

**CITY OF MURFREESBORO
PLANNING COMMISSION
AGENDA**

City Hall, 111 W. Vine Street, Council Chambers

**November 2, 2016
7:00 PM**

**Bob Lamb
Chairman**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the September 7, 2016 and October 5, 2016 Planning Commission meetings.**
- 4. Public Hearings:**
 - a. Zoning application [2016-453] for approximately 1.9 acres located along Florence Road to be rezoned from H-I to L-I, City of Murfreesboro Administration Department applicant.
 - b. Zoning application [2016-448] for approximately 7.6 acres located along Wilkinson Pike and Greshampark Drive to be rezoned from OG (2 acres) & RS-15 (5.6 acres) to MU, and to remove the Wilkinson Pike Buffer on these properties, Tommy Smith applicant.
 - c. Annexation Plan of Services and annexation petition [2016-518] for approximately 36.9 acres located along Asbury Road & Asbury Lane, Anthony King, Desinda Malone and Levi Grantham applicants.
 - d. Zoning application [2016-455] for approximately 36.9 acres located along Asbury Road & Asbury Lane to be zoned PRD (Kingsbury Development) simultaneous with annexation, Land Management Group applicants.
 - e. Zoning application [2016-437] for approximately 5.2 acres located along Old Fort Parkway to be rezoned from RS-15 to PUD (Old Fort Plaza PUD), Muralidhar Bethi applicant.

MURFREESBORO PLANNING COMMISSION AGENDA

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- f.** Annexation Plan of Services and annexation petition [2016-517] for approximately 34.3 acres located along Osborne Lane, John Beckham Throneberry II Irrevocable Trust and Allison Throneberry Camp applicant.
- g.** Zoning application [2016-454] for approximately 34.3 acres located along Osborne Lane to be zoned RS-12 (16.4 acres) & RS-10 (17.9- acres) simultaneous with annexation, Conrad Camp applicant.
- h.** Proposed amendments to the Zoning Ordinance regarding seasonal fireworks sales, temporary mobile recycling centers and temporary vendors [2016-802], City of Murfreesboro Planning Department applicant.

5. Staff Reports and Other Business:

6. Adjourn.

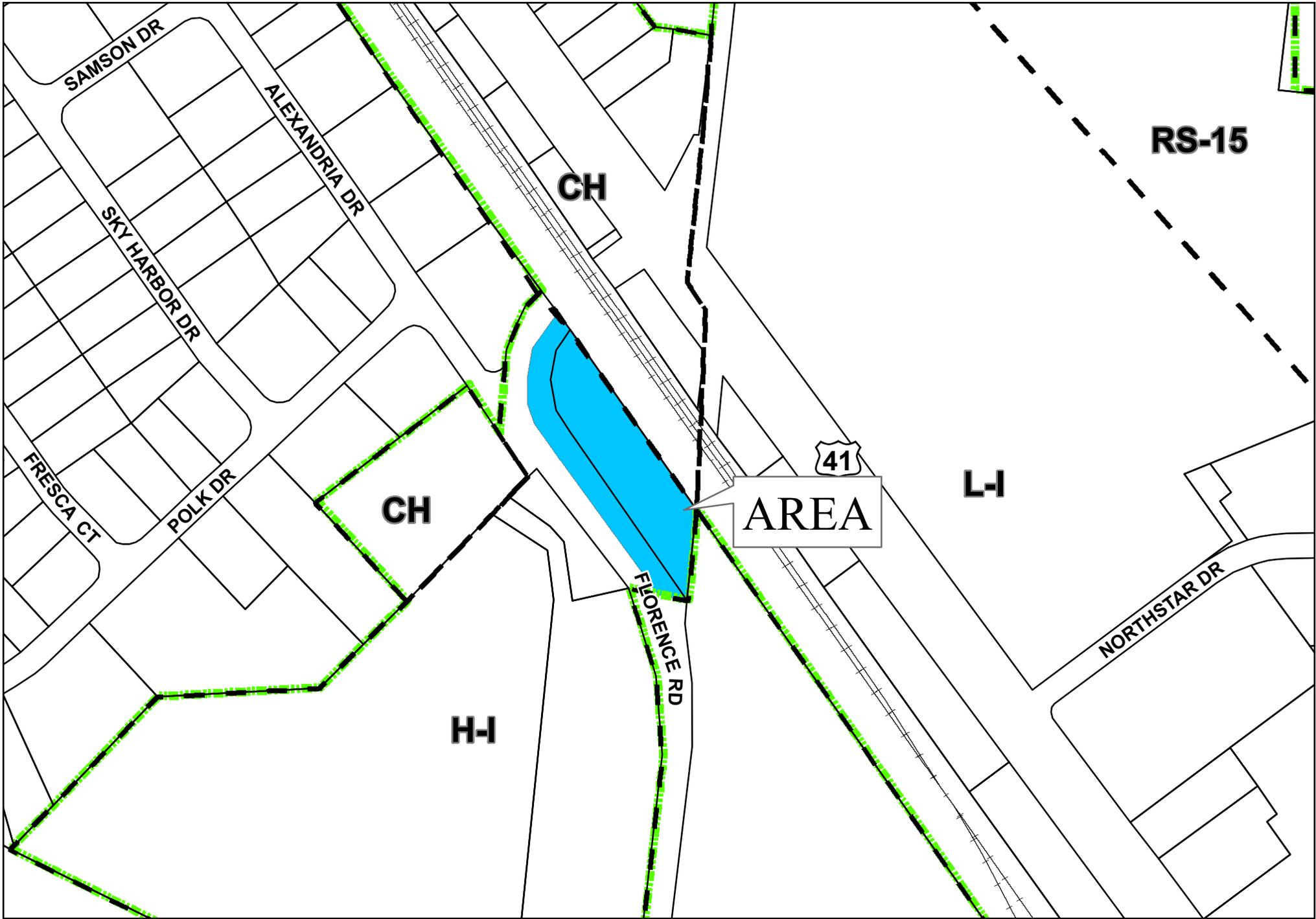
**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 2, 2016**

- 4.a. Zoning application [2016-453] for approximately 1.9 acres located along Florence Road to be rezoned from H-I to L-I, City of Murfreesboro Administration Department applicant.**

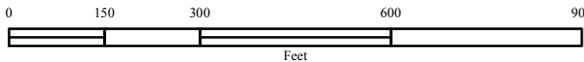
The subject property is located along the east side of Florence Road just southwest of Northwest Broad Street. It is owned by the City and undeveloped. It was annexed in 2004 along with the land that was eventually developed with the City Solid Waste Department facilities. It was zoned H-I (Heavy Industrial District) simultaneous with its annexation in 2004. The City is in the process of selling the property, and it has submitted a request that the property be rezoned to L-I (Light Industrial District) in order to limit the number of uses that could be developed, as the L-I district is more restrictive than the H-I district. (See attached memo from David Ives, Assistant City Attorney.)

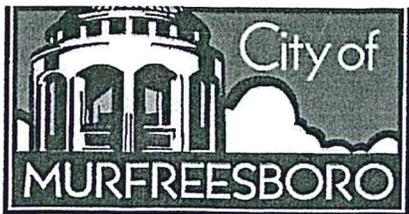
The property is bordered on its northeast side by the CSX railroad tracks. Also to the northeast are several parcels along Northwest Broad Street zoned CH (Commercial Highway District) and developed with various commercial uses, including a convenience market and a liquor store. To the west across Florence Road is a parcel of land zoned CH as well as the Florence Fields single-family residential subdivision located in the unincorporated County. To the southwest across Florence Road is the City Solid Waste Department, which is zoned H-I. To the southeast of the subject property is a large single-family residential parcel zoned LI (Light Industrial District) in the unincorporated County.

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 Along Florence Rd
from H-I to L-I





T E N N E S S E E

Creating a Better Quality of Life

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

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: City of Murfreesboro

Address: 111 W. Vine Street City/State/Zip: Murfreesboro, TN 37130

Phone: 615-849-2629 **E-mail address:** jcrumley@murfreesborotn.gov

PROPERTY OWNER: City of Murfreesboro

Street Address or
property description: remnant between Florence Road and CSX tracks

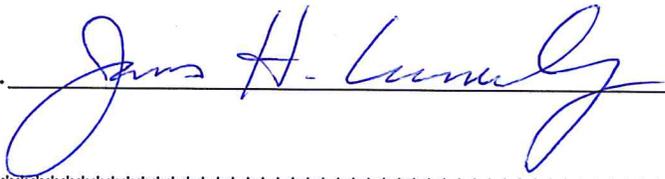
and/or Tax map #: 57H Group: A Parcel (s): 00102

Existing zoning classification: H-I

Proposed zoning classification: L-I Acreage: 1.72

Contact name & phone number for publication and notifications to the public (if different from the applicant): Jim Crumley Phone 615-849-2629

E-mail: jcrumley@murfreesborotn.gov

APPLICANT'S SIGNATURE (required): 

DATE: 10.15.16

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

Date received: _____ MPC YR.: _____ MPC #: _____

Amount paid: _____ Receipt #: _____



**MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT**

TO: Chairman Lamb and Members of the Planning Commission

CY: Jim Crumley

FROM: David A. Ives

A handwritten signature in black ink, appearing to read "DAI".

DATE: September 22, 2016

RE: Rezoning of Florence Road remnant

Other Business

The City is in the process of selling a 1.7 acre remnant tract from the realignment of Florence Road several years ago as identified on the attached map. The tract is currently zoned H-I, Heavy Industrial.

In order to prevent the possibility of certain undesirable that are allowed in H-I zoning but not in L-I, Light Industrial zoning, City Administration proposes to rezone the property to L-I, Light industrial.

I request that his matter be set for Public Hearing as soon as possible.

I will be happy to answer any questions.

**MURFREESBORO PLANNING COMMISSION
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- 4.b. **Zoning application [2016-448] for approximately 7.6 acres located along Wilkinson Pike and Greshampark Drive to be rezoned from OG (2.03 acres) & GDO-1 to MU & GDO-1, and to be rezoned from RS-15 (5.59 acres), GDO-1 & GDO-2 to MU, GDO-1 & GDO-2 and to remove the Wilkinson Pike Buffer on these properties, Tommy Smith applicant.**

The subject property is located south of Wilkinson Pike, east and west of Greshampark Drive. The study area consists of undeveloped properties owned by C.M. Gatton Trust, whose representative is Tommy Smith. The subject area is located just south of developed single-family subdivisions zoned RS-15 (Single-Family Residential District). The properties to the east and south are zoned MU (Mixed Use District). The properties to the south and west of the OG (General Office District) parcel are zoned CH. The requested area and the parcels located south of Wilkinson Pike are within the GDO-1 and GDO-2 overlay districts.

The applicant is requesting a 2.03 acre parcel be rezoned from OG to MU and three 5.59 acre parcels be rezoned from RS-15 (Single-Family Residential District) to MU. The portion of property currently zoned RS-15 has been anticipated to be rezoned at some point in the future as single-family lots would not be the best use along the south side of Wilkinson Pike, adjacent the commercial developments located on the remainder of the parcels. The applicant is also requesting property zoned OG be rezoned to MU to allow a greater variety of commercial uses.

A third part of this request is for the city to remove the 7.6 acre study area from the Wilkinson Pike Buffer. The Wilkinson Pike buffer is an additional setback that was placed upon this property when the Gateway Design Overlay District was established in January 2004. The buffer reads as follows:

(7) *Setbacks and buffer zones.*

- (a) ***Additional required setbacks.*** In addition to the buffer zone requirements established in Section 27 of this article for every one foot that any proposed building exceeds thirty-five feet in height the required building setback on the side of the property where the buffer zone is required shall be increased an additional one foot of width.
- (b) ***Wilkinson Pike Buffer.***

[1] A one hundred foot wide buffer area shall be required along the south side of Wilkinson Pike extending from the intersection of Wilkinson Pike and Medical Center Parkway eastward to Van Cleave Lane.

- [2] Single family residential dwellings shall be permitted within the Wilkinson Pike Buffer and shall be allowed to have driveway access to Wilkinson Pike provided the underlying zoning allows single family dwellings as a permitted use and the following requirements are met:**
- Minimum lot area of 43,560 square feet (1 acre)**
 - Minimum front setback of 80 feet from the Wilkinson Pike right-of-way**
 - Minimum lot width of 125 feet**
 - Minimum side setback of 12.5 feet**
 - Minimum rear setback of 30 feet**
 - Maximum height of 35 feet**
- [3] The buffer zone shall not be utilized as a storage area.**
- [4] Parking lots, parking structures, accessory structures, dumpsters, temporary structures, storage facilities, or maintenance structures shall not be located within this buffer zone.**
- [5] The following building setbacks will be required along this buffer zone:**
- Multi-family Residential 100 feet**
 - Office 100 feet**
 - Commercial 100 feet**
- [6] If any buffer requirements are required in accordance with the requirements of Section 27 of this article they shall be placed in addition to the one hundred foot requirement of this buffer area.**

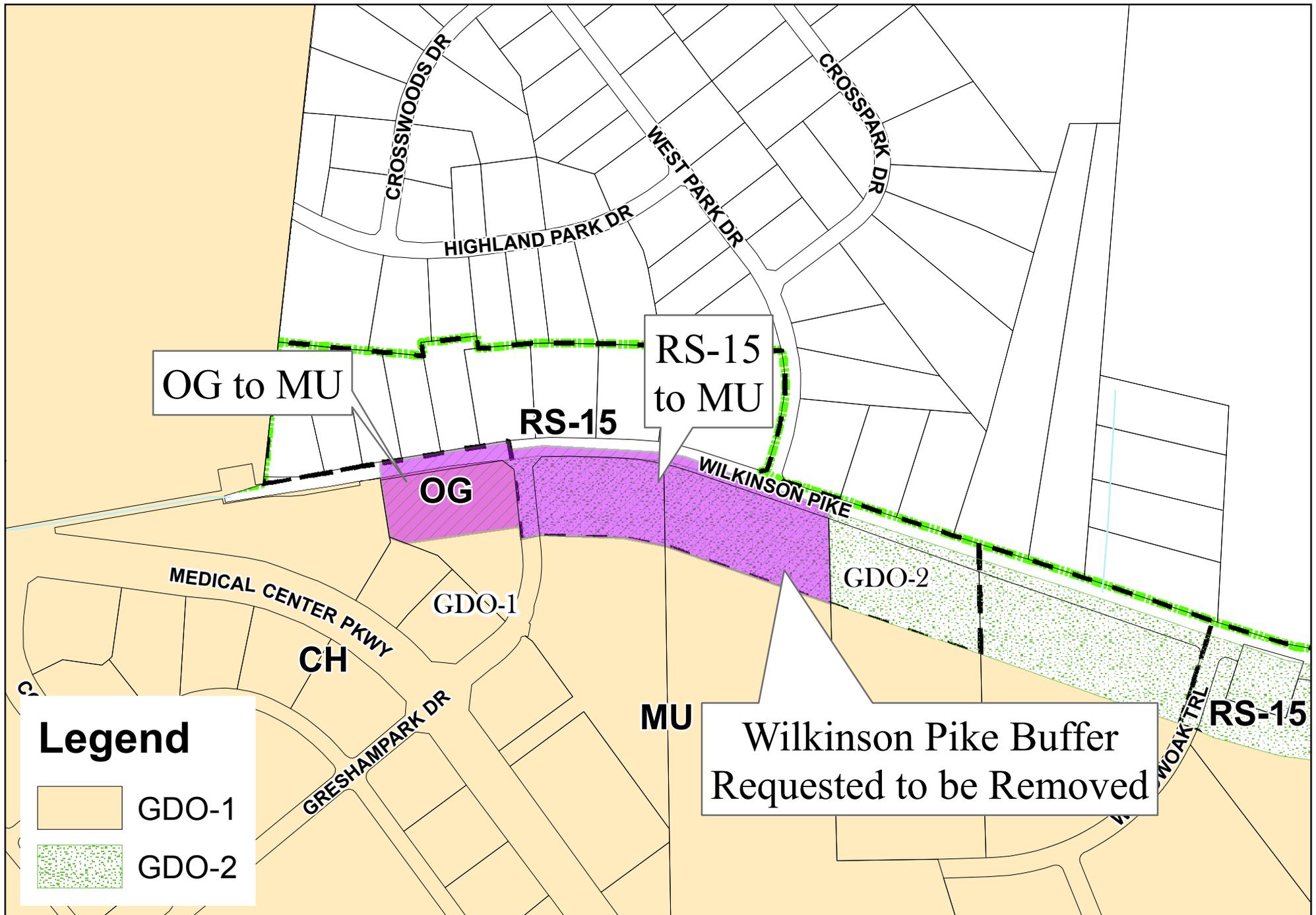
Minutes from the September 10, 2003 Murfreesboro Planning Commission state that the additional buffer yard requirements would serve as a transition point between residents across the street and the national park. This area would be free of roadway, utilities, and buildings.

A neighborhood meeting was held at the Blackman Community Center on October 16, 2016, regarding this application.

The Planning Commission will need to conduct a public hearing after which it will need to discuss the matter and formulate a recommendation to the City Council. The Planning Commission may wish to consider the application in three parts.

- To rezone approximately 2 acres from OG to MU;
- To rezone approximately 5.6 acres from RS-15 to MU;
- To remove the Wilkinson Pike buffer from the 7.6 acres.

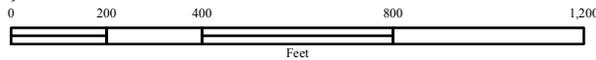
The Planning Commission may wish to approve the application as submitted, recommend denial of the application or proposed modifications to the original request.



Legend

-  GDO-1
-  GDO-2

**Rezoning Request for Property Along Wilkinson Pk.
from OG, RS-15 GDO-1 and GDO-2 to MU and GDO-1**



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



September 1, 2016

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

RE: Rezoning Request Cover Letter
North Church Section 5
Murfreesboro, Tennessee
SEC Project No. 08144

Dear Mr. Whitaker:

Please accept this letter along with the attached application form as our official request to the City of Murfreesboro to rezone a portion of Parcel 94.00 & 95.00 of Tax Map 79. The request is only for approximately 7.62 acres and is the northern portion of each parcel. The property is currently undeveloped and is located along Medical Center Parkway and on each side of Greshampark Drive. Presently, the property is zoned Office General (OG) and RS-15 with the Gateway Design Overlay (GDO-1). The applicant is requesting rezoning from Office General (OG) and RS-15 to Mixed Use (MU) to allow this area to be developed as the rest of the property has been.

We have attached an exhibit related to this project. The exhibit shows the acreage of the OG (2.03 acres) and RS-15 (5.59 acres) portion which is requested to be changed to MU. We have also shown bordering roadways and a proposed master plan.

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.

RECEIVED
SEP 01 2016
BY:

September 1, 2016

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

RE: Wilkinson Pike Buffer Removal Request Cover Letter
North Church Section 5
Murfreesboro, Tennessee
SEC Project No. 08144

Dear Mr. Whitaker:

Please accept this letter along with the attached application form as our official request to the City of Murfreesboro to remove a portion of the Wilkinson Pike Buffer. The request is to eliminate the Wilkinson Pike Buffer starting at the eastern property line of Tax Map 79 Parcel 94.00 and running in its entire length to the west.

The applicant is requesting this removal to allow this area to be developed as the rest of the property has been.

This area of Wilkinson Pike has changed since the Wilkinson Pike Buffer was originated. The main entrance to the Stones River Battlefield is now located along Thompson Lane. In addition, the property located on the north side of Wilkinson Pike within this area is now located within the City of Murfreesboro instead of the unincorporated areas of Rutherford County. This request will leave the buffer intact for the area directly adjacent to the Stones River Battlefield.

We have attached an exhibit related to this project. The exhibit shows the limits of the area proposed to have the buffer removed. We have also shown bordering roadways and a proposed master plan.

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.

**MURFREESBORO PLANNING COMMISSION
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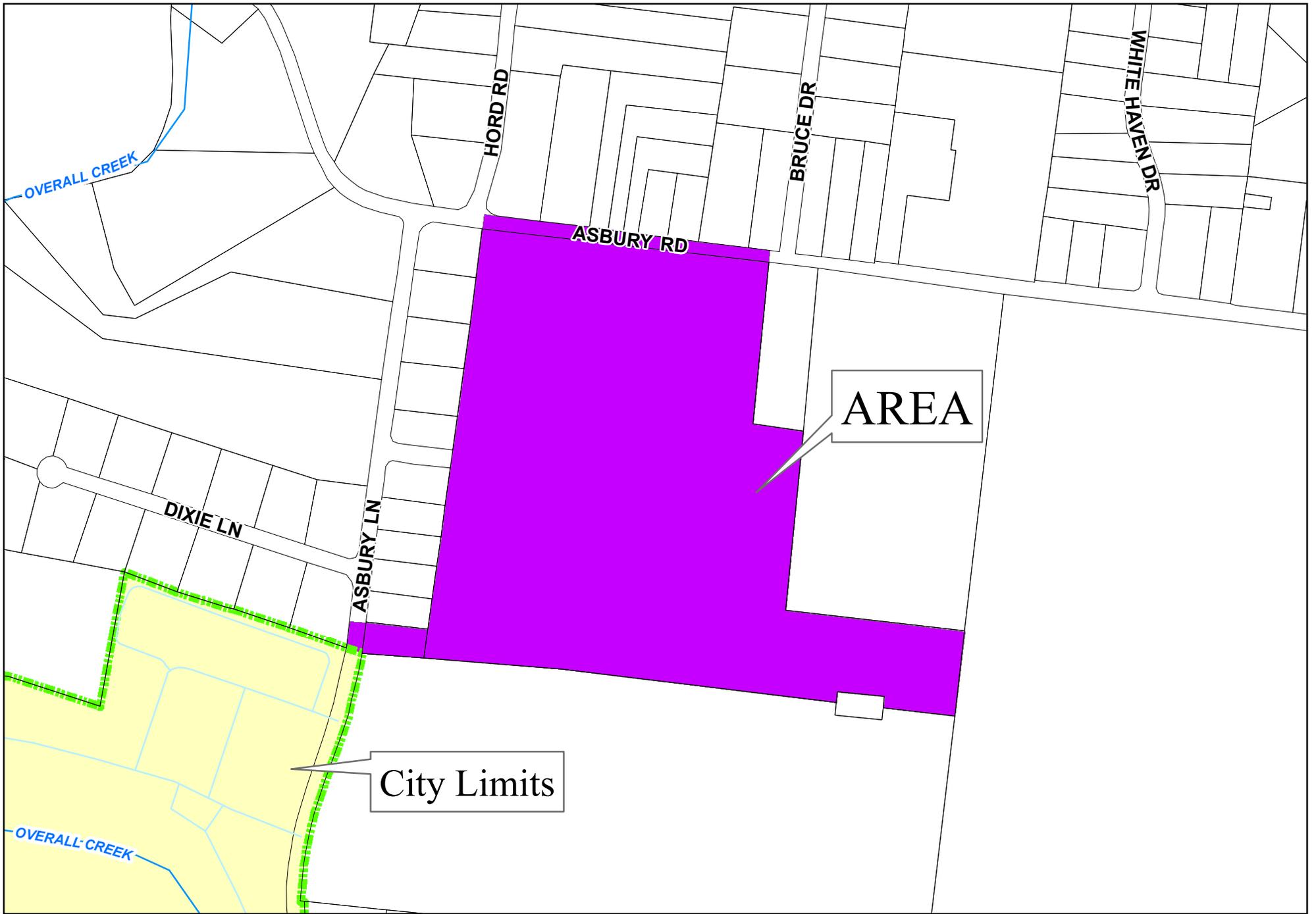
4.c. Annexation Plan of Services and annexation petition [2016-518] for approximately 36.9 acres located along Asbury Road & Asbury Lane, Land Anthony King, Desinda Malone and Levi Grantham applicants.

The subject property is located east of Asbury Lane and south of Asbury Road. The study area consists of two parcel; 35.4 acres owned by the Kings and 0.5 acres owned by the Granthams. The annexation study includes approximately 100 linear feet of Asbury Lane right-of-way and approximately 900 linear feet of Asbury Road right-of-way. The entire study area is 36.9 acres.

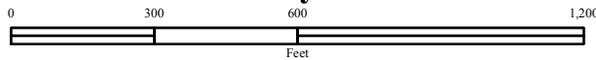
A written petition has been filed by the property owners requesting annexation. The property is located within the City's Urban Growth Boundary and is contiguous with the City limits.

Staff has prepared a plan of services and it has been included in the agenda packet. The plan of services indicates that the City will be able to provide services to the subject property if annexed. Rights-of-way of Asbury Road and Asbury Lane are included in the annexation study. The Land Management Group has a contract to purchase the property and an application to zone it PRD simultaneous with the annexation, which will be discussed in the next agenda item.

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



**Annexation Request for Property Along
Asbury Road**



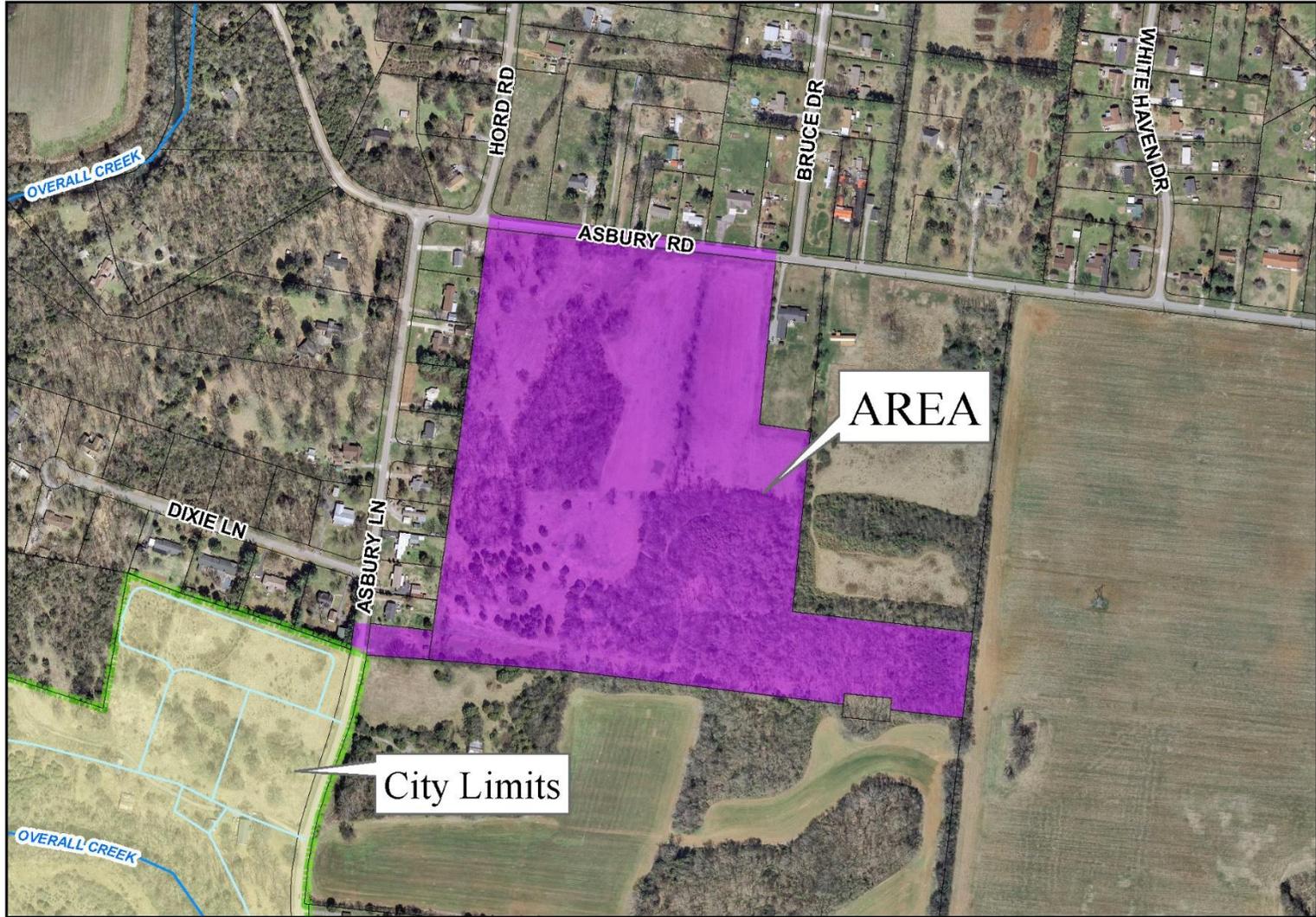
GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov



**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG ASBURY ROAD AND ASBURY LANE
INCLUDING PLAN OF SERVICES**



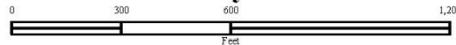
**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
November 2, 2016**



**Annexation Request for Property Along
Asbury Road**



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

INTRODUCTION

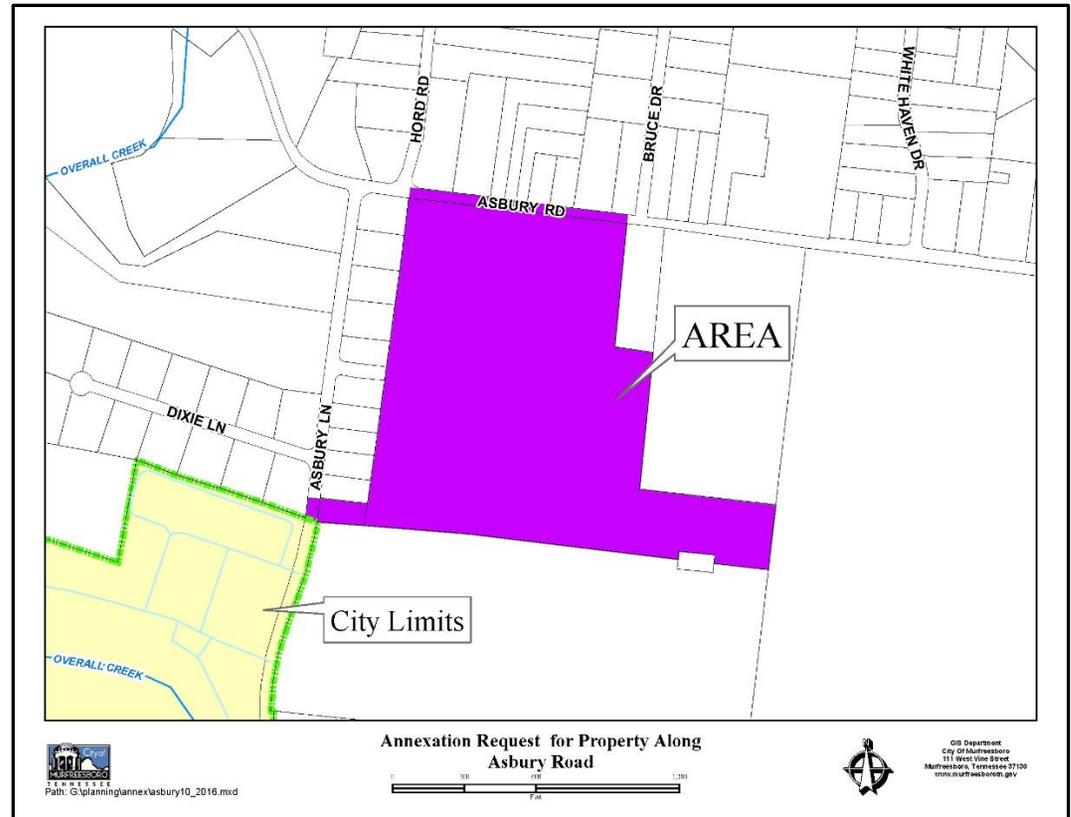
OVERVIEW

The applicants, Anthony King and Levi Grantham LLC, have requested annexation of property located along the south side of Asbury Road and east of Asbury Lane. The area studied in this Plan of Services includes two properties totaling 35.9 acres:

- Tax Map 079, Parcel 53.00 – 35.4 acres
- Tax Map 079, Parcel 53.11 – 0.5 acres

In addition to these parcels, the study area includes a 900-linear foot, 0.9-acre portion of right-of-way along Asbury Road and a 100-linear foot, 0.1-acre portion of right-of-way along Asbury Lane.

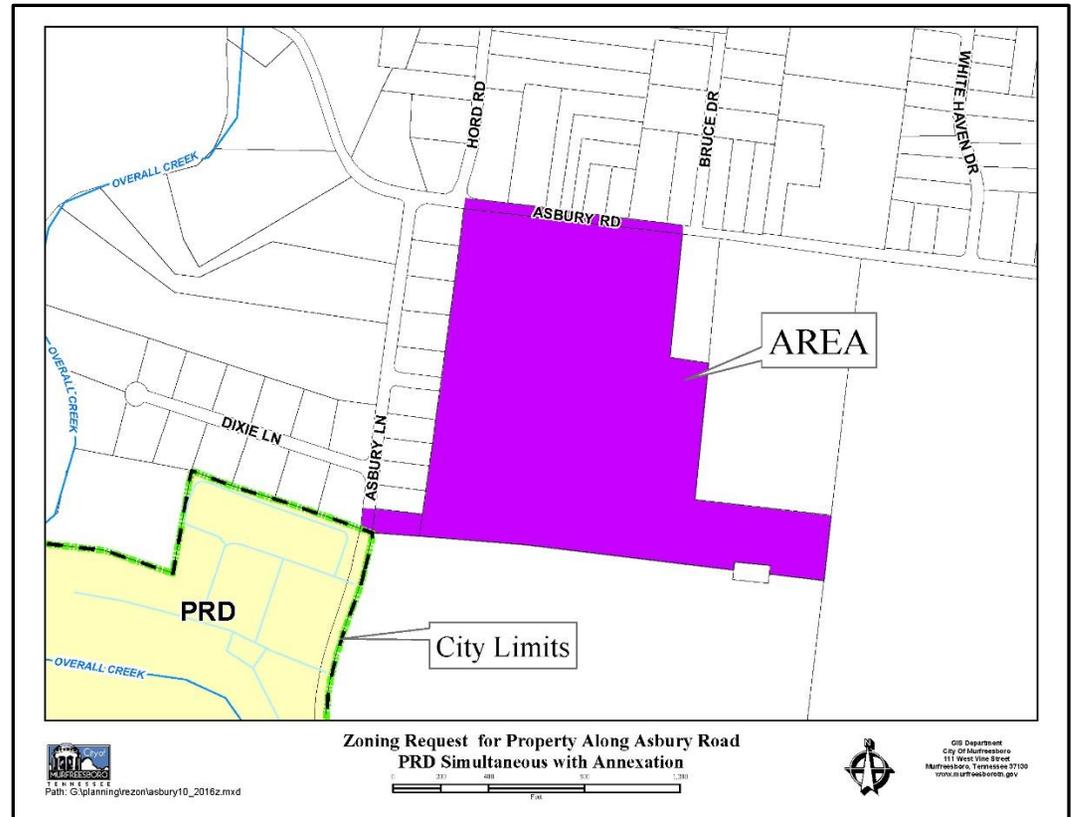
The study lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City on the southwest. Adjacent areas to the north lie within the unincorporated County.



CITY ZONING

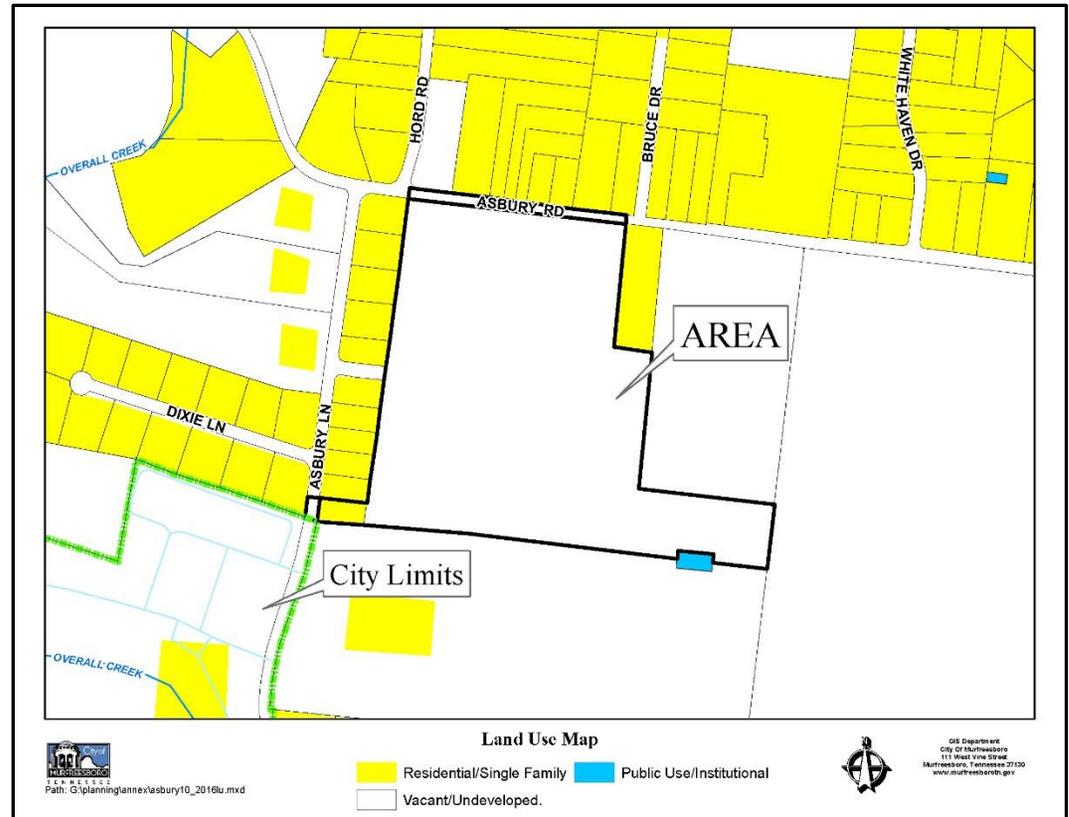
The applicants have requested rezoning to PRD (Planned Residential District) for the study area simultaneous with annexation. The study area is presently zoned RM (Residential – Medium Density) in the County.

Adjacent properties to the north, east, west, and south of the study area lie within the unincorporated County and are zoned RM. Property located near the southwestern corner of the study area is located within the City and is zoned PRD.



PRESENT AND SURROUNDING LAND USE

The study area is presently vacant. Single-family residential properties lie adjacent to the study area on the north, northeast, south, and west. The King's Estate subdivision, located along the study area's western boundary, includes lots ranging from 20,000 square feet to 30,000 square feet in area. A small cemetery adjoins the study area on the southeast.



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
King Anthony Et al.	35.40	\$55,900	N/A	\$13,975	\$177.52
Levi Grantham LLC	0.50	\$15,900	N/A	\$3,975	\$50.49
Total	35.90	\$71,800	N/A	\$17,950	\$228.01

These figures are for the property in its current state. The study area will be developed with 156 single-family homes.

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. The study area will be developed with 156 single-family homes.

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
<i>Total General Revenue Per Capita</i>	\$83.55
State Street Aid Funds	Per Capita Amount
Gasoline and Motor Fuel Taxes	\$25.91
<i>Total Per Capita (General and State Street Aid Funds)</i>	\$109.46
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit with maximum density of 156 units)	\$44,055.46

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 #4.

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. Any new 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 from the City of Murfreesboro if any future development on the property includes public streets.

STREETS AND ACCESS

The study area currently has access to Asbury Lane on the west and Asbury Road on the north. Both are currently two-lane, ditch section County roads. Upon annexation, the City would become responsible for operation and maintenance of the portions of Asbury Lane and Asbury Road included in the study area. Any new connections to either roadway must be approved by the City Engineer. Development along these roadways may require improvements such as widening for turn lanes and right-of-way or easement dedication in accordance with the City's Substandard Street requirements. 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. CUD presently maintains a four-inch water line along the western and northern sides of the study area. However, the study area would be served primarily from a 48-inch main located to the east of the study area. The developer of the property will be required to complete CUD's Developer Packet prior to entering the construction phase.

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.



