

# **CITY OF MURFREESBORO PLANNING COMMISSION AGENDA**

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

**NOVEMBER 6, 2019  
6:00 PM**

**Kathy Jones  
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the September 18, 2019 and October 2, 2019 Planning Commission meetings.**
- 4. Old Business:**
  - a. 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. (project planner: Marina Rush)
- 5. New Business:**
  - a. Zoning application [2019-433] for approximately 23 acres located along Veterans Parkway to be rezoned from RS-10 to PRD (Veterans Cove PRD), Alcorn Properties, LLC applicant. (Project Planner, Marina Rush)
  - b. Proposed amendment to the Zoning Ordinance regarding Section 24. Overlay District Regulations, Article VI. CCO, City Core Overlay District [2019-807], pertaining to the CCO zoning district, City of Murfreesboro Planning Department applicant.
  - c. Zoning application [2019-438] for 2,348 lots (approximately 920 acres), as shown on accompanying map, to be zoned City Core Overlay (CCO), City of Murfreesboro Planning Department applicant.
  - d. Annexation plan of services and annexation petition [2019-508] for approximately 65 acres located along Northwest Broad Street, Springboard Landing Inc and Mary Hord Haymore Children LP applicants. (project planner Margaret Ann Green)

# **MURFREESBORO PLANNING COMMISSION AGENDA**

## **PAGE 2**

**November 6, 2019**

- e. Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant. (project planner Margaret Ann Green)

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

- a. Consideration of Sewer Allocation Ordinance [2019-S101], City Administration Department.

### **7. Adjourn.**

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019  
PROJECT PLANNER: MARINA RUSH**

**4.a. 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., developer.**

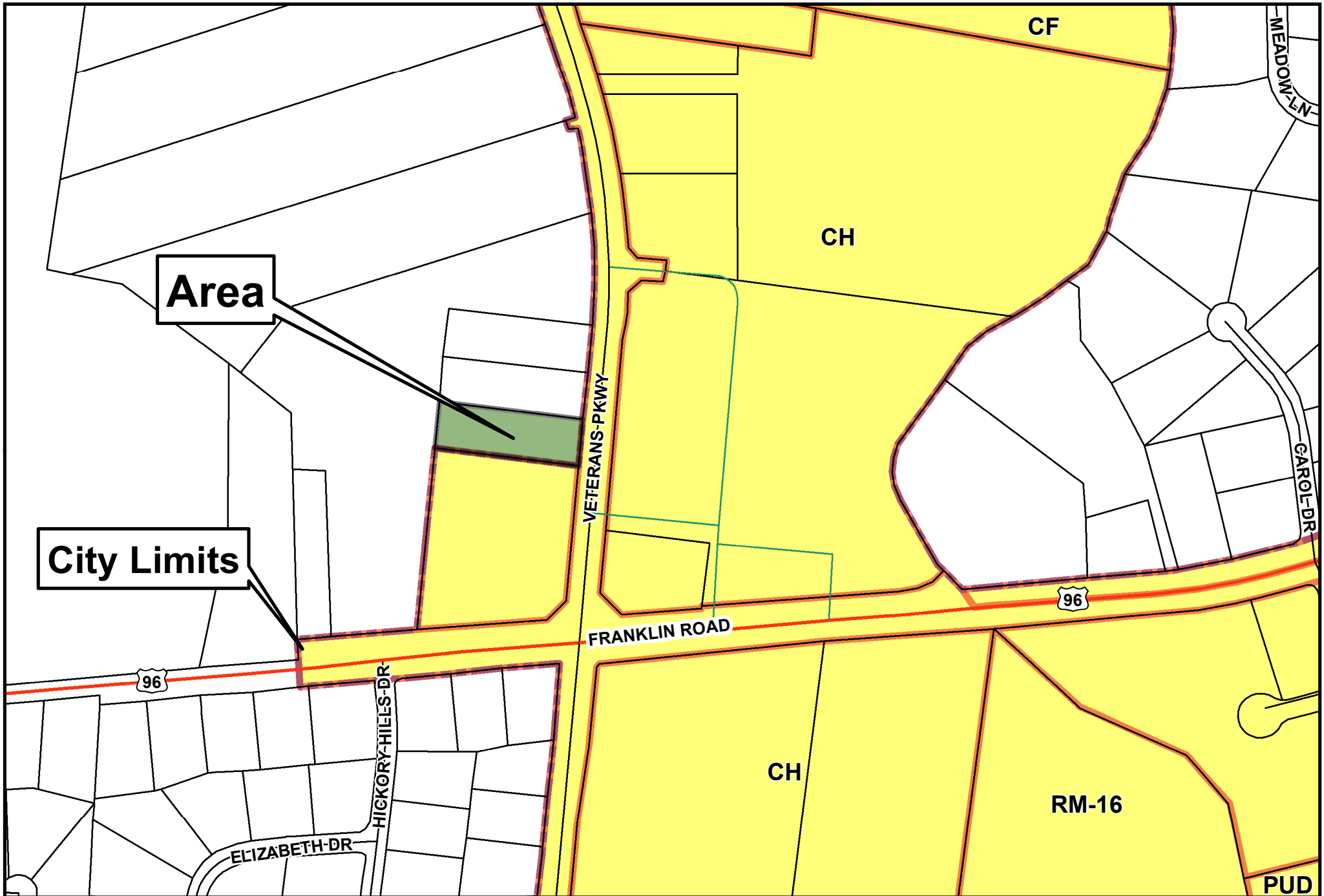
On August 7, 2019, the Planning Commission conducted a public hearing on the zoning application requesting to zone the property to Commercial Highway (CH) simultaneous with annexation into the City for the property located at 4431 Veterans Parkway (Tax Map 93N, Group B, Parcel 6.00). In addition, it was considered at the September 4<sup>th</sup> Planning Commission meeting under “Old Business.” Both times the Planning Commission deferred the zoning application to allow the applicant additional time to obtain a cross-access easement between the subject property and the adjoining property to the south, which has an approved Site Plan (Veterans Plaza).

The applicant’s engineer, Huddleston Steele, stated the two property owners have met and are in support of a shared access easement. Staff has reached out to the property owner and Mr. Huddleston, numerous times since the August 7<sup>th</sup> public hearing to obtain status on the access easement and how they will address the Planning Commission comments. No easement has been obtained.

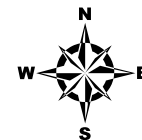
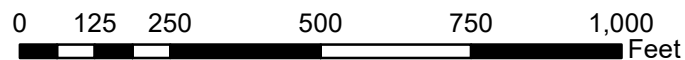
As an alternative to obtaining the access easement at this time, staff communicated to the applicant and Mr. Huddleston a notarized letter signed by both property owners describing the easement and date by which it would be obtained or recorded (prior to the City Council public hearing) would also be acceptable. To date, staff has not received neither the recorded access easement nor a notarized letter. Despite this, the applicant has requested that this item be considered at the November 6<sup>th</sup> Planning Commission meeting.

**Action needed**

The Public Hearing was closed on August 7, 2019 and the matter deferred. The Planning Commission will need to consider this matter under “Old Business” and then formulate a recommendation for the City Council. The staff comments for this item from both the August 7<sup>th</sup> and September 4<sup>th</sup> Planning Commission meetings, which contain additional information and analysis, have been included for the Planning Commission’s reference.

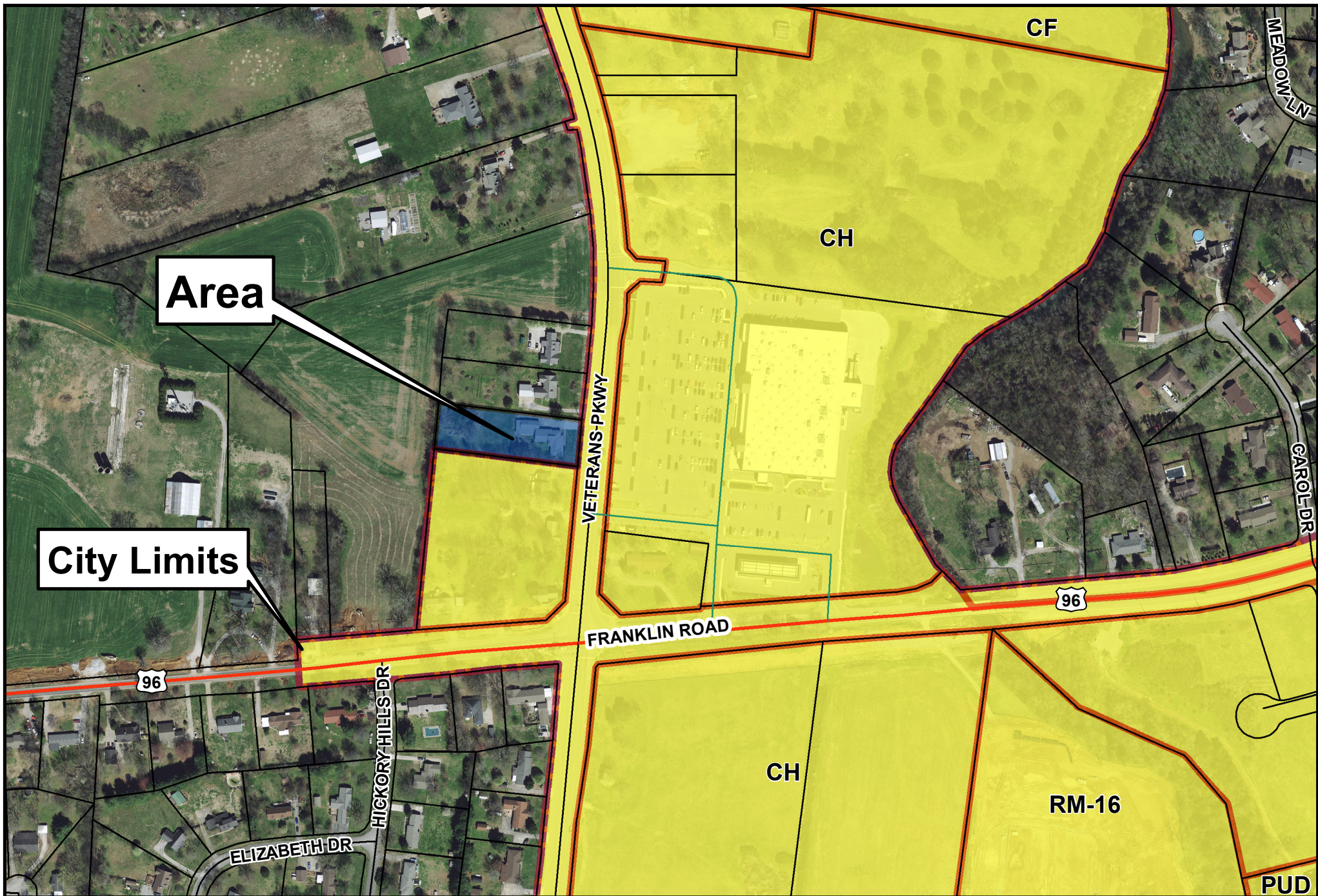


**Zoning Request Along Veterans Parkway  
CH Simultaneous with Annexation**



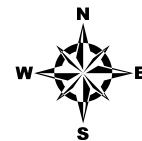
Planning Department  
City of Murfreesboro  
111 West Vine Street  
Murfreesboro, Tennessee 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





**Zoning Request Along Veterans Parkway  
CH Simultaneous with Annexation**

0 125 250 500 750 1,000 Feet



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**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
AUGUST 7, 2019**

**PROJECT PLANNER: MARINA RUSH**

- 5.c. 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., developer.**

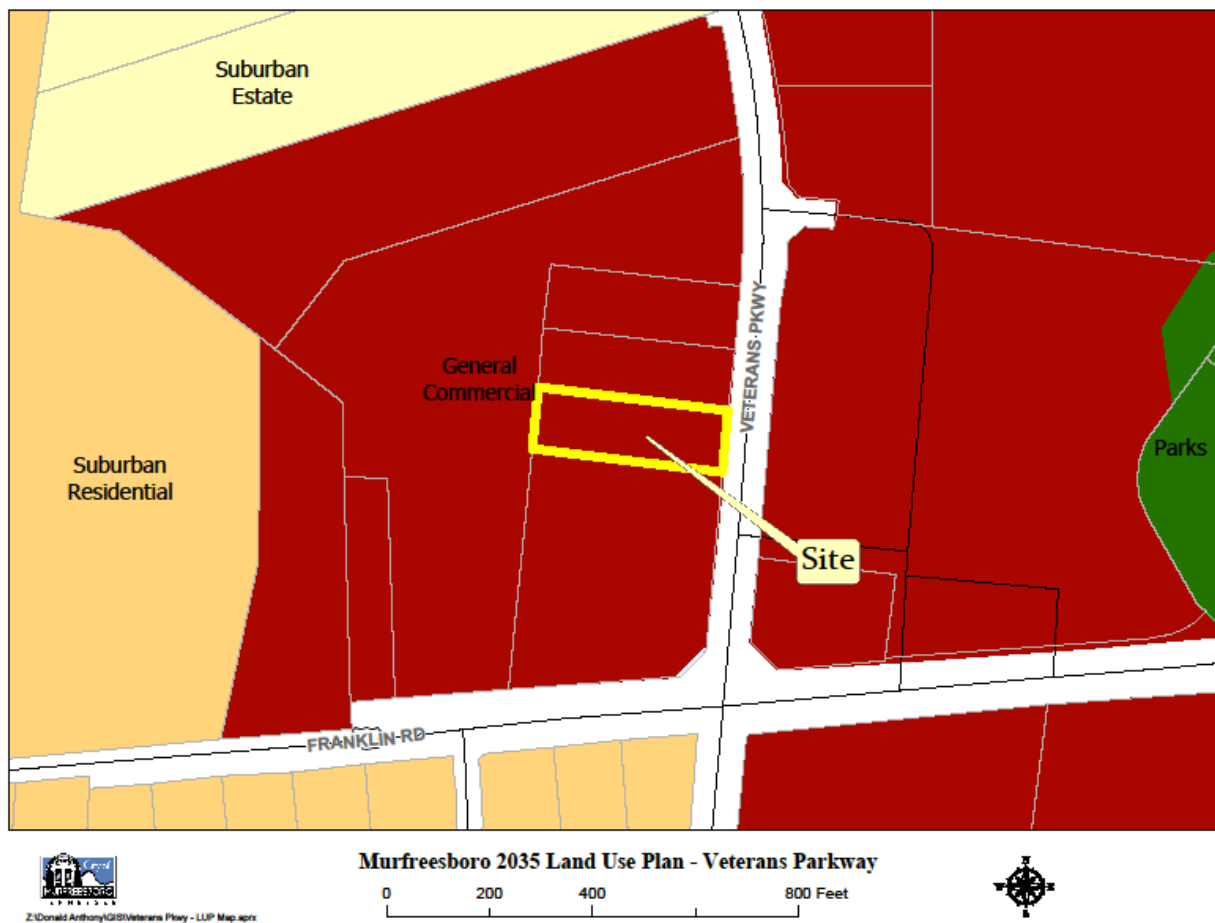
The property owner, Mr. Vijay Patel, Overall Creek Partners, has submitted an application requesting to zone the property to Commercial Highway (CH) simultaneous with the requested annexation into the City. The property is located at 4431 Veterans Parkway and identified as Tax Map 93N, Group B, Parcel 6.00 and is presently developed with a single-family residence that is occupied. The subject parcel is currently zoned Commercial Services (CS) in the County of Rutherford. As noted in the annexation staff report, the applicant has indicated there is no new development planned at this time.

**Adjacent Zoning and Land Uses**

The adjacent zoning on the properties to the east and south is CH and they are developed with various commercial uses. The adjacent properties to the north and west are in the unincorporated portion of Rutherford County. The two contiguous parcels to the north (4441 and 4451 Veterans Parkway) are developed with single-family residences, and properties further north and west are primarily vacant and agricultural.

**Future Land Use Map**

The future land use map of the *Murfreesboro 2035* Comprehensive Plan indicates that Auto-Urban (General) Commercial is the most appropriate land use for the project area. Auto-Urban character is typically high intensity commercial businesses with a large amount of land area for operations, and are typically developed with strip commercial, commercial centers, auto focused uses, restaurants, etc. and require a significant amount of space. CH zoning is consistent with the General Commercial land use designation. However, the parcel size is not consistent with the typical development in this designation. Staff recommends the Planning Commission discuss the compatibility of the zoning regarding the subject parcel size.



## Public Hearing

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

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
SEPTEMBER 4, 2019**

**PROJECT PLANNER: MARINA RUSH**

**3.b. 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., developer.**

The property owner, Mr. Vijay Patel, Overall Creek Partners, has submitted an application requesting to zone the property to Commercial Highway (CH) simultaneous with the requested annexation into the City. The property is located at 4431 Veterans Parkway and identified as Tax Map 93N, Group B, Parcel 6.00 and is presently developed with a single-family residence that is occupied. The subject parcel is currently zoned Commercial Services (CS) in the County of Rutherford. The applicant has indicated there is no new development planned at this time.

On August 7, 2019 Planning Commission conducted a public hearing on the zoning application. In response to staff's concerns regarding commercial development of the property in its current size and shape the applicant's representative, Mr. Bill Huddleston, offered to prepare a conceptual site plan. The Planning Commission deferred the zoning application to a later date to allow the applicant additional time to prepare the concept plan.

**Conceptual Site Plan**

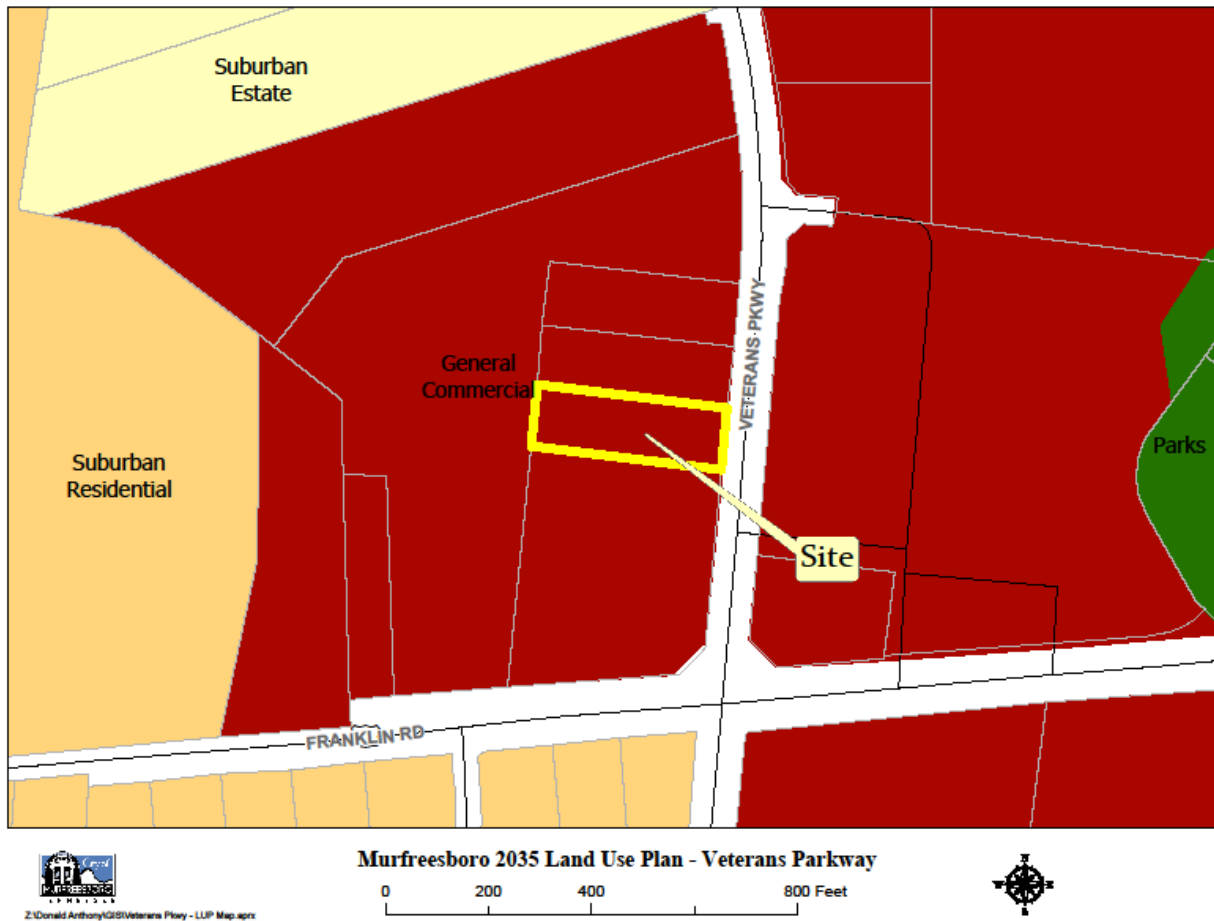
The conceptual plan is attached to this staff report and depicts a commercial building (6,650 square feet) at the rear of the property and the parking lot and trash enclosure in the front. The 1.01 acre parcel size is not consistent with General Commercial development along a major arterial roadway, as projected for this area along Veterans Parkway. The conceptual plan demonstrates the challenges of this type of development on a parcel of this size and does not alleviate staff's original concerns

**Adjacent Zoning and Land Uses**

The adjacent zoning on the properties to the east and south is CH and they are developed with various commercial uses. The adjacent properties to the north and west are in the unincorporated portion of Rutherford County. The two contiguous parcels to the north (4441 and 4451 Veterans Parkway) are developed with single-family residences and are zoned County RM (Medium-Density Residential), and properties further north and west are primarily vacant and agricultural.

## Future Land Use Map

The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that Auto-Urban (General) Commercial is the most appropriate land use for the project area. Auto-Urban Commercial character is typically high intensity commercial businesses and is typically developed with strip commercial, commercial centers, auto focused uses, restaurants, etc. and requires a significant amount of land area for operations, including parking. CH zoning is consistent with the General Commercial land use designation.

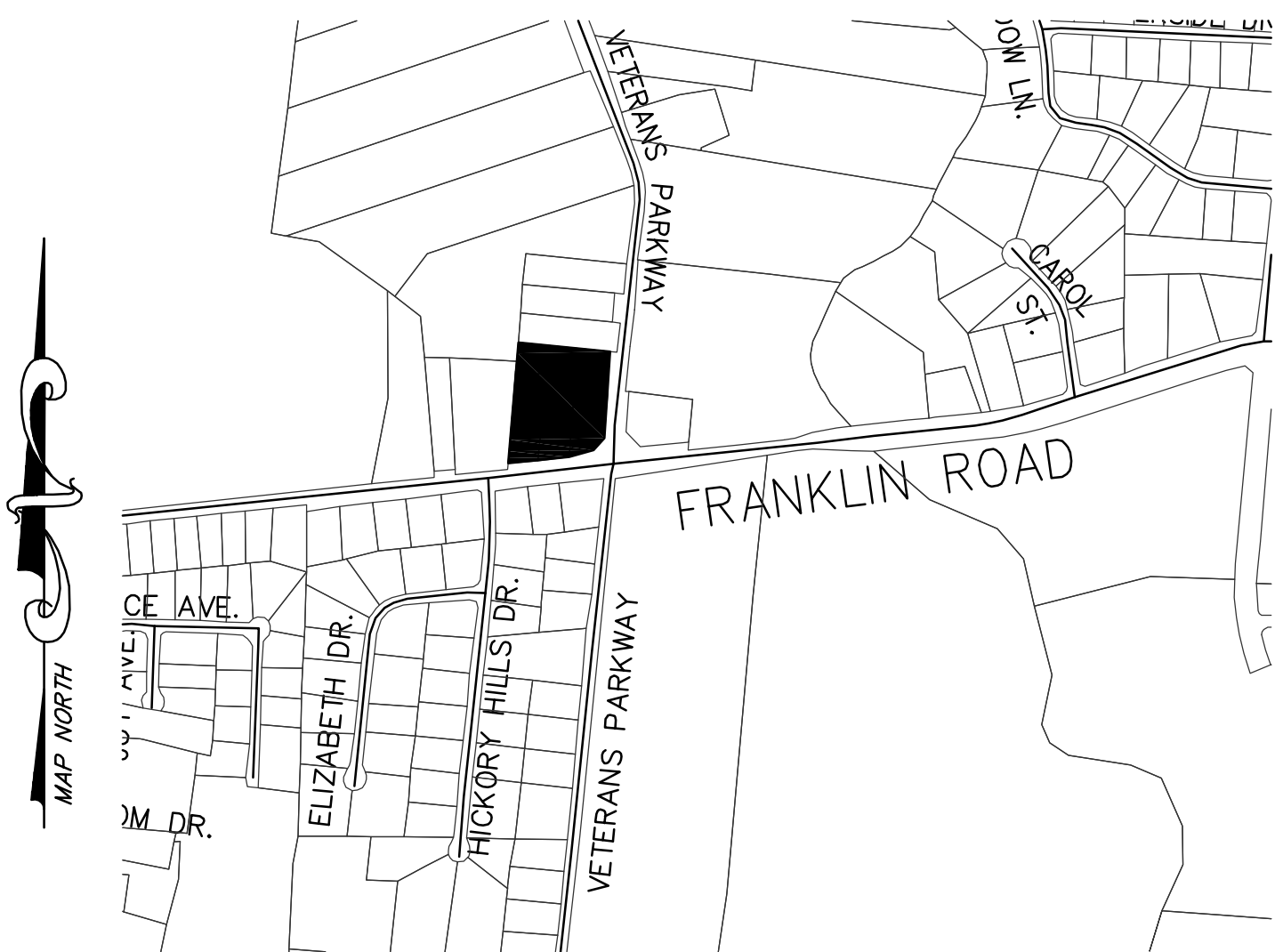
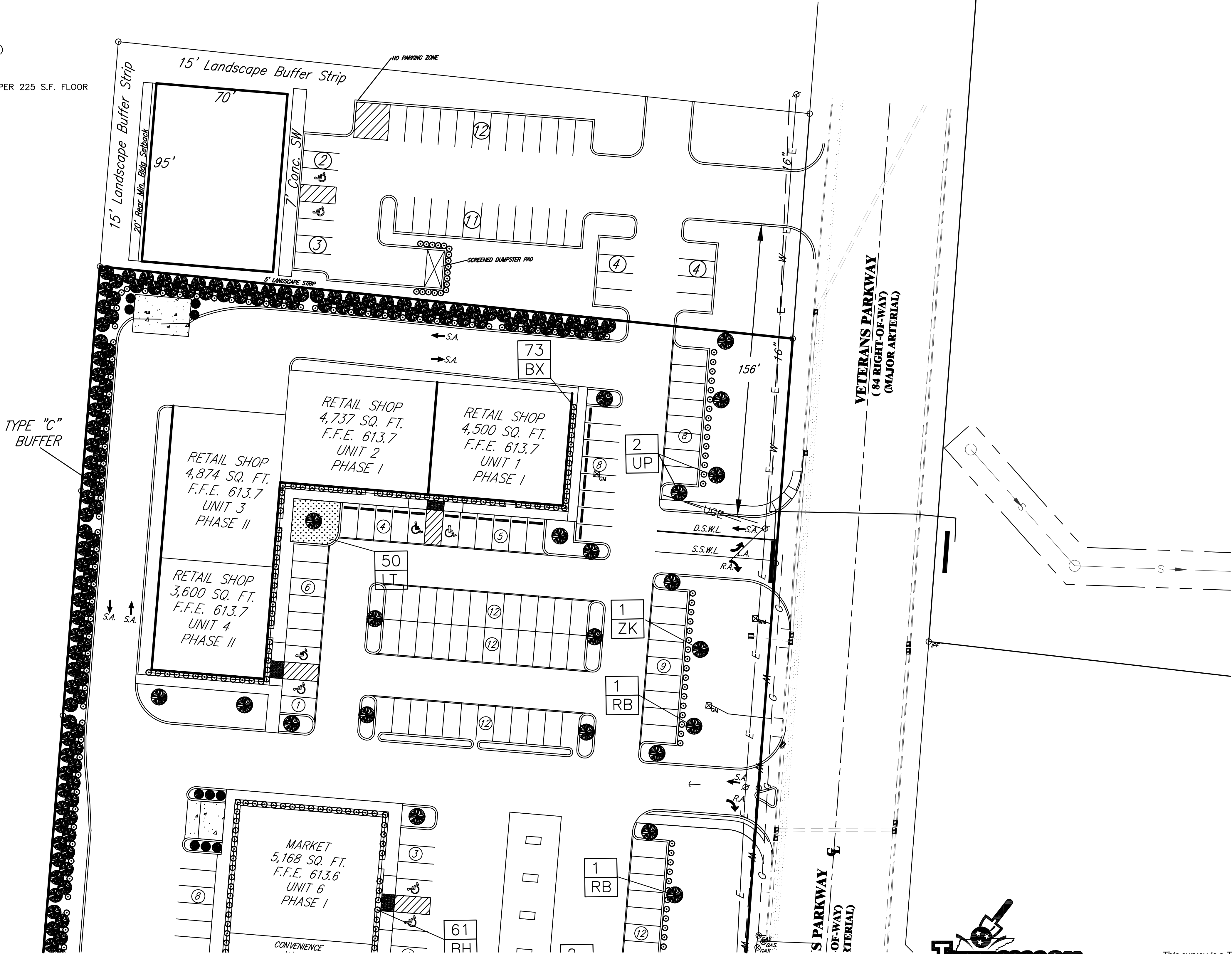


## Public Hearing

The Public Hearing was closed on August 7, 2019 and the matter deferred. The Planning Commission will need to consider this matter under “Old Business” and then formulate a recommendation for the City Council.

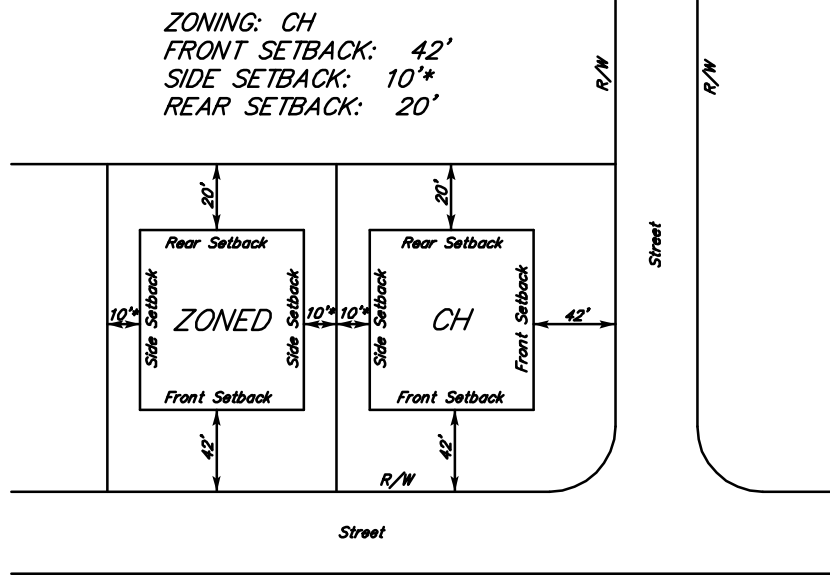
NOTE: PLANNING DEPARTMENT APPROVAL OF THIS SITE PLAN, MAY OR MAY NOT ADEQUATELY REFLECT THE LATEST REQUIREMENTS AND/OR PLANS APPROVED BY MURFREESBORO WATER RESOURCES DEPARTMENT (MWRD). THIS ALSO APPLIES TO SITE PLANS THAT ARE INCLUDED IN THE BUILDING PERMIT SET. CONTRACTOR MUST VERIFY WITH MWRD THAT THEY ARE USING APPROVED UTILITY PLANS.

SITE DATA  
BUILDING AREA: 25,311 S.F.±  
PROPOSED USE: COMMERCIAL CENTER  
BUILDING HEIGHT: 1 STORY, (40 FEET)  
HVAC UNITS WILL BE ROOF-MOUNTED.  
PARKING DATA: COMMERCIAL CENTER  
PARKING SPACES REQUIRED: 1 SPACE PER 225 S.F. FLOOR  
25,311/225= 112.49= 113 SPACES  
PARKING SPACES PROVIDED:  
113 SPACES PROVIDED  
6 H.C. SPACES PROVIDED



LOCATION MAP  
N.T.S.

- LEGEND**
- Power Pole
  - Existing Fire Hydrant
  - Proposed Fire Hydrant
  - Reducer
  - Proposed Gate Valve & Box
  - Concrete Thrust Block
  - Existing Water Line
  - Proposed Water Line
  - Existing Sanitary Sewer Line
  - Proposed Sanitary Sewer Line
  - Existing Manhole
  - Proposed Manhole
  - Sewer Line Check Dam
  - Existing Contours
  - Proposed Contours
  - Existing Spot Elevations
  - Proposed Spot Elevations
  - Situation Fence (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
  - Turf Reinforcement Mat
  - Existing Telephone & Electric Line
  - Existing Underground Electric Line
  - Corrugated Metal Pipe
  - Reinforced Concrete Pipe



THE MINIMUM YARD SHALL APPLY ONLY IF THE PROPERTY ABUTS OR IS ADJACENT TO PROPERTY ZONED OR USED FOR RESIDENTIAL PURPOSES OR THE RESIDENTIAL PORTION OF AN APPROVED PLANNED DEVELOPMENT. OTHERWISE NO SIDE YARD IS REQUIRED.

NOTE: ALL ENTRIES ARE TO BE MURFREESBORO CITY STANDARD CONCRETE RAMPS

NOTE: NO DRIVE-THROUGH WINDOWS ARE PROPOSED.

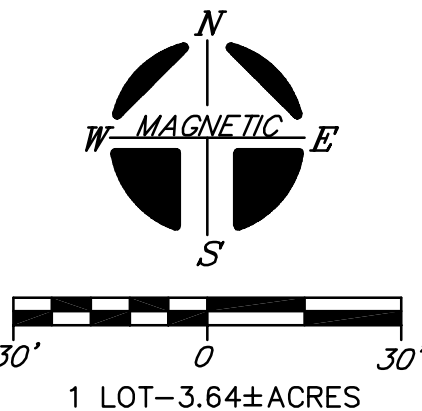


OWNER: VETERANS COMMONS GP  
ADDRESS: 500 SNOW MILLS AVE.  
TUSCALOOSA, AL 35406

TAX MAP: 93N GROUP: "B" PARCEL: 001.00  
FLOOD MAP PANEL: 47149 C 0255H ZONE: X  
DATED: JANUARY 5, 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.

- LEGEND FOR MONUMENTS**
- IPS O IRON PIN SET
  - IPF O IRON PIN FND
  - RAILROAD SPIKE
  - \* FENCE
  - SURVEY POINT
  - Δ NAIL
  - CONC. MARKER FND



**FOR REVIEW ONLY**

**HUDDLESTON-STEEL ENGINEERING, INC.**  
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129  
PHONE: 663 - 4064, FAX: 663 - 0080

REVISIONS		
NO.	DATE	DESCRIPTION
1	08/30/18	ORIGINAL ISSUE
2	01/16/19	INCREASED BUILDING SIZE
3		

SITE PLAN

**VETERANS PLAZA**

MURFREESBORO, TENNESSEE

DATE: JANUARY, 2019 SCALE: 1"=30' SHEET 2 OF 10

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019**

**PROJECT PLANNER: MARINA RUSH**

**5.a. Zoning application [2019-433] for approximately 23 acres located along Veterans Parkway to be rezoned from RS-10 to PRD (Veterans Cove PRD), Alcorn Properties, LLC, applicant.**

The subject property is located along the north side of Veterans Parkway and west of Greenview Drive. It is approximately 23 acres and can be identified on Tax Map 124, as Parcel 25.01 (22.59 acres) and a portion of Parcel 8.03 (0.22 acre). The applicant, Alcorn Properties, LLC, is requesting to rezone the property from Single Family Residential (RS-10) district to Planned Residential District (PRD) to allow for the development of 95 single-family attached dwelling units at a density of 4.17 dwelling units per acre. The adjacent City zoning to the north is RS-10 and to the east is PUD (Cottages at Snell Cove PUD). The properties to the west, south and east are in the unincorporated portion of Rutherford County land and developed with single family residences.

**Veterans Cove PRD**

The purpose of the rezoning is to create Veterans Cove consisting of 22 buildings constructed as three to five units per building for a total of 95 residential units. This development will be established as a Horizontal Property Regime, so that the units can be sold individually. The HOA will maintain the common areas. All roads will be public.

**Buildings and Parking**

- 1-story or 2-story units between 1,600 square feet to 2,500 square feet, maximum height 35 feet.
- Minimum of 2 bedrooms per unit.
- 2-car garages with windowed garage doors and exterior colors to match.
- Covered front stoop or porch.
- Covered back porch or sunroom.
- Materials will be brick, stone, and hardie board. Vinyl overhangs and soffits.
- Minimum setbacks 25 feet from rights-of-way, 20 feet from property lines, and buildings adjacent to Veterans Parkway ROW will be setback a minimum of 45 feet.
- Parking 4 spaces per unit (380) plus guest parking (27). This exceeds the minimum required 248 spaces.
- Solid Waste - provided by the City of Murfreesboro.

**Open Space and Amenities**

- 13.16 acres of Open Space (58%)
- Type C Buffers

- Amenities: pavilion, fenced dog park, walking trails, and benches.

**Exceptions:**

- Front setback of 25-feet rather than 35 feet. This is per staff's request in order to create a pedestrian-oriented streetscape and increase the amount of open space. This will not impact the ability to park two cars in each driveway in addition to the 2-car garages.

**Neighborhood Meeting**

A neighborhood meeting was held on August 12, 2019. The neighbors expressed concerns with potential drainage, flooding, signalization on Veterans Parkway, and current vehicular speeding on Veterans Parkway. Relatively few concerns were expressed regarding the project type and design.

Drainage will be addressed by the developer through the project design. Signalization at Veterans Parkway is unlikely because the development most likely will not trigger the warrant level needed to require a traffic signal in this area. Also, Planning staff contacted the MPD to relay their concerns regarding traffic enforcement in this area.

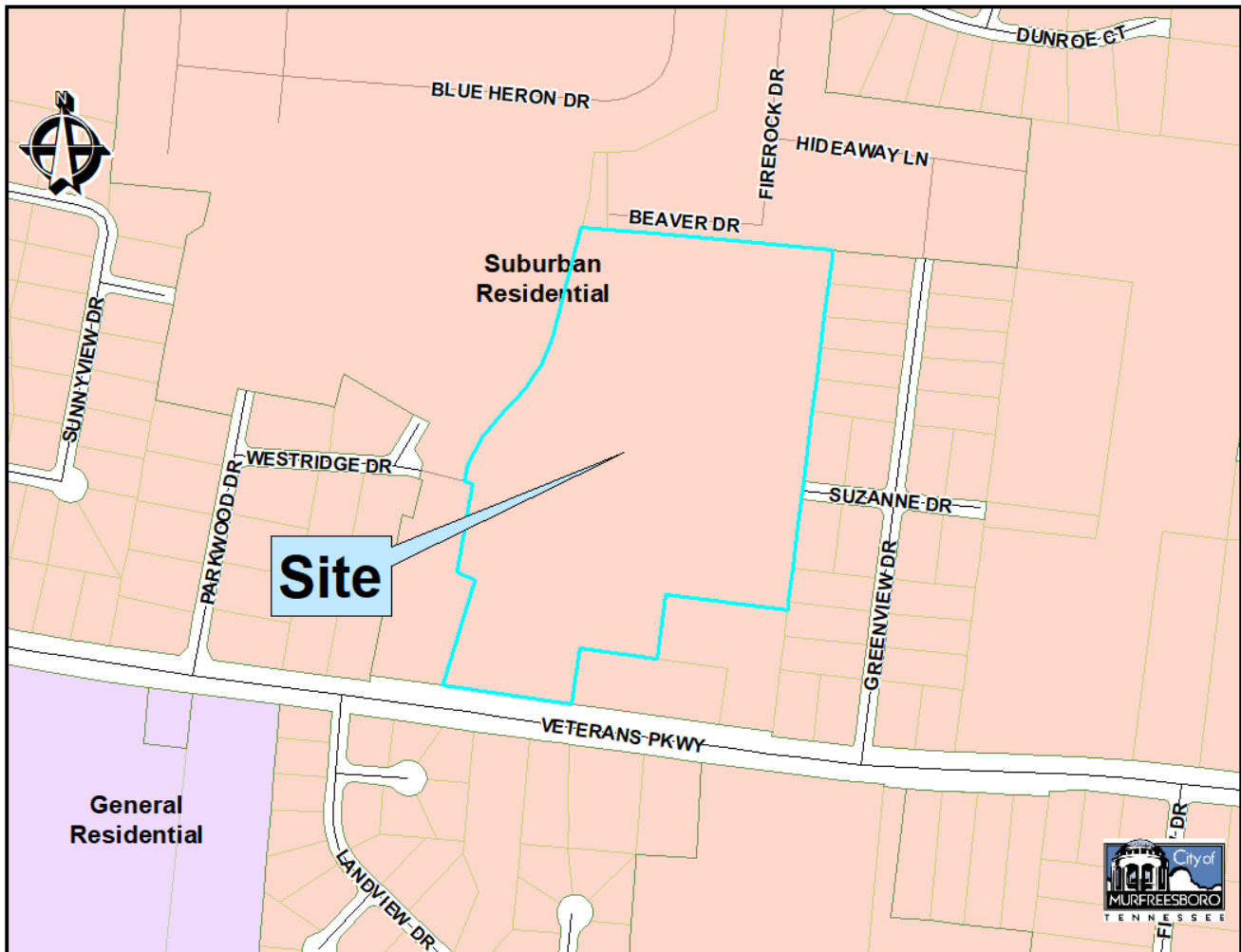
**Future Land Use Map**

The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that "Suburban Residential" is the most appropriate land use character for the project area, as shown on the map below. The general characteristics of this classification include lower density suburban development to help transition rural and urban development and can include small lots clustered around large common open space. The Suburban Residential land use classification recommends 2.0 to 3.54 dwelling units per acre.

While the development type is generally consistent with the "Suburban Residential" land use character, the proposed rezoning is not consistent with the future land use map of the *Murfreesboro 2035 Comprehensive Plan* for purposes of density. It is consistent with the density recommended in the "Auto-Urban (General) Residential" character designation, which allows the density of 3.54 to 8.64 du/acre. The Planning Commission will need to review the PRD request and determine whether it is appropriate to deviate from the recommendations of the Comprehensive Plan for the purpose of density.

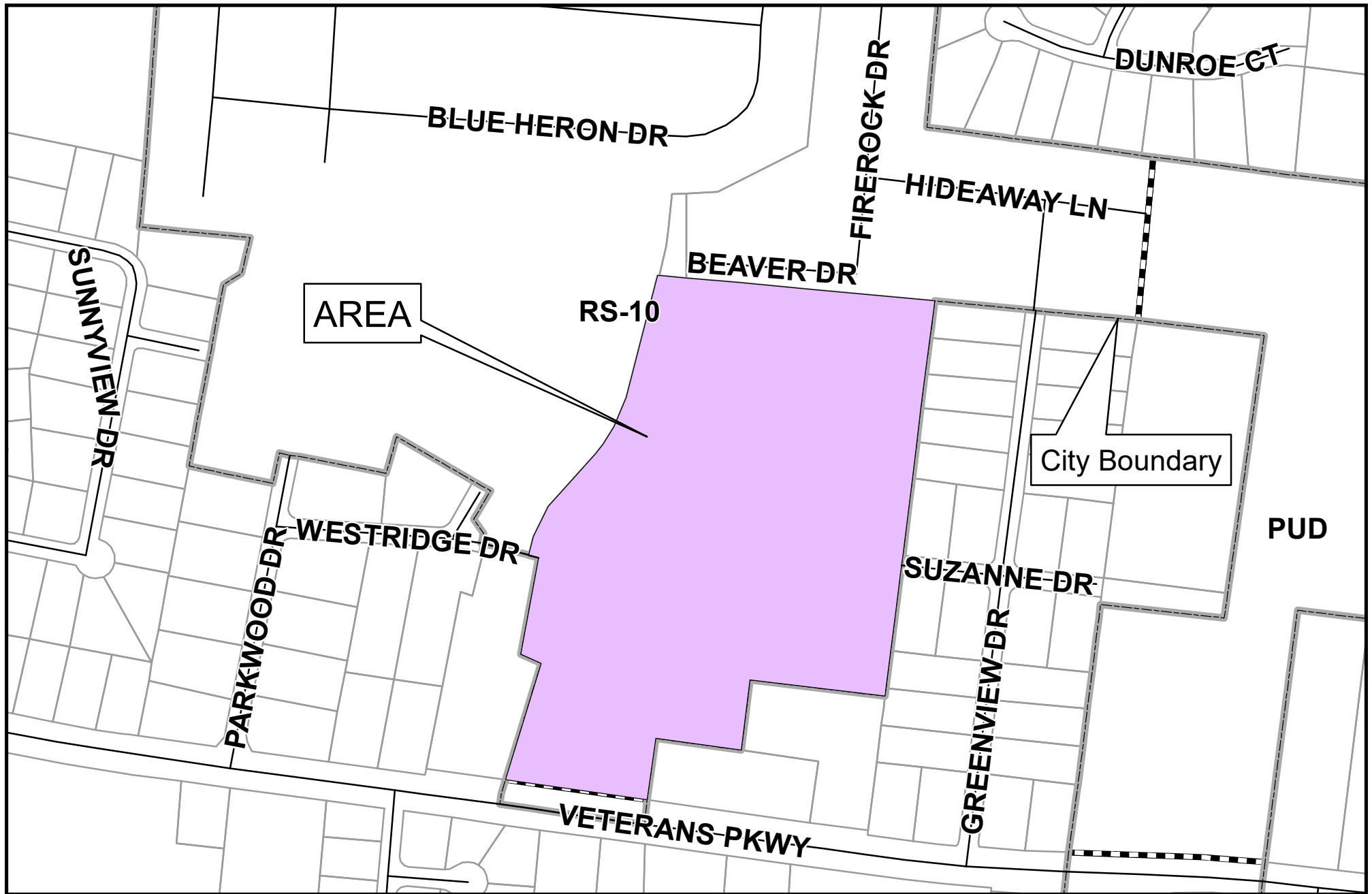


## 2035 MURFREESBORO COMPREHENSIVE PLAN – FUTURE LAND USE MAP

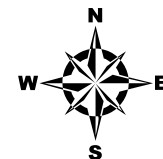
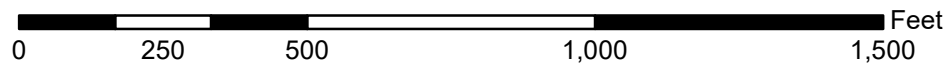


### Action Needed

The applicant will be available to discuss the proposed rezoning amendment. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and formulate a recommendation for the City Council.



