CITY OF MURFREESBORO
PLANNING COMMISSION
AGENDA

City Hall, 111 W. Vine Street, Council Chambers

September 7, 2016 **Bob Lamb**
7:00 PM **Chairman**

1. **Call to order**

2. **Determination of a quorum.**

3. **Approve minutes of the July 20, 2016 and August 3, 2016 Planning Commission meeting.**

4. **Public Hearings:**

   a. Mandatory Referral [2016-712] to consider the abandonment of excess Samsonite Boulevard right of way, City of Murfreesboro applicant.

   b. Zoning application [2016-438] for approximately 1.2 acres located along East Clark Boulevard to be rezoned from RS-15 to PRD (Cottages on Clark), Blue Sky Construction applicant.

   c. Annexation Plan of Services and annexation petition [2016-511] for approximately 27 acres located along Barfield Road, Ted Petty applicant.

   d. Zoning application [2016-436] for approximately 17.2 acres located along Barfield Road to be zoned RZ simultaneous with annexation, Ted Petty applicant.

   e. Zoning application [2016-431] for approximately 5.7 acres located along Osborne Lane to be rezoned from RS-15 to CF and approximately 0.6 acres to be rezoned from OG to CF, Chuck Barnes applicant.

   f. Annexation Plan of Services and annexation petition [2016-510] for approximately 84 acres located along Old Salem Road, David Alcorn, Rucker Donnell Foundation and Linda Gilley applicants.

   g. Zoning application [2016-442] for approximately 34.1 acres located along Old Salem Road to be zoned CF simultaneous with annexation and

approximately 17.6 acres to be rezoned from OG to CF, Rucker Donnell Foundation applicant.

h. Annexation Plan of Services and annexation petition [2016-513] for approximately 109.5 acres located along New Salem Highway, Rucker Donnell Foundation applicant.

i. Zoning application [2016-441] for approximately 109.5 acres located along New Salem Highway to be zoned RS-10 simultaneous with annexation, Rucker Donnell Foundation applicant.

j. Proposed amendments to the sign ordinance regarding the addition of 2 additional types of signs, signs in easements, & delete height limitations on attached signs in the CBD [2016-803], City of Murfreesboro Legal Department applicant.

5. Staff Reports and Other Business:

6. Adjourn.

MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

4.a. Mandatory Referral [2016-712] to consider the abandonment of excess Samsonite Boulevard right of way, City of Murfreesboro applicant.

After this item was scheduled for a public hearing, staff initiated a study on the matter of abandoning a portion of Samsonite Boulevard right of way. During staff's research of this portion of right of way, we became aware that this portion of right of way belongs to Newton Molloy. Staff asks that this application be withdrawn and not approved by the Planning Commission.

Samsonite Blvd/Old Salem Rd Excess ROW

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Feet
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Meters

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

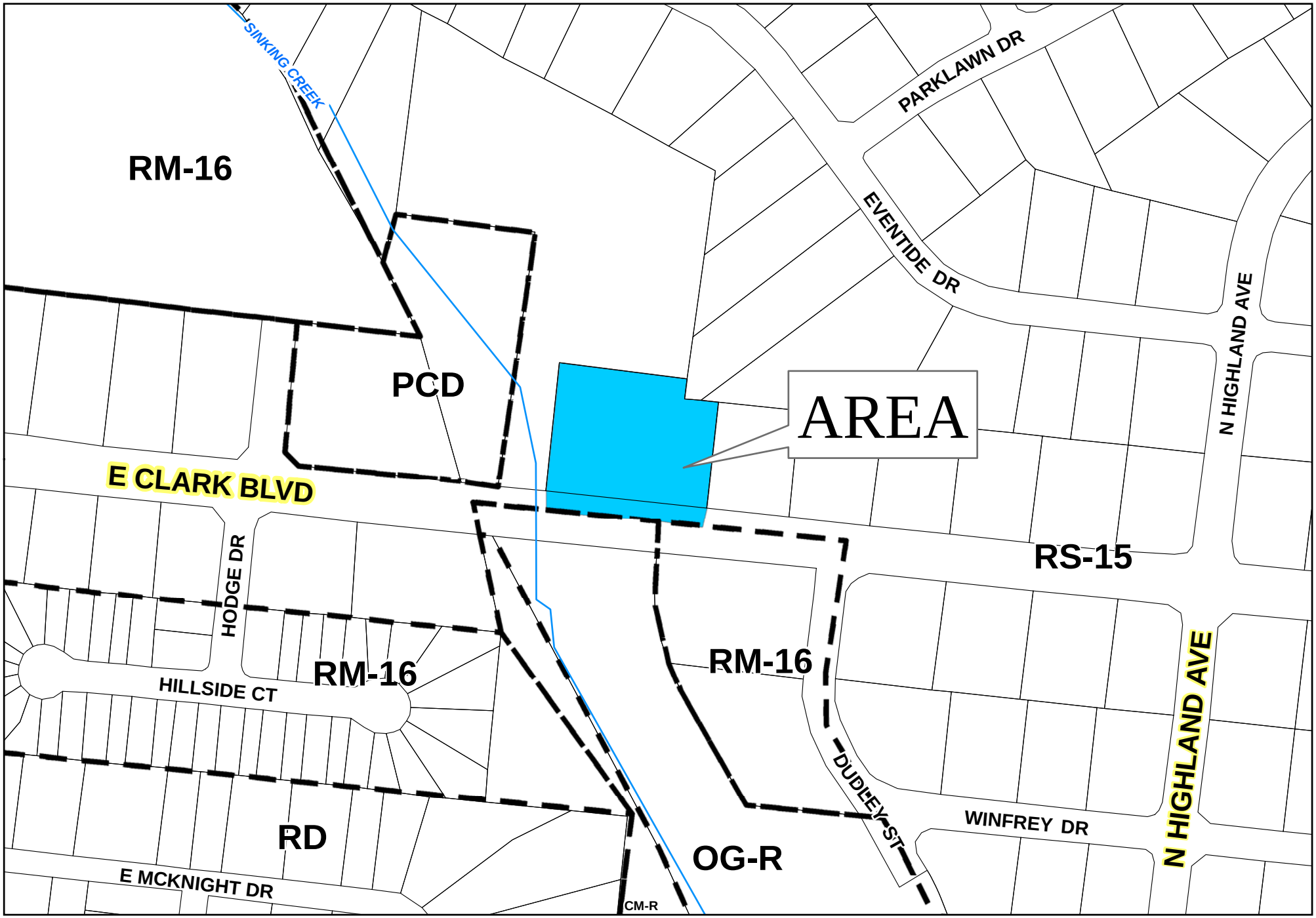
4.b. Zoning application [2016-438] for approximately 1.2 acres located along East Clark Boulevard to be rezoned from RS-15 to PRD (Cottages on Clark), Blue Sky Construction applicant.

The subject property is located north of East Clark Boulevard, just east of Sinking Creek. The subject property consists of one parcel which is undeveloped. The properties to the north and east are zoned RS-15 (Single-Family Residential District) and are the location of the East Clark and Northridge Estates single-family subdivisions. The properties to the south are zoned CM-R, OG-R and RM-16. The properties zoned RM-16 are the location of a daycare center and Brookview apartments.

The applicant has a contract to purchase this property and wishes to develop it much like an existing development, Generals Run, but at a much smaller scale. The proposed Cottages on Clark consist of 10 dwelling units on 1.2 acres, for a density of 8.3 dwelling units per acre. None of the units will have attached garages; parking will be provided in the parking lot.

The planned development zoning also allows for exceptions from the Zoning Ordinance or Subdivision Regulations. The applicants have requested exceptions be made to the side setbacks for the proposed pavilion.

The Cottages at Clark program book has been included with the agenda materials. The applicants will be available to make a presentation regarding the proposed zoning. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.



Rezoning Request for Property Along E. Clark Blvd. from RS-15 to PRD

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111 West Vine Street
Murfreesboro, Tennessee 37130
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Cottages on Clark

PLANNED RESIDENTIAL DEVELOPMENT

SHEET INDEX

1.DEVELOPMENT TEAM

2. PROJECT SUMMARY

3. ZONING MAP

4. EXISTING CONDITIONS

5. ARIAL MAP

6 UTILITIES

7. FLOODWAY EXHIBIT

8. SITE PLAN

9 ARCHITECTURAL ELEVATIONS

10. ARCHITECTUAL FLOOR PLANS

11. CONCEPTUAL LANDSCAPE PLAN

12. PLANNED DEVELOPMENT CRITERIA

SUBMITTED TO CITY COUNCIL
AUGUST 11, 2016 FOR AUGUST 17, 2016 PLANNING COMMISSION WORK SESSION

Plans Prepared By:

HUDDLESTON-STEELE ENGINEERING, INC.

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

Development Team

Planning and Engineering

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

Huddleston-Steele Engineering, Inc.
Attention: Clyde Rountree, RLA
2115 N.W. Broad Street
Murfreesboro, Tn 37129
Phone: 615.893.4084

Owner/ Developer

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

Blue Sky Construction has a reputation of thoughtfully designed and quality built homes. Serving Murfreesboro and Rutherford County, Blue Sky Construction has a strong reputation in the area and believes this residential community will continue to meet the residential needs of the growing area.

Project Summary

Cottages on Clark is a proposed development following in the footsteps of the successful General's Run community developed by Blue Sky Construction. The architectural character and quality will provided an upscale residential development offering two and three bedroom homes in efficient town-home designs.

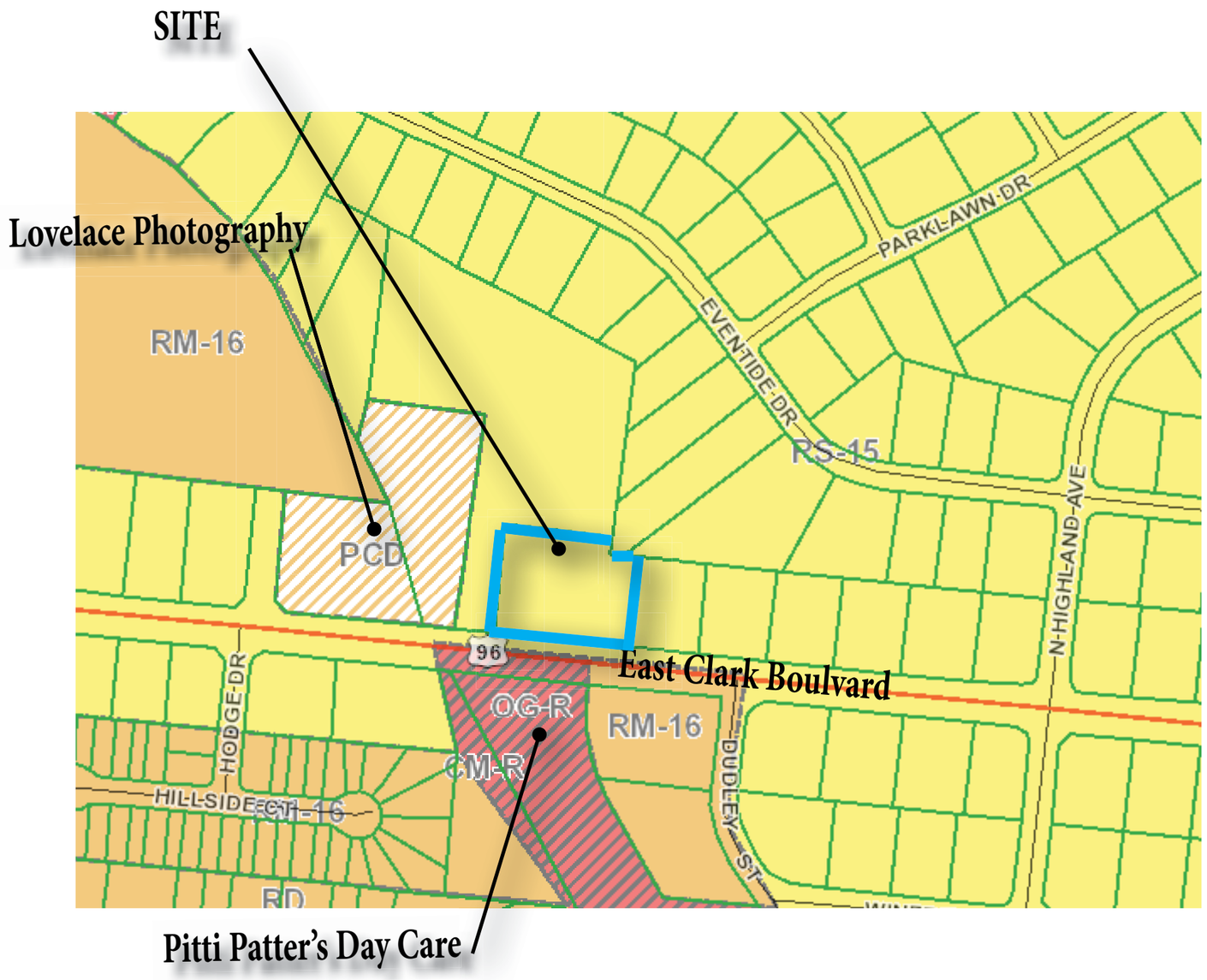
Located within the Oakland High School district, new residents to the community will have access to great schools, proximity to multiple parks and green spaces, close proximity to downtown Murfreesboro, and less than an hours drive to downtown Nashville.

Cottages on Clark will have a home owner's association. All maintenance of the common areas will be the responsibility of the HOA. The homes will be a fee simple form of ownership.

Restrictive covenants will be submitted to the City of Murfreesboro upon their creation.

The Cottages on Clark are a residential infill project consistant in architectural character with the residential homes of Generals Landing and Generals Run, both developements by Blue Sky Construction. The proposed project will be attached homes with attractive architectural character. The homes sizes will be a minimium of 1400 sq. The homes will have a nice back patio and a small back lawn area. There will be a small amenity area for neighbors to enjoy gathering together. The parking will be behind the homes which will give a pleasing appearence from East Clark Boulvard.

Zoning Map



The subject property is a 1.2 acre site, currently zoned RS-15 located on East Clark Boulvard only minutes from the MTSU campus.

The zoning application is for the proposed property to be zoned PRD.

The adjacant properties on the north, east and west of the subject property are zoned RS-15 and the properties to the south are zoned OG-R and RM-16.

The second property to the west is zoned PCD and is the location of Lovelace Photography.

Existing Conditions

View into property looking East

View into property looking North

View into property looking West

View looking East down Clark

View of Lovelace Photography

Building across the street

Aerial Map

Aerial Location Map

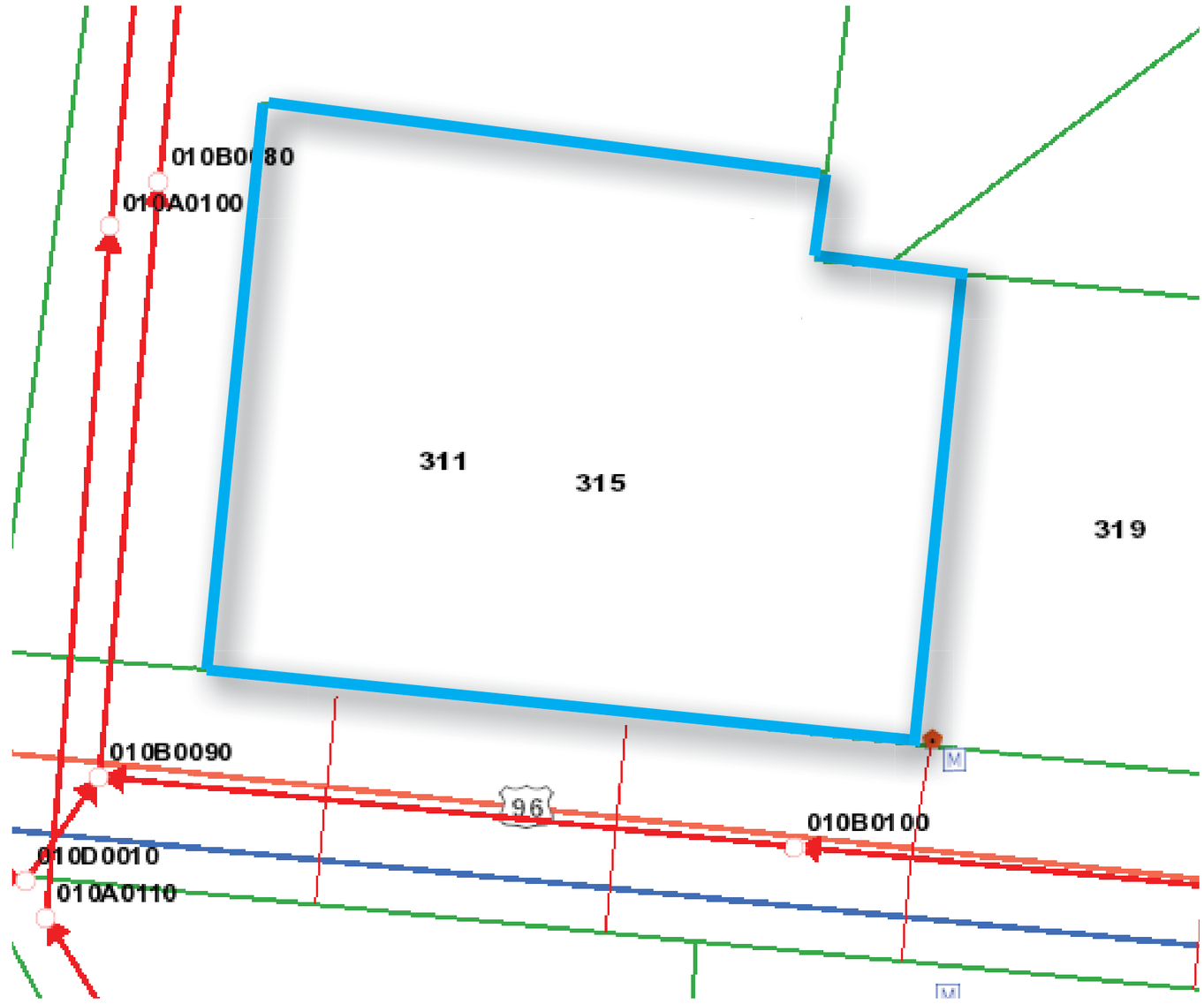
Utilities

Electricity will be supplied by Murfreesboro Electric Department

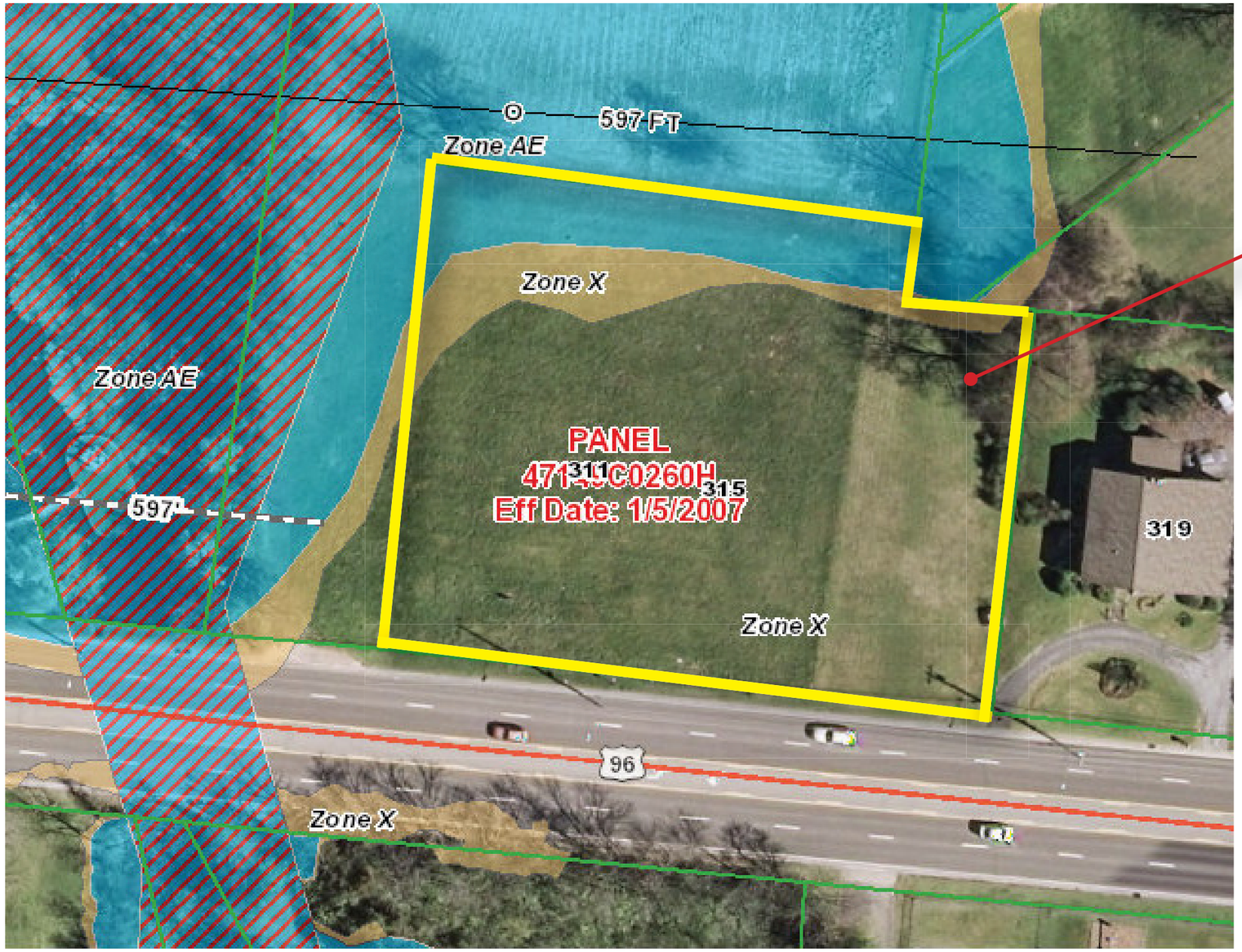
Water and Sanitary Sewer will be supplied by Murfreesboro Water and Sewer Department

Atmos Energy
Natural gas will be supplied by Atmos Energy

No easements are identified on the property



Flood Way Exhibit



Site Plan

General Information:
Mail will be delivered to a mail kiosk
Each home have access to a common dumpster
The parking areas will have light pole fixutes typical of those provided by the electric company.

FAR = (Total Floor Area) 8554 S.F. = .17
(Gross Land Area) 50471 S.F.
OSR= (Total Open Space) 41,460 S.F. = 4.8
Gross Land Area) 8554 S.F.
FAR = (Livability Area) 20,995S.F. = 2.45
(Total Floor Area) 8554 S.F.

Site Data:
Total Areage: 1.2
Total Units: 10
Total Density: 8.3 Units Per Acre

RM-12 Comparison	PRD
Front Setback: 30' required	30' Provided
Rear Setback: 25' required	25' Provided
Side Setback: 20' required	20' Provided

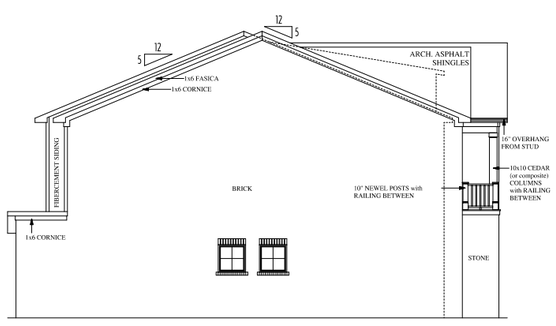
SITE: 50,471 SQ. FT. or 1.16 AC±
GREEN SPACE: 20,955 SQ. FT.
PAVED AREA: 20,465 SQ. FT.
PARKING CALCULATIONS:
3.3 (3BR) x 6 (# OF UNITS) = 19.8
2.2 (2BR) x 4 (# OF UNITS) = 8.8
29 TOTAL PARKING SPACES REQUIRED
29 REGULAR SPACES + 1 H.C. SPACE

Architectural Elevation

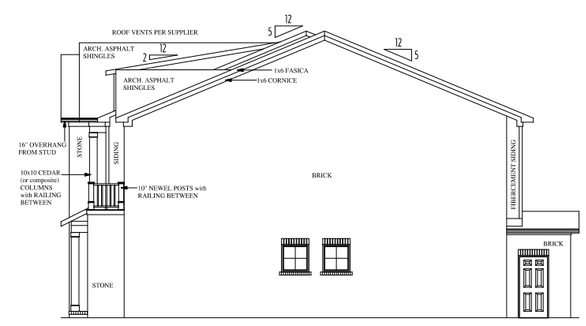
SCALE: 1/8" = 1'-0"

REAR ELEVATION
SCALE: 1/8" = 1'-0"

The proposed architecture is a combination of masonry materials consisting of brick, cultured stone, and cement fiber board, along with aluminium trim and soffits and asphalt shingle roofs. The front facade will have small front porches with metal roofing. The homes will have parking in the rear, with a small lawn area and a concrete patio area. The development will have identification signage located along East Clark Boulevard. The sign will be ground mounted using masonry materials consistant with those on the home. The signage will conform to the restrictions identified in the zoning ordinace.

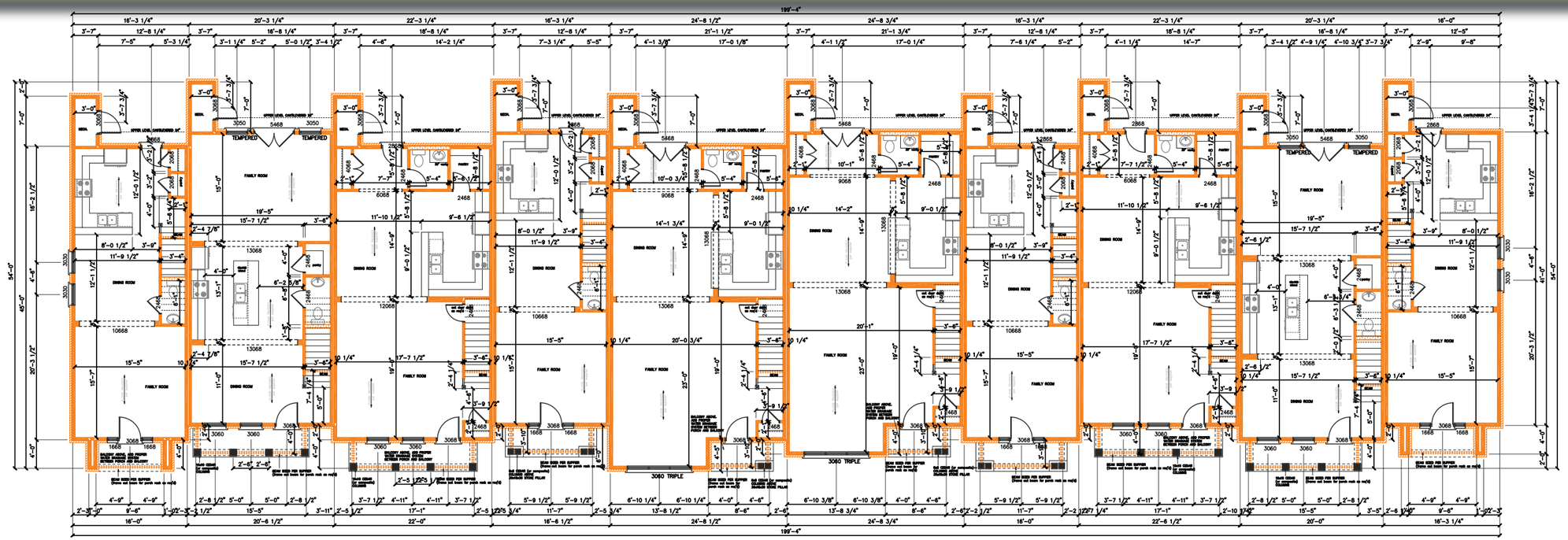


LEFT ELEVATION
SCALE: 1/8" = 1'-0"

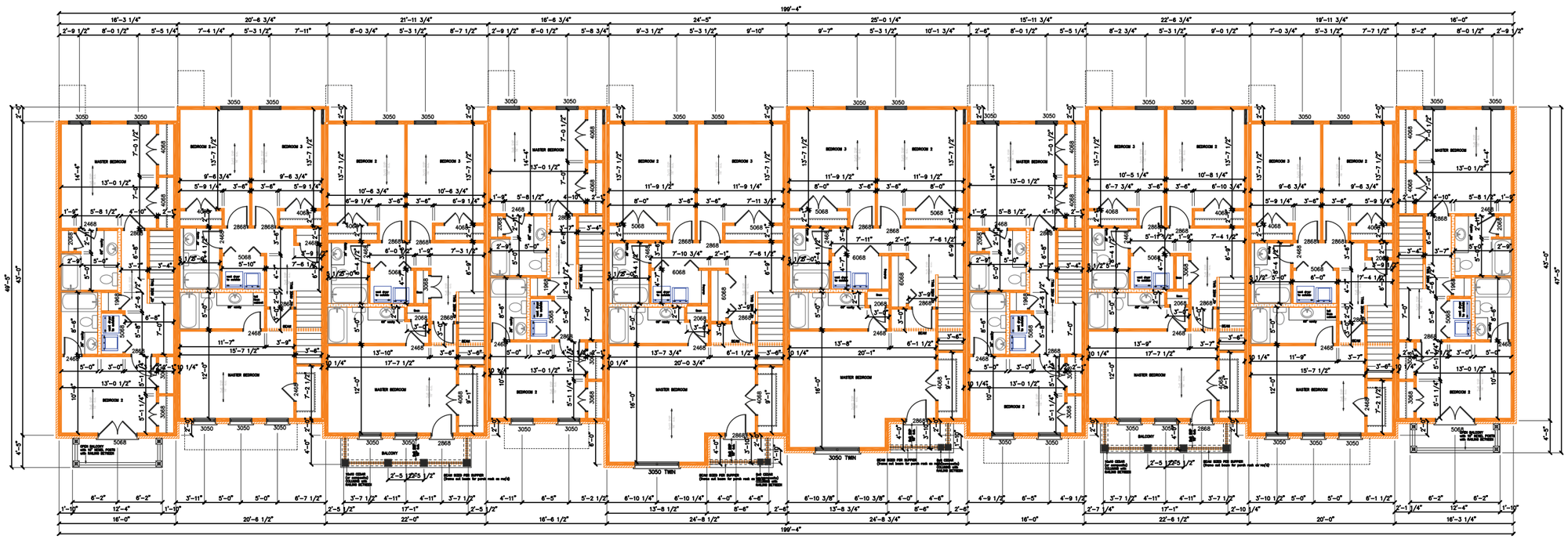


RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

Architectural Elevations/ Plan



First Floor

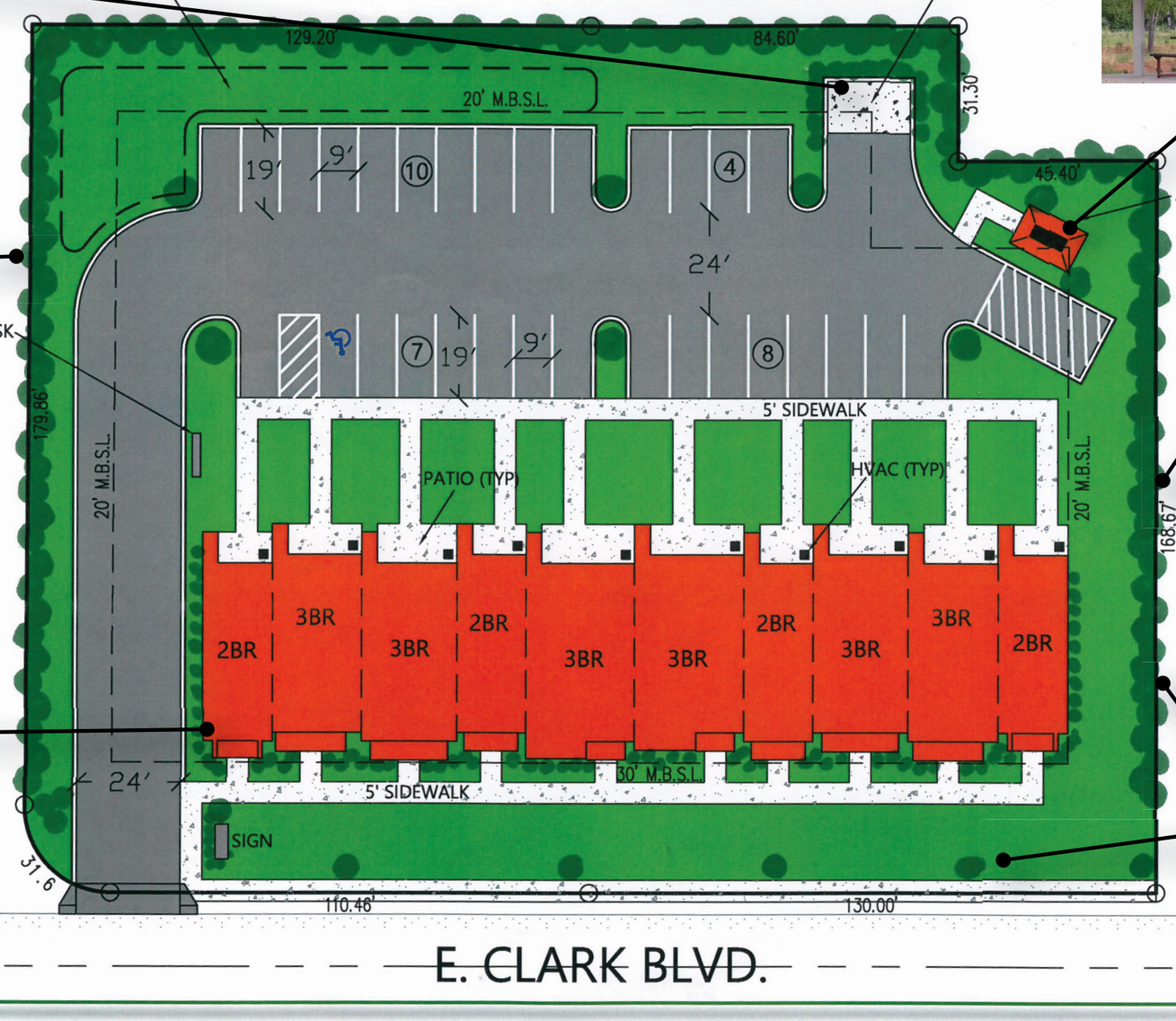


Second Floor

Conceptual Landscape Plan

DUMPSTER ENCLOSURE

PAVILION



TYPE 'C' BUFFER

FLOWERING AND EVERGREEN SHRUBS

EVERGREEN GROUNDCOVER

FOUNDATION PLANTING

TYPE 'C' BUFFER

6' Privacy Fence

STREET TREE

Planned Development Criteria

General Applicability Per Section 13 - Planned Development Regulations

1. Ownership and division of land: *The site is owned by Blue Sky Construction. The lot is currently zoned RS-15 in the City of Murfreesboro.*
2.Waiver of BZA action: *No action of the BZA shall be required for approval of this planned residential development.*
3.Common open space: *No formal open space is proved wth this site plan.*
4.Accessibility to site: *The property is accessible from Clark Boulvard and 4 lane road with a dedicated turn lane.*
5.Off street parking . *29 parking spaces are provided and 29 spaces are required.*
6.Pedestrian circulation: *Sidewalks are available along East Clark Boulvard.*
7.Privacy and screening: *A substantial buffer exit between the subject property and the Lovelace studio. Type 'C' buffers will be provided on the northern, western and eastern boarder. No exceptions have been identified for this rezoning.*
8.Zoning and subdivision modifications proposed: *A PRD is being requested for the subject property.*
9.Phasing: *The project shall be completed in one phase.*
10.Annexation: *No annexation is required for this site.*
11.Landscaping: *Landscape will be provided in the form of foundation planting, street planting and the required buffers,*
12.Major Thoughfare Plan: *The PRD is consistent with the Major throughfare plan.*
13.Applicant contact information: *Contact information is located on Sheet 1.*
14.Proposed Signage: *Signage will be along East Clark Boulvard and close to the proposed driveway.*

Section 13 – Project Development Criteria Requirements
1. Identification of existing utilities: *Shown in pattern book on Sheet 6*
2/3.Graphics, renderings, maps and or aerial photography showing existing conditions and natural features of the site: *Shown in pattern book Sheet, 3 - 7.*
4/5. Drawing and/or diagrams identifying areas of development, proposed buildings, screening, proposed landscaping and pedestrian and vehicular circulation: *Shown in pattern book Sheets 8-11.*
6. Development schedule: *Construction is projected to begin once all zoning and site planning is approved by the City.*
7. Relationship of the planned development to current city polices and plans: *The development is consistant with the growth in the area.*
8. Proposed deviation from zoning and subdivision ordinance: *The proposed dumpter and the amenity area pavilion are within the side and rear setbacks.*
9. Site tabulation data for land area, FAR, LSR, and OSR: *See sheet 8*
10. The nature and extent of any overlay zones as described in Section 24 and 34: *No overlays effect this development.*

MURFREESBORO PLANNING COMMISSION

STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

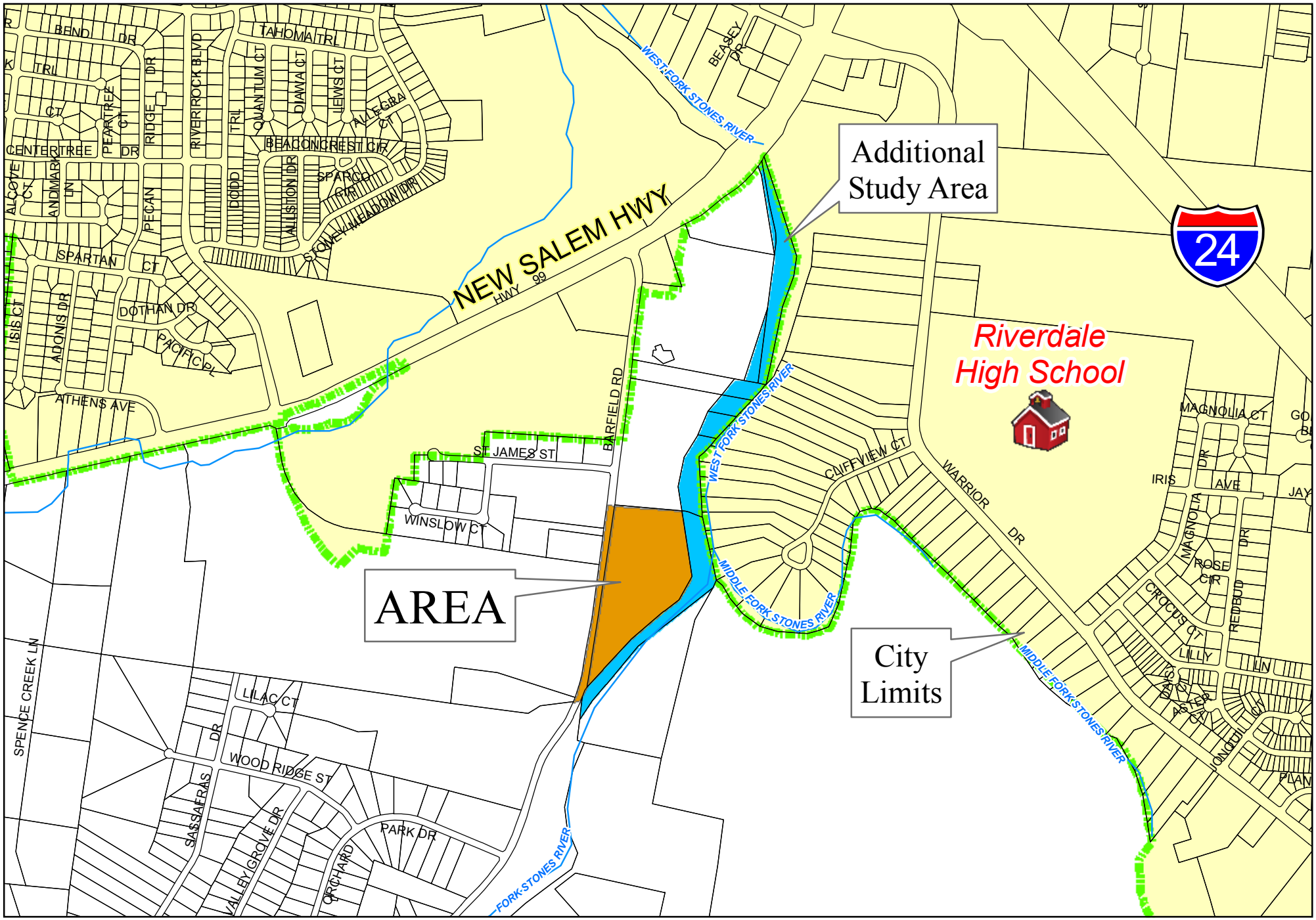
4.c. Annexation Plan of Services and annexation petition [2016-511] for approximately 32.8 acres located along Barfield Road, Ted Petty applicant.

The requested property is located along the east side of Barfield Road south of New Salem Highway. The property is undeveloped and mostly wooded. It is a portion of a parcel that was bisected by the construction of the Stones River Greenway. The portion of the parcel requested for annexation is the northern half of the property and it totals approximately 15 acres. The Stones River is located to the east and south of the subject property. A significant portion of the requested property is encumbered by the floodway and floodplain of Stones River.

A written petition has been filed by the property owner requesting annexation. The requested property is located within the City's Urban Growth Boundary. In addition to the requested property, the right-of-way of Barfield Road in front of the requested property as well as eight (8) City-owned parcels containing the Stones River Greenway are also being studied at this time for annexation. The total study area consists of 32.8 acres. The requested property by itself is not contiguous with the existing City limits. The parcel directly to the east, which is included in the additional study area, must be annexed in order to make the requested area contiguous.

Staff has prepared a plan of services, and it has been included in the agenda packet. Based on the plan of services, it appears that the City will not have any issues providing services to the subject property upon annexation. The property owner has also filed a request to have the property zoned RZ (Residential Zero-Lot Line District) simultaneous with annexation. All of the parcels in the additional study area are zoned RM (Medium Density Residential) in the unincorporated County, and if annexed, will be given an interim zoning classification of RS-15 (Single-Family Residential District 15).

