

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**OCTOBER 13, 2021
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the September 15, 2021, Planning Commission meeting.**
- 4. Public Hearings and Recommendations to City Council:**
 - a.** Zoning application [2021-418] for approximately 8.4 acres located along Bridge Avenue to be rezoned from RS-10 to CF and approximately 1 acre to be rezoned from H-I to CF, City Church applicant. (Project Planner: Holly Smyth)
 - b.** Annexation petition and plan of services [2021-507] for approximately 15.6 acres located north of Dejarnette Lane, Calvary Baptist Church applicant. (Project Planner: Holly Smyth)
 - c.** Zoning application [2021-420] for approximately 9.5 acres located north of DeJarnette Lane to be rezoned from RS-15 to PND (Providence Christian Academy Athletic Facility PND) and approximately 9.7 acres to be zoned PND simultaneous with annexation, Providence Christian Academy applicant. (Project Planner: Holly Smyth)
 - d.** Annexation petition and plan of services [2021-508] for approximately 2.4 acres located south of South Rutherford Boulevard, James Allen Huskey applicant. (Project Planner: Holly Smyth)
 - e.** Zoning application [2021-421] for approximately 2.4 acres located south of South Rutherford Boulevard to be zoned H-I simultaneous with annexation, James Allen Huskey applicant. (Project Planner: Holly Smyth)
 - f.** Zoning application [2021-419] for approximately 29.1 acres located along Franklin Road to be rezoned from RS-12 and RS-15 to RS-8 and approximately 4.5 acres to be rezoned from RS-15 to CF, Lennar Homes of Tennessee, LLC developer. (Project Planner Marina Rush).

MURFREESBORO PLANNING COMMISSION AGENDA

PAGE 2

October 13, 2021

- g.** Annexation petition and plan of services [2021-509] for the following rights-of-way (ROW):
 - Approximately 85 linear feet of Parkwood Drive ROW;
 - Approximately 140 linear feet of Woodcrest Drive ROW; and
 - Approximately 100 linear feet of Westridge Drive ROWRutherford County Engineering Dept. applicant. (Project Planner: Marina Rush).
- h.** Annexation petition and plan of services [2021-510] for approximately 123 acres located along Veals Road and Double Springs Road, and rights-of-way of approximately 2,400 linear feet of Veals Road and 2,430 linear feet of Double Springs Road, Hall Family Real Estate Partnership applicant. (Project Planner: Marina Rush).
- i.** Proposed amendment to the Zoning Ordinance [2021-801] pertaining to Section 13: Planned Development Regulations and Section 24: Overlay District Regulations, Article VI. CCO, City Core Overlay District, City of Murfreesboro Planning Department applicant. (Project Planner: Holly Smyth)

5. Staff Reports and Other Business:

- a.** Mandatory Referral [2021-721] for installation of irrigation lines in the public right-of-way of Plum Leaf Place in the Mankin Pointe development, Mankin Pointe, LLC applicant. (Project Planner: Matthew Blomeley)

6. Adjourn.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: HOLLY SMYTH**

4.a. Zoning application [2021-418] for approximately 8.4 acres located along Bridge Avenue to be rezoned from RS-10 to CF and approximately 1 acre to be rezoned from H-I to CF, City Church applicant.

The subject property consists of a total of approximately 9.41 acres identified as Tax Map 102B, Group B, Parcels 01300, 01400, & 1600. The subject properties are currently known as 815, 823, and 831 Bridge Avenue and are located along the south side of the street between South Molloy Lane and New Salem Highway. Much of the subject property is within the 100-year or 500-year floodplains and are located due west of the City's future Transit Center. The applicant requests to rezone the properties from Single Family Residential 10,000 square foot minimum lot size (RS-10) and Heavy Industrial (H-I) to Commercial Fringe (CF).

The applicant has verbally stated that they wish to redevelop the properties with a new church facility. The subject property currently contains several homes, one of which is planned to be demolished while the others are anticipated to potentially be repurposed as ancillary buildings for the church facility. The City has been working with the applicant on the dedication of right-of-way for the future realignment of South Molloy Lane along the westerly portion of one of the properties to align with the intersection of West Main Street at Bridge Avenue.

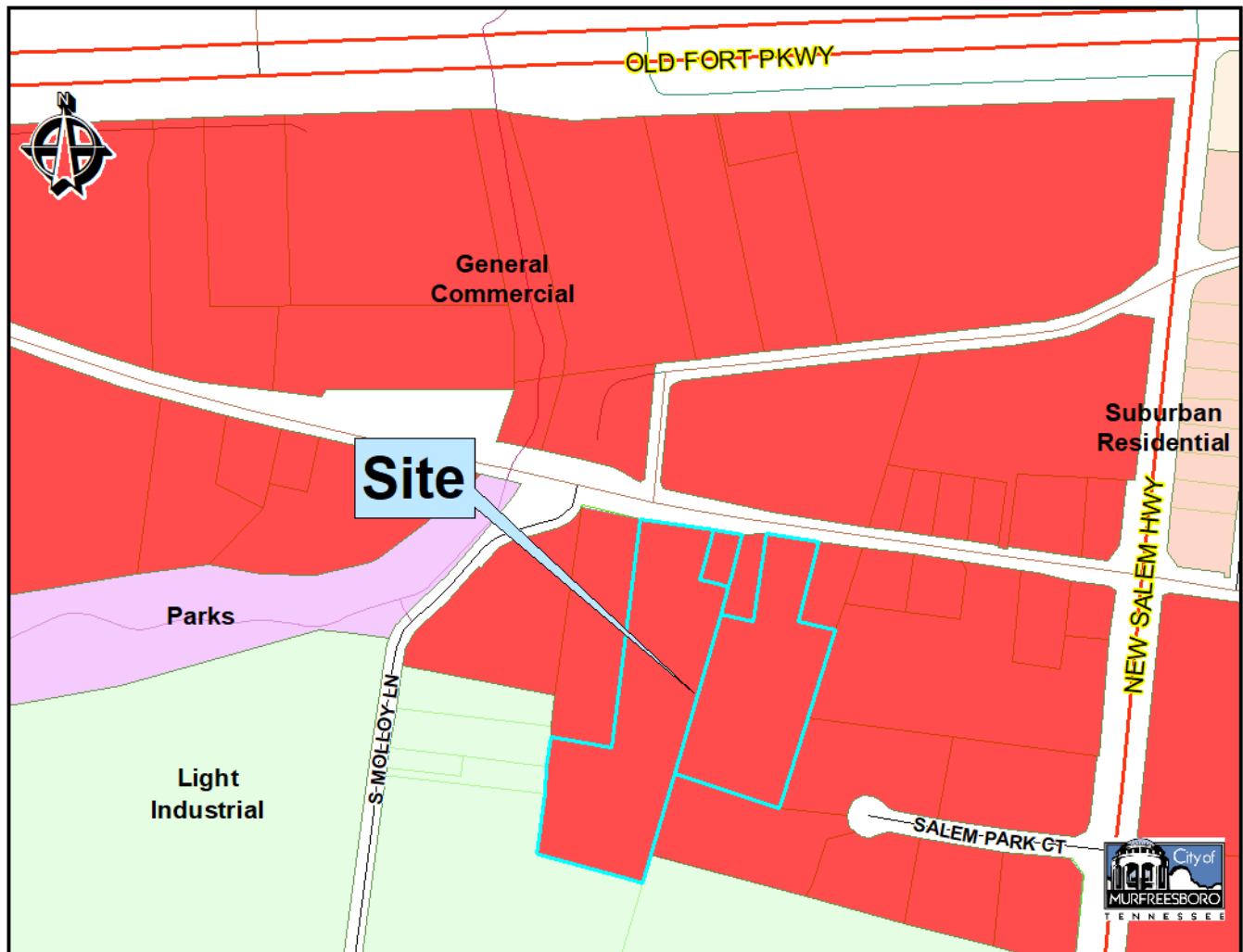
Adjacent Zoning and Land Uses

The adjacent zoning to the west is RS-10 and is developed with several single-family detached homes. To the south is zoned H-I and is developed with industrial uses. To the east is zoned RS-10 with several single-family detached homes. Also to the east is Planned Institutional Development (PND) zoning which just was passed on 2nd reading by City Council for the City's Transit Center. To the north along the north side of Bridge Avenue is zoned RS-10 and is developed with several single-family residences.

Future Land Use Map

The future land use map of the Murfreesboro 2035 Comprehensive Plan indicates that Auto-Urban/General Commercial (GC) is the most appropriate land use character for the subject area. GC supports automobile-oriented strip commercial centers along major roadways with a significant portion of development devoted to vehicular access drives, circulation routes, surface parking with buildings typically set back toward the rear of the site. Compatible zoning districts include Highway Commercial (CH), Gateway Design Overlay (GDO), and Planned Commercial District (PCD). The proposed CF zoning district is compatible with the Future Land Use Map designation of General Commercial because it is a less intense commercial district than CH that will allow a better transition to the existing residential uses; however, it will still permit many of the same types of uses that are allowed in the CH zone and that are described in the GC land use character.

Murfreesboro 2035 Comprehensive Plan Future Land Use Map (excerpt)



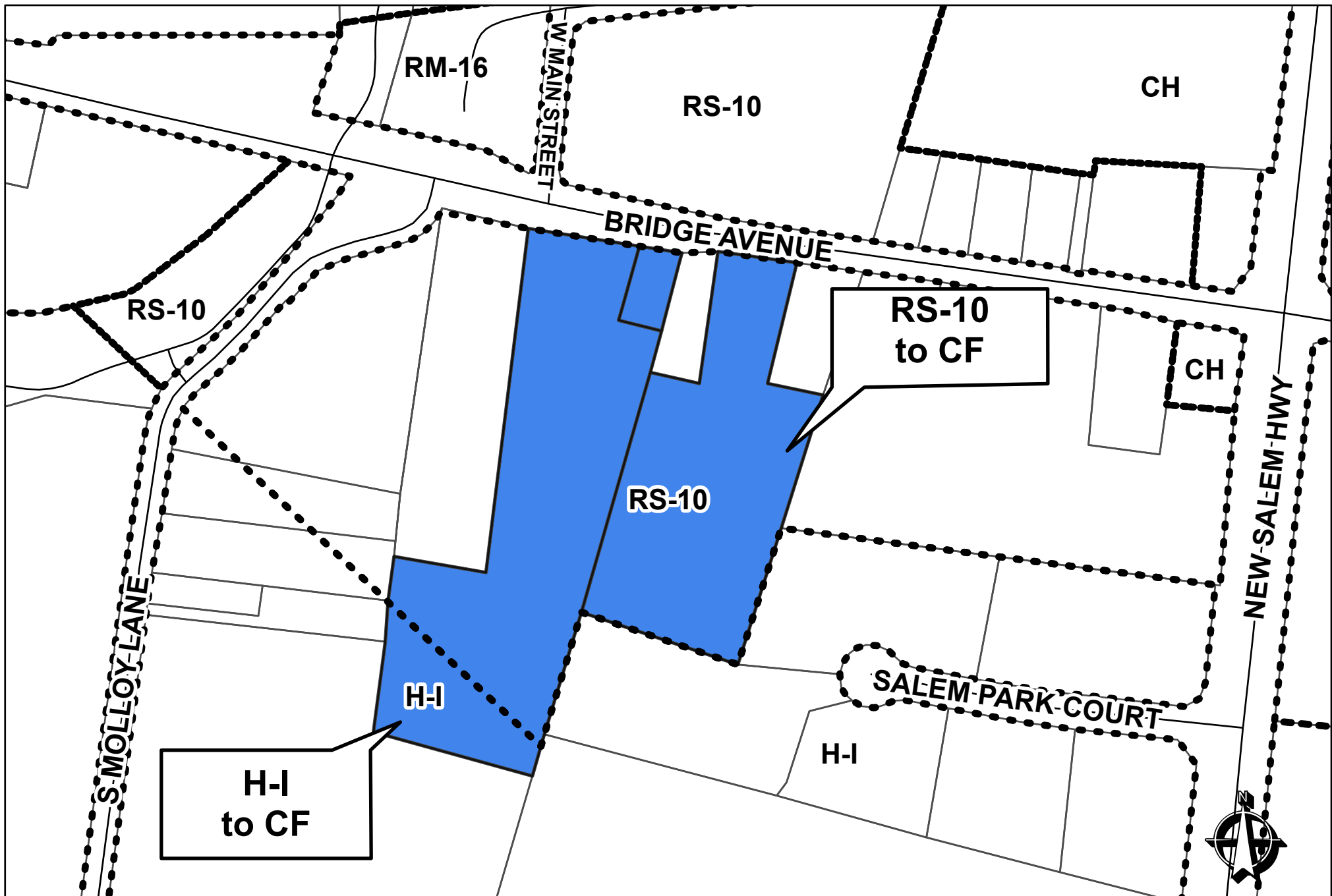
Recommendation:

Staff supports the zoning request to CF for the following reasons:

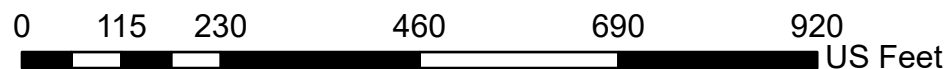
- 1) The zoning request is generally compatible with the General Commercial Land use designation.; and
- 2) The CF zone district is a good transition zone between the heavier commercial uses to the north along Old Fort Parkway and the residential uses to the east along Bridge Avenue.

Action needed

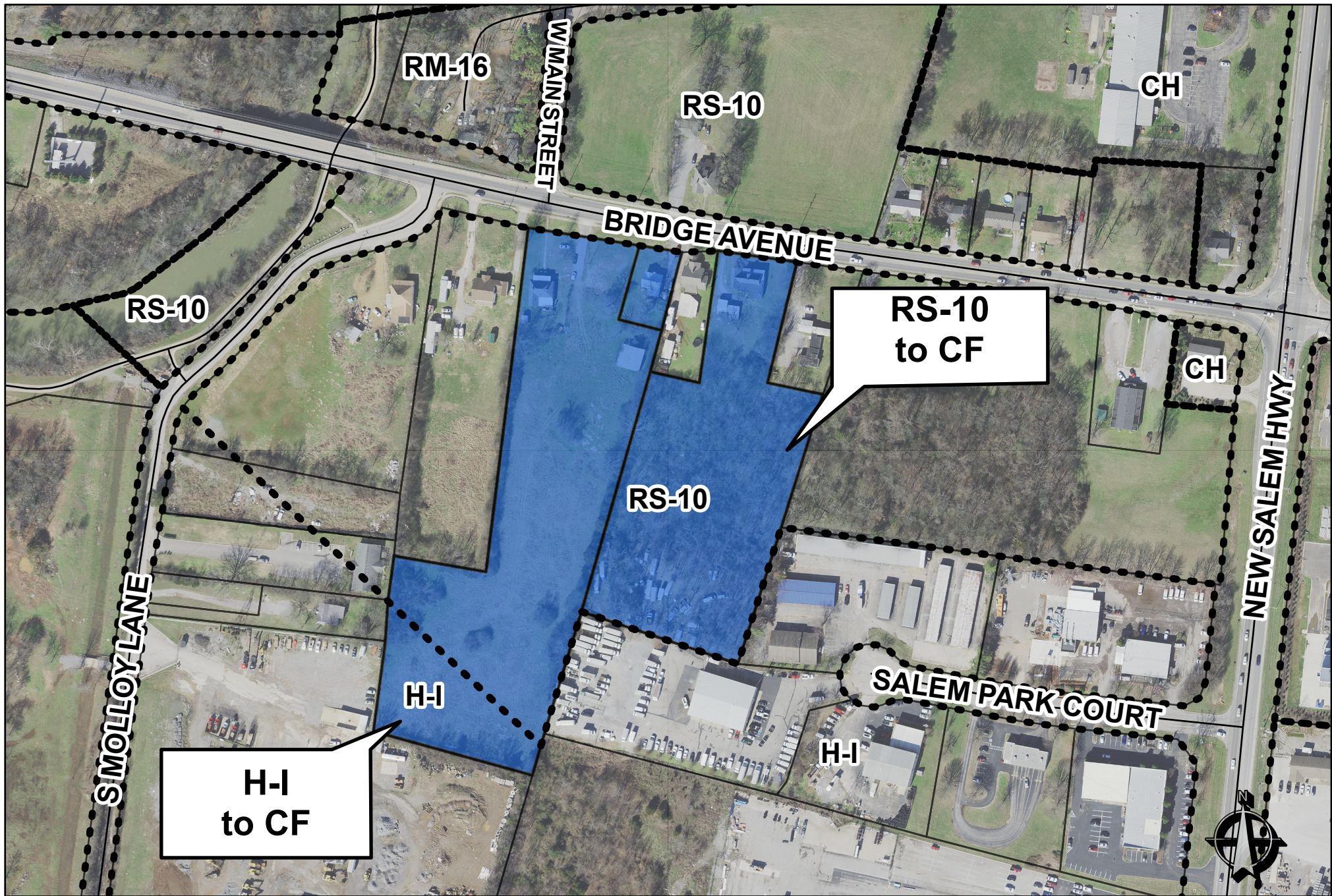
The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning request. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.



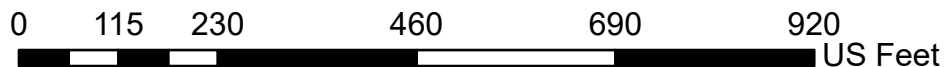
Rezoning Request for Property along Bridge Avenue
H-I and RS-10 to CF



Planning Department
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111 West Vine St
Murfreesboro, TN 37130
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Rezoning Request for Property along Bridge Avenue
H-I and RS-10 to CF



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**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: HOLLY SMYTH**

4.b. Annexation petition and plan of services [2021-507] for approximately 15.59 acres located north of DeJarnette Lane, Calvary Baptist Church applicant.

Calvary Baptist Church, represented by SEC Engineering, has submitted a petition requesting its property be annexed into the City of Murfreesboro. The subject property is 15.59 acres and is located north of the existing Calvary Baptist Church facilities at 431 DeJarnette Lane. The property tax map number is: Tax Map 068, Parcel 133.06. The requested property is currently undeveloped. Walton Lane, in the Bradford Place Subdivision, currently stubs into the west side of the subject parcel.

Simultaneous with this application is a request to zone the southern approximately 9.46 acres of the property to Planned Institutional District (PND) simultaneous with annexation. The remaining 6.13 acres, which is currently zoned RM (Medium Density Residential) in the unincorporated County, will come into the City with an interim RS-15 (Single-family Residential District 15) zoning classification, as there is no zoning request for it simultaneous with annexation. The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the north, west, and south property lines.

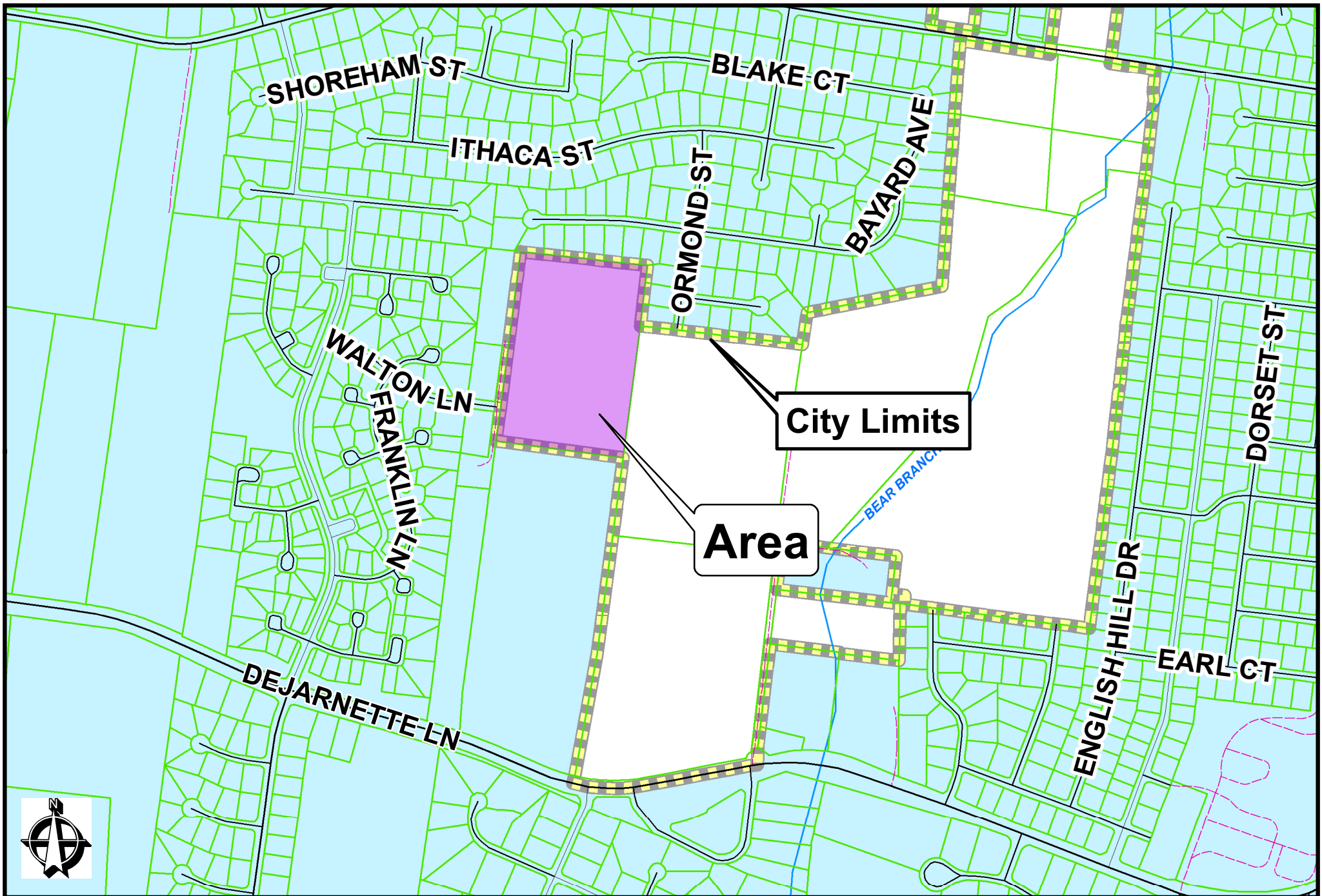
Staff has prepared a Plan of Services for the proposed annexation, which is attached to this report for the public hearing. It demonstrates how services can be provided to the subject property upon annexation. No significant difficulties in providing services are identified in the plan of services.

Action Needed:

The applicant will be available at the Planning Commission meeting to discuss this proposed annexation petition and plan of services. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.

Attachments:

Plan of Services

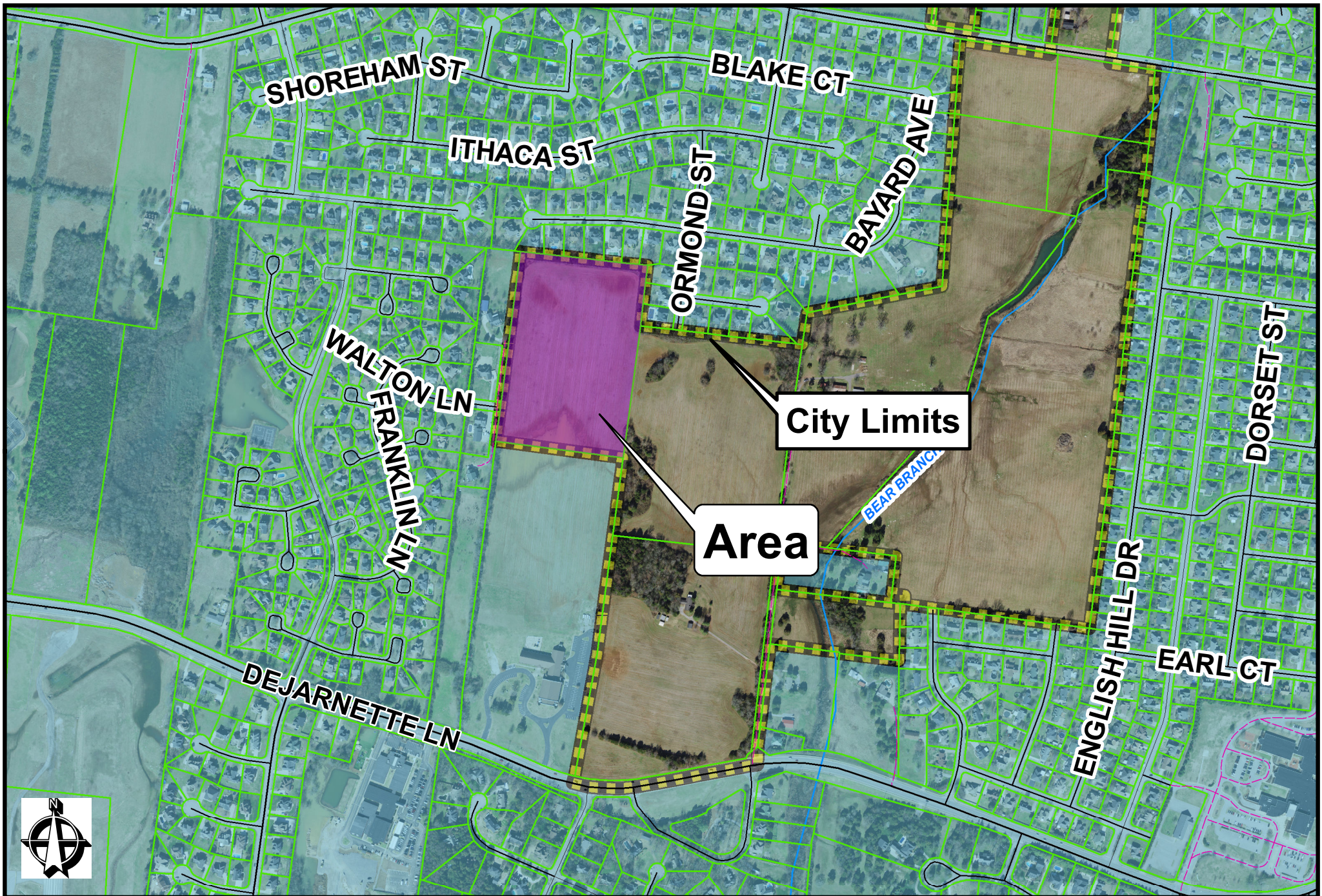


Annexation Request for Property along DeJarnette Lane and Walton Lane

0 150 300 600 900 1,200
Feet



Planning Department
City of Murfreesboro
111 W. Vine St.
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Annexation Request for Property along DeJarnette Lane and Walton Lane

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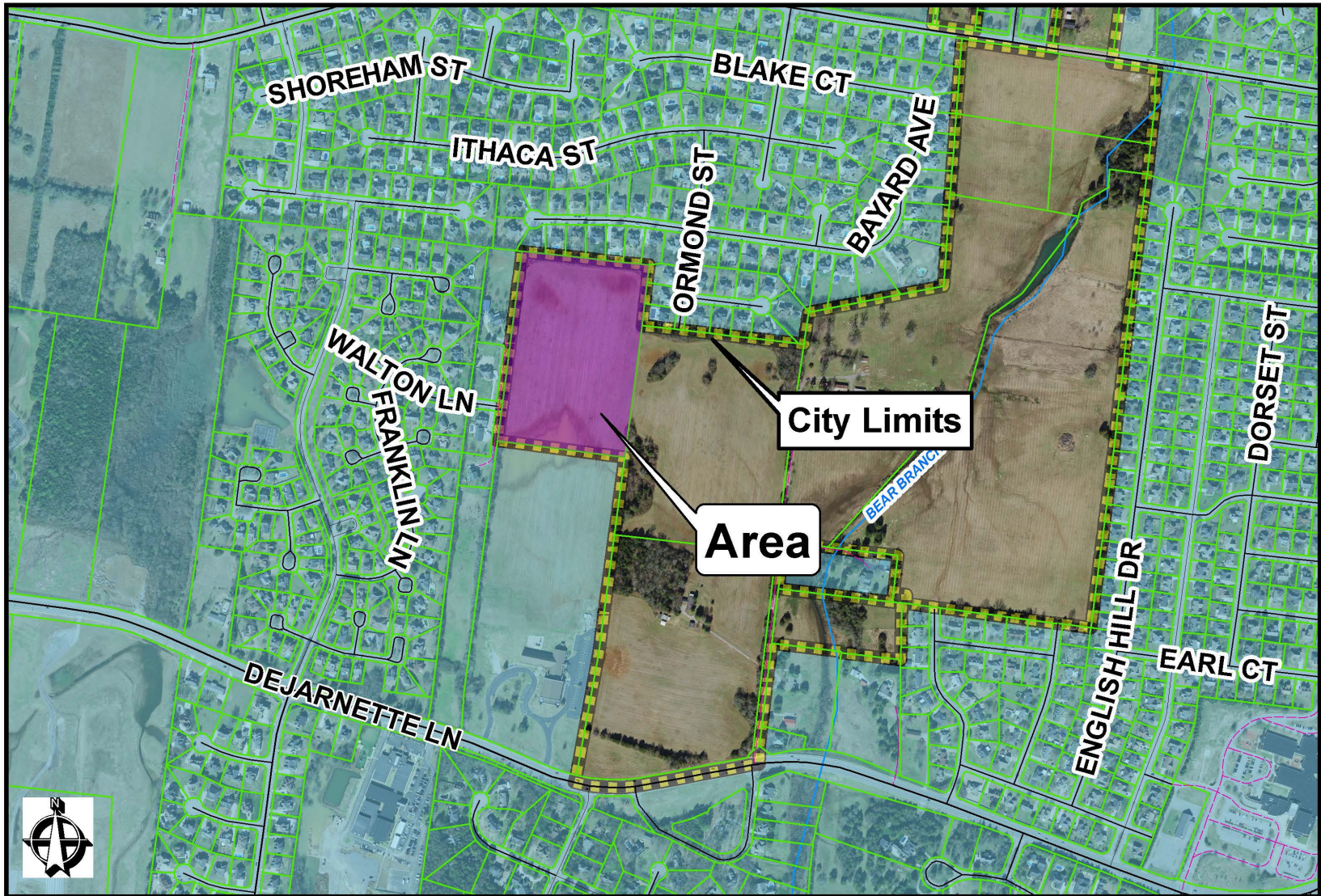


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**ANNEXATION REPORT FOR PROPERTY LOCATED
NORTH OF DEJARNETTE LANE EAST OF WALTON LANE
INCLUDING PLAN OF SERVICES
(FILE 2021-507)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION – OCTOBER 13, 2021**



Annexation Request for Property along Dejarnette Lane and Walton Lane



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Feet

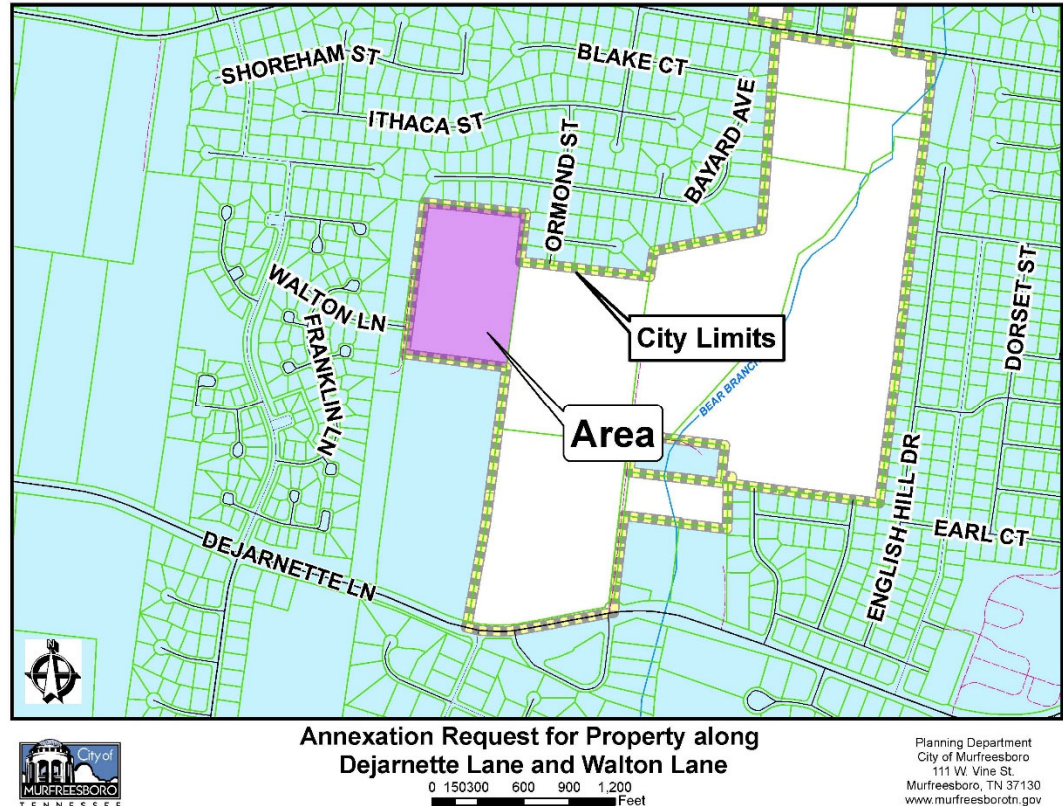
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INTRODUCTION

OVERVIEW

The property owner, Calvary Baptist Church, has submitted a petition requesting annexation by the City of Murfreesboro. The subject property is a 15.59-acre parcel, located north of the Calvary Baptist Church facilities at 431 DeJarnette Lane, east of Walton Lane. The property tax map number is: Tax Map 068, Parcel 133.06. The requested property is currently undeveloped. Simultaneous with this application is a request to zone the property to Planned Institutional District (PND).

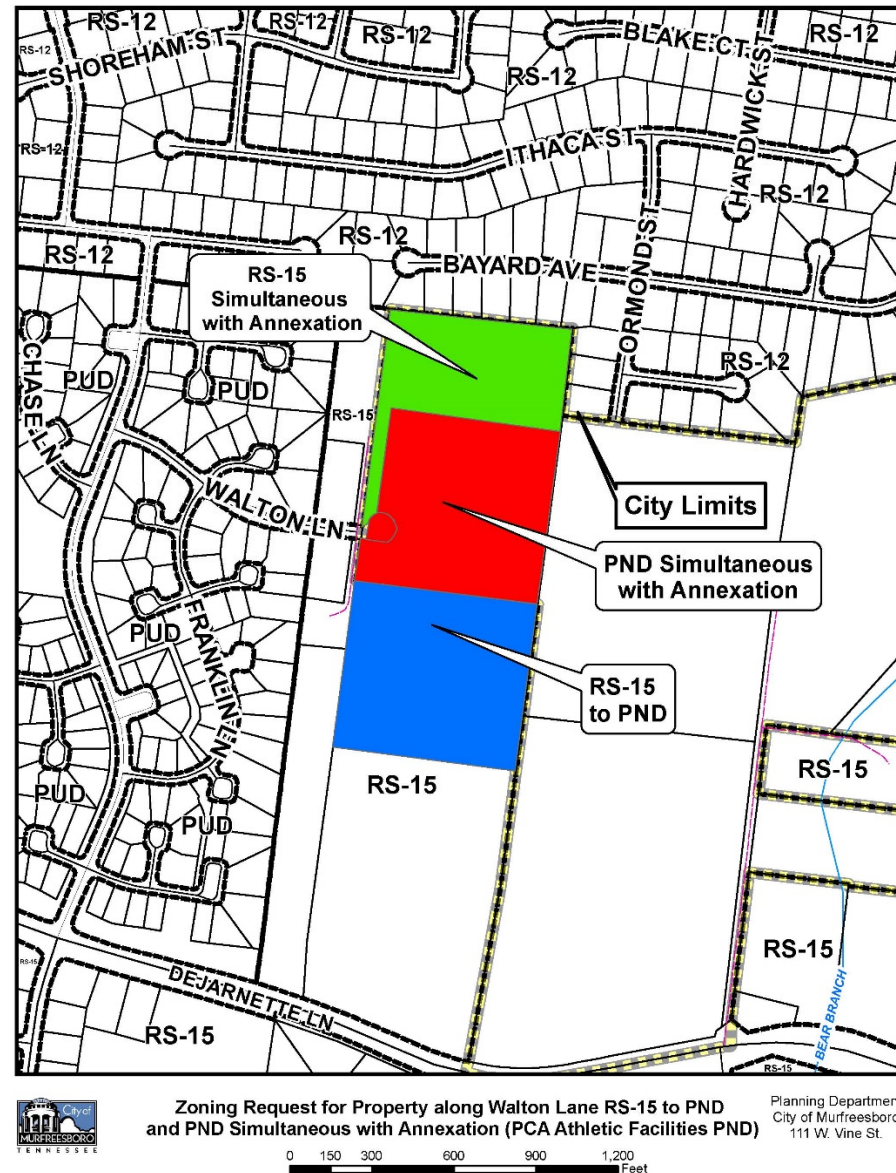
The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the north, west, and south property lines.



CITY ZONING

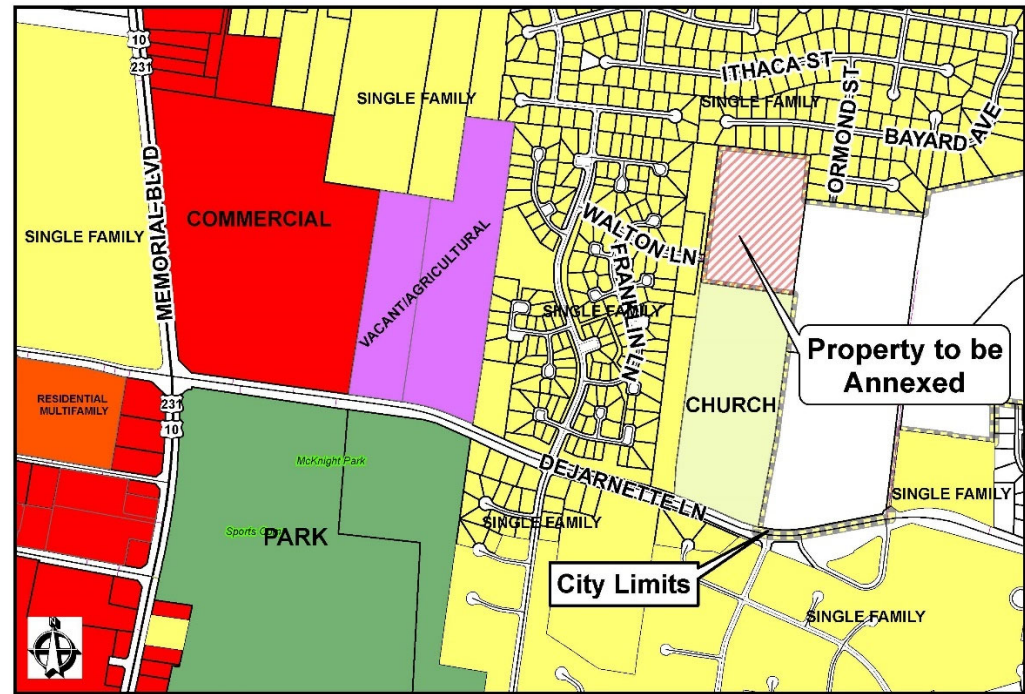
A separate application has been submitted by the owner, Calvary Baptist Church, along with the applicant Providence Christian Academy, requesting Public Institutional District (PND) zoning for a 9.46 acre portion of the study area simultaneous with annexation with the remaining 6.13 acres to have an interim RS-15 zoning. A 9.51-acre portion of the Calvary parcel within the current City Limits to the south is proposed to be rezoned from RS-15 to PND concurrently with the above listed actions. The parcel requested for annexation is shown in green and red in the adjacent drawing and is currently zoned Residential Medium-Density (RM) in the County of Rutherford.

The zoning on the adjacent properties to the west and south is RS-15, to the north is RS-12, and to the east is RM in the County. The properties surrounding the parcel are primarily vacant, single-family residential, or agricultural land.



PRESENT AND SURROUNDING LAND USE

The study area is undeveloped agricultural land. The surrounding land uses are primarily single-family residential or vacant agricultural land. However, there is the existing church directly south of the study area.



Annexation Request for Property along
Dejarnette Lane and Walton Lane

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TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2021 will be due on December 31, 2022. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is vacant. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements + Yard Item Value	Total Assessment	Estimated City Taxes
Calvary Baptist Church	15.6	\$45,800	\$0.00	\$11,450	\$147.64

These figures are for the property in its current state and are subject to change upon development. These figures do not take into account any potential tax exempt status based on future use or future ownership.

PLAN OF SERVICES

POLICE PROTECTION

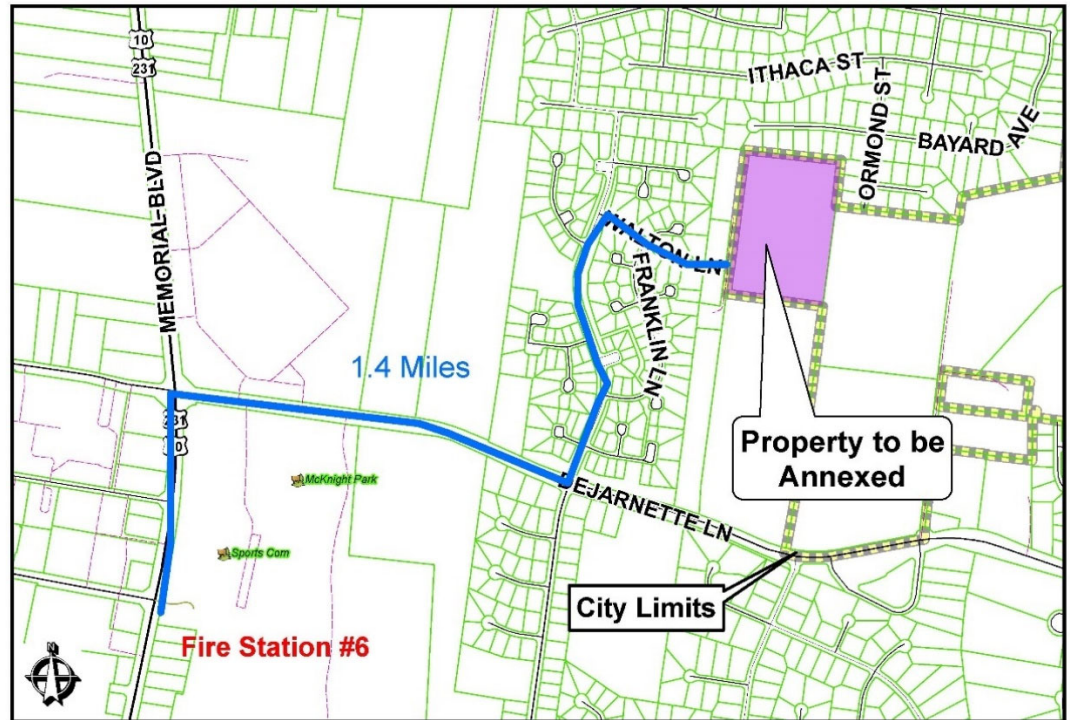
At present, the study area receives police services through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE, and other community crime prevention programs to the subject parcel immediately upon the effective date of annexation. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation. This property is in Police Zone #3.

FIRE AND EMERGENCY SERVICE

The study area is vacant land located east of Walton Lane. The Murfreesboro Fire and Rescue Department (MFRD) can provide emergency services to the study area immediately upon the effective date of annexation at no additional expense. Fire protection can be provided upon development, as additional fire protection measures will need to be extended to the site when it develops.

