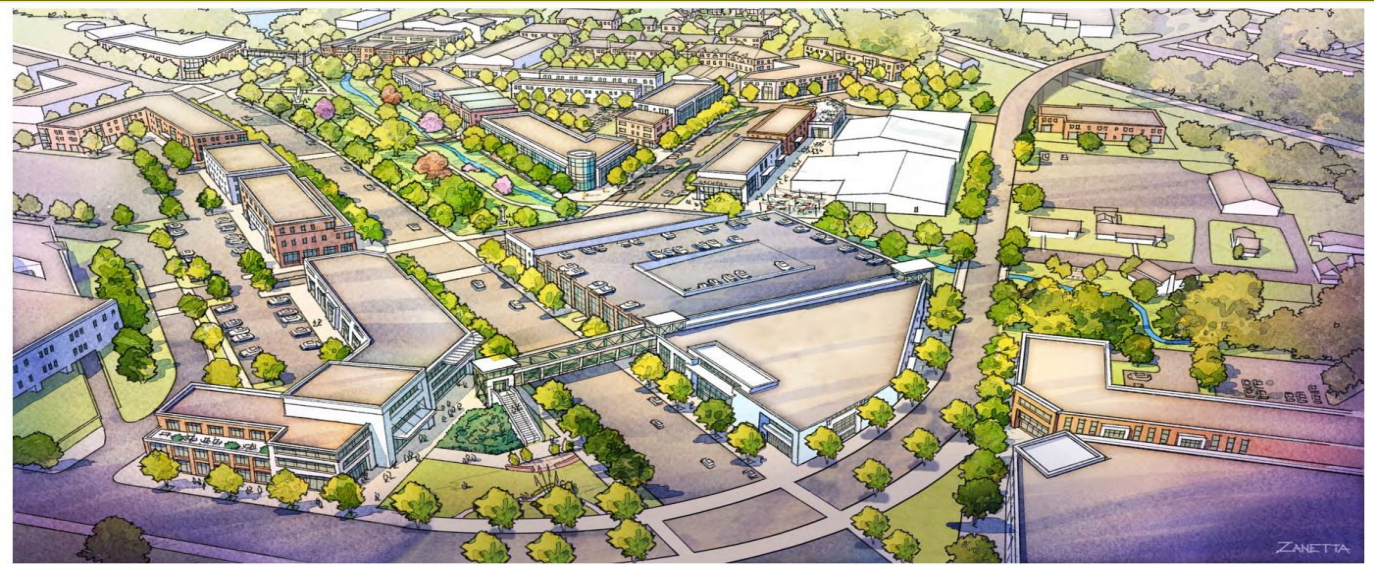
## Attachments

Request for Abandonment  
Easement Abandonment Exhibit

# 2018 Murfreesboro Planning Commission & Administrative Plans Calendar Dates & Review

Planning Commission Meetings held on the first Wednesday are reserved primarily for public hearings involving rezoning, annexations, and ROW abandonment. Meetings held on the third Wednesday are for plats, plans, and new business items and staff reports. The submittal deadlines for plans to be reviewed administratively are the same as for plans to be reviewed by the Planning Commission. Resubmittal Monday before PC at 3:00 p.m. unless holiday is on Monday (then Tuesday at 9:00 a.m.).

PC meeting dates are noted with a square. PC meetings are generally held on the first & third Wednesday with the first meeting at 7:00 p.m. and the second meeting at 1:00 p.m. of each month, unless otherwise noted. PC submittal deadlines are noted with a circle, resubmittal deadlines are noted with a hexagon. Please note that Plat/Plan submittals deadline is 10:00 a.m. City observed holidays are noted with a star. Meeting/submission times and dates are subject to change. The Planning Commission will review its calendar to increase or decrease the number of meetings per month; special called meetings may be scheduled at the discretion of the Planning Commission. Please contact the Murfreesboro Planning Department at (615) 893-6441 or [www.murfreesborotn.gov](http://www.murfreesborotn.gov) to confirm meeting and submission dates.



## 2018

## DRAFT AMENDMENT

### January

Su	Mo	Tu	We	Th	Fr	Sa
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### February

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### March

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### April

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### December

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# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

**1:00 P.M.**

**CITY HALL**

## **MEMBERS PRESENT**

Bob Lamb, Chairman  
Eddie Smotherman  
Warren Russell  
Kathy Jones  
Ken Halliburton  
Jennifer Garland

## **STAFF PRESENT**

Sam Huddleston, Exe. Dir. Develop. Serv. Div.  
Matthew Blomeley, Acting Planning Director  
Margaret Ann Green, Principal Planner  
Donald Anthony, Principal Planner  
Dianna Tomlin, Principal Planner  
Carolyn Jaco, Recording Assistant  
David Ives, Assistant City Attorney  
Ram Balachandran, Assist. Transp. Dir.  
Michele Emerson, Project Engineer  
Cey Chase-Aguzzi, Engineer in Training  
Brad Barbee, Landscape Site Plan Inspect.

**Chairman Bob Lamb called the meeting to order after determining there was a quorum. The minutes of the June 20, 2018, Planning Commission meeting were approved as submitted.**

## **Consent Agenda**

**Chairman Bob Lamb read the following items to be considered for approval.**

**Pebblecreek, Section 3 [2018-2041] final plat for 31 lots on 10.99 acres zoned PRD located along Sandstone Circle, Star Land Company, LLC developer.**

**The Very Idea [2018-2057] final plat for 1 lot on 0.56 acres zoned CH located along West College Street and West Burton Street, Brandon Poss developer.**

**Spring Creek, Section 1, Phase 1 [2018-2058] final plat for 23 lots on 4.39 acres zoned PRD located along Asbury Lane, Beazer Homes, LLC developer.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

Spring Creek, Section 1, Phase 2 [2018-2059] final plat for 24 lots on 4.54 acres zoned PRD located along Asbury Lane, Beazer Homes, LLC developer.

The Reserve, Section 8 [2018-2060] final plat for 62 lots on 25.14 acres zoned RS- 12 located along Pheasant Run Trail and Dallas Court, Salem Creek Partnership, LLC developer.

Three Rivers, Section 8 [2018-2061] final plat for 40 lots on 11.96 acres zoned PRD located along Leatherwood Drive and Kellner Drive, Star Land Co., LLC developer.

Northfield Village, Resubdivision of Lots 1 and 2 [2018-2062] final plat for 3 lots on 5.59 acres zoned PCD located along West Northfield Boulevard and Sulphur Springs Road, HWS Partnership developer.

Villas at Evergreen Farms - Alysheba Run ROW Dedication [2018-2065] final plat for the dedication of Alysheba Run ROW on 1.05 acres zoned PRD located south of Perlino Drive, Evergreen Farms Development, Inc. developer.

Waite Industrial Park, 2nd Resubdivision of Lot 9 (Lot 9D) [2018-2066] final plat for 1 lot on 2.39 acres zoned CH located along Northwest Broad Street, Bradshaw Properties, LLC developer.

Doug Young Public Safety Training Center [2018-2067] final plat for 1 lot on 8.79 acres zoned RM-16 located along Bridge Avenue, City of Murfreesboro developer.

Sheffield Park, Section 6, Phase 2 [2018-2069] final plat for 41 lots on 10.22 acres zoned PRD located along Lantern Lane, Beazer Homes Corporation developer.

Perlino Drive ROW Dedication [2018-2071] final plat on 0.44 acres zoned PRD to dedicate Perlino Drive ROW located west of Alysheba Run, City of Murfreesboro developer.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

Westwind, Section 4, Phase 2 [2018-2073] final plat for 43 lots on 11.58 acres zoned RS-8 located along Drysdale Drive, Cornerstone Development, LLC developer.

The Crossings of Three Rivers, Section 1 [2018-2074] final plat for 27 lots on 8.66 acres zoned PRD located along Ashers Fork Drive, Three Rivers, LLC developer.

Brookhaven Place Lots 2 and 3 [2018-3056] site plan for 20,819 ft<sup>2</sup> mixed retail and restaurant center on 2.87 acres zoned CH located along Memorial Boulevard, Kathy Nobles developer.

Racetrac [2018-3105] site plan for 5,411 ft<sup>2</sup> convenience store with fuel sales on 2.29 acres zoned L-I located along New Salem Highway and Warrior Drive, Racetrac Petroleum Inc. developer.

Generals Landing, Section 2 [2018-1025] preliminary plat for 9 lots on 16.04 acres zoned PRD located along West Thompson Lane, Blue Sky Construction developer.

General's Landing Townhomes, Phase 2 [2018-3099] site plan for 90 units on 24.1 acres zoned PRD located along West Thompson Lane, Blue Sky Construction developer.

John N. Jenkins Lot 4 [2018-3084] site plan for 7,160 sf retail building with drive-thru restaurant on 1.5 acres zoned CH located along South Church Street, KMJII, LLC developer.

T-Mobile [2018-3098] site plan for 160-foot tall telecommunication facility for 1,235 square feet on 4.73 acres zoned PCD located at 2615 South Rutherford Boulevard, EcoSite developer.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

Site for Sore Eyes [2018-3093] site plan for 6,759 sf optical dispensary building on 1.9 acres zoned PUD (Victory Station PUD, Parcel D, Lot 2) located along Franklin Road, Site for Sore Eyes, LLC developer.