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



Annexation Request for Property Along Barfield Rd.

City of MURFREESBORO TENNESSEE

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GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 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. TED L. Petty
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: [signature] Status: MARRIED Date: 7-6-16

439 E. Burton St. Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

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

Signature:_____ Status:_____ Date:_____

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

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

Signature:_____ Status:_____ Date:_____

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

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

Signature:_____ Status:_____ Date:_____

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

(Attach additional signature pages if necessary)

Legal Description is attached: ✓ **Yes**

Power of Attorney applies and is attached: ____ **Yes** ✓ **No**

WRITTEN CONSENT
TO 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 consent(s) to the annexation of 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. Shane McFarland for the City of Murfreesboro
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature:_____ Status: Mayor Date:_____

111 W. Vine St., Murfreesboro, TN 37130
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: M. Sh M Status:_____ Date:_____

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

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

Signature:_____ Status:_____ Date:_____

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

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

Signature:_____ Status:_____ Date:_____

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

(Attach additional signature pages if necessary)

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

113/00510
113/00508
113/00507
113/00506
113/00509

N
SAINT JAMES ST
WINSLOW CT
BARFIELD RD
CLIFFVIEW CT
City of
MURFREESBORO
TENNESSEE

WRITTEN CONSENT
TO ANNEXATION BY THE CITY OF MURFREESBORO

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1. Shane McFarland for the City of Murfreesboro
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: [signature] Status: Mayor Date: _____

111 W. Vine St., Murfreesboro, TN 37130
Mailing Address (if not address of property to be annexed)

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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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: _____

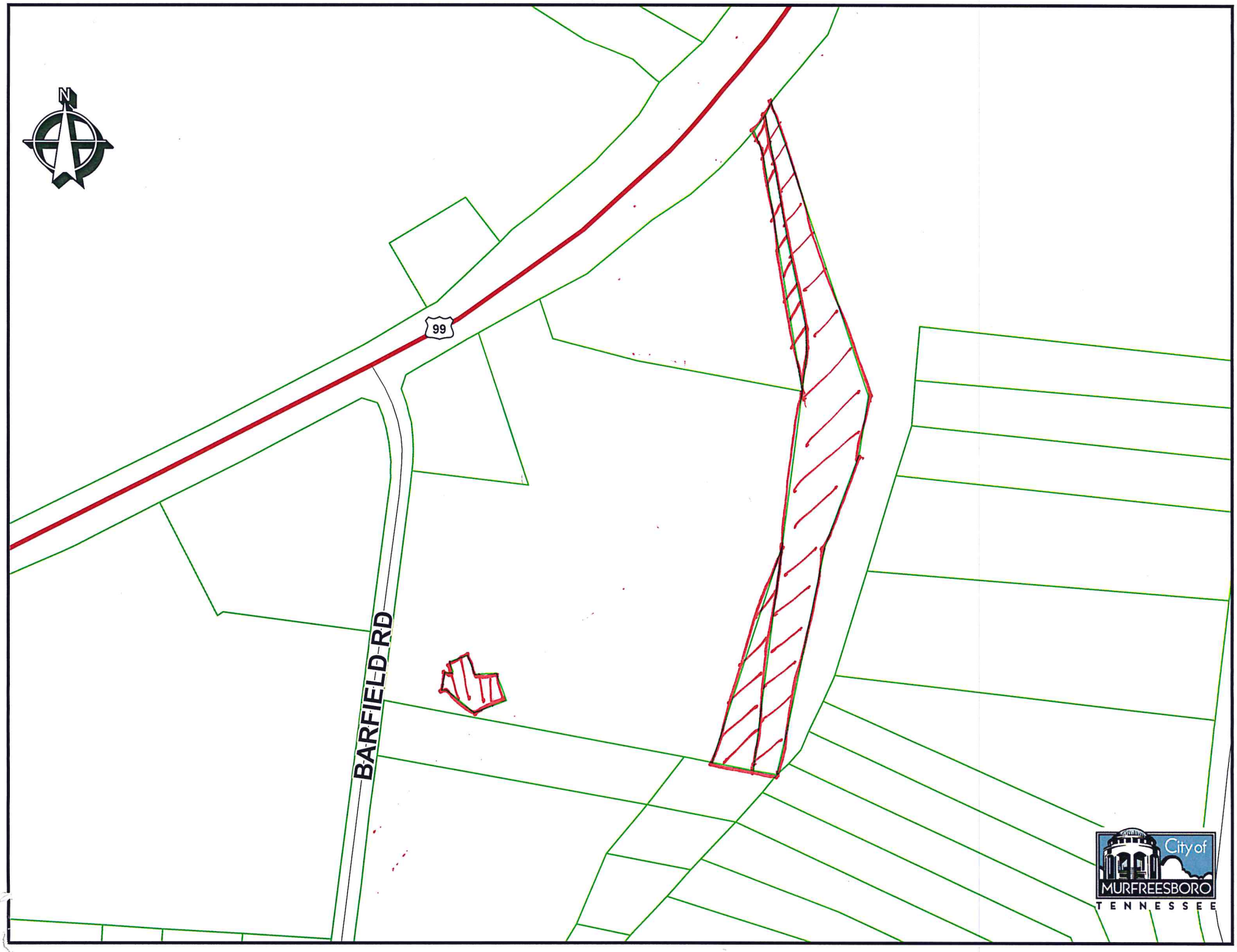
_____
Mailing Address (if not address of property to be annexed)

102/05605
102/05606

(Attach additional signature pages if necessary)

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

113/00511
113/00513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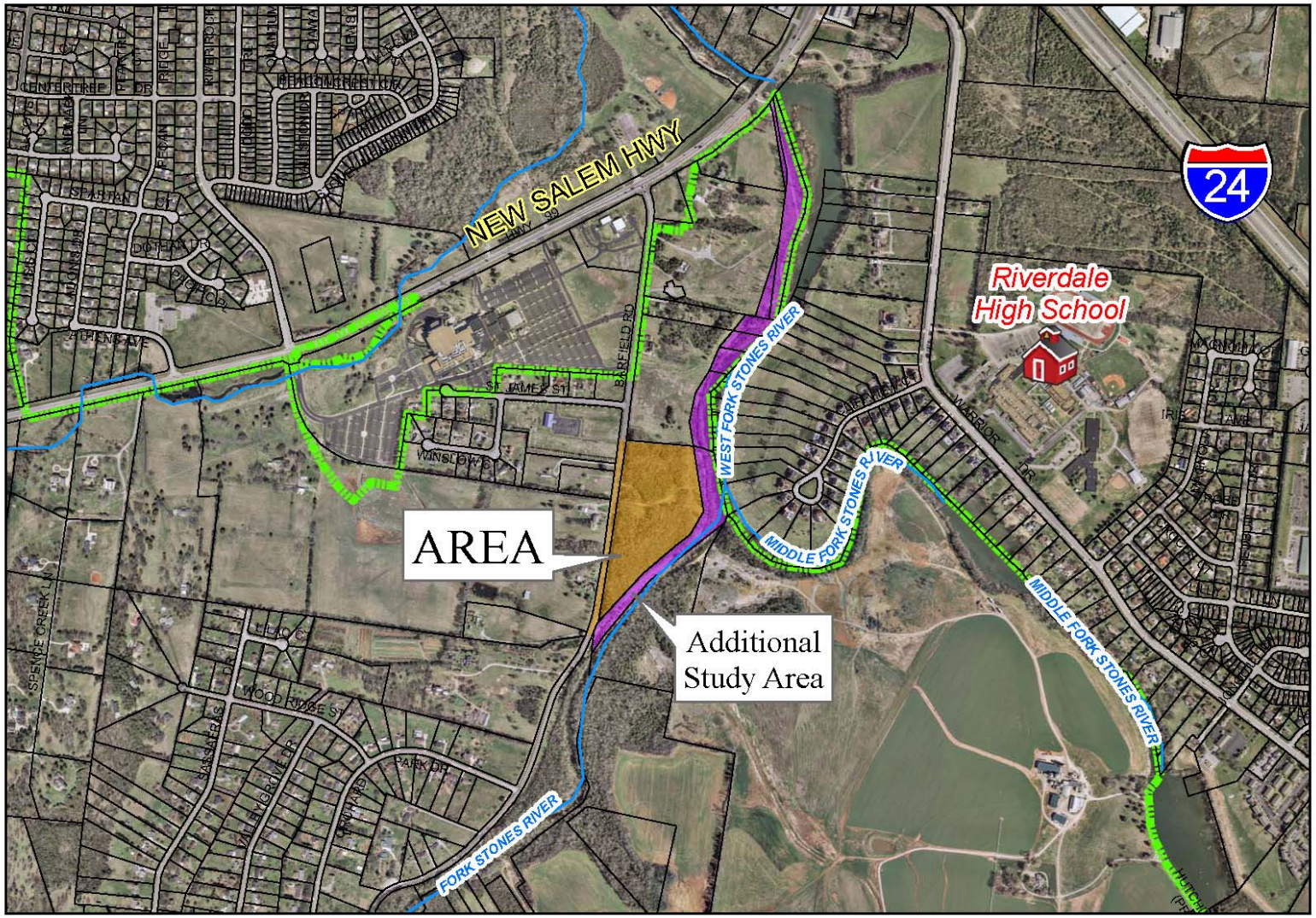
BARFIELD RD
City of
MURFREESBORO
TENNESSEE

ANNEXATION REPORT FOR PROPERTY LOCATED ALONG BARFIELD ROAD INCLUDING PLAN OF SERVICES

PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
September 7, 2016



Annexation Request for Property Along Barfield Rd.

City of MURFREESBORO TENNESSEE

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City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

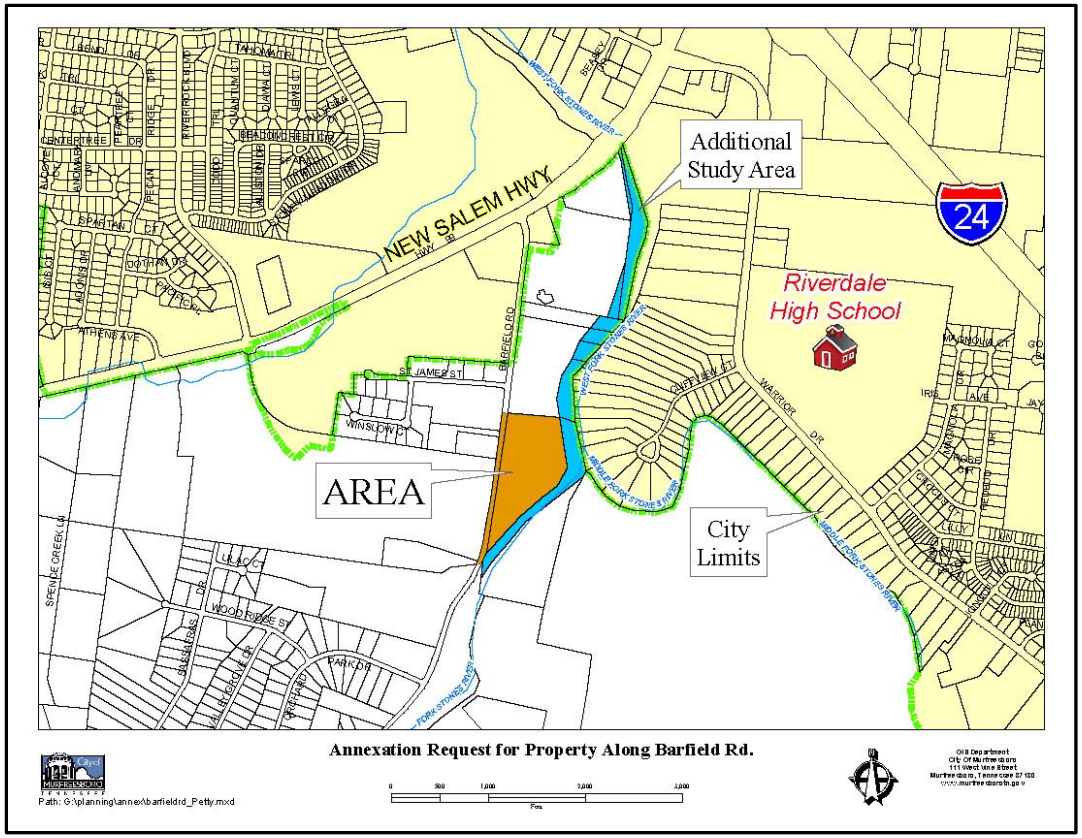
INTRODUCTION

OVERVIEW

The applicant, Ted Petty, has requested annexation of property located along the east side of Barfield Road.

The area studied in this Plan of Services includes a 15.08-acre parcel (portion of Tax Map 113, Parcel 5.01) and an adjacent 1,600 linear-foot portion of Barfield Road. Additionally, eight City-owned greenway parcels totaling 15.47 acres and situated to the east and northeast of the study area are included in the plan of services. These parcels constitute the "additional study area" and are identified as Tax Map 113, Parcels 5.06, 5.07, 5.08, 5.09, 5.10, and 5.11, as well as Tax Map 102, Parcels 56.05 and 56.06.

The study lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City on the east. Adjacent areas to the south and west lie within the unincorporated County.

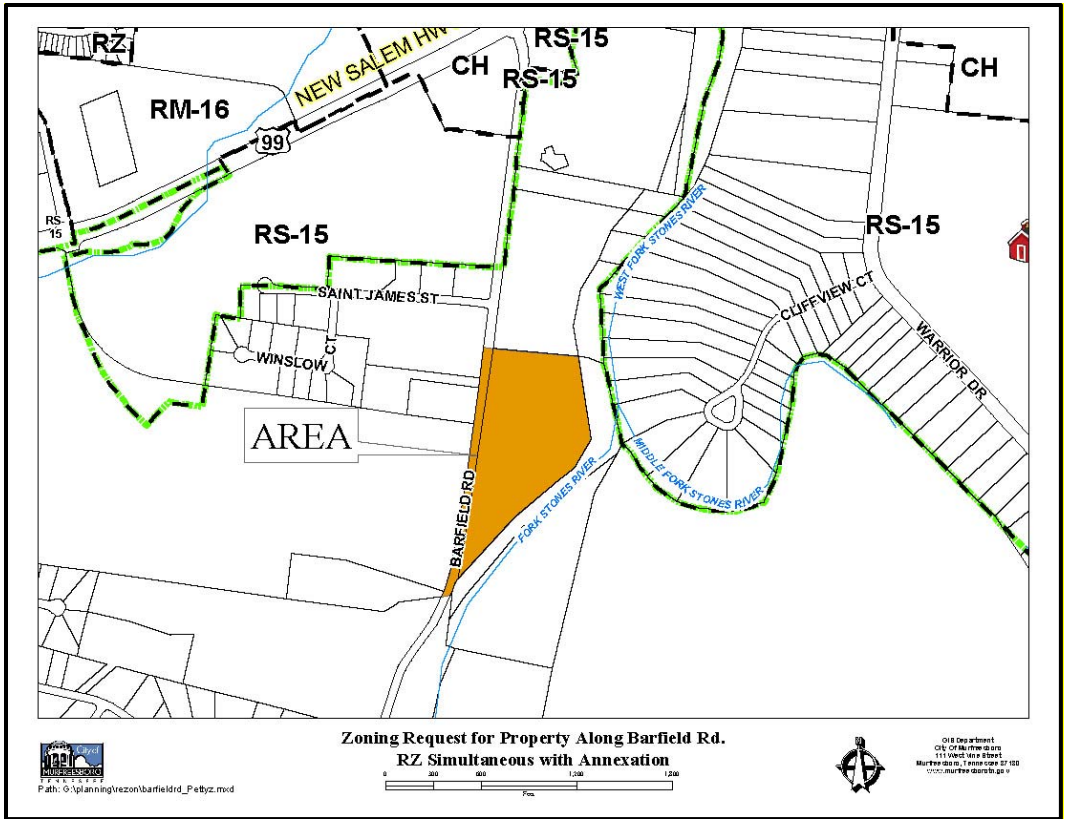


CITY ZONING

The applicant has requested rezoning to RZ (Residential Zero-Lot Line District) simultaneous with annexation. The entire study area is presently zoned RM (Residential – Medium Density) in the County.

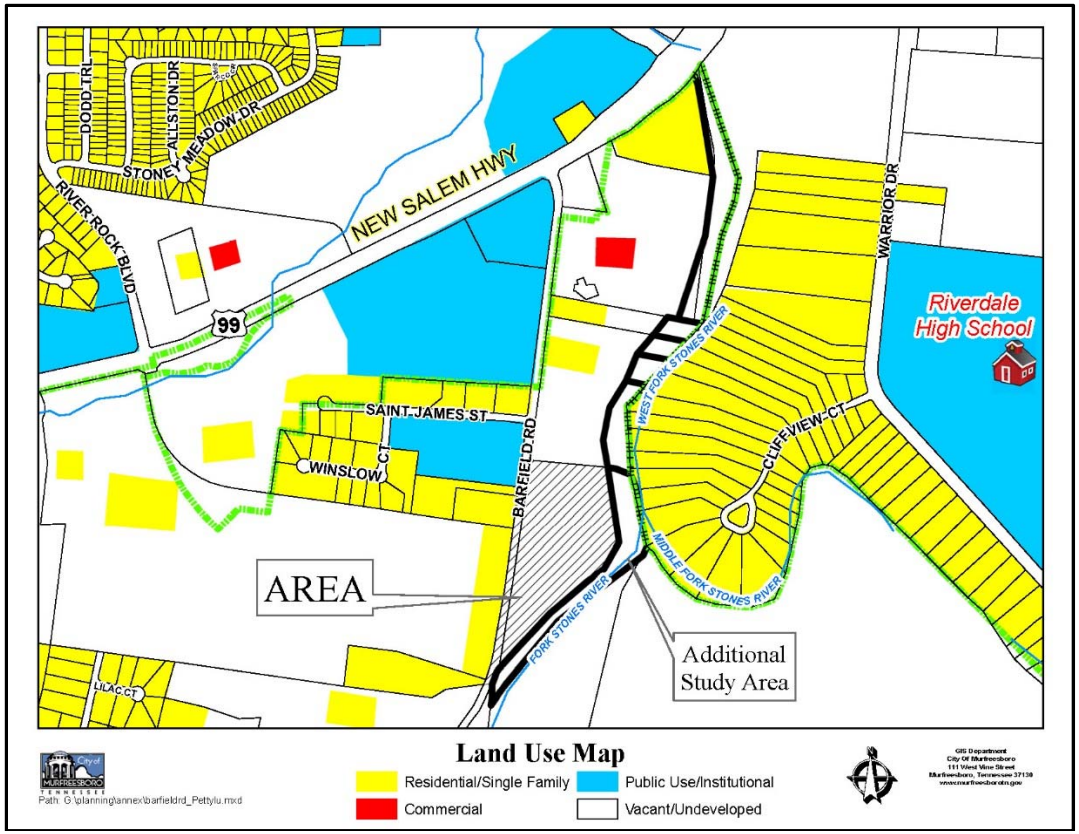
No rezoning is being sought for the eight City-owned greenway parcels (15.47 acres) that lie east and northeast of the study area. These parcels are currently zoned RM in the County and will be zoned RS-15 (Single-Family Residential) in the City upon annexation.

Adjacent properties to the east of the City-owned greenway parcels are zoned RS-15 (Single-Family Residential). Adjacent properties to the south and west of the study area lie outside the City's boundaries and are zoned RM in the County.



PRESENT AND SURROUNDING LAND USE

The 15.08-acre primary study area is presently vacant. Adjacent City-owned parcels (indicated as "Additional Study Area") to the east and northeast of the primary study area are presently used for the City greenway. Other surrounding land uses include single-family residential on the north and west of the primary study area. A small church is situated on a 4.07-acre lot to the west of the study area.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2016 will be due on December 31, 2017. 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 $1.2703/$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
Ted Petty	15.08	$12,950	N/A	$3,238	$41.13

These figures are for the property in its current state.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected. This property is located in Police Zone #2.

ELECTRIC SERVICE

The property is located within Middle Tennessee Electric Membership Cooperative's (MTEMC) service boundary. MTEMC has facilities and capacity in place to serve the proposed development. The electrical infrastructure installed to serve the proposed development will be required to adhere to MTEMC standards.

STREET LIGHTING

Street lighting will be installed on the property in accordance with MTEMC standards if any future development on the property includes public streets.

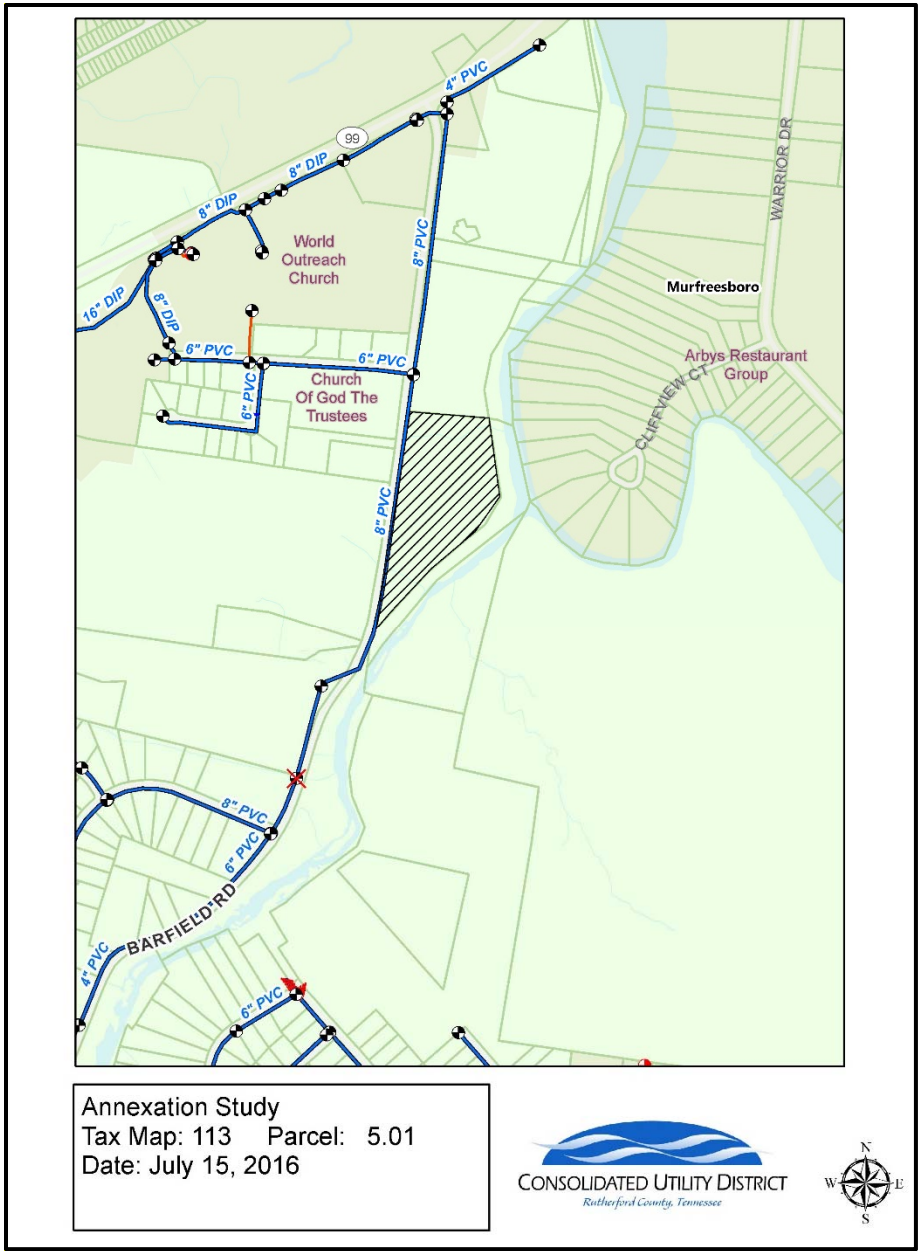
STREETS AND ACCESS

The study area currently has access to Barfield Road, a community collector, on the west. Barfield Road is proposed to be improved to a three-lane street section on the City's Major Thoroughfare Plan. Any new connections to Barfield Road must be approved by the City Engineer. Upon annexation, the 1,600 linear foot portion of Barfield Road included in the study area will become the responsibility of the City of Murfreesboro. Because Barfield Road is listed on the Major Thoroughfare Plan and is a substandard street, any new development along Barfield Road will be required to dedicate right-of-way and upgrade the roadway to current City standards. Any future public roadway facilities serving the study area must be constructed to City standards.

WATER SERVICE

The study area lies within Consolidated Utility District's (CUD) service area. The study area is presently served by an eight-inch water line which runs along the east side of Barfield Road. Should any new uses be proposed on the property, the developer/owner shall submit a Water Availability Request to CUD.

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

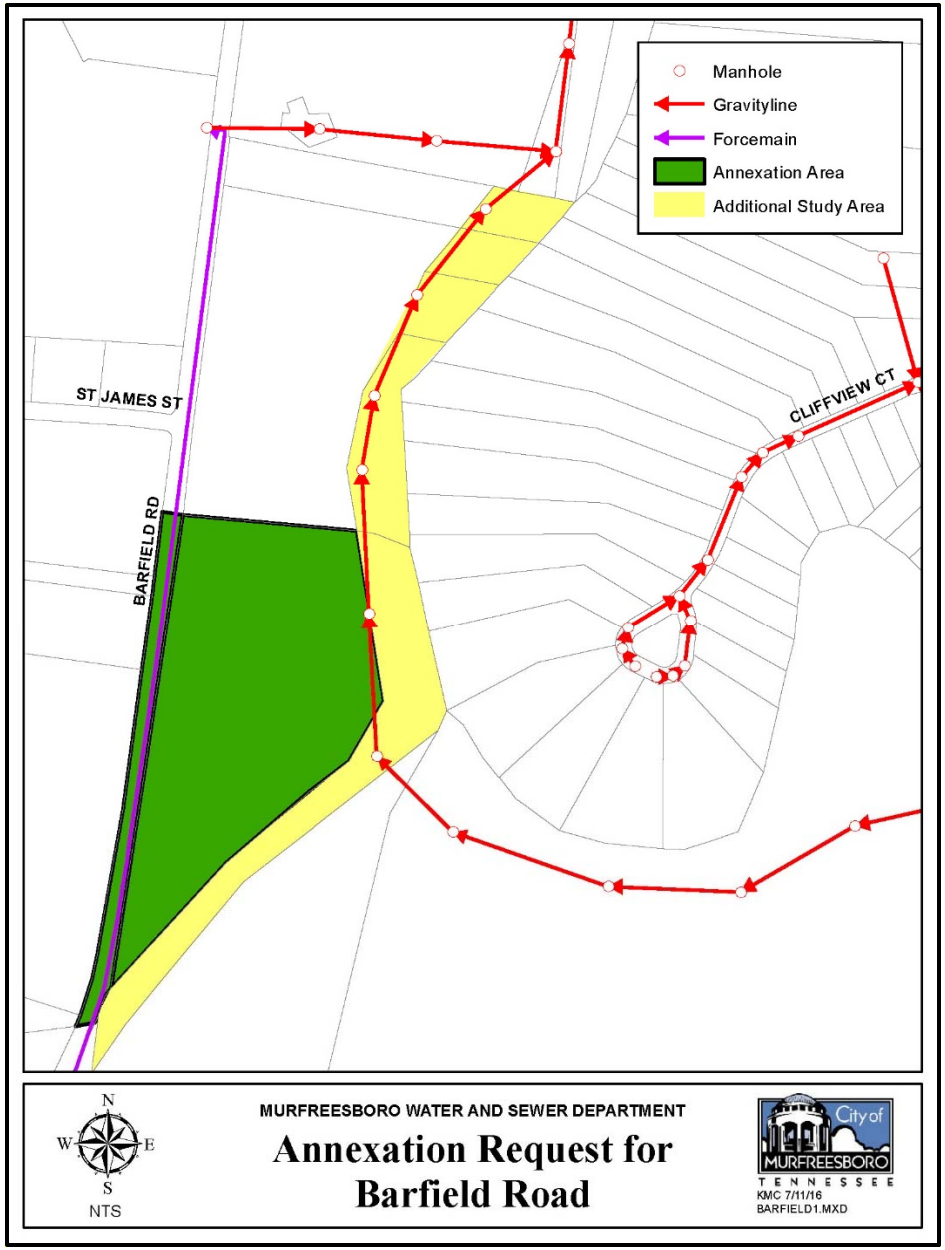


SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." Sewer service will be provided from either an existing eight-inch sewer main flowing west to east located within the northern and southern sections of the study area or an existing 36-inch sewer main flowing south to north within the eastern section of the study area. All sewer main improvements and easements needed to serve the subject properties are to be acquired and installed by the developer in accordance with MWSD's development policies and procedures.

The existing sewer is located within the Salem/Barfield Assessment District. Because the study area will not connect into the infrastructure built at the time of the assessment, the study area will not be subject to assessment fees. However, current and standard connection fees will apply.

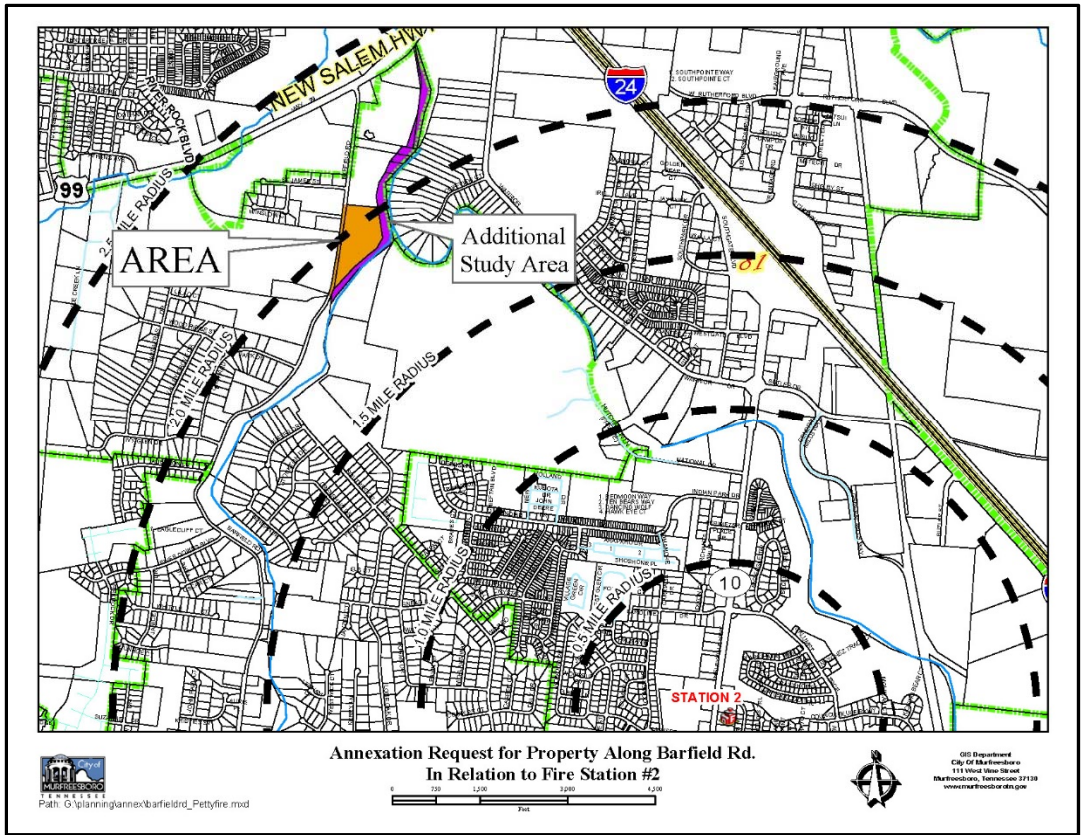
The red lines on the adjacent map represent existing sewer lines.



FIRE AND EMERGENCY SERVICE

The annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD). The MFRD will provide fire protection with a full-time, professional staff as well as medical first responder service. Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District (CUD) policies and procedures.

The closest fire station to the subject tract is Fire Station #2, located at 2880 Runnymeade Drive, 3.7 miles from the study area. Fire Station #9, located at 802 Cason Lane, is 4.0 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.



SOLID WASTE COLLECTION

The City will provide weekly curbside solid waste collection service immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. The initial day of service will be Thursday. In its current state, no additional equipment or manpower will be needed to serve the study area.

BUILDING AND CODES

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

RECREATION

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

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area is located in the Cason Lane Elementary school zone.

GEOGRAPHIC INFORMATION SYSTEMS

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

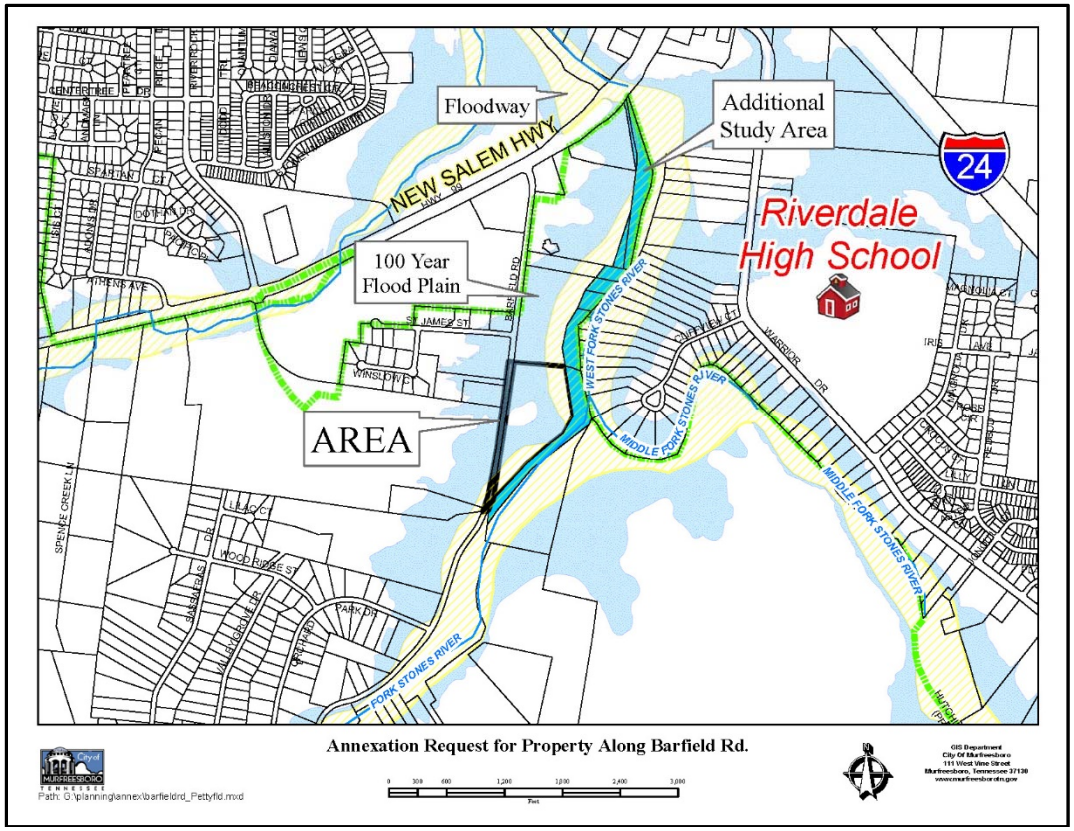
PLANNING, ENGINEERING, AND ZONING SERVICES

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

FLOODWAY

A portion of the study area is 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). Additionally, the easternmost portion of the study area lies within the floodway.

The adjacent map shows the floodway boundary in yellow and the 100-year floodplain boundary in blue.



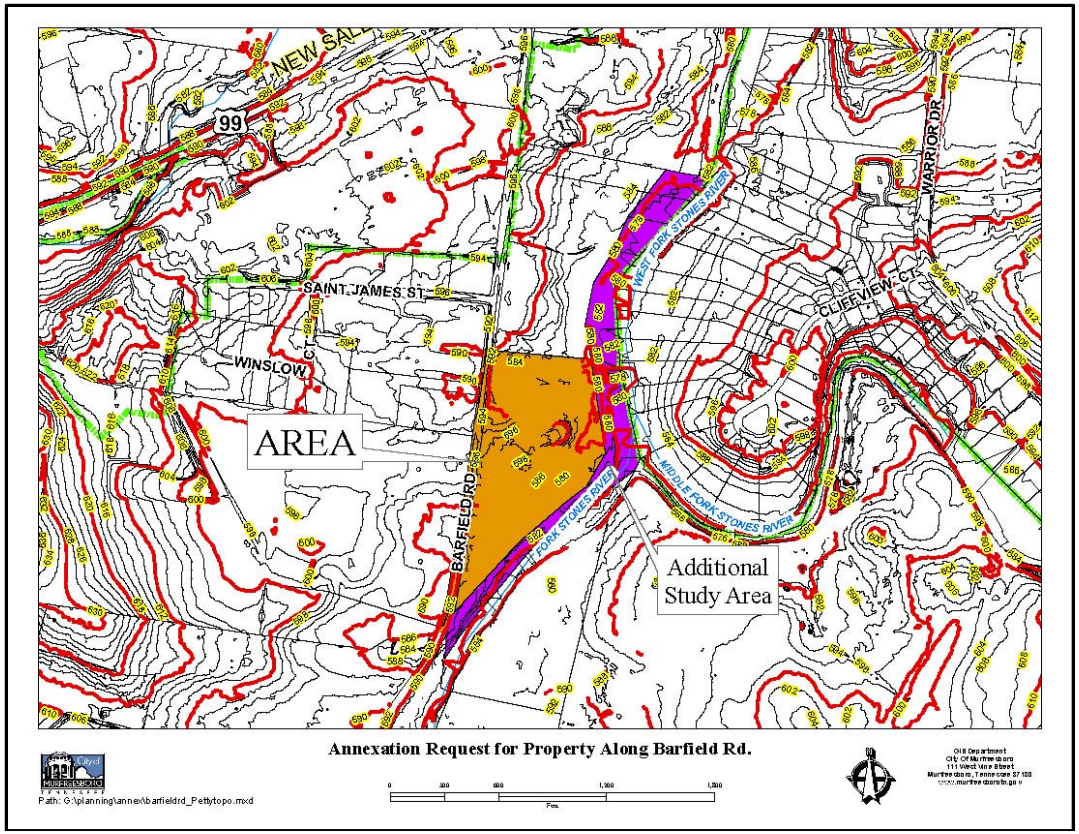
DRAINAGE

The property drains from west to east to the West Fork Stones River. Public drainage facilities available in the study area include roadside ditches along Barfield Road and two cross drains onto the study area. In addition, cross drains under Stones River Greenway serve the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

New development on the property must meet the City's requirements for building in the floodplain, including properly elevating structures and preventing encroachments in the floodway.

New development on the property must also meet overall City of Murfreesboro Stormwater Quality requirements including water quality and detention. Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed residential land use and considering applicable credits, this property has the potential to generate $1,200 in Stormwater Utility Fees annually upon full development.

The red lines on the adjacent map represent ten-foot contours. The black 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 Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

4.d. Zoning application [2016-436] for approximately 17.2 acres located along Barfield Road to be zoned RZ simultaneous with annexation, Ted Petty applicant.

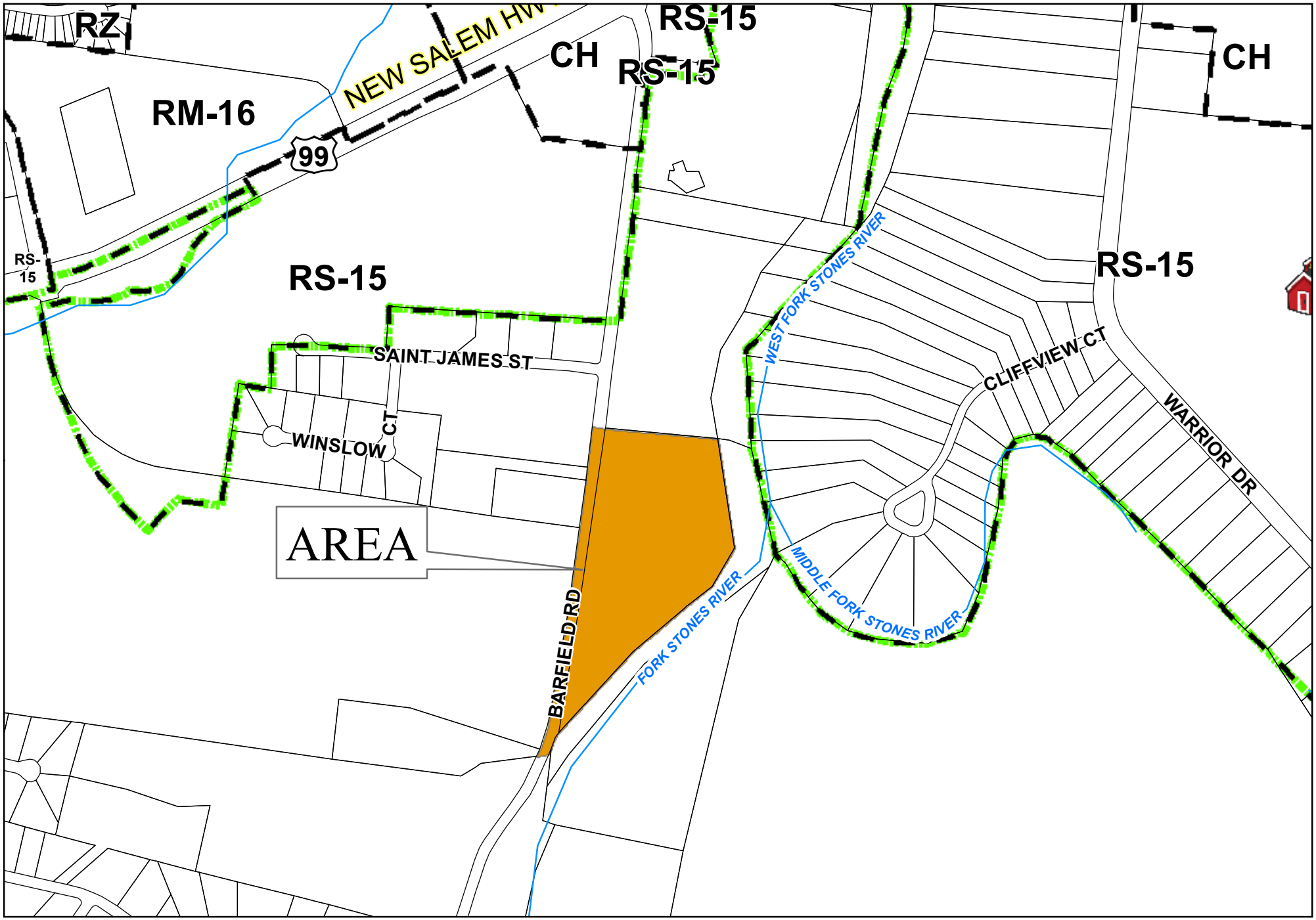
The subject property is located along the east side of Barfield Road south of New Salem Highway. The property is undeveloped and mostly wooded. It is a portion of a parcel that was bisected by the construction of the Stones River Greenway. The portion of the parcel requested for zoning is the northern half of the property and it totals approximately 15 acres. The previous item on the agenda pertained to the annexation of the same property. (The 2.2 acres of right-of-way included in the annexation bring the total to 17.2 acres.) The applicant has requested a zoning classification of RZ (Residential Zero-Lot Line District) simultaneous with annexation. (There is no zoning request for the additional study area considered with the annexation. As such, if annexed, it will be given an interim zoning classification of RS-15 [Single-Family Residential 15].)