Rezoning Request for Property Along Veterans Parkway  
RS-10 to PRD (Veterans Cove PRD)

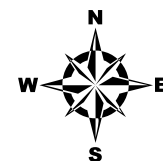
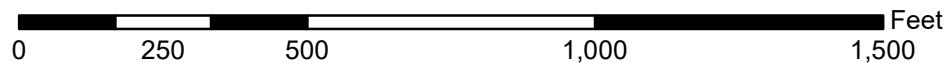


Planning Department  
City of Murfreesboro  
11 W Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





# Rezoning Request for Property Along Veterans Parkway RS-10 to PRD (Veterans Cove PRD)



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



# VETERANS COVE

## REGULATING PATTERN BOOK

### REQUEST FOR REZONING FROM RS-10 TO PLANNED RESIDENTIAL DISTRICT



Veterans Cove P.R.D. is a residential development consisting of 95 single-family attached units on 22.8 acres.

The development hosts an overall density of 4.17 units/acre.

The development will consist of 22 buildings totaling 95 total units. Each unit will be between 1,600-2,500 sf.

All of the homes in the approved P.R.D. will have 2 or 3 bedrooms. All units will have a 2-car garage and space for two vehicles in the driveway.

Each dwelling unit will be for purchase.

The plan also incorporates an amenities program, which includes a pavilion and large usable open space, which will be included in a professionally managed Home Owners' Association (HOA).

**DEVELOPER:** **ALCORN PROPERTIES**  
4613 VETERANS PKWY  
MURFREESBORO, TN 37128  
(615) 896-0091  
ATTN: DAVID ALCORN  
KEVIN ATWOOD

**ENGINEER:** **CIA CIVIL INFRASTRUCTURE ASSOCIATES**  
307 HICKERSON DRIVE  
MURFREESBORO, TN 37129  
(615) 663-7678  
[www.cia-engineers.com](http://www.cia-engineers.com)  
C/O: NATHAN MELSON  
nmelson@cia-engineers.com

**Initial Submittal**  
August 16, 2019

**Resubmitted**  
September 4, 2019 for the September 18, 2019  
Planning Commission Workshop

**Resubmitted**  
October 1, 2019 for the October 16, 2019  
Planning Commission Workshop

**Resubmitted**  
October 31, 2019 for the November 6, 2019  
Planning Commission Public Hearing

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**PROPOSED PLANNED RESIDENTIAL PLAN**

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RIGHT-OF-WAY CONNECTIONS ..... 11

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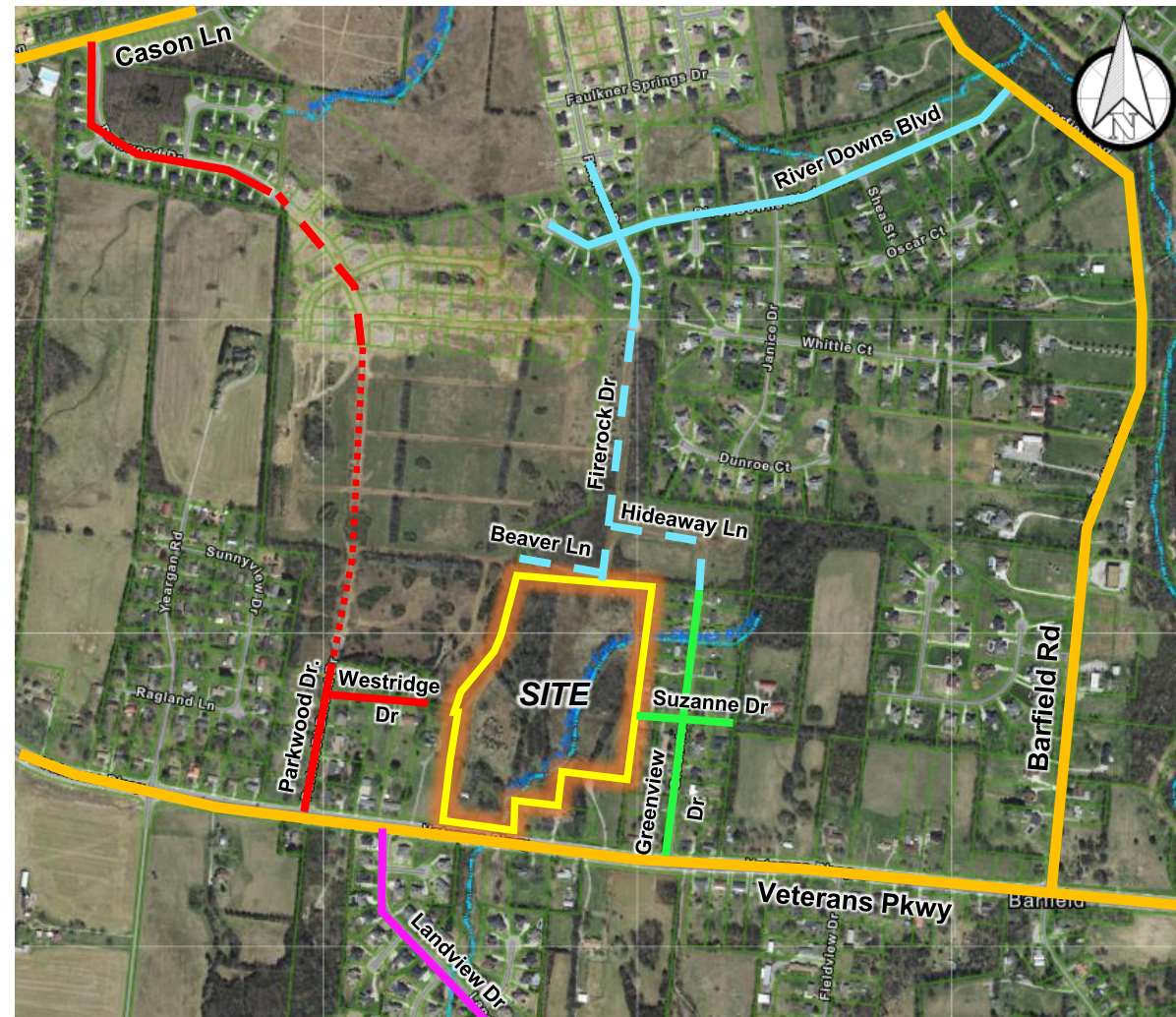
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# PROJECT OVERVIEW

## EXISTING CONDITIONS



- EXISTING ROADWAY
- - - ROAD UNDER CONSTRUCTION
- ..... PLANNED ROADWAY

On behalf of the property owner, Stan Vaught, Alcorn Properties, LLC, respectfully requests rezoning of the property located along Veterans Parkway from Single Family Residential District, RS-10, to Planned Residential District in the City of Murfreesboro to create the Veterans Cove PRD. The subject property is located on the north side Veterans Parkway east of Parkwood Drive and west of Greenview Drive. The properties can be identified on Tax Map 125, as Parcel 25.01 (22.59 ac), and a portion of Parcel 8.03 (0.22 ac).

The purpose of this rezoning request is to create Veterans Cove, which will consist of 95 single-family attached dwelling units. The development will consist of 22 buildings consisting of 3 to 5 units on 22.8 acres creating a density of 4.17 dwelling units per acre. The development will have 13.16 acres of open space (57.7% of total property).

All units will be for sale and targeted to the 55 years and older demographic. All units will have a minimum of 2 bedrooms and a 2-car front entry garage with windows on the doors.

The units will be sold under a Horizontal Property Regime (HPR). An HOA will maintain the common areas, which includes building exteriors, a pavilion, stream buffers, and stormwater management features.

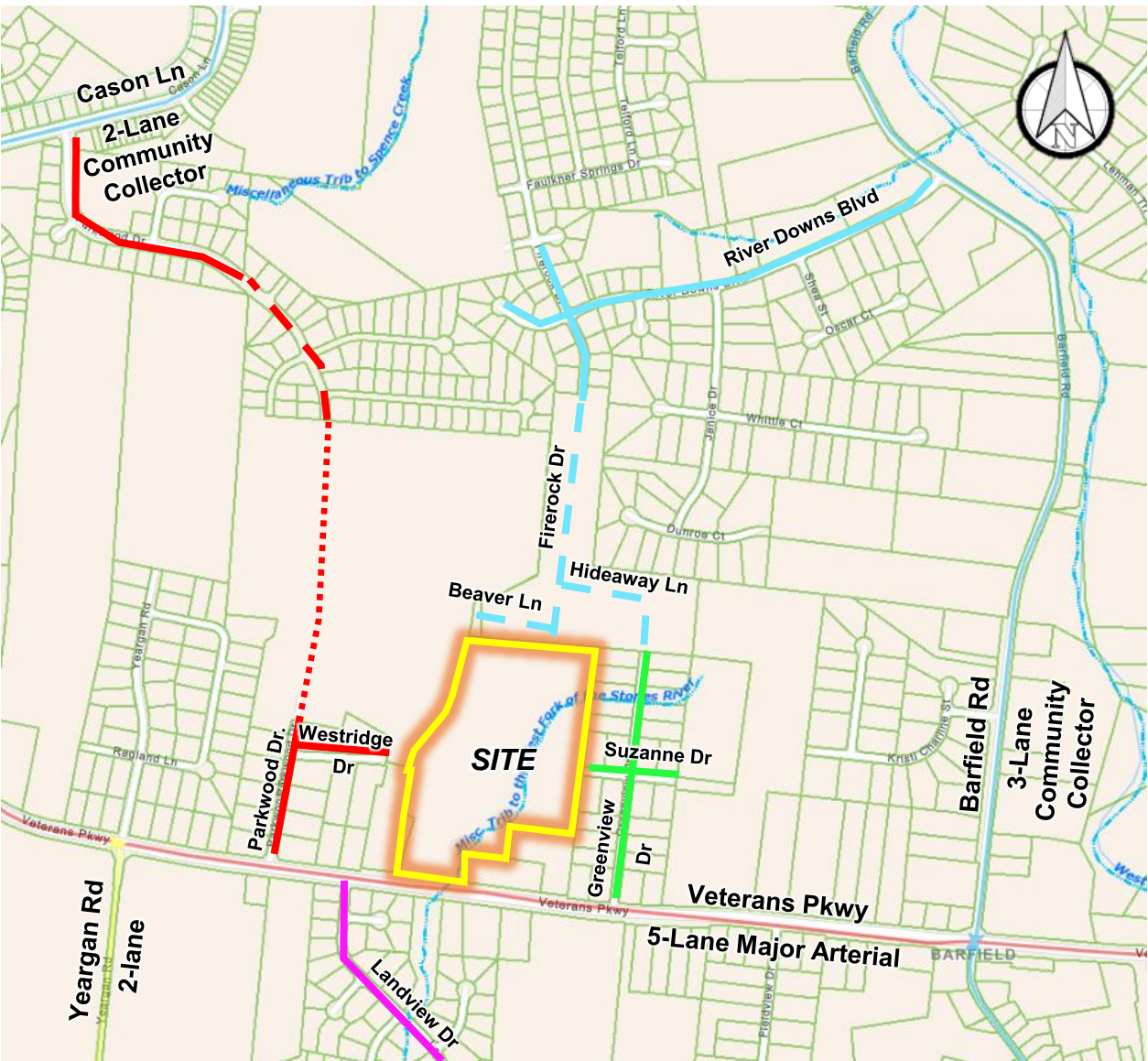
All roads within the development shall be public, and road classifications shall be Residential Local and shall meet the requirements set forth in the City of Murfreesboro Street Specifications.

Amenities will include a pavilion, dog park, and paved walking trail through onsite natural areas connecting the amenity area to sidewalks along public roads.



# PROJECT OVERVIEW

## 2040 MAJOR THOROUGHFARE PLAN (MTP)



- EXISTING ROADWAY
- - - ROAD UNDER CONSTRUCTION
- ..... PLANNED ROADWAY

### Site Connectivity

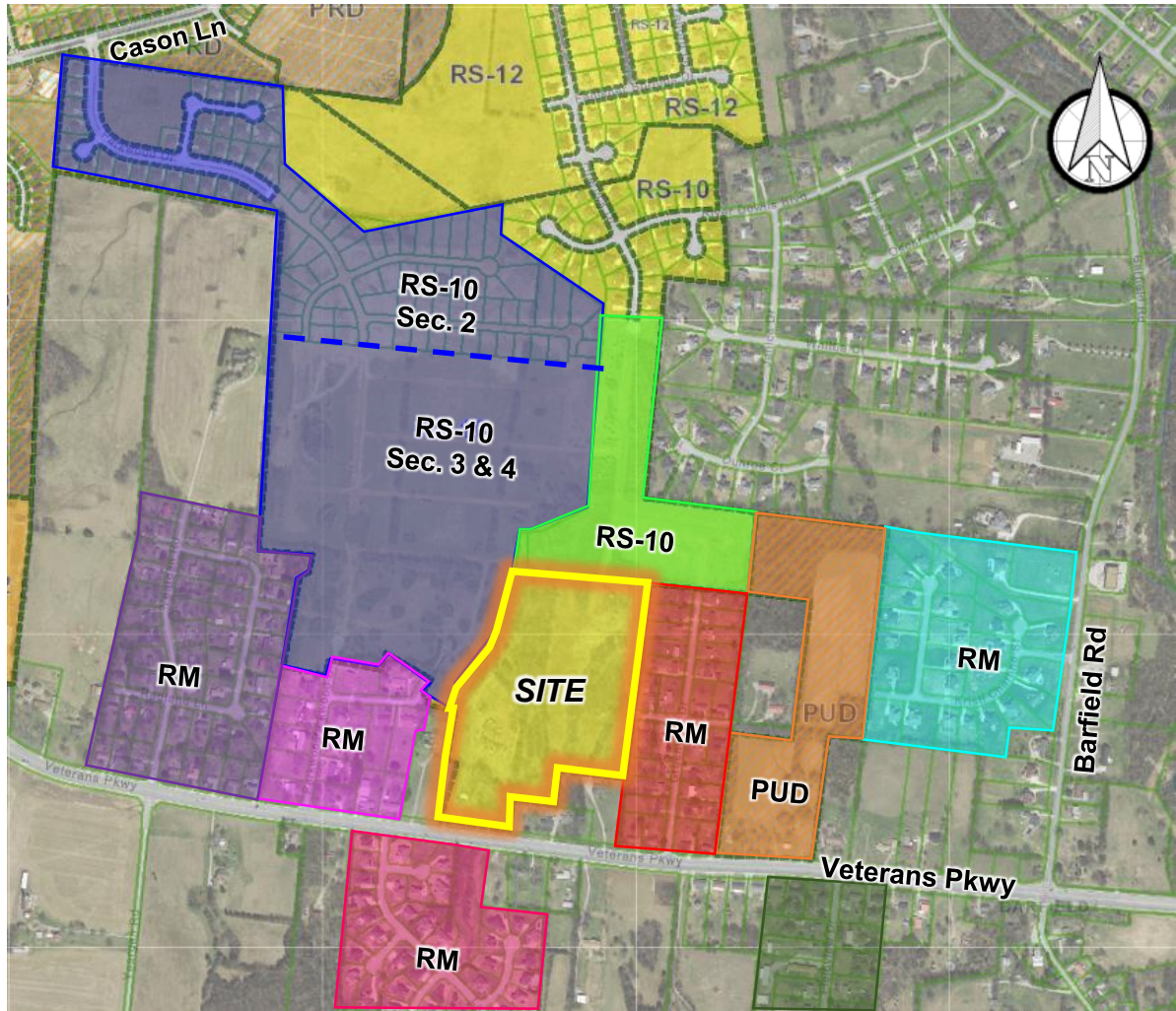
The property will have access to the existing public rights-of-way along Veterans Parkway, which is currently a 5-lane major arterial roadway. The project will utilize Veterans Parkway as the primary access point to the development. Veterans Cove will also have a roadway connection at Suzanne Drive on the eastern property, which also routes to Veterans Parkway via Greenview Drive. Suzanne Drive and Greenview Drive are existing county roads.










Additional road connections will include Firerock Drive and Beaver Lane to the north (both under construction), which will route to Barfield Road via River Downs Boulevard, and a stub street for Westridge Drive, which routes to Veterans Parkway via Parkwood Drive. Westridge Drive is an existing county road, which currently terminates several hundred feet to the west of the Veterans Cove property. Barfield Road is scheduled to be widened to a 3-lane per the 2040 Major Thoroughfare Plan.



# PROJECT OVERVIEW

## SURROUNDING COMMUNITY & ZONING



	Southwood Estates		Valley View		Kimbro Heights
	River Downs Annex Section 2 under construction		Cottages at Snell Cove PUD approved		
	Rivers Edge Section 2 under construction Sections 3 & 4 planned		Martha's Haven		
	Parkwood Estates		Barfield Meadows		

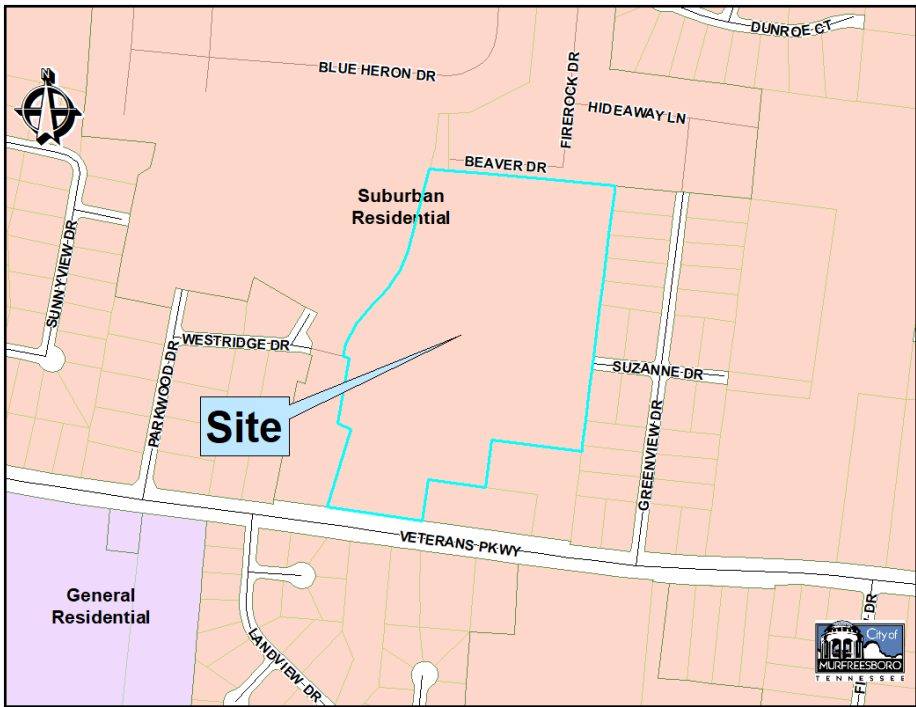
### Surrounding Community:

Veterans Cove is situated in the midst of multiple residential properties and subdivisions:

- Southwood Estates is an existing county subdivision located immediately to the east and consists of 1-story detached brick homes with driveways and carports.
- Parkwood Estates is an existing county subdivision located to the west and consists of 1-story detached brick homes with driveways and carports.
- Valley View subdivision is located on the south side of Veterans Parkway across from Veterans Cove and consists of 2-story detached brick homes with driveways and side entry garages.
- Section 2 of River Downs Annex is currently under construction and will consist of single-family detached homes with front-entry garages. Facades will consist of brick and vinyl siding.
- The Cottages of Snell Cove is a recently approved PUD consisting of 45 6,000 SF single-family detached residential lots and a 2.28 acre commercial lot, which fronts Veterans Parkway. Approved architecture will consist 1- or 2-story homes with front entry garages. Facades will consist of a variety of masonry products.

### Zoning:

Veterans Cove is currently zoned RS-10. Properties to the north that are within the city limits are zoned RS-10 or RS-12. Other surrounding properties are located in the county and zoned Medium Density Residential (RM). Cottages at Snell Cove is a recently approved Planned Unit District consisting of 45 6,000 SF residential lots and commercial lot fronting Veterans Parkway.



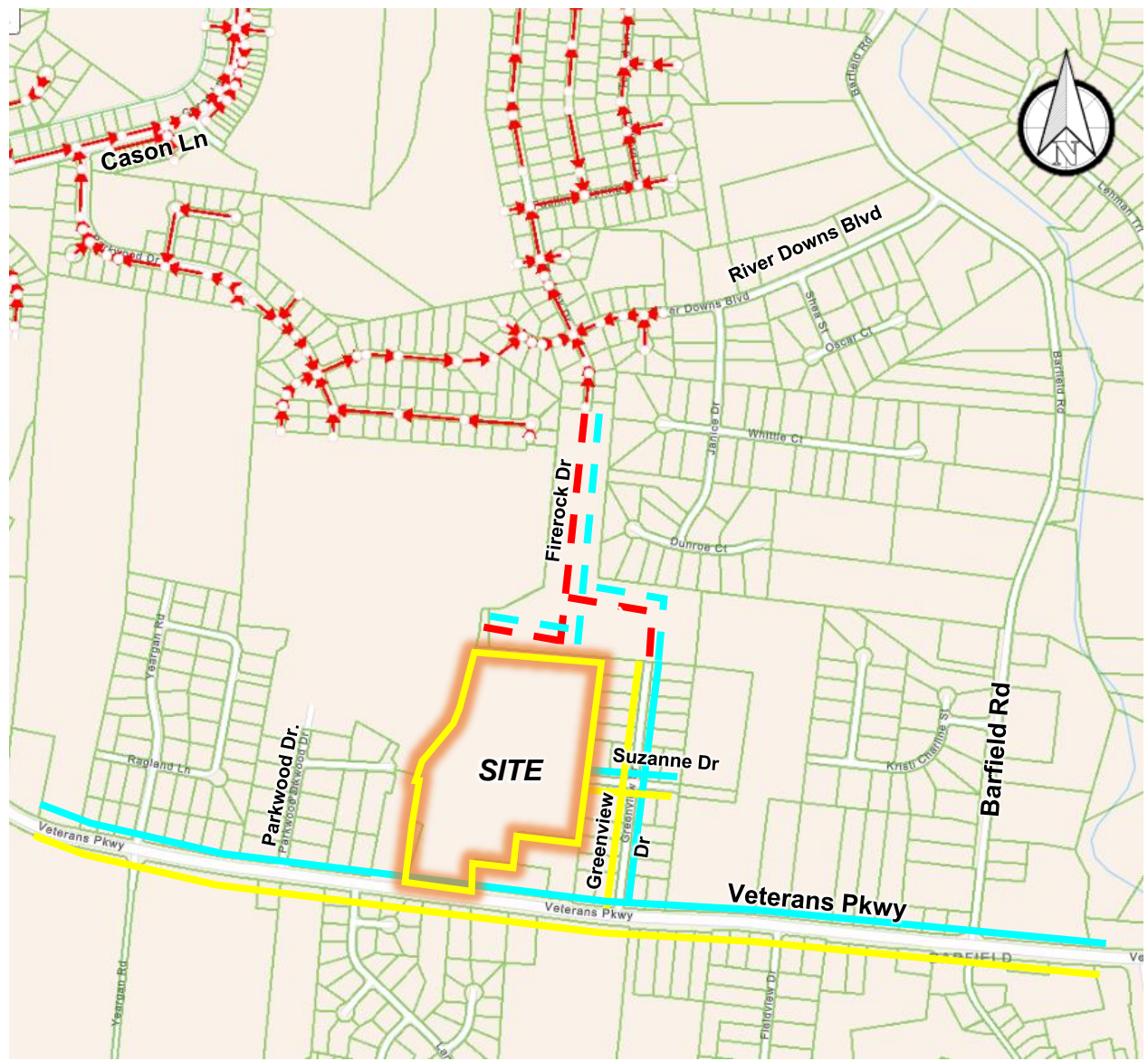
### 2035 Future Land Use Map

Rezoning this property to PRD for townhomes is consistent with future land use development for this area.



# PROJECT OVERVIEW

## UTILITY MAP



- EXISTING SANITARY SEWER
- WATER
- ELECTRIC
- - - LINE UNDER CONSTRUCTION



Sanitary sewer service will be provided via a new gravity main to the sewer mains currently under construction as part of the River Downs Annex, Sec. 2 subdivision. Sewer drains to a pump station in Barfield Downs at Audubon Lane and Barfield Road. The pump station has the capacity to handle the additional flow from Veterans Cove at current conditions including full build-out of the Rivers Edge, River Downs Annex, Sec. 2, and Cottages at Snell Cove developments. Minor upgrades to the pumps may be necessary dependent on revisions to the design daily flow currently under review at MWRD.



CONSOLIDATED UTILITY DISTRICT

Water service will be provided by Consolidated Utility District of Rutherford County. There is an existing 30 inch water line along the north side Veterans Parkway for water and fire service into the site. The developer will be responsible for extending the waterline into the site for domestic and fire water service. CUD may also require that the water main connect to the existing main at Suzanne Drive and the 8" water main under construction on Firerock Drive.



Electric service will be provided by Murfreesboro Electric Department. Electric service will tie into existing overhead lines located south side of Veterans Parkway. The developer will be responsible for extending the electric lines into the site, and all onsite electric will be underground.

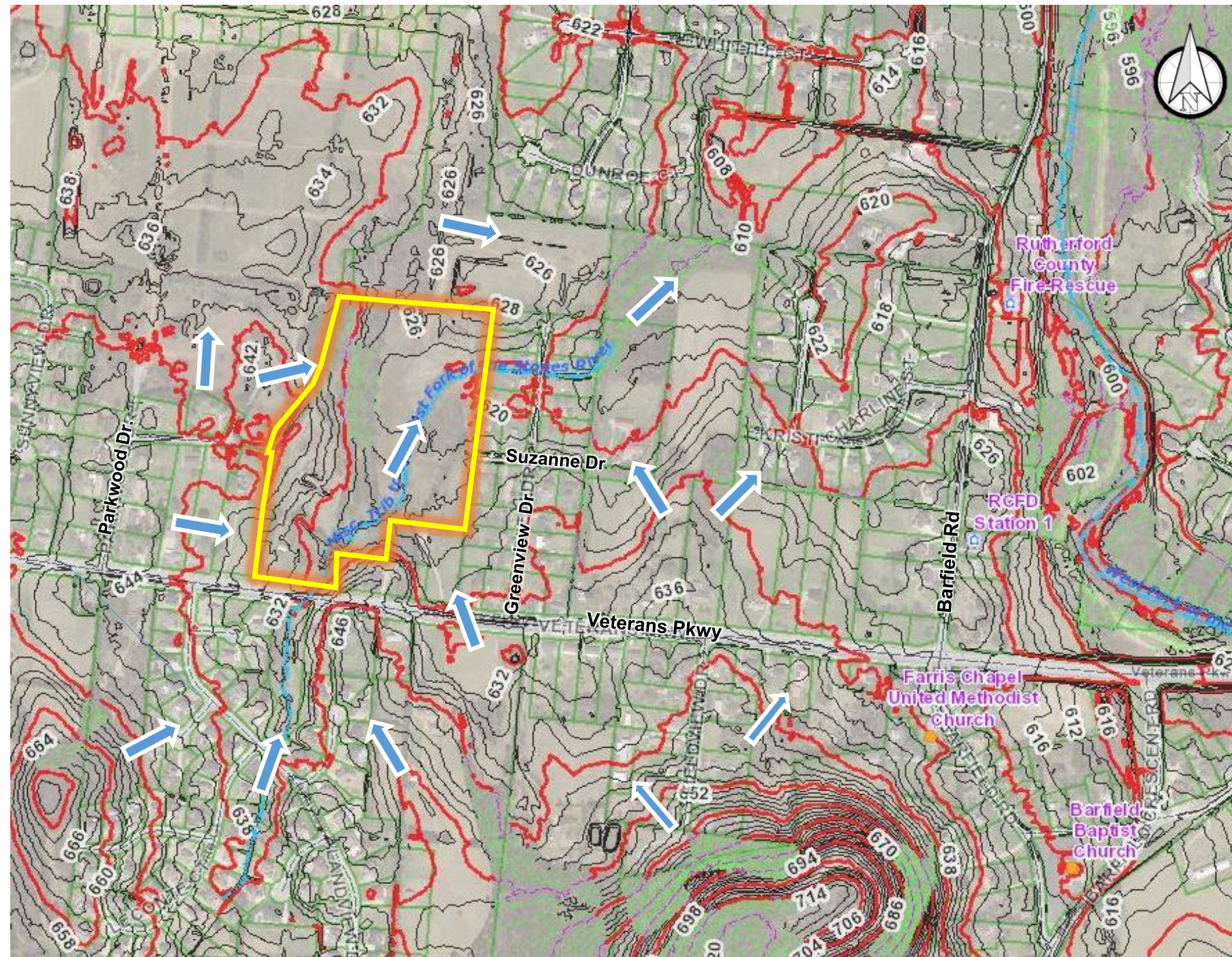


TYP. BUILDING LAYOUT WITH CUD AND MED CLEAR SPACES



# PROJECT OVERVIEW

## TOPOGRAPHY AND DRAINAGE

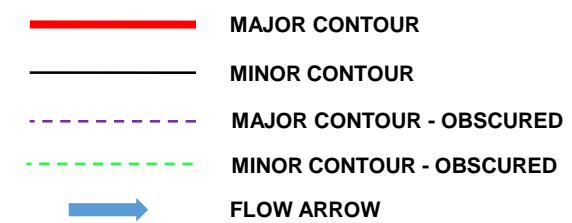


The existing topography shows that the site drains generally from the perimeter of the property to the center and from southwest to northeast towards a single outfall, a drainage ditch that runs east to west through Southwood Estates.

The site receives a significant amount of offsite runoff from areas south of Veterans Parkway. A hydrologic determination study found that the existing conveyance channel that crosses the site is a small stream that changes to a wet weather conveyance (WWC) on the downstream end. The WWC continues through Southwood Estates then northeast ultimately discharging into the West Fork Stones River.

The existing onsite stream will be protected with by a 50-foot Water Quality Protection Area per City of Murfreesboro regulations.

This property is not located within FEMA floodway or floodplain areas.





# PROJECT OVERVIEW

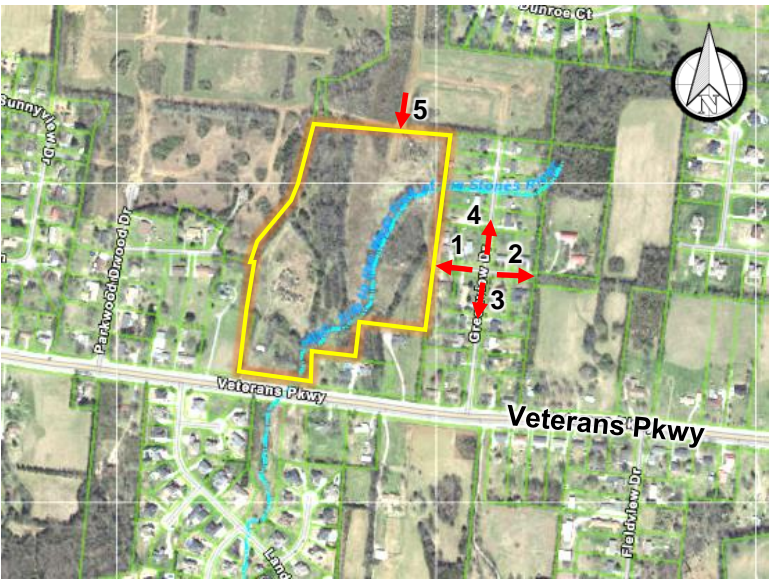
## SITE PHOTOS



**PHOTO 1:** SUZANNE DRIVE LOOKING WEST



**PHOTO 2:** SUZANNE DRIVE LOOKING EAST



**PHOTO 3:** GREENVIEW DRIVE LOOKING SOUTH



**PHOTO 4:** GREENVIEW DRIVE LOOKING NORTH



**PHOTO 5:** RIVER DOWNS ANNEX CONNECTION  
LOOKING SOUTH



# PROJECT OVERVIEW

## SITE PHOTOS



**PHOTO 1:** GREENVIEW DRIVE @ VETERANS PARKWAY  
LOOKING WEST



**PHOTO 2:** GREENVIEW DRIVE @ VETERANS PARKWAY  
LOOKING EAST



**PHOTO 3:** VETERANS PARKWAY CONNECTION  
LOOKING WEST



**PHOTO 4:** VETERANS PARKWAY CONNECTION  
LOOKING EAST



**PHOTO 5:** VETERANS PARKWAY CONNECTION  
LOOKING NORTH

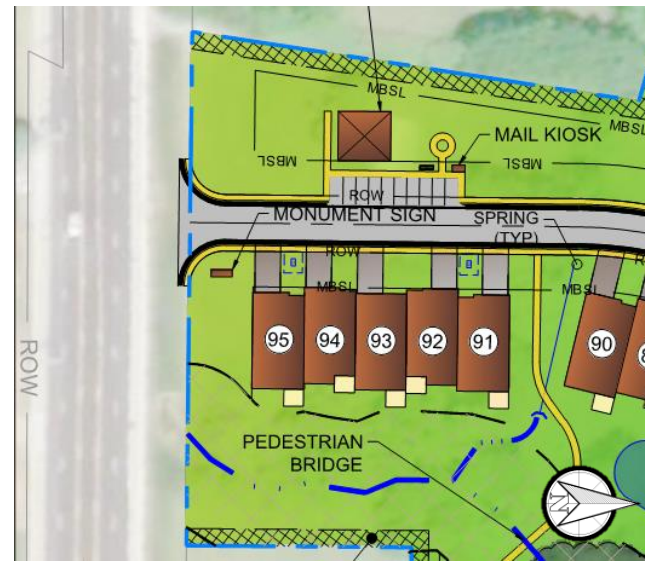






# PROPOSED PLANNED RESIDENTIAL PLAN

## RIGHT-OF-WAY CONNECTIONS



VETERANS PARKWAY CONNECTION  
TO THE SOUTH



SUZANNE DRIVE CONNECTION  
TO THE EAST



BEAVER DRIVE CONNECTION  
TO THE NORTH



FIREROCK DRIVE CONNECTION  
TO THE NORTH



WESTRIDGE DRIVE STUBOUT  
TO THE WEST

- Veterans Parkway has been improved to a 5-lane major arterial per the City of Murfreesboro's 2040 Major Thoroughfare Plan (MTP). Therefore, Veterans Parkway will be the primary connection for entering or exiting the development.
- Additional connections to be made as part of this development will include to Suzanne Drive to the west and Firerock Drive and Beaver Lane to the north. A stub for Westridge drive will be extended to the western property line.
- All streets within Veterans Cove will be public 40-foot ROW with a "Local" street classification and will comply with standards set forth in the City of Murfreesboro Street Specifications.
- 15-foot landscape buffers are to be at locations specified on the proposed concept plan on page 10.



# PROPOSED PLANNED RESIDENTIAL PLAN

## BUILDING STANDARDS

- 95 single-family attached units
- Maximum building height shall be 35'
- Minimum unit size: 1,600 sf
- All units shall have 2 or 3 bedrooms (60/35 ratio)
- All units shall have a front-loaded, 2-car garage
- All units shall have a concrete driveway wide enough to fit 2 cars side-by-side, a minimum width of 16 feet.
- All garages shall be, at minimum, set back 25 feet from public ROW. Buildings adjacent to Veterans Parkway ROW will be set back a minimum of 45 feet.
- Where proposed buildings will be situated perpendicular to the fronts of neighboring lots or units, a 15' landscape buffer shall be placed along the proposed ROW.
- All streets will be public rights-of-way to be design to the City of Murfreesboro's Street Specifications.
- Sidewalks will be provided throughout the development on both sides of the street.
- Solid Waste will be provided by the City of Murfreesboro.
- All onsite utilities will be underground.
- Prior to construction plan review, a comprehensive design of the stormwater management system facilities will be completed including a review of the adequacy of the downstream drainage ditch and box culvert under Greenview Drive.
- Street lights will be standard MTEM poles and lights, where required
- A monument sign located at the primary entrance off of Veterans Parkway will consist of masonry materials and surrounded by landscaping and uplighting.
- Mail delivery will follow current USPS regulations incorporating a centralized mail kiosk with nearby parking.
- House numbering will meet city numbering regulations and fire codes.
- The common open spaces will be maintained by an H.O.A.
- All homeowners will be required to be a member of the H.O.A.
- The development is planned to constructed in a single phase.
- Construction is anticipated to begin within 90-120 days after rezoning completed.



MAIL KIOSK EXAMPLE



MONUMENT ENTRANCE SIGN EXAMPLE



STREET LIGHT EXAMPLE

# PROPOSED PLANNED RESIDENTIAL PLAN

## BUILDING STANDARDS

### ARCHITECTURAL DESIGN CHARACTERISTICS

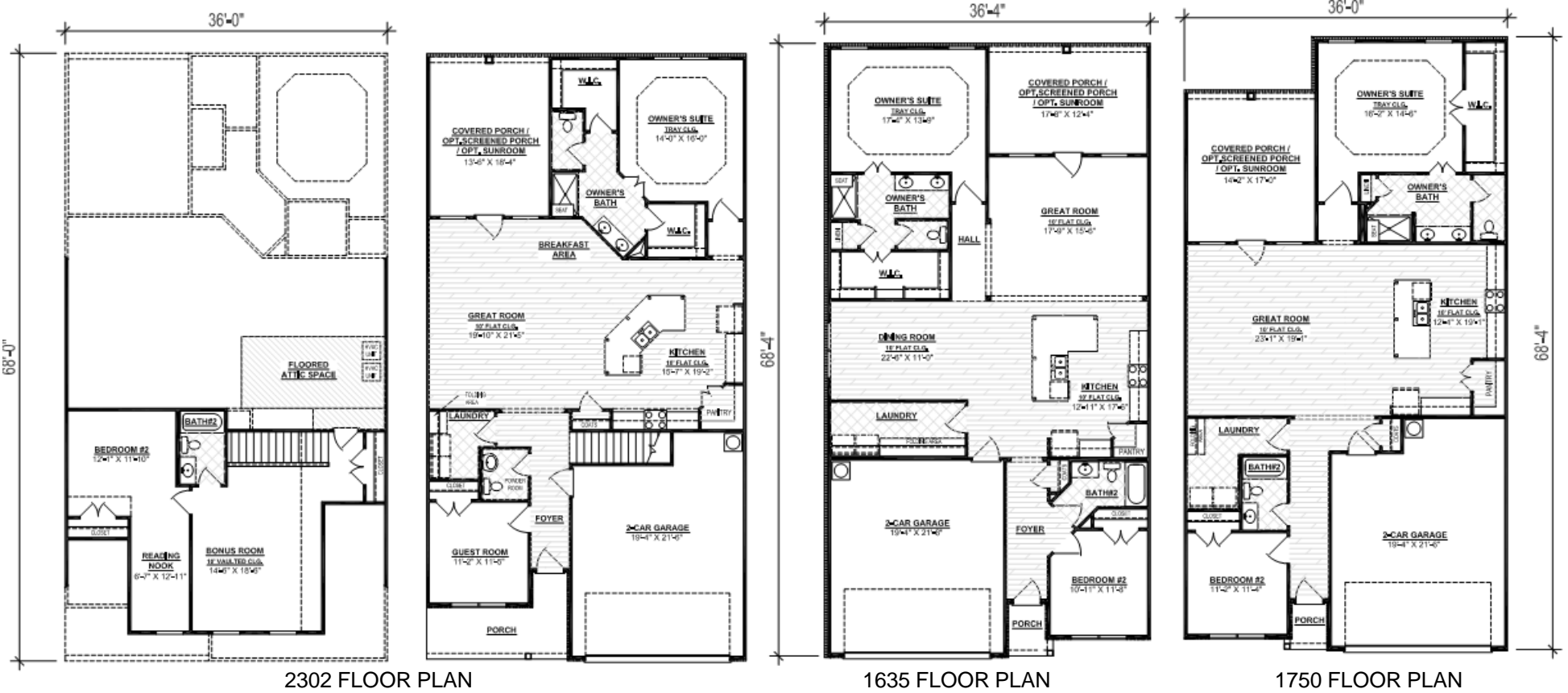
- Buildings to consist of 3 to 5 units
- Total 2-BR units: 60 (Heated Living Area: 1,600-1,800 SF)
- Total 3-BR units: 35 (Heated Living Area: 2,200-2,500 SF)
- Building Heights shall not exceed 35 feet
- All units will consist 1- and 2-story homes, with at least 2 bedrooms
- All units shall have a front-loaded, 2-car garage
- Garage doors shall have windows and colors that complement building facades.
- All homes will have a covered front stoop or porch
- All homes will have a covered back porch with the option to upgrade to a screened-in porch or sunroom.
- Primary building materials shall not be bright or vibrant colors

### ELEVATION MATERIALS

- Building elevations shall consist of a mixture of brick, stone or fiber cement (F.C.) siding, which will be permitted on all sides. Fiber cement siding will be the principal exterior building material.
- Vinyl will be used in the trim and soffit areas.
- Roofs will be shingles.

### MATERIAL EXAMPLES

(Different colors and patterns to be allowed)



EXAMPLE QUADPLEX FRONT ELEVATION  
ELEVATIONS AND FLOOR PLANS MAY VARY ACROSS DEVELOPMENT



# PROPOSED PLANNED RESIDENTIAL PLAN

## BUILDING STANDARDS



EXAMPLE OF SIMILAR ARCHITECTURE NEARBY DEVELOPMENT  
QUADPLEX UNIT IN BELLE HAVEN COVE ON OFF ST. ANDREWS DRIVE



# PROPOSED PLANNED RESIDENTIAL PLAN

## AMENITIES



PAVILION EXAMPLE



EXAMPLE OF DOG PARK



EXAMPLE OF WALKING TRAIL

### AMENITIES

Onsite amenities will include a pavilion and U.S. Military Memorial near guest parking, which will provide a passive recreation and sitting area and community gathering space. All sitting areas shall comply with the City of Murfreesboro Zoning Ordinance. The pavilion will be located near a paved walking trail head, which will weave through the site's existing natural areas and connect to an onsite dog park. The dog park will include weather resistant benches for pet owners and be enclosed by a 4-foot vinyl-coated chain-link fence.

A paved walking trail will provide a route across the existing stream and through natural areas to remain undisturbed as part of the development. Walking trail will be ADA accessible and connect to sidewalks along public ROW.

Amenity areas will be maintained by the HOA.

