

**CITY OF MURFREESBORO
PLANNING COMMISSION
AGENDA**

City Hall, 111 W. Vine Street, Council Chambers

**December 7, 2016
7:00 PM**

**Bob Lamb
Chairman**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the October 19, 2016 Planning Commission meeting.**
- 4. Public Hearings:**
 - a. Zoning application [2016-438] for approximately 0.36 acres located along Greenland Drive and Old Lascassas Road to be rezoned from CL to PCD (Greenland Liquor & Wine), Arvindkumar Patel applicants.
 - b. Annexation Plan of Services and annexation petition [2016-519] for approximately 9.1 acres located along Rucker Lane, Gere & Chris Payvis applicant.
 - c. Zoning application [2016-456] for approximately 6.3 acres located along Rucker Lane to be zoned RS-8 simultaneous with annexation, Laws Bouldin applicant.
- 5. Staff Reports and Other Business:**
- 6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 16, 2016**

4.a. Zoning application [2016-438] for approximately 0.36 acres located along Greenland Drive and Old Lascassas Road to be rezoned from CL to PCD (Greenland Liquor & Wine), Arvindkumar Patel applicants.

The subject property is located north of Greenland Drive and west of Old Lascassas Road and is developed with a Kwic Sac gas station. The surrounding properties to the north and west are zoned CL (Local Commercial District). The properties to the east, across Old Lascassas Road, are zoned RS-10 (Single-Family Residential District). The property to the south, across Greenland Drive, is zoned CU (College University District) and is the location of MTSU. The subject property is zoned CL. The applicants have been operating the business for many years and have now purchased the property. They have requested a rezoning to PCD (Planned Commercial District) to construct a liquor store with a small flex space. The applicant is opting to ask for a PCD zone as opposed to bulk zone to provide minimum design standards and to develop the site in a unique fashion. The proposed PCD requires that the structures be a two story appearance with a single story interior volume. The exterior materials allowed are brick and stone. The Zoning Ordinance asks that planned development applications compare the proposed PCD to an existing bulk zone and, in this case, the CF district is closest to the type of development they are asking the Planning Commission to approve. As such, they have gone through the list of permitted uses for the CF district to determine which may be a good fit for this site.

The proposed PCD would **allow** the following uses:

- | | |
|--|---|
| 1. Day Care Center | 20. Dry Cleaning Pick-Up Station |
| 2. Museum | 21. Flower or Plant Store |
| 3. Philanthropic Institution | 22. General Service and Repair Shop |
| 4. Public Building | 23. Glass - Stained and Leaded |
| 5. Senior Citizen Center | 24. Health Club |
| 6. Animal Grooming Facility | 25. Interior Designer |
| 7. Antique Shop <3000 sq. ft. | 26. Janitorial Service |
| 8. Art or Photo Studio or Gallery | 27. Karate, Instruction |
| 9. Bank, Branch Office | 28. Keys, Locksmith |
| 10. Bank Main Office | 29. Laundries, Self-Service |
| 11. Book and Card Shop | 30. Liquor Store |
| 12. Business School | 31. Music or Dancing Academy |
| 13. Business and Communication Services | 32. Offices |
| 14. Catering Establishment | 33. Optical Dispensaries |
| 15. Clothing Store | 34. Personal Service Establishment |
| 16. Commercial Center | 35. Pharmacies |
| 17. Convenience Sales and Service, maximum 5,000 sq. ft. | 36. Reducing and Weight Control Service |
| 18. Delicatessen | 37. Restaurant and Carry-Out Restaurant |
| 19. Dry Cleaning | 38. Restaurant, Specialty |
| | 39. Restaurant, Specialty-Limited |
| | 40. Specialty Shop |

The proposed PCD would also **prohibit** the following uses:

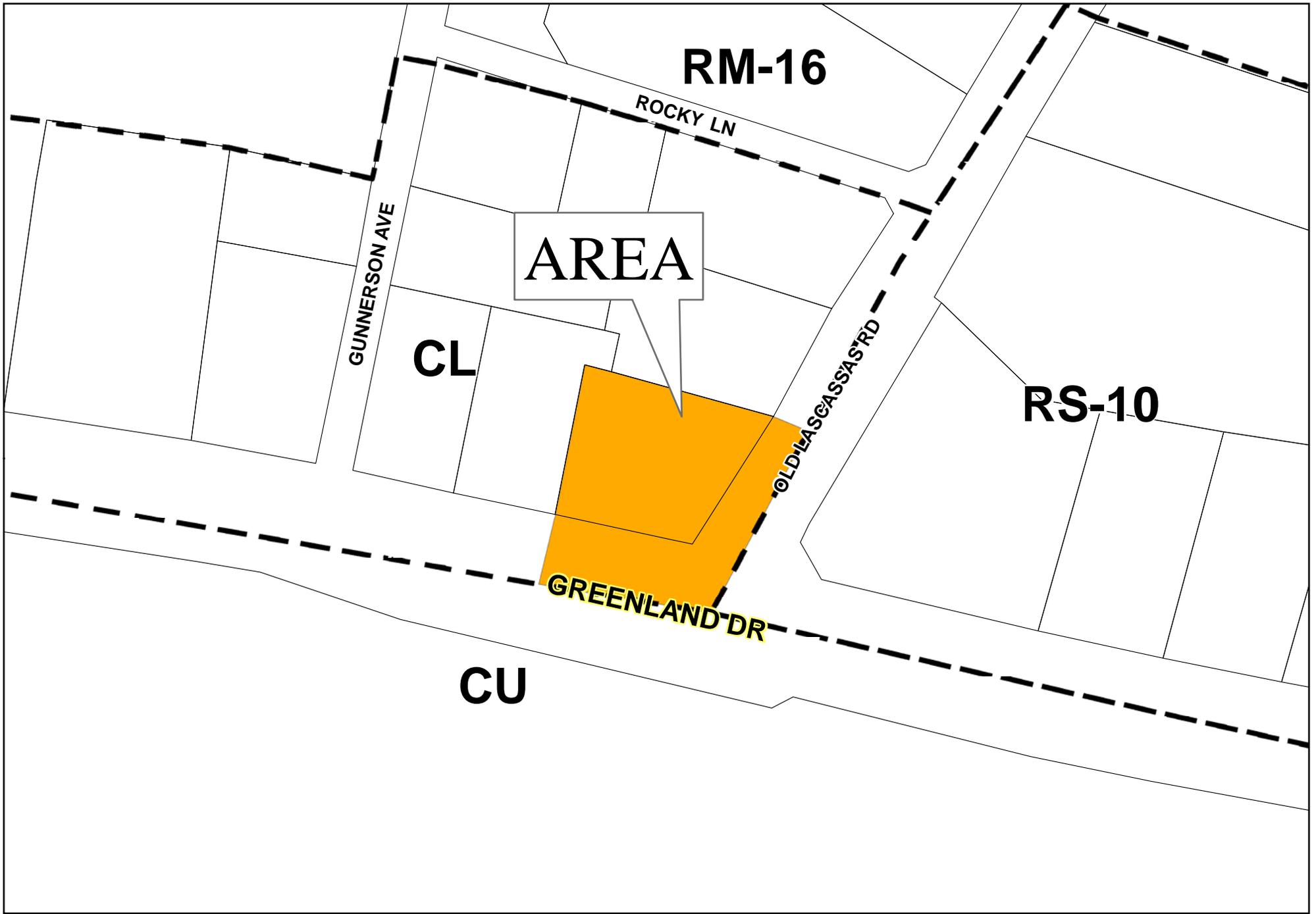
- | | |
|--|----------------------------------|
| 1. Amusement, Commercial Indoor | 13. Kennel |
| 2. Antique Mall | 14. Laboratories, Medical |
| 3. Apothecaries (pharmaceuticals only) | 15. Laboratories, Testing |
| 4. Automotive Repair | 16. Lumber, Building Materials |
| 5. Bank, Drive-Up Electronic Teller | 17. Motor Vehicle Sales |
| 6. Beer, Packaged (excluding liquor stores) | 18. Pawn Shop |
| 7. Boat Rental, Sales, or Repair | 19. Pet Shop |
| 8. Department or Discount Store | 20. Restaurant, Drive-In |
| 9. Financial Service (quick cash or title companies fall into this category) | 21. Senior Citizen Center |
| 10. Garden and Lawn Supply | 22. Tobacco store |
| 11. Gas-Liquefied Petroleum, Bottle and Bulk | 23. Veterinary Clinic |
| 12. Iron Work | 24. Warehousing, Transporting |
| | 25. Wholesaling |
| | 26. Wrecker Service |
| | 27. Wrecker Service Storage Yard |

The Planning Commission may recommend adding to the list of permitted uses or the removal of particular uses.

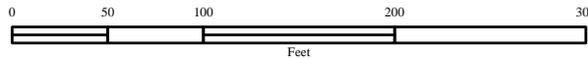
At the workshop, the Planning Commission expressed concern regarding temporary window signage and neon signs in the window. The developer is proposing to comply with the Sign Ordinance to not allow more than 25% of the first floor windows (excluding the doors) to have signs, no more than 15% of the second floor windows, and no outline lighting. Neon lights that don't blink or flash would be considered temporary window signs.

The planned development zoning also allows for exceptions from the Zoning Ordinance or Subdivision Regulations. The applicants have identified several exceptions to these standards to allow the development as shown in the concept plan. Staff encouraged the developer to visit the East Main Village site (i.e. The Boulevard restaurant) to incorporate many of those elements into the site layout of this prominent corner.

The Greenland Wine and Liquor program book has been included with the agenda materials. 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 Greenland Dr from CL to PCD



GREENLAND LIQUOR AND WINE PCD PATTERN BOOK

SUBMITTED FOR PLANNING COMMISSION
DECEMBER 7, 2016

Plans Prepared By:



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

GREENLAND LIQUOR AND WINE

Sheet Index

1. SHEET INDEX
2. PROJECT INTRODUCTION
3. PROJECT SUMMARY & EXISTING CONDITIONS
4. AERIAL AND SITE LOCATION
5. ADJACENT ZONING AND EXISTING CONDITIONS
6. EXISTING ROADWAY & UTILITIES
7. SITE PLAN
8. ARCHITECTURAL ELEVATION
9. ARCHITECTURAL FLOOR PLAN
10. LANDSCAPE PLAN
11. ACCEPTABLE AND PROHIBITED USES
12. PLANNED DEVELOPMENT CRITERIA

Project Introduction

Project Introduction

Sitaram Inc., owner Arvindkumar Patel desires to construct a new building, add landscaping, remove the gas pumps, and resurface the parking lot. The new building is approximately 3000 square feet and will have a two story appearance, giving it a striking look at the corner of Old Lascassas Pike and Greenland Drive. The owner intends to demolish the existing building and build a new building that will be used for a liquor store upon getting proper zoning. The owner has the desire to encourage revitalization in this commercial center.

Contact Information:

Mike Petal 615.785.0522

Andy Petal 615.848.4933

Address: 1415 Greenland Drive, Murfreesboro, TN.

1415 Greenland Drive

Planning and Engineering



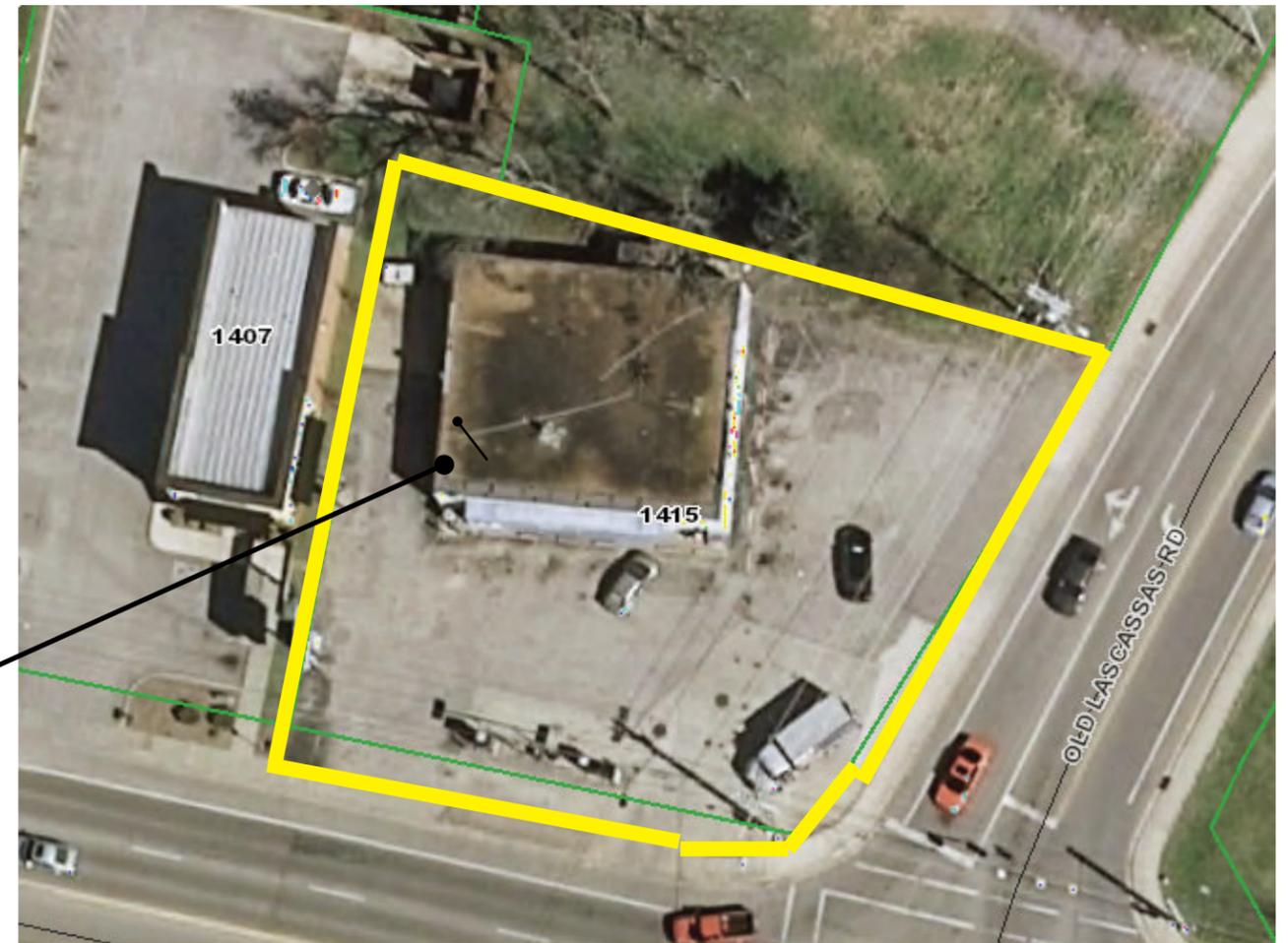
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE: 615-893-4084 FAX: 615-893-0080

Huddleston-Steele Engineering, Inc.

