

# **CITY OF MURFREESBORO PLANNING COMMISSION AGENDA**

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

**November 7, 2018  
7:00 PM**

**Bob Lamb  
Chairman**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the September 19, 2018 Planning Commission meeting.**
- 4. Public Hearings:**
  - a. Zoning application [2018-434] for approximately 3.65 acres to be rezoned from CL and RM-16 to CF located along Halls Hill Pike, Bobby Kirby applicant. (project planner Dianna Tomlin).
  - b. Mandatory Referral/ROW Abandonment [2018-726] to consider the abandonment of a drainage easement and a segment of Cedar View Drive right-of-way, Larry Gilliland applicant. (project planner Margaret Ann Green)
  - c. Annexation Petition and Plan of Services [2018-511] for approximately 2.37 acres located along Manson Pike, Old Manson Pike, Manson Court, Lyle McDonald Court, Interstate 840, and Blackman Road, City of Murfreesboro Planning Department applicant. (project planner Marina Rush)
  - d. Zoning application [2018-435] for approximately 0.51 acres located along Blackman Road and Lyle McDonald Court to be zoned CH simultaneous with annexation, City of Murfreesboro Planning Department applicant. (project planner Marina Rush)
  - e. Mandatory Referral/ROW Abandonment [2018-725] to consider the abandonment of West Lytle Street and Barker Street rights-of-way, Matt Taylor applicant. (project planner Dianna Tomlin)

# **MURFREESBORO PLANNING COMMISSION AGENDA**

## **PAGE 2**

**November 7, 2018**

- f.** Proposed amendments to the Zoning Ordinance regarding Section 7, Site Plan Review[2018-807], pertaining to site plan review authority, City of Murfreesboro Planning Department applicant.
- g.** Proposed amendments to Murfreesboro 2035 regarding Map 4.2, Future Land Use [2018-805], pertaining to annual update to Future Land Use map, City of Murfreesboro Planning Department applicant.

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

- a.** Election of a Vice-Chair

### **6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 7, 2018  
PROJECT PLANNER: DIANNA TOMLIN**

**4.a. Zoning application [2018-434] for approximately 3.65 acres located along Halls Hill Pike to be zoned CF, Bobby Kirby applicant.**

The study area is located north of Halls Hill Pike and west of Woods Edge Dr. The property to be rezoned consists of two parcels:

Ownership	Parcel ID	Acreage	Current Zone	Requested Zone
Swanson Development LP	090 02003	1.9	CL	CF
Chen Zaisong	090 02004	1.7	RM-16	CF

Parcel 20.03 is presently occupied by a self-service storage facility. The owner of the self-service storage facility wishes to expand the business westward to parcel 20.04.

Adjacent Zoning and Land Uses

Adjacent land uses include: multi-family residential on the north; commercial on the west and south; and single-family residential on the east.

Adjacent zoning includes:

Zoning of Property abutting North	RM-16
Zoning of Property abutting South	County
Zoning of Property abutting East	County
Zoning of Property abutting West	CF

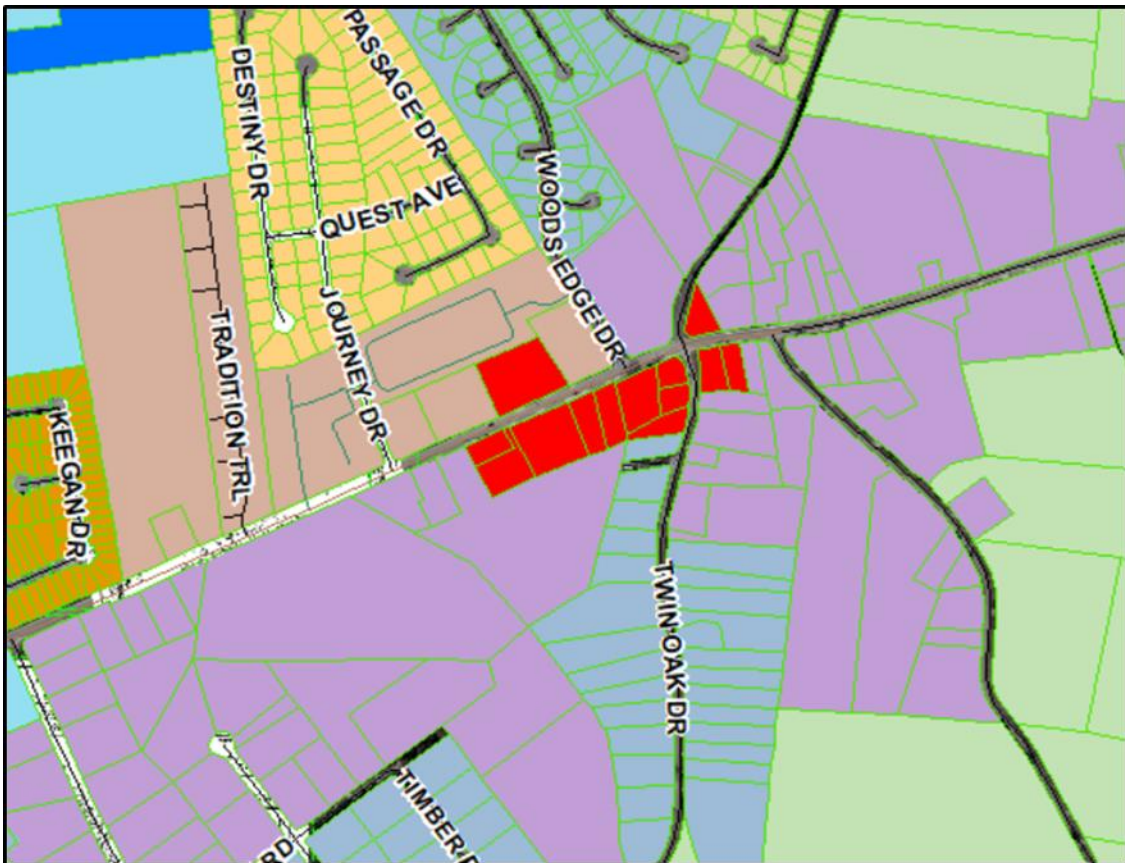
Request to Rezone Property to CF

The Commercial Local (CL) zoning category is intended to permit the development of residential, commercial retail, and personal services to serve the needs of a relatively small area. Commercial Fringe (CF) zoning is intended to allow retail development along highways and major arterials adjacent to residential development that would not be a nuisance. While CF zoning allows a wider array of commercial uses than CL zoning, CF does not allow residential uses.

## Future Land Use Map

The Future Land Use Map of the *Murfreesboro 2035* Comprehensive Plan indicates that Auto-Urban General Commercial is the most appropriate land use for the subject property. Per page 4.22 of *Murfreesboro 2035*, the Auto-Urban General Commercial category includes high density commercial uses, strip commercial centers, chain retail, and hotels. The proposed rezoning is consistent with the Future Land Use Map.

Class	Character	Aligned Zone	Current Zone	Proposed Zone
Auto Urban	General Commercial	CH, GDO, PCD	CL, RM-16	CF



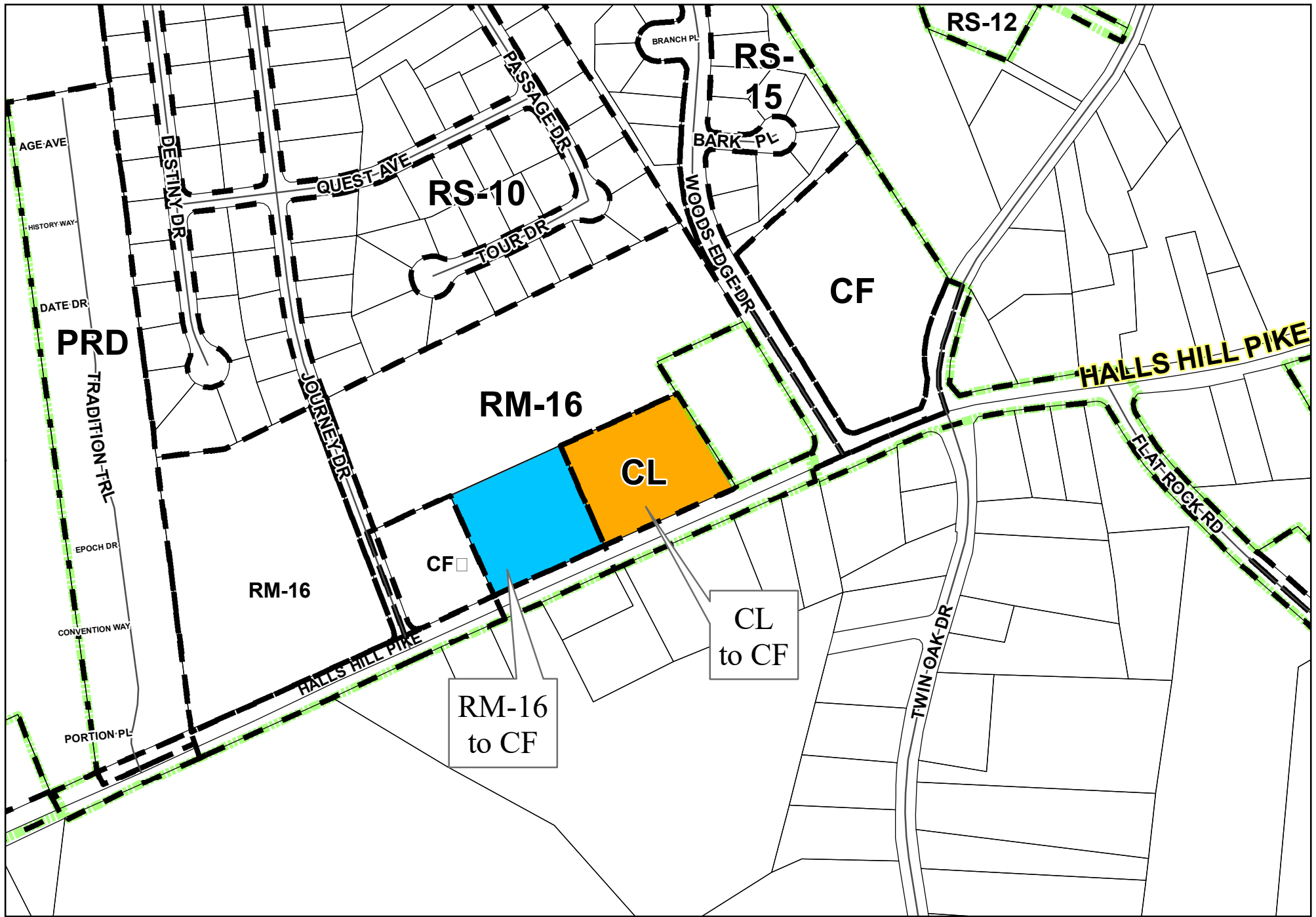
Existing Future Land Use Designation  
**Proposed** Future Land Use Designation  
Existing Zoning Map Designation  
**Proposed** Zoning Map Designation

General Commercial  
**NO CHANGE**  
CL, RM-16  
CF



### Public Hearing

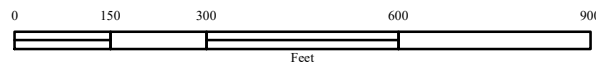
The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning. The Planning Commission should conduct a public hearing and formulate a recommendation for City Council.



## Rezoning Request for Property Along Halls Hill Pike CL to CF and RM-16 to CF



Path: Z:\planning\rezon\HallsHillPk10\_2018.mxd



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

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 17, 2018**

**PROJECT PLANNER MARGARET ANN GREEN**

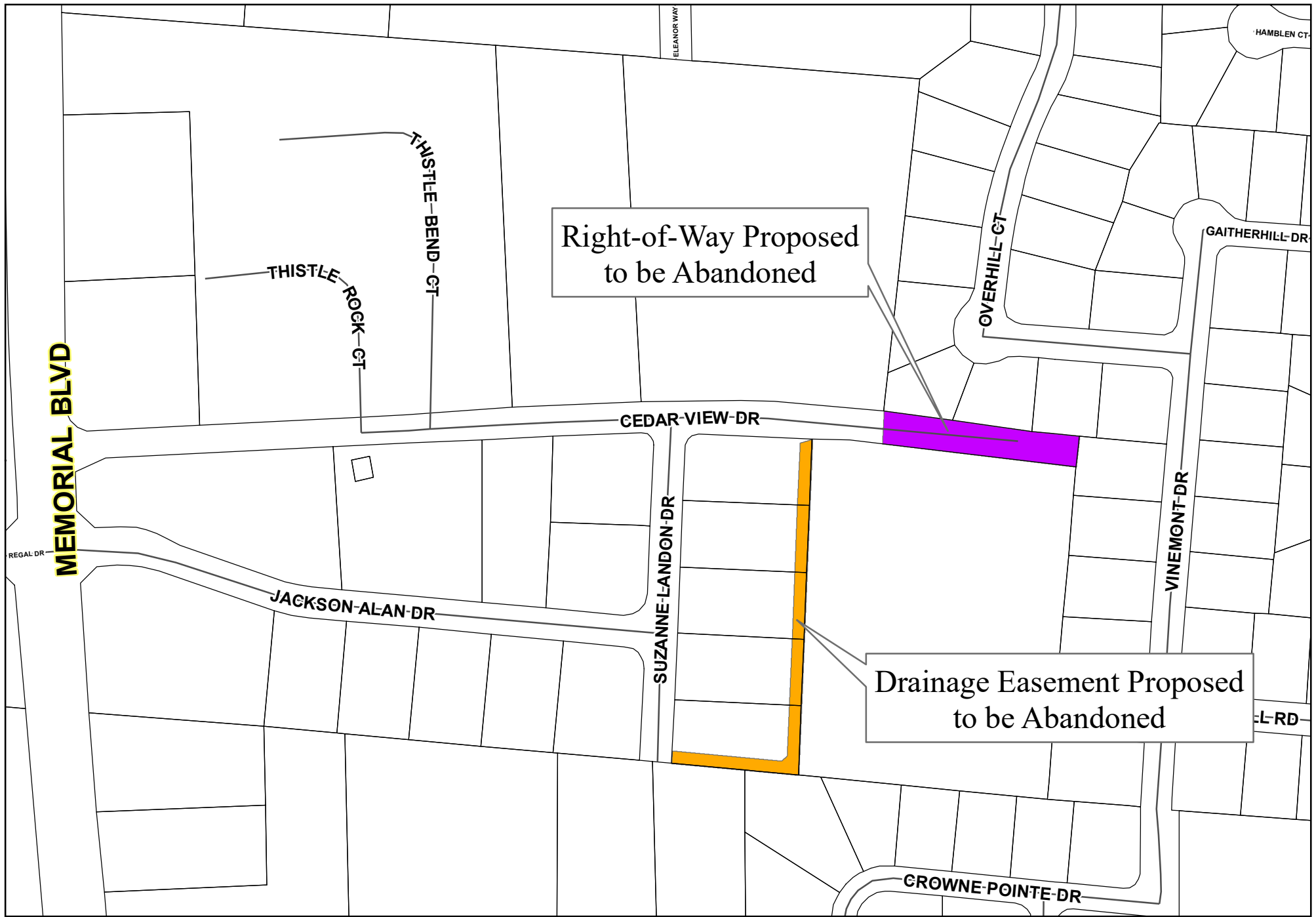
**4.b. Mandatory Referral/ROW Abandonment [2018-726] to consider the abandonment of a drainage easement and a segment of Cedar View Drive right-of-way, Larry Gilliland applicant. (project planner Margaret Ann Green)**

The City has received a right-of-way (ROW) abandonment request from Mr. Larry Gilliland for a 311 linear foot section of Cedar View Drive. The requested ROW is adjacent to an existing parcel that Mr. Gilliland recently purchased. This request also includes a request from Mr. Gilliland to consider abandoning a 20-foot wide drainage easement that runs along the properties. The City Engineer is comfortable with the redesign and relocation of the drainage infrastructure and the abandonment of this easement.

The subject right-of-way consists of a segment of Cedar View Drive right of way. This segment of right of way is a 311-linear feet segment of right-of-way that is located at the eastern terminus of Cedar View Drive. Due to a change in the street connectivity, this small portion of right of way is no longer needed. This request is consistent with the Villas of Regal Square PRD (2018-430) for which approval was recently recommended by the Planning Commission. Mr. Gilliland seeks to abandon excess ROW along Cedar View Drive in order to incorporate it into his parcel. The applicant intends to record a plat creating the new lot of record with the abandoned ROW.

Staff has conducted a right-of-way abandonment study, the results of which are attached in the form of a memo. The impacts of this right-of-way abandonment request appear to be minimal. Any approvals are subject to the applicant providing the City Legal Department any necessary documentation to prepare the quitclaim deed and for recording the quitclaim deed. A plat depicting the abandonment and relocation of the subject property must be recorded. And, utility easements must be dedicated, as needed, to accommodate any existing utilities, including water and sewer mains.

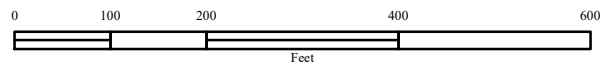
The Planning Commission will need to conduct a public hearing on the matter of the right-of-way abandonment request.



## Proposed Right-of-Way and Drainage Easement Abandonment Along Cedar View Drive



Path: Z:\planning\ROW Abandonment\CedarViewDrROW.mxd



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

# Memorandum

**To:** Donald Anthony, Planning Director  
**From:** Amelia Kerr, Planner  
**Date:** October 16, 2018  
**Re:** Right-of-way abandonment- 311 linear foot segment of Cedar View Drive (file 2018-726)

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Please find below a summary of the responses received regarding the captioned right of way abandonment. In summary, the impacts of the right-of-way abandonment appear to be minimal. It is necessary to retain easements for public utilities located within this area. Utility easements must be dedicated, as needed, to accommodate any existing utilities, including electric infrastructure and water mains

## **Public Works- Engineering & Street Department**

The Engineering Department has reviewed the right-of-way and drainage easement abandonment request for Villas at Regal Square Phase 2 and offer the following comments on behalf of the Engineering Department.

A pattern book has been submitted for the planned development and shows buildings located within the existing drainage easement. The request to abandon the drainage easement should be subject to submission and recording of a plat that relocates the easement as proposed by the applicant. The drainage easement abandonment and final plat recording should be done simultaneously.

The request to abandon right-of-way should be subject to submission and recording of a deed transferring the abandon right-of-way. The deed should reserve easements for public utilities.

In order to facilitate the abandonment process, the applicant should be prepared to provide legal descriptions and exhibits necessary for the City to draft the necessary legal documents as well as any recording fees. In addition, the right-of-way and drainage easement abandonments should be subject to the final approval of the legal documents by the City Attorney.

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

MED indicated they will need a 40-foot wide easement (20 feet each side of the pole line) for the electric facilities. (See attached map)

### **Murfreesboro Water Resources Department**

Along Cedar View Drive, within the request area, there is an existing 8-inch water main but no sewer main.

The Murfreesboro Water Resources Department requests that a 20-foot wide water easement be retained centered over the water main.

A legal description and exhibit will need to be submitted to the MWRD for review prior to Legal preparing the abandonment document.

### **Consolidated Utility District**

This project is not in CUD's service area.

### **Murfreesboro Police Department**

This abandonment will have no negative impact upon Police Services.

### **Murfreesboro Solid Waste Department**

This right away abandonment on Cedar View Drive will not impact the Solid Waste Department. We have to back down to service these homes now, due to the dead end street.

### **AT&T**

At the time this memo was prepared, AT&T did not provide a response.

### **Atmos Energy**

It does not appear from our maps that Atmos Energy has gas facilities in the area to be abandoned. Therefore, no easements will be required.

Property Description  
Landquestor, LLC  
Tax Map 69 E, Group "C"  
Part of Parcels 7.00, 8.00, 9.00, 10.00 & 11.00  
Record Book 1630, Page 3116

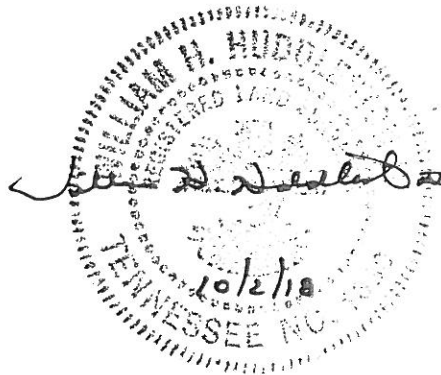
Abandonment of 20' Drainage Easement

Located in the 9th Civil District of Rutherford County, Tennessee. Bound on the north by Cedar View Drive; on the east by Matthew S. Bauer, etux (Deed Book 288, Page 41); on the south by Darwin D. Griva, etux (Deed Book 601, Page 718) and Marc N. Duffer (Record Book 721, Page 2987); and on the west by the remaining property of Landquestor, LLC (Record Book 1630, Page 3116) and Suzanne Landon Drive.

