

MURFREESBORO CITY COUNCIL
Regular Meeting Agenda
Council Chambers – City Hall – 6:00 PM
May 7, 2020

PRAYER

Mr. Eddie Smotherman

PLEDGE OF ALLEGIANCE

Consent Agenda

1. City Paving Contract Renewal (Engineering)
2. City Concrete and Storm Drainage Annual Contract Renewal (Engineering)
3. City Specialty Paving Contract Renewal (Engineering)
4. Cintas Citywide Agreement (Facilities)
5. Bid Approval for Fire Helmets (Fire Rescue)
6. Mandatory Referral for Irrigation Lines in Public Right-of-Way at Blackman Village (Planning)
7. Computer Equipment Purchase Request (Police)
8. Main Street Banner Request to Hang Across East Main Street (Street)
 - a. Murfreesboro Symphony December 5-14, 2020
 - b. Murfreesboro Symphony February 3-13, 2021
 - c. Murfreesboro Symphony April 7-17, 2021
9. Pole attachment Expense Payment (Transportation)
10. Asphalt Services (Water Resources)
11. Lagoon Water Treatment Residuals Removal (Water Resources)
12. Meter Vaults Bid (Water Resources)
13. Purchase and Installation of Energy Pump Management for High Service Pump Station (Water Resources)
14. Purchase of Sodium Hypochlorite (Water Resources)
15. Purchase of Water Resource Recovery Facility Traveling Irrigators (Water Resources)
16. Replacement of Water Resource Recovery Facility Roof (Water Resources)
17. Water/Wastewater Mechanical/Electrical Services Contract (Water Resources)

Old Business

18. Ordinance 20-OZ-02: Rezone approximately 0.89 acres located along the north side of Bradyville Pike west of Minerva Drive (2nd and final reading) (Planning)
19. Ordinance 20-OZ-03: Rezone approximately 0.71 acres located along the south side of E Vine Street east of S Highland Avenue (2nd and final reading) (Planning)
20. Ordinance 20-O-04: Amend the Zoning Ordinance regarding the definition of "family", variances, lighting fixtures at recreational fields, and landscaping for stormwater management areas (2nd and final reading) (Planning)

New Business

Land Use Matters

21. Ordinance 20-OZ-11: Annexation and zoning of approximately 26.8 acres and 27.9 acres, respectively, located along New Salem Highway and Barfield Road (Planning)

- a. Public Hearing: Plan of Services and Annexation
 - b. Resolution 20-R-PS-11: Plan of Services
 - b. Resolution 20-R-A-11: Annexation
 - d. Public Hearing: Zone approximately 27.8 acres
 - e. Ordinance 20-OZ-11
22. Ordinance 20-OZ-08: Amend the Old Fort Plaza PUD on approximately 5.4 acres located along Old Fort Parkway and Autumn Towne Way (Planning)
- a. Public Hearing: Amend PUD on approximately 5.4 acres
 - b. Ordinance 20-OZ-08
23. Ordinance 20-OZ-09: Rezone approximately 0.36 acres located at the northwest corner of E Vine Street and S Bilbro Avenue (Planning)
- a. Public Hearing: Rezone approximately 0.36 acres
 - b. Ordinance 20-OZ-09
24. Ordinance 20-OZ-10: Rezone approximately 2.42 acres located along East College Street, N Church Street, E Lytle Street, and N Spring Street (Planning)
- a. Public Hearing: Rezone approximately 2.42 acres
 - b. Ordinance 20-OZ-10
25. Ordinance 20-O-12: Amend the Zoning Ordinance regarding the definition of "yard," timeframes for Planning Commission review of zoning applications, outdoor storage and displays, and several other miscellaneous changes (Planning)
- a. Public Hearing: Amend Zoning Ordinance
 - b. Ordinance 20-O-12

On Motion

- 26. Regulatory Assistance for NPDES Permit Renewal (Water Resources)
- 27. Shelton Square Special Sanitary Sewer Assessment District (Water Resources)

Licensing

Board & Commission Appointments

Payment of Statements

Other Business

Adjournment

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: City Paving Contract Renewal

Department: Engineering

Presented by: Chris Griffith, City Engineer

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Renewal of the Annual City Paving Contract.

Staff Recommendation

Approval the renewal of the Annual City Paving contract with Blue Water Industries.

Background Information

The Annual City Paving Contract was bid and awarded to Blue Water Industries on June 7, 2018. This contract is typically used for resurfacing of existing city streets.

The contract is renewable for up to four years after the original award if agreed upon by both parties. This is the second renewal year.

Council Priorities Served

Maintain public safety

Improvement of City streets enhances the safety and livability of neighborhoods and the City's roadway system.

Fiscal Impact

The primary funding source for the Annual City Paving Contract is from State Street Aid which is the local share of the State's gasoline tax. The budget for paving is determined annually based on the City's anticipated State Street Aid revenues and paving needs.

Attachments

Letter requesting contract renewal from Blue Water Industries



March 10, 2020

Mr. Chris Griffith
City of Murfreesboro
111 West Vine Street
P. O. Box 1139
Murfreesboro, TN 37133-1139

Re: 2018-2019 City Paving Contract
Contract Renewal – July 1, 2020 thru June 30, 2021

Dear Sir:

In accordance with the Special Conditions, Page 5, Item No. 15 Contract Extension, BWI MTN II Inc. dba Blue Water Industries respectfully requests that the above referenced contract be extended for an additional 12-month period, effective July 1, 2020. We understand that all terms and conditions of the current contract will remain the same.

Respectfully submitted,

BLUE WATER INDUSTRIES

Jeremy D. Goad
Vice President & General Manager

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COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: City Concrete and Storm Drainage Annual Contract Renewal

Department: Engineering

Presented by: Chris Griffith, City Engineer

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Renewal of the Annual City Concrete and Storm Drainage Contract.

Staff Recommendation

Approve the renewal of the Annual City Concrete and Storm Drainage contract with Rollins Excavating, LLC.

Background Information

The Annual City Concrete and Storm Drainage contract was bid and awarded to Rollins Excavating, LLC. on June 13, 2019. This contract is typically used for the installation and/or maintenance of the storm drainage facilities and sidewalks. Most of the work is completed in response to a request from a resident or inspection by our public works staff.

The contract is renewable for up to four years after the original award if agreed upon by both parties. This is the first renewal year.

Council Priorities Served

Maintain public safety

Improvement of City streets enhances the safety and livability of neighborhoods and the City's roadway system.

Fiscal Impact

The primary funding source for the Annual City Concrete and Storm Drainage contract is from State Street Aid which is the local share of the State's gasoline tax. Additional funding is also obtained through the Storm Water User Fee.

Attachments

Letter requesting contract renewal from Rollins Excavating, LLC.

ROLLINS EXCAVATING CO., LLC.

1468 Middle Tennessee Blvd., Murfreesboro, TN 37130

April 24, 2020

Mr. Chris Griffith
City of Murfreesboro
111 E Vine St.
Murfreesboro, TN 37130

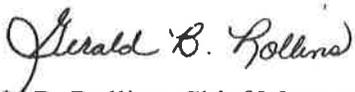
RE: Annual Concrete & Storm Drainage Contract

Dear Mr. Griffith,

Please be advised that Rollins Excavating Co., LLC hereby requests renewal of the City of Murfreesboro annual Concrete and Storm Drainage Contract for the July 1, 2020 thru June 30, 2021 term. In the event that any additional information is required concerning this matter, please do not hesitate to contact me.

It has been a pleasure conducting business with you & the City of Murfreesboro during the duration of our contract and we hope to continue to be of service to the City for the next term.

Sincerely,



Gerald B. Rollins, Chief Manager
Rollins Excavating Co., LLC

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: City Specialty Paving Contract Renewal

Department: Engineering

Presented by: Chris Griffith, City Engineer

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Renewal of the Annual City Specialty Paving Contract.

Staff Recommendation

Approve the renewal of the Annual City Specialty Paving contract with Hawkins Asphalt Paving, LLC.

Background Information

The Annual City Specialty Paving Contract was bid and awarded to Hawkins Asphalt Paving, LLC. on June 7, 2018. This contract is typically used for resurfacing of existing city streets. The Specialty Paving contract includes items such as crack sealant, stamped asphalt cross walks and fog sealing that are not included in the traditional paving contract.

The contract is renewable for up to four years after the original award if agreed upon by both parties. This is the second renewal year.

Council Priorities Served

Maintain public safety

Improvement of City streets enhances the safety and livability of neighborhoods and the City's roadway system.

Fiscal Impact

The primary funding source for the Annual City Specialty Paving Contract is from State Street Aid which is the local share of the State's gasoline tax. The budget for paving is determined annually based on the City's anticipated State Street Aid revenues and paving needs.

Attachments

Letter requesting contract renewal from Hawkins Asphalt Paving, LLC.

March 13, 2020

Mr. Chris Griffith
City of Murfreesboro
111 E. Vine St.
Murfreesboro, TN 37130

RE: Annual Paving Contract

Dear Mr. Griffith

This letter is to serve as notice that Hawkins Asphalt Paving, LLC would like to hereby request the renewal of the City of Murfreesboro annual Paving Contract for the upcoming year. Please feel free to contact me if you need any additional information from Hawkins Asphalt Paving, LLC.

I would further like to express that it has been a great pleasure working with you and the City of Murfreesboro throughout the duration of our contract and we hope to continue to be of service to the City for the upcoming term.

Sincerely,



Steven Flippo
Hawkins Asphalt Paving, LLC
Office Manager

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Cintas Citywide Agreement

Department: Facilities Management

Presented by: Bo Jones

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Agreement with Cintas for three-year pricing for uniform service and janitorial supplies.

Staff Recommendation

Approval of this contract is recommended.

Background Information

The City has a uniform and janitorial supply contract currently in place now. The current vendor has experience issues in maintaining an adequate level of service given the City's requirements. This additional contract will assist these vendors in meeting the City's demands and provided variations in services and supplies that may better address certain departments' operational needs.

Council Priorities Served

Responsible budgeting

A long-term citywide contract maximizes the City purchasing power and mitigates increasing costs over several fiscal years.

Fiscal Impact

Implementation of the contract imposes no direct fiscal requirement. Purchases made upon the contract's terms and conditions will be budgeted at the departmental level.

Attachments

Cintas-Omnia Partners Agreement



FACILITIES SOLUTIONS AGREEMENT

Location No. 0051

Contract No. 210321258

Customer No. 10146731

Main Corporate Code → **New CC 13218**

Date 3/11/2020

Customer/Participating Agency City Of Murfreesboro

Phone 615-405-0914

Address 620 W Main St City Murfreesboro

State TN Zip 37129

UNIFORM PRODUCT RENTAL PRICING:

Item #	Description	Unit Price
275	Performance Polo	.13
270	Cargo Pant	.14
970	Hip Length Jacket	.19
935	Comfort Shirt	.12
945	Comfort Pant	.14
912	Insulated Coveralls	.25

- This agreement is effective as of this date from 3/11/2020 to 3/10/2023, with a minimum term of 36 months. The length of this rental agreement will commence with the actual uniform rental, not affiliated with the start date of the Master Agreement. Any negotiations of price, terms or discounts must be approved by Prince William County Public Schools for the Master Agreement. Any such changes shall take effect on the anniversary date of the master agreement. All requests for price changes must be justified and based upon verifiable criteria which may include the Bureau of Labor Statistics Consumer Price Index (CPI-U).
- Name Emblem \$0 ea • Company Emblem \$0 ea
- Customer Emblem \$0 ea • Embroidery \$0 ea
- COD Terms \$0 per week charge for prior service (if Amount Due is Carried to Following Week)
- Automatic Lost Replacement Charge: Item _____ % of Inventory _____ \$ _____ Ea.
- Automatic Lost Replacement Charge: Item _____ % of Inventory _____ \$ _____ Ea.
- Minimum Charge \$.40 per delivery.
- Make-Up charge \$1.00 per garment.
- Non-Standard/Special Cut Garment (i.e., non-standard, non-stocked unusually small or large sizes, unusually short or long sleeve or length, etc.) premium \$0 per garment.
- Seasonal Sleeve Change \$0 per garment.
- Under no circumstances will the Company accept textiles bearing free liquid. Shop towels may not be used to clean up oil or solvent spills.
- Artwork Charge for Logo Mat \$0
- Size Change: Customer agrees to have employees measured by a Cintas representative using garment "size samples". A charge of \$2.00 per garment will be assessed for employee's size changed within 4 weeks of installation.
- Other _____

FACILITY SERVICES PRODUCTS PRICING:

Bundle*	Item #	Description	Rental Freq.	Inventory	Unit Price
	20004	Sig Autopaper	04	1	6.000
	2272	FC4 Floor Cleaner	04	1	00.72
	2275	GL1 Glass&Surface Cleaner	04	1	1.800
	2276	RR1 Disnct/Restroom Cleaner	04	1	2.750
	2282	FC3 Industrial Floor Cleaner	04	1	2.520
	27026	Sig Air	04	1	3.300
	27056	Sig AutoSoap	04	1	2.150
	27121	Sig AutoDrip	04	1	4.000
	84401	Logo Mat	04	1	6.000

*Indicated bundled items/services

- ____ _____ Initial and check box if Unilease. All Garments will be cleaned by customer
Date _____
- ____ _____ Initial and check box if receiving Linen Service. Company will take periodic physical inventories of items in possession or under control
Date customer. _____
- ____ _____ Initial and check box if receiving direct embroidery. If service is discontinued for any employee or Customer deletes any of the garments
Date direct embroidery for any reason, or terminates this agreement for any reason or fails to renew this agreement, Customer will purchase all direct embroidered garments at the time they are removed from service at the then current replacement values.

CUSTOMER:

Cintas Loc. No: 051 Nashville Please Sign Name _____

By: Will Griffith Please Print Name _____

Title: Market Development Rep Please Print Title _____

Accepted-GM: _____ Email _____

DocuSigned by:
Approved as to Form: Adam F. Tucker
Adam F. Tucker, City Attorney

Omnia Partners Public Sector Participating Public Agencies Terms

1. Participating Public Agencies: Supplier agrees to extend the same terms, covenants agreed to under the Master Agreement with Lead Public Agency Prince William County Public Schools to other government agencies ("Participating Public Agencies") that, in their discretion, desire to access the Master Agreement in accordance with all terms and conditions contained herein or attached hereto. Each participating Public Agency will be exclusively responsible and deal directly with Supplier on matters relating to length of agreement, ordering, delivery, inspection, acceptance, invoicing, and payment for products and services in accordance with the terms and conditions of the Master Agreement. Any disputes between a Participating Public Agency and Supplier will be resolved directly between them in accordance with and governed by the laws of the State in which the Participating Public Agency exists.
2. Master Agreement available at <https://www.omniapartners.com/publicsector>

Supplier General Service Terms Section

3. Prices Customer agrees to rent from Company, and Company agrees to provide to Customer, the Merchandise, inventory and services described on Exhibit A, "Merchandise & Pricing" at the prices set forth in Exhibit A. There will be a minimum charge of thirty-five dollars (\$35.00) per week for each Customer location required to purchase its rental services from Company as set forth in this Agreement.
4. Buyback of Non-Standard Garments Customer has ordered from Company a garment rental service requiring embroidered garments that may not be standard to Company's normal rental product line. Those non-standard products will be designated as such under-Garment Description in Exhibit C. In the event Customer deletes a non-standard product, alters the design of the non-standard product, fails to renew the Agreement, or terminates the Agreement for any reason other than documented quality of service reasons which are not cured, Customer agrees to buy back all remaining non-standard products allocated to Customer that the Company has in service and out of service at the then current Loss/Damage Replacement Values.
5. Service Guarantee: Company guarantees to deliver the highest quality textile rental service at all times. Any complaints about the quality of the service which have not been resolved in the normal course of business must be sent by registered letter to Company's General Manager. If Company then fails to resolve any material complaint in a reasonable period of time, Customer may terminate this agreement provided all rental items are paid for at the then current replacement values or returned to Company in good and usable condition.
6. Garments' Lack of Flame Retardant or Acid Resistant Features Unless specified otherwise in writing by the Company, the garments supplied under this Agreement are not flame retardant or acid resistant and contain no special flame retardant or acid resistant features. They are not designed for use in areas of flammability risk or where contact with hazardous materials is possible. Flame resistant and acid resistant garments are available from Company upon request. Customer warrants that none of the employees for whom garments are supplied pursuant to this Agreement require flame retardant or acid resistant clothing.
7. Logo Mats In the event that Customer decides to delete any mat bearing the Customer's logo (Logo Mat) from the rental program, changes the design of the Logo Mats, terminates this agreement for any reason or fails to renew this Agreement, the Customer will purchase at the time of deletion, design change or termination, all remaining Logo mats that the Company has in service and out of service held in inventory at the then current Loss/Damage Replacement Value.

8. Adding Employees Additional employees and Merchandise may be added to this Agreement at any time upon written or oral request by the Customer to the Company. Any such additional employees or Merchandise shall automatically become a part of and subject to the terms of this Agreement. If such employees are employed at a Customer location that is then participating under this Agreement, the Customer shall pay Company the one-time preparation fee indicated on Exhibit A. Customer shall not pay Company any one-time preparation fee for garments for employees included in the initial installation of a Customer location. There will be a one-time charge for name and/or company emblems when employees are added to the program in garments requiring emblems.
9. Emblem Guarantee Customer has requested that Company supply emblems designed exclusively for Customer featuring Customer's logo or other specific identification (hereinafter "Customer Emblems"). Company will maintain a sufficient quantity of Customer Emblems in inventory to provide for Customer's needs and maintain a low cost per emblem through quantity purchases.
10. In the event Customer decides to discontinue the use of Customer Emblems, changes the design of the Customer Emblems, terminates this Agreement for any reason or fails to renew this Agreement, the Customer will purchase at the time of deletion, design change, termination or expiration, all remaining Customer Emblems that the Company allocated to Customer at the price indicated on Exhibit A of this Agreement. In no event shall the number of Customer Emblems allocated to Customer exceed the greater of (a) twelve (12) months' volume for each unique Customer Emblem or (b) a quantity agreed to by Company and Customer and noted on Exhibit A.
11. Terminating Employees Subject to the provisions of this Agreement, the weekly rental charge attributable to any individual leaving the employ of the Customer, or on a temporary leave of absence of three (3) weeks or more, shall be terminated upon oral or written notice by the Customer to the Company but only after all garments issued to that individual, or value of same at the then current Loss/Damage Replacement Values, are returned to Company.
12. Replacement In the event any Merchandise is lost, stolen or is not returned to Company, or is destroyed or damaged by fire, welding damage, acid, paint, ink, chemicals, neglect or otherwise, the Customer agrees to pay for said Merchandise at the then current Loss/Damage Replacement Values.
13. Indemnification To the fullest extent permitted by law, Company agrees to defend, indemnify, pay on behalf of and save harmless the Participating Public Agency, its elected and appointed officials, agents, employees and authorized volunteers against any and all claims, liability, demands, suits or loss, including reasonable attorneys' fees and all other costs connected therewith, arising out of or connected to the services provided by Company under this Contract, but only to the extent of Company's negligence.
14. Additional Items: Additional customer employees, products and services may be added to this agreement and shall automatically become a part of and subject to the terms hereof and all of its provisions. If this agreement is terminated early for convenience, the parties agree that the damages sustained by Company will be substantial and difficult to ascertain. Therefore, if this agreement is terminated by Customer prior to the applicable expiration date for any reason other than documented quality of service reasons which are not cured, or terminated by Company for non-payment by Customer at any time Customer will pay to Company, as termination charges and not as a penalty based upon the following schedule:

If this agreement is cancelled for convenience in the first twelve months of the term, Customer shall pay as termination charges equal to 50 weeks of rental service.

If this agreement is cancelled for convenience in months thirteen (13) through eighteen (18) of the term, Customer shall pay as termination charges equal to 36 weeks of rental service.

If this agreement is cancelled for convenience in months nineteen (19) through twenty-four (24) of the term, Customer shall pay as termination charges equal to 23 weeks of rental service.

If this agreement is cancelled for convenience after 24 months of service, Customer shall pay as termination charges of 10 weeks of rental service.

Customer shall also be responsible to return all of the Merchandise allocated to such Customer locations terminating this Agreement at the then current Loss/Damage Replacement Values and for any unpaid charges on Customer's account prior to termination.

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Bid Approval for Fire Helmets

Department: Fire Rescue

Presented by: Mark A. Foulks

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Bid approval for fire helmets

Staff Recommendation

Approve purchase of fire helmets from bidder, G & W Diesel/EVS.

Background Information

MFRD purchases helmets on an annual rolling replacement schedule, for new employees and replaces helmets when necessary. The competitive purchasing process was followed for this item and an Invitation to Bid was released to the public on January 24, 2020. One sealed bid was received from G & W Diesel/EVS and was opened on February 14, 2020.

Council Priorities Served

Maintain public safety

Fire helmets are a necessity to assure safe and efficient operations and to provide the highest level of service to the community.

Fiscal Impacts

Funds to purchase helmets, \$3,595, are included in the FY20 budget.

Attachments

Agreement for Fire Helmets

Agreement for Fire Helmets

This Agreement is entered into and effective as of the ____ day of _____ 2020, by and between the **City of Murfreesboro**, a municipal corporation of the State of Tennessee (the "City"), and **G&W Diesel Service Inc. / Emergency Vehicle Specialists**, a Corporation of the State of Tennessee ("Contractor").

This Agreement consists of the following documents:

- This document
- ITB-19-2020 – Fire Helmets issued: 01/24/2020 (the "Solicitation");
- Contractor's Proposal dated: 02/14/2020 ("Contractor's Proposal");
- Contractor's Price Proposal dated: 02/14/2020 (the "Price Proposal"); and,
- Any properly executed amendments to this Agreement.

In the event of conflicting provisions, all documents will be construed according to the following priorities:

- First, any properly executed amendment or change order to this Agreement (most recent amendment or change order given first priority);
- Second, this Agreement;
- Third, the Solicitation; and
- Lastly, Contractor's Proposal.

1. Duties and Responsibilities of Contractor. Contractor agrees to piping materials based on "ITB-19-2020 – Fire Helmets." listed under "Bid Specifications" of the ITB.

2. Term. The term of this Agreement commences on the Effective Date _____ and expires on _____, unless extended by mutual agreement of Contractor and the City or earlier terminated as set forth herein Termination. Contractor's services may be terminated in whole or in part:

- a. Upon 30-day prior notice, for the convenience of the City.
- b. For the convenience of Contractor, provided that Contractor notifies the City in writing of its intent to terminate under this paragraph at least 30 days prior to the effective date of the termination.
- c. For cause, by either party where the other party fails in any material way to perform its obligations under this Agreement. Termination under this subsection is subject to the condition that the terminating party notifies the other party of its intent to terminate, stating with reasonable specificity the grounds therefore, and the other party fails to remedy the problem within 15 days after receiving the notice.
- d. Should Contractor fail to fulfill in a timely and proper manner its obligations under this Agreement or if it should violate any of the terms of this Agreement, the City has the right to immediately terminate the Agreement. Such termination does not relieve Contractor of any liability to the City for damages sustained by virtue of any breach by Contractor.
- e. Should the appropriation for Contractor's work be withdrawn or modified, the City has the right to terminate the Agreement immediately upon written notice to Contractor.

3. Price; Compensation; Method of Payment.

- a. The price for the goods and other items to be provided under this Agreement is set forth in the Price Proposal which reflects a total purchase price of nine hundred forty-one dollars and ninety cents (\$941.90). The price breakdown is as follows:
 - \$642.39 for one (1) Phenix TL2 Helmet with Traditional T2 Leather front; and
 - \$299.51 for one (1) Phenix First Due Helmet with Traditional T2 Leather front.

Any compensation due Contractor under the Agreement shall be made upon submittal of an invoice after delivery and acceptance of the goods and/or services which each payment represents.

- The City agrees to pay Contractor after goods and/or services have been received, accepted, and properly invoiced as indicated in the Agreement and/or purchase order. Invoices must bear the purchase order number. Final payment shall not be made until after performance is complete.
- b. Deliveries of TL2 Traditional Leather Helmets shall be made within 20-22 weeks of issuance of Purchase Order and Fire Due Helmets within 4-6 weeks of issuance of Purchase Order. Contact Person: Roger Toombs – Tel: 615-893-1422; email: rtoombs@murfreesborotn.gov. Delivery address: 1311 Jones Blvd., Murfreesboro, TN 37129. Contact Person must be notified of delivery date and time within two (2) calendar days prior to delivery. Deliveries shall be made during the normal working hours of the City, Monday through Friday.
 - c. Deliveries of all items shall be made as stated in the ITB and bid specifications. Should the Contractor fail to deliver items on or before its stated date, the City reserves the right to cancel the order or contract. The Contractor shall be responsible for making any and all claims against carriers for missing or damaged items.
 - d. Delivered items will not be considered “accepted” until an authorized agent for the City has, by inspection or test of such items, determined that they fully comply with specifications. The City may return, for full credit and at no expense to the City, any item(s) received which fail to meet the specifications as stated in the Invitation to Bid.
 - e. All deliveries made pursuant to the contract must be made pursuant to the written purchase order of the City. The City assumes no liability for goods and/or services provided without a written purchase order from the City. Delivery and freight charges are to be prepaid and included in the bid price.
4. **Work Product.** Except as otherwise provided herein, all data, documents and materials produced by Contractor under this Agreement are the property of the City, which retains the exclusive right to publish, disclose, distribute and otherwise use, in whole or in part, any such data, documents or other materials. Any of the City’s property, including but not limited to books, records and equipment, that is in Contractor’s possession must be maintained in good condition and repair and returned to the City by Contractor at the end of this Agreement.
5. **Insurance.** During the term of this Agreement, Contractor must maintain comprehensive general liability insurance with limits of not less than \$1,000,000, as well as automotive and workers’ compensation insurance policies. Contractor will provide to the City: (i) a standard certificate of insurance evidencing this coverage prior to commencement of work and upon renewal or expiration of the policies reflected thereupon, (ii) upon request, an endorsement naming the City as additional insured under the terms of the policy as follows: “The City of Murfreesboro, Tennessee, its officers, employees, contractors, consultants, and agents.”
6. **Indemnification.**
- a. Contractor must indemnify, defend, and hold harmless the City, its officers, agents and employees from any claims, penalties, damages, costs and attorney fees (“Expenses”) arising from injuries or damages resulting from, in part or in whole, the negligent or intentional acts or omissions of contractor, its officers, employees and/or agents, including its subcontractors or independent contractors, in connection with the performance of this Agreement, and, Expenses arising from any failure of Contractor, its officers, employees and/or agents, including its subcontractors or independent contractors, to observe applicable laws, including, but not limited to, labor laws and minimum wage laws.
 - b. Pursuant to Tennessee Attorney General Opinion 93-01, the City will not indemnify, defend or hold harmless in any fashion Contractor from any claims arising from any failure, regardless of any language in any attachment or other document that Contractor may provide.

c. Copyright, Trademark, Service Mark, or Patent Infringement.

- I. Contractor, at its own expense, is entitled to and has the duty to defend any suit which may be brought against the City to the extent that it is based on a claim that the products or services furnished infringe a copyright, Trademark, Service Mark, or patent. Contractor will indemnify, defend, and hold harmless the City against any award of damages and costs made against the City. The City will provide Contractor immediate notice in writing of the existence of such claim and full right and opportunity to conduct the defense thereof, together with all available information and reasonable cooperation, assistance and authority from the City in order to enable Contractor to do so. The City reserves the right to participate in the defense of any such action. Contractor has the right to enter into negotiations for and the right to effect settlement or compromise of any such action provided (1) any amounts due to effectuate fully the settlement are immediate due and payable and paid by Contractor; (2) no cost or expense whatsoever accrues to the City at any time; and (3) such settlement or compromise is binding upon the City upon approval by the Murfreesboro City Council.
- II. If the products or services furnished under this Agreement are likely to, or do become, the subject of such a claim of infringement, then without diminishing Contractor's obligation to satisfy the final award, Contractor may at its option and expense:
 - a. Procure for the City the right to continue using the products or services.
 - b. Replace or modify the alleged infringing products or services with other equally suitable products or services that are satisfactory to the City, so that they become non-infringing.
 - c. Remove the products or discontinue the services and cancel any future charges pertaining thereto; provided however, Contractor will not exercise this option until Contractor and the City have determined that each of the other options are impractical.
- III. Contractor has no liability to the City if any such infringement or claim thereof is based upon or arises out of the use of the products or services in combination with apparatus or devices not supplied or else approved by Contractor, the use of the products or services in a manner for which the products or services were neither designated nor contemplated, or the claimed infringement in which the City has any direct or indirect interest by license or otherwise, separate from that granted herein.

7. **Notices.** Notice of assignment of any rights to money due to Contractor under this Agreement must be mailed first class mail or hand delivered to the following:

If to the City of Murfreesboro:

City Manager
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130

If to Contractor:

Attn: Megan Walker
G&W Diesel Service Inc./Emergency Vehicle Specialists
892 Kansas Street
Memphis, TN 38106

8. **Maintenance of Records.** Contractor must maintain documentation for all charges against the City. The books, records, and documents of Contractor, insofar as they relate to work performed or money

received under the Agreement, must be maintained for a period of three full years from the date of final payment and will be subject to audit, at any reasonable time and upon reasonable notice by the City or its duly appointed representatives. Accounting records must be maintained in accordance with the Generally Accepted Accounting Principles.

9. **Modification.** This Agreement may be modified only by written amendment executed by all parties and their signatories hereto.
10. **Relationship of the Parties.** Nothing herein may in any way be construed or intended to create a partnership or joint venture between the parties or to create the relationship of principal and agent between or among any of the parties. None of the parties hereto may hold itself out in a manner contrary to the terms of this paragraph. No party becomes liable for any representation, act, or omission of any other party contrary to this section.
11. **Waiver.** No waiver of any provision of this Agreement affects the right of any party thereafter to enforce such provision or to exercise any right or remedy available to it in the event of any other default.
12. **Employment.** Contractor may not subscribe to any personnel policy which permits or allows for the promotion, demotion, employment, dismissal or laying off of any individual due to race, creed, color, national origin, age, sex, veteran status, or any other status or class protected under federal or state law or which is in violation of applicable laws concerning the employment of individuals with disabilities.
13. **Non-Discrimination.** It is the policy of the City not to discriminate on the basis of age, race, sex, color, national origin, veteran status, disability, or other status or class protected under federal or state law in its hiring and employment practices, or in admission to, access to, or operation of its programs, services, and activities. With regard to all aspects of this Agreement, Contractor certifies and warrants it will comply with this policy. No person may be excluded from participation in, be denied benefits of, be discriminated against in the admission or access to, or be discriminated against in treatment or employment in the City's contracted programs or activities, on the grounds of handicap and/or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal or Tennessee State Constitutional or statutory law; nor may they be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of contracts with the City or in the employment practices of the City's Contractors. Accordingly, all proposers entering into contracts with the City may upon request be required to show proof of such nondiscrimination and to post in conspicuous places that are available to all employees and applicants, notices of nondiscrimination.
 - a. **The City and Proposer shall abide by the requirements of 41 CFR 60-1.4(a).** This regulation prohibits discrimination against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires federal government Proposers and sub-Proposers to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin.
 - b. **The City and Proposer shall abide by the requirements of 41 CFR 60-300.5(a).** This regulation prohibits discrimination against qualified protected veterans and requires affirmative action by covered prime Proposers and sub-Proposers to employ and advance in employment qualified protected veterans.

- c. **The City and Proposer shall abide by the requirements of 41 CFR 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability and requires affirmative action by covered prime Proposers and sub-Proposers to employ and advance in employment qualified individuals with disabilities.**
14. **Gratuities and Kickbacks.** It is a breach of ethical standards for any person to offer, give or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy or other particular matter, pertaining to any program requirement of a contract or subcontract or to any solicitation or proposal therewith. It is a breach of ethical standards for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or a person associated therewith, as an inducement for the award of a subcontract or order. Breach of the provisions of this paragraph is, in addition to a breach of this Agreement, a breach of ethical standards which may result in civil or criminal sanction and/or debarment or suspension from being a contractor or subcontractor under the City contracts.
15. **Assignment.** The provisions of this Agreement inure to the benefit of and are binding upon the respective successors and assignees of the parties hereto. Except for the rights of money due to Contractor under this Agreement, neither this Agreement nor any of the rights and obligations of Contractor hereunder may be assigned or transferred in whole or in part without the prior written consent of the City. Any such assignment or transfer does not release Contractor from its obligations hereunder.
16. **Integration.** This Agreement sets forth the entire agreement between the parties with respect to the subject matter hereof and governs the respective duties and obligations of the parties.
17. **Force Majeure.** No party has any liability to the other hereunder by reason of any delay or failure to perform any obligation or covenant if the delay or failure to perform is occasioned by *force majeure*, meaning any act of God, storm, fire, casualty, unanticipated work stoppage, strike, lockout, labor dispute, civil disturbance, pandemic, epidemic, riot, war, national emergency, act of public enemy, or other cause of similar or dissimilar nature beyond its control.
18. **Governing Law and Venue.** The validity, construction and effect of this Agreement and any and all extensions or modifications thereof are governed by the laws of the state of Tennessee regardless of choice of law doctrine or provision in any attachment or other document that Contractor may provide. Any action between the parties arising from this agreement may only be filed in the courts of Rutherford County, Tennessee.
19. **Severability.** Should any provision of this Agreement be declared to be invalid by any court of competent jurisdiction, such provision will be severed and not affect the validity of the remaining provisions of this Agreement.
20. **Attorney Fees.** In the event any party takes legal action to enforce any provision of the Agreement, should the City prevail, Contractor will pay all expenses of such action including attorney fees, expenses, and costs at all stages of the litigation and dispute resolution.

