

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**DECEMBER 6, 2023
6:00 PM**

**Kathy Jones
Chair**

1. Call to order
2. Determination of a quorum.
3. Public Comments.
4. Approve minutes of the November 14, 2023, and November 15, 2023 Planning Commission meetings.
5. Public Hearings and Recommendations to City Council:
 - a. Zoning application [2023-417] for approximately 48.3 acres located along Old Fort Parkway to be rezoned from CH & PSO to PCD (Stones River Town Centre PCD) & PSO, Kimley-Horn representing Sterling Organization applicant. (Project Planner: Amelia Kerr)
 - b. Zoning application [2023-418] for approximately 7.3 acres located along Northwest Broad Street and West Vine Street to be rezoned from CH & CCO to PUD & CCO, approximately 0.1 acres to be rezoned from CBD & CCO to PUD & CCO, and approximately 0.4 acres to be rezoned from CH & CCO to CBD & CCO, HRP Residential applicant. (Project Planner: Holly Smyth)
 - c. **[WITHDRAWN]** Proposed amendment to the City Zoning Ordinance [2023-804] related to regulations for electric vehicles and pertaining to the following sections:
 - Section 2: Definitions;
 - Section 26: Off-Street Parking, Queuing, and Loading; and
 - Endnotes for Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios.

City of Murfreesboro Planning Department applicant. (Project Engineer: Katie Noel)

MURFREESBORO PLANNING COMMISSION AGENDA

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- d. Proposed amendment to the City Zoning Ordinance [2023-803] pertaining to miscellaneous revisions to the following sections:
- Section 2: Definitions;
 - Section 6: Amendments;
 - Section 7: Site Plan Review;
 - Section 9: Standards for Special Permit Uses;
 - Section 24: Overlay District Regulations, Article VI. CCO, City Core Overlay District;
 - Section 25: Temporary and Accessory Structures and Uses;
 - Section 26: Off-Street Parking, Queuing, and Loading;
 - Section 28: Non-Conformities;
 - Chart 1: Uses Permitted by Zoning District (including Chart 1 endnotes); and
 - Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios (including Chart 2 endnotes)

City of Murfreesboro Planning Department applicant. (Project Planner: Holly Smyth)

6. Staff Reports and Other Business:

- a. Request for Outside the City Water & Sewer Service [2023-505] for approximately 288 acres located along Lebanon Pike and East Jefferson Pike & Landfill Road, Rutherford County applicant.

7. Adjourn.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
DECEMBER 6, 2023**

PROJECT PLANNER: AMELIA KERR

5.a. Zoning application [2023-417] for approximately 48.3 acres located along Old Fort Parkway to be rezoned from CH & PSO to PCD (Stones River Town Centre PCD) & PSO, Kimley-Horn representing Sterling Organization applicant.

Introduction

The subject property consists of six (6) parcels located along Old Fort Parkway, Stones River Mall Boulevard, and Mall Circle Drive. The parcels are platted land identified as Tax Map 0911 Group A, Parcels 18.00, 18.02, 18.03, 18.04, 18.05 and 18.06. The property included in the zoning map amendment request is a total of 48.299 acres and is developed with the Stones River Mall. Parcels 18.00, 18.02, and 18.03 are owned by the applicant and are included in the applicant's request. Parcels 18.04 (JC Penney), 18.05 (Miller's Alehouse), and 18.06 (Olive Garden) are included as additional study area by the City of Murfreesboro, since they are part of the overall Stones River Mall development. The property is zoned CH (Commercial Highway District) and PSO (Planned Signage Overlay District). The subject property is located north of Old Fort Parkway, adjacent to the Home Depot to the west, and Old Fort Park to the north and east.

Stones River Town Centre PCD – 48.299 acres

Overview

The existing AMC theater has expressed a desire to own the property their business is located on but is unable to meet minimum setback and landscaping requirements in order to subdivide. The request for rezoning to PCD is to create separate lots for the existing AMC building (lot #4) and a proposed future building (lot #5) and the ability to provide future subdivisions within the context of the overall Stones River Town Centre development. If the PCD is approved, subdivided parcels will be governed by the proposed PCD regulations and the private declarations of the Stones River Town Centre, including shared parking with cross access easements and agreements.

Transportation, Circulation and Access:

The Stones River Town Centre development has two primary access points from Old Fort Parkway, a public major arterial roadway on the southeast and southwest corners of the overall development. Stones River Mall Boulevard and Mall Circle Drive are public commercial collector roadways, bordering the east, north, and west sides of the development and provide multiple access points to the parking lots surrounding the development.

Purposes of Planned Develop District:

According to the Zoning Ordinance, the purposes of planned development district regulations are as follows:

1. to promote flexibility in development design and to permit planned diversification in the location of structures;
2. to promote the efficient use of land by permitting a planned arrangement of buildings, circulation systems, land uses, and utilities;
3. to preserve existing landscape features and amenities and to utilize such features in a harmonious fashion;
4. to encourage the total planning of land tracts consistent with adopted long-range plans;
5. to permit the use of new and innovative land development techniques while assuring protection of existing adjacent development;
6. to encourage the functional and beneficial use of open spaces and to preserve natural features of a development site;
7. to promote the creation of a safe and desirable living environment for residential areas characterized by a unified site and development program;
8. to permit the creation of a variety of housing types compatible with surrounding development to provide a greater choice of types of environment and living units;
9. to promote the provision of attractive and appropriate locations for business and manufacturing uses in well-designed developments and the provision of opportunities for employment closer to residences with a reduction in travel time from home to work;
10. to encourage the revitalization of established commercial centers;
11. to promote the diversification in the uses permitted and variation in the relationship of uses, structures, open space, and height of structures in developments intended as cohesive, unified projects;
12. to encourage design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property; and,
13. to promote the significance of architectural and aesthetic improvements and details in atypical developments.

Exceptions

Exceptions must be specifically identified and requested in the application for a planned development. The Zoning Ordinance states the following regarding exceptions within planned developments:

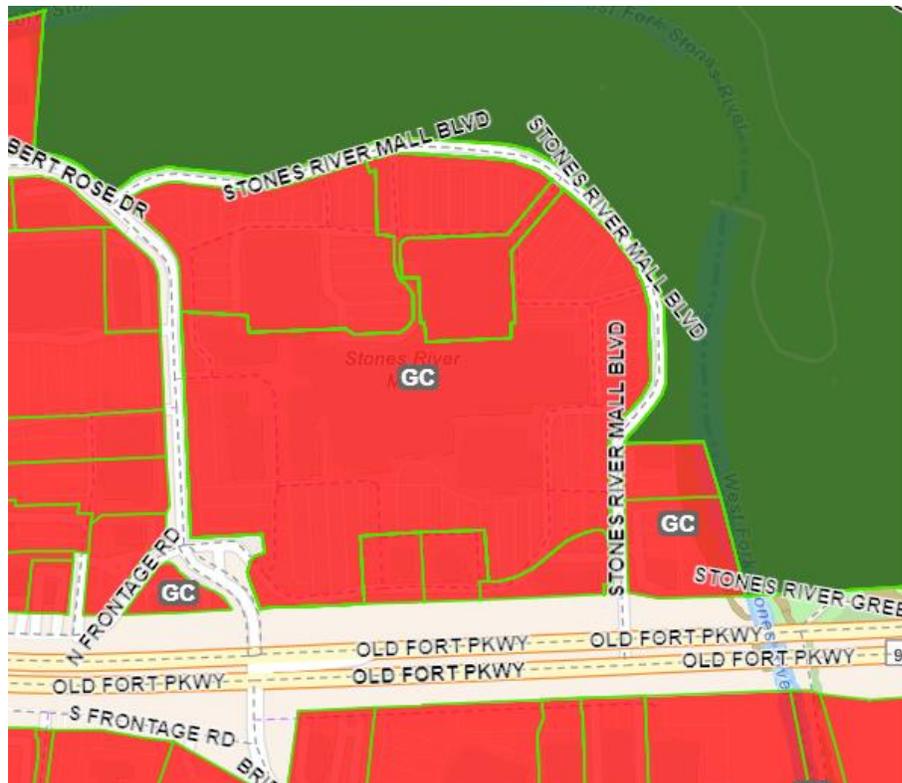
The planned development approval may provide for such exceptions from the Subdivision Regulations and Design Guidelines, district zoning regulations governing use, density area, bulk, parking, architecture, landscaping, and open space as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such exceptions are consistent with the standards and criteria contained in this section and have been specifically identified and requested in the application for a planned development.

Unless the application for a planned development contains a clear statement of exceptions to them, the standards and criteria of the Subdivision Regulations, Design Guidelines, and district zoning regulations will apply to all planned developments. The specific zone district used as a comparison for the planned development shall be the most like zone district to the planned development, as determined by the Planning Director.

The PCD book identify two exceptions on page 16 of the program book. They are:

1. Landscaping exception for interior perimeter planting yards.
2. Rear setback to be "0" as opposed to the required 20' per the Zoning Ordinance.

Future Land Use Map



(GENERAL) COMMERCIAL CHARACTER (GC)

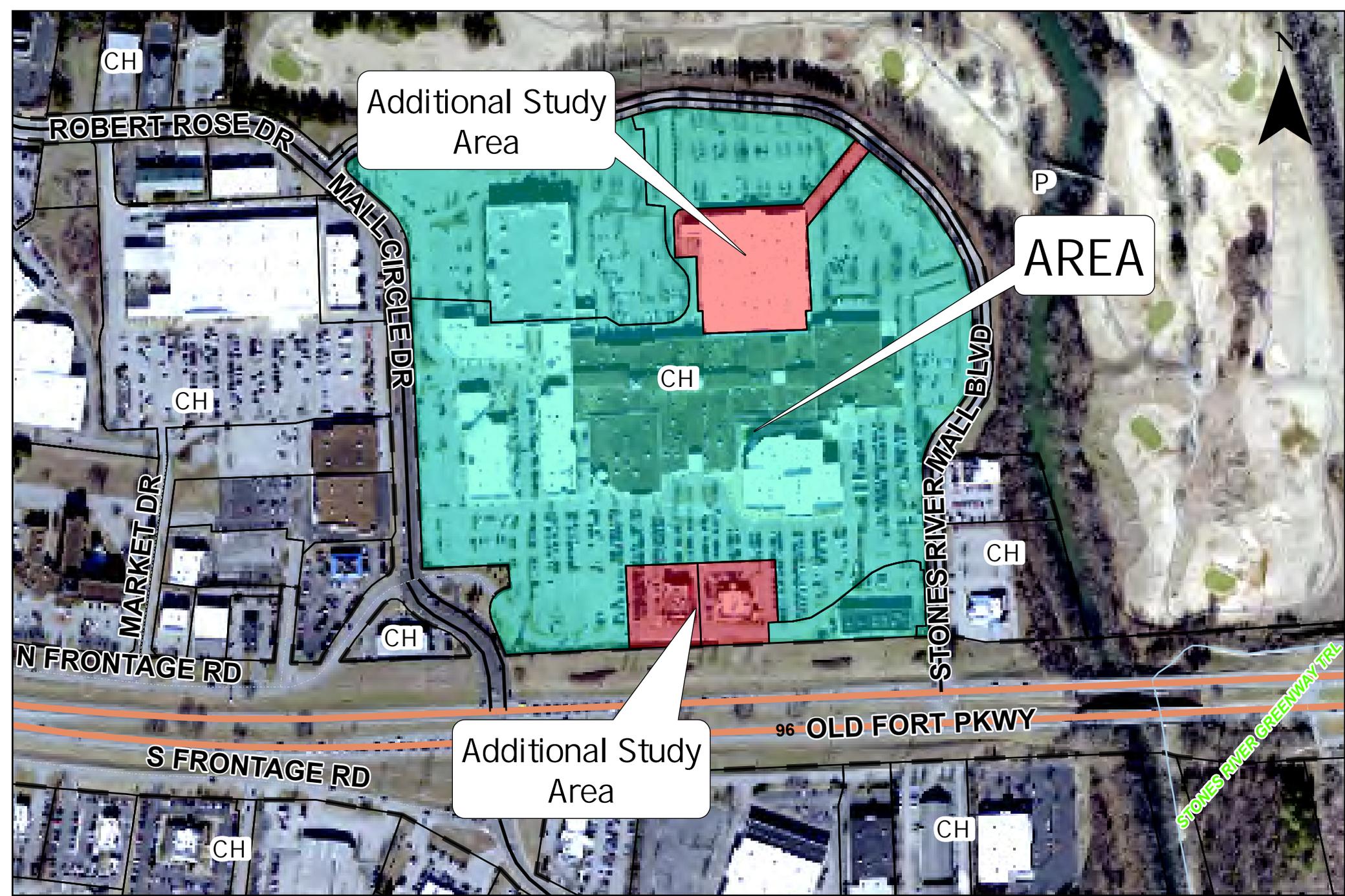
This designation pertains to commercial development as well as outparcels located on arterial and collector transportation routes. The primary difference in Urban and Auto-Urban character categories is the role of the automobile in its site design. Rather than buildings oriented to the street, as in an urban setting, such as what is found in downtown, auto-urban environments are characterized by large parking lots surrounding the buildings. Auto-Urban commercial uses include high intensity commercial businesses that have a trade area outside of Murfreesboro and/or require a large amount of land for their operations. Uses like regional shopping center, grocery, hotels, gas stations, restaurants, and “big box” retailers. Due to the potential for these uses to generate high traffic volumes, their location should be on or with adequate access to arterial roadways. The existing mall development is consistent with the GC land use character, and the proposed PCD zoning continues to allow the mall and its various uses by right.

Recommendation:

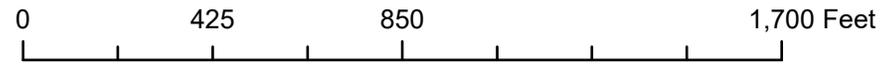
Staff is supportive of this request as it is intended to allow additional flexibility in order to help this development be successful in an ever changing retail landscape. Staff requests the Planning Commission to consider the following items in its review of this request:

1. The proposed development type and characteristics are consistent with the approved *Murfreesboro 2035 Comprehensive Plan* and the *Future Land Use Map*.
2. The Planning Commission should consider the appropriateness of the exceptions that are a part of the PCD.

The applicant will be available at the Planning Commission meeting to discuss the proposed rezoning request. A copy of the PCD program book is included with the agenda materials. The Planning Commission should conduct a public hearing prior to formulating a recommendation to the City Council.

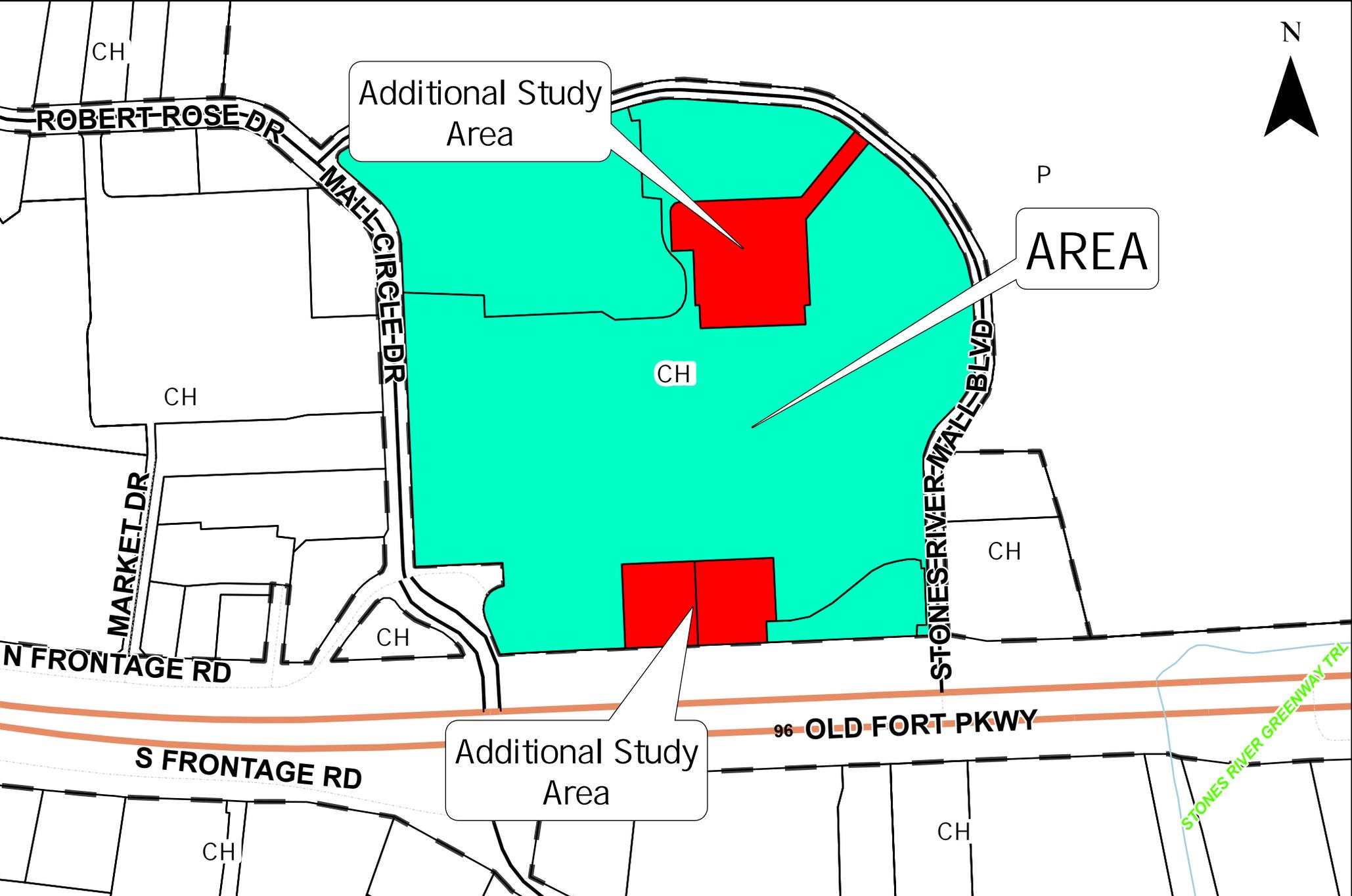


Zoning Request for Property located along Old Fort Parkway
 CH and PSO to PCD (Stones River Town Centre PCD) and PSO



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

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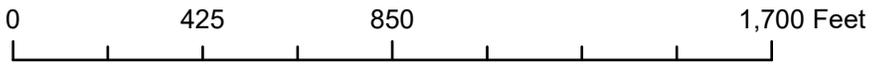
Additional Study Area

AREA

Additional Study Area



Zoning Request for Property located along Old Fort Parkway
CH and PSO to PCD (Stones River Town Centre PCD) and PSO



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

STONES RIVER TOWN CENTRE

1720 Old Fort Parkway, Murfreesboro, TN 37129

Pre-app Submittal: 10/06/23

Resubmittal: 11/06/23



Dustin Hicks
302 Datura St., Suite 100
West Palm Beach, FL 33401
772-486-9212



Anneka Gilliam
10 Lea Avenue, Suite 400,
Nashville, Tennessee 37210
615-669-7923

A request for rezoning the Stones River Town Centre development parcels from Commercial Highway (CH) to Planned Commercial District (PCD).

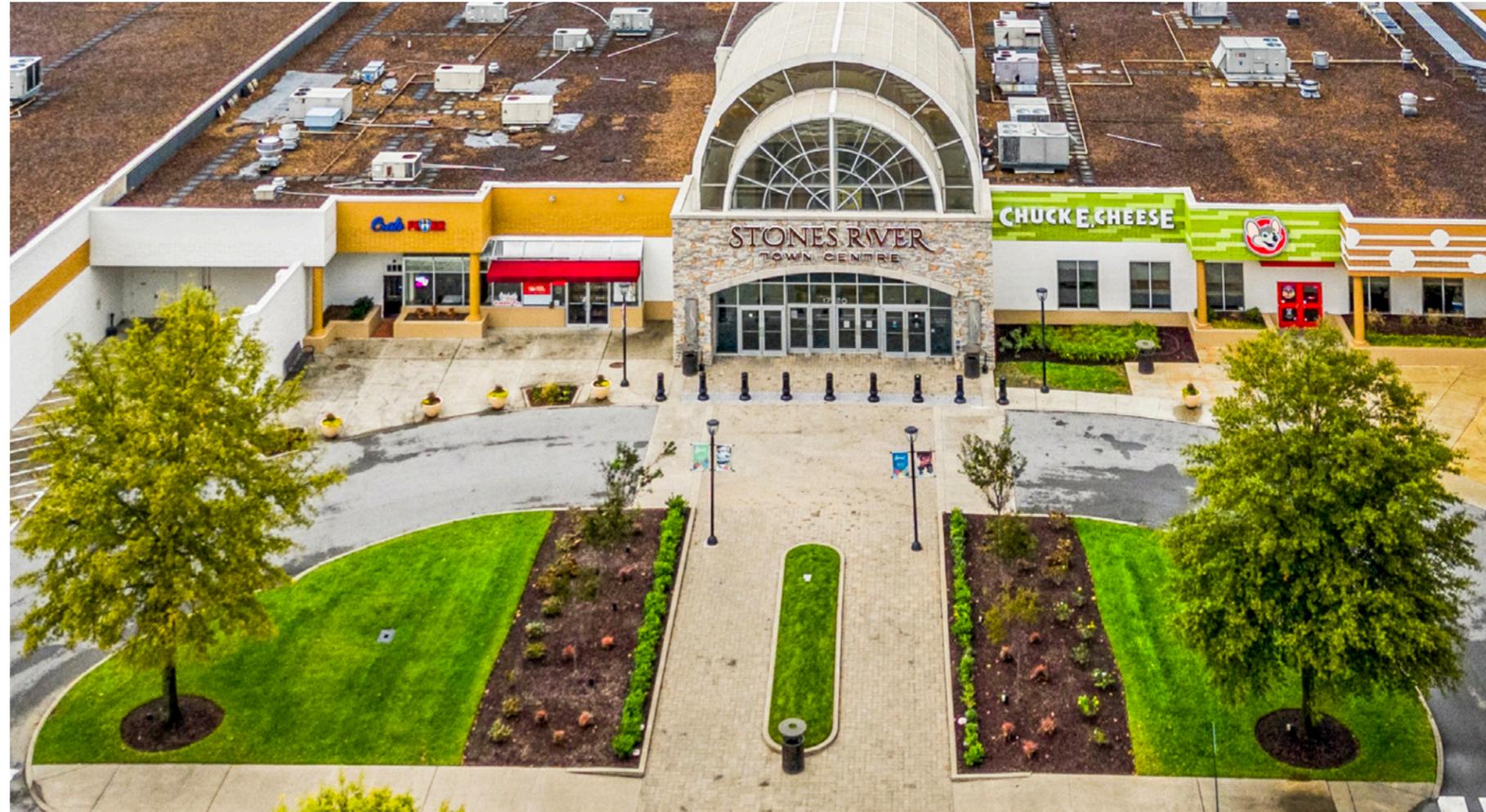
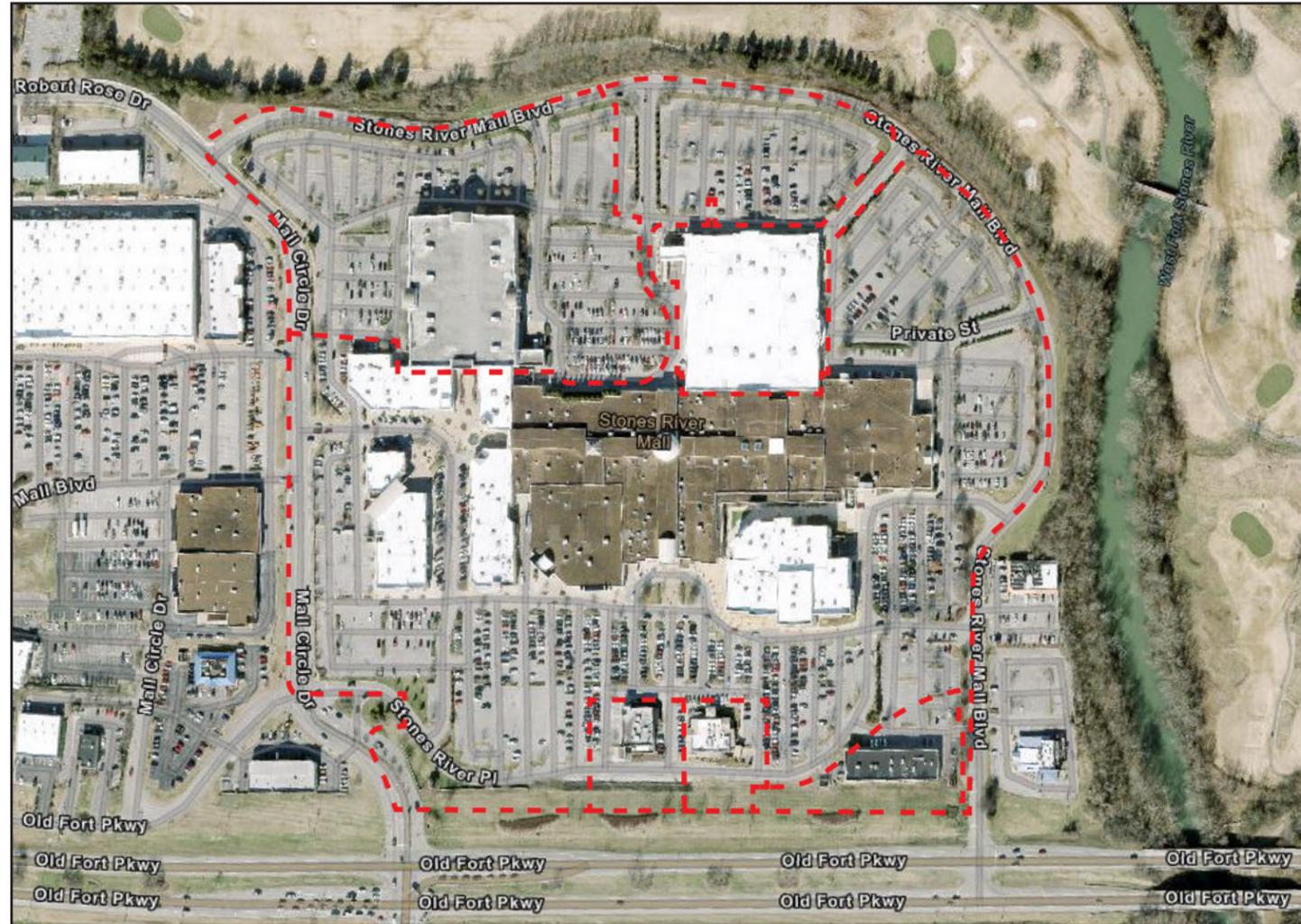


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EXISTING CONDITIONS | AERIAL PHOTO & ZONING

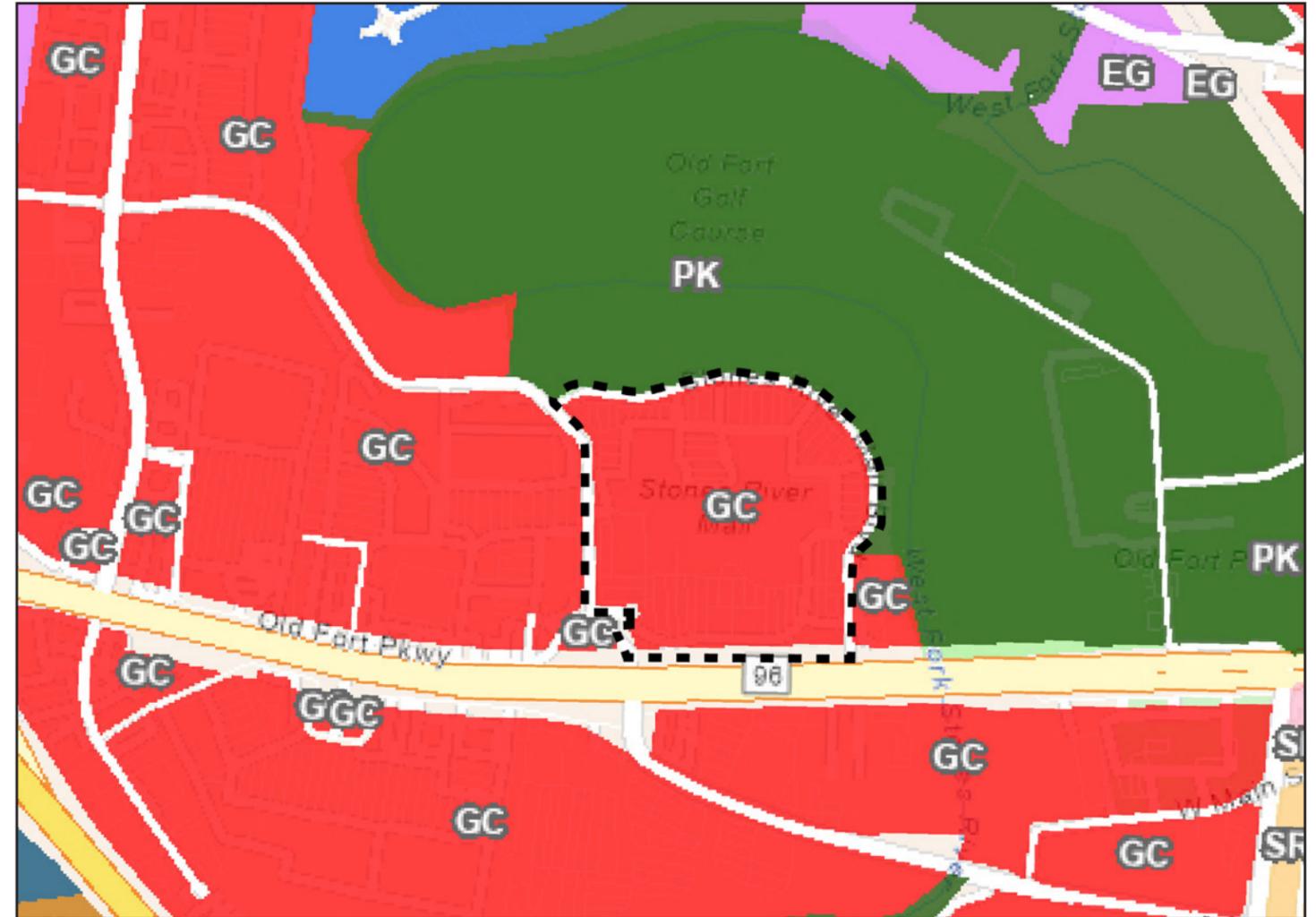


EXISTING SITE AERIAL AND PARCEL BOUNDARY MAP

PROJECT DESCRIPTION

The Sterling Group respectfully requests the rezoning of the Stones River Town Centre development parcels at 1720 Old Fort Parkway from Commercial Highway (CH) to Planned Commercial District (PCD) to establish development standards consistent with past and future subdivisions of development parcels. The properties are located along the north side of Old Fort Parkway, bordered to the east and north by the Old Fort Golf Course and West Fork River, and bordered to the west by other highway commercial uses.

The request for rezoning to PCD is to create separate lots for parcels 4 and 5 and provide development standards to accommodate past and future parcel subdivisions within the context of the overall Stones River Town Centre development. By doing so, the Stones River Town Centre development will provide the flexibility to accommodate the future development of commercial services and products for the Murfreesboro area. Subdivided parcels shall continue to be governed by the private declarations of the Stones River Town Centre, including shared parking and cross access easements and agreements, and City of Murfreesboro regulations.



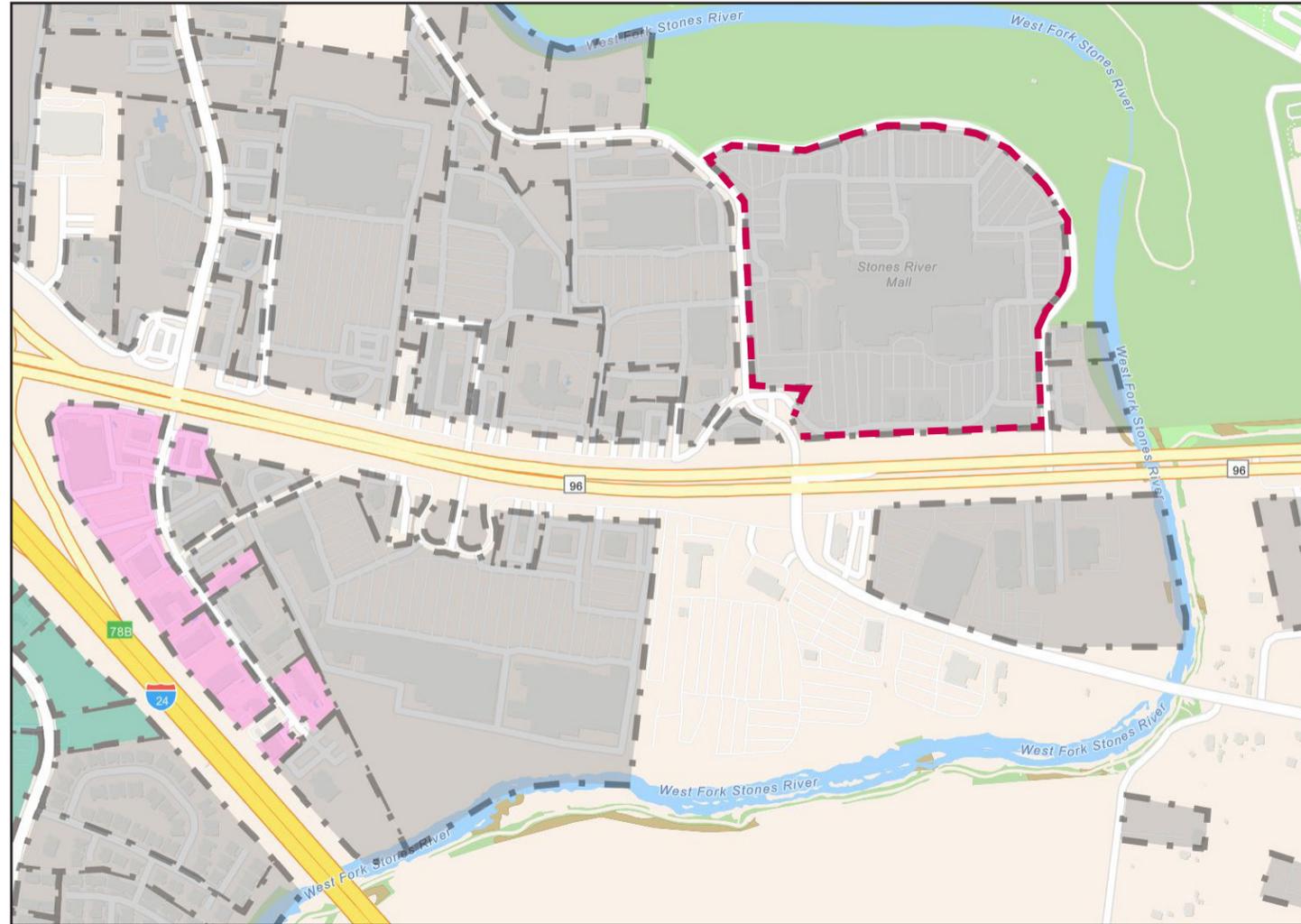
FUTURE LAND USE MAP

DESCRIPTION:

The surrounding area consists of Commercial Highway (CH) uses along the north and south frontages of Old Fort Parkway with Park and Open Space uses to the north along the West Fork River. The Murfreesboro 2035 Future Land Use Plan mirrors the current zoning of surrounding Commercial Highway uses. The proposed Planned Commercial Development zoning is consistent and compatible with surrounding uses. Existing developments within this PCD align with the recommendations for the Future Land Use Plan and future subdivision and development of parcels within this PCD will also be consistent with these recommendations.

- GC - GENERAL COMMERCIAL
- PK - PARK

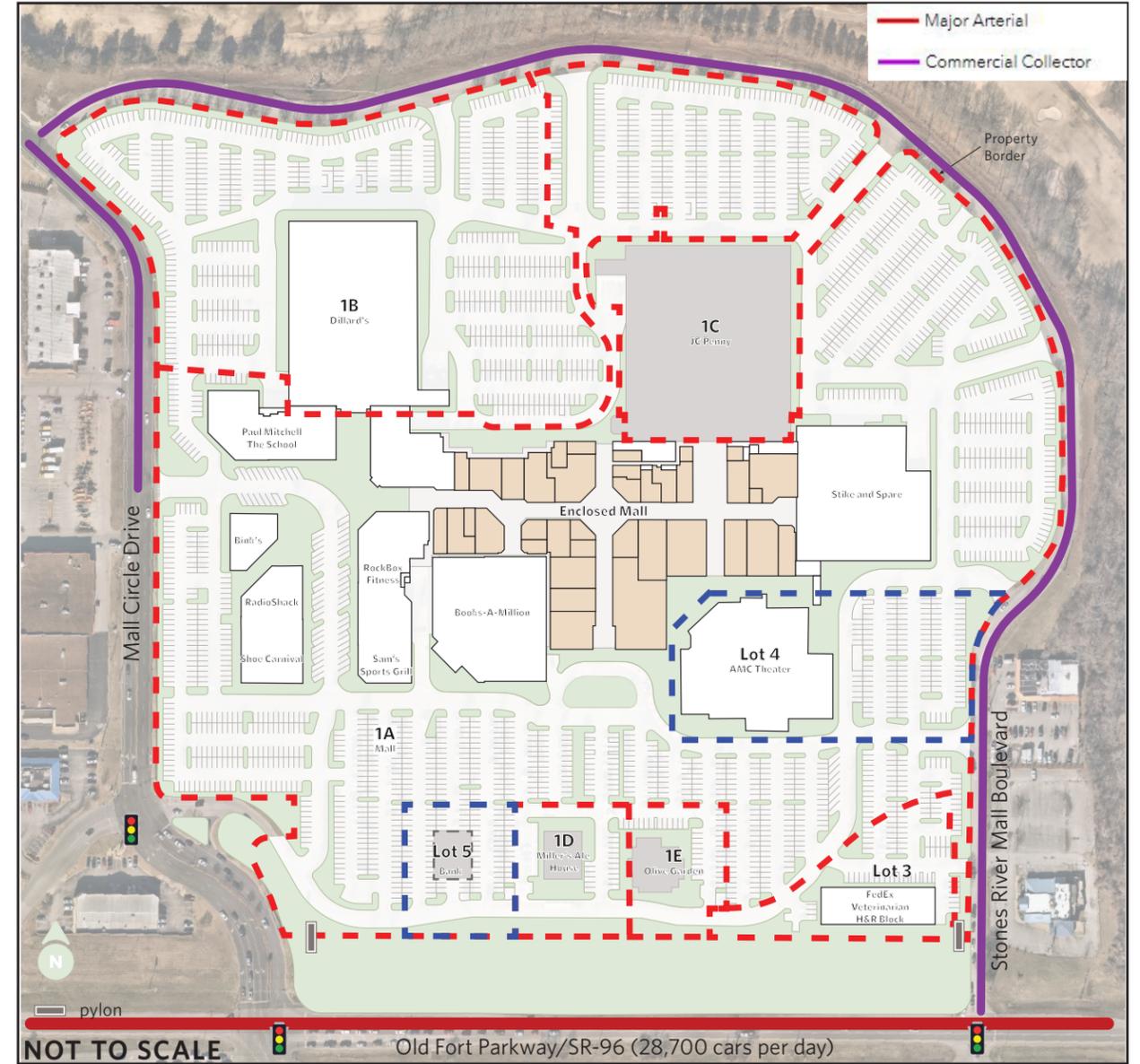
EXISTING CONDITIONS | SUBDIVISION & TRANSPORTATION



SUBDIVISION MAP

DESCRIPTION:

The Stones River Town Centre development is surrounded by a mixture of highway commercial developments. The Home Depot and PetSmart shopping centers are located to the west with associated outparcels situated along the Old Fort Parkway frontage. Hobby Lobby, Lowe’s Home Improvement, and Target shopping centers are located to the south across Old Fort Parkway.

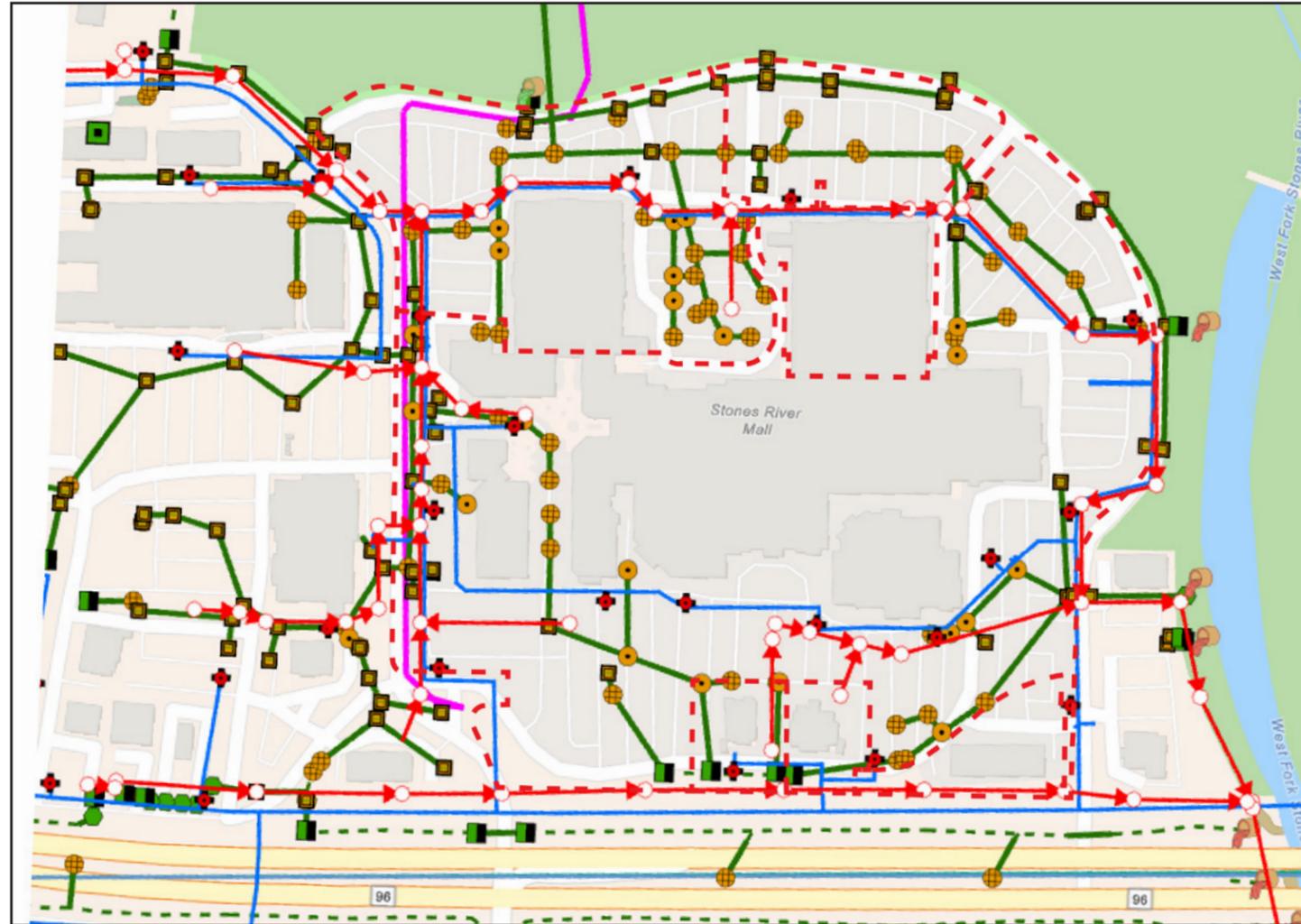


TRANSPORTATION MAP

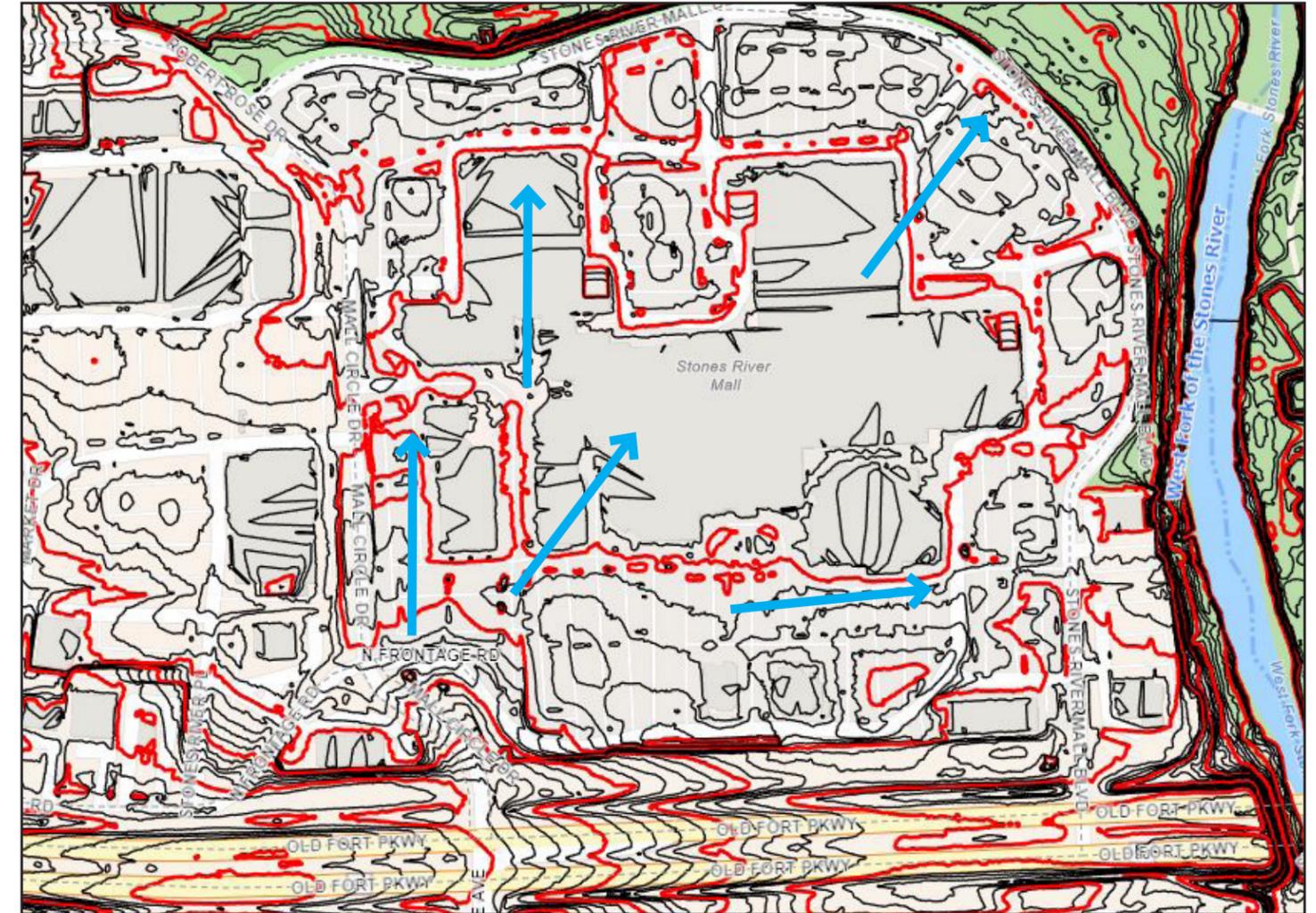
DESCRIPTION:

The Stones River Town Centre development has two primary access points from Old Fort Parkway, a public major arterial roadway on the southeast and southwest corners of the overall development. Stones River Mall Boulevard and Mall Circle Drive, and public commercial collector roadway, borders the east, north, and west sides of the development as a ring road and provides multiple access points to the parking lots surrounding the development.