The applicant's representative has indicated that his development intentions for the property are to construct a residential subdivision with single-family detached houses on small lots. The RZ zone permits single-family residential detached homes on lots with a minimum lot size of 3,000 square-feet and a minimum lot width of 30'. A sizeable portion of the subject property is encumbered by the floodway and floodplain of Stones River, and, although the requested area totals 15 acres, it appears that the developable area will be significantly less. Because of the floodway constraints and because lot sizes for single-family detached homes in the RZ zone tend to be a little bit larger than the minimum, it is difficult to estimate how many lots the subject property will realistically yield.

The Stones River is located to the east and south of the subject property as is the Stones River Greenway. Directly across the Stones River to the east is the Cliffview Estates single-family residential subdivision, which is zoned RS-15 and is within the Murfreesboro City limits. To the south, also across the river, is the balance of the applicant's property, which is undeveloped and located in the unincorporated County. The property to the north, as well as the property to the west across Barfield Road, is primarily undeveloped, owned by World Outreach Church, and located in the unincorporated County. The Saint James Park single-family residential subdivision is also located across Barfield Road from the subject property in the unincorporated County, as is a Church of God.

The subject property is located within the study area of the *Salem Pike Land Use Plan*. The future land use map included in that plan recommends that the property develop as "medium-density residential." The plan defines medium density residential as "All single-family and two-family residential uses that involve a density of at least three units per acre but less than eight units per acre; Institutional; Convenience-scale commercial uses on a selective and limited basis; General Farming."

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



Zoning Request for Property Along Barfield Rd.
RZ Simultaneous with Annexation

0 300 600 1,200 1,800
Feet

Path: G:\planning\rezon\barfieldrd_Pettyz.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

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
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MURFREESBORO TENNESSEE
Creating a better quality of life

REZONING APPLICATION FORM
$600.00 per application

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

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A $600.00 non-refundable application fee.

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

To be completed by applicant:

APPLICANT: Ted Petty

Address: 439 E. Burton Street City/State/Zip: Murfreesboro, TN 37130

Phone: 615-948-4475 E-mail address: llkennedy01@gmail.com

PROPERTY OWNER: Ted Petty

Street Address or
property description:

and/or Tax map #: Part of 113 Group: Parcel (s): 00501 See diagram

Existing zoning classification: Agricultural

Proposed zoning classification: ~~RM-12~~ RZ Acreage: 15 +/- (the land west of Middle Fork of Stones River & its tributary, fronted by Barfield Road on the West of Parcel

Contact name & phone number for publication and notifications to the public (if different from the applicant): Tom Reed Phone 615-663-3343

E-mail: tlreedjr@gmail.com

APPLICANT'S SIGNATURE (required):

DATE: 07.01.2016

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

Date received: **MPC YR.:** **MPC #:** 2016-511 2016-436

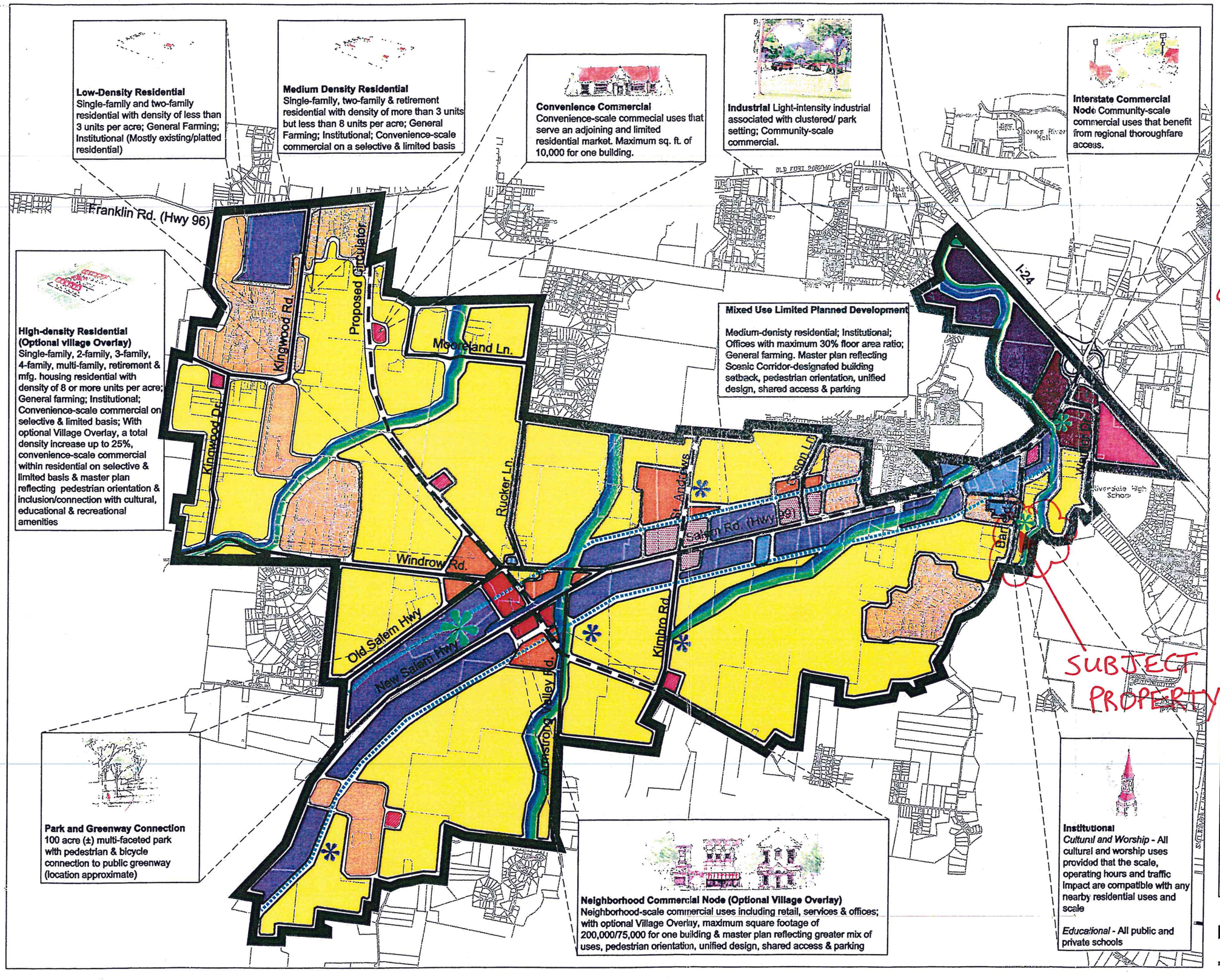
Amount paid: $600.00 **Receipt #:** 364027

Revised 1/2010

FUTURE LAND USE MAP

Salem Pike Study Area

Murfreesboro, Tennessee



Low-Density Residential
Single-family and two-family residential with density of less than 3 units per acre; General Farming; Institutional (Mostly existing/platted residential)

Medium Density Residential
Single-family, two-family & retirement residential with density of more than 3 units but less than 8 units per acre; General Farming; Institutional; Convenience-scale commercial on a selective & limited basis

Convenience Commercial
Convenience-scale commecial uses that serve an adjoining and limited residential market. Maximum sq. ft. of 10,000 for one building.

Industrial Light-intensity industrial associated with clustered/ park setting; Community-scale commercial.

Interstate Commercial Node Community-scale commercial uses that benefit from regional thoroughfare access.

High-density Residential (Optional village Overlay)
Single-family, 2-family, 3-family, 4-family, multi-family, retirement & mfg. housing residential with density of 8 or more units per acre; General farming; Institutional; Convenience-scale commercial on selective & limited basis; With optional Village Overlay, a total density increase up to 25%, convenience-scale commercial within residential on selective & limited basis & master plan reflecting pedestrian orientation & inclusion/connection with cultural, educational & recreational amenities

Mixed Use Limited Planned Development

Medium-denisty residential; Institutional; Offices with maximum 30% floor area ratio; General farming. Master plan reflecting Scenic Corridor-designated building setback, pedestrian orientation, unified design, shared access & parking

Park and Greenway Connection
100 acre (±) multi-faceted park with pedestrian & bicycle connection to public greenway (location approximate)

Neighborhood Commercial Node (Optional Village Overlay)
Neighborhood-scale commercial uses including retail, services & offices; with optional Village Overlay, maximum square footage of 200,000/75,000 for one building & master plan reflecting greater mix of uses, pedestrian orientation, unified design, shared access & parking

Institutional
Cultural and Worship - All cultural and worship uses provided that the scale, operating hours and traffic impact are compatible with any nearby residential uses and scale

Educational - All public and private schools

LEGEND

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Community Commercial Planned Development
- Interstate Commercial Node
- Neighborhood Commercial Node-Village Overlay
- Neighborhood Commercial Node
- Convenience Commercial Node
- Industrial
- Potential School Site
- Institutional (Cultural/Worship)
- Potential Park Site
- Greenway
- Mixed Use Limited Planned Development
- Scenic Corridor Overlay
- Major Thoroughfares
- Major Thoroughfare Improvements

Scale in Miles: 0 — 0.5 — 1.0

north

rm plan group •nashville
community & campus planning & design

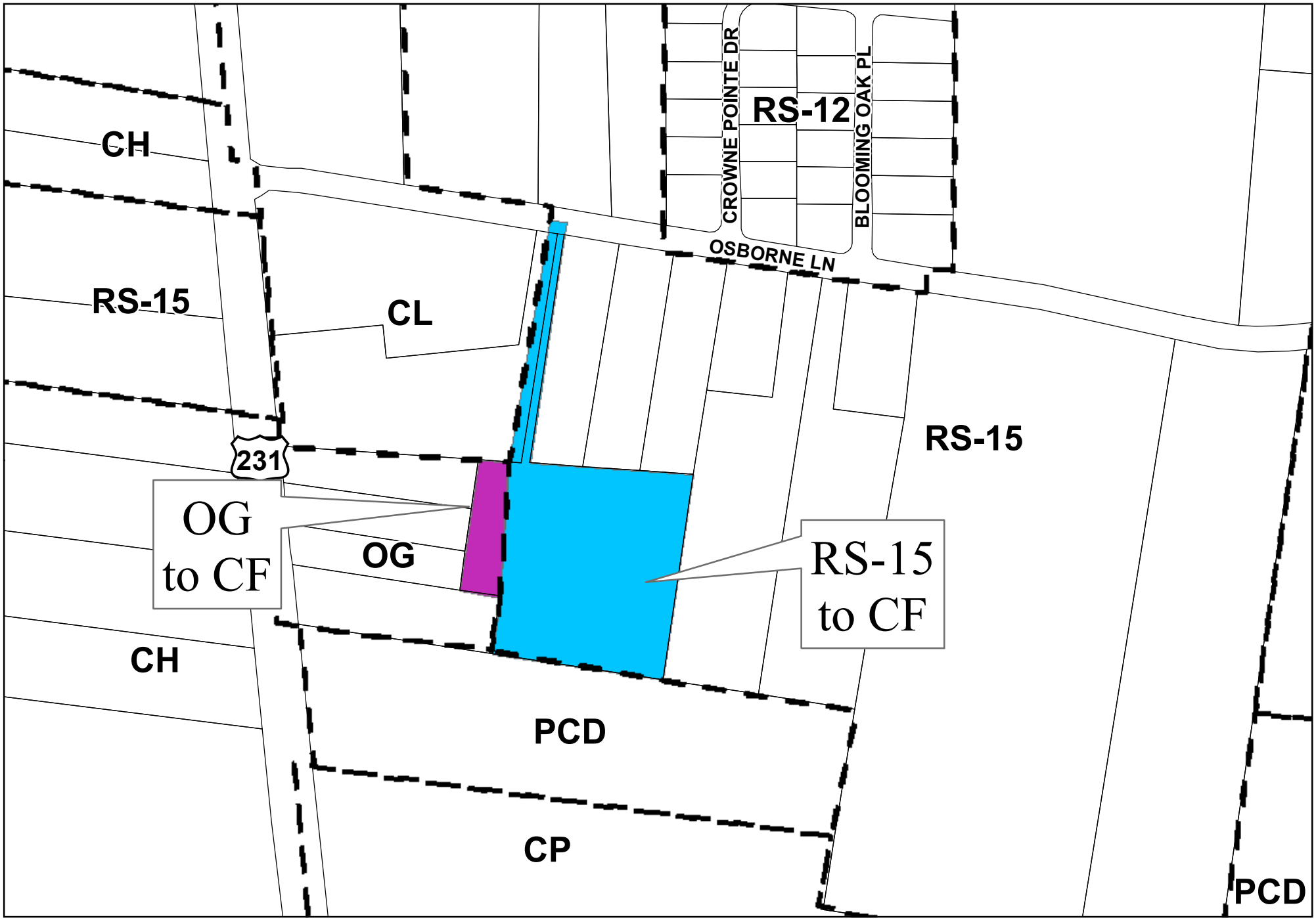
4.e. Zoning application [2016-431] for approximately 5.7 acres located along Osborne Lane to be rezoned from RS-15 to CF and approximately 0.6 acres to be rezoned from OG to CF, Chuck Barnes applicant.

The subject property is located along the south side of Osborne Lane just east of Memorial Boulevard. It is undeveloped and currently zoned RS-15 (Single-Family Residential District 15) and OG (General Office District). The applicant does not have a contract on the property. Rather, his father-in-law owns the 5.7 acres that is currently zoned RS-15 and he has indicated that he has obtained power-of-attorney from his father-in-law regarding this property. According to the applicant, the 0.6 acres zoned OG is presently under different ownership but will be transferred to his father-in-law prior to the Planning Commission meeting. He has indicated that he will also obtain power-of-attorney from his father in-law with respect to this property as well. (The OG-zoned property was added to this request by the applicant after he filed his initial rezoning application. Because of this, the attached submittal materials from the applicant, including the application form, do not reference the property currently zoned OG.)

The applicant is requesting that the subject property be rezoned from RS-15 and OG to CF (Commercial Fringe). It is his intention to develop a self-service storage facility on the subject property. If the property is rezoned to CF, this use will require a special use permit from the Board of Zoning Appeals. As an aside, the Planning Commission will recollect that there was discussion at the July 20th work session about a discrepancy with the eastern lot line adjoining the Speedway property. It has since been determined that the Speedway plat was in error. The surveyor of record for the Speedway property is in the process of rectifying this discrepancy.

The subject property is bordered on its west side by several office buildings zoned OG as well as a Speedway gas station/convenience market zoned CL (Local Commercial District). A parking lot zoned PCD (Planned Commercial District) that serves the State Farm corporate office is located to the south of the subject property. To the north and east of the subject property on the south side of Osborne Lane are a number of single-family residential estate lots zoned RS-15. Upon development, if the subject property is rezoned to CF, a 15'-wide Type D landscape buffer will be required to be installed adjacent to any property that is zoned RS-15. To the north across Osborne Lane are several more single-family residential estate lots zoned RS-15, as well as the Crowne Pointe single-family residential subdivision, which is zoned RS-12 (Single-Family Residential District) 12.

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



Rezoning Request for Property Along Osborne Ln.
from RS-15 to CF and OG to CF

0 150 300 600 900
Feet

Path: G:\planning\rezon\osborneInRS15_CH.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

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
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REZONING APPLICATION FORM
$600.00 per application

Procedure for applicant:
The applicant must submit the following information to initiate a rezoning:
1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A $600.00 non-refundable application fee.

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

To be completed by applicant:

APPLICANT CHUCK BARNES

Address: 9887 BRADLEY CREEK RD **City/State/Zip:** MILTON, TN. 37118

Phone: 615.289.9850 **E-mail address:** cbarnes@rcsotn.org

PROPERTY OWNER: PRENTICE ALSUP JR.

Street Address or property description:

and/or Tax map #: 69 **Group:** **Parcel (s):** 39.12

Existing zoning classification: RS-15

Proposed zoning classification: CF **Acreage:** 5.24

Contact name & phone number for publication and notifications to the public (if different from the applicant): CLYDE ROUNTREE 615 509.5930

Email: rountree.associates@yahoo.com

APPLICANT'S SIGNATURE (required): [signature]

DATE: 6.29.16

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

Date received: **MPC YR.:** **MPC #:** 2016-431

Amount paid: 600.- **Receipt #:** 364022

HUDDLESTON-STEELE
ENGINEERING, INC.
2115 N.W. Broad Street • Murfreesboro, TN 37129 • Engineering 615-893-4084 • Surveying 615-890-0372 • FAX: 615-893-0080

June 29, 2016

Mr. Gary Whitaker
Planning Director
City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

Re: Rezoning Request
Described as Tax Map #69, Parcel 39.12 consisting of 5.24 ac. and .42 ac. located off of Osborn Lane in Murfreesboro, TN.

Dear Mr. Whitaker:

On behalf of our client, Chuck Barnes, we hereby request the rezoning of the property located at Tax Map 69, Parcels 39.12 consisting of 5.24 acres, currently zoned RS-15 to the new zoning of CF as depicted in the exhibit provided. Thank you for considering our request.

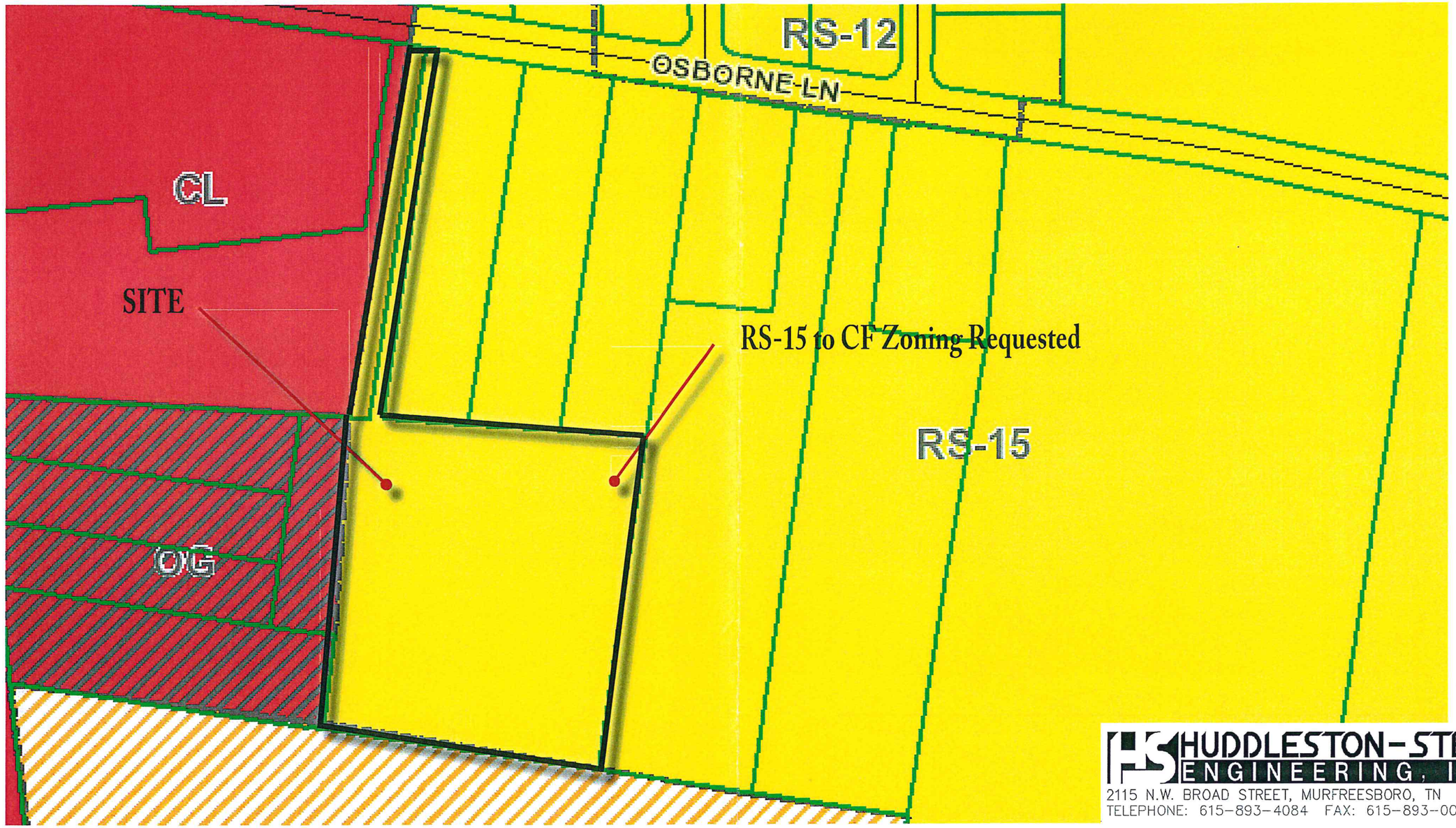
Sincerely,

Clyde Rountree, RLA

HUDDLESTON-STEELE ENGINEERING, INC.

2016-431

Alsup Rezoning



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

MMURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

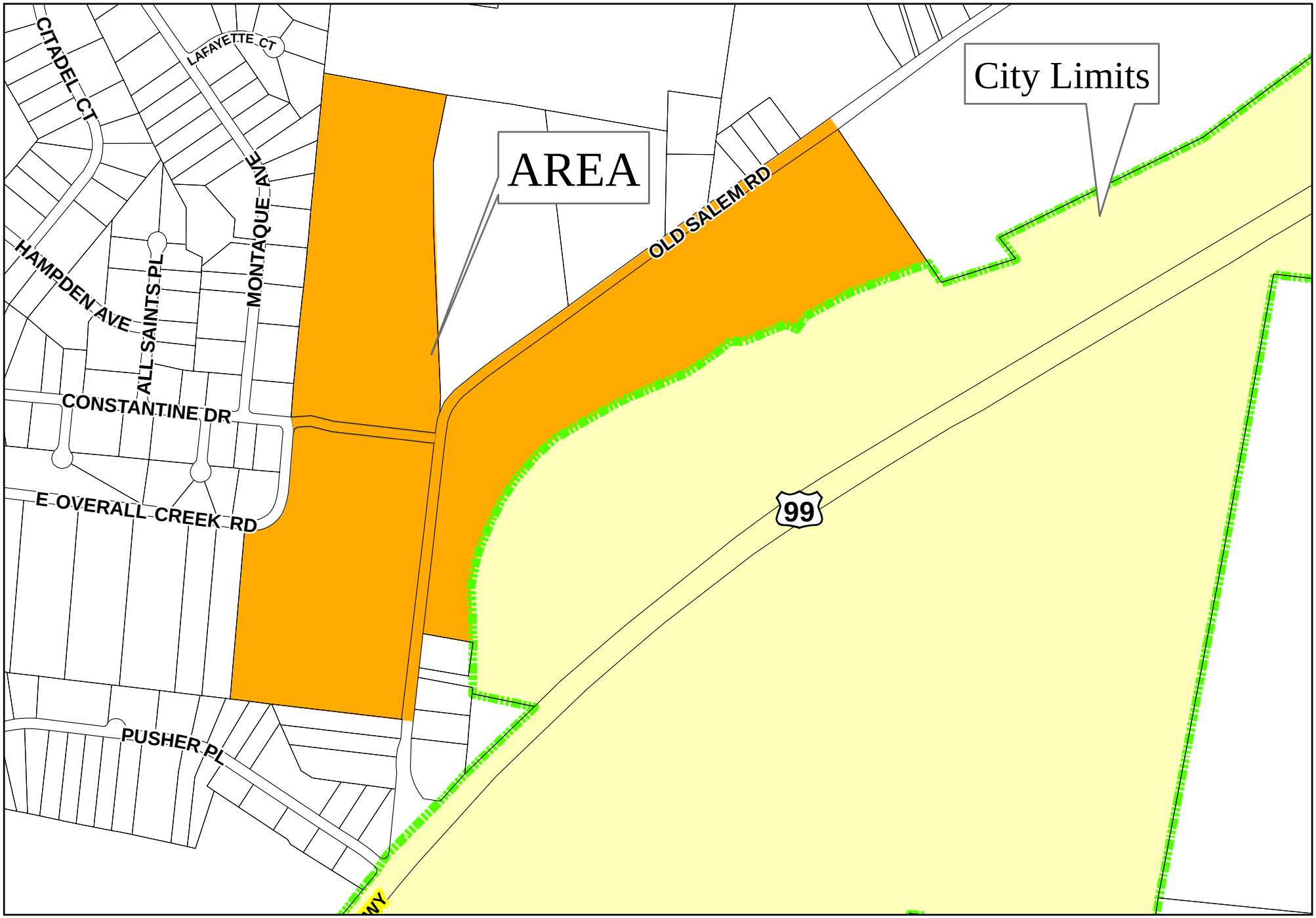
4.f. Annexation Plan of Services and annexation petition [2016-510] for approximately 84 acres located along Old Salem Road, David Alcorn, Rucker Donnell Foundation and Linda Gilley applicants.

The subject properties are located along Old Salem Road and East Overall Creek Road. The study area consists of property owned by David Alcorn which is located south of East Overall Creek Road and west of Old Salem Road. There is a single-family residence located on Mr. Alcorn's property at 5595 East Overall Creek Road. The study area also consists of property owned by the Talmadge Gilley Jr Trust located north of East Overall Creek Road and west of Old Salem Road. And, the study area also consists of a portion of property owned by the Rucker Donnell Foundation located along the south and East of Old Salem Road; a portion of which is already in Murfreesboro City limits. The entire study area is 84 acres.

A written petition has been filed by the property owners requesting annexation. The Rucker Donnell Foundation property and the Linda Gilley property are located within the City's Urban Growth Boundary. The David Alcorn property is only partially located within the Urban Growth Boundary; however our legal staff believes it is within Murfreesboro's ability to annex. If annexed, all properties are contiguous with the City limits.

Included with the staff comments is a plan of services. Rights-of-way of Old Salem Road and East Overall Creek Road are included in the annexation study. The Rucker Donnell foundation has also filed a request to have the property zoned CF (Commercial Fringe District) simultaneous with annexation. The properties owned by Mr. Alcorn and the Gilley Trust will come into the City with an interim zoning of RS-15.

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

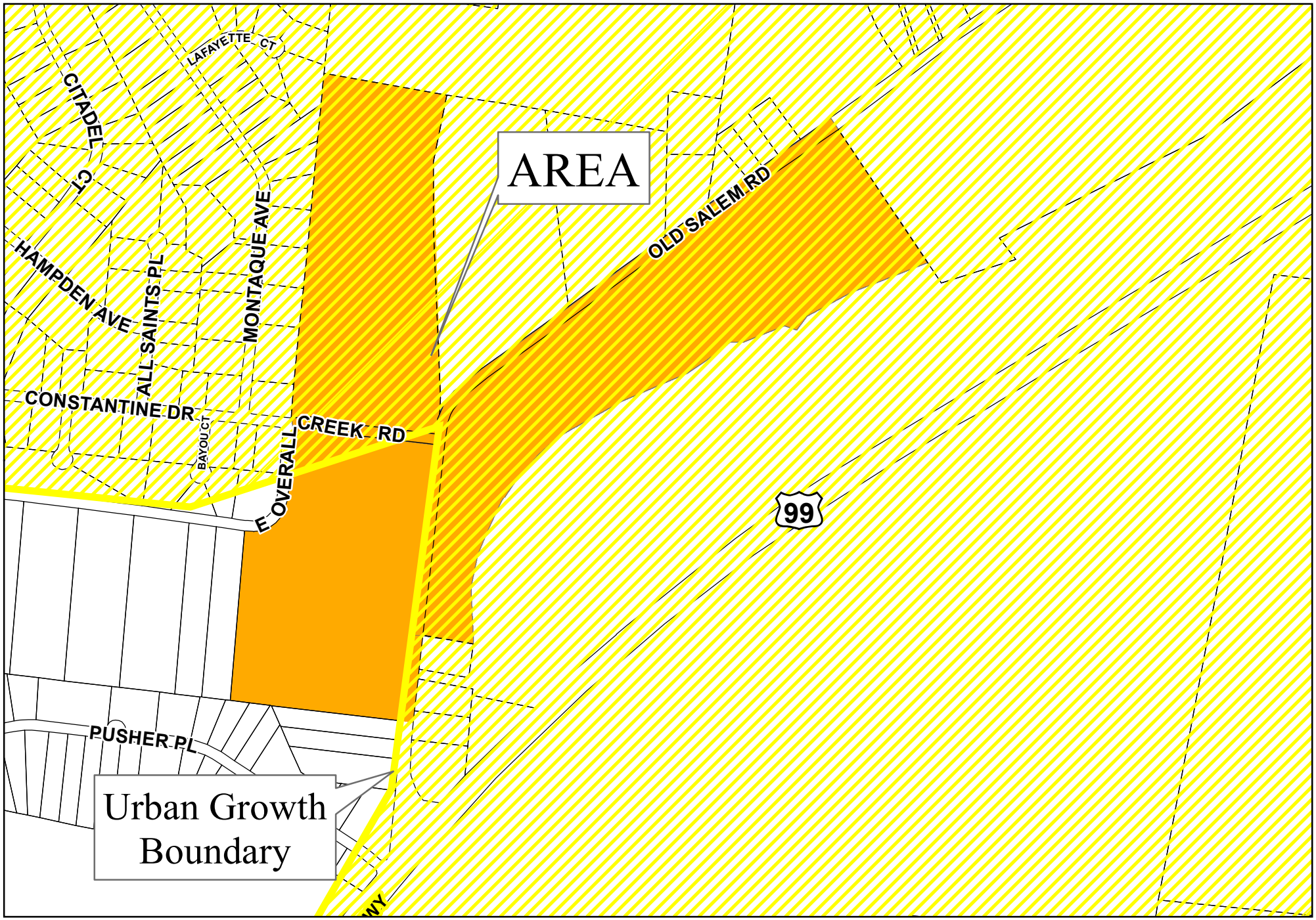


Annexation Request for Property Along Old Salem Highway

0 300 600 1,200 1,800
Feet

Path: G:\planning\annex\oldsalem8_2016.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov



City of MURFREESBORO TENNESSEE

Path: G:\planning\annex\oldsalem8_2016.mxd

Annexation Request for Property Along Old Salem Highway

0 300 600 1,200 1,800
Feet

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 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. RUCKER DONNELL FOUNDATION
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: _____ Status: TRUSTEE Date: 7/18/2016

110 S. MAPLE ST. M'BORO, TN 37130
Mailing Address (if not address of property to be annexed)

2. JOHN HARNEY, THE PARKS GROUP
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: _____ Status: AGENT Date: 7/18/2016

PO BOX 5049 MURFREESBORO, TN. 37133
Mailing Address (if not address of property to be annexed)

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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

(Attach additional signature pages if necessary)

Legal Description is attached: X **Yes** MAP 123 parcel 12

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. ALCORN PROPERTIES, LLC DAVID ALCORN
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

David Alcorn
Signature: _____ Status: President Date: 7-8-16

239 VETERANS PKWY, SUITE C, MURFREESBORO, TN 37128
Mailing Address (if not address of property to be annexed)

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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

(Attach additional signature pages if necessary)

Legal Description is attached: ✓ **Yes**

Power of Attorney applies and is attached: ____ **Yes** X **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.

615-268-6044

1. Linda G. Gilley, Trustee Talmadge Gilley Trust
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Linda G. Gilley Status: _____ Date: 07-26-2016

4669 Windrow Rd, Rockvale TN 37153
Mailing Address (if not address of property to be annexed)

2. Nathan Summar, Trustee Talmadge Gilley Trust
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: Nathan K. Summar Status: _____ Date: 07-26-2016

2818 St. Johns Dr., Murfreesboro TN 37129
Mailing Address (if not address of property to be annexed)

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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

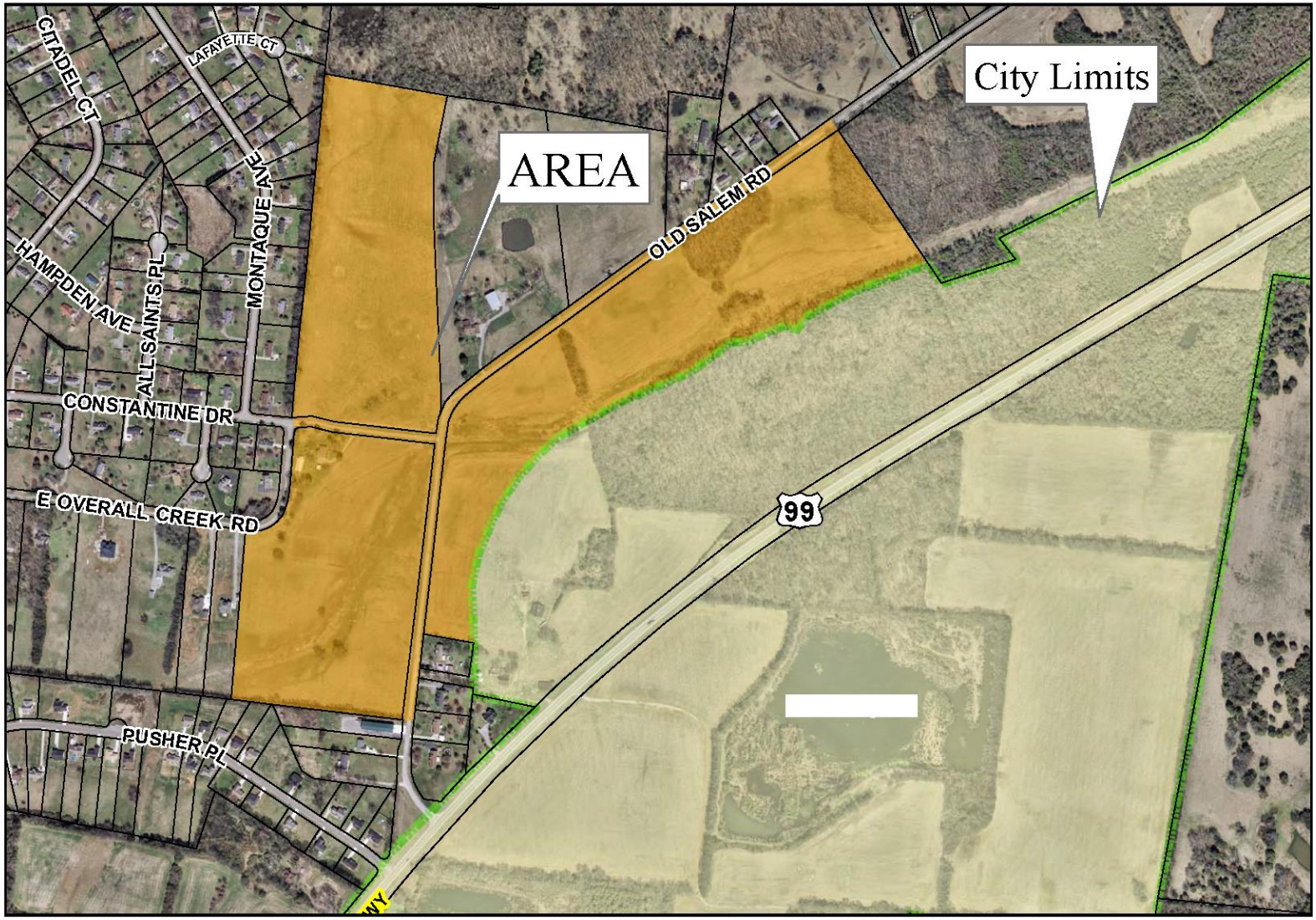
(Attach additional signature pages if necessary)

Legal Description is attached: ✓ Yes

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

ANNEXATION REPORT FOR PROPERTY LOCATED ALONG OLD SALEM ROAD INCLUDING PLAN OF SERVICES

PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
September 7, 2016



Annexation Request for Property Along Old Salem Highway

0 300 600 1,200 1,800
Feet

Path: G:\planning\annex\oldsalem8_2016ortho.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesboroth.gov

INTRODUCTION

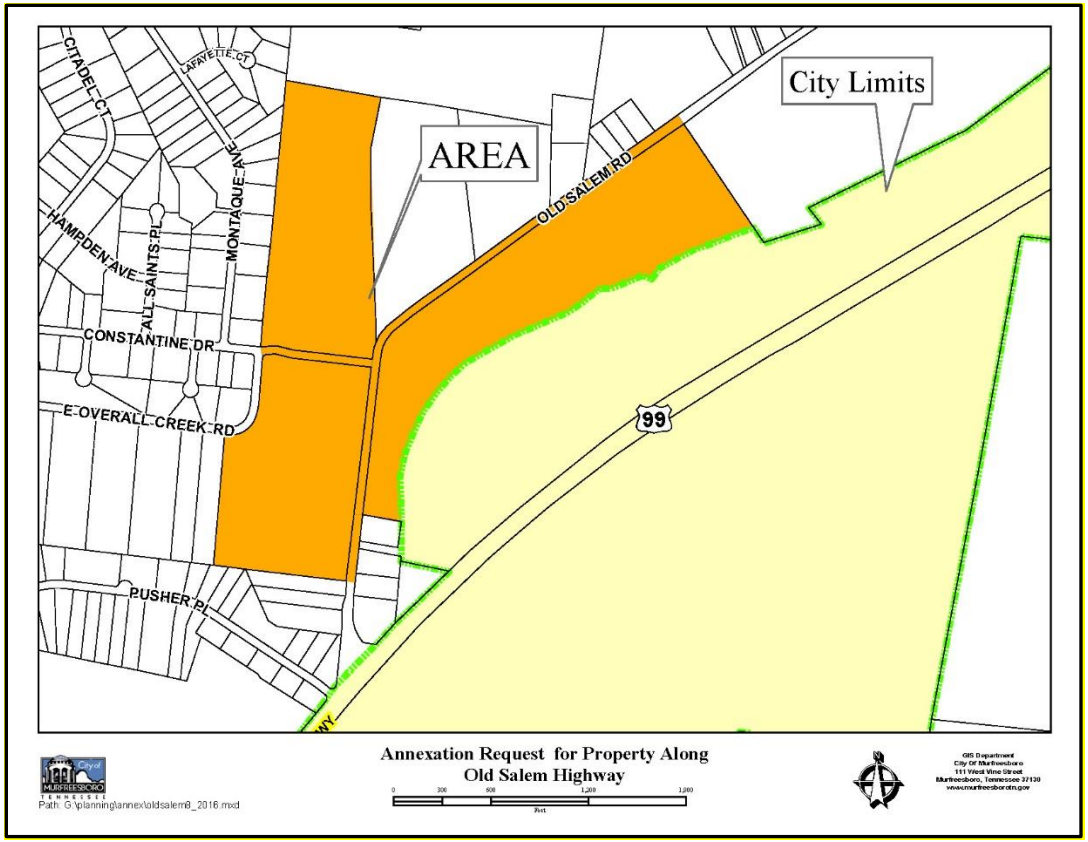
OVERVIEW

Linda Gilley, David Alcorn, and the Rucker Donnell Foundation have requested annexation of 84.15 acres divided among three properties located along Old Salem Road.

The area studied in this Plan of Services includes: Tax Map 115, Parcel 29.00, a 25-acre parcel; Tax Map 123, Parcel 5.00, a 25-acre parcel; and Tax Map 123, Parcel 12.00, a 34.15-acre portion of a 447-acre parcel.

Additionally, the study area includes adjacent rights-of-way along Old Salem Road (approximately 3,800 linear feet, 4.5 acres) and East Overall Creek Road (approximately 725 linear feet, 0.8 acres).

With the exception of a portion of Tax Map 123, Parcel 5.00, the study area lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City on the east. Adjacent areas to the north, northeast, south, and west lie within the unincorporated County.