- 21. Effective Date.** This Agreement is not binding upon the parties until signed by each of the Contractor and authorized representatives of the City and is thereafter effective as of the date set forth above.

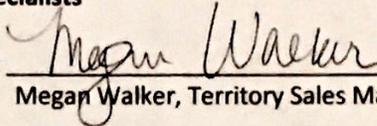
[Signatures appear on the following page]

IN WITNESS WHEREOF, the parties enter into this agreement as of _____, 2020 (the "Effective Date").

CITY OF MURFREESBORO, TENNESSEE

By: _____
Shane McFarland, Mayor

G&W Diesel Service Inc./Emergency Vehicle Specialists

By: 
Megan Walker, Territory Sales Manager

APPROVED AS TO FORM:

Adam F. Tucker, City Attorney

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Mandatory Referral for Irrigation Lines in Public Right-of-Way at Blackman Village

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

Consider request to allow installation of irrigation lines in the public right-of-way in the Blackman Village development.

Staff Recommendation

Approve the mandatory referral request.

The Planning Commission voted to recommend approval on April 29, 2020.

Background Information

Blackman Village is a single-family residential development located west of Florence Road and north of Manson Pike. It is currently under development. Much like the Tuscany development on the north side of Murfreesboro, Blackman Village consists of single-family detached homes in a horizontal property regime. All areas outside of the dwelling units are common areas. In this mandatory referral [2020-707], Council is being asked to consider allowing irrigation lines in the public rights-of-way within this development, so that the various common areas can be irrigated. If approved, the developer will enter into a license agreement with the City pertaining to these irrigation lines. A similar mandatory referral was approved for the Blackman Station development just to the south of Blackman Village. Additional information can be found in the attached memo from Deputy City Attorney David Ives.

Council Priorities Served

Expand Infrastructure

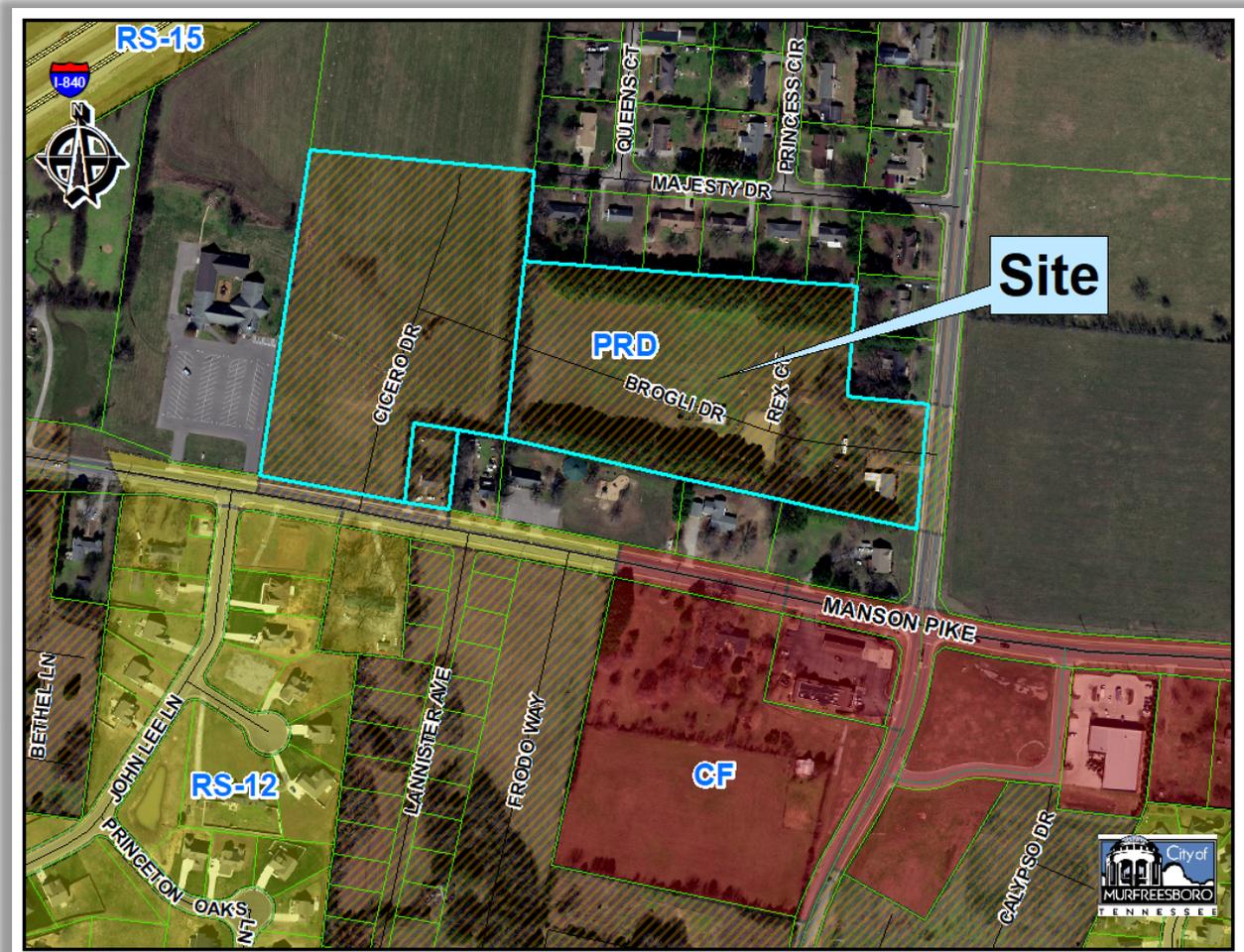
Allowing the installation of the irrigation lines will enable the required landscaping within this development to be properly irrigated in order to promote its survival.

Attachments:

1. Staff comments from April 29th Planning Commission meeting
2. Memorandum from Legal Department
3. Letter and exhibits from applicant

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
APRIL 29, 2020**

- 5.h. **Mandatory Referral [2020-707] for installation of irrigation lines in public right-of-way in the Blackman Village development, SEC, Inc. applicant.**



Blackman Village is a single-family residential development located west of Florence Road and north of Manson Pike. It is currently under development. Much like the Tuscany development on the north side of Murfreesboro, Blackman Village consists of single-family detached homes in a horizontal property regime. All areas outside of the dwelling units are common areas.

In this mandatory referral, the Planning Commission is being asked to consider allowing irrigation lines in the public rights-of-way within this development, so that the various common areas can be irrigated. If approved, the developer will enter

into a license agreement with the City pertaining to these irrigation lines. A similar mandatory referral was approved for the Blackman Station development just to the south of Blackman Village. Additional information can be found in the attached memo from Deputy City Attorney David Ives.

Staff recommends that the Planning Commission recommend approval of this request to the City Council.



**MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT**

TO: Chair Jones and Members of the Planning Commission
CY: Greg McKnight, Matthew Blomeley
FROM: David A. Ives
DATE: April 10, 2020
RE: Installation of Irrigation Facilities under City Streets

MANDATORY REFERRAL

In order to provide for irrigation facilities in common area landscaping, the developer of Blackman Village has requested a License from the City for installation of sleeves in the ROW, under public roads, in the development.

The developer has agreed to enter into a License Agreement containing substantially the same terms and conditions as other License Agreements allowing irrigation and other such facilities within the ROW.

A copy of the proposed License Agreement, with drawings depicting the location of the irrigation sleeves, is attached.

I will be happy to answer any questions.



City of Murfreesboro Mandatory Referral Application

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

Mandatory Referral Fees:

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

Property Information:

Map 78 Parcels 16.03, 16.08, 17.01

Tax Map/Group/Parcel: _____ Address (if applicable): Along Manson Pike & Florence Rd

Street Name (if abandonment of ROW): _____

Type of Mandatory Referral: License Agreement for Installation & Maintenance in R.O.W.

Applicant Information:

Name of Applicant: Dan Bobo

Company Name (if applicable): Blackman Village LLC

Street Address or PO Box: 262 Robert Rose Drive

City: Murfreesboro

State: TN | Zip Code: 37129

Email Address: dbobo@olesouth.com

Phone Number: 615-896-0019

Required Attachments:

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

Applicant Signature

Date

March 31, 2020

Mr. Matthew Blomeley
Murfreesboro Planning & Engineering Dept
111 W. Vine St
Murfreesboro, Tennessee 37130

RE: Blackman Village
License Agreement for Installation &
Maintenance in Right-of-Way Request
Murfreesboro, Tennessee

Dear Mr. Blomeley:

Please accept this as our formal request for the City of Murfreesboro to grant Blackman Village, LLC a License Agreement for Installation and Maintenance in Right-of-Way. This request will allow for three(3) irrigation sleeves to cross Cicero Drive and Brogli Drive in the Blackman Village development. Furthermore, the attached exhibits highlight the areas.

These right-of-ways are proposed and will be platted with the Blackman Village project. These will be installed as a normal part of construction for the development and will not require any road closures.

If you should have any questions concerning this letter, please feel free to call me at (615) 890-7901 or via email at mtaylor@sec-civil.com

Sincerely,



Matt Taylor, P.E.
Vice-President
SEC, Inc

**Prepared by and to be
Returned to after recording to:**

David A. Ives, Asst. City Attorney
111 West Vine Street
Murfreesboro TN 37130

Tax Map 78 Parcels 16.03, 16.08, and 17.01

LICENSE AGREEMENT FOR INSTALLATION AND MAINTENANCE IN ROW

The **CITY OF MURFREESBORO**, a municipal corporation located in Rutherford County, Tennessee ("City"), and **Blackman Village, LLC**, its successors and assigns ("Owner") agree as follows:

RECITALS

A. Owner owns approximately 17.52 acres of real property being developed as Blackman Village located in the Northwest quadrant of the intersection of Manson Pike and Florence Road in the City of Murfreesboro, Tennessee (as depicted on attached **Exhibit A**, the "Property"). The Final Plat of the Property is of record at Plat Cabinet ____ pg _____, RORC.

B. Owner desires to construct, install and maintain an irrigation system and related facilities (altogether, "Facilities") for the benefit of the Property within the ROW of Brogli Drive at the intersection with the walking trail crossing and at the intersection with Florence Road, and within the ROW of Cicero Drive at the intersection with Manson Pike (substantially as shown on **Exhibit B**, pages 1 and 2), and all as is shown or will be shown on Landscaping Plans on file with the Planning Department, which Facilities may also be within water, sanitary sewer, drainage, and / or utility easements which have been or will be created (all such right-of-way and easements together and separately, as applicable, the "ROW").

AGREEMENT

NOW, THEREFORE, in consideration of the premises, the mutual promises made herein, the mutual benefits to be derived herefrom, and other good and valuable consideration, the receipt and sufficiency of which is hereby irrevocably acknowledged and confirmed, the parties hereto agree as follows:

1. City consents to the installation and maintenance of the Facilities within the ROW, including the installation and maintenance of water lines for the irrigation system under the ROW, provided that Owner shall submit a Landscaping Plan to the City Planning Department for its review and approval prior to beginning any installation. The Landscaping Plan shall include detailed construction plans and methods for the location and depth of the Facilities, along with proposed methods for and protection of and separation from existing utilities. Upon approval by the Planning Department and the City Engineer, the City will issue an Installation Permit to Owner and Owner will be authorized to begin work.

(a) Owner will install utility vaults or boxes on each side of the ROW as visual evidence of the location of the Facilities.

(b) Owner will provide an “as built” survey to the City promptly after completion of construction and will cause the locations to be listed with Tennessee One Call.

(c) Except in the event of an emergency, Owner will apply for and receive an appropriate ROW Work Permit from the City Engineer prior to undertaking any future repairs or modifications within the ROW or any City Easement. In the event of an emergency, Owner will so notify the City Engineer and will apply for a ROW Work Permit as soon as reasonably practical, but in any event now more than 72 hours after the event.

2. Owner agrees that City shall have the right to limit or totally withdraw its permission to place and maintain Facilities within the ROW if the City determines that such is reasonably necessary for the preservation or protection of the health, safety or welfare of the residents or guests of the City or for the protection or preservation of City property, utilities or infrastructure. In the event of withdrawal of permission by the City, Owner shall relocate the Facilities to a mutually agreeable location at Owner’s sole cost and expense.

3. City reserves the right for it or its authorized contractor, at any time, to perform work deemed necessary or appropriate by City within the ROW or Easements, specifically including work on any utilities, and City shall have no liability to Owner for any damage to the Facilities by reason of such work; provided, however, City shall reasonably cooperate with Owner to minimize damage to the Facilities resulting from such work and shall use reasonable efforts to minimize any such damage.

4. Owner shall, at its sole cost and expense, maintain the Facilities in accordance with all City standards. Owner agrees to replace any of the Facilities as reasonably necessary within a reasonable amount of time.

5. Owner shall defend, indemnify and hold City harmless from any liability to any person or entity arising out of or relating to installation or maintenance of the Facilities within the ROW, except for liability resulting from City’s own negligence or intentional actions. Owner shall maintain insurance against third party claims that may be covered by this defense, indemnity and hold harmless.

6. Owner shall comply with all City codes and ordinances regarding use of City ROW in installation and maintenance of the Facilities, including the obtaining of all necessary permits, including but not limited to the following, as applicable:

- a. Street Cut Permit and Bond pursuant to City Code § 28-101 et seq.
- b. Maintenance of sight-distance triangle pursuant to City Code Appendix A – § 27(P).
- c. Tree removal permit prior to removal of any tree or trees pursuant to City Code Appendix A – Zoning, §27(R).

7. This License Agreement shall be for an initial term of 15 years from the date hereof and shall be automatically renewed for successive terms of 15 years each unless either party, in its sole option and discretion, gives written notice to the other party within the final six months of this License Agreement, that it is electing not to renew this License Agreement. Unless

otherwise agreed by the City, Owner shall remove all of the Facilities upon the termination of this License Agreement, and shall repair any damage or injury caused to the property of City or others by such removal.

8. This License Agreement shall be governed by the laws of the State of Tennessee, and jurisdiction and venue for any litigation arising hereunder shall be in the Circuit Court for Rutherford County, Tennessee. In the event of any such litigation, the prevailing party shall recover, in addition to any other legal or equitable relief granted by the Court, reasonable attorney fees and all costs of court including but not limited to discovery, witness and expert fees.

9. Any notice or demand which either party may or must give to the other hereunder shall be in writing and delivered personally, by reputable overnight courier, or sent by certified mail - return receipt requested addressed, if to Owner, as follows:

To City: City of Murfreesboro, Development Services Division
111 W. Vine Street
Murfreesboro, Tennessee 37130

With a copy to: City Attorney
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130

To Owner: Blackman Village, LLC
262 Robert Rose Drive
Murfreesboro TN 37129

Either party may, by notice in writing, direct that future notices or demands be sent to a different address. All notices hereunder shall be deemed given upon receipt (or, if rejected, upon rejection) or three (3) business days after being mailed, by certified mail, postage pre-paid to the above addresses.

10. Owner, for itself and any successors or assigns, agrees that if the Facilities are not maintained to City standards, or otherwise become unsightly or appear to the City Planning Director to be a danger to public health, safety and welfare, and if such condition is not properly remedied within five (5) days of written notice delivered to Owner and Owner's successor or assign, if any, that City may then take all such steps as it deems appropriate, including but not limited to the removal of all of the Facilities. If the City deems it necessary to take action pursuant to this Section 10, it will send an invoice for labor, equipment and materials expended, plus an amount equal to 50% of the total labor, equipment and materials expended for administrative costs, to Owner and Owner's successor or assign, if any. Any such Invoice shall be paid within 30 days of the date of the invoice. If Owner fails to pay any such Invoice within 30 days, the City may file an appropriate lien to secure payment.

11. This License Agreement shall inure to the benefit of and be binding on the successors and assigns of Owner and City and shall run with the land. This License Agreement may be

executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.

12. (If applicable) _____ (“Creditor”) is the holder of a promissory note dated _____ in the original principal amount of \$ _____ secured by a Deed of Trust of record at Record Book _____ page _____, Register’s Office of Rutherford County, Tennessee. Creditor hereby joins herein solely for the purpose of subordinating, and does hereby subordinate, the lien of said Deed of Trust to this LICENSE AGREEMENT FOR INSTALLATION AND MAINTENANCE IN ROW in favor of the City; but said Deed of Trust shall not be otherwise affected hereby, and shall continue in full force and effect as before the execution and delivery hereof, subject and subordinate only to said LICENSE AGREEMENT FOR INSTALLATION AND MAINTENANCE IN ROW

IN WITNESS WHEREOF, City and Owner have set forth their hands and seals below as of the date as of the date of the last party to sign.

CITY OF MURFREESBORO

BLACKMAN VILLAGE, LLC

By: _____
Craig Tindall, City Manager
Date: _____

By: _____
Printed name _____
Its _____
Date: _____

APPROVED AS TO FORM:

By: _____
Adam F. Tucker, City Attorney

CREDITOR:

By: _____
Name: _____
Title: _____

APPROVED BY PLANNING COMMISSION: _____

APPROVED BY CITY COUNCIL: _____

NOTARY BLOCKS ON FOLOWING PAGE

STATE OF TENNESSEE)
 : ss
COUNTY OF RUTHERFORD)

Before me, _____, a Notary Public of said County and State, personally appeared _____ with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the _____ of **Blackman Village, LLC**, a Tennessee _____, and that he as such officer executed the foregoing instrument for the purposes therein contained, by signing the name of **Blackman Village, LLC** in his capacity as such.

Witness my hand and seal, at Office, this ___ day of _____, 20____.

Notary Public

My Commission Expires: _____

STATE OF TENNESSEE)
 : ss
COUNTY OF RUTHERFORD)

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared **CRAIG TINDALL**, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence, and who, upon their oath acknowledged himself to be the City Manager of the **City of Murfreesboro**, and that he as such City Manager executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal, at Office, this ___ day of _____, 20____.

Notary Public

My Commission Expires: _____

STATE OF _____)
 : ss
COUNTY OF _____)

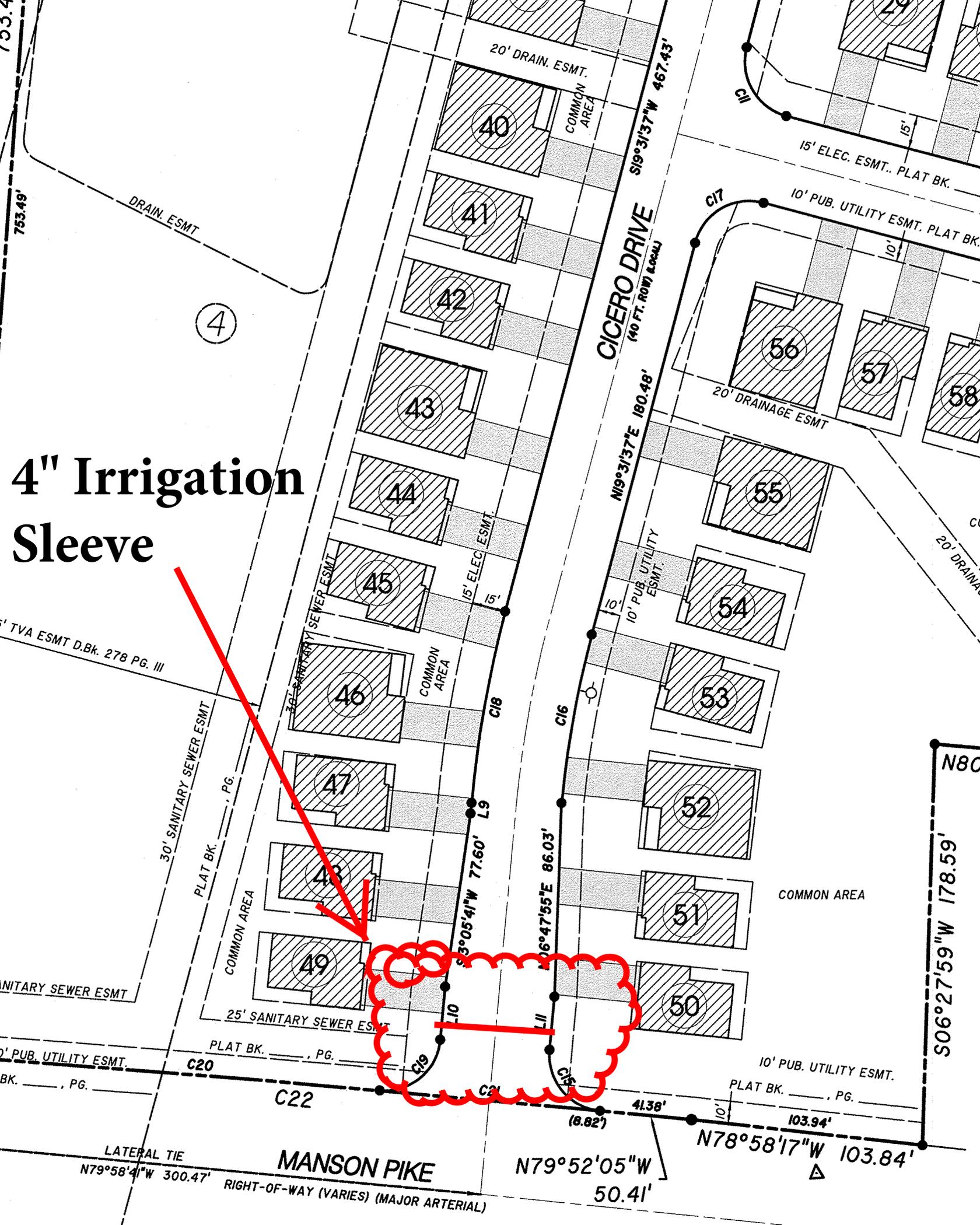
Before me, the undersigned notary public, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be the president, or other officer authorized to execute the instrument, of _____, the within named creditor, and that such person as such officer executed the foregoing instrument for the purposes therein contained by personally signing the name of the financial institution in such person's capacity as such officer.

Witness my hand and seal, at Office, this ___ day of _____, 20____.

Notary Public

My Commission Expires: _____

4" Irrigation Sleeve



COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Computer Equipment Purchase Request

Department: Murfreesboro Police

Presented by: Chief Michael Bowen

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Purchase replacement computer equipment for MPD.

Staff Recommendation

Approve the purchase of Panasonic mobile data computers (MDC) and HP file servers from Insight Public Sector on the OMNIA Partners IT Products, Services and Solutions contract number 4400006644.

Approve the purchase of Dell laptops and workstations from Waypoint Solutions on the NASPO/MNWNC-108 contract.

Background Information

MPD has fifty mobile data computers remaining in the fleet that utilize Windows 7 OS. Microsoft is no longer providing security updates for Windows 7 and these computers are unable to be updated to a newer operating system. Additionally, current servers are at the end of initial three-year maintenance agreement. Purchasing replacement HP servers is more cost effective than renewing maintenance contract for one year on current equipment due to age.

The Dell computers will be purchased for the Communications Section and the School Resource Officers (SRO) as part of our normal replacement cycle. The current equipment is six years old.

Council Priorities Served

Maintain public safety

This purchase will allow MPD to replace aging equipment

Fiscal Impact

The costs are currently funded from the CIP and in the FY20 Budget (Operations and Maintenance Account 526300).

ITEMS	QTY	COST
Mobile Data Computers	50	\$191,951
HP Servers	4	\$52,495
Dell Laptops - SSEO	35	\$17,693
Dell Workstations - Dispatch	15	\$65,852

Attachments

1. Insight Quote 222096405
2. Insight Quote 222253936
3. Waypoint Quote Workstations
4. Waypoint Quote Laptops

SOLD-TO PARTY 10183254

CITY OF MURFREESBORO
 111 W VINE ST
 MURFREESBORO TN 37130-3573

SHIP-TO PARTY

CITY OF MURFREESBORO
 111 W VINE ST
 MURFREESBORO TN 37130-3573

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : United Parcel Services/Ground
Terms of Delivery : FOB DESTINATION
Currency : USD

Quotation	
Quotation Number	: 222096405
Document Date	: 11-MAR-2020
PO Number	:
PO Release	:
Sales Rep	: Ashley McDonald
Email	: ASHLEY.MCDONALD@INSIGHT.COM
Telephone	: 8004674448
Sales Rep 2	: Branden Maiorano
Email	: BRANDEN.MAIORANO@INSIGHT.COM
Telephone	: 7372473702

In order for Insight to accept Purchase Orders against this contract and honor the prices on this quote, your agency must be registered with OMNIA Partners Public Sector (formerly U.S. Communities). Our sales teams would be happy to assist you with your registration. Please contact them for assistance -- the registration process takes less than five minutes.

Material	Material Description	Quantity	Unit Price	Extended Price
CF-20G5-05VM	Panasonic Toughbook 20 - 10.1" - Core i5 7Y57 - 8 GB RAM - 256 GB SSD OMNIA PARTNERS IT PRODUCTS & SERVICES(# 4400006644) List Price: 3854.99 Discount %: 20.88%	50	3,050.00	152,500.00
CF-LNDDC120HW	LIND - car power adapter - 120 Watt OMNIA PARTNERS IT PRODUCTS & SERVICES(# 4400006644) List Price: 146.99 Discount %: 20.83%	50	116.38	5,819.00
GJ-20LVD0V2	Gamber-Johnson Laptop Vehicle Dock GJ-20LVD0V2 - docking station - VGA, HDMI OMNIA PARTNERS IT PRODUCTS & SERVICES(# 4400006644) List Price: 904.99 Discount %: 25.67%	50	672.65	33,632.50
			Product Subtotal	191,951.50
			TAX	0.00
			Total	191,951.50

Thank you for considering Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Ashley McDonald
 8004674448
ASHLEY.MCDONALD@INSIGHT.COM
 Fax 4807608991

Branden Maiorano
7372473702
BRANDEN.MAIORANO@INSIGHT.COM

OMNIA Partners (formerly U.S. Communities) IT Products, Services and Solutions Contract No. 4400006644

Insight Public Sector (IPS) is proud to be a contract holder for the OMNIA Partners Technology Products, Services & Solutions Contract.

This competitively solicited contract is available to participating agencies of OMNIA Partners. OMNIA Partners assists local and state government agencies, school districts (K-12), higher education, and nonprofits in reducing the cost of purchased goods by pooling the purchasing power of public agencies nationwide. This is an optional use program with no minimum volume requirements and no cost to agencies to participate.

Regarding tariff impacts on IPS contract quotes, Insight is communicating with the contracting officials on the contracts held by Insight to minimize the impact of tariffs to our clients.

Thanks for choosing Insight!

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

The U.S. government has imposed tariffs on technology-related goods. Many of Insight's OEM and distribution partners have notified Insight that these tariffs will result in frequent and significant price increases. Some of our major partners have already provided Insight with cost increases, in some instances multiple times per day, while other providers are still assessing their situations. Due to the situation it is possible this quote may be subject to cost changes for Insight which will necessitate changes to the quoted pricing, or withdrawal of the quote.

This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by both your company and Insight, in which case, that separate agreement will govern. Insight's online Terms of Sale can be found at: http://www.insight.com/en_US/help/terms-of-sale-products-ips.html

SOLD-TO PARTY 10183254

CITY OF MURFREESBORO
 111 W VINE ST
 MURFREESBORO TN 37130-3573

SHIP-TO PARTY

CITY OF MURFREESBORO
 111 W VINE ST
 MURFREESBORO TN 37130-3573

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : United Parcel Services/Ground
Terms of Delivery : FOB DESTINATION
Currency : USD

Quotation	
Quotation Number	: 222253936
Document Date	: 24-APR-2020
PO Number	:
PO Release	:
Sales Rep	: Ashley McDonald
Email	: ASHLEY.MCDONALD@INSIGHT.COM
Telephone	: 8004674448

Material	Material Description	Quantity	Unit Price	Extended Price
P14278-B21	HPE ProLiant DL385 Gen10 Plus - rack-mountable - no CPU - 0 GB OPEN MARKET	4	932.76	3,731.04
P14278-B21#ABA	HPE ProLiant DL385 Gen10 Plus - rack-mountable - no CPU - 0 GB OPEN MARKET	4	0.00	0.00
P17543-L21	AMD EPYC 7402 / 2.8 GHz processor OPEN MARKET	4	1,692.60	6,770.40
P17543-B21	AMD EPYC 7402 / 2.8 GHz processor OPEN MARKET	4	1,692.60	6,770.40
P07650-B21	HPE SmartMemory - DDR4 - 64 GB - DIMM 288-pin - registered OPEN MARKET	32	626.86	20,059.52
P06194-B21	HPE Read Intensive - solid state drive - 480 GB - SATA 6Gb/s OPEN MARKET	8	139.12	1,112.96
P21930-B21	HPE MCX4121A-XCHT - network adapter OPEN MARKET	4	209.19	836.76
P01366-B21	HPE 96W Smart Storage - battery - Li-Ion OPEN MARKET	4	64.43	257.72
804331-B21	HPE Smart Array P408I-A SR Gen10 - storage controller (RAID) - SATA 6Gb/s / SAS 12Gb/s - PCIe 3.0 x8 OPEN MARKET	4	186.58	746.32
P08449-B21	HPE I350-T4 - network adapter OPEN MARKET	4	103.11	412.44
P14608-B21	HPE Maximum Performance Fan Kit system fan kit OPEN MARKET	4	148.98	595.92

Material	Material Description	Quantity	Unit Price	Extended Price
865414-B21	HPE - power supply - hot-plug / redundant - 800 Watt - 908 VA OPEN MARKET	8	117.84	942.72
BD505A	HPE Integrated Lights-Out Advanced - License + 3 Years 24x7 Support - 1 server - for ProLiant DL160 Gen10, DL20 Gen9, DL360 Gen10, D L380 Gen10, DL580 Gen9, ML30 Gen9 OPEN MARKET	4	242.83	971.32
P14605-B21	HPE Mini-SAS 3 Position Cable Kit - SAS internal cable kit OPEN MARKET	4	53.26	213.04
P22018-B21	HPE SFF Easy Install rack rail kit - 2U OPEN MARKET	4	32.73	130.92
JD097C	HPE X240 Direct Attach Cable - network cable - 10 ft OPEN MARKET	8	101.88	815.04
H7J34A3	HP 3YR FOUNDATION CARE 24X7 SERVICE OPEN MARKET	1	0.00	0.00
H7J34A3#YL1	FIO DL385 GEN10 PLUS SUP OPEN MARKET	4	1,066.37	4,265.48
HA114A1	HPE Installation & Startup Service - installation / configuration - on-site OPEN MARKET	1	0.00	0.00
HA114A1#5A6	HPE Installation & Startup Service - installation / configuration - on-site OPEN MARKET	4	965.90	3,863.60
			Product Subtotal	44,366.52
			Services Subtotal	8,129.08
			TAX	0.00
			Total	52,495.60

Thank you for considering Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Ashley McDonald
8004674448
ASHLEY.MCDONALD@INSIGHT.COM
Fax 4807608991

Pricing for complete solution valid for 30 days. All Items Non-Returnable

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

The U.S. government has imposed tariffs on technology-related goods. Many of Insight's OEM and distribution partners have notified Insight that these tariffs will result in frequent and significant price increases. Some of our major partners have already provided Insight with cost increases, in some instances multiple times per day, while other providers are still assessing their

situations. Due to the situation it is possible this quote may be subject to cost changes for Insight which will necessitate changes to the quoted pricing, or withdrawal of the quote.

This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by both your company and Insight, in which case, that separate agreement will govern. Insight's online Terms of Sale can be found at: http://www.insight.com/en_US/help/terms-of-sale-products-ips.html



118 Vintage Park Blvd, W414, Houston, TX 77070
Phone: 832-479-8540

QUOTE

Number AAAQ7406

Date Apr 23, 2020

Bill To

Murfreesboro Police Department

Bill Terry
1004 North Highland Avenue
Murfreesboro, TN 37130

Phone 615.893.1311

Email wterry@murfreesborotn.gov

Ship To

Murfreesboro Police Department

Bill Terry
1004 North Highland Avenue
Murfreesboro, TN 37130

Phone 615.893.1311

Email wterry@murfreesborotn.gov

Account Manager



Darren Orsag
979-325-0523
DOrsag@waypointsolutions.com

Contract

NASPO
MNVNC-108

Notes:

Here is the quote you requested.

