

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

JANUARY 8, 2020
6:00 PM

Kathy Jones
Chair

1. Call to order

2. Determination of a quorum.

3. New Business:

- a. Zoning application [2019-445] for approximately 0.89 acres located along Bradyville Pike west of Minerva Drive to be rezoned from RS-10 to PCD (Bradyville Center PCD), Ken Xayabudda applicant. (Project Planner: Amelia Kerr)
- b. Zoning application [2019-440] for approximately 0.71 acres located along East Vine Street east of South Highland Avenue to be rezoned from RS-8 to PRD (East Vine Villas PRD), Blue Sky Construction, Inc. applicant. (Project Planner: Amelia Kerr)
- c. Annexation plan of services and annexation petition [2019-516] for approximately 190 linear feet (0.22 acres) of Annell Drive right-of-way, City of Murfreesboro applicant. (Project Planner, Marina Rush)
- d. Proposed amendments to the Zoning Ordinance [2019-809] to the following:
 - *Section 2: Interpretation and Definitions*, regarding the definition of “family”;
 - *Section 10: Variances*;
 - *Section 18: Regulations of General Applicability*, regarding lighting fixtures at recreational fields; and
 - *Section 27: Landscaping and Screening*, regarding landscaping for stormwater management areas, City of Murfreesboro Planning Department applicant.

4. Staff Reports and Other Business:

5. Adjourn.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 8, 2020
PROJECT PLANNER: AMELIA KERR**

3.a. Zoning application [2019-445] for approximately 0.89 acres located along Bradyville Pike west of Minerva Drive to be rezoned from RS-10 to PCD (Bradyville Center PCD), Ken Xayabudda applicant.

The subject property is located along the north side of Bradyville Pike, west of Minerva Drive. The property includes 2 parcels consisting of 0.89 acres identified as 1611 and 1615 Bradyville Pike. Each parcel is currently developed with an existing single-family dwelling and is zoned RS-10 (Single Family Residential District 10). The applicant wishes to rezone the property to PCD (Planned Commercial District). The proposed PCD (Bradyville Center PCD) would consist of a 7,280 square foot multi-tenant commercial center.

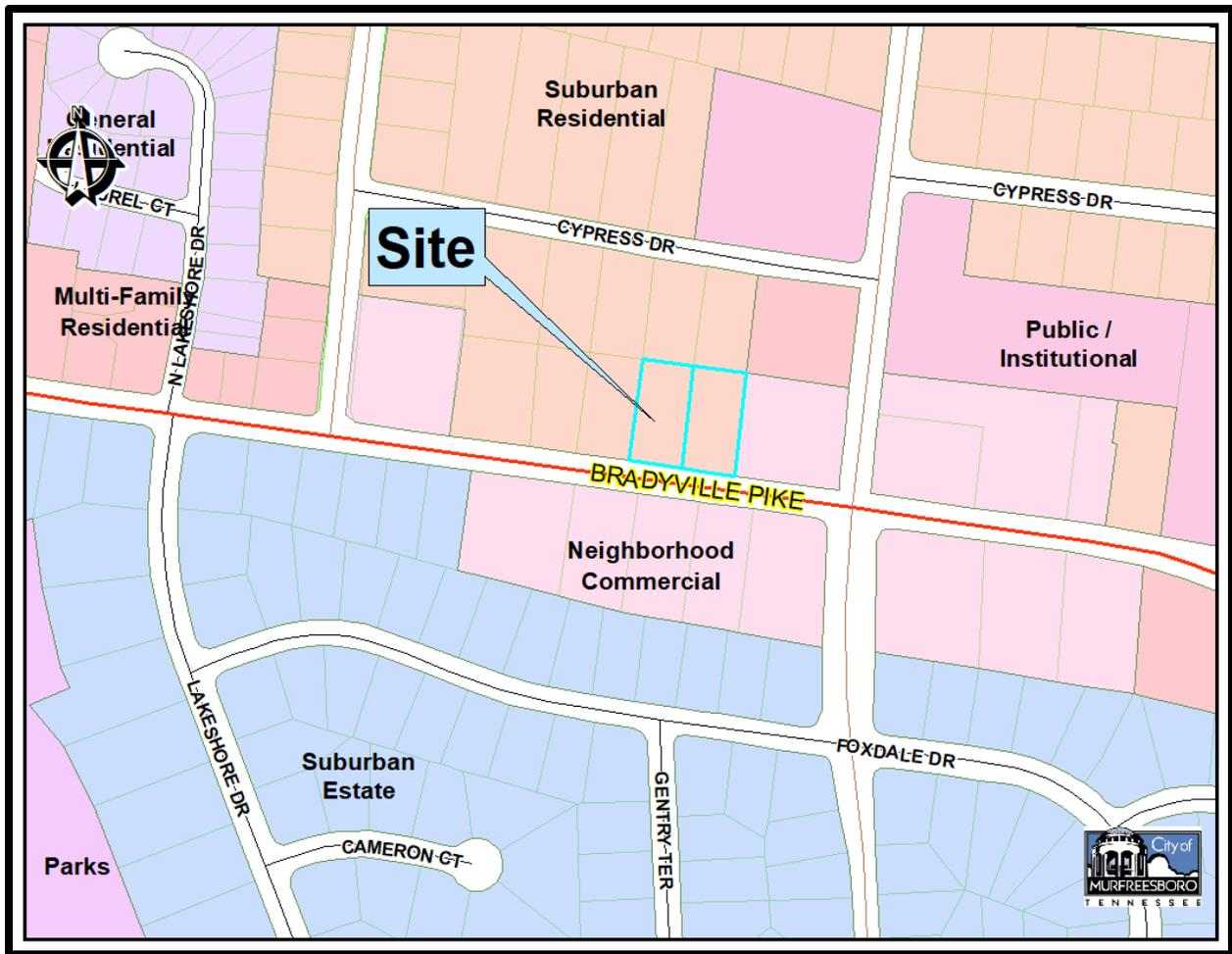
The development would have direct access to Bradyville Pike via a single access point. No connections to neighboring properties are proposed. The proposed development would include one (1) single-story multi-tenant commercial building with one (1) outdoor patio dining area and one (1) plaza seating area on the west end of the building. Primary exterior materials would include brick, stone, and cementitious siding. Minimum building setbacks for the development would be 42 feet on the front facing Bradyville Pike, 10 feet on the sides, and 20 feet on the rear. Amenities would include 40% of the total lot as open space and 7% formal open space consisting of the outdoor dining area and plaza bench seating area.

Adjacent Zoning and Land Uses

Surrounding zoning includes CL (Commercial Local District) to the south across Bradyville Pike and the adjacent property to the, each developed with a variety of commercial uses. Adjacent properties to the north are located in the Cypress Avenue Subdivision and are zoned RS-10. There are also single-family residential uses zoned RS-10 to the west. The proposed development would include a Type D landscape buffer along the north and west property lines.

Future Land Use Map

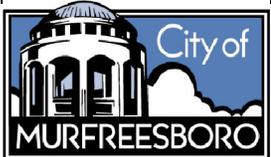
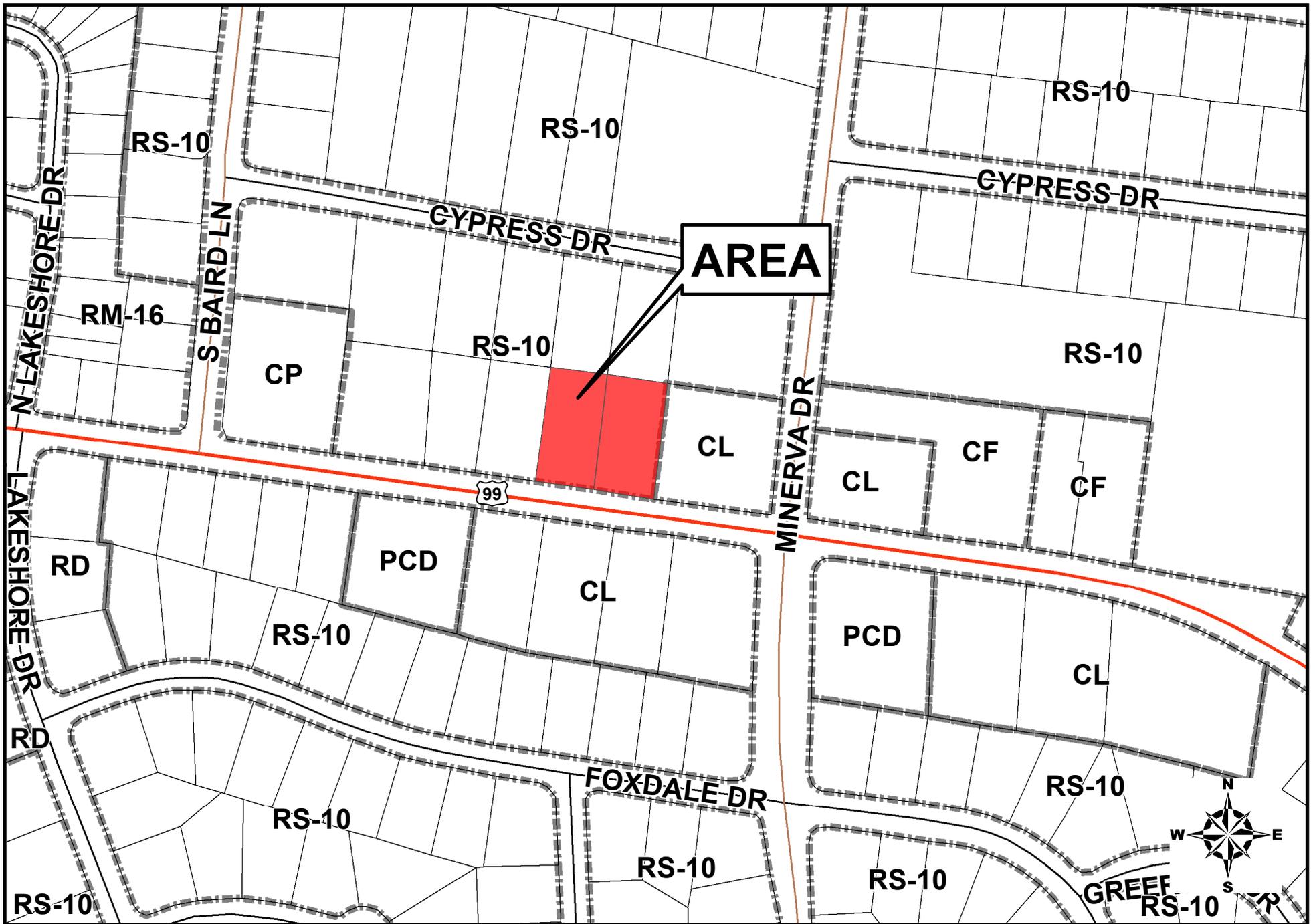
The future land use map of the *Murfreesboro 2035 Comprehensive Plan*, which was adopted in July 2017, recommends that Suburban Residential is the most appropriate land use character for the subject property, as shown on the map below.



Compatible existing zoning districts identified for the “Suburban Residential” land use character are RS-10, RS-12, and RS-15 with a recommended density of 2.0 to 3.54 dwelling units per acre. The proposed PCD zoning request is not consistent with the recommendation of the future land use map for this property and is more consistent with the “Suburban (Neighborhood) Commercial” land use character. Due to the location of the property along a State highway and the establishment of an existing commercial node at the intersection Bradyville Pike and Minerva Drive, the Planning Commission will need to determine whether this is an appropriate instance to deviate from the recommendations of the future land use map.

Action Needed

A copy of the pattern book has been included in the agenda materials. The applicant will be available at the Planning Commission meeting to make a presentation regarding the proposed rezoning and to answer questions. 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.

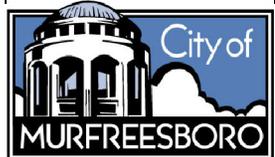


T E N N E S S E E

Zoning Request for Property Along Bradyville Pike RS-10 to PCD (Bradyville Center PRD)



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

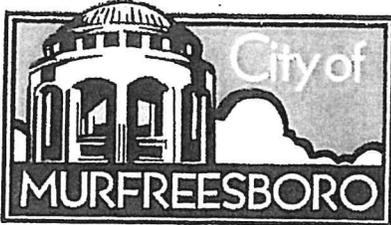


T E N N E S S E E

Zoning Request for Property Along Bradyville Pike RS-10 to PCD (Bradyville Center PCD)



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



T E N N E S S E E

Creating a better quality of life

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

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

Procedure for applicant:

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

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

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

To be completed by applicant:

APPLICANT: Sangkeo Ken Jayabuddha

Address: 1899 Ransom DR Memphis TN City/State/Zip: 37130

Phone: (615) 335-6601 E-mail address: Sangkeo@Comcast.net

PROPERTY OWNER: _____

Street Address or property description: _____

and/or Tax map #: 1031 Group: B Parcel (s): 9

Existing zoning classification: RS-10

Proposed zoning classification: PC10 Acreage: .89

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

E-mail: _____

APPLICANT'S SIGNATURE (required): Sangkeo K Jayabuddha

DATE: 10-15-19

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

Date received: \$ 11-14-19 MPC YR.: _____ MPC #: 2019-445

Amount paid: \$ 950.00 Receipt #: 117794

11.14.2019

Mr. Matthew Blomely
Acting Planning Director
City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

Re: Rezoning Request

Described as Tax Map 103I, Group E and parcels 9 consisting of .89 +/- acres. .

Dear Mr. Blomely:

On behalf of our client, Ken Xoyobudd, we hereby request rezoning of the following property located at Tax Map 103I, Group E and parcels 9, consisting of .89 +/- acres. We are requesting to rezone the property to PVD to be uses a commercial building.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,

Clyde Rountree, RLA

HUDDLESTON-STEEL ENG., INC.

TAX IDENTIFICATION: MAP 103I, GROUP E, PARCEL 9

SEND TAX BILLS TO

NAME AND ADDRESS OF NEW OWNERS

same

Songkeo Xayabudda
Douang Mala Xayabudda
1999 Ransom Drive
Murfreesboro, TN 37130

STATE OF TENNESSEE
RUTHERFORD COUNTY

) Prepared from Information
) Furnished by the Parties by:
:ss **EWING SMITH, JR., Attorney at Law (sfh)**
) 201 E. Main St., Ste. 414, Murfreesboro, TN 37130

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, cash in hand paid and/or secured to be paid, receipt and sufficiency of which is hereby acknowledged; I, FRANCES L. BARRETT, the undersigned Grantor, have this day bargained and sold and do by these presents hereby transfer and convey unto **SONGKEO XAYABUDDA and wife, DOUANG MALA XAYABUDDA**, Grantees, their heirs and assigns, that certain parcel of real estate, "AS IS", situated in the City of Murfreesboro, in the 18th Civil District of Rutherford County, Tennessee, and being further described as follows, to-wit:

STARTING at a stake in the north margin of the Bradyville Road, being the southwest corner of the Glenn Harrell property (Town & Country Market; and the southeast corner of the property described hereafter; thence with the north margin of the Bradyville Road N 86 deg. 30' W 100 feet to a stake; thence with Delbridge's east line N 3 deg. 30' E 196 feet to a stake; thence along the south line of Harrell S 86 deg. 30' E 100 feet to the center of a cedar post; thence along the west side of Glenn Harrell S 3 deg. 30' W 196 feet to the point of beginning. On the above described lot is situated a house designated as 1615 Bradyville Road, Murfreesboro, Tennessee, according to survey made by Eugene R. Hargis, Registered Land Surveyor, dated June 6, 1969.

BEING the same property conveyed to the undersigned by deed from Charlotte Powers, appearing of record in Record Book 499, page 16, of the Register's Office of Rutherford County, Tennessee.

THIS property is subject to and includes any and all lawful easements, setback lines restrictions, etc. of record and applying to the within described property and to any and all zoning and subdivision regulations of the appropriate governmental body.

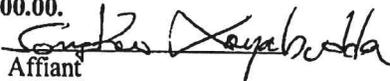
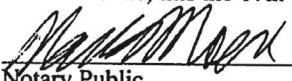
TO HAVE AND TO HOLD said real estate, together with all of the appurtenances, estate and title thereunto belonging, unto the said Grantees, their heirs and assigns, forever.

The undersigned covenant with the said Grantees that I am lawfully seized and possessed of said real estate; that I have a good right to convey the same; and that it is unencumbered except by lien of the 2007 property taxes, which taxes are being prorated between the parties hereto, the Grantor paying to the Grantees my proportionate share and the Grantees assuming payment thereof.

The undersigned further covenant and bind myself, my heirs and assigns, forever to warrant and defend the title to said real estate unto the said Grantees, their heirs and assigns, against the lawful claims of all persons, whomsoever.

WITNESS MY HAND, this 25 day of June, 2007.

Frances L. Barrett
FRANCES L. BARRETT

WARRANTY DEED		State of Tennessee County of Rutherford The actual consideration or value, whichever is greater, for this transfer is \$189,200.00.  Affiant Subscribed and sworn to before me, this the 17th day of May, 2019.  Notary Public My commission expires: <u>11.20.2022</u> (AFFIX SEAL)
THIS INSTRUMENT WAS PREPARED BY Atwood & Moore, Attorneys at Law 144 Uptown Square, Murfreesboro, TN 37129		
Address of New Owner(s) as follows: Songkeo Xayabudda David Xayabudda	Send Tax Bills To: Same	Map-Parcel Numbers 1031E/01000
1999 Ransom Drive		
Murfreesboro, TN 37130		

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGE, I,

Ann Lucille Delbridge, unmarried,

HEREINAFTER CALLED THE GRANTOR, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

Songkeo Xayabudda and David Xayabudda, tenants in common with right of survivorship,

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN RUTHERFORD COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Being a house and lot of ground known and designated as City Street No. 1611 Bradyville Pike and fronting 100 feet on the north side of the Bradyville Pike and running back between parallel lines 196 feet to Joe V. Jakes' property line; bounded on the north by Joe V. Jakes; on the east by Mrs. Howard Moore; on the south by the Bradyville Pike; on the west by Mason.

BEING the same property conveyed to J. W. Delbridge and wife, Ann Lucille Delbridge by deed of record in Deed Book 181, page 335, of the Register's Office of Rutherford County, Tennessee. The said J. W. Delbridge being deceased and spouse, Ann Lucille Delbridge, having received the property as surviving tenant by the entirety.

THIS conveyance is subject to the restrictive covenants of record in Deed Book 181, page 335, and, to any and all other matters as shown on of record in the Register's Office of Rutherford County, Tennessee.

This is improved (X) Unimproved () property, known as 1611 Bradyville Pike, Murfreesboro, TN 37130

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever. The GRANTOR covenants with the said GRANTEES that she is lawfully seized and possessed of said land in fee simple, has a good right to convey it and the same in unencumbered, unless otherwise herein set out; and I do further covenant and bind myself, my heirs and representatives, to warrant and forever defend the title to the said land to the said

GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 17th day of May, 2019.