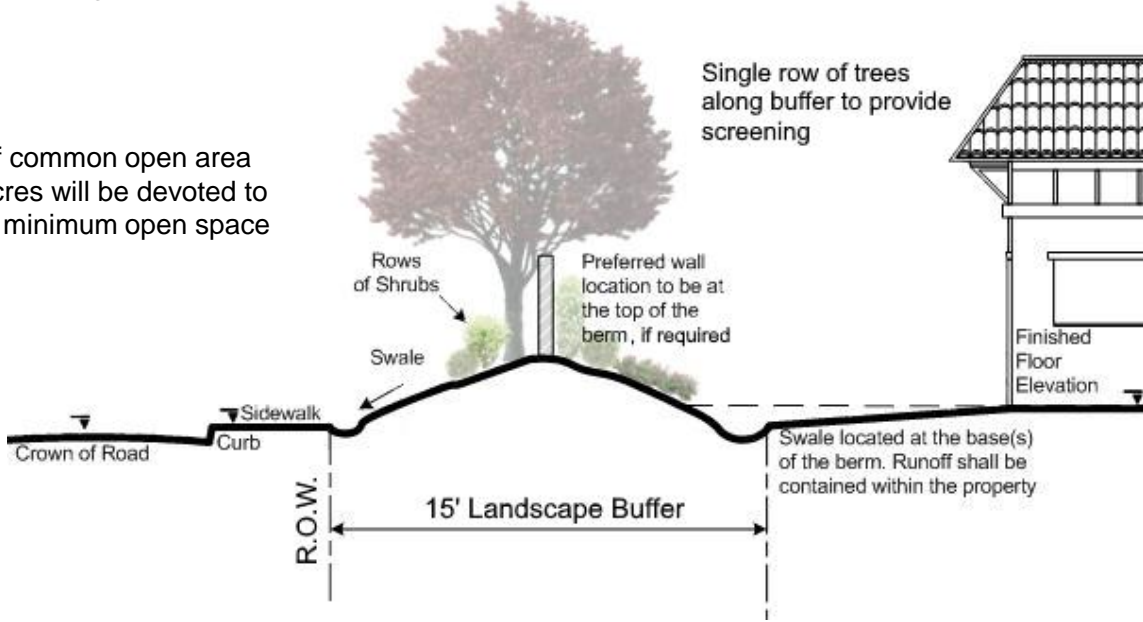
### OPEN SPACE

Veterans Cove will provide a total of 13.16 acres (57.7%) of common open area of which 11.99 acres will be usable open space and 1.17 acres will be devoted to stormwater detention. Thus, Veterans Cove will exceed the minimum open space requirement for the residential areas.

### LANDSCAPING

Veterans Cove will include plentiful landscaping to provide an aesthetically pleasing development for future residents and existing neighbors. A 12' Type 'C' Buffer will be located along the property perimeter. 15' landscape buffers will be located in select areas to provide screening of adjacent buildings. A typical cross section of the 15' landscape buffer is shown to the right.

The developer intends to maintain existing mature vegetative growth along the perimeter of the property. Where mature growth must be removed or does not currently exist, the developer intends to supplement gaps in the tree line with new vegetation. Landscaping will be provided around proposed amenity areas to benefit neighboring properties





ZONING ORDINANCE SECTION 13 (D) (2) (a)

1. A map showing available utilities, easements, roadways, rail lines and public right-of-way crossing and adjacent to the subject property.  
**Response: Maps providing this info is on Pages 3 & 4 along with descriptions of each.**

2. A graphic rendering of the existing conditions and/or aerial photograph(s) showing the existing conditions and depicting all significant natural topographical and physical features of the subject property; location and extent of water courses, wetlands, floodways, and floodplains on or within one hundred (100) feet of the subject property; existing drainage patterns; location and extent of tree cover; and community greenways and bicycle paths and routes in proximity to the subject property.  
**Response: Exhibits are shown on Page 7 that shows the existing contours and drainage patterns, along with an aerial photograph of the area on Page 3. No portion of the property is subject to floodplains or floodways. However, a hydrologic determination found a stream onsite.**

3. A plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structures on-site and within two hundred (200) feet of the subject property and the identification of the use thereof.  
**Response: An aerial photograph is provided on Page 3 showing the location of existing structures on the subject property and the surrounding properties. Page 7 provides the zoning of those same properties.**

4. A drawing defining the general location and maximum number of lots, parcels or sites proposed to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; the general location and maximum amount of area to be devoted to open space and to be conveyed, dedicated, or reserved for parks, playgrounds, recreation uses, school sites, public buildings and other common use areas; the approximate location of points of ingress and egress and access streets; the approximate location of pedestrian, bicycle and vehicular ways or the restrictions pertaining thereto and the extent of proposed landscaping, planting, screening, or fencing.  
**Response: A concept plan is provided on page 10. Right-of-Way connections on page 11. Pages 12-13 list building standards and exhibits.**

5. A tabulation of the maximum number of dwelling units proposed including the number of units with two (2) or less bedrooms and the number of units with more than two (2) bedrooms.  
**Response: The maximum number of dwelling units with two (2) bedrooms or more are listed on Page 12.**

6. A tabulation of the maximum floor area proposed to be constructed, the F.A.R. (Floor Area Ratio), the L.S.R. (Livability Space Ratio), and the O.S.R. (Open Space Ratio).  
**Response: See table below**
- |                           |            |                                 |            |
|---------------------------|------------|---------------------------------|------------|
| TOTAL SITE AREA           | 993,603 sf | TOTAL LIVABLE SPACE             | 522,284 sf |
| TOTAL MAXIMUM FLOOR AREA  | 189,740 sf | TOTAL OPEN SPACE                | 877,298 sf |
| TOTAL LOT AREA            | 993,603 sf |                                 |            |
| TOTAL BUILDING COVERAGE   | 226,066 sf | FLOOR AREA RATIO (F.A.R.)       | 0.19       |
| TOTAL DRIVE/ PARKING AREA | 57,000 sf  | LIVABILITY SPACE RATIO (L.S.R.) | 0.72       |
| TOTAL RIGHT-OF-WAY        | 116,305 sf | OPEN SPACE RATIO (O.S.R.)       | 0.74       |
7. A written statement generally describing the relationship of the proposed planned development to the current policies and plans of the city and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article.  
**Response: The property is currently zoned RS-10. The nature of the surrounding community consists largely of residential properties. The 2035 Comprehensive Plan states that this area**

- should exhibit a suburban residential character. The plan outlined in this booklet matches the character of the existing surrounding community.**
8. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating the approximate date when construction of the project can be expected to begin  
**Response: The project is planned to be developed in one phase.**
9. Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted.  
**Response: This requirement has been addressed on Page 12 & 13.**
10. A statement setting forth in detail either (1) the exceptions which are required from the zoning and subdivision regulations otherwise applicable to the property to permit the development of the proposed planned development or (2) the bulk, use, and/or other regulations under which the planned development is proposed.  
**Response: The applicant is requesting the following exceptions with this PRD.**

SETBACKS	RS-A - TYPE 2	PRD	Difference
Front	35	25	-10
Side	5	5	0
Rear	20	20	0

11. The nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article  
**Response: This property is not in the Gateway Design Overlay District, Airport Overlay District (AOD), Historic District (H-1), or Planned Signage Overlay District (PS). No portion of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0270H Effective Date 01/05/2007.**

12. The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time.  
**Response: Page 4 discusses the Major Thoroughfare Plan. Veterans Parkway has been improved to a 5-lane roadway width according to the Murfreesboro 2040 Major Thoroughfare Plan.**

13. The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated.  
**Response: The primary representative is Nathan Melson of Civil Infrastructure Associates. Developer/ applicant is Alcorn Properties, LLC. Contact info for both is provided on cover.**

14. Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. The location and orientation of exterior light fixtures and of garages shall be shown if such are to be included in the structures.  
**Response: Pages 12-13 show the architectural character of the proposed residential buildings and building materials listed. However, exact configuration for these items is unknown and will be determined as each building is built.**

15. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.  
**Response: Examples of entrance signage and a description are located on Page 12.**

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019**

**6.e. Proposed amendment to the Zoning Ordinance regarding Section 24, Overlay District Regulations, Article VI, CCO, City Core Overlay (2019-807), pertaining to the CCO zoning district, City of Murfreesboro Planning Department applicant.**

The City Core Overlay District (CCO) and its associated zoning regulations were established by the City in 2013 to address deficiencies in the base zoning districts in specific areas surrounding downtown. The base zoning regulations were more applicable to suburban development as opposed to the urban development patterns existing in the areas around downtown. For example, the CCO reduced minimum parking and setback requirements. It also made provisions for certain commercial uses in the residential base zones. Now that Staff has had an opportunity to review the impacts of the CCO zone for several years, it has observed that these regulations have been very successful in enabling compatible infill single-family residential development. However, it has not had the effect of spurring on neighborhood commercial uses.

In 2016, the City undertook the Historic Bottoms Planning Study and the North Highland Avenue Planning Study. These studies both included volunteer steering committees and numerous opportunities for public input. Both studies were adopted by the Planning Commission in 2017. These studies represent an interest on the parts of both the public and the City to emphasize the value of downtown and the areas surrounding it and to ensure that development and redevelopment is consistent with the community vision for the area.

In Fall 2018, Planning staff presented a draft revised CCO ordinance to both the City Council and Planning Commission for review. Both bodies indicated that a public meeting would be an appropriate next step. In early 2019, Planning staff hosted a meeting with downtown merchants and conducted an open house for public review and comments. In May 2019, the Planning Commission conducted a public hearing on revisions to the existing CCO regulations and voted to recommend approval of them. In July 2019, the Planning Commission conducted a public hearing on the amendment to the zoning map regarding the expansion of the CCO. After hearing concerns from numerous citizens during that public hearing, the Planning Commission voted to defer action on the map amendment. Many of the concerns expressed were associated with the regulations themselves. It was determined at that time that Staff would endeavor to rewrite the proposed CCO regulations and bring them back to the Planning Commission for consideration at a later date.

After the public hearing, Staff worked to simplify the proposed CCO regulations. The various sub-districts that were originally proposed were eliminated, so that the entire CCO district would have uniform regulations. The proposed regulations concentrate on ensuring site design that is compatible with existing development in the area. Regarding land use, the regulations do propose to make provisions for detached two-family dwellings on lots that allow duplexes, instead of requiring duplexes to be attached. It also makes provisions for accessory apartments by right in the CCO where the base zone would typically only allow this use after the issuance of a special use permit by the Board of Zoning Appeals.

Finally, in the time since the October 16<sup>th</sup> Planning Commission meeting, Staff has made some additional modifications to the proposed ordinance for the Planning Commission's consideration. The ordinance has been revised to include a list of prohibited uses in the CCO, which is very similar to the list of prohibited uses that is contained in the existing CCO regulations and proposed to be included earlier in 2019. Staff believes that there is some merit to including this list in the regulations. However, the draft ordinance has also been revised to include a one-time rebuild exemption for structures housing lawfully-established non-conforming uses in the CCO. This will help to protect any uses made non-conforming by the new regulations or the expansion of the CCO boundaries. In addition, it will also continue to offer protection to some of the uses that do not conform to the base zoning, such as the lawfully-established residential uses zoned Commercial Highway along and adjacent to South Maney Avenue. The provision regarding structures housing lawfully-established non-conforming uses is *in addition to* the provision granting lawfully-established non-conforming structures a one-time exemption in order to rebuild.

**Action Needed:**

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

**(Updated 10/30/19)**

**ARTICLE VI. CCO, CITY CORE OVERLAY**

**(A) *District description.***

- (1) *Purposes of the overlay district.* The purposes of the City Core Overlay (CCO) district are: to promote infill development that is compatible with existing development patterns; to encourage new development patterns in areas where existing patterns are inconsistent or unestablished; and to promote reinvestment in Downtown Murfreesboro and surrounding neighborhoods.
- (2) *District delineation.* The CCO district includes areas in and around Downtown Murfreesboro as shown on the official Zoning Map of the City of Murfreesboro.

**(B) *Application of regulations.***

- (1) *Official zoning map.* The CCO district shall overlay land located as shown on the official zoning map of the City.
- (2) *Conflicts with other regulations.* Where there is a conflict between the provisions of this subsection and those of the underlying zoning district, the provisions of this subsection shall apply. Where there is a conflict between the provisions of this subsection and those of the Historic (H-1) District, the H-1 regulations shall apply. Where there is a conflict between the provisions of this subsection and those of any overlay district other than the H-1 District, the more restrictive regulations shall apply.
- (3) *Extension and reconstruction.* The requirements set forth in this subsection shall apply to all new development in the CCO district from the effective date of this subsection. Notwithstanding the requirements of Section 28 of this Article, a lawfully-established pre-existing structure that does not comply with the regulations set forth in this Section may be extended or reconstructed one (1) time in accordance with the zoning standards in effect on September 30, 2019. All additional extensions and reconstructions shall comply with the terms of this subsection and Section 28 of this Article.

- (4) *Planned developments.* The regulations set forth in this subsection shall not prevent a property owner from seeking planned development zoning when such zoning is necessary or desirable to promote the purposes of the CCO district.
- (5) *Use regulations.* Land uses in the CCO district shall be consistent with those of the underlying zoning district, with the following exceptions:
  - (a) For properties having underlying zoning that permits two-family dwellings, duplex residential units shall not be required to have a shared wall.
  - (b) For properties having underlying zoning that permits accessory apartments, a Special Use Permit shall not be required, provided that the following standards are satisfied:
    - [1] only one accessory apartment shall be allowed upon a lot zoned for single family purposes;
    - [2] the accessory apartment shall be designed so that to the degree reasonably feasible, the appearance of the building remains that of a one-family residence. In general, any new entrances in an existing structure shall be located on the side or in the rear of the building;
    - [3] if attached to or located within the principal structure, the accessory apartment shall be designed and constructed to allow it to be part of the principal structure at such time as the use of the accessory apartment discontinues;
    - [4] the design and size of the accessory apartment shall conform to all applicable standards in the health, building, and other codes; and
    - [5] the accessory apartment shall not exceed seven hundred (700) square feet of floor area.
  - (c) The following uses listed on Chart 1 USES PERMITTED of this article and which may be otherwise permitted by right or by special use permit in the underlying zones shall not be permitted as principal uses in the CCO

district:

OTHER HOUSING

Fraternity/Sorority

Motel

INSTITUTIONS

Airport/Heliport

Pet Cemetery

COMMERCIAL

Amusements, Commercial Outdoor Motorized

Carnivals

Drive-in Theater

Fireworks Retailer

Fireworks Seasonal Retailer

Greenhouse or Nursery

Kennels

Liquor Store

Lumber, Building Material

Motor Vehicle Sales

Pawn Shop

Pet Crematory

Pet Funeral Home

Radio and Television Transmission Towers

Shopping Center, Regional

Restaurant, Drive-in

Salvage and Surplus Merchandise

Sheet Metal Shop

Taxidermy Studio

Wireless Telecommunications Tower

Wholesaling

Wrecker Service, Wrecker Storage Yard

INDUSTRIAL

Animal or Poultry Slaughter, Stockyards, Rendering

Automobile Dismantlers and Recyclers

Contractor's Yard or Storage, Outdoor

Mobile Home Construction

Paper Mills

Petroleum and Coal Products Refining



Primary Metals Distribution and Storage  
 Saw Mills  
 Secondary Material Dealers  
 Warehousing, Transporting/Distributing

TRANSPORTATION AND PUBLIC UTILITIES

Garbage or Refuse Collection Service  
 Freight Terminal, Service Facility  
 Refuse Processing, Treatment, and Storage  
 Landfill  
 Railroad Switching Yard, Terminal, Piggyback Yard

OTHER

Self-Service Storage Facility

- (d) *Extension or reconstruction of structures devoted to lawfully-established non-conforming uses.* Notwithstanding the requirements of Section 28 of this Article, a structure devoted to a lawfully-established pre-existing use that is not permitted in the CCO or in the base zoning district may be extended or reconstructed one (1) time and the use allowed to resume upon extension or reconstruction, provided that such extension or reconstruction is only within the boundaries of the existing tract or lot of record. All other terms of Section 28 of this Article regarding non-conforming uses will apply to the CCO District.
- (C) *Off-street parking.* Off-street, on-site parking requirements shall not apply to properties with underlying CBD (Central Business District) zoning. In all other areas in the CCO district, parking shall be provided in accordance with the requirements of Section 26 of this Article, provided that the following standards for the number of required parking spaces shall apply:
- (1) *Parking for single-family residential structures.* Within the CCO district, one (1) off-street on-site parking space shall be required for each single-family detached or attached dwelling unit with one bedroom, and two (2) off-street on-site parking spaces shall be required for each single-family detached or attached dwelling unit with two or more bedrooms.

- (2) *Parking for multi-family residential structures.* Within the CCO district, one (1) off-street on-site parking space shall be required for each bedroom provided in each multi-family dwelling unit.
  - (3) *Parking for commercial uses.* Within the CCO district, parking for commercial uses shall be provided in accordance with the requirements of Section 26 and Chart 4 of this Article. The number of required on-site off-street parking spaces may be reduced by twenty-five (25) percent if on-street off-site parking is available along the street fronting the property. The number of required parking spaces may be reduced by up to fifty (50) percent if the property is located within five hundred (500) feet of a publicly-owned parking lot where parking is freely available to the users.
  - (4) *Bicycle parking.* Designated bicycle parking shall be provided at a ratio of one (1) space for every five hundred (500) square feet of floor area for non-residential developments. Bicycle parking structures and facilities shall be readily accessible and well-maintained.
- (D) *Design standards.* Development in the CCO district shall be subject to the standards set forth in Charts 1 and 2 of this Article and the Murfreesboro Design Guidelines, with the following exceptions:
- (1) *Setbacks for principal buildings.* Minimum side and rear setbacks shall be consistent with those of the underlying zoning district. Front setbacks shall be determined as follows:
    - (a) For non-residential developments, structures shall be built to the rear edge of the public sidewalk or the property line, whichever is closer to the street. If no sidewalk exists, the structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than twenty (20) feet behind the front property line. No structure shall be built in the public right-of-way.
    - (b) For residential developments, the structure shall be built to the average front setback of all structures on the same block face, provided that no

structure shall be built more than thirty (30) feet behind the front property line. No structure shall be built in the public right-of-way.

- (2) *Building height for principal buildings.* A principal building in the CCO district shall have a height no greater than fifty (50) percent over that of the highest adjacent building. However, a principal building shall be permitted to have a height of two (2) stories, regardless of the heights of adjacent buildings.
- (3) *Lot coverage.* Maximum lot coverage shall be based on land use as follows:
  - (a) For non-residential developments and residential developments other than single-family detached and single-family attached, maximum lot coverage shall be one hundred (100) percent.
  - (b) For single-family detached and single-family attached residential developments, maximum lot coverage shall be fifty (50) percent.
- (4) *Parking.* For non-residential developments, on-site parking shall not be located at the front of any building. On-site parking shall be permitted at the rear or side of a building, in an underground garage, or within a parking garage.
  - (a) *Parking garages.* A parking garage with frontage on any public right-of-way shall include ground-level commercial or office uses accessible from the public sidewalk. Parking garages shall follow the design standards set forth in the Murfreesboro Design Guidelines.
  - (b) *Access to private parking lots.* A private parking lot located to the rear of a building shall be accessed via an alley or rear driveway where practical.
- (5) *Building architecture and design.*
  - (a) Single-family detached and attached dwelling units shall be constructed of exterior materials that are consistent with a traditional urban residential area. Such materials may include brick, stone, or cementitious siding. Other traditional, authentic materials such as stucco and board-and-batten may be approved by the Planning Commission.

- (b) Non-residential buildings and multi-family residential buildings consisting of three or more dwelling units shall be subject to the architectural standards set forth in the Murfreesboro Design Guidelines.
- (6) *Building entrances.* Building entrances shall be oriented to the primary street frontage. For corner lots, entrances shall be either oriented to the street with the higher functional classification or angled and oriented to the street intersection.
- (7) *Service areas.* Service areas, solid waste enclosures, and utility boxes shall be located at the rear of the principal structure and shall not be visible from the public right-of-way.
- (8) *Accessory structures.* Accessory structures shall be designed as follows:
  - (a) *Location.* Accessory structures shall be located to the rear or side of the principal structure in accordance with Section 25 of this Article.
  - (b) *Height.* In no case shall an accessory structure have a height greater than that of the principal structure.
  - (c) *Building architecture and design.* An accessory structure shall be constructed in a style and of material(s) consistent with that (those) of the principal structure.
- (E) *Streetscape Standards.* To promote harmonious development and walkability throughout the CCO district, the following streetscape standards shall apply:
  - (1) *Sidewalks and street trees.* The developer shall be responsible for installing sidewalks and street trees in accordance with all adopted City standards and plans. The Development Services Division in consultation with the Public Works Division shall have the authority to collect a payment in lieu of installation in cases where the City deems immediate installation impractical or undesirable.
  - (2) *Sidewalk location.* In cases where a public sidewalk or any portion thereof is located on private property, a sidewalk easement permanently dedicated to the City of Murfreesboro shall be recorded.

- (3) *Public utility easements.* If a public utility easement prevents the planting of trees due to conflicts with utility lines, drainage ways, or other necessary infrastructure components, the applicant shall provide an alternative planting arrangement that satisfies the minimum planting requirements set forth in this section. The Development Services Division in consultation with the Public Works Division shall have the authority to collect a payment in lieu of installation in cases where the City deems immediate installation impractical or undesirable.
- (F) *Landscaping, screening, and buffering requirements.* Properties with underlying CBD (Central Business District) zoning shall be exempt from the landscaping, screening, and buffering requirements set forth in this subsection. For all other properties in the CCO district, landscaping shall be required as provided in Section 27 of this Article; provided, however, within the CCO district subsections Section 27 (C)(3), (J), (K), and (L) shall not apply and instead the following subsection shall apply:
- (1) *Changes to existing buildings, structures and developments.* The requirements of this section shall be applicable to existing buildings, structures, and developments under the following circumstances:
- (a) if an existing building, structure or development is expanded by seventy-five (75) percent or more, then the entire building, structure or development shall comply with the requirements of this subsection;
  - (b) if the estimated cost of a renovation of an existing building, structure, or development equals seventy-five (75) percent or more of the total appraised value of the existing building, structure, or development (including land), then the entire building, structure or development including parking area shall comply with the requirements of this subsection;
  - (c) if there is a change in use of an existing building, structure or development, then the entire building, structure, or development including parking area shall be required to comply with the requirements of this subsection;



- (d) if there is a change in use of an existing building, structure or development from a residential use to a nonresidential use then the entire building, structure, or development including parking area shall be required to comply with the requirements of this subsection; or,
  - (e) if the number of parking spaces for an existing building, structure or development is expanded by fifty percent (50%) or more, or the area of the parking lot is expanded by fifty percent (50%) or more, then the area of expansion shall comply with the requirements of this subsection.
- (2) *Alternative landscaping arrangements.* For projects being reviewed administratively, the Planning Director shall have the authority to permit an alternative landscaping arrangement where such an arrangement provides at least the minimum number of plantings specified in this section and satisfies the intent of this article. For projects requiring Planning Commission review and approval, the Planning Commission shall have the authority to permit such an alternative landscaping arrangement.
- (3) *Required perimeter landscaping.* Perimeter landscaping yards shall be required around all properties in the CCO district except properties with underlying CBD zoning and other properties with buildings constructed to the edge of the sidewalk or property line(s). In cases where a building has been constructed to less than all of the property lines, perimeter landscaping yards shall be installed along the remaining boundaries of the site where practical. A perimeter landscaping yard shall have a minimum width of:
  - (a) five (5) feet on a front planting yard and three (3) feet on other planting yards where the site is two (2) acres or less; or
  - (b) eight (8) feet on a front planting yard and five (5) feet on other planting yards where the site is greater than two (2) acres.
- (4) *Shared planting yards.* Along a side or rear property line, the requirement for perimeter landscaping may be satisfied by the creation and maintenance of a single planting yard with the adjacent property owner. The number of trees shall

be the same as required as if it was only one perimeter landscaping for the common planting yard. Both property owners shall present and execute an enforceable written agreement for the perpetual maintenance of the planting yard and record it in the Rutherford County Register of Deeds office at no expense to the City. The agreement shall be binding on any successor owner of either property.

- (5) *Specifications for planting yards.* Unless otherwise specified in this subsection, the following specifications shall apply to planting yards in the CCO district:
- (a) Planting yards shall contain one shade tree every fifty (50) linear feet, excluding any vehicular access way. Ornamental trees may be substituted for up to sixty percent (60%) of otherwise required shade trees. Ornamental trees shall be planted not more than thirty (30) linear feet from another tree. Only ornamental trees may be planted under overhead utility lines. These trees shall be generally equally distributed along the property lines, but they are not required to be at absolute equal intervals. This will allow for some flexibility in design while discouraging long intervals without trees.
  - (b) Lots within the CCO district having one hundred and fifty (150) linear feet or less of lot frontage may also meet the requirement for perimeter landscaping in front planting yards as specified below. Shrubs required to be planted within a front planting yard under this provision may be planted anywhere within the front planting yard and may be mass planted to achieve a more naturalistic appearance. Ground cover is not considered a shrub. Shrubs shall be of at least two different types (small, medium, or large being the types) and at least fifty percent (50%) of the shrubs shall be evergreen. The shrubs shall have a minimum height of eighteen (18) inches from ground level at the time of planting.

- [1] With a five (5) foot front planting yard, no trees are required, but one shrub is required for every twelve and one-half (12.5) square feet of planting yard.
  - [2] With an eight (8) foot front planting yard, one (1) shade tree or (2) two ornamental trees are required, and one shrub is required for every ten (10) square feet of planting yard.
- (6) *Diversity of species.* No one tree species shall comprise more than sixty (60) percent of the total number of trees. This provision is still met if an uneven number of trees is required and there is one tree more than sixty (60) percent of a given species.
- (7) *Distance between planting yard and right-of-way.* All trees in a planting yard shall be planted no closer than two and one half (2.5) feet from any public right-of-way unless such planting yard is less than five (5) feet wide, in which event care shall be taken to avoid damage to trees from automobiles that may overhang the planting yard.
- (10) *Landscape requirements for new parking lots.*
- (a) Off-street parking areas with multiple access aisles shall be designed and constructed with landscape islands dividing at least every twelve (12) parking spaces in a row. Such islands shall have a minimum width of eight (8) feet and shall have a minimum depth equal to the depth of the adjacent parking stall(s). In addition to being designed with landscape islands dividing the rows, large parking areas with multiple rows of parking aisles shall be divided into sub-lots (sub-areas) containing no more than thirty-six spaces along either side of an aisle. Such sub-lots shall be divided by cross-access aisles allowing for cross circulation between aisles. The minimum width of such cross- access aisles shall be twenty-two (22) feet.
  - (b) All landscape islands shall be designed and constructed to include continuous curbing around their perimeter and shall be backfilled with

topsoil to a depth of thirty (30) inches and shall be free of rock, debris, inorganic compositions, and chemical residues detrimental to plant life.

All such landscape islands shall be planted with shade trees or, in appropriate circumstances, ornamental trees.

- (c) The stormwater drainage plan and landscaping plan shall be coordinated so the landscaping plan enhances stormwater drainage.

(11) *Base of building landscaping requirements.* The following base of building landscape requirements shall apply to all nonresidential buildings, single-family attached buildings, and multi-family residential buildings consisting of three or more dwelling units.

- (a) A three (3) foot minimum width landscape strip shall be provided along the front and sides adjacent to the base of buildings or separated from the building by a sidewalk. Such strip shall be planted with shrubs, trees, or other landscape materials. However, no such landscape strip shall be required within five (5) feet of a building entrance or in such a manner as to block access to a door or other significant building element or within an area used for outdoor seating for a restaurant use.
- (b) The base of building landscaping requirement shall not apply to maneuvering areas and loading areas that are not visible from a public right-of-way or to land zoned H-I (Heavy Industrial), G-I (General Industrial), or L-I (Light Industrial) when such land is developed with a use identified as Industrial in Chart 1 of this Article.
- (c) The base of building landscaping requirement shall not be required if it will cause the width of an access drive to the rear of a property to be reduced to less than twenty-two (22) feet.
- (d) Base of building plantings shall not be required for structures built to the edge of a sidewalk or a property line.

(12) *Screening requirements.* Service areas, mechanical equipment, trash containers, dumpsters, and similar unaesthetic site elements shall be screened with the use

of plant material, fences, or walls to reduce potential negative impacts.

Stormwater management areas including detention or retention areas shall be landscaped. Such areas may be planted in a manner conducive to stormwater management with appropriate vegetation upon approval by the City Engineer.

- (13) *Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios.* Chart 2 shall be revised to remove the categories of “CL District in CCO District” and “CH District in CCO District.”



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019**

**6.f. Zoning application [2019-438] for 2,348 lots (approximately 920 acres), as shown on accompanying map, to be rezoned City Core Overlay (CCO), City of Murfreesboro Planning Department applicant**

The purpose of this zoning map amendment is to expand the City Core Overlay (CCO) district to include a total of 2,348 parcels (approximately 920 acres) located in and around the downtown area. The existing CCO district is located roughly south of East Main Street, east of downtown, west of Middle Tennessee Boulevard, and north of Mercury Boulevard. The proposed CCO boundaries include the areas that are already located in the CCO as well as areas included in the North Highland Avenue and Historic Bottoms Planning Studies. These studies represent an interest on the parts of both the public and the City to emphasize the value of downtown and the areas surrounding it and to ensure that development and redevelopment is consistent with the community vision for the area. Expanding the CCO district boundaries will help to create appropriate parameters for future development and redevelopment in the area. The boundaries of the expanded CCO are roughly East Clark Boulevard on the north, Middle Tennessee Boulevard on the east, Mercury Boulevard on the south, and the CSX railroad tracks on the southwest.

The Zoning Ordinance amendment pertaining to the CCO was the previous item on the agenda. If both the Zoning Ordinance and zoning map amendments are approved, then all parcels within the CCO will be subject to the revised CCO zoning regulations. Unlike when these items were presented to the Planning Commission earlier in 2019, no CCO subdistricts are proposed. Underlying base zoning districts for these properties would not be affected by the map amendment.

**Action Needed:**

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



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019**

**PROJECT PLANNER MARGARET ANN GREEN**

- 5.d. Annexation plan of services and annexation petition [2019-508] for approximately 65 acres located along Northwest Broad Street, Springboard Landing Inc and Mary Hord Haymore Children LP applicants.**

The subject property is located along the eastern side of Northwest Broad Street, along Overall Creek and West Fork of the Stones River. The study area consists of two parcels and is approximately 65 acres. They are identified as follows:

***Owners: Springboard Landing & Mary Hord Haymore***

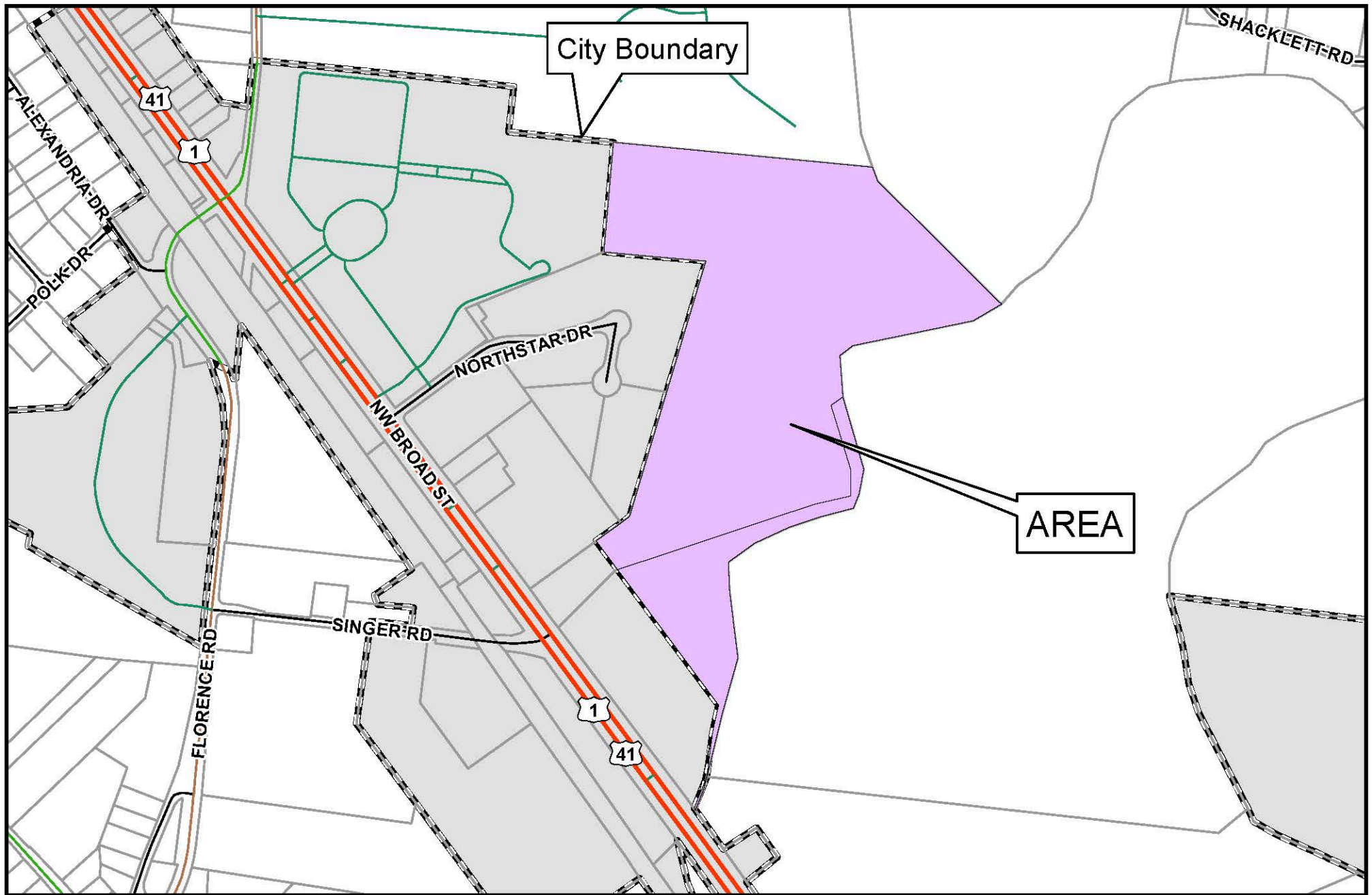
- Tax Map 057, Parcel 004.00 **approximately 56 acres**  
(an additional 2 acres is already located within City limits for a total property size of 58 acres)
- Tax Map 057, Parcel 027.01 **approximately 9 acres**  
(an additional 11 acres is already located within City limits for a total property size of 20 acres)

**TOTAL ACRES: approximately 65 acres**

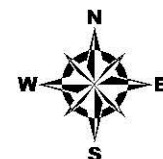
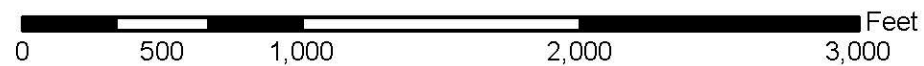
The parcels are mostly undeveloped, agricultural land. Written petitions requesting annexation have been filed with the City by the property owners and/or their legal representatives. DR Horton has filed a request to have the properties zoned PUD (Planned Unit District) simultaneous with annexation (file 2019-424). The zoning request will be the subject of the next item on the agenda.

The subject properties are located within the City's Urban Growth Boundary and a portion of the properties is already located within City limits. Staff has included an *Annexation Feasibility Study and Plan of Services* for adoption. It appears that the City will be able to extend City provided services either immediately upon the effective date of annexation or as development occurs. MED does not currently have the capacity to service this development at this time. MED will upgrade an existing overhead electric line along NW Broad Street which will have the capacity to serve this entire development.

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



Annexation Request for Property  
Along Northwest Broad Street



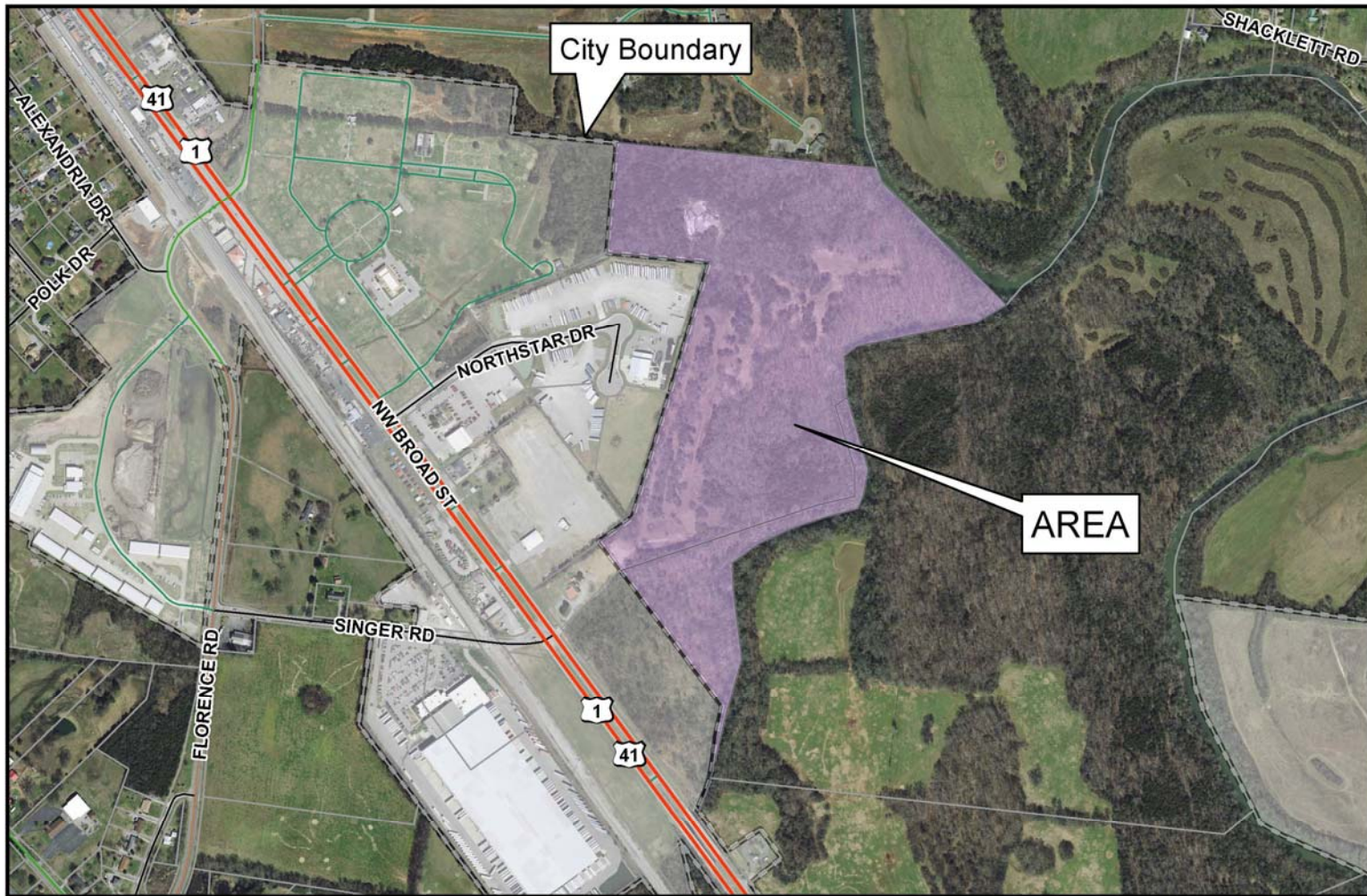
Planning Department  
City of Murfreesboro  
11 W Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

# **ANNEXATION REPORT FOR PROPERTY LOCATED ALONG NW BROAD STREET INCLUDING PLAN OF SERVICES**



PREPARED FOR THE  
MURFREESBORO PLANNING COMMISSION  
November 6, 2019





Annexation Request for Property  
Along Northwest Broad Street



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

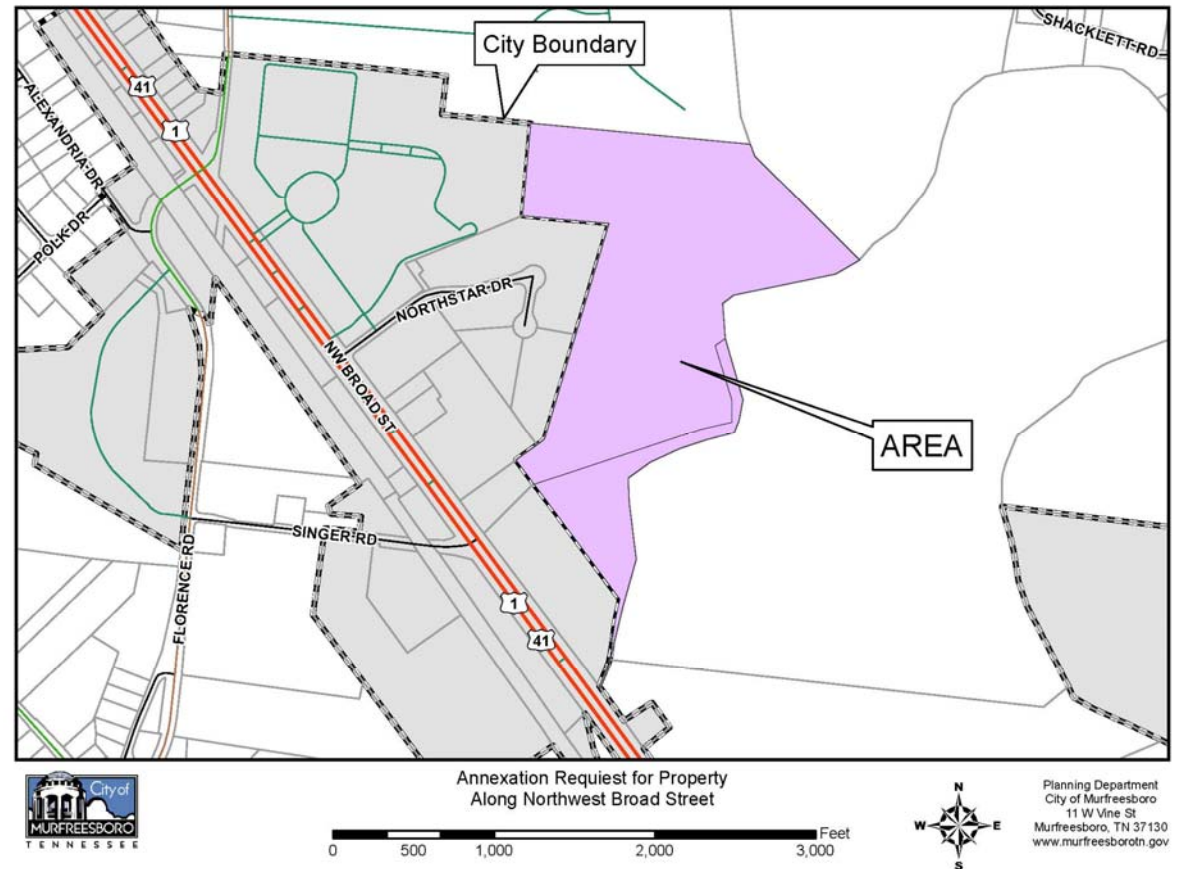
# **INTRODUCTION**

## **OVERVIEW**

The area studied in this Plan of Services includes two parcels (Tax Map 057 Parcel 004.00 and Parcel 027.01) situated along Northwest Broad Street, West Fork Stones River and Overall Creek. Portions of the parcels being studied for annexation are already located within Murfreesboro city limits.

Petitions for annexation have been filed with the Planning Department requesting the annexation of the above mentioned parcels. DR Horton has a contract to purchase these properties and has submitted a zoning application requesting to be zoned to PUD (Planned Unit District). The area being considered for annexation is undeveloped.

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

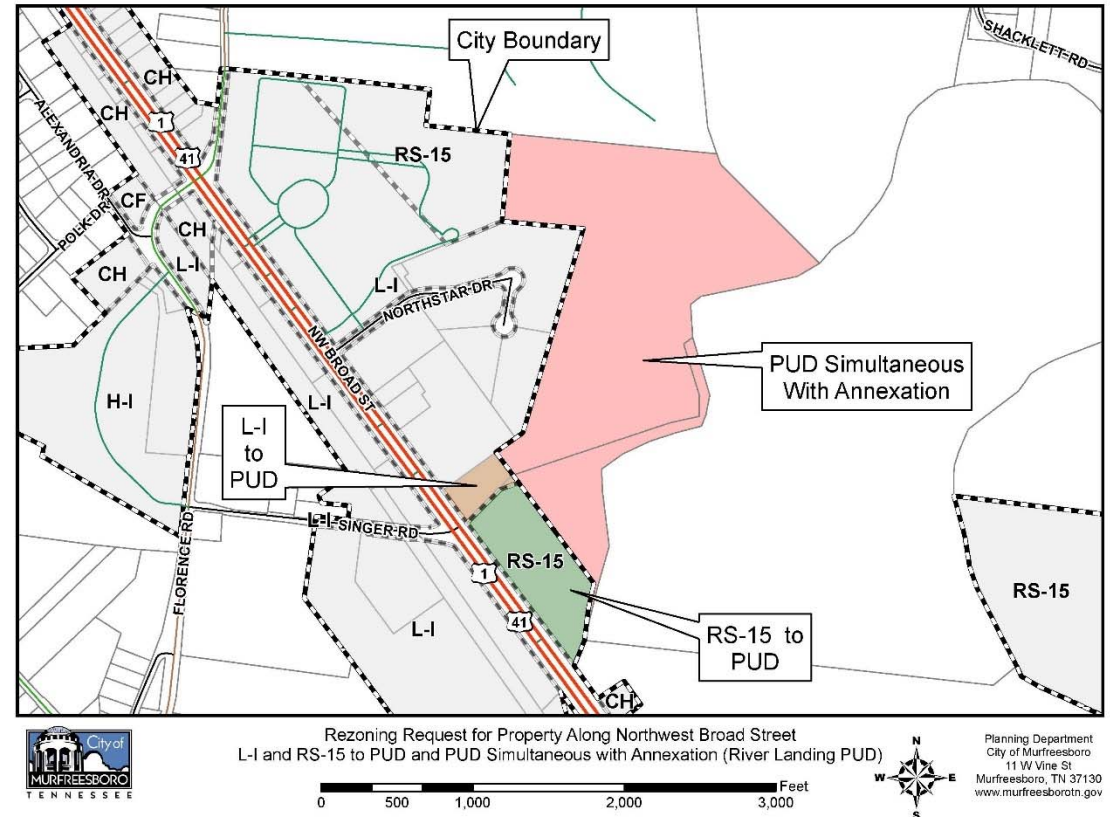




## CITY ZONING

DR Horton has a contract to purchase these properties and has submitted a zoning application requesting to be zoned to PUD (Planned Unit District) simultaneous with annexation. DR Horton has also requested the Light Industrial (L-I) and the Single-Family (RS-15) portion of property currently located within municipal limits to be rezoned to PUD. The proposed PUD is called River Landing and consists of a maximum of 278 townhomes, 101 single-family lots, and 5 commercial outparcels.