Mandatory Referral [2018-710] to consider the abandonment of a drainage easement south of Robert Rose Drive, Dorris Jernigan applicant.

Mandatory Referral [2018-712] to consider the abandonment of a drainage easement south of Manson Pike, Chris Weigand applicant.

Mandatory Referral [2018-713] to consider the abandonment of a sanitary sewer and water line easement along the south side of East Main Street, Matt Taylor applicant.

Mandatory Referral [2018-714] to consider the abandonment of a drainage easement west of Folcroft Drive, Matt Taylor applicant.

Ms. Kathy Jones made a motion to approve the consent agenda, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

## **Gateway Design Overlay**

St. Thomas Rutherford Tower addition & OR expansion [2018-3081 & 2018-6012] final design & site plan review for 98,008 ft<sup>2</sup> addition to an existing hospital located on 68.4 acres zoned L-I & GDO-3 at 1700 Medical Center Parkway, St. Thomas Rutherford Hospital developer. Ms. Jennifer Garland made known she would be abstaining from all discussion and vote regarding this site plan.

Ms. Margaret Ann Green began by describing the final design review for phase 2 of an expansion of St. Thomas Rutherford Hospital. The site is zoned L-I (Light Industrial District), Gateway Design Overlay District (GDO) and PSO (Planned Signage Overlay District). Phase 1 included construction of a new clinical decision unit next to the emergency department with 25 exam



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

rooms. Phase 2 consists of the vertical expansion of the patient tower (west) with 72 patient rooms. The final elevation of the hospital tower would be 8 floors with the 6th and 7th floors being finished and the 8th floor unfinished. Also, on the Gateway Boulevard side of the campus, there would be a 2-story addition with ground level support space, storage space, and more operating rooms on the second floor. The total new building square footage is approximately 98,008, with an increase of the building height from 122 feet, 8 inches to 140 feet. The proposed building materials would match the existing materials. There are no new materials being proposed.

Continuing, Ms. Green made known this plan would include a parking lot addition which has been designed to meet the GDO standards. The construction, the materials and fence for this site has been addressed within the interior.

Mr. John Coke, Mr. Rob Whitson and Mr. Thomas Roddy were in attendance to represent the applicant. Mr. Coke came forward to explain the design of the new roofline that has been simplified and it being cost effective. The new design would be more prominent than the original roof design.

Ms. Green explained the new roofline would be a change that would be noticeably different once the new addition was completed.

**Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion passed. There was one abstention made by Ms. Jennifer Garland.**

**Robert Rose Village West Lot 1 (McAlister's Deli) [2018-3090 & 2018-6014] final Design & site plan review for modifications to an existing 6,235 ft2 restaurant on 1.8 acres zoned CH & GDO-1 located at 2357 Medical Center Parkway, Southern Rock Restaurants developer.**

Ms. Margaret Ann Green began by describing the final design & site plan review for changes to an existing restaurant located at 2357 Medical Center Parkway. The proposed plan is for

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

modifications to the exterior design of the building, changes in colors and roof materials and colors. Also proposed is to add an additional outdoor dining area to the front of the building along Medical Center Parkway. The site is the previous location of the Peter D's restaurant that was approved to have 226 seats within the building (exclusive of outdoor dining area). The proposed McAlister's is to have 174 indoor seats and 50 outdoor dining seats. The site plan indicates there are 112 regular, off-street parking spaces, which is the minimum number of parking spaces.

Mr. Matt Taylor was in attendance to represent the applicant.

Ms. Margaret Ann Green made known the applicant's proposed signs do not comply with the City's Sign Ordinance. The applicant should continue working with Building and Codes Department regarding their signage.

**Mr. Eddie Smotherman made a motion to approve subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.**

**Vanderbilt University Medical Center [2018-3096 & 6015] initial design and site plan review for 37,500 square foot medical office on 13.7 acres zoned MU & GDO-3 located along Garrison Drive, Vanderbilt University Medical Center developer.** Ms. Margaret Ann Green began by describing the initial design review for a new 37,500 square foot medical office located along Garrison Drive and Northfield Boulevard. The proposed use "medical office" is permitted by right within the MU and GDO-3 districts. The proposed building is a single-story (approximately 19 feet) and has architecture features that are approximately 28-feet. Staff encourages the developer to develop a multi-story building to be compatible with the existing office campus. The developer is proposing to develop this site in three phases, with a future phase being multi-story.

In addition, Ms. Green explained part of this project includes the City of Murfreesboro constructing the new West Northfield Boulevard extension. The City would be building a major



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

arterial street with this property; towards Thompson Lane. This arterial street would not include a bridge at this time. After construction of the arterial street it should bring relief for Broad Street.

Continuing, Ms. Green made known the applicant had not provided a master plan with their proposal. After discussing with City Administration and with the applicant a master plan must be provided before final design review. Also, before final design review, the applicant should address GDO criteria standards such as the following:

- Provide details for the six-foot mechanical screen.
- Provide a define base that should be 24 inches for a one-story building. The building should provide a define base, body and cap.
- Provide information regarding the future phases to their building.
- The building would be a four-sided architecture building being on a corner lot. The building should address the two fronts and the service area.

Mr. Jeff Hooper and Mr. Doug Kramer were in attendance to represent the applicant. Mr. Doug Kramer came forward to explain the façade of the building having two different color brick materials. He explained the proposed dark brick portion of the building would create a seal line with the windows to create a base. While designing this structure they had placed the 24-inch base to the building; however, they feel it did not improve the building. Therefore, they are proposing a long one-story building. They propose to break up the verticality of the building with height, windows and landscaping. The landscaping would obscure the base of the building.

The Planning Commission addressed the proposed colors for the building and the proposed glass being all the way down to ground level. The building should include a masonry base. In addition, the base to the proposed columns should be improved. The Planning Commission expressed their concerns regarding the proposed dark brick color and requested for a material board be provided before final design review.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

Ms. Jennifer Garland made a motion to approve subject to all staff comments, including adjusting the plan to a 24-inch base to the building, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

**Murfreesboro Gateway Subdivision [2018-1024] master plan and preliminary plat for 4 lots on 29.37 acres zoned MU and GDO-3 located along Garrison Drive, Vanderbilt University Medical Center developer.** Ms. Margaret Ann Green began by describing the master plan and preliminary plat review for 4 lots on 29.4 acres zoned MU & GDO-3. These lots would be part of the Murfreesboro Gateway Subdivision. Each of the proposed lots meets the minimum lot size requirements.

Chairman Bob Lamb wanted to know if the new West Northfield Boulevard extension on this property would remain or would there be a new name for this arterial street. Mr. Blomeley answered, he feels it would be given a different street name. Broad Street would be a natural break and a good location for a transition for a new street name.

**Mr. Warren Russell made a motion to approve subject to all staff comments, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.**

**Fortress Square [2018-3104] final design/site plan review for outdoor dining area for an existing commercial center zoned CH & GDO-1 located at 1144 John R Rice Blvd., Beaty Properties developer.** Ms. Margaret Ann Green began by describing the final design & site plan review for the addition of an outdoor dining area to a commercial center which is currently under construction and is located at 1144 John R Rice Boulevard. The proposed use “restaurant” is permitted within the CH and GDO-1 districts. A Starbucks is being proposed on the north side of the building which the applicant has requested adding an outdoor area. They would like to narrow the landscape area to add pavement, railing and furniture.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

Continuing, Ms. Green stated staff had suggested for the applicant to consider for their design regarding the outdoor dining area to be adjacent to the parking spaces opposed to being by the drive isles at the drive thru area. However, the applicant does not want to make these changes. The applicant has proposed to install a fence along their perimeter. Staff has made known the safety concerns for the outdoor dining area being beside a drive isle. Mr. Eddie Smotherman wanted to know if a sidewalk space would be between the drive isle and the fence.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor came forward explaining the outdoor dining area was not exactly on the drive isle it would be set back two feet. This is Starbuck's standard. Ms. Green asked if it would be two feet concrete then a fence? Mr. Taylor answered yes.

Chairman Bob Lamb wanted to know if a Battleground monument would be added to this site. Mr. Matt Taylor answered yes, it has been incorporated with those from the Stones River Battlefield to place an accurate monument.

**Ms. Jennifer Garland made a motion to approve subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.**

**Jernigan Property Grading Plan [2018-3094] grading plan for 6.21 acres on Robert Rose Drive zoned CH and GDO-1, applicant Dorris and Bobby Jernigan.** Ms. Dianna Tomlin began by describing the grading of 6.21 acres located south of Robert Rose Drive, just south of the Oaks shopping center. The subject property is zoned CH and GDO-1. The developer wishes to do property maintenance and site grading. The developer has not submitted a master plan as required and one would be expected in the future prior to the issuance of any site development. Staff recommends approval of plan subject to all staff comments.

**Mr. Eddie Smotherman made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

## **Plats and Plans**

**The Greatness Factory [2018-3042] site plan for 5,225 ft<sup>2</sup> office and assembly space on 1.74 acres zoned PUD located along Luke Court, Micheal Burt Enterprises LLC developer.** Ms.

Margaret Ann Green began by describing the site plan review for a 5,225 square-foot office and assembly space on 1.7 acres located on the north and east side of Luke Court in the Victory Station development. The property is zoned PUD and has access to Luke Court. The proposed building would have a height of two stories, and the exterior would consist primarily of fiber-cement siding and glass. The Planning Commission approved a site plan for The Greatness Factory in November 2017. The applicant has located a new site for the business; and submitted a site plan in April 2018. The Planning Commission should include conditions for approval subject to addressing all staff comments.

**Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**Kingdom Ridge Commercial, Section 1, Phase 1 [2018-1026] master plan and preliminary plat for 1 lot on 1.06 acres zoned CH located along Covenant Boulevard and Franklin Road, Swanson Development, LP developer.** Mr. Donald Anthony began by describing the master

plan and preliminary plat review for one lot on 1.06 acres located at the southwest corner of the intersection of Franklin Road and Covenant Boulevard. The property is zoned CH. The proposed lot meets the minimum lot size for the zoning district.

**Mr. Ken Halliburton made a motion to approve the master plan and preliminary plat subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.**



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

**The Learning Center at Berkshire [2018-1027 & 3101] preliminary plat and site plan for 15,648 ft2 daycare center on 2.43 acres zoned PCD located along Blackman Road, Cornerstone Development LLC developer.** Mr. Donald Anthony began by describing the preliminary plat and site plan review for a 15,648, square foot daycare center on 2.43 acres located along the east side of Blackman Road, approximately 600 feet north of the intersection of Blackman Road and Veterans Parkway. The property is part of the Berkshire PCD subdivision. Per page 13 of the approved Berkshire pattern book [2012-423], daycare center is a permitted use in the commercial portion of the subdivision. The site would have access to Blackman Road. Proposed building materials include brick (primary) and cementitious siding (secondary). Proposed building height is 26 feet (one story).

**Ms. Kathy Jones made a motion to approve the preliminary plat subject to all staff comments, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.**

**Ms. Kathy Jones made a motion to approve the site plan subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**The Learning Center at Berkshire [2018-2068] final plat for 1 lot on 2.43 acres zoned PCD located along Blackman Road, Cornerstone Development, LLC developer.** Mr. Matthew Blomeley began by describing the final plat review for The Learning Center at Berkshire commercial subdivision located along Blackman Road. The property is zoned PCD. The purpose of this plat is to create a 1-lot subdivision.

**Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

**Spring Creek Amenity Center (Phase 1B) [2018-3095] amended site plan for swimming pool and 856 ft2 cabana building on 0.42 acres zoned PRD located along Portwood Drive, Beazer Homes, LLC developer.**

Mr. Matthew Blomeley began by describing the site plan review for the amenity center for the Spring Creek development. The amenity center was originally included in the Spring Creek Townhomes Section 1 site plan that was approved by the Planning Commission in 2017. The developer is seeking to flip the location of the pool and cabana so that the pool is close to the public street. The cabana also has a smaller footprint than what was depicted on the original site plan. In addition, the applicant has incorporated a splash pad between the pool and cabana. A mail kiosk would be added which was required as part of the PRD zoning plan. Mr. Blomeley made known staff has requested for additional landscaping along the north and west side of the amenity center.

**Mr. Eddie Smotherman made a motion to approve subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

**Waite's Creek Crossing, Sections 1 and 2 [2018-1015] master plan and preliminary plat for 123 lots on 18.1 acres zoned RS-A (Type 1) located along Ashers Fork Drive, David Taylor and Holly Stacey developer.**

Mr. Matthew Blomeley began by describing the master plan and preliminary plat review for 84 lots on 16.9 acres zoned RS-A1. 34 of those lots are for zero-lot line structures, meaning that once they are subdivided, there would be a total of 123 lots.

Continuing, Mr. Blomeley made known staff has additional concerns which should be addressed before final approval as being the following:

- There had been a commitment made by the Waite family to leave a tree preservation easement along the eastern border with the Spence Creek Estate subdivision. This is the area where the single-family lots are being proposed and the area identifies the tree preservation area. However, the property labeled CF does not show the tree preservation easement which had been identified all the way to New Salem Highway.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

- There is a detention pond shown on the plans that goes north towards the single-family lots. Staff wants to make certain the detention pond honors the tree preservation easement.
- Tree protection measures should be reviewed and approved by Mr. Brad Barbee, Urban Environmental Department.
- Mr. Joey Smith, Director of Solid Waste Department, has requested no parking be permitted in the alley area and requested no parking signs be placed along the alley area. Prohibited parking in the narrow alleyways would provide adequate room for the solid waste trucks to maneuver properly. The prohibited parking in alleyways would be enforced by the Home Owners Association.
- Due to the density of the subdivision staff has requested for additional guest parking areas. The applicant has provided guest parking along the north and south of the property. Staff would like to see a landscape plan for the northern guest parking area.
- There is a large area of wetland which the applicant is creating a paved trail system around the wetland area. What type of materials would be used for the trail system?
- Staff has requested for additional landscaping be provided at the two different common areas located at Ashers Fork Drive and south at Blackwater Drive.

Mr. Bill Huddleston and Mr. David Taylor were in attendance to represent the applicant.

Chairman Bob Lamb wanted to know if the City had design standards in place to address alleyways such as rib and curbs in the alleyways? Would the HOA control the lighting in the alleyways? Mr. Blomeley answered he would look further on addressing design standards for alleyways.

Ms. Jennifer Garland asked if the Design Guidelines addresses ratio as a way to calculate guest parking? Mr. Blomeley answered no, the applicant had been encouraged to provide the information. The plan meets the minimum parking requirements. However, due to the density of this subdivision and the reliance of the garages staff would like to have additional information

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

regarding guest parking. This being a zero-lot line subdivision the Zoning Ordinance requires a fifty-foot, right-of-way, with a correspondence thirty-foot pavement width to accommodate on street parking.

Mr. Eddie Smotherman voiced his concerns whether standards are in place to determine green space had been provided in lieu of space being around the houses for density purposes. Is there a certain amount of green space that should be useable; if it is a swamp area it is not useable green space. Mr. Blomeley answered yes. The Zoning Ordinance recommends an acreage ratio per acre of the entire tract of property. The proposed walking trail around the wetlands would be a good use to enjoy nature. However, the residents would not be able to use the wetlands for outdoor play due to the conditions. Mr. Smotherman commented, wetlands is not a good area for children to play. If the land is not useable he does not see this area as being green space. Mr. Blomeley made known a development of this size, the Zoning Ordinance calculates there should be one acre of active green space which would be the pavilion area and tot lot area. The walking trails around the wetlands would be an addition to what is required.

Ms. Jones voiced her concerns with the guest parking being so far away from the homes in this development. She feels there should be pocket guest parking. Chairman Bob Lamb agreed.

Mr. Bill Huddleston was in attendance to represent the applicant. Mr. Huddleston came forward to explain there were two guest parking areas; in addition, there are two car garages with two car parking spaces being a total of four spaces for each unit. Also, there are thirty-six-foot-wide curb to curb pavement which would allow on street parking. Mr. Blomeley made known before final plats are signed staff would make certain each plat addresses garages are to be used for vehicle use only. The Home Owners Association covenants would enforce the use of garages.

**Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.**



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

**Storplace at Memorial [2018-3086] site plan for 91,350 ft2 self-service storage facility on 2.02 acres zoned CH located along Memorial Boulevard, Ed Freeman developer.**  
**WITHDRAWN**

## **New Business**

**Mandatory Referral [2018-711] to consider the abandonment of a right-of-way located along Williams Drive, RBN Gateway Properties applicant.** Ms. Margaret Ann Green began by describing the subject right-of-way consists of a segment of Williams Drive right-of-way. This segment of right-of-way is part of a hammerhead turnaround located at the terminus of Williams Drive. The owner/developer of Lot 5, of the Parkway Office Park has requested to abandon this portion of right-of-way.

Staff would conduct a right-of-way abandonment study. The impacts of this right-of-way abandonment request appear to be minimal. If the Planning Commission wishes to recommend approval of this request, Staff recommends that it be subject to the following conditions:

- 1) The applicant would be responsible for providing the City Legal Department any necessary documentation to prepare the quitclaim deed. In addition, the applicant would be responsible for recording the quitclaim deed.
- 2) A plat depicting the abandonment and relocation of the subject property must be recorded.
- 3) Utility easements must be dedicated, as needed, to accommodate any existing utilities, including water and sewer mains.

**Mr. Eddie Smotherman made a motion to schedule a public hearing on August 1, 2018, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

**Zoning application [2018-425] for approximately 4.9 acres located along Old Lascassas Road and Greenland Drive from RS-15 & RM-16 to PUD (College Pointe Center), Rajesh Aggarwal applicant.** Ms. Margaret Ann Green began by describing the subject property located

along the east side of Old Lascassas Road and north of Greenland Drive. The property includes 4 parcels and a portion of fifth parcel and has an area of approximately 4.9 acres. The parcels are identified by the Rutherford County Assessor as:

- ☐ Tax Map 090G Group B Parcel 013.00
- ☐ Tax Map 090G Group B Parcel 014.00
- ☐ Tax Map 090G Group B Parcel 015.00,
- ☐ Tax Map 090G Group B Parcel 016.00,
- ☐ Tax Map 090G Group B Parcel 013.00

The properties located along Greenland Drive are zoned RS-10 (single-family residential district) and developed with single-family house. The properties to the north are zoned RM-16 and is developed several apartment complexes. The properties across Old Lascassas Road are zoned CL (Local Commercial District) and PCD (Greenland Liquors). MTSU and its campus are across Greenland Drive and zoned CU (College University District).