Ann Lucille Delbridge by Myra Pruitt Attorney in Fact
Ann Lucille Delbridge, by Myra Pruitt, Attorney-In-Fact

STATE OF TENNESSEE)
COUNTY OF RUTHERFORD)

Personally appeared before me, MYRA PRUITT, with whom I am personally acquainted, or who proved to me on the basis of satisfactory evidence, and who acknowledged that she is the Attorney-In-Fact of the maker, or a constituent of the maker, and is authorized by the maker or by their constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker, ANN LUCILLE DELBRIDGE (aka Lucille Delbridge), by virtue of an instrument of record in Record Book 1774, page 3344, of the Register's Office of Rutherford County, Tennessee.

Witness my hand, at office, this 17th day of May, 2019.

Myra Pruitt
Notary Public



My Commission Expires: 11-20-2022

Heather Dawbarn, Register
Rutherford County Tennessee
Rec #: 999899
Rec'd: 10.00 Instrument #: 2206976
State: 700.04
Clerk: 1.00 Recorded
Other: 2.00 5/22/2019 at 9:15 AM
Total: 713.04 in
Record Book 1774 Pgs 3343-3344

FOR AND IN CONSIDERATION of \$1200.00 cash in hand paid, receipt of which is hereby acknowledged, we, Joe V. Jakes and wife, Mattie Edna Jakes, have this day bargained and sold and do hereby transfer and convey unto BUFORD WAYNE BLAIR and wife, BETTY E. BLAIR, the following described parcel of land lying in the 18th Civil District of Rutherford County Tennessee, to-wit:



Fronting 100 feet on the north side of the Bradyville Pike and running back between parallel lines 196 feet to Joe V. Jakes property line; bounded on the north by Joe V. Jakes; on the east by Mrs. Howard Moore; on the south by Bradyville Pike; on the west by Mason; being a part of the property conveyed to Joe V. Jakes and wife, Mattie Edna Jakes by W. S. Tolbert and wife by deed of record in Book 103, page 107, Register's office, Rutherford County Tennessee.



This conveyance is made, subject to the following restrictions: Building to be residential only, and to be of brick, stone or asbestos shingle construction; and such building shall be not less than 1200 square feet in area; and shall be in line with other buildings, from the side of the Bradyville Pike.

TO HAVE AND TO HOLD the same unto the said Buford Wayne Blair and wife, Betty E. Blair, their heirs and assigns forever.

We covenant that we are lawfully seised and possessed of said property, have a good and lawful right to convey it and that the same is unincumbered and we further covenant and bind ourselves, our heirs and representatives forever to warrant and defend the title thereto against the lawful claims of all persons.

Witness our hands, this April 30, 1962.



Joe V. Jakes
Mattie Edna Jakes

State of Tennessee
Rutherford County

Before the undersigned, a Notary Public in and for Rutherford County Tennessee personally appeared the within named Joe V. Jakes and Mattie Edna Jakes, his wife, the bargainors, with whom I am personally acquainted and who acknowledged that they executed the foregoing deed for the purposes therein contained.

Witness my hand and seal at office this April 30, 1962

Lowell Washington
Notary Public.

My commission expires June 28, 1965



STATE OF TENNESSEE, RUTHERFORD COUNTY, OFFICE OF REGISTER May 7 1962
I, Everett Waller, Register, do hereby certify that the foregoing instrument and certificate are Registered in my said office in Book No. 142 Page No. 104 and that they were received May 8 1962 at 3:45 clock P. M. and entered in Note Book 14 Page 71
EVERETT WALLER, Register, By [Signature]

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT

SHEET INDEX

1. DEVELOPMENT TEAM & PROJECT SUMMARY
2. ZONING MAP
3. UTILITY MAP
4. HYDROLOGY & TOPOGRAPHY MAP
5. AERIAL MAP
6. EXISTING CONDITIONS
7. EXISTING CONDITIONS
8. SITE PLAN
9. ARCHITECTURAL ELEVATIONS
10. ARCHITECTURAL PERSPECTIVE AND MATERIALS
11. CONCEPTUAL LANDSCAPE PLAN
12. FORMAL OPEN SPACE AND DRIVE ALIGNMENT
13. DEVELOPMENT STANDARDS
14. COMMERCIAL CENTER PERMITTED/ PROHIBITED USES
15. PLANNED DEVELOPMENT CRITERIA & 2035 PLAN

RESUBMITTED FOR THE JANUARY 8, 2020 PLANNING COMMISSION PUBLIC HEARING

Plans Prepared By:

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

Development Team & Project Summary

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT

The Bradyville Center development is a commitment to combine two residential properties into one lot for the purpose of building a commercial retail center. The new development will be embedded in an existing small commercial area. The combined lots will account for nearly an acre of land which in turn will allow for a 7280 square foot retail building.

Design

Architect for review and over site:

Micheal Stewart

Planning and Engineering

Huddleston-Steele Engineering, Inc.

Clyde Rountree, RLA

2115 N.W. Broad Street

Murfreesboro, Tn 37129

Developer:

Ken Xayabudda

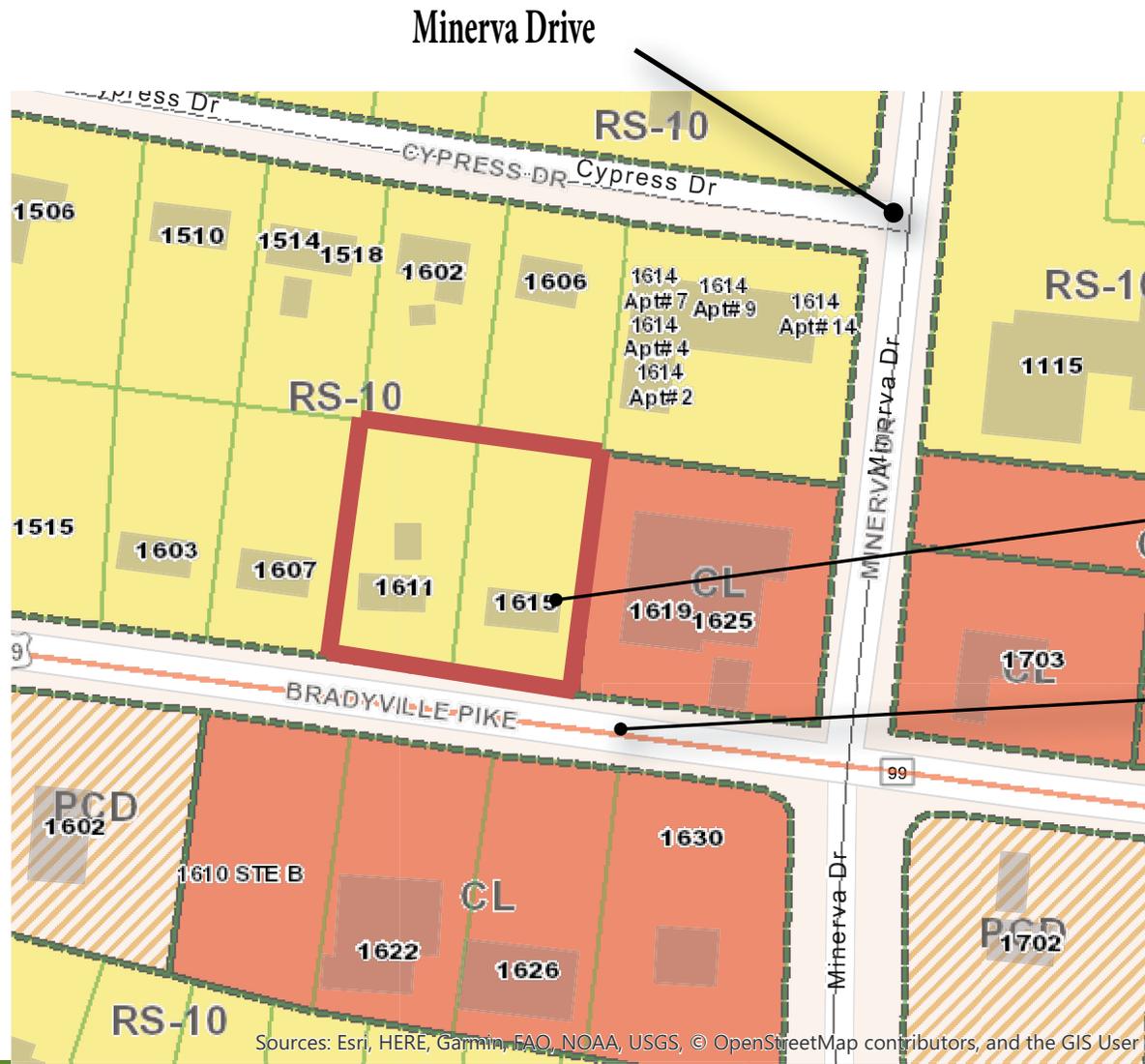
1999 Ransom Drive

Murfreesboro, TN. 37130

Zoning Map

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT



The subject property is zoned RS-10. The property is surrounded by CL zoning on the east, and RS-10 to the north and west. The property to the south is zoned CL.

The subject property is proposed to be rezoned PCD.

SITE

Bradyville Pike

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User

Utility Map

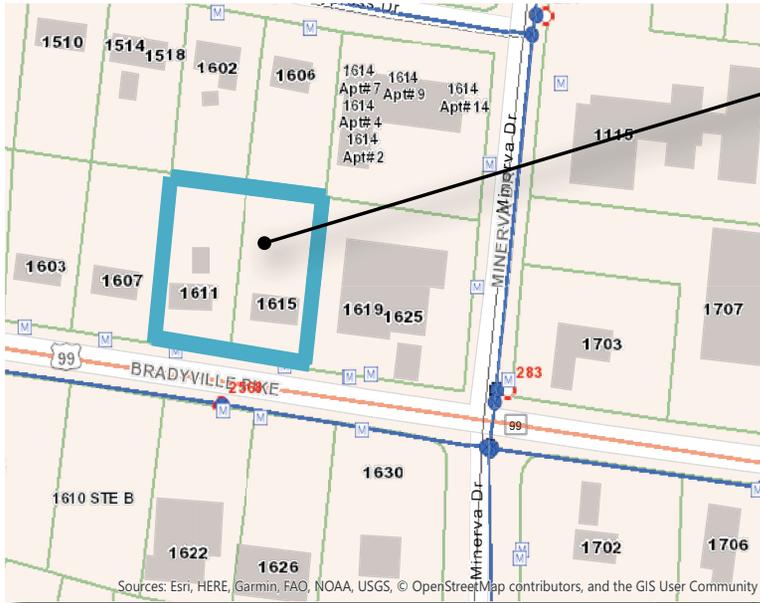
Bradyville Center PLANNED COMMERCIAL DEVELOPMENT

SITE

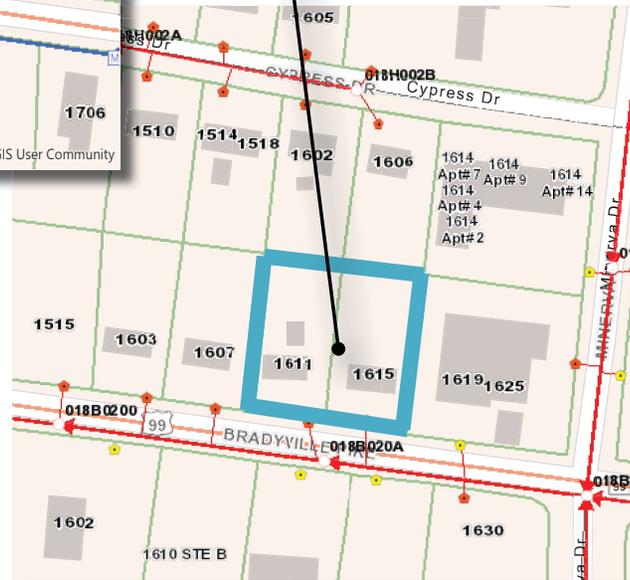
The subject property utility providers:
 Water is provided by Murfreesboro Water Resources Department.
 Electric is provided by Murfreesboro Electric Department.
 Sewer is provided by Murfreesboro Water Resources Department.

LEGEND

Water 
 Sewer 



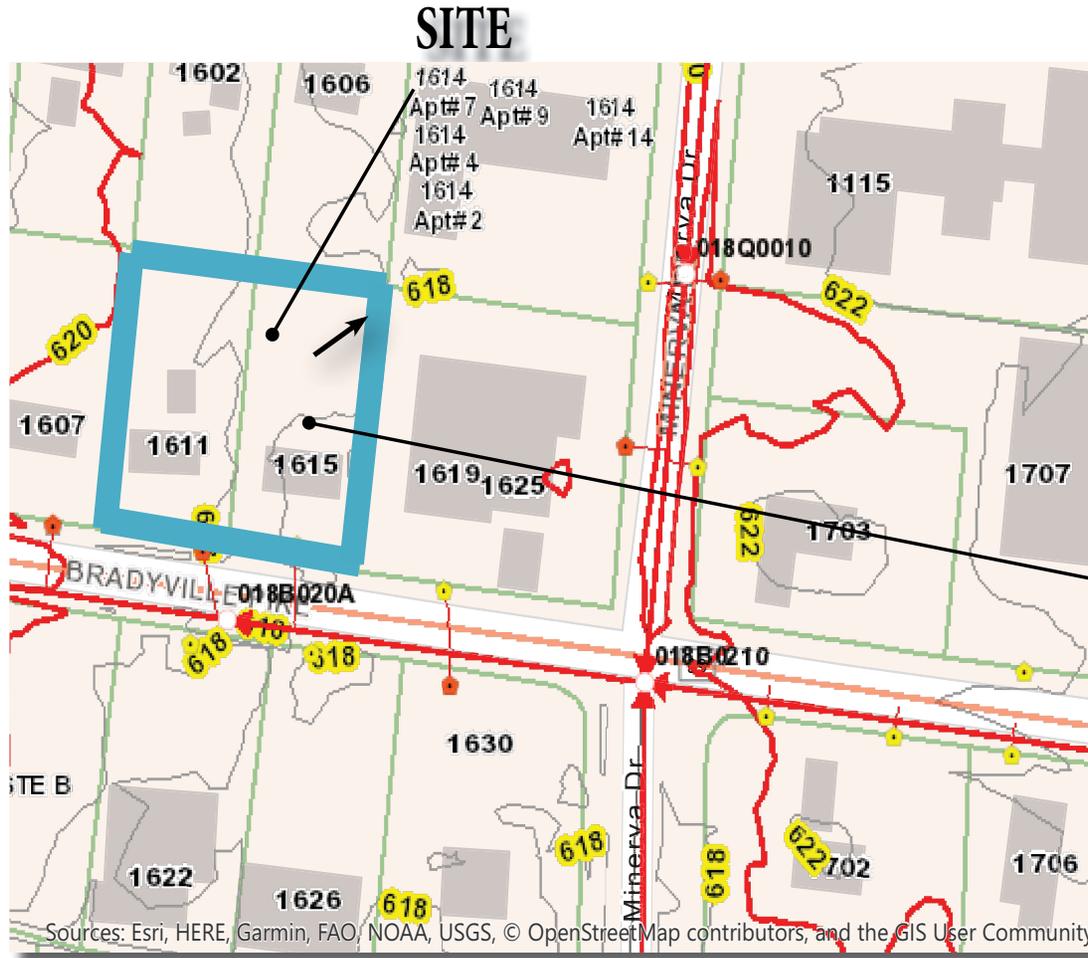
Water Line Location Map



Sewer Line Location Map

Hydrology & Topography Map

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT



Water Line Location Map

The subject property is a relatively flat site with less than 2 feet of grade change across the entire site. The site drains from the west to the east with the lowest area being in the northeast corner of the site.

Drainage Direction

Aerial Map



This aerial photograph shows the subject site surrounded by various uses.

Site

Bradyville Pike

Aerial Location Map

Existing Conditions

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT



View looking down Bradyville Pike at subject property to the right



View of subject property



View looking at apartments behind subject property



View looking at home to the west of the subject property



View looking at business to the east of subject property



View looking at business across from subject property

Existing Conditions

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT



View looking at business across from subject property



View of subject property from across Bradyville Pike



View of home west of subject property



View looking at business across from subject property

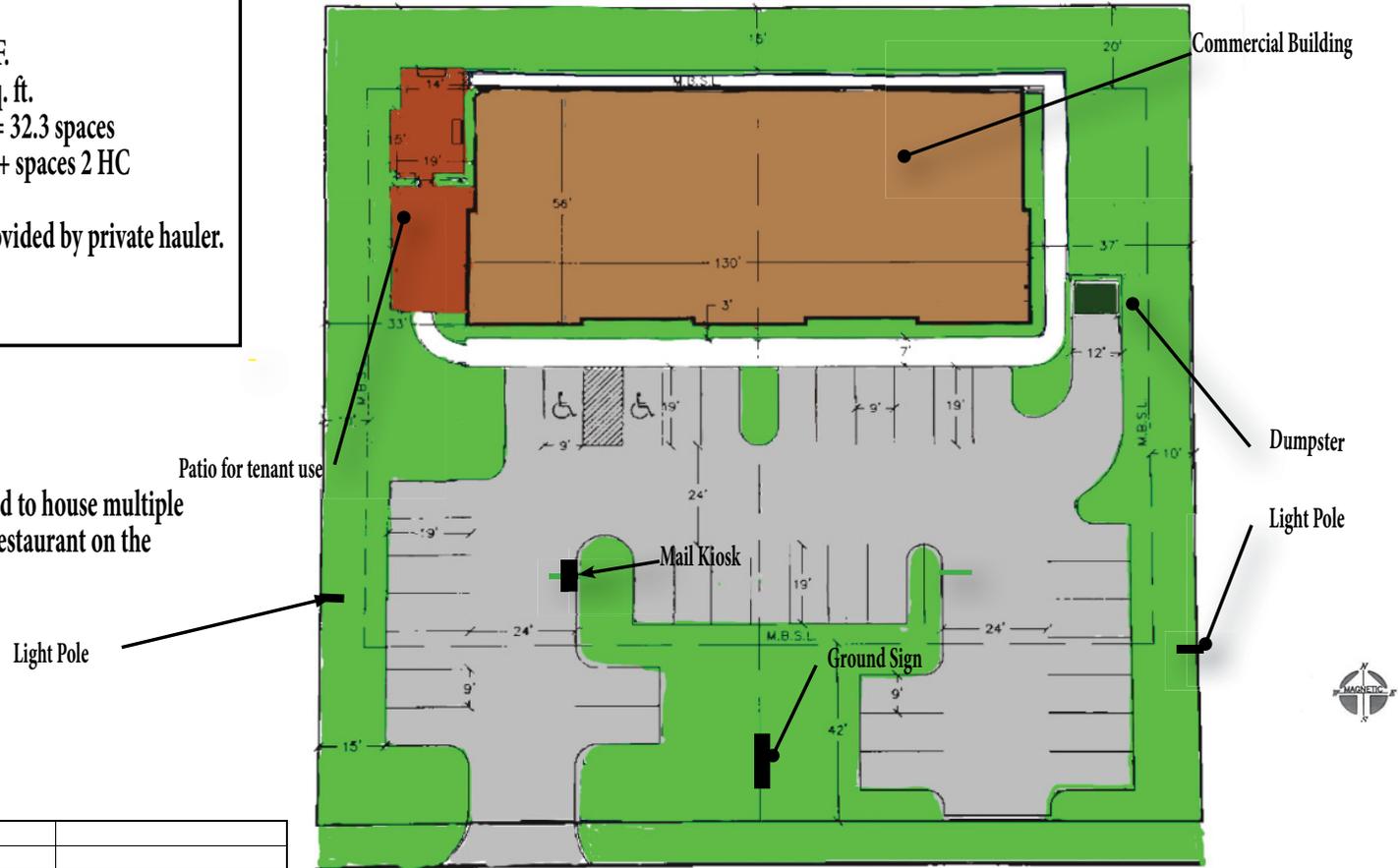
Site Plan

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT

Site Data:
 Acreage: .89 Acres, 39,200 SF.
 Proposed Building: 7, 280 sq. ft.
 Parking Required $7280/225 = 32.3$ spaces
 Parking Provided: 35 spaces + spaces 2 HC

 Solid waste services to be provided by private hauler.