The study area is currently zoned RM (Residential – Medium Density) in Rutherford County.

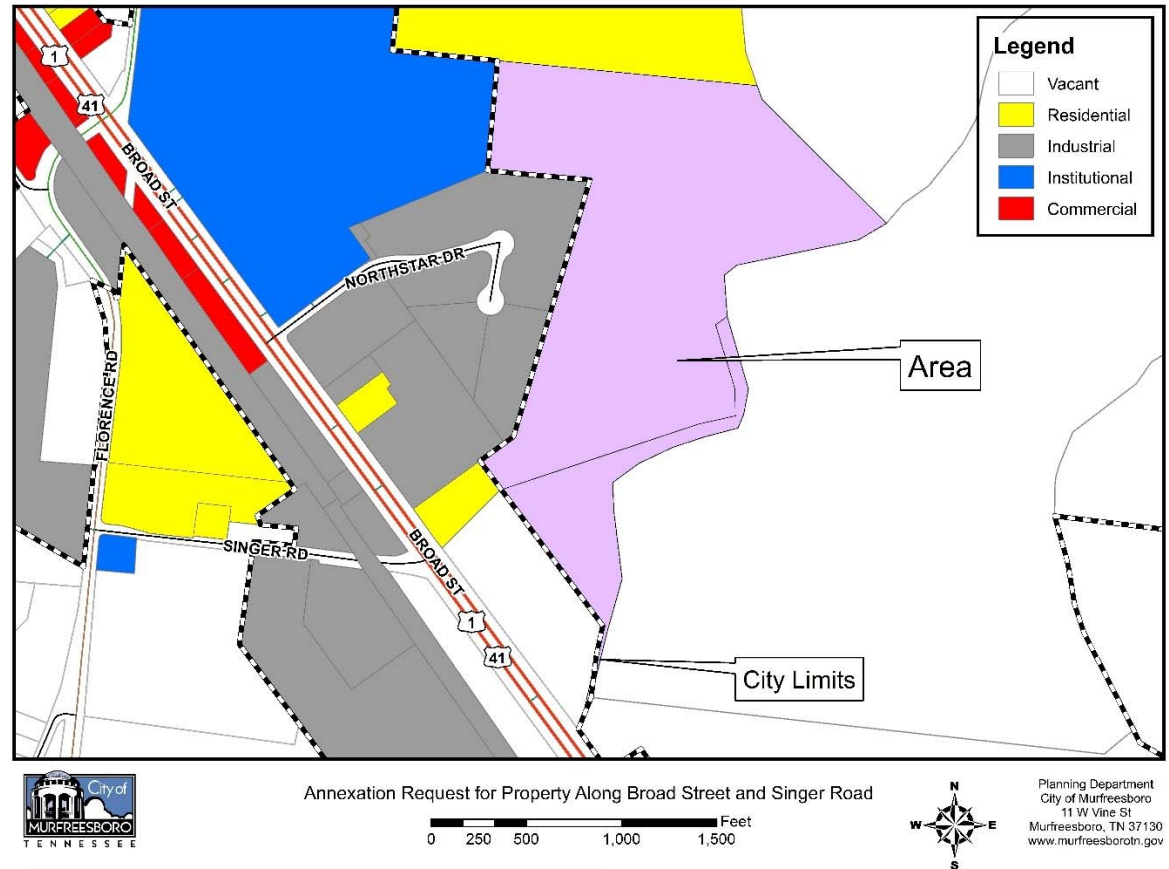


## **PRESENT AND SURROUNDING LAND USE**

The area being considered for annexation is undeveloped. It is bordered by a major arterial/state highway, Overall Creek and West Fork of the Stones River.

The surrounding area is predominately characterized by industrial and commercial uses. The properties located along the western boundary of the study area are active industrial uses. A portion of Roselawn Funeral Home and cemetery is adjacent to the property at the northwest corner and JourneyPure at the River, a drug rehabilitation service, is located along the northern boundary.

Access to the study area will be from NW Broad Street (TN-1 and US 41).



Path: X:\FILE\_ROOM\_FOLDERS\Annexations\2019\2019-508\_River\_Landing\Maps\Land-Use Map.mxd

## **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 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. (Note that the property currently receives a greenbelt rollback assessment. The table below assumes that the property will no longer qualify for the greenbelt rollback assessment upon sale and development.)

***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>
SPRINGBOARD LANDING INC (portion)		\$916,400	\$0	\$229,100	\$2,954
MARY HORD HAYMORE (portion)		\$7,800	\$0	\$1,950	\$25.14

These figures are for the property in its current state.



The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2019-2020 per capita state revenue initial estimates for the City of Murfreesboro once the development is built out. The study area is proposed to be developed with 379 dwelling units.

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

<b>General Fund</b>	<b>Per Capita Amount</b>
State Sales Tax	\$89.00
State Beer Tax	\$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	\$2.00
Gross Receipts (TVA in-lieu taxes)	\$11.80
<i>Total General Revenue Per Capita</i>	\$103.30
<b>State Street Aid Funds</b>	<b>Per Capita Amount</b>
Gasoline and Motor Fuel Taxes	\$38.50
<b><i>Total Per Capita (General and State Street Aid Funds)</i></b>	<b>\$141.80</b>
<b>Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit for proposed 379 units)</b>	<b>\$138,655</b>

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

# **PLAN OF SERVICES**

### **POLICE PROTECTION**

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected. This property is located in Police Zone #6.

### **ELECTRIC SERVICE**

The Murfreesboro Electric Department (MED) will serve the study area as it develops. MED does not have capacity to serve this development at this time due to an existing overhead electric line that needs to be upgraded along NW Broad Street from I-840 to Singer Road. After the line is upgraded, MED will have capacity to serve this development. Any electrical infrastructure installed to serve development in the study area will be required to adhere to MED standards.

### **STREET LIGHTING**

According to MED, street lighting will be installed on the property as public streets are constructed.

### **SOLID WASTE COLLECTION**

The City will provide weekly curbside solid waste collection service immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. In its current state, no additional equipment or manpower will be needed to serve the study area. Upon development, it is expected to take 3.5 hours to serve the subject area and will cost \$20,200 (\$53.30/ cart) for solid waste carts. The future residents can be expected to pay \$2,842.50 per month, \$34,110 annually, in solid waste fees (\$7.50/ month). The commercial outparcels will be required to arrange solid waste collection via a private hauler.

### **RECREATION**

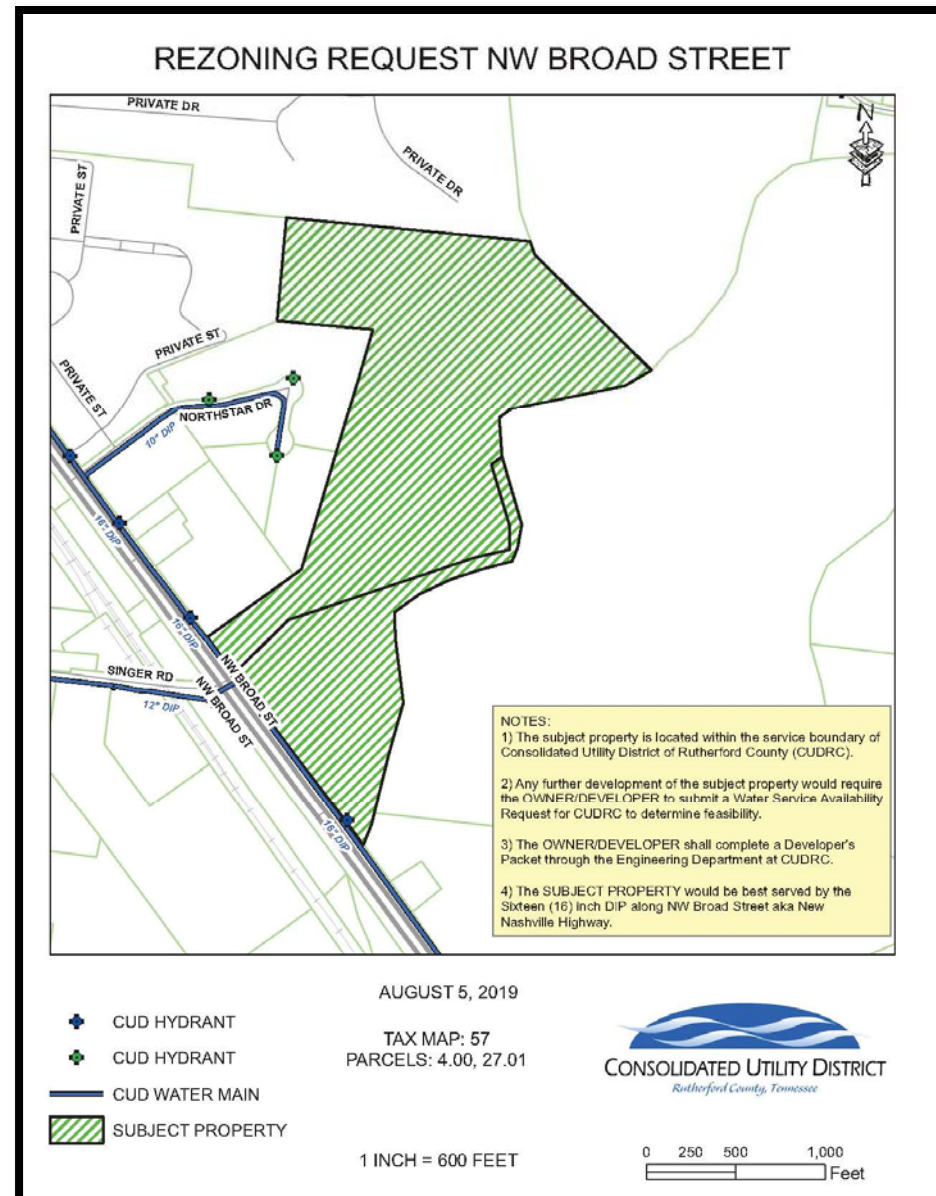
Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities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

### **CITY SCHOOLS**

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area will be within the Overall Creek school zone.

## WATER SERVICE

The study area is served by a 16-inch Consolidated Utility District (CUD) water line along NW Broad Street, also known as New Nashville Highway). This line is adequate for providing domestic water service and for maintaining the proper fire flows for the proposed development. A *Water Service Availability Request* must be submitted to CUD for review and approval before any additional development on the property may occur. Any new water line development must be done in accordance with CUD's development policies and procedures.

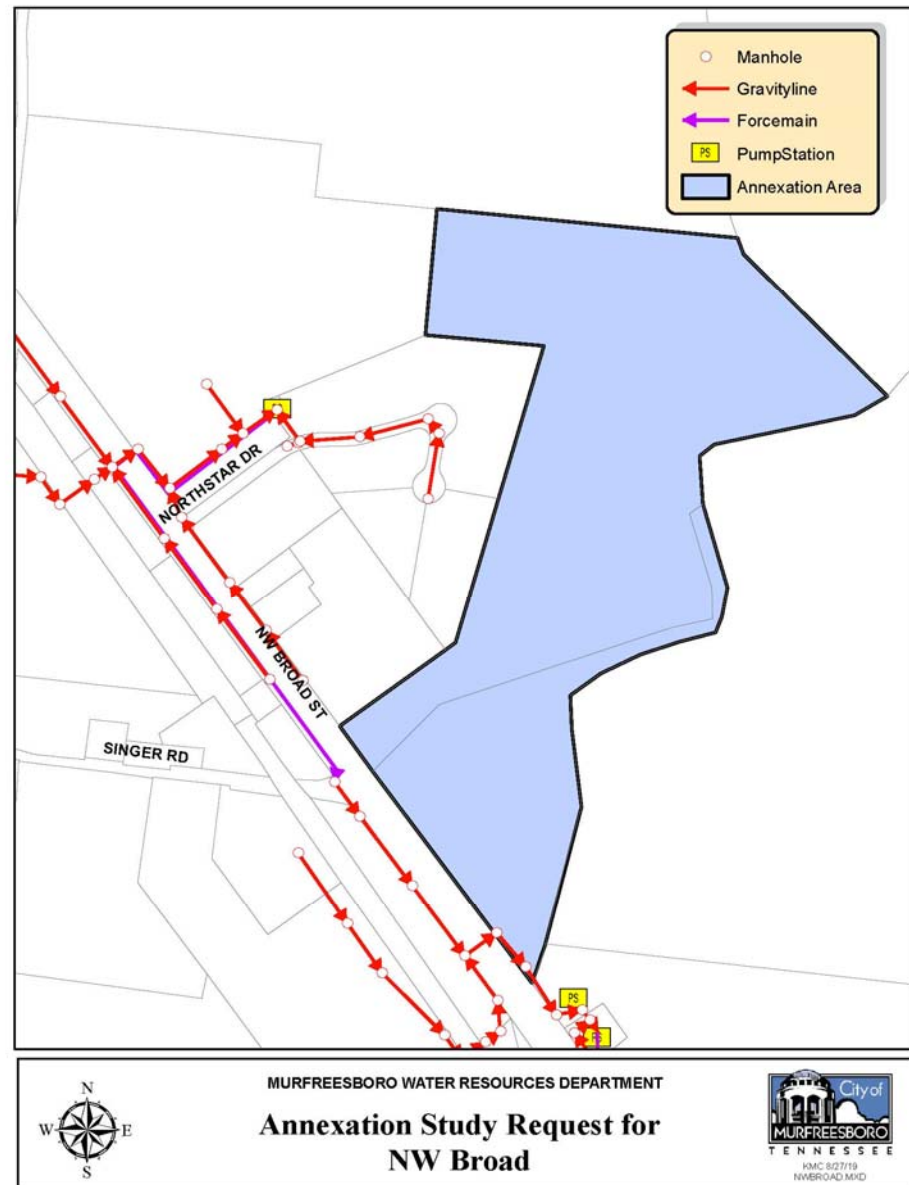


## **SANITARY SEWER SERVICE**

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWRD) definition of "available." The proposed development, as a whole, will have sewer available at the southeast corner of the development where there is an existing 48-inch sewer main.

The study area lies within the Overall Creek Sanitary Sewer Assessment District and the US 41/Florence Road Sanitary sewer Assessment Districts. All sewer main improvements and easements needed to serve the subject properties are to be installed and acquired respectively by the developer in accordance with MWSD's development policies and procedures. The red lines on the adjacent map represent existing sewer lines.

This development will be required to comply with the proposed Sewer Allocation Ordinance upon its final reading at City Council. At present, the Ordinance proposes to allow 5 single family units per acre for townhome developments, 3 single family detached units per acre for individual lots and 2 single family units per acre for commercial developments.

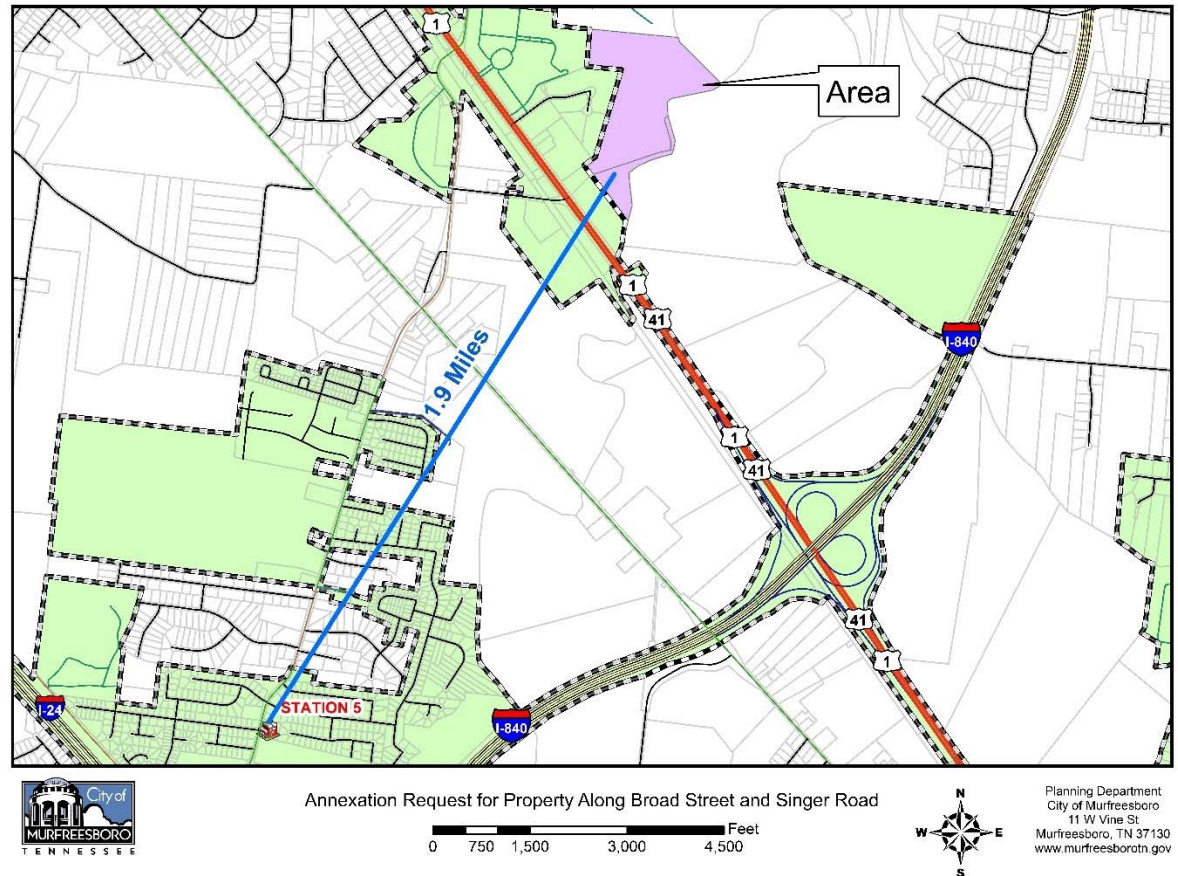


## **FIRE AND EMERGENCY SERVICE**

The Murfreesboro Fire and Rescue Department will begin providing fire protection and medical first responder service to the study area immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD).

Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District policies and procedures. Current guidelines recommend fire hydrants be 500 feet apart.

There is a 16-inch Consolidated Utility District water line along NW Broad Street that serves the subject property. The closest operating fire station to the subject property is Fire Station #5, located at 3006 Florence Road, approximately 2.2 miles from the study area. Fire Station #7, located at 2715 N. Thompson Lane, is approximately 5.1 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection.

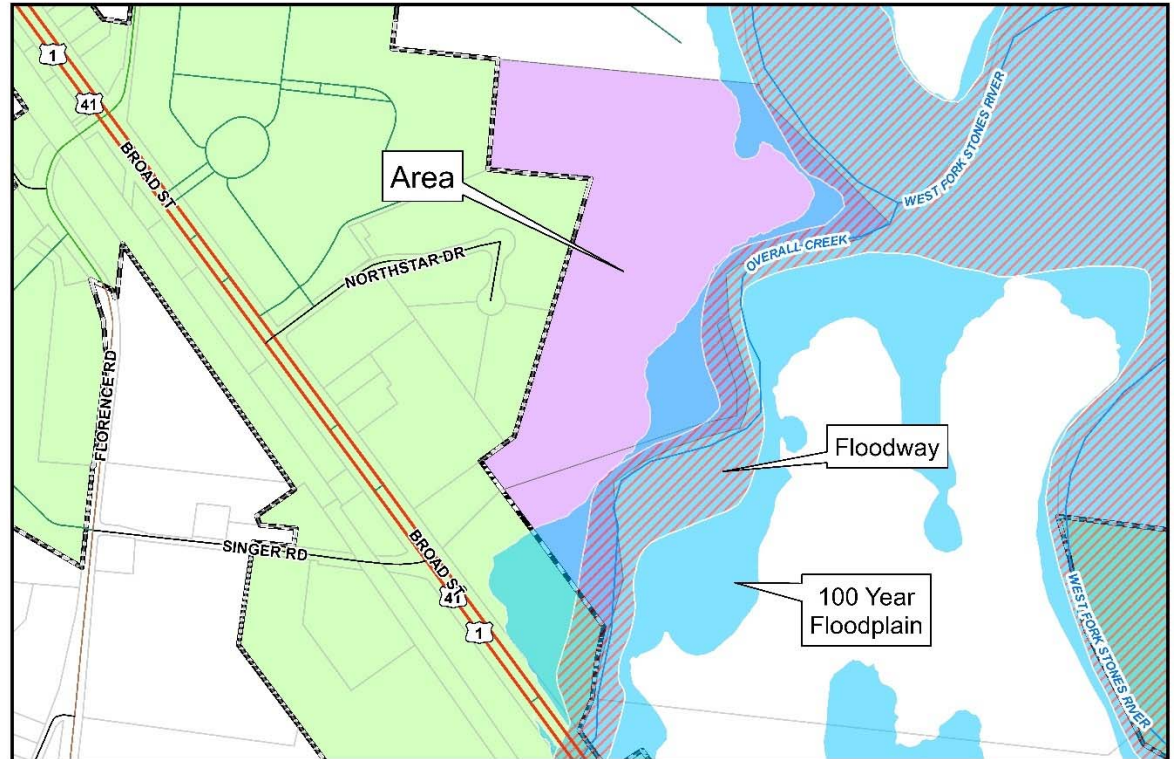




## **FLOODWAY**

The study area is located within the Overall Creek and the West Fork of the Stones River floodways and 100-year floodplains 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 hatch pattern and the 100-year floodplain boundary in blue.



Annexation Request for Property Along Broad Street and Singer Road

0 250 500 1,000 1,500 Feet



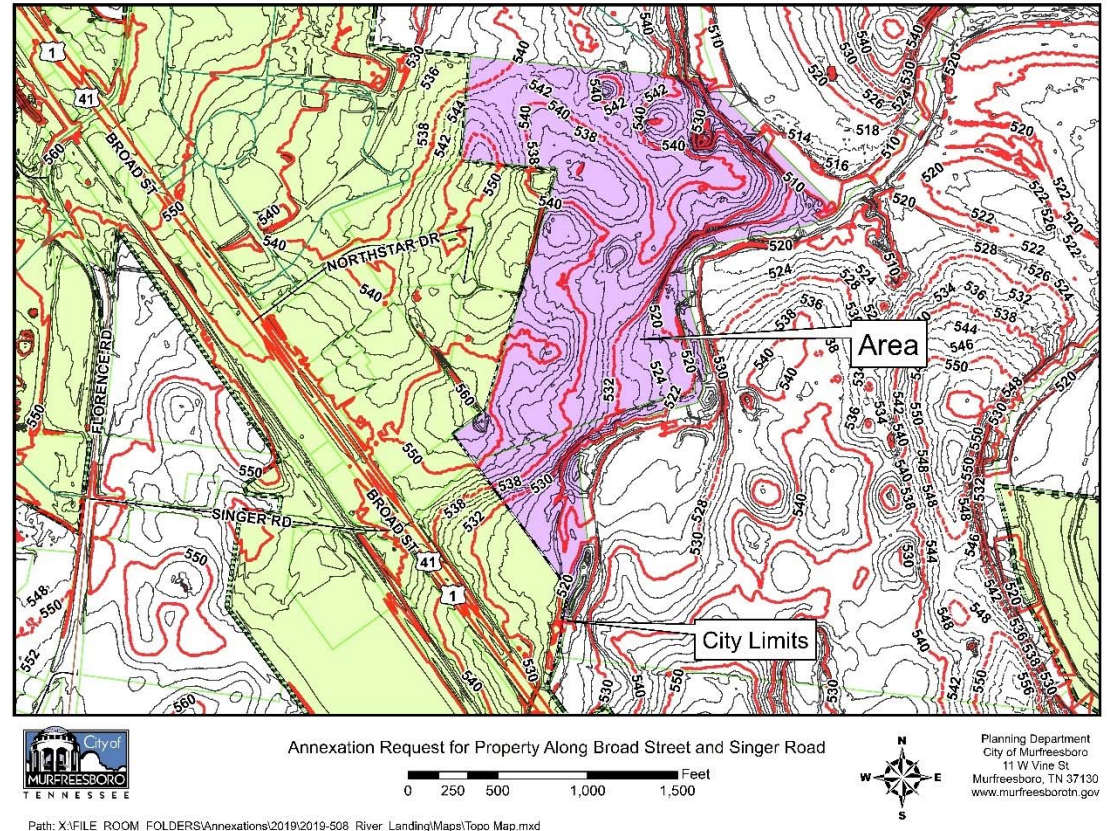
Planning Department  
City of Murfreesboro  
11 W Vine St  
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[www.murfreesborotn.gov](http://www.murfreesborotn.gov)

## **DRAINAGE**

A review of a topographic map shows that the property drains to Overall Creek and the West Fork of the Stones River.

Upon annexation, stormwater management services provided by the City will be available to the study area. Future development plans should address the existing drainage conditions and anticipate on-site stormwater management. It will be the developer's responsibility to investigate potential drainage plans and secure any off-site routes with consent and/or easements. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

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



## ***STORMWATER MANAGEMENT***

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

Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. The area being considered for annexation is undeveloped and will not generate any revenue for the Stormwater Utility Fee. The Study Area has a proposed zoning of Planned Unit Development (PUD). Based on this development scenario, it is anticipated that the site will generate approximately \$15,500 in additional revenue per year into the Stormwater Utility Fund upon full build out. New development on the property must meet City of Murfreesboro Stormwater Quality requirements.

### ***Public Drainage System***

No new public drainage facilities are included in the study area. Access to public drainage facilities are within the right-of-way of NW Broad Street. Modifications of the drainage discharge to the right-of-way if NW Broad Street must be approved by the City Engineer and TDOT. Any new public drainage facilities proposed to serve the study area in the future must meet City standards..

## **STREETS AND ACCESS**

The study area has direct access to NW Broad Street, which is a major arterial and state route. The annexation study area does not include any additional public roadway systems. Access to a public roadway system is available through NW Broad Street which is a State Route. Modifications to the current access to NW Broad Street will require the approval of the City Engineer and Tennessee Department of Transportation (TDoT).

The developer should provide a stub road to the east for a future bridge over Overall Creek. Any future public roadway facilities to serve the study area must be constructed to City standards.

The Study Area is currently served by NW Broad Street as the major roadway facility. NW Broad Street intersects with Florence Road to the north and Interstate 840 to the south. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates NW Broad Street to be operating at a Level of Service C in the Study Area based on average daily traffic (ADT). The 2040 Level of Service Model shows that NW Broad Street falls to undesirable level of service of F without the proposed improvements recommended in the 2040 MTP. Florence Road is the first major intersection to the north. Both Florence Road and NW Broad Street are operating at a Level of Service C at the intersection. Interstate 840 is the first major intersection to the south. NW Broad Street is operating at a Level of Service c at the intersection while Interstate 840 is at a Level of Service B. .

### **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.

### **ANNEXATION FOLLOW-UP**

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

### **BUILDING AND CODES**

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

### **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.



**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019**

**PROJECT PLANNER MARGARET ANN GREEN**

- 5.e. Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant.**

The subject properties are located along the east side of Northwest Broad Street, along Overall Creek and West Fork of the Stones River. The properties are partially located within City limits with the remainder being studied for annexation. Approximately 2 acres is zoned L-I (Light Industrial District) and approximately 11 acres is zoned RS-15 (Single-Family, Residential District). The remainder of the properties is zoned RM (Medium Density Residential District) in the unincorporated area of Rutherford County. The surrounding land-use is predominately characterized by industrial and commercial uses and zoned L-I (Light Industrial District). A portion of Roselawn Funeral Home and cemetery is adjacent to the property at the northwest corner and is zoned RS-15 and L-I. JourneyPure at the River, a drug rehabilitation treatment, is located area along the northern boundary.

**River Landing PUD:**

The River Landing PUD program book is included with the agenda materials. The PUD consists of a maximum of 278 townhomes, 101 small-lot, single-family homes and five commercial lots. The overall density is 5.3 dwelling units per acre.

***Solid waste***

The plan proposes to utilize City solid waste services as there isn't an "opt-out" policy for single-family. The carts are proposed to be stored on the sides or rear of the single-family and in the garages of the townhomes. Hot water heaters will not be located in the garages of the townhomes which will allow room for the carts.

***Phasing***

A phasing plan is provided on page 14 that outlines the phasing of lots and of the amenities. The Amenity Center lot is proposed to be constructed and operational prior to the Section 3 plat being recorded. Other amenity/open space areas will be completed prior to the next section's plat being recorded. Amenity/open spaces areas in the final section shall be constructed and completed prior to the recording of the final section's plat.

***The following changes were made to the plan in an effort to address concerns expressed by the Planning Commission:***

- increased the amount of commercial area along NW Broad Street (page 24)
- Changed the uses permitted in the commercial area from CH to CF and eliminated some of the objectionable uses such as taverns, vehicle wash, gas stations, general service and repair and quick cash/payday loan. (page 25)
- flipped the location of the townhomes nearest to NW Broad Street to the other side of the street (concept plan- page 13)
- added a playground formal and active space in the long, straight road to break up the “sea of monotony” (concept plan- page 13)
- Removed monument signage and mail kiosk as an amenity and defined clubhouse, pool, playgrounds, walking trails and a possible kayak/canoe launch. (page 19)
- Increased the buffer *width* between the townhomes and property lines of the incompatible industrial uses to 20-feet wide. This change did not increase the *amount* of plant material from the smallest amount Type A to a Type C and did not add an undulating berm as requested. (page 22 & 23)
- Included a stub-road at Overall Creek (concept plan- page 13)
- Revised the architectural elevations in an effort to reduce the “snout-house” effect with the addition of porches. Added some detail/fenestrations to the houses in an effort to improve the architectural character (page 16-18)

**Exceptions:**

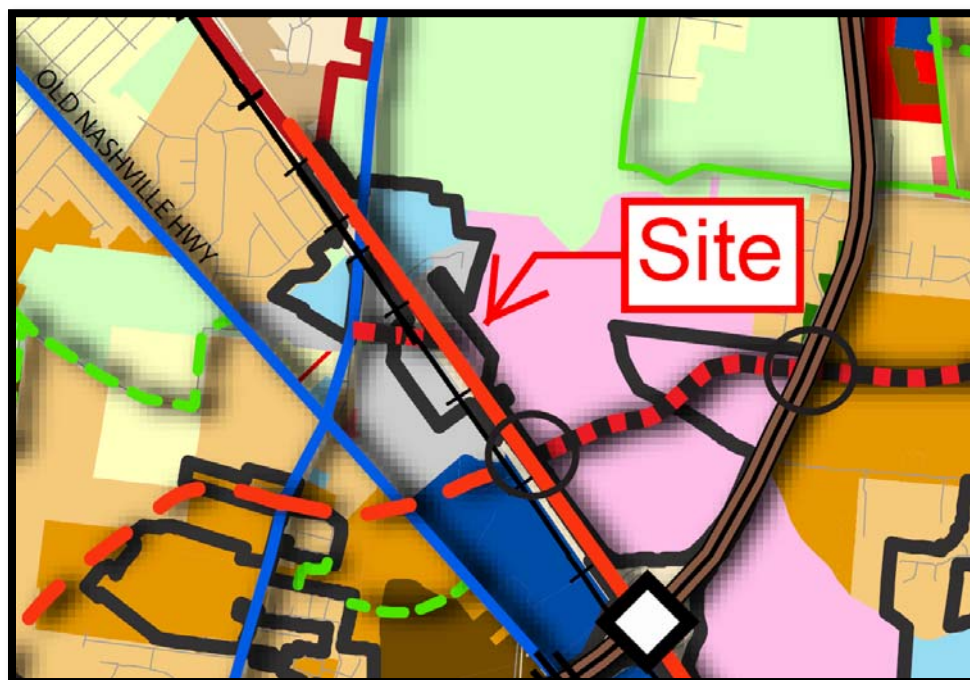
The PUD requests the following exceptions to the development regulations:

1. To allow 2 garage spaces in the single-family, detached to count toward the required minimum parking standard of 4 spaces in the driveway (total 202 garage spaces)
2. To allow 1 garage space in the townhome to count toward the required minimum parking standard of 1.1 per bedroom (total 278 garage spaces)
3. To reduce the front setback requirements-
  - 25-foot front setback - difference of 10-feet (garages may encroach 6-feet)
  - 15-foot secondary front setback- difference of 20-feet

## Future Land Use Map:

The Murfreesboro 2035 Future Land Use Map indicates mixed-use as most appropriate future land use for the subject property. The proposed zone district is listed as an anticipated zone district within the *Urban Commercial/ Mixed-Use* (UC) character district. Low-density residential uses, and industrial uses should not be permitted within the UC land use classification. The recommended allowable uses are intensive, urban character with a multiplicity of uses, including multi-family residential, entertainment, restaurants, department stores and other retail, general and professional offices, hotels.

The *Mixed-Use Corridor* is to allow a broad range of commercial, office and high-density residential uses and public spaces serving surrounding neighborhoods, commercial/professional business parks and visitors from nearby communities.



MAP 4.2

## Future Land Use Map

### LAND USES

#### Proposed Land Uses

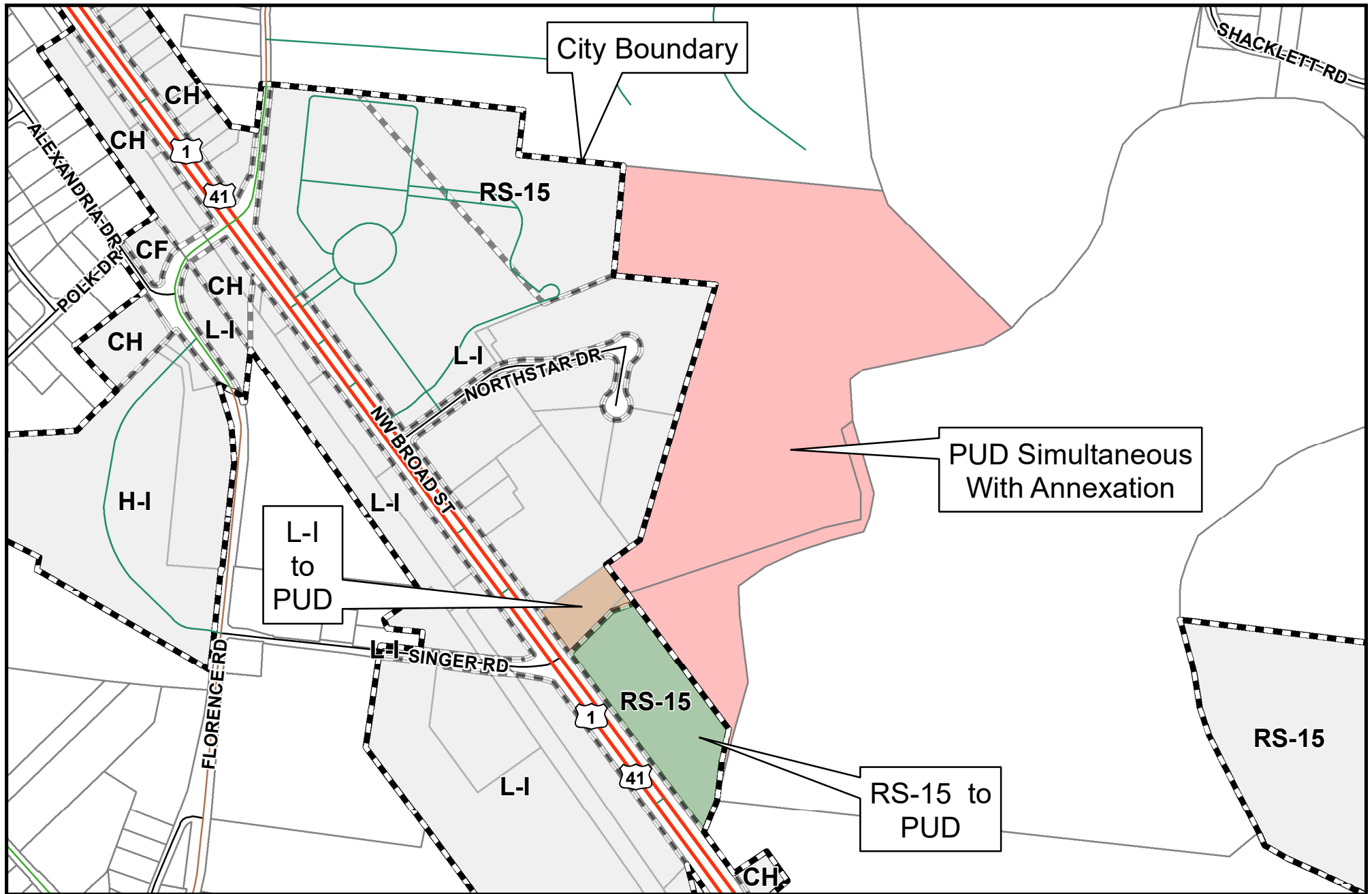
- Undeveloped
- Parks
- Suburban Estate
- Suburban Residential
- Auto Urban Residential
- Multi Family Residential
- General Commercial
- Neighborhood Commercial
- Urban Commercial / Mixed Use
- Central Business District
- Business Park
- Light Industrial
- Heavy Industrial
- Public / Institutional

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

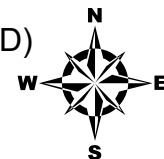
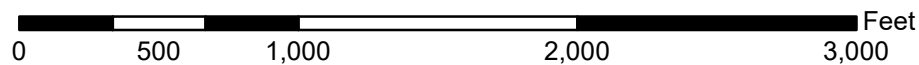
This Comprehensive Plan strongly recommends the preparation and adoption of design and architectural standards for developments in the UC category so that there is continuity in the overall character of the area.

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



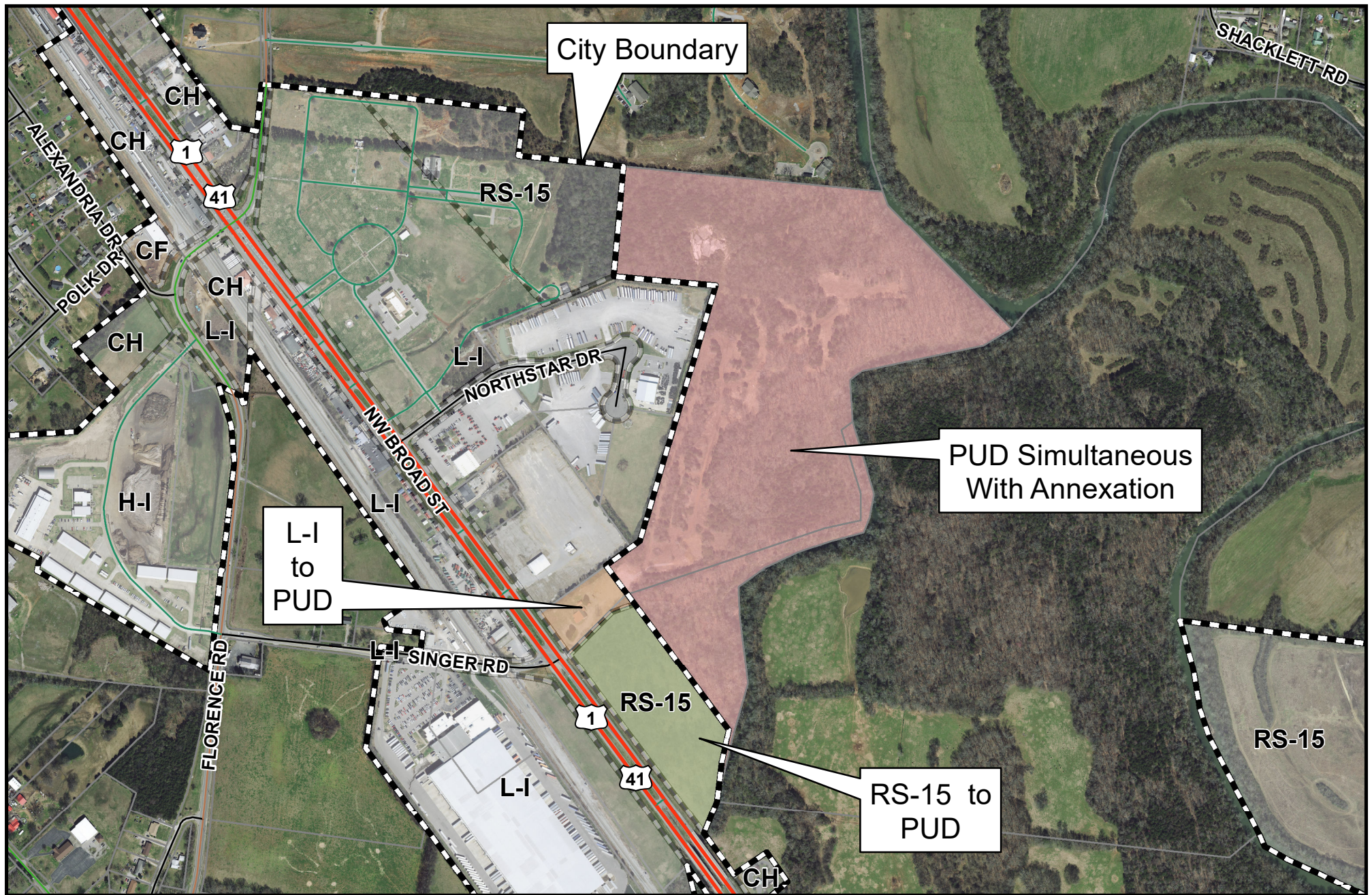


Rezoning Request for Property Along Northwest Broad Street  
L-I and RS-15 to PUD and PUD Simultaneous with Annexation (River Landing PUD)

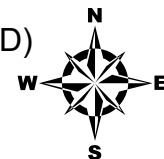
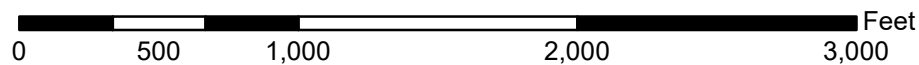


Planning Department  
City of Murfreesboro  
11 W Vine St  
Murfreesboro, TN 37130  
[www.murfreesborotn.gov](http://www.murfreesborotn.gov)





Rezoning Request for Property Along Northwest Broad Street  
L-I and RS-15 to PUD and PUD Simultaneous with Annexation (River Landing PUD)



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





## RIVER LANDING

REQUEST FOR ANNEXATION AND REZONING TO PLANNED UNIT DISTRICT (PUD)  
Murfreesboro, Tennessee

### Initial Submittal

July 1, 2019

### Re-submittal

October 10, 2019 for the October 16, 2019  
Planning Commission Meeting

### Re-submittal

October 29, 2019 for the November 6, 2019  
Planning Commission Public Hearing

# SEC, Inc.

SEC Project #18250

## D·R·HORTON®

*America's Builder*

**SEC, Inc.**

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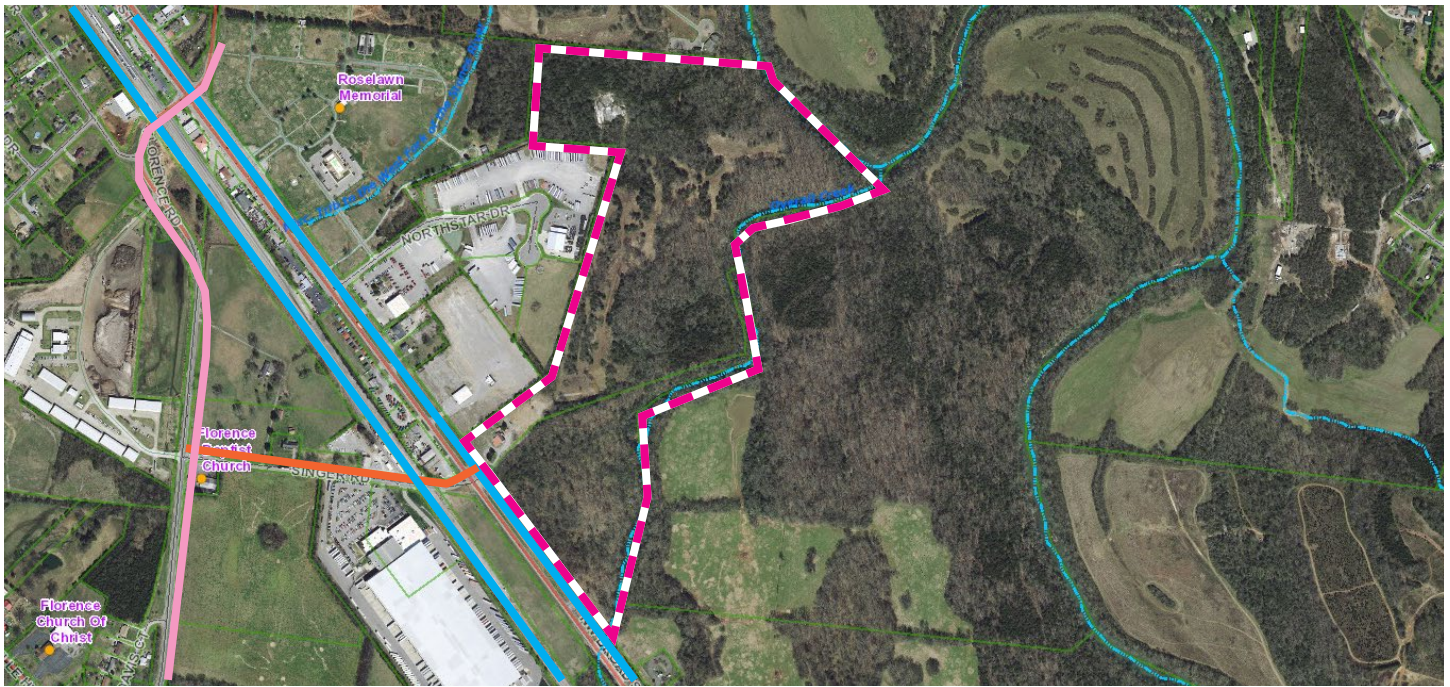
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*America's Builder*




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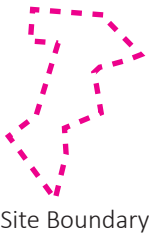
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AERIAL PHOTOGRAPH

Not To Scale 

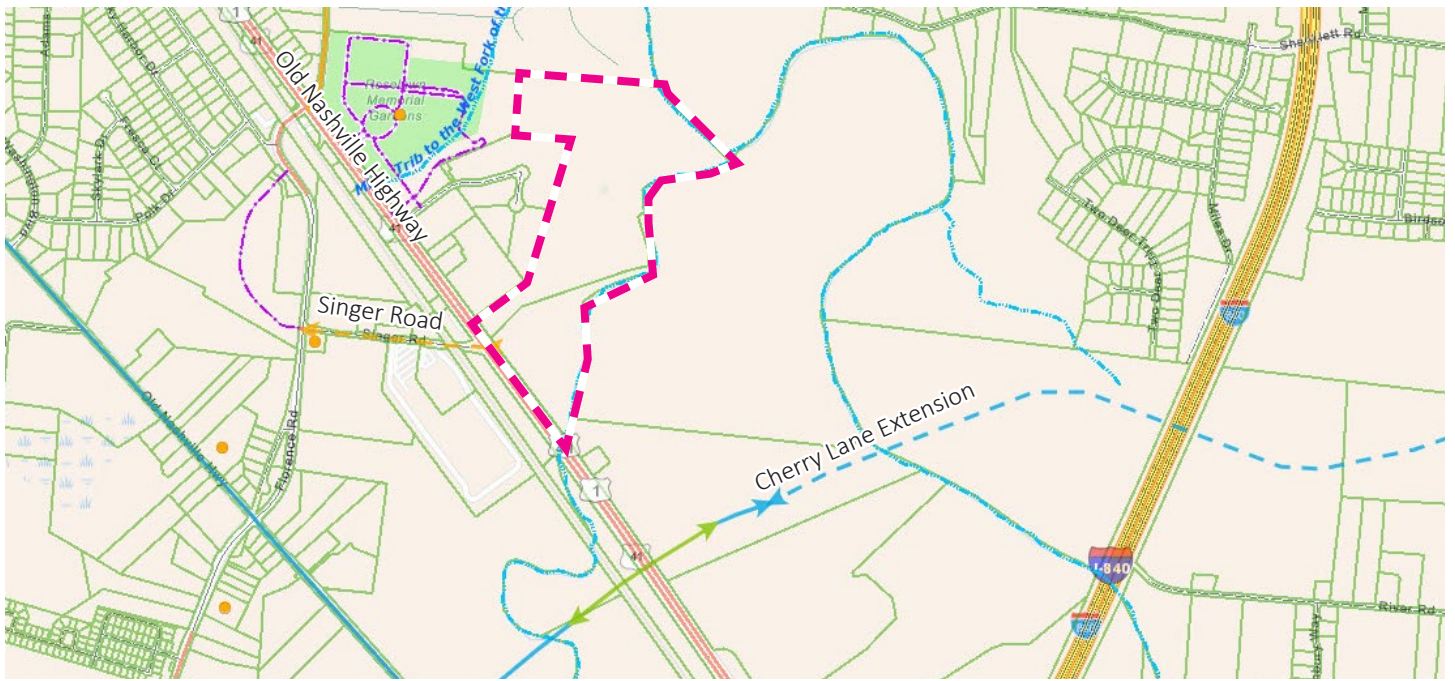
-  Northwest Broad Street (US 41)
-  Florence Road
-  Singer Road



Site Boundary

DR Horton, Inc. respectfully requests rezoning and annexation of the Mary H. Hord and Springboard Holdings, Inc. properties at 5200 Northwest Broad Street from Medium Density Residential (RM) in Rutherford County, along with Light Industrial (LI) and Residential Single-Family (RS-15) in the City of Murfreesboro, to a Planned Unit District (PUD) within the City of Murfreesboro to create the River Landing PUD. The property is located along the northeast side of Northwest Broad Street (Highway 41). Singer Road intersects Northwest Broad Street near the southwest corner of the site. The site is identified as Parcels 4.00 and 27.01 of Tax Map 57 and is approximately 78.58 acres.