The applicant wishes to rezone the property to PUD (Planned Unit District) to allow the development of a commercial and multi-family residential development on the subject property. The proposed PRD is referred to as College Pointe Center.

Mr. Clyde Rountree was in attendance to represent the applicant. Mr. Rountree came forward stating, this development would be setting the tone for a corridor. Phase One, the applicant is ready to begin with apartments off of Old Lascassas Highway and the retail component on the corner of Greenland Drive. Currently, the holdup for the future phases are the three adjacent properties along Greenland Drive. The applicant is prepared to acquire the land if it becomes



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

available. The applicant proposes similar architect as “The Boulevard” with a commercial two-story building with a street scape orientation. Lastly, the applicant’s program book has provided the uses and prohibited uses with this proposal.

**Mr. Eddie Smotherman made a motion to schedule a public hearing on August 1, 2018, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

**Zoning application [2018-424] for approximately 2 acres located along East Northfield Boulevard to be rezoned from RS-15 to RS-A Type 2, Four Corners of Tennessee LLC applicant.** Mr. Donald Anthony began by describing the subject property located along the north side of East Northfield Boulevard, west of Pitts Lane and east of Deerwood Avenue. The property consists of a 2-acre parcel identified by the Rutherford County Assessor as Tax Map 081J, Group C, Parcel 1.00. The property is currently zoned RS-15.

## **Request for Rezoning to RS-A Type 2**

The applicant requests rezoning to RS-A Type 2 (Single-Family Attached, Suburban Townhouse) for the subject property. The RS-A Type 2 zoning district allows a maximum density of 12 dwelling units per acre. Minimum setbacks are 35 feet on the front, 20 feet on the rear, and 5 feet on the sides. Maximum building height is 35 feet. Permitted residential uses include single-family detached and single-family attached.

## **Adjacent Zoning and Land Uses**

Adjacent zoning includes RM-16 on the south and RS-15 on the north, west, east, and southeast. Adjacent land uses include: the McKinley Place single-family residential subdivision on the north; the Chariot Pointe apartment complex on the south; the Quail Run single-family residential subdivision on the west; the Northfield Boulevard Church of Christ facility on the east, and the Kingdom Hall facility on the southeast. Wellington Place, a zero-lot line residential development with RS-A Type 1 zoning, is located along the south side of East Northfield Boulevard, west of the subject property. Fountain Plaza, a commercial shopping center with CF zoning, is located

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

along East Northfield Boulevard and Lascassas Pike, approximately one-quarter mile east of the subject property.

## **Future Land Use Map**

The Murfreesboro 2035 Land Use Plan indicates that Public / Institutional is the most appropriate land use for the subject property. The property was designated as Public / Institutional due to it being owned by a religious organization at the time the Land Use Plan was created. Per page 4.26 of Murfreesboro 2035, the Public / Institutional designation includes development types such as: municipal and other government buildings; public safety facilities; schools, colleges, and universities; hospitals and medical centers; cemeteries; Murfreesboro Municipal Airport; Middle Point Landfill; Sinking Creek Wastewater Treatment Plan; water towers; and Rutherford County Jail. The applicant's rezoning request does not appear to be consistent with the Land Use Plan's recommendation. The applicant should discuss how the proposed rezoning would support the goals of Murfreesboro 2035, and the Planning Commission should consider the impacts that such a rezoning would have on the Land Use Plan.

Mr. Rob Molchan was in attendance to represent the applicant.

**Mr. Ken Halliburton made a motion to schedule a public hearing on August 1, 2018, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**Annexation plan of services and annexation petition [2018-507] for approximately 2.58 acres located along Spring Cove Drive and Tombee Court, Christopher and Karen Yonge applicant.** Mr. Dianna Tomlin began by describing the requested parcel located to the north of Spring Cove Drive. The subject parcel, which is approximately 1.1 acres in area, consists of one single-family home located in the Spring Cove Subdivision. The property owners had filed a written petition to have this parcel annexed into the City limits due to a failing septic tank. They wish to hook on to City sewer and, in order to do so, their property must be annexed. Also included in the study area are two separate segments of Spring Cove Drive right-of-way totaling



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

approximately 930 linear feet and 1.07 acres and an approximately 360' long segment of Tombee Court right-of-way totaling approximately 0.41 acres. The total study area, including rights-of-way, is 2.58 acres. The study area is located within the City's Urban Growth Boundary. In addition, it is contiguous with the existing City limits on all sides except for its east side.

Staff would be preparing a plan of services, for the Planning Commission's review prior to the public hearing. No companion zoning request has been submitted to the City. As such, if the property is annexed, it would receive an interim zoning classification of RS-15 (Single-Family Residential District 15).

**Mr. Warren Russell made a motion to schedule a public hearing on August 1, 2018, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.**

**Annexation plan of services and annexation petition [2018-506] for approximately 9.98 acres located along Veterans Parkway, Barfield Baptist Church applicant.** Mr. Matthew Blomeley began by describing the study area, which consists of a single parcel addressed as 550 Veterans Parkway, located along the north side of Veterans Parkway adjacent to Southridge subdivision. The subject parcel, which is approximately 9.98 acres in area, is mostly undeveloped but does contain a single-family residence and several accessory structures. Barfield Baptist Church, whose currently facility is located at 1033 Barfield Church Road, purchased the property in 2016 with the intention of constructing a new church facility there. The church has filed a written petition to have this parcel annexed into the City limits. The study area is located within the City's Urban Growth Boundary. In addition, it is contiguous with the existing City limits on its south side, as the right-of-way of Veterans Parkway in front of the subject property located within the City limits. No additional right-of-way is included in the study area.

Staff would be preparing a plan of services, for the Planning Commission's review prior to the public hearing. There is no companion zoning request to accompany the annexation petition. As

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

such, if annexed, the property would receive an interim zoning classification of RS-15 (Single-Family Residential District 15).

**Mr. Eddie Smotherman made a motion to schedule a public hearing on August 1, 2018, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.**

**Zoning application [2018-423] for approximately 4.5 total acres to be rezoned from RS-A Type 1 to P, and approximately 13 acres to be rezoned from RS-15 to P, located along New Salem Highway and Warrior Drive, Mark Pirtle Gateway, LLC and City of Murfreesboro applicants.** Mr. Matthew Blomeley began by describing the subject property located along the south side of New Salem Highway, east of Barfield Road and south of Riverwatch Court. The properties to be rezoned consist of four parcels:

<b>Ownership</b>	<b>Parcel ID</b>	<b>Acreage</b>	<b>Zoned</b>
Mark Pirtle Gateway, LLC	102-54 07-000	12.98	RS-15
City of Murfreesboro	102-056 06.000	0.45	RS-A1
City of Murfreesboro	102-056 05.000	3.34	RS-A1
City of Murfreesboro	113-005 11.000	0.75	RS-A1

## **Request for Rezoning to P**

Property owner, Mark Pirtle Gateway, LLC, is donating the 12.98-acre parcel to the City of Murfreesboro to be used as a public park. This parcel contains what is commonly known as Farmer Lake. The other three parcels are developed with the Stones River Greenway. The four parcels are located in the floodway of the West Fork of the Stones River, adjacent to the dam at New Salem Highway. The City and Mr. Pirtle request rezoning of the parcels from RS-15 and RS-A1 to Park (P), consistent with the existing and proposed uses of the property



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

## **Adjacent Zoning and Land Uses**

Adjacent zoning includes: CH to the north; RM-16 and RS-15 to the east; RS-A1 to the south; and unincorporated Rutherford County single-family to the west. Adjacent land uses include: vacant parcel proposed for development of a Dunkin Donut shop; vacant land and single-family residences to the east; continuation of the Stones River and floodway to the south; and single-family homes and a telecommunication tower to the west. On the north side of New Salem Highway are properties zoned and developed as LI and C-H.

## **Future Land Use Map**

The future land use map of the *Murfreesboro 2035* Comprehensive Plan indicates that Park is the most appropriate land use for the subject property. Per page 4.27 of *Murfreesboro 2035*, the Park/Open Space category includes municipal public parks, outdoor recreation areas, and open spaces that have been committed to public or private enjoyment and recreational pursuits. The proposed rezoning is consistent with the future land use map of the *Murfreesboro 2035* Comprehensive Plan.

**Mr. Eddie Smotherman made a motion to schedule a public hearing on August 1, 2018, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.**

**Proposed amendments to the Zoning Ordinance regarding Sections 7, 9, 24, 26, 27, and 31 and Chart 1 Endnotes [2018-802]; pertaining to updating various references in the Zoning Ordinance to the Murfreesboro Water Resources Board, the Development Services Division/Director, and the Public Works Division, City of Murfreesboro Planning Department applicant.** Mr. Donald Anthony began by making known over the last year the City of Murfreesboro has been making several structural changes to position titles to address department demands and responsibilities. These changes require updating the Zoning Ordinance to reflect all changes as being the following:

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

## **Zoning Ordinance Revision Overview**

This revision to the Murfreesboro Zoning Ordinance is intended to reflect recent structural changes enacted by the Murfreesboro City Council. These changes include the renaming of the Murfreesboro Water and Sewer Department and Board and the creation of the Development Services and Public Works divisions. The proposed Zoning Ordinance revision would affect the nomenclature of City departments and the assignment of certain responsibilities to the new divisions.

