

MURFREESBORO CITY COUNCIL
Regular Meeting Agenda
Council Chambers – City Hall – 6:00 PM
April 30, 2020

PRAYER

Mr. Bill Shacklett

PLEDGE OF ALLEGIANCE

Consent Agenda

1. Emergency Solutions Grant Budget Amendment for 2019-2020 (Community Development)
2. Annual Actuarial Services (Finance)
3. CIP Transfers (Finance)
4. Credit Card Policy (Finance)
5. Mandatory Referral for Right-of-Way and Easement Abandonment Along Titans Circle (Planning)

Old Business

6. Ordinance 18-OZ-56: Rezone approximately 39.9 acres located along Manson Court and Manson Pike (2nd and final reading) (Planning)

New Business

Land Use Matters

7. Ordinance 20-OZ-01: Annexation and zoning of approximately 65 acres and 78 acres respectively located along NW Broad Street (Planning)
 - a. Public Hearing: Plan of Services and Annexation
 - b. Resolution 20-R-PS-01: Plan of Services
 - b. Resolution 20-R-A-01: Annexation
 - d. Public Hearing: Zone approximately 78 acres and 65 acres respectively
 - e. Ordinance 20-OZ-01
8. Ordinance 20-OZ-02: Rezone approximately 0.89 acres located along the north side of Bradyville Pike west of Minerva Drive (Planning)
 - a. Public Hearing: Rezone approximately 0.89 acres
 - b. Ordinance 20-OZ-02
9. Ordinance 20-OZ-03: Rezone approximately 0.71 acres located along the south side of East Vine Street east of South Highland Avenue (Planning)
 - a. Public Hearing: Rezone approximately 0.71 acres
 - b. Ordinance 20-OZ-03
10. Ordinance 20-O-04: Amend the Zoning Ordinance regarding the definition of "family", variances, lighting fixtures at recreational fields, and landscaping for stormwater management areas (Planning)
 - a. Public Hearing: Amend Zoning Ordinance
 - b. Ordinance 20-O-04
11. Planning Commission recommendations to Schedule Public Hearings (Planning)

On Motion

12. Resolution 20-R-09: Setting Fees for Small Cell Installation Applications
(Legal)

Licensing

Board & Commission Appointments

13. Appointment of Michelle Thomas to the Murfreesboro Housing Authority to replace the vacancy left by Judy S. Smith; term expires May 3, 2023.
Reappointment of Charlie Teasley to the Murfreesboro Housing Authority whose term will expire May 3, 2020 (Administration)

Payment of Statements

Other Business

Adjournment

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: 2019-2020 Emergency Solutions Grant Budget Amendment

Department: Community Development

Presented by: Helen Glynn

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Tennessee Housing Development Agency (THDA) has notified the city that an additional \$7,500 of unallocated funds are available to the City for the Emergency Solutions Grant (ESG) 2019-2020 grant year totaling \$168,750.

Staff Recommendation

Accept and authorize the Mayor to sign the budget amendment increase for an additional \$7,500.

Background Information

The ESG Grant is funding provided to assist eligible non-profit service providers for services to homeless individuals and individuals in danger of becoming homeless. Grant funding is provided by the US Department of Housing and Urban Development (HUD) through Tennessee Housing Development Agency (THDA) to the City of Murfreesboro. THDA has notified the City that an additional \$7,500 is available for the current 2019-2020 grant year, totaling \$168,750. The original grant was for \$161, 250.

Council Priorities Served

Maintain Public Safety

This activity provides additional supplies and services for emergency shelter to homeless individuals or individuals in danger of becoming homeless in the City.

Fiscal Impact

There are no fiscal impacts for the General Fund for accepting this budget amendment. Administrative costs are covered by ESG or CDBG funds.

Attachments

2019-2020 ESG Grant Budget Amendment#1

**ATTACHMENT C – AMENDMENT #1
(Supplemental SO/ES Funding)**

**TENNESSEE HOUSING DEVELOPMENT AGENCY
2019 ESG PROGRAM
PROJECT BUDGET**

GRANTEE NAME: CITY OF MURFREESBORO

Funding Source	Street Outreach	Shelter Activities	Homeless Prevention	Rapid Re-Housing	HMIS	Admin	TOTAL
ESG FUNDS	\$	\$ 130,000 \$ 137,500	\$	\$	\$ 20,000	\$ 11,250	\$ 161,250 \$ 168,750
Other Federal Funds	\$	\$	\$	\$	\$	\$	\$
Local Gov't or Agency Funds	\$	\$ 150,000	\$	\$	\$	\$ 11,250	\$ 161,250
Private Funds	\$	\$	\$	\$	\$	\$	\$
Donated Labor, Services, Cash, or Materials	\$	\$	\$	\$	\$	\$	\$
TOTAL	\$	\$ 300,000 \$ 307,500	\$	\$	\$ 20,000	\$ 22,500	\$ 322,500 \$ 330,000



Cynthia Peraza, 4/17/20
Director of Community Date
Programs

The Honorable Date
Shane McFarland, Mayor

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Annual Actuarial Services
Department: Finance
Presented by: Melissa Wright, City Recorder
Requested Council Action:

Ordinance	<input type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input checked="" type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

The City contracts for actuarial services each year to value and report upon the Defined Benefit Pension Plan.

Staff Recommendation

Approve contract with Findley to perform the annual services. The fee quoted is \$30,000-\$35,000, which matches the prior year.

Background Information

The City retains actuary services each year to value the City's defined benefit pension plan, provide reporting information required by GASB accounting standards, provide individual benefit statements, and appear before the Pension Committee to present the findings. Findley staff members are familiar with the City's plan and offers assistance and advice as needed.

Council Priorities Served

Responsible budgeting

The information provided from the actuarial report allows for accurate reporting in the City's financial statements, and guides City management staff in planning for budgeting contribution costs and Plan assumption evaluations.

Fiscal Impact

The fee payment is made directly from the Pension Plan and is a part of the computation for the annual contribution.

Attachments

Engagement Letter

April 17, 2020

VIA ELECTRONIC DELIVERY

Melissa B. Wright
City Recorder/Finance Director
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37183-1139

Re: Engagement Letter
Actuarial Services for the City of Murfreesboro, Tennessee Employees' Revised Pension Plan

Dear Melissa:

Findley, Inc. appreciates our relationship with the City of Murfreesboro to provide actuarial and consulting services in connection with your Plan. We look forward to continuing to provide actuarial, consulting, administrative, compliance, testing and data management services for the above plan.

This letter outlines

- the scope of the services we will provide and the fees that you can expect to pay for these services and
- our general business terms

This Engagement Letter, including the attached Exhibit A General Terms (also referenced as "Exhibit A," together forming the "Agreement"), is between **Findley, Inc. ("Findley, Inc.")**, and **City of Murfreesboro (the City)**, for the term indicated. Findley, Inc. is being retained by the City to perform the services outlined in this Agreement with respect to the City of Murfreesboro, Tennessee Employees' Revised Pension Plan. By signing this Engagement Letter, the City agrees to be bound by the terms of this Agreement. Throughout this Agreement (both in this letter and Exhibit A), terms such as "we", "us" and "our" refer to Findley, Inc., and terms such as "you" or "your" refer to the City. If we are contacted by persons from your organization who, in our judgment, appear to have authority to represent the City, we will assume that they are authorized to contact us and receive information unless you identify to us the specific people permitted to discuss Plan affairs.

This Agreement is effective for the plan year beginning July 1, 2020, and will continue to be effective after this initial term unless and until terminated by either party on 30 days advance written notice as detailed below. If your decision to engage us is delayed until after August 17, 2020, we reserve the right to reissue this Engagement Letter with revised fee estimates for expected services.

Melissa B. Wright
April 17, 2020

Exhibit A describes the services that we expect to perform and the associated fees for those services. It also provides our general billing procedures and other business terms, including representative billing rates.

Issues may arise that are beyond the scope of these expected services, and which may require additional consulting services. If we provide additional consulting services, we will charge additional fees for those services. Upon the mutual agreement of both parties, Exhibit A may be revised from time to time to add or change the consulting services provided and such revised and restated Exhibit A shall continue to be covered by the Engagement Letter then in effect.

If anything in this Agreement needs further discussion, or if you have any questions, please feel free to call me. Again, I am pleased you have selected Findley, Inc. We look forward to serving you.

Sincerely,

FINDLEY, INC.

By: Michael G. Guyton
Michael G. Guyton, FSA, EA, MAAA
Senior Consultant

Attachment: Exhibit A General Terms

AGREED TO:

City of Murfreesboro

By: _____ Date: _____

Title: _____

Exhibit A

General Terms

Fees

The fees listed below represent our best estimate for services to the Plan. Actual fees may be higher or lower than these estimated fees. Services not specifically stated or variances from our assumptions will constitute additional services, for which we will charge additional fees. Examples of additional services are listed in the Additional Services section.

Annual Actuarial Services for City of Murfreesboro, Tennessee Employees' Revised Pension Plan

	Fee
• Annual Actuarial Valuation and Report (Funding Report) as of July 1, 2020	\$30,000 - \$35,000
• Government Accounting Report as of June 30, 2020 ¹	
• Annual Individual Benefit Statement ²	
• Annual Meeting	

¹ Results will be split between Water and Sewer and other

² Two electronic files will be provided; one which will include all participants and one will include Water and Sewer Participants

Additional Services

Additional Actuarial Services

- Analysis of changes in valuation assumptions and methods and consulting on possible changes
- Support to external auditors for the annual financial statement audits of the entities
- Annual estimates of succeeding year contributions and accounting expense
- Quarterly funded status scorecard
- Projections of funding or accounting expense over multiple years, or beyond that described under Recurring Actuarial Services
- Study of demographic assumptions based on Plan experience
- Actuarial valuations, accounting expense and accounting disclosure determinations for Other Post-Employment Benefit Plans (non-pension) under GASB 43 and 45 City (other than listed above)
- Resolving trustee accounting or reporting problems
- Data corrections or manipulation of data files to consolidate or convert to system format, manual input of participant and payroll information, or multiple payroll files
- Actuarial studies of Plan amendments
- Actuarial studies and other work related to mergers, acquisitions or spin-offs
- Actuarial studies involving forecasting of cash flow and/or accounting results
- Lost participant searches, address corrections
- Meetings and telephone conferences (in addition to those listed above)

Participant Communication Services

- Participant communications (other than listed above)
- Printing costs and distribution costs for SPDs or other participant communications

Plan Documentation and Regulatory Compliance Services

- Consulting services related to Plan design or Plan administration
- Drafting or review of Plan amendments, Board Resolutions and Summary Plan Descriptions (for review of legal counsel)
- Revisions or modifications to other Plan documents, such as Summary Plan Descriptions (SPDs), administrative forms, investment policy documents (for review of legal counsel)
- Assisting with determination letter applications; assistance with filing of Plan documents with IRS or other governmental authorities
- Responding on behalf of the City to questions from regulatory auditors
- Services pursuant to non-compliance with law or regulations, including corrections procedures filings and other regulatory filings
- General consulting services, such as consulting regarding Plan administrator's (a) Plan interpretations, (b) regulatory interpretations applicable to the Plan(s), statutory requirements, analyses regarding the impact of legislative or regulation changes impacting the Plan(s)

Services for Other Plans

- Any other services associated with other plans sponsored by the City or other related organizations

Billing Rates

Findley, Inc.'s schedule of hourly billing rates for our professionals and staff is based upon years of experience, specialization in training and practice, and level of professional attainment. Findley, Inc. current average hourly rates as of January 1, 2020:

Managing Consultant / Principal	\$330 - \$495
Consultant / Senior Consultant	\$235 - \$330
Technician / Analyst	\$175 - \$235
Administrative	\$85 - \$175

Periodically, Findley, Inc. hourly rates are reviewed and adjusted for increases in expertise, productivity, and inflation. Our fees have increased at or about the rate of inflation historically. The primary basis for determining our fee for additional services is the hourly billing rate of those who work on the case, multiplied by the actual time expended.

Expenses

There are three categories of expenses that the firm may bill in addition to the hourly rates listed above.

- *Out-of-pocket* expenses, such as travel, lodging, meals, filing fees, printing costs, messenger services, and other similar expenses which will be billed at cost.
- *Administrative* expenses for copying, faxing, long-distance phone calls, etc. will be billed at cost.
- Any applicable *taxes, charges and other levies* associated with the agreed upon services rendered by Findley, Inc... This would include state, local, and use taxes, if any, but excludes taxes levied against the income or personal property of Findley, Inc...

To the extent disclosed in the project fees section, these categories of expense are included in the project fee estimates provided.

Billing Procedures

Normally, our statements will be prepared and sent during the month following the month in which the service is rendered and costs were incurred. However, sometimes we hold charges until work on a project is completed or charges are more than nominal. You agree to pay Findley, Inc. payment within 35 days after the statement date.

Our billing statements are due and payable within 35 days after the statement date. We reserve the right to place an interest charge on unpaid accounts of 1% per month commencing 35 days after the statement date. If payment has not been received within 90 days after the statement date, further work will be suspended until payment is received or a mutual agreement is reached.

Occasionally, we may request either payment in advance or direct payment by the client for significant out-of-pocket or extraordinary expenses, or if a client has failed to pay past statements on a timely basis.

Potential Conflicts of Interest Disclosure

We know of no circumstances that create a conflict of interest in our services to you.

Potential Direct and Indirect Compensation from Other Parties

It is possible that we will receive compensation from other parties or service providers in relation to your decision to use their services. We will disclose to you the monetary value of any direct or indirect compensation (including the payor of and services related to any indirect compensation) we receive from any party other than you in connection with our provision of services to the Plan(s). At the present time, there is no indirect compensation expected.

Confidentiality of Plan and Participant Data

Findley, Inc. acknowledges and understands that all City information or Plan information provided by City to Findley, Inc. is confidential. Findley, Inc. will not sell, rent, lease or in any way transfer City information provided from City to Findley, Inc. under this Agreement to a third party, except as expressly agreed to by you in writing. Findley, Inc. will have no proprietary interest or right to use City or Plan information, except as provided in this Agreement. Findley, Inc. will take all reasonable and necessary steps to prevent the misuse of City or Plan information.

Findley, Inc.'s reports, letters, memos, emails or other consulting work products furnished to you are for the use of the City and its agents, advisors and auditors, and for the business purposes stated therein. Findley, Inc. is not responsible for the reliance upon these work products by any other party.

Findley, Inc. acknowledges that it will have access to data that is personal information, including any and all identifying information of the employees of City ("Personal Information"). Findley, Inc. shall use any Personal Information it receives from City only to fulfill its obligations under this Agreement.

Findley, Inc. shall promptly notify City in writing in the event there is any suspicion of irregularities in the storage or processing of the Personal Information. On termination of this Agreement, Findley, Inc. shall discontinue using the Personal Information and shall destroy any Personal Information in accordance with Findley, Inc.'s file retention policies.

Amendment and Termination

Upon the mutual agreement of both parties, Exhibit A may be revised and restated from time to time to add or change the consulting services provided and such revised or restated Exhibit A shall continue to be covered by the engagement letter then in effect.

Either party may terminate this Agreement, upon 30 days prior written notice to the other party. You

agree to pay for all services provided by us up to the date of termination.

Dispute Resolution

In the event of any dispute between the parties with respect to our services, each of the parties will promptly appoint a designated officer to meet to resolve such dispute in good faith. If an amicable resolution through negotiation does not appear likely within a reasonable time, you and we agree to submit to resolution by binding arbitration in accordance with the Commercial Arbitration Rules of the American Arbitration Association. Such arbitration will be binding and final. Any such arbitration will be before one arbitrator, be conducted in English, and held in Nashville, TN, or such other location as the parties may agree upon.

Indemnification

To the extent permitted by law, you agree to hold Findley, Inc. harmless from all claims, losses, damages, liabilities, costs and any other expenses related to the operation of the Plan or of Plan related services by the City, Plan Administrator or other third party vendor. This indemnification does not include claims, losses, damages, liabilities, costs or any other expenses attributable to any negligence or willful misconduct by Findley, Inc. in the performance of our services under this Agreement.

Findley, Inc. shall not be deemed responsible if it fails to perform any services as a result of one or more of the following causes: (a) receipt of poor or incomplete data provided by the other party or the other party's authorized agents; (b) interruptions or delays affected by information or communications systems not resulting from the fault of Findley, Inc.; (c) exchange or market rulings, disruptions in orderly trading on any exchange or market caused by market volatility or trading volume; (d) suspension of trading; (e) computer, or operational system failures; (f) "Acts of God;" (g) any outbreak or escalation of hostilities, war, terrorism, riots, or civil disorders in any country making it illegal or impossible for Findley, Inc. to perform its obligation under the Agreement; or (h) other unusual circumstances not reasonably within the control of Findley, Inc..

Mutual Responsibilities

Timeliness and Accuracy of Data. You will provide us with the requested participant and other Plan information that we need in order to perform our services. You will be responsible for ensuring that the information is accurate and complete. Although Findley, Inc. will perform reasonableness checks on the participant data, Findley, Inc. will have no other responsibility to independently verify the accuracy of the participant data that you provide. Findley, Inc. assumes no responsibility to acquire information other than to request it from you or from third parties as authorized by you. Findley, Inc. will not be liable for any errors or omissions made as a result of incomplete or incorrect information that is furnished to us by you or by third parties on your behalf (e.g., payroll providers, trustees, accountants, attorneys, investment advisors, etc.). We will work with you to determine an appropriate file format for the ongoing data that we need to provide services to you.

Findley, Inc. may occasionally identify errors or discrepancies in the data, eligibility determination, contribution calculation, or other items. We will notify you of any apparent discrepancies, and will work with you to resolve the discrepancies if requested. Resolving these discrepancies may result in additional services not included within the scope of our standard fees. Findley, Inc. is not responsible for performing additional services, even if we have performed these additional services in the past.

Conversion. We will work with your current providers to determine an appropriate file format and record layout for any conversion data that we may need. You will be responsible for the payment of any fees charged by the current provider for its work to supply the conversion data that we need and answer questions that we may have.

We will accept the information and data provided by the prior service provider as correct and complete unless otherwise instructed by you. We will not audit those records for accuracy, compliance with government requirements or consistency. We will not be responsible for errors or omissions made during the time prior to our engagement, nor for those which may result from our reliance on these prior records.

If instructed by you or your legal counsel, and within the scope of our engagement, we will conduct reviews of Plan documentation, participant communication and/or Plan operation to evaluate whether your Plan(s) was (were) in proper compliance with applicable law and regulations and/or the provisions of Plan documents for the specified period. We will report to you any issues we think should be addressed, and will make recommendations for necessary action for consideration by you and your legal counsel.

Maintenance and Transfer of Records. Findley, Inc. will retain possession of all files and records during the course of our engagement. In the event that you terminate our services, at such time as a final payment in full is made to Findley, Inc. for all outstanding fees and expenses to date, Findley, Inc. will furnish the City, upon the City's request, copies of participant data and work products at a reasonable cost for electronic delivery and/or photocopying. Files will eventually be shredded and disposed of in accordance with Findley, Inc.'s file retention policies.

Limitations on Findley, Inc. Services

Findley, Inc. is not a law or accounting firm and does not provide legal or tax advice. Any documents that we prepare are specimen documents that are for review by your legal counsel and that should be reviewed by your legal counsel. Legal issues concerning your employee benefit plans should be discussed with your legal counsel. Tax issues should be discussed with your legal counsel or your tax advisor.

Findley, Inc. is not a fiduciary, investment advisor, or the plan administrator of the Plan(s) within the meaning of the Employment Retirement Income Security Act of 1974 (ERISA) or otherwise. You are responsible for all discretionary decisions relating to the Plan(s). Findley, Inc. may, in the course of its services, identify and discuss issues that require your decision-making as a fiduciary. According to policies and procedures, Findley, Inc. may perform certain services, acting as agent to the City and the fiduciaries to the Plan(s). Findley, Inc. performs such services in an administrative, nondiscretionary capacity only according to Plan documents and other procedures and exercises no

discretion as to the administration of the Plan(s) and the management of Plan assets. Findley, Inc. does not invest trust assets or prepare trust accounting statements. Findley, Inc. does not monitor investment performance or the performance of investment management or advisors. Findley, Inc. does not handle Plan assets. Findley, Inc. does not provide services that would constitute investment advice to either the plan sponsor or any plan participant. Findley, Inc. does not determine the value (or the appropriateness of the value) of any asset held by the Plan(s).

Findley, Inc. Role in Regulatory Compliance.

Findley, Inc. helps organizations manage their employee benefit plans, including compliance with applicable rules and regulations, subject to review and advice of your legal counsel. These

compliance requirements and duties are numerous, including, but not limited to:

- Participant communications, whether periodic or driven by participant or plan events
- Reporting and disclosure to regulatory authorities
- Maintenance of plan documents in accordance with law and regulation
- Financial transactions

Findley, Inc. is ready to assist in each of these areas to ensure compliance. Unless otherwise specifically indicated in our description of services, the City is responsible for meeting all compliance requirements of the Plan(s).

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: CIP Funds Transfer

Department: Finance

Presented by: Melissa Wright

Requested Council Action:

Ordinance	<input type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input checked="" type="checkbox"/>

Summary

Notification to Council of City Manager approved CIP funds transfer.

Background Information

Funding for capital improvement projects is provided by TMBF Loans / Bonds. Funds are allocated to projects in the Capital Improvement Plan that is approved by City Council. Reallocation of these funds sometimes becomes necessary when circumstances change. Requests for CIP Funds Transfers are submitted to the City Manager for approval and then placed on the Consent Agenda to serve as notification to Council. The following CIP Funds Transfer has been approved:

Fire Logistics Building Roof

Transfer \$19,500 from the Fire Station 4 Relocation project to the Fire Logistics Building Roof Replacement project.

Fire Station Alerting System

Transfer \$200,000 from the Police CUD Tower project and transfer \$115,000 from the Police Technology IT Replacements project to the Fire Station Alerting System project.

Council Priorities Served

Responsible budgeting

CIP Fund Transfers reallocate available resources in an efficient manner after receiving City Manager approval.

Fiscal Impact

The transfer within the CIP Funds will have no effect on the CIP Funds balance.

Attachments

1. CIP Funds Transfer Request – Fire Logistics Building Roof Replacement
2. CIP Funds Transfer Request – Fire Station Alerting System



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CIP Funds Transfer Request

Mr. Tindall:

Submitted for your approval is the following request to transfer CIP funds.

CIP Loan 2018 Bond

Transfer CIP funds from:

Transfer CIP funds to:

Fire Station 4 Relocation \$ (19,500.00)

Fire Logistics Building Roof \$ 19,500.00

TOTAL TRANSFER \$ (19,500.00)

TOTAL TRANSFER \$ 19,500.00

Explanation: It has been requested that \$19,500 be transferred from the Fire Station 4 Relocation project
to a new line item for the Fire Logistics Building (old Fire Station 4) Roof Replacement. After this transfer,
the remaining balance will be \$14,547.39 which will be adequate to complete the Fire Station 4
Relocation project.

Erin Tucker (electronically approved)

4/20/2020

Budget Director Signature

Date

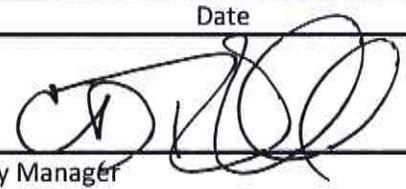
Vicki J. Massey (electronically approved)

4/20/2020

Reviewed by Finance

Date

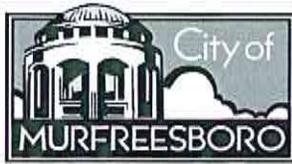
Approved


City Manager

Declined

Date

Please send the original to Vicki Massey, Finance & Tax Dept., once all signatures have been obtained.



T E N N E S S E E

... creating a better quality of life

CIP Funds Transfer Request

Mr. Tindall:

Submitted for your approval is the following request to transfer CIP funds.

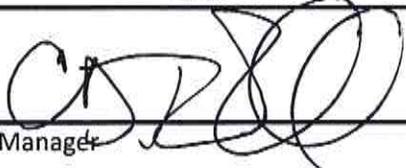
CIP Loan 2018 Bond / 2019 Loan

Transfer CIP funds from:		Transfer CIP funds to:	
Police CUD Tower (2018)	\$ (200,000.00)	Fire Station Alerting System (2018)	\$ 200,000.00
Police Technology IT Replacements (2019)	\$ (115,000.00)	Fire Station Alerting System (2019)	\$ 115,000.00
TOTAL TRANSFER	<u>\$ (315,000.00)</u>	TOTAL TRANSFER	<u>\$ 315,000.00</u>

Explanation: \$315,000 is needed to purchase a Locution Fire Station Alerting System. \$200,000 is available in the Police CUD Tower project (2018 Bond) and \$115,000 is available in the Police Techology IT Replacements line item (2019 Loan). After these transfers, \$700,000 will remain in the 2018 Bond for the Police CUD Tower line item, and \$268,406.75 will remain in the 2019 loan for the Police Technology IT Replacements line item.

Erin Tucker (electronically approved) 4/20/2020
 Budget Director Signature Date

Vicki J. Massey (electronically approved) 4/20/2020
 Reviewed by Finance Date

Approved	<input checked="" type="checkbox"/>	
Declined	<input type="checkbox"/>	_____
		Date

Please send the original to Vicki Massey, Finance & Tax Dept., once all signatures have been obtained.

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Credit Card Policy

Department: Finance

Presented by: Melissa Wright

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Addition of credit card policy for use of corporate card in each department.

Staff Recommendation

Approve credit card policy to be added to the City's Financial Policy.

Background Information

On December 14, 2017, City Council approved the use of credit cards by City staff, but a policy for use of the cards was not added to the City's Financial Policy. This policy was developed by a committee including administration, legal, purchasing and finance staff members. A limited number of cards have been issued since inception of the corporate card program, but it is now desired to have a minimum of one card per department. A spending limit per card is set by Finance and will be reviewed for each department's needs. This should not be confused with a purchase card program, popularly referred to as a p-card program, which is in the process of development and would be more widely distributed than a corporate credit card.

Council Priorities Served

Responsible budgeting

The use of credit cards allows for purchase of items where a purchase order is impractical or impossible for use, allowing for efficiency in procurement.

Fiscal Impact

None

Attachments

Credit Card Policy

CITY OF MURFREESBORO CREDIT CARD POLICIES AND PROCEDURES

Purpose and Scope

To establish the issuance, accounting, monitoring, retrieval, internal controls, and general oversight of the credit card use policy for the City of Murfreesboro. As used in this policy and procedures “credit card” means any bank-issued card allowing the holder to purchase goods or services on a revolving-credit basis. “Credit card” does not include a debit card or other card that facilitates purchases by electronic transfer from a bank account; a procurement card; or any other card account where merchant category codes are in place as a system of control for the use of the card account. No debit card or other card linked to a City bank-account shall be issued by the City or used by any City employee.

Card Use

Credit cards shall only be used for transactions in which use of a standard purchase order is either impractical or would result in a delay in the delivery of goods or services during a time of urgency. Credit cards may also be used to facilitate travel by employees and officials on official City business. Any use of the credit card shall be done in accordance with the City’s purchasing policies and procedures and travel reimbursement policy. The credit card in no way changes such policies.

City credit cards may be used only by those authorized and only for the purchase of goods or services for the official business of the City. The cardholder is responsible for assuring that all credit card charges to their card are accurate and consistent with policy guidelines.

Use of the City credit card to charge any personal purchases is strictly prohibited, regardless of whether the cardholder intends to reimburse the City for the purchase.

Unauthorized use of a City credit card may result in disciplinary measures up to and including termination.

All rewards earned from purchases made for City business on City issued credit cards will be the property of the City and may only be redeemed for City business needs.

Procedures

Issuance of Credit Cards – Credit cards will be issued to a Department Director or designee by the Finance Director. The cards will be issued to individuals, in the name of the individual; there will be no departmental cards. Only one card will be issued in an individual’s name. Cards are nontransferable. City credit card holders and cardholder’s Department Director or Executive Director must sign the Credit Card User Agreement agreeing to abide by City credit card policies and procedures.

Approval of Transactions – Before any purchase is made, approval for the expense should be obtained from all necessary parties in accordance with the purchasing policies and procedures and travel reimbursement policy.

Documentation of Transactions – Cardholders are responsible for all charges made to the card. All authorized users of City credit cards shall retain detailed itemized receipts and documentation detailing the goods or services purchased, the cost of the goods or services, the date of the purchase, and the official business for which it was purchased. Detailed receipts should also include documentation of the approval obtained and the account coding for the transaction.

Sales Tax – Cardholders should make every effort to ensure purchases do not include Tennessee sales tax by presenting a tax-exempt certificate at the time of purchase. Tax-exempt certificates are available through the Finance Department. The cardholder may be personally responsible for payment of sales tax.

Monthly Statements – Each month cardholders will be sent a statement of credit card transactions. Upon receipt of the statement, detailed receipts and approval documentation will be matched to the statement charges. Account coding for each transaction should be written next to the charge on the monthly statement. Once all charges are matched and coded on the statement, cardholder signs the top of the first page of the statement indicating review is complete and statement is ready for payment. Signed statement and all receipts should then be sent to accounts payable for processing. Cardholder is responsible for timely submission of monthly statements and documentation to ensure credit card statement can be paid in full each month without incurring finance charges.

Credit Card Payment – The Finance Department will follow established Accounts Payable internal control procedures for approval, documentation, and payment of credit card charges. Accounts payable will reconcile cardholder statements with the consolidated credit card statement and issue payment to the credit card issuer. Credit card statements and documentation will be retained by the Finance Department in accordance with the City's document retention policy.

Card Holder Responsibilities

The card holder must:

- Ensure the card is used only for legitimate business purposes;
- Maintain the card in a secure location at all times;
- Not allow other individuals to use the card unless approved by the cardholder;
- Adhere to City purchase limits and restrictions;
- Obtain all sales slips, register receipts, and/or credit card slips and provide same to the Finance Department with reconciliation and approval with monthly statements;
- Attempt to resolve disputes related to billing errors with the vendor directly or in conjunction with the Finance Department;
- Ensure that the appropriate credit is issued for disputed items or billing errors on a subsequent credit card statement;
- Immediately report a lost or stolen card to the card issuer and notify the Finance Department of the lost or stolen card at the first opportunity during business hours; and
- Return the card to the Finance Department upon termination of employment with the City.

Cardholder Liability

The credit card is a corporate charge card that will not affect the card holder's personal credit; however, it is the card holder's responsibility to ensure that the card is used within stated guidelines, policies, and procedures of the City. Failure to comply with program guidelines may result in the permanent revocation of the card, charge-back of an improper or unsupported transaction to the card holder for reimbursement to the City, notification of the situation to management, and further disciplinary measures, which may include termination.

Cardholder Termination or Card Cancellation

Upon termination of an employee who has been issued a City credit card, that employee shall immediately return the credit card to the Finance Department.

The City reserves the right to cancel a credit card for any of the following reasons: (i) the card is used for personal or unauthorized purposes; (ii) the card is used to purchase any material or service that violates policy, law, or regulation pertaining to the City; (iii) the cardholder allows the card to be used by another individual; (iv) the cardholder fails to provide the required receipts and supporting documentation; or (v) the card holder does not adhere to all of the appropriate City policies and procedures.

CREDIT CARD CARDHOLDER AGREEMENT

Requirements for Use

The credit card is to be used only to make purchases at the request of, and for the legitimate business benefit of, the City of Murfreesboro.

The credit card must be used in accordance with the provisions of the Credit Card Policies and Procedures established by City of Murfreesboro for credit card use.

Violations of these requirements may result in revocation of use privileges and/or disciplinary action, up to and including termination of employment. Employees who are found to have inappropriately used the credit card will be required to reimburse the City of Murfreesboro for all costs associated with such improper use. The City will investigate and commence, in appropriate cases, criminal prosecution against any employee found to have misused the credit card or who violates the provisions of the cardholder agreement.

As a City of Murfreesboro employee and a credit card cardholder, I hereby acknowledge as evidenced by my signature below that I understand the policies and procedures regarding the issuance and use of the credit card and that I received the credit card identified below. I further acknowledge that I have received instructions regarding its use and had the opportunity to ask questions. I also understand the penalties that may be involved if I use the card improperly. I recognize this card is the property of the City of Murfreesboro and as such I will surrender the card to the City of Murfreesboro upon request by my Department Head, City Manager, or Finance Director.

Cardholder Name: _____

Credit Card Account Number (last four): _____

Signature of Cardholder: _____

Date: _____

Signature of Department or Executive Director: _____

Date: _____

Signature of Finance Director: _____

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Mandatory Referral for Right-of-Way and Easement Abandonment Along Titans Circle

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

Ordinance	<input type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input checked="" type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Consider request to abandon drainage, detention, and utility easements as well as a segment of Titans Circle right-of-way.

Staff Recommendation

Approve the mandatory referral request.

The Planning Commission voted to recommend approval on April 22, 2020.

Background Information

In this mandatory referral [2020-702], Council is being asked to consider abandoning a segment of Titans Circle right-of-way (ROW) as well as drainage, detention, and utility easements located west of Titans Circle and west of Wycheck Lane. The abandonment of these easements is to accommodate the development of the Marketplace at Savannah Ridge shopping center and townhomes. The Planning Commission approved the preliminary plat for the Marketplace at Savannah Ridge Subdivision as well as the final plat at its February 19th regular meeting. Approval of both was conditioned upon this mandatory referral being approved by Planning Commission and City Council and the quitclaim deeds executed and recorded quitclaiming the City's interest prior to the recording of the final plat. Staff obtained comments from other City departments and utility providers regarding the impact of the proposed abandonments. Their responses are included in the attached memorandum from Planning staff. The Planning Commission conducted a public hearing on this matter on April 22nd and then recommended approval subject to the following conditions:

1. The right-of-way and easement abandonments shall be subject to the final approval of the necessary legal instruments by the City Legal Department. The applicant shall prepare and submit legal descriptions and exhibits necessary for the City Legal Department to draft the legal instruments.
2. The quitclaim deed transferring the subject ROW and easements shall be executed and recorded prior to the recording of the final plat.

3. Easements necessary for relocated utilities and drainage facilities or for any remaining easements in the abandoned ROW must be recorded simultaneously with the abandonment of the subject easements.
4. The new ROW configuration for Titans Circle must be recorded simultaneously with the abandonment of the subject ROW.
5. All recording fees shall be paid by the applicant.

Council Priorities Served

Improve Economic Development

The abandonment of the subject right-of-way and easements will help facilitate the development of a new shopping center, which will generate sales tax revenues.

Expand Infrastructure

The abandonment of the subject right-of-way and easements is part of an approved plan to re-work the existing infrastructure in order to serve the proposed commercial development.

Attachments:

1. Staff comments from 04/22 Planning Commission meeting
2. Memorandum from Staff summarizing feedback from various departments and utilities
3. Miscellaneous exhibits from applicant

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
APRIL 22, 2020
PROJECT PLANNER: MARINA RUSH**

4.c. Mandatory Referral and Right-of-Way Abandonment [2020-702] to consider abandonment of a portion of Titans Circle Right-of-Way and the abandonment of drainage, detention, and utility easements, Huddleston-Steele Engineering, Inc. applicant.

In this mandatory referral, the Planning Commission is being asked to consider abandoning a portion of Titans Circle right-of-way (ROW) as well as drainage, detention, and utility easements located west of Titans Circle and west of Wycheck Lane. The abandonment of these easements is to accommodate the development of the Marketplace at Savannah Ridge Planned Unit Development (PUD) shopping center and townhomes. The Planning Commission approved the preliminary plat for the Marketplace at Savannah Ridge Subdivision (File 2019-1042) as well as the final plat (File 2019-2094) at its February 19th regular meeting. Approval of both was conditioned upon this mandatory referral being approved by Planning Commission and City Council and the quitclaim deeds executed and recorded quitclaiming the City's interest prior to the recording of the final plat. Because the requested abandonment includes public right-of-way, a public hearing is required.

The report attachments include a map depicting the location of the ROW and easements for consideration of abandonment and a map depicting the location of the new easement (shaded green area is future 10-foot wide utility easement for utilities to relocate their lines).

Staff obtained comments from other City departments and utility providers regarding the impact of the proposed abandonments. Their responses are included in the attached memorandum from Planning staff. Based on the responses received, staff recommends the following conditions of approval:

Recommended Conditions of Approval

1. The right-of-way and drainage easement abandonments shall be subject to the final approval of the legal instruments by the City Legal Department. The applicant shall prepare and submit legal descriptions and exhibits necessary for the City Legal Department to draft the necessary legal instruments.
2. The quitclaim deed transferring the subject ROW and easements shall be executed and recorded prior to the recording of the final plat.
3. Easements necessary for relocated utilities and drainage facilities or for any remaining easements in the abandoned ROW must be recorded simultaneously with the abandonment of the subject easements.

4. The new ROW configuration for Titans Circle must be recorded simultaneously with the abandonment of the subject ROW.
5. All recording fees shall be paid by the applicant.

Action Needed

The Planning Commission will need to conduct a public hearing on this request and then formulate a recommendation to the City Council.

Memorandum

To: Greg McKnight, Planning Director
From: Marina Rush, Principal Planner
Date: April 2, 2020
Re: Titans Circle Right-of-Way (ROW) abandonment (portion) and the abandonment of drainage, detention and utility easements

Following is a summary of the City department staff and utility provider comments regarding the requested ROW and easement abandonment along Titans Circle:

Engineering Department

The drainage and detention easements currently have facilities located within these easements. The request to abandon these easements should be subject to the submission of a plan to relocate the easements for review by the City. If the plan is approved, the request to abandon the drainage and detention easements should be subject to the dedication of relocated easements as shown on the approved plans. The drainage easement abandonment and dedication of replacement easements should be done simultaneously.

The request to abandon right-of-way should be subject to submission of a plan to dedicate additional right-of-way for review by the City. If the plan is approved, the request to abandon right-of-way should be subject to dedication of replacement right-of-way as shown on approved plans and recording of a deed transferring the abandoned right-of-way. The deed should reserve easements for public utilities. The right-of-way abandonment and dedication of the replacement right-of-way should be done simultaneously.

Fire and Rescue Department

The ROW abandonment will not affect the Murfreesboro Fire and Rescue Department.

Police Department

The ROW abandonment will not affect the Murfreesboro Police Department.

Solid Waste Department

The ROW abandonment will not affect the Solid Waste Department.

Murfreesboro Water Resources Department (MWRD)

The Department has no existing water mains within the ROW abandonment area. This area is within Consolidated Utility District's water service area.

The Department has an existing 8" sewer main within the ROW abandonment area; however, MWRD does not need to retain easements because the sewer located within the ROW is not going to be utilized and will be abandoned with the development of the Marketplace at Savannah Ridge commercial center.

Consolidated Utility District (CUD)

CUD has a water line in the portion of the Titans Circle ROW that is proposed to be abandoned. If the ROW is abandoned, then CUD will require that an easement be retained for its existing water line. There is a separate CUD water line easement that is proposed to be abandoned and relocated independent of this mandatory referral request. Because that existing easement is not a City easement, its abandonment and relocation will be handled by CUD separately.

Murfreesboro Electric Department (MED)

MED has underground electric facilities in the utility easement along Titans Circle that is proposed to be abandoned. This will require a new utility easement to be recorded to replace it. In addition, the developer will be responsible for 100% of the cost of the new infrastructure (conduits, excavation, etc.) that replaces the existing infrastructure.

Middle Tennessee Electric Members Cooperative (MTEMC)

This request is not in MTEMC's service area and thus has no impact on MTEMC.

AT&T

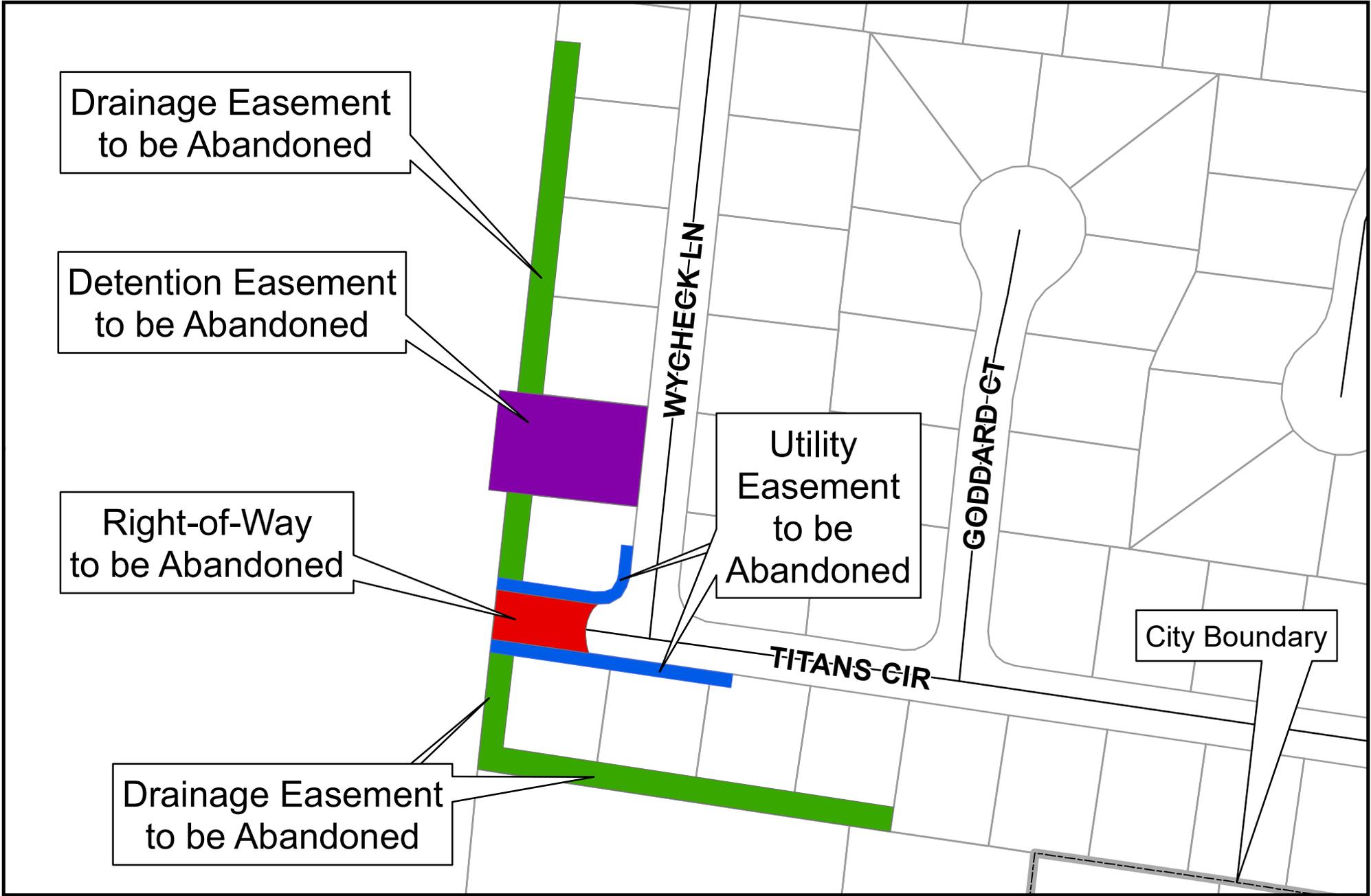
AT&T has existing lines in the utility easement that is proposed to be abandoned. AT&T can relocate the lines to the new proposed utility easement. However, the developer will be responsible for the cost for AT&T to perform the relocation to the new utility easement.

Atmos Energy

Atmos Energy does not have any facilities in this study area.

Comcast

Comcast utilizes all or part of the Titans Circle ROW to serve Titans Circle and Goddard Court. The ROW abandonment will require relocation of the Comcast facilities. The costs associated with the relocation will be required to be borne by the developer. In addition, new easements may be required for the relocated Comcast lines.



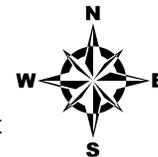
Proposed Abandonment of Right-of-Way and Easements
Along Titans Circle and Wycheck Lane



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



Proposed Abandonment of Right-of-Way and Easements
Along Titans Circle and Wycheck Lane



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



HUDDLESTON-STEELE
ENGINEERING, INC.

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

February 13, 2020

Mr. Matthew Blomeley, Assistant Planning Director
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130

Re: Abandonment of Right-of-Way, Drainage Easements, and Detention Easement
Villages at Savannah Ridge, Section III

Dear Mr. Blomeley:

At the request of our client, David Baker, we hereby make a request to abandon a portion of Titans Circle, drainage easements, and a detention easement that was recorded in Plat Book 29, Page 275 (Villages at Savannah Ridge, Section III), with a mandatory referral by Planning Commission. Property descriptions and exhibits are attached.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

William H. Huddleston IV, P.E., R.L.S.



City of Murfreesboro
Mandatory Referral Application

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

Mandatory Referral Fees:

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

Property Information:

125/26 & 40

Tax Map/Group/Parcel: 125N/E/116 & 59-62 | Address (if applicable):

Street Name (if abandonment of ROW): TITAN'S CIRCLE

Type of Mandatory Referral: ABANDONMENT OF RIGHT-OF-WAY & EASEMENTS

Applicant Information:

Name of Applicant: DAVID BAKER

Company Name (if applicable): BSM COUNTY FARM ROAD, LLC

Street Address or PO Box: 3011 ARMORY DRIVE, SUITE 120

City: NASHVILLE

State: TENNESSEE

Zip Code: 37204

Email Address: dbaker@bsmproperties.com

Phone Number: 615-373-9511

Required Attachments:

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

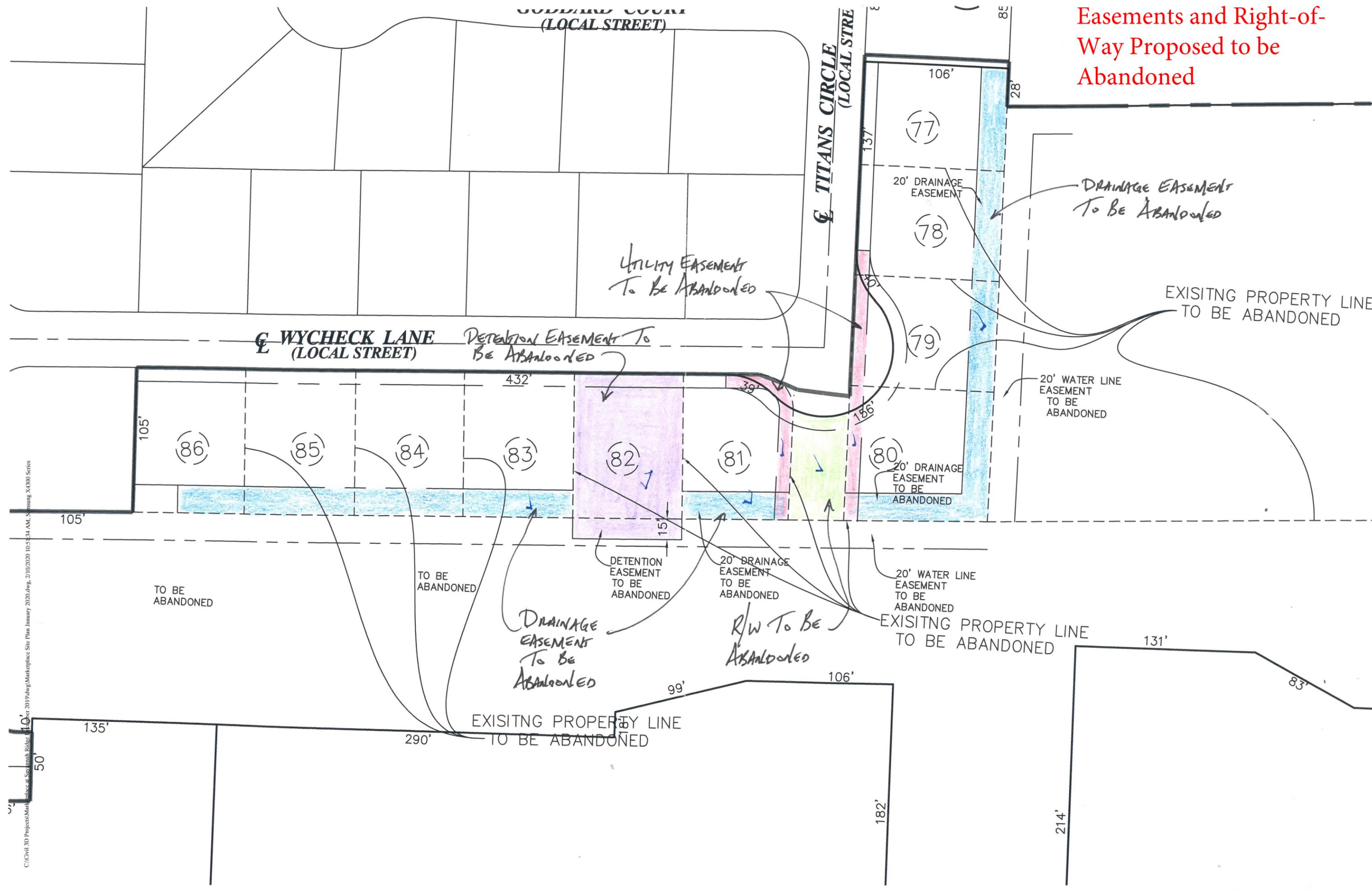
David H. Waddell
for David Baker

2/13/20

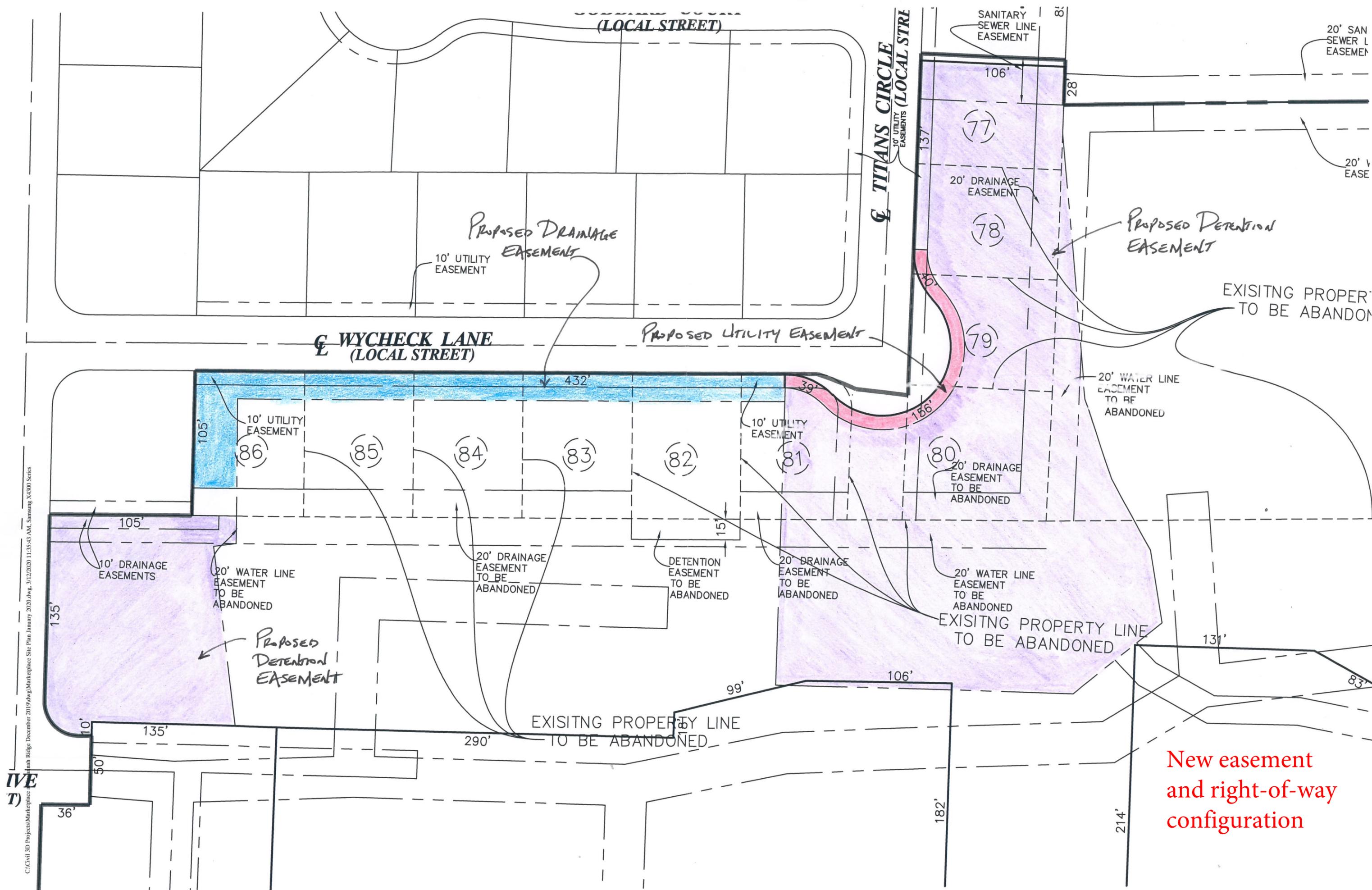
Applicant Signature

Date

Easements and Right-of-Way Proposed to be Abandoned



C:\Civil 3D Projects\Mark\placeat\Site Plan January 2020.dwg, 2/10/2020 10:51:34 AM, S:\Drawing, X:\300 Series



New easement and right-of-way configuration

C:\Civil 3D Projects\Marketplace Site Plan January 2020.dwg, 3/12/2020 11:35:43 AM, Sunning, X4300 Series
 IVE T)

Property Description
Villages at Savannah Ridge, Section III
Plat Book 29, Page 275

Right-of-Way Abandonment

Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Lot 81, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275); on the east by Titans Circle; on the south by Lot 80, Savannah Ridge, Section III (Plat Book 29, Page 275); and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin, said pin being the southwest corner of Lot 81, Villages at Savannah Ridge, Section III and the northwest corner of this tract; thence with the south line of Lot 81, S82°10'30"E, 79.09 feet to an iron pin in the west right-of-way of Titans Circle, being the northeast corner of this tract; thence with a curve to the left, having a radius of 25.00 feet, with a chord bearing and distance of S83°16'13"E, 0.96 feet and an arc length of 0.96 feet; thence continuing with the west right-of-way of Titans Circle with a curve to the left, having a radius of 50.00 feet, with a chord bearing and distance of S07°50'11"W, 40.02 feet and an arc length of 41.17 feet to an iron pin, being the southeast corner of this tract; thence leaving the west right-of-way of Titans Circle with the north line of Lot 80, Villages at Savannah Ridge, Section III, N82°10'30"W, 78.49 feet to an iron pin, being the southwest corner of this tract; thence with the east line of Murfreesboro North, LLC, N05°36'40"E, 40.03 feet to the pin at the beginning, containing 0.07 acres, more or less.