Attention: Clyde Rountree, RLA

2115 N.W. Broad Street

Murfreesboro, Tn 37129



Project Summary and Existing Conditions

Project Summary

Sitaram Inc. has been doing business as Quik Sak convenience store on the corner of Greenlawn Drive and Old Lascassas Road for over 15 years. Recently they had the opportunity to purchase the property and desire to turn the gas station/convenience store into Greenland Liquor and Wine. The new building, parking lot, and landscaping will have a great presentation at this prominent corner. The building will be around 3000 sq. ft. and will have 15 parking spaces and 1 handicap space. The building will be a two-story structure and will enhance the prominent corner on which the building will be located.

Existing Conditions

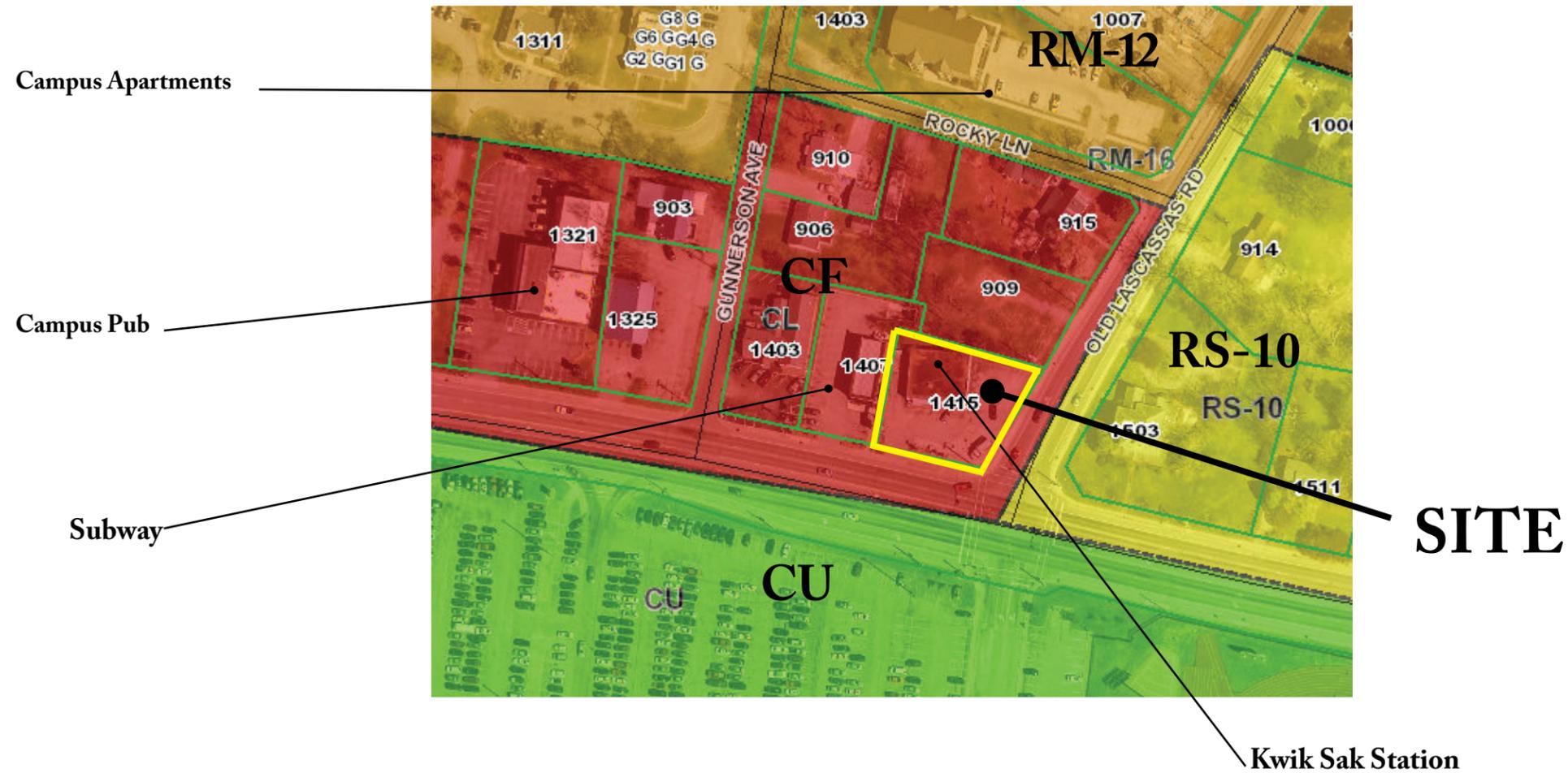


Aerial & Site Location



Adjacent Zoning & Existing Conditions

WINE



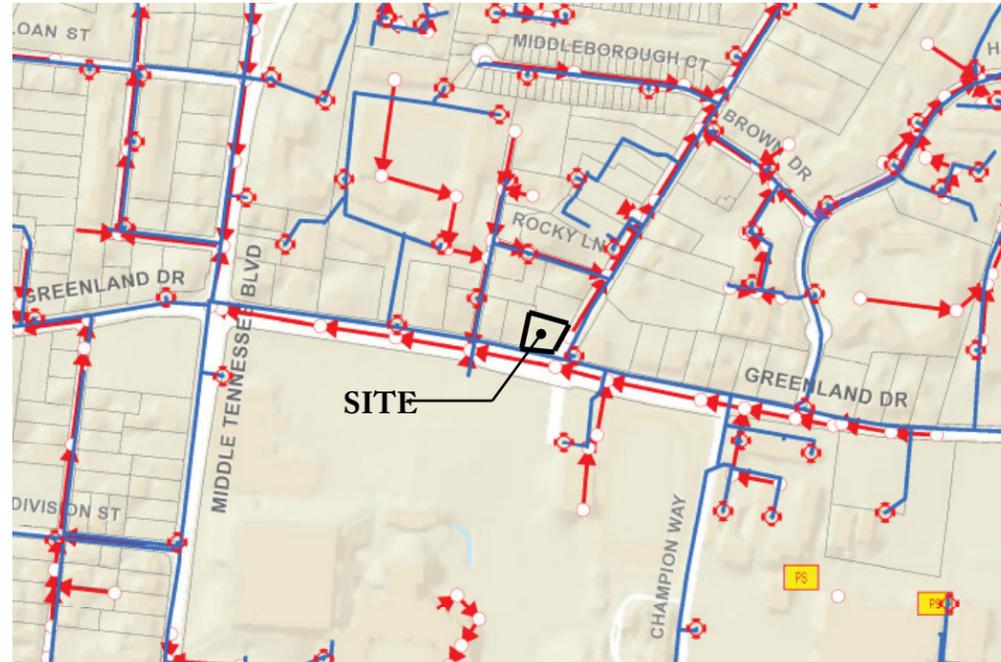
Adjacent Land Uses

- Gentleman's Jim Bar and Grill to the West
- Campus Pub to the West (CF Zoning)
- North Campus Apartments to the North
- Vacant Residence to the East (RS 10 Zoning)

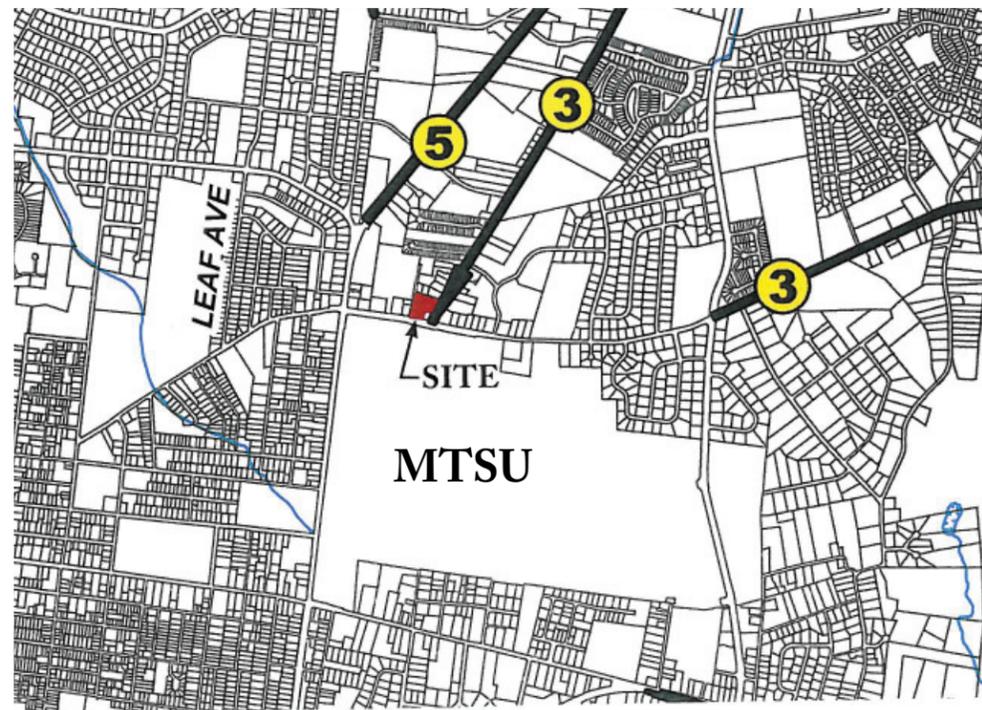
Existing Conditions

Three businesses currently occupy the city block, namely, the Subway restaurant, Kwik Sak Station, and a tattoo shop called Absolute Ink

Existing Roadway and Utilities



Murfreesboro Water and Sewer Service



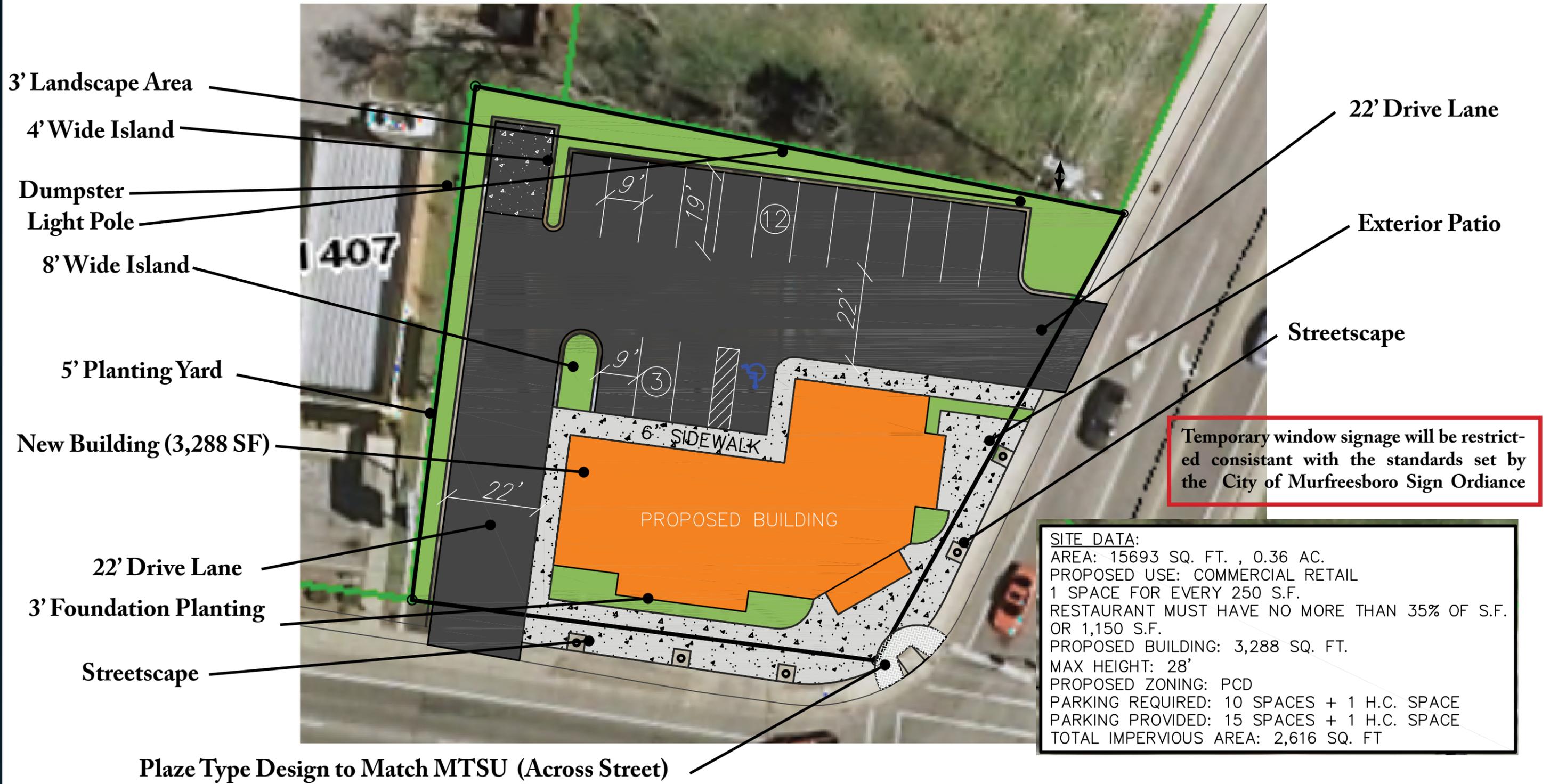
Major Thoroughfare Plan

Existing Infrastructure

Site is served by MED and Murfreesboro Water and Sewer Department

Site is served by the five lane section Greenland Drive and the three lane section Old Lascassas Pike. The improvements have been made consistent with the Major Thoroughfare Plan.