The request for rezoning to a PUD is to create River Landing. The development will consist of 103 single family lots, 278 single-family attached townhomes, and ± 6.54 acres of commercial, for a density of 5.28 dwelling units per acre. Minimum lot sizes will be 5,000 square feet for single family detached homes, while single family attached townhomes will be sold fee simple. All homes will be for purchase. The proposed homes will be a minimum of 1,200 square feet for single family attached homes and 1,250 for single family detached homes. Single family detached homes will have a minimum of two bedrooms and a minimum two car garage. Single family attached townhomes will have two to three bedrooms and a minimum of a one car front entry garage. Garage doors will complement the architecture of the homes. The homes elevations will be constructed of masonry materials to add quality and character to the community. Each lot and home will have foundation landscaping at the base of the front elevation, along with sodded front yards. Standard street lights will add character and continuity to the neighborhood. Mail will be provided by central mail kiosks. The frontage along Northwest Broad Street (US 41) will consist of commercial lots, totaling approximately 6.54 AC. The Phase 1 and 2 entrances off of Northwest Broad Street will incorporate development entrance signage, and will be anchored with landscaping and lighting. The H.O.A. will maintain all residential common areas. Commercial lots will not be part of the residential H.O.A.



2040 MAJOR THOROUGHFARE PLAN (MTP)

Not To Scale 

-  Singer Road (3-Lane Committed)
-  Cherry Lane Extension (5-Lane Committed)
-  Cherry Lane Extension (5 - Lane Proposed)
-  Cherry Lane Extension (4-Lane Proposed)



Site Boundary

The property will have two access points to existing public rights-of-way along Northwest Broad Street (Highway 41), both will provide ingress and egress into the site. Northwest Broad Street is currently a 4-lane median divided roadway, and is not currently slated for improvements. The western entrance of the site will be at the intersection of Northwest Broad Street and Singer Road. Singer Road is committed to be improved from a two lanes to a three lane roadway. The property is located near the future intersection of Northwest Broad Street and the Cherry Lane Extension as proposed in the 2040 Major Thoroughfare Plan. The Cherry Lane Extension will provide vehicular access to Memorial Boulevard (Highway 31) to the north, and a future interchange with Interstate 24 to the southwest of the project.

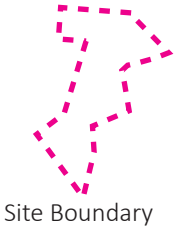




SUBDIVISION MAP

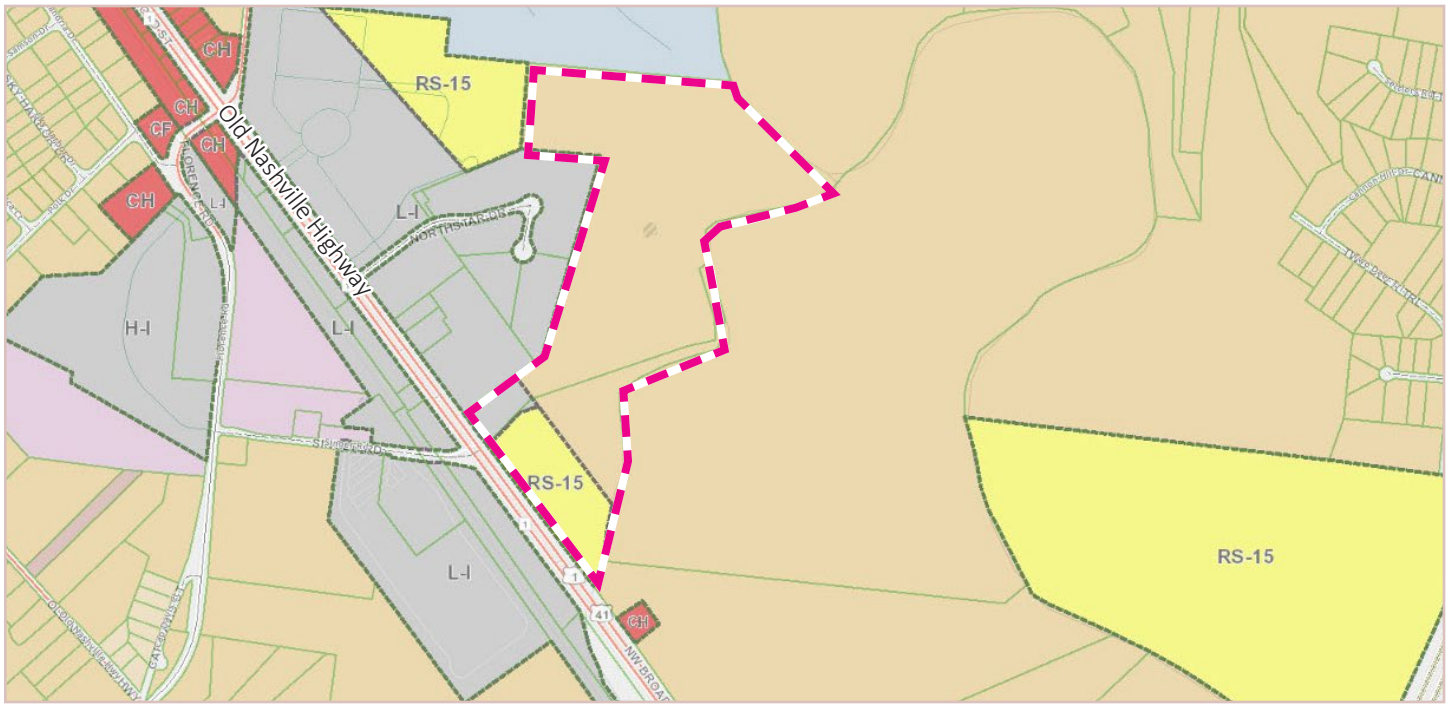
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- |  |   |  |
|--|---|--|
|  Miles Farm Estates |  Creekmont Estates           |  Journey by the River |
|  Florence Fields    |  Northstar Industrial Park   |  |
|  Williamsburg      |  Roselawn Memorial Cemetery |  |











River Landing is surrounded by a mixture of uses and agricultural properties. Directly to the west of the site is the Northstar Industrial Park. The upper 1/4 of the western boundary is adjacent to a Roselawn Memorial Cemetery. North of the site is Journey by the River, a mental health and rehabilitation facility. The Mary H. Hord property to the east across the Overall Creek is currently agricultural fields. There are a few properties across Northwest Broad Street that range from open or wooded lands, to industrial businesses.

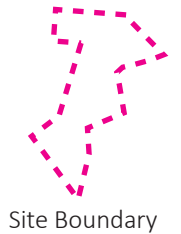




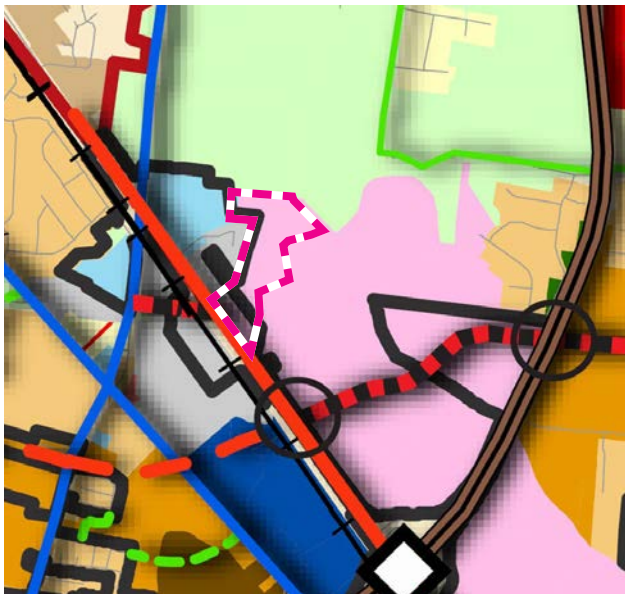
## ZONING MAP

Not To Scale 

	Medium Density Residential (RM) Rutherford County		Light Industry (LI) Murfreesboro
	Light Industry (LI) Rutherford County		Residential (RS-1 5) Murfreesboro
	Institutional (IN) Rutherford County		Commercial Highway (CH) Murfreesboro
	Commercial Services (CS) Rutherford County		Commercial Fringe (CF) Murfreesboro

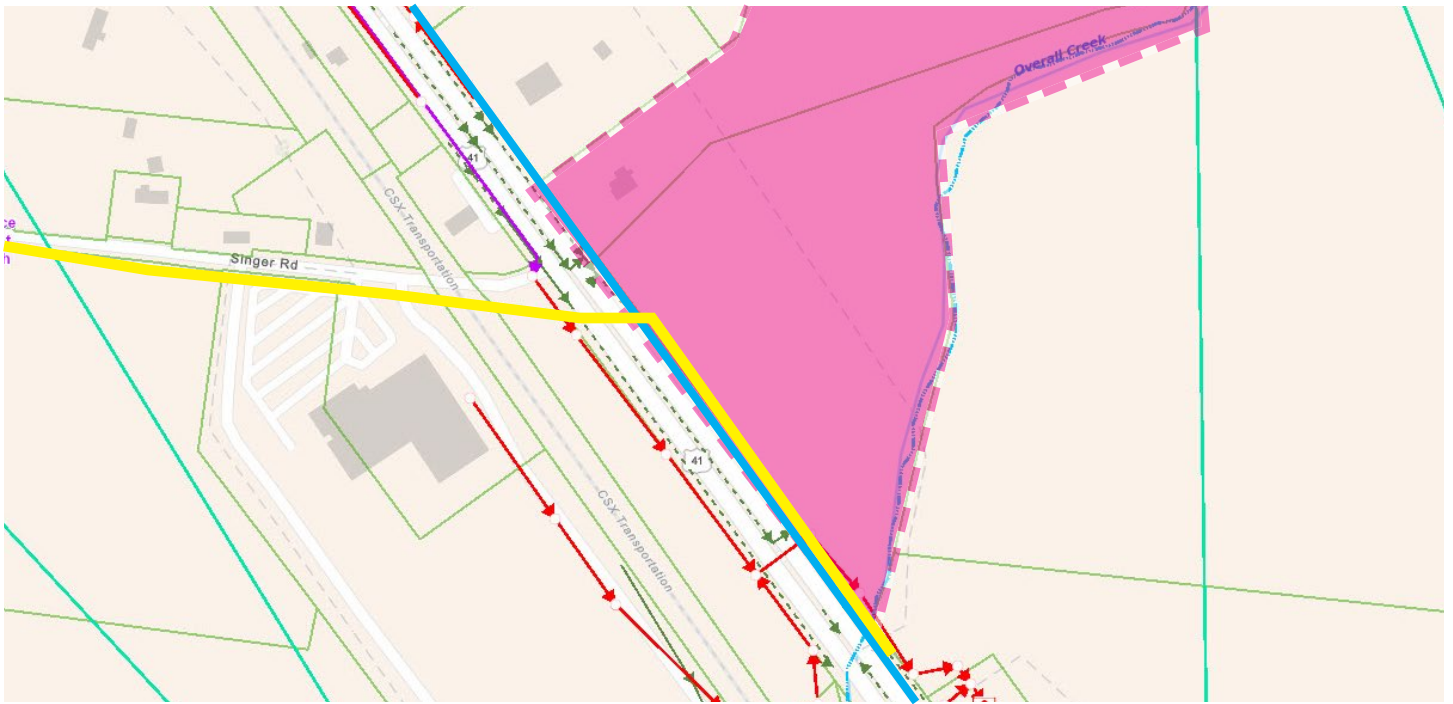


The property is currently zoned Light Industrial (LI) and Residential Single Family (RS-15) in the City of Murfreesboro, as well as Medium Density Residential (RM) in Rutherford County. The surrounding properties are currently zoned Light Industrial (LI) and Residential Single Family (RS-15) in the City of Murfreesboro, as well as Medium Density Residential (RM) and Institutional (IN) in Rutherford County.





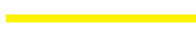

## Murfreesboro 2035 Land Use Plan

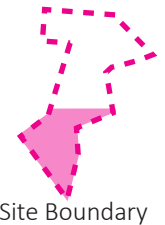
The current Murfreesboro 2035 Future Land-use Plan proposes this site as Urban Commercial/Mixed Use Character (UC). This site best fits the Mixed-Use Corridor sub-group in this character area. This character area allows for a broad range of commercial, office, high density residential uses, and public spaces. UC includes development that would be classified as CBD, MU, and PUD zoning classifications within the City of Murfreesboro. The recommended density for this site is 60 DU/ac, and a 1.85 FAR. The proposed density of the site is 5.28 DU/ac., which is lower than the recommendation of the 2035 Plan due to preservation of a large portion of the is property as common open space. The PUD has set aside commercial acreage along NW Broad Street, has a mixture of high density residential, and a variety of public spaces The proposed River Landing PUD is consistent with the recommendations of the 2035 Plan.



UTILITY MAP

Not To Scale 

- |   |                |   |            |
|---|----------------|---|------------|
|   | Water          |  | Stormwater |
|   | Electric       |   |            |
|  | Sanitary Sewer |   |            |



Sanitary sewer service will be provided via Murfreesboro Water Resource Department. Sewer will be extended to the site from the existing 8" ductile iron gravity line on the southwest side of Northwest Broad Street. The developer will be responsible for extending the sewer lines into the site.

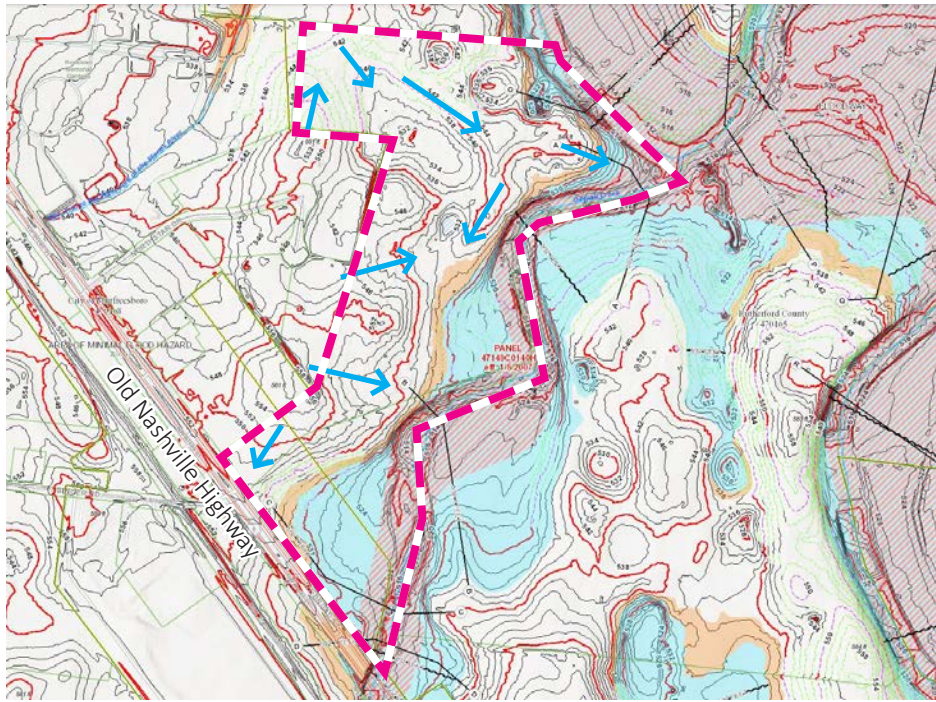


Water service will be provided by Consolidated Utility District of Rutherford County. There is an existing 4" and 12" ductile iron water line along Northwest Broad Street for water and fire service into the site. The 4" line will service the proposed commercial lots and the 12" will service the proposed. The developer will be responsible for extending the waterlines into the site for domestic and fire water service.






Electric service will be provided by Murfreesboro Electric Department. Electric service will tie into existing overhead lines located on the northeast side of Northwest Broad Street. The developer will be responsible for extending the electric lines into the site, and all on-site electric will be underground.

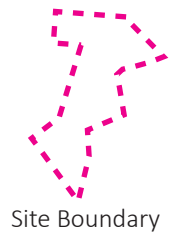




## HYDROLOGY AND TOPOGRAPHY

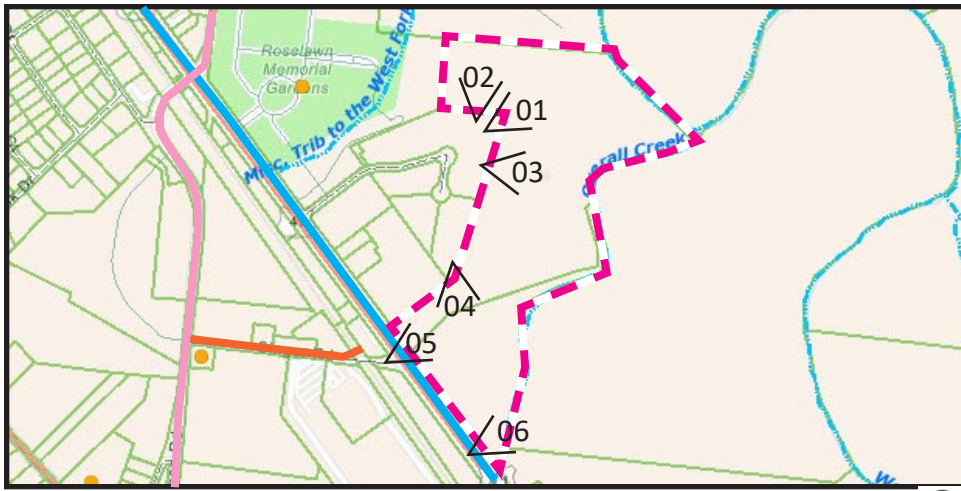
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-  WATER FLOW DIRECTION
-  INTERMEDIATE CONTOURS
-  INDEX CONTOURS



The topographic map above shows the site's topographic high points generally along the western boundary of the site. The land generally falls east to Overall Creek. Stormwater that falls on this site follows the general flow of the contours towards the east boundary and into Overall Creek. Some portions of this site and Overall Creek drain into the West Fork of the Stones River. This acts as the main stormwater conveyance for this property. The development's stormwater maintenance ponds will be located on the eastern region of the property to detain and treat stormwater from this development. Portions of this property are located within the FEMA floodplain and floodway as shown on the FEMA Flood Panel 47149C0140H effective 1/5/2007.



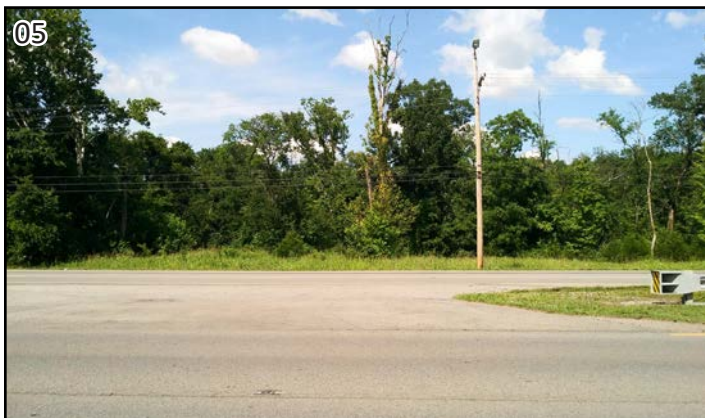


- Northwest Broadstreet (US 41)
- Florence Road
- Singer Road

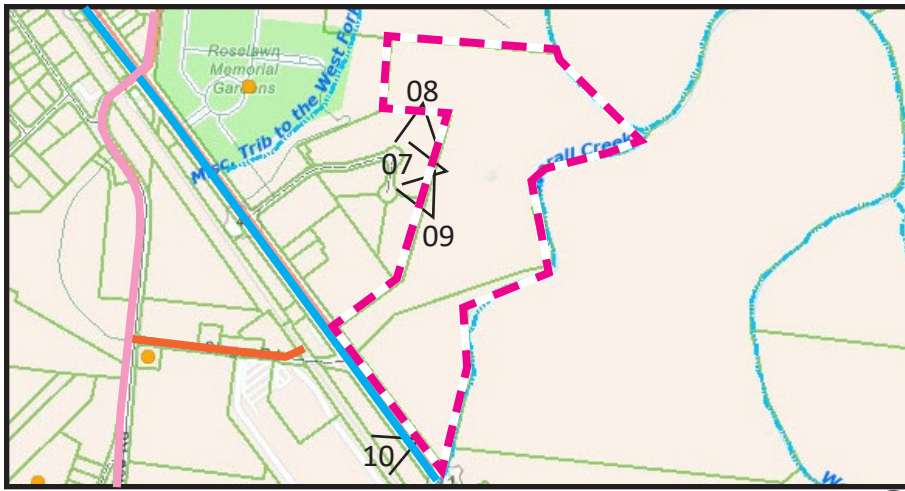


PHOTO DIRECTION MAP

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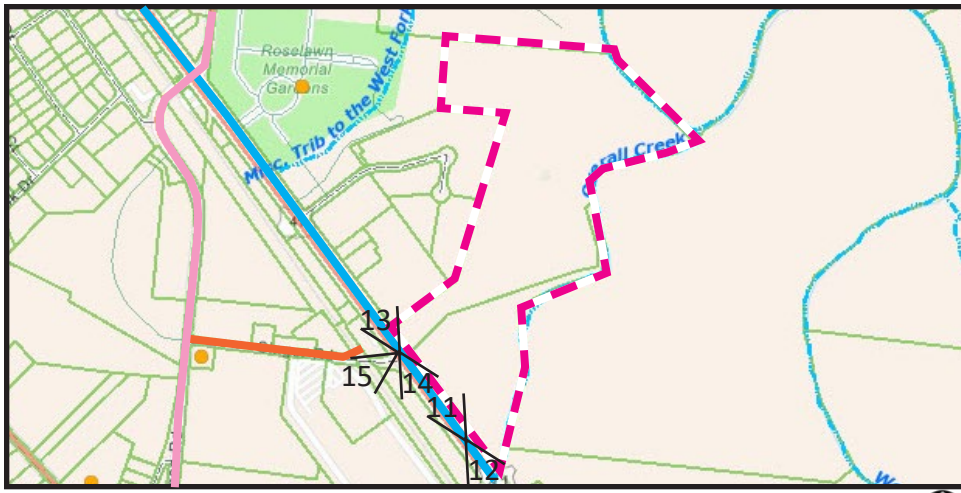
- Northwest Broadstreet (US 41)
- Florence Road
- Singer Road



PHOTO DIRECTION MAP

Not To Scale





- Northwest Broadstreet (US 41)
- Florence Road
- Singer Road



PHOTO DIRECTION MAP












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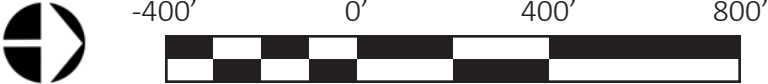






\*Trees depicted on the conceptual site and landscape plans are strictly ideation and do not delineate a location or quantity.

<b>Site Data:</b>	
Total Land Area:	±78.58 Acres
Commercial Lot Area:	±7.05 Acres
Residential Area:	±71.53 Acres
Total Number of Townhome Units:	278 Units (71.68%)
Total Number of Single Family Lots:	101 Lots (28.32%)
Total Number of Dwelling units:	379 Units
Density: 379 Units / 71.53 Acres =	±5.30 Units/Acre
Single Family Detached:	
Density 101 Units / 23.96 Acres =	±4.22 Units/Acre
Single Family Attached:	
Density 278 Units / 47.57 Acres =	±5.8 Units/Acre
Total Open Space:	±29.98 Acres (42%)
Usable Open Space	±21.45 Acres (30%)
Stormwater (Detention)	±6.5 Acres (9%)
Formal Open Space Required:	±3.57 Acres (5.00%)
Formal Open Space Provided:	±3.57 Acres (5.00%)
Active Space Required (2 Lot Minimum):	±2.14 Acres (3.00%)
Active Space Provided (4 Lots Provided):	±2.14 Acres (3.00%)
Length of New Roadway:	±9,224 Linear Feet
Minimum Single-Family Detached Lot Size:	5,000 Square Feet
Typical Lot Dimensions (SF-Detached):	41' x 130'
<b>Parking Requirements:</b>	
Townhomes:	
1.1 Spaces per Bedroom	
(278) 3-Bedroom Townhouses (278 x 3.3) =	918 Spaces
Single-Family Detached:	
4 Spaces per Lot	
(101) Single-Family Detached Lots (101 x 4) =	404 Spaces
Total Required:	1,330 Spaces
Spaces Provided:	
Single Family	
4 Spaces (2 Driveway + 2 Garage) =	404 Spaces
Townhomes	
Garage Parking:	278 Spaces
Driveway Parking:	556 Spaces
Visitor Parking:	135 Spaces
Total Parking Spaces Provided:	1,381 Spaces
Difference:	+51 Spaces
 Townhomes	 Open Space
 Single Family Lots	 Roads/Sidewalks
 Existing Trees	 100 Year Flood Line
 Detention	 Floodway
 Future Commercial Lots	 Entrance Sign
	 Formal and Active Open Space





PHASES	Lots	Townhomes	Total Units	Acres
SECTION 1	9	60	69	11.5
SECTION 2	2	64	66	13.83
SECTION 3	44	43	87	14.48
SECTION 4	24	64	88	23.39
SECTION 5	22	47	69	8.84
TOTAL RESIDENTIAL	101	278	379	71.53
COMMERCIAL				7.05
TOTAL LAND AREA				78.58

Section 1

Section 3

Section 5

Section 2

Section 4

Conceptual Phasing Plan

- The project is anticipated to be built in 5 Sections.
- Construction of Section 1 is planned to begin within 90-120 days after the completion of the rezoning process.
- Section 1 is anticipated to create 69 homes.
- Section 1 will include the development signage at the entrance of Northwest Broad Street / Singer Road.
- Section 2 will include additional development signage at the southern entrance off of Northwest Broad Street.
- The remaining phases will be market driven and dependent upon the absorption of the units in the previous phase.
- The sidewalks within each single family lot phase will be constructed by the home builders as the homes are constructed. If sidewalks are located along common area then, the developer will construct those portions of the sidewalk with the construction of the that common area.
- The Amenity Center lot will be constructed and operational prior to the Section '3' plat being recorded.
- Other amenity/open space areas will be completed prior to the next section's plat being recorded.
- Amenity/open spaces areas in the final section shall be constructed and completed prior to the recording of the final section's plat.



SEC Project #18250 Mufreesboro, Tennessee





### **Development Standards:**

- Entrances off of Northwest Broad Street shall have new entrance signage constructed on masonry materials and anchored by landscaping and lighting.
- An enhanced Type 'A' Landscape Buffer that is 20-foot wide shall be constructed along the residential portion of the western boundary adjacent to Light Industrial (LI) Zoning. This Type 'A' Buffer in conjunction with the existing Type 'D' and 'E' Buffers on the Light Industrial Properties, will produce a combined buffer that is a minimum 35-40 feet wide. The combined buffer design is shown on Page 22.
- A 20-foot wide Type 'C' Buffer shall extend along the rear portion of the commercial lots adjacent to the townhomes, see Page 23 for buffer diagram.
- Any solid waste enclosures will be constructed of masonry materials consistent with building architecture and be at least 8 feet tall with opaque gates and enhanced with landscaping.
- Prior to construction plan review, a complete and thorough design of the stormwater management system and facilities will be completed.
- All home owners will be required to be a member of the H.O.A.
- As a member of the H.O.A., residents will be subject to restrictive covenants, and be required to pay membership dues as determined by a 3rd party management company.
- HOA will be managed by independent 3rd party management company.
- The common areas will be owned and maintained by an H.O.A.
- HOA covenant shall state that the primary use for garages shall be vehicular.
- All streets will be public rights-of-way.
- All streets have been designed to comply with Murfreesboro Streets Standards.
- Public sidewalks will be provided on both sides of all streets throughout the development to create a pedestrian friendly community, and shall be a minimum of 5 ft wide.
- Mail service will be provided via a central mail kiosk for all postal deliveries.
- Standard street lights will be coordinated with MED, and will meet MED's standards for management by MED.
- Areas located in the floodway shall be common open space areas only, not on lots.
- Each type of dwelling unit will have concrete driveways wide enough for 2 vehicles, that have a minimum width of 16 feet and a minimum depth of 25 feet.



Centralized Mail Kiosk Example

### **Additional Development Standards: Single Family Detached**

- 101 single-family detached lots with 2 or more bedrooms.
- Single-family detached homes will have a minimum of 1,250 sf of living area.
- Single-family detached homes will be sold fee simple.
- Builders shall install a front yard tree on each single-family detached lot if noted on landscape plan.
- Single-family detached lots will have a 2-car garage front entry garage.
- Each single-family detached lot will provide at least 2 parking spaces per lot (outside of the garage) +2 spaces inside the garage.
- Garage spaces will be restricted by the HOA Covenants to be for vehicular use only, not for storage.
- Solid waste will be handled via curb side trash pick up by the City of Murfreesboro.
- HVAC units will be located at the rear of each residence.

### **Additional Development Standards: Townhomes**

- 278 townhome units with 2-3 bedrooms.
- The townhome units will have a minimum of 1,200 sf of living area.
- All townhome mechanical equipment (i.e. hvac and transformers) to be screened via landscaping or a fence.
- Solid waste will be handled via a trash compactor for all townhome units.
- HOA will be managed by independent 3rd party management company.
- The common areas will be owned and maintained by an H.O.A..
- All townhome driveways and parking areas will be private and maintained by the H.O.A.
- Each townhome shall have a 1-car front entry garage + 2 spaces per lot in the 2-car driveway in front of the townhome unit.
- Garage spaces will be restricted by the HOA Covenants to be for vehicular use only, not for storage.
- No more than 8 units in 1 building.
- No less than 3 units in 1 building.



Trash Compactor Example



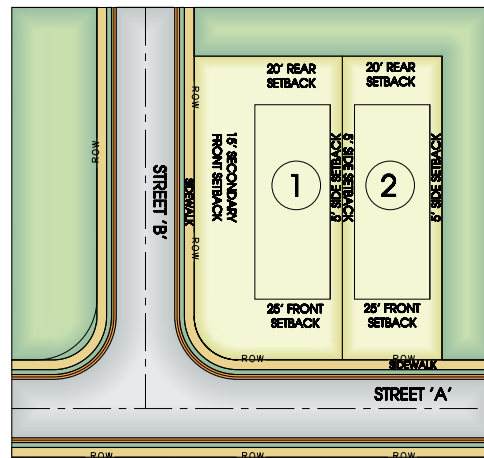
## Single Family Detached

### Architecture Characteristics:

- Building heights shall not exceed 35-feet in height.
- There will be a mixture of 1-story and 2-story homes.
- All homes will have at least 2 bedrooms.
- All the homes will have eaves.
- All homes will have a covered front stoop or porch.
- All homes will have an option for a covered porch or open patio area at the rear of the home.
- Garage doors shall be decorative with hardware.

### Building Elevation Materials:

- Permitted exterior building materials on all elevations: brick, stone, and fiber cement siding.
- Soffits and fascia will consist of aluminum and vinyl.
- Vinyl will not be a permitted exterior building material, except in trim, soffits, and fascia.



**TYPICAL LOT DIAGRAM**

**N.T.S.**

### Minimum Building Setbacks: Single-Family Detached

Front: 25-Feet

Front Porches/Stoops shall encroach 6 ft into front setbacks

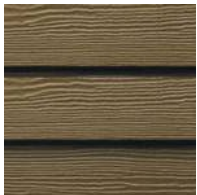
Secondary Front: 15-Feet

Side: 5-Feet

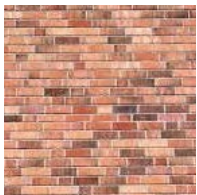
Rear: 20-Feet

### Building Elevation Materials

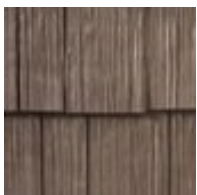
Front Elevations: Stone, Brick, and Fiber Cement Siding.  
Side: Fiber Cement Siding.  
Rear: Fiber Cement Siding.



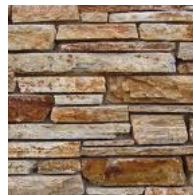
Example of Fiber Cement Board Siding  
(different colors will be allowed)



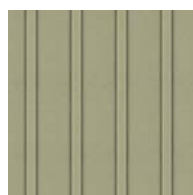
Example of Brick  
(different colors and patterns will be allowed)



Example of Fiber Cement Shakes  
(different colors, patterns will be allowed)



Example of the Stone Veneer  
(different colors, cuts, patterns will be allowed)



Example of Fiber Cement Board and Batten Siding  
(different colors, patterns will be allowed)





Single Family Detached Front Elevation Example



Single Family Detached Front Elevation Example



Single Family Detached Front Elevation Example

\*The elevations and floor plans of the homes will vary across the development. The images above are meant to convey the general appearance and functionality of the homes.



Single Family Detached Front Elevation Example



Single Family Attached (Townhomes)

Architecture Characteristics:

- Building heights shall not exceed 35-feet in height.
- Townhomes will be two stroies.
- All homes will have at least 3 bedrooms.
- All the homes will have eaves.
- All homes will have a covered front stoop or porch.
- All homes will have an option for a covered porch or open patio area at the rear of the home.
- Garage doors shall be decorative with hardware.

Building Elevation Materials:

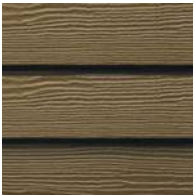
- Permitted exterior building materials on all elevations: brick, stone, and fiber cement siding.
- Soffits and fascia will consist of aluminum and vinyl.
- Vinyl will not be a permitted exterior building material, except in trim, soffits, and fascia.

Building Elevation Materials

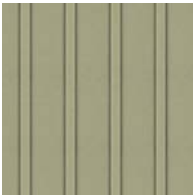
Front Elevations: Primarily Stone and Brick with secondary fiber cement siding.

Side: fiber cement siding.

Rear: fiber cement siding.



Example of Fiber Cement Board Siding  
(different colors will be allowed)



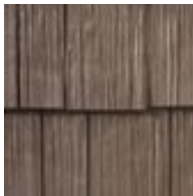
Example of Fiber Cement Board and Batten Siding  
(different colors, patterns will be allowed)



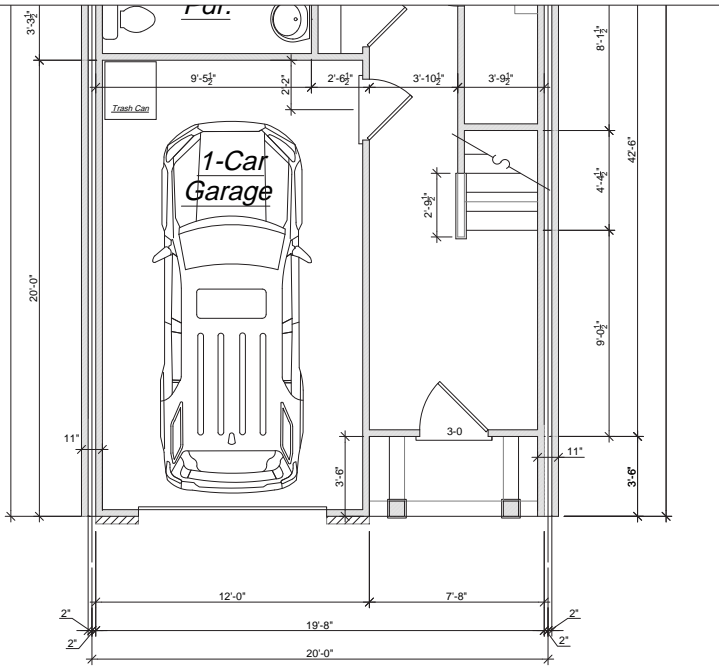
Example of the Stone Veneer  
(different colors, cuts, patterns will be allowed)



Example of Brick  
(different colors and patterns will be allowed)



Example of Fiber Cement Shakes  
(different colors, patterns will be allowed)

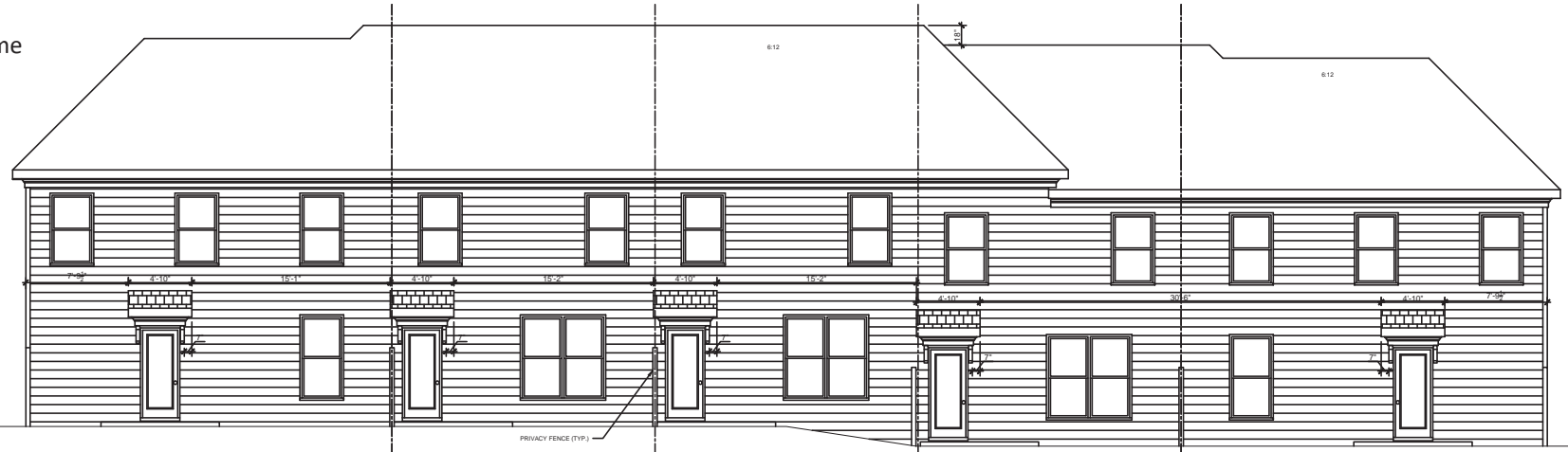


Townhome Garage Diagram

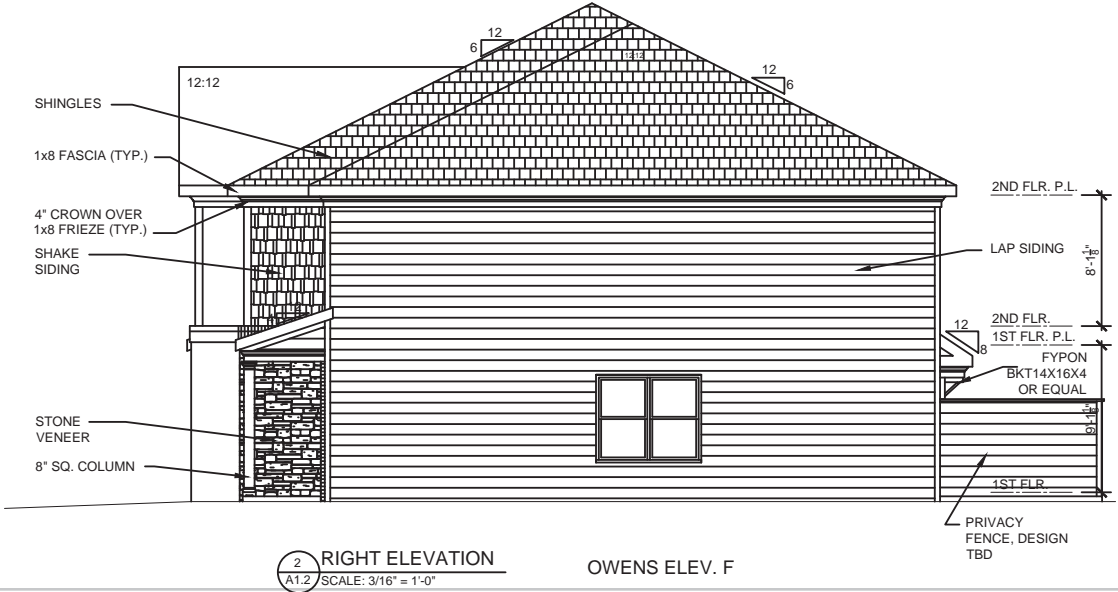
\*Hot water tank is located on the second floor of all townhome units, and not in garage.