EXISTING CONDITIONS | UTILITY & TOPOGRAPHY/HYDROLOGY



EXISTING UTILITIES MAP & LEGEND



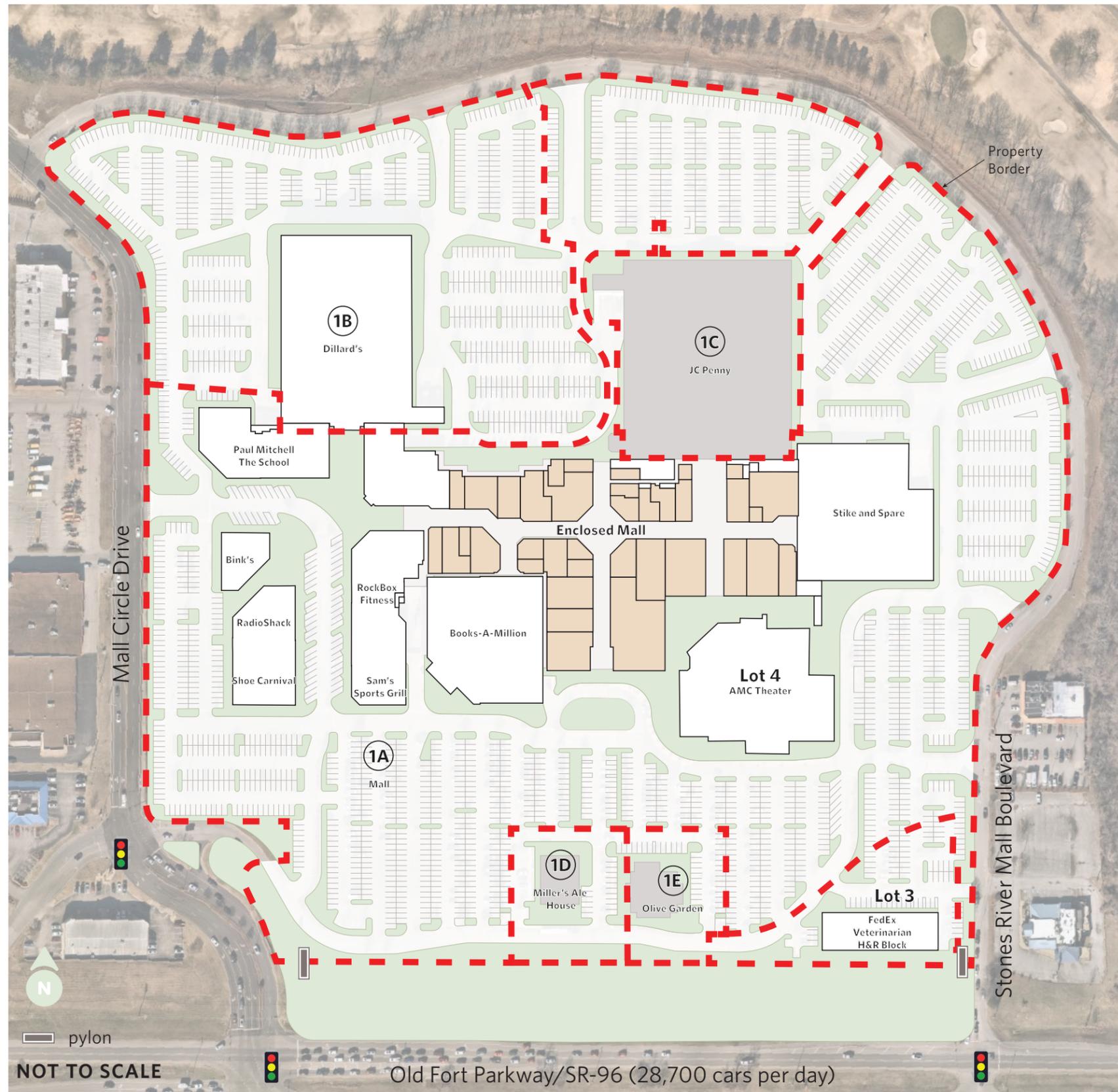
EXISTING TOPOGRAPHY & HYDROLOGY MAP

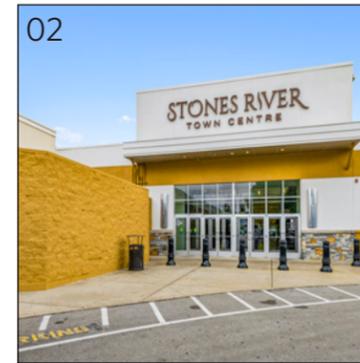
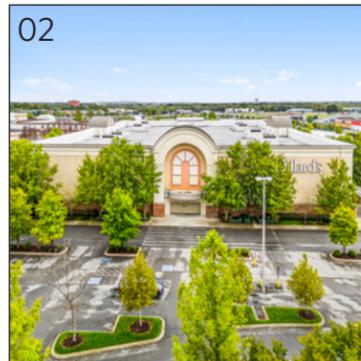
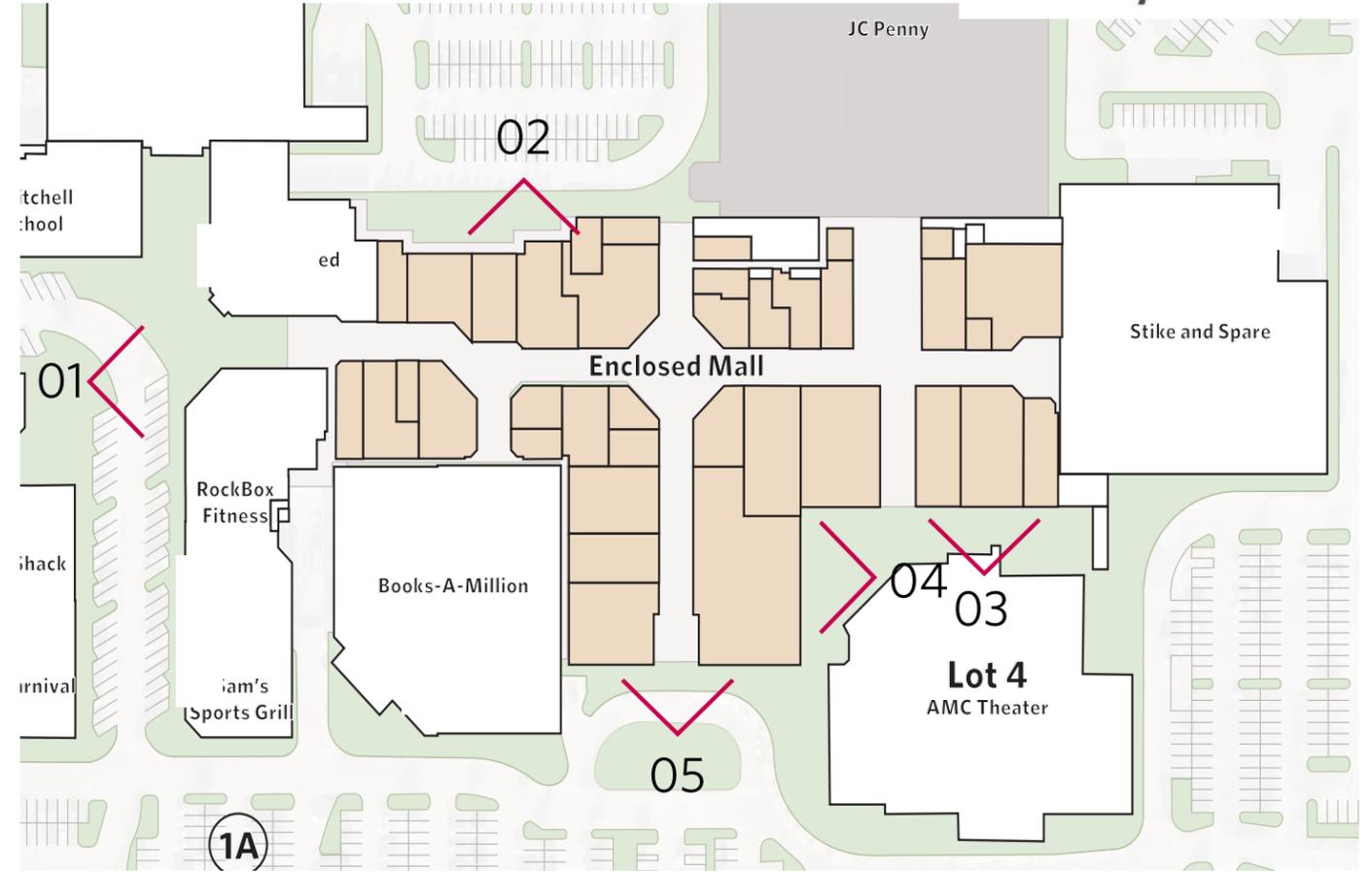
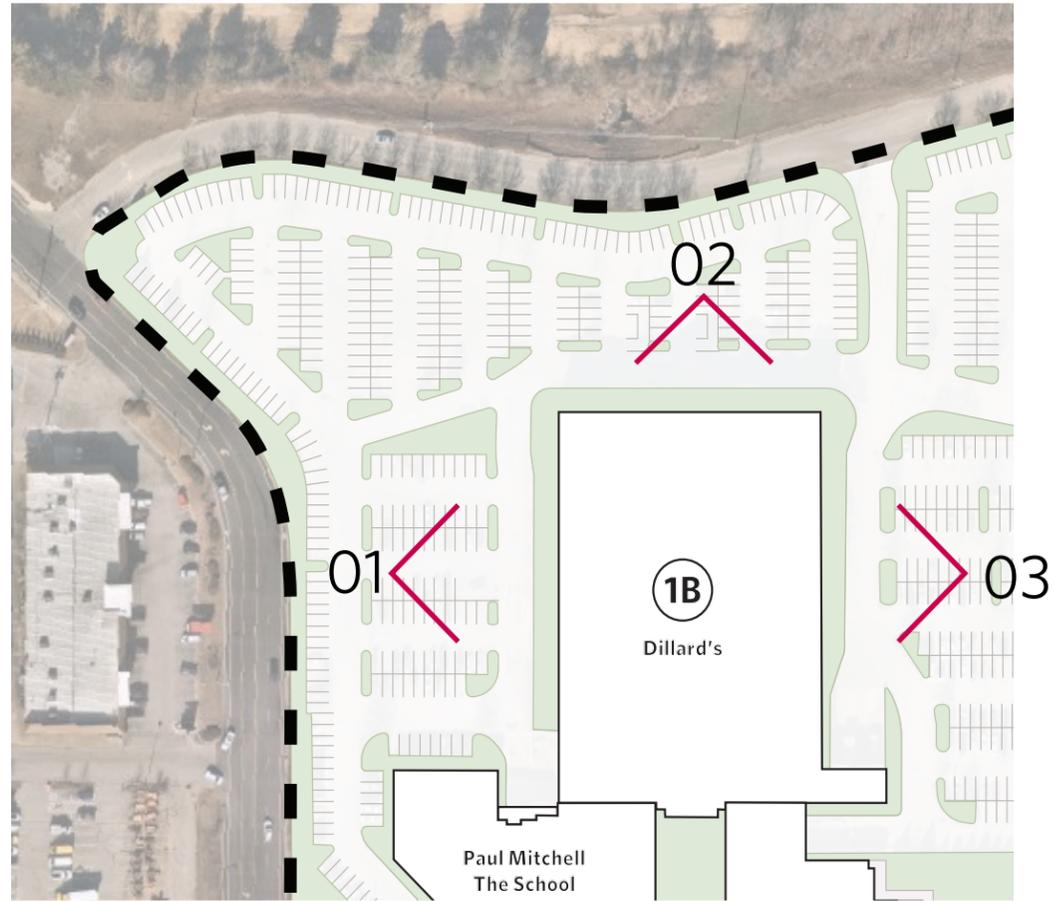
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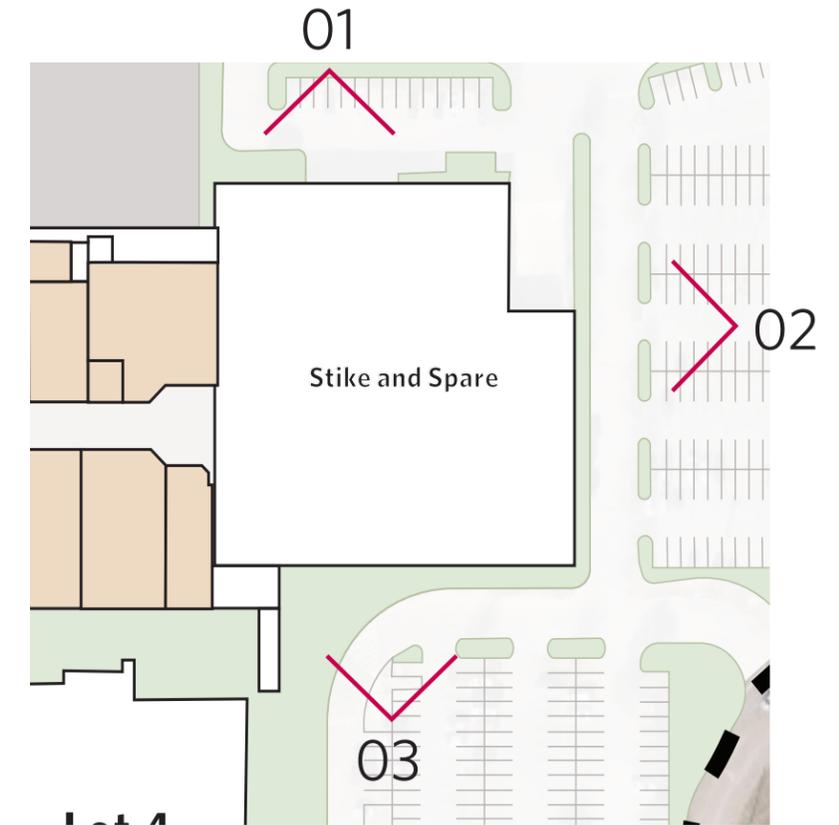
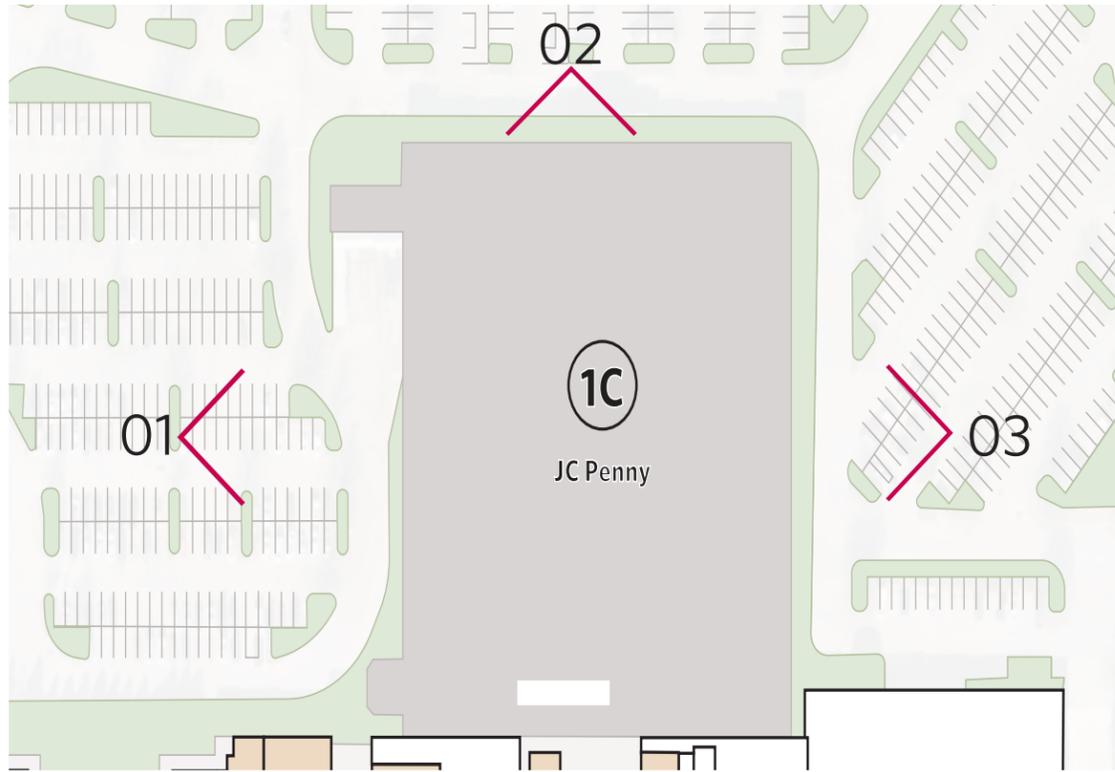
The topographic map above shows the sites topographic high point in the southwest corner of the property. The property drains to the north and east towards the West Fork River basin into swales that border the Stones River Mall Boulevard and to the river.

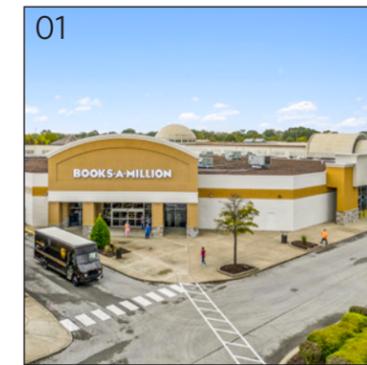
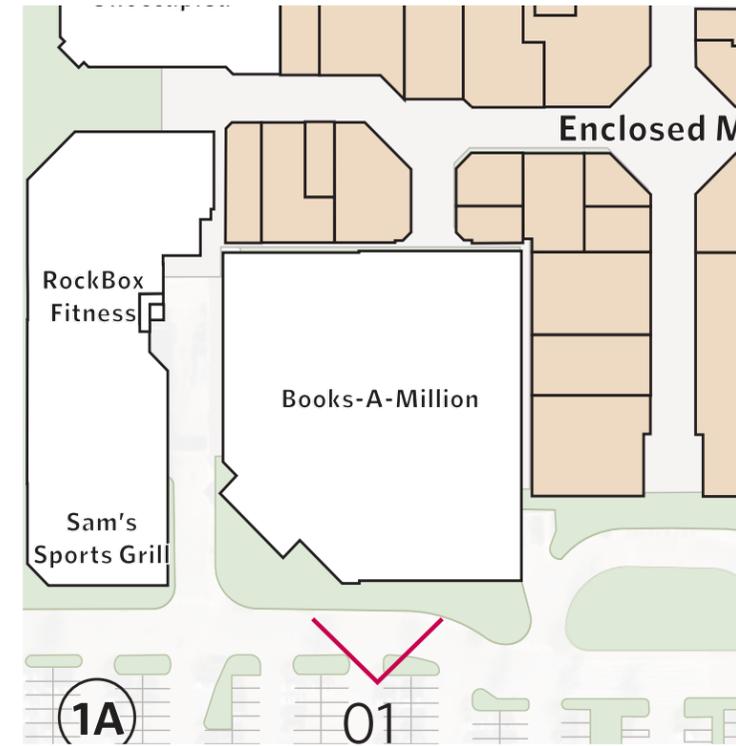
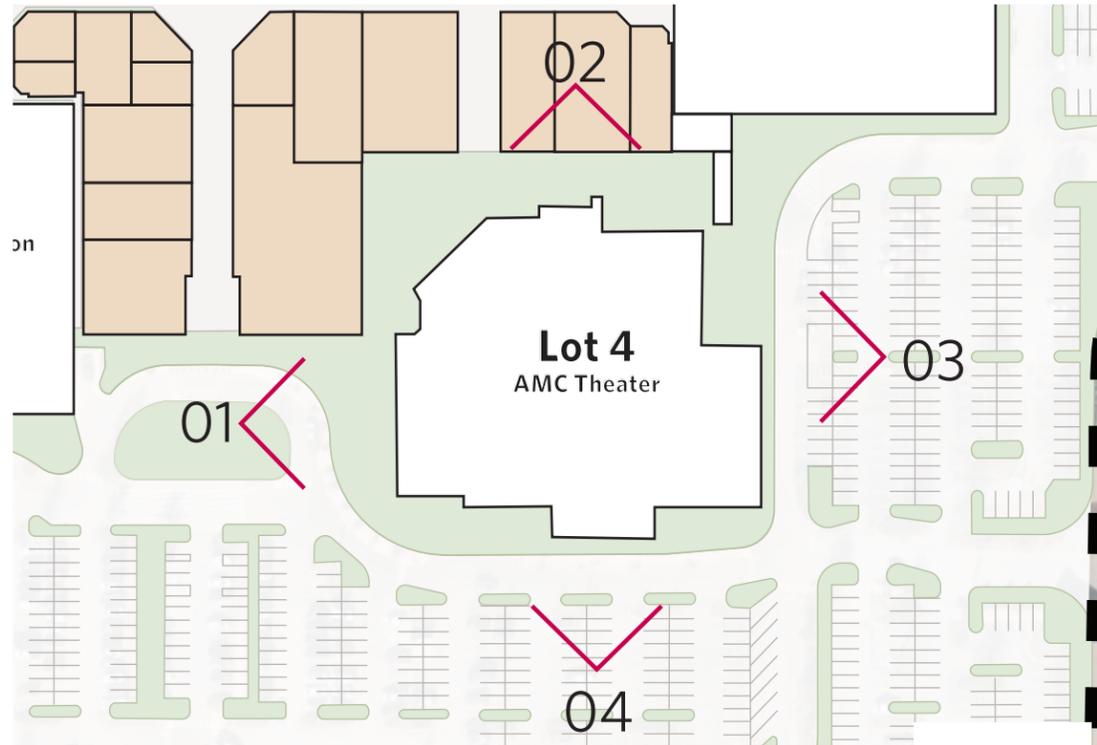
<p>MWRD Sewer</p> <p>Manhole</p> <p>Manhole Type</p> <ul style="list-style-type: none"> Abandoned Existing Private Proposed <p>Gravityline</p> <p>Gravityline Type</p> <ul style="list-style-type: none"> Abandoned Existing Private Proposed 	<p>MWRD Storm Water</p> <p>Discharge Point</p> <p>Type</p> <ul style="list-style-type: none"> Conduit Open Channel Other <p>Headwall</p> <p>Type</p> <ul style="list-style-type: none"> BOX CULVERT HEADWALL MITERED SLOPED PAVED PROJECTING END WINGWALL 	<p>Junction Box</p> <p>Structure Function</p> <ul style="list-style-type: none"> Area Drain Area Drain with Manhole Curb Cut Curb Inlet Manhole Curb Combo Slotted Trench Inlet <p>Outlet Structure</p> <ul style="list-style-type: none"> 	<p>MWRD Water</p> <p>Fire Hydrant</p> <p>Private Hydrant</p> <p>Waterline</p>	<p>MWRD Repurified Water</p> <p>Tank</p> <p>Repurified WaterLine</p>
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EXISTING CONDITIONS | OVERALL MAP

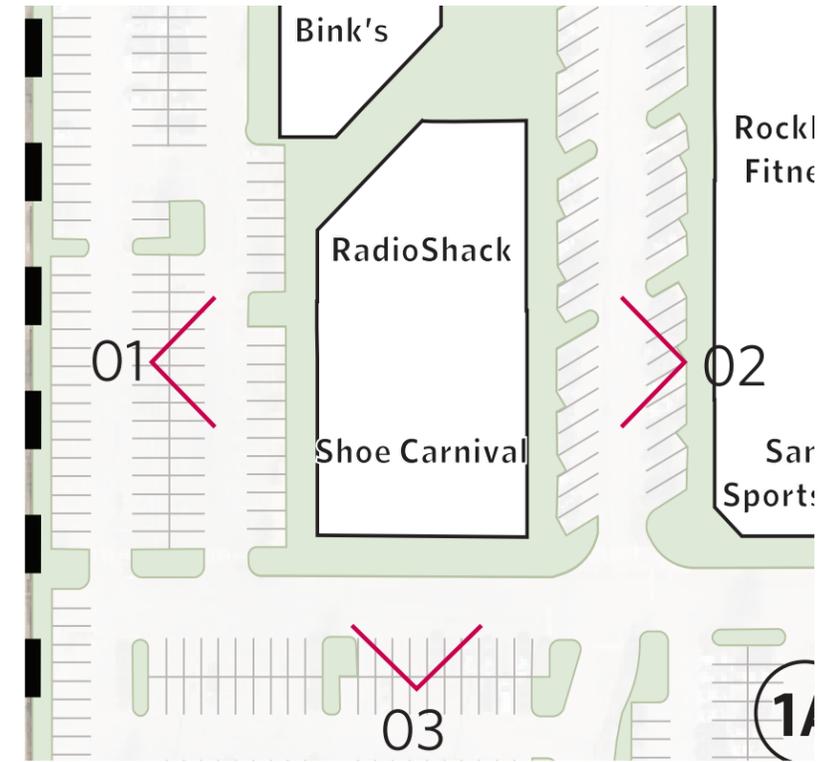
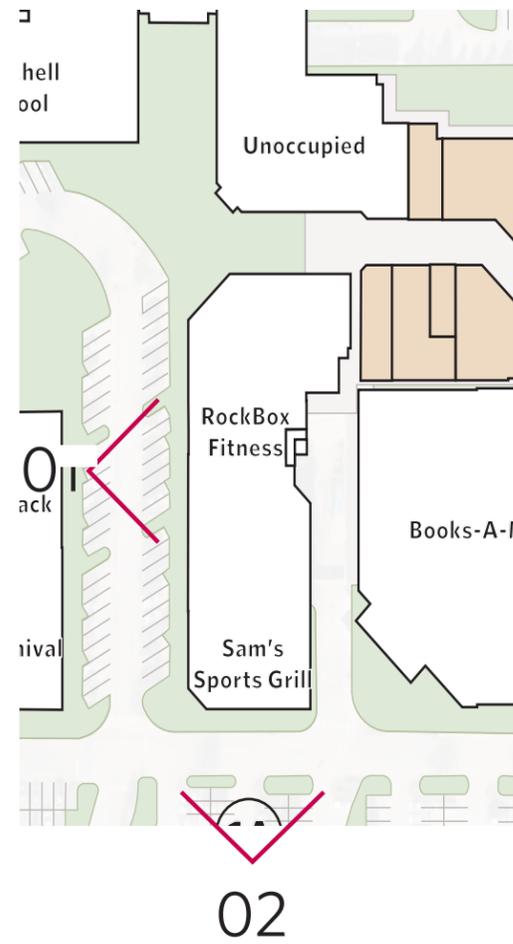


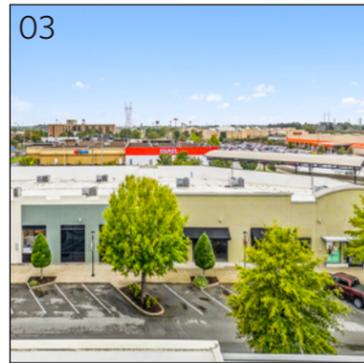
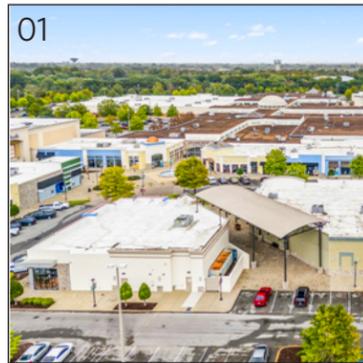
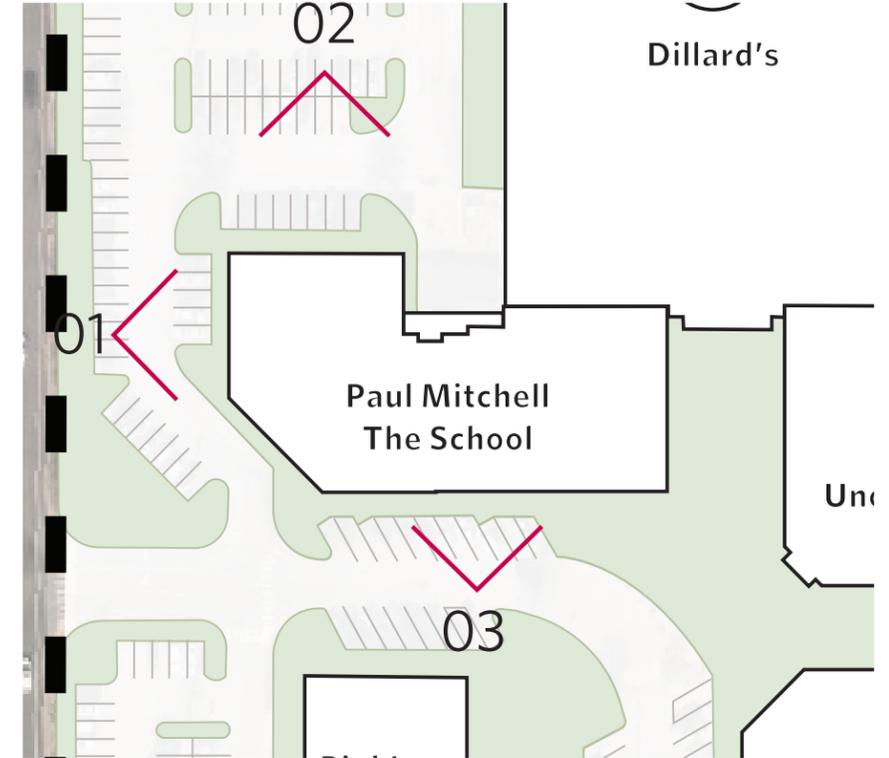
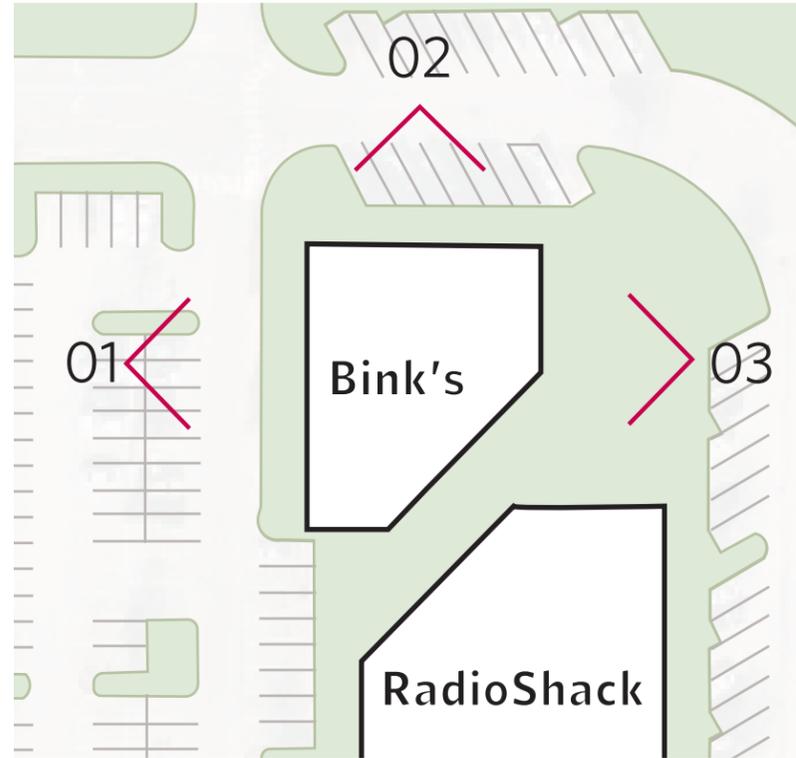


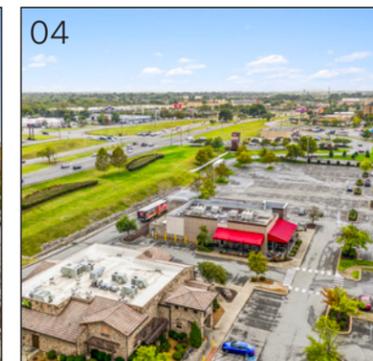
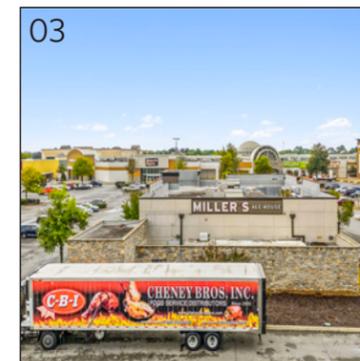
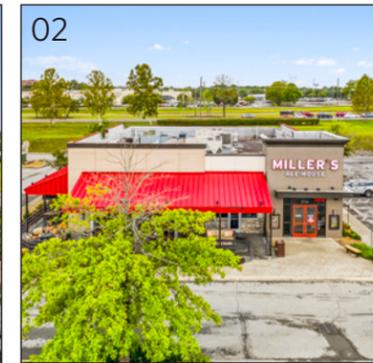
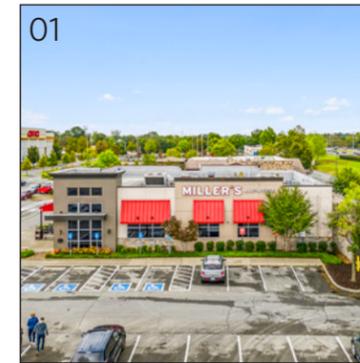
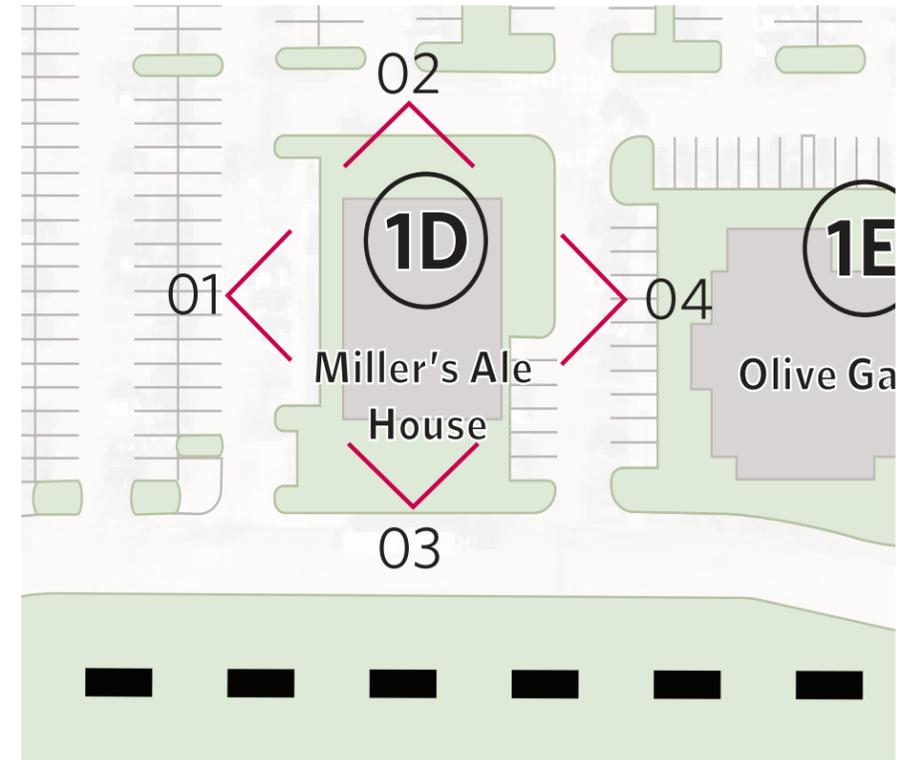
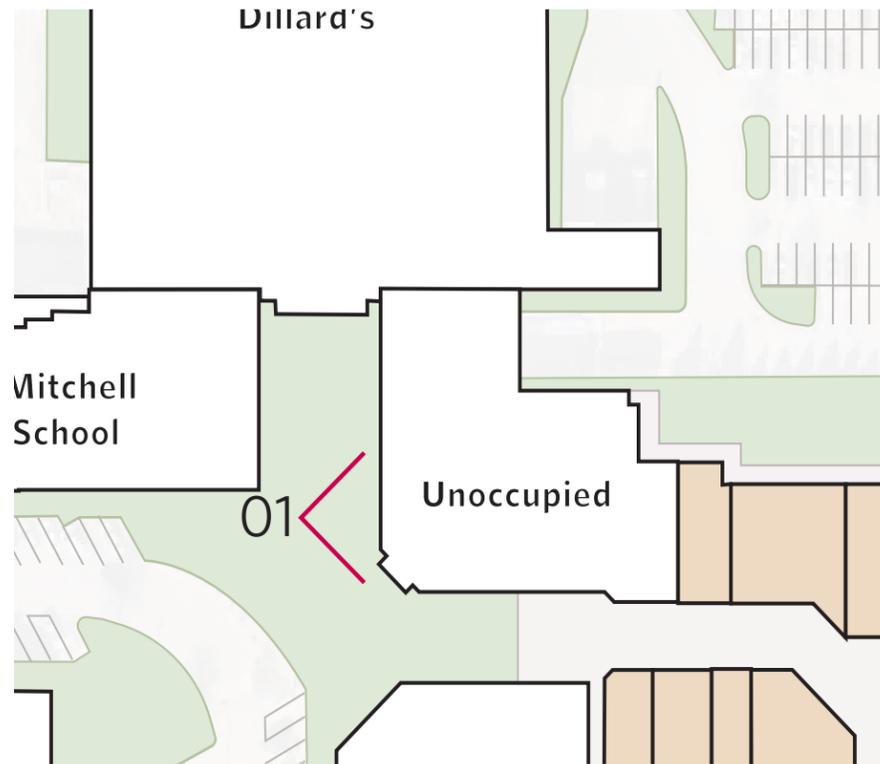


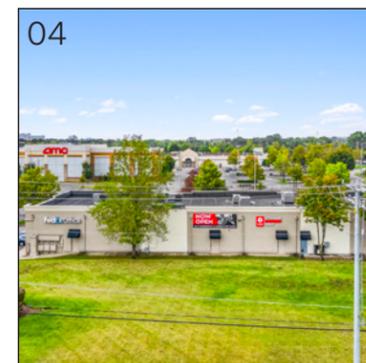
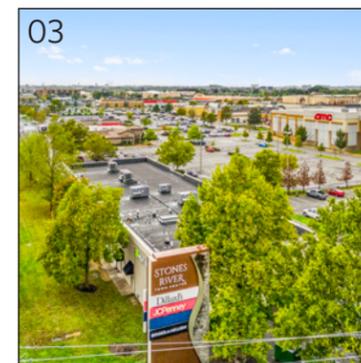
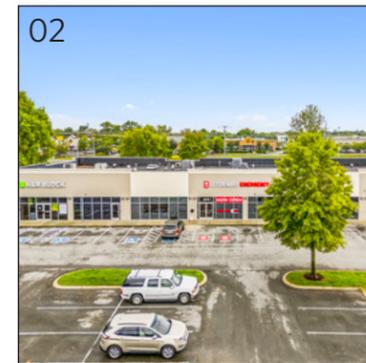
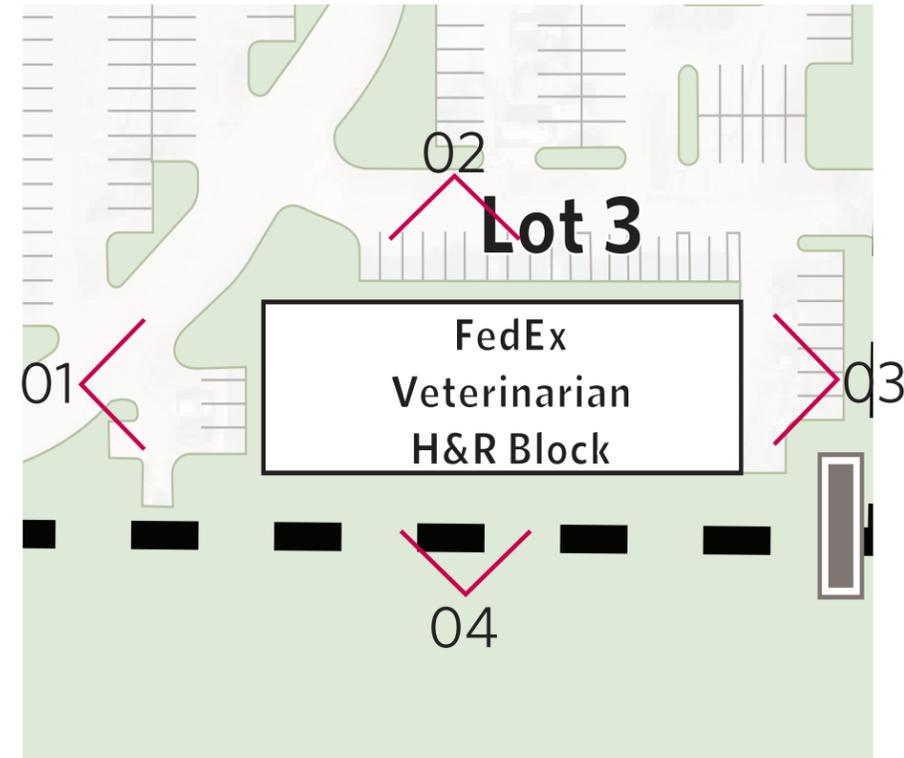
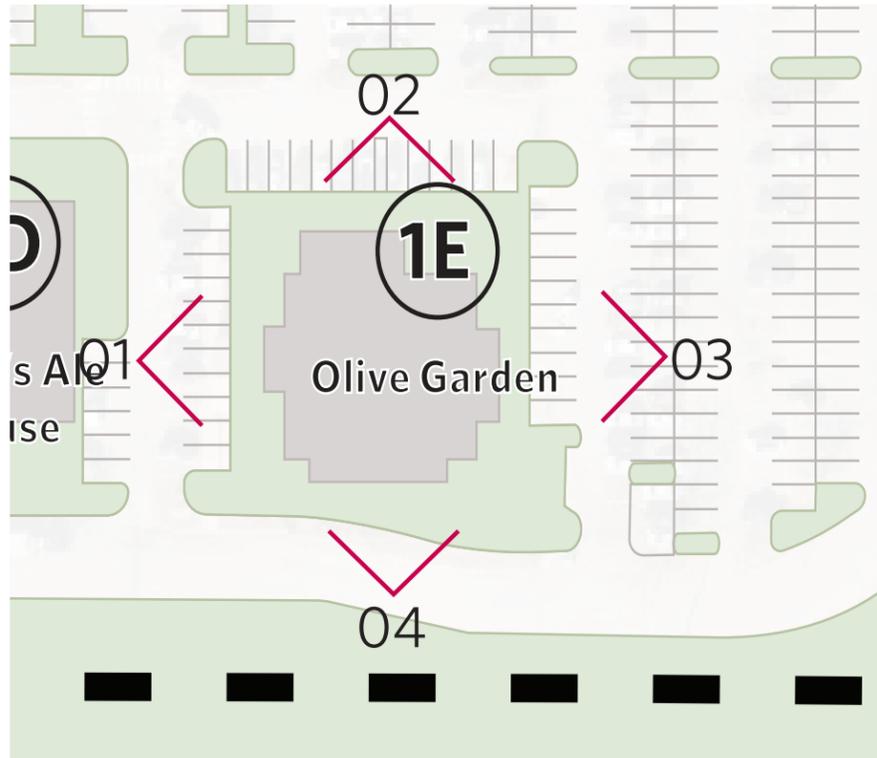


EXISTING CONDITIONS | SITE PHOTOS | SAM'S & SHOE CARNIVAL

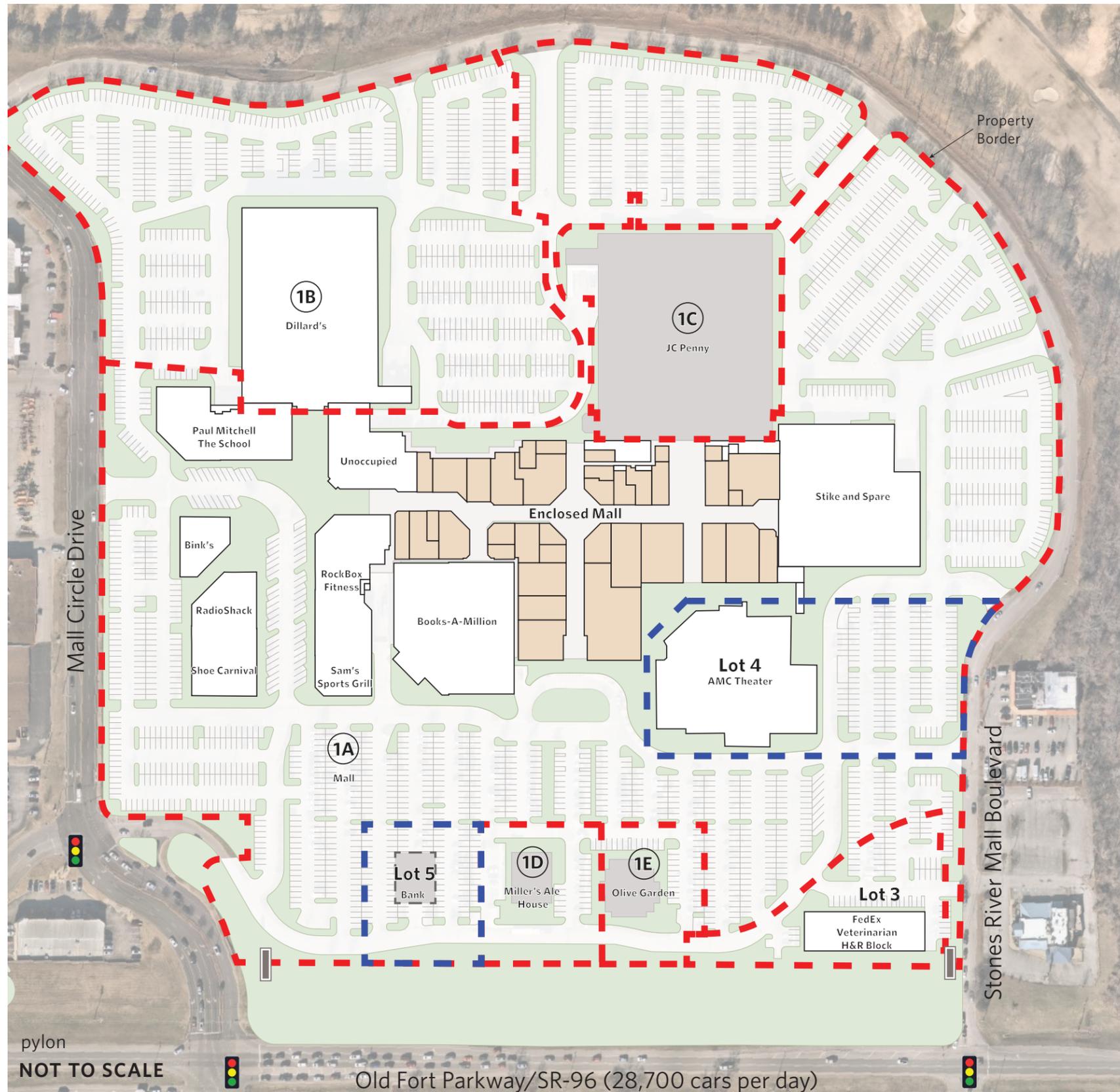








PROPOSED PLANNED COMMERCIAL DISTRICT | OVERALL MAP



- EXISTING PARCELS/LOTS
- PROPOSED PARCELS/LOTS

pylon
NOT TO SCALE

Old Fort Parkway/SR-96 (28,700 cars per day)

PROPOSED PLANNED COMMERCIAL DISTRICT | DEVELOPMENT STANDARDS & ZONING

SITE USE DATA:

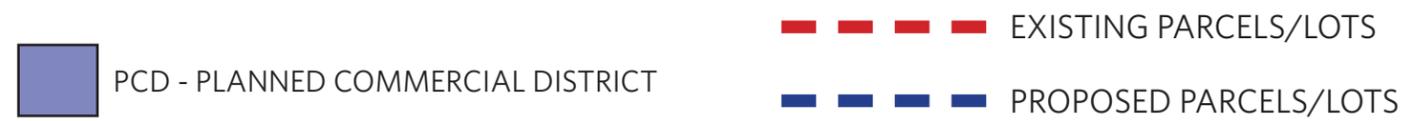
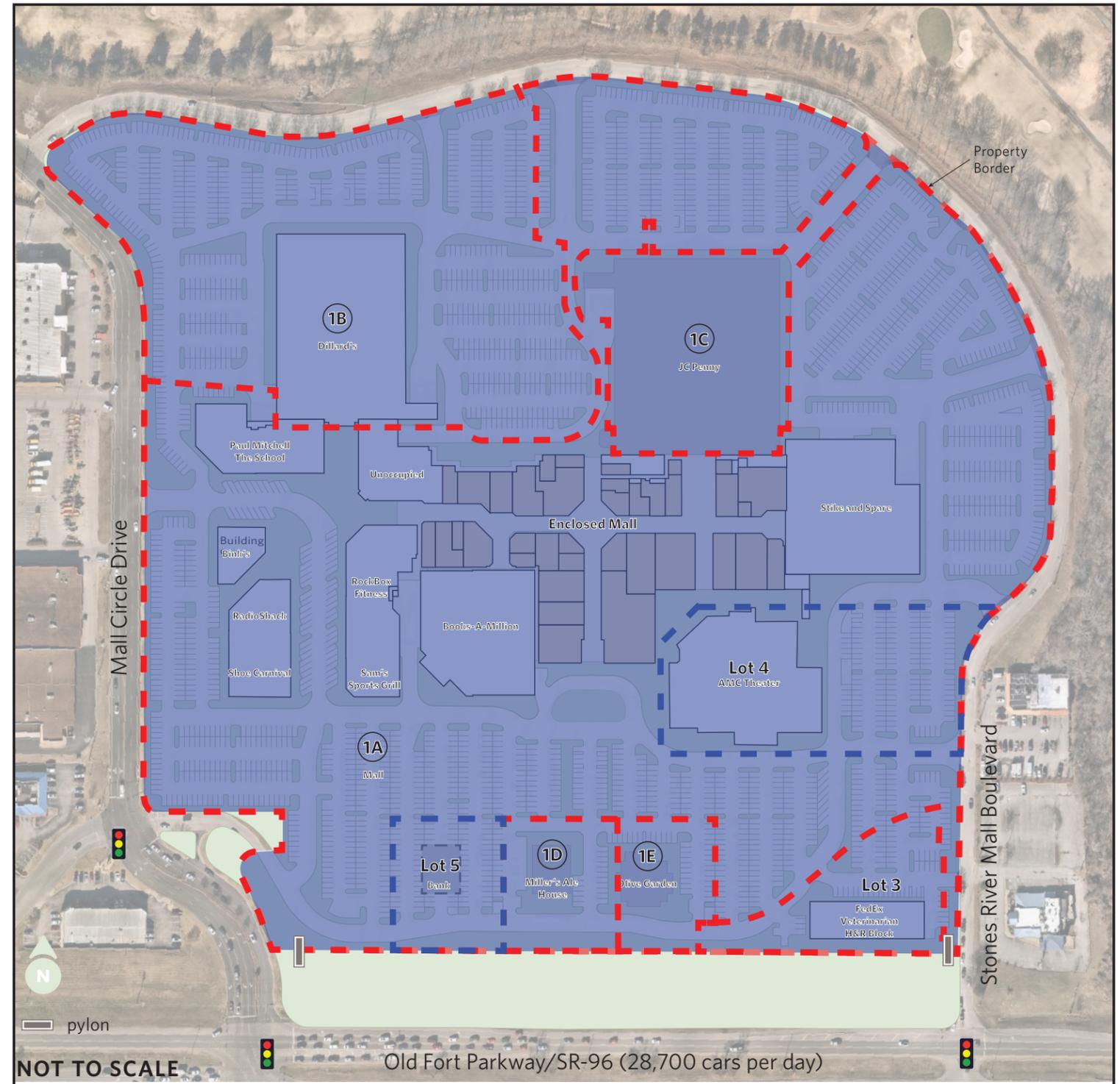
EXISTING ZONING: CH
 PROPOSED ZONING: PCD

TOTAL LAND AREA:

	48.299 ACRES
TOTAL LAND AREA (PARCEL 1A)	29.000 ACRES
TOTAL LAND AREA (PARCEL 1B)	8.777 ACRES
TOTAL LAND AREA (PARCEL 1C)	3.006 ACRES
TOTAL LAND AREA (PARCEL 1D)	1.070 ACRES
TOTAL LAND AREA (PARCEL 1E)	1.130 ACRES
TOTAL LAND AREA (LOT 3)	1.306 ACRES
TOTAL LAND AREA (LOT 4)	3.010 ACRES
TOTAL LAND AREA (LOT 5)	1.000 ACRES

DEVELOPMENT STANDARDS DESCRIPTION:

- Planned development establishes minimum setback lines for the existing buildings consistent with the current locations of the buildings in relation to the existing property lines.
- With the approval of the Planned Development, the locations of the existing buildings are deemed compliant.
- Each parcel shall comply with any and all regulations as outlined in the city of Murfreesboro Zoning Ordinance and Design Standards.
- These parcels shall remain as part of the overall Stones River Town Centre Master Plan and shall continue to benefit from the shared parking agreement and aggregate open space calculations.
- The shared parking agreement will be recorded prior to the resubdivision plat being recorded.
- Buildings shall be one to two stories and occupied by a single or multiple tenant(s).
- Parcel will have signage located on the building and along Old Fort Parkway frontage and will be managed through the Stones River Mall PSO.
- Existing and future owners of each parcel shall maintain the existing landscape and is responsible for landscape replacement which meet the City requirements except as noted in this pattern book.
- The Stones River Town Centre owner will maintain landscaping between Old Fort Parkway right-of-way and the curbing closest to that right-of-way line.
- Any undeveloped outparcels shall provide landscape designs as required by the City.
- All mechanical equipment (i.e. HVAC and transformers) located on the ground shall be screened with landscaping or fencing. If mechanical equipment is located on the roof then they shall be screened from view via a parapet wall.
- All on-site utilities will be underground.
- Solid waste shall be handled by private haulers and utilize dumpster /compactor.
- 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.
- All parking areas will have curbing and be screened with a row of evergreen shrubs from Old Fort Parkway.
- Mail service will be provided via cluster box unit if required by UPS.
- On site lighting will comply with City of Murfreesboro standards to prevent light pollution.
- Parking will comply with Murfreesboro’s Zoning Ordinance but will benefit from the shared parking agreement.
- All open space and formal open space will be maintained by owners.
- All parking areas will be screened with a planting yard of shade or ornamental trees per the Zoning Ordinance along the property lines of Stones River Mall Boulevard and Mall Circle Drive.