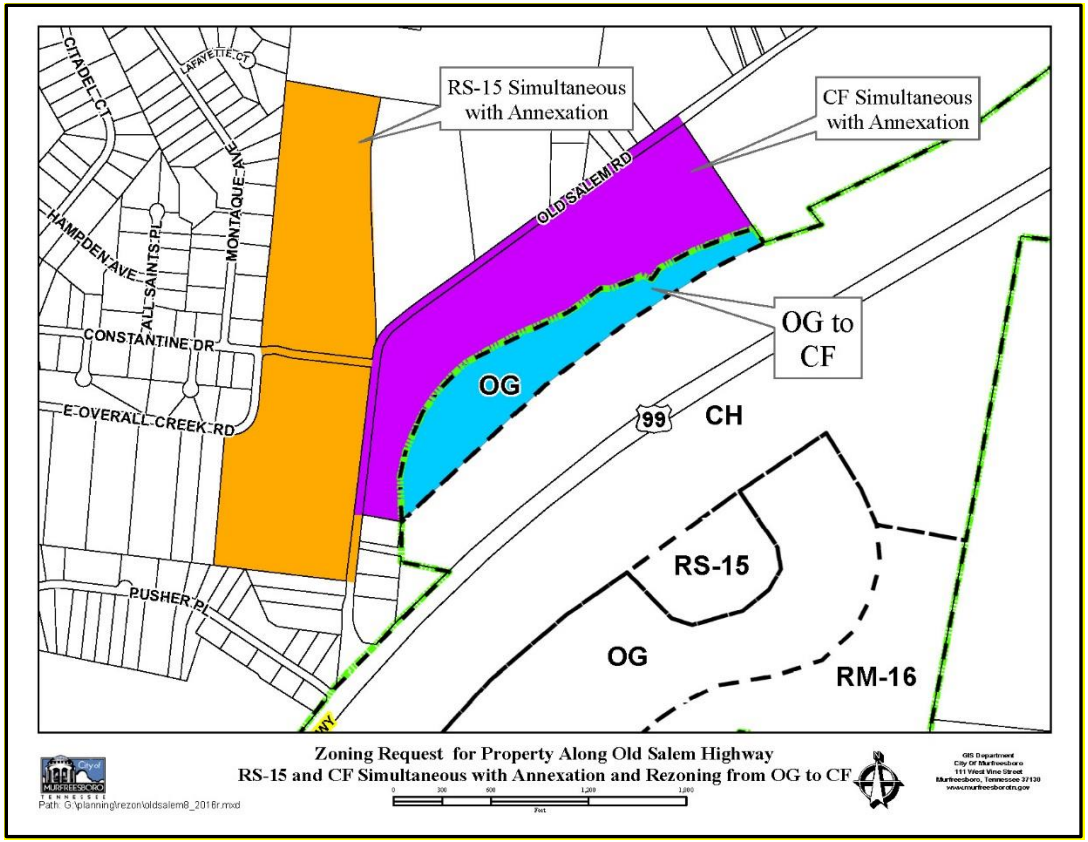


CITY ZONING

The study area is presently zoned RM (Residential – Medium Density) in the County. Rucker-Donnell Foundation has requested rezoning to CF (Commercial Fringe) for the 34.15-acre portion of Tax Map 123, Parcel 12.00 included in the annexation request. Additionally, Rucker Donnell Foundation has requested rezoning to CF for a 17.68-acre portion of the same parcel lying south of the study area; the 17.68-acre portion is currently located in the City and is zoned OG (General Office).

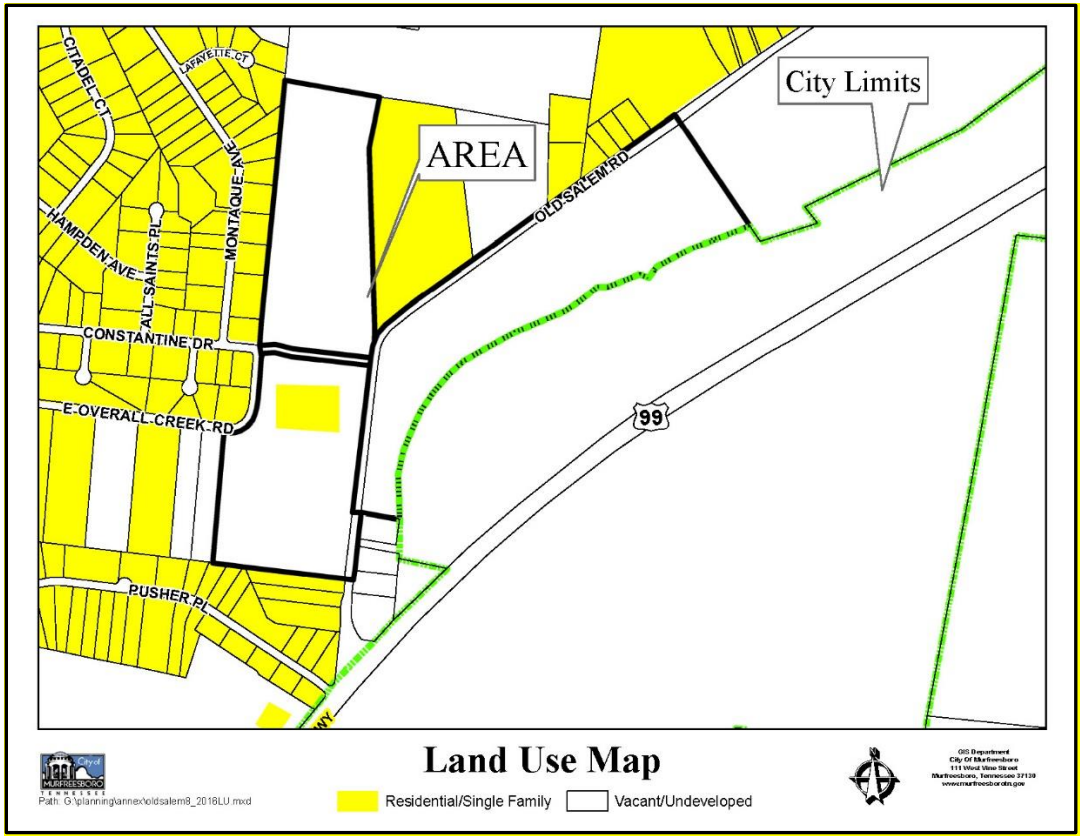
Rezoning is not being sought for the two westernmost parcels included in the study area. These parcels will default to RS-15 (Single-Family Residential) zoning upon annexation.

The property lying adjacent to the study area on the southeast is located within the City boundaries and is zoned CH (Highway Commercial). Adjacent properties to the north, northeast, south, and west lie outside the City's boundaries and are zoned RM in the County.



PRESENT AND SURROUNDING LAND USE

Both the 34.15-acre portion of the Rucker Donnell property (Tax Map 123, Parcel 12.00) and the 25.00-acre Gilley property (Tax Map 115, Parcel 29.00) are presently vacant. A single-family house is situated on the northwest corner of the 25.00-acre Alcorn property (Tax Map 123, Parcel 5.00). Salem Close and Overall Creek, both County single-family residential subdivisions, are located west of the study area. Another County subdivision, Blue Ribbon Estates, adjoins the study area on its southwestern side. Other single-family residential properties adjoin the study area on the northeast.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2016 will be due on December 31, 2017. 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 $1.2703/$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
Gilley Talmadge Jr Trust	25.00	$49,900	N/A	$12,475	$158.47
Alcorn Properties LLC	25.00	$66,200	$107,800	$43,500	$552.58
Rucker Donnell Foundation	34.15	$54,556	N/A	$13,639	$173.25
Total	**84.15**	**$170,656**	**$107,800**	**$69,614**	**$884.30**

These figures are for the property in its current state. Note that the Rucker Donnell Foundation property includes a total of 447 acres; however, the study area includes only a 34.15-acre portion of the property. All figures for the Rucker Donnell Foundation property are based on the 7.6 percent share of the property's area included in the study area.

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2016-2017 per capita state revenue estimates for the City of Murfreesboro once the development is built out.

Table II
Per Capita State Revenue Estimates

General Fund	**Per Capita Amount**
State Sales Tax	$70.00
State Beer Tax	$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	$2.05
Gross Receipts (TVA in-lieu taxes)	$11.00
Total General Revenue Per Capita	$83.55
State Street Aid Funds	**Per Capita Amount**
Gasoline and Motor Fuel Taxes	$25.91
Total Per Capita (General and State Street Aid Funds)	**$109.46**
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit with maximum density of 108 units)	**$30,499.93**

The per capita state revenue estimates apply only to new residents and will only be available after a certified census takes place.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected. This property is located in Police Zone #2.

ELECTRIC SERVICE

The property is located within Middle Tennessee Electric Membership Cooperative's (MTEMC) service boundary. MTEMC has facilities and capacity in place to serve the proposed development. The electrical infrastructure installed to serve the proposed development will be required to adhere to MTEMC standards.

STREET LIGHTING

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

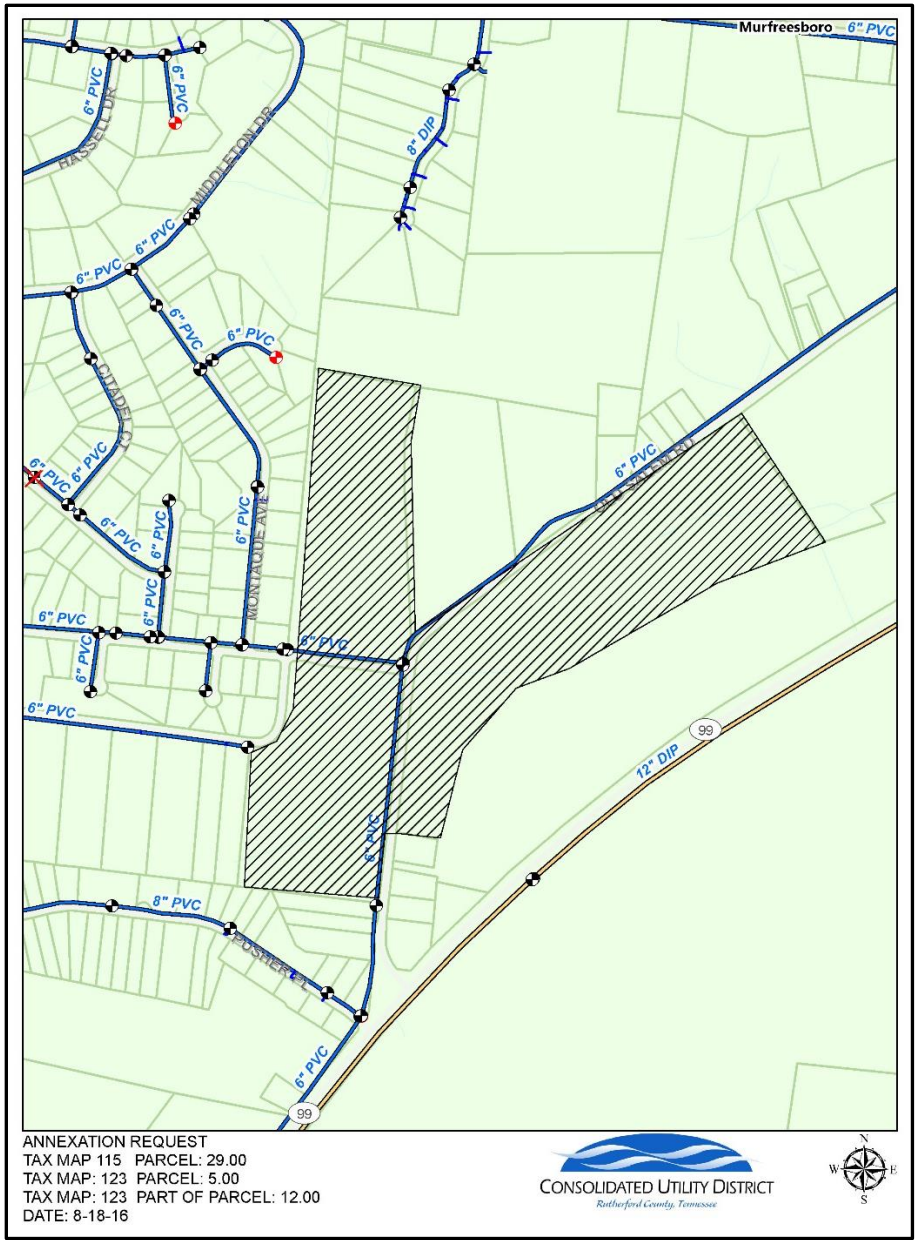
STREETS AND ACCESS

The study area has access to Old Salem Road and East Overall Creek Road. The existing Old Salem roadway is approximately 20 feet in width and has open ditches on both sides. The existing pavement is in fair-to-poor condition and will require resurfacing upon redevelopment. Likewise, the portion of East Overall Creek Road included in the study area is 20 feet in width and will require resurfacing upon redevelopment. Any new public roadways to serve the study area must be constructed in accordance with City standards.

WATER SERVICE

The study area lies within Consolidated Utility District's (CUD) service area. The study area is presently served by a six-inch water line, which runs along the west side of Old Salem Road. Any new development in the study area will likely be required to connect to an existing 12-inch water line on New Salem Highway in order to meet City fire requirements. Should any new uses be proposed on the property, the developer/owner shall submit a Water Availability Request to CUD.

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

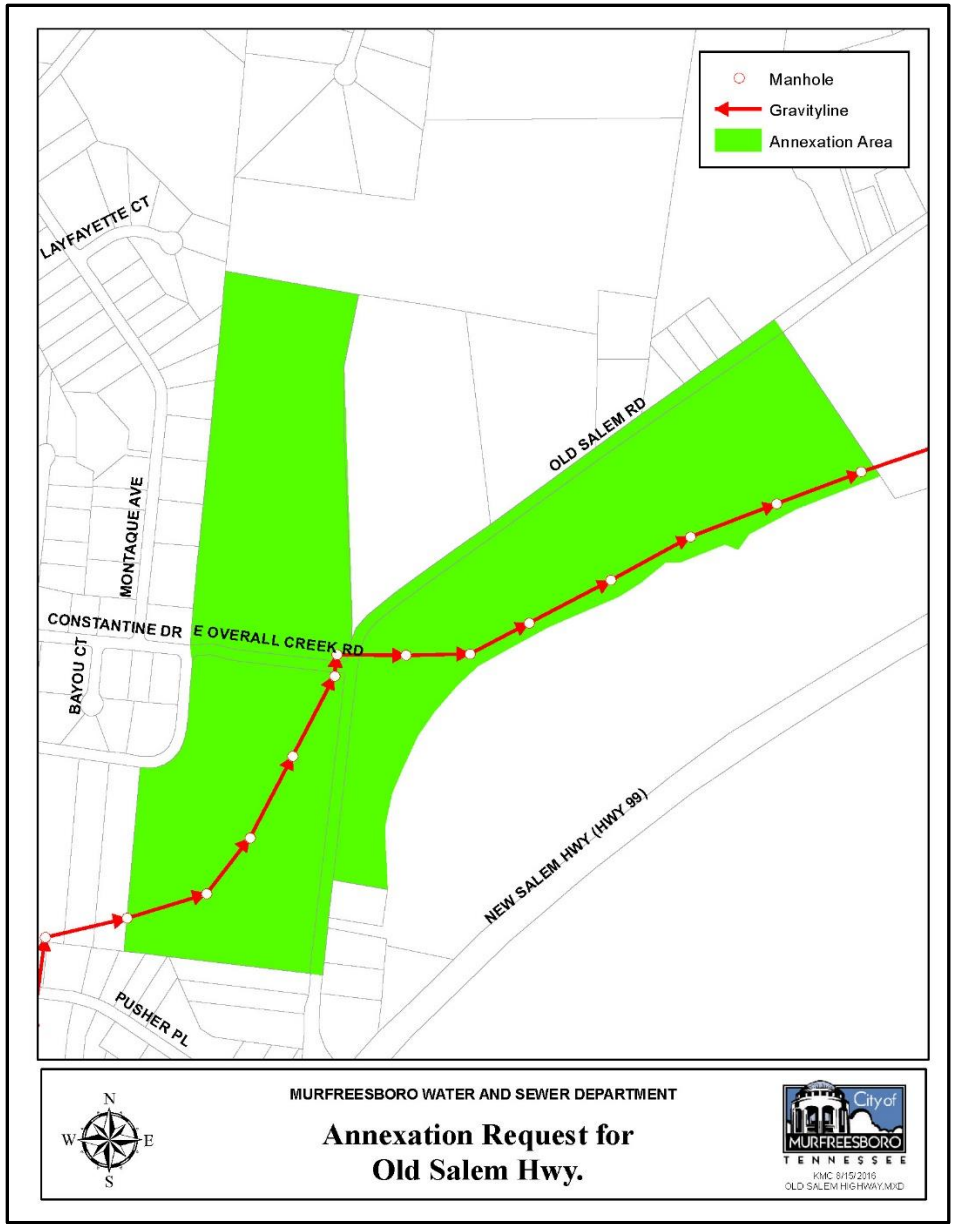


SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." Sewer service will be provided from an existing 15-inch sewer main flowing southwest to northeast through the study area. All sewer main improvements and easements needed to serve the subject property are to be acquired and installed by the developer in accordance with MWSD's development policies and procedures.

The existing sewer connects to the Overall Creek and Rockvale Assessment Districts. All developments that connect into this sewer system are assessed a $1,000 fee per single-family unit or equivalent for the Overall Creek Assessment District and $1,550 fee per single-family unit or equivalent for the Rockvale Assessment District. Assessment District fees are charged in addition to the current and standard connection fees.

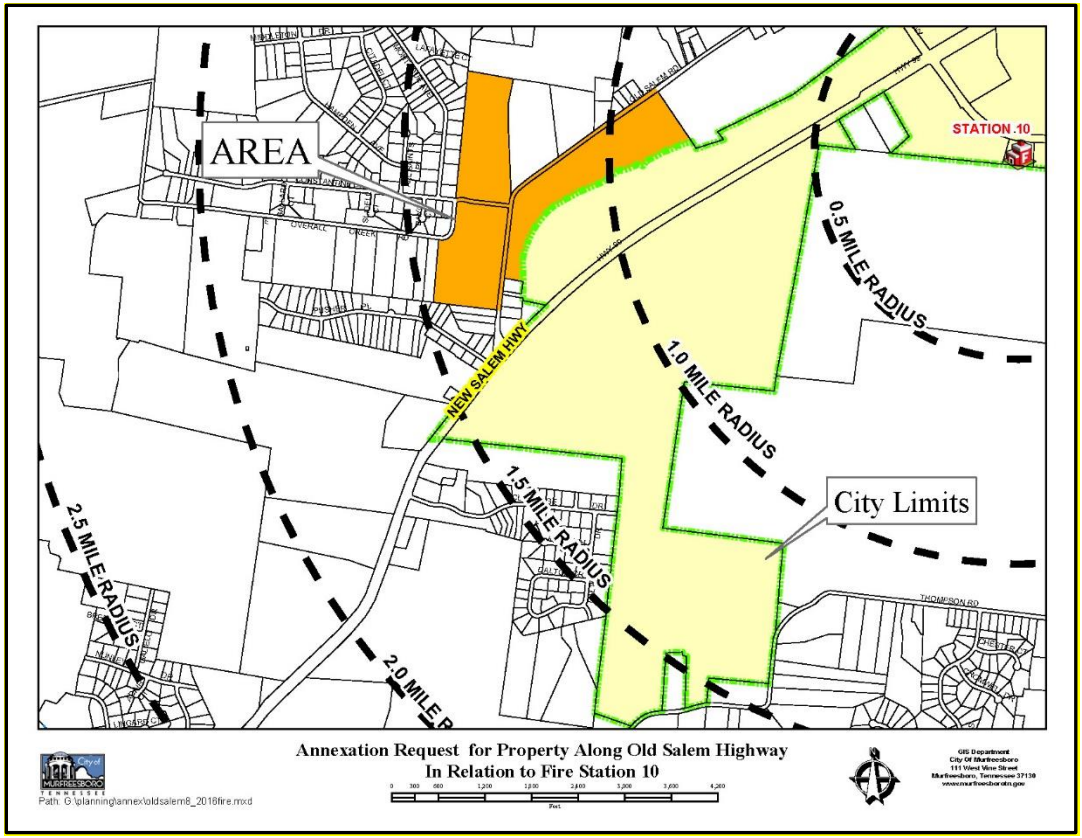
The red lines on the adjacent map represent existing sewer lines.



FIRE AND EMERGENCY SERVICE

The annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD). The MFRD will provide fire protection with a full-time, professional staff as well as medical first responder service. Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District (CUD) policies and procedures.

The closest fire stations to the subject tract are Fire Station #10, located at 2563 Veterans Parkway, which is 1.81 miles from the study area, and Station #9, located at 802 Cason Lane, which is 5.24 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.



SOLID WASTE COLLECTION

The City will provide weekly curbside solid waste collection service immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. The initial day of service will be Thursday. In its current state, no additional equipment or manpower will be needed to serve the study area.

BUILDING AND CODES

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

RECREATION

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

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area is located in the Scales Elementary school zone. The school system anticipates opening a new elementary school to serve the study area and vicinity in 2018. The 34.15-acre property included in the study area should have no impacts on school enrollment.

GEOGRAPHIC INFORMATION SYSTEMS

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

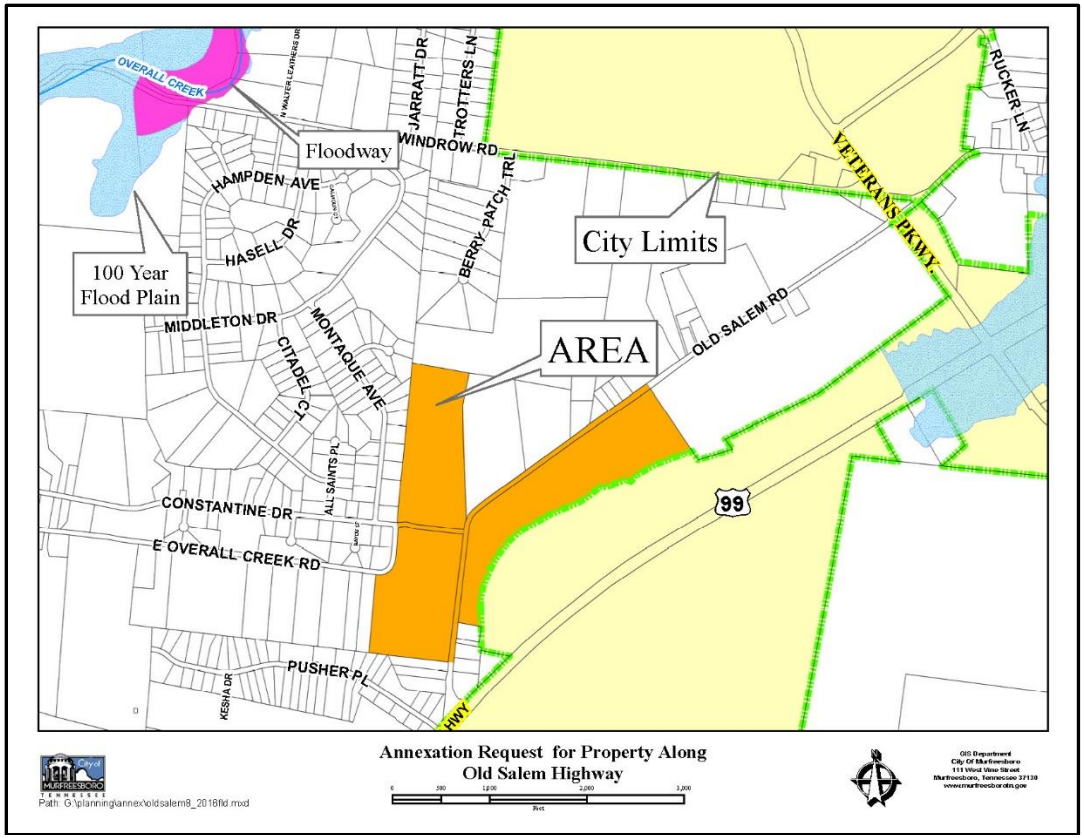
PLANNING, ENGINEERING, AND ZONING SERVICES

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

FLOODWAY

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

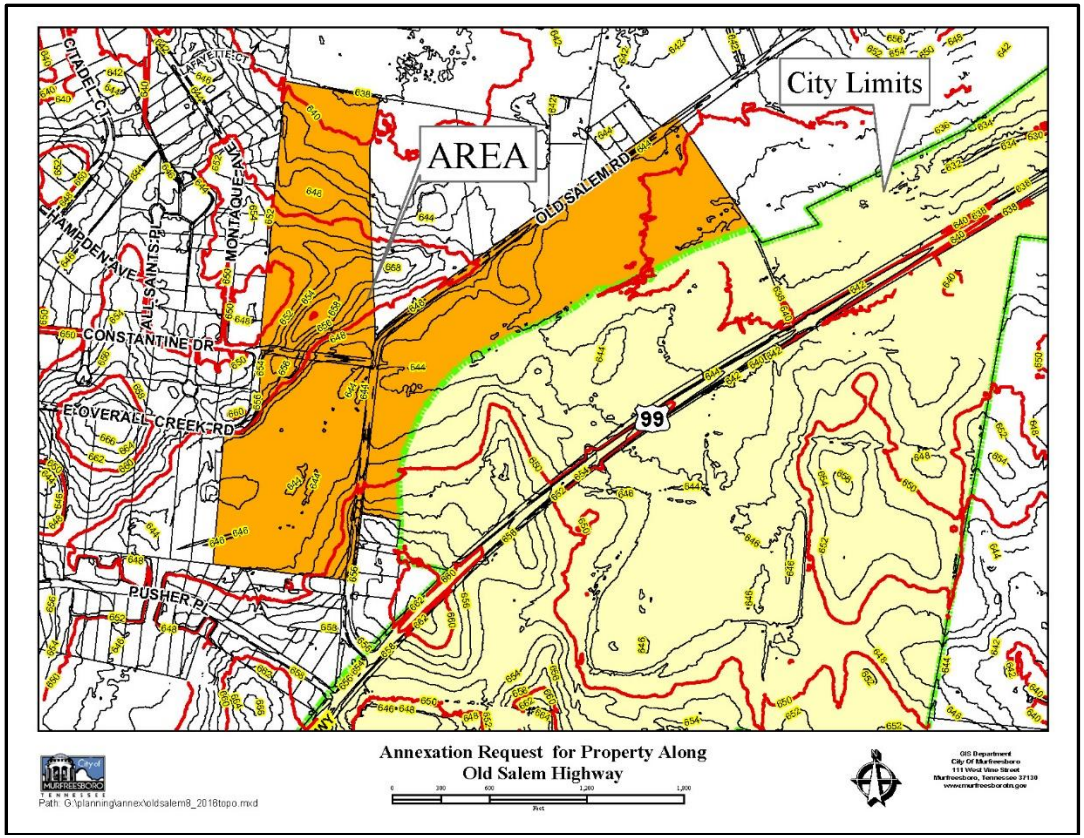
The adjacent map shows the floodway boundary in pink and the 100-year floodplain boundary in blue.



DRAINAGE

The study area drains from the southwest to the northeast. Significant upstream drainage basins discharge from the south into the study area. Currently, three corrugated metal pipes are in place under Old Salem Road to serve the vicinity. Redevelopment of the study area will require the upgrading or replacing to a larger box culvert by the developer. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

New development on the property must also meet overall City of Murfreesboro Stormwater Quality requirements including water quality and detention. The study area would benefit from a hydrology and hydraulics study, which could determine the nature of the existing drainage way that runs through the study area. Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed residential land use and considering applicable credits, this property has the potential to generate $16,575 in Stormwater Utility Fees annually upon full development. The red lines on the adjacent map represent ten-foot contours. The black 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 Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

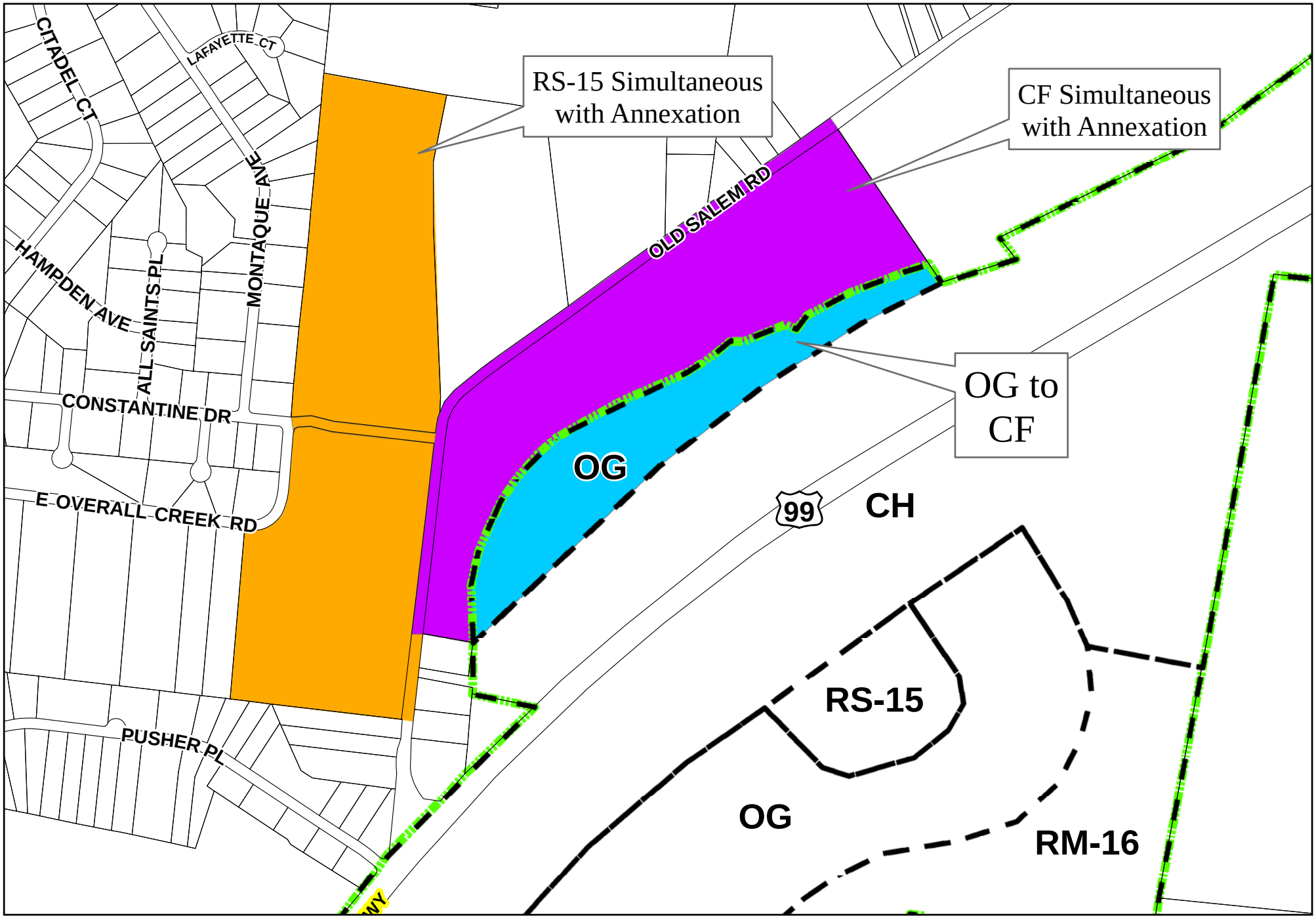
4.g. Zoning application [2016-436] for approximately 34.1 acres located along Old Salem Road to be zoned CF simultaneous with annexation and approximately 17.6 acres to be rezoned from OG to CF, Rucker Donnell Foundation applicant.

The subject property is located south of East Overall Creek Road and west of Old Salem Road. It is a part of a larger parcel owned by the Rucker Donnell Foundation. A portion of the property is within Murfreesboro City limits and is zoned CH (Commercial Highway District) and OG (General Office District). The remainder of the property is being studied for annexation. The previous item on the agenda pertained to the annexation of this property, while this item pertains to the zoning. The applicant has requested that the 17.6 acres zoned OG be rezoned to CF (Commercial Fringe District) and the 34.1 acre balance be zoned CF simultaneous with annexation.

The property requested to be zoned CF totals 51.7 acres. The CF district permits a variety of commercial uses. Staff has included a chart which identifies the uses permitted in the OG, CF and CH districts.

The subject property is located within the study area of the *Salem Pike Land Use Plan*. The future land use map included in that plan recommends that the Rucker Donnell property develop as "Mixed Use Limited Planned Development," which the plan defined as "All medium (3-8 dwelling units/acre) and high-density residential (greater than 8 dwelling units/acre); institutional; offices with a maximum 30% floor area ratio; and general farming." The plan further defines Mixed Use as "Mixing of uses for future development is preferred along Salem Pike and for areas in close proximity to the intersection of a major arterial and at least a minor arterial thoroughfare. In preferring the mixing of uses at the appropriate locations, it is the recommendation of this plan that they involve a higher level than traditional development of master planning, design integration, pedestrian scale arid amenities."

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



Zoning Request for Property Along Old Salem Highway
RS-15 and CF Simultaneous with Annexation and Rezoning from OG to CF

0 300 600 1,200 1,800
Feet

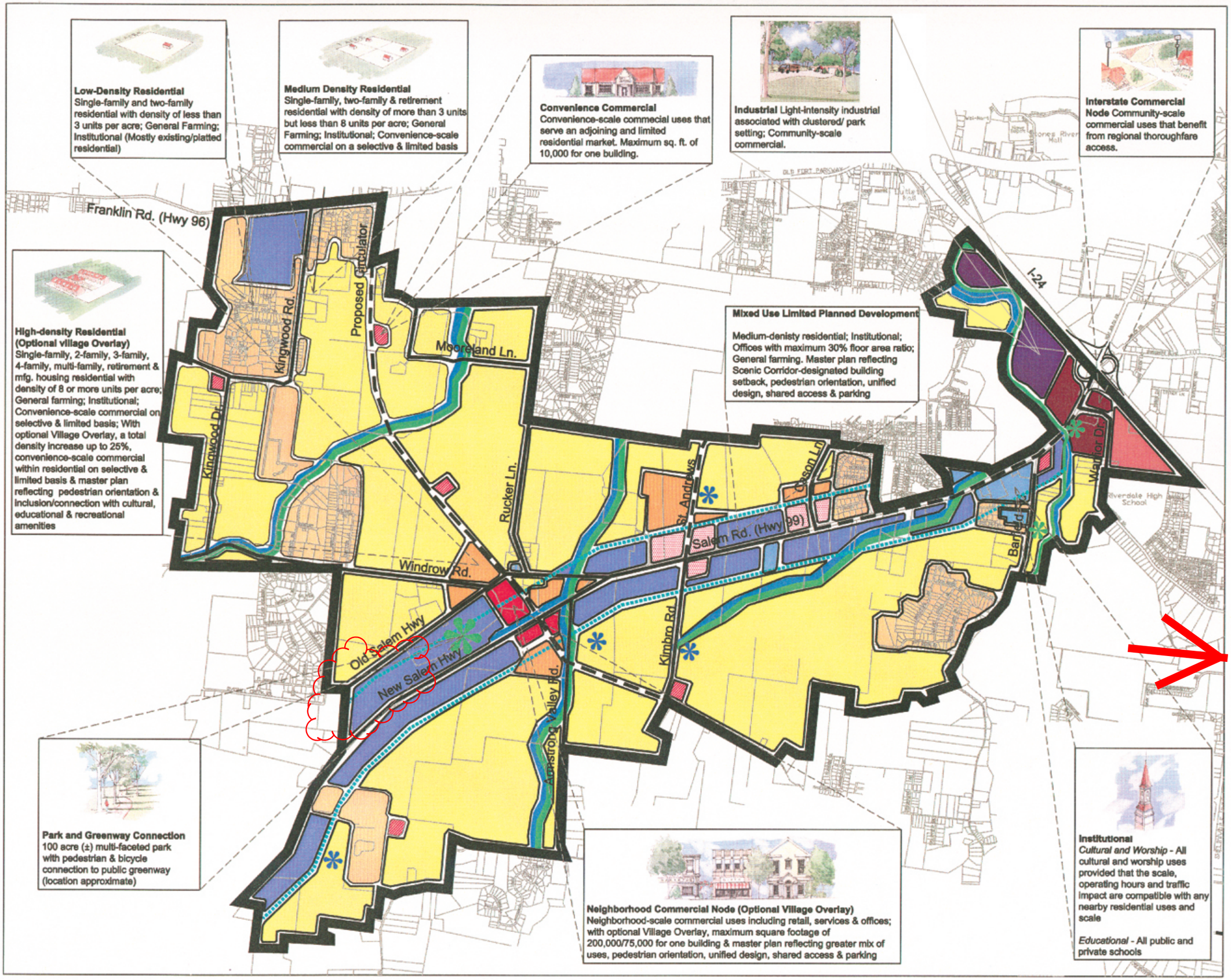
GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

Path: G:\planning\rezon\oldsalem8_2016r.mxd

FUTURE LAND USE MAP

Salem Pike Study Area

Murfreesboro, Tennessee



Low-Density Residential
Single-family and two-family residential with density of less than 3 units per acre; General Farming; Institutional (Mostly existing/platted residential)

Medium Density Residential
Single-family, two-family & retirement residential with density of more than 3 units but less than 8 units per acre; General Farming; Institutional; Convenience-scale commercial on a selective & limited basis

Convenience Commercial
Convenience-scale commecial uses that serve an adjoining and limited residential market. Maximum sq. ft. of 10,000 for one building.

Industrial Light-intensity industrial associated with clustered/ park setting; Community-scale commercial.

Interstate Commercial Node Community-scale commercial uses that benefit from regional thoroughfare access.

High-density Residential (Optional village Overlay)
Single-family, 2-family, 3-family, 4-family, multi-family, retirement & mfg. housing residential with density of 8 or more units per acre; General farming; Institutional; Convenience-scale commercial on selective & limited basis; With optional Village Overlay, a total density increase up to 25%, convenience-scale commercial within residential on selective & limited basis & master plan reflecting pedestrian orientation & inclusion/connection with cultural, educational & recreational amenities

Park and Greenway Connection
100 acre (±) multi-faceted park with pedestrian & bicycle connection to public greenway (location approximate)

Neighborhood Commercial Node (Optional Village Overlay)
Neighborhood-scale commercial uses including retail, services & offices; with optional Village Overlay, maximum square footage of 200,000/75,000 for one building & master plan reflecting greater mix of uses, pedestrian orientation, unified design, shared access & parking

Institutional
Cultural and Worship - All cultural and worship uses provided that the scale, operating hours and traffic impact are compatible with any nearby residential uses and scale

Educational - All public and private schools

LEGEND

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Community Commercial Planned Development
- Interstate Commercial Node
- Neighborhood Commercial Node-Village Overlay
- Neighborhood Commercial Node
- Convenience Commercial Node
- Industrial
- Potential School Site
- Institutional (Cultural/Worship)
- Potential Park Site
- Greenway
- Mixed Use Limited Planned Development
- Scenic Corridor Overlay
- Major Thoroughfares
- Major Thoroughfare Improvements

Scale in Miles

0 0.5 1.0

north

rm plan group •nashville
community & campus
planning & design

USES PERMITTED[3]				USES PERMITTED[3]			
	OG[2]	CF[2,14]	CH[2]		OG[2]	CF[2,14]	CH[2]
OTHER HOUSING							
Accessory Dwelling Unit	X[1]	X[1]	X[1]	Recreation Field[13]	S	X	X
Assisted-Care Living Facility[15]		X	X	Senior Citizens Center	X	X	X
Bed-and-Breakfast Homestay		X	X	School, Public or Private, Grades K - 12[13]	S	X	X
Bed-and-Breakfast Inn		X	X	Student Center	S	S	S
Boarding House[15]		X	X				
Emergency Shelter	X	X	X	**AGRICULTURAL USES**			
Family Crisis Shelter		S	S	Customary General Farming		X[6]	X
Family Violence Shelter	S	X	X	Crop, Soil Preparation Agricultural Services		X	X
Fraternity/Sorority		S	S	Farm Labor and Management Services	X	X	X
Group Shelter	S	S	S	Fish Hatcheries and Preserves			X
Class I Home for the Aged [15]		X	X				
Class II Home for the Aged [15]		X	X	**COMMERCIAL**			
Class III Home for the Aged [15]		X	X	Amusements, Commercial Indoor		X	X
Hotel			X	Amusements, Commercial Outdoor excluding Motorized			X
Motel			X	Animal Grooming Facility		X	X
Transitional Home	S			Antique Mall		X	X
INSTITUTIONS				Antique Shop <3,000 sq. ft.	X	X	X
Adult Day Care Center	X	X	X	Apothecaries (pharmaceuticals only)	X	X	X
Adult Day Care Home	S	X	X	Art or Photo Studio or Gallery	X	X	X
Airport, Heliport			S	Automotive Repair [12]			X
Cemetery, Mausoleum	S		S	Bakery, Retail		X	X
Church[13]	X	X	X	Bank, Branch Office	X	X	X
College, University	X			Bank, Drive-Up Electronic Teller	X	X	X
Day-Care Center	S	X	X	Bank, Main Office			X
Family Day-Care Home		X	X	Barber or Beauty Shop	X	X	X
Group Day-Care Home		X	X	Beer, Packaged		X	X
Hospital	X			Boat Rental, Sales, or Repair			X
Lodge, Club, Country Club[13]	S	X	X	Book or Card Shop	X	X	X
Mental Health Facility	X		X	Business School	X	X	X
Morgue			X	Business and Communication Service	X	X	X
Museum	S	X	X	Campground, Travel-Trailer Park			X
Nursing Home	X	S	S	Carnivals			S
Nursery School	S	S	S	Catering Establishment	X	X	X
Park	X	X	X	Clothing Store		X	X
Philanthropic Institution	X	X	X	Coffee, Food, or Beverage Kiosk		X	X
Pet Cemetery		S	S	Commercial Center		X	X
Public Building[13]	S	X	X				

X = Use permitted by right.