Currently the study area is located 1.4 miles from Fire Station #6 (2302 Memorial Blvd.) and 1.7 miles from Fire Station #8 (Pitts Lane). The blue line on the adjacent map

represents the linear distance range from the nearest fire station.



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DeJarnette Lane and Walton Lane**

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ELECTRIC SERVICE

The study area is located inside the boundary of Middle Tennessee Electric Membership Corporation (MTEMC). MTE has existing facilities and capacity in place to serve development on the subject property.

STREET LIGHTING

The subject property only has street frontage at the end of Walton Lane, which has one street light on the northside of the street just before the end of the current public. Streetlights will be installed within the development if public streets are constructed.

SOLID WASTE COLLECTION

The study area is currently vacant and will require no services from the Solid Waste Department in its current state. Because future development will be public institutional, a private solid waste management service will be required to be utilized upon development.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to any potential occupants of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of

parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees.

CITY SCHOOLS

The Murfreesboro City School (MCS) system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. There are no residences on the subject property, so the property will have no impact on MCS in its current state. The property is located within the John Pittard Elementary School zone. If the northern portion of the property is developed with residential lots, 18 single family homes could add between 3 to 6 elementary school students to the MCS school population.

As of the 2021-2022 school year, enrollment at John Pittard is 696 students with a capacity for 1,000 students (which has an adjusted capacity total of 820 student, thereby leaving a remaining capacity of 124 students).

BUILDING AND CODES

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

PLANNING, ENGINEERING, AND ZONING SERVICES

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

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

No additional public roadways are included in the study area. Access to a public roadway system is available through Walton Lane.

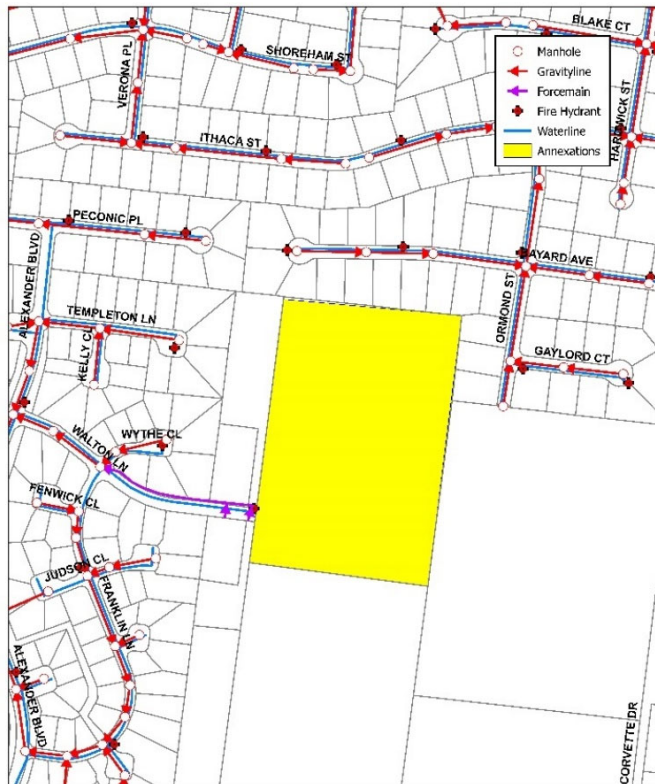
Any new public roadways to serve the study area must be constructed to City Standards.

REGIONAL TRAFFIC & TRANSPORTION

The study area is served by Dejarnette Lane as the major roadway facility. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Dejarnette Lane to be operating at a Level of Service B in the study area using average daily traffic (ADT) counts. Without the recommended improvements in the 2040 Major Transportation Plan, the regional transportation facility falls to a Level of Service C on Dejarnette Lane.

WATER SERVICE

The study area is located within the Murfreesboro Water Resources Department's (MWRD) service area. MWRD can provide water service to the subject property. Water service would be required to connect to the existing water main at Walton Lane if sports fields are developed. Any development of residential lots would require an 8" water main extension by the Developer at the time of development. This water main would have to extend to each lot created as well as to the eastern property line for a future connection with the 8" water main at the end of Ormond Street.



MURFREESBORO WATER RESOURCES DEPARTMENT
Annexation Request for Property along
DeJarnette Lane and Walton Lane



SANITARY SEWER SERVICE

Gravity sewer is not available to the property and would require a pump and forcemain for service whether it would be for the sports fields or for residential development. There

is an existing 2" forcemain at the end of Walton Lane, but the Developer's Engineer would need to verify that the additional lots could be served by this 2" forcemain or whether it would require upsizing. Any improvements would be required by the Developer at the time of development. If only to serve the fields, the additional pump and forcemain would be private; if for additional residential units, then step tanks would be required to pump through a common and public sewer main to be maintained by MWRD. All main line extensions are the financial responsibility of the developer and must be extended in accordance with the Development Policies and Procedures of MWRD. If the property was to be annexed and remain as raw land, the annexation wouldn't have any impact on the Department. Should the property develop with sports fields, the project still would not have any impact on the Department unless restrooms and/or concession stands were being proposed.

Any development will be required to comply with the Sewer Allocation Ordinance. With regard to the City's Sewer Allocation Ordinance and the proposed zoning request of Planned Institutional District (PND), the property would be allotted 3.4 single family units per acre (sfu's/acre) and for the RS-15 interim zoning, the property would be allotted 3.0 sfu's/acre. One sfu is equivalent to 260 gallons per day (gpd). The property acreage is 9.69 acres zoned PND and 6.13 acres of RS-15 interim zoning. Therefore, the development would be allotted ~13,347 gpd ($3.4 \times 9.69 \times 260 = 8,566$ gpd and $3.0 \times 6.13 \times 260 = 4,781$ gpd). To reserve sewer capacity, a Will Serve letter request must be submitted to the Department.

DRAINAGE

Public Drainage System

No public drainage facilities are included in the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

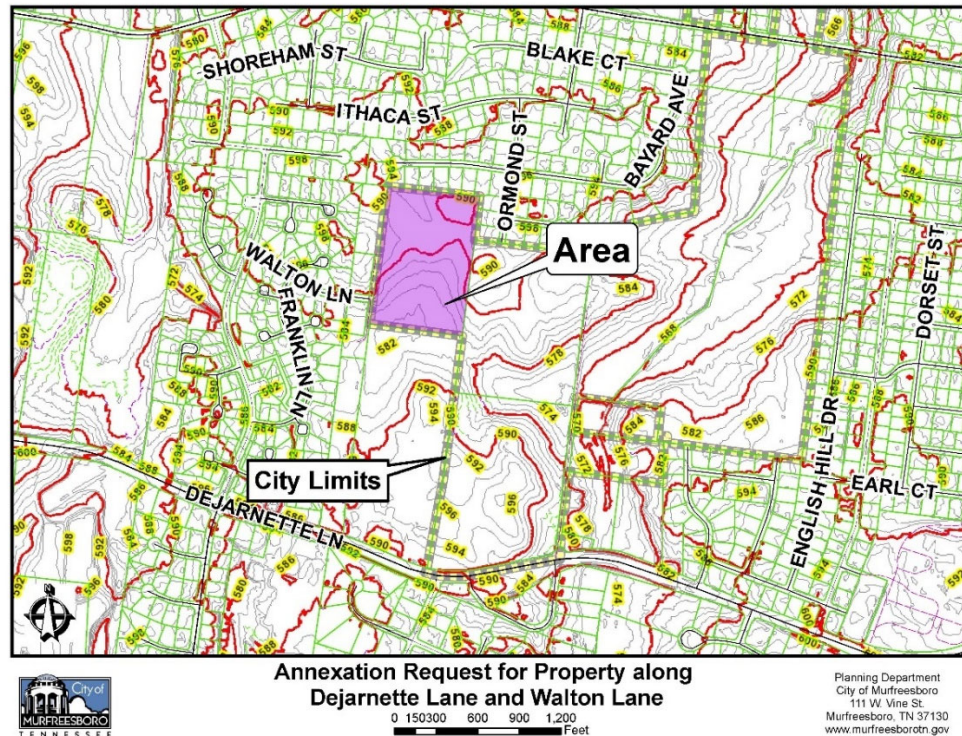
A review of the 2010 aerial photography following the significant rainfall events of May 1 and 2 confirms the presence of a closed depression with standing water 2 days after the rainfall stopped.

The study area drains to Bear Branch located approximately 0.3 miles to the east.

Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The study area is currently vacant and will generate approximately \$0 per year in revenue for the Stormwater Utility Fee.

The dark red lines going through the adjacent map represent a high point contour line with an elevation of 590' above sea level. The adjacent contours represent a 2' interval difference, with the low-point elevation on site being 582' above sea level.

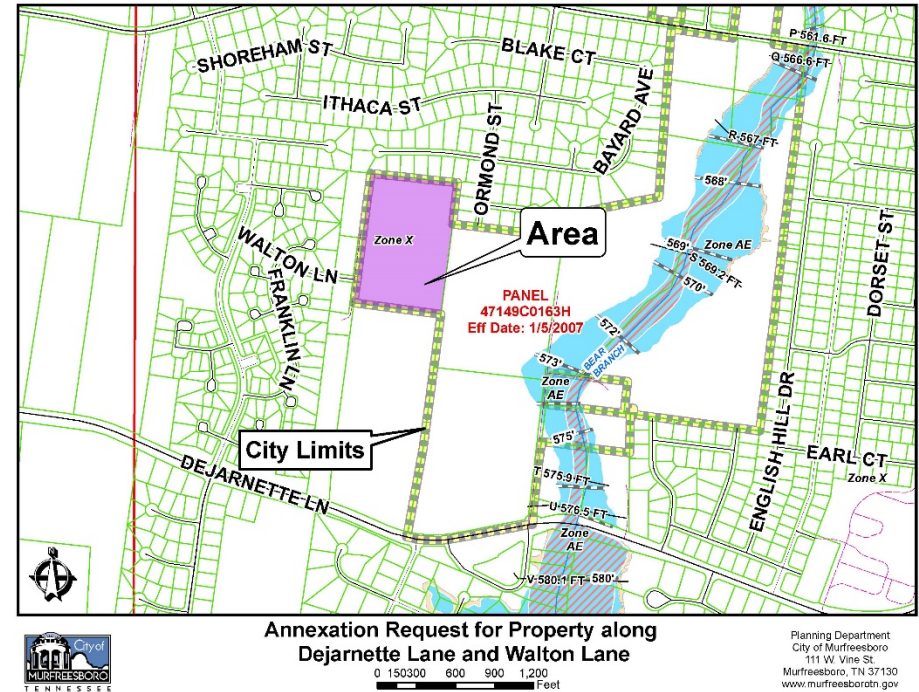


FLOODWAY

The study area is not located within the 100-year or 500-year floodplains as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The adjacent map shows the closest floodplain approximately 750' east of the subject property along the Bear Branch.

ANNEXATION FOLLOW-UP

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



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: HOLLY SMYTH**

- 4.c. Zoning application [2021-420] for approximately 9.5 acres located north of DeJarnette Lane to be rezoned from RS-15 to PND (Providence Christian Academy Athletic Facility PND) and approximately 9.7 acres to be zoned PND simultaneous with annexation, Providence Christian Academy applicant.**

The study area includes portions of 2 existing parcels totaling approximately 19.2 acres located behind the existing Calvary Baptist Church at 431 DeJarnette Lane. Walton Lane currently stubs into the west side of the subject property. The property tax map numbers are: Tax Map 068, Parcels 133.05 and 133.06. The current zoning on the southerly parcel is single-family residential (RS-15) while the northerly parcel is zoned RM (Residential Medium Density) in unincorporated Rutherford County. The previous item on the agenda was the annexation of the northern parcel. The portions of the requested properties requested for the rezone are currently vacant and undeveloped.

The applicant, Providence Christian Academy, is requesting to zone portions of the two subject parcels to Planned Institutional District (Providence Christian Academy Athletic Facility PND), with the northerly parcel rezone being requested simultaneous with the property owner's (Calvary Baptist Church) request for annexation into the City. The remaining portion of the southerly parcel fronting DeJarnette will remain RS-15 while the northern portion of the northerly parcel will be given an interim RS-15 zoning classification if annexed, as there is no companion zoning request for it simultaneous with annexation. There is no proposed development on the area proposed to be zoned RS-15. Calvary Baptist Church is in the process of constructing an addition to its existing facility on the southern portion of the southern parcel. Ultimately the two existing parcels will be re-configured and divided to create a total of 3 lots, one for the continued church use, one for the sports fields, and one for the remaining undeveloped property.

Adjacent Zoning and Land Uses

Surrounding zoning is RS-15 to the west and south and RM in unincorporated Rutherford County to the east as shown on page 7 of the program book. The immediately adjacent surrounding land uses include the existing Calvary Baptist Church to the south that fronts DeJarnette Lane, four single-family detached dwellings on flag lots and the stub street of Walton Lane to the west, and vacant parcels directly to a portion of the west, as well as to the east. The Bradford Place single-family residential subdivision, zoned PUD (Planned Unit District) is located further to the west, and the Hamptons single-family residential subdivision, zoned RS-12, is located to the north.

Proposed PND

The request for rezoning to Planned Institutional District (PND) is to create Providence Christian Academy's (PCA) athletic facility with the long-term build-out to include a football field with 1,600 seat stadium, running track, a combined soccer and softball field, a baseball field, six tennis courts, and approximately 7 complementary buildings and structures. The complementary buildings, with a total footprint of 70,386 square feet and a total gross floor area of up to-100,000 square feet, will include a field house, concession stand, locker rooms, storage facilities, ticket booths, bleacher seating, and bullpens/dugouts, in addition to parking lots. The site is anticipated to have multiple layers of fencing that are depicted on page 12 of the program book, including fencing off the property from Walton Lane. A new diagram is provided in the program book on page 12 that shows fencing and gate locations, material type and minimum/maximum heights. One perimeter gate is proposed at the southerly T-intersection of Walton Lane to discourage the use of Walton Lane. Perimeter fencing around the entire sports complex is generally between 6-10' in height made of black chain link fencing. Portions of the softball and football fields as well as the entire baseball field include 4-30' tall black chain link fencing. The tennis courts have 10-14' tall black chain link fencing proposed.

PCA is requesting the rezone to PND in order to assure the community of what is proposed to be built and to allow for the zoning to be tailored to the specific institutional use being proposed. Page 13 of the program book shows a proposed layout of the sports field site. A shaded anticipated phasing plan is shown on a new page 14 of the program book highlighting circulation and parking construction tied to the phases. It appears that the additional parking provided in phase 4 on the Calvary Church property is not adequate to meet the full required parking and may need to still add approximately 40 spaces. The amount of specific parking being provided in each phase needs to be added to the drawing/ table so that it is clear that the 590 spaces are being provided north of DeJarnette Lane and that each phase has adequate parking. Page 14 also shows a good overview view of how the access to the sports fields ties back to DeJarnette Lane through the Calvary Baptist Church site. However, future potential vehicular circulation from Walton Lane to Ormond Street and points to the east need to be identified on the phasing plan (as it is no longer contained anywhere in the Program Book).

Hours of operation for all sports activities are outlined on page 19 of the program book along with the anticipated number of games and days of the week. The largest event anticipated would be a home football game occurring approximately 6 times a year at the 1,600 seat stadium. The City's parking requirement for the site is based on the seating in the stadium plus 10 spaces per acre which equates to 590 spaces being required. The revised proposed parking arrangement includes 259 spaces on the PCA sports field site and 331 spaces on the adjacent Calvary Baptist site (both located on the northside of DeJarnette Lane). Access to the parking lots are proposed to be from DeJarnette Land and the City will require recorded Off-Site Shared Parking Agreements approved by the City.

Building elevations have been provided in the updated program book pages 17-21 with all buildings being shown in stone and brick to better match the predominantly brick houses in the vicinity. However, additional revisions are needed to better comply with the City's Design Guidelines. Many of the buildings are visible from anticipated future streets or Walton Lane and need to be improved. **The following standards of the "Design Guidelines" need to be incorporated into the designs as follows:**

- Orient primary entrance toward street with higher classification (pertaining to Field House facing Walton Lane per Section V.E.4)
- Define building entrances with appropriate prominence and visibility (per Section V.E.3)
- Provide appropriate massing for intended use, and moderate building massing by stepping back building, varying visual height, and varying front plane of building (per Section V.D.1)
- Façade of building shall be divided into distinct sections no more than 40' in width and each section taller than it is wide and large expanses of blank walls shall be prohibited (per Section V.E.2). Adequate dimensioning needs to be shown to be able to review design based on this standard.
- Windows/columns and other elements shall be used to reinforce verticality of façade (per Section V.D.3)
- Design exterior elevations to consider appropriate level of interest and emphasis on architectural detailing (per Section V.B.1)
- Buildings exceeding 5,000 square feet in size or greater shall be prepared by a registered architect licensed in the State of Tennessee. The pattern book should include the name and contact information for the registered architect who designed the building elevations.

Proposed landscaping includes Type C buffers along the entire easterly and westerly boundaries of the sports facility and typical perimeter planting yards on the north and south. Should the north-south access drive ever convert into a public right-of-way, all the trees on the west side of the access drive would either have to become a median or be removed. Drainage is anticipated to be provided below ground as determined during the design of the more detailed civil plans. All open spaces, drainage areas, landscape, and grounds will be maintained by PCA.

Lighting for the ball fields will include light poles up to 80' in height. A preliminary photometric analysis has been provided, and the applicant believes that the City standard of 0.5 footcandle at the property lines can be achieved and only an exception to the height is being requested with the PND zoning. According to Section 18 of the Zoning Ordinance – Regulations of General Applicability, light fixtures for recreational fields at an institutional group assembly use are permitted up to 80' in height in conjunction with a special use permit granted by the Board of Zoning Appeals, but because the Planning Commission and City Council are considering the zone change, this height is in the list of requested exceptions on page 24 of the program book

Exceptions are shown in the Program Book on page 24 in red text; item 8 describes the various City standard setbacks, lot size, lot width, building height, and lighting height standards between an RS-15 zone district and the proposed PND zone. The proposed PND zoning currently calls out for exceptions to the following comparative standards:

- Pole lighting heights be allowed up to 80'; and
- Base of building plantings to not be required on the eastern sides of the Field House and Indoor Batting Cages building nor on the southern side of the field storage building.

Transportation Improvements and Vehicle/Pedestrian Circulation

Access into the site is proposed from DeJarnette Lane (designated as a Minor Arterial with 5-lanes) via the two (2) existing private access drives in Calvary Baptist Church's parking lot as well as a proposed T-intersection at Walton Lane. Sidewalk is proposed from the easterly driveway at DeJarnette Lane to just south of Walton Lane. The City Greenways, Blueways, and Bikeways Master Plan identifies existing bike lane facilities along DeJarnette Lane. Staff had previously asked for a peak level event traffic analysis for the project which was to show both pedestrian and vehicle circulation when some of the required parking was provided on the south side of DeJarnette Lane. **Now that all the required parking is on the northside of DeJarnette Lane, the traffic analysis' focus should be on vehicular traffic impacts of a peak event on Walton Lane with gating, Alexander Boulevard, and DeJarnette Lane in coordination with the City's Traffic Engineer.**

The applicant only provided the information on page 15 of the Program Book that includes a Transportation Demand Management Plan (TDMP) that includes some hard improvements but does not state how PCA will "continue to deter and take actions to limit pedestrian crossings of DeJarnette Lane" nor how the TDMP can be actively implemented by PCA staff.

Staff has asked for the following modifications to vehicular access based on past history with similarly-situated sites (like Bishop Street south of Siegel Middle School) to lessen the impacts to the City's street network:

- Need to show how roadway connections will work to connect Walton Lane back to Ormond Street as well as property to the east. The location was previously provided in an earlier version of the program book and needs to be re-incorporated into the program book with dimensions to show local street standard widths can be met, as future ingress/egress points in the future will help better distribute traffic; and
- Provide a more direct mild curve access from the westernmost driveway to avoid going through the church parking lot with an entry width wide enough to accommodate multiple travel lanes (which has been addressed); and
- Change the proposed Walton Lane cul-de-sac to a T-intersection, with asphalt paving to the north-westerly corner of the site so that traffic does not back up onto Walton Lane (which has been addressed with T-intersection, however the gate location may need to be further evaluated based on the traffic analysis); and
- Provide right-turn lanes along DeJarnette Lane (which has been addressed; however, it is unclear if median queuing distances are adequate for left-turns from DeJarnette Lane until the traffic analysis is provided); and
- The easterly drive access from DeJarnette Lane into the Calvary Baptist site needs to provide a 3-lane drive access to accommodate 1 outbound and 2 in-bound lanes to quickly get traffic off DeJarnette Lane which could be reversed for out-bound traffic after large scale events; and
- Due to the fact that there is not a peak event traffic analysis, it is unknown what trip distribution, queuing, or other impacts to Walton Lane and surrounding streets like Alexander Boulevard may be experienced during peak level events or if further infrastructure improvements are needed to lessen traffic impacts. **Therefore, staff continues to need the analysis to properly complete our review of the project.**

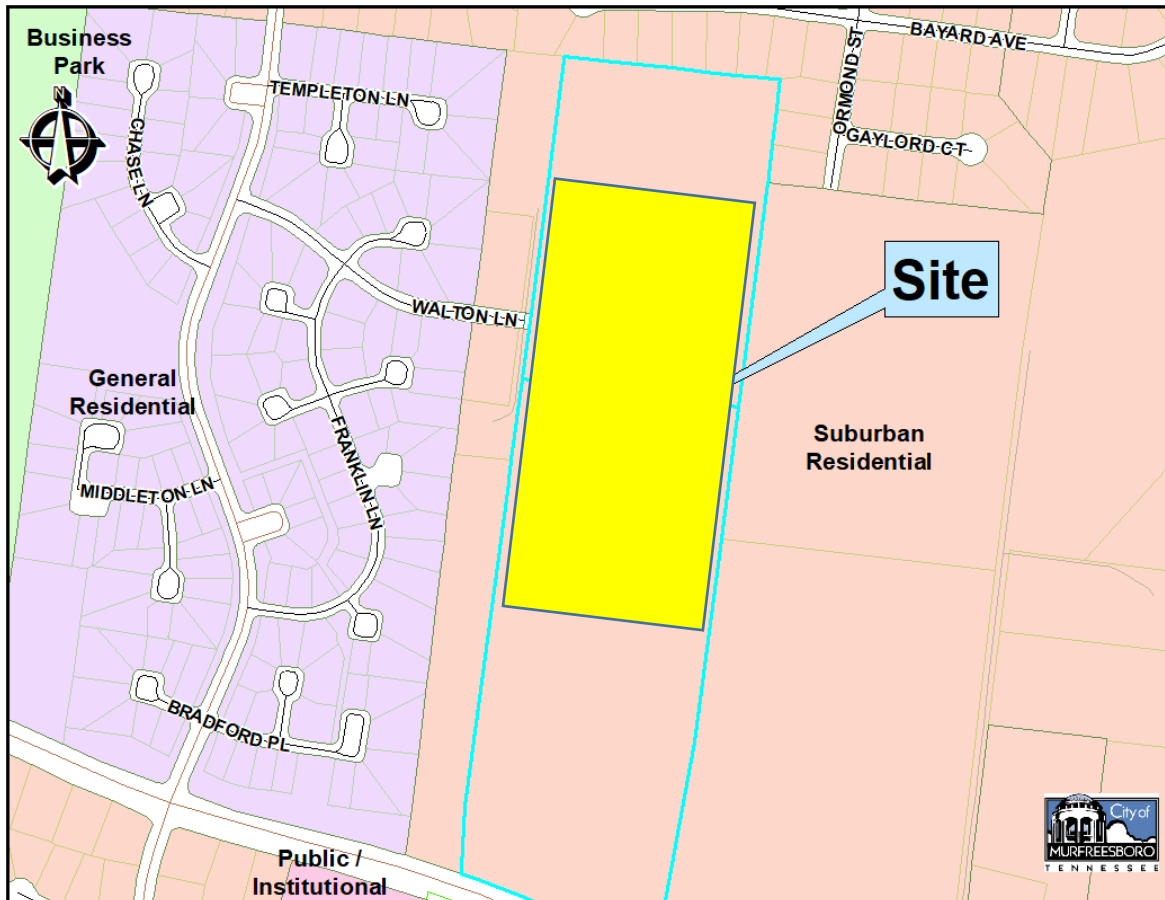
Future Land Use Map

The future land use map (FLUM) contained in the Murfreesboro 2035 Comprehensive Plan, which was adopted in July 2017, recommends that the subject property develop with a “*Suburban Residential*” land use character (see excerpt from the future land use map on the following page). This classification intends to serve as a transition from rural to urban residential development and is predominantly located along the periphery of the City. This character type includes small acreages or large lot estate development, or may also be smaller lots clustered around common open space. The comprehensive plan calls out RS-15, RS-12, and RS-10 as existing zoning districts that are compatible with this designation with 2.0-3.54 dwelling units per acre as the recommended density. Development types within this land use character include “detached residential dwellings and Planned developments to provide other housing types with increased open space to preserve a suburban character setting.” The description of this land use character does not specifically list institutional uses as a compatible development type.

The proposed sports fields are more aligned with the *Public Institutional Class* land use character. This land use is for public and private schools and similar institutional uses with a high degree of visitation and/or pedestrian activity and may require multiple buildings, and facilities may have special parking and passenger drop-off requirements. City zoning districts that are consistent with this land use include CU, PND, and AOD.

While the Suburban-Residential land use character does not specifically call out institutional uses as compatible uses, in most cases institutional uses are permitted by right or by special use permit in residential zone districts. Staff believes that this represents an unintentional gap in the Comprehensive Plan, as most institutional land uses have long been seen as being compatible with adjacent residential uses as long as the institutional use is designed with those residential uses in mind.

With the above in mind, staff believes the proposed PND zoning is consistent with the Future Land Use Map for Suburban Residential land use designation so long as staff comments are incorporated into the program book discussed above. If the rezoning is adopted, staff recommends the FLUM be revised to reflect Public Institutional Class (PI) for this property.



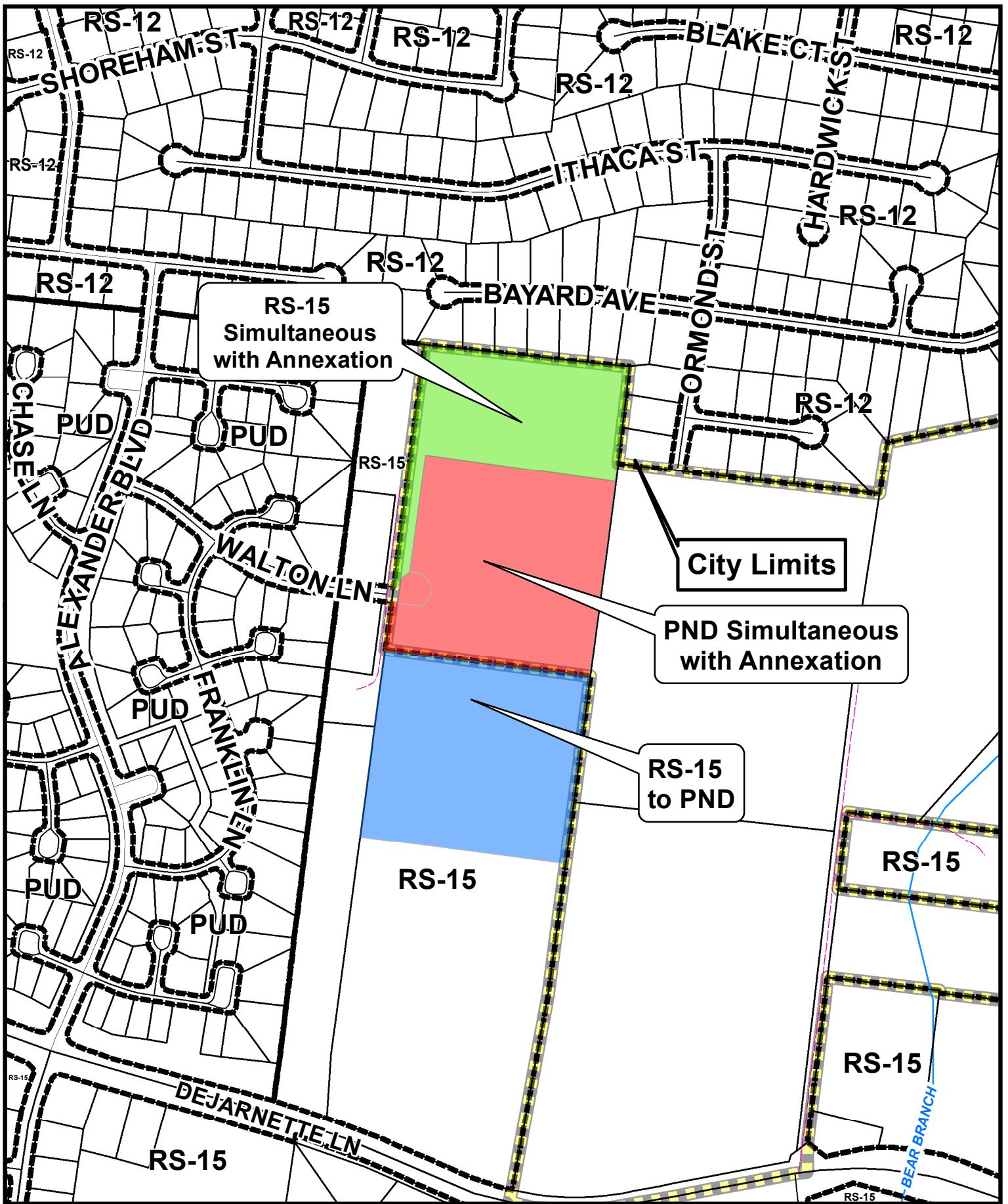
Department Recommendation.

The Planning Department recommends deferral of this zoning request until the following:

- a) the traffic analysis discussed above is received by the City and reviewed by the Traffic Engineer to ensure adequate traffic management improvements and measures are incorporated into the project;
- b) the plan depicts potential future roadway connections back to Ormond Street as well as to property to the east as previously shown;
- c) the easterly driveway off DeJarnette Lane is revised to incorporate a 3-lane access drive to accommodate 2 in-bound and 1 out-bound travel lane;
- d) the plan book is revised to clearly depict all required parking spaces provided on the north side of DeJarnette Lane; and
- e) updated architectural elevations designed by a registered architect are included to better meet the standards of the Design Guidelines as listed above.

Action Needed

The applicant will be in attendance at the meeting to make a presentation and answer any questions. The Planning Commission will need to conduct a public hearing and then discuss this matter, after which it should formulate a recommendation for City Council or vote to defer action. For the reasons previously listed in this staff report, Staff recommends that action on this item be deferred.



**Zoning Request for Property along Walton Lane RS-15 to PND
and PND Simultaneous with Annexation (PCA Athletic Facilities PND)**

Planning Department
City of Murfreesboro
111 W. Vine St.

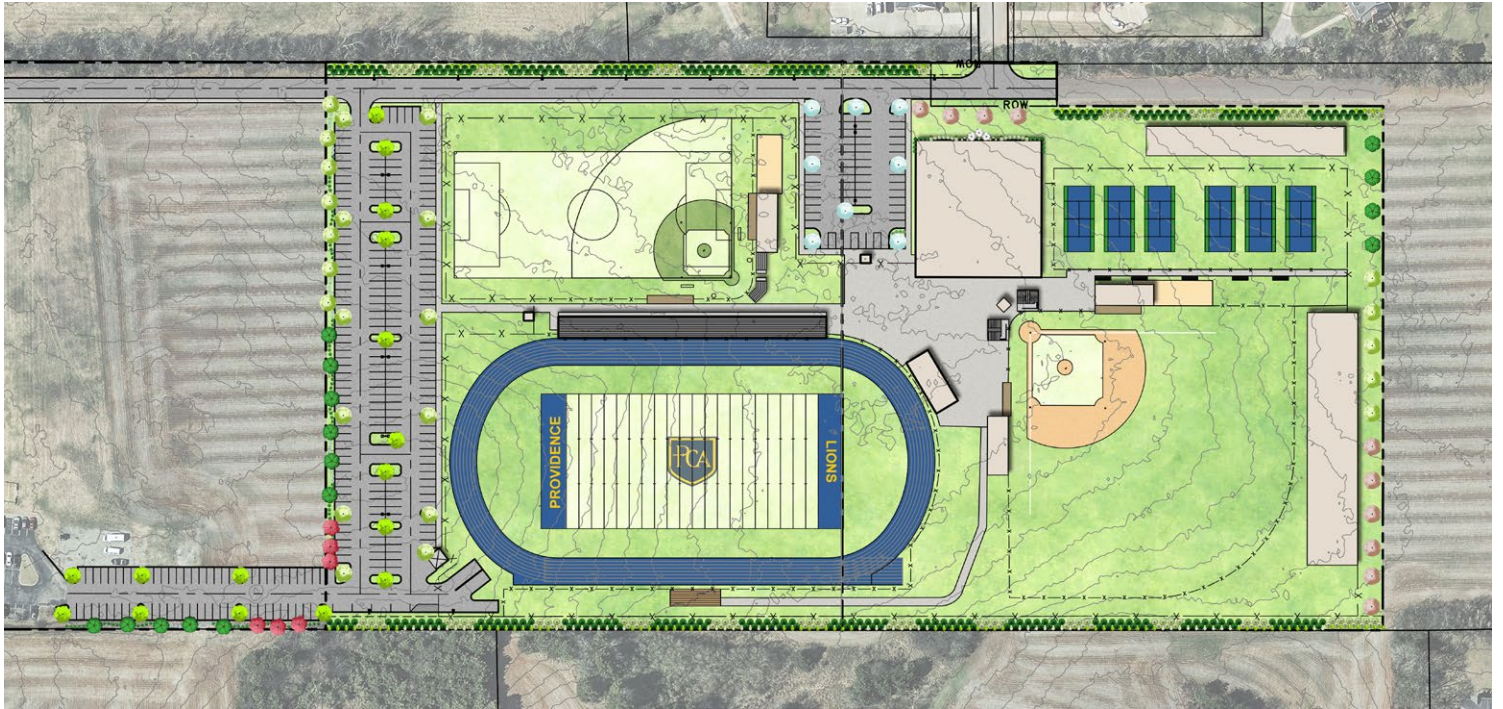




**Zoning Request for Property along Walton Lane RS-15 to PND
and PND Simultaneous with Annexation (PCA Athletic Facilities PND)**

Planning Department
City of Murfreesboro
111 W. Vine St.





PROVIDENCE CHRISTIAN ACADEMY ATHLETIC FACILITY

A REQUEST FOR ANNEXATION AND REZONING TO A PLANNED INSTITUTIONAL DISTRICT
Murfreesboro, Tennessee

Initial Submittal
August 12th, 2021

Resubmitted
September 3rd, 2021 for the September 15th, 2021
Planning Commission Workshop

Resubmitted
September 29th, 2021 for the October 13th, 2021
Planning Commission Public Hearing

SEC, Inc.

SEC Project #02286



SEC, Inc.

Company Name: SEC, Inc.
Profession: Planning.Engineering.Landscape Architecture
Attn: Matt Taylor
Phone: (615) 890-7901
Email: mtaylor@sec-civil.com
Web: www.sec-civil.com

*850 Middle Tennessee Blvd.
Murfreesboro, Tennessee 37129*



Company Name: Providence Christian Academy
Profession: Owner
Attn: Ben Bobo
Phone: (615)-904-0902
Email: 4bbobo@gmail.com
Web: Providencechristian.com

*410 Dejarnette Lane
Murfreesboro, TN 37130*

TABLE OF CONTENTS..... 03

PROJECT SYNOPSIS..... 04

MAJOR THOROUGHFARE PLAN 05

SUBDIVISION MAP..... 06

ZONING MAP AND 2035 FUTURE LAND USE MAP 07

UTILITY MAP 08

HYDROLOGY AND TOPOGRAPHY 09

ON-SITE PHOTOS 10

ADDITIONAL PHOTOS..... 11

DEVELOPMENT STANDARDS..... 12

CONCEPTUAL SITE PLAN 13

PHASING PLAN..... 14

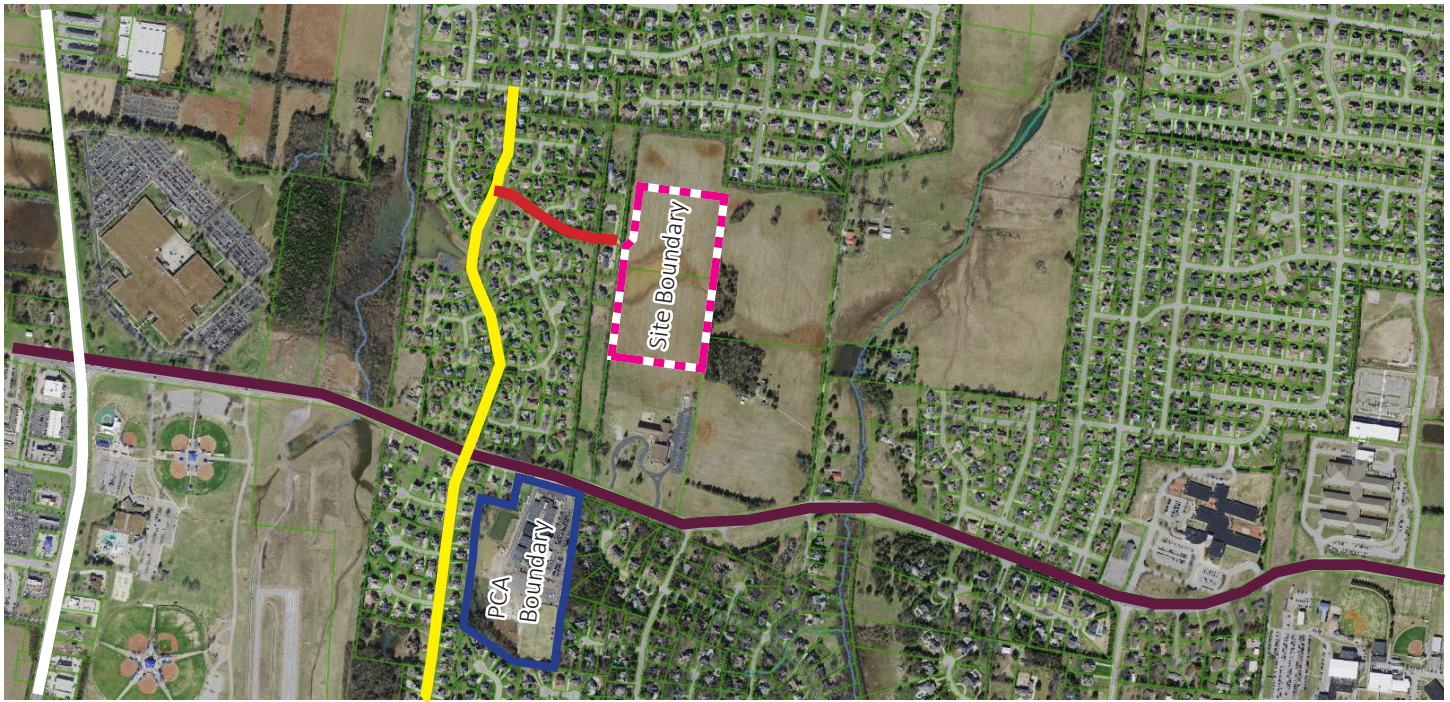
INGRESS AND EGRESS 15

ARCHITECTURAL CHARACTERISTICS..... 16-21


LANDSCAPE MATERIAL SAMPLES AND CHARACTERISTICS..... 22

HOURS OF OPERATION 23

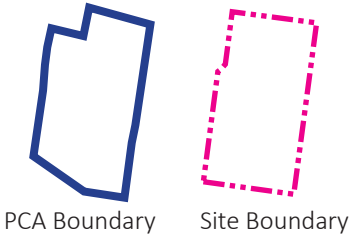
SECTION 13(D)(2)(B) 24-25



AERIAL PHOTOGRAPH

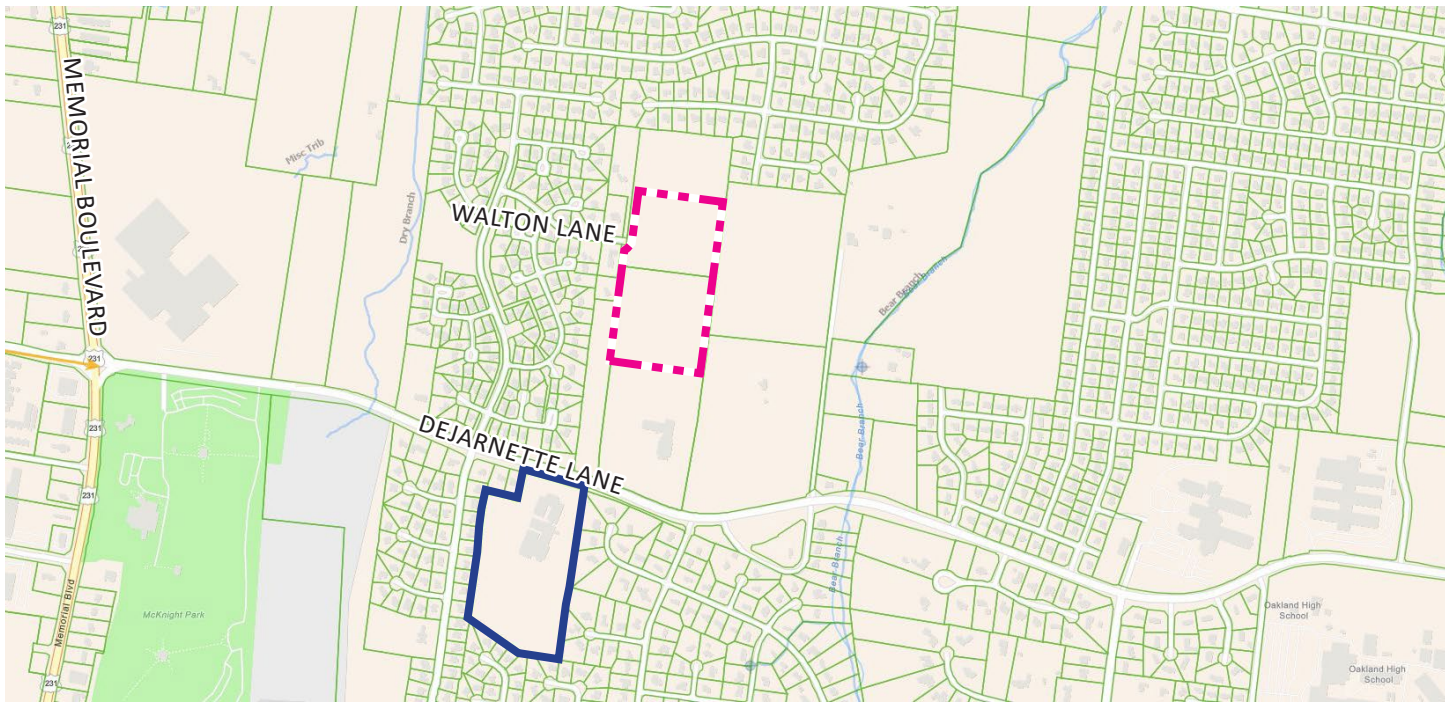
Not To Scale 

-  DeJarnette Lane
-  Alexander Boulevard
-  Walton Lane
-  Memorial Boulevard- HWY 231




Providence Christian Academy (PCA) respectfully requests annexation and rezoning of the Calvary Baptist Church Property at 431 DeJarnette Lane from Medium Density Residential (RM) in Rutherford County, to a Planned Institutional District (PND) within the City of Murfreesboro to create the PCA Athletic Facility. The property is located along the northern side of DeJarnette Lane, north of Calvary Baptist Church, and at the end of the eastern stub of Walton Lane. The site is identified as a portion of Parcel 133.06 of Tax Map 68, and is approximately 9.49 acres. The project will also be using approximately 9.49 acres of Parcel 133.05 of Tax Map 68 for this development for a total of 18.98 acres. Upon the completion of this rezoning request, the existing two parcels would be subdivided into three parcels, with an access easement being provided from the existing Calvary Baptist Church to the rezoned middle parcel, with the area of this application transferring ownership to PCA.