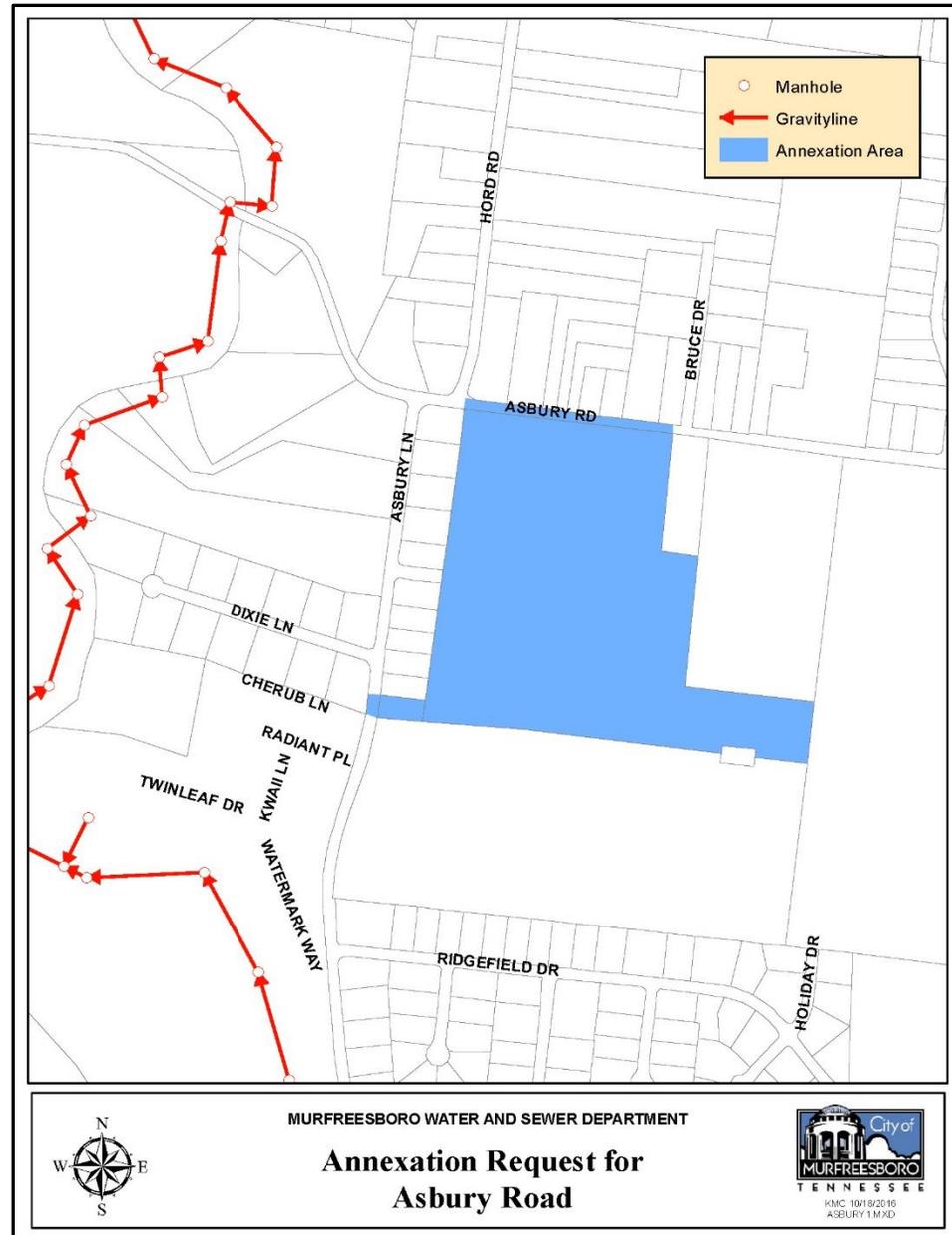
SANITARY SEWER SERVICE

Sanitary sewer is not currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." The nearest sewer main is located in the Purlingbrook subdivision southwest of the study area. An off-site sewer easement will be required prior to the approval of sewer construction plans for the project.

All sewer main improvements and easements needed to serve the subject property are to be installed and acquired respectively by the developer in accordance with MWSD's development policies and procedures.

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

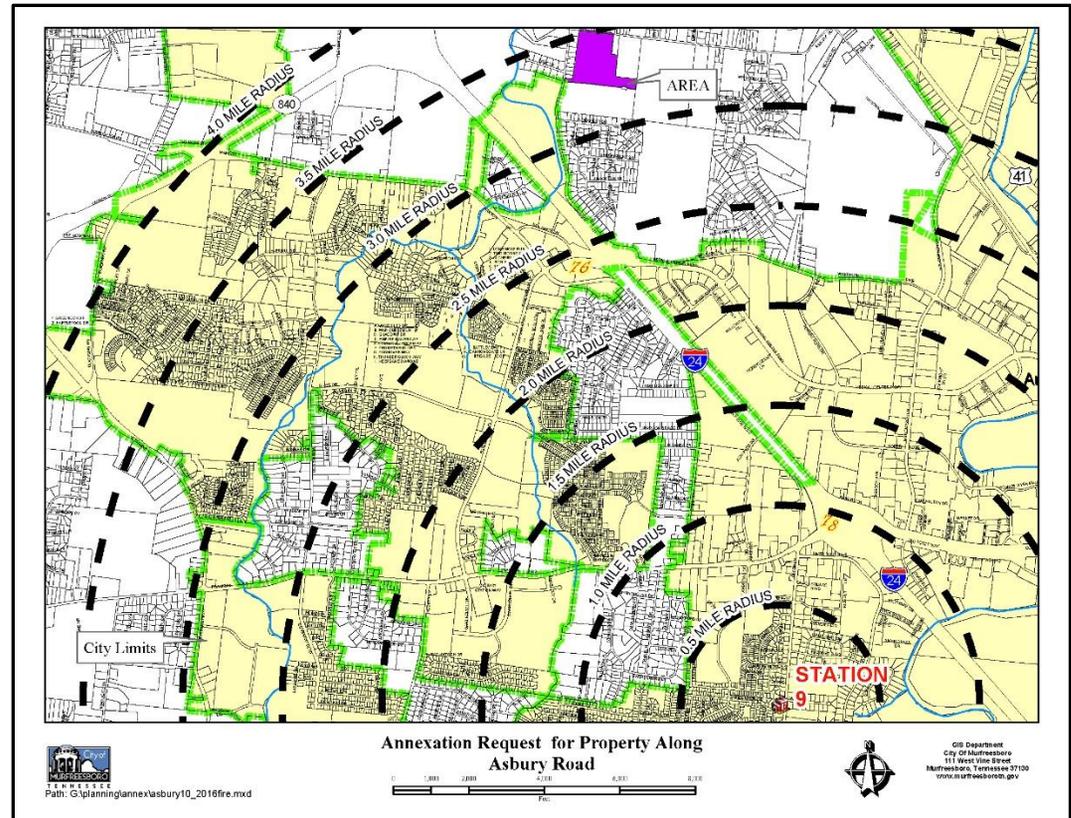
The red lines on the adjacent map represent existing sewer lines.



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 Murfreesboro Water and Sewer Department (MWSD) policies and procedures.

The closest fire station to the subject tract is Fire Station #9, located at 802 Cason Lane, 4.2 miles from the study area. Fire Station #5, located at 3006 Florence Road, is 4.4 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 Friday.

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 Overall Creek 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.

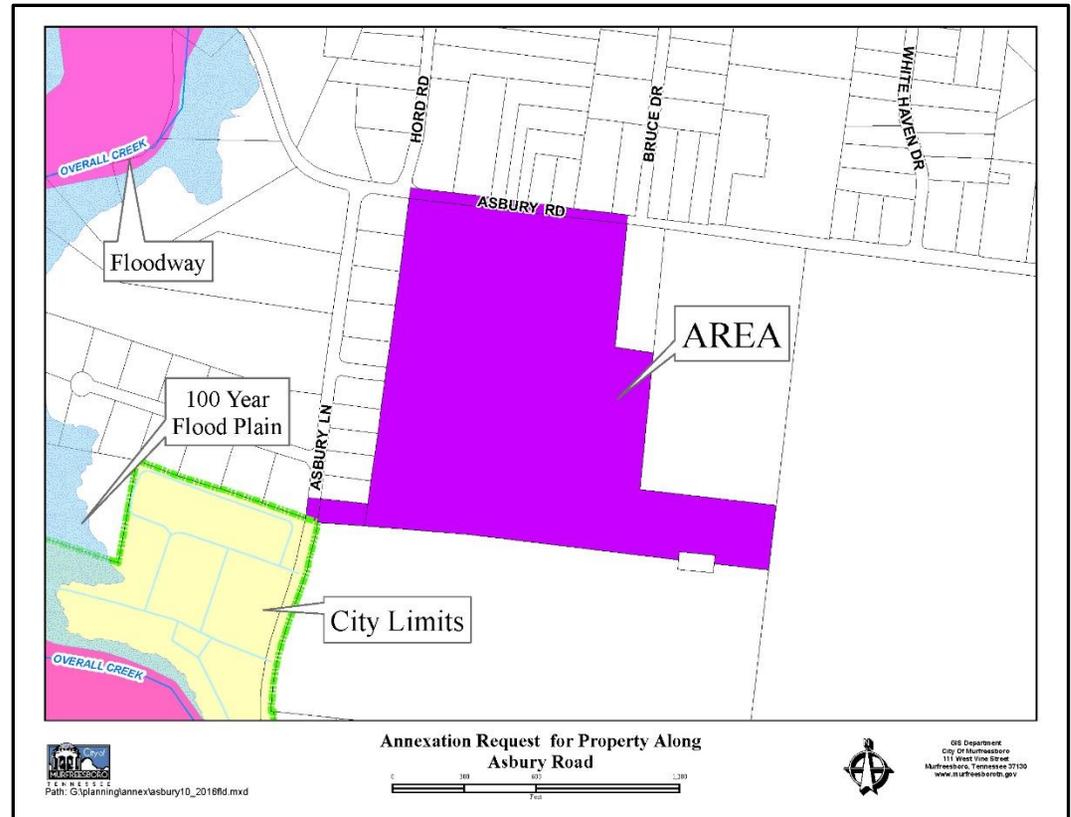
PLANNING, ENGINEERING, AND ZONING SERVICES

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

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 yellow and the 100-year floodplain boundary in blue.

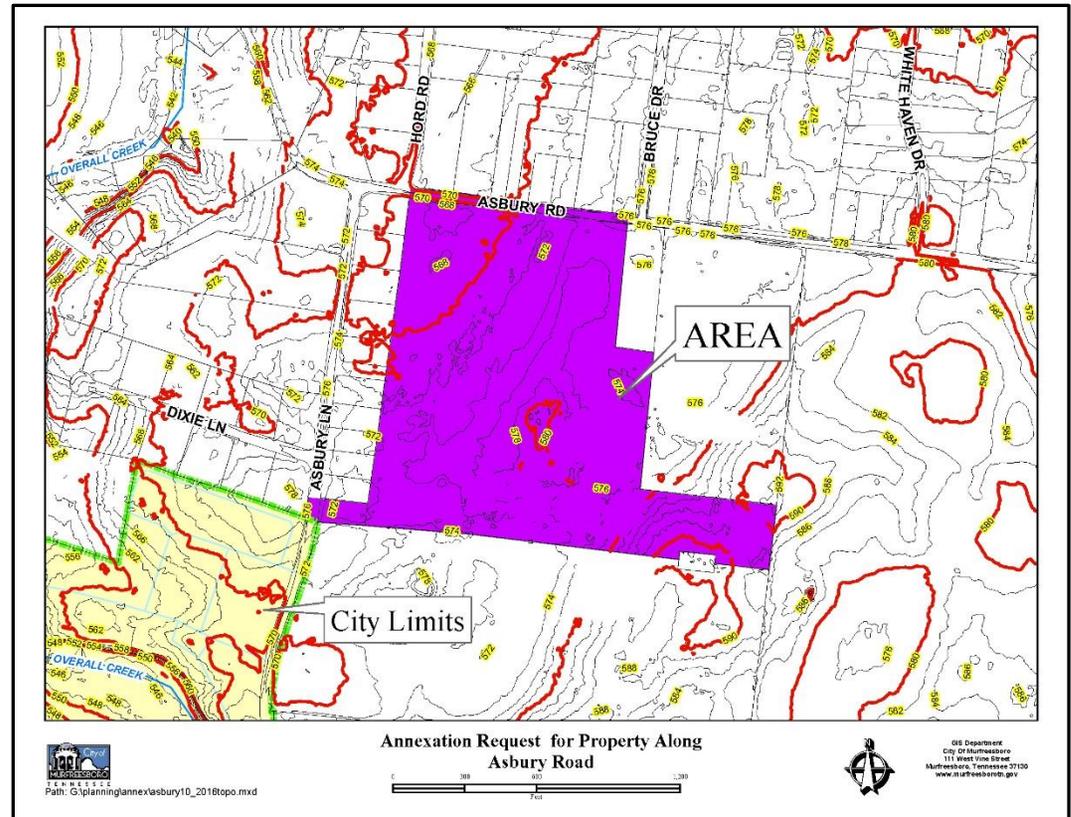


DRAINAGE

The study area drains poorly to the west and ultimately to Overall Creek through a series of closed depressions that fill with runoff during extreme rain events. Occasional flooding of nearby homes has been reported by homeowners. As development plans are finalized, the development should incorporate and, where practical, mitigate these existing drainage limitations.

Drainage systems along and within the roadways of Asbury Lane and Asbury Road are included in the study area, and the subject properties have access to those systems. No additional public drainage facilities are included in the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

New development on the property must 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 \$6,100 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 the Tennessee Growth Policy Act, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 2, 2016**

4.d. Zoning application [2016-455] for approximately 36.9 acres located along Asbury Road & Asbury Lane to be zoned PRD (Kingsbury Development) simultaneous with annexation, Land Management Group applicants.

The subject property is located east of Asbury Lane and south of Asbury Road. The study area consists of property owned by the Kings and Granthams. The Land Management Group has a contract to purchase the property and wishes to develop it as a single-family subdivision. The previous item on the agenda pertained to the annexation of this property, while this item pertains to the zoning.

The properties located to the north, east, south and southwest are in the unincorporated area of Rutherford County. The property to the southwest is in Murfreesboro and is zoned PRD (Planned Residential District) and is the developing Purlingbrook residential development.

The applicant has requested that the properties being considered for annexation be zoned PRD simultaneous with annexation. The Kingsbury PRD would allow 156 single-family detached lots on 35.9 acres for a density of 4.3 dwelling units per acre. There are three types of lots proposed- 41' wide lots, 46' wide lots, and 51' wide lots.

41' Wide Lots

- 5,500 ft² min. lot
- 1,600 ft² min. house
- Brick, stone and/or cement board houses
- Vinyl trim, soffit, and fascia
- foundation landscaping, sodded front yards & street trees

46' Wide Lots

- 5,500 ft² min. lot
- 1,800 ft² min. house
- Brick, stone and/or cement board houses
- Vinyl trim, soffit, and fascia
- foundation landscaping, sodded front yards & street trees

51' Wide Lots

- 5,500 ft² min. lot
- 2,000 ft² min. house
- Brick, stone and/or cement board houses
- Vinyl trim, soffit, and fascia
- foundation landscaping, sodded front yards & street trees

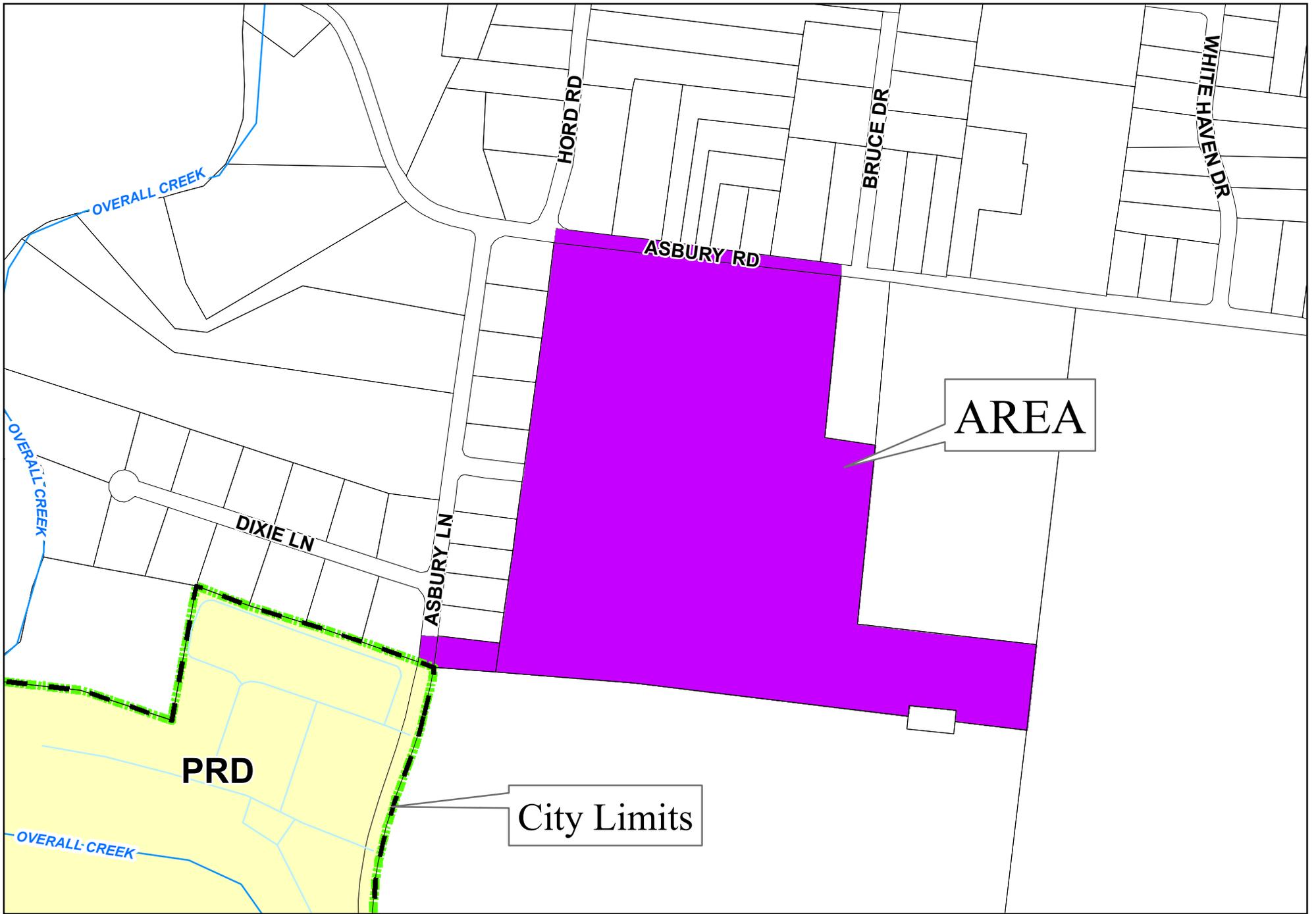
A phasing plan has been provided on page 9. The entrance onto Asbury Lane and the amenities being committed to with this PRD are a part of the first phase of development. The entrance to Asbury Road is anticipated to be a part of the fifth and final phase.

The PRD district allows exceptions to be made from the Zoning Ordinance and/or Subdivision Regulations. The applicants have requested an exception to the parking standard for 18 single-family, detached homes to reduce the number of off-street parking spaces from 4 to 2 parking spaces in the drive-way. To help mitigate the reduction, a small 20 space parking lot is located in this area. The applicants have maintained a 35'

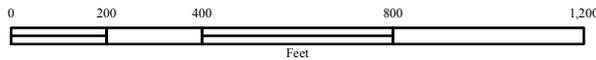
front setback to the face of the garage for all other lots, which can accommodate 4 cars in the drive-way. The applicants have requested a reduced front setback for the fronts of the homes to 15', which does not affect the number of parking spaces. Lastly, the side setback is proposed to be 5' wide.

A copy of the program book has been included in 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.



**Zoning Request for Property Along Asbury Road
PRD Simultaneous with Annexation**



Path: G:\planning\rezon\asbury10_2016z.mxd



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

Kingsbury

A REQUEST FOR ANNEXATION AND REZONING TO A PRD

Submitted September 29, 2016

Resubmitted October 14, 2016 for the October 19, 2016 Planning Commission Workshop

Resubmitted October 27, 2016 for the November 2, 2016 Planning Commission Public Hearing



Craftsman

Wide porches, low roofs, tapered columns, perfect for couples, young families and casual southern living



Classical

Classic details, gracious flow and versatility- perfect for elegant entertaining, neighborhood gatherings and growing families



Farmhouse

Balanced and proportionate, ideal for couples and families with a simple yet classic sense of style

SEC, Inc.

SEC PROJECT # 16078

**LAND MANAGEMENT
GROUP, INC.**

**CRESCENT
HOMES**

GDC
gamble design collaborative

BEN JOHNSON ILLUSTRATIONS



CRESCENT HOMES

Builder
Crescent Homes TN, LLC

Attn: Ron Benkert
640 Grassmere Park, Suite 112
Nashville, TN 37211
615-472-1823
ron.benkert@crescenthomes.com



Engineering . Surveying . Land Planning
Landscape Architecture
SEC, Inc.

Attn: Matt Taylor, P.E.
850 Middle Tennessee Blvd.
Murfreesboro, TN 37129
615-890-7901
mtaylor@sec-civil.com



Amenity Playground Equipment
Kompan Playground Equipment

Attn: Parker Chipman
2306 Garrison Cove
Murfreesboro, TN 37130
615-410-8403
parchi@kompan.com

LAND MANAGEMENT GROUP, INC.

Developer
Land Management Group, Inc.

Attn: Bill Charles
357 Riverside Drive, Suite 210
Franklin, TN 37064
615-371-8886
bill@land-management.com



Landscape Architecture &
Development Planning
Gamble Design Collaborative

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144 Southeast Parkway, Suite 200
Franklin, Tennessee 37064
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greg.gamble@gdc-tn.com

BEN JOHNSON ILLUSTRATIONS



Illustrator
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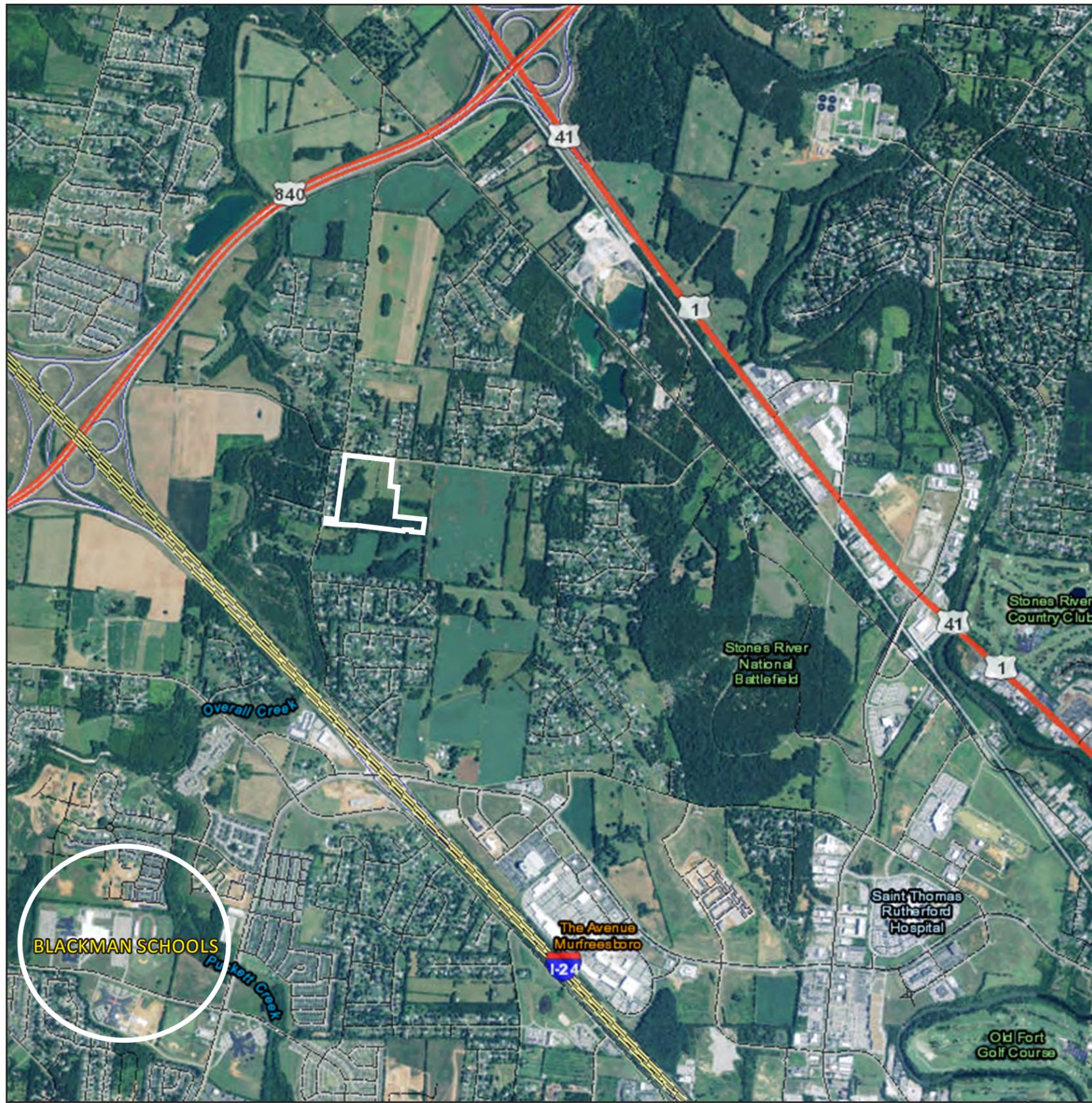
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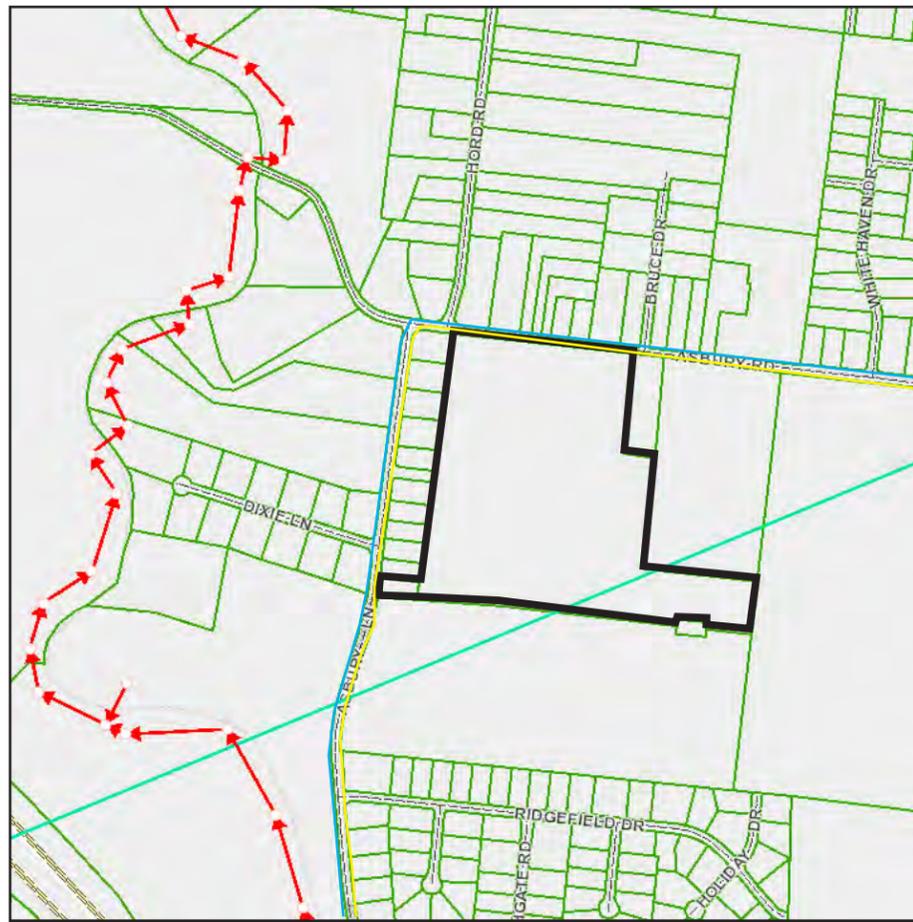
Land Management Group, Inc. respectively requests annexation and zoning of the Anthony King & Levi Grantham properties along Asbury Road and Asbury Lane from RM (Medium Density Residential) to PRD (Planned Residential Development) to create Kingsbury. The property is located south of Asbury Road and east of Asbury Lane. The site is identified as Parcels 53.00 & 53.11 of Tax Map 79, and is approximately 35.90 acres.

Kingsbury will be a neighborhood that offers residents classical architecture, as well as amenities unique to the area. Kingsbury will consist of 156 single-family detached homes on lots that range in size from 41 feet wide up to 51 feet wide. The homes will have all masonry exteriors. The homes will have front entry garages with decorative garage doors. Kingsbury will offer residents an amenity center with a pool & cabana, outdoor seating areas, walking trails, and a playground that is molded into rolling terrain to create a space unique to Murfreesboro.

Kingsbury has a deep and storied past. The neighborhood is named after the King family that has lived and maintained this property since the early 1800's. The King family originally owned a few of the surrounding properties over the years, but this is the last piece of the family land. Mr. King was actually the person responsible for constructing the homes and lots along the western boundary of the neighborhood. Another piece of the family's heritage is the land, located in the southeastern corner, that serves as the family's cemetery. Below is a marker in the cemetery noting the many King family members who reside in the cemetery. Kingsbury wishes to keep the family heritage going for generations to come, and plans to incorporate access to the King-Vaughn Cemetery. This will allow family members to visit and learn about their past and their roots. The cemetery property is not part of the annexation and rezoning request, but it is a design element for the overall concept for the Kingsbury PRD.



Not To Scale



MWSD Utilities Map

Not To Scale



Murfreesboro Water and Sewer Department

Sanitary sewer service will be provided by Murfreesboro Water and Sewer Department. The developer will be responsible for constructing the sanitary sewer system, while the sewer system will be maintained by Murfreesboro Water and Sewer Department. Kingsbury plans on extending a sewer line from the southwest corner of the development, tie into a proposed sewer line associated with Purlingbrook located on the west side of Asbury Lane. This will tie into the existing 24" sanitary sewer main along Overall Creek.



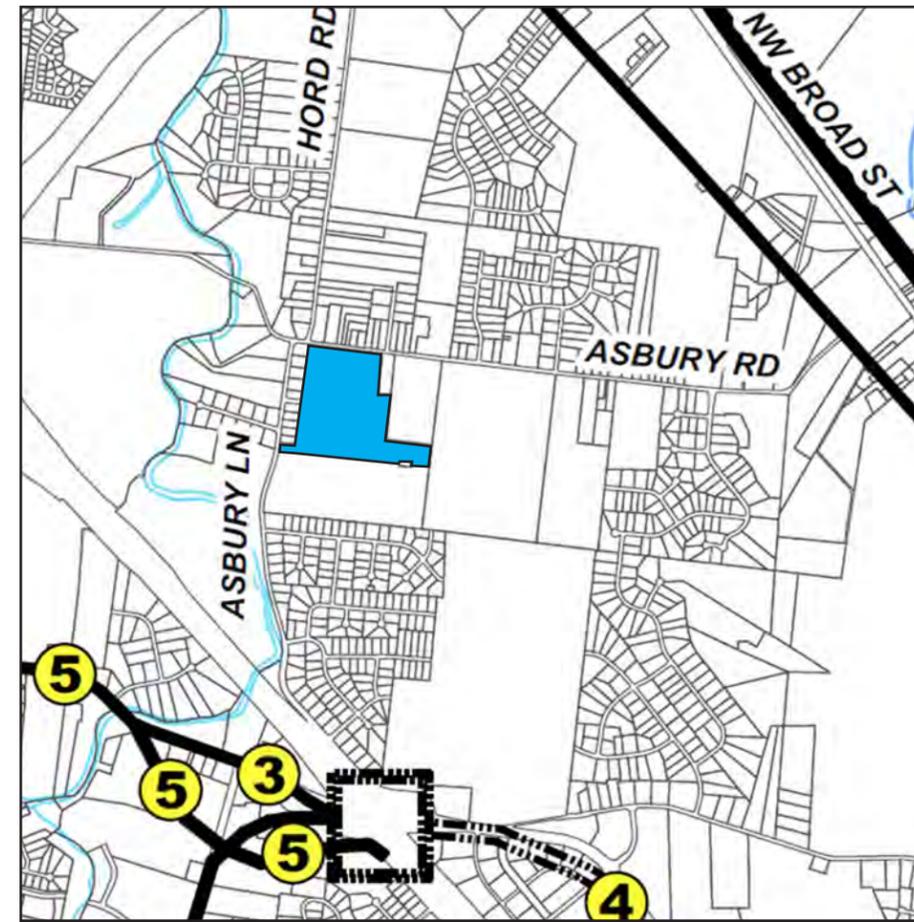
Consolidated Utility District of Rutherford County

There are three points of connection for this site for providing water service. There is an existing 6" PVC water line along the western R.O.W. of Asbury Lane for service into the site. Also, there is an existing water line along the northern R.O.W. of Asbury Road. There is an additional 48" water line that runs along the eastern property line. Kingsbury will be tying into and extending it across the southern portion of the site back to the west to provide water service to Purlingbrook. The developer will be responsible for extending the waterline into the site for domestic and fire water service. Water service will be provided by Consolidated Utility District.



Middle Tennessee Electric Membership Corporation

Middle Tennessee Electric will be providing electrical service. All electric service will be underground. Currently above-ground electricity is located along the eastern side of Asbury Lane, and the south side of Asbury Road. All electric services will be underground in Kingsbury.



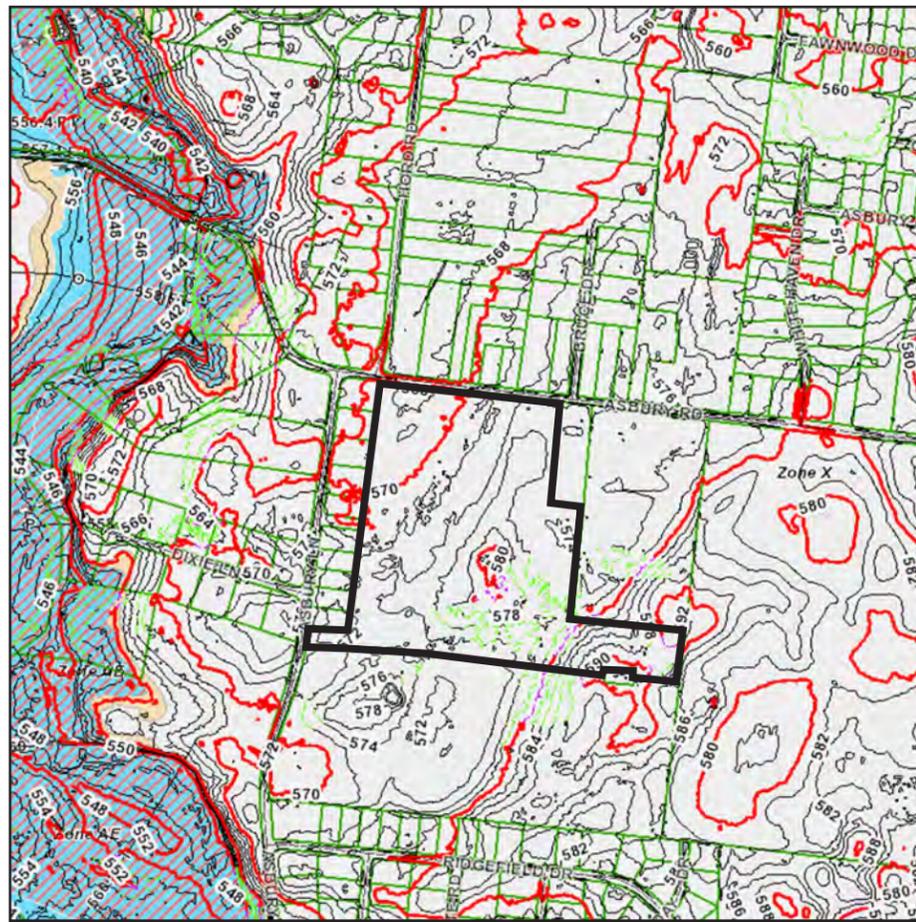
Murfreesboro Major Thoroughfare Plan

Not To Scale



CITY OF MURFREESBORO

The property has/will have access to the existing public rights-of-way of Asbury Lane and Asbury Road. Neither of these roadways are on the Murfreesboro Major Thoroughfare Plan for widening projects in the future. Asbury Lane provides direct connectivity to Medical Center Parkway near Interstate 24's interchange, which is located to the south. While Asbury Road provides direct connectivity to Old Nashville Highway to the east of the site. Currently, both roadways are a 2 lane cross-section with drainage ditches on both sides of the roadway. Hord Lane provides an additional means of access to Old Nashville Highway as it travels north from Asbury Road east of the intersection with Asbury Lane. In accordance with the City of Murfreesboro's standard operating procedures, the developer shall work with the city to address these substandard roadways. The developer will donate rights-of-way and either pay fees in-lieu of construction into escrow or construct improvements to Asbury Lane and Asbury Road along the project's frontage.

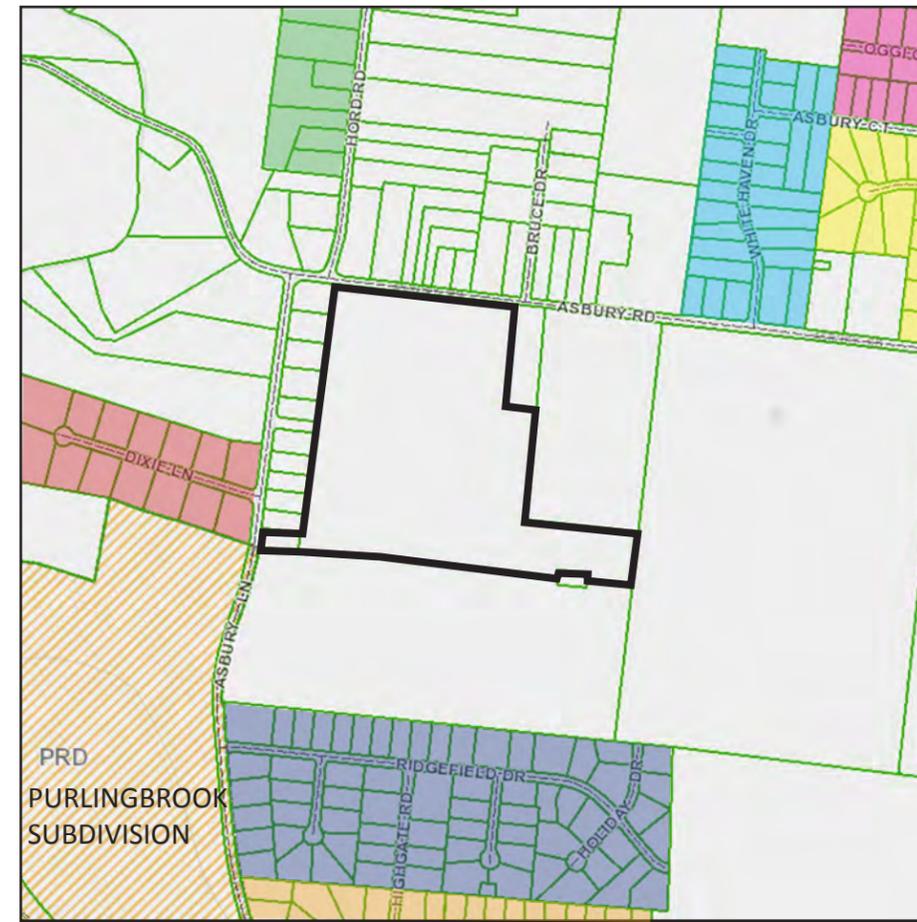


Floodplain



Topography & Floodplain Map

The existing topography of the site shows the highest point on the property is located in the southeast corner of the property. It coincides with the location of the King Cemetery. From this location, the property falls gradually towards the west. This general westward slope in the topography allows stormwater runoff to eventually leave the site along the western property line with single family lots in the Anthony King Subdivision. Stormwater from this site eventually flows towards the west where it ultimately discharges into the West Fork of the Stones River. There are no FEMA floodways and floodplains associated with this property.



-  Planned Residential Development
-  Blackman Downs Subdivision
-  Cimarron Subdivision
-  White Haven Subdivision
-  Reeds Down Subdivision
-  Confederate Glen Estates Subdivision
-  Ridgefield Subdivision
-  Bridle View Subdivision



Zoning Map

The surrounding area consists primarily of Rutherford County Medium Density Residential (RM) zoning. County subdivision such as Reed Downs & William R Whitehill subdivisions are located to the north of Asbury Road, and are comprised of large tract single family lots. Confederate Glen Estates is located to the west of Asbury Lane just north of Purlingbrook subdivision. Purlingbrook is a Planned Residential Development (PRD) in the City of Murfreesboro which is under development currently. The development consists of a mixture of attached townhomes and detached single-family homes.