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

USES PERMITTED[3]				USES PERMITTED[3]			
	OG[2]	CF[2,14]	CH[2]		OG[2]	CF[2,14]	CH[2]
Convenience Sales and Service, maximum 5,000 sq. ft. floor area		X	X	Offices	X	X	X
Delicatessen		X	X	Optical Dispensaries	X	X	X
Department or Discount Store		X	X	Pawn Shop			X
Drive-In Theater			X	Personal Service Establishment		X	X
Dry Cleaning		X	X	Pet Funeral Home		X	X
Dry Cleaning Pick-Up Station		X	X	Pet Shops		X	X
Financial Service	X	X	X	Pharmacies	X	X	X
Fireworks Retailer			S	Photo Finishing		X	X
Fireworks Seasonal Retailer			S	Photo Finishing Pick-Up Station		X	X
Flower or Plant Store	X	X	X	Radio, TV, or Recording Studio			X
Funeral Home			X	Radio and Television Transmission Towers		S	S
Garage, Parking			X	Reducing and Weight Control Service	X	X	X
Garden and Lawn Supplies		S	X	Restaurant and Carry-Out Restaurant		X	X
Gas--Liquified Petroleum, Bottled and Bulk			X	Restaurant, Drive-In			X
Gas Station		X	X	Restaurant, Specialty		X	X
General Service and Repair Shop			X	Restaurant, Specialty -Limited	S	X	X
Glass--Auto, Plate, and Window			X	Retail Shop, other than enumerated elsewhere		X	X
Glass--Stained and Leaded		X	X	Salvage and Surplus Merchandise			X
Greenhouse or Nursery			X	Sheet Metal Shop			X
Group Assembly, <250 persons	S	X	X	Shopping Center, Community			X
Group Assembly, >250 persons	S	S	S	Shopping Center, Neighborhood		X	X
Health Club	X	X	X	Shopping Center, Regional			X
Ice Retail		X	X	Specialty Shop	X	X	X
Interior Decorator	X	X	X	Tavern			X
Iron Work			X	Taxidermy Studio			S
Janitorial Service		X	X	Telephone or Telegraph Facility	S	S	S
Karate, Instruction		X	X	Towing [12]			X
Kennels			X	Veterinary Office	X	X	X
Keys, Locksmith		X	X	Veterinary Clinic		X	X
Laboratories, Medical	X	X	X	Veterinary Hospital			X
Laboratories, Testing		X	X	Vehicle Sales			X
Laundries, Self-Service		X	X	Vehicle Wash			X
Lawn, Tree, and Garden Service			X	Video Rental		X	X
Liquor Store		X	X	Warehousing, Transporting			X
Lumber, Building Material			X	Wholesaling			X
Motor Vehicle Sales			X	Wrecker Service [12]			X
Motor Vehicle Service [12]			X	Wrecker Service Storage Yard [12]			X
Music or Dancing Academy		X	X				

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

USES PERMITTED[3]				USES PERMITTED[3]			
	OG[2]	CF[2,14]	CH[2]		OG[2]	CF[2,14]	CH[2]
INDUSTRIAL							
Manufacture, Storage, Distribution of:							
Contractor's Storage, Indoor			X				
Contractor's Yard or Storage, Outdoor			X				
UTILITIES							
Freight, Service Facility			S				
Bus Terminal or Service Facility			X				
Post Office or Postal Facility		X	X				
Telephone Switching Center, Electric Transmission, Gas Piping, Water Pumping Station	S	X	X				
Taxicab Dispatch Station			X				
Truck or Motor Freight Terminal, Service Facility			X				
OTHER							
Advertising Sign			X				
Recycling center			S				
Self-Service Storage Facility		S	S				
Warehouse			X				
Wholesale Establishments			X				
Temporary Mobile Recycling Center		S	S				
Telephone Service Center		X	X				
Printing and Publishing			X				

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

Ex. County RM To Proposed RS-10 = 106.22 Ac
Ex. OG To Proposed CF = 17.74 Ac
Ex. County RM To Proposed CF = 34.44 Ac
Area To Be Annexed: 140.66 Ac.

Zoning Areas:
Existing County RM = 140.66 Ac
Existing OF = 17.74 Ac
Proposed RS-10 = 106.22 Ac
Proposed CF = 52.18 Ac

EXISTING ZONING AREAS

SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
MATTHEW A. TAYLOR & ASSOCIATES, INC.
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MTAYLOR@SEC-CIVIL.COM FAX: (615) 895-2567

NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the responsibility of the owner/developer to ensure that the contractor of the site shown on these construction drawings is fully aware of the intent of the design. The contractor is responsible for the construction of the site in accordance with the "design" intent. The owner/developer is responsible for the assurance that the site is constructed in accordance with the construction plans.

MATTHEW A. TAYLOR
No. 101892
STATE OF TENNESSEE

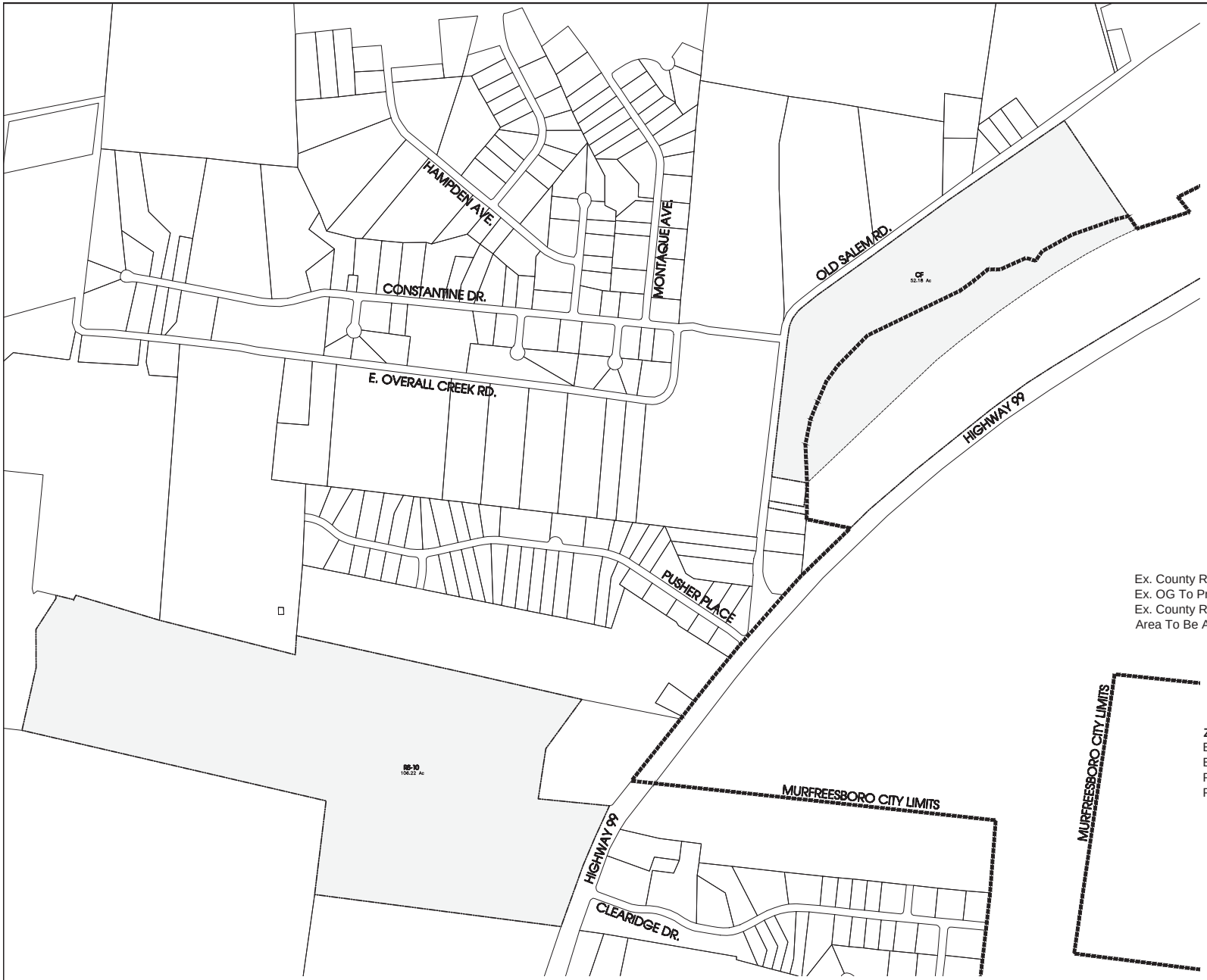
REVIEW SET
Not Intended for Construction

Rucker Donnell Property

Murfreesboro, Tennessee

Rezoning Exhibit

REVISED:
DRAWN: SJA/CFB3
DATE: 8-12-16
CHECKED: MAT
FILE NAME: 10192zoning.dwg
SCALE: 1"=300'
JOB NO. 10192
SHEET: 1 of 2



Ex. County RM To Proposed RS-10 = 106.22 Ac
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Area To Be Annexed: 140.66 Ac.

Zoning Areas:
Existing County RM = 140.66 Ac
Existing OF = 17.74 Ac
Proposed RS-10 = 106.22 Ac
Proposed CF = 52.18 Ac

N

-300' 0 300' 600'
SCALE: 1"= 300'

PROPOSED ZONING AREAS

SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
LANDSCAPE ARCHITECTURE
SLEC, Inc.
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MTAYLOR@SLEC-CIVIL.COM FAX: (615) 895-2567

NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the sole responsibility of the owner/developer to ensure that the contractor of the site shown on these construction drawings is aware of the intent of the design and that the site is constructed in accordance with the construction plans. The engineer assumes no responsibility or liability for the construction of the site.

MATTHEW A. TAYLOR
NOT FOR CONSTRUCTION
Not Intended for Construction
STATE OF TENNESSEE

Rucker Donnell Property REVISED SITE PLAN

Murfreesboro, Tennessee

REVISED:
DRAWN: SJA/CFB3
DATE: 8-12-16
CHECKED: MAT
FILE NAME: 10192zoning.dwg
SCALE: 1"=300'
JOB NO. 10192

Rezoning Exhibit

SHEET: 2 of 2

MURFREESBORO PLANNING COMMISSION

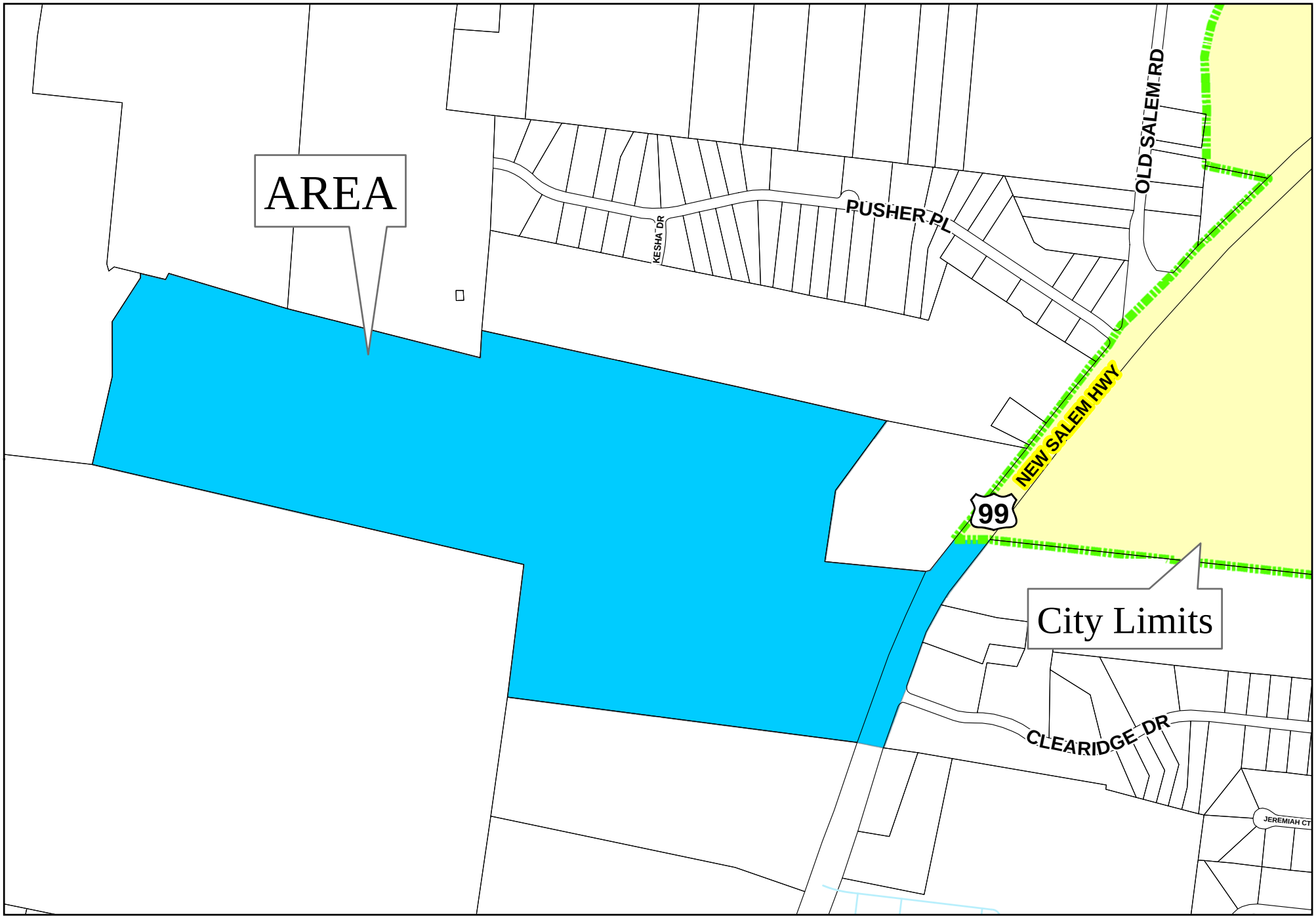
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

4.h. Annexation Plan of Services and annexation petition [2016-513] for approximately 109.5 acres located along New Salem Highway, Rucker Donnell Foundation applicant.

The subject property is located along the northwest side of New Salem Highway just north of Rockvale Elementary School. The property is undeveloped and totals 106.2 acres. A written petition has been filed by the property owner requesting annexation. The requested property is not located within the City's Urban Growth Boundary, and by itself, it is not contiguous with the existing City limits. In addition to the requested property, however, Staff has also included a total of 3.3 acres of New Salem Highway right-of-way in front of and north of the subject property in order to make the study area contiguous with the existing City limits. The total study area, including right-of-way, is 109.5 acres.

Staff has prepared a plan of services, and it has been included in the agenda packet. Based on the plan of services, it appears that the City will not have any issues providing services to the subject property upon annexation. The property owner has also filed a request to have the property zoned RS-10 (Single-Family Residential District 10) simultaneous with annexation. The zoning request is the next item on the agenda.

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



Annexation Request for Property Along New Salem Highway

0 300 600 1,200 1,800
Feet

Path: G:\planning\annex\newsalem8_2016.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 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. RUCKER DONNELL FOUNDATION (MATT TAYLOR - SEC)
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

RICK G. MANSFIELD
Signature: [signature] Status: TRUSTEE Date: 8/2/2016

110 S. MAPLE ST., M'BORO, TN 37130
Mailing Address (if not address of property to be annexed)

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

Signature:_____ Status:_____ Date:_____

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

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

Signature:_____ Status:_____ Date:_____

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

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

Signature:_____ Status:_____ Date:_____

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

(Attach additional signature pages if necessary)

Legal Description is attached: X Yes

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

SEC, Inc.

SITE ENGINEERING CONSULTANTS
Engineering • Surveying • Land Planning
850 Middle Tennessee Blvd, Murfreesboro, TN 37129
www.sec-civil.com • 615-890-7901 • fax 615-895-2567

August 1, 2016

Mr. Gary Whitaker
Murfreesboro Planning & Engineering Dept
111 W. Vine St
Murfreesboro, Tennessee 37130

RE: Annexation & Rezoning Request Cover Letter
Rucker Donnell Foundation Site
Murfreesboro, Tennessee
SEC Project No. 10192

Dear Mr. Whitaker:

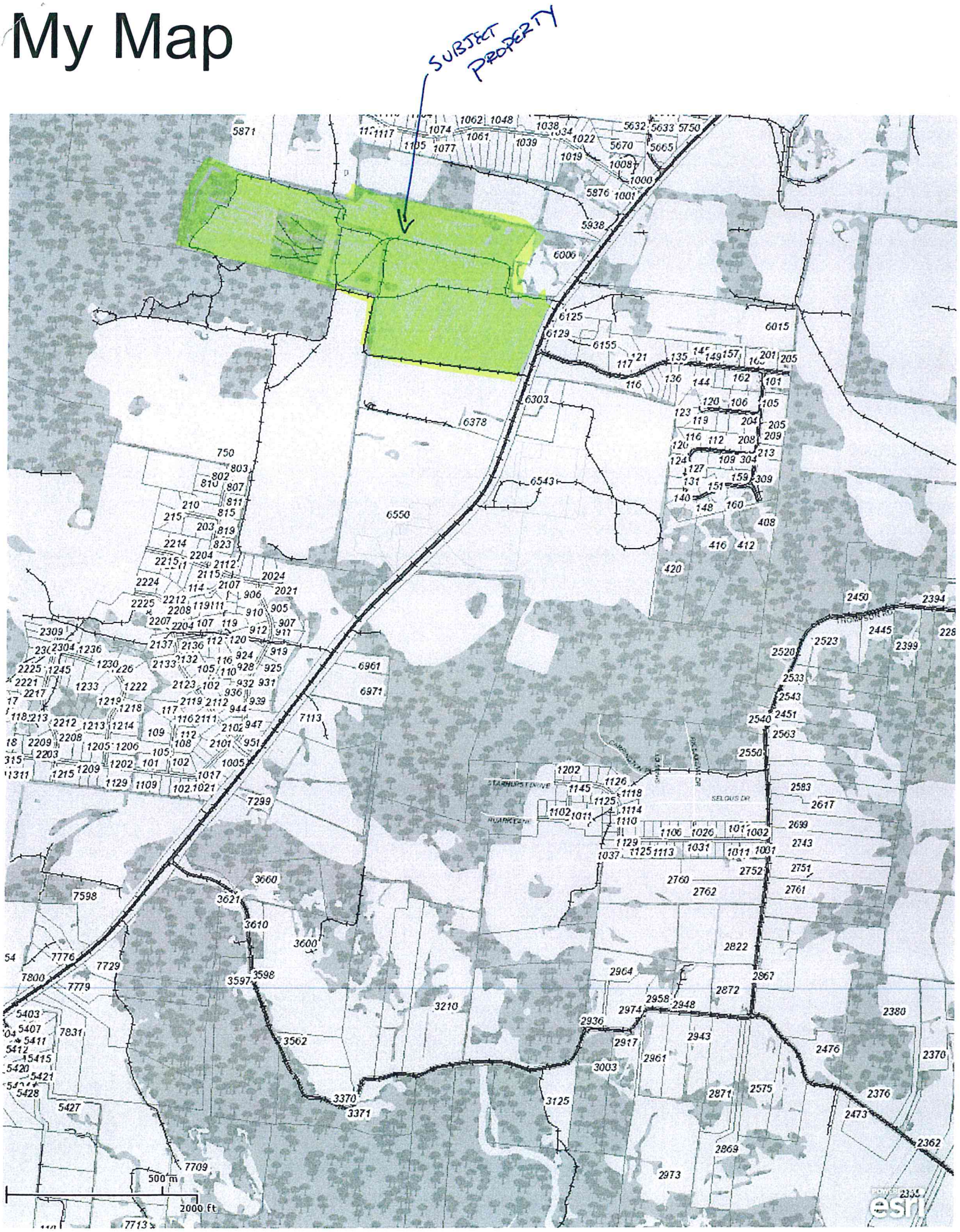
Please accept this letter along with the attached application form as our official request to the City of Murfreesboro to annex and rezone Parcel 2.00 of Tax Map 123. The entire parcel is approximately 105.5 acres in size. The property is currently undeveloped and is located along the west side of New Salem Highway. Presently, the property is located within the unincorporated area of Rutherford County and has been requested for annexation simultaneously with this rezoning request. The applicant is requesting rezoning to RS-10 to prepare for a single family development in the future.

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.
SEC Inc.

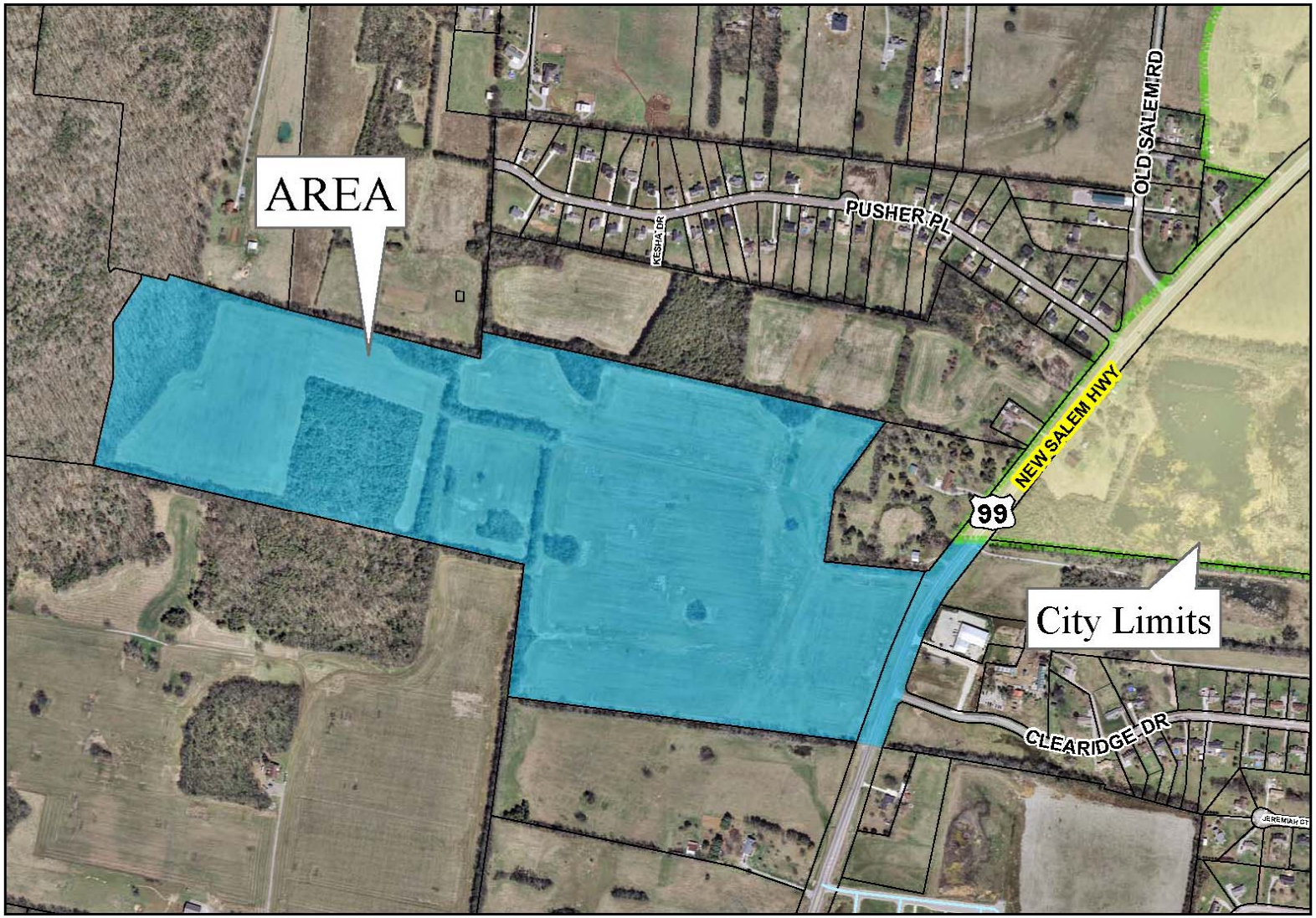
My Map



Copyright 2010 Esri. All rights reserved. Tue Aug 2 2016 08:14:31 AM.

ANNEXATION REPORT FOR PROPERTY LOCATED ALONG THE WEST SIDE OF NEW SALEM HIGHWAY INCLUDING PLAN OF SERVICES

PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
September 7, 2016



Annexation Request for Property Along New Salem Highway

0 300 600 1,200 1,800
Feet

Path: G:\planning\annex\newsalem8_2016ortho.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesboroth.gov

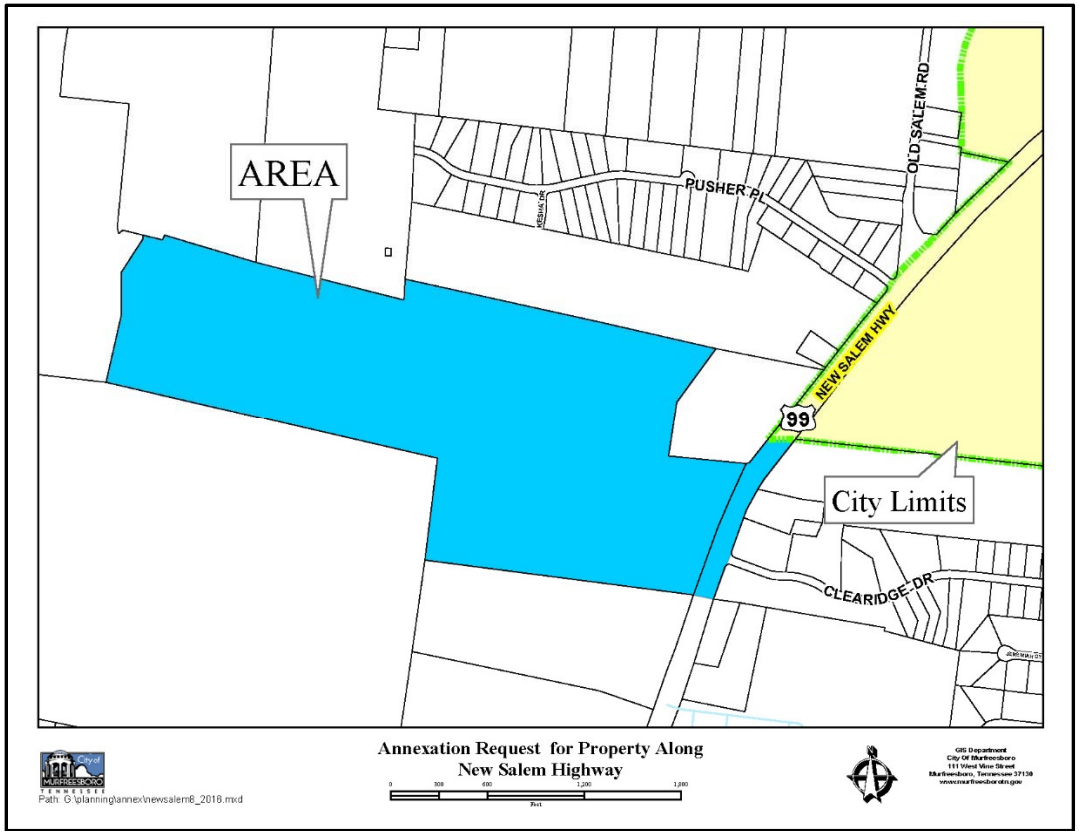
INTRODUCTION

OVERVIEW

The applicant, Rucker Donnell Foundation, has requested annexation of property located along the west side of New Salem Highway.

The area studied in this Plan of Services includes a 106.2-acre parcel (Tax Map 123, Parcel 2.00) and an adjacent 1,100-linear foot portion of right-of-way along New Salem Highway.

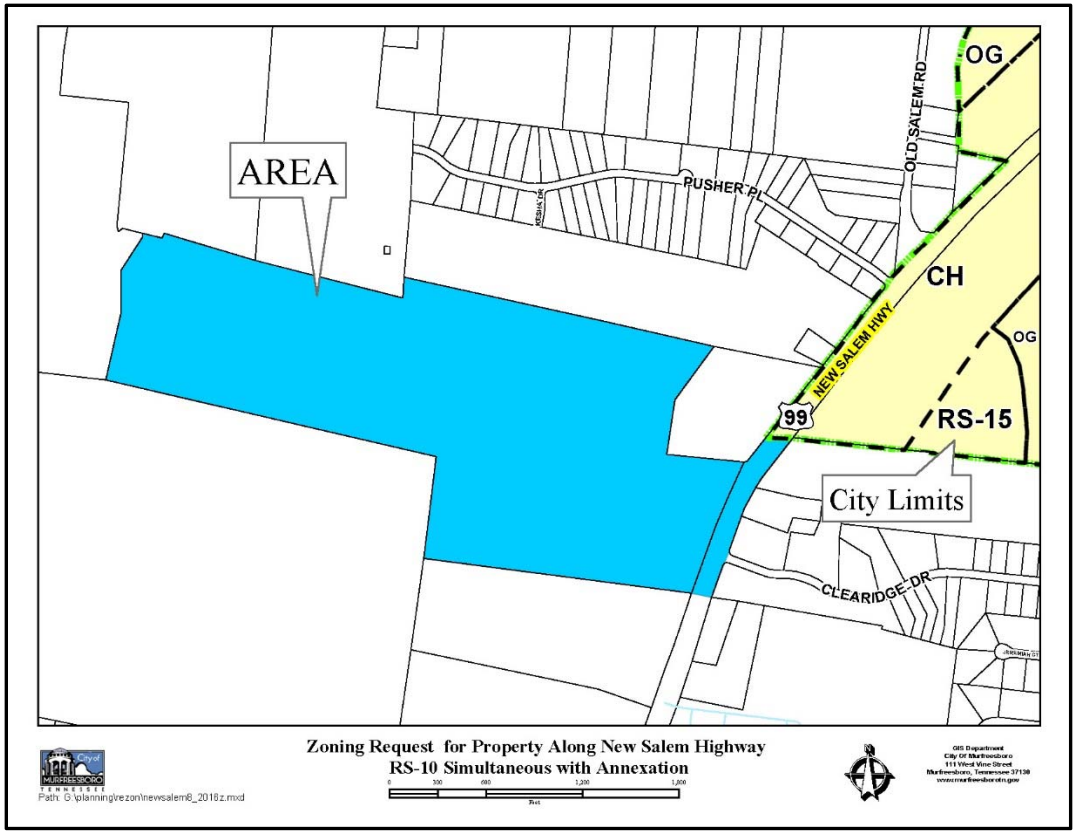
The requested parcel is located outside of the City of Murfreesboro's Urban Growth Boundary. The right-of-way included in the study area adjoins the City limits along New Salem Highway to the northeast. Adjacent areas to the north, south, east, and west lie within the unincorporated County.



CITY ZONING

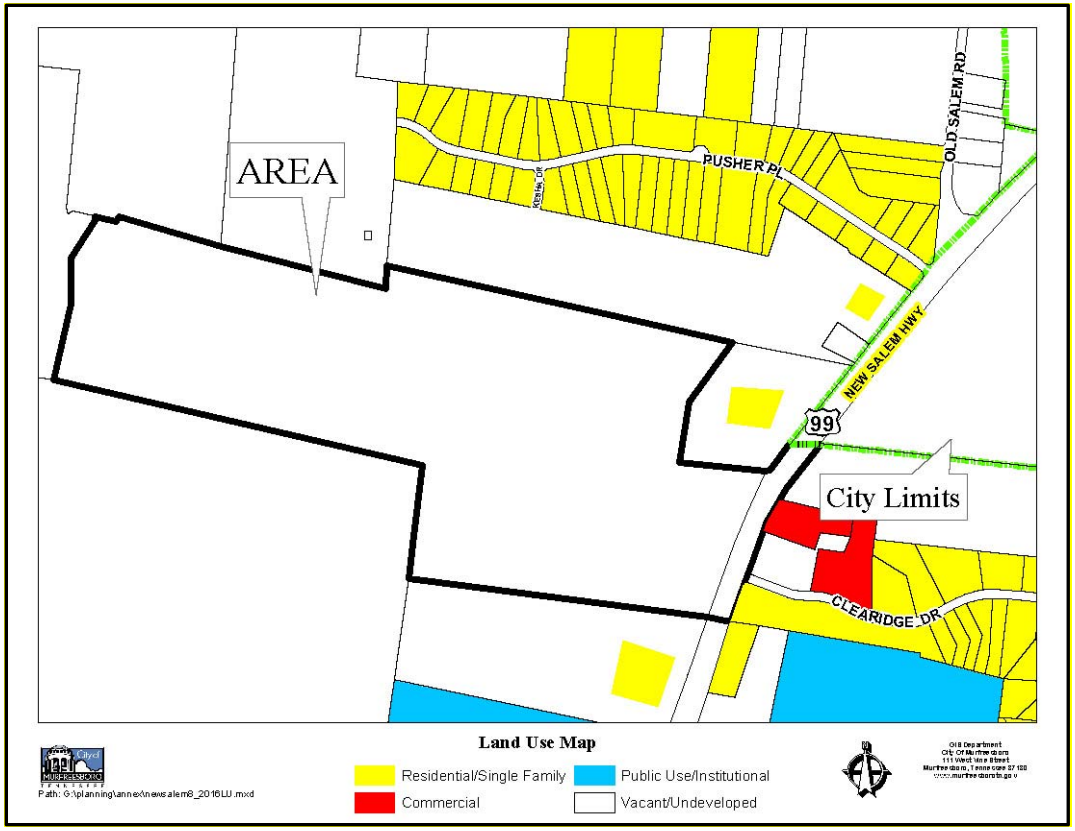
The applicant has requested rezoning to RS-10 (Single-Family Residential) simultaneous with annexation. The study area is presently zoned RM (Residential – Medium Density) in the County.

The property lying adjacent to the study area on the northeast is located within the City boundaries and is zoned CH (Highway Commercial). Adjacent properties to the north, south, east, and west lie outside the City's boundaries and are zoned RM in the County.



PRESENT AND SURROUNDING LAND USE

The 106.2-acre study area is presently vacant. Surrounding land uses include single-family residential on the north, northeast, and south. Blue Ribbon Estates, a County residential subdivision, is located north of the study area. Rockvale Elementary School lies approximately 1,200 feet south of the study area, and Rockvale Middle School lies approximately 1,000 feet southeast of the study area. A multi-tenant commercial structure is located on the east side of New Salem Highway.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2016 will be due on December 31, 2017. 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 $1.2703/$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
Rucker Donnell Foundation et al	106.2	$185,500	N/A	$46,375	$589.10

These figures are for the property in its current state.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcel immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected. This property is located in Police Zone #2.

ELECTRIC SERVICE

The property is located within Middle Tennessee Electric Membership Cooperative's (MTEMC) service boundary. MTEMC has facilities and capacity in place to serve the proposed development. The electrical infrastructure installed to serve the proposed development will be required to adhere to MTEMC standards.

STREET LIGHTING

According to MTEMC, street lighting will be installed on the property if any future development on the property includes public streets.

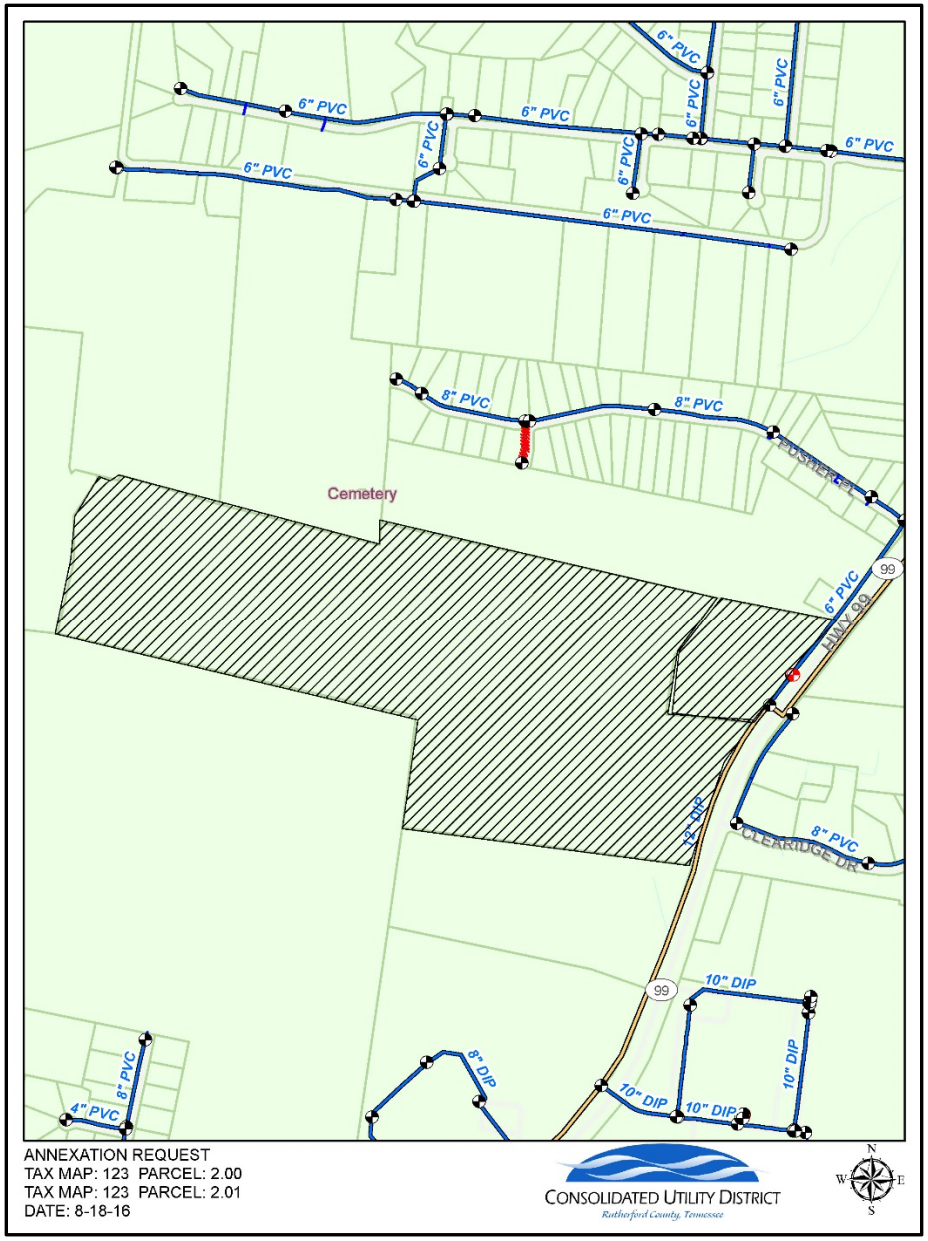
STREETS AND ACCESS

The study area has access to New Salem Highway, a major arterial and state route. New Salem Highway is proposed to be improved to a five-lane street section by the Tennessee Department of Transportation (TDOT) and is on the City's Major Thoroughfare Plan. New connections to New Salem Highway must be reviewed and approved by TDOT and the City Engineer. Any development along New Salem Highway should consider the Major Thoroughfare Plan, and the developer should participate in the cost of construction and dedicate the necessary right-of-way and easements. At a minimum, any development should anticipate adding turning lanes in accordance with TDOT and City standards.

WATER SERVICE

The study area lies within Consolidated Utility District's (CUD) service area. The study area is presently served by a 12-inch water line, which runs along the west side of New Salem Highway. Should any new uses be proposed on the property, the developer/owner shall submit a Water Availability Request to CUD.

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



SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." Sewer service will be provided from an existing 15-inch sewer main flowing south to north through the eastern side of the subject property. All sewer main improvements and easements needed to serve the subject property are to be acquired and installed by the developer in accordance with MWSD's development policies and procedures.

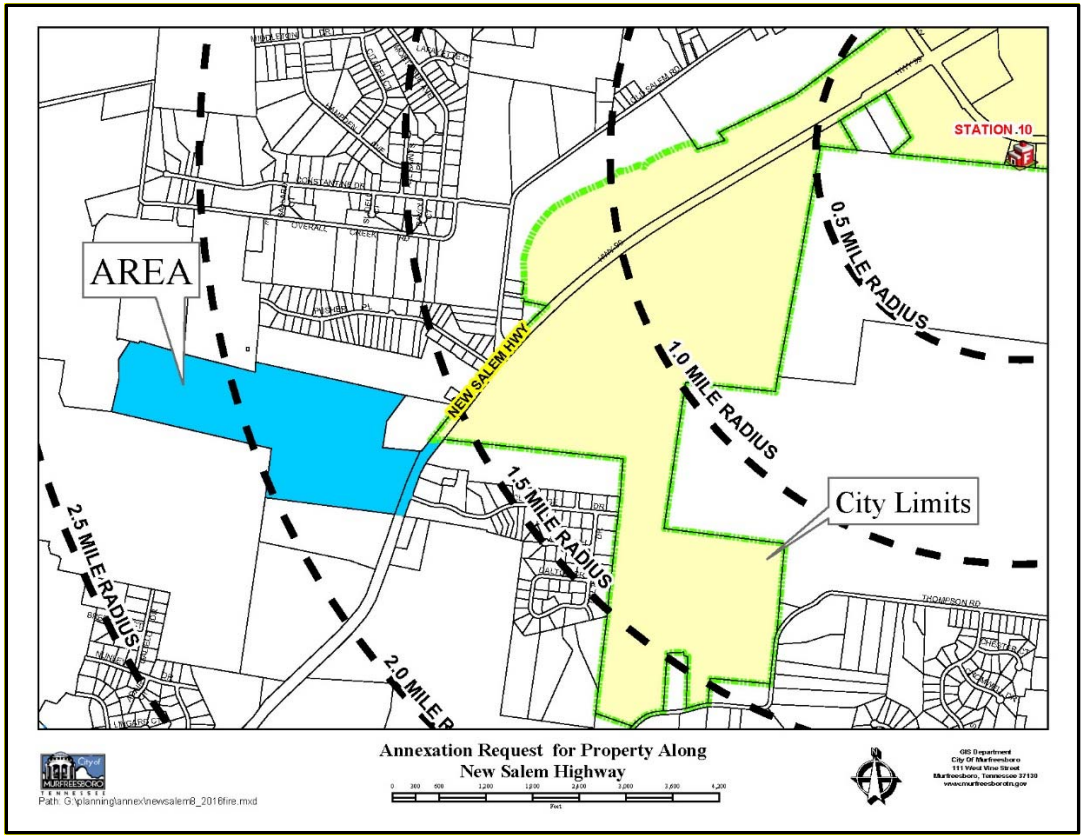
The existing sewer connects to the Overall Creek and Rockvale Assessment Districts. All developments that connect into this sewer system are assessed a $1,000 fee per single-family unit or equivalent for the Overall Creek Assessment District and $1,550 fee per single-family unit or equivalent for the Rockvale Assessment District. Assessment District fees are charged in addition to the current and standard connection fees.

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

FIRE AND EMERGENCY SERVICE

The annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD). The MFRD will provide fire protection with a full-time, professional staff as well as medical first responder service. Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District (CUD) policies and procedures.

The closest fire stations to the subject tract are Fire Station #10, located at 2563 Veterans Parkway, which is 1.94 miles from the study area, and Station #9, located at 802 Cason Lane, which is 5.37 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.



SOLID WASTE COLLECTION

The City will provide weekly curbside solid waste collection service immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. The initial day of service will be Thursday. In its current state, no additional equipment or manpower will be needed to serve the study area.

BUILDING AND CODES

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

RECREATION

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

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area is located in the Scales Elementary school zone. The school system anticipates opening a new elementary school to serve the study area and vicinity in 2018.