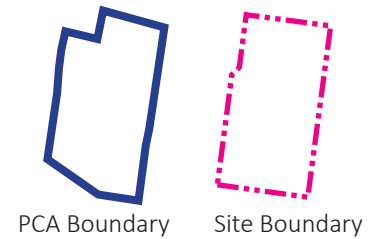
The PCA Athletic Facility shall consist of a variety of athletic fields such as; a football field, complete with running track, a combined soccer and softball field, a baseball field, and six tennis courts. The facility also proposes approximately seven complementary buildings and structures with approximately 70,386 square feet that includes; a field house, concession stand, locker rooms, storage facilities, ticket booths, bleacher seating, and bullpens/dugouts. The project will be providing a total of 590 parking spaces between two different sites. 259 visitor parking spaces will be provided on the property, along with two bus spaces and a dedicated parking space for the event EMS. An additional 331 off-site parking spaces will be available to the development through a shared parking agreement with Calvary Baptist Church to satisfy parking requirements. A smaller parking area is proposed near the field house to provide accessibility parking and to facilitate the needs of the field house. The facility shall be encompassed by a fence to better mitigate unauthorized access to the facility. This fence shall be a black powder coated chain-link fence 6-feet in height. Access to the site shall be provided through the Calvary Baptist Church Parking Lot. A secondary means of access shall be provided from Walton Lane, this access shall be gated and used for emergency services only.



MAJOR THOROUGHFARE PLAN

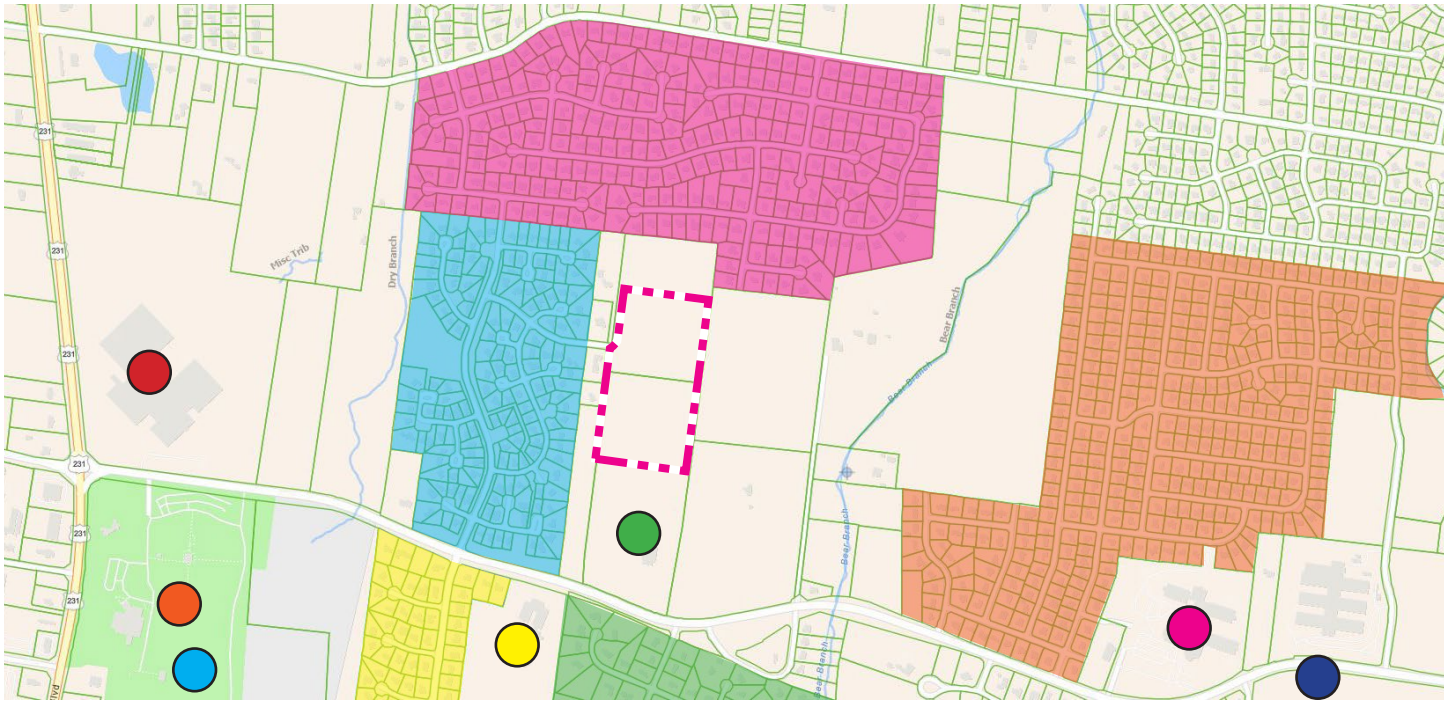
Not To Scale 

 3 LANE ROADWAY



The property has/will have access to the existing public rights-of-way of Walton Lane (Local Street) and access to DeJarnette Lane (5-Lane Major Arterial) through a private drive connected to the existing parking network of the Calvary Baptist Church. No roadway associated with the development are on the City of Murfreesboro's Major Thoroughfare Plan or the Rutherford County Long Range Transportation Plan.

The Greenways, Blueways and Bikeways Master Plan (GBBP) identifies DeJarnette Lane with existing Bike Lane Facilities.



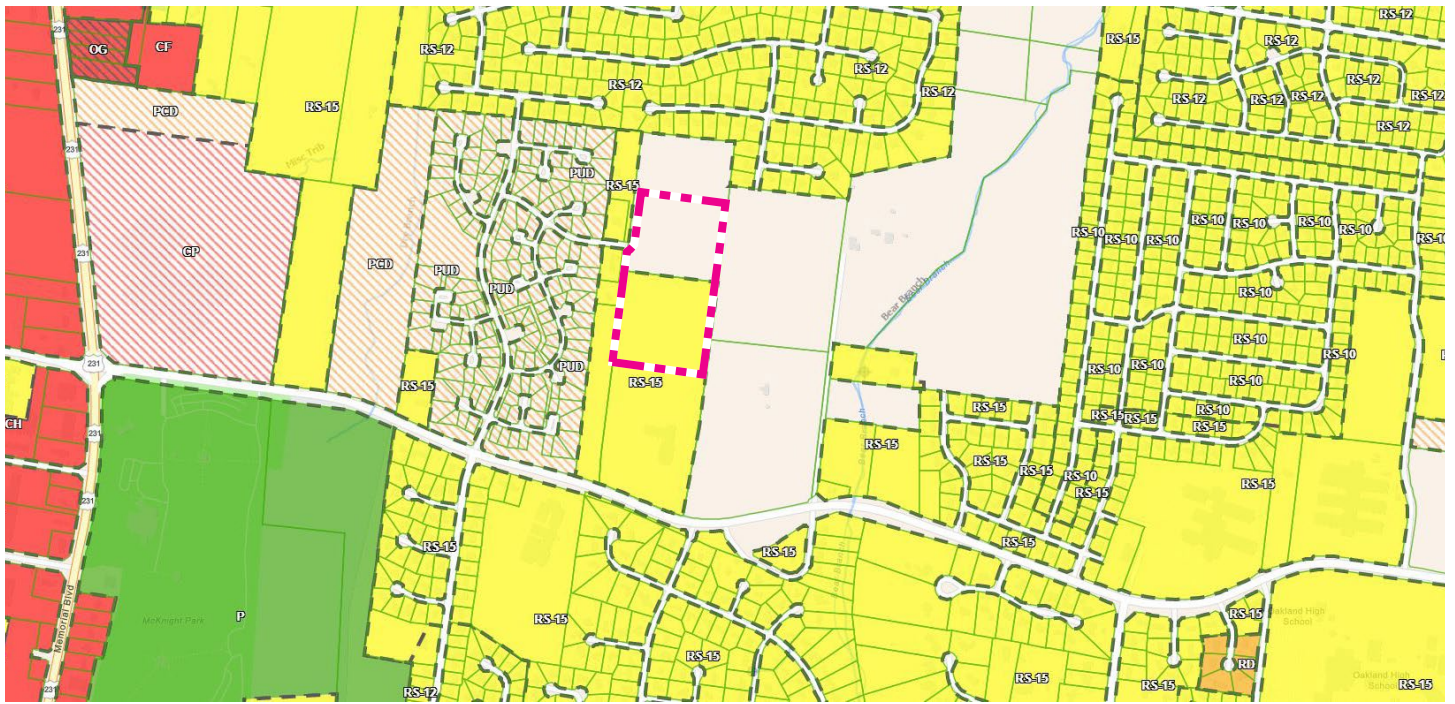
SUBDIVISION MAP

Not To Scale

Bradford Place	North Woods	State Farm Operations Center	McKnight Park
The Hamptons	Huntington Place	John Pittard Elementary School	Sportscom
Northsprings	Calvary Baptist Church	Providence Christian Academy	Oakland High School






Site Boundary

Providence Christian Academy Athletic Field is surrounded by a mixture of residential subdivisions, agricultural properties, civic uses, and commercial properties. Bradford Place is a residential development consisting of two-story single family detached homes with side entry garages. The exterior elevations primarily consist of brick with vinyl accents. The Hamptons is a residential development consisting of two-story single family detached homes with side entry garages. The exterior elevations consist of primary brick. South of the project site is Calvary Baptist Church and Providence Christian Academy. McKnight Park, Sportscom, and State Farm Operations Center are located to the west along DeJarnette Lane. Oakland Middle and High Schools as well as John Pittard Elementary School are located to the east along DeJarnette Lane.

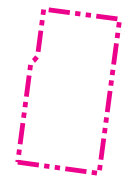


ZONING MAP

Not To Scale 

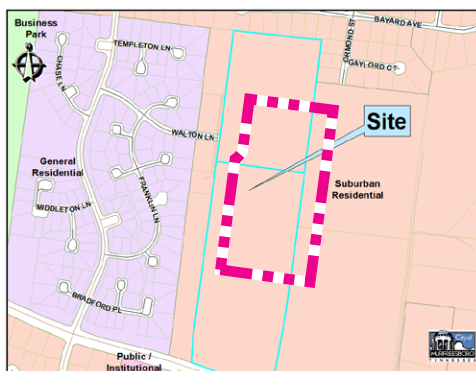
	Residential Single-Family (RS-10)
	Residential Single-Family (RS-12)
	Residential Single-Family (RS-15)
	Park (P)
	Office General (OG)

	Commercial Highway (CH)
	Commercial Fringe (CF)
	Medium Density Residential (RM) (Rutherford County)
	Planned Commercial District (PUD)
	Planned Residential District (PRD)



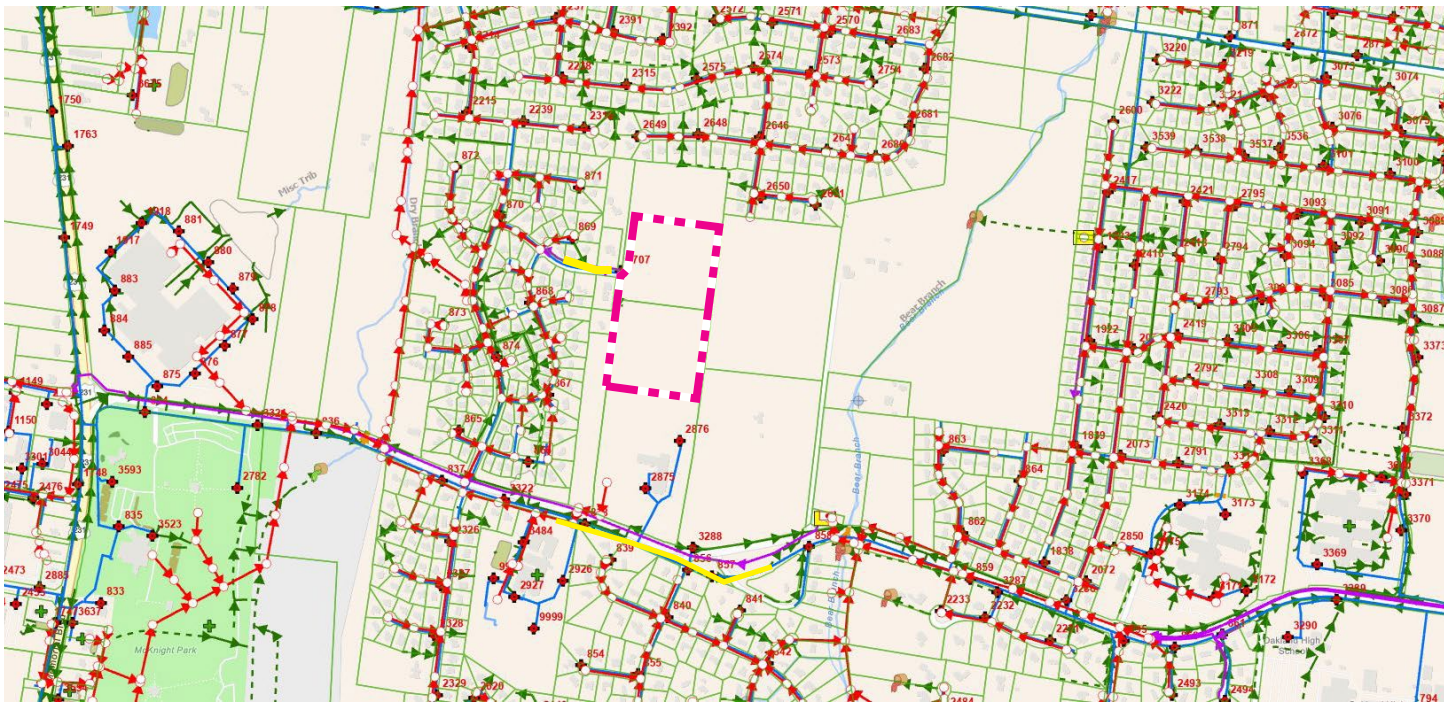
Site Boundary

The surrounding areas consist of a mixture of zoning types and uses. The lands immediately to the south and west of the site are zoned Residential Single-Family (RS-15), with the lands immediately north zoned Residential Single-Family (RS-12), both zoning types are within the City of Murfreesboro. Further west of the site is Bradford Place Subdivision, a Planned Unit District (City of Murfreesboro) and the Planned Commercial District (PCD) that is the State Farm Operations Center. The land to the south belongs to the Calvary Baptist Church and is Zoned RS-15 (City of Murfreesboro.) The lands to the east are primarily zoned Medium Density Residential (Rutherford County) with the northern corner adjacent to Residential Single Family (RS-12), City of Murfreesboro.



Murfreesboro 2035 Future Land Use Plan

The Murfreesboro 2035 Future Land Use Plan shows the site to be developed as Suburban Residential Character (SR). The land use plan recommends this site to have a maximum density of 2.0-3.54 dwelling units per acre (DU/ac). This land use recommends detached residential dwellings. Other housing types are allowed, such as Auto-Urban (General) Residential use, but the development must still provide increased open space to preserve a suburban character setting. The proposed PND does not follow the recommended use as per the Murfreesboro 20352 Land Use Plan, and instead matches the Public/Institutional land use.



UTILITY MAP

Not To Scale 



 ELECTRIC

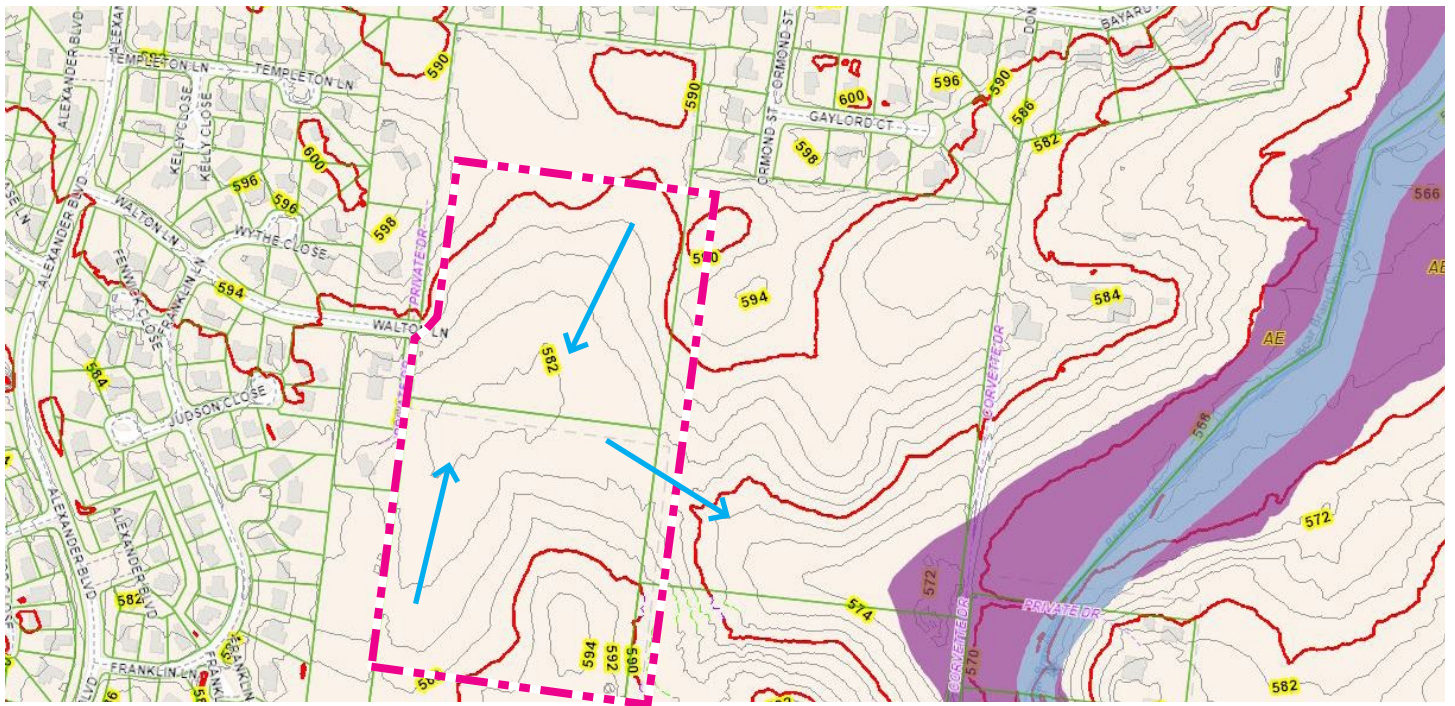


Water service will be provided by the Murfreesboro Water Resources Department. There is an existing 8" PVC water line within the Walton Lane Rights-of-Way and an 8" iron ductile water line within the Calvary Baptist Church property. The developer will be responsible for extending the water line into the site for domestic and fire water services.

Sanitary sewer service will be provided by the Murfreesboro Water Resources Department. There is an existing 8" PVC gravity sewer line within the Calvary Baptist Church property as well as an 8" force main within the Rights-of-Way of Walton Lane. The developer will be responsible for extending the sewer into this property from Calvary Baptist Church.



Electric service will be provided by Middle Tennessee Electric. Service will be extended from Walton Lane and Calvary Baptist Church. The developer will be responsible for extending the electric lines into the site, all on-site electric shall be underground.



HYDROLOGY AND TOPOGRAPHY

Not To Scale

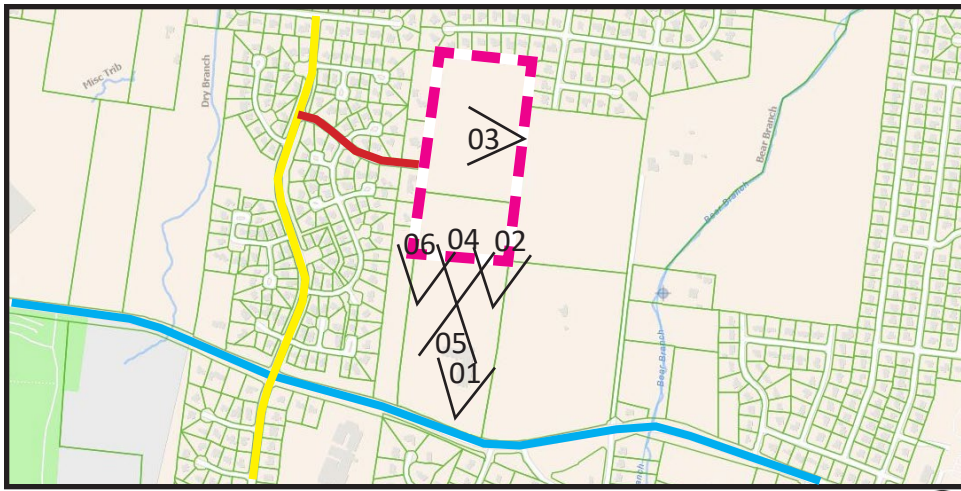
→ WATER FLOW DIRECTION

— INTERMEDIATE CONTOURS

— INDEX CONTOURS

Site Boundary

The topographic map above shows the site's topographic high point generally at the south eastern corner and the northern boundary of the property. From these high points, the property drains towards the middle of the site before turning and flowing east off-site towards the Bear Branch. No portion(s) of the property lie within a floodplain or floodway per FEMA Flood Panel 47149C0163H eff. 1/4/2007.



- █ Dejarnette Lane
- █ Alexander Boulevard
- █ Walton Lane

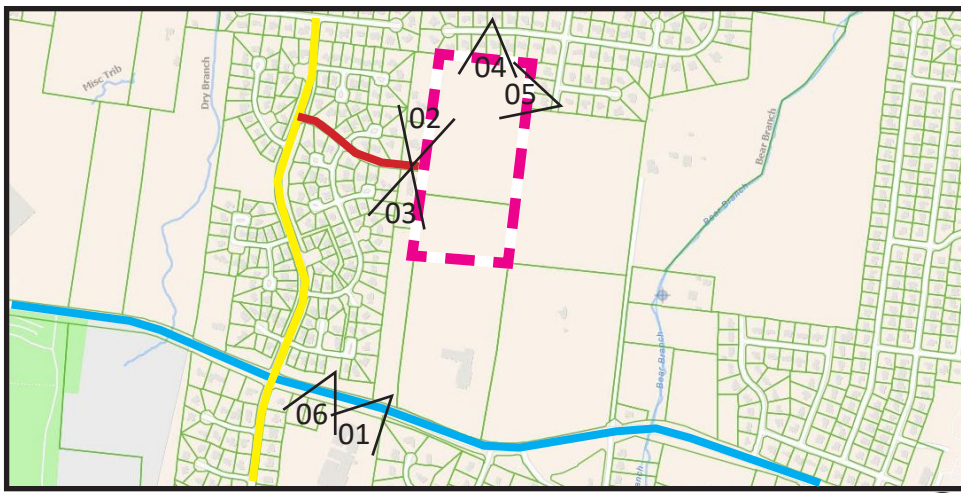


Site

PHOTO DIRECTION MAP

Not To Scale





- Dejarnette Lane
- Alexander Boulevard
- Walton Lane



Site

PHOTO DIRECTION MAP

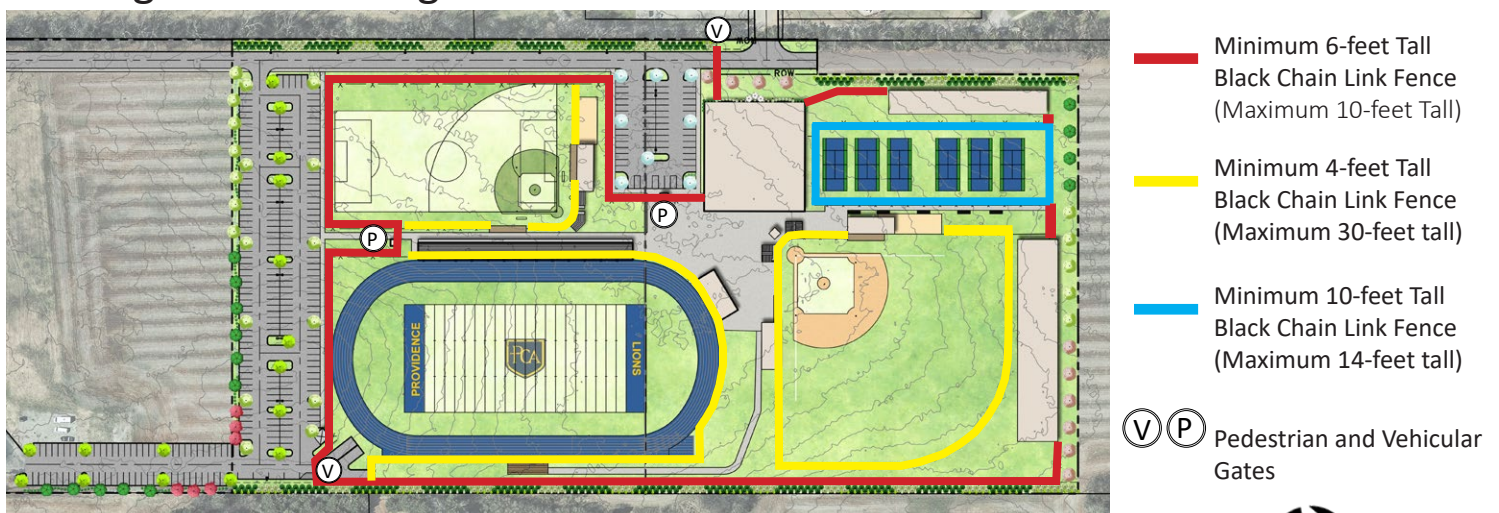
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Development Standards:

- Athletic Fields shall be built and lit to TSSAA Standards.
- The PCA Athletic Facility Hours of Operations and Projected Event Frequency are outlined on Page 23.
- Parking for the development shall comply with the City of Murfreesboro Zoning Ordinance for off street parking requirements via on-site parking as well as shared parking with Calvary Baptist Church on the north side of Dejarnette Land and the PCA campus on the south side of Dejarnette Lane.
- EMS parking shall be provided to insure timely medical assistance during events.
- Guests, athletes, coaches, and staff shall utilize the entrance through Calvary Baptist Church.
- The Walton Lane entrance shall be gated and restricted to emergency services only.
- The Walton Lane entrance shall be designed to comply with Murfreesboro Streets Standards.
- A Type 'C' Landscape Buffer shall be constructed along the length of the western, northern and eastern sides of the property as shown on the concept plan.
- All on-site utilities shall be underground.
- Solid waste shall be handled via a dumpster.
- Solid waste enclosures shall 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 shall be completed.
- Stormwater facilities will be a mix of above ground systems and below ground storage systems.
- Sidewalks throughout the development shall provide pedestrian circulation to the various fields and facilities on site. The western private drive back to Dejarnette Lane shall include a sidewalk for pedestrian connectivity back to the PCA Athletic Field.
- All mechanical equipment (i.e. HVAC and transformers) shall be screened with landscaping or fencing.
- Fencing shown around the perimeter of the fields/courts shall be a minimum 6' tall black chain link fence. Internal fencing shall be a minimum 4' tall black chain link fence.
- The fence shall provide access via gates at the Bus/EMS parking area, at the ticket booths, and periodic gates along the eastern buffer (for maintenance)
- A parking and access agreement shall be recorded giving the owner of the sports field (anticipated to be PCA) access/permission to use the existing parking facilities of Baptist Calvary Church and back to PCA Campus.
- Field lighting will be up to 80' tall, however all lighting will comply with 0.5-foot candles at the property line.
- Parking lot and drive lighting will comply with the Murfreesboro Zoning Ordinance as 20' tall poles and 0.5-foot candles at the property line.
- All fields and courts will have speakers for announcements and music during events.

Fencing and Gate Diagram



*Fence heights will vary depending on juxtaposition of recreational uses.

N.T.S.



Site Data

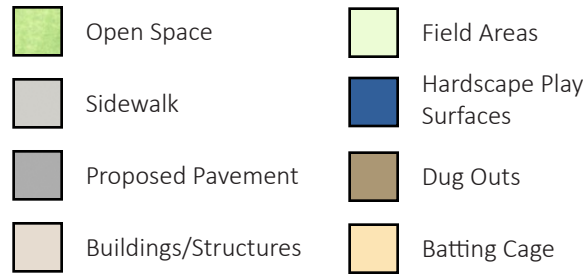
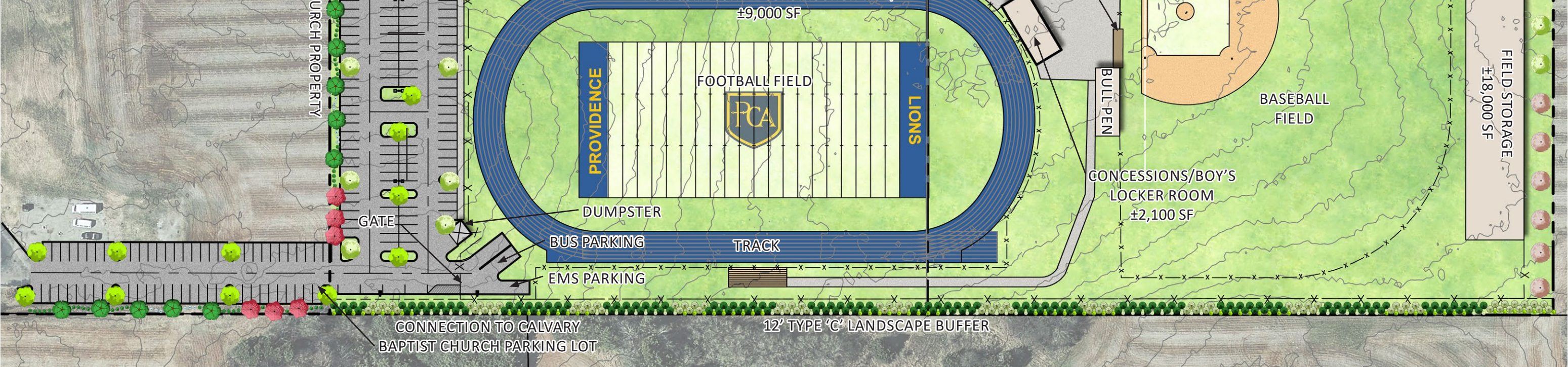
Total Land Area: ±18.98 Acres

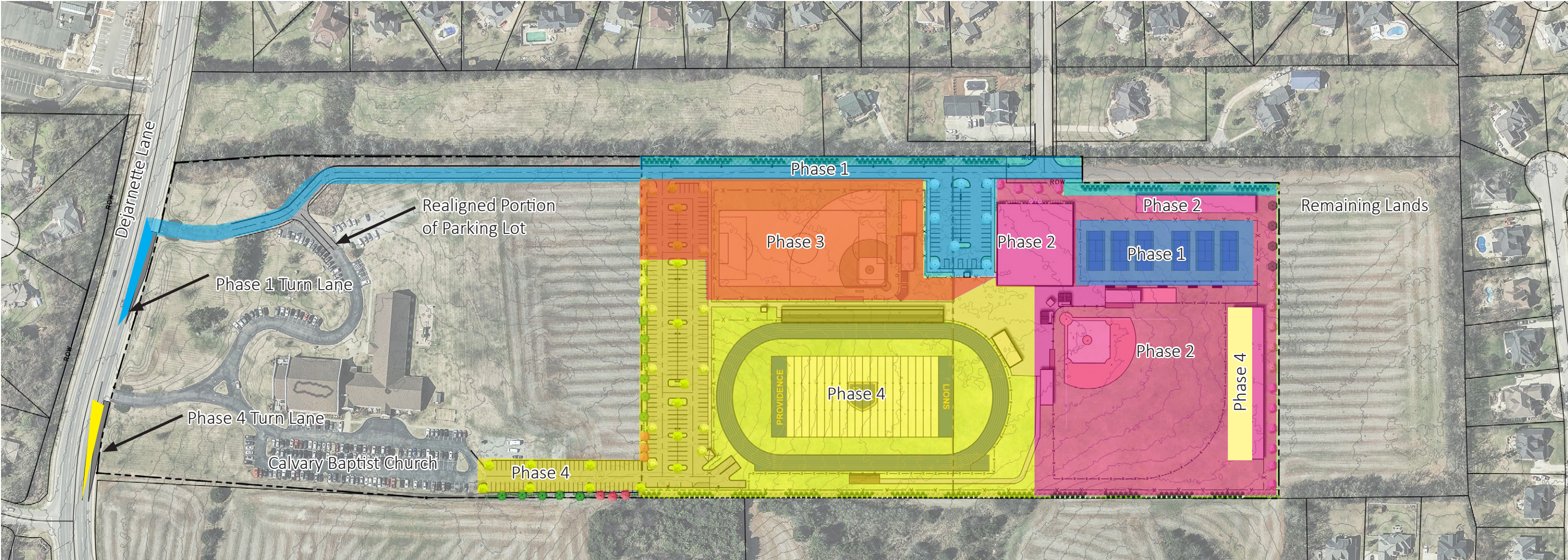
Parking Required:
(Must Use Greater of Two Requirements)

10 Spaces/Acre + 1 Space/4 Spectator Seats:
Approximate Proposed Seating: ±1,600 Seats
Parking per Seating = 1,600/4 = ±400 Spaces
18.98 Acres = ±190 Spaces
Total Parking Required = ±590 Spaces
OR
1 Space/8 LF of Bleacher Seats:
Approximate LF of Bleachers: ±1,984 LF
Total Parking Per LF = 1,984/8 = ±427 Spaces

Parking Proposed:
Proposed Parking on Athletic site= ±259 Spaces
Parking at Calvary Baptist Church = ±331 Spaces

Total Parking Provided= ±590 Spaces





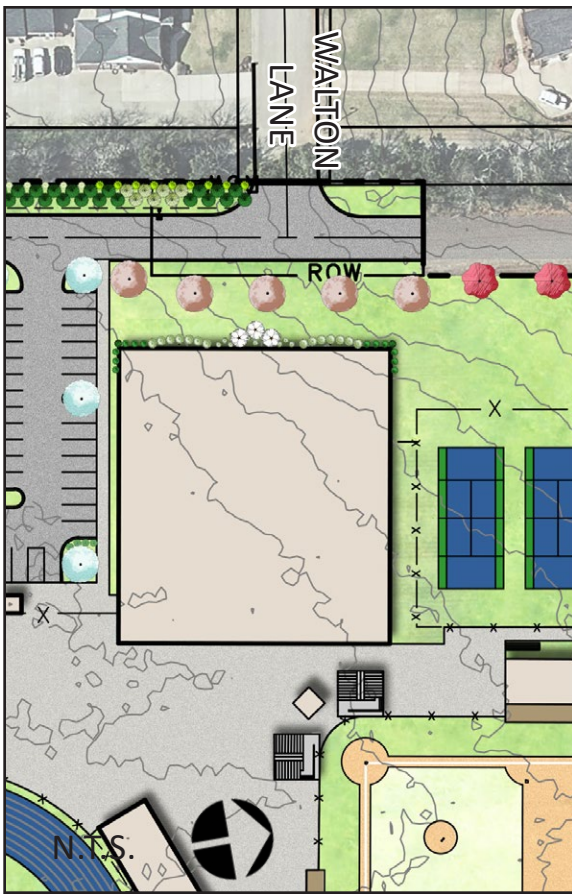
PHASES	FIELD/COURT
PHASE 1	TENNIS COURTS
PHASE 2	BASEBALL FIELD & FIELD HOUSE
PHASE 3	GIRLS SOCCER FIELD & SOFTBALL FIELD
PHASE 4	FOOTBALL FIELD AND TRACK

- The project is anticipated to be built multiple phases
- Construction of Phase 1 is planned to begin at the earliest, Summer of 2022.
- The timing of the remaining phases of construction will be donation driven.

Building	Maximum ft ²	Phase
Field House	* 26,000 SQFT	2
Indoor Batting Cages	* 9,500 SQFT	2
Ticket Booth (A)	* 200 SQFT	2
Field Storage	* 18,000 SQFT	4
Concession Stand	* 2,500 SQFT	4
Girls Locker Room & Facility Restrooms & Press Box	* 14,000 SQFT	4
Ticket Booth (B)	** 200 SQFT	4

*Tabulations shown are maximum building coverages for listed structures.

**Tabulation is an estimate of the final area and is subject to change with architectural revisions, which includes all buildings.



Pursuant to the City of Murfreesboro's Major Thoroughfare Plan (MTP), none of the roadways in this development are slated for improvements. DeJarnette Lane is classified Minor Arterial Roadway where the majority of vehicular trips generated by this development will impact. DeJarnette Lane is currently built as a 5-lane cross-section with curb and gutter along with sidewalks on both sides of the roadway. Turn-lanes into the site shall be built as outlined on the phasing plan. Final determination of turn lanes into the site will be made during the site plan design and review process. Walton Lane shall be used as emergency access only and is currently built as a 2-lane cross-section with curb and gutter.

As stated previously, the primary means of ingress/egress from this site will be onto DeJarnette Lane through the two Calvary Baptist Church parking lots via a east connection and west connection. These access drives shall be recorded in an access easement agreement. A parking and access agreement shall be recorded giving the owner of the sports field (anticipated to be PCA) access/permission to use the existing parking facilities of Baptist Calvary Church and back to PCA Campus. The illustration on the left shows the Walton Lane T-intersection on the western boundary of the development. The illustration below shows the proposed connections to the Calvary Baptist Church property.

All drives within the development will be private drives with a typical 24-foot cross-section.

Transportation Demand Management Plan:

This project team understands the potential traffic impact of this project is a concern to neighbors and surrounding residents. Therefore the applicant (PCA) has made the following commitments to aid in mitigating those concerns.

- This project will construct right turn lanes at both entrances off DeJarnette Lane
- This project will construct new parking spaces and/or utilize existing church parking spaces to allow all required parking to be located on the north side of DeJarnette Lane
- This project will construct a hammerhead at the end of Walton Lane to allow for proper turnaround of vehicles and emergency vehicles
- This project will construct emergency gates at the Walton Lane hammerhead to prevent event traffic from utilizing Walton Lane
- This project will fence its facility to deter visitors from parking on Walton Lane and walking into the facility
- PCA will hire police officers to direct traffic onto and off of DeJarnette Lane during home football games/large events.
- PCA will utilize the police officers for 1 hour before large events and 1 hour after large events to address the peak traffic periods
- PCA will utilize a traffic circulation plan during large events to direct all vehicles arriving from the west (Memorial Blvd) to enter the western entrance and all vehicles arriving from the east (Lascassas Hwy) to enter the eastern entrance.
- PCA will continue to utilize shuttling services during large events that require parking at the school campus to deter pedestrian traffic
- PCA will continue to utilize the flashing school light only when a police officer is on-site during large events and any pedestrian crossing would be directed to occur between the flashing lights
- PCA will continue to deter and take actions to limit pedestrian crossings of DeJarnette Lane
- PCA will actively monitor Walton Lane during large events to prevent parking along the street and will direct violators to park at the correct locations
- This project will realign the "bend" in the Calvary Baptist Parking lot going to DeJarnette Lane and will be paralleled by a sidewalk.

Architectural Characteristics:

- Building heights shall not exceed 35 feet with the exception of proposed bleachers/press-box
- All buildings will be 1-3 stories

Building Materials:

Primary:

All Elevations: Brick and/or Stone

Secondary:

All Elevations: Brick and/or Stone

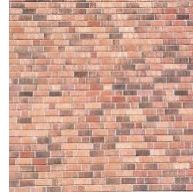
Trim/Awnings:

All Elevations: Metal

Roofing Materials: Architectural Shingles
Metal Roofing



Example of Stone Veneer (Different colors will be allowed)



Example of Brick Veneer (Different colors will be allowed)



Example of Architectural Roofing Shingles (Different colors will be allowed)

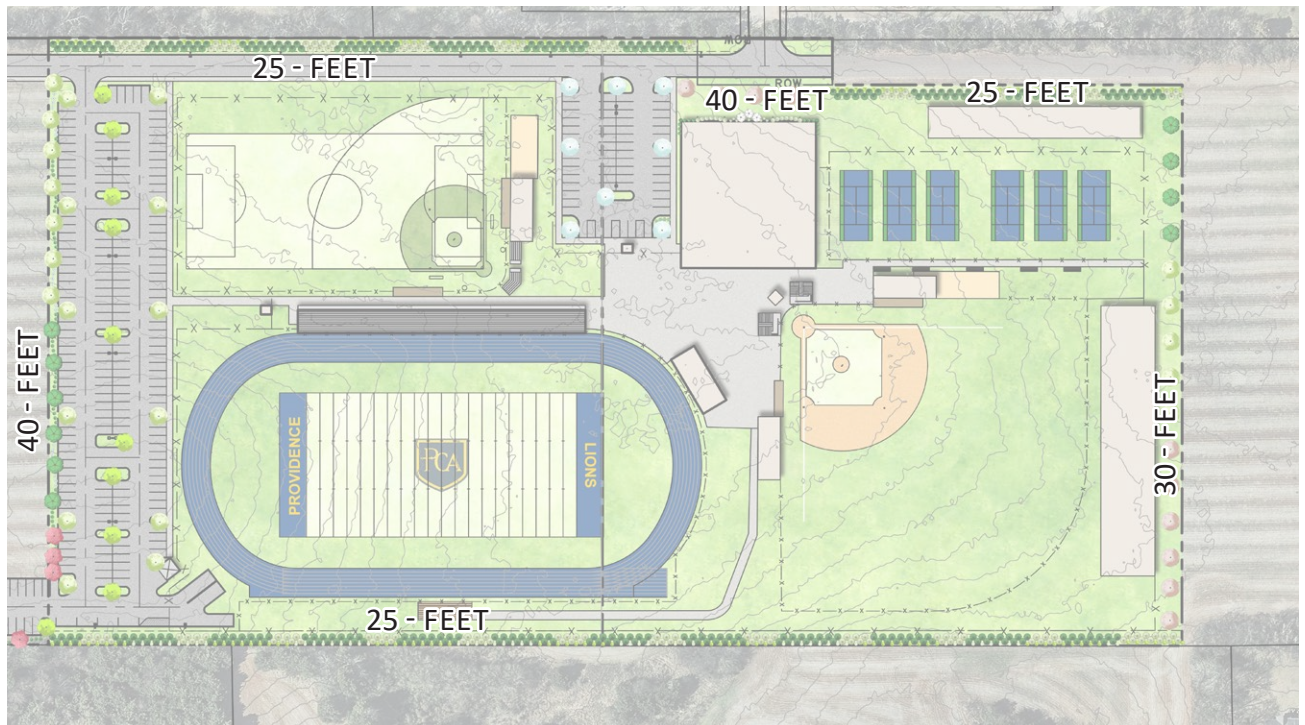


Example of Metal Roofing (Different colors will be allowed)

Setbacks External to the Site

Front (Calvary Baptist Church): 40-feet
Side: 25-feet
Rear: 30-feet
Walton Lane ROW: 40-feet

N.T.S.