Line	Qty	Description	Unit Price	Ext. Price
1	35	Precision 3630 Tower CTO BASE Intel Core i9-9900K,(8 Core, 16MB Cache, 3.6Ghz, 5.0 Ghz Turbo w/UHD Graphics 630) Dell Precision Tower 3630 Heatsink (95W) Windows 10 Pro, 64bit English, French, Spanish No AutoPilot No Productivity Software 16GB 2X8GB DDR4 2666MHz UDIMM Non-ECC Memory Radeon Pro WX 5100, 8GB, 4 DP C2 2.5 HD + 2.5 1-3 HD 2.5" 256GB Class 20 SATA Solid State Drive Precision 3630 Tower with 850W up to 90% efficient PSU (80Plus Gold) with SD card reader Intel vPro Technology Enabled No Wireless LAN Card 2.5 inch 256GB Class 20 SATA Solid State Drive 2.5 inch 256GB Class 20 SATA Solid State Drive No Additional Hard Drive No Additional Hard Drive No Optical Drive RAID 5 for SATA HDD Black Dell KB216 Wired Multi-Media Keyboard English Dell Wired Mouse with Fingerprint Reader Thank You for Choosing Dell No Additional Network Card Selected (Integrated NIC included) Not selected in this configuration No PCIe add-in card US Power cord Quick Start Guide OS-Windows Media Not Included	\$1,881.50	\$65,852.50

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Created on 04/23/20 11:24:17 by Waypoint Business Solutions, LLC

Line	Qty	Description	Unit Price	Ext. Price
		Not ENERGY STAR Qualified Dell Precision Optimizer CMS Software not included Custom Configuration SHIP,PWS,LNK,NO,NO,AMF Shipping Material for MT DAO Safety/Environment and Regulatory Guide (English/French Multi-language) No Driver Regulatory Label for 850W Power Supply, 3630 US Order Intel Core i9 Label for Vpro No Anti-Virus Software Boot drive or storage volume is greater than 2TB (select when 3TB/4TB HDD is ordered) Dell Developed Recovery Environment No UPC Label Dell Digital Delivery Cirrus Client SupportAssist Waves Maxx Audio Dell Applications for Windows 10 Dell Precision TPM Info No Stand Option No Accessories No Additional Port 120mm Fan w/ Holder, 3630 External Speaker Not Included Dell Limited Hardware Warranty Plus Service ProSupport Plus: 7x24 Technical Support, 5 Years ProSupport Plus: Keep Your Hard Drive, 5 Years ProSupport Plus: Accidental Damage Service, 5 Years ProSupport Plus: Next Business Day Onsite, 5 Years		
			SubTotal	\$65,852.50
			Tax	\$0.00
			Shipping	\$0.00
			Total	\$65,852.50

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Created on 04/23/20 11:24:17 by Waypoint Business Solutions, LLC



118 Vintage Park Blvd, W414, Houston, TX 77070
Phone: 832-479-8540

QUOTE

Number AAAQ7399

Date Apr 23, 2020

Bill To

Murfreesboro Police Department

Bill Terry
1004 North Highland Avenue
Murfreesboro, TN 37130

Phone 615.893.1311

Email wterry@murfreesborotn.gov

Ship To

Murfreesboro Police Department

Bill Terry
1004 North Highland Avenue
Murfreesboro, TN 37130

Phone 615.893.1311

Email wterry@murfreesborotn.gov

Account Manager



Darren Orsag
979-325-0523
DOrsag@waypointsolutions.com

Contract

NASPO
MNCW-108

Notes:

Here is the quote you requested.

Line	Qty	Description	Unit Price	Ext. Price
1	15	Latitude 5500 BTX Base I5-8365U Processor Win 10 Pro 64 English, French, Spanish No AutoPilot Microsoft(R) Office 30 Days Trial Intel Core i5-8365U Processor with Integrated Intel UHD 620 Graphics Intel vPro Technology Enabled 8GB, 1x8GB, DDR4 Non-ECC M.2 256GB PCIe NVMe Class 35 Solid State Drive 15.6" FHD WVA (1920 x 1080) Anti-Glare Non-Touch, Camera & Mic, WLAN/WWAN Capable, Privacy Shutter Dual Pointing, Touch Fingerprint Reader, Displayport over USB Type-C Dual Pointing Backlit US English Keyboard Driver for Intel® Dual Band Wireless AC 9560 (802.11ac) 2x2 + Bluetooth 5.0 Intel Dual Band Wireless AC 9560 (802.11ac) 2x2, Bluetooth 5.0 No Mobile Broadband Card 4 Cell 68Whr ExpressCharge™ Capable Battery 65W AC Adapter, 7.4mm Barrel No Anti-Virus Software OS-Windows Media Not Included E5 US Power Cord Setup and Features Guide US Order Safety/Environment and Regulatory Guide (English/French Multi-language) Fixed Hardware Configuration Regulatory Label, FCC SupportAssist Dell(TM) Digital Delivery Cirrus Client	\$1,179.54	\$17,693.10

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Created on 04/23/20 11:09:50 by Waypoint Business Solutions, LLC

Line	Qty	Description	Unit Price	Ext. Price
		Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)		
		Waves Maxx Audio		
		Dell Developed Recovery Environment		
		Dell Power Manager		
		Dell Latitude 5500 SRV		
		Direct Ship Info		
		Smart Select MIN SHIP (DAO/BCC)		
		8th Gen Intel Core i5 vPro processor label		
		No Option Included		
		No Mouse		
		No Resource DVD / USB		
		ENERGY STAR Qualified		
		Smart Selection Shipment (S)		
		EAN label		
		No Removable CD/DVD Drive		
		Latitude 5500 bottom door		
		Dell Limited Hardware Warranty Extended Year(s)		
		Dell Limited Hardware Warranty		
		ProSupport Plus: Next Business Day Onsite, 1 Year		
		Thank you for choosing Dell ProSupport Plus. For tech support, visit www.dell.com/contactdell or call 1-866-516-3115		
		ProSupport Plus: Keep Your Hard Drive, 5 Years		
		ProSupport Plus: Next Business Day Onsite, 4 Year Extended		
		ProSupport Plus: Accidental Damage Service, 5 Years		
		ProSupport Plus: 7x24 Technical Support, 5 Years		

SubTotal	\$17,693.10
Tax	\$0.00
Shipping	\$0.00
Total	\$17,693.10

Please contact me if I can be of further assistance.

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Created on 04/23/20 11:09:50 by Waypoint Business Solutions, LLC

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Main Street Banner Request

Department: Street Department

Presented by: Jenny Licsko

Requested Council Action:

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

Summary

Requests from the Exchange Club of Murfreesboro and the Murfreesboro Symphony to hang a banner across East Main Street.

Staff Recommendation

Approve banners to be displayed as follows:

1. Exchange Club of Murfreesboro from March 28 – April 6, 2021 to promote *April is Prevention of Child Abuse Month*.
2. Murfreesboro Symphony from December 5 – 14, 2020 to promote a concert.
3. Murfreesboro Symphony from February 3 – 13, 2021 to promote a concert.
4. Murfreesboro Symphony from April 7 – 17, 2021 to promote a concert.

Background Information

The Exchange Club of Murfreesboro promotes April is Prevention of Child Abuse Month annually. The banner helps to raise awareness of the importance of child abuse prevention.

The Murfreesboro Symphony holds several concerts throughout the year. The banner helps to advertise the concerts and promote attendance. Ticket sales help to fund operating expenses for the Symphony.

These organizations would like to hang a banner across Main Street for the dates stated above at the traditional spot for such banner in front of Central Magnet School. No other requests currently conflict with these dates.

Council Priorities Served

Establish strong City brand

Banners hung across East Main Street engages our community in various activities and communicates special events to the general public thereby enhancing the City reputation through an active community involvement.

Fiscal Impact

None.

Attachments

1. Letter of request from the Exchange Club of Murfreesboro.
2. Letter of request from the Murfreesboro Symphony.



April 1, 2020

Jenny Licsko
620 W. Main St.
Murfreesboro, TN 37130

Dear Mayor McFarland and City Council,

The Murfreesboro Symphony Orchestra request your permission to hang a banner across East Main Street in anticipation of 5 of our upcoming concerts in the 2020-2021 season.

	<u>Concert Date</u>	<u>Promotional Date</u>
1)	September 25, 2020	Not Available at This Time
2)	November 6, 2020	Not Available at This Time
3)	December 11, 2020	December 5 – 14, 2020
4)	February 12, 2021	February 3 – 13, 2021
5)	April 16, 2021	April 7 – 17, 2021

Jenny Licsko has indicated the dates are available.

Thank you in advance for consideration of this request. We cordially invite you to attend these events.

Sincerely,

Fran Campbell
Director of Operations
Murfreesboro Symphony Orchestra



EXCHANGE

EXCHANGE CLUB OF MURFREESBORO, TN

2709 Jim Houston Court Murfreesboro TN 37129
WrightDonTN@GMail.com 615-904-4807

April 02, 2020

Jenny Licsko
Administrative Aide II
City of Murfreesboro
Street Department
620 West Main Street
Murfreesboro TN 37130

RE: Main Street Banner
April is Prevention of Child Abuse Month
March 28 to April 06, 2021

The Exchange Clubs of Murfreesboro in a joint venture would like to reserve the use of the gratis banner space on East Main Street in order to again promote "April is Prevention of Child Abuse Month" for the dates above.

The Exchange Clubs will provide the proper banner and hardware requirements.

Sincerely,

Don Wright

cc: Noon Exchange Club of Murfreesboro
Exchange Club of Murfreesboro

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: 2019 Pole Attachment Expenses Transportation Department

Department: Transportation

Presented by: Jim Kerr

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Payment for Transportation pole attachments.

Staff Recommendation

Approve payment to the Electric Department for pole attachments.

Background Information

The City currently maintains 156 signalized intersections with 97 being interconnected by either fiber optic or twisted pair cable. The City leverages MED's existing pole line infrastructure to provide these connections as well as signal support poles.

Council Priorities Served

Responsible budgeting

By utilizing existing infrastructure, the City does not have to invest in new infrastructure.

Expand infrastructure

Improvement to the City's Transportation System enhances the operation of the system.

Fiscal Impact

Funding for the pole attachments cost in the amount of \$28,512 is currently budgeted in the FY20 Operational Budget under Signal Maintenance.

Attachments

Invoice No. 5049 from Murfreesboro Electric Department.



205 N. Walnut Street
Murfreesboro, TN 37130
615-893-5514

INVOICE: 5049

Invoice Date: 01/27/2020
Terms: NET DUE IN 30 DAYS
Due Date: 02/26/2020
Amount Due: \$ 28,512.00

CITY OF MURFREESBORO-TRANSPORTATION
111 W VINE ST
MURFREESBORO TN 37130

Account: 999765
Description: POLE ATTACHMENTS - 2019

Page 1 of 1

DESCRIPTION	QUANTITY	UOM	UNIT PRICE	AMOUNT	TAX
2019 POLE ATTACHMENTS	792.000	EA	36.0000	28,512.00	

MESSAGES

Subtotal:	\$ 28,512.00
Tax:	\$ 0.00
Total:	\$ 28,512.00
Amount Paid:	\$ 0.00
Amount Due:	\$ 28,512.00



205 N. Walnut Street
Murfreesboro, TN 37130
615-893-5514

Account:	999765
Invoice:	5049
Due Date:	02/26/2020
Amount Due:	\$ 28,512.00

Amount Of Payment: _____

Remit To:

CITY OF MURFREESBORO-TRANSPORTATION
111 W VINE ST
MURFREESBORO TN 37130

MURFREESBORO ELECTRIC DEPARTMENT
205 N. Walnut St.
PO BOX 9
MURFREESBORO TN 37133-0009

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Asphalt Purchases Report

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Report of asphalt purchases.

Staff Recommendation

The asphalt reporting of purchases, consistent with purchases associated as perishable, fuel-based commodity is provided as information only.

Background Information

Purchases of asphalt are made throughout the month and reported with MWRD's O&M's construction projects. The attached report is provided pursuant to City Code, § 2-10 (E)(7). in compliance with this reporting requirement.

Pursuant to the City Code, § 2-10 (E)(7) A purchase of perishable commodities made on the open market does not require public advertisement and competitive bids if a record is made by the person authorizing the purchase which specifies the amount paid, the items purchased and from whom the purchase was made in accordance with T.C.A. §6-56-304(7).

Council Priorities Served

Responsible budgeting

Proper procurement ensures best cost savings to the Department and our customers.

Maintain public safety

Maintaining safe drivability of roadways affected by water resources operations focuses on customer service.

Fiscal Impacts

The overall costs associated with asphaltic material purchases for these O&M projects are in the range of \$150,000 to \$175,000 per year.

Attachments

Asphalt Purchases Report

MWRD OPERATIONS & MAINTENANCE

ASPHALT PURCHASES

<i>Date</i>	<i>Approval</i>	<i>Vendor</i>	<i>Type</i>	<i>Rate</i>	<i>Qty</i>	<i>Total</i>	<i>FY Total</i>
7/23	DH	Hawkins	BM	\$48.50	23.97	\$1,162.55	\$1,162.55
7/23	DH	Hawkins	411E	\$60.50	8.00	\$484.00	\$1,646.55
7/23	DH	Hawkins	411E	\$60.50	54.06	\$3,270.63	\$4,917.18
7/26	DH	Hawkins	BM	\$48.50	71.84	3,484.24	\$8,401.42
7/29	DH	Hawkins	BM	\$48.50	90.02	4,365.97	\$12,767.39
7/30	DH	Hawkins	BM	\$48.50	79.41	3,851.39	\$16,618.77
7/30	DH	Hawkins	BM	\$48.50	72.00	3,492.00	\$20,110.77
7/31	DH	Hawkins	BM	\$48.50	85.00	\$4,122.50	\$24,233.27
8/27	DH	Hawkins	BM	\$48.50	80.67	\$3,912.50	\$28,145.77
8/27	DH	Hawkins	BM	\$48.50	7.98	\$387.03	\$28,532.80
8/28	DH	Hawkins	411E	\$60.50	10.04	\$607.42	\$29,140.22
8/29	DH	Hawkins	411E	\$60.50	15.97	\$966.19	\$30,106.40
10/31	DH	Hawkins	BM	\$48.50	10.00	\$485.00	\$30,591.40
10/31	DH	Hawkins	411E	\$60.50	14.04	\$849.42	\$31,440.82
10/31	DH	Hawkins	411E	\$60.50	10.09	\$610.45	\$32,051.27
11/25	DH	Hawkins	411E	\$61.25	20.03	\$1,226.84	\$33,278.10
12/23	DH	Hawkins	411E	\$64.75	14.00	\$906.50	\$34,184.60
12/31	DH	Hawkins	BM	\$52.50	88.02	\$4,621.05	\$38,805.65
12/31	DH	Hawkins	411E	\$64.75	9.89	\$640.38	\$39,446.03
1/31	DH	Hawkins	411E	\$60.50	11.99	\$725.40	\$40,171.43
2/17	DH	Hawkins	411E	\$60.50	6.00	\$363.00	\$40,534.43
3/20	DH	Hawkins	411E	\$60.50	15.02	\$908.71	\$41,443.14
3/30	DH	Hawkins	411E	\$60.50	15.19	\$919.00	\$42,362.13

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Lagoon Water Treatment Residuals Removal

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

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

Summary

Second extension of the contract will allow for lagoon water treatment plant residuals removal past June 30, 2020.

Staff Recommendation

Approve second amendment with Slurry Systems Company in accordance with existing contract.

Background Information

The current contract extension dated April 4, 2019, with Slurry Systems ends June 30, 2020. Staff is requesting to extend the contract for a second time due to delay in the contractor being able to start the project. This delay is due to excessive rain events this year causing Slurry Systems to be behind on current obligations to other facilities and will not be able to mobilize till late May. The work can take up to six weeks for completion, depending on weather conditions and equipment issues, and this puts Slurry Systems in situation that may prevent them from completing the work prior to the June 30, 2020 deadline. The reason for the timing for the removal of the WTRs is that the farms that Slurry Systems uses wants the material placed on their fields during the May/June timeframe.

Council Priorities Served

Responsible budgeting

MWRD evaluates lagoons annually and budgets responsibly to ensure reliable operation of the facility.

Maintain public safety

MWRD ensures that the water treatment residuals are properly disposed of in accordance with regulations and landowners.

Fiscal Impact

The cost of removing the lagoon water treatment residuals is in FY20 Operating Budget in the amount of \$249,000.

Attachments

Slurry Systems Company Lagoon Contract Amendment and Extension

**SECOND AMENDMENT
TO THE
CONTRACT
BETWEEN THE CITY OF MURFREESBORO
AND
SLURRY SYSTEMS COMPANY**

This Second Amendment ("Second Amendment") to the Contract, entered into June 1, 2018 ("Contract"), is effective as of this day _____, 2020, by and between the City of Murfreesboro ("City"), a municipal corporation of the State of Tennessee and Slurry Systems Company ("Contractor"), a Corporation of the State of Tennessee.

RECITALS

WHEREAS, on June 1, 2018 the City entered into a contract with Slurry Systems Company, for Water Treatment Plant Lagoon Water Treatment Residuals Removal at \$249,000 for the Water Resources Department; and,

WHEREAS, the term of the contract between the City and Contractor is currently from July 1, 2019 to June 30, 2020 and,

WHEREAS, the City may extend the Contract term pursuant to section 3 of the current Contract for an additional term; and

WHEREAS, pursuant to section 10 of the Contract, the Contract may be modified by a written amendment executed by all parties; and

WHEREAS, the parties desire to extend the term of the Contract and modify the beginning and ending dates to coincide with the expected scope of work:

NOW THEREFORE, the City and Contractor mutually agree to renew the current Contract for an additional term to begin on July 1, 2020 and end on June 30, 2021.

CITY OF MURFREESBORO

SLURRY SYSTEMS COMPANY:

By: _____
Shane McFarland, Mayor

By: _____
Edward R. Scott, Vice President

Approved as to form:

Adam F. Tucker, City Attorney

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Meter Vaults Bid

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

MWRD O&M requested sealed bids to provide meter vaults to the department for inventory.

Staff Recommendation

Approval to purchase eight-meter vaults from the lowest bidder, Fortiline.

Background Information

O&M requested pricing for eight-meter vaults varying in size. The department received bids from Fortiline, Consolidated Pipe, Core & Main, and Southern Pipe. The bid opening was held at O&M on Thursday, April 2, 2020.

Council Priorities Served

Responsible Budgeting

By soliciting sealed bids, MWRD secures competitive pricing for the product.

Fiscal Impacts

The department will purchase eight-meter vaults to include in our inventory. The upfront cost associated with this purchase will be \$30,591 with funding coming from Account 3104-252101. This cost will be recovered as tap fees are purchased. The contract price will be valid for one year and is renewable every year for a maximum of five years at the option of the city.

Attachments

Fortiline Quote

QUOTE



**Pricing for some of the products included in this quote may be impacted by Section 301 List 3: the proposed China tariff. In the event that the tariff is implemented, we will be forced to pass it on to the market. The actual price of these items may increase up to the rate of the tariff that is imposed. **

CUSTOMER NO	QUOTING BRANCH	QUOTE NO	QUOTE DATE	PAGE
215810	FORTILINE NASHVILLE	5948474	3/31/20	1

CUSTOMER
MURFREESBORO WATER&SEWER DEPT. P.O. BOX 1477 MURFREESBORO, TN 37133

PROJECT INFORMATION
43-GANG VAULT ANNUAL CONTRACT

LINE	QTY	UOM	DESCRIPTION	UNIT PRICE	TOTAL PRICE
30	1	EA	MWSD 3 GANG NON-TRAFFIC VAULT 4" PEXPE DIP 8'00 W/3 1"CC TAP CLASS 56 PIPE	N/C	N/C
40	3	EA	1"CORP STOP CCXFNPT 74101BCAPF NO LEAD	N/C	N/C
50	3	EA	1"X12" METER SETTER MIPXDP NO LEAD 720-412WDMD 44	N/C	N/C
60	3	EA	5/8"X1" MTR ADPT MIPXFIP KIT 710J14KIT NO LEAD	N/C	N/C
70	3	EA	1"X18" BRASS NIPPLE	N/C	N/C
80	1	EA	29"X59" ALUM HATCH S1R029059CD W/SLAM LOCK	N/C	N/C
90	1	EA	67"X37"X41.5" CONCRETE MTR VLT 3 GANG	3,069.9500	3,069.95
			Package Sub-total:		3,069.95
120	1	EA	MWSD 4 GANG NON-TRAFFIC VAULT 4" PEXPE DIP 8'00 W/4 1"CC TAP CLASS 56 PIPE	N/C	N/C
130	4	EA	1"CORP STOP CCXFNPT 74101BCAPF NO LEAD	N/C	N/C
140	4	EA	1"X12" METER SETTER MIPXDP NO LEAD 720-412WDMD 44	N/C	N/C
150	4	EA	5/8"X1" MTR ADPT MIPXFIP KIT 710J14KIT NO LEAD	N/C	N/C
160	4	EA	1"X18" BRASS NIPPLE	N/C	N/C
170	1	EA	29"X59" ALUM HATCH S1R029059CD W/SLAM LOCK	N/C	N/C
180	1	EA	67"X37"X41.5" CONCRETE MTR VLT 4 GANG	3,569.9500	3,569.95
			Package Sub-total:		3,569.95
210	1	EA	MWSD 5 GANG NON-TRAFFIC VAULT 4" PEXPE DIP 8'00 W/5 1"CC TAP CLASS 56 PIPE	N/C	N/C
220	5	EA	1"CORP STOP CCXFNPT 74101BCAPF NO LEAD	N/C	N/C
230	5	EA	1"X12" METER SETTER MIPXDP NO LEAD 720-412WDMD 44	N/C	N/C
240	5	EA	5/8"X1" MTR ADPT MIPXFIP KIT 710J14KIT NO LEAD	N/C	N/C
250	5	EA	1"X18" BRASS NIPPLE	N/C	N/C

ALL STOCK DELIVERIES ARE SUBJECT TO SHIPPING CHARGES

All PVC and HDPE material is quoted for shipment within 7 days of quote/bid date. All other material is quoted for shipment within 30 days of quote/bid date. After 7 days for PVC and HDPE or 30 days for all other material, ALL quoted prices are subject to review based on current market conditions.

CUSTOMER NO	JOB NAME	QUOTE NO	QUOTE DATE	PAGE
215810	43-GANG VAULT ANNUAL CONTRACT	5948474	3/31/20	2

LINE	QTY	UOM	DESCRIPTION	UNIT PRICE	TOTAL PRICE
260	1	EA	29"X59" ALUM HATCH S1R029059CD W/SLAM LOCK	N/C	N/C
270	1	EA	67"X37"X41.5" CONCRETE MTR VLT 5 GANG	4,075.9500	4,075.95
Package Sub-total:					4,075.95
300	1	EA	MWSD 6 GANG NON-TRAFFIC VAULT 4" PEXPE DIP 8'00 W/6 1"CC TAP CLASS 56 PIPE	N/C	N/C
310	6	EA	1"CORP STOP CCXFNPT 74101BCAPF NO LEAD	N/C	N/C
320	6	EA	1"X12" METER SETTER MIPXDP NO LEAD 720-412WDMD 44	N/C	N/C
330	6	EA	5/8"X1" MTR ADPT MIPXFIP KIT 710J14KIT NO LEAD	N/C	N/C
340	6	EA	1"X18" BRASS NIPPLE	N/C	N/C
350	1	EA	29"X59" ALUM HATCH S1R029059CD W/SLAM LOCK	N/C	N/C
360	1	EA	67"X37"X41.5" CONCRETE MTR VLT 6 GANG	4,579.9500	4,579.95
Package Sub-total:					4,579.95
JOBSITE CONTACT CHARLES HANCOCK OFFICE (615)893-1223 CELL (615)642-3313					
Subtotal:					15,295.80
Tax:					.00
Bid Total:					15,295.80

ALL STOCK DELIVERIES ARE SUBJECT TO SHIPPING CHARGES

All PVC and HDPE material is quoted for shipment within 7 days of quote/bid date. All other material is quoted for shipment within 30 days of quote/bid date.
 After 7 days for PVC and HDPE or 30 days for all other material, ALL quoted prices are subject to review based on current market conditions.

Ent By ZR 3/31/20 15:39:52

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Specific Energy Pump Management for High Service Pump Station

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Purchase and install Specific Energy's Pump Asset Management and Optimization System for the high service pump station.

Staff Recommendation

Approve sole source procurement of the Specific Energy system for the High Service Pump Station in accordance with their quote.

Background Information

The Stones River Water Treatment Plant installed the Specific Energy Pump Asset Management and Optimization System in December 2019. The benefits seen thus far have more than justified the purchase of the software and equipment. Having seen the pumps operating off the curve is likely the reason for the repairs need to the pumps. Repairs generally cost >\$25,000. The Board and Council recently approved SSR to start designing upgrades for the High Service Pump Station. Based upon the quality data provided by Specific Energy, MWRD would like to go ahead and request to purchase Specific Energy for the High Service Pump Station. This will allow MWRD and SSR to review the data and determine the best solution for the upgrades.

Council Priorities Served

Responsible budgeting

MWRD evaluates condition and lifespan of equipment and budgets responsibly to ensure reliable operation of facilities.

Maintain public safety

MWRD consistently evaluates resources to extend equipment life and ensure reliability for providing quality water consistently to customers.

Fiscal Impact

The cost for purchasing the Pump Asset Management and Optimization Software for the High Service Pump Station is \$26,100. Funding will come from reserves. Cost for annual service fees for the High Service Pump Station is \$10,400. This amount will be budgeted in the Annual Operating Budget.

Attachments

Murfreesboro High Service Pump Station Quote



Alan Cranford
Water Treatment Plant Manager
P.O. Box 1477
Murfreesboro, TN
615-848-3222

Proposal for Pump Asset Management and Optimization

Project Description

Pump Asset Management and Optimization for: **Murfreesboro Water Resources Department
High Service Pump Station**

Description	Power (hp)	Notes
Pump 1	700 hp	
Pump 2	700 hp	
Pump 3	700 hp	
Pump 4	700 hp	

Overview of Services

Specific Energy proposes to furnish a Dynamic Pump Optimizer (DPO) configured for this pump station. The DPO implements Specific Energy’s asset management and optimization technologies.

Specific Energy’s DPO enables routine operator-initiated pump testing for comparison of current pump condition to ideal factory pump curves. The DPO calculates Pump Health Index (PHI), continually recalculates annualized excess energy costs due to worn pumps, and recommends pumps for repair or replacement based on a rigorous financial analysis. This financial analysis can be incorporated into a comprehensive pump asset management program to determine optimal scheduling of pump repairs.

Additionally, the DPO calculates the combination of pumps and speeds that satisfies current flow demand while maximizing energy efficiency. The DPO selects the most efficient combination of pumps and speeds that operates each pump within its Preferred Operating Range. As system conditions change throughout the day, the DPO recomputes the solution to ensure the station continues to operate at minimum specific energy (kWh/MG).

The DPO may be used in either Advisory Mode (operators use recommendations from the DPO to select which pumps and speeds to use) or DPO-Mode (pump station PLC uses recommendations from the DPO to continually operate the pump station at peak performance).

Detailed Scope of Services

Configuration and Installation Support Phase

The Configuration and Installation Support Fee is a one-time fee that includes the following services **provided by Specific Energy**:

Standard Services

- Configure Specific Energy equipment to match customer's specific application, including configuration of communications and modeling of station piping, pumps, and sensors.
- Deliver Specific Energy DIN-rail mountable hardware for field installation by others, including wiring instructions to connect the equipment to power and electrical equipment and controllers.
- Customized programming and written instructions to configure customer's equipment to communicate with the Specific Energy DPO.
- Unlimited support by Specific Energy's technical staff for the installation phase during normal business hours (Monday through Friday, 8 AM to 5 PM CT), including commissioning and initial troubleshooting. During this phase, the cellular or direct internet connection must be active so Specific Energy's staff can remotely monitor and troubleshoot the equipment.

The following items are not included in Specific Energy's Scope of Services, and are to be provided by others:

- Install Specific Energy DIN-rail mountable DPO inside existing pump station control panel (requires 12 VDC or 120 VAC from an uninterruptible power supply).
- Install instrumentation required by DPO: tank level or suction pressure, discharge pressure, pump station flow, and per pump powers, run statuses, and speeds.
- Configure pump station PLC to communicate with DPO.

Operational Phase

The Dynamic Pump Optimizer Annual Service Fee includes these services **by Specific Energy**:

- DPO and cellular modem replacement upon failure
- Unlimited Cellular data plan
- Secure 24-hour operator interface with no license restrictions for number of concurrent users
- Data logging at one-second resolution.
- Telephone and email technical support during normal business hours (Monday through Friday, 8 AM to 5 PM CT)
- Automatic updates for ongoing software enhancement, bug fixes, and security patches
- Monthly Pump Station Reports including individual pump report cards, delivered via email.

Quotation

Base fee (\$8,500/station)	\$	8,500	
CISF Pump Configuration Fee (\$1,800/pump)	\$	7,200	
Total One-Time Configuration and Installation Support Fee (CISF)			\$ 15,700
Base Fee, includes Specific Energy client interface, unlimited simultaneous users, one-second data logging, historical trending, exporting, alarm and event logging and reporting	\$	3,200	
Power fee, Pumps up to 2000 hp (\$3/hp * 2000 hp)	\$	6,000	
Power fee, Pumps > 2000 hp (\$1.5/hp * 800 hp)	\$	1,200	
Total Annual Service Fees			\$ 10,400
Proposal Total			\$ 26,100

Summary

I am pleased to prepare this proposal for your consideration. This proposal is valid for 90 days from the date of this proposal.

Respectfully submitted,

Ben Steger

Signature

By signature below, I hereby agree to abide by the terms and conditions specified herein.

MURFREESBORO WATER RESOURCES DEPARTMENT

By: _____ Date: _____
Signature of Authorized Signer

Printed Name & Title of Authorized Signer

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: WRRF Sodium Hypochlorite (Bleach) Contract

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

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

Summary

Consider the purchase of Sodium Hypochlorite, which is used at the Water Resource Recovery Facility (WRRF) as a secondary disinfectant of the Reuse Water, from low bidder Dycho Company Inc.

Staff Recommendation

Approve the contract to purchase Sodium Hypochlorite (Bleach) from Dycho Company Inc. at a cost of 82¢/gallon.

Background Information

Murfreesboro has Tennessee's largest and most sophisticated Reuse Water system. The water is beneficially used for irrigation at many places throughout the City e.g. the Department's two farms, the Avenues, and Old Fort golf course. Environmental regulations require that the water be additionally disinfected with Sodium Hypochlorite; at an estimated annual cost of \$60,000.

The City's Purchasing Department issued an Invitation to Bid with a bid opening on April 21, 2020. Dycho Company, Inc. provided the lowest bid.

Council Priorities Served

Maintain public safety

Sodium Hypochlorite finishes the production of excellent quality water that ensures beautiful scenery and safe public use at the Gateway Village, the City's soccer fields, the Country Club golf course, etc.

Fiscal Impact

The expenses for Sodium Hypochlorite are reflected in the Fiscal Year 2020-21 Operating Budget. The contract prices will be good through June 30, 2022 with three one-year extensions available.

Attachments

Bid Form

Bid Name: 2020 WRRF Bleach

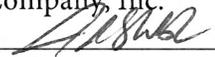
Chemical pricing shall be firm through June 30, 2022 with automatic annual renewals for up to three additional one-year terms. Freight charges shall be listed separately and may be adjusted for fuel cost once during the term of the contract. The City is not subject to sales tax.

Following placement of an order, on-site guaranteed delivery will occur within 3-5 days.

In compliance with this ITB, and subject to all conditions thereof, the undersigned agrees that if this bid response is accepted within 90 days from the date of opening, to furnish the item upon which price is quoted.

A Chemical Product Data Sheet shall accompany each chemical bid.

Item Number	Chemical	Price/gal	Minimum Delivery Quantity	Freight Charge per Delivery	Total Delivered Price/gal
1	Sodium Hypochlorite 12.5%	\$0.82/gal	4,000 gals	\$0	\$0.82/gal

Company Name: The Dycho Company, Inc.
Authorizing Signature: 
Name: J. Robert Shamblin, President
Date: 04/20/2020
Phone: 423-568-2112 / 800-654-1399
Email: rob@dycho.com

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: WRRF Traveling Irrigators

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

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

Summary

Consider the purchase of traveling irrigators for the Water Resource Recovery Facility's Department owned Jordan and Coleman farms.