**Beginning** at a point in the east right-of-way at the southeast terminus of Suzanne Landon Drive, said point being the southwest corner of this easement; thence with the east right-of-way of Suzanne Landon Drive, N02°23'15"E, 20.02 feet to a point; thence leaving the east right-of-way of Suzanne Landon Drive into the property of Landquestor, LLC (Record Book 1630, Page 3116), S84°56'16"E, 172.25 feet to a point; thence continuing into said property, N48°36'40"E, 13.78 feet to a point; thence N02°09'37"E, 507.09 feet to a point in the south right-of-way of Cedar View Drive, being the northwest corner of this easement; thence with said right-of-way, S87°32'43"E, 20.00 feet to an iron pin, being Landquestor's northeast corner and the northeast corner of this easement; thence leaving the south right-of-way of Cedar View Drive with Landquestor's east line, S02°09'37"E, 538.02 feet to an iron pin, being the southeast corner of this easement; thence with the south line of Landquestor, LLC N84°56'16"W, 202.35 feet to the point of beginning, containing 0.33 acres, more or less.

This easement is subject to all other easements and/or restrictions either recorded or by prescription that a complete title search may reveal.

Prepared by:  
Huddleston-Steele Engineering, Inc.  
2115 Northwest Broad Street  
Murfreesboro, Tennessee 37129





## MEMORANDUM

**DATE:** October 15, 2018

**TO:** Amelia Kerr

**FROM:** Michele Emerson

**RE:** Right-of-Way and Drainage Easement Abandonment Villas at Regal Square

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In response to your October 9, 2018 request we have reviewed the right-of-way and drainage easement abandonment request for Villas at Regal Square Phase 2 and offer the following comments on behalf of the Engineering Department.

A pattern book has been submitted for the planned development and shows buildings located within the existing drainage easement. The request to abandon the drainage easement should be subject to submission and recording of a plat that relocates the easement as proposed by the applicant. The drainage easement abandonment and final plat recording should be done simultaneously.

The request to abandon right-of-way should be subject to submission and recording of a deed transferring the abandon right-of-way. The deed should reserve easements for public utilities.

In order to facilitate the abandonment process, the applicant should be prepared to provide legal descriptions and exhibits necessary for the City to draft the necessary legal documents as well as any recording fees. In addition, the right-of-way and drainage easement abandonments should be subject to the final approval of the legal documents by the City Attorney.

C: Sam Huddleston  
Chris Griffith  
Raymond Hillis  
David Ives



## Amelia E Kerr

---

**From:** Chris Barns <CBarns@medtn.com>  
**Sent:** Wednesday, October 10, 2018 7:25 AM  
**To:** Amelia E Kerr  
**Cc:** Engineering  
**Subject:** RE: [EXT] (2018-726) Cedar View Drive RoW  
**Attachments:** Cedar View Drive - Murfreesboro Electric.pdf; (2018-726)\_Cedar\_View-Dr\_ROW.PDF

Amelia,

Murfreesboro Electric will need a 40ft easement (20ft each side of the pole line) for our facilities. Please see attached pdf of our facilities.

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

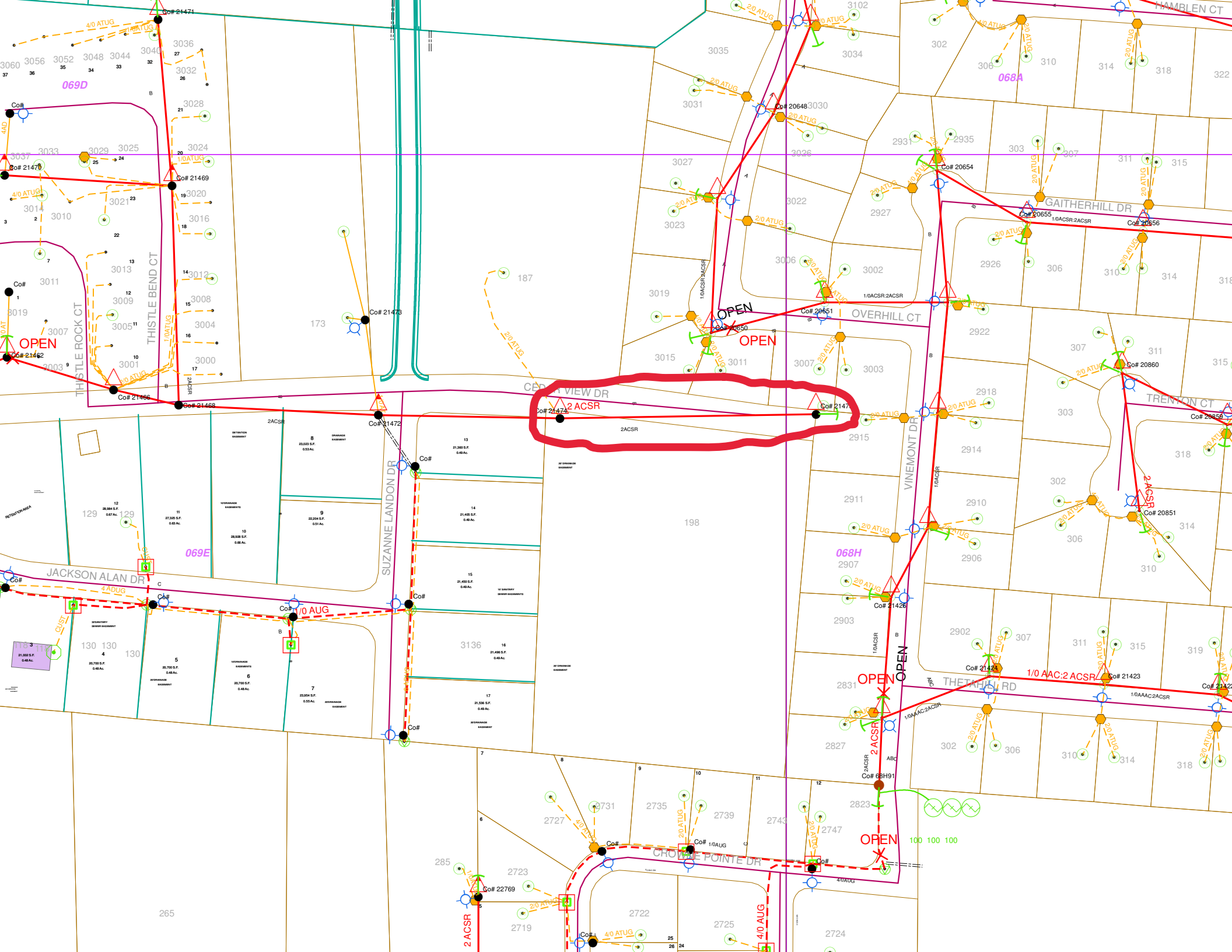
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**From:** Amelia E Kerr [mailto:[aekerr@murfreesborotn.gov](mailto:aekerr@murfreesborotn.gov)]  
**Sent:** Tuesday, October 09, 2018 4:10 PM  
**To:** Amelia E Kerr; Austin Cooper; Brandon Hunter; Bryant Bradley CUD; Carl Peas; Carolyn Jaco; Chris Barns; Chris Griffith; Clayton Williams; Cory Edmonds; cp8211@att.com; Dan Dement; David Ives; Dianna Tomlin; Donald Anthony; Gary Whitaker; ja2030@att.com; Jim Kerr; Joe Ornelas; Joey Smith; Joshua Seng; Keith Thomason; Key, Charles (Chuck); LaFonda Rudd; Margaret Ann Green; Marina Rush; Matthew Blomeley; Michael Bowen; Michele Emerson; Ram Balachandran; Ryan Chastain (Ryan.chastain@atmosenergy.com); Sam Huddleston; Tim Jackson; Valerie Smith; Winburn, Larry  
**Cc:** Amelia E Kerr  
**Subject:** [EXT] (2018-726) Cedar View Drive RoW

Please find below an illustration for 311 linear feet segment of Cedar View Drive right-ofway [2018-726]. The City of Murfreesboro is considering abandoning this portion of Cedar View Drive right-of-way. Huddleston-Steele Engineering, INC., on behalf of Mr. Larry Gilliland, is the applicant for this request. Please advise me of any utility lines you may have in this area that may need easements or of any impact this right of way abandonment may have on your department by the end of the day on **October 16, 2018**. If you have any questions regarding this letter, please don't hesitate to call me at (615) 893-6441 or e-mail me at [aekerr@murfreesborotn.gov](mailto:aekerr@murfreesborotn.gov).

Thanks,

*Amelia Kerr*  
*Planner*  
*City of Murfreesboro*  
*615-893-6441*



## Amelia E Kerr

---

**From:** Valerie Smith  
**Sent:** Tuesday, October 16, 2018 2:20 PM  
**To:** Amelia E Kerr  
**Cc:** Darren Gore; Greg Harvey; Anita Heck  
**Subject:** RE: (2018-726) Cedar View Drive RoW  
**Attachments:** Cedar View Drive - ROW Abandonment Request.doc; Cedar View.pdf

Amelia,

See attached for our response to the right of way abandonment. If you have questions, just let us know.

Thank you,

*Valerie*

Valerie H. Smith, P.E.  
Assistant Director of Engineering  
Murfreesboro Water Resource Department  
220 NW Broad Street  
Murfreesboro, TN 37130  
(615) 848-3200

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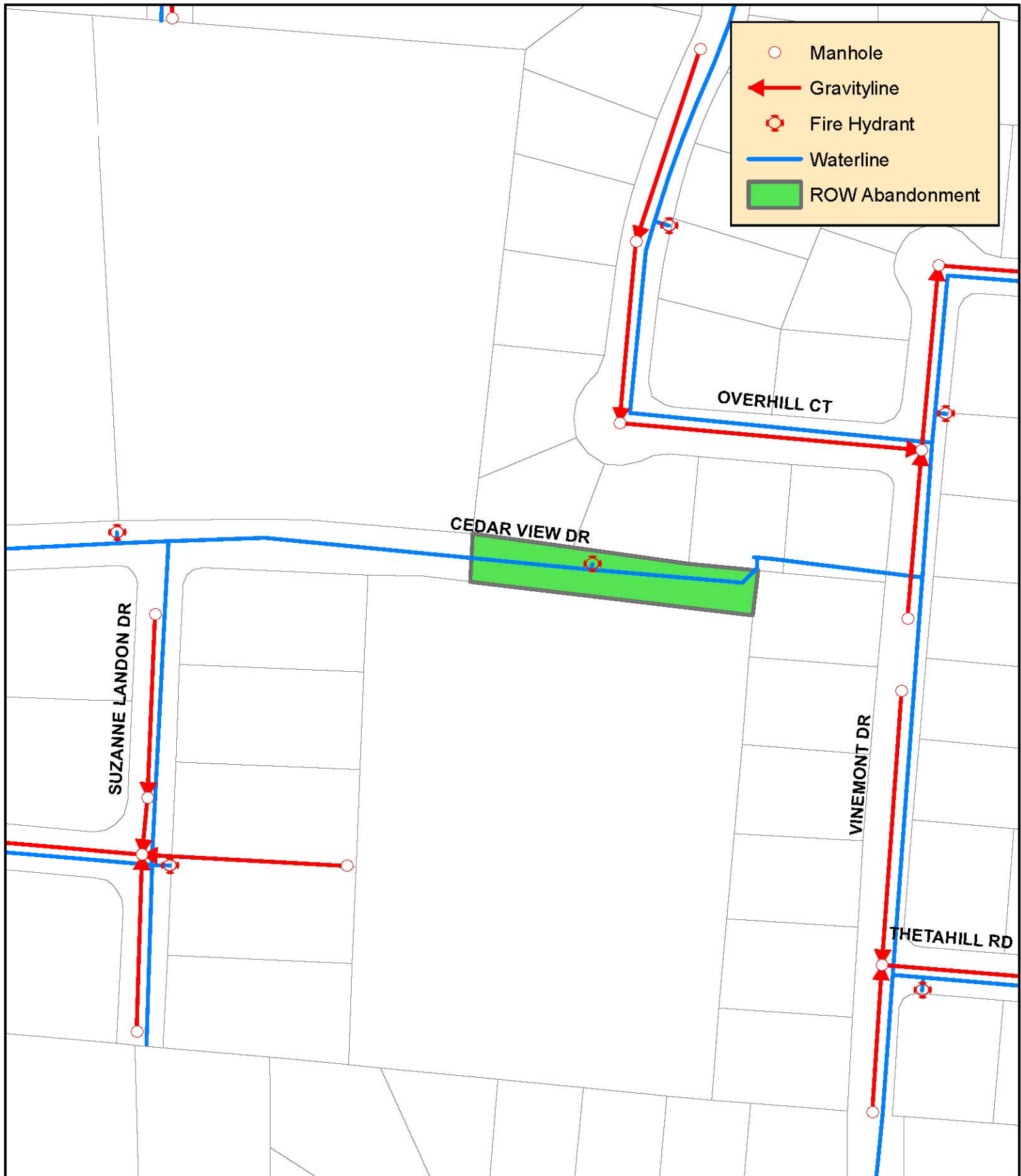
**From:** Amelia E Kerr  
**Sent:** Tuesday, October 09, 2018 4:10 PM  
**To:** Amelia E Kerr <aekerr@murfreesborotn.gov>; Austin Cooper <acooper@murfreesborotn.gov>; Brandon Hunter <bhunter@ cudrc.com>; Bryant Bradley CUD <bbradley@cudrc.com>; Carl Peas <cpeas@murfreesborotn.gov>; Carolyn Jaco <cjaco@murfreesborotn.gov>; cbarns@medtn.com; Chris Griffith <cgriffith@murfreesborotn.gov>; Clayton Williams <0417@murfreesborotn.gov>; Cory Edmonds <cory.edmonds@mtmc.com>; cp8211@att.com; Dan Dement <ddement@mtmc.com>; David Ives <dives@murfreesborotn.gov>; Dianna Tomlin <dtomlin@murfreesborotn.gov>; Donald Anthony <danthony@murfreesborotn.gov>; Gary Whitaker <gwhitaker@murfreesborotn.gov>; ja2030@att.com; Jim Kerr <jkerr@murfreesborotn.gov>; Joe Ornelas <jornelas@murfreesborotn.gov>; Joey Smith <jsmith@murfreesborotn.gov>; Joshua Seng <jseng@medtn.com>; Keith Thomason <keith.thomason@mtmc.com>; Key, Charles (Chuck) <Charles\_Keyjr@comcast.com>; LaFonda Rudd <0082@murfreesborotn.gov>; Margaret Ann Green <mgreen@murfreesborotn.gov>; Marina Rush <mrush@murfreesborotn.gov>; Matthew Blomeley <mblomeley@murfreesborotn.gov>; Michael Bowen <0216@murfreesborotn.gov>; Michele Emerson <memerson@murfreesborotn.gov>; Ram Balachandran <rbalachandran@murfreesborotn.gov>; Ryan Chastain (Ryan.chastain@atmosenergy.com) <Ryan.chastain@atmosenergy.com>; Sam Huddleston <shuddleston@murfreesborotn.gov>; Tim Jackson <tjackson@murfreesborotn.gov>; Valerie Smith <vsmith@murfreesborotn.gov>; Winburn, Larry <Larry\_Winburn@comcast.com>  
**Cc:** Amelia E Kerr <aekerr@murfreesborotn.gov>  
**Subject:** (2018-726) Cedar View Drive RoW

Please find below an illustration for 311 linear feet segment of Cedar View Drive right-ofway [2018-726]. The City of Murfreesboro is considering abandoning this portion of Cedar

View Drive right-of-way. Huddleston-Steele Engineering, INC., on behalf of Mr. Larry Gilliland, is the applicant for this request. Please advise me of any utility lines you may have in this area that may need easements or of any impact this right of way abandonment may have on your department by the end of the day on **October 16, 2018**. If you have any questions regarding this letter, please don't hesitate to call me at (615) 893-6441 or e-mail me at [ae Kerr@murfreesborotn.gov](mailto:ae Kerr@murfreesborotn.gov).

Thanks,

*Amelia Kerr*  
*Planner*  
*City of Murfreesboro*  
*615-893-6441*



MURFREESBORO WATER AND SEWER DEPARTMENT

## ROW Abandonment for Cedar View Drive



KMC 10/16/2018  
cedar view.mxd

## Amelia E Kerr

---

**From:** Brandon Hunter <bhunter@ cudrc.com>  
**Sent:** Tuesday, October 09, 2018 4:15 PM  
**To:** Amelia E Kerr  
**Subject:** RE: (2018-726) Cedar View Drive RoW

Amelia,

This project is not in CUD's service area.

Please add CUD's Director of Engineering, Alan Stuemke ([astuemke@cudrc.com](mailto:astuemke@cudrc.com)) to all future emails.  
Please remove Bryant Bradley ([bbradley@cudrc.com](mailto:bbradley@cudrc.com)) and me (Brandon Hunter, [bhunter@cudrc.com](mailto:bhunter@cudrc.com)) from your email list.

Thank You,

---

**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)



### *#1 Through Excellence & Innovation*

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---

**From:** Amelia E Kerr <aekerr@murfreesborotn.gov>  
**Sent:** Tuesday, October 09, 2018 4:10 PM  
**To:** Amelia E Kerr <aekerr@murfreesborotn.gov>; Austin Cooper <acooper@murfreesborotn.gov>; Brandon Hunter <bhunter@cudrc.com>; Bryant Bradley <bbradley@cudrc.com>; Carl Peas <cpeas@murfreesborotn.gov>; Carolyn Jaco <cjaco@murfreesborotn.gov>; cbarns@medtn.com; Chris Griffith <cgriffith@murfreesborotn.gov>; Clayton Williams <0417@murfreesborotn.gov>; Cory Edmonds <cory.edmonds@mtmc.com>; cp8211@att.com; Dan Dement <ddement@mtmc.com>; David Ives <dives@murfreesborotn.gov>; Dianna Tomlin <dtomlin@murfreesborotn.gov>; Donald Anthony <danthony@murfreesborotn.gov>; Gary Whitaker <gwhitaker@murfreesborotn.gov>; ja2030@att.com; Jim Kerr <jkerr@murfreesborotn.gov>; Joe Ornelas <jornelas@murfreesborotn.gov>; Joey Smith <jsmith@murfreesborotn.gov>; Joshua Seng <jseng@medtn.com>; Keith Thomason <keith.thomason@mtmc.com>; Key, Charles (Chuck) <Charles\_Keyjr@comcast.com>; LaFonda Rudd <0082@murfreesborotn.gov>; Margaret Ann Green <mgreen@murfreesborotn.gov>; Marina Rush <mrush@murfreesborotn.gov>; Matthew Blomeley <mbloomeley@murfreesborotn.gov>; Michael Bowen <0216@murfreesborotn.gov>; Michele Emerson <memerson@murfreesborotn.gov>; Ram Balachandran <rbalachandran@murfreesborotn.gov>; Ryan Chastain (Ryan.chastain@atmosenergy.com) <Ryan.chastain@atmosenergy.com>; Sam Huddleston <shuddleston@murfreesborotn.gov>; Tim Jackson <tjackson@murfreesborotn.gov>; Valerie Smith <vsmith@murfreesborotn.gov>; Winburn, Larry <Larry\_Winburn@comcast.com>

## **Amelia E Kerr**

---

**From:** Clayton Williams  
**Sent:** Wednesday, October 10, 2018 8:40 AM  
**To:** Amelia E Kerr  
**Subject:** Re: (2018-726) Cedar View Drive RoW

Amelia,

This abandonment will have no negative 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:** Amelia E Kerr  
**Sent:** Tuesday, October 9, 2018 4:10:09 PM  
**To:** Amelia E Kerr; Austin Cooper; Brandon Hunter; Bryant Bradley CUD; Carl Peas; Carolyn Jaco; cbarns@medtn.com; Chris Griffith; Clayton Williams; Cory Edmonds; cp8211@att.com; Dan Dement; David Ives; Dianna Tomlin; Donald Anthony; Gary Whitaker; ja2030@att.com; Jim Kerr; Joe Ornelas; Joey Smith; Joshua Seng; Keith Thomason; Key, Charles (Chuck); LaFonda Rudd; Margaret Ann Green; Marina Rush; Matthew Blomeley; Michael Bowen; Michele Emerson; Ram Balachandran; Ryan Chastain (Ryan.chastain@atmosenergy.com); Sam Huddleston; Tim Jackson; Valerie Smith; Winburn, Larry  
**Cc:** Amelia E Kerr  
**Subject:** (2018-726) Cedar View Drive RoW

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Thanks,

***Amelia Kerr***

***Planner***

***City of Murfreesboro***

***615-893-6441***

**Cc:** Amelia E Kerr <ae Kerr <ae Kerr@murfreesborotn.gov>

**Subject:** (2018-726) Cedar View Drive RoW

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Thanks,

*Amelia Kerr*  
*Planner*  
*City of Murfreesboro*  
*615-893-6441*



## Amelia E Kerr

---

**From:** Joey Smith  
**Sent:** Friday, October 12, 2018 7:19 AM  
**To:** Amelia E Kerr  
**Subject:** RE: (2018-726) Cedar View Drive RoW

This right away abandonment on Cedar View Drive will not impact the Solid Waste Department. We have to back down to service these homes now, due to the dead end street. Joey Solid Waste Department

---

**From:** Amelia E Kerr  
**Sent:** Tuesday, October 09, 2018 4:10 PM  
**To:** Amelia E Kerr <aekerr@murfreesborotn.gov>; Austin Cooper <acooper@murfreesborotn.gov>; Brandon Hunter <bhunter@ cudrc.com>; Bryant Bradley CUD <bbradley@ cudrc.com>; Carl Peas <cpeas@murfreesborotn.gov>; Carolyn Jaco <cjaco@murfreesborotn.gov>; cbarns@medtn.com; Chris Griffith <cgriffith@murfreesborotn.gov>; Clayton Williams <0417@murfreesborotn.gov>; Cory Edmonds <cory.edmonds@mtmc.com>; cp8211@att.com; Dan Dement <ddement@mtmc.com>; David Ives <dives@murfreesborotn.gov>; Dianna Tomlin <dtomlin@murfreesborotn.gov>; Donald Anthony <danthony@murfreesborotn.gov>; Gary Whitaker <gwhitaker@murfreesborotn.gov>; ja2030@att.com; Jim Kerr <jkerr@murfreesborotn.gov>; Joe Ornelas <jornelas@murfreesborotn.gov>; Joey Smith <jsmith@murfreesborotn.gov>; Joshua Seng <jseng@medtn.com>; Keith Thomason <keith.thomason@mtmc.com>; Key, Charles (Chuck) <Charles\_Keyjr@comcast.com>; LaFonda Rudd <0082@murfreesborotn.gov>; Margaret Ann Green <mgreen@murfreesborotn.gov>; Marina Rush <mrush@murfreesborotn.gov>; Matthew Blomeley <mblomeley@murfreesborotn.gov>; Michael Bowen <0216@murfreesborotn.gov>; Michele Emerson <memerson@murfreesborotn.gov>; Ram Balachandran <rbalachandran@murfreesborotn.gov>; Ryan Chastain (Ryan.chastain@atmosenergy.com) <Ryan.chastain@atmosenergy.com>; Sam Huddleston <shuddleston@murfreesborotn.gov>; Tim Jackson <tjackson@murfreesborotn.gov>; Valerie Smith <vsmith@murfreesborotn.gov>; Winburn, Larry <Larry\_Winburn@comcast.com>  
**Cc:** Amelia E Kerr <aekerr@murfreesborotn.gov>  
**Subject:** (2018-726) Cedar View Drive RoW

Please find below an illustration for 311 linear feet segment of Cedar View Drive right-ofway [2018-726]. The City of Murfreesboro is considering abandoning this portion of Cedar View Drive right-of-way. Huddleston-Steele Engineering, INC., on behalf of Mr. Larry Gilliland, is the applicant for this request. Please advise me of any utility lines you may have in this area that may need easements or of any impact this right of way abandonment may have on your department by the end of the day on **October 16, 2018**. If you have any questions regarding this letter, please don't hesitate to call me at (615) 893-6441 or e-mail me at [aekerr@murfreesborotn.gov](mailto:aekerr@murfreesborotn.gov).