Fieldhouse Elevations



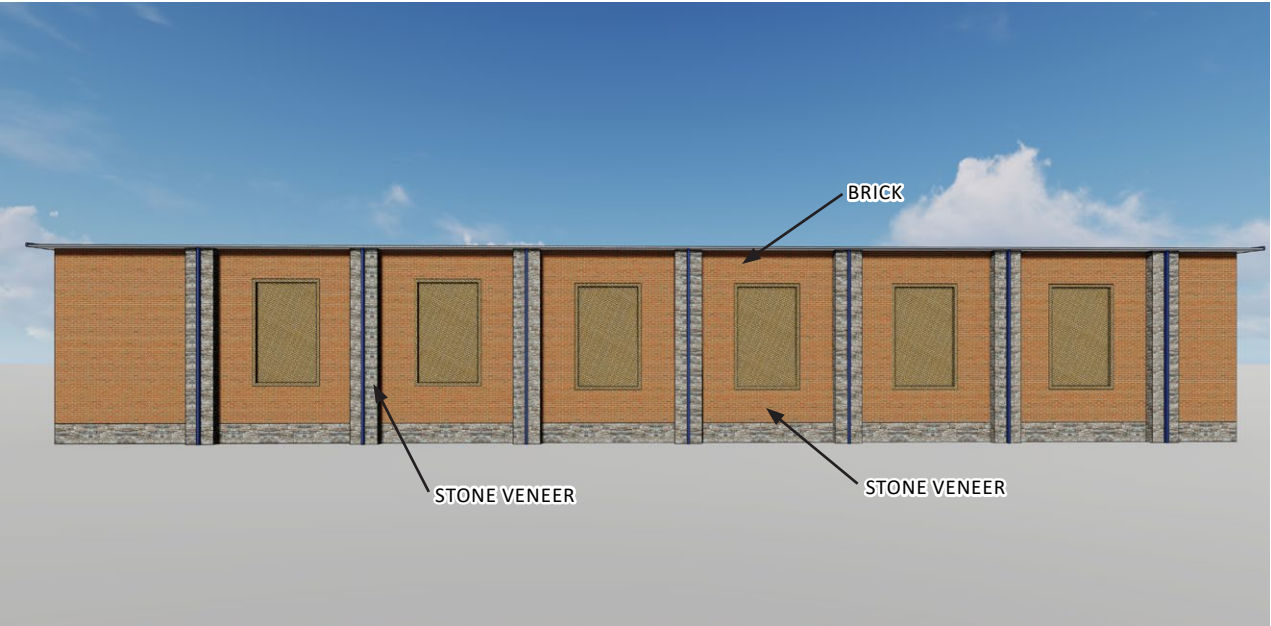
Elevation Facing Baseball Fields (East)



Elevation Facing Parking Lot (South)



Elevation Facing Walton Lane (West)



Elevation Facing Tennis Courts (North)

*The provided sample architecture does not represent the final product and is conceptual in nature. Final architectural elevations shall be submitted and approved by the Planning Commission during site plan submittal.

Concession Stand/Restroom Elevations



Elevation Facing Visitor Dugouts (Northeast)



Elevation Facing Parking Lot (Southwest)



Elevation Facing Football Field (Southeast)



Elevation Facing Homeplate (Boys Baseball) (Northeast)



Elevation of Ticket Window

- METAL ROOFING
- METAL SECURITY SHUTTERS
- BRICK
- STONE VENEER



Elevation of Ticketbooth Entry



Elevation of Ticketbooth Rear

- METAL ROOFING
- BRICK
- STONE VENEER



Elevation of Ticketbooth Side

Storage Building

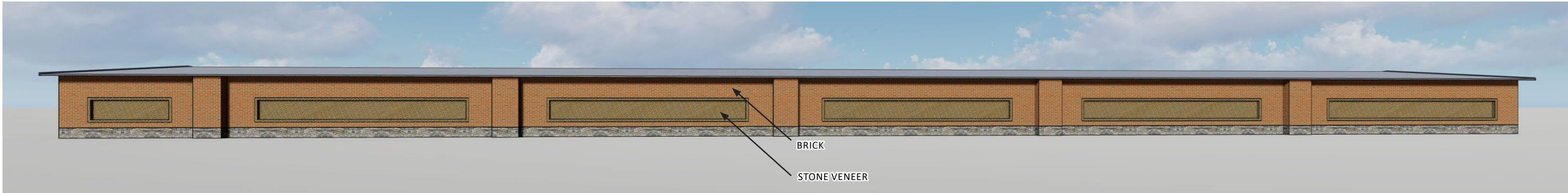


Elevation Facing Buffer (East)



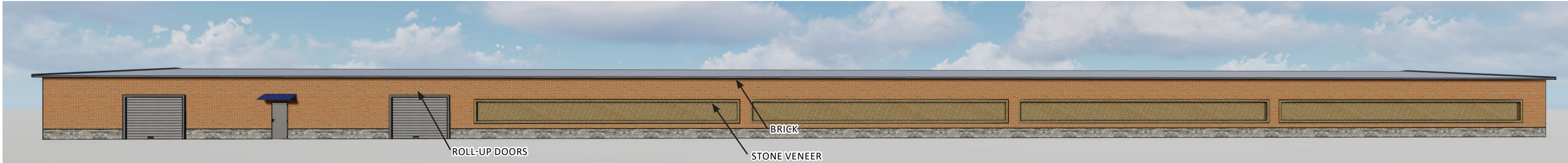
Elevation Facing Tennis Courts (West)

GLASS/WINDOW
BRICK
STONE VENEER



Elevation Facing Remaining Lands (North)

BRICK
STONE VENEER



Elevation Facing Baseball Field (South)

ROLL-UP DOORS
BRICK
STONE VENEER

Indoor Batting Cages



Elevation Facing Fieldhouse (South)



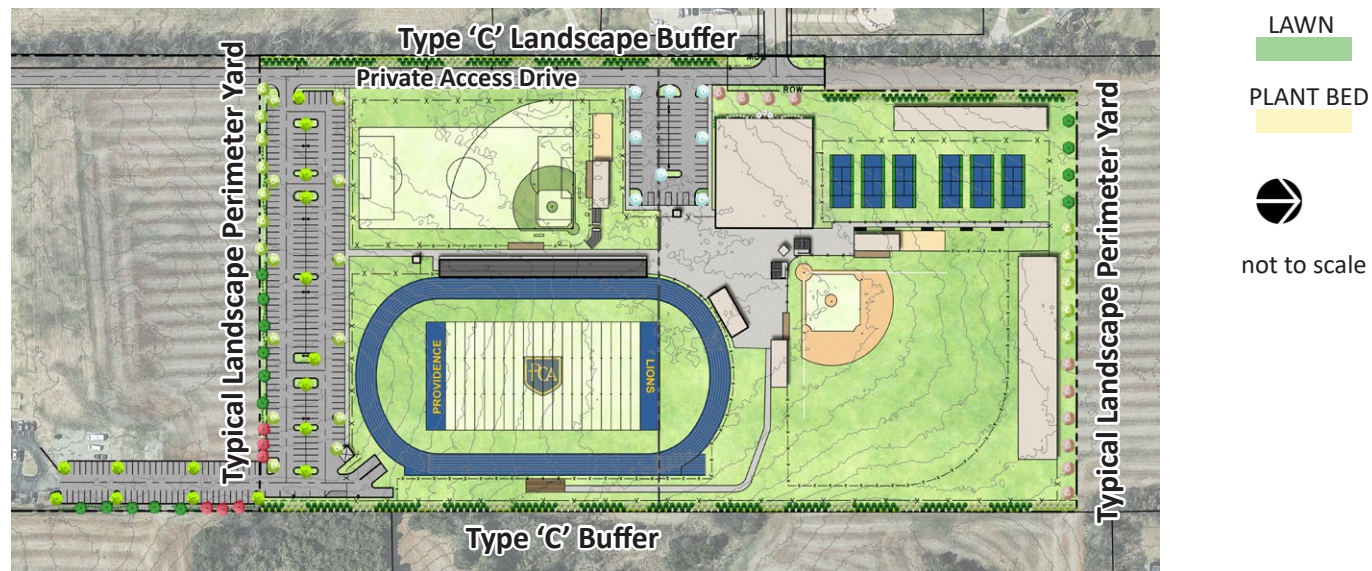
Elevation Facing Remaining Lands (North)



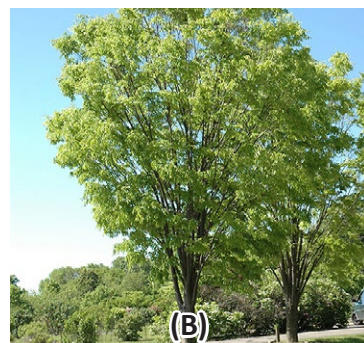
Elevation Facing Buffer Along Remaining Lands (West)



Elevation Facing Tennis Courts (East)



LANDSCAPE MATERIALS SAMPLES: DECIDUOUS TREES



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

LANDSCAPE MATERIAL SAMPLES: EVERGREEN/DECIDUOUS SHRUBS AND GRASSES



LANDSCAPE MATERIAL SAMPLES: GROUND COVER



LANDSCAPE BUFFER: EVERGREEN TREES & SHRUBS



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

Landscaping Characteristics:

- A minimum 10-feet of landscape area between parking and all property lines.
- Public rights-of-way screened from parking by use of landscaping and/or berming.
- The eastern and western perimeters of the property will have a 12 foot wide Type 'C' Landscape Buffer planted consisting of a double staggered row of evergreen trees planted 8-feet on center to provide screening for the adjacent properties and their residents. Evergreen trees will be a minimum of 6-feet tall at the time of planting. In addition to the evergreen trees, single row of evergreen shrubs will fill in the gaps between the evergreen trees during the first few years of the buffer till the trees mature and fill in the buffer. The evergreen shrubs will be a minimum 2-feet tall at the time of planting.
- The northern and southern boundaries shall have a typical 10-foot perimeter planting yard.
- All above ground utilities and mechanical equipment screened with landscaping and/or fences/walls.
- Solid waste enclosure screened with a masonry wall and enhanced with landscaping.
- The development is requesting that the required 3-feet wide base of building planting area shall only be required along the following building elevations:
 - Field House - Northern, western, and southern elevations.
 - Batting Cages - Southern, western, and northern elevations.
 - Field Storage Building - Northern, western and eastern elevation.
- Landscaping will be in conformance with the City of Murfreesboro's Landscaping Ordinance.

PCA Athletic Facility Estimated Operations Schedule:

Hours of operation: During school calendar-year

Sunday: 1:00 PM - 7:00 PM
Monday - Thursday: 3:00 PM - 10:00 PM
Friday: 3:00 PM - 10:30 PM
Saturday: 3:00 PM - 10:00 PM

Hours of Operation: During Summer

June and July:
Monday-Saturday: 8:00 AM -10:00 PM
Sunday:..... 1:00 PM - 7:00 PM

Anticipated Maximum capacity for entire facility per season:

Summer:
0-200 people max per day

Fall:
Friday Night Football:
Total max capacity 1600 for home games (projected at least 5 years from now based on current enrollment)
Current enrollment in High School =219 and Football team = 25 players

Thursday night Middle School football: 500 max capacity (projected at least 5 years from now)

Monday- Thursday: (MS Tennis, Girls’ Soccer, Cross country) max 250 people

Estimated home games:
High School Football: 6
Girls soccer: 8
Middle School Football: 5
Cross country: 2

Winter:
Max per day 100 : December - January

Spring:
Max per day 0-350 Home games (baseball, tennis, soccer, track)

Estimated home games:
Baseball: 25
Tennis: 8
Soccer:..... 8
Track and field: 2

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 Pages 4-9 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 and photographs on Pages 4-9 provide the required information to meet the aforementioned requirements. No portions of the property are subject to floodplains, and the site ultimately drains to the Bear Branch.

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

Response: Exhibits and photographs on Pages 4-9 provide the required information to meet the aforementioned requirements.

4.) A drawing defining the location and area to be developed for buildings and parking; standards for pedestrian and vehicular circulation; the proposed points of ingress and egress to the development; the provision of spaces for loading; proposed screening to be made in relation to abutting land uses and zoning districts; and the extent of proposed landscaping, planting and other treatment adjacent to surrounding property.

Response: Page 13 is the exhibit showing the concept plan that defines the locations of buildings, parking. Page 12 contains site standards, while Page 15 illustrate ingress/egress points as well as site circulation.

5.) a circulation diagram indicating the proposed principal movement of vehicles, bicycles, goods, and pedestrians within the development to and from existing thoroughfares;

Response: Page 14 shows the proposed principal movement of vehicles through the site.

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

(aa) the approximate date when construction of the project can be expected to begin;

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

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

Response: The project is anticipated to be developed in four phases. Development is anticipated to begin Summer 2022.

7.) A written statement generally describing the relationship of the 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 proposed property is currently zoned RM within Rutherford County. The surrounding area has a mixture of residential, civic, and commercial properties. The concept plan and development standards combined with the architectural requirements of the buildings shown within this booklet align and closely mimic the type of developments in the surrounding areas and are envisioned to complete the development in the area. Institutional uses, schools, and their athletic facilities are considered compatible uses with all other land areas.

8.) 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 setback, lot size, lot width, and building height exceptions to the comparative RS-15 zone district with this PND. A request for an exception for the 3-foot base of building plantings as per page 22.

SETBACKS	RS-15	PND	DIFFERENCE
Front Setback	40.0'	40.0'	0.0'
Walton Lane	40.0'	40.0'	0.0'
Side Setback	10.0'	25.0'	+15.0'
Rear Setback	20.0'	30.0'	+10.0'
Minimum Lot Size	15,000 SF	N/A	N/A
Minimum Lot Width	75.0'	N/A	N/A
Maximum Building Height	35.0'	35.0'	0.0'
Maximum Lighting/Speaker Pole Height	16.0'	80.0'	+64.0'

9.) 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 PND, as there are no requirements for these in the comparative RS-15 zone district.

	PND	RS-15
TOTAL SITE AREA	827,064 s.f.	N/A
TOTAL MAXIMUM FLOOR AREA	100,000** s.f.	N/A
TOTAL LOT AREA	(18.98 AC) 827,064 s.f.	N/A
TOTAL BUILDING COVERAGE	(8.5%) 70,400* s.f.	N/A
TOTAL DRIVE/ PARKING AREA	111,273 s.f.	N/A
TOTAL RIGHT-OF-WAY (Walton Lane)	7,850 s.f.	N/A
TOTAL LIVABLE SPACE	N/A	N/A
TOTAL OPEN SPACE	(77%) 640,038 s.f.	20%
FLOOR AREA RATIO (F.A.R.)	0.12	N/A
LIVABILITY SPACE RATIO (L.S.R.)	0.90	N/A
OPEN SPACE RATIO (O.S.R.)	0.91	N/A

*Tabulations for building coverage and maximum floor area do not include ticket booths or dugouts.

**Tabulation is an estimate of the final area and is subject to change with architectural revisions, which includes all buildings except ticket booths and dugouts.

10.) 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, Historic District, Planned Signage Overlay District, or the City Core Overlay District. No portion of the property is within the floodway or floodplains, according to the current FEMA Map Panel 47149C0163H Eff. Date 01/04/2007.

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

Response: Pages 5 & 15 discuss the Major Thoroughfare Plan

12.) 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: See Page 2 for applicant and involved parties.

13.) 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. And an exterior lighting plan.

Response: Pages 16 - 21 show the conceptual 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.

14.) The application shall include a description of proposed signage for the development including calculations of square footage and height. 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. 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: No signage is currently proposed at this time, however signage will be allowed with future submittals so long as signage meets requirements of the Murfreesboro Signage Ordinance.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: HOLLY SMYTH**

4.d. Annexation petition and plan of services [2021-584] for approximately 2.4 acres located south of South Rutherford Boulevard, James Allen Huskey applicant.

James Allen Huskey, represented by J & S Construction Company, Inc., has submitted a petition requesting that his property be annexed into the City of Murfreesboro. The subject property is 2.4-acres and is located directly south of Huskey Truss Company at 550 South Rutherford Boulevard. The property tax map number is: Tax Map 113, Parcel 011.05. The requested property contains a private railroad spur that ties into the CSX Railroad mainline.

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the north, east, and south property lines. Simultaneous with this application is a request to zone the property to Heavy Industrial (H-I).

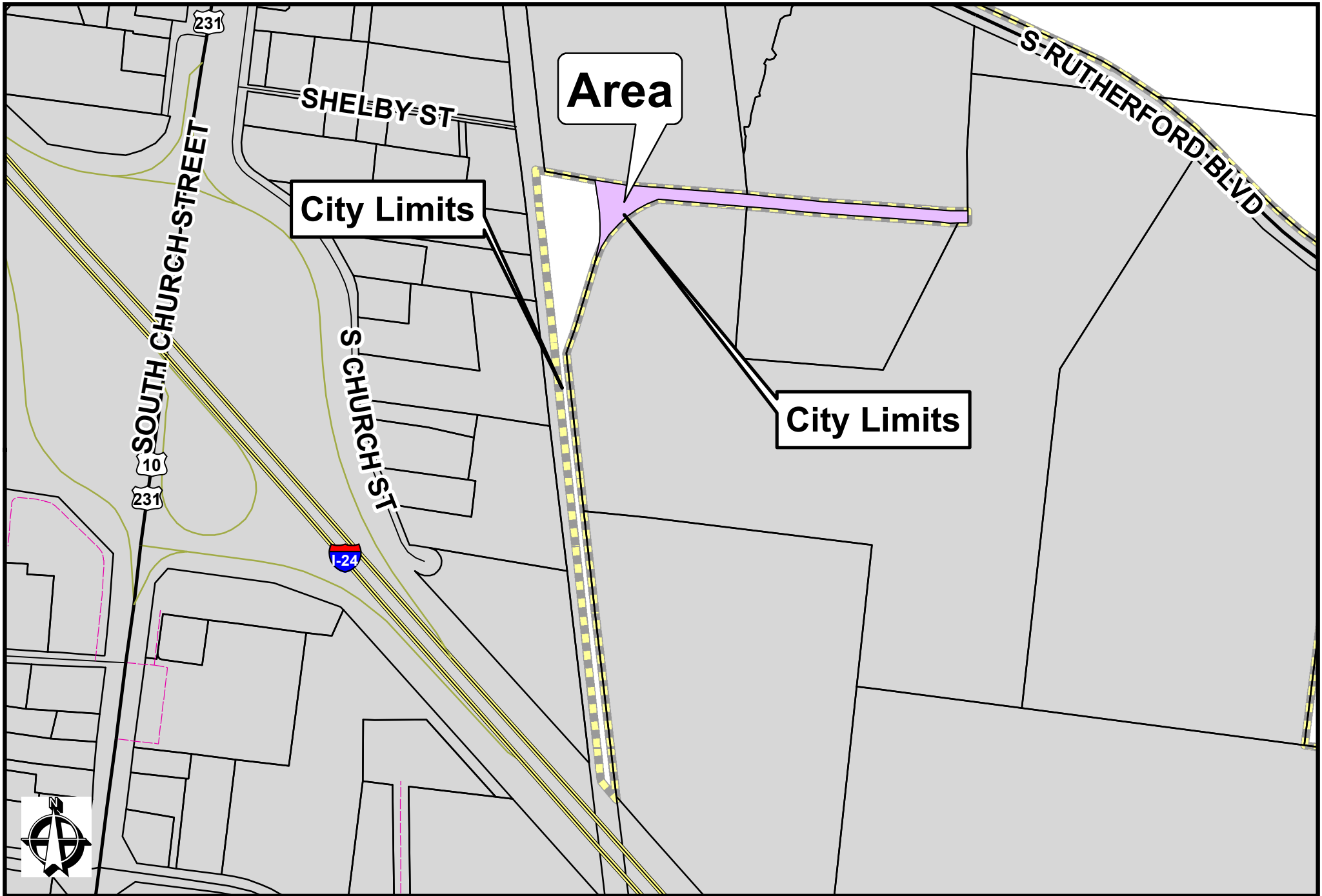
Staff has prepared a Plan of Services for the proposed annexation, which has been provided to the Planning Commission in the agenda packet. No difficulties in extending services to the subject property were identified in the plan of services.

Action Needed:

The applicant will be available at the Planning Commission meeting to discuss this proposed annexation petition and plan of services. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.

Attachments:

Plan of Services

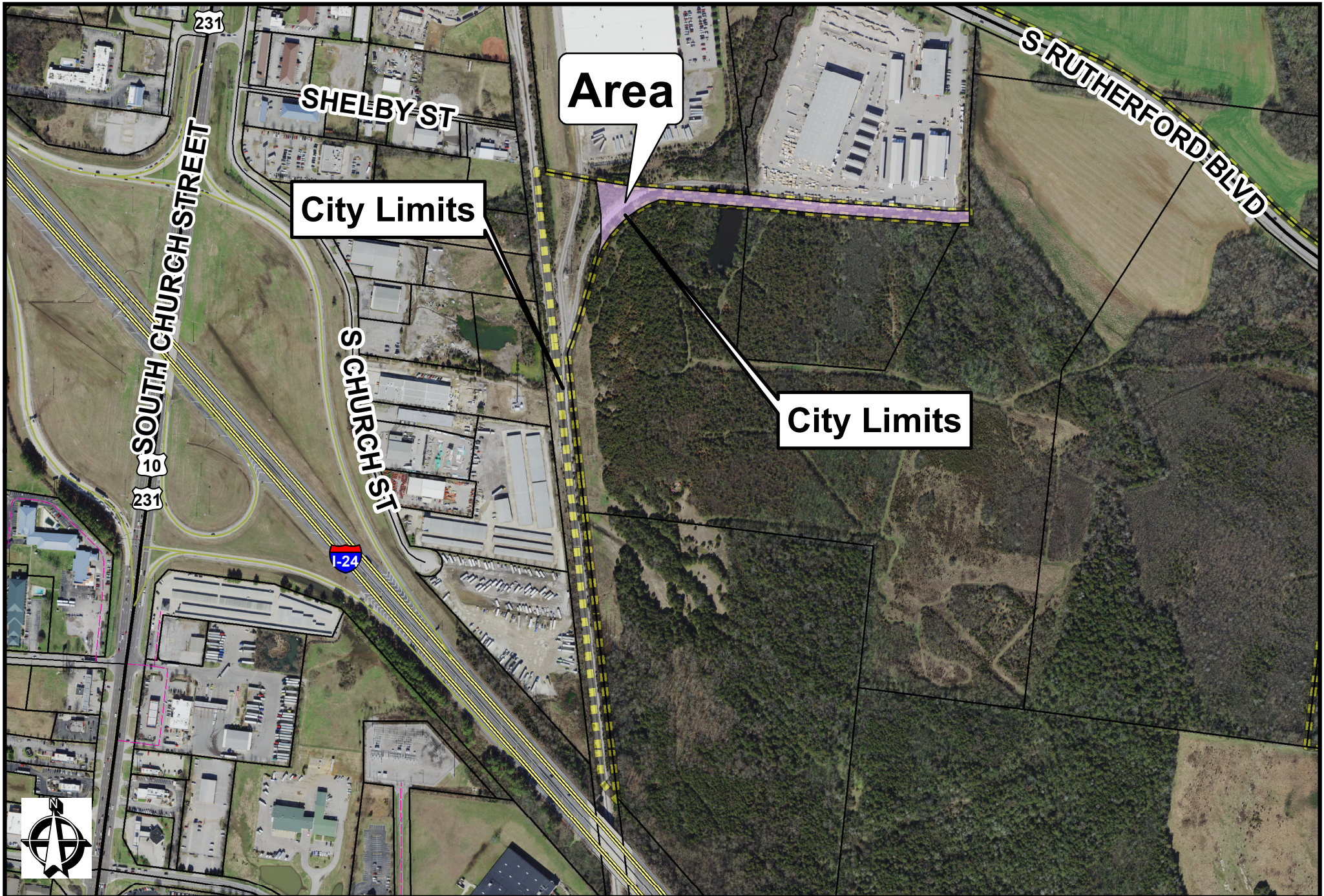


Annexation Request for Property along South Rutherford Boulevard

0 150 300 600 900 1,200
Feet



Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov



Annexation Request for Property along South Rutherford Boulevard

0 150 300 600 900 1,200
Feet



Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

**ANNEXATION REPORT FOR PROPERTY LOCATED
SOUTH OF SOUTH RUTHERFORD BLVD
INCLUDING PLAN OF SERVICES
(FILE 2021-508)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION – OCTOBER 13, 2021**



Annexation Request for Property along South Rutherford Boulevard

0 150 300 600 900 1,200
Feet

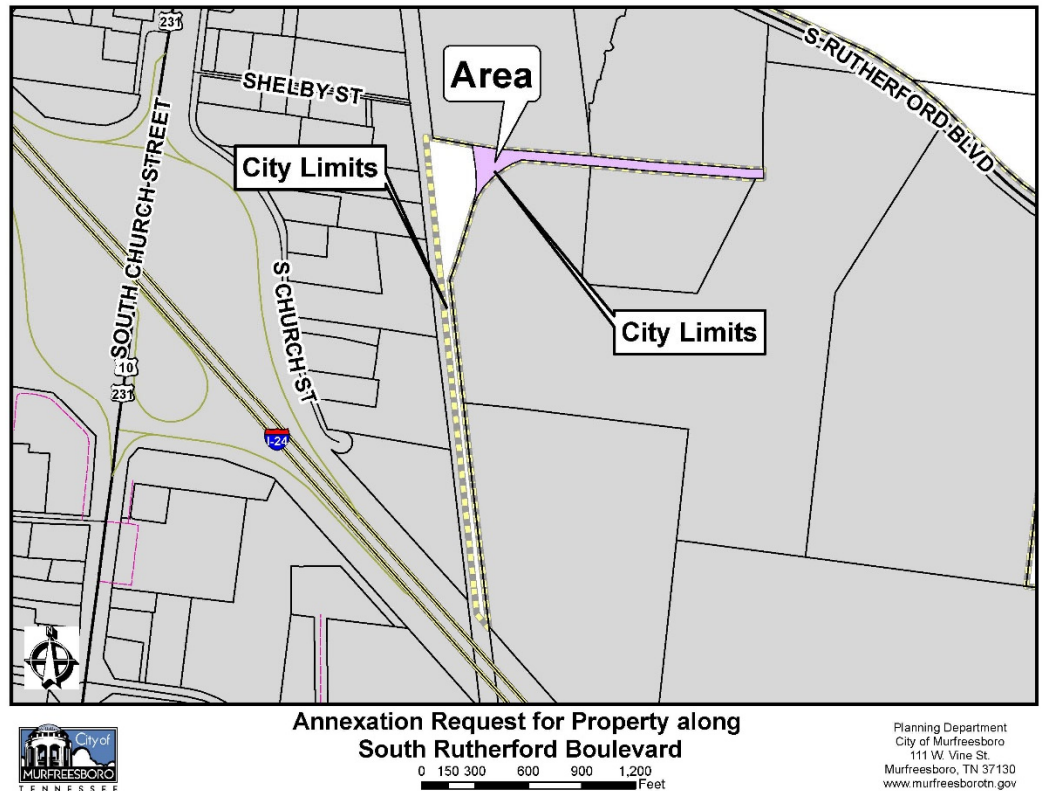
Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

INTRODUCTION

OVERVIEW

The property owner, Mr. James Allen Huskey, has submitted a petition requesting annexation by the City of Murfreesboro. The subject property is a 2.4 acre parcel, located south of South Rutherford Boulevard between the CSX Railroad and on the southside of the existing Huskey Truss Company property. The property tax map number is: Tax Map 113, Parcel 011.05. The requested property is currently developed with a private railroad spur. Simultaneous with this application is a request to zone the property to Heavy Industrial (H-I).

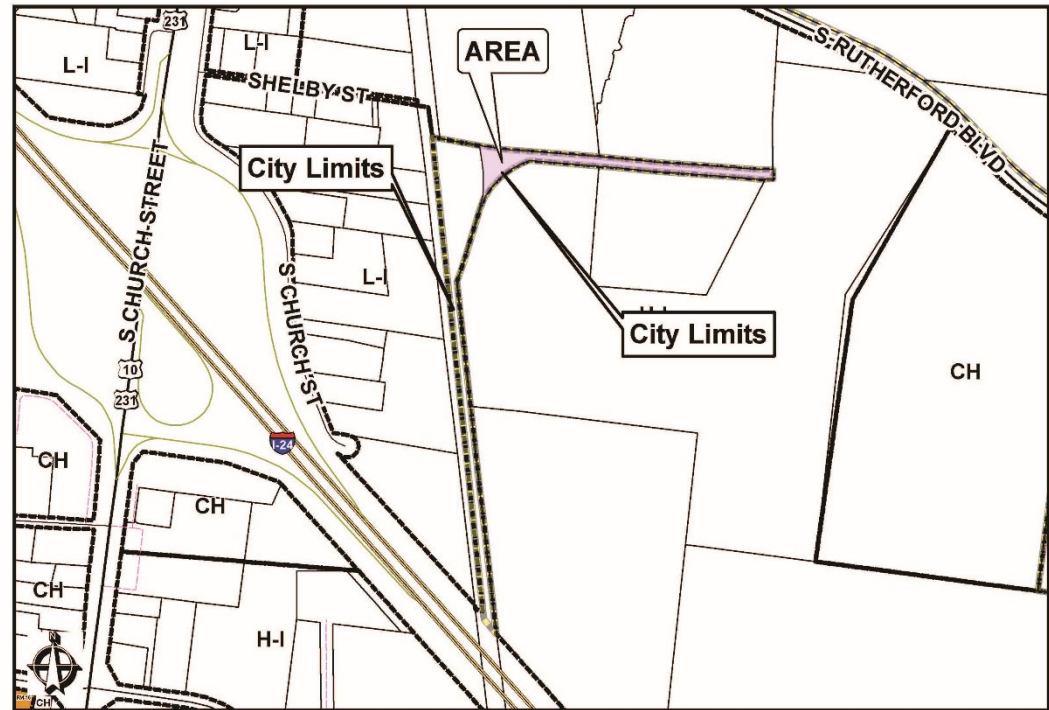
The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along the north, east, and south property lines.



CITY ZONING

A separate application has been submitted by the owner, Mr. James Allen Huskey, requesting H-I (Heavy Industrial) zoning for the study area simultaneous with annexation. The subject parcel is currently zoned Residential Medium-Density (RM) in the County of Rutherford.

The adjacent zoning on the properties to the north, east, and south is H-I; to the west is the CSX railroad which is not zoned in the County. The properties surrounding the parcel are primarily vacant with the exception of Huskey Truss Company and Westrock Southern Container due north of the parcel.



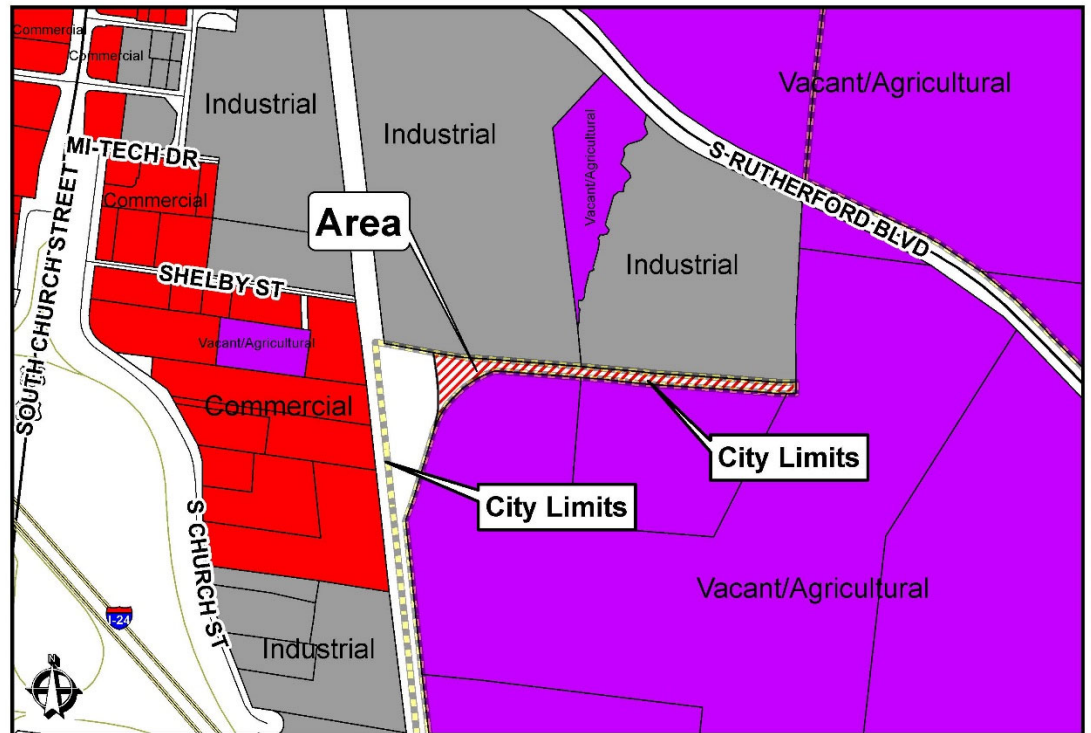
**Zoning Request for Property along South Rutherford Boulevard
H-I Simultaneous with Annexation**

0 150 300 600 900 1,200
Feet

Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

PRESENT AND SURROUNDING LAND USE

The study area is a developed private railroad spur serving the Huskey Truss Company. The surrounding land uses are primarily vacant agricultural land to the south and east and industrial to the north.



**Annexation Request for Property along
South Rutherford Boulevard**

0 150 300 600 900 1,200
Feet

Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2021 will be due on December 31, 2022. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial/industrial property is assessed at a rate of 40% of its appraised value. The property is listed on the tax rolls as "Improvement value \$0" even though there is a railroad spur line. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

***Table I
Estimated Taxes from Site***

Owner of Record	Acres	Land Value	Improvements + Yard Item Value	Total Assessment	Estimated City Taxes
James Allen Huskey ETUX	2.43	\$406,300	\$0.00	\$162,520	\$2,095.53

These figures are for the property in its current state and are subject to change upon re-development.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police services through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE, and other community crime prevention programs to the subject parcel immediately upon the effective date of annexation. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation. If the property is zoned Heavy Industrial, it will have little impact upon police services. This property is in Police Zone #7.

ELECTRIC SERVICE

Middle Tennessee Electric Membership Corporation (MTEMC) has existing overhead electric facilities along South Rutherford Boulevard north of the study area serving the existing Huskey Truss Company. Any future development in the study area will be served by MTEMC.

STREET LIGHTING

The subject property does not have any street frontage and therefore no street lighting would be added. However, there are

4 existing street lights on power poles on the south side of S. Rutherford Boulevard at the two driveway entrances into Huskey Truss Company, located to the north of the annexation area. Because it is anticipated that the annexation parcel will be merged with this property, adequate street lighting already exists.

SOLID WASTE COLLECTION

The study area is currently developed with a railroad spur and will require no services from the Solid Waste Department in its current state. Because future development will be industrial, a private solid waste management service will be required at the time of redevelopment.

RECREATION

The area will be zoned Heavy Industrial; no residents are anticipated and, therefore, there will be no impact to the City Recreation Department.

CITY SCHOOLS

The area will be zoned Heavy Industrial; no residents are anticipated and, therefore, there will be no impact to City schools.

BUILDING AND CODES

The property will come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's construction codes immediately upon the effective date of annexation. The Building and Codes Department will also ensure that any new signs associated with the development of the

property comply with the Sign Ordinance. No additional costs are expected.

PLANNING, ENGINEERING, AND ZONING SERVICES

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

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area only has vehicular access through the existing Huskey Truss Company property located at 550 S. Rutherford Boulevard or via the CSX railroad. The property owner will be consolidating the study lot with his currently

developed property to the north. South Rutherford Boulevard is an existing 5-lane, ditch section street with an eastbound right turn lane into one of the two driveways accessing 550 South Rutherford Boulevard. Upon annexation of the subject parcel, the City would continue to be responsible for operation and maintenance of this street, and, therefore, no new roadway costs are anticipated.

This subject property and the adjacent property to the north are not affected by the City's Major Transportation Plan. Any future public roadway facilities to serve the study area must be constructed to City standards.

REGIONAL TRAFFIC & TRANSPORTION

The study area is not currently served by a roadway but contains a private railroad spur that currently serves the Huskey Truss Company site to the north. This spur connects with the CSX mainline and receives incoming wood shipments on a weekly basis. This service is anticipated to continue so long as Huskey Truss Company maintains the spur line and continues to request rail service from CSX Railroad regardless of the annexation

WATER SERVICE

The study area is located within Murfreesboro Water Resources Department's (MWRD) service area. In order to serve it on its own, a water main extension from South Rutherford Boulevard would be required. However, this will be a moot point, because it is anticipated that the subject parcel will be combined with the parcel to the north that already has water service.

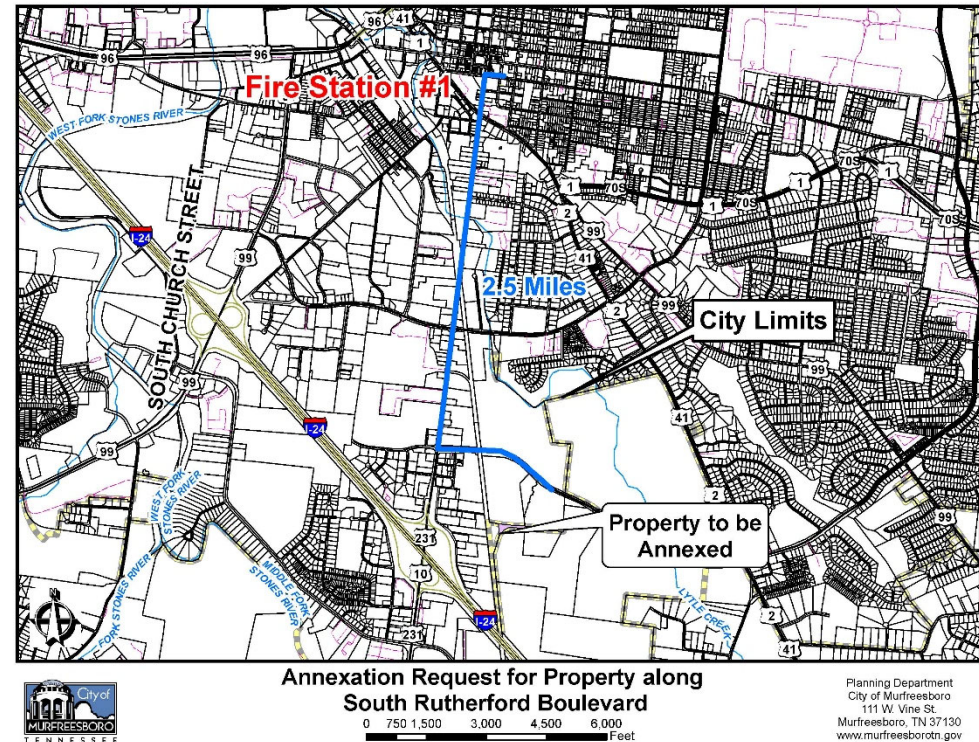
FIRE

Currently the study area is located 2.5 miles from Fire Station #1 (202 East Vine Street) and 2.5 miles from Fire Station #2 (2880 Runnymede Drive at South Church Street). The blue line on the adjacent map represents the linear distance range from the nearest fire station. Murfreesboro Fire Rescue Department can provide emergency services and fire protection services at no additional expense upon annexation.

SANITARY SEWER SERVICE

The property to the north of the annexation area is served by an existing 15" sewer on the south side of South Rutherford Boulevard. Should the railroad spur ever redevelop into something other than its current use, it would require a sewer main extension from South Rutherford Boulevard with an adequate sewer easement.

With regard to the City's Sewer Allocation Ordinance and the proposed zoning request of Heavy Industrial (H-I), the property would be allotted 4.0 single-family units per acre (sfu's/acre) if approved. One sfu is equivalent to 260 gallons per day (gpd). The annexation acreage is 2.4 acres, and therefore any development would be allotted ~2,496 gpd ($4.0 \times 260 \times 2.4$).



Any development will be required to comply with the Sewer Allocation Ordinance. To reserve sewer capacity a Will Serve letter request must be submitted to the Department.

All main line extensions and off-site sewer easements are the financial responsibility of the developer and may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water Resources Department.

DRAINAGE

Public Drainage System

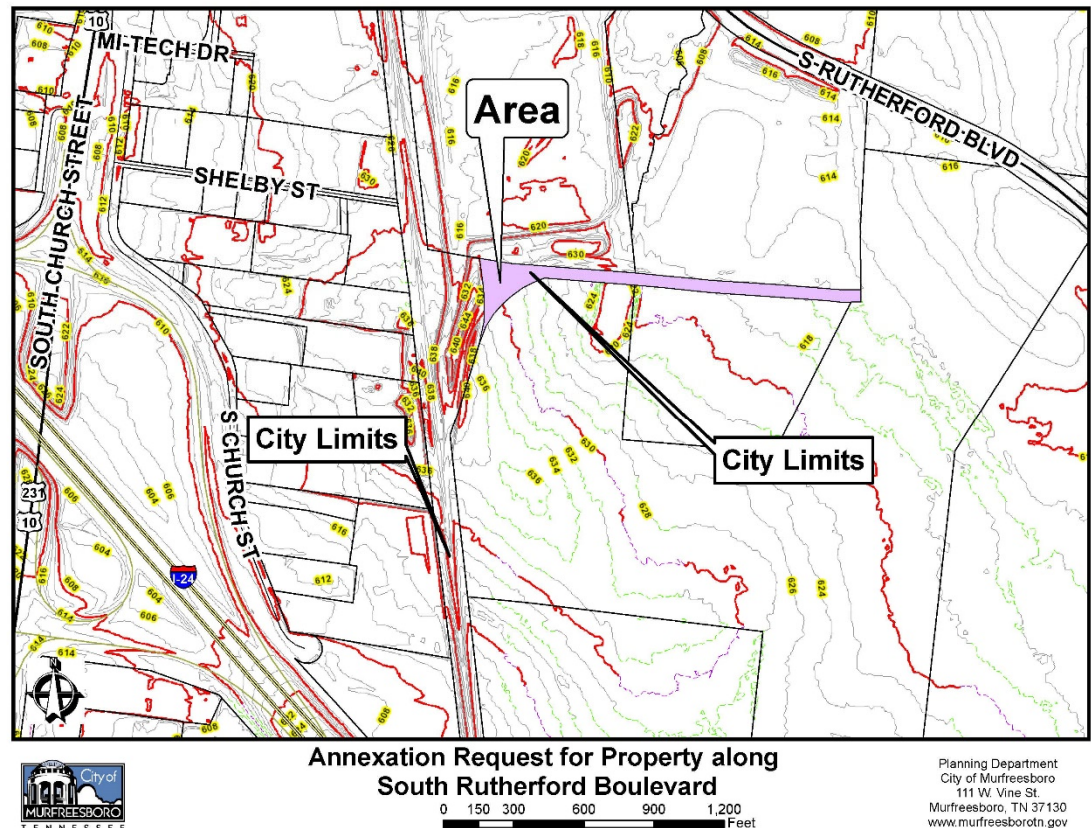
There are no public drainage systems within the study area. The study area drains to a private system on the Huskey Truss property.

Regional Drainage Conditions

The study area drains to the northeast into a private drainage system that discharges into a tributary of Lytle Creek.

Stormwater Management and Utility Fees

The study area has no impact on the Stormwater Utility Fee.