Staff Recommendation

Approve the purchase of three traveling irrigators for the WRRF's Department owned farms from Hughes Farm Services Inc. at a cost of \$97,500.

Background Information

The Department owns the Jordan farm off Leanna Road and the much larger Coleman Farm off Central Valley Road. They were purchased to play a significant role toward ensuring compliance with the City's EPA discharge permit via land irrigation of treated water from the WRRF. Additionally, these irrigators will facilitate the utilization the pipeline extension recently laid at the Coleman Farm

The City's Purchasing Department issued an Invitation to Bid with a bid opening on April 15, 2020. Hughes Farm Services Inc. provided the only conforming bid.

Council Priorities Served

Maintain public safety

The infrastructure at the Water Resource Recovery Facility's Department owned Jordan and Coleman farms supports the discharge of excellent quality of water that safely enhances the public environment.

Fiscal Impact

There was \$120,000 budgeted to purchase three Traveling Irrigators and is requested to be funded from the Department's Rate Funded Capital Budget in the amount of \$97,500.

Attachments

Bid Form

3. BID FORM

Bid Name: Traveling Sprinkler Irrigation Unit

All prices must include all costs. Costs included in the bid prices shall include parts, labor, accessories and any other standard equipment necessary to make this system operational, freight, delivery, installation, and training instructions. Pricing for each component shall be effective for one (1) year from date of bid award. The City is not subject to sales tax.

Explain type of warranty, length, coverage provided, bidder and purchaser liabilities and any associated costs. Specify any additions to the warranty coverage above the limits set forth in the attached specifications – (attach additional pages if necessary). *

State the name and location of the nearest authorized factory service facility or provider. **

For exceptions, if any, attach a separate sheet listing any exceptions to the specifications, with an explanation as to why the exception is equal to or better than the specification. Bidders may also submit with the bid a detailed description and specifications of the product(s).

Awarded bidder will honor price(s) for other local governments.

In compliance with this ITB, and subject to all conditions thereof, the undersigned agrees that if this bid response is accepted it will furnish any or all of the items upon which price(s) are quoted, at the price set opposite each item unless otherwise specified.

Item	Description	Mfr./Model	Quantity	Total Price
1	Traveling Sprinkler Irrigation Unit	Ocmis/VR4	2	\$65,000

* Manufacturer's one-year full warranty on machine. Bidder not liable for purchaser's own negligence.

** Hughes Farm Services Inc, 2939 Van Cleave Road, Murray KY 42071

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: WRRF Roof Replacement

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Consider the replacement of the roof of the Water Resource Recovery Facility's Electrical & Instrumentation building by Don Kennedy Roofing Co. Inc.

Staff Recommendation

Approve the replacement of the WRRF's Electrical & Instrumentation building roof by Don Kennedy Roofing Co. Inc. at a cost of \$28,420.

Background Information

Maintenance Staff determined that the over thirty year-old roof of the WRRF's Electrical & Instrumentation building needed to be replaced. Advice was sought from several contractors and the replacement was budgeted in the Department's capital improvement plan.

The City's Purchasing Department issued an Invitation to Bid with a bid opening on March 20, 2020. Don Kennedy Roofing Co. Inc. provided the only bid.

Council Priorities Served

Maintain public safety

The infrastructure at the Water Resource Recovery Facility enables the production of excellent quality of water that enhances the West Fork Stones River for safe public use, beautiful scenery, and thriving aquatic life.

Operational Issues

The WRRF's Electrical & Instrumentation building warehouses a variety of sensitive electronic components and instrumentation devices. Safely storing them in dry conditions is necessary to maintaining operations.

Fiscal Impact

There was \$65,000 budgeted for the replacement of the roof and is requested to be funded from the Department's Rate Funded Capital Budget in the amount of \$28,420.

Attachments

Bid Form

PURCHASING DEPARTMENT
BID FORM

You are invited to bid on the following:

Title: Electrical & Instrumentation Roof Replacement

INSTRUCTIONS:

All prices must include detailed costs. Costs included in the bid prices shall include parts, labor, accessories and any other standard equipment necessary provide this service, freight, and delivery. Pricing for each component shall be effective for one (1) year from date of bid award. The City is not subject to sales tax.

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	TOTAL PRICE
1	1	\$	<p>Electrical & Instrumentation Roof Replacement</p> <p>Completion desired within 30 days of issuance of PO and no later than June 30th, 2020. PO is expected to be issued late-April or Early-May.</p> <p style="text-align: center;"><i>note: see other proposals for pricing options.</i></p>	<p><u>\$28,420⁰⁰</u></p>

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Water/Wastewater Mechanical/Electrical Services Contract Task Order 19-12

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

Task Order for Water/Wastewater Mechanical/Electrical Services Contract to remove, repair and reinstall the motor for Pall Feed Pumps #1 and #2.

Staff Recommendation

Approve Task Order 19-12 for Water/Wastewater Mechanical/Electrical Services Contract.

Background Information

John Bouchard & Sons was asked to provide a task order to remove, repair, and re-install the Pall Feed Pumps #1 & #2 motors under the existing service contract. Budget pricing includes removal of the motors, installation of new bearings, wash/bake stators and check for re-winds, and on-site dynamic balancing.

Council Priorities Served

Responsible budgeting

MWRD is exercising responsible budgeting through utilization of existing contract.

Maintain public safety

MWRD ensures that equipment is properly maintained to provide quality water to customers.

Fiscal Impact

The cost for the project is \$17,277.08. Funding requested to come from reserves.

Attachments

Task Order 19-12 - Pall Feed Pump Motors



...

TASK ORDER NO. 19-12

April 14, 2020

BETWEEN

**JOHN BOUCHARD & SONS COMPANY AND CITY OF MURFREESBORO
acting by and through the Murfreesboro Water and Sewer Department**

UNDER

Water/Wastewater System Mechanical/Electrical Services Contract

DATED

June 6, 2019 thru June 6, 2020

FOR

Pall Feed Pumps #1 & #2 Repairs

Task Order No. 19-12

Pall Feed Pumps #1 & #2 Repairs

Murfreesboro Water Plant

BACKGROUND

JBS has been asked to remove, repair, and re-install the Pall Feed Pump #1 & #2 motors under our existing service contract. We have prepared an estimate for the repair/rebuild of the pumps for your consideration. Budget pricing includes removal of the motors, installation of new bearings, wash/bake stators and check for re-winds, and on-site dynamic balancing.

SCOPE OF WORK

Labor and materials by JBS to repair and re-install Pall Feed Pump motors as described above, as needed.

FISCAL IMPACT**Murfreesboro Service Contract Rate Sheet - 2020 - Job # 20-C6542****Pall Feed Pumps Motors Repair # 1 & # 2 - Task Order # 19-12**

Description	Qty (hrs)	Rate	Extended
Project Mgr (RT)	10	\$75.00	\$750.00
Project Mgr (OT)		\$110.00	\$0.00
Machine Shop Millwright (RT)	143	\$60.00	\$8,580.00
Machine Shop Millwright (OT)		\$90.00	\$0.00
HVAC/Plb Service Tech (RT)		\$66.00	\$0.00
HVAC/Plb Service Tech (OT)		\$99.00	\$0.00
Air Compressor Tech (RT)		\$66.00	\$0.00
Air Compressor Tech (OT)		\$99.00	\$0.00
Laborer - Skilled (RT)		\$32.00	\$0.00
Laborer - Skilled (OT)		\$48.00	\$0.00
Laborer - Unskilled (RT)		\$23.00	\$0.00
Laborer - Unskilled (OT)		\$34.50	\$0.00

Equipment	Qty (hrs)	Rate/Hr	Extended
Welder		\$15.00	\$0.00
Power Threader		\$10.00	\$0.00
Mini/Midi Hammer		\$10.00	\$0.00
Variable Reach Forklift		\$27.00	\$0.00
Pickup Truck	61	\$15.00	\$915.00
Scissor Lift		\$19.00	\$0.00

Materials & Subcontractors		
Bolts, Compressor Oil, Tape, Grease Off, Clamp	JBS	\$221.39
Bearings	BDI	\$3,207.91
Wash & Bake Stator & Check For Rewind	Tennessee Electric	\$2,043.50
Onsite dynamic balancing on vertical motor	Cumberland Predictive	\$920.00
Markup on Material & Subcontractors	10.00%	\$639.28

TOTAL ESTIMATE**\$17,277.08**

Contractor:

City:

John Bouchard and Sons Company

City of Murfreesboro

By: David Proctor IV

By: _____

Name: David Proctor

Name: Shane McFarland

Title: Project Manager

Title: Mayor

Date: 4/14/20

Date: _____

Approved as to Form:

DocuSigned by:

Adam F. Tucker

Adam F. Tucker, City Attorney

CONTRACTOR NOTICE CONTACT INFORMATION

CITY NOTICE CONTACT INFORMATION

John Bouchard and Sons Company

Murfreesboro Water and Sewer Dept.

Mailing address 1024 Harrison St.
Nashville, TN 37203

Mailing address 300 NW Broad St.
Murfreesboro, TN 37130

Phone number 615-256-0112

Phone number 615-890-0862

Fax number 615-256-2427

Fax number 615-896-4259

Company Contact David Proctor

Company Contact Darren Gore

E-mail David.Proctor@jbouchard.com

E-mail dgore@murfreesborotn.gov

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Rezoning property along Bradyville Pike
[Second Reading]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

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

Staff Recommendation

Enact the ordinance establishing the requested zoning.

The Planning Commission recommended approval of the rezoning.

Background Information

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

On April 30, 2020 Council held a public hearing and approved this matter on First Reading.

Council Priorities Served

Improve Economic Development

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

Attachment:

Ordinance 20-OZ-02

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

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

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

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

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

Adam F. Tucker
City Attorney

SEAL



RS-10

RS-10

RS-10

FOWLER ST

Ordinance 20-OZ-02

S BAIRD LN

RS-10

RS-10

GYPRESS DR

Area rezoned from RS-10 to PCD

GYPRESS DR

RS-10

RS-10

CP

CL

CF

CL

CF



BRADYVILLE PIKE

MINERVA DR

PCD

CL

PCD

CL

RS-10

RS-10

FOXDALE DR

RS-10

RS-10

RS-10

GENTRY TER

CAMERON CT



COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Rezoning property along East Vine Street
[Second Reading]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

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

Staff Recommendation

Enact the ordinance establishing the requested zoning.

The Planning Commission recommended approval of the rezoning.

Background Information

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

On April 30, 2020 Council held a public hearing and approved this matter on First Reading.

Council Priorities Served

Improve Economic Development

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

Attachment:

Ordinance 20-OZ-03

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

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

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

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

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

DocuSigned by:
Adam F. Tucker

43A2035E51F9A01...
Adam F. Tucker
City Attorney

SEAL



RS-15

RS-15

Ordinance 20-OZ-03

RS-15

RS-8

RS-8

GAYLE LN

RS-8

S HIGHLAND AVE

E VINE ST

RS-8
RS-15

Area Rezoned
From RS-8 to PRD

RS-8

RS-4

RM-16

RS-4

RM-16

S UNIVERSITY ST

RM-16

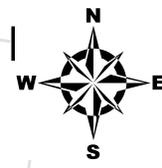
E SEVIER ST

RS-4

CL

CL

RD



E STATE ST

RD

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Amending the Zoning Ordinance
[Second Reading]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

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

Staff Recommendation

Amend the Zoning Ordinance as requested.

The Planning Commission recommended approval of this Zoning Ordinance amendment.

Background Information

The Planning Department presented a request to amend the Zoning Ordinance [2019-809] pertaining to *Section 2: Interpretation and Definitions*, regarding the definition of "family"; *Section 10: Variances*; *Section 18: Regulations of General Applicability*, regarding lighting fixtures at recreational fields; and *Section 27: Landscaping and Screening*, regarding landscaping for stormwater management areas. During its regular meeting on January 8, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

On April 30, 2020 Council held a public hearing and approved this matter on First Reading.

Council Priorities Served

Maintain Public Safety

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

Attachment:

Ordinance 20-O-04

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

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

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

Family: Either (a) an individual or two or more persons related by blood, marriage or adoption, maintaining a common household in a dwelling unit; or (b) a group of not more than four persons who are not related by blood, marriage, or adoption, living together as a common household in a dwelling unit, or (c) a group of not more than eight unrelated persons with disabilities as defined by applicable federal law, **which may have up to three (3) additional persons** acting as support staff or guardians, which additional persons need not be related to any of the persons with disabilities residing in the home, living together as a common household in a dwelling unit; provided, however, a domestic worker, as defined by applicable state or federal law, who resides in the dwelling unit in question shall not be included in calculating the number of persons for purposes of subdivisions (a), (b), or (c).

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

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

SECTION 10 VARIANCES.

- (A) *Authority.* The Board of Zoning Appeals (“BZA”) shall have the authority to grant the variances specified in this article after a public hearing on a requested variance and only if the BZA makes specific written findings in favor of such variance based upon the standards for variance hereinafter set forth.
- (B) *Purpose.* The purpose of a variance is to provide relief from one or more zoning regulations set forth in this article where due to the unusual characteristics of a parcel of land, strict compliance with such regulation(s) would be extraordinarily and peculiarly difficult or would result in an undue hardship for the a landowner or some other person with a contractual interest in the land.
- (C) *Initiation.* The owner or a person having a contractual interest in the land for which a variance is sought may initiate a request for a variance.

(D) *Procedure.*

- (1) *Application.* The owner or a person having a contractual interest in the land to be affected by the variance shall file an application for a variance with the Planning Department. Such application shall be accompanied by a non-refundable application fee established from time to time by City Council. However, no application fee is required when the applicant is seeking a variance to relocate a sign because of condemnation or road construction by the city, county, state or federal government. The application shall contain the following information:
 - (a) name, address, and telephone number of the applicant;
 - (b) nature and extent of the applicant's interest in the land for which a variance is requested;
 - (c) a plot plan showing the dimensions of the land for which a variance is requested;
 - (d) the street address and legal description of the land for which a variance is requested;
 - (e) zoning classification of the land for which a variance is requested;
 - (f) a statement of the exact variance sought and section of this article from which a variance is requested;
 - (g) a statement of the purpose for the requested variance and the intended development of land if the variance is granted; and
 - (h) a vicinity map showing the land which is the site of the requested variance and all parcels of land within a 250-foot radius of the land. Such vicinity map shall show any and all streets, roads or alleys, and shall indicate the owner's name and dimensions of each parcel of land shown.
- (2) *Action by the BZA.* Not more than forty-five days after an application is filed, the BZA shall hold a public hearing thereon. Written notice of such public hearing shall be published in a newspaper of general circulation. In addition, a sign shall be posted and maintained on the subject land by the applicant or the City that conforms with the size and content requirements of the BZA, and written notice shall be mailed to land owners within a 250-foot radius from the subject land. Failure to mail notice to such owner(s) will not invalidate any action of the BZA.

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

(E) *Standards for Variance.* To be entitled to a variance an Applicant must be shown by substantial material evidence:

- (1) That the specifically identified characteristics of the land, such as the narrowness, shallowness, shape, topography or other condition of the land, are such that compliance with one or more applicable zoning regulations would be extraordinarily and peculiarly difficult or would result in an undue hardship for the Applicant;
- (2) That the specifically identified characteristics are unusual to the subject land as compared to other land in the same zoning classification and in the same area;

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

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

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

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

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

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

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Adam F. Tucker
City Attorney

SEAL

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Plan of Services, Annexation, and Zoning for property located along New Salem Highway
[Public Hearings Required]

Department: Planning

Presented By: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

Annexation and zoning of approximately 26.8 acres and 27.9 acres, respectively, located along New Salem Highway and Barfield Road.

Staff Recommendation

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

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

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

Background Information

New Salem Land Development, LLC has initiated a petition of annexation [2020-501] for approximately 26.8 acres located along New Salem Highway and Barfield Road. The City developed its plan of services for this area. Additionally, New Salem Land Development, LLC presented to the City a zoning application [2020-402] for approximately 27.9 acres located along New Salem Highway and Barfield Road to be zoned CH (Highway Commercial District). During its regular meeting on March 11, 2020, the Planning Commission conducted public hearings on these matters and then voted to recommend their approval.

Council Priorities Served

Improve Economic Development

This rezoning will enable commercial development on approximately 30 acres at an intersection along a major arterial roadway a short distance from an interstate

interchange, potentially generating sales tax revenues for the City and jobs.

Establish Strong City Brand

Expanding the existing I-24/New Salem Highway interstate interchange commercial node will continue to establish Murfreesboro as a commerce destination for both City residents and interstate travelers alike.

Attachments:

1. Resolution 20-R-PS-11
2. Resolution 20-R-A-11
3. Ordinance 20-OZ-11
4. Maps of the area
5. Planning Commission staff comments from 03/11/2020 meeting
6. Planning Commission minutes from 03/11/2020 meeting
7. Plan of services
8. Other miscellaneous exhibits

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MARCH 11, 2020
PROJECT PLANNER: MARINA RUSH**

3.d Annexation plan of services and annexation petition [2020-501] for approximately 26.8 acres located along New Salem Highway and Barfield Road, New Salem Land Development, LLC applicant.

The subject property is located along the south side of New Salem Highway and along the east side of Barfield Road. The study area is developed with a single-family residence (addressed 1773 New Salem Highway), a barn, several accessory structures, and a telecommunications tower. A 1.1-acre portion of Tax Map 113, Parcel 05.00 is already located within the City limits and currently zoned RS-15 (Single-Family Residential District 15). The total annexation area is 26.8 acres and identified as follows:

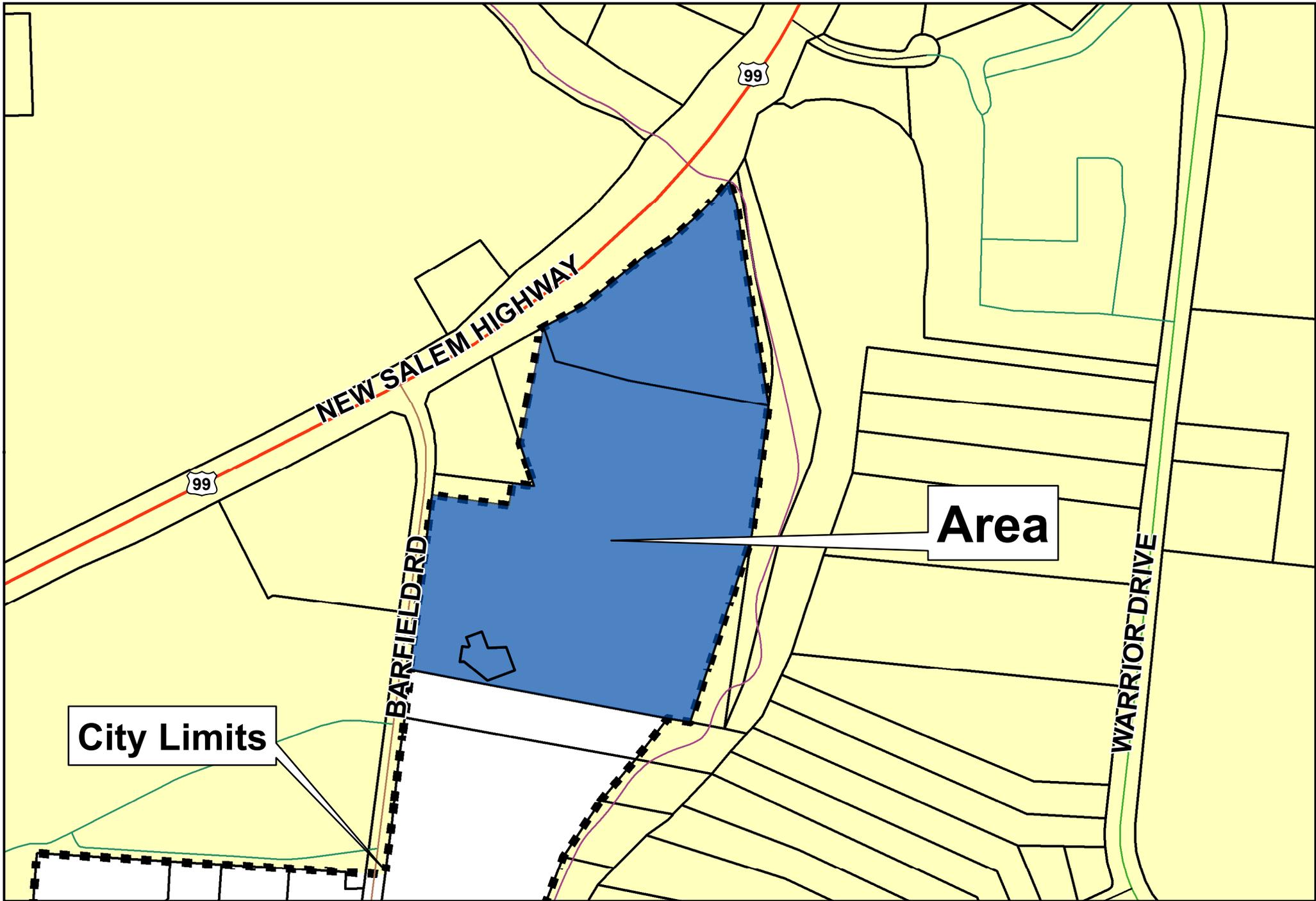
- Tax Map 102, Parcel 056.02 5.9 acres
- Portion of Tax Map 113, Parcel 005.00 20.56 acres
- Tax Map 113, Parcel 005.13 0.34 acre

The written petition requesting annexation has been filed with the City by the property owner, New Salem Land Development, LLC. In addition, the owner has filed a request to have the property zoned to CH (Commercial Highway) District simultaneous with the annexation and this request will be the subject of the next agenda item (File 2020-402). No development is proposed at this time.

The study area is located within the City of Murfreesboro's Urban Growth Boundary and is contiguous with the City limits to the north, west, and east as shown on the attached Annexation Request map. Staff has prepared the Plan of Services, which outlines that the services the City will provide and the timeframe for which those services can be provided. The Plan of Services identifies no major challenges in providing services to the study area.

Action Needed

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



**Annexation Request for Property
Along New Salem Highway and Barfield Road**



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



**Annexation Request for Property
Along New Salem Highway and Barfield Road**



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

Received
 Planning Department
 JAN 16 2020
 111 West Vine Street
 Murfreesboro, TN 37130

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. NEW SALEM LAND DEVELOPMENT, LLC
 Printed Name of Owner (and Owner's Representative, if Owner is an entity)
 Signature: BRADLEY SPEARING Status: MANAGING MEMBER Date: 1/13/2020
 Mailing Address (if not address of property to be annexed) 370 JAMES RD, BIG COVE, AL 35763-9736

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
 (N/A)

1/16/2020
Deposit 117829 \$ 500.00

SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
LANDSCAPE ARCHITECTURE

850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
 PHONE (615) 890-7901 • FAX (615) 895-2567

**NEW SALEM
 & BARFIELD RD
 ZONING EXHIBIT**

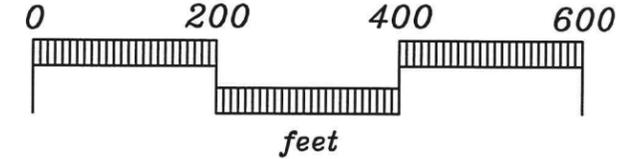
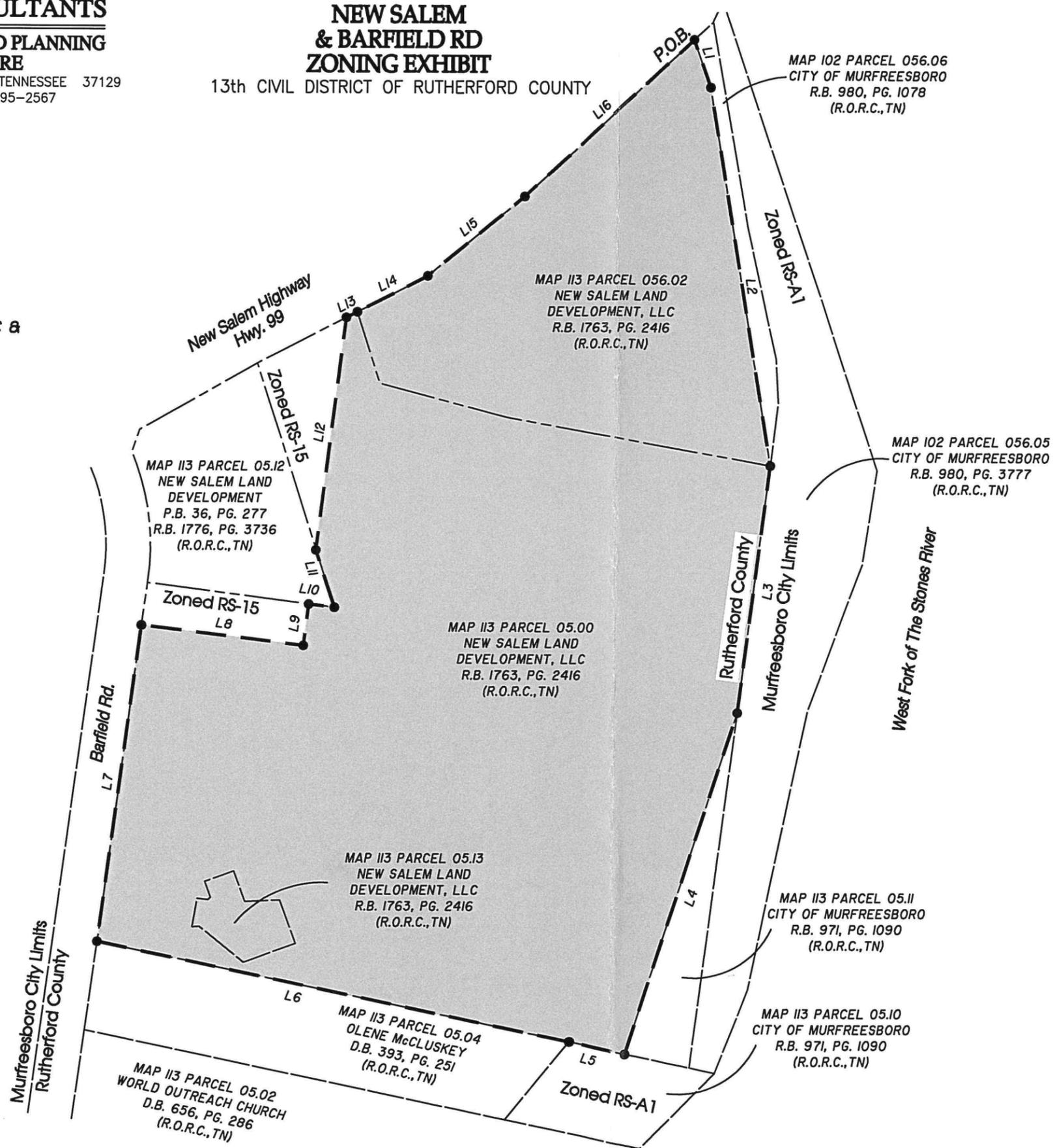
13th CIVIL DISTRICT OF RUTHERFORD COUNTY

LEGEND

- IRON PIN (FOUND)
- IRON PIN SET (NEW)

OWNER:

**NEW SALEM LAND DEVELOPMENT, LLC &
 OLENE McCLUSKEY**
 MAP 113, PARCELS 56.02, 5.00,
 5.04, & 5.13
 R.B.K. 1587, PG. 2113
 R.B.K. 1763, PG. 2416
 D.B.K. 393, PG. 251
 (R.O.R.C., TN)



LINE DATA

LINE	BEARING	DISTANCE
L1	S 19°15'59" E	84.61'
L2	S 09°15'28" E	643.92'
L3	S 07°05'52" W	418.90'
L4	S 17°38'04" W	602.03'
L5	N 78°06'59" W	96.53'
L6	N 78°07'08" W	806.38'
L7	N 07°21'52" E	536.04'
L8	S 83°00'25" E	272.23'
L9	N 06°59'35" E	70.00'
L10	S 83°00'25" E	43.23'
L11	N 18°13'41" W	101.46'
L12	N 06°59'35" E	393.89'
L13	N 62°41'39" E	20.65'
L14	N 62°48'49" E	132.70'
L15	N 50°01'49" E	209.00'
L16	N 46°56'14" E	387.45'

SHEET
1 OF 1

SCALE:
1" = 200'

DRAWN BY:
JWK

FILE:
NEW SALEM & BARFIELD RD.

DATE:
1-13-2020

PROJ. #
19296

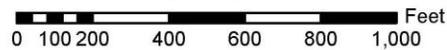
**ANNEXATION REPORT FOR PROPERTY LOCATED ALONG
NEW SALEM HIGHWAY AND BARFIELD ROAD
INCLUDING PLAN OF SERVICES
(FILE 2020-501)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
MARCH 11, 2020**



**Annexation Request for Property
Along New Salem Highway and Barfield Road**



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

INTRODUCTION

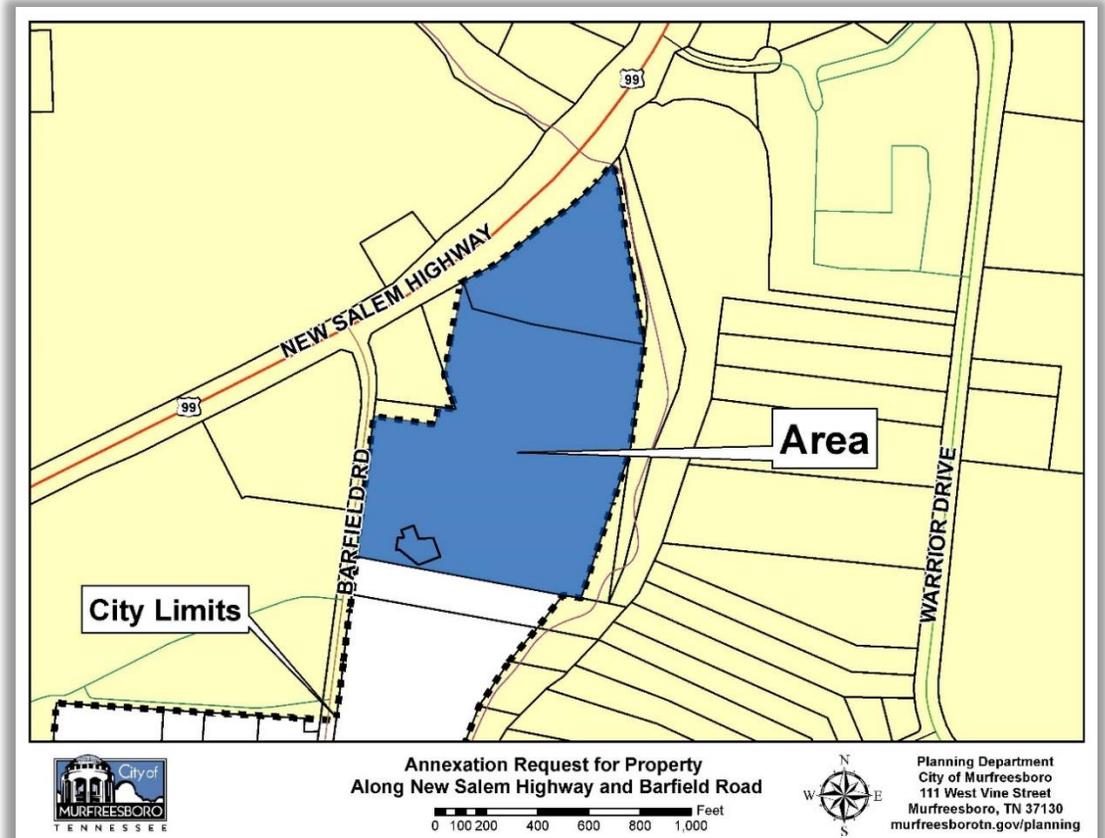
OVERVIEW

The property owner, New Salem Land Development, LLC, has submitted a petition requesting annexation by the City of Murfreesboro. The request is for the following property:

- Tax Map 102, Parcel 056.02 (5.9 acres)
- Portion of Tax Map 113, Parcel 005.00 (20.56 acres)
- Tax Map 113, Parcel 005.13 (0.34 acre)

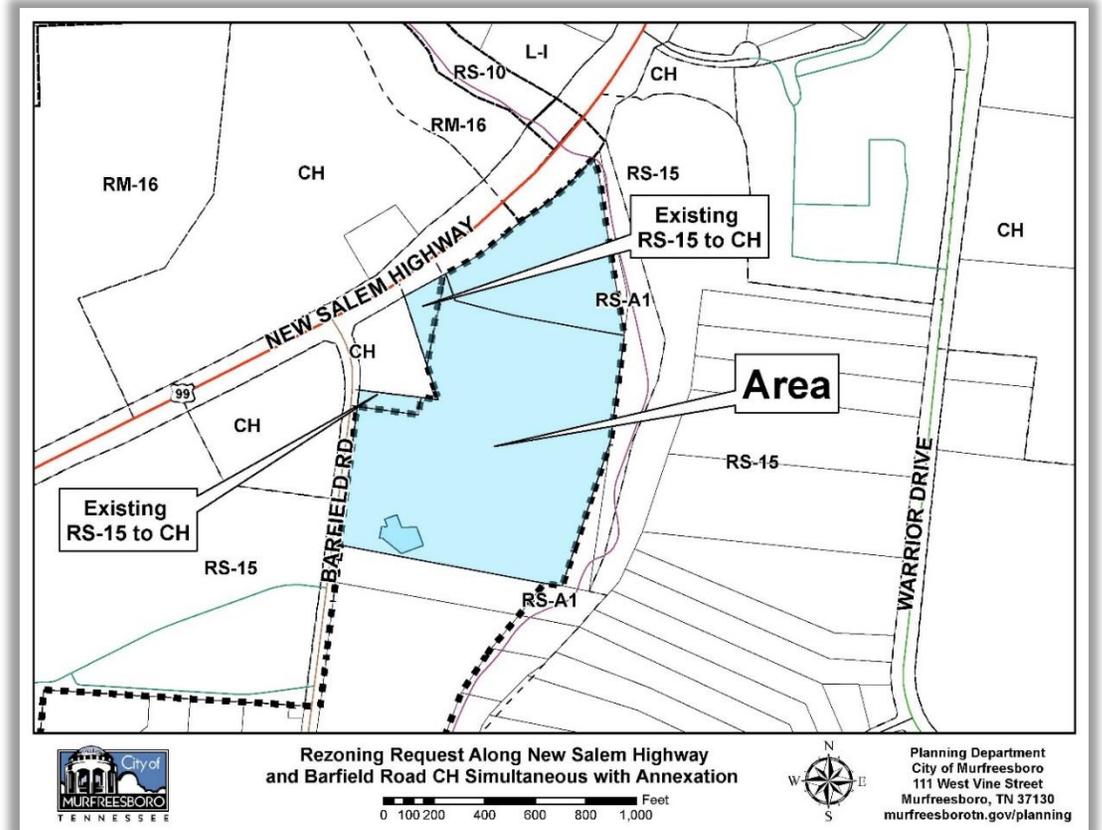
The owner has submitted a companion zoning change request to Commercial Highway (CH) simultaneous with the annexation. However, no development is proposed at this time.