This tract is subject to all easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129



MURFREESBORO NORTH, LLC
 R.B. 723/3886 **P.O.B.**

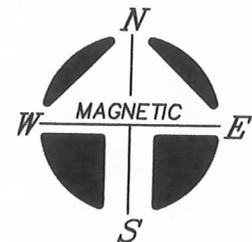
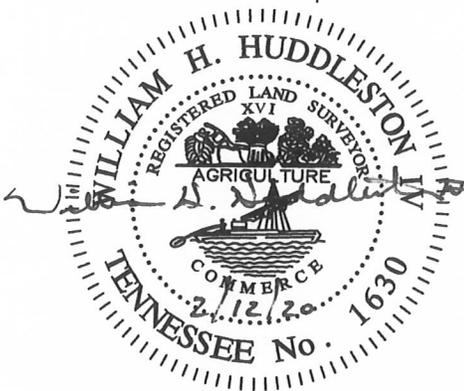
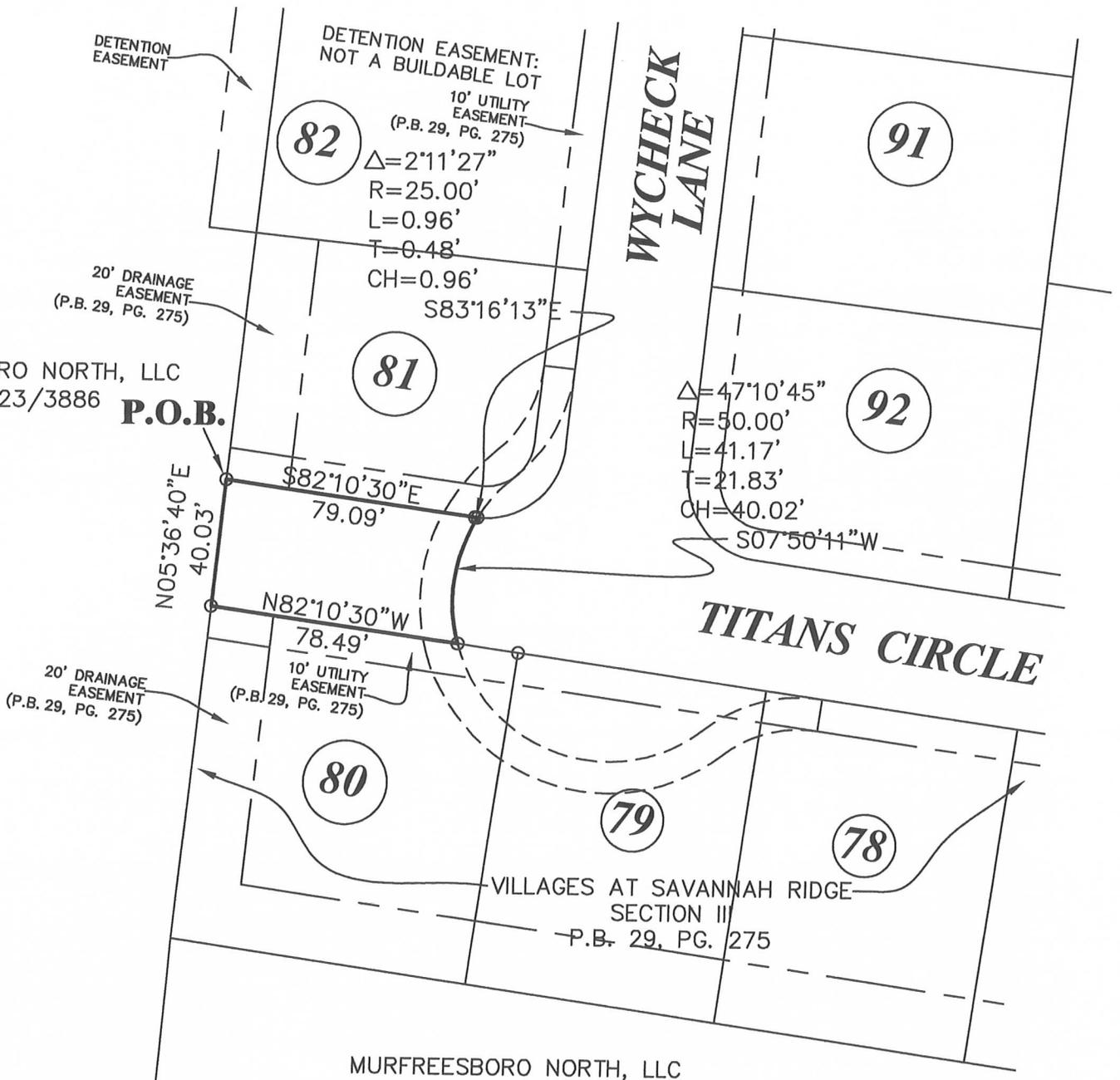


EXHIBIT
RIGHT-OF-WAY
ABANDONMENT
VILLAGES AT
SAVANNAH RIDGE
SECTION III
PLAT BOOK 29, PAGE 275
CITY OF MURFREESBORO
FEBRUARY 2020
SCALE: 1"=50'

THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE RIGHT-OF-WAY ABANDONMENT PREMISES.

Property Description
Villages at Savannah Ridge, Section III
Tax Map 125N, Group "E", Parcels 3.00, 4.00, 5.00, and 6.00
Record Book 755, Page 1653
Record Book 723, Page 3839

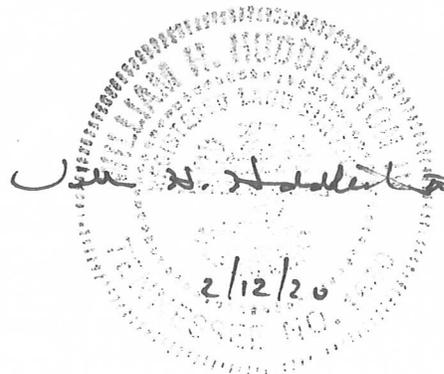
Drainage Easement Abandonment

Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Lot 86, Villages at Savannah Ridge, Section III (Record Book, 755, Page 1653 and Record Book 723, Page 3839); on the east by the remaining property of Lots 83 through 86, Villages at Savannah Ridge, Section III (Record Book 755, Page 1653 and Record Book 723, Page 3839); on the south by Lot 82, Villages at Savannah Ridge, Section III (Record Book 755, Page 1653 and Record Book 723, Page 3839); and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin in the northwest corner of Lot 82, Villages at Savannah Ridge, Section III, said pin being the southwest corner of this easement; thence with the east line of Murfreesboro North, LLC, N05°36'40"E, 288.78 feet to a point, being the northwest corner of this easement; thence into the property of Lot 86, Villages at Savannah Ridge, Section III, S84°23'20"E, 20.00 feet to a point, being the northeast corner of this easement; thence continuing into said property and through the properties of Lots 85, 84, and 83, Villages at Savannah Ridge, Section III, respectively, S05°36'40"W, 288.78 feet to a point, being the southeast corner of this easement; thence with the north line of Lot 82, Villages at Savannah Ridge, Section III, N84°23'20"W, 20.00 feet to the pin at the beginning, containing 0.13 acres, more or less.

This easement is subject to all other easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129



MURFREESBORO NORTH, LLC
R.B. 723/3886

20' DRAINAGE
EASEMENT

10' UTILITY
EASEMENTS

20' DRAINAGE
EASEMENT

P.O.B.

N84°23'20"W
20.00'

DETENTION EASEMENT:
NOT A BUILDABLE LOT
10' UTILITY
EASEMENT
(P.B. 29, PG. 275)

16

S84°23'20"E
20.00'

86

85

84

83

N05°36'40"E

S05°36'40"W

288.78'

288.78'

VILLAGES AT SAVANNAH RIDGE
SECTION III
P.B. 29, PG. 275

WYCHECK
LANE

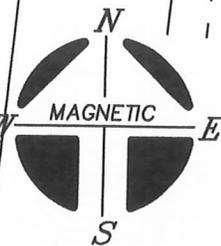


EXHIBIT
DRAINAGE EASEMENT
ABANDONMENT
VILLAGES AT
SAVANNAH RIDGE

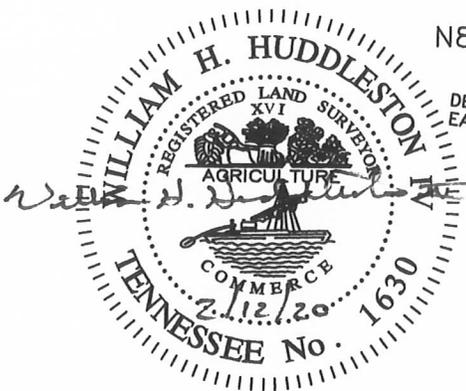
SECTION III
PLAT BOOK 29, PAGE 275

TAX MAP 125N, "E", PARCELS 3.00,
4.00, 5.00, & 6.00

RECORD BOOK 755, PAGE 1653
RECORD BOOK 723, PAGE 3839

CITY OF MURFREESBORO

FEBRUARY 2020



THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE EASEMENT ABANDONMENT PREMISES.



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

Property Description
Villages at Savannah Ridge, Section III
Tax Map 125N, Group "E", Parcels 59.00, 60.00, 61.00, and 62.00
Record Book 755, Page 1653

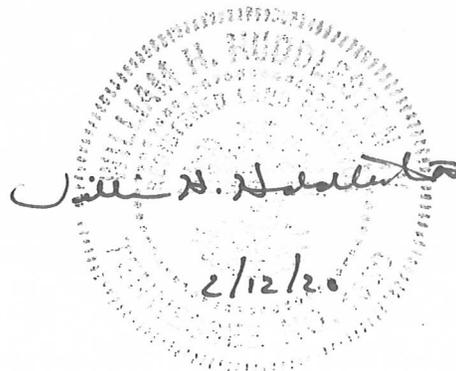
Drainage Easement Abandonment

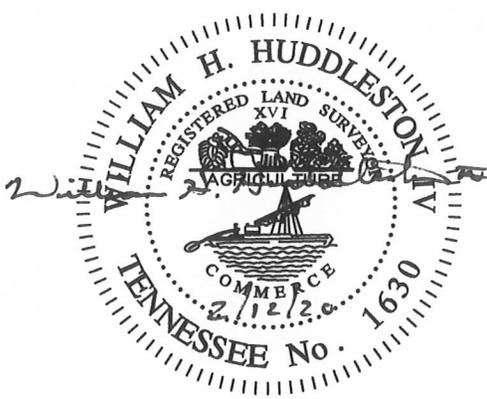
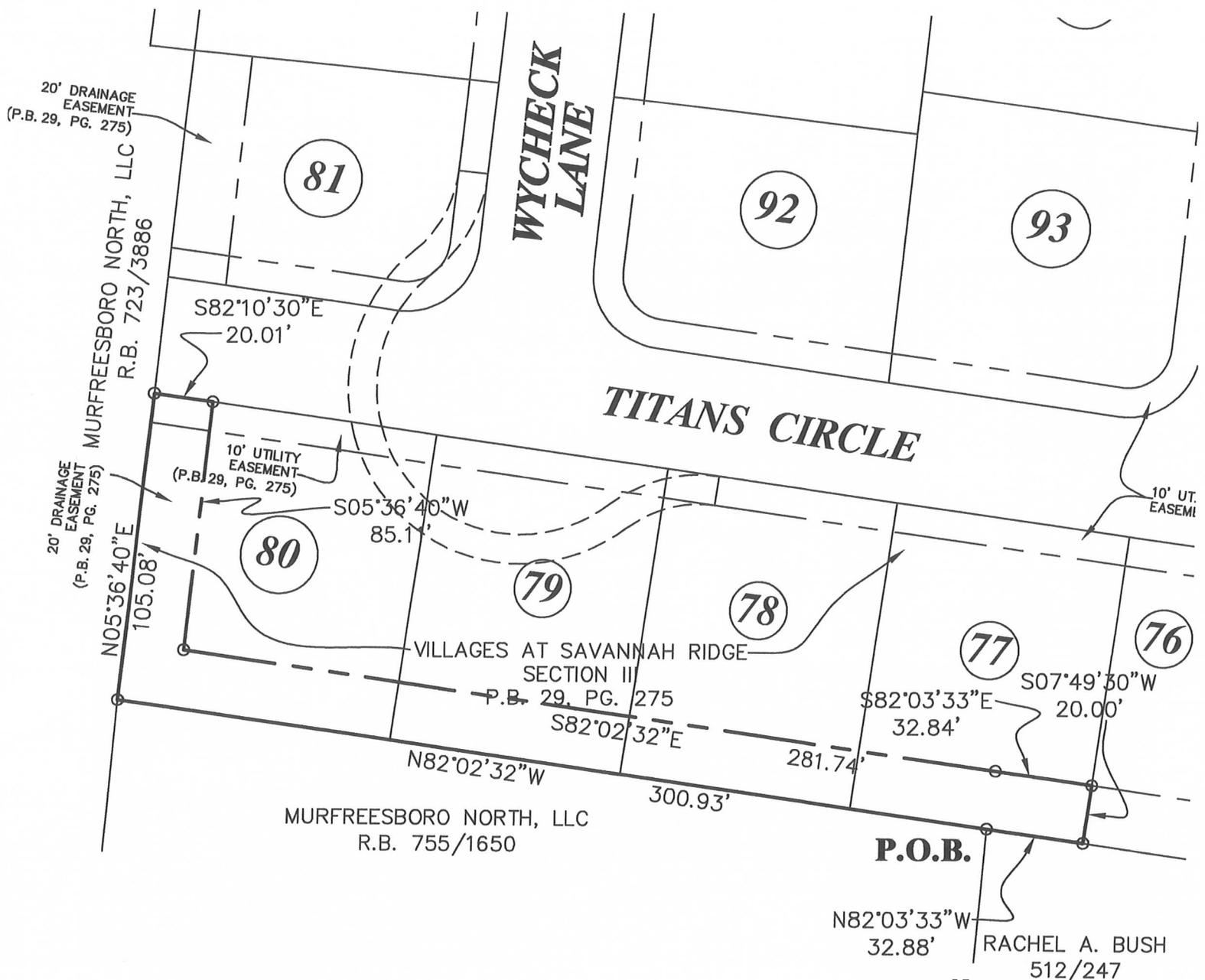
Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Titans Circle and Lots 77, 78, 79, and 80, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275); on the east by Lot 76, Villages at Savannah Ridge, Section III (Plat Bok 29, Page 275); on the south by Murfreesboro North, LLC (Record Book 755, Page 1650) and Rachel A. Bush (Deed Book 512, Page 247); and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin in the southwest terminus of Titans Circle, said pin being the northwest corner of Lot 80, Villages at Savannah Ridge, Section III and the northwest corner of this easement; thence with the south right-of-way of Titans Circle, S82°10'30"E, 20.01 feet to a point; thence leaving Titans Circle into the property of Lot 80, Villages at Savannah Ridge, Section III, S05°36'40"W, 85.11 feet to a point; thence into the property of Lots 80, 79, 78 and 77, Villages at Savannah Ridge, Section III, respectively, S82°02'32"E, 281.74 feet to a point; thence continuing into Lot 77, Villages at Savannah Ridge, Section III, S82°03'33"E, 32.84 feet to a point, being the northeast corner of this easement; thence with the west line of Lot 76, Villages at Savannah Ridge, Section III, S07°49'30"W, 20.00 feet to a point, being the southeast corner of this easement; thence with the north line of Rachel A. Bush, N82°03'33"W, 32.88 feet to a point; thence with the north line of Murfreesboro North, LLC, N82°02'32"W, 300.93 feet to an iron pin, being the southwest corner of this easement; thence with the east line of Murfreesboro North, LLC, N05°36'40"E, 105.08 feet to the pin at the beginning, containing 0.19 acres, more or less.

This easement is subject to all other easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129


Jill D. Huddleston
2/12/20



P.O.B.
 N82°03'33"W
 32.88' RACHEL A. BUSH
 512/247

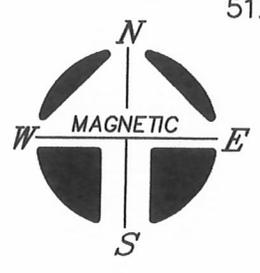


EXHIBIT
DRAINAGE EASEMENT
ABANDONMENT
VILLAGES AT
SAVANNAH RIDGE

SECTION III
 PLAT BOOK 29, PAGE 275
 TAX MAP 125N, "E", PARCELS 59.00,
 60.00, 61.00, & 62.00
 RECORD BOOK 755, PAGE 1653
 CITY OF MURFREESBORO
 FEBRUARY 2020

THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE EASEMENT ABANDONMENT PREMISES.

Property Description
Villages at Savannah Ridge, Section III
Tax Map 125N, Group "E", Parcel 001.00
Record Book 755, Page 1653

Drainage Easement Abandonment

Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Lot 82, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275); on the east by the remaining property of Lot 81, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275); on the south by Titans Circle; and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin in the northwest terminus of Titans Circle, said pin being the southwest corner of Lot 81, Villages at Savannah Ridge, Section III and the southwest corner of this easement; thence with the east line of Murfreesboro North, LLC, N05°36'40"E, 77.95 feet to a point, being the northwest corner of this easement; thence leaving the east line of Murfreesboro North, LLC with the south line of Lot 82, Villages at Savannah Ridge, Section III, S84°23'20"E, 20.00 feet to a point, being the northeast corner of this easement; thence crossing the property of Lot 81, Villages at Savannah Ridge, Section III, S05°36'40"W, 78.73 feet to a point, being the southeast corner of this easement; thence with the north right-of-way line of Titans Circle, N82°10'30"E, 20.01 feet to the pin at the beginning, containing 0.03 acres, more or less.

This tract is subject to all easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129



MURFREESBORO NORTH, LLC
R.B. 723/3886

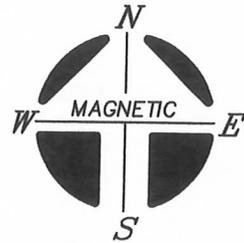
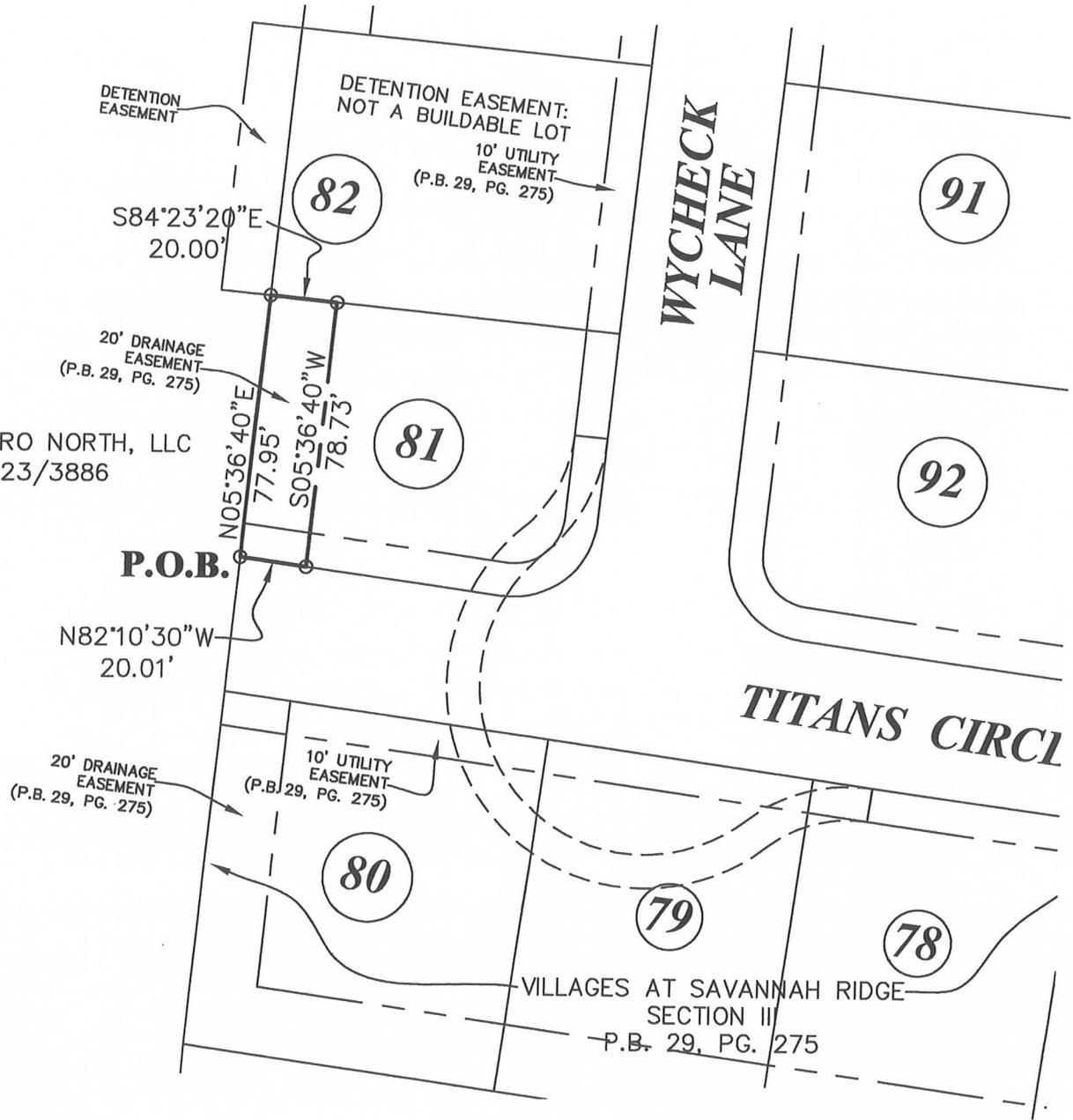


EXHIBIT
DRAINAGE EASEMENT
ABANDONMENT
VILLAGES AT
SAVANNAH RIDGE
SECTION III

PLAT BOOK 29, PAGE 275
TAX MAP 125N, "E", PARCEL 1.00,
RECORD BOOK 755, PAGE 1653
CITY OF MURFREESBORO
FEBRUARY 2020

THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE EASEMENT ABANDONMENT PREMISES.

Property Description
Villages at Savannah Ridge, Section III
Tax Map 125N, Group "E", Parcel 002.00 and
Tax Map 125, Parcel 026.00
Record Book 736, Page 3164 and
Record Book 723, Page 3886

Detention Easement Abandonment

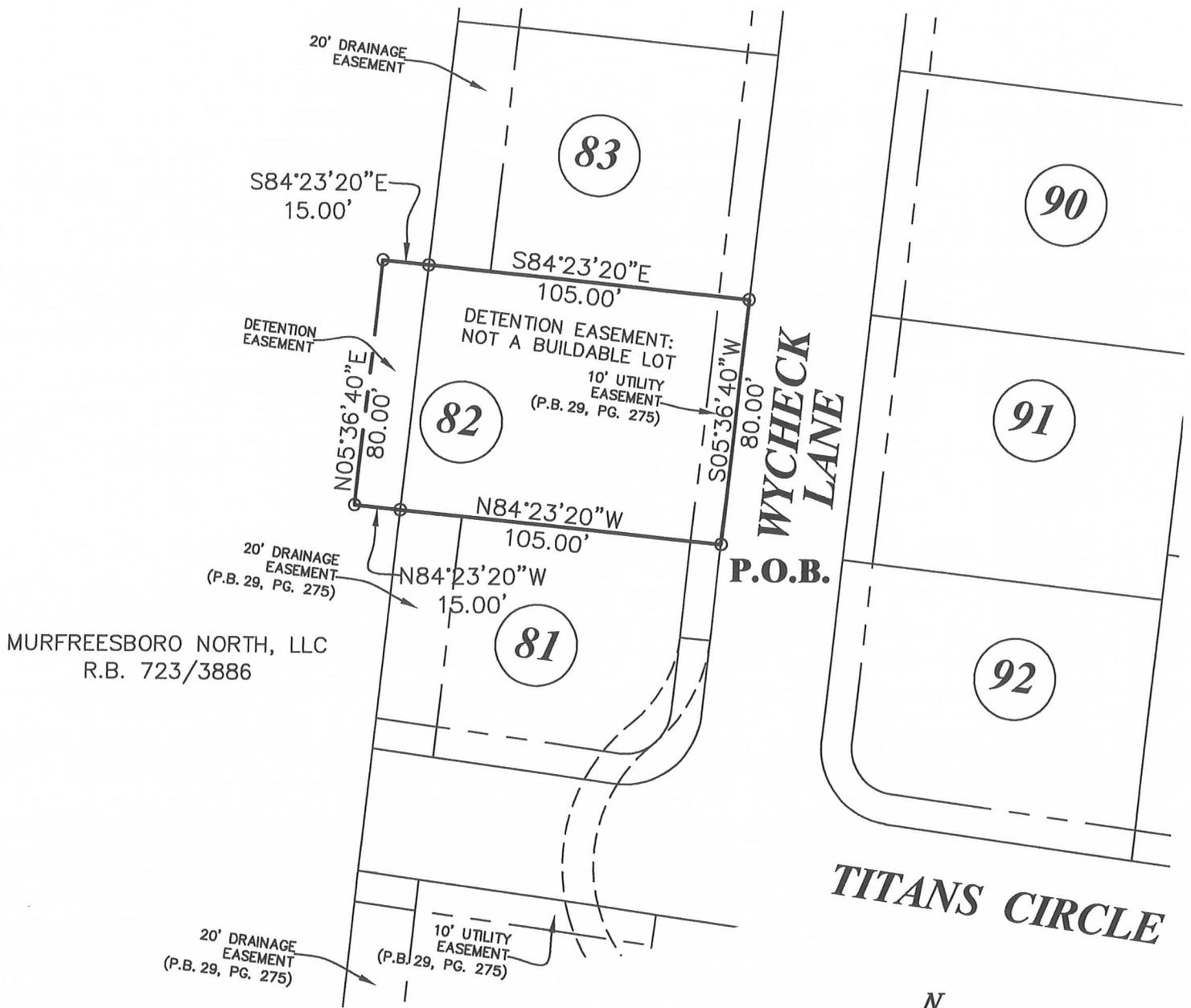
Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Lot 83, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275) and Murfreesboro North, LLC (Record Book 723, Page 3886); on the east by Wycheck Lane; on the south by Lot 81, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275) and Murfreesboro North, LLC (Record Book 723, Page 3886); and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin in the west right-of-way of Wycheck Lane, said pin being the southeast corner of Lot 82, Villages at Savannah Ridge, Section III and the southeast corner of this easement; thence with the north line of Lot 81, Villages at Savannah Ridge, Section III, N84°23'20"W, 105.00 feet to a point, being the northwest corner of Lot 81, Villages at Savannah Ridge, Section III; thence into the property of Murfreesboro North, LLC, N84°23'20"W, 15.00 feet to a point; thence continuing into the property of Murfreesboro North, LLC, N05°36'40"E, 80.00 feet to a point, being the northwest corner of this easement; thence S84°23'20"E, 15.00 feet to a point, being the southwest corner of Lot 83, Villages at Savannah Ridge, Section III; thence with the south line of Lot 83, Villages at Savannah Ridge, Section III, S84°23'20"E, 105.00 feet to a point, being the northeast corner of this easement; thence with the west right-of-way of Wycheck Lane, S08°36'40"W, 80.00 feet to the pin at the beginning, containing 0.22 acres, more or less.

This tract is subject to all easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129





MURFREESBORO NORTH, LLC
R.B. 723/3886

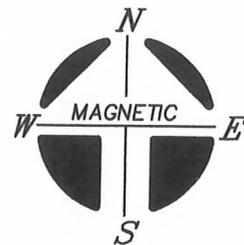
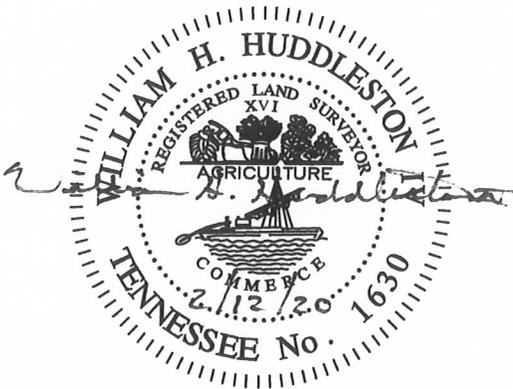


EXHIBIT
DETENTION EASEMENT
ABANDONMENT
VILLAGES AT
SAVANNAH RIDGE

SECTION III
PLAT BOOK 29, PAGE 275
TAX MAP 125N, "E", PARCEL 2.00,
RECORD BOOK 736, PAGE 3164
TAX MAP 125, PARCEL 26.00
RECORD BOOK 723, PAGE 3886

CITY OF MURFREESBORO

FEBRUARY 2020

Property Description
Villages at Savannah Ridge, Section III
Tax Map 125N, Group "E", Parcels 1.00, 60.00, 61.00, and 62.00
Record Book 755, Page 1653

Utility Easement Abandonment South

Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Titans Circle; on the east by Lot 78, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275); on the south by Lots 78, 79, and 80, Villages at Savannah Ridge, Section III (Record Book 755, Page 1653); and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin in the southwest terminus of Titans Circle, said pin being the northwest corner of Lot 80, Villages at Savannah Ridge, Section III and the northwest corner of this easement; thence with the south right-of-way of Titans Circle, S82°10'30"E, 195.73 feet to a point, being the northeast corner of this easement; thence leaving Titans Circle into the property of Lot 78, Villages at Savannah Ridge, Section III, S07°49'30"W, 10.00 feet to a point, being the southeast corner of this easement; thence crossing the property of Lots 78, 79, and 80, Villages at Savannah Ridge, Section III, respectively, N82°10'30"W, 195.35 feet to a point, being the southwest corner of this easement; thence with the east line of Murfreesboro North, LLC, N05°36'40"E, 10.01 feet to the pin at the beginning, containing 0.04 acres, more or less.

This easement is subject to all other easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129



Property Description
Villages at Savannah Ridge, Section III
Tax Map 125N, Group "E", Parcels 1.00, 60.00, 61.00, and 62.00
Record Book 755, Page 1653

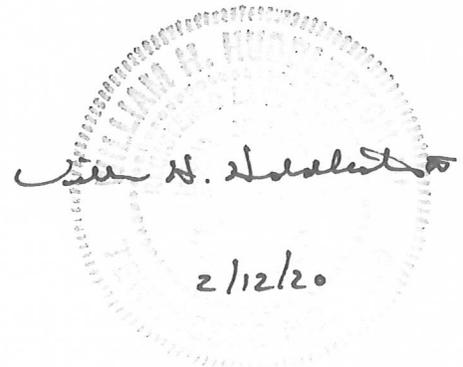
Utility Easement Abandonment North

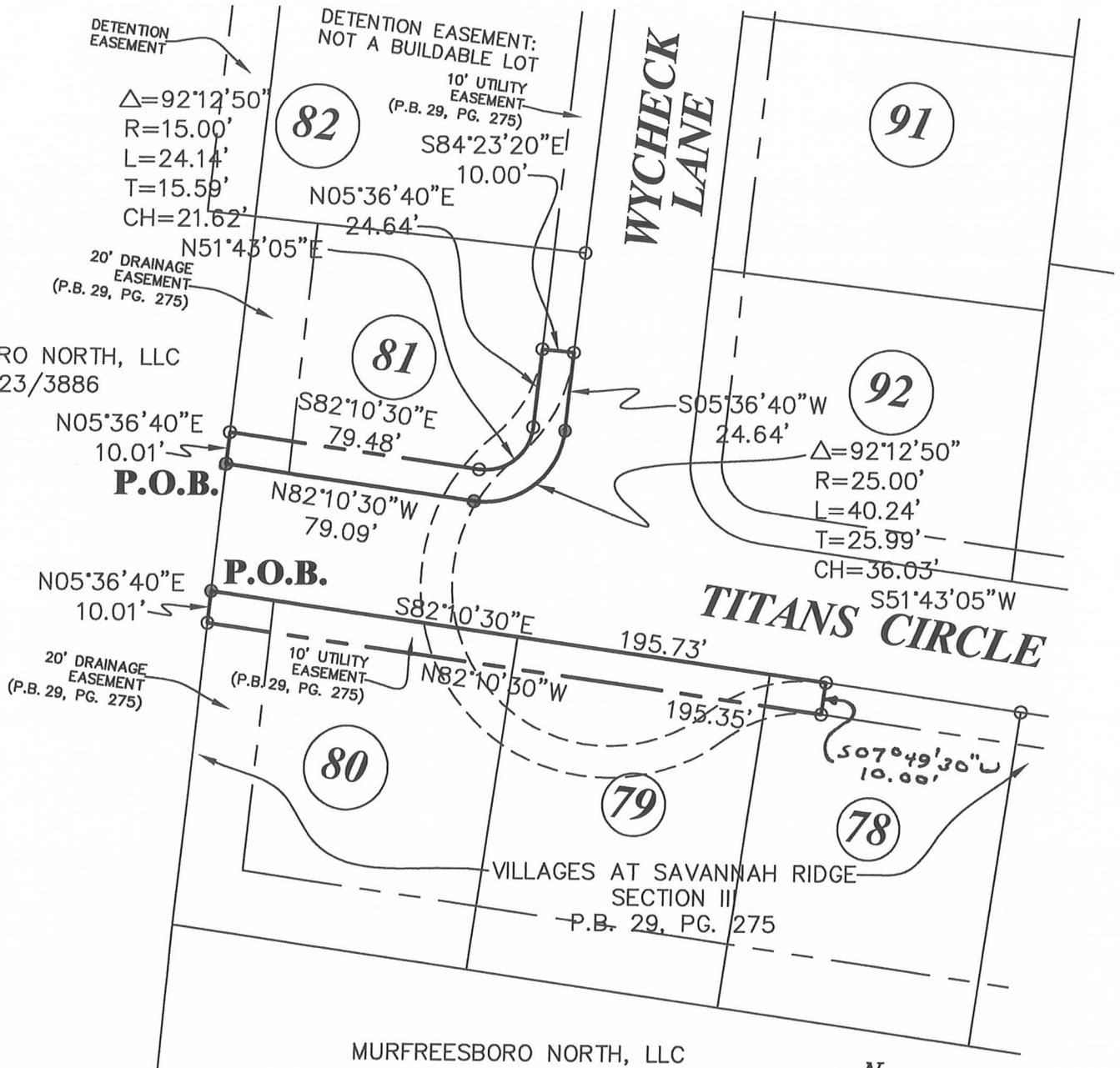
Located in the 11th Civil District of Rutherford County, Tennessee. Bound on the north by Lot 81, Villages at Savannah Ridge, Section III (Plat Book 29, Page 275); on the east by Wycheck Lane; on the south by Titans Circle; and on the west by Murfreesboro North, LLC (Record Book 723, Page 3886).

Beginning at an iron pin in the northwest terminus of Titans Circle, said pin being the southwest corner of Lot 81, Villages at Savannah Ridge, Section III and the southwest corner of this easement; thence with the east line of Murfreesboro North, LLC, N05°36'40"E, 10.01 feet to a point, being the northwest corner of this easement; thence into the property of Lot 81, Villages at Savannah Ridge, Section III, S82°10'30"E, 79.48 feet to a point; thence continuing into said property, having a radius of 15.00 feet, with a chord bearing and distance of N51°43'05"E, 21.62 feet and an arc length of 24.14 feet to a point; thence N05°36'40"E, 24.64 feet to a point; thence S84°23'20"E, 10.00 feet to a point in the west right-of-way of Wycheck Lane, being the northeast corner of this easement; thence with said right-of-way, S05°36'40"W, 24.64 feet to an iron pin; thence continuing with said right-of-way with a curve to the right, having a radius of 25.00 feet, with a chord bearing and distance of S51°43'05"W, 36.03 feet and an arc length of 40.24 feet to an iron pin in the north right-of-way of Titans Circle; thence with said right-of-way, N82°10'30"W, 79.09 feet to the pin at the beginning, containing 0.03 acres, more or less.

This easement is subject to all other easements and/or restrictions either recorded of by prescription that a complete title search may reveal.

Prepared by:
Huddleston-Steele Engineering, Inc.
2115 Northwest Broad Street
Murfreesboro, Tennessee 37129

A circular professional seal for a Tennessee Professional Engineer. The seal contains the text "TENNESSEE PROFESSIONAL ENGINEER" around the perimeter. In the center, there is a signature in cursive that reads "Lee H. Huddleston" and the date "2/12/20" written below it.



MURFREESBORO NORTH, LLC
R.B. 723/3886

MURFREESBORO NORTH, LLC
R.B. 755/1650

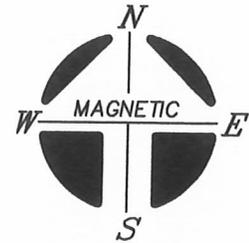
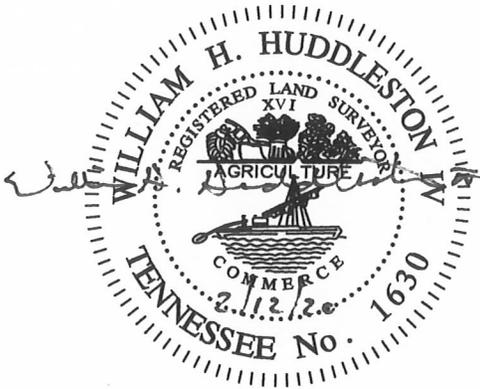


EXHIBIT
UTILITY EASEMENT
ABANDONMENT
VILLAGES AT
SAVANNAH RIDGE

SECTION III
PLAT BOOK 29, PAGE 275
TAX MAP 125N, "E", PARCELS 1.00,
60.00, 61.00, & 62.00
RECORD BOOK 755, PAGE 1653

CITY OF MURFREESBORO
FEBRUARY 2020

THIS SKETCH IS NOT FOR TITLE BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THIS SKETCH IS TO ILLUSTRATE GRAPHICALLY THE INTENT OF THE EASEMENT ABANDONMENT PREMISES.

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Rezoning property along Manson Court and Manson Pike
[Second Reading]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

Ordinance	<input checked="" type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Zoning of approximately 39.9 acres located along Manson Court and Manson Pike.

Staff Recommendation

Enact the ordinance establishing the requested zoning.

The Planning Commission recommended approval of the rezoning.

Background Information

Crescent Homes presented to the City a zoning application [2018-420] for approximately 39.9 acres located along Manson Court and Manson Pike to be zoned PUD simultaneous with annexation (Shelton Grove PUD). During its regular meeting on September 5, 2018, the Planning Commission conducted a public hearing on this matter. After the public hearing, the Planning Commission discussed the matter and then voted to recommend its approval.

On November 1, 2018 Council held a public hearing and then deferred the matter after expressing several concerns. On January 31, 2019, after having had its concerns addressed, Council approved this matter on First Reading.

Council Priorities Served

Improve Economic Development

The proposed zoning plan sets aside area along Manson Pike for commercial uses, enabling potential commercial development, which could in turn create jobs and generate sales tax revenue.

Expand Infrastructure

This rezoning, coupled with a proposed abandonment of the Manson Court right-of-way by TDOT, will allow the closure of Manson Court, which is a substandard street, and a replacement roadway network that will adhere to current minimum standards.

Attachment:

Ordinance 18-OZ-56

ORDINANCE 18-OZ-56 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect to zone approximately 39.9 acres along Manson Pike and Manson Court as Planned Unit Development (PUD) District (Shelton Grove PUD), simultaneous with annexation; Crescent Homes, applicant [2018-420].

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

SECTION 1. That the same having been heretofore recommended to the City Council by the City Planning Commission, the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as herein referred to, adopted and made a part of this Ordinance as heretofore amended and as now in force and effect, be and the same are hereby amended so as to zone the territory indicated on the attached map.

SECTION 2. That, from and after the effective date hereof, the area depicted on the attached map be zoned and approved as Planned Unit Development (PUD) District, as indicated thereon, and shall be subject to all the terms and provisions of said Ordinance applicable to such districts, the plans and specifications filed by the applicant, and the conditions and stipulations referenced in the minutes of the Planning Commission and City Council relating to this zoning request. The City Planning Commission is hereby authorized and directed to make such changes in and additions to said Zoning Map as may be necessary to show thereon that said area of the City is zoned as indicated on the attached map. This zoning change shall not affect the applicability of any overlay zone to the area.

SECTION 3. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

Adam F. Tucker
City Attorney

SEAL



Area
Zoned PUD
Simultaneous
with Annexation

PRD

Murfreesboro
City Limits

Area
Annexed

RS-15

Right of Way
Zoned PUD

BLACKMAN RD

BRIDGEMORE BLVD

MANSON CT

MANSON PIKE

BURNT KNOB RD



VAUGHN RD

CH

CF

BURROWS AVE

JOHNSLEE LN

RS-12

SPRINGTON OAKS



COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Plan of Services, Annexation, and Zoning for property located along Northwest Broad Street
[Public Hearings Required]

Department: Planning

Presented By: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

Ordinance	<input checked="" type="checkbox"/>
Resolution	<input checked="" type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Annexation and zoning of approximately 65 acres and 78 acres, respectively, located along Northwest Broad Street.

Staff Recommendation

Conduct a public hearing and approve the Plan of Services and the requested annexation.

Conduct a public hearing and enact the ordinance establishing the requested zoning.

The Planning Commission recommended approval of the plan of services, annexation, and the zoning request.

Background Information

Springboard Landing, Inc. and Mary Hord Haymore Children, LP have initiated a petition of annexation [2019-508] for approximately 65 acres located along Northwest Broad Street. The City developed its plan of services for this area. Additionally, D.R. Horton, Inc. presented to the City a zoning application [2019-424] for approximately 78 acres located along Northwest Broad Street to be zoned PUD (Planned Unit District). During its regular meeting on November 6, 2019, the Planning Commission conducted public hearings on these matters and then voted to recommend the approval of the annexation and plan of services. Action was deferred, however, on the zoning request. At its regular meeting on January 14, 2020, the Planning Commission considered the zoning request under "Old Business" and then voted to recommend its approval as well.

Council Priorities Served

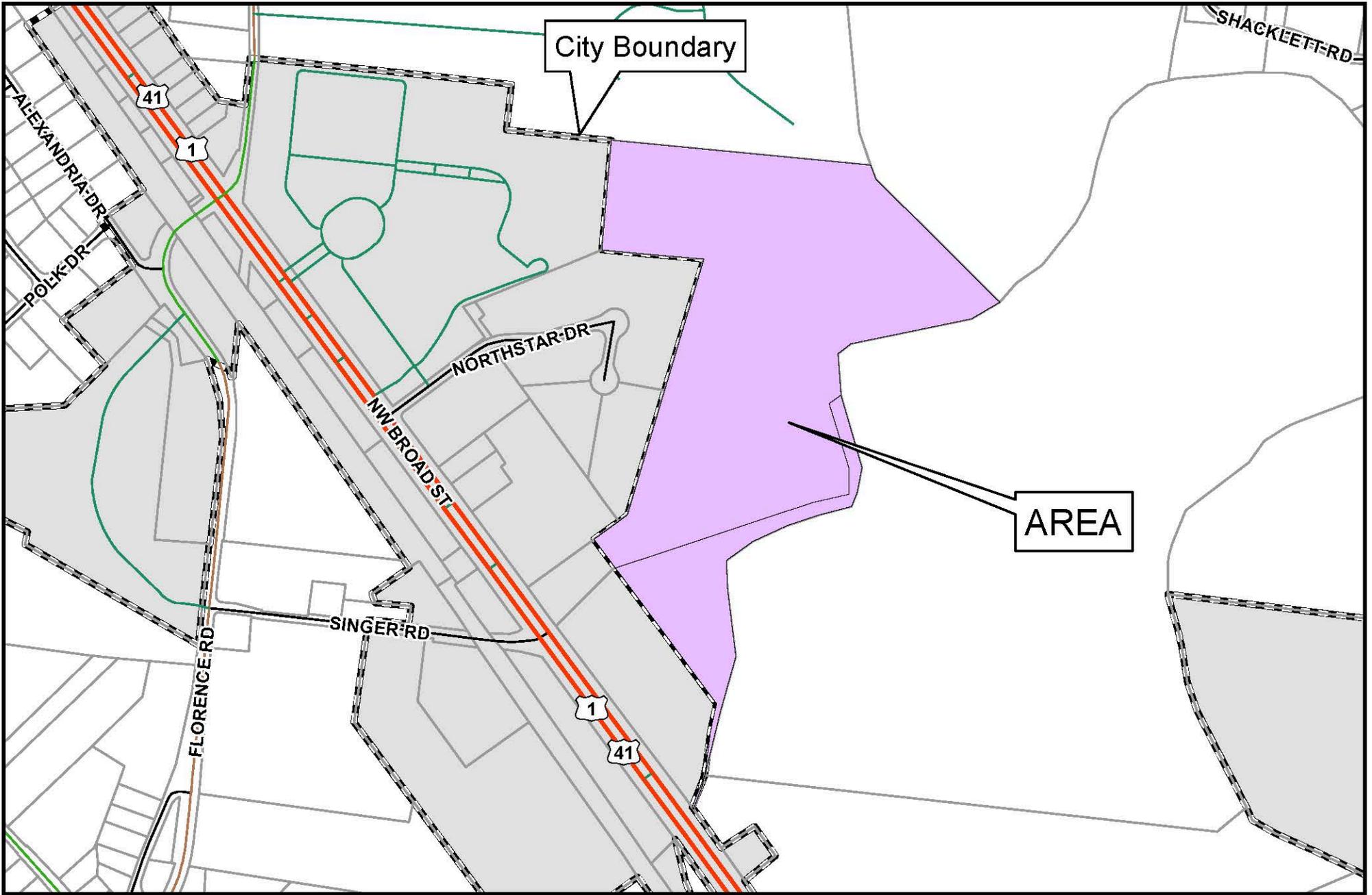
Improve Economic Development

This rezoning will enable the development of several proposed commercial

outparcels, generating sales tax revenues for the City.