This commercial center is designed to house multiple tenants, with the potential of a restaurant on the western edge.



SITE DATA		
Total Land Area	39,200 SF	
Total Open Space	Required: 7,840 SF	Provided: 15,789 SF
Formal Open Space	Required: 2,000 SF	Provided: 2,564 SF
Total Pervious	23,644 SF	
Total Impervious	16,577 SF	

Bradyville Pike

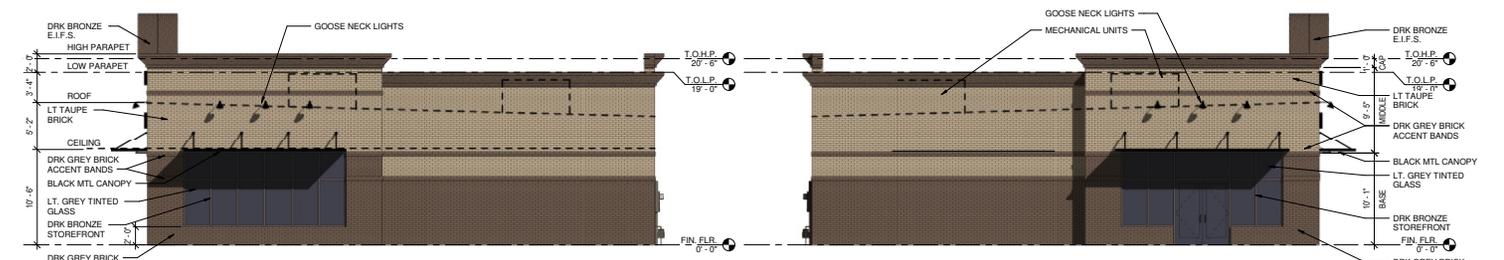
Architectural Elevations

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT

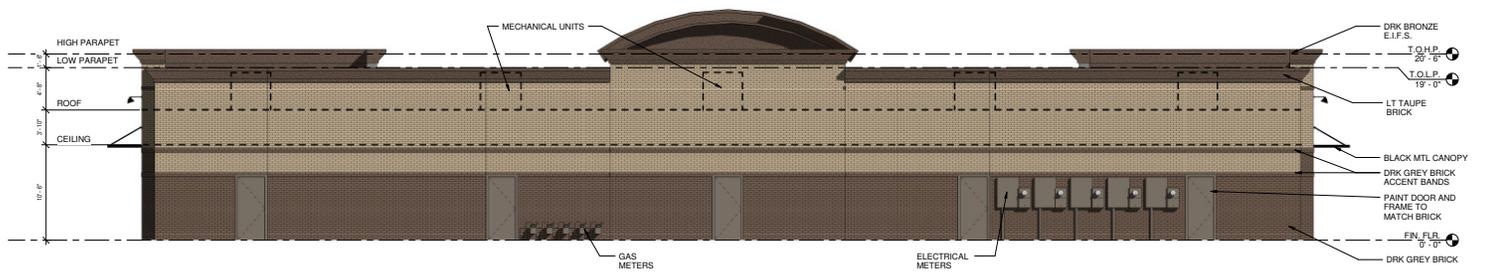


1 SOUTH SIDE ELEVATION
316' - 1'-0"



2 RIGHT EXTERIOR ELEVATION
316' - 1'-0"

3 WEST REAR ELEVATION
316' - 1'-0"



4 NORTH SIDE ELEVATION
316' - 1'-0"



W. Michael Stewart
Architect
540 Grove Isle Cir. 103
Vero Beach, Florida 32962

BRADYVILLE PLAZA
MURFREESBORO, TENNESSEE



A1.02

Architectural Perspective and Materials

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT



EXTERIOR MATERIALS



Building Perspective

Conceptual Landscape Plan

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT



Perimeter tree plantings consisting of at least two varieties of shade trees will define the property lines and enhance the streetscape. Foundation planting will be designed to accentuate the building and add visual interest to the development. The dumpster enclosure area will be screened by large shrubs. All other requirements for buffering will follow Chapter 27 of the zoning ordinance and the Murfreesboro Guidelines.

The development will comply with all minimum landscape requirements in Section 27 of the zoning ordinance.

Bradyville Pike

Formal Open Space Plan and Drive Alignment

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT



The formal space provided for the Bradyville Center will provide patrons to the building a place to dine outside or simply take a shopping break on a sunny day. The open space will be a combination of two aggregate patios with benches and a trash receptacle.

Development Standards

Development Standards:

- Development will include a 7280 commercial building
- The maximum building height of 35'-0"
- Building can be divided into 5 bays
- The bays will have 37 parking spaces
- Solid waste will be provided by a private hauler
- Sidewalks will be provided on Bradyville Pike or payment in lieu of
- All site utilities will be underground
- Identification signage will be associated with this development
- The development will be managed by a P.O.A.
- Street lights will be standard Murfreesboro Electric Department poles and lights
- Mail delivery will be accommodated via a mail kiosk
- All parking will be screened from the public right-of-way by landscaping
- Buildings elevations will have well-articulated front elevations with details responding to the pedestrian scale of the neighborhood
- All HVAC units will be roof mounted
- Parking will comply with the Murfreesboro's Zoning Ordinance for uses that comply with this PCD
- Telecommunication and television equipment shall be located off the rear of the proposed buildings

Building Elevation Materials:

- Brick
- Dryvit
- Metal

Architectural materials and colors will be reviewed at the time of site plan submittal by Murfreesboro planning staff and the planning commission



Lighting Example

SETBACKS	CF	PCD	DIFFERENCE
FRONT SETBACK	42'	42'	0'
WEST SIDE SETBACK	25'	10'	(+) 15'
EAST SIDE SETBACK	25'	10'	(+) 15'
REAR SETBACK	25'	20'	(+) 5'

Note: Chart 2, #15 - The minimum setback shall apply unless the property abut property in the RS or RD classification in which case the minimum setback shall be twenty-five feet from the common property line of the property in the RS or R-D classification.

Commercial Center Permitted Uses /Prohibited Uses

Permitted Use List:

Restaurant
Adult Day Care Center
Animal Grooming Facility
Art and Photo Gallery
Bakery - Retail
Bank Branch Office
Bank, Drive-Up Electronic Teller
Bank Main Office
Barber Shop
Book Shop
Business and Communication Services
Catering Establishment
Clothing Store
Delicatessen
Dry Cleaning
Dry Cleaning Pick-Up Station
Financial Services (no cash advance)
Flower Shop
Garden and Lawn Supplies (no outdoor storage)
Health Club
Glass-Stained and Leaded
Karate Instruction
Interior Design
Specialty Shop
Pharmacy
Offices
Optical Dispensaries
Personal Services Establishment
Medical Laboratories
Music and Dance Academy
Video Rental
Carry-out restaurant
Specialty-Limited Restaurant
Pet Shop
Photo Finishing
Veterinary Office
Reducing and Weight Control Service
Convenient Store w/o gas sales

Fireworks Retailer
Pet Funeral Home
Salvage and Surplus Merchandise
Tattoo Parlor
Taxidermy Studio
Tobacco and E-Cigarettes or Vaporized Sales
Laundry, Self-Service
Retail Shop

Prohibited Use List:

Fraternity/Sorority
Airport/Heliport
Cemetery
Pet Cemetery
Amusements, Commercial Outdoor Motorized
Amusements, Commercial Outdoor Motorized Except Carnivals
Drive-in-Theater
Adult Cabaret
Adult Entertainment
Adult Motel
Adult-only Bookstore
Adult-only Motion Pictures Theater
Temporary Mobile Recycling Center
Towing
no drive-thru
Motor Vehicle Sales
Motor Vehicle Lots
Motor Vehicle Repair
Gas Station
Rap Parlor
Kennel
Cash Advance Businesses
Adult Day Care Home
Veterinary Clinic
Sauna
Temporary Mobile Recycling Center
Tavern
Family Crisis Center
Family Violence Shelter
Pain clinic
Plasma donation center

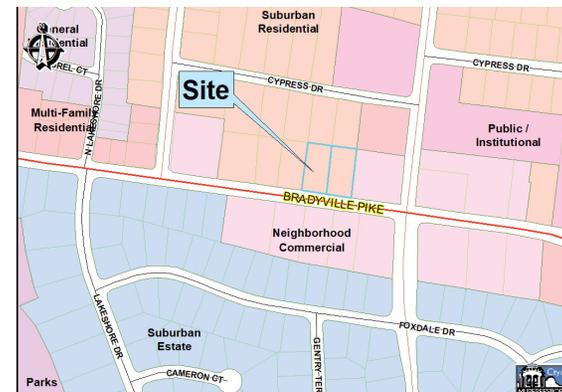
Planned Development Criteria & 2035 Plan

General Applicability Per Section 13 - Planned Development Regulations

1. Ownership and division of land: *The site is owned by the developer identified on Sheet 1, The lot is currently zoned RS-10 in the City of Murfreesboro.*
2. Waiver of BZA action: *No BZA actions will be required.*
3. Common open space: *See page 8.*
4. Accessibility to site: *The property is accessible from Bradyville Pike.*
5. Off street parking: *See Sheet 8 for parking calculations.*
6. Pedestrian circulation: *Sidewalks will be construction on subject property as a result of this project.*
7. Privacy and screening: *Type 'D' Buffer provided along the Western and Northern property lines.*
8. Zoning and subdivision modifications proposed: *A PCD is being requested for the subject property.*
9. Phasing: *The project shall be completed in one phase.*
10. Annexation: *No annexation is required for this site.*
11. Landscaping: *The commercial development will be designed to meet all minimum landscaping requirements outlined in Section 27 of the Zoning Ordinance.*
12. Major Transportation Plan: *The PCD is consistent with the Major thoroughfare plan utilizing Bradyville Pike as the primary access to the site.*
13. Applicant contact information: *Contact information is located on Sheet 1.*
14. Proposed Signage: *Any signage installed will follow the Murfreesboro Sign Ordinance Regulations.*

Section 13 – Project Development Criteria Requirements

1. Identification of existing utilities: *Shown in pattern book on Sheet 3.*
- 2/3. Graphics, renderings, maps and or aerial photography showing existing conditions and natural features of the site: *Shown in pattern book Sheet, 3-7.*
- 4/5. Drawing and/or diagrams identifying areas of development, proposed buildings, screening, proposed landscaping and pedestrian and vehicular circulation: *Shown in pattern book Sheets 8-11.*
6. Development schedule: *Construction is projected to begin once all zoning and site planning is approved by the City.*
7. Relationship of the planned development to current city polices and plans: *The PCD is comparable to the CF zoning with no deviations requested. The PCD meets the design guidelines by providing a 100% masonry building, well articulated details, defined base and parapet walls screening equipment. The landscaping meets the ordinance requirements.*
8. Proposed deviation from zoning and subdivision ordinance: *The following deviations are being requested with this PCD: reduced setbacks on both sides and the rear of the property. See Sheet 13.*
9. Site tabulation data for land area, FAR, LSR, and OSR: *NA.*
10. The nature and extent of any overlay zones as described in Section 24 and 34: *No*



2035 Plan - Suburban Residential

Suburban Residential allows for planned developments. The nature of the location with commercial development to the east and apartments to the north make the site fitting for commercial development.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 8, 2020
PROJECT PLANNER: AMELIA KERR**

- 3.b. Zoning application [2019-440] for approximately 0.71 acres located along East Vine Street east of South Highland Avenue to be rezoned from RS-8 to PRD (East Vine Villas PRD), Blue Sky Construction, Inc. applicant.**

The subject property is located along the south side of East Vine Street, east of South Highland Avenue. The property consists of 0.71 acres and is identified as 530 East Vine Street. The property is currently developed with an existing single-family dwelling and is zoned RS-8 (Single Family Residential District 8). The applicant wishes to rezone the property to PRD (Planned Residential District). The proposed PRD would consist of a 6-unit townhouse development, East Vine Villas. The proposed gross density would be 8.45 dwelling units per acre.

The development would have direct access to East Vine Street via a single access point. No connections to neighboring properties are proposed. The proposed development would include 2 buildings, each having 3 two-story townhouse units with 2-car garages. The units located directly on East Vine Street will have rear-entry garages and the units in the rear of the property will have front-entry garages. The development would include 14 surface parking spaces for residents of the 6 three-bedroom townhomes and their guests. Primary exterior materials would include painted brick and cementitious siding. Minimum building setbacks for the development would be 20 feet on the front facing East Vine Street, 10 feet on the sides, and 35 feet on the rear. Amenities would include approximately 47% of the total lot as open space and 5% formal open space consisting of a plaza area with a grilling station, bench seating, and a dog run.

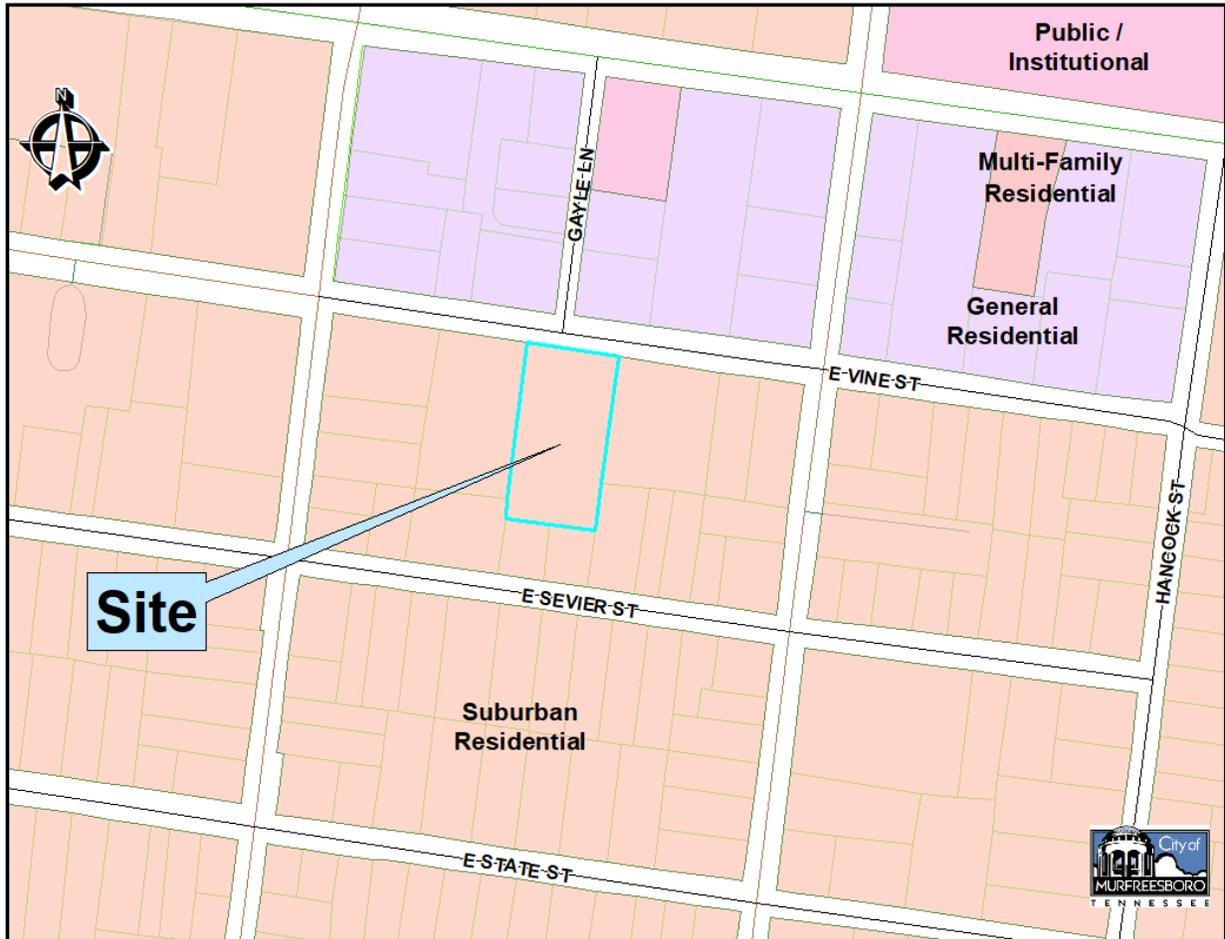
Adjacent Zoning and Land Uses

Surrounding zoning includes RS-8 to the north across East Vine Street and the adjacent properties to the east and west. Adjacent property to the south is zoned RM-16 (Multi-Family Residential District, 16 dwelling units per acre). The proposed development would include a ten-foot landscape buffer and privacy fencing along the south, east, and west property lines.

Future Land Use Map

The future land use map contained in the *Murfreesboro 2035 Comprehensive Plan*, which was adopted in July 2017, recommends that the subject property develop with a *Suburban Residential* land use character (see excerpt from the future land

use map below). This classification intends to serve as a transition from urban to rural residential development and is predominantly located along the periphery of the City. The comprehensive plan calls out RS-15, RS-12, and RS-10 as existing zoning districts that are compatible with this designation. 2.0-3.54 dwelling units per acre is the recommended density.