PROPOSED PLANNED COMMERCIAL DISTRICT | OPEN SPACE

LAND USE DATA:

EXISTING ZONING:

CH

PROPOSED ZONING:

PCD

OPEN SPACE REQUIREMENTS:

OVERALL DEVELOPMENT LAND AREA:

48.299 ACRES

REQUIRED OPEN SPACE:

9.6694 ACRES (20%)

PROVIDED OPEN SPACE:

+/- 11.85 ACRES (29%)

REQUIRED FORMAL OPEN SPACE:

1.448 ACRES (3%)

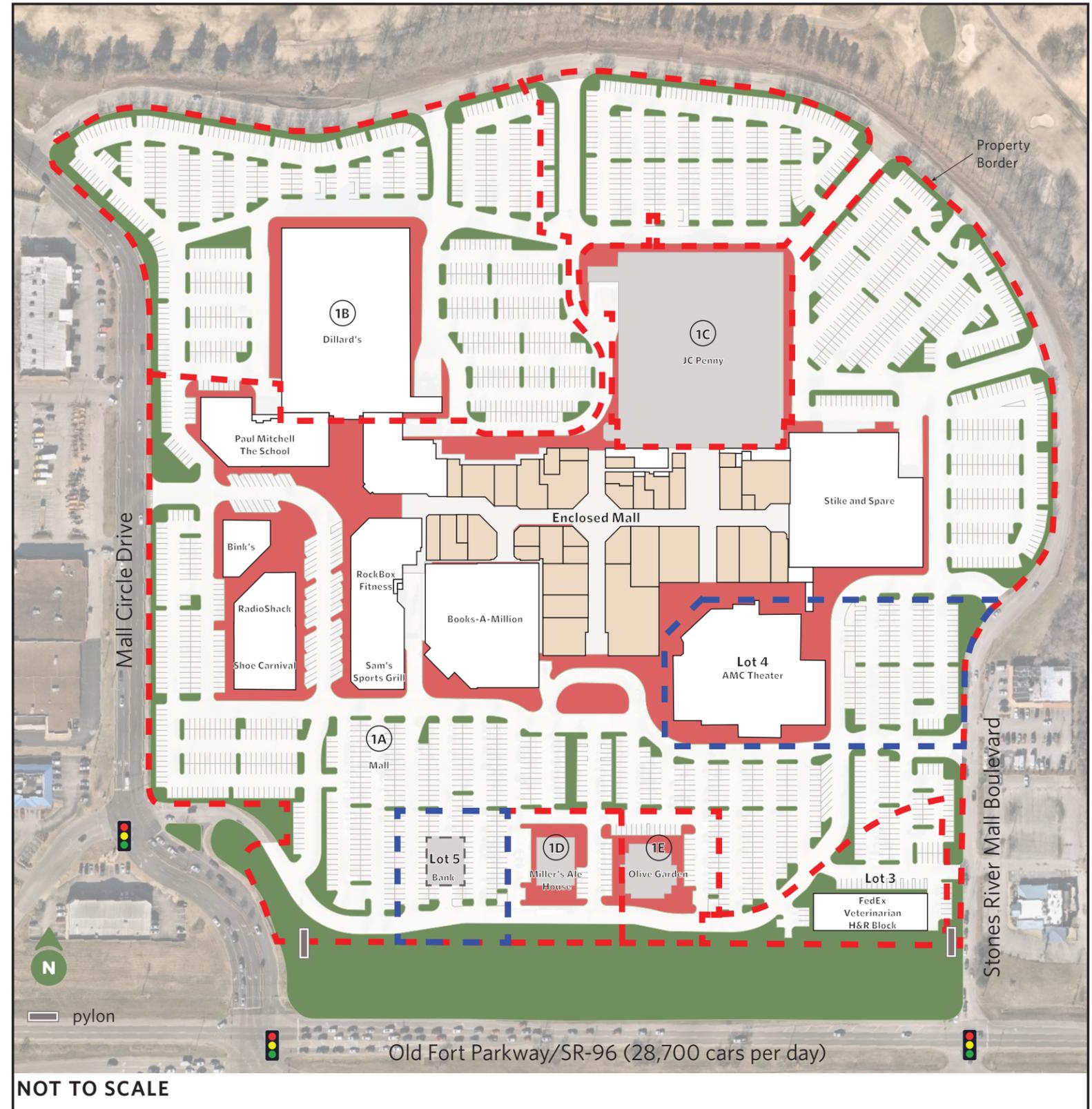
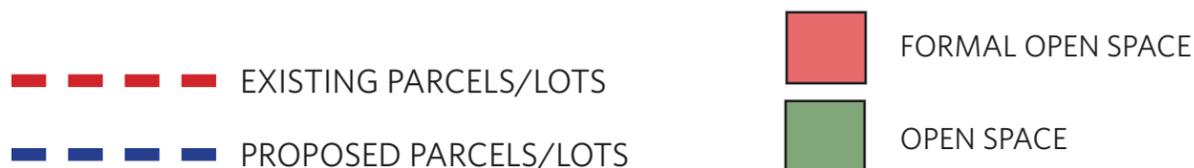
PROVIDED FORMAL OPEN SPACE:

+/- 4.03 ACRES (10%)

Article 9 Section 9.01 Use and Operation of Shopping Center:

Penney and Dillard covenant and agree for the benefit of the Developer Parcel that for so long as Developer is operating the Developer Buildings on its Parcel during the Term in accordance with the terms and conditions of this Agreement and Penney and Dillard respective Separate Agreements and Developer covenants and agrees for the benefit of the Penney Parcel and the Dillard Parcel that for so long as Penney and Dillard, respectively, or their successor or assign is operating its Building during the Term in accordance with the terms and conditions of this Agreement and such Separate Agreement of Penney or Dillard, the covenanting Party's Building (the Penney Department Store Building, the Dillard Department Store Building and the Developer's Buildings, respectively) may not be used for any purpose other than (i) retail, (ii) a use compatible with the operation of a first-class regional shopping center, or (iii) use or operations that are not obnoxious to or inconsistent with the development or operation of a first-class regional shopping center (or inconsistent with the operations at the Shopping Center from time to time); provided, however, that none of the following uses or operations shall be made, conducted or permitted on or with respect to all or any part of its respective Parcel:

Continued on page 15.



PROPOSED PLANNED COMMERCIAL DISTRICT | PROHIBITED USES

PROHIBITED USES:

All CH uses from the Zoning Ordinance are allowed except the following prohibited uses:

- Gas Stations
- Automotive Repair
- Motor Vehicle Sales
- Car Washes
- Beer & Tobacco Store
- Liquor Store
- Convenience Store
- Pay Day Store/Cash Advance
- Vape Shops.

Article 9 Section 9.01 Use and Operation of Shopping Center:

- (a) any public or private nuisance;
- (b) any noise or sound that is objectionable due to intermittence, beat, frequency, shrillness or loudness;
- (c) any obnoxious odor;
- (d) any noxious, toxic, caustic or corrosive fuel or gas;
- (e) any dust, dirt or fly ash in excessive quantities;
- (f) any fire, explosion or other damaging or dangerous hazard (including the storage, display or sale of explosives or fireworks);
- (g) any warehouse use (any area within a Building for the storage of goods intended to be sold at any retail establishment in such Building will not be deemed to be a warehouse use);
- (h) assembling, manufacturing, distilling, refining, smelting, agriculture or mining operation or drilling for oil, gas or other minerals;
- (i) any second hand store, flea market, fire sale, laundry, animal hospital, funeral establishment, living quarters (the operation of a hotel facility shall not be deemed to be living quarters restricted by this subsection);
- (j) any distribution, sale, viewing or use of pornographic material (NC-17 movies shall not be deemed pornographic);
- (k) any pet shop within 150 feet from the customer entrances to the Dillard Building or the Penney Building;
- (l) any manufacture, use, storage or release of any Hazardous Material except to the extent expressly permitted by Section 24,24 hereof;
- (m) any emission of any substance, gas, particulate matter, audio, radio or infrared electromagnetic wave frequency or other form of radiation that materially interferes with the business of any Occupant;
- (n) any mobile home or trailer court or storage trailer, labor camp (except that this provision shall not prohibit the temporary use of construction trailers during periods of construction, reconstruction or remodeling);
- (o) any dumping, disposing, incineration or reduction of garbage or storage of junk yard;
- (p) any dry cleaning processing plant;
- (q) any massage parlor (excluding massages that are offered in connection with a spa operation);
- (r) any tavern, bar, night club, discotheque or any establishment selling alcoholic beverages for on-premises consumption without a majority of its sales from food consumed on premises;
- (s) an off-track betting facility, bingo game facility, or other gambling venue;
- (t) any coin operated self-service laundry;
- (u) any outdoor sales or display of merchandise, other than ancillary to the operation of a business conducted on the Parcel;
- (v) any public health or welfare center;
- (w) any shooting gallery or target range unless indoors and ancillary to a permitted use; and
- (x) any storage trailers (accessory use).

Developer agrees that none of its leases with Occupants of the Developer Buildings will permit uses prohibited by this Section 9.01. This Section 9.01 shall not be applicable with respect to uses in existence, pursuant to valid and enforceable leases or other occupancy agreements (including any options existing as of the date hereof), as of the date of this Agreement.

PROPOSED PLANNED COMMERCIAL DISTRICT | SITE ACCESS & PARKING REQUIREMENTS

INGRESS & EGRESS:

Pursuant to the to the City of Murfreesboro’s Major Transportation Plan (MTP), none of the roadways surrounding this development are currently slated for improvements. Old Fort Parkway is currently a 4-lane road with turn-lanes provided at each site access point. The primary access point of ingress/egress at Mall Circle Drive to the west provides six travel lanes, two lanes for ingress and four lanes for egress and is signalized. The primary access point of ingress/egress at Stones River Mall Boulevard to the east provides three travel lanes, one lane for ingress and two lanes for egress. There is also a primary access point at the northwest corner of the site onto Mall Circle Drive.

There are nine secondary access points off of Mall Circle Drive and Stones River Mall Boulevard into the Stones River Town Centre parking lots that incorporate two to three travel lanes, one in each direction, with some access point accommodating an additional egress turn lane depending on intersection conditions.

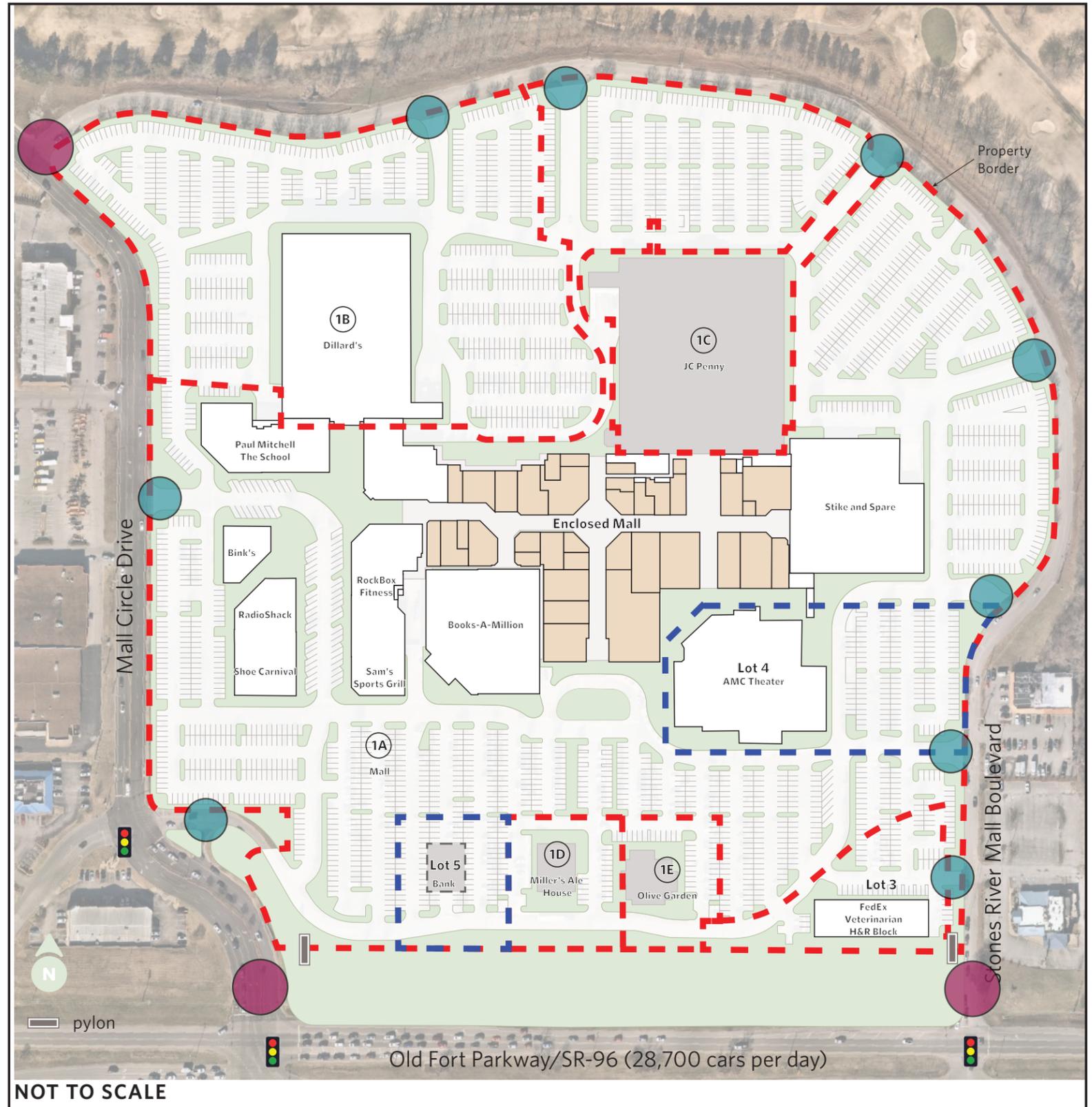
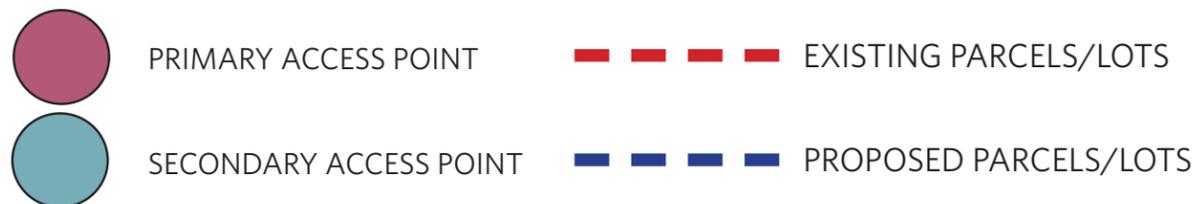
PARKING REQUIREMENTS:

The Stones River Town Centre commercial shopping area is governed by a shared parking and access agreement which outlines a required ratio, and parking structure standards (COREA, Article XVII, Section 17). The project currently has an excess of parking per City of Murfreesboro requirements. Parking spaces for the primary mall parcels and exterior parcels, including the shopping center and restaurants, may be provided in parking areas not included in the parcel boundaries. Below is a summary or parking currently provided within the project.

BUILDING SQ. FT. BY PARCEL	PARKING REQUIRED BY PARCEL
PARCEL 1A - 361,070 SQ. FT.	1,203 SPACES (1/300 SQ. FT. - SHOPPING CENTER)
PARCEL 1B - 75,631 SQ. FT.	252 SPACES (1/300 SQ. FT. - SHOPPING CENTER)
PARCEL 1C - 99,644 SQ. FT.	332 SPACES (1/300 SQ. FT. - SHOPPING CENTER)
PARCEL 1D - 5,386 SQ. FT.	54 SPACES (1/100 SQ. FT. - RESTAURANT)
PARCEL 1E - 7,568 SQ. FT.	76 SPACES (1/100 SQ. FT. - RESTAURANT)
LOT 3 - 13,134 SQ. FT.	44 SPACES (1/300 SQ. FT. - SHOPPING CENTER)
LOT 4 - 131,115 SQ. FT.	147 SPACES (1/300 SQ FT - SHOPPING CENTER)
LOT 5 - 6,342 SQ. FT.	OMITTED FOR FUTURE DEVELOPMENT

TOTAL PARKING SPACES REQUIRED: 2,108 SPACES
 TOTAL PARKING SPACES EXISTING: 2,645 SPACES
 TOTAL PARKING SPACES PROPOSED: 2,560 SPACES

See page 17 for parking addendum.



PROPOSED PLANNED COMMERCIAL DISTRICT | PARKING REQUIREMENTS CONTINUED

Article 4 Section 4.04 Easements for Use of Common Area:

(a) Commencing upon completion of construction of each portion of the Common Area on its Parcel and ending as provided by Section 4.04(c) hereof, each Party grants to each of the other Parties, for the benefit of each other Party and its Parcel, the nonexclusive right, privilege and easement, in common with the Grantor and the Occupants and Permittees of the Grantor, to use each portion of the Common Area so constructed on its Parcel (other than the Mall, as to which Section 4.06 shall be controlling, the Access Roads, as to which Section 4.08 hereof shall be controlling, and Common Utility Facilities, as to which Section 4.09 hereof shall be controlling) for its intended purposes. Included with the easements granted by this Section 4.04 are:

- (i) easements to use the respective Parking Area (except the landscaped or planted portions) for the parking and passage of passenger motor vehicles; notwithstanding the foregoing, such easements will be deemed to include the use of the Parking Area (except the landscaped or planted portions) for the passage of trucks for delivery purposes only;
- (ii) easements to use the respective Parking Area for the passage by pedestrians;
- (iii) easements to use roadways to provide passage by motor vehicles (passenger and truck) and pedestrians between each Parcel in the Shopping Center Site and to the public roads and highways abutting the Shopping Center Site;
- (iv) easements to use the various walkways and all other portions of the Common Area for the general use, comfort and convenience of the Grantee, the Grantor and the Occupants and Permittees of either; and
- (v) easements to use the fire service corridors, if any, that are required to be open to the public by governmental authorities having jurisdiction.

(b) The easements granted by this Section 4.04 are subject to the rights to use the Common Area for other purposes specifically provided in this Agreement, and the rights, if any, of each Grantor to change and relocate portions of the Common Area to the extent provided in this Agreement.

(c) The easements granted by this Section 4.04 will terminate and expire on the Termination Date (both as a burdened and benefited Parcel); provided, however, that (i) any easements for fire service corridors under Section 4.04(a)(v) hereof shall survive the Termination Date and continue so long as the Building (or any replacement thereof) constructed during the Term in which a fire corridor is located shall stand; and (ii) the other easements granted to Penney by this Section 4.04 with respect to the portion of the Common Area designated on the Site Plan as the “Penney Perpetual Parking Easement Area” and herein so called shall be perpetual. From and after the Termination Date, Penney shall, at its own cost, keep the Penney Perpetual Parking Easement Area in good repair and condition, properly lighted and available for its intended purposes and, if it fails to do so, the owners of the other Parcels shall have the right of self-help under the provisions of Article XI hereof, which right shall survive the Termination Date.

(d) Each Party may permit its Occupants and Permittees (and no other Person) to utilize the rights and privileges granted to such Party under this Section 4.04; provided, however, that (i) such Occupants and Permittees shall not be entitled to any greater rights than have been granted to such Party under this Section 4.04, and (ii) no easement rights shall be deemed to have been granted by the granting of such rights and privileges.

Article 17 Section 17.01 Required Ratio:

(a) All vehicular parking spaces will be of the minimum dimensions shown on the Site Plan.

(b) Each Party agrees that it will not interfere with or obstruct the Parking Area configuration shown on the Site Plan, including parking bays and lanes, except as may be necessary in connection with improvements constructed pursuant to Sections 5.02 or 6.03 hereof or as otherwise permitted under Sections 10.03 and 12.02(c) hereof.

(c) Dillard agrees that it will provide or cause to be provided within the Parking Area on its Parcel, at all times from and after its Opening Date and continuing until the Termination Date, the greater of (i) 4.5 automobile parking spaces for each 1,000 square feet of 95% of the Gross Building Area in its Building, or (ii) the parking ratio required by all applicable laws. Dillard agrees to take no action that would reduce the parking ratio below that specified herein. Notwithstanding the foregoing, this Section 17.01(c) shall only be applicable from and after the Dillard Parcel Purchase Date.

(d) Developer agrees that it will provide or cause to be provided within the Parking Area on its Parcel, at all times from and after the earliest Opening Date of a Department Store Party and continuing until the Termination Date, the greater of: (i) an aggregate amount equivalent to (A) 4.5 automobile parking spaces for each 1,000 square feet of the retail Floor Area of the Developer Buildings, (B) 4.5 automobile parking spaces for each 1,000 square feet of 95% of the Gross Building Area in the Penney Building, the Dillard Building and the Sears Building, and

(C) 1.0 automobile parking spaces for each room unit in any hotel facility on the Developer Parcel; or (ii) the parking ratio required by all applicable laws. Developer, Penney and Dillard agree to take no action that would reduce the parking ratio below that specified herein. Notwithstanding the foregoing, the reference to the Dillard Building in this Section 17.01(d) shall no longer be applicable after the Dillard Parcel Purchase Date.

Article 17 Section 17.02 Parking Structures:

Except as shown on the Site Plan, no multi-level parking structures will be allowed in the Shopping Center Site without the prior written consent of all Parties, which consent may be granted or withheld in their sole and absolute discretion. Prior to construction of any such parking structure, Developer shall obtain the approval of the Department Store Parties to the plans, specifications, configuration, layout, graphics, and signage of and for such parking structure, which approval shall not be unreasonably withheld or delayed. In no event shall construction of any parking structure commence during the period commencing on November 15 of any year and ending on January 31 of the following year or during the 45 day period preceding

Easter Sunday. Any such parking structures shall be deemed part of the Parking Area to be maintained by Developer in accordance with the provisions of Section 10.01 and included under the Commercial General Liability Insurance coverage to be maintained, or caused to be maintained, by Developer pursuant to Section 14.02. In addition, throughout the Term, Developer shall carry property insurance and pay all taxes and assessments on such parking structures in compliance with the provisions of Sections 14.03 and 18.01, respectively, as if the parking structure were a Developer Improvement, and Developer’s obligation to Rebuild Common Area under the provision of Section 13.03 shall apply to such parking structures during the entire term and without qualification.

PROPOSED PLANNED COMMERCIAL DISTRICT | EXCEPTIONS SUMMARY

Land Use Parameters and Building Setbacks			
Zoning (Existing vs Proposed)	CH	PCD	Difference
Landscape Buffers			
Required Perimeter Landscaping	8' buffer < 5 acre parcel / 10'buffer > 5 acre parcel	No internal parcel perimeter landscaping yards required along interior property lines. Development shall maintain all existing buffers along public perimeter R.O.W. Exterior perimeter landscape yard adjacent to public ROW shall meet minimum requirements in the zoning ordinance.	NA
Minimum % Landscape for Parking Lots	6% > 5 acres	6%	0%
Maximum Spaces without Landscape Island	12 spaces	37 in existing development, future development will be required to meet minimum required parking landscape islands per the zoning ordinance	-25
Minimum Setback Requirements			
Minimum Front Setback	42'	42' from perimeter of public R.O.W. for new parcels	0'
Minimum Side Setback	0'	0'	0'
Minimum Rear Setback	20'	0'	- 20'
Land Use Intensity Ratios			
Minimum Open Space Requirement	20%	20%	0%
Minimum Formal Open Space Requirement	3%	3%	0%
Maximum Height	75'	75'	0'
Parking Ratio (see page 15 for Parking Calculations)	All Uses: Per Chart 4 of the 2023 Zoning Ordinance	Parking shall abide by the City of Murfreesboro Parking Standards subject to the Shared Parking Agreement	

EXCEPTIONS:

- Landscape exception for interior perimeter planting yard.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
DECEMBER 6, 2023
PROJECT PLANNER: HOLLY SMYTH**

- 5.b. Zoning application [2023-418] for approximately 7.3 acres located along Northwest Broad Street and West Vine Street to be rezoned from CH & CCO to PUD (Keystone on Broad PUD) & CCO, approximately 0.1 acres to be rezoned from CBD & CCO to PUD & CCO, and approximately 0.4 acres to be rezoned from CH & CCO to CBD & CCO, HRP Residential applicant.**

This development includes 7 full parcels and a large portion of an 8th parcel abutting the north side of Northwest Broad Street. The mixed-use portion of the development, along with Murfreesboro City Hall and Linebaugh Public Library, are bound by Northwest Broad Street, South Church Street, and West Vine Street. Additionally, a parcel on the east side of South Church Street, south of East Sevier Street and west of East State Street is also included in this rezoning as well. The proposed development includes the following parcels; (Group D) 6.00, (Group C) 8.00, 23.00, 24.00, 25.00, 26.00, 26.01, and approximately 5.09 acres of parcel 9.00, all of which reside within Tax Map 91N. The request includes a total deeded area of approximately 7.25 acres for the Keystone on Broad PUD with CCO overlay remaining. Portions of the existing City Hall that will remain as property of the City are incorporated into a rezone request to CBD and CCO as generally shown on the attached map.

A neighborhood meeting took place on the project on November 14, 2023 at the City of Murfreesboro Firehouse #4 on Medical Center Parkway that was noticed to a 500' radius from the project boundaries by the applicant. Approximately 25 persons attended and were generally supportive of the project.

Adjacent Zoning and Land Uses

The surrounding area consists of a mixture of zoning types and uses; however, most uses directly adjacent to the development are used for commercial, office, and municipal government. The lands to the east, west, and south are zoned Commercial Highway (CH). The land to the north is zoned Central Business District (CBD) containing City Hall and the Linebaugh Public Library. The subject property is currently zoned CH and CBD with the City Core Overlay (CCO) District. The project area is also part of the Historic Bottoms (as shown on page 04 of the program book) and the North Highland Avenue Planning Study Areas (which is missing from the program book), which are both shown in the below diagram on page 5 within this report. Additionally, the portion of the project along Northwest Broad Street is part of the Main Street Revitalization Plan Type 3 streetscape.

Proposed PUD

The City of Murfreesboro owns the entire project site and is in the process of negotiating various sales and a development agreement that may continue to modify the project description as it moves through the City zoning process. At this time, the development consists primarily of four buildings, with 3 of them incorporating parking garages, providing mixed-use, retail, residential units, office space, and a hotel. Retail shall be selectively located on the first floor on a portion of all buildings, which is generally outlined on the **conceptual drawing on page 8** of the program book with some flexibility to shift locations within the buildings. The following updated descriptive summary of the overall project should be used in conjunction with that conceptual drawing and its zoomed in sections following.

	Building 1 (Studio, 1,&2)	Building 2 (1&2 bed)	Building 3 (Studio, 1,&2)	Hotel –	TOTAL	MAX Allowed by DA
Stories	4-story	4 - 5 stories	4-story	4 - 5 story		
Condo Units		37+54 =91			91 condos	100
Rental Units	7+92+69=168		2+33+23=58		226 apts	239
Retail Space	±22,215 SF	±6,540 SF	2,020	Potentially	30,775 SF	40K
Radio Station			2,000		2,000 SF	
Hotel Rooms				146	146 rooms	
Garage Parking Provided	328	179 + 146= 325	58	In Bldg. 2	711	
Parking Lot Spaces Provided			32		32	
Street Parking Provided	17	9	5		31	
Sub-Total	345	334	95		774	
Required Parking based on existing layout (excluding HC)	326	145+26+146 = 317	81+8+5=94	In Bldg. 2	737	
Surplus Parking	19	17	1		37	

The above parking requirements are based on the existing proposal which does have some flexibility to be increased using the following base requirements. The baseline requirements for the dwelling units are based on 1 stall per bedroom for “multi-family” component (as allowed in Section 24, Article IV of the CCO subsection (C)(3)). The baseline requirement of 1 stall per 250 square feet of “neighborhood shopping center” uses and 1 stall per 400 square feet of radio station use are required per Section 26 – Chart 4. Therefore, any increases to the current proposal up to the maximum allowable in the Development Agreement (DA) shall provide additional parking using these baselines. As shown above, when accounting for on-street proposed parking, the project has a surplus of 37 parking spaces. When only accounting for proposed on-site parking, the surplus is 6 spaces. It is staff’s understanding that secured parking for tenants only will be at upper levels of the parking structures, leaving the 1st and 2nd floors open for general parking. A statement needs to be added to page 33 of the program book as well as the parking exceptions discussed later in this report.

As to zone changes, the intent is to have the City Hall complex property be zoned CBD with the project's property becoming PUD, all with the CCO overlay. The negotiated property lines between City Hall and the project may need some further refinements to ensure the Building and Fire Codes can still be met without triggered new improvements to City Hall, thereby potentially affecting the zoning lines.

The project is broken into 6 phases that are generally outlined on page 16 in a map layout and on page 17 as a timeline schedule within the program book and are tied to the development agreement. Throughout all phases, City Hall will maintain functionality of its utilities (such as water, sewer, electrical, signal fiber) and circulation access to P1 and P2 parking garages. Most of the utilities south of City Hall are proposed to be relocated which will require new extensions to City Hall before full demolition can take place. New easements will need to be created and recorded throughout the site for all utilities. Additionally, the project will be dedicating right-of-way for the realignment of the South Front Street/West Vine Street and Northwest Broad Street intersection. It is anticipated that these recorded easements, rights-of-way, and new parcel layouts will be incorporated in a plat that will also be creating the new lot lines to separate City Hall and create the necessary lots for the project.

Outside of the program book, staff is starting to review proposed utilities removal and replacements at a high level to ensure that they will not conflict with the building layout. It is anticipated that phases will overlap in construction timing, and work will be continuous on-site until all work is complete. Additionally, improvements to various adjacent streets are planned to be carried out by the developer and are part of the Development Agreement in process with the City Council.

Exceptions Requested:

Page 42 of the Program Book summarizes all requested exceptions when compared to the Mixed Use (MU) and City Core Overlay (CCO) zone districts (which are most similar to the proposed project). However, standards of the existing Highway Commercial (CH), Central Business District (CBD), and the Historic Bottoms/North Highlands Downtown Central Business Districts are also shown for reference. Most of the requested **exceptions are shown in red text within the program book**. However, in staff's review of the project proposal, **it appears that additional exceptions may need to be further incorporated into the program book as discussed below**. Most of the exceptions are related to parking standards, landscape, setbacks, building coverage, and density (which is currently **44 units per acre**, excluding the hotel units) as follows:

1) Exceptions related to parking stated in Zoning Ordinance Section 26(C)(6)(a), Section 26(E)(4), Chart 3 and Chart 5:

- 1.1 Allow 35% (instead of 20%) of 774 parking stalls to be 'compact spaces'.
- 1.2 Allow compact spaces to be 7.6' wide (instead of 8.5' compact space width) with the capability of reducing the depth to 16' in front of columns if needed.
- 1.3 Allow standard stalls to be 8.5' wide (instead of the 9' wide required) by the 19' standard depth
- 1.4 Allow sidewalks adjacent to parking to be reduced from 7' to 6'.
- 1.5 Allow handicap spaces to be included within the minimum required parking count (instead of being excluded per parking standards Section 26(C)(2)(c)).

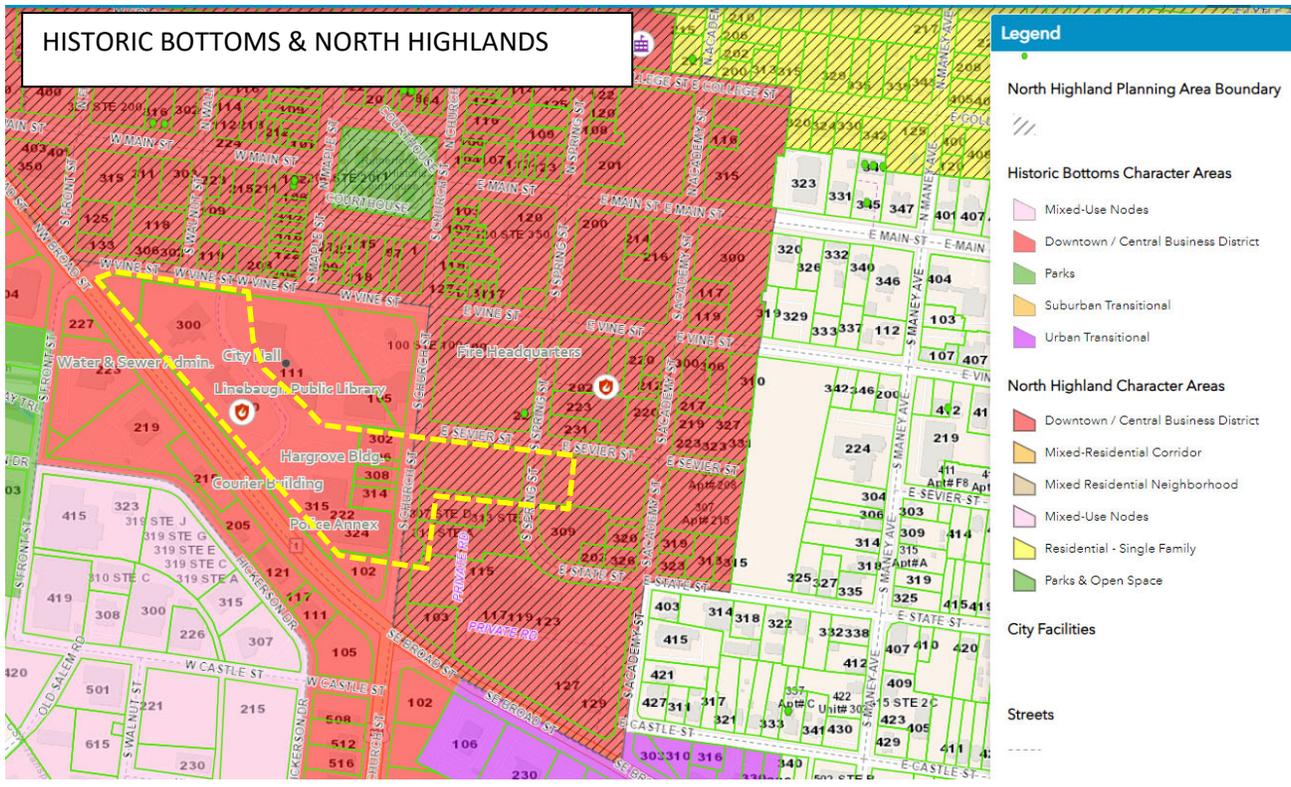
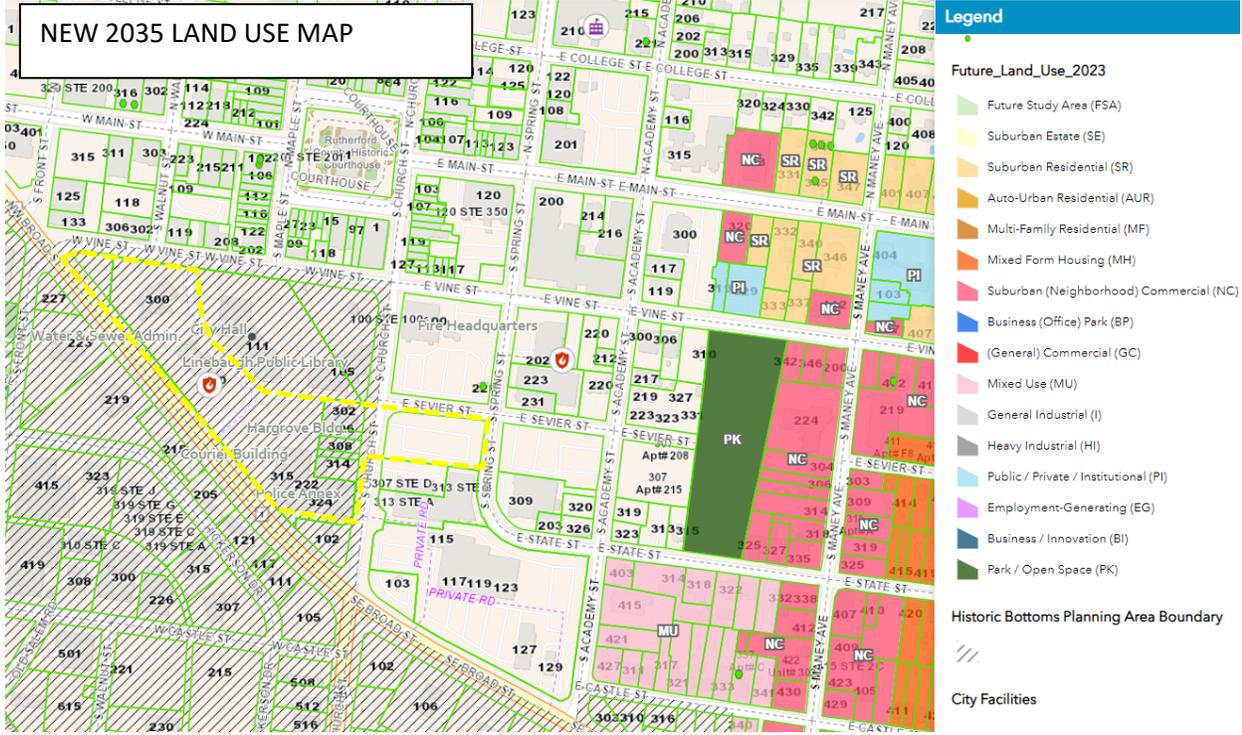
- 1.6 It is not clear where the required 2 loading spaces (with 10'x50' with 14' vertical clearance) are located within the project, so staff is unclear if this standard is anticipated to be included or an exception within the project (which comes out of Section 26(E)(4) and Chart 5).
- 2) Exceptions related to Landscape stated in Zoning Ordinance Section 27 and Section 24 Article VI-CCO:
- 2.1 Exclude any base of building plantings
 - 2.2 Exclude any landscape yard requirements
 - 2.3 Exclude any perimeter landscape requirements
- 3) Allow setbacks to be 0' adjacent to all street ROWs and within the project interior as depicted on **page 18** of the program book (so long as they meet building and fire codes).
- 4) Allow lot coverage of 80% (instead of the 75% allowed in the CCO, for 5% higher coverage)
- 3 Allow density of 44 units per acre (instead of the 25 units per acre that would be in the comparative mixed-use zoning district).

Future Land Use Map

Area bounded by W Vine/ NW Broad/ S Church Streets: The newly adopted future land use map that is now part of the Murfreesboro 2035 Comprehensive Plan, designates this portion of the project area as "Historic Bottoms Overlay" within the "Downtown/Central Business District" character area (see excerpt map below). The goal of the Downtown/Central Business District is to expand the downtown "feeling" to capture more opportunities for a mixture of retail and restaurant establishments and residential housing opportunities that responds to the age and economic needs of Murfreesboro residents. This character area looks at expanding the downtown to become a stronger destination point for visitors and tourists. The following elements from the plan should be incorporated.

<i>Use</i>	Retail, Restaurant, Entertainment, office, residential multi-family and single-family attached, institutional, civic, and/or structured parking
<i>Character Setbacks</i>	-Mixed-use and commercial buildings are placed close to sidewalk -Residential buildings have shallow setbacks -Institutional buildings have setbacks appropriate to purpose -Structured parking placed close to sidewalk with active uses at street level
<i>Parking & Access</i>	-Locate behind or below buildings -Access primarily from secondary streets and/or alleys -Central parking garages utilized
<i>Streetscape</i>	-6'-12' sidewalks along public streets -Formal on-street parking -Street amenities -Street trees -Outdoor cafes/plazas/pocket parks -Pedestrian scaled street lighting
<i>Landscape</i>	-Allow for greater amount of impervious surface -Greater emphasis on hardscape details, less on foundation plantings -High level of detail in public spaces -Service areas, garbage collection, utility boxes and connections at the rear
<i>Height</i>	-2 story encouraged, -4 stories maximum without residential, -6 stories maximum with density bonus for including residential
<i>Building Design</i>	-Greater emphasis on building design and materials -Encourage materials consistent with existing downtown character -Require a high percentage of door and window area on front facades

Area bounded by S Church / E Sevier/ State Streets: The newly adopted future land use map that is now part of the Murfreesboro 2035 Comprehensive Plan, designates this portion of the project area as "North Highlands Overlay" within the "Downtown/Central Business District" character area (see excerpt map below). This character area is the same as what is in the Historic Bottoms summarized above.



City Core Overlay (CCO)

The purposes of the CCO district are: to “promote infill development that is compatible with existing development patterns; to encourage new development patterns in areas where existing patterns are inconsistent or unestablished; and to promote reinvestment in Downtown Murfreesboro and surrounding neighborhoods.”

The CCO section includes some special “carve-out” standards as it relates to parking reductions when adjacent to other available parking areas, front setbacks based on block averages (but no more than 20’), open space reduced to 15%, formal open space at 5%, and building coverage allowed up to 75%. According to the PUD program book page 41, those standards are broken down compared to other districts. The project proposes to meet the 15% open space requirement and the 5% formal open space requirement. However, the project is requesting an exception to allow the “lot coverage” to be increased to 80% versus the 75% maximum for mixed-use projects in the CCO. This may need to be verified, as visually it does not appear that the project is proposing more than the 75% “lot coverage” as defined by our Zoning Ordinance.

Staff has provided the developer team with an Initial Infrastructure memo with many of the items to be addressed as future site plan reviews are submitted, such as a life-safety plan to ensure existing City facilities are not compromised or made non-compliant with Building and Fire Codes. Additionally, **staff is still working through some fine tuning in the program book that may need some additional language to be modified or incorporated into the program book to provide clarity where it may be lacking.**

The largest item that staff is still working with the applicant on is enhancements to the exposed parking structures. There are three areas which may be partially or highly visible to right-of-way. Staff will be finalizing its reviewing of all elevations for consistency with the City’s Design Guidelines and downtown context and will provide additional information on these topics at the Planning Commission meeting.

Department Recommendation

Staff will continue to work with the applicant throughout the process to address outstanding opportunities for updates to the program book and is supportive of this rezoning request for the following reasons:

- 1) It is consistent with the Murfreesboro 2035 Comprehensive Plan policy that growth should “Encourage infill development and redevelopment, which maximizes existing infrastructure, maintains the existing character of neighborhoods, and preserves a compact community form.”
- 2) It is consistent with the Future Land Use Map which designates the project location as “*Downtown/Central Business District*” character area within both the “*Historic Bottoms Overlay*” and “*North Highlands Overlay*”. It appears that most of the character area elements shown in the summary table on page 4 above are incorporated into the project.
- 3) The open areas will meet the 15 % open space and 5% formal open space general zoning requirements.
- 4) The requested density of 44 units per acre will be providing adequate parking that meets or exceeds City standards while staying below 6 stories in height of the character area.

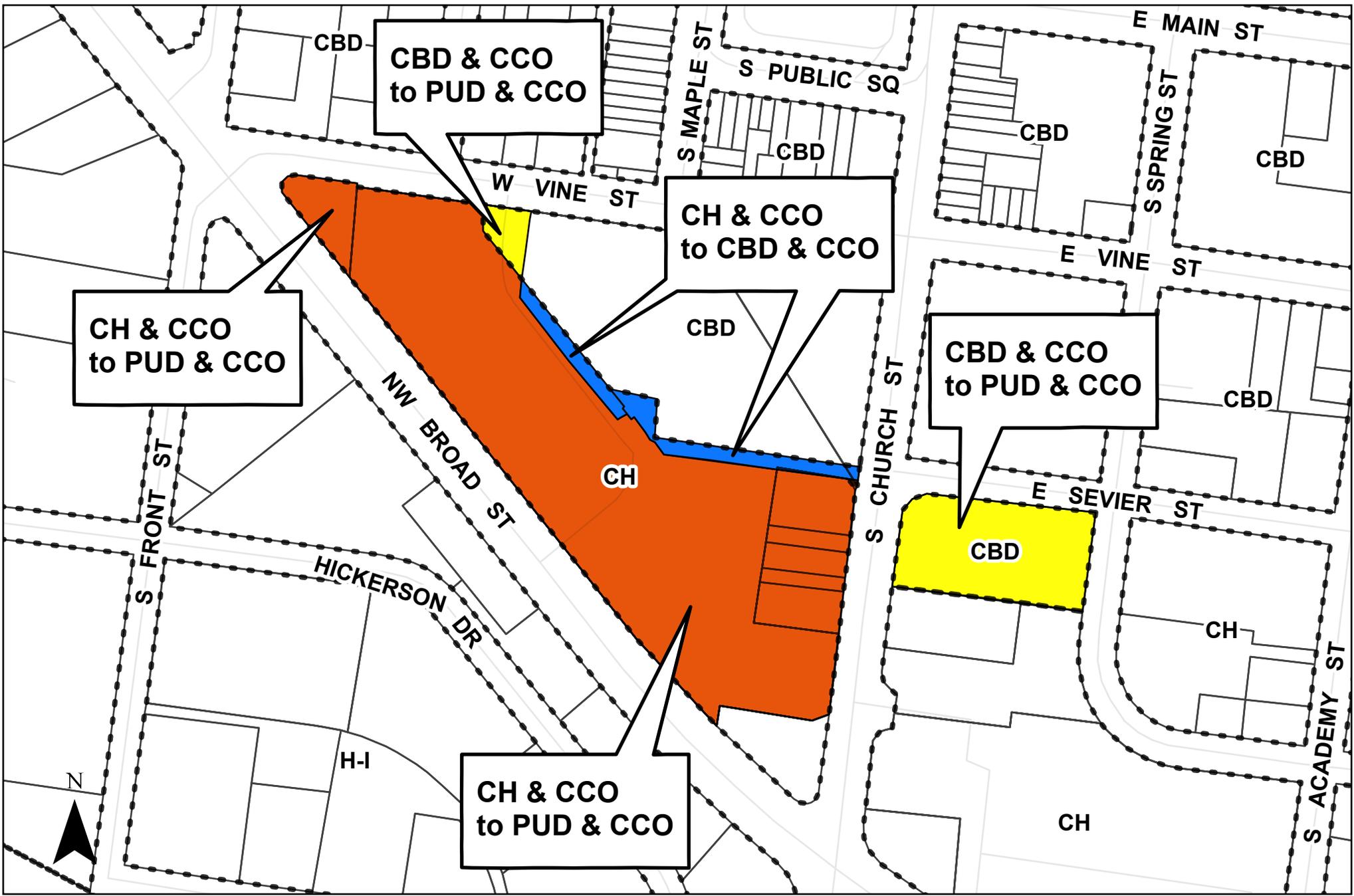
5) The layout provides a compact development in downtown that promotes walkability.

