

# **CITY OF MURFREESBORO PLANNING COMMISSION AGENDA**

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

**OCTOBER 2, 2019  
6:00 PM**

**Kathy Jones  
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the September 4, 2019 Planning Commission meeting.**
- 4. Old Business:**
  - a. Zoning application [2019-428] for approximately 8.14 acres located along Shores Road to amend the Westlawn PUD to modify the buffering and screening plan along Shores Road, D.R. Horton, Inc. applicant. (project planner: Marina Rush)
  - b. Annexation plan of services and annexation petition [2019-512] or request for service as an outside the City sewer customer for approximately 58.5 acres located along Miller Lane, Brenda Benz applicant.
- 5. New Business:**
  - a. Annexation plan of services and annexation petition [2019-510] for approximately 44.75 acres located along South Rutherford Boulevard, Mary K. Murfree Family Partnership, applicant. (project planner: Amelia Kerr)
  - b. Zoning application [2019-429] for approximately 44.75 acres located along South Rutherford Boulevard to be zoned G-I simultaneous with annexation, Mary K. Murfree Family Partnership, applicant. (project planner: Amelia Kerr)
  - c. Annexation plan of services and annexation petition [2019-511] for approximately 297.5 acres located along Joe B Jackson Parkway and Elam Road, Betty Harris Dempsey applicant. (project planner: Marina Rush).
  - d. Zoning application [2019-432] for approximately 200.1 acres located along Joe B Jackson Parkway and Elam Road to be zoned G-I simultaneous with annexation, Betty and Elizabeth Dempsey applicants. (project planner: Marina Rush).



# **MURFREESBORO PLANNING COMMISSION AGENDA**

## **PAGE 2**

**October 2, 2019**

- e. Zoning application [2019-426] for approximately 122.19 acres located along Cason Trail, Eastview Drive, and Racquet Club Drive to be rezoned from RS-10 and RS-15 to PUD (Hidden River Estates PUD), Blue Sky Construction, applicant. (project planner: Marina Rush).

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

### **7. Adjourn.**

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 2, 2019**

**PROJECT PLANNER: MARINA RUSH**

- 4.a. Zoning application [2019-428] for approximately 8.14 acres located along Shores Road to amend the Westlawn PUD to modify the buffering and screening plan along Shores Road, D.R. Horton, Inc. applicant.**

The applicant, D.R. Horton, Incorporated, is requesting to amend the Westlawn Planned Unit Development (PUD), located along Veterans Parkway and Shores Road, to allow modification of the landscape buffer design for the berm, width, and plantings for the portion located along the edge of Westlawn along Shores Road. Property is identified as Tax map 93A, Group E, Parcel 26.01 Group F, Parcel 32.00. The applicant's engineer, SEC, Inc., studied the project conditions and landscape requirements and determined installing the required buffer where existing vegetation exists adjacent to the stormwater drainage channel would not be feasible. Applicant is requesting to modify the text and exhibit in the Westlawn PUD pattern book to reflect the existing landscape buffer.

On September 4, 2019, the Planning Commission conducted a public hearing and deferred the requested zoning amendment to October 2, 2019 per the applicant's request to allow time for the applicant to conduct an informational meeting with the neighbors and residents of Westlawn Subdivision. The applicant held the meeting on September 12, 2019 and there were five residents from Westlawn and five residents from properties located along the south side of Shores Road. The applicant's engineer indicated the residents were pleased that the existing trees would remain and had no issues or concerns with the changes to the pattern book.

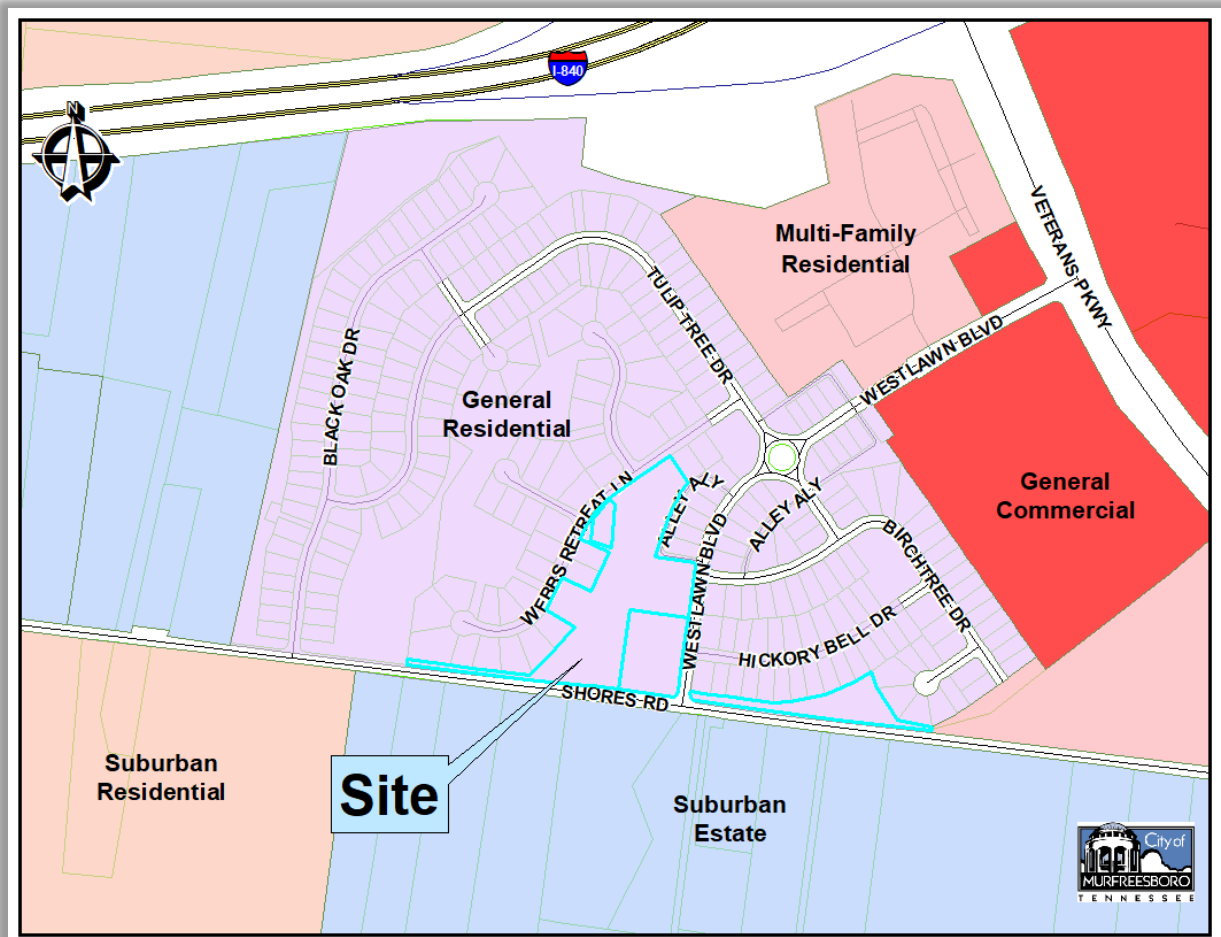
**Adjacent Zoning and Land Uses**

The adjacent zoning on the properties to the north, west and east are Westlawn PUD and beyond the development is unincorporated Rutherford County. The adjacent land uses are agriculture, vacant land, and single family residential. Veterans Parkway is located east of the Westlawn development and Interstate-840 is located to the north.

**Future Land Use Map**

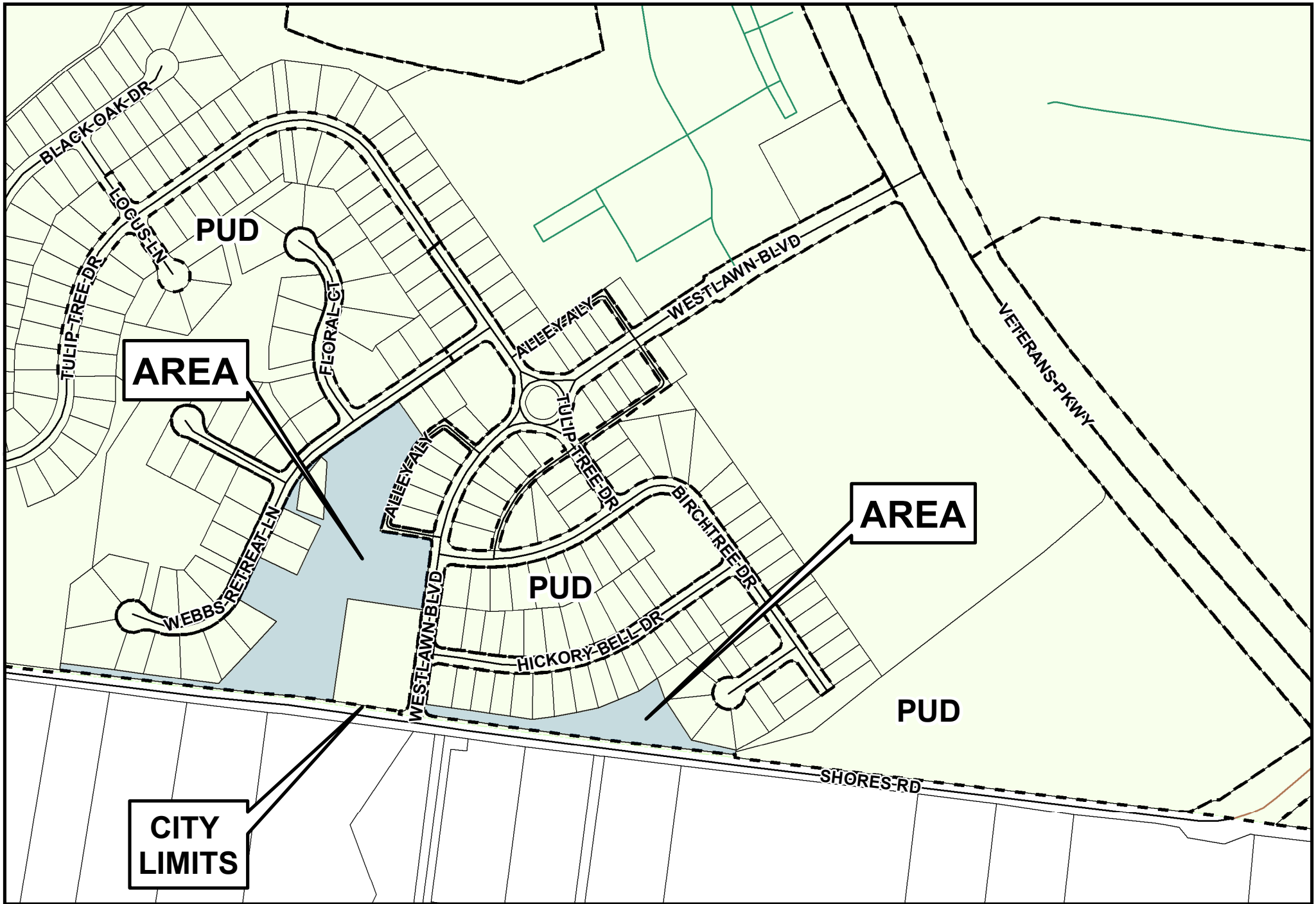
The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that Auto-Urban (General) Residential is the most appropriate land use for the

project area. The PUD zoning is consistent with this land use design. In addition, the amendment would not affect the land use for this property.



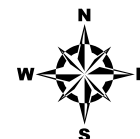
### **Action Needed**

The public hearing for this proposed PUD amendment was held by the Planning Commission on September 4, 2019. No changes to the request have been made since the public hearing; thus, no new public hearing is needed. The Planning Commission will need to discuss the zoning request and then formulate a recommendation for the City Council.



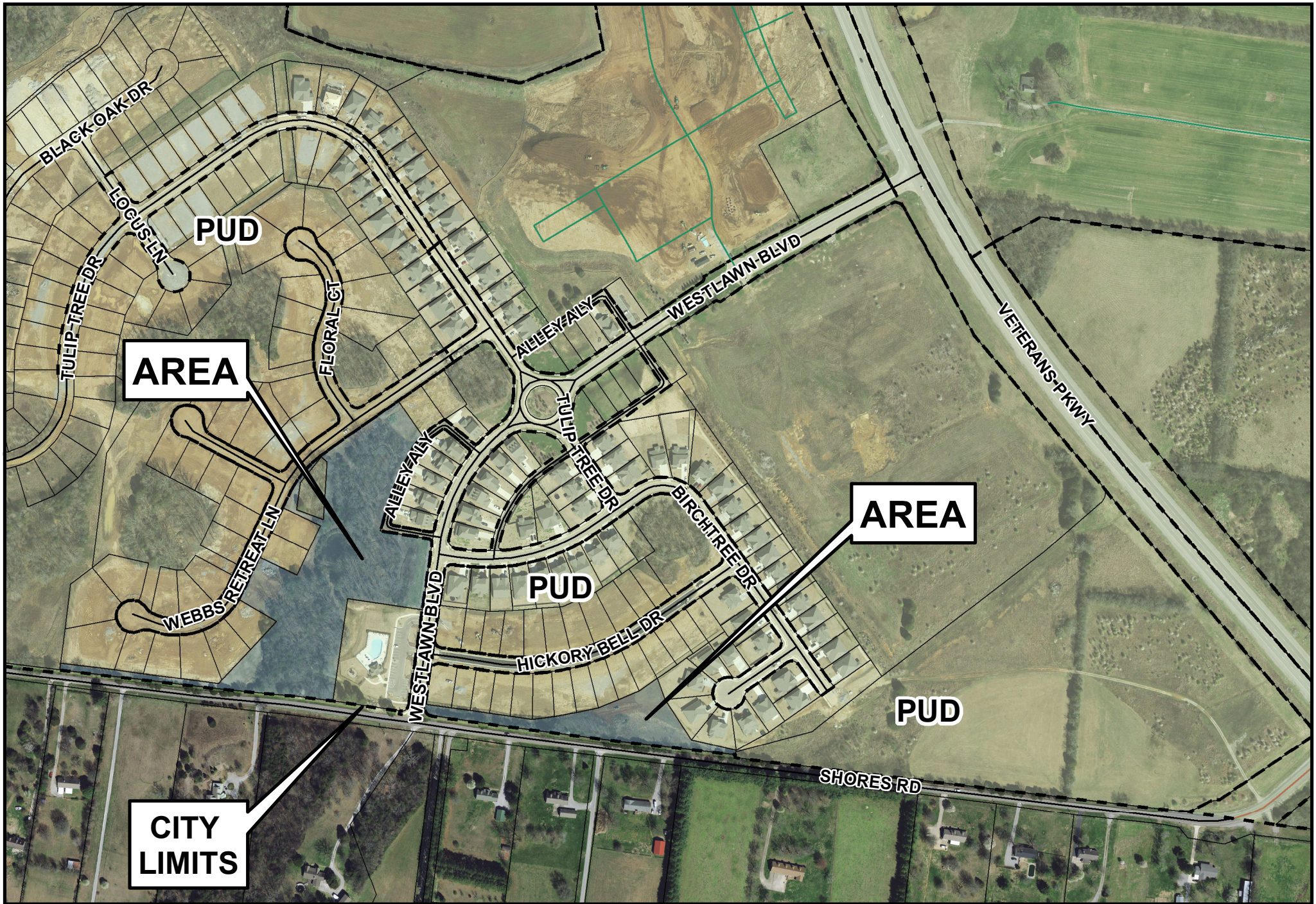
**PUD Amendment Along Shores Road  
(Westlawn PUD)**

0 125 250 500 750 1,000  
Feet



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





**PUD Amendment Along Shores Road  
(Westlawn PUD)**

0 125 250 500 750 1,000 Feet



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



August 16, 2019

Mr. Donald Anthony  
City of Murfreesboro Planning Department  
111 West Vine St.  
Murfreesboro TN 37130

RE: Westlawn PUD Amendment  
SEC Project No. 15264

Dear Mr. Anthony,

D.R. Horton is requesting a PUD Amendment for a portion of the Westlawn development located along Veterans Parkway and Shores Road. The request for a amendment to the PUD consists of modifying the proposed design of the landscape buffers located along Shores Road. Specifically, this request is for a revision to the width, design and location of the landscape buffers at the edge of Westlawn along Shores Road.

Westlawn was originally approved by City Council in 2007 and amended in 2010 by a previous developer. The approved PUD booklet outlines landscape buffers to be place at various places along Shores Road frontage associated with Westlawn. The buffers were meant to screen the proposed homes along Shores Road.

Our client, D.R. Horton has purchased and developed the single family portion of Westlawn and proceeded to develop the project as it was outlined in the approved PUD booklet. During such time, the required buffers along Shores Road were not installed with the associated sections of development as they were approved and platted with the city. The oversight wasn't realized until staff was reviewing plans for Section 5. At that time, staff discovered that the required landscape buffers for Section 4 were not designed, approved and installed with that section of the development. It was brought to SEC's attention and we advised our client.

Since that time, SEC has been working to design the required buffers per the approved PUD. During our design, we determined that the approved buffers would not work as designed within the areas as outlined in the PUD booklet. The conceptual buffer design locations and berm cross-sections did not fully consider the detailed engineering designs to allow for appropriate drainage of the development. The berm and buffer diagrams on Pages 31 and 32 of the approved PUD (see attached pages) did not take into consideration, the actual topographic layout of the property when those concepts were designed into the PUD book. In order to adequately drain the proposed lots, drainage swales were necessary at the rear lot lines of the homes to provided adequate stormwater management between the development and Shores Road. It would be physically impossible to provide for the proposed PUD berms to occupy the same spaces as the required drainage swales. As you can see in the attached cross-sections, the blending of existing topography and the drainage ditch at the rear of the lots, does not allow for the intended landscape berms in the land between Shores Road and the rear lot lines in Westlawn.

Although we might not be able to install the berm portion of the buffer, we are fully committed to installing the landscape plantings associated with the buffers outlined in the PUD booklet. As you can see in the attached landscape plans for these areas (Landscape Sheets L0.1-L2.0), we have designed landscape materials to adequately provide the same level of screening desired in the approved Westlawn PUD booklet. The proposed plantings will be in conjunction with the existing vegetation that has over 10 more years of maturity from the time the original PUD was approved thus creating more screening from natural vegetation. The plantings have been placed along the edges or banks of the stormwater ditches to provide that screening desired in the original PUD. While working in and around the existing natural vegetation preserved between the development and Shores Road.

Our amendment request is as follows: to modify the widths, design and location of the buffers along Shores at the edge of Westlawn. Previously and prior to our public hearings on this property, the applicant agreed to the following commitments to accompany the rezoning:

1. Remove the berm requirements of the landscape buffer as outlined on Pages 31 and 32 of the approved PUD booklet. In place of those requirements, allow for the proposed landscape buffer plantings to be placed on existing grades associated with the development.
2. Remove the required widths of the buffers as outlined on Pages 31 and 32 of the approved PUD booklet. In place of those requirements, we offer to install the landscape plantings originally intended in the approved PUD with varying widths in order to better fit the areas existing between the rear lot lines and Shores Road. This is outlined in the attached conceptual landscape plans for these buffer areas along Shores Road
3. Remove the types of plant type requirements of the landscape buffer as outlined on Pages 31 and 32 of the approved PUD Booklet. In place of those requirements, allow for a variety of evergreen trees and shrubs to allow for the plantings to fit within some of the tight spaces along these proposed buffers and provide year-round screening.

These amendments will allow for the least disturbance to the existing homeowners within Westlawn that have previously bought with the existing vegetation in place. I have attached pictures of the existing vegetation with this letter for your information as well.

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

Sincerely,

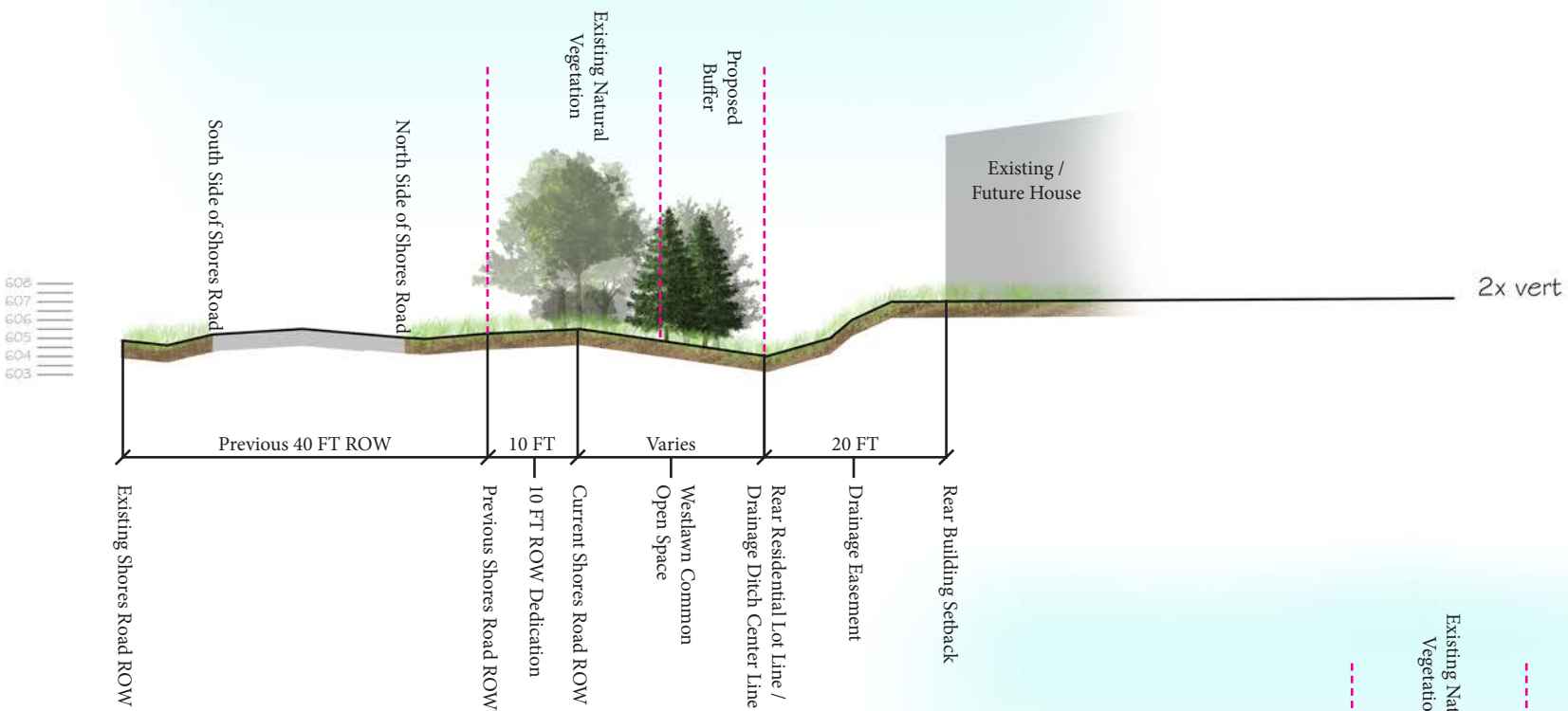
A handwritten signature in black ink, appearing to read 'Rob Molchan', with a stylized flourish at the end.

Rob Molchan, P.L.A.  
SEC Inc.

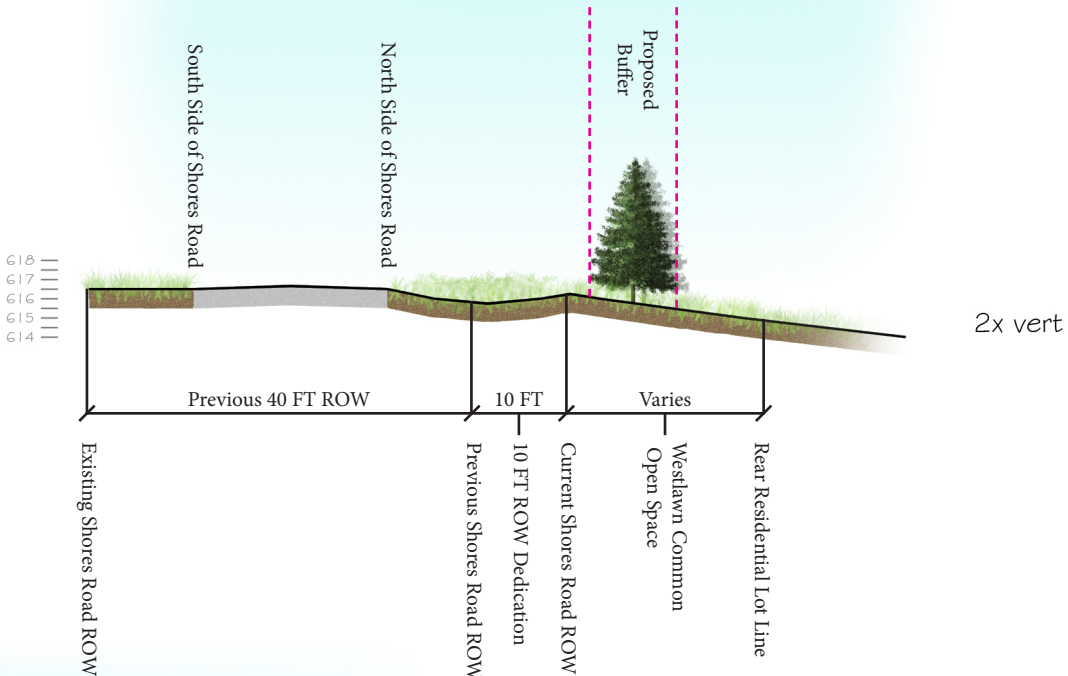
WESTLAWN SECTION 5

7/18/19

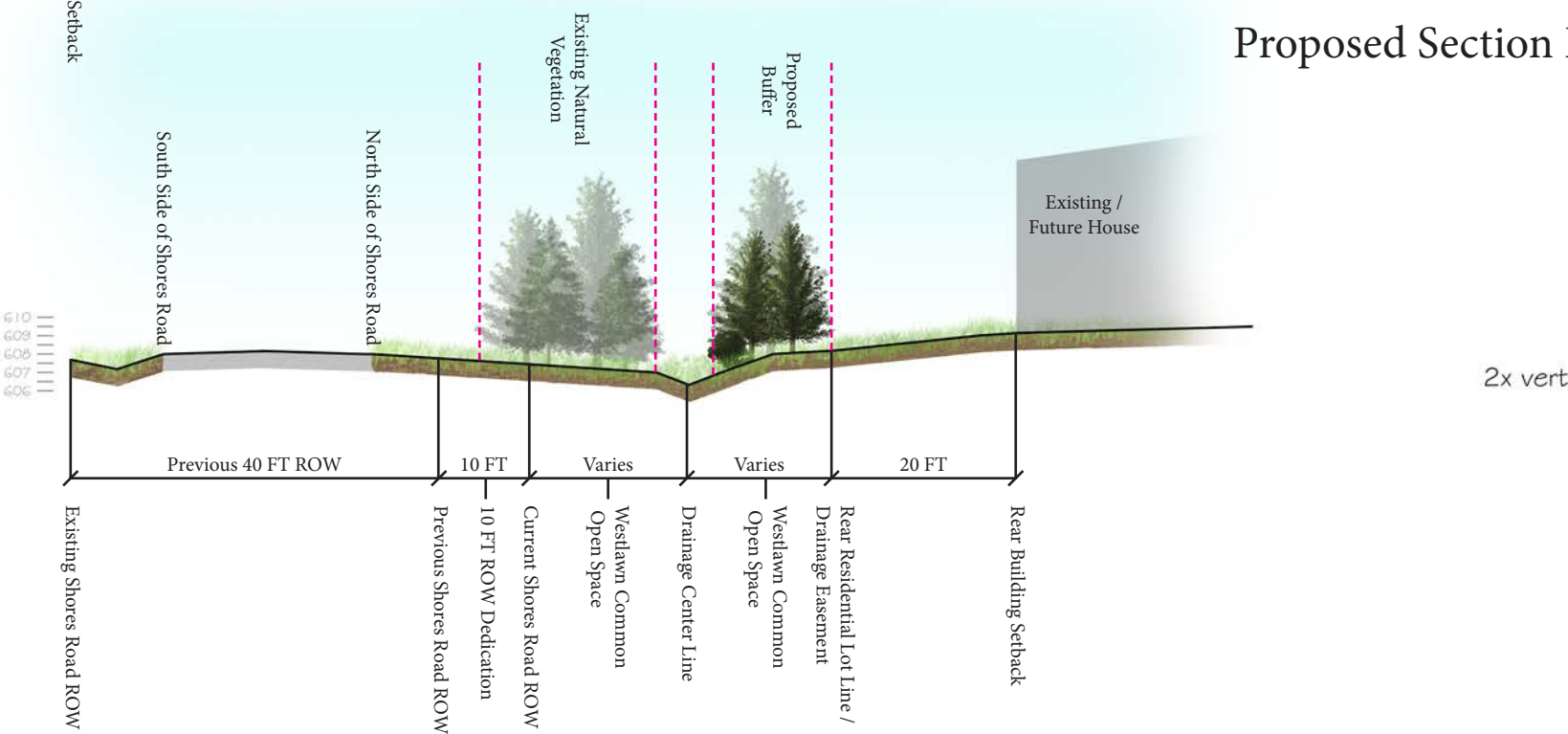
Proposed Section A - A1



Proposed Section C - C1



Proposed Section B - B1



**SEC, Inc.**

**SITE ENGINEERING CONSULTANTS**

ENGINEERING • SURVEYING • LAND PLANNING  
LANDSCAPE ARCHITECTURE

850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129  
PHONE: (615) 890-7901 WEB: WWW.SEC-CIVIL.COM FAX: (615) 895-2567

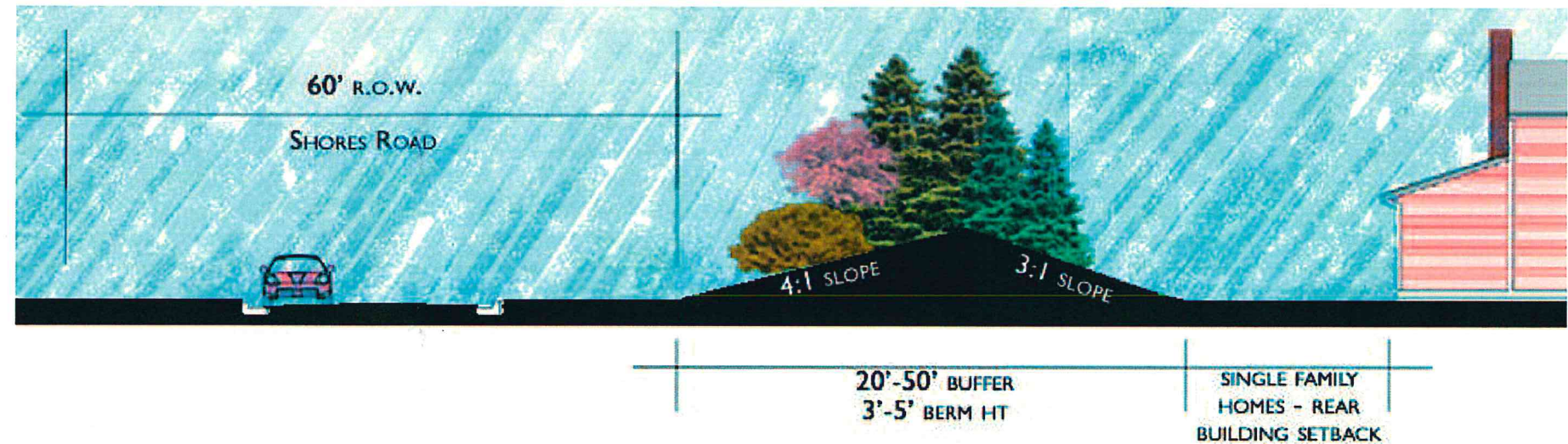
LANDSCAPE & ROW SECTIONS





# RESIDENTIAL- BUFFER/SCREENING

A 20 to 50' minimum landscape buffer will be provided along Shores Road to screen the backs and sides of the proposed 85' and 63' residential lots that back up to the existing residents along Shores Road. This buffer will be a culmination of ornamental and evergreen plant material. This application will be designed around existing vegetation and will be installed continuously along the backs of the proposed lots.



SECTION A-AI



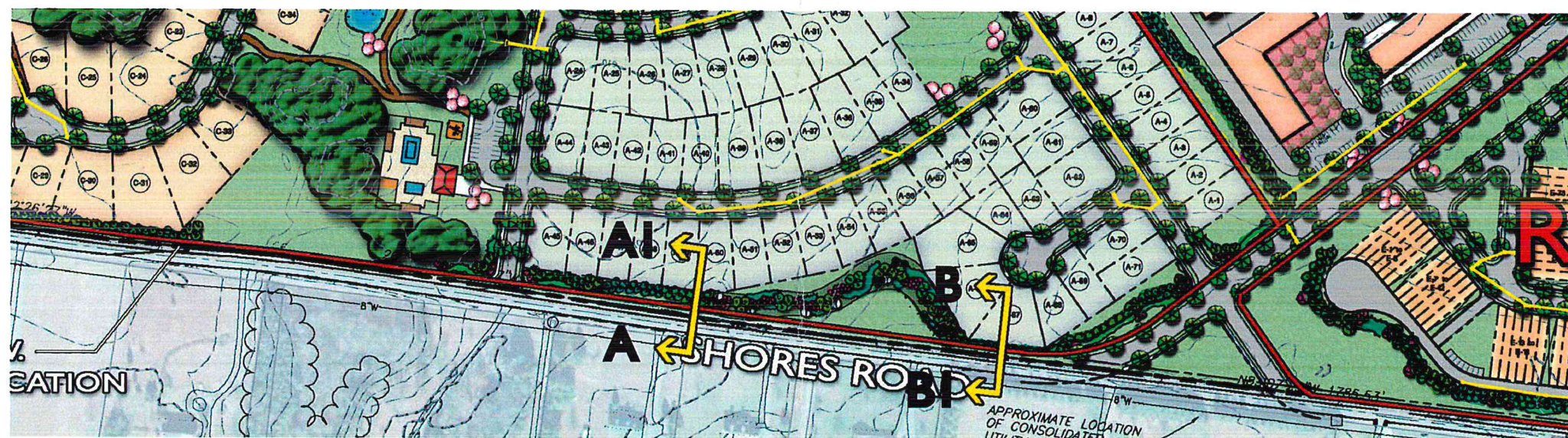
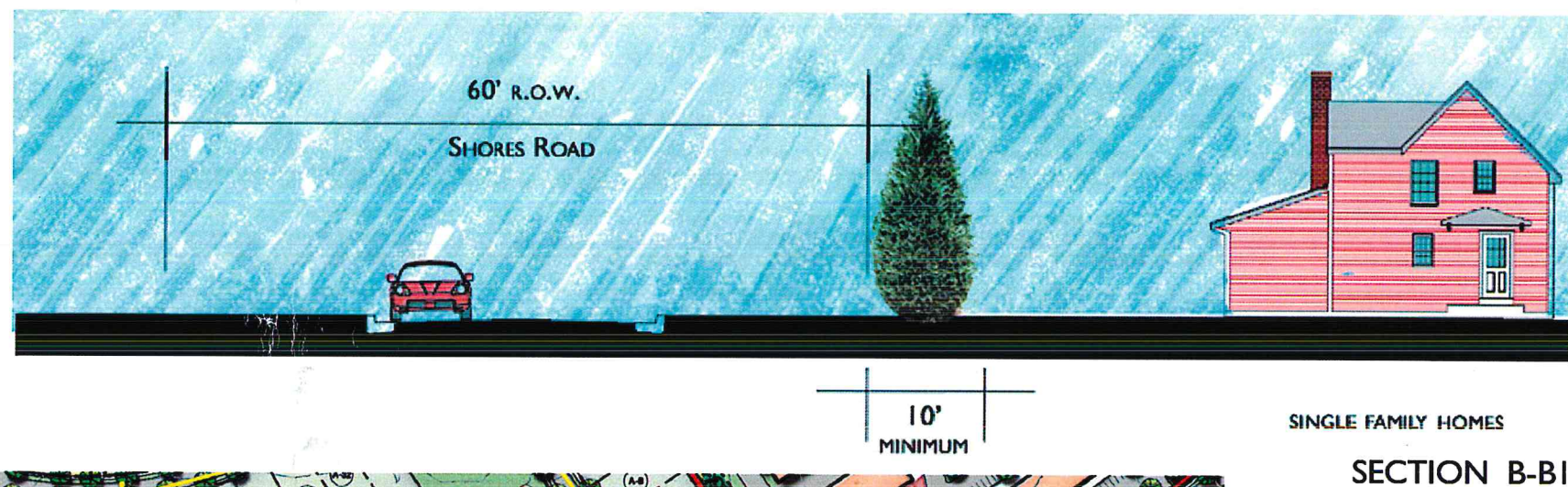
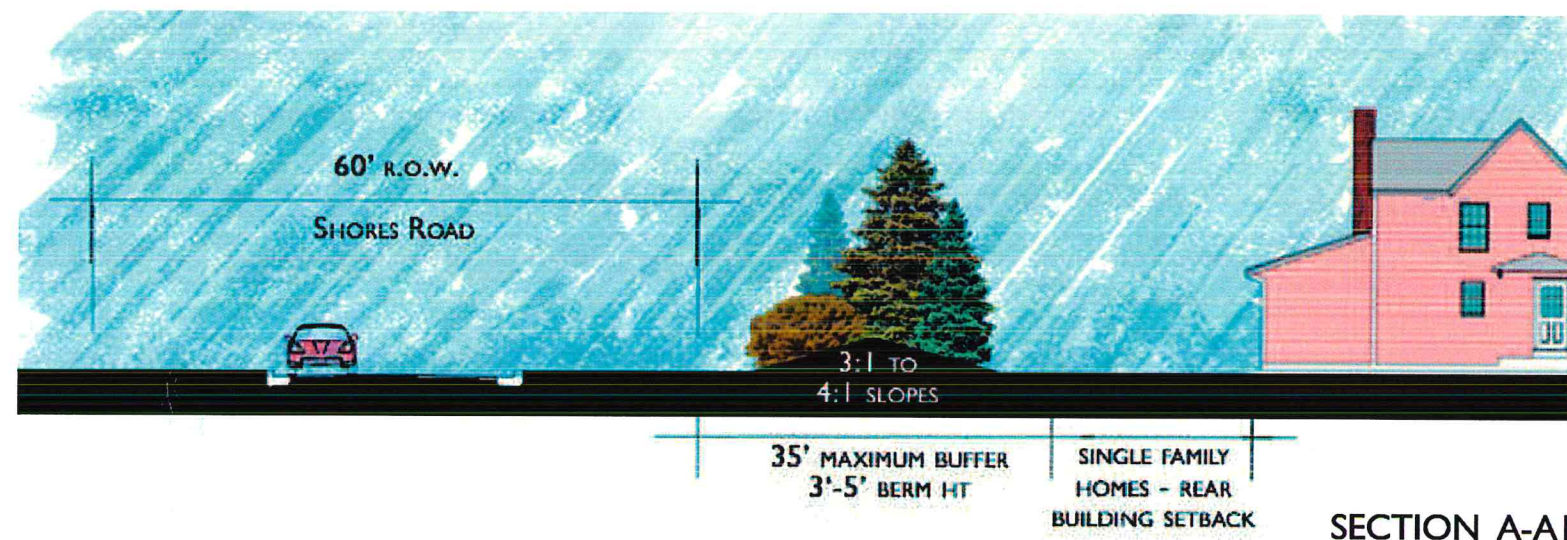
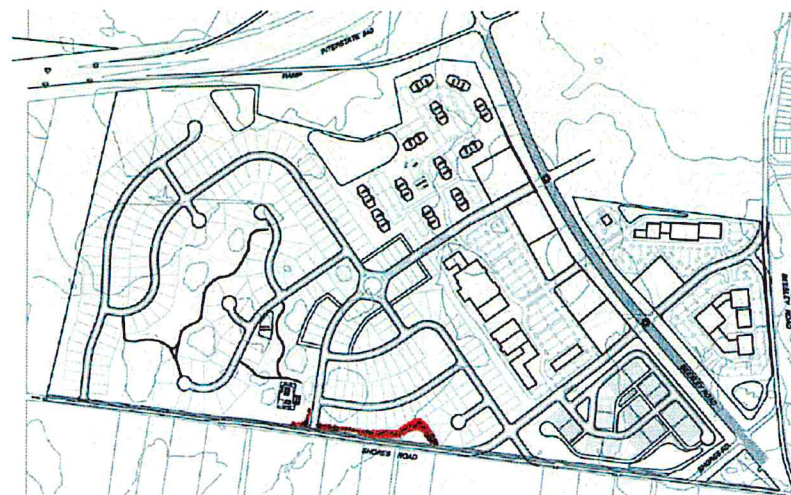
PLAN VIEW





# RESIDENTIAL-BUFFER/SCREENING

Where 60' lots back up to Shores Road, a 10' to 35' buffer will be provided to screen the backs and sides of the residential lots. This buffer will be a culmination of ornamental and evergreen plant material and will include berms on the wider buffers to add additional screening.