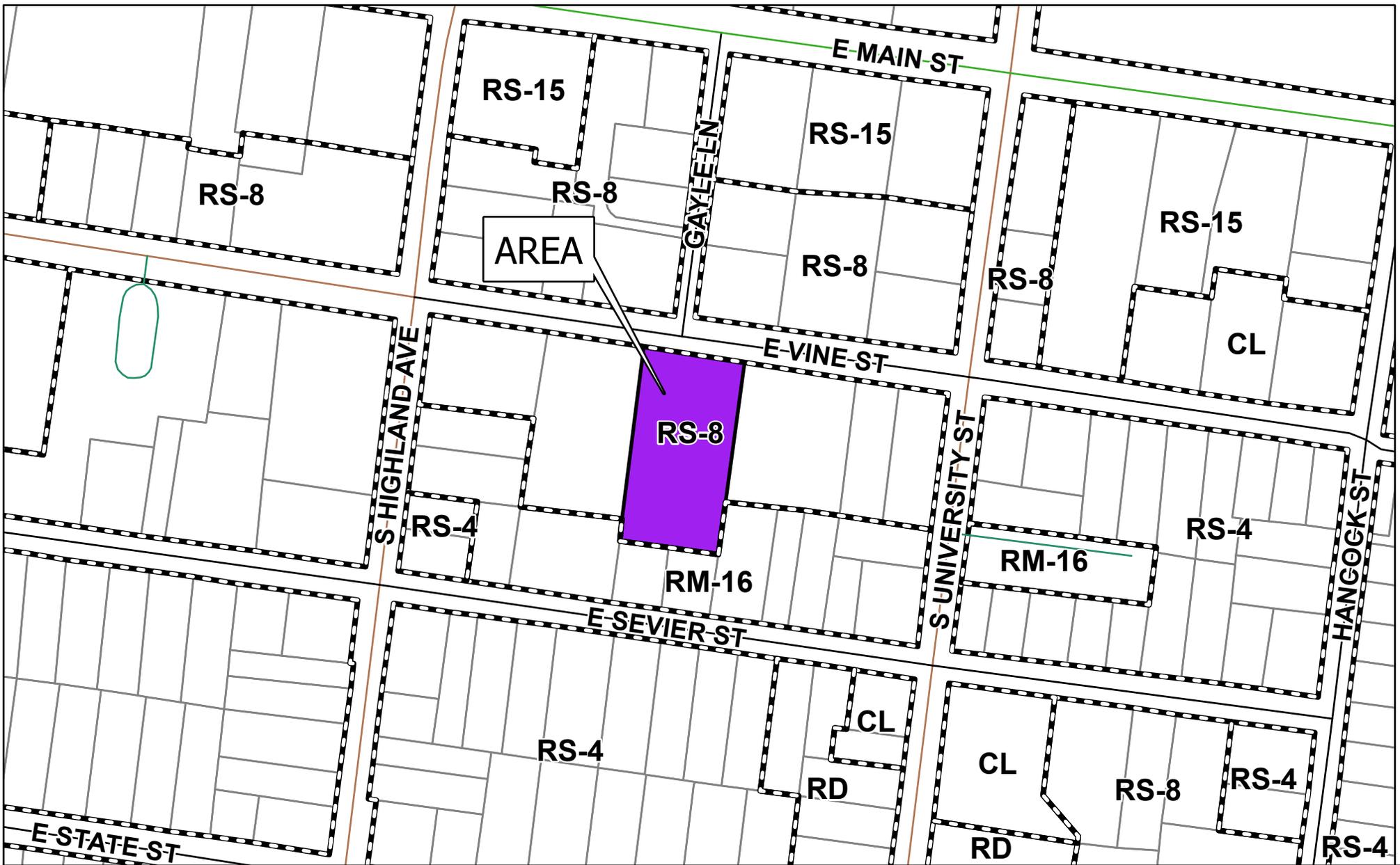


The subject property's current RS-8 zone would allow a slightly higher density than what is recommended with the *Suburban Residential* land use character. The proposed development is more consistent with the *Auto Urban (General) Residential* land use character, which is depicted on the future land use map directly across East Vine Street to the north. The characteristics of *Auto Urban (General) Residential* include detached residential dwelling units or attached residential dwellings with compatibility and open space requirements, less openness and separation between dwellings, interior yard consumed by driveway and off-street parking, and a density of 3.54 to 8.64 dwelling units per acre. Single-family residential attached uses are consistent with the vision for the *Suburban Residential* land use character. However, the proposed density of 8.45 dwelling units per acre is not consistent with the plan's recommendations. The Planning

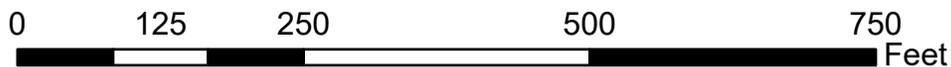
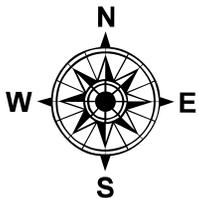
Commission will need to determine whether this is an appropriate instance to deviate from the recommendations of the future land use map.

Action Needed

A copy of the pattern book has been included in the agenda materials. The applicant will be available at the Planning Commission meeting to make a presentation regarding the proposed rezoning and to answer questions. 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.



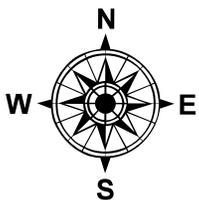
Zoning Request for Property Along East Vine Street
 RS-8 to PRD (East Vine Villas PRD)



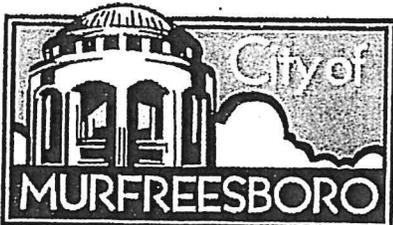
City Of Murfreesboro
 111 West Vine Street
 Murfreesboro, Tennessee 37130
www.murfreesborotn.gov



Zoning Request for Property Along East Vine Street
 RS-8 to PRD (East Vine Villas PRD)



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



T E N N E S S E E

Creating a better quality of life

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

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

Procedure for applicant:

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

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

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

To be completed by applicant:

APPLICANT: HUDDEGTON-STEENE ENG.

Address: 2115 NW BROAD STREET City/State/Zip: MURFREESBORO, TN 37129

Phone: 615. 893. 0080 E-mail address: rountree.associates@yahoo.com

PROPERTY OWNER: _____

Street Address or property description: 530 EAST VINE STREET

and/or Tax map #: 091M Group: L Parcel (s): 00201

Existing zoning classification: RS-8

Proposed zoning classification: PRD Acreage: .71 ac.

Contact name & phone number for publication and notifications to the public (if different from the applicant): CLYDE ROUNTREE - REPRESENTING BRAD BURKS

E-mail: rountree.associates@yahoo.com

APPLICANT'S SIGNATURE (required): Clyde Rountree

DATE: 10.17.2014

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

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

Amount paid: _____ Receipt #: _____

10.17.2019

Mr. Matthew Blomeley
Acting Planning Director
City of Murfreesboro
111 W. Vine Street
Murfreesboro, TN 37130

Re: 530 East Vine Street

Described as Tax Map 091M, Group L and parcels 00201 consisting of .71 +/- acres.

Dear Mr. Blomeley:

On behalf of our client, Mr, Brian Burns, we hereby request to rezone a .71 +/- acres located at 530 East Vine Street to be zoned PRD. The current plan is for the property to be developed for six townhomes.

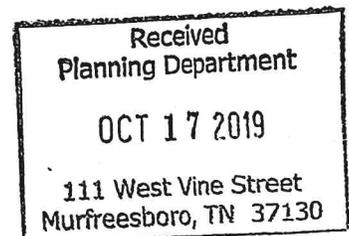
Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Clyde Rountree, RLA

HUDDLESTON-STEELE ENG., INC.



Commission expires April 1976



327

STATE OF TENNESSEE
 RUTHERFORD COUNTY
 OFFICE OF THE REGISTER June 4 1973
 I, HOMER JONES, REGISTER DO CERTIFY THAT THE
 FOREGOING INSTRUMENT AND CERTIFICATE ARE REGIS-
 TERED IN MY SAID OFFICE IN BOOK NO. 221
 PAGE NO. 326 AND THAT THEY WERE
 RECEIVED June 4 1973 AT 3:40
 O'CLOCK P.M. AND ENTERED IN NOTE BOOK 19
 PAGE 224
 BY Dorrie Stern HOMER JONES, Register
 DEP. REGI

I, OR WE, HEREBY SWEAR OR AFFIRM THAT THE ACTUAL CONSIDERATION
 FOR THIS TRANSFER OR VALUE OF THE PROPERTY TRANSFERRED
 WHICHEVER IS GREATER, IS \$ 3500. WHICH AMOUNT IS
 EQUAL TO OR GREATER THAN THE AMOUNT WHICH THE PROPERTY
 TRANSFERRED WOULD COMMAND AT A FAIR AND VOLUNTARY SALE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4th DAY OF June 19 73
 OF June 19 73
David D. Jarley County Court Clerk or Notary Public

THIS INSTRUMENT PREPARED BY: J. Jewell, Jr.
 MURFREESBORO, TENNESSEE

STATE OF TENNESSEE
 RUTHERFORD COUNTY

327

FOR AND IN CONSIDERATION of the sum of SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00), paid and to be paid by the execution of an installment promissory note by the grantees herein, payable to MRS. ANN D. HOOVER, with Seven Percent (7%) interest from date, and payable in thirteen (13) annual and consecutive installments of FIVE HUNDRED DOLLARS (\$500.00), plus the accrued interest on the principal amount remaining from time to time unpaid, the first of said installments to be paid on June 2, 1974 and a like amount to be paid on each consecutive June 2 thereafter until paid in full, I, MRS. ANN D. HOOVER, a widow, have this day bargained and sold and do hereby transfer and convey unto JAMES W. CARROLL and wife, PEGGY T. CARROLL, their heirs and assigns forever, a certain tract of land situated in the old 13th Civil District of Rutherford County, Tennessee, described as follows:

HAYNES BALTIMORE
 ASSESSOR OF PROPERTY
 RUTHERFORD, COUNTY
 FEE: 50¢ TRANSFER DATE
6-4-73

BEING a house and lot designated by the City of Murfreesboro as 530 East Vine Street, Murfreesboro, Tennessee, and more particularly described as follows: Beginning at a point on the South edge of the sidewalk, the northeast corner of this lot and the northwest corner of Reeves lot; thence with the West line of said Reeves lot a distance of 240 feet to a fence; thence with said fence in a westerly direction a distance of 128 feet to a point on the property line of another lot of Mrs. Ann D. Hoover (formerly Garrett lot); thence with the East boundary of said Hoover or Garrett lot to a point on the South edge of sidewalk on East Vine Street, a distance of 240 feet; thence East with the South edge of said sidewalk on East Vine Street, a distance of 128 feet to the point of beginning. And being the same property conveyed to David Hoover and wife by deed of J. Carroll Crenshaw, Mary Crenshaw and Sarah Childress, dated February 2, 1905, of record in Deed Book 45, page 500 in the Register's Office of Rutherford County, Tennessee; and being inherited by Morris Hoover from his deceased father and mother, David Hoover and Mrs. Mettie Hoover; and being willed to the grantor by Morris Hoover, of record in Will Book 9, pg. 343, in the County Court Clerk's Office of Rutherford County, Tennessee.

REALTY TRANSFER TAX
 AMOUNT \$ 20.00
 RECEIPT NO. 3247
 DATE PAID 6-4-73
 BEN HALL McFARLIN
 COUNTY COURT CLERK

Received
 Planning Department
 OCT 17 2019
 111 West Vine Street
 Murfreesboro, TN 37130

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TO HAVE AND TO HOLD the said real estate, together with all of the appurtenances, estate and title thereunto belonging, unto the said grantees, their heirs and assigns, forever.

I covenant with the said grantees, their heirs and assigns, that I am lawfully seized and possessed of said real estate and that I have a good and lawful right to convey the same; and that it is unencumbered except for the City and County Taxes for the year 1973, the payments of which taxes are assumed by the grantees herein, but the grantor agrees to reimburse said grantees for Five-Twelfths (5/12) of said taxes so paid.

I further covenant and bind myself, my heirs and representatives to forever warrant and defend the title to said real estate unto the said grantees, their heirs and assigns, against the lawful claims of all persons whomsoever.

Possession is to be given upon delivery of this deed except that the grantor reserves the use and rent of the apartment now leased in the house until June 2, 1974.

WITNESS MY HAND this the 2nd day of June, 1973.

Mrs. Ann D. Hoover
MRS. ANN D. HOOVER

STATE OF TENNESSEE
RUTHERFORD COUNTY

Personally appeared before me, the undersigned authority, a Notary Public in and for the above County and State, the within-named MRS. ANN D. HOOVER, the bargainer, with whom I am personally acquainted and who acknowledged that she executed the foregoing instrument (DEED) for the purposes therein contained.



WITNESS my hand and official seal at office in Murfreesboro, Tennessee, this the 2nd day of June, 1973.

J. D. Jones
NOTARY PUBLIC

My commission expires: July 7, 1975

STATE OF TENNESSEE, RUTHERFORD COUNTY.

I or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred whichever is greater, is \$6,500.00, whichever amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale. Affiant Ann D. Hoover

Subscribed and sworn to before me this the 2nd day of June, 1973

My Com: Exp. July 7, 1975

RECORDING FEE 4.00
STATE TAX 16.90
REGISTER'S FEE .50
TOTAL PAID 21.40
RECEIPT NO. 256

STATE OF TENNESSEE
RUTHERFORD COUNTY
OFFICE OF THE REGISTER June 4 1973
I, HOMER JONES, REGISTER DO CERTIFY THAT THE FOREGOING INSTRUMENT AND CERTIFICATE ARE REGISTERED IN MY SAID OFFICE IN BOOK NO. 221
PAGE NO. 327 AND THAT THEY WERE RECEIVED June 4 1973 AT 3:05
CLOCK PM AND ENTERED IN NOTE BOOK 19
PAGE 224
HOMER JONES, Register
BY Anna Stone DEP. REG

EAST VINE VILLAS

PLANNED RESIDENTIAL DEVELOPMENT

SHEET INDEX

1. DEVELOPMENT TEAM & PROJECT SUMMARY
2. ZONING MAP
3. UTILITY MAP
4. HYDROLOGY & TOPOGRAPHY MAP
5. AERIAL MAP
6. EXISTING CONDITIONS
7. EXISTING CONDITIONS
8. SITE PLAN
9. ARCHITECTURAL ELEVATIONS - BUILDING 1
10. ARCHITECTURAL ELEVATIONS - BUILDING 2
11. ARCHITECTURAL FLOOR PLAN
12. CONCEPTUAL LANDSCAPE PLAN
13. OPEN SPACE / AMENITIES
14. DEVELOPMENT STANDARDS
15. PLANNED DEVELOPMENT CRITERIA & 2035 PLAN

SUBMITTED FOR THE JANUARY 8, 2020 PLANNING COMMISSION PUBLIC HEARING

Plans Prepared By:

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

Development Team & Project Summary

EAST VINE VILLAS

PLANNED RESIDENTIAL DEVELOPMENT

The East Vine Villas are a new townhouse development located a few minute's walk from downtown Murfreesboro. The subject property is currently zoned RS-8 and consists of .71 acres. This area of Murfreesboro is beginning to see new energy and revitalization which is creating development interest for new construction in this older neighborhood. The proposed East Vine Villas will be a six home development and will have three bedrooms with a minimum size of 1400 square feet. The homes will address the street with entry porches and architecturally interesting facades. The units located directly on East Vine Street will have rear entry garages and the units in the rear of the property will have front entry garages. The parking area will be located behind the townhomes with the developer's intention being to screen parking from East Vine. The development will be providing a sidewalk along East Vine Street. The homes will have small front yards, beautiful foundation landscaping and shade trees along East Vine. The homes will have reduced front setbacks along the East Vine Street property line which will present the urban scale the City of Murfreesboro is desiring within the revitalized urban areas in close proximity to downtown Murfreesboro.

The homes will be cement board arranged in a ship-lap style and brick. The elevations of the homes will be unique in their utilization of various siding styles to break up the facade and create a craftsman look consistent with many homes in the downtown area. The homes will have asphalt shingle roofing with aluminum trim and vinyl soffits. Townhomes with sides of the building facing the public right-of-way will have architectural details that will give the impression of a front facade through the use of additional windows, shutters and masonry details. The development will share a formal open space located in the back left hand corner of the property consisting of a grilling area with seating and a dog run area.