### **A. Renaming of Water and Sewer Department**

In 2017, the City of Murfreesboro changed the name of the Water and Sewer Department to Water Resources Department. Likewise, the name of the Water and Sewer Board was changed to Water Resources Board. The proposed Zoning Ordinance revision would reflect these changes, updating all references to the department and board to *Water Resources Department* and *Water Resources Board*.

### **B. Responsibilities Delegated to Development Services Division**

In June 2018, the Murfreesboro City Council adopted a budget for fiscal year 2019. The budget included structural changes that allowed the Planning Department, Building and Codes Department, and portions of the Engineering and Urban Environmental Departments to be grouped together in a new Development Services Division. This new division would allow the plans review process to be handled in a more efficient and customer-focused manner. The proposed Zoning Ordinance revision would reassign certain duties designated to existing departments and positions to the Development Services Division.

### **C. Responsibilities Delegated to Public Works Division**

The City of Murfreesboro is also in the process of grouping public works-related departments and functions together in a new Public Works Division. This division would include portions of the Engineering and Urban Environmental Departments. The proposed Zoning Ordinance revision



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

would reassign certain duties currently assigned to the Urban Environmental Department, Urban Environmental Director, City Horticulturalist, and City Engineer to the Public Works Division.

Mr. Sam Huddleston explained, Mr. Craig Tindell has a scheduled meeting on July 19, 2018, in the Council Chambers at 4:00 p.m. to provide information regarding organizational structure to all City departments specifically Development Services. This information would be provided soon to the Planning Commission.

**Mr. Ken Halliburton made a motion to schedule a public hearing on August 1, 2018, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

## **Staff Reports and Other Business**

**Zoning application [2018-421] for approximately 6.8 acres located along Dill Lane to be rezoned from RS-10 to RS-A (Type 2), JCT Contracting, LLC applicant.**

Chairman Bob Lamb made known he would be abstaining from all discussion and vote regarding this zoning application.

Mr. Matthew Blomeley explained the Murfreesboro Water Resource Department had not confirmed if there is sewer capacity in place to serve this proposed development. Mr. Blomeley explained that he had contacted the applicant to make known it would not be appropriate to move forward with the zoning application until there is confirmation from the Water Resource Department. In addition, this could take several months to study. The applicant has agreed to an indefinite deferral until a study has been completed by the Water Resource Department; therefore, Mr. Blomeley requested for this proposal be deferred.

**Mr. Ken Halliburton made a motion to defer, seconded by Ms. Kathy Jones. There was one abstention made by Chairman Bob Lamb. The motion passed for a deferral.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 18, 2018

There being no further business the meeting adjourned at 2:40 p.m.

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**Chairman**

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**Secretary**

**MB: cj**



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

7:00 PM

Council Chambers

## **Members Present**

Kathy Jones, Chairwoman  
Warren Russell  
Eddie Smotherman  
Ken Halliburton  
Jennifer Garland

## **Staff Present**

Donald Anthony, Planning Director  
Matthew Blomeley, Assist. Plan. Dir.  
Margaret Ann Green, Principal Plan.  
Dianna Tomlin, Principal Planner  
Marina Rush, Principal Planner  
Carolyn Jaco, Recording Assistant  
David Ives, Deputy City Attorney  
Sam Huddleston, Dev. Services Dir.

Mr. Donald Anthony called the meeting to order after determining there was a quorum.

Mr. Anthony made known both the Chair and Vice Chair were unable to attend tonight's meeting; therefore, the Planning Commission would need to elect a Chair pro tem for this meeting.

Mr. Ken Halliburton made a motion to nominate Ms. Kathy Jones as Chair pro tem, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

## **Public Hearings.**

Mandatory Referral [2018-711] to consider the abandonment of a right-of-way located along Williams Drive, RBN Gateway Properties applicant. Ms. Margaret Ann Green began by describing the subject right-of-way consists of a segment of Williams Drive right-of-way. This segment of right-of-way is a very small portion of Williams Drive located at a previously anticipated intersection. Due to a change

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

in the street connectivity to the adjacent Fountains development, this small portion of right-of-way is no longer needed, and staff has instructed the applicant to request abandonment. This request is consistent with a previously approved right-of-way abandonment for the adjacent Lot 5A.

Staff had conducted a right-of-way abandonment study which the results had been provided in the agenda packet. The impacts of this right-of-way abandonment request appear to be minimal. If the Planning Commission wishes to recommend approval of this request, staff recommends that it be subject to the following conditions:

- 1) The applicant would be responsible for providing the City Legal Department any necessary documentation to prepare the quitclaim deed. In addition, the applicant would be responsible for recording the quitclaim deed.
- 2) A plat depicting the abandonment and relocation of the subject property must be recorded.
- 3) Utility easements must be dedicated, as needed, to accommodate any existing utilities, including water and sewer mains.

Mr. Eddie Smotherman wanted to know if this street would eventually become a complete through street or would there be another road that would connect to this street. Ms. Green stated the public street would end at this location and transcend to a private road that would connect to “The Fountains” development.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

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

Mr. Eddie Smotherman made a motion to approve the mandatory referral, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Zoning application [2018-420] for approximately 4.9 acres located along Old Lascassas Road and Greenland Drive from RS-15 & RM-16 to PUD (College Pointe Center), Rajesh Aggarwal applicant. Ms. Margaret Ann Green began by describing the subject property located along the east side of Old Lascassas Road and north of Greenland Drive. The property includes 4 parcels and a portion of a fifth parcel being an area of approximately 4.9 acres. The parcels are identified by the Rutherford County Assessor as:

- ▣ Tax Map 090G Group B Parcel 013.00
- ▣ Tax Map 090G Group B Parcel 014.00
- ▣ Tax Map 090G Group B Parcel 015.00,
- ▣ Tax Map 090G Group B Parcel 016.00,
- ▣ Tax Map 090G Group B Parcel 013.00

The properties located along Greenland Drive are zoned RS-10 (single-family residential district) and developed with single-family houses. The properties to the north are zoned RM-16 and are developed with several apartment complexes. The properties across Old Lascassas Road are zoned CL (Local Commercial District) and PCD (Greenland Liquors). MTSU and its campus are across Greenland Drive and zoned CU (College University District).

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

The applicant wishes to rezone the property to PUD (Planned Unit District) to allow the development of a commercial and multi-family residential development on the subject property. The proposed PRD is referred to as College Pointe Center.

The *Murfreesboro 2035* Land Use Plan indicates that Urban Commercial/Mixed-Use (UC) is the most appropriate land use for the subject property. Downtown typifies what is envisioned for the density and intensity of development within the Urban Commercial/Mixed-Use land use classification. The Downtown retains the historic fabric and design of a traditional mixed-use, central business district. This urban environment is characterized by taller, larger buildings that occupy most if not all of the site and are set at the street edge with parking largely on-street and in structures, with reduced common surface parking lots. Sidewalks are scaled for pedestrian rather than automobile use, and original buildings with historic or design significance have been mostly well-preserved.

**The Comprehensive Plan identifies the following Characteristic:**

- Streets and other public spaces framed by buildings with zero/minimal front setbacks, creating “architectural enclosure.”
- Greatest site coverage. Multi-story structures encouraged.
- Most conducive for pedestrian activity and interaction, with public plazas and pocket parks providing green space amid an urban environment, and a place to gather and host community events.
- Structured and on-street parking.
- Low-density residential uses, and industrial uses should not be permitted within the UC land use classification.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

## **The Allowed Uses are:**

- Intensive, urban character with a multiplicity of uses, including multi-family residential, entertainment, restaurants, department stores and other retail, general and professional offices, hotels.

## **Development Type: Mixed-Use, Lifestyle Center:**

- Promotes regional pedestrian-oriented, mixed-use centers with integrated, complementary uses; with convention/assembly and/or parks and public spaces that draw visitors from surrounding neighborhoods and communities within the region.

## **Density/Height Guidelines:**

These permitted development densities and intensities are recommended so that innovative and flexible site design can provide density to encourage neotraditional planning concepts.

- Ranges from 2.0-4.0 FAR (approx. 70 DU/acre or 60-150 residents/acre), of which up to 0.75 FAR can be office or commercial /up to eight (8) stories.

Mr. Clyde Rountree was in attendance to represent the applicant. Mr. Rountree came forward stating this is a high-profile corner being in relation to M.T.S.U. and the City of Murfreesboro. This development is the beginning of shaping the future for Greenland Drive and Old Lascassas Highway. Mr. Rountree begin a power point presentation to make known the details from the applicant's program book.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Mr. Halliburton wanted to know if this proposal would be done in phases? What would the undeveloped corner lot look like until it was developed? Would it appear as a blank green lot? Mr. Rountree answered, it would appear as a park like setting until a structure is built. Ms. Green stated this could be added into the applicant's program book if the Planning Commission makes the request for the green lot to appear as a park like setting until it is developed.

Ms. Kathy Jones asked, since there are no users for the commercial building at this time, "how would square footage be addressed for a possible restaurant user to meet the parking requirements?" Ms. Green explained, due to not knowing whether or not a restaurant would be a user in the commercial building it would change the parking requirements. The applicant would need to ask for an exception to meet the minimum standards for parking which should be written in the applicant's program book. Ms. Jones wanted to know if the parking for the commercial area known as phase two could use the parking area known as phase one? Ms. Green answered, the applicant would be using parking spaces from phase one for phase two. In addition, she made known the allowable uses and the prohibited uses for this application has been provided in the applicant's program book on page 14. Mr. Rountree made known the maximum square footage for a restaurant would be up to 5,000 square feet which would meet the minimum parking requirements.