Site Plan



GREENLAND LIQUOR AND WINE Architectural Elevation

New Signage (Proposed 10'x3.5' or maximum allowable in ordinance)



Front Elevation along Greenland

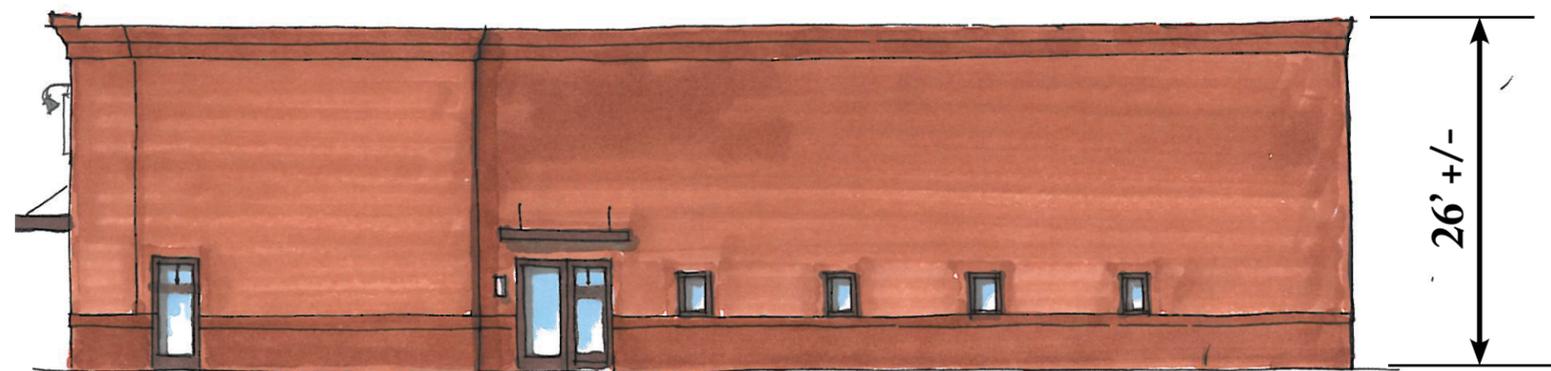
Brick Metal Awning



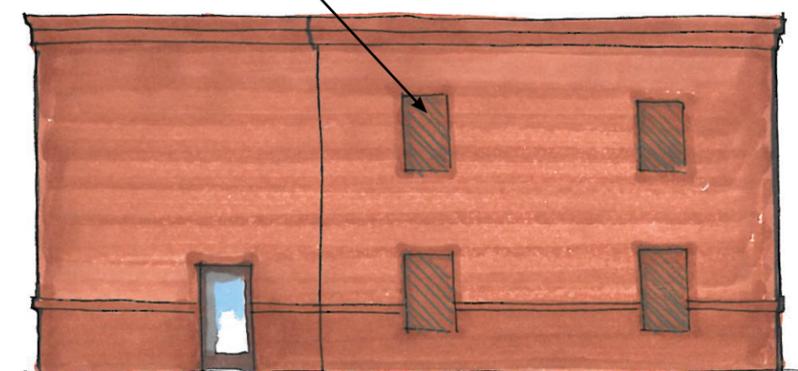
Front Elevation along Old Lascassas

The proposed structure is designed to have a two story appearance with a single story interior volume. The building will primarily be made of a red/brown brick and a masonry parapet wall. The entrance will be enhanced with an awning, decorative lighting and attractive signage. The HVAC units will be on the roof and will be screened by the parapet wall. The roof will be a rubber membrane.

Brick Inlay False

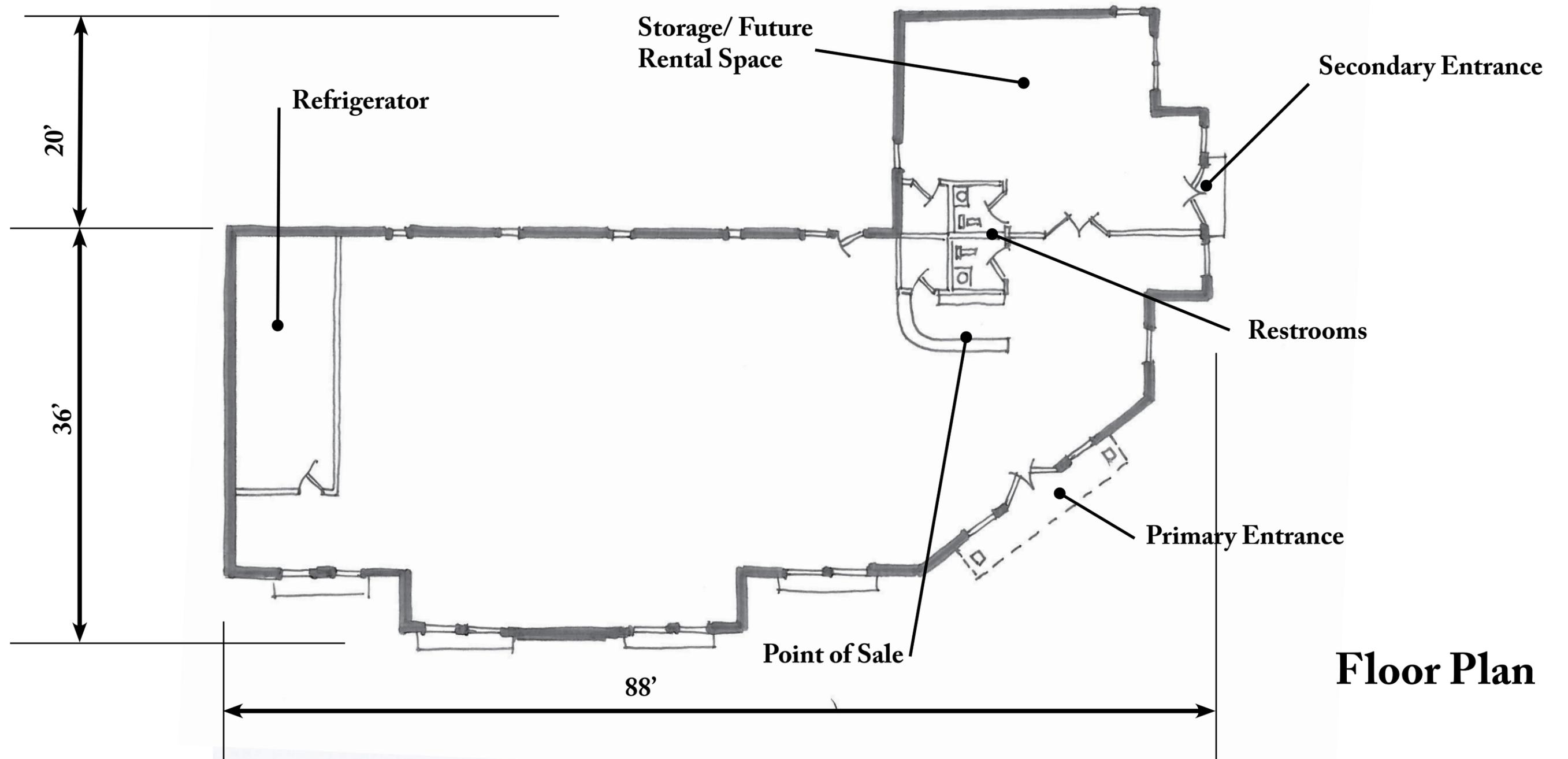


Rear Elevation



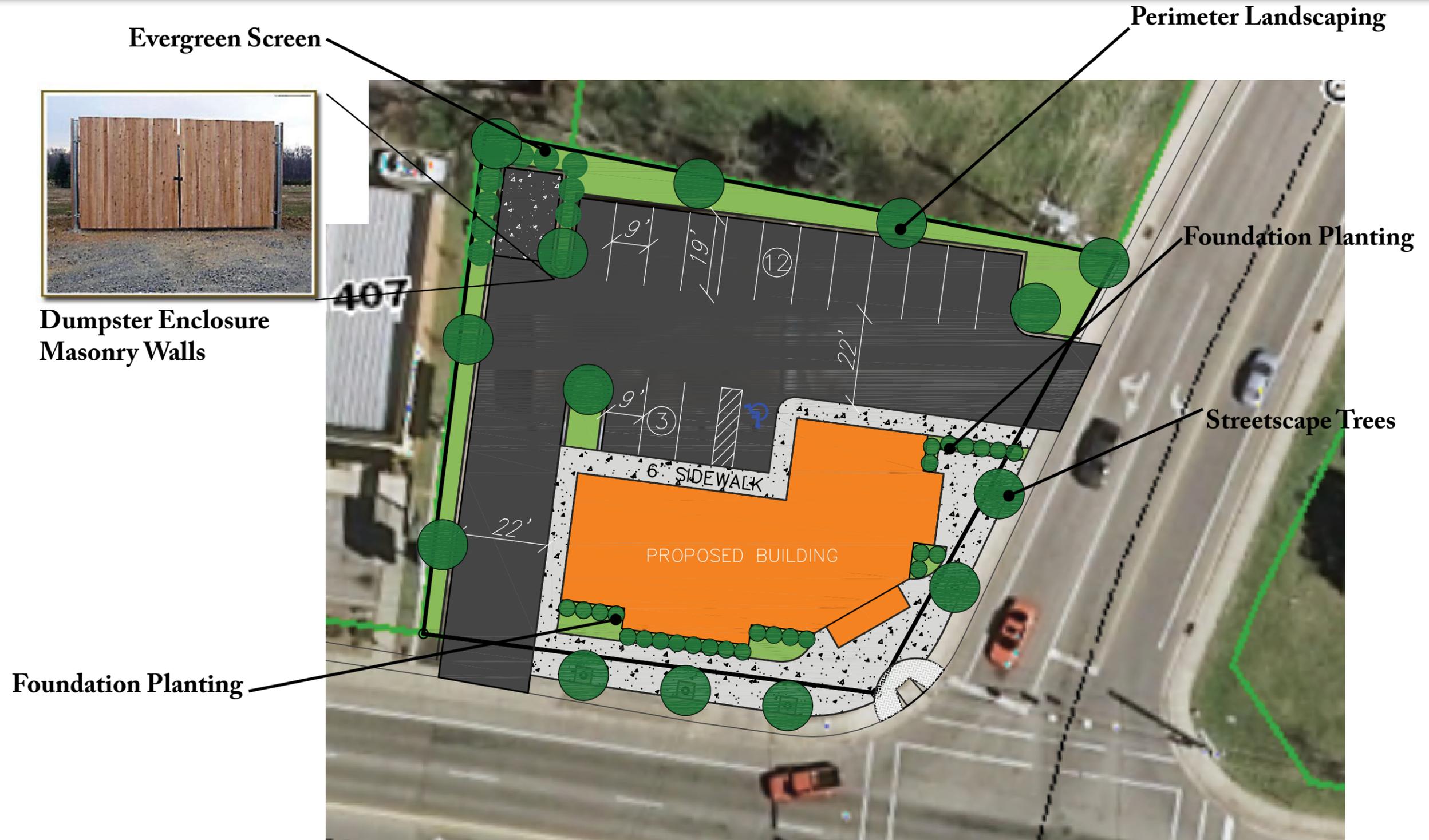
Side Elevation

Architectural Floor Plan



Floor Plan

Landscape Plan



Dumpster Enclosure
Masonry Walls

Foundation Planting

Perimeter Landscaping

Foundation Planting

Streetscape Trees

Acceptable and Prohibited Uses

The immediate use of the site will be a liquor store, the commercial zoning indicates that additional uses could be required or desired in the future. Therefore, additional standards for those anticipated uses have been outlined here including the allowable uses for the Commercial Fringe Zone which is intended to provide allow for low impact commercial uses in relative close proximity to residential and provide commercial retail uses and personal service for a relatively small area.

Allowable Uses

Day Care Center
Museum
Philanthropic Institution
Public Building
Animal Grooming Facility
Antique Shop <3000 sq. ft.
Art or Photo Studio or Gallery
Bank, Branch Office
Bank Main Office
Book and Card Shop
Business School
Business and Communication Services
Catering Establishment
Clothing Store
Commercial Center
Convenience Sales and Service, maximum 5,000 sq. ft.

Delicatessen
Dry Cleaning
Dry Cleaning Pick-Up Station
Flower or Plant Store
General Service and Repair Shop
Glass - Stained and Leaded
Health Club
Interior Designer
Janitorial Service
Karate, Instruction
Keys, Locksmith
Laundries, Self-Service
Liquor Store
Music or Dancing Academy
Offices
Optical Dispensaries
Personal Service Establishment
Pharmacies
Reducing and Weight Control Service
Restaurant, Drive-In
Speciality Shop

Prohibited Uses

Amusement, Commercial Indoor
Antique Mall
Automotive Repair
Apothecaries (pharmaceuticals only)
Bank, Drive-Up Electronic Teller
Boat Rental, Sales, or Repair
Beer Packaged (Not including liquor stores that sell beer)
Department or Discount Store
Financial Service (quick cash or title companies fall into this category)
Kennel
Garden and Lawn Supply
Gas-Liquified Petroleum, Bottle and Bulk
Motor Vehicle Sales
Pawn Shop
Pet Shop
Wholesaling
Wrecker Service Storage Yard
Wrecker Service

Iron Work
Laboratories, Medical
Laboratories, Testing
Lumber, Building Materials
Motor Vehicle Sales
Restaurant, Drive-In
Senior Citizen Center
Tobacco Store
Veterinary Clinic

Planned Development Criteria

Planned Development Criteria

General Applicability Per Section 13 – Planned Development Regulations

1. **Ownership and division of land:** The property in question is owned by Sitaram Inc. and is zoned CF.
2. **Waiver of BZA action:** No action of the BZA shall be required in the approval of this planned commercial development including those activities or uses that would otherwise require a special use permit. The fact that we are bridging an existing structure may need to be researched and given a recommendation from the fire marshal.
3. **Common Open Space:** No open space is associated with this project.
4. **Accessibility of the site:** The site shall be accessed on two sides by the following streets: Old Lacassas Pike to the East and Greenland Drive to the South
5. **Off street parking:** Off street parking is provided in accordance with Section 26 of the City of Murfreesboro Zoning Ordinance.
6. **Pedestrian circulation:** The project will be linked via sidewalks and crosswalks to the adjacent university and businesses.
7. **Privacy and Screening:** The project will provide perimeter planting yards to the north and the west. The building facades on the East and South sides will be accompanied with enhanced landscaping and streetscape components.
8. **Zoning and subdivision modifications proposed:** The zoning classifications will change CF to PCD; no subdivision ordinance will pertain to this project.
9. **Phasing:** the project will be completed at one time; no phasing will take place.
10. **Annexation:** No annexation will be a part of this project
11. **Landscaping:** The proposed landscaping for the PCD is depicted on sheet 10.