PLAN VIEW





**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 2, 2019**

**4.b. Annexation plan of services and annexation petition [2019-512] or request for service as an outside the City sewer customer for approximately 58.5 acres located along Miller Lane, Brenda Benz applicant.**

The subject property is located along Miller Lane, just southeast of Epps Mill Road and adjacent to and east of Interstate 24 and Barrett Firearms Manufacturing. Sanitary sewer is available to the property and the owners desire to be able to connect to the sanitary sewer. The 9.06-acre Barrett Enterprises L.P. property to the west of the subject property on Miller Lane, which consists of three (3) separate parcels was approved as an outside the City sewer customer in 2016. This property is currently zoned Employment and Activity Center (EAC) within the unincorporated county which is a mixed-use zone that allows various residential, commercial, and light industrial uses.

The property owner has filed a request for annexation, which is the first step in seeking service as an outside the City sewer customer. A letter from the Murfreesboro Water Resources Department has been submitted by the applicant stating that sanitary sewer is available to serve the 58.5 acres that is the subject of this request. The subject property is not within the City's urban growth boundary and it is separated from the existing City Limits by several miles and numerous other properties. Because of the current separation from the existing City limits, it does not appear practical to annex the property at this time. However, because of the availability of sewer and, if it is to be served, the property would require approval as an outside the City sewer customer in accordance with the requirements of Murfreesboro City Code Section 33-2.1.1. If approved as an outside the City sewer customer, any future development on the property must adhere to City development requirements. Staff recommends that, if the Planning Commission and Council approve this request, the City L-I (Light-Industrial) zoning district be assigned to this property for the purpose of regulating future development.

The Planning Commission considered this request at its September 18<sup>th</sup> regular meeting and voted to defer action. Planning Commission members pointed out that the City is considering a Sewer Allocation Ordinance and discussed the potential consequences of approval of the request as submitted. At that meeting, the Planning Commission asked the applicant's representative whether his client would consider an incremental approach to the approval of this tract as portions of

it are proposed for development, instead of approving the entire 58.5 acres at one time. The applicant consulted with his client and she has decided that she would like to continue to pursue approval for the entire 58.5 acres.

Several issues are applicable to the Planning Commission's consideration of the matter. The property is in the Buchanan/Elam Sewer Assessment District and recent practice has been to serve properties within that District. The Buchanan/Elam Sewer area is also under a private sewer development repayment contract although the contract is not with this property owner. The outcome of this process may have significance in view of the terms of the sewer development contract.

According to analysis by Murfreesboro Water Resources Department for similarly used properties, the full property (58.5 acres) would likely generate 21.3 single family equivalent units of sewer demand and would be required to pay \$21,285 in Buchanan/Elam Sewer Assessment fees. This use is less than the anticipated Sewer Allocation Ordinance for industrial of 0.5 SFU/acre and significantly less than a typical residential use which would generate approximately 100-125 single family units for a land tract of this size. The exact sewer demand and sewer assessment fees cannot be determined until actual users are known, and their sewer needs evaluated.

The Planning Commission will need to consider this request once again and vote to:

1. Defer
2. Defer until Sewer Allocation Ordinance is passed, or additional information is available
3. Approve as requested,
4. Approve a lesser amount of property, or
5. Deny

Staff will forward the Planning Commission's recommendation to the City Council for its consideration.

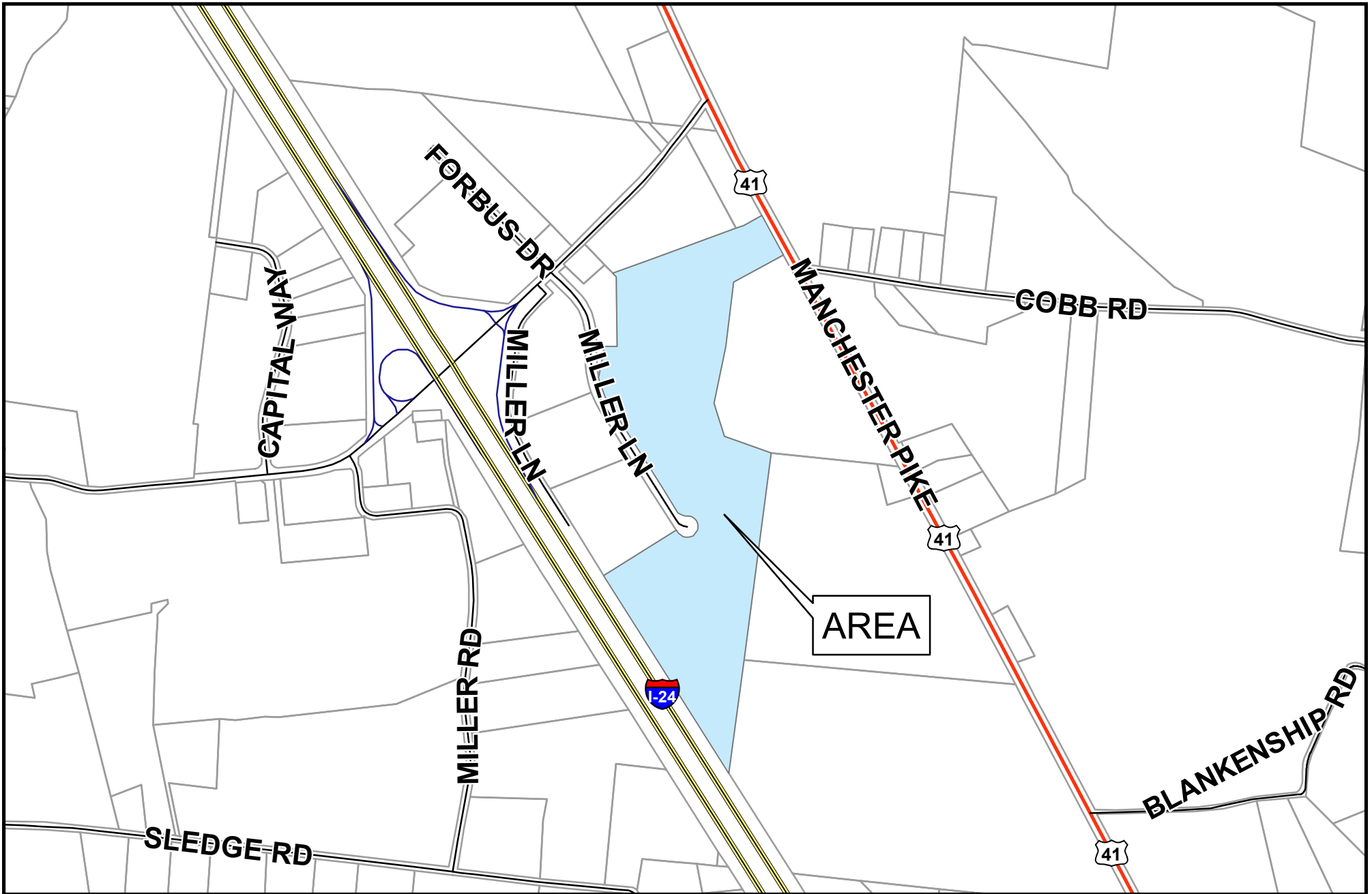
**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 18, 2019  
PROJECT PLANNER: AMELIA KERR**

- 7.e. Annexation plan of services and annexation petition [2019-512] or request for service as an outside the City sewer customer for approximately 58.5 acres located along Miller Lane, Brenda Benz applicant.**

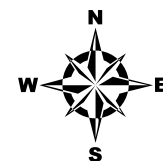
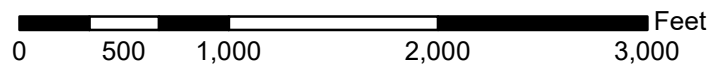
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The property owner has filed a request for annexation, which is the first step in seeking service as an outside the City sewer customer. A letter from the Murfreesboro Water Resources Department has been submitted by the applicant stating that sanitary sewer is available to serve the 58.5 acres that is the subject of this request. The subject property is not within the City's urban growth boundary and it is separated from the existing City Limits by several miles and numerous other properties. Because of the current separation from the existing City limits, it does not appear practical to annex the property at this time. However, because of the availability of sewer, Planning Staff recommends approval of the property as an outside the City sewer customer in accordance with the requirements of Murfreesboro City Code Section 33-2.1.1. If approved as an outside the City sewer customer, any future development on the property must adhere to City development requirements. Staff also recommends that the City L-I (Light-Industrial) zoning district be assigned to this property for the purpose of regulating future development.

If the Planning Commission recommends approval of this property as an outside the City sewer customer, Staff will forward the recommendation to the City Council for its consideration.



# Annexation/Outside the City Sewer Customer Request For Property Along Manchester Pike and Miller Lane

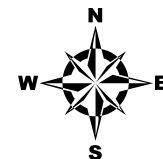
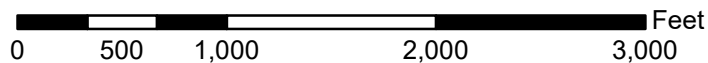


Planning Department  
City of Murfreesboro  
11 W Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





Annexation/Outside the City Sewer Customer Request  
For Property Along Manchester Pike and Miller Lane



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





*... creating a better quality of life*

# MEMORANDUM

DATE: September 4, 2019  
TO: Amelia Kerr  
FROM: Valerie H. Smith, PE  
RE: Outside City Sewer Customer  
Benz Property Along Miller Lane

With regard to the above listed property, it will be served as an outside the City sewer customer per our Policies, Procedures & General Design Requirements, Amendment No. 2. This property meets the outlined criteria, which is to be within the Buchanan and Elam Road Sanitary Sewer Assessment District.

The Owner/Developer must contact the Water Resources for any planned future developments that wish to connect to the sewer and obtain a "Will Serve" letter. Any developer wishing to connect to sanitary sewer must agree to execute an Outside the City Sewer Service Agreement which requires the development to build to City Standards.

Per the Department's current definition of "available", public sanitary sewer is available to the property within Miller Lane. There is an 8" gravity sewer that can serve the property.

The property requesting annexation is within the Buchanan and Elam Road Sanitary Sewer Assessment District and will be required to pay \$1000 per single family unit or equivalent addition to the existing and current standard sewer connection fee of \$2550.

All main line extensions are the financial responsibility of the developer and may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water Resources Department found on-line at:

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

pc: Darren Gore  
Anita Heck

Greg Harvey



August 15, 2019

Mr. Donald Anthony  
Murfreesboro Planning & Engineering Dept  
111 W. Vine St  
Murfreesboro, Tennessee 37130

RE: Brenda Benz Annexation Request  
Miller Lane  
Christiana, Tennessee  
SEC Project No. 17122

Dear Mr. Anthony:

Please accept this letter along with the attached application form as our official request to the City of Murfreesboro to annex Tax Map 156 Parcel 21.02.

The applicant understands that the request for annexation is unlikely to be granted due to its lack of proximity to the existing city limits. However, the applicant desires to be considered as an outside the city sewer customer even if the annexation request is denied.

We have attached an exhibit related to this project. The exhibit shows the property in question.

We have also attached the signed annexation petition with this letter.

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*

Matt Taylor, P.E.  
SEC Inc.

## 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. BRENDA BENZ  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: [Signature] Status: owner Date: 8/12/19  
PO BOX 1066 MURFREESBORO, TN. 37133-1066  
Mailing Address (if not address of property to be annexed)

2.  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

3.  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

4.  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

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

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

SEE ATTACHED  
TAX ROLL  
INFO







Monday, August 12, 2019

## LOCATION

Property Address Manchester Pike  
Christiana, TN

Subdivision

County Rutherford County, TN

## PROPERTY SUMMARY

Property Type Agricultural

Land Use Agricultural

Improvement Type

Square Feet

## GENERAL PARCEL INFORMATION

Parcel ID/Tax ID 156 021.02

Alternate Parcel ID 156 02102 00025156

Account Number R0082911

District/Ward 5

2010 Census Trct/Blk 406/3

Assessor Roll Year 2019

## CURRENT OWNER

Name Benz Brenda Jean

Mailing Address Po Box 1066  
Murfreesboro, TN 37133-1066

## SALES HISTORY THROUGH 08/09/2019

Date	Amount	Buyer/Owners	Seller	Instrument	No. Parcels	Book/Page Or Document#
6/23/1994		Benz Brenda Jean			3	528/202
7/28/1986		Benz Stanley R			2	365/667

## TAX ASSESSMENT

Appraisal	Amount	Assessment	Amount	Jurisdiction	Rate
Appraisal Year	2019	Assessment Year	2019		
Appraised Land	\$750,625	Assessed Land	\$24,025	Rutherford	2.0994
Appraised Improvements		Assessed Improvements			
Total Tax Appraisal	\$750,625	Total Assessment	\$24,025		
		Exempt Amount			
		Exempt Reason			

## TAXES

8/12/2019

CRS Data - Property Report for Parcel/Tax ID 156 021.02

Tax Year	City Taxes	County Taxes	Total Taxes
2018		\$6,639.88	\$6,639.88
2017		\$8,415.87	\$8,415.87
2016		\$8,415.87	\$8,415.87
2014		\$7,808.86	\$7,808.86
2013		\$7,955.97	\$7,955.97

## MORTGAGE HISTORY

Date	Loan Amount	Borrower	Lender	Book/Page or Document#	Assignments/ Releases
12/05/2018	\$1,040,000	The Revolution Group Inc	Firstbank	1742/3142	

## PROPERTY CHARACTERISTICS: BUILDING

No Buildings were found for this parcel.

## PROPERTY CHARACTERISTICS: EXTRA FEATURES

Feature	Size or Description	Year Built	Condition
Carport	640		
P Barn	3200	1981	AVERAGE
Patio	396	2001	EXCELLENT
At Shed	1280	1981	AVERAGE
P Barn	2400	1981	AVERAGE
Wd Deck	120	2001	AVERAGE
Drwy	1640	2001	AVERAGE
At Shed	720	1981	AVERAGE
Frpl	1	2001	GOOD
Frpl	1	2001	EXCELLENT
Gar Attached	950		

## PROPERTY CHARACTERISTICS: LOT

Land Use	Agricultural	Lot Dimensions	
Block/Lot		Lot Square Feet	3,637,245
Latitude/Longitude	35.720220°/-86.314856°	Acreage	58.5

## PROPERTY CHARACTERISTICS: UTILITIES/AREA

Gas Source	None	Road Type	State Hwy
Electric Source	Public	Topography	Rolling
Water Source	Individual	District Trend	Static
Sewer Source	Individual	Special School District 1	
Zoning Code		Special School District 2	
Owner Type	Private		

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 2, 2019  
PROJECT PLANNER: AMELIA KERR**

**5.a. Annexation plan of services and annexation petition [2019-510] for approximately 44.75 acres located along South Rutherford Boulevard, Mary K. Murfree Family Partnership, applicant.**

The subject property, which consists of a portion of a single parcel, is located on the north side of South Rutherford Boulevard east of South Church Street and west of Southeast Broad Street. It is bordered on its west property line with CSX Railroad. The portion of the parcel requested for annexation is approximately 44.75 acres and is undeveloped land. The western portion of the parcel was annexed into the City in 2012. The property owner has filed a written petition to have the balance of the parcel annexed into the City Limits. The study area is located within the City's Urban Growth Boundary and is contiguous with the existing City limits on its north, south, and west boundaries.

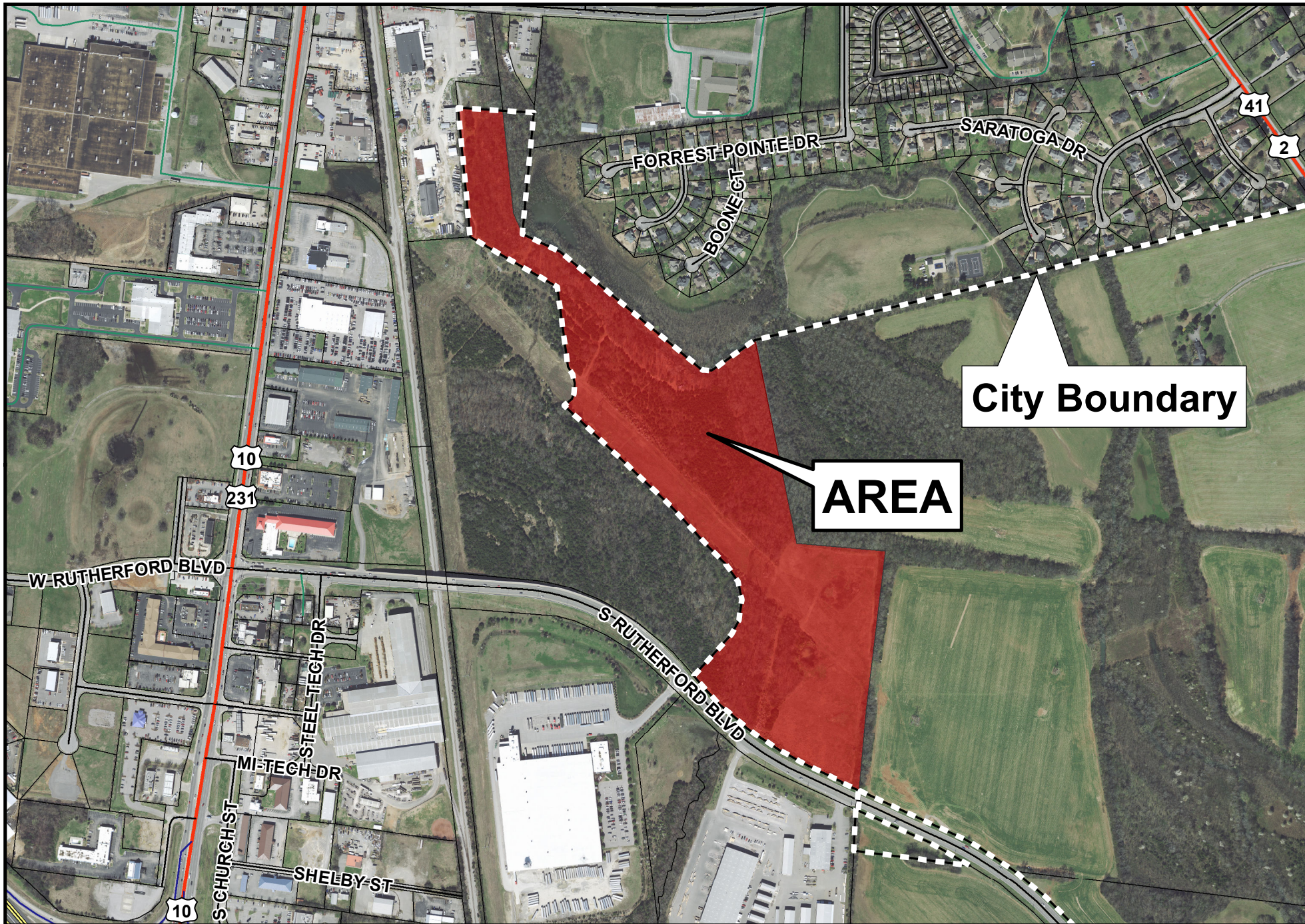
Staff has prepared a plan of services for the annexation of the property. It has been included in the agenda packet. It indicates that the City will be able to provide services to the subject property upon annexation. Of note, the Murfreesboro Electric Department will need to evaluate the demand for electric service upon the submittal of a development proposal, as additional electric service from the west may be required to be extended to serve future development of the study area. In addition, the Murfreesboro Water Resources Department is requiring that any development of the study area comply with the proposed sewer allocation ordinance. All water and sewer main line extensions necessary to serve future development of the study area will be the financial responsibility of the developer.

**Action Needed**

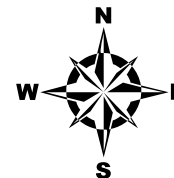
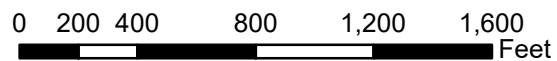
The Planning Commission will need to conduct a public hearing, after which it will need to discuss this annexation petition and plan of services and then formulate a recommendation for the City Council. An application to have the property zoned G-I simultaneous with the annexation has also been filed. The zoning request will be the next item on the agenda.







# Annexation Request for Property Along South Rutherford Boulevard



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



## PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

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

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

1. Mary K. Murfree Family Partnership  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Bob Murfree Status: General Partner Date: 8-5-2019

C/O Bob Murfree Box 12013 Murfreesboro TN 37129  
Mailing Address (if not address of property to be annexed)

2. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

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

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

3. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

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

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

4. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

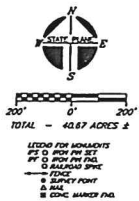
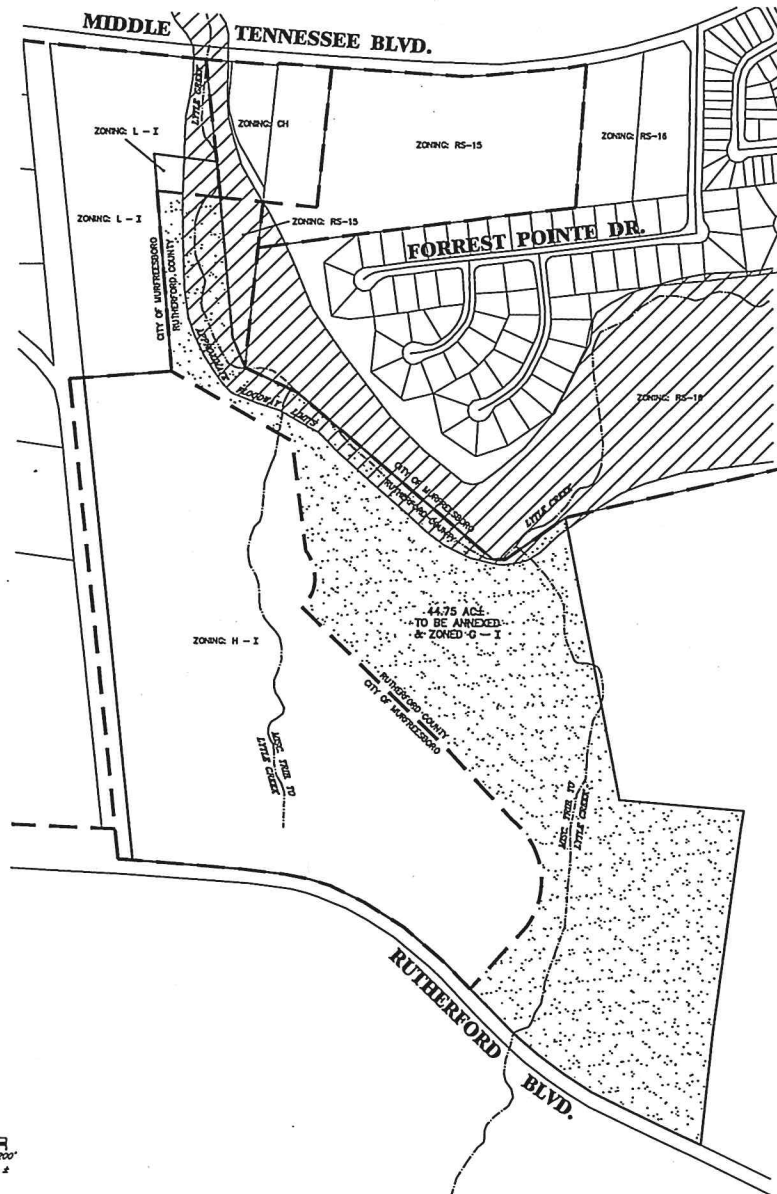
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_

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

(Attach additional signature pages if necessary)

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

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



OWNER: MURFREE MARY FAMILY PARTNERSHIP  
 ADDRESS: P.O. BOX 12013  
 MURFREESBORO, TN 37129  
 TAX MAP: 102 PARCEL: 42.00  
 FLOOD MAP PANEL: 47119 CODED H ZONES: AL X  
 FLOOD MAP DATED: JANUARY 3, 2007

NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND  
 ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED  
 OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

**EXHIBIT ONLY**

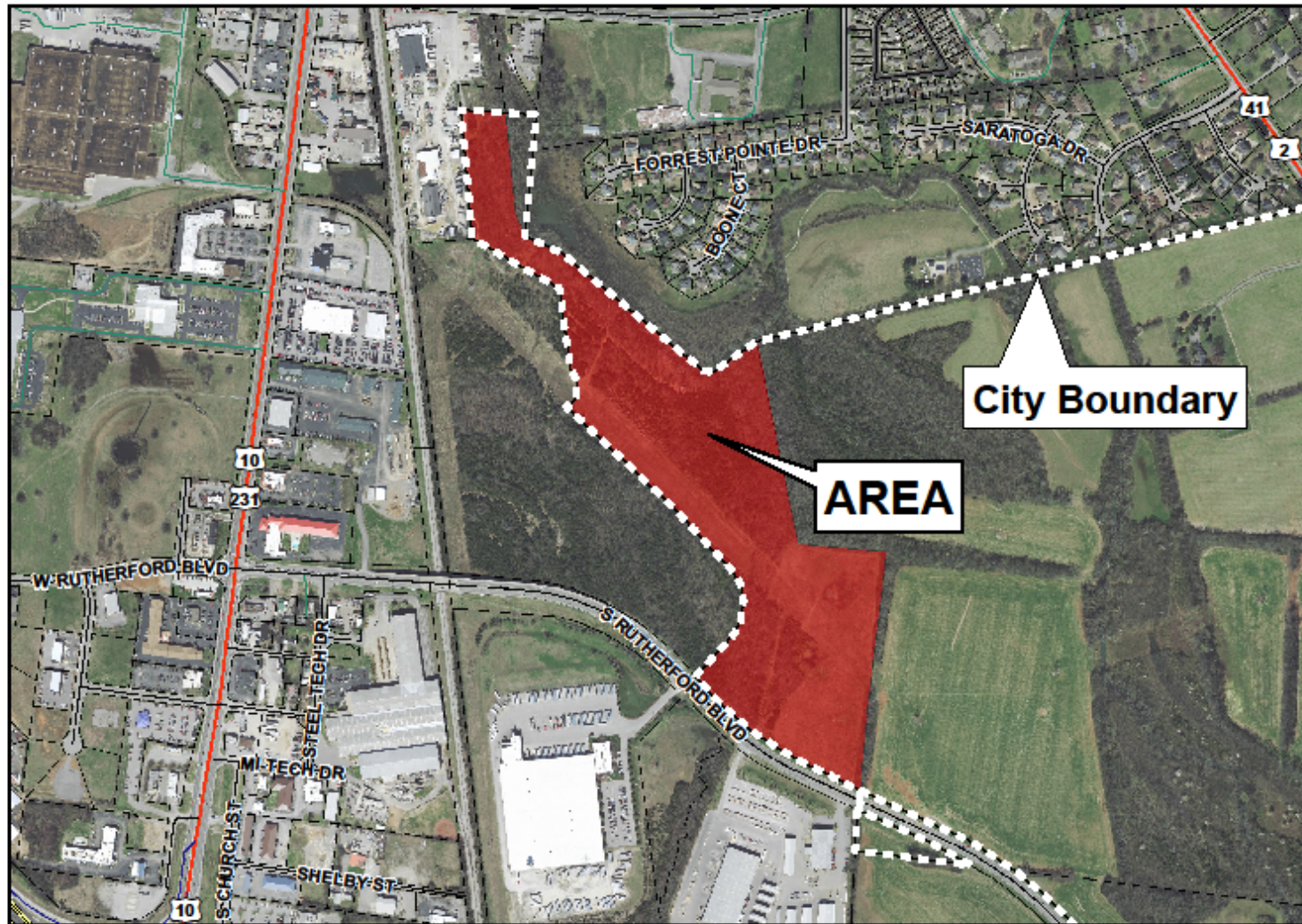
**HUDDLESTON-STEEL**  
 ENGINEERS & ARCHITECTS  
 1115 S. 2ND STREET, MURFREESBORO, TN 37129  
 TELEPHONE: (615) 894-1234 FAX: (615) 894-1235

ANNEXATION & ZONING EXHIBIT  
**MURFREE FAMILY PARTNERSHIP**  
 13TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN  
 DATE: AUGUST, 2019 SCALE: 1"=200' SK 1 OF 1

**ANNEXATION REPORT FOR PROPERTY LOCATED  
ALONG SOUTH RUTHERFORD BOULEVARD  
INCLUDING PLAN OF SERVICES  
(2019-510)**



PREPARED FOR THE  
MURFREESBORO PLANNING COMMISSION  
OCTOBER 2, 2019



Annexation Request for Property  
Along South Rutherford Boulevard

0 200 400 800 1,200 1,600  
Feet



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

# **INTRODUCTION**

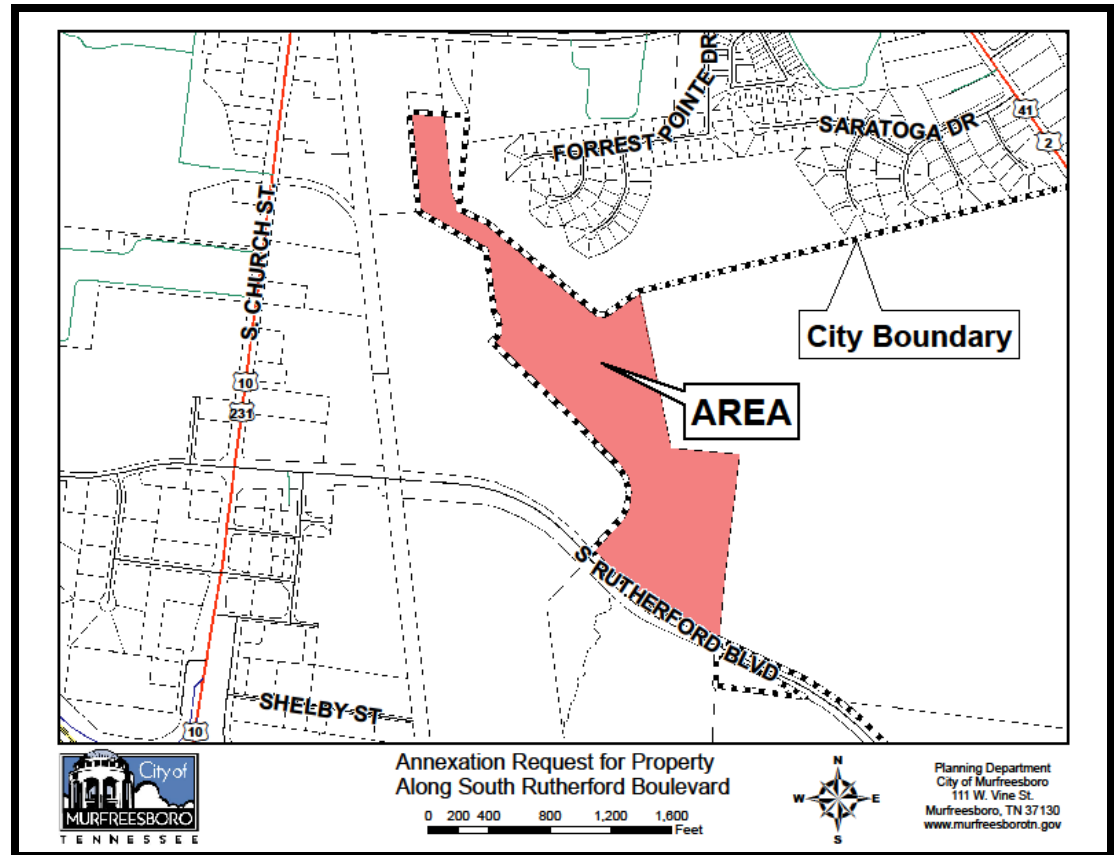


## OVERVIEW

The applicant, the Mary K Murfree Family Partnership, has requested annexation of a portion of single parcel located along the north side of South Rutherford Boulevard. The area studied in this Plan of Services is approximately 44.75 acres:

- Tax Map 102, Part of Parcel 04900

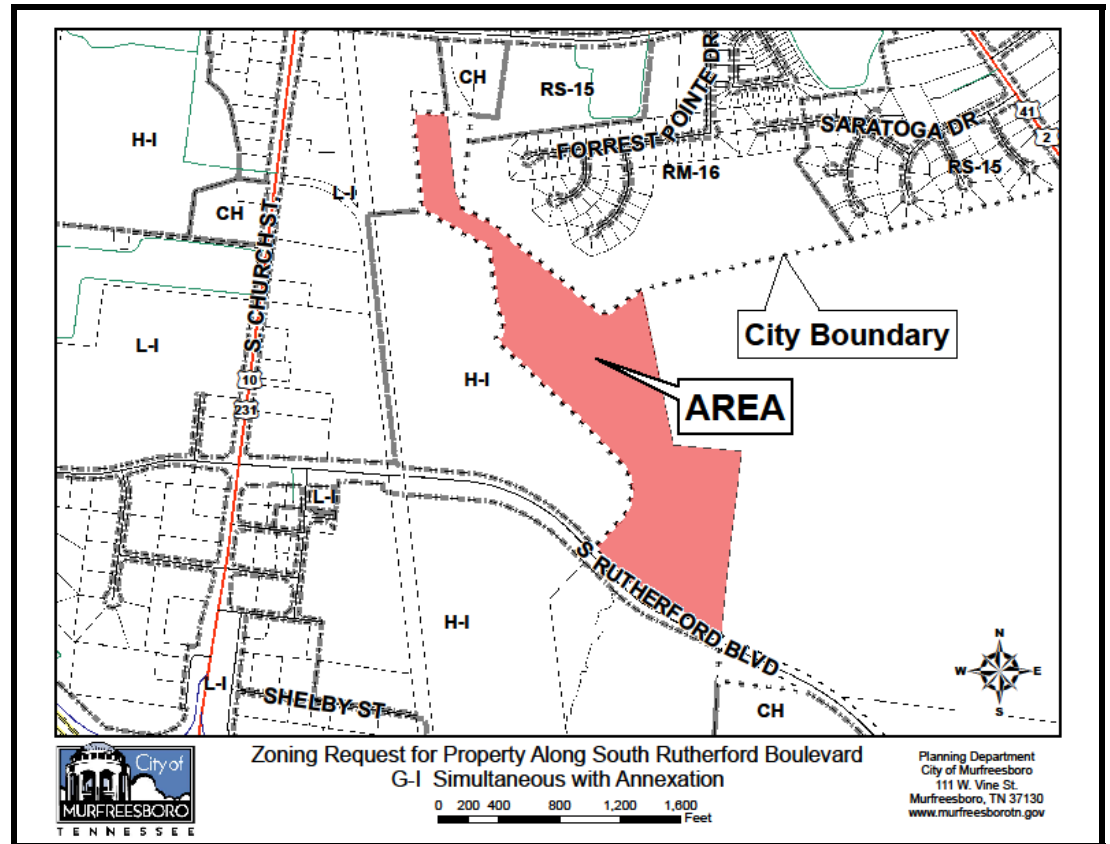
The study area lies within the City of Murfreesboro's Urban Growth Boundary. It is contiguous to the existing City limits on its north, south, and west sides. The adjacent property to the east lies within the unincorporated County.