5-Unit Townhome Front Elevation Example

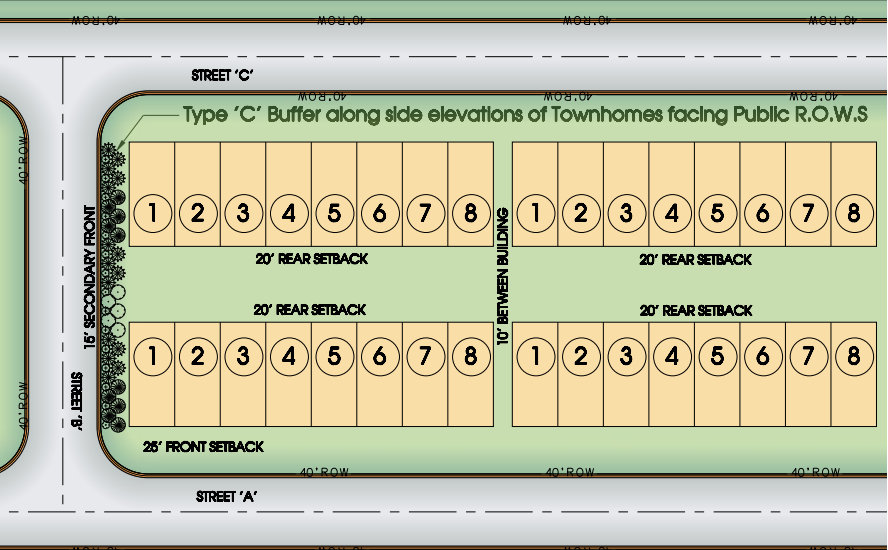


\*The elevations and floor plans of the homes will vary across the development. The images above are meant to convey the general appearance and functionality of the homes.

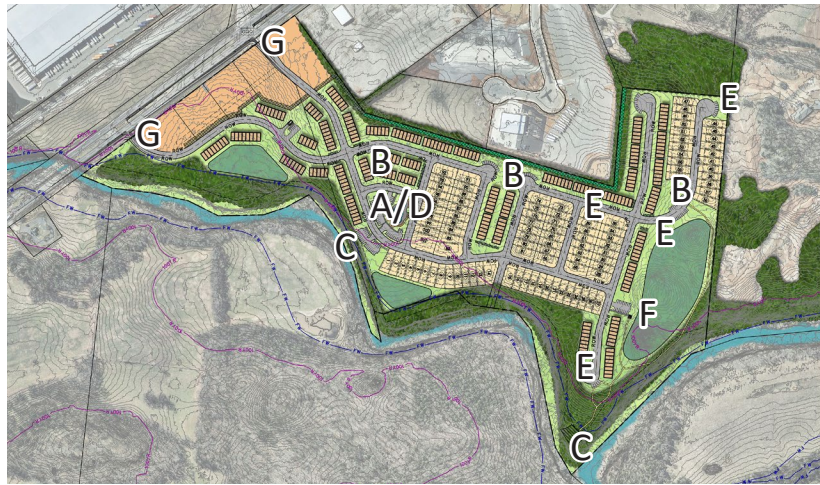


RIGHT ELEVATION  
SCALE: 3/16" = 1'-0"

OWENS ELEV. F







LOCATION MAP - AMENITIES

Not To Scale

- A Amenity Center and Pool
- B Playground
- C Possible Kayak/Canoe Launch Point  
If permitted by T.D.E.C.
- D Mail Kiosk
- E Open Recreational Space
- F Pavilion
- G Development Signage

With this request, River Landing will be dedicating over 29.98 acres (over 40% of the site) to open space. The open space areas will be comprised of usable open space, detention areas, open recreational spaces, the area along Overall Creek, and the area along the West Fork of the Stones River. Usable open space areas around the development will offer such amenities as; an Amenity Center, pool, playground areas, and possible kayak launch points. Five foot wide sidewalks will line both sides of all streets to provide pedestrian circulation through the neighborhood for residents. Each amenity will be constructed per the phasing outlined on Page 14. The amenity area will offer resident a place to gather while providing outdoor seating areas. Both of the Northwest Broad Street entrances will incorporate all masonry signage and will be anchored with landscaping and lighting with a max height of 8 feet. Signage will compliment residential and commercial architecture.



Example of Open Recreational Space



Amenity Center and Pool Area



Example of Playground



Development Signage Example



Example of Pavilion



Example of Kayak/Canoe Launch Point

## Site Amenities:





Figure 20.1



**LANDSCAPE MATERIALS SAMPLES: DECIDUOUS TREES**



(A)



(B)

- (A) Ulmus parvifolia 'Emer II' / 'Emer II' Alle Elm  
(B) Zelkova serrata 'Green Vase' / Sawleaf Zelkova  
(C) Buxus x 'Green Mountain' / Boxwood  
(D) Prunus laurocerasus 'Otto Luyken' / Luykens Laurel  
(E) Lagerstroemia indica 'GAMAD VI' / Berry Dazzle Crape Myrtle  
(F) Miscanthus sinensis 'Adagio' / Adagio Eulalia Grass  
(G) Liriope spicata 'Silver Dragon' / Creeping Lily Turf  
(H) Setcreasea pallida 'Purple Heart' / Purple Heart Setcreasea  
(I) Iberis sempervirens 'Little Gem' / Little Gem Candytuft  
(J) Liriope muscari 'Variegata' / Variegated Lily Turf  
(K) Magnolia grandiflora 'D.D. Blanchard' TM / Southern Magnolia  
(L) Thuja standishii x plicata 'Green Giant' / Green Giant Arborvitae  
(M) Cryptomeria Japonica 'Radi-cans' / Japanese Cedar  
(N) Viburnum x pragnense / Prague Viburnum  
(O) Prunus laurocerasus 'Schipkaensis' / Schipka Laurel

**LANDSCAPE MATERIAL SAMPLES: EVERGREEN/DECIDUOUS SHRUBS AND GRASSES**



(C)



(D)



(E)



(F)



(G)



(H)



(I)



(J)

**LANDSCAPE MATERIAL SAMPLES: GROUNDCOVER**



(K)



(L)



(M)

**LANDSCAPE BUFFER: EVERGREEN SHRUBS**



(N)

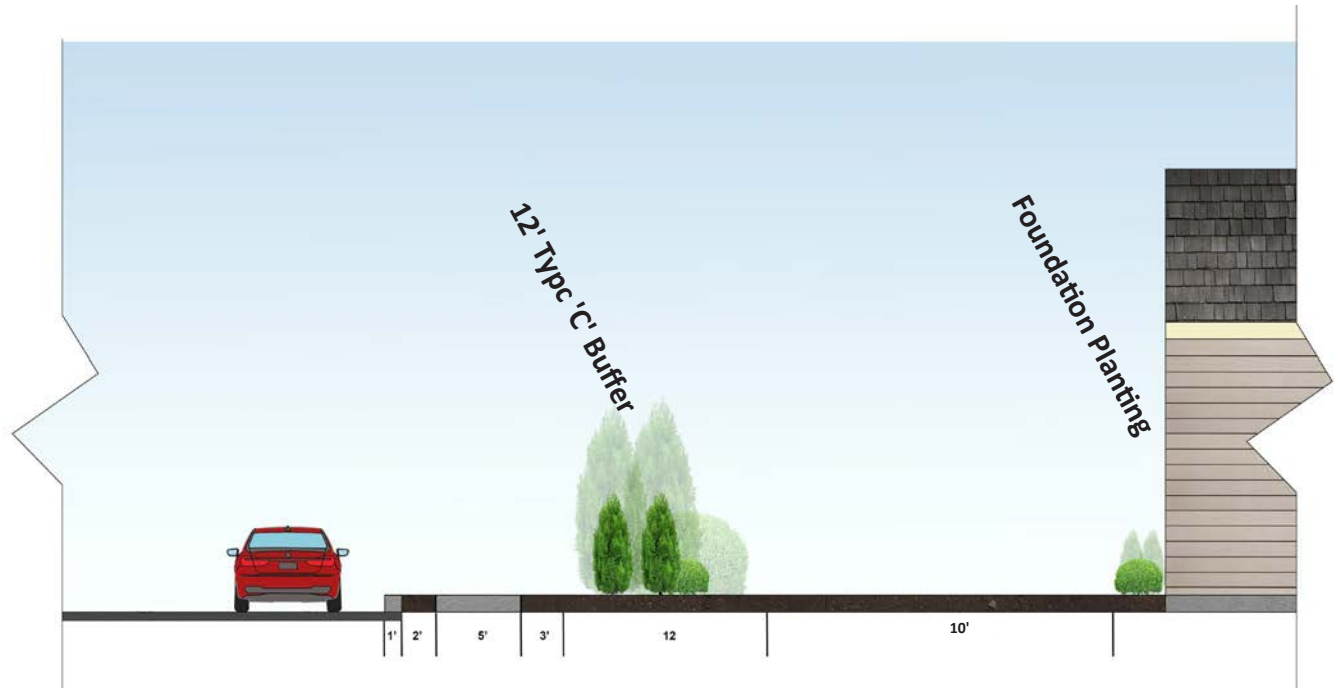


(O)

**Residential Landscape Characteristics**

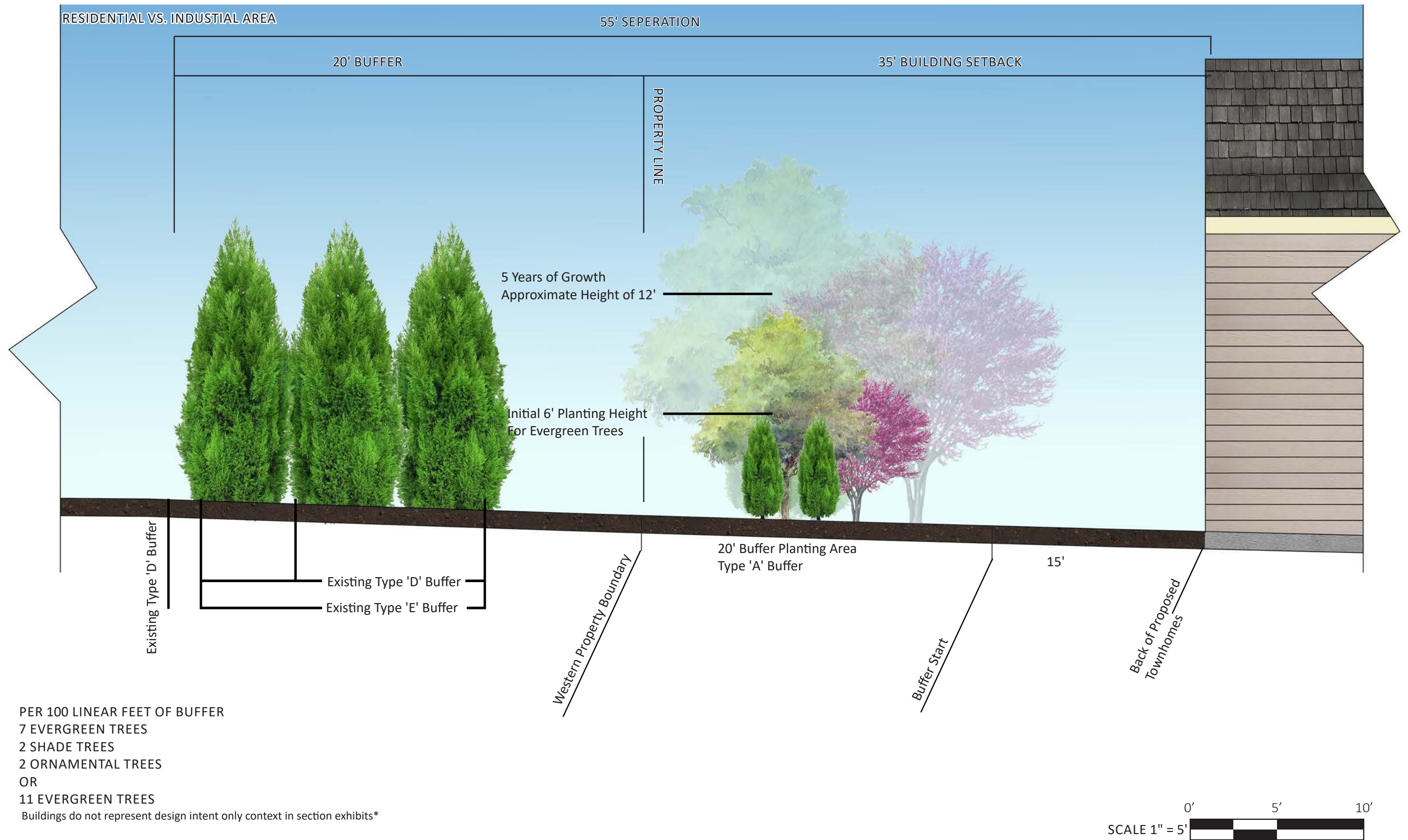
The site has been designed with ample landscaping to provide not only an aesthetically pleasing experience for the residents, but to aid in mitigating impacts from the surrounding areas. To ensure these characteristics, some standards are outlined below as well as a sample palette provided.

- Parking areas on common open space/amenity lots, shall provide a minimum 8 feet of landscape area between parking and all property lines.
- Public rights-of-way screened from parking by use of landscaping and/or berms.
- The western portion of the residential boundary will have an enhance 20-foot wide Type 'A' Buffer consisting of a mix of canopy, ornamental, and evergreen trees to provide screening for the adjacent properties and their residents. See Pages 20 and 22 for locations and design.
- The southern portion of the western boundary will have a Type 'C' Buffer for approximately 200 linear feet. The Type 'C' Buffer will consist of evergreen trees and medium evergreen shrubs. See Pages 20 and 23 for buffer locations and design.
- All above ground utilities and mechanical equipment screened with landscaping and/or fences.
- Solid waste enclosure screened with a masonry wall and enhanced with landscaping.
- The fronts and sides at the base of buildings that can be seen from the ROW will have at least 3 foot wide landscape strip.
- Front and secondary front yards shall be planted with sod, all other areas of residential lots will be planted with seed and straw.
- Landscaping will be in conformance with the City of Murfreesboro's landscaping ordinance, unless enumerated in this booklet.

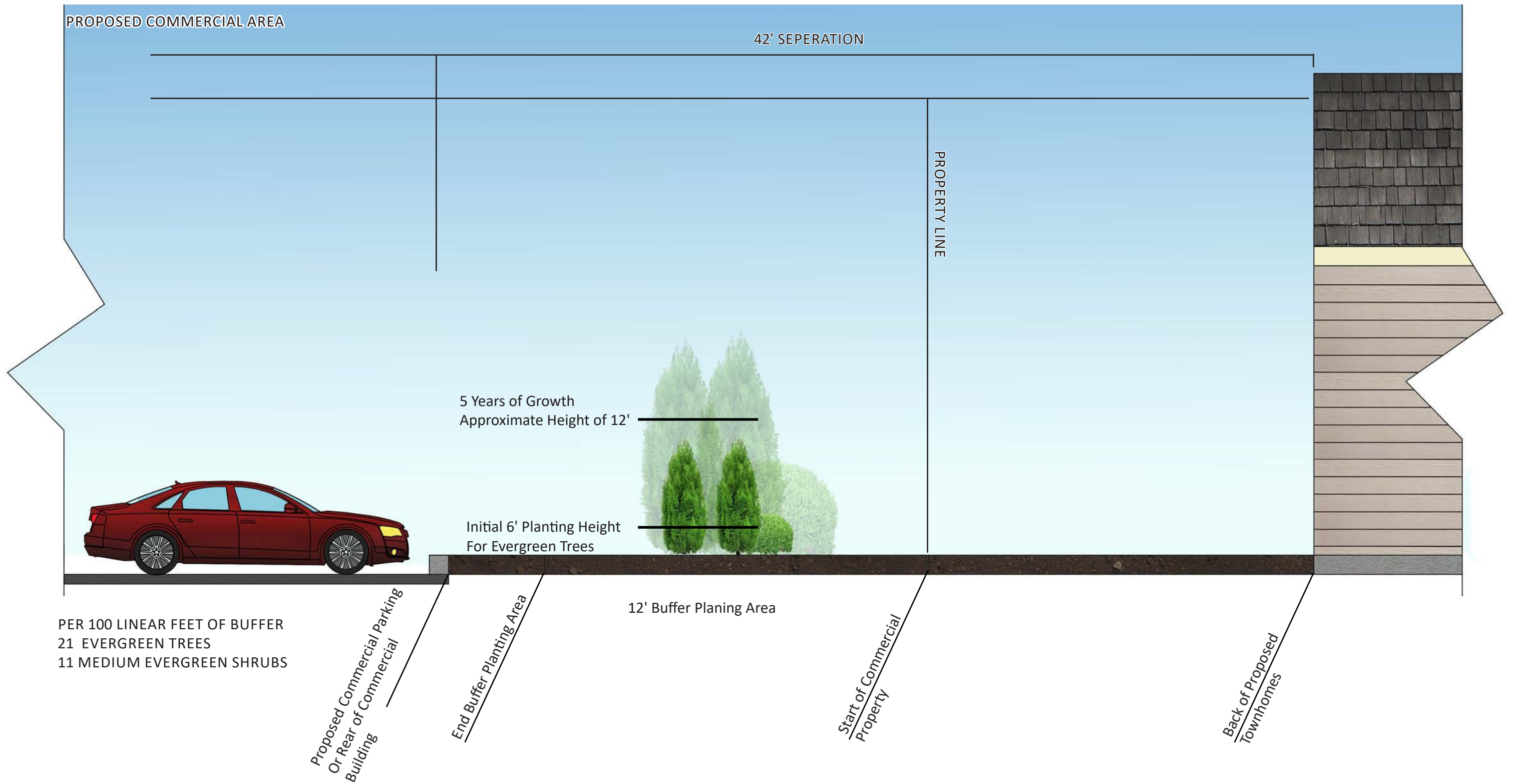


Sides of Townhomes facing R.O.W.s will have a 12' Wide Typc 'C' Buffer









Buildings do not represent design intent  
only context in section exhibits\*





### Commercial Lots

The building architecture will be designed to be functional for the intended uses.

### Special Note:

Since the commercial lots are not anticipated to be built with Section 1 of the residential development, the commercial lots will be finished with seed and straw to provide a 'clean and green' entry. The finished commercial lots will be mowed and maintained until construction of the commercial lots commences.



Example Commercial Building Architecture

### Architectural Characteristics:

- Maximum building height of 35 Feet.
- One or two story buildings.
- Parapet, hip, gable, or pitched roof styles.

### Building Elevation Materials:

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

### Minimum Building Setbacks - Commercial Lots:

Front: 42-foot  
Side: 10-foot  
Rear: 20-foot



Example Commercial Building Architecture

### Commercial Lots

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

### Minimum Site Characteristics - Commercial Lots:

- All parking will be located at least 8 feet from property lines (side, rear, and R.O.W.), and have curbing.
- All parking areas to be screened from public right-of-way by landscaping or a combination with mounds.
- Any solid waste enclosures will be constructed of materials consistent with building architecture, and be at least 8 feet tall with opaque gates.
- Commercial buildings shall have pedestrian connections to the proposed entry road off of Northwest Broad Street as well as the secondary access road that connects to Northwest Broad Street.
- Buildings will have a well defined architectural base by use of different materials, colors or change in pattern or a combination of these techniques.
- Building elevations will have articulation or multiple building planes along the front and side elevations.
- The main entrances are to be well defined and easily recognizable by use of raised roof lines, canopies, glazing, changes in materials, changes in colors, and changes in building planes.
- Monument signage located at entrances along roadways to have materials consistent with building architecture and accented with landscaping.
- All mechanical equipment (i.e. HVAC and transformers) to be screened. If mechanical equipment is located on the roof, then they should be screened from view.
- All on-site utilities will be underground.
- On-site lighting will comply with city standards to prevent light pollution.
- Parking will comply with Murfreesboro's zoning ordinance
- Construction on the commercial lots will begin once an end-user has chosen the site and receives site plan approval.
- Buildings on all commercial lots shall have consistent materials & architecture to create an overall theme for the development.
- Commercial lots will not be part of the residential H.O.A.
- The shared commercial drive at the rear will be constructed by each individual site plan as they are develop and are anticipated to be a drive aisle in their parking lot, not a separate road.
- Architecture will comply with Murfreesboro Design Guidelines.
- 4 sided architecture due to visibility to residence behind or across the street.



## Commercial Lots - Allowable Uses

While the immediate end user of the two commercial lots is unknown at this time, the allowable uses shall consist of all permitted uses listed under the Commercial Fringe (CF) zoning district as outlined in the current Murfreesboro Zoning Ordinance. The allowable uses listed under the Commercial Fringe (CF) district, are intended to allow for a broad range commercial and office uses for this development. In addition to the large amount of vehicular traffic that utilizes the NW Broad Street corridor.

Since the allowable uses for the Commercial Fringe (CF) district provides for a wide variety of potential end uses on these two lots, a list of permitted uses has been outlined below.

USES PERMITTED	
	CF
<b>OTHER HOUSING</b>	
Accessory Dwelling Unit	X <sup>1</sup>
Assisted-Care Living Facility <sup>15</sup>	X
Bed-and-Breakfast Homestay	X
Bed-and-Breakfast Inn	X
<b>INSTITUTIONS</b>	
Adult Day Care Center	X
Adult Day Care Home	X
Church <sup>13</sup>	X
Day-Care Center	X
Family Day-Care Home	X
Group Day-Care Home	X
Lodge, Club, Country Club <sup>13</sup>	X
Museum	X
Nursing Home	S
Nursery School	S
Park	X
Philanthropic Institution	X
Pet Cemetery	S
Public Building <sup>13</sup>	X
Recreation Field <sup>13</sup>	X
Senior Citizens Center	X
School, Public or Private, Grades K - 12 <sup>13</sup>	X
Student Center	S
<b>COMMERCIAL</b>	
Amusements, Commercial Indoor	X
Animal Grooming Facility	X
Antique Mall	X
Antique Shop <3,000 sq. ft.	X
Apothecaries (pharmaceuticals only)	X
Art or Photo Studio or Gallery	X
Bakery, Retail	X
Bank, Branch Office	X
Bank, Drive-Up Electronic Teller	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business School	X
Business and Communication Service	X
Catering Establishment	X
Clothing Store	X
Coffee, Food, or Beverage Kiosk	X
Commercial Center	X
Convenience Sales and Service, maximum 5,000 sq. ft. floor area no fuel station	X

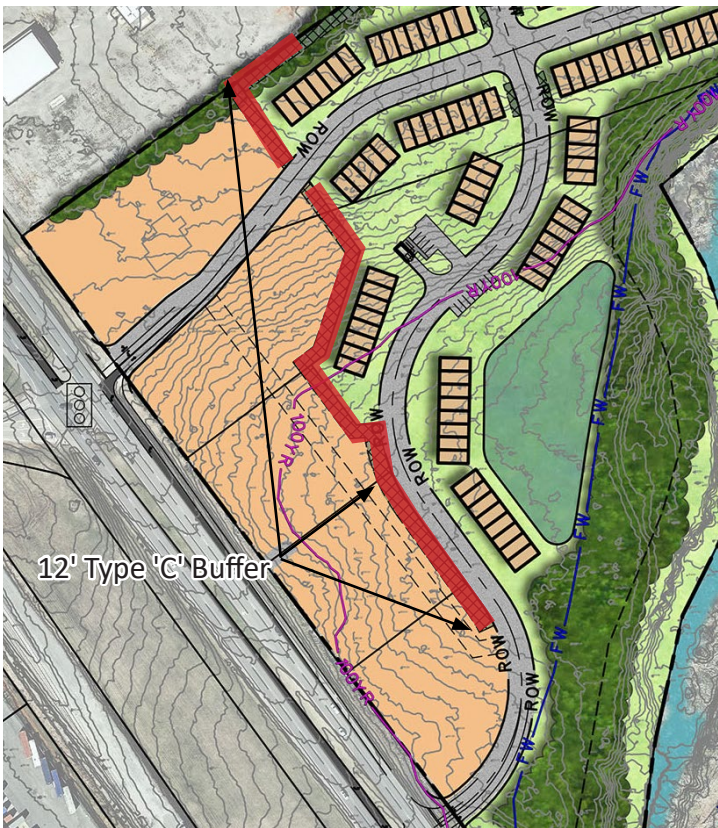
USES PERMITTED	
	CF
<b>COMMERCIAL (Cont.)</b>	
Delicatessen	X
Department or Discount Store	X
Dry Cleaning	X
Dry Cleaning Pick-Up Station	X
Financial Service (Excluding Quick Cash, Payday Loans, etc.)	X
Flower or Plant Store	X
Glass--Stained and Leaded	X
Group Assembly, <250 persons	X
Health Club	X
Ice Retail	X
Interior Decorator	X
Janitorial Service	X
Karate, Instruction	X
Keys, Locksmith	X
Laboratories, Medical	X
Laboratories, Testing	X
Laundries, Self-Service	X
Liquor Store	X
Music or Dancing Academy	X
Offices	X
Optical Dispensaries	X
Personal Service Establishment	X
Pet Funeral Home	X
Pet Shops	X
Pharmacies	X
Photo Finishing	X
Photo Finishing Pick-Up Station	X
Reducing and Weight Control Service	X
Restaurant and Carry-Out Restaurant	X
Restaurant, Drive-In	X
Restaurant, Specialty	X
Restaurant, Specialty -Limited	X
Retail Shop, other than enumerated elsewhere	X
Veterinary Office	X
Veterinary Clinic	X
Video Rental	X
<b>OTHER</b>	
Self-Service Storage Facility <sup>16</sup>	X <sup>3</sup>
Wholesale Establishments	X <sup>3</sup>
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	

## Commercial Lots - Landscaping

The commercial lots will have ample landscaping to provide not only aesthetically pleasing experience, but to aid in mitigating impacts to the proposed residential lots within River Landing. To ensure these characteristics, standards are outlined below as well as a sample palette of landscape materials

### Minimum Landscape Characteristics - Commercial Lots:

- All parking will be located at least 8 feet from all property lines (side, rear, and R.O.W.) to provide for perimeter landscape plantings.
- All parking areas to be screened from public right-of-way by landscaping or a combination with mounds.
- Any solid waste enclosures will be screened with evergreen shrubs.
- A Type 'C' buffer shall be constructed along the property lines that are adjacent to proposed residential units in River Landing. This buffer will screen the side and rear yards of the residential lots from any parking areas on the commercial parcels, and be built at the time of construction per individual commercial lot.
- The base of the building will have a minimum 5 feet wide landscape bed with foundation plantings.
- Monument signage located at entrances along roadways to have materials consistent with building architecture and accented with landscaping.
- All mechanical equipment (i.e. HVAC and transformers) to be screened with landscaping and/or fences.
- Landscaping will be in conformance with City of Murfreesboro's Landscape Ordinance.



TYPICAL EVERGREEN TREES



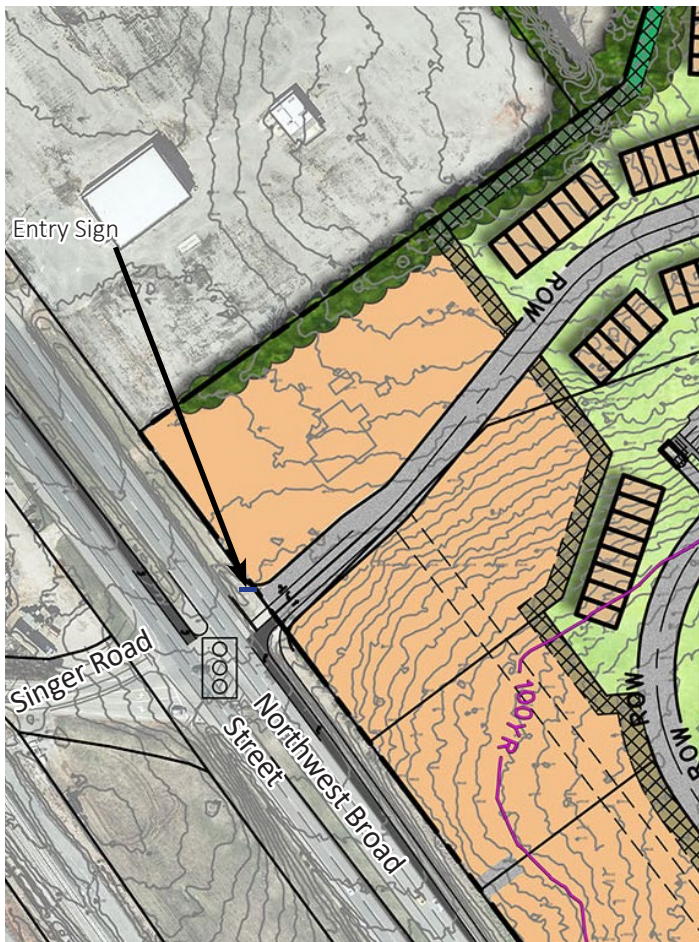
TYPICAL CANOPY TREES



TYPICAL EVERGREEN SHRUBS







Proposed Western  
Connection to Northwest Broad Street

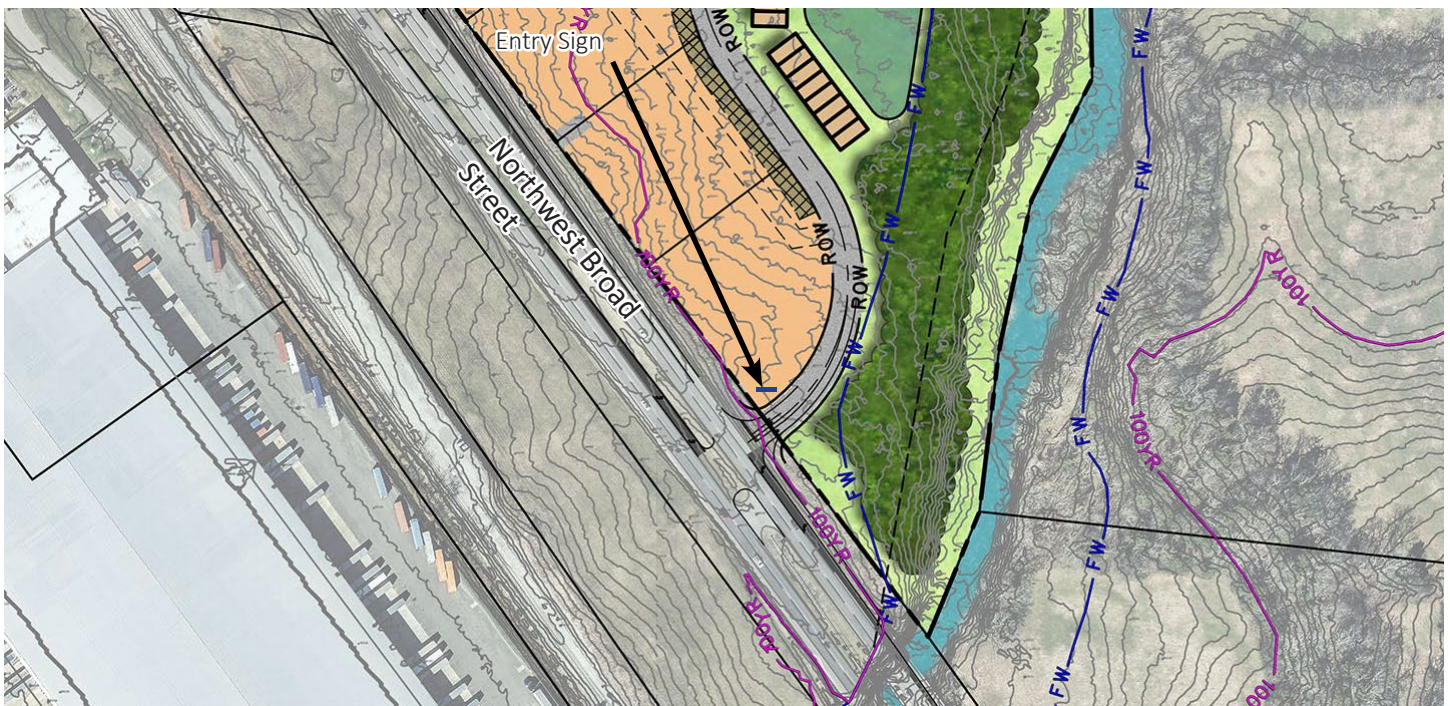


Pursuant to the City of Murfreesboro's 2040 Major Transportation Plan (MTP), Northwest Broad Street (Highway 41) along this property is not slated for any roadway improvement. NW Broad Street will be used for as the primary means of ingress and egress for this development.

As stated above, the primary means of ingress/ egress from this site will be onto Northwest Broad Street. There are two entrances proposed that will incorporate three travel lanes for proper circulation into and out of the development. There will be a dedicated left and right out of the neighborhood, as well as single lane for traffic entering the development.

All streets within the development will be public local city streets with a typical 42 foot R.O.W. cross-section with 5 foot sidewalks on both sides. These streets will be built in accordance with the Murfreesboro Street Standards.

Road improvements are proposed for dedicated left and right turn lanes from Northwest Broad Street into both entrances. A traffic light is also proposed at the intersection of Singer Road and Northwest Broad Street. Both entrances will include 1 entry lane, a left out, and shared right/through lane.



Proposed Eastern Connection to Northwest Broad Street





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

Response: An exhibit is given on Page 4 along with descriptions of each.

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

Response: Exhibits are shown on Page 9 that shows the existing contours and drainage patterns. A portion of the property is subject to floodplains or floodways, and the site ultimately drains to Overall Creek. An aerial photograph of the area can be found on page 4.

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

Response: Exhibits and photographs on Page 4 give the location of existing structures on the subject property and the surrounding properties. An exhibit on Page 7 gives the zoning of those same properties.

4.) A drawing defining the general location and maximum number of lots, parcels or sites proposed to be developed or occupied by buildings in the planned development; the general location and maximum amount of area to be developed for parking; the general location and maximum amount of area to be devoted to open space and to be conveyed, dedicated, or reserved for parks, playgrounds, recreation uses, school sites, public buildings and other common use areas; the approximate location of points of ingress and egress and access streets; the approximate location of pedestrian, bicycle and vehicular ways or the restrictions pertaining thereto and the extent of proposed landscaping, planting, screening, or fencing.

Response: The attached 11x17 page lists standards and exhibits showing the concept plan which shows each of these items.

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

Response: Pages 13 and 15 lists standards and exhibits showing the concept plan which shows each of these items.

6.) A tabulation of the maximum floor area proposed to be constructed, the F.A.R. (Floor Area Ratio), the L.S.R. (Livability Space Ratio), and the O.S.R. (Open Space Ratio). These tabulations are for the PUD.

Residential Calculations

TOTAL SITE AREA	3,170,929 s.f.
TOTAL MAXIMUM FLOOR AREA	286,220 s.f.
TOTAL LOT AREA	11,239 s.f.
TOTAL BUILDING COVERAGE	355,760 s.f.
TOTAL DRIVE/ PARKING AREA	92,901 s.f.
TOTAL RIGHT-OF-WAY	92,480 s.f.
TOTAL LIVABLE SPACE	3,078,028 s.f.
TOTAL OPEN SPACE	1,685,336s.f.
FLOOR AREA RATIO (F.A.R.)	0.09
LIVABILITY SPACE RATIO (L.S.R.)	0.86
OPEN SPACE RATIO (O.S.R.)	0.89

Commercial Calculations

TOTAL SITE AREA	160,640 s.f.
TOTAL MAXIMUM FLOOR AREA	s.f.
TOTAL LOT AREA	s.f.
TOTAL BUILDING COVERAGE	s.f.
TOTAL DRIVE/ PARKING AREA	s.f.
TOTAL RIGHT-OF-WAY	16,400 s.f.
TOTAL LIVABLE SPACE	s.f.
TOTAL OPEN SPACE	s.f.
FLOOR AREA RATIO (F.A.R.)	0.00
LIVABILITY SPACE RATIO (L.S.R.)	0.00
OPEN SPACE RATIO (O.S.R.)	0.00

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

Response: The property is currently zoned RM (Rutherford County), RS-15 (Murfreesboro), and Light Industrial (Murfreesboro.) The surrounding area has a mixture of commercial and industrial properties. The concept plan and development standards combined with the architectural requirements of the homes shown within this booklet match the Mixed-Use Corridor sub-group in this character area as per the 2035 future landuse plan.

8.) If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating:

Response: The project is anticipated to be developed in five phases. Phasing information is described on Page 14.



9.) Proposed means of assuring the continued maintenance of common space or other common elements and governing the use and continued protection of the planned development. For this purpose, the substance of any proposed restrictions or covenants shall be submitted.

**Response:** This requirement has been addressed on Page 15.

10.) A statement setting forth in detail either (1) the exceptions which are required from the zoning and subdivision regulations otherwise applicable to the property to permit the development of the proposed planned development or (2) the bulk, use, and/or other regulations under which the planned development is proposed.

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

RESIDENTIAL SETBACKS	RSA TYPE 2	PUD	DIFF.	RS-6	PUD	DIFF.	COMM. SETBACKS	CF	PUD	DIFF.
FRONT SETBACK - HOME	35.0'	25.0'	-10.0'	35.0'	25.0'	-10.0'	FRONT SETBACK	42.0'	42.0'	42.0'
FRONT SETBACK - GARAGE	N/A	N/A	N/A	35.0'	25.0'	-10.0'				
SIDE SETBACK - INTERNAL LOTS	7.5'	5.0'	-2.5'	5.0'	5.0'	0.0'	SIDE SETBACK	10.0'	10.0'	0.0'
SIDE SETBACK - CORNER LOTS	15'	15.0'	0'	5.0'	15.0'	+10.0'				
REAR SETBACK - INTERNAL LOT	20.0'	20.0'	0.0'	20.0'	20.0'	0.0'	REAR SETBACK	20.0'	20.0'	0.0'
REAR SETBACK - CORNER LOT	20.0'	20.0'	0.0'	20.0'	20.0'	0.0'				
MINIMUM LOT SIZE	N/A	H.P.R.	H.P.R.	6,000 S.F.	5,250 S.F.	-750 S.F.	PROPOSED ROAD	20.0'	20.0'	0.0'
MINIMUM LOT WIDTH	N/A	H.P.R.	H.P.R.	50.0'	41.0'	-9.0'	BUILDING HEIGHT	45.0'	35.0'	-10.0'

11.) The nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article

**Response:** This property is not in the Gateway Design Overlay District , Airport Overlay District (AOD), Historic District (H-1), or Planned Signage Overlay District (PS). A portion of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0140H Eff. Date 01/05/2007.

12.) The location and proposed improvements of any street depicted on the Murfreesboro Major Thoroughfare Plan as adopted and as it may be amended from time to time.

**Response:** Page 5 & 23 discusses the Major Thoroughfare Plan. Northwest Broad Street is not currently slated for any improvements.

13.) The name, address, telephone number, and facsimile number of the applicant and any professional engineer, architect, or land planner retained by the applicant to assist in the preparation of the planned development plans. A primary representative shall be designated.

**Response:** The primary representative is Matt Taylor of SEC, Inc. developer/ applicant is DR Horton, Inc. contact info for both is provided on cover.

14.) Architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. The location and orientation of exterior light fixtures and of garages shall be shown if such are to be included in the structures.

**Response:** Page 16-17 show the architectural character of the proposed buildings and building materials listed. However, exact configuration for these items is unknown and will be determined as each building is built.

15.) If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.

**Response:** Examples of entrance signage are located on Page 18 and a description is on Page 21.

**MURFREESBORO PLANNING COMMISSION  
STAFF COMMENTS, PAGE 1  
NOVEMBER 6, 2019**

**6.a. Consideration of Sewer Allocation Ordinance [2019-S101], City Administration Department**

The purpose of this item is to consider a draft sanitary sewer allocation ordinance and associated resolution. The draft ordinance affects density of development based on limitations of sewer collection system capacity. Assistant City Manager Darren Gore presented the ordinance to the Planning Commission at its October 16, 2019 regular meeting.

The Planning Commission will need to formulate a recommendation to City Council on this matter. No public hearing is necessary. Mr. Gore will be available at the Planning Commission meeting to answer questions. Additional information, including a memo from Mr. Gore, is included in the agenda materials for the Planning Commission's reference.





*... creating a better quality of life*

# MEMORANDUM

DATE: October 8, 2019  
TO: Planning Commission  
FROM: Darren Gore, Asst City Manager  
SUBJECT: Draft Ordinance for Sanitary Sewer and Wastewater Treatment Allocation to Support Future Land Use Assessment

---

## Summary

Review a draft sanitary sewer allocation ordinance and associated resolution for the purpose of protecting the long-term sustainability of the sanitary sewer collection and treatment system as well as provide for future land development within the City's urban growth boundary.

The draft ordinance affects density of development based on limitations of sewer collection system capacity. The purpose of presenting to the Planning Commission is to solicit a recommendation to City Council that ensures future new annexations and associated zoning or rezoning requests are coordinated with the single-family unit (sfu) densities that the sanitary sewer system can serve.

## Proposed Draft Ordinance Highlights

- City Council sets by resolution the sewer capacity available to properties based on actual or projected land use
- Every other year, Board and Council review existing allocation allowances and adopt any necessary changes/revisions
- Application for allocation accompanies a proposed development's request for a "will serve" letter (via MWRD's pre-existing policy)
- A process exists to petition the City Council for additional allowance above pre-set allocation limits.
- At the time of application and "will serve" request, a 10% fee of the overall sewer connection fees and special sewer assessment fees are due for vesting of sewer rights for a 30-month period.
- Additional 10% will retain vesting rights every 30 months up to 10-years.
- Vested rights are not transferrable
- All fees will be credited to the total fees associated with the project.
- Fees are not refundable in the event the project is not constructed.

[Water Resources Department](#)

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

## Background Information

The City's growth during the last 20 years has dramatically increased the demand on the wastewater collection system. This increase is largely due to permitting development densities greater than originally projected. See Table 1 below.

**Table 1: Special Sanitary Sewer Assessments Studied Between 1999 and 2005**  
**Used to Size Collection System (Pipes and Pumps)**

<b><i>Assessment</i></b>	<b><i>Year</i></b>	<b><i>Sfu's</i></b>	<b><i>Acres</i></b>	<b><i>Sfu/Ac</i></b>
<i>Osborne</i>	2001	207	82	2.52
<i>Florence</i>	2000	4,769	1,463	3.26
<i>Rockvale</i>	2005	3,852	1,415	2.72
<i>Salem</i>	2000	6,782	1,788	3.79
<i>Buch/Elam</i>	2001	8,465	2,380	3.55
<i>Overall</i>	1999	41,844	15,307	2.73
<i>Lytle</i>	2005	31,501	9,457	3.33
<b>Total</b>		<b>97,420</b>	<b>31,892</b>	<b>3.06</b>

Two options were developed to address growth and provide capacity for future growth. The preferred option based on feedback by City Council at their September 11, 2019 workshop to reset the permitted densities to originally master planned levels is tabulated below. 3.4 sfu's per acre was designated as the future land use density goal based on an analysis of the Salem Hwy special assessment district. The analysis consisted of comparing planned densities developed in 2000 to "as-is" developed densities and remaining developable acreage in 2019. Note that this preferred option reserves 5% of the sewer allocation.