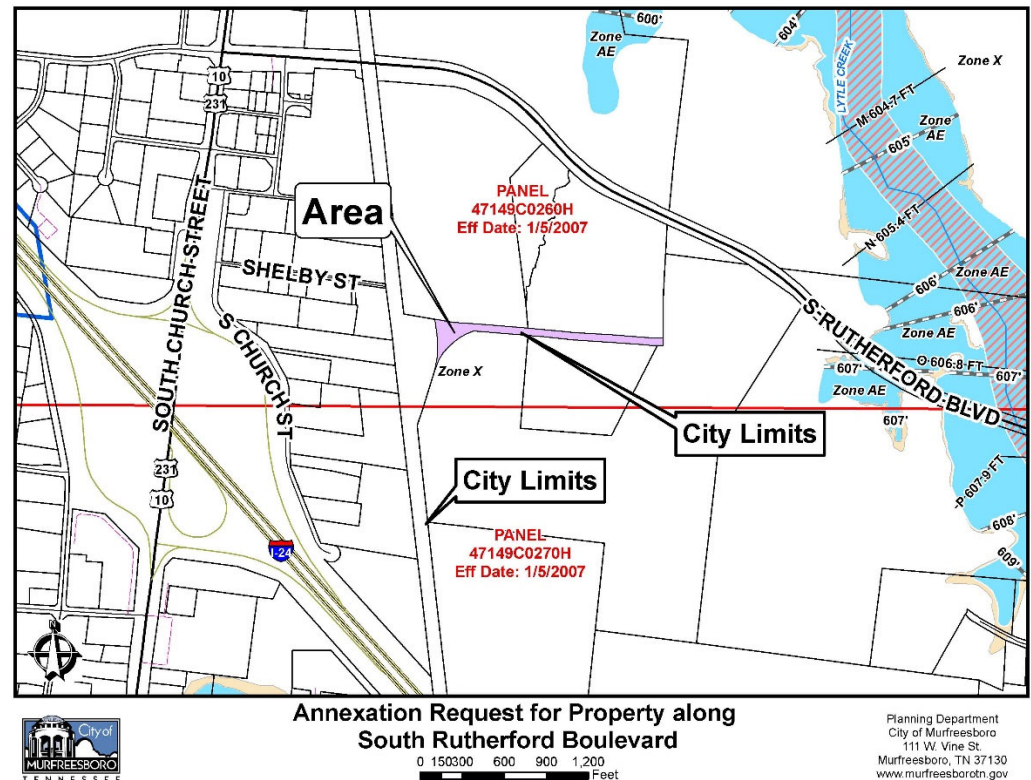


FLOODWAY

The study area is not located within the 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA).

ANNEXATION FOLLOW-UP

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



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: HOLLY SMYTH**

4.e Zoning application [2021-421] for approximately 2.4 acres located south of South Rutherford Boulevard to be zoned H-I simultaneous with annexation, James Allen Huskey applicant.

The subject property is a total of 2.4-acres and is located directly south of Huskey Truss Company at 550 South Rutherford Boulevard. The property tax map number is: Tax Map 113, Parcel 011.05. The requested property contains a private railroad spur that ties into the CSX Railroad mainline. The applicant, James Allen Huskey, is requesting to zone the subject property to Heavy Industrial (H-I) simultaneous with the request for annexation into the City. As depicted on the attached map, the 2.4 acres extends along the backside of the Huskey Truss and Building Supply Inc. property until it meets the CSX railroad. The proposed H-I zoning was recommended to the applicant by the Planning Department, as Huskey Truss intends to continue using the subject parcel along with its main parcel (already zoned H-I) and a newly-purchased site due south of the study area (also already zoned H-I). All three parcels are proposed to be combined into one lot of record via a subdivision plat.

Adjacent Zoning and Land Uses

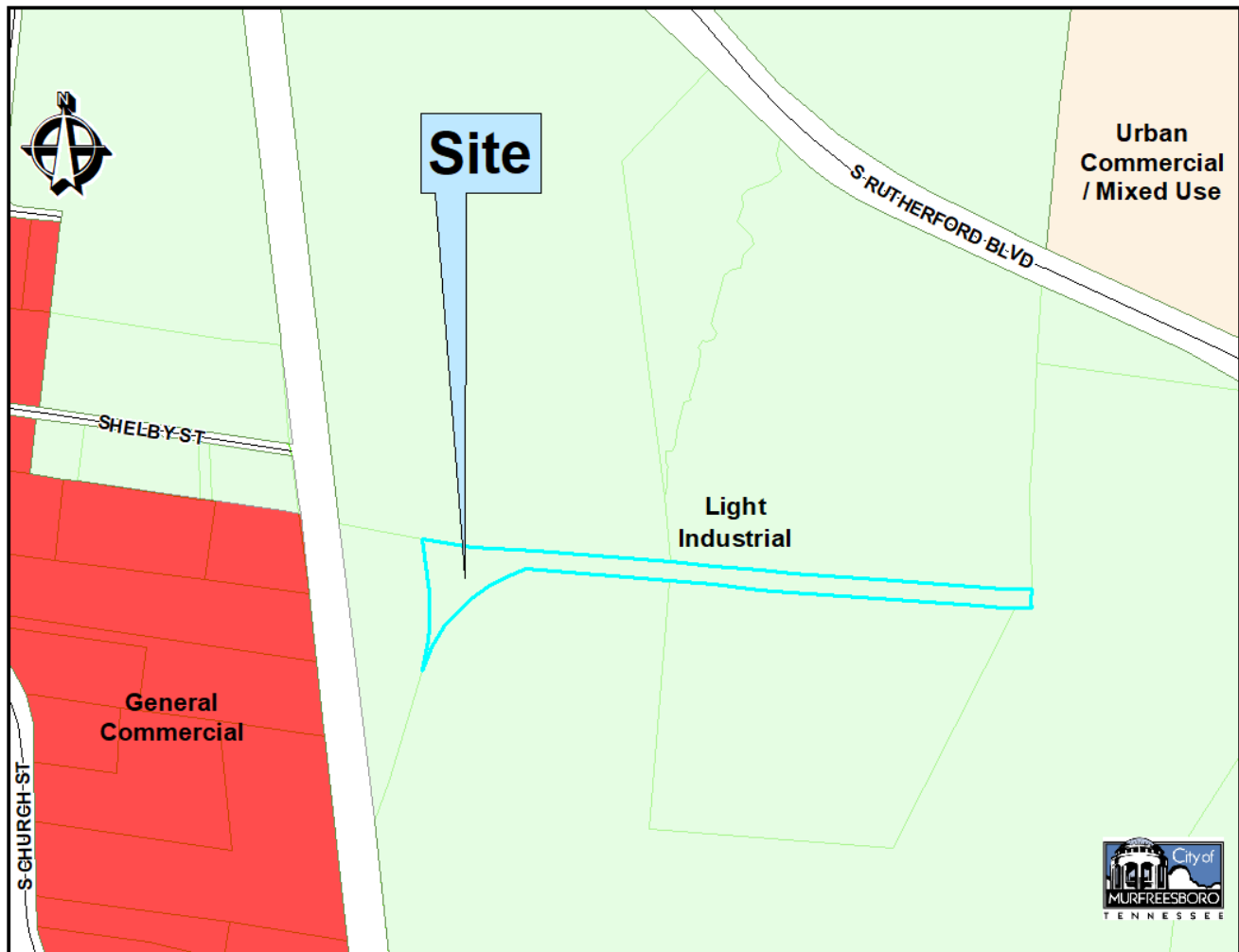
The subject property is currently zoned RM (Residential Medium Density) in the unincorporated County. The adjacent zoning on the properties to the north, south, and east are H-I in the City, and to the east is CSX right-of-way with no zoning in the unincorporated County. The properties surrounding the parcel to the north are developed industrial uses for Huskey Truss and Westrock-Southern Container, LLC. Areas to the south and east of the parcel are generally vacant parcels. The property to the west of the subject parcel is the CSX railroad mainline.

Future Land Use Map

The future land use map of the Murfreesboro 2035 Comprehensive Plan (excerpt below) indicates that Light Industrial is the most appropriate land use character for the project area. Light Industrial character is predominantly characterized by large parking and storage yards and minimal greenspace. Light industrial land uses and industrial parks are located near freeways with adequate access provided by thoroughfares and with access to rail desirable where possible.

H-I zoning is generally more compatible with the Heavy Industrial land use character (as opposed to the Light Industrial land use character). However, considering that this parcel is already developed with a rail spur and the adjacent development it serves is already zoned H-I, staff believes that this is an appropriate instance to deviate from the recommendations of the future land use map.

Murfreesboro 2035 Comprehensive Plan Future Land Use Map (excerpt)



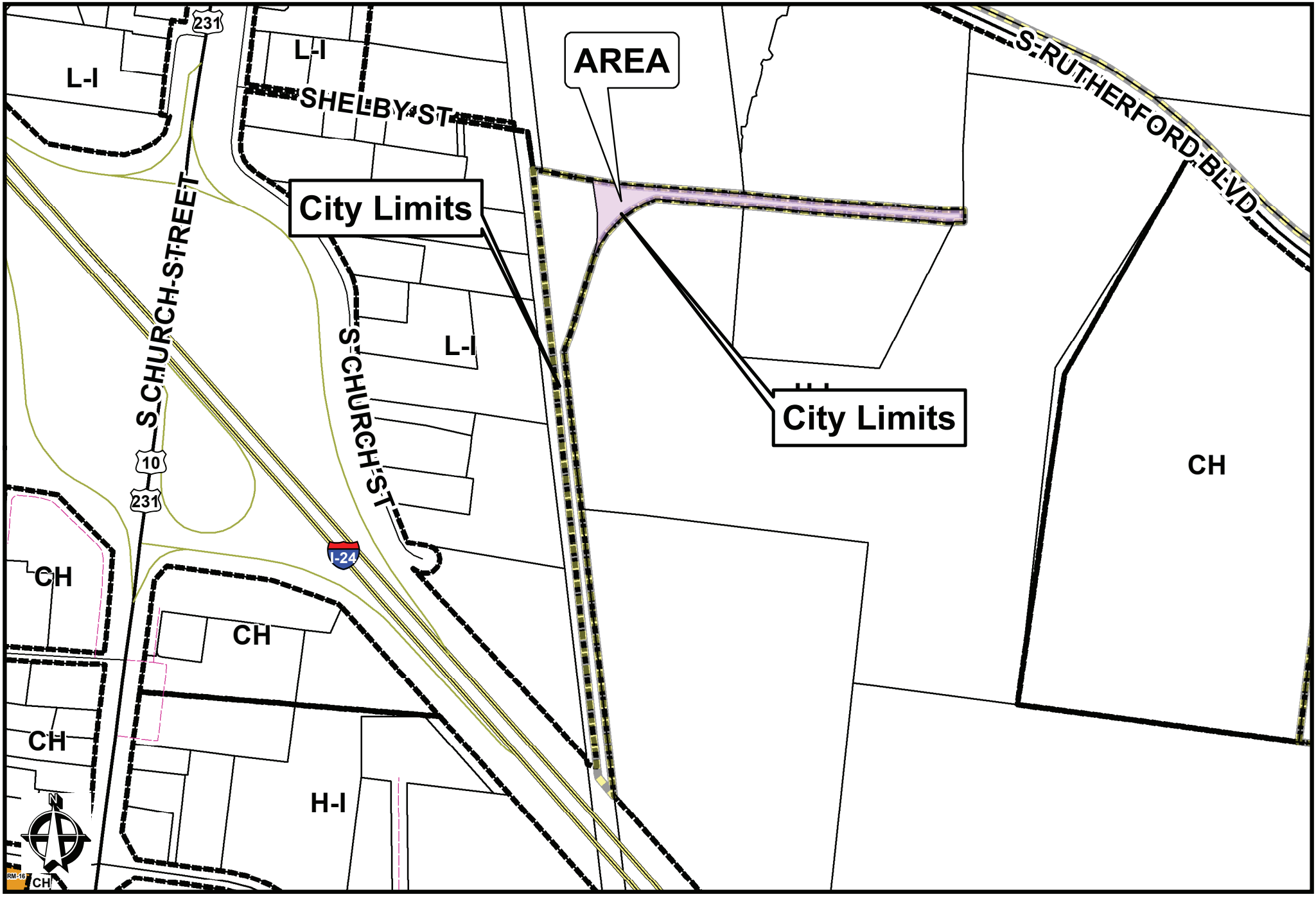
Recommendation:

Staff supports the zoning request to HI for the following reasons:

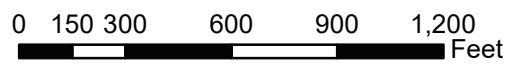
- 1) The subject parcel will be incorporated into the immediately adjacent parcels to the north and to the south which are already both zoned H-I.; and
- 2) The parcel is already developed with a private railroad spur that actively serves the Huskey Truss facility to deliver materials.

Action needed

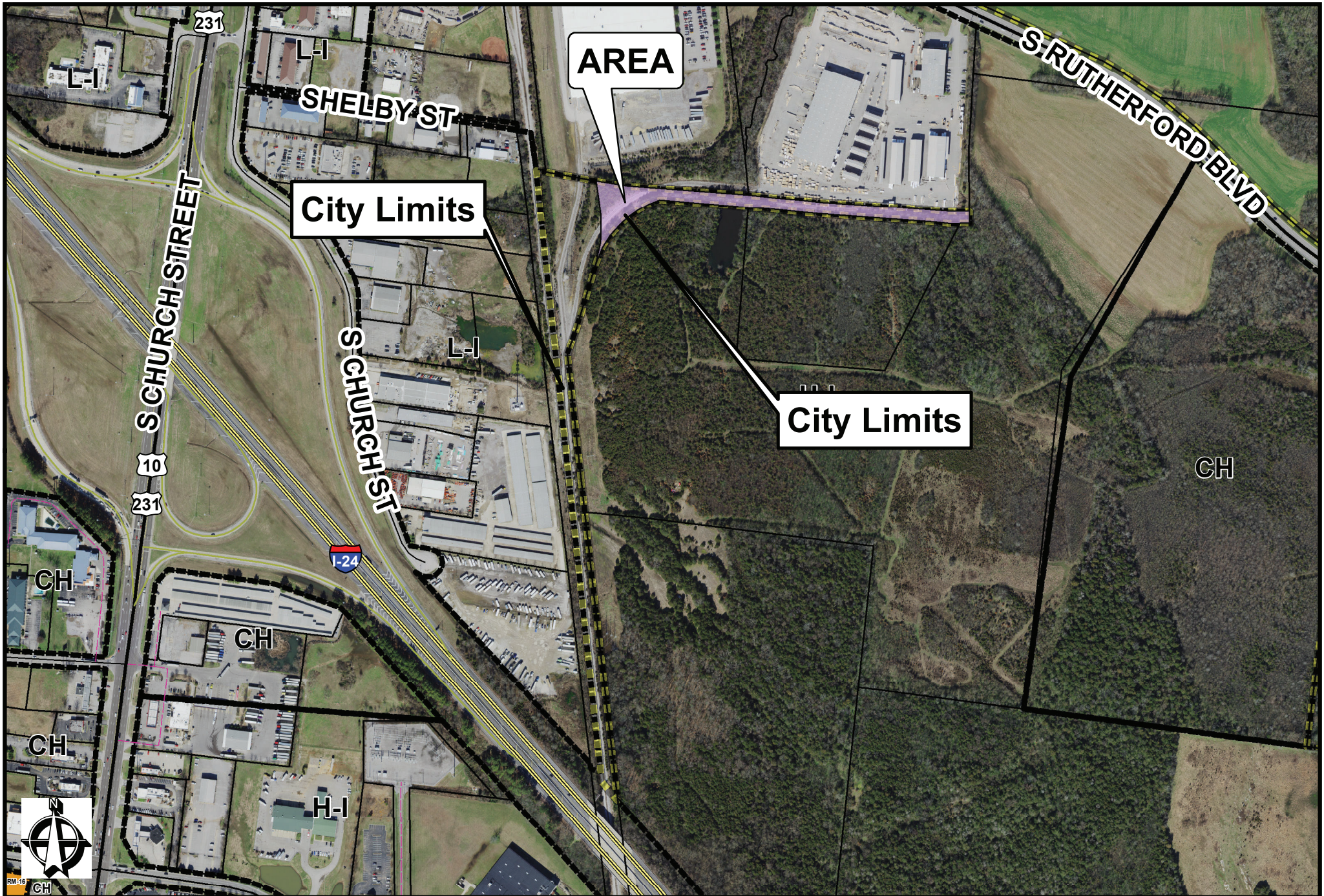
The applicant will be available at the Planning Commission meeting to discuss the proposed zoning request. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation to City Council.



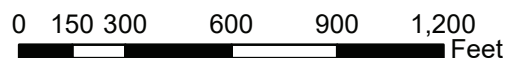
Zoning Request for Property along South Rutherford Boulevard H-I Simultaneous with Annexation



Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov



Zoning Request for Property along South Rutherford Boulevard H-I Simultaneous with Annexation



Planning Department
City of Murfreesboro
111 W. Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: MARINA RUSH**

- 4.f. Zoning application [2021-419] for approximately 29.1 acres located along Franklin Road to be rezoned from RS-12 and RS-15 to RS-8 and approximately 4.5 acres to be rezoned from RS-15 to CF, Lennar Homes of Tennessee, LLC developer.**

The subject property consists of one parcel totaling approximately 33.61 acres. It is located along the north side of Franklin Road east of Fortress Boulevard and is identified as Tax Map 93, Parcel 17.02. The applicant, Lennar Homes of Tennessee, submitted an application to zone the subject property from RS-15 and RS-12 (Single-family Residential Districts) to RS-8 and CF (Commercial Fringe District). The portion proposed for RS-8 is approximately 29.1 acres and the applicants wish to develop it with single-family detached residential lots. The portion that is proposed for CF zoning is approximately 4.5 acres and is the southern portion of the property fronting along Franklin Road.

The RS-8 zoning district permits single-family residential detached uses on lots of at least 8,000 square-feet. On a side note, the Zoning Ordinance was recently amended to require that at least 75% of all exterior facades for single-family homes in the RS-8 zone be comprised of brick, stone, or cementitious siding to minimize the potential for fire damage.

Adjacent Zoning and Land Uses

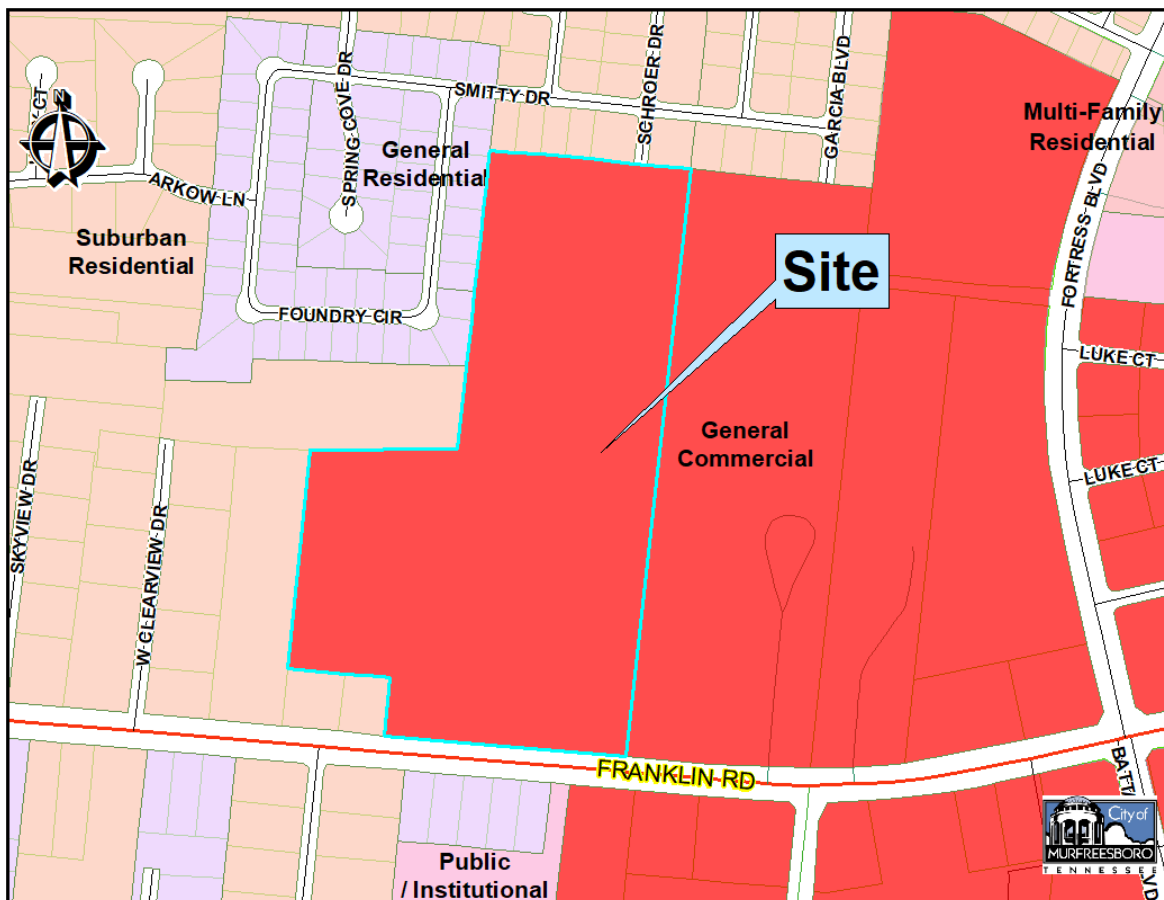
The adjacent properties are zoned for and developed with a mixture of uses. The properties to the east are zoned RS-15 and are primarily undeveloped and further east is the Victory Station PUD (Planned Unit District) with a mixture of commercial and residential uses. To the north is zoned RS-12 and developed with single-family residences and northeast is the Blackman Cove PUD single-family residential subdivision. To the west, southwest, and south of Franklin Road are properties in the unincorporated portion of the County that are zoned RM (medium-density residential) and developed with single-family residences and duplexes. And finally, to the south and southeast are properties zoned PCD (Planned Commercial District) and CF with Toot's Restaurant and an approved site plan for Tire World.

Future Land Use Map

The future land use map (FLUM) of the Murfreesboro 2035 Comprehensive Plan (excerpt below) indicates that Auto-Urban (General) Commercial is the most appropriate land use for the project area. Auto-Urban (General) Commercial character

is typically high intensity commercial businesses with a large amount of land area for operations, and is typically developed with strip commercial, commercial centers, auto-focused commercial uses, restaurants, etc. and requires a significant amount of land area due primarily to providing on-site parking.

CF zoning is consistent with the General Commercial land use designation; however, the portion of the property that is proposed for RS-8 zoning is not consistent with the Future Land Use Map for General Commercial. The RS-8 zoning district is consistent with the “Auto-Urban (General) Residential” land use character, characterized by single family dwelling units on smaller parcels and townhome developments. In this case, although the zoning is not consistent with the FLUM the proposed RS-8 zoning would provide a good transition between commercial property to the south along Franklin Road and any existing and future single-family detached residential property to the north and northwest. Staff recommends that this is an appropriate instance to deviate from the recommendations of the FLUM. If the rezoning is adopted, staff recommends the FLUM be revised to reflect Auto-Urban (General) Residential for the northern portion of this property.



Recommendation:

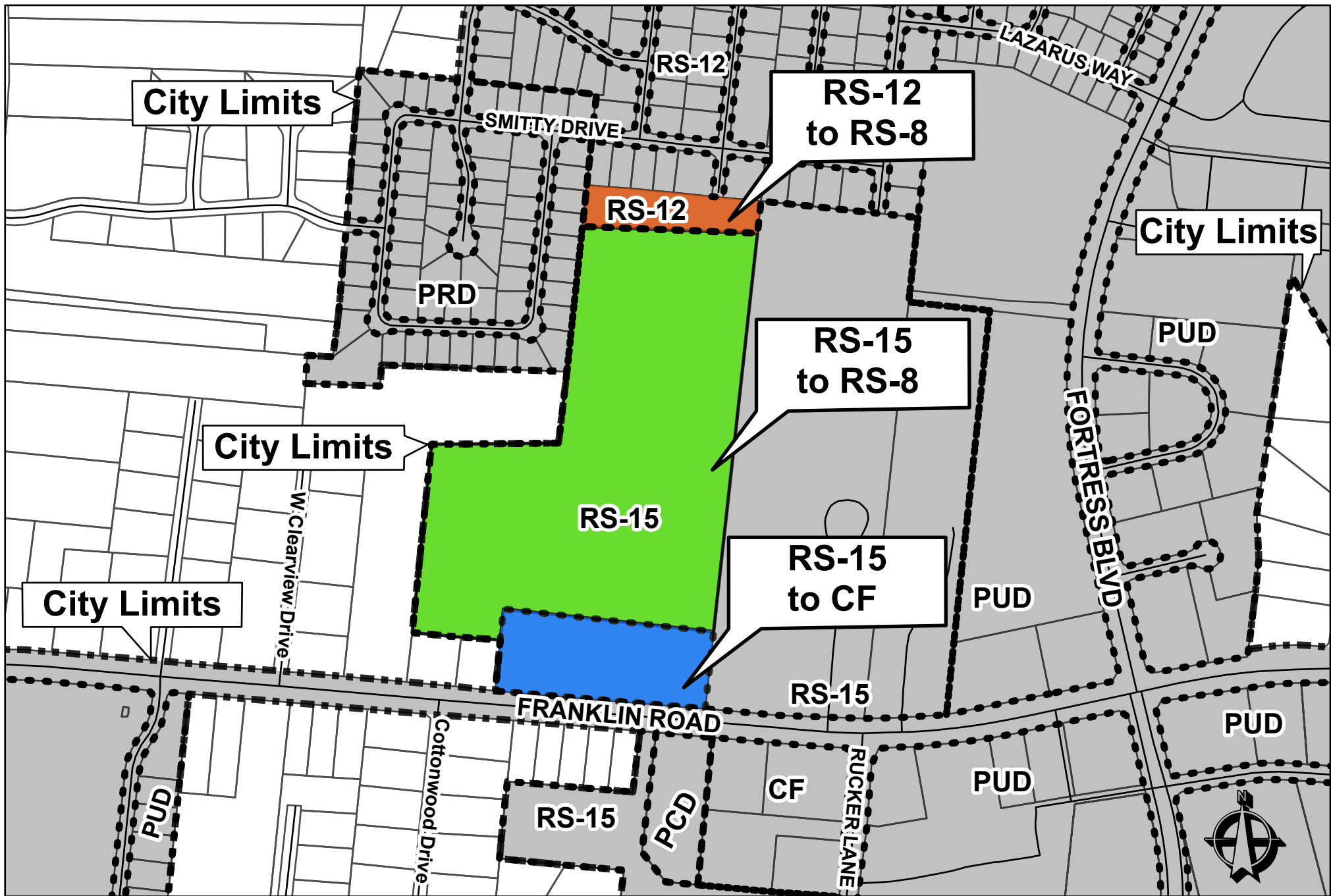
Staff supports the zoning request to RS-8 and CF for the following reasons:

- 1) RS-8 zoning district permits single-family residential detached uses on lots of at least 8,000 square-feet, and the houses would be constructed with exterior facades of a minimum of 75% masonry materials of brick, stone, or cementitious siding to minimize the potential for fire damage.;
- 2) Any future development proposal will include a road connection to Franklin Road extending from Schroer Drive.;
- 3) The portion of the property proposed for CF zoning is consistent with the General Commercial land use designation.;; and
- 4) The portion of the property proposed for RS-8 zoning is not consistent with the Future Land Use Map for General Commercial; it is consistent with the “Auto-Urban (General) Residential” land use character, characterized by single family dwelling units on smaller parcels and townhome developments. In this case, the proposed RS-8 zoning would provide a good transition between commercial property to the south and any existing and future single-family detached residential property to the north and west. Staff recommends that this is an appropriate instance to deviate from the recommendations of the FLUM.

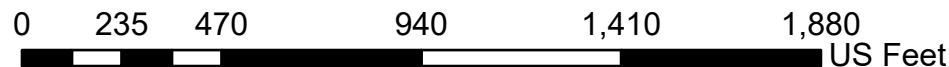
Action needed

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

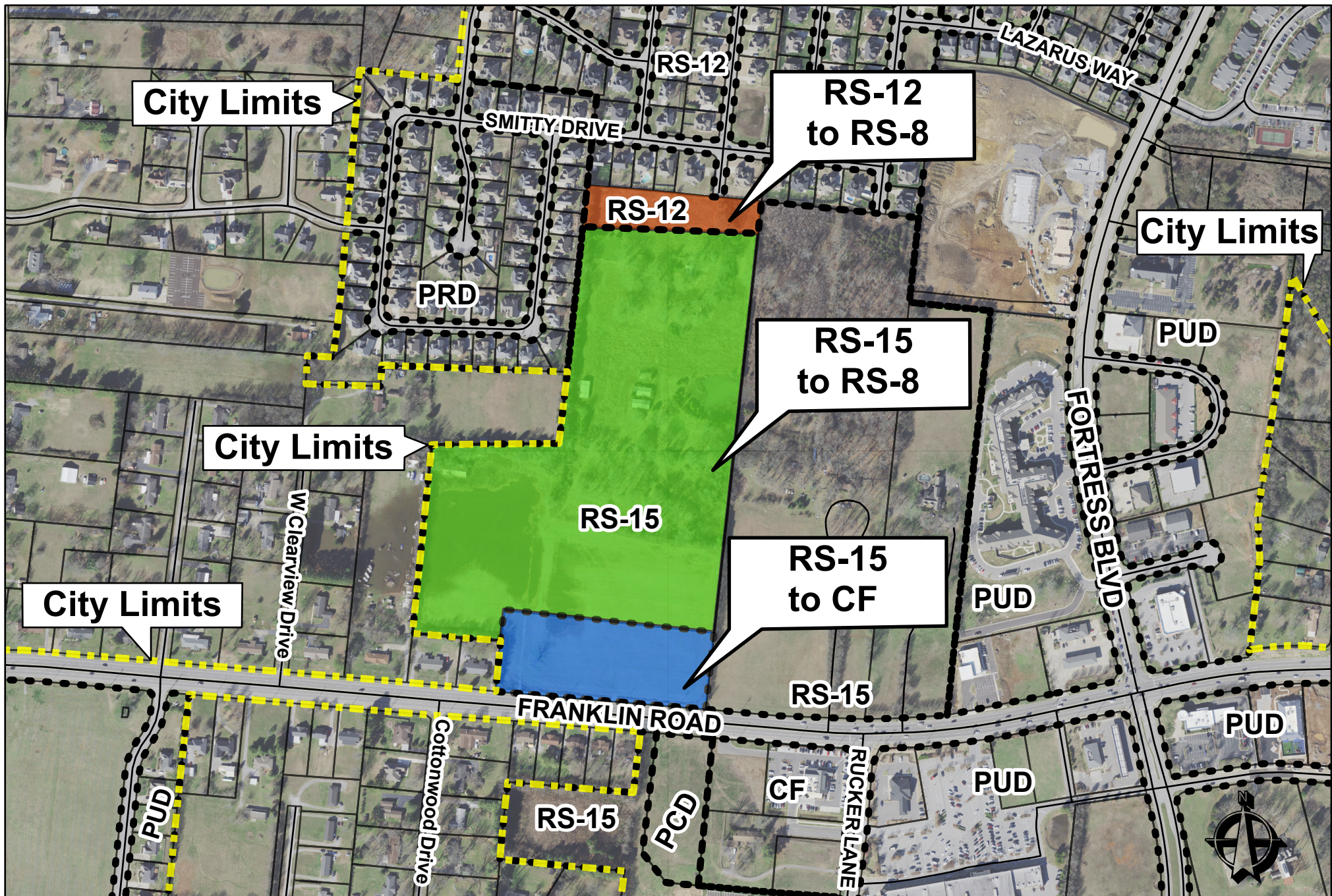
As an aside, it should be noted that after the public hearing was advertised, the applicants submitted a revised exhibit seeking approximately 25' of additional depth for the proposed CF zoning along the Franklin Road frontage. Staff has reviewed this change with the Legal Department, and it has been determined that the nature of this modification is minor enough to not warrant rescheduling and readvertising the public hearing. The updated maps have been included in the agenda packet, and the Planning Commission will be taking action on the revised rezoning map exhibit.



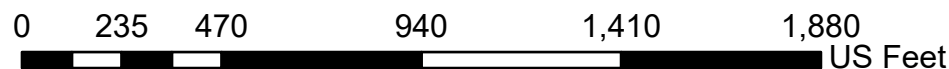
Rezoning Request for Property along Franklin Road RS-12 to RS-8, RS-15 to RS-8, and RS-15 to CF



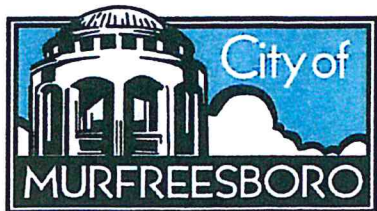
Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



Rezoning Request for Property along Franklin Road
RS-12 to RS-8, RS-15 to RS-8, and RS-15 to CF



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



T E N N E S S E E

Creating a better quality of life

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

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

Procedure for applicant:

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

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

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

To be completed by applicant:

APPLICANT: Wendy Deats, Lennar - LENNAR HOMES OF TENNESSEE, LLC

Address: 381 Mallory Station City/State/Zip: Franklin, TN 37067

Phone: (615) 716-7188 E-mail address: Wendy.Deats@Lennar.com

PROPERTY OWNER: Melton Family, LLC

Street Address or
property description: 4570 Franklin Road

and/or Tax map #: 93 Group: _____ Parcel (s): 17.02

Existing zoning classification: RS-15

Proposed zoning classification: RS-8, CF Acreage: 33.61 Acres

Contact name & phone number for publication and notifications to the public (if different from the applicant): Matt Hamilton, Ragan-Smith Associates, (615) 546-6050

E-mail: mhamilton@ragansmith.com

APPLICANT'S SIGNATURE (required): [Signature] KEVIN STURGILL - VP OF LAND

DATE: 8/11/2021

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

Date received: _____ MPC YR.: _____ MPC #: 2021-419

Amount paid: \$ 700.00 Receipt #: 644312

Revised 7/20/2018



RaganSmith

August 12, 2021

HAND DELIVERY

Ms. Marina Rush
Planning and Zoning Department
City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

**RE: MELTON FAMILY, LLC PROPERTY – REZONING
MURFREESBORO, TENNESSEE
RAGAN-SMITH JOB# 21-0216**

Dear Marina:

On behalf of Lennar Homes of Tennessee, LLC, we are pleased to submit the enclosed Rezoning Application for the above-referenced project. It is our intention for the submission to be considered at the August Planning Commission for rezoning from RS-15 to RS-8 and CF. Enclosed please find the following items:

- Rezoning Exhibit
- ALTA Survey
- Application
- Review Fee

Please contact me directly if there are any comments or concerns.

Sincerely,
RAGAN-SMITH ASSOCIATES, INC.

Kevin Guenther, PLA, LEED AP
Vice President

KDG:kal
Enclosures

NASHVILLE

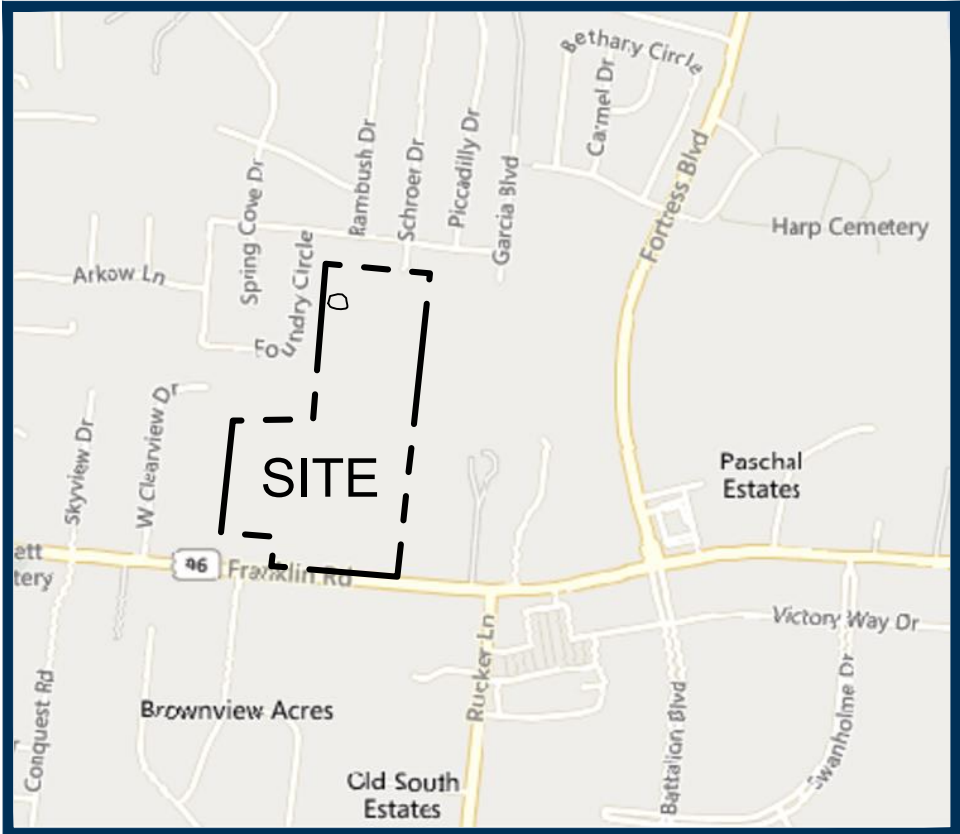
315 Woodland Street
Nashville, TN 37206
(615) 244-8591

MURFREESBORO

100 East Vine Street, Suite 402
Murfreesboro, TN 37130
(615) 546-6050

CHATTANOOGA

1410 Cowart Street, Suite 200
Chattanooga, TN 37408
(423) 490-9400



LOCATION MAP
(NOT TO SCALE)

GENERAL NOTES

- BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983. GPS EQUIPMENT WAS USED TO DETERMINE THE POSITION OF TWO (2) CONTROL POINTS FOR THE SURVEYED PROPERTY TO ESTABLISH AS BASIS FOR BEARING FOR THE SURVEY. TYPE OF GPS EQUIPMENT USED: SPECTRA PRECISION SP80. TYPE OF GPS SURVEY: TDOF NETWORK ADJUSTED REAL TIME KINEMATIC. THE AVERAGE POSITIONAL QUALITY IS 0.05".
- ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88. CONTOURS ARE AT ONE FOOT INTERVALS AND ARE BASED ON A FIELD RUN SURVEY USING RANDOM SPOT ELEVATIONS. CONTOURS WERE DERIVED USING SURFACE MODELING TECHNIQUES.
- THIS PROPERTY IS CURRENTLY ZONED RS-12 AND RS-15 (SINGLE-FAMILY RESIDENTIAL). SEE CURRENT CITY OF MURFREESBORO ZONING ORDINANCE FOR MINIMUM YARD REQUIREMENTS. THE ZONING LINE SHOWN HEREON WAS SCALED FROM CURRENT CITY OF MURFREESBORO GIS INFORMATION. NO ZONING REPORT WAS FURNISHED AT THE TIME OF THIS SURVEY.
- BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47145C025SH, WITH AN EFFECTIVE DATE OF JANUARY 5, 2007, WHICH MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT, COMMUNITY NO. 470168, PANEL NO. 0255, SUFFIX H, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THIS SURVEYOR HAS BEEN FURNISHED WITH A COPY OF NORTH AMERICAN TITLE INSURANCE COMPANY FILE NUMBER TN-MS-210543-CON, WITH AN EFFECTIVE DATE OF JULY 1, 2021 AT 8:00 A.M.