GEOGRAPHIC INFORMATION SYSTEMS

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

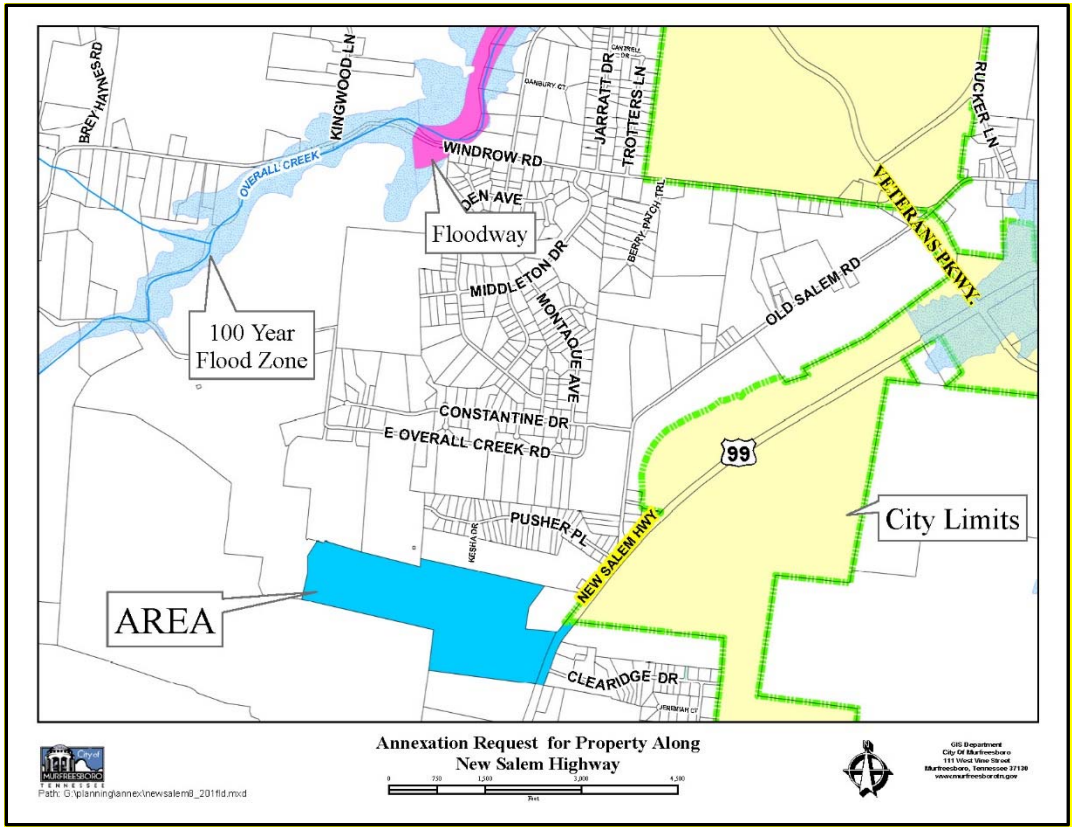
PLANNING, ENGINEERING, AND ZONING SERVICES

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

FLOODWAY

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

The adjacent map shows the floodway boundary in pink and the 100-year floodplain boundary in blue.

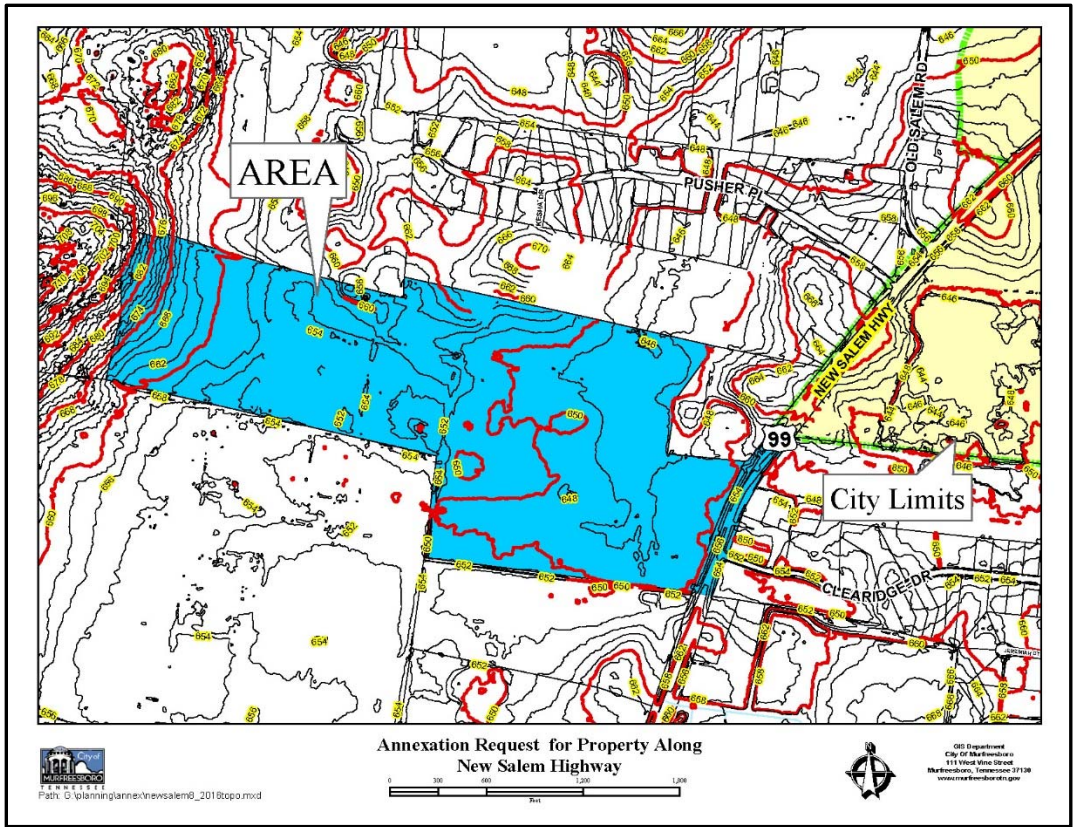


DRAINAGE

The study area drains from south to north along the area's eastern portion. Significant upstream drainage basins discharge from west, south, and east into the drainage way. A review of the topographic map of the area indicates several closed depressions, which may serve as points where runoff enters the subsurface area. These areas should be evaluated, and proper permits should be obtained for modifications to runoff under the State of Tennessee Underground Injection Control (UIC) program.

Public drainage facilities available in the study area include roadside ditches along New Salem Highway, which are the responsibility of the Tennessee Department of Transportation (TDOT). No additional City services are anticipated for operation and maintenance of these TDOT drainage systems. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

New development on the property must also meet overall City of Murfreesboro Stormwater Quality requirements including water quality and detention. The study area would benefit from a hydrology and hydraulics study, which could determine the nature of the existing drainage way that runs through the eastern portion. Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed residential land use and considering applicable credits, this property has the potential to generate $14,625 in Stormwater Utility Fees annually upon full development. The red lines on the adjacent map represent ten-foot contours. The black 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 Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

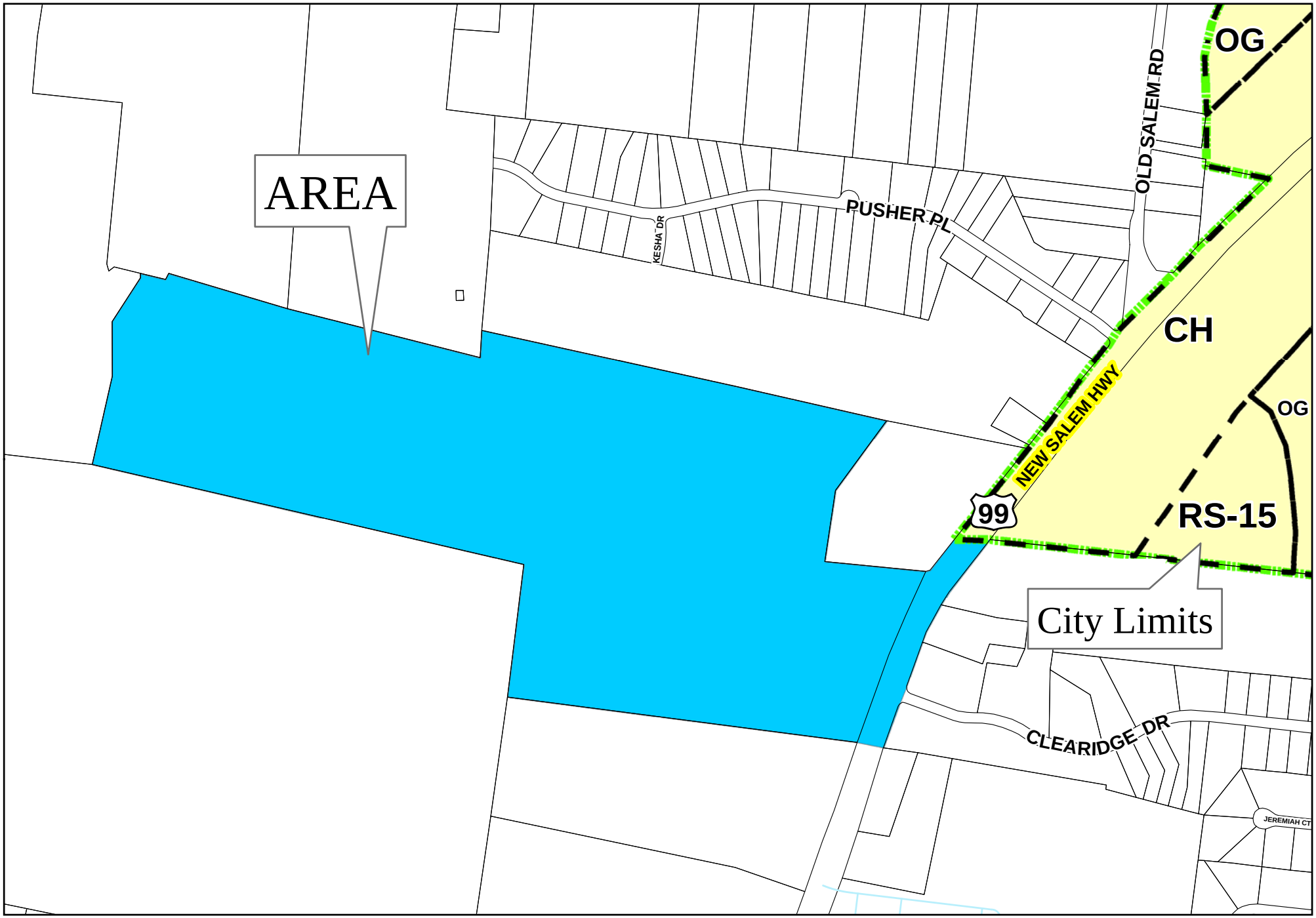
4.i. Zoning application [2016-441] for approximately 109.5 acres located along New Salem Highway to be zoned RS-10 simultaneous with annexation, Rucker Donnell Foundation applicant.

The subject property is located along the northwest side of New Salem Highway just north of Rockvale Elementary School. The property is undeveloped and totals 106.2 acres. The previous item on the agenda was the annexation petition and plan of services. (The 3.3 acres of right-of-way included in the annexation bring the total to 109.5 acres.) The applicant has requested a zoning classification of RS-10 (Single-Family Residential District) simultaneous with annexation.

The RS-10 zone allows the development of single-family residential lots a minimum of 10,000 square-feet in area. Staff estimates that a parcel of this size could yield a maximum of approximately 350 single-family residential lots. By way of comparison, if the property was annexed with a zoning classification of RS-15 (Single-Family Residential District 15), which has a minimum lot size of 15,000 square-feet, Staff estimates that the maximum lot yield would be approximately 230. As an aside, the subject property is not located within the study area of the *Salem Pike Land Use Plan*.

Directly to the south of the requested property is a mostly undeveloped tract with one single-family home as well as Rockvale Elementary School, both of which are in the unincorporated County. Directly to the north there is a vacant tract and a large single-family residential parcel as well as the Blue Ribbon Estates single-family residential subdivision, all of which are located in the unincorporated County. There are several commercial uses across New Salem Highway in the unincorporated County, including a retail center anchored by a Dollar General, as well as some single-family residential uses, including the Clearidge single-family residential subdivision. Just to the northeast, across New Salem Highway, is undeveloped land located in the City limits and zoned CH (Commercial Highway).

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



Zoning Request for Property Along New Salem Highway
RS-10 Simultaneous with Annexation

0 300 600 1,200 1,800
Feet

Path: G:\planning\rezon\newsalem8_2016z.mxd

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

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

MURFREESBORO TENNESSEE
Creating a better quality of life

RECEIVED
AUG 0 2 2016
BY: .....

REZONING APPLICATION FORM
$600.00 per application

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

1. A completed rezoning application (below).
2. A plot plan, property tax map, survey, and/or a legal description of the property proposed for rezoning. (Please attach to application.)
3. A $600.00 non-refundable application fee.

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

To be completed by applicant:

APPLICANT: Rucker Donnell Foundation Property c/o Rick Mansfield

Address: 110 South Maple St City/State/Zip: Murfreesboro, TN 37130

Phone: 615-890-5700 E-mail address: davebms@hotmail.com

PROPERTY OWNER: Rucker Donnell Foundation c/o Rick Mansfield

Street Address or property description: Along Hwy 99/New Salem Hwy

and/or Tax map #: 123 Group: Parcel (s): 2.00

Existing zoning classification: RM (COUNTY)

Proposed zoning classification: RS-10 Acreage: 105.5 ACRES

Contact name & phone number for publication and notifications to the public (if different from the applicant): Matt Taylor, 615-890-7901

E-mail: mtaylor@sec-civil.com

APPLICANT'S SIGNATURE (required): RG Ford, TRUSTEE

DATE: 8/2/2016

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

Date received: 8-2-16 **MPC YR.:** **MPC #:** 2016-441 / 2016-513

Amount paid: $600.00 **Receipt #:** 364034

Revised 1/2010

SEC, Inc.

SITE ENGINEERING CONSULTANTS
Engineering • Surveying • Land Planning
850 Middle Tennessee Blvd, Murfreesboro, TN 37129
www.sec-civil.com • 615-890-7901 • fax 615-895-2567

August 1, 2016

Mr. Gary Whitaker
Murfreesboro Planning & Engineering Dept
111 W. Vine St
Murfreesboro, Tennessee 37130

RE: Annexation & Rezoning Request Cover Letter
Rucker Donnell Foundation Site
Murfreesboro, Tennessee
SEC Project No. 10192

Dear Mr. Whitaker:

Please accept this letter along with the attached application form as our official request to the City of Murfreesboro to annex and rezone Parcel 2.00 of Tax Map 123. The entire parcel is approximately 105.5 acres in size. The property is currently undeveloped and is located along the west side of New Salem Highway. Presently, the property is located within the unincorporated area of Rutherford County and has been requested for annexation simultaneously with this rezoning request. The applicant is requesting rezoning to RS-10 to prepare for a single family development in the future.

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.
SEC Inc.

Ex. County RM To Proposed RS-10 = 106.22 Ac
Ex. OG To Proposed CF = 17.74 Ac
Ex. County RM To Proposed CF = 34.44 Ac
Area To Be Annexed: 140.66 Ac.

Zoning Areas:
Existing County RM = 140.66 Ac
Existing OF = 17.74 Ac
Proposed RS-10 = 106.22 Ac
Proposed CF = 52.18 Ac

EXISTING ZONING AREAS

SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
MATTHEW A. TAYLOR & ASSOCIATES, INC.
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MTAYLOR@SEC-CIVIL.COM FAX: (615) 895-2567

NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the responsibility of the owner/developer to ensure that the contractor of the site shown on these construction drawings is fully aware of the intent of the design. The contractor is responsible for the construction of the site in accordance with the "design" intent. The owner/developer is responsible for the assurance that the site is constructed in accordance with the construction plans.

MATTHEW A. TAYLOR
No. 101892
STATE OF TENNESSEE

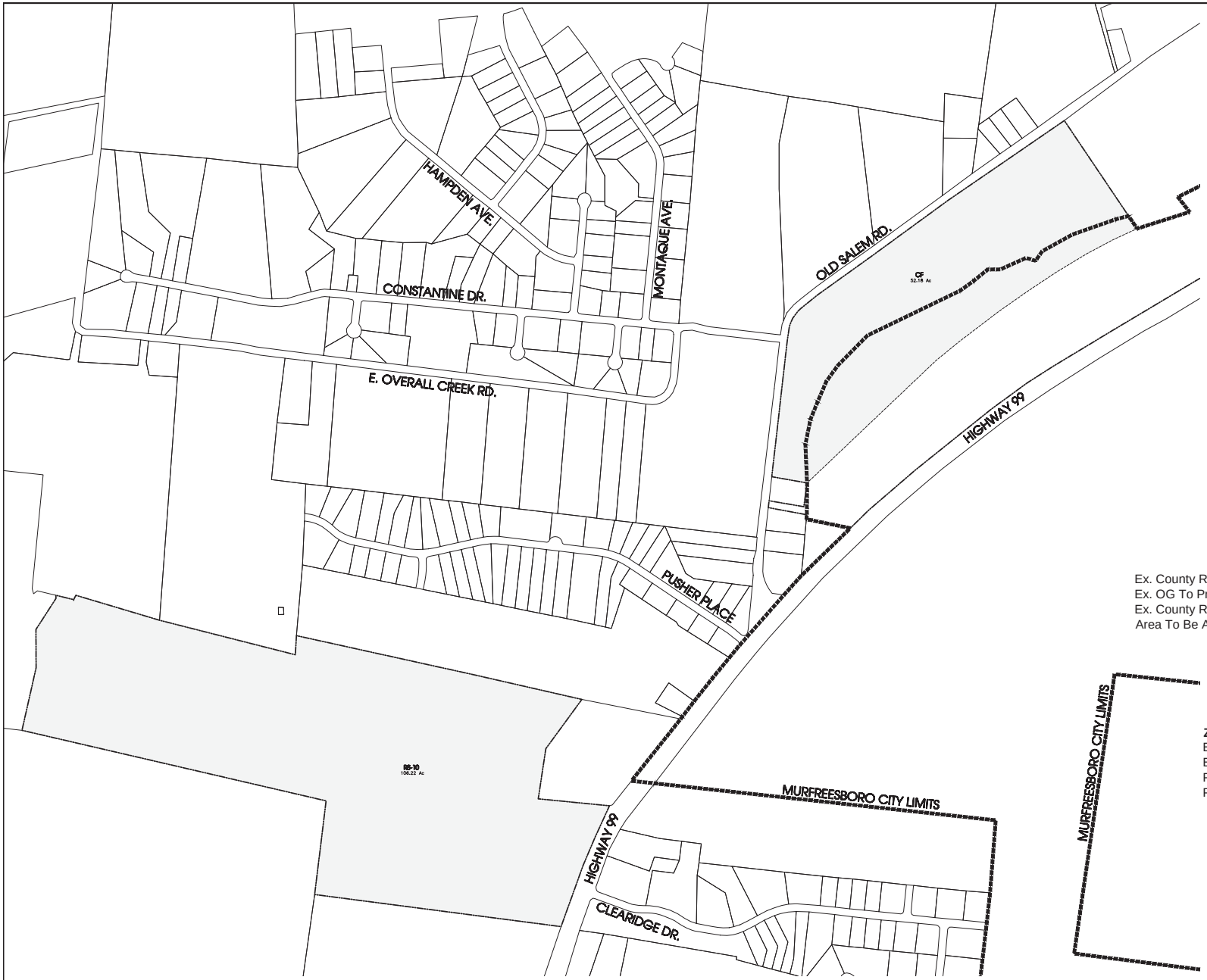
REVIEW SET
Not Intended for Construction

Rucker Donnell Property

Murfreesboro, Tennessee

Rezoning Exhibit

REVISED:
DRAWN: SJA/CFB3
DATE: 8-12-16
CHECKED: MAT
FILE NAME: 10192zoning.dwg
SCALE: 1"=300'
JOB NO. 10192
SHEET: 1 of 2



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Area To Be Annexed: 140.66 Ac.

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Existing County RM = 140.66 Ac
Existing OF = 17.74 Ac
Proposed RS-10 = 106.22 Ac
Proposed CF = 52.18 Ac

N

-300' 0 300' 600'
SCALE: 1"= 300'

PROPOSED ZONING AREAS

SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
LANDSCAPE ARCHITECTURE
SLEC, Inc.
850 MIDDLE TENNESSEE BOULEVARD MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 E-MAIL: MTAYLOR@SLEC-CIVIL.COM FAX: (615) 895-2567

NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the sole responsibility of the owner/developer to ensure that the contractor of the site shown on these construction drawings is aware of the intent of the design and that the site is constructed in accordance with the construction plans. The engineer assumes no responsibility or liability for the construction of the site.

MATTHEW A. TAYLOR
NOT FOR CONSTRUCTION
Not Intended for Construction
STATE OF TENNESSEE

Rucker Donnell Property REVISED SITE PLAN

Murfreesboro, Tennessee

REVISED:
DRAWN: SJA/CFB3
DATE: 8-12-16
CHECKED: MAT
FILE NAME: 10192zoning.dwg
SCALE: 1"=300'
JOB NO. 10192

Rezoning Exhibit

SHEET: 2 of 2

MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
SEPTEMBER 7, 2016

4.j. Proposed amendments to the sign ordinance regarding the addition of two additional types of signs, signs in easements, & delete height limitations on attached signs in the CBD [2016-803], City of Murfreesboro Legal Department applicant.

Please see attached information from the Murfreesboro Legal Department and the Building and Codes Department concerning the proposed Sign Ordinance amendments. The proposed changes would amend the ordinance to allow two additional types of signs, modify the definition of an "Attached sign," modify a prohibition as to certain "Attached signs," simplify the process of allowing a sign to be placed in a utility easement, delete the current height limitation on "Attached signs" in the CBD, and eliminate certain impractical requirements.

Staff will present additional comments at the meeting. The Planning Commission should conduct a public hearing and then formulate a recommendation on this item to City Council.

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

MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT

TO: Chairman Lamb and Members of the Planning Commission

FROM: David A. Ives

DATE: August 11, 2016

RE: Sign Ordinance Amendments

Staff is proposing amendments to the Sign Ordinance for your consideration. These Amendments add definitions for two additional types of signs, modify the definition of an "Attached sign," modify a prohibition as to certain "Attached signs," simplify the process of allowing a sign to be placed in a utility easement, delete the current height limitation on "Attached signs" in the CBD, and eliminate certain impractical requirements.

SECTION 1 of the proposed Amendment will add definitions of an "Awning," an "Awning sign," and a "Projecting sign." The requirements for and limitations of a Projecting sign are included in the definition. Staff has planned to include Projecting signs in the revision of Section 26 of the Sign Ordinance (dealing with permanent signs). That amendment will not be ready for some time, and this addition will allow interested parties to move forward with Projecting signs without a substantial wait.

SECTION 2 and SECTION 3 of the proposed Amendment are changes to the current definition of "Attached sign" that are necessary to allow a Projecting sign.

SECTION 4. The Sign Ordinance currently requires the consent of the easement holders, approval of the Chief Building Official, and approval by the BZA before a sign can be placed in an easement. Staff is not aware of any instance where the BZA has denied an application for placement of a sign in an easement when the easement-holders and the Chief Building Official have approved the application. The BZA mandated proceeding, however, adds at least a month to an applicant's process and an additional $250.00 in application fees, along with the time and any other cost associated with the BZA application and presentation.

So long as all utilities that have an interest in the easement and the Chief Building Official approve the application, submission to the BZA seems to be an unnecessary burden on the BZA, the applicant, and staff. SECTION 4 of the proposed amendment

will make approval of signs in easements an administrative function by revising the wording of Chapter 25 ¼ - 24(A)(22). To implement this change, staff has created a form for an Application for Revocable License for Placement of Sign in Utility Easement, a copy of which is attached as **Exhibit A**. This document will be recorded to provide notice to future property owners and other possibly interested parties.

SECTION 5 will eliminate the height limitation for Attached signs in the CBD to "ground level floor or 16 ft., whichever is higher." Staff has been considering the possible elimination of this height restriction for some time, and proposes that it be done now.

SECTION 6 will modify the requirements for a "interstate on-site" signs. The Sign Ordinance currently requires that these signs be either "non-illuminated, push-through or indirectly illuminated," and that they have landscape screening at the base of the sign. So-called push-through style lighting for this type of sign has proven to be unnecessarily expensive and burdensome on the applicants without any significant benefit to the City. Because of the nature of the soil surrounding the base of the sign, attempts at landscaping around the base are rarely successful. SECTION 6 of the proposed Amendment will delete these two requirements.

We request that this proposed Amendment be set for a Public Hearing, and that a recommendation to City Council be formulated.

We will be happy to answer any questions.

ORDINANCE 16-O-00 amending Murfreesboro City Code, Chapter 25.25 - Signs, Section 25.25-24, dealing with certain definitions, prohibited signs, signs placed in easements, height of attached signs in the CBD, and interstate on-site signs.

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

SECTION 1. Amend Sign Ordinance Section 25.25-2 Definitions, Interpretation by adding the following new definitions in alphabetical order:

Awning: A roof-like cover or shelter attached to a building or a portion thereof and constructed of rigid or non-rigid materials on or under a supporting framework that may be either permanent or retractable.

Awning sign: A type of attached sign that is painted on, printed on or attached to an awning. An awning sign is allowable in all zones where an attached sign is allowable and counts as all or a part of the allowable attached signage.

Projecting sign: A type of attached sign that is substantially perpendicular to the surface to which it is attached. The inner edge of a projecting sign may not extend more than 1 ft. from the surface to which it is attached and the outer edge of a projecting sign may not extend more than 6 ft. from the surface to which it is attached. The bottom edge of a projecting sign must be at least 10 ft. above the surface below the projecting sign. A projecting sign must be setback at least 10 ft. from power lines and may not extend over ROW except if the surface to which it is attached is adjacent to the ROW. The support structure for a projecting sign must be designed and stamped by a Tennessee licensed structural engineer. A projecting sign is allowable in all zones where an attached sign is allowable and counts as all or a part of the allowable attached signage. A projecting sign may not have more than two sign faces; if the two sign faces are identical and back to back, only one sign face counts toward the allowable attached signage. If the two sign faces are different, or if they are to any extent "V" shaped, both sign faces count toward the allowable attached signage. Illumination is allowed to the same extent as other attached signs in the zone district in which the projecting sign is located.

SECTION 2. Amend Sign Ordinance Section 25.25-2 Definitions, Interpretation by amending the definition of "Attached sign" by changing the sentence that currently reads, "An attached sign may not extend beyond any limits of the surface to which it is attached" to read as follows: "An attached sign may not extend above the height of the building elevation to which it is attached."

SECTION 3. Amend Sign Ordinance Section 25.25-24(A)(18) to read as follows:

"(18) No parallel mounted attached sign (or – No attached sign that is mounted parallel to the surface to which it is attached) shall extend more than 18 inches beyond the surface to which it is attached."

SECTION 4. Amend Sign Ordinance Section 25.25-24(A)(22) by deleting same and replacing it with the following:

> (22) No sign of any type or any foundation or vertical support thereof shall be placed in or over a public utility or drainage easement unless the holder(s) of the easement consent in writing to such placement and such placement is approved in writing by the Chief Building Official, with such conditions as the Chief Building Official shall deem to be appropriate. The Building & Codes Department shall provide forms for evidencing the consent of easement holder(s) and approval of the Chief Building Official.

SECTION 5. Amend Sign Ordinance Section 25.25-26(C)(3)(a)[1], and Section 25.25-26(C)(3)(c) by deleting from each the following: "Height – Ground level floor or 16 ft., whichever is higher."

SECTION 6. Amend Sign Ordinance Section 25.25-26(C)(4)(b)[8], Section 25.25-26(C)(4)(c)[5], and Section 25.25-26(C)(4)(d)[5] by deleting subsections [ee] and [ff] from each and redesignating current subsection [gg] as subsection [ee].

SECTION 7. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

_____
Shane McFarland, Mayor

ATTEST:

_____
Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

_____
Craig D. Tindall
City Attorney

SEAL

This Instrument Prepared By:
David A. Ives, Assistant City Attorney
City of Murfreesboro
P.O. Box 1044
Murfreesboro, TN 37133-1044

Application Fee $_____
Received _____

Tax Map ____ Group ____Parcel ____

APPLICATION FOR REVOCABLE LICENSE
FOR PLACEMENT OF SIGN IN UTIITY EASEMENT

Applicant: _____ Sign Owner: _____

Property Owner: _____ Development: _____

Property Address: _____ ____ Book ____ page _____.

IN CONSIDERATION of receiving a License to place a sign in an easement as depicted on the attached excerpt from a Site Plan prepared and stamped by a Tennessee licensed engineer, the Applicant, on behalf of the Sign Owner and all others having an interest in the sign, and for its and their successors and assigns, agrees:

The easement holder(s) may limit the size and height of the sign structure.

Allowing the sign does not waive or modify easement holder(s)' rights as easement holder(s).

Easement holder(s) or contractors may at any time work within the easement and will have no liability to Applicant for damage to the sign in the easement. Applicant will remove and replace the sign, at Applicant's expense, if necessary to allow easement holder(s) to work in the easement.

Easement holder(s) may limit or withdraw this License at any time if the sign impairs or interferes with the easement holder(s)' use of the easement. Applicant will be solely responsible for finding an alternative sign location in compliance with the Sign Ordinance.

Applicant will provide a Sign Placement Certificate prepared by a Tennessee licensed surveyor or engineer if requested.

Applicant shall be responsible for compliance with **TN One Call** procedures.

_____
Applicant signature

State of Tennessee; County of Rutherford

Personally appeared before me, the undersigned Notary Republic in and for said County and State, _____, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and acknowledged that he / she executed the foregoing instrument for the purposes therein contained and in the capacity indicated.

Witness my hand and seal this the ___ day of _____, 20___.

_____
Notary Public

My Commission expires: _____

REVOCABLE LICENSE

Based on the concurrence of the applicable easement holder(s) as indicated on the following page, the undersigned, as or on behalf of the Chief Building Official, hereby grant to the Applicant a Revocable License to place a sign in a utility easement as depicted on the attached Exhibit A and in accord with the terms and conditions as stated above and as contained in any Sign Permit.

_____
Name:_____
Title:_____

State of Tennessee; County of Rutherford

Personally appeared before me, the undersigned Notary Republic in and for said County and State, _____, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and acknowledged that he / she executed the foregoing instrument for the purposes therein contained and in the capacity indicated.

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_____
Notary Public

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EXHIBIT A

_____
For ATMOS

Name: _____

_____
For AT&T

Name:_____

_____
For Comcast

Name: _____

_____
For City Engineer

Name: _____

_____
For City Traffic Engineer

Name:_____

_____
For Consolidated Utility District

Name:_____

_____
For Middle Tennessee Electric

Name:_____

_____
For Murfreesboro Electric Department

Name:_____

_____
For Murfreesboro Water & Sewer Department

Name:_____

_____
For TVA

Name:_____

_____
For Other:_____

Name:_____

_____
For Other:_____

Name:_____

_____
For Other:_____

Name:_____

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Passed:

1st reading _____

2nd reading _____

_____
Shane McFarland, Mayor

ATTEST:

_____
Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

_____
Craig D. Tindall
City Attorney

SEAL

This Instrument Prepared By:
David A. Ives, Assistant City Attorney
City of Murfreesboro
P.O. Box 1044
Murfreesboro, TN 37133-1044

Application Fee $_____
Received _____

Tax Map ____ Group ____Parcel ____

APPLICATION FOR REVOCABLE LICENSE
FOR PLACEMENT OF SIGN IN UTIITY EASEMENT

Applicant: _____ Sign Owner: _____

Property Owner: _____ Development: _____

Property Address: _____ ____ Book ____ page _____.

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Applicant will provide a Sign Placement Certificate prepared by a Tennessee licensed surveyor or engineer if requested.

Applicant shall be responsible for compliance with **TN One Call** procedures.

_____
Applicant signature

State of Tennessee; County of Rutherford

Personally appeared before me, the undersigned Notary Republic in and for said County and State, _____, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and acknowledged that he / she executed the foregoing instrument for the purposes therein contained and in the capacity indicated.

Witness my hand and seal this the ___ day of _____, 20___.

_____
Notary Public

My Commission expires: _____

REVOCABLE LICENSE

Based on the concurrence of the applicable easement holder(s) as indicated on the following page, the undersigned, as or on behalf of the Chief Building Official, hereby grant to the Applicant a Revocable License to place a sign in a utility easement as depicted on the attached Exhibit A and in accord with the terms and conditions as stated above and as contained in any Sign Permit.

_____
Name:_____
Title:_____

State of Tennessee; County of Rutherford

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EXHIBIT A

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For ATMOS

Name: _____

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Name:_____

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For City Engineer

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For Murfreesboro Water & Sewer Department

Name:_____

_____
For TVA

Name:_____

_____
For Other:_____

Name:_____

_____
For Other:_____

Name:_____

_____
For Other:_____

Name:_____

MINUTES OF THE MURFREESBORO PLANNING COMMISSION
JULY 20, 2016

1:00 P.M. **CITY HALL**

MEMBERS PRESENT
Bob Lamb, Chairman
Doug Young, Vice Chairman
Tom Clark
Ken Halliburton
Kathy Jones
Tom Clark
Eddie Smotherman

STAFF PRESENT
Gary Whitaker, Planning Director
Matthew Blomeley, Principal Planner
Margaret Ann Green, Principal Planner
Joe Ornelas, Planner
Carolyn Jaco, Recording Assistant
David Ives, Assistant City Attorney
Ram Balachandran, Traffic Engineer
Katie Noel, Project Engineer
Cey Chase, Interim Engineer
Amelia Kerr, Sign Administrator
Brad Barbee, Landscape Site Plan Inspect.

Chairman Bob Lamb called the meeting to order after determining there was a quorum. Chairman Lamb reminded the Planning Commissioners the Joint Meeting to be conducted later this evening with City Council, the Planning Commission, City Staff and Stakeholders. The meeting is scheduled to begin at 6:00 p.m. at the Heritage Room located along Northfield Boulevard.

Consent Agenda

Chairman Bob Lamb began reading the following items to be considered for approval.

Saint Andrews Place Section 8 [2016-1013] preliminary plat and master plan amendment for 34 lots on 8.96 acres zoned PRD located along Mapleside Lane, Ole South Properties developer.

Del Sol Commons Section 5 [2016-1022] preliminary plat for 34 lots on 5.2 acres zoned PRD located along Sunray Drive, Obrien Loyd Venture developer.

Barfield Downs Section 4 [2016-1023] preliminary plat for 45 lots on 16.8 acres zoned RS-12 located along Audubon Lane, Barfield Investment Partners developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION
JULY 20, 2016

Brighton Park at Kingdom Ridge Section 5 [2016-1024] preliminary plat for 35 lots on11.34 acres zoned PUD located along Covenant Boulevard, Swanson Development developer.

Evergreen Farms Section 35 [2016-1025] preliminary plat for 30 lots on 7.66 acres zoned PRD located along Whimsical Drive and Alysheba Run, Ole South Properties developer.

Brookhaven Place Section 1 [2016-1026] preliminary plat for 2 lots on 2.65 acres zoned CH located along Memorial Boulevard, Nobles, Quesenberry and Peppers developer.

Buchanan Estates Section 7 [2016-1027] preliminary plat for 60 lots on 24 acres zoned RM (County) and served as an outside the City sewer customer located along Dusenburg Drive and Ronstadt Drive, Jones Construction Co developer.

Saint Andrews Place Section 8 [2016-2033] final plat for 34 lots on 8.96 acres zoned PRD located along Mapleside Lane, Ole South Properties developer.

Consolidated Utility District [2016-2067] final plat for 2 lots on 32.1 acres zoned H-I located along New Salem Highway, Consolidated Utility District developer.

Marymont Springs Section 1, Phase 6B [2016-2068] final plat for 21 lots on 7.71 acres zoned PUD located along Fairhaven Lane and Brazelton Court, Bob Parks developer.

East Main Quarters Subdivision [2016-2071] final plat for 1 lot on 5.69 acres zoned RM-16 located along East Main Street, East Main Quarters Partnership developer.

Sheffield Park Section 3 [2016-2073] final plat for 11 lots on 4.52 acres zoned PRD located along Lantern Lane, Beazer Homes Corp developer.

Siegel Cove [2016-2074] final plat for 2 lots on 9.08 acres zoned RS-15 located along Siegel Road, Scott Zeller developer.

Sommersby Section 5 [2016-2075] final plat for 19 lots on 4.94 acres zoned PRD located along Candlewick Court, Sommersby developer.

Ransom Drive Gravity Sewer and Pump Station Replacement [2016-3107] site plan for gravity sewer and pump station improvements zoned RS-10 located along Ransom Drive & Minerva Drive, MWSD developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 20, 2016

Black Fox Elementary School [2016-3112] site plan for 14,830 ft2 addition on 20.4 acres zoned RS-10 located at 1753 South Rutherford Boulevard, City of Murfreesboro developer.
Hobgood Elementary School [2016-3114] site plan for 7,330 ft2 community technology center building on 20.6 acres zoned RS-15 located along Jupiter Place, City of Murfreesboro developer.

Wal-Mart Supercenter [2016-3091] site plan for grocery pick-up station & accessory structures on 16.3 acres zoned CH located at 2012 Memorial Boulevard, Wal-Mart developer.

Dr. John Schneider Comprehensive pain & Neurology Center [2016-3115] site plan for 8,894 ft2 medical office on 1 acre zoned CH located along Rideout Lane, Dr. John Schneider developer.

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

Gateway Design Overlay

Andy's Frozen Custard [2016-3093 & 6009] initial design review for 1,167 ft2 specialty restaurant on 0.76 acres zoned CH & GDO-1 located along North Thompson Lane, Ranchers Custard Co. LLC developer. ***Chairman Bob Lamb made known he would be abstaining from all discussion and vote regarding this site plan.***

Ms. Margaret Ann Green began by describing the initial design review for a proposed 1,167 square foot Andy's Frozen Custard located west of North Thompson Lane. The proposed use "specialty restaurant" is permitted within the CH and GDO-1 districts. The proposed building is a one-story structure (approximately 23 feet). The Planning Commission discussed this application last month and deferred its Initial Design Review. The Planning Commission discussed the building design and determined the information provided did not meet GDO standards. The Planning Commission then asked the developer to provide additional treatments

to the canopy, base of building, and roofline to improve it. The developers were also asked to provide a material sample board and photos that may better portray the building and proposed color pallet.

Mr. Augie Nickels, Mr. Kimball Hales and Mr. Robert Bingham were in attendance to represent the applicant. Mr. Aguie Nickels, representing the franchisee came forward making known Andy's Frozen Custard has been in operation for 30 years. Recently, they opened their 30th store. He made known this would become their second store in Tennessee if their site plan were approve.

Mr. Kimball Hales came forward distributing photos of the proposed Andy's Custard building. He stated this location would become a pedestrian friendly walk-up store. The architecture of the building included open windows and a patio to create a transparent experience. Their design is for customers to view the attraction of their own custard being made from a stainless steel machine. Also, with this site, it is very important for the location to have proper lighting and signage for their pedestrian friendly store.

Mr. Kimball Hales explained the proposed materials being primarily brick, fiber cement siding and glass. Continuing, Mr. Hale made known they made revisions to the original plans by adding a blade in the front, attached to the incline roof along the front of the store. In addition, they improved the columns, widened the base, and defined the cap. The design for the building is to create a retro look of an old school diner. The overall appearance is to be a clean, white, stainless steel look.

Mr. Gary Whitaker began explaining to the Planning Commission that City staff has been working with the applicant's team for several weeks on ways to improve their proposed site plan. The applicant is very passionate about the look of their building. However, this type building is not in harmony, nor, the same level of building that is expected in the GDO area. Mr.

Whitaker distributed photos to the Planning Commissioners of a constructed Sonic that was approved by the Planning Commission, located in the Gateway. He made known staff had provided several examples to the applicant such as the Sonic photo, in regards to what has been allowed in the GDO.

Mr. Kimball Hales commented he was very disappointed. Their intent was not to have the same look or mimic other buildings. He feels this is subjective, discriminatory, and there being no bases or grounds for this building not being allowed in the GDO. The fact is, they have meet all criteria that has been asked for with this plan.

Mr. Whitaker stated city staff has made it known from the beginning about their concerns with this submittal. Staff made known what would be allowed in the Gateway Design Overlay. Again, there should not be any surprises with the applicant as to what is expected with this proposed building. The applicant made modifications to the building from their first meeting; however, the building appears to be a pre-fab building with a canopy over it. Murfreesboro wants you to succeed, but this building does not work in this area.

Mr. Augie Nickels came forward making known this was a coincidence this proposed second building in Tennessee would be constructed beside a Slim Chickens. These two businesses are not competitive in nature; however, both businesses share a customer base. These two buildings, sitting beside each other, creates a unique vintage and modern look. This type of building has worked for 30 years and this product would be a success in Murfreesboro. However, it is disappointing to know they have made changes to the building and came back with the changes only to find out their proposed building is still not the right look. Mr. Kimball Hale came forward, stating he understands the importance of the GDO for the City and how well this area has been developed. "However, the intent for the Planning Commission as he sees it, is to enforce what is written. To help them comply what is written, as opposed to making a decision on just not liking the building; therefore, not allowing it."

Ms. Kathy Jones addressed the applicants by stating that she does like the proposed building, but, she does not like this building in the Gateway District Overlay. The examples that were distributed for the approved Sonic shows how they met all of the GDO requirements. The Sonic is all brick, with a defined base. She commented there are other appropriate sites in Murfreesboro for this type of proposed building. Mr. Doug Young commented how the past ten years, the Planning Commission has been involved administering the GDO area. There are other corridors and demographics; however, this building is not a good fit at this location. Mr. Eddie Smotherman wanted to give some constructive criticism. The difference between the constructed Sonic and this proposal is the difference in materials. For example, Sonic used rock and stone base to create a substantial base for the building. Today, what is being presented is a metallic finish being used in the brick which gives this building a metal building or a pre-fab look. He understands this is a small project, compared to larger buildings in the area. The materials for this design on this property needs to fit with the neighborhood. The Gateway area is different and our expectations for the Gateway are different. Mr. Ken Halliburton wanted to know if there were any other specifics that need to be meet or can they be met. Mr. Gary Whitaker stated it is up to them if they are willing to work with staff and make some modifications. Staff is willing to work with them.