Action Needed

The applicant will be in attendance at the meeting to make a full presentation and share the modified building architecture. The Planning Commission will need to conduct a public hearing on this matter, after which it will need to discuss and then formulate a recommendation to City Council.

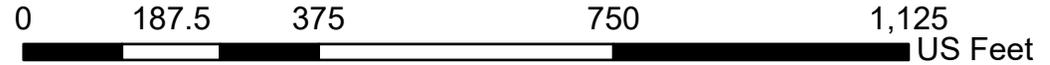
Attachments:

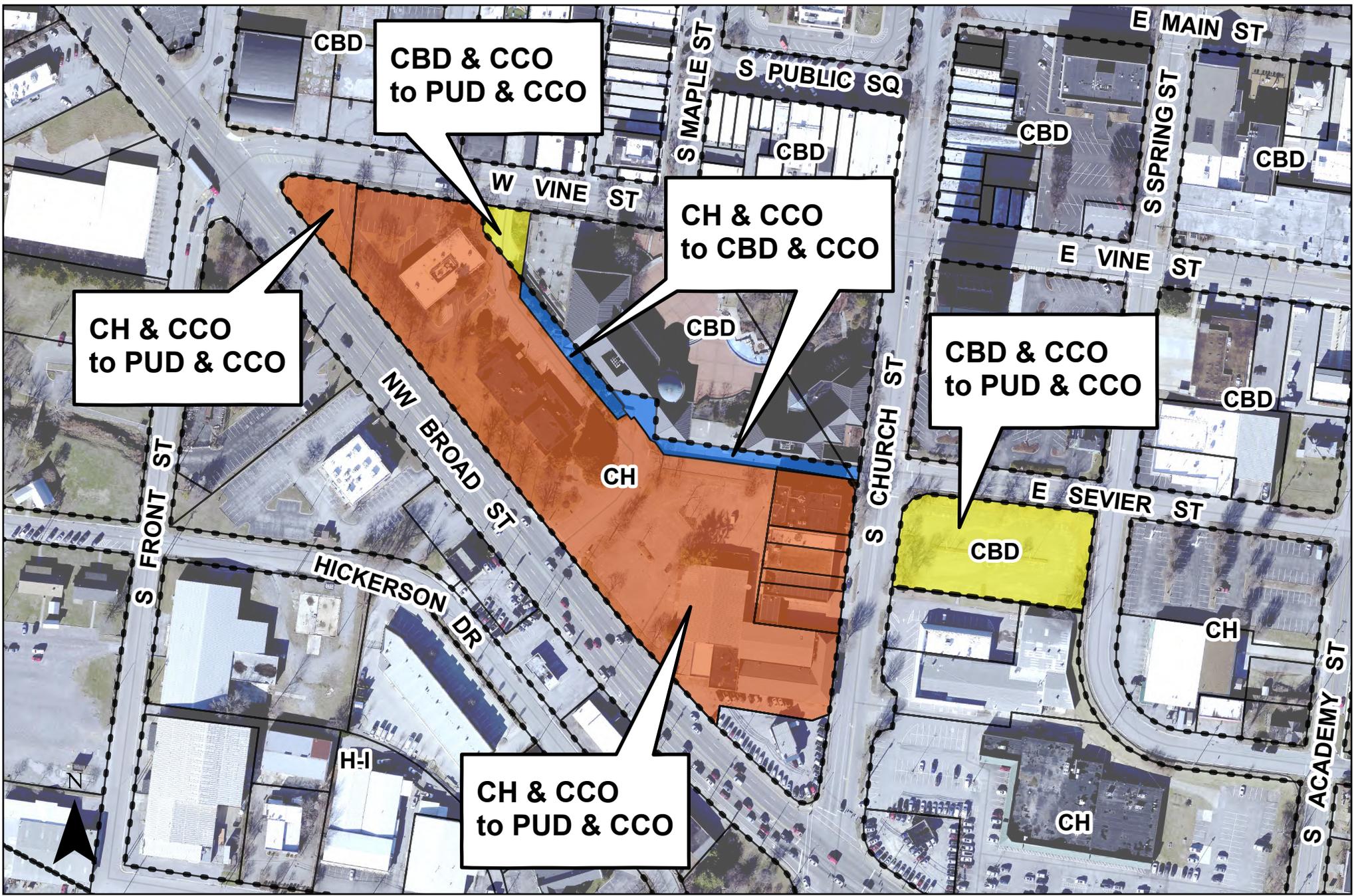
- NoOrtho Map-
- Ortho Map
- Program Book



Rezoning request for property along Northwest Broad Street
 CBD, CH, & CCO to PUD (Keystone on Broad PUD) & CCO;
 and CH & CCO to CBD & CCO

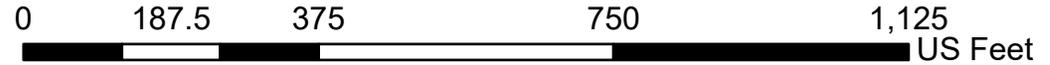
Planning Department
 City of Murfreesboro
 111 West Vine St
 Murfreesboro, TN 37130
www.murfreesborotn.gov





Rezoning request for property along Northwest Broad Street
 CBD, CH, & CCO to PUD (Keystone on Broad PUD) & CCO;
 and CH & CCO to CBD & CCO

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



KEYSTONE ON BROAD

A REQUEST FOR REZONING FROM COMMERCIAL
HIGHWAY (CH) TO A PLANNED UNIT DISTRICT WITH
CITY CORE OVERLAY(PUD-CCO)

MURFREESBORO TENNESSEE



Initial Submittal
October 12th, 2023

Re-Submitted
December 1, 2023 for the December 7, 2023
Planning Commission Public Hearing

Re-Submitted
November 6th, 2023 for the November 15th, 2023
Planning Commission Workshop



SEC, Inc.

SEC Project #22026



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 Murfreesboro, Tennessee 37129



Company Name: HRP Residential
 Profession: Developer
 Attn: Rob Turner
 Phone: (615) 308-9545
 Email: Rob@hrpresidential.com
 Web: https://www.hrpresidential.com

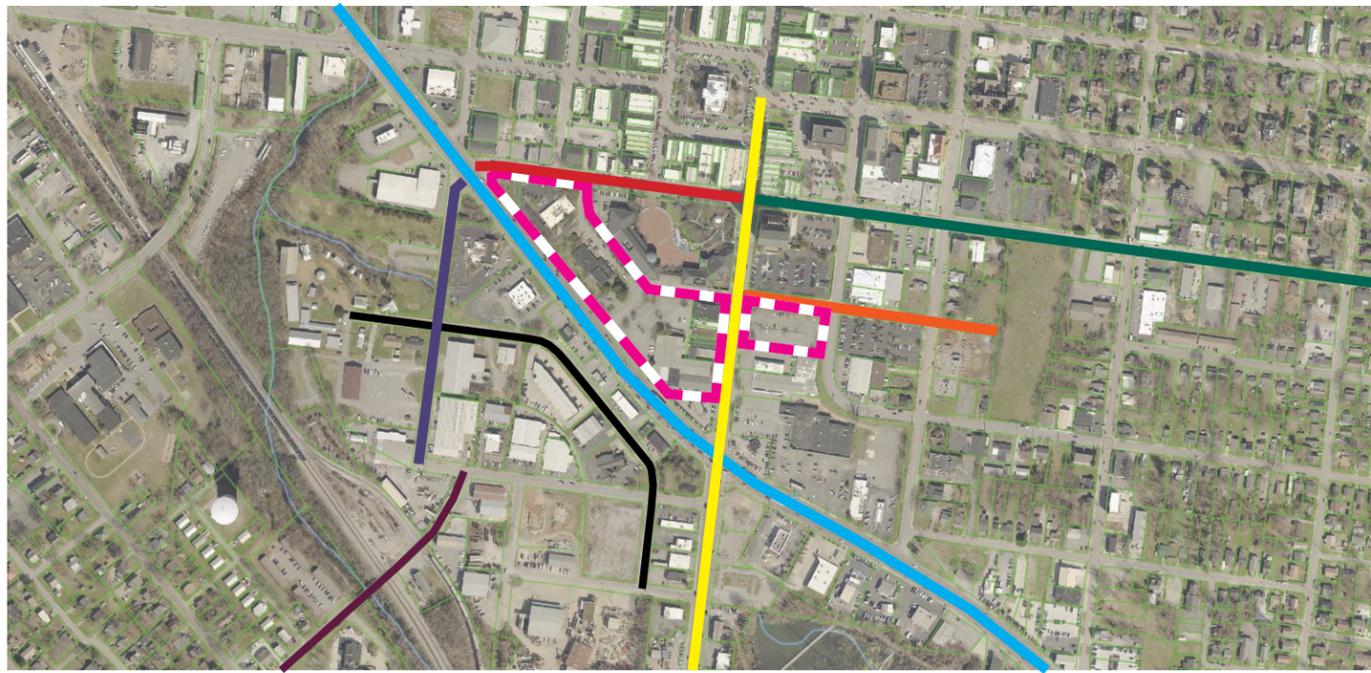
231 Public Square, Suite 300
 Franklin, Tennessee 37064



Company Name: Kline Swinney Associates Architects
 Profession: Architects
 Attn: Bart Kline
 Phone: 615-255-1854
 Email: bkline@ksarchitects.com
 Web: https://www.ksarchitects.com

22 Middleton Street
 Nashville, TN 37210

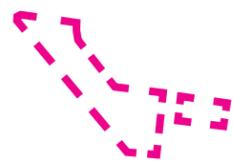
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AERIAL PHOTOGRAPH

Not To Scale

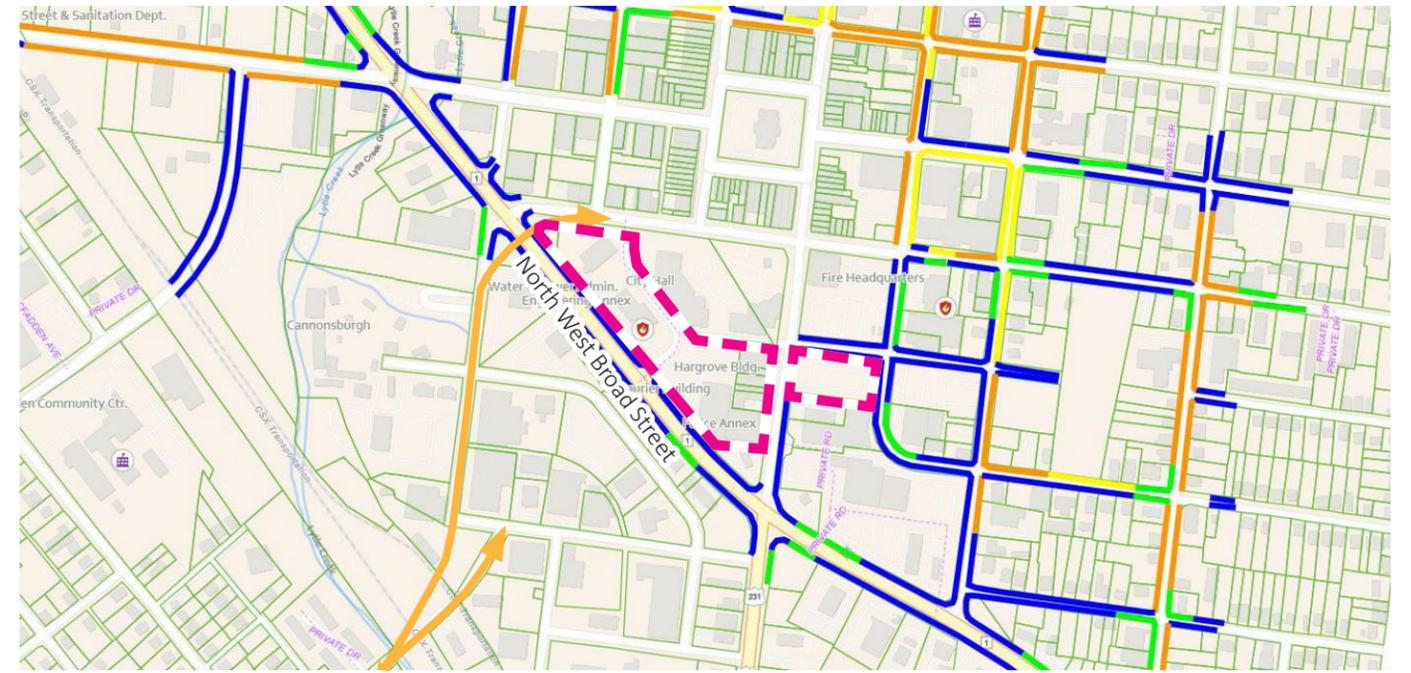
- | | | |
|--|---|---|
|  Northwest Broad Street |  East Vine Street |  Hickerson Drive |
|  South Church Street |  East Sevier Street |  Old Salem Highway |
|  West Vine Street |  South Front Street | |



Site Boundary

HRP Residential respectfully requests rezoning of the Broad Street Development properties at and near 111 West Vine Street from Commercial Highway (CH) to a Planned Unit District with City Core Overlay (PUD/CCO) to create Keystone on Broad. City property tied to City Hall that are not zoned Central Business District with City Core Overlay (CBD/CCO) are also part of this rezoning. This development includes several areas/parcels around the Broad Street area. The mixed-use portion of the development, along with Murfreesboro City Hall and Linebaugh Public Library, are bound by Northwest Broad Street, South Church Street, and West Vine Street. Additionally, the parcel on the southeast corner of the intersection of South Church Street and East Sevier Street is also included in this rezoning application. The proposed development includes the following Parcels; (Group D) 6.00, (Group C) 8.00, 23.00, 24.00, 25.00, 26.00, 26.01, and approximately 5.09 Acres of Parcel 9.00, all of which reside within Tax Map 91N. All these properties together are approximately 7.25 acres in size.

The request for rezoning to a Planned Unit District (PUD) within the City Core Overlay District (CCO) is to create Keystone on Broad. The development consists of three mixed-use buildings with a mixture of retail spaces, offices, residential dwelling units, and one separate building that will be a hotel. The retail component of the development shall be selectively located on portions of the first floor of each of the three mixed-use buildings and hotel building. The retail and office spaces shall comprise at least 30,000 sf and shall not exceed 40,000 sf. The residential portion of the development will be spread across the three mixed-use buildings. The residential units shall have access to an amenity package consisting of courtyard pool, fitness center, outdoor plazas, and other activity areas for the residents. The residential portion shall be managed by the Keystone on Broad Residential HOA. A hotel is proposed at the corner of West Vine Street and Northwest Broad Street, and the portion of the first floor at the corner of the intersection will include a portion of the overall retail component of the development. The development is proposing three new parking garages to accommodate the new mixed-use program, and will provide additional public parking for the surrounding downtown area. The two existing levels of parking garage under City Hall shall remain open and accessible to general public. The development proposes improvements to the pedestrian environment along the frontages of West Vine Street, Northwest Broad Street and South Church Street, along with new internal pedestrian circulation throughout the development.



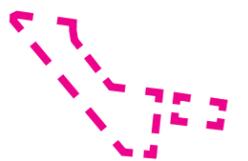
2040 MAJOR THOROUGHFARE PLAN

MAIN STREET REVITALIZATION PLAN

Not To Scale

-  Front Street and Old Salem Highway
3-Lane Roadway Improvement

- | | |
|---|----------------|
|  | Section-Type 1 |
|  | Section-Type 2 |
|  | Section-Type 3 |
|  | Section-Type 4 |

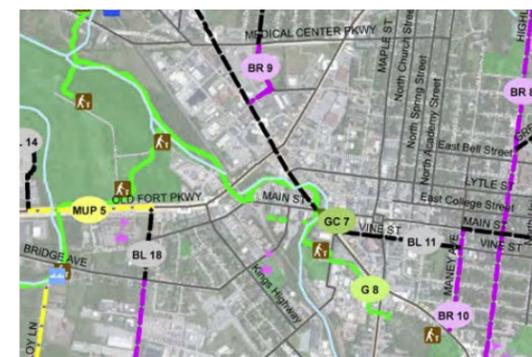


Site Boundary

The property has/will have access to the existing public rights-of-way of Northwest Broad Street through two entrances plus one service drive, West Vine Street through one entrance, and South Church Street through one entrance. South Front Street is on the City of Murfreesboro's Major Thoroughfare Plan and is slated to be improved from a two-lane roadway to a three-lane roadway and is anticipated to be tied into New Salem Highway at some point in the future.

The Broad Street Redevelopment will be dedicating R.O.W. for the realignment of the South Front Street/West Vine Street and Northwest Broad Street intersection. This development is also located in Quadrant 1 of the Main Street Revitalization Plan, which calls for a Type-3 section along this property.

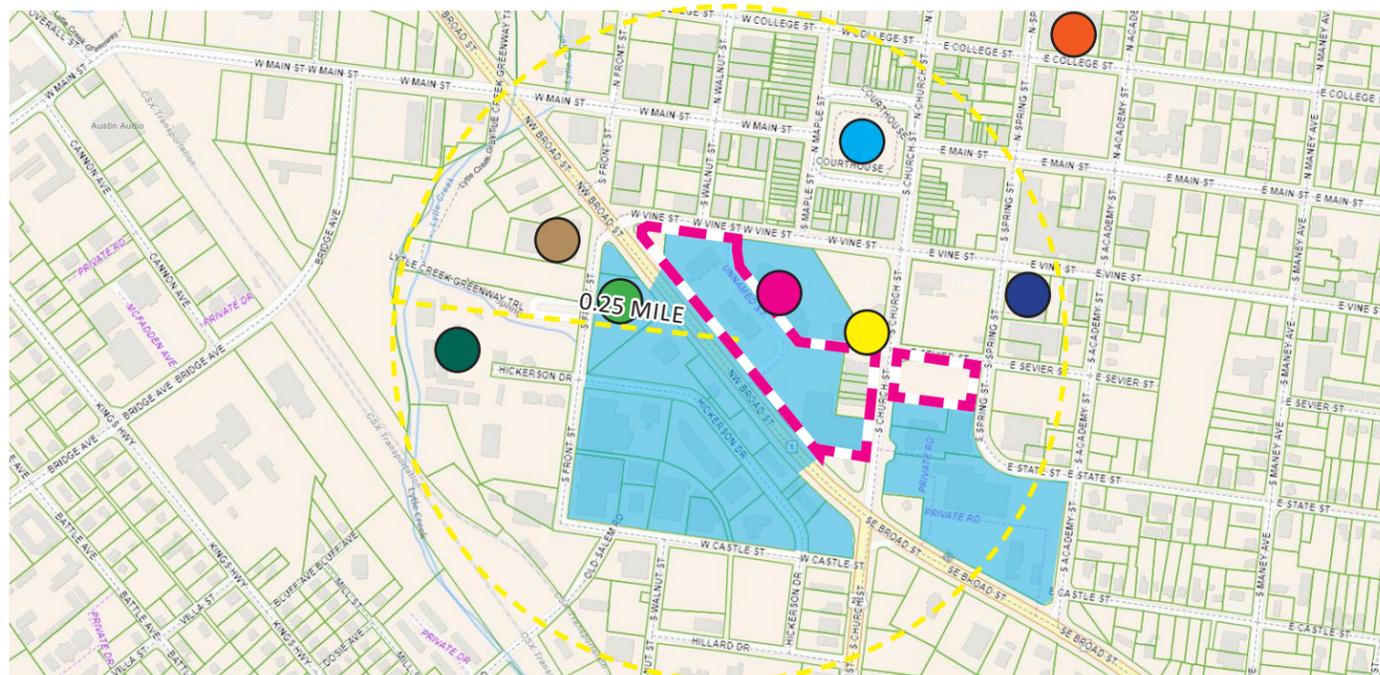
GREENWAYS, BLUEWAYS, AND BIKEWAYS MASTER PLAN (GBBP)



The Murfreesboro GBBP proposes 3 primary projects within the development area.

- GC7- Consists of enhancing the existing downtown greenway access from Vine Street via a pedestrian bridge over NW Broad.
- G8 - Proposes a potential landmark bridge over Church Street near quarry.
- BL 11 - Proposes bike lanes (Striping) along Vine Street.

*Note that the proposed development does account for a pedestrian bridge connection over NW Broad Street near the South Church intersection, but no pedestrian bridges are included in the scope of work/construction of this planning book.



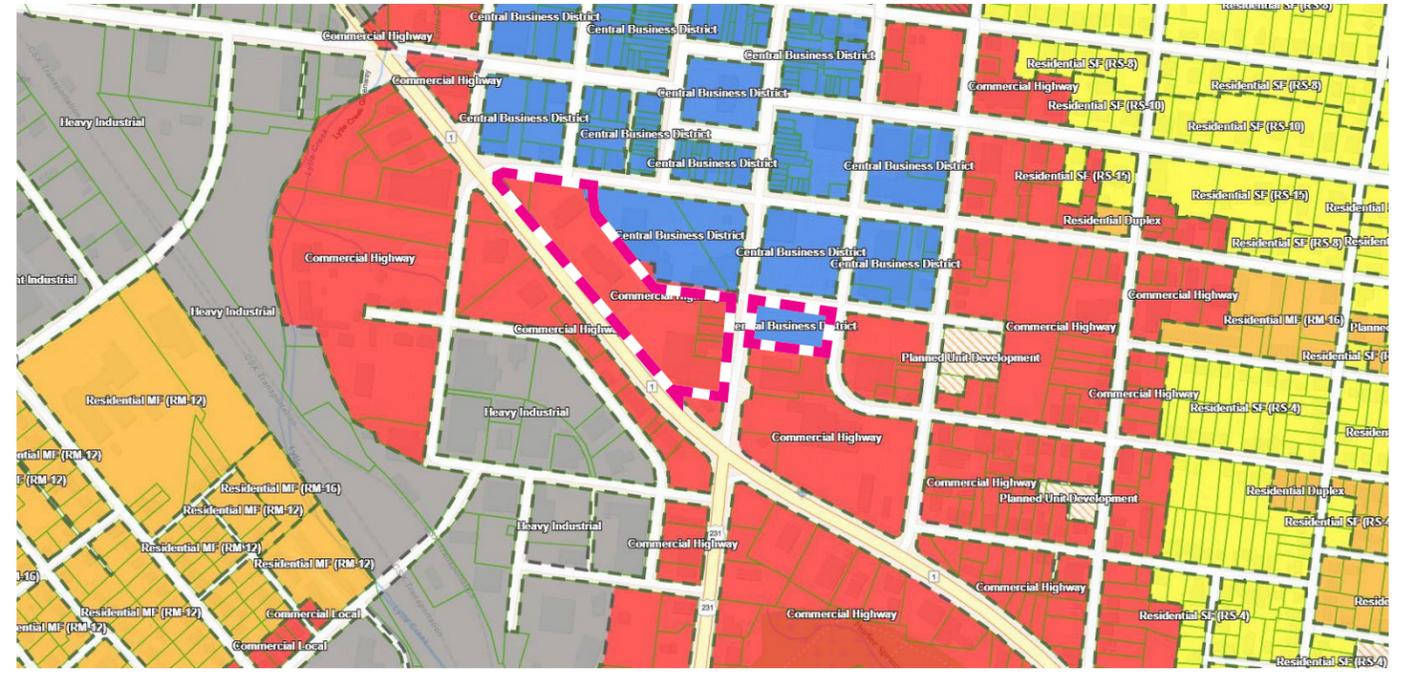
SUBDIVISION MAP

Not To Scale

- | | | | | | |
|--|--------------------------|--|-----------------------------|--|---------------------------|
| | Broad Street Development | | Linebaugh Public Library | | First Presbyterian Church |
| | City Courthouse | | Longhorn Liquor | | Cannonsburg Village |
| | City Hall | | Murfreesboro Fire Station 1 | | The Yard Sale Store |

Site Boundary

Keystone on Broad is surrounded by a mixture of commercial, industrial, and civic uses. Within a quarter mile radius of the site is a large majority of Murfreesboro’s main civic buildings, including City Hall, Linebaugh Public Library, and the County Courthouse. This development is part of the Broad Street Development subdivision, which houses a variety of civic and commercial uses. Most of the buildings within the Broad Street Development subdivision are composed primarily of either red or white brick with black or similar dark colored accents and trims. Historic Cannonsburg Village and museum are located just southwest of Longhorn Liquors. This museum is a reproduction pioneer village that offers educational tours and public programming to the community.



ZONING MAP

Not To Scale

- | | | | | | |
|--|---|--|--|--|-------------------------------------|
| | RS-4 Residential Single-Family (RS-4) | | RM-12 Residential Multi-Family (RM-12) | | PUD Planned Unit District (PUD) |
| | RS-8 Residential Single-Family (RS-8) | | RM-16 Residential Multi-Family (RM-16) | | CBD Central Business District (CBD) |
| | RS-10 Residential Single-Family (RS-10) | | CH Commercial Highway (CH) | | HI Heavy Industrial (HI) |
| | RS-15 Residential Multi-Family (RM-15) | | | | |
| | RD Residential Duplex (RD) | | | | |

The surrounding area consists of a mixture of zoning types and uses, however most uses directly adjacent to the development are used for commercial, office, and municipal. The lands to the east, west and south are zoned Commercial Highway (CH). The land to the north is zoned Central Business District (CBD). This property lies within the City Core Overlay District and the Historic Bottoms Planning Study Area.



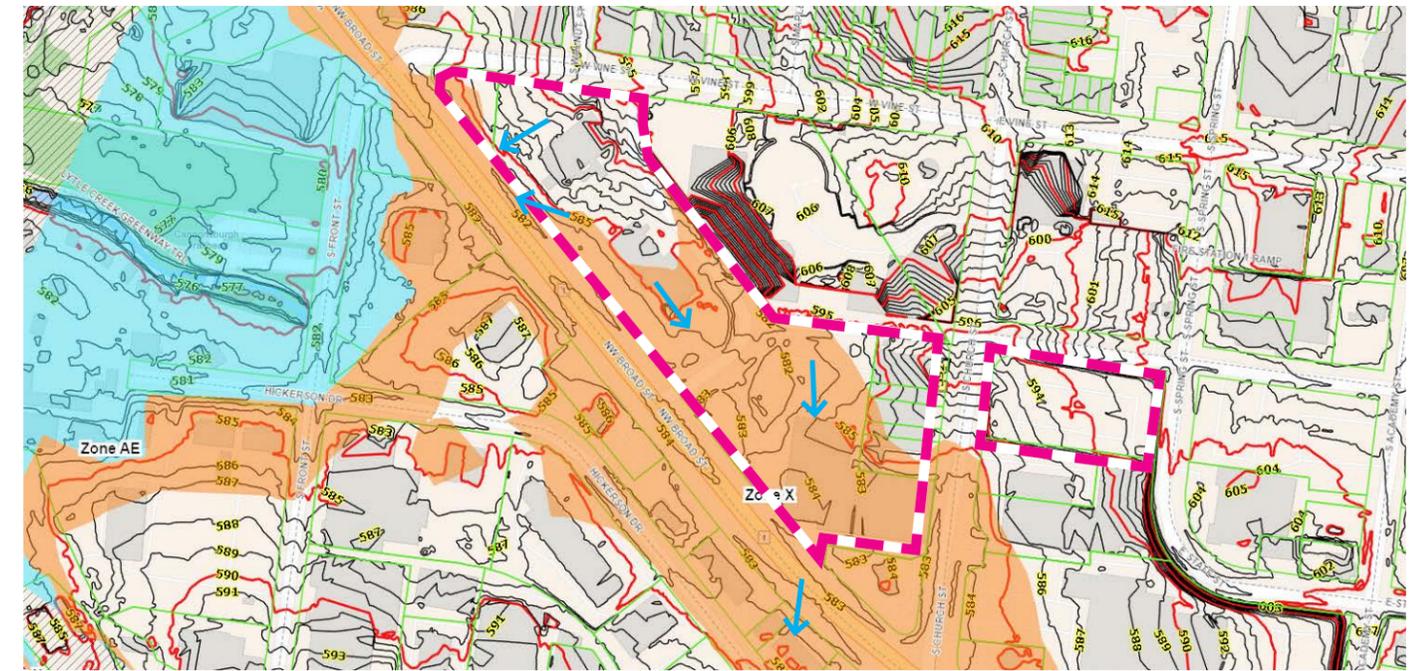
UTILITY MAP

Not To Scale

- WATER
- SEWER
- STORMWATER
- ELECTRIC



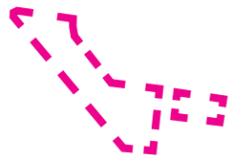
Site Boundary



HYDROLOGY AND TOPOGRAPHY

Not To Scale

- WATER FLOW DIRECTION
- INTERMEDIATE CONTOURS
- INDEX CONTOURS



Site Boundary



Water service will be provided by the Murfreesboro Water Resources Department. There is an existing 12 inch ductile iron water line along the southwest property line for water service into the site. The developer will be responsible for extending and/or relocating the waterline into the site for domestic and fire water service.

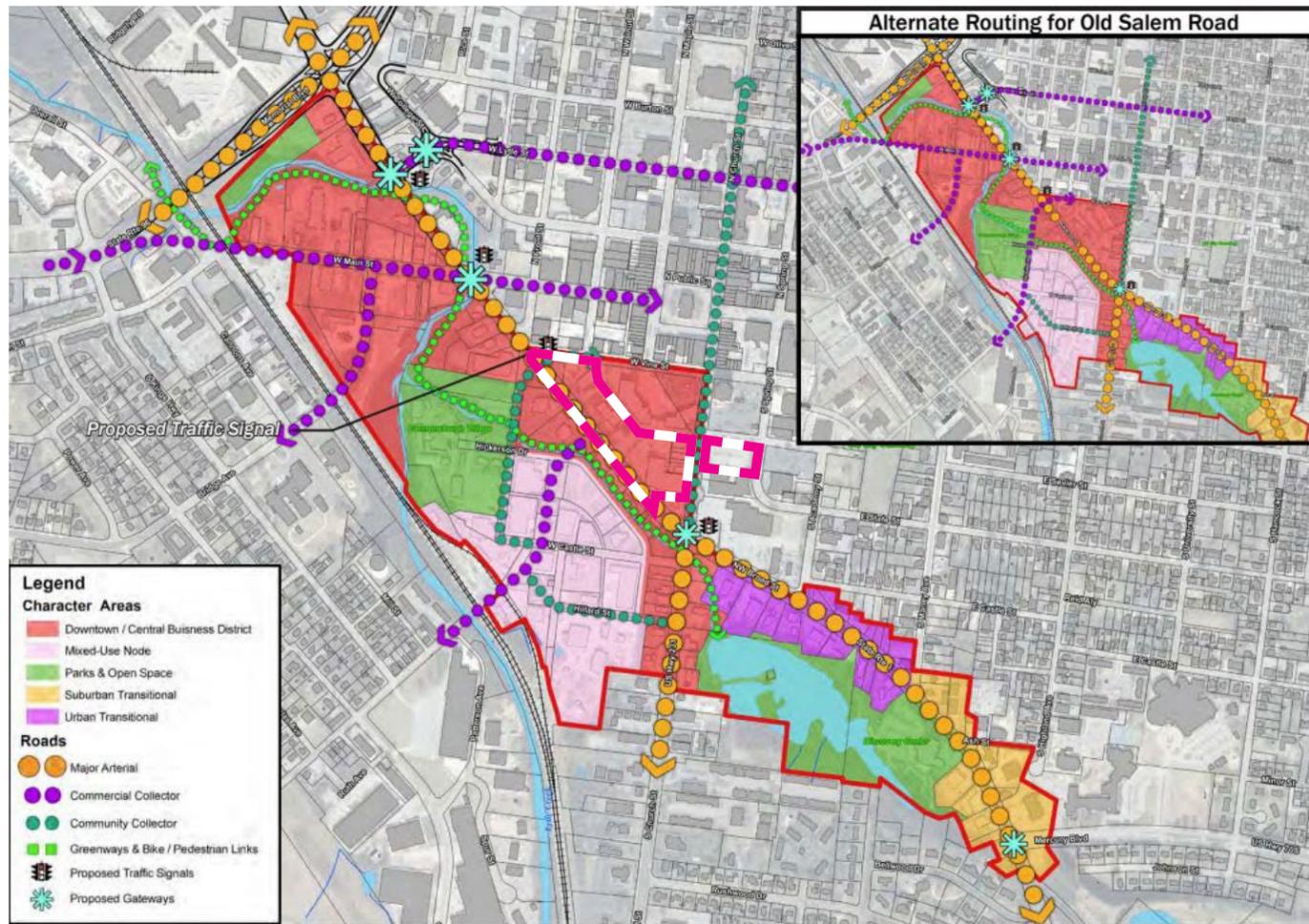
Sanitary sewer service will be provided by the Murfreesboro Water Resources Department. Sanitary sewer service can connect to an existing 8" CIP gravity sewer line along the southwest property line. Construction will extend the sewer service into the site and the developer will be responsible for extending and/or relocating the sewer into this property.



Electric service will be provided by Middle Tennessee Electric. Service will be extended from Northwest Broad Street. The developer will be responsible for extending the electric lines into the site, and all on-site electric will be underground.

The topographic map above shows the site's topographic high point generally at the middle of the property. From this high point, the property drains towards the northwest and the southeast. All stormwater on site drains to existing stormwater systems along the roadways surrounding the site.

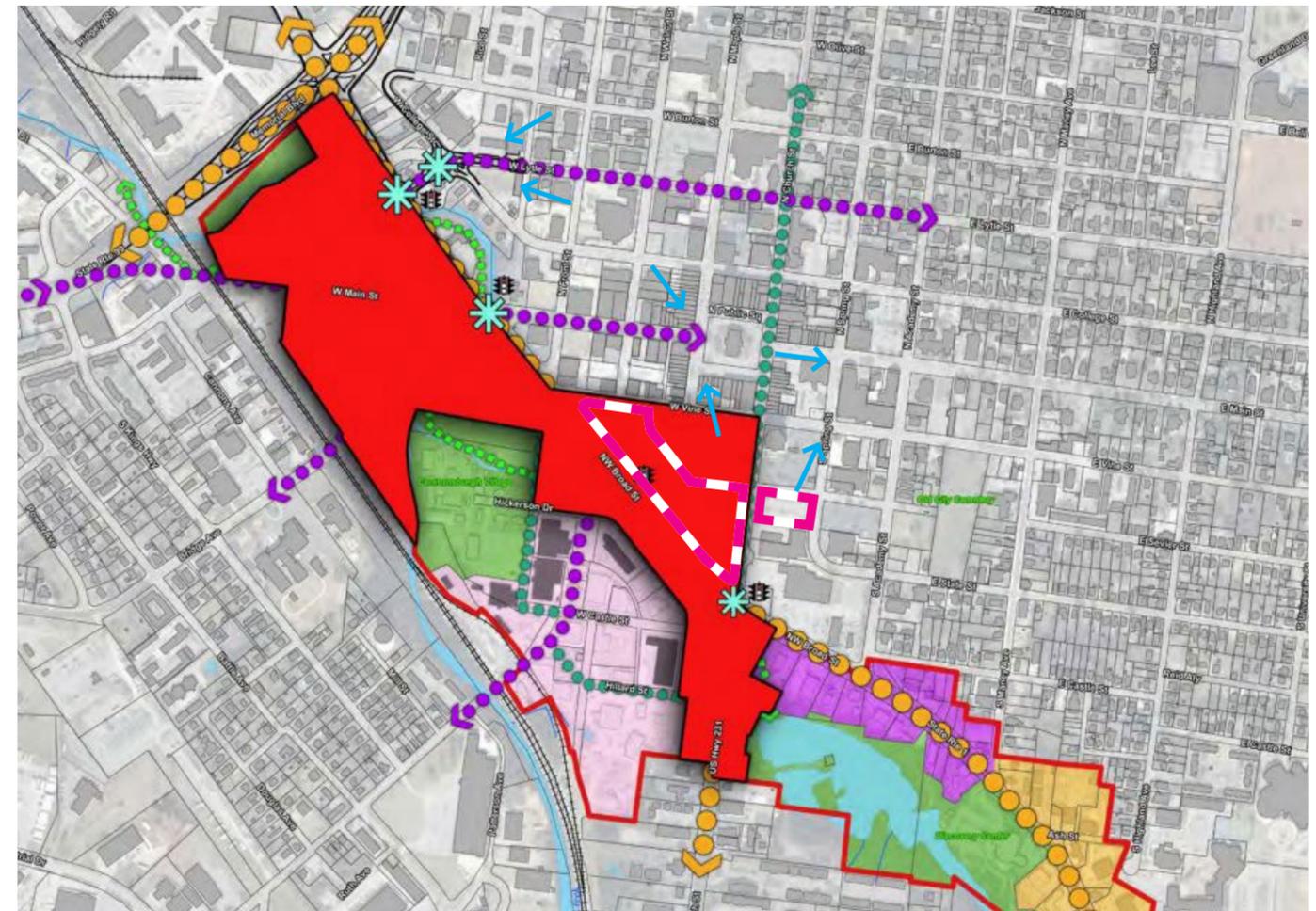
The site is located within Zone X, not within 100 year flood zone, per FEMA Flood Panel 47149C0260J eff 5/9/2023.



HISTORIC BOTTOMS OVERLAY

Not To Scale

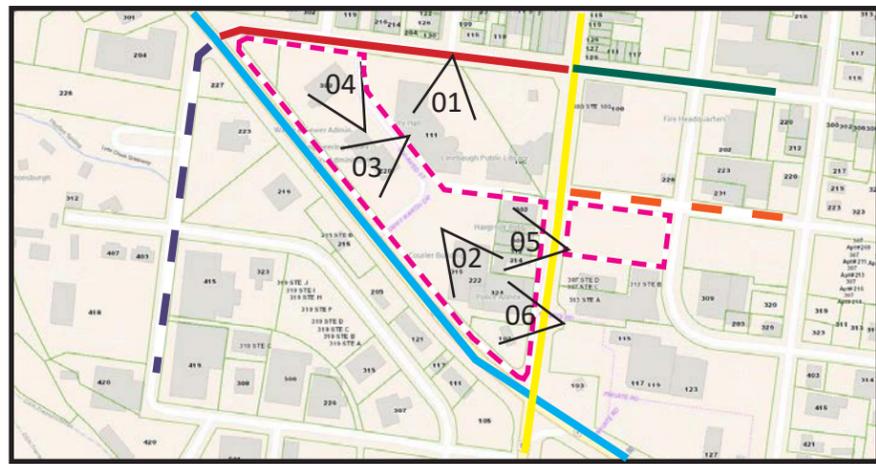
This development falls within the Historic Bottoms Overlay District. This overlay district was created with the intent of providing possible land use patterns while preserving the character and feeling of the old Murfreesboro and simultaneously providing for Murfreesboro’s growing population and their needs. The Historic Bottoms Overlay District is separated into five distinct character areas with various characteristics and uses. The plan calls for commercial and other privately owned businesses to remain closer to the City Square and Northwest Broad street. From this centralized area near the Square, the uses slowly transition to less dense and more natural and urban uses.



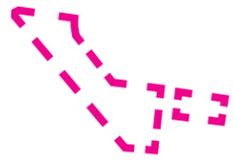
DOWNTOWN/CENTRAL BUSINESS DISTRICT

Not To Scale

This development falls within the Downtown/Central Business District of the Historic Bottoms Plan Area. This district recommends commercial use, retail, hotels, and privately owned businesses with a focus on beautifying the areas around these businesses for pedestrian use. Characteristics of this District include multi-story buildings with shallow setbacks and enhanced pedestrian streetscape. The goal of the Downtown/Central Business district is to expand the character, feeling, and architectural style of The Square and to expand the overall downtown area to meet the growing needs of the Murfreesboro population. The goals of this development closely align with those found within the Downtown/Central Business District.



- █ North West Broad Street
- █ South Church Street
- █ West Vine Street
- █ East Vine Street
- █ East Sevier Street
- █ South Front Street



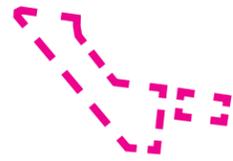
Site

PHOTO DIRECTION MAP

Not To Scale



- █ North West Broad Street
- █ South Church Street
- █ West Vine Street
- █ East Vine Street
- █ East Sevier Street
- █ South Front Street



Site

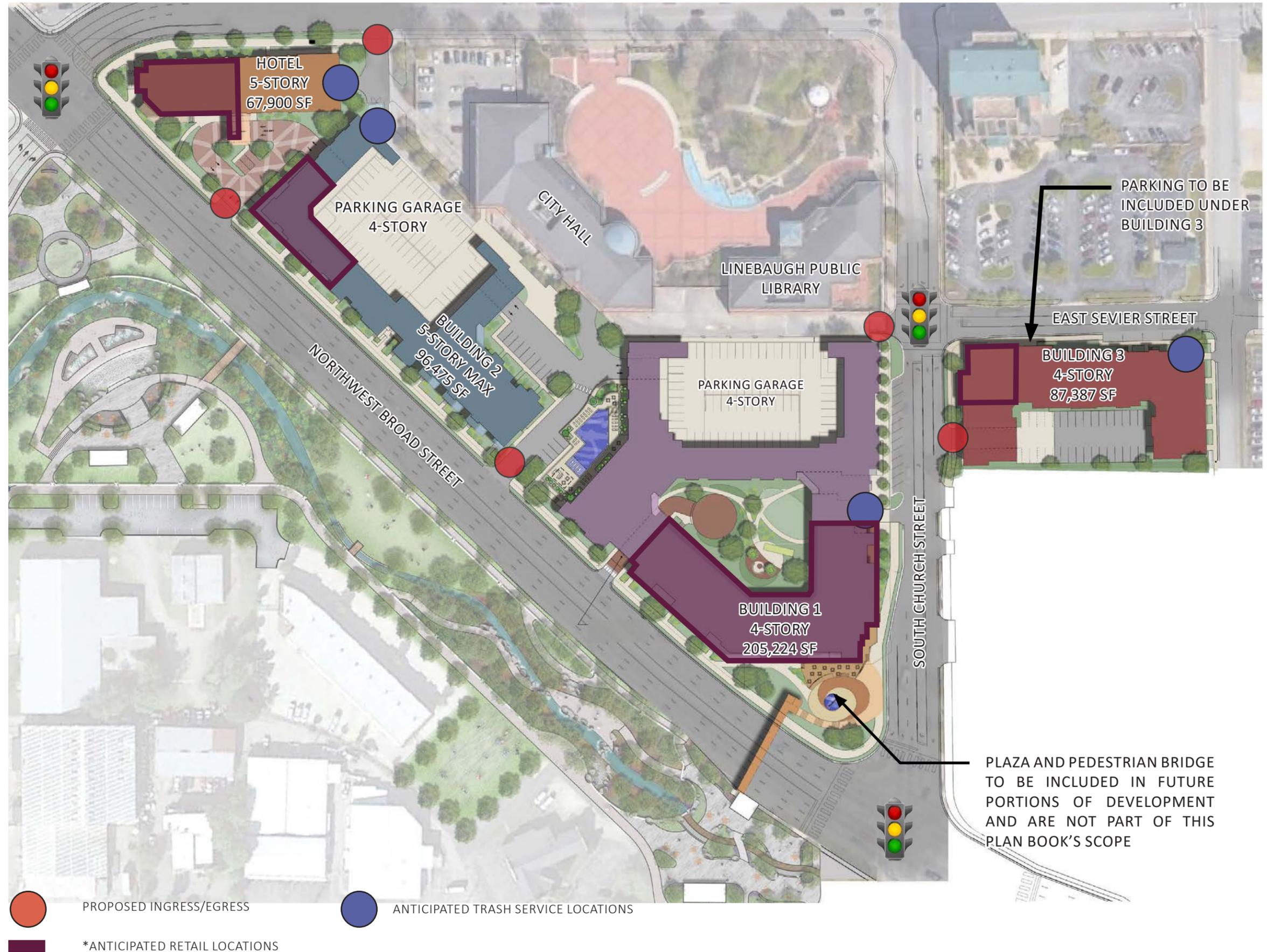
PHOTO DIRECTION MAP

Not To Scale



SITE DATA:

PROPOSED ZONING:	PUD
TOTAL SITE AREA	7.25 AC
TOTAL NUMBER OF UNITS	317 UNITS
ONE BEDROOM UNITS	162 UNITS
TWO BEDROOM UNITS	146 UNITS
STUDIO UNITS	7 UNITS
HOTEL UNITS	146 UNITS
DENSITY: 317 UNITS / 7.25 AC	42.72 UNITS/AC
RETAIL SPACE =	30,000 – 40,000 S.F.
RADIO STATION =	2,000 S.F.
TOTAL PARKING REQUIRED:	738 STALLS
PARKING PROVIDED:	774 STALLS
*SEE PAGE 31 FOR PARKING SUMMARY	



BUILDING #1 COUNTS

ONE BEDROOM UNITS = 92
TWO BEDROOM UNITS = 69
STUDIO UNITS = 7

TOTAL BUILDING UNITS = 168

RETAIL SPACE = 22,215 S.F.

BUILDING #1 REQUIRED PARKING CALCULATIONS

92 1-BEDROOM UNITS (1.0 / UNIT) = 92 STALLS
69 2-BEDROOM UNITS (2.0 / UNIT) = 138 STALLS
7 STUDIO UNITS (1.0 / UNIT) = 7 STALLS

PARKING REQUIRED FOR RESIDENTIAL UNITS = 237 STALLS

PARKING REQUIRED FOR RETAIL:
22,215 S.F. (1 STALL PER 250 S.F.) = 90 STALLS

BUILDING #1 TOTAL PARKING REQUIRED = 327 STALLS

BUILDING #1 PARKING PROVIDED

PARKING GARAGE = 328 STALLS
STREET PARKING = 17 STALLS

BUILDING #1 TOTAL PARKING PROVIDED = 345 STALLS

BUILDING #2 COUNTS

ONE BEDROOM UNITS = 37
TWO BEDROOM UNITS = 54

TOTAL BUILDING UNITS = 91

RETAIL SPACE = 6,540 S.F.

BUILDING #2 REQUIRED PARKING CALCULATIONS

37 1-BEDROOM UNITS (1.0 / UNIT) = 37 STALLS
54 2-BEDROOM UNITS (2.0 / UNIT) = 108 STALLS

PARKING REQUIRED FOR RESIDENTIAL UNITS = 145 STALLS

PARKING REQUIRED FOR RETAIL:
6,540 S.F. (1 STALL PER 250 S.F.) = 26 STALLS

*** PARKING REQUIRED FOR HOTEL (SHARED) = 146 STALLS
(146 KEY HOTEL – 1 STALL PER KEY)

BUILDING #2 TOTAL PARKING REQUIRED = 317 STALLS

BUILDING #2 PARKING PROVIDED

PARKING GARAGE = 325 STALLS
STREET PARKING = 9 STALLS

BUILDING #2 TOTAL PARKING PROVIDED = 334 STALLS

BUILDING #3 COUNTS

ONE BEDROOM UNITS = 33
TWO BEDROOM UNITS = 23
STUDIO UNITS = 2

TOTAL RESIDENTIAL BUILDING UNITS = 58

RETAIL SPACE = 2,020 S.F.
RADIO STATION = 2,000 S.F.

BUILDING #3 REQUIRED PARKING CALCULATIONS

33 1-BEDROOM UNITS (1.0 / UNIT) = 33 STALLS
23 2-BEDROOM UNITS (2.0 / UNIT) = 46 STALLS
2 STUDIO UNITS (1.0 / UNIT) = 2 STALLS

PARKING REQUIRED FOR RESIDENTIAL UNITS = 81 STALLS

PARKING REQUIRED FOR RETAIL:
2,020 S.F. (1 STALL PER 250 S.F.) = 8 STALLS
PARKING REQ. FOR RADIO STATION:
2,000 S.F. (1 STALL PER 400 S.F.) = 5 STALLS
BUILDING #3 TOTAL PARKING REQUIRED = 94 STALLS

BUILDING #3 PARKING PROVIDED

PARKING GARAGE = 58 STALLS
OPEN PARKING LOT = 32 STALLS
STREET PARKING = 5 STALLS

BUILDING #3 TOTAL PARKING PROVIDED = 95 STALLS

BUILDING HEIGHTS

BUILDING #1 (BROAD STREET / CHURCH STREET)

4 STORIES: UP TO 70'-0" (OCCURS AT GREATEST HEIGHT)

BUILDING #2 (BROAD STREET)
5 STORIES: UP TO 70'-0" (OCCURS AT GREATEST HEIGHT)

BUILDING #3 (SEVIER STREET)
4 STORIES: UP TO 70'-0" (OCCURS AT GREATEST HEIGHT)

HOTEL (SEVIER STREET)
5 STORIES: UP TO 81'-0" (OCCURS AT GREATEST HEIGHT)

* BUILDING HEIGHTS ARE TAKEN FROM THE FINISHED GRADE OF THE LOWEST LEVEL TO THE HIGHEST POINT OF EACH BUILDING.