Section 13 – Project Development Criteria Requirements:

1. **Identification of Existing Utilities:** Sanitary sewer is available see sheet 6. Water is available at the site see Sheet 6.
2. **Graphic renderings, maps and/ or aerial photographs showing existing conditions and natural features of the site:** Existing conditions and surrounding land use patterns are depicted in the pattern book provided see Sheet 3-6.
3. **Drawings and/or diagrams identifying area of development, proposed buildings, parking. Points of egress, proposed screening, proposed landscaping and pedestrian and vehicular circulation:** The areas mentioned shall be conveyed on the site plan and associated landscape plan within the pattern book see sheet 7.
4. **Development Schedule:** To be determined upon zoning change.
5. **Relationship of the planned development to the current city policies and plans:** Plans fit within current city standards.
6. **Proposed deviations from zoning and subdivision ordinances:** Front setback in the tightest situation is 7'-4" versus the 42' MSBL, reduced rear landscape yard from 5' to 3', elimination of foundation planting requirement along rear and West side of building, reduction in landscape parking island widths in two locations (See site plan, page 7)
7. **Site tabulation data from the land area, FAR, LSR and OSR:** Not applicable.
8. **The nature and extent of any overlay zones as described in Sections 24 and 34:** No overlays effective in this locations.
9. **Major Thoroughfare Plan:** The Existing Roadway Map Sheet 6 depicts the status of the surrounding Murfreesboro Major Thoroughfare information.
10. **Applicant contact information:** Contact information is shown on Sheet 2.
11. **Architectural Renderings:** Architectural renderings depicted on Sheets 8 and 9.
12. **Proposed Signage:** To be wall mounted

MURFREESBORO PLANNING COMMISSION

STAFF COMMENTS, PAGE 1

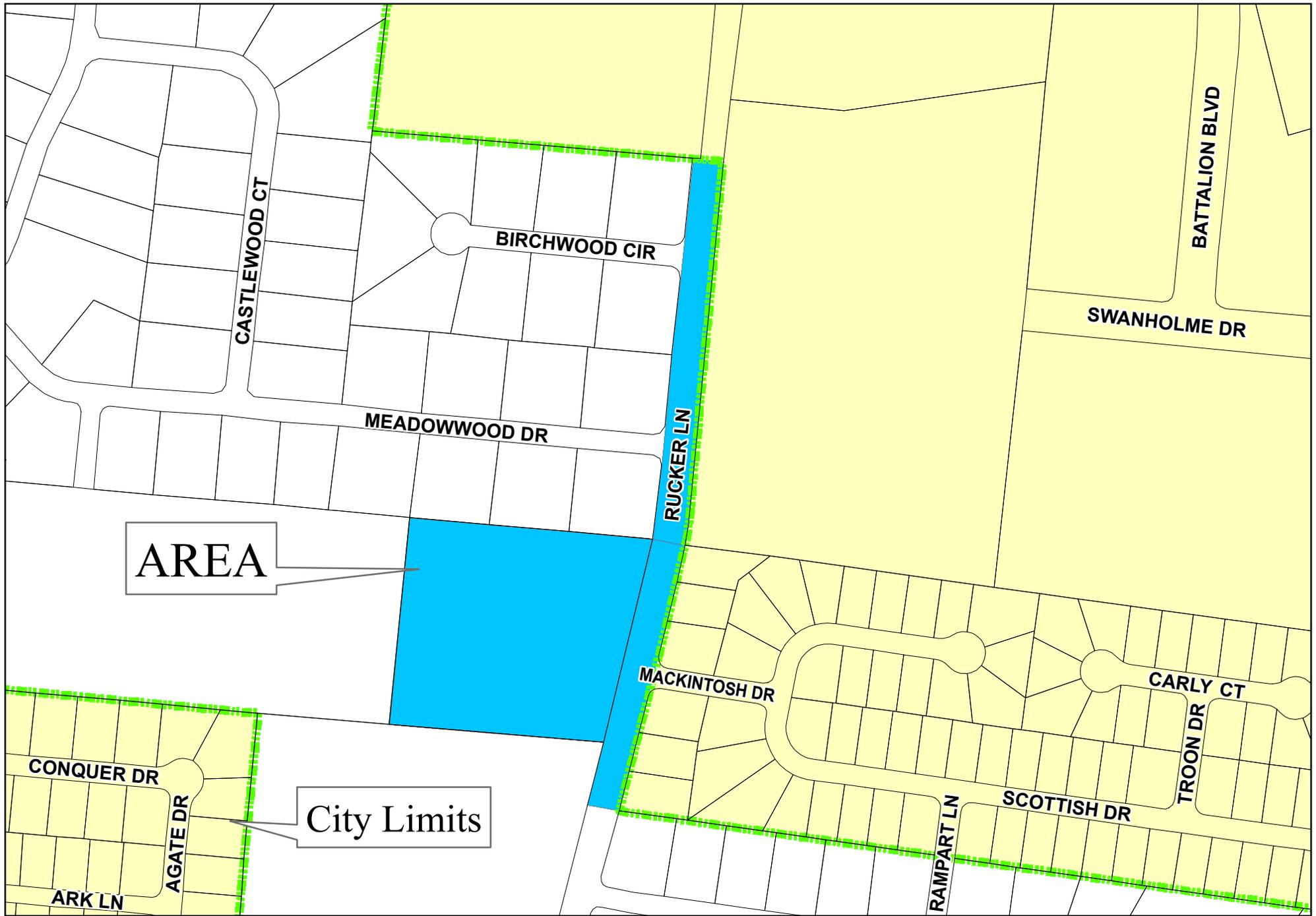
DECEMBER 7, 2016

4.b. Annexation Plan of Services and annexation petition [2016-519] for approximately 9.1 acres located along Rucker Lane, Gere & Chris Payvis applicant.

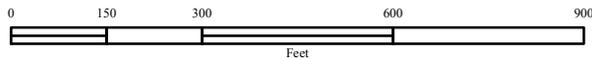
The subject property is located along the west side of Rucker Lane just south of the Brownview Subdivision. The property is mostly undeveloped but does contain a single-family residence and several outbuildings. The requested parcel totals approximately 6.3 acres. A written petition requesting annexation has been filed with the City by the property owners. The subject property is located within the City's Urban Growth Boundary. By itself, it is not contiguous with the existing City limits. However, annexing the Rucker Lane right-of-way directly in front of the requested parcel will make the study area contiguous with the existing City limits directly across the street. Approximately 1,550 linear feet of Rucker Lane right-of-way (2.8 acres) has been included in the study area. The total study area, including right-of-way, is 9.1 acres.

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-8 (Single-Family Residential District 8) 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 Rucker Lane



Path: G:\planning\annex1\Rucker10_2016.mxd



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

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

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

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

1. Gere and Chris Payvis

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

Signature: [Handwritten Signature] Status: _____ Date: 10-26-16

Christone Payvis 10-26-16

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

2. 398 DUCKER LN, M'BARO, TN 37128

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

Signature: _____ Status: _____ Date: _____

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

3.

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

Signature: _____ Status: _____ Date: _____

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

4.

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

Signature: _____ Status: _____ Date: _____

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

(Attach additional signature pages if necessary)

Legal Description is attached: Yes

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

**ANNEXATION REPORT FOR PROPERTY LOCATED AT
398 RUCKER LANE
INCLUDING PLAN OF SERVICES**



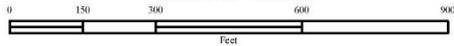
PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
December 7, 2016



**Annexation Request for Property Along
Rucker Lane**



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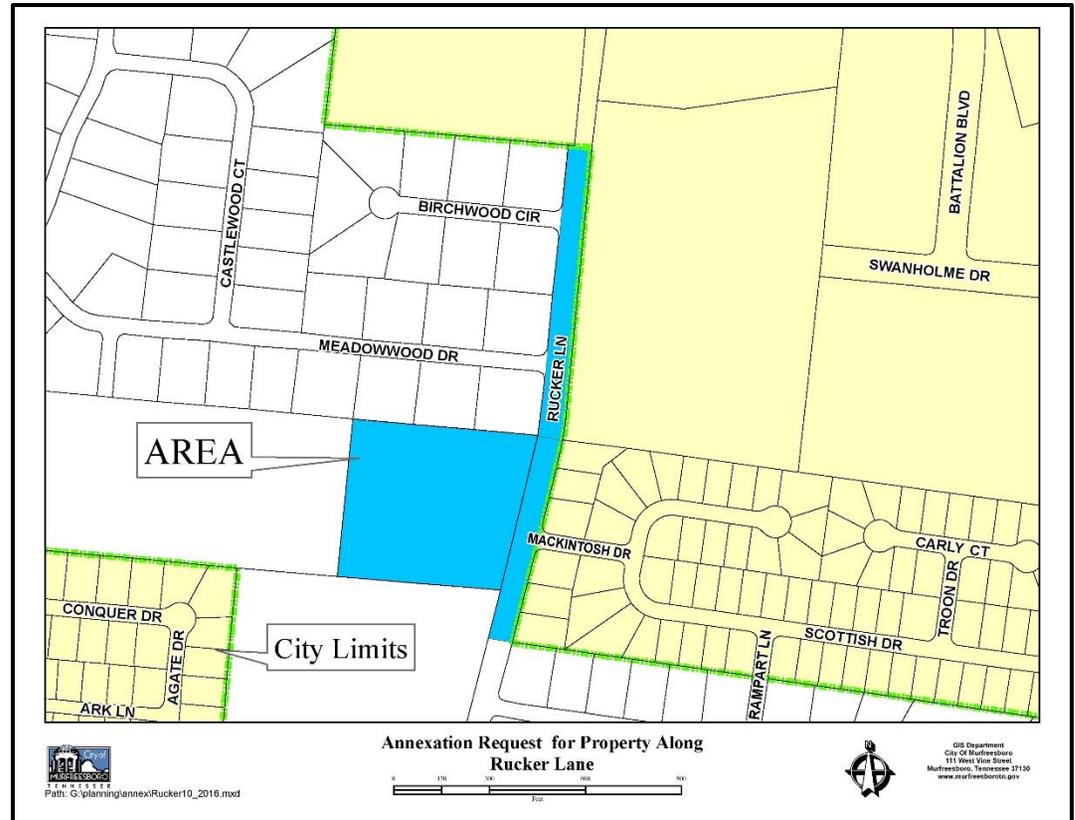
GIS Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

INTRODUCTION

OVERVIEW

The applicants, Gere and Chris Payvis, have requested annexation of property located along the west side of Rucker Lane. The area studied in this Plan of Services includes a 6.3-acre parcel (Tax Map 100, Parcel 8.00) and an adjacent approximately 1,550-linear foot (approximately 2.8-acres) segment of Rucker Lane right-of-way.

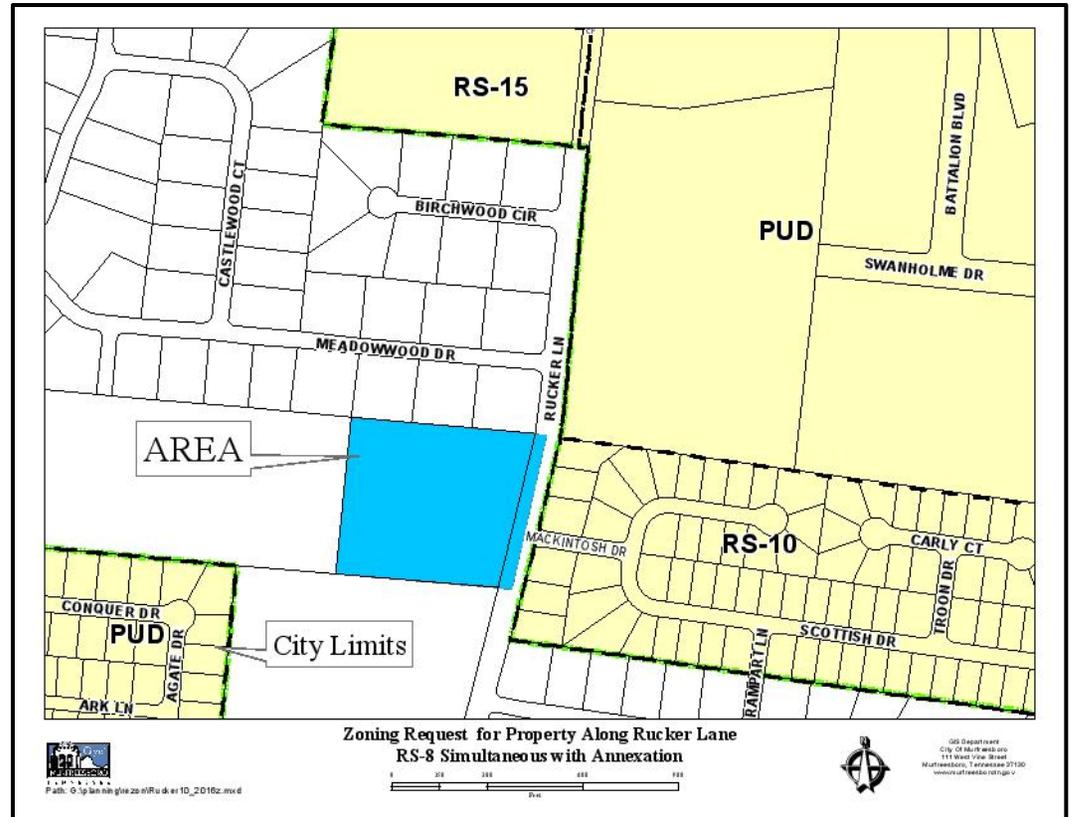
The study lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City on the east. Adjacent areas to the north, south, and west lie within the unincorporated County.