Thanks,

*Amelia Kerr  
Planner  
City of Murfreesboro  
615-893-6441*

## Amelia E Kerr

---

**From:** Chastain, Ryan A <Ryan.Chastain@atmosenergy.com>  
**Sent:** Wednesday, October 10, 2018 7:11 AM  
**To:** Amelia E Kerr  
**Cc:** Sanders, Taylor R; Miller, Walter; Robbins, James R  
**Subject:** RE: (2018-726) Cedar View Drive RoW  
**Attachments:** (2018-726)\_Cedar\_View-Dr\_ROW.PDF

Amelia,

It does not appear from our maps that Atmos Energy has gas facilities in the area to be abandoned. Therefore, no easements will be required.

Please address future requests like this to Taylor Sanders who is copied on this email.

Thanks,

Ryan Chastain  
Atmos Energy Corporation  
615-771-8363

---

**From:** Amelia E Kerr [mailto:aekerr@murfreesborotn.gov]  
**Sent:** Tuesday, October 9, 2018 4:10 PM  
**To:** Amelia E Kerr <aekerr@murfreesborotn.gov>; Austin Cooper <acooper@murfreesborotn.gov>; Brandon Hunter <bhunter@ cudrc.com>; Bryant Bradley CUD <bbradley@cudrc.com>; Carl Peas <cpeas@murfreesborotn.gov>; Carolyn Jaco <cjaco@murfreesborotn.gov>; cbarns@medtn.com; Chris Griffith <cgriffith@murfreesborotn.gov>; Clayton Williams <0417@murfreesborotn.gov>; Cory Edmonds <cory.edmonds@mtmc.com>; cp8211@att.com; Dan Dement <ddement@mtmc.com>; David Ives <dives@murfreesborotn.gov>; Dianna Tomlin <dtomlin@murfreesborotn.gov>; Donald Anthony <danthony@murfreesborotn.gov>; Gary Whitaker <gwhitaker@murfreesborotn.gov>; ja2030@att.com; Jim Kerr <jkerr@murfreesborotn.gov>; Joe Ornelas <jornelas@murfreesborotn.gov>; Joey Smith <jsmith@murfreesborotn.gov>; Joshua Seng <jseng@medtn.com>; Keith Thomason <keith.thomason@mtmc.com>; Key, Charles (Chuck) <Charles\_Keyjr@comcast.com>; LaFonda Rudd <0082@murfreesborotn.gov>; Margaret Ann Green <mgreen@murfreesborotn.gov>; Marina Rush <mrush@murfreesborotn.gov>; Matthew Blomeley <mblomeley@murfreesborotn.gov>; Michael Bowen <0216@murfreesborotn.gov>; Michele Emerson <memerson@murfreesborotn.gov>; Ram Balachandran <rbalachandran@murfreesborotn.gov>; Chastain, Ryan A <Ryan.Chastain@atmosenergy.com>; Sam Huddleston <shuddleston@murfreesborotn.gov>; Tim Jackson <tjackson@murfreesborotn.gov>; Valerie Smith <vsmith@murfreesborotn.gov>; Winburn, Larry <Larry\_Winburn@comcast.com>  
**Cc:** Amelia E Kerr <aekerr@murfreesborotn.gov>  
**Subject:** (2018-726) Cedar View Drive RoW

**CAUTION - THIS IS AN EXTERNAL EMAIL. Do not open attachments or click links from unknown sources or unexpected email.**

Please find below an illustration for 311 linear feet segment of Cedar View Drive right-of-way [2018-726]. The City of Murfreesboro is considering abandoning this portion of Cedar View Drive right-of-way. Huddleston-Steele Engineering, INC., on behalf of Mr. Larry Gilliland, is the applicant for this request. Please advise me of any utility lines you may have in this area that may need easements or of any impact this right of way abandonment may

have on your department by the end of the day on **October 16, 2018**. If you have any questions regarding this letter, please don't hesitate to call me at (615) 893-6441 or e-mail me at [ækerr@murfreesborotn.gov](mailto:ækerr@murfreesborotn.gov).

Thanks,

*Amelia Kerr*  
*Planner*  
*City of Murfreesboro*  
*615-893-6441*

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 7, 2018**

**4.c Annexation Petition and Plan of Services [2018-511] for approximately 2.37 acres located along Manson Pike, Old Manson Pike, Manson Court, Lyle McDonald Court, Interstate 840, and Blackman Road, City of Murfreesboro Planning Department applicant. (project planner Marina Rush)**

The study area primarily consists of a 10'-wide gap left out of a previous annexation along Blackman Road. This 10'-wide strip was excluded from the previous annexation in order to avoid the creation of an "island" of unincorporated County surrounded by the incorporated City. Since that time, however, the City Legal Department has advised the Planning Staff and the Planning Commission that such "islands", in its opinion, are no longer prohibited by State Law.

Included in the study area are segments of right-of-way of Blackman Road, Manson Pike, Old Manson Pike, Manson Court, and Interstate 840. Also included is a 10'-strip of the parcel identified as 1803 Blackman Road. The remainder of this property was annexed with the aforementioned annexation in 2017. The owners of this property submitted an annexation petition for the parcel in 2017. A map showing the boundaries of the study area is attached.

The study area is located within the City's Urban Growth Boundary and is contiguous with the current City limits. Staff has prepared a plan of services, which is included in the agenda packet. The plan of services shows that the City will be able to extend City services to the study area upon annexation.

The Planning Commission will need to conduct a public hearing on this matter, after which it will need to discuss this matter and then formulate a recommendation to the City Council. The next item on the agenda will be to consider zoning the 10'-wide strip of 1803 Blackman Road to CH (Commercial Highway) simultaneous with its annexation.



# **Annexation request Along Manson Pike, Old Manson Pike, Lyle McDonald Court, and Blackman Road**



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



**ANNEXATION REPORT FOR  
PROPERTY LOCATED ALONG LYLE MCDONALD COURT  
AND BLACKMAN ROAD, AND RIGHTS-OF-WAY OF MANSON  
PIKE, OLD MANSON PIKE, MANSON COURT,  
INTERSTATE-840 AND BLACKMAN ROAD  
INCLUDING PLAN OF SERVICES  
(FILE 2018-511)**



**PREPARED FOR THE NOVEMBER 7, 2018 PLANNING COMMISSION PUBLIC HEARING**

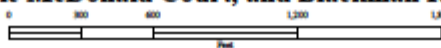




**Annexation request Along Manson Pike, Old Manson Pike,  
Lyle McDonald Court, and Blackman Road**



Path: Z:\planning\annex\Manson\_Blackmanortho.mxd



GIS Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37139  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

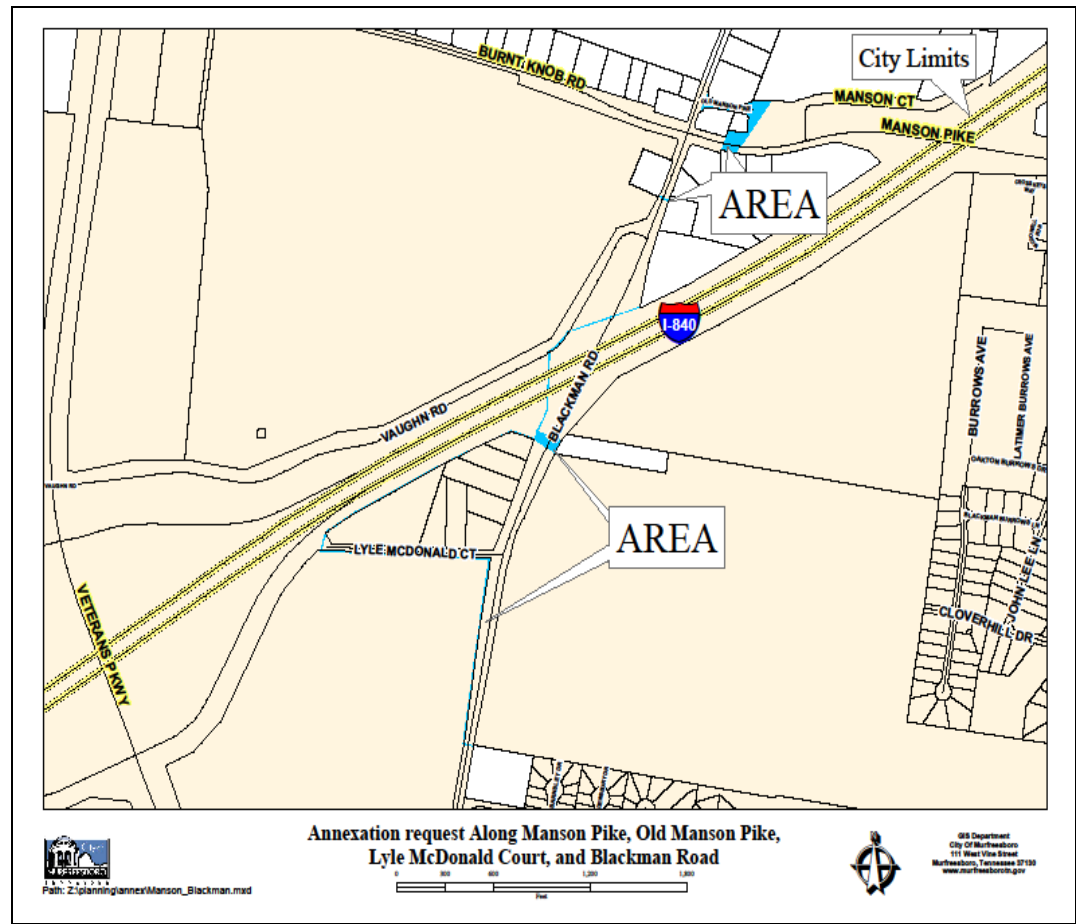
# INTRODUCTION



## **OVERVIEW**

The City of Murfreesboro proposes annexation of public rights-of-way along portions of Blackman Road, Manson Pike, Manson Court, Old Manson Pike, and Interstate 840. Additionally, property owners, Mr. Donald McDonald and Ms. Lassie McDonald Crowder submitted an annexation petition in 2017 requesting annexation of 1803 Blackman Road. At that time, the majority of the property was annexed. However, a 10'-wide strip of the property along Blackman Road and Lyle McDonald Court was left in the unincorporated County to keep a nearby parcel from being surrounded by the City limits. The City Legal Department has determined that it is no longer necessary to avoid creating "islands" of unincorporated County surrounded by the City limits, so the balance of the McDonald property is included in this annexation. The 10'-wide strips along Blackman Road and Lyle McDonald Court total approximately 2,000 linear feet and 0.51 acre. This portion of the study area is Tax Map 078, Parcel 05200. The total study area is approximately 2.4 acres.

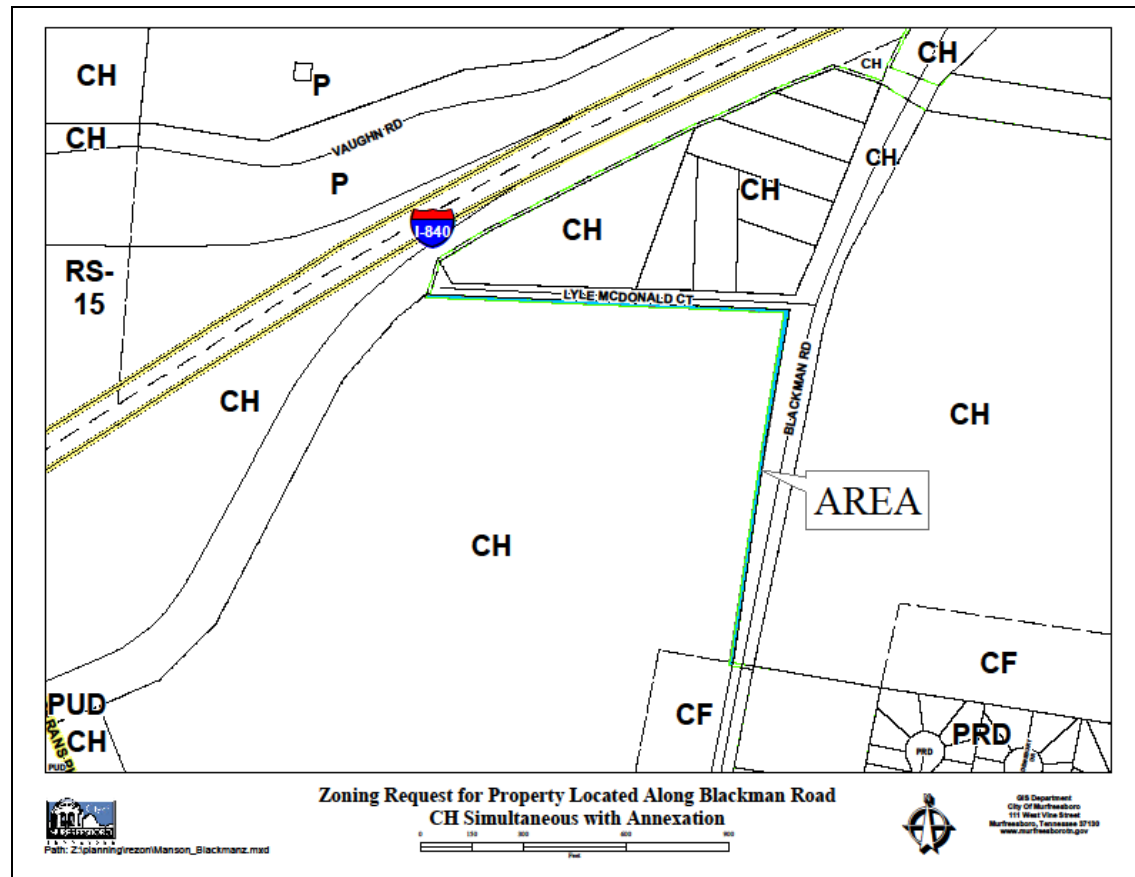
The study area lies within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the current City limits.



## CITY ZONING

Simultaneous with the annexation, the City will also be considering zoning the 10'-wide strips along Blackman Road and Lyle McDonald Court to CH (Highway Commercial District). The CH zoning matches the existing zoning of the remainder of the property already annexed into the City.

The nearest City incorporated properties to the study area are contiguous to the north, south, east and west. The subject property abuts CH zoning to the north, south, east and west, and Commercial Fringe (CF) to the southwest along Blackman Road.



## **MURFREESBORO 2035 FUTURE LAND USE DESIGNATION**

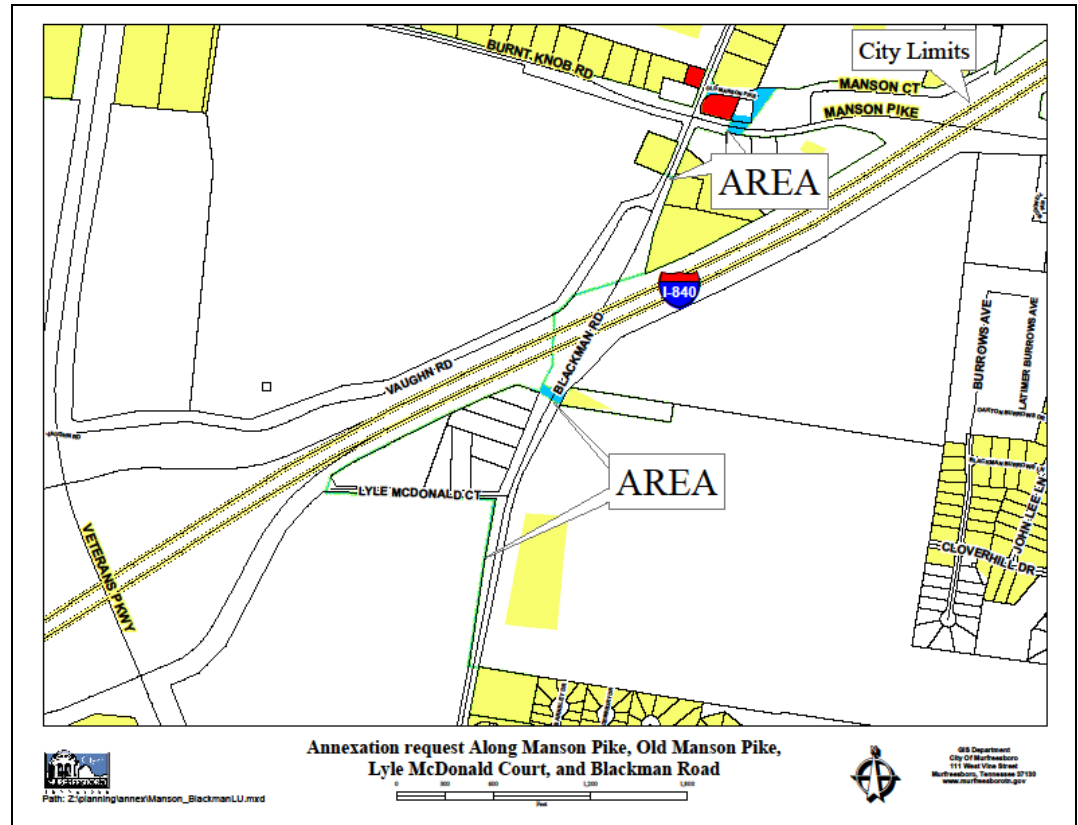
The future land use map contained in the Murfreesboro 2035 Comprehensive Plan, which was adopted by the Planning Commission in July 2017, depicts a recommended future land use classification of “General Commercial.” The requested zoning of CH is consistent with the Murfreesboro 2035 Comprehensive Plan’s future land use map.



## **PRESENT AND SURROUNDING LAND USE**

The study area includes public rights-of-way along Manson Pike, Old Manson Pike, Manson Court, Interstate-840, and Blackman Road, and two 10'-wide strips of private property adjacent to Blackman Road and Lyle McDonald Court. There are no structures on the portion of the study area that is private property.

Surrounding land uses on adjacent properties are primarily vacant and agricultural land with single-family residences along Blackman Road, and single-family residences along Manson Pike and Old Manson Pike.