PROJECT SUMMARY

HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	PARKING SPACE WIDTH	SPACES REQUIRED/ PROVIDED
Townhome	1400 S.F. (Min)	2 Story	Brick Metal Cement Board	6 - 3 Bedrooms	Garage/Surface	9' Min.	19,8/26

Owner/ Developer
Blue Sky Construction, Inc.
6 N. Public Square
Murfreesboro, TN 37129
615.405.5647

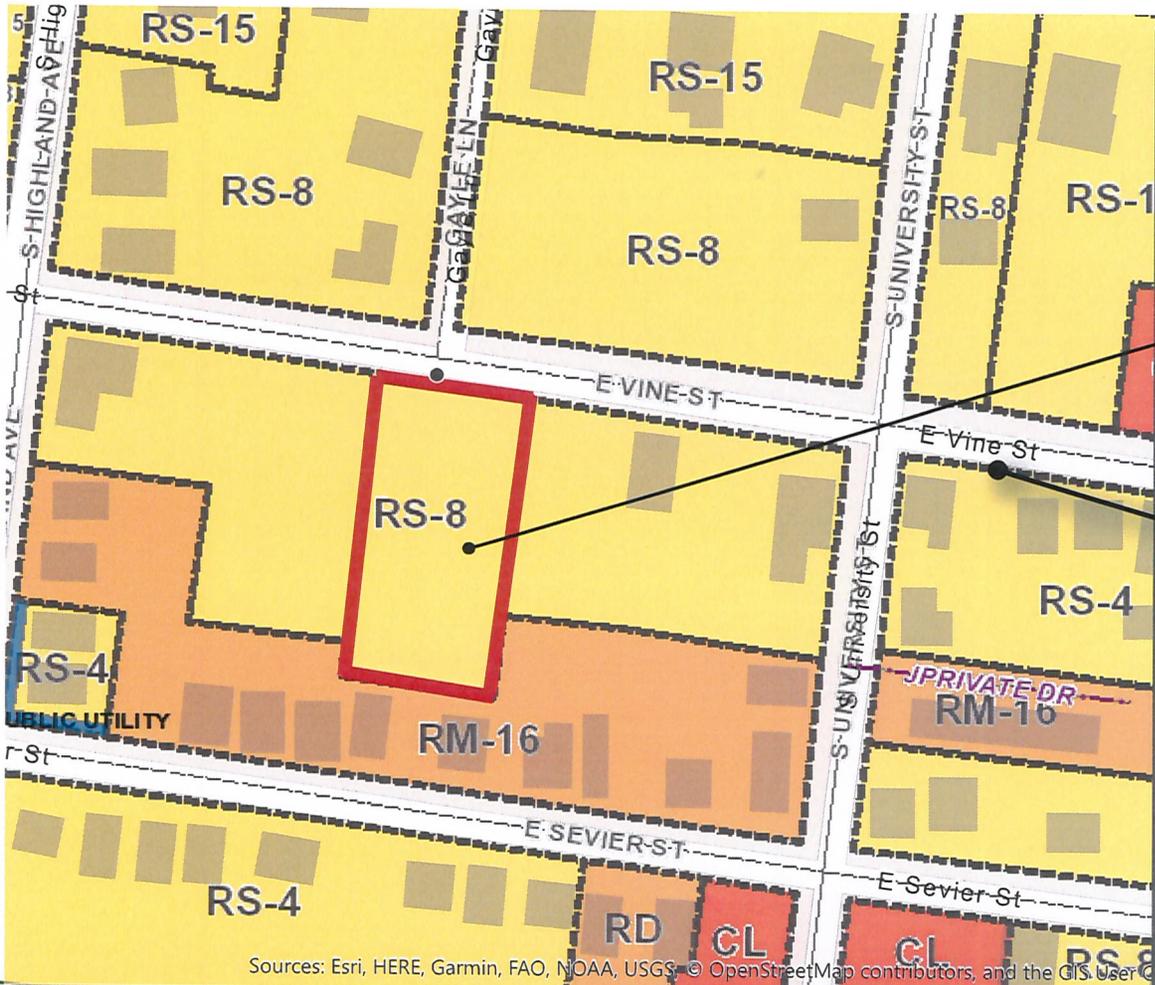
Architecture
Taylor Designs - Jamie Taylor
310 Uptown Square
Murfreesboro, TN 37129
615.542.4675
jamie@jtaylor designs.net

Planning and Engineering
Huddleston-Steele Engineering, Inc.
Clyde Rountree, RLA
2115 N.W. Broad Street
Murfreesboro, TN 37129

Zoning Map

EAST VINE VILLAS

PLANNED RESIDENTIAL DEVELOPMENT



The subject property is zoned RS-8. The property is surrounded by RS-8 zoning on the north, east and west and RM-16 to the south. The subject property is proposed to be rezoned PRD.

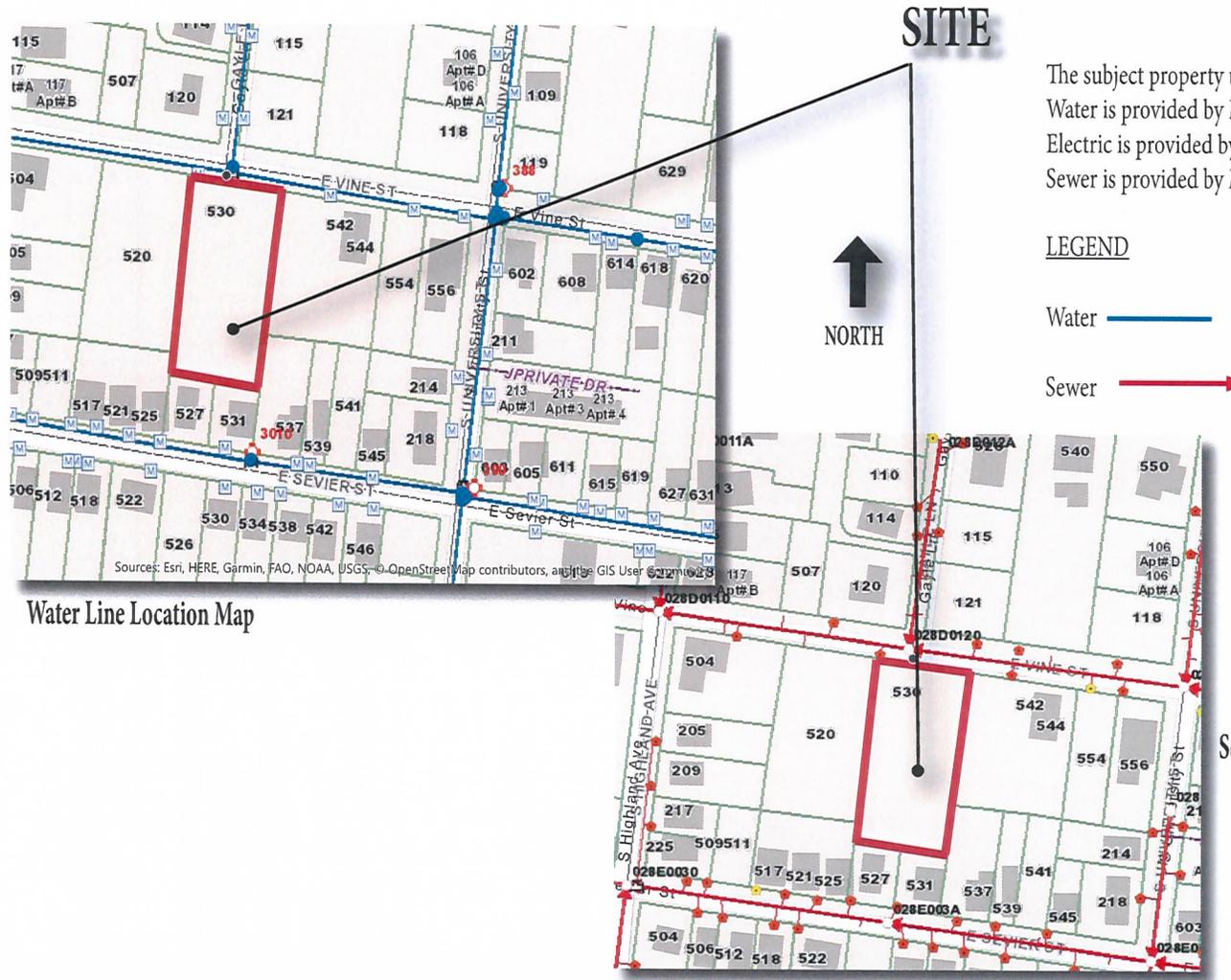
SITE

East Vine Street

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User

Utility Map

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT



SITE

The subject property utility providers:
 Water is provided by Murfreesboro Water Resources Department.
 Electric is provided by Murfreesboro Electric Department.
 Sewer is provided by Murfreesboro Water Resources Department.

LEGEND

- Water ————
- Sewer ————

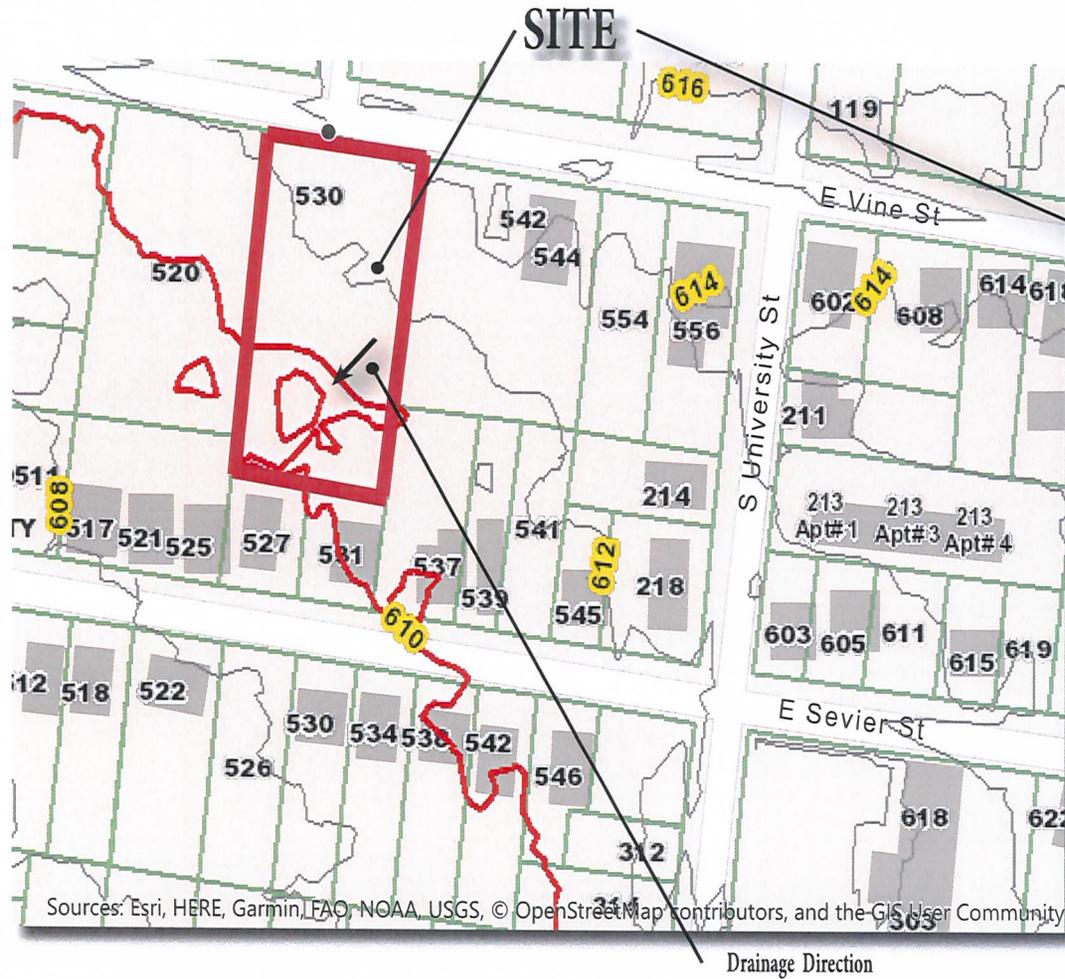


Water Line Location Map

Sewer Line Location Map

Hydrology & Topography Map

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT



Aerial Map

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT



This aerial photograph shows the subject site embedded in a transitional neighborhood. The subject property is less than a few blocks away from the Murfreesboro public square.

East Vine Street

Site

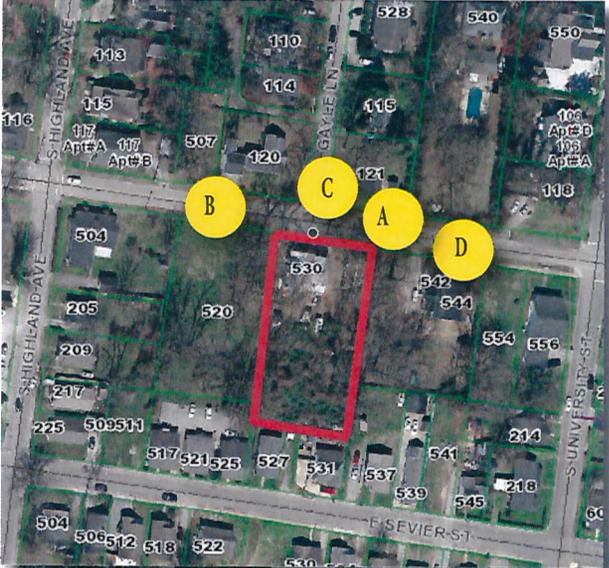
Aerial Location Map

Existing Conditions

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT



A View of existing house to be removed



B View of adjacent lot



C Front view of existing house to be removed



D View of neighbor's house to the east.

Existing Conditions

EAST VINE VILLAS

PLANNED RESIDENTIAL DEVELOPMENT



A View looking east down East Sevier Street



B Apartments two blocks away

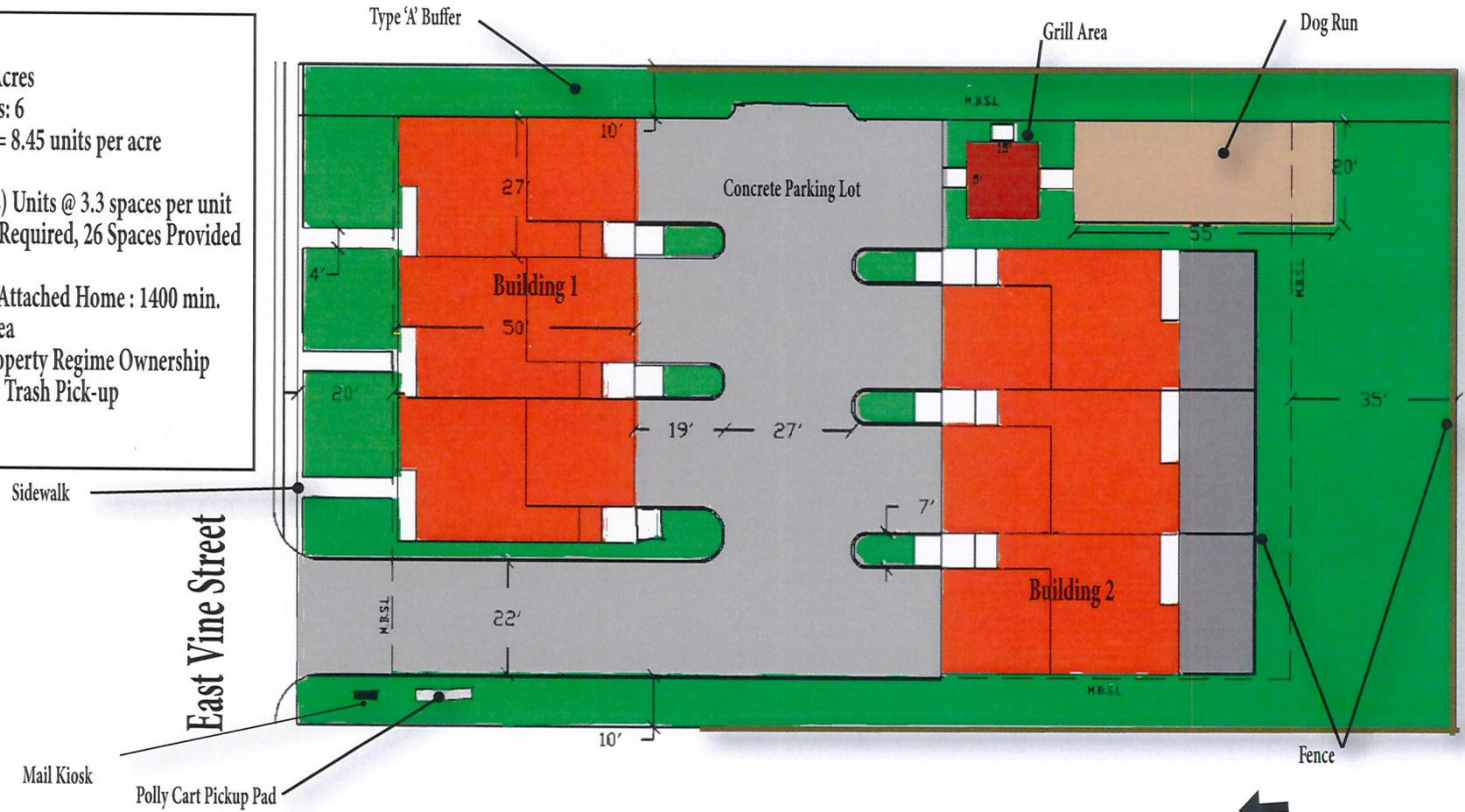


C Commerical business east of subject property on East Vine

Site Plan

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT

Site Data:
 Acreage: .71 Acres
 Proposed units: 6
 Density: $6 / .71 = 8.45$ units per acre
 6 (3 Bedrooms) Units @ 3.3 spaces per unit
 = 19.8 Spaces Required, 26 Spaces Provided
 Single Family Attached Home : 1400 min.
 sq. of living area
 Horizontal Property Regime Ownership
 Private Hauler Trash Pick-up



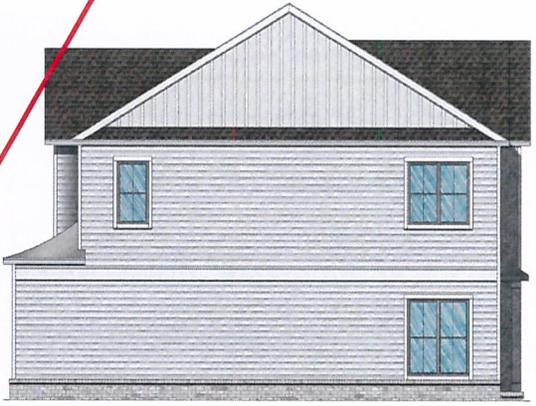
CPTED principles will be applied to the extent that developer is able. Natural surveillance will be assisted by the visual open quality of the project. The access points are well defined and easy to see. Territorial reinforcement will be established through the utilization of consistency in the landscaping and building materials. The site will be well-maintained to prevent the "Broken Window Theory."