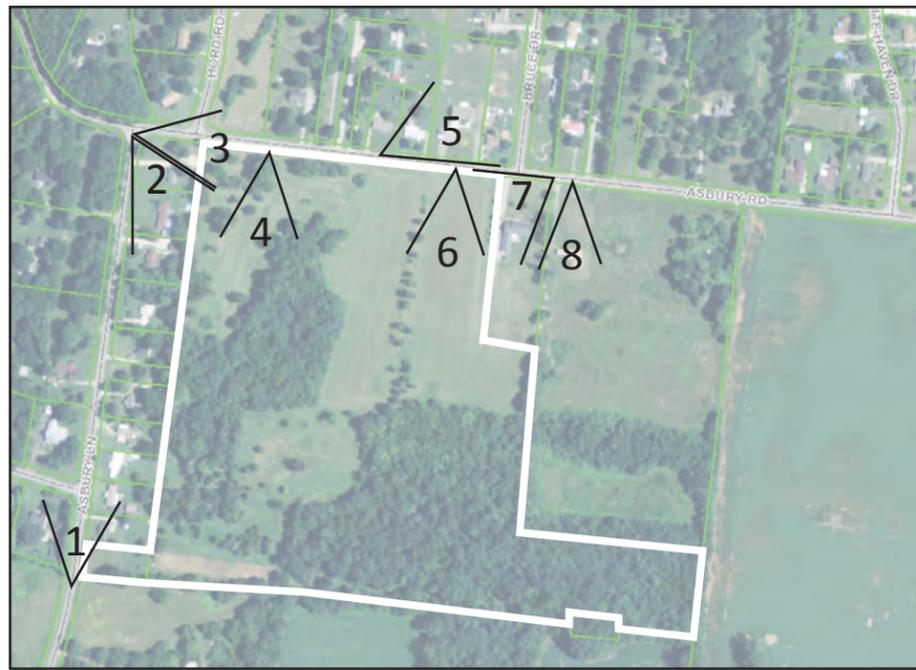


Photo Direction Map



Photo Direction Symbol

- The point where the two lines connect is the location of the image capture
- The convexing lines from said point indicate the perceived range of view



Not To Scale

**Images 1-8 were captured using the street view feature in Google Earth Pro. The most current images in this program were captured for this book.*



Image 4

View south onto the section of the site adjacent to Asbury Road.



Image 5

View northeast onto single-family residential properties across Asbury Road from the site.



Image 6

View south onto the section of the site adjacent to Asbury Road and a single-family residence located to the left of the image.



Image 7

View southwest onto single-family residential properties adjacent to the eastern section of the site.



Image 8

View northeast onto single-family residential properties across Asbury Road from the site.



Image 1

View north onto Asbury Lane with single-family residential located to the right of the image. This roadway is intersected by Dixie Lane.



Image 2

View southeast onto single-family residential properties adjacent to the western section of the site.



Image 3

View east onto Asbury Road with single-family residential to the left and right of the image. This roadway is intersected by Hord Lane.

Kingsbury will consist of 156 single family detached lots. All homes will be for purchase and will have a minimum of 2 bedrooms, with a minimum two-car front entry garage with decorative garage doors. The home elevations will be constructed of a mixture of masonry materials to add quality and character to the community. Each lot and home will have foundation landscaping, sodded front yards, and a yard tree to mimic street trees. The neighborhood will include decorative mailboxes along the streets to add character and continuity to the neighborhood. Both entrances will incorporate signage and landscaping to welcome residents and guests to the community. Kingsbury will offer an amenity area that will include a pool with a cabana, walking path, outdoor seating area, and playground for the residents to enjoy and interact with one another. The H.O.A. will maintain the common open spaces and detention facilities located in Kingsbury.

Land Use Data:

Total Land Area: ±35.90 Acres
 Total Number Single Family Detached Lots: 156

Yield: 156 Lots/35.90 Acres= ±4.35 Lots/ Acres
 Total Open Space/ Stormwater: ±7.60 ACRES (21%)
 Minimum Lot Size (All Lot Sizes): 5,500 S.F.
 Minimum Home Size: 1,600 S.F.
 Typical Home Sizes: 1,600' - 3,500'+ S.F.
 Typical Lot Sizes: 41' x 140' (5,740 S.F.)
 46' x 140' (6,440 S.F.)
 51' x 140' (7,140 S.F.)
 Length of New Roadway: ±5,843 LF

*** Reduced Off-street Parking Space Lots:**

Due to the existing constraints of the property, a small portion of Kingsbury, located in the southeast corner of the development, is requesting a reduced off-street parking requirement. Due to the lack of distance between boundaries in this narrow portion of property, typical lot sizes cannot be met for the development. The typical off-street parking requirement for each single family detached lot is four (4) off-street parking spaces in the driveway leading up to the front entry garages. Due to the constriction of the existing boundaries, these eighteen (18) 51 ft. wide lots are requesting a reduction in the required off-street parking to two (2) parking spaces on each of these lots for a total of 36 parking spaces. To compensate for the loss of these off-street parking spaces, the plan provides twenty (20) additional off-street spaces located in the parking lot, north of the existing King Cemetery. These additional spots will act as off-street parking spaces for guests of the residents on these eighteen (18) lots.



Scale: 1" = 200'

Special Focus Lots

Special Focus Homes are typically located at street and lane intersections, at the end of a street intersection or view corridor, and/or against a street edge that defines common property or public outdoor space. Special Focus Homes and all lots in which the proposed improvements will or may have a greater impact upon the character of the community, will receive more intense review in all aspects.

Final determination of the appropriate elevation pattern and variety is subject to review by the Developer & Architectural Review Committee.

 **Corner and Multiple-Frontage Homes**
Homes that are located on corner lots and homes that have multiple frontages present a greater visual impact on the neighborhood.

- Building facades fronting side streets shall be subject to guidelines and regulations governing front facades
- For front garage entry lots, the garage shall be placed on the lot opposite the street corner
- Corner porches that wrap from the front facade to the side street facade are encouraged

 **Homes Terminating Views**
Homes located on lots that terminate views should be positioned and detailed to enhance the streetscape and view shed.

- Garage doors shall be placed on the direct axis of the view shed
- Two story homes are encouraged for these lots
- Where practical, either the building massing or a major architectural massing element should be centered on the view axis
- Where located on a corner lot, the building facade terminating a view axis shall be considered the front facade and shall include the front door

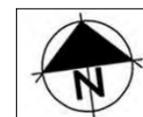
 **Homes Fronting Parks and Open Spaces**
Homes that front parks and open spaces present a greater visual impact on the neighborhood. When a home properly addresses the open area, it helps to enclose and frame the space.

- Full porches, stacked porches and balconies are encouraged
- Home plans should be selected that optimize views from the home's interior to the park



Scale: 1" = 200'

KINGSBURY PHASING	LOTS	41' LOTS	46' LOTS	51' LOTS	ACRES
PHASE 1	34	10	14	10	9.77
PHASE 2	36	8	9	19	7.62
PHASE 3	20	12	7	1	5.19
PHASE 4	38	18	18	2	8.18
PHASE 5	28	8	15	5	6.02
TOTAL	156	56	63	37	36.78



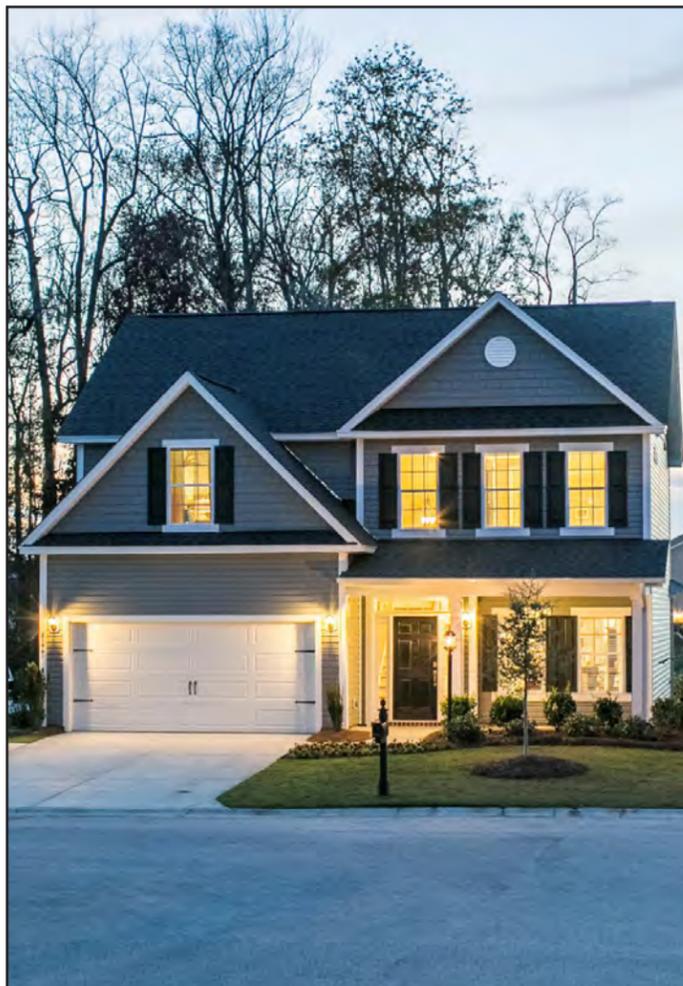
Scale: 1" = 200'





Ben Johnson





Appropriate Residential Materials

Appropriate Building Cladding (facade wall)

- Brick veneer
- Painted brick veneer
- Cultured stone (ashlar pattern, drystack pattern)
- Cementitious and fiber cement composite siding (e.g. Hardie, Certainteed)
- Applied cement stucco

Appropriate Windows and Doors

- Pre-finished aluminum and vinyl clad wood windows
- Vinyl Windows (upon ARC review)
- Clear or slightly tinted glazing
- True divided lights
- Simulated divided lights
- Shutters sized to fit window opening when closed

Appropriate Roofs

- Sloped roofs of asphalt or fiberglass composite shingles, standing seam metal, natural or synthetic slate, and shingle-styled concrete tile

Appropriate Architectural Detailing

- Painted or stained wood
- High density rigid polyurethane (HRP)
- Smooth surface composite or cellular PVC or comparable in standard wood trim sizes
- Vinyl soffit & fascia
- Cast stone
- Copper

Inappropriate Residential Materials

Inappropriate Building Cladding (facade wall)

- Oversized brick -- non-modular
- Exterior Insulation Finish System (EIFS)
- Metal siding
- Vinyl siding
- Concrete masonry units (CMU) or split-faced
- Concrete panels

Inappropriate Windows and Doors

- Glass block (on frontages)
- Dark tinted, color tinted or mirror finished glazing
- Shutters that are not sized to fit the window opening when closed

Inappropriate Roofs

- Spanish tile
- Wood shingle

Inappropriate Architectural Detailing

- Extruded polystyrene
- PVC



*Examples of Homes Demonstrating Appropriate Residential Materials

Home Characteristics (41' Width Lots):

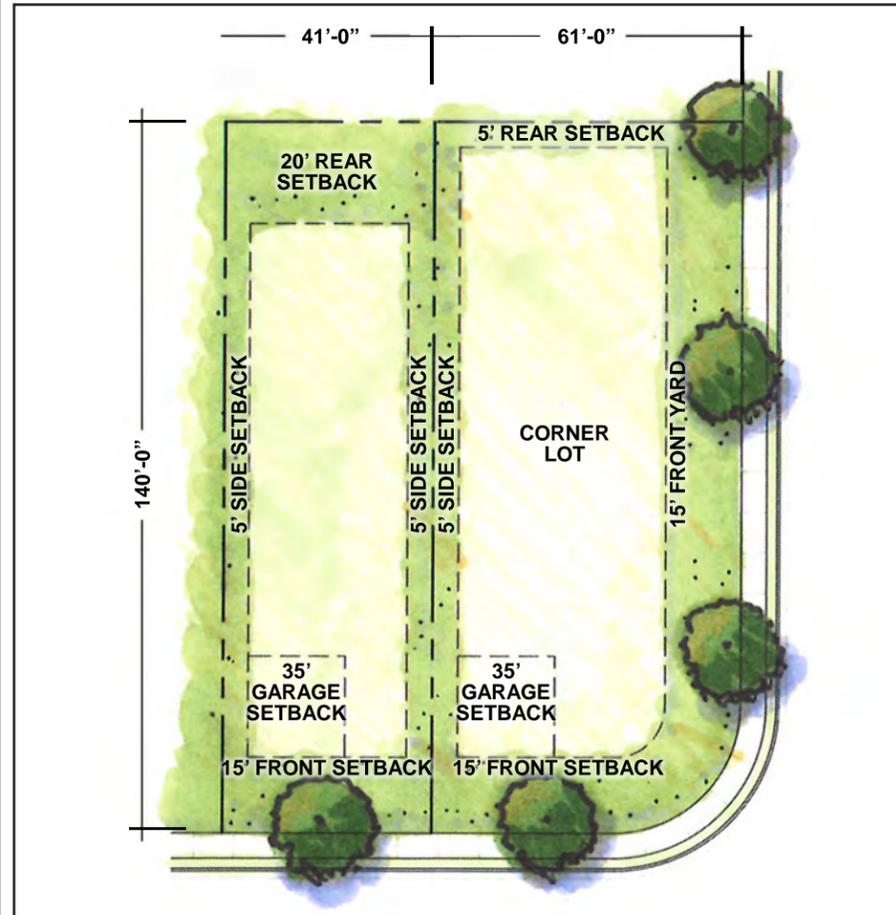
- All homes will be a minimum 1,600 - 2,600+ s.f. (heated space)
- Minimum lot size 5,500 s.f.
- Typical lot dimensions: 41' wide x 140' deep (5,740 s.f.)
- All homes will have a minimum of a 2 car garage with decorative garage doors
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 8
- All homes will be constructed with brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
- All homes will have eaves
- Maximum building height shall be 35' as defined by zoning ordinance
- All homes will have a minimum of 2 bedrooms
- All homes will be for sale

Setbacks: (internal lot)

- Front 35' to Garage
- Front 15' to House
- Rear 20'
- Side 5'

Setbacks: (corner lot)

- Front 35' to Garage
- Front 15' to House
- Rear 5'
- Side 5'



Lots Diagram (41' width lots)

Home Characteristics (46' Width Lots):

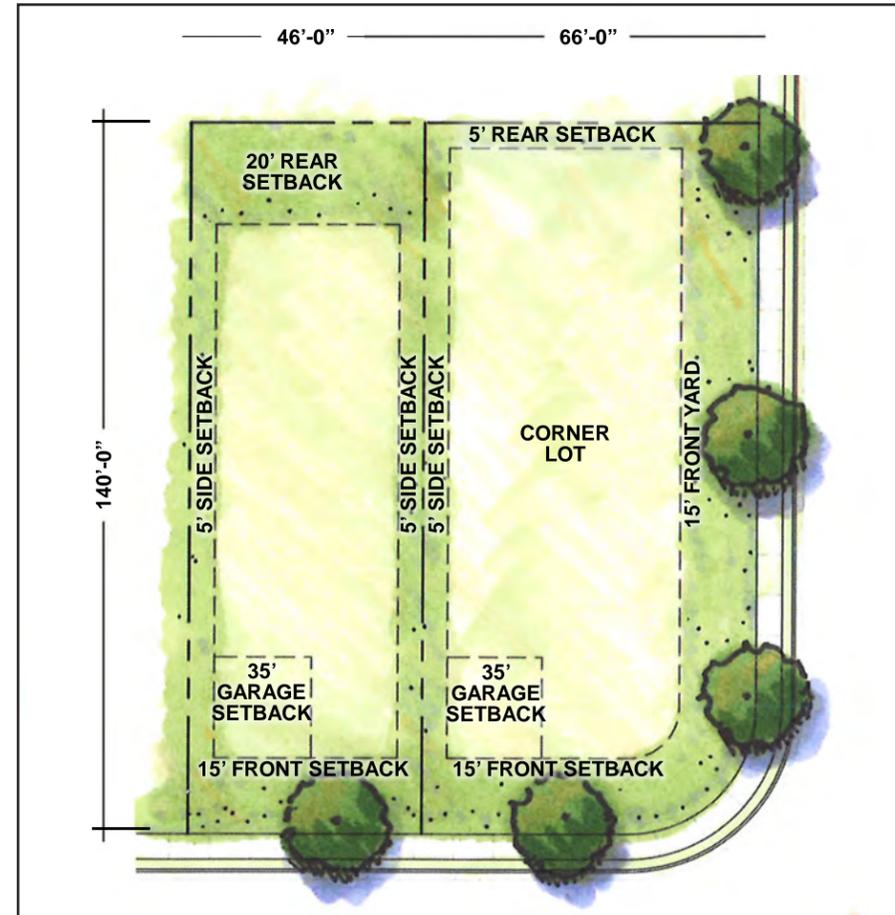
- All homes will be a minimum 1,800 - 3,000+ s.f. (heated space)
- Minimum lot size 5,500 s.f.
- Typical lot dimensions: 46' wide x 140' deep (6,440 s.f.)
- All homes will have a minimum of a 2 car garage with decorative garage doors
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 8
- All homes will be constructed with brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
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- Front 15' to House
- Rear 20'
- Side 5'

Setbacks: (corner lot)

- Front 35' to Garage
- Front 15' to House
- Rear 5'
- Side 5'



Lots Diagram (46' width lots)

Home Characteristics (51' Width Lots):

- All homes will be a minimum 2,000 - 3,500+ s.f. (heated space)
- Minimum lot size 5,500 s.f.
- Typical lot dimensions: 51' wide x 140' deep (7,140 s.f.)
- All homes will have a minimum of a 2 car garage with decorative garage doors
- The homes can be 1, 1 ½, or 2-story buildings- with the exceptions noted on Page 8
- All homes will be constructed with brick, stone, and cement board siding
- Vinyl siding may be used in trim, soffit, and fascia on all elevations along with porch ceilings
- All homes will have eaves
- Maximum building height shall be 35' as defined by zoning ordinance
- All homes will have a minimum of 2 bedrooms
- All homes will be for sale

Setbacks: (internal lot)

- Front 35' to Garage
- Front 15' to House
- Rear 20'
- Side 5'

Setbacks: (corner lot)

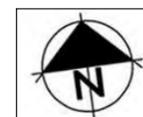
- Front 35' to Garage
- Front 15' to House
- Rear 5'
- Side 5'



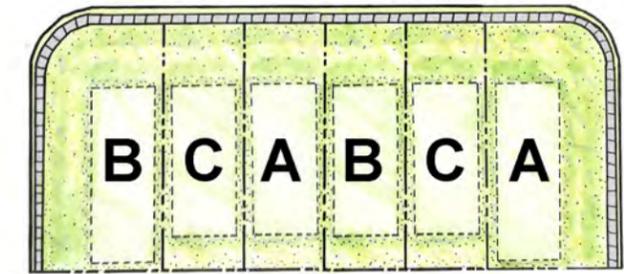
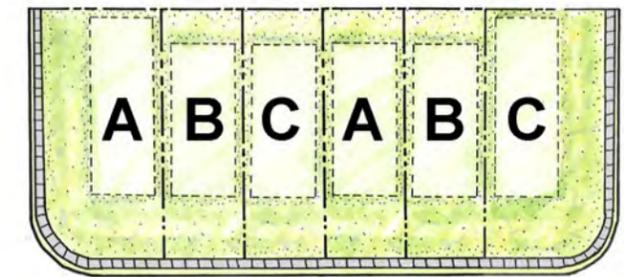
Lots Diagram (51' width lots)



41' Width Lot
 46' Width Lot
 51' Width Lot



Scale: 1" = 200'



FACADE VARIETY DIAGRAM

In order to avoid monotony of architectural design, no approval shall be issued for the construction of a dwelling if it is substantially like any proposed neighboring building for which an approval has already been issued or is being concurrently considered.

- A building shall be considered neighboring if it fronts on the same street as the building under construction or an intersecting street; no building elevation may be repeated across from, adjacent to, or diagonal to a similar building elevation. There shall be a minimum of a 2-lot gap between each similar building elevation (see diagram to above in which A, B, C represent different elevation styles).
- Vary garage door locations to the front facade of the house when possible. Avoid continuous runs of garages in the same unbroken plain.
- Vary roof orientation, ridge lines and eave heights between each lot when possible.
- Building facade colors and design elements should vary between each lot with a variation of massing and architectural details on each block.
- Landscaping should vary in composition, layout and species of plants between each lot.

Final determination of the appropriate elevation pattern and variety is subject to review by the Developer & Architectural Review Committee.



Farmhouse

Balanced and proportionate,
ideal for couples and families with a
simple yet classic sense of style



Craftsman

Wide porches, low roofs, tapered columns,
perfect for couples, young families and
casual southern living



Classical

Classic details, gracious flow and versatility-
perfect for elegant entertaining,
neighborhood gatherings and growing families



Craftsman

Wide porches, low roofs, tapered columns,
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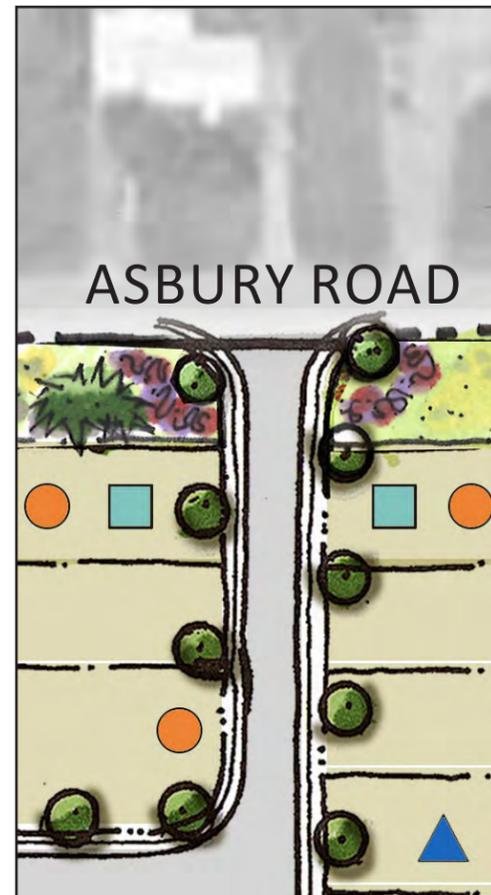
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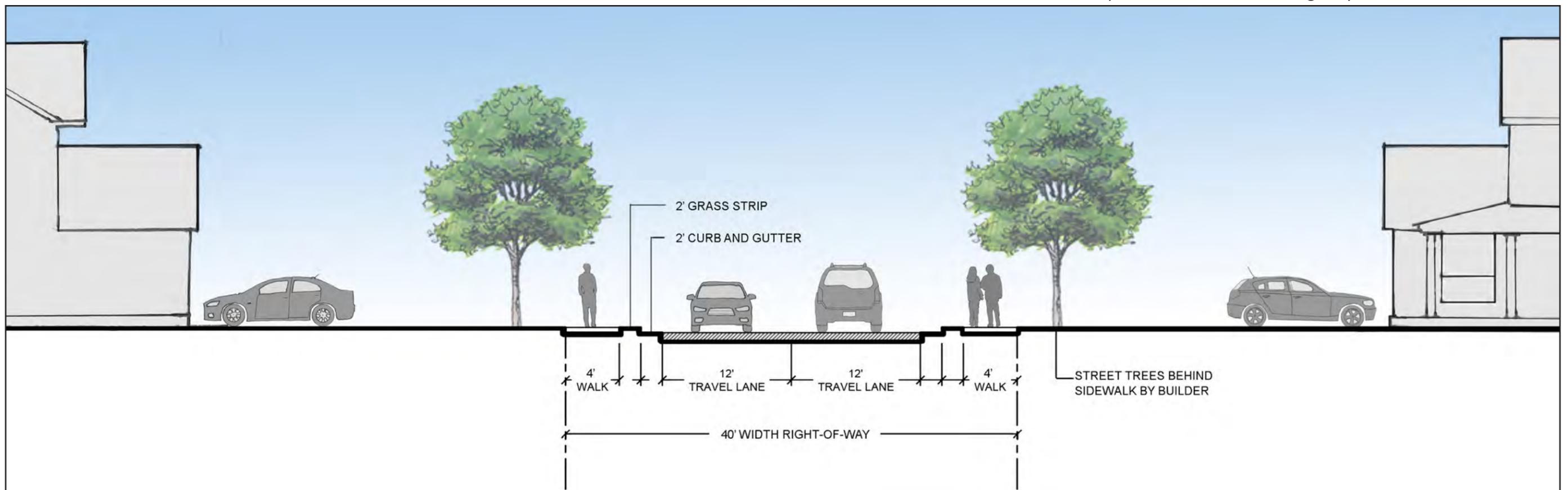
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perfect for elegant entertaining,
neighborhood gatherings and growing families



Kingsbury will have two entrances into the neighborhood. The primary means of ingress/egress from this site will be onto Asbury Lane. Asbury Lane will provide direct access back to Medical Center Parkway and Interstate 24. The entrance is proposed to incorporate a landscape median to accentuate the arrival into Kingsbury. On the northside of the entrance, a neighborhood entrance sign that will be anchored by landscaping. The entrance necks down, as you proceed into the neighborhood, to the the architecture of the cabana, which serves the purpose as an initial greeting. The secondary means of ingress/egress from the development will be street connection to Asbury Road, along the northern boundary. This entrance will provide direct access back to Broad Street, which provides connection to downtown Murfreesboro and Smyrna. This entrance will incorporate landscape plantings to add a formal character for residents and guests as they enter Kingsbury. The other possible means of ingress/egress will be a stub street to the property to the east. There are no plans for development on the adjacent property at this time, but when development does occur, the opportunity for connectivity will be present.

All streets within Kingsbury will be local streets with a typical 40 foot R.O.W. cross-section. These streets will be built in accordance with the Murfreesboro Street Standards. Another unique element that Kingsbury is incorporating into the neighborhood is the addition of front yard trees to mimic street trees within the streetscape. These street trees will be located behind the sidewalk on individual lots, which will create a greater sense of place for the residents of Kingsbury.







Not To Scale



EMBANKMENT SLIDE



PLAYGROUND

Amenities

The amenities in Kingsbury will allow it to stand out as one of the premier neighborhoods in Murfreesboro. The amenity center will be the main focal point for the neighborhood. This centrally located open space will include a pool, a cabana, outdoor seating areas, walking trails, and a playground unlike any in the area. The playground will incorporate rolling terrain, like the embankment slide shown above. This rolling terrain allows the playground to feel more organic, and blend into the overall amenity center. A third party H.O.A. will maintain all common/open spaces within Kingsbury.

Kompan Playground Equipment

Kingsbury is proud to be working with Kompan to provide the neighborhood with some of the world's best playground equipment. As the company statement describes, through the unique design they help enrich children's lives and physical activities through their playground equipment.

Kompan is the world's Number 1 playground supplier. We develop, produce and market an extensive range of playground equipment that covers all age groups. All our playgrounds are produced from the ground up to improve childhood health and learning. All our products offer compelling design, high play value, uncompromising safety, unique innovation, and long lasting quality.

One reason why Kompan is the global leader in playground equipment is the Kompan Play Institute. This unique knowledge center is a valuable repository of insight into children's play, health and learning through research. It's the perfect complement to our decades of hands-on experience by making playgrounds that promote child development. So much more than just physical constructions, Kompan playgrounds are designed to reach a higher goal: Promoting child development through play. So go ahead and "Play the Kompan Way".



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

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

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

Response: Exhibits are shown on Page 5 that shows the existing contours and drainage patterns along with an aerial photograph of the area. No portion of the property is subject to floodplains or floodways, and the site ultimately drains to Overall Creek.

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

Response: Exhibits and photographs on Page 6 give the location of existing structures on the subject property and the surrounding properties. An exhibit on Page 5 gives the zoning of those same properties.

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

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

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

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

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

TOTAL SITE AREA	1,563,804 S.F.
TOTAL MAXIMUM FLOOR AREA	1,404,000 S.F.
TOTAL LOT AREA	995,782 S.F.
TOTAL BUILDING COVERAGE	702,000 S.F.
TOTAL DRIVE/ PARKING AREA	136,500 S.F.
TOTAL RIGHT-OF-WAY	530,561 S.F.
TOTAL LIVABLE SPACE	157,282 S.F.
TOTAL OPEN SPACE	331,243 S.F.
FLOOR AREA RATIO (F.A.R.)	0.90
LIVABILITY SPACE RATIO (L.S.R.)	0.11
OPEN SPACE RATIO (O.S.R.)	0.24

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

Response: The property is currently zoned RM. The surrounding areas has a mixture of residential properties. The concept plan and development standards combined with the architectural requirements of the homes shown within this booklet will govern the look and character of this development. The development will provide common open space along the entire perimeter of the project to allow it to blend into the existing single family neighborhoods that surround this development.

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

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

Response: The project is anticipated to be developed in five phases. Phasing information is described on Page 9.

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

Response: This requirement has been addressed on Page 19. An HOA will be established for maintaining common open spaces.

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

Response: The applicant is requesting the following exceptions with this PRD. The applicant also requests that 18 lots have a reduced off-street parking requirement of only 2 parking spaces on each of those lots.

SETBACKS	RS-8	PRD	DIFFERENCE
FRONT SETBACK	30.0'	15.0'	15.0'
SIDE SETBACK	7.5'	5.0'	2.5'
REAR SETBACK	20.0'	20.0'	0.0'
MINIMUM LOT SIZE	8,000 S.F.	5,500 S.F.	2,500 S.F.
MINIMUM LOT WIDTH	55'	41'	14'

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

Response: This property is not in the Gateway Design Overlay District, Airport Overlay District (AOD), Battlefield Protection District (BPD), Historic District (H-1), or Planned Signage Overlay District (PS). No portion of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0140H Eff. Date 01/05/2007.

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

Response: Pages 4 discusses the Major Thoroughfare Plan. There are no roadways proposed for improvements associated with this project.

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

Response: The primary representative is Matt Taylor of SEC, Inc. developer/ applicant is Land Management. Contact info for both is provided on cover.

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

Response: Pages 13-16 show the architectural character of the proposed buildings and building materials listed. However, exact configuration for these items is unknown and will be determined as each building is built.

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

Response: Examples of entrance signage are located on Page 18.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 2, 2016**

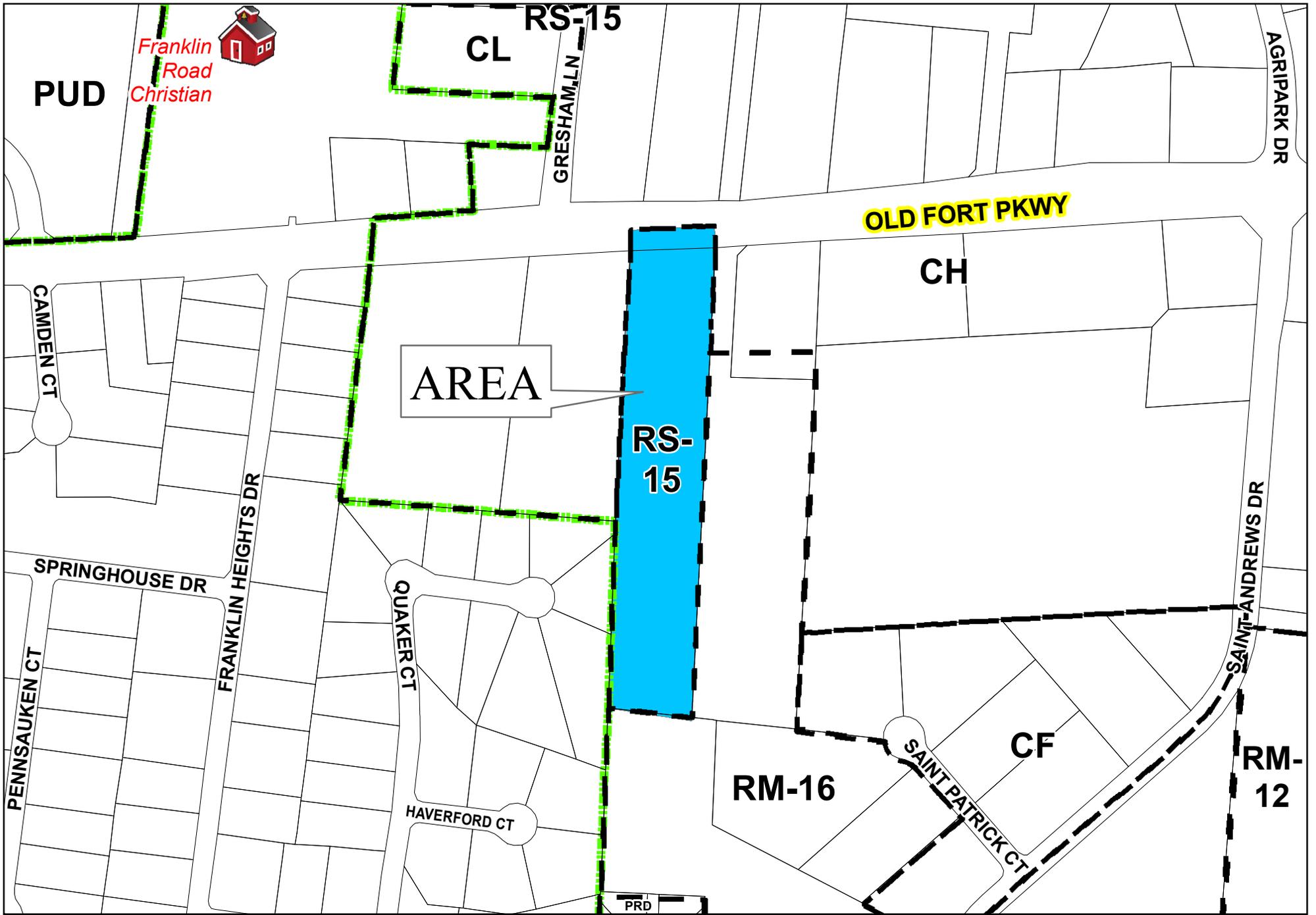
- 4.e. Zoning application [2016-437] for approximately 5.2 acres located along Old Fort Parkway to be rezoned from RS-15 to PUD (Old Fort Plaza PUD), Muralidhar Bethi applicant.**

The subject property is located along the south side of Old Fort Parkway west of Saint Andrews Drive. It is zoned RS-15 (Single-Family Residential 15). The northern half of the property is developed with Town and Country Apartments, a two-building multi-family development that utilizes a septic system, and the southern half is undeveloped. Town and Country Apartments was developed in the unincorporated County prior to the annexation of the property in 1996. Because the property was zoned residential in the County, it was given an interim zoning classification of RS-15 when it was annexed. The existing multi-family use is a legally established non-conforming use in the RS-15 zone. The property has recently sold, and the new owner has requested rezoning to PUD (Planned Unit District) for a proposed mixed use development called Old Fort Plaza.

The property itself presents some development challenges. First, it is a long, narrow property with limited road frontage, making it very difficult to subdivide. Secondly, its primary access will be from a private access drive, shared with the properties to the east. With these limitations in mind, the property is intended to be developed as one lot of record with its primary access from the private shared access drive. As opposed to the existing apartment buildings, the proposed development will have access to sanitary sewer. The development will consist of three elements, which are described in more detail in the attached program book. The northernmost element will consist of a two-story building with 9,600 square-feet of retail space on the ground floor and sixteen (16) 1-bedroom apartments on the second floor. The uses permitted on the ground floor are specified in the program book. South of this retail building is a proposed 85-unit assisted living facility, which will be three (3) stories in the middle with 2-story wings. The very southernmost element is a 52-unit senior living complex, which will be marketed to the 55+ age group. Even though it may be operated as a separate entity from the assisted living facility, services such as cleaning and meals will be made available by the staff of the assisted living facility to the residents of the senior living facility.

The subject property is bordered on its east and south sides by the Autumn Wood apartment complex, which is zoned RM-16 (Residential Multi-Family 16 District) and is currently under construction. The shared access drive by which the proposed development will gain its access is located on the Autumn Wood apartments property. Also to the east, across the shared access drive, is an existing multi-tenant commercial building zoned CH (Commercial Highway District). To the west of the subject property is a vacant parcel zoned CH, which has been approved by the Planning Commission for the development of a tire store. To the southwest of the subject property is the Haverford single-family residential subdivision, which is located in the unincorporated County. A Type C buffer, consisting of both existing and proposed trees, is proposed adjacent to the existing single-family residential uses.

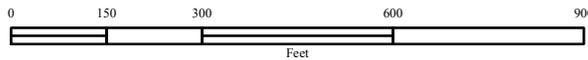
The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.



**Rezoning Request for Property Along Old Fort Pkwy. from
RS-15 to PUD**

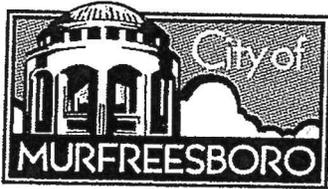


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GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

REZONING APPLICATION FORM



T E N N E S S E E

Creating a better quality of life

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

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: OLD FORT GROUP (MURALIDHAR BETHI)

Address: 10540 CEDAR GROVE RD City/State/Zip: SMYRNA, TN 37167

Phone: 615-223-0005 E-mail address: mbethi@yahoo.com

PROPERTY OWNER: OLD FORT GROUP

Street Address or property description: 2915 Old Fort Parkway

and/or Tax map #: 92 Group: _____ Parcel (s): 114

Existing zoning classification: RS-15

Proposed zoning classification: P.U.D. Acreage: ~5.4 ACRES

Contact name & phone number for publication and notifications to the public (if different from the applicant): John Gordon, Wiser Consultants 615-278-1500

E-mail: jrgordon@wiserconsultants.com

APPLICANT'S SIGNATURE (required): Muralidhar Bethi

DATE: 7/28/2016

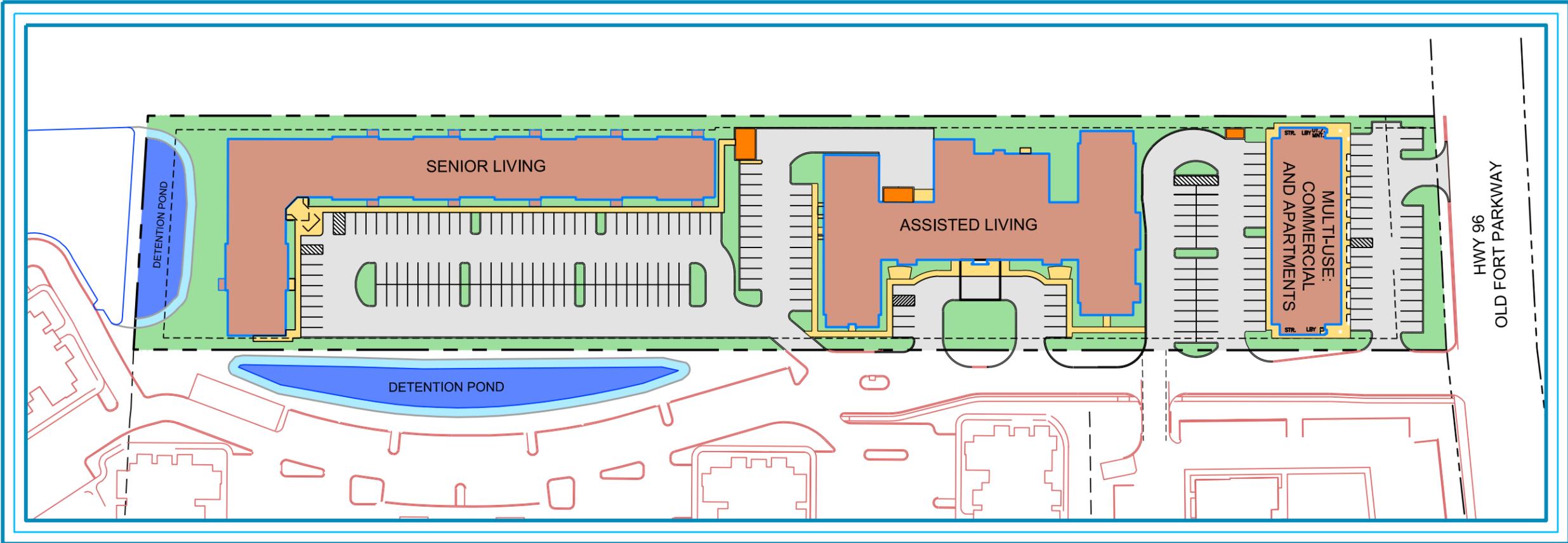
*****For Office Use Only*****

Date received: _____ MPC YR.: _____ MPC #: 2016-437

Amount paid: 600- Receipt #: 364041

Revised 1/2010

REZONING REQUEST TO A P.U.D. FOR OLD FORT PLAZA 2915 OLD FORT PARKWAY



DEVELOPER: OLD FORT GROUP

CONTACT:
DR. MURALIDHAR BETHI
 10540 CEDAR GROVE RD
 SMYRNA, TN 37167
 615.223.0005

PLANS PREPARED BY:



CONTACT:
JOHN GORDON
 1427 KENSINGTON SQ CT
 MURFREESBORO, TN 37130
 615.278.1500

Proposed Rezoning from RS-15 to
 Planned Unit Development (P.U.D.) for the development of:

- Mixed-Use Commercial & Residential Building
- Assisted Living Facility
- Senior Living Facility

*Submitted October 24, 2016
 for the November 2, 2016 Planning Commission public hearing*

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SUMMARY OF DEVELOPMENT CONCEPT

OLD FORT GROUP PROPOSES TO DEVELOP OLD FORT PLAZA, A MIXED-USE PROJECT AT 2915 OLD FORT PARKWAY. BASED ON THE DESIRED USES, THE DEVELOPER REQUESTS A REZONING FROM RS-15 TO A PLANNED UNIT DEVELOPMENT (PUD).