# **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 study area immediately upon the effective date of annexation.

This annexation will have no negative impact on the Murfreesboro Police Department. The Murfreesboro Police Department can provide police services to the study area as it currently exists with no additional fiscal impact. This property is located in Police Zone #4.

## **WATER SERVICE**

The study area lies within the service boundary of Consolidated Utility District of Rutherford County (CUDRC). Because the study area consists of rights-of-way and two 10'-wide strips of private property, no additional demands for water service are expected and CUDRC anticipates no negative impacts as a result of this annexation.

## **SANITARY SEWER SERVICE**

The study area lies adjacent to property served by the Murfreesboro Water Resources Department (MWRD). Because the study area consists of rights-of-way and

two 10'-wide strips of private property, no additional demands for sewer service are expected and MWRD anticipates no negative impacts as a result of this annexation.

## **STREETS AND ACCESS**

The annexation study area includes approximately 350 linear feet of Old Manson Pike right-of-way (ROW). Old Manson Pike is a 2-lane ditch-section roadway. Upon annexation, the City will become responsible for the operation and maintenance of this street. Based on a 15-year repaving cycle, the annualized maintenance cost is \$470 with State Street Aid and General Fund as funding sources.

Any new connections to Old Manson Pike must be approved by the City Engineer. Additionally, developments along this roadway may require participation in improvements to upgrade the roadway and ROW/Easement dedication in accordance with the City's Substandard Street policy requirements.

The annexation study area also includes three gaps of right-of-way that were left in the unincorporated County along Blackman Road and one along Manson Pike. The operation and maintenance of these gaps is already handled by the City and no additional services will be required from the Engineering or Streets Departments.

## **REGIONAL TRAFFIC & TRANSPORTATION**

The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan shows Manson Pike to be operating at a Level of Service B in the study area and Blackman Road to be operating at a Level of Service A

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 Level of Service of D without the proposed improvements recommended in the 2040 Plan.

## **STORMWATER MANAGEMENT**

### **Storm Water Management and Utility Fees**

The study area is generally limited to public street rights-of-way and will not generate new revenue for the Stormwater Utility Fee.

### **Public Drainage**

No new public drainage facilities are included in the study area. Access to public drainage facilities is within the ROW of Manson Pike and Blackman Road. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

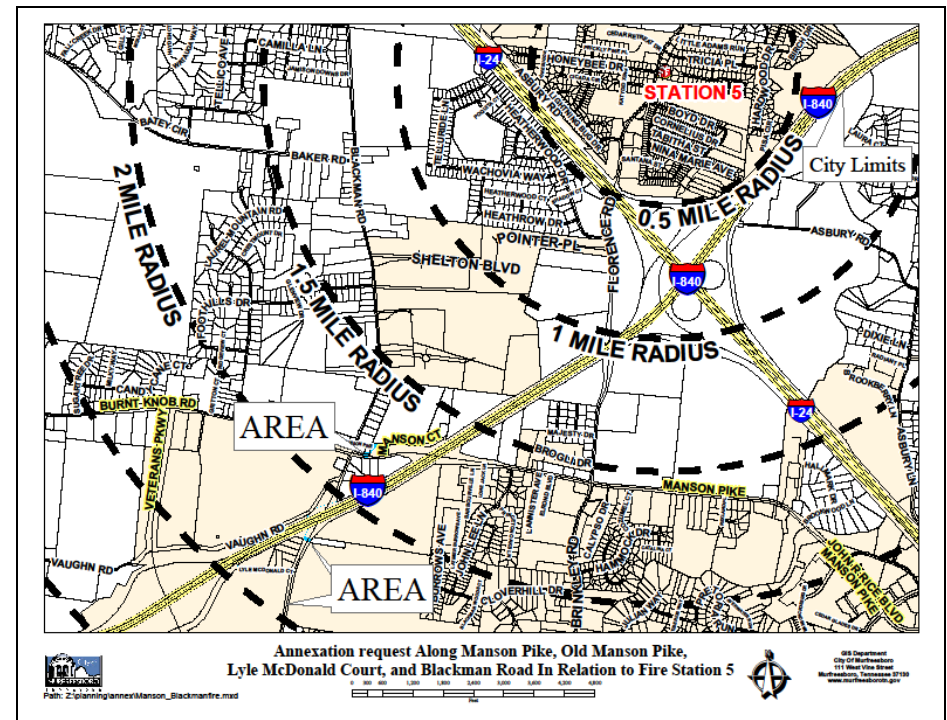
### **Regional Drainage Conditions**

The study area drains to the right-of-way.

## **FIRE AND EMERGENCY SERVICE**

The annexation of the study area will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD). MFRD will provide fire protection with full-time, professional staff as well as medical first responder service immediately upon the effective date of annexation.

The closest fire station is Fire Station #5, located at 3006 Florence Road, approximately 2.0 miles from the study area. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire station. MFRD can provide ISO Class 2 fire protection to the study area immediately upon the effective date of annexation.





## **SOLID WASTE COLLECTION**

The City Solid Waste Department can service the study area immediately upon the effective date of annexation, although solid waste management services are not anticipated to be needed for the study area because it consists only of right-of-way and a 10'-wide strip of private property.

## **ELECTRIC SERVICE**

The study area is located within the Middle Tennessee Electric Membership Corporation (MTEMC) service boundary. MTEMC has facilities in this area. Because the study area consists of rights-of-way and two 10'-wide strips of private property, no additional demands for electric service are expected and MTEMC anticipates no negative impacts as a result of this annexation. It should be noted that the Murfreesboro Electric Department may take ownership of the lines in the area upon annexation.

## **STREET LIGHTING**

According to MTEMC, there are no street lights along the study area rights-of-way. If annexed, the City Engineer will determine if street lights are necessary. When installation of the lights is requested by the City Engineer, it will be funded by the City Street Lighting Fund.

## **GEOGRAPHIC INFORMATION SYSTEMS**

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

## **CITY SCHOOLS**

Because the study area consists of rights-of-way and two 10'-wide strips of private property, no additional demands for service for Murfreesboro City Schools are expected to be generated as a result of this annexation.

## **RECREATION**

Because the study area consists of rights-of-way and two 10'-wide strips of private property, no additional demands for service from the Parks and Recreation Department are expected to be generated as a result of this annexation.

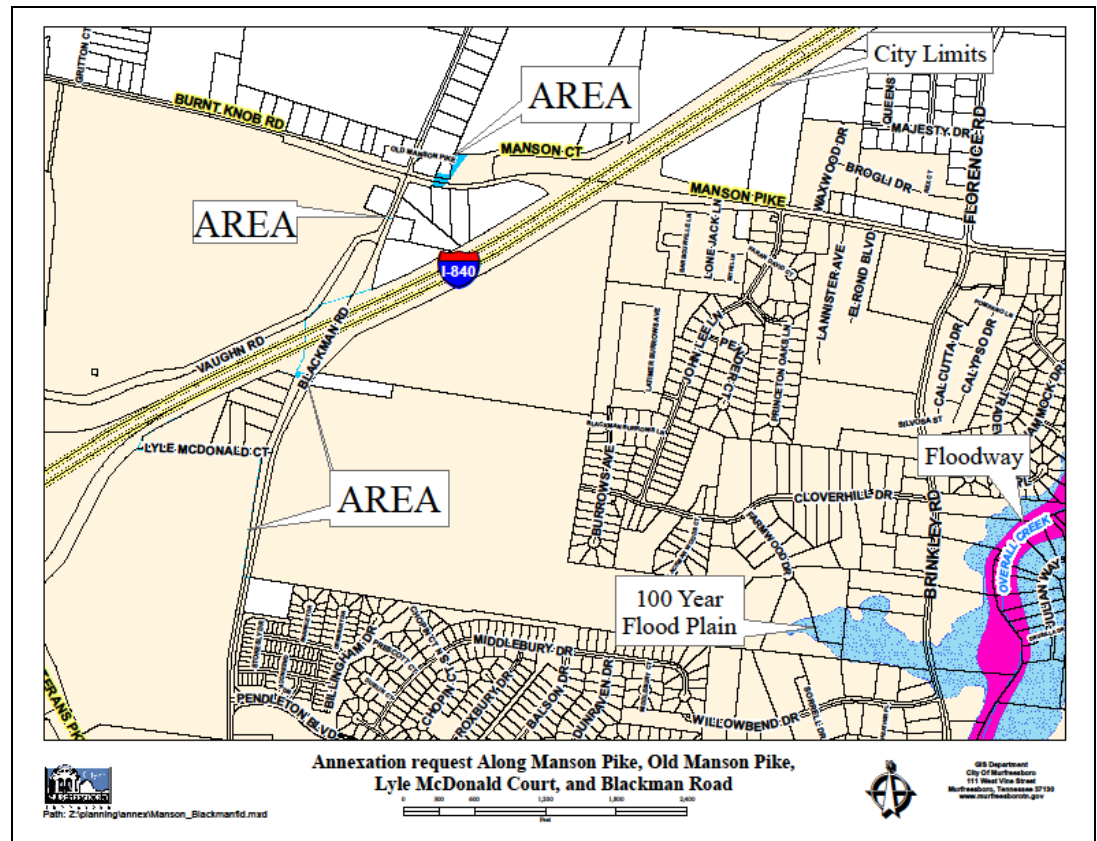
## **BUILDING AND CODES**

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

## 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.



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

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

## **ANNEXATION FOLLOW-UP**

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

## PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

The undersigned is the only owner / are all of the owners of the property identified in the attached legal description (including street address and tax map / parcel number), and hereby petitions the City of Murfreesboro to annex such property into the City.

Signatures must be by owners or those with an appropriate written Power of Attorney from an owner. If the owner is not an individual (eg. corporation, trust, etc.), list the entity's name, the name of the individual signing on behalf of the entity and the status of the individual (eg. president, trustee, partner). If you are signing this Petition based on a Power of Attorney, you must also attach a copy of the Power of Attorney.

1. DONALD McDONALD

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

Signature: Donald McDonald Status: co-owner Date: 2-14-17

2104 BLACKMAN RD MURFREESBORO TN 37129  
Mailing Address (if not address of property to be annexed)

2. Lessie McDonald Crowder

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

Signature: Lessie McDonald Crowder Status: co-owner Date: 2-14-17

2822 22nd Ave So. Nashville, TN 37215  
Mailing Address (if not address of property to be annexed)

3.

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

Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_

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

4.

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

Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_

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

(Attach additional signature pages if necessary)

Legal Description is attached: \_\_\_\_\_ Yes

Power of Attorney applies and is attached: \_\_\_\_\_ Yes \_\_\_\_\_ No

\*See attached GIS Map  
Tax Map 078, Parcel 05200

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 7, 2018**

**4.d Zoning application [2018-435] for approximately 0.51 acres located along Blackman Road and Lyle McDonald Court to be zoned CH simultaneous with annexation, City of Murfreesboro Planning Department applicant. (project planner Marina Rush)**

The subject property consists of a 10'-wide strip of the parcel identified as 1803 Blackman Road. It is located along the east side of Blackman Road and along the south side of Lyle McDonald Court. This 10'-wide strip was excluded from a 2017 annexation in order to avoid the creation of an "island" of unincorporated County surrounded by the incorporated City. Since that time, however, the City Legal Department has advised the Planning Staff and the Planning Commission that such "islands", in its opinion, are no longer prohibited by State Law. The previous item on the agenda was the annexation and plan of services for this 10'-wide strip, along with adjacent rights-of-way. In 2017, the landowners requested to zone the entire parcel to CH (Highway Commercial District) and CF (Commercial Fringe District) simultaneous with its annexation. All but approximately 0.51 acres of the 79-acre parcel was annexed and zoned CH and CF. The Planning Staff has initiated this zoning request, so that if the outstanding balance of the subject property is annexed, its zoning will be consistent with the zoning that was approved for the remainder of the tract in 2017.

**Adjacent Zoning and Land Uses**

The adjacent properties to the north, south and east are zoned CH, and to the west is Interstate 840. The adjacent properties consist of single-family homes on large lots and undeveloped tracts. In addition, the Berkshire Subdivision is located to the southeast of the subject property.

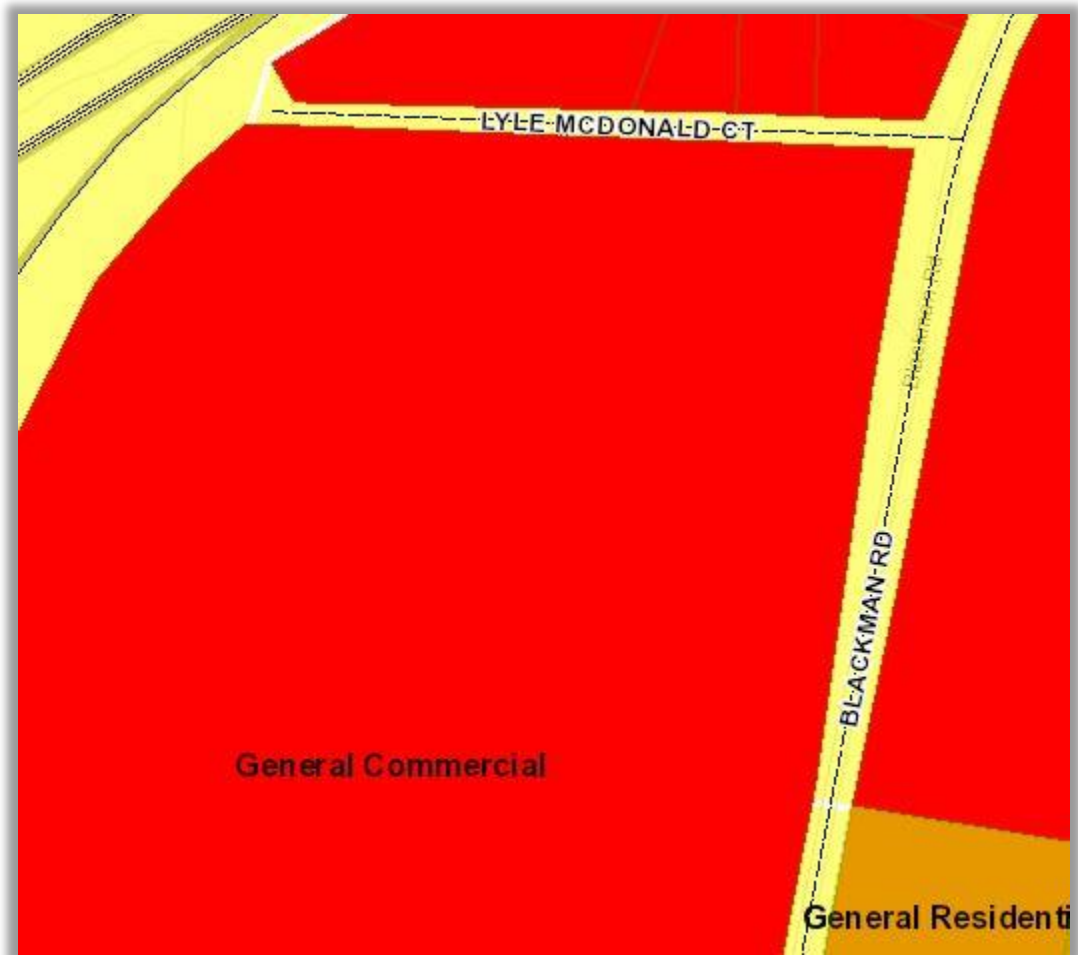
**Future Land Use Map**

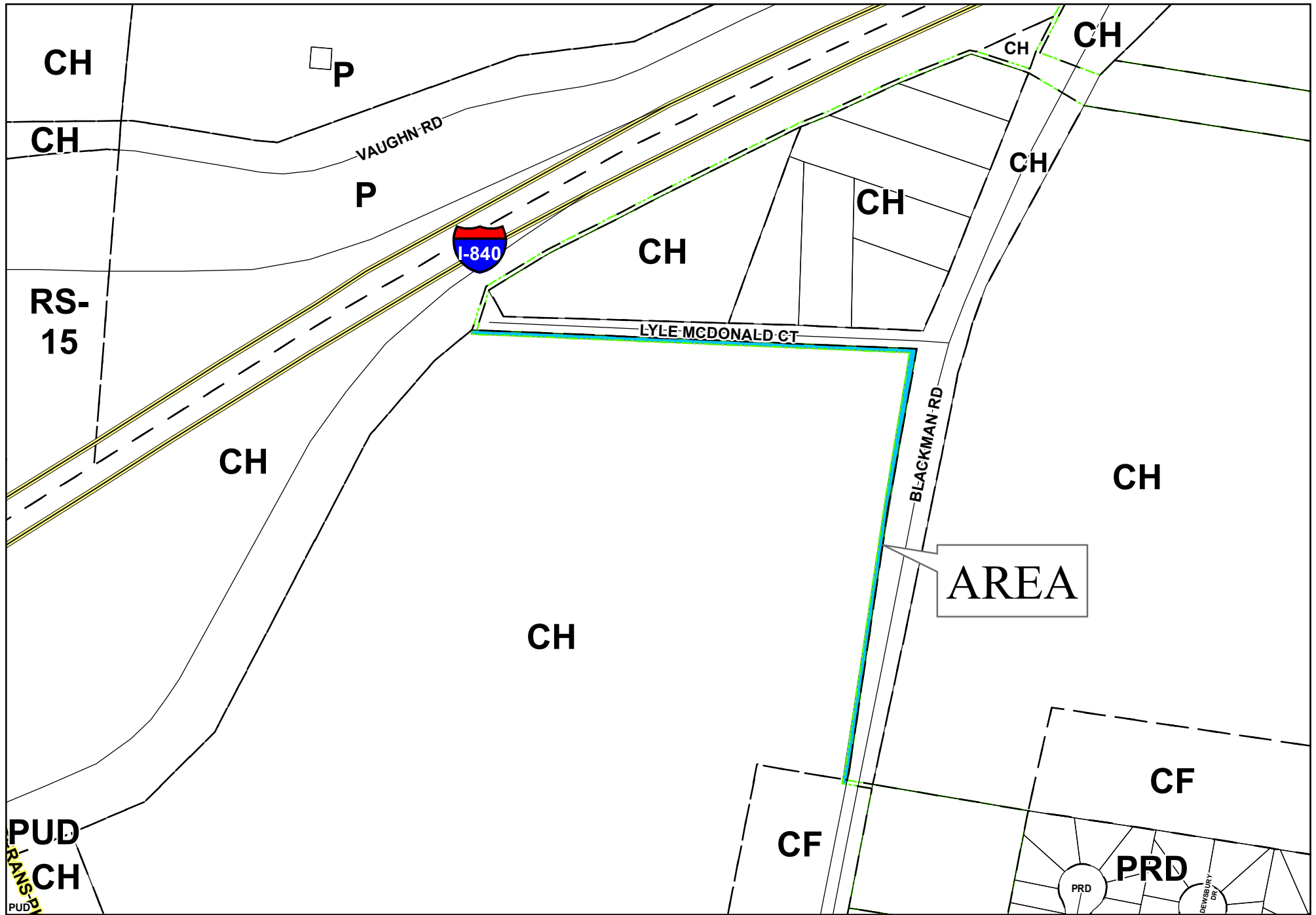
The future land use map of the *Murfreesboro 2035 Comprehensive Plan* recommends "General Commercial" land uses for the subject property. The proposed rezoning to CH is consistent with the future land use map of the *Murfreesboro 2035 Comprehensive Plan*. This request is also consistent with the existing CH zoning in the area, including that of the remainder of the subject parcel. An excerpt of the future land use map can be found on the following page.

**Public Hearing**

The Planning Commission should conduct a public hearing, discuss the matter, and then formulate a recommendation to the City Council.

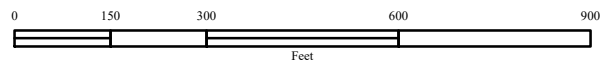
## Murfreesboro 2035 Future Land Use Map





Path: Z:\planning\rezon\Manson\_Blackmanz.mxd

## Zoning Request for Property Located Along Blackman Road CH Simultaneous with Annexation



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





Creating a better quality of life

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

Address: 2104 BLACKMAN RD City/State/Zip: MURFREESBORO TN 37128

Phone: 615-218-1675 E-mail address: DFMCD@BELLSOUTH.NET

PROPERTY OWNER: DONALD McDONALD AND LASSIE CROWDER

Street Address or property description: 1803 BLACKMAN RD

and/or Tax map #: 078 Group: \_\_\_\_\_ Parcel (s): 05200

Existing zoning classification: \_\_\_\_\_

Proposed zoning classification: CH & CF Acreage: 80±

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

E-mail: \_\_\_\_\_

APPLICANT'S SIGNATURE (required): Donald McDonald

DATE: 2-14-17

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

Date received: \_\_\_\_\_ MPC YR.: \_\_\_\_\_ MPC #: 2017-404 + 2017-503

Amount paid: 600.00 Receipt #: 364087



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 7, 2018**

**4.e. Mandatory Referral/ROW Abandonment [2018-725] to consider the abandonment of West Lytle Street and Barker Street rights-of-way, Matt Taylor applicant. (project planner Dianna Tomlin)**

The requested abandonment consists of approximately 155 linear feet of Barker Street right-of-way (ROW). The request also includes approximately 245 linear feet of West Lytle Street ROW on its south side. The adjacent property owner, Kious and Rodgers Properties, is contemplating a redevelopment of the adjacent parcel, where the Red Rose was previously situated. Mr. Matt Taylor of SEC, Inc., on behalf of Kious and Rodgers Properties, is requesting the abandonment of the above rights-of-way in order to add them to his client's parcel to increase its developable area.