Attachments:

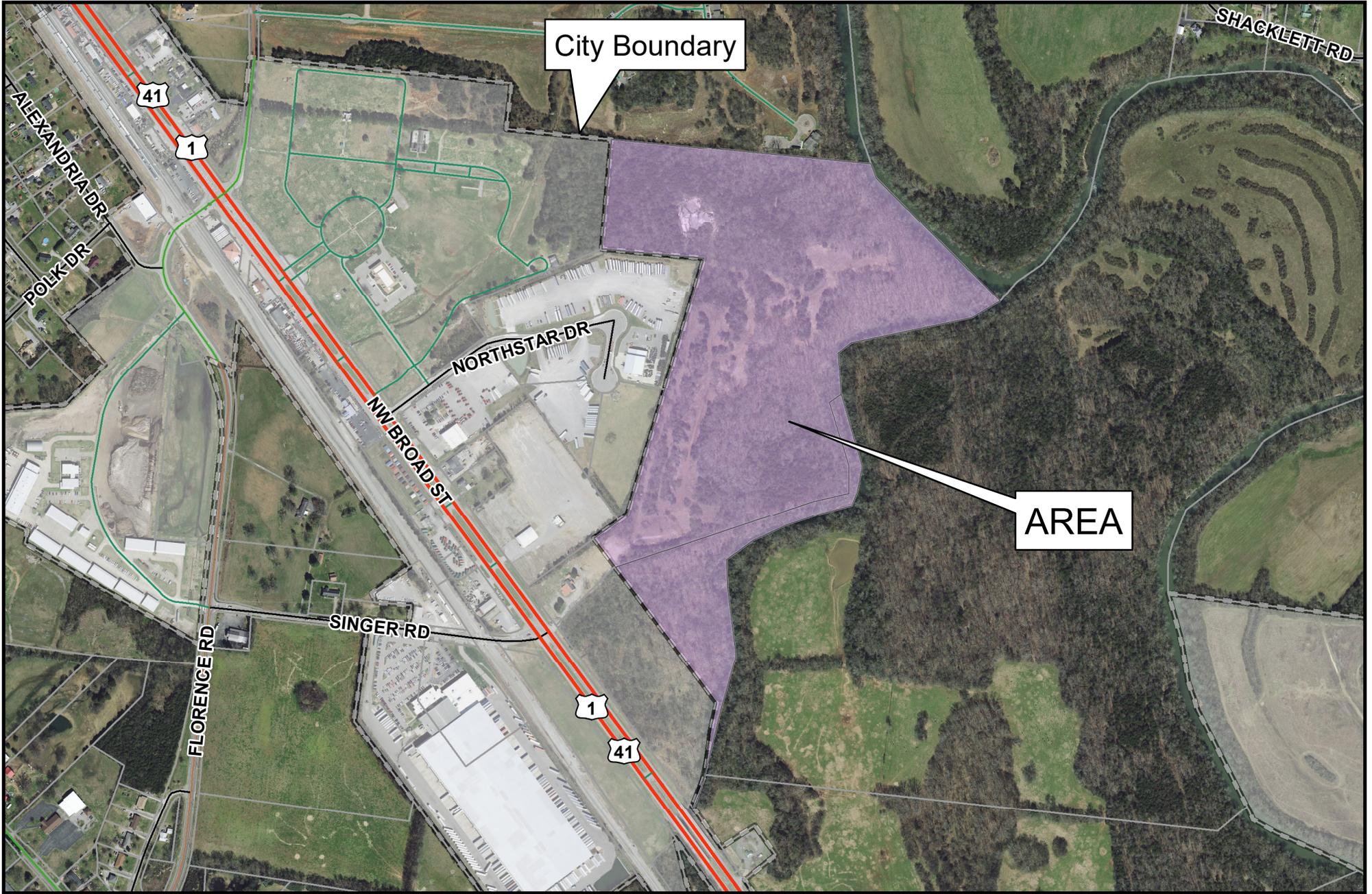
1. Resolution 20-R-PS-01
2. Resolution 20-R-A-01
3. Ordinance 20-OZ-01
4. Maps of the area
5. Planning Commission staff comments from 11/06/2019 and 01/14/2020 meetings
6. Planning Commission minutes from 11/06/2019 and 01/14/2020 meetings
7. Plan of services
8. River Landing PUD pattern book
9. Other miscellaneous exhibits



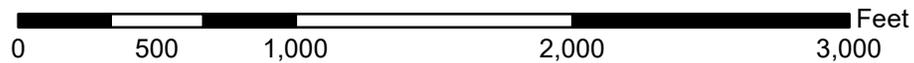
Annexation Request for Property
Along Northwest Broad Street



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



Annexation Request for Property
Along Northwest Broad Street



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

PETITION FOR ANNEXATION BY THE CITY OF MURFREESBORO

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

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

1. SPRINGBOARD LANDING INC
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
SARA BUTLER
Signature: [Signature] Status: PRESIDENT Date:
179 BELLE FOREST, NASHVILLE TN 37221
Mailing Address (if not address of property to be annexed)

2.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: Status: Date:
Mailing Address (if not address of property to be annexed)

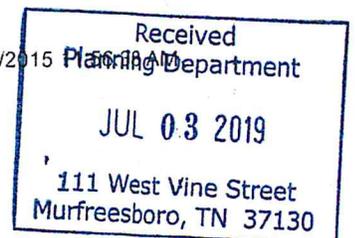
3.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: Status: Date:
Mailing Address (if not address of property to be annexed)

4.
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
Signature: Status: Date:
Mailing Address (if not address of property to be annexed)

(Attach additional signature pages if necessary)

Legal Description is attached: X Yes

Power of Attorney applies and is attached: Yes No N/A



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. MARY HORD HAYMORE CHILDREN LP
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
VERMAN BITTMAN HAYMORE
Signature: X [Signature] Status: PARTNER Date: 6/27/19
3909 WEST ROCKHILL RD, IRVING TX 75062
Mailing Address (if not address of property to be annexed)

2. MARY HORD HAYMORE CHILDREN LP
Printed Name of Owner (and Owner's Representative, if Owner is an entity)
MARY YOUNG PINSON
Signature: X [Signature] Status: PARTNER Date: 6/28/2019
3011 MEDICAL AVE, NASHVILLE TN 37215
Mailing Address (if not address of property to be annexed)

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

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

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

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

(Attach additional signature pages if necessary)

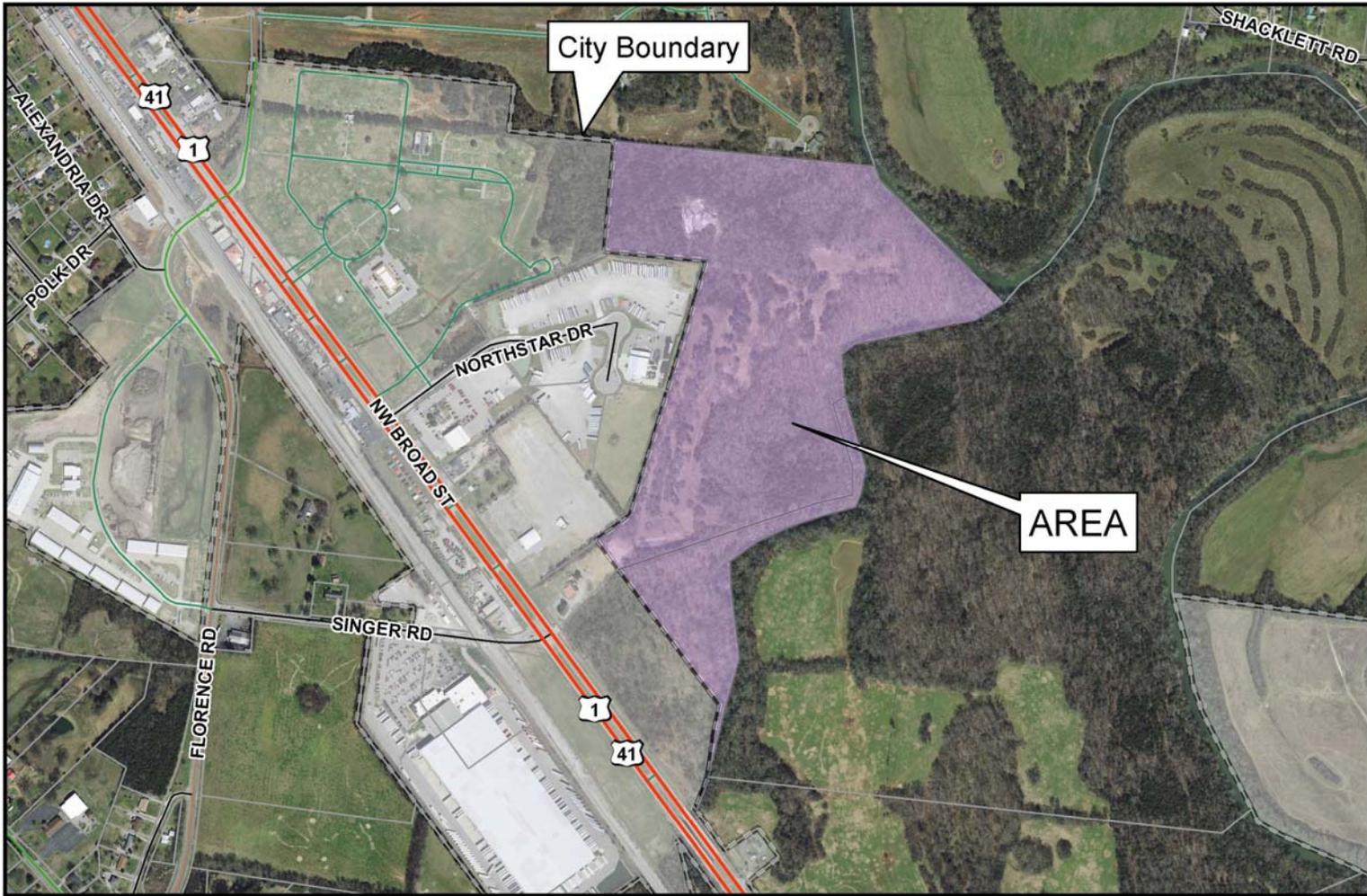
Legal Description is attached: X Yes

Power of Attorney applies and is attached: _____ Yes _____ No N/A

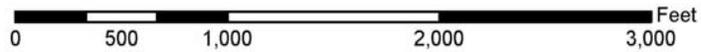
**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG NW BROAD STREET
INCLUDING PLAN OF SERVICES**



PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
November 6, 2019



Annexation Request for Property
Along Northwest Broad Street



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

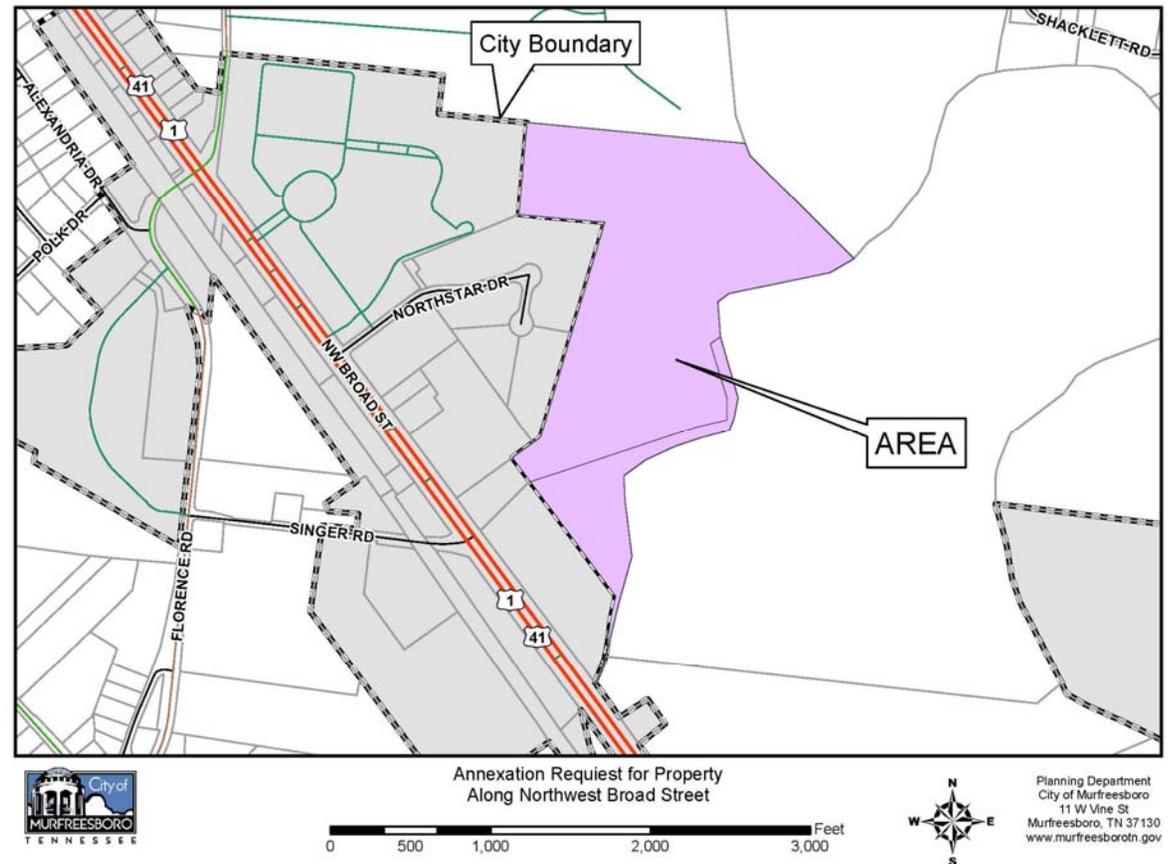
INTRODUCTION

OVERVIEW

The area studied in this Plan of Services includes two parcels (Tax Map 057 Parcel 004.00 and Parcel 027.01) situated along Northwest Broad Street, West Fork Stones River and Overall Creek. Portions of the parcels being studied for annexation are already located within Murfreesboro city limits.

Petitions for annexation have been filed with the Planning Department requesting the annexation of the above mentioned parcels. DR Horton has a contract to purchase these properties and has submitted a zoning application requesting to be zoned to PUD (Planned Unit District). The area being considered for annexation is undeveloped.

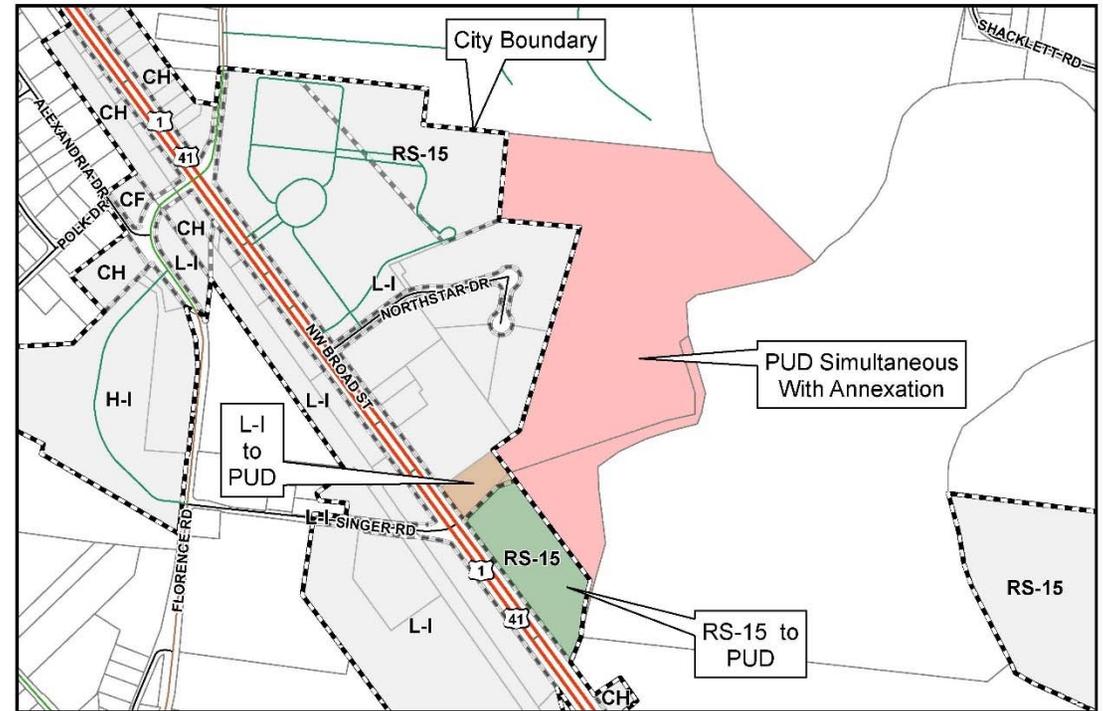
The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with City limits.



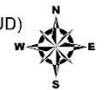
CITY ZONING

DR Horton has a contract to purchase these properties and has submitted a zoning application requesting to be zoned to PUD (Planned Unit District) simultaneous with annexation. DR Horton has also requested the Light Industrial (L-I) and the Single-Family (RS-15) portion of property currently located within municipal limits to be rezoned to PUD. The proposed PUD is called River Landing and consists of a maximum of 278 townhomes, 101 single-family lots, and 5 commercial outparcels.

The study area is currently zoned RM (Residential – Medium Density) in Rutherford County.



Rezoning Request for Property Along Northwest Broad Street
L-I and RS-15 to PUD and PUD Simultaneous with Annexation (River Landing PUD)



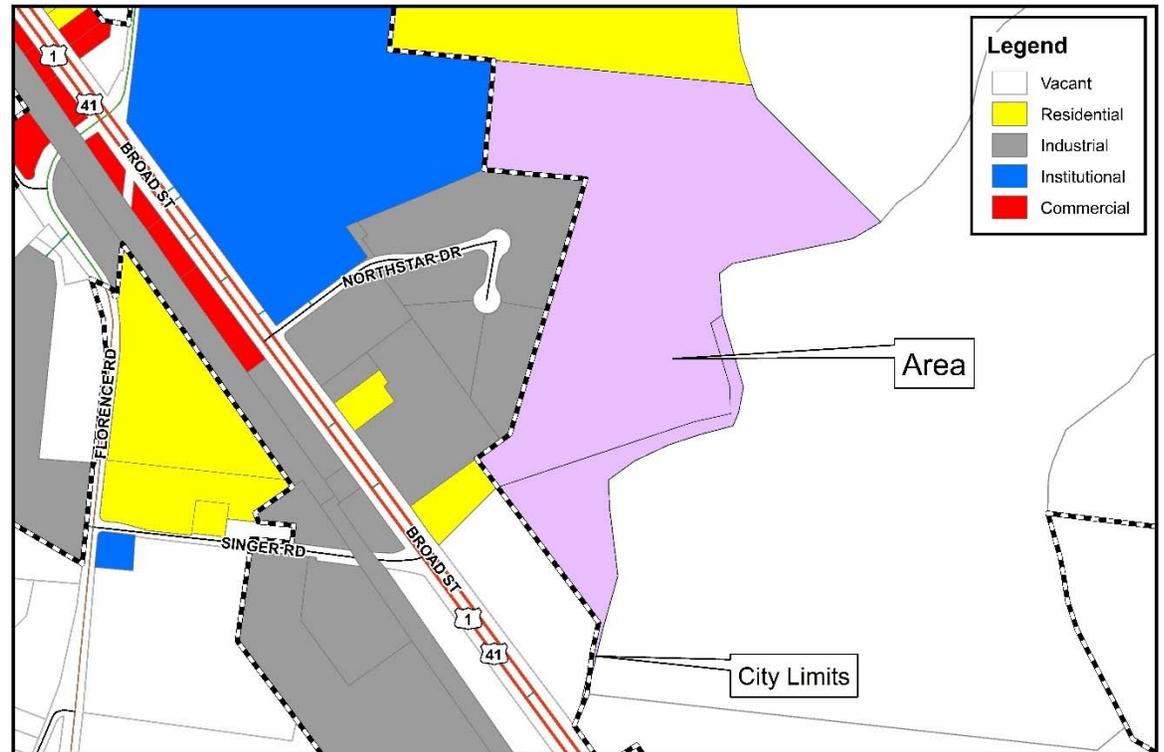
Planning Department
City of Murfreesboro
11 W Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

PRESENT AND SURROUNDING LAND USE

The area being considered for annexation is undeveloped. It is bordered by a major arterial/state highway, Overall Creek and West Fork of the Stones River.

The surrounding area is predominately characterized by industrial and commercial uses. The properties located along the western boundary of the study area are active industrial uses. A portion of Roselawn Funeral Home and cemetery is adjacent to the property at the northwest corner and JourneyPure at the River, a drug rehabilitation service, is located along the northern boundary.

Access to the study area will be from NW Broad Street (TN-1 and US 41).



Annexation Request for Property Along Broad Street and Singer Road



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

Path: X:\FILE_ROOM_FOLDERS\Annexations\2019\2019-508_River_Landing\Maps\Land-Use Map.mxd

TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2019 will be due on December 31, 2020. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100 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. (Note that the property currently receives a greenbelt rollback assessment. The table below assumes that the property will no longer qualify for the greenbelt rollback assessment upon sale and development.)

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

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
SPRINGBOARD LANDING INC (portion)		\$916,400	\$0	\$229,100	\$2,954
MARY HORD HAYMORE (portion)		\$7,800	\$0	\$1,950	\$25.14

These figures are for the property in its current state.

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2019-2020 per capita state revenue initial estimates for the City of Murfreesboro once the development is built out. The study area is proposed to be developed with 379 dwelling units.

Table II
Per Capita State Revenue Estimates

General Fund	Per Capita Amount
State Sales Tax	\$89.00
State Beer Tax	\$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	\$2.00
Gross Receipts (TVA in-lieu taxes)	\$11.80
<i>Total General Revenue Per Capita</i>	\$103.30
State Street Aid Funds	Per Capita Amount
Gasoline and Motor Fuel Taxes	\$38.50
<i>Total Per Capita (General and State Street Aid Funds)</i>	\$141.80
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit for proposed 379 units)	\$138,655

The per capita state revenue estimates apply only to new residents.

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 #6.

ELECTRIC SERVICE

The Murfreesboro Electric Department (MED) will serve the study area as it develops. MED does not have capacity to serve this development at this time due to an existing overhead electric line that needs to be upgraded along NW Broad Street from I-840 to Singer Road. After the line is upgraded, MED will have capacity to serve this development. Any electrical infrastructure installed to serve development in the study area will be required to adhere to MED standards.

STREET LIGHTING

According to MED, street lighting will be installed on the property as public streets are constructed.

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. In its current state, no additional equipment or manpower will be needed to serve the study area. Upon development, it is expected to take 3.5 hours to serve the subject area and will cost \$20,200 (\$53.30/ cart) for solid waste carts. The future residents can be expected to pay \$2,842.50 per month, \$34,110 annually, in solid waste fees (\$7.50/ month). The commercial outparcels will be required to arrange solid waste collection via a private hauler.

RECREATION

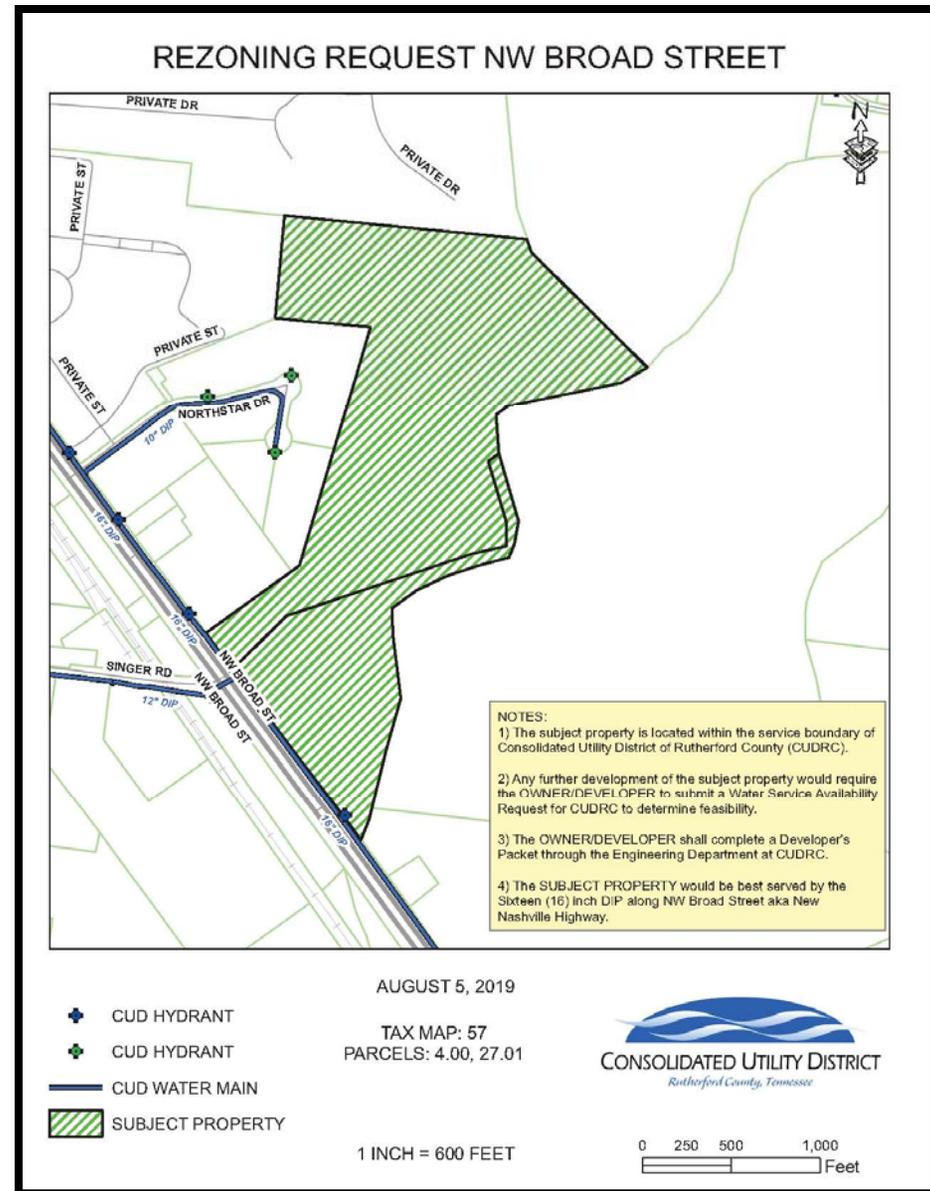
Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities 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 will be within the Overall Creek school zone.

WATER SERVICE

The study area is served by a 16-inch Consolidated Utility District (CUD) water line along NW Broad Street, also known as New Nashville Highway). This line is adequate for providing domestic water service and for maintaining the proper fire flows for the proposed development. A *Water Service Availability Request* must be submitted to CUD for review and approval before any additional development on the property may occur. Any new water line development must be done in accordance with CUD's development policies and procedures.

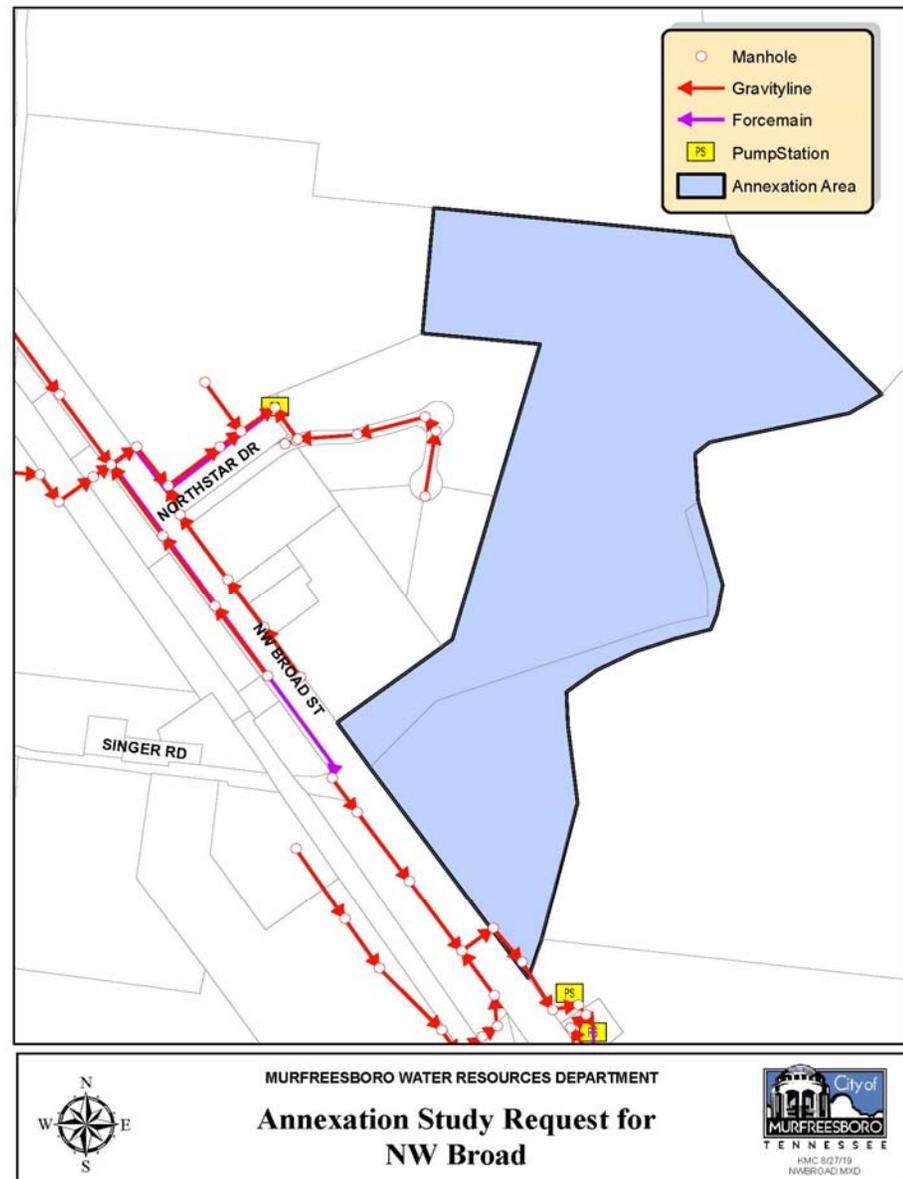


SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWRD) definition of "available." The proposed development, as a whole, will have sewer available at the southeast corner of the development where there is an existing 48-inch sewer main.

The study area lies within the Overall Creek Sanitary Sewer Assessment District and the US 41/Florence Road Sanitary sewer Assessment Districts. All sewer main improvements and easements needed to serve the subject properties are to be installed and acquired respectively by the developer in accordance with MWSD's development policies and procedures. The red lines on the adjacent map represent existing sewer lines.

This development will be required to comply with the proposed Sewer Allocation Ordinance upon its final reading at City Council. At present, the Ordinance proposes to allow 5 single family units per acre for townhome developments, 3 single family detached units per acre for individual lots and 2 single family units per acre for commercial developments.

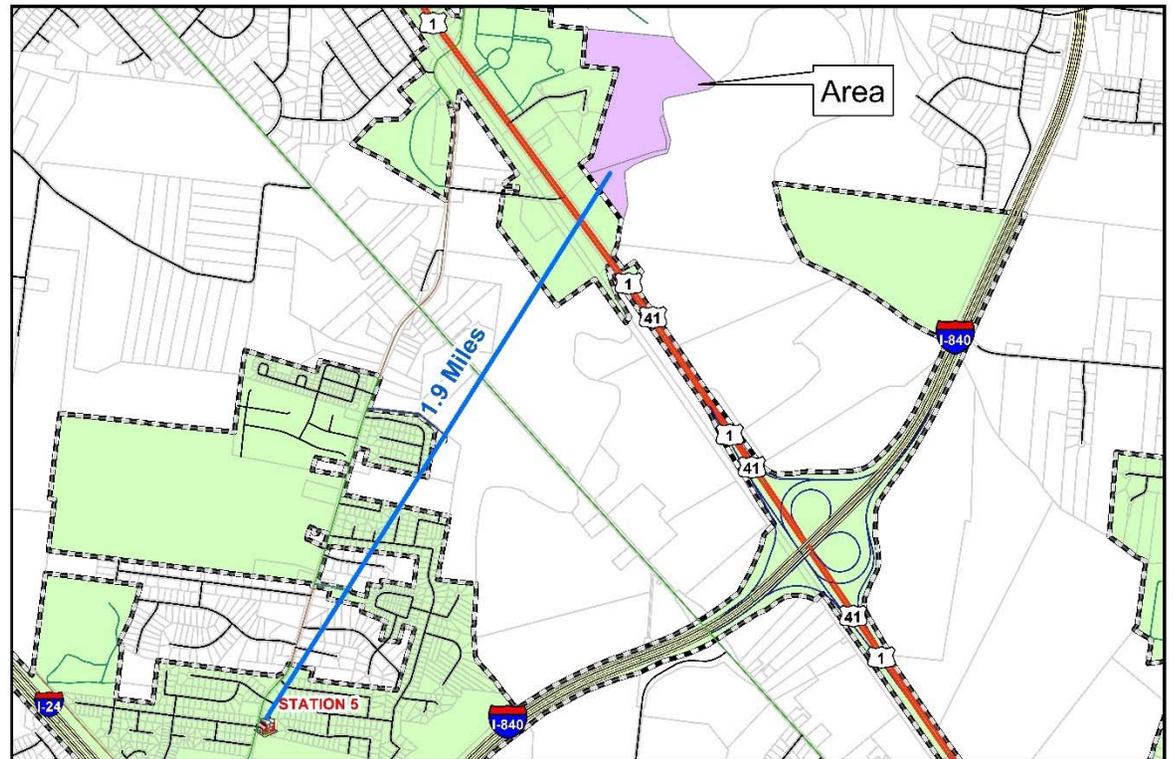


FIRE AND EMERGENCY SERVICE

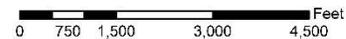
The Murfreesboro Fire and Rescue Department will begin providing fire protection and medical first responder service to the study area immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD).

Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District policies and procedures. Current guidelines recommend fire hydrants be 500 feet apart.

There is a 16-inch Consolidated Utility District water line along NW Broad Street that serves the subject property. The closest operating fire station to the subject property is Fire Station #5, located at 3006 Florence Road, approximately 2.2 miles from the study area. Fire Station #7, located at 2715 N. Thompson Lane, is approximately 5.1 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection.



Annexation Request for Property Along Broad Street and Singer Road

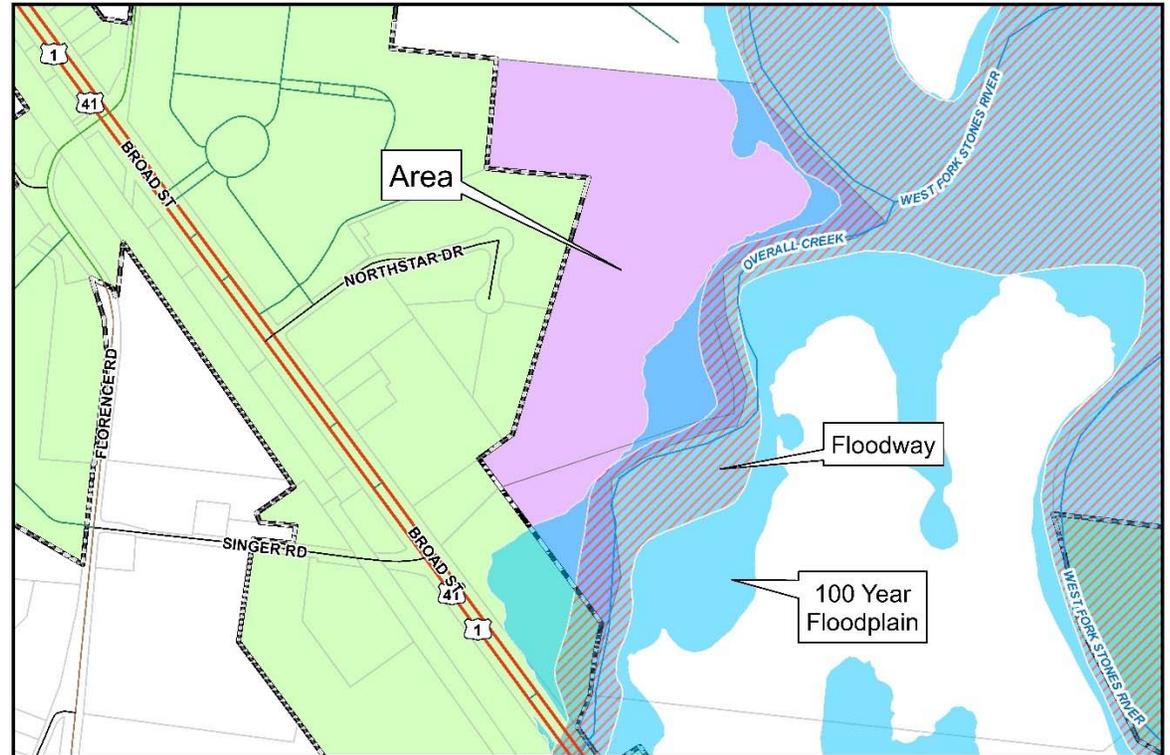


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FLOODWAY

The study area is located within the Overall Creek and the West Fork of the Stones River floodways and 100-year floodplains 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 hatch pattern and the 100-year floodplain boundary in blue.



Annexation Request for Property Along Broad Street and Singer Road



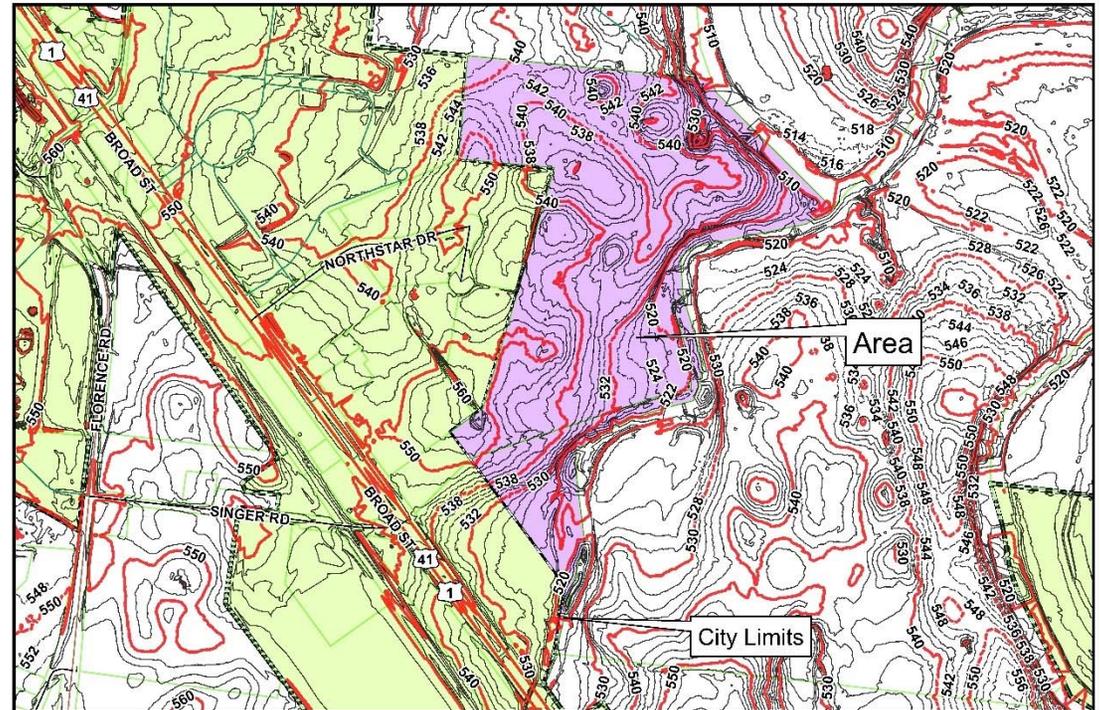
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DRAINAGE

A review of a topographic map shows that the property drains to Overall Creek and the West Fork of the Stones River.

Upon annexation, stormwater management services provided by the City will be available to the study area. Future development plans should address the existing drainage conditions and anticipate on-site stormwater management. It will be the developer's responsibility to investigate potential drainage plans and secure any off-site routes with consent and/or easements. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

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



Annexation Request for Property Along Broad Street and Singer Road

0 250 500 1,000 1,500 Feet



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Path: X:\FILE_ROOM_FOLDERS\Annexations\2019\2019-508_River_Landing\Maps\Topo Map.mxd

STORMWATER MANAGEMENT

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area and existing and new improvements will be subject to the Stormwater Utility Fee. No existing improvements are included on the subject properties and will not generate revenue for the Stormwater Utility Fund until development occurs.

Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. The area being considered for annexation is undeveloped and will not generate any revenue for the Stormwater Utility Fee. The Study Area has a proposed zoning of Planned Unit Development (PUD). Based on this development scenario, it is anticipated that the site will generate approximately \$15,500 in additional revenue per year into the Stormwater Utility Fund upon full build out. New development on the property must meet City of Murfreesboro Stormwater Quality requirements.

Public Drainage System

No new public drainage facilities are included in the study area. Access to public drainage facilities are within the right-of-way of NW Broad Street. Modifications of the drainage discharge to the right-of-way if NW Broad Street must be approved by the City Engineer and TDOT. Any new public drainage facilities proposed to serve the study area in the future must meet City standards..

STREETS AND ACCESS

The study area has direct access to NW Broad Street, which is a major arterial and state route. The annexation study area does not include any additional public roadway systems. Access to a public roadway system is available through NW Broad Street which is a State Route. Modifications to the current access to NW Broad Street will require the approval of the City Engineer and Tennessee Department of Transportation (TDoT).

The developer should provide a stub road to the east for a future bridge over Overall Creek. Any future public roadway facilities to serve the study area must be constructed to City standards.

The Study Area is currently served by NW Broad Street as the major roadway facility. NW Broad Street intersects with Florence Road to the north and Interstate 840 to the south. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates NW Broad Street to be operating at a Level of Service C in the Study Area based on average daily traffic (ADT). The 2040 Level of Service Model shows that NW Broad Street falls to undesirable level of service of F without the proposed improvements recommended in the 2040 MTP. Florence Road is the first major intersection to the north. Both Florence Road and NW Broad Street are operating at a Level of Service C at the intersection. Interstate 840 is the first major intersection to the south. NW Broad Street is operating at a Level of Service c at the intersection while Interstate 840 is at a Level of Service B. .

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.

ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

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. A preliminary inspection by the Codes Department indicated no code violations.

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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

6:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Eddie Smotherman
Warren Russell
Ronnie Martin
Chase Salas
Jennifer Garland

STAFF PRESENT

Matthew Blomeley, Acting Planning Director
Marina Rush, Principal Planner
Jafar Ware, Planner
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney
Sam Huddleston, Exec. Director Dev. Services
Adam Tucker, City Attorney
David Ives, Deputy City Attorney
Darren Gore, Assistant City Manager

Chair Kathy Jones called the meeting to order after determining there was a quorum. The minutes of the September 18, 2019 and October 2, 2019 Planning Commission meetings were approved as submitted.

Old Business

Zoning application [2019-421] for approximately 1.01 acres located at 4431 Veterans Parkway to be zoned CH simultaneous with annexation, Overall Creek Partners, Inc. applicant. WITHDRAWN

New Business

Zoning application [2019-433] for approximately 23 acres located along Veterans Parkway to be rezoned from RS-10 to PRD (Veterans Cove PRD), Alcorn Properties, LLC applicant.

Ms. Marina Rush summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. The developer had conducted a neighborhood meeting on August 12, 2019, which was well-attended. The concerns that had been made by the neighbors had been drainage and possible flooding. In addition, Ms. Rush explained the proposal is an increase in density from what is recommended in the Suburban Residential land use character from the Murfreesboro 2035 Comprehensive Plan.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the zoning application; therefore, Chair Kathy Jones closed the public hearing.

Mr. Eddie Smotherman complimented the Planning Department Staff and the former Planning Director, Mr. Donald Anthony, for the improvements that have been made to the City Core Overlay. There had been several neighborhood meetings conducted here at City Hall and the language for the CCO has been defined with clarity.

Mr. Eddie Smotherman made a motion to approve the zoning application and accompany map, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Annexation plan of services and annexation petition [2019-508] for approximately 65 acres located along Northwest Broad Street, Springboard Landing, Inc. and Mary Hord Haymore

Children, LP applicants. Mr. Matthew Blomeley began by describing the annexation petition from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley made known Murfreesboro Electric Department does not have the capacity to serve the entire property. However, with the additional infrastructure improvements at the expense of the developer, MED would be able to serve the entire property as it develops.

Chair Kathy Jones opened the public hearing.

1. **Ms. Nicole Barnes 5080 Florence Road** – came forward to made known she was representing the property owner from JourneyPure. This is a private medical facility which borders this property. They request to have information regarding a natural buffer being placed beside their property.

Chair Kathy Jones closed the public hearing.

Mr. Blomeley requested for the buffer to be addressed during the applicant's zoning request.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

Mr. Ken Halliburton made a motion to approve the annexation plan of services and annexation petition subject to all staff comments, seconded by Mr. Chase Salas. The motion carried by a vote of 6-1 (Mr. Smotherman voted no).

Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant. Mr. Matthew Blomeley began by describing the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet. The uses being proposed would be permissible per the comprehensive plan; however, the form of this development is not in keeping with the vision for the property put forth by the 2035 Comprehensive Land Use Plan.

Continuing, Mr. Blomeley commented on how this proposal had been reviewed several times during the Planning Commission day meetings. Therefore, the applicant has addressed the following:

- Increased the amount of commercial area along NW Broad Street (page 24).
- Changed the uses permitted in the commercial area from those normally permitted in the CH zone to CF instead and eliminated some of the objectionable uses such as taverns, vehicle wash, gas stations, general service and repair, and quick cash/payday loan (page 25).
- Flipped the location of the townhomes nearest to NW Broad Street to the other side of the street (concept plan- page 13).
- Added a playground, formal and active space in the long, straight road to break up the “sea of monotony” (concept plan- page 13).
- Removed monument signage and mail kiosk as an amenity and defined clubhouse, pool, playgrounds, walking trails, and a possible kayak/canoe launch (page 19).
- Increased the buffer width between the townhomes and property lines of the incompatible industrial uses to 20-feet wide. This change did not increase the amount of plant material

RESOLUTION 20-R-A-01 to annex approximately 65 acres along Northwest Broad Street, and to incorporate the same within the corporate boundaries of the City of Murfreesboro, Tennessee, Springboard Landing, Inc. and Mary Hord Haymore Children, LP, applicants. [2019-508]

WHEREAS, the Owner(s) of the territory identified on the attached map as the “Area Annexed” have either petitioned for annexation or given written consent to the annexation of such territory; and

WHEREAS, a Plan of Services for such territory was adopted by **Resolution 20-R-PS-01** on April 30, 2020; and

WHEREAS, the Planning Commission held a public hearing on the proposed annexation of such territory on November 6, 2019 and recommended approval of the annexation; and

WHEREAS, the annexation of such territory is deemed beneficial for the welfare of the City of Murfreesboro as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. That, pursuant to authority conferred by T.C.A. Sections 6-51-101, et seq., the territory identified on the attached map as the “Area Annexed” is hereby annexed to the City of Murfreesboro, Tennessee and incorporated within the corporate boundaries thereof.

SECTION 2. That this Resolution shall take effect upon the effective date of the Zoning Ordinance with respect to the annexed territory, **Ordinance 20-OZ-01**, the public welfare and the welfare of the City requiring it.

Passed: _____

Shane McFarland, Mayor

ATTEST:

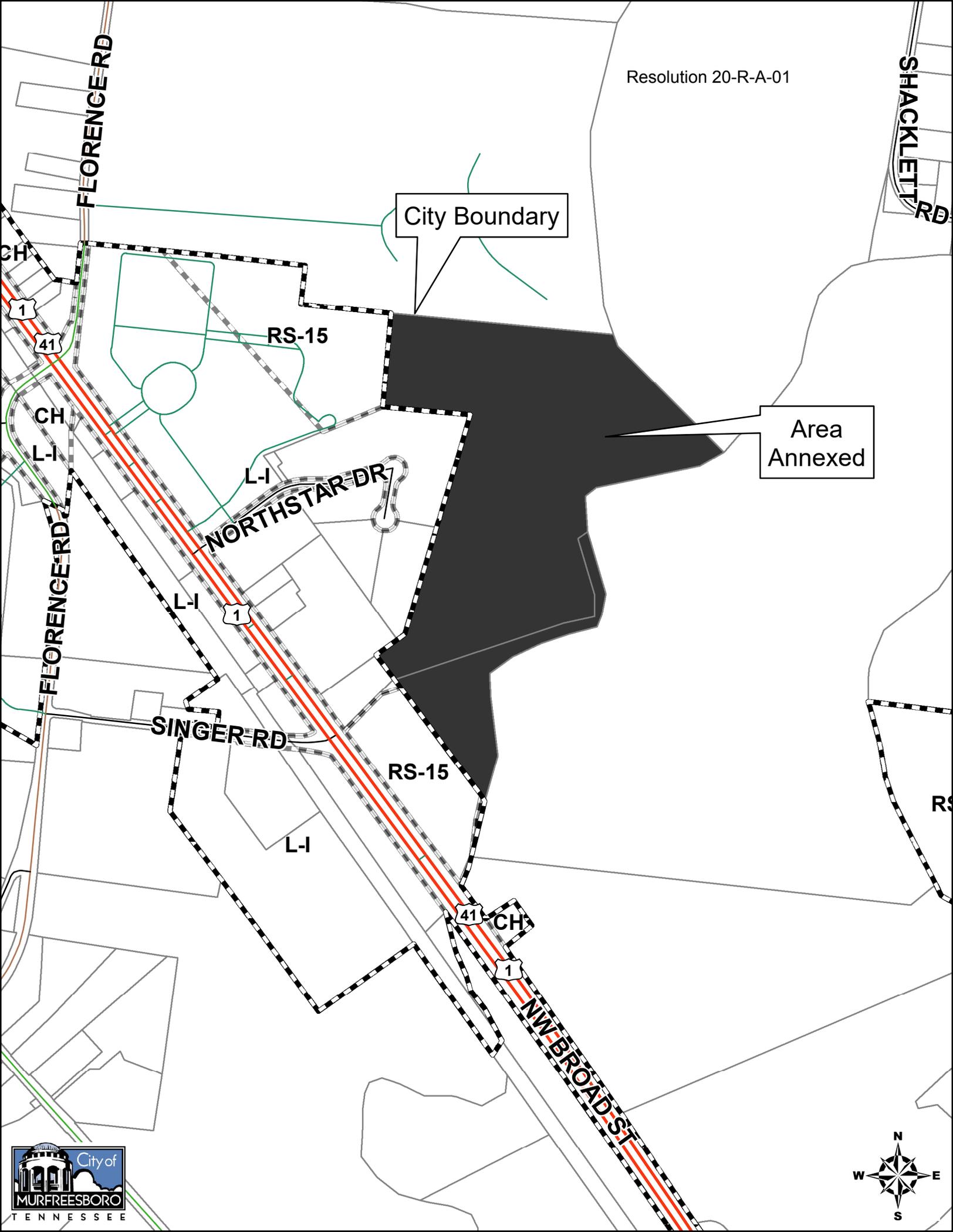
APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

DocuSigned by:
Adam F. Tucker

Adam F. Tucker
City Attorney

SEAL



City Boundary

Area Annexed



RESOLUTION 20-R-PS-01 to adopt a Plan of Services for approximately 65 acres along Northwest Broad Street, Springboard Landing, Inc., applicants. [2019-508]

WHEREAS, the Owner(s) of the territory identified on the attached map as the “Area to be Annexed” have either petitioned for annexation or given written consent to the annexation of such territory; and

WHEREAS, a proposed Plan of Services for such territory was prepared and published as required by T.C.A. §6-51-102 and T.C.A. §6-51-104; and

WHEREAS, the proposed Plan of Services was submitted to the Murfreesboro Planning Commission on November 6, 2019 for its consideration and a written report, at which time the Planning Commission held a public hearing and thereafter recommended approval of the Plan of Services to the City Council;

WHEREAS, a Public Hearing on the proposed Plan of Services was held before the City Council of the City of Murfreesboro, Tennessee, on April 30, 2020, pursuant to a Resolution passed and adopted by the City Council on March 19, 2020, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on April 14, 2020; and,

WHEREAS, the Plan of Services for the territory identified on the attached map as the “Area to be Annexed” establishes the scope of services to be provided and the timing of such services and satisfies the requirements of T.C.A. §6-51-102.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. That, pursuant to authority conferred by T.C.A. Sections 6-51-101, et seq., the Plan of Services attached hereto for the territory identified on the attached map as the “Area to be Annexed” is hereby adopted as it is reasonable with respect to the scope of services to be provided and the timing of such services.

SECTION 2. That this Resolution shall take effect upon the effective date of the Annexation Resolution with respect to the territory, **Resolution 20-R-A-01**, the public welfare and the welfare of the City requiring it.