Mr. Augie Nickels asked where this proposed building would be allowed in other areas in Murfreesboro? He feels they have wasted a lot of time and a lot of money in an area this plan would not work. Ms. Green answered that the proposed building as rendered would be allowed, but some of the buildings portrayed in the photographs would not be permitted. Mr. Kirt Wade commented that they did not “waste time” and that we have standards just like his company has standards. They would like for this plan to work, but it must meet all GDO requirements. Mr. Kimball Hales, the project architect, stated he can’t understand the standards and that if he changed the whole building to stone, it probably wouldn’t be approved. He doesn’t know the

criteria. Mrs. Jones answered Mr. Hales stating there is no defined base, there is too much glass, the columns are too skinny and the proportions are not right. Mr. Whitaker stated it needed a defined cap.

Mr. Smotherman asked that, if this business isn't successful, what else would go into this building. Mr. Hales answered that an ATM would fit. Mr. Smotherman replied that the Planning Commission would not approve an ATM that looks like this on this property.

Mr. Nickels asked about the best way to keep their options open. Ms. Green stated they could ask the Planning Commission to vote or they could withdraw the application to work on it further. Mr. Nickels said it's not his decision to make and he wants to give himself the best opportunity to come back. Ms. Jones stated that if he likes this site, then we need a different building. Mr. Nickels understands but needs others to make the decision.

Mr. Augie Nickels requested to withdraw the application at this time.

Title Boxing [2016-3109 & 2016-6010] initial design review for 9,000 ft2 commercial center located on 0.7 acres zoned CH & GDO-1 located along Conference Center Boulevard, Silohill Lane, and Greshampark Drive Kyndon Oakes UFC developer. Ms. Margaret Ann Green began by describing the initial design review for a new 9,000 square foot health club and office located along Greshapark Drive, Conference Center Boulevard and Silohill Lane. This lot was created by the developers of the Hilton Garden Inn. During review of the plat to create this lot, the Planning Commission and staff were concerned with the creation of a small lot that would have difficulty meeting standards. The plat was created by the developer with the knowledge that it would not be a good candidate for variances in the future. The proposed use "commercial center" is permitted by right within the CH and GDO-1 districts. The proposed building is a two story structure (35' foot) structure that is mostly brick and stone with EIFS accents.

Ms. Green explained the first floor of the building would be used as office space, retail etc. The seconded floor would be for Title Boxing fitness. This building would have four sides, three of the sides being viewed as a front. The rear of the building would be viewed, so the applicant has added interests to the back of the building.

Mr. Caleb Thorne and Mr. Rob McKelvey were in attendance to represent the applicant. Mr. Caleb Thorne came forward making known the product of the building meets all GDO requirements. Mr. Rob McKelvey stated they have worked on their footprint to fit onto a very tight lot. Based on feedback from staff they have created a building with depth and interesting character elevations. The view from Conference Drive and Greshampark Drive is key corner for this property. They have primarily addressed the building from this particular view. The second level would be Title Boxing fitness having glass visibility that is marketed for what is taking place inside the building. The first level will include uses that would fit the sports theme from Title Boxing fitness such as professional businesses, retail and possibly a clinic. Continuing, Mr. Rob McKelvey said the building would primarily be a masonry building, with a stone base, glass, and minor accents metallic EFIS. On the sides of the building, they have created interests by breaking up the elevations. The building will have offset of brick and brick color. Along the back of the building they propose to mimic windows from the design of elevations. The doors along the back of the building would be painted the same color as the brick so the doors are not visible.

The Planning Commission discussed the proposal and materials to be used. Mr. Eddie Smotherman wanted to know if the HVAC units would be screened due to taller buildings beside this property. Mr. Mckelvey made known they would properly be screened. Ms. Green made known the standard zoning regulations are the same for HVAC units being 6 feet off the ground. Mr. Smotherman suggested the standard regulations should be reviewed regarding taller buildings visibility of over smaller buildings. Ms. Kathy Jones wanted to make certain if

the base line had been addressed, in which Mr. Mckelvey commented the base line would be increased with smooth stone an additional two feet. Chairman Bob Lamb wanted to know how signage would be addressed for the multiple tenants, in which Mr. Caleb Thorne made known to date, they do not have a permanent location for their sign. They will be working with Ms. Amelia Kerr regarding the signage process.

Ms. Kathy Jones made a motion to approve the initial design review subject to all staff comments, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.

Mazda [2016-3119 & 2016-6011] initial design review for 24,796 ft2 automobile dealership on 4 acres zoned CH & GDO-1 located along Fortress Boulevard and John R Rice Boulevard, Nelson Mazda developer. Ms. Margaret Ann Green began by describing the initial design review for a new 24,796 square foot Mazda dealership located along Fortress Boulevard and John R Rice Boulevard. The proposed use "vehicle sales" is permitted within the CH and GDO-1 districts. The proposed building is a one story structure and has brick, pre-cast panels EIFS and metal siding. Ms. Green made known they have met with their design team and from their meeting the design team has incorporated those changes.

Mr. Matt Taylor, Mr. Preston Quirk and Mr. Chad Custer were in attendance to represent the applicant. Mr. Taylor began by making known with this proposal includes the following:

- 3 entrances into the site
  - 1 entrance from Fortress Boulevard (service area for stored vehicles)
  - 2 entrances from John Rice Boulevard (a public entrance and a service department entrance)
- Decorative type fence around the service area
- Public area for inventory and customers located towards the south and west of the building

- This site will have decorative street lighting, sidewalks along street frontage, street trees, plaza and decorative cross walk along John R Rice Boulevard

Mr. Preston Quirk came forward describing the architecture for the building would include seventy percent masonry materials, brick base, 10 feet high brick face, fourteen percent glass, and a small amount of EIFS. Also, the pre cast concrete to be used is the same as the future Rutherford County Courthouse. Continuing, Mr. Quirk explained one corner of the building that is closest to the intersection would be a signature element for Mazada that is their jewel box. This area would be seven percent of ACM composite material. Inside, the feature would be a lift for a vehicle to be placed onto and lifted up to the jewel box. This will give exposure to the west and north sides of the façade. He provided new elevations with more details of the proposed building, which addressed the changes made from their original submittal.

Ms. Green made known the applicant's addressed staff comments by increasing the roofline and adding cornice around the entire building. Also, they have addressed the south front wall by working with color instead of just being a white and black building. Chairman Lamb wanted to know how the left turn works from the Interstate. Mr. Matt Taylor made known he has been working with Mr. Ram Balachandran regarding the left turn lanes. Mr. Balachandran explained this site has a left turn signal. In addition, this site would include an island that would be channeled with striping and signage. Ms. Kathy Jones requested the applicant break up the long roofline, which Mr. Quirk stated he would look into the request.

Mr. Tom Clark made a motion to approve the initial design review subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

Rose Corner Development [2016-3038 & 2016-6004] final design review for 18,944 ft2 multi-tenant building on 3.4 acres zoned MU and GDO-1 located along Medical Center Parkway and Robert Rose Drive, Capital Corporation developer. Ms. Margaret Ann Green began by making known Rose Corner development was approved by the Planning Commission

in March 2016. The developers wish to revise the approved architectural elevations. The building materials are the same, the changes are improvements to the back of building. They have added columns to the cast stone base which gives it more of an upscale dimension. Also, they have added detail to the stone. Staff believes the changes are an improvement. Because this is located in the GDO, the Planning Commission should approve the changes.

Mr. Caleb Thorne and Mr. Curt Schirner were in attendance to represent the applicant. Mr. Thorne made known after the meeting with staff they went back to revisit their building, in which they are back with great improvements.

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

Plats and Plans

Generals Landing [2016-1028] master plan & preliminary plat for 26 lots on 15.71 acres zoned PRD located along West Thompson Lane, Blue Sky Construction developer. Ms. Margaret Ann Green began by describing the master plan and the preliminary plat review for 26 lots on 33.3 acres zoned PRD. These lots are a part of the General's Landing program approved this year (file 2015-431). The subdivision is divided into 2 types of development: 31 single-family lots with a minimum of 9,000 square feet and 130 multi-family units constructed as townhouse style. Each of the proposed lots meets the minimum lots size. The streets in this development are public.

Continuing, Ms. Green made known the water concerns and drainage have been addressed with this development. Also in this area will be Cherry Lane, part of a Major Thoroughfare Plan (MTP) with signalization. Staff requested on the plat to add a new connector stub north/south road, in which the applicant agreed. Currently there is no funding for this MTP road; however, M.T.S.U. and City Recreation Department have opportunities with the development of this new road.

Vice Chairman Young stated this development would help the existing drainage issues with the joining neighbors.

Mr. Doug Young made a motion to approve subject to all staff comments, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

General's Landing Townhomes [2016-3117] site plan for 38 units on 24.1 acres zoned PRD located along West Thompson Lane, Blue Sky Construction developer. Ms. Margaret Ann Green began by describing the site plan review for phase 1 of a 130 unit multi-family townhouse style development located north of West Thompson Lane. Phase 1 consist of 38 units. The property is zoned PRD and the proposed use is permitted. These lots are a part of the multi-family portion of the General's Landing program approved this year (file 2015-431). The PRD allows a maximum of 130 multi-family units that includes a 35-foot setback. This site would have access to West Thompson Lane and a future public right of way to be developed with this project.

Chairman Bob Lamb wanted to know what restrictions had been placed on the north side of this property.

The proposed site plan will include the following:

- **Homes will have a minimum size 2,400 square feet**
- **Materials include brick, stone, cement fiber board exteriors with carriage style doors**

- **The developer needs to submit preliminary architectural renderings demonstrating compliance.**

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

Brady Estates Section 1 [2016-1029] master plan & preliminary plat for 34 lots on approximately 12 acres zoned RS-10 located along Bradyville Pike, Nason Homes developer. Mr. Matthew Blomeley began by describing the master plan and preliminary plat review for 34 lots on 12 acres zoned RS-10. These lots are a part of the Brady Estates subdivision and have a minimum lot size of 10,000 square feet. Each of the proposed lots meets the minimum lot size.

Mr. Blomeley made known there would be sidewalks provided on both sides of all streets. Per staffs request, the revised plans show the wetlands being placed in the common area. In addition, staff has requested all lots adjacent to the new street and Bradyville Pike be faced internally. This would prevent a side facing a major street. A landscape plan would need to be reviewed and approved by the Urban Environmental Department to soften the appearance of the side of the homes related to Bradyville Pike.

Mr. Ken Halliburton wanted to know when the connector road to Rutherford Boulevard would occur with this development. Mr. Matthew Blomeley made known this development would occur in three sections. The lots toward Rutherford Boulevard would be in section three. This is an existing right-of- way; therefore, there would not need to be a request for additional right-of-way to connect to Rutherford Boulevard.

Mr. Bill Huddleston was in attendance to represent the applicant. Mr. Huddleston agreed it would be during section three when the developer would connect the stub street to Rutherford Boulevard.

Mr. Ken Halliburton made a motion to approve subject to all staff comments, including landscaping being added along Bradyville Pike, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.

Automasters [2016-3108] site plan for 6,000 ft2 motor vehicle sales & restaurant on 1.5 acres zoned CH located along South Church Street, Ron Janbash developer. Mr. Matthew Blomeley began by describing the site plan review for the construction of a two-tenant commercial building located along the west side of South Church Street to be occupied by a restaurant and a motor vehicle dealer. A site plan was approved for a stand-alone motor vehicle dealer at this location in January, but the developer decided to seek approval for this new plan instead. The subject property is zoned CH and both proposed uses are permitted by right.

Mr. Blomeley stated, if this plan were approved, it would require the applicant's plans to add stating the following:

Vehicle inventory will only be allowed in the parking spaces denoted on the site plan and that it will not be allowed in any spaces which are not so marked and are being provided to meet minimum parking requirements. In addition, the vehicle inventory will not be allowed in any landscaping areas, driveway aisles, or any other areas not clearly delineated on the plans for vehicle inventory.

Last, Mr. Blomeley made known before final approval by the Planning Director, Mr. Gary Whitaker would review and approve the removal of the black metal panel that will be replaced with masonry products.

Mr. Ron Janbash and Mr. Rob Mckelvey were in attendance to represent the applicant.

Mr. Kirt Wade made a motion to approve subject to all staff comments, including the Planning Director, Mr. Gary Whitaker review and approve all masonry products, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

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Circle K [2016-3113] site plan for 5,880 ft2 gas station/convenience market on 1.9 acres zoned CH located along South Rutherford Boulevard and John Bragg Highway, Circle K Stores Inc. developer. Mr. Matthew Blomeley began by describing the site plan review for the construction of a new gas station/convenience market located at the southeast corner of John Bragg Highway and South Rutherford Boulevard. The property is zoned CH and the proposed use is permitted by right. At its June 2016 regular meeting, the Board of Zoning Appeals granted a 15' rear setback variance. The plan submitted demonstrated compliance with the action of the BZA.

Continuing, before final approval the applicant must address the following:

- An electronic message sign is not permitted by the sign ordinance within the city of Murfreesboro. Any questions regarding signage, contact Ms. Amelia Kerr, Sign Administrator
- This building faces two major arterials Rutherford Boulevard and John Bragg Highway. Staff requests the side of the building facing Rutherford Boulevard mimic the front by adding a parapet and their logo.

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

Chairman Bob Lamb wanted to know if there would be a left turn lane into the location off John Bragg Highway. Mr. Ram Balachandran made known they have proposed a left turn lane only if approved by the Tennessee Department of Transportation.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor explained he has been involved in meetings with TDOT regarding this left turn lane. There would be improvements made in the area for the left turn to address the required distance of approximately 550 feet.

Mr. Ken Halliburton complimented the Nacho's restaurant owners for allowing Circle K to share an existing entrance drive.

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

555 Gresham Lane Townhomes [2016-3110] site plan for 28 units on 2.2 acres zoned RM-16 located along Gresham Lane, Tstj, LLC developer. Mr. Matthew Blomeley began by describing the revised site plan for the construction of a new 28-unit townhome development located along the east side of Gresham Lane. The property was rezoned to RM-16 in 2015 and the proposed use is permitted by right in the RM-16 zone. The applicant Mr. Evan Dublis has made known the townhomes would be for sale units.

All landscaping plans for the Type C buffer would be reviewed and approved by Urban Environmental Department. The buffer would be placed to protect the residents to the north of the site. In addition, the required materials for the proposed buildings are brick, stone, and hardy board. No vinyl, except in the trim and soffits. For building number seven, staff requested additional improvements be made to the right side of the building due to it facing Gresham Lane.

Mr. Ken Halliburton requested the Type C buffer that is required for this property be properly maintained to protect the neighbors to the north of this property.

Mr. Matt Taylor was in attendance to represent the applicant

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

Maple Street Townhomes [2016-3118] site plan for 9 units on 0.64 acres zoned RM-16 located along North Maple Street, Jeremy Kelton developer. Mr. Matthew Blomeley began by describing the site plan review for the construction of a new 9-unit townhome development

located along the west side of North Maple Street. The property is zoned RM-16 and the proposed use is permitted by right. The applicant has applied to go before the Board of Zoning Appeals for approval of rear setbacks.

Before final approval, this site plan is subject to the following:

- Approval from the Board of Zoning Appeals on July 27, 2016, for rear setbacks
- Front, side and rear elevations reviewed and approved by Planning Director, Gary Whitaker
- Type A buffer along the north, south and west property lines. This buffer would be reviewed and approved by city staff at the Urban Environmental Department.

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

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

Request to move a house [2016-3102] from 4546 Veterans Parkway to 1303 Atlas Court, Charles Ferguson applicant. Mr. Matthew Blomeley began by describing Public Chapter 246 of 2007 requires that certain conditions be met before a house can be moved onto a lot in the Murfreesboro City limits, and in this situation it mandates Planning Commission approval. The applicant, Mr. Charles Ferguson, would like to relocate the existing house at 4546 Veterans Parkway to the lot at 1303 Atlas Street. The property at 4546 Veterans Parkway is part of a larger site that has recently been rezoned commercial in anticipation of its redevelopment for commercial purposes. Mr. Ferguson wishes to move the house to property that he owns at 1303 Atlas Street (Lot 49 of the Morgan Heights Subdivision), which is at the northeast corner of Atlas Street and Mars Street. The applicant proposes to face the house toward Atlas Street. The existing garage will be removed from the house prior to its relocation. 1303 Atlas Street is zoned RS-10 (Residential Single-Family) and single-family residential uses are permitted by right in this zone. The minimum building setbacks for this lot are as follows: front setback along Atlas =

35', front setback along Mars = 35', north side setback = 10', and east side setback = 10'. Based on the dimensions of the house and the dimensions of the lot, the applicant should have no issues complying with the minimum building setbacks.

State law requires that the Planning Commission consider the following requirements before rendering a decision:

1) **The age of the house to be moved must be within 10 years of the average age of the existing structures within the developed area**. (State law says that a "developed area" means an area generally referred to as a subdivision as indicated on a plat filed in the Register of Deeds Office. The plat in question is the Morgan Heights subdivision plat, and it contains 53 lots. For the purposes of this request, Staffs' opinion is that it is not necessary to take into account all 53 lots; instead, the 22 lots on the plat nearest the subject property were used in this analysis.)

According to the Rutherford County Property Assessor's website, the subject house was built in 1964. Staff tasked the applicant with researching the age of the existing homes in the sample area. The average year built for these 22 lots is 1957. The subject house complies with the requirement above.

2) The value of the house to be moved (after all the improvements have been made) must meet or exceed the average appraisal of the existing structures within the developed area.

Once again, the Rutherford County Property Assessor's website was used as best available information. The average valuation of all homes in the sample area is $63,522. The valuation of the subject house in its current state is $70,400. The subject house appears to comply with this requirement.

3) The size of the house to be moved must not be less than 100 square-feet less than average size of the existing structures within such developed area.

According to the Rutherford County Property Assessor's website, the average house size in the sample area is 1,261 square-feet. The subject house is 1,248 square-feet -- thirteen (13) square-feet less than the average. The subject house meets the minimum requirement.

4) The appearance of the house to be moved must be consistent with that of those existing residences as determined by the Planning Commission.

As demonstrated in the photographs provided by the applicant, the houses in the sample area are 1-story ranch homes consistent with the era they were constructed. All of the homes in the photographs have brick exteriors. The house in question currently has brick less than halfway up the exterior wall. The existing brick will need to be removed in order for the house to be moved. The applicant has verbally indicated that he wishes to install a brick exterior to the same level as exists now. In Staff's opinion, in order to match the surrounding homes, all four (4) sides of the house should be entirely brick from grade to eave.

The Murfreesboro Building and Codes Department must conduct a substandard inspection of the house before it is moved. The Building and Codes Department needs to ensure that a substandard house is not relocated within City limits. The applicant will be required to make the required improvements to bring the house up to current codes.

The Planning Commission should consider this request to move the house at 4546 Veterans Parkway to the lot at 1303 Atlas Street. The Planning Commission should determine whether or not the house is consistent with the existing houses in the neighborhood. If the Planning Commission approves the request Staff recommends the following conditions:

1) A substandard inspection must be conducted on the house before it is moved and any necessary improvements must be made to the house to bring it up to

current code (on a time table to be determined by the Building and Codes Department).

2) The house must have a full brick exterior on all four sides to be compatible to the houses in the area.

Mr. Charles Ferguson was in attendance to represent the applicant.

Ms. Kirt Wade made a motion to approve subject to all staff comments, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Request to move a house [2016-3103] from 2217 22nd Avenue North in Nashville to 431 East Castle Street, Charles Ferguson applicant. Mr. Matthew Blomeley began by describing Public Chapter 246 of 2007 requires that certain conditions be met before a house can be moved onto a lot in the Murfreesboro City limits, and in this situation it mandates Planning Commission approval. The applicant, Mr. Charles Ferguson, has purchased a single-family dwelling previously located at 2217 24th Avenue North in Nashville and has moved it to property he owns at 431 East Castle Street, which is located on the north side of East Castle Street in between South Highland Avenue and South Maney Avenue. Approval was given by the Planning Department prematurely and subsequently the permit was issued in April to move the structure onto the property at 431 East Castle Street. After the issuance of the permit, Mr. Ferguson moved the structure onto the subject property but he then ceased work after it was determined that he first needed Planning Commission approval, per State law. 431 East Castle Street is zoned RS-4 (Residential Single-Family) and single-family residential uses are permitted by right in this zone. The subject property is also located in the CCO (City Core Overlay District).

The applicant proposes to have the current ***side*** of the house become the ***front*** of the house. The existing house is wider than it is deep, but he proposes for it to be deeper than it is wide. In order

to make the current side look like a front, the applicant proposes to construct a new front porch onto the proposed front of the structure. The existing side door will become the front door. The applicant also proposes to construct a 144 square-foot addition at the rear of the house. The minimum building setbacks in the RS-4 zone are as follows: front = 25', sides = 5', and rear = 20'. There should be no issues in complying with the minimum setback requirements.

State law requires that the Planning Commission consider the following requirements before rendering a decision:

1) The age of the house to be moved must be within 10 years of the average age of the existing structures within the developed area. (State law says that a "developed area" means an area generally referred to as a subdivision as indicated on a plat filed in the Register of Deeds Office. For the purposes of this request, since there is no subdivision plat associated with this property, Staff has identified the "developed area" as 17 adjacent single-family residential lots.)

According to the Davidson County Property Assessor's office, the subject house was built in 1959. Staff tasked the applicant with researching the age of the existing homes in the sample area. The average year built for the homes in the sample area is 1966. The subject house complies with the requirement above.

2) The value of the house to be moved (after all the improvements have been made) must meet or exceed the average appraisal of the existing structures within the developed area.

Once again, the Rutherford County Property Assessor's website was used as best available information. The average valuation of all homes in the sample area is $55,164. The valuation of the subject house in its current state, according to the Davidson County Property Assessor's

office, is $35,900. In its current state, the subject house does not appear to meet the minimum requirement. However, the applicant proposes to construct a new front porch and as well as an addition onto the rear of the house to increase its value. He has indicated that he intends to spend $21,718 on these additions and other miscellaneous improvements. Adding the proposed expenditures to the existing valuation of the house equals $57,618, which exceeds the $55,164 average valuation of the homes in the sample area. No appraisal has been provided, however, so the Planning Commission must decide whether or not the information provided is sufficient to determine compliance with State law.

3) The size of the house to be moved must not be less than 100 square-feet less than average size of the existing structures within such developed area.

According to the Rutherford County Property Assessor's website, the average house size in the sample area is 1,147 square-feet. The subject house is only 960 square-feet. In its current state, the structure does not meet the square-footage requirements. However, as previously mentioned, the applicant proposes to construct a 12' x 12' addition. With the proposed 144 square-foot addition, the house will be 1,104 square-feet -- 43 square-feet less than the average. With the addition, the house meets the minimum requirement.

4) The appearance of the house to be moved must be consistent with that of those existing residences as determined by the Planning Commission.

This criterion is more subjective than the other criteria. The applicant has provided photos of a number of the homes in the sample area for the Planning Commission's reference. As previously mentioned, the applicant proposes to reorient the building so that the original side becomes the new front. He proposes a front porch similar to that of the existing homes in the neighborhood to make the new front look more like a front than a side. Before granting approval, the Planning Commission should feel comfortable that the house presents as a front to East Castle. A rough front elevation has been provided for the Planning Commission's reference. Most of the homes

in the sample area have siding exteriors. The applicant proposes to install vinyl siding on all four (4) sides of the house.

If it has not done so already, the Murfreesboro Building and Codes Department must conduct a substandard inspection of the house. The Building and Codes Department needs to ensure that a substandard house is not relocated within City limits. The applicant will be required to make the required improvements to bring the house up to current codes.

The Planning Commission should consider this request to move the subject house to 431 East Castle Street. The Planning Commission should determine whether or not the house is consistent with the existing houses in the neighborhood. If the Planning Commission approves the request, Staff recommends the following conditions:

1) If one has not been done already, a substandard inspection must be conducted on the house and any necessary improvements must be made to the house to bring it up to current code (on a time table to be determined by the Building and Codes Department).

2) A new masonry front porch, consistent with the front building elevation submitted, must be constructed onto the new front of the house. The masonry front porch must be completed within six (6) months of the date of Planning Commission approval (January 20, 2017).

The 12’ x 12’ addition is needed to meet the minimum size requirement. The addition must be completed within six (6) months of the date of Planning Commission approval (January 20, 2017).

Mr. Charles Ferguson was in attendance to represent the applicant.

Chairman Bob Lamb asked if the new addition would be heated, be cooled and become part of the house, in which Mr. Charles Ferguson answered, certainly. It would become a den or a computer room with a bathroom. This addition would be connected to a back bedroom. There will not be closet space.

Chairman Lamb wanted to know what type of materials would be used for the front porch, in which Mr. Ferguson answered it would be concrete slab, concrete drive and a concrete sidewalk. **Ms. Kathy Jones made a motion to approve subject to all staff comments, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.**

New Business

Zoning application [2016-430] for approximately 5.2 acres located along Salem Creek Court to be rezoned from OG to OG-R, David Alcorn applicant. **WITHDRAWN**

Zoning application [2016-433] for approximately 1 acre located along Bradyville Pike to be rezoned from CL (0.42 acres) and RS-10 (0.59 acres) to CF, Christine Carey applicant. Ms. Margaret Ann Green began by describing the subject area consists of 2 parcels and is located along the northern side of Bradyville Pike, just east of the intersection with Minerva Drive. The property to the north is zoned RS-10 and is the location of the Olive Branch Missionary Baptist church. The properties to the east is also zoned RS-10 and is the location of a Methodist Church. The properties to the south are zoned CL and are developed with commercial and multi-family uses.

The rezone request consists of two parts. The first is to rezone a vacant parcel from CL (Local Commercial District) to CF (Commercial Fringe District). The second part is to rezone a parcel with an existing single family house from RS-10 (Single-Family Residential District) to CF. The applicants own both properties and wish to allow them to develop with a commercial use, although she does not have a specific development plan at this time. Neither parcel is large

enough to meet site design criteria on its own. Combined, the property is approximately 1 acre and could likely be redeveloped with a commercial use. The properties are sandwiched between institutional and residential uses and would be a good candidate for redevelopment.

Mr. Ken Halliburton made a motion to schedule a public hearing on August 3, 2016, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

Zoning application [2016-434] for approximately 10.3 acres located along North Thompson Lane and Wilkinson Pike to be rezoned from RS-15 & L-I to CM and GDO-Highpoint Limited LLC applicant. Ms. Margaret Ann Green began by describing the subject area consists of 6 parcels and a portion of a 7th parcel. The subject area is located south of Wilkinson Pike, west of North Thompson Lane and east of Van Cleve Lane. A developed single family subdivision is located to the west of the study area. The battlefield is located to the north, commercial developments to the south and the St. Thomas Rutherford Hospital is to the east (zoned L-I). TrustPoint Hospital (formally Polaris) is located to the south. The applicant wishes to expand the TrustPoint medical facility and has a contract to purchase additional parcels, which are the subject of this application. The rezone request is to rezone a parcel from L-I to CM (Commercial Medical District); to rezone the additional property from RS-15 to CM. The request is also to include the parcels within the GDO-2 overlay.

Mr. Matt Taylor, Mr. Bricke Murfree and Dr. Jeffery Woods were in attendance to represent the applicant. Mr. Bricke Murfree came forward making known this request is to allow the expansion of TrustPoint hospital. This proposal would allow the following:

- 2 story medical office building
- Expansion of the existing hospital building
- 2 story hospital facility
- Build out projection is to have approximately 249 beds on the entire campus

- Meet all Gateway Design Overlay requirements for landscaping, fencing beside joining property owners.

Continuing, Mr. Murfree made known Dr. Woods and himself have been reaching out with area residents and members from Stones River Battlefield making known what this proposal would provide for the community. This includes partnering with St. Thomas Hospital for emergency service needs such as mental health care needs. Last, a neighborhood meeting has been scheduled for Wednesday, July 27, 2016, at 6:00 p.m. at St. Thomas Rutherford Hospital in the McDonald Conference Room located at 1700 Medical Center Parkway.

Mr. Matt Taylor came forward making known with this proposal there would not be an access onto Van Cleve Lane. However, there will be new access off of Wilkinson Pike, no new access off of Thompson Lane. The intent would be to utilize the existing entrance off of Thompson Lane. The whole campus will function as one campus. This area is a drainage sensitive area which they will continue to address this area with the same philosophy. Also, with this proposal will be road improvements along Wilkinson Pike with pedestrian friendly access opportunities such as a crosswalk, and a multi use lane that would connect to the battlefield. There would not be any sidewalks along the battlefield side of the street.

Mr. Sam Huddleston made known Wilkinson Pike is on the City's Capital Improvement Plan. Staff has provided to the applicant's team a preliminary road design to make the changes known for this area. The proposal would be to acquire right of way in the next few months, advertise for bids. After a bid is awarded, it is projected to start construction in a year or up to eighteen months.

Ms. Kathy Jones made a motion to schedule a public hearing on August 3, 2016, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION
JULY 20, 2016

Annexation Plan of Services and annexation petition [2016-509] for approximately 28.3 acres located along New Salem Highway, James Rowland applicant. **WITHDRAWN**

Zoning application [2016-424] for approximately 22.5 acres located along New Salem Highway to be zoned RM-16 simultaneous with annexation and for approximately 0.9acres to be rezoned from RS-15 to RM-16, James Rowland applicant. **WITHDRAWN**

Zoning application [2016-429] for approximately 0.8 acres located along Reid Avenue to be rezoned from RD to RS-4, Robert James & Betty French applicant. Mr. Matthew Blomeley began by describing the subject property located along the north side of Reid Avenue, east of South Highland Avenue and west of South University Street. It consists of one parcel, which is currently vacant and zoned RD (Residential Duplex). It is also located within the CCO (City Core Overlay District). Previously, there was a house and a mobile home on the property, but the mobile home has been removed and the house was destroyed by fire. The applicant wishes to transfer the property to Rutherford County Habitat for Humanity and has requested the rezoning from RD to RS-4 (Single-Family Residential District 4) so that Habitat for Humanity can resubdivide the property into two (2) lots of records.

The current RD zoning has a minimum lot size of 8,000 square-feet for single-family lots. The requested parcel is approximately 13,000 square-feet in lot area, so under the current RD zoning, the property could not be resubdivided. In order to create two (3) lots, the applicant has requested that these two parcels be rezoned to RS-4 (Single- Family Residential District). The RS-4 zone only requires a minimum 4,000 square-foot lot size. Staff has also included the three (3) adjacent parcels to the east as additional study area. Rezoning these three (3) parcels will connect the requested parcel to area that is already zoned RS-4. The parcel directly to the east is vacant and owned by the applicants, who have no objection to this parcel being included in the rezoning. The additional parcels further to the east along University are both developed with

single family homes and do not meet the minimum lot size for duplexes, so it seems that RS-4 would be an appropriate zoning district for these parcels as well.

With the exception of the lot at the northeast corner of Highland and Reid, the entire block of Reid between Highland and University is currently zoned RD. The subject property is also bordered on its north side by RD zoning. However, while the surrounding RD zoning does contain some existing duplexes, many of the parcels in this area are developed with single-family homes instead of duplexes. The east side of South University Street, which adjoins the additional study area, is already zoned RS-4 and predominantly developed with single-family homes.

Mr. Robert James was in attendance to represent the applicant.

Mr. Tom Clark made a motion to schedule a public a public hearing on August 3, 2016, and to include the additional study area, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

Zoning application [2016-432] for approximately 78.4 acres located along Asbury Lane to amend the PRD (Purlingbrook PRD), Beazer Homes applicant. Mr. Matthew Blomeley began by describing the subject property located along the west side of Asbury Lane. It consists of 78.4 acres and is undeveloped, except for one single-family residence. Overall Creek flows through the subject parcel, and a large portion of the property is encumbered by Overall Creek and its floodway and floodplain. It was originally annexed and zoned as a PRD in 2006. The original Purlingbrook PRD consisted of 168 townhome units. The Purlingbrook PRD was amended in 2008 to reduce the number of townhome units to 159 and to incorporate some other site design changes. The property has remained undeveloped ever since. The applicant has the property under contract and wishes to amend the PRD, essentially replacing the existing PRD zoning plan with a new PRD zoning plan.

The subject property is bounded on its southwest side by I-24 and on its south side by a vacant piece of property zoned RS-15 (Single-Family Residential District), both of which are located within the City limits. Further to the south, Asbury Lane intersects with Medical Center Parkway. To the north of the subject property is the Confederate Glen single-family residential subdivision located in the unincorporated County. To the east of the subject property, across Asbury Lane is a single-family residence on a large, mostly undeveloped tract located in the unincorporated County. Also to the east, across Asbury Lane, are the Ridgefield and Bridleview single-family residential subdivisions, which are also located in the unincorporated County.

The proposed PRD zoning plan seeks to reduce the density and allow for both single-family detached homes on individual lots of record in addition to for-sale townhome units. The plan proposes to reduce the number of townhome units from 159 to 90. The plan also proposes 48 single-family residential detached lots. The total number of units will be decreased by 21, from 159 to 138. The single-family lots are proposed to be a minimum of 4,500 square-feet. The minimum square-footage for the single-family homes will be 1,850 square-feet and the minimum square-footage for the townhomes will be 1,250 square-feet. The townhomes will consist of a mixtures of 2-bedroom units and 3- bedroom units. The previous plan committed to 75% brick, stone, or hardi-plank (i.e., cementitious siding) with vinyl only allowed on cornice work. The new plan proposes to change the language to require **100%** brick, stone, or hardi-plank (i.e., cementitious siding) with vinyl only allowed in the eaves and soffits. Examples of the types of townhome and single-family buildings are included in the pattern book. The plan proposes a Type C buffer along the northern property line adjacent to the Confederate Glen subdivision. Additional details with regard to the proposed development can be found in the program book. Also of note, improvements to Asbury Lane will be required as will the dedication of right-of-way. The exact nature of the road improvements will be determined by the City Engineer.

The applicant proposes two deviations from the standard zoning regulations. **First, it is the desire of the applicant to have a 20' minimum front building setback for the single family lots. A driveway 20' in length will only accommodate two (2) off-street parking spaces. The Zoning Ordinance requires four (4) off-street parking spaces for single family homes. Garage spaces are not permitted to count toward minimum parking requirements. The applicants seek an exception to this requirement as a part of this PRD amendment in order to allow the garage spaces to count toward the minimum parking requirements. In order to accomplish this, they propose to restrict garages to vehicular parking only. Secondly, multi-family developments (and townhome developments are considered multi-family developments, even though they consist of a for-sale product) of 75 units or greater are required to provide a trash compactor. The applicant is requesting the use of a dumpster instead.**

Chairman Bob Lamb wanted to know if there would be any road improvements to Asbury Lane. Mr. Sam Huddleston explained there would be two left lane entrance improvements 200 – 250 feet with this development.

The Planning Commission began discussing the two deviations presented. There would be two levels of enforcement. First, in the restrictive covenants the Home Owners Association would manage homeowner garages to be restricted to vehicular parking only. Second, if homeowners were not using their garages for vehicle parking it would become a zoning violation of the restrictive covenants. Mr. Blomeley suggested the garages should be oversized to accommodate steps, trash containers, lawnmower, etc. Mr. Gary Whitaker made known they had meet with several different teams who had wanted to develop this property. Now, what is being proposed with this applicant who is willing to reduce the density and mix up the uses with their plan.

Mr. Ryan Lovelace and Mr. Brad Garnto were in attendance to represent the applicant. Mr. Lovelace explained this development would allow two vehicles in the garage and two vehicles in the driveway.

Mr. Ken Halliburton commented this request is similar to a townhome. It comes down to enforcement. Ms. Jones voiced her concerns with the single family home deviations from the zoning regulations. Mr. Gary Whitaker, stated the garages must be constructed to accommodate two vehicles. Ms. Jones wanted to know who would maintain the yards with the single family homes, in which Mr. Ryan Lovelace made known this had not been decided. Mr. David Ives stated it is critical for the sales team of this development to make known if there are to be more than two vehicles, they must use the garage; the residents cannot park on the street.

Ms. Kathy Jones made a motion to schedule a public hearing on August 3, 2016, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.

Annexation Plan of Services and annexation petition [2016-511] for approximately 27 acres located along Barfield Road, Ted Petty applicant. Mr. Matthew Blomeley began by describing the subject property located along the east side of Barfield Road south of New Salem Highway. The property is undeveloped and mostly wooded. It is a portion of a parcel that was bisected by the construction of the Stones River Greenway. The portion of the parcel requested for annexation is the northern half of the property and it totals approximately 15 acres. The Stones River is located to the east and south of the subject property. A significant portion of the subject property is encumbered by the floodway and floodplain of Stones River.

A written petition has been filed by the property owner requesting annexation. The subject property is located within the City's Urban Growth Boundary. In addition to the requested property, Staff has also included the right-of-way of Barfield Road in front of the subject property. Staff recommends that the Planning Commission include five (5) adjacent City-owned parcels as additional study area. All five (5) parcels are located to the east of the requested

property and are developed with the Stones River Greenway. The requested property, by itself, is not contiguous with the existing City limits. The parcel directly to the east, which is included in the additional study area, must be annexed in order to make the requested area contiguous. If the Planning Commission decides to study the entire area, the total study area, including right-of-way, will include approximately 27 acres.

Staff is preparing a plan of services, which will be ready for the Planning Commission's review prior to the public hearing. The property owner has also filed a request to have the property zoned RZ (Residential Zero-Lot Line District) simultaneous with annexation. All of the parcels in the additional study areas are zoned RM (Medium Density Residential) in the unincorporated County, and if annexed, will be given an interim zoning classification of RS-15 (Single-Family Residential District 15).

Mr. Tom Reed and Mr. Ted Petty were in attendance to represent the applicant. Mr. Tom Reed came forward making known out of the 15 acres the property being in the floodplain only five/six acres are useable to build on. The reminder of the property would be greenspace. The applicant's intent is to construct homes by the river and use the walking trail.

Mr. David Ives suggested staff should include in the study Rowland's property, Barfield Road right of way and the city greenway trail with this property.

Mr. Ken Halliburton made a motion to schedule a public hearing on September 7, 2016, in addition, amending the study area. The motion was seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Zoning application [2016-436] for approximately 15 acres located along Barfield Road to be zoned RZ simultaneous with annexation, Ted Petty applicant. Mr. Matthew Blomeley began by describing the subject property located along the east side of Barfield Road south of New Salem Highway. The property is undeveloped and mostly wooded. It is a portion of a

parcel that was bisected by the construction of the Stones River Greenway. The portion of the parcel requested for zoning is the northern half of the property and it totals approximately 15 acres. The previous item on the agenda pertained to the annexation of the same property. The applicant has requested a zoning classification of RZ (Residential Zero-Lot Line District) simultaneous with annexation. (There is no zoning request for the additional study area considered with the annexation. As such, if annexed, it will be given an interim zoning classification of RS-15.)

The applicant's representative indicated his development intentions for the property are to construct a residential subdivision with single-family detached houses on small lots. The RZ zone permits single-family residential detached homes on lots with a minimum lot size of 3,000 square-feet and a minimum lot width of 30'. A sizeable portion of the subject property is encumbered by the floodway and floodplain of Stones River, and, although the requested area totals 15 acres, it appears that the developable area will be significantly less. Because of the floodway constraints and because lot sizes for single-family detached homes in the RZ zone tend to be a little bit larger than the minimum, it is difficult to estimate how many lots the subject property would realistically yield.

The Stones River is located to the east and south of the subject property as is the Stones River Greenway. Directly across the Stones River to the east is the Cliffview Estates single-family residential subdivision, which is zoned RS-15 (Single-Family Residential District 15) and is within the Murfreesboro City limits. To the south, also across the river, is the balance of the applicant's property, which is undeveloped and located in the unincorporated County. The property to the north, as well as the property to the west across Barfield Road, is primarily undeveloped, owned by World Outreach Church, and located in the unincorporated County. The Saint James Park single-family residential subdivision is also located across Barfield Road from the subject property in the unincorporated County, as is a Church of God.

The subject property is located within the study area of the *Salem Pike Land Use Plan*. The future land use map included in that plan recommends that the property develop as "medium density residential." The plan defines medium density residential as "All single-family and two family residential uses that involve a density of at least three units per acre but less than eight units per acre; Institutional; Convenience-scale commercial uses on a selective and limited basis; General Farming."

Mr. Tom Reed and Mr. Ted Petty were in attendance to represent the applicant.

Mr. Tom Clark made a motion to schedule a public hearing on September 7, 2016, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

Zoning application [2016-435] for property located along Veterans Parkway to be rezoned from RM-16 to RS-8 (approximately 0.77 acres) RM-16 to CF (approximately 0.41 acres), and CF to RM-16 (approximately 1.6 acres), Cornerstone Development, LLC developer.

Mr. Matthew Blomeley began by describing the subject property located along the south side of Veterans Parkway just east of Saint Andrews Drive. It was originally annexed into the City and zoned as a PRD (Planned Residential District) called Kimbro Place in 2005. In 2008, it was rezoned from PRD to PUD (Planned Unit District) for a mixed-use development called Indigo. The Indigo PUD included provisions for commercial uses along Veterans Parkway and then transitioned to multi-family residential and single-family residential south of the commercial. The original Indigo vision never came to fruition. In 2012, 68.67 acres of the Indigo PUD was rezoned to RS-8 (Single-Family Residential District 8) and 25 acres was rezoned to RM-16 (Residential Multi-Family). In 2015, after the current owner purchased the property, approximately thirteen (13) acres of the remaining RM-16 zone was rezoned to RS-8 and approximately three (3) acres was rezoned to CF (Commercial Fringe).