Staff has prepared a ROW abandonment study and it is included in the agenda packet. The Engineering Department indicates that, in conjunction with this abandonment and with the development of the adjacent Kious and Rodgers property, this block of Barker Street will be converted to one-way traffic with traffic flowing northbound from West College Street to West Lytle Street. In addition, Atmos Energy, the Murfreesboro Water Resources Department, the Transportation Department, the Engineering Department, Comcast, and AT&T all have requested that easements and/or ROW be retained for their interests.

Staff recommends that any approval of this ROW abandonment request be made subject to the following comments:

- 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 and/or right-of-way shall be retained to accommodate existing and proposed utilities.

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.

# Memorandum

**To:** Donald Anthony, AICP, Planning Director  
**From:** Dianna Tomlin, AICP, Principal Planner  
**Date:** November 2, 2018  
**Re:** Right-of-way abandonment- Lytle Street & Barker Street

---

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

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

Along Barker Street within the requested area, there is an existing 2" water main and a proposed 8" water main that will be installed east of an existing 8" sewer main. The existing 2" water main will be abandoned once the new water main is in place. Along West Lytle Street within the requested area, there is an existing 8" sewer main. MWRD requests easements be retained for these lines. The size of these easements will be determined by MWRD. A legal description and exhibit will need to be submitted to MWRD for review prior to the Legal Department preparing the abandonment document.

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

This request is not in CUD's service area and thus has no impact on CUD.

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

MED has existing and proposed underground electric lines within the requested rights-of-way. These lines have been installed (and are being installed) as a part of the Lytle Street Phase 1 and Phase 2 construction projects. MED requests that 15' electric easements be retained for these existing and proposed underground lines.

## **Middle Tennessee Electric Members Cooperative (MTEMC)**

This request is not in MTEMC's service area and thus has no impact on MTEMC.

## **AT&T**

AT&T has existing lines in both the West Lytle Street and Barker Street rights-of-way. A 5' easement will be needed on Barker Street and a 10' easement will be needed on West Lytle Street

to accommodate these existing lines. AT&T is currently in the process of relocating its facilities on West Lytle Street from the north side of the street to the south side at the request of the City of Murfreesboro.

### **Atmos Energy**

Atmos Energy has a 2" gas line in the ROW of West Lytle Street. A 10'-wide easement should be retained for this line centered on the existing pipe.

### **Comcast**

Comcast lines are currently located on existing above-ground poles owned by MED. When MED chooses to remove the poles, Comcast will relocate these lines underground. Comcast requests that an easement be retained wide enough to accommodate the future 2" underground lines.

### **Engineering Department**

This request should be subject to submission and recording of a deed transferring the abandoned ROW, a request for building permit, and the approval by Engineering of a roadway improvement plan. The deed should convert the ROW to easements for drainage and public utilities. The parking on West Lytle Street must remain in the public ROW. Barker Street should become a one-way street with traffic traveling from West College Street to West Lytle Street. In order to facilitate the abandonment process, the applicant should provide legal descriptions and exhibits necessary for the City to draft the necessary legal documents.

### **Transportation Department**

The Transportation Department indicates that up to 4' of ROW or easements along West Lytle Street behind the edge of existing sidewalk will need to be retained for traffic control signs and future street lighting as needed. The City Engineer will determine the amount of ROW or easements that needs to be retained. If in the form of easements, the easements should be general enough so that street lighting elements, street signage elements, and other similar elements can be placed and maintained by right in the easements.

### **Police Department**

The ROW abandonment will not affect the Murfreesboro Police Department.

### **Solid Waste Department**

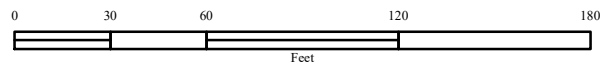
The ROW abandonment will not affect the Solid Waste Department.



### Proposed Right-of-Way Abandonment Along West Lytle Street and Barker Street



Path: Z:\planning\ROW Abandonment\Lytle\_BAker.mxd



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

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 7, 2018**

**Proposed amendments to the Zoning Ordinance regarding Section 7, Site Plan Review [2018-807], pertaining to site plan review authority, City of Murfreesboro Planning Department applicant.**

This proposed Zoning Ordinance revision would expand the scope of administrative site plan review in accordance with the Zoning Ordinance. Presently, the Zoning Ordinance authorizes the Planning Commission to review and approve site plans when certain thresholds are met. These include: residential buildings containing five or more dwelling units; commercial, industrial, institutional, medical, or multi-family developments of one or more acres; structures greater than 5,000 square feet in total area; and commercial, industrial, institutional, medical, or multi-family developments of any size located within the GDO district. For a complete list of site plans for which Planning Commission review and approval is required, see Section 7(D)(2) of the Zoning Ordinance.

Site plans that do not meet the thresholds set forth in Section 7(D)(2) are subject to administrative review per Section 7(D)(4). In 2017, the City Council approved a Zoning Ordinance revision giving the Planning Director the discretion to send certain site plans to the Planning Commission for review, even with those plans might otherwise qualify for administrative review. This revision has been codified as Section 7(D)(5) of the Zoning Ordinance. Specifically, Section 7(D)(5) grants the Planning Director the authority to exercise discretion when: 1) site plans for which the Planning Director determines that the public interest would be better served by requiring Planning Commission review; and 2) cases in which an applicant wishes to appeal a condition imposed upon a site plan by staff during the administrative review process.

The proposed Zoning Ordinance revision would amend the thresholds for Planning Commission and administrative review of site plans. The Planning Commission would retain review authority in three scenarios: for commercial, industrial, institutional, medical, and multi-family residential developments of any size in any area where the Planning Commission acts as a design review body, such as the Gateway Design Overlay (GDO); for all new and expanded multi-family residential developments in the RM-12 and RM-16 zoning districts; and for all developments that include off-site traffic, transportation, and/or drainage improvements.

Administrative review would be expanded to include all other site plan types. The various components of site plans—including stormwater management, access control, zoning entitlements, lighting, trash enclosures, and bulk standards—are regulated by the Zoning Ordinance, Subdivision Regulations, and/or other adopted City codes. The site plan review process leaves little to no room for subjectivity. Properly-trained plan reviewers can effectively review most site plans in accordance with all adopted City ordinances and regulations. For cases where additional scrutiny may be necessary, the proposed Zoning Ordinance revision would continue to give the Planning Director the discretionary authority to send site plans forward to the Planning Commission. This revision would extend that discretionary authority

to include cases where an alternative approach to one or more design standards set forth in the Murfreesboro Design Guidelines is warranted.

Staff recommends that the Planning Commission conduct a public hearing on this matter and then make a recommendation to the City Council. Staff will be available to answer any questions that the Planning Commission may have.

**ORDINANCE 18-O-\_\_\_** amending Murfreesboro City Code Appendix A—Zoning, Section 7, Site Plan Review, pertaining to site plan review authority, City of Murfreesboro Planning Department, applicant [2018-807].

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

SECTION 1. Appendix A, Section 7, Site Plan Review, of the Murfreesboro City Code is hereby amended at subsection (D) by removing subsections (D)(2), (D)(4) and (D)(5) in their entirety and substituting in lieu thereof the following:

- (2) Planning Commission site plan review and approval shall be required for the following:
  - (a) commercial, industrial, institutional, medical, or multi-family residential developments of any size located within any area where the Planning Commission acts as a design review body;
  - (b) new multi-family residential developments in the RM-12 and RM-16 zoning districts and enlargements of existing multi-family residential developments in the RM-12 and RM-16 zoning districts; and
  - (c) any site plan that includes any off-site traffic, transportation, and/or drainage improvements, whether required by the City or offered by the applicant.
- (4) Administrative site plan review and approval shall be required for the following applications regardless of any approval by any other body as provided in this article:
  - (a) all applications for building permits for new construction or enlargement of commercial, industrial, institutional, and medical developments;
  - (b) all applications for building permits for new construction or enlargement of multi-family residential developments except those located in the RM-12 and RM-16 zoning districts;
  - (c) all applications for building permits for new construction or enlargement of two-family, three-family, and four-family residential structures;
  - (d) all changes of use or applications for building permits involving a change or occupancy that: will increase the need for parking as defined by this article; will require site improvements in accord with this article or other City codes and/or ordinances; or will include voluntarily proposed site improvements as a function of the change of use;
  - (e) all applications for building permits for additions to residential structures that will increase density;
  - (f) all applications for building permits for construction or alteration of structures located within areas of special flood hazard in accordance with the requirements of Section 34, Floodplain Zoning, of this article; and
  - (g) any other application that the Planning Director deems appropriate for administrative site plan review and approval.
- (5) At the Planning Director's discretion, Planning Commission review and approval shall be required for certain site plans which otherwise qualify for administrative site plan review as described in Section 7(D)(4). The Planning Director may exercise such discretion when:
  - (a) the Planning Director determines that the public interest would be better served by requiring Planning Commission review;
  - (b) an applicant wishes to appeal a condition imposed upon a site plan by staff during the administrative site plan review process; or

- (c) the Planning Director determines an alternative approach to one or more design standards set forth in the Murfreesboro Design Guidelines is warranted.

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

Passed:

Shane McFarland, Mayor

1<sup>st</sup> reading

2<sup>nd</sup> reading

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright

City Recorder

Adam F. Tucker

City Attorney

SEAL



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 7, 2018**

**4.g Proposed amendments to Murfreesboro 2035 regarding Map 4.2, Future Land Use [2018-805], pertaining to annual update to Future Land Use Map, City of Murfreesboro Planning Department applicant. (project planner, Marina Rush)**

Staff is requesting to amend the Murfreesboro Comprehensive Plan 2035 Future Land Use Map. The Planning Department is responsible for future revisions and updates to the Comprehensive Plan. The 2035 Comprehensive Plan was adopted by the City of Murfreesboro Planning Commission on July 12, 2017. Since the adoption of the Comprehensive Plan 2035 through June 30, 2018, the City has considered and approved 30 rezonings inconsistent with the Future Land Use Map – Map 4.2 with the intention to modify the Future Land Use Map to match the new zoning.

The Future Land Use map is specific for each property, hence the estimations for where the City's growth will occur and nature of that growth may vary. The City intended to provide for flexibility in the 2035 Comprehensive Plan to allow for smart growth to occur.

The attached table identifies the specific properties and the recommended changes to the Future Land Use Map. Staff anticipates that future changes of the 2035 Land Use Map for consistency with the Murfreesboro Zoning Map will be done on an annual basis, subject to approval by the Planning Commission.

The Murfreesboro 2035 Plan in its entirety can be viewed on the City's website at the following address:

<http://www.murfreesborotn.gov/index.aspx?NID=764>

Public Hearing

The Planning Commission will need to conduct a public hearing, after which it will need to consider the adoption of the proposed changes to the Murfreesboro Comprehensive Plan 2035 Future Land Use Map.

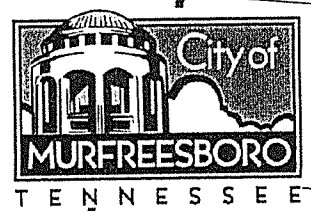
## Recommended Changes to Murfreesboro 2035 Land Use Plan

Ordinance No.	Project No.	City Council Approval Date	Acreage	Location	Rezoned From	Rezoned To	Current LUP Designation	Proposed LUP Designation
17-OZ-17	2016-460	7/13/2017	50.2	Fortress Blvd	PUD	PUD	General Commercial, Multi-Family	Auto-Urban (General) Commercial, Auto-Urban (General) Residential
17-OZ-19	2016-459	7/13/2017	22.5	Manson Pike and Brinkley Rd	RS-15	PRD	General Residential / General Commercial	Auto-Urban (General) Residential
17-OZ-21	2017-412	7/13/2017	8.9	Halls Hill Pike	N/A	PRD	Multi-Family	Auto-Urban (General) Residential
17-OZ-23	2017-408	7/13/2017	1.36	Florence Rd and Alexandria Dr	N/A	CF	Suburban Residential	Suburban (Neighborhood) Commercial
17-OZ-22	2017-409	7/20/2017	22.5	New Salem Hwy	RM-16	PRD	Multi-Family	Auto-Urban (General) Residential
17-OZ-32	2017-402	8/3/2017	7.2	White Poplar Ct	RS-15	PRD	Suburban Residential	Auto-Urban (General) Residential
17-OZ-35	2017-417	8/3/2017	6.11	Jackson Alan Dr and Suzanne Landon Dr	PCD	PRD	Business Park	Auto-Urban (General) Residential
17-OZ-37	2017-418	8/31/2017	27.34	Lascassas Pike	PUD	PUD	General Commercial	Urban Commercial / Mixed Use

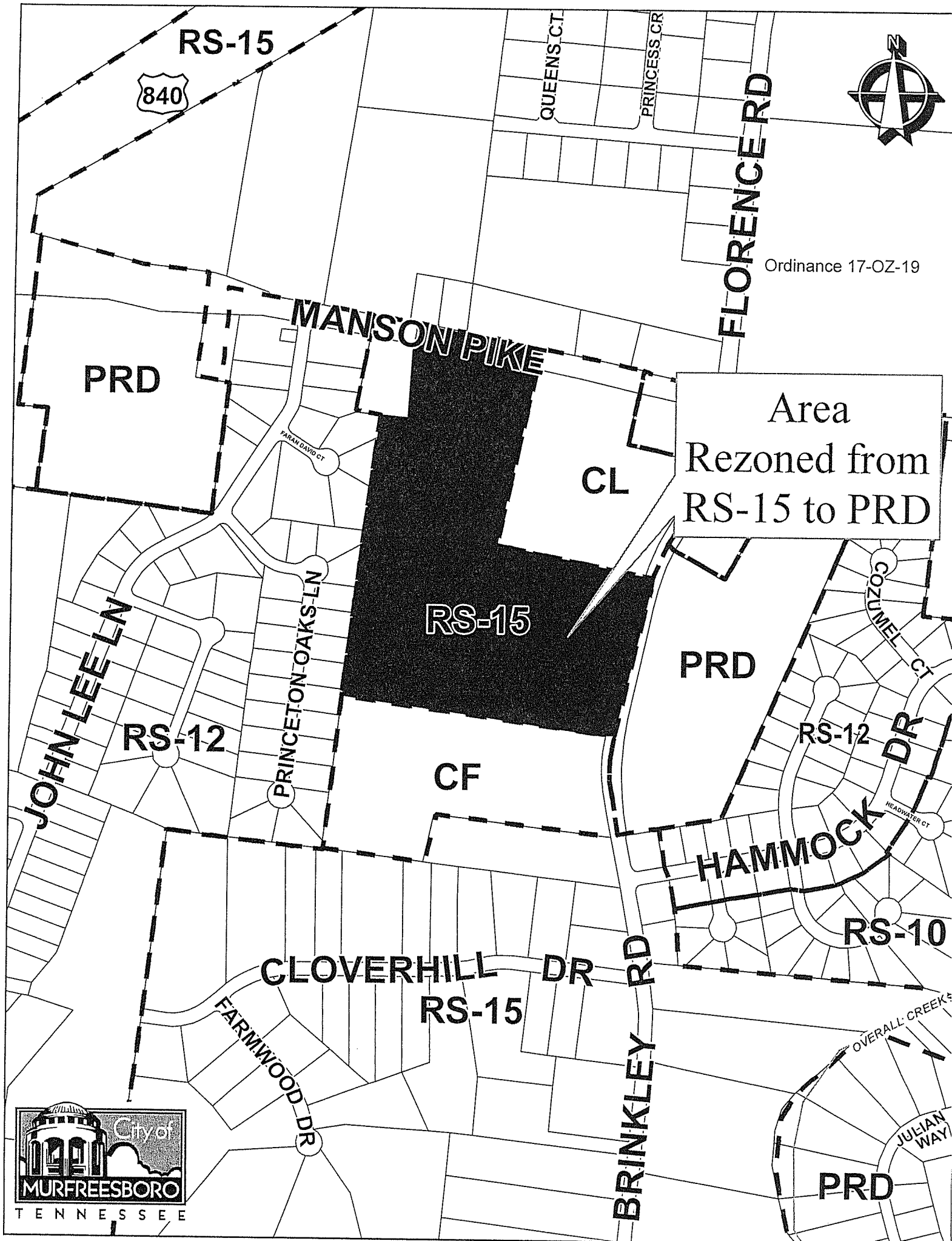
Ordinance No.	Project No.	City Council Approval Date	Acreage	Location	Rezoned From	Rezoned To	Current LUP Designation	Proposed LUP Designation
17-OZ-33	2017-410	10/12/2017	43.2	Veterans Pkwy and Vaughn Rd	RS-15	CH	Suburban Residential / Business Park	Auto-Urban (General) Commercial
17-OZ-40	2017-424	10/12/2017	21.93	Joe B Jackson Pkwy and Manchester Pike	CH	PRD	General Commercial	Auto-Urban Multi-Family
17-OZ-41	2017-425	10/12/2017	24.15	Joe B Jackson Pkwy and Shelbyville Pike	PCD	PUD	General Commercial / Suburban Residential	Urban Commercial / Mixed Use
17-OZ-42	2017-421	10/12/2017	3.9	Osborne Ln	RS-12	RS-10, PRD	Suburban Residential	Auto-Urban (General) Residential
17-OZ-43	2017-422	10/12/2017	7	Manson Pike	RS-15	CF	Suburban Residential	Suburban (Neighborhood) Commercial
17-OZ-49	2017-429	11/9/2017	8.33	Esquire Dr and Mary Beth Ct	RS-10	RS-6, RS-12	Suburban Residential	Auto-Urban (General) Residential
17-OZ-51	2017-427	11/9/2017	14.9	Burrows Ave	RS-12	RS-6	Suburban Residential	Auto-Urban (General) Residential
17-OZ-53	2017-431	11/30/2017	1.25	Halls Hill Pike	RM-16	CF	Multi-Family	Suburban (Neighborhood) Commercial
17-OZ-55	2017-432	11/30/2017	1.17	W Lytle St	CH	CBD	CBD	Urban Commercial / Mixed Use

<b>Ordinance No.</b>	<b>Project No.</b>	<b>City Council Approval Date</b>	<b>Acreage</b>	<b>Location</b>	<b>Rezoned From</b>	<b>Rezoned To</b>	<b>Current LUP Designation</b>	<b>Proposed LUP Designation</b>
17-OZ-56	2017-436	11/30/2017	2.7	Ragland Ave	RS-10	PRD	Public / Institutional	Auto-Urban (General) Residential
17-OZ-59	2017-435	1/11/2018	18.2	Manson Pike and Florence Rd	N/A	PRD	Business Park	Auto-Urban (General) Residential
17-OZ-63	2017-442	2/15/2018	8.46	Manson Pike and Brinkley Rd	CL	CF	General Commercial	Suburban (Neighborhood) Commercial
17-OZ-64	2017-446	2/15/2018	4.8	Burnt Knob Rd and Veterans Pkwy	RS-15	CH	Business Park	Auto-Urban (General) Commercial
17-OZ-46	2017-419	2/22/2018	107.6	Yeargan Rd	N/A	PRD	General Residential / Suburban Residential	Auto-Urban (General) Residential
17-OZ-61	2017-441	3/8/2018	0.67	Franklin Rd	N/A	CF	General Commercial	Suburban (Neighborhood) Commercial
18-OZ-05	2017-452	3/8/2018	11.32	Fortress Blvd and Blaze Dr	RS-15	PCD	General Residential	Suburban (Neighborhood) Commercial
18-OZ-03	2017-450	3/15/2018	3.28	S Church St and Volunteer Rd	N/A	CF	Suburban Residential	Suburban (Neighborhood) Commercial
17-OZ-62	2017-444	5/3/2018	12.1	Fortress Blvd	PUD	PUD	General Commercial	Auto-Urban Multi-Family

Ordinance No.	Project No.	City Council Approval Date	Acreage	Location	Rezoned From	Rezoned To	Current LUP Designation	Proposed LUP Designation
18-OZ-08	2017-449	5/17/2018	55	Asbury Rd	N/A	PUD	Suburban Residential	Auto-Urban (General) Commercial
18-OZ-24	2018-411	6/21/2018	5.8	Osborne Ln	RS-15	RS-10	Suburban Residential	Auto-Urban (General) Residential
18-OZ-25	2018-413	6/21/2018	5.01	Conhocken Ct	PRD	PRD	Suburban Residential	Auto-Urban (General) Residential
18-OZ-30	2018-403	6/21/2018	8.99	Old Fort Pkwy	CH	PRD	General Commercial	Auto-Urban Multi-Family