Architectural Elevations - Building 1

Cement Board Asphalt Shingle Roof Board and Battan Metal Roof



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

Note: Brick to be painted white, gray, and earhtone colors/ Hardie sideing will be white, gray, and earhtone



SIDE ELEVATION

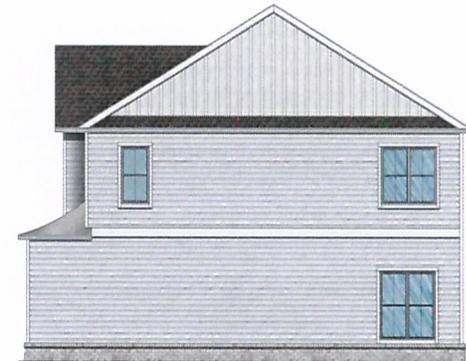
Architectural Elevations - Building 2

EAST VINE VILLAS
PLANNED RESIDENTIAL DEVELOPMENT



REAR ELEVATION

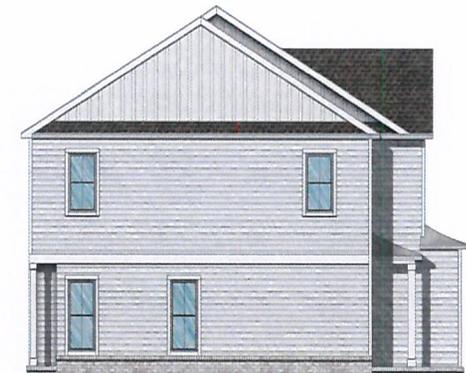
Note: Brick to be painted white, gray, and earthtone colors/ Hardie siding will be white, gray, and earthtone



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION

Architectural Floor Plan

EAST VINE VILLAS
PLANNED RESIDENTIAL DEVELOPMENT

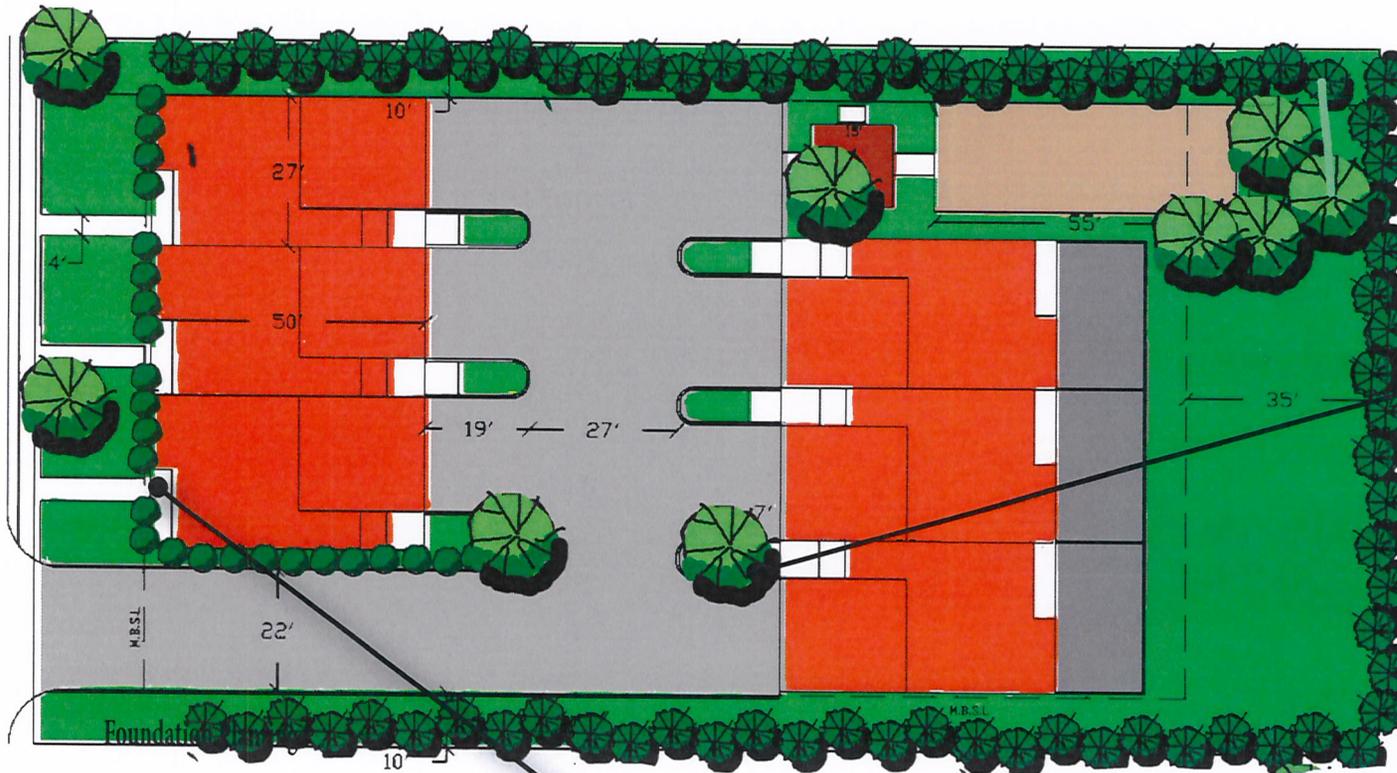


Architectural Materials - 100% Masonry
Front Elevation: (Various styles of Cement Fiber Board and Brick w/Aluminum fascia and vinyl soffits)

Conceptual Landscape Plan

Bridge Avenue Village

PLANNED RESIDENTIAL DEVELOPMENT



Shade Tree



Buffer Planting



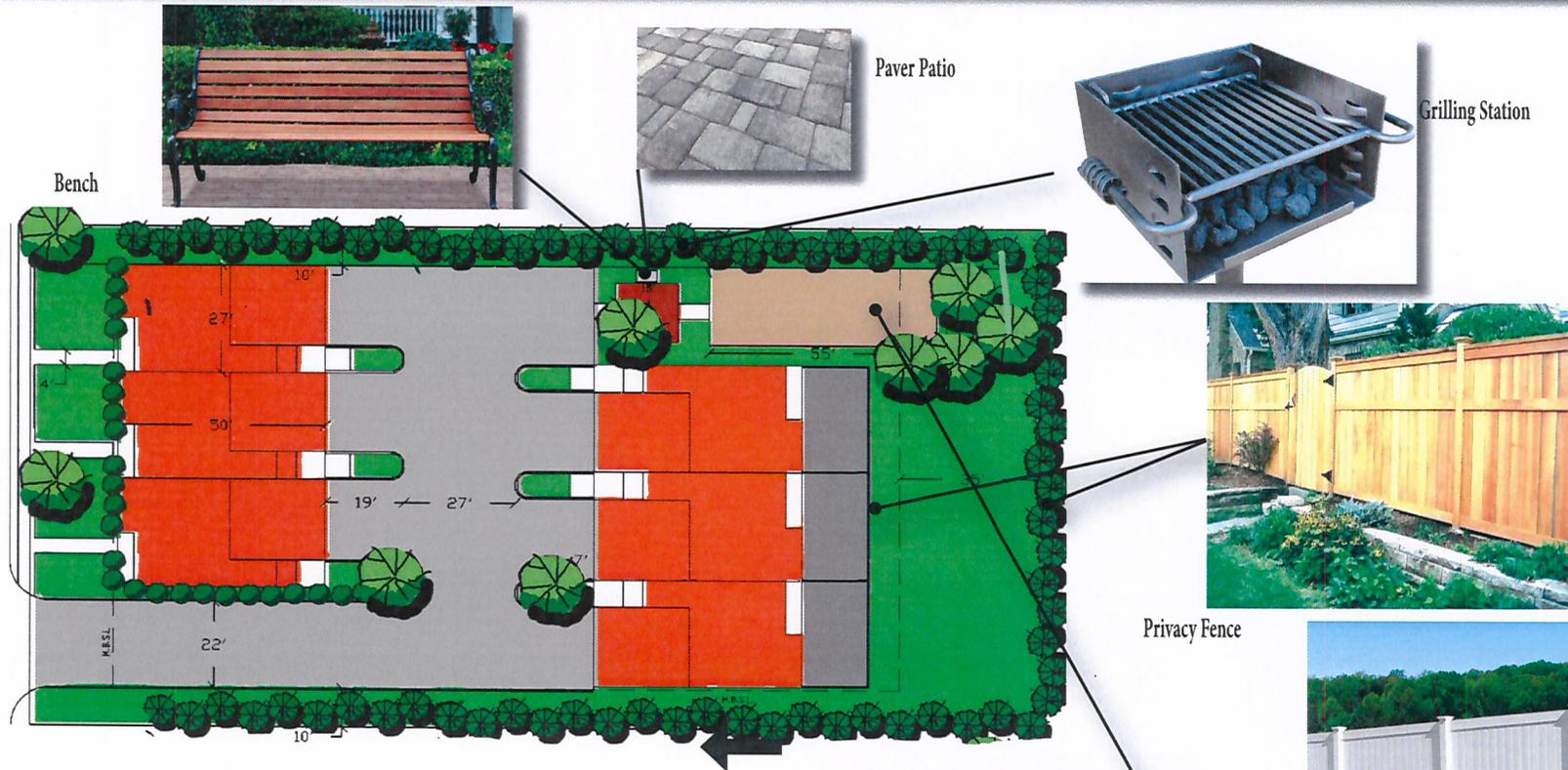
The development will comply with all minimum landscape requirements in Section 27 of the zoning ordinance. A tree survey will be performed prior to site plan submittal. Additional plants will be provided as needed to meet buffer requirements.



The developer desires to use the foundation planting and shade trees to create a pedestrian scale to the townhomes. This is created using shade trees with 5' clear trunk to create an overhead canopy that helps frame the first floor of the townhomes and low level shrubs that enhance the lower facade of the homes. The reduced front setback creates a more urban feeling by bringing the homes closer to the sidewalk.

Open Space / Amenities

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT



Shared open space for the residence will be a small dog run with adjacent seating on multiple benches. The area will be maintained by the HOA and for the sole use of the residents and their guests.

NORTH
NTS



East Vine Villas

PLANNED RESIDENTIAL DEVELOPMENT

Development Standards

Development Standards:

- Development will include six 2-story residential townhomes, -their will be two sets of three units
- The maximum building height of 35'-0"
- All units will be 3 -bedrooms
- The units will have carriage style garage doors
- The units will have 26 park-ing spaces
- Solid waste will be through a private hauler with poly carts
- Sidewalks will be provided on East Vine Street
- All site utilities will be underground
- No identification signage will be associated with this development
- The development will be managed by an H.O.A.
- Street lights will be standard Murfreesboro Electric Department poles and lights
- Mail delivery will be accommodated via a mail kiosk
- Common open space will be maintained by an H.O.A.
- All townhomes owners will be required to be a member of the H.O.A.
- All parking will be screened from the public right-of-way by landscaping
- Buildings elevations will have well articulated front elevations with details responding to the pedestrian scale of the neighborhood
- All HVAC units will be screened with landscaping
- Parking will comply with the Murfreesboro' zoning ordinance for uses that comply with this PRD
- Telecommunication and television equipment shall be located of the rear off the proposed buildings
- Front porches on the townhomes will not be used for storage
- Garages must meet minimum development standards and must be available for parking of vehicles at all times and may not be used for primarily household storage.

Building Elevation Materials:

- Brick - Painted
- Fiber cement board planks, lap siding and board and batten
- Vinyl trim and soffit
- Architctural materials and colors will be reviewed at the time of site plan submittal by Murfreesboro planning staff and the planning commission

Allowable Uses:

There will be no other allowable uses permitted with the PRD other than what is reflected in this booklet.

SETBACKS TABLE			
SETBACKS	RS-A2	PRD	DIFFERENCE
FRONT SETBACK	30'	20'	(-) 10'
SIDE SETBACK	10'	10'	0'
REAR SETBACK	20'	35'	(+) 15'
DENSITY	12	8.45	(-)3.55



Architectural Color Pallet

Planned Development Criteria & 2035 Plan

General Applicability Per Section 13 - Planned Development Regulations

1. **Ownership and division of land:** *The site is owned by the developer identified on Sheet 1, The lot is currently zoned RS-8 in the City of Murfreesboro.*
2. **Waiver of BZA action:** *No BZA actions will be required.*
3. **Common open space:** *14,888 s.f. area will be common open space with 1,568 s.f. of formal open space encompassing a dog park area, grilling station, and benches along with a seating patio at the entrance of the development.*
4. **Accessibility to site:** *The property is accessible from East Vine Street.*
5. **Off street parking:** *See Sheet 8 for parking calculations.*
6. **Pedestrian circulation:** *Sidewalks will be constructed on subject property as a result of this project.*
7. **Privacy and screening:** *Perimeter planting is provided.*
8. **Zoning and subdivision modifications proposed:** *A PRD is being requested for the subject property.*
9. **Phasing:** *The project shall be completed in one phase.*
10. **Annexation:** *No annexation is required for this site.*
11. **Landscaping:** *The townhome development will be designed to meet all minimum landscaping requirements outlined in Section 27 of the Zoning Ordinance.*
12. **Major Transportation Plan:** *The PRD is consistent with the Major thoroughfare plan utilizing East Vine Street as the primary access to the site.*
13. **Applicant contact information:** *Contact information is located on Sheet 1.*
14. **Proposed Signage:** *Any signage that would be introduced in the future will follow the Murfreesboro Sign Ordinance Regulations.*

SITE DATA		
Total Land Area	31360 SF	
Total Open Space	Required: 6,272 SF	Provided: 14,888 SF
Usable Open Space	9730 SF	
Formal Open Space	Required: 1,568 SF	Provided: 1,584 SF
Total Impervious	16,269 SF	
Total Pervious	15,091 SF	
F.A.R.		1.92
L.S.R.		1.01
O.S.R.		1.27

2035 Plan - Suburban Residential
 Suburban Residential allows for planned developments to provide attached residences while have a formal open space requirement. The driveways are located behind the main building to prevent the visual effect of cars in front of the homes. The location is not fitting for RS-10 or greater as suggested by the 2035 plan but is consistent with the revitalization that downtown Murfreesboro is experiencing.

Section 13 – Project Development Criteria Requirements

1. **Identification of existing utilities:** *Shown in pattern book on Sheet 3,*
- 2/3. **Graphics, renderings, maps and or aerial photography showing existing conditions and natural features of the site:** *Shown in pattern book Sheets, 3-7.*
- 4/5. **Drawing and/or diagrams identifying areas of development, proposed buildings, screening, proposed landscaping and pedestrian and vehicular circulation:** *Shown in pattern book Sheet 8-13.*
6. **Development schedule:** *Construction is projected to begin once all zoning and site planning is approved by the City.*
7. **Relationship of the planned development to current city polices and plans:** *The development is consistent with the growth in the area. The land use is inconsistent with the “Suburban Residential” designation do to a higher density being requested than is recommended in the 2035 plan. The density increase is the result of the shape and size of the lot which allows for a deeper development. The six units being proposed fit well on the site and can be sufficiently parked.*
8. **Proposed deviation from zoning and subdivision ordinance:** *See page 14 “Setback Table.”*
9. **Site tabulation data for land area, FAR, LSR, and OSR:** FAR 1.92, LSR 1.01, OSR 1.27
10. **The nature and extent of any overlay zones as described in Section 24 and 34:** *No overlays affect this development.*



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 8, 2020**

PROJECT PLANNER, MARINA RUSH

3.c. Annexation plan of services and annexation petition [2019-516] for approximately 190 linear feet (0.22 acres) of Annell Drive right-of-way, City of Murfreesboro applicant.

The annexation is for an approximately 190 linear feet segment of Annell Drive right-of-way (ROW). The study area begins at Joe B Jackson Parkway and extends to the south approximately 190 linear feet; the total study area is approximately 0.22 acres. The study area lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City to the north at Joe B Jackson Parkway and to the west.

City Staff has initiated this annexation because the adjacent 1.34-acre parcel at the southwest corner of Joe B Jackson Parkway and Annell Drive (Tax Map 136C, Group A, Parcel 1.00) is within the City limits and its development, including new driveway connections to Annell Drive, is anticipated in some form or fashion in the near future. The City would like to annex the Annell Drive ROW in preparation for the time when development plans for the adjacent parcel are submitted, so that all aspects of the plans review and permitting process will be within one jurisdiction.

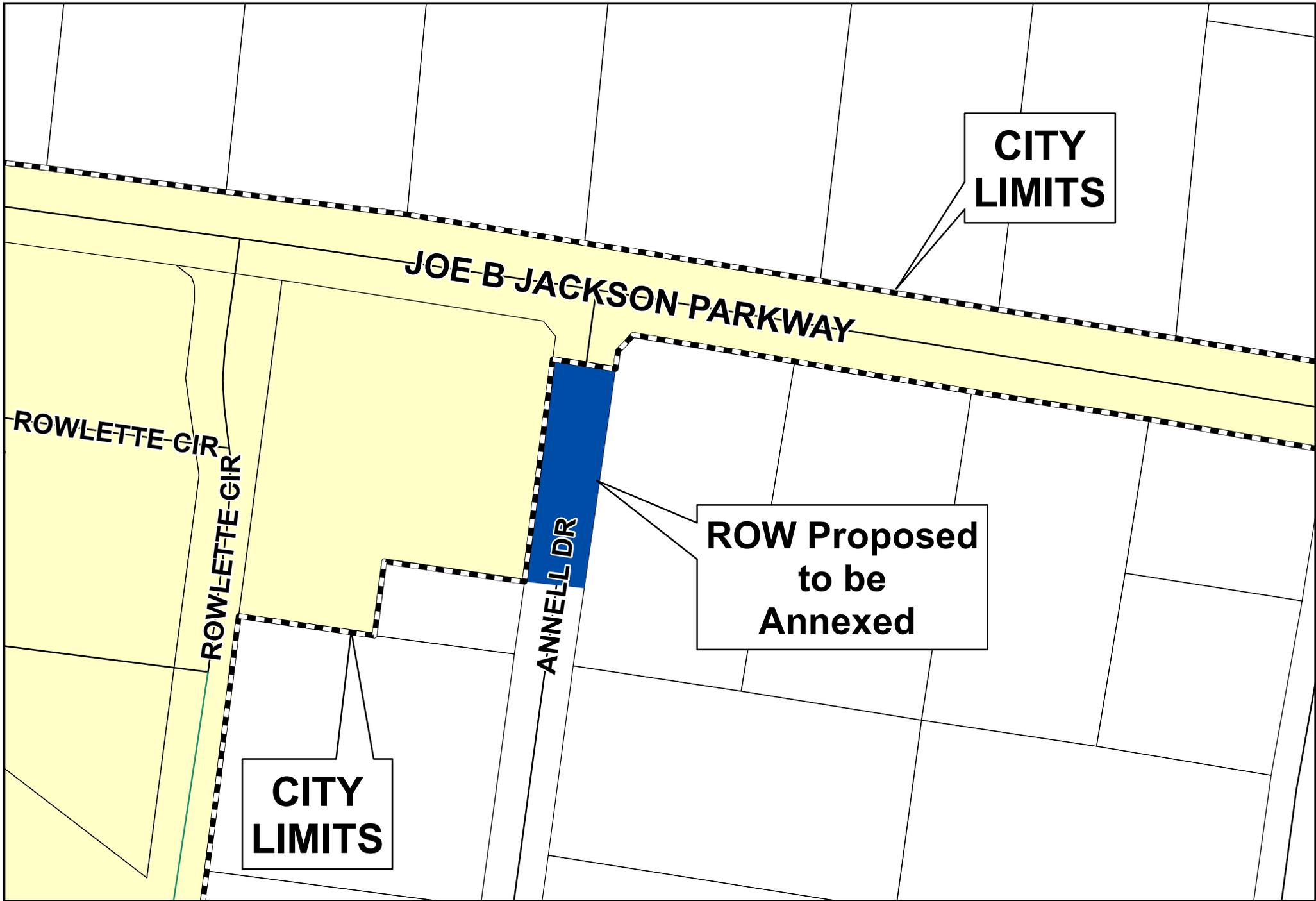
Plan of Services

Staff has prepared a Plan of Services (POS) for the annexation of the property and it is included in the agenda packet. The POS indicates that the City will be able to provide services for the 190 linear feet segment of Annell Drive ROW. Upon annexation, the City would become responsible for operation and maintenance of this road segment.

The Rutherford County Road Board will consider granting its consent to annex the subject ROW at its January 6, 2020 regular meeting. Staff will present the results of the meeting at the Planning Commission public hearing.