## CITY ZONING

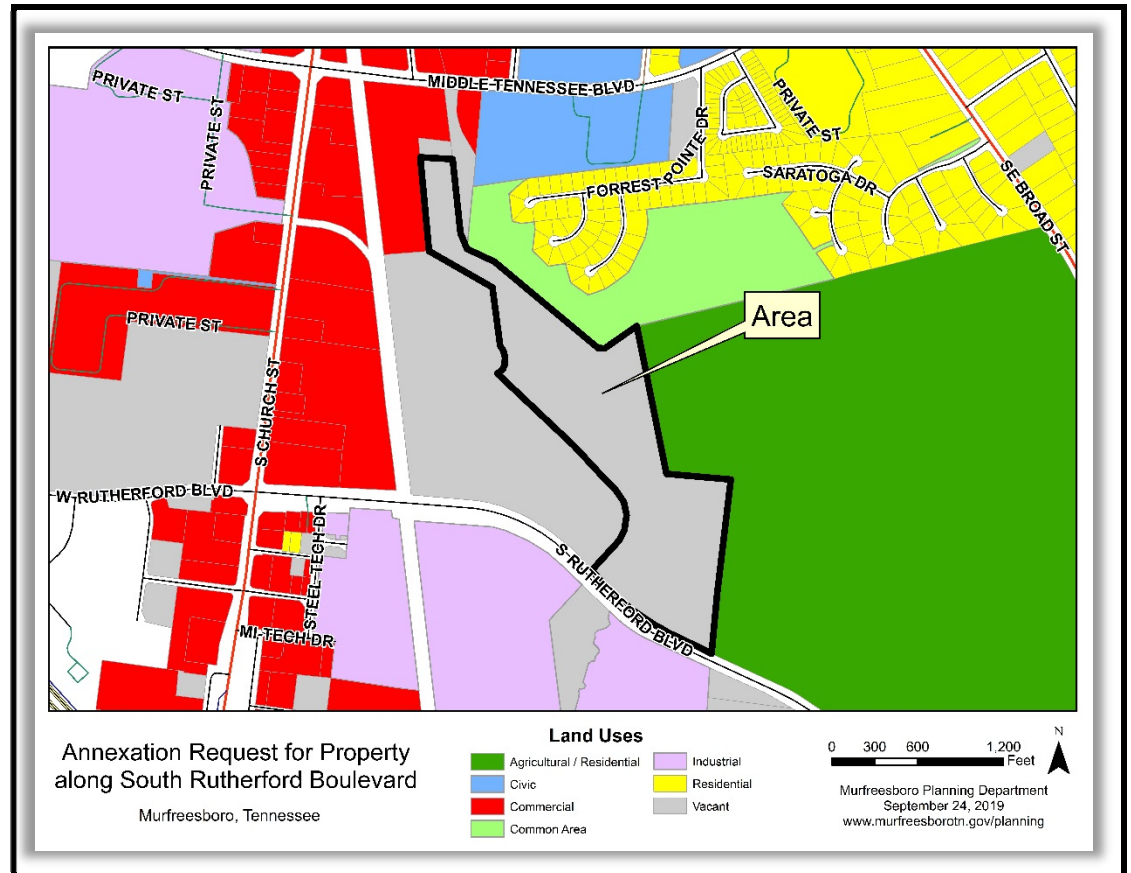
The applicant has requested rezoning to G-I (General Industrial District) for the study area simultaneous with annexation. The study area is presently zoned RM (Residential – Medium Density) in the unincorporated County.

Adjacent property to the east of the study area lies within the unincorporated County and is zoned RM. Property located to the north is within the City and zoned RM-16 (Multi-Family Residential District); the properties to the south of the study area are within the City and are zoned H-I (Heavy Industrial District); and the remainder of the subject parcel to the west, which is already within the City limits, is also zoned H-I.



## **PRESENT AND SURROUNDING LAND USE**

The study area is undeveloped vacant land. The property to the north is developed with single-family homes. Adjacent property to the east is vacant undeveloped land. Property to the west along South Church Street and directly across South Rutherford Boulevard to the south are developed with commercial and industrial uses.





## **TAXES AND REVENUE**

The first City tax bill for all property annexed during the calendar year of 2019 will be due on December 31, 2020. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. 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>
Mary Murfree Family Partnership	44.75	\$38,100	\$0	\$9,525	\$122.82

These figures are for the property in its current state. They will change if and when the property develops.

# **PLAN OF SERVICES**

## **POLICE PROTECTION**

The Murfreesboro Police Department can provide police services to the property as it currently exists immediately upon the effective date of annexation. This property is located in Police Zone #7.

## **ELECTRIC SERVICE**

The property is located within Murfreesboro Electric Department (MED) service boundary. MED states there is limited electric capacity along South Rutherford Boulevard due to committed projects. Depending upon the electric requirements for this property MED may need to extend additional electric from South Church Street to serve this property. A timeframe for this extension is unknown until the electrical requirements are determined. MED typically incorporates these costs into its capital budget. The applicant may have to bear some costs associated with this extension, but a decision cannot be made until MED fully analyzes any proposed development on this property and the effects on MED's system.

## **STREET LIGHTING**

According to MED, street lighting already exists along South Rutherford Boulevard to the south of the subject property and street lighting can be extended into the property if public streets are constructed as a part of any future development.

## **STREETS AND ACCESS**

### **Public Roadway System**

The annexation study area does not include any public roadway systems. Access to a public roadway system is available through South Rutherford Boulevard. Modifications to the current access to South Rutherford Boulevard will require the approval of the City Engineer. Any future public roadway facilities to serve the study area must be constructed to City standards.

### **Regional Traffic and Transportation Conditions**

The intersection west of this property is South Church Street and South Rutherford Boulevard. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan (MTP) shows South Church Street to be operating at a Level of Service D/F. The 2040 Level of Service Model indicates that South Church Street will fall to Level of Service of F with or without the proposed improvements recommended in the 2040 MTP.

The intersection to the east is South Rutherford Boulevard and Manchester Pike. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan (MTP) shows South Rutherford Boulevard to be operating at a Level of Service C in the study area using average daily

traffic (ADT) counts. The 2040 Level of Service Model indicates that South Rutherford Boulevard will fall to Level of Service of D with or without the proposed improvements recommended in the 2040 MTP.

Manchester Pike is operating at a Level of Service C. The 2040 Level of Service Model indicates that Manchester Pike will fall to Level of Service of F with or without the proposed improvements recommended in the 2040 MTP.

### **SOLID WASTE COLLECTION**

The study area currently has no households. Due to the anticipated industrial use of the study area, the Murfreesboro Solid Waste Department will not be impacted, and no costs are anticipated as a result of this annexation. Future developments will be required to utilize a private hauler.

### **BUILDING AND CODES**

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

### **RECREATION**

This annexation should not have any impact on Murfreesboro's Parks and Recreation Department as it is proposed to be zoned and developed with industrial uses.

### **CITY SCHOOLS**

This annexation will have no effects on Murfreesboro City Schools as it is proposed to be zoned and developed with industrial uses.

### **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.

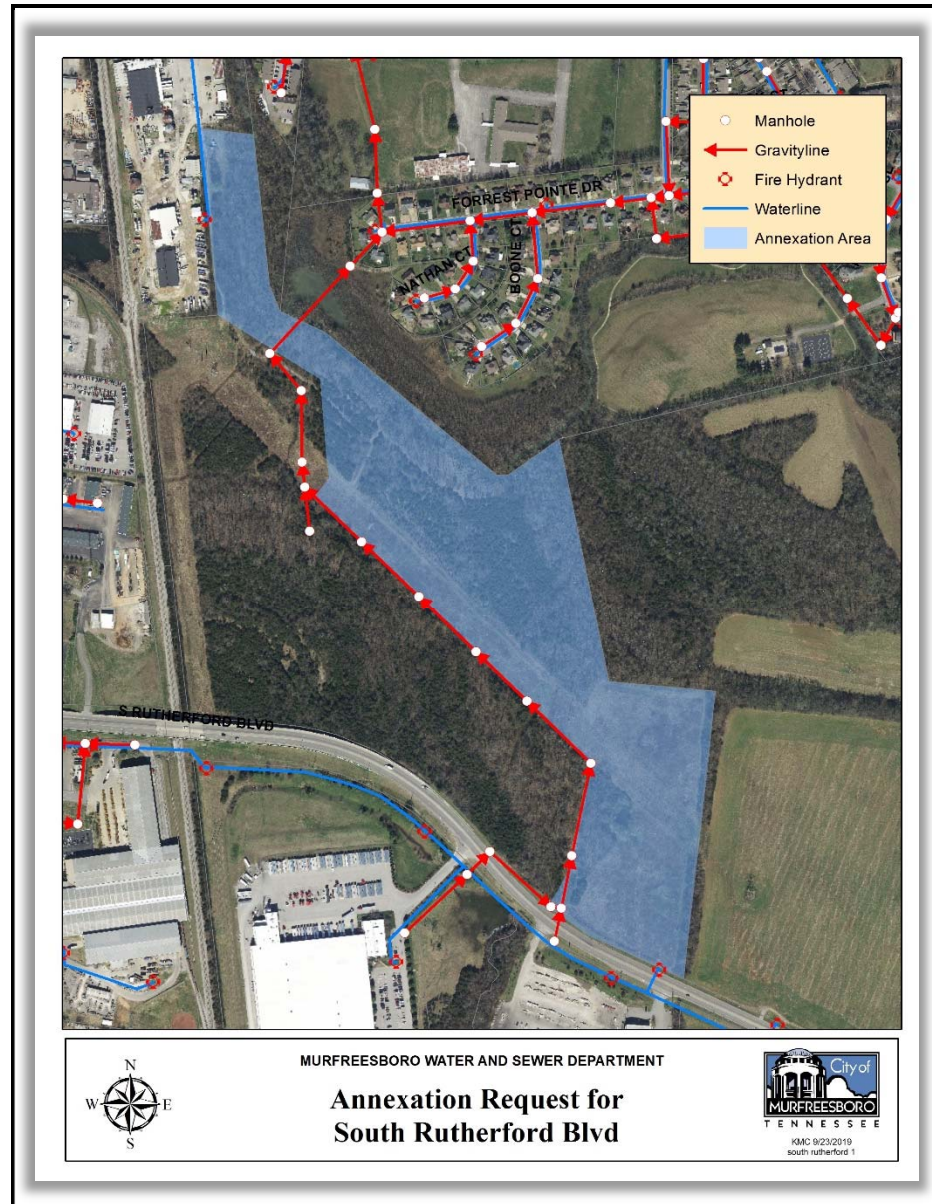


## **WATER SERVICE**

The study area is within the Murfreesboro Water Resources Department's (MWRD's) water service area. Water service is available as there is an existing 16" water main along the south side of South Rutherford Boulevard as well as an existing 12" water stub extended to the north side of South Rutherford Boulevard at the southeastern property corner.

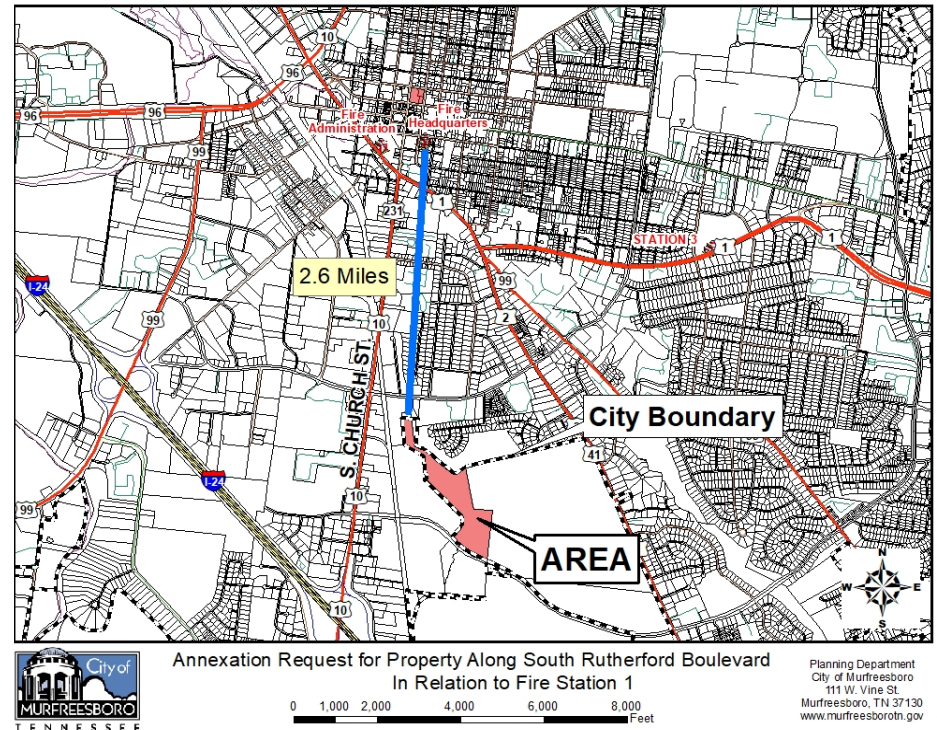
## **SANITARY SEWER SERVICE**

Per the Department's current definition of "available", public sanitary sewer is available to the study area. There is an existing 15" sewer main which extends through the property. Any development of the property would be required to comply with the proposed sewer allocation ordinance, which is currently proposed as 4.0 single-family unit equivalents or 1,040 gallons per day per acre. All water and sewer main line extensions are the financial responsibility of the developer and may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water Resources Department.



## FIRE AND EMERGENCY SERVICE

Murfreesboro Fire and Rescue Department (MFRD) can provide emergency services upon annexation. There are two (2) fire stations with the ability to provide emergency services to the study area; Fire Station #1, located at 202 East Vine Street, 2.6 miles from the study area, and Fire Station #2 located at 2880 Runnymede Drive, 2.8 miles from the study area. There are currently no structures located in the study area that will require fire protection. Upon development of the parcel MFRD will require fire protection to be extended onto the site. MFRD will be able to provide fire protection upon development.



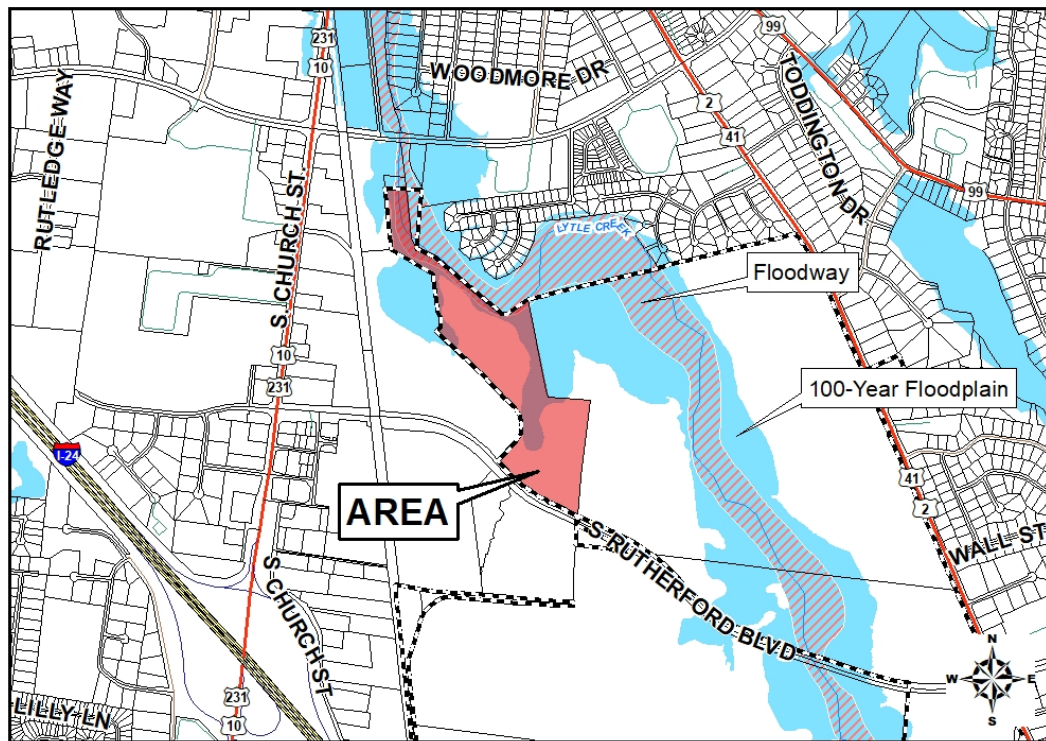
## **PLANNING, ENGINEERING, AND ZONING SERVICES**

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately upon the effective date of annexation. As new development occurs, the Planning Commission will review all site plans, preliminary, 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.

## **FLOODWAY**

The study area is located partially within the floodway and 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA).

The map shows the floodway boundary in red stripes and the 100-year floodplain boundary in blue.



Annexation Request for Property Along South Rutherford Boulevard  
in Relation to 100-Year Floodplain and Floodway

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

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## **DRAINAGE**

### **Property and Development**

New development should comply with the City's Stormwater Quality Regulations by providing stormwater quality, streambank protection, and detention. New development in the study area must meet overall City of Murfreesboro Stormwater Quality requirements

### **Public Drainage System**

Existing public drainage systems serving the study area are integral to the existing South Rutherford Boulevard. Annualized maintenance costs for drainage systems incidental to the roadways are included within the roadway maintenance costs and are anticipated to be paid from the Stormwater Utility Fee. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

### **Regional Drainage Conditions**

The property drains directly to Lytle Creek. Lytle Creek is a FEMA studied stream and a portion of the property is within the floodplain and floodway of Lytle Creek. Development must meet the City's floodplain management regulations including proper elevation and flood hazard reduction of new developments. Lytle Creek must also include a 50-foot Water Quality Protection Area (WQPA) from the top of bank on each side upon development. The WQPA is an undisturbed vegetated buffer providing water quality protections for Lytle Creek. Any modifications to Lytle Creek must include appropriate State and Federal permits.

The study area may include some areas considered jurisdictional wetlands. Any proposed modifications of wetlands must include appropriate state and federal wetland permits

### **Stormwater Management and Utility Fees**

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area and existing and new improvements will be subject to the Stormwater Utility Fee. No existing improvements are presently anticipated in the study area. The study area will not generate revenue for the Stormwater Utility Fund until development occurs.

The subject property has the potential to be developed with industrial uses on approximately 44.75 acres. Based on this development scenario and property limitations, it is anticipated that the site will generate \$1,100 per month or \$13,200 annually in revenue for the Stormwater Utility Fund including anticipated fee credits upon full build-out.

### **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  
OCTOBER 2, 2019**

**PROJECT PLANNER: AMELIA KERR**

**5.b. Zoning application [2019-429] for approximately 44.75 acres located along South Rutherford Boulevard to be zoned GI simultaneous with annexation, Mary K. Murfree Family Partnership, applicant.**

The subject property is located along the north side of South Rutherford Boulevard east of South Church Street and west of Southeast Broad Street. The property is undeveloped land. The requested area totals approximately 44.75 acres and is a portion of a larger parcel. The western half of the property is already located within the City limits and is zoned Heavy Industrial District (H-I). The previous item on the agenda was the annexation petition and plan of services. The applicant has requested a zoning classification of General Industrial District (G-I) simultaneous with annexation. This property is currently zoned Residential Medium-Density (RM) in the unincorporated county.

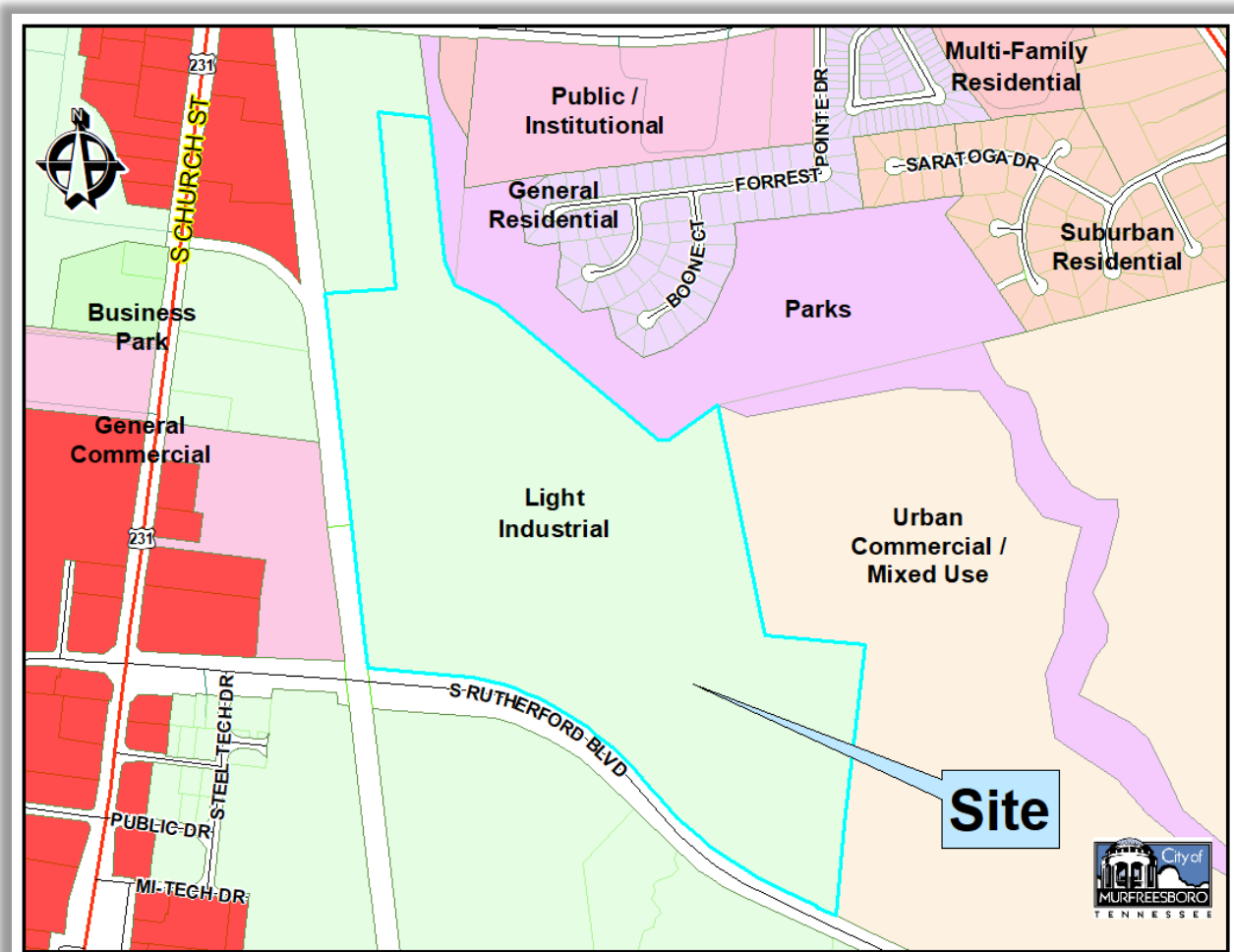
**Adjacent Land Uses and Zoning**

The properties to the west of the subject property across the railroad tracks are within the city and are zoned L-I (Light Industrial District). Adjacent property to the east is vacant land and is zoned RM in the unincorporated county. The area to the north lies within the city and is zoned Multi-Family Residential District (RM-16). It is vacant land owned by the Saratoga Park Homeowners Association. Properties located across South Rutherford Boulevard to the south of the property are zoned H-I and are developed with the West Rock and Huskey Truss Company industrial facilities.

**Future Land Use Map**

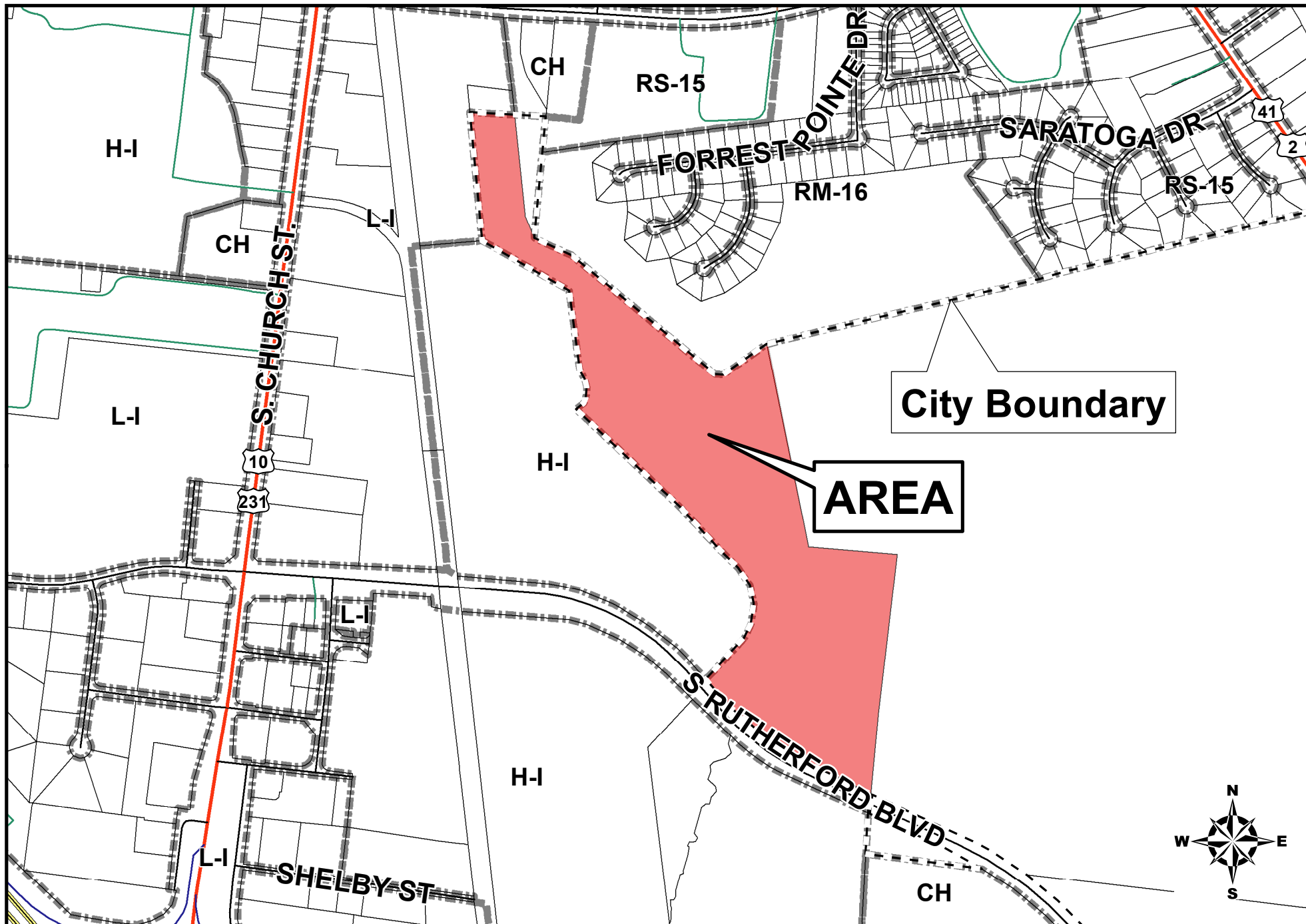
The future land use map of the *Murfreesboro 2035 Comprehensive Plan* which was adopted in July 2017, recommends that "Light Industrial" is the most appropriate land use character for the subject property, as shown on the map below. The characteristics of "Light Industrial" development include large parking lots and storage yards and minimal greenspace, and development types include uses such as light manufacturing and assembly, distribution, and warehousing. The L-I zone is identified as the existing City zoning district that is most compatible with this land use character. It should be noted that the G-I zone was not in existence at the time of the adoption of the comprehensive plan. The proposed rezoning to G-I is consistent with the recommendations of the comprehensive plan

in some regards, including that it allows the types of light industrial uses associated with the “Light-Industrial” land use character. However, it also allows some additional industrial uses of greater intensity, which may be seen as inconsistent with the “Light-Industrial” land use character.



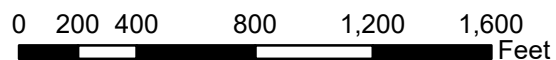
### **Action Needed**

The Planning Commission will need to conduct a public hearing and discuss this zoning request and then formulate a recommendation to City Council.



T E N N E S S E E

# Zoning Request for Property Along South Rutherford Boulevard G-I Simultaneous with Annexation

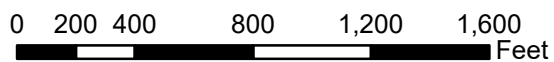


Planning Department  
City of Murfreesboro  
111 W. Vine St.  
Murfreesboro, TN 37130  
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Zoning Request for Property Along South Rutherford Boulevard  
G-I Simultaneous with Annexation



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

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

**Procedure for applicant:**

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

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

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

**To be completed by applicant:**

APPLICANT: Mary K. Murfree Family partnership  
110 Bob Murfree  
Address: Box 12013 City/State/Zip: Murfreesboro TN 37129  
Phone: 615-653-3780 E-mail address: Bmurfree@hotmail.com

PROPERTY OWNER: Mary K. Murfree Family partnership

Street Address or  
property description: Raw land on S. Rutherford Blvd.

and/or Tax map #: portion of 107 Group: \_\_\_\_\_ Parcel (s): 49

Existing zoning classification: Rutherford County RM

Proposed zoning classification: General Industrial (GI) Acreage: 44.75 ac +/-

Contact name & phone number for publication and notifications to the public (if different from the applicant): Bricker Murfree

E-mail: Bmurfree@murfreesboro.gov

APPLICANT'S SIGNATURE (required): Robert B. Murfree General Partner

DATE: 8-5-2019

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

Date received: 8-12-19 MPC YR.: 2019 MPC #: 429

Amount paid: \$700.00 Receipt #: 117734



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 2, 2019  
PROJECT PLANNER: MARINA RUSH**

**5.c. Annexation plan of services and annexation petition [2019-511] for approximately 297.5 acres located along Joe B Jackson Parkway and Elam Road, Betty Harris Dempsey applicant.**

The subject property is located along the north and south sides of Joe B Jackson Parkway and along the east and west sides of Elam Road. The annexation project area is comprised of the Dempsey/Elam Road Ventures property (291 acres) and approximately 3,800 linear feet of Elam Road right-of-way (6.5 acres) for a total annexation area of approximately 297.5 acres.

The property is identified as follows (all acreages provided are approximate):

- Map 126, Parcel 59.00 (245.0 acres)
- Map 126, Parcel 59.01 (41.0 acres)
- Map 126, Parcel 59.03 (5.0 acres)
- Map 125, Parcel 14.03 (1.5 acres)

Road Right-of-Way:

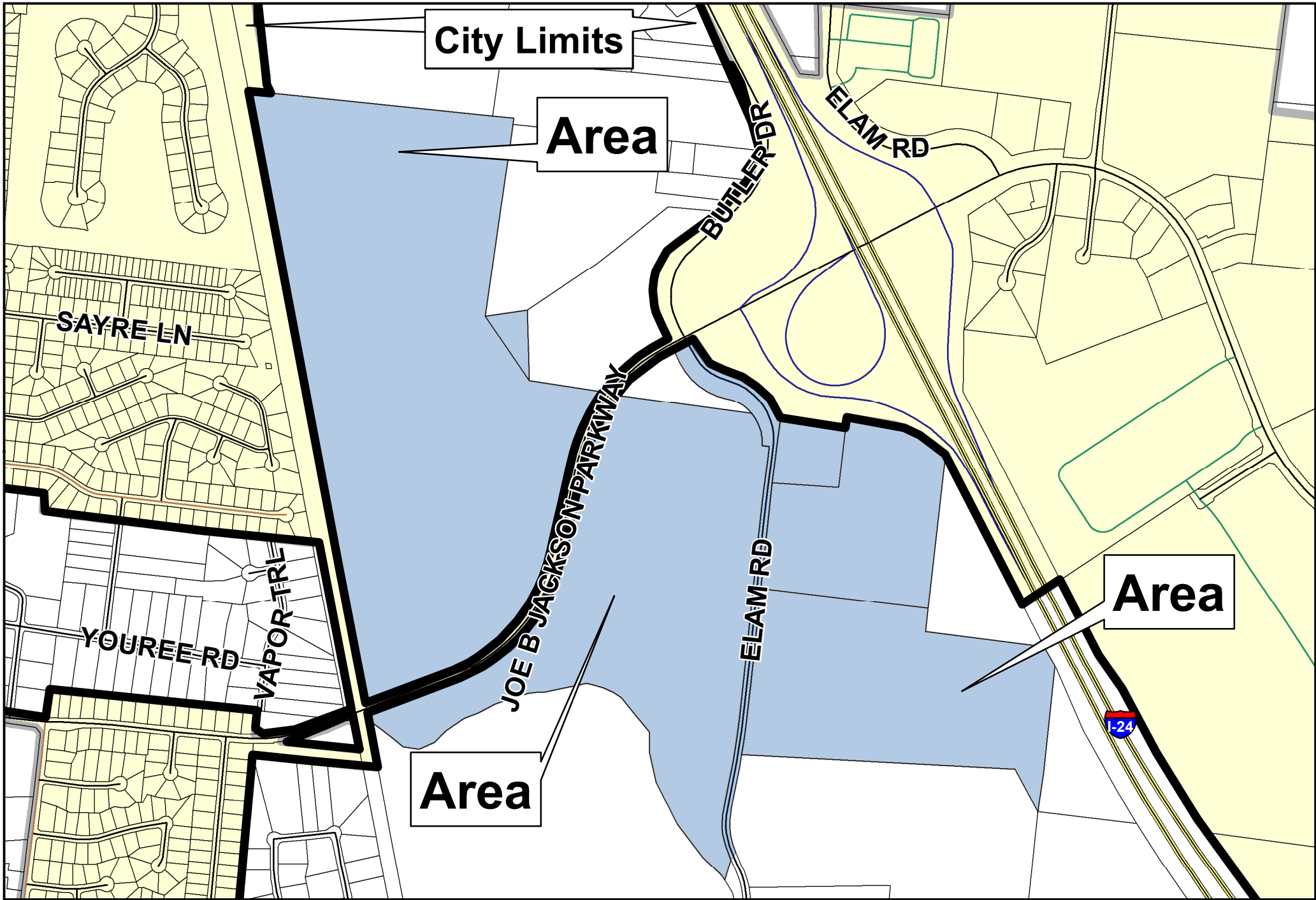
- Elam Road Right-of-Way (6.5 acres)

The parcels are primarily undeveloped and used for agricultural purposes. There is one single-family residence located within the study area. Written petitions requesting annexation have been filed with the City by the property owners, Ms. Betty Dempsey and Ms. Elizabeth Dempsey. In addition, the owners have filed a request to have approximately 200.1 acres of the property zoned G-I (General Industrial) District simultaneous with the annexation and this request will be the subject of the next agenda item (File 2019-432). Any portion of the property not included in the G-I zoning request will automatically be given an RS-15 (Single-Family Residential District) zoning classification upon annexation. Currently, there is no development proposal associated with this request.

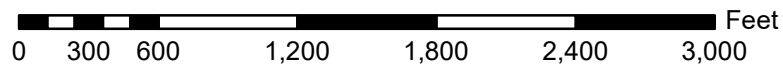
The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits as shown on the attached Annexation Request map. It appears that the City will be able to extend most City provided services either immediately upon effective date of annexation or as development occurs. Staff has included an Annexation Feasibility Study and Plan of Services as an attachment to this staff report. In addition, on September 3, 2019 the Rutherford County Highway Commission consented to the annexation of the County Right-of-Way of Elam Road from Joe B Jackson Parkway southward to the southern boundary line of Tax map 126, Parcel 59.00 totaling approximately 3,800 linear feet.

**Action needed**

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 the City Council.