EXISTING CONDITIONS:

THE PROPERTY IS LOCATED IN MURFREESBORO AT 2915 OLD FORT PARKWAY NEAR THE CITY LIMITS. THE CURRENT USE IS MULTIFAMILY RESIDENTIAL AS THE TOWN AND COUNTRY APARTMENTS. THERE ARE TWO APARTMENT BUILDINGS THAT ARE NON-CONFORMING USES WITHIN THE CURRENT RS-15 ZONING. THESE WILL BE DEMOLISHED. THE PROPERTY IS APPROXIMATELY 5.17 ACRES AND IS IDENTIFIED AS PARCEL 92 OF TAX MAP 114. IT IS LOCATED ON THE SOUTH SIDE OF OLD FORT PARKWAY (SR-96). THE SITE IS WEST AND NORTHWEST OF AUTUMN WOOD APARTMENTS, AND EAST OF HAVERFORD SUBDIVISION, A RUTHERFORD COUNTY SUBDIVISION.

PROPOSED DEVELOPMENT PLANS:

THE REQUEST IS TO REZONE 5.17 ACRES FROM RS-15 TO A PLANNED UNIT DEVELOPMENT (PUD). THE PUD WILL CONSIST OF:

- MIXED-USE COMMERCIAL AND RESIDENTIAL [AUTUMN PLAZA]
- ASSISTED LIVING [THE WATERFORD IN MURFREESBORO]
- SENIOR LIVING [AUTUMN SENIOR LIVING]

THE PROPOSED DEVELOPMENT WILL HAVE 3 PARTS OR PHASES ALL ON ONE LOT OF RECORD.

- THE MIXED-USE COMMERCIAL AND RESIDENTIAL CONSISTS OF 9600 SF COMMERCIAL AREA ON THE LOWER FLOOR WITH 16 ONE BEDROOM APARTMENT UNITS ABOVE.
- THE ASSISTED LIVING FACILITY WILL INCLUDE 85 DWELLING UNITS IN A 2 AND 3 STORY BUILDING.
- THE SENIOR LIVING FACILITY WILL CONSIST OF 2 STORIES WITH A MIX OF ONE BEDROOM AND TWO BEDROOM UNITS FOR A TOTAL OF 52 UNITS.

PROPOSED DEVELOPMENT PLANS

OLD FORT PLAZA DEVELOPMENT REQUESTS A REZONE OF RS-15 TO A PLANNED UNIT DEVELOPMENT (PUD). THE DEVELOPMENT WILL CONSIST OF MIXED-USE COMMERCIAL AND RESIDENTIAL, ASSISTED LIVING, AND SENIOR LIVING. THE DEVELOPMENT WILL INCLUDE:

- MIXED-USE COMMERCIAL AND RESIDENTIAL WITH COMMERCIAL (LOWER LEVEL) AND RESIDENTIAL (UPPER LEVEL)
 - FOR THE COMMERCIAL AREA ON THE FIRST FLOOR OF THE MIXED-USE BUILDING, ALL USES ALLOWED IN THE CH ZONE WILL BE PERMITTED EXCEPT THOSE IN THE “LIST OF USES PROHIBITED”.
 - FOR THE RESIDENTIAL AREA ON THE SECOND FLOOR OF THE MIXED-USE BUILDING, THE RESIDENTIAL SPACE WILL BE 16 ONE BEDROOM APARTMENTS.
- ASSISTED LIVING WITHIN A 2 AND 3-STORY BUILDING CONTAINING 85 ONE BEDROOM UNITS.
- SENIOR LIVING WITH 2 STORIES AND A MIX OF 1-2 BEDROOM UNITS PER FLOOR.
 - THESE RESIDENTIAL UNITS ARE PLANNED AS INDEPENDENT SENIOR LIVING, WITH MARKETING TARGETED TO THE 55 PLUS AGE GROUP.
 - SERVICES SUCH AS CLEANING, MEALS, ETC. WILL BE MADE AVAILABLE TO RESIDENTS OF THE SENIOR LIVING FACILITY BY THE STAFF OF THE ASSISTED LIVING FACILITY, BUT THE DEVELOPMENT PLAN DOES NOT INCLUDE THE FULL LIST OF SERVICES TO QUALIFY AS A HOME FOR THE AGED UNDER CITY OF MURFREESBORO ZONING RULES. ALTHOUGH THE ASSISTED LIVING AND SENIOR LIVING BUILDINGS WILL HAVE OVERLAPPING SERVICES, THEY WILL NOT NECESSARILY HAVE THE SAME OWNERSHIP OR JOINT MANAGEMENT.
 - THE SENIOR LIVING BUILDING INCLUDES A COMMON AREA WITHIN THE BUILDING.

EACH OF THE BUILDINGS PLANNED TO BE A SEPARATE PHASE OF THE DEVELOPMENT, WITH EACH HAVING ITS OWN DEDICATED PARKING SPACES, ACCESS DRIVES, AND UTILITIES. THE INTENT IS THAT EACH BUILDING CAN OPERATE INDEPENDENTLY, REGARDLESS OF THE TYPE OF OWNERSHIP OR MANAGEMENT. TIMING OF THE PHASES WILL DEPEND ON THE TIMELINE FOR THE SITE PLAN APPROVAL PROCESS, THE DEVELOPMENT OF ARCHITECTURAL PLANS, AND MARKET DEMAND. AT THIS TIME THE PLAN WOULD BE FOR MIXED-USE COMMERCIAL, THEN SENIOR LIVING, THEN THE ASSISTED LIVING FACILITY.

THE PROPOSED DEVELOPMENT PLAN HAS TWO DEPARTURES FROM THE CITY STANDARD REQUIREMENTS. OTHER DEVELOPMENT STANDARDS FOR THIS SITE FOLLOW EITHER THE CH OR RM ZONING REQUIREMENTS.

FIRST, THE P.U.D. ZONING WILL ALLOW THE MIXED-USE OF RESIDENTIAL APARTMENTS ABOVE THE COMMERCIAL FIRST FLOOR. REZONING TO CH WOULD NOT ALLOW THE RESIDENTIAL USE. THE MIXED-USE RESIDENTIAL IS PLANNED TO BE SIMILAR TO THAT ALLOWED IN THE GATEWAY OVERLAY DISTRICT.

SECOND, THE P.U.D. ZONING WILL ALLOW A 12 FT SIDE SETBACK FROM THE WEST PROPERTY LINE AT THE SENIOR LIVING BUILDING. THE TYPICAL SIDE SETBACK FOR SIMILAR 2-STORY USES IN RM ZONING WOULD BE 20 FEET. A TYPE C LANDSCAPE BUFFER WILL BE USED ALONG THAT PROPERTY LINE, AND THE EXISTING MATURE TREELINE WILL REMAIN AS A VISUAL SCREEN.

LIST OF USES PROHIBITED

- AMUSEMENTS, COMMERCIAL INDOOR
- AMUSEMENTS, COMMERCIAL OUTDOOR (EXCLUDING MOTORIZED)
- AMUSEMENTS, COMMERCIAL OUTDOOR MOTORIZED (EXCLUDING CARNIVALS)
- AUTOMOTIVE REPAIR
- BOAT RENTALS, SALES, OR REPAIR
- CAMPGROUND, TRAVEL-TRAILER PARK
- CARNIVALS
- CREMETORY
- DRIVE-IN THEATER
- FIREWORKS PUBLIC DISPLAY
- FIREWORKS RETAILER
- FIREWORKS SEASONAL RETAILER
- FUNERAL HOME
- GARAGE, PARKING
- GARDEN AND LAWN SUPPLIES
- GAS-LIQUIFIED PETROLEUM, BOTTLED AND BULK
- GAS STATION
- GENERAL SERVICE AND REPAIR SHOP
- HEALTH CLUB
- IRON WORK
- JANITORIAL SERVICE
- LAWN, TREE, AND GARDEN SERVICES
- LIVESTOCK AUCTION
- LUMBER, BUILDING MATERIAL
- MANUFACTURED HOME SALES
- MOBILE HOME SALES
- MOTOR VEHICLE SALES
- MOTOR VEHICLE SERVICE
- PET CREMETORY
- PET FUNERAL HOME
- RADIO AND TELEVISION TRANSMISSION TOWER
- RAP PARLOR
- RESTAURANT, DRIVE-IN
- SALVAGE AND SURPLUS MERCHANDISE
- SHEET METAL SHOP
- TOWING
- VETERINARY HOSPITAL
- VEHICLE SALES
- VEHICLE WASH
- WAREHOUSING, TRANSPORTING
- WHOLESALING
- WRECKER SERVICE
- WRECKER SERVICE STORAGE

LIST OF USES PROHIBITED ARE USES DELETED FROM THE CH ZONING LIST IN THE MURFREESBORO ZONING REGULATIONS, CHART 1, USES PERMITTED BY ZONING DISTRICT.

AUTUMN SENIOR LIVING APARTMENTS PHASE 2
SENIOR LIVING
 SITE AREA = 2.42 ACRES
 1 BR UNITS = 28
 2 BR UNITS = 24
 52 TOTAL UNITS

PARKING REQUIREMENTS
 1 BR UNIT = 1.5 SPACES PER BR = 28 x 1.5 = 42
 2 BR UNIT = 1.1 SPACES PER BR = 24 x 2.2 = 53
 PROVIDED = 95 SPACES + 4 HC

SETBACKS
 FRONT: NA
 SIDE: 12' & 10' (W & E SIDES)
 REAR: 25'

THE WATERFORD IN MURFREESBORO PHASE 3
ASSISTED LIVING
 SITE AREA = 1.78 ACRES
 1 BR UNITS = 85

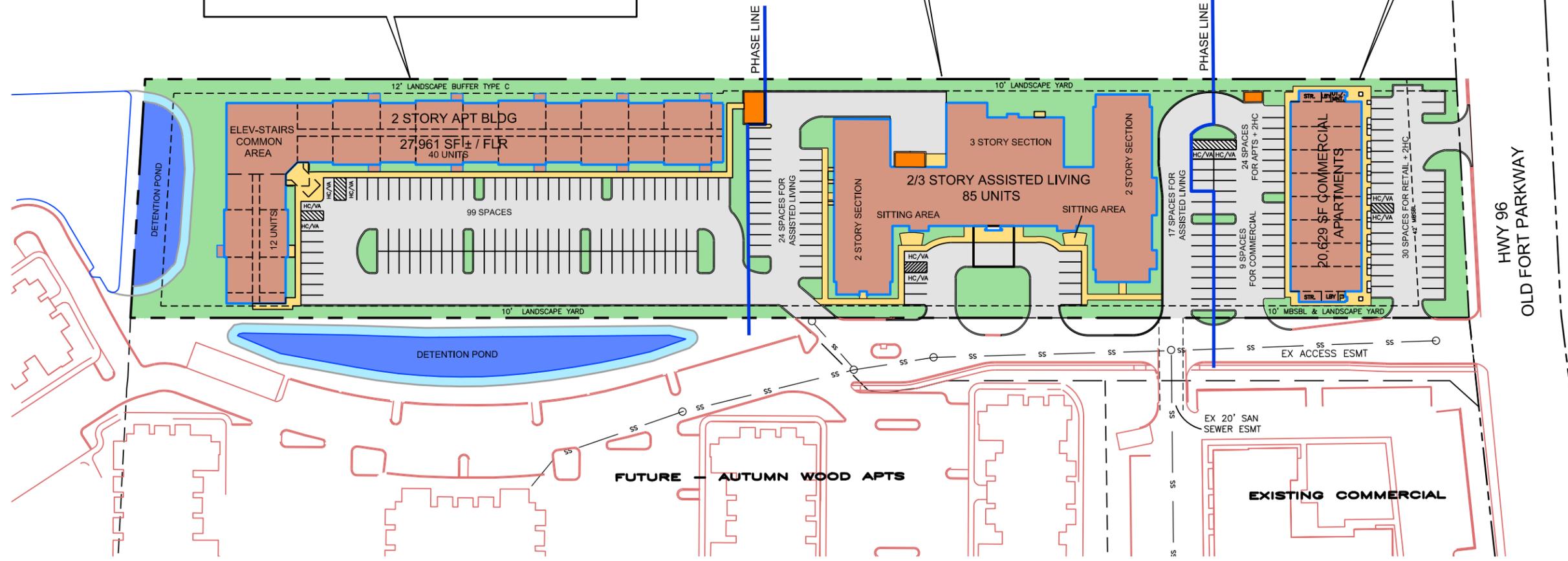
PARKING REQUIREMENTS
 1 SPACE PER 3 BEDS PLUS EMPLOYEES (12)
 = 28+12 = 40
 PROVIDED = 41 SPACES + 2 HC

SETBACKS
 FRONT: NA
 SIDE: 10'
 REAR: NA

AUTUMN PLAZA RETAIL & APARTMENTS PHASE 1
MIXED-USED COMMERCIAL / RESIDENTIAL
 9,600 SF COMMERCIAL
 SITE AREA = 0.97 ACRES
 1 BR UNITS = 16

PARKING REQUIREMENTS
 COMMERCIAL 1 SPACE PER 250 SF = 38
 RESIDENTIAL 1.5 SPACES PER 1BR UNIT=24
 PROVIDED = 63 SPACES + 4 HC

SETBACKS
 FRONT: 42'
 SIDE: 10'
 REAR: NA



TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: OLD FORT GROUP

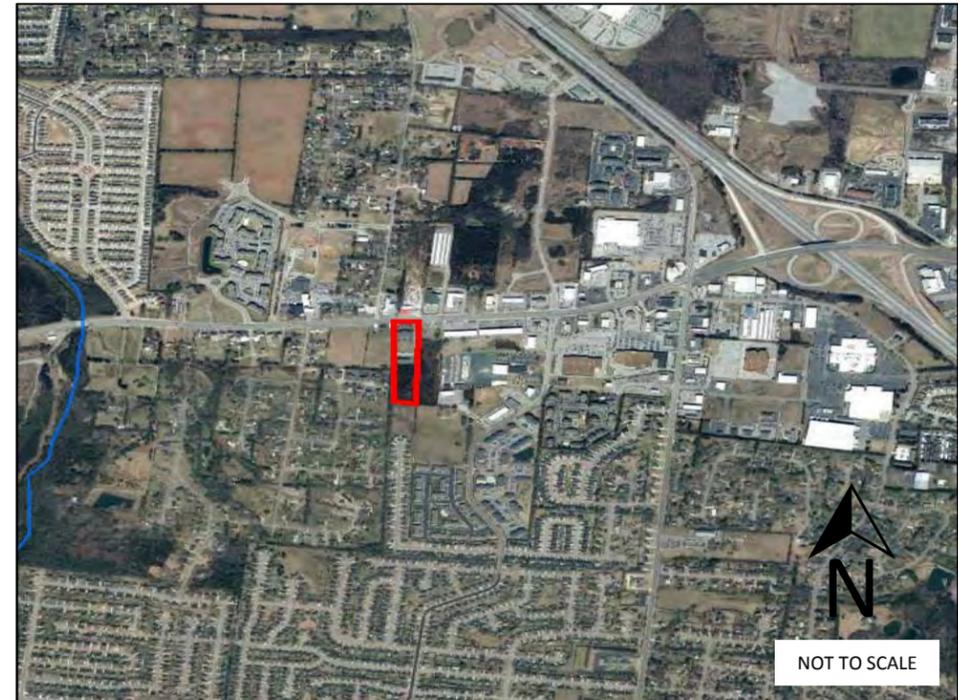
- BUILDING PAD
- OPEN SPACE
- DRIVEWAY/PARKING AREA
- SIDEWALK
- DUMPSTER LOCATION



NOTE:
 PHASE LINES MAY CHANGE DURING
 SITE PLAN PHASE



**AERIAL VIEW OF THE SITE:
SHOWING COMMERCIAL DEVELOPMENTS ALONG SR-96 AND RESIDENTIAL
AREA TO THE SOUTHWEST**

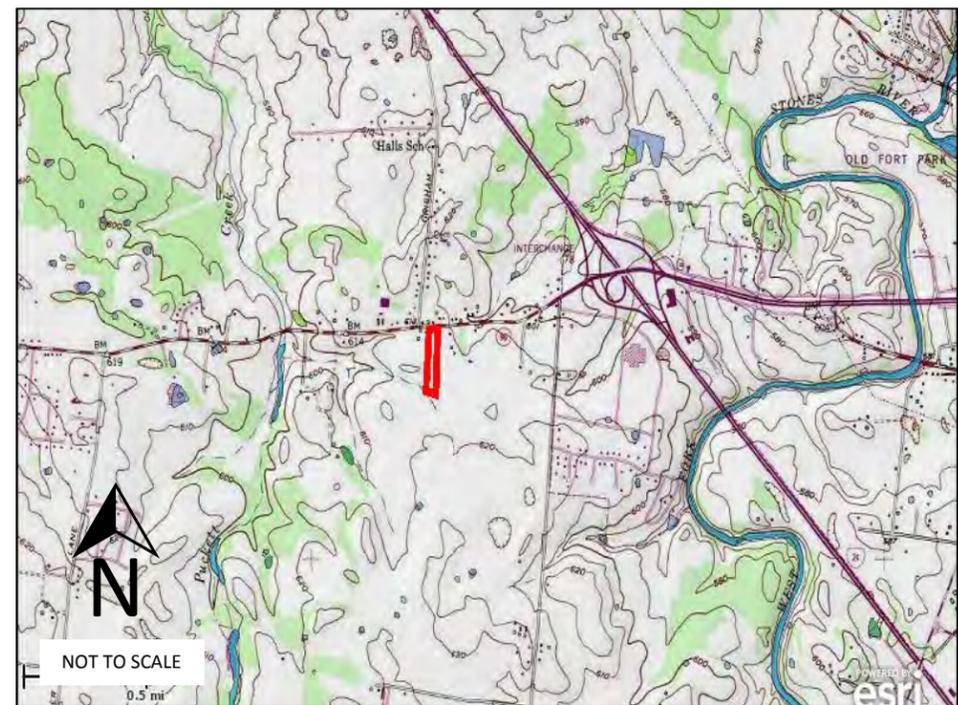


**SURROUNDING AREA:
SHOWING EXISTING DEVELOPMENT AND ROADWAY PATTERNS,
INCLUDING I-24**



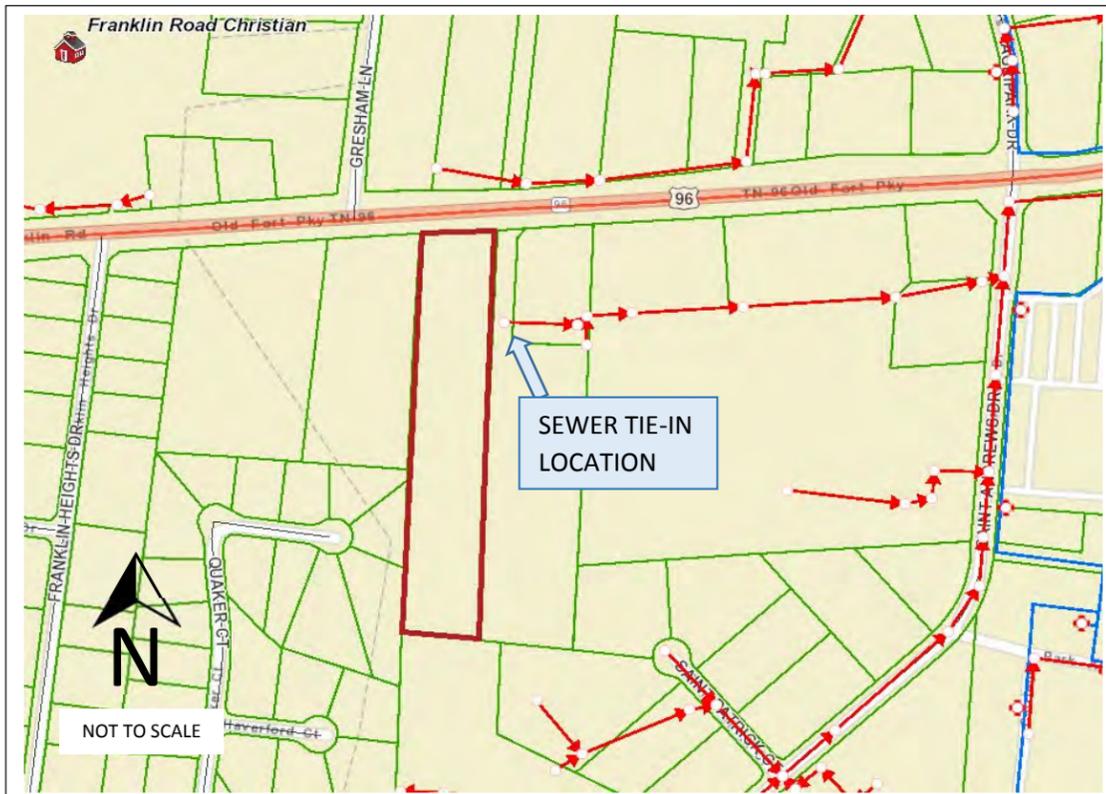
**EXISTING ZONING:
CH ALONG SR-96 TO THE EAST, WEST, AND NORTH,
RM TO THE EAST AND SOUTH, AND COUNTY RESIDENTIAL TO THE SW**

Source: Murfreesboro GIS (top left & bottom left)



**SITE LOCATION RELATIVE TO STREAMS AND RIVERS:
(NO ON-SITE STREAMS)**

Source: TDEC GIS (top right),
U.S. Fish and Wildlife Services (bottom right)



Source: Murfreesboro GIS (top & bottom)



CITY OF MURFREESBORO

THE PROPERTY HAS ACCESS TO PUBLIC RIGHT-OF-WAY ALONG OLD FORT PARKWAY (SR-96). THE DEVELOPMENT WILL CONNECT TO OLD FORT PARKWAY (SR-96) AS ITS SOLE MEANS OF INGRESS AND EGRESS. SINCE OLD FORT PARKWAY (SR-96) HAS ALREADY BEEN WIDENED TO 5 LANES WITH SHOULDERS, CURB AND GUTTER, AND SOME SIDEWALK, THERE ARE NO FURTHER IMPROVEMENTS ON THE MAJOR THOROUGHFARE PLAN MAP. THE SITE WILL HAVE ONE ACCESS DIRECTLY FROM THE PROPERTY ONTO SR-96. THE OTHER ACCESS WILL BE FROM A JOINT ACCESS EASEMENT ALONG THE EAST SIDE OF THE PROPERTY.



MURFREESBORO WATER AND SEWER DEPARTMENT

SANITARY SEWER SERVICE WILL BE BY MURFREESBORO WATER AND SEWER DEPARTMENT (MWSD). THERE IS AN EXISTING SEWER MANHOLE JUST TO THE EAST OF THE PROPERTY, AND THE DEVELOPERS HAVE OBTAINED AN EASEMENT FOR THAT MANHOLE. SEWER MAINS WILL BE WITHIN PUBLIC EASEMENTS, AND MWSD WILL REQUIRE A SEWER MAIN EXTENSION TO THE ADJOINING PROPERTY TO THE WEST.



MURFREESBORO ELECTRIC DEPARTMENT

ELECTRICAL SERVICE WILL BE BY MURFREESBORO ELECTRIC DEPARTMENT (MED). THE NEW ELECTRICAL SERVICE WILL BE RUN FROM THE OVERHEAD POWERLINES ON THE SOUTH SIDE OF AND PARALLEL TO OLD FORT PARKWAY.



CONSOLIDATED UTILITY DISTRICT

WATER SERVICE WILL BE BY CONSOLIDATED UTILITY DISTRICT (C.U.D.). THE DEVELOPER WILL BE RESPONSIBLE FOR THE WATERLINE INSTALLATION, BOTH DOMESTIC AND FIRE SERVICE. THE EXISTING WATER MAIN IS ALONG OLD FORT PARKWAY.



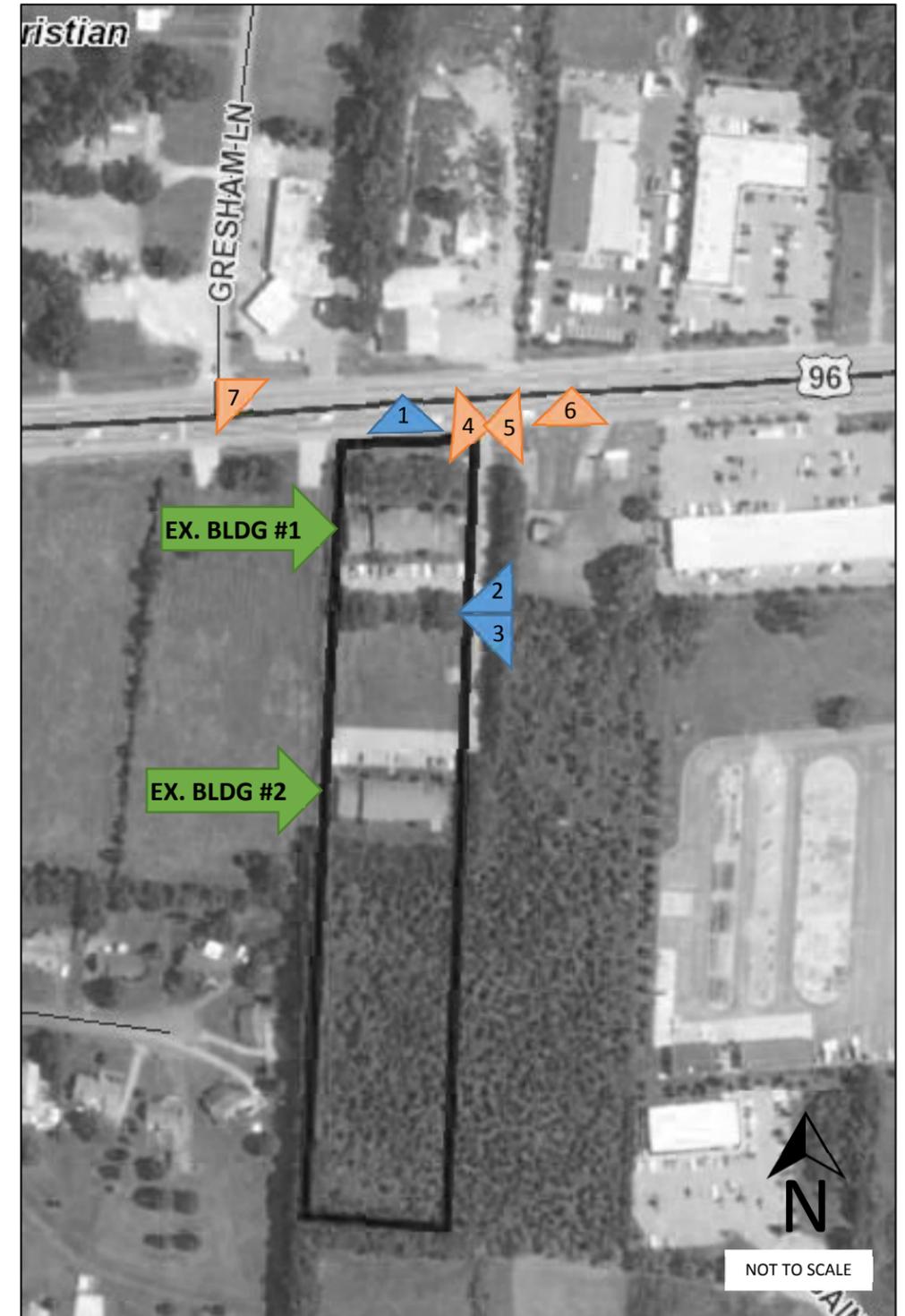
IMAGE 1
 EXISTING FRONT OF TOWN AND COUNTRY
 APARTMENTS FROM SR-96
 (EX. BLDG #1)



IMAGE 2
 EXISTING REAR AND SIDE OF EXISTING APARTMENTS
 (EX. BLDG #1)



IMAGE 3
 EXISTING REAR TOWN AND COUNTRY APARTMENTS
 (EX. BLDG #2)



■ SITE PHOTOS 1, 2, 3

EXISTING SITE CONDITIONS



IMAGE 4

VIEW TO WEST OF SR-96 FROM EXISTING APARTMENT DRIVEWAY ENTRANCE



IMAGE 5

VIEW TO EAST OF SR-96 FROM EXISTING APARTMENT DRIVEWAY ENTRANCE



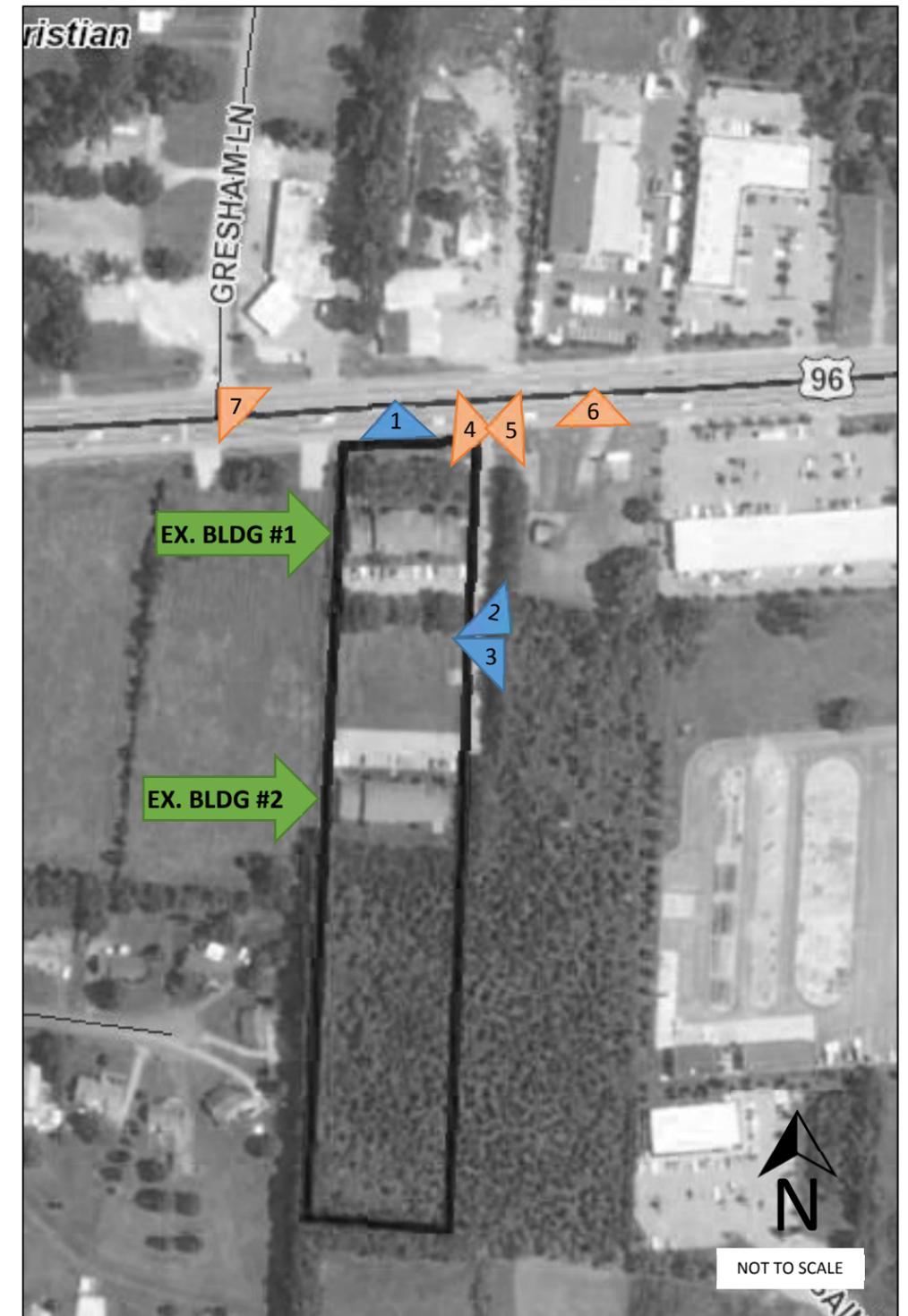
IMAGE 6

VIEW OF ADJACENT AUTUMN WOODS PLAZA



IMAGE 7

VIEW OF EXISTING VACANT PROPERTY TO THE WEST, INCLUDING TRAFFIC SIGNALS AT GRESHAM LANE



OFF-SITE PHOTOS 4, 5, 6, 7

ADJACENT SITE PHOTOS

DEVELOPMENT STANDARDS

- SETBACKS:
 - MIXED USE COMMERCIAL AND RESIDENTIAL: THESE SETBACKS ARE SIMILAR TO THE ADJACENT CH ZONING REQUIREMENTS.
 - FRONT = 42 FEET FROM R.O.W OF SR-96
 - SIDE = 10 FEET FROM ADJACENT PROPERTY LINES (EAST AND WEST)
 - REAR = NA
 - ASSISTED LIVING: THESE SETBACKS ARE SIMILAR TO THE ADJACENT CH ZONING REQUIREMENTS.
 - SIDE = 10 FEET FROM ADJACENT PROPERTY LINE ON THE EAST SIDE ALONG THE AUTUMN WOODS PROPERTY
 - SENIOR LIVING: THESE SETBACKS ARE REDUCED FROM THE TYPICAL RM-16 ZONING REQUIREMENTS (20' SIDE). A LANDSCAPE BUFFER TYPE-C IS PROPOSED ALONG THE WEST PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY SUBDIVISION, AND THE EXISTING MATURE TREELINE WILL REMAIN AS A VISUAL SCREEN.
 - SIDE = 10 FEET FROM ADJACENT PROPERTY LINES ON THE EAST SIDE ALONG THE AUTUMN WOOD PROPERTY
 - SIDE = 12 FEET FROM ADJACENT PROPERTY LINE ON THE WEST SIDE ALONG THE EXISTING SUBDIVISION TO ALLOW FOR A TYPE-C LANDSCAPE BUFFER
 - REAR = 25 FEET

- PARKING: EACH BUILDING IS PLANNED TO COMPLY WITH CITY PARKING REQUIREMENTS BASED ON ITS USE: (SEE SITE PLAN SHEETS FOR ADDITIONAL DETAIL.)

THE PROJECT WILL COMPLY WITH OTHER CITY OF MURFREESBORO ZONING & DEVELOPMENT STANDARDS. PLANS FOR OTHER ASPECTS OF DEVELOPMENT WITH BE SUBMITTED DURING THE SITE PLAN AND BUILDING PERMIT APPROVAL PROCESS, SUCH AS

- SIGNS: EACH PHASE WILL INCLUDE AN ENTRANCE SIGN, AND AN OVERALL SIGN AT OLD FORT PARKWAY. ALL SIGNS WILL BE SUBJECT TO THE SIGN REGULATIONS FOR PUD ZONING, INCLUDING THE REQUIREMENT FOR A MASONRY BASE.
- STORMWATER: THE PROJECT WILL COMPLY WITH STORMWATER REQUIREMENTS THROUGH DETENTION AND THE USE OF PERMEABLE PAVERS. BASED ON INITIAL DISCUSSION WITH THE CITY ENGINEERING STAFF AND THE ADJACENT DEVELOPERS OF AUTUMN WOOD APARTMENTS, A JOINT DETENTION AREA IS PROPOSED AT THE REAR OF THE SITE. PERMEABLE PAVERS ARE PLANNED FOR SOME OF THE PARKING AREAS TO MEET THE STORMWATER REQUIREMENTS.
- LANDSCAPING: THE PROJECT WILL COMPLY WITH LANDSCAPING AND BUFFER REQUIREMENTS. WITH THE FOLOWING EXCEPTIONS: THERE WILL BE SEVERAL ENCROACHMENTS INTO THE 10-FEET SIDE PLANTING YARDS. IN ADDITION, REQUIRED FOUNDATION PLANTINGS FOR THE RETAIL BUILDINGS WILL BE LOCATED IN THE SIDE PLANTING YARD. THE EXISTING MATURE TREES ALONG THE PROPERTY LINES ARE TO REMAIN, AND WILL BE SUBMITTED FOR TREE CREDITS.
- LIGHTING: THE PROJECT WILL COMPLY WITH LIGHTING REQUIREMENTS.

AUTUMN PLAZA COMMERCIAL & APARTMENTS PHASE 1
MIXED-USED COMMERCIAL / RESIDENTIAL
 9,600 SF COMMERCIAL
 SITE AREA = 0.97 ACRES
 1 BR UNITS = 16

PARKING REQUIREMENTS
 COMMERCIAL 1 SPACE PER 250 SF = 38
 RESIDENTIAL 1.5 SPACES PER 1BR UNIT=24
 PROVIDED = 63 SPACES + 4 HC

SETBACKS
 FRONT: 42'
 SIDE: 10'
 REAR: NA

AUTUMN PLAZA MIXED-USE

DEVELOPMENT AT THE FRONT OF SITE AT 2915 OLD FORT PARKWAY WILL INCLUDE A MIXED-USE COMMERCIAL AND RESIDENTIAL BUILDING WITH COMMERCIAL SPACE ON THE LOWER LEVEL AND RESIDENTIAL ON THE UPPER LEVEL.

- FOR THE COMMERCIAL AREA ON THE FIRST FLOOR OF THE MIXED-USE BUILDING, ALL USES ALLOWED IN THE CH ZONE WILL BE PERMITTED, EXCEPT FOR THOSE LISTED ON PAGE 3. ALLOWED USES ARE SIMILAR TO THE USES IN OTHER COMMERCIAL CENTERS NEARBY ALONG OLD FORT PARKWAY
- FOR THE RESIDENTIAL AREA ON THE SECOND FLOOR OF THE MIXED-USE BUILDING, THE RESIDENTIAL SPACE WILL BE 1 BEDROOM APARTMENTS.

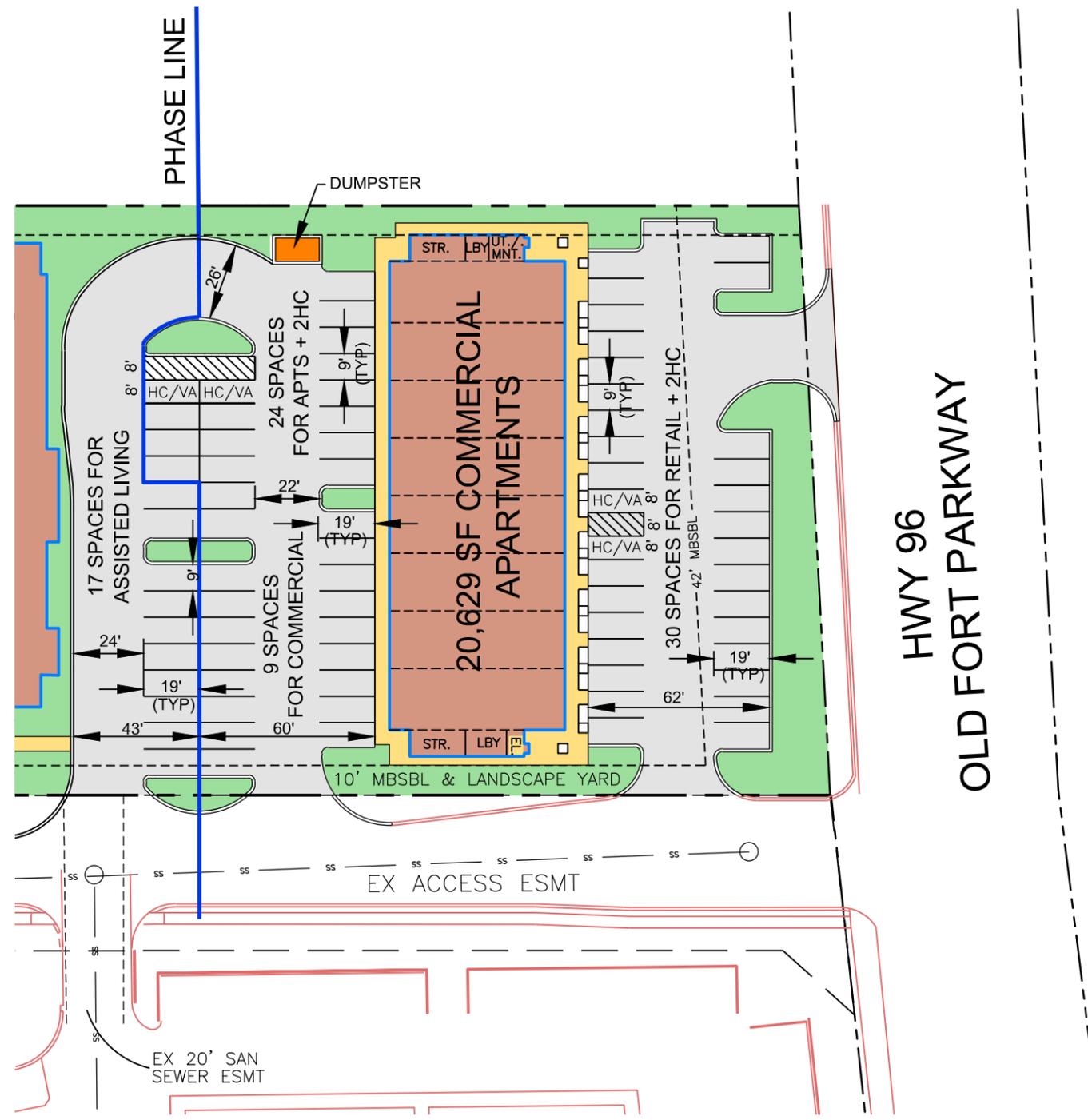
THE MIXED-USE SITE WILL HAVE ACCESS FROM THE JOINT ACCESS EASEMENT ON THE EAST SIDE OF THE PROPERTY, AS WELL AS AN ENTRANCE DIRECTLY ON OLD FORT PARKWAY.