HOTEL COUNTS

NUMBER OF FLOORS: 5

ROOMS: 146 KEYS

HOTEL REQUIRED PARKING CALCULATIONS

HOTEL TOTAL PARKING REQUIRED = 146 STALLS

TOTAL PARKING PROVIDED: ***
(SEE GARAGE PARKING FOR BUILDING #2, ADJACENT TO HOTEL, TO INCLUDE HOTEL PARKING)

TOTAL PARKING REQUIRED FOR PROPOSED DEVELOPMENT

RESIDENTIAL UNITS = 463 STALLS
HOTEL = 146 STALLS
OFFICE / RETAIL = 129 STALLS
TOTAL = 738 STALLS

* THE 25% SHARED PARKING REDUCTION APPLIES TO THE "NEIGHBORHOOD SHOPPING CENTER" USE.

TOTAL REQUIRED PARKING FOR HOTEL(146), OFFICE (5), RETAIL (129) = 280 STALLS

25% PARKING REDUCTION = 70 STALLS

TOTAL REQUIRED PARKING AFTER REDUCTION
(738 – 70 STALLS) = 668 STALLS

TOTAL PROVIDED PARKING = 774 STALLS

35% OF 774 STALLS PROVIDED PARKING CAN BE COMPACT SPACES (IF NEEDED) = 270 STALLS

* THE ABOVE CALCULATIONS ARE BASED ON THE CURRENT DESIGN. THE DEVELOPMENT AGREEMENT ALLOWS A TOTAL OF 239 APARTMENTS AND 100 CONDOMINIUMS, MAX.

* THIRTY FIVE PERCENT (35%) OF THE PARKING SPACES WITHIN THE PARKING STRUCTURE ARE COMPACT SPACES (7'-6" WIDE). THE COMPACT SPACES WILL BE SPREAD OUT AMONGST ALL FLOORS OF THE PARKING GARAGE. THE REMAINING STANDARD SPACES ARE 8'-6" WIDE. BOTH THE COMPACT AND STANDARD SPACES SIZES ARE TYPICAL FOR PARKING GARAGES IN SURROUNDING MUNICIPALITIES.

* ALL HANDICAP SPACES ARE INCLUDED WITHIN THE REQUIRED PARKING AND ARE ALLOWED TO BE USED FOR REQUIRED PARKING.

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BUILDING #1 COUNTS

ONE BEDROOM UNITS = 92
 TWO BEDROOM UNITS = 69
 STUDIO UNITS = 7

TOTAL BUILDING UNITS = 168

RETAIL SPACE = 22,215 S.F.

BUILDING #1 REQUIRED PARKING CALCULATIONS

92 1-BEDROOM UNITS (1.0 / UNIT) = 92 STALLS
 69 2-BEDROOM UNITS (2.0 / UNIT) = 138 STALLS
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PARKING REQUIRED FOR RETAIL:
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BUILDING #1 TOTAL PARKING REQUIRED = 327 STALLS

BUILDING #1 PARKING PROVIDED

PARKING GARAGE = 328 STALLS
 STREET PARKING = 17 STALLS

BUILDING #1 TOTAL PARKING PROVIDED = 345 STALLS

BUILDING #2 COUNTS

ONE BEDROOM UNITS = 37

TWO BEDROOM UNITS = 54

TOTAL BUILDING UNITS = 91

RETAIL SPACE = 6,540 S.F.

BUILDING #2 REQUIRED PARKING CALCULATIONS

37 1-BEDROOM UNITS (1.0 / UNIT) = 37 STALLS

54 2-BEDROOM UNITS (2.0 / UNIT) = 108 STALLS

PARKING REQUIRED FOR RESIDENTIAL UNITS = 145 STALLS

PARKING REQUIRED FOR RETAIL:

6,540 S.F. (1 STALL PER 250 S.F.) = 26 STALLS

*** PARKING REQUIRED FOR HOTEL (SHARED) = 146 STALLS

(146 KEY HOTEL – 1 STALL PER KEY)

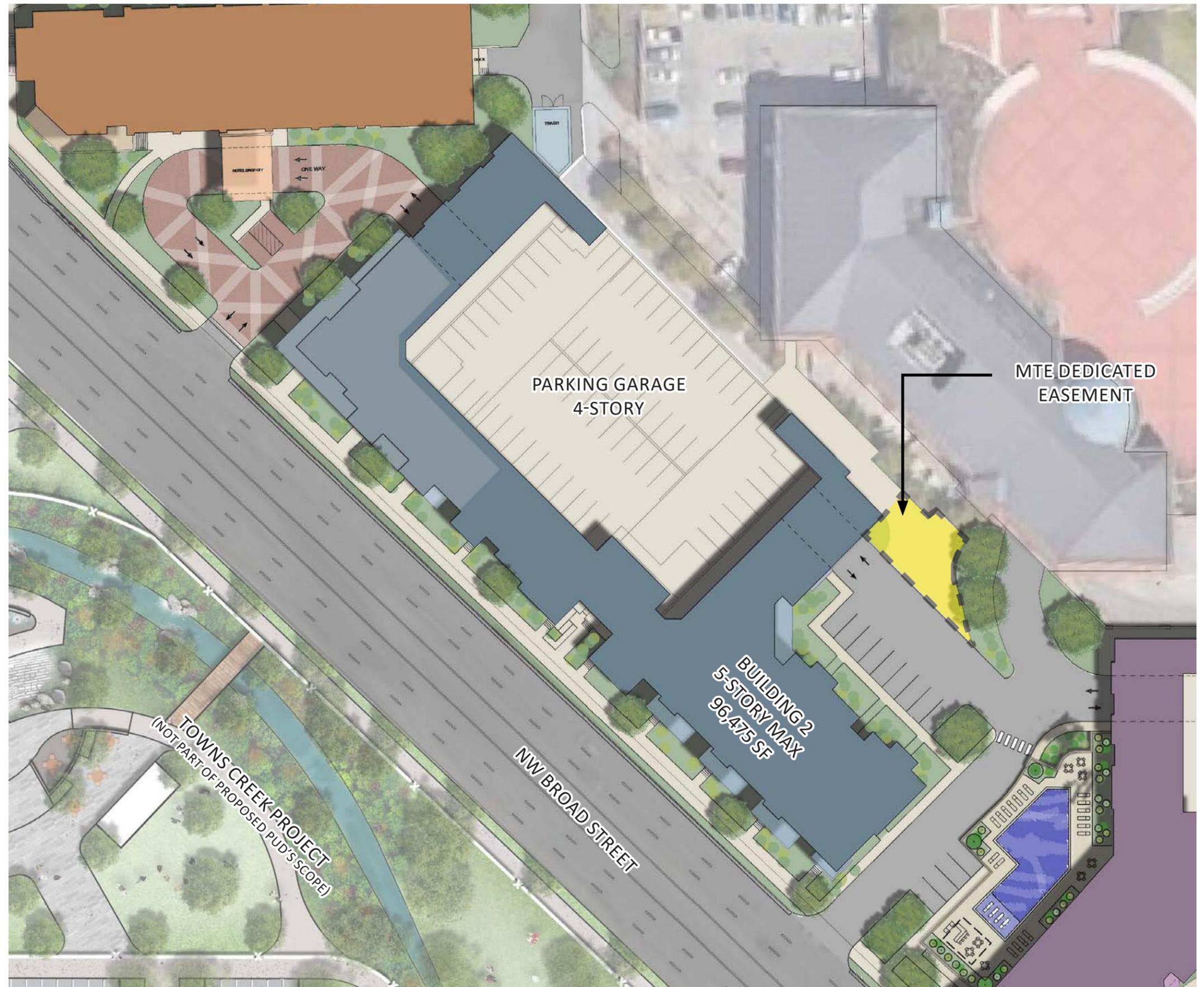
BUILDING #2 TOTAL PARKING REQUIRED = 317 STALLS

BUILDING #2 PARKING PROVIDED

PARKING GARAGE = 325 STALLS

STREET PARKING = 9 STALLS

BUILDING #2 TOTAL PARKING PROVIDED = 334 STALLS





BUILDING #3 COUNTS

ONE BEDROOM UNITS = 33
TWO BEDROOM UNITS = 23
STUDIO UNITS = 2

TOTAL RESIDENTIAL BUILDING UNITS = 58

RETAIL SPACE = 2,020 S.F.
RADIO STATION = 2,000 S.F.

BUILDING #3 REQUIRED PARKING CALCULATIONS

33 1-BEDROOM UNITS (1.0 / UNIT) = 33 STALLS
23 2-BEDROOM UNITS (2.0 / UNIT) = 46 STALLS
2 STUDIO UNITS (1.0 / UNIT) = 2 STALLS

PARKING REQUIRED FOR RESIDENTIAL UNITS = 81 STALLS

PARKING REQUIRED FOR RETAIL:
2,020 S.F. (1 STALL PER 250 S.F.) = 8 STALLS
PARKING REQ. FOR RADIO STATION:
2,000 S.F. (1 STALL PER 400 S.F.) = 5 STALLS
BUILDING #3 TOTAL PARKING REQUIRED = 94 STALLS

BUILDING #3 PARKING PROVIDED

PARKING GARAGE = 58 STALLS
OPEN PARKING LOT = 32 STALLS
STREET PARKING = 5 STALLS

BUILDING #3 TOTAL PARKING PROVIDED = 95 STALLS

HOTEL COUNTS

NUMBER OF FLOORS: 5

ROOMS: 146 KEYS

HOTEL REQUIRED PARKING CALCULATIONS

HOTEL TOTAL PARKING REQUIRED = 146 STALLS

TOTAL PARKING PROVIDED: ***

(SEE GARAGE PARKING FOR BUILDING #2,
ADJACENT TO HOTEL, TO INCLUDE HOTEL PARKING)



Development Standards: Residential

- Total of 317 residential units (Final numbers may fluctuate up to the maximum/ minimum allowed per development agreement).
- Per the development agreement a total of 239 apartment units and 100 condominiums would be allowed within this development.
- 80 minimum, 100 maximum residential units for sale.
- 239 maximum residential units for lease.
- Building one shall contain approximately 168 units.
- Building two shall contain approximately 91 units.
- Building three shall contain approximately 58 units.
- Residential units shall be a mix of studios, one bedroom, and two-bedroom units.
- All mechanical equipment (i.e. HVAC and transformers) to be screened
- All on-site utilities will be underground
- Solid waste will be handled via a trash compactor and standard dumpsters.
- 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 homeowners will be required to be a member of the Owners Association (O.A.)
- As a member of the O.A., The residents will be subject to restrictive covenants, and be required to pay membership dues as determined by a 3rd party management company
- O.A. will be managed by independent 3rd party management company
- The common areas will be owned and maintained by an O.A.
- Mail service will be provided via centralized mail rooms with parcel pick-up accommodations.
- Lighting shall be provided to increase safety and security throughout the site and should accentuate key exterior architectural elements.

Development Standards: Commercial

- Approximately Proposed Commercial retail shall be located on the first floor. Final locations for retail may vary but shall adhere to the 30,000 sqft minimum and 40,000 sqft maximum.
- All mechanical equipment (i.e. HVAC and transformers) to be screened
- All on-site utilities will be underground
- Solid waste will be handled via a trash compactor or standard dumpsters.
- 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 commercial tenants will be required to be a member of the O.A.
- As a member of the O.A., the commercial tenants will be subject to restrictive covenants, and be required to pay membership dues as determined by a 3rd party management company
- O.A. will be managed by independent 3rd party management company
- The common areas will be owned and maintained by an O.A.
- Centralized mail rooms with parcel pick-up accommodations



Example of outdoor seating area and architectural emphasized entrances.



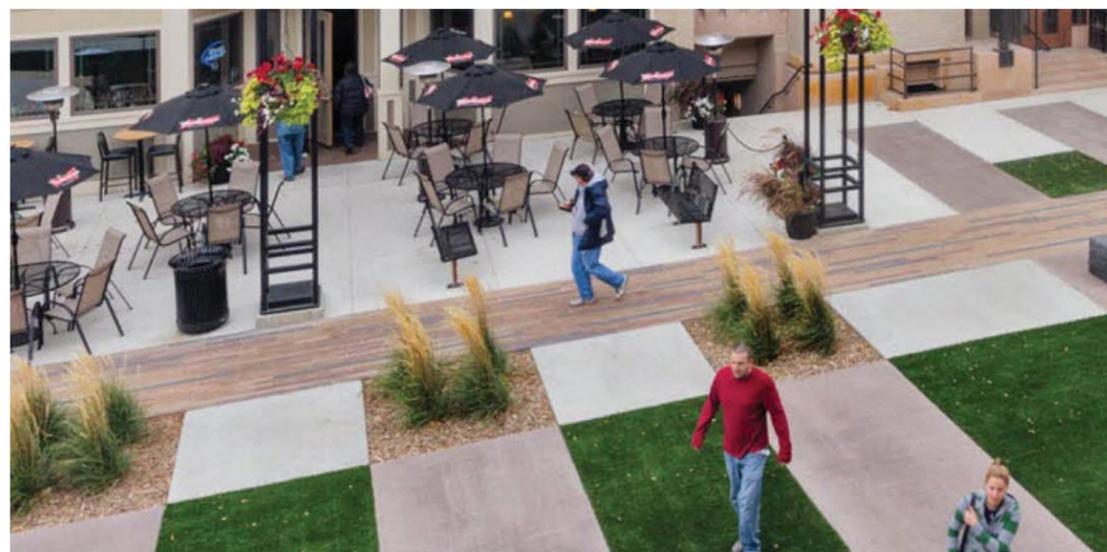
Example pedestrian oriented street-scape



Example of possible street-scape



Example of pedestrian scale lighting



Example of possible outdoor dining and plaza area



Example of activity areas

- Phase 1 (WGNS Relocation)
- Phase 2 (Parking Garages)
- Phase 3 (Building 3)
- Phase 4 (Building 1)
- Phase 5 (Building 2)
- Phase 6 (Hotel)

- The project is anticipated to be built in 6 phases.
- During this process City Hall shall maintain the functionality of its utilities unless a temporary shut-off is needed to proceed with construction.
- Demo of existing buildings and utilities will occur during Phase 1 and 2.
- All phases will overlap in construction timing and work will be continuous on-site until all work is complete
- All amenities and open spaces shall be constructed within the phase they are shown and must be operational prior to the recording of the final section's plat.
- Centralized mail rooms for the development must be constructed and operational prior to the first home receiving their certificate of occupancy, per building.

Phase 1 Package:

- Northwest Broad Street and South Church Street Improvements to be completed by Certificate of Occupancy for building 1.
- Relocation of the WGNS building and construction of the new WGNS facility.

Phase 2 Package:

- Parking garages.

Phase 3 Package:

- Building 3

Phase 4 Package:

- Building 1

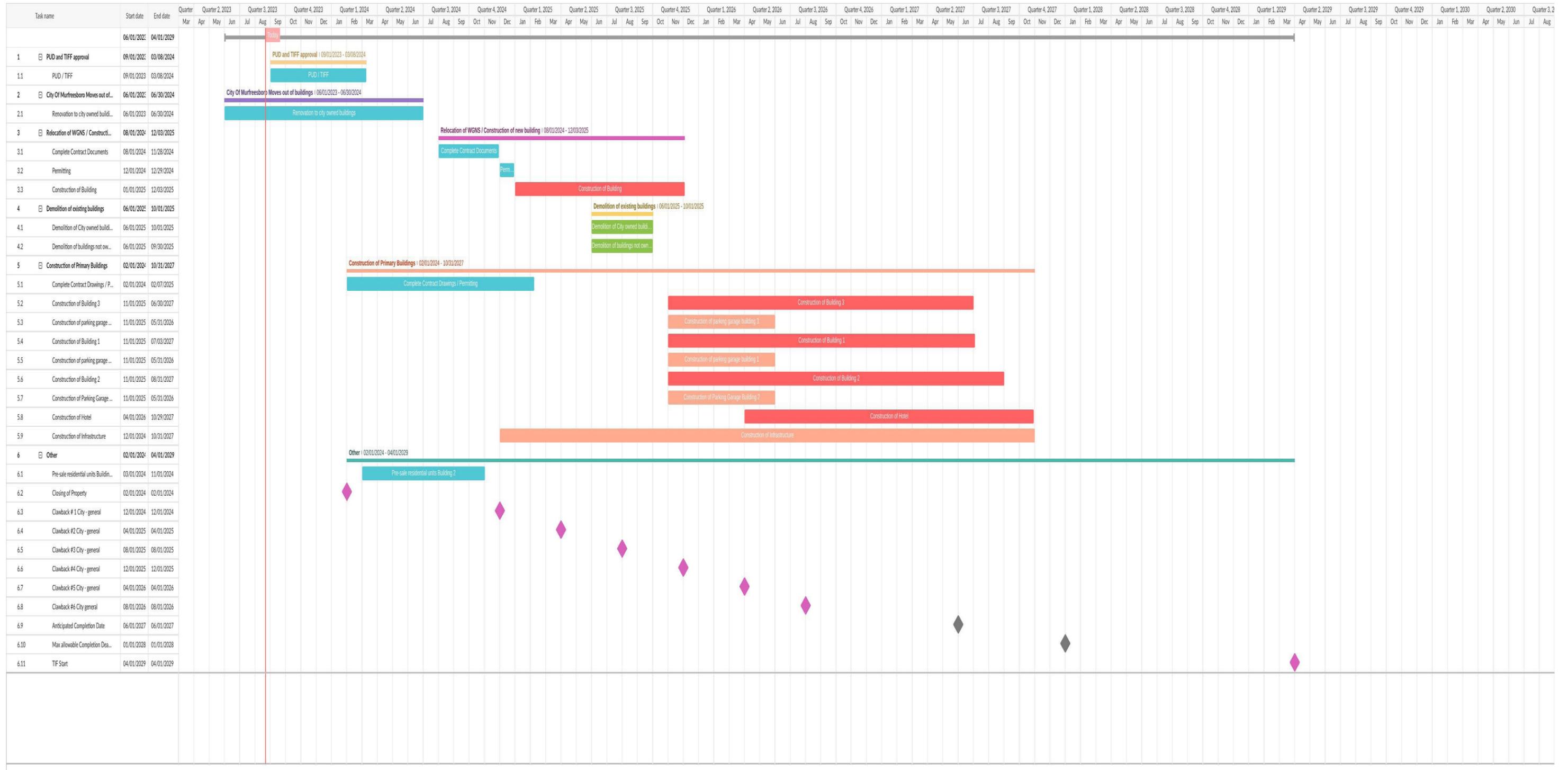
Phase 5 Package:

- Building 2

Phase 6 Package:

- East Vine Street and Northwest Broad Street Improvements to be completed by Certificate of Occupancy for Hotel.





Architectural Characteristics:

- All buildings will be a minimum of 4-stories, with potential 5-story in building 2 and the hotel.
- Building architectural style shall mimic the overall characteristics of the Historic Bottoms District, The Murfreesboro Square, and the North Highlands.
- Building elevation colors, material, and patterns, shall closely align with those of the surrounding architecture.
- Architecture shall abide by the sections as seen on page (18-23).
- All architecture shall be approved at the site plan level. But maintain to the guideline herein this pattern book.
- To facilitate a degree of architectural fluidity throughout the development, the total coverage of material, by category, can vary up to 5%. Such material categories shall include cementitious, stone, metal, wood, and void materials such as glass, ect. Such variations shall be approved by staff at the site plan level.
- Proposed colors shall complement and harmoniously exist with the color palette of downtown Murfreesboro. Exceptions can be made for accents or development defining themes as approved by planning commission at the site plan level.

Building heights:

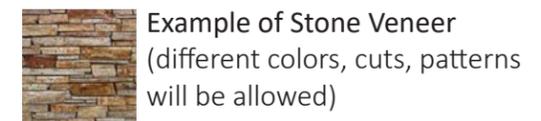
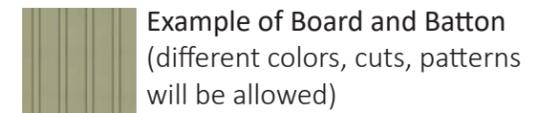
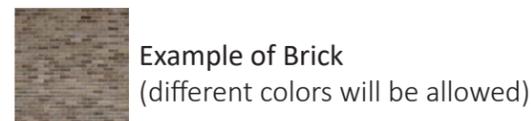
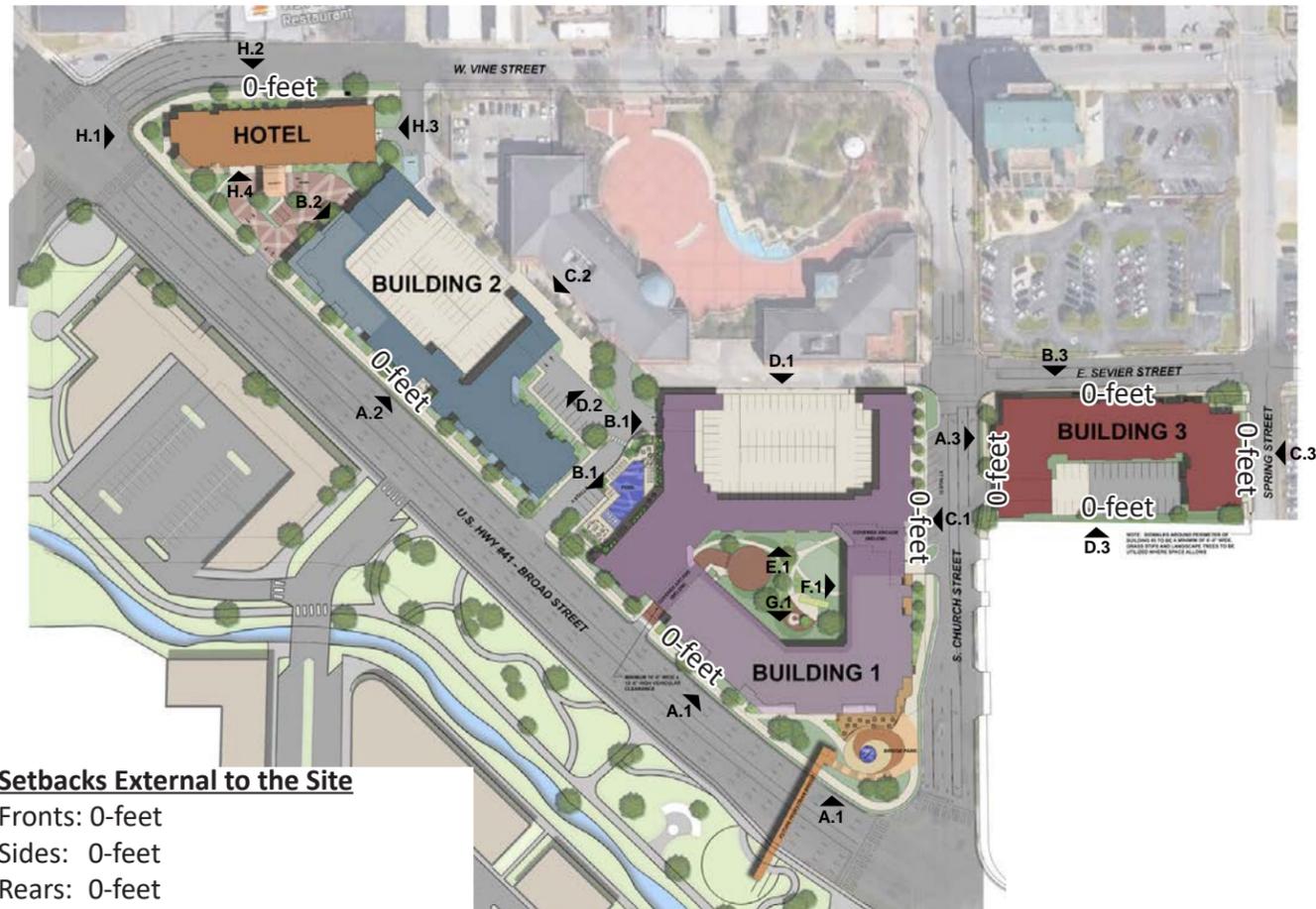
Building #1 (Broad Street / Church Street)
4 Stories: up to 70'-0"
(Occurs at greatest height)

Building #2 (broad street)
5 Stories: up to 70'-0"
(Occurs at greatest height)

Building #3 (sevier street)
4 Stories: up to 70'-0"
(Occurs at greatest height)

Hotel (sevier street)
5 Stories: up to 81'-0"
(Occurs at greatest height)

* Building heights are taken from the finished grade of the lowest level to the highest point of each building.



Building Materials:

Front Elevations:

Side Elevations:

Rear Elevations:

All Masonry (Brick, Stone, Cement Board Siding)
Cement Board Siding in the Dormers/Gables
All Masonry (Brick, Stone, Cement Board Siding)
Cement Board Siding in the Dormers/Gables
All Masonry (Brick, Stone, Cement Board Siding)
Cement Board Siding in the Dormers/Gables

Allowable Uses
DWELLINGS
Single-Family
OTHER HOUSING
Accessory Dwelling Unit
Bed-and-Breakfast Homestay
Bed-and-Breakfast Inn
Emergency Shelter
Hotel
INSTITUTIONS
Church
Lodge, Club, Country Club
Park
Philanthropic Institution
Public Building
AGRICULTURAL USES
Farm Labor and Management Services
COMMERCIAL
Antique Shop <3,000 sq. ft.
Apothecaries (pharmaceuticals only)
Art or Photo Studio or Gallery
Bakery, Retail
Bank, Branch Office
Bank, Drive-Up Electronic Teller

Bank, Main Office
Barber or Beauty Shop
Beer, Packaged
Book or Card Shop
Business School
Business and Communication Service
Catering Establishment
Clothing Store
Coffee, Food, or Beverage Kiosk
Convenience Sales and Service, maximum 5,000 sq. ft. floor area
Delicatessen
Dry Cleaning
Dry Cleaning Pick-Up Station
Financial Service - Excluding Cash Advance Buisness
Flower or Plant Store
Garage, Parking
Garden and Lawn Supplies
Glass--Stained and Leaded
Grocery Store
Group Assembly, <250 persons
Health Club
Ice Retail
Interior Decorator
Janitorial Service

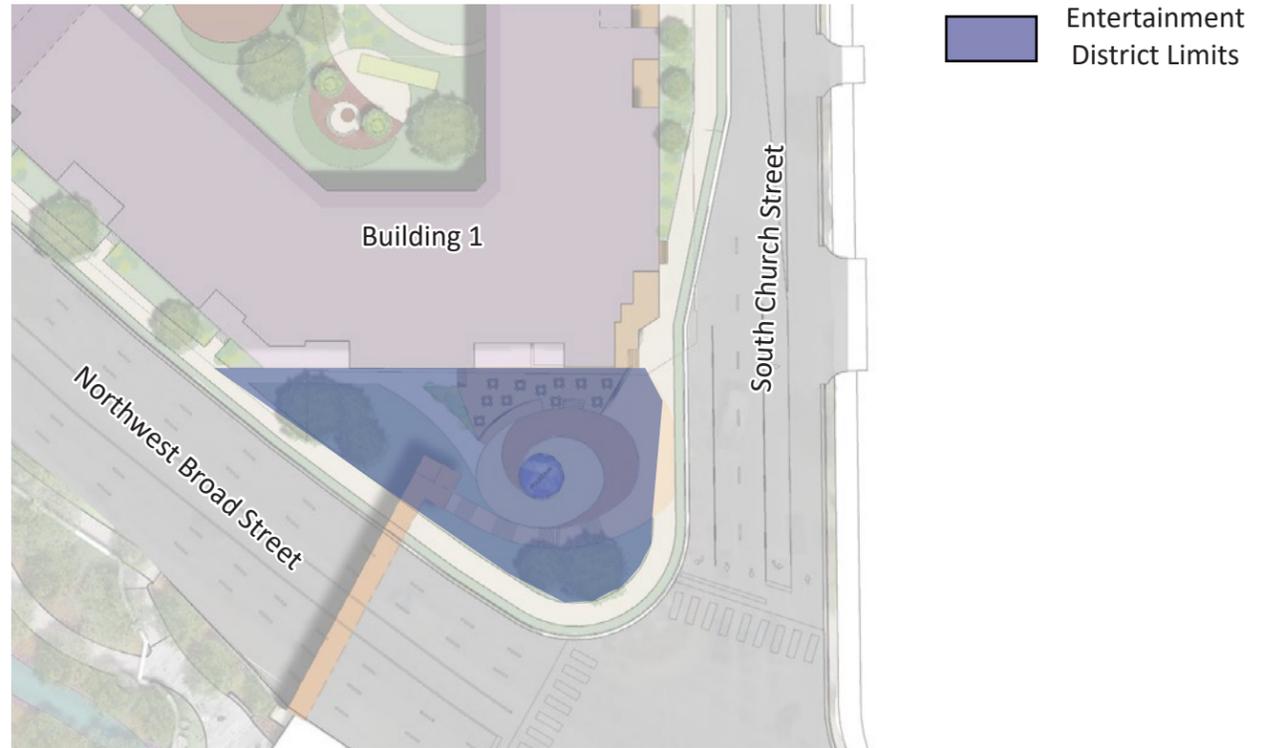
Karate, Instruction
Keys, Locksmith
Liquor Store
Offices
Optical Dispensaries
Personal Service Establishment
Pet Shops
Pharmacies
Photo Finishing
Reducing and Weight Control Service
Restaurant and Carry-Out Restaurant
Restaurant, Specialty
Restaurant, Specialty -Limited
Retail Shop, other than enumerated elsewhere
Specialty Shop
Tavern
Video Rental
Wholesaling
INDUSTRIAL
Printing and Publishing
PUBLIC SERVICES
Police Presinct
TRANSPORTATION AND PUBLIC UTILITIES
Post Office or Postal Facility
Telephone or Communication Services

Allowable Use Standards:

- An entertainment district is proposed for the “Bridge Plaza” of this development to facilitate the distribution of alcoholic beverages during permitted events.
- Serving of alcohol shall be done under the direct supervision of a professional catering service.

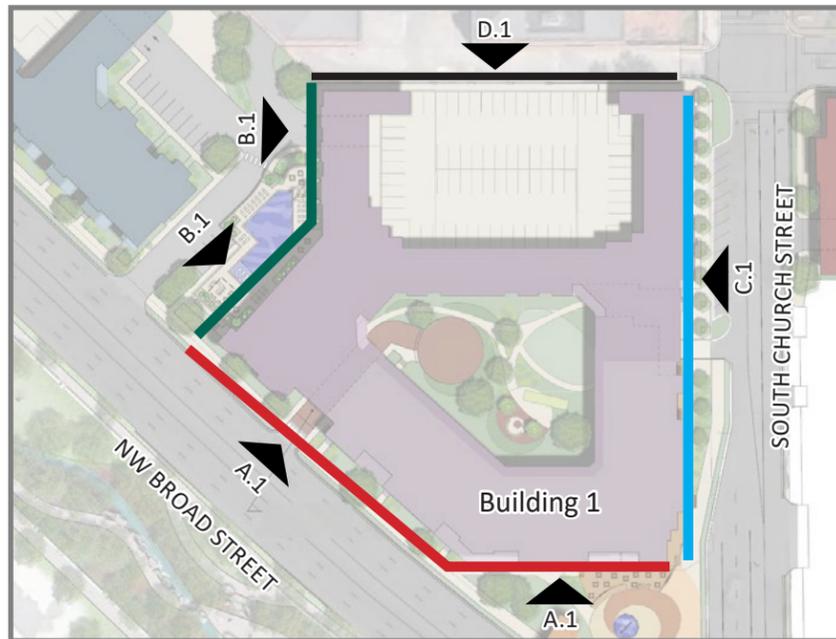
Prohibited Use:

- Vape/Cigarette Shop/Tobacco Shop
- Primary Pain Clinic
- Primary Drug and Alcohol Rehab Centers
- Liquor Store





BUILDING 1 - ELEVATION A.1 (RED) - NORTH WEST BROAD STREET ELEVATION | BROAD STREET AND SOUTH CHURCH INTERSECTION ELEVATION



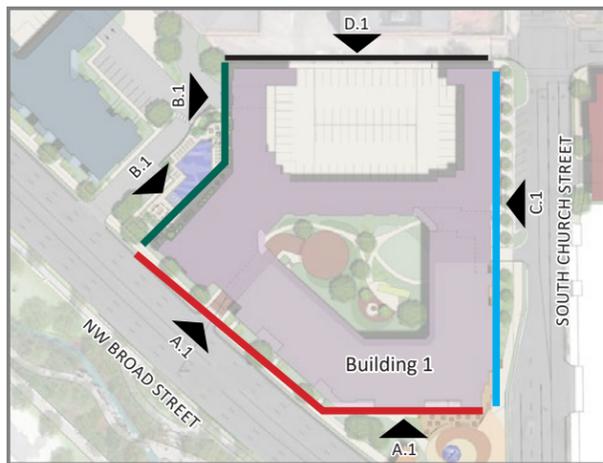
BUILDING 1 - ELEVATION B.1 (GREEN) - POOL SIDE AND LEASING OFFICE SIDE ELEVATION



BUILDING 1 - ELEVATION C.1 (BLUE) - SOUTH CHURCH STREET ELEVATION



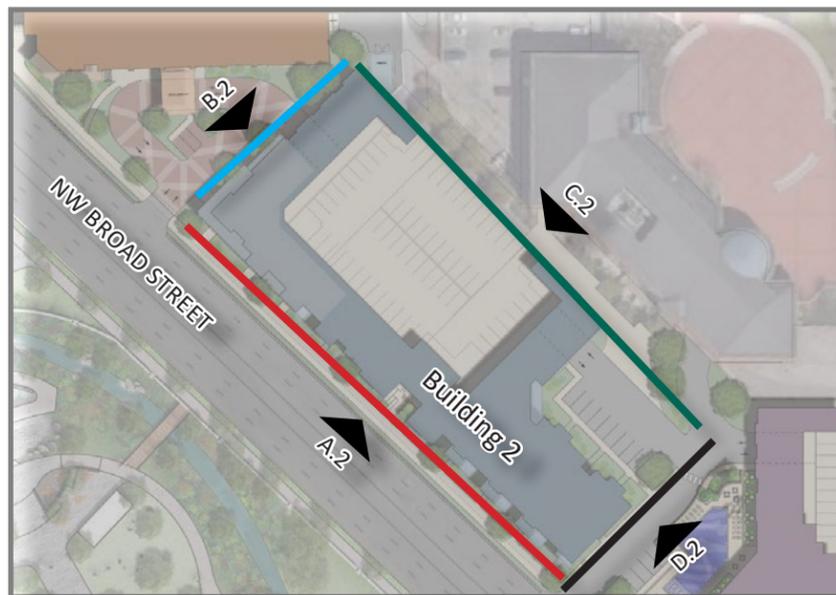
BUILDING 1 - ELEVATION D.1 (BLACK) - NORTH (FACING CITY HALL & LIBRARY) ELEVATION



*Architecture shown above is not to scale



BUILDING 2 - ELEVATION A.2 (RED) - NORTH WEST BROAD STREET ELEVATION

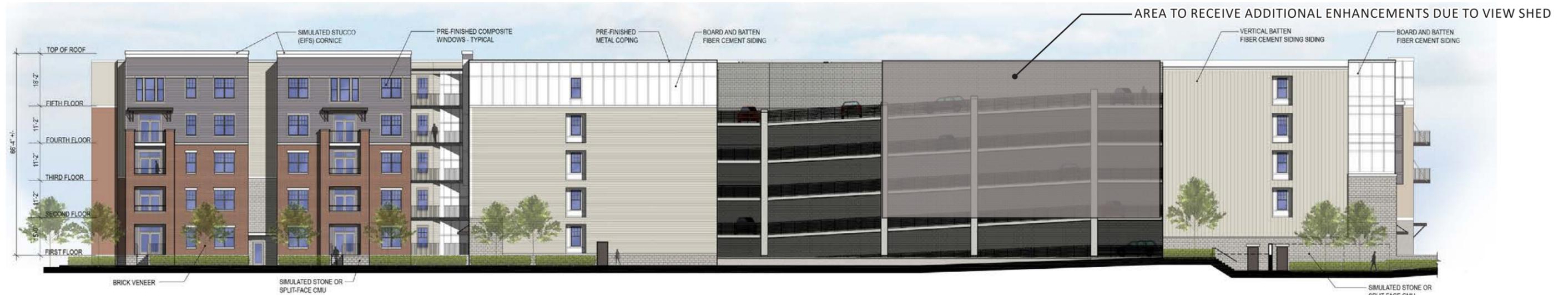


***Building 2 consists of 80-100 for sale residential units. In order to provide 100 for-sale residential units the building must be five stories. If the development team decides to build 80 for-sale residential units due to market constraints the elevations will be reduced to four stories. If that takes place, a floor will be removed but the general composition of massing and material use as depicted in the elevations will be maintained.

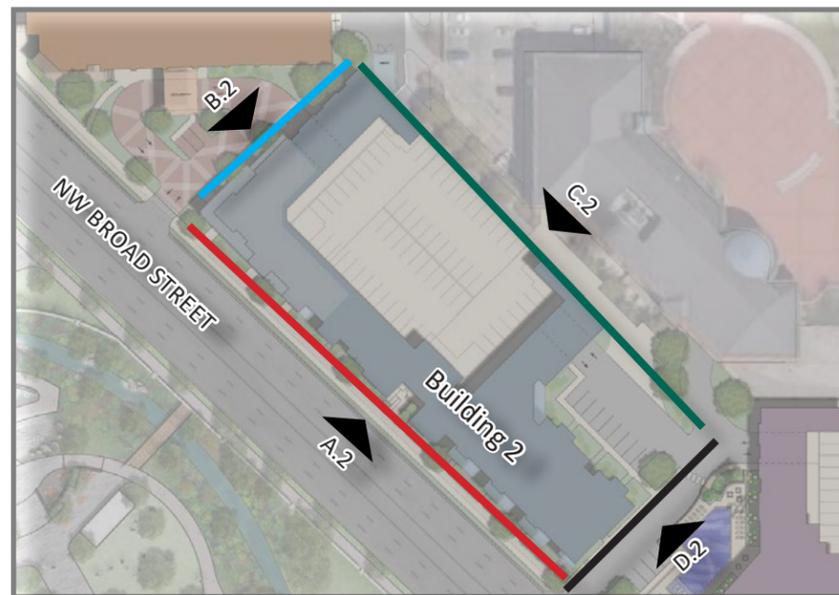


BUILDING 2 - ELEVATION B.2 (BLUE) - NORTHWEST (FACING HOTEL) ELEVATION

*Architecture shown above is not to scale



BUILDING 2 - ELEVATION C.2 (GREEN) - NORTH EAST (FACING CITY HALL) ELEVATION

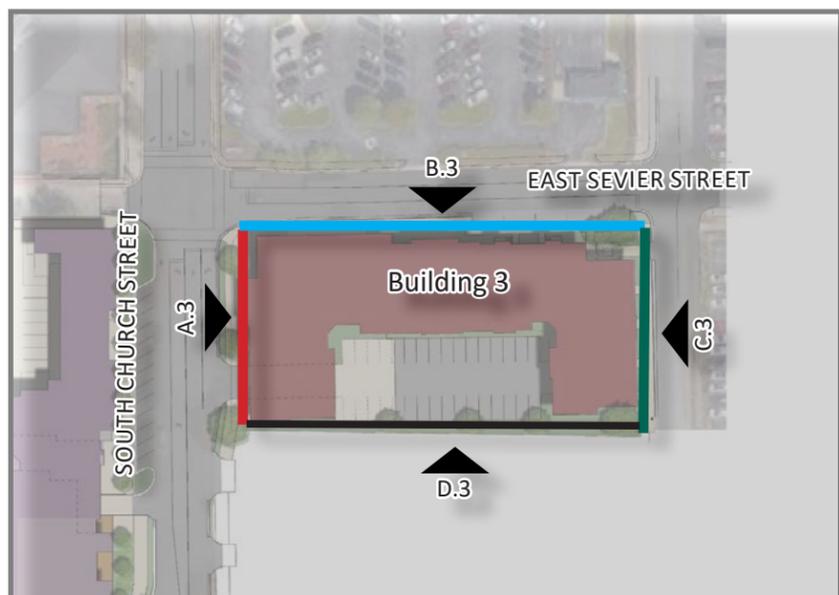


BUILDING 2 - ELEVATION D.2 (BLACK) - SOUTHEAST (NORTHWEST BROAD ENTRANCE) ELEVATION

*Architecture shown above is not to scale



BUILDING 3 - ELEVATION A.3 (RED) - SOUTH CHURCH STREET ELEVATION

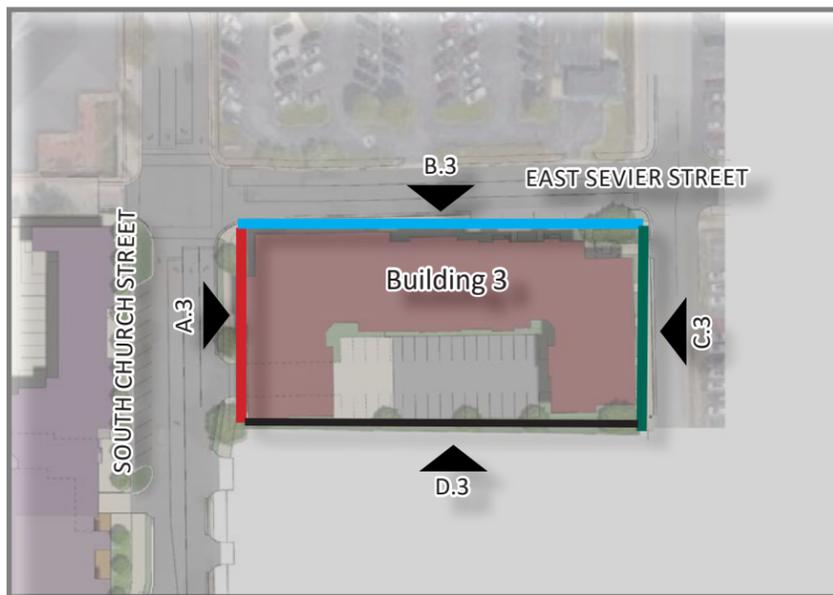




BUILDING 3 - ELEVATION B.3 (BLUE) - EAST SEVIER STREET ELEVATION



BUILDING 3 - ELEVATION C.3 (GREEN) - STATE STREET ELEVATION

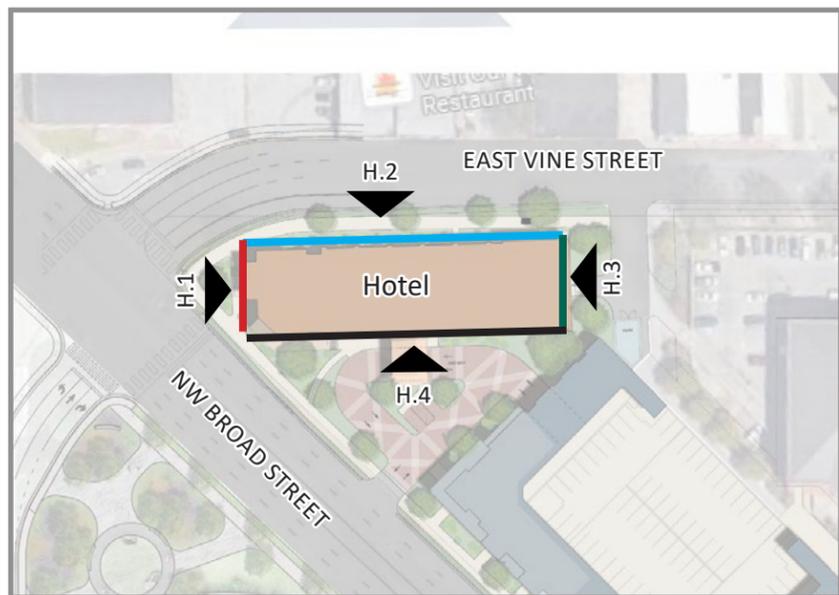


BUILDING 3 - ELEVATION D.3 (BLACK) - SOUTH ELEVATION

*Architecture shown above is not to scale



HOTEL - ELEVATION H.1 (RED) - NORTH WEST BROAD AND VINE INTERSECTION ELEVATION



HOTEL - ELEVATION H.2 (BLUE) - EAST VINE STREET ELEVATION

*** Hotel consists of 80-150 keys. In order to provide 150 keys the building must be five stories. If the development team decides to build 80 keys due to Hotel Operator preference the elevations will be reduced to three to four stories. If that takes place, floors will be removed but the general composition of massing and material use as depicted in the elevations will be maintained.



HOTEL - ELEVATION H.3 (GREEN) - EAST (VINE STREET ENTRANCE) ELEVATION

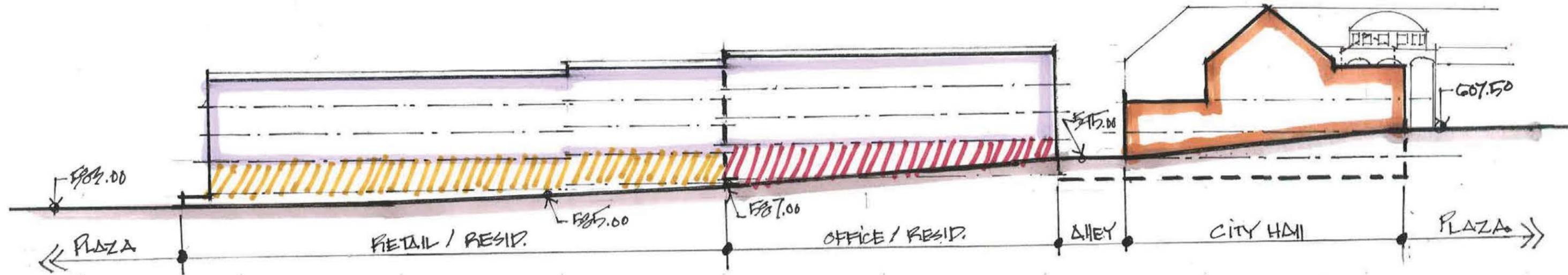


HOTEL - ELEVATION H.4 (BLACK) - DROP-OFF ELEVATION

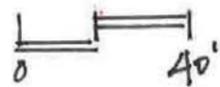
*** Hotel consists of 80-150 keys. In order to provide 150 keys the building must be five stories. If the development team decides to build 80 keys due to Hotel Operator preference the elevations will be reduced to three to four stories. If that takes place, floors will be removed but the general composition of massing and material use as depicted in the elevations will be maintained.

*Architecture shown above is not to scale

CROSS SECTION



SECTION THRU
SOUTH CHURCH ST.



- RETAIL
- OFFICE
- RESIDENTIAL
- CITY HALL



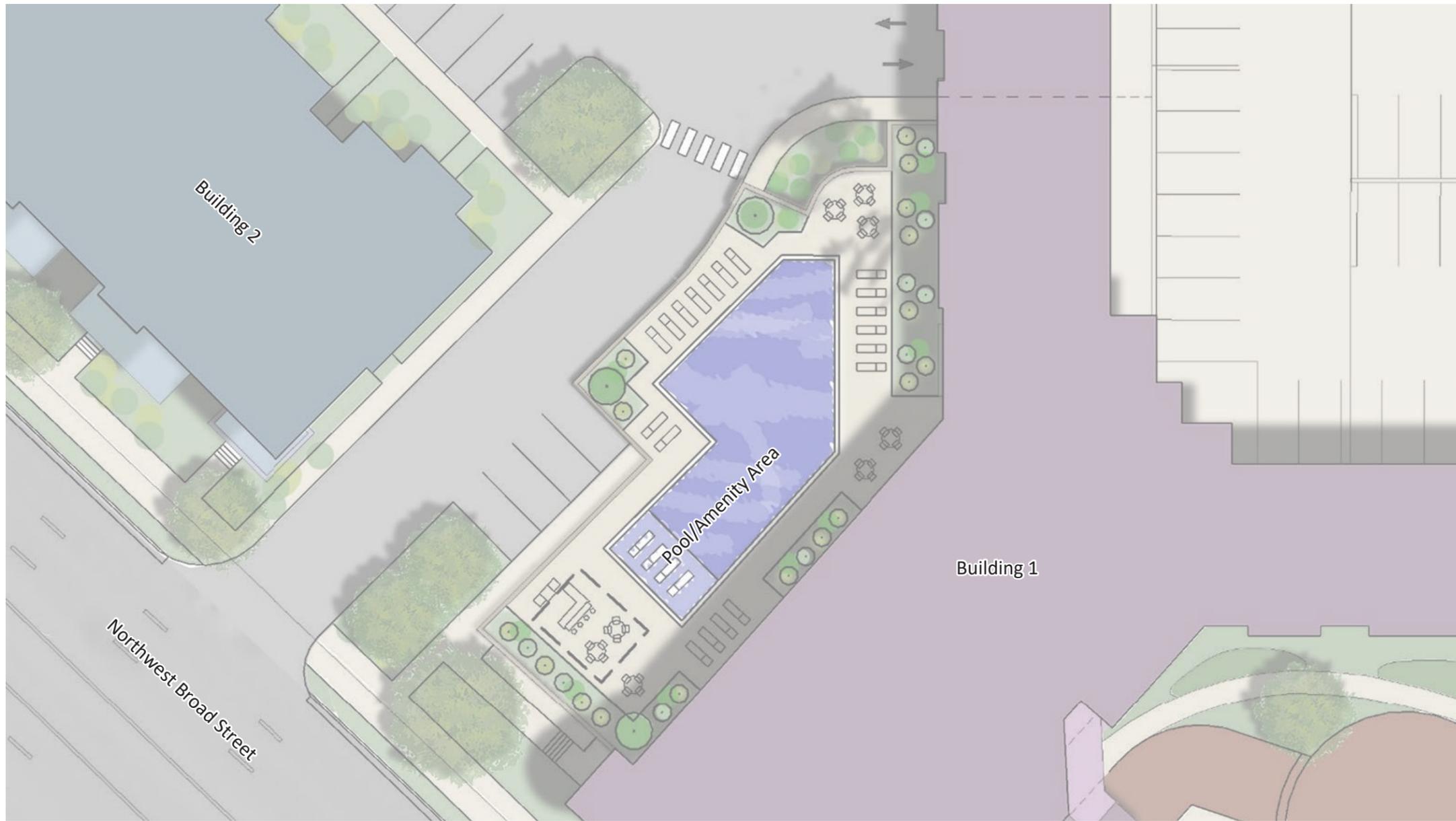
MASSING STUDY VIEW



With this request, Broad Street Redevelopment will be dedicating open space throughout the site. The open space areas will be comprised of usable open space areas dedicated to both pedestrian and resident uses. Usable open space areas around the development will offer such amenities as; plazas, a pool, community space & game room, dog wash station and salon, fitness center, shared dog park, and grilling station.