**Table 2: SFU's per Acre per Land Use Category to Achieve 3.4 sfu's per acre**

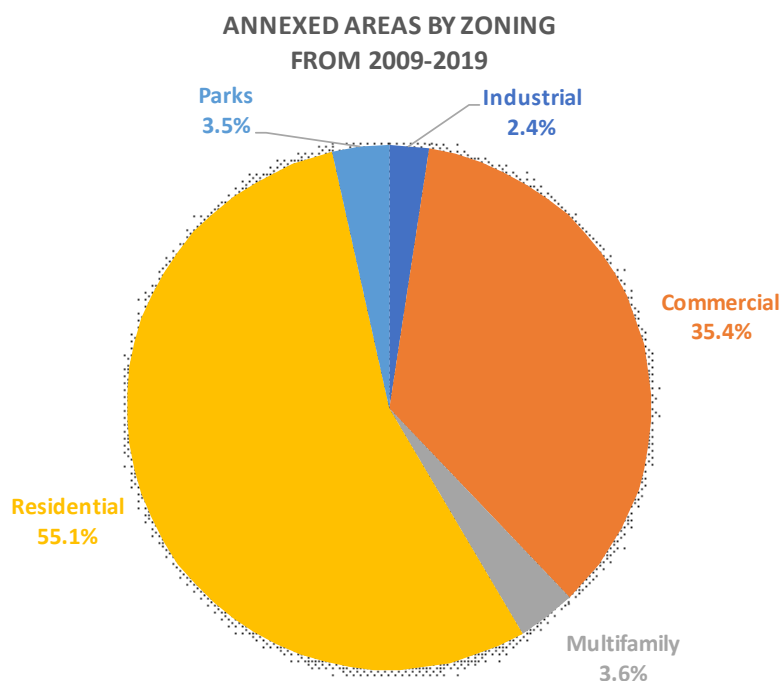
<b><i>Land Use Category</i></b>	<b><i>sfu per acre</i></b>	<b><i>gpd per acre</i></b>	<b><i>% total</i></b>	<b><i>sfu/ac</i></b>
Commercial	2.5	650	35.0%	0.88
Industrial	4.0	1040	2.5%	0.10
Park	0.5	130	3.5%	0.02
Low Density Residential	3.0	780	40.0%	1.20
Medium Density Residential	7.0	1820	11.0%	0.77
High Density Residential	9.0	2340	3.0%	0.27
				3.23
				0.16
				<b>3.39</b>
				<b>TOTAL</b>

95% Capacity

5% Reserve

The composite breakdown between land use types utilized the City's growth (e.g., annexation) history from 2009-2019 per the following pie chart:





Based on the recent WRRF upgrade coming online in August 2017, the plant has the capacity to treat approximately 31,000 new single-family units. The density (sfu/acre) table below shows the impact to how much area can be developed. The higher the allowable density, the lower the developable area.

***Available Sewer and Acres Served by Density Allocation***

24	MGD	2017 WRRF Capacity
16	MGD	2001 WRRF Capacity
8	MGD	Difference
260	gpd	Single Family Unit (sfu) capacity
<b>30,769</b>	sfu's	<b>Total Single-Family Unit Count Serviceable</b>

Density sfu/acre	Developable Acres
3	10,256
<b>3.4</b>	<b>9,050</b>
4	7,692
5	6,154
6	5,128
7	4,396
8	3,846

4,244	acres	Increase in City Limits Between 2009-2019
46,000	acres	Unimproved Areas inside Murfreesboro UGB Total
30,000	acres	Unimproved Areas inside Murfreesboro UGB > 25 acres

**Transition Period (i.e., Grandfathering)**

The following criteria are drafted for the purpose of defining what developments would be exempted from the draft sewer allocation ordinance.

1. A “Will Serve” letter was provided to a development within the past 1 year from the ordinance effective date.
2. A capacity study was undertaken by a developer through either a flow-monitoring analysis or pump station assessment and there was demonstrated adequate capacity for the proposed development density as studied.
3. For site plans, Planning Commission or Administrative approval 90 days after the effective date of the ordinance
4. For preliminary plats, Planning Commission or Administrative approval 90 days after the effective date of the ordinance.
5. For current bulk zoning or proposed bulk zoning requests in process, follow preliminary plat and site plan criteria above (bullets 3. and 4.) The applicant may request a higher sewer allocation per the proposed ordinance prior to or simultaneous with the submittal of a site plan or a preliminary plat.
6. For current planned zoning property, sewer allocation per plan.
7. For current rezoning of planned development that have been applied for and received by the City, but not fully approved by PC and Council before the effective date of the ordinance, sewer allocation is approved per the plan.

**Fiscal Impacts**

Allocating sewer capacity to developments with less density may have an impact on MWRD’s connection fees (a.k.a., system capacity buy-in fees) and associated reserves; however, the City’s Urban Growth Boundary (UGB) has much more area than can be served by MWRD’s current WRRF capacity. Based on staff’s interview conducted with the City of Buford, GA, Buford experienced no fiscal impact in implementing their sewer allocation ordinance in the year 2000. The City of Buford is inside of Gwinnett County, GA which had a population of 596,000 in 2000 compared to 920,000 in 2017. The City of Buford’s population increased 65% between 2000 and 2017.

**Attachments:**

1. Draft Sewer Capacity Allocation Ordinance
2. Draft Sewer Capacity Allocation Resolution



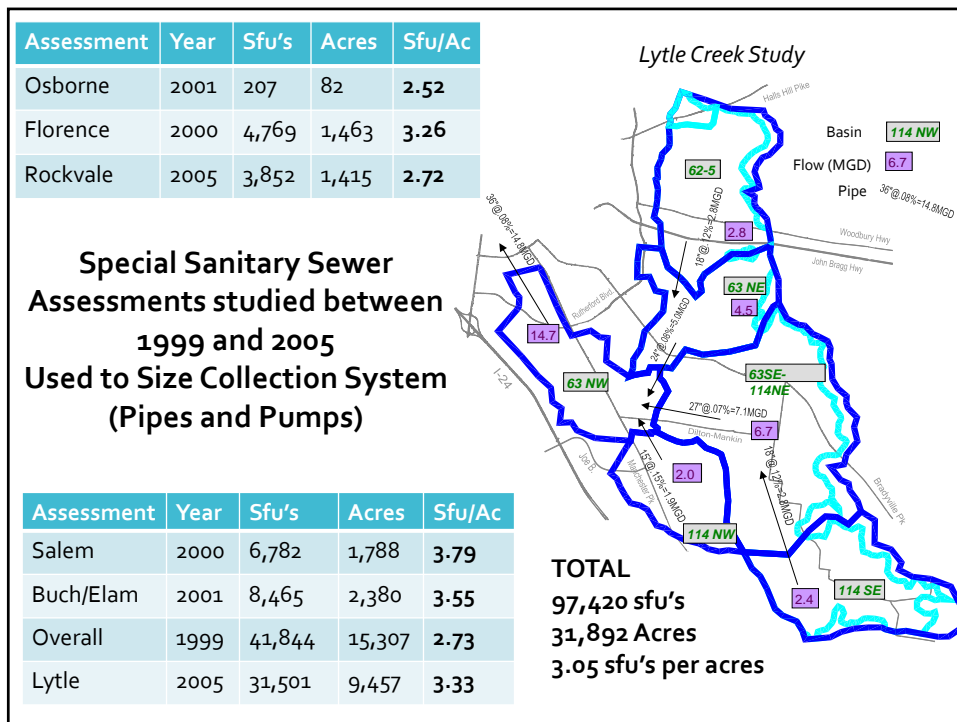
# Draft Sewer Allocation Ordinance Review

Murfreesboro Water Resources Department  
October 16, 2019 Planning Commission



## A Quick Summary of MWRD's Sanitary Sewer Collection and Treatment Systems

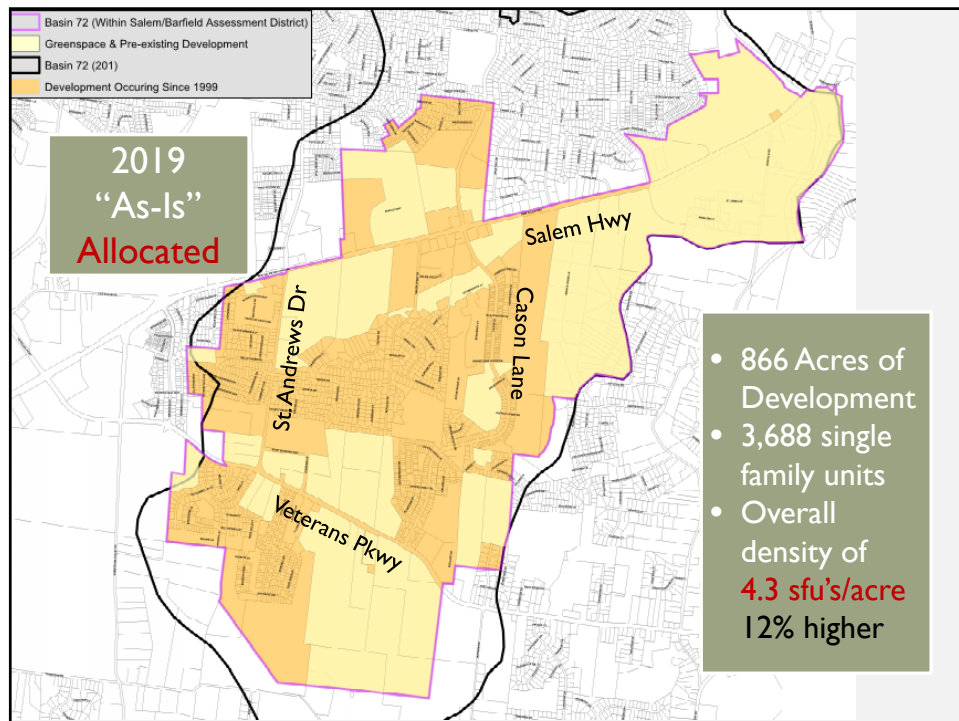
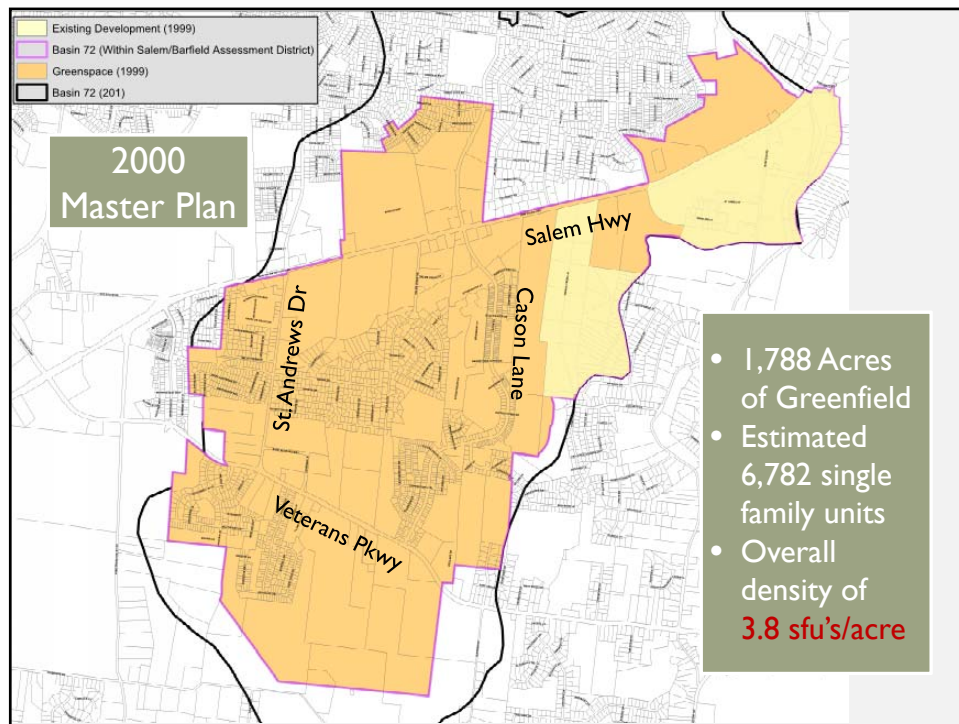
- Density primarily affects the collection system (pipes and pumps) that have been designed to convey certain flows to the centralized treatment system
- The collection system is hydraulically "stressed" and at times overflows occur during the wet winter months
- The Water Resource Recovery Facility (WRRF) has a certain treatment capacity that is permitted by the TN Department of Environment and Conservation (TDEC) that is directly dependent on the West Fork Stones River's ability to "assimilate" the plant's discharge / effluent.
- The WRRF is also hydraulically stressed during wet winter months.
- MWRD's reuse system only functions during dry weather and during irrigation season.

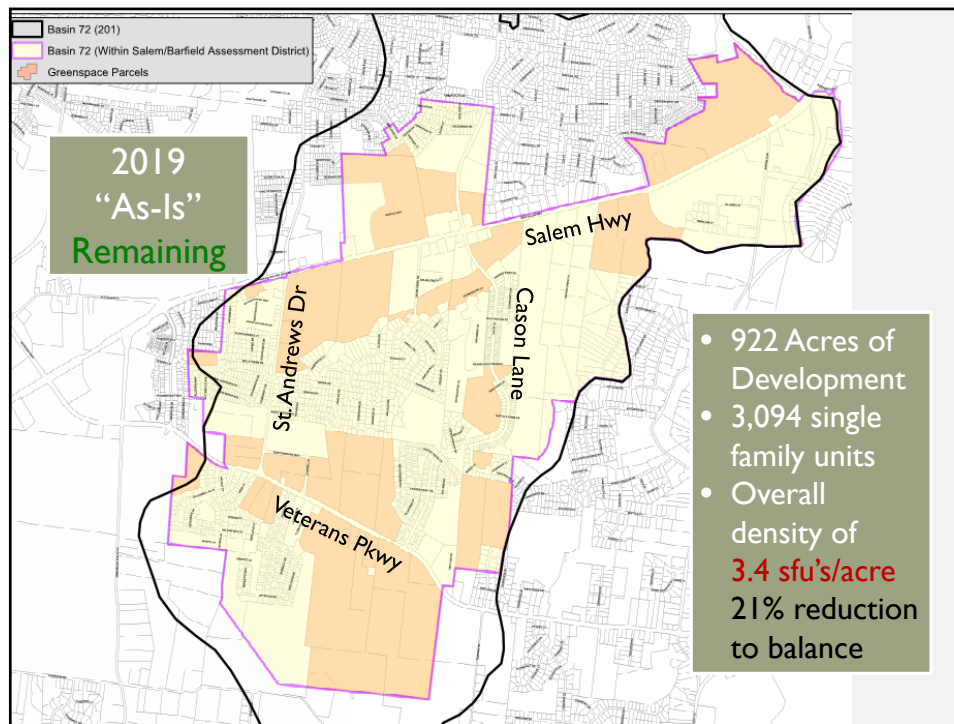


## Purpose of Requesting Planning Commission Recommendation

- The draft ordinance affects density of development based on limitations of sewer collection system capacity.
- The purpose of presenting to the Planning Commission is to solicit a recommendation to City Council that ensures future new annexations and associated zoning or rezoning requests are coordinated with the single-family unit (sfu) densities that the sanitary sewer system can serve.

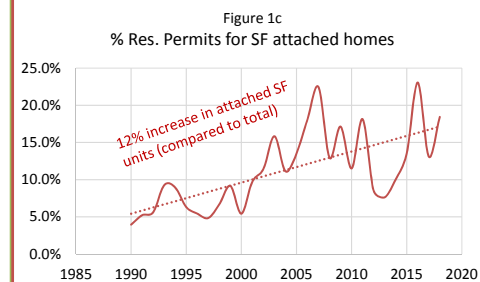
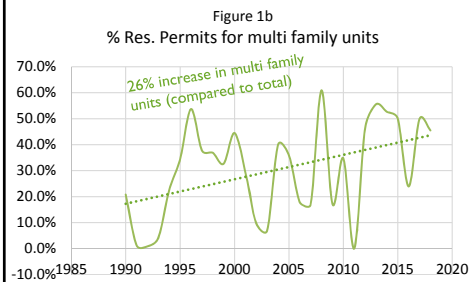
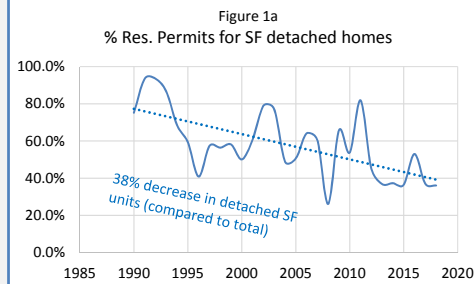




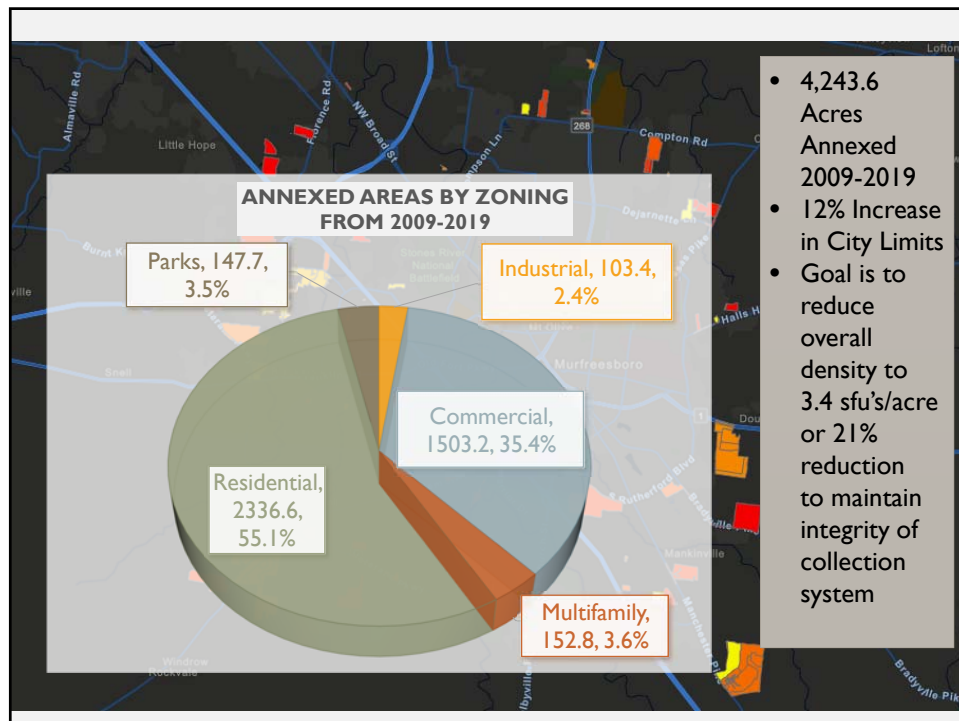
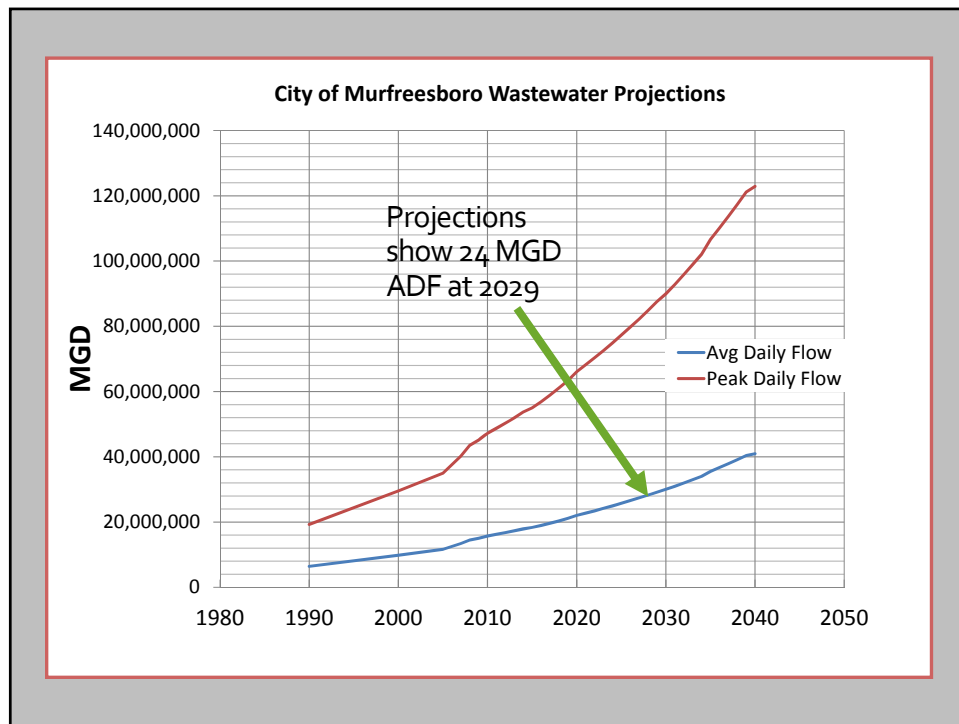


### Permitting Trend Supports 12% Increase in Densities Across the City

Time Frame	Avg Permits per Year	% Avg Increase
1990-1999	985	---
2000-2009	1775	80%
2010-2018	2772	56%







### SANITARY SEWER ALLOCATION RECOMMENDATION – **OPTION 2**

Land Use Category	sfu per acre	gpd per acre	% total	sfu/ac	
Commercial	2.5	650	35.0%	0.88	<b>40% Commercial/Ind</b>
Industrial	4.0	1040	2.0%	0.10	
Park	0.5	130	3.5%	0.02	
Low Density Res	3.0	780	40.0%	1.20	<b>60% Residential</b>
Med Density Res	7.0	1820	11.0%	0.44	
Hi Density Res	9.0	2340	3.0%	0.27	
				3.23	95% Capacity
				0.16	5% Reserve
			<b>3.39</b>		<b>AVG.TOTAL</b>

### FUTURE DEVELOPABLE ACRES BASED ON DENSITY

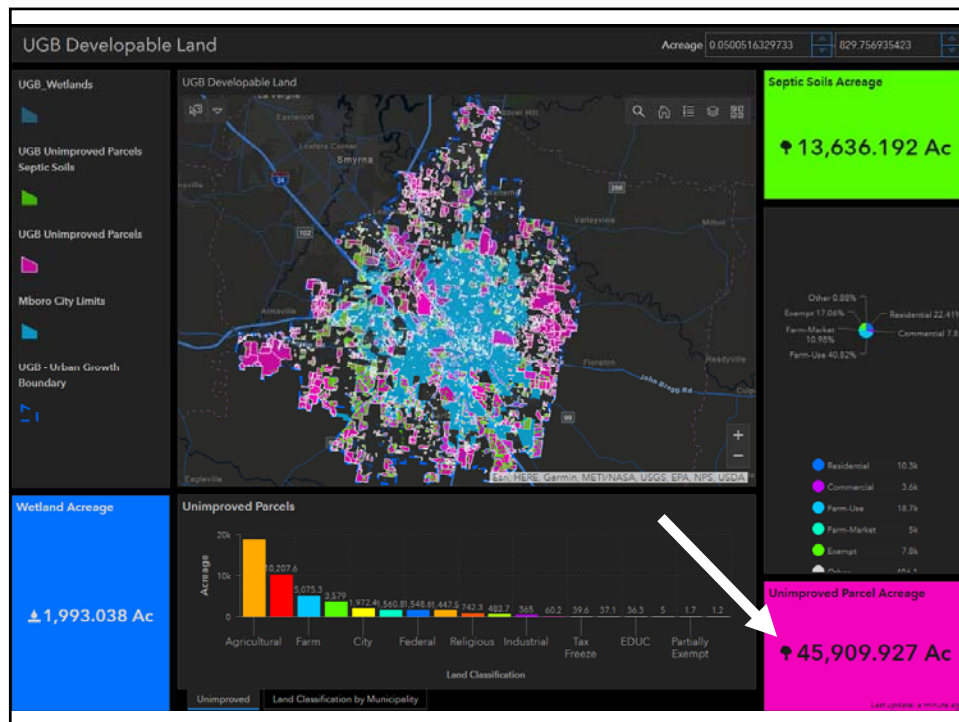
#### Available Sewer and Acres Served by Density Allocation

24 MGD	2017 WRRF Capacity
16 MGD	2001 WRRF Capacity
8 MGD	Difference
<b>260 gpd</b>	Single Family Unit (sfu) capacity
<b>30,769 sfu's</b>	Total Single-Family Unit Count Serviceable

	Density sfu/acre	Developable Acres
	3	10,256
	<b>3.5</b>	<b>8,791</b>
	4	7,692
	5	6,154
	6	5,128
	7	4,396
	8	3,846

26,915 as of July 2019; divided by 2,220 units / year = 2031 WRRF at capacity





## Sewer Allocation Ordinance High Points

- Water Resources Director evaluates system capacity by basin and overall capacity available for allocation and tracks allocation of sewer capacity. If collection system capacity is unavailable, Director can deny a "will serve" application.
- City Council sets by resolution the sewer capacity available to properties based on actual or projected land use.
- Every other year, Board and Council review a bi-annual report and existing allocation allowances and adopt any necessary changes/revisions.
- Application for allocation accompanies a proposed development's request for a "will serve" letter (pre-existing policy)

## Sewer Allocation Ordinance High Points

- A process exists to petition the City Council for additional allowance above pre-set allocation limits.
- At the time of application and “will serve” request, a 10% fee of the overall sewer connection fees and special sewer assessment fees are due for vesting of sewer rights for a 30-month period.
- Additional 10% will retain vesting rights every 30-months up to 10-years.
- Vested rights are not transferrable
- All fees will be credited to the total fees associated with the project.
- Fees are not refundable in the event the project is not constructed.

## Draft Resolution for Sewer Allocation

Land-Use Classification	Included Zoning Classifications	Gallons per Day per Acre (GPD/Acre)	Single-Family-Unit Equivalents (SFUE) per Acre
Commercial	CM-R, CM, CM-RS-8, OG-R, OG, CL, CF, CH, and PCD	650	2.5
Industrial	G-I, H-I, L-I,	1,040	4.0
Low-Density Residential	RS-15, RS-12, RS-10, and PRD (if average lot size ≥ 10,000 sq. ft.)	780	3.0
Medium-Density Residential	RS-8, RS-6, RS-4, R-D, and PRD (if average lot size < 10,000 sq. ft.)	1,820	7.0
High-Density Residential	RM-12, RM-16, RS-A, R-MO and CU (dormitories only)	2,340	9.0
Mixed-Use	MU and PUD	1,040	4.0
College and University	CU (except dormitories)	880	3.4
Parks	P	130	0.5
Central Business District, City Core Overlay, and Gateway Overlay	CBD, CCO, GDO	No Limit	No Limit



## Transition or Phase-in of Implementation & Draft for Grandfathering or Exempting

1. Projects that have received a Will-serve letter from the City within a year of this Resolution 's effective date;
2. Projects where the developer has undertaken a capacity study through either a flow-monitoring analysis or pump station assessment and where such study has demonstrated adequate capacity for the proposed development density;
3. Projects whose site plan receives Planning Commission or Administrative approval within 90 days of this Resolution's effective date;
4. Projects whose preliminary plat receives Planning Commission or Administrative approval within 90 days of this Resolution's effective date;
5. Projects subject to current bulk zoning requirements, provided the site plan or preliminary plat for such projects receives Planning Commission or Administrative approval within 90 days of this Resolution's effective date; an applicant may request a higher sewer allocation per the proposed ordinance prior to or simultaneous with the submittal of a site plan or a preliminary plat.
6. Planned development projects whose development plan has been approved by the Planning Commission and City Council prior to the effective date of this Resolution.
7. Planned development projects for which a current rezoning application has been received by the City and whose approval by the Planning Commission and/or City Council is pending as of the effective date of this Resolution.

## What is MWRD doing to prepare for the next WRRF Expansion?

1. Significant Rehabbing and Replacement of Sewer System to Eliminate I/I
2. Maximizing and Expanding Reuse System
3. Partnering with Large Industrial Dischargers
4. Adopted Decentralized STEP System Guidelines
5. Creating a Waste Load Allocation model and supporting assessments to demonstrate the West Fork Stones River can assimilate more effluent from WRRF

- Present to Planning Commission on November 6<sup>th</sup>
- Present to City Council November 14<sup>th</sup>
- Determine Inventory of “committed” single family units currently approved
- Develop tool to conduct biannual audit of committed sfu’s and remaining WRRF Capacity





## Discussion Q&A

# **DRAFT**

**ORDINANCE 19-O-XX** amending the Murfreesboro City Code, Chapter 33, Water Resources, establishing Sewer Capacity Allocation regulations.

**WHEREAS**, the City has developed a wastewater collection, treatment, and disposal system that is critical to the health, safety, and general welfare of the public; and

**WHEREAS**, in 2017, the City expanded a portion of its wastewater system, the Water Resource Recovery Facility, at a cost of approximately \$\_\_\_\_\_million adding approximately 8 million gallons per day (MGD) of wastewater treatment capacity to the City's Sewer System; and

**WHEREAS**, notwithstanding that expansion, the City's economic development and growth in population over the last 20 years has dramatically increased the demands on the City's wastewater system and at this time the City's projected ability to further expand its wastewater treatment capacity, which would be necessary to support unrestricted future land use in the City's urban growth boundary, is materially restrained by federal and state regulations and other variables beyond the City's control; and

**WHEREAS**, the capacity of the City's wastewater collection infrastructure varies across the basins and sub-basins that make up the City's entire wastewater system;

**WHEREAS**, notwithstanding the limitation on expansion of wastewater collection and treatment capabilities, the City's population growth is projected to continue and encouraging economic development within the City benefits residents is instrumental to increasing new employment opportunities, enhancing conveniently available services, and lowering tax obligations directly imposed upon individuals; and

**WHEREAS**, in order to balance the needs of beneficial economic development with the increases in residential development the City must ensure that its sewer system capacity remains sufficient to support all aspects of a growing community and allocated this limited capacity in a manner deemed in the best interests and general welfare of the City's citizens; and

**WHEREAS**, the City of Murfreesboro Water Resources Board voted on August 26, 2019, to recommend to the Murfreesboro City Council that it adopt the regulations set forth herein.

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

**SECTION 1.** Chapter 33, Article V., Water Conservation, of the Murfreesboro City Code, as of the first reading of this Ordinance, is re-designated as Chapter 33, Article VI, Water Conservation.

**SECTION 2.** Chapter 33, Article VI., Sanitary Sewer Special Assessment



# **DRAFT**

Districts, of the Murfreesboro City Code, as of the first reading of this Ordinance, is re-designated as Chapter 33, Article VII, Sanitary Sewer Special Assessment Districts.

SECTION 3. Chapter 33, Article VII., Repurified Water, of the Murfreesboro City Code, as of the first reading of this Ordinance, is re-designated Chapter 33, Article VIII, Repurified Water.

SECTION 4. Chapter 33, Article VIII., Human Excrement Disposal, of the Murfreesboro City Code, as of the first reading of this Ordinance, is re-designated Chapter 33, Article IX, Human Excrement Disposal.

SECTION 5. Chapter 33, Article IV., Sewer Connection Service and Tapping Charges, of the Murfreesboro City Code, is hereby amended by deleting “Sections 33-53—33-100 Reserved” and in lieu thereof inserting “Sections 33-53—33-69 Reserved.”

SECTION 6. Chapter 33, of the Murfreesboro City Code, is hereby amended adding a new Article V, to include Sections 33-70 through 33-100 and titled “Sewer Capacity Allocation.” This new Article V shall provide as follows:

## **ARTICLE V. SEWER CAPACITY ALLOCATION**

### **SECTION 33-70            PURPOSES.**

The purposes of the regulations contained in this Article are to promote and protect public health and safety; enhance the City’s economy by establishing reasonable, orderly, equitable and effective means to allocate wastewater collection capacity; and assist in uniform and balanced future development to serve the needs of the community and the City’s tax digest.

### **SECTION 33-71    SHORT TITLE.**

This Article may be cited as the Sewer Capacity Allocation Ordinance.

### **SECTION 33-72    APPLICABILITY.**

This Article shall control the approval of new sewer connections to the extent specified herein. To the extent its provisions conflict with any other provision of the Murfreesboro City Code or any policy of the Water Resources Department, this Article shall supersede such other provisions and control. To the extent the provisions of this Article do not conflict with or otherwise supersede other provisions of the Murfreesboro City Code or any policy of the Water Resources Department, those provisions and policies remain in full force and effect.

### **SECTION 33-73    DEFINITIONS.**

For purposes of this Article, the following words shall have the meanings ascribed to them in this section unless a different meaning is clearly intended from the context:

Available Sewer Capacity means the amount of sewer capacity determined by the Water Resources Department to be available to serve new development projects in accordance with this Article.

# **DRAFT**

Average Daily Usage means a mathematical expression that takes the total volume of water used or proposed to be used during a specified period of time divided by the number of days in that period of time, typically express in terms of million gallons per day (MGD) or gallons per day (gpd).

Capacity means the amount of sewer flow per time that may be handled by the City's wastewater treatment, pumping, and collection system, or any component, basin, sub-basin, or district of such system.

Centralized Wastewater Treatment Facility means the Sinking Creek Treatment Plant operating under National Pollutant Discharge Elimination System (NPDES) permit number TN0022586.

Owner/Developer means the legal owner of a property on which a project is proposed or any person, legal entity, or governmental agency proposing a project on a parcel of property and having financial responsibility for the proposed project.

Peak-to-average ratio means the ratio of the maximum wastewater discharge rate to the monthly average daily discharge rate.

Project means: (1) any proposed construction of a new building, facility, or group of buildings and/or facilities requiring one or more new water meters or new or larger connections to the City's Sewer System; or (2) any proposed renovation of an existing building or facility that requires a new water meter or new or larger connections to the City's Sewer System.

Sewer-capacity-allocation Resolution means a resolution adopted by City Council as provided in Section 33-75(A).

Sewer System means the City's wastewater treatment, pumping, and collection system.

Will-serve Letter means a letter issued by the City of Murfreesboro Water Resources Department to an owner or developer commitment that the City will provide water and/or sewer service to a particular property, subject to the fees and conditions, if any, set forth in the letter or applicable law and Department policies.

## **SECTION 33-75 AVAILABLE WASTEWATER COLLECTION CAPACITY; DETERMINATION, REPORTING AND TRACKING.**

(A) **Determination of available capacity.** The Water Resources Director will determine the total amount of available wastewater collection capacity within each of the Sewer System's basins, sub-basins, and sewer districts. This determination shall evaluate the capacity of the Sewer System's collection system, including sewer mains, pumping stations, and other collection related facilities.

(B) **Denial of sewer service where wastewater collection capacity.** If in the opinion the of Water Resources Director the wastewater collection capacity in the basin, sub-basin, or sewer in which a proposed Project is located is insufficient to serve the Project, the Water Resources Director may deny an Owner's or Developer's application for sewer service for the Project.

(C) **Appeal of denial of sewer service.** An Owner or Developer whose application for sewer service for a Project has been denied by the Water Resources Director may appeal that decision to the Water Resources Board. The Water Resources Board shall vacate the Water Resources Director's decision if and only if the Board finds that the Director's decision was made in



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an arbitrary or discriminatory manner, was not supported by material evidence, or was inconsistent with established City policy. Upon vacating the Director's decision, the Board may either remand the matter for reconsideration by the Director or reverse the Director's finding that there is insufficient collection capacity to serve the Project.

## **SECTION 33-75 AVAILABLE WASTEWATER TREATMENT CAPACITY; DETERMINATION, REPORTING AND TRACKING.**

- (A) **Determination of available capacity.** The Water Resources Director will determine the total amount of sewer capacity available for allocation purposes, taking into account the existing (approved or constructed) development projects in the City. This determination shall evaluate the capacity of all treatment facilities used by the City as well as its sewer mains, pumping stations, and other sewer facilities. In addition to determining the system's overall capacity available for allocation, the Water Resources Director may determine the amount of sewer capacity available for allocation within individual basins, sub-basins, and sewer districts.
- (B) **Bi-Annual Report.** At least once every two years, the Water Resources Department will present a report on the sewer system's capacity ("Bi-Annual Report") to the Water Resources Board and, after approval by the Board, to the City Council.
- (C) **Tracking.** The Water Resources department will track the allocation of sewer capacity and will make allocation information available to the public.

## **SECTION 33-74 MAXIMUM DAILY WASTEWATER GENERATION ALLOWANCE.**

- (A) City Council shall have the authority to allocate, by resolution, the sewer capacity of the City's Sewer System among properties located within the City's corporate limits and properties currently located outside the City's corporate limits that are served or potentially capable of being served by the City's Sewer System. Such allocation shall be made by assigning a maximum daily wastewater generation allowance to each property based on the actual or projected land use of the property. Based on the recommendation of the Water Resources Board, City Council, in its discretion, may establish maximum daily wastewater generation allowances applicable to all areas served or potentially served by the City's Sewer System or establish separate allowances that differ in amount for the sewer system's various basins, sub-basins, and/or districts.
- (B) For purposes of allocating the City's sewer capacity, a property's actual or projected land use shall be based on either the property's current zoning or the land use of the property indicated on the City's most recently adopted or amended Future Land Use Plan. In the event of a conflict between the property's current zoning and the land use indicated on the Future Land Use Plan, the property use shall be deemed to be the use that would provide the higher maximum daily wastewater generation allowance. Properties not located within the City's corporate limits as of the effective date of a sewer-capacity-allocation resolution and those properties outside the corporate limits that are not served by the City's Sewer System as of the effective date of a sewer-capacity-allocation resolution shall be assigned a maximum daily wastewater generation allowance of zero gallons per acre.
- (C) Projects approved by the City after the effective date of a sewer-capacity-allocation resolution shall maintain an average wastewater generation at or below the maximum daily wastewater generation allowance for the

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development's land-use category established in the sewer-capacity-allocation resolution.

- (D) At least once every two years, City Council shall review the existing allocation of the City's Sewer System's capacity and the established maximum daily wastewater generation allowances and adopt any changes to the allocation and/or allowances that are necessary and appropriate to fulfill the purpose and intent of the Sewer Capacity Allocation Ordinance. In adopting changes to the allocation and/or allowances, City Council may consider the recommendations presented by the Water Resources Department in its Bi-annual Report, the recommendations of the City Manager, and other factors relevant to fulfilling the purpose and intent of the Sewer Capacity Allocation Ordinance.

## **SECTION 33-77 DETERMINATION OF DAILY AVERAGE USAGE.**

The water-meter readings by the Water Resources Department (or the Consolidated Utility District of Rutherford County, as applicable) shall be determinative and govern daily average usage. Nothing herein, however, shall prevent the developer from installing and maintaining a meter, provided that such meter is of a type approved by the Water Resources Department and measures water consumed on the property and not returned to the City's Sewer System. Annual calibration of privately installed meters by an independent entity shall be part of the property owner's ongoing responsibility under this Article.

## **SECTION 33-78 APPLICATION FOR ALLOCATION.**

An owner or developer of a project shall apply for a sewer allocation at the time the owner requests a Will-serve Letter from the Water Resources Department. The application shall include: (a) any documentation necessary to demonstrate the amount of the request allocation; and (b) the proposed land-use category for the project. The Water Resources Department may establish additional application policies and procedures reasonably necessary to achieve the purpose and intent of the Sewer Capacity Allocation Ordinance.

## **SECTION 33-79 COMPLIANCE.**

- (A) After the City has issued a certificate of occupancy for a project, the Water Resources Department shall monitor the water consumption at or within the project for such time as is reasonably necessary under the circumstances to establish the normal water usage at or within the project.
- (B) In the event the daily average usage is greater than the maximum daily wastewater generation allowance established for the project, the project's owner shall be assessed an additional service fee for exceeding the limits established in the sewer-capacity-allocation resolution then in effect. This additional service fee shall be calculated and assessed, along with any applicable administrative fees, in accordance with the sewer-capacity-allocation resolution then in effect.
- (C) An additional fee may be assessed, as provided by the sewer-capacity-allocation resolution then in effect, if the peak-to-average ratio exceeds 3.0.

## **SECTION 33-80 PETITION FOR ADDITIONAL ALLOWANCE; FEE APPLICABLE TO EXEMPT LAND CLASSIFICATIONS.**

- (A) If the Water Resources Department determines that a project proposed by an applicant for sewer service is likely to exceed the maximum daily wastewater generation allowance established for the proposed land use and



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the City's Sewer System capacity is sufficient to serve the project, the applicant may petition the City for a waiver of the applicable limits. Upon review by City staff, the application and staff recommendation shall be presented to the City Council to approve or deny the request for an additional allowance.

- (B) In evaluating a petition, City Council, Water Resources Board, and staff may consider the following factors:
  - (1) The current performance of the City's wastewater treatment facilities;
  - (2) The character and nature of wastewater that is likely to be discharged from the project relative to any applicable limits or restrictions established by federal, state, or local law;
  - (3) The current daily flow at the City's treatment facility that would receive the project's wastewater;
  - (4) The impact of additional flow on the receiving treatment plant's ability to achieve NPDES permit limits; and
  - (5) The available hydraulic capacity of the City's sewer lines and other sewer system components.
- (C) The City Council may authorize an additional daily wastewater generation allowance to a project provided:
  - (1) The technical factors listed set forth in subsection (B), either individually or collectively, do not militate against the approval of the requested allowance;
  - (2) Sufficient sewer capacity exists within the system and within the basin or sub-basin in which the project is located;
  - (3) The proposed project is, in the opinion of the City Council, consistent with the City's adopted land use plans and policies concerning growth and development; and
  - (4) The additional daily wastewater generation allowance granted by the City is not greater than ten percent (10%) of the total available capacity of the basin or sub-basin in which the project is located.

Provided the application satisfies these requirements, the City Council, in deciding whether to authorize an additional allowance, may consider any other factor identified in the Council's deliberations related to whether a particular application promotes or undermines public health or safety or the general welfare of the City and its residents.
- (D) The City Council may condition the approval of an additional allowance on the owner or developer incorporating certain public infrastructure improvements into the project's site plan.
- (E) In the event City Council grants an additional allowance, the applicant shall remit, as provided in Section 33-50(a)(2), a one-time fee equal to \$2,550.00 for every 260 gallons per day of additional volume over the maximum daily wastewater generation allowance applicable to the project plus any applicable special sanitary sewer assessment fees.

## **SECTION 33-81 VESTING OF SEWER-CAPACITY ALLOCATION AND OTHER SEWER-SERVICE RIGHTS.**

- (A) **Rights Vest to Property.** Any vesting of a sewer-capacity allocation or other sewer-service rights (collectively, "sewer-service rights") obtained through a successful application for sewer service vests to the property itself for the specific project identified in the application rather to the applicant personally. Any change in ownership or change in legal rights subsequent to approval shall not affect the vesting of the sewer-service rights and the time periods described herein.
- (B) **Rights Not Transferrable.** Sewer-service rights may not be transferred from the property designated in an application for service to a different piece of property under any circumstances.

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(C) **Initial Vesting Period.** No sewer-service rights shall vest in a property until such allocation is approved pursuant to this article and the applicant has paid at least ten percent (10%) of the overall water and sewer connection fees required for the requested connection(s). The initial sewer-service rights vested in a property shall expire and lapse for all development and construction on the property thirty (30) months after the allocation's approval, unless:

(1) In the case of a project where approval of a development plan is not required under the City Code, including the City's Zoning Ordinance, the owner or developer obtains a building permit for the project within the initial vesting period; or

(2) In the case of project where approval of a development plan is required under the City Code, including the City's Zoning Ordinance, the owner or developer obtains the required approval(s) within the initial vesting period; or

(3) The owner or developer pays an additional ten percent (10%) of the overall water and sewer connection fees for the project within the initial vesting period to extend initial vesting period an additional thirty (30) months. An owner or developer may renew the initial vesting period three times, for a total initial vesting period of ten years.

Any payments made to initiate or extend the initial vesting period shall be credited to the total water and sewer connection fees for the project and are nonrefundable. Extension of the initial vesting period may be approved administratively by the Water Resources Director upon receipt of the additional payment.

(D) **Vested Property Rights.** Sewer-service rights shall vest as provided in T.C.A. § 13-4-310 and City of Murfreesboro Resolutions 14-R-28 and 15-R-05 upon the approval by the City, in accordance with applicable state law and the City Code, of: (1) a preliminary development plan; (2) a final development plan where no preliminary development plan is required by ordinance; or (3) a building permit allowing construction of a building where there is no need for prior approval of a preliminary development plan for the property on which that building will be constructed; provided, however, no sewer-service rights shall vest in the property under this subsection (D) unless or until the owner or applicant has first successfully applied for sewer-service rights in accordance with this Article.

(E) **Expiration of Vesting.** Without regard to the payment of fees, renewals, or term of vesting, sewer-service rights vested in a property pursuant to subsection (D) shall expire immediately:

(1) if a right vested as provided in T.C.A. § 13-4-310 expires in accordance with the vesting periods set forth in that statute; or

(2) it becomes necessary to terminate or modify the vested rights as permitted by T.C.A. §13-4-310.