SETBACKS: MIXED-USE COMMERCIAL AND RESIDENTIAL: THESE SETBACKS ARE SIMILAR TO THE ADJACENT CH ZONING REQUIREMENTS.

- FRONT = 42 FEET FROM R.O.W OF SR-96
- SIDE = 10 FEET FROM ADJACENT PROPERTY LINES (EAST AND WEST)
- REAR = NA

PARKING: EACH BUILDING IS PLANNED TO COMPLY WITH CITY PARKING REQUIREMENTS BASED ON ITS USE. FOR THE MIXED-USE BUILDING, THE FRONT PARKING, AND A PART OF THE REAR PARKING, ARE ASSIGNED TO THE COMMERCIAL USES. PARKING FOR THE APARTMENTS WILL BE AT THE REAR OF THE BUILDING, WITH DRIVEWAY ACCESS FROM THE JOINT ACCESS EASEMENT. CONSTRUCTION OF THE PARKING AREA IS PLANNED WITH PERMEABLE PAVERS. WASTE MANAGEMENT WILL BE HANDLED AT A DUMPSTER LOCATION AT THE REAR OF THE BUILDING. A MASONRY ENCLOSURE WILL BE PROVIDED FOR THE DUMPSTER AREAS.

THE LANDSCAPING NORMALLY PROVIDED AT THE BASE OF THE BUILDING ALONG THE SIDES OF THE COMMERCIAL BUILDING WILL BE PROVIDED IN THE ADJACENT LANDSCAPE YARDS. THE PROJECT WILL COMPLY WITH OTHER CITY OF MURFREESBORO DEVELOPMENT STANDARDS. PLANS FOR OTHER ASPECTS OF DEVELOPMENT WILL BE SUBMITTED DURING THE SITE PLAN AND BUILDING PERMIT APPROVAL PROCESS, SUCH AS SIGNS, STORMWATER, LANDSCAPING, AND LIGHTING.

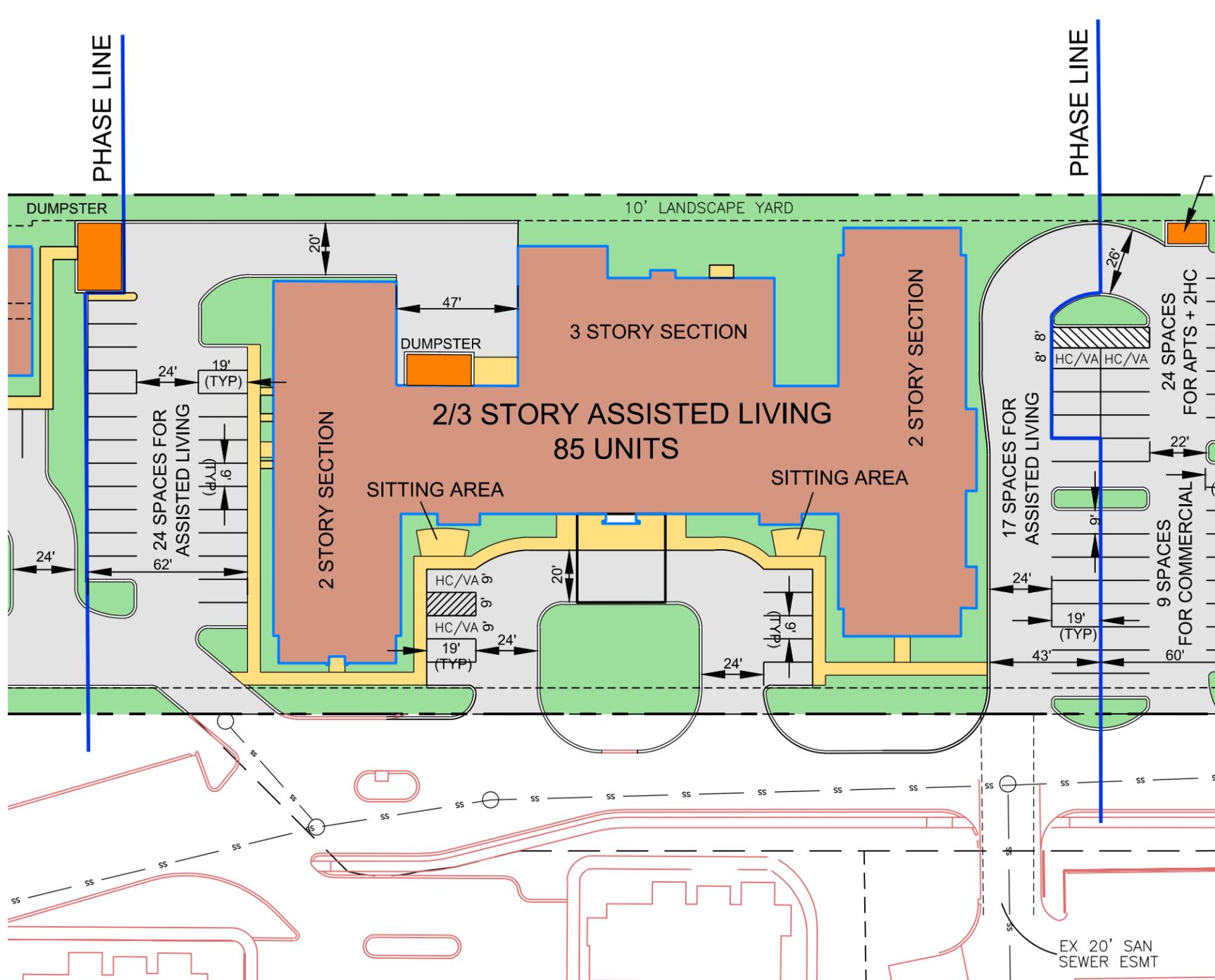


HWY 96
OLD FORT PARKWAY

- BUILDING PAD
- OPEN SPACE
- DRIVEWAY/PARKING AREA
- SIDEWALK
- DUMPSTER LOCATION

TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: OLD FORT GROUP

AUTUMN PLAZA COMMERCIAL & APARTMENTS
MIXED-USE COMMERCIAL & RESIDENTIAL



THE WATERFORD IN MURFREESBORO PHASE 2
ASSISTED LIVING
 SITE AREA = 1.78 ACRES
 1 BR UNITS = 85

PARKING REQUIREMENTS
 1 SPACE PER 3 BEDS PLUS EMPLOYEES (12)
 = 28+12 = 40
 PROVIDED = 41 SPACES + 2 HC

SETBACKS
 FRONT: NA
 SIDE: 10'
 REAR: NA

THE WATERFORD AT MURFREESBORO ASSISTED LIVING:

DEVELOPMENT AT THE MIDDLE OF THE SITE AT 2915 OLD FORT PARKWAY WILL INCLUDE AN ASSISTED LIVING FACILITY WITHIN A 2 AND 3-STORY BUILDING CONTAINING 85 ONE BEDROOM UNITS.

THE ASSISTED LIVING WILL HAVE ACCESS FROM THE JOINT ACCESS EASEMENT ON THE EAST SIDE OF THE PROPERTY. THE MAIN DRIVE TO THE FRONT DOORS INCLUDES A PASSENGER UNLOADING AREA, VAN ACCESSIBLE PARKING SPACES, AND SEVERAL PARKING SPACES FOR VISITORS AND FUTURE RESIDENTS. RESIDENT AND EMPLOYEE PARKING WILL BE IN SPACES PROVIDED TO THE NORTH AND SOUTH OF THE BUILDING. CONSTRUCTION OF THE PARKING AREAS IS PLANNED WITH A MIX OF PERMEABLE PAVERS, ASPHALT PAVEMENT, AND CONCRETE PAVEMENT. TRUCK UNLOADING AND WASTE MANAGEMENT WILL BE AT THE REAR OF THE BUILDING, WITH ACCESS BY A DRIVEWAY ON THE SOUTH SIDE. A MASONRY ENCLOSURE WILL BE PROVIDED FOR THE DUMPSTER AREAS.

SETBACKS: ASSISTED LIVING: THESE SETBACKS ARE SIMILAR TO THE ADJACENT CH ZONING REQUIREMENTS.

- SIDE = 10 FEET FROM ADJACENT PROPERTY LINE ON THE EAST AND WEST SIDES

THE PROJECT WILL COMPLY WITH OTHER CITY OF MURFREESBORO DEVELOPMENT STANDARDS. PLANS FOR OTHER ASPECTS OF DEVELOPMENT WILL BE SUBMITTED DURING THE SITE PLAN AND BUILDING PERMIT APPROVAL PROCESS, SUCH AS SIGNS, STORMWATER, LANDSCAPING, AND LIGHTING.

TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: OLD FORT GROUP



SCALE: 1"=50'

AUTUMN SENIOR LIVING APARTMENTS PHASE2

SENIOR LIVING

SITE AREA = 2.42 ACRES

1 BR UNITS = 28

2 BR UNITS = 24

52 TOTAL UNITS

PARKING REQUIREMENTS

1 BR UNIT = 1.5 SPACES PER BR = 28 x 1.5 = 42

2 BR UNIT = 1.1 SPACES PER BR = 24 x 2.2 = 53

PROVIDED = 95 SPACES + 4 HC

SETBACKS

FRONT: NA

SIDE: 12' & 10' (W & E SIDES)

REAR: 25'

SENIOR LIVING:

DEVELOPMENT AT THE REAR OF THE SITE AT 2915 OLD FORT PARKWAY WILL INCLUDE A SENIOR LIVING FACILITY WITH 2 STORIES AND A MIX OF 1-2 BEDROOM UNITS PER FLOOR.

- THESE RESIDENTIAL UNITS WILL BE CONSTRUCTED AND OPERATED AS INDEPENDENT SENIOR LIVING, WITH MARKETING TARGETED TO THE 55 PLUS AGE GROUP.
- SERVICES SUCH AS CLEANING, MEALS, ETC. WILL BE AVAILABLE TO RESIDENTS OF THE SENIOR LIVING FACILITY BY THE STAFF OF THE ASSISTED LIVING FACILITY, BUT THE DEVELOPMENT PLAN DOES NOT INCLUDE THE FULL LIST OF SERVICES TO QUALIFY AS A HOME FOR THE AGED UNDER CITY OF MURFREESBORO ZONING RULES. ALTHOUGH THE ASSISTED LIVING AND SENIOR LIVING BUILDINGS WILL HAVE OVERLAPPING SERVICES, THEY WILL NOT NECESSARILY HAVE THE SAME OWNERSHIP OR JOINT MANAGEMENT.
- THE SENIOR LIVING BUILDING INCLUDES A COMMON AREA WITHIN THE BUILDING.

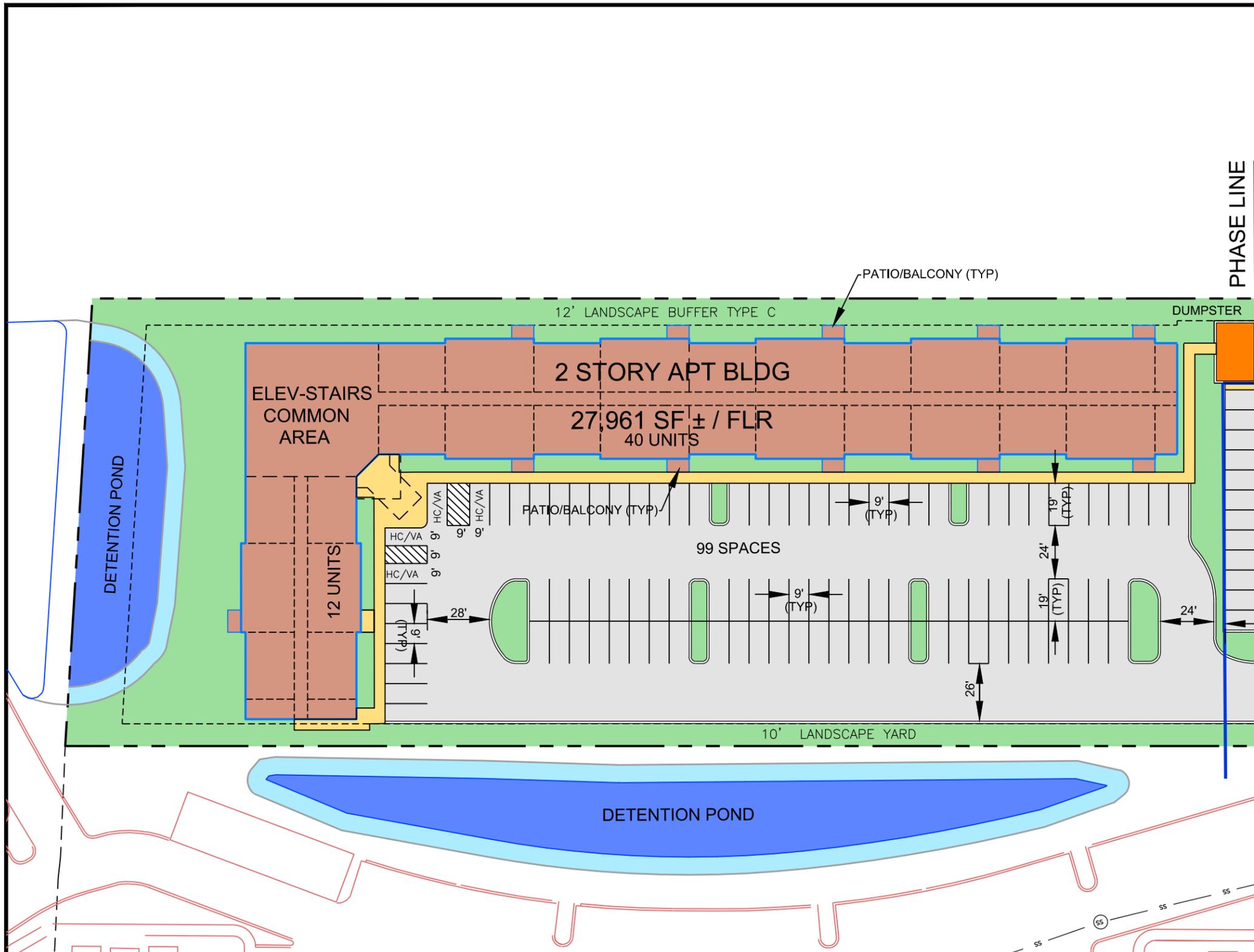
THE SENIOR LIVING FACILITY WILL HAVE ACCESS FROM THE JOINT ACCESS EASEMENT ON THE EAST SIDE OF THE PROPERTY. THE MAIN ENTRANCE DRIVE LOOPS THROUGH THE FRONT PARKING AREA. WASTE MANAGEMENT WILL BE AT THE NORTH END OF THE BUILDING. A MASONRY ENCLOSURE WILL BE PROVIDED FOR THE DUMPSTER AREAS.

SETBACKS: SENIOR LIVING: THESE SETBACKS ARE REDUCED FROM THE TYPICAL RM-16 ZONING REQUIREMENTS OF A 20' SIDE SETBACK. A LANDSCAPE BUFFER TYPE-C IS PROPOSED ALONG THE PROPERTY LINE, AND THE INTENT IS TO MAINTAIN THE EXISTING MATURE TREES ALONG THAT PROPERTY LINE WITH THE RESIDENTIAL SUBDIVISION.

- SIDE = 10 FEET FROM ADJACENT PROPERTY LINES ON THE EAST SIDE ALONG THE AUTUMN WOODS PROPERTY
- SIDE = 12 FEET FROM ADJACENT PROPERTY LINE ON THE WEST SIDE ALONG THE EXISTING SUBDIVISION TO ALLOW FOR A TYPE-C LANDSCAPE BUFFER
- REAR = 25 FEET

CONSTRUCTION OF THE PARKING AREAS IS PLANNED WITH A MIX OF PERMEABLE PAVERS, ASPHALT PAVEMENT, AND CONCRETE PAVEMENT.

THE PROJECT WILL COMPLY WITH OTHER CITY OF MURFREESBORO DEVELOPMENT STANDARDS. PLANS FOR OTHER ASPECTS OF DEVELOPMENT WILL BE SUBMITTED DURING THE SITE PLAN AND BUILDING PERMIT APPROVAL PROCESS, SUCH AS SIGNS, STORMWATER, LANDSCAPING, AND LIGHTING.

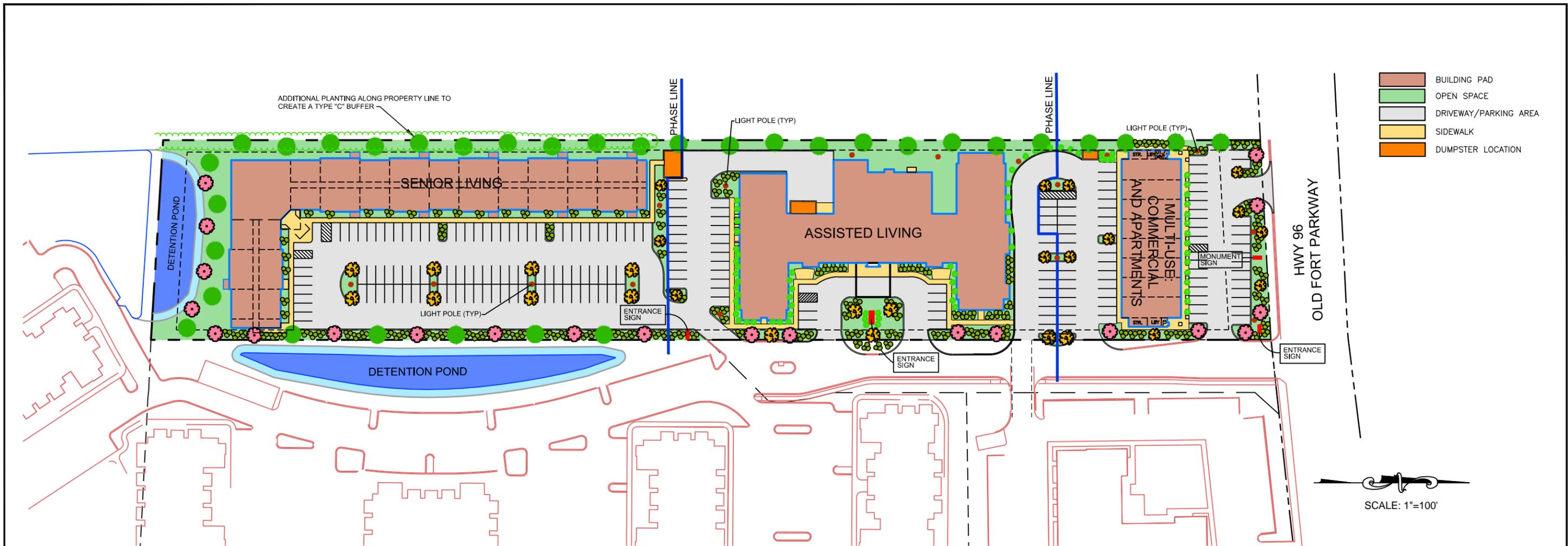


TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: OLD FORT GROUP

- BUILDING PAD
- OPEN SPACE
- DRIVEWAY/PARKING AREA
- SIDEWALK
- DUMPSTER LOCATION

SCALE: 1"=50'

**AUTUMN SENIOR LIVING APARTMENTS
 SENIOR LIVING FACILITY**



LIGHTING NOTES:
 STREET LIGHTS WILL BE PROVIDED FOR EXTERIOR SPACES. THE EXACT TYPE AND LOCATION WILL BE SUBMITTED WITH THE LIGHTING PLAN DURING THE SITE PLAN REVIEW PROCESS, BUT ARE EXPECTED TO BE SIMILAR TO THIS EXAMPLE FROM THE ADJACENT AUTUMN WOODS APARTMENTS.

BUILDING LIGHTING TO INCLUDE UPLIGHTING ON FRONT AND SIDES, AND SAFETY/SECURITY LIGHTING IN THE REAR.

BUILDING MOUNTED LIGHTING WILL ALSO BE PROVIDED, AND LANDSCAPE LIGHTING MAY BE USED.

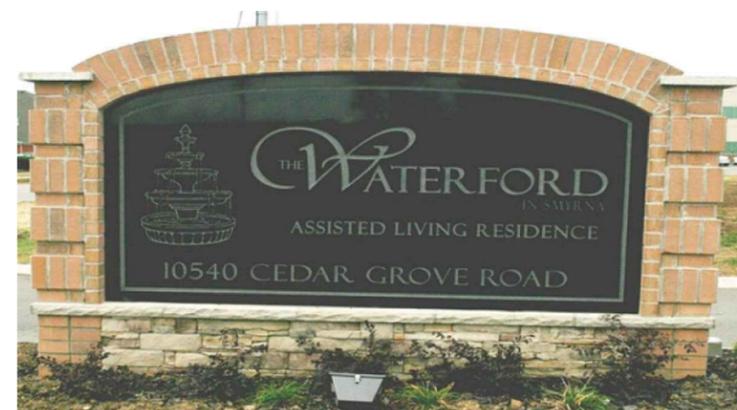
LANDSCAPE NOTES:
 LANDSCAPING AS SHOWN IS CONCEPTUAL. A FINAL LANDSCAPE PLAN WILL BE SUBMITTED DURING THE SITE PLAN APPROVAL PROCESS.
 LANDSCAPING WILL BE SUBJECT TO REVIEW FOR ENCROACHMENT INTO TRAFFIC SIGHT DISTANCE TRIANGLES.

SIGN NOTES:
 ALL SIGNAGE WILL COMPLY WITH THE CITY OF MURFREESBORO SIGN ORDINANCE.
 ENTRANCE SIGNS WILL HAVE UP LIGHTING.
 SIGN FOR COMMERCIAL TENANTS TO INCLUDE INTERNAL LIGHTING OF THE LETTERS AND BE MAX 16FT TALL.
 ALL SIGNS MUST HAVE A MASONRY BASE, 3FT TO 4FT TALL.
 SIGNS TO BE A MAX OF 100 SF.

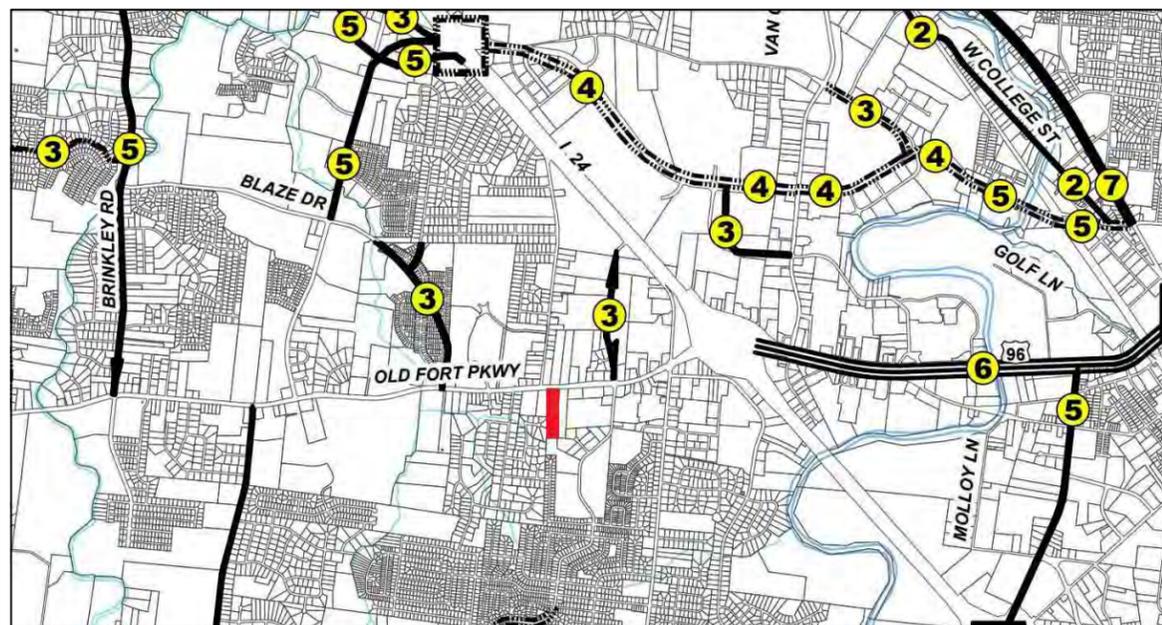
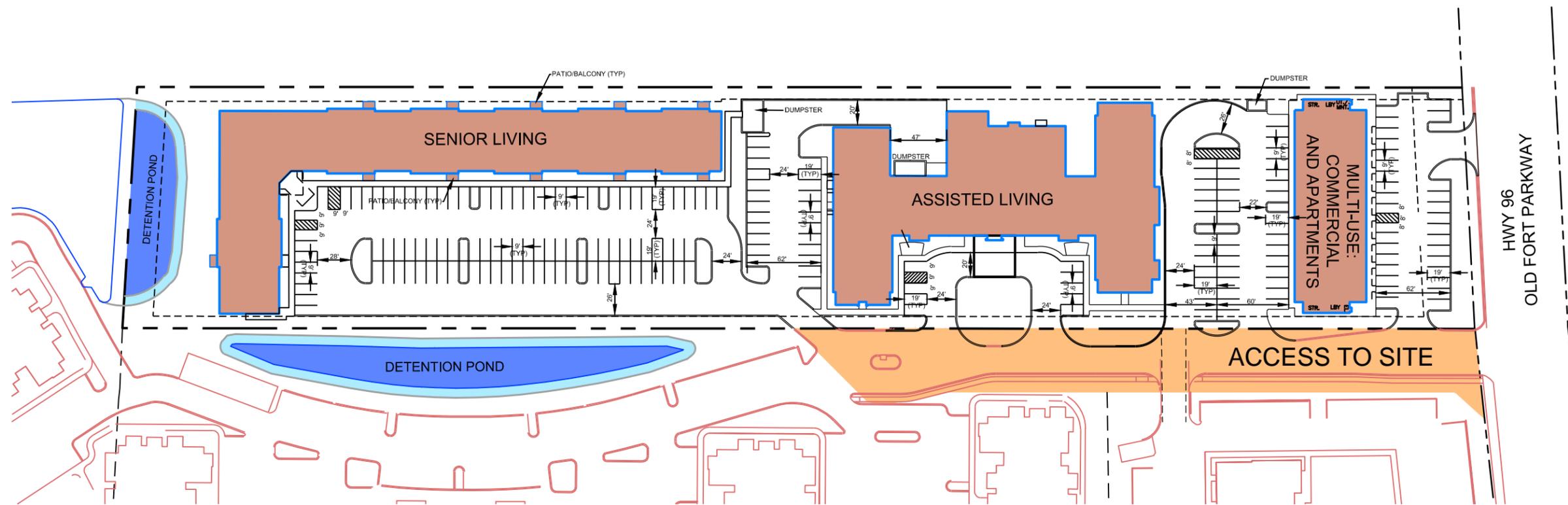
TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: OLD FORT GROUP



TYPICAL STREET LIGHTS



EXAMPLE OF ENTRANCE SIGN



MAJOR THOROUGHFARE PLAN

THE MAIN ENTRANCE TO THE 2915 OLD FORT PARKWAY DEVELOPMENT IS FROM OLD FORT PARKWAY AT AN EXISTING JOINT ACCESS EASEMENT. THE EASEMENT RUNS ALONG THE EAST SIDE OF THE PROPERTY, AND EACH BUILDING WILL HAVE ACCESS FROM THE EASEMENT. THE ACCESS EASEMENT WILL ALSO BE USED FOR AN ENTRANCE TO THE AUTUMN WOOD APARTMENT SITE, AND FOR A REAR ENTRANCE DRIVE TO THE ADJACENT COMMERCIAL SITE. THE DEVELOPMENT WILL HAVE ENTRANCE SIGNS TO EACH BUILDING FOR WAYFINDING AND DEFINING EACH AREA'S PARKING. THE ENTRANCE SIGNS LOCATIONS WILL INCLUDE LANDSCAPING TO ADD TO THE WELCOMING EXPERIENCE.

THE AUTUMN PLAZA COMMERCIAL CENTER WILL ALSO HAVE AN ENTRANCE DIRECTLY ON OLD FORT PARKWAY PROVIDING ACCESS TO THE FRONT PARKING AREA.

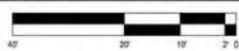
IN THE 2025 MURFREESBORO MAJOR THOROUGHFARE PLAN, THERE ARE NO UPGRADES SHOWN ALONG OLD FORT PARKWAY (SR-96). SR-96 IS CURRENTLY A 5-LANE ARTERIAL ROAD. TO THE EAST OF THE PROPOSED DEVELOPMENT, SR-96 HAS 5-LANES WITH SHOULDERS, CURB AND GUTTER, AND SIDEWALK WITH GRASS STRIP. TO THE WEST OF THE PROPOSED DEVELOPMENT, THERE ARE 5-LANES WITH SHOULDER, AND CURB AND GUTTER.



OLD FORT SENIOR LIVING APARTMENT BUILDING EAST ELEVATION



OLD FORT SENIOR LIVING APARTMENT BUILDING SOUTH ELEVATION



OLD FORT SENIOR LIVING APARTMENT BUILDING NORTH ELEVATION



OLD FORT SENIOR LIVING APARTMENT BUILDING WEST ELEVATION



MATERIAL LEGEND	
SYNTHETIC TRIM	
PRECAST LINTEL	
RUNNING-BOND BRICK	
SPLIT-FACE C.M.U.	
VINYL WINDOW	
P.T.A.C. AIR CONDITIONER	
ALUMINUM STOREFRONT	
WOOD SCREEN FENCE	

No.	Revision	Date
1 <td>PLANNING SUBMITTAL <td>7-27-16 </td></td>	PLANNING SUBMITTAL <td>7-27-16 </td>	7-27-16
2 <td>PLANNING REVISIONS <td>9-14-16 </td></td>	PLANNING REVISIONS <td>9-14-16 </td>	9-14-16

A Development of
Old Fort Group
 10540 Cedar Grove Rd., Smyrna, TN 37167

DOOLEY ASSOCIATES
 6319 PERCY DRIVE, NASHVILLE, TN 37205
 (615) 875-2137
 ALAN@DA-ARCC.COM

SHEET NO:
SL1
 OF:



No.	Revision	Date

No.	Revision	Date

No.	Revision	Date
1	PLANNING SUBMITTAL	8-28-16
2	PLANNING REVISIONS	9-14-16

A Development of
Old Fort Group
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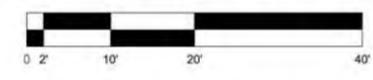
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SHEET NO:
R1
 OF:

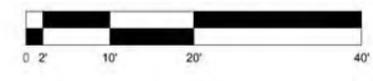


AUTUMN PLAZA RETAIL / APARTMENT BUILDING NORTH ELEVATION

- SYNTHETIC TRIM,
- PRECAST LINTEL
- RUNNING-BOND BRICK
- VINYL WINDOWS
- STEEL ROOF W/
- DECORATIVE LIGHT
- ALUMINUM STOREFRONT
- SLOPED BRICK
- SPLIT-FACE C.M.U.

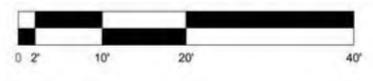


AUTUMN PLAZA EAST ELEVATION



AUTUMN PLAZA WEST ELEVATION

- SYNTHETIC TRIM
- PRECAST LINTEL
- RUNNING-BOND BRICK
- VINYL WINDOWS
- STEEL BALCONY
- DECORATIVE LIGHT
- ALUMINUM STOREFRONT
- WOOD SCREEN FENCE
- SLOPED BRICK
- SPLIT-FACE C.M.U.

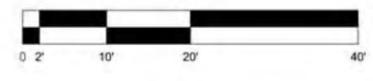


MATERIAL LEGEND	
SYNTHETIC TRIM	
PRECAST LINTEL	
STEEL ROOF	
RUNNING-BOND BRICK	
SPLIT-FACE C.M.U.	
VINYL WINDOW	
P.T.A.C. AIR CONDITIONER	
ALUMINUM STOREFRONT	
WOOD SCREEN FENCE	



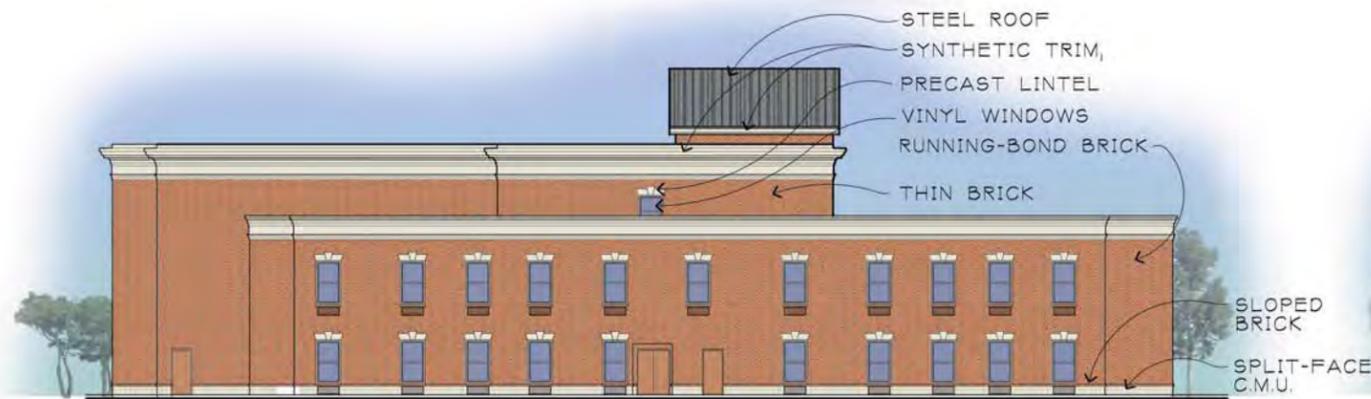
AUTUMN PLAZA RETAIL / APARTMENT BUILDING SOUTH ELEVATION

- STEEL ROOF
- SYNTHETIC TRIM,
- RUNNING-BOND BRICK
- SPLIT-FACE C.M.U.
- PRECAST LINTEL
- VINYL WINDOWS
- DECORATIVE LIGHT
- STEEL ROOF
- WOOD SCREEN WALL
- HOLLOW METAL DOOR
- SLOPED BRICK
- SPLIT-FACE C.M.U.





THE WATERFORD IN MURFREESBORO ASSISTED LIVING BUILDING EAST ELEVATION



THE WATERFORD IN MURFREESBORO ASSISTED LIVING BUILDING SOUTH ELEVATION



THE WATERFORD IN MURFREESBORO ASSISTED LIVING BUILDING NORTH ELEVATION



THE WATERFORD IN MURFREESBORO ASSISTED LIVING BUILDING WEST ELEVATION



MATERIAL LEGEND	
SYNTHETIC TRIM	
PRECAST LINTEL	
STEEL ROOF	
RUNNING-BOND BRICK	
SPLIT-FACE C.M.U.	
VINYL WINDOW	
P.T.A.C. AIR CONDITIONER	
ALUMINUM STOREFRONT	
WOOD SCREEN FENCE	

No.	Revision	Date

No.	Revision	Date

No.	Revision	Date
1	PLANNING SUBMITTAL	8-20-16
2	PLANNING REVISIONS	9-14-16

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BUILDING ELEVATIONS NARRATIVE

Front, rear and side elevations of all three buildings will be constructed with a mixture of brick, split-face (or scored-face) masonry. Synthetic trim will be used for the cornice trim. Split-face (or scored-face) concrete block will be at the base (watertable) of each building. Windows and doors will have precast concrete decorative lintels over them.

A. Front Elevations:

1. The Retail building first floor will have a first floor of aluminum storefront sitting on a base of 16" to 24" of split-face (or scored-face) concrete block. There will be a metal signage band strip, to match the trim, on the wall above each retail space overhang.
2. The Assisted Living building will have a porte-cochere and minor entrance covered structures that will be finished with classical synthetic trim and columns.
3. The Senior Living building will have a major entry covered structure and minor entrance covered structures that will be finished with classical synthetic trim and columns. It will have black steel balconies and patio doors.

B. Rear Elevations:

1. The Retail building rear elevation will have wood screen walls to screen the electrical meters and other utilities. There will be hollow metal rear doors for each retail suite, painted to match the brick. The rear second floor will have patio doors opening onto steel balconies
2. The Assisted Living building will have thin brick masonry, to match the full thickness masonry, at locations where the walls extend over one-story roofs.
3. The Senior Living building will have black steel balconies and patio doors.

C. Side Elevations:

1. The sides of the Retail building will be similar to the front, however, there will be a steel roof canopy over the entry to the apartments on the second floor.
2. The Assisted Living building will have thin brick masonry, to match the full thickness masonry, at locations where the walls extend over two-story roofs.
3. The Senior Living building will have minor entrance covered structures that will be finished with classical synthetic trim and columns. It will have black steel balconies and patio doors.

Rezoning Information per City Zoning Ordinance

Subsection D Requirements

[1] a map showing available utilities, easements, roadways, rail lines and public rights-of-way crossing and adjacent to the subject property;

See attached exhibit showing the site layout (page 4).

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

See attached exhibits showing the site layout overlaid on the aerial photo, and contours for the site. There are no streams or wetlands on the site, and the site is not in the floodplain as shown on FEMA Map FM47149C0255H (page 5).

[3] a plot plan, aerial photograph, or combination thereof depicting the subject and adjoining properties including the location of structures on-site or within two hundred feet of the subject property and the identification of the use thereof;

See the included exhibits showing surrounding properties and zoning (page 5).

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

See the Rezoning Plan drawing for the site layout (pages 10-14).

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

See the Rezoning Plan drawing which shows the access drives and sidewalks (page 14).

[6] a development schedule indicating the stages in which the project will be built and when construction of the project can be expected to begin. If the planned development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule indicating:

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

Following rezoning, building drawings and site drawings will be finalized and submitted for approval. Once construction plans are approved, each phase can be constructed. This is expected to be process of several months.

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

The project includes three use areas, which will also be separate construction phases. At the front the commercial/residential building will likely be the first to be constructed. At the rear the independent living building will likely be second to be constructed. In the middle of the site the assisted living building will likely be last to be constructed, and will take the longest to prepare for construction. This is because of its larger size and cost, and also because of state permitting and approvals needed for the assisted living facility.

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

See the included rezoning drawings.

Phase 1, Commercial/residential 0.97 acres

Phase 2, Independent living, 1.78 acres

Phase 3, Assisted living, 2.42 acres

[7] a written statement generally describing the relationship of the planned development to the current policies and plans of the City and how the proposed planned development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this article;

The three phases (in three areas of the site) are similar to existing uses allowed under other zoning in the City of Murfreesboro. The front of the site as commercial use is similar to the adjacent properties and those across Old Fort Parkway. The middle of the site as assisted living would also be allowed within commercial zones. The multifamily residential use of the independent living area is similar to the adjacent new apartment development, but will be marketed/targeted to 55+ and services, such as cleaning and meals will be made available. The property to the west at the back of the site is existing single family residential. A buffer will be used between the multifamily and single family uses.

[8] a statement setting forth in detail the manner in which the proposed planned development deviates from the zoning and Subdivision Regulations which would otherwise be applicable to the subject property;

The existing zoning is RS-15. Because the commercial use at the front of the site and the assisted living building could be developed in a commercial zone, the front and middle parts of the site are similar to the adjacent CH zoning. The residential use on the second floor of that building would not normally be allowed in a commercial zone, therefore we have requested the PUD zoning. If this site was within the Gateway Overlay District, it might be allowable under the mixed use (MU) zoning.

Side setbacks for RM zoning would be 20 feet for the Senior Living building, but the proposed side setback is 12 feet. A type C landscape buffer is planned along that setback, and the existing mature trees along the tree line will remain.

Landscaping exceptions: There will be encroachments into the 10-foot side planting yards. In addition, required foundation plantings for the retail building will be located in the side planting yard.

[9] a tabulation setting forth:

(aa) maximum total square feet of building floor area proposed for commercial uses and for industrial uses, by general type of use;

(bb) maximum total land area, expressed in acres and as a percent of the total development area, proposed to be devoted to commercial and/or industrial uses; minimum public and private open space; streets and off-street parking and loading areas; and,

(cc) a tabulation of the maximum floor area to be constructed, the F.A.R. (floor area ratio), the L.S.R. (livability space ratio), and the O.S.R. (open space ratio).