Passed: April 30, 2020

Shane McFarland, Mayor

ATTEST:

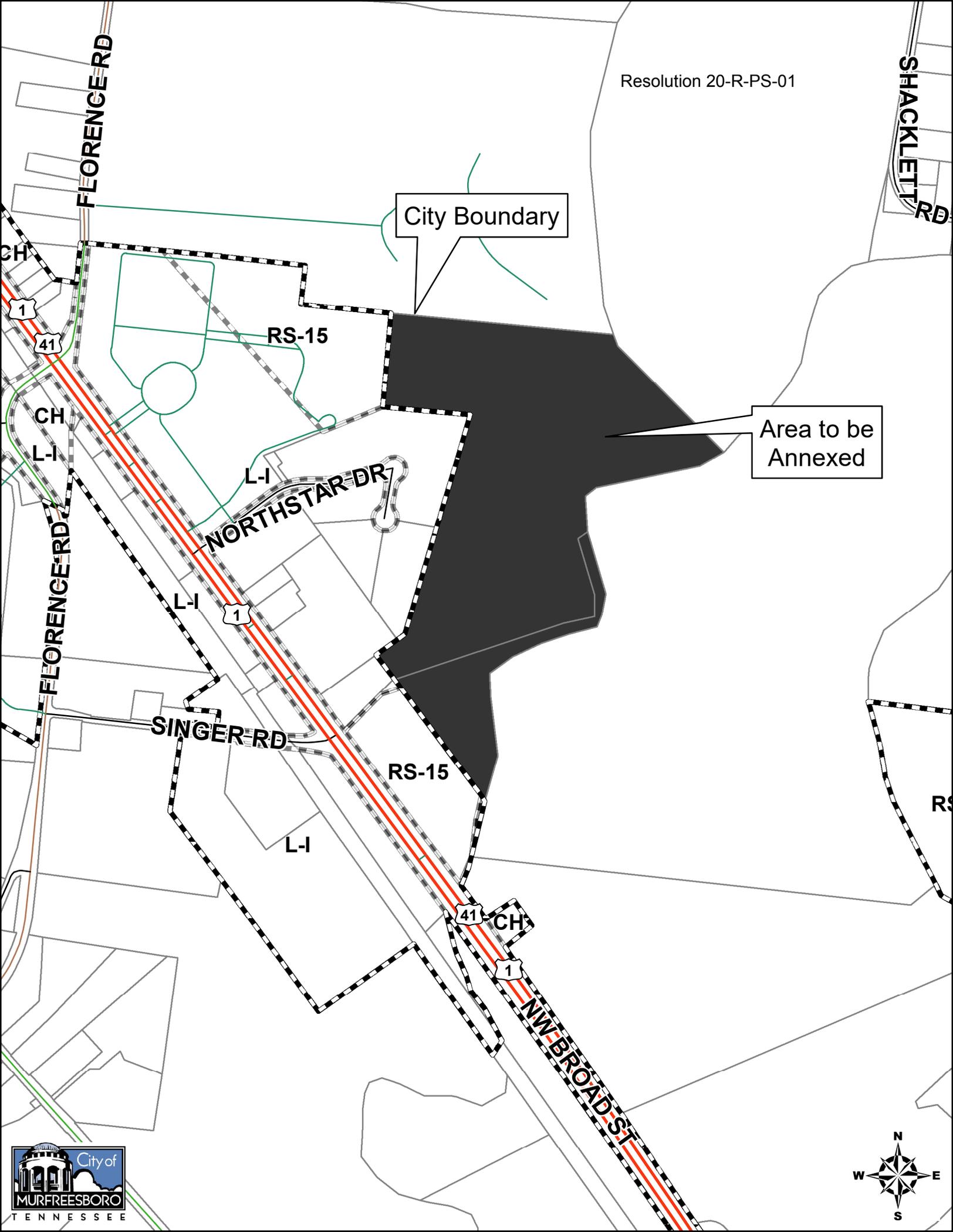
Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

Adam F. Tucker
City Attorney

SEAL



City Boundary

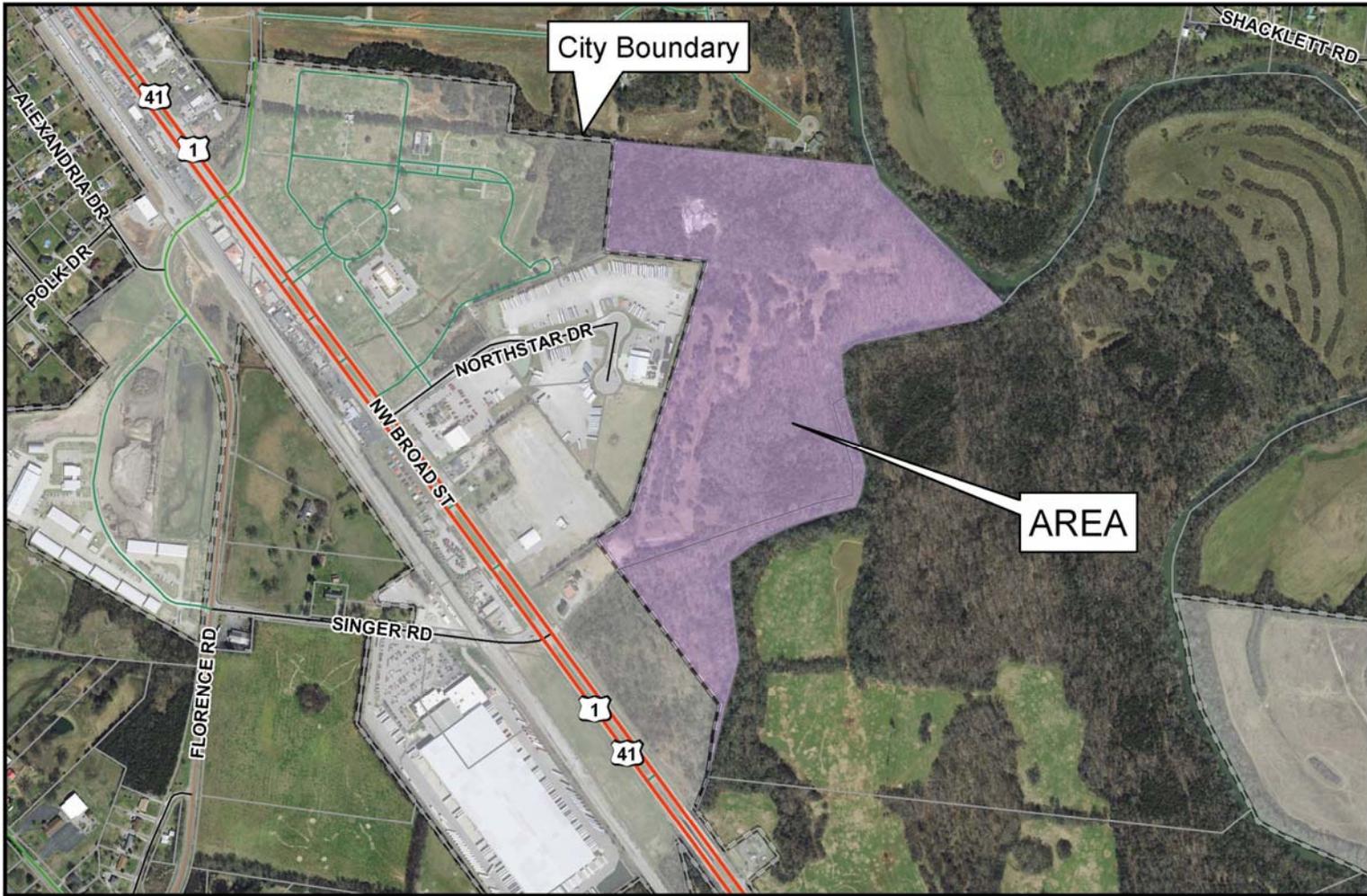
Area to be Annexed



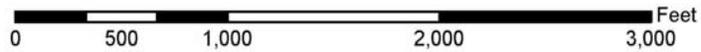
**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG NW BROAD STREET
INCLUDING PLAN OF SERVICES**



PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
November 6, 2019



Annexation Request for Property
Along Northwest Broad Street



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

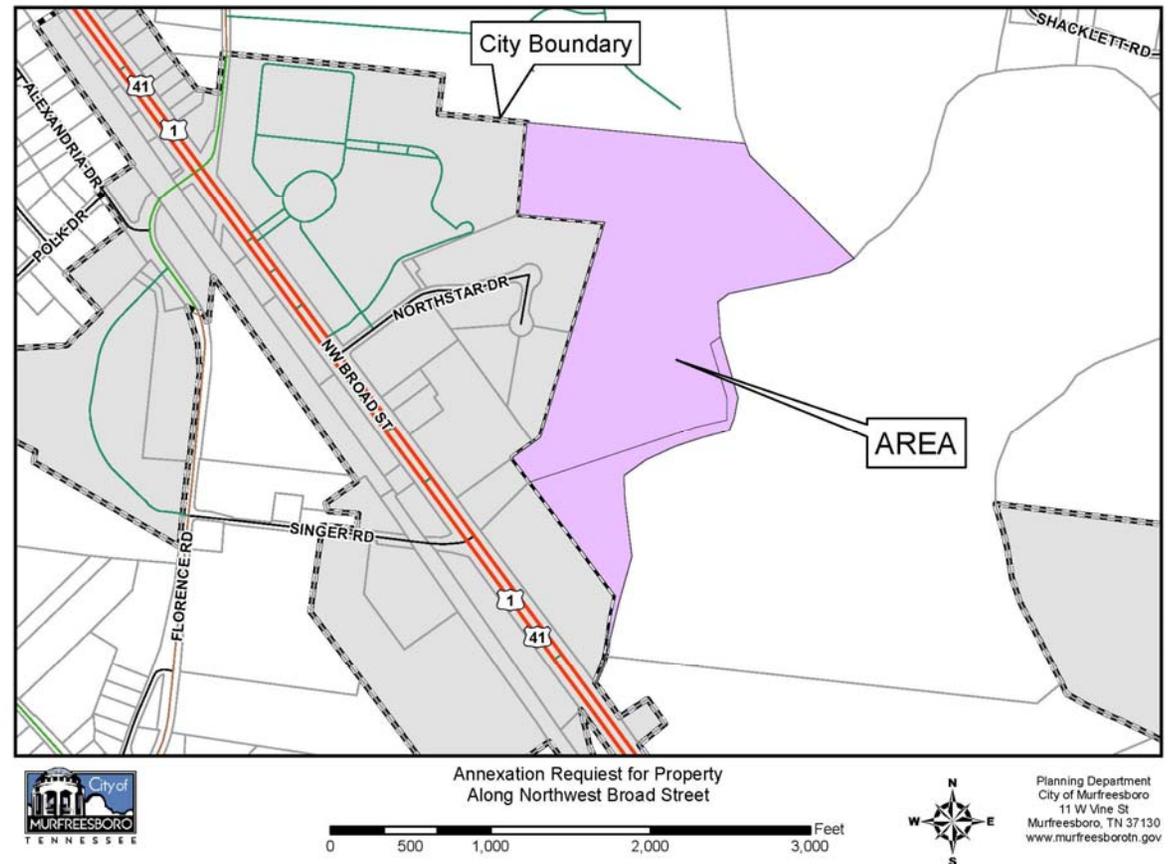
INTRODUCTION

OVERVIEW

The area studied in this Plan of Services includes two parcels (Tax Map 057 Parcel 004.00 and Parcel 027.01) situated along Northwest Broad Street, West Fork Stones River and Overall Creek. Portions of the parcels being studied for annexation are already located within Murfreesboro city limits.

Petitions for annexation have been filed with the Planning Department requesting the annexation of the above mentioned parcels. DR Horton has a contract to purchase these properties and has submitted a zoning application requesting to be zoned to PUD (Planned Unit District). The area being considered for annexation is undeveloped.

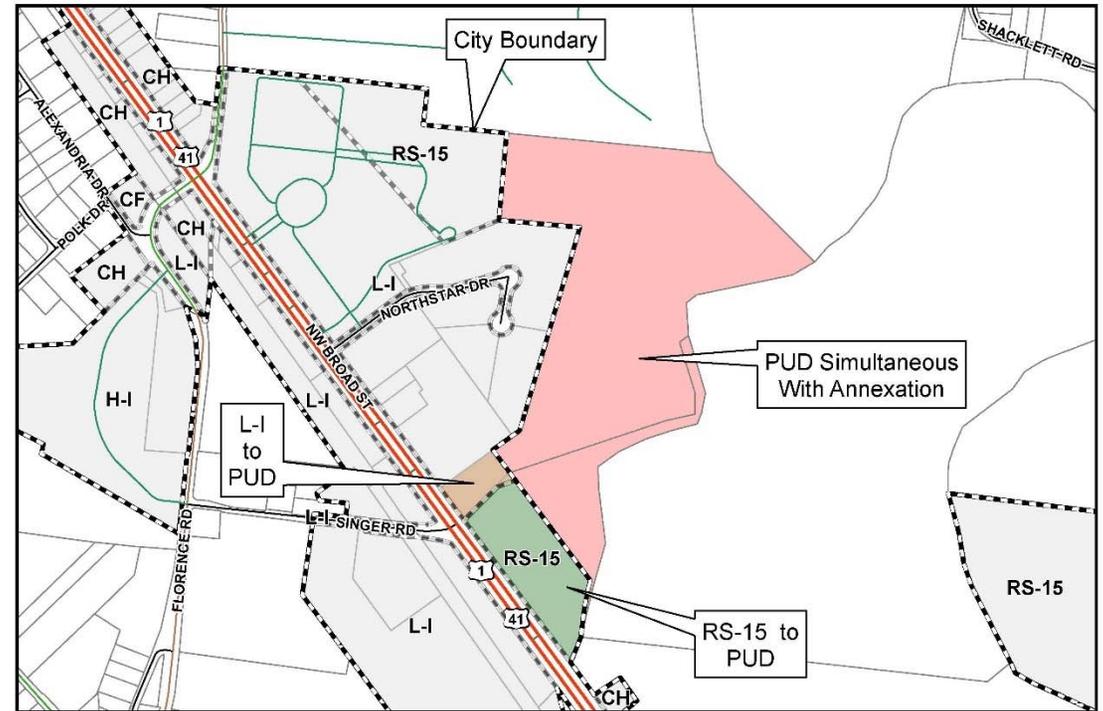
The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with City limits.



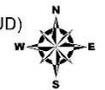
CITY ZONING

DR Horton has a contract to purchase these properties and has submitted a zoning application requesting to be zoned to PUD (Planned Unit District) simultaneous with annexation. DR Horton has also requested the Light Industrial (L-I) and the Single-Family (RS-15) portion of property currently located within municipal limits to be rezoned to PUD. The proposed PUD is called River Landing and consists of a maximum of 278 townhomes, 101 single-family lots, and 5 commercial outparcels.

The study area is currently zoned RM (Residential – Medium Density) in Rutherford County.



Rezoning Request for Property Along Northwest Broad Street
L-I and RS-15 to PUD and PUD Simultaneous with Annexation (River Landing PUD)



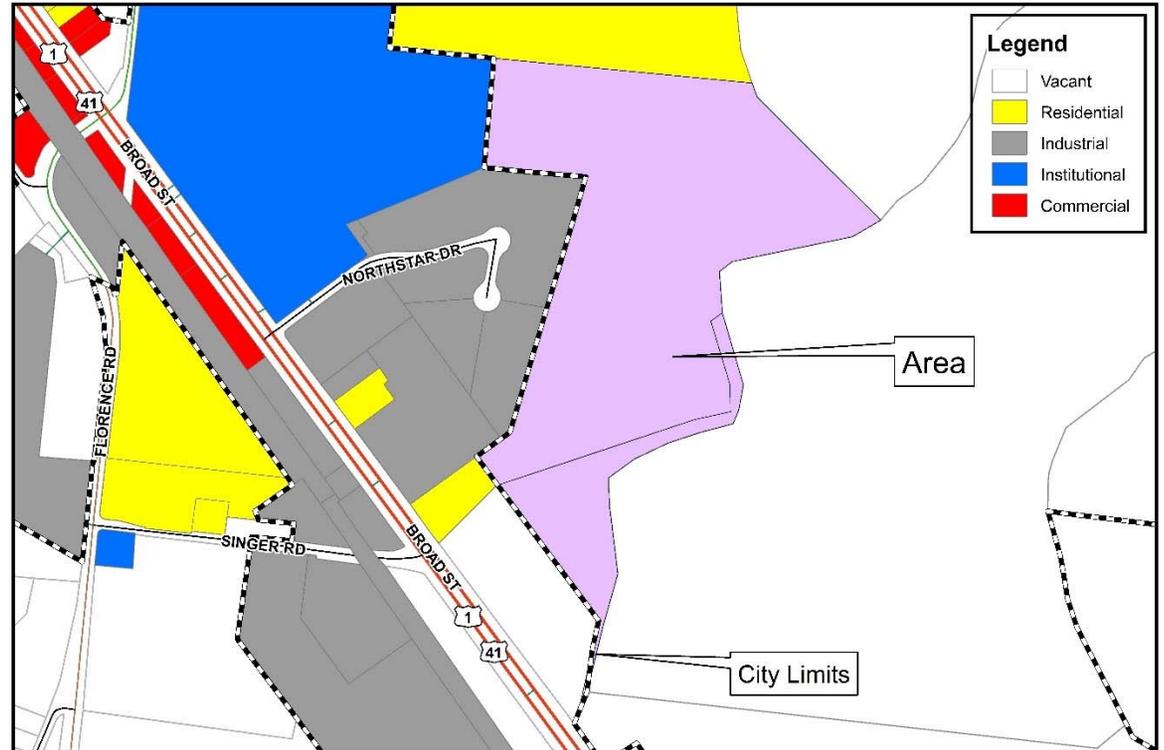
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PRESENT AND SURROUNDING LAND USE

The area being considered for annexation is undeveloped. It is bordered by a major arterial/state highway, Overall Creek and West Fork of the Stones River.

The surrounding area is predominately characterized by industrial and commercial uses. The properties located along the western boundary of the study area are active industrial uses. A portion of Roselawn Funeral Home and cemetery is adjacent to the property at the northwest corner and JourneyPure at the River, a drug rehabilitation service, is located along the northern boundary.

Access to the study area will be from NW Broad Street (TN-1 and US 41).



Annexation Request for Property Along Broad Street and Singer Road



Planning Department
City of Murfreesboro
11 W Vine St
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www.murfreesborotn.gov

Path: X:\FILE_ROOM_FOLDERS\Annexations\2019\2019-508_River_Landing\Maps\Land-Use Map.mxd

TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2019 will be due on December 31, 2020. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor’s Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100 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. (Note that the property currently receives a greenbelt rollback assessment. The table below assumes that the property will no longer qualify for the greenbelt rollback assessment upon sale and development.)

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

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
SPRINGBOARD LANDING INC (portion)		\$916,400	\$0	\$229,100	\$2,954
MARY HORD HAYMORE (portion)		\$7,800	\$0	\$1,950	\$25.14

These figures are for the property in its current state.

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2019-2020 per capita state revenue initial estimates for the City of Murfreesboro once the development is built out. The study area is proposed to be developed with 379 dwelling units.

Table II
Per Capita State Revenue Estimates

General Fund	Per Capita Amount
State Sales Tax	\$89.00
State Beer Tax	\$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	\$2.00
Gross Receipts (TVA in-lieu taxes)	\$11.80
<i>Total General Revenue Per Capita</i>	\$103.30
State Street Aid Funds	Per Capita Amount
Gasoline and Motor Fuel Taxes	\$38.50
<i>Total Per Capita (General and State Street Aid Funds)</i>	\$141.80
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit for proposed 379 units)	\$138,655

The per capita state revenue estimates apply only to new residents.

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 #6.

ELECTRIC SERVICE

The Murfreesboro Electric Department (MED) will serve the study area as it develops. MED does not have capacity to serve this development at this time due to an existing overhead electric line that needs to be upgraded along NW Broad Street from I-840 to Singer Road. After the line is upgraded, MED will have capacity to serve this development. Any electrical infrastructure installed to serve development in the study area will be required to adhere to MED standards.

STREET LIGHTING

According to MED, street lighting will be installed on the property as public streets are constructed.

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. In its current state, no additional equipment or manpower will be needed to serve the study area. Upon development, it is expected to take 3.5 hours to serve the subject area and will cost \$20,200 (\$53.30/ cart) for solid waste carts. The future residents can be expected to pay \$2,842.50 per month, \$34,110 annually, in solid waste fees (\$7.50/ month). The commercial outparcels will be required to arrange solid waste collection via a private hauler.

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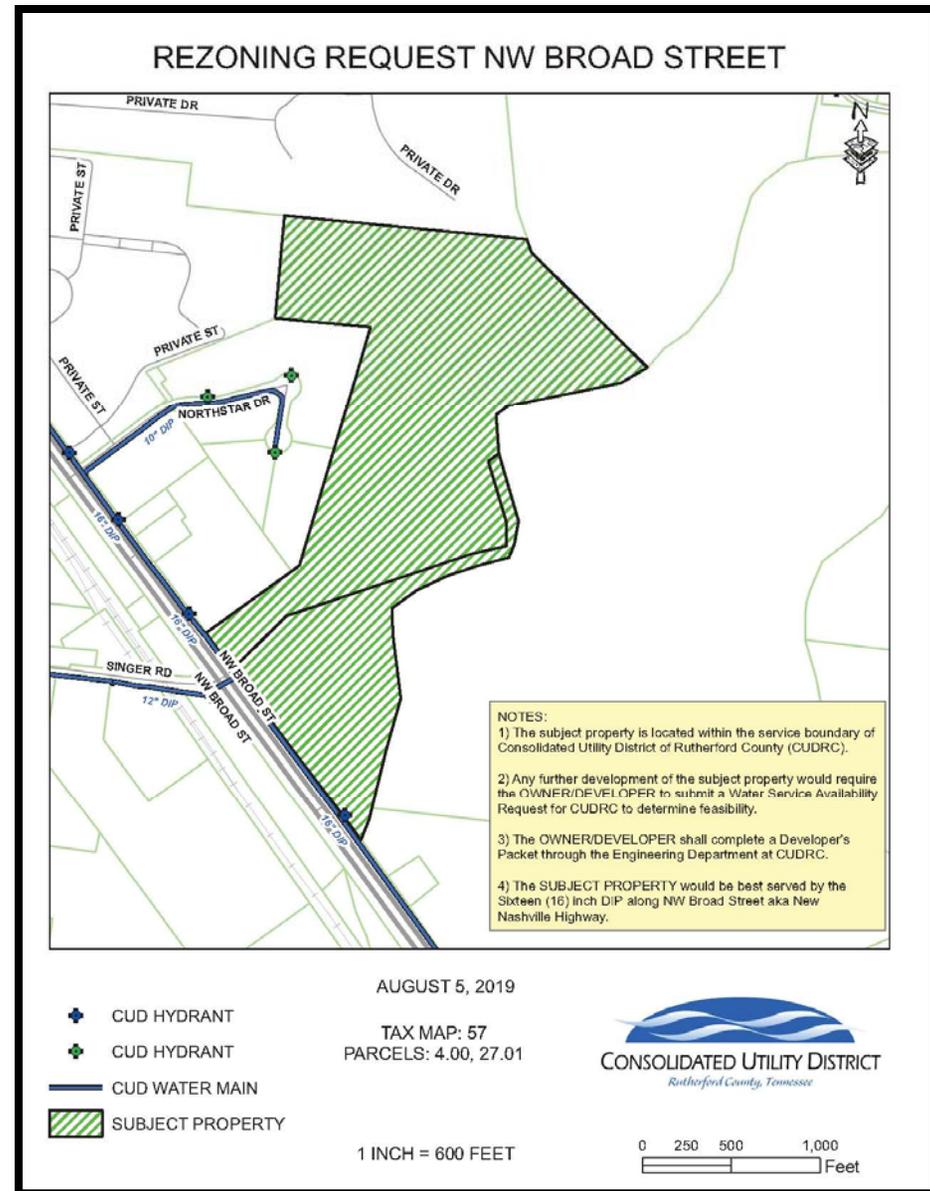
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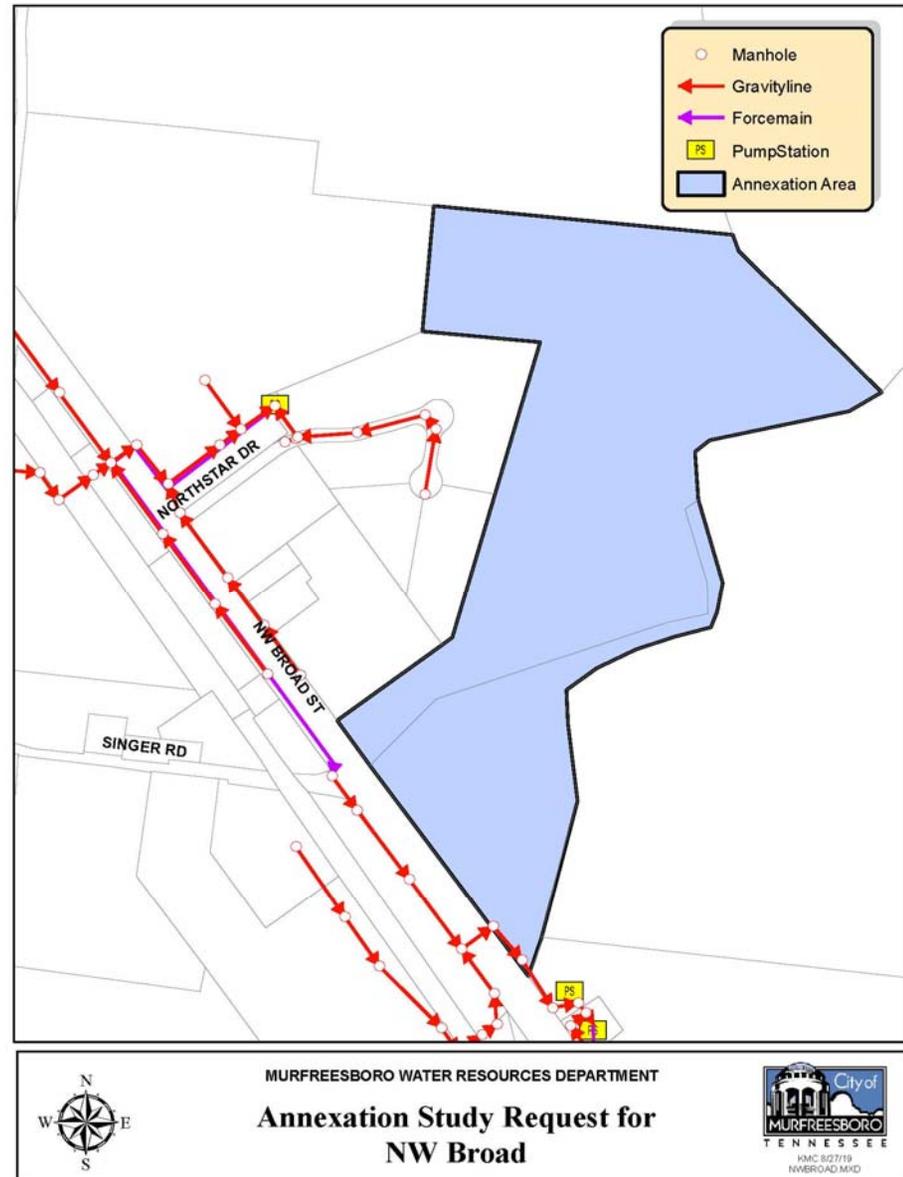


SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWRD) definition of "available." The proposed development, as a whole, will have sewer available at the southeast corner of the development where there is an existing 48-inch sewer main.

The study area lies within the Overall Creek Sanitary Sewer Assessment District and the US 41/Florence Road Sanitary sewer Assessment Districts. All sewer main improvements and easements needed to serve the subject properties are to be installed and acquired respectively by the developer in accordance with MWSD's development policies and procedures. The red lines on the adjacent map represent existing sewer lines.

This development will be required to comply with the proposed Sewer Allocation Ordinance upon its final reading at City Council. At present, the Ordinance proposes to allow 5 single family units per acre for townhome developments, 3 single family detached units per acre for individual lots and 2 single family units per acre for commercial developments.

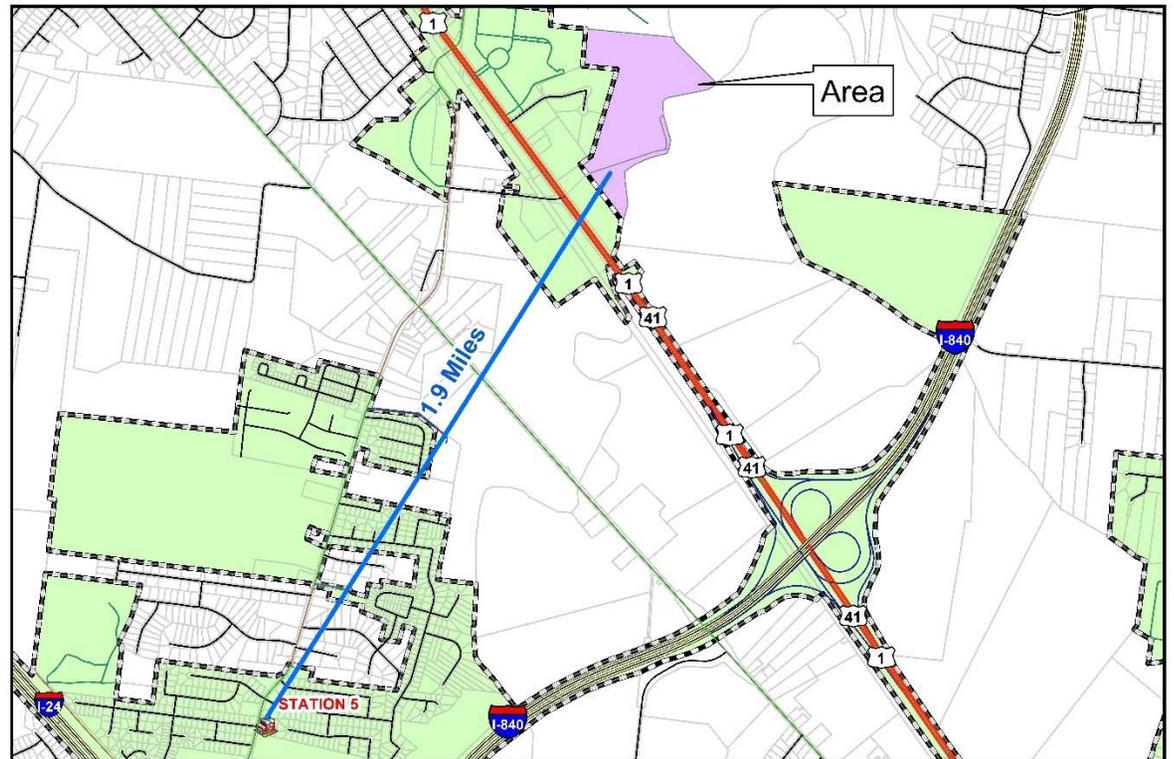


FIRE AND EMERGENCY SERVICE

The Murfreesboro Fire and Rescue Department will begin providing fire protection and medical first responder service to the study area immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD).

Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District policies and procedures. Current guidelines recommend fire hydrants be 500 feet apart.

There is a 16-inch Consolidated Utility District water line along NW Broad Street that serves the subject property. The closest operating fire station to the subject property is Fire Station #5, located at 3006 Florence Road, approximately 2.2 miles from the study area. Fire Station #7, located at 2715 N. Thompson Lane, is approximately 5.1 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection.



Annexation Request for Property Along Broad Street and Singer Road

0 750 1,500 3,000 4,500 Feet

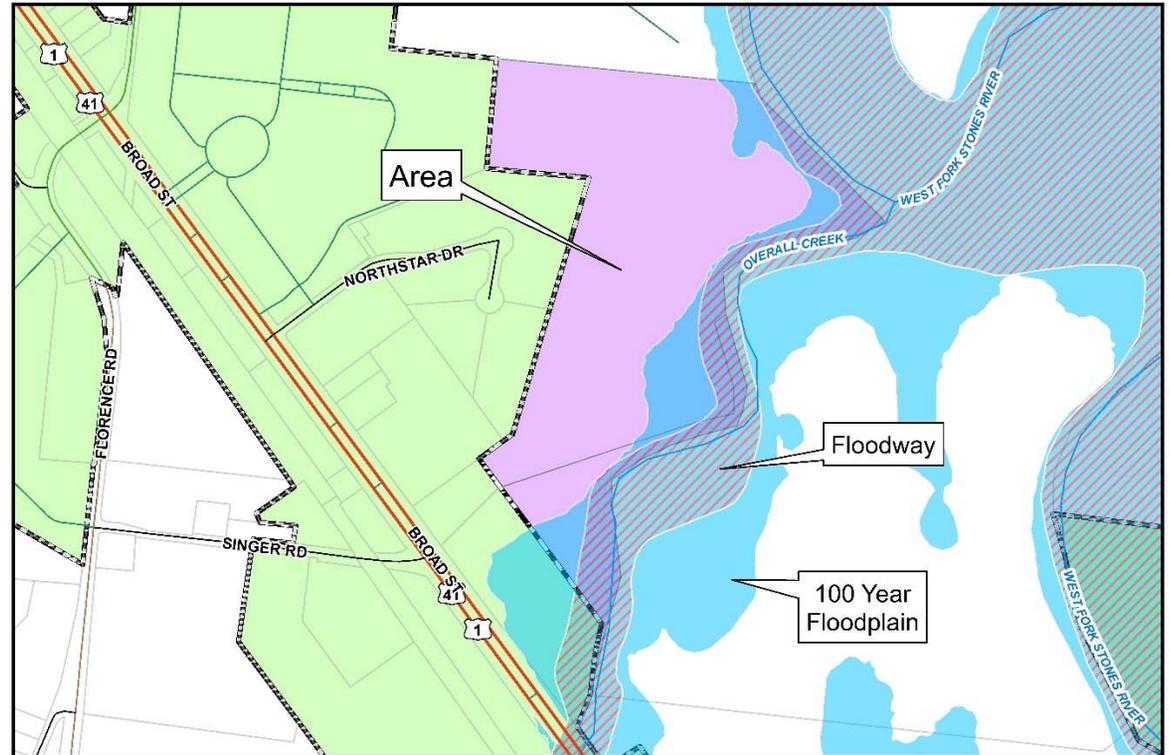


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FLOODWAY

The study area is located within the Overall Creek and the West Fork of the Stones River floodways and 100-year floodplains 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 hatch pattern and the 100-year floodplain boundary in blue.



Annexation Request for Property Along Broad Street and Singer Road



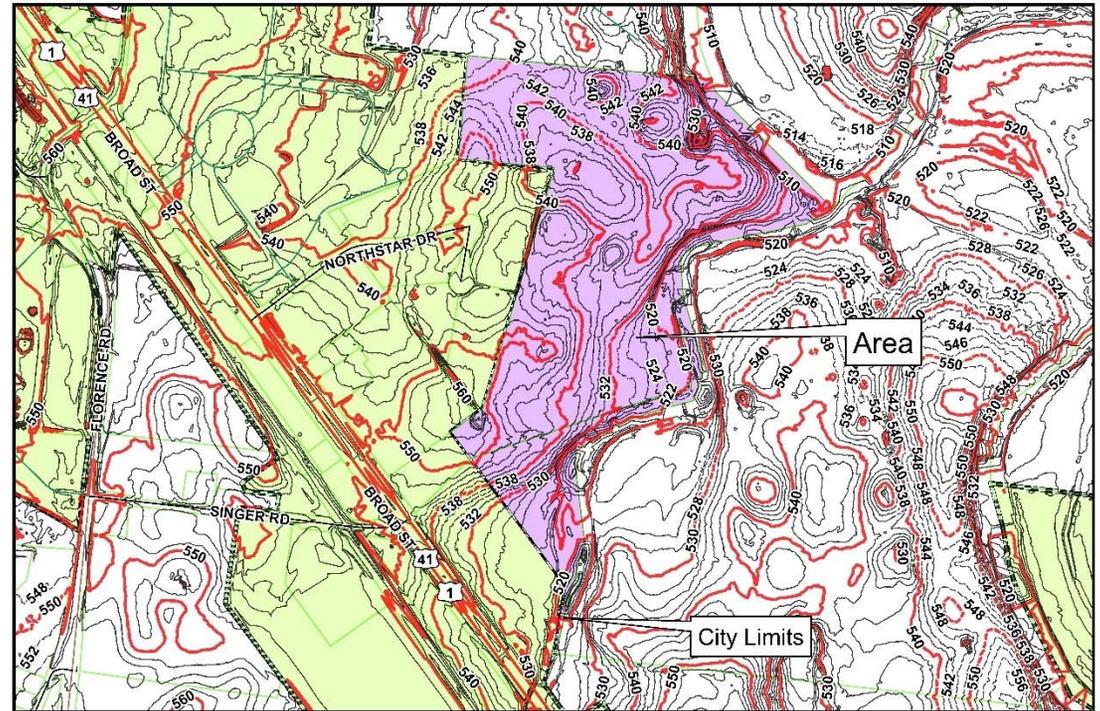
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DRAINAGE

A review of a topographic map shows that the property drains to Overall Creek and the West Fork of the Stones River.

Upon annexation, stormwater management services provided by the City will be available to the study area. Future development plans should address the existing drainage conditions and anticipate on-site stormwater management. It will be the developer's responsibility to investigate potential drainage plans and secure any off-site routes with consent and/or easements. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

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



Annexation Request for Property Along Broad Street and Singer Road

0 250 500 1,000 1,500 Feet



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Path: X:\FILE_ROOM_FOLDERS\Annexations\2019\2019-508_River_Landing\Maps\Topo Map.mxd

STORMWATER MANAGEMENT

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area and existing and new improvements will be subject to the Stormwater Utility Fee. No existing improvements are included on the subject properties and will not generate revenue for the Stormwater Utility Fund until development occurs.

Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. The area being considered for annexation is undeveloped and will not generate any revenue for the Stormwater Utility Fee. The Study Area has a proposed zoning of Planned Unit Development (PUD). Based on this development scenario, it is anticipated that the site will generate approximately \$15,500 in additional revenue per year into the Stormwater Utility Fund upon full build out. New development on the property must meet City of Murfreesboro Stormwater Quality requirements.

Public Drainage System

No new public drainage facilities are included in the study area. Access to public drainage facilities are within the right-of-way of NW Broad Street. Modifications of the drainage discharge to the right-of-way if NW Broad Street must be approved by the City Engineer and TDOT. Any new public drainage facilities proposed to serve the study area in the future must meet City standards..

STREETS AND ACCESS

The study area has direct access to NW Broad Street, which is a major arterial and state route. The annexation study area does not include any additional public roadway systems. Access to a public roadway system is available through NW Broad Street which is a State Route. Modifications to the current access to NW Broad Street will require the approval of the City Engineer and Tennessee Department of Transportation (TDoT).

The developer should provide a stub road to the east for a future bridge over Overall Creek. Any future public roadway facilities to serve the study area must be constructed to City standards.

The Study Area is currently served by NW Broad Street as the major roadway facility. NW Broad Street intersects with Florence Road to the north and Interstate 840 to the south. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates NW Broad Street to be operating at a Level of Service C in the Study Area based on average daily traffic (ADT). The 2040 Level of Service Model shows that NW Broad Street falls to undesirable level of service of F without the proposed improvements recommended in the 2040 MTP. Florence Road is the first major intersection to the north. Both Florence Road and NW Broad Street are operating at a Level of Service C at the intersection. Interstate 840 is the first major intersection to the south. NW Broad Street is operating at a Level of Service c at the intersection while Interstate 840 is at a Level of Service B. .

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.

ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

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. A preliminary inspection by the Codes Department indicated no code violations.

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.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JANUARY 14, 2020**

PROJECT PLANNER MARGARET ANN GREEN

4.a. Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant.

During the November 6, 2019 public hearing on the matter of zoning approximately 65 acres to Planned Unit District (PUD- *River Landing*), the Planning Commission deferred action. Below is a list of the issues identified as in need of additional refinement:

- 1) Provide a clear expectation on when amenities will be constructed.
- 2) The color renderings provided for the townhomes only showed one-car wide driveways, which did not accurately depict how much concrete would be in front of the townhouses.
- 3) Provide a physical buffer or barrier along the property that is shared with Journey Pure.
- 4) Provide increased buffering for the proposed residential uses located adjacent to the industrial.
- 5) Improve the townhome side elevations facing public streets.

The applicant is offering the attached revisions to the PUD for the Planning Commission to consider. The responses to the issues noted above are listed below and are further described in the letter from the applicant's representative:

- 1) Provide a clear expectation on when amenities will be constructed.
 - The language on Page 14 now states that amenities within each section of the development, shall be installed before more than 50% of the permits are issued within that section. The main amenity center and pool would be operational prior to Section 3 plat being recorded.
- 2) The color renderings provided for the townhomes only showed one-car wide driveways, which did not accurately depict how much concrete would be in front of the townhouses.
 - Revised townhome renderings based on the new wrap-around porches and side elevations, to provide a clearer image of what the townhomes will look like in this development from the street.

- 3) Provide a physical buffer or barrier along the property that is shared with JourneyPure.
 - Added a fence along the north property line of the site along boundary with JourneyPure after discussions with the JourneyPure representative.
- 4) Provide increased buffering for the proposed residential uses located adjacent to the industrial.
 - Changed the landscape buffer along the boundary of the neighboring industrial zoned properties to be planted from Type 'A: to a Type 'C' Buffer and decreased the width of this area from originally proposed 20-feet to 12-feet.
- 5) Improve the townhome side elevations facing public streets.
 - Revised townhome architecture to include a wrap-around front porch, a bay window, and brick/stone water table on the sides of townhome buildings facing public roadways. The wrap-around porch will be at both ends of the townhome building for architectural balance of that corner townhome building. The townhome buildings located in the internal portions of the blocks will not include the wrap-around porch. These internal block townhome buildings will be standard townhomes with a small front porch/stoop. The sides of the internal townhome buildings will be flat, will not include a bay window or masonry water table, and will be placed at the side building setback or 10-foot building offset line.

The Planning Commission should discuss this matter and then formulate a recommendation for City Council.

A copy of the revised program book and response letter has been included in the agenda materials. Staff has also included the staff comments from the November 6, 2019 Planning Commission meeting.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
NOVEMBER 6, 2019**

PROJECT PLANNER MARGARET ANN GREEN

- 5.e. Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant.**

The subject properties are located along the east side of Northwest Broad Street, along Overall Creek and West Fork of the Stones River. The properties are partially located within City limits with the remainder being studied for annexation. Approximately 2 acres is zoned L-I (Light Industrial District) and approximately 11 acres is zoned RS-15 (Single-Family, Residential District). The remainder of the properties is zoned RM (Medium Density Residential District) in the unincorporated area of Rutherford County. The surrounding land-use is predominately characterized by industrial and commercial uses and zoned L-I (Light Industrial District). A portion of Roselawn Funeral Home and cemetery is adjacent to the property at the northwest corner and is zoned RS-15 and L-I. JourneyPure at the River, a drug rehabilitation treatment, is located area along the northern boundary.

River Landing PUD:

The River Landing PUD program book is included with the agenda materials. The PUD consists of a maximum of 278 townhomes, 101 small-lot, single-family homes and five commercial lots. The overall density is 5.3 dwelling units per acre.

Solid waste

The plan proposes to utilize City solid waste services as there isn't an "opt-out" policy for single-family. The carts are proposed to be stored on the sides or rear of the single-family and in the garages of the townhomes. Hot water heaters will not be located in the garages of the townhomes which will allow room for the carts.

Phasing

A phasing plan is provided on page 14 that outlines the phasing of lots and of the amenities. The Amenity Center lot is proposed to be constructed and operational prior to the Section 3 plat being recorded. Other amenity/open space areas will be completed prior to the next section's plat being recorded. Amenity/open spaces areas in the final section shall be constructed and completed prior to the recording of the final section's plat.

The following changes were made to the plan in an effort to address concerns expressed by the Planning Commission:

- increased the amount of commercial area along NW Broad Street (page 24)
- Changed the uses permitted in the commercial area from CH to CF and eliminated some of the objectionable uses such as taverns, vehicle wash, gas stations, general service and repair and quick cash/payday loan. (page 25)
- flipped the location of the townhomes nearest to NW Broad Street to the other side of the street (concept plan- page 13)
- added a playground formal and active space in the long, straight road to break up the “sea of monotony” (concept plan- page 13)
- Removed monument signage and mail kiosk as an amenity and defined clubhouse, pool, playgrounds, walking trails and a possible kayak/canoe launch. (page 19)
- Increased the buffer *width* between the townhomes and property lines of the incompatible industrial uses to 20-feet wide. This change did not increase the *amount* of plant material from the smallest amount Type A to a Type C and did not add and undulating berm as requested. (page 22 & 23)
- Included a stub-road at Overall Creek (concept plan- page 13)
- Revised the architectural elevations in an effort to reduce the “snout-house” effect with the addition of porches. Added some detail/fenestrations to the houses in an effort to improve the architectural character (page 16-18)

Exceptions:

The PUD requests the following exceptions to the development regulations:

1. To allow 2 garage spaces in the single-family, detached to count toward the required minimum parking standard of 4 spaces in the driveway (total 202 garage spaces)
2. To allow 1 garage space in the townhome to count toward the required minimum parking standard of 1.1 per bedroom (total 278 garage spaces)
3. To reduce the front setback requirements-
 - 25-foot front setback - difference of 10-feet (garages may encroach 6-feet)
 - 15-foot secondary front setback- difference of 20-feet

Future Land Use Map:

The Murfreesboro 2035 Future Land Use Map indicates mixed-use as most appropriate future land use for the subject property. The proposed zone district is listed as an anticipated zone district within the *Urban Commercial/ Mixed-Use* (UC) character district. Low-density residential uses, and industrial uses should not be permitted within the UC land use classification. The recommended allowable uses are intensive, urban character with a multiplicity of uses, including multi-family residential, entertainment, restaurants, department stores and other retail, general and professional offices, hotels.

The *Mixed-Use Corridor* is to allow a broad range of commercial, office and high-density residential uses and public spaces serving surrounding neighborhoods, commercial/professional business parks and visitors from nearby communities.



MAP 4.2

Future Land Use Map

LAND USES

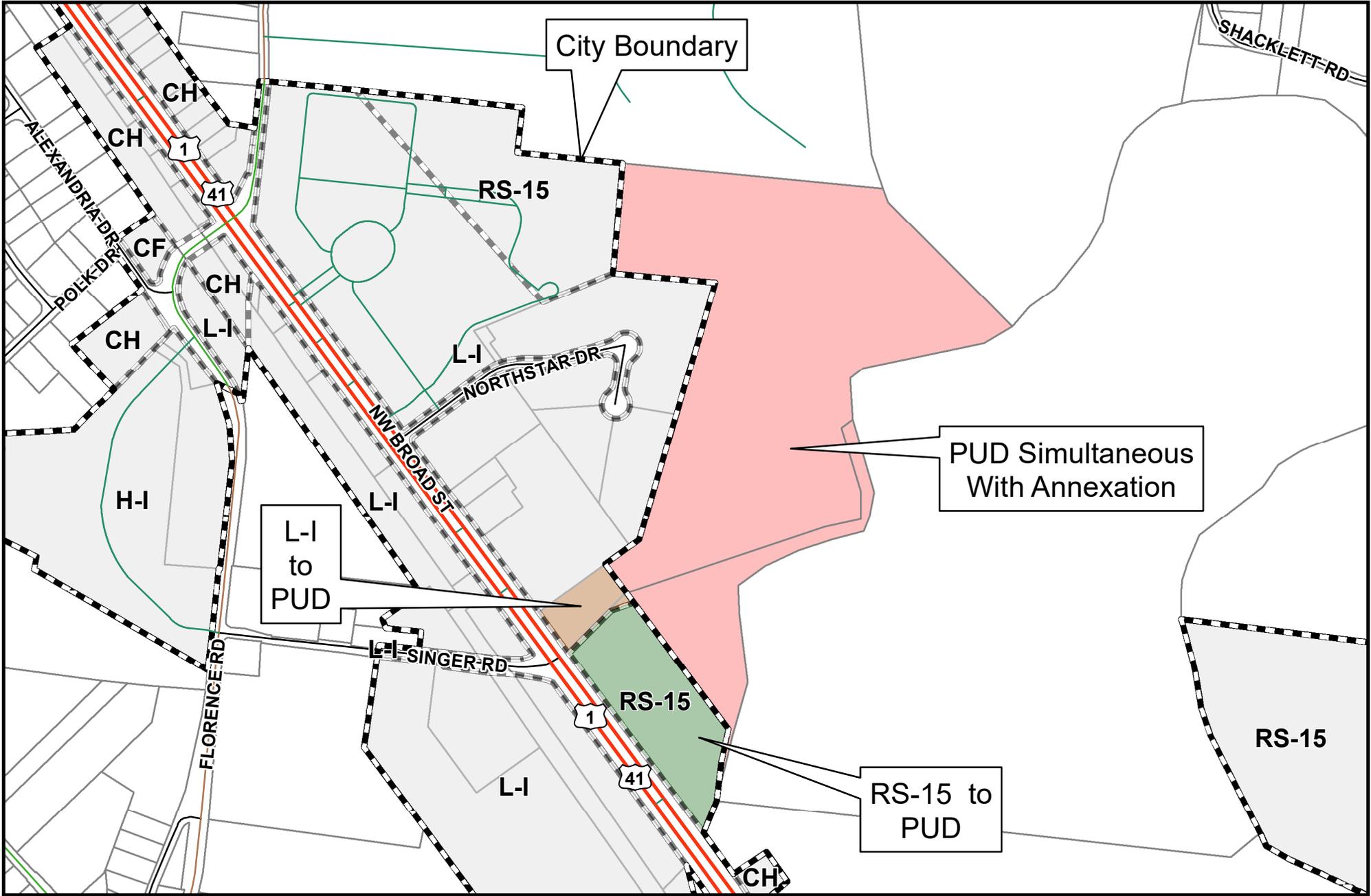
Proposed Land Uses

- Undeveloped
- Parks
- Suburban Estate
- Suburban Residential
- Auto Urban Residential
- Multi Family Residential
- General Commercial
- Neighborhood Commercial
- Urban Commercial / Mixed Use
- Central Business District
- Business Park
- Light Industrial
- Heavy Industrial
- Public / Institutional

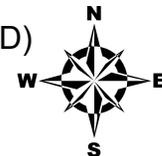
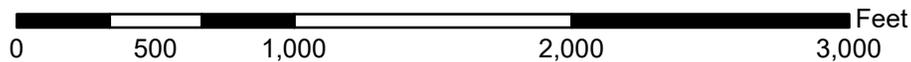
Downtown typifies what is envisioned for the density and intensity of development within the Urban Commercial / Mixed-Use land use classification. The Downtown retains the historic fabric and design of a traditional mixed-use, central business district. This urban environment is characterized by taller, larger buildings that occupy most if not all of the site and are set at the street edge with parking largely on-street and in structures, with reduced common surface parking lots. Sidewalks are scaled for pedestrian rather than automobile use, and original buildings with historic or design significance have been mostly well-preserved.

This Comprehensive Plan strongly recommends the preparation and adoption of design and architectural standards for developments in the UC category so that there is continuity in the overall character of the area.