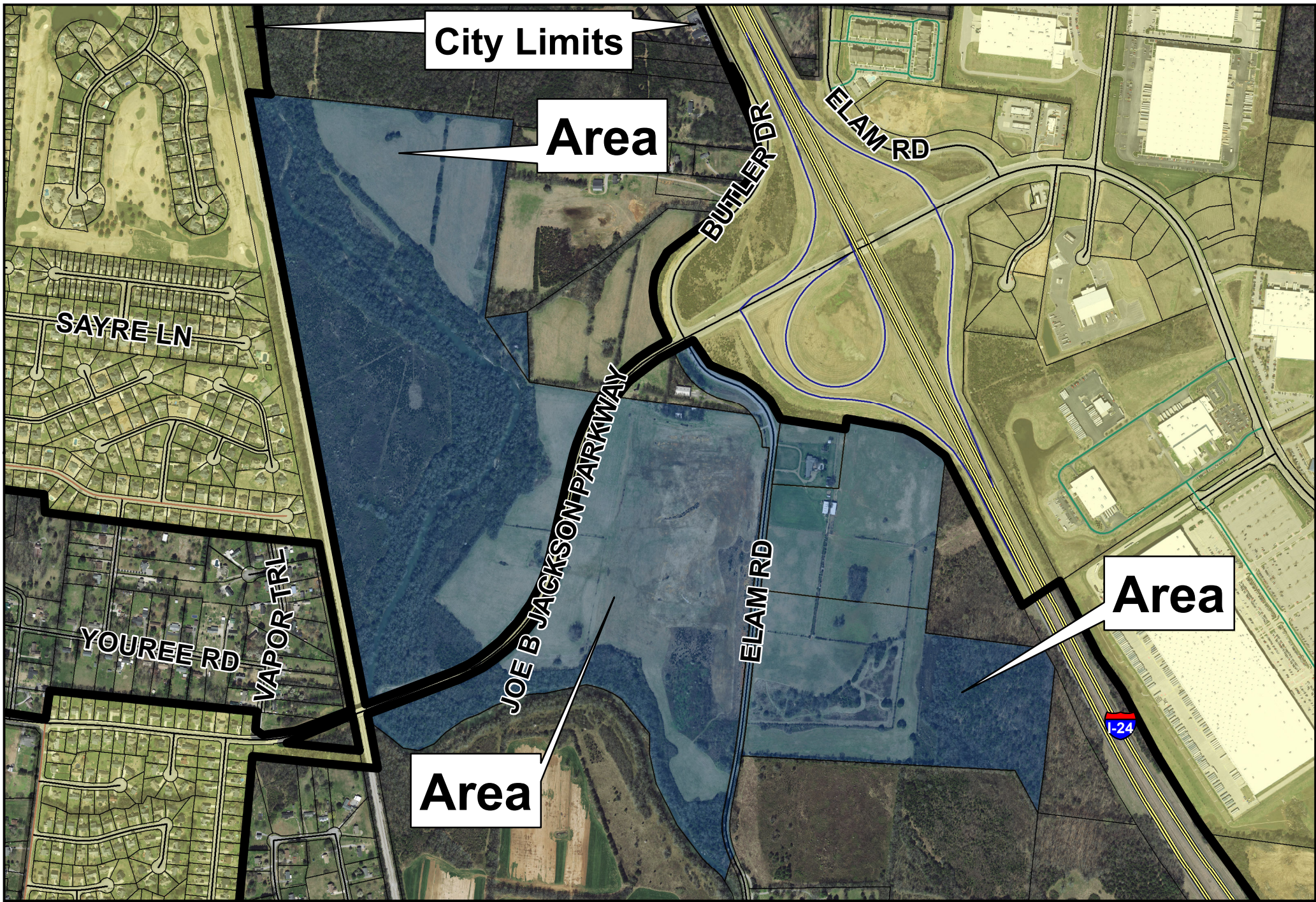


## Annexation Request for Property Along Elam Road and Joe B Jackson Parkway

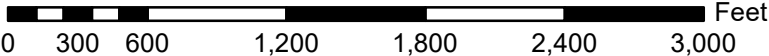


Planning Department  
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111 West Vine Street  
Murfreesboro, TN 37130  
[murfreesborotn.gov/planning](http://murfreesborotn.gov/planning)





**Annexation Request for Property Along Elam Road and Joe B Jackson Parkway**



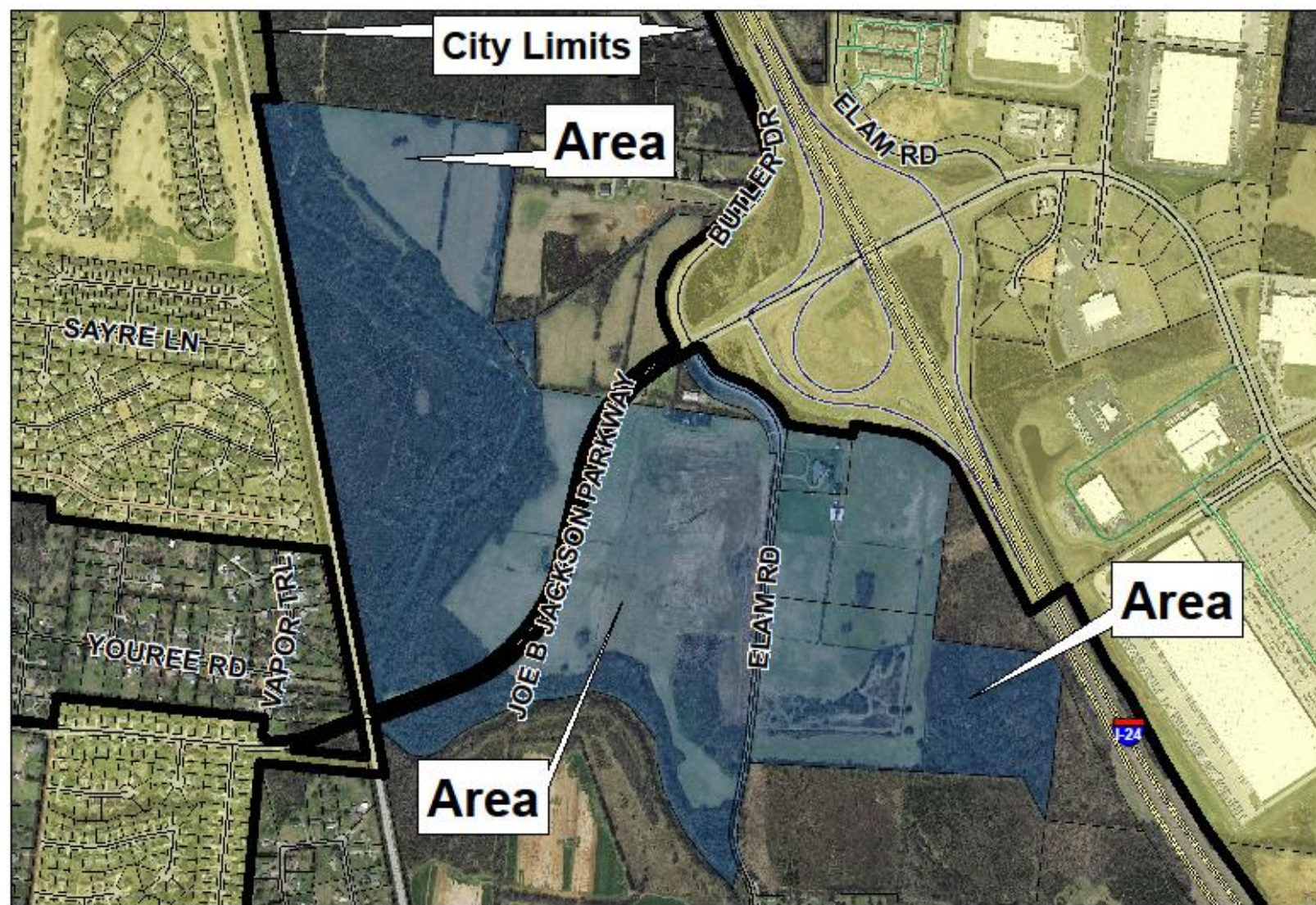
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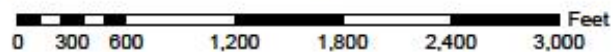
**ANNEXATION REPORT  
INCLUDING PLAN OF SERVICES FOR  
PROPERTY LOCATED ALONG JOE B JACKSON PARKWAY  
AND ELAM ROAD  
(FILE 2019-511)**



**PREPARED FOR THE  
MURFREESBORO PLANNING COMMISSION  
OCTOBER 2, 2019**



# Annexation Request for Property Along Elam Road and Joe B Jackson Parkway



Planning Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, TN 37139  
murfreesboro.gov/planning



# INTRODUCTION

## **OVERVIEW**

The study area in this Plan of Services is comprised of the Dempsey and Elam Road Ventures property (291 acres) and approximately 3,800 linear feet of Elam Road right-of-way (6.5 acres) for a total annexation area of approximately 297.5 acres. It is located along the north and south sides of Joe B Jackson Parkway and along the west and east sides of Elam Road. The properties are identified as follows:

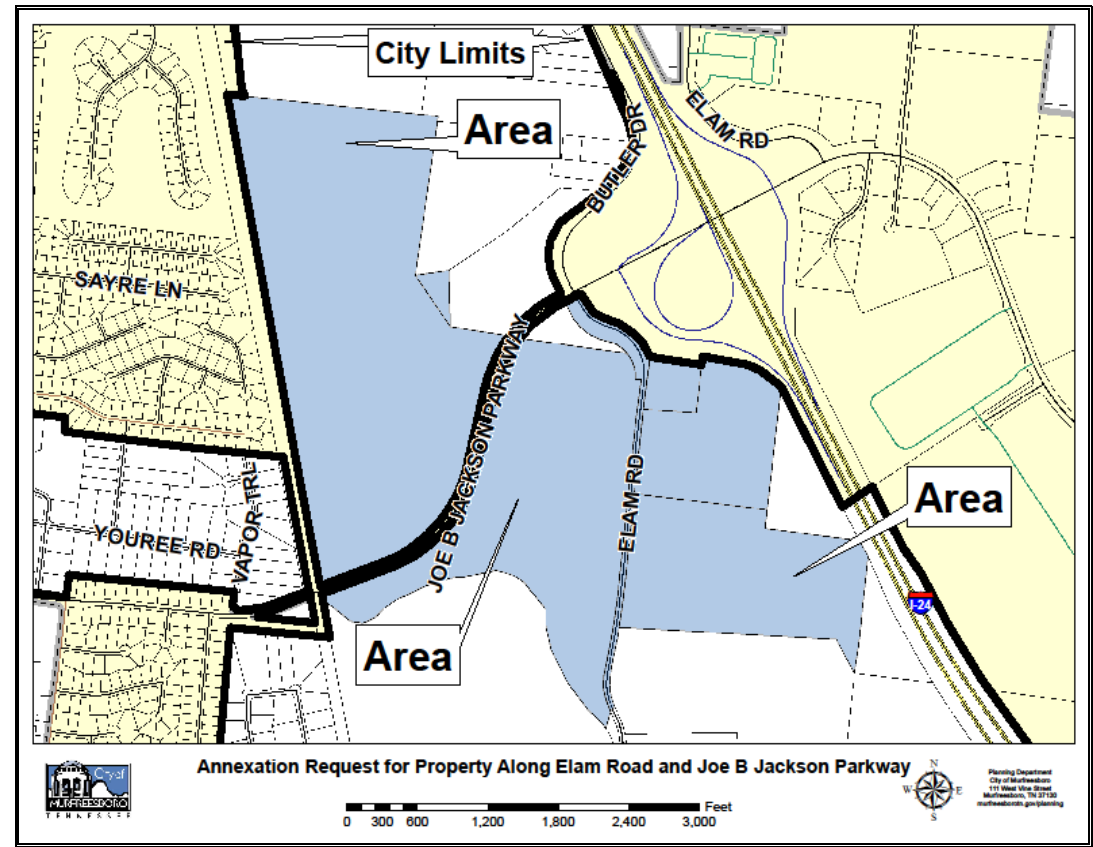
- Map 126, Parcel 59.00
- Map 126, Parcel 59.01
- Map 126, Parcel 59.03
- Map 125, Parcel 14.03

The parcels are primarily undeveloped and used for agricultural purposes. There is one single-family residence located within the study area. The study area adjoins the City limits.

The property owners, Betty and Elizabeth Dempsey, have petitioned the City of Murfreesboro to annex the property. An application to zone 200.1 acres of the study area to G-I (General Industrial) simultaneous with the annexation request has also been filed. There is no proposal for development of the property.

The study area lies within the City of Murfreesboro's Urban Growth Boundary and

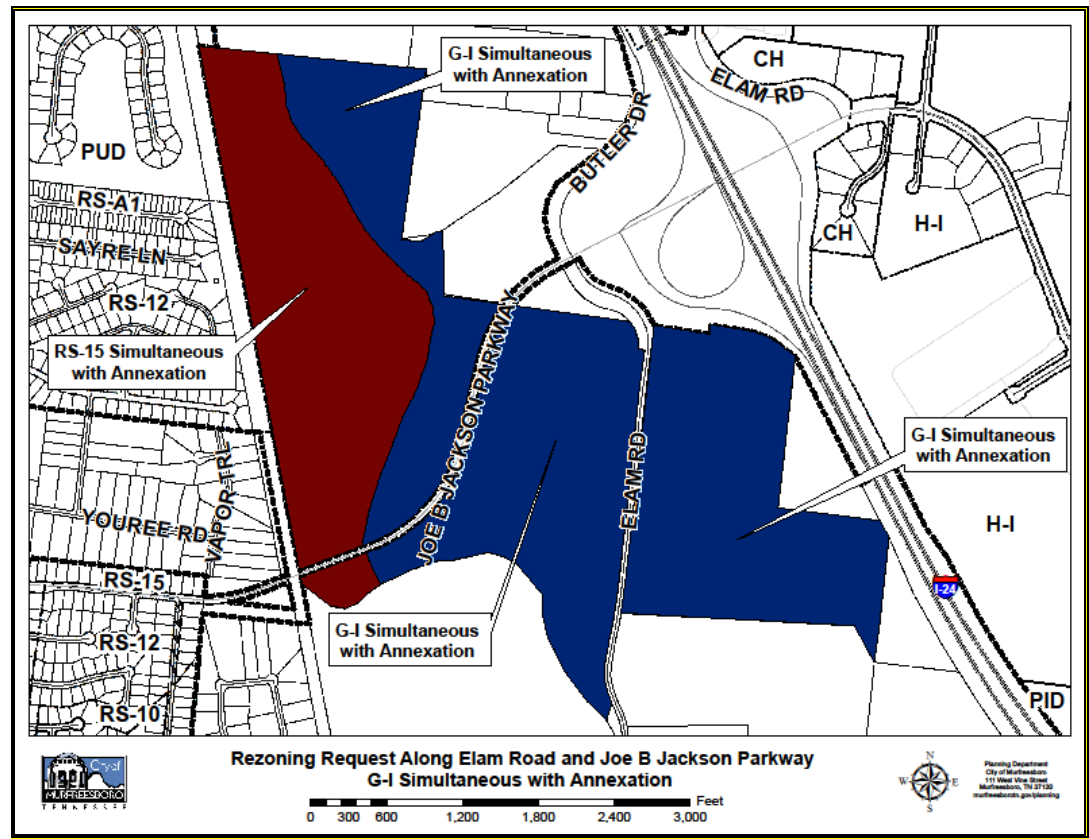
adjoins the City limits along Joe B Jackson Parkway, I-24, and along the west property line.



## CITY ZONING

A separate application has been submitted by the owners, Ms. Betty Dempsey and Ms. Elizabeth Dempsey requesting G-I (General Industrial) zoning for the study area. The subject parcel is currently zoned Medium-Density Residential (RM) in the County of Rutherford.

The adjacent properties to the west are zoned RS-12 and RM in Rutherford County unincorporated and are developed with single family residences. The adjacent properties to the north and to the east of I-24 are zoned H-I (Heavy Industrial) and CH (Highway Commercial) and are developed with industrial uses. Properties further north and south are primarily vacant and agricultural land.

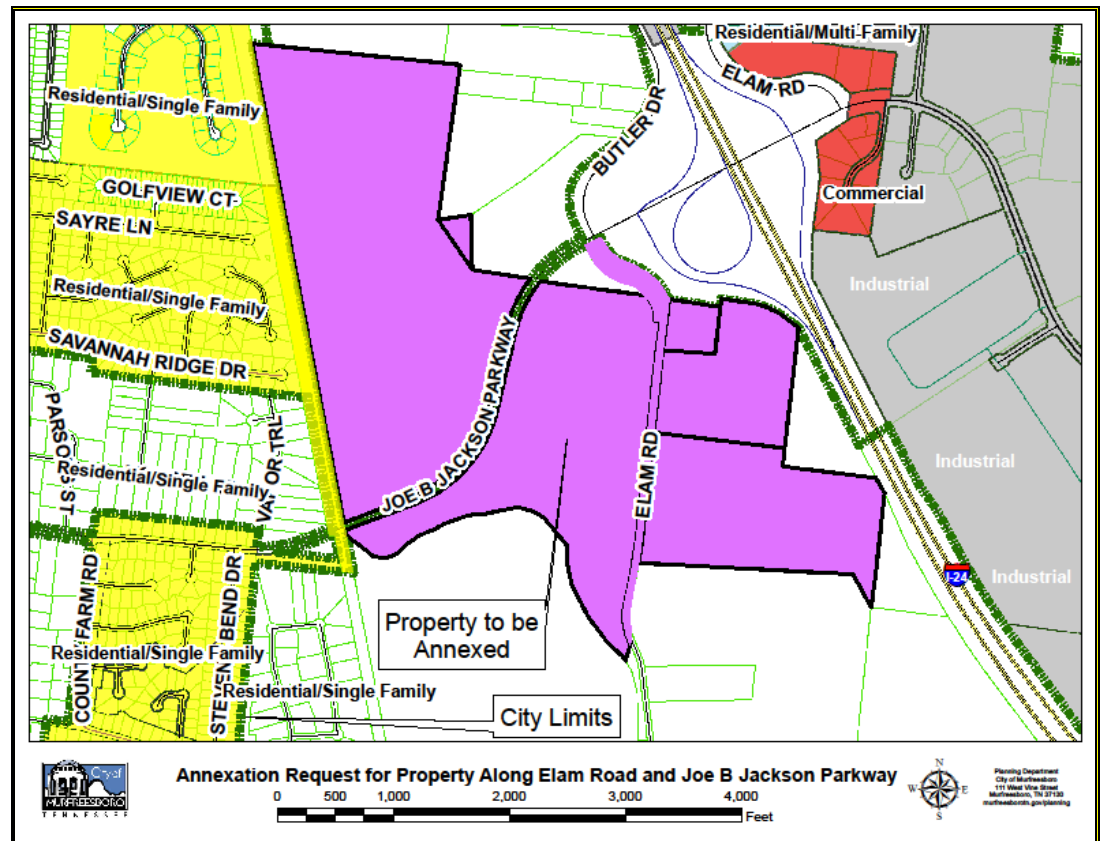




## PRESENT AND SURROUNDING LAND USE

The study area is developed with one single-family residence. Surrounding land uses include:

- Single family detached residences west of the Stones River and CSX Transportation rail line;
- Vacant undeveloped and agricultural land to the north and south; and
- Interstate-24 to the east and industrial and commercial development east of the interstate.



## **TAXES AND REVENUE**

The first City tax bill for all property annexed during the calendar year of 2019 will be due on December 31, 2020. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is developed with a single-family residence. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

*Table I*  
*Estimated Taxes from Site*

Owner of Record	Parcel Number	Acres	Land Value	Improvements + Yard Item Value	Total Assessment	Estimated City Taxes
Betty Harris Dempsey	Map 126, Parcel 59.00	243.47	\$462,900	\$17,300	\$120,050	\$3,221
	Map 126, Parcel 59.01	41.00	\$59,600	\$0.00	\$14,900	
	Map 126, Parcel 59.03	5.00	\$64,100	\$383,300	\$111,850	
	Map 125, Parcel 14.03	1.53	\$12,000	\$0.00	\$3,000	

These figures are for the property in its current state. There is no development proposed at this time.

# **PLAN OF SERVICES**



## **POLICE PROTECTION**

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

## **ELECTRIC SERVICE**

The study area is located inside the service boundary of Murfreesboro Electric Department (MED). The existing residence is currently served by MED and any future development in the study area will be served by MED. Due to the size of the property and the potential zoning of General Industrial, MED will limit the electric capacity of this site to 15 MW (megawatts). If future development requires more than 15 MW of electricity, MED will need to perform an in-depth analysis of the electric system in the area as a new substation may be required. All new electrical infrastructure installed to serve the proposed development will be required to adhere to MED standards.

## **STREET LIGHTING**

Currently there is no street lighting on Joe B Jackson Parkway between Butler Drive and the CSX Corporation

railroad line. Streetlights will be installed on Joe B Jackson Street when the new overhead electric is installed as will the portion of Elam Road within the study area. In addition, street lights will be installed along any new public streets proposed with future development.

## **SOLID WASTE COLLECTION**

The Murfreesboro Solid Waste Department will be responsible for providing a cart to the existing single-family home. The day of the week for service will be Thursday. However, because future development will be industrial, a private solid waste management service will be required at that time.

## **RECREATION**

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

## **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. There is one existing residence on the subject property. Any elementary school-age children residing there will be eligible to attend Murfreesboro City Schools. The property is located within the Salem Elementary School zone. Since the study area is proposed for General Industrial zoning, there would not be any impacts to the City Schools with future development.

## **BUILDING AND CODES**

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

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

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately

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

## **GEOGRAPHIC INFORMATION SYSTEMS**

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

## **STREETS AND ACCESS**

The annexation study area has access to the existing Joe B Jackson Parkway and Elam Road roadways. Approximately 3,800 liner feet of Elam Road right-of-way (ROW) is included in the study area. Elam Road is an existing 2-lane, ditch section street. Upon annexation, the City will become responsible for operation and maintenance of this street. Based on a 20-year repaving cycle, the annualized maintenance cost is \$7,000 with State Street Aid and General Fund as funding sources. The annexation of the ROW will also result in \$930 of capital cost with State Street Aid and General Fund as funding sources. Any new connections to either Joe B Jackson Parkway or Elam Road must be approved by the City Engineer. Additionally, development along these roadways may require improvements to include widening for turning lanes and ROW/easement dedication in accordance with the City's Substandard Street requirements.

Providing public roadway access to the two Odom parcels that are currently landlocked west of Interstate 24 should be considered with development plans.

This property is affected by the Major Transportation Plan. This includes improvements to Elam Road to a 3-lane cross-section as well as realignment of Butler Drive through the study area. The applicant will be required to participate in these improvements and dedicate ROW as needed. Any future public roadway facilities to serve the study area must be constructed to City standards.

The Rutherford County Highway Commission consented to the annexation of the County ROW of Elam Road south of Joe B Jackson Parkway as depicted on the map contained in this document. No additional public roadways are included in the study area.

## **REGIONAL TRAFFIC & TRANSPORTION**

The study area is currently served by Joe B Jackson Parkway and Elam Road as the major roadway facilities. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates both Joe B Jackson Parkway and Elam Road within the project area, based on average daily traffic (ADT), that Elam Road operates at a level of service of D without the proposed improvements recommended in the 2040 MTP and Joe B Jackson Parkway operates at a level of service C without the proposed improvements.

## **DRAINAGE**

### **Public Drainage System**

The drainage systems along and within the roadway of Joe B Jackson Parkway and Elam Road are included in the study area and the properties being considered have access to these drainage systems. Routine operation and maintenance costs for the drainage system integral to Joe B Jackson Parkway and Elam Road are included in the public roadway annualized costs. No additional public drainage facilities are included in the study area. Any new public drainage facilities proposed to serve the study area in the future must comply with City standards.

### **Regional Drainage Conditions**

The Middle Fork of the Stones River is the southern edge of the study area and passes through the study area north of Joe B Jackson Parkway. The study area west of Elam Road drains to the Middle Fork of the Stones River. The study area east of Elam Road drains to closed depressions. According to aerial photography, these closed depressions fill with runoff during extreme rain events. A portion of the study area is located in the floodway and 100-year floodplain.

### **Stormwater Management and Utility Fees**

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area and existing and new improvements will be subject to the Stormwater Utility Fee. The property currently has one single-family dwelling which will generate approximately \$39 in annual revenue for the Stormwater Utility Fee.



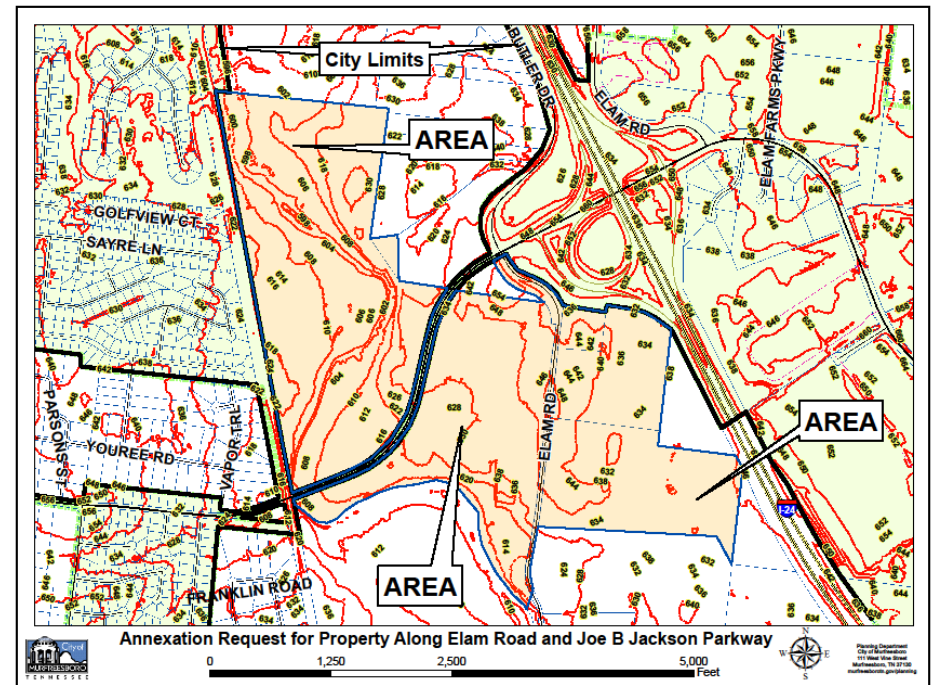
The study area has a proposed zoning of General Industrial (G-I). Based on this development scenario, it is anticipated that the site will generate approximately \$6,500 in revenue per year into the Stormwater Utility Fund upon full build-out.

The red lines on the adjacent map represent ten-foot contour intervals. The black lines represent two-foot contour intervals.

### Property and Development

Stormwater management plans must comply with the City's stormwater quality requirements. While no sinkholes were specifically identified, it is possible that some exist. Modifications to sinkholes should consider changes in regional drainage patterns and must obtain appropriate UIC (Underground Injection Control) permits from the State of Tennessee.

Improvements to and ROW and easement dedication for Elam Road and Butler Drive should be incorporated in the development plans.

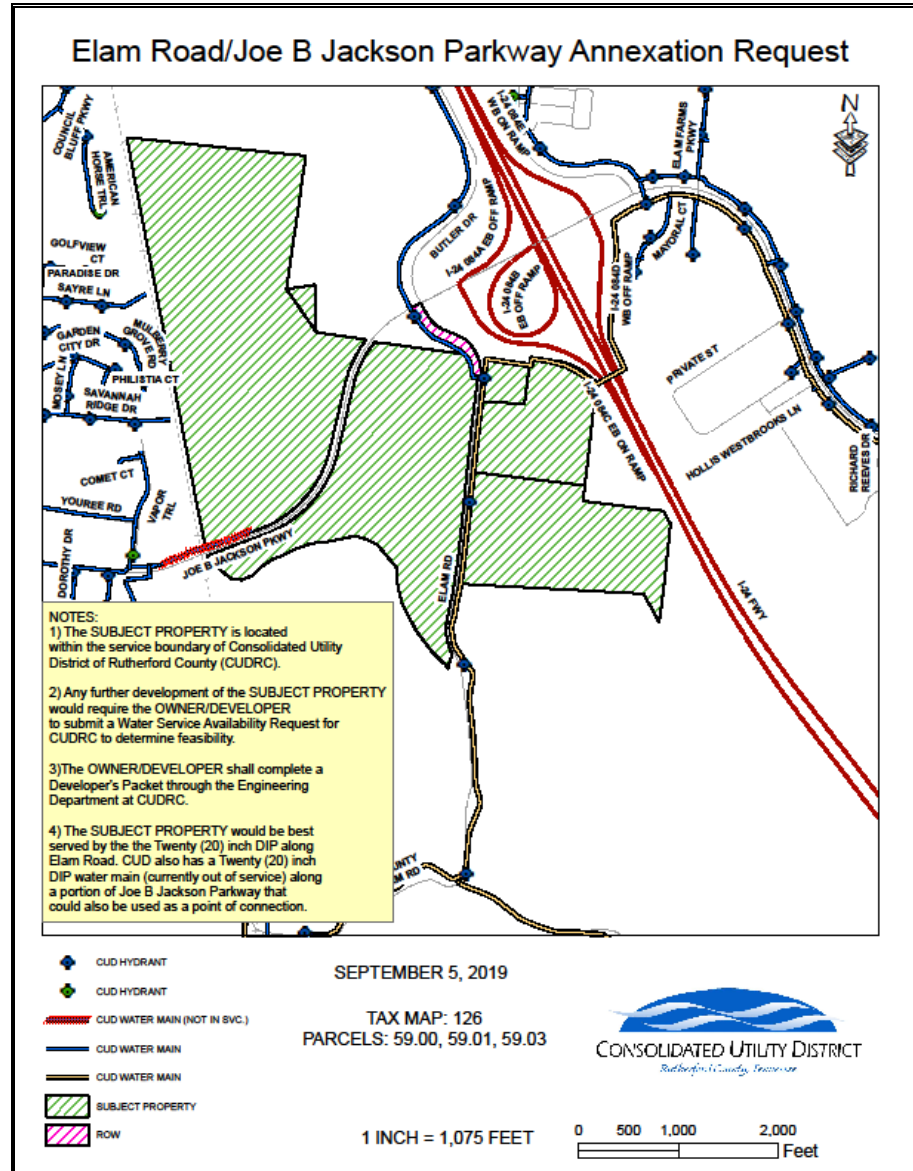


## WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. Prior to any future development, the developer of the property will be required to submit a Water Availability Application to determine feasibility and to complete CUD's Developer Packet through CUD's Engineering Department prior to entering the construction phase.

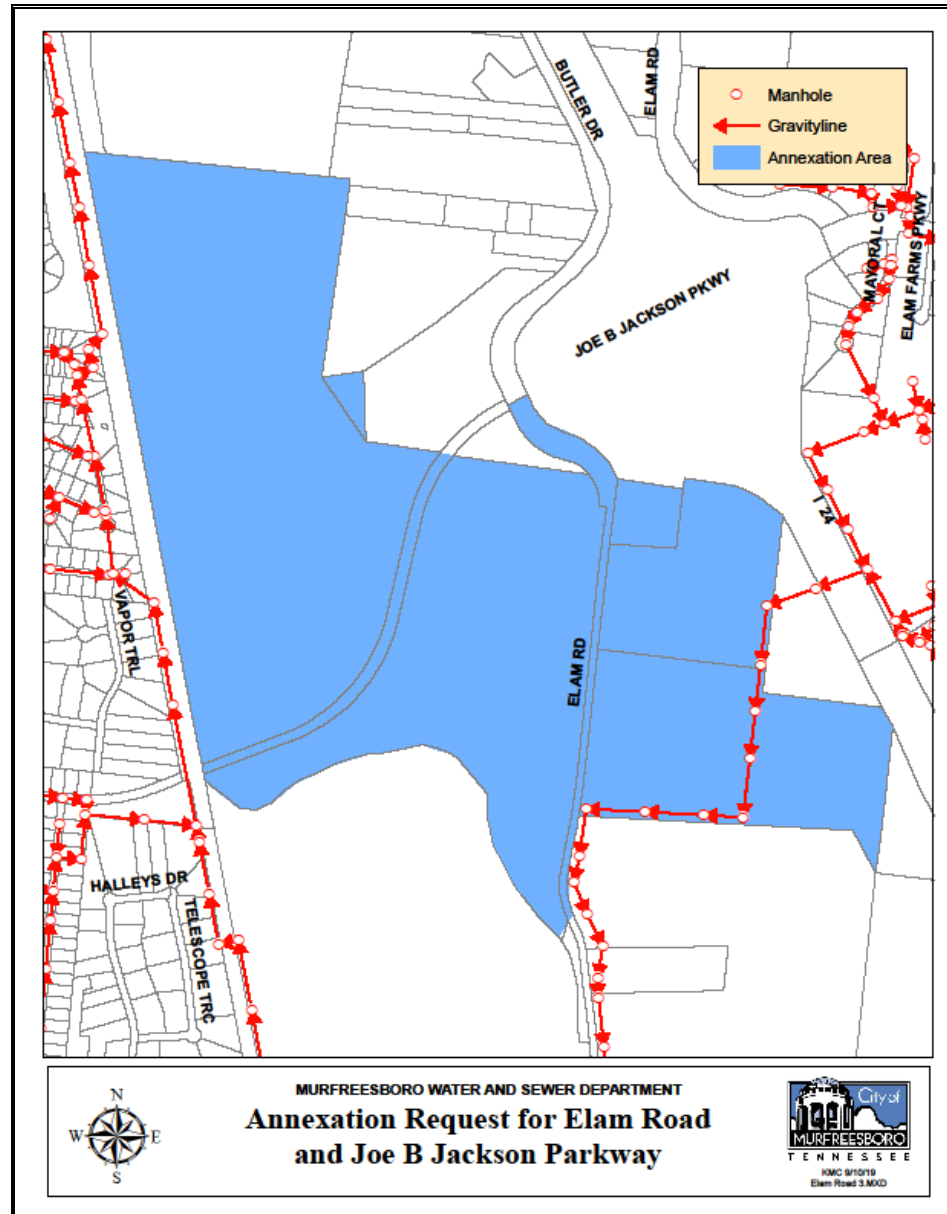
The subject property would be best served by the 20-inch ductile iron main (DIP) along Elam Road, which will serve the study area. CUD also has a 20-inch ductile iron main (DIP) along a portion of Joe B Jackson that is currently capped off (depicted in red hash-marks) because there are no customers being served from it and does not connect to any other part of the water system, which could be utilized as another point of connection.

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 only available to the two eastern most properties, east of Elam Road, requesting annexation being Map 126, Parcels 59 & 59.01. There is an existing 15" sewer main along the east and south property lines. This sewer main is at a depth that it would serve the southern properties south of Joe B Jackson Parkway. The properties to the north of Joe B. Jackson Parkway may be served by a future pump station and forcemain which would pump back to the aforementioned 15" sewer main. These properties are within the Buchanan/Elam Sanitary Sewer Assessment District and will be required to pay \$1000 per single family unit or equivalent in addition to the existing and current standard sewer connection fee of \$2550. All main line extensions are the financial responsibility of the developer and may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water Resources Department.

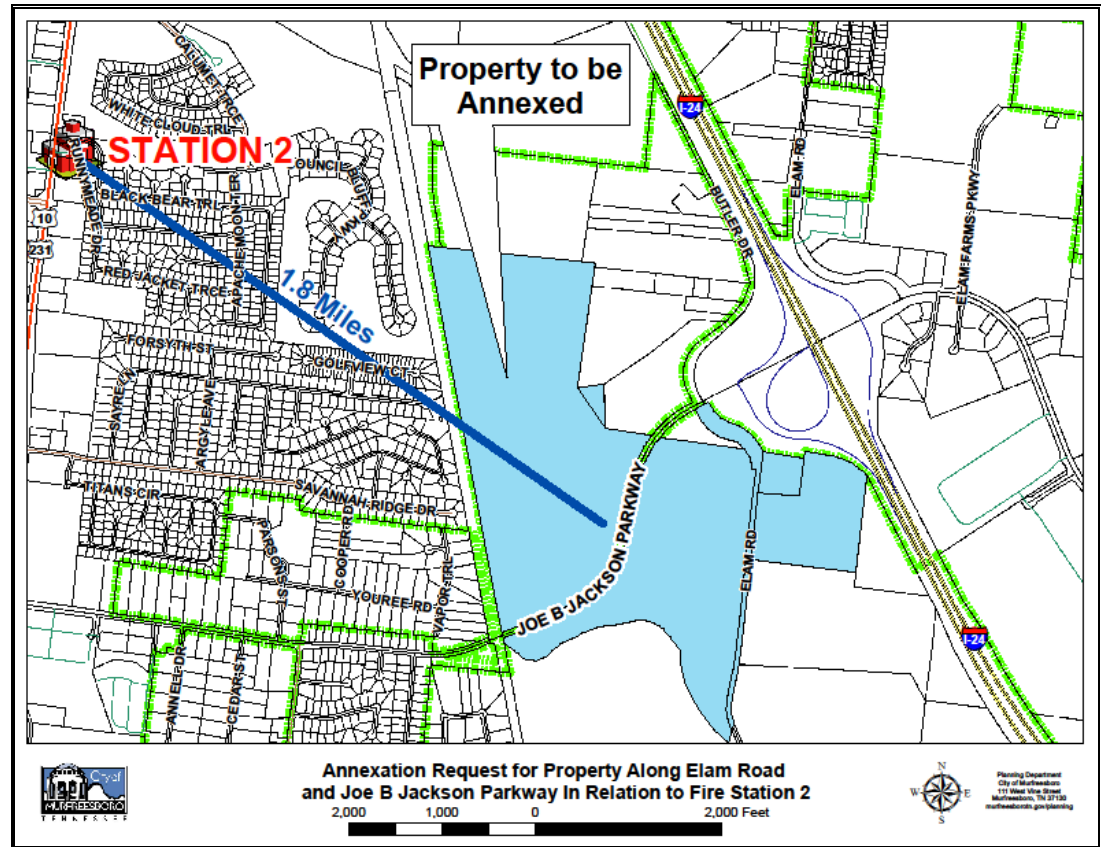




## **FIRE AND EMERGENCY SERVICE**

The study area includes an existing single-family residence. The Murfreesboro Fire and Rescue Department (MFRD) can provide medical first responder and fire protection to the study area immediately upon the effective date of annexation. Currently the study area is located 2.6 roadway miles from Fire Station #2 (2880 Runnymede Drive) and approximately 6.7 miles from Station #3 (1511 Mercury Boulevard).

The blue line on the adjacent map represents the linear distance range from the nearest fire station.