-  Amenity Areas
-  Urban Streetscape





Example of Pool



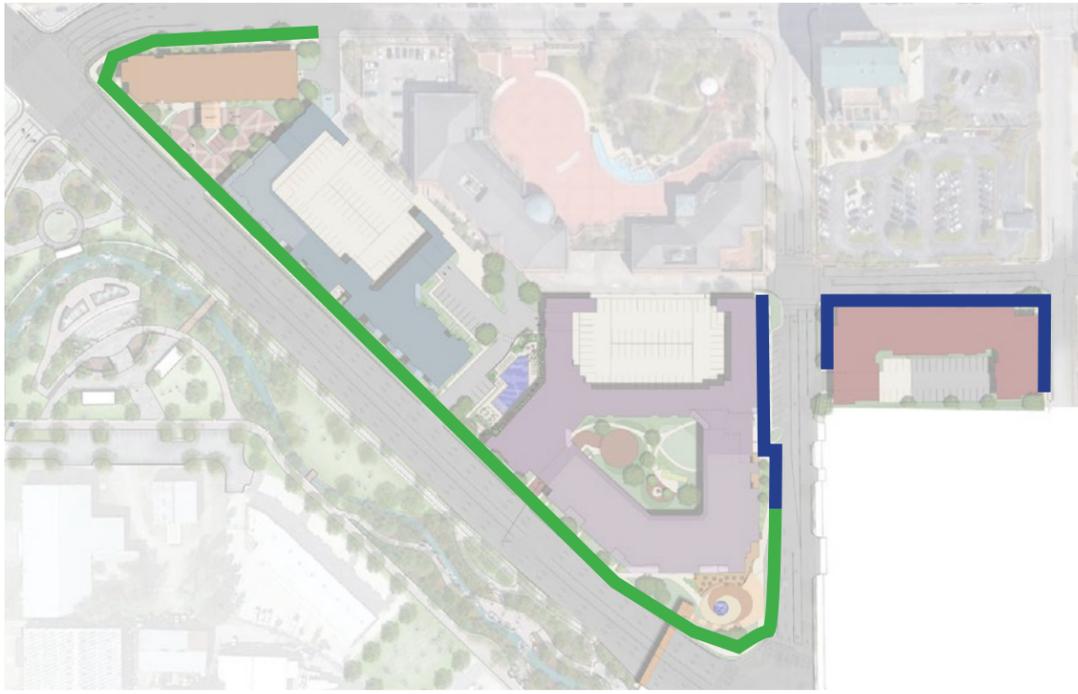
Example of Community Space



Example of Outdoor Seating



Example of Outdoor Plaza Area



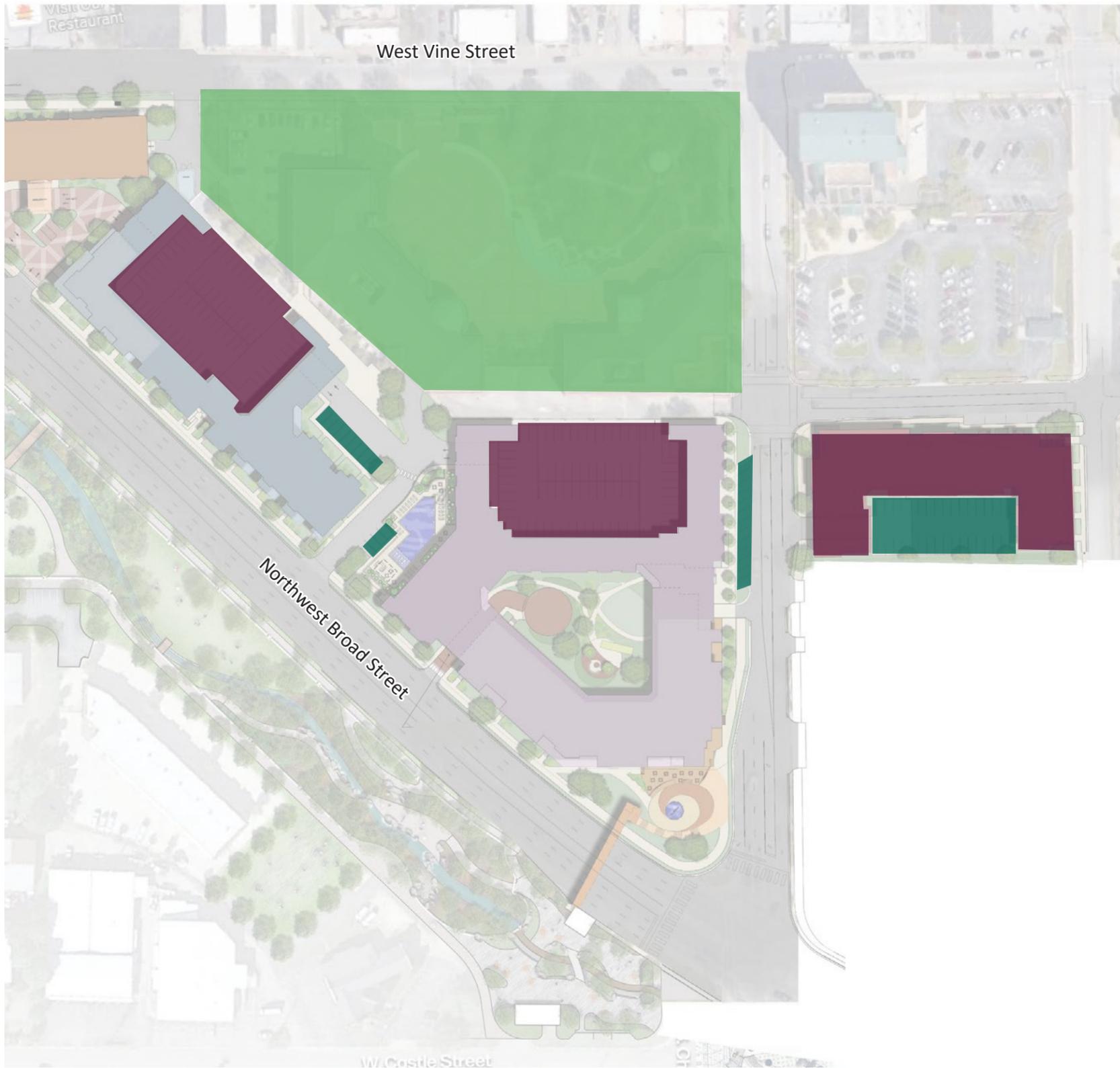
- █ 4' Grass Strip with 10' Sidewalk
- █ 6' sidewalk with tree wells or enhanced landscape alternative

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 to the surrounding areas. To ensure these characteristics, some standards are outlined below as well as a sample palette provided.

Landscaping Characteristics:

- 4-foot wide grass strip between street and pedestrian paths, planted with trees located approximately 40 feet on center.
- Public rights-of-way screened from off-street surface parking by use of landscaping and/or berming.
- All above ground utilities and mechanical equipment screened with landscaping and/or walls.
- Solid waste enclosure screened with a masonry wall and enhanced with landscaping.





TOTAL PARKING REQUIRED FOR PROPOSED DEVELOPMENT
 RESIDENTIAL UNITS = 463 STALLS
 HOTEL = 146 STALLS
 OFFICE / RETAIL = 129 STALLS
 TOTAL = 738 STALLS

* THE 25% SHARED PARKING REDUCTION APPLIES TO THE
 "NEIGHBORHOOD SHOPPING CENTER" USE.

TOTAL REQUIRED PARKING FOR HOTEL(146), OFFICE (5),
 RETAIL (129) = 280 STALLS

25% PARKING REDUCTION = 70 STALLS

TOTAL REQUIRED PARKING AFTER REDUCTION
 (738 - 70 STALLS) = 668 STALLS

TOTAL PROVIDED PARKING = 774 STALLS

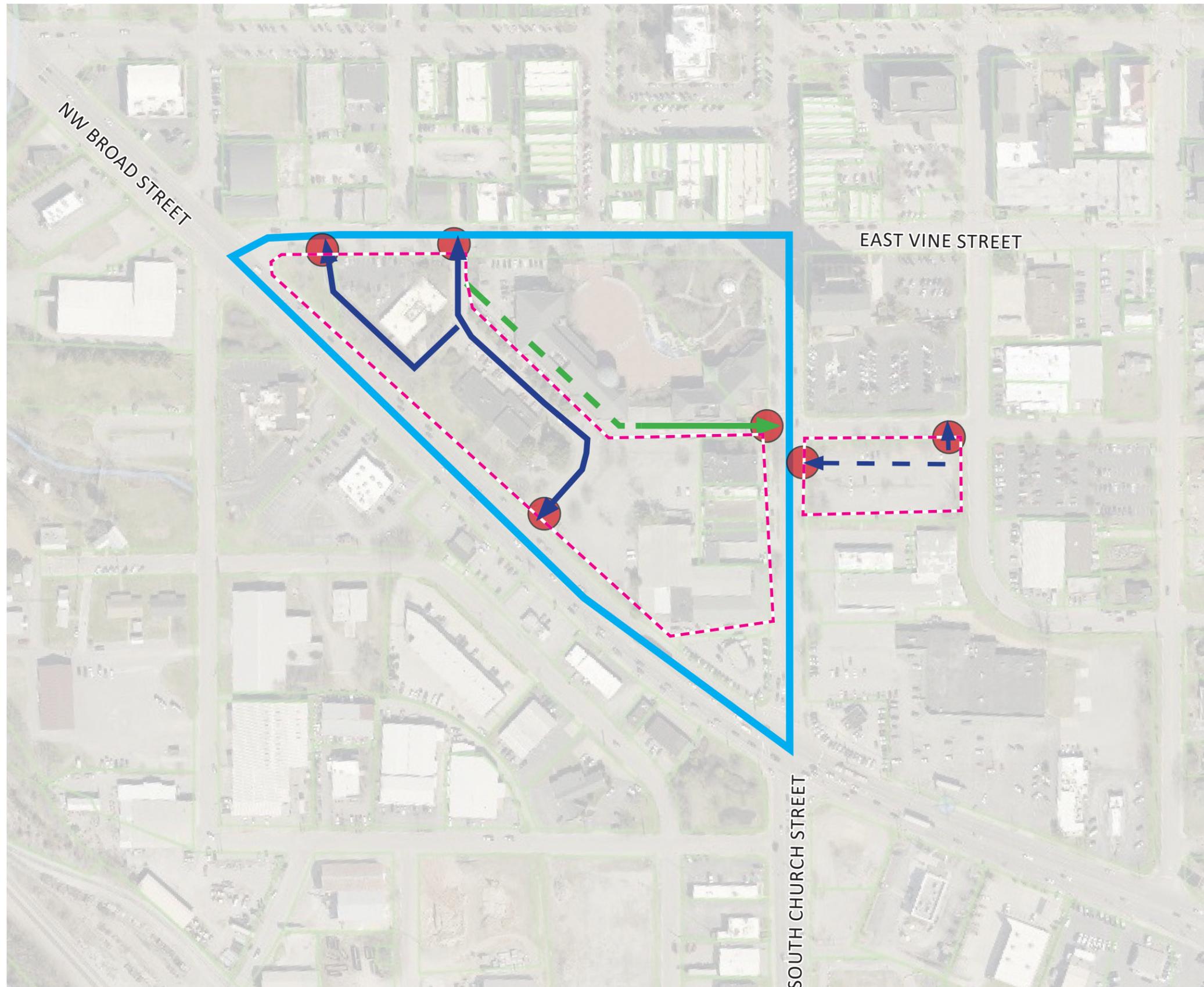
35% OF 774 STALLS PROVIDED PARKING CAN BE COMPACT
 SPACES (IF NEEDED) = 270 STALLS

* THE ABOVE CALCULATIONS ARE BASED ON THE CURRENT
 DESIGN. THE DEVELOPMENT AGREEMENT ALLOWS A TOTAL OF 239
 APARTMENTS AND 100 CONDOMINIUMS, MAX.

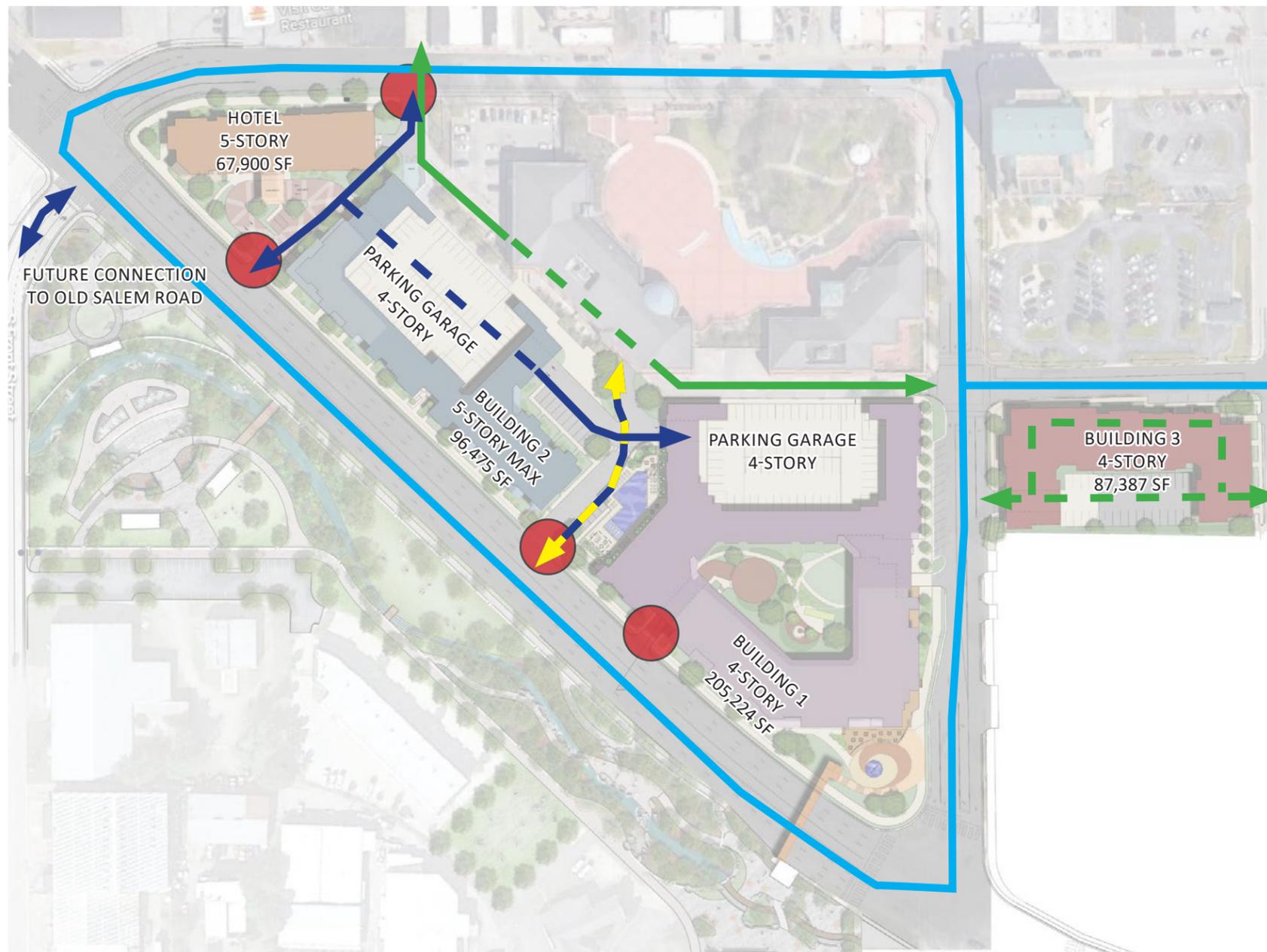
* THIRTY FIVE PERCENT (35%) OF THE PARKING SPACES WITHIN
 THE PARKING STRUCTURE ARE COMPACT SPACES (7'-6" WIDE). THE
 COMPACT SPACES WILL BE SPREAD OUT AMONGST ALL FLOORS OF
 THE PARKING GARAGE. THE REMAINING STANDARD SPACES ARE 8'-
 6" WIDE. BOTH THE COMPACT AND STANDARD SPACES SIZES ARE
 TYPICAL FOR PARKING GARAGES IN SURROUNDING MUNICIPALITIES.

*ALL HANDICAP SPACES ARE INCLUDED WITHIN THE REQUIRED
 PARKING AND ARE ALLOWED TO BE USED FOR REQUIRED PARKING.

- Existing Parking to Remain
- Proposed Parking Structures
- Proposed Surface Parking

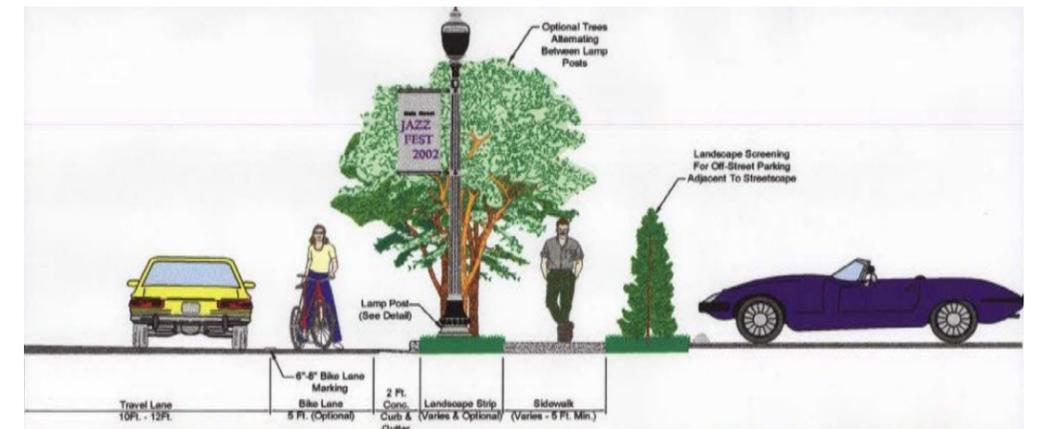
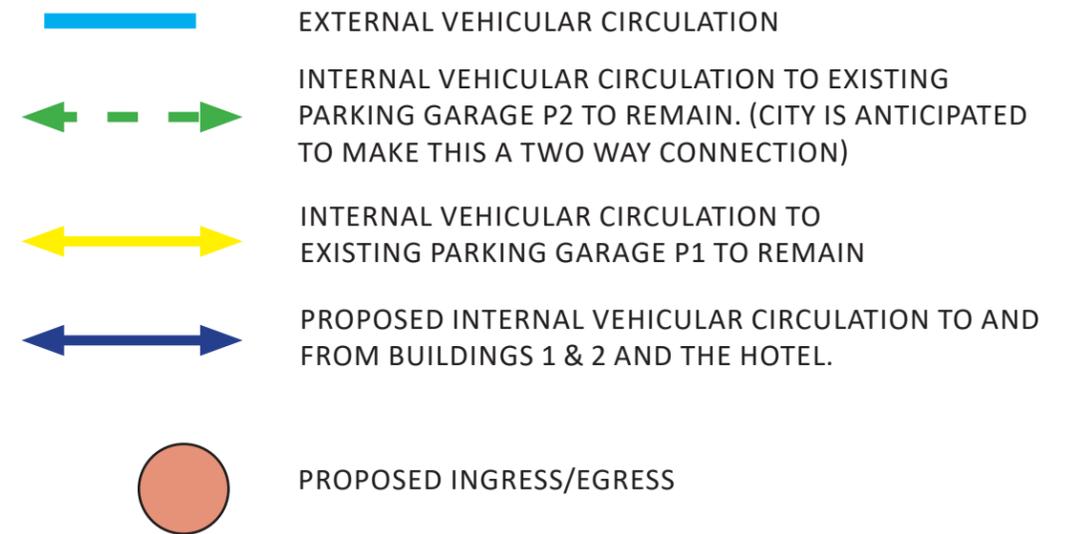


- ● ● EXTERNAL VEHICULAR CIRCULATION
- ↔ INTERNAL VEHICULAR CIRCULATION
- ↔ INTERNAL VEHICULAR CIRCULATION TO PARKING GARAGE P2 (INSIDE GARAGE)
- ↔ INTERNAL VEHICULAR CIRCULATION TO PARKING GARAGE P2 (OUTSIDE GARAGE)
- EXISTING INGRESS/EGRESS



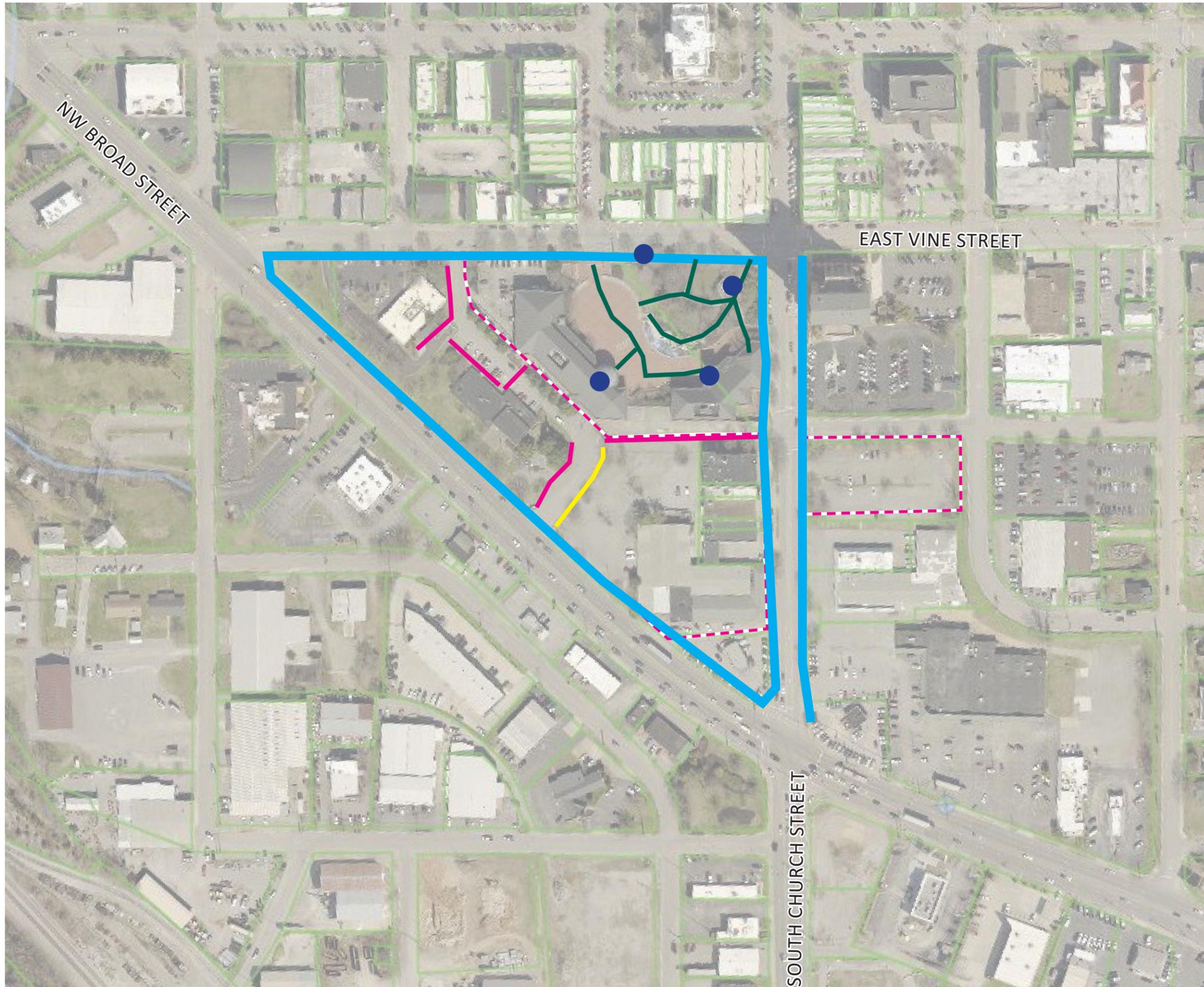
The proposed site layout provides three additional parking garages within the development. Vehicular circulation will continue to have access to the existing City Hall parking garage per floor as it exists. However, there are some changes to this traffic pattern. Tommy Martin Drive will no longer connect Northwest Broad Street to West Vine Street, instead it shall be utilized as part of the proposed internal circulation connecting Building 1 parking garage, Building 2 parking garage, and the Hotel main entrance/drop-off area (As seen per the blue arrows). Entrances to the site have been established along existing roadways and will be emphasized by the proposed architecture.

This site is also part of the Main Street Revitalization Plan. This plan calls for the Northwest Broad Street to be upgraded, at a minimum, to a Type 3 streetscape.

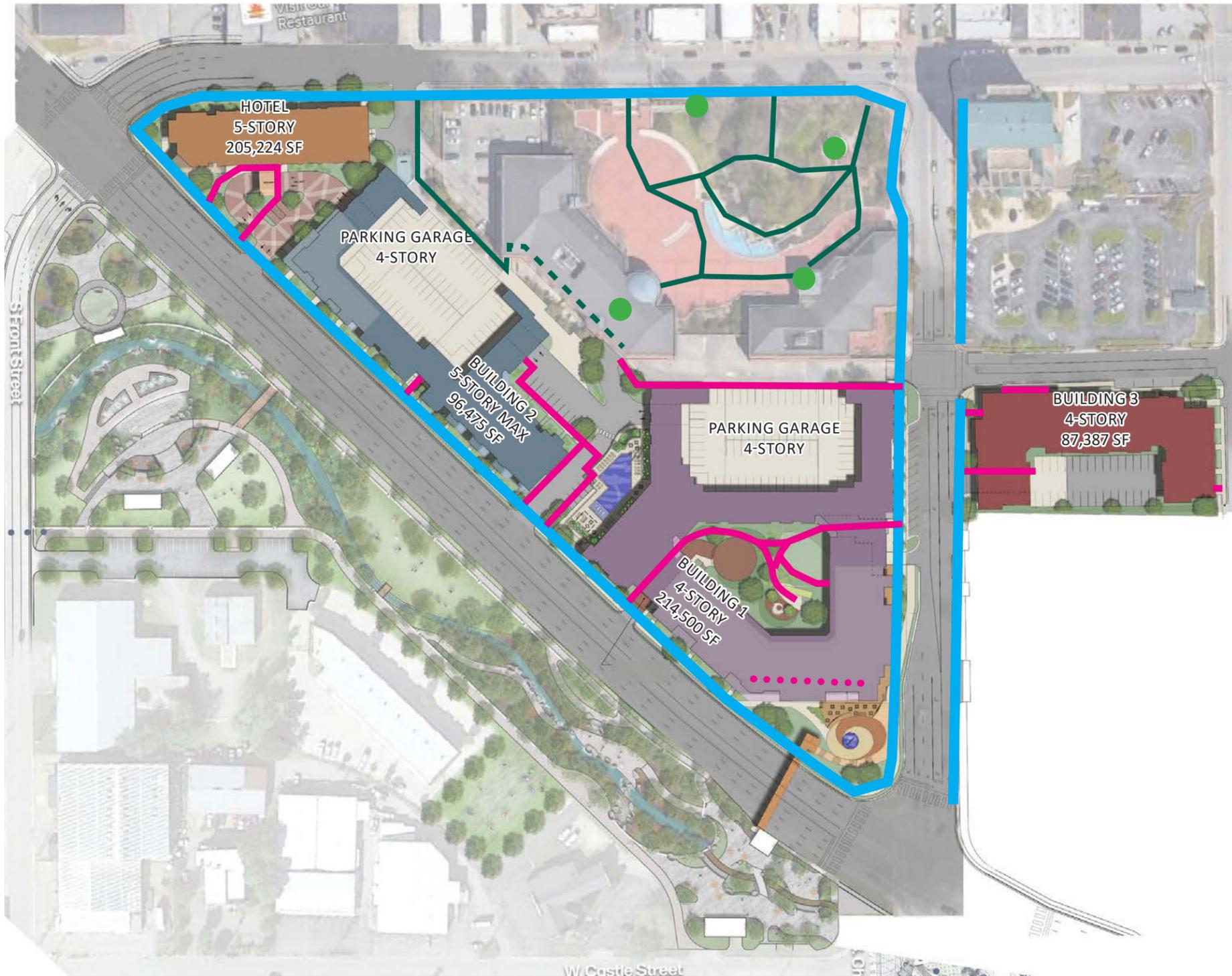


MAIN STREET REVITALIZATION PLAN - TYPE 3 STREETScape

SITE LIGHTING WILL CONSIST OF BOTH 35' AND 12' TALL STREET LIGHTS TO SERVICE BOTH VEHICLES AND PEDESTRIAN, SIMILAR TO MEDICAL CENTER PARKWAY PER MTE.



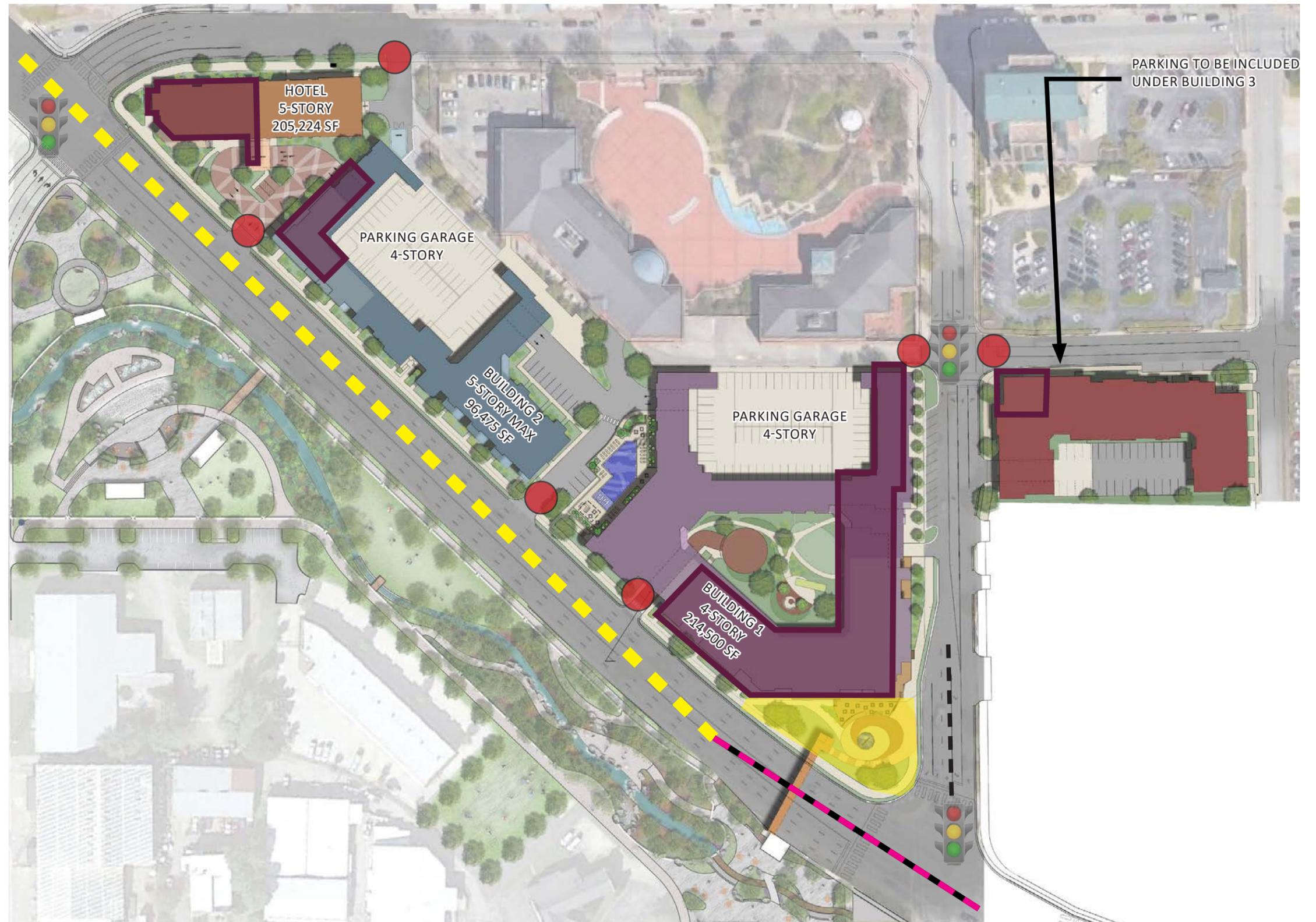
- EXTERNAL EXISTING PEDESTRIAN CIRCULATION
- INTERNAL EXISTING PEDESTRIAN CIRCULATION
- CITY MAINTAINED PEDESTRIAN CIRCULATION
- PEDESTRIAN ACCESS TO PARKING GARAGE



The proposed site layout provides for ample pedestrian circulation to the various portions of the site and neighboring businesses and amenities. The exterior pedestrian circulation around the perimeter of the site will provide a 10' walking path, except at Sevier and State Street, which will have a minimum 5' sidewalk. The internal pedestrian circulation will provide the residence, tenants, and visitors access from the exterior pathways to the parking garages, retail areas, and amenities. Crosswalks have been provided at the signalized intersections along Northwest Broad Street to provide for pedestrian circulation into and out of the site. Internal pedestrian circulations will be predominantly for those parking on site as well as for those working in the various businesses proposed there-in. By keeping the majority of the pedestrian circulation to the exterior of the site, the development is able to implement the pedestrian characteristics set forth in the Historic Bottoms Overlay Plan.

- ▬ EXTERNAL PROPOSED PEDESTRIAN CIRCULATION
- ▬ INTERNAL PROPOSED PEDESTRIAN CIRCULATION
- ▬ CITY MAINTAINED PEDESTRIAN CIRCULATION
- CITY MAINTAINED PEDESTRIAN CIRCULATION BELOW GRADE (STAIRS OR ELEVATORS)

The proposed site layout provides for ample pedestrian circulation to the various portions of the site and neighboring businesses and amenities. The exterior pedestrian circulation around the perimeter of the site will provide a 10' walking path, except at Sevier Street, State Street, and along a small portion of South Church Street between buildings 1 and 3, which will have a minimum 6' sidewalk. The internal pedestrian circulation will provide the residence, tenants, and visitors access from the exterior pathways to the parking garages, retail areas, and amenities. Crosswalks have been provided at the signalized intersections along Northwest Broad Street to provide for pedestrian circulation into and out of the site. Internal pedestrian circulations will be predominately for those parking on site as well as for those working in the various businesses proposed there-in. By keeping the majority of the pedestrian circulation to the exterior of the site, the development is able to implement the pedestrian characteristics set forth in the Historic Bottoms Overlay Plan.





NW Broad Street Section - Typical Mid-Block Length



South Church Street Cross Section at Intersection with NW Broad Street



NW Broad Street Section at Intersection with South Church Street



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

Response: The exhibits on Pages 03-07 provide the requested materials.

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

Response: The exhibits on Pages 03-07 provide the requested materials.

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: The exhibits on Pages 03-07 provide the requested materials.

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 plan(s) shown on Page 08 show the requested materials.

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

Response: The plan(s) shown on Page 08 show the requested materials.

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

TOTAL SITE AREA	401,623 s.f.
TOTAL MAXIMUM FLOOR AREA	462,000 s.f.
TOTAL LOT AREA	401,623 s.f.
TOTAL BUILDING COVERAGE	92,378 s.f.
TOTAL DRIVE/ PARKING AREA	289,415 s.f.
TOTAL RIGHT-OF-WAY	0 s.f.
TOTAL LIVABLE SPACE	112,208 s.f.
TOTAL OPEN SPACE	80,324 s.f.
FLOOR AREA RATIO (F.A.R.)	1.15
LIVABILITY SPACE RATIO (L.S.R.)	0.05
OPEN SPACE RATIO (O.S.R.)	0.77

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 CH. The surrounding area has a mixture of commercial and civic use properties. The concept plan and development standards combined with the architectural requirements of the homes shown within this booklet align and closely mimic the type of developments in the surrounding neighborhoods and are envisioned to complete the development in this area.

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

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

Response: The project is anticipated to be developed in six phases.

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 Pages 09 and 16.

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.

SETBACKS	MU	PUD	DIFFERENCE	SETBACKS	CITY CORE OVERLAY	PUD	DIFFERENCE
Front Setback	15.0'	0.0'	-15.0'	Front Setback	20.0'	0.0''	-20.0'
Side Setback	10.0'	0.0'	-10.0'	Side Setback	0.0'	0.0'	0.0'
Rear Setback	20.0'	0.0'	-20.0'	Rear Setback	0.0'	0.0'	0.0'
Minimum Lot Size	5AC	N/A	N/A	Minimum Lot Size	N/A	N/A	N/A
Minimum Lot Width	100'	N/A	N/A	Minimum Lot Width	N/A	N/A	N/A

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 in the Historic Bottoms Character Area and the City Core Overlay District. No portions of this property lies in Zone AE, within the 100-year floodplain, according to the current FEMA Flood Panel 47149C0260J eff 5/9/2023.

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

Response: Pages 3 & 19 discusses the Major Thoroughfare Plan.

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 HPR Residential, 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 11-15 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, and will be reviewed by Planning Commission at site plan level.

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: No monument signage is proposed at this time.

Land Use Parameters and Building Setbacks							
Zoning (Existing vs Proposed)	CH (Existing)	CBD (Existing)	MU (Comparative)	Historic Bottoms DCB (Comparative)	CCO (Comparative)	Proposed PUD	Difference
Residential Density							
Maximum Dwelling Units Multi-Family	Not Allowed	none	25 units/acre		N/A	44 units/acre	+19 units/acre
Minimum Lot Area	none	none	5 AC		N/A	NA	NA
Minimum Lot Width	none	none	100'		N/A	NA	NA
Minimum Setback Requirements							
Minimum Front Setback	42'	0'	15'	Close to sidewalk	Average of Block Face Build-To-Line - 20'	0'	-20'
Minimum Northwest Broad Street Setback (Major Arterial)	42'	0'	50'		Average of Block Face Build-To-Line - 20'	0'	-20'
Minimum South Church Street Setback (Collector)	42'	0'	50'		Average of Block Face Build To Line - 16.7'	0'	-16.7'
Minimum East Sevier Street Setback (Local)	42'	0'	15'		Average of Block Face Build-To-Line - 20'	0'	-20'
Minimum West Vine Street Setback (Collector)	42'	0'	50'		Average of Block Face Build-To-Line - 20'	0'	-20'
Minimum Side Setback	10'	none	10'		N/A	0'	0'
Minimum Rear Setback	20'	none	20'		N/A	0'	0'
Minimum Setback Between Buildings or Parking Structures	20'	none	20'		20'	10'	-10'
*Building seperation shall comply to Murfreesboro Codes							
Land Use Intensity Ratios							
MAX FAR	none	none	None		Not Required	None	NA
Maximum Lot Coverage	none	none	None		75%	80%	+5%
Minimum Livable Space Ratio	none	none	None		Not Required	None	NA
Minimum Open Space Requirement	20%	0%	20%		15%	15%	0%
Minimum Formal Open Space Requirement	5%	0%	5%		5%	5%	0%
Max Height	75'	75'	75' For Multi-Family 150' for Mixed-Use	6-story With Residential	Underlying District	See page 16 for proposed building heights (81' Max)	-69'
Parking Ratios (See Page 8 for Parking Calculations)	Per Chart 4 of the 2023 Zoning Ordinance		<u>Multi-Family Units:</u> 1.5 space per single bedroom unit 1.1 space per bedroom in multi-bedroom units <u>All Other Uses:</u> Per Chart 4 of the 2022 Zoning Ordinance	<u>Residential:</u> Formal on-street parking encouraged. Structured parking close to sidewalk w/ active uses (6-12' sidewalk), utilizing street trees of compact species	Parking shall abide by Chart 4 of the 2023 Zoning Ordinance, however may be reduced by 50% if on- street parking is available and/or may be reduced up to 75% if located within 750' of publicly available parking.	Parking shall abide by Development Agreement at 1 space per 1 bedroom/studio units and 2 spaces per two bedroom unit.	

***The development agreement takes precedent/supersedes the City of Murfreesboro Zoning Ordinance.

Exception Summary

1) Exceptions related to Parking stated in Zoning Ordinance Section 26(C)(6)(a), Section 26(E)(4), Chart 3 and Chart 5:

- 1.1 Parking shall be calculated upon the Development Agreement as shown on page 33
- 1.2 Allow compact spaces to be 7.6' wide (instead of 8.5' compact space width) with the capability of reducing the depth to 16' in front of columns if needed.
- 1.3 Allow standard stalls to be 8.5' wide (instead of the 9' wide required) by the 19' standard depth
- 1.4 Allow sidewalks adjacent to parking to be reduced from 7' to 6'.
- 1.5 Allow handicap spaces to be included within the minimum required parking count (instead of being excluded per parking standards Section 26(C)(2)(c)).
- 1.6 It is not clear where the required 2 loading spaces (with 10'x50' with 14' vertical clearance) are located within the project, so staff is unclear if this standard is anticipated to be included or an exception within the project (which comes out of Section 26(E)(4) and Chart 5).

2) Exceptions related to Landscape stated in Zoning Ordinance Section 27 and Section 24 Article VI-CCO:

- 2.1 Exclude any base of building plantings
- 2.2 Exclude any landscape yard requirements
- 2.3 Exclude any perimeter landscape requirements

3) Allow setbacks to be 0' adjacent to all streets ROWs and within the project interior as depicted on page 16 of the program book (so long as they meet building and fire codes).

4) Allow lot coverage of 80% (instead of the 75% allowed in the CCO, for 5% higher coverage)

- 5) Allow density of 44 units per acre (instead of the 25 units per acre that would be in the comparative mixed-use zoning district).

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
DECEMBER 6, 2023
PROJECT PLANNER: HOLLY SMYTH**

- 5.d. Proposed amendment to the Zoning Ordinance [2023-803] pertaining to**
- Section 2: Definitions**
 - Section 6: Amendments**
 - Section 7: Site Plan Review**
 - Section 9: Standards for Special Permit Uses**
 - Section 24: Overlay District Regulations, Article VI. CCO, City Core Overlay District**
 - Section 25: Temporary and Accessory Structures and Uses**
 - Section 26: Off-Street Parking, Queuing, and Loading**
 - Section 28: Non-Conformities**
 - Chart 1: Uses Permitted by Zoning District, with endnotes**
 - Chart 2 with endnotes, City of Murfreesboro Planning Department applicant.**

Throughout the year the City's Zoning Ordinance is modified in order to keep up with new policy direction, like the recently adopted updates to the 2035 Comprehensive Plan Land Use section, and for easier implementation. One of the challenges is to address outdated or missing definitions clearly so that particular uses are clearly understood and that use terminology is consistent with Chart 1. Additionally, opportunities may exist to reduce the amount of text within the overall document when items can be incorporated into tables.

The proposed changes add or modify existing definitions, make modifications to the City Core Overlay (CCO) District section, move existing prohibited uses listed in the CCO chapter into Chart 1, modify/add/delete some uses in Chart 1 with its endnotes, and modify Chart 2 mostly related to the RD district with its endnotes. Multiple planners within the department collaborated on these text revisions which staff has been tracking in redlined changes so the modifications may be clearly expressed to the Commission. Additions are shown via underlined text, moved text via double underlined text, and deletions via strike-through text. Only the proposed changes will be included; therefore, it may be helpful to review with a current copy of the Zoning Ordinance as a reference to better understand the context of the proposed amendments. Chart 1 modifications are highlighted in yellow for ease in locating the specific cells of change, with additional modifications since the workshop highlighted in orange.

The following is a brief synopsis of potential proposed changes that will be considered during a public hearing:

- 1) Updated definitions by removing the ones no longer used, modifying existing ones, and adding some new definitions consistent with Chart 1 uses.
- 2) Updated City Council's process on setting a public hearing for text and map amendments to reduce processing periods.
- 3) Updated the Site Plan section to include one foot contours which are now available, require information on potentially visible roof projections and equipment with site plan submittals, and potentially requiring a traffic impact report or analysis when peak hour traffic exceeds 100 trips.
- 4) Modified the City Core Overlay section to include references to the New General Plan Land Uses, clarifying non-conforming use/ structure policy consistent with practice, moving all prohibited uses from the text into a new column in Chart 1, cleaning up front setback and height language and the like.
- 5) Clarified accessory structure standards such that stand alone parking lots are still not allowed and increased the area that an accessory structure can be within the required rear yard from 25% to 50%.
- 6) Clarified policies on non-conforming structures.
- 7) Modified Chart 1 to add a CCO overlay column to reflect prohibited uses and make sure it is consistent with the CBD column as applicable (as the CBD is part of the CCO), modifying and adding some of the use titles consistent with the definitions, and modifying some of the Chart 1 endnotes.
- 8) Modified Chart 2 RS-4 district to have 50% maximum lot coverage, R-D District standards for #1 single family detached to use RS-4 standards, updated the side yard requirements for zero lot line types in all district to be 5', and modified Chart 2 endnotes.

The Planning Commission held a special workshop meeting on November 14, 2023 and brought up several areas for staff to look into further relating to parking lot policy, incorporating CBD and THC sales with the Tobacco/Vape Shop definition, providing technology and trade school definitions, and verifying Chart 1 CCO prohibitions are existing or new via underlined text if it is new.

Staff also reviewed the public comments provided at the workshop and incorporated some of those suggestions as well which will be reviewed during the public hearing. These modified sections that occur in the text portion of the document have been highlighted in yellow and reflected in orange on Chart 1 so that Planning Commission can more easily see the changes since the workshop.

Action Needed:

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

ZONING ORDINANCE UPDATES

SECTION 2. INTERPRETATION AND DEFINITIONS

SECTION 6. AMENDMENTS

SECTION 7. SITE PLAN REVIEW

SECTION 9. STANDARDS FOR SPECIAL PERMIT USES

SECTION 24. OVERLAY DISTRICT REGULATIONS

Article VI CCO City Core Overlay District

SECTION 25. TEMPORARY AND ACCESSORY STRUCTURES AND USES

SECTION 26. OFF-STREET PARKING AND QUEUING SPACES BY USE

SECTION 28. NON-CONFORMITIES

CHART 1 USES PERMITTED BY ZONING DISTRICT (In Excel Spreadsheet)

CHART 1 ENDNOTES USES PERMITTED BY ZONING DISTRICT

CHART 2 MINIMUM LOT REQUIREMENTS, MINIMUM YARD REQUIREMENTS AND LAND USE INTENSITY RATIOS (In Excel Spreadsheet)

CHART 2 ENDNOTES MINIMUM LOT REQUIREMENTS, MINIMUM YARD REQUIREMENTS AND LAND USE INTENSITY RATIOS

SECTION 2. INTERPRETATION AND DEFINITIONS.

Accessory apartment: A secondary dwelling unit either in or added to an existing single family detached dwelling, or in a separate accessory structure on the same lot of record with its own separate exterior entry door, for use as an independent living facility with provisions provision within the accessory apartment for cooking and food preparation (including sink and electrical outlets to accommodate kitchen appliances such as refrigerator, oven or stove), sanitation (including toilet, sink, and shower or bathtub), and sleeping. Such a dwelling shall be accessory to the main dwelling.

Amusements, commercial indoor: Indoor commercial recreational or entertainment activities including but not limited to games of skill (such as arcades, archery, billiards, batting cages, bowling alleys, golf simulation, rock climbing, soccer), movie theaters, concert or music halls.

Artisan (use): A small commercial use for individual craft making or manufacturing that may be suitable outside of industrial zones. Artisan uses will typically involve work by hand or with limited smaller machinery. Representative artisan uses may include (without limitation) the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, metalwork, hand-woven articles, and related items, ~~as well as uses specifically defined as "artisan" herein.~~ The total floor area for artisan uses shall not exceed 3,000 square feet.

Automobile: Any vehicle designed for carrying 10 passengers or less, is used for transportation of persons, and has a gross weight of less than ~~40,000~~8,500 pounds. ~~but excluding motorcycles and vehicles used to carry passengers for a fee.~~

Automobile Body Shop: A facility which provides collision repair services, including frame straightening, replacement of damaged parts, painting, or undercoating of the body or frame of vehicles with a gross vehicle weight of 10,000 pounds or less.