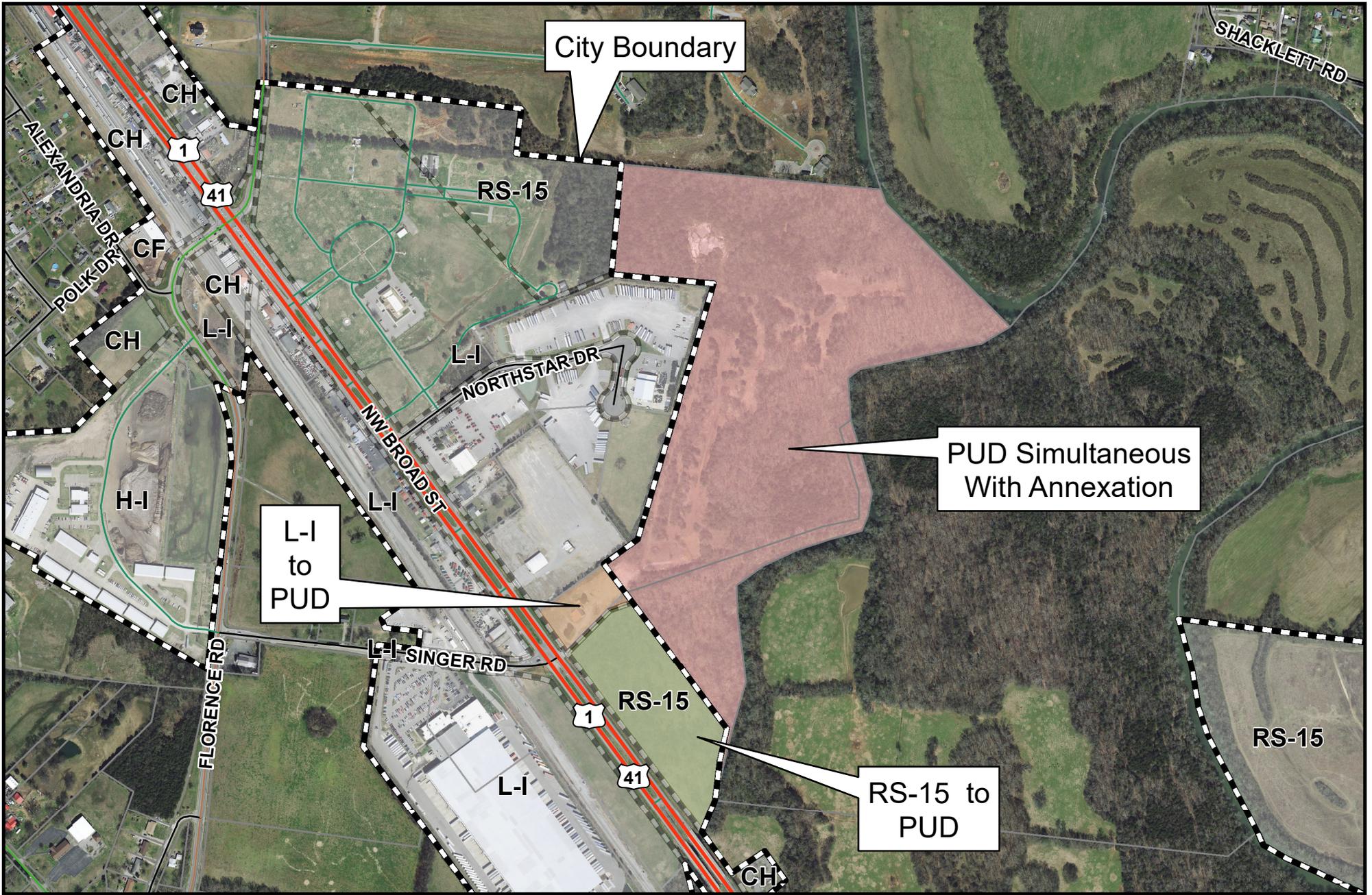
The Planning Commission will need to conduct a public hearing on the matter of the PUD zone request, after which it will need to discuss this matter and then formulate a recommendation for City Council.



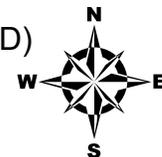
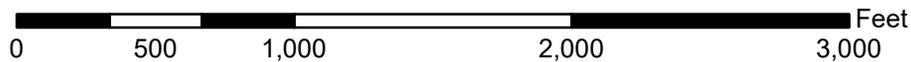
Rezoning Request for Property Along Northwest Broad Street
L-I and RS-15 to PUD and PUD Simultaneous with Annexation (River Landing PUD)



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Rezoning Request for Property Along Northwest Broad Street
 L-I and RS-15 to PUD and PUD Simultaneous with Annexation (River Landing PUD)



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 City of Murfreesboro
 11 W Vine St
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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

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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.

Received
 Planning Department

JUL 03 2019

111 West Vine Street
 Murfreesboro, TN 37130

To be completed by applicant:

APPLICANT: DR Horton, Inc. c/o Brad Garnto

Address: 7175 Nolensville Road, Suite 202 **City/State/Zip:** Nolensville, TN 37135

Phone: 615-776-4493 **E-mail address:** bjgarnto@drhorton.com

PROPERTY OWNER: Springboard Landing, Inc. & Mary Hord Haymore Children, LP

Street Address or property description: 5002 NW Broad Street, Murfreesboro, TN 37129

and/or Tax map #: 57 **Group:** _____ **Parcel (s):** 4.00 and 27.00

Existing zoning classification: LI and RS-15 in Murfreesboro, along with RM in Rutherford County

Proposed zoning classification: PUD **Acreage:** 79.00 Acres

Contact name & phone number for publication and notifications to the public (if different from the applicant): Rob Molchan - SEC, Inc. 615-890-7901

E-mail: rmolchan@sec-civil.com

APPLICANT'S SIGNATURE (required): 

DATE: 7-1-19

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

Date received: 7/1/19 **MPC YR.:** _____ **MPC #:** 2019-424/508

Amount paid: \$1,450 **Receipt #:** 279204

January 7, 2020

Margaret Ann Green
City of Murfreesboro Planning Department
111 West Vine Street
Murfreesboro, TN 37130

RE: Summary of Revisions to the Concept Plan and Rezoning Booklet
River Landing PUD
Murfreesboro, TN
SEC No. 18250

Dear Margaret Ann,

This letter is to outline the revisions that have been made to the Concept Plan and Rezoning Booklet for River Landing PUD. These revisions reflect items discussed at the November 6, 2019 Planning Commission Public hearing.

The major changes to the plan and booklet are:

- Revised townhome architecture to include a wrap-around front porch, a bay window, and brick/stone water table on the sides of townhome buildings facing public roadways. The wrap-around porch will be at both ends of the townhome building for architectural balance of that corner townhome building. After the townhome building on the corners of a block, the townhome buildings located in the internal portions of the blocks will not include the wrap-around porch. These internal block townhome buildings will be standard townhomes with a small front porch/stoop. The sides of the internal townhome buildings will be flat, will not include a bay window or masonry water table, and will be placed at the side building setback or 10-foot building offset line.
- Revised townhome renderings based on the new wrap-around porches and side elevations, to provide a clearer image of what the townhomes will look like in this development from the street.
- Increased the landscape buffer along the boundary of the neighboring industrial zoned properties to a Type 'C' Buffer. This buffer area has been decreased in size to the standard landscape buffer width of 12-feet as per the Zoning Ordinance, as opposed to the 20-foot width that accompanied the previously proposed Enhanced Type 'A' Buffer.
- Revised the language as to the timing requirements for amenities within a section. The language on Page 14 now states that amenities within each section of the development, shall be installed before more than 50% of the permits are issued within that section. As opposed to the previously submitted language that the amenities being completed before the next section's plat being recorded. The main amenity center and pool would be operational prior to Section 3 plat being recorded.
- Added a fence along the north property line of the site along boundary with JourneyPure, an addiction treatment facility north of the project. After discussions with the JourneyPure representative after the last meeting, we agreed it would be best to provide this amenity to our future residents.

The following pages outlines the variety of changes made to each page since our last submittal of the book back on October 29, 2019.

Cover Page

- Revised cover for new submittal and PC Workshop meeting dates.
- Updated townhome image

Page 4

- Updated density and acreage numbers, this was due to a calculation error. The commercial acreage was over by 0.53 acres, so the correct commercial acreage is 6.52 acres. This changed the residential acreage to 72.06 acres with a density of 5.26 un/ac.

Page 7

- Fixed density number in the text discussing 2035 Land Use Plan.

Pages 10-12

- Added captions to the images on these pages for better understanding of the pictures outlined on the pages.

Page 13

- Corrected the commercial and residential acreages, and the associated densities in the residential portion of the project.
- Removed Type 'A' Buffer callouts, and inserted Type 'C' Buffer callouts.

Page 14

- Included the agreed upon language in reference to when amenities in each section of development shall be completed. Bullet Point #9 states that amenities within each section of the development, shall be installed before more than 50% of the permits are issued within that section. As opposed to the previously submitted language that the amenities being completed before the next section's plat being recorded.
- Updated acreages in the Phasing Chart and changed color of Section 4 on the Phasing plan and legend.

Page 15

- Revised Bullets #2-3 to remove Type 'A' Buffer and replace it with 12-foot wide Type 'C' Buffer.
- Added bullets to both the development standards for the residential units to better describe the design of the driveways for both housing types.

Page 18

- Updated townhome building elevations and renderings.
- Updated setback diagrams and text.
- Increased townhome front setbacks from 25-feet to 30-feet, to provide more room for off-street parking, as well as add additional landscape planting beds between the garaged door and front porch/stoop.
- Added a parking diagram showing 3 off-street parking spaces per unit.
- Updated Elevation Materials for the two different side elevations types based on corner or internal block buildings.

Page 20-21

- Removed small side yard landscape buffers from the plan, since we enhanced the corner units of the townhome buildings with wrap-around porches, bay window, and masonry water table to those side elevations facing roadways.
- Removed notations regarding Enhanced Type 'A' Buffer and replace it with a standard 12-foot wide Type 'C' Buffer along the boundary with the neighboring industrial zoned properties.
- Added scale and north arrow to Page 20.

- Added a new diagram and text related to a new 6-foot tall fence along the boundary with the neighboring JourneyPure property. After the Public Hearing, we had a long discussion with the representative from JourneyPure that spoke at the meeting. We felt that it would be in the best interest of both current landowners, as well as future home buyers along that boundary, that a fence should be installed to deter any individuals being treated at JourneyPure from wandering onto this property and the future residential lots. The text on Page 21 outlines time frames for an initial temporary fence and the permanent fence.

Page 22

- Revised diagram to reflect the 12-foot wide Type 'C' Buffer along neighboring Industrial Zoned properties, as opposed to the previously proposed 20-foot wide Enhanced Type 'A' Buffer.
- The revised diagram shows the 30-foot rear setback from the property line to the back of the townhomes, and the remaining 18-foot backyard for each of the townhomes along these portions of the property.
- The revised diagram also shows the 50-foot separation between the back of the townhomes and the furthest extent of the Type 'E' Buffer on the neighboring industrial properties.
- The combined width of the landscape buffers on both sides of the property is 27-32 feet wide.

Page 23

- Revised diagram to better outline the Type 'C' Buffer as it relates to parking and building setbacks on the future commercial parcels.
- Revised diagram representing the townhome 15-foot rear setback as it relates to the buffer and setbacks on commercial parcels.

Page 29

- Revised setback chart due to the increase of the front setbacks for townhomes from 25-feet to 30-feet, better accommodate off-street parking and increased landscape areas in front of townhome units.
- Revised setback chart due to the decrease in the rear setbacks for townhomes from 20-feet to 15-feet due to the increase in the front setbacks outlined above.

If you have any questions or if I may be of further assistance, I can be contacted by phone at 615-890-7901. My email address is rmolchan@sec-civil.com. Our fax number is 615-895-2567.

Sincerely,



Rob Molchan, P.L.A.
Landscape Architect & Land Planner
SEC, Inc.



RIVER LANDING

REQUEST FOR ANNEXATION AND REZONING TO PLANNED UNIT DISTRICT (PUD)
Murfreesboro, Tennessee

Initial Submittal

July 1, 2019

Re-submittal

October 10, 2019 for the October 16, 2019
Planning Commission Meeting

Re-submittal

October 29, 2019 for the November 6, 2019
Planning Commission Public Hearing

Re-submittal

January 6, 2020 for the January 14, 2020
Planning Commission Workshop Hearing

Re-submittal

March 2, 2020 for the March 19, 2020
City Council Public Hearing

SEC, Inc.

SEC Project #18250

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SEC, Inc.

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

850 Middle Tennessee Blvd.
Murfreesboro, Tennessee 37129

Company Name: DR Horton, Inc.
Profession: Developer
Attn: Matt Dowdle
Phone: (615) 776-4493
Email: MSDowdle@drhorton.com

7175 Nolensville, Rd. Ste 202
Nolensville, TN 37135

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America's Builder

SYNOPSIS.....	04
2040 MAJOR TRANSPORTATION PLAN.....	05
SUBDIVISION MAP.....	06
ZONING MAP AND 2035 FUTURE LAND USE PLAN.....	07
UTILITIES MAP.....	08
HYDROLOGY AND TOPOGRAPHIC MAP.....	09
SITE PHOTOS.....	10-12
CONCEPT PLAN.....	13
PHASING PLAN.....	14
DEVELOPMENT STANDARDS.....	15
ARCHITECTURAL CHARACTERISTICS.....	16-18
AMENITY MAP.....	19
LANDSCAPE CHARACTERISTICS.....	20-23
COMMERCIAL DEVELOPMENT STANDARD.....	24-26
INGRESS/EGRESS.....	27
ZONING ORDINANCE SECTION 13 (D) (2) (a).....	28-29

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AERIAL PHOTOGRAPH

Not To Scale 

-  Northwest Broad Street (US 41)
-  Florence Road
-  Singer Road



DR Horton, Inc. respectfully requests rezoning and annexation of the Mary H. Hord and Springboard Holdings, Inc. properties at 5200 Northwest Broad Street from Medium Density Residential (RM) in Rutherford County, along with Light Industrial (LI) and Residential Single-Family (RS-15) in the City of Murfreesboro, to a Planned Unit District (PUD) within the City of Murfreesboro to create the River Landing PUD. The property is located along the northeast side of Northwest Broad Street (Highway 41). Singer Road intersects Northwest Broad Street near the southwest corner of the site. The site is identified as Parcels 4.00 and 27.01 of Tax Map 57 and is approximately 78.58 acres.

The request for rezoning to a PUD is to create River Landing. The development will consist of 101 single-family detached lots, and 278 single-family attached townhomes for a total of 379 dwelling units on ± 72.06 acres of residential property for a density of ± 5.26 units per acre. The single-family detached lots will be a minimum of 5,000 square feet, with homes having a minimum of 1,250 sf. of living space. Single-family detached homes will have a minimum of two bedrooms and a minimum two car garage. All single-family detached lots will be for sale. While single-family attached townhomes will be sold fee simple, and will be a minimum of 1,200 sf. of living space. Single family attached townhomes will have two to three bedrooms and a minimum of a one car front entry garage. Garage doors will complement the architecture of both types of homes in the development. The homes elevations will be constructed of masonry materials to add quality and character to the community. Each home and townhome will have foundation landscaping at the base of the front elevation, along with sodded front yards. Standard street lights will add character and continuity to the neighborhood. All mail will be provided by central mail kiosk(s). The Phase 1 and 2 entrances off of Northwest Broad Street will incorporate development entrance signage, that will be anchored with landscaping and lighting. The H.O.A. will maintain all residential common areas. In addition to the residential portion of the development, there will be 6.52 acres of commercial property along the Northwest Broad Street (US 41). Commercial lots will not be part of the residential H.O.A.



2040 MAJOR THOROUGHFARE PLAN (MTP)

Not To Scale 

-  Singer Road (3-Lane Committed)
-  Cherry Lane Extension (5-Lane Committed)
-  Cherry Lane Extension (5 - Lane Proposed)
-  Cherry Lane Extension (4-Lane Proposed)



Site Boundary

The property will have two access points to existing public rights-of-way along Northwest Broad Street (Highway 41), both will provide ingress and egress into the site. Northwest Broad Street is currently a 4-lane median divided roadway, and is not currently slated for improvements. The western entrance of the site will be at the intersection of Northwest Broad Street and Singer Road. Singer Road is committed to be improved from a two lanes to a three lane roadway. The property is located near the future intersection of Northwest Broad Street and the Cherry Lane Extension as proposed in the 2040 Major Thoroughfare Plan. The Cherry Lane Extension will provided vehicular access to Memorial Boulevard (Highway 31) to the north, and a future interchange with Interstate 24 to the southwest of the project.



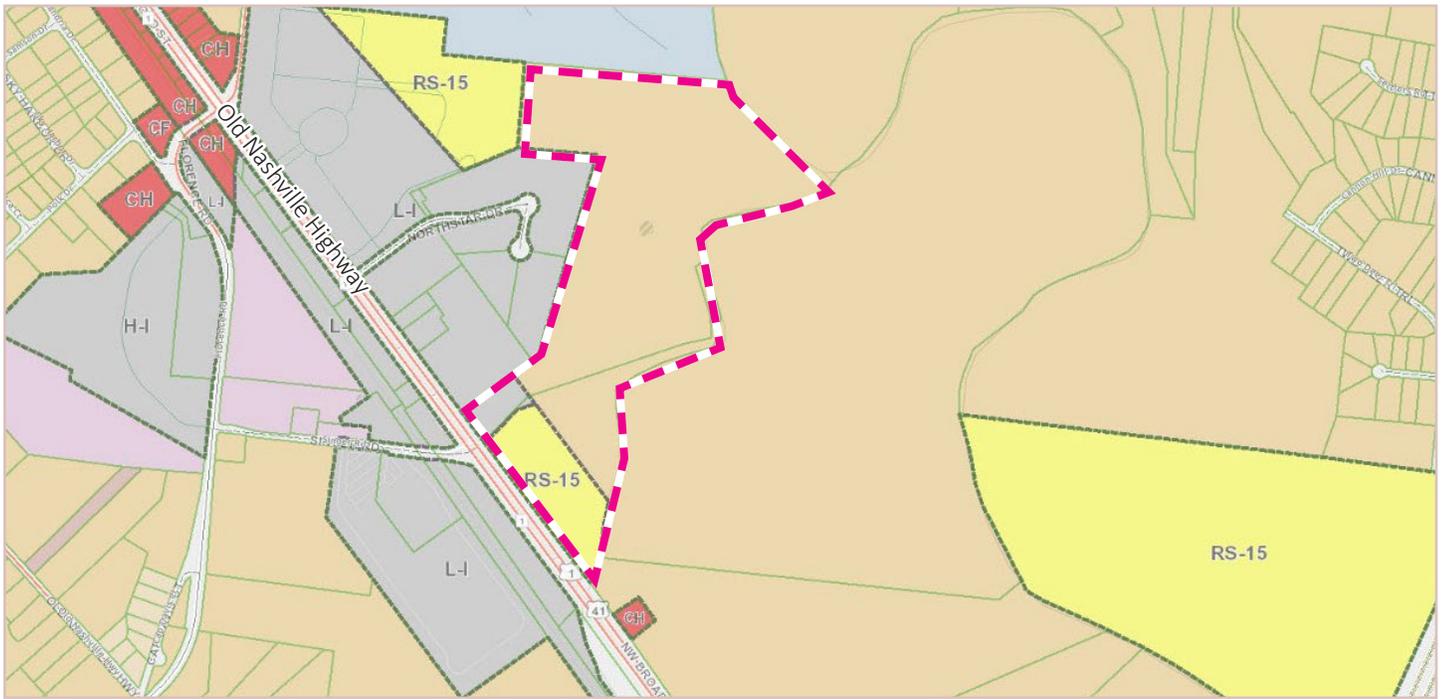
SUBDIVISION MAP

Not To Scale 

- Miles Farm Estates
- Florence Fields
- Williamsburg
- Creekmont Estates
- Northstar Industrial Park
- Roselawn Memorial Cemetery
- JourneyPure



River Landing is surrounded by a mixture of uses and agricultural properties. Directly to the west of the site is the Northstar Industrial Park. The upper 1/4 of the western boundary is adjacent to a Roselawn Memorial Cemetery. North of the site is Journey by the River, a mental health and rehabilitation facility. The Mary H. Hord property to the east across the Overall Creek is currently agricultural fields. There are a few properties across Northwest Broad Street that range from open or wooded lands, to industrial business sites.



ZONING MAP

Not To Scale 

- | | |
|---|--|
|  Medium Density Residential (RM) Rutherford County |  Light Industry (LI) Murfreesboro |
|  Light Industry (LI) Rutherford County |  Residential (RS-15) Murfreesboro |
|  Institutional (IN) Rutherford County |  Commercial Highway (CH) Murfreesboro |
|  Commercial Services (CS) Rutherford County |  Commercial Fringe (CF) Murfreesboro |



Site Boundary

The property is currently zoned Light Industrial (LI) and Residential Single Family (RS-15) in the City of Murfreesboro, as well as Medium Density Residential (RM) in Rutherford County. The surrounding properties are currently zoned Light Industrial (LI) and Residential Single Family (RS-15) in the City of Murfreesboro, as well as Medium Density Residential (RM) and Institutional (IN) in Rutherford County.



Murfreesboro 2035 Land Use Plan

The current Murfreesboro 2035 Future Land-use Plan proposes this site as Urban Commercial/Mixed Use Character (UC). This site best fits the Mixed-Use Corridor sub-group in this character area. This character area allows for a broad range of commercial, office, high density residential uses, and public spaces. UC includes development that would be classified as CBD, MU, and PUD zoning classifications within the City of Murfreesboro. The recommended density for this site is 60 DU/ac, and a 1.85 FAR. The proposed density of the site is 5.26 DU/ac., which is lower than the recommendation of the 2035 Plan due to preservation of a large portion of the is property as common open space. The PUD has set aside commercial acreage along NW Broad Street, has a mixture of high density residential, and a variety of public spaces The proposed River Landing PUD is consistent with the recommendations of the 2035 Plan.



UTILITY MAP

Not To Scale 

-  Water
-  Electric
-  Sanitary Sewer
-  Stormwater



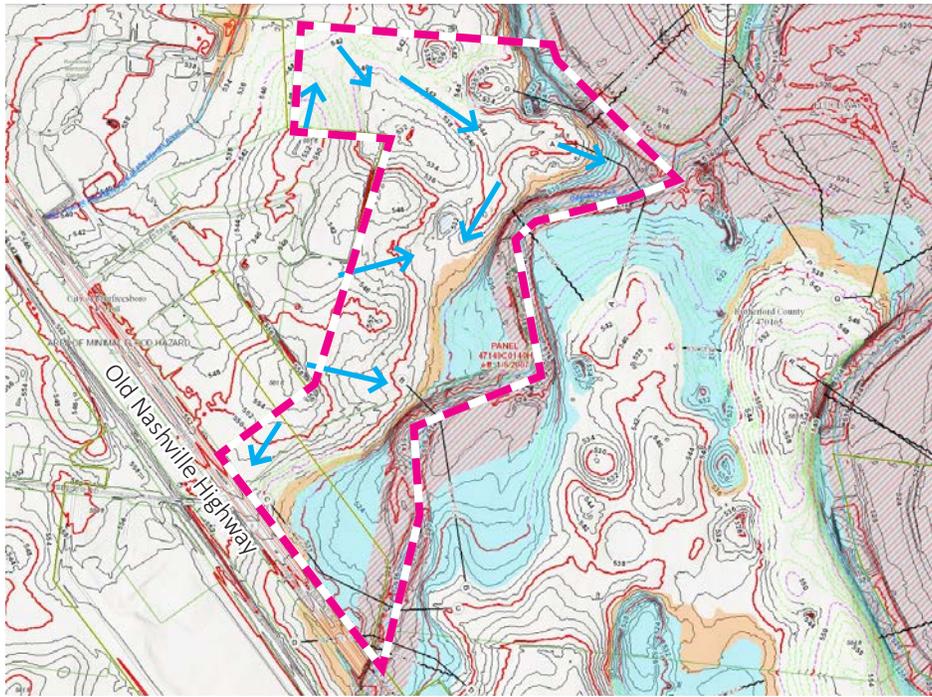
Sanitary sewer service will be provided via Murfreesboro Water Resource Department. Sewer will be extended to the site from the existing 8" ductile iron gravity line on the southwest side of Northwest Broad Street. The developer will be responsible for extending the sewer lines into the site.



Water service will be provided by Consolidated Utility District of Rutherford County. There is an existing 4" and 12" ductile iron water line along Northwest Broad Street for water and fire service into the site. The 4" line will service the proposed commercial lots and the 12" will service the proposed. The developer will be responsible for extending the waterlines into the site for domestic and fire water service.



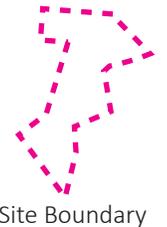
Electric service will be provided by Murfreesboro Electric Department. Electric service will tie into existing overhead lines located on the northeast side of Northwest Broad Street. The developer will be responsible for extending the electric lines into the site, and all on-site electric will be underground.



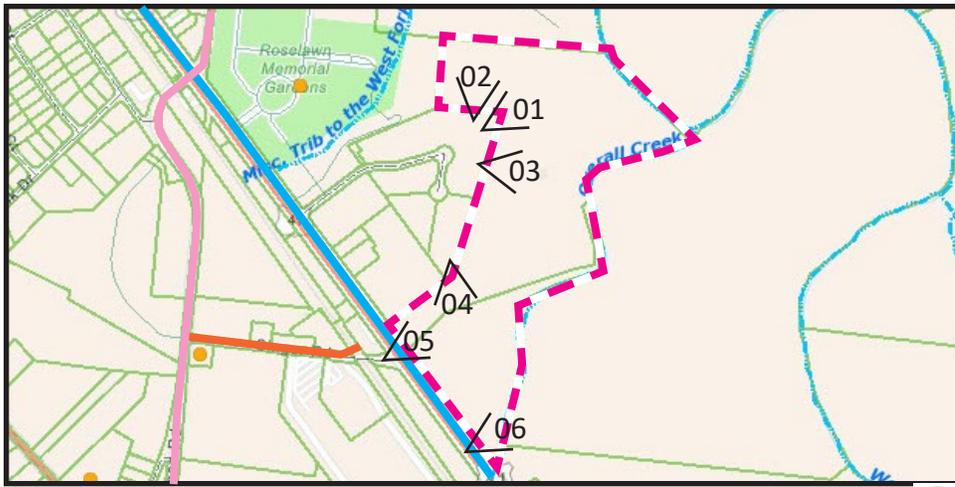
HYDROLOGY AND TOPOGRAPHY

Not To Scale 

-  WATER FLOW DIRECTION
-  INTERMEDIATE CONTOURS
-  INDEX CONTOURS



The topographic map above shows the site's topographic high points generally along the western boundary of the site. The land generally falls east towards Overall Creek. Stormwater that falls on this site follows the general flow of the contours towards the east boundary and into Overall Creek. Some portions of this site and Overall Creek drain into the West Fork of the Stones River. This acts as the main stormwater conveyance for this property. The development's stormwater maintenance ponds will be located along the eastern portion of the property to detain and treat stormwater from this development. Portions of this property are located within the FEMA floodplain and floodway as shown on the FEMA Flood Panel 47149C0140H effective 1/5/2007.



- Northwest Broadstreet (US 41)
- Florence Road
- Singer Road

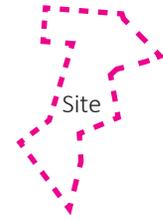


PHOTO DIRECTION MAP

Not To Scale



VIEW FROM INDUSTRIAL PROPERTY INTO THE SITE



VIEW FROM INDUSTRIAL PROPERTY INTO THE SITE



VIEW OF EXISTING LANDSCAPE BUFFER ON INDUSTRIAL SITE



VIEW INTO SITE FROM INDUSTRIAL PROPERTY

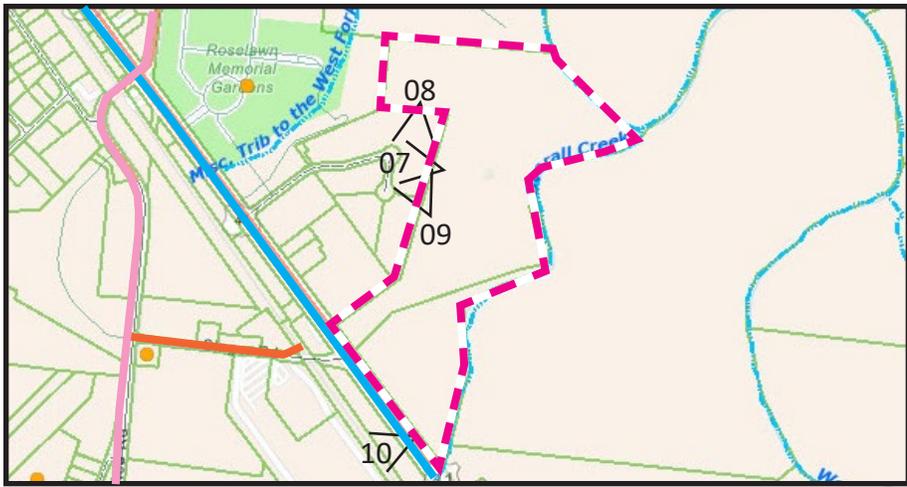


VIEW OF SITE AT SINGER ROAD



VIEW OF SITE AT SOUTHERN ENTRANCE

10 EXISTING CONDITIONS
ON-SITE PHOTOS



- Northwest Broadstreet (US 41)
- Florence Road
- Singer Road

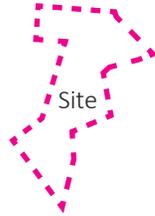


PHOTO DIRECTION MAP

Not To Scale



VIEW OF INDUSTRIAL BUILDING NEXT TO THIS PROJECT



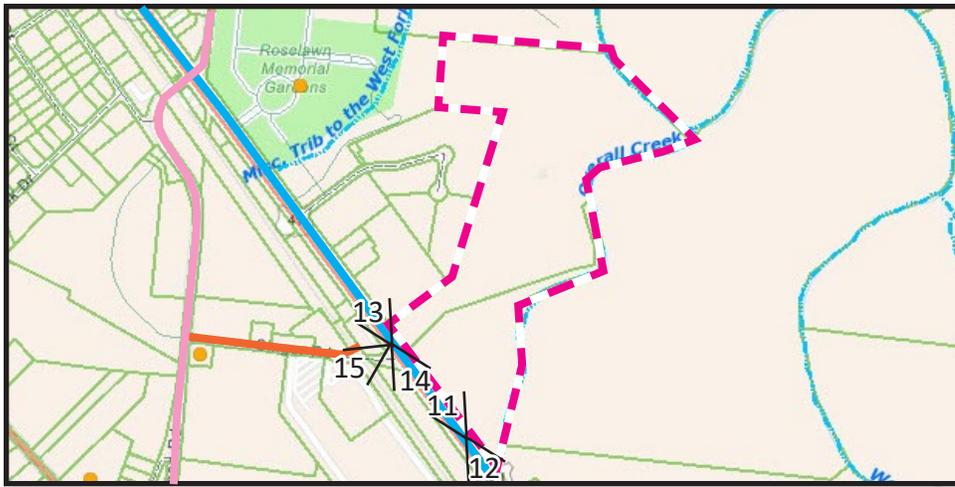
VIEW OF INDUSTRIAL SITE NEXT TO THIS PROJECT



VIEW OF NEW INDUSTRIAL SITE NEXT TO THIS PRD



VIEW OF INDUSTRIAL WAREHOUSE ON THE OTHER SIDE OF NW BROAD ST.



- Northwest Broadstreet (US 41)
- Florence Road
- Singer Road



PHOTO DIRECTION MAP

Not To Scale



VIEW NW AT SOUTHERN ENTRANCE ALONG NW BROAD ST.



VIEW SE AT SOUTHERN ENTRANCE ALONG NW BROAD ST.



VIEW NW ALONG NW BROAD ST. AT SINGER ROAD



VIEW AT SE ALONG NW BROAD ST. AT SINGER ROAD



VIEW OF RAILROAD CROSSING ON SINGER ROAD



*Trees depicted on the conceptual site and landscape plans are strictly ideation and do not delineate a location or quantity.

Site Data:

Total Land Area:	±78.58 Acres
Commercial Lot Area:	±6.52 Acres
Residential Area:	±72.06 Acres
Total Number of Townhome Units:	278 Units (71.68%)
Total Number of Single Family Lots:	101 Lots (28.32%)
Total Number of Dwelling units:	379 Units
Density: 379 Units / 72.06 Acres =	±5.26 Units/Acre
Single Family Detached:	
Density 101 Units / 23.96 Acres =	±4.22 Units/Acre
Single Family Attached:	
Density 278 Units / 48.10 Acres =	±5.78 Units/Acre
Total Open Space:	
Total Open Space:	±29.98 Acres (42%)
Usable Open Space	±21.45 Acres (30%)
Stormwater (Detention)	±6.5 Acres (9%)
Formal Open Space Required:	±3.57 Acres (5.00%)
Formal Open Space Provided:	±3.57 Acres (5.00%)
Active Space Required (2 Lot Minimum):	±2.14 Acres (3.00%)
Active Space Provided (4 Lots Provided):	±2.14 Acres (3.00%)
Length of New Roadway:	
Length of New Roadway:	±9,224 Linear Feet
Minimum Single-Family Detached Lot Size:	5,000 Square Feet
Typical Lot Dimensions (SF-Detached):	41' x 130'

Parking Requirements:

Townhomes:	
1.1 Spaces per Bedroom	
(278) 3-Bedroom Townhouses (278 x 3.3) =	918 Spaces
Single-Family Detached:	
4 Spaces per Lot	
(101) Single-Family Detached Lots (101 x 4) =	404 Spaces
Total Required:	1,330 Spaces

Parking Provided:

Townhomes:	
Garage Parking:	278 Spaces
Driveway Parking:	556 Spaces
Visitor Parking:	135 Spaces
Single Family:	
4 Spaces (2 Driveway + 2 Garage) =	404 Spaces
Total Parking Provided:	1,381 Spaces (+51 Spaces)

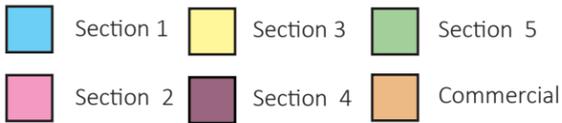
Townhomes	Open Space
Single Family Lots	Roads/Sidewalks
Existing Trees	100 Year Flood Line
Detention	Floodway
Future Commercial Lots	Entrance Sign
	Formal and Active Open Space

SEC Project #18250

Murfreesboro, Tennessee

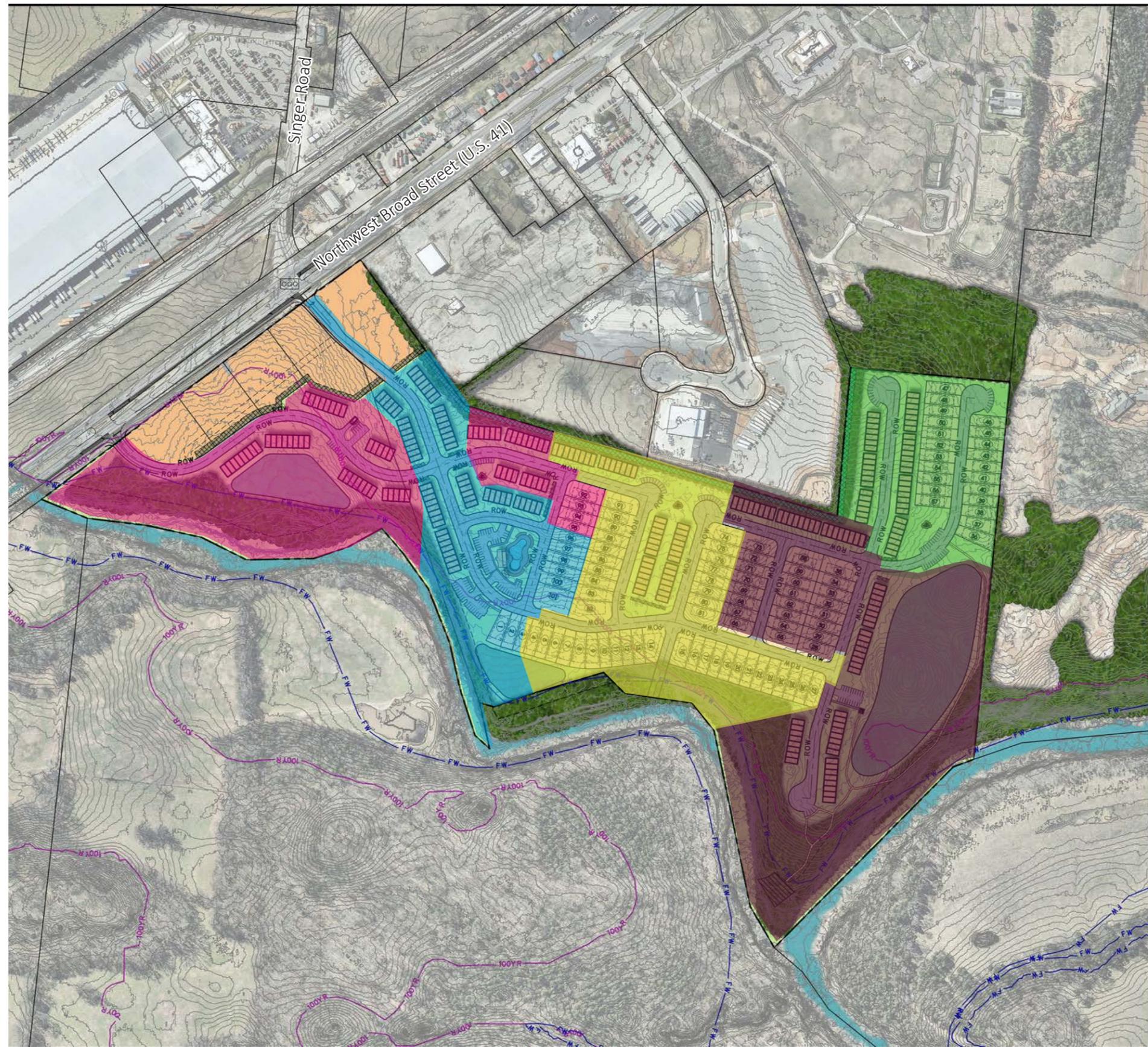


PHASES	Lots	Townhomes	Total Units	Acres
SECTION 1	9	60	69	11.75
SECTION 2	2	64	66	14.11
SECTION 3	44	43	87	14.48
SECTION 4	24	64	88	23.39
SECTION 5	22	47	69	8.84
TOTAL RESIDENTIAL	101	278	379	72.06
COMMERCIAL				6.52
TOTAL LAND AREA				78.58



Conceptual Phasing Plan

- The project is anticipated to be built in 5 Sections.
- Construction of Section 1 is planned to begin within 90-120 days after the completion of the rezoning process.
- Section 1 is anticipated to create 69 homes.
- Section 1 will include the development signage at the entrance of Northwest Broad Street / Singer Road.
- Section 2 will include additional development signage at the southern entrance off of Northwest Broad Street.
- The remaining phases will be market driven and dependent upon the absorption of the units in the previous phase.
- The sidewalks within each single family lot phase will be constructed by the home builders as the homes are constructed. If sidewalks are located along common area then, the developer will construct those portions of the sidewalk with the construction of that common area.
- The Amenity Center lot will be constructed and operational prior to the Section '3' plat being recorded.
- Other amenity/open space areas will be installed before more than 50% of the permits are issued in the section that amenity is located in.
- Amenity/open spaces areas in the final section shall be constructed and completed prior to the recording of the final section's plat.



SEC, Inc.

SEC Project #18250 Mufreesboro, Tennessee



Development Standards:

- Entrances off of Northwest Broad Street shall have new entrance signage constructed on masonry materials and anchored by landscaping and lighting.
- A 12' wide Type 'C' Landscape Buffer shall be constructed along the residential portion of the western boundary adjacent to Light Industrial (LI) Zoning. This Type 'C' Buffer in conjunction with the existing Type 'D' and 'E' Buffers on the Light Industrial Properties, will produce a combined buffer that is a minimum 27-32 feet wide. The combined buffer design is shown on Page 22.
- A 12-foot wide Type 'C' Buffer shall extend along the rear portion of the commercial lots adjacent to the townhomes, see Page 23 for buffer diagram.
- Any solid waste enclosures will be constructed of masonry materials consistent with building architecture and be at least 8 feet tall with opaque gates and enhanced with landscaping.
- Prior to construction plan review, a complete and thorough design of the stormwater management system and facilities will be completed.
- All home owners will be required to be a member of the H.O.A.
- As a member of the H.O.A., residents will be subject to restrictive covenants, and be required to pay membership dues as determined by a 3rd party management company.
- HOA will be managed by independent 3rd party management company.
- The common areas will be owned and maintained by an H.O.A.
- HOA covenant shall state that the primary use for garages shall be vehicular.
- All streets will be public rights-of-way.
- All streets have been designed to comply with Murfreesboro Streets Standards.
- Public sidewalks shall be provided on both sides of all streets throughout the development to create a pedestrian friendly community, and shall be a minimum of 5 ft wide.
- Mail service will be provided via a central mail kiosk for all postal deliveries.
- Standard street lights will be coordinated with MED, and will meet MED's standards for management by MED.
- Areas located in the floodway shall be located in common open space areas only, not on lots.



Centralized Mail Kiosk Example

Additional Development Standards: Single Family Detached

- 101 single-family detached lots with 2 or more bedrooms.
- Single-family detached homes will have a minimum of 1,250 sf of living area.
- Single-family detached homes shall be for sale.
- Builders shall install a front yard tree on each single-family detached lot if noted on landscape plan.
- Single-family detached lots will have a 2-car garage front entry garage.
- Each single-family detached lot will provide at least 2 parking spaces per lot (outside of the garage) +2 spaces inside the garage.
- Garage spaces will be restricted by the HOA Covenants to be for vehicular use only, not for storage.
- Solid waste will be handled via curb side trash pick up by the City of Murfreesboro.
- HVAC units will be located at the rear of each residence.
- Single-family detached homes shall have concrete driveways wide enough for 2 vehicles, with a minimum width of 16 feet and a minimum depth of 25 feet.

Additional Development Standards: Townhomes

- 278 townhome units with 2-3 bedrooms.
- The townhome units will have a minimum of 1,200 sf of living area.
- Townhomes shall be sold fee simple.
- All townhome mechanical equipment (i.e. hvac and transformers) to be screened via landscaping or a fence.
- Solid waste will be handled via a trash compactor for all townhome units.
- HOA will be managed by independent 3rd party management company.
- The common areas will be owned and maintained by an H.O.A..
- All townhome driveways and parking areas will be private and maintained by the H.O.A.
- Each townhome shall have a 1-car front entry garage + 2 spaces per lot in the 2-car driveway in front of the townhome unit.
- Garage spaces will be restricted by the HOA Covenants to be for vehicular use only, not for storage.
- No more than 8 units in 1 building.
- No less than 3 units in 1 building.
- Townhomes shall have concrete driveways wide enough for 2 vehicles, with a minimum width of 16 feet and a minimum depth of 30 feet.



Trash Compactor Example

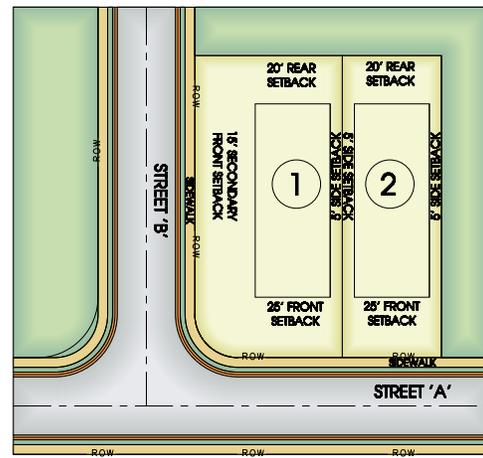
Single Family Detached

Architecture Characteristics:

- Building heights shall not exceed 35-feet in height.
- There will be a mixture of 1-story and 2-story homes.
- All homes will have at least 2 bedrooms.
- All the homes will have eaves.
- All homes will have a covered front stoop or porch.
- All homes will have an option for a covered porch or open patio area at the rear of the home.
- Garage doors shall be decorative with hardware.

Building Elevation Materials:

- Permitted exterior building materials on all elevations: brick, stone, and fiber cement siding.
- Soffits and fascia will consist of aluminum and vinyl.
- Vinyl will not be a permitted exterior building material, except in trim, soffits, and fascia.



**TYPICAL LOT DIAGRAM
N.T.S.**

Minimum Building Setbacks: Single-Family Detached

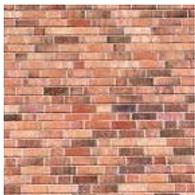
Front:	25-Feet
Front Porches/Stoops shall encroach 6 ft into front setbacks	
Secondary Front:	15-Feet
Side:	5-Feet
Rear:	20-Feet

Building Elevation Materials

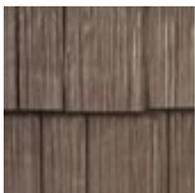
Front Elevations:	Stone, Brick, and Fiber Cement Siding.
Side:	Fiber Cement Siding.
Rear:	Fiber Cement Siding.



Example of Fiber Cement Board Siding
(different colors will be allowed)



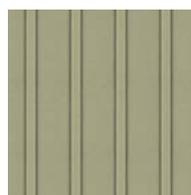
Example of Brick
(different colors and patterns will be allowed)



Example of Fiber Cement Shakes
(different colors, patterns will be allowed)



Example of the Stone Veneer
(different colors, cuts, patterns will be allowed)



Example of Fiber Cement Board and Batten Siding
(different colors, patterns will be allowed)



Single Family Detached Front Elevation Example



Single Family Detached Front Elevation Example



Single Family Detached Front Elevation Example

*The elevations and floor plans of the homes will vary across the development. The images above are meant to convey the general appearance and functionality of the homes.



Single Family Detached Front Elevation Example

Single Family Attached (Townhomes)

Architecture Characteristics:

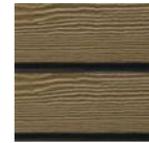
- Building heights shall not exceed 35-feet in height.
- Townhomes will be two stories.
- All homes will have at least 2 bedrooms and a maximum of 3 bedrooms
- All the homes will have eaves.
- All homes will have a covered front stoop or porch.
- All homes will have an option for a covered porch or open patio area at the rear of the home.
- Garage doors shall be decorative with hardware.

Building Elevation Materials:

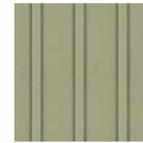
- Permitted exterior building materials on all elevations: brick, stone, and fiber cement siding.
- Soffits and fascia will consist of aluminum and vinyl.
- Vinyl will not be a permitted exterior building material, except in trim, soffits, and fascia.

Building Elevation Materials

- Front Elevations: Primarily stone and brick with secondary fiber cement siding.
- Corner Building Sides: Fiber cement siding w/ masonry water table base
- Internal Building Sides: Fiber cement siding.
- Rear: Fiber cement siding.



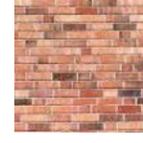
Example of Fiber Cement Board Siding
(different colors will be allowed)



Example of Fiber Cement Board and Batten Siding
(different colors, patterns will be allowed)



Example of the Stone Veneer
(different colors, cuts, patterns will be allowed)



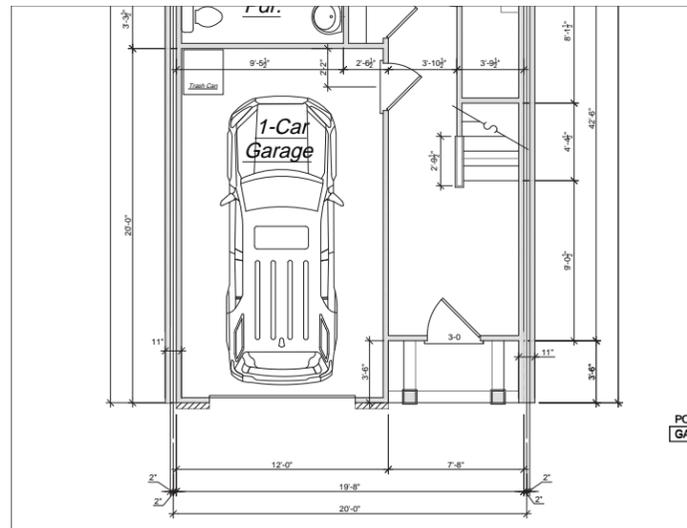
Example of Brick
(different colors and patterns will be allowed)



Example of Fiber Cement Shakes
(different colors, patterns will be allowed)

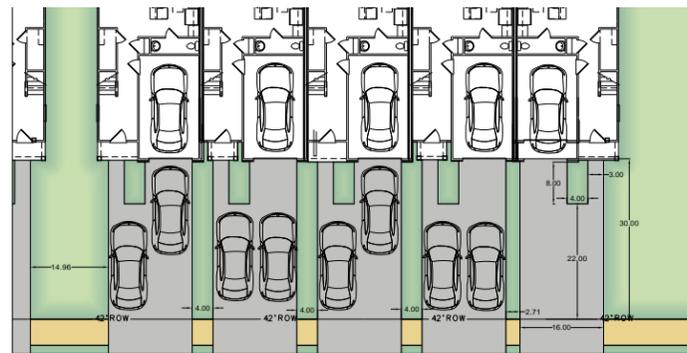
Minimum Building Setbacks: Townhouse

- Front: 30-Feet
- Secondary Front: 15-Feet
- Side Porches, Stoops, and Bay Windows shall encroach up-to 6 ft into Secondary Front Setbacks.
- Side: 5-Feet
- Rear: 15-Feet



Townhome Garage Diagram

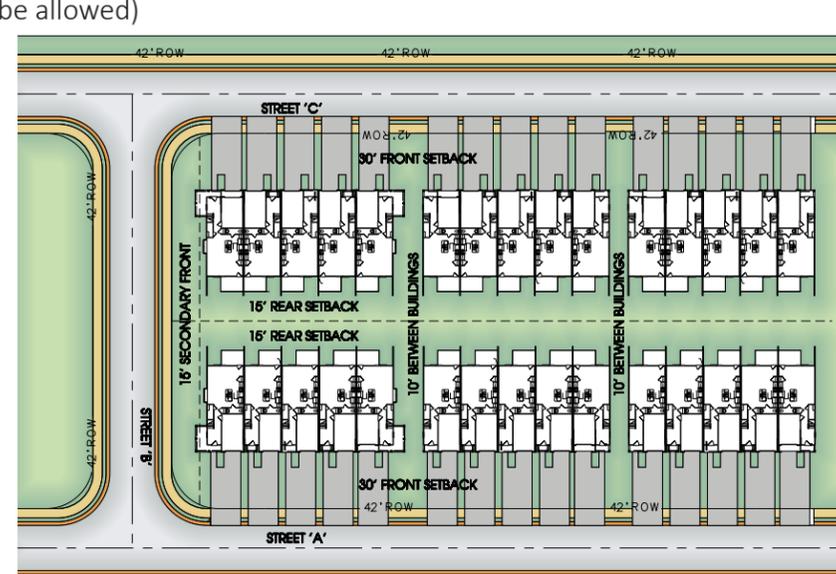
*Hot water tank is located on the second floor of all townhome units, and not in garage.



Example of Corner Townhome Front Elevation



Example of Corner Townhome Rear Elevation



Example of Corner Townhome Side Elevation

*The elevations and floor plans of the homes will vary across the development. The images above are meant to convey the general appearance and functionality of the homes.