The subject property is located along the south side of New Salem Highway and along the east side of Barfield Road. The study area is developed with a single-family residence (addressed 1773 New Salem Highway), barn, several accessory structures, and a telecommunications tower. A 1.1-acre portion of Tax Map 113, Parcel 05.00 is located within the City limit and currently zoned RS-15. It is also proposed to be zoned CH. The total annexation area is approximately 26.8 acres. The study area lies within the City of Murfreesboro's Urban Growth Boundary.



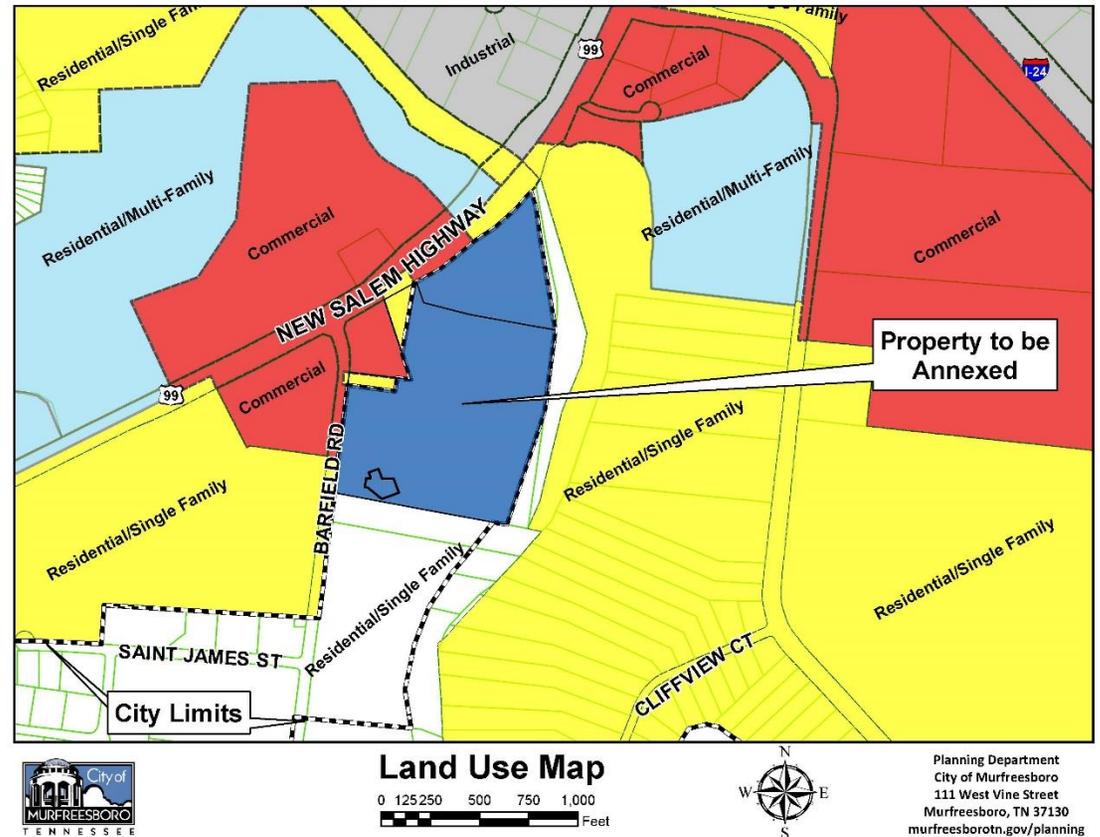
CITY ZONING

The adjacent property to the west across Barfield Road is zoned CH and RS-15 (Single Family Residential). The property to the north across Barfield Road is zoned CH. The property to the east is the West Fork of the Stones River and the Stones River Greenway, zoned RS-A, Type 1 (Single-Family Residential Attached), and further to the east is zoned RS-15 and RM-16 (Multi-Family Residential).



PRESENT AND SURROUNDING LAND USE

The study area is developed with a single-family residence (addressed 1773 New Salem Highway), barn, several accessory structures, and a telecommunications tower. The adjacent property to the west is developed with the World Outreach Church. To the north it is primarily undeveloped land, to the east is the West Fork of the Stones River and the Stones River Greenway and single-family residences. Further to the east is an apartment complex. To the south and southwest are single-family residences in the unincorporated portion of Rutherford County.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2020 will be due on December 31, 2021. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is developed with a single-family residence. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

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

Owner of Record	Tax Map	Acres	Land Value	Improvement Value	Total Assessment	Estimated City Taxes
New Salem Land Development, LLC	Map 102, Parcel 56.02	5.9	\$86,600	\$303,200	\$99,775	\$1,977.29
	Map 113, Parcel 05.00 (portion)	20.56	\$181,900	\$0.00	\$51,225	
	Map 113, Parcel 05.13	0.34	\$9,400	\$0.00	\$2,350	

These figures are for the property in its current state. There is no development proposed at this time.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation. This property is in Police Zone #7.

ELECTRIC SERVICE

The study area is located inside the service boundary of Murfreesboro Electric Department (MED). Middle Tennessee Electric Membership Corporation (MTEMC) has services on the property for the existing barn. MED will serve any new development and the MTEMC services will be removed at that time. MED has facilities and capacity in place to serve the study area. Any new electrical infrastructure installed to serve the study area will be required to adhere to MED standards.

A significant TVA easement crosses the central portion of the site. Development plans in the TVA easement should be approved by TVA and must meet TVA requirements regarding locations of new structures and improvements within the easement.

STREET LIGHTING

Currently, there are no streetlights along New Salem Highway and Barfield Road. The Tennessee Department of Transportation (TDoT) will install new LED streetlights with the New Salem Highway improvement project. MED can provide new street lighting, as necessary, upon request by the City of Murfreesboro.

SOLID WASTE COLLECTION

The property is proposed to be zoned and developed as commercial and will have commercial solid waste management service via a private hauler.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees. The property is proposed to be zoned and developed as commercial and therefore will likely have minimal impact on the City Recreation Department.

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The property is in the Salem Elementary School zone. However, because this property is proposed to be zoned for commercial uses, no additional student population is anticipated.

BUILDING AND CODES

The property will come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's construction codes immediately upon the effective date of annexation. The Building and Codes Department will also ensure that any new signs associated with the development of the property comply with the Sign Ordinance. No additional costs are expected.

PLANNING, ENGINEERING, AND ZONING SERVICES

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately upon the effective date of annexation. As new development occurs, the Planning Commission will review all site plans, preliminary plats, and final plats. Among other duties, the Planning and Engineering Departments will inspect and monitor new construction

of streets and drainage structures for compliance with the City's development regulations.

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area has access to existing public roadways Barfield Road and New Salem Highway. The study area does not include the annexation of any existing public rights-of-way. New connections to New Salem Highway must be approved by TDoT and the City Engineer. New Salem Highway is proposed to be improved to a 5-lane street section by TDoT and is on the City's Major Transportation Plan (MTP). Any new connections to Barfield Road must be approved by the City Engineer. Barfield Road is proposed to be improved to a 3-lane street section on the City's MTP. Any future public roadways to serve the area must meet City Standards.

New Salem Highway is on the City's Major Thoroughfare Plan and is proposed to be widened by TDoT to a 5-lane roadway section. Development plans will be required to dedicate required ROW and easements as well as participate in the cost of construction. If development plans are proposed before construction of improvements on New Salem Highway progresses, it is anticipated that roadway

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REGIONAL TRAFFIC & TRANSPORTION

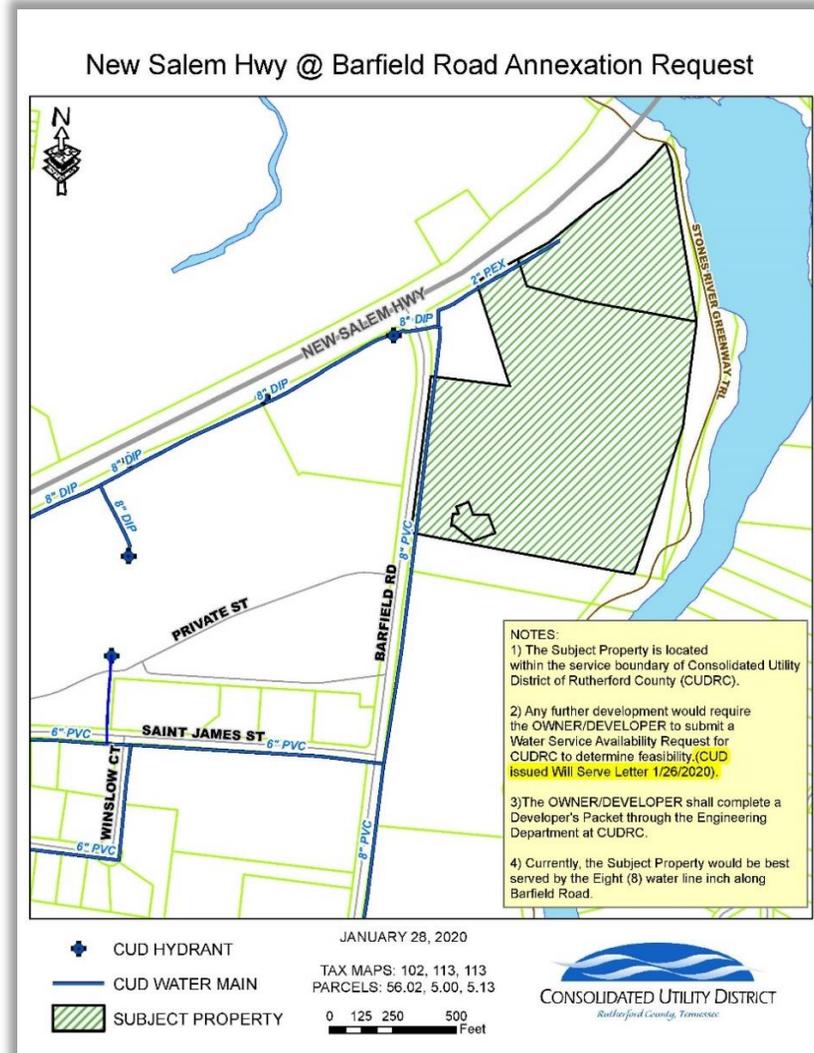
The study area is currently served by Barfield Road and New Salem Highway. The 2014 Level of Service Model in the proposed 2040 MTP indicates that Barfield Road is operating at a Level of Service B in the study area based on average daily traffic (ADT) and New Salem Highway is operating at a Level of Service E/F. The 2040 Level of Service Model shows that Barfield Road falls to Level of Service D without the proposed improvements recommended in the 2040 MTP and New Salem Highway is a Level of Service F within the study area without proposed improvements.

WATER SERVICE

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

Any further development would be subject to the property owner(s) submitting a Water Service Availability Request to CUDRC for feasibility study and approval. CUD's current infrastructure is sufficient to serve any existing structures. Any water service provided to future structures would be dependent of the results of the Water Service Availability Request feasibility study. CUD issued a Will Serve Letter on 1-26-2020 based on a concept plan and fire flow demands that were submitted by the developer. However, once more details are available concerning the size of the proposed structures and their types of construction, the developer should verify that these fire flow requirements are still valid by the appropriate regulating body. If additional fire demands are required, an additional analysis must be completed to determine feasibility and availability of the additional demand before moving forward

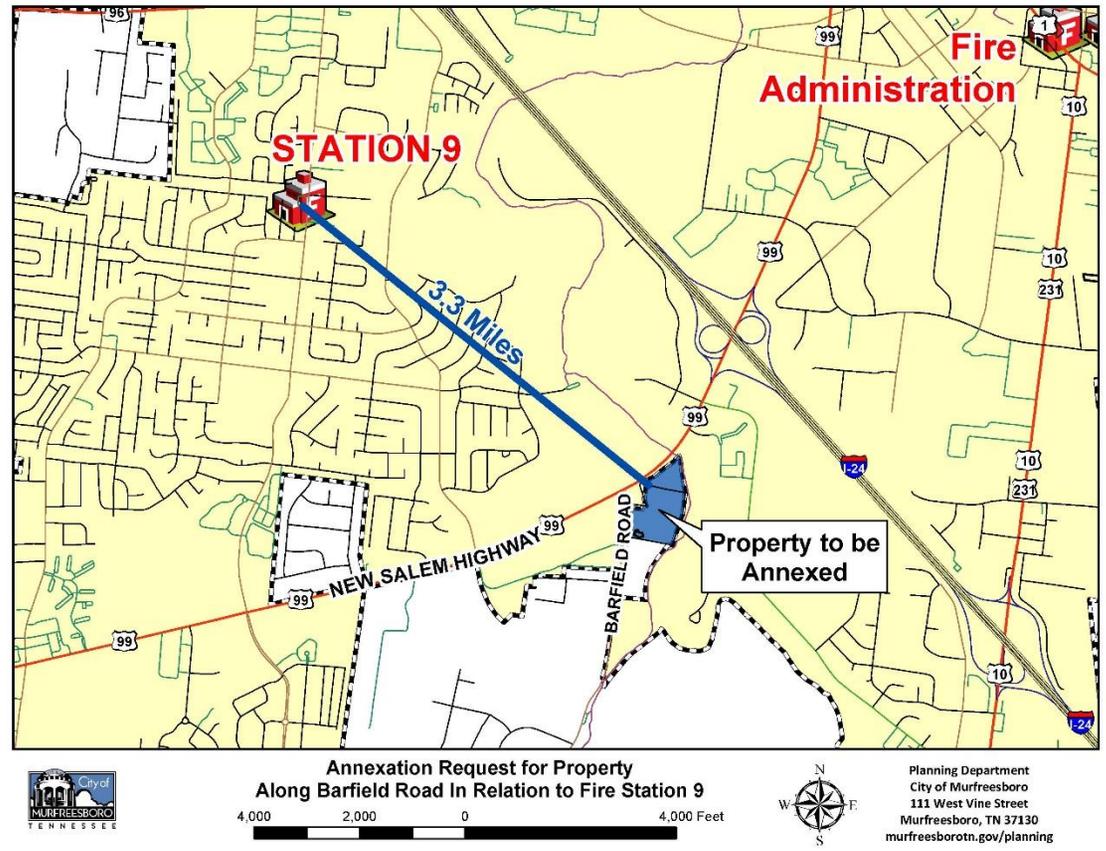
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FIRE AND EMERGENCY SERVICE

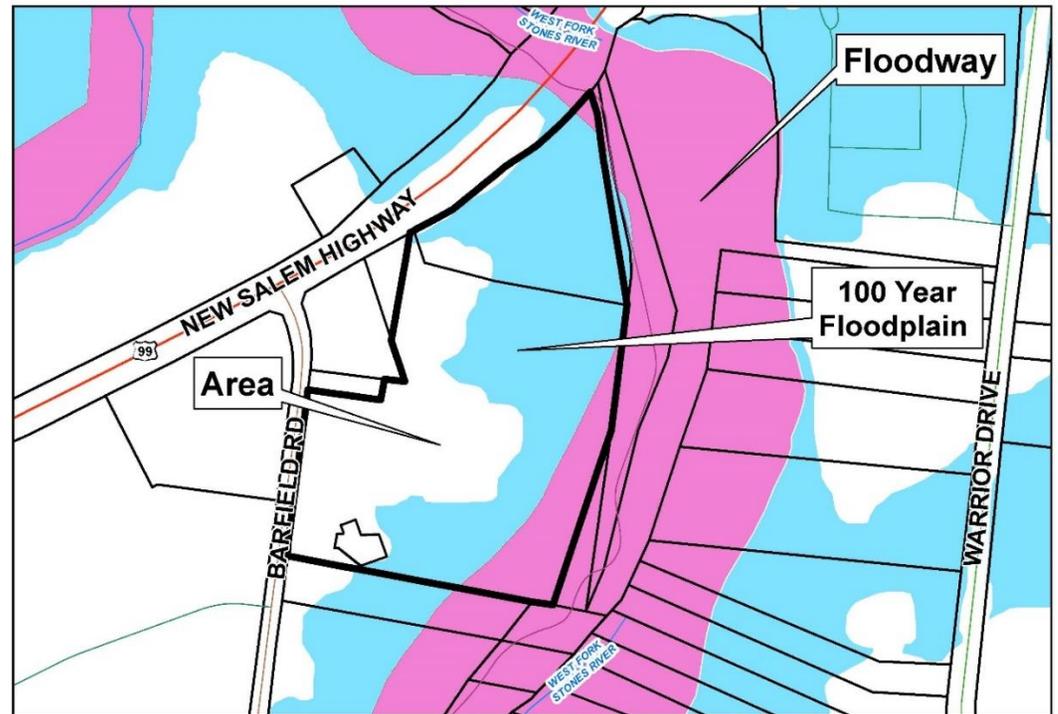
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The blue lines on the adjacent map represent linear distance ranges from the nearest fire station.



FLOODWAY

A portion of the study area is located within the floodway and 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA). The adjacent map shows the floodway boundary in pink and the 100-year floodplain boundary in blue.



Annexation Request for Property
Along New Salem Highway and Barfield Road



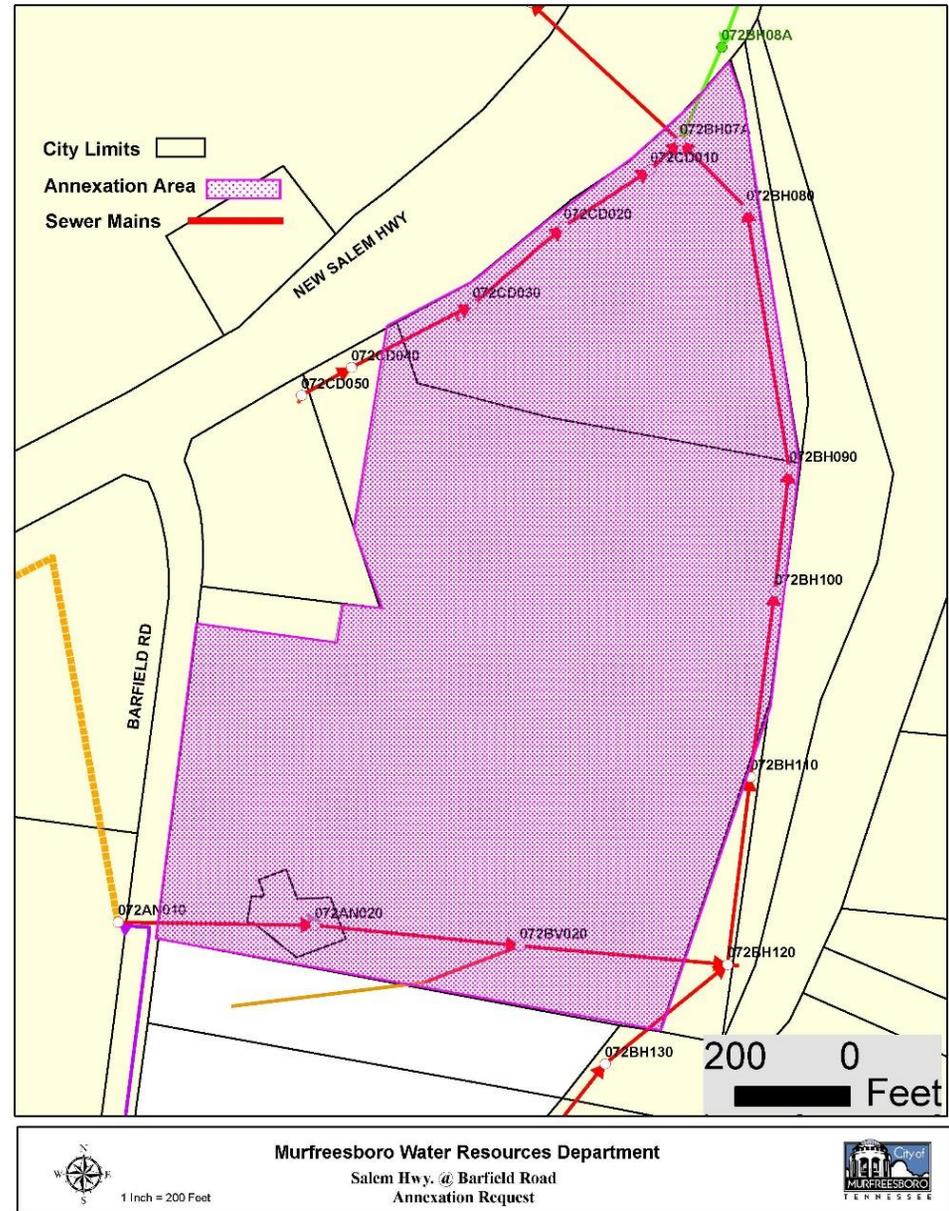
Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130
murfreesborotn.gov/planning

SANITARY SEWER SERVICE

Sanitary Sewer is currently available to serve the property, per the Department's current definition of "available". There are existing 8" and 12" sewer mains along the north and south property lines respectively as well as a 36" interceptor sewer along the eastern property line.

This development will be required to comply with the proposed Sewer Allocation Ordinance. Based on staff's research of 12-months of water consumption of pre-existing facilities, per square foot of building, staff anticipates the proposed development discharge will meet the ordinance, at an approximately flow of 18,030 gpd, if the properties are combined into one lot of record. Should the properties be subdivided, depending on the size of each parcel, a few of the intended uses may not meet the requirements of the Ordinance, i.e. the hotel, restaurant, daycare, and assisted living, and would require an exception by the City Council.

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DRAINAGE

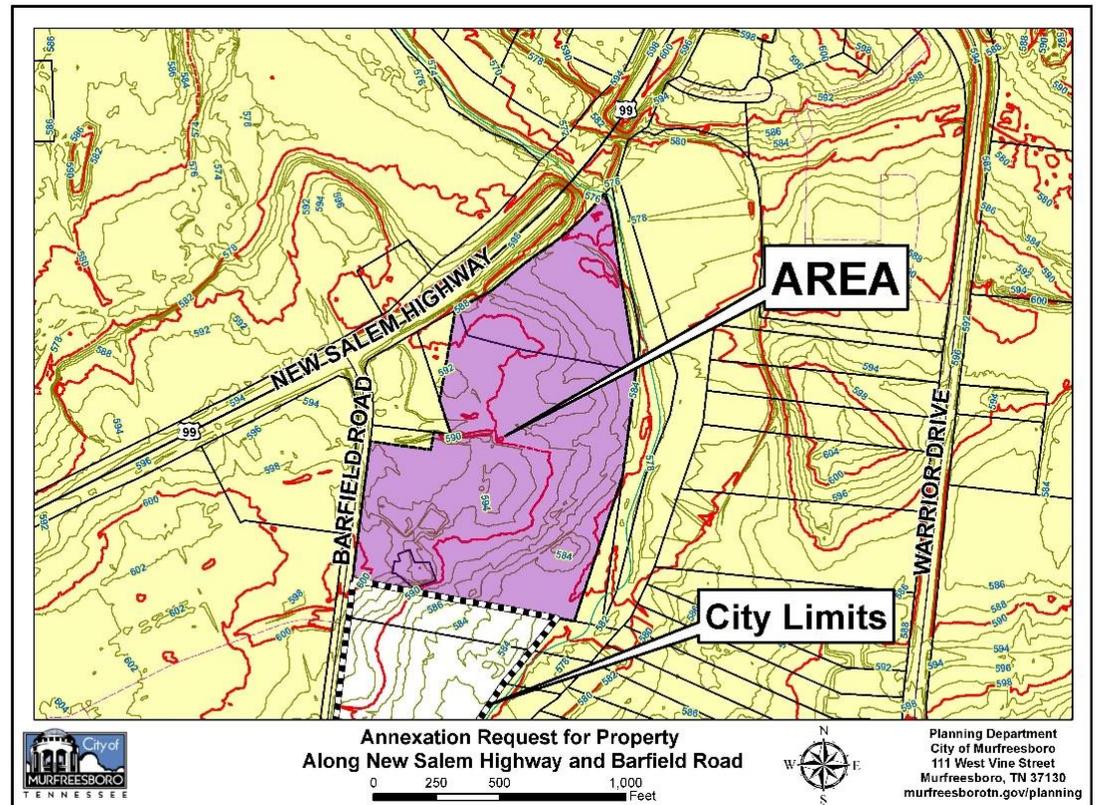
Public Drainage System

Public drainage facilities available in the study include the drainage facilities in New Salem Highway and Barfield Road. The New Salem Highway drainage system is the responsibility of TDoT for routine maintenance while Barfield Road is maintained by the City. No additional public drainage systems are available to the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

The property drains directly to the West Fork of the Stones River. A significant portion of the property is within the floodplain of the West Fork Stones River and the eastern portion is within the floodway. New development on the property must meet the City's requirement for building in the floodplain including proper elevation of structures and preventing encroachments in the floodway. It appears that significant fill of up to 10 feet will be required to properly elevate new structures. This fill must include proper placement and compaction as well as documentation of the placement by qualified personnel and appropriate testing.

Development must meet the Floodplain Management Regulations including proper elevation and flood hazard reduction of new developments. Development plans must also include a 50-foot Water Quality Protection Area from the top of bank on each side. The WQPA is an undisturbed vegetated buffer providing water quality protection.



Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. Existing improvements in the study area appear to include single-family homes as well as a communication tower which will be subject to the City's Stormwater Utility Fee upon annexation and will result in an additional \$78/year revenue to the Stormwater Utility Fee. Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed Commercial Highway (CH) zoning request, it is anticipated that the properties will be fully developed for those proposed uses except as limited by floodplain constraints. Based on this development scenario, the study area will result in approximately \$5,000 additional revenue per year into the Stormwater Utility Fund upon full buildout and considering Stormwater Fee Credits.

ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to the Tennessee Growth Policy Act, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services

and any proposed changes to the plan. A public hearing will also be held on the progress report.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

CITY HALL

6:00 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Austin Cooper, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev. Services Exec. Director

Chair Kathy Jones called the meeting to order after determining there was a quorum. Continuing, Chair Kathy Jones announced, as of today, Mr. Greg McKnight has been officially appointed as our Planning Director.

New Business

Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners applicant. Ms. Marina Rush summarized the zoning amendment application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Rush explained the changes that were being made included the of number of beds for the one-bedroom units and two-bedroom units. These changes would affect the number of parking spaces. Overall, the changes as presented for the two buildings would reduce the parking from 136 parking spaces to 126 parking spaces. This allows more room for buildings and improvements to the buffer along the west property line. Continuing, Ms. Rush explained the revision being made to the architecture would be predominantly brick materials. Staff feels the new architecture is an improved design and would be compatible with the existing building which is currently being

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

Annexation plan of services and annexation petition [2020-501] for approximately 26.8 acres located along New Salem Highway and Barfield Road, New Salem Land Development, LLC applicant. Ms. Marina Rush summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

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

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

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

Zoning application [2020-402] for approximately 26.8 acres located along New Salem Highway and Barfield Road to be zoned CH simultaneous with annexation and approximately 1.1 acres to be rezoned from RS-15 to CH, New Salem Land Development, LLC applicant. Ms. Marina Rush summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor stated at this time they do not have any plans for development. This proposal is consistent with the other properties in this area.

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

Mr. Eddie Smotherman made a motion to approve the zoning application, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

RESOLUTION 20-R-A-11 to annex approximately 26.8 acres along New Salem Highway and Barfield Road, and to incorporate the same within the corporate boundaries of the City of Murfreesboro, Tennessee, New Salem Land Development, LLC, applicant. [2020-501]

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

WHEREAS, a Plan of Services for such territory was adopted by **Resolution 20-R-PS-11** on May 7, 2020; and

WHEREAS, the Planning Commission held a public hearing on the proposed annexation of such territory on March 11, 2020 and recommended approval of the annexation; and

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

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

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

SECTION 2. That this Resolution shall take effect upon the effective date of the Zoning Ordinance with respect to the annexed territory, **Ordinance 20-OZ-11**, the public welfare and the welfare of the City requiring it.

Passed: _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:

Adam F. Tucker

43A2035E51F9401...
Adam F. Tucker
City Attorney

SEAL



WARRIOR DR

99

AREA ANNEXED

CH

CH

CH

NEW-SALEM HIGHWAY

99

CH

RS-A1

CH

WARRIOR DRIVE

RS-15

RS-15

RS-15

CITY LIMITS

BARFIELD RD

CLIFFVIEW CT



RESOLUTION 20-R-PS-11 to adopt a Plan of Services for approximately 26.8 acres along New Salem Highway and Barfield Road, New Salem Land Development, LLC, applicant. [2020-402]

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

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

WHEREAS, the proposed Plan of Services was submitted to the Murfreesboro Planning Commission on March 11, 2020 for its consideration and a written report, at which time the Planning Commission held a public hearing and thereafter recommended approval of the Plan of Services to the City Council;

WHEREAS, a Public Hearing on the proposed Plan of Services was held before the City Council of the City of Murfreesboro, Tennessee, on May 7, 2020, pursuant to a Resolution passed and adopted by the City Council on March 19, 2020, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on April 21, 2020; and,

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

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

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

SECTION 2. That this Resolution shall take effect upon the effective date of the Annexation Resolution with respect to the territory, **Resolution 20-R-A-11**, the public welfare and the welfare of the City requiring it.