Automotive dismantlers and recyclers: Any person, firm, association, corporation, or resident or nonresident who is engaged in the business and/or providing facilities for the purposes of recovering parts from automobiles and trucks which have been wrecked or otherwise rendered inoperable as transportation vehicles with said parts recovered being for resale and further reduce used automobiles and trucks to a condition capable of salvage for their metal scrap content by scrap processors.

~~Automobile graveyard: Any establishment or place of business which is maintained, used, or operated as a principal, accessory or ancillary use for storing, keeping, buying, or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts. One or more such vehicles will constitute an automobile graveyard. This definition for automobile graveyard does not include automobile dismantlers and recyclers, recycling centers or wrecker service storage yards as defined by Appendix A—Zoning. WAS ALREADY COMBINED WITH JUNKYARDS PREVIOUSLY~~

Automotive/Motor Vehicle Repair: The repair of automobiles, motorcycles, light duty trucks (not exceeding 8,500 lbs), including but not limited to engine, transmission, upholstery work, tire service/sales/rotations and the like. ~~This excludes body work and automobile dismantling and recycling.~~

and outdoor storage of inoperable, wrecked, or dismantled vehicles is only allowed if screened according to the requirements of this article.

~~Automotive service station~~Automotive/Motor Vehicle Service: Any building, structure, or land used for the dispensing, sale or offering for sale at retail of automotive fuel oils and accessories in connection therewith and for the ~~Routine~~light maintenance of automobiles, motorcycles, light duty non-commercial trucks or similar vehicles, including but not limited to, muffler replacement, oil change and lubrication, tire sales/ service/rotations, alignments, brakes, etc. servicing of motor vehicles. When such dispensing, sale or offering for sale is incidental to the conduct of a commercial garage, the premises shall be classified as a commercial garage. Excludes body work, automobile dismantling and recycling, and the outdoor storage of inoperable, wrecked, or dismantled vehicles.

Building height: The vertical distance measured from grade to the highest point of the roof for flat roofs, to the highest point of a parapet wall, to the deck line for mansard roofs, or to the mean height between eaves and ridge for gable, hip, and gambrel roofs.

Cigar Lounge: An establishment where the principal use is the sale of cigars to patrons who smoke cigars on or off-site and where any sales of food or alcohol is accessory to the use.

Contractor's/Construction Equipment, Sales and Rental: An establishment that engages in the sale and/or rental of construction equipment and construction vehicles, including but not limited to earth-moving equipment, dump trucks, construction trailers, scissor lifts, lighting, scaffolding, etc.

Convenience Store: A retail store primarily engaged in the sale of pre-packaged food and beverages, and a limited stock of household goods and toiletries and where convenience and speed of transaction is of primary importance. This may or may not have gasoline sales attached to the business.

Data Center: A building or complex of buildings in which 51% of the gross floor area is dedicated to the housing of computer or data processing equipment or systems. This does not include a Server Farm.

Fitness/ Exercise/ Health club facility: A building or a portion of a building > 5,000 square feet of gross floor area designed and equipped for the conduct of fitness activities, including but not limited to sports activities, exercise, weight training, and dance and may be operated either for profit or not-for profit.

Fitness studio/Personal fitness instruction: An establishment ≤ 5,000 square feet of gross floor area equipped for the conduct of individual or small group physical exercise instruction and fitness activities, including, but not limited to, exercise, weight training, yoga, meditation, pilates, aerobics, martial arts, dance, and self-defense training.

Floodplain or floodprone area: Any land susceptible to being inundated by water from any source. See Section 34 of the Zoning Ordinance.

Floor area: The sum of the horizontal areas of the several all floors of all buildings on a lot measured from the exterior face of exterior walls. The following shall be excluded from calculation of the floor area, (including for the purposes of calculating the required number of parking spaces):

(A) open exterior balconies or other covered open spaces.

(B) uncovered terraces, patios, porches, ~~atriums,~~ or steps.

(C) garages, carports, ~~or other areas,~~ enclosed or unenclosed areas used for the parking or circulation of motor vehicles.

(D) ~~areas for housing~~ major mechanical equipment areas which serves the building as a whole or a major portion thereof, ~~but not including utility areas within individual dwelling units.~~

(E) areas of common special purpose used by a substantial portion of the occupants of the premises, including laundries, recreation areas, sitting areas, libraries, storage areas, common halls, lobbies, stairways and elevator shafts, attics and areas devoted exclusively to management and/or maintenance of the premises, ~~but not including incidental commercial activities.~~

Floor area, gross: The total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surface of the main walls of principal or accessory buildings. The exclusions listed in the definition of "floor area" shall not be applicable to the calculation of gross floor area.

Floor area ratio (FAR): The total square foot amount of gross floor area of all structures on all building levels (without any exclusions) on a lot for each divided by the square footage of gross land area.

General Service and Repair Shop: Establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses. Typical uses include but are not limited to appliance repair, shoe repair, watch or jewelry repair, or repair of musical instruments. This -excludes automotive and commercial or contractor's equipment repair.

Group home: See definition of "family" sub-item "c".

Lot coverage: The percentage of lot area occupied by the ground area of principal and accessory buildings on such lot. (i.e., Ground level building footprint divided by gross land area multiplied by 100 = lot coverage percentage). This is different than impervious area.

Motor vehicle sales, rental (automobilestive): The display, sales, ~~and rental, storage, servicing, and repairing,~~ of new and/or used motor vehicles ~~(does not include assembly or partial assembly from wrecked vehicles),~~ including but not limited to automobiles, motorcycles, and all-terrain vehicles. Automobile storage, service, and repair are permissible accessory uses but body work, automobile dismantling and recycling, and the outdoor storage of dismantled vehicles are not.

Motor vehicle: Sales, rental (Other than automobiles): The display, sales, and rental of new and/or used recreational vehicles, motor homes, and camping trailers. The storage, service, and repair of such vehicles are permissible accessory uses but body work or dismantling and recycling of such vehicles and the outdoor storage of such dismantled vehicles are not.

Motor vehicle: Sales, -rental, repair (Medium & Heavy Duty: Commercial Vehicles): The display, sales, and rental ~~servicing, repairing and accessory storage,~~ of new and/or used heavy duty commercial vehicles weighing in excess of ~~16,000~~ 8,500 pounds, including but not limited to box trucks, truck

~~tractors, semi-trucks, tractors-trailers, excavation equipment and transit buses, and whereas storage, service, and repair of such vehicles are permissible accessory uses but body work, dismantling and recycling of such vehicles, and the outdoor storage of such dismantled vehicles are not.~~

~~**Motor vehicle service:** A building or portion thereof to be used for equipping, servicing and repair of motor driven vehicles, with or without the sale of motor fuels and oils. See "Automotive/Motor Vehicle repair".~~

~~**Motor vehicle storage:** The use of any premises for outdoor parking of wrecked or abandoned vehicles.~~

~~**Parking structure and parking garage:** A structure used for the parking of vehicles and consisting of one or more than one stories. A parking structure may be either a principal structure or an accessory structure, part of a building containing other uses or may be a stand-alone building. This is not the same as a parking lot discussed in Section 25.~~

~~**Personal Service Establishment:** A business providing non-medical services, including but not limited to tailor, seamstress, tanning salon, spa services (including manicure, pedicure, facials, massage therapy) and formal rentals shop. The sale of merchandise shall be permitted only as an accessory use to the personal service(s) provided.~~

~~**Retail Shop: Tobacco, Vape, Dispensary:** A store that devotes at least 51 % of its floor area, or earns at least 51% of gross sales, to the display, sale, distribution, delivery, offering, furnishing, or marketing of products intended for recreational/ non-prescription use including but not limited to cigarettes, smokeless tobacco, pipe tobacco, vapes, products made from cannabinoid derivative plants (e.g., CBD or THC products), or other nicotine or cannabinoid delivery devices, components, products, liquid nicotine or cannabinoids, or liquid nicotine or cannabinoid containers.~~

~~**Tavern:** An establishment where the principal use is the individual sale of beer and other alcoholic beverages to be consumed on the premises and where any sales of food is accessory to the above.~~

~~**Technology / Vocation School:** A post-secondary school that teaches students the skills necessary to perform the duties of a profession that typically requires a specific set of skills, training, certifications or licensing. All onsite instruction areas are conducted indoors and are generally conducted in a classroom or lab setting.~~

~~**Trade School:** A facility that teaches skills necessary for specific trades, including but not limited to, construction trades and those trades involving the operation of heavy machinery and medium-to-heavy duty vehicles. Some or all onsite instruction areas are outdoors.~~

Yard: A required open space on a lot between a lot line and a building or structure which is unoccupied and unobstructed from the grade to the sky, except for the following permitted obstructions:

- (A) accessory uses, subject to the provisions of Section 25 herein;
- (B) statuary, arbors, trellises, and barbecue stoves;
- (C) awnings and canopies;
- (D) bay windows, covered or uncovered balconies (including juliet balconies), and covered porches and/or balconies may project up to sixty inches within a front or rear yard;
- (E) chimneys, flues, fireboxes, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters and the like projecting not more than twenty-four inches from an exterior wall;
- (F) fire escapes or outside stairways projecting from an exterior wall not more than four feet;
- (G) flagpoles, subject to the limitations of the Sign Ordinance;
- (H) non-mechanical laundry drying equipment, except in a front yard;
- (I) off-street parking and loading, but only as expressly authorized in Section 26 in Appendix A - Zoning;
- (J) terraces;
- (K) recreational equipment, except in front yards; and,
- (L) attached and/or detached uncovered decks may be located within a required side or rear yard but shall be no closer than five feet from a side or rear property line.

SECTION 6: AMENDMENTS (E)(1)(e-f):

(E)(1) Procedure for Amendments to the Text of the Zoning Ordinance:

(e) The Department shall forward the recommendation of the Commission, and the Department's recommendations, if different from the Commission's, to the City Manager Council within ten days from the date of the Commission's action. The City Manager shall place the recommendation of the Commission, together with the Department's recommendation, if different, on the City Council agenda for a public hearing and consideration at a meeting no more than 60 days from the date of the Planning Commission's action.

(f) The Council shall hold a public hearing on ~~such proposed~~the amendment as scheduled by the City Manager unless City Council votes to defer the public hearing to a specific later date. ~~after receipt of the recommendations of the Commission.~~ Notice of any public hearing shall be published in a local newspaper of general circulation stating the date, time, and place of the hearing not more than thirty days nor less than fifteen days before such public hearing.

SECTION 6(E)(2)(f-g):

(E)(2) Procedure for Amendments to the Zoning Map excluding Planned Developments.

(f) The Department shall forward the recommendation of the Commission and the Department's recommendations, if different from the Commission's, to the City Manager. to the Council within ten days from the date of the Commission's action. The City Manager shall place the recommendation of the Commission, together with the Department's recommendation, if different, on the City Council agenda for a public hearing and consideration at a meeting no more than 60 days from the date of the Planning Commission's action unless the applicant requests to defer Council's consideration of the amendment indefinitely or to a specific later date.

(g) ~~The Council shall hold a public hearing on such proposed~~the amendment on the date set by the City Manager unless the applicant withdraws its application. ~~after the receipt of the recommendations of the Commission.~~ Notice of any public hearing shall be published in a local newspaper of general circulation stating the date, time, and place of the hearing not more than thirty days nor less than fifteen days before such public hearing. In addition, a sign shall be maintained on the subject property by the applicant which meets with the size and content requirements of the Commission, and notice shall be mailed to property owners within two hundred fifty feet. Failure to mail notice to such owner(s) will not invalidate the amendment.

SECTION 7. SITE PLAN REVIEW.

City Of Murfreesboro Planning Commission Site Plan Review Checklist

A. GENERAL SITE PLAN:

____(14) the existing and proposed elevation contours at a vertical interval of ~~two~~one feet-foot based on sea level with existing contours shown as dashed lines and proposed grading contours shown in solid lines;

K. OTHER:

____(4) preliminary architectural elevations for all proposed buildings with final architectural elevations to be submitted prior to issuance of building permits. All elevations submitted shall indicate building height as defined by the Zoning Ordinance, label all exterior building materials, and indicate any visible roof projections/mechanical equipment, including the height of such.; Illustrations and/or details of all hardscape, lighting, and street furniture, and conceptual signage should also be incorporated;

____(5) any other information necessary for the Planning Commission and Planning Director to adequately review the site plan. This could include but may not be limited to a traffic impact study or a traffic analysis when a proposed development generates 100 trips during the peak hour as determined by the City Engineer. .;

SECTION 9. STANDARDS FOR SPECIAL PERMIT USES.

(D) Authorized special uses and additional standards.

(2) (rr) Home occupations shall be subject to the following additional standards:

[9] the following activities and land uses shall not be permitted as home occupations:

[f] Age restricted sales of any kind, including but not limited to vape, alcohol, and tobacco.

SECTION 24. OVERLAY DISTRICT REGULATIONS.

Article VI. CCO, City Core Overlay District

(A) (3) *Subarea Plans within the CCO*: The CCO includes the study areas of the North Highland Avenue and Historic Bottoms planning studies. These planning studies informed the writing of the CCO regulations and are of significant value. To the extent possible, developments within the CCO also located within the study areas of the North Highland and Historic Bottoms planning studies shall attempt to honor the recommendations of those plans.

(A) (4) *New General Plan Land Uses within the CCO*: Some areas of the CCO are not included in the North Highland Avenue or the Historic Bottoms planning studies. However, the General Plan was drafted to address these gaps and recommends appropriate land use characters for these areas the General Plan land use element created a new “Mixed Form Housing-MH” land use category and a new “Neighborhood Compatible overlay” to provide more specific guidance as to how to develop these sensitive residential areas within the context of existing neighborhoods. These inclusions into the General Plan were made to better address planning gaps and are of significant value. To the extent possible, developments shall honor the recommendations of this plan.

(B) *Application of regulations.*

~~(B) (3) — *Extension and reconstruction of lawfully established non-conforming structures.* The requirements set forth in this subsection shall apply to all new development in the CCO district from the effective date of this subsection. Notwithstanding the requirements of Section 28 — Nonconformities of the Zoning Ordinance, a lawfully established pre-existing structure that does not comply with the regulations set forth in this Section may be extended or reconstructed one (1) time in accordance with the zoning standards in effect on September 30, 2019. All additional extensions and reconstructions shall comply with the terms of this subsection and Section 28 — Nonconformities of the Zoning Ordinance.~~

~~(4)~~ (B) (3) *Planned developments.* The regulations set forth in this subsection shall not prevent a property owner from seeking planned development zoning when such zoning is necessary or desirable to promote the purposes of the CCO district. However, to the extent possible, they should adhere to the regulations of the CCO, Design Guidelines, and other base zoning districts that best approximate the proposed development type. Exceptions to any of the above applicable regulations, including the CCO regulations, shall be explicitly noted in the planned development application.

~~(B)(4) Extension and Reconstruction of lawfully established non-conforming structures. The requirements set forth in this subsection shall apply to all new development in the CCO district from the effective date of this subsection. Notwithstanding the requirements of Section 28 – Nonconformities of the Zoning Ordinance, a lawfully-established pre-existing structure that does not comply with the zoning standards currently in effect regulations set forth in this Section may be extended or reconstructed one (1) time provided that such structure shall not increase the degree of non-conformity nor create any new non-conformities in accordance with the zoning standards currently in effect within 3 years of demolition. All additional extensions and reconstructions shall comply with the terms of this subsection and Section 28 – Nonconformities of the Zoning Ordinance.~~

(B)(5) *Use regulations.* Land uses in the CCO district shall be as permitted by the underlying zoning district, with the following exceptions:

~~(a) (d) Lawfully-established residential non-conforming uses. Notwithstanding the requirements of Section 28 of the Zoning Ordinance, a structure devoted to a lawfully-established pre-existing residential use that is not permitted in the CCO or in the base zoning district may be extended, or reconstructed one (1) time and the use(s) allowed to resume upon extension, enlargement, or reconstruction, provided that 1) such extension or reconstruction is only within the boundaries of the existing tract or lot of record; 2) that the extension, or reconstruction of a residential use does not increase the number of dwelling units is not increased; 3) that such extension, enlargement, or reconstruction shall meet all current zoning requirements, including but not limited to parking and building setback requirements and the structure meet the provisions outlined in section (B)(4) directly above. – All other terms of Section 28 of the Zoning Ordinance regarding non- conforming uses will apply to the CCO District.~~

~~(b)~~ For properties having underlying zoning that permits two-family dwellings, duplex residential units shall not be required to have a shared wall, but will still be considered 2-family dwellings.

~~(b)-(c)~~ For properties having underlying zoning that permits accessory apartments, a Special Use Permit shall not be required, provided that the following standards are satisfied:

~~(c)-(d)~~ The following Various uses listed on Chart 1 USES PERMITTED of the Zoning Ordinance and which may be otherwise permitted by right or by special use permit in the underlying zones but shall not be permitted uses in the CCO district. These prohibited uses are detailed in Chart 1's "CCO" column designated "N" for "not allowed".. Those listed "N*" (with an asterisk) are prohibited if such use occupies more than 3,000 square feet in floor area:

OTHER HOUSING

Fraternity/Sorority
Mobile Homes
Motel

INSTITUTIONS

Airport/Heliport
Morgue
Pet Cemetery

COMMERCIAL

~~Amusements, Commercial Outdoor excluding Motorized~~
~~Amusements, Commercial Outdoor Motorized~~
~~Boat Rental, Sales, or Repair~~
~~Campground, Travel Trailer Park~~
~~Carnivals~~
~~Crematory~~
~~Drive-in Theater~~ Fireworks Retailer
~~Fireworks Seasonal Retailer~~ Greenhouse or Nursery
~~Ice Retail~~
~~Iron Work > 3,000 square feet of floor area~~
~~Kennels~~
~~Liquor Store~~
~~Livestock, Auction~~
~~Lumber, Building Material~~
~~Manufactured Home Sales~~
~~Motor Vehicle Sales (Automobiles)~~
~~Motor Vehicle Sales (Other than Automobiles)~~
~~Pawn Shop~~
~~Pet Crematory~~
~~Pet Funeral Home~~
~~Radio and Television Transmission Towers~~
~~Restaurant, Drive-in~~
~~Sheet Metal Shop~~
~~Shopping Center, Community~~
~~Shopping Center, Regional~~
~~Salvage and Surplus Merchandise~~
~~Taxidermy Studio~~
~~Towing~~

~~Vehicle Sales (Non-Motorized)~~
~~Vehicle Wash~~
~~Veterinary Hospital~~
~~Wholesaling~~
~~Wireless Telecommunications Tower~~
~~Wrecker Service~~
~~Wrecker Storage Yard~~

~~INDUSTRIAL (Manufacture, Storage, Distribution of:)~~

~~Abrasive Products~~
~~Asbestos Products~~
~~Animal or Poultry Slaughter, Stockyards, Rendering~~
~~Automobile Dismantlers and Recyclers~~
~~Automobile Manufacture~~
~~Automobile Parts and Components Manufacture~~
~~Automobile Seats Manufacture~~
~~Bakery Goods, Candy > 3,000 square feet of gross floor area~~
~~Boat Manufacture~~
~~Bottling Works~~
~~Brewery~~
~~Canned Goods~~
~~Chemicals~~
~~Composting Facility~~
~~Contractor's Storage, Indoor~~
~~Contractor's Yard or Storage, Outdoor~~
~~Cosmetics~~
~~Custom Wood Products > 3,000 square feet of gross floor area~~
~~Distillery~~
~~Electrical or Electronic Equipment, Appliances, and Instruments~~
~~Fabricated Metal Products and Machinery > 3,000 square feet of gross floor area~~
~~Fertilizer~~
~~Food and Beverage Products, including animal slaughter, stockyards, rendering, but not including brewery~~
~~Furniture and Fixtures > 3,000 square feet of gross floor area~~
~~Jewelry > 3,000 square feet of gross floor area~~
~~Leather and Leather Products > 3,000 square feet of gross floor area~~
~~Leather and Leather Products, Tanning and Finishing~~
~~Lumber and Wood Products~~
~~Mobile Home Construction~~
~~Musical Instruments > 3,000 square feet of gross floor area~~
~~Office/Art Supplies > 3,000 square feet of gross floor area~~
~~Paints~~

~~Paper Mills~~
~~Paper Products~~
~~Petroleum, Liquefied Petroleum Gas, and Coal Products~~
~~Petroleum and Coal Products Refining~~
~~Pharmaceuticals~~
~~Photographic Film Manufacture~~
~~Pottery, Figurines, and Ceramic Products > 3,000 square feet of gross floor area~~
~~Primary Metal Distribution and Storage~~
~~Primary Metal Manufacturing~~
~~Rubber and Plastic Products~~
~~Rubber and Plastic Manufacture~~
~~Saw Mills~~
~~Scrap Processing Yard~~
~~Scrap Metal Processors~~
~~Scrap Metal Distribution and Storage~~
~~Secondary Material Dealers~~
~~Silverware and Cutlery > 3,000 square feet of gross floor area~~
~~Small Moulded Metal Products~~
~~Sporting Goods~~
~~Stone, Clay, Glass, and Concrete Products > 3,000 square feet of gross floor area~~
~~Textile, Apparel Products, Cotton Factoring, Grading > 3,000 square feet of gross floor area~~
~~Textile, Apparel Products, Cotton Gin~~
~~Tire Manufacture~~
~~Tobacco Products~~
~~Toiletries > 3,000 square feet of gross floor area~~
~~Transportation Equipment~~
~~Warehousing, Transporting/Distributing~~
~~Winery~~

~~TRANSPORTATION AND PUBLIC UTILITIES~~

~~Garbage or Refuse Collection Service Freight Terminal, Service Facility~~
~~Refuse Processing, Treatment, and Storage~~
~~Landfill~~
~~Railroad Switching Yard, Terminal, Piggyback Yard~~
~~Taxicab Dispatch Station~~

~~OTHER~~

~~Junkyard~~
~~Recycling Center~~
~~Self-Service Storage Facility~~
~~Temporary Mobile Recycling Center~~

(C) Off-street parking.

(4) Parking for commercial uses and mixed-uses.

(b) The number of required on-site off-street parking spaces may be reduced by up to seventy-five (75) percent if the property is located within seven hundred fifty (750) feet of a parking structure or lot where parking is freely and publicly available to the users as determined by the Planning Director.

(D) *Design standards.* Development in the CCO district shall be subject to the standards set forth in this Article and the Murfreesboro Design Guidelines, with the following exceptions:

(1)

(b) For residential developments, the principal structure shall be "built to" the average front setback of all structures on the same block face ±2' front lot, provided however that no structure shall be built less than 10' nor more than twenty-five (25) feet behind the front property line. For the purposes of this section, "block face" shall mean within the same block on the same street side as the subject property and shall exclude vacant lots. No structure shall be built in the public right-of-way.

(c) Porches may project up to sixty inches beyond the front "build to" line or within the required rear yard setback, so long as the covered areas do not impact more than 50% of the respective front or rear building façade and that no portion of the porch is located closer than 10' to the front lot line.

(7) *Building entrances.* Building entrances shall be oriented to the primary street frontage. For corner lots, entrances shall be either oriented to the street with the higher functional classification or angled and oriented to the street intersection. However, the side of the structure facing the street with the lower functional classification shall include architectural detailing so as to also appear as a front façade.

(11) *Formal Open Space.*

For the purposes of this section, formal open space is defined as planned and structured areas, including but not limited to formally designed landscape areas, streetscape furnishings, plaza areas, rooftop patios, and recreational improvements available for common use. Formal open space of 5% of the lot area shall be required for the following uses:

(a) Single-family attached residential developments of 8 dwelling units or more;

Developments containing fewer than 8 units shall provide private patios, balconies, or open space of at least 50 square feet with a minimum 5' of depth for each unit clear of obstructions.

(F) *Landscaping, screening, and buffering requirements.*

(3) *Required perimeter landscaping.* Perimeter landscaping yards shall be required around all properties in the CCO district except properties with buildings permitted to be constructed to the edge of the sidewalk or property line(s). In cases where a building has been constructed to the sidewalk or property lines, perimeter landscaping yards shall be installed along the remaining boundaries of the site where practical. Where the building is set back less than 5' from the front property but not on the front property line, an alternative landscape plan must be submitted to achieve the general landscaping goals of this section. A perimeter landscaping yard shall have a minimum width of:

- (a) five (5) feet on a front planting yard and three (3) feet on other planting yards where the site is two (2) acres or less. Where the 3' planting yards shall be allowed to be planted with only shrubbery instead of trees; or
- (b) eight (8) feet on a front planting yard and five (5) feet on other planting yards where the site is greater than two (2) acres.

SECTION 25. TEMPORARY AND ACCESSORY STRUCTURES AND USES

(B) Particular permitted temporary and/or accessory structure and uses.

(7) off-street parking subject to the provisions of Section 26 of this article; stand alone parking lots must be accessory to an allowed permitted principal use and its structure(s).

(C) Prohibited temporary and accessory structures and uses.

(6) Parking lots as a principal use. This does not include parking structures that are addressed in Chart 1 use table.

(E) Bulk and location regulations.

(3) no accessory structure or use in any residential district shall occupy more than ~~twenty-five percent (25%)~~ fifty percent (50%) of the required rear yard;

SECTION 26. OFF-STREET PARKING, QUEUING, AND LOADING

(C) Regulations Applicable to Parking Spaces and Parking Lots.

(1) Location of required parking spaces.

(b) Multi-family residential, and nonresidential uses.

[aa] Such off-site parking spaces are located within a zoning district which would permit the use to which such parking is accessory. Off-street parking (except parking structures) shall be accessory to a permitted principal use and its associated principal structure(s) and shall not be the principal use on a lot of record. ——— A parking lot cannot be a stand alone primary use but must be tied to an allowed primary business and its structure(s), with the parking acting as an accessory use.

SECTION 28. NONCONFORMITIES.

(C) *Nonconforming structures*

(2) Enlargement, repair, alterations. Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no such enlargement, maintenance, repair or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure ~~unless said additional nonconformity or degree of nonconformity is only with the requirements of the Gateway Design Overlay (GDO) District, and the nonconforming structure was in existence on the effective date of the ordinance creating the GDO District, in which case enlargement, maintenance, repair or alteration of a nonconforming structure may create an additional nonconformity or an increase in the degree of nonconformity with the requirements of the GDO District for twenty years after creation of the GDO District, provided that a variance must be obtained for any enlargement in accordance with Sections 10 and 24(D).~~

(a) A structure that is non-conforming by being wholly or partially within a minimum required building setback may expand vertically up to one additional story above its current height even if such vertical addition is within the required minimum building setback, provided that the vertical addition does not exceed the maximum building height of the respective zone, but may not expand horizontally in any direction within the minimum required building setback.

(b) If such additional nonconformity or degree of nonconformity is only with the requirements of the Gateway Design Overlay (GDO) District and the nonconforming structure was in existence on the effective date of the ordinance creating the GDO District, in which case the enlargement, maintenance, repair, or alteration of such nonconforming structure proposed within 20 years after the original adoption of the GDO requirements may create an additional nonconformity or an increase in the degree of nonconformity with the requirements of the GDO District for twenty years after creation of the GDO District, a variance must be obtained for any enlargement in accordance with Sections 10 and 24(D).

(D) *Nonconforming lots of record.*

(2) *Regulations for single-family use of nonconforming lots.*

(c) No side yard shall be less than ~~three~~ five feet.

APPENDIX A - ZONING

Chart 1 and Chart 1 Endnotes. Uses Permitted by Zoning District

See separate documents

CHART 2 MINIMUM LOT REQUIREMENTS, MINIMUM YARD REQUIREMENTS AND LAND USE INTENSITY RATIOS.

See separate document

USES PERMITTED ³	ZONING DISTRICTS																				OVERLAY						
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R	OG	CL	CF ¹⁴	CH	MU	CBD	HI	GI		LI	CM-RS-8	CM-R	CM	CU	P
DWELLINGS																											
Single-Family detached	X	X	X	X	X	X	X	X	X	X ²⁷			X		X									X	X		X
Single-Family attached or detached, zero-lot line (max. 2 units attached) ²³								X	X	X	X ²⁴		X		X									X		X	
Single-Family attached, townhouse ^{25, 26, 28}									X	X	X													X		X	
Two-Family								X	X	X			X		X									X		X	
Three-Family									X	X			X		X									X		X	
Four-Family									X	X			X		X									X		X	
Multiple-Family								X ²¹	X ²¹									X ²¹	X ²¹							X	
OTHER HOUSING																											
Accessory Apartment ⁸	S ⁸	S ⁸	S ⁸	S ⁸	S ⁸	S ⁸				S ⁸																	
Accessory Dwelling Unit												X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹		
Assisted-Care Living Facility ¹⁵							S	X	X	X		X	X	X	X	X	X	X	X				X	X	X	S	
Bed-and-Breakfast Homestay	S	S	S	S	S		S	S	X	S		S		X	X	X		X					S	S	S	X	
Bed-and-Breakfast Inn	S	S	S	S	S		S	S	S	S		S		S	X	X		X					S	S	S	S	
Boarding House ¹⁵							S	S	X	X		S		X	X	X		X					S	S	X		
Emergency Shelter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Extended Stay Hotel/Motel															X	X											
Family Crisis Shelter												S		S	S	S				S	S	S		S			
Family Violence Shelter								S	S			S	S	S	X	X			X	X	X		X	S	S	S	
Fraternity/Sorority												S		S	S	S								S	S	S	
Group Shelter								S	S			S	S	S	S	S				S	S						
Class I Home for the Aged ¹⁵	S	S	S	S	S	S	S	X	X	X		X		X	X	X		X					S	S	S	S	
Class II Home for the Aged ¹⁵	S	S	S	S	S		S	S	S	S		S		X	X	X		X					S	S	S	S	
Class III Home for the Aged ¹⁵								S	S			S		S	X	X	X	X					S	S	S	S	
Hotel															X	X	X	X	X	X	X	X					
Home Occupations ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹	S ¹¹		X ¹¹			X ¹¹					S ¹¹	S ¹¹	S ¹¹		
Mission ⁴⁰																				S	S	S					
Mobile Homes												X															
Motel															X	X			X	X	X						
Rooming House							S	S	S										X				S	S	X		
Student Dormitory									S																X		
Transitional Home							S	S	S				S	S									S	S			

X = Use permitted by right.

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

N = Not Allowed, if N* = Not Allowed if > 3,000 sf

USES PERMITTED ³	ZONING DISTRICTS																			OVERLAY							
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R	OG	CL	CF ¹⁴	CH	MU	CBD	HI		GI	LI	CM-RS-8	CM-R	CM	CU	P
Livestock, Horse, Dairy, Poultry, and Egg Products	S	S	S	S	S	S	S	S	S	S										X	X	X				X	
Timber Tracts, Forest Nursery, Gathering of Forest Products	S	S	S	S	S	S	S	S	S	S	S									X	X	X					
COMMERCIAL																											
Adult Cabaret																				X ⁹							
Adult Entertainment Center																				X ⁹							
Adult Motel																				X ⁹							
Adults-Only Bookstore																				X ⁹							
Adults-Only Motion Picture Theater																				X ⁹							
Amusements, Commercial Indoor															X	X	X	X	X	X	X	X				S	
Amusements, Commercial Outdoor excluding Motorized																X	X			X	X	X				S	S
Amusements, Commercial Outdoor Motorized except Carnivals																				S	S	S					
Animal Grooming Facility															X	X	X			X	X	X					
Antique Mall															X	X	X	X	X	X	X	X					
Antique Shop <3,000 sq. ft.												X	X	X	X	X	X	X	X	X	X	X		X			
Art or Photo Studio or Gallery												X	X	X	X	X	X	X	X	X	X	X		X		X	
Artisan Use < 3,000 sf, other than enumerated elsewhere														X	X	X	X	X	X	X	X	X					
Automobile Body Shop ¹²																				X	X						
Automotive/Motor Vehicle Repair ¹²																X	X			X	X	X					
Automotive/Motor Vehicle Service															S	X	X			X	X	X					
Bakery, Retail														X	X	X	X	X	X	X	X	X					
Bank or Credit Union, Branch Office or Main Office												X	X	X	X	X	X	X	X	X	X	X					
Bank, Drive-Up Electronic Teller												X	X	X	X	X	X	X	X	X	X	X	X	X			
Barber or Beauty Shop												X	X	X	X	X	X	X	X	X	X	X		X			
Beer, Packaged														X	X	X			X	X	X	X					
Boat Rental, Sales, or Repair																				X	X	X					
Book or Card Shop												X	X	X	X	X	X	X	X	X	X	X		X			
Brewery, Artisan ²⁹														X	X	X			X	X	X	X					
Brewery, Micro ²⁹																X			X	X	X	X					
Brewpub ³⁰														X	X	X	X	X	X	X	X	X					
Business School												X	X		X	X	X	X	X	X	X	X					

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 S = Use requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article.
 N = Not Allowed, if N* = Not Allowed if > 3,000 sf

USES PERMITTED ³	ZONING DISTRICTS																				OVERLAY					
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R	OG	CL	CF ¹⁴	CH	MU	CBD	HI	GI		LI	CM-RS-8	CM-R	CM	CU
Business and Communication Service												X	X	X	X	X	X	X	X	X	X					
Campground, Travel-Trailer Park																S				S	S	S				
Carnivals																S				S	S	S				S
Catering Establishment												X	X	X	X	X	X	X	X	X	X	X		X		
Cigar Lounge																S	S	S	X	X	X					
Clothing Store														X	X	X	X	X	X	X	X	X				
Coffee, Food, or Beverage Kiosk														X	X	X	X	X	X	X	X	X				
Commercial Center (≤25,000 SF)														X	X	X	X	X	X	X	X	X				
Convenience Sales and Service Store, ≤5,000 SF														X	X	X	X	X	X	X	X	X				
Convenience Store > 5,000 SF																X	X	X	X	X	X	X				
Crematory																			S	S	S					
Data Center ≤15,000 SF													X		X	X			X	X	X					
Department or Discount Store															X	X	X	X	X	X	X					
Distillery, Artisan ²⁹																X		X	X	X	X					
Drive-In Theater																X			X	X	X					
Dry Cleaner ≤3,000 SF (No On-Site Cleaning)														X	X	X	X	X	X	X	X					
Financial Service												X	X	X	X	X	X	X	X	X	X					
Fireworks Public Display																										X
Fireworks Retailer																S			S	S	S					
Fireworks Seasonal Retailer															S	S	S		S	S	S					
Fitness/ Health Club Facility >5,000 SF												X	X	X	X	X	X	X	X	X	X		X	X		
Fitness studio/ personal instruction ≤5,000 SF												X	X	X	X	X	X	X	X	X	X	X	X	X		
Flower or Plant Store												X	X	X	X	X	X	X	X	X	X		X			
Funeral Home														S		X	X		X	X	X					
Garage, Parking																X	X	X	X	X	X					
Garden and Lawn Supplies															S	X	X	X	X	X	X					
Gas--Liquified Petroleum, Bottled and Bulk																X			X	X	X					
Gasoline Station Sales														X	X	X	X	X	X	X	X					
General Service and Repair Shop																X	X	X	X	X	X					
Glass--Auto, Plate, and Window																X	X	X	X	X	X					
Glass--Stained and Leaded														X	X	X	X	X	X	X	X					
Greenhouse or Nursery																X	X		X	X	X					
Grocery Store														X	X	X	X	X	X	X	X					
Group Assembly, <250 persons												S	S		X	X	X	X	X	X	X	S	S	S		
Group Assembly, >250 persons												S	S		S	S	X	S	S	S	S	S	S	S		
Health Club Consolidated above												X	X	X	X	X	X	X	X	X	X		X			

X = Use permitted by right.

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

N = Not Allowed, if N* = Not Allowed if > 3,000 sf

USES PERMITTED ³	ZONING DISTRICTS																				OVERLAY					
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R	OG	CL	CF ¹⁴	CH	MU	CBD	HI	GI		LI	CM-RS-8	CM-R	CM	CU
Plasma Donation Center																			X	X	X				X	
Radio, TV, or Recording Studio																X	X	X	X	X	X					
Radio and Television Transmission Towers															S	S			S	S	S				S	
Range – Firearms – (NOT IN NOW – REMOVED)																										
Rap Parlor																			X ⁹							
Reducing and Weight Control Service												X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Restaurant and Carry-Out Restaurant														X	X	X	X	X	X	X	X					
Restaurant, Drive-In																X			X	X	X					
Restaurant, Specialty														X	X	X	X	X	X	X	X					
Restaurant, Specialty -Limited												S	S	X	X	X	X	X	X	X	X	S	S	S		
Retail Shop, firearms																			X	X	X					
Retail Shop, other than enumerated elsewhere															X	X	X	X	X	X	X					
Retail Shop: Tobacco, Vape, Dispensary³¹															X ³¹			X ³¹	X ³¹	X ³¹						
Salvage and Surplus Merchandise																X			X	X	X					
Sauna																			X ⁹							
Self-Service Storage Facility¹⁶														S	S	X	S		X	X	X					
Sheet Metal Shop																X			X	X	X					
Shopping Center, Community (150-300K SF)																X	X	X	X	X	X					
Shopping Center, Neighborhood (25-150K SF)																X	X	X	X	X	X					
Shopping Center, Regional (>300,000 SF)																X	X	X	X	X	X					
Specialty Shop												X	X	X	X	X	X	X	X	X	X			X		
Tavern																X		X	X	X	X					
Taxidermy Studio																S			S	S	S					
Veterinary Office												X	X	X	X	X	X		X	X	X			X		
Veterinary Clinic															X	X	X		X	X	X					
Veterinary Hospital																X	X		X	X	X					
Vehicle Sales, Rental (Non-Motorized)																X	X		X	X	X					
Vehicle Wash														X		X			X	X	X					
Wholesaling, Wholesale Establishments																X			X	X	X					
Winery, Artisan ²⁹														X	X	X		X	X	X	X					
Wireless Telecommunications Towers, Antennas ¹⁷	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S
Wrecker/Towing Service, Wrecker Storage Yard ¹²																			X	X	X					

X = Use permitted by right.

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

N = Not Allowed, if N* = Not Allowed if > 3,000 sf

USES PERMITTED ³	ZONING DISTRICTS																				OVERLAY						
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R	OG	CL	CF ¹⁴	CH	MU	CBD	HI	GI		LI	CM-RS-8	CM-R	CM	CU	P
INDUSTRIAL																											
Manufacture, Storage, Distribution of:																											
Abrasive Products																				X	X						
Asbestos Products																				S							
Automobile Dismantlers and Recyclers ^{7 & 12}																			S ⁷								
Automobile Manufacture																			X	X							
Automobile Parts and Components Manufacture																			X	X							
Automobile Seats Manufacture																			X	X							
Bakery Goods, Candy																			X	X	X						
Boat Manufacture																			X	X							
Bottling Works																			X	X	X						
Brewery ²⁰																			X	X	X						
Canned Goods																			X	X							
Chemicals																			X								
Composting Facility																			S						S		
Contractor's Storage, Indoor																	X		X	X	X						
Contractor's Yard or Storage, Outdoor ³²																			X	X	X						
Contractor's/Construction Equipment: Sales, Rental, Repair ³²																			X	X	X						
Cosmetics																			X	X	X						
Custom Wood Products																			X	X	X						
Data Center / Server Farm > 15,000																			S	S	S						
Dry Cleaning- Laundering Facility > 3,000																X			X	X	X						
Distillery ²⁰																			X	X	X						
Electrical or Electronic Equipment, Appliances, and Instruments																			X	X	X						
Fabricated Metal Products and Machinery																			X	X	X						
Fertilizer																			X								
Food and Beverage Products except animal slaughter, stockyards, rendering, and brewery																			X	X	X						
Furniture and Fixtures																			X	X							
Jewelry																			X	X	X						
Junkyard																			S								
Leather and Leather Products except tanning and finishing																			X	X	X						

X = Use permitted by right.

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

N = Not Allowed, if N* = Not Allowed if > 3,000 sf

APPENDIX A - ZONING

CHART 1 ENDNOTES. USES PERMITTED BY ZONING DISTRICT.

The uses permitted in the various districts established in this article shall be as identified in this section on Chart 1 USES PERMITTED BY ZONING DISTRICT. Those uses identified in Chart 1 with a “X” at the intersection of the uses row and a zoning district column shall be uses that are permitted by right subject to site plan review and approval and the issuance of building permits in those zoning districts. Those uses identified in Chart 1 with a “S” at the intersection of the uses row and a zoning district column shall be uses requiring site plan review and approval subject to the issuance of a special use permit in accordance with the provisions of Sections 8 and 9 of this article in those zoning districts. Those uses that are shown with no “X” or “S” at the intersection of a uses row and a zoning district column shall be uses that are prohibited and are not permitted or allowed in those districts. The CCO district is to be used in concert with the base zoning district with the more stringent CCO standards applying. The CCO Overlay column in Chart 1 indicates uses that are not permitted in the CCO that are shown with a “N” at the intersection of the use row and the CCO overlay district column. Those listed “N*” (with an asterisk) are prohibited if such use occupies more than 3,000 square feet in floor areas.

±

3. Motor Vehicle Sales and/or Rentals (~~Automobile~~) shall be subject to the following additional standards:
 - (B)(5) Parking and display of automobile inventory shall occur only in areas designated in the special use permit approved site plan application. Driveway aisles, public right-of-way, ~~and landscaped areas, and unimproved areas,~~ shall not be used for automobile parking or display;
8. An accessory apartment may be ~~created established in owner-occupied single family dwellings~~ in the RS-15, RS-12, RS-10, RS-8, RS-6, RS-4, and RS-A districts upon approval by the Board of Zoning Appeals subject to the standards and criteria of Section 9 of Appendix A – Zoning. An accessory apartment within the City Core Overlay (CCO) District may be established upon administrative approval by the Planning Department subject to the standards and criteria of Section 24, Article VI (B)(5)(b) of Appendix A – Zoning.
11. Home occupations may be permitted by special use permit provided, however, if home occupation approval is requested in order for the applicant to establish an address necessary for obtaining a business license and can meet the following standards, the special use permit for the home occupation may be issued by the Planning Director. In the event the Director has doubt regarding the compatibility of the proposed home occupation with adjoining land uses, the Director shall deny approval. The applicant may apply to the Board of Zoning Appeals as pro-vided in Sections 8 and 9 of Appendix A-Zoning. The standards mentioned above are as follows:

(i) The following activities and land uses shall not be approved by the Planning Director ~~administratively~~ as home occupations:

(1) automotive repair (body or mechanical), upholstery or painting;

(2) kennels;

~~(3) barber or beauty shop;~~

~~(4)~~(3) taxi service;

~~(5) professional office;~~

~~(6) artist studio; or,~~

~~(4) gun dealers; or~~

~~(5) charter bus service~~

~~(7)~~(6) Age restricted sales of any kind, including but not limited to vape, alcohol, and tobacco.

12. Sites used for the storage of inoperable, wrecked, or partially dismantled vehicles, whether as principal, accessory, or ancillary use, used in conjunction with an automobile body shop, automotive/motor vehicle re-pair establishments, motor vehicle service establishments, wrecker or towing services, or wrecker service storage yards, shall provide at a minimum a 10' Type D-B buffer zone as described in Section 27 of Appendix A - Zoning in addition to a permanent 8' masonry wall or a Type A buffer zone as described in Section 27 of Appendix A - Zoning in addition to an 8' berm (with appropriate width to accommodate the allowed maximum slope) measured from the highest adjacent grade for screening of the area used for the storage of inoperable, wrecked, or partially dismantled vehicles. Provided, however, the screening requirement shall not be for the entire site unless otherwise required by Appendix A - Zoning and shall be applicable to only those areas used for such storage. It is the intent of this requirement to screen such storage areas from the view of any adjacent property and from the view of any public right-of-way adjacent to the site.

31. Tobacco/Vape Shops, where permitted by right, shall be subject to a minimum 1,000 foot separation from another vape shop, public or private school, City park, daycare centers, or churches; and a minimum 250 foot separation from properties zoned or used for residential purposes. The required distance shall be -measured from property line to property line.

32. Outdoor Storage and Display for non-residential uses: see Zoning Ordinance Section 25(C)(1) and Section 25(E)(8) for further information.