LUP Amendments: 1) Lots fronting Luke Court and Mercy Court - Auto-Urban (General) Commercial; 2) All remaining lots - Auto-Urban (General) Residential

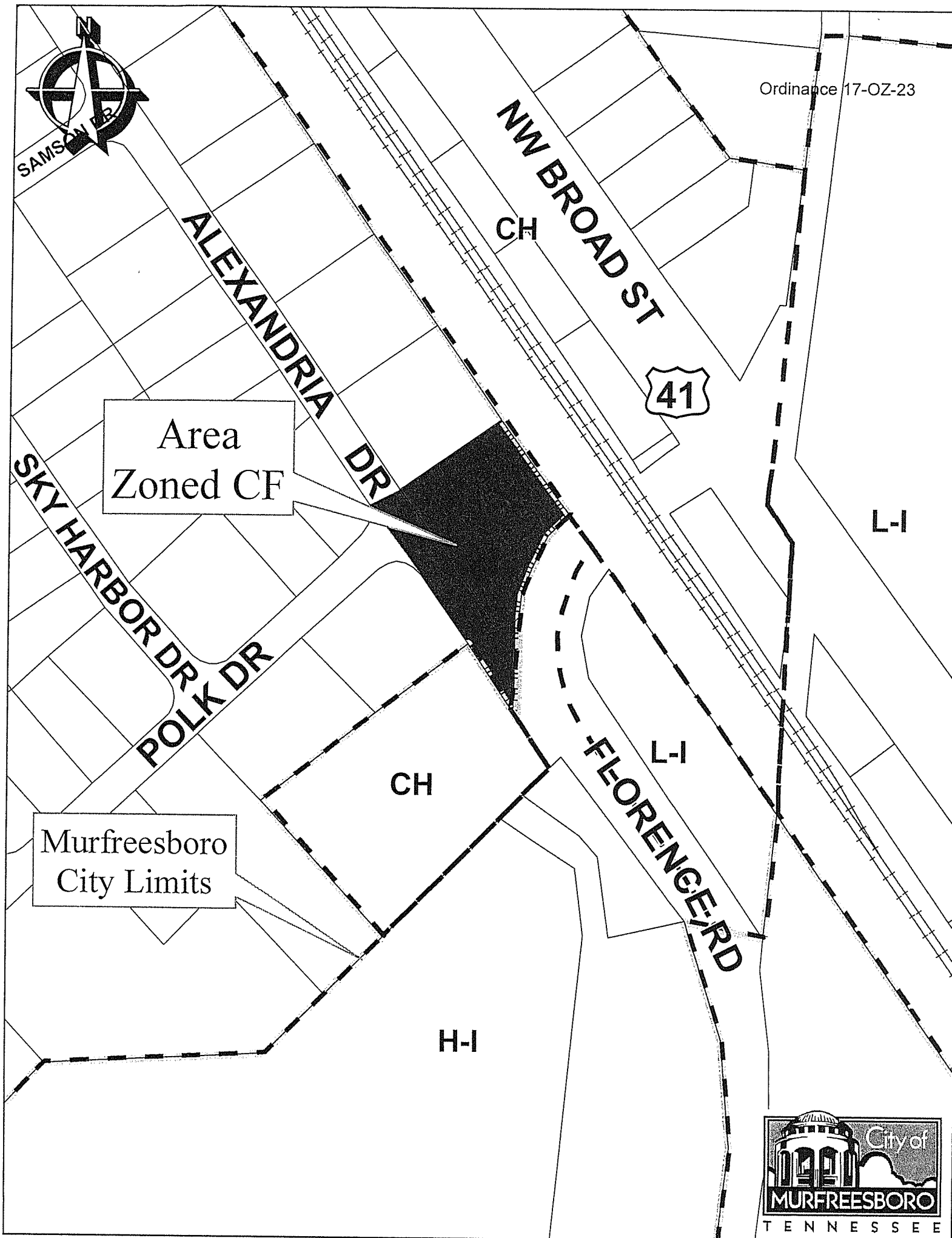


LUP Amendment: Auto-Urban (General) Residential

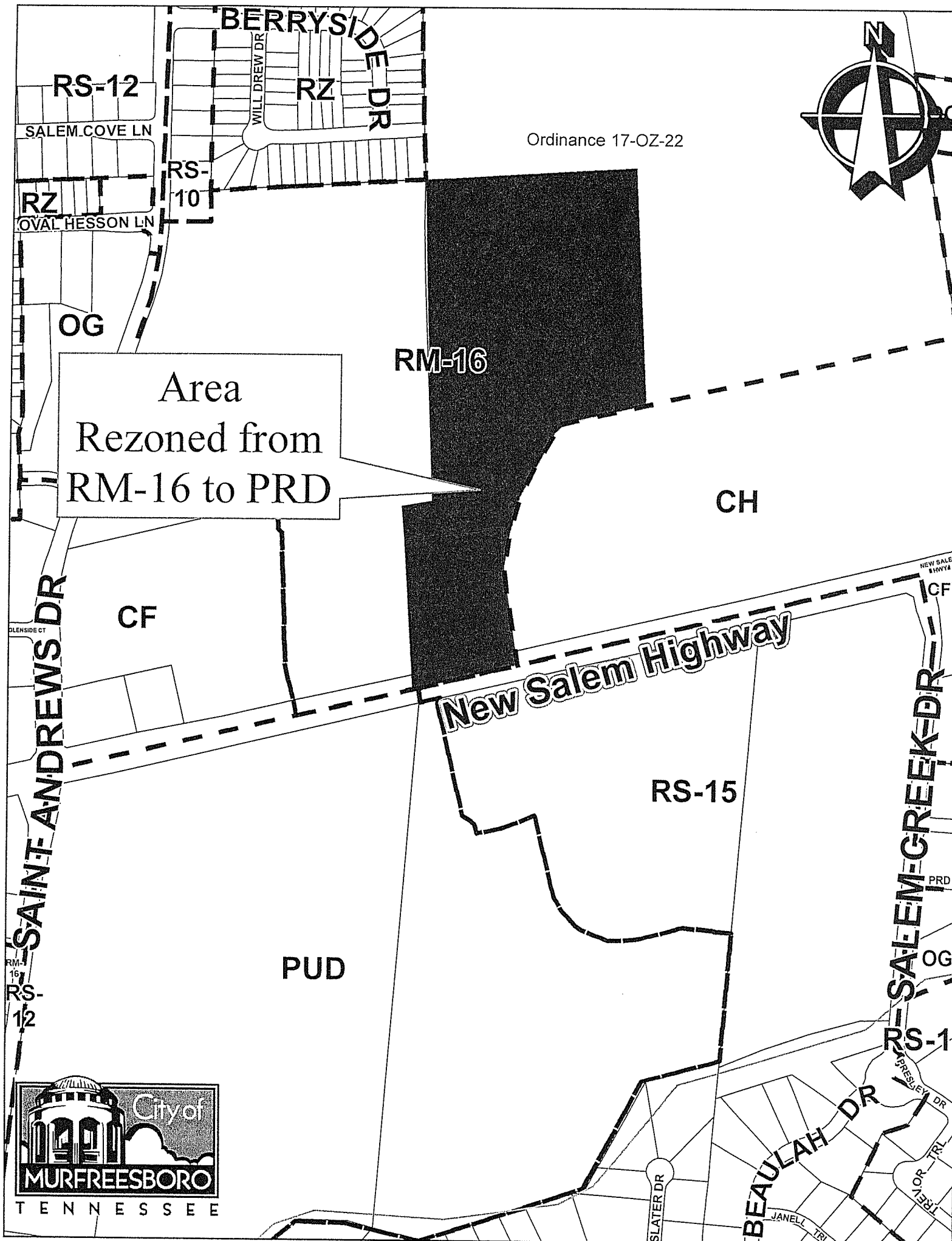




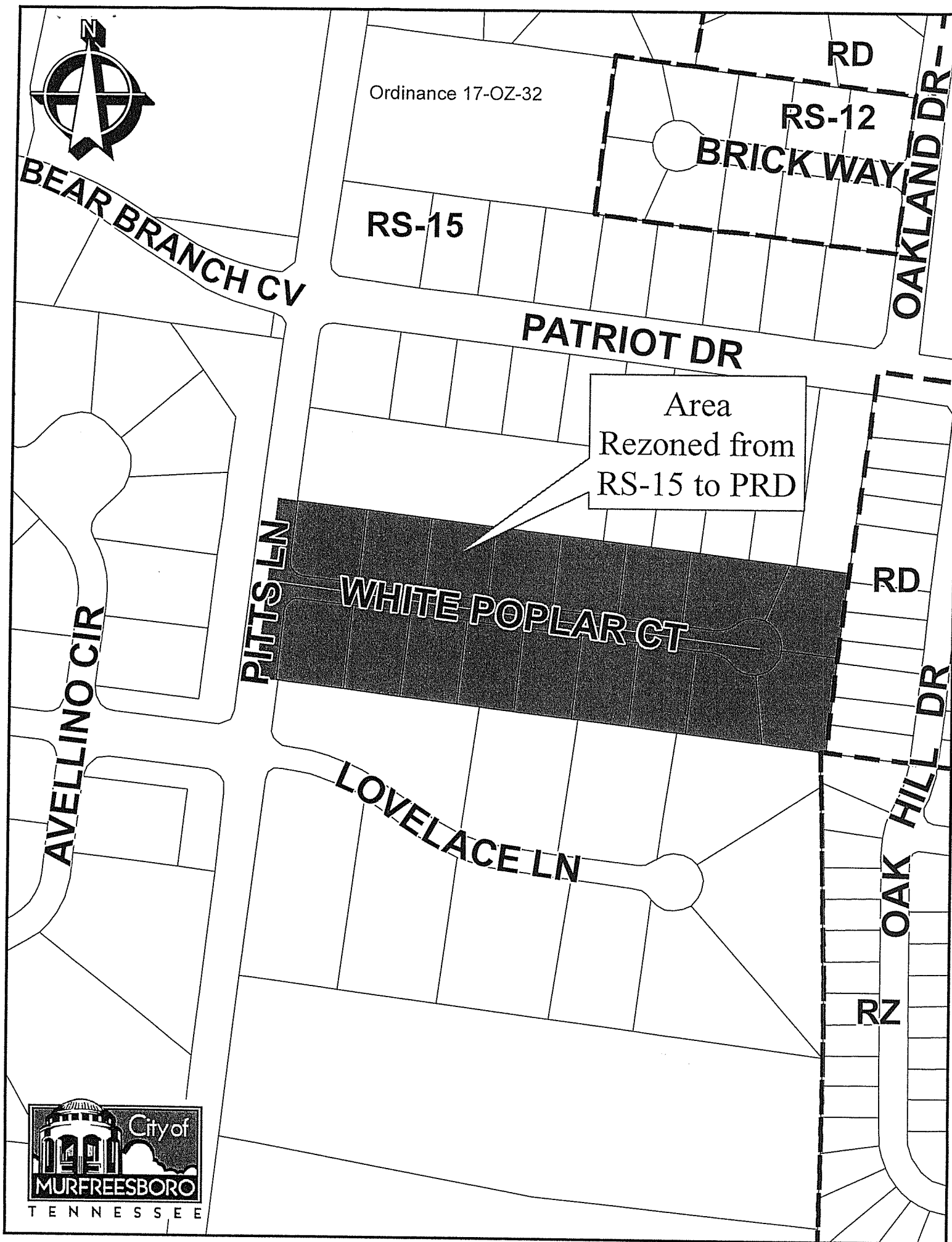




LUP Amendment: Suburban (Neighborhood) Commercial

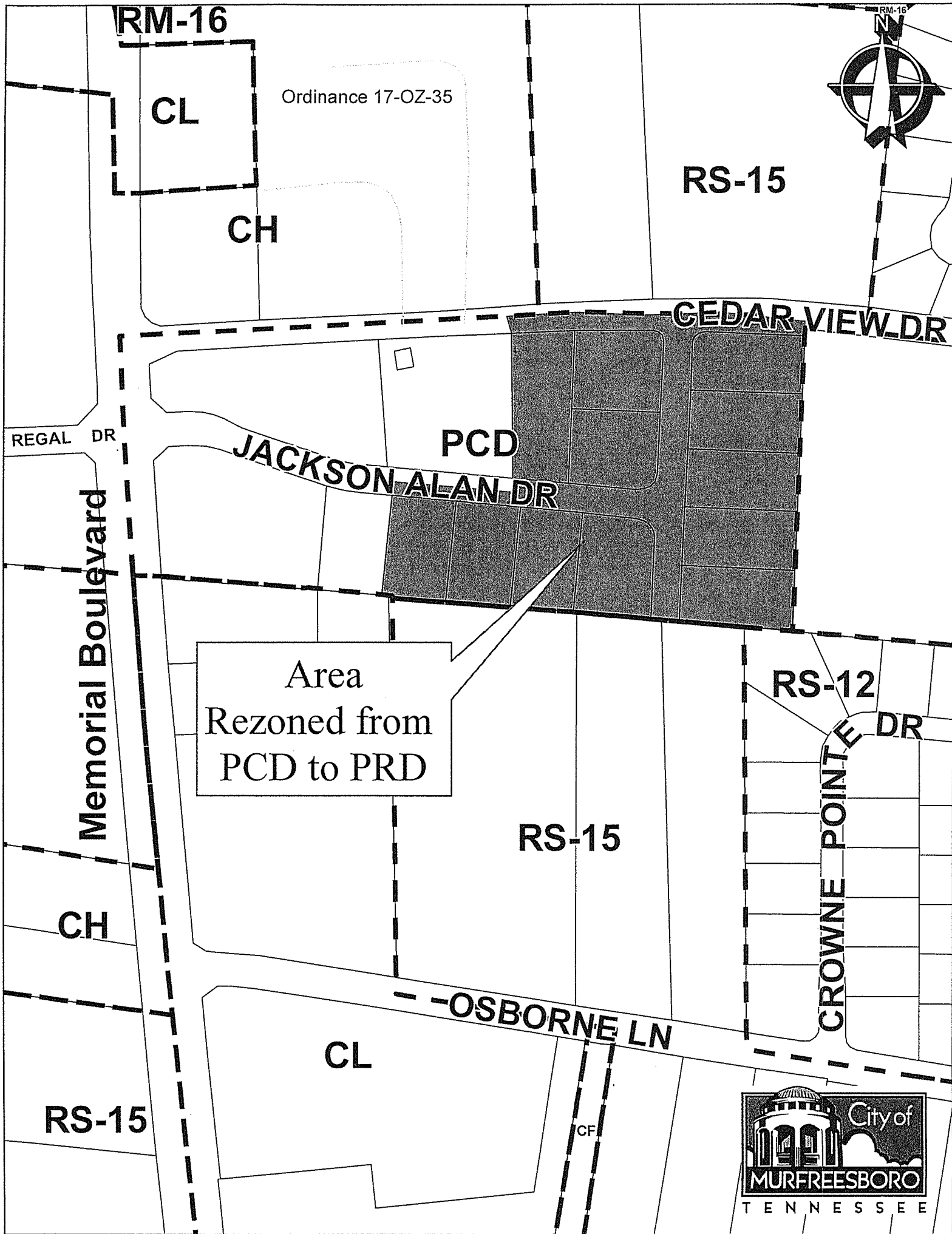


LUP Amendment: Auto-Urban (General) Residential

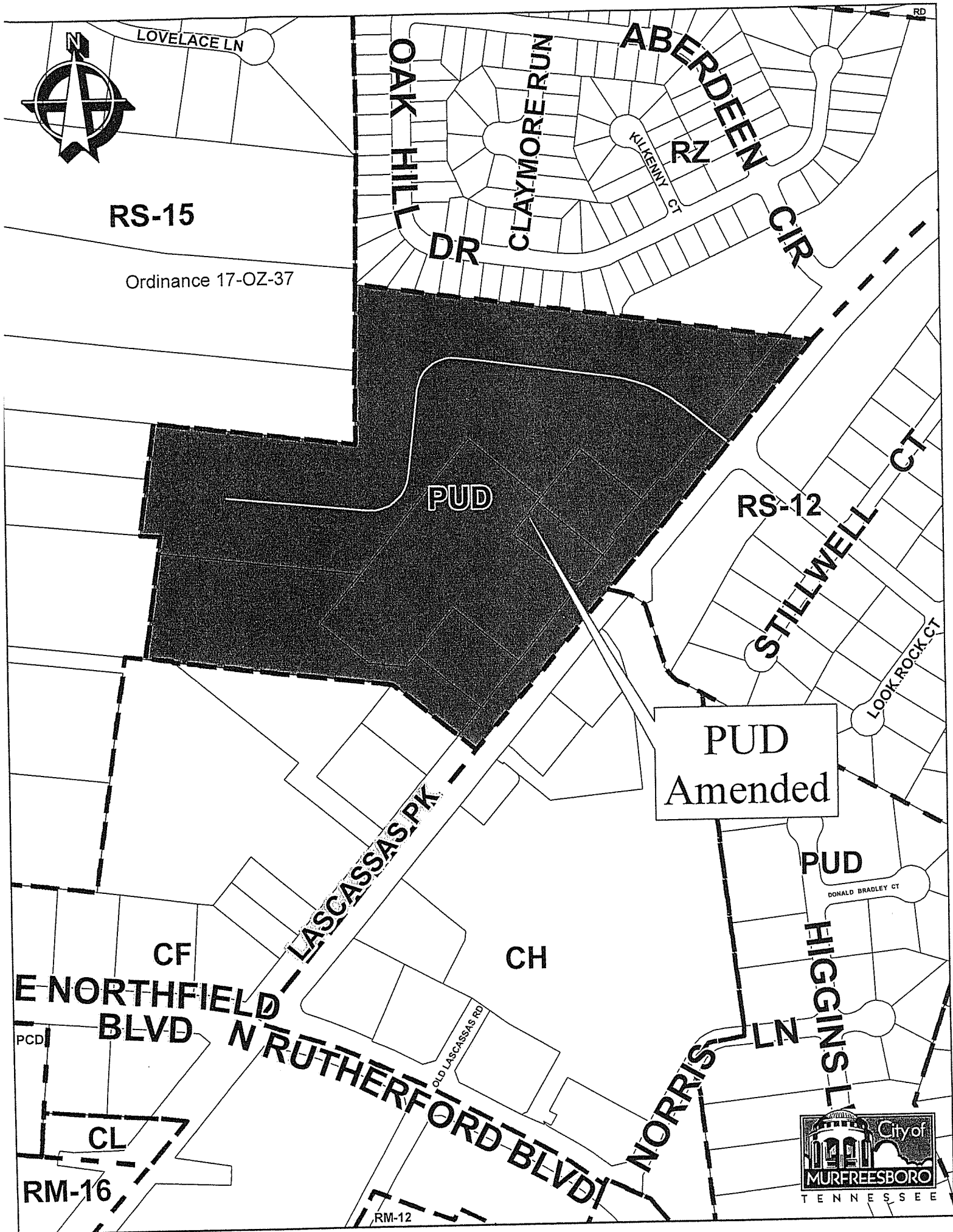


LUP Amendment: Auto-Urban (General) Residential



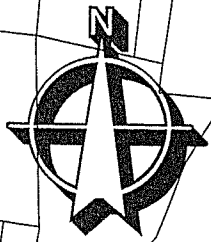


LUP Amendment: Auto-Urban (General) Residential



LUP Amendment: Urban Commercial / Mixed Use





Ordinance 17-OZ-33

Murfreesboro  
City Limits

Area  
Rezoned from  
RS-15 to CH

VAUGHN RD

CANDY CANE CT

BURNT KNOB RD

RS-15

P

BLACKMAN RD

CH

EXT 50 TO VETERANS PKWY  
TN-840 W ENTRANCE RAMP  
CH

RS-15

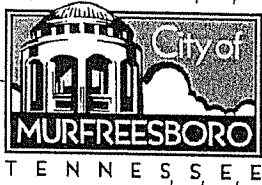
VETERANS PKWY

PUD

SHORES RD

WESTLAWN BLVD

PCD





L-I

Area  
Rezoned from  
CH to PRD

GOLDEN

WARRAY DR

SUN  
GIR  
AURO

JOE B JACKSON PKWY

PID

VIEW DR  