- A Amenity Center and Pool
- B Playground
- C Possible Kayak/Canoe Launch Point
If permitted by T.D.E.C.
- D Mail Kiosk
- E Open Recreational Space
- F Pavilion
- G Development Signage

LOCATION MAP - AMENITIES

Not To Scale

With this request, River Landing will be dedicating over 29.98 acres (over 40% of the site) to open space. The open space areas will be comprised of usable open space, detention areas, open recreational spaces, the area along Overall Creek, and the area along the West Fork of the Stones River. Usable open space areas around the development will offer such amenities as; an Amenity Center, pool, playground areas, and possible kayak launch points. Five foot wide sidewalks will line both sides of all streets to provide pedestrian circulation through the neighborhood for residents. Each amenity will be constructed per the phasing outlined on Page 14. The amenity area will offer residents a place to gather, while providing outdoor seating areas. Both of the Northwest Broad Street entrances will incorporate all masonry signage and will be anchored with landscaping and lighting with a max height of 8 feet. Signage will compliment residential and commercial architecture.



Example of Open Recreational Space



Amenity Center and Pool Area



Example of Playground



Development Signage Example



Example of Pavilion



Example of Kayak/Canoe Launch Point

Site Amenities:



Figure 20.1



LANDSCAPE MATERIALS SAMPLES: DECIDUOUS TREES



(A)



(B)

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

LANDSCAPE MATERIAL SAMPLES: EVERGREEN/DECIDUOUS SHRUBS AND GRASSES



(C)



(D)



(E)



(F)

LANDSCAPE MATERIAL SAMPLES: GROUNDCOVER



(G)



(H)



(I)



(J)

LANDSCAPE BUFFER: EVERGREEN TREES



(K)



(L)



(M)

LANDSCAPE BUFFER: EVERGREEN SHRUBS



(N)



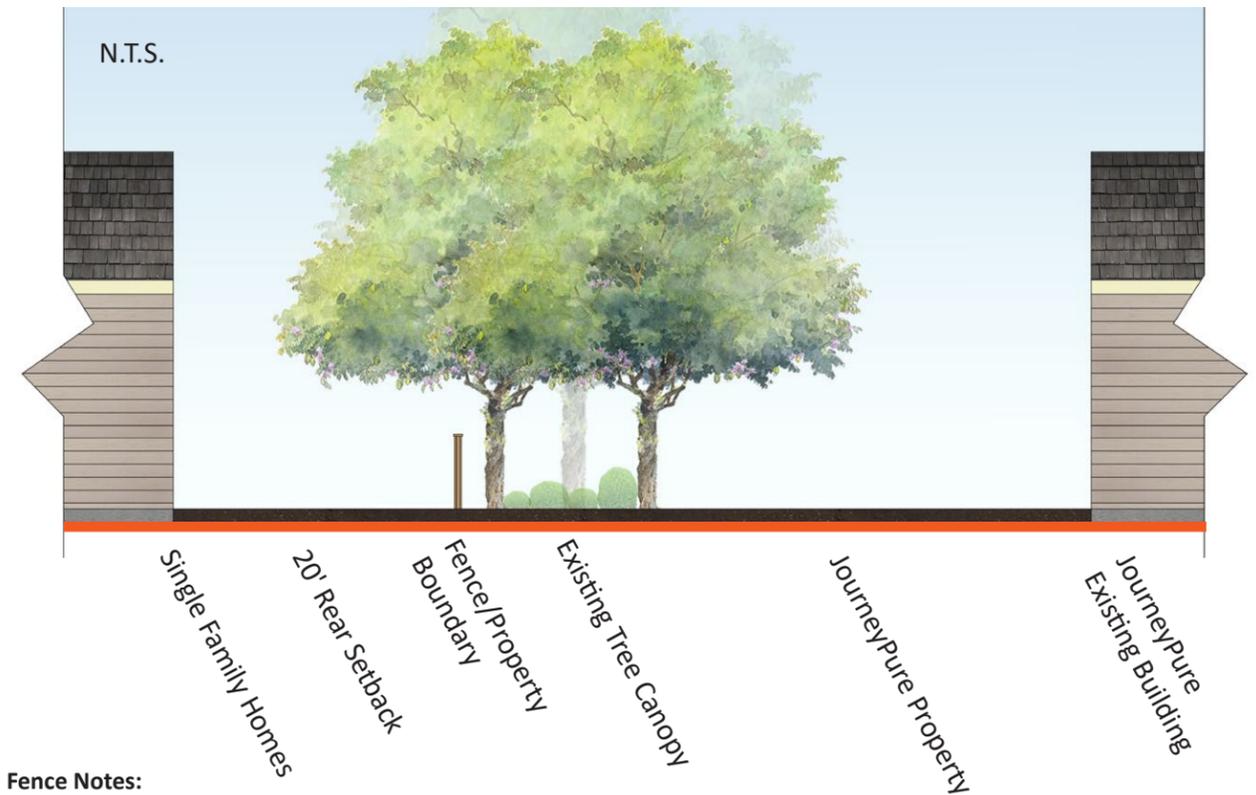
(O)

Residential Landscape Characteristics:

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

- Parking areas on common open space/amenity lots, shall provide a minimum 8 feet of landscape area between parking and all property lines.
- Public rights-of-way screened from parking by use of landscaping and/or berms.
- The boundary along industrial zoned properties will have a Type 'C' Buffer. The Type 'C' Buffer will consist of evergreen trees and medium evergreen shrubs. See Pages 20 and 22 for buffer locations and design.
- All above ground utilities and mechanical equipment screened with landscaping and/or fences.
- Solid waste enclosure screened with a masonry wall and enhanced with landscaping.
- The fronts and sides at the base of buildings that can be seen from the ROW will have at least a 3 foot wide landscape strip.
- Front and secondary front yards shall be planted with sod, all other areas of residential lots will be planted with seed and straw.
- Landscaping will be in conformance with the City of Murfreesboro's landscaping ordinance, unless enumerated in this booklet.

Fencing Along Boundary With JourneyPure:



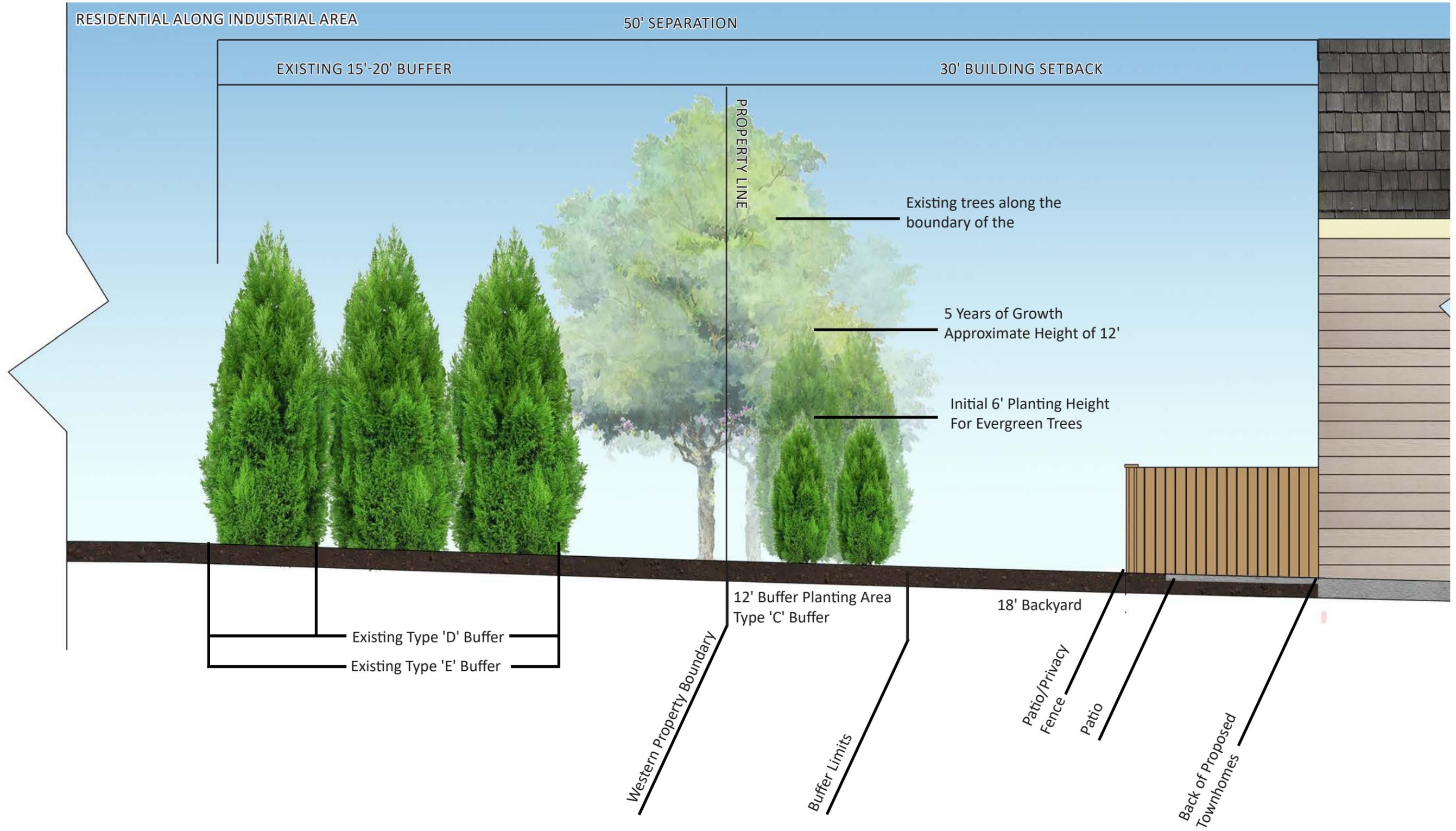
Fence Notes:

- A 6' tall chain link fence shall be installed during Phase 1 construction before the first home certificate of occupancy.
- A 6' tall white vinyl opaque fence shall be installed at the time of phase construction adjacent to the shown northern boundary. This fence shall replace the chain link fence.

Buildings do not represent design intent only context in section exhibits*

EXISTING 15'-20' BUFFER

30' BUILDING SETBACK



Existing trees along the boundary of the

5 Years of Growth
Approximate Height of 12'

Initial 6' Planting Height
For Evergreen Trees

Existing Type 'D' Buffer

Existing Type 'E' Buffer

12' Buffer Planting Area
Type 'C' Buffer

18' Backyard

Patio/Privacy
Fence

Patio

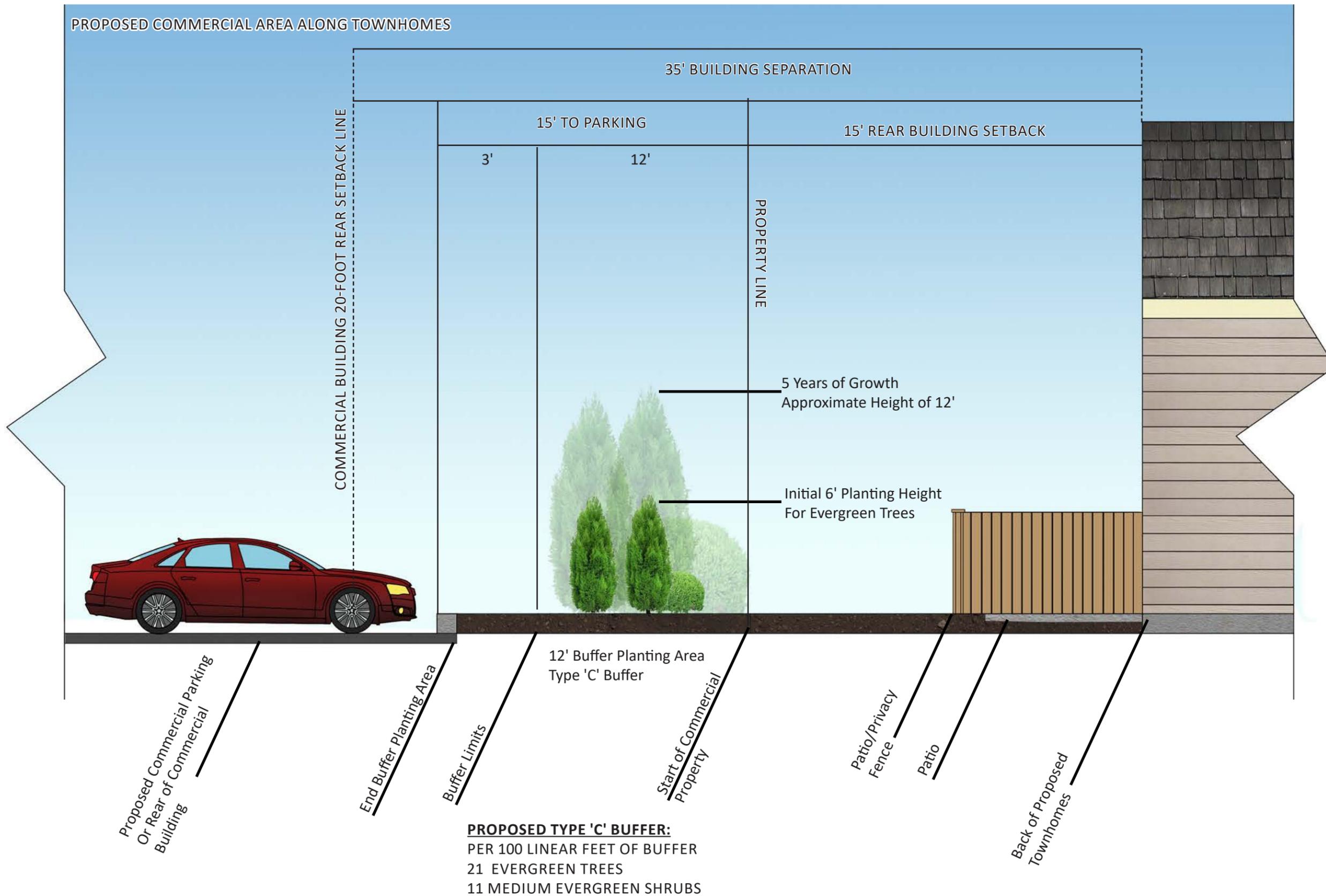
Back of Proposed
Townhomes

PROPOSED TYPE 'C' BUFFER:
PER 100 LINEAR FEET OF BUFFER
21 EVERGREEN TREES
11 MEDIUM EVERGREEN SHRUBS

Buildings do not represent design intent only context in section exhibits*

N.T.S.

PROPOSED COMMERCIAL AREA ALONG TOWNHOMES



Buildings do not represent design intent only context in section exhibits*

N.T.S.



Commercial Lots

The building architecture will be designed to be functional for the intended uses.

Special Note:

Since the commercial lots are not anticipated to be built with Section 1 of the residential development, the commercial lots will be finished with seed and straw to provide a 'clean and green' entry. The finished commercial lots will be mowed and maintained until construction of the commercial lots commences.



Example Commercial Building Architecture

Architectural Characteristics:

- Maximum building height of 35 Feet.
- One or two story buildings.
- Parapet, hip, gable, or pitched roof styles.

Building Elevation Materials:

- Brick or painted brick.
- Cement fiber board siding.
- Stone or cast stone.
- Architectural Asphalt shingles.
- EIFS, as a secondary material.
- Integrally Colored Split Face Block. (secondary material used in very limited amounts as accents)
- Tilt-up precast concrete walls.
- Dryvit will be allowed, but only in combination with other materials. No single elevation shall be all dryvit.
- Textured metal (secondary material used in very limited amounts as accents).
- Metal in trim and soffit areas.
- Architectural materials and colors will be reviewed at the time of a site plan submittal by Murfreesboro planning staff and the planning commission.

Minimum Building Setbacks - Commercial Lots:

- Front: 42-foot
- Side: 10-foot
- Rear: 20-foot



Example Commercial Building Architecture

Commercial Lots

While the immediate end user of the commercial lots is unknown at this time, additional standards for those anticipated uses have been outlined here below.

Minimum Site Characteristics - Commercial Lots:

- All parking will be located at least 8 feet from property lines (side, rear, and R.O.W.), and have curbing.
- Any solid waste enclosures will be constructed of materials consistent with building architecture, and be at least 8 feet tall with opaque gates.
- Commercial buildings shall have pedestrian connections to the proposed entry road off of Northwest Broad Street as well as the secondary access road that connects to Northwest Broad Street.
- Buildings will have a well defined architectural base by use of different materials, colors or change in pattern or a combination of these techniques.
- Building elevations will have articulation or multiple building planes along the front and side elevations.
- The main entrances are to be well defined and easily recognizable by use of raised roof lines, canopies, glazing, changes in materials, changes in colors, and changes in building planes.
- Monument signage located at entrances along roadways to have materials consistent with building architecture and accented with landscaping.
- All mechanical equipment (i.e. HVAC and transformers) to be screened. If mechanical equipment is located on the roof, then they should be screened from view.
- All on-site utilities will be underground.
- On-site lighting will comply with city standards to prevent light pollution.
- Parking will comply with Murfreesboro's Zoning Ordinance
- Construction on the commercial lots will begin once an end-user has chosen the site and receives site plan approval.
- Buildings on all commercial lots shall have consistent materials & architecture to create an overall theme for the development.
- Commercial lots will not be part of the residential H.O.A.
- The shared commercial drive at the rear will be constructed by each individual site plan as they are develop and are anticipated to be a drive aisle in their parking lot, not a separate road.
- Architecture will comply with Murfreesboro Design Guidelines.
- 4 sided architecture due to visibility to residence behind or across the street.

Commercial Lots - Allowable Uses

While the immediate end user of the two commercial lots is unknown at this time, the allowable uses shall consist of all permitted uses listed under the Commercial Fringe (CF) zoning district as outlined in the current Murfreesboro Zoning Ordinance. The allowable uses listed under the Commercial Fringe (CF) district, are intended to allow for a broad range commercial and office uses for this development. In addition to the large amount of vehicular traffic that utilizes the NW Broad Street corridor.

Since the allowable uses for the Commercial Fringe (CF) district provides for a wide variety of potential end uses on these two lots, a list of permitted uses has been outlined below.

USES PERMITTED	CF
OTHER HOUSING	
Accessory Dwelling Unit	x ¹
Assisted-Care Living Facility ¹⁵	X
Bed-and-Breakfast Homestay	X
Bed-and-Breakfast Inn	X
INSTITUTIONS	
Adult Day Care Center	X
Adult Day Care Home	X
Church ¹³	X
Day-Care Center	X
Family Day-Care Home	X
Group Day-Care Home	X
Lodge, Club, Country Club ¹³	X
Museum	X
Nursing Home	S
Nursery School	S
Park	X
Philanthropic Institution	X
Pet Cemetery	S
Public Building ¹³	X
Recreation Field ¹³	X
Senior Citizens Center	X
School, Public or Private, Grades K - 12 ¹³	X
Student Center	S
COMMERCIAL	
Amusements, Commercial Indoor	X
Animal Grooming Facility	X
Antique Mall	X
Antique Shop <3,000 sq. ft.	X
Apothecaries (pharmaceuticals only)	X
Art or Photo Studio or Gallery	X
Bakery, Retail	X
Bank, Branch Office	X
Bank, Drive-Up Electronic Teller	X
Barber or Beauty Shop	X
Book or Card Shop	X
Business School	X
Business and Communication Service	X
Catering Establishment	X
Clothing Store	X
Coffee, Food, or Beverage Kiosk	X
Commercial Center	X
Convenience Sales and Service, maximum 5,000 sq. ft. floor area no fuel station	X

USES PERMITTED	CF
COMMERCIAL (Cont.)	
Delicatessen	X
Department or Discount Store	X
Dry Cleaning	X
Dry Cleaning Pick-Up Station	X
Financial Service (Excluding Quick Cash, Payday Loans, etc.)	X
Flower or Plant Store	X
Glass--Stained and Leaded	X
Group Assembly, <250 persons	X
Health Club	X
Ice Retail	X
Interior Decorator	X
Janitorial Service	X
Karate, Instruction	X
Keys, Locksmith	X
Laboratories, Medical	X
Laboratories, Testing	X
Laundries, Self-Service	X
Liquor Store	X
Music or Dancing Academy	X
Offices	X
Optical Dispensaries	X
Personal Service Establishment	X
Pet Funeral Home	X
Pet Shops	X
Pharmacies	X
Photo Finishing	X
Photo Finishing Pick-Up Station	X
Reducing and Weight Control Service	X
Restaurant and Carry-Out Restaurant	X
Restaurant, Drive-In	X
Restaurant, Specialty	X
Restaurant, Specialty -Limited	X
Retail Shop, other than enumerated elsewhere	X
Veterinary Office	X
Veterinary Clinic	X
Video Rental	X
OTHER	
Self-Service Storage Facility ¹⁶	X ³
Wholesale Establishments	X ³
X = Use permitted by right.	
S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9	

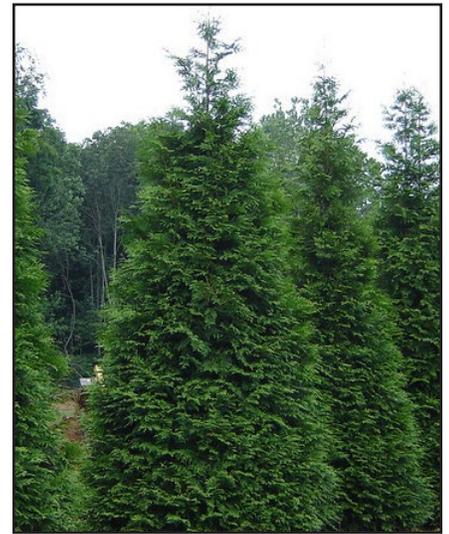
Commercial Lots - Landscaping

The commercial lots will have ample landscaping to provide not only aesthetically pleasing experience, but to aid in mitigating impacts to the proposed residential lots within River Landing. To ensure these characteristics, standards are outlined below as well as a sample palette of landscape materials

Minimum Landscape Characteristics - Commercial Lots:

- All parking will be located at least 8 feet from all property lines (side, rear, and R.O.W.) to provide for perimeter landscape plantings.
- All parking areas to be screened from public right-of-way by landscaping or a combination with mounds.
- Any solid waste enclosures will be screened with evergreen shrubs.
- A Type 'C' Buffer shall be constructed along the property lines that are adjacent to proposed residential units in River Landing. This buffer will screen the residential lots from any parking areas on the commercial parcels, and be built at the time of construction per individual commercial lot.
- The base of the building will have a minimum 5 feet wide landscape bed with foundation plantings.
- Monument signage located at entrances along roadways to have materials consistent with building architecture and accented with landscaping.
- All mechanical equipment (i.e. HVAC and transformers) to be screened with landscaping and/or fences.
- Landscaping will be in conformance with City of Murfreesboro's Landscape Ordinance.

TYPICAL EVERGREEN TREES

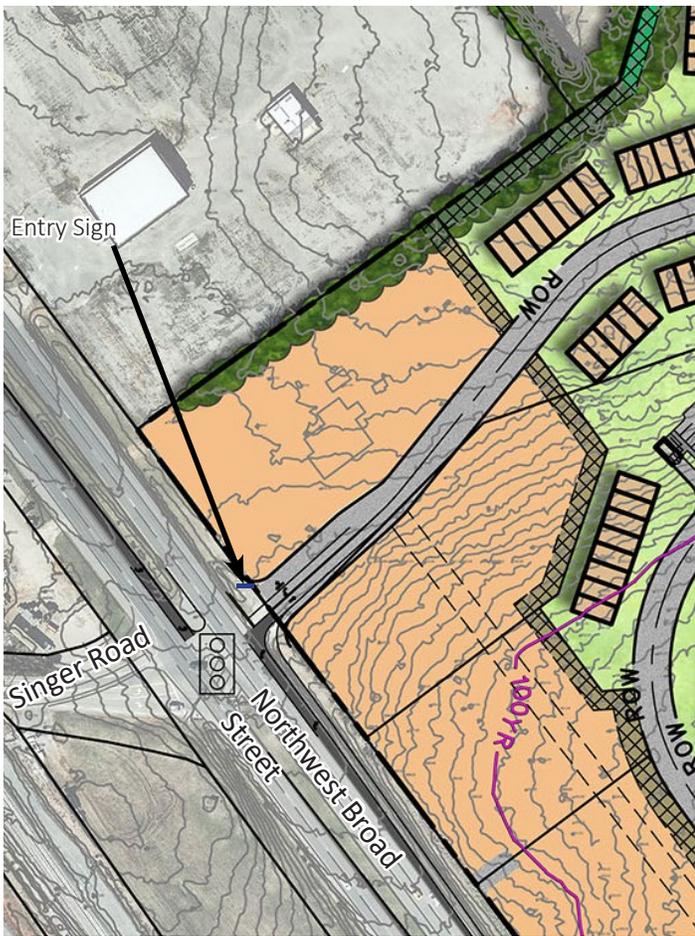


TYPICAL CANOPY TREES



TYPICAL EVERGREEN SHRUBS



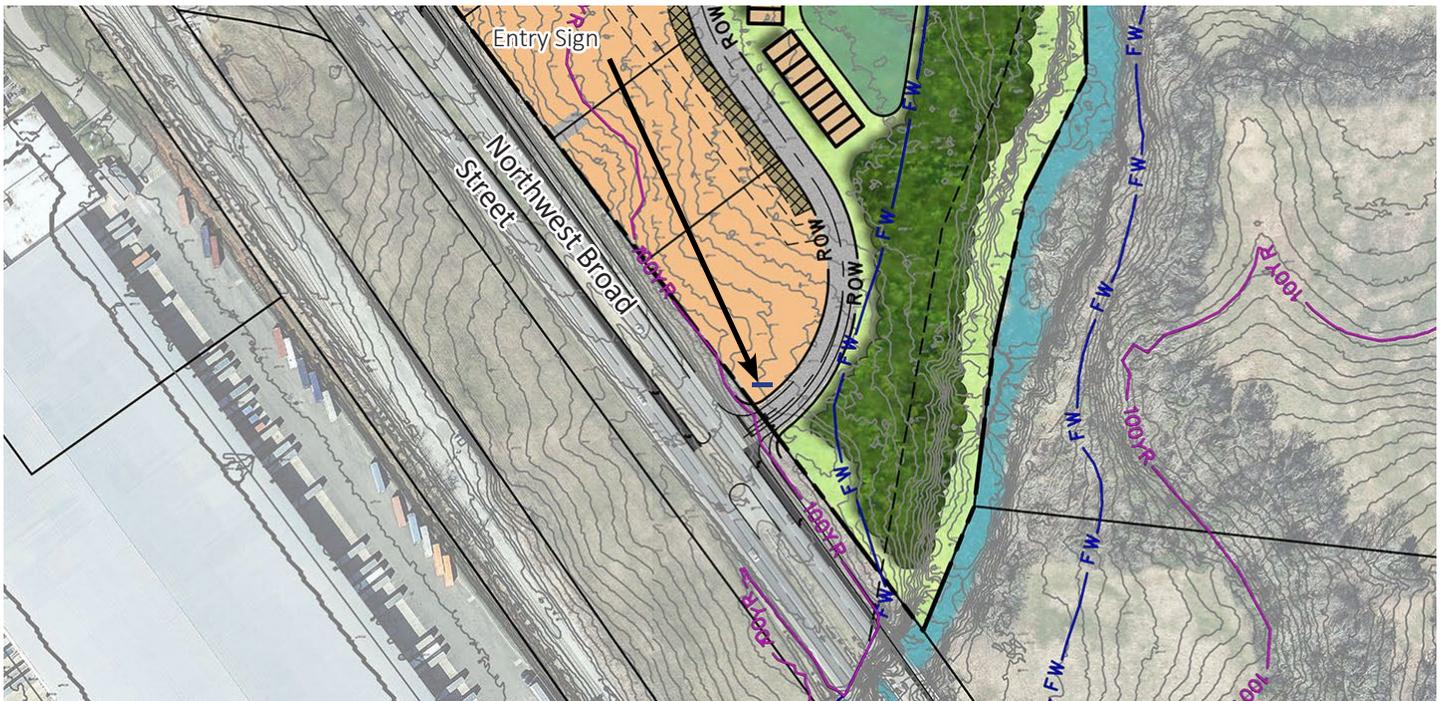


Proposed Northern Connection to Northwest Broad Street

Pursuant to the City of Murfreesboro's 2040 Major Transportation Plan (MTP), Northwest Broad Street (Highway 41) along this property is not slated for any roadway improvement. Northwest Broad Street will be used for as the primary means of ingress and egress for this development.

The development is proposing two entrances along Northwest Broad Street that will incorporate three travel lanes for proper circulation into and out of the development. Both entrances will include one entry lane, a left out, and a shared right/through lane. Road improvements to Northwest Broad Street include dedicated left and right turn lanes from Northwest Broad Street into both entrances. As well as a traffic light at the intersection of Singer Road and Northwest Broad Street.

All streets within the development will be public local city streets with a typical 42 foot R.O.W. cross-section with 5 foot sidewalks on both sides. These streets will be built in accordance with the Murfreesboro Street Standards.



Proposed Southern Connection to Northwest Broad Street



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

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

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

Response: Exhibits are shown on Page 9 that shows the existing contours and drainage patterns. A portion of the property is subject to floodplains or floodways, and the site ultimately drains to Overall Creek. An aerial photograph of the area can be found on page 4.

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

Response: Exhibits and photographs on Page 4 give the location of existing structures on the subject property and the surrounding properties. An exhibit on Page 7 gives the zoning of those same properties.

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

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

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

Response: Pages 13 and 15 lists standards and exhibits showing the concept plan which shows each of these items.

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

Residential Calculations

TOTAL SITE AREA	3,170,929 s.f.
TOTAL MAXIMUM FLOOR AREA	286,220 s.f.
TOTAL LOT AREA	11,239 s.f.
TOTAL BUILDING COVERAGE	355,760 s.f.
TOTAL DRIVE/ PARKING AREA	92,901 s.f.
TOTAL RIGHT-OF-WAY	92,480 s.f.
TOTAL LIVABLE SPACE	3,078,028 s.f.
TOTAL OPEN SPACE	1,685,336s.f.
FLOOR AREA RATIO (F.A.R.)	0.09
LIVABILITY SPACE RATIO (L.S.R.)	0.86
OPEN SPACE RATIO (O.S.R.)	0.89

Commercial Calculations

TOTAL SITE AREA	160,640 s.f.
TOTAL MAXIMUM FLOOR AREA	s.f.
TOTAL LOT AREA	s.f.
TOTAL BUILDING COVERAGE	s.f.
TOTAL DRIVE/ PARKING AREA	s.f.
TOTAL RIGHT-OF-WAY	16,400 s.f.
TOTAL LIVABLE SPACE	s.f.
TOTAL OPEN SPACE	s.f.
FLOOR AREA RATIO (F.A.R.)	0.00
LIVABILITY SPACE RATIO (L.S.R.)	0.00
OPEN SPACE RATIO (O.S.R.)	0.00

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

Response: The property is currently zoned RM (Rutherford County), RS-15 (Murfreesboro), and Light Industrial (Murfreesboro.) The surrounding area has a mixture of commercial and industrial properties. The concept plan and development standards combined with the architectural requirements of the homes shown within this booklet match the Mixed-Use Corridor sub-group in this character area as per the 2035 future landuse plan.

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

Response: The project is anticipated to be developed in five phases. Phasing information is described on Page 14.

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

Response: This requirement has been addressed on Page 15.

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

Response: The applicant is requesting the following exceptions with this PUD.

RESIDENTIAL SETBACKS	RSA TYPE 2	PUD	DIFF.	RS-6	PUD	DIFF.	COMM. SETBACKS	CF	PUD	DIFF.
FRONT SETBACK - HOME	35.0'	30.0'	-5.0'	35.0'	25.0'	-10.0'	FRONT SETBACK	42.0'	42.0'	42.0'
FRONT SETBACK - GARAGE	N/A	N/A	N/A	35.0'	25.0'	-10.0'				
SIDE SETBACK -INTERNAL LOTS	7.5'	5.0'	-2.5'	5.0'	5.0'	0.0'	SIDE SETBACK	10.0'	10.0'	0.0'
SIDE SETBACK-CORNER LOTS	15.0'	15.0'	0'	5.0'	15.0'	+10.0'				
REAR SETBACK-INTERNAL LOT	20.0'	15.0'	-5.0'	20.0'	15.0'	0.0'	REAR SETBACK	20.0'	20.0'	0.0'
REAR SETBACK-CORNER LOT	20.0'	15.0'	-5.0'	20.0'	20.0'	0.0'				
MINIMUM LOT SIZE	N/A	H.P.R.	H.P.R.	6,000 S.F.	5,250 S.F.	-750 S.F.	PROPOSED ROAD	20.0'	20.0'	0.0'
MINIMUM LOT WIDTH	N/A	H.P.R.	H.P.R.	50.0'	41.0'	-9.0'	BUILDING HEIGHT	45.0'	35.0'	-10.0'

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

Response: This property is not in the Gateway Design Overlay District , Airport Overlay District (AOD), Historic District (H-1), or Planned Signage Overlay District (PS). A portion of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Map Panel 47149C0140H Eff. Date 01/05/2007.

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

Response: Page 5 & 27 discusses the Major Thoroughfare Plan. Northwest Broad Street is not currently slated for any improvements.

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

Response: The primary representative is Matt Taylor of SEC, Inc. developer/ applicant is DR Horton, Inc. contact info for both is provided on cover.

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

Response: Page 17-18 show the architectural character of the proposed buildings and building materials listed. However, exact configuration for these items is unknown and will be determined as each building is built.

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

Response: Examples of entrance signage are located on Page 19 and a description is on Page 19 + 24.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

6:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Eddie Smotherman
Warren Russell
Ronnie Martin
Chase Salas
Jennifer Garland

STAFF PRESENT

Matthew Blomeley, Acting Planning Director
Marina Rush, Principal Planner
Jafar Ware, Planner
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney
Sam Huddleston, Exec. Director Dev. Services
Adam Tucker, City Attorney
David Ives, Deputy City Attorney
Darren Gore, Assistant City Manager

Chair Kathy Jones called the meeting to order after determining there was a quorum. The minutes of the September 18, 2019 and October 2, 2019 Planning Commission meetings were approved as submitted.

Old Business

Zoning application [2019-421] for approximately 1.01 acres located at 4431 Veterans Parkway to be zoned CH simultaneous with annexation, Overall Creek Partners, Inc. applicant. WITHDRAWN

New Business

Zoning application [2019-433] for approximately 23 acres located along Veterans Parkway to be rezoned from RS-10 to PRD (Veterans Cove PRD), Alcorn Properties, LLC applicant.

Ms. Marina Rush summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. The developer had conducted a neighborhood meeting on August 12, 2019, which was well-attended. The concerns that had been made by the neighbors had been drainage and possible flooding. In addition, Ms. Rush explained the proposal is an increase in density from what is recommended in the Suburban Residential land use character from the Murfreesboro 2035 Comprehensive Plan.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

Mr. Ken Halliburton made a motion to approve the annexation plan of services and annexation petition subject to all staff comments, seconded by Mr. Chase Salas. The motion carried by a vote of 6-1 (Mr. Smotherman voted no).

Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant. Mr. Matthew Blomeley began by

describing the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet. The uses being proposed would be permissible per the comprehensive plan; however, the form of this development is not in keeping with the vision for the property put forth by the 2035 Comprehensive Land Use Plan.

Continuing, Mr. Blomeley commented on how this proposal had been reviewed several times during the Planning Commission day meetings. Therefore, the applicant has addressed the following:

- Increased the amount of commercial area along NW Broad Street (page 24).
- Changed the uses permitted in the commercial area from those normally permitted in the CH zone to CF instead and eliminated some of the objectionable uses such as taverns, vehicle wash, gas stations, general service and repair, and quick cash/payday loan (page 25).
- Flipped the location of the townhomes nearest to NW Broad Street to the other side of the street (concept plan- page 13).
- Added a playground, formal and active space in the long, straight road to break up the “sea of monotony” (concept plan- page 13).
- Removed monument signage and mail kiosk as an amenity and defined clubhouse, pool, playgrounds, walking trails, and a possible kayak/canoe launch (page 19).
- Increased the buffer width between the townhomes and property lines of the incompatible industrial uses to 20-feet wide. This change did not increase the amount of plant material

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

from the smallest amount Type A to a Type C and did not add an undulating berm as requested (page 22 & 23).

- Included a stub-road at Overall Creek (concept plan- page 13).
- Revised the architectural elevations in an effort to reduce the “snout-house” effect with the addition of porches. Added some detail/fenestrations to the houses in an effort to improve the architectural character (page 16-18).

Mr. Blomeley requested that, if this proposal is approved, the following should be addressed before a City Council public hearing is scheduled:

- Allow staff to continue working with the applicant on the landscaping, berms, plantings, etc.
- Allow staff to continue working with the applicant regarding improvements to be made on the side elevations.
- The amenities for each phase should be in place for each completed phase before Certificate of Occupancy is issued.

Mr. Matt Taylor, Mr. Rob Molchan, Mr. Matt Dowdle, and Mr. Danny Clawson were in attendance to represent the application. Mr. Taylor came forward to begin a PowerPoint presentation from the applicant’s pattern book by providing the following:

- Access points include two primary access points with turn-lane improvements on NW Broad Street and a new signal on NW Broad Street at Singer Road. One stub street and a dedicated right-of-way for future connectivity. There would be interconnectivity within the commercial lots towards the signalized intersection.
- They feel they have adequately addressed the buffering and that the buffering complies with the Zoning Ordinance.
- The phasing on the amenities would be constructed after a maximum of 60-80 lots before a next phase.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

- To address the side elevations which face the right-of-way they have included a Type C buffer.

Mr. Ken Halliburton wanted additional information regarding the parking spaces for the townhomes. Mr. Taylor stated the townhomes would have one car space for the garage and two vehicle spaces in the driveway. In addition, the townhome area would include visitor parking area. Mr. Halliburton asked if on-street parking would be prohibited. Mr. Taylor stated this could be added into the Home Owners Association documents.

Chair Kathy Jones expressed her concerns regarding the buffer along the townhome side. Also, she voiced her concerns regarding the pool amenity being added after a certain phase. Mr. Matt Taylor stated they would like to have the pool in operation after 100 to 150 houses were constructed. Mr. Matthew Blomeley requested for each amenity be constructed with the appropriate section such as the playgrounds, pavilion, canoe launches, etc. These should be constructed prior to the plat being recorded for that particular section. Continuing, Mr. Blomeley made known staff was agreeable to the pool amenity being completed after 100 to 150 homes were constructed.

Mr. Eddie Smotherman wanted to know if the applicant had any concerns from the discussions of Murfreesboro Electric Department merging with Middle Tennessee Electric. If the merging occurred, would MED be able to provide services for the entire development? Mr. Matt Taylor explained they had met with MTEMC and MED regarding their proposal at the same meeting. Regardless of the merger, this development would have utility services for the entire development.

Mr. Eddie Smotherman commented on the applicant's pattern book being misleading. The pattern book displays front yards for the townhomes. In reality, there would not be any front yards for the townhomes due to the garage in front with a wide driveway. He feels the picture is deceptive by nature and misleading. In addition, his biggest concern is the location of this development being close to Smyrna. The residents would be shopping in Smyrna instead of Murfreesboro. He

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

feels the City services that would have to be provided for the residential area would not have any tax base recovery. He feels this project is in the wrong area.

Chair Kathy Jones opened the public hearing.

1. **Ms. Nicole Barnes 5080 Florence Road** – came forward making known she is the Director of Operations from the adjoining property known as JourneyPure. She made known they have concerns with this proposal due to their private medical facility. She requested for a Type D buffer be placed between the two properties.
2. **Mr. Danny Clawson** – representing DR Horton came forward requesting for this zoning application be approved. He commented on this being a beautiful piece of property having a river that could be utilized with a residential zone. He feels it would be a waste to use the property for light industrial use or commercial use. If approved he agreed to provide the following:
 - Fully disclose what is beside this property for potential buyers which would require their signature stating they know what is beside this property.
 - They would continue to work on the details regarding the buffer.

Chair Kathy Jones closed the public hearing.

Mr. Ronnie Martin commented on this proposal being mixed-use with greenspace. The applicant has made improvements to this proposal since the original submittal. Also, the property is surrounded with other properties that are in the City limits. He feels that having 380 rooftops in this area would drive more commercial uses. He supports the zoning application.

Mr. Darren Gore came forward stating the master plan for the Florence Road area had a density of 3.3 units per acre. However, he would have to revisit the master plan with the current uses in this area. He made known Water Resources could support the 5.3 units per acre with the current sewer capacity.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 6, 2019

Mr. Ken Halliburton stated there are outstanding issues that need to be agreed upon with Staff and the applicant before this proposal moves forward. Also, he would like for the applicant's pattern book be revised to make known how the townhomes would actually look like. He recommended to defer until all issues were resolved. Mr. Matt Taylor stated he would update the pattern book and would work with Staff on the details for the buffer and the proposed amenities. Ms. Jennifer Garland stated she is in favor of the proposal due to the commercial and residential being brought into the City within this area. She recommended for the applicant to continue working with Staff. Mr. Warren Russell commented that Lots 40-56 appear to be right on JourneyPure's property line. Mr. Taylor made known there is approximately 300-400 feet from the applicant's property line to one of JourneyPure's buildings. Mr. Blomeley suggested for Mr. Taylor have conversations with Ms. Barnes to address the concerns regarding landscaping such as aesthetics, prohibiting access onto their property, and what type of a buffer with a berm would work best.

Ms. Jennifer Garland commented on how the end units could be improved. Mr. Taylor made known there would windows on the first and second floor of the end units. Mr. Blomeley asked for improvements to be made for the facades that faces the rights-of-way with a brick or stone water table, etc.

Mr. Taylor asked for a deferral at this time.

Mr. Ronnie Martin made a motion for an indefinite deferral, seconded by Mr. Ken Halliburton. The motion carried by a vote of 6-1 (Mr. Smotherman voted no).

Staff Reports and Other Business

Consideration of Sewer Allocation Ordinance [2019-S101], City Administration Department.

Mr. Darren Gore came forward to explain the Sewer Allocation Ordinance which had been discussed during two different City Council workshops, during a Planning Commission meeting

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 14, 2020

1:00 P.M.

CITY HALL

MEMBERS PRESENT

Ken Halliburton, Vice-Chair
Eddie Smotherman
Warren Russell
Ronnie Martin

STAFF PRESENT

Greg McKnight, Interim Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Katie Noel, Project Engineer
Jim Luebbering, Project Engineer
Brad Barbee, Landscape Site Plan Site Inspector
Sam Huddleston, Executive Dir. Of Dev. Services

Vice-Chair Ken Halliburton called the meeting to order after determining there was a quorum. The minutes of the December 4, 2019 Planning Commission meeting were approved as submitted.

Old Business

Zoning application [2019-424] for approximately 65 acres located along NW Broad Street to be zoned PUD simultaneous with annexation and approximately 13 acres to be rezoned from RS-15 and L-I to PUD, DR Horton applicant. Ms. Margaret Ann Green began by summarizing the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor came forward to discuss the proposed improvements from the applicant's revised pattern book.

The Planning Commission began discussing the improvements that had been addressed for this proposal. Mr. Eddie Smotherman had questions regarding solid waste pickup for the townhomes and the single-family detached homes. Mr. Taylor explained this site would include two compactors for the townhomes. All single-family residences would have City solid waste services. Mr. Smotherman made known he still had concerns with the density of this

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 14, 2020

development. Continuing, Mr. Smotherman commented on how this type of development would not be the best use for the property. This proposal does not raise the bar for the City of Murfreesboro due to what the applicant is asking for; therefore, he would not support this application. Mr. Ronnie Martin stated that, from the beginning of this application, the Planning Commission has asked for the applicant to make improvements to their development. He feels the applicant has addressed those concerns such as improving the building elevations, increasing the landscape buffers adjoining the industrial properties, and addressing the commercial area, etc. He is very appreciative of the changes that have been made. Mr. Warren Russell stated the City needs affordable housing and he feels this development would provide homes for those who want to move into our City.

Mr. Ronnie Martin made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. The motion passed by a vote of 3-1 (Mr. Smotherman voted no).

Consent Agenda

Vice-Chair Ken Halliburton read the following items to be considered for approval.

Waite's Creek Crossing, Section 5 [2019-1048] preliminary plat for 47 lots on 9.6 acres zoned RS-A, Type 1 located along Barringer Lane, O'Brien Loyd, LLC developer.

Waite's Creek Crossing, Section 4 [2019-1047] preliminary plat for 21 lots on 4.2 acres zoned RS-A, Type 1 located along Barringer Lane, O'Brien Loyd, LLC developer.

Waite's Creek Crossing, Section 3 [2019-1046] preliminary plat for 15 lots on 2.0 acres zoned RS-A, Type 1 located along Welltown Lane, O'Brien Loyd, LLC developer.

Hayden Cove [2019-1045] preliminary plat for 46 lots on 19.61 acres zoned PUD located along Veterans Parkway, Alcorn Properties, LLC developer.

ORDINANCE 20-OZ-01 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect to zone approximately 65 acres along Northwest Broad Street as Planned Unit Development (PUD) District simultaneous with annexation and to rezone approximately 13 acres along Northwest Broad Street from Single-Family Residential Fifteen (RS-15) District and Light Industrial (L-I) District to Planned Unit Development (PUD) District (River Landing PUD), D.R. Horton, Inc., applicant [2019-424].

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

SECTION 1. That the same having been heretofore recommended to the City Council by the City Planning Commission, the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as herein referred to, adopted and made a part of this Ordinance as heretofore amended and as now in force and effect, be and the same are hereby amended so as to zone the territory indicated on the attached map.

SECTION 2. That, from and after the effective date hereof, the area depicted on the attached map be zoned and approved as Planned Unit Development (PUD) District, as indicated thereon, and shall be subject to all the terms and provisions of said Ordinance applicable to such districts, the plans and specifications filed by the applicant, and the conditions and stipulations referenced in the minutes of the Planning Commission and City Council relating to this zoning request. The City Planning Commission is hereby authorized and directed to make such changes in and additions to said Zoning Map as may be necessary to show thereon that said area of the City is zoned as indicated on the attached map. This zoning change shall not affect the applicability of any overlay zone to the area.

SECTION 3. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

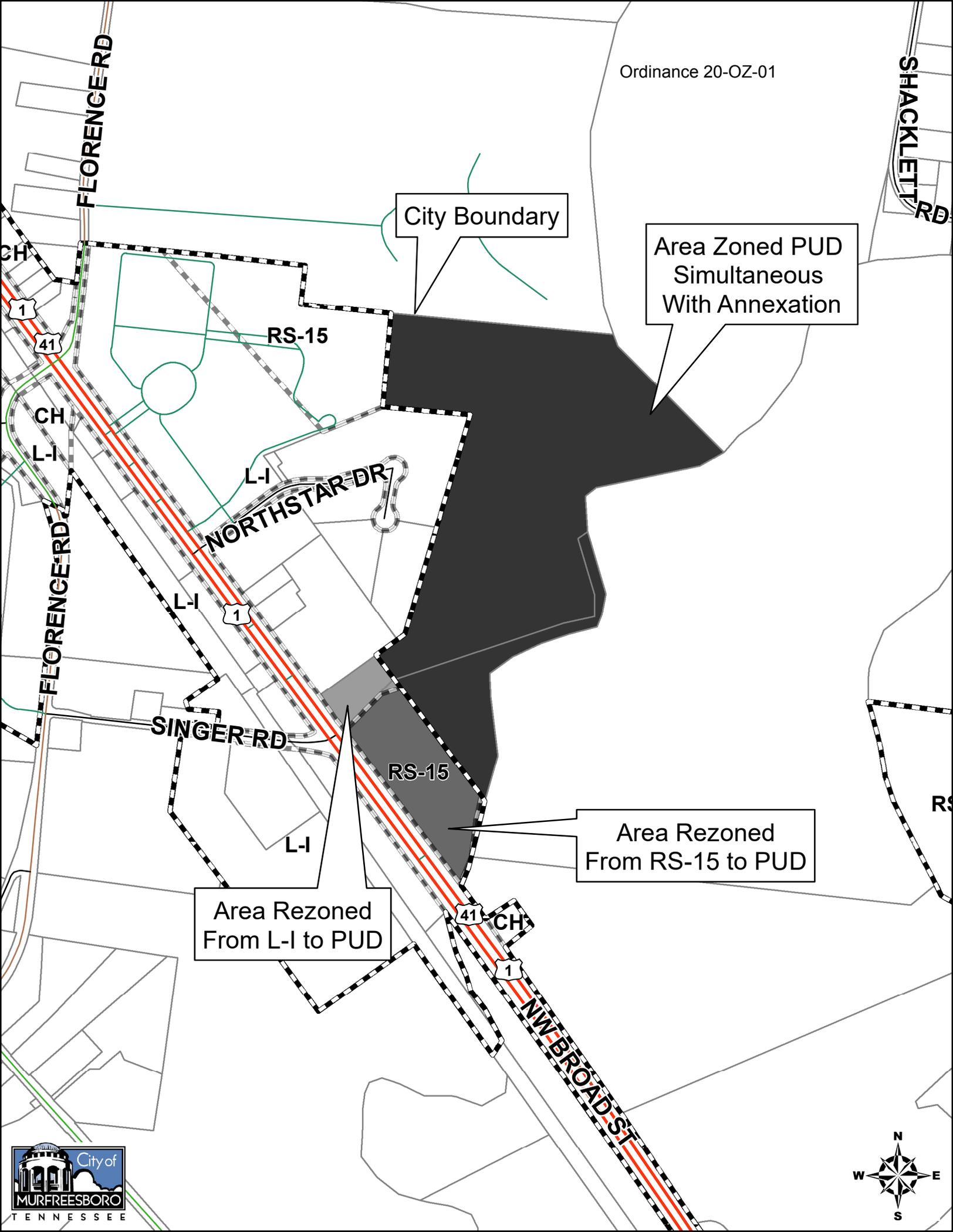
Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

43A20365179401
Adam F. Tucker
City Attorney

SEAL



City Boundary

Area Zoned PUD
Simultaneous
With Annexation

Area Rezoned
From RS-15 to PUD

Area Rezoned
From L-I to PUD



COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Rezoning property along Bradyville Pike
[Public Hearing Required]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

Ordinance	<input checked="" type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Rezone approximately 0.89 acres located along the north side of Bradyville Pike west of Minerva Drive.

Staff Recommendation

Conduct a public hearing and enact the ordinance establishing the requested zoning. The Planning Commission recommended approval of the rezoning.

Background Information

Ken Xayabudda presented a zoning application [2019-445] for approximately 0.89 acres located along the north side of Bradyville Pike to be rezoned from RS-10 (Single-Family Residential District 10) to PCD (Planned Commercial District). During its regular meeting on January 8, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Improve Economic Development

This rezoning will enable the development of a multi-tenant commercial building, generating sales tax revenues for the City.