Action needed

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



Annexation Request of Annell Drive Right-of-Way (ROW)



Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130
murfreesborotn.gov/planning



**CITY
LIMITS**

JOE B JACKSON PARKWAY

ROWLETTE CIR

ROWLETTE CIR

ANNELL DR

**ROW Proposed
to be
Annexed**

**CITY
LIMITS**



Annexation Request of Annell Drive Right-of-Way (ROW)



Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130
murfreesborotn.gov/planning

**ANNEXATION REPORT FOR
ANNELL DRIVE RIGHT-OF-WAY
INCLUDING PLAN OF SERVICES
(FILE 2019-516)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
JANUARY 8, 2020**



Annexation Request of Annell Drive Right-of-Way (ROW)



Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130
murfreesboro.gov/planning

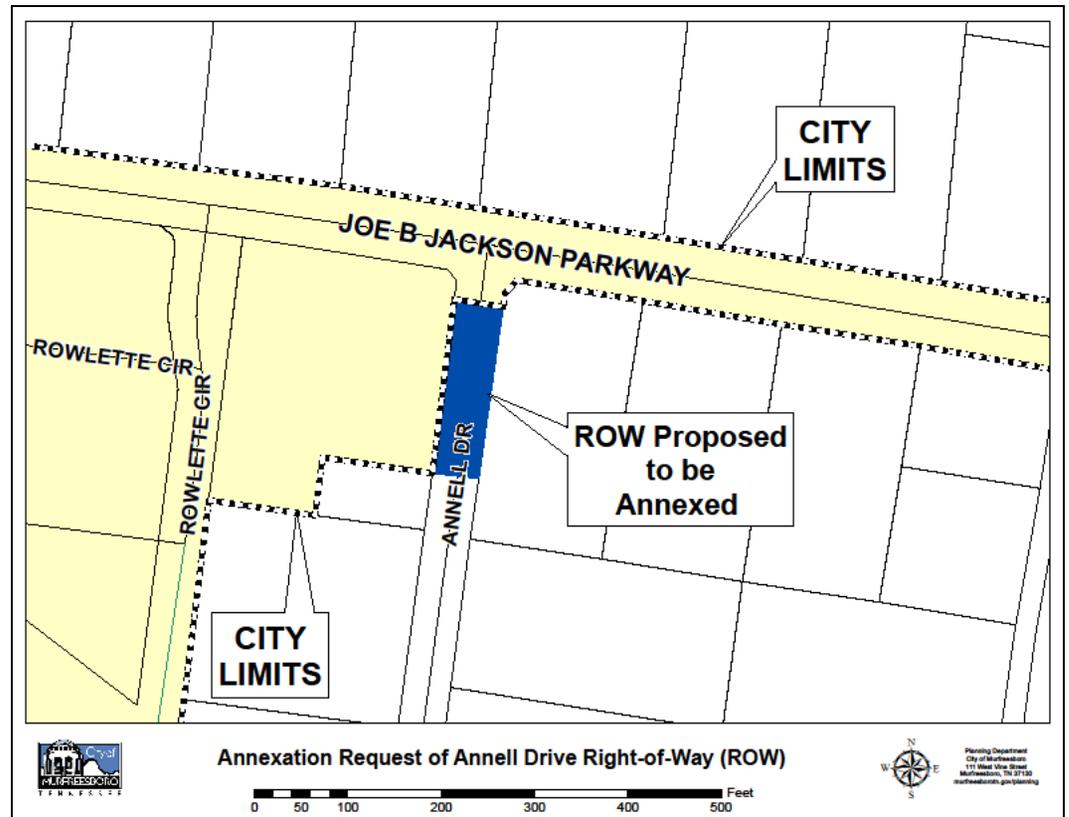
INTRODUCTION

OVERVIEW

The annexation is for an approximately 190 linear foot segment of Annell Drive right-of-way (ROW). The study area begins at Joe B Jackson Parkway and extends to the south approximately 190 linear feet; the total study area is approximately 0.22 acres.

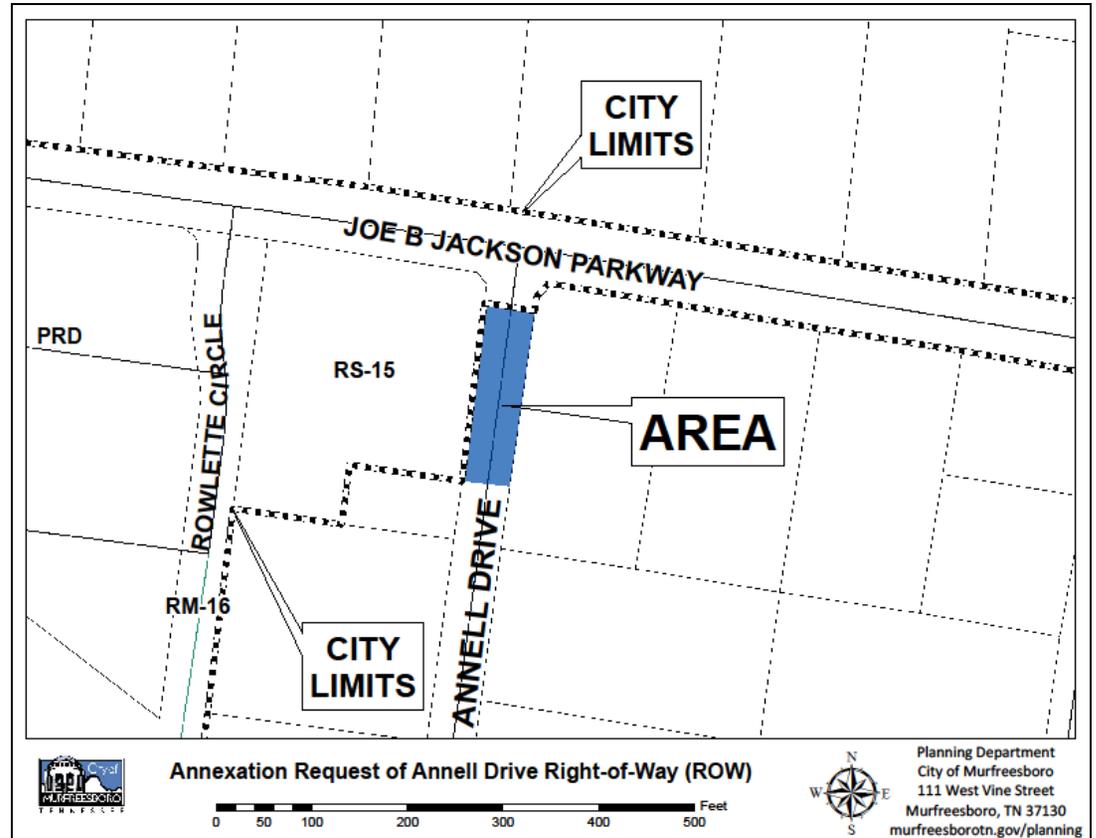
City Staff has initiated this annexation because the adjacent 1.34-acre parcel at the southwest corner of Joe B Jackson Parkway and Annell Drive (Tax Map 136C, Group A, Parcel 1.00) is within the City limits and its development, including new driveway connections to Annell Drive, is anticipated. The City would like to annex the Annell Drive ROW in preparation for the time when we receive development plans for the adjacent parcel, so that all aspects of the plans review and permitting process will be within one jurisdiction.

The study area lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City to the north at Joe B Jackson Parkway and to the west.



CITY ZONING

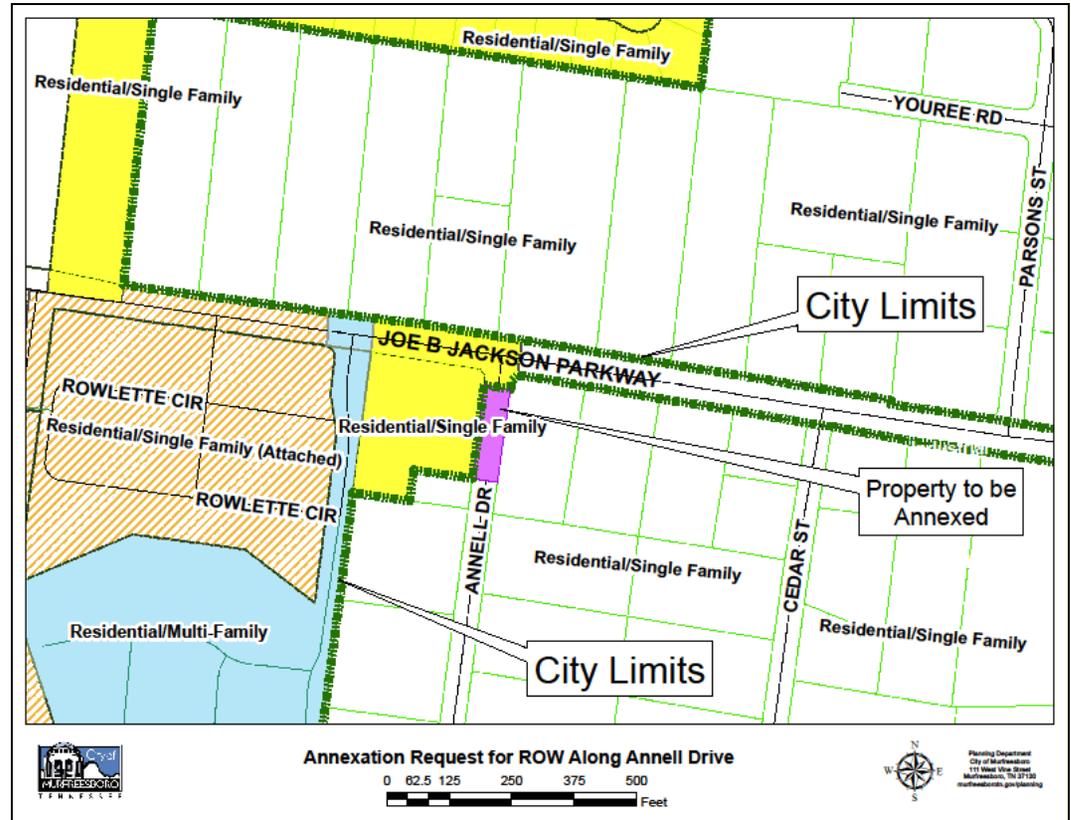
The adjacent zoning on the properties to the west are RS-15, PRD, and RM-16. The properties to the north, south and east are RM and are in the unincorporated portion of Rutherford County and are primarily single-family residences on large lots. Because the study area is right-of-way, it will receive no zoning classification upon annexation.



PRESENT AND SURROUNDING LAND USE

The study area is an approximately 190-foot segment of Annell Drive ROW. The surrounding land uses include:

- Single-family detached residences to the north, west, east, and south; and
- Single-family attached residences further to the west, the Villas of Baskinwood.



PLAN OF SERVICES

POLICE PROTECTION

The annexation is for a 190-foot segment of Annell Drive ROW and will not have an impact on City police protection. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation.

ELECTRIC SERVICE

The study area is located inside the service boundary of Middle Tennessee Electric Membership Corporation (MTEMC). MTEMC has existing electrical infrastructure within the subject ROW. No new electrical infrastructure is anticipated with this annexation.

STREET LIGHTING

The study area is located inside the service boundary of MTEMC. Street lighting is provided at the intersection of Joe B Jackson and Annell Drive. No new street lighting is anticipated with this annexation. However, if the City determines that street lights are necessary along the subject ROW, MTEMC has the ability to install street lights upon request by the City.

SOLID WASTE COLLECTION

The annexation is for a 190-foot segment of Annell Drive ROW and will not have an impact on the City Solid Waste Department.

RECREATION

The annexation is for a 190-foot segment of Annell Drive ROW and will not have an impact on the City Recreation.

CITY SCHOOLS

The annexation is for a 190-foot segment of Annell Drive ROW and will not have an impact on Murfreesboro 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.

BUILDING AND CODES

The annexation is for a 190-foot segment of Annell Drive ROW and will not have an impact on the City Building and Codes Department.

PLANNING, ENGINEERING, AND ZONING SERVICES

The annexation is for a segment of Annell Drive ROW. Because it is for ROW only, the impact to the Planning Department will be minimal. However, the City Engineering Department will be responsible for reviewing new connections to the subject ROW.

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area includes approximately 190 linear feet of Annell Drive ROW. Annell Drive is a 2-lane ditch section roadway. Upon annexation, the City will become responsible for the operation and maintenance of this street. Based on a 20-year repaving cycle, the annualized maintenance cost is \$210 with State Street Aid and General Fund as funding sources. The addition of the ROW will also result in \$50 of capital cost with State Street Aid and General Fund as funding sources.

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

REGIONAL TRAFFIC & TRANSPORTION

Annell Drive intersects with Joe B Jackson Parkway. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates Joe B Jackson Parkway is operating at a Level of Service A based on average daily traffic (ADT). The 2040 Level of Service Model shows that Joe B Jackson Parkway operates at a level of service of D without the proposed improvements recommended in the 2040 MTP and also operates at a level of service D with the proposed improvements.

PROPERTY AND DEVELOPMENT

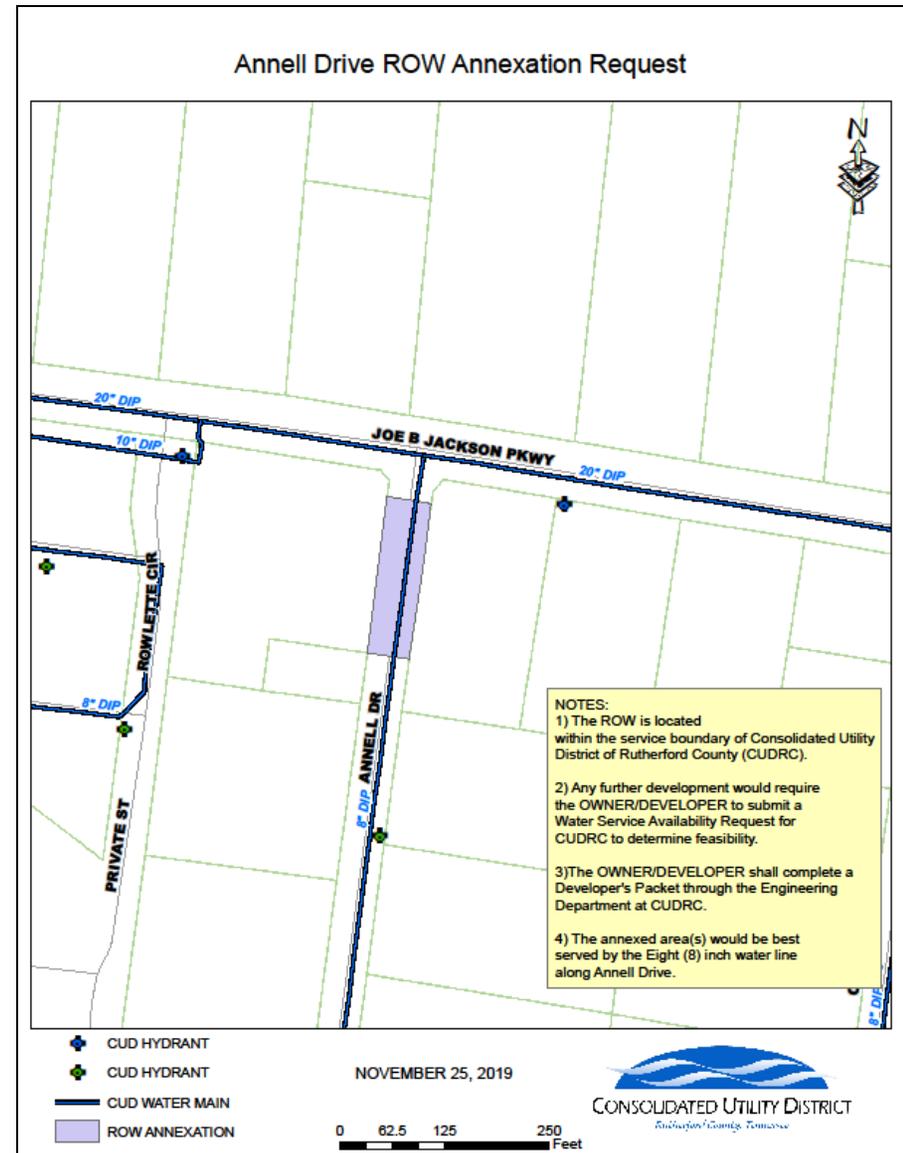
The annexation study area only includes public street ROW. Any new connections to the roadway must be approved by the City Engineer. Additionally, developments along this roadway will be require participation in improvements to upgrade the roadway and ROW/easement dedication in accordance with the City's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

WATER SERVICE

The study area is located within Consolidated Utility District of Rutherford County's (CUDRC) service area. CUDRC has an existing eight (8) inch water main along Annell Drive to serve the annexed area, as illustrated in the attached exhibit.

SANITARY SEWER SERVICE

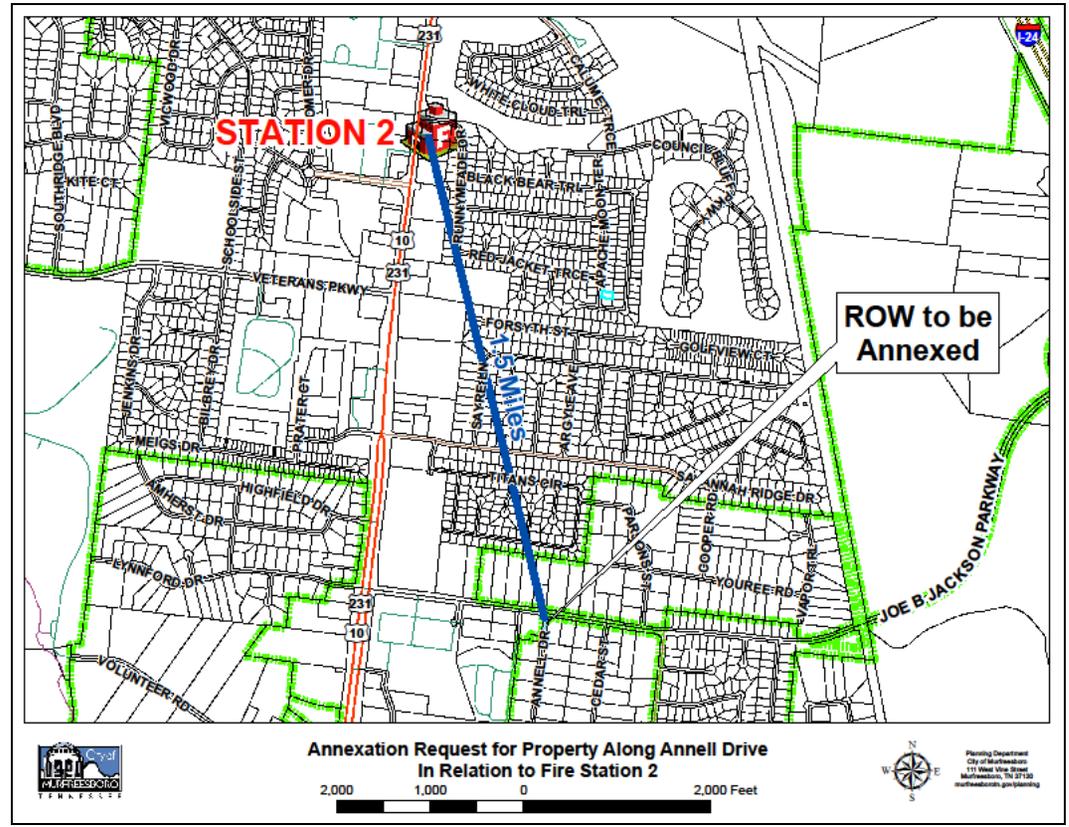
The annexation is for a 190-foot segment of Annell Drive ROW and will not have an impact on the City sanitary sewer service.