Area/ Building	Land Area	% of total	Floor Area	F.A.R.	L.S.R.	O.S.R.
Commercial/Residential	0.97	18.7	20,629	0.50	0.34	1.60
Assisted Living	1.78	34.0	23,480	0.30	0.92	2.25
Independent Living	2.42	47.0	40,320	0.39	0.62	1.64
Total	5.17					

Note: The overall property was previously ~5.4 acres as listed on tax map and recording documents, but some of the front acreage was used for ROW for widening Old Fort Parkway, reducing it to ~5.17 acres.

[10] the nature and extent of any overlay zone as described in Section 24 of this article and any special flood hazard area as described in Section 34 of this article;

No overlay zone, no floodplain per map FM47149C0255H (page 5).

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

Old Fort Parkway (SR-96) has already been widened to 5 lanes, and is not shown for additional improvements on the Major Thoroughfare Plan map (page 14).

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

*Primary Contact: John Gordon
Wiser Consultants, LLC
1427 Kensington Square Court
Murfreesboro, TN, 37130
615-278-1500
jrgordon@wiserconsultants.com*

*Applicant: Old Fort Group
10540 Cedar Grove Road
Smyrna, TN 37167
931-216-9702
developer contact: Dr. Muralidhar Bethi*

[13] architectural renderings, architectural plans or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials including the siding and roof materials, porches, and decks. And an exterior lighting plan; and,

See the architectural elevation exhibits (pg. 15-17).

[14] the application shall include a description of proposed signage for the development including calculations of square footage and height. If a development entrance sign is proposed the application shall include a description of the proposed entrance sign improvements including a description of lighting, landscaping, and construction materials.

The signage for the site will include separate ground-level entrance signs for each of the three buildings: commercial/residential, assisted living, and senior living.

The sign at the front of the property will include space for individual businesses within the commercial space, as well as information for the other two buildings.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 2, 2016**

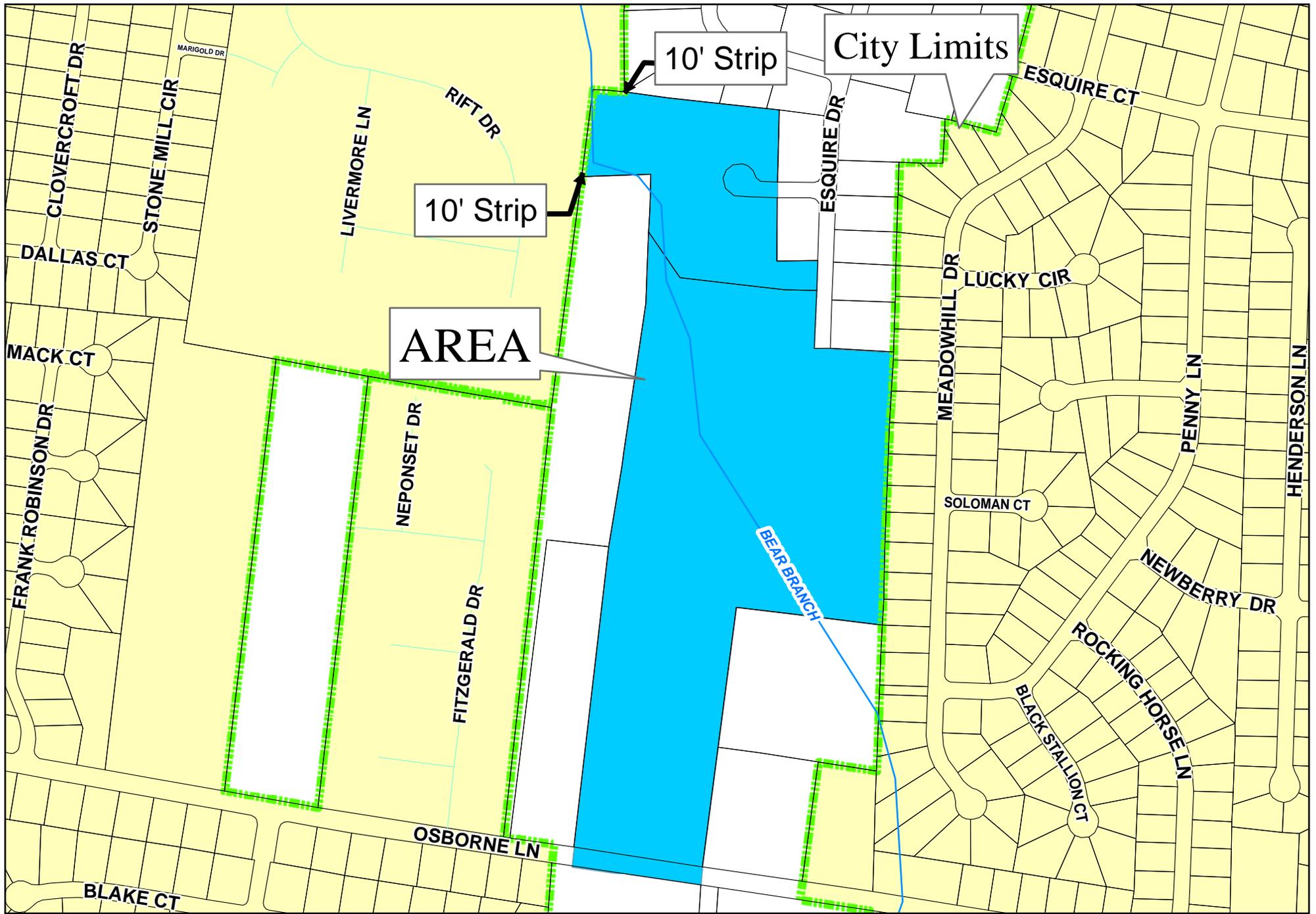
4.f. Annexation Plan of Services and annexation petition [2016-517] for approximately 34.3 acres located along Osborne Lane, John Beckham Throneberry II Irrevocable Trust and Allison Throneberry Camp applicant.

The subject property is located along the north side of Osborne Lane just west of the Meadowood Subdivision. The property is mostly undeveloped but does contain a single-family residence and several agricultural outbuildings. The requested parcels total 33.5 acres. A written petition has been filed by the property owners requesting annexation. The requested property is located within the City's Urban Growth Boundary. In addition, it is contiguous with the existing City limits, so no additional land needs to be annexed in order to effect its annexation. Also included in the annexation study and plan of serves are 0.5 acres of Osborne Lane right-of-way and 0.3 acres of Mary Beth Court right-of-way. The segment of Mary Beth Court in question has been recorded as right-of-way but no roadway has been constructed on it. The total study area, including rights-of-way, is 34.3 acres.

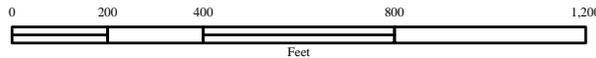
The annexation of both requested parcels would effectively create an "island" of unincorporated County surrounded by the City limits. Because of this, Staff recommended at the Planning Commission work session meeting that a 10' strip at the northwest corner of the subject property be omitted from the annexation petition and plan of services. This seemed to be the most logical place for such a strip since a good portion of this strip is encumbered by the regulatory floodway of Bear Branch. The Planning Commission concurred with this recommendation, and the annexation request was advertised consistent with this recommendation. A map has been included in the agenda packet depicting the location of the proposed 10' strip to remain in the unincorporated County.

Staff has prepared a plan of services, which is included in the agenda packet. It indicates that the City will be able to provide services to the subject property if it is annexed. The property owner has also filed a request to have the property zoned RS-10 (Single-Family Residential District 10) and RS-12 (Single-Family Residential District 12) simultaneous with annexation. The zoning request will be 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 Osborne Lane



Path: G:\planning\annex\osborneln10_201610ftstripNorth.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. ALLISON THRONEBERRY CAMP
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: Allison Throneberry Camp Status: OWNER Date: 9/29/16
4525 HARDING RD, STE 200, Nashville, TN. 37205
Mailing Address (if not address of property to be annexed)

2. JOHN BECKHAM THRONEBERRY II Irrevocable Trust, Allison Throneberry Camp: Co-Trustee
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: Allison Throneberry Camp Status: Co-Trustee Date: 9/29/16
4525 HARDING RD, STE 200, Nashville, TN. 37205
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 OSBORNE LANE AND MARY BETH COURT
INCLUDING PLAN OF SERVICES**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
November 2, 2016**



AREA

10' Strip

10' Strip

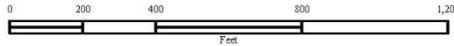
City Limits

BEAR BRANCH

Annexation Request for Property Along
Osborne Lane



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

INTRODUCTION

OVERVIEW

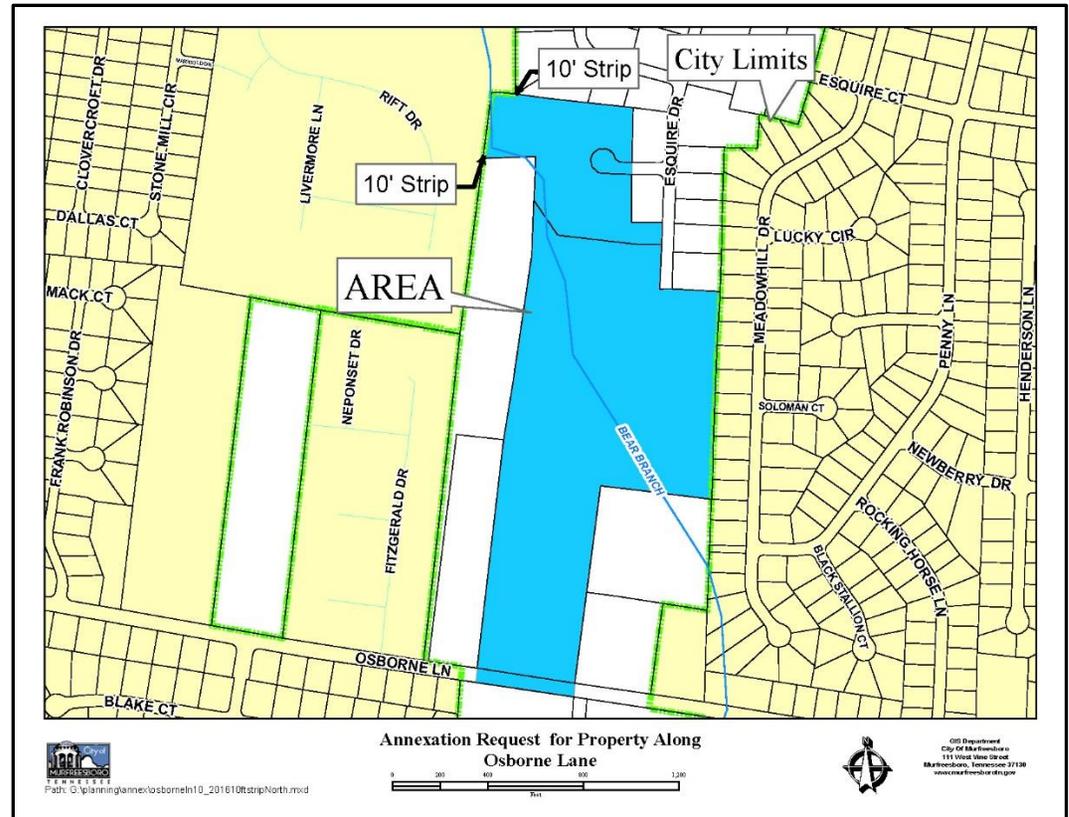
The applicants, Allison Throneberry Camp and Barry Dorman, representing the John Beckham Throneberry II Irrevocable Trust, have requested annexation of property located along the north side of Osborne Lane and the west end of Mary Beth Court. The area studied in this Plan of Services includes two properties totaling approximately 33.5 acres:

- Tax Map 068, Parcel 50.00 – 26.90 acres
- Tax Map 068B, Group D, Parcel 7.00 – 6.57 acres

In addition to these parcels, the study area includes a 415-linear foot, 0.5-acre portion of right-of-way along Osborne Lane and a 150-linear foot, 0.3-acre portion of right-of-way along Mary Beth Court.

A ten-foot strip along the northern and northwestern boundaries of the study area will remain in the unincorporated County. This ten-foot strip will prevent the unincorporated property to the south from being enclosed by the City.

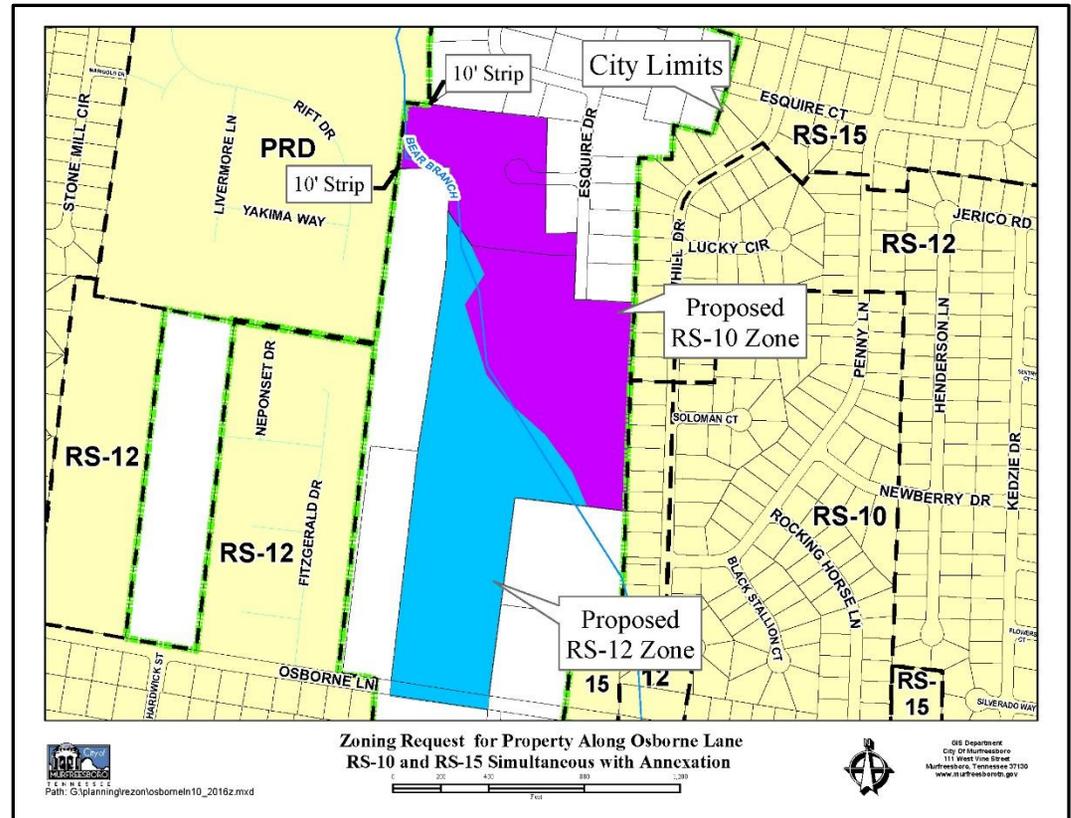
The study area lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City limits on its east side. Adjacent areas to the north lie within the unincorporated County.



CITY ZONING

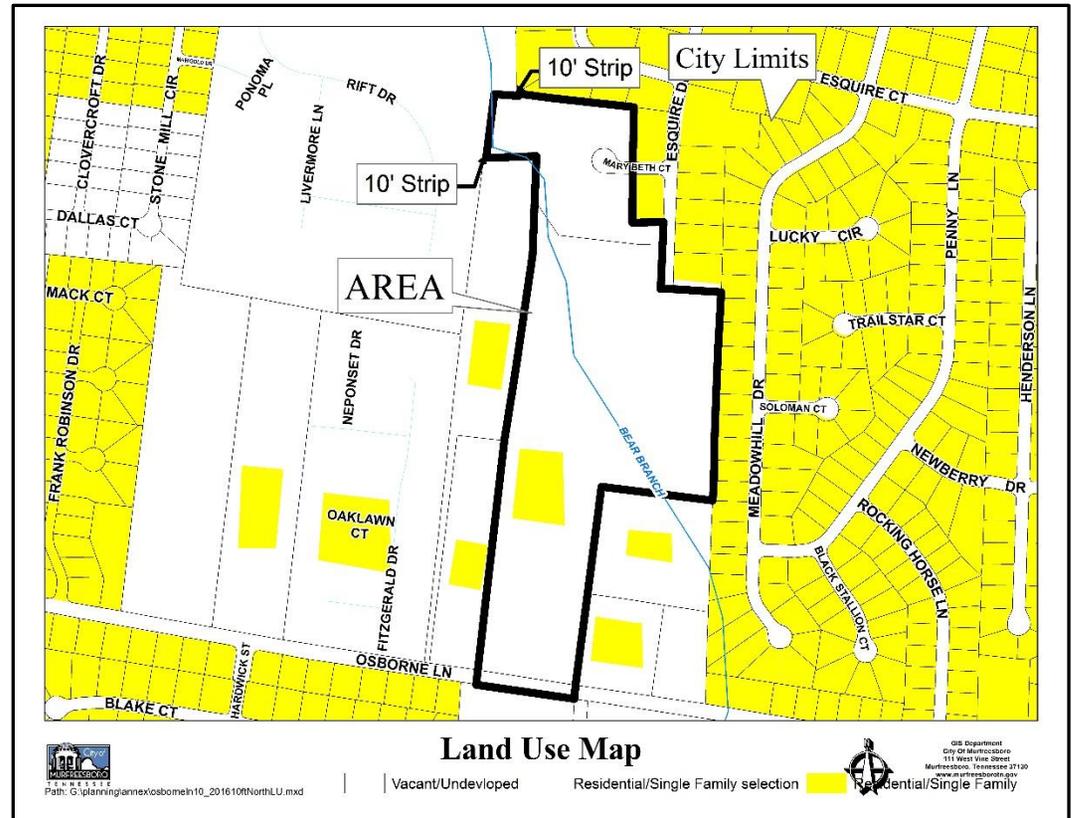
The applicants have requested rezoning to RS-10 (Single-Family Residential, 10,000 square foot minimum lot size) for the northernmost and easternmost 17.60 acres and RS-12 (Single-Family Residential, 12,000 square foot minimum lot size) for the southernmost and westernmost 15.87 acres simultaneous with annexation. The study area is presently zoned RM (Residential – Medium Density) in the County.

Adjacent properties to the north, northeast, south, southeast, and west lie within the unincorporated County and are zoned RM. The adjoining property to the northwest of the study area lies within the City and is zoned PRD (Planned Residential District). The Meadowood subdivision adjoins the study area on the east and includes both RS-12 and RS-15 zoning.



PRESENT AND SURROUNDING LAND USE

The southernmost parcel in the study area presently includes one single-family residential dwelling and multiple detached accessory structures, while the northernmost parcel in the study area is vacant. Single-family residential dwellings on large (two or more acres) lots are present to the west and southeast of the study area. Properties to the northwest of the study area are presently vacant. The Meadowood residential subdivision lies adjacent to the study area on the east, and the Esquire Estates subdivision adjoins the study area on the north.



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
Throneberry John Beckham II Irrevocable Trust Et al.	27.40	\$89,700	\$399,800	\$122,375	\$1,554.53
Throneberry John Beckham II Irrevocable Trust Et al.	6.67	\$69,600	N/A	\$17,400	\$221.03
Total	34.07	\$159,300	\$399,800	\$139,775	\$1,775.56

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 #3.

ELECTRIC SERVICE

The property is located within Murfreesboro Electric Department's (MED) service boundary and is currently served by MED. Any new electrical infrastructure installed to serve the proposed development will be required to adhere to MED standards.

STREET LIGHTING

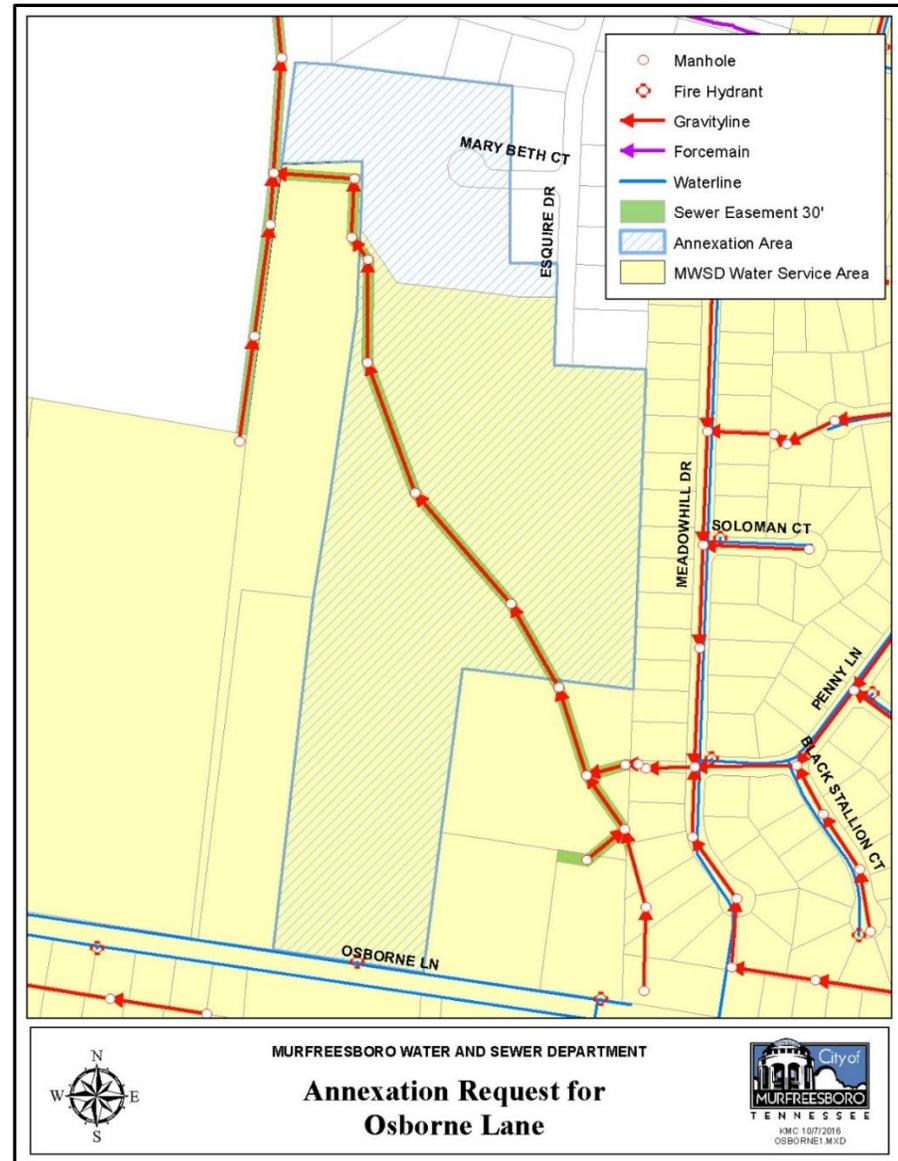
MED presently maintains street lighting along Osborne Lane. Additional street lighting will be installed on the property if any future development on the property includes public streets.

STREETS AND ACCESS

The study area currently has access to Osborne Lane (a local road) on the south, Mary Beth Court (a County road) on the north and Esquire Drive (a County road) on the northeast. Osborne Lane is an existing three-lane street with curb and gutter. Any new connection must be approved by the City Engineer. As previously mentioned, a portion of Osborne Lane is included in the study area. The City will assume all maintenance responsibilities for this portion of Osborne Lane if it is annexed. Mary Beth Court is not currently constructed in the area proposed for annexation; however, a portion of it is included in the study area and would become the City's responsibility upon annexation. Mary Beth Court will likely need to be constructed with future development. While the study area has access to Esquire Drive, the roadway is not included in the study area and will remain the responsibility of Rutherford County for operation and maintenance. Any future public roadway facilities serving the study area must be constructed to City standards.

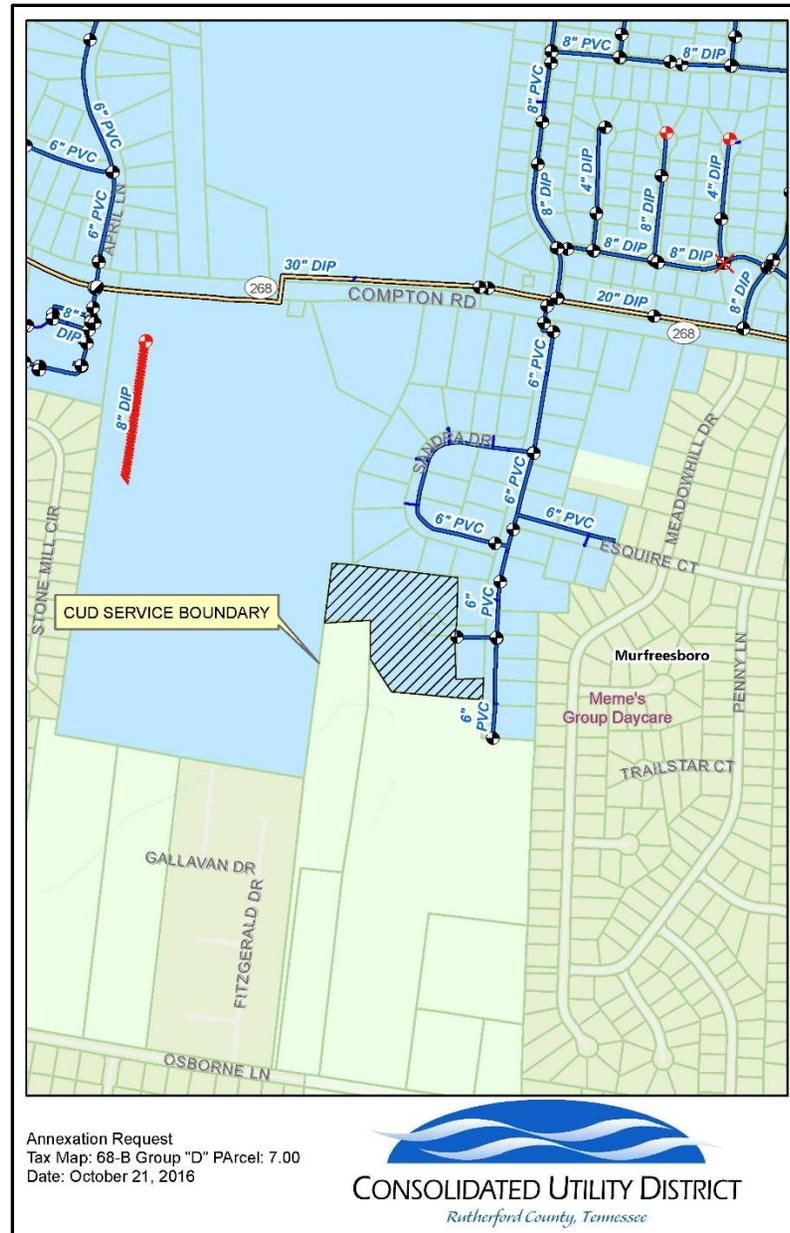
WATER SERVICE

Water service will be provided to the southernmost portion of the study area (Tax Map 068, Parcel 50.00) by the Murfreesboro Water and Sewer Department (MWSD), which maintains an existing eight-inch water line along Osborne Lane. The portion of the study area that is located within the MWSD service area is shaded in yellow on the adjacent map. Any new water line development within the MWSD service area must be done in accordance with MWSD's development policies and procedures.



Water service will be provided to the northernmost portion of the study area (Tax Map 068B, Group D, Parcel 7.00) by Consolidated Utility District (CUD), which maintains an existing six-inch water line along Mary Beth Court. The portion of the study area that is located within the CUD service area is shown in a hatch pattern on the adjacent map. 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.

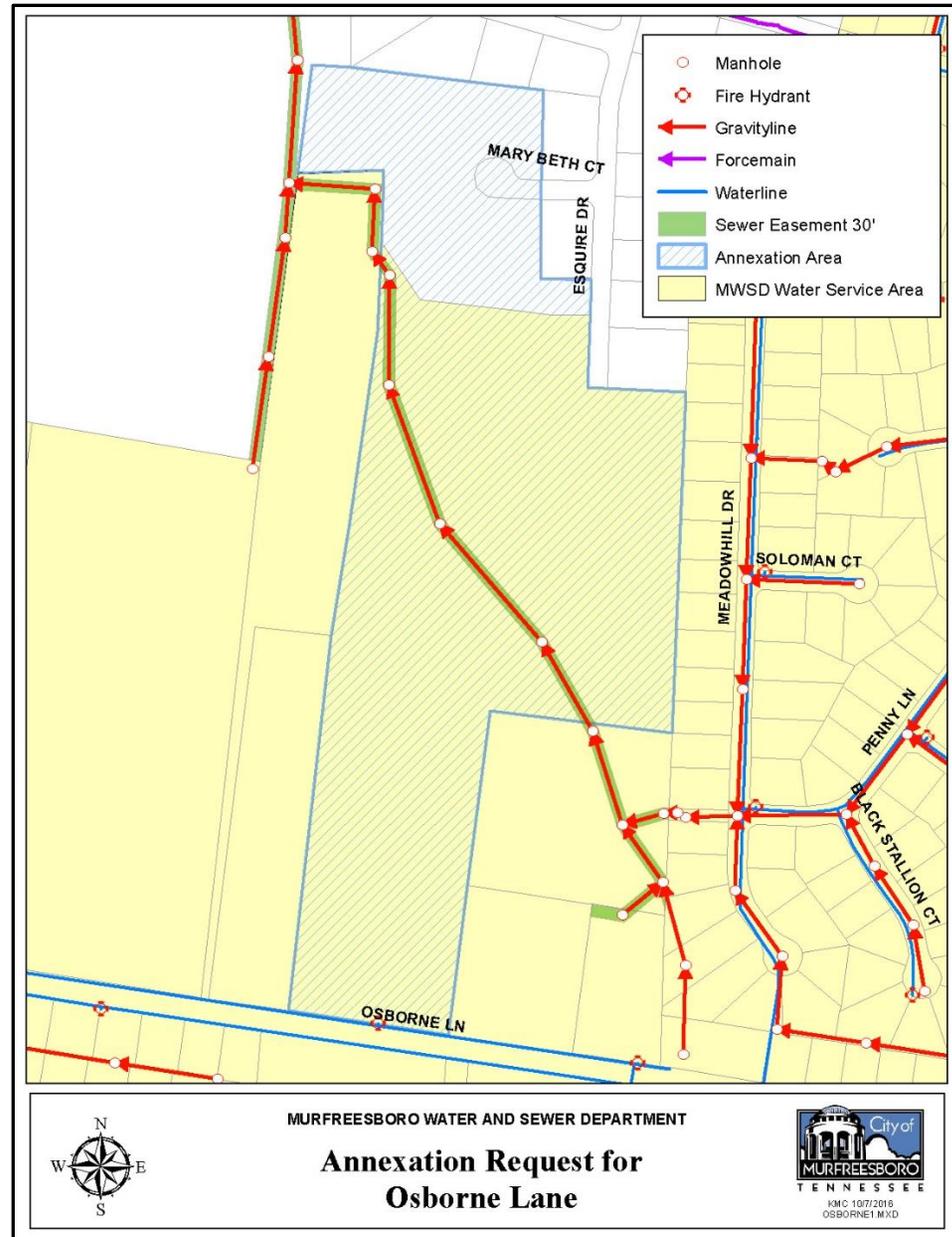


SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." Sewer service to the study area will be provided from an existing 24-inch sewer main that runs southeast-to-northwest through the study area. All sewer main improvements and easements needed to serve the subject property are to be installed and acquired respectively by the developer in accordance with MWSD's development policies and procedures.

The existing sewer connects to the Compton Road Sanitary Sewer Assessment District. All developments that connect into this sewer system are assessed a \$300 fee per single-family unit or equivalent. Assessment district fees are charged in addition to the current and standard connection fees.

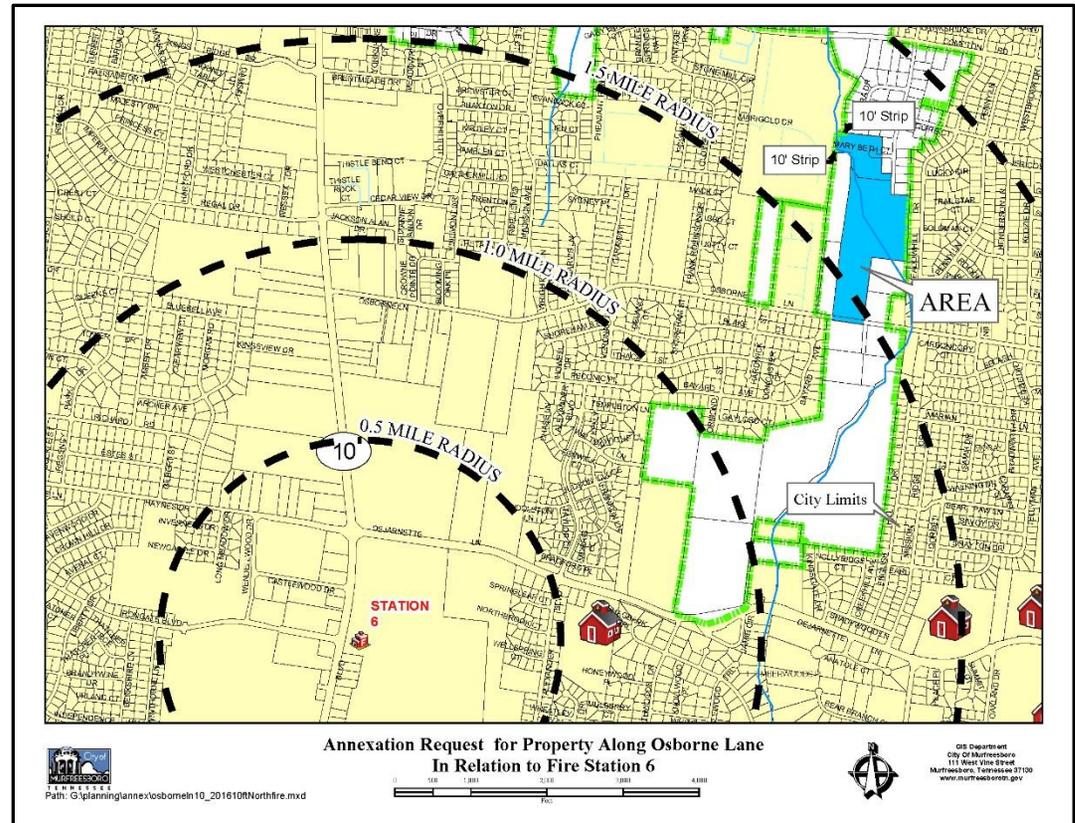
The red lines on the adjacent map represent existing sewer lines.



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 Murfreesboro Water and Sewer Department (MWSD) policies and procedures.

The closest fire station to the subject tract is Fire Station #6, located at 2302 Memorial Boulevard, 2.1 miles from the study area. Fire Station #8, located at 1730 East Northfield Boulevard, is 2.6 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 Tuesday.

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 Erma Siegel 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.

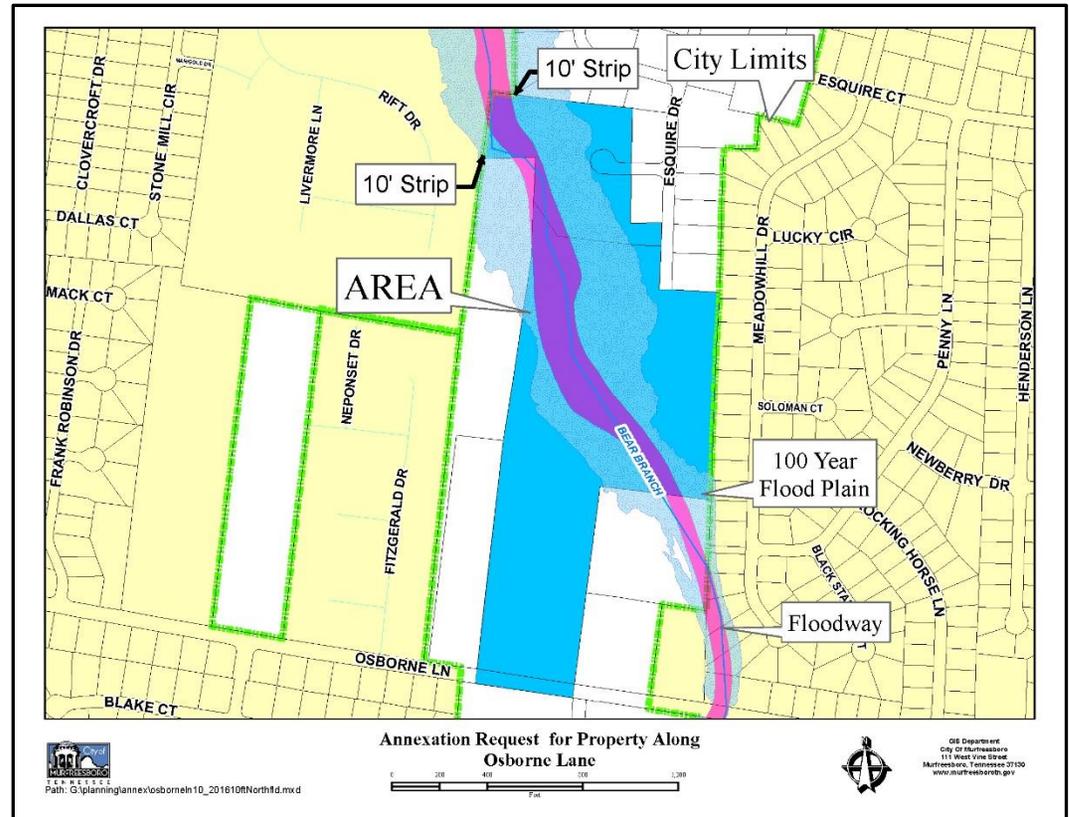
PLANNING, ENGINEERING, AND ZONING SERVICES

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).

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

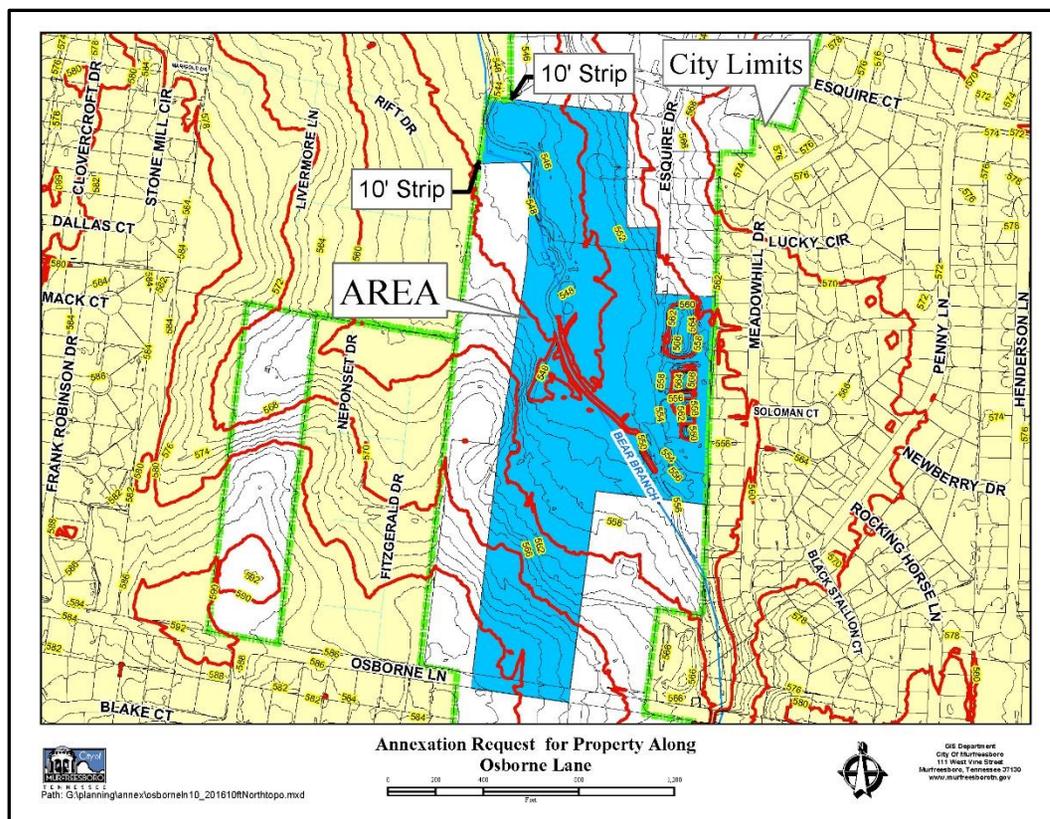


DRAINAGE

The study area drains to Bear Branch, which crosses through the study area. Floodplain and floodway are present in the study area. New development should comply with floodplain development regulations, including proper elevation of improvements and limitations on encroachments in the floodway. Additionally, new developments along Bear Branch should establish a fifty-foot Water Quality Protection Area from the top of the stream bank. The developer should investigate the streamside area for potential jurisdictional wetlands. Any modification to wetland areas or crossing of Bear Branch must be reviewed and approved by the Tennessee Department of Environment and Conservation (TDEC).