SCHEDULE B - SECTION 9 OF THE TITLE COMMITMENT HAS DISCLOSED THE FOLLOWING SURVEY RELATED EXCEPTIONS:

EXCEPTION 8: SUBJECT TO ALL APPLICABLE EXCEPTIONS ON PLAT BOOK 2, PAGE 48, RUTHERFORD COUNTY, TENNESSEE RECORDS. **DOES NOT AFFECT SUBJECT PROPERTY.**

EXCEPTION 9: SUBJECT TO RESTRICTIONS DATED 06/19/1962 AND RECORDED IN DEED BOOK 143, PAGE 157, AFORESAID RECORDS. AS AMENDED, REVISED, ASSIGNED, SUPPLEMENTED AND RESTATED OF RECORD THERETO, THIS PROPERTY DOES NOT HAVE HOMEOWNERS' ASSOCIATION DUES. HOWEVER, THE PROPERTY IS SUBJECT TO A FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

EXCEPTION 10: EASEMENT FROM THOMAS L. REED JR., TO UNITED CITIES GAS COMPANY, INC., DATED 09/18/1986, RECORDED IN DEED BOOK 384, PAGE 832, AFORESAID RECORDS. **BECAUSE OF THE WIDENING OF HIGHWAY 96, THE LOCATION OF SAID EASEMENT, AS DESCRIBED, DOES NOT AFFECT SUBJECT PROPERTY. IT APPEARS, HOWEVER, THAT THE GAS LINE HAS BEEN RELOCATED AND THE PROPERTY MAY STILL BE SUBJECT TO A GAS LINE EASEMENT.**

EXCEPTION 11: EASEMENTS FROM LARRY D. MELTON AND GERALDINE MELTON, TO UNITED CITIES GAS COMPANY, INC., DATED 08/29/1986, RECORDED IN DEED BOOK 384, PAGE 834, AFORESAID RECORDS. **BECAUSE OF THE WIDENING OF HIGHWAY 96, THE LOCATION OF SAID EASEMENT, AS DESCRIBED, DOES NOT AFFECT SUBJECT PROPERTY. IT APPEARS, HOWEVER, THAT THE GAS LINE HAS BEEN RELOCATED AND THE PROPERTY MAY STILL BE SUBJECT TO A GAS LINE EASEMENT.**

EXCEPTION 12: EASEMENT FROM LARRY D. MELTON AND GERALDINE MELTON, TO W. D. SCHOCK COMPANY, INC., DATED 01/21/1999, RECORDED IN DEED BOOK 641, PAGE 424, AFORESAID RECORDS. **DOES NOT AFFECT SUBJECT PROPERTY.**

EXCEPTION 13: EASEMENT FROM LARRY D. MELTON AND GERALDINE MELTON, TO W. D. SCHOCK COMPANY, INC., DATED 01/12/1999, AND RECORDED IN DEED BOOK 641, PAGE 427, AFORESAID RECORDS. **DOES NOT AFFECT SUBJECT PROPERTY.**

SURVEYED PROPERTY DESCRIPTION

BEING A CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN THE THIRTEENTH (13TH) CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD (NEW) WITH CAP STAMPED "RAGAN SMITH ASSOC" IN THE NORTHERLY RIGHT-OF-WAY OF STATE ROUTE 96 / FRANKLIN ROAD (105'-FOOT RIGHT-OF-WAY), LOCATED NORTH 08 DEGREES 04 MINUTES EAST, 206.5 FEET FROM THE CENTERLINE INTERSECTION OF SAID FRANKLIN ROAD WITH COTTONWOOD DRIVE, SAID IRON ROD BEING THE SOUTHWEST CORNER OF KATHRYN R. LILES PROPERTY OF RECORD IN RECORD BOOK 507, PAGE 981, R.O.R.C.T. AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, LEAVING THE NORTHERLY RIGHT-OF-WAY OF SAID FRANKLIN ROAD, WITH THE EASTERLY LINE OF SAID LILES, NORTH 06 DEGREES 10 MINUTES 30 SECONDS EAST, 175.56 FEET TO A 1/2-INCH IRON ROD (OLD), THE NORTHEAST CORNER OF SAID LILES;

THENCE, WITH THE NORTHERLY LINE OF SAID LILES AND THE NORTHERLY LINE OF THE KATHRYN R. LILES PROPERTY OF RECORD IN RECORD BOOK 507, PAGE 981, R.O.R.C.T., NORTH 85 DEGREES 07 MINUTES 30 SECONDS EAST, 319.98 FEET TO A 1/2-INCH IRON ROD (OLD) IN A FENCE IN THE EASTERLY LINE OF THE JERRY LAQUIERE II AND WIFE, ASHLEY LAQUIERE PROPERTY OF RECORD IN RECORD BOOK 498, PAGE 1294, R.O.R.C.T., SAID IRON ROD BEING THE NORTHWEST CORNER OF SAID LILES; THENCE,

WITH THE EASTERLY LINE OF SAID LAQUIERE, GENERALLY WITH THE FENCE, NORTH 06 DEGREES 02 MINUTES 54 SECONDS EAST, 670.05 FEET TO A 1/4-INCH IRON ROD (OLD) IN THE SOUTHERLY LINE OF THE DONALD J. PITTS AND WIFE, DEBORAH PITTS PROPERTY OF RECORD IN DEED BOOK 318, PAGE 809, R.O.R.C.T., SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID LAQUIERE;

THENCE, WITH THE SOUTHERLY LINE OF SAID PITTS, GENERALLY WITH THE FENCE, THE FOLLOWING TWO (2) CALLS:
1. NORTH 89 DEGREES 00 MINUTES 24 SECONDS EAST, 453.05 FEET TO A 1/4-INCH IRON ROD (OLD);
2. SOUTH 83 DEGREES 42 MINUTES 51 SECONDS EAST, 25.00 FEET TO A 1/2-INCH IRON ROD (NEW) WITH CAP STAMPED "RAGAN SMITH ASSOC", THE SOUTHEAST CORNER OF SAID PITTS;

THENCE, WITH THE EASTERLY LINE OF SAID PITTS, THE EASTERLY LINES OF LOTS 50 AND 51 AS SHOWN ON THE FINAL PLAT ENTITLED "RESUBDIVISION OF LOTS 45-51, SECTION II, BLACKMAN COVE OF RECORD IN PLAT BOOK 29, PAGE 253, R.O.R.C.T. AND THE EASTERLY LINES OF LOTS 12, 11, 10, 9, 8 AND 7 (IN PART) AS SHOWN ON THE FINAL PLAT ENTITLED "BLACKMAN OAKS EAST, SECTION I" OF RECORD IN PLAT BOOK 33, PAGE 215, R.O.R.C.T., THE SOUTHERLY LINE OF LOT 9 AS SHOWN ON THE FINAL PLAT ENTITLED "BLACKMAN OAKS EAST, SECTION I" OF RECORD IN PLAT BOOK 28, PAGE 78, R.O.R.C.T., GENERALLY WITH THE FENCE, NORTH 04 DEGREES 38 MINUTES 26 SECONDS EAST, 933.51 FEET TO A 1/2-INCH IRON ROD (OLD) IN THE EASTERLY LINE OF SAID LOT 7, SAID IRON ROD BEING THE SOUTHWEST CORNER OF LOT 1 AS SHOWN ON THE FINAL PLAT ENTITLED "BLACKMAN OAKS EAST, SECTION I" OF RECORD IN PLAT BOOK 28, PAGE 271, R.O.R.C.T. AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE SOUTHERLY LINES OF SAID LOT 1 AND LOTS 2, 39 AND 40 AS SHOWN ON THE FINAL PLAT ENTITLED "BLACKMAN OAKS EAST, SECTION I" OF RECORD IN PLAT BOOK 28, PAGE 271, R.O.R.C.T., THE SOUTHERLY LINE OF LOT 41 AS SHOWN ON THE FINAL PLAT ENTITLED "BLACKMAN OAKS EAST, SECTION I" OF RECORD IN PLAT BOOK 33, PAGE 215, R.O.R.C.T., SOUTH 84 DEGREES 47 MINUTES 11 SECONDS EAST, 626.41 FEET TO A 1/2-INCH IRON ROD (OLD), THE SOUTHEAST CORNER OF SAID LOT 42, THE SOUTHWEST CORNER OF LOT 9 AS SHOWN ON THE FINAL PLAT ENTITLED "BLACKMAN OAKS EAST, SECTION I" OF RECORD IN PLAT BOOK 36, PAGE 280, R.O.R.C.T., THE NORTHWEST CORNER OF THE HOWARD C. SMITH AND WIFE, DOROTHY B. SMITH PROPERTY OF RECORD IN DEED BOOK 256, PAGE 1, R.O.R.C.T. AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE WESTERLY LINE OF SAID SMITH, GENERALLY WITH THE FENCE, SOUTH 06 DEGREES 09 MINUTES 35 SECONDS WEST, 1820.49 FEET TO A CONCRETE MONUMENT (OLD) IN THE NORTHERLY RIGHT-OF-WAY OF SAID FRANKLIN ROAD, SAID CONCRETE MONUMENT BEING THE SOUTHWEST CORNER OF SAID SMITH AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE NORTHERLY RIGHT-OF-WAY OF SAID FRANKLIN ROAD, NORTH 85 DEGREES 11 MINUTES 34 SECONDS WEST, 755.17 FEET TO THE POINT OF BEGINNING, CONTAINING 1,464,010 SQUARE FEET OR 33.61 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO MELTON FAMILY, LLC FROM LARRY D. MELTON AND WIFE, GERALDINE MELTON BY QUILMAN DEED OF RECORD IN RECORD BOOK 1171, PAGE 1542, REGISTER'S OFFICE FOR RUTHERFORD COUNTY, TENNESSEE.

PROPERTY MAP REFERENCE

BEING PARCEL NUMBER 17.02 AS SHOWN ON RUTHERFORD COUNTY PROPERTY MAP NUMBER 93.

DEED REFERENCE

BEING THE SAME PROPERTY CONVEYED TO MELTON FAMILY, LLC FROM LARRY D. MELTON AND WIFE, GERALDINE MELTON BY QUILMAN DEED OF RECORD IN RECORD BOOK 1171, PAGE 1542, REGISTER'S OFFICE FOR RUTHERFORD COUNTY, TENNESSEE.

UTILITY NOTE

THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH AN APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER ANY UNDERGROUND UTILITY ENGAGES PREVENTION ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN (3) THREE NOR MORE THAN (10) TEN WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT, TENNESSEE ONE CALL 811.

LEGEND

CONCRETE MONUMENT (OLD)	UTILITY POLE
IRON ROD (OLD)	UTILITY POLE W/ ANCHOR
IRON ROD (NEW)	UTILITY POLE W/ LIGHT
1/2" x 18" WOOD STAKE (NEW)	OVERHEAD ELECTRIC POWER LINE
FIRE HYDRANT	OVERHEAD POWER AND TELEPHONE LINES
WATER VALVE	UNDERGROUND FIBER OPTIC LINE
CATCH BASIN	SANITARY SEWER LINE
SANITARY SEWER MANHOLE	WATER LINE
SIGN	GAS LINE
TOP OF CASTING	FENCE
INVERT	REINFORCED CONCRETE PIPE
ELEV	MINIMUM BUILDING SETBACK LINE
R.O.R.C.T.	REGISTER'S OFFICE FOR RUTHERFORD COUNTY, TENNESSEE
	CONCRETE SURFACE
	ASPHALT SURFACE

TABLE A NOTES

- TABLE A ITEM 9: NO CLEARLY IDENTIFIABLE PARKING SPACES WERE OBSERVED AT THE TIME OF THIS SURVEY.
- TABLE A ITEM 16: NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WAS FOUND AT THE TIME OF THIS SURVEY.
- TABLE A ITEM 17: NO OBSERVABLE EVIDENCE OF PROPOSED CHANGES IN STREET RIGHT OF WAY LINES OR RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS FOUND AT THE TIME OF THIS SURVEY. NEITHER WAS ANY INFORMATION PROVIDED TO THIS SURVEYOR.

PROPERTY DESCRIPTION OF RECORD

LYING AND BEING IN THE THIRTEENTH (13TH) CIVIL DISTRICT OF RUTHERFORD COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

TRACT 1
BEGINNING AT A POINT IN THE CENTER LINE OF FRANKLIN ROAD OR STATE ROUTE 96 WESTWARD 768.1 FEET ALONG SAID CENTER LINE FROM ADAMS' SOUTHWEST CORNER, THENCE N 86 DEGREES 19' W, 100.0 FEET ALONG SAID CENTER LINE TO A POINT; THENCE N 5 DEGREES 02' E, 2193.7 FEET TO A STEEL PIN; THENCE S 85 DEGREES 00' E, 100.0 FEET TO A STEEL PIN; THENCE S 5 DEGREES 02' W, 2191.35 FEET TO THE POINT OF BEGINNING BEING AN AREA OF 5.03 ACRES.

TRACT 2
BEGINNING AT A POINT IN THE CENTER LINE OF FRANKLIN ROAD OR STATE ROUTE 96 WESTWARD 568.1 FEET ALONG SAID CENTER LINE FROM ADAMS' SOUTHWEST CORNER; THENCE N 86 DEGREES 19' W, 200.0 FEET ALONG SAID CENTER LINE TO A POINT; THENCE N 5 DEGREES 02' E, 2191.35 FEET TO A STEEL PIN; THENCE N 85 DEGREES 00' W, 400.0 FEET TO A STEEL PIN IN HAYNES' EAST LINE; THENCE N 5 DEGREES 15' E, 1824.0 FEET ALONG SAID EAST LINE TO A STEEL PIN IN SMITH'S SOUTH LINE; THENCE S 57 DEGREES 20' E, 328.9 FEET ALONG SAID SOUTH LINE TO A STEEL PIN; THENCE S 75 DEGREES 10' E, 236.6 FEET ALONG SAID SOUTH LINE TO A STEEL PIN; THENCE S 56 DEGREES 28' E, 92.5 FEET ALONG SAID SOUTH LINE TO STEEL PIN; THENCE S 5 DEGREES 02' W, 3864.87 FEET TO THE POINT OF BEGINNING BEING AN AREA OF 34.4 ACRES.

BEING THE SAME PROPERTY CONVEYED TO LARRY D. MELTON AND WIFE, GERALDINE MELTON BY DEED DATED MAY 26, 1977 AND FILED FOR RECORD IN DEED BOOK 256, PAGE 7, OF THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

TRACT 3
BEGINNING AT A POINT IN THE CENTER LINE OF FRANKLIN ROAD OR STATE ROUTE 96 WESTWARD 868.1 FEET ALONG SAID CENTER LINE FROM AL HADDAD'S (FORMERLY ADAMS') SOUTHWEST CORNER; THENCE N 86 DEGREES 19' W, 100.0 FEET ALONG SAID CENTER LINE TO A POINT; THENCE N 5 DEGREES 02' E, 2193.7 FEET TO THE POINT OF BEGINNING, BEING AN AREA OF 5.04 ACRES.

TRACT 4
BEGINNING AT A POINT IN THE CENTER LINE OF FRANKLIN ROAD OR STATE ROUTE 96 WESTWARD 968.1 FEET ALONG SAID CENTER LINE FROM ADAMS' SOUTHWEST CORNER; THENCE N 86 DEGREES 19' W, 200.0 FEET ALONG SAID CENTER LINE TO A POINT; THENCE N 5 DEGREES 02' E, 2191.35 FEET TO A STEEL PIN; THENCE N 85 DEGREES 00' W, 400.0 FEET TO A STEEL PIN IN HAYNES' EAST LINE; THENCE N 5 DEGREES 15' E, 1824.0 FEET ALONG SAID EAST LINE TO A STEEL PIN IN SMITH'S SOUTH LINE; THENCE S 57 DEGREES 20' E, 328.9 FEET ALONG SAID SOUTH LINE TO A STEEL PIN; THENCE S 75 DEGREES 10' E, 236.6 FEET ALONG SAID SOUTH LINE TO A STEEL PIN; THENCE S 56 DEGREES 28' E, 92.5 FEET ALONG SAID SOUTH LINE TO STEEL PIN; THENCE S 5 DEGREES 02' W, 3864.87 FEET TO THE POINT OF BEGINNING BEING AN AREA OF 34.4 ACRES.

INCLUDED IN THE ABOVE LEGAL DESCRIPTION BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE ARE THE FOLLOWING DESCRIBED PARCELS:

PARCEL #1: BEING A TRACT OF LAND LYING NORTH OF TENNESSEE STATE ROUTE NO. 96, BEGINNING AT A POINT ON THE COMMON SOUTH PROPERTY CORNER BETWEEN THE LANDS OF LARRY D. MELTON, ETUX AND THE GRANTOR, IN THE PRESENT NORTH MARGIN OF STATE PROJECT #75009-2230-04, 16,000 METERS (52,493 FEET) LEFT OF PROPOSED CENTERLINE STATION 12+345.529 OF STATE PROJECT #75009-2230-04, THENCE WITH THE COMMON PROPERTY LINE BETWEEN MELTON AND THE GRANTOR, NORTH 06 DEGREES 08 MINUTES 36 SECONDS EAST 7,443 METERS (24,42 FEET) TO A POINT IN THE PROPOSED NORTH MARGIN OF STATE PROJECT #75009-2230-04, 16,000 METERS (52,493 FEET) LEFT OF PROPOSED CENTERLINE STATION 12+345.529, THENCE WITH THE COMMON PROPERTY LINE BETWEEN LANDS OF HOWARD SMITH, ETUX AND THE GRANTOR, 16,000 METERS (52,493 FEET) LEFT OF PROPOSED CENTERLINE STATION 12+528.352; THENCE WITH SAID COMMON PROPERTY LINE BETWEEN SMITH AND THE GRANTOR, SOUTH 06 DEGREES 08 MINUTES 36 SECONDS WEST 7,443 METERS (24,42 FEET) TO A POINT ON THE COMMON SOUTH CORNER OF THE COMMON PROPERTY LINE BETWEEN SMITH AND THE GRANTOR, IN THE PRESENT NORTH MARGIN OF STATE ROUTE 96, 8,199 METERS (26,90 FEET) LEFT OF PROPOSED CENTERLINE STATION 12+528.180; THENCE WITH THE PRESENT NORTH MARGIN OF STATE ROUTE 96, NORTH 85 DEGREES 04 MINUTES 47 SECONDS WEST 182,651 METERS (599,25 FEET) TO THE POINT OF BEGINNING, CONTAINING 0.1392 HECTARES (0.344 ACRES) OF LAND.

PARCEL #2: BEING A STRIP OF LAND VARYING IN WIDTH FROM APPROXIMATELY 1.5 METERS (4.92 FEET) TO APPROXIMATELY 3.0 METERS (9.84 FEET) LYING OUTSIDE OF AND ADJACENT TO PARCEL 1 HEREIN AND/OR THE PROPOSED NORTH MARGIN OF STATE PROJECT #75009-2230-04, RUNNING FROM A POINT 16,000 METERS (52,493 FEET) LEFT OF APPROXIMATE PROPOSED CENTERLINE STATION 12+345.529 TO A POINT 16,000 METERS (52,493 FEET) LEFT OF PROPOSED CENTERLINE STATION 12+528.352, CONTAINING 412.5 SQUARE METERS (4,440 SQUARE FEET) OF LAND.

BEING A PART OF THE SAME PROPERTY CONVEYED TO LARRY D. MELTON AND WIFE, GERALDINE MELTON BY DEED OF RECORD DATED JUNE 12, 1986 AND FILED FOR RECORD IN DEED BOOK 363, PAGE 401, OF THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

TRACT 5
A STRIP OF LAND LYING ON THE EAST LINE OF THE HOWARD HAYNES PROPERTY AND ON THE WEST LINE OF SAM PASCHAL HEIRS PROPERTY, BEGINNING AT A POINT 25 FEET FROM THE CENTERLINE OF STATE ROUTE #96, ON THE EAST SIDE OF THIS STRIP OF LAND AT A PIN AND BEING N 4 DEGREES 31' E, 917.3 FEET TO A STAKE SET IN LINE WITH THE HOWARD HAYNES AND JIM PITTS LINE, THENCE N 4 DEGREES 11' E, 100.0 FEET TO A POINT; THENCE N 3 DEGREES 46' E, 1914 FEET TO A POINT ON THE EAST LINE OF HOWARD SMITH AND JIM PITTS PROPERTY; THENCE N 61 DEGREES 48' W, 26.9 FEET TO A PIN SET ON THE HOWARD HAYNES PROPERTY LINE; THENCE WITH HAYNES AND PASCHAL PROPERTY LINE S 5 DEGREES 11' W, 1257 FEET TO A PIN; THENCE S 2 DEGREES 41' W, 1257 FEET TO A PIN; THENCE S 5 DEGREES 31' W, 917.3 FEET WITH THE HAYNES AND PASCHAL PROPERTY LINE TO A PIN; THENCE S 4 DEGREES 31' W, 917.3 FEET WITH THE HAYNES AND PASCHAL PROPERTY LINE TO A PIN; THENCE S 85 DEGREES 29' E, 25 FEET TO THE BEGINNING POINT AND CONTAINING 2.35 ACRES, MORE OR LESS.

INCLUDED IN THE ABOVE DESCRIBED TRACT NO. 5 BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE ARE THE FOLLOWING DESCRIBED PARCELS OF REAL ESTATE:

PARCEL 1: ANY AND ALL PROPERTY CONVEYED TO DAVID DUMM BY DEED OF RECORD IN DEED BOOK 397, PAGE 699, OF THE REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE.

PARCEL 2: ANY AND ALL PROPERTY SHOWN ON LOT NOS. 1 THROUGH 21 OF LONG COVE SUBDIVISION, SECTION I AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 12, PAGE 152, OF SAID REGISTER'S OFFICE.

PARCEL 3: ANY AND ALL PROPERTY SHOWN ON LOT 5 OF THE RESUBDIVISION OF LOT 5 LONG COVE AS SHOWN IN PLAT BOOK 11, PAGE 391, IN SAID REGISTER'S OFFICE.

PARCEL 4: ANY AND ALL PROPERTY CONVEYED TO JIM W. PORTER OF RECORD IN DEED BOOK 516, PAGE 654, IN SAID REGISTER'S OFFICE.

PARCEL 5: THE SOUTHERNMOST 900 FEET OF THE ABOVE DESCRIBED PROPERTY.

PARCEL 6: ANY AND ALL PROPERTY LOCATED NORTH OF THE SOUTHEAST CORNER OF LONG COVE SUBDIVISION, SECTION I, AS SHOWN IN PLAT OF RECORD IN PLAT BOOK 12, PAGE 152, OF SAID REGISTER'S OFFICE.

ALSO INCLUDED IN THE ABOVE TRACTS BUT SPECIFICALLY EXCLUDED FROM THIS CONVEYANCE IS THE FOLLOWING DESCRIBED TRACT:

LOCATED IN THE 13TH CIVIL DISTRICT, RUTHERFORD COUNTY, TENNESSEE, BOUNDED ON THE WEST BY THE PLANNED BLACKMAN COVE SUBDIVISION, LOTS 12 AND 13, LONG COVE SUBDIVISION (PLAT BOOK 12, PAGE 152), LOTS 5 AND 8, LONG COVE SUBDIVISION (PLAT BOOK 23, PAGE 40), AND LOTS 11 THROUGH 17, BLACKMAN OAKS SUBDIVISION (PLAT BOOK 26, PAGE 62); ON THE NORTH BY RUTHERFORD COUNTY (BLACKMAN MIDDLE SCHOOL); ON THE EAST BY HOWARD SMITH AND JIM PITTS (DEED BOOK 256, PAGE 1); AND ON THE SOUTH BY THE REMAINING PROPERTY OF LARRY D. MELTON (DEED BOOK 256, PAGE 7).
BEGINNING AT A CONCRETE MONUMENT FOUND IN THE NORTHWEST-OF-WAY OF STATE ROUTE 96 (FRANKLIN ROAD), BEING THE SOUTHWEST CORNER OF HOWARD SMITH AND THE SOUTHEAST CORNER OF THIS TRACT; THENCE LEAVING THE NORTH RIGHT-OF-WAY OF STATE ROUTE 96 (FRANKLIN ROAD), WITH THE WEST LINE OF HOWARD SMITH, N 06 DEGREES 10'15"E, 1820.78 FEET TO THE POINT OF BEGINNING, BEING THE SOUTHWEST CORNER OF THIS TRACT; THENCE WITH THE WEST LINE OF HOWARD SMITH AND THROUGH THE REMAINING PROPERTY OF LARRY D. MELTON, N 84 DEGREES 48'58"W, 626.53 FEET TO A POINT IN THE EAST LINE OF THE PLANNED BLACKMAN COVE SUBDIVISION, BEING THE SOUTHWEST CORNER OF THIS TRACT; THENCE WITH THE EAST LINE OF THE PLANNED BLACKMAN COVE SUBDIVISION, N 06 DEGREES 16'08"E, 587.98 FEET TO AN IRON PIN FOUND, BEING THE SOUTHWEST CORNER OF LOT 12, LONG COVE SUBDIVISION; THENCE WITH THE EAST LINE OF LOT 8, LONG COVE SUBDIVISION, N 06 DEGREES 15'07"E, 154.04 FEET TO AN IRON PIN FOUND, BEING THE SOUTHWEST CORNER OF LOT 5, LONG COVE SUBDIVISION; THENCE WITH THE EAST LINE OF LOT 5, LONG COVE SUBDIVISION, N 06 DEGREES 12'16"E, 320.22 FEET TO AN IRON PIN FOUND, BEING THE SOUTHWEST CORNER OF LOT 17, LONG COVE SUBDIVISION; THENCE WITH THE EAST LINE OF LOT 17, LONG COVE SUBDIVISION, N 06 DEGREES 10'07"E, 135.00 FEET TO AN IRON PIN FOUND; THENCE CONTINUING WITH THE EAST LINE OF LOT 8, LONG COVE SUBDIVISION, N 06 DEGREES 15'07"E, 154.04 FEET TO AN IRON PIN FOUND, BEING THE SOUTHWEST CORNER OF LOT 5, LONG COVE SUBDIVISION; THENCE WITH THE EAST LINE OF LOT 5, LONG COVE SUBDIVISION, N 06 DEGREES 12'16"E, 320.22 FEET TO AN IRON PIN FOUND, BEING THE SOUTHWEST CORNER OF LOT 17, LONG COVE SUBDIVISION; 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WYNGATE
FOR
LENNAR

4570 FRANKLIN ROAD, MURFREESBORO, TENNESSEE 37128

Scale: 1" = 60'

Date: 2021.08.10

Approved By: XXX

Revisions:

Drawing Title:
PROPOSED
REZONING EXHIBIT

Drawing No.
C1.0

Project No.
21-0216



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: MARINA RUSH**

4.g. Annexation petition and plan of services [2021-509] for the following rights-of-way (ROW):

- **Approximately 85 linear feet of Parkwood Drive ROW;**
- **Approximately 140 linear feet of Woodcrest Drive ROW; and**
- **Approximately 100 linear feet of Westridge Drive ROW**

Rutherford County Engineering Department applicant.

The Rutherford County Engineering Department is requesting the City to annex the rights-of-way for three existing right-of-way (ROW) segments in Rutherford County, as depicted on the attached maps. Annexation of the requested right-of-way segments is in conjunction with the Rivers Edge Subdivision, Section V, which is being developed in the City of Murfreesboro. Because proposed lots within this subdivision will front and have driveways on these existing ROW segments, County Engineering has indicated its preference for the subject rights-of-way to be located within the City limits as well. The subdivision developer has filed the annexation request on behalf of the County in order to move development of the subdivision forward.

The requested ROW segments are as follows:

1. Parkwood Drive = 0.10-acre section, includes approximately 85 linear feet; and
2. Intersection of Westridge Drive and Woodcrest Drive = 0.27-acre section, includes approximately 140 linear feet of Woodcrest Drive and 100 linear feet of Westridge Drive

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits, as depicted on the attached maps. At its September meeting, the Rutherford County Road Board voted to grant its consent for the City to annex these rights-of-way. Because the entirety of the study area is ROW, there is no companion zoning request.

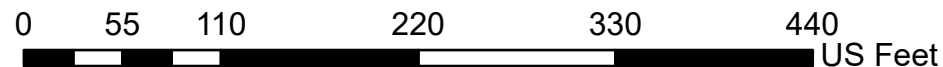
Staff has prepared a plan of services for the proposed annexation, and it is attached to this staff report for the Planning Commission's review. City services can be provided to the study area upon annexation.

Action Needed:

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



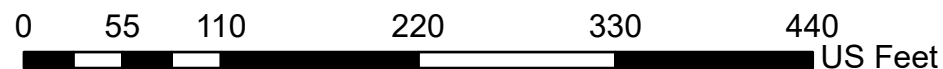
Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW



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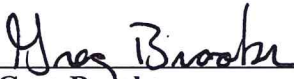
Consent for Annexation of Public Rights-of-Way by the City of Murfreesboro

The City of Murfreesboro, Tennessee has initiated an annexation study of the following public rights-of-way as shown on the attached Exhibits, which specifically includes:

- that section of Parkwood Drive beginning at the north boundary line of 2948 Parkwood Drive northward to the northern boundary line of 2935-2937 Parkwood Drive totaling approximately 85 linear feet ("County Right-of-Way"), such section being a portion of the prescriptive/platted right-of-way for Parkwood Drive shown in the current Rutherford County Highway Department Road Book.;
- that section of Woodcrest Drive beginning at the intersection with Westridge Drive northward to the northern boundary line of 1566-1568 Westridge Drive totaling approximately 140 linear feet ("County Right-of-Way"), such section being a portion of the prescriptive/platted right-of-way for Woodcrest Drive shown in the current Rutherford County Highway Department Road Book.; and
- that section of Westridge Drive beginning at its eastern terminus south of Woodcrest Drive totaling approximately 100 linear feet ("County Right-of-Way"), such section being a portion of the prescriptive/platted right-of-way for Westridge Drive shown in the current Rutherford County Highway Department Road Book.

The undersigned, a duly authorized official of Rutherford County, Tennessee, hereby certifies that, at a public meeting held on September 2, 2021 and in furtherance of the requirements set forth in Tenn.Code Ann. § 6-51-1014, the Rutherford County Highway Commission consented to the annexation of the County Right-of-Way by the City of Murfreesboro, Tennessee.

WITNESS MY HAND this 7th day of September 2021.



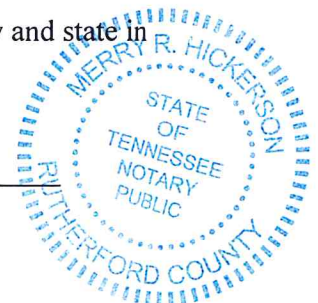
Greg Brooks
Rutherford County Road Superintendent

Sworn to and subscribed before me, a notary public in and for said county and state in Murfreesboro, Tennessee on the 7th day of September, 2021



NOTARY PUBLIC

My Commission Expires: 4-23-2024



August 12, 2021

Mr. Greg McKnight
City of Murfreesboro Planning Director
111 W. Vine Street
Murfreesboro, TN 37130

**Re: Rivers Edge V-Petition for Annexation by the City of Murfreesboro
Parkwood Drive & the intersection of Westridge Drive and Woodcrest Drive
Existing Rutherford County ROW**

Dear Greg:

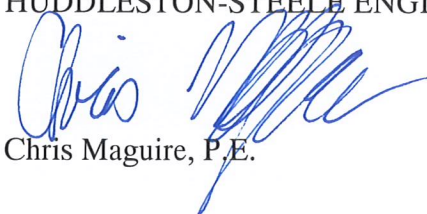
Attached is a Legal Description and Exhibit for the above noted subdivision to petition for Annexation of two areas of existing Rutherford County Right of Way into the City of Murfreesboro. The two areas that make up this Annexation request are an 0.10 Acre section on Parkwood Drive and an 0.27 Acre section at the intersection of Westridge Drive and Woodcrest Drive.

This petition comes to you today at the request of Rutherford County Engineering to connect the proposed Rivers Edge Section V development's, which is currently in the City of Murfreesboro, infrastructure to the existing infrastructure currently within Rutherford County Right of Way.

Please contact us if you have any questions or comments.

Sincerely,

HUDDLESTON-STEEL ENGINEERING, INC.



Chris Maguire, P.E.

Cc:

Annexation Request No. 1

Located in the 11th Civil District of Rutherford County, Tennessee. Being part of dedicated right-of-way for Westridge Drive and dedicated right-of-way for Woodcrest Drive (Plat Book 5, Page 33); bound on the northeast and east by Rivers Edge Investments, LLC (Record Book 1921, Page 2239); on the south by Lot 11, section II, Parkwood Estates (Plat Book 5, Page 33); on the west by Westridge Drive; and on the northwest by Lot 15, Section II, Parkwood Estates (Plat Book 5, Page 33).

Beginning at a point on the west right-of-way of Woodcrest Drive lying approximately 140 feet north of the north right-of-way of Westridge Drive, said pin being the eastern most corner of Lot 15, Section II, Parkwood Estates and the northern most corner of this tract; thence crossing the north end of Woodcrest Drive S-60°36'18"-E, 47.9 feet to a point; thence with the east right-of-way of Woodcrest Drive S-29°30'-W, 85.0 feet to a point; thence S-33°54'-E, 43.8 feet to a point; thence S-14°02'-W, 50.0 feet to a point on the south right-of-way of Westridge Drive, being the SE corner of this tract; thence with the south right-of-way of Westridge Drive and a curve to the left having a radius of 331.26 feet and a chord bearing and distance of N-81°29'-W, 63.7 feet, for an arc length of 63.8 feet to a point; thence continuing with the south right-of-way of Westridge Drive S-87°-E, 33.2 feet to a point, being the SW corner of this tract; thence crossing Westridge Drive N-03°-E, 50.0 feet to a point on the north right-of-way of Westridge Drive; thence with a curve to the left having a radius of 20 feet and a chord bearing and distance of N-61°15'-E, 21.01 feet, for an arc length of 22.2 feet to a point on the west right-of-way of Woodcrest Drive; thence with the west right-of-way of Woodcrest Drive N-29°30'-E, 127.6 feet to the point at the beginning; containing 11,896 square feet, or 0.27 acre, more or less.

This tract is dedicated public right-of-way for Westridge Drive and Woodcrest Drive as recorded in Plat Book 5, Page 33, R.O.R.C.

Prepared by: Huddleston-Steele Engineering, Inc., 2115 Northwest Broad Street, Murfreesboro, TN 37129 from the Final Plat of Section II, Parkwood Estates as recorded in Plat Book 5, Page 33, R.O.R.C.

Annexation Request No. 2

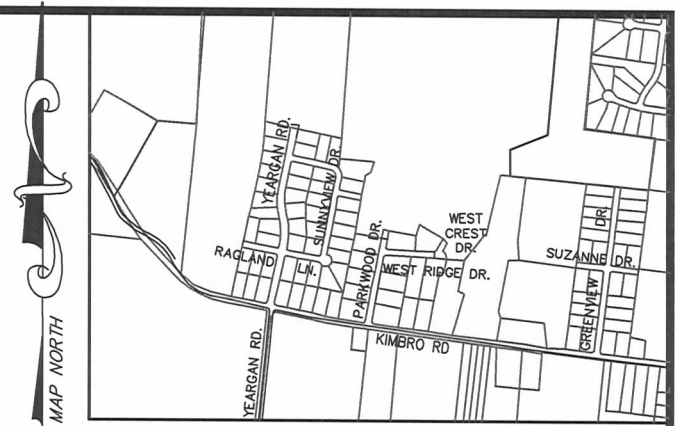
Located in the 11th Civil District of Rutherford County, Tennessee. Being part of dedicated right-of-way for Parkwood Drive (Plat Book 5, Page 33); bound on the west and north by Rivers Edge Investments, LLC (Record Book 1921, Page 2239); on the east by Lot 14, Section II, Parkwood Estates (Plat Book 5, Page 33); and on the south by Parkwood Drive.

Beginning at a point on the east right-of-way of Parkwood Drive lying approximately 160 feet north of the north right-of-way of Westridge Drive, said pin being the NW corner of Lot 14, Section II, Parkwood Estates and the NE most corner of this tract; thence with the east right-of-way of Parkwood Drive S-10°30'-W, 84.6 feet to a point, being the SE corner of this tract; thence crossing Parkwood Drive N-79°30'-W, 50.0 feet to a point of the west right-of-way of Parkwood Drive, being the SW corner of this tract; thence with the west right-of-way of Parkwood Drive N-10°30'-E, 84.6 feet to a point, being the NW corner of this tract; thence S-79°30'-E, 50.0 feet to the point at the beginning; containing 4,229 square feet, or 0.10 acre, more or less.

This tract is dedicated public right-of-way for Parkwood Drive as recorded in Plat Book 5, Page 33, R.O.R.C.

Prepared by: Huddleston-Steele Engineering, Inc., 2115 Northwest Broad Street, Murfreesboro, TN 37129 from the Final Plat of Section II, Parkwood Estates as recorded in Plat Book 5, Page 33, R.O.R.C.

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD BRG.	CHORD DIST.
C1	63°30'00"	20.00'	22.17'	N61°15'00"E	21.05
C2	11°02'00"	331.26'	63.79'	N81°29'00"W	63.69



LOCATION MAP

100' DIA. TEMPORARY
TURN AROUND
(P.B. 5, PG. 33)

Rivers Edge Investments, LLC
Record Book 1921, Page 2239
Zoning RS-10

S79°30'00"E
50.00'

N10°30'00"E
84.57'

PARKWOOD DRIVE
(PUBLIC R/W)

14
PARKWOOD ESTATES
SECTION II
PLAT BOOK 5, PAGE 33
ZONING: RM (COUNTY)

15
PARKWOOD ESTATES
SECTION II
PLAT BOOK 5, PAGE 33
ZONING: RM (COUNTY)

10' DRAINAGE
EASEMENT

WOODCREST DRIVE

S29°30'00"W
122.68'

N12°30'00"E
88.00'

N33°30'00"W
43.50'

N14°02'00"E
50.60'

Rivers Edge Investments, LLC
Record Book 1921, Page 2239
Zoning RS-10

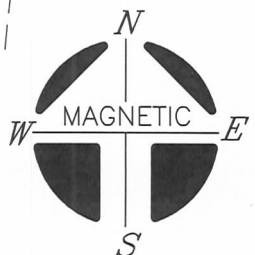
100' DIA. TEMPORARY
TURN AROUND
(P.B. 5, PG. 33)

SARAH DELBRIDGE
RECORD BOOK 1327, PAGE
3893
ZONING: RM (COUNTY)

WESTRIDGE DRIVE

PARKWOOD ESTATES
SECTION II
PLAT BOOK 5, PAGE 33
ZONING: RM (COUNTY)

ANNEXATION EXHIBIT



HS HUDDLESTON-STEELE
ENGINEERING, INC.

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

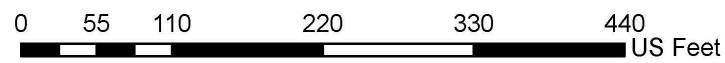
**ANNEXATION REPORT FOR PORTIONS OF
PARKWOOD DRIVE, WOODCREST DRIVE,
AND WESTRIDGE DRIVE RIGHTS-OF-WAY
INCLUDING PLAN OF SERVICES
(FILE 2021-509)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
OCTOBER 13, 2021**



Annexation Request for Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

INTRODUCTION

OVERVIEW

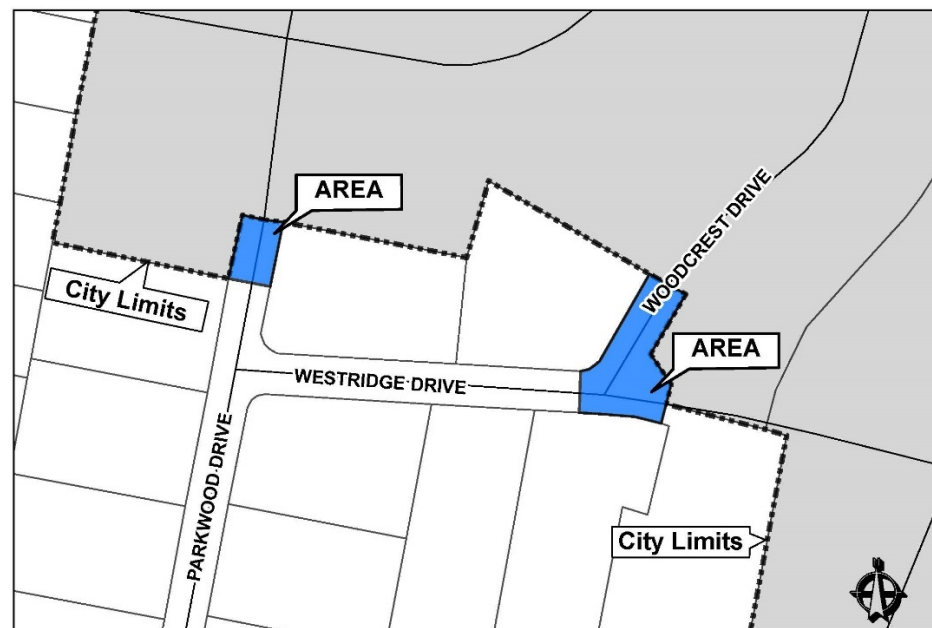
The Rutherford County Engineering Department is requesting the City to annex three existing right-of-way (ROW) segments in Rutherford County, as depicted on the attached maps. Annexation of the requested right-of-way segments is in conjunction with the Rivers Edge Subdivision, Section V, which is being developed in the City of Murfreesboro. Because proposed lots within this subdivision will front and have driveways on these existing ROW segments, County Engineering has indicated its preference for the subject rights-of-way to be located within the City limits as well. The subdivision developer has filed the annexation request on behalf of the County in order to move development of the subdivision forward. The total study area is 0.37-acre of ROW.

The requested ROW segments are as follows:

1. Parkwood Drive = 0.10-acre section, includes approximately 85 linear feet; and
2. Intersection of Westridge Drive and Woodcrest Drive = 0.27-acre

section, includes approximately 140 linear feet of Woodcrest Drive and 100 linear feet of Westridge Drive

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits along portions of the north, west, east, and south property lines, as depicted on the attached maps. The Rutherford County Road Board voted to grant its consent for the City to annex these rights-of-way.



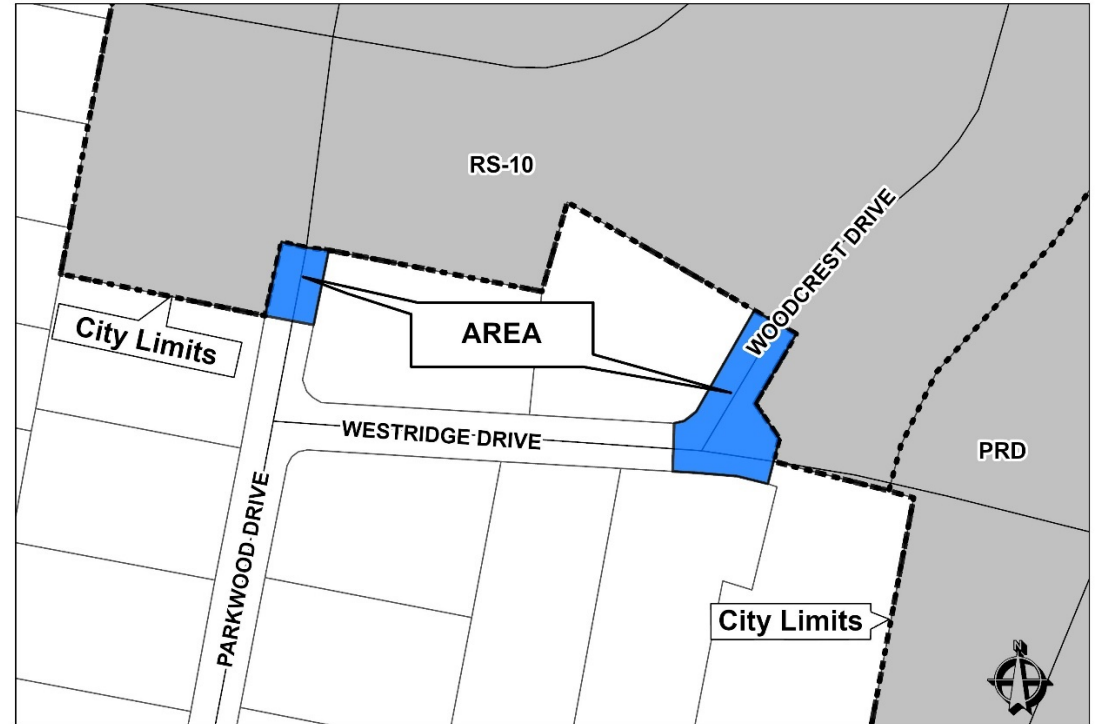
Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW

0 55 110 220 330 440 US Feet

Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

CITY ZONING

The adjacent zoning on the properties to the north and west are RS-10, and the properties to the east are PRD. The properties to the south and in between the ROWs are zoned RM and are in the unincorporated portion of Rutherford County and are primarily single-family residences and duplexes on large lots. Because the study area is right-of-way, it will receive no zoning classification upon annexation.



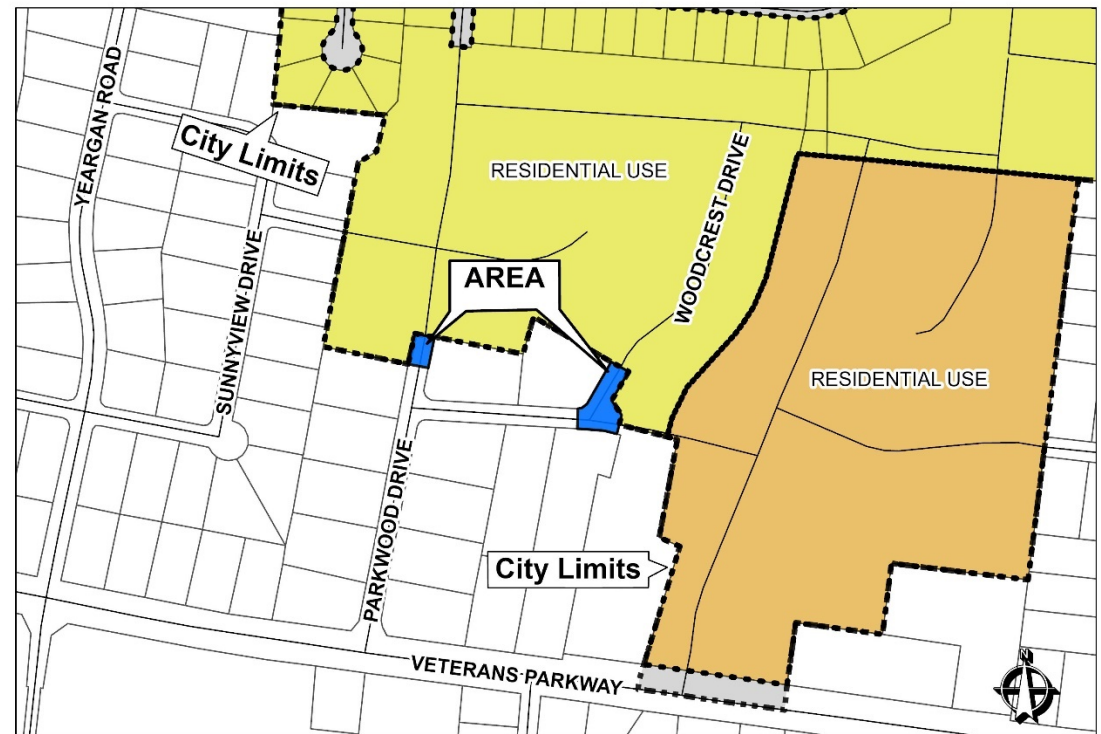
Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW

0 55 110 220 330 440 US Feet

Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

PRESENT AND SURROUNDING LAND USE

The study area is comprised entirely of ROW segments. The surrounding land uses are single family residential to the north, east, and west. The properties to the south and in between the ROWs are located within the unincorporated portion of Rutherford County and developed with single family and two-family residential uses.



Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW

0 210 420 840 1,260
US Feet

Planning Department
City of Murfreesboro
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Murfreesboro, TN 37130
www.murfreesborotn.gov

PLAN OF SERVICES

POLICE PROTECTION

The annexation is for ROW only and will not have an impact on City police protection. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation.

ELECTRIC SERVICE

The study area is served by Middle Tennessee Electric Membership Corporation (MTEMC). MTEMC has existing electrical infrastructure within the subject ROW, the area is served by underground power. There are no streetlights along either location. No new electrical infrastructure is anticipated with this annexation.

STREET LIGHTING

There are no streetlights within the subject rights-of-way. No new street lighting is anticipated with this annexation. However, if the City determines that streetlights are necessary along the subject ROWs, MTEMC has the ability to install streetlights upon request by the City.

SOLID WASTE COLLECTION

The annexation is for ROW segments only and will not have an impact on the City Solid Waste Department.

RECREATION

The annexation is for ROW segments only and will not have an impact on the City Recreation Department.

CITY SCHOOLS

The annexation is for ROW segments only and will not have an impact on Murfreesboro City Schools.

BUILDING AND CODES

The annexation is for ROW segments only and will not have an impact on the City Building and Codes Department.

PLANNING, ENGINEERING, AND ZONING SERVICES

The annexation is for ROW segments only; the impact to the Planning Department will be minimal. However, the City Engineering Department will be responsible for reviewing new connections to the subject ROW.

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area includes approximately 85 linear feet of Parkwood Drive, 140 linear feet of Woodcrest Drive, and 100 linear feet of Westridge Drive. All three roadway sections are 2-lane ditch sections. Upon annexation, the City will become responsible for the operation and maintenance of these streets. Based on a 15-year repaving cycle, the annualized maintenance cost is \$400 with State Street Aid and General Fund as funding sources. The annexation of the ROW will also result in \$70 of capital cost with State Street Aid and General Fund as funding sources.

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

REGIONAL TRAFFIC & TRANSPORTION

The study area is served by Veterans Parkway as the major roadway facility. The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Veterans Parkway to be operating at a Level of Service C near the study area using average daily traffic (ADT) counts. Without the

recommended improvements in the 2040 Major Transportation Plan, the regional transportation facilities fall to a Level of Service F on Veterans Parkway.

PROPERTY AND DEVELOPMENT

The annexation study area only includes public street ROW. Any new connections to the roadway must be approved by the City Engineer. Additionally, developments along this roadway will require participation in improvements to upgrade the roadway and ROW/easement dedication in accordance with the City's Substandard Street policy requirements.

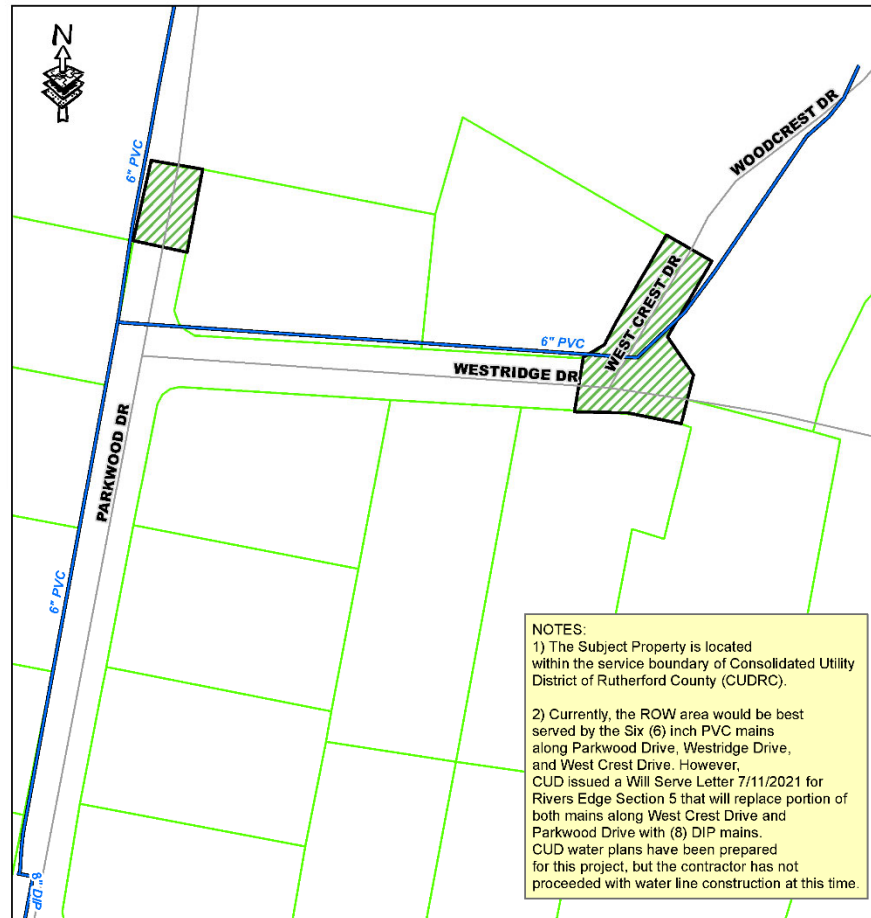
SANITARY SEWER SERVICE

The annexation is for three existing right-of-way (ROW) segments in Rutherford County, Parkwood Drive, Woodcrest Drive and Westridge Drive. The annexation will not have an impact on the City sanitary sewer service.

WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. CUDRC has existing 6" water mains along all three rights-of-way. However, according to CUDRC, the approved plans for the adjacent Rivers Edge, Section 5 include the replacement of portions of those 6" mains in Parkwood and Woodcrest with 8" mains constructed of ductile iron pipe.

Westridge, Parkwood, and West Crest Drive ROW Annexation



SEPTEMBER 3, 2021

— CUD WATER MAIN
— ROW AREA

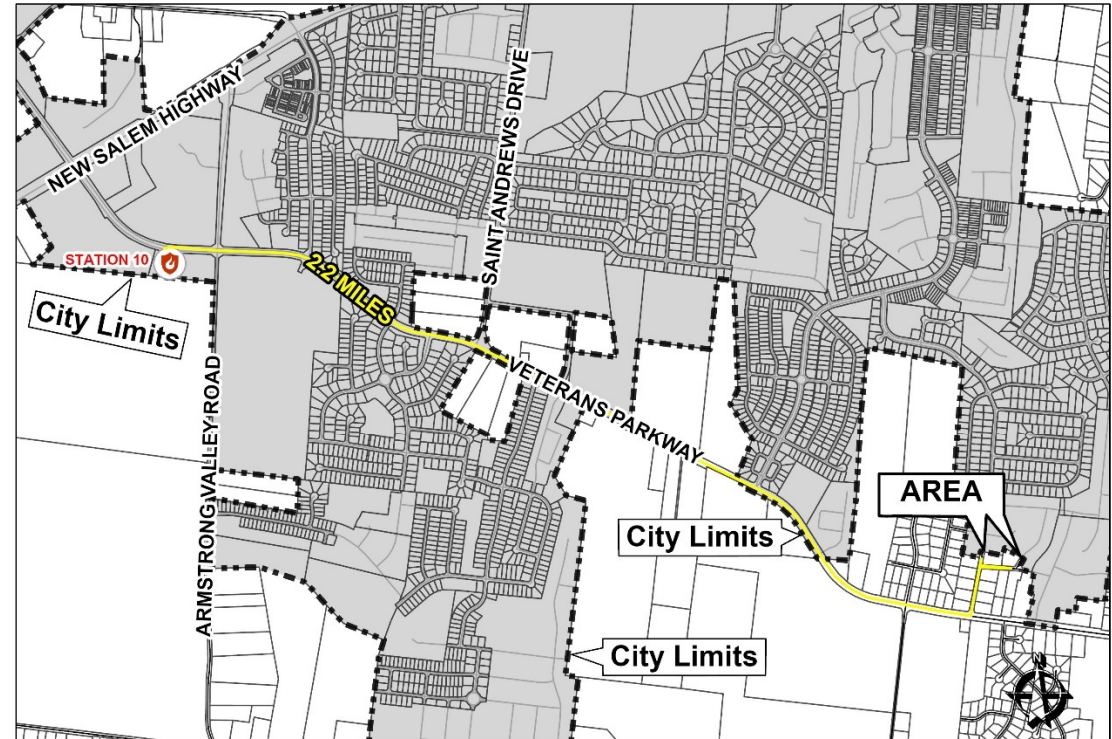
0 125 250
Feet


CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

FIRE AND EMERGENCY SERVICE

The annexation is for ROW segments only and will have minimal impact on the Murfreesboro Fire and Rescue Department (MFRD). MFRD will provide emergency first responder services to the subject ROW immediately upon annexation.

The yellow line on the adjacent map represents linear distance ranges from the nearest fire station to the annexation study area. Station 10 is located approximately 2.2 miles from the subject ROW.



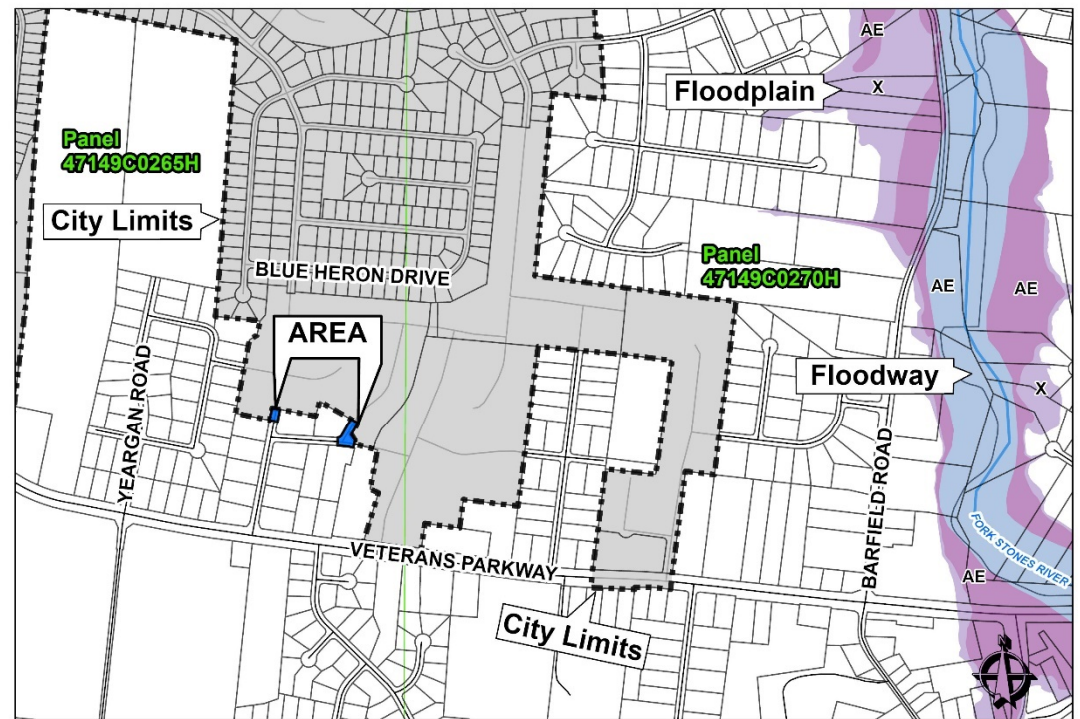
Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW

0 1,000 2,000 4,000 6,000
US Feet

Planning Department
City of Murfreesboro
111 West Vine St.
Murfreesboro, TN 37130
www.murfreesborotn.gov

FLOODWAY

The study area is not located within a floodway or 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The nearest floodway is the Stones River, located approximately two miles east of the study area and depicted on the adjacent map.



Annexation Request for
Westridge Drive, Woodcrest Drive, and Parkwood Drive ROW

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

Planning Department
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www.murfreesborotn.gov

DRAINAGE

Public Drainage System

The drainage systems along and within the subject ROW are included in the study area and the study Area has access to the roadway drainage systems. Routine operation and maintenance costs for the drainage system integral to the public roadways are included in the public roadway annualized costs. No additional public drainage systems are within the annexation study area. Funding for the public drainage system operation and maintenance is anticipated from the Stormwater Utility Fee. No additional public drainage facilities are included in the study area.

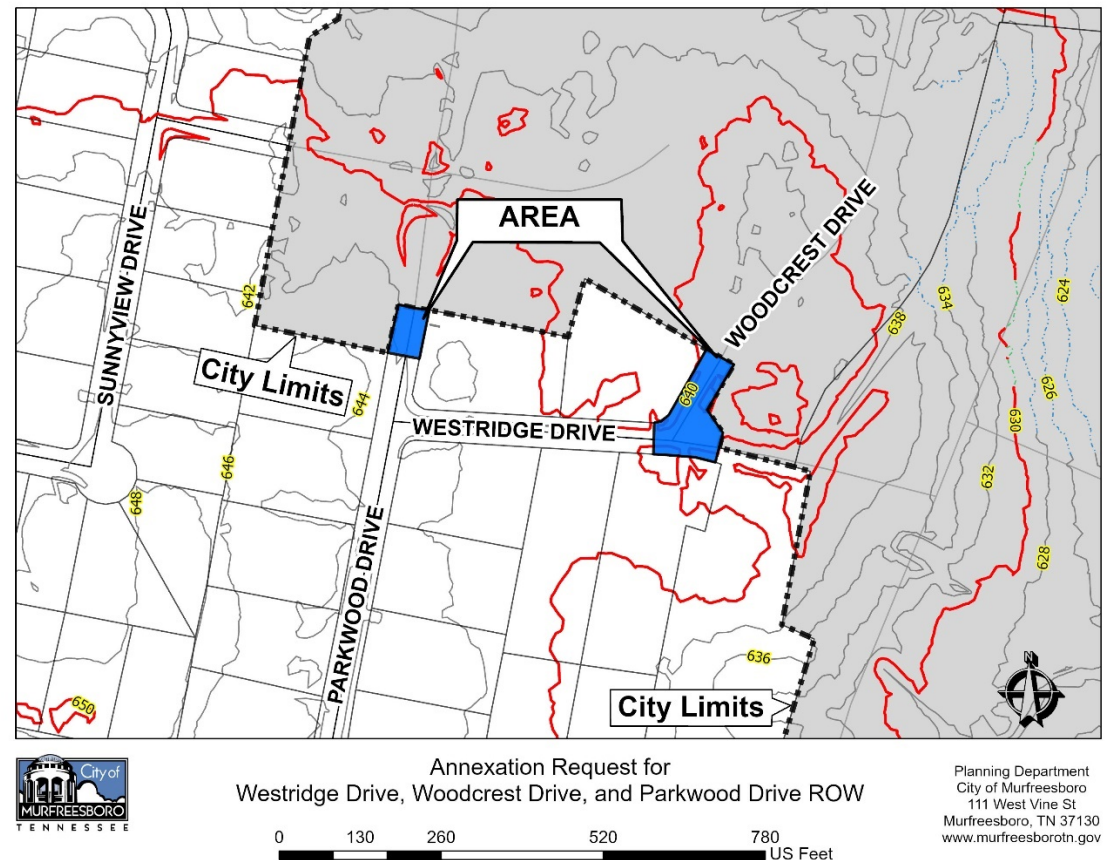
Regional Drainage Conditions

The study area drains to the ROWs and then to the east until it reaches a miscellaneous tributary to the Stones River.

Stormwater Management and Utility Fees

The annexation study area is limited to public ROW and will not generate revenue for the Stormwater Utility Fee.

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



ANNEXATION FOLLOW-UP

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

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: MARINA RUSH**

4.h. Annexation petition and plan of services [2021-510] for approximately 123 acres located along Veals Road and Double Springs Road, and rights-of-way of approximately 2,400 linear feet of Veals Road and 2,430 linear feet of Double Springs Road, Hall Family Real Estate Partnership applicant.

The Hall Family Real Estate Partnership, represented by Matt Taylor of SEC, Inc., has submitted a petition requesting its property be annexed into the City of Murfreesboro. The subject property is approximately 123 acres and is located along the north side of Veals Road and the west side of Double Springs Road. The study area is undeveloped with the exception of one single-family dwelling.

Attached are maps illustrating the annexation study area. The subject parcels are identified as follows:

- Tax Map 112, Parcel 016.04- 75 acres
- Tax Map 112, Parcel 016.00 - 5 acres
- Tax Map 112, Parcel 016.02 -42.84 acres
- Tax Map 112, Parcel 016.03- 0.21 acre

The annexation study includes the rights-of-way along Veals Road for approximately 2,400 linear feet and Double Springs Road for approximately 2,430 linear feet. At its September meeting, the Rutherford County Road Board voted to grant its consent for these rights-of-way to be annexed. The study area is located within the City of Murfreesboro's Urban Growth Boundary. It is contiguous with the existing City limits to the west and to the south.

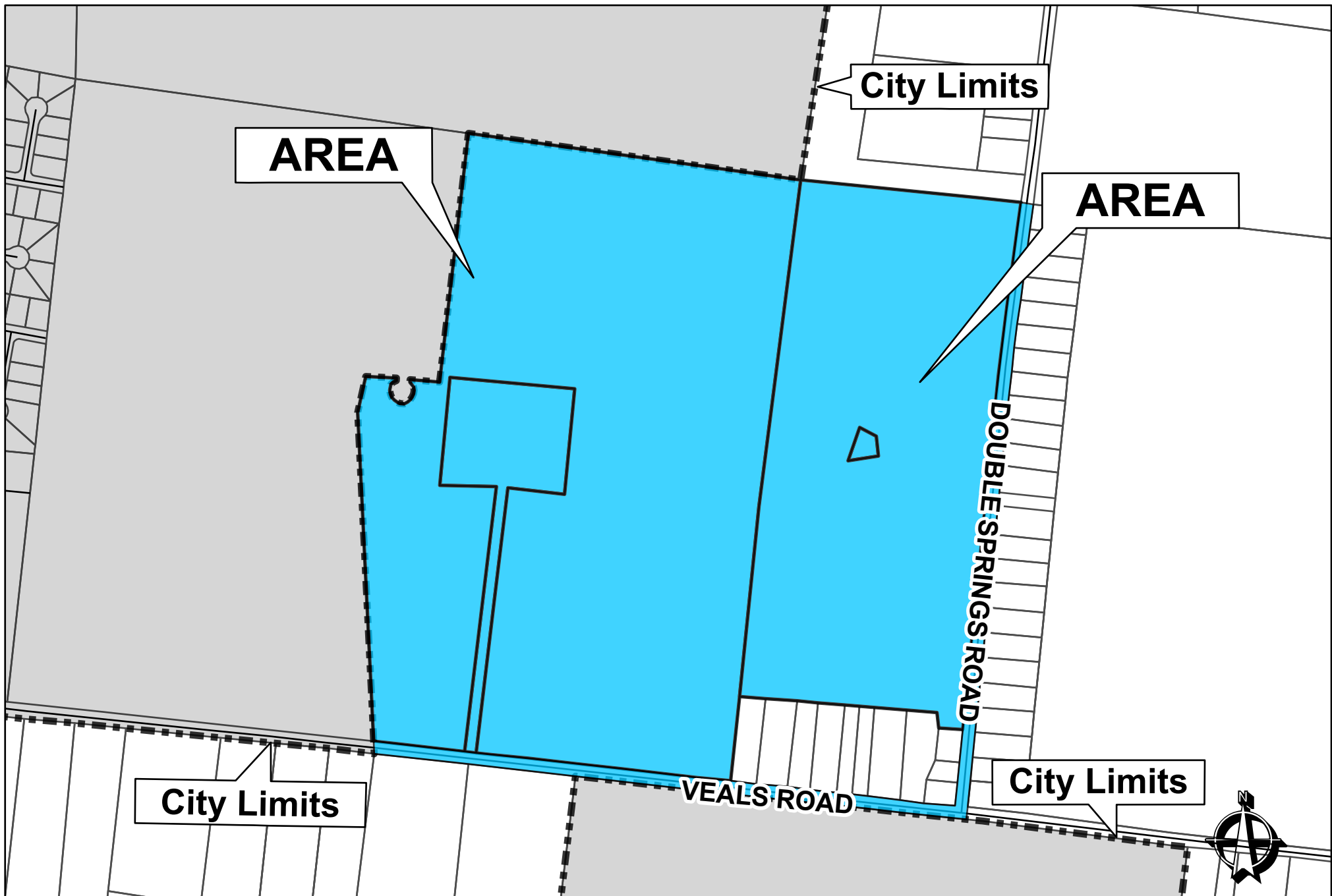
A month after the annexation petition was submitted, Meritage Homes submitted a zoning request for PRD zoning for the subject property simultaneous with annexation. The proposed PRD, which also includes the portion of the Hall property to the West already inside the City limits, contains a total of 403 single-family residential units, including a mixture of attached and detached dwellings, for an approximate density of 2.0 dwelling units/acre. It is the applicant's intention for the zoning application to "catch up" with the annexation petition during the course of the Planning Commission and City Council review process.

Staff is in the process of preparing a Plan of Services for the proposed annexation. At the time of the publication of this agenda, it was not complete. It will be completed and distributed to the Planning Commission members in advance of the October 13th Planning Commission meeting. Staff will have

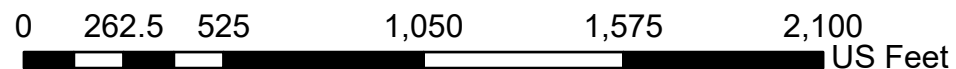
additional comments on the plan of services at the Planning Commission meeting.

Action Needed:

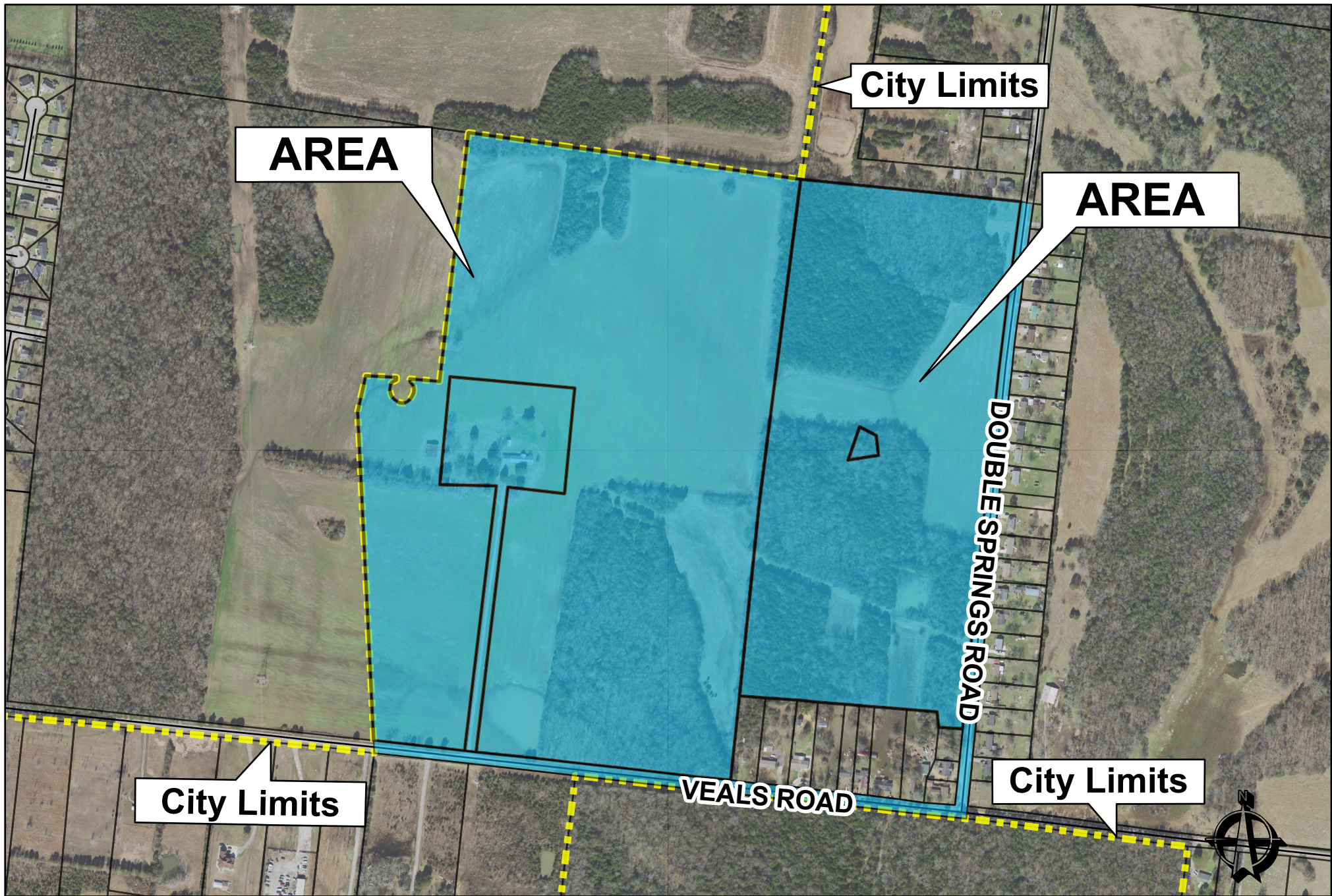
The Planning Commission will need to conduct a public hearing and then discuss this matter, after which it will need to formulate a recommendation to the City Council.



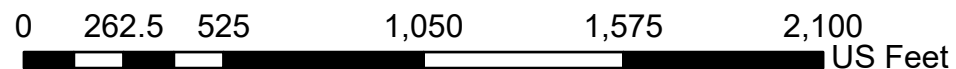
Annexation Request for Property
along Veals Road and Double Springs Road



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



Annexation Request for Property
along Veals Road and Double Springs Road



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

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

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

1. Stephanie Hall Bryan
 Printed Name of Owner (and Owner's Representative, if Owner is an entity)
 Signature: Stephanie Hall Bryan Status: SELF Date: 3-11-21
2671 Covington Place Avon, Ohio 44011
 Mailing Address (if not address of property to be annexed)

2. Marsha Hall Morris
 Printed Name of Owner (and Owner's Representative, if Owner is an entity)
 Signature: Marsha Hall Morris Status: SELF + GP Date: 3-11-21
5623 Covington Dr Charles Town IN 47111
 Mailing Address (if not address of property to be annexed)

3. _____
 Printed Name of Owner (and Owner's Representative, if Owner is an entity)
 Signature: _____ Status: _____ Date: _____

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

4. Hall Family Real Estate Partnership
 Printed Name of Owner (and Owner's Representative, if Owner is an entity)
 Signature: Marsha Hall Morris Status: general partner Date: 3-11-21
5623 Covington Dr Charles Town IN 47111
 Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

Legal Description is attached: _____ Yes

Power of Attorney applies and is attached: _____ Yes _____ No

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

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

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

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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

3. Susan Hall Woody
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Susan Hall Woody Status: Self Date: 3-11-2021

1523 E. Lynn Dr Beaver Creek OH 45482
Mailing Address (if not address of property to be annexed)

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

Signature: _____ Status: _____ Date: _____

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

(Attach additional signature pages if necessary)

Legal Description is attached: _____ **Yes**

Power of Attorney applies and is attached: _____ **Yes** _____ **No**

Consent for Annexation of Public Rights-of-Way by the City of Murfreesboro

The City of Murfreesboro, Tennessee has initiated an annexation study of the following public rights-of-way as shown on the attached Exhibits, which specifically includes:

- that section of Veals Road beginning at approximately the east property line of 3200 Veals Road eastward to the eastern right-of-way line of Double Springs Road totaling approximately 2,400 linear feet ("County Right-of-Way"), such section being a portion of the prescriptive/platted right-of-way for Veals Road shown in the current Rutherford County Highway Department Road Book.; and
- that section of Double Springs Road beginning at the southern property line of 724 Double Springs Road southward to the southern property line of 1126 Double Springs Road totaling approximately 2,430 linear feet ("County Right-of-Way"), such section being a portion of the prescriptive/platted right-of-way for Double Springs Road shown in the current Rutherford County Highway Department Road Book.

The undersigned, a duly authorized official of Rutherford County, Tennessee, hereby certifies that, at a public meeting held on September 2, 2021 and in furtherance of the requirements set forth in Tenn.Code Ann. § 6-51-1014, the Rutherford County Highway Commission consented to the annexation of the County Right-of-Way by the City of Murfreesboro, Tennessee.

WITNESS MY HAND this 7th day of September 2021.



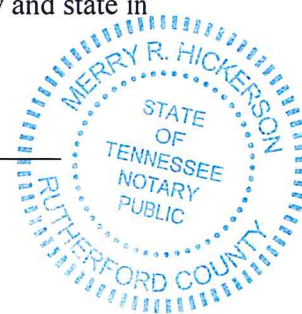
Greg Brooks
Rutherford County Road Superintendent

Sworn to and subscribed before me, a notary public in and for said county and state in Murfreesboro, Tennessee on the 7th day of September, 2021

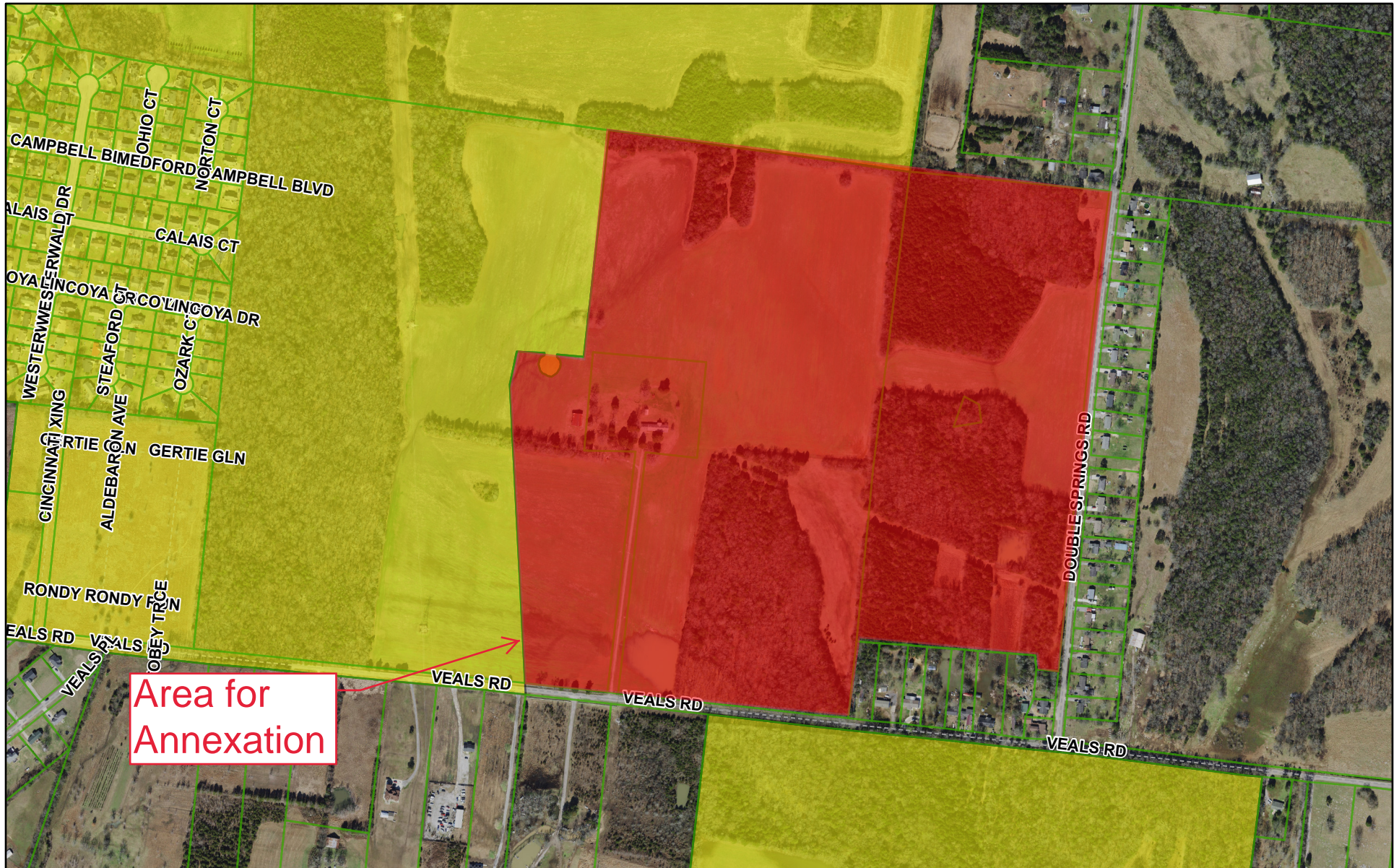


NOTARY PUBLIC

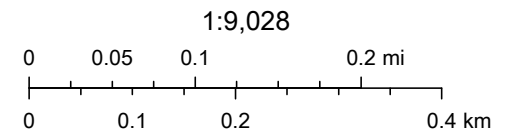
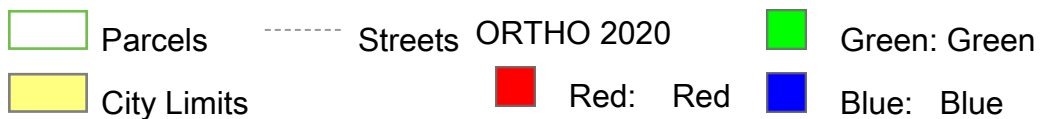
My Commission Expires: 7-23-2024



Murfreesboro GIS Data



8/12/2021, 5:31:37 AM



Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph,

City Of Murfreesboro IT Department

Esri Community Maps Contributors, Tennessee STS GIS, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Murfreesboro Water Resources Department, City of Murfreesboro, TN |

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: HOLLY SMYTH**

4.i Proposed amendment to the Zoning Ordinance [2021-801] pertaining to Section 13: Planned Development Regulations and Section 24: Overlay District Regulations, Article VI. CCO, City Core Overlay District, City of Murfreesboro Planning Department applicant.

During the Planning Commission's August 4, 2021 meeting a public hearing was held and then on September 15, 2021 further discussion ensued by Commissioners regarding modifications to the City Core Overlay District standards of the Zoning Ordinance. At that meeting, it was discussed that the list of prohibited uses in the CCO regulations should be consistent with the Historic Bottoms and North Highland studies, and the Commission concurred. Because of the additional revisions, a second public hearing was advertised.

In January 2020, the City Council approved an expansion of the City Core Overlay (CCO) district. In addition, at the same time Council approved a rewrite of Section 24 Overlay District Regulations, Article VI: CCO. The current boundary of the district includes the North Highlands and Historic Bottoms Study Areas, the East Main Street Historic Zoning District, and two adjacent areas. The entire CCO is generally bounded by East Clark Boulevard or Ewing Boulevard to the north, one block in from Memorial Boulevard to the west, CSX Railroad to the southwest, Doctor Martin Luther King Jr Boulevard to the south, and Middle Tennessee Boulevard or North Highland Avenue to the east (as shown on the attached map).

Staff has had the opportunity to utilize the new CCO regulations for more than a year and believes it is now appropriate to make some revisions to clarify ambiguities and inconsistencies in the text and modify some of the development criteria based on the unique development characteristics within the CCO. Multiple planners within the department collaborated on these text revisions. In addition, staff reached out to some stakeholders as well to help provide input into the process.

The CCO section is not a stand alone policy section that encompasses all zoning regulations for properties within the overlay district boundary. It is meant to be used in conjunction with the entire Zoning Ordinance (including General Applicability, Off-Street Parking, Landcaping, as well as Charts 1, 2, and 3) as well as the Design Guidelines and Standards. The CCO policy section focuses on special exceptions or use limitations to the regular policy sections to better account for the unique scale and character of the district while attempting to honor the framework of the Historic Bottoms and North Highland Avenue sub-area Planning Studies.

A proposed amendment to one paragraph in Section 13 Planned Development

Regulations (B)(8) and a full removal and replacement of Section 24, Article VI is attached to this report in a redlined “tracked changes” version so that the Commission can see the proposed additions via underlined text, deletions via strike-through text, and existing text to remain as regular black colored text. The following is a brief synopsis of proposed changes.

Planned Development Regulations (Section 13)

This section of the code currently states that many exceptions to existing City regulations can be made with an approved Planned Development. However, the current code only allows exceptions to overlay district rules of the Battlefield Protection and Gateway Design overlay districts. This means that currently no exceptions to the overlay district regulations for any other overlay district may be considered as a part of a Planned Development application. The proposed amendment would allow exceptions to be requested for any of the City’s Overlay District standards as a part of a Planned Development rezone request.

City Core Overlay District Regulations (Section 24, Article VI.)

Baseline text of the ordinance clarifies that other City policies and documents apply within the CCO. Land in the CCO is still subject to Design Guidelines. Verbiage is proposed stating that the recommendations of the Historic Bottoms and North Highland Avenue sub-area Planning Studies should be incorporated into proposed developments. Furthermore, the text clarifies that should any exceptions to City standards be requested they need to be explicitly stated in a Planned Development application. Lastly, the text clarifies that any proposed planned development in the CCO should adhere to the most similar base zoning district and that exceptions be based on a comparison with that base zoning district.

Accessory apartment provisions within the CCO are less stringent than outside the CCO as it currently does not require BZA approval, does not need to be occupied by a family member, and does not require owner occupation of one of the two units onsite. The draft language would become more stringent by requiring the owner to live in either the main dwelling or the accessory apartment onsite, so that the accessory apartment will truly be accessory to the other dwelling unit.

Parking provisions for all types of residential were identified to be consistent with the recent proposed updates regarding the new definition of “Dwelling, Townhomes”. Parking provisions for commercial uses are proposed to allow a 50% on-site parking reduction if on-street parking is available and a 75% on-site parking reduction if publicly owned parking (e.g., a public parking structure or lot) is freely available within 750’ of the project site. These modifications allow for more sharing of parking, especially when in close proximity to the Central Business District. A new paragraph was added to allow the Planning Director to consider other flexible parking options using common sense to

cover those instances where traditional development patterns do not apply.

The Planning Commission discussed this item further, and it was clarified that this change would not affect parking outside the CCO and would not apply to any further reductions to residential parking requirements within the CCO. The text was further modified to include any publicly available parking not just publicly owned parking. The Commission consensus at the September 15th meeting was the draft language was appropriate as written.

Open space requirements are currently 20% on all properties City-wide through the Design Guidelines with various formal open space provisions by zone. The new language would exempt industrial uses and single-family detached residential uses in the CCO and all property in the CBD from open space requirements and reduce all others to 15%, excluding any potential formal open space requirements. Formal open space would only be required for residential developments containing 8 or more residential units or commercial or mixed-use developments containing more than 1.5 acres. After the Commission's initial discussion, staff updated text to define what formal open space is and that it only include areas that are commonly accessible to all. For developments with fewer than 8 units, private patios, balconies, or open space of at least 50 square feet per dwelling unit would be required, so that outside space is provided for residents in even the smallest townhome developments.

Other proposed modifications include a) having more flexible setback provisions should a business want to have a front patio; b) changing height allowances from two-story to 35' by right; c) reduce maximum lot coverage to 75% for non-residential uses outside the Central Business District (CBD) to allow for landscape and parking; d) limiting the prominence of garages on the fronts of buildings; e) limiting patio spaces from housing utilities; f) solid waste enclosures and /or carts being shown on plans; g) location of HVAC, meters, & trash to not impact private patios h) clarifying landscape requirements and allowing alternative landscape arrangements; and g) remove floor area ratio (F.A.R.), open space ratio (O.S.R.), and livability space ratio (L.S.R.) requirements.

As staff was further reviewing the CCO ordinance, it was noticed that some additional modifications should be considered in light of reviewing the Historic Bottoms and the North Highland Avenue Studies. First, when it comes to building heights for non-residential and mixed-use principal buildings, the height in the CCO should follow that of the underlying zone district instead of following the CCO "adjacent buildings requirement." Therefore, staff has added additional language to the text to reflect this. The "adjacent buildings requirement" would still apply to residential structures; however, staff proposes permitting a 35' maximum building height instead of "two (2) stories" by right for residential structures regardless of the height of adjacent structures.

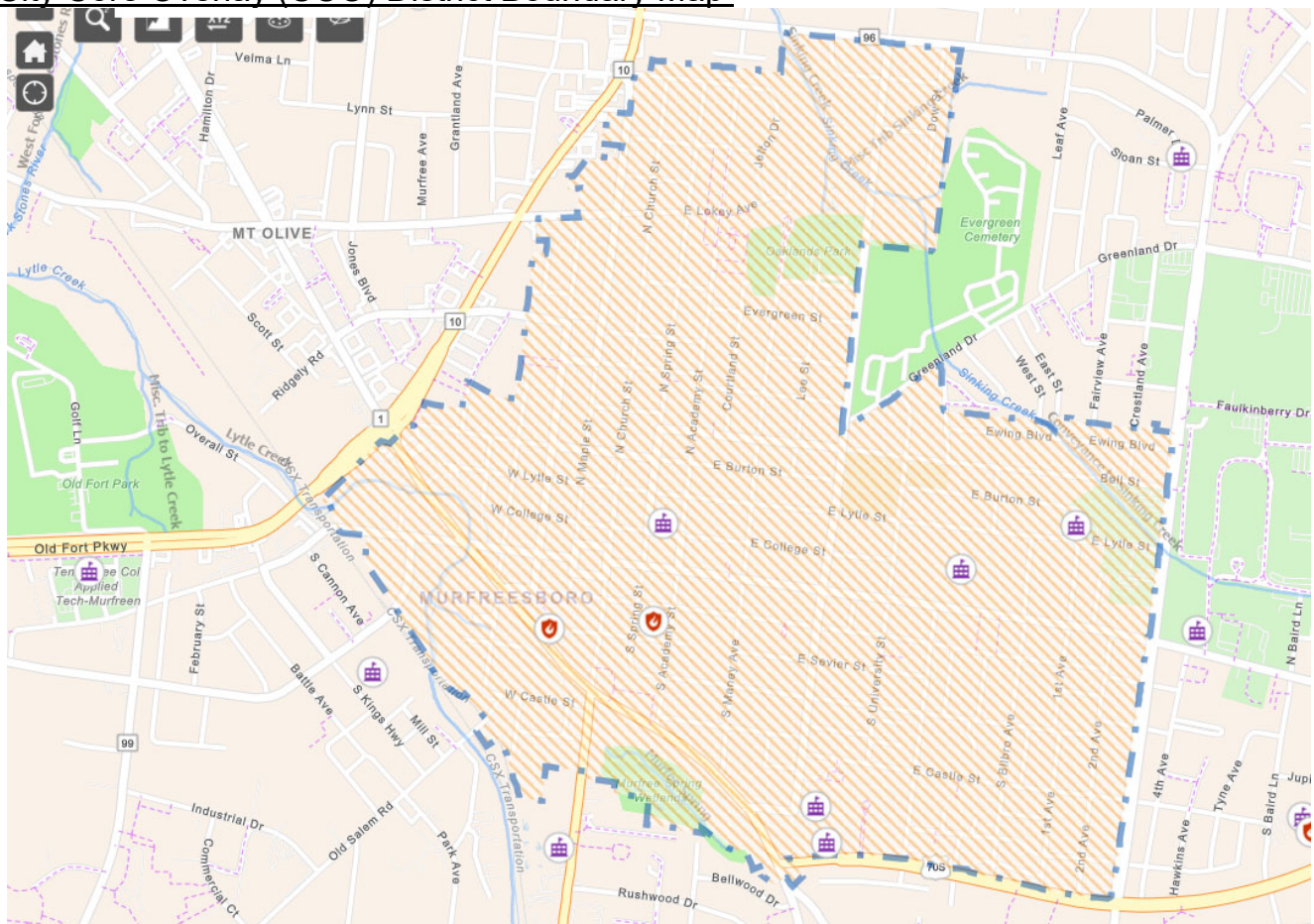
Second and last, staff noticed after the initial discussion on the CCO amendment that some of the existing allowed uses in Chart 1 do not reflect the two Planning Studies.