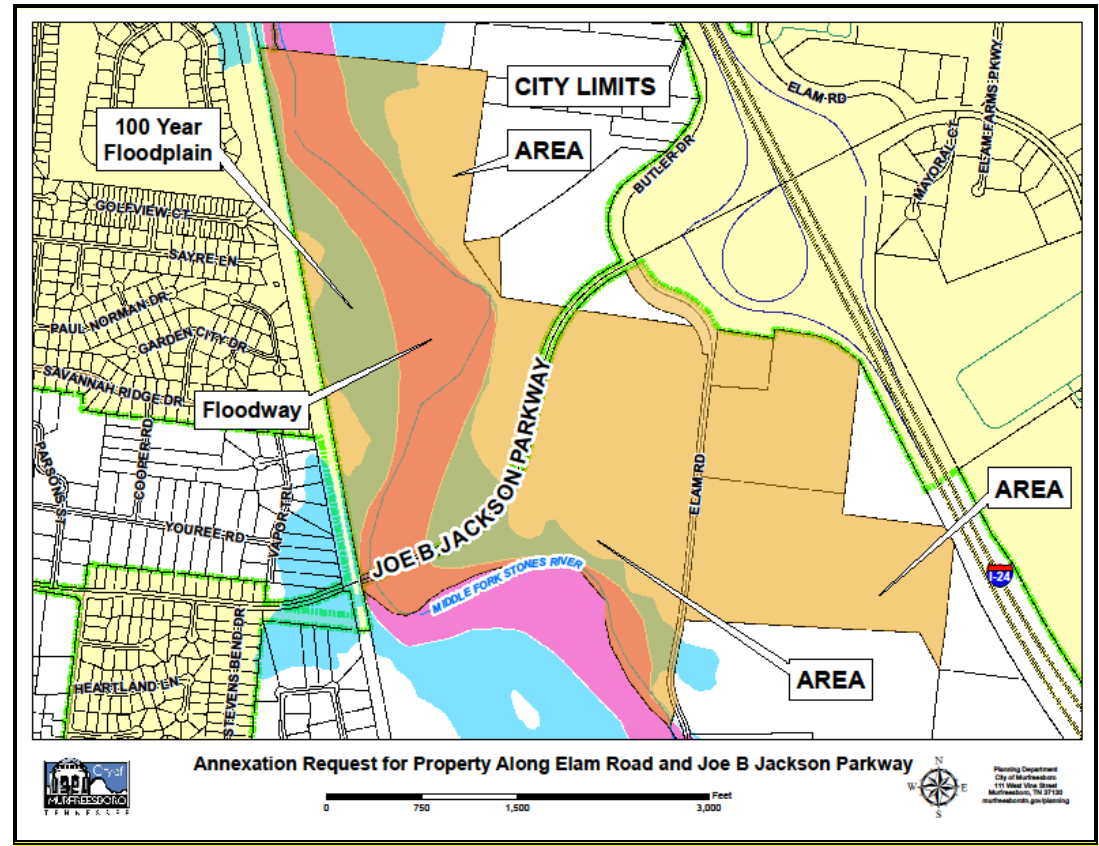
## **FLOODWAY**

Portions of the study area are 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.

## **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.







## Consent for Annexation of Public Right-of-Way by the City of Murfreesboro

The City of Murfreesboro, Tennessee has received an annexation petition and has initiated an annexation study of private property and public right-of-way as shown on the attached Exhibit, which specifically includes that section of Elam Road from Joe B Jackson Parkway southward to the southern boundary line of Tax Map 126, Parcel 59.00 totaling approximately 3,800 linear feet ("County Right-of-Way"), such section being a portion of the prescriptive/platted right-of-way for Elam road shown in the current Rutherford County Highway Department Road Book. The undersigned, a duly authorized official of Rutherford County, Tennessee, hereby certifies that, at a public meeting held on September 3, 2019 and in furtherance of the requirements set forth in Tenn.Code Ann. § 6-51-1014, the Rutherford County Highway Commission consented to the annexation of the County Right-of-Way by the City of Murfreesboro, Tennessee.

WITNESS MY HAND this 3<sup>rd</sup> day of September 2019.



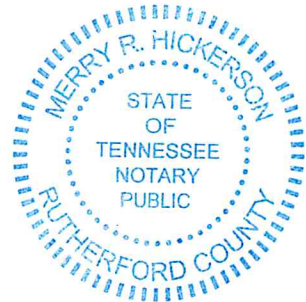
Greg Brooks

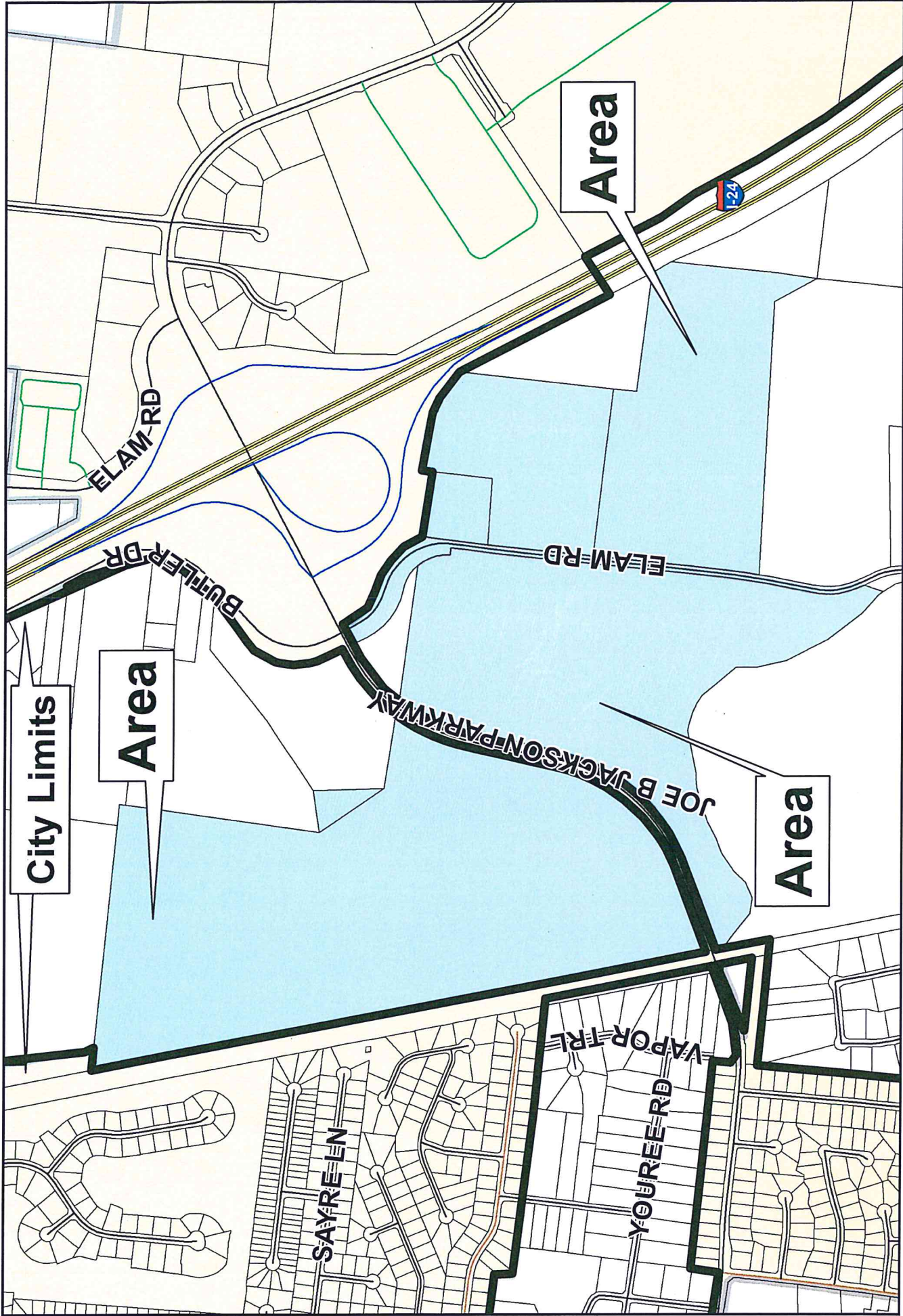
Rutherford County Road Superintendent

Sworn to and subscribed before me, a notary public in and for said county and state in Murfreesboro, Tennessee on the 3<sup>rd</sup> day of September 2019

  
NOTARY PUBLIC

My Commission Expires: 5/19/2020





# Annexation Request for Property Along Elam Road and Joe B Jackson Parkway

Planning Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, TN 37130  
[murfreesboro.gov/planning](http://murfreesboro.gov/planning)





## 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. Betty Harris Dempsey

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

Signature: Betty Harris Dempsey Status: \_\_\_\_\_ Date: 8-14-19

3341 Elam Road, Murfreesboro, TN 37127

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

2.

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

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

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

3.

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

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

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

4.

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

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

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

(Attach additional signature pages if necessary)

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

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



## 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.

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1. Elizabeth H Dempsey  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: Elizabeth H Dempsey Status: \_\_\_\_\_ Date: 8-14-19  
3341 Elam Road, Murfreesboro, TN 37127  
Mailing Address (if not address of property to be annexed)

2. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

3. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

4. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

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

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

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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.

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1. Elam Road Ventures, LLC Elizabeth Anne Harris Dempsey  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Elizabeth Anne Harris Dempsey  
Signature: Elizabeth Anne Harris Dempsey Status: Partner Date: 8-14-19  
3341 Elam Road, Murfreesboro, TN 37127  
Mailing Address (if not address of property to be annexed)

2. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

3. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

4. \_\_\_\_\_  
Printed Name of Owner (and Owner's Representative, if Owner is an entity)  
Signature: \_\_\_\_\_ Status: \_\_\_\_\_ Date: \_\_\_\_\_  
Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

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

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

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 2, 2019**

**PROJECT PLANNER: MARINA RUSH**

- 5.d. Zoning application [2019-432] for approximately 200.1 acres located along Joe B Jackson Parkway and Elam Road to be zoned G-I simultaneous with annexation, Betty and Elizabeth Dempsey applicants.**

The property owners, Betty and Elizabeth Dempsey, are requesting to zone the subject property to General Industrial (G-I) simultaneous with annexation. They have indicated that there is no specific development plan proposed for the property at this time. The purpose for zoning the property to G-I is to attract industrial users and employers to Murfreesboro who are seeking industrially-zoned land with good highway accessibility. The subject property is in the unincorporated area of Rutherford County, located along the north and south sides of Joe B Jackson Parkway and along the east and west sides of Elam Road. It is identified as Tax Map 126, Parcel 59.00, Parcel 59.01, and Parcel 59.03, as well as Tax Map 125, Parcel 14.03. In addition, the property owners have petitioned the City to annex their property simultaneous with this zoning request. The portion of their property proposed for annexation but not part of this zoning application will automatically be zoned to RS-15 upon annexation because it is currently zoned RM (Medium-Density Residential) in the County.

The General Industrial (G-I) District is intended to provide areas in which the principal uses permitted are wholesaling, warehousing, or limited manufacturing and which are accessible to major transportation routes. The regulations of this district are designed to minimize the adverse impact such uses may have on nearby districts.

**Adjacent Land Uses and Zoning**

The adjacent properties to the north, south, and west are in the unincorporated portion of Rutherford County and are primarily agricultural uses and undeveloped. The property to the east is Interstate-24 as well as several undeveloped parcels in the unincorporated County. Land further to the west is in the City and developed with single family residences, including the Savannah Ridge subdivision, Stevens Bend subdivision, and Indian Hills subdivision.

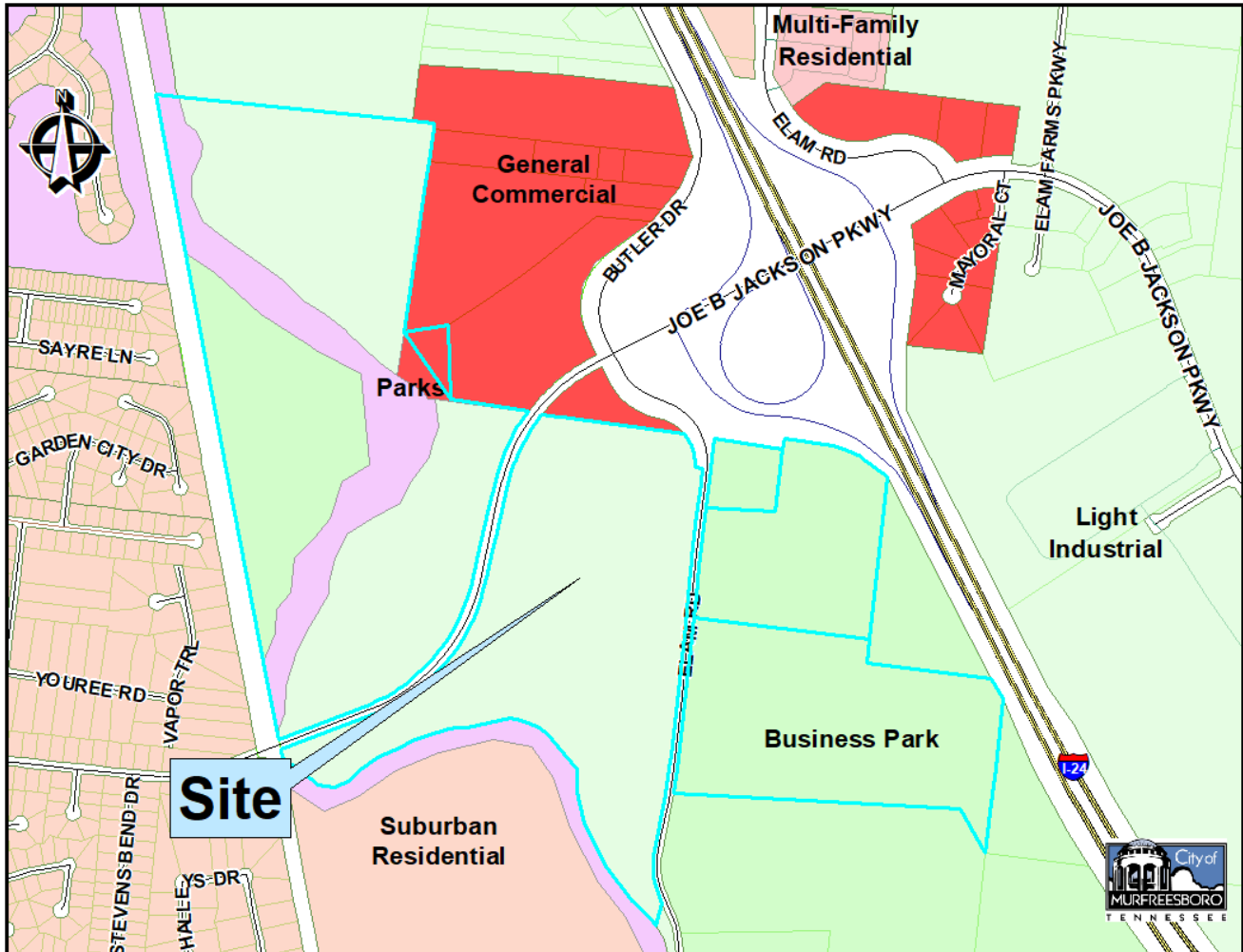
**Future Land Use Map**

The 2035 *Murfreesboro Comprehensive Plan* future land use map identifies “Light Industrial” as the most appropriate land use character for the portion of the study area west of Elam Road and “Business Park” for the portion of the study area east of Elam Road. In addition, the future land use character for a small portion of the study area



north of Joe B Jackson Parkway is identified as “General Commercial.” An excerpt of the future land use map is below.

### 2035 MURFREESBORO COMPREHENSIVE PLAN – FUTURE LAND USE MAP

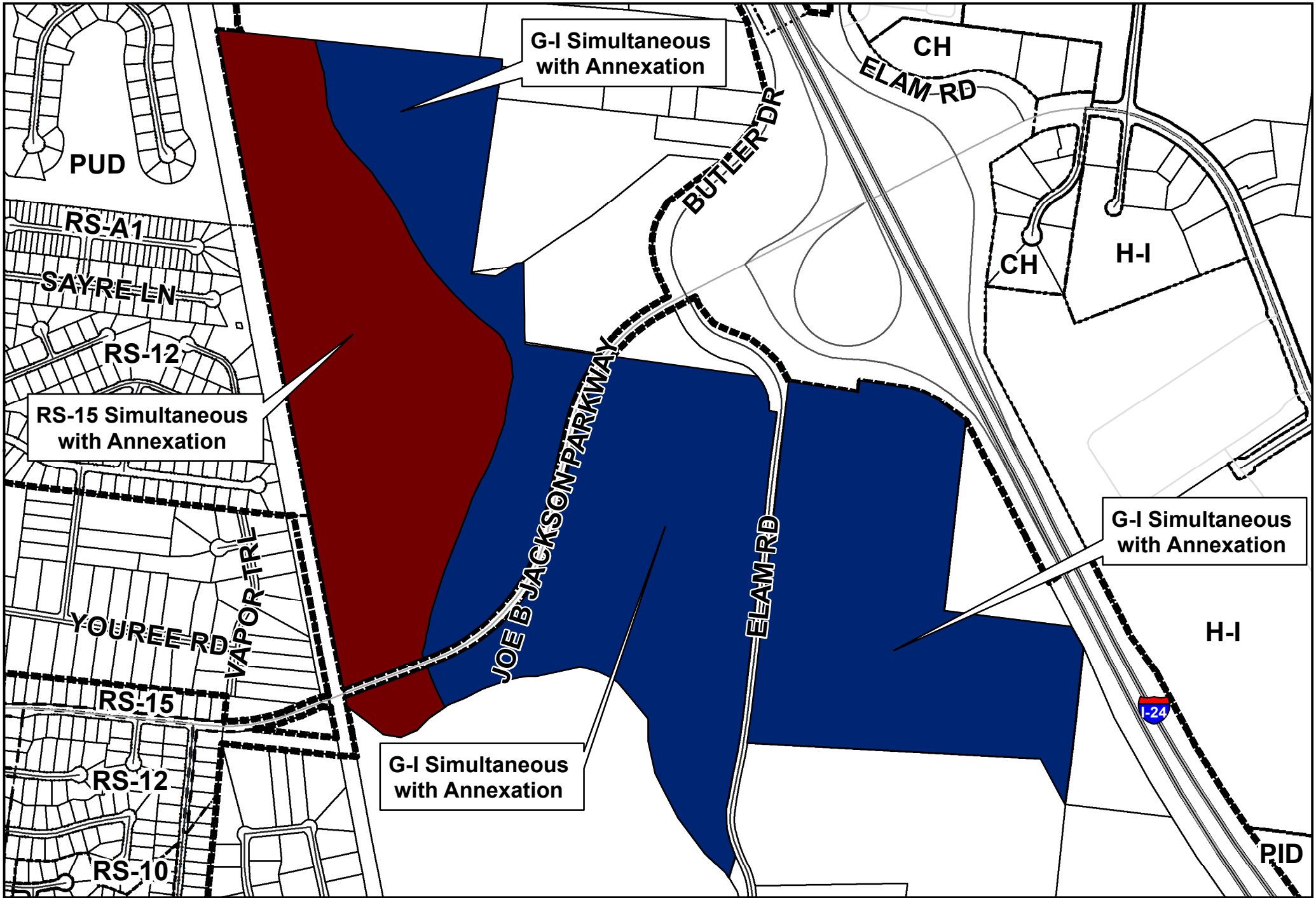


The “Light Industrial” land use designation recommends development such as light manufacturing and assembly, distribution, warehousing, handling, storage, laboratories for R & D, and other manufacturing uses. Development in this land use character would typically require large parking and storage areas, good access to freeways and major thoroughfares, and sufficient street frontage to accommodate industrial structures, parking, and access. It should be noted that the G-I zoning district is a relatively new district for the City and was adopted after the *2035 Plan* was adopted by the Planning Commission. The proposed rezoning to G-I is consistent with the recommendations of the comprehensive plan in some regards, including that it allows the types of light industrial uses associated with the “Light-Industrial” land use character. However, it also allows some additional industrial uses of greater intensity, which may be seen as inconsistent with the “Light-Industrial” land use character.

The “Business Park” land use character includes office, medical, and technology/research as the primary development types. Existing zoning districts that are compatible with the “Business Park” land use character are OG (General Office District), OG-R (General Office District - Residential), and CM (Medical District). The G-I zoning request is not consistent with the “Business Park” land use recommendation for the portion of the study area east of Elam Road. In addition, the request is not consistent with the “General Commercial” land use designation for the small portion of the study area north of Joe B Jackson Parkway. The Planning Commission will need to review the G-I zoning request and determine whether it is appropriate to deviate from the *2035 Plan* for the portions of the study area that are designated as “Business Park” and “General Commercial.”

### **Action Needed**

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

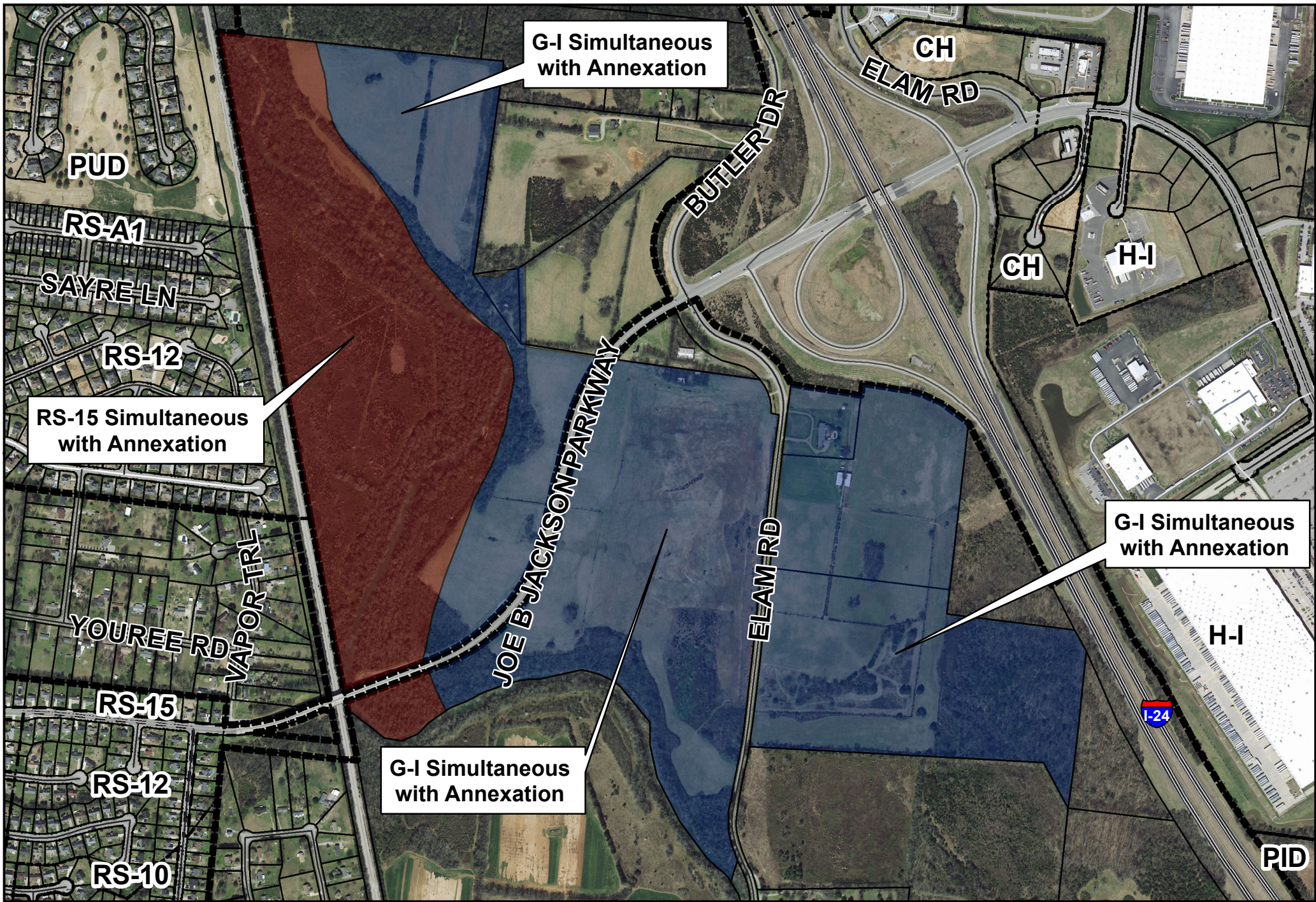


# Rezoning Request Along Elam Road and Joe B Jackson Parkway G-I Simultaneous with Annexation

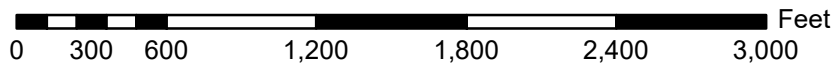


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111 West Vine Street  
Murfreesboro, TN 37130  
[murfreesborotn.gov/planning](http://murfreesborotn.gov/planning)



**USES PERMITTED BY ZONING DISTRICT.**

Revised: 07/18/19

Chart 1  
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USES PERMITTED <sup>3</sup>		ZONING DISTRICTS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																</
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X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

# APPENDIX A - ZONING

Revised: 07/18/19

Chart 1  
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X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9



# APPENDIX A - ZONING

Revised: 07/18/19

Chart 1  
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USES PERMITTED <sup>3</sup>	ZONING DISTRICTS															CM <sup>2</sup>	CM-R <sup>2</sup>	CM-RS-8 <sup>2</sup>	P				
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R <sup>2</sup>	OG <sup>2</sup>	CL <sup>2</sup>	CF <sup>2,14</sup>					CH <sup>2</sup>	MU <sup>2</sup>	CBD <sup>2</sup>	HI <sup>2</sup>
Amusements, Commercial Outdoor excluding Motorized																X	X		X				S
Amusements, Commercial Outdoor Motorized except Carnivals																			S				S
Animal Grooming Facility															X	X	X		X				
Antique Mall															X	X	X		X				
Antique Shop <3,000 sq. ft.															X	X	X		X				
Apothecaries (pharmaceuticals only)															X	X	X		X				
Art or Photo Studio or Gallery															X	X	X		X				X
Automotive Repair <sup>12</sup>															X	X	X		X				X
Bakery, Retail															X	X	X		X				
Bank, Branch Office															X	X	X		X				
Bank, Drive-Up Electronic Teller															X	X	X		X				
Bank, Main Office															X	X	X		X				
Barber or Beauty Shop															X	X	X		X				
Beer, Packaged															X	X	X		X				X
Boat Rental, Sales, or Repair															X	X	X		X				
Book or Card Shop															X	X	X		X				
Business School															X	X	X		X				
Business and Communication Service															X	X	X		X				
Campground, Travel-Trailer Park															X	X	X		X				
Carnivals															X	X	X		X				S
Catering Establishment															X	X	X		S				
Clothing Store															X	X	X		X				
Coffee, Food, or Beverage Kiosk															X	X	X		X				
Commercial Center															X	X	X		X				
Convenience Sales and Service, maximum 5,000 sq. ft. floor area															X	X	X		X				
Crematory															X	X	X		X				
Delicatessen															X	X	X		S				

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# APPENDIX A - ZONING

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Chart 1  
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USES PERMITTED <sup>3</sup>	ZONING DISTRICTS													CM-RS-8 <sup>2</sup>	CM-R <sup>2</sup>	CM <sup>2</sup>	CU					
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R <sup>2</sup>	OG <sup>2</sup>					CL <sup>2</sup>	CF <sup>2,14</sup>	CH <sup>2</sup>	MU <sup>2</sup>	CBD <sup>2</sup>
Department or Discount Store															X	X	X	X	X	X	X	
Drive-In Theater																	X	X	X	X	X	
Dry Cleaning																	X	X	X	X	X	
Dry Cleaning Pick-Up Station															X	X	X	X	X	X	X	
Financial Service														X	X	X	X	X	X	X	X	
Fireworks Public Display														X	X	X	X	X	X	X	X	
Fireworks Retailer															X	X	X	X	X	X	X	
Fireworks Seasonal Retailer																S	S		S	S	S	
Flower or Plant Store												X	X	S	X	X	X	X	S	S	S	
Funeral Home														S	X	X	X	X	X	X	X	
Garage, Parking																X	X	X	X	X	X	
Garden and Lawn Supplies																X	X	X	X	X	X	
Gas—Liquified Petroleum, Bottled and Bulk																	X	X	X	X	X	
Gas Station														X	X	X	X	X	X	X	X	
General Service and Repair Shop																X	X	X	X	X	X	
Glass—Auto, Plate, and Window																X	X	X	X	X	X	
Glass—Stained and Leaded															X	X	X	X	X	X	X	
Greenhouse or Nursery																X	X	X	X	X	X	
Group Assembly, <250 persons												S	S	S	X	X	X	X	X	X	X	S
Group Assembly, >250 persons												S	S	X	S	S	S	S	S	S	S	S
Health Club												X	X	X	X	X	X	X	X	X	X	
Ice Retail												X	X	X	X	X	X	X	X	X	X	
Interior Decorator																X	X	X	X	X	X	
Iron Work																X	X	X	X	X	X	
Janitorial Service															X	X	X	X	X	X	X	
Karate, Instruction															X	X	X	X	X	X	X	
Kennels																X	X	X	X	X	X	
Keys, Locksmith															X	X	X	X	X	X	X	
Laboratories, Medical															X	X	X	X	X	X	X	
Laboratories, Testing															X	X	X	X	X	X	X	
Laundries, Self-Service														X	X	X	X	X	X	X	X	
Lawn, Tree, and Garden Service																X	X	X	X	X	X	
Liquor Store															X	X	X	X	X	X	X	
Livestock, Auction																X	X	X	X	X	X	
Lumber, Building Material																	X	X	X	X	X	
Manufactured Home Sales																X	X	X	X	X	X	
Massage Parlor																						

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# APPENDIX A - ZONING

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Chart 1  
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USES PERMITTED <sup>3</sup>		ZONING DISTRICTS																									
		RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R <sup>2</sup>	OG <sup>2</sup>	CL <sup>2</sup>	CF <sup>2,14</sup>	CH <sup>2</sup>	MU <sup>2</sup>	CBD <sup>2</sup>	H <sup>2</sup>	GL <sup>2</sup>	L <sup>2</sup>	CM-RS-8 <sup>2</sup>	CM-R <sup>2</sup>	CM <sup>2</sup>	CU	P
Motor Vehicle Sales (Automobiles)																		S	S	X <sup>2</sup>	X <sup>2</sup>	X <sup>2</sup>					
Motor Vehicle Sales (Other Than Automobiles)																	S	S		X	X						
Motor Vehicle Service <sup>12</sup>																	X	X		X	X						
Movie Theater																	X	X	X		X						
Music or Dancing Academy																	X	X	X	X	X						
Offices																	X	X	X	X	X						
Optical Dispensaries																	X	X	X	X	X						
Pawn Shop																	X	X	X	X	X						
Personal Service Establishment																	X	X	X	X	X						
Pet Crematory																	X	X	X	X	X						
Pet Funeral Home																	X	X	X	X	X						
Pet Shops																	X	X	X	X	X						
Pharmacies																	X	X	X	X	X						
Photo Finishing																	X	X	X	X	X						
Photo Finishing Pick-Up Station																	X	X	X	X	X						
Radio, TV, or Recording Studio																	X	X	X	X	X						
Radio and Television Transmission Towers																	X	X	X	X	X						
Rap Parlor																	S	S	S	S	X <sup>3</sup>	S					S
Reducing and Weight Control Service																	X	X	X	X	X						
Restaurant and Carry-Out Restaurant																	X	X	X	X	X						
Restaurant, Drive-In																	X	X	X	X	X						
Restaurant, Specialty																	X	X	X	X	X						
Restaurant, Specialty -Limited																	X	X	X	X	X						
Retail Shop, other than enumerated elsewhere																	X	X	X	X	X						
Salvage and Surplus Merchandise																	X	X	X	X	X						
Sauna																				X <sup>3</sup>							
Sheet Metal Shop																				X	X						
Shopping Center, Community																				X	X						
Shopping Center, Neighborhood																	X	X	X	X	X						
Shopping Center, Regional																	X	X	X	X	X						
Specialty Shop																	X	X	X	X	X						
Tavern																	X	X	X	X	X						
Taxidermy Studio																	X	X	X	X	X						
Towing <sup>12</sup>																	S	S	S	S	S						

X = Use permitted by right.

S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9



# APPENDIX A - ZONING

Revised: 07/18/19

Chart 1  
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USES PERMITTED <sup>3</sup>	ZONING DISTRICTS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
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X = Use permitted by right.  
S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.

# APPENDIX A - ZONING

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Chart 1  
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USES PERMITTED <sup>3</sup>	ZONING DISTRICTS															CM-RS-8 <sup>2</sup>	CM-R <sup>2</sup>	CM <sup>2</sup>	P			
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R <sup>2</sup>	OG <sup>2</sup>	CL <sup>2</sup>	CF-2,14					CH <sup>2</sup>	MU <sup>2</sup>	CBD <sup>2</sup>
Furniture and Fixtures																			X	X	X	
Jewelry																			X	X	X	
Leather and Leather Products except tanning and finishing																			X	X	X	
Leather and Leather Products, Tanning and Finishing																			X	X	X	
Lumber and Wood Products																			X	X	X	
Mobile Home Construction																			X	X	X	
Musical Instruments																			X	X	X	
Office/Art Supplies																			X	X	X	
Paints																			X	X	X	
Paper Mills																			S	X	X	
Paper Products excluding paper and pulp mills																			X	X	X	
Petroleum, Liquefied Petroleum Gas and Coal Products except refining																			S	X	X	
Petroleum and Coal Products Refining																			S	X	X	
Pharmaceuticals																			X	X	X	
Photographic Film Manufacture																			X	X	X	
Pottery, Figurines, and Ceramic Products																			X	X	X	
Primary Metal Distribution and Storage																			X	X	X	
Primary Metal Manufacturing																			X	X	X	
Printing and Publishing																X	X	X	X	X	X	
Rubber and Plastic Products except rubber or plastic manufacture																			X	X	X	
Rubber and Plastic Products, Rubber and Plastic Manufacture																			X	X	X	
Saw Mills																			X	X	X	
Scrap Processing Yard																			X	X	X	
Scrap Metal Processors																			S	X	X	
Scrap Metal Distribution and Storage																			S	X	X	
Secondary Material Dealers																			S	X	X	
Silverware and Cutlery																			X	X	X	
Small Moulded Metal Products																			X	X	X	
Sporting Goods																			X	X	X	
Stone, Clay, Glass, and Concrete Products																			X	X	X	
Textile, Apparel Products, Cotton--Factoring, Grading																			X	X	X	
Textile, Apparel Products, Cotton Gin																			X	X	X	

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# APPENDIX A - ZONING

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Chart 1  
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USES PERMITTED <sup>3</sup>	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R <sub>2</sub>	OG <sub>2</sub>	CL <sub>2</sub>	CF <sub>2,14</sub>	CH <sub>2</sub>	MU <sub>2</sub>	CBD <sub>2</sub>	HI <sub>2</sub>	GI <sub>2</sub>	L <sub>2</sub>	CM-RS-8 <sub>2</sub>	CM-R <sub>2</sub>	CM <sub>2</sub>	CU	P
Tire Manufacture																					X					
Tobacco Products																				X	X					
Toiletries																				X	X					
Transportation Equipment																				X	X					
Warehousing, Transporting/Distributing <sup>18</sup>																				X	X					
TRANSPORTATION AND PUBLIC UTILITIES																				X	X					
Bus Terminal or Service Facility																X				X	X					
Garbage or Refuse Collection Service																				X	X					
Refuse Processing, Treatment, and Storage																										
Gas, Electric, Water, Sewerage Production and/or Treatment Facility																S										
Landfill <sup>19</sup>																				X	X					
Post Office or Postal Facility													X							S						
Telephone or Communication Services													X	X	X	X	X	X	X	X	X					
Electric Transmission, Gas Piping, Water Pumping Station													X	X	X	X	X	X	X	X	X					
Taxicab Dispatch Station	S	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X					
Freight Terminal, Service Facility																			X	X	X					
OTHER																										
Advertising Sign																X				X	X					
Home Occupations	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>	X			X					S <sup>11</sup>	S <sup>11</sup>	S <sup>11</sup>		
Junkyard																										
Recycling center																	S			S	X	X				
Self-Service Storage Facility <sup>16</sup>													S	S	S	X	S		X	X	X	X				
Wholesale Establishments																	X	X	X	X	X	X				
Temporary Mobile Recycling Center														S	S	S	S	S	S	S	S	S				

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# APPENDIX A - ZONING

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Chart 2  
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DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements <sup>5, 17, 25</sup>			Maximum Gross Density <sup>2</sup> (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front (Ft.)	Side (Ft.)	Rear (Ft.)		Maximum Height <sup>16</sup> (Ft.)	Maximum F.A.R.	Minimum O.S.R.	
<b>CL DISTRICT</b>										
1. All commercial uses except	none	none <sup>[13]</sup>	42	10 <sup>[6]</sup>	20	35	none	none	none	none
2. Single-family detached dwellings	7,500	50 <sup>[12]</sup>	30 <sup>[1]</sup>	5 <sup>[10]</sup>	25	35	5.8	none	none	30
3. Two-family dwellings	7,500	50 <sup>[12]</sup>	30 <sup>[1]</sup>	5 <sup>[10]</sup>	25	35	11.6	none	none	30
4. Three-family dwellings	11,250	50 <sup>[12]</sup>	30 <sup>[1]</sup>	5 <sup>[10]</sup>	25	35	11.6	none	none	30
5. Four-family dwellings	15,000	50 <sup>[12]</sup>	30 <sup>[1]</sup>	5 <sup>[10]</sup>	25	35	11.6	none	none	30
6. Single-family with zero lot line attached or detached	3,750	18 <sup>[12]</sup>	30 <sup>[1]</sup>	10 <sup>[7]</sup>	25	35	11.6	0.3	0.48	0.7
<b>CF DISTRICT</b>										
1. All uses	none	none <sup>[13]</sup>	42	10 <sup>[15]</sup>	20 <sup>[15]</sup>	45	none	none	none	none
<b>CH DISTRICT</b>										
1. All uses	none	none <sup>[13]</sup>	42	10 <sup>[6]</sup>	20	75	none	none	none	none
<b>MU DISTRICT</b>										
1. Multiple family dwellings	5 acres	100 <sup>[20]</sup>	15 <sup>[21]</sup>	10 <sup>[22]</sup>	20 <sup>[23]</sup>	75	25 <sup>[24]</sup>	none	none	none
2. All commercial uses except mixed use	none	100 <sup>[20]</sup>	15 <sup>[21]</sup>	10 <sup>[22]</sup>	20 <sup>[23]</sup>	150	none	none	none	none
3. Mixed uses (vertical mix)	none	100 <sup>[20]</sup>	15 <sup>[21]</sup>	10 <sup>[22]</sup>	20 <sup>[23]</sup>	150	25 <sup>[24]</sup>	none	none	none
<b>CBD DISTRICT</b>										
1. All uses except	none	none <sup>[13]</sup>	none	none	none	75	none	none	none	none
2. Multiple-family dwellings	none	none <sup>[13]</sup>	none	none	none	75	FN <sup>[8]</sup>	none	none	none
<b>H-I DISTRICT</b>										
1. All uses	none	50 <sup>[13]</sup>	42	10	20	75	none	none	none	none
<b>G-I DISTRICT</b>										
1. All uses	none	50 <sup>[13]</sup>	42	10	20	75	none	none	none	none
<b>L-I DISTRICT</b>										
1. All uses	none	50 <sup>[13]</sup>	42	10	20	75	none	none	none	none
<b>CU DISTRICT</b>										
1. Single-family detached	10,000	65 <sup>[12]</sup>	35	10	20	35	4.4	none	none	25
2. Two-family dwellings	10,000	65 <sup>[12]</sup>	35	10	20	35	8.7	none	none	25
3. Three-family dwellings	15,000	65 <sup>[12]</sup>	35	10	20	35	8.7	none	none	25
4. Four-family dwellings	20,000	65 <sup>[12]</sup>	35	10	20	35	8.7	none	none	25
5. Multiple-family dwellings	25,000	65 <sup>[12]</sup>	35	10 <sup>[3]</sup>	20 <sup>[4]</sup>	35	FN <sup>[9]</sup>	0.35	0.45	none
6. Educational institutions and other uses	25,000	65 <sup>[12]</sup>	35	10	20	35	none	0.3	0.28	0.6
<b>P DISTRICT</b>										
1. All uses permitted	none	none <sup>[13]</sup>	none	none	none	none	none	none	none	none

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
OCTOBER 2, 2019**

**PROJECT PLANNER: MARINA RUSH**

**5.e. Zoning application [2019-426] for approximately 122.19 acres located along Cason Trail, Eastview Drive, and Racquet Club Drive to be rezoned from RS-10 and RS-15 to PUD (Hidden River Estates PUD), Blue Sky Construction, applicant.**

The subject property is located along the north side of Cason Trail, east of Stoney Meadow Drive, Dodd Trail, and River Rock Boulevard, and adjacent to the west side of the Murfreesboro "Greenway Trail Head" on Cason Trail and Stones River Greenway Trail. The applicant is requesting to rezone the property from RS-10 (Single-Family Residential District 10) and RS-15 (Single-Family Residential District 15) to PUD (Planned Unit District) for the purpose of developing 602 single-family attached residential units, 18 single-family detached residential units, and 15,000 square feet of commercial space. The property is 122.19 acres and identified as the following:

- Tax Map 101, Parcel 3.10 (78.5 acres)
- Tax Map 101, Parcel 3.11 (41.69 acres)
- Tax Map 101E, Group A, Parcel 6 (1.0 acre)
- Tax Map 101E, Group A, Parcel 7 (1.0 acre)

**Hidden River Estates PUD:**

The PUD proposes 602 townhouse units, 18 custom single-family detached homes, two amenity centers, and 15,000 square feet of commercial space. The residential units will be 2, 3 or 4 bedrooms, one or two-stories, and the River Row townhomes will be three-stories. The new roads will be a combination of public and private. The public road extends from Racquet Club Drive to Eastview Drive to the single-family estate homes. The remaining roads will be private and have gated access.