33. Only artisan uses that are less than 3,000 square feet are allowed.

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{[5][17][25]}			Maximum Height ^[16] (Ft.)	Maximum Gross Density ^[2] (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front ^[38] (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
RS-15 DISTRICT											
1. Dwellings and other uses permitted	15,000	75 ^[12]	40	12.5	30	35	2.9	none	none	none	25
RS-12 DISTRICT											
1. Dwellings and other uses permitted	12,000	70 ^[12]	35	10	25	35	3.63	none	none	none	25
RS-10 DISTRICT											
1. Dwellings and other uses permitted	10,000	65 ^[12]	35	10	25	35	4.4	none	none	none	25
RS-8 DISTRICT											
1. Dwellings and other uses permitted ^[28]	8,000	55 ^[12]	35 ^{[1][29]}	5	20	35	5.4	none	none	none	35 30-
RS-6 DISTRICT											
1. Dwellings and other uses permitted ^[28]	6,000	50 ^[12]	35 ^{[1][29]}	5	20	35	7.2	none	none	none	50
RS-4 DISTRICT											
1. Dwellings and other uses permitted ^[28]	4,000	40 ^[12]	35 ^{[1][29]}	5	20	35	10.8	none	none	none	50 40-
R-D DISTRICT											
1. Single family detached dwellings and other uses permitted except ^[28]	8,000	55 ^[12]	35 ^{[1][29]}	5	25	35	5.4	none	none	none	30
1. Single-family detached dwellings and other uses permitted except ^[28]	4,000	40 ^[12]	35 ^{[1][29]}	5	20	35	10.8	none	none	none	50
2. Two-family dwellings	6,500 8000	50' 55 ^[12]	30 ^[1]	5	25	35	14.5 10.9	none	none	none	35 30-
3. Single-family attached or detached with zero lot line (max. 2 units attached) ^{[7][31]}	4,000	27 ^[12]	35 ^[1]	5 540 ^[7]	25	35	10.9	none	none	none	none

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{[5][17][25]}			Maximum Height ^[16] (Ft.)	Maximum Gross Density ^[2] (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front ^[38] (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
RM-12 DISTRICT											
1. Single-family detached dwellings and other uses permitted except ^[28]	7,500	50 ^[12]	35 ^{[1][37]}	5	25	35	5.8	none	none	none	30
2. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5	25	35	11.6	none	none	none	30
3. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5	25	35	11.6	none	none	none	30
4. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5	25	35	11.6	none	none	none	30
5. Single-family attached or detached with zero lot line (max. 2 units attached) ^{[7][31]}	3,750	18 ^[12]	35 ^{[1][37]}	540 ^[7]	25	35	11.6	none	none	none	none
6. Multiple-family dwellings and Single-family attached townhouse dwellings ^[30]	FN ^[14]	50 ^[12]	30 ^[1]	FN ^[3]	25	45 ^[11]	FN ^[14]	none	none	FN	none
RM-16 DISTRICT											
1. Single-family detached dwellings and other uses permitted except ^[28]	6,000	50 ^[12]	35 ^{[1][37]}	5	25	35	7.3	none	none	none	35
2. Two-family dwellings	6,000	50 ^[12]	30 ^[1]	5	25	35	14.5	none	none	none	35
3. Three-family dwellings	9,000	50 ^[12]	30 ^[1]	5	25	35	14.5	none	none	none	30
4. Four-family dwellings	12,000	50 ^[12]	30 ^[1]	5	25	35	14.5	none	none	none	30
5. Single-family attached or detached with zero lot line (max. 2 units attached) ^{[7][31]}	3,000	18 ^[12]	35 ^{[1][37]}	540 ^[7]	25	35	14.5	none	none	none	none
6. Multiple-family dwellings and Single-family attached townhouse dwellings ^[30]	FN ^[9]	50 ^[12]	30 ^[1]	FN ^[3]	25	45 ^[11]	FN ^[9]	none	none	FN	none
RS-A DISTRICT^[35]											
1. Single-family detached and single-family attached or detached with zero-lot line (max. 2 units attached) ^{[7][28][31]}	3,000	30 ^[12]	35 ^{[1][37]}	5	20	35	14.5	none	none	none	none
2. Single-family attached townhouse on one lot or individual lots (Suburban Type) ^{[30][32][33]}	2,000 ^[36]	20 ^[36]	35 ^[1]	5	20	35	12	1	0.5	0.25	none
3. Single-family attached townhouse on one lot or individual lots (Urban Type) ^{[30][32][33][34]}	2,000 ^[36]	20 ^[36]	20 ^{[1][34]}	5	20	45 ^[34]	12	1	none	none	none
4. Other uses permitted	6,000	30 ^[12]	30 ^[1]	10	20	35	none	none	none	none	35

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{[5][17][25]}			Maximum Height ^[16] (Ft.)	Maximum Gross Density ^[2] (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front ^[38] (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
R-MO DISTRICT											
1. Mobile homes	4,000	40 ^[12]	25 ^[1]	10	15	12	10.9	none	none	none	none
CM-R DISTRICT											
1. Single-family detached	5,000	50 ^[12]	35 ^{[1][29]}	10	20	35	8.7	none	none	none	none
2. Two-family dwellings	5,000	50 ^[12]	30 ^[1]	10	20	35	16	none	none	none	none
3. Single-family attached or detached with zero lot line (max. 2 units attached) ^{[7][31]}	2,500	30	35 ^[1]	540 ^[7]	20	35	16	none	none	none	none
4. Single-family attached townhouse dwellings ^[30]	2,500	50 ^[12]	30 ^[1]	10	20	35	16 ^[9]	0.3	0.48	0.7	none
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5	25 ^[4]	35	11.6	none	none	none	30
6. Medical offices, clinics, and other related uses	none	50 ^[12]	30 ^[1]	10	20	60	none	none	none	none	none
CM DISTRICT											
1. Medical offices, clinics, and other related uses	none	50 ^[12]	30 ^[1]	10	20	60	none	none	none	none	none
CM-RS-8 DISTRICT											
1. Single-family detached	8,000	50 ^[12]	35 ^{[1][29]}	10	20	35	5.4	none	none	none	none
2. Medical offices, clinics, and other related uses	none	50 ^[12]	30 ^[1]	10	20	60	none	none	none	none	none
OG-R DISTRICT											
1. Offices and other uses except	5,000	50 ^[12]	30 ^[1]	10	20	35	none	0.3	0.28	0.6	none
2. Single-family detached	5,000	50 ^[12]	35 ^{[1][29]}	10	20	35	8.7	none	none	none	none
3. Two-family dwellings	5,000	50 ^[12]	30 ^[1]	10	20	35	17.4	none	none	none	none
4. Three-family dwellings	7,500	50 ^[12]	30 ^[1]	10	20	35	17.4	none	none	none	30
5. Four-family dwellings	12,000	50 ^[12]	30 ^[1]	10	20	35	14.5	none	none	none	30
6. Single-family attached or detached with zero lot line (max. 2 units attached) ^{[7][31]}	2,500	25 ^[12]	35 ^[1]	540 ^[7]	20	35	17.4	none	none	none	none
OG DISTRICT											
1. Offices and other uses	5,000	50 ^[12]	30 ^[1]	10	20	35	none	0.3	0.28	0.6	none

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{[5][17][25]}			Maximum Height ^[16] (Ft.)	Maximum Gross Density ^[2] (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front ^[38] (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CL DISTRICT											
1. All commercial uses except	none	none ^[13]	42	10 ^[6]	20	35	none	none	none	none	none
2. Single-family detached dwellings ^[28]	7,500	50 ^[12]	35 ^{[1][29]}	5	25	35	5.8	none	none	none	30
3. Two-family dwellings	7,500	50 ^[12]	30 ^[1]	5	25	35	11.6	none	none	none	30
4. Three-family dwellings	11,250	50 ^[12]	30 ^[1]	5	25	35	11.6	none	none	none	30
5. Four-family dwellings	15,000	50 ^[12]	30 ^[1]	5	25	35	11.6	none	none	none	30
6. Single-family attached or detached with zero lot line (max. 2 units attached) ^{[7][31]}	3,750	18 ^[12]	35 ^[1]	540 ^[7]	25	35	11.6	none	none	none	none
CF DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[15]	20 ^[15]	45	none	none	none	none	none
CH DISTRICT											
1. All uses	none	none ^[13]	42	10 ^[6]	20	75	none	none	none	none	none
MU DISTRICT											
1. Multiple family dwellings	5 acres	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	75	25 ^[24]	none	none	none	none
2. All commercial uses except mixed use	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	none	none	none	none	none
3. Mixed uses (vertical mix)	none	100 ^[20]	15 ^[21]	10 ^[22]	20 ^[23]	150	25 ^[24]	none	none	none	none
CBD DISTRICT											
1. All uses except	none	none ^[13]	none	none	none	75	none	none	none	none	none
2. Multiple-family dwellings	none	none ^[13]	none	none	none	75	FN ^[8]	none	none	none	none
H-I DISTRICT											
1. Industrial uses	none	50 ^[13]	42	10	20	75 ^[8]	none	none	none	none	none
2. All other permitted uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
G-I DISTRICT											
1. Industrial uses	none	50 ^[13]	42	10	20	75 ^[8]	none	none	none	none	none
2. All other permitted uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none
L-I DISTRICT											
1. Industrial uses	none	50 ^[13]	42	10	20	75 ^[8]	none	none	none	none	none
2. All other permitted uses	none	50 ^[13]	42	10	20	75	none	none	none	none	none

DISTRICT AND USE	Minimum Lot Requirements		Minimum Yard Requirements ^{[5][17][25]}			Maximum Height ^[16] (Ft.)	Maximum Gross Density ^[2] (D.U./Acre)	Land Use Intensity Ratios			Maximum Lot Coverage (percent)
	Area (Sq. Ft.)	Width (Ft.)	Front ^[38] (Ft.)	Side (Ft.)	Rear (Ft.)			Maximum F.A.R.	Minimum L.S.R.	Minimum O.S.R.	
CU DISTRICT											
1. Single-family detached	10,000	65 ^[12]	35	10	20	35	4.4	none	none	none	25
2. Two-family dwellings	10,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
3. Three-family dwellings	15,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
4. Four-family dwellings	20,000	65 ^[12]	35	10	20	35	8.7	none	none	none	25
5. Multiple-family dwellings and Single-family attached townhouse dwellings ^[30]	25,000	65 ^[12]	35	10 ^[3]	20 ^[4]	35	FN ^[9]	0.35	0.45	0.65	none
6. Educational institutions and other uses	25,000	65 ^[12]	35	10	20	35 65	none	0.3	0.28	0.6	none
P DISTRICT											
1. All uses permitted	none	none ^[13]	none	none	none	none	none	none	none	none	none

**CHART 2 ENDNOTES. MINIMUM LOT REQUIREMENTS, MINIMUM YARD REQUIREMENTS
AND LAND USE INTENSITY RATIOS.**

3. The ~~size~~ width of the required side yard shall be ten feet ~~at the~~ for single story buildings that are perpendicular to the side lot line and ~~fifteen~~ twenty feet for two story ~~structures~~ structures ~~twenty~~ feet for any three story, and twenty five feet for any four story buildings. ~~plus an additional five feet for each story over two. The size of the required side yard shall be twenty feet for one and two story buildings that are running parallel with the side lot line plus five feet for each additional story over two.~~
8. See Section 25 of this article for applicable building setback and height regulations for accessory structures.
38. If there is any conflict between Section 24, Article VI (City Core Overlay District) and the minimum front ~~setback yard~~ requirements denoted in Chart 4-~~2~~ and its endnotes and/or the accessory structure setbacks and heights within bulk requirements denoted in Section 25, then Section 24, Article VI (City Core Overlay District) shall prevail.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
DECEMBER 6, 2023**

PRINCIPAL PLANNER: MARGARET ANN GREEN

- 6.a. Request for Outside the City Water & Sewer Service [2023-505] for approximately 288 acres located along Lebanon Pike and East Jefferson Pike, Rutherford County applicant.**

Introduction

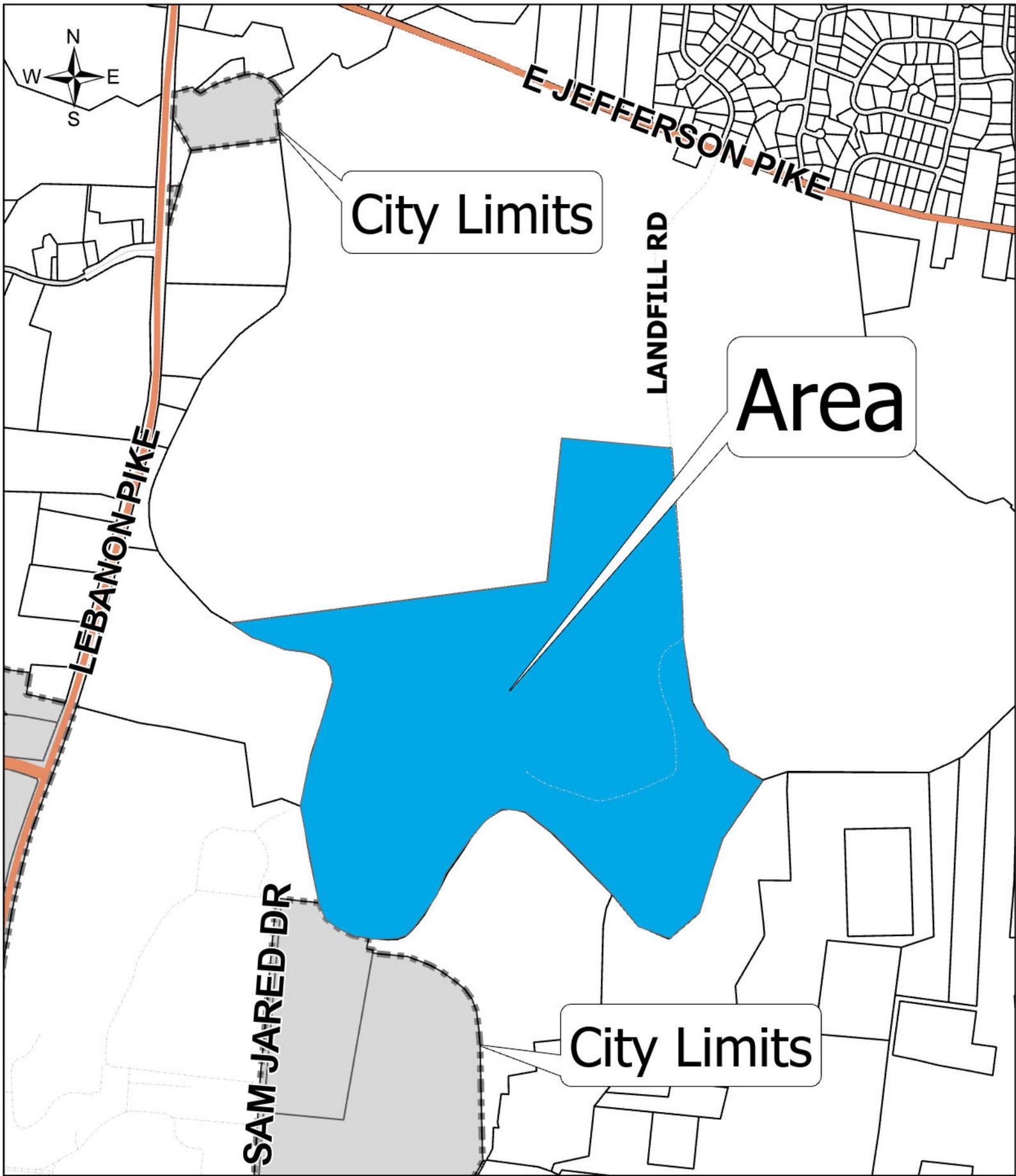
The subject property is located along Lebanon Pike and East Jefferson Pike (S.R. 266). Water and sanitary sewer is available to the property and the owners desire to be able to connect to the sanitary sewer. The 288 acre property is identified on Tax Map 46 as parcel 033.01 and is owned by Rutherford County. This property is currently zoned Heavy Industrial (H-I) within the unincorporated county which is an industrial zone that is intended to provide space for the types of industrial activities, which by reason of volume of raw materials or freight, scale of operations, type of structures required, or other similar characteristics require locations relatively well separated from non-industrial uses. New residential activities except for those permitted as an accessory use are excluded, and commercial establishments and community facilities that provide needed services for industry and are complementary thereto are permitted.

Background

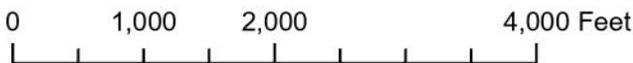
The property owner has filed a request for annexation, which is the first step in seeking service as an outside the City sewer customer. The City is currently working through a Development Agreement to serve the 288-acre County property to develop a transfer station. The subject property is within the City's urban growth boundary. Because of the availability of water and sewer, Planning Staff recommends approval of the property as an outside the City water and sewer customer in accordance with the requirements of Murfreesboro City Code Section 33-2.1.1. If approved as an outside the City sewer customer, any future construction on the property must adhere to City development requirements and the Development Agreement. Staff recommends that H-I (Heavy Industrial) zoning district be assigned to this property for the purpose of regulating future development.

Recommendation:

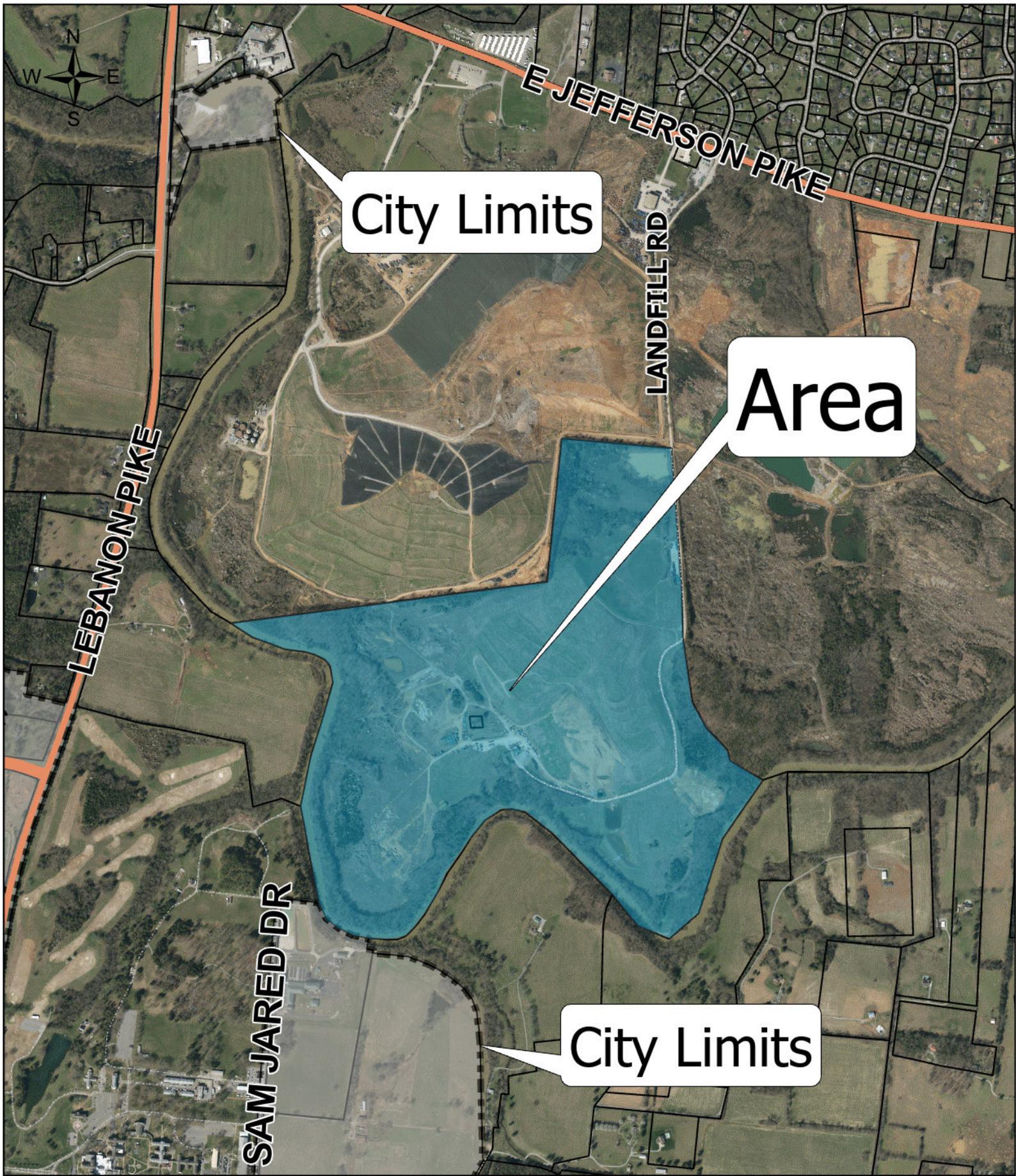
If the Planning Commission recommends approval of this property as an outside the City sewer customer, Staff will forward the recommendation to the City Council for its consideration. This application is anticipated to be on the November 7, 2023, City Council agenda.



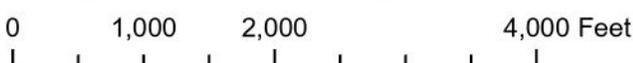
**Annexation or Outside the City Sewer Request
for Property located along Landfill Road**



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



**Annexation or Outside the City Sewer Request
for Property located along Landfill Road**



Planning Department
City of Murfreesboro
111 West 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. Rutherford County Mayor Joe S. Carr
Printed Name of Owner (and Owner's Representative, if Owner is an entity)

Signature: [Signature] Status: County Mayor Date: 11.6.2023

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

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

Signature: _____ Status: _____ Date: _____

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

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

Signature: _____ Status: _____ Date: _____

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

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

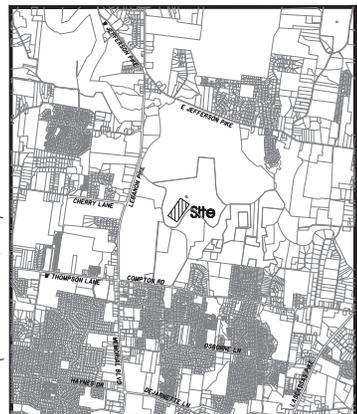
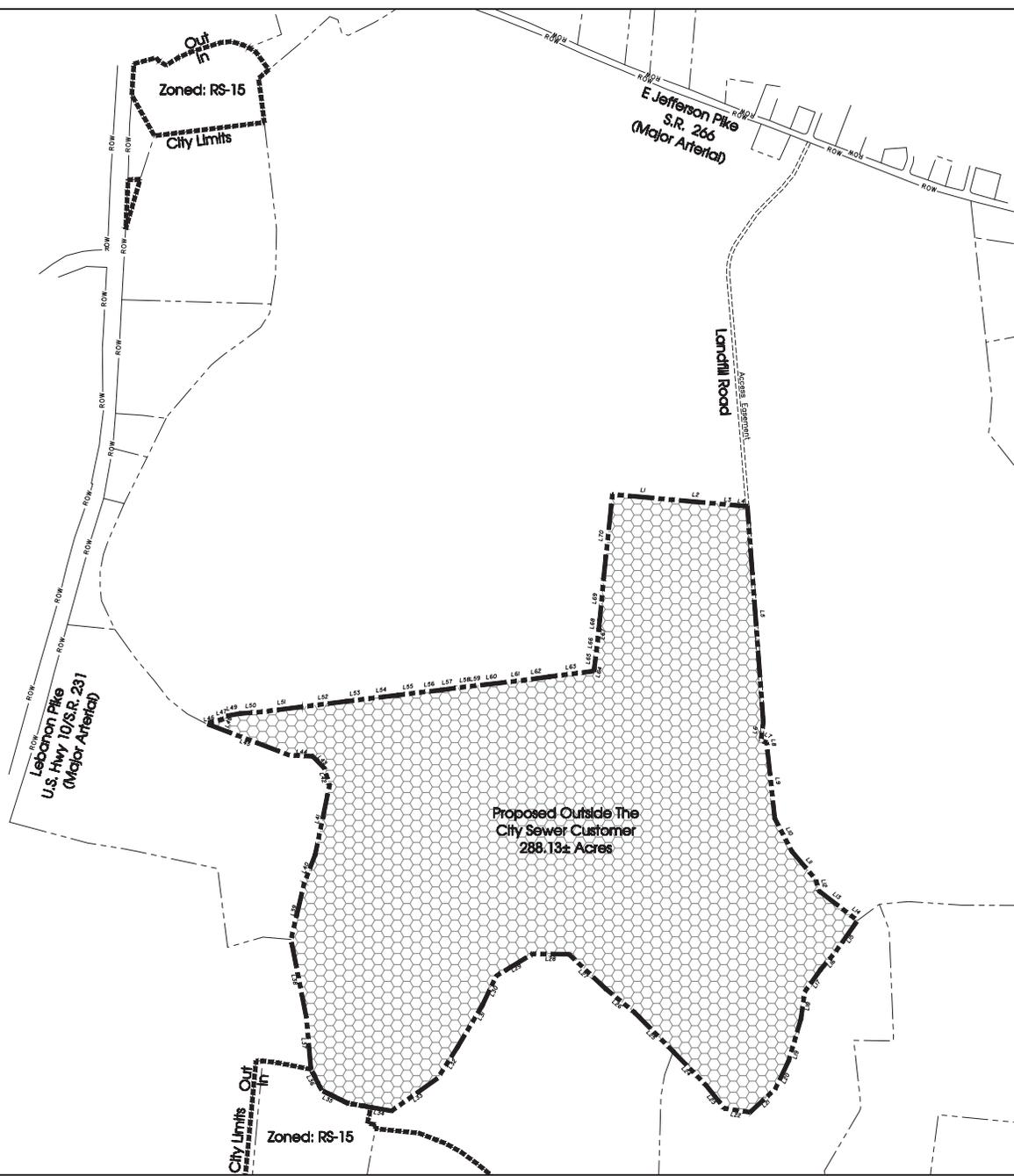
Signature: _____ Status: _____ Date: _____

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

(Attach additional signature pages if necessary)

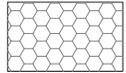
Legal Description is attached: _____ Yes

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



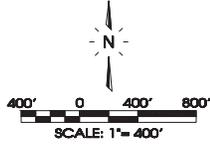
Site Location Map
Not To Scale

LINE	BEARING	DISTANCE
L1	N 84°51'27" W	461.77'
L2	S 85°01'47" E	359.06'
L3	N 85°00'07" W	204.49'
L4	S 85°00'07" E	27.12'
L5	N 04°12'57" W	1688.76'
L6	N 07°29'03" E	19.54'
L7	S 64°21'07" E	47.78'
L8	S 08°54'37" E	19.04'
L9	N 06°07'37" W	575.41'
L10	N 27°19'57" W	287.33'
L11	S 40°16'57" E	293.79'
L12	N 13°57'47" W	87.68'
L13	S 52°29'27" E	272.52'
L14	S 52°29'27" E	110.00'
L15	N 35°04'53" E	301.72'
L16	S 40°17'53" W	179.17'
L17	N 35°32'23" E	211.25'
L18	S 08°02'13" W	213.65'
L19	N 16°17'53" E	341.21'
L20	N 25°38'33" E	245.90'
L21	N 47°22'53" E	265.02'
L22	S 81°25'07" E	202.69'
L23	S 38°31'07" E	231.98'
L24	S 44°15'07" E	365.90'
L25	S 44°40'47" E	429.71'
L26	S 50°48'37" E	287.72'
L27	S 46°45'37" E	396.57'
L28	S 89°31'27" E	285.58'
L29	S 58°44'03" W	329.82'
L30	S 25°30'43" W	256.39'
L31	S 50°42'03" E	372.34'
L32	N 32°28'53" E	292.22'
L33	N 54°40'13" E	441.89'
L34	S 80°00'47" E	352.05'
L35	S 63°36'07" E	222.34'
L36	S 27°04'27" E	184.78'
L37	N 04°59'27" W	401.00'
L38	S 11°07'47" E	625.45'
L39	S 13°12'53" W	449.02'
L40	N 20°59'13" E	241.59'
L41	S 11°38'03" W	552.46'
L42	S 17°02'17" E	137.74'
L43	N 44°04'47" W	130.00'
L44	N 67°07'07" W	185.37'
L45	S 69°10'07" E	696.97'
L46	N 76°33'43" E	123.23'
L47	N 76°46'03" E	33.56'
L48	N 19°27'53" E	22.27'
L49	S 80°04'03" W	109.67'
L50	S 85°24'23" W	177.86'
L51	S 82°50'23" W	309.32'
L52	S 83°02'53" W	344.60'
L53	S 82°47'33" W	156.80'
L54	S 83°19'43" W	256.40'
L55	S 82°43'53" W	165.78'
L56	S 83°56'13" W	166.10'
L57	N 81°55'33" E	121.86'
L58	N 83°20'03" E	152.22'
L59	S 82°37'23" W	19.81'
L60	S 83°36'23" W	245.51'
L61	N 83°32'03" E	129.33'
L62	N 82°08'23" E	201.09'
L63	S 82°48'23" W	345.14'
L64	N 18°05'33" E	18.40'
L65	S 07°24'03" W	143.30'
L66	N 06°40'33" E	107.42'
L67	S 04°43'13" W	63.19'
L68	N 06°07'03" E	71.63'
L69	S 05°18'13" W	322.65'
L70	S 05°58'53" W	660.49'



Proposed Outside The City Sewer Customer

Total Acres to Annex = 288.13± Acres



SJC, Inc.
SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
LANDSCAPE ARCHITECTURE
1000 W. MAIN ST., SUITE 100, RUTLEDGE, TENNESSEE 37083
PHONE: (615) 291-1100 FAX: (615) 291-1101
E-MAIL: ADMIN@SJC.COM WWW: WWW.SJC.COM
NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESS WRITTEN CONSENT OF S.J.C., INC.



Landfill Road Transfer Station REVIEW SHEET
(Not Intended for Construction)
Rutherford County, Tennessee, Tennessee

REVISED:	
DRAWN: SLA	
DATE: 10-30-2023	
CHECKED:	
MAT:	
FILE NAME:	
230720project	
SCALE:	1" = 400'
JOB NO.	23678
SHEET:	C1.0

Annotation or Service as an outside the City Sewer Customer

**DEVELOPMENT AGREEMENT FOR
WATER AND SEWER SERVICE TO PROPERTY OUTSIDE THE CITY LIMITS**

THIS DEVELOPMENT AGREEMENT (“Agreement”) by and among the CITY OF MURFREESBORO, a Tennessee municipal corporation (the “City”), acting by and through its Water Resources Department (the “Department”), and RUTHERFORD COUNTY (the “Developer”), is entered into as of the last signature date to appear below.

RECITALS

- A. Developer is improving certain property that is located at East Jefferson Pike, Murfreesboro, TN and which is designated as a portion of tax parcel number 046-033.01 (the “Property”).
- B. The Property is located outside the current boundaries of the City, and Developer desires to develop the Property with a solid waste transfer station.
- C. Developer desires that the Department provide drinking water, water for fire protection, and sanitary sewer service (“Service”) to the Property.
- D. Developer is willing to construct, inspect, and maintain a private water main and sanitary sewer system (the “Private Facilities”) on the Property up to the point where the Private Facilities connect to the Department’s public system at an approved location at a capacity required to serve the transfer station on the Property.
- E. The Department is willing to provide Service to the Property upon its review and acceptance of properly designed and installed infrastructure that the Department in its sole discretion determines is adequate and appropriate to properly handle the Service and that will not have a detrimental impact on the services provided to other Department customers or the financial condition of the Department.

AGREEMENT

For and in consideration of the mutual benefits accruing to each party hereinafter set forth, the parties hereto agree as follows:

- 1. Project Engineering.** Developer will retain the services of qualified civil and plumbing engineering consultants licensed in the State of Tennessee to design the sanitary sewer service, mainlines, road improvements, and all other related facilities (the “Project”) for the Development.
 - 1.1 Plans and specifications prepared by Developer’s engineer must conform to all applicable statutes, codes, regulations, and criteria, including, but not limited to, the latest edition of: the Department’s Standard Specifications for Construction; the Department’s Policies, Procedures & General Design Requirements; the State of Tennessee Design Criteria for Sewage Works, 2018 International Plumbing Code (as amended by the City and set forth in Chapter 23 of the Murfreesboro City Code), Chapter 33 of the Murfreesboro City Code; and any other sewer requirement applicable to the Project as determined by the Department or the State (“Project Standards”).

- 1.2 Developer must coordinate all water and sewer designs with the Department Engineer and/or City Engineer, as appropriate, and submit the design for review and approval to the Department Engineer for not less than a two-week period for review; provided, however, the Department's and the City's workload may require additional review time. ***No work may begin on any portion of the Project that pertains to the Private Facilities prior to Department/City review and approval of Developer's required submissions.***
- 1.3 Submissions for review must be complete and contain at a minimum:
 - a. All materials specifically requested by the Department;
 - b. Master plans;
 - c. Engineering reports;
 - d. Preliminary surveys;
 - e. Solids pretreatment interceptor receiving all floor drain waste and any other washdown wastewater from transfer station;
 - f. Gravity sewer service and mainline plans to include sewer pump station and force main;
 - g. Fire flow projections and double detector check valve location approval;
 - h. Detailed site plans;
 - i. Sewer main profiles and a detailed survey layout of the sewer which includes the field location of an appropriate benchmark(s), location of sewer manholes, preparation of sewer line cut sheets;
 - j. Detail sheets; including East Fork Stones River crossing details;
 - k. Project specifications;
 - l. Hydraulic calculations; and
 - m. Full cost estimates/take-offs.
- 1.4 Developer must timely inform the Department of any material changes to the plans after approval and any field changes which would materially affect the design.
- 1.5 Developer acknowledges that the Department's approval of the Private Facilities is solely for the purpose of providing drinking water, water for fire protection, and sanitary sewer service to the transfer station referenced in Developer's submissions to the Department. Developer agrees that it will not connect the Private Facilities to any building or other facility not proposed in Developer's submissions to the Department without the review and approval of the designs for such additional buildings, facilities, and/or connection(s) by the Department. Developer further agrees to submit the documents requested by the Department as part of such additional review-and-approval process.

2 Construction & Inspection.

- 2.1 The Department must be allowed to inspect all sewer construction and witness all testing related to plumbing, water mains, FOG interceptors, gravity sewer service lines, gravity sewer mains, sewer pump station, and force main.
- 2.2 Developer, at its sole expense, is responsible for construction of the Private Facilities in conformity with the Standards, the plans and specifications submitted to and approved initially by the Department but ultimately by the Tennessee Department of Environment and Conservation; the Department will not accept or connect the Private Facilities, or any parts thereof, that do not comply with all requirements.
 - a. Connections of the new construction to existing sanitary sewer may be performed by the Department at the Department's option, the cost of which will be paid by Developer to the Department.
 - b. The Department may require prepayment of estimated costs for labor and materials performed or provided by the Department.
- 2.3 Developer must maintain erosion barriers and take other steps to prevent the erosion and tracking of materials from the site onto adjoining parcels, streams, and public right-of-way.
- 2.4 Additionally, Developer is solely responsible for:
 - a. Obtaining all permits from other governmental agencies and utilities; no charge or fee set forth herein incorporates any permit or other fees required by other governmental agencies, and/or utilities;
 - b. Obtaining bids and award of contracts for construction of the accepted design;
 - c. Preparation, verification, approval, and payment of periodic payment requests made by Developer's contractor; and
 - d. Obtaining any off-site easements and/or rights-of-way that may be required.
 - e. Tennessee Department of Environment and Conservation (TDEC) Aquatic Resource Alteration Permit (ARAP) associated with East Fork Stones River pipeline crossings, or any other required permit from TDEC or the U.S. Army Corps of Engineers.
- 2.5 Developer may be required as a condition for the provision of Service to transfer or provide certain easement rights to the City, as reasonably determined by the Department and Developer, to or over certain portions of the Property. If the easements require dedication to the City for the public benefit with attendant rights and duties allocated between the parties., the Developer will, at Developer's expense, provide the Department with legal descriptions, exhibits, or other title information for any required documents, and such legal documents will be prepared by the City Legal Department and approved as to form by the City Attorney and the attorney for the Developer.
- 2.6 Coordination.
 - a. Developer is solely responsible for coordination of its construction activities with other utilities.
 - b. Developer is solely responsible for securing approval of the County, or State, as

appropriate, for any construction activity that may affect a roadway or right of way, and Developer agrees at all times to properly mark the construction area with barriers, barricades, fences, guards and flagmen as required by the *Manual on Uniform Traffic Control Devices*, Part 6 (“MUTCD”) and undertake any other measure necessary, prudent, or recommended to minimize the danger to the public, all of which are incorporated into and considered by the parties to be part of the Project Standards.

- (i) On streets which are not barricaded to block all traffic, Developer agrees to place and maintain a drum type barricade as described in MUTCD, stabilized with sandbags, on each manhole cover and/or casting which extends more than two inches above the existing street surface.
- (ii) Without limiting Developer’s obligation to conform with all provisions of MUTCD, Developer agrees to place and maintain signs as provided in Part 6 of the MUTCD.

2.7 Private Facilities Operation & Maintenance.

- a. Developer shall be required to provide for the long-term operation, maintenance, and repair of the Private Facilities and further ensure that the Private Facilities remains in proper working condition, all at Developer’s sole expense.
- b. The Department shall have the right to enter the Property at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, or repairing the Private Facilities and its appurtenances. By arrangement with Developer, the Department may install and maintain equipment to monitor the performance of the Private Facilities. Developer shall be solely responsible for the costs associated with any necessary flushing or other maintenance/repair operations by the Department.
- c. If the Department finds that Developer has not maintained the system, the Department may order Developer to make repairs to bring the system up to standards. If the work is not performed within the time specified by the Department, Developer understands and agrees that the Department may enter the Property and take steps necessary to repair or maintain the Private Facilities.
- d. Neither the City nor the Department shall be obligated to maintain or repair the Private Facilities, and this Agreement shall not be construed to impose any such obligation on the City and/or the Department.
- e. If the City and/or the Department incur expenses in repairing or maintaining the Private Facilities, the Developer must reimburse the City and/or the Department for the above expenses within 45 days of a written notice.
- f. To the extent permitted by applicable law, Developer hereby releases the City, its officers, agents or employees, for any and all damages, accidents, casualties, occurrences, claims or attorney’s fees which might arise or be asserted, in whole or in part, against the City from the construction, presence, existence, maintenance, operation, or failure of the Private Facilities subject to this Agreement. In the event a claim is asserted against the City, or its officers, agents, or employees, the City shall notify Developer, who shall defend at Developer’s expense any suit based on such

claim. If any judgment or claim against the City, or its officers, agents or employees, shall be allowed, Developer shall pay all reasonable costs and expenses in connection therewith. The City will not indemnify, defend or hold harmless in any fashion Developer from any claims arising from any failure, regardless of any language in any attachment or other document that Developer may provide.

- g. Other than providing an access point for Service to the public water and sewer to Developer at an approved location, the Department shall have no responsibility for or liability in connection with operation of the Private Facilities for the Property.
- h. Developer represents, warrants, and confirms, and the City acknowledges, that the Private Facilities described and/or contemplated herein are and shall remain the private and separate property of Developer, shall not be considered property of the Department or the City, and shall not be deemed integrated into the Department's system. No parties other than Developer, and for no other purpose than for the servicing of the Property and schools constructed thereon, shall be allowed to use or benefit from the Private Facilities without the express written consent of the City, said consent to be at the City's sole discretion without regard to reasonableness or other standards. To ensure sufficient capacity is maintained in the Private Facilities for the Developer's needs, the City shall not permit any other person or entity other than the Developer to use or benefit from the Private Facilities without the express written consent of Developer.
- i. Developer shall, at its sole expense, relocate any portion of the Private Facilities as may be required from time to time for roadway or other public improvements, and/or reimburse City for design, inspection, and relocation expenses for the Private Facilities in conjunction with any future roadway or other public improvement.

3. Charges and Fees.

3.1 Developer will pay to the Department, prior to construction, standard water and sewer connection fees of:

- (i) \$1,200 per single family unit (sfu) equivalent, defined as consuming a capacity of 260 gallons per day for water supply, and
- (ii) \$2,550 per sfu equivalent for sanitary sewer service.

3.2 The Department will inspect the Project for compliance with the final plans and specifications and Developer will pay to the Department a resident inspection fee of \$1.00 per linear foot based on actual footage of sewer installed, to include plumbing, gravity sewer service, gravity sewer main and sewer force main.

3.3 The Developer shall pay for the required upsize in water main required at the Stones River Water Treatment Plant. The upsize section of main consists of approximately 140 linear feet of 6" diameter ductile iron pipe (D.I.P.) upsized to 8" diameter D.I.P.

4. Compliance with Other Laws. Compliance with the Agreement and the City's other applicable development regulations shall not excuse Developer from complying with all applicable regulations and requirements of Rutherford County and the State of Tennessee.

5. Outside Rates. Developer understands that the rate for sewer service to properties outside the City limits are higher than for service to properties inside the City limits; Developer agrees to

pay the rate as established and amended from time to time by the City Council.

6. **Indemnification.** Developer will be responsible for any and all claims arising from or associated with Developer's acts and omissions or those of Developer's engineers, contractors, partners, officers, employees, consultants, agents, invitees, or other affiliates, associates, or permitted or non-permitted parties.
7. **Notice.** Notifications required under this agreement must be sent first class mail or hand delivered to the following addresses and will be deemed to have been delivered upon receipt:

If to the City:

Murfreesboro Water Resources Department
Engineering Annex
220 N.W. Broad Street
P.O. Box 1477
Murfreesboro, TN 37133-1477

With a copy to:

City of Murfreesboro
Attn: City Attorney
111 W. Vine St.
Murfreesboro, TN 37130

If to Developer:

Rutherford County

Contact: Joe Carr
Address: County Courthouse,
One Public Square
Murfreesboro, TN 37130
Phone: 615-898-7745
Email: joecarr@rutherfordcountyttn.gov

With a copy to:

Contact: Nicholas Christiansen
Address: 16 Public Square N
Murfreesboro, TN 37130
Phone: 615-893-5522
Email: nchristiansen@mborolaw.com

8. **Covenants Run with the Land.** All obligations and undertakings of Developer shall be deemed to be covenants running with the land and shall be fully binding on all successors and assigns of Developer.
9. **Miscellaneous.** In the event either party breaches the terms of this Agreement, the Court may award the prevailing party reasonable attorney's fees and court costs associated with enforcement of the Agreement in addition to any other relief either party is entitled. This instrument constitutes the entire agreement of the parties notwithstanding any prior statements, understanding, or agreements, and it may be amended only in writing acknowledged by authorized agents of each of the parties. This Agreement may not be assigned by either party without the express consent of the other and is binding upon the parties hereto, their heirs, successors, and assigns. This Agreement may only be interpreted under and subject to the laws of the State of Tennessee. The venue for resolution of any dispute is solely Rutherford County, Tennessee and the parties hereby waive all rights to a trial by jury.

IN WITNESS WHEREOF, the parties sign this Agreement on the day and year last written below.

RUTHERFORD COUNTY

CITY OF MURFREESBORO

By: _____
Signature

By: _____
Signature

Print Name

Print Name

Its: _____

Its: _____

Date: _____

Date: _____

Approved as to form:

Approved as to form:

Nicholas Christiansen, County Attorney

Adam F. Tucker, City Attorney

APPROVED BY:

Murfreesboro City Council _____

Rutherford County Commission _____

MINUTES OF THE SPECIAL MEETING PLANNING COMMISSION NOVEMBER 14, 2023

9:00 A.M.

ROOM 218

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Jami Averwater
Reggie Harris
Bryan Prince
Chase Salas
Shawn Wright

STAFF PRESENT

Greg McKnight, Exec. Director Dev. Services
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Ian Pollock, Planning Intern
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney

1. Call to order.

Chair Kathy Jones called the meeting to order at 9:00 a.m.

2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

3. Public Comments.

Chair Kathy Jones announced no one signed up to speak during the Public Comments portion of the agenda.

4. New Business:

Mr. Greg McKnight explained that the purpose of the special meeting was to discuss the update to the proposed amendment to the City Zoning Ordinance.

Mr. Matthew Blomeley and Ms. Holly Smyth presented the following revisions of the Zoning Ordinance for discussion.

a. Proposed amendment to the City Zoning Ordinance [2023-803] pertaining to miscellaneous revisions to the following sections:

- Section 2: Definitions;

MINUTES OF THE SPECIAL MEETING PLANNING COMMISSION NOVEMBER 14, 2023

- Section 6: Amendments;
- Section 7: Site Plan Review;
- Section 9: Standards for Special Permit Uses;
- Section 24: Overlay District Regulations, Article VI. CCO, City Core Overlay District;
- Section 25: Temporary and Accessory Structures and Uses;
- Section 26: Off-Street Parking, Queuing, and Loading;
- Section 28: Non-Conformities;
- Chart 1: Uses Permitted by Zoning District (including Chart 1 endnotes); and
- Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios (including Chart 2 endnotes)

City of Murfreesboro Planning Department applicant. (Project Planner: Holly Smyth)

b. Preliminary Discussion of Potential New Overlay Districts.

Mr. Greg McKnight explained potential new overlay district areas along Northwest Broad Street and along South Church Street.

Mr. Greg McKnight acknowledged Mr. Matt Taylor of SEC, Inc. and Mr. Chris Maguire and Mr. Clyde Rountree, both Huddleston-Steele Engineering, Inc., for their attendance and participation in the meeting.

c. Adjourn.

There being no further business, the meeting adjourned at 11:28 p.m.

Chair

Secretary

GM: cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

1:00 PM

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

STAFF PRESENT

Greg McKnight, Exec. Director Dev. Services
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Amelia Kerr, Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Katie Noel, Project Engineer
Gabriel Moore, Project Engineer
Jennifer Knauf, Project Engineer
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney

1. Call to order.

Chair Kathy Jones called the meeting to order.

2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

3. Public Comments.

Chair Kathy Jones announced that no one signed up to speak during the Public Comments portion of the agenda.

4. Approve minutes of the November 1, 2023 Planning Commission meeting.

Ms. Jami Averwater made a motion to approve the minutes of the November 1, 2023 Planning Commission meeting; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

Jami Averwater

Reggie Harris

Chase Salas

Shawn Wright

Nay: None

5. Consent Agenda:

The Gardens of Three Rivers, Resubdivision of Lot 124 [2023-2090] final plat for 2 lots on 0.2 acres zoned PRD located along Eldin Creek Drive, Patterson Company, LLC developer.

Laurelstone, Resubdivision of Lots 27 and 29 [2023-2092] final plat for 4 lots on 0.54 acres zoned PRD located along Laurelstone Drive and Granite Street, Clayton Properties Group, Inc. developer.

Waites Creek Crossing, Resubdivision of Lots 45 and 46 [2023-2093] final plat for 4 lots on 0.39 acres zoned RS-A, Type 1 located along Barringer Lane, O'Brien Loyd Venture developer.

Kingdom Ridge Commercial, Lot 5 [2023-2091] final plat for 1 lot on 3.6 acres zoned CH located along Malachite Drive and Covenant Boulevard, Swanson Development, LP developer.

NHK Seating of America, Resubdivision of Lots 1, 2, 3, and 5 [2023-2094] final plat for 4 lots on 43.4 acres zoned H-I located along Joe B Jackson Parkway and Hollis Westbrooks Lane, NHK Seating of America, Inc. developer.

Valley Farms, Section 4 [2023-2095] final plat for 55 lots on 11.8 acres zoned PUD in the unincorporated County and served as an outside the City sewer customer located along Dunbar Lane, Valley Farms Group, LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

Evergreen Farms, Section 38, Phase 3A [2023-2096] final plat for 36 lots on 5.4 acres zoned PRD located along Country Park Lane and Pimlico Lane, Evergreen Farms Development, Inc. developer.

West Point, Lot 19 [2023-2088] final plat for 1 lot on 3.2 acres zoned L-I located along Beasie Road, Charlie B. Mitchell, Jr. developer.

There being no further discussion, Ms. Jami Averwater moved to approve the Consent Agenda subject to all staff comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

6. GDO:

On Motion

Robert Rose Village West, Resubdivision of Lot 4 and 2nd Resubdivision of Lot 2 [2023-2089] final plat for 3 lots and a common area on 13.7 acres zoned PUD & GDO-1 located along Medical Center Parkway, Maplegrove Drive, and Robert Rose Drive, TDK Land, LLC developer. Mr. Joel Aguilera presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

There being no further discussion, Mr. Shawn Wright moved to approve the final plat subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

Robert Rose Village West [2023-1024] GDO Master Plan amendment & Preliminary Plat for 4 lots on 12.5 acres zoned CH, PUD, & GDO-1 located along Medical Center Parkway and Robert Rose Drive, TDK Land, LLC developer.

Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Mr. Shawn Wright moved to approve the master plan amendment and preliminary plat subject to all staff comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

Robert Rose Village West, Lot 5 [2023-6010 & 2023-3100] initial design review of a 14,500 ft2 grocery store located on 2.4 acres zoned CH and GDO-1 located along Medical Center Parkway and Robert Rose Drive, TDEC Land, LLC developer. Ms.

Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

The Planning Commission began discussing the site plan and voiced their concerns with the cart corral in the parking lot. Mr. Chase Salas requested the aluminum cart corral be improved. Ms. Jami Averwater suggested something similar to the cart corrals in the Murfreesboro Costco parking lot.

Mr. Matt Taylor (design engineer) and Mr. Ross Bradley (developer) were in attendance representing the application. Mr. Ross Bradley stated he would look further into different styles for the cart corral in the parking lot facing Medical Center Parkway.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the initial design review subject to all staff comments including improvements made to the cart corral facing Medical Center Parkway; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

- Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

Clari Park, Lot 13 (Drake's) [2023-6012 & 2023-3146] initial design review of a 6,381 ft2 restaurant located on 2.3 acres zoned CH and GDO-1 located along Roby Corlew Lane, Bluegrass Hospitality Group developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Ms. Tiffany Lehman (civil engineer) and Ms. Casey Kuffner (architect) were in attendance representing the application.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the initial design review subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

Clari Park Pocket Park [2023-6014 & 2023-3151] initial/final design review of a common area pocket park located on 0.27 acres zoned CH and GDO-1 located along Honey Locust Lane and Roby Corlew Lane, Hines Clari Park Land Holdings LLC, developer. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

Mr. Matt Hamilton (landscape architect) was in attendance representing the application. Mr. Matt Hamilton presented the brick pavers, the monument signage, the benches, the seat walls that would overlook an outdoor stage, and the pergola.

There being no further discussion, Mr. Chase Salas moved to approve the initial/final design review and site plan review subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

7. **Plats and Plans:**

On Motion

Parkway Place, Lot 10 (Ferguson Enterprises) [2023-3150] site plan for a 15,560 ft² office-warehouse building on 4.5 acres zoned PID (Parkway Place PID, Region 2) located along Richard Reeves Drive, Ferguson Enterprises, LLC developer. Mr.

Matthew Blomeley presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance representing the application.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

Creekwood, Resubdivision of Lot 33 [2023-2072] final plat for 2 lots on 1.2 acres zoned RD located along Carriage Drive and Caroline Drive, Elizabeth Ray developer. Mr.

Matthew Blomeley stated that the applicant e-mailed staff prior to the meeting and requested that this item be deferred.

Mr. Shawn Wright moved to defer the final plat; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

MINUTES OF THE MURFREESBORO PLANNING COMMISSION NOVEMBER 15, 2023

8. New Business:

Zoning application [2023-417] for approximately 48.3 acres located along Old Fort Parkway to be rezoned from CH & PSO to PCD (Stones River Town Centre PCD) & PSO, Kimley-Horn representing Sterling Organization applicant. Ms. Amelia Kerr presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Kimley-Horn representatives were in attendance representing the application.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on December 6, 2023; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Reggie Harris

Chase Salas

Shawn Wright

Nay: None

Zoning application [2023-418] for approximately 7.3 acres located along Northwest Broad Street and West Vine Street to be rezoned from CH & CCO to PUD & CCO, approximately 0.1 acres to be rezoned from CBD & CCO to PUD & CCO, and approximately 0.4 acres to be rezoned from CH & CCO to CBD & CCO, HRP Residential applicant. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

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Mr. Matthew Blomeley stated a neighborhood meeting had been conducted on November 14, 2023, with relatively low attendance of about 15 people. Mr. Matt Taylor made known over 300 letters had been sent out regarding the neighborhood meeting.

Mr. Matt Taylor (design engineer), Mr. John Harney (realtor), and Mr. Bart Kline (architect) were in attendance representing the application. Mr. Matt Taylor gave a brief presentation regarding the Pattern Book, which Pattern Book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Vice-Chairman Ken Halliburton asked if there was only one developer involved for this proposal. Mr. Matt Taylor answered that there is only one developer.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on December 6, 2023; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Reggie Harris

Chase Salas

Nay: Shawn Wright

Proposed amendment to the City Zoning Ordinance [2023-804] related to regulations for electric vehicles and pertaining to the following sections:

Section 2: Definitions;

Section 26: Off-Street Parking, Queuing, and Loading; and

Endnotes for Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios.

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City of Murfreesboro Planning Department applicant. Ms. Katie Noel presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Mr. Chase Salas made a motion to schedule a public hearing on December 6, 2023; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

Proposed amendment to the City Zoning Ordinance [2023-803] pertaining to miscellaneous revisions to the following sections:

- Section 2: Definitions;
 - Section 6: Amendments;
 - Section 7: Site Plan Review;
 - Section 9: Standards for Special Permit Uses;
 - Section 24: Overlay District Regulations, Article VI. CCO, City Core
- Overlay District;
- Section 25: Temporary and Accessory Structures and Uses;
 - Section 26: Off-Street Parking, Queuing, and Loading;
 - Section 28: Non-Conformities;
 - Chart 1: Uses Permitted by Zoning District (including Chart 1 endnotes);

and

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□ Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratios (including Chart 2 endnotes)

City of Murfreesboro Planning Department applicant. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on December 6, 2023; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Reggie Harris
Chase Salas
Shawn Wright

Nay: None

9. Staff Reports and Other Business:

Mr. Matthew Blomeley reminded the Planning Commissioners the TAPA virtual training is scheduled for Friday, December 17, 2023 8:00 a.m. to noon.

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10. Adjourn.

There being no further business the meeting adjourned at 2:18 p.m.

Chair

Secretary