Passed: _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

43A2035E51E9401
Adam F. Tucker
City Attorney

SEAL



WARRIOR DR

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**AREA
to be
ANNEXED**

CH

CH

CH

NEW-SALEM HIGHWAY

99

CH

RS-A1

CH

WARRIOR DRIVE

RS-15

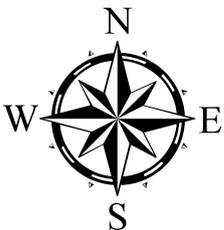
RS-15

RS-15

CITY LIMITS

BARFIELD RD

CLIFFVIEW CT



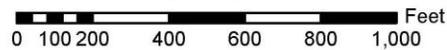
**ANNEXATION REPORT FOR PROPERTY LOCATED ALONG
NEW SALEM HIGHWAY AND BARFIELD ROAD
INCLUDING PLAN OF SERVICES
(FILE 2020-501)**



**PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
MARCH 11, 2020**



**Annexation Request for Property
Along New Salem Highway and Barfield Road**



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

INTRODUCTION

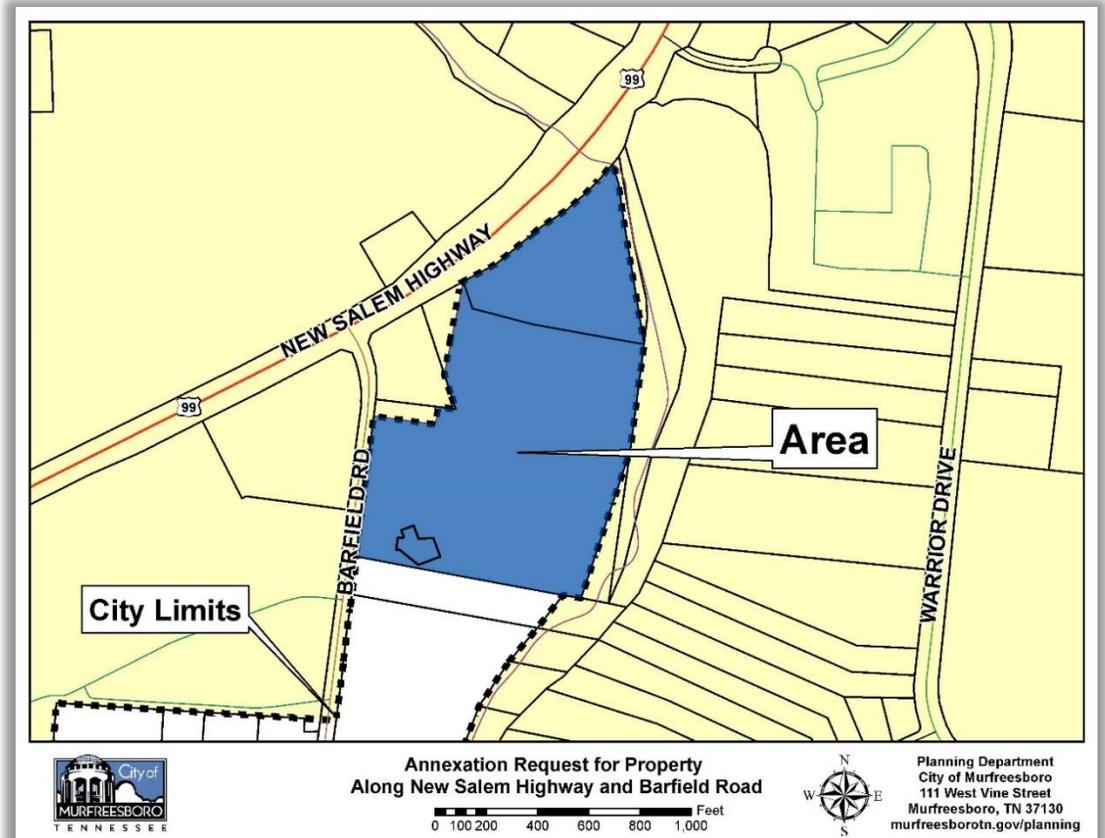
OVERVIEW

The property owner, New Salem Land Development, LLC, has submitted a petition requesting annexation by the City of Murfreesboro. The request is for the following property:

- Tax Map 102, Parcel 056.02 (5.9 acres)
- Portion of Tax Map 113, Parcel 005.00 (20.56 acres)
- Tax Map 113, Parcel 005.13 (0.34 acre)

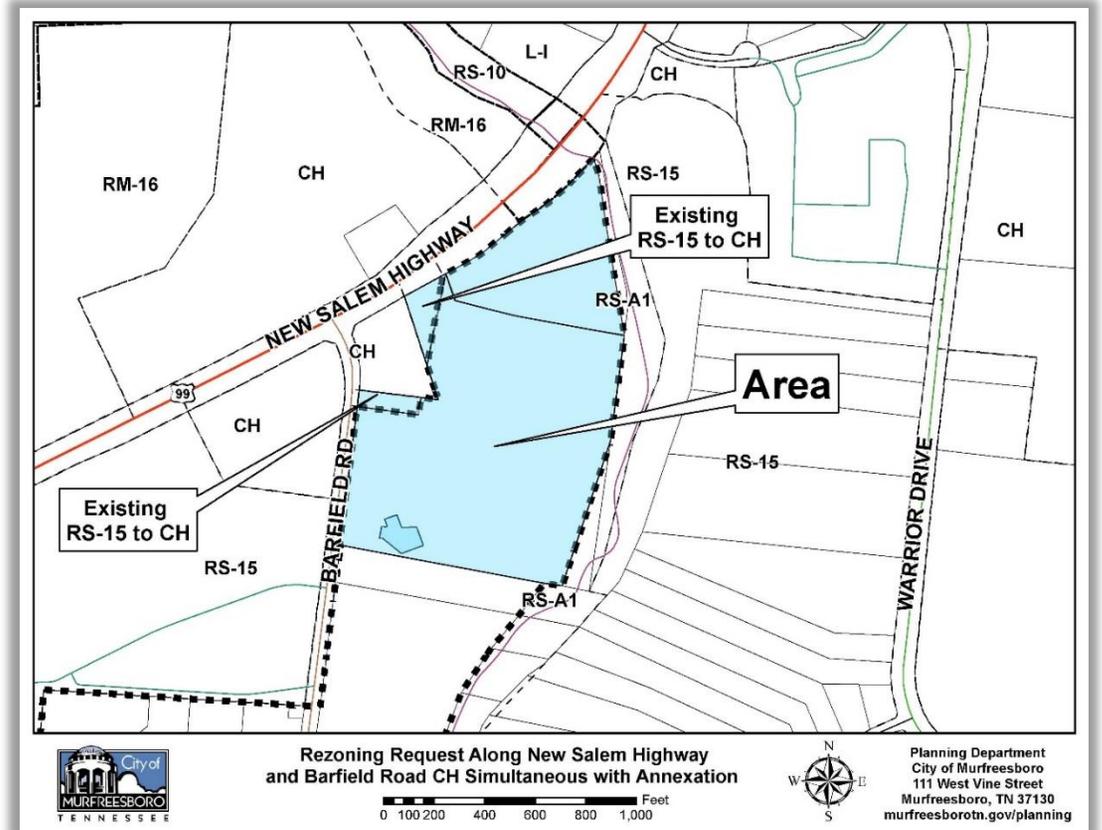
The owner has submitted a companion zoning change request to Commercial Highway (CH) simultaneous with the annexation. However, no development is proposed at this time.

The subject property is located along the south side of New Salem Highway and along the east side of Barfield Road. The study area is developed with a single-family residence (addressed 1773 New Salem Highway), barn, several accessory structures, and a telecommunications tower. A 1.1-acre portion of Tax Map 113, Parcel 05.00 is located within the City limit and currently zoned RS-15. It is also proposed to be zoned CH. The total annexation area is approximately 26.8 acres. The study area lies within the City of Murfreesboro's Urban Growth Boundary.



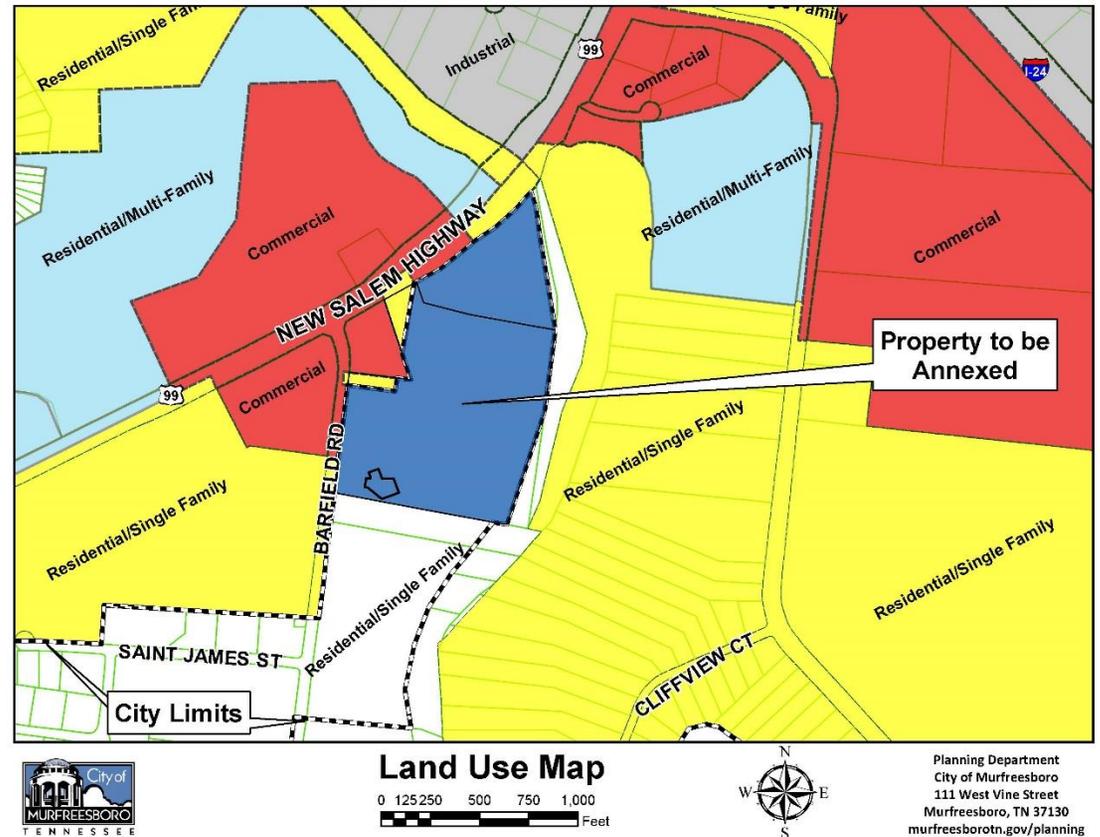
CITY ZONING

The adjacent property to the west across Barfield Road is zoned CH and RS-15 (Single Family Residential). The property to the north across Barfield Road is zoned CH. The property to the east is the West Fork of the Stones River and the Stones River Greenway, zoned RS-A, Type 1 (Single-Family Residential Attached), and further to the east is zoned RS-15 and RM-16 (Multi-Family Residential).



PRESENT AND SURROUNDING LAND USE

The study area is developed with a single-family residence (addressed 1773 New Salem Highway), barn, several accessory structures, and a telecommunications tower. The adjacent property to the west is developed with the World Outreach Church. To the north it is primarily undeveloped land, to the east is the West Fork of the Stones River and the Stones River Greenway and single-family residences. Further to the east is an apartment complex. To the south and southwest are single-family residences in the unincorporated portion of Rutherford County.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2020 will be due on December 31, 2021. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is \$1.2894/\$100.00 assessed value. Residential property is assessed at a rate of 25% of its appraised value, and commercial property is assessed at a rate of 40% of its appraised value. The property is developed with a single-family residence. Table I below shows total assessment and estimated City taxes that would be collected if the property were to be annexed in its present state.

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

Owner of Record	Tax Map	Acres	Land Value	Improvement Value	Total Assessment	Estimated City Taxes
New Salem Land Development, LLC	Map 102, Parcel 56.02	5.9	\$86,600	\$303,200	\$99,775	\$1,977.29
	Map 113, Parcel 05.00 (portion)	20.56	\$181,900	\$0.00	\$51,225	
	Map 113, Parcel 05.13	0.34	\$9,400	\$0.00	\$2,350	

These figures are for the property in its current state. There is no development proposed at this time.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. The Murfreesboro Police Department will be able to provide services immediately upon the effective date of annexation. This property is in Police Zone #7.

ELECTRIC SERVICE

The study area is located inside the service boundary of Murfreesboro Electric Department (MED). Middle Tennessee Electric Membership Corporation (MTEMC) has services on the property for the existing barn. MED will serve any new development and the MTEMC services will be removed at that time. MED has facilities and capacity in place to serve the study area. Any new electrical infrastructure installed to serve the study area will be required to adhere to MED standards.

A significant TVA easement crosses the central portion of the site. Development plans in the TVA easement should be approved by TVA and must meet TVA requirements regarding locations of new structures and improvements within the easement.

STREET LIGHTING

Currently, there are no streetlights along New Salem Highway and Barfield Road. The Tennessee Department of Transportation (TDoT) will install new LED streetlights with the New Salem Highway improvement project. MED can provide new street lighting, as necessary, upon request by the City of Murfreesboro.

SOLID WASTE COLLECTION

The property is proposed to be zoned and developed as commercial and will have commercial solid waste management service via a private hauler.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro taxpayers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees. The property is proposed to be zoned and developed as commercial and therefore will likely have minimal impact on the City Recreation Department.

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The property is in the Salem Elementary School zone. However, because this property is proposed to be zoned for commercial uses, no additional student population is anticipated.

BUILDING AND CODES

The property will come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's construction codes immediately upon the effective date of annexation. The Building and Codes Department will also ensure that any new signs associated with the development of the property comply with the Sign Ordinance. No additional costs are expected.

PLANNING, ENGINEERING, AND ZONING SERVICES

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately upon the effective date of annexation. As new development occurs, the Planning Commission will review all site plans, preliminary plats, and final plats. Among other duties, the Planning and Engineering Departments will inspect and monitor new construction

of streets and drainage structures for compliance with the City's development regulations.

GEOGRAPHIC INFORMATION SYSTEMS

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

STREETS AND ACCESS

The annexation study area has access to existing public roadways Barfield Road and New Salem Highway. The study area does not include the annexation of any existing public rights-of-way. New connections to New Salem Highway must be approved by TDoT and the City Engineer. New Salem Highway is proposed to be improved to a 5-lane street section by TDoT and is on the City's Major Transportation Plan (MTP). Any new connections to Barfield Road must be approved by the City Engineer. Barfield Road is proposed to be improved to a 3-lane street section on the City's MTP. Any future public roadways to serve the area must meet City Standards.

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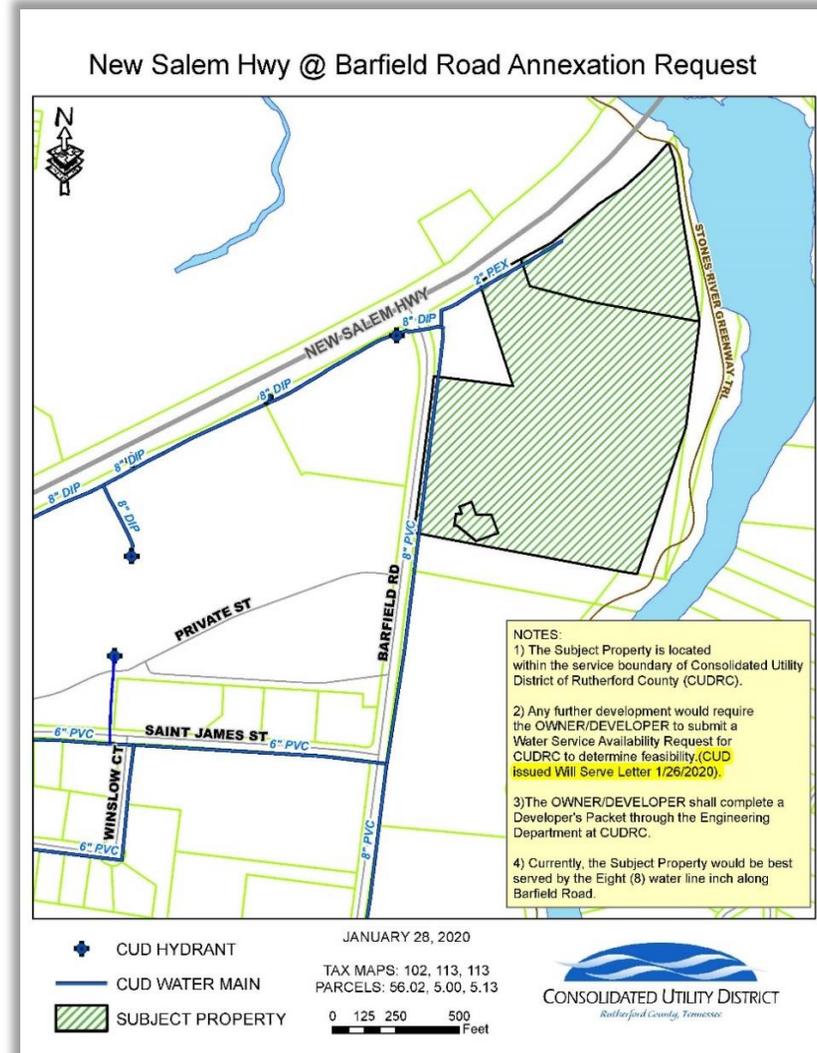
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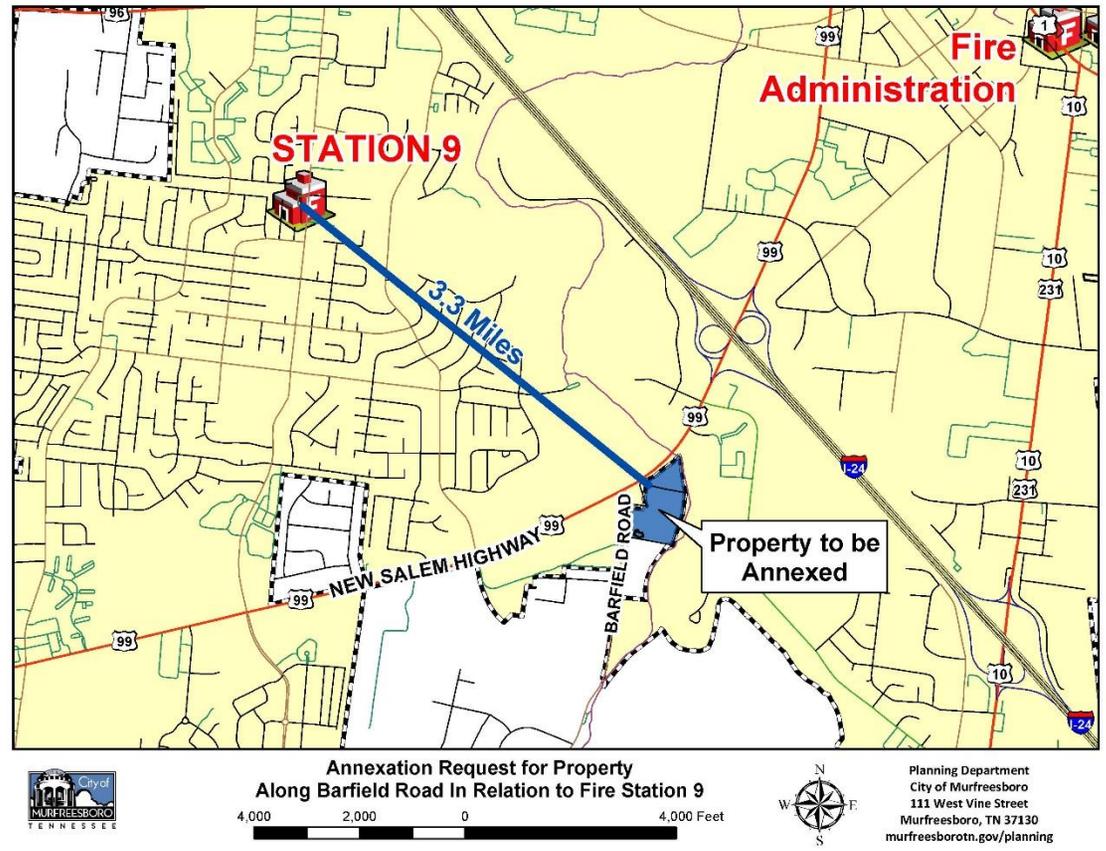
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FIRE AND EMERGENCY SERVICE

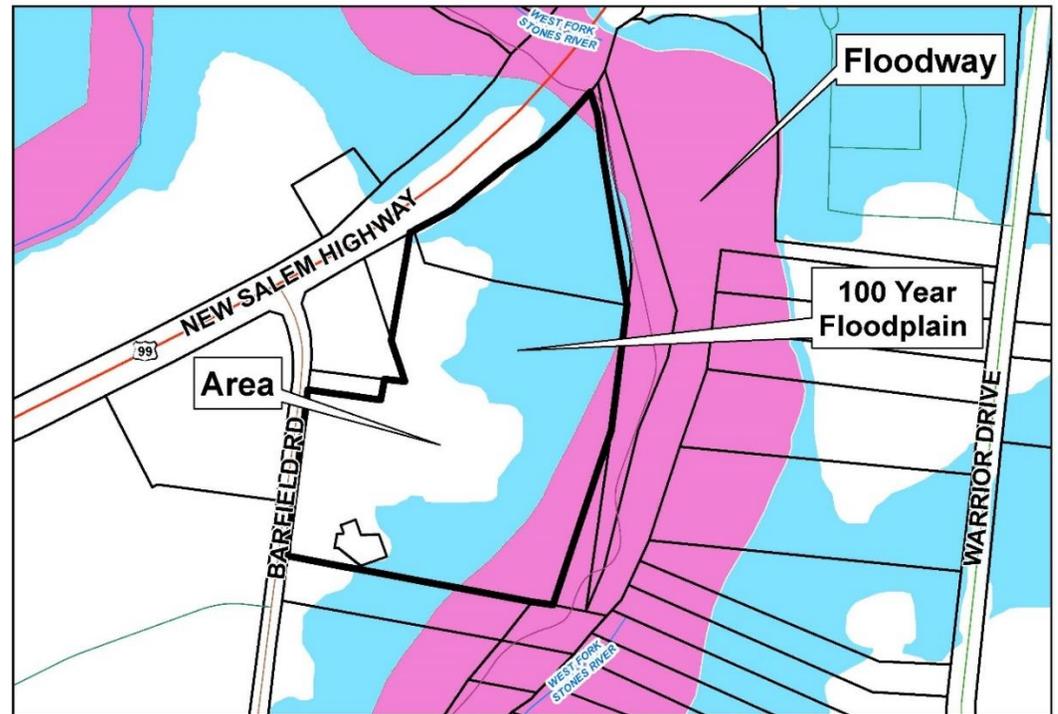
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The blue lines on the adjacent map represent linear distance ranges from the nearest fire station.



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Annexation Request for Property
Along New Salem Highway and Barfield Road



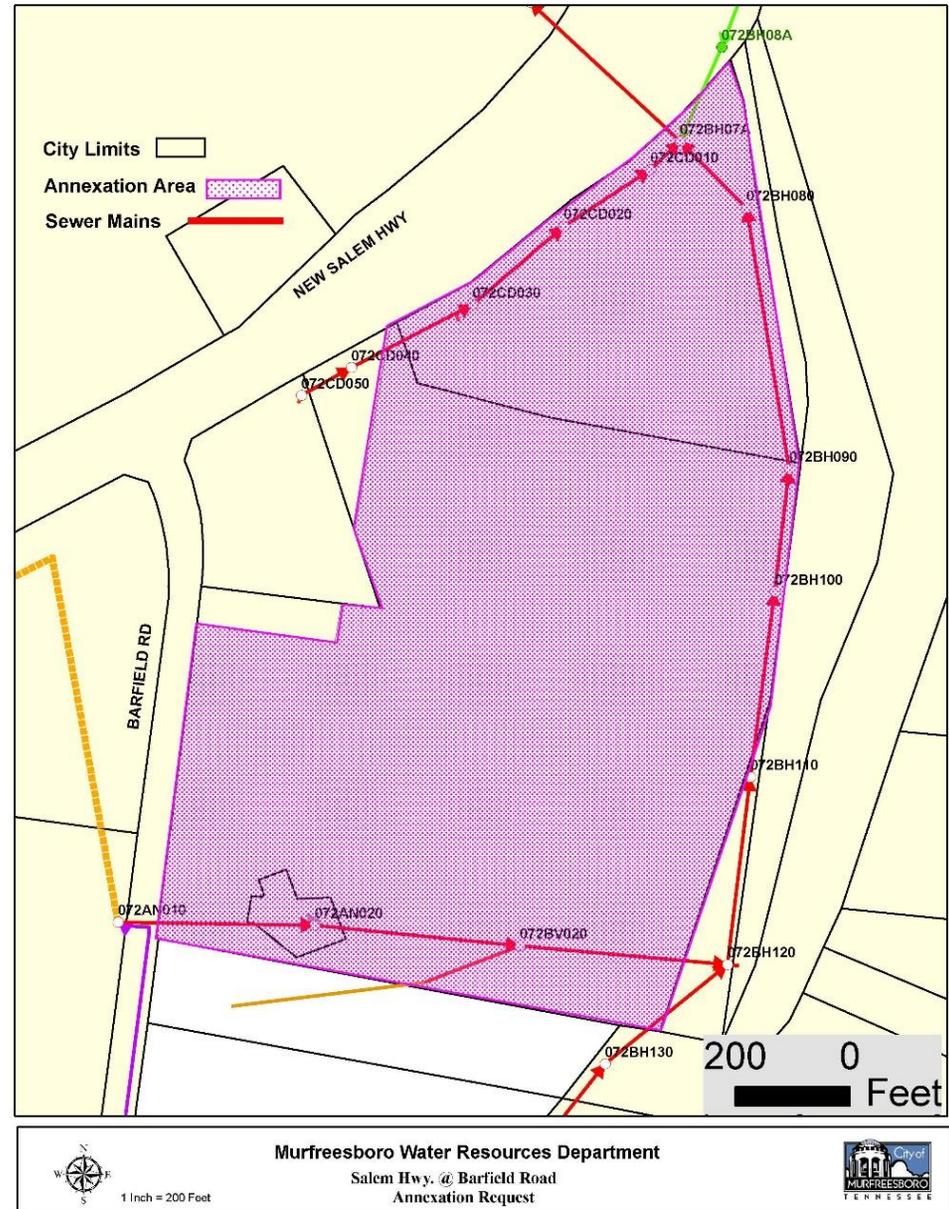
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All main line extensions are the financial responsibility of the developer and may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water Resources Department.



DRAINAGE

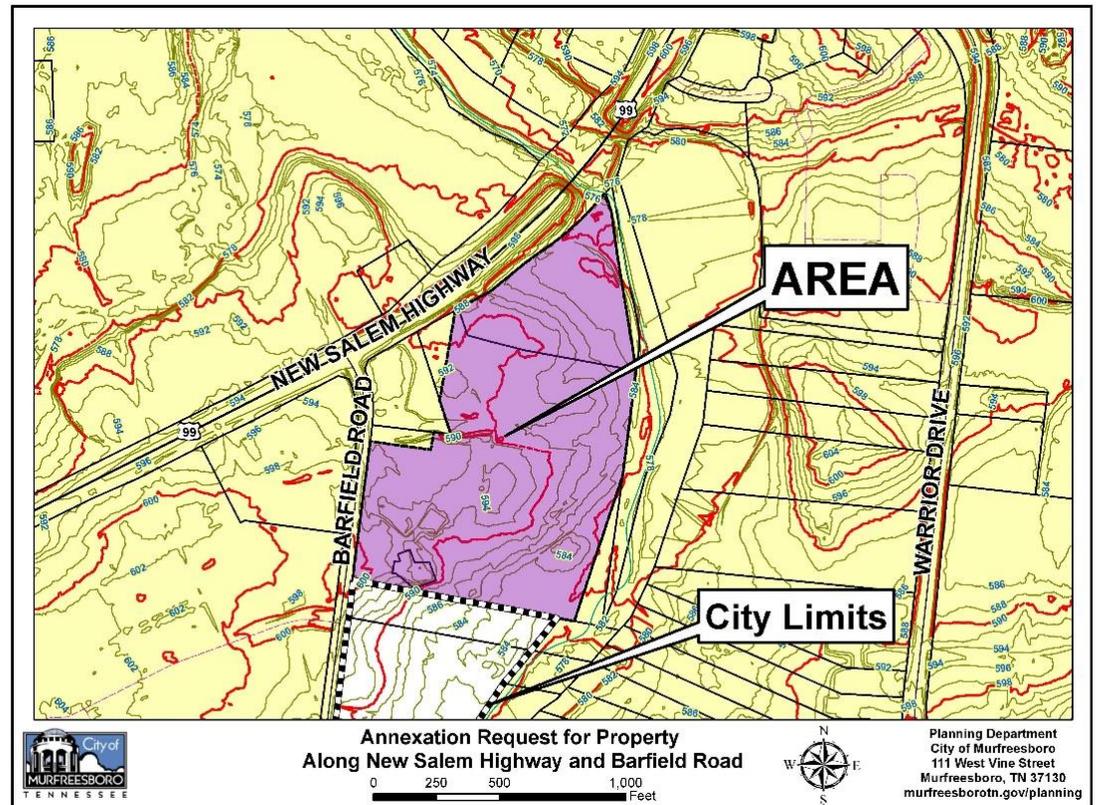
Public Drainage System

Public drainage facilities available in the study include the drainage facilities in New Salem Highway and Barfield Road. The New Salem Highway drainage system is the responsibility of TDoT for routine maintenance while Barfield Road is maintained by the City. No additional public drainage systems are available to the study area. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage Conditions

The property drains directly to the West Fork of the Stones River. A significant portion of the property is within the floodplain of the West Fork Stones River and the eastern portion is within the floodway. New development on the property must meet the City's requirement for building in the floodplain including proper elevation of structures and preventing encroachments in the floodway. It appears that significant fill of up to 10 feet will be required to properly elevate new structures. This fill must include proper placement and compaction as well as documentation of the placement by qualified personnel and appropriate testing.

Development must meet the Floodplain Management Regulations including proper elevation and flood hazard reduction of new developments. Development plans must also include a 50-foot Water Quality Protection Area from the top of bank on each side. The WQPA is an undisturbed vegetated buffer providing water quality protection.



Stormwater Management and Utility Fees

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. Existing improvements in the study area appear to include single-family homes as well as a communication tower which will be subject to the City's Stormwater Utility Fee upon annexation and will result in an additional \$78/year revenue to the Stormwater Utility Fee. Future development in the study area will be subject to the Stormwater Utility Fee upon completion of construction. Based on the proposed Commercial Highway (CH) zoning request, it is anticipated that the properties will be fully developed for those proposed uses except as limited by floodplain constraints. Based on this development scenario, the study area will result in approximately \$5,000 additional revenue per year into the Stormwater Utility Fund upon full buildout and considering Stormwater Fee Credits.

ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to the Tennessee Growth Policy Act, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services

and any proposed changes to the plan. A public hearing will also be held on the progress report.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MARCH 11, 2020
PROJECT PLANNER: MARINA RUSH**

3.e Zoning application [2020-402] for approximately 26.8 acres located along New Salem Highway and Barfield Road to be zoned CH simultaneous with annexation and approximately 1.1 acres to be rezoned from RS-15 to CH, New Salem Land Development, LLC applicant.

The property owner, New Salem Land Development, LLC, is requesting to zone the subject property to Commercial Highway (CH) simultaneous with annexation. As depicted on the attached zoning map, most of the study area is located within the unincorporated area of Rutherford County and is currently zoned RM (Rutherford County – medium density residential). Also included in the study area is 1.1 acres that is already within the Murfreesboro City limits and is currently zoned RS-15 (Single Family Residential). The study area is identified as the following:

- Tax Map 102, Parcel 056.02 5.9 acres
- Portion of Tax Map 113, Parcel 005.00 21.64 acres
- Tax Map 113, Parcel 005.13 0.34 acre

The property owner has petitioned the City to annex the property simultaneous with this zoning request. The owner has indicated that there is no specific development plan proposed for the property at this time.

The purpose of the CH zoning district is to provide areas for development of general commercial uses located in a linear fashion along highways and near transportation facilities. The types of uses allowed by right and special uses that may be allowed within the CH zoning district are specified in Chart 1 of the Murfreesboro Zoning Ordinance. Chart 1 is an attachment to this staff report.