Chairwoman Kathy Jones opened the public hearing.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Mr. Bill Patterson 1215 Raleigh Court - requested for the area zoned CH (Commercial Highway) to be removed from this application until there is a confirmed user for this property and for the future properties the applicant is attempting to acquire.

Chairwoman Kathy Jones closed the public hearing.

The Planning Commission began discussing the zoning proposal. They feel this being a planned development makes known what would be permitted and what type of uses would be allowable for the property verses it being bulk zoning. In addition, being a planned development, it would start a presence for future developments along Greenland Drive.

Mr. Ken Halliburton made a motion to approve subject to all staff comments including the corner lot becoming a green park like setting until it is developed, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

Annexation plan of services and annexation petition [2018-507] for approximately 3.2 acres located along Spring Cove Drive and Tombee Court, Christopher and Karen Yonge applicant. Ms. Dianna Tomlin began by describing the requested parcel located to the north of Spring Cove Drive. The subject parcel, which is approximately 1.1 acres in area, consists of one single-family home located in the Spring Cove Subdivision. The property owners have filed a written petition to have this parcel annexed into the City limits due to a failing septic tank. They wish to connect to City sewer and, in order to do so, their

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

property must be annexed. Also included in the study area are two separate segments of Spring Cove Drive right-of-way totaling approximately 1,290 linear feet and 1.48 acres and an approximately 500' long segment of Tombee Court right-of-way totaling approximately 0.57 acres. The total study area, including rights-of-way, is approximately 3.15 acres. The study area is located within the City's Urban Growth Boundary. In addition, it is contiguous with the existing City limits on all sides except for its east side.

Staff had prepared a plan of services, which had been provided in the agenda packet. Considering the vicinity of the subject property relative to the existing City limits and City services, the annexation should be relatively easy to effect.

There is no accompanying rezoning application; therefore, the subject property would be zoned RS-15 (Single-Family Residential District 15) upon annexation and the current residential use is permitted by right in this zone.

Chairwoman Kathy Jones opened the public hearing.

Mr. Christopher Yonge and Ms. Karen Yonge 4734 Spring Cove Drive - the applicants came forward to request approval regarding their annexation request for City sewer needs. Mr. Yonge stated he had spoken with Ms. Valerie Smith, in the Water Resources, regarding this request. After their discussion he agreed to grant a future easement to the joining property owner if they should ever move forward to request City sewer needs.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Mr. Brian McQuiston 4520 Tombee Court – made known he has a wooded lot with trees all the way up to the roadway. He has concerns whether or not sidewalks would be added in this area?

Chairwoman Kathy Jones closed the public hearing.

Mr. Sam Huddleston came forward stating the “City Standards Street Section” would include sidewalks if the street was ever reconstructed. In addition, if sidewalks were built in this area they would be built in the public rights-of-way, not on private property. However, at this time the City does not have immediate plans to improve the roadways or adding sidewalks with this annexation request. Mr. Warren Russell made a motion to approve the annexation plan of services and annexation petition subject to all staff comments, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

*Mr. Matthew Blomeley began by announcing Mr. Gary Whitaker’s recent promotion to Assistant City Manager and Mr. Sam Huddleston’s recent promotion to Executive Director for Development Services, the Planning Director position has filled. Mr. Blomeley made known that Mr. Donald Anthony has recently been promoted as Planning Director. Mr. Anthony has been with the Murfreesboro Planning Department since 2015. He is a graduate from the University of Memphis, with a Master’s Degree in Planning. He has served and worked in several communities, such as Conway Arkansas, City of Memphis, and as a Planning Supervisor with the City of Franklin before he came to Murfreesboro. Over the last three years Mr. Anthony has made great contributions to the Planning Department. He is always knowledgeable, a great individual to bounce ideas with, and a joy to work with. We are proud to announce Mr. Donald Anthony as our new Planning Director.*



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Annexation plan of services and annexation petition [2018-506] for approximately 9.98 acres located along Veterans Parkway, Barfield Baptist Church applicant. Mr. Matthew Blomeley began by describing the study area, which consists of a single parcel addressed as 550 Veterans Parkway, located along the north side of Veterans Parkway adjacent to Southridge subdivision. The subject parcel, which is approximately 9.98 acres in area, is mostly undeveloped but does contain a single-family residence and several accessory structures. Barfield Baptist Church, whose current facility is located at 1033 Barfield Church Road, purchased the property in 2016, with the intention of constructing a new church facility there. The church had filed a written petition to have this parcel annexed into the City limits. The study area is located within the City's Urban Growth Boundary. In addition, it is contiguous with the existing City limits on its south side, as the right-of-way of Veterans Parkway in front of the subject property located within the City limits. No additional right-of-way is included in the study area.

Staff had prepared a plan of services, which had been provided in the Planning Commission agenda packet. It details the manner in which services would be provided to the subject parcel upon annexation. Of note, in the property's current condition, the existing structures cannot be provided fire protection services by the Murfreesboro Fire and Rescue Department (MFRD) due to insufficient driveway access and lack of a fire hydrant. Either the existing structures would need to be demolished prior to the effective date of annexation or the following steps would need to be completed prior to the effective date of

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

annexation subject to the inspection and approval of the City Fire Marshal as being the following:

- the driveway would need to be widened to a minimum of 20' and a fire hydrant would need to be installed on-site to serve the existing structures at a location to be approved by the City Fire Marshal.

There is no companion zoning request to accompany the annexation petition. As such, if annexed, the property would receive an interim zoning classification of RS-15 (Single-Family Residential District 15). A special use permit from the Board of Zoning Appeals must be granted prior to the construction of an institutional group assembly use, such as a church facility, in the RS-15 zone.

In addition, Mr. Blomeley made known there were ongoing details from the Water Resource Department to provide sewer for this property and possibly for future properties in the area. After contacting the church's representative earlier today to make known the Water Resource Department would like to study this area further to address the sewer issues for this property and possibly for future properties in the area. Therefore, the applicant has agreed to defer action indefinitely. In addition, due to the public hearing being advertised for this meeting the Planning Commission should conduct a public hearing for this annexation request.

Mr. Nathan Melson was in attendance to represent the applicant.

Chairwoman Kathy Jones opened the public hearing.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Mr. Chris Martin came forwards stating that he lives at 2502 Barfield Road and he would be representing his property his mother whom lives at 4012 Barfield Road – he feels the church would be an asset to the community. However, if for whatever reason the church chooses to not construct a new structure and place the property up for sale, what would be allowed on the property?

Chairwoman Kathy Jones closed the public hearing.

Mr. Blomeley made known if the property was ever annexed into the City the applicant would be required to go before the Board of Zoning Appeals for approval of a special use permit and the applicant would have to comply with the new Design Guidelines. As far as selling the property whether it being in the County or whether it being in the City and the applicant decides not to develop the property it would have the zoning classification as RS-15. The City cannot guarantee the selling of properties.

Mr. Eddie Smotherman made a motion to approve to defer, seconded by Mr. Warren Russell. The motion was unanimous in vote to defer.

Zoning application [2018-423] for approximately 4.5 total acres to be rezoned from RS-A Type 1 to P, and approximately 13 acres to be rezoned from RS-15 to P, located along New Salem Highway and Warrior Drive, Mark Pirtle Gateway, LLC and City of Murfreesboro applicants. Ms. Marina Rush began by describing the subject property located along the south side of New Salem Highway, east of Barfield Road and south of Riverwatch Court. The properties to be rezoned consist of four parcels:



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Ownership	Parcel ID	Acreage	Zoned
Mark Pirtle Gateway, LLC	102-054 07-000	12.98	RS-15
City of Murfreesboro	102-056 06.000	0.45	RS-A1
City of Murfreesboro	102-056 05.000	3.34	RS-A1
City of Murfreesboro	113-005 11.000	0.75	RS-A1

## Request for Rezoning to P

Property owner, Mark Pirtle Gateway, LLC, is donating the 12.98-acre parcel to the City of Murfreesboro to be used as a public park. This parcel contains what is commonly known as Farmer Lake. The other three parcels are developed with the Stones River Greenway. The four parcels are located in the floodway of the West Fork of the Stones River, adjacent to the dam at New Salem Highway. The City and Mr. Pirtle request rezoning of the parcels from RS-15 (Single-Family Residential District 15) and RS-A1 (Residential Single-Family Attached District, Zero-Lot Line) to P (Park), consistent with the existing and proposed uses of the property.

## Adjacent Zoning and Land Uses

Adjacent zoning includes: CH to the north; RM-16 and RS-15 to the east; RS-A1 to the south; and unincorporated Rutherford County single-family to the west. Adjacent land uses include: vacant parcel proposed for development of a Dunkin Donut shop; vacant land and single-family residences to the east; continuation of the Stones River and floodway to the south; and single-family homes and a telecommunication tower to the west. On the north side of New Salem Highway are properties zoned and developed as L-I and C-H.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

## Future Land Use Map

The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that “Park” is the most appropriate land use for the subject property. Per page 4.27 of *Murfreesboro 2035*, the “Park/Open Space” category includes municipal public parks, outdoor recreation areas, and open spaces that have been committed to public or private enjoyment and recreational pursuits. The proposed rezoning is consistent with the future land use map of the *Murfreesboro 2035 Comprehensive Plan*.