The applicant revised the program book to address the following comments and changes requested:

- River Row rear elevation and rooftop diagram provided (Page 16),
- Surface parking stall replaced 8.5 feet width with 9 feet width (Page 19),
- Road gate locations depicted on plan (Page 12),
- Kayak storage building and access depicted on plan (Page 30),
- Landscape Buffer "B" increased to Buffer "D" (Page 28), and
- "Bandstand" amenity replaced with "Formal Gathering Lawn" (Page 27).

Phase 1a and Phase 1b would be constructed at the same time frame. Regarding staff's recommendation to revise the phasing plan to provide internal access between Phase 1b homes to the Phase 1a amenities, the applicant revised the plan to include mail kiosks in Phase 1b and the homes will be age targeted to 55+, assuming these owners may not wish to use the amenities in Phase 1s. Planning Commission should discuss this and make a recommendation.

The following table provides an overview of the Hidden River Estates PUD proposed development:

**HIDDEN RIVER ESTATES PUD – SUMMARY TABLE**

	<b>Housing Style</b>	<b>Bedrooms</b>	<b>Height/Story</b>	<b>Building Materials / Parking</b>
<b>Single-Family Attached (townhomes)</b>  <b>Total = 602 units</b>	The River Row	4 BR = 16 units 3 BR = 48 units	45 ft height 3 - story	Brick, stone, cementitious siding, 2-car garage plus 2-car surface
	The Villas	3 BR = 112 units 2 BR = 69 units	35 ft height 2 - story	Brick, metal, cementitious siding, surface parking
	The Landings	3 BR = 68 units 2 BR = 43 units	35 ft height 2 – story	Brick, cementitious siding, 3 BR units w/have 1 and 2 car garage and 2 BR units w/have 2 driveway spaces
	The Cottages	2 and 3 BR = 236 units	35 ft height 1.5 story	Brick, cementitious siding, 2 car garage or 2 car driveway
<b>Single-Family Detached (custom)</b> <b>Total = 18 units</b>	The Estates	Custom = 18 units	35 ft height, custom and up to 3 story	Custom
<b>Amenity Center South</b>	Pavilion and Restrooms Mail Kiosk Pool Picnic Area Bike Rack			Brick Stone Wood 15 guest parking spaces
<b>Amenity Center North</b>	Clubhouse 2 swimming pools and cabana Mail Kiosk Bandstand Picnic Area Basketball Tennis Court Volleyball, Bocce ball, shuffle board, Pond and Deck			
<b>Commercial 15,000 sq ft.</b>	-	Commercial uses listed on Page 33	1 story	Building design will be submitted in a later phase.



### **Traffic Impact Analysis**

A Traffic Impact Analysis (TIA) for Hidden River Estates, dated August 2019, was prepared by the applicant's engineer, Huddleston-Steele Engineering, Incorporated, and is attached to this staff report for reference. The Murfreesboro Transportation Department staff is currently reviewing the TIA and will provide additional comments at the Planning Commission public hearing.

### **Neighborhood Meetings**

A neighborhood meeting was held on July 15, 2019 and the primary comments were regarding traffic, sidewalk along Cason Trail, flood zone with regards to drainage and erosion, tree retention, wildlife, attached housing rather than detached housing, and density. In addition, staff and the developer will meet on September 30, 2019 with a group of representatives from the adjacent neighborhood to hear their comments and respond to any questions relating the proposed zoning. These meetings are in addition to prior meetings Staff has had with neighbors, including a neighborhood meeting at Cason Lane Academy, December 2018, and a meeting with a group of concerned neighbors at City Hall, January 2019.

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

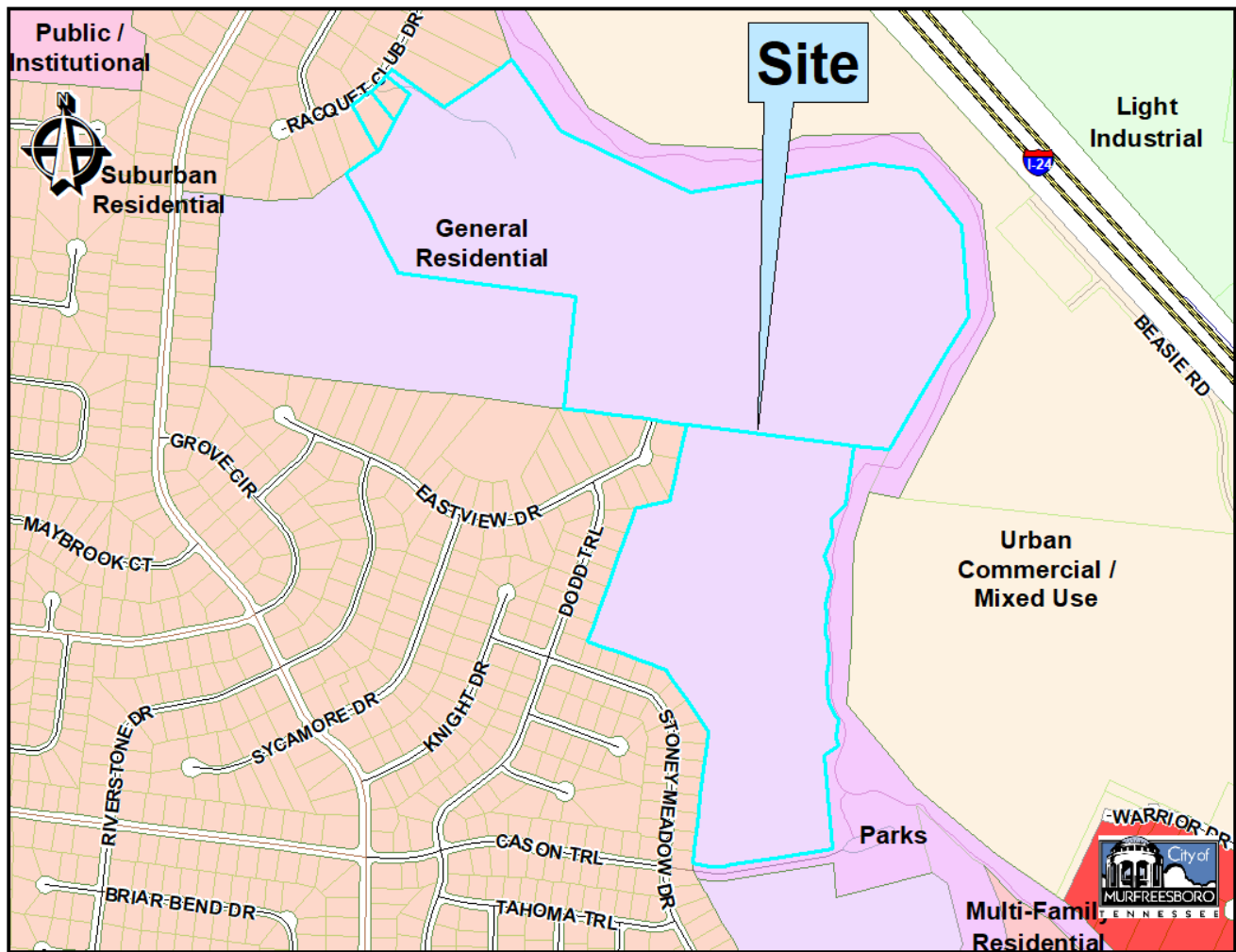
The adjacent zoning is: RS-15, RS-12 and RS-10 to the north and west, RS-10, RS-A1 (Single-Family Residential Attached District, Zero-Lot Line), RM-16 (Multi-Family Residential District 16) and CH (Highway Commercial District). The surrounding properties are developed with primarily single family residential and the Stones River Greenway trailhead and trail to the east. Further to the east, across the Stones River, is the West Point Subdivision, which is zoned L-I (Light Industrial District).

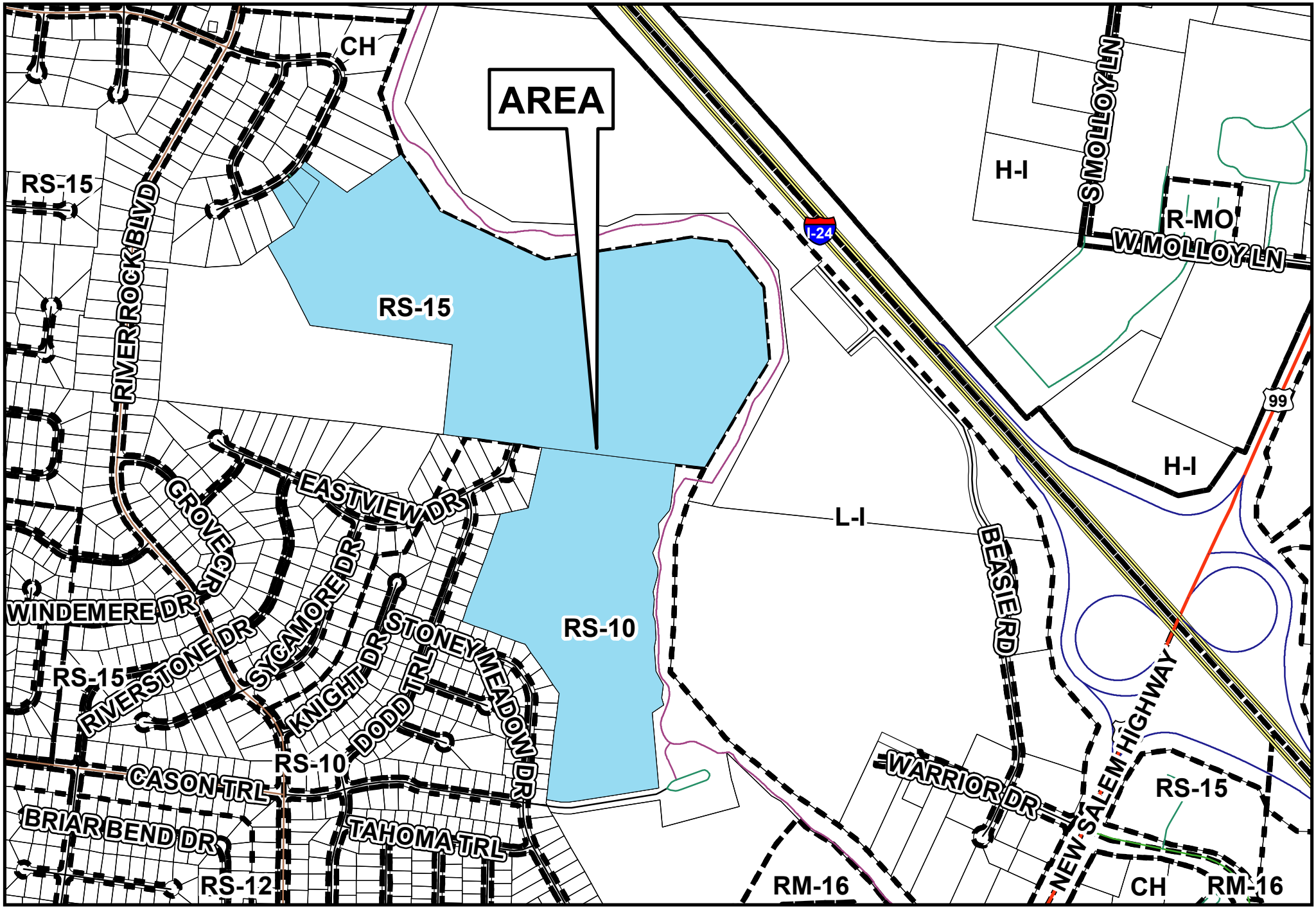
### **Future Land Use Map**

The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that "Auto Urban (General) Residential" is the most appropriate land use character for the project area. The general characteristics include attached and detached single-family housing types and a density of 3.54 to 8.64 dwelling units per acre. The proposed rezoning is consistent with the future land use map of the *Murfreesboro 2035 Comprehensive Plan* (see map below).

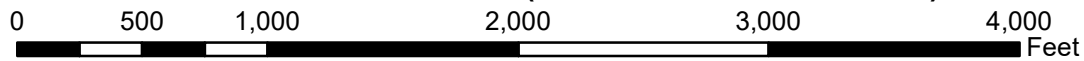
### **Action Needed:**

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



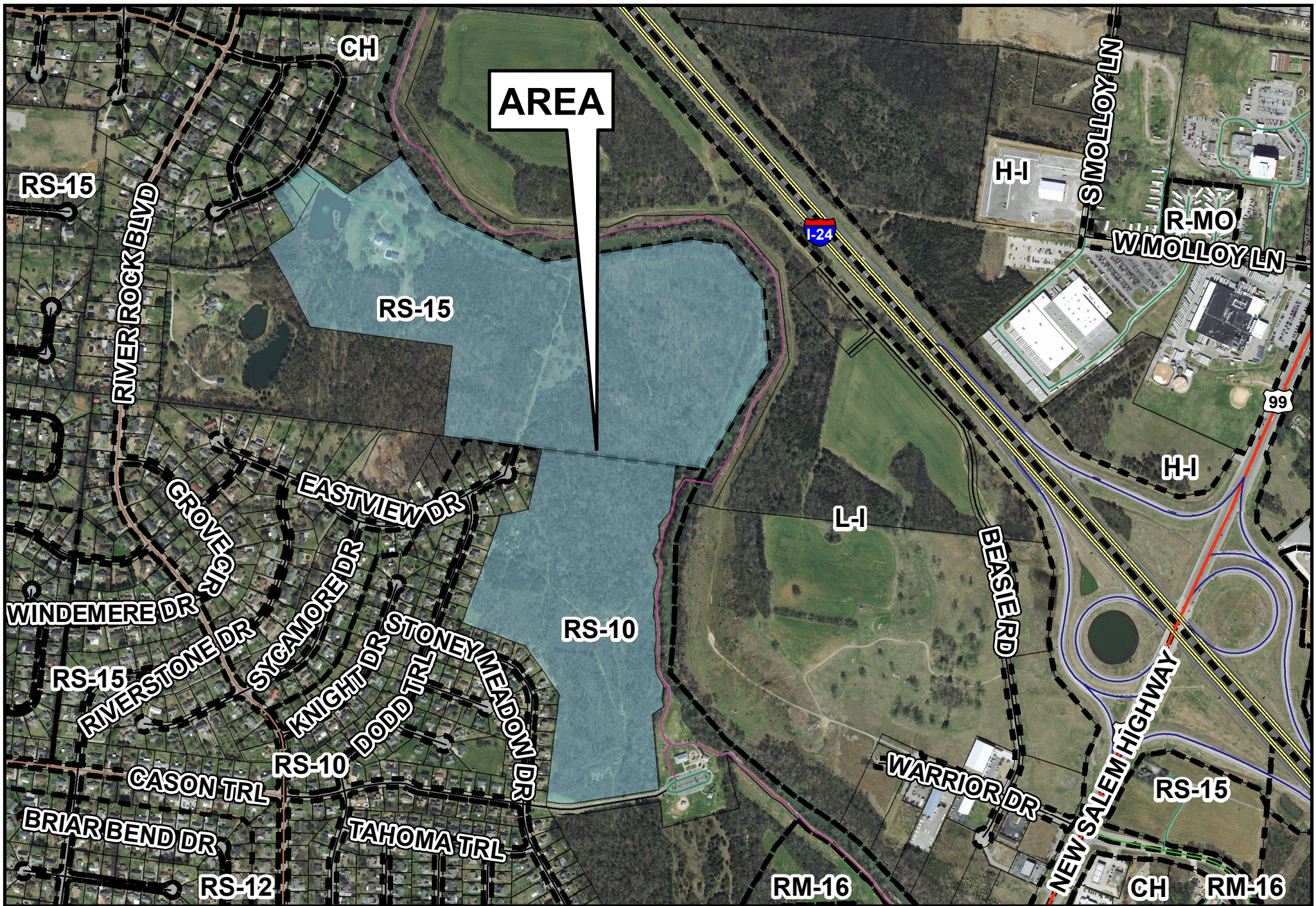


**Rezoning Request Along Cason Trail, Eastview Drive, and Racquet Club Drive  
RS-10 and RS-15 to PRD (Hidden River Estates PRD)**

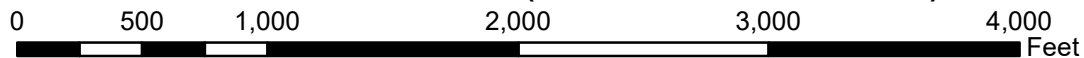


Planning Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





**Rezoning Request Along Cason Trail, Eastview Drive, and Racquet Club Drive  
RS-10 and RS-15 to PRD (Hidden River Estates PRD)**



Planning Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
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# Hidden River Estates

## PLANNED UNIT DEVELOPMENT



SUBMITTED FOR THE OCTOBER 2, 2019 PLANNING COMMISSION PUBLIC HEARING

Plans Prepared By:

**HS HUDDLESTON-STEELE**  
**ENGINEERING, INC.**

2115 N.W. BROAD STREET, MURFREESBORO, TN 37129  
TELEPHONE: 615-893-4084 FAX: 615-893-0080



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## **SHEET INDEX**

1. DEVELOPMENT TEAM
2. BUILDING ON EXPERIENCE
3. PROJECT SUMMARY
4. TOPOGRAPHY
5. AERIAL MAP
6. ADJACENT ZONING
7. EXISTING UTILITIES
8. SITE CONNECTIVITY
9. EXISTING CONDITION NORTH
10. EXISTING CONDITION SOUTH
11. EXISTING AND FUTURE TRAILHEAD GATE LOCATION
12. PUBLIC & PRIVATE ROADS EXHIBIT
13. CONCEPTUAL SITE PLAN
14. CONCEPTUAL SITE PLAN NORTH
15. CONCEPTUAL SITE PLAN SOUTH
16. THE RIVER ROW NEIGHBORHOOD
17. THE RIVER ROW NEIGHBORHOOD DETAIL
18. THE VILLAS NEIGHBORHOOD
19. THE VILLAS NEIGHBORHOOD DETAIL
20. THE LANDINGS NEIGHBORHOOD
21. THE LANDINGS NEIGHBORHOOD DETAIL
22. THE COTTAGE NEIGHBORHOOD
23. THE COTTAGES NEIGHBORHOOD DETAIL
24. THE ESTATES NEIGHBORHOOD
25. THE ESTATES NEIGHBORHOOD DETAIL

26. SOUTH AMENITY CENTER
27. NORTH AMENITY CENTER
28. CONCEPTUAL LANDSCAPE PLAN
29. DEVELOPMENT CHARACTERISTICS
30. DEVELOPMENT CHARACTERISTICS (CONT)
31. OPEN SPACE PLAN
32. PHASING PLAN
33. PUBLIC ROADS EXHIBIT
34. 2035 PLAN RECOMMENDATIONS
35. COMMERCIAL CENTER CONCEPT
36. PLANNED DEVELOPMENT CRITERIA
37. PLANNED DEVELOPMENT CRITERIA



# Development Team

## Planning and Engineering



2115 N.W. BROAD STREET, MURFREESBORO, TN 37129  
TELEPHONE: 615-893-4084 FAX: 615-893-0080

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

## Architecture

**JTaylor Designs - Jamie Taylor**  
**310 Uptown Square**  
**Murfreesboro, TN. 37129**  
**615.542.4675**  
**jamie@jtaylordesigns.net**

## Owner/ Developer

**Blue Sky Construction, Inc. Howard Wilson and Brian Burns**  
**6 N. Public Square**  
**Murfreesboro, TN. 37129**  
**615.405.5647**



# Building on Experience

Blue Sky Construction, Inc., has a reputation of thoughtfully designed and quality-built homes. Serving Murfreesboro and Rutherford County, Blue Sky Construction, Inc., has a strong reputation in the area and believes their residential communities will continue to meet the residential needs of this growing area. Over the last few years, Blue Sky Construction, Inc., has constructed several significant projects including General's Retreat, General's Run, Cottages on Clark, and many home rehabilitation projects.



General's Retreat



North Church Street



General's Landing



General's Run



Cottages on Clark



# Hidden River Estates

PLANNED RESIDENTIAL DEVELOPMENT



HIDDEN RIVER ESTATES MASTER PLAN



# Project Summary

## Hidden River Estates PLANNED UNIT DEVELOPMENT

The purpose of this rezoning request is to create Hidden River Estates, planned urban development consisting of 120.2 Acres located along the Stones River on the Southwest side of Murfreesboro. Hidden River Estates will consist of 5 different home types, ranging from single-level homes, smaller townhomes, luxury 3 story townhomes and custom designed single-family residences on private lots, forming small neighborhoods of each sub-type of home. This PUD will include over 5 acres of recreational open space, 2 miles of internal walking trails, 2 amenity centers (serving both sides of the development), 2 private access points connection to the Cason Trail Greenway, a small commercial node, private (YELP/Siren Operated Sensor(SOS) allowed) gated access, and a kayak launch to the Stones River. The PUD can be referenced as Parcel 3.10, 3.11 Tax Map # 101, Parcels 6.00, 7.00, Group A, Tax Map 101E. The development is designed to be a gated community with a total of 602 townhomes and 18 estate homes with a density of 5.16 units per Acre.

Access to the site will be via 3 access points; Southeast Access via Cason Trail (Southern Access), Northwest Access via Racquet Club Drive (Northern Access), and Middle Access via an extension to Eastview Drive (Middle Access). Each entrance will have formal landscaping, gated access and apportioned architectural elements, Northern and Southern Entrances allow for direct access to the respective amenity centers, and feature YELP or Siren Operated Sensor (SOS) emergency open gates. This healthy community design will have several controlled access points connecting to the Cason Trail Greenway, a kayak launch to the Stones River (with an adjacent private bike & kayak storage building), and 2 miles of interior sidewalk & natural walking trails.

The development has five different townhomes types: The River Row, The Landings, The Villas, The Cottages & The Estates.

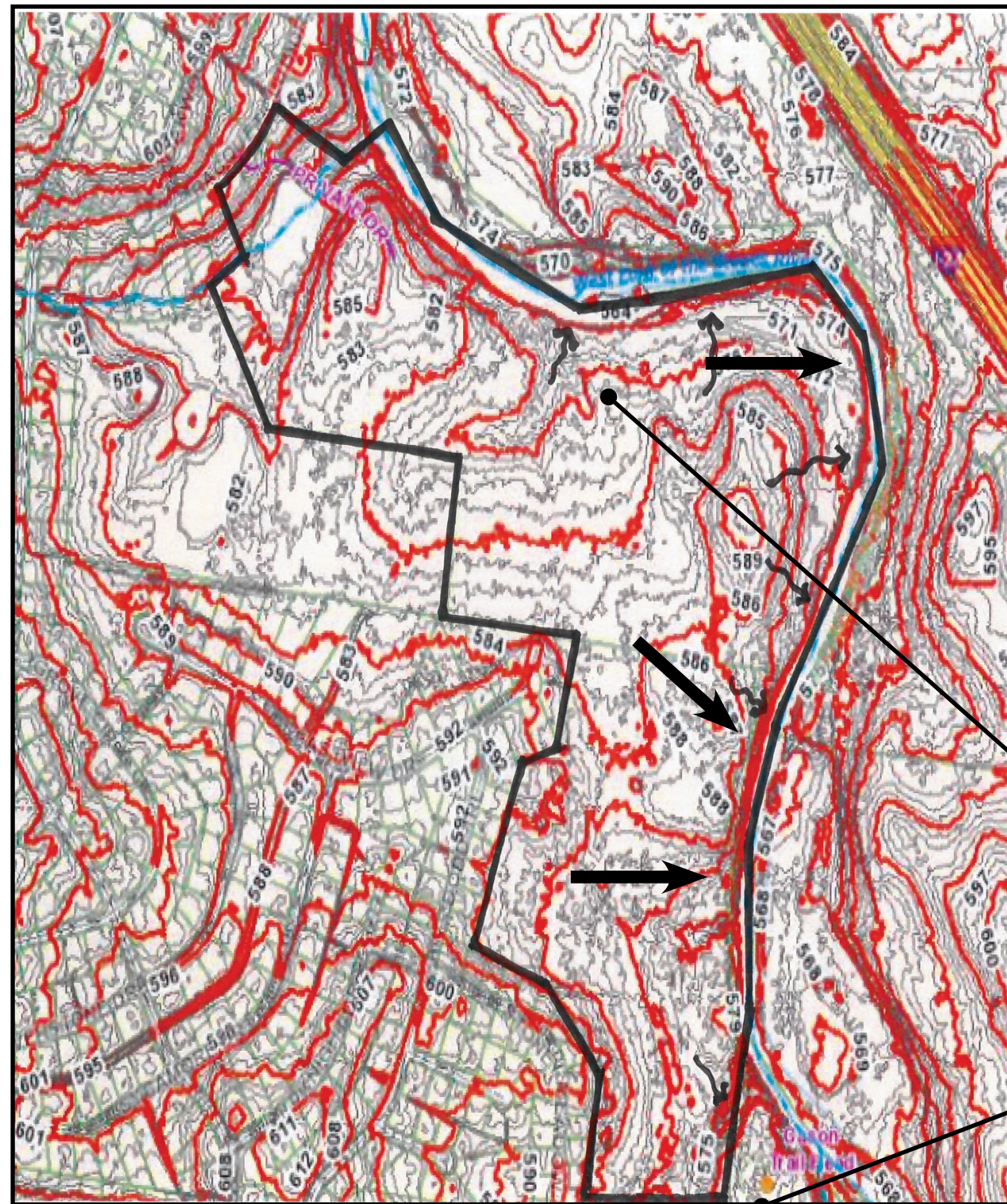
Type	Quantity of Units	Square Footage	Bedrooms	Garage / Surface Parking	Required Parking Spaces	Provided Parking Spaces
River Row	64	2000 – 3500	4 Bdrms – 16 3 Bdrms – 48	2 Car Garage & 2 Car Carport	230	281
The Villas	196	1300 – 2200	3 Bdrms – 120 2 Bdrms – 76	2 car Surface	647	653
The Landings	106	1400 – 2800	3 Bdrms – 66 2 Bdrms – 40	1 or 2 Car Garage	306	360
The Cottages	236	1800 – 2500	3 Bdrms – 180 2 Bdrms – 56	1 or 2 Car Garage	718	1000
The Estates	18	2500 min.	Custom	Custom	N/A	72



# Topography

## Hidden River Estates

PLANNED UNIT DEVELOPMENT



The subject property is located along the Murfreesboro Greenway & Stones River to the East, with the Southern entrance along Cason Trail, near the Cason Trail-head. from the Northern Entrance, it is 1.5 miles to Interstate 24. The topography of the site is relatively flat, with several natural swales leading towards the river; the topography drops at a modest rate from west to east towards the river.

  
NORTH

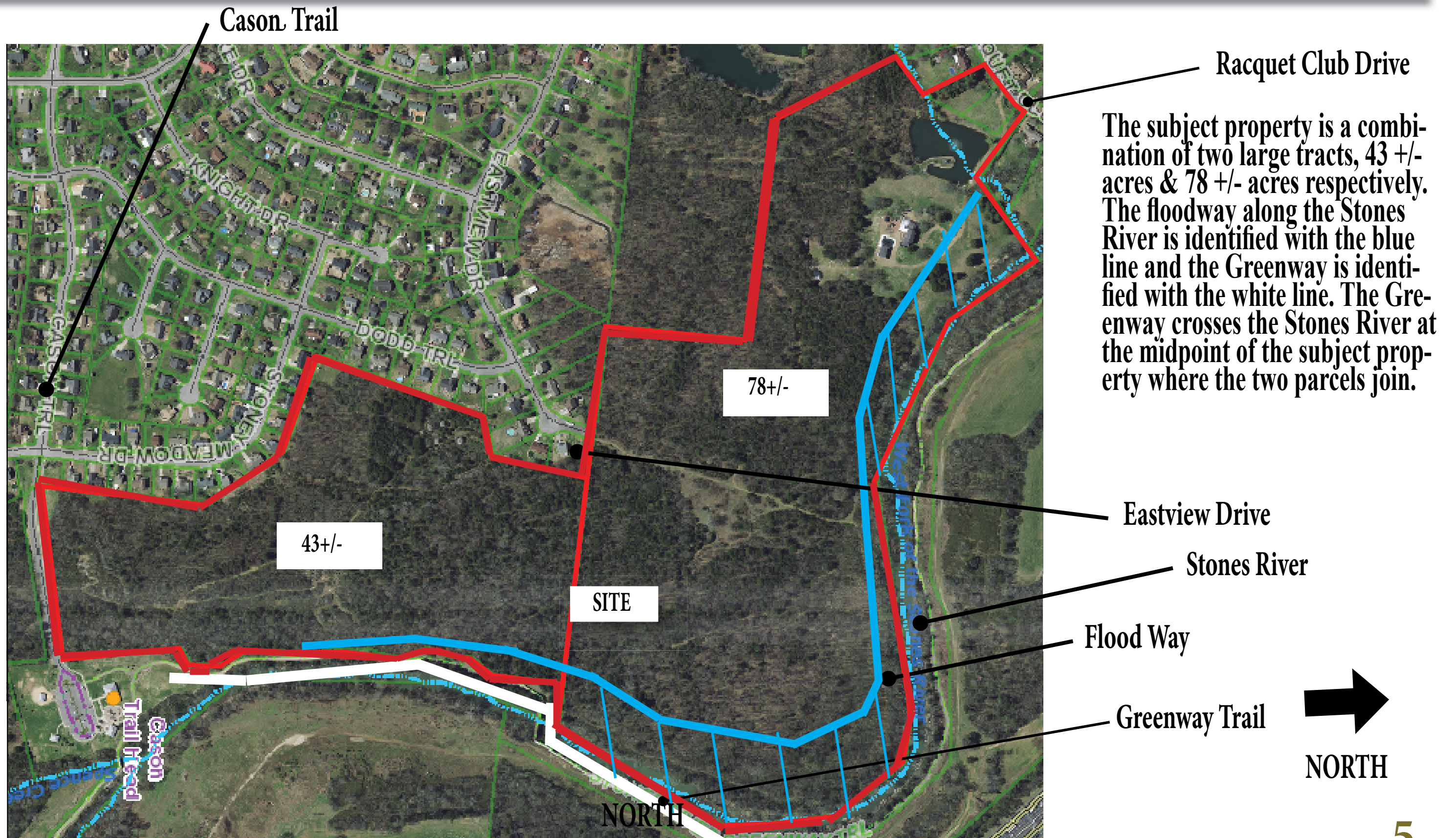
  
SITE

  
Cason Trail Greenway  
Trail Head



## Aerial Map

## PLANNED UNIT DEVELOPMENT

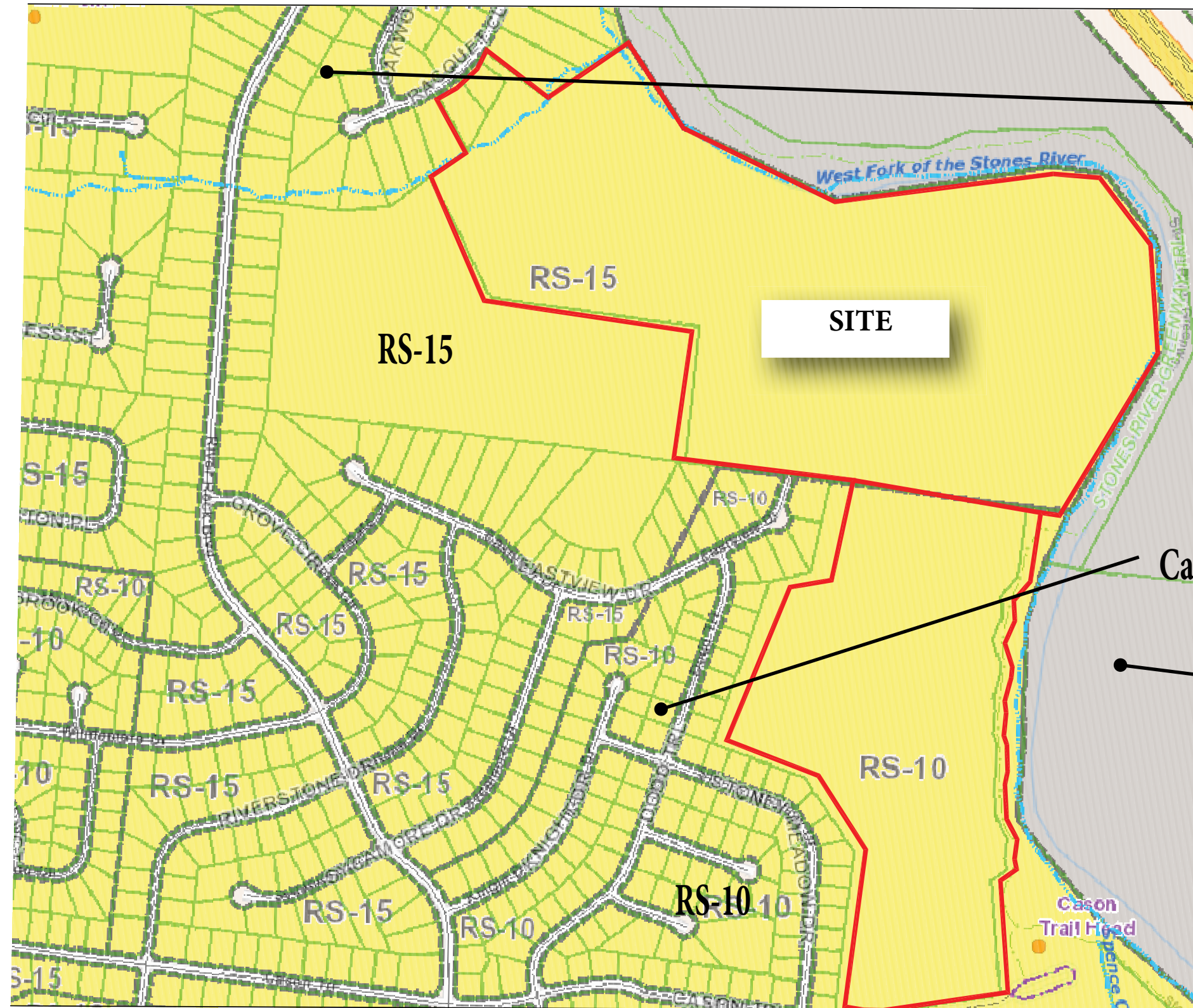




# Adjacent Zoning

## Hidden River Estates

PLANNED UNIT DEVELOPMENT



### Cason Grove Estates

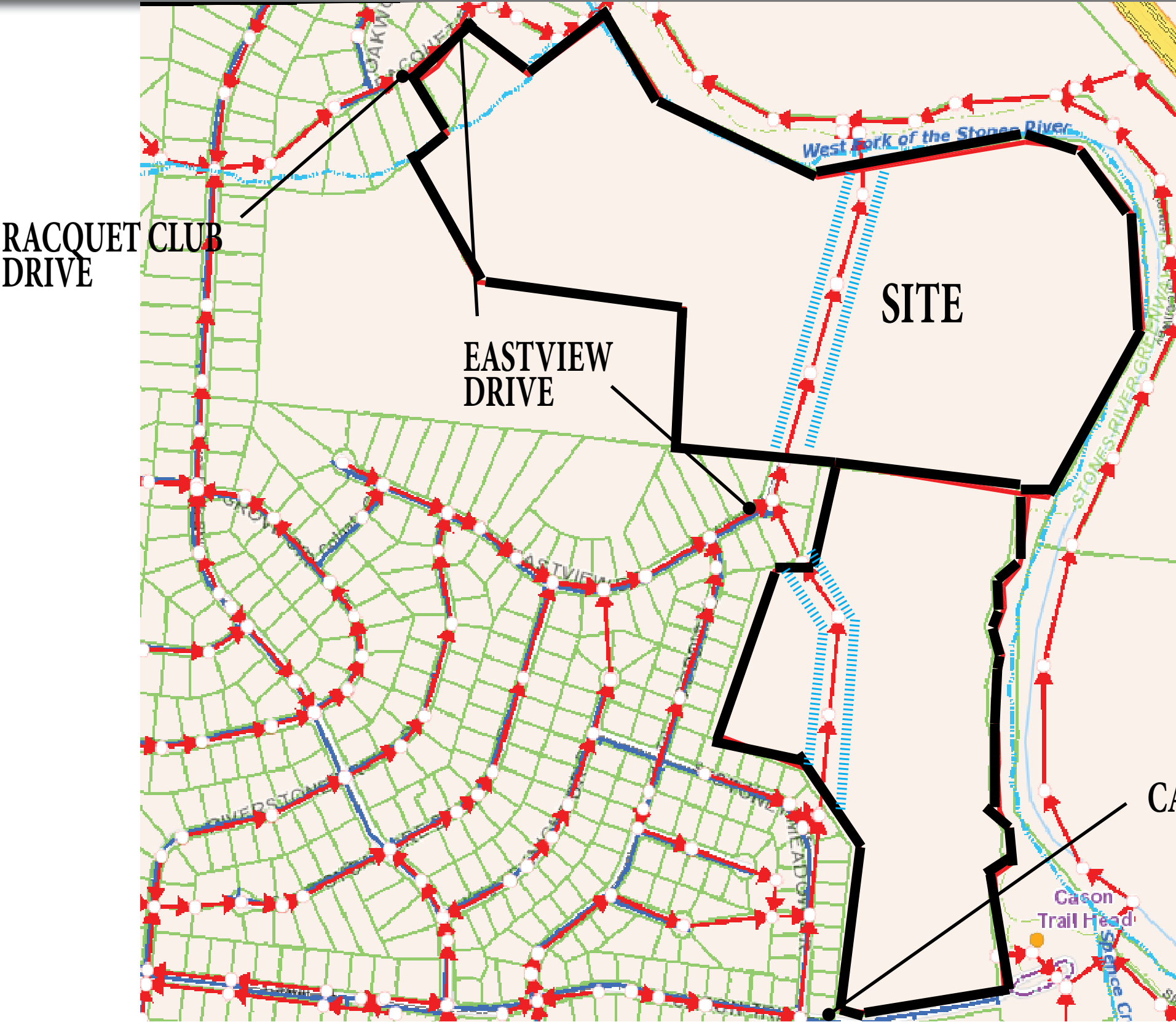
The subject property is bordered by RS-10 on the Southern boundary and Western border. To the North is zoned RS-15; to the East, across the Stones River is zoned L-I. The proposed zoning for the subject property is as a Planned Unit Development (PUD) with a combination of townhouse types.