As agreed by the Planning Commission at its last meeting, staff has added uses to the list of prohibited uses in the draft re-write of the CCO section of the Zoning Ordinance. Since the September 15th meeting, Staff has increased the number of proposed prohibited uses. The uses added are primarily industrial uses. However, there are provisions in the list for small “artisan” manufacturing uses to remain permitted uses (if the underlying base zoning permits them), provided they are less than 3,000 square-feet of gross floor area.

Action Needed:

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

City Core Overlay (CCO) District Boundary Map



SECTION 13. PLANNED DEVELOPMENT REGULATIONS.

- (B) *Regulations of general applicability for planned developments*
- (8) *Relationship to the Subdivision Regulations, Design Guidelines and the other zoning regulations.* The ~~ordinance approving the~~ planned development approval may provide for such exceptions from the Subdivision Regulations, Design Guidelines, and from district and overlay non-overlay district zoning regulations governing use, density, ~~area~~, bulk, parking, architecture, landscaping, and open space ~~such Subdivision Regulations~~ as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such exceptions are consistent with the standards and criteria contained in this section and have been specifically identified and requested in the application for a planned development. Unless the ~~ordinance approving~~ application for a planned development contains a clear statement of exceptions to them, the standards and criteria of the Subdivision Regulations, Design Guidelines, and district and overlay district zoning regulations ~~(non-overlay)~~ will apply to all planned developments. The specific zone district used as a comparison for the planned development shall be the most like zone district to the planned development, as determined by the Planning Director. The only exceptions to overlay district regulations permitted in a planned development are exceptions, in the Battlefield Protection District zone and the Gateway Design Overlay District zone, to a building height, a setback, or a landscaping requirement.

SECTION 24. OVERLAY DISTRICT REGULATIONS.

ARTICLE VI. CCO, CITY CORE OVERLAY DISTRICT

- (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.
- (3) *Subarea Plans within the CCO:* The CCO includes the study areas of the North Highland Avenue and Historic Bottoms planning studies. These planning studies informed the writing of the CCO regulations and are of significant value. To the extent possible, developments within the CCO also located within the study areas of the North Highland and Historic Bottoms planning studies- shall attempt to honor the recommendations of those plans.

(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 of lawfully established non-conforming structures.* 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 – Nonconformities 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 – Nonconformities 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. However, to the extent possible, they should adhere to the regulations of the CCO, Design Guidelines, and other base zoning districts that best approximate the proposed development type. Exceptions to any of the above applicable regulations, including the CCO regulations, shall be explicitly noted in the planned development application.
- (5) *Use regulations.* Land uses in the CCO district shall be as permitted ~~consistent with those of~~ by 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.
- [6] except for bona fide temporary absences, the owner(s) of the lot upon which the accessory apartment is created shall occupy at least one of the dwelling units on the premises.

- (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~~

Mobile Homes

Motel

INSTITUTIONS

Airport/Heliport

Morgue

Pet Cemetery

COMMERCIAL

Amusements, Commercial Outdoor ~~excluding~~ Motorized

Amusements, Commercial Outdoor Motorized-except Carnivals

Boat Rental, Sales, or Repair

Campground, Travel-Trailer Park

Carnivals

Crematory

Drive-in Theater

Fireworks Retailer

Fireworks Seasonal Retailer

Greenhouse or Nursery

Ice Retail

Iron Work > 3,000 square feet of floor area

~~-Kennels~~

Liquor Store
[Livestock, Auction](#)
 Lumber, Building Material
[Manufactured Home Sales](#)
 Motor Vehicle Sales [\(Automobiles\)](#)
[Motor Vehicle Sales \(and Other than Automobiles\)](#)
 -Pawn Shop
 Pet Crematory
 Pet Funeral Home
 Radio and Television Transmission Towers
 Restaurant, Drive-in
[Sheet Metal Shop](#)
[Shopping Center, Community](#)
 Shopping Center, Regional
 Salvage and Surplus Merchandise
~~[Sheet Metal Shop](#)~~
 Taxidermy Studio
[Towing](#)
[Vehicle Sales \(Non-Motorized\)](#)
~~[Vehicle Wash](#)~~
[Veterinary Hospital](#)
 Wholesaling
 Wireless Telecommunications Tower
 Wrecker Service, Wrecker Storage Yard

INDUSTRIAL [\(Manufacture, Storage, Distribution of:\)](#)

[Abrasive Products](#)
[Asbestos Products](#)
 Animal or Poultry Slaughter, Stockyards, Rendering
 Automobile Dismantlers and Recyclers
[Automobile Manufacture](#)
[Automobile Parts and Components Manufacture](#)
[Automobile Seats Manufacture](#)
[Bakery Goods, Candy > 3,000 square feet of gross floor area](#)
[Boat Manufacture](#)
[Bottling Works](#)
[Canned Goods](#)
[Chemicals](#)
[Composting Facility](#)
[Contractor's Storage, Indoor](#)
 Contractor's Yard or Storage, Outdoor
[Cosmetics](#)
[Custom Wood Products > 3,000 square feet of gross floor area](#)
[Electrical or Electronic Equipment, Appliances, and Instruments](#)
[Fabricated Metal Products and Machinery > 3,000 square feet of](#)

gross floor area
Fertilizer
Food and Beverage Products, including-except animal slaughter, stockyards, rendering, but not including and-brewery
Furniture and Fixtures > 3,000 square feet of gross floor area
Jewelry > 3,000 square feet of gross floor area
Leather and Leather Products-except tanning and finishing > 3,000 square feet of gross floor area
Leather and Leather Products, Tanning and Finishing
Lumber and Wood Products
Mobile Home Construction
Musical Instruments > 3,000 square feet of gross floor area
Office/Art Supplies > 3,000 square feet of gross floor area
Paints
-Paper Mills
Paper Products
Petroleum, Liquified Petroleum Gas, and Coal Products-except refining
Petroleum and Coal Products Refining
Pharmaceuticals
Photographic Film Manufacture
Pottery, Figurines, and Ceramic Products > 3,000 square feet of gross floor area
Primary Metals Distribution and Storage
Primary Metal Manufacturing
Rubber and Plastic Products
Rubber and Plastic Manufacture
Saw Mills
Scrap Processing Yard
Scrap Metal Processors
Scrap Metal Distribution and Storage
Secondary Material Dealers
Silverware and Cutlery > 3,000 square feet of gross floor area
Small Moulded Metal Products
Sporting Goods
Stone, Clay, Glass, and Concrete Products
Textile, Apparel Products, Cotton-Factoring, Grading > 3,000 square feet of gross floor area-ft
Textile, Apparel Products, Cotton Gin
Tire Manufacture
Tobacco Products
Toiletries > 3,000 square feet of gross floor area
Transportation Equipment
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

Taxicab Dispatch Station

OTHER

Junkyard

Recycling Center

Self-Service Storage Facility

Temporary Mobile Recycling Center

- (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 (detached and zero-lot line maximum two units attached). 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.

(1)(2) Parking for single-family residential attached townhouse structures. Within the CCO district, where striped on-street parking is located directly in front of the property, one (1) off-street on-site parking space shall be required for each single-family attached townhouse dwelling unit with one bedroom, and two (2) off-street on-site parking spaces shall be required for each single-family residential attached townhouse dwelling unit with two or more bedrooms. Where there is no striped on-street parking located directly in front of the property, one (1) off-

street on-site parking space shall be required for each bedroom provided in each ~~multi-family dwelling unit~~ single-family residential attached townhouse.

~~(2)~~(3) Parking for ~~two-family, three-family, four-family, and~~ 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 ~~two-family, three-family, four-family, and~~ multi-family dwelling unit.

(4) Parking for commercial uses ~~and mixed-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 with the following exceptions:

(a) ~~T.~~ The number of required on-site off-street parking spaces may be reduced by ~~twenty five (25)~~ fifty (50) percent if striped on-street ~~off-site~~ parking is available along the street fronting the property.

(b) The number of required on-site off-street parking spaces may be reduced by up to ~~fifty (50)~~ seventy-five (75) percent if the property is located within ~~five hundred (500)~~ seven hundred fifty (750) feet of a ~~publicly-owned~~ parking lot where parking is freely and publicly available to the users as determined by the Planning Director.

~~(a)~~(c) The Planning Director has the authority to consider and approve further parking exceptions in the CCO in cases where there is a change of use at an existing building where the new use requires more parking than the previous use and where a property's pre-existing physical conditions severely limit most permitted uses. The applicant must demonstrate that adequate off-site or on-street parking is available for the proposed use. The Planning Director shall determine what information (e.g., parking counts, business hours of operation, etc...) must be provided by the applicant in order to make such a determination. If an off-site parking agreement with a private property owner is proposed, then all requirements for off-site parking arrangements noted in Section 26 must be met.

~~(3)~~(5) Bicycle parking. Designated bicycle parking shall be provided at a ratio of one (1) space for every ~~five~~ fifteen hundred (1500) square feet of floor area for non-residential developments. Bicycle parking structures and facilities shall be readily accessible and well-maintained. Bicycle parking structures may be located on the public sidewalk, provided that the sidewalk can still comply with minimum accessibility requirements.

(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 where public sidewalks exist, structures shall be built no greater than 10' from the rear edge of the public sidewalk or the front 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.~~ For the purposes of this section, 'block face' shall mean be within the same block on the same street side as the subject property and shall exclude vacant lots. 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~~ twenty-five (25) feet behind the front property line. For the purposes of this section, "block face" shall mean be within the same block on the same street side as the subject property and shall exclude vacant lots. No structure shall be built in the public right-of-way.

(2) Building height for principal residential buildings. A residential principal building in the CCO district shall have a height no greater than fifty (50) percent over that of the highest adjacent contiguous building. However, a principal building shall be permitted to have a height of ~~two (2) stories~~ 35', regardless of the heights of adjacent contiguous buildings. Within the CCO, however, projections for rooftop patios, such as stairwells and the like, as well as other common rooftop projections such as chimneys, may be allowed up to an additional 10' higher the maximum building heights listed above. For the purposes of this section, the term "contiguous buildings" shall refer to any buildings on parcels that share a common property line with the subject property excluding parcels to the rear of the subject property and vacant lots without a principal structure. Building height shall be measured as described as the definition of "Building Height" in Section 2 of this article.

(3) Building height for non-residential and mixed-use principal buildings. A building height in the CCO district shall have a maximum height of the underlying zone district.

~~(2)~~ (3)(4) Lot coverage. Maximum lot coverage shall be based on land use as follows:

- (a) For non-residential developments, multi-family residential, and residential mixed-use developments ~~other than single-family detached and single-family attached~~, maximum lot coverage shall be one hundred (100) percent within the CBD and seventy five (75) percent in all other areas of the CCO.
- (b) For all other types of single-family detached and single-family

~~attached~~ residential developments, maximum lot coverage shall be fifty (50) percent.

~~(4)(5)~~ Parking. For all uses other than single-family detached residential non-residential developments, on-site parking shall not be located at the front of any building and. ~~On-site parking shall be permitted-~~ located 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)(6)~~ Building architecture and design.

- (a) Single-family detached residential structures and single-family residential attached zero-lot line structures (maximum of two units attached) ~~(2) 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 and construction types such as stucco and board-and-batten may be approved by the Planning Commission (or by the Planning Director for plans that do not require Planning Commission approval). To reduce the prominence and visibility of front facing garages, a front facing garage even with the front wall of the balance of the structure shall not exceed more than 50% of the width of the front building façade. A front-facing garage recessed behind the front wall of the balance of the structure shall not exceed more than 60% of the width of the front building façade.-
- (b) Non-residential buildings, mixed use buildings, -and all other types of multi-family residential buildings consisting of three or more dwelling units, including but not limited to multi-family residential and single-family residential attached townhouse buildings, shall be subject to the architectural standards set forth in the Murfreesboro Design Guidelines.

~~(6)(7)~~ 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)(8)~~ Service areas. Service areas, solid waste enclosures and/or carts, and utility boxes shall be clearly identified on the development plans and -shall be located at the rear of the principal structure and shall

not be visible from the public right-of-way. Provisions for solid waste management shall comply with the minimum requirements set forth in Section 18 of this article. To the extent possible, all mechanical equipment shall be roof mounted and screened; when not possible such equipment shall be located to the rear of the structure and shall not be visible from the public right-of-way. Use of private residential patio space for these various service areas is discouraged.

~~(8)~~(9) 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.

(10) Open space.

~~(c)~~(a) The following shall be exempt from this subsection: Industrial uses (as listed in Chart 1); single-family detached structures, and zero-lot line (maximum two units attached) and two-family residential uses; and all property in the CBD zone.

(b) A minimum of fifteen (15%) open space shall be required for all other uses and properties in the CCO not listed in (a) above. For the purposes of this section open space is defined as all landscape areas or natural areas greater than two-hundred square-feet.

11) ~~(c)~~Formal Open Space-

For the purposes of this section, formal open space is defined as planned and structured areas, including but not limited to formally designed landscape areas, streetscape furnishings, plaza areas, rooftop patios, and recreational improvements available for either for individual or community common use. Formal open space is considered a sub-set of 'open space' and can be included as part of the overall required open space. Formal open space of 5% of the lot area, shall be required for the following uses:

(a) Single-family attached residential developments of 8 dwelling units or more;

Developments containing fewer than 8 units shall provide private patios, balconies, or open space of at least 50 square feet with a minimum 5' of depth for each unit.

(b) Multi-family residential developments of 8 dwelling units or more;

(c) Commercial developments on parcels 1.5 acres of greater; than 1.5 acres

(d) Mixed-Use dDevelopments containing 8 or more of residential dwelling units or on parcels 1.5 acres or

greater than 1.5 acres.

(11) F.A.R., O.S.R., and L.S.R. The open space and formal open space requirements above notwithstanding, there shall be no F.A.R., O.S.R., and L.S.R. requirements for properties and developments located within the CCO.

(E) *Streetscape Standards.* To promote harmonious development and walkability throughout the CCO district, the following streetscape standards shall apply:

- (1) *Sidewalks and other improvements in the public ROW ~~street trees~~.* The developer shall be responsible for installing sidewalks and other improvements in the public ROW ~~street trees~~ in accordance with all adopted City standards and plans, including but not limited to the Subdivision Regulations, Street Design Specifications, Design Guidelines, the Expanded Main Street District Revitalization Master Plan, and the Tree Management Ordinance. The Development Services Division in consultation with the Public Works Division shall have the authority to collect a payment in lieu of installation or construction in cases where the City deems immediate installation or construction 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 along the front property line 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 or single-family detached, or single-family zero-lot line (maximum 2 units attached), or two-family dwellings 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; if expanded by less than 75 percent, only the expansion area shall comply.
 - (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, that requires a special use permit or the rezoning of the property, 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 an increase in density of a residential development or 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 the parking lot 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 permitted to be constructed to the edge of the sidewalk or property line(s). In cases where a building has been constructed to the sidewalk or property lines less than all of the property lines, perimeter landscaping yards shall be installed along the remaining boundaries of the site where practical. Where the building is set back less than 5' from the front property but not on the front property line, an alternative landscape plan must be submitted to achieve the general landscaping goals of this section. 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 yard 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-ten and one-half (12.5)(10) 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-eight (8)(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 trees yard~~ and ~~rights-of-way/parking lots~~.* 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 ~~or parking lot unless such planting yard is less than five (5) feet wide, in which event in all circumstances,~~ care shall be taken to avoid damage to trees from automobiles that may overhang the planting yard.
- (8) *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-nine (9)(8)~~ feet from face of curb to face of curb with a minimum 7' planting area width 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.
- (9) *Base of building landscaping requirements.* The following base of building landscape requirements shall apply to all ~~nonresidential~~ buildings, with the exception of industrial, single-family residential detached, single-family residential attached zero lot line (maximum 2 units attached), and two-family residential uses 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 portions of the building adjacent 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) In the case of existing buildings, ~~t~~The base of building landscaping requirement along the side of a building shall not be required if it will cause the width of an access drive along the side of the building to the rear of a property to be reduced to less than twenty-two (22) feet.
 - (d) Where the building is setback less than 5' from the front property line but not on the front property line, an alternative landscape plan must be submitted to achieve the general base of building landscaping goals of this section. However, b~~B~~ase of building plantings shall not be required along the front or side of a for-structures built to the edge of a sidewalk or a property line.
- (10) **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.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
OCTOBER 13, 2021
PROJECT PLANNER: MATTHEW BLOMELEY**

- 5.a. **Mandatory Referral [2021-721] for installation of irrigation lines in the public right-of-way of Plum Leaf Place in the Mankin Pointe development, Mankin Pointe, LLC applicant.**



Mankin Pointe is a single-family residential development located east of Manchester Pike and north of Dilton Mankin Road. It is currently under development.

In this mandatory referral, the Planning Commission is being asked to consider allowing irrigation lines in the public right-of-way of Plum Leaf Place within this development, so that the various common areas can be irrigated. The irrigation lines will be installed as a part of the Section 2, Phase 2 construction and will not

require any road closures. If approved, the developer will enter into a license agreement with the City pertaining to these irrigation lines. Similar mandatory referrals have been approved for the Blackman Station and Blackman Village developments on the west side of the City. The City Engineer and Deputy City Attorney have both reviewed this request and do not object to its approval.

Staff recommends that the Planning Commission recommend approval of this request to the City Council.



City of Murfreesboro Mandatory Referral Application

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

Mandatory Referral Fees:

Mandatory Referral, INCLUDING abandonment of right-of-way.....	\$350.00
Mandatory Referral, NOT INCLUDING abandonment of right-of-way.....	\$150.00

Property Information:

Along Plum Leaf Place, north of Dilton

Tax Map/Group/Parcel: Map 126 Parcel 18.00

Address (if applicable): Mankin Rd

Street Name (if abandonment of ROW):

Type of Mandatory Referral: License Agreement for Installation & Maintenance in R.O.W.

Applicant Information:

Name of Applicant: Dan Bobo

Company Name (if applicable): Mankin Pointe LLC

Street Address or PO Box: 262 Robert Rose Drive

City: Murfreesboro

State: TN

Zip Code: 37129

Email Address: dbobo@olesouth.com

Phone Number: 615-896-0019

Required Attachments:

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

Applicant Signature

Date

September 24, 2021

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

RE: Mankin Pointe Section 2 Phase 2
License Agreement for Installation &
Maintenance in Right-of-Way Request
Murfreesboro, Tennessee

Dear Mr. Blomeley:

Please accept this as our formal request for the City of Murfreesboro to grant Mankin Pointe, LLC a License Agreement for Installation and Maintenance in Right-of-Way. This request will allow for two(2) irrigation sleeves to cross Plum Leaf Place in the Mankin Pointe development. Furthermore, the attached exhibit highlights the area.

These right-of-way is proposed and will be platted with the Mankin Pointe Section 2 Phase 2 project. These will be installed as a normal part of construction for the development and will not require any road closures.

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

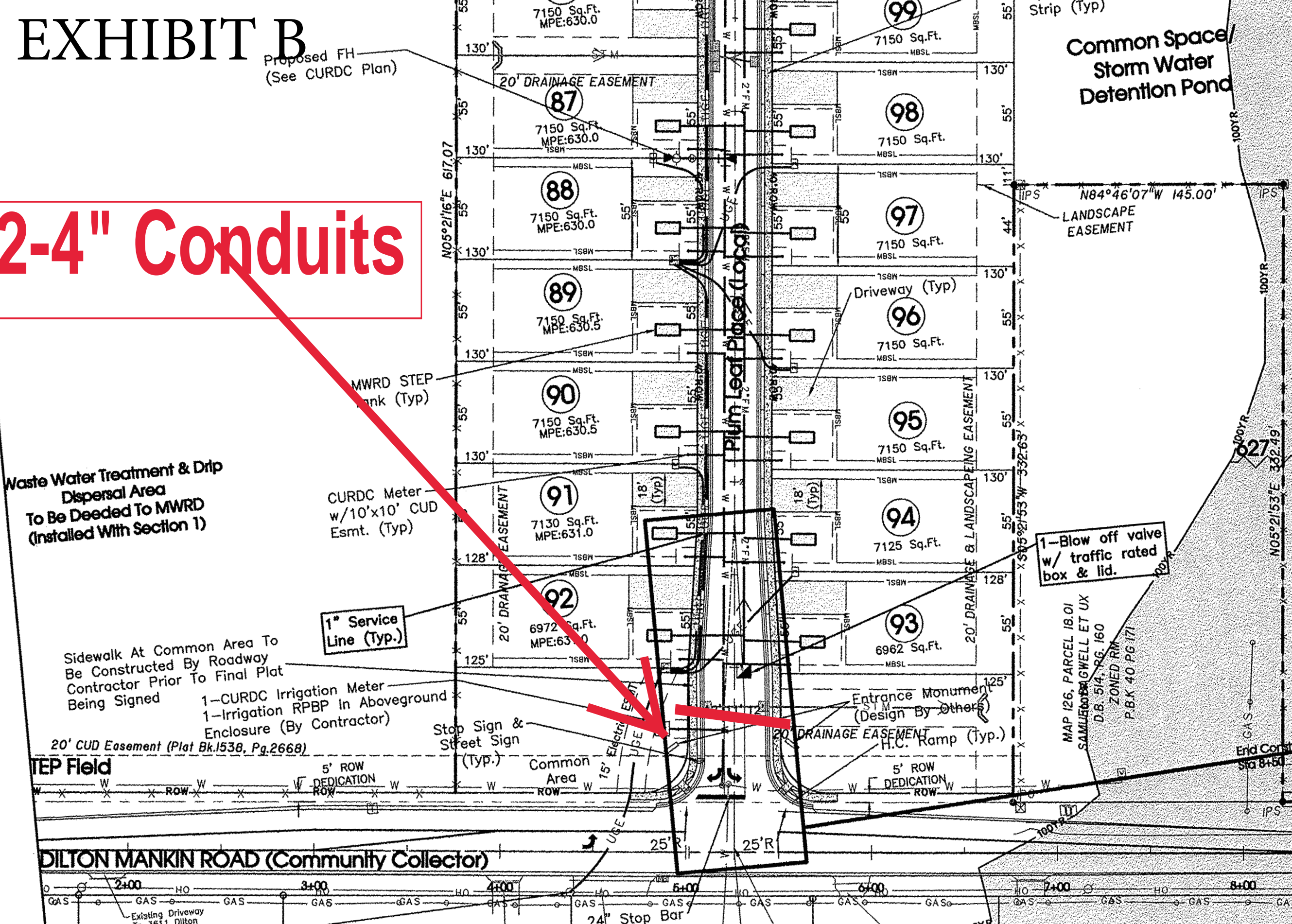
Sincerely,



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

EXHIBIT B

2-4" Conduits



**Prepared by and to be
Returned to after recording to:**

David A. Ives, Asst. City Attorney
111 West Vine Street
Murfreesboro TN 37130

Tax Map 126 Parcel 18.00

LICENSE AGREEMENT FOR INSTALLATION AND MAINTENANCE IN ROW

The **CITY OF MURFREESBORO**, a municipal corporation located in Rutherford County, Tennessee ("City"), and **Mankin Pointe, LLC**, its successors and assigns ("Owner") agree as follows:

RECITALS

A. Owner owns approximately 72.30 acres of real property being developed as Mankin Pointe located in the Northeast quadrant of the intersection of Manchester Highway and Dilton Mankin Road in the City of Murfreesboro, Tennessee (as depicted on attached **Exhibit A**, the "Property"). The Final Plat of the Property is of record at Plat Cabinet ____ pg _____, RORC.

B. Owner desires to construct, install and maintain an irrigation system and related facilities (altogether, "Facilities") for the benefit of the Property within the ROW of Plum Leaf Place at the intersection with Dilton Mankin Road, (substantially as shown on **Exhibit B**), and all as is shown or will be shown on Landscaping Plans on file with the Planning Department, which Facilities may also be within water, sanitary sewer, drainage, and / or utility easements which have been or will be created (all such right-of-way and easements together and separately, as applicable, the "ROW").

AGREEMENT

NOW, THEREFORE, in consideration of the premises, the mutual promises made herein, the mutual benefits to be derived herefrom, and other good and valuable consideration, the receipt and sufficiency of which is hereby irrevocably acknowledged and confirmed, the parties hereto agree as follows:

1. City consents to the installation and maintenance of the Facilities within the ROW, including the installation and maintenance of water lines for the irrigation system under the ROW, provided that Owner shall submit a Landscaping Plan to the City Planning Department for its review and approval prior to beginning any installation. The Landscaping Plan shall include detailed construction plans and methods for the location and depth of the Facilities, along with proposed methods for and protection of and separation from existing utilities. Upon approval by the Planning Department and the City Engineer, the City will issue an Installation Permit to Owner and Owner will be authorized to begin work.

(a) Owner will install utility vaults or boxes on each side of the ROW as visual evidence of the location of the Facilities.

(b) Owner will provide an “as built” survey to the City promptly after completion of construction and will cause the locations to be listed with Tennessee One Call.

(c) Except in the event of an emergency, Owner will apply for and receive an appropriate ROW Work Permit from the City Engineer prior to undertaking any future repairs or modifications within the ROW or any City Easement. In the event of an emergency, Owner will so notify the City Engineer and will apply for a ROW Work Permit as soon as reasonably practical, but in any event now more than 72 hours after the event.

2. Owner agrees that City shall have the right to limit or totally withdraw its permission to place and maintain Facilities within the ROW if the City determines that such is reasonably necessary for the preservation or protection of the health, safety or welfare of the residents or guests of the City or for the protection or preservation of City property, utilities or infrastructure. In the event of withdrawal of permission by the City, Owner shall relocate the Facilities to a mutually agreeable location at Owner’s sole cost and expense.

3. City reserves the right for it or its authorized contractor, at any time, to perform work deemed necessary or appropriate by City within the ROW or Easements, specifically including work on any utilities, and City shall have no liability to Owner for any damage to the Facilities by reason of such work; provided, however, City shall reasonably cooperate with Owner to minimize damage to the Facilities resulting from such work and shall use reasonable efforts to minimize any such damage.

4. Owner shall, at its sole cost and expense, maintain the Facilities in accordance with all City standards. Owner agrees to replace any of the Facilities as reasonably necessary within a reasonable amount of time.

5. Owner shall defend, indemnify and hold City harmless from any liability to any person or entity arising out of or relating to installation or maintenance of the Facilities within the ROW, except for liability resulting from City’s own negligence or intentional actions. Owner shall maintain insurance against third party claims that may be covered by this defense, indemnity and hold harmless.

6. Owner shall comply with all City codes and ordinances regarding use of City ROW in installation and maintenance of the Facilities, including the obtaining of all necessary permits, including but not limited to the following, as applicable:

- a. Street Cut Permit and Bond pursuant to City Code § 28-101 et seq.
- b. Maintenance of sight-distance triangle pursuant to City Code Appendix A – § 27(P).
- c. Tree removal permit prior to removal of any tree or trees pursuant to City Code Appendix A – Zoning, §27(R).

7. This License Agreement shall be for an initial term of 15 years from the date hereof and shall be automatically renewed for successive terms of 15 years each unless either party, in its sole option and discretion, gives written notice to the other party within the final six months of this License Agreement, that it is electing not to renew this License Agreement. Unless

otherwise agreed by the City, Owner shall remove all of the Facilities upon the termination of this License Agreement, and shall repair any damage or injury caused to the property of City or others by such removal.

8. This License Agreement shall be governed by the laws of the State of Tennessee, and jurisdiction and venue for any litigation arising hereunder shall be in the Circuit Court for Rutherford County, Tennessee. In the event of any such litigation, the prevailing party shall recover, in addition to any other legal or equitable relief granted by the Court, reasonable attorney fees and all costs of court including but not limited to discovery, witness and expert fees.

9. Any notice or demand which either party may or must give to the other hereunder shall be in writing and delivered personally, by reputable overnight courier, or sent by certified mail - return receipt requested addressed, if to Owner, as follows:

To City: City of Murfreesboro, Development Services Division
111 W. Vine Street
Murfreesboro, Tennessee 37130

With a copy to: City Attorney
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130

To Owner: Mankin Pointe, LLC
262 Robert Rose Drive
Murfreesboro TN 37129

Either party may, by notice in writing, direct that future notices or demands be sent to a different address. All notices hereunder shall be deemed given upon receipt (or, if rejected, upon rejection) or three (3) business days after being mailed, by certified mail, postage pre-paid to the above addresses.

10. Owner, for itself and any successors or assigns, agrees that if the Facilities are not maintained to City standards, or otherwise become unsightly or appear to the City Planning Director to be a danger to public health, safety and welfare, and if such condition is not properly remedied within five (5) days of written notice delivered to Owner and Owner's successor or assign, if any, that City may then take all such steps as it deems appropriate, including but not limited to the removal of all of the Facilities. If the City deems it necessary to take action pursuant to this Section 10, it will send an invoice for labor, equipment and materials expended, plus an amount equal to 50% of the total labor, equipment and materials expended for administrative costs, to Owner and Owner's successor or assign, if any. Any such Invoice shall be paid within 30 days of the date of the invoice. If Owner fails to pay any such Invoice within 30 days, the City may file an appropriate lien to secure payment.

11. This License Agreement shall inure to the benefit of and be binding on the successors and assigns of Owner and City and shall run with the land. This License Agreement may be

executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.

12. (If applicable) _____ (“Creditor”) is the holder of a promissory note dated _____ in the original principal amount of \$ _____ secured by a Deed of Trust of record at Record Book _____ page _____, Register’s Office of Rutherford County, Tennessee. Creditor hereby joins herein solely for the purpose of subordinating, and does hereby subordinate, the lien of said Deed of Trust to this LICENSE AGREEMENT FOR INSTALLATION AND MAINTENANCE IN ROW in favor of the City; but said Deed of Trust shall not be otherwise affected hereby, and shall continue in full force and effect as before the execution and delivery hereof, subject and subordinate only to said LICENSE AGREEMENT FOR INSTALLATION AND MAINTENANCE IN ROW

IN WITNESS WHEREOF, City and Owner have set forth their hands and seals below as of the date as of the date of the last party to sign.

CITY OF MURFREESBORO

MANKIN POINTE, LLC

By: _____
Craig Tindall, City Manager
Date: _____

By: _____
Printed name _____
Its _____
Date: _____

APPROVED AS TO FORM:

By: _____
Adam F. Tucker, City Attorney

CREDITOR:

By: _____
Name: _____
Title: _____

APPROVED BY PLANNING COMMISSION: _____

APPROVED BY CITY COUNCIL: _____

NOTARY BLOCKS ON FOLOWING PAGE

Before me, _____, a Notary Public of said County and State, personally appeared _____ with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the _____ of **Mankin Pointe, LLC**, a Tennessee _____, and that he as such officer executed the foregoing instrument for the purposes therein contained, by signing the name of **Mankin Pointe, LLC** in his capacity as such.

Notary Public

[illegible]

Witness my hand and seal, at Office, this day of , 20 .

Notary Public

STATE OF _____)
 : ss
COUNTY OF _____)

Witness my hand and seal, at Office, this _____ day of _____, 20____.

Notary Public

2:56:52 PM #5

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

2:30 PM

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Jami Averwater
Rick LaLance
Shawn Wright

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Holly Smyth, Principal Planner
Marina Rush, Principal Planner
Brad Barbee, Planner
Carolyn Jaco, Recording Assistant
Katie Noel, Project Engineer
Abraham Farias, EIT
David Ives, Deputy City Attorney
Roman Hawkins, Assistant City Attorney
Nate Williams, Parks & Recreation Director

1. Call to order

Chair Kathy Jones called the meeting to order at 2:30 p.m.

2. Determination of a quorum

Chair Jones determined that a quorum was present.

3. Approve minutes of the July 21, 2021, August 18, 2021, and September 1, 2021, Planning Commission meetings.

Vice-Chairman Ken Halliburton moved to approve the Minutes of the July 21, 2021, August 18, 2021, and September 1, 2021 meetings; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Nay: None

4. Consent Agenda:

Hearthwood Development, Section 1, Phase 2, and the Resubdivision of Lot 3 [2021-1024] preliminary plat for 4 lots on 8.4 acres zoned CH located along South Rutherford Boulevard, Hearthwood Development, LLC developer.

The Gardens of Three Rivers, Resubdivision of Lot 30 [2021-2068] final plat for three lots on 0.29 acres zoned PRD located along Leawood Court and Elmcroft Avenue, Harpeth Valley Homes, LLC developer.

Molloy Point, Section 1 [2021-2070] final plat for 1 lot on 1.9 acres zoned L-I located along New Salem Highway and Middle Tennessee Boulevard, Mac's Convenience Stores, LLC developer.

Michael Allen Subdivision, Lots 1 and 2 [2021-2072] final plat for 2 lots on 3.3 acres zoned RS-15 located along Sulphur Springs Road and Breckenridge Drive, Michael and Charleen Allen developers.

Thompson Springs, 3rd Resubdivision of Lots 1 and 2 [2021-2074] final plat for 2 lots on 1.8 acres zoned RS-15 located along North Thompson Lane and Sulphur Springs Road, Larry and Lisa Sims developers.

Hearthwood Development, Section 1, Phase 2, and the Resubdivision of Lot 3 [2021-2075] final plat for 4 lots on 8.4 acres zoned CH located along South Rutherford Boulevard, Hearthwood Development, LLC developer.

Windwoods, Section 1 [2021-2084] final plat for 106 lots on 24.2 acres zoned PRD located along Florence Road, AMH TN Development, LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Brady Estates, Section 2, Phase 2 [2021-2069] final plat for 32 lots on 10.7 acres zoned RS-10 located along Pathfinder Drive, IMER Development, LLC developer.

Greenland Drive Annex #3, Resubdivision of Lot 2 [2021-2076] final plat for 2 lots on 0.33 acres zoned PRD located along Leaf Avenue, BNA Homes, LLC developer.

Bilbro Addition Annex to Murfreesboro, Resubdivision of Block C, Lots 1 & 3 [2021-2077] final plat for 2 lots on 0.14 acres zoned PRD located along East Vine Street, BNA Homes, LLC developer.

Kingsbury, Section 3 [2021-2078] final plat for 69 lots on 16.3 acres zoned PRD located along Asbury Road, Kingsbury 156, LLC developer.

Westwind Reserve, Section 2 [2021-2079] final plat for 45 lots on 10.4 acres zoned RS-6 located along Mathewson Way, Cornerstone Development, LLC developer.

Mankin Pointe, Section 2, Phase 2 [2021-2082] final plat for 23 lots on 16.6 acres zoned PRD located along Dilton Mankin Road, Mankin Pointe, LLC developer.

Carlton Landing, Section 2 [2021-2083] final plat for 38 lots on 11.3 acres zoned RS-10 located along Gladstone Lane, Cornerstone Development, LLC developer.

Shalom Farms Apartments, Lot 1 [2021-2080] final plat for 2 lots on 34.6 acres zoned RM-16 and RS-10 location along Barfield Road and Shalom Street, Spence Creek Properties developer.

Riverview Cove Subdivision [2021-2081] final plat for 44 lots on 23 acres zoned RS-15 located along Moccasin Trail, London Avenue, and Rigsby Avenue, Riverview Cove, LLC developer.

Haynes Family Subdivision Lot 4 (Valvoline) [2021-3066] site plan review for 2,092

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

ft2 Automotive Repair on 1.3 acres zoned CH located along Memorial Boulevard, Valvoline Instant Oil Change developer.

Chair Jones asked the Planning Commission if any items from the Consent Agenda needed to be removed for further discussion. There being no further discussion, Mr. Rick LaLance moved to approve the Consent Agenda; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

5. Old Business.

Proposed amendment to the Zoning Ordinance [2021-801] pertaining to Section 13: Planned Development Regulations and Section 24: Overlay District Regulations, Article VI. CCO, City Core Overlay District, City of Murfreesboro Planning Department applicant. Ms. Holly Smyth presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Ms. Smyth stated that during the August 4, 2021, the Planning Commission requested further study on CCO regulations regarding parking, open space/formal open space, and building height. In addition, Ms. Smyth explained that Staff now proposes to add uses to the list of prohibited uses in the CCO regulations. If the Commission concurs, another public hearing must be scheduled, and staff recommends a public hearing date of October 13, 2021.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

There being no further discussion, Vice-Chairman Ken Halliburton moved to schedule a public hearing on October 13, 2021; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

Nay: None

6. Plats and Plans:

Siegel Soccer Retail and Office Building (2021-3110) site plan for 6,200 ft² office/retail building on 124.5 acres zoned P located along Cherry Lane, City of Murfreesboro developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Blake Nelson (architect) and Mr. Nate Williams, Parks & Recreation Director were in attendance to represent the application. Mr. Nelson explained that the structure has high quality finishes on all four sides.

Ms. Jami Averwater wanted to know who would be operating the pro shop? Mr. Williams said that the City was searching for a retail partner. This would be a third-party lease for the retail operation.

There being no further discussion, Mr. Rick LaLance made a motion to approve the site plan subject to all staff comments, seconded by Mr. Shawn Wright, and the motion carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

840 Storage Solutions [2021-3105] site plan for 71,089 ft2 self-service storage facility on 8.2 acres zoned PUD located along Florence Road, I-840, and I-24, The Downs Group, LLC developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Ms. Green stated that Staff does not support approval of the plans as submitted based on the design of the outdoor storage area. As made known in the written staff comments, the plans do not demonstrate the outdoor storage areas being appropriately located and effectively screened from the neighboring properties and public rights-of-way, and the conflicts of locating screening elements within TVA easements, drainage easements, and utility easements.

Mr. Bill Huddleston (engineer), Mr. Greg Gamble (landscape architect) and Mr. Paul Bass (architect) were in attendance to represent the application. Mr. Huddleston came forward stating the applicant is asking for relief of the masonry wall adjacent to the residential area. The applicant prefers to add a buffer with screening. In addition, after Planning Commission approval they would work with TDOT and TVA to address the work to be done in the TVA easement. Mr. Gamble provided a handout with additional information regarding the landscaping and viewsheds. Mr. Bass gave a PowerPoint presentation regarding the images that were handed out to the Planning Commission.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Discussion followed between the Planning Commission, staff, and the applicant regarding the outdoor storage use and the screening for it.

Mr. Bill Huddleston requested a deferral in order to continue working with staff to find a solution.

There being no further discussion, Mr. Shawn Wright made a motion to defer, seconded by Mr. Rick LaLance, and the motion carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

Nay: None

7. New Business

Zoning application [2021-418] for approximately 8.4 acres located along Bridge Avenue to be rezoned from RS-10 to CF and approximately 1 acre to be rezoned from H-I to CF, City Church applicant. Ms. Holly Smyth presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

There being no further discussion, Vice-Chairman Ken Halliburton moved to schedule a public hearing on October 13, 2021; seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Rick LaLance

Shawn Wright

Nay: None

Annexation petition and plan of services [2021-508] for approximately 2.4 acres located south of South Rutherford Boulevard, James Allen Huskey applicant. Ms.

Holly Smyth presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

There being no further discussion, Vice-Chairman Ken Halliburton moved to schedule a public hearing on October 13, 2021; seconded by Mr. Rick LaLance, the motion carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

Zoning application [2021-421] for approximately 2.4 acres located south of South Rutherford Boulevard to be zoned H-I simultaneous with annexation, James Allen Huskey applicant. Ms. Holly Smyth presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

There being no further discussion, Mr. Shawn Wright moved to schedule a public hearing on October 13, 2021; seconded by Vice-Chairman Ken Halliburton, the motion carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

Annexation petition and plan of services [2021-507] for approximately 15.6 acres located north of Dejarnette Lane, Calvary Baptist Church applicant. Ms. Holly Smyth presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

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

There being no further discussion, Vice-Chairman Ken Halliburton moved to schedule a public hearing on October 13, 2021; seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

Zoning application [2021-420] for approximately 9.5 acres located north of DeJarnette Lane to be rezoned from RS-15 to PND (Providence Christian Academy Athletic Facility PND) and approximately 9.5 acres to be zoned PND simultaneous with annexation, Providence Christian Academy applicant. Ms. Holly Smyth presented

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

Continuing, Ms. Smyth explained there were items that Staff would like to see addressed before the public hearing. Mr. Matt Taylor was in attendance to represent the application and stated they were in agreement to continue working with Staff on the items mentioned.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on October 13, 2021; seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

Annexation petition and plan of services [2021-509] for the following rights-of-way (ROW):

☐ **Approximately 85 linear feet of Parkwood Drive ROW;**

☐ **Approximately 140 linear feet of Woodcrest Drive ROW; and**

☐ **Approximately 100 linear feet of Westridge Drive ROW**

Rutherford County Engineering applicant.

Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Ms. Rush stated the Rutherford County Road Board voted to grant its consent for the City to annex these rights-of-way during its September 2021 meeting. Because the entirety of the study area is ROW, there is no companion zoning request.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on October 13, 2021; seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

Nay: None

Annexation petition and plan of services [2021-510] for approximately 123 acres located along Veals Road and Double Springs Road, and rights-of-way of approximately 2,400 linear feet of Veals Road and 2,430 linear feet of Double Springs Road, Hall Family Real Estate Partnership applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

Mr. Matt Taylor was in attendance to represent the application and stated that a companion zoning application would be submitted to the Planning Department on September 16, 2021.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on October 13, 2021, seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones
Ken Halliburton

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

Zoning application [2021-419] for approximately 29.1 acres located along Franklin Road to be rezoned from RS-12 and RS-15 to RS-8 and approximately 4.5 acres to be rezoned from RS-15 to CF, Lennar Homes of Tennessee, LLC developer. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and incorporated into these Minutes by reference.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on October 13, 2021, seconded by Mr. Shawn Wright, the motion carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Shawn Wright

Nay: None

8. Staff Reports and Other Business:

Consideration of 2022 Planning Commission Calendar.

Mr. Matthew Blomeley presented the 2022 Planning Commission Calendar for approval.

There being no further discussion, Mr. Rick LaLance moved to approve the 2022 Planning Commission Calendar; seconded by Mr. Shawn Wright, the motion carried by the following vote:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

Nay: None

Siegel Road LAD Investments Subdivision [2021-2073] final plat for 1 lot on 3.6 acres zoned RS-15 located along Siegel Road, LAD Investments, LLC developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department is incorporated into these Minutes by reference.

Mr. Bill Huddleston (surveyor) was in attendance representing the application.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the final plat; seconded by Ms. Jami Averwater, the motion carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

Nay: None

Planning Commissioners Clari Park Planned Development Pattern Book – Correction to Page 14. Ms. Margaret Ann Green distributed a letter to the Planning Commission and explained that the Clari Park Pattern Book had an omission on page 14 in the permitted uses for areas 2 and 6 which had not included single-family attached as a permitted land use. Ms. Green requested for a motion to be made to approve the revised page 14.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 15, 2021

Mr. Kevin Gunther (land planner) and Mr. Matt Taylor (civil engineer) were in attendance representing this application.

There being no further discussion, Mr. Shawn Wright moved to approve the revised page 14; seconded by Vice-Chairman Ken Halliburton, the motion carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Shawn Wright

Nay: None

Chair Kathy Jones reminded everyone that the Doctor Martin Luther King Jr Boulevard street renaming ceremony would take place on September 18, 2021 at Patterson Park Community Center.

Vice-Chairman Ken Halliburton requested for updated information regarding continuing education opportunities and hours for the 2021 calendar year.

There being no further business the meeting adjourned at 4:55 p.m.

Chair

Secretary

GM: cj