A portion of a public drainage system within the roadway of Osborne Lane is included in the study area. Additionally, two public drainage easements cross the study area at the western end of Mary Beth Court and near the southern end of Esquire Court. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

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 and land constraints, this property has the potential to generate \$1,950 in Stormwater Utility Fees annually upon full development. New development on the property must meet overall City of Murfreesboro Stormwater Quality requirements. 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 the Tennessee Growth Policy Act, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 2, 2016**

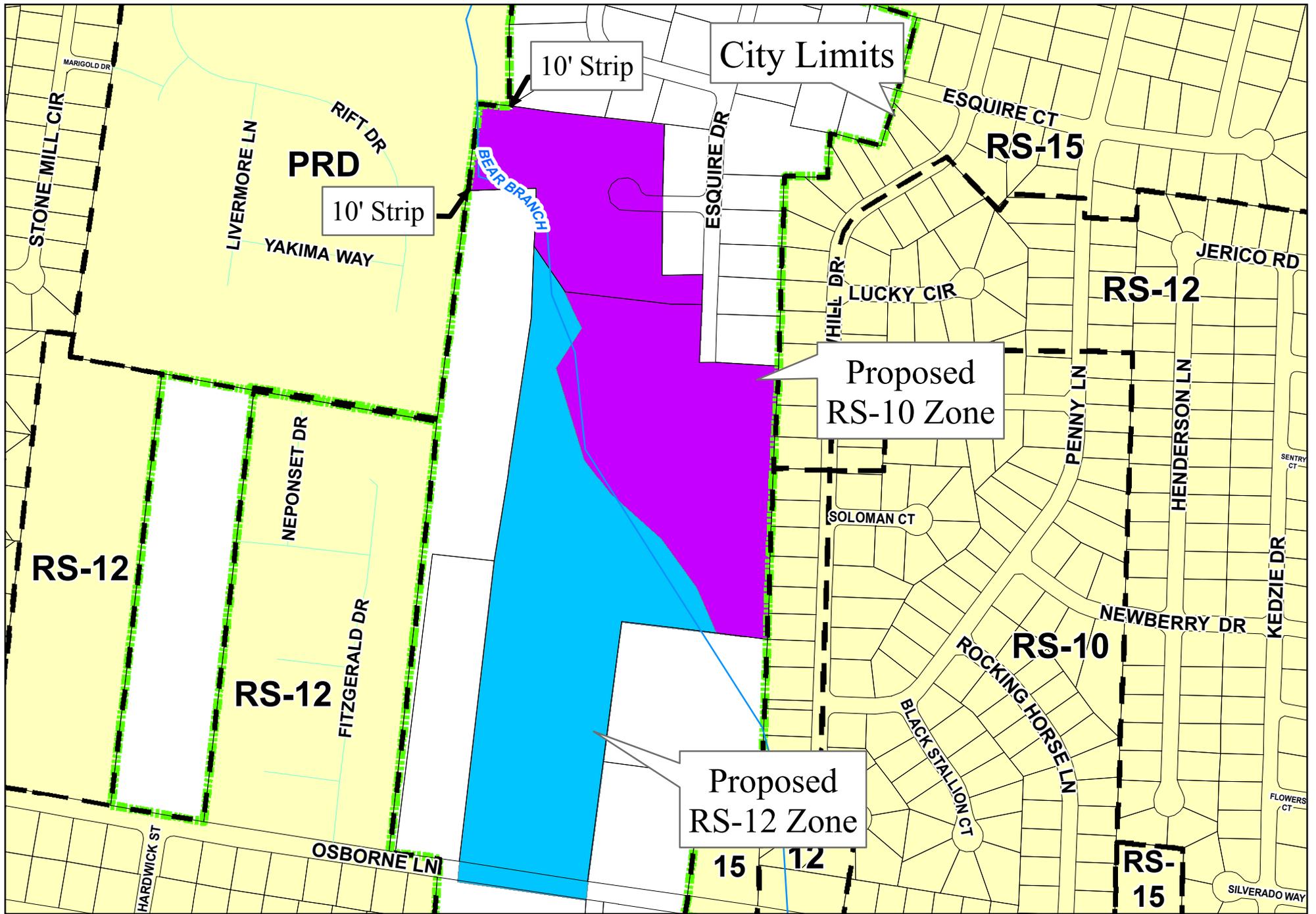
- 4.g. Zoning application [2016-454] for approximately 34.3 acres located along Osborne Lane to be zoned RS-12 (16.4 acres) & RS-10 (17.9 acres) simultaneous with annexation, Conrad Camp applicant.**

The subject property is located along the north side of Osborne Lane just west of the Meadowood Subdivision. The property is mostly undeveloped but does contain a single-family residence and several agricultural outbuildings. The previous item on the agenda was the annexation petition and plan of services. The requested parcels total approximately 33.5 acres. The applicant has requested zoning classifications of RS-10 (Single-Family Residential District 10) for 17.9 acres and RS-12 (Single-Family Residential District 12) for 16.4 acres simultaneous with annexation. (The adjacent rights-of-way considered for annexation are included in the RS-10 and RS-12 acreages and increase the total acreage by 0.8 acres to the 34.3 acres referenced in the heading.)

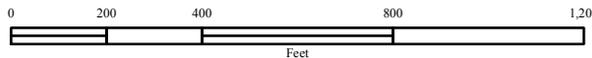
The RS-10 zone allows the development of single-family residential lots a minimum of 10,000 square-feet in area; likewise, the RS-12 zone allows the development of single-family residential lots a minimum of 12,000 square-feet in area. A significant amount of this parcel is encumbered by the regulatory floodway of Bear Branch, so it is difficult to predict a possible lot yield under the proposed zoning designations.

Directly to the east of the requested property is the Meadowood single-family residential subdivision, which is zoned RS-10, RS-12, and RS-15 (Single-Family Residential District 15). Also to the east are three large single-family residential parcels, one of which is in the City and zoned RS-15, while the other two are located in the unincorporated County. To the north of the subject property are the Esquire Estates and Fairfield Estates single-family residential subdivisions located in the unincorporated County. The developing Valleybrook PRD, which contains 6,000, 8,000, and 12,000 square-foot minimum single-family lots as well as single-family attached homes is located to the west, as are several large single-family parcels both in the City (zoned RS-12) and in the unincorporated County. To the south, across Osborne Lane are The Hamptons and Buckingham Park single-family residential subdivisions, both zoned RS-12 in the City, as well as several undeveloped parcels and large single-family parcels located both in the unincorporated County and in the City (zoned RS-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.



**Zoning Request for Property Along Osborne Lane
RS-10 and RS-12 Simultaneous with Annexation**





Creating a better quality of life

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

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: Conrad Camp

Address: 4525 Harding Rd, Ste 200 **City/State/Zip:** Nashville, TN 37205

Phone: (615) 419-9848 **E-mail address:** conrad@campandcompany.com

PROPERTY OWNER: Allison Thronebery Camp & John Beckham Throneberry II Irrevocable Trust

Street Address or property description: 805 Osborne Lane and Mary Beth Court

and/or Tax map #: 68 [68B] **Group:** D **Parcel (s):** 50.00 [7.00]

Existing zoning classification: RM (COUNTY)

Proposed zoning classification: RS-12 & RS-10 **Acreage:** 33.4 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

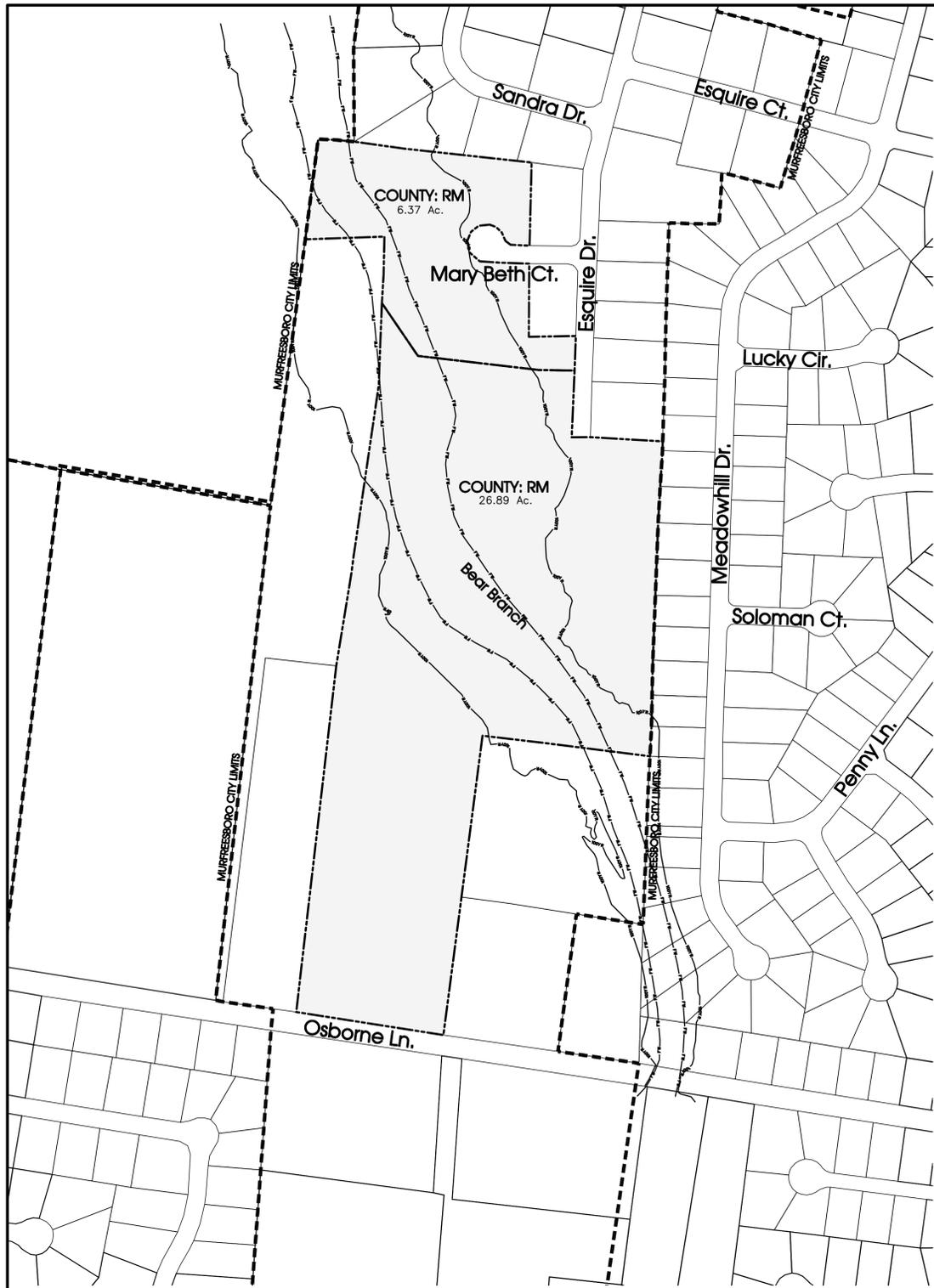
APPLICANT'S SIGNATURE (required): 

DATE: 9/29/16

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

Date received: _____ **MPC YR.:** _____ **MPC #:** _____

Amount paid: _____ **Receipt #:** _____



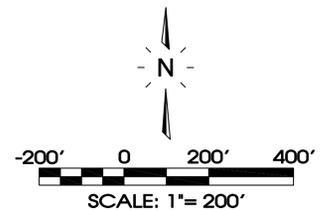
EXISTING ZONING AREAS



PROPOSED ZONING AREAS

Ex. County RM To Proposed RS-10 = 17.60 Ac
 Ex. County RM To Proposed RS-12 = 15.87 Ac
 Area To Be Annexed: 33.47 Ac.

Zoning Areas:
 Existing County RM = 33.26 Ac
 Proposed RS-10 = 17.60 Ac
 Proposed RS-12 = 15.87 Ac



REZONING EXHIBIT
 (Not Intended for Construction)

John Beckham Throneberry III
 Irrevocable Trust Property
 805 Osborne Lane
 Murfreesboro, Tennessee

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

The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the responsibility of the engineer to ensure that the design as noted, described, and illustrated. The engineer assumes no administrative liability for the site as shown on these construction drawings. NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF S.E.C. INC.

REVISIONS: DRAWN: SJA/CFB3 DATE: 9-29-16 CHECKED: MAT FILE NAME: 16216zoning.dwg SCALE: 1" = 200' JOB NO. 16216 SHEET:	1 of 1
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**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 2, 2016**

4.h. Proposed amendments to the Zoning Ordinance regarding seasonal fireworks sales, temporary mobile recycling centers and temporary vendors [2016-802], City of Murfreesboro Planning Department applicant.

The purpose of this amendment to the Zoning Ordinance is to provide an efficient administrative review process for Special Use Permit applications for Temporary Vendors that were previously reviewed and approved by the Board of Zoning Appeals. Temporary Vending—including seasonal fireworks sales, Christmas tree sales, and food sales—is allowed by Special Use Permit in designated zoning districts. These vendors are subject to the general standards for Special Use Permits listed in Section 9(C) and the specific standards for Temporary Vendors listed in Section 9(D)(2)(eeee) of the Murfreesboro Zoning Ordinance. Generally, a Temporary Vendor must apply for and obtain a Special Use Permit for each selling season. For example, a seasonal fireworks vendor must apply for a Special Use Permit and appear before the Board of Zoning Appeals for a public hearing prior to the start of each fireworks selling season. An additional type of temporary facility—Temporary Mobile Recycling Center—requires a Special Use Permit with annual renewal and is subject to the standards set forth in Section 31 of the Zoning Ordinance.

The City often receives Special Use Permit applications from “repeat” Temporary Vendors whose specific proposals (including site layouts, structure type and dimensions, parking/traffic arrangements, and days and hours of operation) remain unchanged from the previous approval. Presently, these vendors are required to seek new Special Use Permits from the Board of Zoning Appeals for each selling season. In the case of Temporary Mobile Recycling Centers, new Special Use Permits must be sought on an annual basis. In 2015, the Board of Zoning Appeals reviewed 26 Special Use Permit applications for “repeat” Temporary Vendors. Of those, 18 were for fireworks tents, three were for Christmas tree sales, and five were for other types of vendors such as Goodwill collection trailers. For each of the applicants, the site layouts, structure types and dimensions, parking/access arrangements, and hours of operation were consistent with their applications in 2014. Thus far in 2016, the Board of Zoning Appeals has reviewed 18 “repeat” applications; again, most aspects of these applications are consistent with previous applications and approvals.

Staff proposes allowing Special Use Permits for Temporary Vendors (including Temporary Mobile Recycling Centers) approved the Board of Zoning Appeals during the previous 12 months to be reviewed administratively in subsequent years when certain conditions are satisfied. Previously-approved Temporary Vendors whose structures and site layouts remain largely unchanged and who have not been cited, warned, or fined by any law enforcement agency or other regulatory authority would be eligible for administrative review. Applicants who qualify for administrative review would be

required to submit full Special Use Permit applications and provide all required supporting documentation in accordance with Section 9 of the Zoning Ordinance. Sites would continue to be subject to inspections by City staff. First-time Temporary Vendors would not be eligible for the administrative review process; these vendors would continue to be required to appear before the Board of Zoning Appeals.

In addition to providing a more efficient review and approval process for Temporary Vendors, this proposed amendment includes several other “housekeeping” components related to Temporary Vendors. First, the amendment would clarify the dates that temporary fireworks vendors could operate, making the dates in the Zoning Ordinance consistent with those found in Section 12-26 of City Code. Second, the amendment would codify the standard conditions imposed on fireworks vendors by the Board of Zoning Appeals; these conditions include obtaining tent and electrical permits and maintaining a fire extinguisher on site. Third, the amendment would increase the maximum length of Temporary Mobile Recycling Centers from 40 feet to 48 feet to accommodate standard-sized semi-trailers.

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

DRAFT -- revised 10-11-16

TO: Chairman Lamb and Members of the Planning Commission:

From: GW

Staff is proposing amendments to the Zoning Ordinance for your consideration. These Amendments will create consistency with the City Code regarding seasonal fireworks sales and will simplify procedures for the Board of Zoning Appeals and the public, as well as for Staff, with respect to Temporary Mobile Recycling Centers and Temporary Vending.

SEASONAL FIREWORKS.

Background. In 2009, City Code Section 12-26, Seasonal Sales of Fireworks was amended to shorten seasonal fireworks sales by one day each in June and December. Staff recently discovered that the Zoning Ordinance has not been similarly amended.

Proposed Amendment. SECTION 1 of the proposed Amendment will make the dates governing seasonal fireworks sales in the Zoning Ordinance consistent with the dates in City Code Section 12-26. By SECTION 2, staff proposes to codify additional conditions that are routinely placed on seasonal fireworks vendors by the BZA, which will simplify the BZA process.

TEMPORARY MOBILE RECYCLING CENTERS.

Background. Although Temporary Mobile Recycling Centers are currently covered in a separate section in the Zoning Ordinance (Section 31), Special Use Permits for them are handled by the Board of Zoning Appeals in the same manner as other temporary vendors and uses covered by Section 9 of the Zoning Ordinance. It appears to Staff that it is more appropriate for all provisions pertaining to Temporary Mobile Recycling Centers to be included within Section 9 rather than for some provisions to be in a separate section.

Proposed Amendment. SECTION 3 of the proposed Amendment will delete current Section 31 from the Zoning Ordinance and label it "Reserved." SECTION 4 will amend the definitions formerly in Section 31 and insert them into Section 2 in alphabetical order and SECTION 5 will amend the current definition of "Recycling center" in Section 2. SECTION 6 will insert the substantive provisions of Section 31 into Section 9 as 9(D)(2)(dddd) which was formerly "Reserved."

TEMPORARY VENDING.

Background. The Zoning Ordinance currently provides that Special Use Permits for temporary vending expire one year after the date of approval. Special Use Permits for temporary vending primarily include shaved ice, fruit / vegetable stands, seasonal fireworks and Christmas trees. Staff believes that requiring a return to the BZA for the same vendor to utilize the same space as in the prior year, if there have not been substantial changes to the site or the surrounding area and no known problems with the vendor or the site, is unnecessarily burdensome on the applicants, the BZA and staff. Staff believes that it will be more efficient for these Special Use Permits to be renewed administratively.

Proposed Amendment. SECTION 7 of the proposed Amendment will add a new subsection 9(E) that will allow administrative renewal of Special Use Permits for temporary vendors under prescribed circumstances. SECTIONS 8 and 9 will add the administrative approval provision to current Section 25, Temporary and accessory Structures and Uses.

We will be happy to answer any questions.

ORDINANCE 16-O-00 amending Murfreesboro City Code Appendix A— Zoning, Sections 9, 25 and 31, pertaining to seasonal fireworks sales, temporary mobile recycling centers and temporary vendors.

WHEREAS, Ordinance 08-O-50, which passed City Council on third reading on December 18, 2008 and was effective January 3, 2009, amended Murfreesboro City Code Section 12-26, Seasonal Sales of Fireworks, to read, “Items of fireworks may only be sold, offered for sale, or shipped in the City, by persons permitted by the State as fireworks seasonal retailers, between **June 28th and July 5th** and between **December 26th and January 2nd** of the following year.” [emphasis added]; and,

WHEREAS, making this revision to the corresponding Appendix A - Zoning sections was overlooked and needs to be remedied to create consistency within the Code; and

WHEREAS, the renewals or reissuances of certain Special Use Permits is appropriate for administrative approval without the time and expense of resubmission to the Board of Zoning Appeals.

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

SECTION 1. Appendix A, Section 9, Standards For Special Permit Uses, of the Murfreesboro City Code is hereby amended at subsection (D)(2)(eeee)[18][cc] by changing the dates “June 27” and “June 21” to “June 28” and “June 22, respectively, and the dates “December 25” and “December 20” to “December 26” and “December 21,” respectively, so that subsection [cc] reads as follows:

“[cc] The sales period for a fireworks seasonal retailer location shall not be approved for a period that begins before June 28 or ends after July 5 and/or begins before December 26 and ends after January 2 of any year. No activity associated with the fireworks seasonal retailer shall be located on the property before June 22 or before December 21 and all materials including sales offices, tents, garbage, trash, etc., shall be removed from the lot on or before July 10 or January 7.”

SECTION 2. Appendix A, Section 9, Standards For Special Permit Uses, of the Murfreesboro City Code is hereby amended at subsection (D)(2)(eeee)[18] is further amended by adding the following additional conditions:

[ff] The applicant must obtain a tent permit for the fireworks tent.

[gg] A fireworks seasonal retainer shall provide certification that the tent is flame-resistant or treated to be flame-resistant.

[hh] A fire extinguisher shall be kept on-site at all times.

[ii] The City’s fireworks ordinance shall be posted on-site.

[jii] No fireworks are to be set off on-site.

[kk] The site must pass an electrical safety inspection prior to opening for business. An electrical permit must be purchased from the Building and Codes Department in order to obtain this inspection.

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SECTION 32. Appendix A, Section 31, Temporary Mobile Recycling Centers, of the Murfreesboro City Code is hereby amended by deleting it in its entirety.

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SECTION 4. Appendix A, Section 2, Interpretation and Definitions, of the Murfreesboro City Code is hereby amended by adding the following definitions, alphabetically:

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Mobile recycling center. A receptacle, usually a trailer, for the collection of recyclable materials that is drawn by motor power and bears a valid, current state license. For purposes of this definition, "collection" shall mean the accumulation of recyclable materials.

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Recyclable materials. Aluminum, steel, copper, plastic, glass, paper and / or similar items which may be recycled for remanufacturing or reprocessing of similar materials.

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SECTION 5. Appendix A, Section 2, Interpretation and Definitions, of the Murfreesboro City Code is hereby amended by amending the definition of Recycling center to read as follows: ?????

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SECTION 6. Appendix A, Section 9(D)(2)(dddd) is amended by deleting the word "Reserved" and replacing said word with the following:

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(dddd) Temporary Mobile Recycling Centers shall be subject to the following additional standards:

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[1] Subject at all times to applicable state laws and the following conditions, a temporary mobile recycling center may be placed on a parcel zoned college-university (CU), commercial highway (CH), commercial fringe (CF), and industrial (I).

[2] No temporary mobile recycling receptacle shall exceed 48 feet in length.

[3] The placement of the receptacle and the operation of the temporary mobile recycling center will be reasonably compatible with and not detrimental to the public welfare or injurious to the improvement and use of the adjoining property.

[4] Two signs per receptacle shall be permitted. The signs shall be mounted on the outside of the receptacle and state the name of the business, telephone number and hours of operations. All signs shall be subject to Code Sec. 25.25, the Sign Ordinance.

[5] The site shall be kept in a clean, safe, and sanitary condition.

[6] The receptacle shall be landscaped as required by the BZA (HAS THIS EVER HAPPENED??) and shall be located so as not to impair traffic flow;

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[7] No receptacle shall be located closer than three hundred (300) feet from residentially zoned property.

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[8] The site shall be used exclusively for collection and shall not have any processing equipment on-site unless it is zoned industrial (I). The name, address and phone number of the responsible party shall be posted (COMBINE WITH [4]??)

[9] All applicable set-back lines shall be honored.

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and adding such provisions to Appendix A, Section 9, Standards for Special Use Permits, as Section 9(D)(2)(ddd) in place of "Reserved."

SECTION 73. Appendix A, Section 9, Standards for Special Use Permits, of the Murfreesboro City Code is hereby amended by adding the following new subsection (E) as follows:

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(E) Renewals. Renewals of Special Use Permits for temporary mobile recycling centers and temporary vendors may be administratively issued by the Planning Director if certain standards are met. In the event the Director has doubt regarding the compatibility of the proposed temporary mobile recycling centers and temporary vendors with adjoining land uses, the Director shall deny approval. Applicants who do not meet the standards listed in this section or whose Special Use Permit applications have been denied by the Director may apply to the Board of Zoning Appeals as provided in Sections 8 and 9 of this article. The standards to be met for administrative issuance are as follows:

(1) The temporary mobile recycling centers and temporary vendors shall have obtained a Special Use Permit from the Board of Zoning Appeals or the Planning Director within the twelve (12) month period immediately preceding the current application. Any variances previously granted to a temporary mobile recycling center or a temporary vendor during this time frame shall be applicable to the administrative approval as well, provided that the Planning Director determines that the variances had had no detrimental impacts.

(a) The current application for a Special Use Permit shall have the same applicant name as the previously-granted Special Use Permit.

(b) The current application for a Special Use Permit shall be for the same property (tax map, group, and parcel) as the previously-granted Special Use Permit. The tent, sales yard or other facility shall be placed in the same location on the property as indicated on the previously-granted Special Use Permit. In addition, the applicant for administrative approval of a temporary mobile recycling center or temporary vendor must demonstrate compliance with all standards listed in Sections 9(D)(2)(ddd) and (eee), respectively.

(c) The zoning district and bulk regulations for the location in the current application for a Special Use Permit shall be the same as the zoning district and bulk regulations for the previously-granted Special Use Permit.

(d) The length, width, and height dimensions of the tent, sales yard or other facility in the current application for a Special Use Permit shall be the same as the length, width, and height dimensions of the tent, sales yard or other facility in the previously-granted Special Use Permit. The length and/or width dimensions of the tent, sales yard or other facility in the current application may exceed the length and/or width dimensions of the tent, sales yard or other facility in the previously-granted Special Use Permit by two (2) feet, provided that the tent, sales yard or other facility meets all minimum required building setbacks. In the event the Planning Director has doubt regarding the compatibility of the length and/or width expansion with adjoining land uses, the Director shall deny approval. Height expansions shall not be administratively approved by the Planning Director.

(2) The temporary mobile recycling centers and temporary vendors shall not have been issued a citation, written warning, or fine by any law enforcement agency within the twelve (12) month period immediately preceding the current

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application. The applicant shall attest in writing that no such actions have been taken by any law enforcement agency.

- (3) The temporary mobile recycling centers and temporary vendors [and the property on which they are located](#) shall not have been issued a citation, written warning, or fine by any City, County, Regional, State, or Federal department or agency for any violation of any zoning, building, fire, or property maintenance code or regulation within the twelve (12) month period immediately preceding the current application. The applicant shall attest in writing that no such actions have been taken by any governmental department or agency."

SECTION 84. Appendix A, Section 25, Temporary and Accessory Structures and Uses, of the Murfreesboro City Code is hereby amended at subsection (D)(5) by adding the phrase "and Section 9(E)" after the phrase "Section 9(D)(2)(eeee)," so that subsection (D)(5) reads as follows:

"(5) temporary outdoor sales of food or retail merchandise not accessory to the actual principal use of a property including sales of fireworks and Christmas trees ("Temporary Vendors"), except as provided in Section 25(B)(20), shall be permitted in the CL, CF, CH, H-I, and L-I districts subject to the additional standards of Section 9(D)(2)(eeee) and Section 9(E). For the purposes of this subsection, "food" includes but is not limited to prepared food, produce, and beverages; and "retail merchandise" includes but is not limited to furniture, appliances, floor coverings, art or decorative items, clothing, animals, and souvenirs;"

SECTION 95. Appendix A, Section 25, Temporary and Accessory Structures and Uses, of the Murfreesboro City Code is hereby amended at subsection (D)(6) by adding the phrase "and Section 9(E)" after the phrase "Section 9(D)(2)(eeee)," so that subsection (D)(6) reads as follows:

"(6) sales of Christmas trees accessory to an institutional group assembly use, which uses include recreation fields, public buildings, public or private schools grades K-12, lodges, country clubs, clubs, churches, and other places of worship, shall be permitted in the RS-15, RS-12, RS-10, RS-8, RS-4, RD, RM-12, RM-16, RM-22 and RZ districts subject to the additional standards of Sections 9(D)(2)(eeee) and Section 9(E) provided, that if the applicant provides written documentation from the owner of the institutional group assembly use, or duly authorized agent thereof, that the institutional group assembly use will be responsible for clearing and cleaning of the site within the time specified in Section 9(D)(2)(eeee)[19][aa] should the applicant fail to do so, the applicant for such accessory Christmas tree sales use shall not be required to post a deposit as otherwise required by Section 9 (D)(2)(eeee)[6]; and,"

SECTION 106. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

Shane McFarland, Mayor

1st reading _____

2nd reading _____

ATTEST:

APPROVED AS TO FORM:

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Melissa B. Wright
City Recorder

Craig D. Tindall
City Attorney

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MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 7, 2016

MEMBERS PRESENT

Bob Lamb, Chairman
Doug Young, Vice Chairman
Tom Clark
Ken Halliburton
Eddie Smotherman

STAFF PRESENT

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

Chairman Bob Lamb recognized, Mr. Kevin Rigsby, Planning Manager, with the Town of Smyrna, whom was in attendance for the meeting. In addition, Mr. Ken Halliburton was recognized and congratulated on it being his 53rd, birthday.

Chairman Bob Lamb called the meeting to order after determining there was a quorum. The minutes of the July 20, 2016 and August 3, 2016 Planning Commission meeting were approved as submitted.

Public Hearings

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

Zoning application [2016-440] 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. Ms. Margaret Ann Green began by describing the subject property

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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 7, 2016

The applicant has a contract to purchase the 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 would be provided in the parking lot.

The Cottages at Clark program book had been included with the agenda materials. The planned development zoning also allows for exceptions from the Zoning Ordinance and Subdivision Regulations. The applicants have requested exceptions be made to the side setbacks for the proposed pavilion. Last, a neighborhood meeting had been conducted on September 9, 2016, approximately 5 neighbors had attended.

Mr. Clyde Rountree and Mr. Brian Burns were in attendance for this meeting. Mr. Rountree came forward to explain the applicant's proposal from the submitted program book as being the following:

- Attached homes being a type style of townhomes
- They are proposing six, three bedroom units
- They are proposing four, two bedroom units.
- approximate square footage being 1400 square feet
- The price point for these homes range from \$169,000 up to \$229,000 per unit.
- The townhomes would be individually owned and managed by a Home Owners Association.
- During the neighborhood meeting concerns from the neighbors had been discussed for this development. This included drainage, how the property was going to be managed, property values, building materials, orientation of the buildings and solid waste.
- There would be a street scape landscaping along East Clark Boulevard
- A Type C buffer along the northern, eastern and western property line.

Chairman Bob Lamb opened the public hearing.

1. **Ms. Linda Feagans 319 East Clark** – made known she would like to table the discussion for this rezoning request. She expressed her concerns from the applicant's pattern book as being the following:

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 7, 2016

- On page 5, “what are the exceptions to be made to the side setbacks for the proposed pavilion?”
- On page 18, if approved, she requested the amenity area and dumpster location be placed beside Loveless Photography commercial property.
- Wanted to make certain the proposed parking lot with light poles be turned away from the residential properties
- She provided a petition with 15 names on the list stating they were against building the townhomes on the vacant lot between 319 E. Clark Blvd. and Loveless photography
- Concerns with the townhomes becoming rental property
- Concerns with the area traffic and drainage

Mr. Clyde Rountree came forward to address the concerns that had been made. He explained they were willing to make changes to this proposal by moving the location of dumpster and the amenity area. At this time, they do not have a grading plan but they are willing to make the changes. At the back of the property there is a 100-year floodplain and floodway; therefore, all drainage concerns, traffic, lighting poles, and landscaping would be addressed during the site plan process. In addition, they are willing to keep the light intrusion from the residential properties. Mr. Roundtree stated there is always a possibility for a townhome becoming rental property. The applicant has had a small percentage from his developments becoming rental property. With this proposal it would include a six-foot privacy fence. Mr. Burns has made a commitment to preserve as many of the existing trees on this property or help Ms. Linda Feagans clear up her property. There would be a decent amount of distance and buffer between Ms. Feagans property and this property.

Chairman Lamb asked if they were going to relocate the amenity location and dumpster location to the western side, in which Mr. Rountree stated they are willing to make a commitment to do so if all possible. Vice Chairman Doug Young, agreed it makes perfect sense to flip the location of the amenity and dumpster to the side of the pond area. Mr. Ken Halliburton wanted to know if the amenity center and dumpster were relocated the applicant would not have any setback issues, in which Mr. Rountree answered, not to his knowledge.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 7, 2016

Mr. Ken Halliburton made a motion to approve the rezoning request, seconded by Mr. Tom Clark. 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 requested 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 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 had prepared a plan of services, and it had been included in the agenda packet. Based on the plan of services, it appears that the City would 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, it would be given an interim zoning classification of RS-15 (Single-Family Residential District 15).

Chairman Bob Lamb opened the public hearing.

- **Ms. Arden Ward 2004 Wood Ridge Street** – opposes this annexation request. She has concerns with the encroachment of annexation being in an urban agriculture area.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION SEPTEMBER 7, 2016

She feels that Murfreesboro is no longer farm friendly due to farmland being turned into townhomes.

Chairman Bob Lamb closed the public hearing.

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

Zoning application [2016-436] for approximately 17.2 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 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 would be given an interim zoning classification of RS-15 [Single-Family Residential 15].)

The applicant's representative had 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 would 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.

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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."

Mr. Ted Petty and Mr. Clyde Rountree were in attendance to represent the applicant. Mr. Rountree came forward to make known with this request they are proposing approximately 35 – 40 homes.

Chairman Bob Lamb opened the public hearing.

1. **Ms. Arden Ward 2004 Wood Ridge Street** – opposes this rezoning request. She has concerns with traffic and this becoming rental property. Has there been a traffic study and a flood study provided with this rezoning request.
2. **Mr. Jack Carter 2118 Barfield Road** – opposes this rezoning request. He made known that fill had been brought onto this property within the floodway without permits. What is the City's policy about fill?
3. **Mr. James Farley 1964 Orchard Park Drive** – requested for this request be denied or amended to RS-15. He made known the concerns for this area include

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flooding, existing high volume traffic conditions on a substandard road, ongoing dangerous stormwater issues over Barfield Road.

4. **Mr. Kevin Rigsby, Planning Manager, with the City of Smyrna, 1939 Ivy Glen Drive** – opposes this rezoning request. He requested for the density be the same as the current density along the Barfield Road area. The area in the County and the City has lots that are larger than 3,000 square feet.

Chairman Bob Lamb closed the public hearing.

Mr. Rountree came forward making known there had been a traffic study and a flood study prepared at this time. He made known the applicant has stated approximately 5 acres were developable due to the concerns with the floodway. It would be a minimum impact for development on this site. Mr. Matthew Blomeley explained, from the Zoning Ordinance, realistically if the lots were 5000 – 6000 minimum square feet, this property has the potential of being developed with a maximum of 60 to 70 lots. Chairman Lamb wanted to know if cut and fill would occur on this property. Last, Mr. Rountree made known road improvements would be part of the improvements with development.

Mr. Sam Huddleston made known currently this area has been studied and managed by FEMA (Federal Emergency Management Agency). This study is utilized by Staff to use for projects in this area according to our Floodplain Regulations. Some fill is allowed in the floodplain but not in the floodway. Any development that occurs must comply with the Floodplain Management Ordinance that is currently in place. Last, Mr. Huddleston addressed the comment that had been made by Mr. Jack Carter regarding fill. This property has been in Rutherford County and he was not aware, whether or not, if permits have been obtained to allow fill being placed on this property. Both the developer and City staff has heard the comment. However, fill would be needed for building within areas on the property and for road construction.

Mr. Ken Halliburton wanted to know if there was a reason for the applicant to request RZ zoning for this property. Is there a more appropriate zoning to accomplish what the applicant has requested. Mr. Clyde Rountree stated, that it is market driven for a quality development. Mr. Matthew Blomeley explained the difference between RZ homes and RS-8 zone homes.

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Mr. Doug Young wanted to know what was the status regarding TDOT widening SR 99W. Mr. Ram Balachandran explained to date there were no guaranteed for this improvement within the next 2016, 2017, 2018 calendar year.

Mr. Doug Young wanted to know when would a traffic signal be placed along Veterans Parkway and Barfield Road. Mr. Ram Balachandran stated it should be installed within six months to a year. This traffic signal would provide the help that is needed along the south end of Barfield Road. Mr. Young made known there were concrete plans for improving Barfield Road within the next three years.

Mr. Eddie Smotherman stated, the City is aware of the dangers along Barfield Road. They are working as quickly as possible to have the signal installed along Barfield Road and Veterans Parkway. The property owner has presented a request to change his property. The property owner has the right to ask for this change; it is well within the limits for development. The bigger problem is not this one piece of property. The bigger problem is due to the State of Tennessee not funding the money that is needed for improving state highway projects. The City of Murfreesboro needs money from the state to develop highway projects. We are a growing community needing places for people to stay.

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

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. 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) 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 would be transferred to his father-in-law prior to the Planning Commission meeting. He has indicated that

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he would 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 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 would require a special use permit from the Board of Zoning Appeals. As an aside, the Planning Commission would recollect 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 has rectified 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 would 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).

Mr. Blomeley explained the applicant's intent is to develop the property as self-storage use. This would require a Special Use Permit. If the applicant moves forward for this particular use he would have to make an application to the Board of Zoning Appeals for approval. It would require for this property to be considered for the proposed layout, design and buffering during another public hearing.

Last, Mr. Blomeley made known the additional information before the public hearing:

- The joining property line with Speedway has been resolved

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- Mr. Richard Martin has provided materials to the Planning Commission for their review
- Due to the oversight by City staff, the rezoning sign for this request had not been placed on the property until yesterday. However, the public notices had been mailed at the appropriate time line (7-12 days). A public hearing notice had been placed in the local newspaper at the appropriate time line (7-12 days) as well as posted on our city website.

Mr. Chuck Barnes and Mr. Clyde Rountree were in attendance to represent the applicant.

Chairman Bob Lamb opened the public hearing.

1. **Mr. Richard Martin 292 Osborne Lane** – made known he was a Licensed Geologist and Hydrologist in the State of Tennessee. He had prepared a study on this property, pro bono, for the neighbors. Mr. Martin came forward making known the conditions from the study includes sink hole flooding, sink hole depressions, internal drains and severally limited due to the hydrology and soil characteristics. Last, he made known for the record, a copy of the National Wetlands Inventory Map provided by the National Fish and Wildlife Service shows this 1.7 acres of sinkhole depression and the area on Speedway property are both considered as waters of the United States.
2. **Ms. Katherine Patrick 322 Osborne Lane** – has several concerns with this property being zoned CF. The property owner is not bound to develop what is being presented. She has concerns with drainage, noise, light pollution and increase in traffic.
3. **Mr. John Gailbreath 312 Osborne Lane** – has concerns with this request which includes signage not being placed on the property, zoning uses, flooding, impact on wildlife, traffic, property values.
4. **Mr. Gary Patrick 322 Osborne Lane** – has concerns with light intrusion onto his property, dumpster location, drainage effecting septic tanks in the area, incompatible use in this area.
5. **Mr. Chris Clark 407 Osborne Lane** – came forward to speak with high regards for the applicant Mr. Barnes. He stated the applicant would develop what he has

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requested. Storage units would be a good neighbor for this area due to it being a low impact zone.

6. **Mr. Charles Jones 342 Osborne Lane**- has concerns with the ecology and drainage in the area.
7. **Mr. Charles Barnes 9887 Bradley Creek Road**- the applicant, made known this would be a family business to serve and provide the needs for the community. This type zone would be considered as a low impact use in this area.
8. **Ms. Jackie Pasarilla 332 Osborne Lane** – has concerns with noise and privacy. She requested for a 15- foot buffer, in addition, keeping the existing trees that are between this property and her property.

Chairman Bob Lamb closed the public hearing.

Mr. Clyde Rountree came forward to address the following concerns:

- Due to this property being a flag lot it would be limited to the types of uses due to the limited front road access
- A mini storage would be suitable as a low impact use along Osborne Lane
- All concerns with flooding would be addressed during the site plan process and the approval of the Board of Zoning Appeal process
- Any sinkholes identified would be made known during the site plan process
- Noise pollution, light pollution, buffer and traffic would be addressed during site plan process. A mini storage development would have very low impact with traffic along Osborne Lane.
- Dumpster location would be considered being placed by the existing Speedway

Mr. Matthew Blomeley made known the dumpster location would be required to be placed at the furthest location from the residential properties. During site plan review our staff would address all requirements from the Zoning Ordinance before final approval. Continuing, Mr. Blomeley stated the shape of this property would not allow a number of uses. A large number of commercial uses would prefer to have frontage along Osborne Lane. This is a difficult piece of property with constraints. This type of commercial business would not have a front for their

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business facing Osborne Lane. Therefore, more than likely it would only have a sign. The applicant has made an application for low impact zoning request. It would be required for this property to be reviewed, approved or not approved if the site does not meet all standards by the Board of Zoning Appeals. However, there are other multiple uses that could be developed on this property if for any reason they do not develop mini storages warehouse.