Chairwoman Kathy Jones opened the public hearing.

Ms. Loraen Ehrhardt 1055 Warrior Drive – has concerns with the Park being beside her property because part of her property is in the middle of the river. She feels the Park would create liability issues if the public comes on to her property or her in her back yard. What would be included with the Park, such as a pavilion, playground, etc.?

Ms. Kleda Brooks 1045 Warrior Drive – has concerns with a Park because part of her property is in the middle of the river. Currently, there are numerous occasions when the public has used their back yards for personal enjoyment. The police had suggested to place “No Trespassing” signs on their property. She does not know how the public would stay off their property and who would be liable with this area being a Park? She feels there has not been enough information provided for this request.

Chairwoman Kathy Jones closed the public hearing.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Ms. Marina Rush began to address the concerns that had been expressed. Ms. Rush stated, at this time, there are no amenities proposed just rezoning for the current land use. The amenities at this time is the trailhead on the west side of the property. Any future site plans would be brought to the Parks and Recreation Department for their review and approval.

Mr. Sam Huddleston came forward to explain the access to the river is a pending donation from Mr. Pirtle. The map provided would become City owned property with a portion of the property being underwater in the river. The two property owners that spoke are right by making known a portion of their property deeds go into the center of the river. The balance of the river would be the City owned property. Across the river is the Stones River Greenway Phase 3. In addition, the City has in place the Green Way, Blue Way, Bike Way, Master Plan. The Blue Way has been anticipated for this area as being a park facility to compliment access to the river and the greenway trail network. West Fork Stones River is water of the State which means it can be used for navigation. There is an established right to use the river for navigation and for recreation. However, the adjacent land owners whose property is part of the river and if the public uses the property owners land for their own personal use it is considered trespassing.

Continuing, Mr. Huddleston explained that Mr. Pirtle had made an agreement to provide some improvements to this Park area such as an access drive, parking and a trail that would match the concept for the Blue Way river access that would complement the City's long-term vision for the area. There is no rezoning of properties other than what is being shown on the map. Mr. Eddie Smotherman



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

stated there were no plans in place or design for this proposal to go across the back of private properties. The plan would be in the area of the back and side of the apartments which are currently under construction.

Mr. Matthew Blomeley commented the proposed use is permitted by right whether it's current zone as RS-15 or Park. In addition, Park is consistent zoning with the current Land Use Plan.

Mr. Huddleston made known there was a 50-foot strip of property behind the apartments which is riverbank. This area preserves the riverbank as a buffer and provides an opportunity to create a better walking trail in this area. Mr. Ken Halliburton wanted to know how does the City limit access to private property? Mr. Huddleston explained staff would be aware of the impacts with the adjacent properties by providing design elements such as landscaping, buffers, private property signage, etc. We would be on alert to these issues when site plans are submitted. If problems occur on the adjacent properties it would become a police matter.

Mr. David Ives made known the Park would extend towards the existing dam at Highway 99W. Highway 99W is being rebuilt and the bridge would also be rebuilt. The City of Murfreesboro would be working with TDOT to attempt to make some improvements around the dam to facilitate recreation water use.

**Mr. Warren Russell made a motion to approve subject to all staff comments including measures to be in place to deter the public by staying off of private property, seconded by Mr. Ken Halliburton.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Zoning application [2018-424] for approximately 2 acres located along East Northfield Boulevard to be rezoned from RS-15 to RS-A Type 2, Four Corners of Tennessee LLC applicant.

Ms. Kathy Jones announced she would be abstaining from all discussion and vote regarding this zoning application.

Mr. Donald Anthony began by describing the subject property located along the north side of East Northfield Boulevard, west of Pitts Lane and east of Deerwood Avenue. The property consists of a 2-acre parcel identified by the Rutherford County Assessor as Tax Map 081J, Group C, Parcel 1.00. The property is currently zoned RS-15.

## **Request for Rezoning to RS-A Type 2**

The applicant requests rezoning to RS-A Type 2 (Single-Family Attached, Suburban Townhouse) for the subject property. The RS-A Type 2 zoning district allows a maximum density of 12 dwelling units per acre. Minimum setbacks are 35 feet on the front, 20 feet on the rear, and 5 feet on the sides. Maximum building height is 35 feet. Permitted residential uses include single-family detached and single-family attached.

## **Adjacent Zoning and Land Uses**

Adjacent zoning includes RM-16 on the south and RS-15 on the north, west, east, and southeast. Adjacent land uses include: the McKinley Place single-family residential subdivision on the north; the Chariot Pointe apartment complex on the south; the Quail Run single-family residential subdivision on the west; the

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Northfield Boulevard Church of Christ facility on the east, and the Kingdom Hall facility on the southeast. Wellington Place, a zero-lot line residential development with RS-A Type 1 zoning, is located along the south side of East Northfield Boulevard, west of the subject property. Fountain Plaza, a commercial shopping center with CF zoning, is located along East Northfield Boulevard and Lascassas Pike, approximately one-quarter mile east of the subject property.

## **Future Land Use Map**

The *Murfreesboro 2035* Land Use Plan indicates that Public/Institutional is the most appropriate land use for the subject property. The property was designated as Public/Institutional due to it being owned by a religious organization at the time the Land Use Plan was created. Per page 4.26 of *Murfreesboro 2035*, the Public/Institutional designation includes development types such as: municipal and other government buildings; public safety facilities; schools, colleges, and universities; hospitals and medical centers; cemeteries; Murfreesboro Municipal Airport; Middle Point Landfill; Sinking Creek Wastewater Treatment Plant; water towers; and Rutherford County Jail. The applicant's rezoning request does not appear to be consistent with the Land Use Plan's recommendation. The applicant should discuss how the proposed rezoning would support the goals of *Murfreesboro 2035*, and the Planning Commission should consider the impacts that such a rezoning would have on the Land Use Plan.

Mr. Matt Taylor, Mr. Rob Molchan, Mr. P.J. McElyea & Mr. Josh Loy were in attendance to represent the applicant. Mr. Matt Taylor came forward to present



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

the concept plan for the zoning application requests by making known the following:

- The applicant proposes 21 townhomes.
- The design orientation for the buildings would be in front of the property along Northfield Boulevard.
- A Type B buffer would be required along the western and northern boundaries beside the single family detached homes that would include perimeter trees and foundation plantings.
- Pedestrian friendly sidewalks along Northfield Boulevard.
- Each unit would have a fenced in patio to create an outdoor courtyard.
- One access point on Northfield Boulevard. The access point would line up with the existing median and a drive way entrance on the south side of Northfield Boulevard. In addition, the application would be constructing a left turn lane into this site.
- An entry signage with landscaping at the base would be located at the single access point.
- Each unit would be part of the Horizontal Property Regime act.
- The Home Owners Association would manage all external features such as parking, landscaping and exterior of the buildings.

Continuing, Mr. Taylor stated a neighborhood meeting had been conducted over four weeks ago. They had mailed out approximately 60 letters in which 25 – 30 people participated the neighborhood meeting. As the result of the meeting they have made several changes to the plan such as:

- Downsized the three-story product to being two-story buildings.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

- Increased the landscape buffer on the back of the property.
- Pushed the buildings further away from the McKinley Place subdivision and further away from properties along the west side of their property.
- Bulk zone would meet all RS-A Type 2 for masonry building requirements, density and parking.
- These units would be for sale units.
- They feel they have met the 2035 Comprehensive Plan by creating an appropriate transition from Northfield Boulevard, with the area apartments and subdivisions.

Mr. Eddie Smotherman wanted more information regarding the turnaround area at the back of the proposed buildings? In addition, would there would be any plans for a detention pond on the property? Mr. Matt Taylor explained the drive in the back of the property is known as a hammerhead turnaround area. To address the stormwater for this property there is an existing system on Northfield Boulevard they plan to connect with. In addition, they propose bioretention uses such as pavers in the parking lot. Mr. Smotherman wanted to know why this property had not been considered as a Planned Residential Development verses bulk zoning. Mr. Taylor explained they had discussed both options; however, due to the size of the property, the shape, the limitations, would not allow more than what is being proposed. For the RS-A Type 2 zone there are requirements in place, and the Design Guidelines. They feel the protection is in place for development on this piece of property. If the Planning Commission feels a Planned Residential Development is more favorable they would be willing to re-evaluate that option.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Chair Kathy Jones opened the public hearing.

1. Mr. Michael Payne 1601 E. Northfield Boulevard – opposes this request. He feels this development would increase traffic and would not improve their neighborhood. He does not want people overlooking onto his property from a two-story building. He requested to keep the current zone.
2. Ms. Sara Shirley 1723 McKinley Place – came forward making known she was representing McKinley Place subdivision. She provided a letter from the neighborhood stating their opposition and requested for the property to remain as RS-15.
3. Mr. David Wells 1522 Belle Oaks Drive – opposes this request. He has concerns with apartments/condos being on this property. He requested for the property to remain as RS-15, because people prefer houses to live in.
4. Mr. Wayne Carlisle & Mrs. Sharon Carlisle 1710 McKinley Place – opposes this zoning request. They requested for the property remain as RS-15. In addition, they feel this is considered as illegal spot zoning. The proposed cul-de-sac would create issues such as high volume of traffic that would need to turnaround on the property, headlights spilling over onto their property, pollution, noise, and the units becoming rental property. Mr. Carlisle provided a letter to make known their opposition.
5. Mr. Conrad Camp 1714 McKinley Place – opposes this request. He made known he owns five apartment complexes in Murfreesboro. He stated, there is no need for more apartments in Murfreesboro today. There are a thousand apartment units available off of I24. He does not want a



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

multifamily unit in his backyard which would decrease property values over the years.