CITY ZONING

The applicants have requested rezoning to RS-8 (Single-Family Residential; 8,000 square foot minimum lot size) for the study area simultaneous with annexation. The study area is presently zoned RM (Residential – Medium Density) in the County.

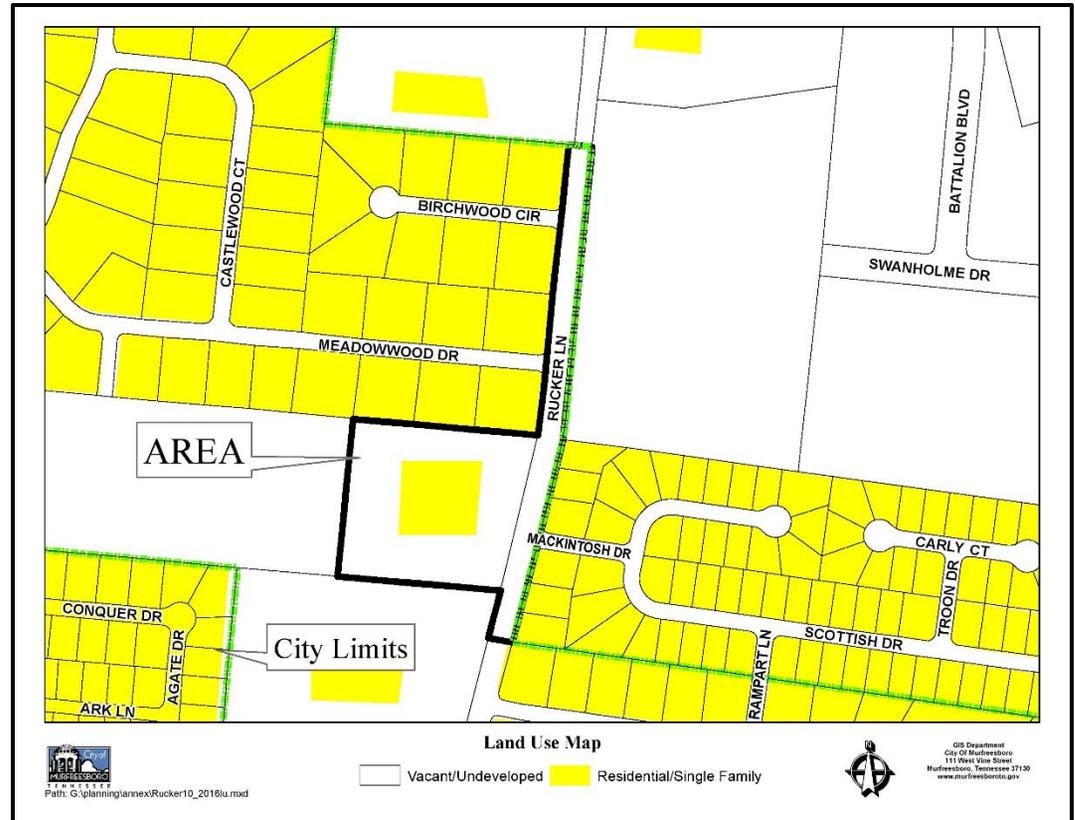
Adjacent properties to the north, south, and west of the study area lie within the unincorporated County and are zoned RM. Properties to the east and northeast of the study area are located within the City and are zoned RS-10 (Single-Family Residential) and PUD (Planned Unit District), respectively.



PRESENT AND SURROUNDING LAND USE

The study area presently includes one single-family dwelling unit and two accessory structures. Surrounding land uses include:

- the Brownview subdivision, a County subdivision located along the study area's northern boundary and consisting of single-family residential lots averaging approximately three-quarters of an acre in area;
- the Scottish Glen subdivision, a City subdivision located to the east of the study area and consisting of lots with minimum lot sizes of 10,000 square-feet;
- large residential estate lots, which lie adjacent to the study area on the west and south;
- a 19.6-acre vacant property located to the northeast of the study area; and
- the Brighton Park and Kingdom Ridge subdivisions, located in the City limits south and southwest of the study area and consisting of single-family residential lots with minimum lot sizes of 8,000, 10,000, 12,000, and 15,000 square-feet.



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
Payvis Gerard T	6.30	\$84,700	\$254,000	\$84,675	\$1,075.63

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 #4.

ELECTRIC SERVICE

The property is located within Murfreesboro Electric Department's (MED) service boundary. MED 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 MED standards.

STREET LIGHTING

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

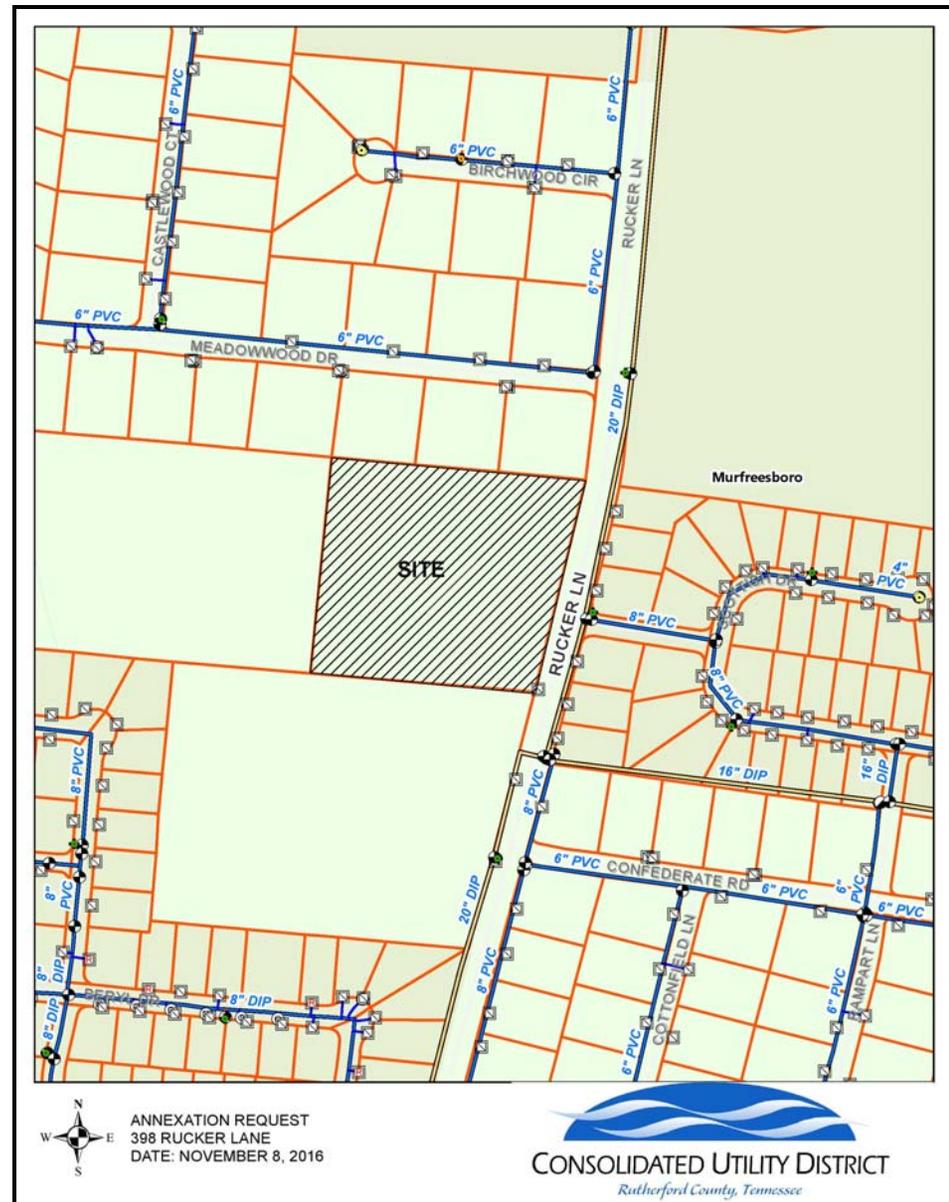
STREETS AND ACCESS

The study area currently has access to Rucker Lane on the east. Rucker Lane is a two-lane, ditch section roadway. It is included on the Major Thoroughfare Plan and Capital Improvement Plan for upgrade to a three-lane, curb-and-gutter roadway. Upon annexation, the City will be responsible for operation and maintenance of the portion of Rucker Lane included in the study area. Any new connections to Rucker Lane must be approved by the City Engineer, and any new development along Rucker Lane will be required to dedicate right-of-way and easements and participate in the construction costs for the expansion of the roadway. 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 20-inch water line along the eastern side of Rucker Lane. The developer of the property will be required to submit a Water Availability Application to verify feasibility and 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.



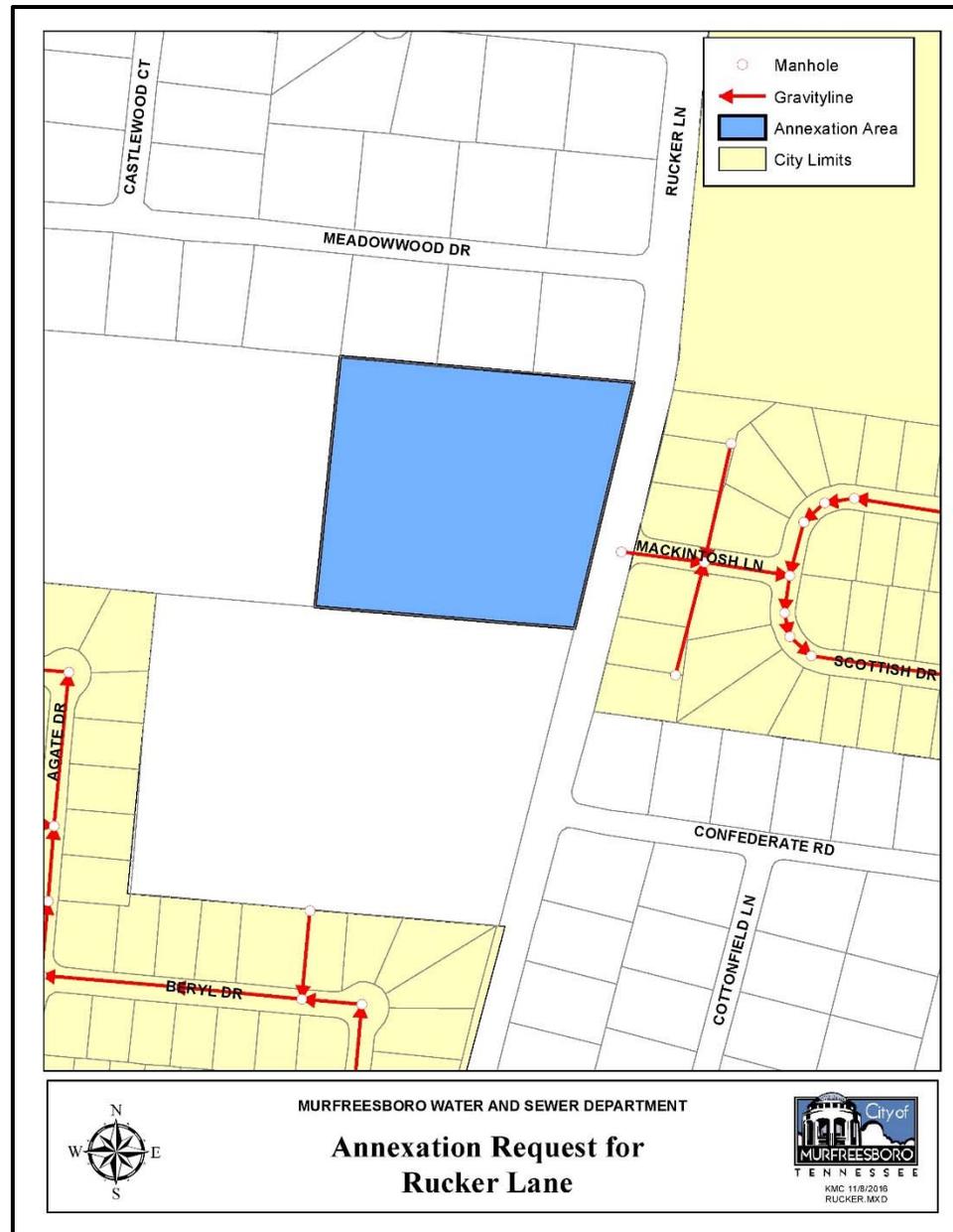
SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." The property will be served by an existing eight-inch sewer main, which is located along the eastern right-of-way of Rucker Lane near Mackintosh Lane.

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.