MANNON CT



CALLAWAY CT  
TENBY DR

CHERTSEY CT

WARRING  
FIELD DR

SUNTROR  
IC LN

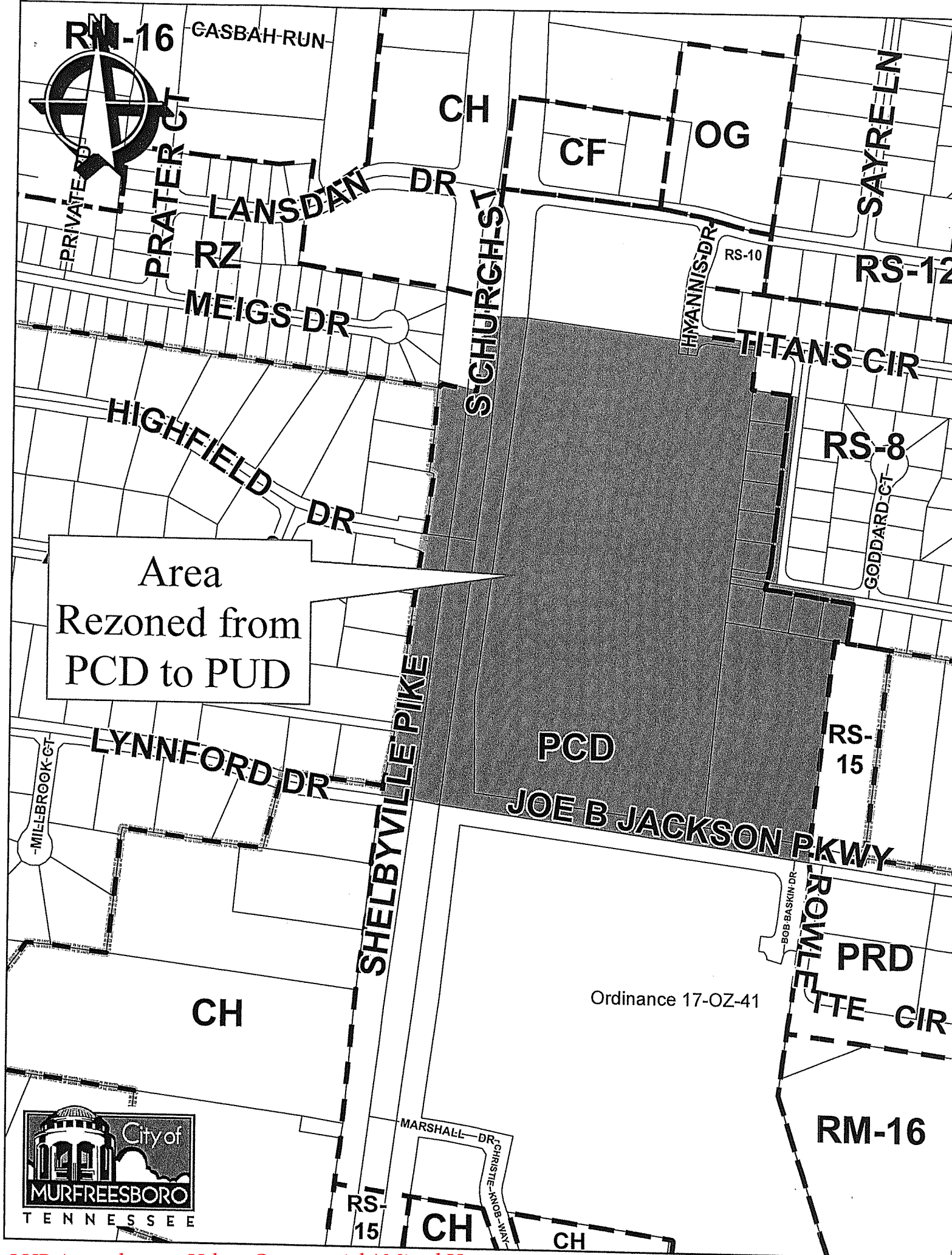
LIGHTBEND DR

MANCHESTER PIKE

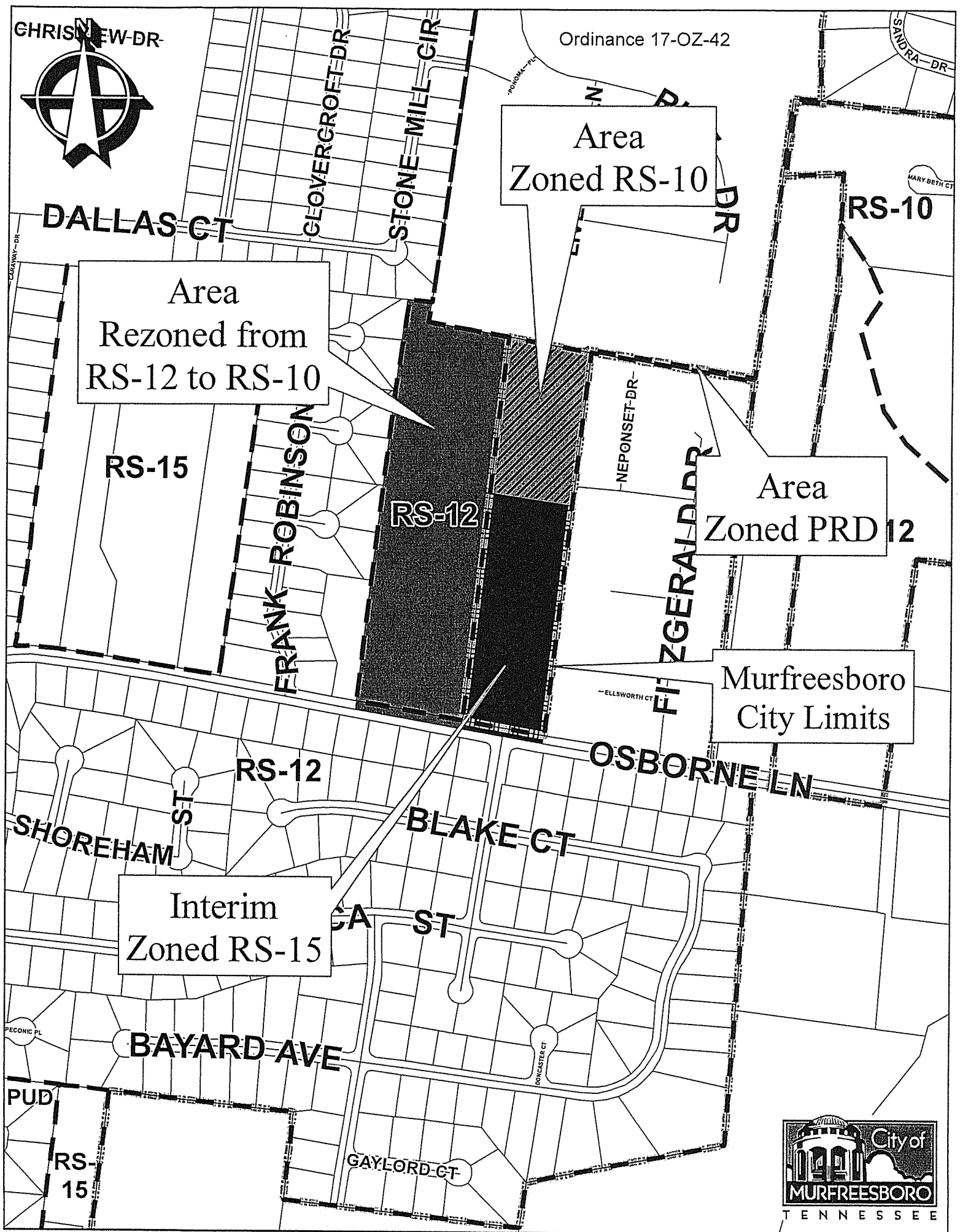
PUD

CH

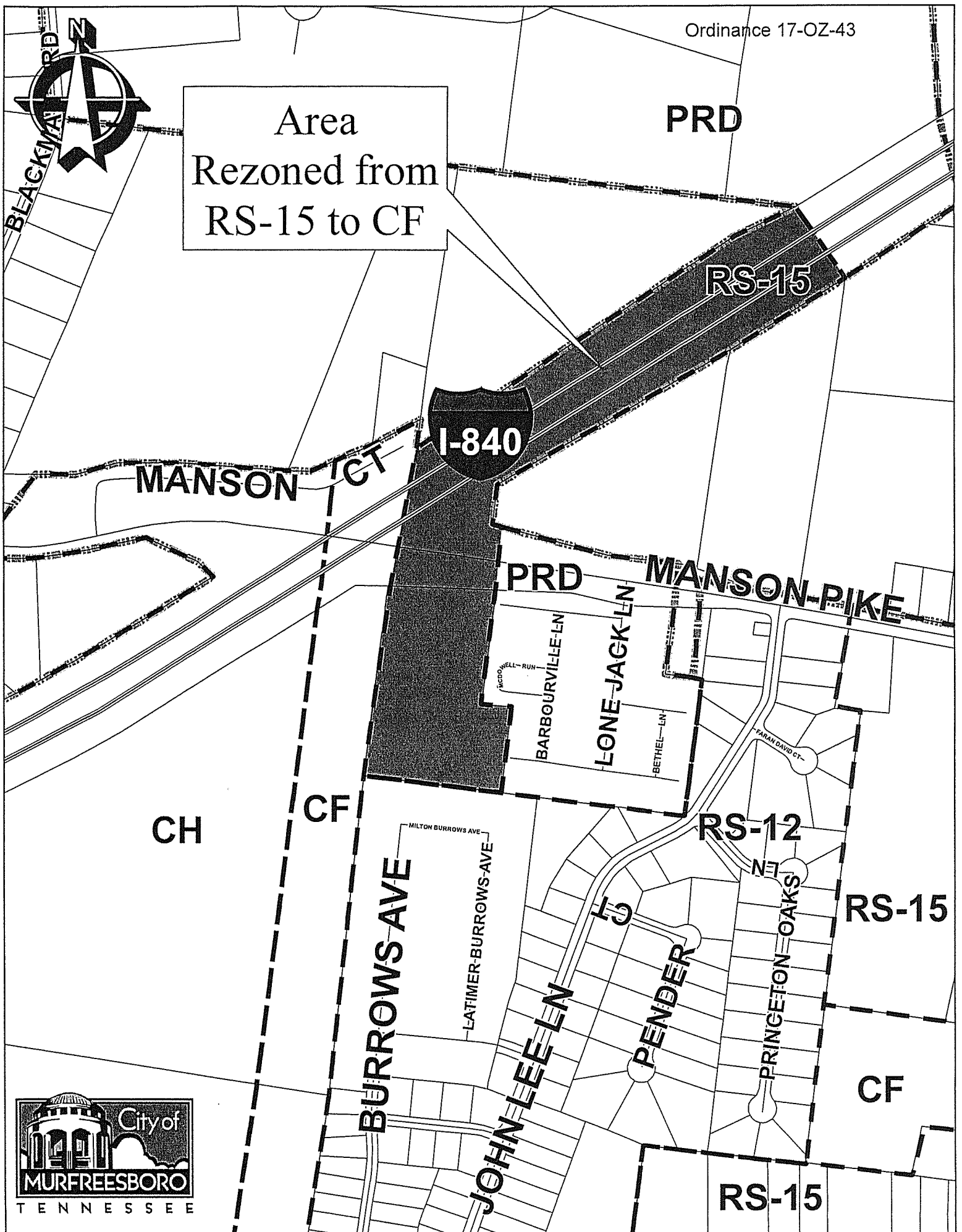








LUP Amendment: Auto-Urban (General) Residential



LUP Amendment: Suburban (Neighborhood) Commercial



Ordinance 17-OZ-49

PRD

RIFT DR

YAKIMA WAY

SANDRA DR

ESQUIRE DR

ESQUIRE CT

RS-15

RS-12

LUCKY CIR

Area  
Rezoned from  
RS-10 to RS-12

RS-10

Area  
Rezoned from  
RS-10 to RS-6

NEPONSET DR

FITZGERALD DR

RS-12

RS-12

ELLSWORTH CT



OSBORNE LN

RS-15

RS-12

MEADOWHILL DR

PENNY LN

RS-10

ROCKING HORSE LN





MANSON PIKE

PRD

BARBOURVILLE LN

LONE JACK LN

WELL RUN  
MCDO

KESSLERS XING

RS-15

CH

CF

Area  
Rezoned from  
RS-12 to RS-6

BURROWS AVE

MILTON BURROWS AVE

LATIMER BURROWS AVE

OAKTON BURROWS DR

JOHN LEE LN

PENDER

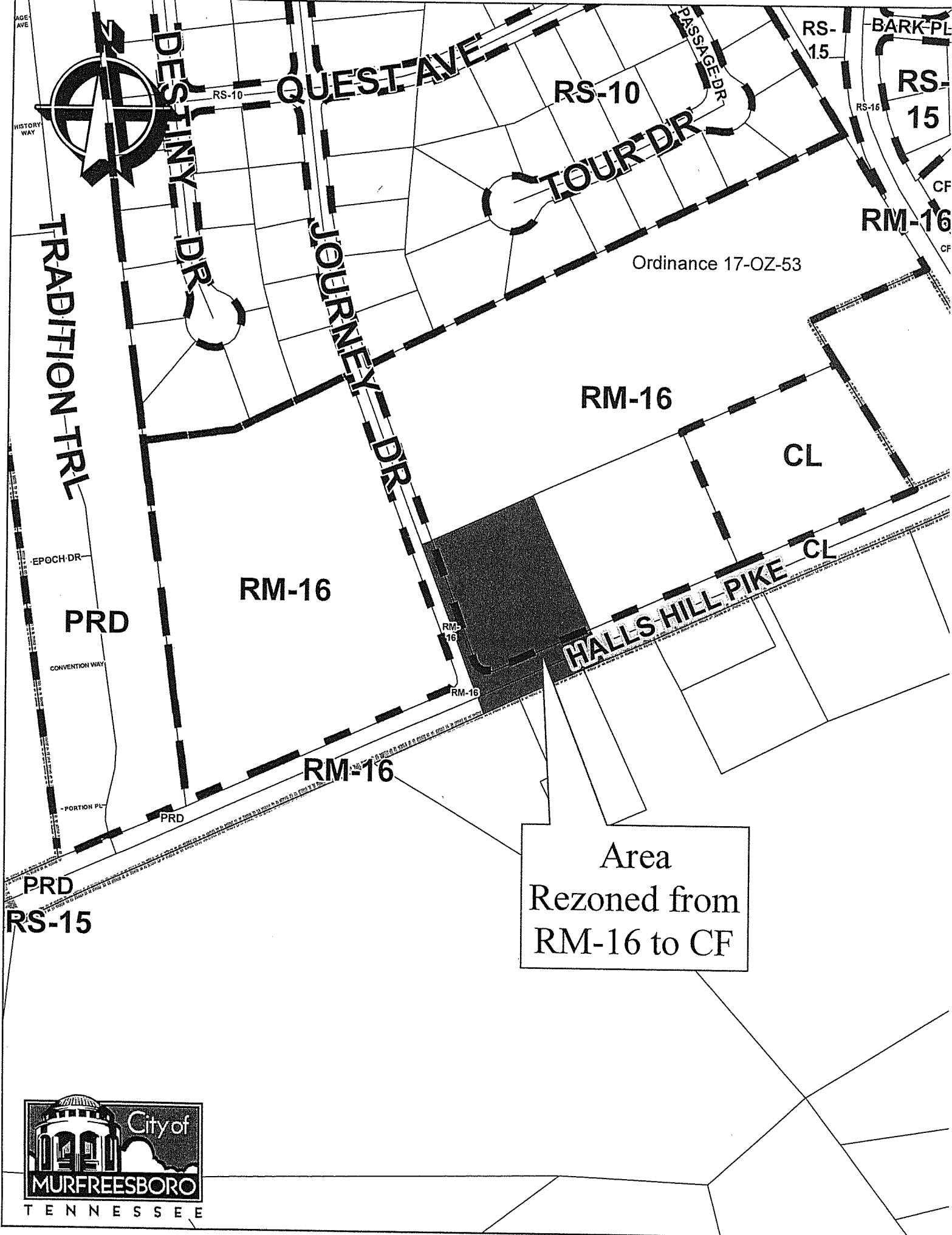
RS-12

BLACKMAN BURROWS LN

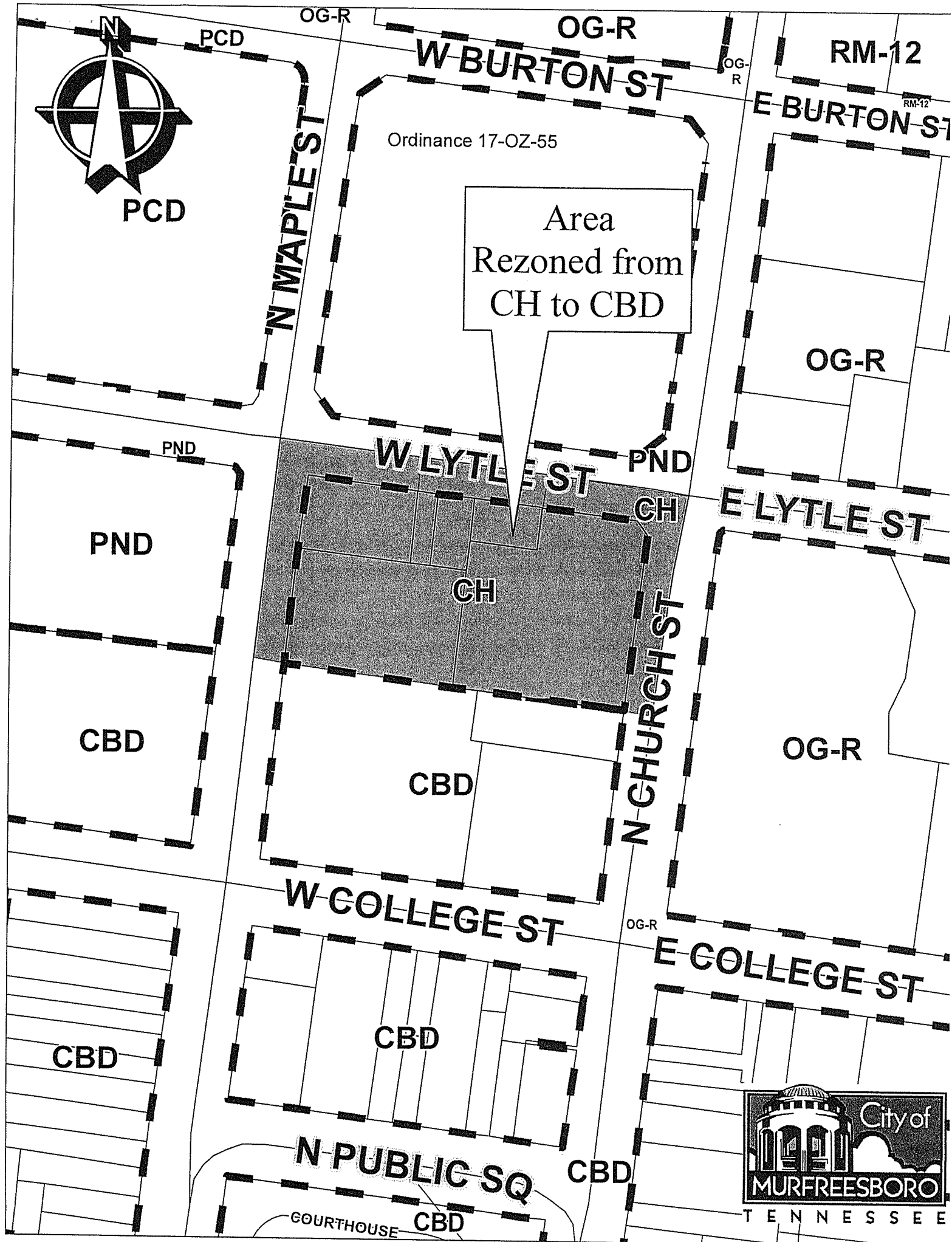
RS-15

GLOVERHILL DR





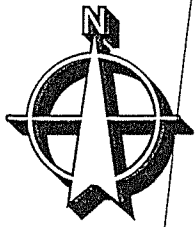
LUP Amendment: Suburban (Neighborhood) Commercial