**SECTIONS 33-82—33-100**

**RESERVED.”**

SECTION 6. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

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

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

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



*DRAFT*

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Melissa B. Wright  
City Recorder

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

SEAL

**RESOLUTION 19-R-xx. 2019 Sewer-Capacity Allocation Resolution.**

**WHEREAS**, Section 33-75(A) of the Murfreesboro City Code authorizes City Council, by resolution, to allocate the sewer capacity of the City's Sewer System among properties located within the City's corporate limits and properties currently located outside the City's corporate limits that are served or could potentially be served by the City's Sewer System; and

**WHEREAS**, such allocations shall be made by assigning a maximum daily wastewater generation allowance to each property based on the actual or projected land use of the property; and,

**WHEREAS**, Section 33-73 defines "Project" as (1) any proposed construction of a new building, facility, or group of buildings and/or facilities requiring one or more new water meters or new or larger connections to the City's Sewer System; or (2) any proposed renovation of an existing building or facility that requires a new water meter or new or larger connections to the City's Sewer System; and

**WHEREAS**, except as otherwise provided in Section 33-80 of the City Code, Section 33-75(C) requires all Projects approved by the City after the effective date of this resolution maintain an average wastewater generation level at or below the maximum daily wastewater generation allowance for the project's land use category established in the resolution; and

**WHEREAS**, the Murfreesboro Planning Commission and City Council have determined that the maximum daily wastewater generation allowances established by this resolution balance the needs of beneficial economic development with the increase in residential development in the City; and

**WHEREAS**, the Murfreesboro Planning Commission and City Council further find that the maximum daily wastewater generation allowances established by this resolution will help ensure that the City's sewer-system capacity remains sufficient to support all aspects of a growing community and allocates this limited capacity in a manner that is in the best interests and general welfare of the City's citizens; and

**WHEREAS**, the Murfreesboro Planning Commission and City Council have specifically determined that the economic benefits of development within the City's Central Business District, City Core Overlay, and Gateway Overlay Zones outweigh the impact of such developments on the City's sewer-capacity and that this balancing of interests warrants exempting properties located in these zones from any maximum daily wastewater generation requirement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:**

**SECTION 1.** As of the effective date of this resolution, each property located within the City's corporate limits and each property located outside the City's corporate limits that are currently served by the City's Sewer System shall be assigned the



maximum daily wastewater generation allowance (measured in gallons per day per acre) set forth in **Table 1** that corresponds to the individual property’s land-use classification. Except as otherwise provided in Section 33-80 of the City Code, all Projects approved by the City after the effective date of this resolution shall maintain an average wastewater generation at or below the maximum daily wastewater generation allowance set forth in **Table 1** for the Project’s land-use category. The maximum allowances set forth in **Table 1** shall not apply to properties currently receiving sewer service as of the effective date of this resolution or to Projects approved by the City as of the effective date of this resolution, unless either: (1) an owner or developer applies to the City for approval of a new building, facility, or group of buildings and/or facilities on the property that will require one or more new water meters or a new or larger connection to the City’s Sewer System; or (2) an owner or developer seeks applies to the City for the approval of a renovation of an existing building or facility will require one or more new water meters or a new or larger connection to the City’s Sewer System.

**TABLE 1**  
**Maximum Daily Wastewater Generation Allowance**

Land-Use Classification	Included Zoning Classifications	Maximum Daily Allowance (gallons per acre per day)	Single-Family-Unit Equivalents (SFUE) per Acre
Commercial	CM-R, CM, CM-RS-8, OG-R, OG, CL, CF, CH, and PCD	650	2.5
Industrial	G-I, H-I, L-I,	1,040	4.0
Low-Density Residential	RS-15, RS-12, RS-10, and PRD (if average lot size ≥ 10,000 sq. ft.)	780	3.0
Medium-Density Residential	RS-8, RS-6, RS-4, R-D, and PRD (if average lot size < 10,000 sq. ft.)	1,820	7.0
High-Density Residential	RM-12, RM-16, RS-A, R-MO and CU (dormitories only)	2,340	9.0
Mixed-Use	MU and PUD	1,040	4.0
College and University	CU (except dormitories)	880	3.4
Parks	P	130	0.5
Central Business District, City Core Overlay, and Gateway Overlay	CBD, CCO, GDO	No Limit	No Limit

SECTION 2. Notwithstanding the fact that projects located in the City's CBD, CCO, and GDO Zones are not subject to any maximum daily wastewater generation allowance, an Owner/Developer (as defined in the Section 33-73 of the City Code) for such projects must pay a one-time fee equal to \$2,550.00 for every 260 gallons per acre per day of wastewater in excess of 2,340 gallons per day that the project is expected to generate. The City will not grant the requested allocation or issue a Will-serve Letter for the project until this fee plus any applicable special sanitary sewer assessment fees are paid in full.

SECTION 3. In the interest of mitigating the burden of the new sewer-capacity allocation regulations on development projects already underway, the following development projects shall be exempted from the maximum daily wastewater generation allowances set forth in Table 1:

1. Projects that have received a Will-serve letter from the City within a year of this Resolution's effective date;
2. Projects where the developer has undertaken a capacity study through either a flow-monitoring analysis or pump station assessment and where such study has demonstrated adequate capacity for the proposed development density;
3. Projects whose site plan receives Planning Commission or Administrative approval within 90 days of this Resolution's effective date;
4. Projects whose preliminary plat receives Planning Commission or Administrative approval within 90 days of this Resolution's effective date;
5. Projects subject to current bulk zoning requirements, provided the site plan or preliminary plat for such projects receives Planning Commission or Administrative approval within 90 days of this Resolution's effective date; an applicant may request a higher sewer allocation per the proposed ordinance prior to or simultaneous with the submittal of a site plan or a preliminary plat.
6. Planned development projects whose development plan has been approved by the Planning Commission and City Council prior to the effective date of this Resolution.
7. Planned development projects for which a current rezoning application has been received by the City and whose approval by the Planning Commission and/or City Council is pending as of the effective date of this Resolution.

SECTION 4. This resolution shall take effect as of the effective date of Ordinance 19-O-XX by City Council, the public welfare and the welfare of the City requiring it.



Passed: \_\_\_\_\_

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Melissa B. Wright  
City Recorder

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

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# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

**1:00 PM**

**CITY HALL**

## **Members Present**

Kathy Jones  
Eddie Smotherman  
Warren Russell  
Ronnie Martin  
Jennifer Garland

## **Staff Present**

Donald Anthony, Planning Director  
Matthew Blomeley, Asst. Planning Director  
Margaret Ann Green, Principal Planner  
Marina Rush, Principal Planner  
Amelia Kerr, Planner  
Carolyn Jaco, Recording Assistant  
David Ives, Deputy City Attorney  
Katie Noel, Project Engineer  
Brad Barbee, Landscape Site Plan Inspector  
Jafar Ware, Planner  
Sam Huddleston, Executive Dir. of Dev. Services

**Chair Kathy Jones called the meeting to order after determining there was a quorum. Mr. Ronnie Martin made a motion to approve the minutes from the August 21, 2019, Planning Commission meeting, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

## **Consent Agenda**

Chair Kathy Jones read the following items to be considered for approval.

**Carlton Landing, Section 1 [2019-1031 & 2019-3119]** preliminary plat for 58 lots on 39.56 acres zoned RS-10 located along New Salem Highway and site plan for amenity center, Cornerstone Development, LLC developer.

**West Point, Section 3 [2019-1028]** preliminary plat for 5 lots on 60.4 acres zoned L-I located along Beasie Road and Warrior Drive, Mr. Charlie B. Mitchell, Jr. developer.

**Salem Landing, Section 1 [2019-1030]** amended preliminary plat for 118 lots on 51.68 acres zoned RS-6 located along New Salem Highway, Mr. Tim McClure developer.



# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

**West Point, Section 2 [2019-2064]** final plat for 1 lot on 33.13 acres zoned L-I located along Beasie Road, Charlie B. Mitchell, Jr. developer.

**West Point, Section 3, Phase 1 [2019-2063]** final plat for 1 lot on 15.64 acres zoned L-I located along Warrior Drive, Charlie B. Mitchell, Jr. developer.

**West Point, Section 3, Phase 2 [2019-2065]** final plat for 1 lot on 18.64 acres zoned L-I located along Beasie Road and Warrior Drive, Charlie B. Mitchell, Jr. developer.

**West Point, Section 3, Phase 3 [2019-2069]** final plat for 1 lot on 10.54 acres zoned L-I located along Beasie Road and Warrior Drive, Charlie B. Mitchell, Jr. developer.

**Henderson Family Subdivision [2019-2062]** final plat for 2 lots on 5.37 acres zoned RS-10 and H-I located along Bridge Avenue, The Henderson Family Properties Limited Partnership developer.

**Evergreen Farms, Section 37, Phase 1 [2019-2058]** final plat for 59 lots on 9.16 acres zoned PRD located along Oak Drive and Secretariat Trace, Evergreen Farms Development, Inc. developer.

**Primrose School [2019-2054]** final plat for 1 lot on 1.55 acres zoned CH located along Irongate Boulevard and Wendelwood Drive, James B Haynes Family Real Estate Partnership developer.

**Victory Station South PUD, Parcels U & V, Lots 1 & 2 [2019-2052]** final plat for 2 lots on 19 acres zoned PUD along Rucker Lane and Swanholme Drive, Swanson Developments, LP developer.

**Victory Station PUD, Parcel B, Lot 11 [2019-2051]** final plat for 1 lot on 1.56 acres zoned PUD located along Mercy Court, Swanson Developments, LP developer.

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

**General's Retreat [2019-2061]** amended horizontal property regime plat and final plat for 1 lot on 1.87 acres zoned PRD located along River Rock Boulevard, Linda Martinez developer.

**Blackman Village, Lots 1-4 [2019-2072]** final plat for 4 lots on 17.94 acres zoned PRD located along Manson Pike and Florence Road, Blackman Village, LLC developer.

**Osborne Estates Subdivision, Section 1, Phase 2 [2019-2057]** final plat for 23 lots on 8.05 acres zoned RS-10 located along Osborne Lane and Pomoa Place, Black Diamond Construction, LLC developer.

**Mr. Eddie Smotherman made a motion to approve the consent agenda subject to all staff comments; including, the motion to remove the final plat, Salem Elementary School [2019-2066] from the consent agenda for further discussion, seconded Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

## **Gateway Design Overlay**

**Waterstone Lot 6 (Volunteer Behavioral Health) [2019-6009 & 2019-3115] initial design review for 32,000 ft2 medical office and hospital on 2.3 acres zoned MU & GDO-3 located along Williams Drive, Volunteer Behavior Health Care System developer.** Ms. Margaret Ann Green summarized the initial design review from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Green explained this site would have access to William Drive. In addition, it is anticipated to have access to the adjacent Fountains development some point in the future through the extension of a private drive.

Mr. Matt Taylor and the applicant's architect were in attendance to represent the applicant. Ms. Jennifer Garland asked if this proposal had been an approved for a Certificate of Need. Mr. Matt Taylor made known this of type use would only require a license.



# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

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

**Murfreesboro Gateway Phoenix Parcel Q (Hyatt House) [2018-6017 & 2018-3110] initial design review for 92,277 ft2 hotel on 3 acres zoned MU & GDO-3 located south of Medical Center Parkway and east of Gateway Boulevard, Thor Oaks LLC developer.** Ms. Margaret Ann Green summarized the initial design review from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Green made known the applicant had gone before the Design Review Committee last month for their review. The DRC had recommended for the EIFS to be reduced to 15 percent or less. Since then, the applicant has reduced the EIFS to meet GDO requirements. Continuing, Ms. Green made known the site would have twelve shared parking spaces with the adjacent property known as The Oaks Development. A shared parking agreement would be required to be reviewed and approved by the Planning Director to be recorded at the Register of Deeds office before final approval.

Mr. Matt Taylor and Mr. Jim Hackett were in attendance to represent the applicant. Mr. Taylor made known they had changed the EIFS at the back of the building to a similar color as the proposed brick material. Mr. Jim Hackett made known the pool area would be part of the formal open space. He agreed to address staff's concern for some type of shading be added to the pool area.

Mr. Eddie Smotherman asked if the brick material behind the green shrubbery/living wall on the building would be the same brick material as the building. Mr. Taylor answered yes. Mr. Warren Russell requested for a twenty-four-inch brick base be added to the first floor on the building. Mr. Taylor stated it would be addressed.

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

**Mr. Eddie Smotherman made a motion to approve subject to all staff comments, including the applicant including a 24-inch defined brick base, providing a shared parking agreement before final approval, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

**The Oaks Lot 2-B [2016-3188 & 2016-6018] final design & site plan review for 30,240 ft2 retail on 2.64 acres zoned L-I & GDO-1 located along Medical Center Parkway, Oaks Retail Partners GP developer.** Ms. Margaret Ann Green summarized the initial design review, site plan review, and final plan review from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor and Mr. Carlos Hernandez were in attendance to represent the applicant. Mr. Hernandez made known additional parking spaces had been added at this location for the shared parking area with the Hyatt House. In addition, they have made improvements to the building with end caps facing Medical Center Parkway.

**Mr. Warren Russell made a motion to approve the final design review and site plan review subject to all staff comments, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.**

**North Church LLC Property Lot 3 (Avid Hotel) [2019-6008 & 2019-3084] initial design review for 47,225 ft2 hotel on 3.3 acres zoned MU, CH & GDO-1 located along Greshampark Drive and Wilkinson Pike, Vinayak Hospitality, LLC developer. WITHDRAWN**

## **Plats and Plans**

**Togrye Subdivision, Section 2 [2019-1029] master plan amendment and preliminary plat for 4 lots on 6.77 acres zoned CF located along Franklin Road and Rucker Lane, Mr. Anthony Togrye, developer.** Mr. Matthew Blomeley described the master plan amendment and preliminary plat from the staff report, which had been provided to the Planning Commission in



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019

the agenda packet. He explained the amendment being a reconfiguration of the lot lines, which had increased the number of lots. These plans are in good order.

Mr. Matt Taylor and Mr. John Harney were in attendance to represent the applicant.

**Ms. Jennifer Garland made a motion to approve the master plan amendment and preliminary plat subject to all staff comments, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.**

**NHK Seating of America, Resubdivision of Lot 1 [2019-1027] master plan and preliminary plat for 4 lots on 50.96 acres zoned H-I located along Joe B Jackson Parkway and Hollis Westbrooks Lane, NHK Seating of America, Inc. developer.** Mr. Matthew Blomeley described the master plan amendment and preliminary plat from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley requested for the following be addressed before final approval:

- The new lot lines are required to meet all landscaping requirements. Therefore, the applicant should continue working with Mr. Brad Barbee to make certain the lots comply with the minimum landscaping requirements.
- Continue working with Staff on the shared access easements and maintenance agreement.
- The shared access easements are required to be recorded with the final plat.

Ms. Jennifer Garland asked, who would maintain the existing drive for the shared access drives? Mr. Blomeley answered, prior to signing the final plat, staff would review and approve a maintenance agreement regarding all shared drives.

Mr. Bill Huddleston was in attendance to represent the applicant.

**Ms. Jennifer Garland made a motion to approve the master plan amendment and preliminary plat subject to all staff comments, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.**

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

**NHK Seating of America, Resubdivision of Lot 1 [2019-2055] final plat for 4 lots on 50.96 acres zoned H-I located along Joe B Jackson Parkway and Hollis Westbrooks Lane, NHK Seating of America, Inc. developer.** Mr. Matthew Blomeley described the final plat from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley requested for the following be addressed before final approval:

- The new lot lines are required to meet all landscaping requirements. Therefore, the applicant should continue working with Mr. Brad Barbee to make certain the lots comply with minimum landscaping requirements.
- Continue working with Staff on the shared access easements and maintenance agreement.
- The shared access easements are required to be recorded with the final plat.
- Continue working with Staff regarding the new modified lot lines to address all signage requirements before any final plats are signed.

**Ms. Jennifer Garland made a motion to approve the final plat subject to all staff comments, both verbal and written, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**Siegel Soccer Park [2019-3113] site plan for sports turf fields and a 2,902 ft<sup>2</sup> indoor practice facility on 125 acres zoned RS-15 located along Cherry Lane and Memorial Boulevard, City of Murfreesboro developer.** Ms. Margaret Ann Green described the site plan from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Green explained this proposal would be a non-traditional structure. The proposed structure is not consistent with the Murfreesboro Design Guidelines/Architectural Design; it would have a galvanized steel frame with durable fabric covers. However, this proposed structure would be a practice facility to be placed within the interior of a larger piece of property.

Mr. Bill Huddleston and Mr. Lyle Lynch were in attendance to represent the applicant. Mr. Lynch came forward stating the fabric cover for the structure would be more energy efficient than a metal

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019

building. Ms. Garland wanted to know what was the life expectancy for this type of structure? Mr. Lyle Lynch answered, twenty years or longer. If needed the structure could be re-covered after 20 years.

Mr. Warren Russell wanted to know if there would be any issues for the City not meeting the Murfreesboro Design Guidelines/Architecture. Mr. David Ives made known City government could allow exceptions to City facilities. This proposal is a unique use to be placed internally on the City-owned property.

**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.**

## **New Business**

**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.** Ms. Marina Rush described the annexation plan of services and annexation petition from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor and Mr. John Harney were in attendance to represent the applicant.

**Mr. Eddie Smotherman made a motion to schedule a public hearing on October 2, 2019, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**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.** Ms. Marina Rush described the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor and Mr. John Harney were in attendance to represent the applicant. Mr. Taylor explained the floodway along this property would be approximately 1,600 feet of buffer between



# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

the residential properties that is located across the railroad tracks. This would be considered as a substantial buffer. In addition, in this area the Tennessee Department of Transportation has been reviewing signalized interchanges for future safety improvements.

**Mr. Warren Russell made a motion to schedule a public hearing on October 2, 2019, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.**

**Zoning application [2019-433] for approximately 23 acres located along Veterans Parkway to be rezoned from RS-10 to PRD (Veterans Cove PRD), Alcorn Properties, LLC, applicant.**  
**WITHDRAWN**

**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.** Ms. Marina Rush described the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Marina Rush made known a second neighborhood meeting had been conducted on July 15, 2019. The main concerns for this proposal had been traffic, drainage, erosion, density, and housing type. Continuing, Ms. Rush made known after reviewing the applicant's pattern book she requested for the following items be revised before a public hearing is conducted:

- Include the gate locations for the private roads on page 12.
- Include sidewalks on both side of the streets on page 12.
- Provide architectural renderings, plans, or photographs of the proposed structures on page 15-24.
- Provide rear elevations of The River Row units on page 15.
- The Villas should be revised to address the backs of the units towards the surface parking on page 17 and 18.
- Include the renderings for The Cottages garages on page 21.

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

- Revise parking requirements for The Villas on page 18.
- The proposed bandstand area should be relocated away from the existing residential area on page 25 & 26.
- Revise the landscaping to a Type D buffer on page 27.
- Revise the mail kiosk with Phase 1, on page 30.
- Revise the Exceptions Table for the setbacks and for the height that would be viewed from the greenway on page 35.

Ms. Rush stated that this project is consistent with the future land use map. In addition, she feels the applicant should continue to work with staff on the listed items that had been mentioned before there is a scheduled public hearing.

Mr. Clyde Rountree, Mr. Brian Burns, and Mr. Bill Huddleston were in attendance to represent the applicant. Mr. Rountree came forward to explain the applicant's pattern book starting with page 3 addressing the summary sheet for the table which explains the number of units and product types. On page 13 and 14 it shows the conceptual site plan layout for the five different townhome types. The access points would be south via Cason Trail, north via Racquet Club Drive, and a middle access via an extension to Eastview Drive. Eastview Drive would be a public road and would be the primary point for access into the development which would connect to Racquet Club Drive.

The Planning Commission began discussing the proposal. Chair Kathy Jones suggested there be multiple mail kiosks available for this size of a development. Mr. Brian Burns stated he would address the multiple kiosks. The whole concept for this neighborhood would be healthy living. For this development he has included walking trails, kayak launches, pools, etc. He explained there would be over forty acres that could not be developed. He is proposing five phases for this development to occur over the next ten years.

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**Ms. Jennifer Garland made a motion to schedule a public hearing on October 2, 2019, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**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.** Ms. Amelia Kerr described the application from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Eddie Smotherman made known his concerns regarding this property being an outside the City sewer customer when there is limited capacity on the City sewer. Mr. Sam Huddleston made known the City had agreed upon and had contracted the Buchanan sewer assessment district with participants for 20 years. Currently, there is 6 years remaining on the sewer contract. Therefore, the City is obligated to extend services for the next 6 years. Any sewer taps that are sold by the City in this district offsets the reimbursement costs which are approximately \$200,000.00, a year. The City is in a contract and obligated to provide City sewer services. Mr. David Ives explained this applicant has requested for annexation for outside the City sewer service and we are obligated to provide it to them.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor explained the reason for the request is due to a potential user for a warehouse sales floor area. This would be considered as a low sewer usage. There could be up to seven or ten taps placed on this property.

The Planning Commission began discussing the use and agreed this request should be discussed further before a public hearing is scheduled. Mr. Warren Russell commented the Planning Commission has not been updated on the current issues with the City sewer capacities. He feels they cannot make the best decisions without knowing current issues. Mr. Sam Huddleston made known a presentation would be provided to the Planning Commission on October 16, 2019. The information to be presented is from a study that had been prepared by the Murfreesboro Resources Director, Darren Gore.



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Mr. Matt Taylor requested for an indefinite deferral.

**Mr. Warren Russell made a motion of indefinite deferral, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

**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.** Ms. Amelia Kerr described the annexation plan of services and annexation petition from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Bricke Murfree was in attendance to represent the applicant.

**Mr. Eddie Smotherman made a motion to schedule a public hearing on October 2, 2019, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**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.** Ms. Amelia Kerr described the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Bricke Murfree was in attendance to represent the applicant.

**Mr. Eddie Smotherman made a motion to schedule a public hearing on October 2, 2019, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

## **Staff Reports and Other Business**

**Annexation plan of services and annexation petition [2019-508] for approximately 65 acres located along Northwest Broad Street, Springboard Landing Inc and Mary Hord Haymore Children LP applicants.** Ms. Margaret Ann Green requested for the annexation plan of services and annexation petition be removed from the October 2, 2019 public hearing. She made known the applicant had not submitted a traffic study, nor provided any revisions needed for this

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 18, 2019**

application. She recommended for this item to be presented during the next workshop on October 16, 2019.

**Ms. Jennifer Garland made a motion to remove the annexation plan of services and annexation petition from the October 2, 2019 agenda; seconded, by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.**

**Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant.** Ms. Margaret Ann Green requested for the zoning application be removed from October 2, 2019 agenda. She made known the applicant had not submitted a traffic study, nor provided any revisions needed for this application.

**Ms. Jennifer Garland made a motion to remove the zoning application from the October 2, 2019 agenda; seconded, by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.**

## **Staff and Other Business**

**Salem Elementary School [2019-2066] final plat for 1 lot on 25.82 acres zoned CF located along Saint Andrews Drive and Saint Bernard Way, City of Murfreesboro developer. (project planners: Brad Barbee and Matthew Blomeley.** Mr. Matthew Blomeley summarized the final plat from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Blomeley explained the City was in the process in acquiring property towards the north of this site that is within a TVA easement. Currently, this property is common area for the Southern Meadows subdivision. The City has filed a condemnation suit for the property due to it being owned by a defunct LLC. The possession hearing is scheduled for October 2019. If the City gains possession of the property, then it would be incorporated into the school property. This would prevent the final plat being reviewed by the Planning Commission twice.

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

Lastly, Mr. Matthew Blomeley announced to the Planning Commission that the Fall Retreat for September 27, 2019 has been postponed.

**There being no further business the meeting adjourned at 3:45 p.m.**

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**Chair**

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**Secretary**

DA: cj



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

6:00 p.m.

City Hall

## Members Present

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

## Staff Present

Donald Anthony, Planning Director  
Matthew Blomeley, Asst. Planning Director  
Marina Rush, Principal Planner  
Amelia Kerr, Planner  
Carolyn Jaco, Recording Assistant  
David Ives, Deputy City Attorney  
Roman Hankins, Assistant City Attorney  
Jafar Ware, Planner  
Sam Huddleston, Executive, Dir. Of Dev. Services

Before the meeting began, Mr. David Ives introduced Mr. Roman Hankins to the Planning Commission. Mr. Hankins is a new Assistant City Attorney for the City of Murfreesboro. He comes from the City of Clarksville after serving 10 years as their Assistant City Attorney. We are glad to have Mr. Hankins on board to work with us.

Chair Kathy Jones called the meeting to order after determining there was a quorum. Mr. Ronnie Martin made a motion to approve the minutes of the September 4, 2019 Planning Commission meeting, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

## Old Business

**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. She made known the application had been deferred at the September 4, 2019, Planning Commission meeting. The reason for the deferral was to allow the applicants to conduct a neighborhood meeting to discuss the proposed changes. From the neighborhood meeting, the residents now know what the changes are for and they are in support of the changes. Ms. Rush explained a

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

public hearing had been conducted and closed at the September 4, 2019. Therefore, this request would not require another public hearing.

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

**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. WITHDRAWN**

## **New Business**

**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.** Ms. Amelia Kerr 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.

**Ms. Mary Ellen Sloan, 1545 Nathan Court** – explained that she has voiced her concerns regarding significant flooding in this area with those representing Rutherford County Departments and to those representing the City of Murfreesboro. She requested remediation for this property to address the ongoing flooding conditions at Lytle Creek.

Chair Kathy Jones closed the public hearing.

Mr. Sam Huddleston explained over the last decade the City has been tracking the issue of beaver activity at Lytle Creek. This is a wildlife management issue on private property. The City of Murfreesboro does not have the authority to go on to the property to take action unless the property owner approves. Currently, this property is outside of the jurisdiction of the City of Murfreesboro. If this property is annexed into the City, it would be better to monitor the property with the property owner. The risk of flooding from a beaver damn is very minor. The beavers do have an

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

impact disrupting the stream. In the past the City has been working with TWRA and other wildlife services to relocate any beavers. It is a situation that is monitored on several streams within our City. The City has to evaluate the cost of action, and our ability to be on private property.

The Planning Commission asked if annexing property that is in a floodplain or floodway was a good idea? Mr. Sam Huddleston stated he would prefer management of the streams and networks in the City. These areas could be properly regulated and managed for water quality and monitored by the Tennessee Department of Environment and Conservation.

**Mr. Ken Halliburton made a motion to approve the annexation plan of services and annexation petition, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.**

**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.** Ms. Amelia Kerr 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.

1. **Ms. Mary Ellen Sloan, 1545 Nathan Court** – wanted to know if this property was annexed and rezoned, would the City of Murfreesboro commit to maintaining the flow of water on Lytle Creek?
2. **Ms. Jacquelyn Brown, 2302 Riverstone Drive** – if the City approves this property to be annexed, would the City require an environmental impact study on the water quality? She has concerns with possible industrial use being by a water stream.
3. **Elaine Gipple, 2709 Spaulding Circle** – wanted to know how the water on this property would be addressed if this property was covered with asphalt?

Chair Kathy Jones closed the public hearing.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

Mr. Sam Huddleston came forward to address the concerns that had been mentioned. He stated the property is private regardless of the jurisdiction it is in. The beaver dams in creeks have been occurring for thousands of years. Water running over a floodplain is not a problem for the City to correct. Currently, the City is studying Lytle Creek with TDEC and those involved with Rutherford County stormwater. If this property is ever developed, the City Stormwater Ordinance would require protection of creeks, stream banks, detention, and water quality management.

Mr. Matthew Blomeley made known there are no plans for development at this time. This is speculative annexation and zoning. The property owner would like to market the property for potential development in the future. The entire property would not be paved. There are requirements for development such as landscaping requirements, open space requirements, and formal open space requirements.

**Mr. Ronnie Martin made a motion to approve the zoning request, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.**

**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.** Ms. Marina Rush 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.

**Ms. Carol Hughes, 124 Lodge Court** – expressed her concerns how this would impact the county residents due the increase of traffic in their area. She wanted to know if there would be any realignment to Elam Road and Butler Road? Also, if this property is annexed into the City, would a traffic study be provided, would traffic signals be included, etc.?

Chair Kathy Jones closed the public hearing.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

Ms. Marina Rush made known there was not a traffic study with this proposal. Currently, there are no plans for development of this land. However, if the land is annexed into the City, a portion of Elam Road would be included for future road improvements and realignment to meet City standards. Mr. Eddie Smotherman wanted to know if the property was developed, would the road improvements be at the developers' expense? Ms. Rush answered any of the property which fronts Elam Road would be improved by the developers at their expense.

**Mr. Chase Salas made a motion to approve the annexation plan of services and annexation petition subject to all staff comments, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.**

**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.** Ms. Marina Rush summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor and Mr. John Harney were in attendance to represent the applicant. Mr. Taylor gave a power point presentation. He made known this proposal would be a place for Economic Development, Employment, and Commerce for our City and region. Mr. Taylor explained the property is on the Major Transportation Plan which calls for realignment and widening improvements of Elam Road and Butler Road.

Mr. Ken Halliburton wanted to know if the dedicated right-of-way for road improvements would be made known to future developers who are interested in this property. Mr. Taylor answered yes. However, at this time there is not a definite user, but it would be part of the conversations when a developer is inquiring about the property.

Chair Kathy Jones opened the public hearing.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

**Ms. Mariah Phillips, 1332 Dodd Trail** – wanted to know if approved for rezoning would this property be for industrial use? Would the developer be responsible for infrastructure? If so, all future developments should take the burden of all infrastructure instead of City tax dollars paying for road improvements.

Chair Kathy Jones closed the public hearing.

Mr. Matthew Blomeley explained it is customary for a project that is the part of the City's Major Transportation Plan for the developer to participate in road improvements. For example, this could be the construction of the road, or right-of-way dedication, or pay fees in lieu of construction, etc. This would be required from the developer with their plans. Some of the burden for road improvements is placed on the developer.

**Mr. Ken Halliburton made a motion to approve the zoning request subject to staff comments, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.**

**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.** 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 a traffic analysis had been prepared for review during August 2019 and had been provided for reference. Staff had reviewed the report and had requested for additional items to be addressed:

- Provide a stub road to the Chambers property to allow a future connection to River Rock Boulevard.
- The developer would be required to widen Cason Trail to three lanes adjacent to their property.

Continuing, Ms. Rush made known Staff had attended neighborhood meetings which the developer had scheduled in July 2019 and December 2018. Also, Staff had met with small groups



# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019**

regarding this proposal. The most recent small group meeting had been on September 30, 2019. Ms. Rush explained the future land use map of the Murfreesboro 2035 Plan shows this property as auto-urban general residential as the most appropriate land use character. The characteristics for this land use would allow the density to go up to 8.64 dwelling units per acre. However, this project is proposing 5.13 dwelling units per acre. The zoning and density for this proposal is consistent with the future land use map.

Mr. Clyde Rountree, Mr. Brian Burns, and Mr. Bill Huddleston were in attendance to represent the application. Mr. Clyde Rountree came forward to begin a PowerPoint presentation from the applicant's pattern book.

Chair Kathy Jones wanted to know during the phasing plan for 1A, would a road connect with Cason Trail? In addition, during the phase of 1B, have there be access points off of Eastview Drive and Racquet Club Drive? Mr. Rountree explained Eastview Drive would be the primary access for Phase 1B. She requested for this information to be revised in the applicant's pattern book. Chair Kathy Jones asked if solid waste had been addressed for the entire development. Mr. Rountree made known it would be a gated development which includes private haulers. Mr. Warren Russell asked if the public roads would have private haulers too. Mr. Rountree explained they were working on the details. Continuing, Mr. Rountree made known they would prefer to have a private hauler for the entire development. Mr. Eddie Smotherman inquired on page 12, in the applicant's pattern book there is a gate that is located where two public roads intersect, is this a mistake? Mr. Rountree made known it was an error it should be for public access. Mr. Rountree stated he would make corrections.

Mr. Bill Huddleston representing the applicant came forward making known from the neighborhood meetings and from the last Planning Commission meeting, the major issue for this proposal had been traffic. Since then, the developer has purchased additional land to provide a total of three access points for the development. In addition, to address traffic concerns he

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

followed the Institute of Transportation Engineers while preparing the traffic study. From the Traffic Analysis that had been prepared and provided to the City, four critical intersections had been identified as being:

- Cason Trail and Stoney Meadow Drive
- Stoney Meadow Drive and River Rock Boulevard
- Cason Trail and River Rock Boulevard
- Racquet Club Drive and River Rock Boulevard

Mr. Huddleston made known the Traffic Analysis addressed the roadways in this area, the intersections, and had projected traffic that would be caused from this proposed development. From the study, the service level of current traffic had been labeled as A and B, which is very good. However, there were two areas of movements of traffic at Cason Trail and River Rock Boulevard that are at a level C, which is an acceptable level. There were recommendations for road improvements to Cason Trail which would be one of the main access points for the property. They are proposing to widen Cason Trail to 33 feet. Along the southside of Cason Trail they would include a 10-foot multi-purpose trail and improvements to the standard electric lights. The electric lights would include underground utilities in the area. In addition, they would address staff comments with the stub street connection to the Chambers property. All the expenses would be placed on the developer, not on the City of Murfreesboro.

Chair Kathy Jones opened the public hearing.

1. **Ms. Tavner McKelley, 1941 Stoney Meadow Drive** – opposes this development. She made known she had a petition which had 7,682 signatures opposing this development. It is a beautiful development, but it is not in the right place. It should not be approved due the limitations of the capacity of sewer, increase of traffic on our streets, increase of students in our schools, building in floodplain, etc.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

2. **Mr. Bob Gale, 2202 Racquet Club Drive** – opposes this development due to the increase in traffic and flooding within this area.
3. **Mr. Mike Green, Gaston Court** – opposes this development due to the increase in traffic and the negative impact on the environment along the greenway.
4. **Mr. Robert Barkley, 215 University Street** – opposes this development due to the increase in traffic and the negative impact on the environment along the greenway.
5. **Mr. John Boon, 2126 Eastview Drive** – opposes this development due to the increase in traffic, crime, failed gates on private streets.
6. **Ms. Rita Gale, 2202 Racquet Club Drive** – opposes this development due to traffic and ten years of proposed construction. The greenway should be preserved.
7. **Ms. Wanda Hendricks, 1543 Dodd Trail** – opposes this request. Where would the separate dedicated construction entrance be located? This development would require large amounts of rock, gravel, soil, etc. from large dump trucks over the next 7 to 10 years. She recommended an entrance be provided by the old Racquet Club building or on the World Outreach property.
8. **Mr. Warren Tormey, 733 North Spring Street** – opposes this development. He provided a handout from the Murfreesboro's City Sewer Allocation Study making known there is no sewer infrastructure, no traffic infrastructure for this development.
9. **Ms. Barbara Higgins, 718 Oakwood Circle** – opposes this development due to the impact of density, traffic, school, electrical, sanitation, noise, environmental, air quality, large dump trucks traveling in neighborhoods for the next ten years. She requested for this development be reduced to the current zoning of 410 single-family residential homes. She requested for the following be considered:
  - Do not approve the zone change to City Council.
  - The developer should provide full transparency to the public regarding project impacts under the zoning change. This should be similar as a plan of services.



# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

- The City should be fully aware of the project impacts in mitigation before it approves a zoning change.
- The developer identifies and mitigates impacts regarding traffic and public safety for the neighborhoods in this area.

**10. Mr. Craig Higgins, 718 Oakwood Circle** – opposes the zoning request. He requested for the property to remain as RS-15.

**11. Ms. Jacquelyn Brown, 2302 Riverstone Drive** – opposes the zoning request. She requested for the City to require proper insurance be secured on this land from the developer just in case in the future there is an economic downturn.

**12. Ms. Mariah Phillips, 1332 Dodd Trail** – opposes the zoning change. Before the development is approved, she requested for the following be addressed:

- The residents should be able to review and comment on the results from the traffic study.
- Would any homes be annexed into the City from the proposed widening of Cason Trail?
- The City of Murfreesboro should provide parking spaces for the Cason Trailhead Park versus vehicles currently parking along Cason Trail.

**13. Mr. Dennis O’Neal, 713 Oakwood Circle** – opposes the zoning request. He made known over the past five years the City of Murfreesboro Water Resources Department comes into his neighborhood every couple of weeks with a sucker truck to address sewer problems. He expressed his concerns how this proposed development could create additional sewer issues.

**14. Ms. Mary Ellen Sloan, 1545 Nathan Court** – opposes the zoning request. The burden of infrastructure costs from a new development should not be placed on City tax payers. No more high-density zoning, it is too much.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

15. **Ms. Elaine Gipple, 2709 Spaulding Circle** – opposes the zoning request. This land is road locked. The proposed public access would be dumping traffic into single-family residential neighborhoods. She requested that the traffic study include the traffic from the future bridge that is being proposed within this area.
16. **Dr. Jon Zayas, 126 Pennsauken Court** – opposes the zoning request. He feels if approved this development would create an increase of crime in the area and destroy the character of the Cason Lane neighborhood.
17. **Ms. Linda Stevens, North Maney Avenue** – opposes the zoning request. She has concerns with the environmental impact within a high-density area.
18. **Mr. Bruce Kirk, 707 Oakwood Circle** – opposes the zoning request. He has concerns with the increase of traffic being placed on City streets in a residential area. The streets are substandard and the streets do not have sidewalks, or curb and gutter.
19. **Ms. Daniel Brown, 2468 Oakhill Drive** – opposes the zoning request. She voiced her concerns regarding the traffic study. This study does not account for the additional traffic from the apartment complexes that are being constructed within the area. In addition, she wanted to know why a private development would be allowed to have safe access to the greenway when other taxpayers must travel to get to the greenway from other neighborhoods. She requested for the Planning Commission to consider the negative impact this development would have on the entire region having to deal with 1,000 additional vehicles and additional traffic affecting this area.
20. **Mr. Jim Butler, 1310 River Rock Boulevard** – opposes the zoning request. He has concerns with the widening of Cason Trail which would take property away from the property owners. In addition, the burden of taxes being placed on property owners for the City to construct a bridge within this area. He requested for the developer to be responsible in building the bridge, paying for water and sewer improvements, etc. Only the developer wins and everyone else loses.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 2, 2019

**21. Mr. Andrew McKelley, 1941 Stoney Meadow Drive** – opposes the zoning request. He has concerns regarding the impact of the flood zone/floodway in a high-density area. He requested for Murfreesboro to participate in the AE flood zone program to limit development within a floodplain.

Chair Kathy Jones closed the public hearing.

Ms. Marina Rush apologized for not providing the traffic study on the website. It was the intent for Staff to have the traffic study as an attachment and believed it was available. It was during Mr. Bill Huddleston's presentation she realized it had not been made available. She made known it had been an honest omission. The traffic study is available at City Hall and it is an open file to anyone who would like to review the study. Chair Jones wanted to know when a Traffic Study is required from a developer are there certain elements that are required for the development? Mr. Bill Huddleston came forward to make known there are normal requirements from City Staff when a Traffic Study is warranted. He stated this study has followed the normal requirements and he provided the following information:

- In a floodway or floodplain there are FEMA requirements and City requirements for development. Fill is not allowed in a floodway. However, there can be a responsible fill in a floodplain.
- The developer has requested for the construction fill to occur from their property that is out of the floodway onto the floodplain. It would help keep cost down and limit the amount of construction trucks on the neighborhood streets.
- The State of Tennessee and the City of Murfreesboro requires information on the developer's construction plans to address where the construction access would be located.
- There is a 50-foot right of way to widen Cason Trail for road improvements.
- Oakwood Circle is uphill from this property so development on this property would not exacerbate Oakhill Circle residents.



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- There are sewer capacity issues being discussed for capping density at this time. However, this development fits in with the proposed density cap being proposed by the City Water Resources Department.
- For this development they are seeing traffic being used at River Rock Boulevard more than Oakwood Circle.
- On page 11, the Traffic Study addresses the apartment complex that is south of this property. The apartment complex is responsible to provide a bridge over Spence Creek which would have direct access to Highway 99 and Cason Trail.
- This development would be required to meet all detention and retention requirements to meet stormwater quantity and stormwater quality.

Mr. Warren Russell commented that the applicant's pattern book does not show the detention area and retention areas. Mr. Bill Huddleston stated they were in the pattern book colored green, but he would revise the areas to be blue. The details for the detention and retention areas would be provided with a preliminary plat. Ms. Jennifer Garland wanted to know if the Traffic Study provides outline areas from the development. Mr. Huddleston answered no, they usually meet with Staff to decide how far out to go or not to go by using good engineering judgement. Chair Jones wanted to know if sidewalks were in the existing neighborhoods. Mr. Huddleston made known during the time period of the existing neighborhoods being developed the City had designed the streets to be 33/36 feet-wide asphalt without sidewalks. Now, City residential streets are required to be 24-feet wide streets with sidewalks.

Ms. Rush addressed the concerns that had been made about the distance of this development and the greenway. She made known there would be 150 feet or more separation between this development and the greenway. Also, a ten-foot wide pedestrian multi-purpose path that had been mentioned could be required for the developer to construct. It is not part of the developer's proposal at this time. To address noise during construction, the City has in place a noise ordinance

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which provides the time of day when construction could occur in a residential area. Lastly, this development has been proposed to be constructed in phases. During any phasing, the remaining portion of the property must be maintained and kept in good order.

Mr. Sam Huddleston said he was responsible for working with the developers, the design engineer, and Staff to establish a scope that seemed to be appropriate for the Traffic Study. The project team had studied the local impacts, the 2040 Major Transportation Plan, the existing traffic counts, and the traffic history. In addition, they had studied the 2035 Future Land Use Map and followed the Institute of Transportation Engineers guidelines. This property has been considered as a future buildout at some point. The Land Use Study has shown this property being 8 units per acre and this proposal has been designed to be less than 8 units per acre. In addition, the Traffic Study identified the needs for this area. A proposal had been made to address the area with a couple of bridges to provide local access. The bridges are for the residents who are here attending this meeting. City Staff knows there is work to be done in this area such as the Cason Trailhead Park that includes a greenway system that has been a very successful park. Whether or not this development occurs, our Staff needs to review this area further to address appropriate parking. In addition, there are two blocks that connect from Stoney Meadow Drive and Cason Trail to River Rock Boulevard which should be reviewed further to connect additional pedestrian needs and bike facilities.

Mr. Brian Burns came forward making known from his own experience the proposed plan is for young families who move into a townhome or those who have lived in a larger home and want something smaller. The townhomes he has constructed in this area have included very few children. He explained it was very important for his team to provide affordable housing. A third of this project would have a cost of \$200,000.00 to \$250,000.00 price points. The Row would have sixty units with a price point between \$400,00.00 to \$600,000.00. There would be eighteen Estate Homes. The Cottages would be age restricted in a range of \$280.00 to \$320,000.00.

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Chair Kathy Jones commented on how the Planning Commission members have strong feelings and love for Murfreesboro. Each Commissioner wants the best for our City. The Planning Commission realizes there are a lot of people who are moving into our City and moving into Rutherford County. We are trying to plan for all the people who want to move into our wonderful City, and we are doing the best we can, and roads would need to be built. City Staff has spent lots of time and effort studying this project and have met with the residents individually, as groups, telephone calls, email, etc.

Mr. Ronnie Martin made known how grateful he was with Staff spending so much of their time with this proposal. Also, he has been in several of the residential meetings and has seen Mr. Brian Burns be very patient. He feels that Mr. Burns has done a great job going through this process. This proposal has been difficult for him due to the following:

- The numbers presented from Change.org may be misleading with signatures that may not be from the neighborhood or from Murfreesboro.
- Traffic is a concern and he appreciates the Traffic Study. There are two sides with the traffic. Sometimes the traffic has a pinch point and other times there is zero traffic. When the improvements to Hwy 99 are completed it would help this area.
- There are midterm road improvements to help the traffic issues. He does not see these improvements bringing traffic into the area. However, it would be some time before these improvements occur.
- The proposed development is very attractive. However, he has concerns with construction traffic occurring along residential streets.
- He has concerns with traffic being along Racquet Club Drive because it does not have a 35-foot wide street, nor it does not have sidewalks.

Mr. Eddie Smotherman commented he had been involved with the new tax increase. The reason for the tax increase is because there had not been a tax increase over the last 19 years. There is



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never a good time for a tax increase, but it had to happen. Now, we have a sustainable tax rate for our big City. The services that are provided are expensive and we try to manage the City as prudent as we can.

Ms. Jennifer Garland made known she grew up in this area and is very fond of the area. She feels this proposal is very nice. The developer has improved their plan from their original plan by addressing the additional access points. Growing pains are hard, but this is a well-done project with some challenges. If this project moves forward, the Planning Commission would continue to be involved and would make certain the issues that have been presented would be addressed as best as they can.

Mr. Ken Halliburton commented this is a difficult proposal; however, he feels it is a well-thought-out plan. Density is an issue with the neighbors. Also, there are guidelines with our City and this proposal meets the sewer guidelines. The Traffic Study has been prepared from the information provided to him. He had traveled in this area at 7:30 a.m. and it is horrible. It is difficult to get out of the area. The information provided indicates this proposal is less dense than the 2035 Land Use Study calls for. With this planned development request, we would know exactly what we would get for this property.

**Mr. Ken Halliburton made a motion to approve the zoning request, seconded by Mr. Chase Salas. The motion carried by a vote of 5-2 (Mr. Martin and Mr. Smotherman voted no.)**

## **Staff Reports and Other Business**

Mr. David Ives requested for a Mandatory Referral regarding City-owned property at 912 Dashiell Street. He made known the City had acquired this property in 1956 and would like to sell the property to the company Univar. If Univar acquires the property, they are proposing to provide additional industry use and jobs at this location.

**Mr. Chase Silas made a motion to approve the sale of the property, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.**

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Chair Kathy Jones announced this meeting is the 100<sup>th</sup> meeting for Planning Director Mr. Donald Anthony. She made known Mr. Anthony was moving on to his next opportunity with the City of Nolensville. She sincerely thanked Mr. Anthony for his years of service.

Mr. Blomeley complimented Mr. Donald Anthony for being a man of integrity and of character. He is a highly intelligent man that knows the craft of Planning. It has been a privilege working alongside with Mr. Anthony over the last four years. Mr. Anthony has had a positive impact on our department, and we are going to miss him.

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

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**Chairman**

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**Secretary**

DA: cj