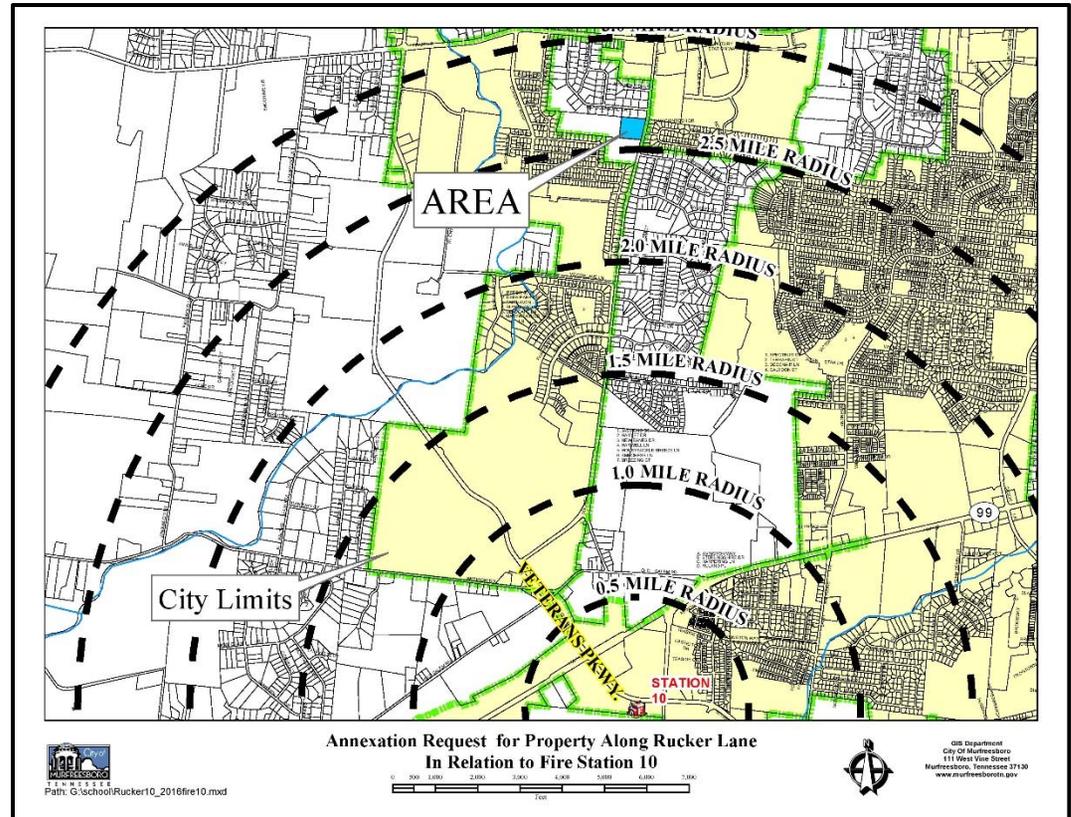
The red lines on the adjacent map represent existing sewer lines.



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 #10, located at 2563 Veterans Parkway, 2.9 miles from the study area. Fire Station #9, located at 802 Cason Lane, is 3.1 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.



SOLID WASTE COLLECTION

The City will provide weekly curbside solid waste collection service immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. The initial day of service will be Thursday.

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.

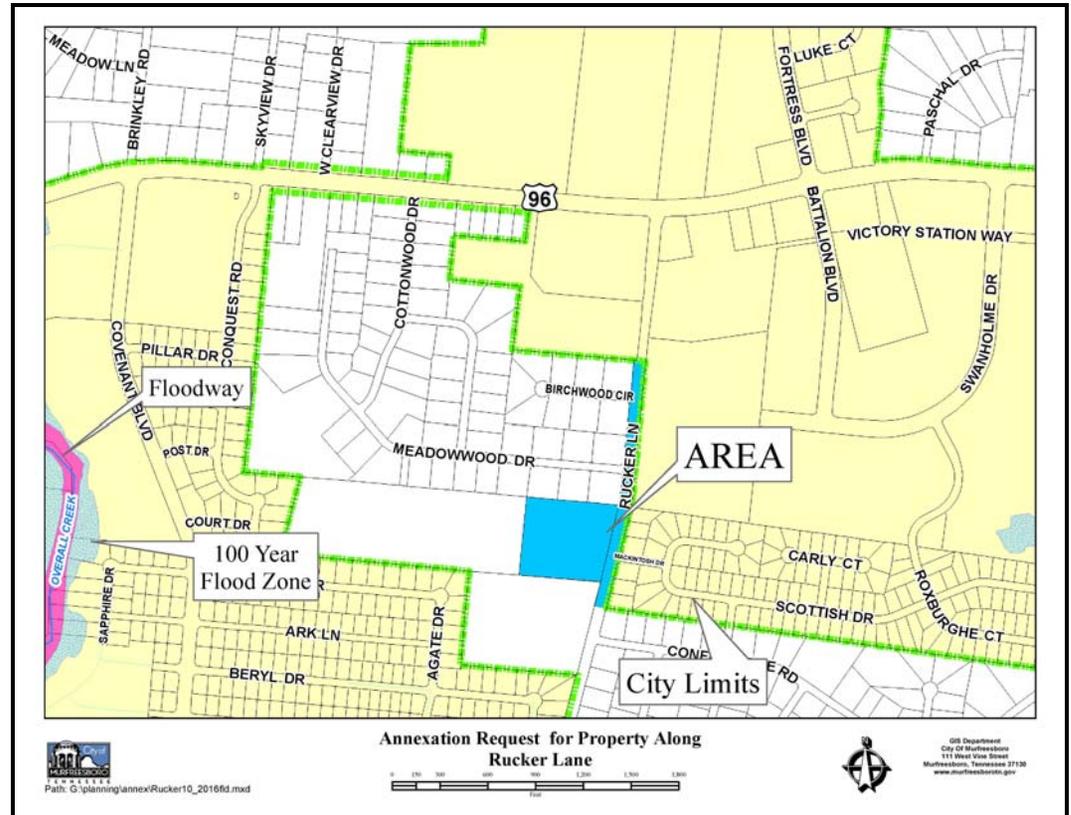
PLANNING, ENGINEERING, AND ZONING SERVICES

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 purple and the 100-year floodplain boundary in blue.



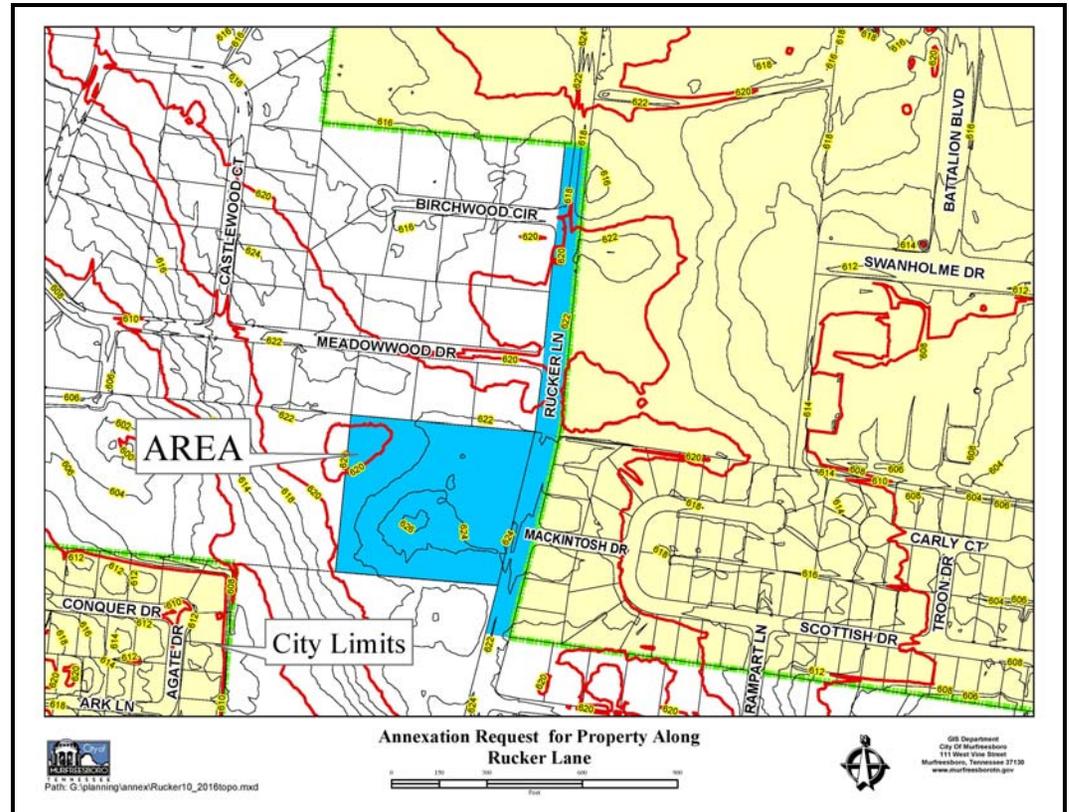
DRAINAGE

The western portion of the study area drains well to a closed depression on adjacent property to the west, while the eastern portion drains well to the east to the Rucker Lane right-of-way. The drainage system within the Rucker Lane right-of-way is included in the study area. 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. Additionally, any development plans should address the closed depression to the west, which holds water for an extended period of time following significant rainfalls.

Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed residential zoning and considering applicable credits, this property has the potential to generate \$1,000 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
DECEMBER 7, 2016**

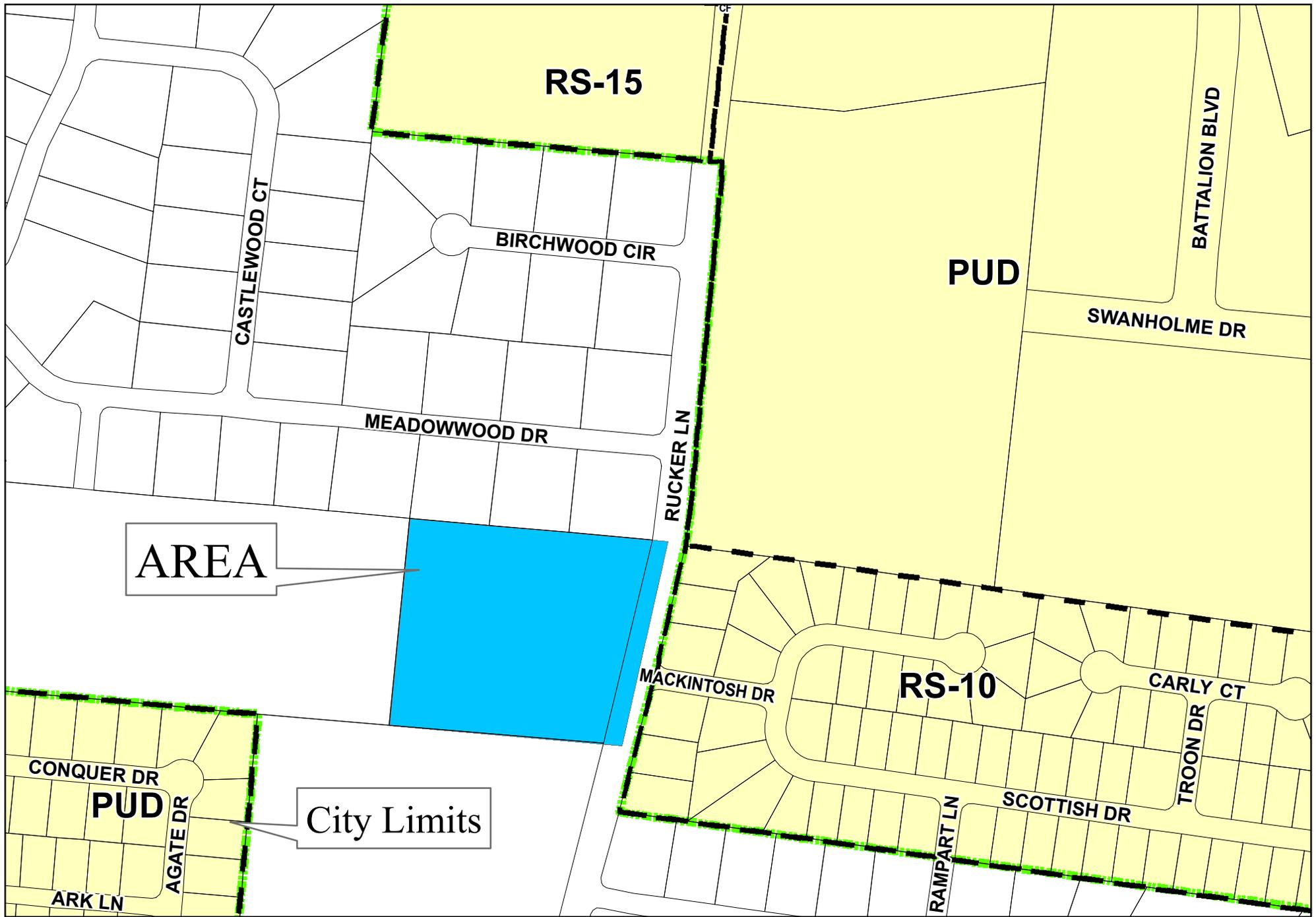
4.c. Zoning application [2016-456] for approximately 6.3 acres located along Rucker Lane to be zoned RS-8 simultaneous with annexation, Laws Bouldin applicant.

The subject property is located along the west side of Rucker Lane just south of the Brownview Subdivision. The property is mostly undeveloped but does contain a single-family residence and several outbuildings. The previous item on the agenda was the annexation petition and plan of services. The requested parcel totals approximately 6.3 acres. The applicant has requested a zoning classification of RS-8 (Single-Family Residential District 8) for the subject property simultaneous with annexation.

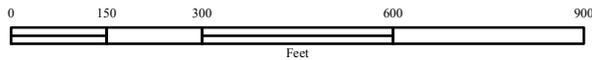
The RS-8 zone allows the development of single-family residential lots a minimum of 8,000 square-foot in area. Under the RS-8 zoning, absent any environmental or other constraints, Staff calculates the maximum lot yield for this property is approximately 25 lots. The subject property is within the study area of the *General Development Plan for the Blackman Community*. The future land use map of this plan recommends that the property develop as “medium-density residential.” It defines “medium-density residential” as “planned areas of single-family homes and attached or zero-lot line units with a permitted density range of 4.0 to 8.0 units per acre and an appropriate zoning district of PRD (Planned Residential District).” While the requested RS-8 zoning district is not a PRD, as recommended by the plan, the uses and density permitted in the RS-8 zone are consistent with the plan’s recommendations.

Directly to the north of the subject property is the Brownview single-family residential subdivision, which is located in the unincorporated County. Directly to the south and west are two large residential estate parcels in the unincorporated County. Further to the south and west are the Kingdom Ridge and Brighton Park at Kingdom Ridge single-family residential subdivisions, which are zoned PUD and contain 8,000, 10,000, 12,000, and 15,000 square-foot minimum lot sizes. Directly across Rucker Lane is the Scottish Glen single-family residential subdivision, which is zoned RS-10 (Single-Family Residential District 10). To the southeast across Rucker Lane is the Old South Estates single-family residential subdivision, which is located in the unincorporated County. To the northeast across Rucker Lane is an undeveloped portion of the Victory Station PUD (Planned Unit District) that allows retail, office, live-work units, and townhomes.