Attachments:

1. Ordinance 20-OZ-02
2. Maps of the area
3. Planning Commission staff comments from 01/08/2020 meeting
4. Planning Commission minutes from 01/08/2020 meeting
5. Bradyville Center PCD pattern book
6. Other miscellaneous exhibits

**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.

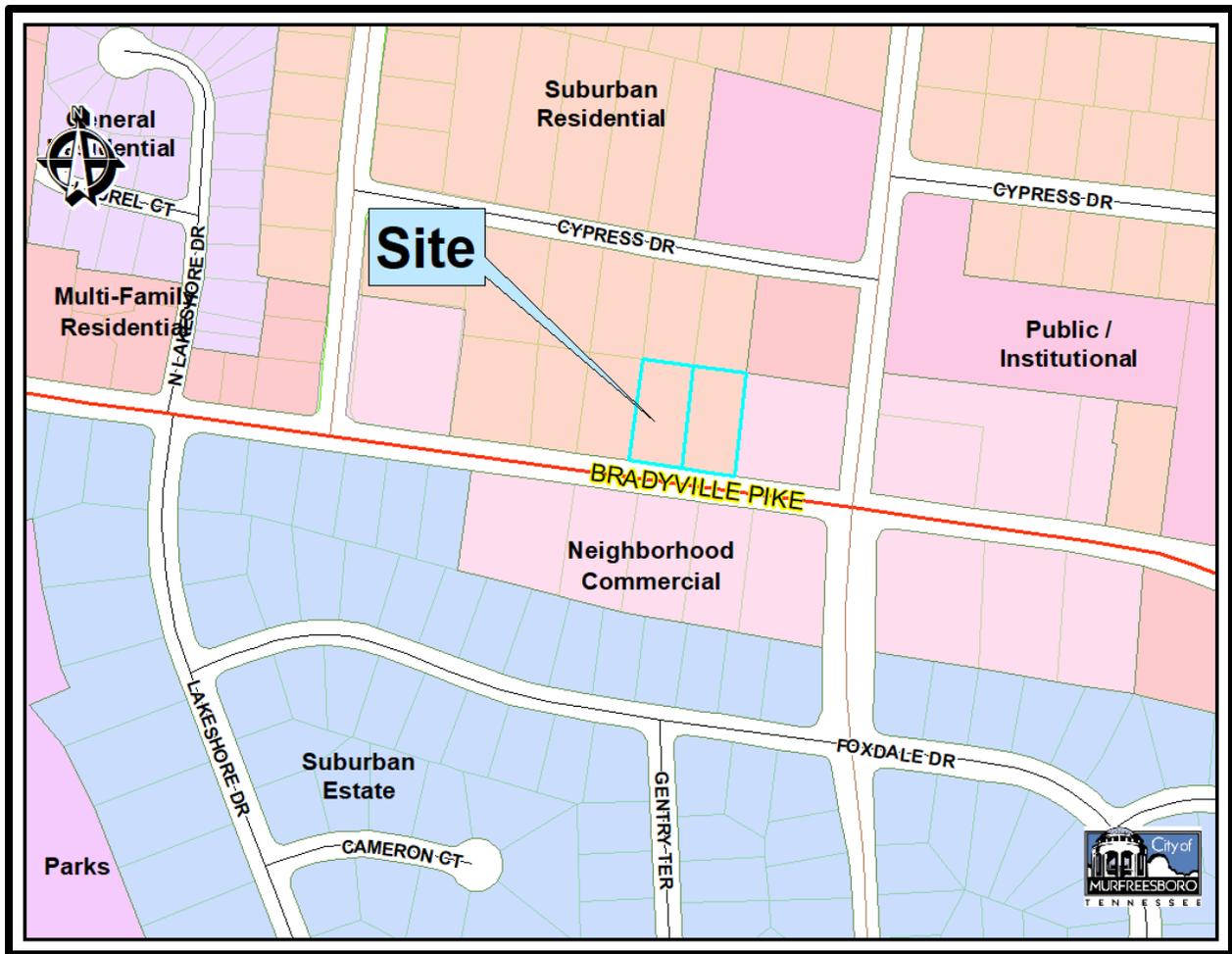
The development would have direct access to Bradyville Pike via a single access point. No connections to neighboring properties are proposed. The proposed development would include one (1) single-story multi-tenant commercial building with one (1) outdoor patio dining area and one (1) plaza seating area 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

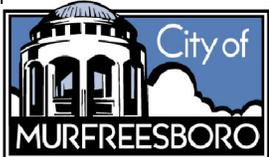
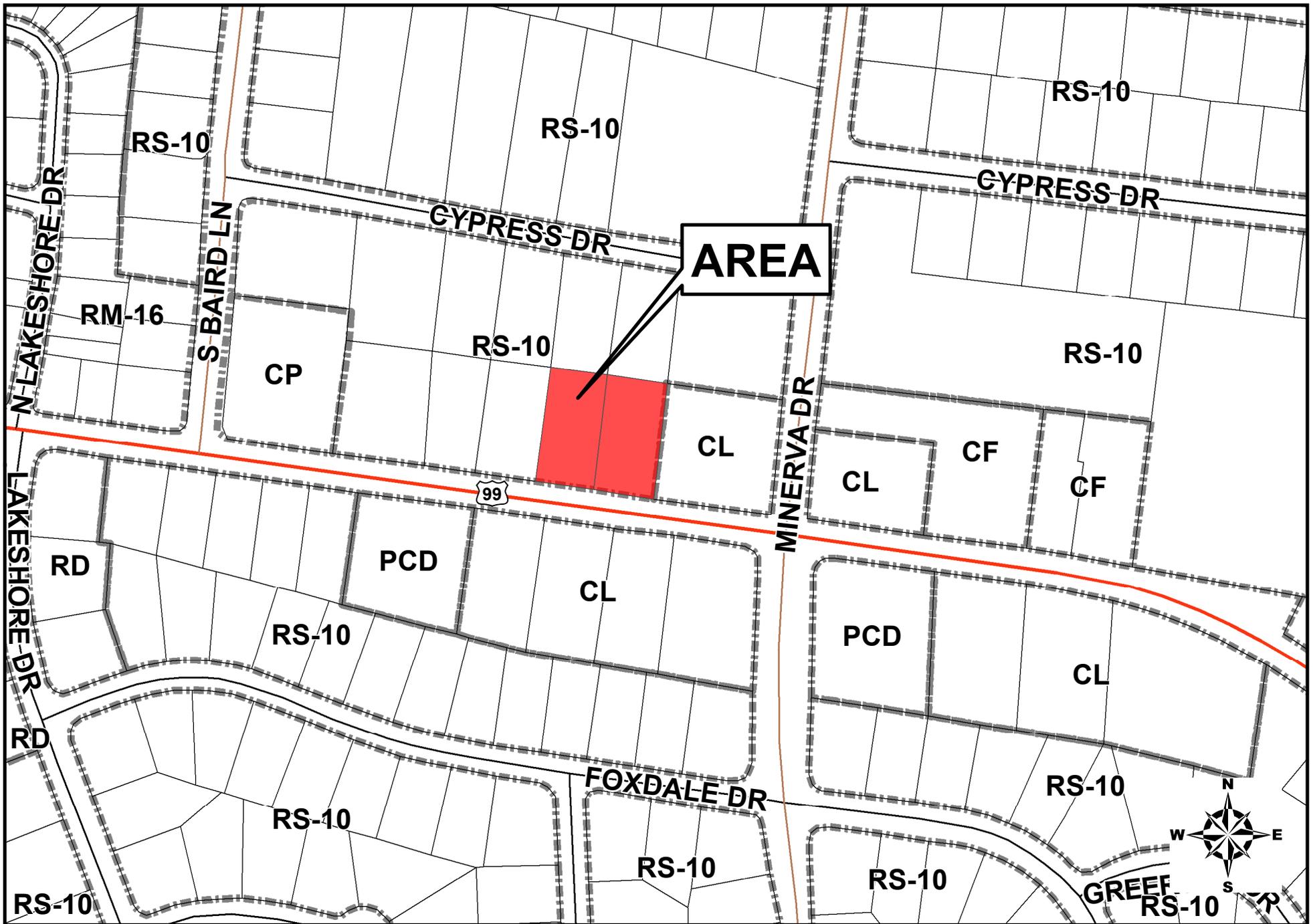
The future land use map of the *Murfreesboro 2035 Comprehensive Plan*, which was adopted in July 2017, recommends that Suburban Residential is the most appropriate land use character for the subject property, as shown on the map below.



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

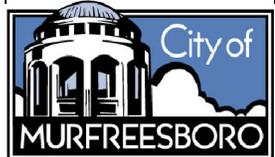
A copy of the pattern book has been included in the agenda materials. The applicant will be available at the Planning Commission meeting to make a presentation regarding the proposed rezoning and to answer questions. The Planning Commission will need to conduct a public hearing, after which it will need to discuss this matter and then formulate a recommendation for City Council.



**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

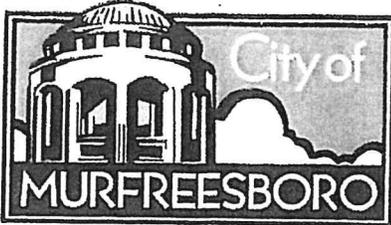


T E N N E S S E E

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 Jayabudda

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 Jayabudda

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.

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 MARCH 19, 2020 CITY COUNCIL 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

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.

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT

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

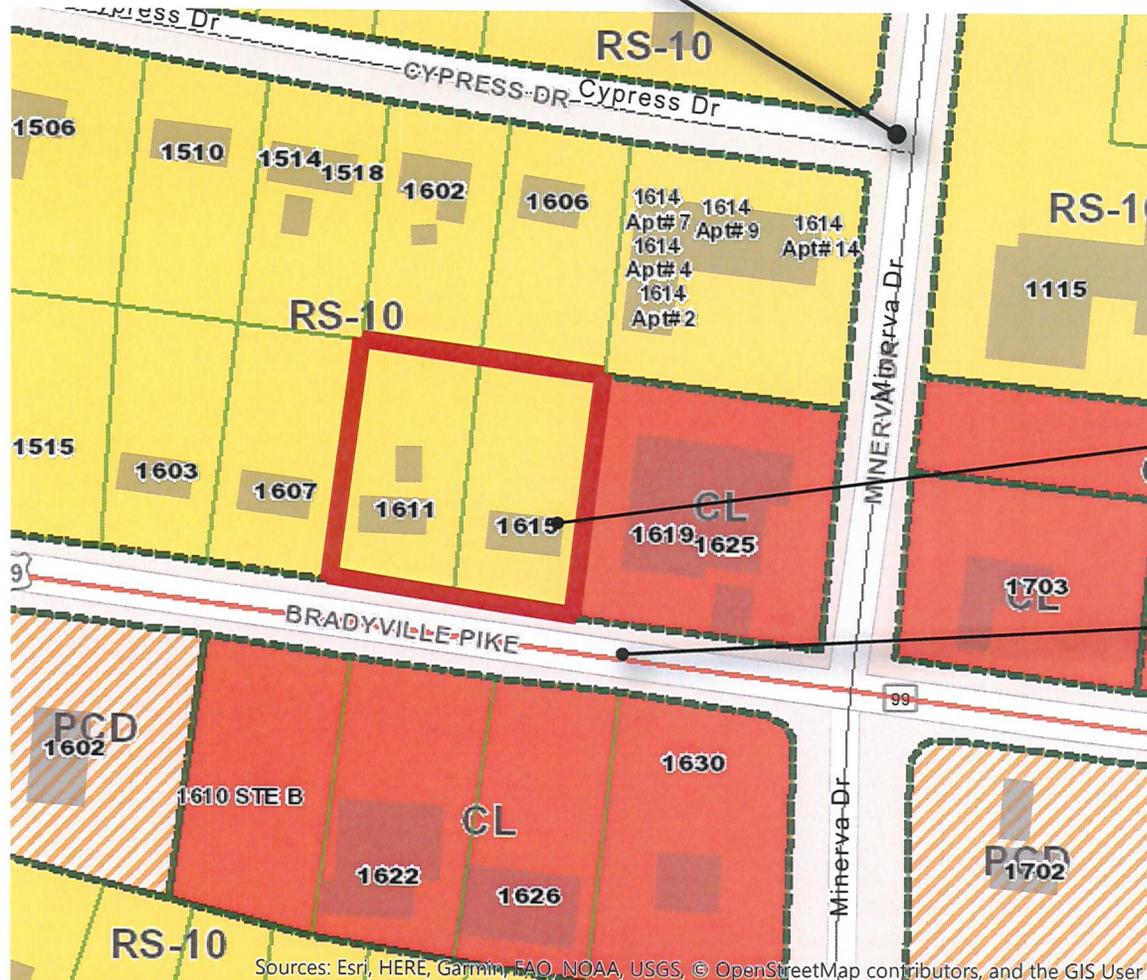
Murfreesboro, TN. 37130

Zoning Map

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT

Minerva Drive



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

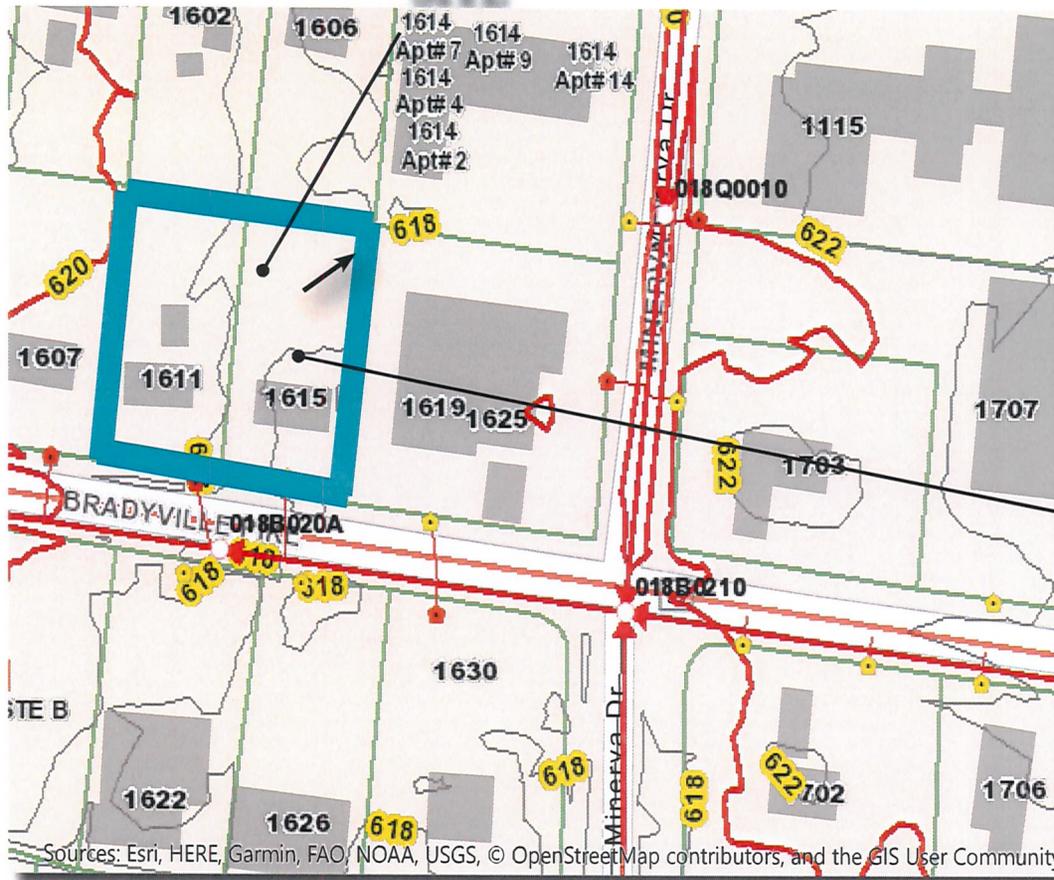
Bradyville Pike

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

Hydrology & Topography Map

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT

SITE



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

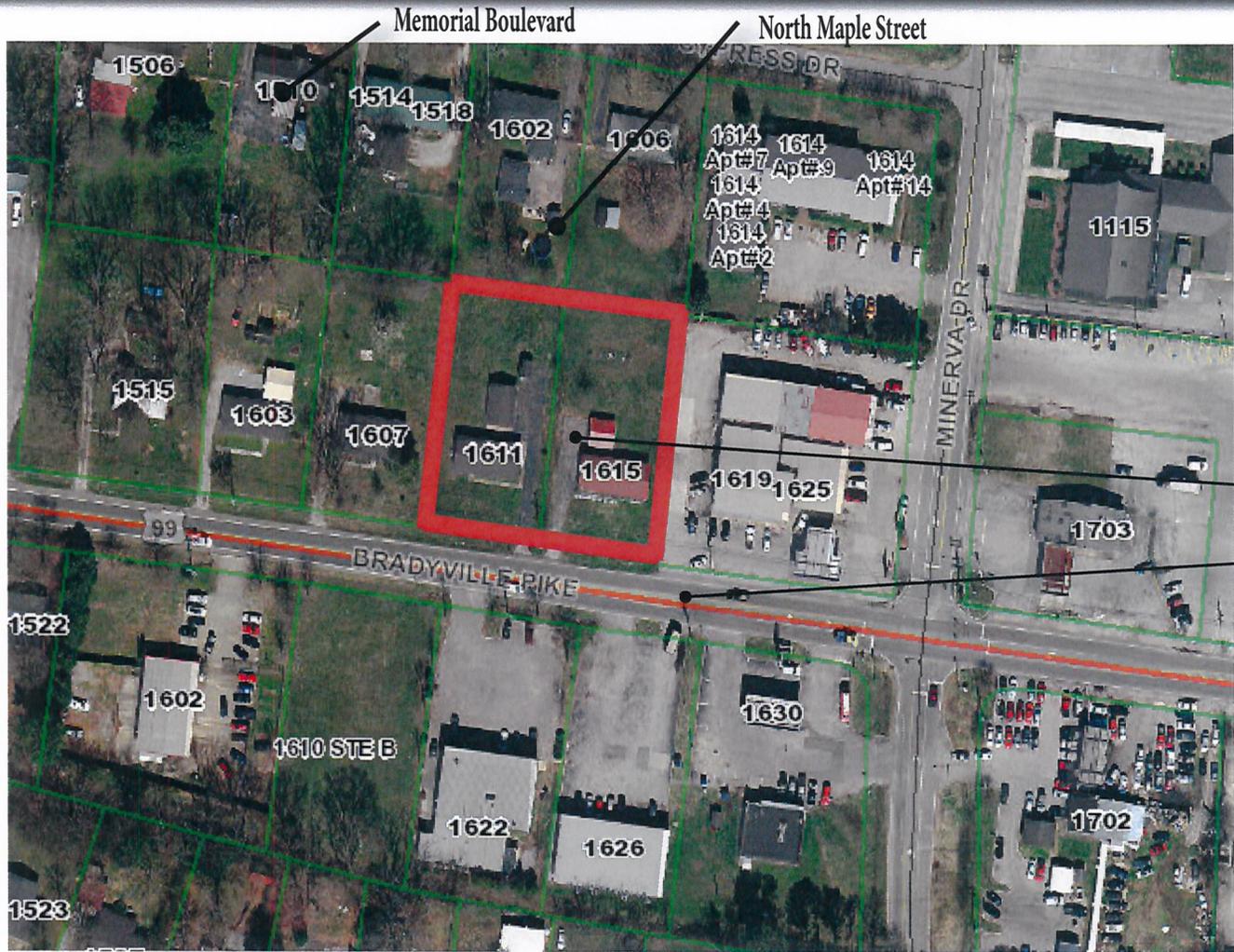
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Water Line Location Map

Aerial Map

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT



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

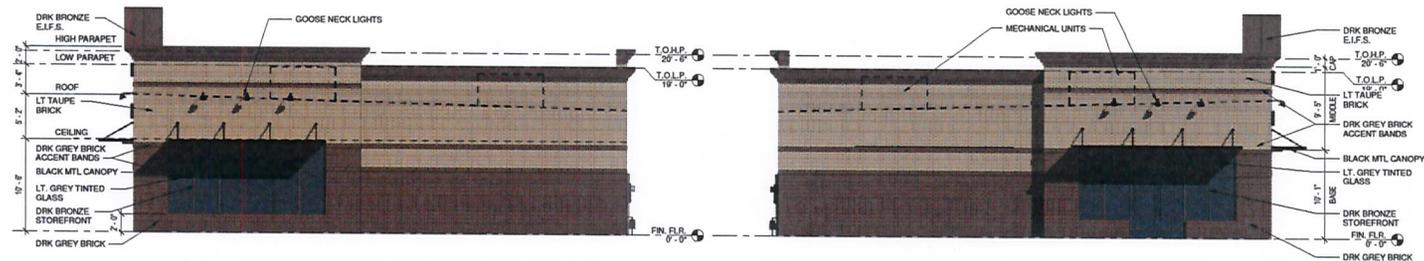
Architectural Elevations

Bradyville Center

PLANNED COMMERCIAL DEVELOPMENT

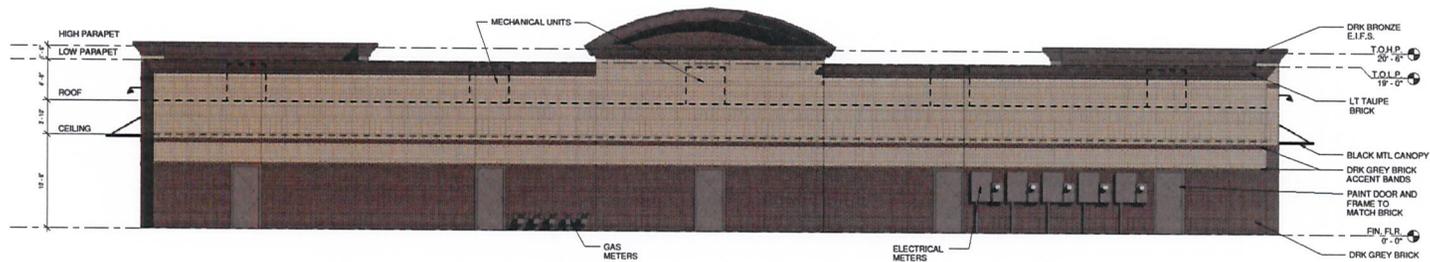


1 SOUTH SIDE ELEVATION
3/16" = 1'-0"



1 RIGHT EXTERIOR ELEVATION
3/16" = 1'-0"

2 WEST REAR ELEVATION
3/16" = 1'-0"



3 NORTH SIDE ELEVATION
3/16" = 1'-0"



W. Michael Stewart
Architect

540 Grove Isle Cir. 103
Vero Beach, Florida 32962

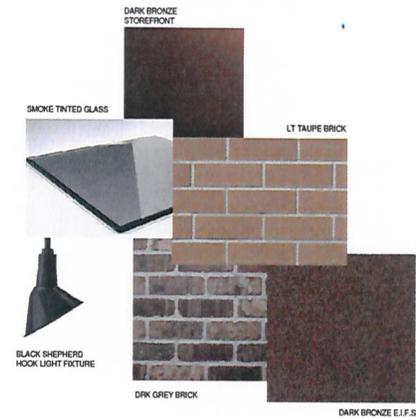
**BRADYVILLE
PLAZA**

MURFREESBORO, TENNESSEE

A1.02

Architectural Perspective and Materials

Bradyville Center PLANNED COMMERCIAL DEVELOPMENT



EXTERIOR MATERIALS



Building Perspective

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
Speciality 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
Tatto Parlor
Taxidermy Studio
Tabacco 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

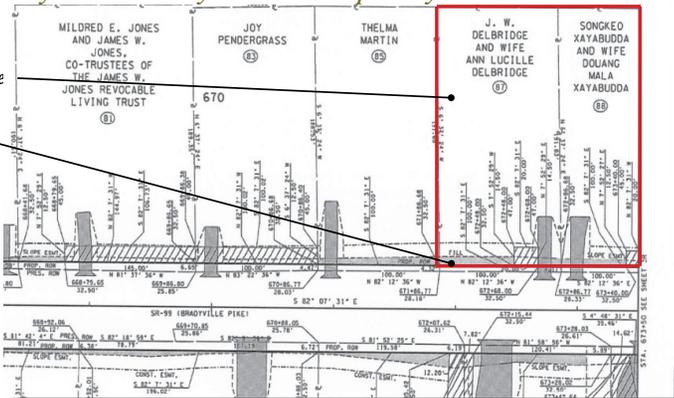
Planned Development Criteria & 2035 Plan

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: *Bradyville Pike will be widening to a 3 lane cross section road. This PCD will be dedicating R. O.W., slope, drainage and construction easements for the road widening along Bradyville Pike. Bradyville Pike is the primary access to the site.*

Subject Propertie

New R.O.W.



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 compariable 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 requirments.*
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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

6:00 P.M.

City Hall

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Eddie Smotherman
Ronnie Martin
Warren Russell
Jennifer Garland
Chase Salas

STAFF PRESENT

Matthew Blomeley, Assistant Planning Director
Marina Rush, Principal Planner
Amelia Kerr, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Exec. Dir. Of Dev. Services
Greg McKnight, Interim Planning Director

Kathy Jones called the meeting to order after determining there was a quorum.

New Business

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. Ms. Amelia Kerr summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree and Mr. Ken Xayabudda were in attendance representing the application. Mr. Rountree came forward to begin a PowerPoint presentation from the applicant's pattern book. He stated the proposed commercial center had been designed for multiple tenants and the potential for a restaurant with an open patio area. This would be a nice architectural building that would become a trend setter and an asset to the existing neighborhood.

Mr. Eddie Smotherman commented on this area having a high volume of traffic. Would sidewalks be included with this site? Mr. Blomeley made known Bradyville Pike has been approved for roadway improvements with sidewalks in this area. Currently, the City has begun the right-of-way acquisition process for approximately 150 properties. Once that is completed it would be a year before construction would begin. Mr. David Ives explained the Tennessee Department of

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

Transportation would be overseeing the project. Bradyville Pike would be constructed to a three-lane roadway with curb, gutter, and sidewalks on both sides of the street. This construction would occur from Southeast Broad Street to South Rutherford Boulevard. Mr. Ives stated this would be a difficult road project that would affect this area for a couple of years.

Mr. Warren Russell wanted to know how this would affect the property when the applicant is ready to develop his property. Mr. Blomeley explained the applicant is aware there is a need for an amount of right-of-way for the road project. Mr. Russell asked if the parking requirements would be affected if ever there was an opportunity to connect to the adjoining property. Mr. Rountree answered this site would meet parking requirements even with a future connection.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the zoning application; therefore, Chair Kathy Jones closed the public hearing.

Vice-Chairman Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

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. Ms. Amelia Kerr summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree and Mr. Brian Burns were in attendance representing the application. Mr. Clyde Rountree came forward to begin a PowerPoint presentation from the applicant's pattern book.

Mr. Ronnie Martin wanted to know if the rear elevations for the patio areas would include a fence, in which Mr. Burns answered each individual patio would have a fence. Mr. Eddie Smotherman requested for the applicant's pattern book to state the Homeowners Association would manage the hours of operation regarding the open space area for the dog run. Mr. Chase Salas

ORDINANCE 20-OZ-02 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 0.89 acres along Bradyville Pike west of Minerva Drive from Single-Family Residential Ten (RS-10) District to Planned Commercial Development (PCD) District; Ken Xayabudda, applicant [2019-445].

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

SECTION 1. That, the same having been heretofore recommended to the City Council by the City Planning Commission, the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as herein referred to, adopted and made a part of this Ordinance as heretofore amended and as now in force and effect, be and the same are hereby amended so as to rezone the territory indicated on the attached map.

SECTION 2. That, from and after the effective date hereof, the area depicted on the attached map be zoned and approved as Planned Commercial Development (PCD) District, as indicated thereon, and shall be subject to all the terms and provisions of said Ordinance applicable to such districts, the plans and specifications filed by the applicant, and any additional conditions and stipulations referenced in the minutes of the Planning Commission and City Council relating to this zoning request. The City Planning Commission is hereby authorized and directed to make such changes in and additions to said Zoning Map as may be necessary to show thereon that said area of the City is zoned as indicated on the attached map. This zoning change shall not affect the applicability of any overlay zone to the area.

SECTION 3. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

43A2035E51F0401
Adam F. Tucker
City Attorney

SEAL



RS-10

RS-10

RS-10

FOWLER ST

Ordinance 20-OZ-02

S BAIRD LN

RS-10

RS-10

CYPRESS DR

CYPRESS DR

Area rezoned from RS-10 to PCD

RS-10

CP

RS-10

CL

MINERVA DR

CF

CL

CF



BRADYVILLE PIKE

PCD

CL

PCD

CL

RS-10

RS-10

FOXDALE DR

RS-10

RS-10

GENTRY TER

RS-10

CAMERON CT



COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Rezoning property along East Vine Street
[Public Hearing Required]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

Ordinance	<input checked="" type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Rezone approximately 0.71 acres located along the south side of East Vine Street east of South Highland Avenue.

Staff Recommendation

Conduct a public hearing and enact the ordinance establishing the requested zoning. The Planning Commission recommended approval of the rezoning.

Background Information

Blue Sky Construction, Inc. presented a zoning application [2019-440] for approximately 0.71 acres located along the south side of East Vine Street to be rezoned from RS-8 (Single-Family Residential District 8) to PRD (Planned Residential District). During its regular meeting on January 8, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Improve Economic Development

This rezoning will enable reinvestment and redevelopment in the City's downtown, which will contribute to the continued growth of downtown both as a place to live and to do business.

Attachments:

1. Ordinance 20-OZ-03
2. Maps of the area
3. Planning Commission staff comments from 01/08/2020 meeting
4. Planning Commission minutes from 01/08/2020 meeting
5. East Vine Villas PRD pattern book
6. Other miscellaneous exhibits

**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.

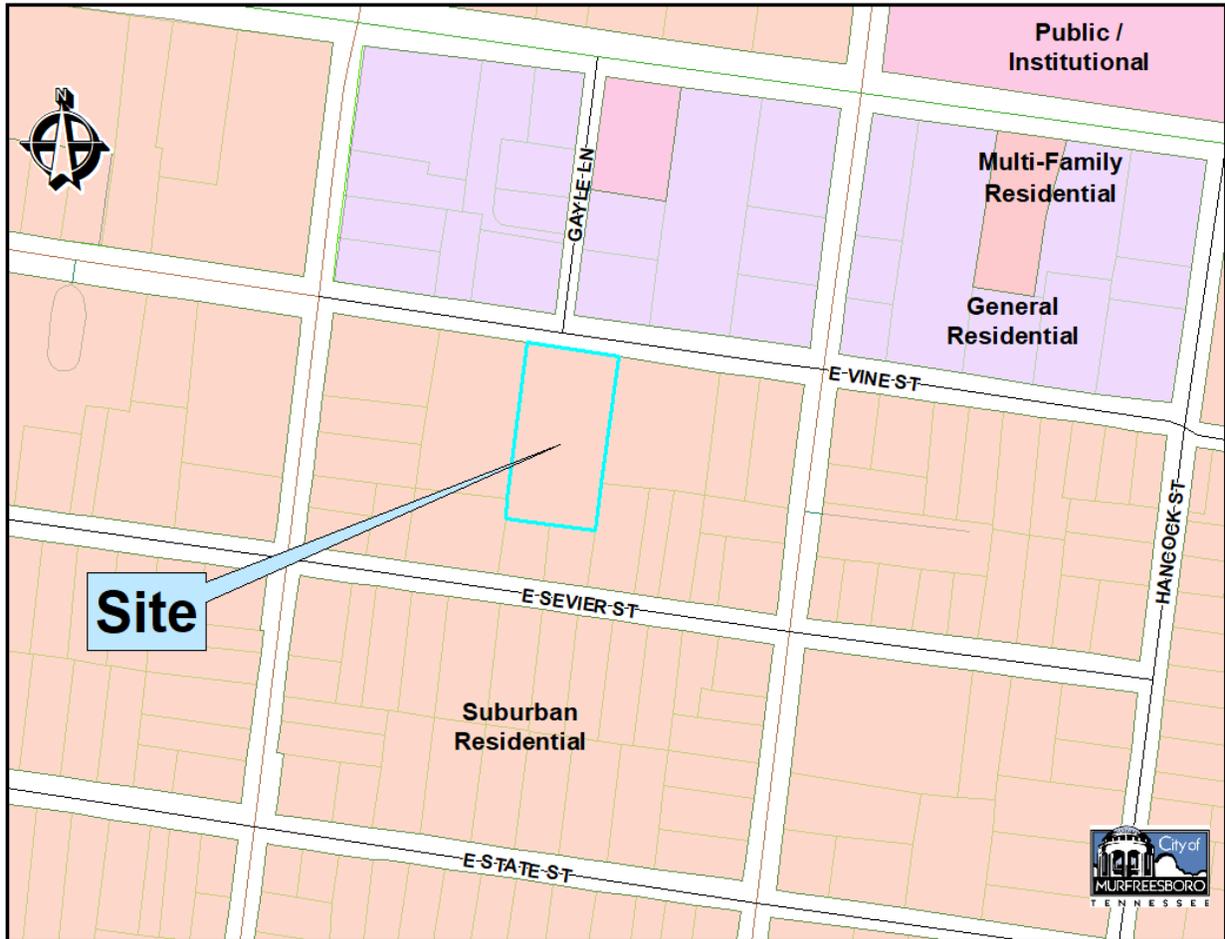
Adjacent Zoning and Land Uses

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.

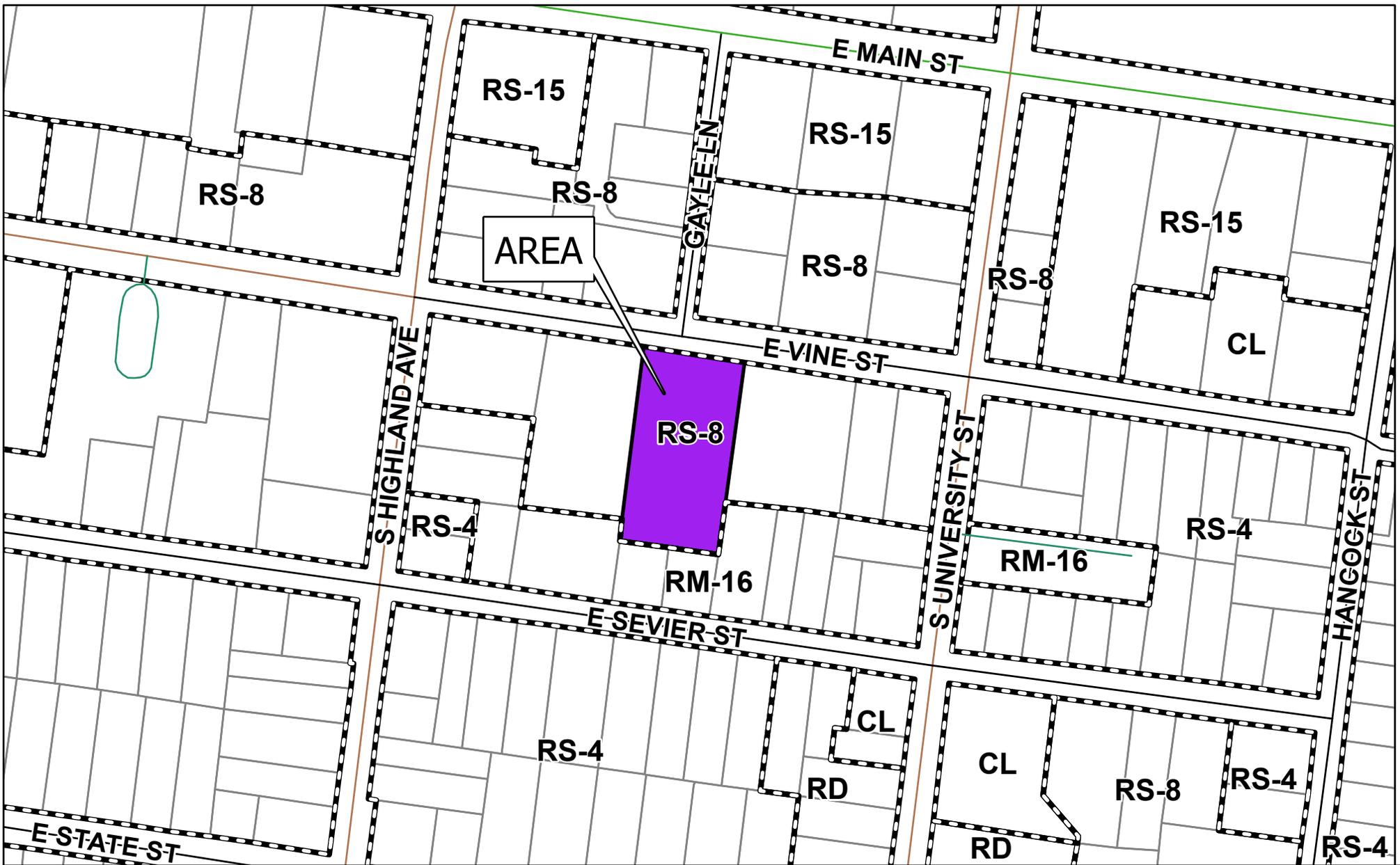


The subject property's current RS-8 zone would allow a slightly higher density than what is recommended with the *Suburban Residential* land use character. The proposed development is more consistent with the *Auto Urban (General) Residential* land use character, which is depicted on the future land 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

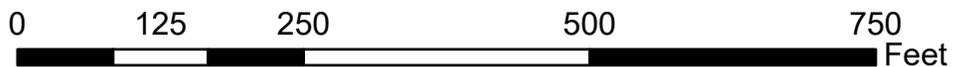
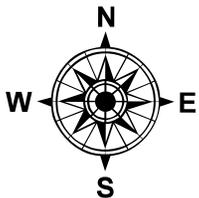
Commission will need to determine whether this is an appropriate instance to deviate from the recommendations of the future land use map.

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.



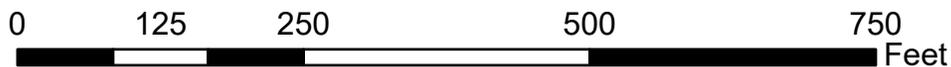
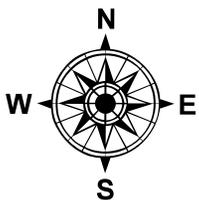
Zoning Request for Property Along East Vine Street
 RS-8 to PRD (East Vine Villas PRD)



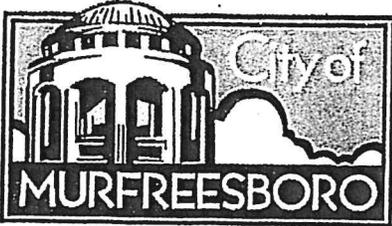
City Of Murfreesboro
 111 West Vine Street
 Murfreesboro, Tennessee 37130
www.murfreesborotn.gov



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 BURNS

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.

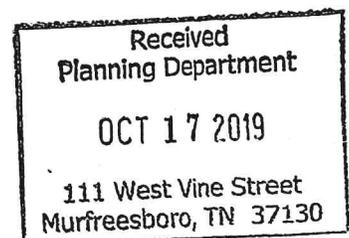
Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Clyde Rountree, RLA

HUDDLESTON-STEELE ENG., INC.



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 MARCH 19, 2020 CITY COUNCIL 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

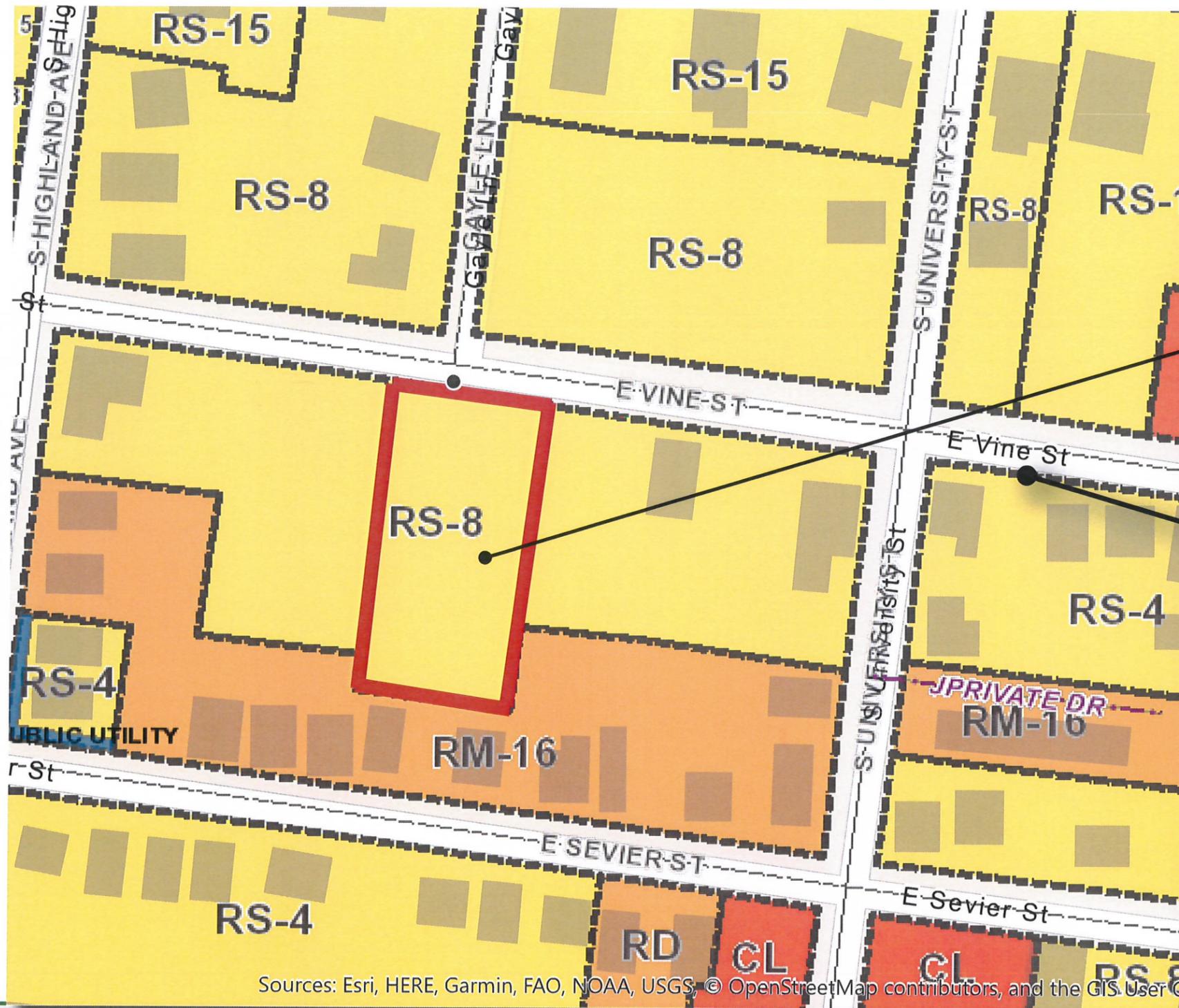
Architecture
Taylor Designs - Jamie Taylor
310 Uptown Square
Murfreesboro, TN 37129
615.542.4675
jamie@jtaylordesigns.net

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.

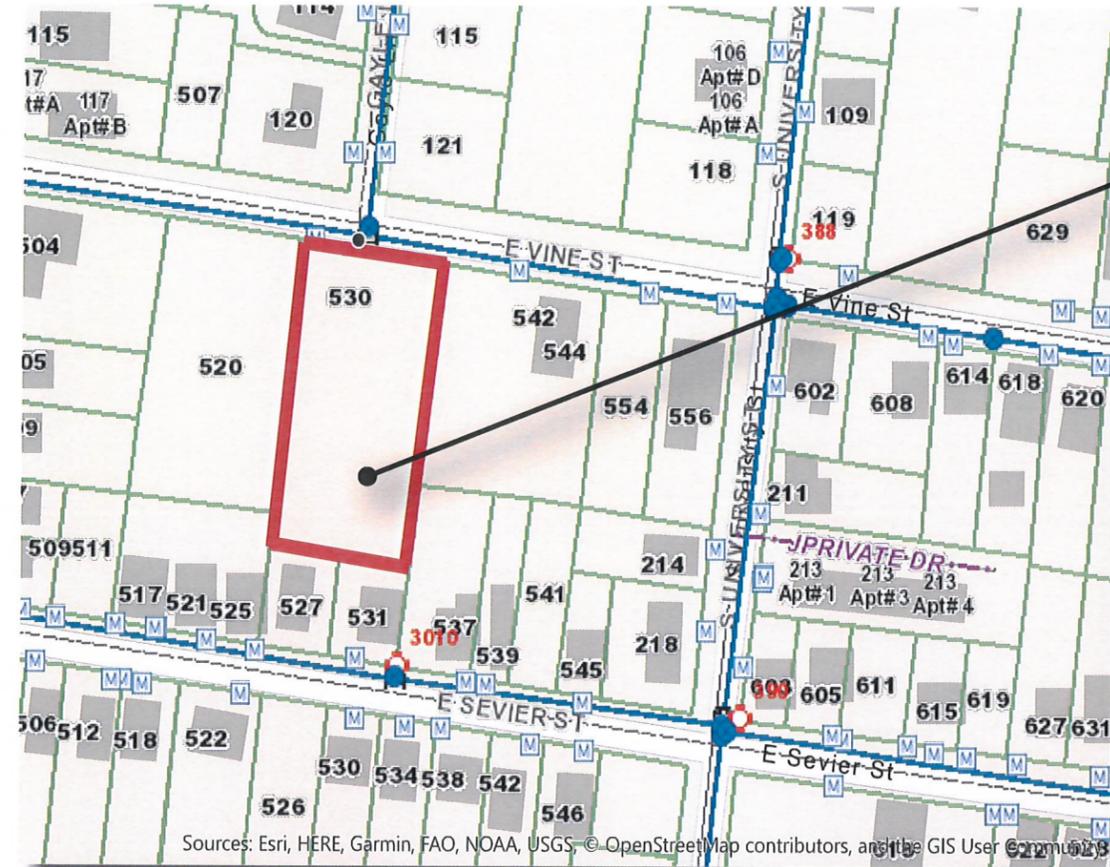
The subject property is proposed to be rezoned PRD.