6. Mr. Jeff Stark 1723 McKinley Place – feels this proposal is inconsistent with the approved 2035 Comprehensive Plan and the Murfreesboro 2035 Land Use Map. He opposes this zoning request it is not consistent with the area neighborhood.
7. Mr. Louis Wenish 1707 McKinley Place – opposes this zoning request. He has concerns regarding setbacks, no garages, how would emergency vehicles maneuver on this property, there would be vehicles parked along the street, and the units would become rental properties.
8. Mr. Myron Blackburn and Mrs. Lisa Blackburn 1715 McKinley Place – opposes this zoning request. They feel it is not consistent with the area neighborhood. In addition, it would create environmental issues and safety issues such as traffic congestion, increase in stormwater runoff, light pollution and noise pollution. They requested for the property to remain as RS-15.
9. Mr. Lee Strode 1727 McKinley Place – opposes this zoning request it is not consistent with the area neighborhood. He requested for the property remain as RS-15, single family detached homes. This proposal is too high in density which would affect safety, environmental issues with additional pavement and removal of trees that would affect stormwater runoff.
10. Mr. Tom Tyner 2260 Pitts Lane – opposes this zoning request it is not consistent with the area neighborhood. Building multi-unit family housing would not enhance the quality of life in this area. He feels there are other

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

areas in Murfreesboro that would benefit from this type of development and he feels these other areas should be explored further before this lot is rezoned. There is not a housing shortage in this area he feels this is spot zoning. He provided information to be distributed to the Planning Commission requesting the property remain as RS-15.

11. Mr. Chip Montgomery 2042 Deerwood Ave. - made known he was representing the residents from Quail Run subdivision. He provided history with information regarding past zoning requests within this area. He stated this property is known to have conditions such as drainage problems and sinkholes. He made known the residents oppose this zoning request and this property should remain as RS-15.

12. Ms. Dorothy Murphy 2371 Pitts Lane - opposes this zoning request. What is beneficial for the City with this request? She feels the presence of RS-15 had been set when subdivisions had been developed in this area. She made known the history of the apartments that had been approved and developed across the street from this property were required to place their pool house and their swimming pool along Northfield Boulevard. This had been requested so the existing residents in the area would not be able to view the apartments that had been set back from the road. She feels the proposed units should not be permitted since this request is not consistent with the area subdivisions. She requested for RS-15 zoning be kept on this side of Northfield Boulevard.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

13. Ms. Cheri Montgomery 2042 Deerwood Ave. – opposes this zoning request. She feels this type zoning would be more appropriate towards M.T.S.U. and to keep the current zone of RS-15 for this property.

Chairwoman Kathy Jones closed the public hearing.

Mr. Donald Anthony began to address the concerns that had been mentioned regarding the neighborhood character. Whenever a new element of development is introduced into an existing neighborhood it can alter the character of the neighborhood. However, the RS-A Type 2, is a new zone that was approved a year ago. The Zoning Ordinance makes known RS-A Type 2, has different standards than some multi-family districts such as the architectural requirements being primarily masonry materials. Other materials such as EIFS, vinyl siding, wood siding, may be used as decorative or accent purposes and may constitute no more than twenty five percent of any façade. The building materials on any project zoned RS-A Type 2, would be of higher quality than what some may expect.

To address spot zoning, Mr. Anthony explained there are multiple definitions regarding spot zoning. During the public hearing some speakers referenced only one definition regarding spot zoning. In Staff's professional opinion after reviewing this particular request it had been determined that spot zoning is not an issue here. Regarding the request not being consistent with the 2035 Plan it has been known in staff comments this request is not consistent with the 2035 Plan. However, staff feels this request is not necessarily inappropriate to consider



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

a different use than what is recommended in the 2035 Plan. To address emergency vehicles, all emergency access must be accommodated with any development. During site plan process staff would assure the development meets all emergency access. Lastly, in the City of Murfreesboro this zoning request is not for an apartment development. The applicants are requesting townhouses which are a single-family attach unit. Every property owner has the right to come and seek rezoning for their property regardless of any previous agreements. The applicant had made an application to request rezoning their property which is what had been presented during this meeting.

Mr. Ken Halliburton stated the 2035 Plan is in place which has a purpose. However, there have been applications made that have been against the 2035 Plan and the Planning Commission had voted in favor to make changes. Those changes that were approved seemed to have been very good reasons for the requests. There are quality projects that have density in Murfreesboro such as the RS-A Type 2, that had been approved by the Planning Commission and City Council. Continuing, Mr. Ken Halliburton commented, due to the history of this property why did the applicant's not make a request for a Planned Residential Development with the assurances and guarantees that would address density? He made known he would be voting against the RS-A Type 2, application.

Mr. Eddie Smotherman commented this request is too much of a significant change to this property and for the neighborhood from RS-15 to RS-A Type 2. The neighborhood has matured, it is established, and the neighbor's expectations are not unrealistic. What is developed on this property should complement their

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

property. The RS-A Type 2, as presented, does not provide the guarantee that a Planned Residential Development would have. He has concerns with the emergency access and the one access from Northfield Boulevard.

Mr. Warren commented he understands the concerns regarding density. However, the Planning Commission must understand the City of Murfreesboro continues to grow and density is a part of the City as it grows. We have to view housing for the better of the whole community not just a singular sector.

Mr. Matt Taylor came forward to make a request to defer. He and the applicant would like to re-evaluate the plan as a Planned Residential Development to provide assurances to know exactly what would be built on this property even beyond what the ordinance requires.

Mr. Ken Halliburton commented he would only agree to a deferral if another public hearing would be conducted. Ms. Margaret Ann Green stated a defer requests would allow the applicant to come back with only modifications to their plan. She suggested the applicant withdrawal their request. Mr. Anthony agreed, if the applicant withdrew their application and came back with a different application as a Planned Residential Development it would be a different request and there would be a public hearing conducted as a Planned Residential Development.

**Mr. Ken Halliburton made a motion to deny the zoning application, seconded by Mr. Eddie Smotherman. There was one abstention made by Ms. Kathy Jones. The motion was unanimous in vote to deny.**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Proposed amendments to the Zoning Ordinance regarding Sections 7, 9, 24, 26, 27, and 31 and Chart 1 Endnotes [2018-802]; pertaining to updating various references in the Zoning Ordinance to the Murfreesboro Water Resources Board, the Development Services Division/Director, and the Public Works Division, City of Murfreesboro Planning Department applicant. Mr. Donald Anthony began by making known City Council and City Administration has initiated several structural changes to position titles for department demands and responsibilities. The proposed amendments to the Zoning Ordinance reflects the changes as being the following:

## **Zoning Ordinance Revision Overview**

This revision to the Murfreesboro Zoning Ordinance is intended to reflect recent structural changes enacted by the Murfreesboro City Council. These changes include the renaming of the Murfreesboro Water and Sewer Department and Board and the creation of the Development Services and Public Works divisions. This proposed Zoning Ordinance revision would affect the nomenclature of City departments and the assignment of certain responsibilities to the new divisions.

### **A. Renaming of Water and Sewer Department**

In 2017, the City of Murfreesboro changed the name of the Water and Sewer Department to Water Resources Department. Likewise, the name of the Water and Sewer Board was changed to Water Resources Board. The proposed Zoning Ordinance revision would reflect these changes, updating all references to the



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

department and board to *Water Resources Department* and *Water Resources Board*.

## **B. Responsibilities Delegated to Development Services Division**

In June 2018, the Murfreesboro City Council adopted a budget for fiscal year 2019. The budget included structural changes that allowed the Planning Department, Building and Codes Department, and portions of the Engineering and Urban Environmental Departments to be grouped together in a new Development Services Division. This new division would allow the plans review process to be handled in a more efficient and customer-focused manner. The proposed Zoning Ordinance revision would reassign certain duties designated to existing departments and positions to the Development Services Division.

## **C. Responsibilities Delegated to Public Works Division**

The City of Murfreesboro is also in the process of grouping public works-related departments and functions together in a new Public Works Division. This division would include portions of the Engineering and Urban Environmental Departments. The proposed Zoning Ordinance revision would reassign certain duties currently assigned to the Urban Environmental Department, Urban Environmental Director, City Horticulturalist, and City Engineer to the Public Works Division.

Chairwoman Kathy Jones opened the public hearing. No one came forward to speak for or against the proposed amendments to the Zoning Ordinance; therefore, Chairwoman Kathy Jones closed the public hearing.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 1, 2018

Mr. Eddie Smotherman made a motion to approve, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

## Staff Reports and Other Business

Mr. Matthew Blomeley asked the Planning Commission if they would prefer to have hard copies of the applicant's program books be available at the Planning Commission meetings or would they prefer the applicant's program books to be mailed to them? The Planning Commission agreed to have the hard copies of the applicant's program books be available at the meetings instead of being placed in the mailed.

The Planning Commissioners congratulated Mr. Donald Anthony as being the new Planning Director for the City of Murfreesboro

There being no further business the meeting adjourned at 9:45 p.m.

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Chairman

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Secretary

DA: cj