FIRE AND EMERGENCY SERVICE

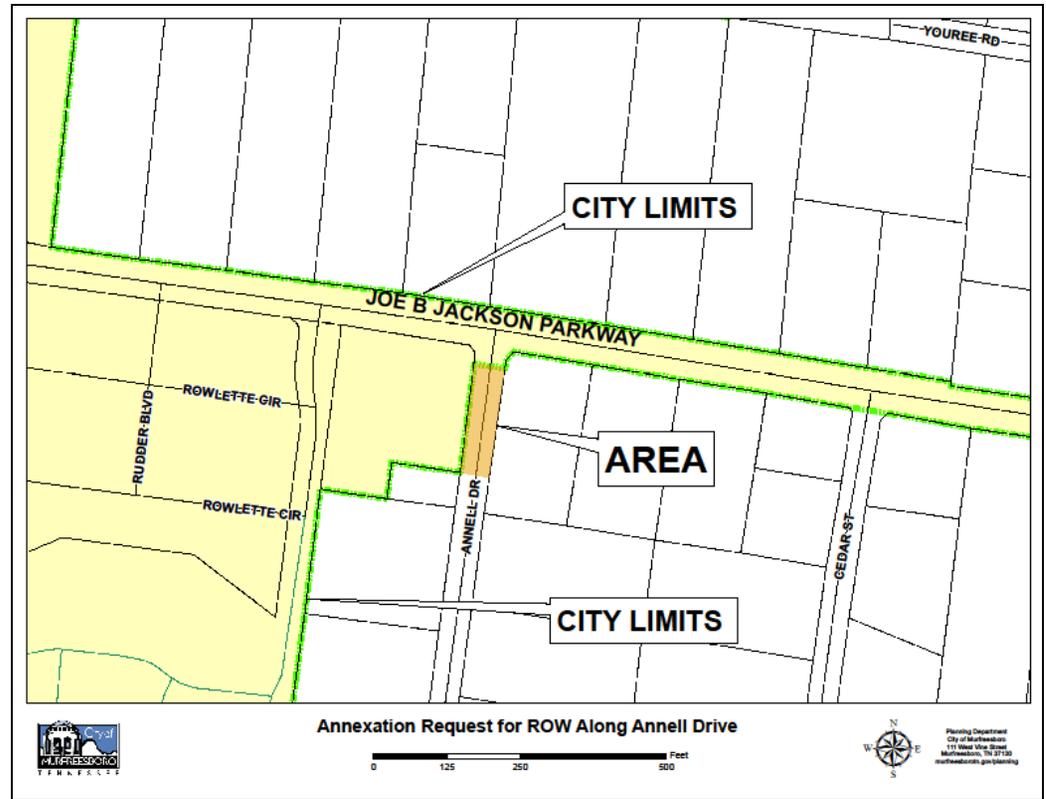
The annexation is for a 190-foot segment of Annell Drive ROW and will have minimal impact on the Murfreesboro Fire and Rescue Department (MFRD). MFRD will provide emergency first responder services to the subject ROW immediately upon annexation.

The blue lines on the adjacent map represent linear distance ranges from the nearest fire station. Station 2 is located approximately 1.5 miles from the subject ROW.



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).



DRAINAGE

Public Drainage System

The drainage systems along and within the roadway of Annell Drive are included in the study area and the property has access to the drainage system. Routine operation and maintenance costs for the drainage system integral to Annell are included in the public roadway annualized costs. 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.

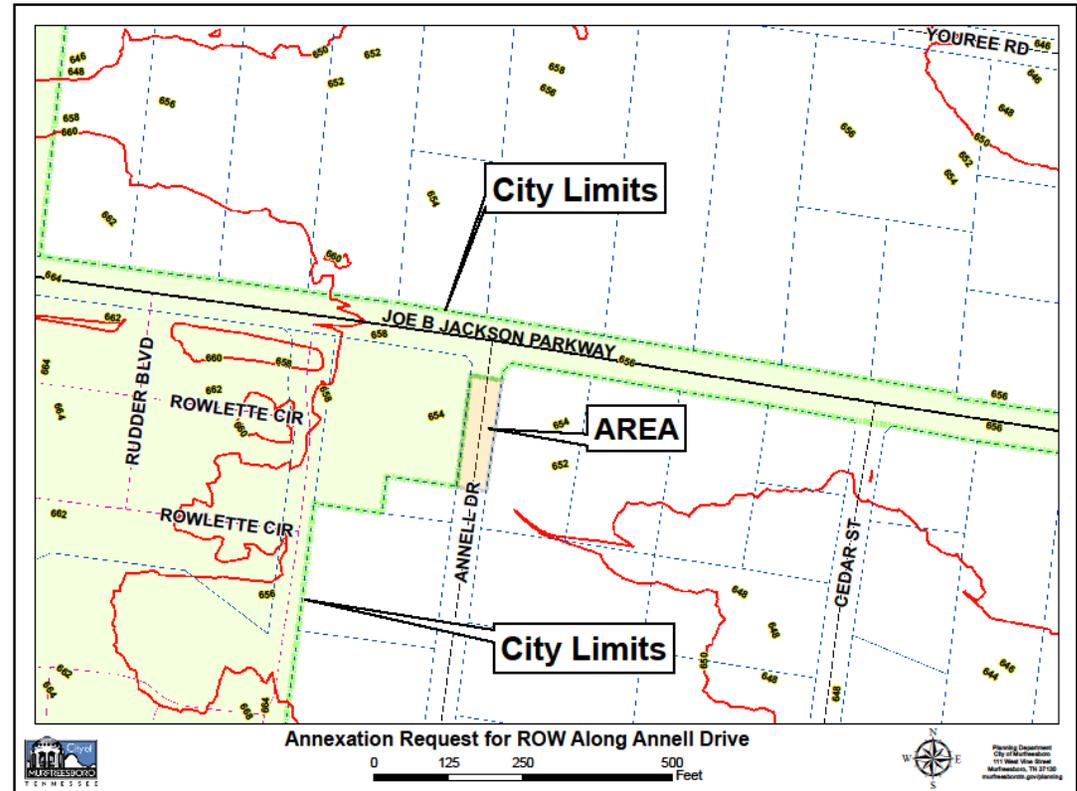
Regional Drainage Conditions

The study area drains to the ROW of Annell Drive and then to the east until it reaches a miscellaneous tributary to the Middle Fork of the Stones River.

Stormwater Management and Utility Fees

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

The red lines on the adjacent map represent ten-foot contours. The 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
JANUARY 8, 2020**

- 3.d. Proposed amendments to the Zoning Ordinance [2019-809] to Section 2: Interpretation and Definitions, regarding the definition of “family”; Section 10: Variances; Section 18: Regulations of General Applicability, regarding lighting fixtures at recreational fields; and Section 27: Landscaping and Screening, regarding landscaping for stormwater management areas, City of Murfreesboro Planning Department applicant.**

In this request, Staff brings to the Planning Commission for its consideration the following proposed amendments to the Zoning Ordinance.

Section 2: Interpretation and Definitions

The definition of “family” in the Zoning Ordinance currently includes “a group of not more than eight unrelated persons with disabilities, as defined by applicable federal law, which includes at least one (1) additional person (and may include a total of three (3) additional persons) acting as support staff or guardians, who need not be related to any of the persons with disabilities residing in the home, living together as a common household in a dwelling unit.” The definition of “family” is proposed to be modified to instead read “a group of not more than eight unrelated persons with disabilities as defined by applicable federal law, which may have up to three (3) additional persons acting as support staff or guardians, which additional persons need not be related to any of the persons with disabilities residing in the home, living together as a common household in a dwelling unit.” The reason for this amendment is to bring our definition into full compliance with federal law – the federal law regarding small group homes does not require that there be a support staff or “guardian” present at a home occupied by eight persons with disabilities.

Section 10: Variances

The City Legal Department has drafted revisions to *Section 10: Variances* of the Zoning Ordinance after determining that improvements were needed. The reason for this amendment is to make Section 10 more clear and internally consistent and to more closely follow State law.

Section 18: Regulations of General Applicability

There are currently no specific provisions in the Zoning Ordinance for the height of lighting fixtures at recreational fields. Because of this, such lighting fixtures are subject to the height limitations that all other sites must adhere to, which is either 20’

or 30', depending on the height of the buildings that are located on-site. Because the existing limitations are simply unrealistic for most recreational fields, the Parks and Recreation Department has had no choice but to apply multiple times for variances to the current height restrictions in order to adequately light City recreational fields. At the November Board of Zoning Appeals (BZA) meeting, the BZA granted a variance for the height of the proposed lighting fixtures on the soccer fields on the Jordan Farm on Cherry Lane but also directed Staff to draft an ordinance amendment, so that variances to this standard will not be necessary in the future. The attached Zoning Ordinance amendment proposes an 80-foot maximum height for lighting fixtures for recreational fields where recreational fields are permitted by right. Where recreational fields are permitted by special use permit, the amendment gives the BZA discretion to approve light fixture height up to 80' as a part of the special use permit process.

Section 27: Landscaping and Screening

Section 27 of the Zoning Ordinance currently contains a very vague landscape screening requirement for stormwater management areas, such as detention and retention ponds. Because of its vagueness, this screening requirement has been enforced inconsistently over the years. At a recent Planning Commission meeting, there was extensive discussion on this topic. The point was raised that, in many instances, these areas are seen as amenities and that living near them is desirable because of the amount of open space that they provide. In general, the requirement to screen them was viewed as unnecessary. The Planning Commission directed Staff work on a Zoning Ordinance amendment to better address the landscaping of these areas.

Because they are viewed as amenities, rather than screen them, Staff crafted an ordinance amendment that seeks to add to their appeal. Without any treatments, they can appear as an open bowl -- constructed for a very specific function rather than as a natural open area. The proposed ordinance amendment seeks to visually enhance them with landscaping and to make them appear more natural. Its purpose is also to add more certainty in the landscaping requirements for both design professionals and for Staff. The ordinance amendment also gives the Planning Department the authority to require screening, if warranted, and to require safety features for fall protection if it is determined that they are needed.

Action Needed:

The Planning Commission will need to conduct a public hearing and then formulate a recommendation to the City Council. Planning staff will be available at the Planning Commission meeting to discuss the request and answer any questions.

Proposed Zoning Ordinance Amendment Regarding the Definition of “family”, Variances, Height of Light Fixtures for Recreational Fields, and Landscaping for Stormwater Management Areas.

SECTION 1. Appendix A, Section 2 (G) of the Murfreesboro City Code is hereby amended by deleting the definition of “family” and substituting in lieu thereof the following:

Family: In addition to customary domestic servants, either (a) an individual or two or more persons related by blood, marriage or adoption, maintaining a common household in a dwelling unit; or (b) a group of not more than four persons who are not related by blood, marriage, or adoption, living together as a common household in a dwelling unit, or (c) a group of not more than eight unrelated persons with disabilities as defined by applicable federal law, **which may have up to three (3) additional persons** acting as support staff or guardians, which additional persons need not be related to any of the persons with disabilities residing in the home, living together as a common household in a dwelling unit.

NOTE: Persons (i) who have been convicted of a crime involving violence, (ii) who have been convicted of unlawfully manufacturing or distributing any illegal drug or controlled substance, (iii) who are registered or are required to be registered as sex offenders, (iv) who are currently illegally using a controlled substance, and / or (v) whose tenancy would constitute a direct threat to the health or safety of others or whose tenancy would result in substantial physical damage to the property of others shall not be deemed to be persons with disabilities for purposes of this definition solely by virtue of that status.

SECTION 2. Appendix A, Section 10 of the Murfreesboro City Code is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 10. VARIANCES.

- (A) *Authority.* The Board of Zoning Appeals (“BZA”) shall have the authority to grant the variances specified in this article after a public hearing on a requested variance and only if the BZA makes specific written findings in favor of such variance based upon the standards for variance hereinafter set forth.
- (B) *Purpose.* The purpose of a variance is to relieve the practical difficulties or undue hardship to a landowner from the strict application of the regulations of this article due to unusual characteristics of a parcel of land.
- (C) *Initiation.* The owner or person having a contractual interest in the land for which a variance is sought may initiate a request for a variance.
- (D) *Procedure.*

- (1) *Application.* The owner or other person having a contractual interest in the land to be affected by the variance shall file an application for a variance with the Planning Department. Such application shall be accompanied by a non-refundable application fee established from time to time by City Council. However, no application fee is required when the applicant is seeking a variance to relocate a sign because of condemnation or road construction by the city, county, state or federal government. The application shall contain the following information:
 - (a) name, address, and telephone number of the applicant;
 - (b) nature and extent of the applicant's interest in the land for which a variance is requested;
 - (c) a plot plan showing the dimensions of the land for which a variance is requested;
 - (d) the street address and legal description of the land for which a variance is requested;
 - (e) zoning classification of the land for which a variance is requested;
 - (f) a statement of the exact variance sought and section of this article from which a variance is requested;
 - (g) a statement of the purpose for the requested variance and the intended development of land if the variance is granted; and
 - (h) a vicinity map showing the land which is the site of the requested variance and all parcels of land within a two hundred fifty foot radius of the land. Such vicinity map shall show any and all streets, roads or alleys, and shall indicate the owner's name and dimensions of each parcel of land shown.
- (2) *Action by the BZA.* Not more than forty-five days after an application is filed, the BZA shall hold a public hearing thereon. Written notice of such public hearing shall be published in a newspaper of general circulation. In addition, a sign shall be posted and maintained on the subject land by the applicant or the City which conforms with the size and content requirements of the BZA, and written notice shall be mailed to land owners within a two-hundred fifty foot radius from the subject land. Failure to mail notice to such owner(s) will not invalidate any action of the BZA.

Prior to the adjournment of the meeting at which such public hearing is concluded, the BZA may act on the requested variance, take the matter under advisement, or defer decision until the next regular or special called meeting of the BZA. Notice of the BZA's decision, along with its written findings, shall be mailed to the applicant within fifteen days after the date of the BZA's decision on the requested variance.

- (E) *Standards for Variance.* To be entitled to a variance an Applicant must show:

- (1) That the specifically identified characteristics of the land, such as the narrowness, shallowness, shape, topography or other condition of the land, are such that it is extraordinarily difficult to comply with the generally applicable regulations of the zoning classification of the land;
 - (2) That the specifically identified characteristics are unusual to the subject land as compared to other land in the same zoning classification and in the same area;
 - (3) That the specifically identified characteristics were not created by any action or inaction of the owner or the owner's agent;
 - (4) That granting the requested variance will not be unduly detrimental to other land in the vicinity of the land for which the variance is requested; and
 - (5) That granting the requested variance will not impair an adequate supply of light and air to adjacent properties, unreasonably increase the congestion in public streets, increase the danger of fire or otherwise endanger the public health, safety, comfort, or morals, or substantially impair the intent and purpose of the Zoning Ordinance or of the general plan for the area.
- (F) The BZA shall make specific written findings of fact on each of the above standards in either granting or denying a variance. Specific written findings that each of the above standards has been met by the applicant are required in order to grant a variance. If any of the above standards has not been met the variance must be denied.
- (G) *Conditions on variances.* The BZA may set forth conditions in the written resolution granting a variance. Such conditions may relate to screening, landscaping, location, and other conditions necessary to preserve the character of the area and protect land in the vicinity of the variance. A violation of such conditions shall be a violation of this article.
- (H) *Determination of compliance with conditions.* The Zoning Administrator shall determine when the applicant has complied with the conditions set forth in the resolution granting the variance.
- (I) *Effect of grant of variance.* The grant of a variance shall not allow the development of the land for which a variance was granted but shall merely authorize the filing of applications for required permits and approvals, including, but not limited to, building permits, and certificates of occupancy.
- (J) *Length of variance.* Variances are valid for an unlimited time, irrespective of ownership, unless otherwise conditioned by the BZA. However, if the plan submitted to the BZA at the time of the variance request changes and the Zoning Administrator determines that the changes are material, the variance

shall automatically become void and a new variance application must be submitted to the Planning Department.

SECTION 3. Appendix A, Section 18 (G) of the Murfreesboro City Code is hereby amended by adding the following as (14):

Light fixtures for recreational fields zoned P (Park) shall not exceed 80 feet in height. Light fixtures for recreational fields at an institutional group assembly use, where such institutional group assembly use is permitted by right, shall not exceed 80 feet in height. Light fixtures for recreational fields at an institutional group assembly use, where such institutional group assembly use requires a special use permit, may be approved up to a maximum height of 80 feet by the Board of Zoning Appeals in its granting of the special use permit. The above standards pertaining to light fixtures for recreational fields shall also apply to all overlay districts.

SECTION 4. Appendix A, Section 27 (L)(3) of the Murfreesboro City Code is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

- (3) Screening and Landscaping Requirements for Stormwater Management Areas.
 - (a) Stormwater management areas, including detention and retention areas and other similar areas, shall be landscaped to visually enhance such areas and to provide a more natural appearance. The entire perimeter of such stormwater management areas shall be landscaped as follows: a minimum of one shade tree for every 40 linear feet and one shrub for every 15 linear feet. The required plantings are encouraged to be grouped together to achieve a less regimented, more natural appearance. Alternative landscape plans that achieve the goals outlined above and that provide an equivalent or greater amount of landscaping may be submitted for the review and approval of the Planning Director or designee.
 - (b) The Planning Director or the Planning Commission shall have the authority to require additional landscaping if it is determined that additional plantings are needed for the purpose of screening the stormwater management area.
 - (c) Stormwater management areas will be reviewed by the Planning Department on a case-by-case basis to determine if safety measures are needed. If safety measures are required, plantings may be allowed as an element of the safety plan, as determined by the Planning Department.