LUP Amendment: Urban Commercial / Mixed Use







Ordinance 17-OZ-59



Murfreesboro  
City Limits

Area  
Zoned PRD  
Simultaneous  
with Annexation

MAJESTY DR

FLORENCE RD

MANSON PIKE

LANNISTER AVE

BRINKLEY RD

LYPSO DR



LUP Amendment: Auto-Urban (General) Residential



PRD

Ordinance 17-OZ-63



MAJESTY DR

FLORENCER DR

Area  
Rezoned from  
CL to CF

MANSON PIKE

CL

CF

CF

CF

RS-15

RS-15

LANNISTER AVE

RS-12

CF

BRINKLEY RD

CALYPSO DR

RS-12

RS-12

RS-15

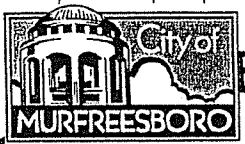
ERHIL DR

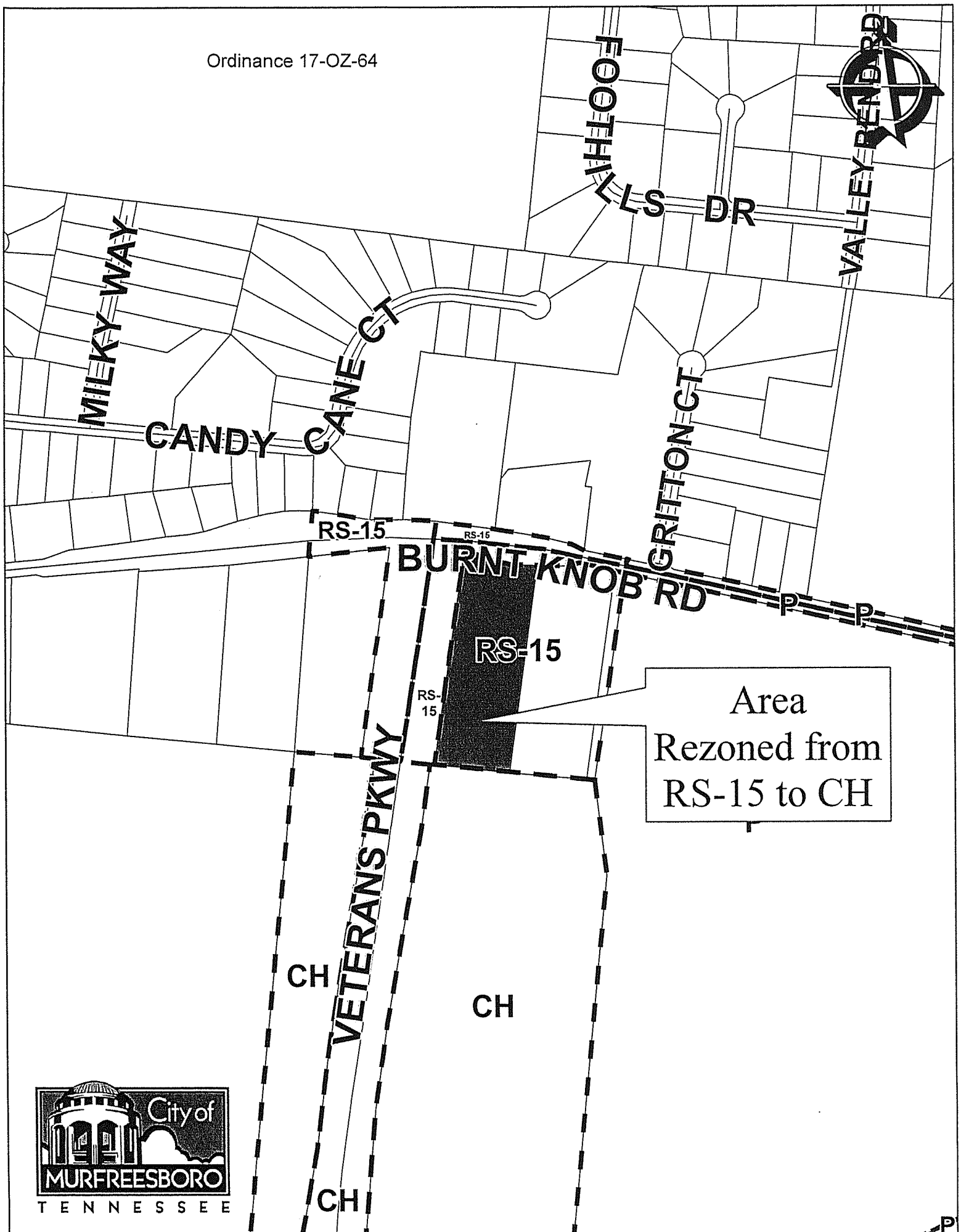
RS-15

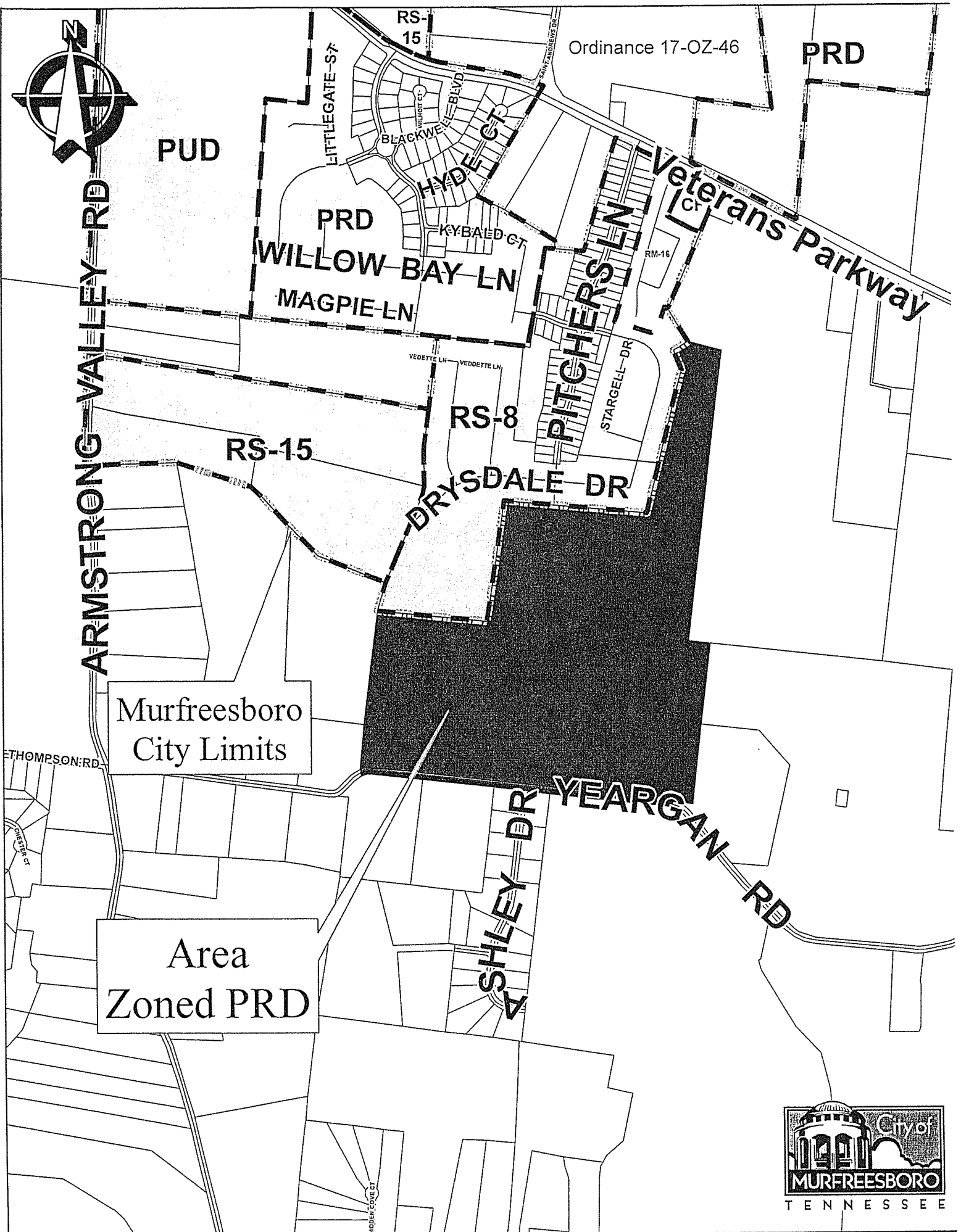
RS-15

PRD

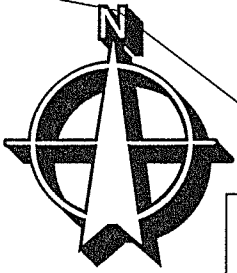
PRD











Murfreesboro  
City Limits

Area to be  
Zoned CF  
Simultaneous  
with Annexation

CF

CH

FRANKLIN RD

VETERANS PKWY

CH

HICKORY HILLS DR

ELIZABETH DR

JACK BYRNES DR

RS-15





RS-15

Ordinance 18-OZ-05

RS-15

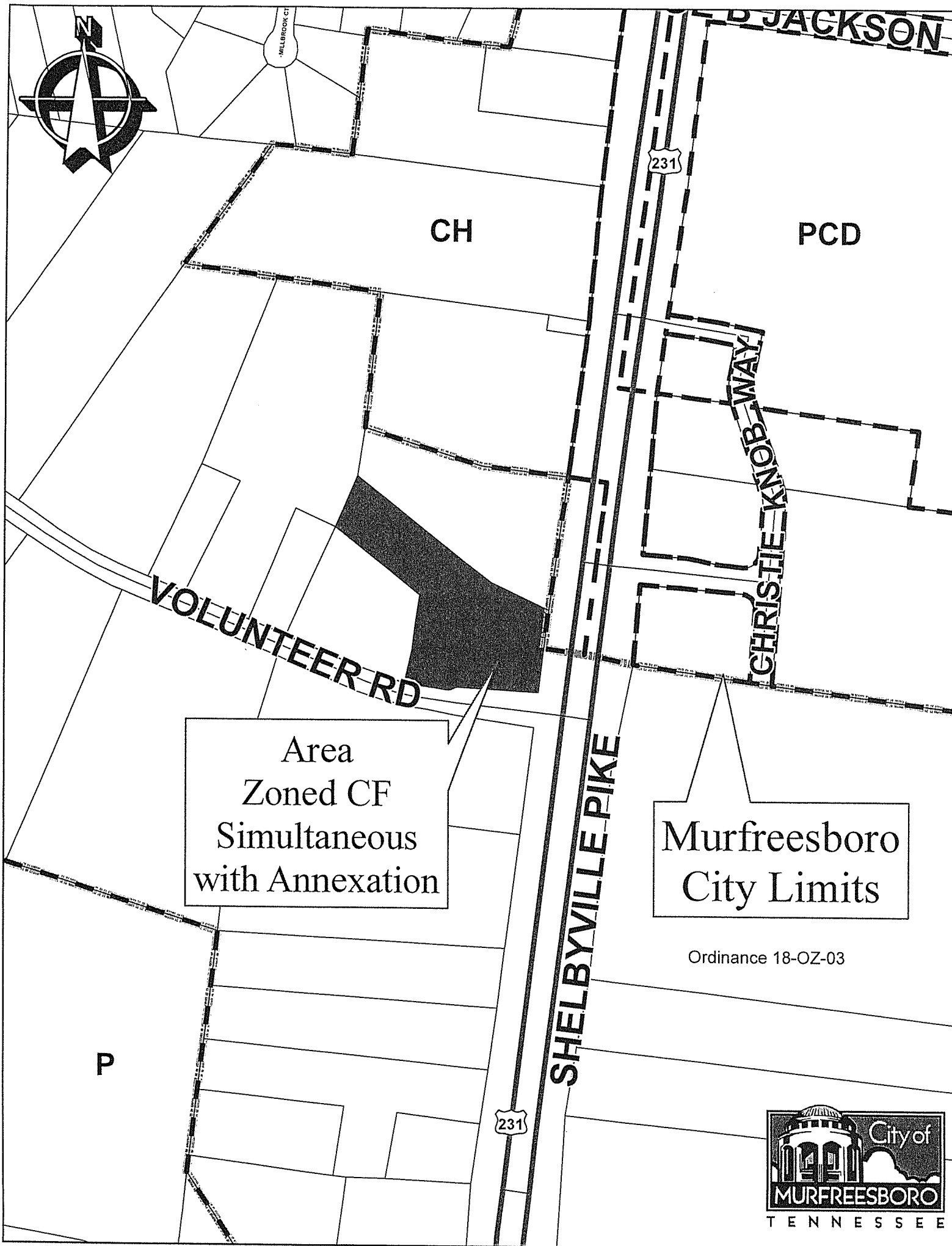
RS-15

Area  
Rezoned from  
RS-15 to PCD

PUD



TENNESSEE



LUP Amendment: Suburban (Neighborhood) Commercial



Ordinance 17-OZ-62



PUD  
Amended

RS-15

RS-12

PUD

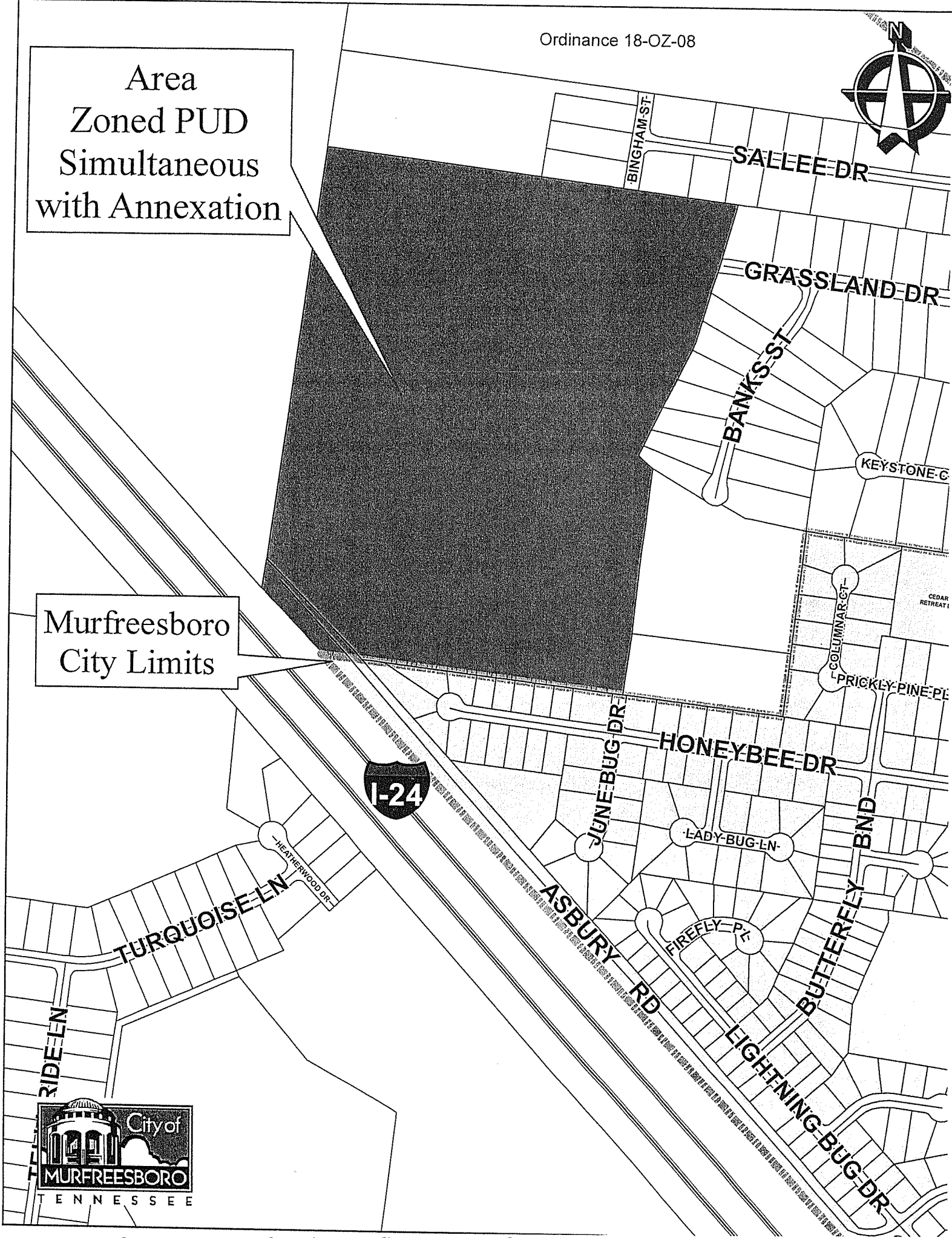


LUP Amendment: Auto-Urban Multi-Family

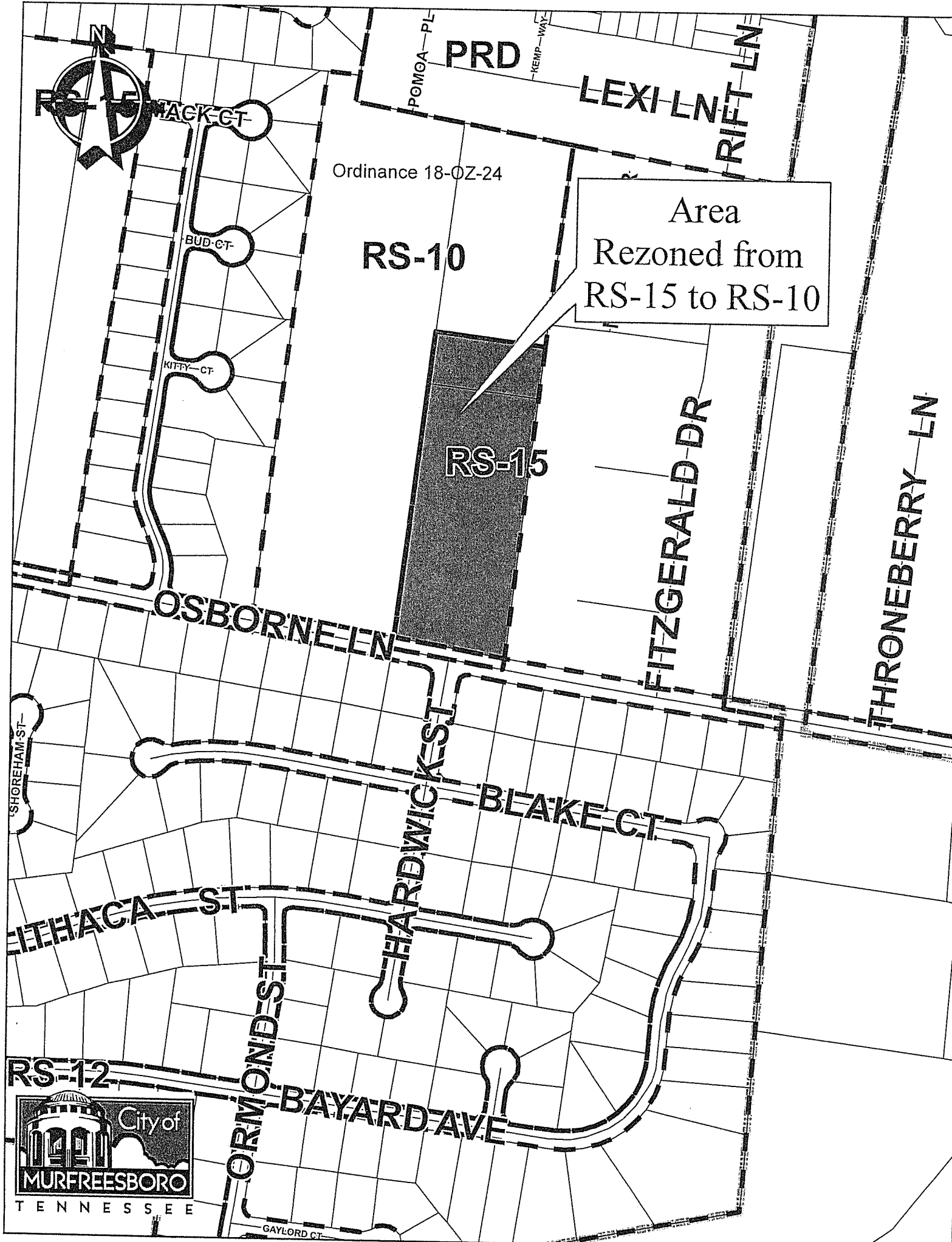


Area  
Zoned PUD  
Simultaneous  
with Annexation

Murfreesboro  
City Limits







LUP Amendment: Auto-Urban (General) Residential



Ordinance 18-OZ-25

VILLANOVA PL

FRANKLIN HEIGHTS DR

SWARTHMORE CT

CONHOCKEN CT

PRD

PRD  
Amended

RS-12

RS-12

RS-12

RS-10

RS-12

RS-10

RS-10

PRECIOUS AVE

RS-8

RS-10

RS-10

PRD

PRD

PRD

HOLSTED DR

BALLATER DR

MACDUFFE DR

WELLINGTON PL

AMAL

CLIFDON CT

ANTEBELLUM DR

RS-10

RS-8

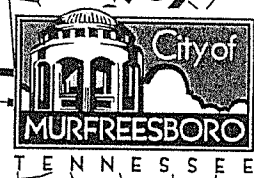
RS-8

RS-10

RS-10

PRD

PRD

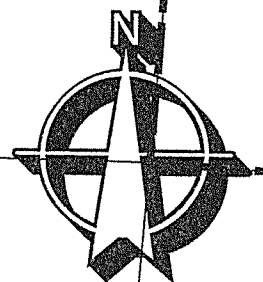


LUP Amendment: Auto-Urban (General) Residential

GLA

Ordinance 18-OZ-30

Area  
Rezoned from  
CH to PRD



ALMAR-KNOT-DR

GRESHAM-LEN

CH

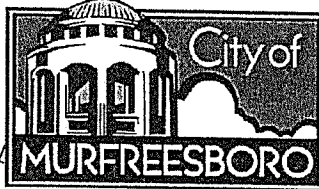
MAKAYLA-GT

CL

OLD-FORT PKWY

PUD

QUAKER-CT



-16

CF

RM-12

AGRIPARK-DR

ANDREWS-DR