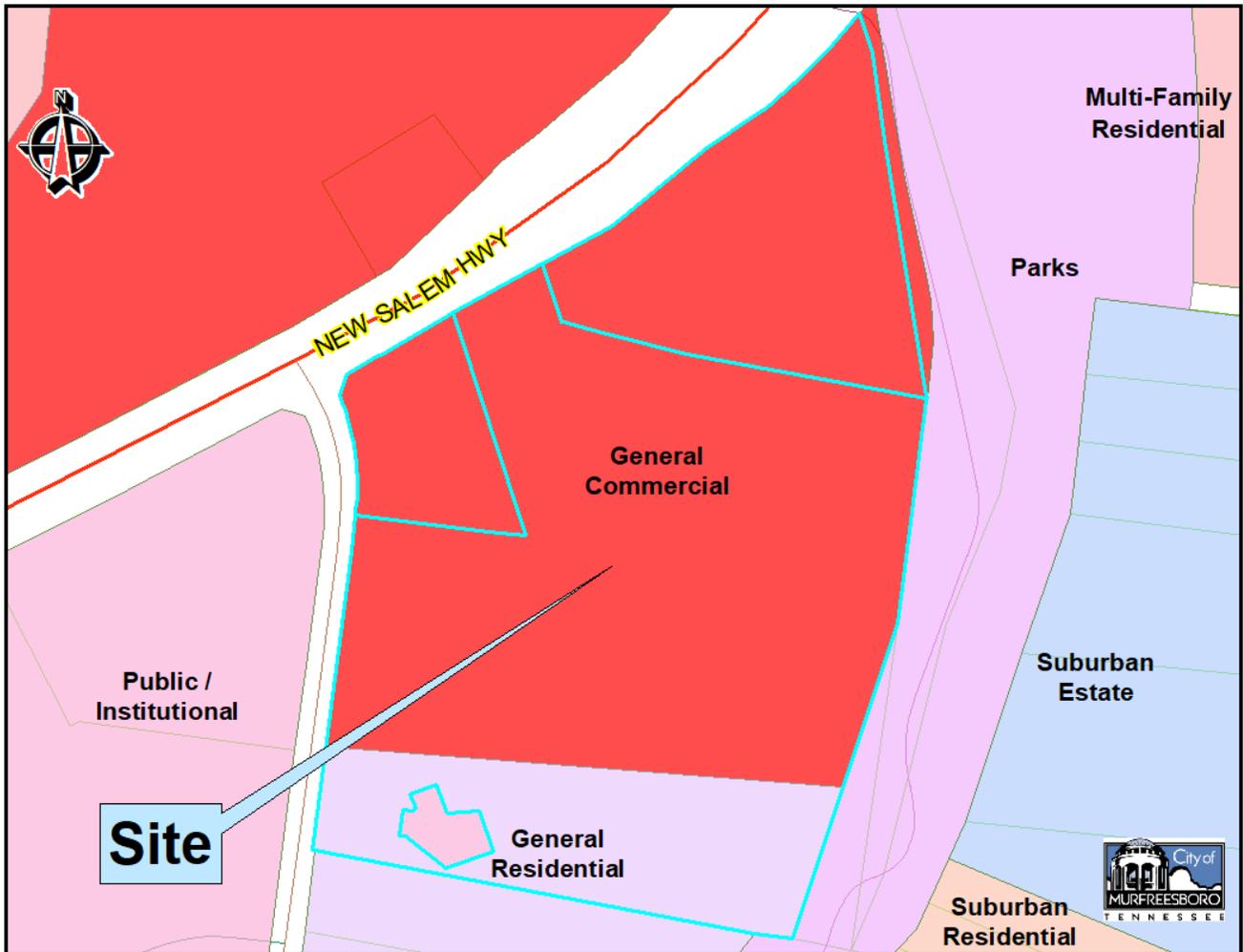
Adjacent Land Uses and Zoning

The adjacent property to the west across Barfield Road is zoned CH and RS-15 and is developed with the World Outreach Church. To the north it is primarily undeveloped land and is zoned CH. To the east is the West Fork of the Stones River and the Stones River Greenway, zoned RS-A1 (Single-Family Residential Attached). Across the river further to the east are large estate lots zoned RS-15 and an apartment complex zoned RM-16 (Multi-Family Residential). To the south and southwest are single-family residences in the unincorporated portion of Rutherford County.

Future Land Use Map

The 2035 *Murfreesboro Comprehensive Plan* future land use map identifies “General Commercial” as the most appropriate land use character for the majority of the study area. The plan recommends “Auto Urban (General) Residential” for a strip along the southern boundary of the study area. An excerpt of the future land use map is below.

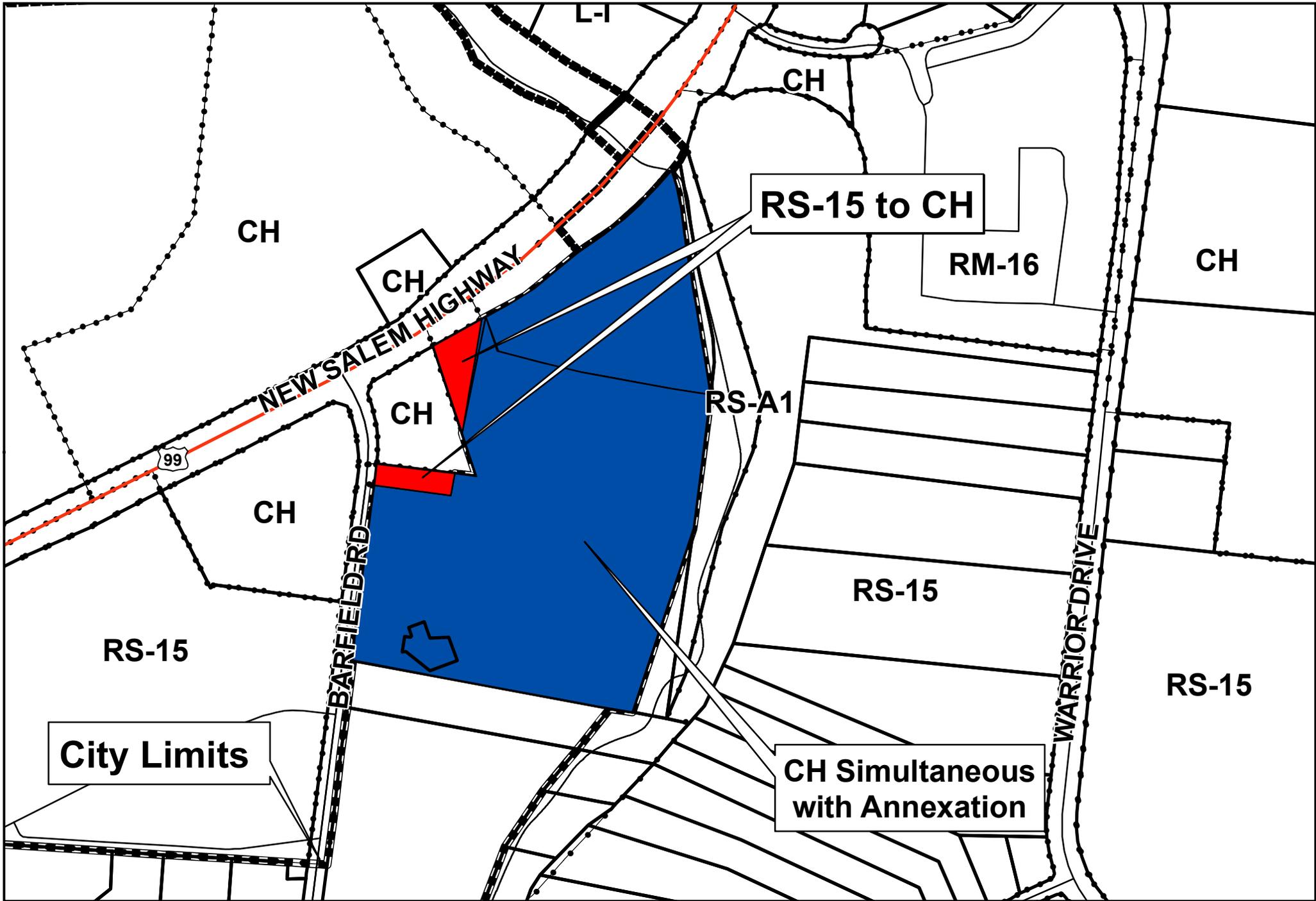
2035 MURFREESBORO COMPREHENSIVE PLAN – FUTURE LAND USE MAP



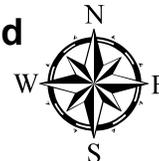
The “General Commercial” land use characteristics are automobile dependent with large parking areas, high-intensity commercial uses like auto sales, gas stations, hotels, restaurants, and large retailers; significant portions of the development sites are devoted to vehicular access and parking, large buildings. The proposed CH zoning is consistent with the 2035 Future Land Use Map designation of “General Commercial.” The request, however, is not consistent with the “Auto Urban (General) Residential” land use character recommended for the very southern portion of the study area.

Action Needed

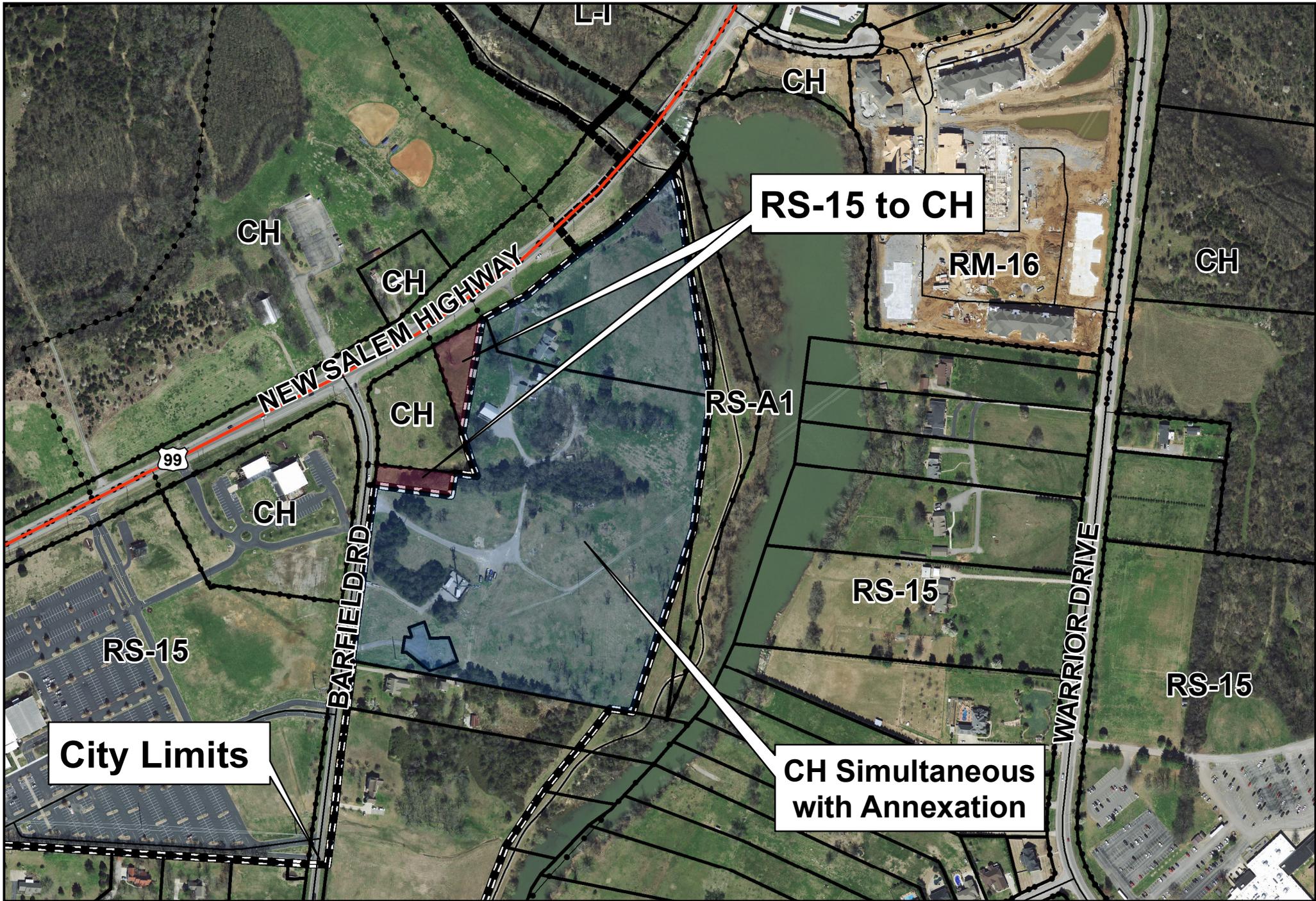
The Planning Commission will need to conduct a public hearing on this zoning request, after which it will need to discuss this matter and then formulate a recommendation for the City Council.



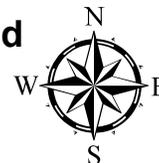
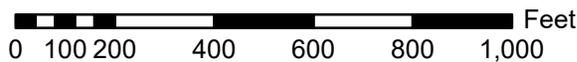
**Rezoning Request Along New Salem Highway and Barfield Road
CH Simultaneous with Annexation and RS-15 to CH**



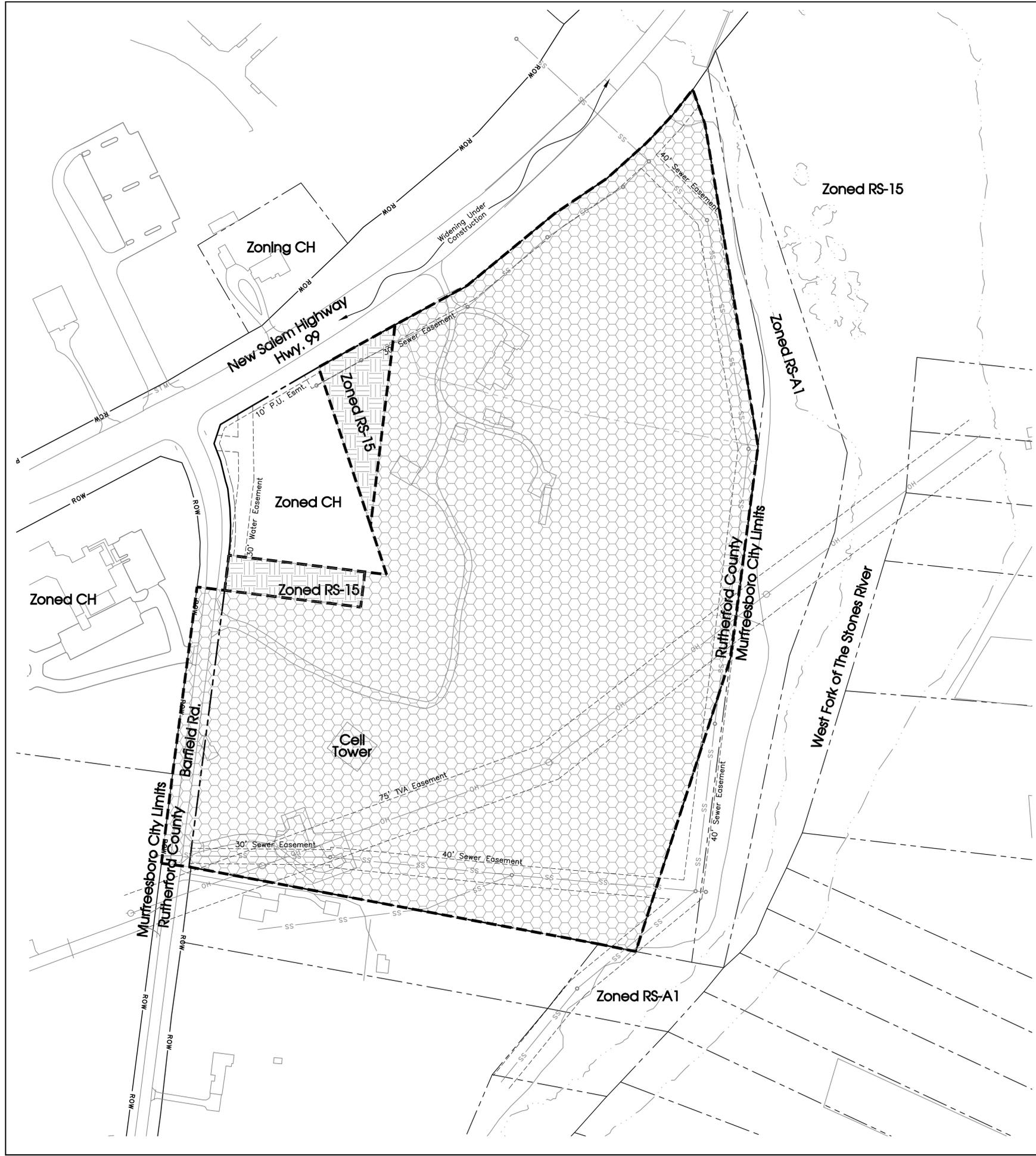
Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130
murfreesborotn.gov/planning



**Rezoning Request Along New Salem Highway and Barfield Road
CH Simultaneous with Annexation and RS-15 to CH**



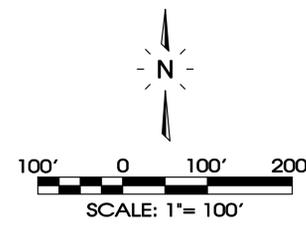
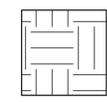
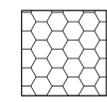
Planning Department
City of Murfreesboro
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murfreesborotn.gov/planning



Existing RM(County)
To Be Annexed And
Rezoned To CH
26.80± Acres

Existing
RS-15 to CH
1.08± Acres

Total Proposed
Rezoning Area
27.88± Acres



Legend:

□	EXIST. CONCRETE MONUMENT	⊕	BENCHMARK
●	IRON PIN SET (I.P.S.)	♿	HANDICAP PARKING SYMBOL
○	IRON PIN FOUND (I.P.F.)	V.A.	VAN ACCESSIBLE HANDICAP DESIGNATION
+	EXIST. SIGN POST	+	HC SIGN
○	EXIST. SEWER CLEANOUT	+	PROPOSED SIGN POST
⊙	EXIST. MANHOLE (SEWER & PHONE)	•	CONCRETE BOLLARD
⊙	EXIST. CATCH BASIN (STORM SEWER)	—	WHEEL STOP
⊗	EXIST. WATER/GAS VALVE	—	CONCRETE SIDEWALK
⊕	EXIST. TELEPHONE RISER	—	EXTRUDED CURB
⊕	EXIST. GAS RISER	—	CURB & GUTTER
⊕	ELECTRICAL ENCLOSURE	→	TRAFFIC ARROW
⊕	EXIST. WATER METER	↔	TURN LANE ARROWS
○	EXIST. UTILITY POLE	⚠	REVISION NUMBER
⊕	EXIST. FIRE HYDRANT	#1	DRAINAGE STRUCTURE DESIGNATION
⊕	POST INDICATOR VALVE	A	DRAINAGE PIPE DESIGNATION
⊕	BLOW OFF VALVE	⊗	RIP RAP
⊕	REDUCER	→	RUNOFF FLOW ARROW
⊕	REMOTE FIRE DEPT. CONNECTION	⊕	INLET FILTER PROTECTION
⊕	CONCRETE THRUST BLOCK	63.25 x	PROPOSED SPOT ELEVATION
⊕	DOUBLE DETECTOR CHECK VALVE (63.25) x	⊕	EXIST. SPOT ELEVATION
⊕	FIRE DEPT. CONNECTION	∇	SEWER/STORM FLOW DIRECTION
⊕	FIRE HYDRANT	■	CATCH BASIN
⊕	GATE VALVE & BOX	■	CURB INLET
⊕	WATER METER	●	AREA DRAIN
⊕	GAS METER	—	HEADWALL
⊕	GREASE TRAP	⊕	WINGED HEADWALL
○	EXTERIOR CLEANOUT ECO	—	CONCRETE SWALE
○	MANHOLE	⊕	TYPE - X - HEADWALL

EXISTING PHONE	PH
EXISTING ELECTRIC	OH
PROPERTY LINE	---
EASEMENTS	---
RIGHT OF WAY	ROW
EROSION CONTROL SILT FENCE	SF SF
EROSION EEL	E E E
EXISTING TREELINE	~
EXISTING FENCELINE	X X
MINIMUM BUILDING SETBACK LINE	MBSL
PHASE BOUNDARY	■■■■■■■■■■
EXISTING GAS LINE	GAS
PROPOSED GAS LINE	GAS
EXISTING STORM	STM STM
PROPOSED STORM	STM STM
EXISTING CONTOUR LINES	-601-
PROPOSED CONTOUR LINES	601
EXISTING SANITARY SEWER	SS SS
PROPOSED SANITARY SEWER	SS SS
EXISTING WATER	W W
PROPOSED WATER	W W

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

New Salem Hwy. & Barfield Rd.
Murfreesboro, Tennessee

REVISIONS:
DRAWN: SJA
DATE: 12-19-19
CHECKED:
MAT
FILE NAME:
19296-Res zoning
SCALE:
1" = 100'
JOB NO.
19296
SHEET:

Zoning Exhibit
1 of 1

USES PERMITTED ³	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P
DWELLINGS																										
Single-Family detached	X	X	X	X	X	X	X	X	X	X		X		X									X	X		X
Single-Family attached							X	X	X	X		X		X									X	X		X
Two-Family							X	X	X			X		X									X	X		X
Three-Family							X	X	X			X		X									X	X		X
Four-Family							X	X	X			X		X									X	X		X
Multiple-Family							X ²¹	X ²¹	X ²¹								X ²¹	X ²¹								X
OTHER HOUSING																										
Accessory Apartment	S ⁶	S ⁶	S ⁶	S ⁶	S ⁶	S ⁶				S ⁶																
Accessory Dwelling Unit												X ¹	X ¹	X ¹	X ¹	X ¹	X	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	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	
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					
Mission ¹⁰																			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		
INSTITUTIONS																										
Adult Day Care Center	S	S	S	S	S	S	S	S	S	S		X	X	X	X	X	X		X	X	X	S	X	X		
Adult Day Care Home	S	S	S	S	S	S	S	S	S	S	S	X	S	X	X	X		X	X	X	X	X	X	X		
Airport, Heliport	S	S	S	S	S	S	S	S	S	S					S				S	S	S	S	S	S	S	S
Cemetery, Mausoleum	S	S	S	S	S	S	S	S	S	S		S	S	S					S	S	S					
Church ¹³	S	S	S	S	S	S	S	X	X	S	S	S	X	X	X	X	X	X	X	X	X	S	S	X	X	
College, University												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.

Chart 1
Page 2 of 8

USES PERMITTED ³	ZONING DISTRICTS																										
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P	
Day-Care Center							S	S	S	S	S	S		X	X	X	X	X	X	X	X		S	S	S		
Family Day-Care Home	S	S	S	S	S	S	S	S	S	S	S	S		X	X	X		X	X	X	X	X	S	S	S	X	
Group Day-Care Home	S	S	S	S	S	S	S	S	S	S	S	S		X	X	X		X	X	X	X	X	S	S	S	X	
Hospital												X	X				X		X	X	X	X	X	X			
Lodge, Club, Country Club ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X	S	S	S		
Mental Health Facility												X	X	X		X	X		X	X	X		X	X			
Morgue																X	X		X	X	X		X	X			
Museum							S	S	S			S	S	S	X	X	X	X	X	X	X	S	S	S	X	S	
Nursing Home												X	X	S	S	S	X		X	X	X	X	S	S	X		
Nursery School							S	S	S		S	S	S	S	S	X			S	S	S	S	S	S	X		
Park	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	
Philanthropic Institution							S	S	S			X	X	X	X	X	X	X	X	X	X	X	X	X	X		
Pet Cemetery	S	S	S											S	S				S	S	S						
Public Building ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X	S	S	S	X		
Recreation Field ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X		X	X	X	S	S	S	X	X	
Senior Citizens Center	S	S	S	S	S	S	S	X	X	S		X	X	X	X	X			X	X	X	S	X	X			
School, Public or Private, Grades K - 12 ¹³	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X	S	S	S	X		
Student Center								S	S			S	S	S	S	S	X						S	S			
AGRICULTURAL USES																											
Customary General Farming	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶	X ⁶				X ⁶	X			X	X	X				X	X	
Crop, Soil Preparation Agricultural Services	S	S	S	S	S	S	S	S	S	S	S				X	X			X	X	X				X	X	
Farm Labor and Management Services												X	X	X	X	X		X		X	X	X				X	
Fish Hatcheries and Preserves																X			X	X	X						
Grain, Fruit, Field Crop and Vegetable Cultivation and Storage	X	X	X	X	X	X	X	X	X	X	X								X	X	X					X	
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	

X = Use permitted by right.

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USES PERMITTED ³	ZONING DISTRICTS																										
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P	
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			
Apothecaries (pharmaceuticals only)												X	X	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	
Automotive Repair ¹²																X	X	X	X	X	X	X					
Bakery, Retail														X	X	X	X	X	X	X	X	X					
Bank, Branch 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					
Bank, Main Office																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	X					
Boat Rental, Sales, or Repair																X			X	X	X						
Book or Card Shop												X	X	X	X	X	X	X	X	X	X	X		X			
Business School												X	X	X	X	X	X	X	X	X	X	X					
Business and Communication Service												X	X	X	X	X	X	X	X	X	X	X					
Campground, Travel-Trailer Park																			X	X	X						
Carnivals																S			S	S	S					S	
Catering Establishment												X	X	X	X	X	X	X	X	X	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						
Commercial Center														X	X	X	X		X	X	X						
Convenience Sales and Service, maximum 5,000 sq. ft. floor area														X	X	X	X	X	X	X	X						
Crematory																			S	S	S						
Delicatessen														X	X	X	X	X	X	X	X						

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USES PERMITTED ³	ZONING DISTRICTS																										
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Department or Discount Store															X	X	X	X	X	X	X						
Drive-In Theater																X	X	X	X	X	X	X					
Dry Cleaning														X	X	X	X	X	X	X	X	X					
Dry Cleaning Pick-Up Station														X	X	X	X	X	X	X	X	X					
Financial Service												X	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					
Flower or Plant Store												X	X	X	X	X	X	X	X	X	X	X		X			
Funeral Home														S		X	X		X	X	X	X					
Garage, Parking																X	X	X	X	X	X	X					
Garden and Lawn Supplies															S	X	X	X	X	X	X	X					
Gas--Liquified Petroleum, Bottled and Bulk																X	X	X	X	X	X	X					
Gas Station														X	X	X	X	X	X	X	X	X					
General Service and Repair Shop																X	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	X					
Greenhouse or Nursery																X	X		X	X	X	X					
Group Assembly, <250 persons												S	S		X	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	S		
Health Club												X	X	X	X	X	X	X	X	X	X	X		X			
Ice Retail																X	X	X	X	X	X	X					
Interior Decorator												X	X	X	X	X	X	X	X	X	X	X		X			
Iron Work																X			X	X	X	X					
Janitorial Service															X	X	X	X	X	X	X	X					
Karate, Instruction															X	X	X	X	X	X	X	X					
Kennels																X			X	X	X	X					
Keys, Locksmith															X	X	X	X	X	X	X	X					
Laboratories, Medical												X	X		X	X	X		X	X	X	X	X	X	X		
Laboratories, Testing															X	X	X		X	X	X	X					
Laundries, Self-Service														X	X	X			X	X	X	X					
Lawn, Tree, and Garden Service																X			X	X	X	X					
Liquor Store															X	X	X	X	X	X	X	X					
Livestock, Auction																			X	X	X	X					
Lumber, Building Material																X			X	X	X	X					
Manufactured Home Sales																			X	X	X	X					
Massage Parlor																			X ⁹								

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.

Chart 1
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USES PERMITTED ³	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P
Motor Vehicle Sales (Automobiles)																S	S		X ³	X ³	X ³					
Motor Vehicle Sales (Other Than Automobiles)																S	S		X	X	X					
Motor Vehicle Service ¹²																X	X		X	X	X					
Movie Theater															X	X	X	X	X	X	X					
Music or Dancing Academy															X	X	X	X	X	X	X					
Offices												X	X	X	X	X	X	X	X	X	X	X ⁵	X ⁵	X ⁵		
Optical Dispensaries												X	X	X	X	X	X	X	X	X	X	X	X	X		
Pawn Shop																X		X	X	X	X					
Personal Service Establishment														X	X	X	X	X	X	X	X					
Pet Crematory															X	X			S	S	S					
Pet Funeral Home															X	X			X	X	X					
Pet Shops															X	X	X	X	X	X	X					
Pharmacies												X	X	X	X	X	X	X	X	X	X	X	X	X		
Photo Finishing														X	X	X	X	X	X	X	X					
Photo Finishing Pick-Up Station														X	X	X	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	
Rap Parlor																		X ^B								
Reducing and Weight Control Service												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, other than enumerated elsewhere														X	X	X	X	X	X	X	X					
Salvage and Surplus Merchandise																X			X	X	X					
Sauna																			X ^B							
Sheet Metal Shop																X			X	X	X					
Shopping Center, Community																X	X		X	X	X					
Shopping Center, Neighborhood														X	X	X			X	X	X					
Shopping Center, Regional																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					
Towing ¹²																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

USES PERMITTED ³	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	RMO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	H ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P
Veterinary Office												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 (Non-Motorized)															X	X			X	X	X					
Vehicle Wash														X		X	X		X	X	X					
Video Rental														X	X	X	X	X	X	X	X					
Wholesaling																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	S
Wrecker Service, Wrecker Storage Yard ¹²																X			X	X	X					
INDUSTRIAL																										
Manufacture, Storage, Distribution of:																										
Abrasive Products																			X	X						
Alcoholic Beverage Manufacture																			X ²⁰	X ²⁰						
Asbestos Products																			S							
Automobile Dismantlers and Recyclers ⁷																			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																			X	X						
Canned Goods																			X	X						
Chemicals																			X							
Composting Facility																			S							S
Contractor's Storage, Indoor																X		X	X	X	X					
Contractor's Yard or Storage, Outdoor																X		X	X	X	X					
Cosmetics																			X	X	X					
Custom Wood Products																		X	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					

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.

USES PERMITTED ³	ZONING DISTRICTS																									
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P
Furniture and Fixtures																			X	X						
Jewelry																			X	X	X					
Leather and Leather Products except tanning and finishing																			X	X	X					
Leather and Leather Products, Tanning and Finishing																			X							
Lumber and Wood Products																			X	X						
Mobile Home Construction																			X							
Musical Instruments																			X	X	X					
Office/Art Supplies																			X	X	X					
Paints																			X	X						
Paper Mills																			S							
Paper Products excluding paper and pulp mills																			X	X						
Petroleum, Liquefied Petroleum Gas and Coal Products except refining																			S							
Petroleum and Coal Products Refining																			S							
Pharmaceuticals																			X	X	X					
Photographic Film Manufacture																			X	X						
Pottery, Figurines, and Ceramic Products																			X	X	X					
Primary Metal Distribution and Storage																			X	X						
Primary Metal Manufacturing																			X	X						
Printing and Publishing																X	X	X	X	X	X					
Rubber and Plastic Products except rubber or plastic manufacture																			X	X						
Rubber and Plastic Products, Rubber and Plastic Manufacture																			X	X						
Saw Mills																			X							
Scrap Processing Yard																			S							
Scrap Metal Processors																			S							
Scrap Metal Distribution and Storage																			S							
Secondary Material Dealers																			S							
Silverware and Cutlery																			X	X	X					
Small Moulded Metal Products																			X	X						
Sporting Goods																			X	X	X					
Stone, Clay, Glass, and Concrete Products																			X	X						
Textile, Apparel Products, Cotton--Factoring, Grading																			X	X	X					
Textile, Apparel Products, Cotton Gin																			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.

USES PERMITTED ³	ZONING DISTRICTS																											
	RS 15	RS 12	RS 10	RS 8	RS 6	RS 4	RD	RM 12	RM 16	RS-A	R MO	OG R ²	OG ²	CL ²	CF ^{2,14}	CH ²	MU ²	CBD ²	HI ²	GI ²	LI ²	CM-RS-8 ²	CM-R ²	CM ²	CU	P		
Tire Manufacture																			X	X								
Tobacco Products																				X	X							
Toiletries																				X	X	X						
Transportation Equipment																				X	X	X						
Warehousing, Transporting/Distributing ¹⁸																				X	X	X						
TRANSPORTATION AND PUBLIC UTILITIES																												
Bus Terminal or Service Facility																	X			X	X	X						
Garbage or Refuse Collection Service																				X	X							
Refuse Processing, Treatment, and Storage																					S							
Gas, Electric, Water, Sewerage Production and/or Treatment Facility																				X	X	S						
Landfill ¹⁹																				S								
Post Office or Postal Facility														X	X	X	X	X	X	X	X	X						
Telephone or Communication Services															X	X	X	X	X	X	X	X						
Electric Transmission, Gas Piping, Water Pumping Station	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X	X						
Taxicab Dispatch Station																X				X	X	X						
Freight Terminal, Service Facility																X				X	X	X						
OTHER																												
Advertising Sign																X				X	X	X						
Home Occupations	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			X					S ¹¹	S ¹¹	S ¹¹				
Junkyard																				S								
Recycling center																	S			X	X	X						
Self-Service Storage Facility ¹⁶														S	S	X	S			X	X	X						
Wholesale Establishments																X			X	X	X	X						
Temporary Mobile Recycling Center															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.

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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.