### Cason Grove

(L-I) INDUSTRIAL ZONING



Existing Utilities



Legend

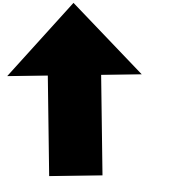
Existing Utilities

Red = 8" Sanitary Sewer

Blue = 8" Water

Blue dashed line = Sewer Easement

Existing Infrastructure Providers:



NORTH



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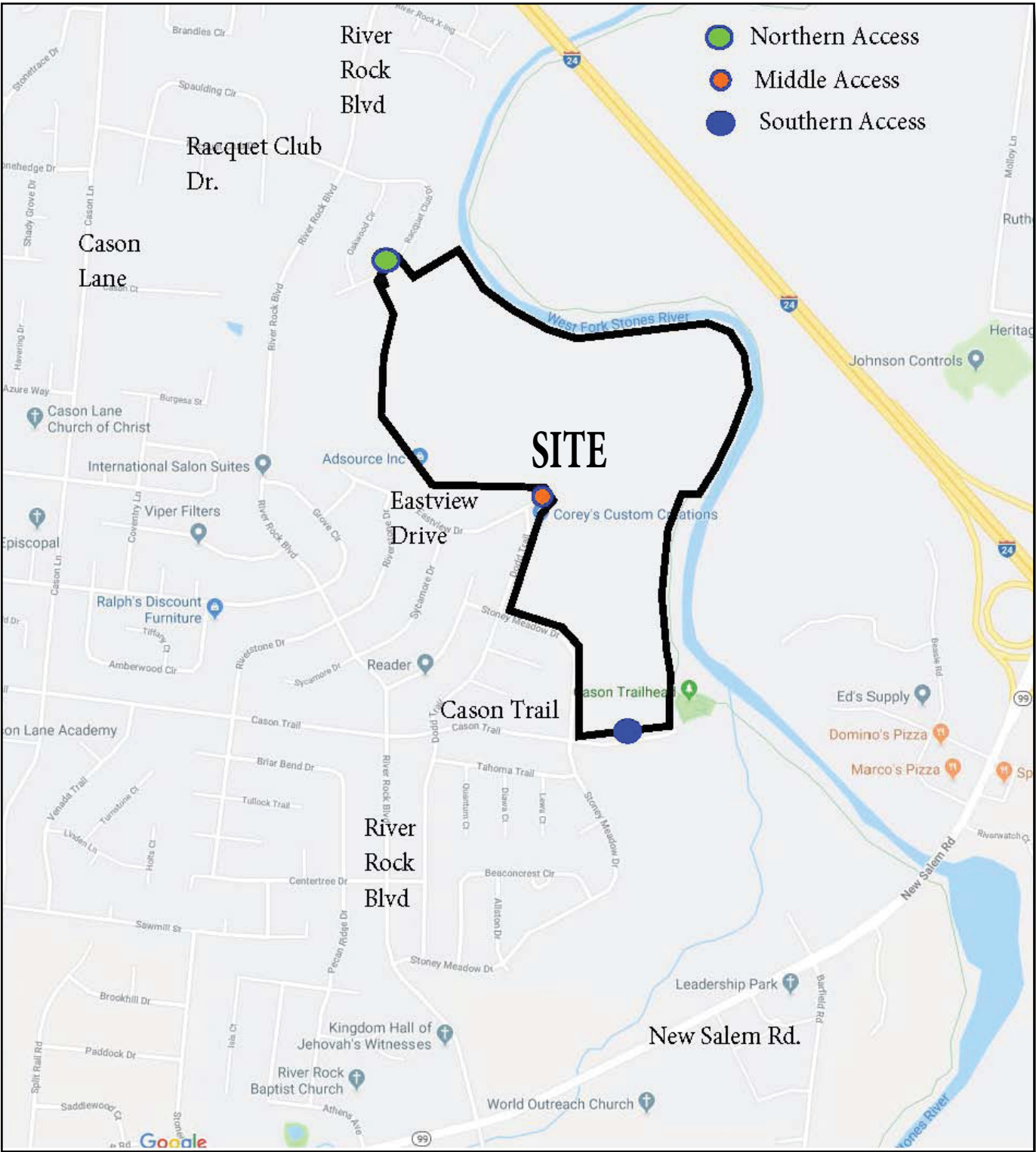
# Site Connectivity

The development is served by several access roads. The Southern entrance will be accessible via Cason Trail, the Northwestern entrance will be accessible via Racquet Club Drive, the Middle development access will be via Eastview Drive (an extension to which will be incorporated within the development site) and Dodd Trail.

The Western Border of the development is bound by Dodd Trail & Eastview Drive and the Cason Trail Subdivision; The Northwestern Border of the development is Racquet Club Drive. From the Southern Entrance, it is 2.3 miles to Interstate 24;

Accessing the Site:

Interstate 24 (North/South)	Expressway / Freeway
From US Hwy 99 (New Salem Road)	Major Arterial Connector
River Rock Blvd	Community Collector
Cason Trail	Residential Collector
Stony Meadow Drive	Residential Sub Collector
From TN Hwy 96 (Franklin Road)	Major Arterial Connector
Cason Lane	Community Collector
Racquet Club Drive	Residential Collector
River Rock Blvd	Community Collector



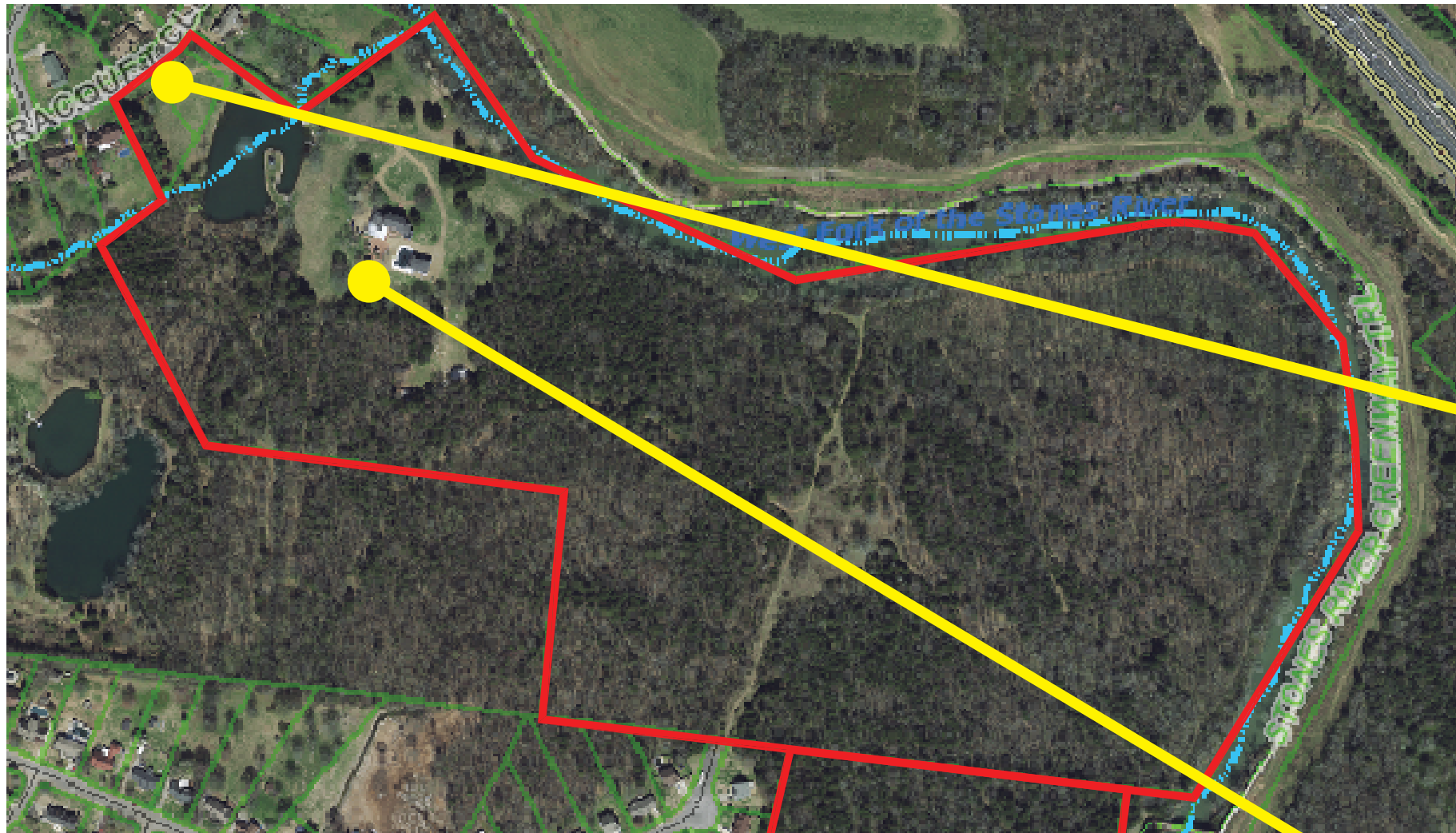


# Existing Condition Pictures North

## Hidden River Estates

PLANNED UNIT DEVELOPMENT

Aerial view of subject property.



Existing northern entrance off of Racquet Club Drive



Existing Residence (To be converted to future club house)



# Existing Condition Pictures South

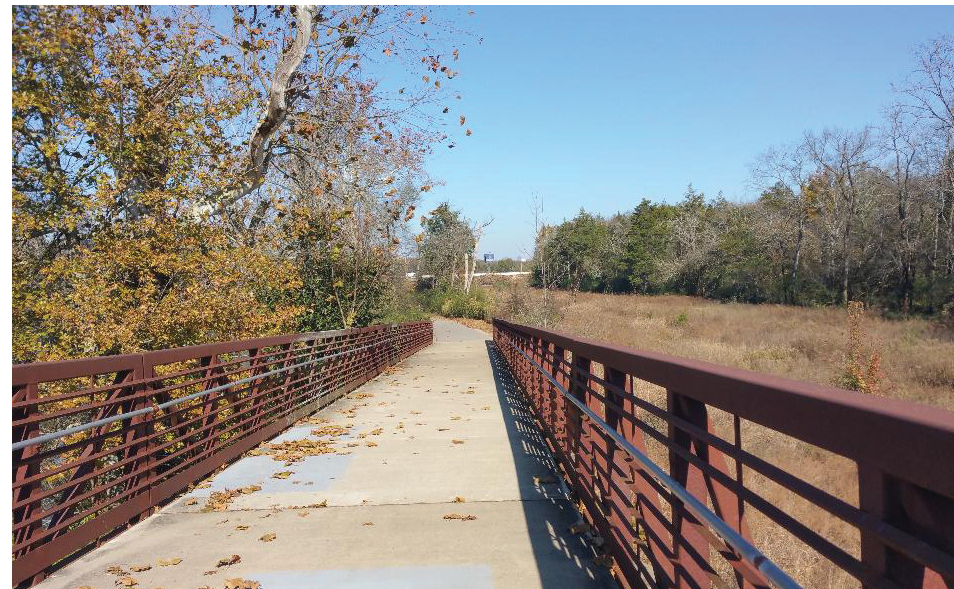
## Hidden River Estates

PLANNED UNIT DEVELOPMENT

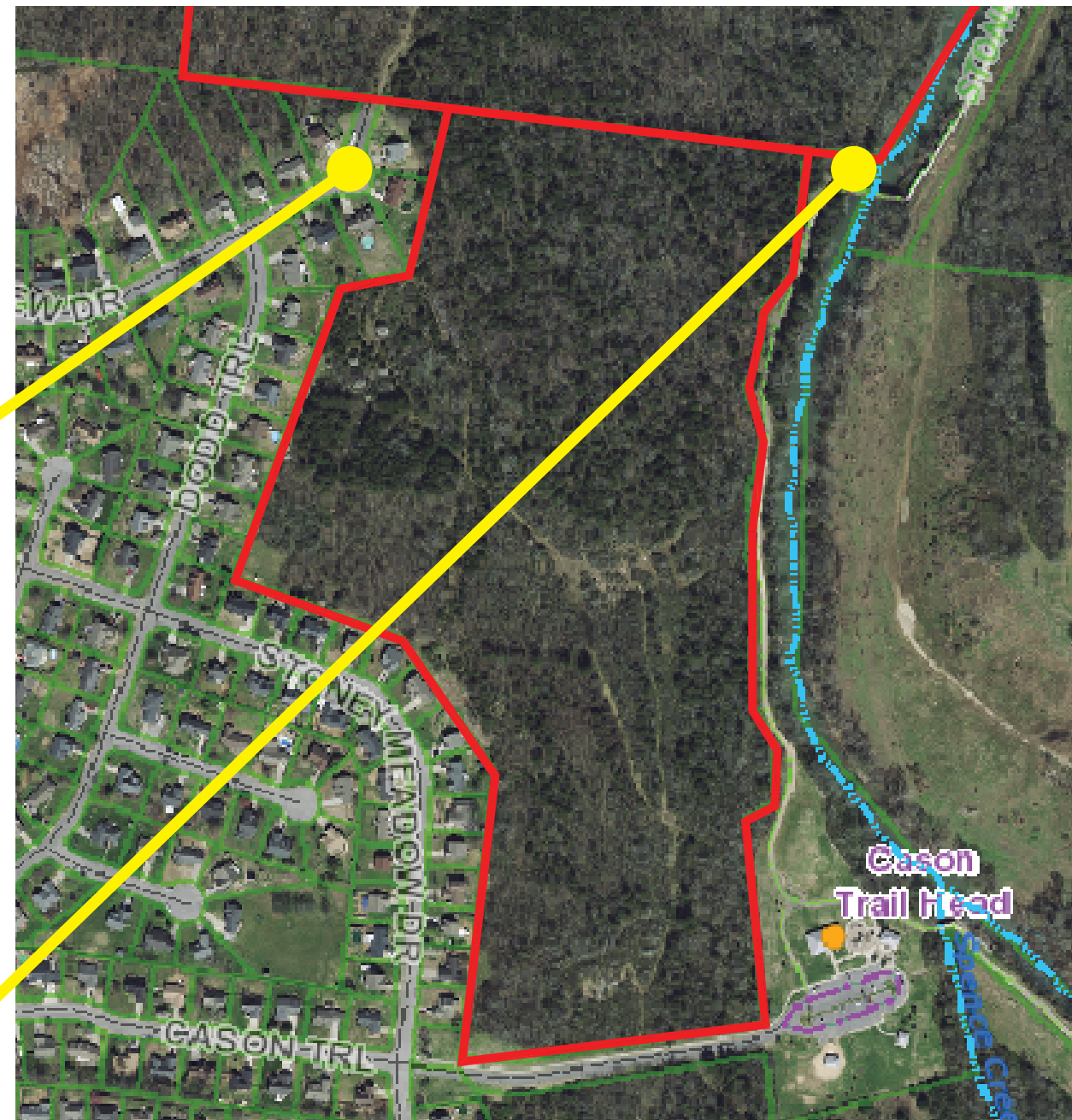
Aerial view of subject property.



End of Eastview Drive



View of greenway with I-24 in the background

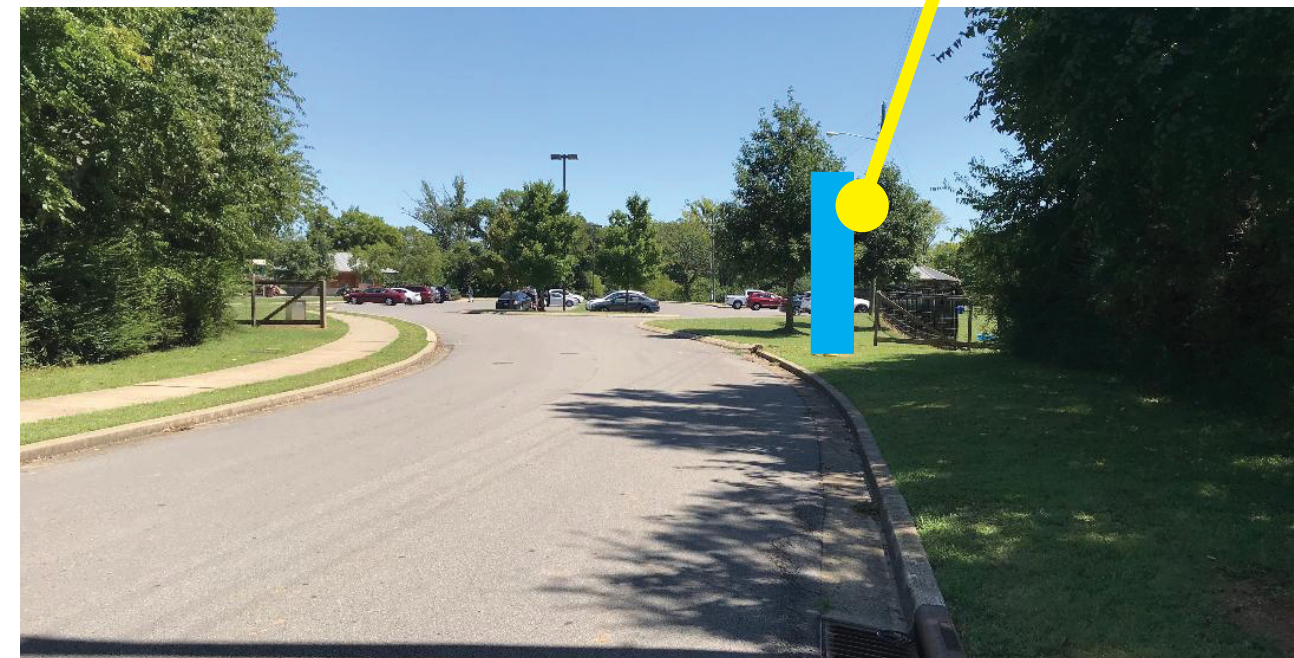




# Existing and Future Trailhead Gate Location

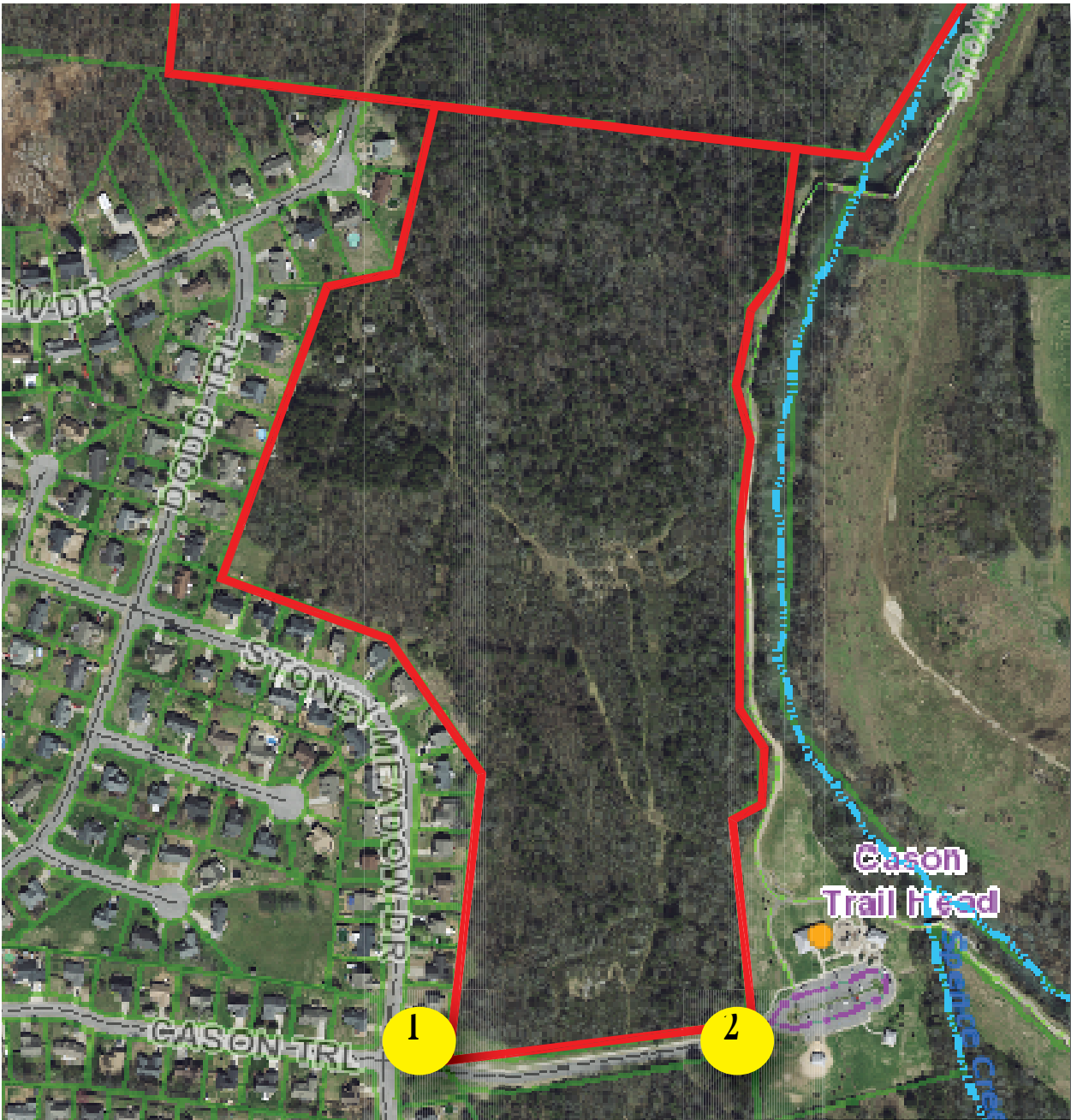


1 Current location of trail head gate



2 Proposed location of trail head gate

Aerial view of subject property.



# Public and Private Roads Exhibit



- MAIL KIOSK
- GATES
- PRIVATE ROAD
- PUBLIC ROAD



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# Conceptual Site Plan

## Hidden River Estates

PLANNED UNIT DEVELOPMENT





## Conceptual Site Plan (North)

Site Data:  
Total Acreage: 120 AC  
Existing Zoning: RS-10 & RS-15  
Proposed Zoning: Planned Unit Development (PUD)  
Max Units: 620  
Unit Density: 5.16 Units Per Acre





## Conceptual Site Plan (South)





FRONT ELEVATIONS



Metal Railing

Precast Stone

Brick

Roof Top Patio

Hardie Board



REAR ELEVATIONS



Carport Deck

Garage

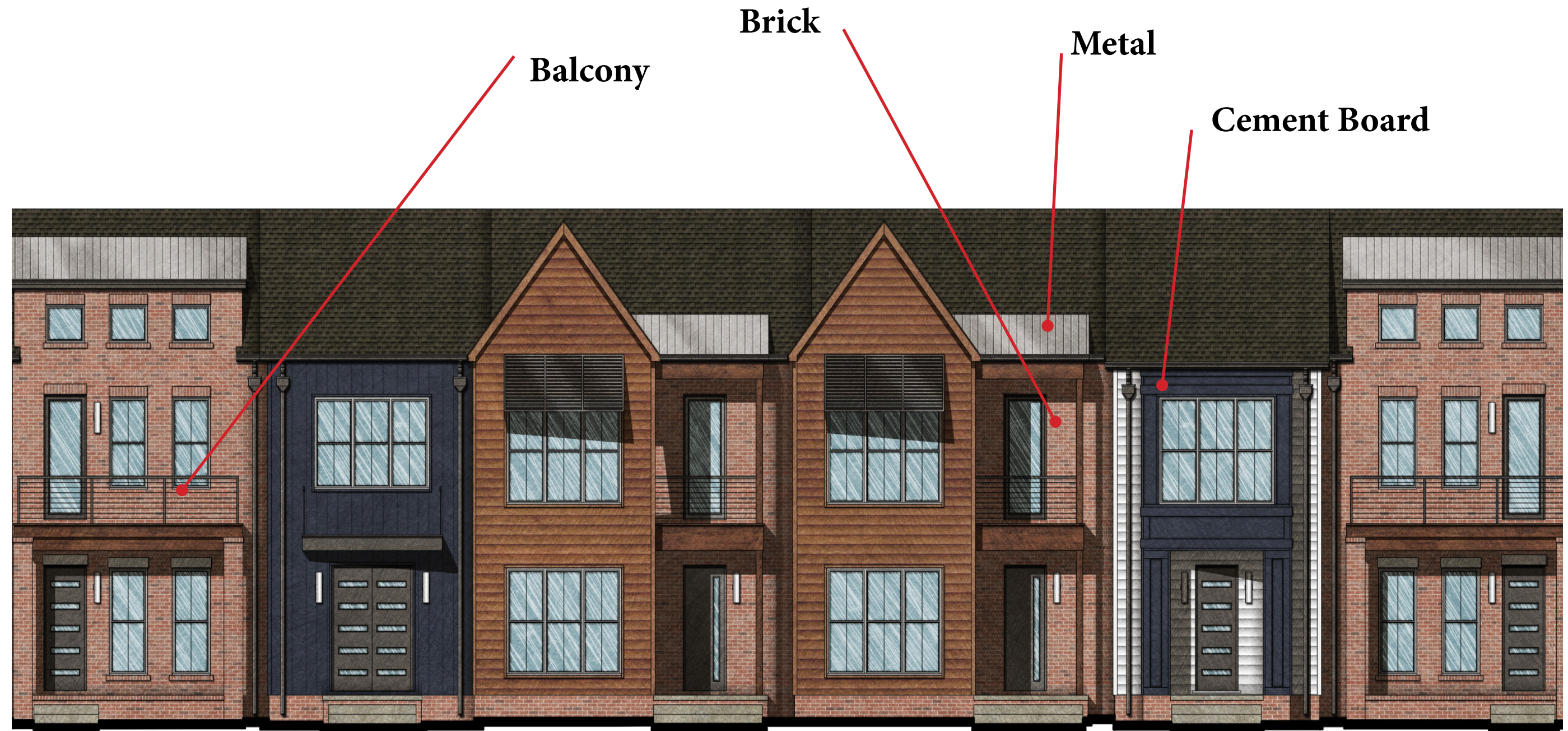


The River Row - Neighborhood Detail



HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	DRIVEWAY WIDTH	SPACES REQUIRED/PROVIDED
The River Row	2000 S.F. (Min)	3 Story	Brick	16 - 4 Bdrm	2 Car Garage	20' Min.	230/280
			Stone	48 - 3 Bdrm	2 Car Carport		
			Cement Board				





Front Elevations



# The Villas - Neighborhood Detail

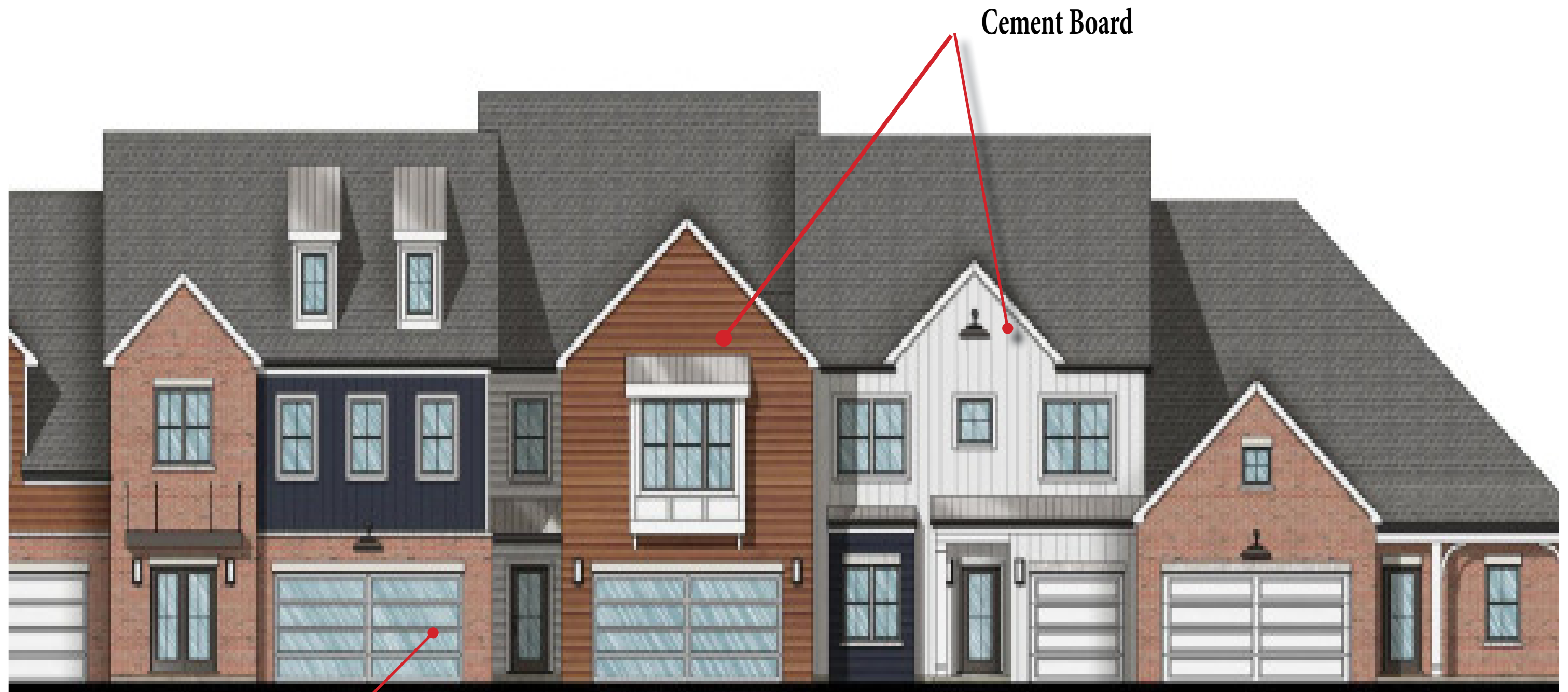


←  
NORTH

HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	PARKING SPACE WIDTH	SPACES REQUIRED/ PROVIDED
The Villas	1400 S.F. (Min)	2 Story	Brick Metal Cement Board	120 - 3 Bdrm 76 - 2 Bdrm	Surface Parking	9' Min.	647/653



# The Landings Neighborhood



Decorative Garage Doors

FRONT ELEVATION



# The Landings - Neighborhood Detail



HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	DRIVEWAY WIDTH	SPACES REQUIRED/PROVIDED
The Landings	1300 S.F. (Min)	2 Story	Brick Cement Board	66 - 3 Bdrm 40 - 2 Bdrm	1 & 2 Garage 2 Driveway	20' Min.	306/360



# The Cottages Neighborhood





The Cottages - Neighborhood Detail



HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	DRIVEWAY WIDTH	SPACES REQUIRED/PROVIDED
The Cottages	1800 S.F. (Min)	1 1/2 Story	Brick Cement Board	180-3 Bdrm 56 - 2 Bdr	2 Garage 2 Driveway	20' min.	718/1000



# The Estates Neighborhood





The Estates - Neighborhood Detail



HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	DRIVEWAY WIDTH	SPACES PROVIDED
The Estates	2500 SF (Min)	3 Story Max.	Custom	Custom	Custom Min. two car garage	20' min.	72
* All plans will be subject to architectural review committee approval.							