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 Rucker Lane
RS-8 Simultaneous with Annexation**

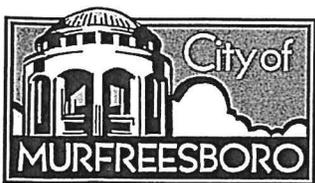


Path: G:\planning\rezon\Rucker10_2016z.mxd



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

RECEIVED
OCT 27 2016

BY:

REZONING APPLICATION FORM
\$600.00 per application

Procedure for applicant:

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

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

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

To be completed by applicant:

APPLICANT: Laws Bouldin

Address: 2245 Keeneland Comm. Ct City/State/Zip: Mboro 37127

Phone: 615.300.5768 E-mail address: lawsbouldin@gmail.com

PROPERTY OWNER: Gere and Chris Payvis

Street Address or property description: 398 Rucker Ln

and/or Tax map #: 100 Group: Parcel (s): 8.00

Existing zoning classification: County

Proposed zoning classification: RS-8 Acreage: 6.3

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

E-mail: lawsbouldin@gmail.com

APPLICANT'S SIGNATURE (required): [Signature]

DATE: 10/26/16

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

Date received: 10-27-16 MPC YR.: 2016 MPC #: 456

Amount paid: \$600.00 Receipt #: 364071

Revised 1/2010

October 26, 2016

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

Re: Rezoning Request

Described as Tax Map #100, Parcel #8.00, consisting of 6.3 acre located at 398 Rucker Lane in Murfreesboro, TN.

Dear Mr. Whitaker:

On behalf of our client, Laws Bouldin, representing the Payvis family, we hereby request the rezoning of the property located at Tax Map #100, Parcels #8.00 consisting of 6.3 acre, currently zoned RM, to the new zoning of RS-8 as depicted in the exhibit provided. If the zoning is approved we are planning on creating a residential subdivision. Thank you for considering our request.

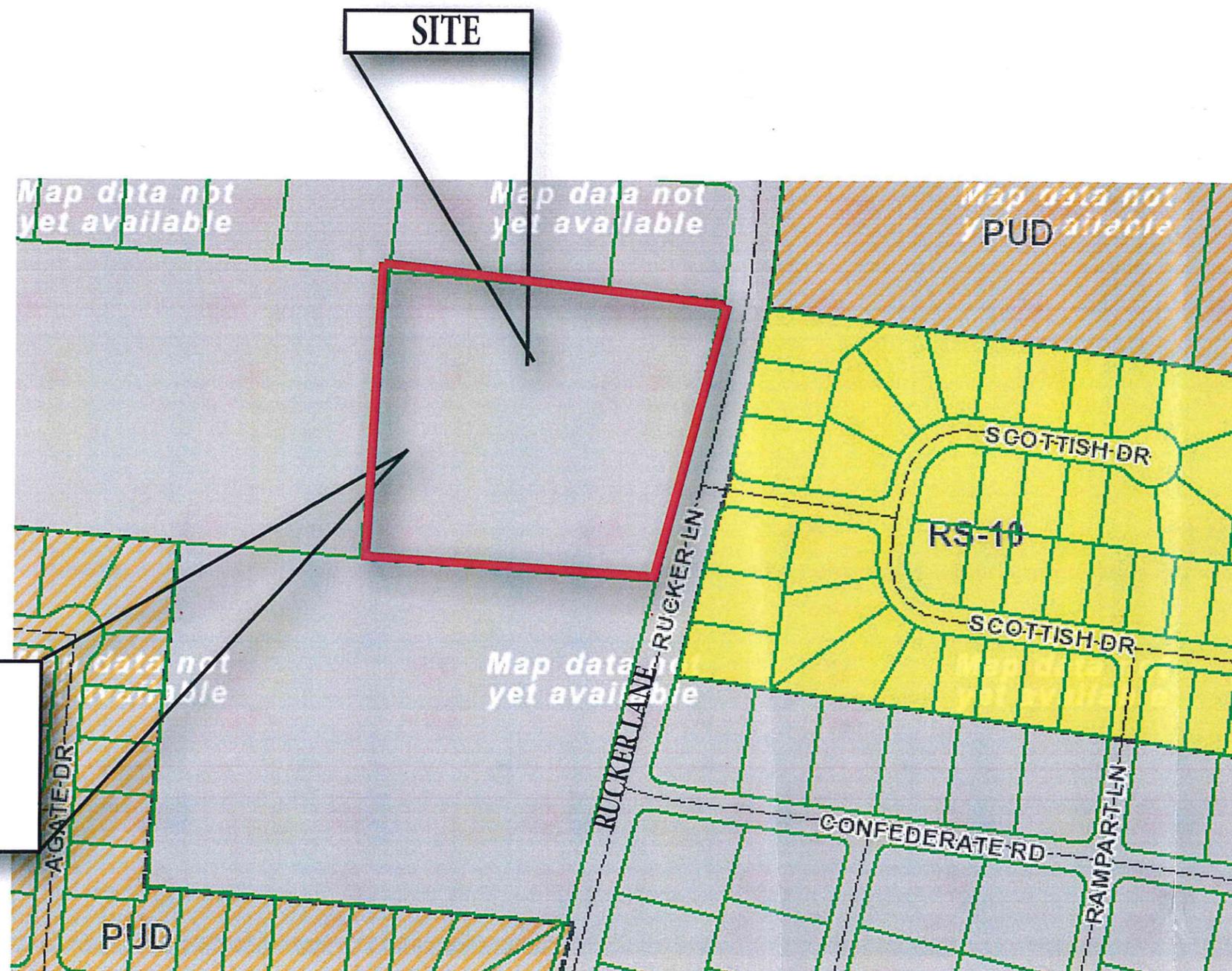
Sincerely,



Clyde Rountree, RLA

HUDDLESTON-STEEL ENGINEERING, INC.

Payvis Property Zoning Exhibit



Site Acreage: 6.3 AC.
Current zoning is RM
Requested zoning is RS-8

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

1:00 p.m.

Room 218

MEMBERS PRESENT

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

STAFF PRESENT

Gary Whitaker, Planning Director
Matthew Blomeley, Asst. Plan. Director
Margaret Ann Green, Principal Planner
Joe Ornelas, Planner
Carolyn Jaco, Recording Assistant
David Ives, Assistant City Attorney
Ram Balachandran, Traffic Engineer
Katie Noel, Project Engineer
Brad Barbee, Landscape Site Plan Inspect.
Cey Chase, Interim Engineer
Jennifer Moody, Assistant City Manager

Vice Chairman Young called the meeting to order after determining there was a quorum.

Consent Agenda

Vice Chairman Doug Young read the following items to be considered for approval.

Muirwood Section 6 [2016-1040] preliminary plat for 27 lots on 7.4 acres located in the unincorporated County along Oak Drive and Honeysuckle Breeze Lane and served as an outside the City sewer customer, Tennessee Contractors, Inc. developer.

Southpointe Business Campus Section 2, Resub Lot 36 [2016-2108] final plat for 2 lots on 3.14 acres zoned H-I and L-I located along W. Rutherford Boulevard, James and Sonia Haynes developer.

University Center Apartments (aka, Harrison and Black, Resubdivision of Lots 193 and 194) [2016-2109] final plat for 1 lot on 1.15 acres zoned RM-16 and CL located along Greenland Drive and Crestland Avenue, HRR Holdings LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

The Meadows at Kimbro Woods Section 2 [2016-2110] final plat for 29 lots on 6.45 acres zoned PRD located along Butterfield Avenue and Allerton Way, KW53 LLC developer.

Parks and Holden Resub Lots 32 and 36 [2016-2111] final plat for 1 lot on 0.31 acres zoned RM-16 located along East Street, Wayne and Kathy Nobles developer.

Wilkerson Crossroads Lots 2, 3, 4 [2016-2112] final plat for 3 lots on 16.9 acres zoned CF and proposed PRD located along Manson Pike and Brinkley Road, Francis and Gill developer.

Mamie Williams Subdivision [2016-2113] final plat for 1 lot on 3.13 acres zoned RS-15 located at 2925 Siegel Road, Mamie Williams developer.

Northfield Village Lots 1 and 2 [2016-2116] final plat for 2 lots on 5.6 acres zoned PCD located along West Northfield Boulevard and Sulphur Springs Road, HWS Partnership developer.

Valleybrook Section 1 [2016-2115] final plat for 66 lots on 17.7 acres zoned PRD located along Compton Road, Green Trails LLC developer.

The Villages of Berkshire Section 9 [2016-2117] final plat for 25 lots on 8.03 acres zoned PRD located along St. Ives Drive, Benefield and Parks LLC developer.

Salem Creek Section 6 [2016-2119] final plat for 40 lots on 15.2 acres zoned RS-12 located along Presley Drive and Robinwood Drive, Salem Creek Partnership developer.

The Enclave Section 3 Phase 1 [2016-2121] final plat for 26 lots on 5.4 acres zoned PRD located along Avery Drive, Bob Parks developer.

Discount Tire Company [2016-3094] site plan for 7,373 ft² building on 1.23 acres zoned H-I located at 802 Old Fort Parkway, Discount Tire Co. developer.

Broad Street Car Lot [2016-3154] site plan for 1.2 acres zoned CH located at 5106 NW Broad Street, Tran Dinh developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

Villas at Indian Creek Section 4 [2016-3157] site plan for 70 multi-family townhouse units on 5.96 acres zoned PRD located along Maya Drive, Ole South Properties developer.

Zaxby's Memorial [2016-3159] site plan for 3,847 ft2 restaurant on 1 acre zoned CH located along Memorial Boulevard, Tuckasee Management developer.

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

Gateway Design Overlay

CareNow [2016-3136 & 2016-6012] initial design review for 8,580 ft2 medical office/restaurant on 1.6 acres zoned CH located on 1.6 acres zoned CH & GDO-1 located along Medical Center Parkway and Avenue Way, Oldacre McDonald, LLC developer. Ms. Margaret Ann Green began by describing the initial design review for a new

8,580 square foot medical office and restaurant located along Medical Center Parkway and Avenue Way. The proposed uses are permitted by right within the CH and GDO-1 districts. The proposed building is a one story (25') structure. Ms. Green made known she had discussed with the applicant to enhance their building due to their building having two fronts. One front of the building would be facing Medical Center Parkway and the second front would be facing Avenue Way.

Mr. Bill Huddleston and Mr. David Bailey were in attendance to represent the applicant. Mr. Bailey described the design of the proposed building would be medical offices, and a carry out restaurant. The front of the building would include a glass tower element with masonry materials along the sides. The back of the building would be masonry and synthetic material.

The Planning Commission suggested to the applicant the building should have more interest to their building and improving the front elevations on Avenue Way. It was suggested the

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

applicant add brick inlays, faux windows, etc. Vice Chairman Young agreed, the building needed additional interest. The building should be made right the first time it could be here for the next sixty years. Ms. Kathy Jones made known her concerns with the colors for this building. The Planning Commission requested before final design review, it is important for the proposed colors to be accurate. Mr. Bailey stated he would continue working with Staff and make changes before final design review.

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

MI6 Retail [2016-3152 & 2016-6015] initial design review for 9,540 ft2 multi-tenant retail building on 1.81 acres zoned CH & GDO-1 located along Medical Center Parkway, The Capital Corporation developer. Ms. Margaret Ann Green began by describing the initial design review for a new 9,540 square foot multi-tenant building located north of Medical Center Parkway, adjacent to the Rose Corner multi-family development. The site would have access to Robert Rose Drive through an access easement located on the adjacent property. The property is zoned CH and GDO-1 district. The proposed building is a one story structure and would be a separate lot of record as a stand, alone, building.

Mr. Lee Horn and Mr. Keith Shriner and Mr. Nate Church were in attendance to represent the applicant. Mr. Lee Horn came forward to explain this building would be their fifth Capital Corporation project in our city. This building would be along the west side of Rose Corner Development. The lot would be sharing an access point at Medical Center Parkway, and three access points as an extension to Rose Corner Development. In addition, this development would have a similar design, and same color palate as Rose Corner.

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Mr. Keith Shriner came forward to explain the similar materials, elements and horizontal banding, that would tie all their sites together. Continuing, Mr. Shriner explained the rear of the building elevations, that includes windows and canopies. This building would carry the same look as their other buildings. The only difference for this building would be the glazing at the corners. Mr. Ken Halliburton asked, what would the rear of the building face. Mr. Shriner answered, one side is a vacant lot and the other side is Henley Station. Mr. Eddie Smotherman wanted to know if this site would have a patio, Mr. Shriner answered yes. Mr. Doug Young commented on the building being consistent with their other sites. The outside patio would add zest to the project.

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

The Villages of Murfreesboro [2014-3145 & 2014-6016] final design review amendment regarding architecture for 146,237 ft² building on 10.3 acres zoned MU & GDO-1 located along Willowoak Trail and Robert Rose Drive, Goodworks Unlimited developer. Ms. Matthew Blomeley began explaining this being an assisted living development. The applicant had received approval for during their final design review and site plan review from the Planning Commission, in August 2015. Since then, permits have been issued and construction has begun. The developer now wishes to make some changes to the exterior elevations, specifically relating to the cementitious siding and brick colors. The developer had indicated that two of the brick colors that were included in the August 2015, approval have been discontinued. Now, the proposed siding colors are generally more muted in nature than what was previously approved, and Staff thinks this is a positive change. As an aside, the exterior material percentages are not changing.

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Mr. Blomeley explained, the revised colors presented are more of a muted color than what had been approved during the initial design review. Due to this development being in the Gateway Overlay District, this request could not be approved administratively.

Continuing, Mr. Blomeley made known the Elevation one on page A 2.3 at the top of the page is showing the gable as fiber cement siding, to be changed to shake. This horizontal siding is already on the building. It would be a great expense removing the siding and replacing it with hardy board. Therefore, Staff request for approval of the siding to stay as is and approve the new color of brick.

Mr. Gary Keakley was in attendance to represent the applicant.

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

Plats and Plans

Northfield Village Lots 1 and 2 [2016-1041] master plan and preliminary plat for 2 lots on 5.6 acres zoned PCD located along West Northfield Boulevard and Sulphur Springs Road, HWS Partnership developer. Mr. Matthew Blomeley began by describing the master plan and preliminary plat review for 2 lots on 5.6 acres zoned PCD. The purpose of this plat is to create a 2 lot subdivision. These lots are a part of the Northfield Village commercial subdivision.