SITE

East Vine Street

Utility Map

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT



Water Line Location Map

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

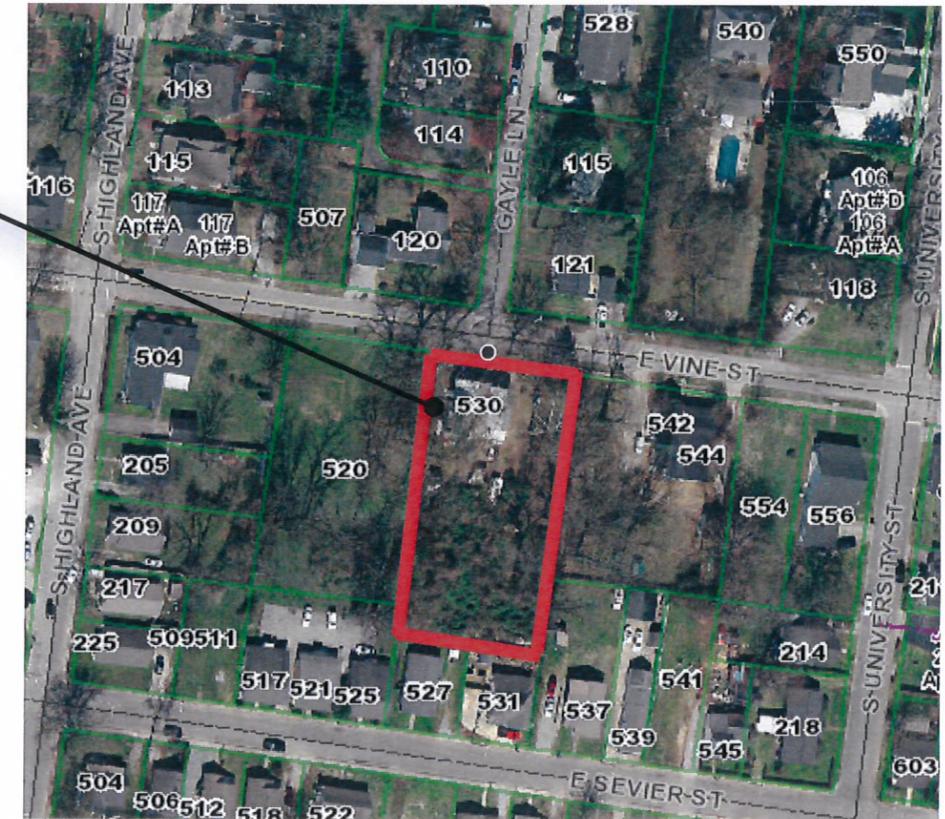
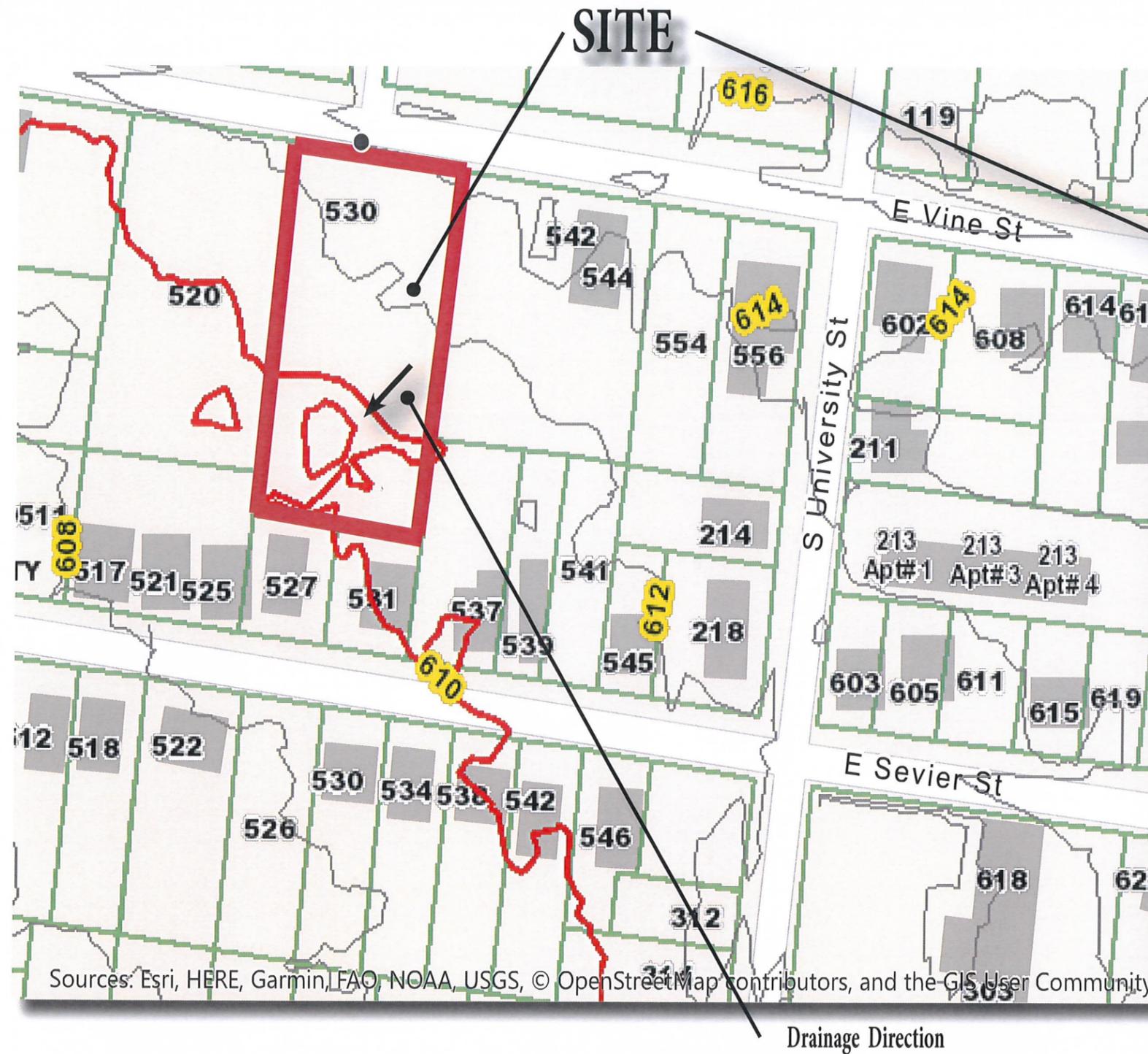
Sewer



Sewer Line Location Map

Hydrology & Topography Map

EAST VINE VILLAS PLANNED RESIDENTIAL DEVELOPMENT

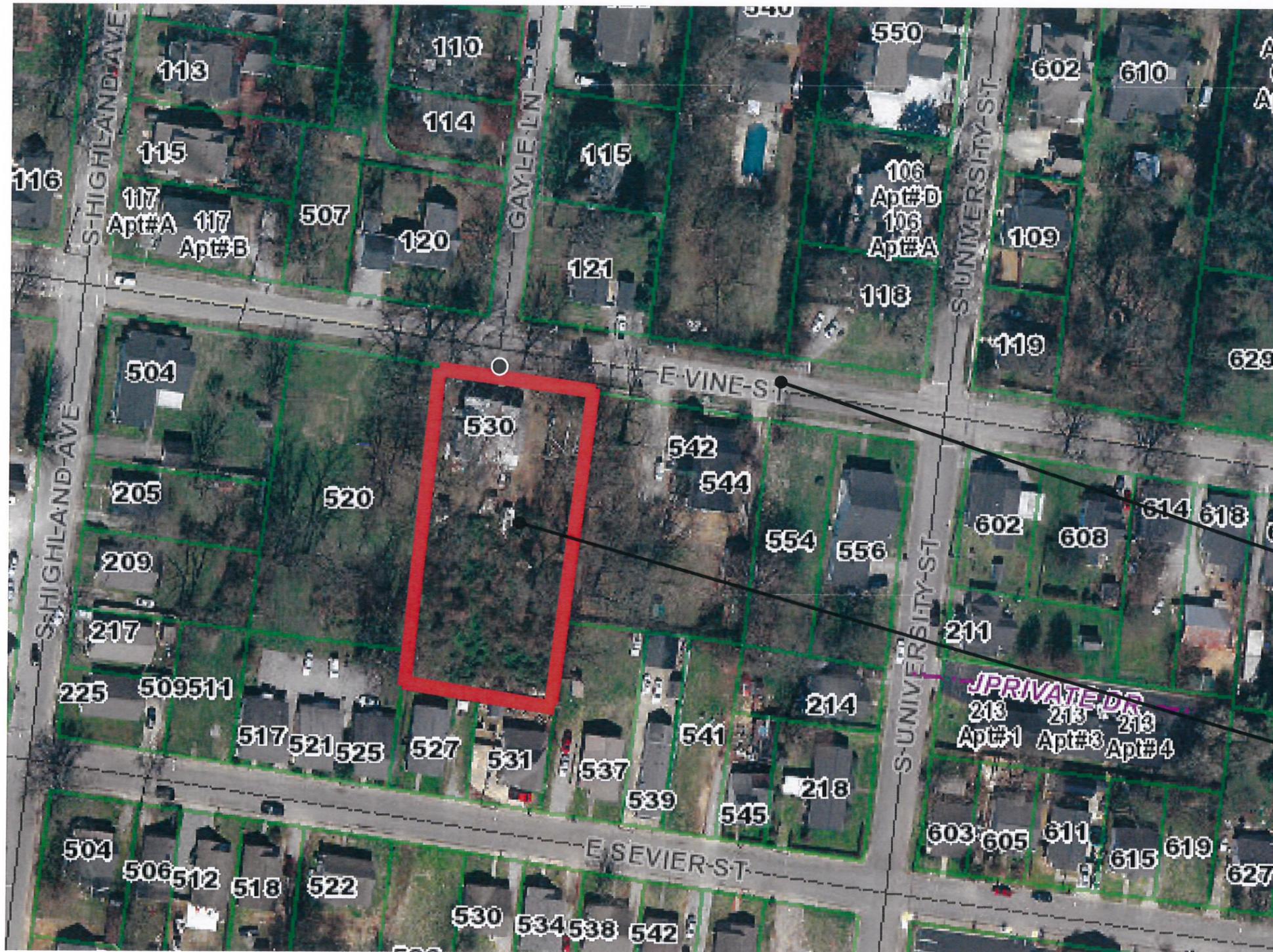


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

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

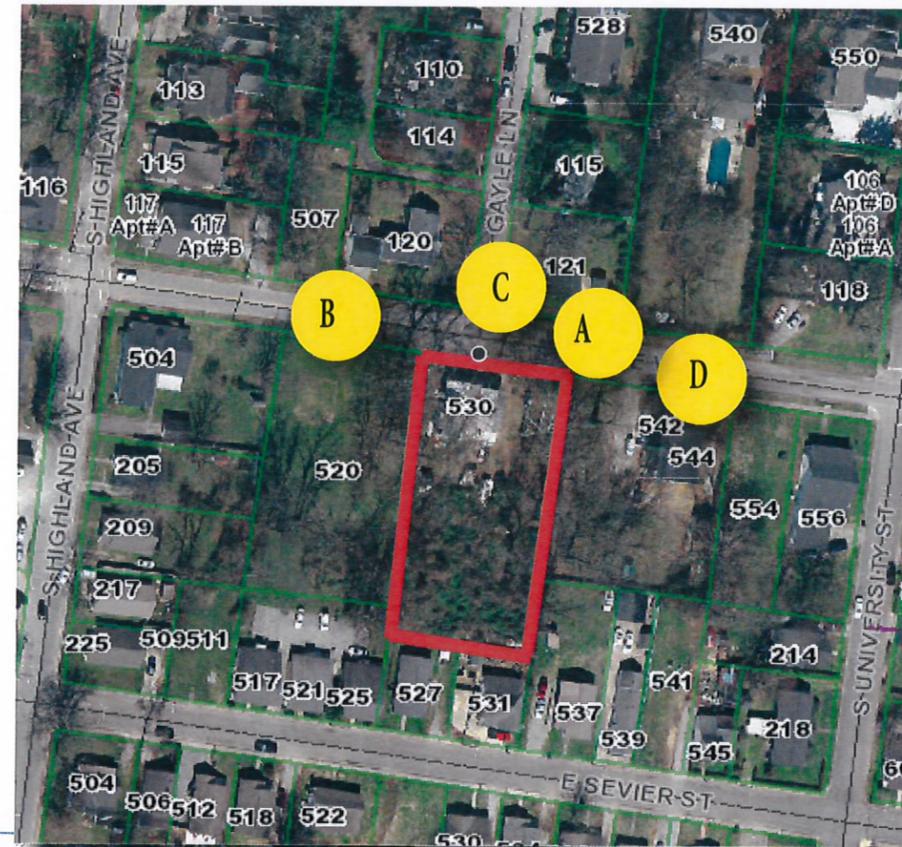
Existing Conditions

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

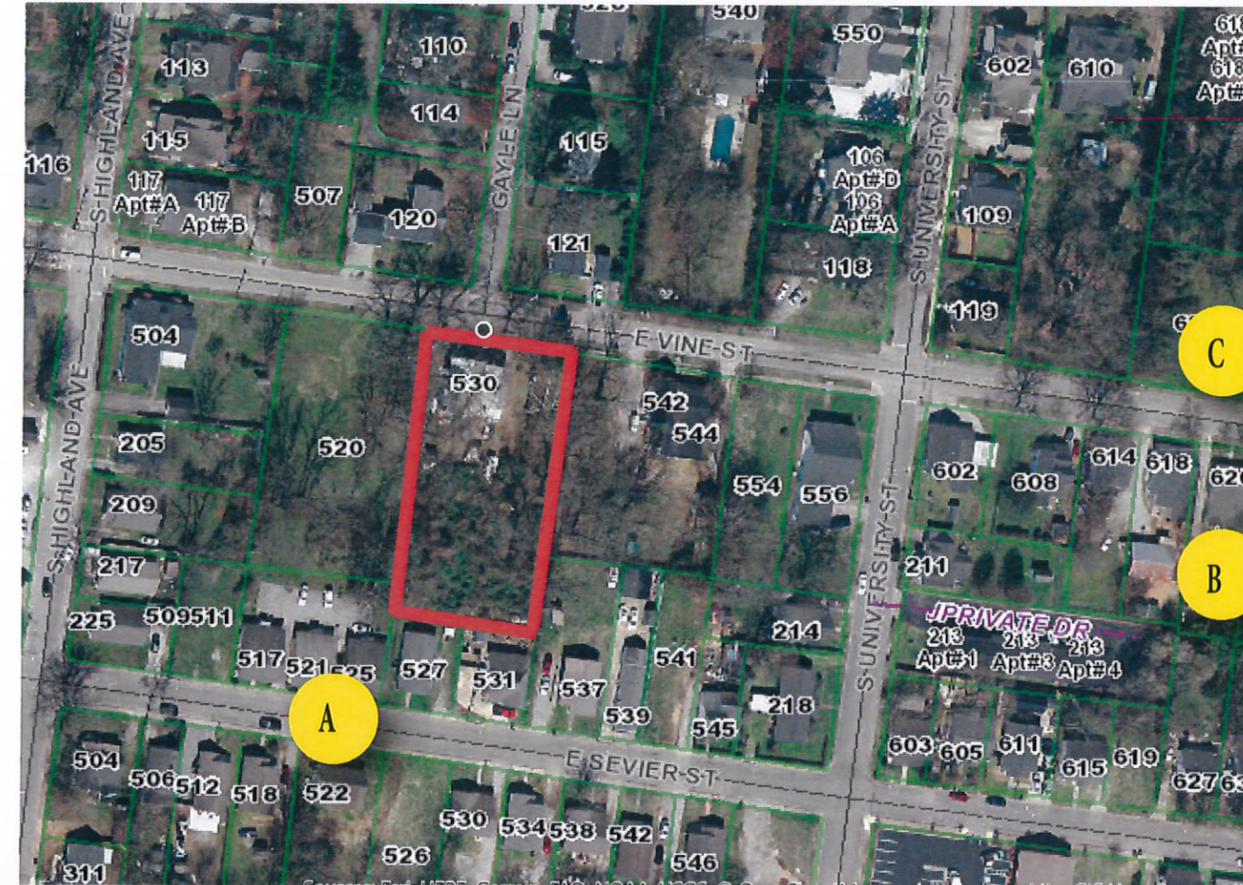
EAST VINE VILLAS

PLANNED RESIDENTIAL DEVELOPMENT



A

View looking east down East Sevier Street



A

B

C



B

Apartments two blocks away



C

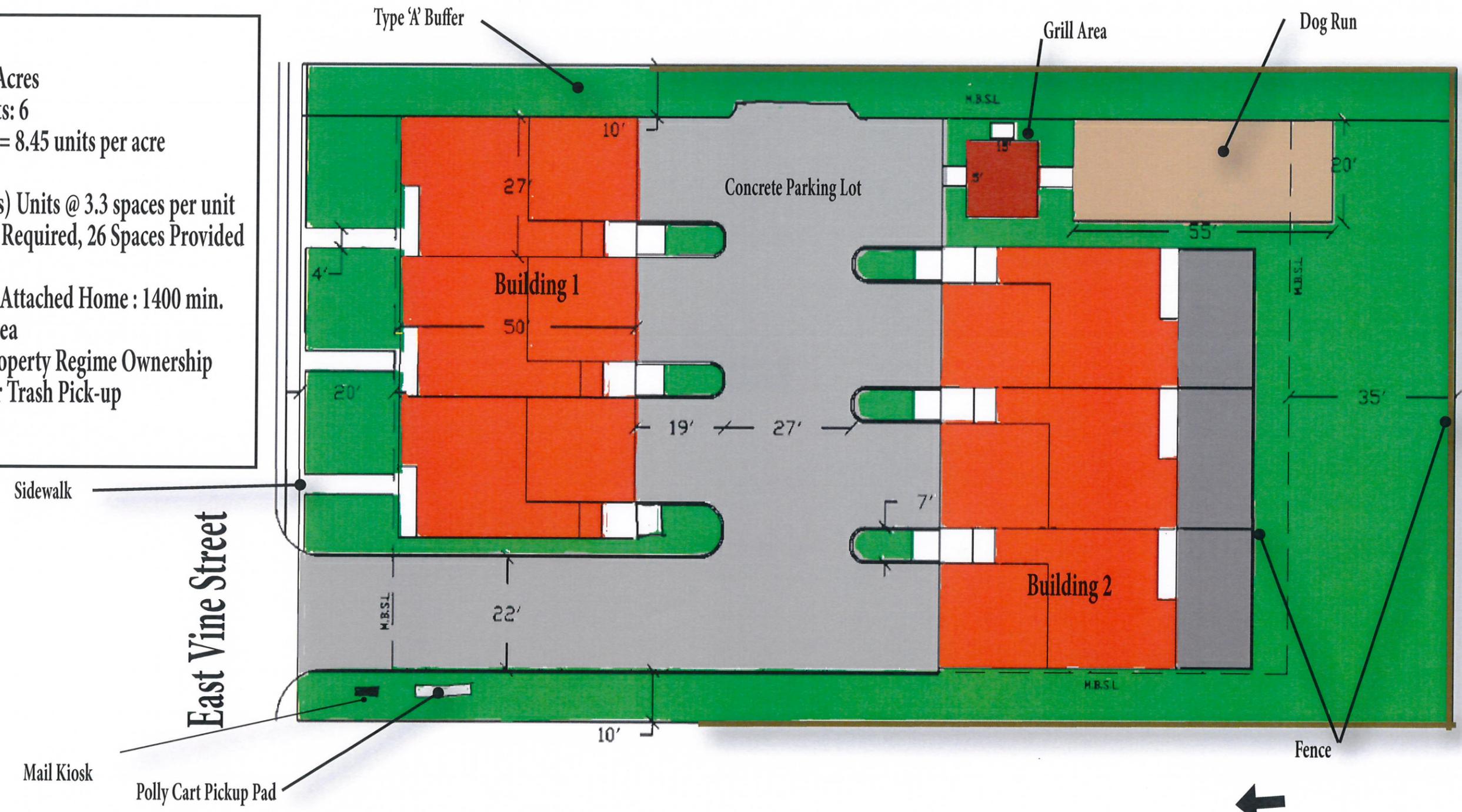
Commerical business east of subject property on East Vine

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."

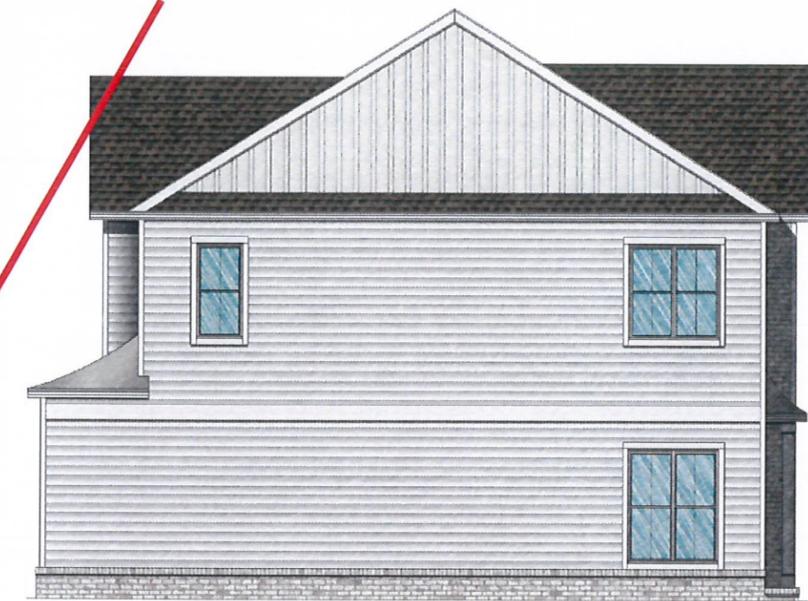
Architectural Elevations - Building 1

EAST VINE VILLAS
PLANNED RESIDENTIAL DEVELOPMENT

Cement Board Asphalt Shingle Roof Board and Battan Metal Roof



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

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

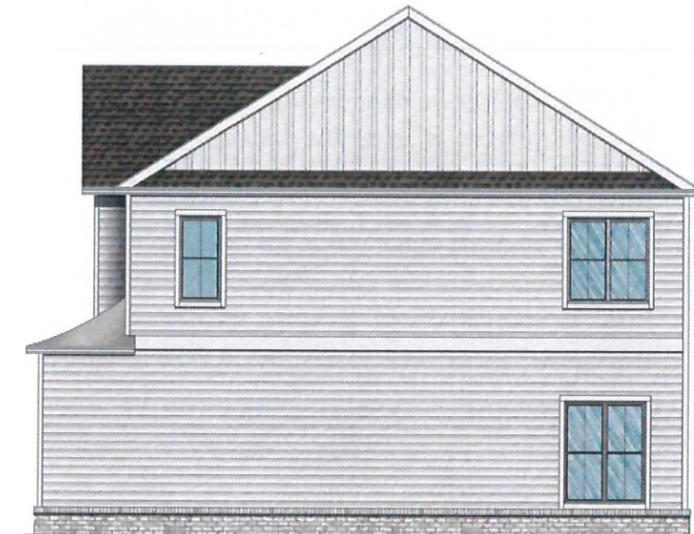
Architectural Elevations - Building 2

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



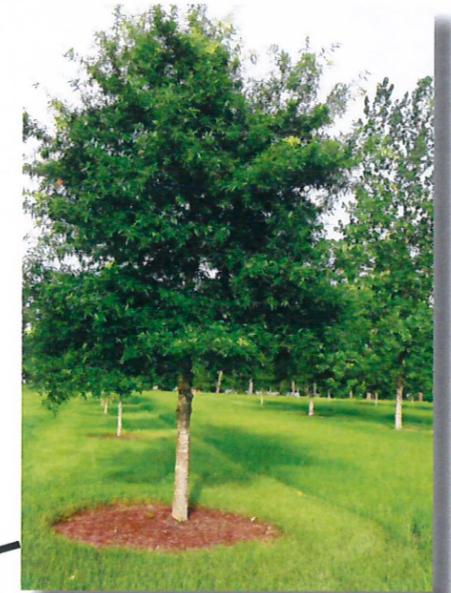
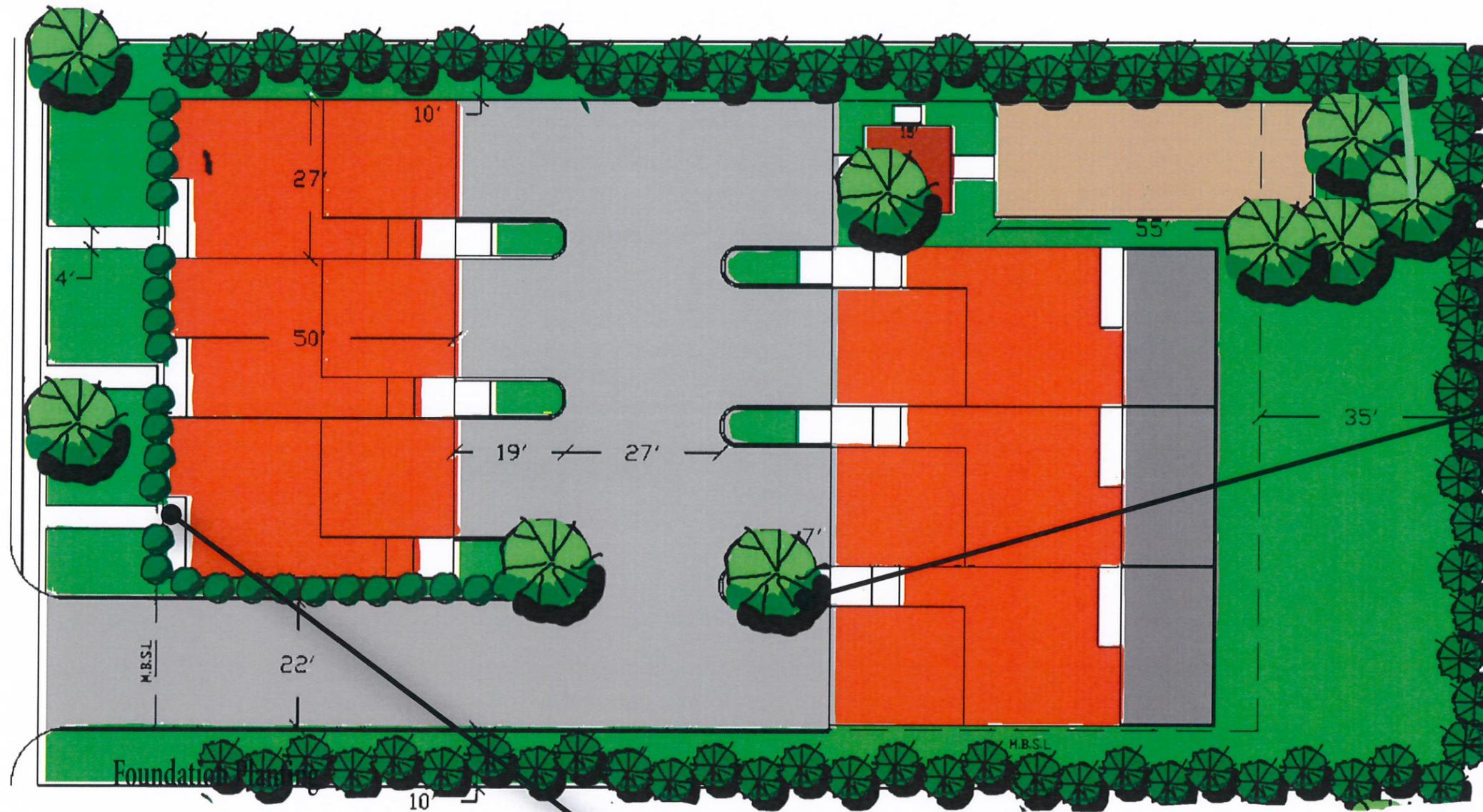
SIDE ELEVATION

Architectural Floor Plan



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

Conceptual Landscape Plan



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.

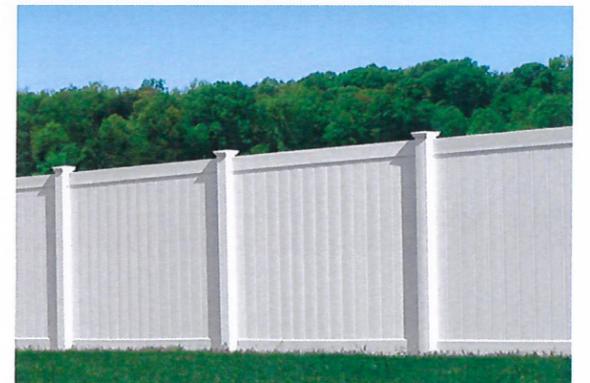
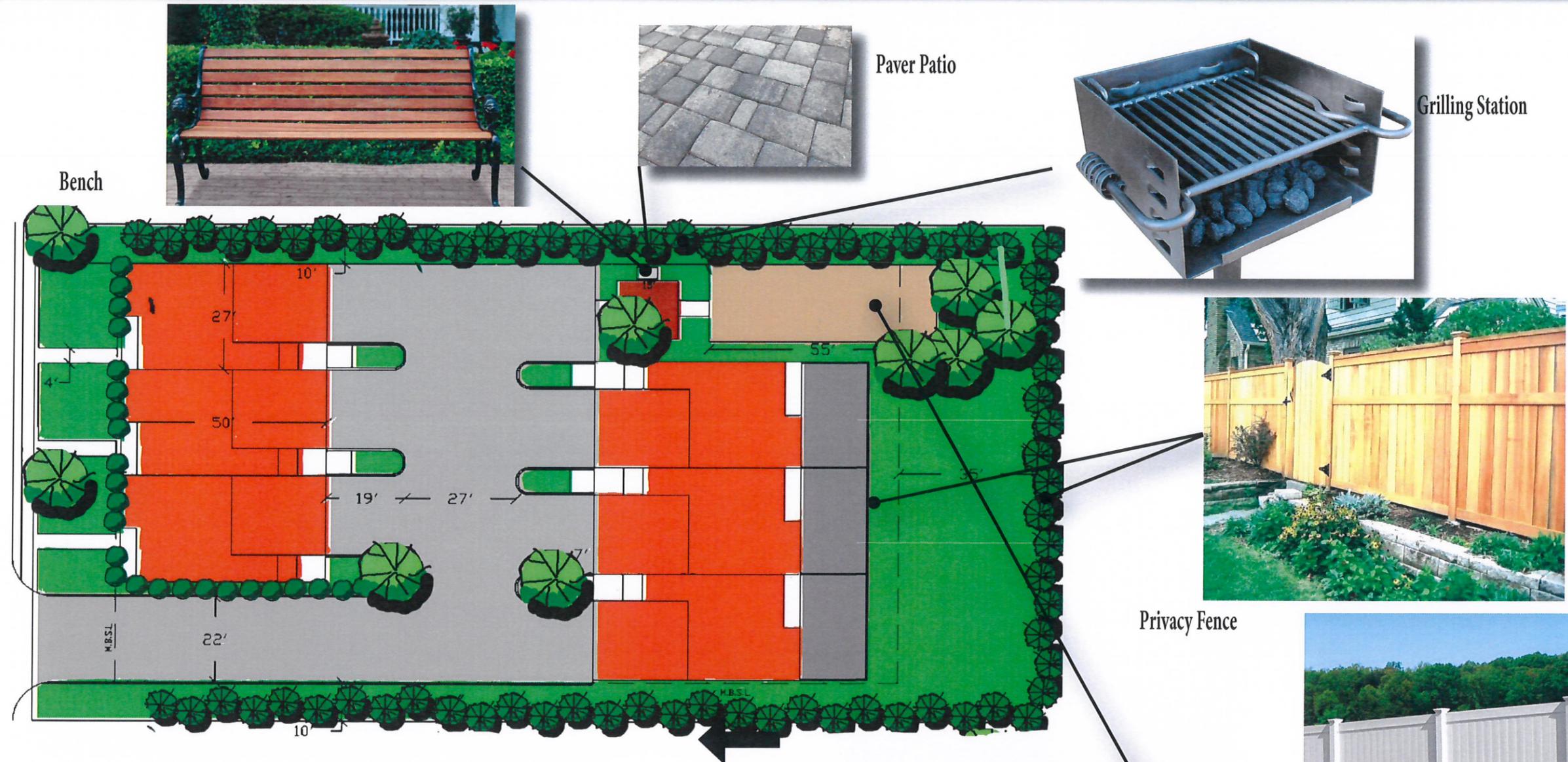


The developer desires to use the foundation planting and shade trees to create a pedestrian scale to the townhomes. This is created using shade trees with 5' clear trunk to create an overhead canopy that helps frame the first floor of the townhomes and low level shrubs that enhance the lower facade of 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.

Dog Run

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
- Architectural 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.*

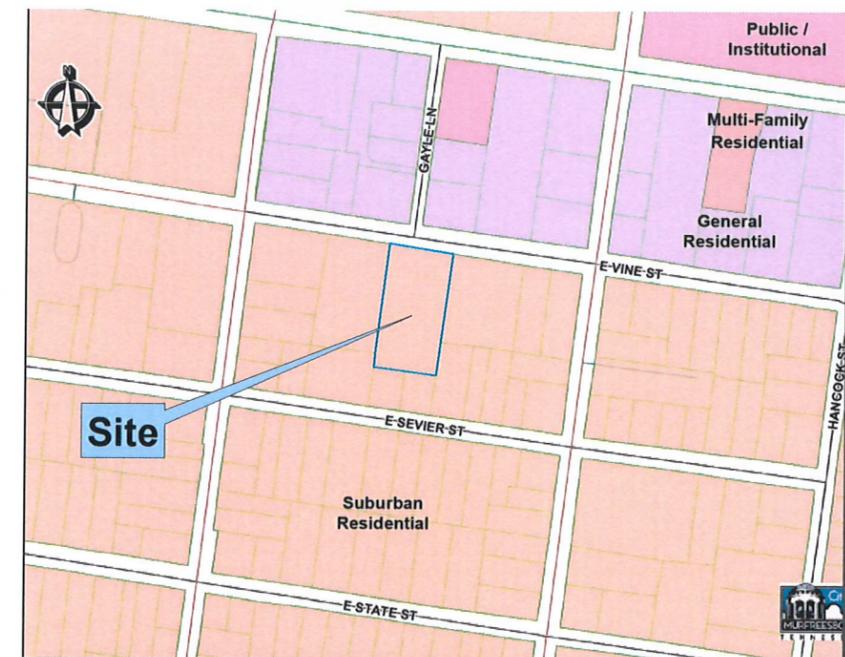
SITE DATA		
Total Land Area	31360 SF	
Total Open Space	Required: 6,272 SF	Provided: 14,888 SF
Usable Open Space	9730 SF	
Formal Open Space	Required: 1,568 SF	Provided: 1,584 SF
Total Impervious	16,269 SF	
Total Pervious	15,091 SF	
F.A.R.		1.92
L.S.R.		1.01
O.S.R.		1.27

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.*



MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

6:00 P.M.

City Hall

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Eddie Smotherman
Ronnie Martin
Warren Russell
Jennifer Garland
Chase Salas

STAFF PRESENT

Matthew Blomeley, Assistant Planning Director
Marina Rush, Principal Planner
Amelia Kerr, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Exec. Dir. Of Dev. Services
Greg McKnight, Interim Planning Director

Kathy Jones called the meeting to order after determining there was a quorum.

New Business

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. Ms. Amelia Kerr summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree and Mr. Ken Xayabudda were in attendance representing the application. Mr. Rountree came forward to begin a PowerPoint presentation from the applicant's pattern book. He stated the proposed commercial center had been designed for multiple tenants and the potential for a restaurant with an open patio area. This would be a nice architectural building that would become a trend setter and an asset to the existing neighborhood.

Mr. Eddie Smotherman commented on this area having a high volume of traffic. Would sidewalks be included with this site? Mr. Blomeley made known Bradyville Pike has been approved for roadway improvements with sidewalks in this area. Currently, the City has begun the right-of-way acquisition process for approximately 150 properties. Once that is completed it would be a year before construction would begin. Mr. David Ives explained the Tennessee Department of

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

Transportation would be overseeing the project. Bradyville Pike would be constructed to a three-lane roadway with curb, gutter, and sidewalks on both sides of the street. This construction would occur from Southeast Broad Street to South Rutherford Boulevard. Mr. Ives stated this would be a difficult road project that would affect this area for a couple of years.

Mr. Warren Russell wanted to know how this would affect the property when the applicant is ready to develop his property. Mr. Blomeley explained the applicant is aware there is a need for an amount of right-of-way for the road project. Mr. Russell asked if the parking requirements would be affected if ever there was an opportunity to connect to the adjoining property. Mr. Rountree answered this site would meet parking requirements even with a future connection.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the zoning application; therefore, Chair Kathy Jones closed the public hearing.

Vice-Chairman Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

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. Ms. Amelia Kerr summarized the zoning application

from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree and Mr. Brian Burns were in attendance representing the application. Mr. Clyde Rountree came forward to begin a PowerPoint presentation from the applicant's pattern book.

Mr. Ronnie Martin wanted to know if the rear elevations for the patio areas would include a fence, in which Mr. Burns answered each individual patio would have a fence. Mr. Eddie Smotherman requested for the applicant's pattern book to state the Homeowners Association would manage the hours of operation regarding the open space area for the dog run. Mr. Chase Salas

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

recommended that the rear of the buildings for each individual unit should have its own color so it would not be so monotonous. Mr. Burns stated he would address the exact tone of colors further that would be suitable with the neighborhood. Chair Kathy Jones wanted additional information regarding painted brick. Mr. Burns stated the paint material he uses on the brick is guaranteed for 25 years. All of the exterior of the buildings, the landscaping, the dog run, and on-street parking would be managed by the Homeowners Association. Chair Jones voiced her concerns regarding the size of the garages. Mr. Burns made known that the garage doors he would be using are sixteen-foot wide which is the same that had been approved for his other developments. Mr. Blomeley stated the sixteen-foot garage door is not the issue it is the width of the interior of the garage being only eighteen-foot wide is Staff's concern. He recommended the development include twenty-foot wide garages to provide enough room for two vehicles, trash can, etc. Mr. Burns stated they do not have the space to increase the size of the garages to twenty feet. Most townhomes have only one-car garages but they are proposing two-car garages for this development.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the zoning application; therefore, Chair Kathy Jones closed the public hearing.

Mr. Chase Salas made a motion to approve subject to all staff comments, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

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. Ms. Marina Rush summarized the annexation petition from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Rush explained that City staff had taken this request to the Rutherford County Road Board on January 6, 2020. The County Road Board had deferred this request so they could conduct further research for legal reasons on how they should provide consent. The Road Board would

ORDINANCE 20-OZ-03 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 0.71 acres along East Vine Street east of South Highland Avenue from Single-Family Residential Eight (RS-8) District to Planned Residential Development (PRD) District (East Vine Villas PRD); Blue Sky Construction, Inc., applicant [2019-440].

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

SECTION 1. That, the same having been heretofore recommended to the City Council by the City Planning Commission, the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as herein referred to, adopted and made a part of this Ordinance as heretofore amended and as now in force and effect, be and the same are hereby amended so as to rezone the territory indicated on the attached map.

SECTION 2. That, from and after the effective date hereof, the area depicted on the attached map be zoned and approved as Planned Residential Development (PRD) District, as indicated thereon, and shall be subject to all the terms and provisions of said Ordinance applicable to such districts, the plans and specifications filed by the applicant, and any additional conditions and stipulations referenced in the minutes of the Planning Commission and City Council relating to this zoning request. The City Planning Commission is hereby authorized and directed to make such changes in and additions to said Zoning Map as may be necessary to show thereon that said area of the City is zoned as indicated on the attached map. This zoning change shall not affect the applicability of any overlay zone to the area.

SECTION 3. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

DocuSigned by:
Adam F. Tucker

43A2035E51F9A01...
Adam F. Tucker
City Attorney

SEAL



RS-15

RS-15

Ordinance 20-OZ-03

RS-15

RS-8

RS-8

GAYLE LN

RS-8

S HIGHLAND AVE

E VINE ST

RS-8
RS-15

Area Rezoned
From RS-8 to PRD

RS-8

RS-4

RM-16

RS-4

RM-16

S UNIVERSITY ST

RM-16

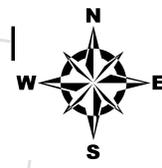
E SEVIER ST

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RS-4

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RD



E STATE ST

RD

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Amending the Zoning Ordinance
[Public Hearing Required]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

Ordinance	<input checked="" type="checkbox"/>
Resolution	<input type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Amend the Zoning Ordinance regarding the definition of "family", variances, lighting fixtures at recreational fields, and landscaping for stormwater management areas.

Staff Recommendation

Conduct a public hearing and amend the Zoning Ordinance as requested.

The Planning Commission recommended approval of the Zoning Ordinance amendment.

Background Information

The Planning Department presented a request to amend the Zoning Ordinance [2019-809] pertaining 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. During its regular meeting on January 8, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Maintain Public Safety

The proposed ordinance amendment will allow adequate lighting at recreational fields by right. It also requires that City Staff review stormwater management areas to determine if barriers are needed. Both of the above promote public safety.

Attachments:

1. Ordinance 20-O-04
2. Planning Commission staff comments from 01/08/2020 meeting
3. Planning Commission minutes from 01/08/2020 meeting

**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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

6:00 P.M.

City Hall

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Eddie Smotherman
Ronnie Martin
Warren Russell
Jennifer Garland
Chase Salas

STAFF PRESENT

Matthew Blomeley, Assistant Planning Director
Marina Rush, Principal Planner
Amelia Kerr, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Exec. Dir. Of Dev. Services
Greg McKnight, Interim Planning Director

Kathy Jones called the meeting to order after determining there was a quorum.

New Business

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. Ms. Amelia Kerr summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree and Mr. Ken Xayabudda were in attendance representing the application. Mr. Rountree came forward to begin a PowerPoint presentation from the applicant's pattern book. He stated the proposed commercial center had been designed for multiple tenants and the potential for a restaurant with an open patio area. This would be a nice architectural building that would become a trend setter and an asset to the existing neighborhood.

Mr. Eddie Smotherman commented on this area having a high volume of traffic. Would sidewalks be included with this site? Mr. Blomeley made known Bradyville Pike has been approved for roadway improvements with sidewalks in this area. Currently, the City has begun the right-of-way acquisition process for approximately 150 properties. Once that is completed it would be a year before construction would begin. Mr. David Ives explained the Tennessee Department of

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 8, 2020

reconvene next month for consideration of this annexation. Therefore, Staff is asking for a deferral on this annexation request. In addition, due to the public hearing being advertised, we are required to conduct the public hearing.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the annexation petition; therefore, Chair Kathy Jones closed the public hearing.

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

Proposed amendments to the Zoning Ordinance [2019-809], City of Murfreesboro Planning Department applicant. Mr. Matthew Blomeley and Mr. David Ives summarized the proposed amendments from the staff report, which had been provided to the Planning Commission in the agenda packet. The Zoning Ordinance sections proposed to be amended included:

- 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.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the proposed amendments to the Zoning Ordinance; therefore, Chair Kathy Jones closed the public hearing.

The Planning Commission complimented Staff for their hard work in addressing these issues.

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

ORDINANCE 20-O-04 amending Murfreesboro City Code Appendix A—Zoning, Sections 2, 10, 18, and 27, pertaining to the definition of “family”, variances, height of light fixtures for recreational fields, and landscaping for stormwater management areas, City of Murfreesboro Planning Staff, applicant. [2019-809]

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

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: 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; provided, however, a domestic worker, as defined by applicable state or federal law, who resides in the dwelling unit in question shall not be included in calculating the number of persons for purposes of subdivisions (a), (b), or (c).

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 provide relief from one or more zoning regulations set forth in this article where due to the unusual characteristics of a parcel of land, strict compliance with such regulation(s) would be extraordinarily and peculiarly difficult or would result in an undue hardship for the a landowner or some other person with a contractual interest in the land.
- (C) *Initiation.* The owner or a 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 a 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 250-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 that conforms with the size and content requirements of the BZA, and written notice shall be mailed to land owners within a 250-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 be shown by substantial material evidence:

- (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 compliance with one or more applicable zoning regulations would be extraordinarily and peculiarly difficult or would result in an undue hardship for the Applicant;
- (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 or hardship 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 in the judgment of the BZA each of the above standards has not been met by a preponderance of the evidence, 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):

- (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.

SECTION 5. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

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Adam F. Tucker
City Attorney

SEAL

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Planning Commission Recommendations
Department: Planning
Presented by: Matthew Blomeley, AICP, Assistant Planning Director
Requested Council Action:

Ordinance	<input type="checkbox"/>
Resolution	<input checked="" type="checkbox"/>
Motion	<input type="checkbox"/>
Direction	<input type="checkbox"/>
Information	<input type="checkbox"/>

Summary

Scheduling matters previously heard by the Planning Commission for public hearings before Council.

Staff Recommendation

Schedule public hearings for the two items below on June 4, 2020.

Background Information

During its regular meeting on April 22, 2020, the Planning Commission conducted public hearings on the two items listed below. After the public hearings, the Planning Commission discussed the matters and then voted to recommend their approval.

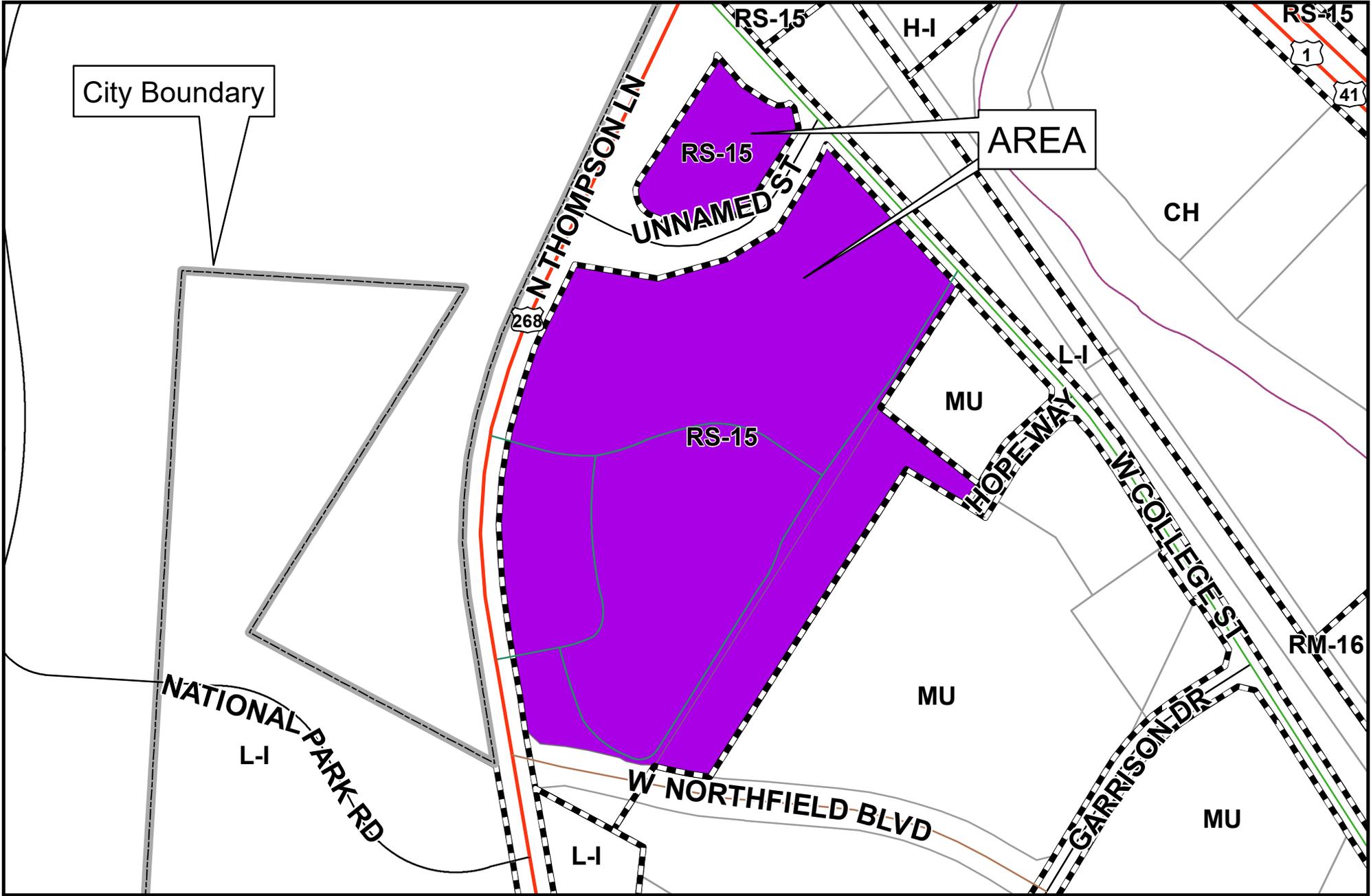
- a. Zoning Request [2020-403] for PSO (Planned Signage Overlay) zoning for approximately 30 acres located along North Thompson Lane, West College Street, and West Northfield Boulevard, New Vision Baptist Church applicant.
- b. Zoning application [2019-435] for approximately 1.44 acres located at the northeast corner of Gold Valley Drive and North Rutherford Boulevard to be rezoned from PCD to PRD (Rutherford Corner PRD), Masterson Homes, Inc. applicant.

Fiscal Impact

The only fiscal impact is the cost of advertising in the newspaper (exact cost unknown at this time).

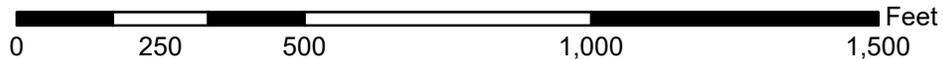
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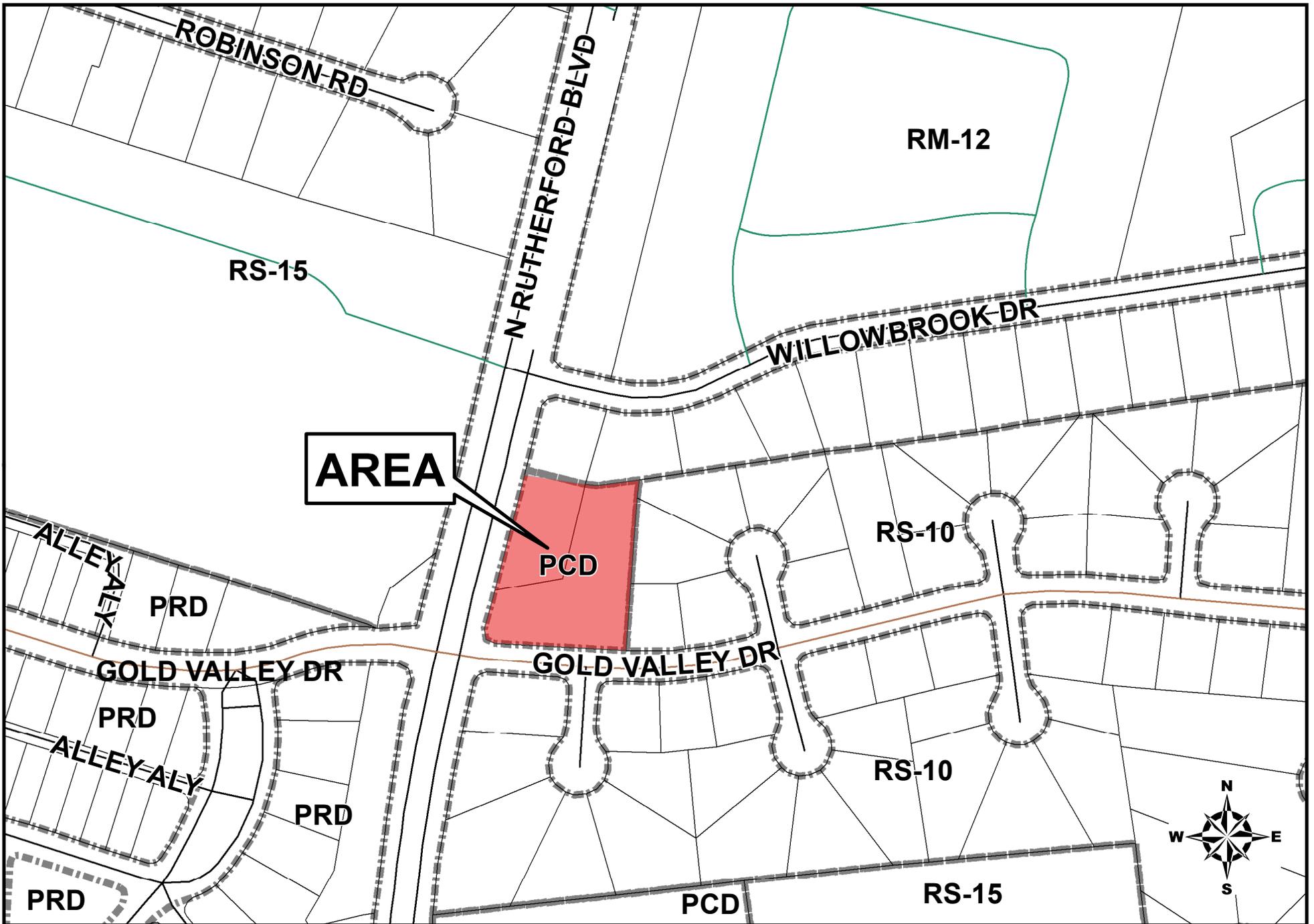
1. Map for zoning application for approximately 30 acres located along North Thompson Lane, West College Street, and West Northfield Boulevard
2. Map for zoning application for approximately 1.44 acres located along North Rutherford Boulevard and Gold Valley Drive



Rezoning Request for Property Along North Thompson Lane and West College Street
 RS-15 to RS-15 and PSO (New Vision Baptist Church PSO)

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





Zoning Request for Property Along North Rutherford Boulevard and Gold Valley Drive
 PCD to PRD (Rutherford Corner PRD)

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



COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Resolution Setting Fees for Small Cell Installation Applications

Department: Legal

Presented by: David Ives, Assistant City Attorney

Requested Council Action:

- | | |
|-------------|-------------------------------------|
| Ordinance | <input type="checkbox"/> |
| Resolution | <input checked="" type="checkbox"/> |
| Motion | <input type="checkbox"/> |
| Direction | <input type="checkbox"/> |
| Information | <input type="checkbox"/> |
-

Summary

Resolution to adjust fees for application to install small cell antennas in the City to conform to State-allowed maximums.

Staff Recommendation

Approve the Resolution

Background Information

Council adopted a resolution in October 2018 adopting the maximum application fees then allowed under TCA 13-24-407. That statute allows periodic increases in these fees, and this resolution will allow the fees charged by the City to increase periodically as allowed by that statute.

Council Priorities Served

Responsible budgeting

The increased fees will help offset the cost of processing applications.

Improve economic development

A robust wireless infrastructure is a necessity to attract high tech enterprises.

Operational Issues

None

Fiscal Impact

The Planning Department will receive slightly increased fees.

Attachments

Proposed Resolution 20-R-09.

RESOLUTION 20-R-09 authorizing an adjustment to the fees for submission of applications for permits for installation of small wireless facilities.

WHEREAS, on October 18, 2018, the City Council adopted **Resolution 18-R-31**, *inter alia*, authorizing collection of fees by the City Engineer with each Application for installation of small wireless facilities in public ROW and upon other City Property in amounts equal to the maximum amount initially authorized by TCA 13-24-407; and

WHEREAS, TCA 13-24-407 increases by 10%, rounded to the nearest dollar, the maximum amount of fees authorized beginning on January 1, 2020, and at each five-year interval thereafter; and

WHEREAS, the City has determined that it is operationally preferable for Applications to be submitted to the Planning Department rather than the Engineering Department.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Applications for installation of small cell facilities within the City of Murfreesboro, whether to be installed in City ROW, in other non-ROW City-owned property, or on private property, shall be submitted to the Planning Department.

SECTION 2. The fees required to be submitted with each Application shall be equal to the maximum amount authorized by TCA 13-24-407, as from time to time amended.

SECTION 3. This Resolution shall be effective immediately, the public welfare and the welfare of the City requiring it.

Passed: _____

Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

DocuSigned by:
Adam F. Tucker
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Adam F. Tucker
City Attorney

COUNCIL COMMUNICATION

Meeting Date: 04/30/2020

Item Title: Public Building Authority Appointment

Department: Administration

Presented by: Mayor McFarland

Requested Council Action:

Ordinance

Resolution

Motion

Direction

Information

Summary

Appointment to the Public Building Authority

Background Information

The Housing Authority was created in 1950 and has contractual agreements with the U.S. Department of Housing and Urban Development, the State of Tennessee and the City to provide decent, safe and sanitary housing in good repair for eligible families and to utilize all available resources to maximize social and economic opportunities for its residents. The governing body consists of 5 Commissioners appointed for five-year terms.

There is one reappointment and one appointment for approval.

Council Priorities Served

Establish strong City brand

Residents volunteer for service on the City several boards and commissions and are instrumental in the operations of several City departments.

Attachments:

Memo from Mayor McFarland



... creating a better quality of life.

April 30, 2020

Members of City Council

RE: Recommended Appointments – Murfreesboro Housing Authority

As an item for the City Council Agenda, I am recommending the following appointments to the Murfreesboro Housing Authority.

Reappointment

Mr. Charlie Teasley (term expires May 3, 2020)

Appointment

Michelle Thomas (filling the vacancy left by Judy S. Smith. Term expires May 3, 2023)

Sincerely,

A handwritten signature in blue ink that reads "Shane McFarland". The signature is written in a cursive style.

Shane McFarland
Mayor