In 2015, the applicant did not have specific plans for how he wanted to develop the RM-16- and CF-zoned property. Since that time, however, the applicant has refined his vision for the property and has engaged an engineer to design a plan. The applicant has been developing the portion of the property zoned RS-8 as the Westwind Subdivision. He would like to construct a townhome development on the portion zoned RM-16 and a daycare center on the portion zoned CF. He and his engineer have since determined that, in order to move forward with these plans, they need to "clean up" the zoning lines on this property. The request at hand contains three (3) parts. First, there is a drainage pond at the southeast corner of the tract that is zoned RM-16 but actually serves the Westwind subdivision to the south. He is requesting to rezone this 0.77 acres from RM-16 to RS-8. At the front of the site, he proposes to shift the RM-16 and CF boundaries, so that 0.41 acres would be rezoned from RM-16 to CF and 1.6 acres would be rezoned from CF to RM-16. If the entire request is approved, the CF area would shrink from 3.27 acres to 2.09 acres and the RM-16 area would increase from 8.64 acres to 9.05 acres. The 0.41 acre increase in the size of the area zoned RM-16 could result in an additional seven (7) dwelling units.

There is a single-family residence in the unincorporated County directly to the east of the subject property along Veterans Parkway. Further to the east is undeveloped land in the unincorporated County. Directly across Veterans Parkway is the Glen Brook PRD, which has never developed. Further to the west along the south side of Veterans Parkway are several single-family residences located in the unincorporated County, as well as the Sheffield Park single-family subdivision, which is located in the City, zoned PRD, and currently under construction. As mentioned previously, the Westwind single-family residential subdivision, zoned RS-8, is developing just to the south of the subject property. The Planning Commission may wish to note that the subject property is located just outside of the Salem Pike Land Use Plan study area.

Ms. Kathy Jones made a motion to schedule a public hearing on August 3, 2016, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 20, 2016

Zoning application [2016-431] for approximately 5.7 acres located along Osborne Lane to be rezoned from RS-15 to CF, Chuck Barnes applicant. Mr. Matthew Blomeley began by describing the subject property located along the south side of Osborne Lane just east of Memorial Boulevard. It is undeveloped and currently zoned RS-15 (Single-Family Residential District 15). The applicant does not have a contract on the property. Rather, his father-in-law owns the property and indicated that he will be obtaining power-of-attorney from his father-in-law the week of the Planning Commission work session and will be providing the Planning Department a copy of the power-of-attorney once it is obtained. He is requesting that the property be rezoned from RS-15 to CF (Commercial Fringe). It is his intention to develop a self-service storage facility on the subject property. If the property is rezoned to CF, this use will require a special use permit from the Board of Zoning Appeals.

The subject property is bordered on its west side by several office buildings zoned OG (General Office District) as well as a Speedway gas station/convenience market zoned CL (Local Commercial District). A parking lot that serves the State Farm corporate office and is zoned PCD (Planned Commercial District) is located to the south of the subject property. To the north and east of the subject property on the south side of Osborne Lane are a number of single-family residential estate lots zoned RS-15. Upon development, if the subject property is rezoned to CF, a 15'-wide Type D landscape buffer will be required to be installed adjacent to any property that is zoned RS-15. To the north across Osborne Lane are several more single-family residential estate lots zoned RS-15, as well as the Crowne Pointe single-family residential subdivision, which is zoned RS-12 (Single-Family Residential District) 12.

A portion of the subject property appears to be zoned OG but the applicant's representative has not included this area in the rezoning request. Staff reached out to the applicant's representative to clarify whether or not a second component (OG to CF) needed to be added to the rezoning request. Staff expects to have additional information on this topic at the Planning Commission

meeting. In addition, the applicant's surveyor indicated there is a discrepancy between his deed research and the property lines on the recorded Speedway subdivision plat to the west. The applicant's surveyor believes that a portion of Lot 2 of the Speedway Subdivision is actually part of his client's property. The lot line in question adjoins the "flagpole" portion of the requested property. Staff tasked the applicant's surveyor with contacting the Speedway surveyor to determine for certain whether or not the Speedway plat is erroneous. The width of the flagpole is important because it affects access to the subject property.

Mr. Blomeley commented all these issues would need to be resolved before presented for a public hearing.

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

Ms. Kathy Jones made a motion to September 7, 2016, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Mandatory Referral – Land Acquistion JRN Parcels at SE Broad and South Church Streets Town Creek Phase 1. Mr. Sam Huddleston began describing JRN the current property owner, and a potential purchaser, American Development Partners, is looking to redevelop all or a portion of 3 parcels located at the corner of SE Broad Street and South Church Street. The properties are the location of the former KFC and Town Creek that crosses the property diagonally from Murfree Springs to South Church Street. The improvements for Town Creek is on the City Stormwater Capital Improvement Plan.

In 2007, the City replaced a 45-foot section of culverts crossing the KFC property following a culvert failure. City staff evaluated with Griggs & Maloney the potential to daylight Town Creek across the properties rather than repair & maintain the existing culvert system. A conceptual design is being completed which evaluates the needs and alignment of the day

lighted Town Creek. In recent months, potential redevelopments have faced the hurdle of coordinating a significant public infrastructure project of with concurrently redeveloping the property. City staff is currently working on proposals to acquire the parcels, complete the daylighting project and return a portion of the property for redevelopment.

Staff recommended approval of the Mandatory Referral for the City to acquire the parcels owned by JRN subject to acceptable negotiations with JRN and the potential site redeveloper, American Development Partners.

Chairman Bob Lamb commented staff has spent a lot of time with this area. This request would be good for the city.

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

There being no further business the meeting adjourned at 3:55 p.m.

_____

Chairman

_____

Secretary

GW:cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 3, 2016

7:00 PM **CITY HALL**

MEMBERS PRESENT
Bob Lamb, Chairman
Kirt Wade
Ken Halliburton
Eddie Smotherman
Kathy Jones
Tom Clark

STAFF PRESENT
Gary Whitaker, Planning Director
Margaret Ann Green, Principal Planner
Matthew Blomeley, Principal Planner
Joe Ornelas, Planner
Carolyn Jaco, Recording Assistant
David Ives, Assistant City Attorney
Ram Balachandran, Traffic Engineer
Sam Huddleston, Assistant City Engineer

Chairman Bob Lamb called the meeting to order after determining there was a quorum.

Chairman Lamb announced that Mr. Sam Huddleston had recently been promoted in the Engineer Department as the Assistant City Engineer. Chairman Lamb complimented Mr. Huddleston for his hard and dedication with the City of Murfreesboro. This is a well deserve promotion.

Public Hearings

Zoning application [2016-429] for approximately 0.8 acres located along Reid Avenue to be rezoned from RD to RS-4, Robert James & Betty French applicant. Mr. Matthew Blomeley began by describing the subject property located along the north side of Reid Avenue, east of South Highland Avenue and west of South University Street. It consists of one parcel, which is currently vacant and zoned RD (Residential Duplex). It is also located within the CCO (City Core Overlay District). Previously, there was a house and a mobile home on the property, but the mobile home has been removed and the house was destroyed by fire. The applicant wishes to transfer the property to Rutherford County Habitat for Humanity and has requested the rezoning from RD to RS-4 (Single-Family Residential District 4) so that Habitat for Humanity can resubdivide the property into two (2) lots of records.

The current RD zoning has a minimum lot size of 8,000 square-feet for single-family lots. The requested parcel is approximately 13,000 square-feet in lot area under the current RD zoning, so the property could not be resubdivided. In order to create two (2) lots, the applicant has requested that these two parcels be rezoned to RS-4 (Single- Family Residential District 4). The RS-4 zone only requires a minimum 4,000 square foot lot size. The Planning Commission also included the three (3) adjacent parcels to the east as additional study area. Rezoning these three (3) parcels will connect the requested parcel to area that is already zoned RS-4. The parcel directly to the east is vacant and owned by the applicants, who have no objection to this parcel being included in the rezoning. The additional parcels further to the east along University are both developed with single-family homes and do not meet the minimum lot size for duplexes, so it seems that RS-4 would be an appropriate zoning district for these parcels as well. All four (4) parcels are included in the "Patterson Park Revitalization District" of the *Maney Avenue Community Plan*. The plan recommends that "future redevelopment efforts in this area should focus on the provision of single-family, owner-occupied housing as a catalyst for positive change in the neighborhood." In that regard, this rezoning request appears to be consistent with the plan.

With the exception of the lot at the northeast corner of Highland and Reid, the entire block of Reid between Highland and University is currently zoned RD. The subject property is also bordered on its north side by RD zoning. However, while the surrounding RD zoning does contain some existing duplexes, many of the parcels in this area are developed with single-family homes instead of duplexes. The east side of South University Street, which adjoins the additional study area, is already zoned RS-4 and predominantly developed with single-family homes. Last, Mr. Blomeley made known that no one had opposed this rezoning request.

Mr. Robert James was in attendance to represent the applicant.

Chairman Bob Lamb opened the public hearing. No one came forward to speak for or against the rezoning request; therefore, Chairman Lamb closed the public hearing.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 3, 2016

Mr. Tom Clark made a motion to approve the rezoning request, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.

Zoning application [2016-433] for approximately 1 acre located along Bradyville Pike to be rezoned from CL (0.42 acres) and RS-10 (0.59 acres) to CF, Christine Carey applicant. Ms. Margaret Ann Green began to describe the subject area which consists of 2 parcels located along the northern side of Bradyville Pike, just east of the intersection with Minerva Drive. The property to the north is zoned RS-10 and is the location of the Olive Branch Missionary Baptist Church. The property to the east is also zoned RS-10 and is the location of a Methodist Church. The properties to the south are zoned CL and are developed with commercial and multi-family uses.

The rezone request consists of two parts. The first is to rezone a vacant parcel from CL (Local Commercial District) to CF (Commercial Fringe District). The second part is to rezone a parcel with an existing single family house from RS-10 (Single-Family Residential District) to CF. The applicant owns both properties and wishes to allow them to develop with a commercial use, although she does not have a specific development plan at this time. Neither parcel appears to be large enough to meet site design criteria on its own. Combined, the properties are approximately 1 acre and could be redeveloped with a commercial use. The properties are sandwiched between institutional and residential uses and are a good candidate for redevelopment.

Ms. Christine Carey the applicant was in attendance for the meeting.

Chairman Bob Lamb opened the public hearing. No one came forward to speak for or against the rezoning request; therefore, Chairman Lamb closed the public hearing.

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

MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 3, 2016

Zoning application [2016-434] for approximately 10.3 acres located along North Thompson Lane and Wilkinson Pike to be rezoned from RS-15 & L-I to CM and GDO-2, Highpoint Limited LLC applicant. Ms. Margaret Ann Green began by describing the subject area which consists of 6 parcels and a portion of a 7th parcel. The subject area is located south of Wilkinson Pike, west of North Thompson Lane and east of Van Cleve Lane. A developed single family subdivision is located to the west of the study area. The battlefield is located to the north, commercial developments to the south and the St. Thomas Rutherford Hospital is to the east (zoned L-I). TrustPoint Hospital (formally Polaris) is located to the south. TustPoint was constructed in accordance with GDO standards in 2012 and has been serving Rutherford County as an Acute Care General Hospital. The hospital provides physical medicine and rehabilitation, behavior health for adults and seniors and acute medical psychiatry services. The applicant wishes to expand the TrustPoint medical facility and has a contract to purchase additional parcels, which are the subject of this application. The rezone request is to rezone a parcel from L-I to CM (Commercial Medical District); to rezone the additional property from RS-15 to CM. The request is also to include all the parcels within the GDO-2 overlay.

The CM district allows institutional and very limited commercial uses. The purpose of this district is to provide a zoning category devoted primarily to health related uses. This district is designed to permit the development, expansion and modernization of hospitals, clinics, medical laboratories, and medical offices.

The applicants held a neighborhood meeting on July 27th at St. Thomas Rutherford Hospital, which had been well attended.

Mr. Bricke Murfree, Mr. Matt Taylor and Dr. Jeffrey Woods, CEO of Trustpoint Hospital were in attendance to represent the applicant.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 3, 2016

Mr. Bricke Murfree came forward to describe the proposal for the expansion of this hospital. He began a power point presentation making known this proposal includes the following:

- This hospital is for behavioral healthcare, mental health care, and patient rehabilitation healthcare
- This site includes aTennessee State Certificate of Need to serve Rutherford County and Bedford County
- Two story medical office building
- Expansion of the existing hospital building
- Two story hospital facility
- Expand the number of beds for future needs from 101 beds to 249 beds
- Have met and have reached out to area residents to make known the proposal regarding this rezoning proposal.
- Have met with representatives from Stones River National Battlefield to make known the proposal for this rezoning request and to discuss ways for these two sites to integrate.
- No construction traffic, no egress or ingress along Van Cleve Lane
- Work with the City of Murfreesboro regarding the future expansion of Wilkinson Pike
- Create pedestrian friendly access with area streets to the historic battlefield.
- Enhance the buffer and setbacks along Van Cleve Lane

Dr. Jeffery Woods, Chief Executive Office, TrustPoint, came forward to explain the vision for the expansion of their hospital campus as being the following:

- This hospital has expanded three different occasions since opening this facility in 2012.
- The need for this type facility has exceeded the pace for care of patients in this area. Currently, they are turning away 200 people a month due to lack of availability of patient beds. In addition, 300 people are being turned away each month due to lack of service line.

- He has been involved in several meetings with residents and area businesses to address their issues and concerns.
- It has been made known with this proposal their commitments with this proposal so this request can move forward.

Mr. Matt Taylor came forward to present the proposed site design as being the following:

- This site will have three access points. One access from Thompson Lane and two access points from Wilkinson Pike. No access point onto Van Cleve Lane.
- All proposed buildings will only be two stories
- Identify and improve drainage with this development
- Landscaping buffers along the west and south boundaries
- Proposed parking will be 50 – 70 feet from their existing right of way. Their intent is to leave as many mature trees possible.
- A physical barrier including a six foot wrought iron appearance fence along Van Cleve Lane and the southern portion of the property towards Roscoe Brown.
- Meet all Gateway Design Guidelines regarding their building materials and landscaping
- Propose a multiuse trail along Wilkinson Trace to the historic battlefield

Chairman Bob Lamb opened the public hearing.

1. **Ms. Mary Martin 2123 Harding Place** – opposes this rezoning request. Would like to keep the current conditions of her neighborhood
2. **Mr. Jonathon McPeak 1605 VanCleve Lane –** opposes this rezoning request. He does not want the hospital being viewed from his front yard.
3. **Ms. Barbara (?) 2107 Wilkson Pike** – opposes this rezoning request. She has concerns with the drainage in this area.
4. **Mr. Frank Caperton 1411 VanCleve –** wanted to know if the 50-foot buffer would be placed along the existing Wilkinson Pike right of way or the future

improved Wilkinson Pike right of way. Would there be underground utilities placed with the road improvements.

5. **Dr. Mark Friedman 1509 VanCleve Lane**- opposes the expansion of the hospital due to the following:
    - The propose size of the development would be overwhelming to the community and historical area
    - Affects the sight lines and the impact to the battlefield
    - Existing tree line being affected with the widening of Wilkinson Pike
    - Safety concerns with the pedestrians in this area
6. **Ms. Misty Womble 2122 Harding Place** – has concerns about the dangerours types of health issues some patients may have to themselves or to others. She requested the following safeguards be mandatory:
    - Absolutely no access on Van Cleve Lane from TrustPoint hospital
    - If a patient leaves Trustpoint without being properly discharged the hospital must notify every homeowner with a reverse 911 alert or a text, until the patient has been found; this alert would apply around the clock.
    - A tall aesthetic security fence with landscaping
    - Provide a multi-use path along Wilkinson Pike that will provide a safe crosswalk to the battlefield
7. **Mr. Roger Davenport 2116 Harding Place**- feels this proposal is too aggressive. This development would affect the appearance of the national park, the civil war trees, the battlefield and their community. Would there be security guards with this development. In addition, the setbacks should be greater that what is being proposed.

8. **Mr. Mike Weems 2111 Harding Place**- he feels this development will impact their neighborhood regarding safety, blasting, and construction.

Chairman Bob Lamb closed the public hearing.

Mr. Gary Whitaker requested Dr. Woods to address the concerns that had been presented regarding safety and the number of beds with this proposal. Dr. Woods made known seventy percent of their patients are voluntary, who are seeking the right treatment for what is ailing them. Thirty percent of the patients come from legal detention for evaluation by a psychiatrist to make certain they will not harm themselves, or harm others. In addition, they will make certain the patients are not disabled and the patient can care for themselves. Currently, the hospital has eleven security officers that are part of their staff. All staff members are trained in Prevention in Management of Aggressive Behavior (PMAB). These techniques are to respond to any issues that may arise in the hospital. These type of issues are usually 0 percent. Any issue has to be reported and this is not an issue at this hospital. Patients are secured with multiple barriers to keep them from leaving the hospital without the hospitals consent. Patients who have come on voluntary bases are assessed to make certain what is best for the patient. Under state statue they can contain a patient for twelve hours to make sure it is okay for the patient to leave the hospital. They have redundant policies in place that protects the patients, staff, the hospital and the community. Continuing, Dr. Wood explained the area VA hospital has a substantial psychiatric population and have provided services over thirty years. To date, the VA hospital has virtually not had any issues. TrustPoint hospital provides services for VA individuals as well, that is part of our contract with the government. In closing, Dr. Woods explained he has meet with the neighbors, have made concessions in respect to what the neighbors would like to see that enhances their security. They are committed in making these safety practices with the area residents.

Mr. Ken Halliburton wanted to know if the reverse 911, texting etc. would be included as part of their agreement. Dr. Woods answered they would provide an alert text to all the neighbors who

would want to participate. They have the technology with administration at the hospital and would be willing to add area neighbors into their system to keep them informed until the issue is resolved.

Mr. Matt Taylor explained the development would improve the drainage in this area. Mr. Sam Huddleston explained the roadway design the city proposes for the widening of Wilkinson Pike. This would include a pedestrian friendly multi use path and a bicycle path to the battlefield, while preserving the existing character of the roadway. There are commitments made regarding the road widening project which would protect the battlefield area up towards Greshampark Drive. Chairman Bob Lamb wanted an explanation how the fifty-foot buffer would be measured from right of way. Mr. Matt Taylor explained along Van Cleve Lane there would be a 50 foot buffer along Van Cleve Lane before and after the widening of Wilkinson Pike. In addition, road widening of Wilkinson Pike would include a 20-foot buffer, fence and a multiuse path.

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

Annexation Plan of Services and annexation petition [2016-508] for approximately 13.4 acres located along Veterans Parkway east of Cason Lane, Ardavan Afrakhteh applicant.

Mr. Matthew Blomeley began by describing the subject property located along the north side of Veterans Parkway just east of the intersection of Veterans Parkway and Cason Lane. Veterans Parkway was recently reconstructed in front of the subject property and, according to the Engineering Department, the construction is substantially complete. The subject parcel totals 9.9 acres. There is an existing single-family residence on the subject property as well as an outbuilding. The property owner has requested annexation in order for future development on the property to benefit from City services, including sanitary sewer.

The subject property is contiguous with the existing City Limits to the north and west. It is within the City's urban growth boundary. In addition, the property owner has petitioned the City for the annexation. Staff has prepared an annexation feasibility study and plan of services, which has

been provided for the Planning Commission's review. It indicates that the City will be able to provide services to the subject property upon annexation. In addition to the requested parcel, the right-of-way of Veterans Parkway in front of the subject parcel as well as the right-of-way in front of the two developments to the west has been included. The entire study area, including the Veterans Parkway right-of-way, totals approximately 13.4 acres. The zoning application to have the requested property zoned RM-12 (Multi-Family Residential District 12) simultaneous with annexation.

Chairman Bob Lamb opened the public hearing. No one came forward to speak for or against the annexation request; therefore, Chairman Bob Lamb closed the public hearing.

Mr. Kirt Wade made a motion to approve the annexation petition and plan of services, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Zoning application [2016-421] for approximately 9.9 acres located along Veterans Parkway east of Cason Lane to be zoned RM-12 simultaneous with annexation, Green Trails, LLC applicant. Mr. Matthew Blomeley began by describing the subject property located along the north side of Veterans Parkway just east of the intersection of Veterans Parkway and Cason Lane. Veterans Parkway was recently reconstructed in front of the subject property and, according to the Engineering Department, the construction is substantially complete. The subject parcel totals approximately 9.9 acres. There is an existing single-family residence on the subject property as well as an outbuilding. The property owner has requested annexation in order for future development on the property to benefit from City services, including sanitary sewer.

A request has been made to zone the property RM-12 (Multi-Family Residential District 12) simultaneous with annexation. The RM-12 zone permits multi-family residential uses at a maximum density of twelve (12) dwelling units per acre. At 9.9 acres, the property has the potential to yield approximately 118 dwelling units. (It should be noted, though, that density

bonuses for additional units could be granted based on amenities provided.) The applicant has a contract on the subject property. He wishes to construct a residential condominium development on the subject property. A conceptual site plan and conceptual architectural elevations of the proposed buildings had been included with the agenda materials. However, it should be noted that, because the proposed zoning is not a planned development, the development plan and elevations submitted are for informational purposes only and are not binding.

The subject property is bordered on its west side by a self-storage development that is zoned PCD (Planned Commercial District). Further to the west and to the north is the Three Rivers PRD (Planned Residential District). The southern portion of the Three Rivers subdivision is comprised of small single-family detached residential lots. To the south, across Veterans Parkway, is agricultural land located in the unincorporated County. Directly to the east of the subject property are two large single-family residential parcels in the unincorporated County as well as the Barfield Meadows single-family residential subdivision, which is also located in the unincorporated County. It should be noted that the subject property is located just outside of the boundaries of the *Salem Pike Land Use Plan*.

The applicants and their team hosted a neighborhood meeting regarding this request on July 26th. Members of the Planning staff and approximately three (3) neighboring property owners were also in attendance.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor explained this is a concept plan to show their intent being for sale, owner occupied, townhome units. This development will not be apartments.

Chairman Bob Lamb opened the public hearing.

Mr. Brent Ogles 1530 Veterans Parkway – stated both he and his sister own 38 acres of land that joins this property. Their property has drainage issues that increased with the development

of Three Rivers. Mr. Ogles wanted to make known their concerns about their existing drainage issues before this property is ever developed.

Chairman Bob Lamb closed the public hearing.

Mr. Sam Huddleston commented on the existing drainage concerns making known city staff had meet with the applicant and his team to identify areas where drainage is occurring on the Ogles property. Staff has shared this information with the Ogles. The Ogles have followed up in discussion with Mr. Matt Taylor, SEC and Mr. Bill Huddleston, Huddleston Steele Engineering. There are alternatives for Ogles property that joins this rezoning request property. The Ogles property does not have any existing drainage system. The drainage from Three Rivers is managed very well, it is very restrictive and discharges at a very low point. Mr. Matt Taylor made known they are currently working on an alternative design to address Mr. Ogles property by lowering an existing property line and dig a ditch that would lower the design for a future pond in Three Rivers Section 8.

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

Zoning application [2016-435] for property located along Veterans Parkway to be rezoned from RM-16 to RS-8 (approximately 0.77 acres) RM-16 to CF (approximately 0.41 acres), and CF to RM-16 (approximately 1.6 acres), Cornerstone Development, LLC developer.

Mr. Matthew Blomeley began by addressing the subject property located along the south side of Veterans Parkway just east of Saint Andrews Drive. It was originally annexed into the City and zoned as a PRD (Planned Residential District) called Kimbro Place in 2005. In 2008, it was rezoned from PRD to PUD (Planned Unit District) for a mixed-use development called Indigo. The Indigo PUD included provisions for commercial uses along Veterans Parkway and then transitioned to multi-family residential and single-family residential south of the commercial. The original Indigo vision never came to fruition. In 2012, 68.67 acres of the Indigo PUD was rezoned

to RS-8 (Single-Family Residential District 8) and 25 acres was rezoned to RM-16 (Residential Multi-Family). In 2015, after the current owner purchased the property, approximately thirteen (13) acres of the remaining RM-16 zone was rezoned to RS-8 and approximately three (3) acres was rezoned to CF (Commercial Fringe).

In 2015, the applicant did not have specific plans for how he wanted to develop the RM-16- and CF-zoned property. Since that time, the applicant has refined his vision for the property and has engaged an engineer to design a plan. The applicant has been developing the portion of the property zoned RS-8 as the Westwind Subdivision. He would like to construct a townhome development on the portion zoned RM-16 and a daycare center on the portion zoned CF. He and his engineer have since determined that, in order to move forward with these plans, they need to "clean up" the zoning lines on this property. The request at hand contains three (3) parts. First, there is a drainage pond at the southeast corner of the tract that is zoned RM-16 but actually serves the Westwind subdivision to the south. He is requesting to rezone this 0.77 acres from RM-16 to RS-8. At the front of the site, he proposes to shift the RM-16 and CF boundaries, so that 0.41 acres would be rezoned from RM-16 to CF and 1.6 acres would be rezoned from CF to RM-16. If the entire request is approved, the CF area would shrink from 3.27 acres to 2.09 acres and the RM-16 area would increase from 8.64 acres to 9.05 acres. The 0.41acre increase in the size of the area zoned RM-16 could result in an additional seven (7) dwelling units.

There is a single-family residence in the unincorporated County directly to the east of the subject property along Veterans Parkway. Further to the east is undeveloped land in the unincorporated County. Directly across Veterans Parkway is the Glen Brook PRD, which has never developed. Further to the west along the south side of Veterans Parkway are several single-family residences located in the unincorporated County, as well as the Sheffield Park single-family subdivision, which is located in the City, zoned PRD, and currently under construction. As mentioned previously, the Westwind single-family residential subdivision, zoned RS-8, is developing just to

the south of the subject property. The Planning Commission may wish to note that the subject property is located just outside of the *Salem Pike Land Use Plan* study area.

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

Chairman Bob Lamb opened the public hearing. No one came forward to speak for or against the rezoning request; therefore, Chairman Bob Lamb closed the public hearing.
Ms. Kathy Jones made a motion to approve the rezoning request, seconded by Mr. Kirt Wade. The motion carried by unanimous vote in favor.

Zoning application [2016-432] for approximately 78.4 acres located along Asbury Lane to amend the PRD (Purlingbrook PRD), Beazer Homes applicant. Mr. Matthew Blomeley began by describing the subject property located along the west side of Asbury Lane. It consists of 78.4 acres and is undeveloped, except for one single-family residence. Overall Creek flows through the subject parcel, and a large portion of the property is encumbered by Overall Creek and its floodway and floodplain. It was originally annexed and zoned as a PRD in 2006. The original Purlingbrook PRD consisted of 168 townhome units. The Purlingbrook PRD was amended in 2008 to reduce the number of townhome units to 159 and to incorporate some other site design changes. The property has remained undeveloped ever since. The applicant has the property under contract and wishes to amend the PRD, essentially replacing the existing PRD zoning plan with a new PRD zoning plan.

The subject property is bounded on its southwest side by I-24 and on its south side by a vacant piece of property zoned RS-15 (Single-Family Residential District), both of which are located within the City limits. Further to the south, Asbury Lane intersects with Medical Center Parkway. To the north of the subject property is the Confederate Glen single-family residential subdivision located in the unincorporated County. To the east of the subject property, across Asbury Lane is a single-family residence on a large, mostly undeveloped tract located in the unincorporated

County. Also to the east, across Asbury Lane, are the Ridgefield and Bridleview single-family residential subdivisions, which are also located in the unincorporated County.

The proposed PRD zoning plan seeks to reduce the density and allow for both single-family detached homes on individual lots of record in addition to for-sale townhome units. The plan proposes to reduce the number of townhome units from 159 to 90. The plan also proposes 48 single-family residential detached lots. The total number of units will be decreased by 21, from 159 to 138. The single-family lots are proposed to be a minimum of 4,500 square-feet. The minimum square-footage for the single-family homes will be 1,850 square-feet and the minimum square-footage for the townhomes will be 1,250 square-feet. The townhomes will consist of a mixture of 2-bedroom units and 3-bedroom units. The previous plan committed to 75% brick, stone, or hardi-plank (i.e., cementitious siding) with vinyl only allowed on cornice work. The new plan proposes to change the language to require **100%** brick, stone, or hardi-plank (i.e., cementitious siding) with vinyl only allowed in the eaves and soffits. Examples of the types of townhome and single-family buildings are included in the pattern book. The plan proposes a Type C buffer along the northern property line adjacent to the Confederate Glen subdivision. Additional details with regard to the proposed development can be found in the program book. Also of note, improvements to Asbury Lane will be required as will the dedication of right-of-way. The exact nature of the road improvements will be determined by the City Engineer.

The applicant proposes two deviations from the standard zoning regulations. First, multi-family developments (and townhome developments are considered multi-family developments, even though they consist of a for-sale product) of 75 units or greater are required to provide a trash compactor. The applicant is requesting the use of a Dumpster instead.

Secondly, it is the desire of the applicant to have a 20’ minimum front building setback for the single-family lots. A driveway 20’ in length will only accommodate two (2) off-street parking spaces. The Zoning Ordinance requires four (4) off street parking spaces for single-family homes.

Garage spaces are not permitted to count toward minimum parking requirements. The applicants seek an exception to this requirement as a part of this PRD amendment in order to allow the garage spaces to count toward the minimum parking requirements. In order to accomplish this, they propose to restrict the use of the two-car garages so that their primary use will **not** be for the parking of boats, RVs, household storage, etc…; rather it will be for vehicular parking. The garages would be restricted both in the zoning plan and in the restrictive covenants to state that they must be available for the parking of two (2) vehicles at all times. In addition, Staff also recommends that the applicants revise the zoning plan to commit to the following two (2) requirements.

- **First, all street rights-of-way in the single-family detached portion of the development shall be 50' wide with a 36' street width, consistent with what is required for single-family developments that are zoned RZ (Zero Lot Line Residential District). This will help to accommodate any off-street parking that will occur.**
- **Second, the garages for the single-family homes should be oversized in order to accommodate some amount of household storage. This will help to make provisions for the storage of lawn equipment and City-issued solid waste carts in addition to the parking of two (2) vehicles.**

Mr. Matthew Blomeley made known staff had tasked the developer and their design team to address these two (2) items prior to the Planning Commission meeting. Continuing, Mr. Blomeley made known Mr. Ryan Lovelace, with Civil Site Design Group had provided a letter stating the following commitments:

1. **Beazer Homes agrees to provide oversized single family home garages with a minimum depth of 23'.**
2. **In the program pattern book of page 4 shall read: This plan is committing to restricting the use of all garages so their primary use will be for the parking of**

boats, RV's, household storage, etc.: rather it will be for vehicular parking. The garages in the single family portion of the development shall be available for the parking of two (2) vehicles at all times, and the garages in the townhome portion of the development shall be available for the parking of one (1) vehicle at all times. In addition to being a zoning requirement, this commitment will also be included in the restrictive covenants and enforced by the homeowner's association.

3. **All ROW in the single-family portion of the development will be 50' wide with 36' of pavement.**
4. **The changes being presented will be incorporated in the applicant's pattern book before it is presented to City Council.**

Mr. Ryan Lovelace and Mr. Brad Garnto were present to represent the applicant. Mr. Lovelace came forward stating Beazer Homes had felt the original proposal for all multifamily was too intense and too dense. Beazer Homes feels this development should be a mixture of townhomes and single family homes so it is consistent with the neighborhood. This development will have seventy percent of open space that will include a large trail system. The single family homes will be located along the north of the property; the combined multi unit townhomes with garages will be located beside the creek and the amenity pool area would be located in the center of the property. Mr. Lovelace explained this development would be downsized from the original proposal. The townhomes and single family homes will be for sale with HOA regulations. The townhomes would not be rentals. Mr. Lovelace requested this rezoning request be approved.

Chairman Bob Lamb opened the public hearing.

Ms. Karen Bauer 3507 Asbury Lane – does not oppose development; however, she does have concerns with the traffic in this area. She wants reassurance the road would be improved before there are any fatalities in this area.

Mr. Jim Bauer 3507 Asbury Lane – voiced his concerns that Asbury Road is unsafe.

Chairman Bob Lamb closed the public hearing.

Chairman Lamb commented on the property being a substandard county road. Mr. Ram Balachandran came forward making known there has been limited traffic studies provided with the original plan. Since then, there has been development in the area along Medical Center Parkway. Currently, the level of services for Asbury Road in its existing condition is considered Level F. Discussions have been made with the property owner along Asbury Road and Medical Center Parkway in regards to connect Asbury Road to a signal along Conference Center Boulevard. To date, there is no movement with realignment of the road. Currently, our hands are tied because this is not City owned property, it is private property. Mr. Balchandran explained Asbury Road is too close to the interstate for signalization; there should be a separation of 1,200 feet / 1,300 feet from a signal to the interstate. Currently, this area is less than 900 feet. Traditional methods are not available. Mr. Sam Huddleston commented the City's long term plans are for a connection with Conference Center Boulevard signal. The City is challenged with property ownership and right of way issues. However, the City will continue to work on concept plans for access in the future. Mr. Gary Whitaker commented staff will continue working with property owners to resolve these issues. Chairman Lamb stated the proposal being presented is an amendment to reduce the number of units and density in Purlingbrook. This could had been a larger development than what is being proposed.

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

Zoning application [2016-423] for approximately 1.5 acres located along East Main Street and Jupiter Place to be rezoned from RS-15 to RM-16, East Main Quarters Partnership developer. Mr. Matthew Blomeley began by describing the subject property located at the southwest corner of East Main Street and Jupiter Place. It is currently zoned RS-15 (Single-Family

Residential District 15) and is developed with one (1) single-family residence, which is located toward the south end of the property. Directly to the west of the subject property is the East Main Quarters apartment complex, which is nearing completion. The East Main Quarters development is zoned RM-16 (Multi-Family Residential District 16). While the northwestern most 0.75 acres of the East Main Quarters property was rezoned to RM-16 in 2015, the majority of that property has been zoned RM- 16 (and its precursor RML) since at least the 1980s. East Main Quarters consists of 63, 4-bedroom units on 5.66 acres. The developers of East Main Quarters have a contract on the subject property. They wish to purchase the property and develop a second phase of the apartment complex. To this end, they have requested a rezoning of the subject property from RS-15 to RM-16. The RM-16 zone allows a maximum of sixteen (16) dwelling units per acre (which can be increased if density bonuses are granted for amenities provided). At approximately 1.5 acres, the subject property will yield approximately 24 additional dwelling units.

As mentioned previously, the property is bordered on its west side by RM-16 zoning. Further to the west are two parcels located at the southeast corner of East Main Street and South Baird Lane that were rezoned CF (Commercial Fringe District) last year but have not yet been redeveloped with commercial uses. West of Baird along the south side of Main are several older apartment complexes zoned RM-16. There are single-family residential lots zoned RS-15 to the south of the subject property. There are also large single-family residential lots zoned RS-15 located to the east across Jupiter Place and to the north across East Main Street.

The applicants and their team hosted a neighborhood meeting regarding this request on June 20th. Members of the Planning staff and approximately six (6) neighboring property owners were also in attendance.

Chairman Bob Lamb opened the public hearing.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION AUGUST 3, 2016

1. **Ms. Debra Richards 1621 East Main Street**- requested for this rezoning request be denied. This development towers over the homes in their neighborhood. Do not allow more of the same to be built; it is not in keeping with the Main Street area.
2. **Mr. Bill Haynes 1725 West Main** – opposes this rezoning request. He commented how the development has changed the topography of the area. Mr. Haynes presented a signed document from homeowners in the area. The document contained approximately 19 signatures requesting for this property remain as RS-15.
3. **Mr. Michael Humnicky 1710 East Main** – opposes this rezoning request. More apartments will be detrimental to the area. Continuing, there should be a formal study prepared to provide to the greater neighborhood addressing the specific need for off campus student housing for M.T.S.U before any rezoning request is approved.
4. **Mr. Jeff Ward 1615 Jupiter Place** – his grievance has been with this development the damage that has occurred to his fence which joins this property. He had attempted to contact the developer several time but the damaged fence was never repaired.
5. **Dr. Rick Michaelson 303 Minerva Drive** – opposes this rezoning request. He made known the aesthetics do not fit with this area. Do not expand the error that has occurred from this existing development.
6. **Mr. Stan Vaught 6675 West Trimble Road Milton** – opposes this rezoning request. He supports and dedicated to the Historical Downtown Main Street area. He feels this development is not the right product for this area. "The horse is out of the barn but you still have to go back to fix fence".
7. **Ms. Charlene Taylor 816 East Main St.** – opposes this rezoning request. She commented, this does not affect one piece of property, it affects the whole community. Murfreesboro residents believe in the Historic Downtown area. She requested for her name be placed onto the petition that had been presented earlier in this meeting that had been given to City staff.

8. **Ms. Sandra Vinson 1703 Elrod Street** – opposes this rezoning request. She feels it is unsafe due to the increase in the traffic.
9. **Ms. Misty Michaelson 303 Minerva Drive** – opposes this rezoning request. She stated how the notices that were mailed out did not have the correct zoning information.
10. **Mr. Henry Phillips 327 Minerva Drive** – opposes this rezoning request. He is familiar with this area and loves the route of East Main Street. This area is full of history, beauty and joy. The apartments have taken away the beauty of the area. He wants to maintain the Historic Downtown area not create more of the same from this development.
11. **Mr. Douglas Cook 204 Apollo Drive** – opposes this rezoning request. There is not a lot of information provided on what this proposal would be. He has unanswered questions regarding no sidewalks, increase in traffic, high density, etc. What are the City's plans regarding the increase of development in this area?
12. **Mr. Doug Hooper 1518 Jones Boulevard** – opposes this rezoning request. His father had built the home on this property. He feels that it is a shame to see this home being torn down for more apartments. He came to support the neighborhood.
13. **Mr. Steve Westbrooks 311 Minerva Drive** – he opposes this rezoning request. Two wrongs do not make a right. This development has changed the character along Main Street. When is this type of development going to stop in this area?

Chairman Bob Lamb closed the public hearing.

Mr. Clyde Rountree, Mr. Chad Gilbert and Mr. John Elliott were in attendance to represent the applicant. Mr. Rountree came forward making known this was progress and the concerns presented have not been about this project but what is the next project. Right now, Jupiter Place is a great location to stop with this zone. He feels it is logical for this type zone continue instead of it becoming a spot zone. There is a need for student housing due to the relationship of M.T.S.U. and Main Street. There will always be a constant need for M.T.S.U. housing. The occupancy rate

for these new apartments is seventy-five percent and are very nice apartments. The developer had been architecture sensitive to the neighborhood when the apartments had first been presented. Mr. Rountree provided the following information with this request:

- No impact to Hobgood Elementary
- Under the allowable density
- This development had met City site plan standards such as lighting control, buffer etc.
- Provides on site management team
- Full time security located on the facility
- Full time site cameras located on the facility
- No off street parking associated with Jupiter Place
- There will be an access point at this site to Jupiter Place

Mr. Chad Gilbert the applicant came forward stating he is the owner and developer. Mr. Gilbert stated would like to counter address the comments that had been made with some items from the 2035 plan.

- This rezoning request is consistent with the development they are offering
- Housing supports the university education activity
- Housing community with emphasis on safety
- Efficient use of land and land resident ratios
- Physical responsible use of land development
- Environmentally responsible development
- Promote pedestrian activity and lifestyle
- Support M.T.S.U. growth and enrollment
- Innovative and creative housing ideas
- Competitive cost of living rates

Mr. Gilbert stated this is not just about how about how many units can be placed or how much rent can be generated. They have attempted to maintain the spirit of the planning that has been outlined in Murfreesboro's 2035 plan. Mr. Gilbert requested approval for their proposal.

Mr. Gary Whitaker commented on the applicant's existing development that had zoned RM-16 over twenty years ago. When the applicant came to discuss the property; the applicant had zoning entitlement to build on the property. Staff requested for a quality development. The developer has done a good job and will be given credit for their development. However, when the applicant came to discuss this property being presented to expand their project, Mr. Whitaker commented how he had shared his concerns with proposal being similar as what has been discussed during this public hearing. Where does the expansion stop? Mr. Whitaker stated in his opinion this development is not in harmony with the area. The area has large estate lots along Main Street. Concerns were made known to the applicant and it was made clear that he was not in favor with this rezoning request. The applicant chose to make an application for the rezoning request and has come before the Planning Commission; which is their right. Staff has received several telephone calls about this rezoning request from area residents. The Murfreesboro 2035 Plan addresses the items that Mr. Chad Gilbert discussed. In addition, the 2035 Plan also states for development be in harmony with the neighborhood and take part of the neighborhood. Mr. Whitaker stated he had advised Mr. Gilbert not to pursue this rezoning request.

Chairman Bob Lamb stated, the public hearing that has been presented before the Planning Commission is to consider recommendation to the City Council. The Planning Commission may or may not recommend approval to City Council. If the Planning Commission turns down this rezoning request the developer still has the right to go before the City Council for their proposal. Either way, this proposal can be heard before City Council if the applicant pursues this request. If this request is approved the applicant will have to submit a site plan that would address all city requirements such as drainage, traffic etc. Continuing, Chairman Lamb commented on how he

has been shocked in a negative way with this new development. M.T.S.U. will continue to need student housing but this is not an appropriate place for student housing. He cannot support this proposal to continue this development in this area.

Ms. Kathy Jones made known the applicant's development is very nice. However, she was shocked while driving around the area in regards to the height of the building that had been permitted by right and had been approved during the eighties. She feels terrible how close the homes are by this development and being viewed by area streets. The buffer requirements have been required but she was not pleased with what she had seen. Ms. Jones made known she does not want to extend this development as another section.

Mr. Eddie Smotherman commented he agrees with Ms. Jones. He viewed the development from Hobgood Elementary which he felt it did not fit in the neighborhood. Where do you stop? This development is nice; but it is in the wrong place. The horse may have gotten out of the barn but there is a point when it has to stop. The developer did a great job with their development but it does not fit on Main Street. He will be voting against this proposal at this level. If the applicant pursues to be heard at City Council level the applicant could receive the same type of vote.

Mr. Ken Halliburton made known he is the minority in this discussion. He feels the natural border for this request is along Jupiter Place. This is a single lot that is just sitting there. This lot could be used with this development in itself.

Mr. Eddie Smotherman made a motion to decline this rezoning request, seconded by Ms. Kathy Jones. There was one no vote, made by Mr. Ken Halliburton. The motion passed.

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Staff Reports and Other Business

There being no further business the meeting adjourned at 10:00 p.m.

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Chairman

_____

Secretary