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

Mr. Ken Halliburton wanted to know what would be constructed on the east lot of this property. Mr. Matt Taylor explained it is part of their PCD. The entire site would be cleaned up. The old church would be taken down, the area mowed to become a green grass area until it is developed.

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Mr. Blomeley read the requirements for Lot 2, which had been approved with the applicant's PCD zoning request. Mr. Eddie Smotherman stated this lot is ugly when would construction begin, Mr. Taylor answered, he did not know the closing date. However, it should be sometime early spring for construction and the improvements to clean up the site. Mr. Doug Young commented, this area needs to be cleaned up as soon as possible. Mr. Gary Whitaker answered he would make certain the lot would be cleaned up.

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

Parkway Place PID [2016-1042] master plan & preliminary plat for 4 lots on 26.9 acres zoned PID located along Joe B Jackson Parkway & Richard Reeves Drive, Swanson Development LP developer. Mr. Matthew Blomeley began by describing the master plan and preliminary plat review for 4 lots on 26.9 acres zoned PID. The purpose of this plat is to create a 4 lot subdivision. These lots are a part of the Parkway Place subdivision.

Mr. Blomeley explained, during the zoning approval process this property had included a 9-foot masonry wall. The plans that were originally submitted, have shown an 8-foot wall. The applicant has made revisions which now shows the approved 9-foot masonry wall and the landscaping buffer that would run along both property lines with Magnolia Trace subdivision. Continuing, Mr. Blomeley made known the master plan does not show the entire property, it is only showing Lots 1-4. Any future phases for this property would require a master plan for each phase.

Mr. Steve Steele was in attendance to represent the applicant.

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Mr. Eddie Smotherman voiced his concerns regarding access leading to a dead end. Would this become a roundabout or a turn around. Mr. Blomeley explained, this dead end would prevent any connectivity to the joining neighborhood. This road had been created to address the neighbor's concerns. Mr. Ram Balachandran stated he could offer suggestions to the applicant on different types of traffic control in the area.

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.

FedEx Ground, Phase 1 [2016-3137] site plan for 802,975 ft2 warehouse on 217.3 acres proposed to be zoned CH simultaneous with annexation located along South Rutherford Boulevard, FedEx Ground developer. WITHDRAWN

Merchants Walk Apartments [2016-3156] site plan for 112-unit multi-family residential development on 7.4 acres zoned RM-16 located along Merchants Walk, Merchant Walk Holdings LLC developer. Mr. Matthew Blomeley began by describing the site plan review for a new apartment complex along Merchants Walk just south of Indian Park Drive. The subject property is zoned RM-16 (Multi-Family Residential 16) and the proposed use is permitted by right.

Mr. Blomeley made known, the applicant should continue working with staff to improve their architecture elevations, on how it relates to the perimeter of the property before any permits are issued.

Mr. Ken Halliburton commented on the ADA units being identified on these plans. He has never seen this on a site plan before. Mr. Gary Whitaker explained, this apartment would be a Federal Funded building. It is part of their requirement to identify ADA units. Mr. Doug Young wanted to know where the dumpster would be located on this site. Mr. Blomeley explained, their site would be required to have a compactor, to serve 112 units. The

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

compactor would be located at the southeast corner of the property. In addition, to meet their parking requirements they had provided an area for guest parking.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor made known the west side of the parking area would include pervious pavers. The detention area would be used towards their green space, in addition, the area along Indian Park Drive would also be green space.

Mr. Ken Halliburton wanted to know if the entrances at Merchants Walk would be open or gated. Mr. Blomeley explained there were no gates proposed with this development. This area would remain open and free flowing for the residents. The applicant would be required to extend sidewalks to an off site adjacent parcel.

Ms. Kathy Jones made a made motion to approve subject to all staff comments, including and the final approval of the architectural elevations by the Planning Staff prior to the issuance of any building permits, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Ultra Lux Salon Spa [2016-3157] site plan for 5,640 ft² building on 1.4 acres zoned PCD located along John Bragg Highway, Le Pha Due developer. Mr. Matthew Blomeley began by distributing revised architectural elevations for the proposed site plan. Continuing, Mr. Blomeley began by making known the site plan review being a new salon located on an existing outparcel at the Wal-Mart development, located at the intersection of South Rutherford Boulevard and Mercury Boulevard. The property is zoned PCD (Planned Commercial District) and the proposed salon use is permitted by right in the existing PCD zone.

Mr. Blomeley stated, this proposed site is located on a flag lot with frontage along John Bragg Highway. However, this site would not have access onto John Bragg Highway. The access

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

and shared isles would be from the Wal-Mart shopping center. The applicant's design team has worked with staff to make improvements on their original elevations. Now, the revised plans include the following:

- stone columns that are raised to the awning
- stone base around the building except along the store front
- added a parapet wall on the rear elevation.

Mr. Mike Picklesimer and Mr. Matt Taylor were in attendance to represent the applicant.

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

Willow Tree Academy [2016-3158] site plan for 10,500 ft² daycare center on 1.5 acres zoned CH located along New Salem Highway, Ryan Taylor developer. Mr. Matthew Blomeley began by describing the site plan review for a new daycare center located along the south side of New Salem Highway just east of Cason Lane. The subject property is adjacent to an existing multi-tenant commercial center, and the proposed daycare center would gain access from two existing shared access drives -- one to Cason Lane and one to New Salem Highway. The property is zoned CH (Commercial Highway) and daycare centers are permitted by right in the CH zone.

Mr. Blomeley made known the architecture elevations of the building had been revised to address staff comments. The current elevations presented would be painted a muted brick color.

Mr. Travis Todd was in attendance to represent the applicant.

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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

New Business

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.

Mr. Matthew Blomeley began by describing the subject property 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, 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 is recommending that a 10' strip at the northwest corner of the subject property be omitted from the annexation petition and plan of services. A map had been included in the agenda packet depicting the location of the proposed 10' strip to remain in the unincorporated County. This seems 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.

Staff will have a plan of services to review prior to the public hearing. 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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION OCTOBER 19, 2016

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

Mr. Ken Halliburton wanted to know if there would be a cul-de-sac off of Esquire Drive with this request. Mr. Matthew Blomeley explained, the public right-of-way along Mary Beth Court had been included with this annexation request. The future of the right-of-way is unknown at this time; however, the right-of-way could be developed with this tract of land. **Mr. Ken Halliburton made a motion to schedule a public hearing on November 2, 2016, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

Zoning application [2016-454] for approximately 34.3 acres located along Osborne Lane to be zoned RS-12 (16.4 acres) & RS-10 (17.6 acres) simultaneous with annexation, Conrad Camp applicant. Mr. Matthew Blomeley began by describing the subject property 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 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.

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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).

Continuing, Mr. Blomeley commented, due to the zoning request being consistent within this area, Staff feels it would not be necessary to conduct a neighborhood meeting for the zoning request; unless, the Planning Commission wishes to do so.

Mr. Eddie Smotherman made a motion to schedule a public hearing on November 2, 2016, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

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. Ms. Margaret Ann Green began by describing the subject property located east of Asbury Lane and south of Asbury Road. The study area consists of two parcels; 35.4 acres owned by the Kings and 0.5 acres owned by the Granthams. The entire study area is 36.9 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 is preparing a plan of services, which would be ready for the Planning Commission's review prior before a public hearing. 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.

Ms. Green made known a neighborhood meeting had been conducted on Monday, October 17, 2016. The neighborhood meeting had been well attended.

Mr. Tom Clark made a motion to schedule a public hearing on November 2, 2016, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

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. Ms. Margaret Ann Green began making known a neighborhood meeting had been conducted for this property on Monday, October 17, 2016. The neighborhood meeting had been well attended.

Continuing, Ms. Green described the subject property 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 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

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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.

A copy of the program book had been included with the agenda materials.

Mr. Matt Taylor, Mr. Bill Charles and Mr. Greg Campbell were in attendance to represent the applicant. Mr. Taylor came forward to explain the master plan for this site would include two entrances. The grand entrance would have a median along Asbury Lane. The second entrance, would be along Asbury Road, to be constructed at the last phase. The name Kingsbury for this development had come from the owner of the land and the family history. Currently, there is a Kingsbury grave site, that would be preserved on the property.

Mr. Taylor made known 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 (min 4,500 square feet), 46' wide lots (minimum 5,000 square feet), and 51' wide lots (5,500 square feet). The minimum home size is 1,600 square feet for the 41' wide lots, it is 1,800 square feet for the 46' wide lots, and it is 2,000 square feet for the 51' wide lots. The three different characteristics style of homes would be craftsman style, classical style and farm house style. The homes are to have masonry exteriors (brick, stone, rock, cementitious siding) with two car garages. Each home would have foundation landscaping and sodded front yards and street trees. The amenities would include a pool, cabana, fire pit, walking trails and playground. The amenity center would be constructed during phase one with extra visitor parking spaces. In addition, there would be approximately 21 extra visitor parking spaces nearby the Kingsbury cemetery. There would be sidewalks and street trees along each side of the streets. The street trees would be placed behind the sidewalks,

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not interfere with waste management. The development would have a Charleston, South Carolina, style with decorative garage doors, arbors, deep front porches with swings and wrap porches along the corner lots. They are proposing for this development to be built out, in five to seven years.

Mr. Taylor made known there were approximately 30 people who had attended the neighborhood meeting. The main concerns are drainage for this area and traffic concerns especially at the intersection of Asbury Lane and Medical Center Parkway. The developer proposes to provide two storm water areas, known as dry ponds. They would be placing a pipe along the north side of the property to drain the water to nearby creek. In addition, there would be road improvement with this development. Two entrances coming off of Asbury Lane and one entrance will be coming off of Asbury Road.

Ms. Kathy Jones made a motion to schedule a public hearing on November 2, 2016, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

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.

Ms. Margaret Ann Green began by making known 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

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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 16 “repeat” applications; again, most aspects of these applications are consistent with previous applications and approvals.

Staff proposes, to allow, 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

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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. The Planning Commission will need to discuss this zone change request and then schedule a public hearing on the matter.

Mr. David Ives commented, these changes would help take the burden off of the applicants, Staff and the BZA to review. All new applicants would be required to appear before the BZA. Mr. Blomeley, praised Mr. Donald Anthony, for taking the initiative to make these much needed improvements.

Ms. Kathy Jones made a motion to schedule a public hearing on November 2, 2016, seconded by Mr. Tom Clark. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Mr. Gary Whitaker made known, during the last City Council meeting it had been announced the new Public Safety Training Center been named in honor of our Vice Mayor Doug Young. Mr. Young was surprised when this announcement was made. The new training center will be used by the Murfreesboro Fire & Rescue Department and the Murfreesboro Police Department. We are very excited and proud for Mr. Doug Young.

Planning Commission calendar for 2017.

Ms. Margaret Ann Green asked for the Planning Commission to consider for adoption the 2017 Planning Commission calendar. On the calendar meeting dates are noted with boxes and holidays with stars. The submittal dates are noted with circles and the resubmittal dates with hexagons. Staff has prepared this calendar as a planning tool for all those who are involved with the Planning Commission including the Planning Commission members, staff,

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other City departments (for scheduling meeting rooms), applicants, engineers, planners, etc. Because we are already discussing projects whose timelines for approval will extend into 2017, staff would like to go ahead and adopt a calendar in order to add some certainty to the schedules.

The Planning Commission members need to consider the meeting dates. Two calendar options have been provided. Option 1 maintains the standard first and third Wednesdays option. Option 2 maintains the standard meeting schedule of the first and third Wednesdays for all months except July. In the month of July staff has moved the meeting date for the first Wednesday of the month to the second Wednesday of the month to accommodate the 4th of July holiday.

The Planning Commission members need to discuss this calendar and either adopt as submitted or make appropriate revisions. Staff does request the Planning Commission adopt the calendar with a motion, second, and vote.

Mr. Tom Clark made a motion to approve option number 2, for the 2017 Planning Commission calendar, seconded by Ms. Kathy Jones. The motion carried by unanimous vote in favor.

Discussion of North Highland Avenue and Historic Bottoms Planning Study and presentation from representatives of Regan Smith Associates. Mr. Matthew Blomeley began by explaining, July 2016, the North Highland Study, The Bottoms Study, and the Steering Committees have been involved in numerous meetings. Ragan Smith Associates have made known they are very close in submitting draft plans for the studies. Once the drafts are provided to the Steering Committees for the review and approval, the drafts would be presented to the Planning Commission. The Planning Commission would have an opportunity to study the drafts and provide additional input, if needed, to the consultants.

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Mr. Randy Caldwell, Mr. Kevin Gunther and Ms. Terri Donovan with Regan Smith Associates, were in attendance for the meeting. Mr. Randy Caldwell came forward to provide an introduction on the two different studies. He explained, it has been very important working with City Staff, Administration, the two Steering Committees and the public. The overall process has included great response in attendance during the meetings, open house, as well as positive comments.

Mr. Kevin Gunther, came forward to explain the goals, and the boundaries for these studies. In addition, the ideas with the greatest response has been presented by the public. Mr. Gunther began a power pointed presentation for the two drafts as being the following:

- Map for North Highland
- Map for Historic Bottoms
- Expand the downtown area
- Increase the density with a mixture of uses
- Preserve the History of Murfreesboro
- Increase the residential opportunities for downtown
- Parks with connectivity for pocket parks
- Mobility for people and bicycles
- Expand downtown access
- Pedestrian crossings
- Road Network
- Etc.

The Planning Commission began discussing the studies how they were implementing a strategy for future development within the downtown area. The downtown area would have opportunities for high use for office space, residential, retail and tourism. Mr. Gary

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Whitaker, complimented the consultants for their expertise involving the public, managing high volume meetings, being ahead of schedule and progressing so well.

Vice Chairman Young, complimented everyone for their dedication and hard work over the past several months. The plans have started and more would be added to the plans over the year. Last, Vice Chairman Young stated, "Good Times are Happening For Us All?"

There being no further business the meeting adjourned at 3:20 p.m.

Chairman

Secretary

GW:cj