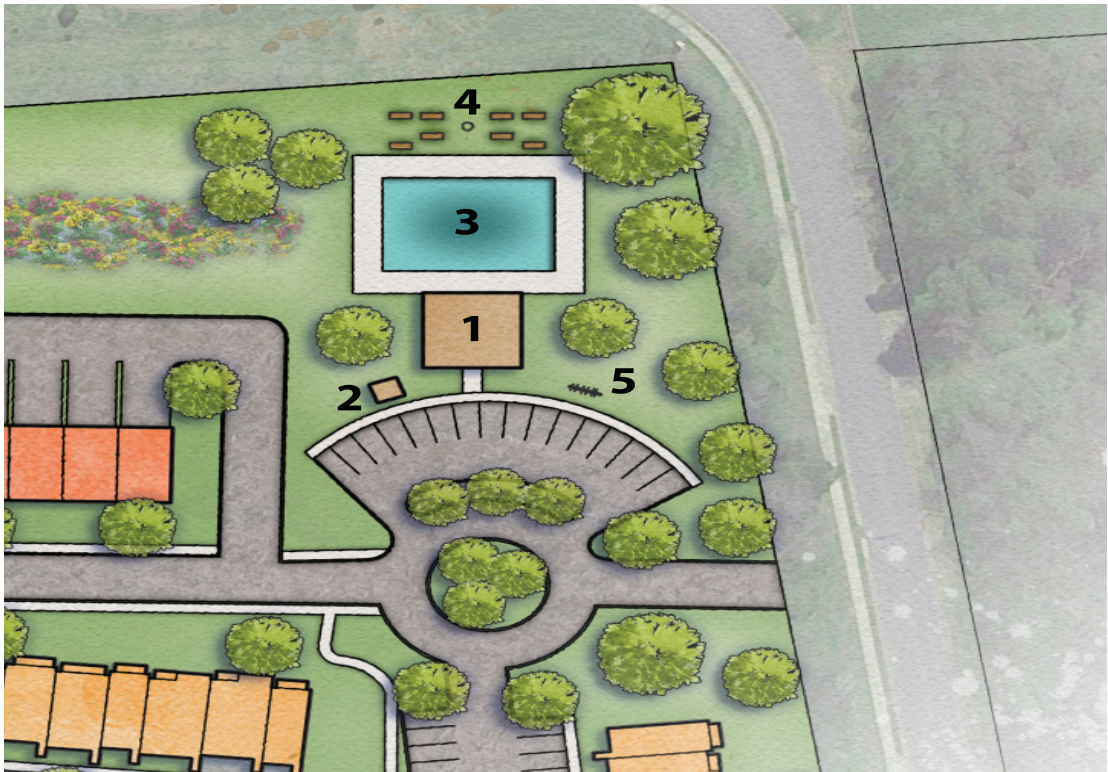


# South Amenity Center



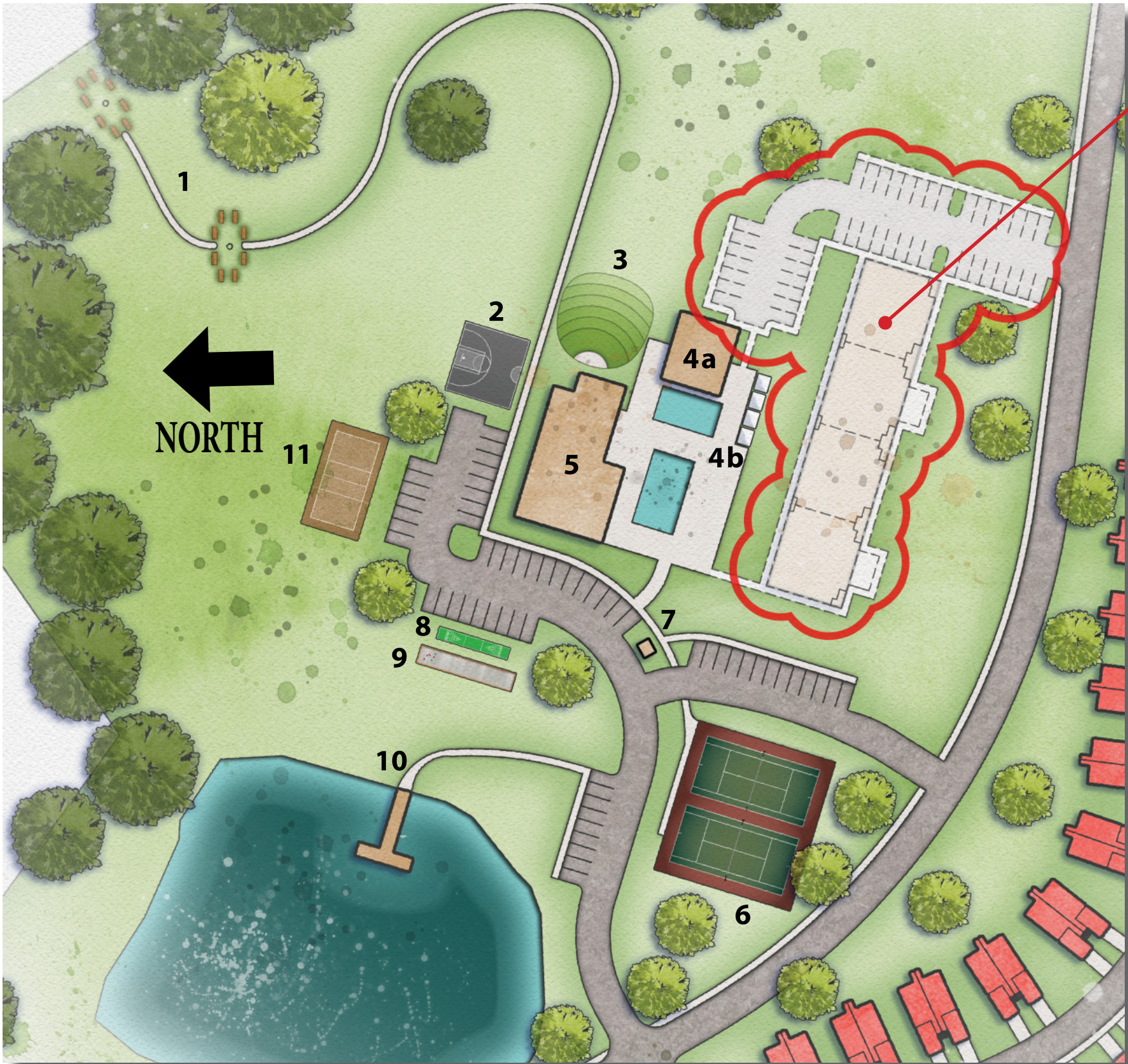
Pavilion Style

AREA	MAP #	FEATURES	MATERIALS	PARKING
Amenity Area South	1	Pavilion/Restrooms	Brick	15 Spaces
	2	Mail Kiosk	Stone	
	3	Pool	Wood	
	4	Picnic Area		
	5	Bike Rack		





# North Amenity Center



Future commercial site to service neighborhood

AREA	Map #	FEATURES	MATERIALS	PARKING
Amenity Area North	1	Picnic Area	Brick	103 Spaces
	2	Half Court Basketball	Stone	
	3	Formal Gathering/Event Lawn	Wood	
	4a	Pools and Cabana		
	4b	Private Cabana		
	5	Club House		
	6	Tennis and Pickleball Court		
	7	Mail Kiosk (Relocated)		
	8	Shuffle Board		
	9	Bocce Ball		
	10	Private Pond and Dock		
	11	Sand Volleyball		



## Conceptual Landscape Plan

### Buffer Planting Types



Street Tree



White Pine



Southern Magnolia



Forsythia



Skip Laurel



Green Giant Arborvitae



Leyland Cypress



# Development Characteristics

## Hidden River Estates PLANNED UNIT DEVELOPMENT



Proposed Street Light



Proposed Signage



Proposed Clock Tower



Typical Bench



# Development Characteristics Cont.



Greenway  
Access Points

Typical Concept Kayak  
Storage facility

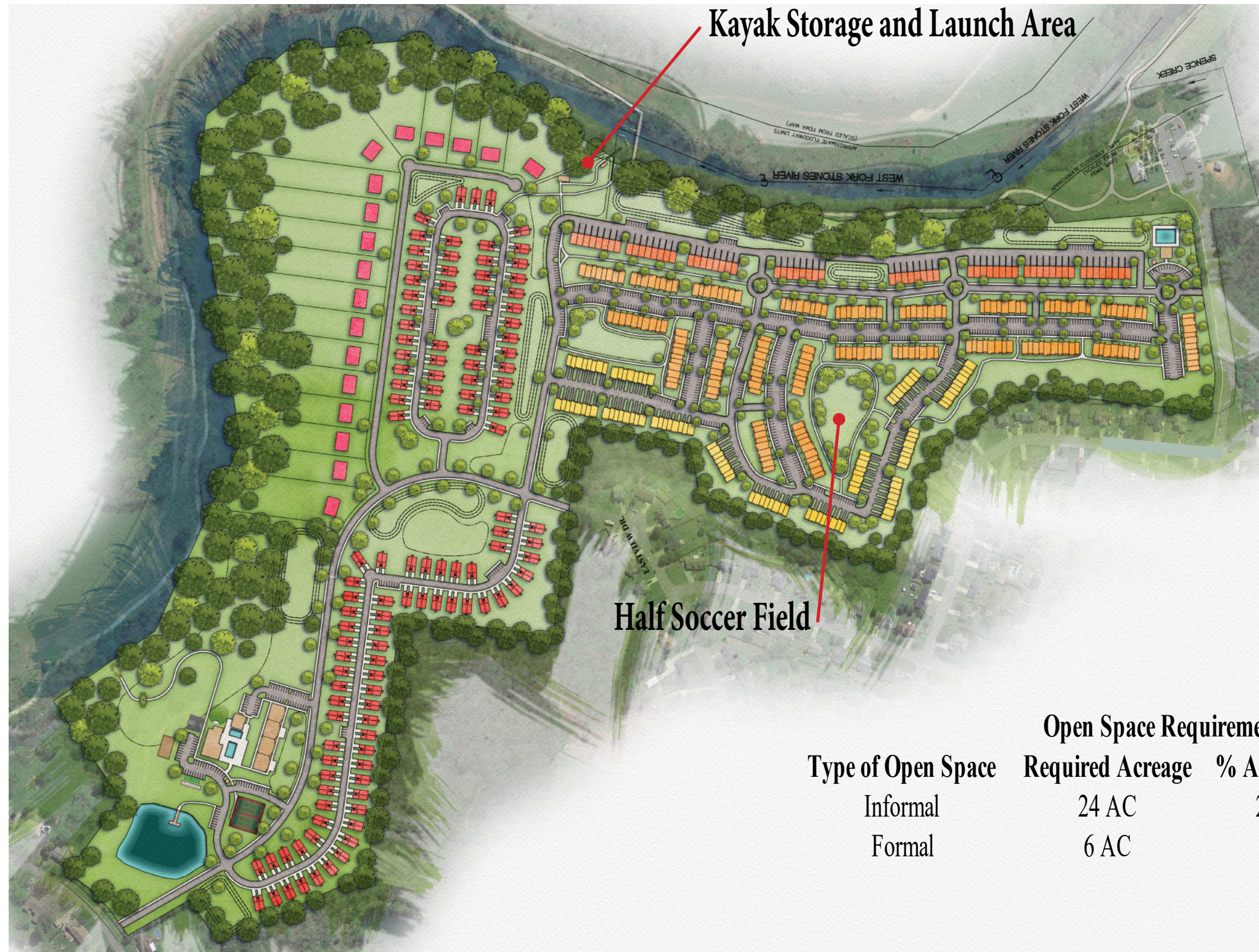
Kayak  
Storage    Kayak  
Launch



# Open Space Plan

## Hidden River Estates

PLANNED UNIT DEVELOPMENT



  
NORTH

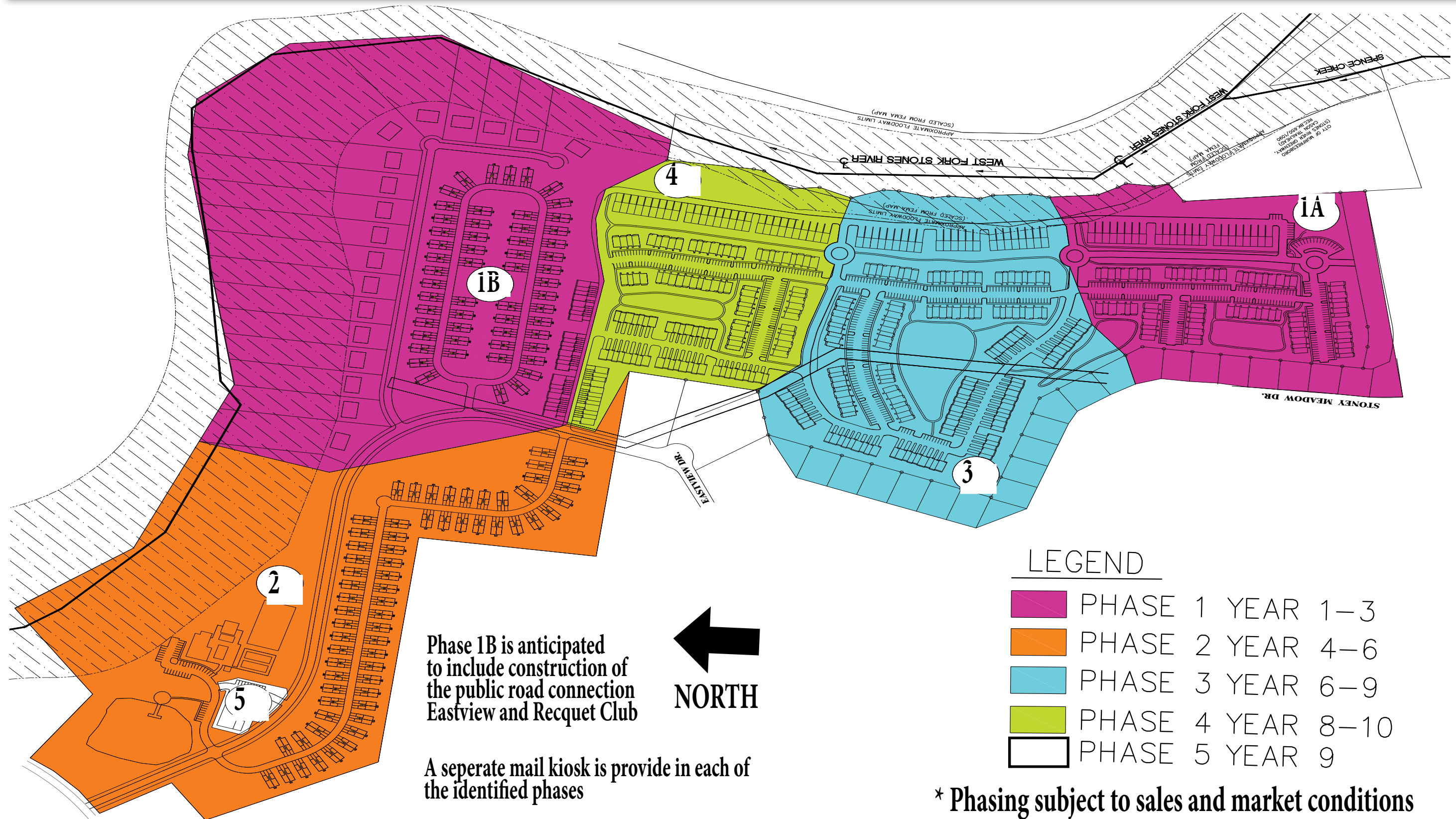
### Open Space Requirements:

Type of Open Space	Required Acreage	% Allocation	Provided Acreage
Informal	24 AC	20%	30 AC +/-
Formal	6 AC	5%	10 AC +/-



# Phasing Plan

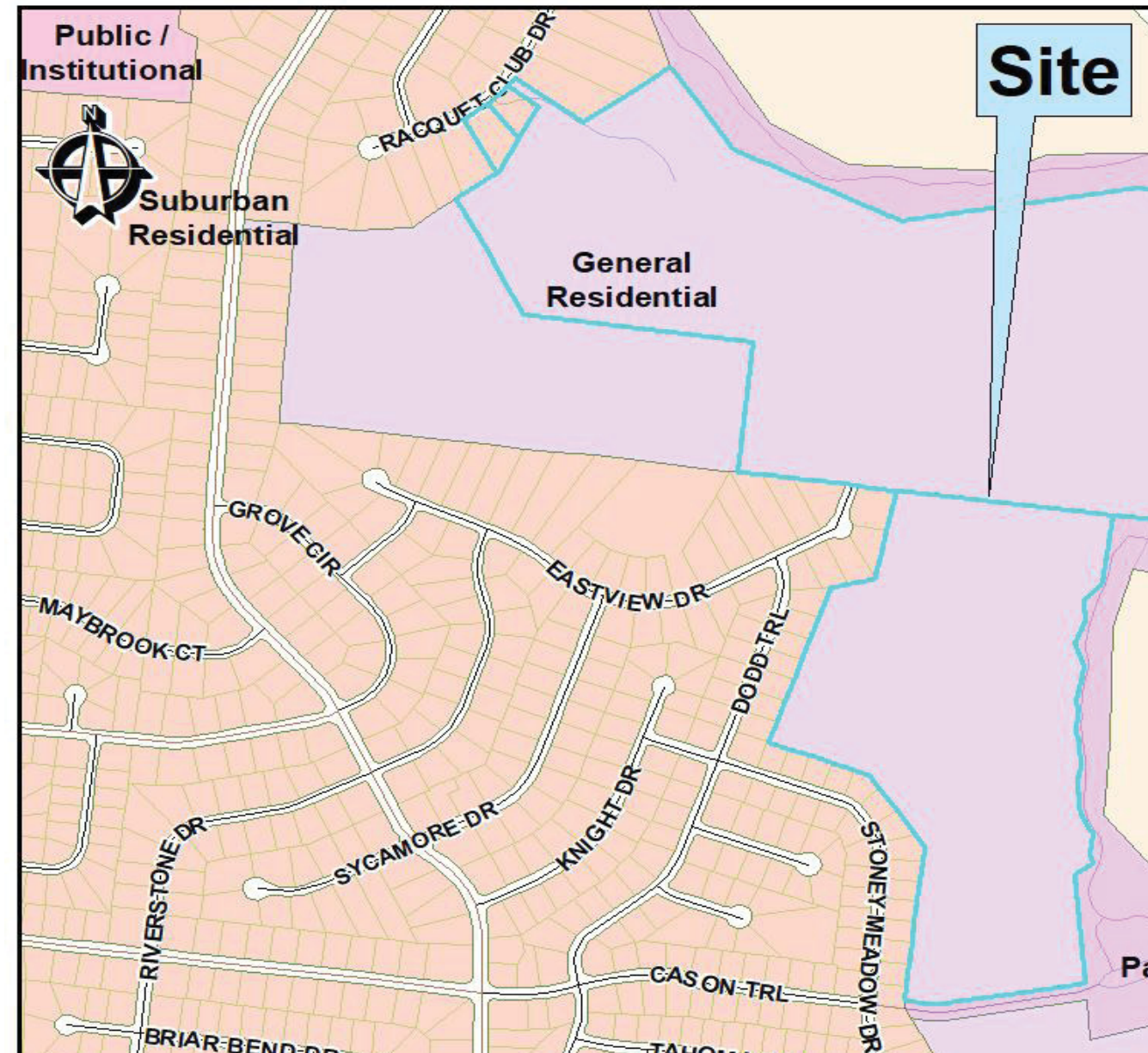
## Hidden River Estates PLANNED UNIT DEVELOPMENT



# 2035 Plan Recommendation

## Hidden River Estates

PLANNED UNIT DEVELOPMENT



The 2035 Comprehensive Plan identifies the subject property as Auto-Urban (General) Residential Character. The potential of developing a townhome development which calls for higher density housing is consistent with the 2035 Comprehensive Plan. This character classification allows for a density of 8.62 units per acre; we are proposing a density of 5.16 units per acres, only 67% of the maximum allowance.



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# Future Commercial Center Concept

## Hidden River Estates

PLANNED UNIT DEVELOPMENT

### Concept Image



The Hidden River Estates Commercial Center will provide neighbor services which will meet the needs of the development and surrounding community. The 15,000 SF commercial node will be scaled and designed consistent with the development. We anticipate this node to be constructed in Phase 5 of the development.

### Commercial Site



#### Proposed Allowable & Permitted Uses for Commercial Space within PUD for Hidden River Estates

Animal Grooming Facility

Bakery, Retail

Coffee, Food, or Beverage Kiosk

Delicatessen

Flower or Plant Store

Health Club

Restaurant and Carry-Out Rest.

Restaurant, Specialty

Restaurant, Specialty - Limited

Sauna

Specialty Shop



# Planned Development Criteria

## Hidden River Estates

### PLANNED UNIT DEVELOPMENT

#### General Applicability Per Section 13 - Planned Development

1. **Ownership and division of land:** *The site is owned by The Johns Family and Blue Sky Construction, Inc.. The lots are currently zoned RS-15 and RS-10 in the City of Murfreesboro.*
  2. **Waiver of BZA action:** *No action of the BZA shall be required for approval of this planned unit development.*
  3. **Common open space:** *Open space will be provided throughout the property.*
- |                            |             |
|----------------------------|-------------|
| TOTAL ACRES                | 120 +/- AC. |
| TOTAL OPEN SPACE           | 81 AC.      |
| OPEN SPACE PROVIDED        | 24 AC.      |
| FORMAL OPEN SPACE REQUIRED | 6 AC.       |
| FORMAL OPEN SPACE PROVIDED | 9.5 AC.     |
4. **Accessibility to site:** *The property is accessible from Cason Trail, Eastview Drive, and Racquet Club Drive.*
  5. **Off street parking.** *See sheet for 3 parking calculations.*
  6. **Pedestrian circulation:** *A sidewalk will be added throughout the development.*
  7. **Privacy and screening:** *A type D buffer will be provided along the western property line.*

8. **Zoning and subdivision modifications proposed:** *The property owner is requesting the property be rezoned from the current RS-10 and RS-15 to a Planned Unit Development.*
9. **Phasing:** *The project shall be completed in 5 phases.*
10. **Annexation:** *Annexation is not requested with this zoning request.*
11. **Landscaping:** *Landscaping buffers and perimeter yard planting will be included with the site plan. A type B buffer will be provided on the western property line. and the perimeter planting yards will occur on the remaining property line.*
12. **Major Throughfare Plan:** *The PUD is consistent with the Major throughfare plan.*
13. **Applicant contact information:** *Contact information is located on sheet 1.*
14. **Proposed Signage:** *Signage location is depicted on Sheet 28 and will be consistent with the proposed materials on the structures.*

# Planned Development Criteria

## Section 13 – Project Development Criteria Requirements

1. Identification of existing utilities: *Shown in pattern book sheet 7*
- 2/3. Graphics, renderings, maps and or aerial photography showing existing conditions and natural features of the site: *Shown in pattern book sheets,9-11.*
- 4/5. Drawing and/or diagrams identifying areas of development, proposed buildings, screening, proposed landscaping and pedestrian and vehicular circulation: *Shown in pattern book sheets,12-28*
6. Development schedule: *The project is currently being projected to start in the next few years, per page 30..*
7. Relationship of the planned development to current city polices and plans: *The development is consistent with the growth in the area. See page 32.*

BUILDING SETBACK	RS-A2	RS-10	PUD	
Front	35	40	River Row	25
			Cottages	25
			Villas	25
			Landings	25
			Estates	25
Side	5	10	River Row	10
			Cottages	5
			Villas	5
			Landings	5
			Estates	10
Rear	20	30	River Row	20
			Cottages	20
			Villas	20
			Landings	20
			Estates	NA-Floodway
Height	35	35	River Row	45
			Cottages	35
			Villas	35
			Landings	35
			Estates	35

8. Proposed deviation from zoning and subdivision ordinance: *We are requesting the height allowance for the River Row Townhomes to be 45 feet which includes the roof top patios.*
9. Site tabulation data for land area, FAR, LSR, and OSR:

TOTAL SITE AREA	5,227,200
TOTAL MAXIMUM FLOOR AREA	1,488,000
TOTAL DRIVE AND PARKING AREA	971,400
TOTAL LOT COVERAGE	2,459,400
TOTAL LIVABLE SPACE	2,556,960
TOTAL OPEN SPACE	3,568,870
FLOOR AREA RATIO (F.A.R.)	0.42
LIVABILITY SPACE RATIO (L.S.R.)	3.51
OPEN SPACE REQUIREMENTS (O.S.R.)	2.3

10. The nature and extent of any overlay zones as described in Section 24 and 34: *The development is consistent with the 2035 plan for the City of Murfreesboro. See page 32.*
11. *Parking allocations will be consistent with City Ordinance should bedroom quantity change.*



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# Hidden River Estates





# MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 4, 2019

6:00 p.m.

City Hall

## Members Present

Kathy Jones, Chair  
Ken Halliburton, Vice Chair  
Eddie Smotherman  
Chase Salas  
Warren Russell  
Ronnie Martin

## Staff Present

Donald Anthony, Planning Director  
Matthew Blomeley, Assist. Planning Director  
Margaret Ann Green, Principal Planner  
Marina Rush, Principal Planner  
Amelia Kerr, Planner  
Carolyn Jaco, Recording Assistant  
David Ives, Assistant City Attorney  
Sam Huddleston, Executive, Dir. Of Dev. Services  
Nate Williams, Parks & Recreation Direction

**Chair Kathy Jones called the meeting to order after determining there was a quorum.**

## Old Business

**Zoning application [2019-422] for approximately 24.15 acres located along Shelbyville Pike to amend The Marketplace at Savannah Ridge PUD to modify the site and building design, Baker Storey McDonald applicant.** Ms. Marina Rush began by explaining this zoning application had been deferred at the August 7, 2019, Planning Commission meeting. The reason for the deferral was to allow the applicants additional time to improve their building elevations and revise their pattern book. Ms. Rush summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. She made known a public hearing had been conducted and closed at the August 7, 2019, meeting; therefore, there would not be another public hearing for this request.

Mr. Clyde Rountree and Mr. Steve Maher were in attendance to represent the applicant. Mr. Steve Maher came forward making known the amended request has been better defined with improved details with the architecture. He began a power point presentation from the applicant's pattern book explaining this being a unified retail development with rich materials of different colors of brick, natural stone, metal panels and hardy board. All of the buildings had been designed from the recent approved City guidelines. The footprint of the large single-story building appears as

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two-stories; however, it is most likely to be a one-story building. The proposed townhomes would include masonry materials with cementitious panels and variations in roof heights and slopes.

Chair Kathy Jones wanted to know if the buffers had addressed for the townhome area. Mr. Clyde Rountree explained they have proposed a Type B buffer at the townhomes, along Wycheck Lane and Titus Circle, behind the retail area.

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

**Zoning application [2019-421] for approximately 1.01 acres located at 4431 Veterans Parkway to be zoned CH simultaneous with annexation, Overall Creek Partners, Inc. applicant.** Ms. Marina Rush began by explaining this zoning application had been deferred at the August 7, 2019, Planning Commission meeting. The reason for the deferral was to allow the applicants additional time to prepare for a conceptual site plan to help show how the property could be developed commercially. Now, the applicant has added to their pattern book a conceptual site plan which had been provided to the Planning Commission in the agenda packet. Ms. Rush stated the conceptual plan demonstrates the challenges of this type of development on a parcel of this size and shape. However, it does not alleviate staff's original concerns for this zoning request not being a cohesive development in this area.

The Planning Commission began discussing the conceptual site plan and asked if the applicant had approval from the joining property owners to allow access connections on the north and south of their property.

Mr. Bill Huddleston representing the applicant came forward stating they are showing the access points on the conceptual plan; however, they do not have approval for access with the joining property owners. These are defined access's with good separation with the joining property on the south side.



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**Mr. Eddie Smotherman made a motion to defer, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.**

## **Public Hearings**

**Zoning Application [2019-430] for approximately 26.2 acres located along Cherry Lane to be rezoned from RS-15 to P, City of Murfreesboro applicant.** Ms. Margaret Ann Green summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the zoning request; therefore, Chair Kathy Jones closed the public hearing.

**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.**

**Annexation Petition and Plan of Services [2019-509] for approximately 10.6 acres located along Asbury Lane and Asbury Road, Pretoria Rentals Trust applicant.** Chair Kathy Jones announced she would be abstaining from all discussion and vote regarding this application.

Ms. Margaret Ann Green summarized the annexation request from the staff report, which had been provided to the Planning Commission in the agenda packet.

Chair Kathy Jones opened the public hearing.

- 1. Ms. Kitti McConnell 3818 Asbury Road** – opposes the annexation request. She came forward to make known her concerns as being the following:

- The encroachment and building being within a floodplain/floodway.
- The existing water mains in this area need to be relocated.
- Any existing living trees within one foot of her property fenced area should be protected.
- A water well located on her property should be protected.

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- Landmark homes should use light color roof materials to help protect from additional heat in the area.
  - The increase of traffic should be addressed with this development such as adjusting traffic signal times at other intersections, and other improvements as needed along Old Nashville Highway.
2. **Mr. Christopher Bennet 3818 Asbury Road** – opposes the annexation request.
  3. **Mr. Doug Hayes 3858 Asbury Road** – opposes the annexation request. He provided information to the Planning Commission making known his concerns of a high-density development in this area and the public safety on Medical Center Parkway and Asbury Lane.
  4. **Ms. Sonette Myburgh 3790 & 3798 Asbury Lane** - owner of the property came forward stating that Medical Center Parkway is the problem for this area. Asbury Lane does not have any traffic issues. She requested for the annexation request be approved.
  5. **Mr. Richard Silk 1103 Scotland Drive** – opposes the annexation request. He wanted to know if FEMA regulations had been addressed due to the amount of water in this area.

Chair Kathy Jones closed the public hearing.

Ms. Margaret Ann Green explained the City of Murfreesboro has adopted FEMA's regulations in the City's Zoning Ordinance. There are various types of water that has to be addressed with development such as FEMA's regulations and the City of Murfreesboro Stormwater Regulations for Quality of Water and Quantity of Water. Regarding improvements for signage and clearing of brush on Asbury Lane and Old Nashville Highway, would be handled by Rutherford County Highway Department.

Mr. Sam Huddleston came forward to address the concerns regarding the timing of traffic signals along Medical Center Parkway. He explained the City has requested for a proposal from a traffic firm to conduct a traffic analysis of Asbury Lane and Medical Center Parkway. The study would



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provide data and recommendations for this area. The study should be available within the next three to six months with implementations from the study to be considered. Once funding is approved for capital improvements it could take several years before road improvements occur.

**Mr. Ronnie Martin made a motion to approve the annexation petition and plan of services, subject to all staff comments, seconded by Mr. Chase Salas. There was one abstention made by Chair Kathy Jones. The motion passed.**

**Zoning application [2019-427] for approximately 10.6 acres located along Asbury Lane and Asbury Road to be zoned PRD (Pretoria Falls PRD) simultaneous with annexation, Landmark Homes of TN applicant.** Chair Kathy Jones announced she would be abstaining from all discussion and vote regarding this application.

Ms. Margaret Ann Green summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. She made known a neighborhood meeting had been conducted on August 26, 2019, at Blackman Community Center. The meeting had been well attended. If this zoning application is approved the applicant would be responsible to make road improvements to address their proposed access along Asbury Lane and Asbury Road to accommodate the development. Ms. Green voiced her concerns regarding the size of the proposed garages being too small. The homes would not be fronting Asbury Lane or Asbury Road. Therefore, a landscaping berm with landscaping would be installed to provide a screen for the back of the homes. In addition, the applicant has addressed the City's future road connectivity in this area from the 2040 Major Transportation Plan.

Mr. Rob Molchan, Mr. Brian Dunn and Mr. Gary Wisniewski were in attendance for the meeting. Mr. Brian Dunn came forward to begin a power point presentation from the applicant's pattern book. Mr. Gary Wisniewski came forward to explain this would be a quality development. The development would include a playground area, seating areas and dog bark.

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Mr. Chase Salas voiced his concerns regarding a comment that had been made about this development would include 50 percent of green space. Mr. Brian Dunn came forward stating this would be a Horizontal Property Regime which there are no lot lines. Everything within the boundary line of the property that would not be developed (5.4 acres) is considered as dedicated open space which is owned by the HOA.

Chair Kathy Jones opened the public hearing

1. **Mr. Daniel Brunner 3696 Asbury Lane** – opposes the zoning request. He wants to make certain the environment and the neighbor's privacy is preserved.
2. **Mr. Doug Hayes 3858 Asbury Road** – opposes the zoning request. He requested for the density be reduced to help with the burden of traffic, schools and green space.
3. **Mr. Richard Silk 1103 Scotland Drive** – opposes the zoning request. He feels this development would become in the future like a Baltimore ghetto. He requested for the density be decreased, to address the impact of traffic, schools, FEMA, etc.
4. **Mr. Keith Gamble 3867 Asbury Road** - opposes the zoning request. He lives on historic property that once had been a field hospital during the Civil War. He requested for protection of the environment of Overall Creek within this area.
5. **Ms. Kitti McConnell 3818 Asbury Road** - opposes the zoning request.
6. **Mr. Christopher Bennet 3818 Asbury Road** – opposes the zoning request. He feels the density increases the risk of safety for the existing residents.
7. **Ms. Sherry Brown 3818 Asbury Road** – opposes the zoning request. The City does not have immediate plans to improve the traffic concerns at this time.

Chair Kathy Jones closed the public hearing.

Ms. Margaret Ann Green made known if the zoning application is approved the following would be addressed:



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- Both the Murfreesboro City Schools and Rutherford County Schools would be able to accommodate school age children.
- This proposal would have to provide a grading plan and storm water calculations to address detention ponds and retention ponds for this property.
- Meet all stormwater regulations.
- After a grading plan has been submitted and reviewed the applicant would provide a tree survey to make known the preservation of healthy trees which would allow credits and different types of incentives to preserving trees with this development.
- The applicant would have to meet all regulations protecting the stream banks.
- This development would not have any resemblance of row houses in the city of Baltimore.
- The applicant could consider reducing the density.
- The developer has reviewed the MTP and has made accommodations for the possibility of a future road in this area.

Mr. Ryan Loveless, representing the applicant came forward to address the concerns that were made regarding this development and meeting FEMA regulations. He made known if this zoning application is approved, they would have to meet the following:

- Submit grading plans for review and approval by City staff and by FEMA.
- Provide construction plans for review and approval.
- All finish floors would be required to one foot or higher above the floodplain.
- Provide a topographic survey making known they are out of the flood plain.
- Provide information to make known no additional runoff would occur onto joining properties after raising the elevations of property.

Mr. Eddie Smotherman requested for the detention ponds and the hammerhead parking area be above the floodplain. He wanted to make certain these items were addressed. He also voiced his concerns that he does not see fifty percent of green space with this development. Also, he had

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concerns with a road connection being considered in the middle of the proposed development. In addition to the increase of traffic being proposed on substandard county road, garages and the issues with solid waste pickup. Lastly, this is not a ghetto project; however, he feels this proposal is too dense.

Mr. Ronnie Martin stated there are several areas in the City which we have infringed into the floodplain. We have good ordinances in place to address floodplain with development. He feels the density being requested would not create failure to Asbury Lane and Medical Center Parkway. We have long range plans and know this area needs improvements. Currently, there are a few access points in place today that are not favorable. There are certain times of the day when it is difficult to get out onto Medical Center Parkway, just like many other intersections in our City. For these reasons, he would support this proposal.

Mr. Ken Halliburton wanted to know if the roadway improvements and turn lanes for this development would occur; before, or after development begins. He feels the roadway improvements should occur sooner not later. Also, there is a hammerhead area and a dog park being proposed but there are no parking spaces available in those areas. He feels the applicant should add parking spaces with the dog park. Mr. Gary Wisniewski came forward stating he would add parking spaces at the dog park and raise the hammerhead above the floodplain. Also, the turn lane improvements would occur before the first house was finished and while they are paving the roads in phase one.

**Mr. Chase Salas made a motion to approve subject to all staff comments and to include the following:**

- **Add vehicle parking at the dog park.**
- **Raise the hammerhead area and the dog park area to be in the 100-year flood plain.**
- **Road improvements should be completed before the first Certificate of Occupancy is issued.**



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- Improve the width of the garages.
- Improve the solid waste pick up.

The motion was seconded by Mr. Ken Halliburton. There was one opposition made by Mr. Eddie Smotherman. There was one abstention made by Chair Kathy Jones. The motion passed.

**Zoning application [2019-428] for approximately 8.14 acres located along Shores Road to amend the Westlawn PUD to modify the buffering and screening plan along Shores Road, D.R. Horton, Inc. applicant.** Ms. Marina Rush summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Rush made known the applicant had requested for a deferral of this zoning application until October 2, 2019. The applicant would like to conduct a neighborhood meeting with the HOA to provide the residents additional information and clarification regarding this request.

Mr. Rob Molchan was in attendance to represent the applicant. Mr. Molchan came forward to begin a power point presentation from the applicant's pattern book.

Chair Kathy Jones opened the public hearing.

1. **Mr. Ray Mathes 3521 Shores Road** – supports this proposal as long as the existing berm is not disturbed.
2. **Mr. Bobby Davis 6327 Hickory Hill Drive** – supports this proposal as long as the existing berm is not disturbed. Why are there color stakes out along this property. He requested for the large pile of dirt that had been left on his property to be used with the new proposed berm.

Chair Kathy Jones closed the public hearing.

Mr. Rob Molchan came forward making known the stakes are showing the actual property lines after the right of way dedication. They were placed for them so they could design this request

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appropriately in case there is ever a future roadway in this area. At this time there are no plans to expand Shores Road in the near future.

**Mr. Eddie Smotherman made a motion to defer, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.**

**Mandatory Referral/ROW Abandonment [2019-715] to consider the abandonment of existing road rights-of-way adjacent to the Murfreesboro Housing Authority property, including East Lokey Avenue, North Academy Street, Jetton Drive, Christy Court, and Palm Court, Huddleston Steele Engineering, Inc. applicant.** Ms. Amelia Kerr summarized the Mandatory Referral/ROW Abandonment request from the staff report, which had been provided to the Planning Commission in the agenda packet. She recommended any approval of the ROW abandonment request be made subject to the following comments:

- 1) North Academy Street shall remain public. The quitclaim deed abandoning this segment of right-of-way shall not be recorded until a plat dedicating new right-of-way has been recorded.
- 2) East Lokey Avenue from North Academy Street westward shall remain public. The quitclaim deed abandoning this segment of right-of-way shall not be recorded until a plat dedicating new right-of-way has been recorded.
- 3) A public-to-private transition/delineation shall be provided at the eastern terminus of the East Lokey Avenue right-of-way.
- 4) All existing and proposed drainageways shall be placed in drainage easements meeting City standards. In addition, utility easements shall be recorded to accommodate existing utilities as needed, including but not limited to sanitary sewer, electric, Comcast, and AT&T.
- 5) The applicant shall be required to submit the necessary documents to the Legal Department required to draft the quitclaim deed.
- 6) The applicant shall be responsible for recording the quitclaim deed.



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7) The abandoned ROW shall be incorporated into the existing parcel(s) via a subdivision plat recorded at the Register of Deeds Office.

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

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

**Mandatory Referral/ROW Abandonment [2019-717] to consider the abandonment of a segment of East Sevier Street right-of-way east of South Academy Street, SEC, Inc. applicant.** Ms. Amelia Kerr summarized the Mandatory Referral/ROW Abandonment request from the staff report, which had been provided to the Planning Commission in the agenda packet. She recommended any approval of the 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(s) via a subdivision plat recorded at the Register of Deeds Office.
- 4) Utility and access easements shall be recorded to accommodate the existing residence and utilities, including but not limited to sanitary sewer, electric, Comcast, and AT&T.

Chair Kathy Jones opened the public hearing.

1. **Mr. Michael Barret** – opposes the ROW abandonment. His family owns the joining property and opposes Greenhouse Ministries purchasing the property for their use.
2. **Mr. Ben Barrett** – opposes the ROW abandonment. His family property in this area has become a campground for the homeless people whom have created a nuisance for their

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family. They do not want Greenhouse Ministry to expand in this area. However, they would be willing to sell their property to Greenhouse Ministry.

3. **Mr. Bill Rawnsley CEO Greenhouse Ministries** – came forward making known their ministry helps those at the poverty level. They are trying to change the lives of over 35,000 people whom are at poverty level. Their ministry helps provide hope, practical needs, educate, and to change their lives. Greenhouse Ministries would like to construct a building in this area to provide assistance to those in need.

Chair Kathy Jones closed the public hearing.

Ms. Kerr came forward to make known this request is for the abandonment of the property. It is not for disposition of the property which would be a different process. Mr. Ken Halliburton stated whatever we do with the application request would not solve the issues that have been mentioned. This is a relationship between Greenhouse Ministries and the Barrett family.

**Mr. Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Chase Salas. There was one no vote made by Mr. Eddie Smotherman. The motion passed.**

## **Staff Reports and Other Business**

Mr. Donald Anthony reminded the Planning Commission the fall retreat on September 27, 2019, at Barfield Park Wilderness Station. Mr. Anthony made known there would be key speakers at the retreat to discuss City sewer capacity, City Parks and Recreation Master Plan, etc.

There being no further business the meeting adjourned at 9:25 p.m.

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Chair

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Secretary

DA: cj