Mr. Doug Young asked if Deed Restrictions had been considered with this property, in which Mr. Rountree answered no. Mr. Young commented, Deed Restrictions would help the neighbor's concerns to know what would be developed beside their residential property.

Mr. Sam Huddleston came forward stating the assessments that had been mentioned by Mr. Richard Martin were right on. There are limitations with this property that have been shared with the applicant and their design team. The site plan process would help staff understand the impact from those limitations. It would be the responsibility from the applicant's design team to manage the volume of water. No additional water can be placed onto the neighbor's properties.

Mr. Eddie Smotherman wanted to know the impact of "Waters of the United States." Mr. Huddleston commented, he did not know specifically if wetlands were on this property. If wetlands are suspected on the property, the developer and design team have heard and would need to detect if in fact wetlands are on the property, the United States, through the Corp of Engineers, has jurisdiction or the State of Tennessee has jurisdiction, or both has jurisdiction. The City would be very interested but have limited regulatory influence. The developer has been advised to do their due diligence and prepare an application for notification to the State of Tennessee or Corp of Engineers, as appropriate.

Mr. Ken Halliburton wanted to know if Deed Restrictions would assure the neighbors. Mr. David Ives stated, any deed restrictions would have to be only voluntary. The City of Murfreesboro cannot require it with a bulk zone. If this is not an appropriate zone for the property, this request can be denied.

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Mr. Blomeley explained, the BZA could place reasonable conditions with this requests to address the following:

- hours of operation
- the location of buildings
- the existing tree line be preserved with buffer
- any other conditions as needed for this property

Discussion continued regarding the drainage basin on this property that flows to Dry Branch and East Fork River. Mr. Smotherman commented, this is a good use for the property; however, he would prefer to defer this request. He suggested the applicant and design team meet with the neighbors and communicate what type restrictions would be preferred with this property. If this could or could not be worked out, it would return to the Planning Commission for a vote. In all fairness to the neighbors, we were late placing the request zoning sign on the property. There are still opportunities that can be worked out with this plan.

Mr. Eddie Smotherman made a motion for deferral until September 21, 2016, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

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. Ms. Margaret Ann Green began by describing the subject properties 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

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Growth Boundary. The David Alcorn property is only partially located within the Urban Growth Boundary; however, the City's legal staff believes it is within Murfreesboro's ability to annex. If annexed, all properties are contiguous with the City limits.

The plan of services had been prepared by staff and provided in the Agenda packet. 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.

Ms. Green began stated a correction had been made to the plan of services on page 16. It identifies the developer being responsible for installing box culverts along East Overall Creek Road. The Assistant City Engineer has identified the City of Murfreesboro to be responsible for the construction of the box culvert. The words would be changed to the plan of services that would state, by the City as development occurs. East Overall Creek Road would need improvements with drainage.

Representatives for the application were in attendance to represent the applicant.

Mr. Gary Whitaker made known he had meet with the Rutherford County Planning Director, Mr. Doug Demosi, regarding the property being outside the City's Urban Growth Boundary. Next, Mr. Doug Demos, had met with the County Mayor and County Legal team, to further discuss what the intentions were with the applicant's. Mr. David Ives, made known, this annexation request has been the first time for the City to ever have a request outside the Urban Growth Boundary. After reviewing state laws for annexation and ordinance, there is a provision in the statue that states, "if a property owner wants to be annexed, and is contiguous with the city limits, the property owner can be annexed, even if the property owner is outside the Urban Growth Boundary." The City does have the legal right to annex. In the future, if needed, the City and the County can convene to modify the Urban Growth Boundary.

Chairman Bob Lamb opened the public hearing.

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1. **Mr. Brady Allred 5871 East Overall Road** – made known Alcorn property floods depending on the rainfall. East Overall Creek Road is a single lane road that is affected when the area floods. Would the City be responsible for this type of drainage work?
2. **Ms. Audrey Rich 5020 Old Salem Road** – made known this area floods and she had not been notified regarding this annexation request.
3. **Ms. Gwen Williams Windrow Road**- made known she has lived in this area for years. The road is substandard and is known for flooding.

Chairman Bob Lamb closed the public hearing.

Mr. Gary Whitaker made known in the next two weeks Mr. Sam Huddleston would bring a request to study Overall Creek Road. The City of Murfreesboro is aware this being a substandard road that would require major changes when this 45-acre tract is developed. Ms. Green made known in the plan of services there was a portion of Overall Creek Road had been included; however, since the plan of services had been published, it has been made known there would be additional right of way with an additional study.

Mr. Sam Huddleston commented, “this is a community problem and a regional problem that is not driven with just development but driven with the substandard conditions in the area. The City has taken the same responsibility with other projects and properties because we are capable and willing to improve flooding conditions. We will bring to the Planning Commission an extensive study that would provide information including other joint projects with private enterprise and the City of Murfreesboro.”

Mr. Ken Halliburton made a motion to approve the Annexation Plan of Services and annexation petition, seconded by Mr. Doug Young. The motion carried by unanimous vote in favor.

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. Ms. Margaret Ann Green began by describing the subject property 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

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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 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 and amenities.”

Mr. Matt Taylor, Mr. John Harney and representatives for the applicants were in attendance to represent the applicant. Mr. Matt Taylor came forward to make known the Rucker Donnell Foundation was established many years ago to benefit the community for educational and civic needs. The only way to fulfill these needs have been through maximizing land. Continuing, Mr. Taylor explained the CH zone would be the best use. It would allow full service needs now, and into the future, not just for the immediate area, but the entire southwestern quadrant of Murfreesboro and Rutherford County. Mr. Taylor made known the CF zone would include the following:

- Transition zone along state route Hwy. 99W too Old Salem Road
- Allow smaller buildings and sites for neighborhood services

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- The stream Puckett Creek would separate the characteristics within the area
- Floodway, floodplain and water quality would be protected
- Due to Puckett Creek in this area it would limit the size of properties that could be developed
- Larger developments would be along Hwy. 99W

Chairman Bob Lamb opened the public hearing.

1. **Mr. Jim Murray 5868 Montaque Avenue** – requested for the 34.1 acre be zoned at as residential because it would be the best use for the area. Recommended the CH zone be placed along Hwy. 99W and the 17.6 acres be kept as OG.
2. **Ms. Audrey Rich 5020 Old Salem Road**- opposes the CH zone she would prefer the area be kept as residential.
3. **Mr. Joel Powers 5300 Old Salem Road** –opposes the CH zone he would prefer the area be kept as residential.

Chairman Bob Lamb closed the public hearing.

Ms. Margaret Ann Green made known back in 2001, the City of Murfreesboro, embarked the Salem Pike Land Use Plan, to identify this area for future growth. This property being presented had not been recommended as residential. Today, the City of Murfreesboro, is nearing completion of the Comprehensive Plan which recommends this area as Mixed Use. A MU zone would allow the property to be developed as high density, such as RM-16, RZ, etc. Last, a CH zone or residential zone would not be inconsistent. Once a zone is approved, all plans that are submitted to the City would be required to meet the design standards for stormwater regulations, water quality and water quantity requirements.

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

Annexation Plan of Services and annexation petition [2016-513] for approximately 109.5 acres located along New Salem Highway, Rucker Donnell Foundation applicant. Mr. Matthew Blomeley began by describing the subject property located along the

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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 that had been provided in the agenda packet. Based on the plan of services, it appears that the City would 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.

Chairman Bob Lamb opened the public hearing.

1. **Mr. Brady Allred 5871 East Overall Creek Road** – has concerns with this property being annexed. When development occurs how would it effect the existing residents that are on well water. He wanted to know if the residents and tax payers were going to pay for all the improvements with this development.
2. **Mr. Brents Dement 6006 Hwy. 99** – has concerns with the development occurring by his property. This area is known for heavy drainage, sink holes, etc. Requested for a 36 inch stand pipe be placed on the property for the sink hole to breath. What size of houses would be developed onto this property?
3. **Mr. Joel Powers 5300 Old Salem Road** – opposes this annexation request

Chairman Bob Lamb closed the public hearing.

Chairman Lamb stated the property owner has a right for requesting annexation and zoning. However, it does not mean the property would be developed in the manner they would prefer. There are a several hurdles before a development plan is approved. It is a long process before property can be developed.

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Mr. Ken Halliburton asked Mr. David Ives if he was comfortable with the approval of this annexation request to be approved. Mr. Ives answered, yes.

Mr. Ken Halliburton made a motion to approve the Annexation Plan of Services and annexation petition, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

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. Mr. Matthew Blomeley began by describing the subject property 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 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*. There are no recommendations specifically for this property.

Directly to the south of the requested property is 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).

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Mr. Matt Taylor, Mr. John Harney and the applicant's team were in attendance to represent the applicant. Mr. Taylor came forward making known the annexation request and the zoning request is to gain access to city sewer that runs through this property. The RS-10 would allow the density on large lots that are needed for this area. The applicants are aware and have recognized the hardships on this property.

Chairman Bob Lamb opened the public hearing.

Mr. Brady Allred 5871 East Overall Creek Road – he requested for this property be zoned as RS-15 for less density.

Chairman Bob Lamb closed the public hearing.

Chairman Lamb wanted to know how much of this property could be developed. Mr. Matt Taylor answered 20 – 30 acres would be very hard to develop. There could be very deep lots, some lots larger than the minimum size. Mr. Young made the comment, historically RS-10 zone have very expensive homes, especially with larger lots. He feels comfortable with a RS-10 zone.

Mr. Doug Young made a motion to approve, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

Proposed amendments to the sign ordinance regarding additional types of signs, signs in easements, & delete height limitations on attached signs in the CBD [2016-803], City of Murfreesboro Legal Department applicant. Mr. David Ives began by making known the Murfreesboro Legal Department and the Building and Codes Department together with ongoing discussions and concerns regarding the proposed Sign Ordinance amendments. The proposed changes would amend the ordinance to allow 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.

Mr. Ives explained to the Planning Commission and Staff all six sections of amendments to be considered to amend the Murfreesboro Sign Ordinance.

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

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

Staff Reports and Other Business

Mr. Robert Lewis handed out an update on information regarding future teleconferences. These meetings would be conducted in the Legal Department for those who need to complete their continuing education hours. Continuing, he made known on September 23, 2016, in Nashville, there is a conference "Land Use Law Seminar." This conference is available to those who are interested. Any Planning Commissioner or Staff that may be interested attending this conference, contact Mr. Lewis, as soon as possible, so proper arrangements can be made. In addition, those who have attended any 2035 meetings or seminars this year can be added towards continuation education hours. Please contact Mr. Lewis, if there are any questions.

There being no further business the meeting adjourned at 9:55 p.m.

Chairman

Secretary

GW:cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 5, 2016

MEMBERS PRESENT

Bob Lamb, Chairman
Doug Young, Vice Chairman
Eddie Smotherman
Tom Clark
Ken Halliburton
Jennifer Garland
Kathy Jones

STAFF PRESENT

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

Chairman Bob Lamb called the meeting to order after determining there was a quorum. The minutes of the June 22, 2016 and August 17, 2016, Planning Commission meetings were approved as submitted.

Public Hearings

Annexation Plan of Services and annexation petition [2016-515] for approximately 236.8 acres located along South Rutherford Boulevard, Thomas Hoover, Elizabeth Clark, Etal. applicants. Mr. Matthew Blomeley distributed a revised illustration map for this annexation request. Mr. Blomeley explained the reason for the changes made were due to the applicant not being able to secure a particular portion of property along the northern property line. The northern property had been advertised with this annexation request. Therefore, Staff would like to recommend removing the northern property from this annexation request.

Continuing, Mr. Blomeley began describing the requested property located along the south side of South Rutherford Boulevard east of the CSX railroad tracks and west of Southeast Broad Street. It is undeveloped properties totaling approximately 218.9 acres, which are all located within the City's Urban Growth Boundary and are contiguous with the existing City limits. Written petitions requesting annexation have been filed by the owners of two (2) of the parcels. The applicant has

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been investigating the possibility of acquiring the 1.6-acre parcel adjacent to Huskey Truss owned by Derryberry; however, no annexation petition for this parcel had been received. Staff has not received an annexation petition for the Derryberry parcel prior to this, therefore, it is recommended that this parcel be removed from the annexation.

In addition to the requested property, approximately 4,000 linear feet of South Rutherford Boulevard right-of-way had been included in the annexation study. Also included is approximately 6.6 acres of CSX right-of-way and a 2.5-acre parcel owned by James Huskey that contains the spur line for Huskey Truss. This brings the total acreage being studied up to 236.8. Staff has contacted both CSX and Huskey Truss about petitioning the City for annexation of their parcels, because both parcels would be mostly surrounded by the City limits if the requested property is annexed. The applicant has been in contact with Huskey Truss and has made known that Huskey Truss would provide a petition for annexation. At this time Staff recommends keeping the two additional study areas with this annexation request.

Staff has prepared a plan of services that had been provided in the agenda packet. The plan of services indicates that the City would be able to provide services to the subject property if annexed. A zoning request to have the property zoned CH (Commercial Highway District) simultaneous with annexation has also been filed. As an aside, the additional study area parcels are zoned residential in the County and would come into the City with an interim RS-15 (Single-Family Residential 15 District) zoning classification, if annexed.

Chairman Bob Lamb wanted clarification on the advertisement for the portion of property that is being considered removing. He feels it would be good planning to keep this property with the request; because, it would keep the entire area of South Rutherford Boulevard in the city limits of Murfreesboro. Mr. Blomeley explained it could take several months to secure a written petition for annexing this particular property. Mr. David Ives made known without a written petition it could remain as part of the study area; however, unless there is a change of ownership, the City

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could not annex the small triangle property. Mr. Ives commented, it is bad planning, but it is the result from the action of State Legislature.

Mr. Eddie Smotherman requested for the right of way of Rutherford Boulevard be annexed into the City limits so it does not create an island, such as a ten-foot strip. This would keep the entire roadway in the City limits for all emergency provisions. This would prevent any confusion for those regarding emergency response. Mr. David Ives commented, the road right of way could be studied further for consideration; however, the City could not include the property that has not provided a signed annexation petition. Chairman Lamb asked for Mr. David Ives provide the information for a right of way/ten (10) foot strip to be presented at City Council for this request, Mr. Ives answered, he would provide the requested information.

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.

Ms. Kathy Jones made a motion to approve the Annexation Plan of Services, annexation petition, the original advertisement notice that had been posted for this request and all staff comments, seconded by Mr. Doug Young. The motion carried by unanimous vote in favor.

Zoning application [2016-446] for approximately 227.7 acres located along South Rutherford Boulevard to be zoned CH simultaneous with annexation, FedEx Ground applicant. Mr. Matthew Blomeley began by describing the requested property located along the south side of South Rutherford Boulevard east of the CSX railroad tracks and west of Southeast Broad Street. It is undeveloped and consists of portions of three (3) existing parcels, totaling approximately 218.9 acres. In addition, Lytle Creek and its floodway are located in the eastern portion of the requested property. (The 8.8 acres of right-of-way included in the annexation brings the total acreage for the zoning request to 227.7 acres.) The applicant has requested a zoning classification of CH (Commercial Highway District) simultaneous with annexation. (Note: If the

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1.6-acre Derryberry property is removed from the annexation, it would also be removed from the zoning request.)

Facilities for Huskey Truss and Southern Container are located to the northwest of the subject property and are zoned H-I (Heavy Industrial District). CSX railroad right-of-way borders the subject property on its west side. Further to the west are a variety of commercial uses zoned L-I (Light Industrial) located along the South Church Street frontage road. Directly to the south of the subject property are several large undeveloped tracts that are currently zoned RM (Medium Density Residential) in the unincorporated County. Also to the south are a number of existing single-family residential homes located along Tulip Hill Drive in the unincorporated County. To the east, also zoned RM in the unincorporated County, is the undeveloped remainder of one of the subject parcels. To the north, across South Rutherford Boulevard, is another large undeveloped tract zoned RM in the unincorporated County.

The applicant, FedEx Ground, wishes to develop a new 947,842 square-foot distribution center on the subject property. This use is classified as “warehousing and transporting” in the Zoning Ordinance. This use is permitted by right in the CH zone. The applicant has submitted for Planning Commission a site plan review even though the annexation and zoning requests have not yet been approved. Any approval of the site plan would be subject to the annexation of the property and its zoning to CH. The design team has submitted a traffic study for Staff to review as a function of the site plan review process and Staff expects road improvements to be required in conjunction with this development. In addition, the design team is aware that there are existing single-family homes to the south of the subject property, and they have indicated in their application materials a willingness to exceed minimum buffering requirements along these property lines.

A neighborhood meeting had been conducted on October 3rd, at Patterson Park Community Center. There had been approximately twelve (12) property owners in attendance.

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Ms. Cherie Akers, Mr. Jack Pfeiffer & a FedEx team, were present to represent the applicant. Ms. Cherie Akers came forward making known the FedEx Flex Hub Distribution Center as being the following:

- 189.9-million-dollar investment in Murfreesboro
- 947,842 square foot building
- Within two years there would be 230 employees (41 full time, 189-part time)
- They had met with Huskey Truss to work on the details in obtaining a right of way
- Proposed, one main truck entrance located at Rutherford Boulevard
- Second entrance, SE Broad Street for employee only
- Future third access for trucks and vans located along the south of the property
- Agreed to provide a thirty-foot sewer easement that is located along Lytle Creek
- A traffic study has been submitted for staff's review and approval with the preliminary site plan
- The preliminary site plan has included landscaping, buffering and no development in the 100-year flood plain, etc.
- FedEx is committed to address anything that requires improvements to traffic safety and being more efficient for FedEx and the community.

Chairman Bob Lamb opened the public hearing.

Mr. Richard Baines 1319 Parkview Terrace - made known he did not approve or disapprove for another warehouse. However, he would like further information regarding the following:

1. Has FedEx outgrown their existing facility located in Murfreesboro
2. Are they hiring new employees or just relocating the existing employees
3. Were tax incentives used? If so, the public deserves accurate information on this investment.

Chairman Bob Lamb closed the public hearing.

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Mr. Eddie Smotherman wanted to know if this location would be the same as their existing facility on Park Avenue or would this building be larger? Would this facility be considered as a cross dock operation?

Mr. Jack Pfeiffer came forward to address the questions that had been asked. He made known the following:

- This would be a small package, delivery, hub
- There would be a significant increase in team members. Currently, they have 110 team members which include 20 full time and 90- part time.
- Full & part time employees would have benefits such as tuition reimbursement, retirement plans and health insurance.

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

Annexation Plan of Services and annexation petition [2016-512] for approximately 77.1 acres located along Manchester Pike & Dilton Mankin Road, Mankin Family Limited Partnership applicant. Mr. Matthew Blomeley began by describing the subject property located at the northeast corner of the intersection of Manchester Pike and Dilton Mankin Road. The property totals 70.9 acres and is primarily undeveloped. However, there is a single-family residence and several agricultural outbuildings located there. A written petition had been filed by the property owner requesting annexation. The requested property is located within the City's Urban Growth Boundary. By itself, it is not contiguous with the existing City limits. In addition to the requested property, Staff had also included Manchester Pike 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. Approximately 2,100 linear feet of Manchester Pike right-of-way, including a segment south of the requested parcel as well, is included in the study area as is approximately 1,800 linear feet of Dilton Mankin right-of-way. The total study area, including right-of-way, is 77.1 acres.

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Staff had prepared a plan of services, which had been included with the agenda packet. It indicates that the City would be able to provide services to the subject property if annexed. The developer had filed a request to have the property zoned PRD (Planned Residential District) simultaneous with annexation. It should be noted that, if the annexation and zoning for this property are both approved, the proposed subdivision would be the first development with a STEP (Septic Tank Effluent Pumping) system since the City Council approved allowing STEP systems in the City as an alternative to sanitary sewer. This would allow a greater density with a STEP system instead of being developed with septic tanks.

Chairman Bob Lamb opened the public hearing.

Ms. Emily Kelley-Watts Farm – requested for Dilton Mankin Road be improved with the installation of the new traffic signals at Manchester Highway. This area has had several traffic accidents due to the high volume of traffic during peak hours.

Chairman Bob Lamb closed the public hearing.

Mr. Eddie Smotherman commented, there would be road improvements to Manchester Highway and Dilton Mankin Road with this development. The road improvements would dramatically improve the traffic within this area.

Mr. Eddie Smotherman made a motion to approve the Annexation Plan of Services and annexation petition subject to all staff comments, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

Zoning application [2016-447] for approximately 77.1 acres located along Manchester Pike & Dilton Mankin Road to be zoned PRD (Mankin Pointe) simultaneous with annexation, Ole South Properties Inc. applicant. Mr. Matthew Blomeley began by describing the subject property located at the northeast corner of the intersection of Manchester Pike and Dilton Mankin Road. The property totals 70.9 acres and is primarily undeveloped. However, there is a single-

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family residence and several agricultural outbuildings located there. (The 6.2 acres of right-of-way included in the annexation brings the total to 77.1 acres.) The applicant has requested a zoning classification of PRD (Planned Residential District) simultaneous with annexation.

The proposed PRD, called Mankin Pointe, would allow 163 single-family residential detached lots with a minimum lot size of 7,000 square-feet. It should be noted that this would be the first development on a STEP (Septic Tank Effluent Pumping) system since the City Council approved allowing STEP systems in the City as an alternative to sanitary sewer. A significant portion of the tract will be devoted to the STEP fields. Because of this, as well as the amount of the property that is encumbered by the floodway of Lees Spring Branch, the overall proposed density is 2.3 units per acre. The development includes a main access point off of Manchester Pike and a secondary access point off of Dilton Mankin Road. Amenities would include the landscaping of the common area at the southwest corner of the site as well as a pavilion, playground, and walking trail toward the east side of the property adjacent to Lees Spring Branch. The houses would each contain a minimum of 2,000 square-feet of living area and a 2-car garage. The exterior building materials would consist of brick, stone, and fiber cement siding. Vinyl would only be permitted in the gables, soffit, and fascia. Additional details regarding the development plan can be found in the PRD program book, which has been included with the agenda package.

Directly to the south of the subject property is the Mankinville Estates single-family residential subdivision, which is located in the unincorporated County. To the east of the subject property is Lees Spring Branch and its floodway, as well as the Watts Lane single-family residential subdivision, which is also located in the unincorporated County. To the north of the subject property, along Manchester Pike, are several commercial uses in the unincorporated County, including a gas station/convenience market and a contracting business. Also to the north in the unincorporated County is a large tract that contains a single-family residence and what appears to be a horse farm. Across Manchester Pike are several single-family residential estate tracts located in the unincorporated County.

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A neighborhood meeting regarding this zoning request was held on September 19th at Black Fox Elementary School. Approximately 25 neighbors were in attendance, many of whom had concerns related to traffic. In response to their concerns, the plan has been revised to shift the Dilton Mankin Road entrance further to the east in order to gain additional separation from the Manchester Pike intersection and so it is no longer across the street from the existing Sugarbush Court.

Mr. Matt Taylor and Mr. Dan Bobo were in attendance to represent the applicant. Mr. Taylor came forward to begin a power point presentation from the applicant's program book for the zoning request. Mr. Taylor explained Mankin Pointe Subdivision would include the following:

- 163, one & two story craftsman style homes ranging in size from 2,000 to 3,000 square feet
- Minimum lot size 7,000 square feet
- Two car front entry decorative door garage with four car parking outside of garage
- Public streets with sidewalks on both sides of the street
- Underground utilities
- First STEP system in the City of Murfreesboro
- A total of 34-acre used for 12.97-acre usable open space, 8.07 acres stormwater and 12.98 acres STEP field
- Decorative mail boxes
- Develop outside of the 100-year flood plain
- Architecture and building materials would be similar as existing neighborhood Puckett Station
- Amenities include a playground, pavilion, walking trail and good pedestrian access
- Two primary access points – one along Manchester Highway & second along Dilton Mankin Road

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- TDOT has plans for traffic signalization along Manchester Highway and Dilton Mankin Road. TDOT plans are anticipated to begin early 2017. The signalization would occur way before any construction begins for this development.
- A complete Traffic Study has been submitted for Staff to review and approve.
- Per the request from the area residents the applicant has relocated the access point off of Dilton Mankin Road to the far east of this project.
- Per Staff's request the applicant has provided a stub street on the north side of this property.
- Last, Mr. Taylor explained all road improvements would be included with this development along Manchester Highway and Dilton Mankin Road.

Mr. Doug Young wanted to know if all road improvements would be completed before the construction of the first home. Mr. Taylor answered, yes. The first phase with infrastructure could occur Spring 2017 with the first resident living there early 2018. They anticipate for this development to be built out within four to seven years with this number of lots.

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 zoning request subject to all staff comments, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Annexation Plan of Services and annexation petition [2016-516] for approximately 21.5 acres located along West Thompson Lane, Diane & Grant Kelley applicants. Ms. Margaret Ann began by describing the subject property located north of West Thompson Lane. The study area consists of property owned by Diane and Grant Kelly, a 1.5-acre portion of which is already located within Murfreesboro City limits. Mr. Steven Dotson has a contract to purchase the property and wishes to develop the entire study area consisting of 21.5 acres.

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A written petition has been filed by the property owners requesting annexation. The property is located within the City's Urban Growth Boundary and is contiguous with the City limits.

Staff had prepared a plan of services which had been included in the agenda packet. The plan of services indicates that the City would be able to provide services to the subject property if annexed. The right of way of West Thompson Lane is already located within City limits. Mr. Steven Dotson has also filed a request to zone the annexation study area PRD (Planned Residential District) simultaneous with annexation

Mr. Rob Molchan and Mr. Steve Dotson were in attendance to represent the applicant.

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

Mr. Tom Clark made a motion to approve the Annexation Plan of Services and annexation petition subject to all staff comments, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

Zoning application [2016-445] for approximately 21.5 acres located along West Thompson Lane to be zoned PRD simultaneous with annexation, to rezone approximately 1.5 acres from RS-15 to PRD and to rezone approximately 1.1 acres from CU to PRD (Caroline Farms), Steven Dotson applicant. Ms. Margaret Ann Green began by describing the subject property located north of West Thompson Lane. The study area consists of property owned by Diane and Grant Kelly. Mr. Steven Dotson has a contract to purchase the property and wishes to develop it. A 1.5-acre portion of the property was annexed in 1987 by the City of Murfreesboro and is zoned RS-15 (Single-Family Residential District). The remainder of the property is being studied for annexation. An adjacent 1.1-acre portion of the MTSU property has been included with the zoning application.

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The properties located to the north are in the unincorporated area of Rutherford County. The property to the east is zoned CU (College and University) and is owned by MTSU. The properties to the west are zoned PRD and is the future location of the General's Landing PRD, which is a mixture of 31 single-family, detached lots and 130 multi-family, townhomes. The properties to the south are zoned RS-15 and is the location of the Siegel Middle and Siegel High schools.

The Major Thoroughfare Plan includes a three-lane, north-south connector road from West Thompson Lane to Cherry Lane. The PRD plan has incorporated this element of the Major Thoroughfare Plan. A copy of the applicant's program book had been included with the agenda materials.

Mr. Rob Molchan and Mr. Steve Dotson were in attendance to represent the applicant. Mr. Molchan came forward to begin a power point presentation from the applicant's program book. The applicant has requested approval for the following:

- 21.5 acre be zoned PRD (Planned Residential District) simultaneous with annexation
- 1.5 acres currently zoned RS-15 be rezoned to PRD
- 1.1 acres zoned CU be rezoned PRD for a total of 24.1 acres.
- Caroline Farms PRD district would allow 112 single-family detached lots on 24.13 acres for a density of 4.6 dwelling units per acre.
- The minimum lot size would be 5,250 square feet
- The minimum lot home size is 1,800 square feet with a minimum 2-car front entry decorative garage doors
- The homes are to have masonry exteriors (brick, stone, rock, cementitious siding). Each home would have foundation landscaping and sodded front yards.
- All public streets would include sidewalks along both sides of the street
- Two acres of open space would be mainly used for stormwater management
- All public utilities would be underground

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- This development includes decorative mailboxes, street lights, four-rail fencing to run along West Thompson Lane. This would mimic the adjacent Generals Landing PRD.

Continuing, Mr. Molchan made known this zoning request would allow a future connectivity between West Thompson Lane and Cherry Lane. The connectivity would improve access to the Siegel Soccer Complex north of this site. In addition, there would be a stub along the northeast of this property. The stub street would cross the northwest corner of MTSU property to align with city owned property with the soccer complex. Currently, the applicant is attempting to acquire 1.13 acres of land from MTSU that would allow a connection for this development and a future ROW connection.

Continuing, Mr. Molchan made known West Thompson Lane was on the Major Thoroughfare Plan (MTP). Therefore, the applicant has agreed to work with the City of Murfreesboro, Engineering Department, to coordinate City roadway improvements with the development regarding ingress/egress along West Thompson Lane. In addition, the applicant is proposing a north to south three (3) lane roadway for the development that would include an ingress/egress connection to General's Landing. Last, there is possible ingress/egress connectivity to Cherry Lane, that is north of this property. This would provide better connectivity for residents, and others needing access to Siegel Soccer Complex.

Mr. Tom Clark wanted to know who would be responsible to construct the road at the end of this development to Cherry Lane. Mr. Gary Whitaker explained the City of Murfreesboro would be responsible for approximately 3000 feet of roadway to Cherry Lane. This would become a valuable connector road. Mr. Doug Young commented how this area has the potential for a greenway trail that would connect the City future trails and network. Mr. Sam Huddleston came forward making known the MTSU Miller Coliseum Committee has approved the property to grant easements and transfers of their property to the City for construction of greenway trails on MTSU property. A landscaping agreement has been arranged for the City of Murfreesboro to maintain

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this area outside of the MTSU horse fence. There is a Parks and Recreation Master Plan which provides details for the entire City greenway trails and networks at Walter Hill Park, Coleman Farm Trailhead being one network all the way to Barfield Park.

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

Ms. Kathy Jones requested for the connection street to General's Landing be lined with this development, in which Mr. Molchan agreed, the connection street would be corrected for it to be line up together. Ms. Jones requested for the propose north to south three (3) lane roadway be improved to prevent the future road becoming a long straight drag strip. Mr. Gary Whitaker made known Staff would continue addressing the three lane roadway.

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

Zoning application [2016-452] for approximately 6.6 acres located along Salem Creek Drive to be rezoned from OG to PRD (Ashton at Salem Creek), David Alcorn applicant. Ms. Kathy Jones made known she would be abstaining from all discussion and vote for this zoning request.

Ms. Margaret Ann Green began by describing the subject area consisting of 9 undeveloped lots located along Salem Creek Court and Salem Creek Drive. The properties to the north are zoned CF (Commercial Fringe District); Salem Creek Church of Christ is contiguous to this property on the north side. The properties to the east are zoned CF and PRD (Planned Residential District). The properties to the south are zoned OG (General Office District) and RS-12 (Single-Family Residential District). The property the east is zoned RS-15 and is the location of the Fellowship Methodist Church.

The proposed PRD is to allow 42 multi-family townhouse dwelling units on 6.6 acres, for a density of 6.4 d.u./acre. The units that front along Salem Creek Drive would have rear access garages

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while the units located along Salem Creek Court will have front entry garages. The applicants are requesting a reduced front yard setback (25') for five units. Salem Creek and its floodplain are located on the subject area.

A neighborhood meeting had been conducted on October 4th, 6:00 p.m., at the Fellowship United Methodist Church. Approximately 20 residents had attended the meeting.

Last, a copy of the program book had been provided with the agenda materials.

Mr. Clyde Rountree and Mr. David Alcorn were in attendance to represent the applicant. Mr. Rountree came forward distributing a letter to the Planning Commissioners and to City staff regarding new additions they would like to include in their program book. Mr. Rountree explained the additions that have been made would address the concerns that were brought up during the neighborhood meeting. Next, Mr. Rountree began a power point presentation to explain the details from the applicant's program book with the new additions as being the following:

- The proposed townhomes facing Salem Creek Drive would be five unit buildings to have all brick material
- Sidewalks would be provided in front of this development along Salem Creek Drive. The developer would not be connecting his sidewalk with the public sidewalks.
- Provide additional landscaping along Salem Creek Drive. Street trees would be added along Salem Creek Court.
- Landscaping would be added to screen the dumpsters and guest parking lots.
- Type A buffer with evergreens around the entire perimeter of the development

Mr. Ken Halliburton wanted to know if two vehicles could park in the driveways. Mr. Rountree explained the driveways would be wide enough to accommodate a minimum of two vehicles. Also, proposed with this development would be additional guest parking.

Chairman Bob Lamb opened the public hearing.

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1. **Ms. Chelsea Cooper – HOA President for the Salem Creek neighborhood** – wanted to make known her concerns and make known the neighbor’s concerns for this proposal.
 - **Would like clarification regarding the City Council moratorium on multifamily housing**
 - **Is this multifamily housing necessary?**
 - **Due to the high volume of traffic within the area and the potential of increasing the traffic with a Planned Residential Development (PRD), the residents request to keep the current zone as Office General (OG).**
 - **Postpone the rezoning request until a Traffic Study has been prepared.**
 - **Contingency be added by the developer for improvements on the front and sides of the townhomes facing Salem Creek Drive to be all brick material.**
 - **Contingency be added to improve landscaping along Salem Creek Drive, additional screening around the dumpster area and the guest parking lots.**
2. **Ms. Diane Cauwels 2738 Beulah Drive** – her main concern is the increase in traffic in this area
3. **Mr. Eric McKay 2743 Presley Drive** – opposes this rezoning request. He requested for the current zone to remain.

Chairman Bob Lamb closed the public hearing.

Ms. Margaret Ann Green made known the City Council had approved and voted on a moratorium for multifamily developments which applies only to RM-16 and RM-12 zones. A RM-16 and RM-12 type zone is for traditional apartment complexes. The moratorium does not apply to this zoning request Planned Residential Development (PRD), which is a fee simple ownership. The PRD multifamily zone is not an apartment; it is a purchase as an owner investment. The

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clarification made to the Planning Department, Planning Commission and City Council, has been that a PRD type zone request could be discussed and voted upon.

Mr. Sam Huddleston provided an update on current information regarding road improvements to Highway 99 West. He explained there would be a bid letting sometime during December 2018. Once the bid is approved it would be a two (2) year process for the completion of the construction for Highway 99W.

Last, Ms. Green made known the letter from Mr. Rountree regarding the new additions would have to be added to the applicant's program book. The developer has a good history working with neighbor's. If this rezoning request is approved the applicant's program book would be revised. In addition, City Staff expects the sidewalk with this development be connected with the existing public sidewalk system. This sidewalk connection would encourage residents to walk to the area businesses instead of driving.

Mr. David Alcorn came forward stating he would provide a diagram of the sidewalk connection he proposes for City staff to review and approve.

Mr. Ken Halliburton made a motion to approve the rezoning request subject to all staff comments, including the agreements that had been made with the joining residents and to continue working with City staff on the sidewalk connectivity, seconded by Mr. Tom Clark. The motion carried with one abstention made by Ms. Kathy Jones.

Zoning application [2016-443] for approximately 0.72 acre located at 720 Old Salem Road to be rezoned from RM-12 to CH, John Rudd applicant. Ms. Margaret Ann Green began by describing the subject area consist of one parcel which is currently zoned RM-12 (Multi-family residential district). The subject area is developed with a 31,500 square foot structure which is currently being changed from an Institutional Group Assembly (church) to a Group Shelter. The BZA granted a Special Use Permit on April 27, 2016, to allow the use as a Group Shelter. The contiguous properties to the north and east are zoned RM- 12 and developed with single-family,

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detached houses. The property located across Old Salem Road, a substandard street, is zoned H-I (Heavy Industrial District) and is developed with various types of residential, commercial and industrial uses. The rezone request is to change this parcel from RM-16 to CH (Commercial Highway District) to allow it to be utilized as a commercial warehouse in addition to the Group Shelter.

The CH district is intended to permit the development and continued maintenance of general commercial uses located in a linear fashion along highways and near transportation facilities and industrial areas. The uses permitted in this district are the most permissive in a commercial zone. A list of uses permitted had been included with the agenda materials.

Mr. Clyde Rountree 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. Jennifer Garland made a motion to approve the rezoning request subject to all staff comments, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Zoning application [2016-449] for approximately 3.1 acres located along Halls Hill Pike & Journey Drive to be rezoned from RM-16 to RZ (1.8 acres) & CL (1.3 acres), Swanson Development applicant. Mr. Matthew Blomeley began by describing the subject property located at the northeast corner of the intersection of Halls Hill Pike and Journey Drive. It was annexed and zoned RM-16 (Residential Multi-Family 16) in 2003. Even though it was subsequently cleared and graded, it has remained vacant since that time. The applicant, acting as the developer and representing the property owner, has requested that the southern 1.3 acres along Halls Hill Pike be rezoned to CL (Commercial Local District) and the northern 1.8 acres be rezoned to RZ (Zero-Lot Line Residential District).

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To the east of the subject property is an existing commercial development, also zoned CL, that includes self-storage, a car wash, and a multi-tenant commercial building. To the west across Journey Drive as well as directly to the north is The Grove apartment complex, which is zoned RM-16. Further to the north is the Providence Pointe single-family residential subdivision, which is zoned RS-10 (Single-Family Residential 10 District). All of the above parcels are located in the City. The properties to the south across Halls Hill Pike are located in the unincorporated County and are comprised of a variety of uses, including several single-family residences, a gas station/convenience market, a night club, and a lodge.

No development plan has been officially submitted at this time and could change. In good faith, the developer and his partner have indicated they envision the property being developed with commercial retail and RZ (Zero-Lot Line Residential District). They are proposing Commercial Local (CL) along the front along the front of the property. Along the northern portion of the property would be approximately 15, RZ single family, detach homes. A new cul-de-sac public street would be constructed off of Journey Drive which would be the primary access for the RZ lots. He envisions the future commercial development on the proposed CL zoned property would gain its primary access from Halls Hill Pike but also having secondary access to the proposed cul-de-sac.

Mr. Ken Halliburton commented, this request would be reducing the density, in which Mr. Blomeley answered yes.

Mr. Eddie Smotherman wanted to know why was there a zig zag line across the property. Mr. Blomeley explained, the zig zag line on this property is part of an unofficial concept plan. This concept plan has been created by Mr. Rountree, at Huddleston/Steele Engineering and Mr. Joe Swanson, Jr. Mr. Smotherman asked if it had been created for uses, not as geographical line, in which Mr. Blomeley answered yes.

Chairman Bob Lamb opened the public hearing.

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- Mr. Joe Swanson, Jr. 1188 Park Avenue - requested to be deferred so he and his partner could improve the details for this property.

Mr. Eddie Smotherman made a motion, per the request from the applicant, for this request be deferred indefinitely. The developer requests to meet with City staff to continue discussion their intent with this application. After discussions with City staff the applicant would come before the Planning Commission for rezoning approval, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Zoning application [2016-451] for approximately 8 acres located along South Rutherford Boulevard to be rezoned from RS-10 to RZ, Swanson Development applicant. Mr. Matthew Blomeley began by describing the subject property located along the west side of South Rutherford Boulevard. It is undeveloped and zoned RS-10 (Single-Family Residential 10 District). The owner of the property has requested that the property be rezoned to RZ (Zero-Lot Line Residential District).

Directly to the north of the subject property is the Rogers Estates single-family residential subdivision, which is zoned RS-10. The Carolyn Court single-family residential subdivision, also zoned RS-10, is located directly to the west of the subject property. To the south of the subject property is The Pointe at Eastdale apartment complex, which is zoned RM-16 (Residential Multi-Family 16 District). Also, to the south is the Brendleton Crossing Subdivision, which is zoned RM-16 and PUD (Planned Unit District) and developed with zero-lot line attached and detached single-family homes. Directly across South Rutherford Boulevard to the east is the Stonegate single-family residential subdivision, which is zoned RS-10.

The subject property has remained vacant for a number of years under the current RS-10 zoning. The applicant has indicated that he wishes to rezone the property to RZ in order to develop the property with single-family lots that are smaller than the current RS-10 zoning allows. Because of its shape, it is difficult to estimate the number of lots that could be developed in the proposed

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RZ zone versus the existing RS-10 zone. In addition, no specific development plan under the proposed RZ zoning has officially been submitted by the developer. However, he has indicated that, if the property is rezoned, he plans on moving forward expeditiously with development. With respect to access, in addition to its frontage on South Rutherford Boulevard, there are two existing streets that stub into the property from the Rogers Estates Subdivision to the north -- Rutherford Street and an unnamed stub street off of Aspen Avenue.

Mr. Joe Swanson, Jr. 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. Eddie Smotherman wanted to know if the increase in density would include green space for amenities, such as walking trails, retention/detention ponds, that would protect the surrounding neighborhoods. Mr. Blomeley stated when a preliminary plat is submitted, the Engineering Department would review to make certain the type of features that would be required to address all stormwater drainage. There would not be any stormwater runoff onto the existing neighbors. Last, a tract this size would have limited ability to achieve any amenities with the development.

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

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Staff Reports and Other Business

There being no further business the meeting adjourned at 8:55 p.m.

Chairman

Secretary

GW:cj