1. In the OG-R, OG, CL, CF, CH, MU, CBD, H-I, G-I, and L-I zones a single dwelling unit shall be permitted as an accessory use in conjunction with a commercial or industrial use if such dwelling unit is attached to or located within the commercial or industrial building and is occupied by an employee of the business establishment occupying the commercial or industrial building.
2. Any development of one or more acres or five thousand square feet of floor area to be located in a nonresidential district shall require a site plan approval by the Murfreesboro Planning Commission.
3. Motor Vehicle Sales (Automobile) shall be subject to the following additional standards:
 - (a) each lot used for automobile sales shall include a principal structure designed and constructed in accordance with the provisions of this article and all other applicable regulations and codes;
 - (b) in addition to meeting the minimum parking required in Chart 4 of this article, supplementary parking spaces meeting the following requirements shall be provided for customers, employees, and service vehicles:
 - (1) customer parking shall be clearly designated via signage and striping and shall be provided at the following minimum ratios:

Total number of vehicles on sales lot	Minimum number of customer parking spaces required
0-25	2
25-50	3
51-75	4
76-100	5
101-150	6
151-200	7

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201-250	8
251 or more	10

- (2) one employee parking space shall be provided for each employee on the largest shift;
- (3) one parking space shall be provided for each service vehicle;
- (4) all driveways and parking areas, including automobile storage and display areas, shall be surfaced with asphalt, concrete, or other hard dustless surface material. Bituminous surface treatments (“tar and chip”) shall not be allowed on any driveway, automobile storage area, or parking lot.
- (5) Parking and display of automobile inventory shall occur only in areas designated in the special use permit application. Driveway aisles, public right-of-way, and landscaped areas shall not be used for automobile parking or display;
- (c) automobile parts and salvage/junk automobiles shall not be stored on any outdoors portion of the site;
- (d) all automobiles visible from the public right-of-way or lying adjacent to any area zoned for residential uses shall be operational;
- (e) tents and other temporary or accessory structures shall not be erected on the site except in accordance with the provisions of this article (Appendix A: Zoning);
- (f) outdoor sound amplification shall not be allowed;
- (g) the following landscape buffers shall apply to automobile sales lots lying adjacent to residential, mixed use, and office zoning districts:

Adjacent Zoning	Buffer Required
RS-15, RS-12, RS-10, RS-8, RS-4, R-D, RM-12, RM-16, RS-A, R-MO, MU, OG-R	Type E
OG, CU, P, CBD	Type D

- (h) all loading and unloading of automobiles shall be accomplished on-site. Automobile loading, unloading, staging, and maneuvering shall not be permitted within any public right-of-way. Loading/unloading areas shall be provided as follows:
 - (1) each site used for automobile sales shall provide a loading/unloading area of 150 feet in length by 25 feet in width;
 - (2) the required loading/unloading area shall not block or utilize any portion of the designated customer, employee, or service vehicle parking area(s) or any internal driveway as required by Section 26 of this article (Appendix A: Zoning);
- (i) fencing may be constructed in automobile inventory areas, provided that such fencing meets the following standards:

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- (1) no barbed wire or razor wire shall be permitted;
 - (2) chain-link fencing shall be plastic coated with black or green coating; and
 - (3) chain-link fencing shall not be allowed along the perimeter of any automobile storage area lying adjacent to a public right-of-way;
 - (j) automobile service bays and overhead service area doors shall not be visible from any public right-of-way;
 - (k) mechanical and other automobile services shall not be performed within 100 feet of any property zoned for residential use, regardless of any lesser minimum building setbacks;
 - (l) hours of operation shall be limited to “daytime hours” as defined in the Murfreesboro Noise Control Ordinance;
 - (m) if a site plan is required by Section 7 of this article (Appendix A - Zoning), the applicant shall provide a site plan showing all proposed structures, parking areas, automobile storage areas, landscaped areas, buffers, delivery/loading areas, and fencing. The site plan shall also indicate the maximum number of for-sale, for-rent, and/or for-lease automobiles that can be accommodated by the provided parking and storage areas; and
 - (n) where the requirements of this subsection exceed those of other subsections and exhibits in this article excepting Section 24, Article III, the standards set forth in this subsection shall supersede those subsections and exhibits.
4. Reserved.
 5. Office uses in the CM-R Medical District Residential or CM Medical District Commercial shall be restricted to medical, dental, and other related professionals.
 6. Customary general farming uses, gardens, grazing, and buildings incidental thereto shall be permitted in the RS-15, RS-12, RS-10, RS-8, RS-6, RS-4, RS-A, RD, RM-12, RM-16, R-MO, and CF districts; provided, however, that no permit shall be issued for commercial animal or poultry farms and kennels except with the writ-ten approval of the Board of Zoning Appeals and subject to such conditions as the BZA may require in order to preserve and protect the character of the district in which the proposed use is located. Swine are not permitted. Regulations re-garding animal population may be adopted and shall be applicable to existing farm operations.
 7. Automobile dismantlers and recyclers shall not be located within one thousand five hundred feet (1500 ft.) of the Central Business District (CBD).
 8. An accessory apartment may be created 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.
 9. See Section 32 for regulations regarding sexually oriented adult businesses.

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10. Reserved.
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 provided in Sections 8 and 9 of Appendix A-Zoning. The standards mentioned above are as follows:
 - (a) No person who is not a resident of the dwelling unit may be employed in connection with the home occupation at the dwelling unit or on the property.
 - (b) No business signs shall be permitted.
 - (c) There shall be no alteration of the residential building which changes the character thereof as a dwelling. No display of products shall be visible from the street.
 - (d) The home occupation shall be incidental and subordinate to the residential use of the dwelling unit. No more than twenty-five percent (25%) of the area of a residential dwelling unit and accessory structure, if used as part of the home occupation, shall be devoted to the home occupation. In the event the home occupation is to be conducted totally from within an accessory structure, no more than five hundred square feet of area may be devoted to such home occupation. No more than one home occupation shall be permitted per residential dwelling unit.
 - (e) No mechanical or electrical equipment may be used in a residential dwelling unit or accessory structure in connection with a home occupation except such types as are customary for domestic, household, or hobby purposes; personal computers and facsimile machines may be used. Machinery that causes noise likely to be heard by neighbors or interference with radio or television reception shall be prohibited.
 - (f) There shall be no storage outside a dwelling unit or accessory structure of equipment or materials used in connection with the home occupation.
 - (g) Any request for a home occupation which would potentially generate traffic or a demand for on or off-street parking shall not be approved by the Planning Director and shall require application to the Board of Zoning Appeals as provided in Sections 8 and 9 of Appendix A - Zoning.
 - (h) There shall be no group instruction in connection with the home occupation. For the purposes of this subsection, instruction shall be group instruction if it involves more than two students at any time.
 - (i) The following activities and land uses shall not be approved by the Planning Director administratively:
 - (1) automotive repair (body or mechanical), upholstery or painting;

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- (2) kennel;
 - (3) barber or beauty shop;
 - (4) taxi service;
 - (5) professional office;
 - (6) artist studio; or,
 - (7) charter bus service.
- (j) The Planning Director may place conditions on the approval in order to assure compliance with the provisions of this subsection. If the conditions so placed are unacceptable to the applicant, the applicant may appeal the Planning Director's administrative decision as provided in Section 12 of Appendix A - Zoning. Should it be learned later that the administrative approval was in error for any reason or that the use has changed so as not to conform with the foregoing standards, the administrative approval shall be voidable, subject to a due process hearing before the Board of Zoning Appeals.
12. Sites used for the storage of wrecked or partially dismantled vehicles, whether as principal, accessory, or ancillary use, used in conjunction with automotive repair establishments, motor vehicle service establishments, wrecker or towing services, or wrecker service storage yards, shall provide at a minimum a type D buffer zone as described in Section 27 of Appendix A - Zoning for screening of the area used for the storage of 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.
13. Institutional group assembly uses, including recreational fields, public buildings, public and private schools grades K-12, lodges, country clubs, clubs, churches, and other places of worship, where permitted by right, shall meet the following standards:
- (a) Parking areas shall be designed and arranged so that backing from the site onto a public right-of-way will not be necessary and adequate space will be available for vehicles to turn around on-site. An on-site off-street area shall be provided for vehicles to load and unload passengers. Parking areas shall not be permitted in the required front yard.
 - (b) In all residential districts, institutional group assembly uses shall have a lot size not less than three times the minimum lot size permitted in the zoning district where the institutional group assembly use is proposed to be located. In the event the institutional group assembly use is proposed to be located on land that has two or more different zoning classifications, the minimum lot size shall be calculated by applying the larger required minimum lot size.

Examples:				
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<u>ZONING</u>	<u>MINIMUM LOT SIZE</u>	<u>MINIMUM LOT SIZE</u>	<u>X 3</u>	<u>ACRES</u>
RM-12	7,500	.17	22,500	.52
RM-16	6,000	.14	18,000	.41

- (c) An institutional group assembly use may:
- (1) conduct a use that is subject to separate definition under this zoning ordinance or regulation, e.g., childcare facility or mission for the homeless;
 - (2) use equipment producing noise audible upon residential property, e.g., outdoor speaker system, carillon, chimes, bells; or,
 - (3) construct exterior water, sewer, and electric utility connections for trailers or recreational vehicles only after a special use permit to that affect has been granted by the Board of Zoning Appeals.
14. See Section 21 – CF, Commercial Fringe District for use regulations which shall be applicable to any use in the CF district.
15. In all zones where “boardinghouses;” “homes for the aged, class I;” “homes for the aged, class II;” “homes for the aged, class III;” and “assisted-care living facilities” are permitted by right the following standards shall apply:
- (a) A minimum of two thousand square feet of lot area shall be provided for each boarding room.
 - (b) Parking areas shall be asphalt, concrete or other smooth dustless surface and shall be located on-site in the rear of the proposed structure.
 - (c) Screening shall be provided along side and rear property lines where the property abuts property in the RS, RD or RS-A classifications or the residential portion of a planned development.
16. “Self-service storage facilities”, where permitted by right, shall meet the following standards:
- (a) the following activities shall be prohibited:
 - [1] auctions; commercial, wholesale, or retail sales; and miscellaneous or garage sales;
 - [2] the servicing, repairing, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment;
 - [3] the operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment;
 - [4] the establishment of a transfer or storage business;
 - [5] the using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, live band, amplifiers,

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loudspeakers, or other machine or device for producing or reproducing sound in such a manner as to disturb the peace, quiet, and comfort of neighboring residents at any time with louder volume than is necessary for convenient hearing for the persons responsible for producing or reproducing such sound;

[6] any use of individual units for residential purposes, including but not limited to cooking or sleeping; or

[7] any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.

Notwithstanding the foregoing, the owner or manager of the self-service storage facility may conduct auctions and repair and maintain the premises when reasonably required in the usual and customary operation of the self-service storage business.

(b) for self-service storage facilities that have a side or rear property line abutting a property used for single-family purposes or classified in the RS or RD classifications or the residential portion of a planned development, a minimum ten-foot wide landscape strip shall be provided which shall be planted in accordance with Section 27 of this article and at the discretion of the Planning Commission may include earth berms, masonry fences, or walls. The applicant or owner shall post a surety instrument satisfactory to the Development Services Division to ensure that the landscaping and screening will be maintained the first three years;

(c) self-service storage facilities shall provide on-site a minimum ten-foot landscape strip along the front property line abutting all public rights-of-way. This landscape strip shall be planted in accordance with Section 27 of this article and at the discretion of the Planning Commission may include earth berms, masonry fences, or walls;

(d) all storage shall be indoors. However, an area may be provided on-site to be used for outdoor storage of RVs, trailers, cars, and boats. Such area shall be used exclusively for this purpose and shall be screened from the view of adjoining residential areas. Such screening may include, at the discretion of the Planning Commission, earth berms, masonry fences, or walls.

(e) In the CL, CF, CH, MU, and L-I zoning districts, any lot on which a self-service storage facility is located shall have a minimum separation of three hundred (300) feet from any major intersection. For purposes of this subsection, "major intersection" shall be defined as the nearest intersection of the rights-of-way of: any two arterial streets; any arterial street and any collector street; or any two collector streets.

17. See Section 31 for regulations applicable to Wireless Telecommunications Towers, Antennas and Section 9(D)(2)(xxx) for exceptions to the Special Use Permit requirements for small cells.

18. Warehouses incidental and accessory to another use are permitted by right wherever

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such other use is permitted.

19. Landfills located outside the City limits but within the City's review authority per TCA 68-211-701, et seq. are required to obtain a special use permit in accordance with Sections 8 & 9 of this article, including compliance with Sections 9(C) and 9(D)(2) (ddd). Other solid waste processing facilities outside the City limits where TCA 68-211-701, et seq. applies shall also be required to obtain a special use permit in accordance with Sections 8 & 9 of this article, including compliance with Section 9(C) of this article. In addition, such landfills and other solid waste processing facilities are subject to Planning Commission review and approval of a site plan and compliance with all other applicable City zoning and development regulations.
20. Alcoholic Beverage Manufacture, where permitted by right, shall be subject to the following additional standards:
 - (a) The following specific activities are permitted on the premises of an alcoholic beverage manufacturer:
 - (1) The growing, harvesting, grinding and/or milling of products suitable for processing on the premises;
 - (2) The bottling of products produced either on or off the premises;
 - (3) The sale of alcohol manufactured and/or bottled on the premises for off-premises consumption in accordance with T.C.A. Section 57-3-202;
 - (4) The sale of alcohol manufactured and/or bottled on the premises for on-premises consumption in accordance with T.C.A. Section 57-3-202;
 - (5) The sale of merchandise related to alcohol or the manufacturer;
 - (6) The serving of samples, with or without cost, of alcohol manufactured or bottled on or off the premises;
 - (7) Giving tours of the facilities to the general public; and
 - (8) Special events such as meetings, receptions, and other special occasions, if there is adequate parking for such events.
 - (b) All alcoholic beverage manufacture production shall be within completely enclosed structures.
 - (c) Structures relating to alcoholic beverage manufacture production, including bottling and storage, shall be no less than 75 feet from a property line and no less than 250 feet from any residential structure on a residentially zoned property, including a residential structure on land in a PUD, existing at the date of Site Plan approval. Distance shall be measured in a straight line from the nearest point of the alcoholic beverage manufacture structure to the nearest point of the residential structure.
 - (d) Trucks shall not queue on or within the public right-of-way adjacent to the manufacturing facility.

APPENDIX A - ZONING

- (e) Any outdoor sound amplification shall comply with the City's Noise Control Ordinance codified in Chapter 21, Article V of the City Code.
 - (f) Parking areas shall be asphalt, concrete or other smooth dustless surface and shall be located on-site.
 - (g) Security fencing may be constructed, provided such fencing meets the following standards:
 - (1) Chain link fencing shall be plastic coated with black or green coating; and
 - (2) Chain link fencing shall not be permitted along the public right-of-way.
 - (h) By-products or waste from the alcoholic beverage manufacturing shall not be disposed of on-site but must be disposed of off-site in accordance with applicable state and federal law.
21. The use "dwelling, multiple-family" shall be permitted by right in the RM-12, RM-16, MU, and CBD zoning districts only if the property was zoned RM-12, RM-16, MU, or CBD on or before December 31, 2017. Otherwise, "dwelling, multiple family" shall not be a permitted use in the above zones.
22. In the MU district, each development shall include uses from no fewer than two (2) of the following use categories listed in Chart 1 of this article: dwellings, other housing, institutions, and commercial. For purposes of this endnote, the following uses shall also satisfy the requirement for a minimum of two use categories in the MU district: office, regional shopping center, and community shopping center. In developments consisting of ten (10) or more acres in the MU zoning district, the use "dwellings, multiple-family" shall constitute no more than twenty-five (25) percent of developable land area. In developments consisting of fewer than ten (10) acres in the MU zoning district, the use "dwellings, multiple-family shall constitute no more than fifty (50) percent of developable land area. For purposes of this endnote, "development" shall refer to a clearly delineated area for which a master plan has been submitted in accordance with Article III, GDO, Gateway Design Overlay District. For purposes of this endnote, "developable land area" shall not include land constrained by: natural resources, features, or barriers; historically-significant areas or structures; or overhead or underground transmission lines or easements.

[Ord. No. 85-4 §1, 01-03-85; Ord. No. 87-10 §§2, 3, 01-15-87; Ord. No. 87-25 §3, 05-14-87; Ord. No. 88-20 §1, 06-09-99; Ord. No. 89-20 §1, 05-25-89; Ord. No. 89-21 §1, 05-25-89; Ord. No. 89-33 §§1, 2, 07-27-89; Ord. No. 89-44 §§2, 3, 09-14-89; Ord. No. 90-20 §4, 04-26-90; Ord. No. 90-40 §1, 09-20-90; Ord. No. 91-53 §4, 11-07-91; Ord. No. 92-10 §3, 01-30-92; Ord. No. 92-O-12 §§4-6, 01-14-93; Ord. No. 93-O-07 §4, 05-27-93; Ord. No. 93-O-28 §1, 07-29-93; Ord. No. 93-O-49 §1, 01-06-94; Ord. No. 93-O-53 §§3-7, 01-13-93; Ord. No. 94-O-30 §9, 07-28-94; Ord. No. 95-O-21 §3, 04-27-95; Ord. No. 95-O-22 §§3, 4, 04-27-95; Ord. No. 95-O-24 §§2-4, 05-25-95; Ord. No. 95-O-48 §10, 09-14-95; Ord. No. 95-O-56 §§3, 4, 09-28-95; Ord. No. 95-O-59 §2, 11-09-95; Ord. No. 96-O-07 §3, 03-07-96; Ord. No. 97-O-09 §§2, 3, 04-10-97; Ord. No. 97-O-30 §§2-9, 07-17-97; Ord. No. 97-O-31 §3, 06-26-97; Ord. No. 97-O-64 §§1, 2, 11-20-97; Ord. No. 98-O-10 §1, 04-23-98; Ord. No. 98-O-23 §2, 06-04-98; Ord. No. 98-O-48 §2, 11-19-98; Ord. No. 98-O-60 §§4, 5, 8, 01-14-99; 99-O-37 §5, 08-12-99; Ord. No. 99-O-66 §11, 08-24-00; Ord. No. 00-O-67 §3, 11-16-00; Ord. No. 00-O-80 §1, 01-25-01; Ord. No. 02-O-70 §§2-6, 01-16-03; Ord. No. 05-O-79 §1, 12-15-05; Ord.

APPENDIX A - ZONING

No. 07-O-29 §1, 08-16-07; Ord. No. 09-O-16 §§34-41, 06-04-09; Ord. No. 09-O-29 §6, 08-27-09; Ord. No. 10-O-01 §7-13, 03-04-10; Ord. No. 10-O-19 §§1-2, 07-01-10; Ord. No. 10-O-31 §§8, 9, 10-14-10; Ord. No. 13-O-50 §7, 01-09-14; Ord. No. 14-O-62 §3, 01-15-15; Ord. No. 17-O-10 §3, 05-04-17; Ord. No. 17-O-14 §10, 06-08-17; Ord. No. 17-O-24 §4, 06-22-17; Ord. No. 17-O-25 §12, 08-17-17; Ord. No. 17-O-36 §10, 08-31-17; Ord. No. 18-O-09 §§2-3, 03-08-18; Ord. No. 18-O-12 §4-5, 04-12-18; Ord. No. 18-O-53 § 8, 09-27-18; Ord. No. 18-O-65 § 1, 12-06-18; Ord. No. 18-O-76 § 1, 02-28-19; Ord. No. 19-O-14 §11, 07-18-19]

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

CITY HALL

6:00 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Austin Cooper, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev. Services Exec. Director

Chair Kathy Jones called the meeting to order after determining there was a quorum. Continuing, Chair Kathy Jones announced, as of today, Mr. Greg McKnight has been officially appointed as our Planning Director.

New Business

Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners applicant. Ms. Marina Rush summarized the zoning amendment application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Rush explained the changes that were being made included the of number of beds for the one-bedroom units and two-bedroom units. These changes would affect the number of parking spaces. Overall, the changes as presented for the two buildings would reduce the parking from 136 parking spaces to 126 parking spaces. This allows more room for buildings and improvements to the buffer along the west property line. Continuing, Ms. Rush explained the revision being made to the architecture would be predominantly brick materials. Staff feels the new architecture is an improved design and would be compatible with the existing building which is currently being

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

Annexation plan of services and annexation petition [2020-501] for approximately 26.8 acres located along New Salem Highway and Barfield Road, New Salem Land Development, LLC applicant. Ms. Marina Rush summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

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

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

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

Zoning application [2020-402] for approximately 26.8 acres located along New Salem Highway and Barfield Road to be zoned CH simultaneous with annexation and approximately 1.1 acres to be rezoned from RS-15 to CH, New Salem Land Development, LLC applicant. Ms. Marina Rush summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor stated at this time they do not have any plans for development. This proposal is consistent with the other properties in this area.

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

Mr. Eddie Smotherman made a motion to approve the zoning application, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

ORDINANCE 20-OZ-11 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 26.8 acres along New Salem Highway and Barfield Road to Commercial Highway (CH) District, simultaneous with annexation, and to rezone approximately 1.1 acres from Single-Family Residential Fifteen (RS-15) District to Commercial Highway (CH) District; New Salem Land Development, LLC, applicant [2020-402].

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

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

SECTION 2. That, from and after the effective date hereof, the area depicted on the attached map shall be zoned and approved as Commercial Highway (CH) District, as indicated thereon, and shall be subject to all the terms and provisions of said Ordinance applicable to such districts. The City Planning Commission is hereby authorized and directed to make such changes in and additions to said Zoning Map as may be necessary to show thereon that said area of the City is zoned as indicated on the attached map. This zoning change shall not affect the applicability of any overlay zone to the area.

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

43A2035551F9401...
Adam F. Tucker
City Attorney

SEAL



WARRIOR DR

**AREA
REZONED
From RS-15 to CH**

NEW-SALEM HIGHWAY

CH

CH

CH

RS-A1

99

CH

CH

WARRIOR-DRIVE

RS-15

RS-15

RS-15

BARFIELD RD

**AREA ZONED CH
SIMULTANEOUS
with ANNEXATION**

CLIFFVIEW CT



COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Amending the Old Fort Plaza PUD along Old Fort Parkway
[Public Hearing Required]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

Amend the Old Fort Plaza PUD on approximately 5.4 acres located along Old Fort Parkway and Autumn Towne Way.

Staff Recommendation

Conduct a public hearing and enact the ordinance amending the zoning as requested.

The Planning Commission recommended approval of the rezoning.

Background Information

Autumn Plaza Partners presented a zoning application [2019-447] to amend the Old Fort Plaza PUD (Planned Unit District) zoning on approximately 5.4 acres located along Old Fort Parkway and Autumn Towne Way. During its regular meeting on March 11, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Improve Economic Development

This zoning amendment will enable Phases 2 and 3 of this development, consisting of an assisted living facility and senior housing, to move forward, creating jobs and generating increased property tax revenues on an otherwise difficult piece of property to develop.

Attachments:

1. Ordinance 20-OZ-08
2. Maps of the area
3. Planning Commission staff comments from 03/11/2020 meeting
4. Planning Commission minutes from 03/11/2020 meeting
5. Old Fort Plaza PUD pattern book
6. Other miscellaneous exhibits

**MURFREESBORO PLANNING COMMISSION
 STAFF COMMENTS, PAGE 1
 MARCH 11, 2020
 PROJECT PLANNER: MARINA RUSH**

- 3.a. Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners, applicant.**

The applicant, Autumn Plaza Partners, is requesting to amend the Old Fort Plaza Planned Unit District (PUD) zoning, located at the southwest corner of Old Fort Parkway and Autumn Towne Way, to allow modification of the site and building design. The property is identified as Tax Map 92, Parcel 114.00. The Old Fort Plaza PUD was approved by the City Council on December 15, 2016.

The applicant is requesting an amendment to the PUD to modify the design of the buildings, bedroom unit count, and location and siting of the structures. The PUD amendment request pertains to Phases 2 and 3, which are the senior apartments and assisted living elements of the PUD. Phase 1, which is the multi-family/retail building at the front of the site is not affected by this request. The following table summarizes the changes to the program book for each building.

CURRENT – OLD FORT PLAZA PUD PROGRAM BOOK					
	Building footprint / no. stories	Units	Unit Count	Parking	Setbacks
Senior Apartments	27,961 ft ² and 2 stories	52	1BR = 28 <u>2BR = 24</u> 76 beds	95 + 4 HC spaces	S = 10 ft S = 12 ft R = 25 ft
Senior Assisted Living	28,334 ft ² and 2 stories w/partial 3 story	85	1BR = 85 <u>2 BR = 0</u> 85 beds	41 + 2 HC spaces	S = 10 ft

PROPOSED – OLD FORT (AUTUMN) PLAZA PUD PROGRAM BOOK					
	Building footprint / no. stories	Units	Unit Count	Parking	Setbacks
Senior Apartments	27,529 and 2 stories	52	1BR = 38 <u>2BR = 14</u> 66 beds	88 + 4 HC spaces	S = 10 ft S = 12 ft R = 25 ft Building will be addl. 4 ft from Type C
Senior Assisted Living	26,253 and 3 stories	65	1BR = 45 <u>2BR = 20</u> 85 beds	40 + 2 HC spaces	S = 10 ft

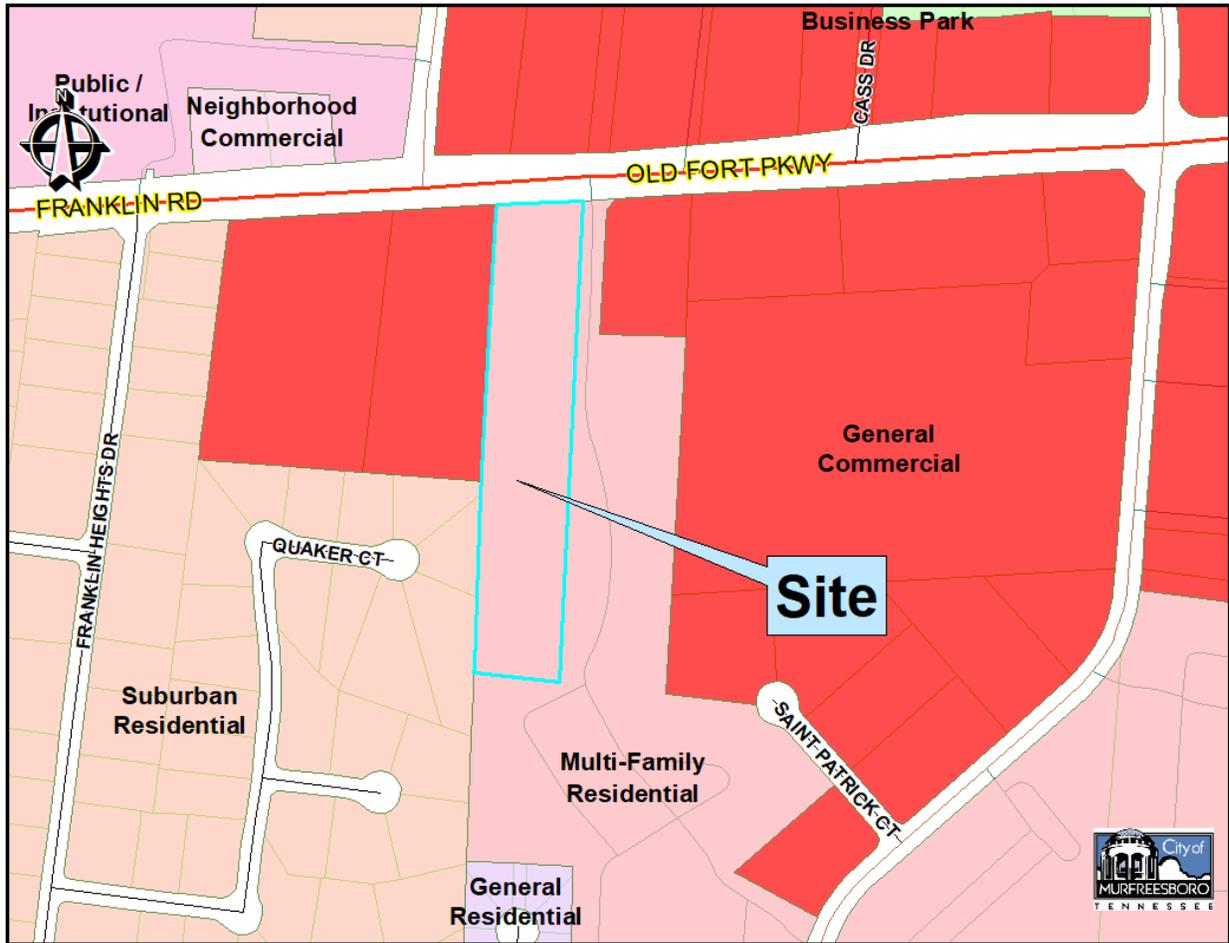
The architectural design was changed, but the building materials remain as predominantly brick façade, EIFS cornices, and white precast limestone lintels with keystones above the windows and doors. See attached program book for details and elevations.

Adjacent Zoning and Land Uses

The adjacent zoning on the properties to the north, west and east is CH (Commercial Highway District) and to the southeast is RM-16 (Multi-Family Residential District 16), and to the southwest is unincorporated Rutherford County RM (Medium-Density Residential). The adjacent land uses are commercial, apartments, and single-family residences.

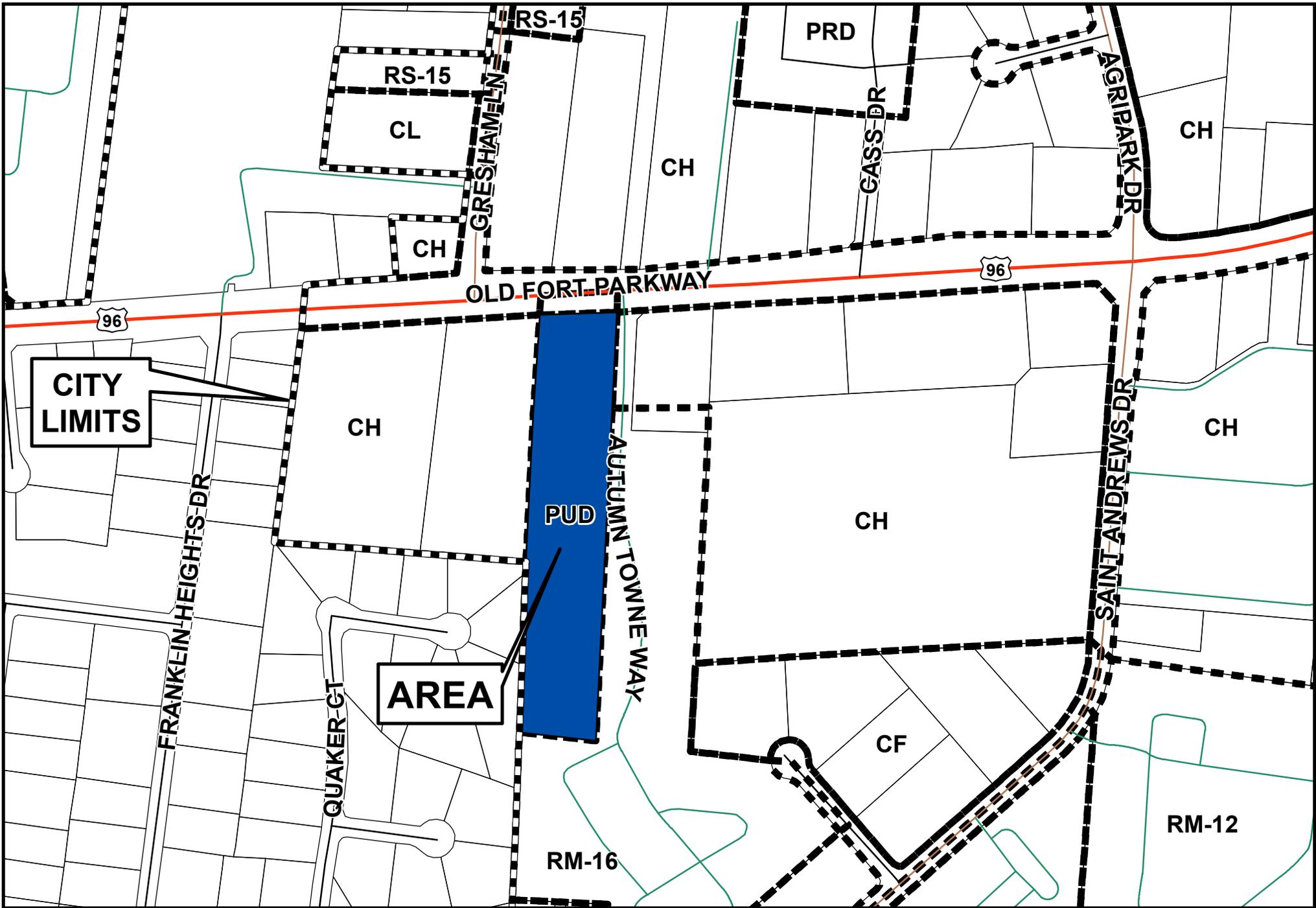
Future Land Use Map

The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that Multi-Family Residential is the most appropriate land use for the project area. The PUD zoning is generally consistent with this land use designation. In addition, it should be noted that the three land uses identified in the approved PUD pattern book (multi-family/retail, senior apartments, and assisted living) are the same land uses proposed in the proposed PUD amendment. No additional land uses are proposed.

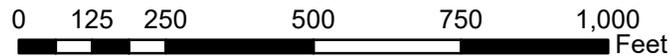


Action Needed

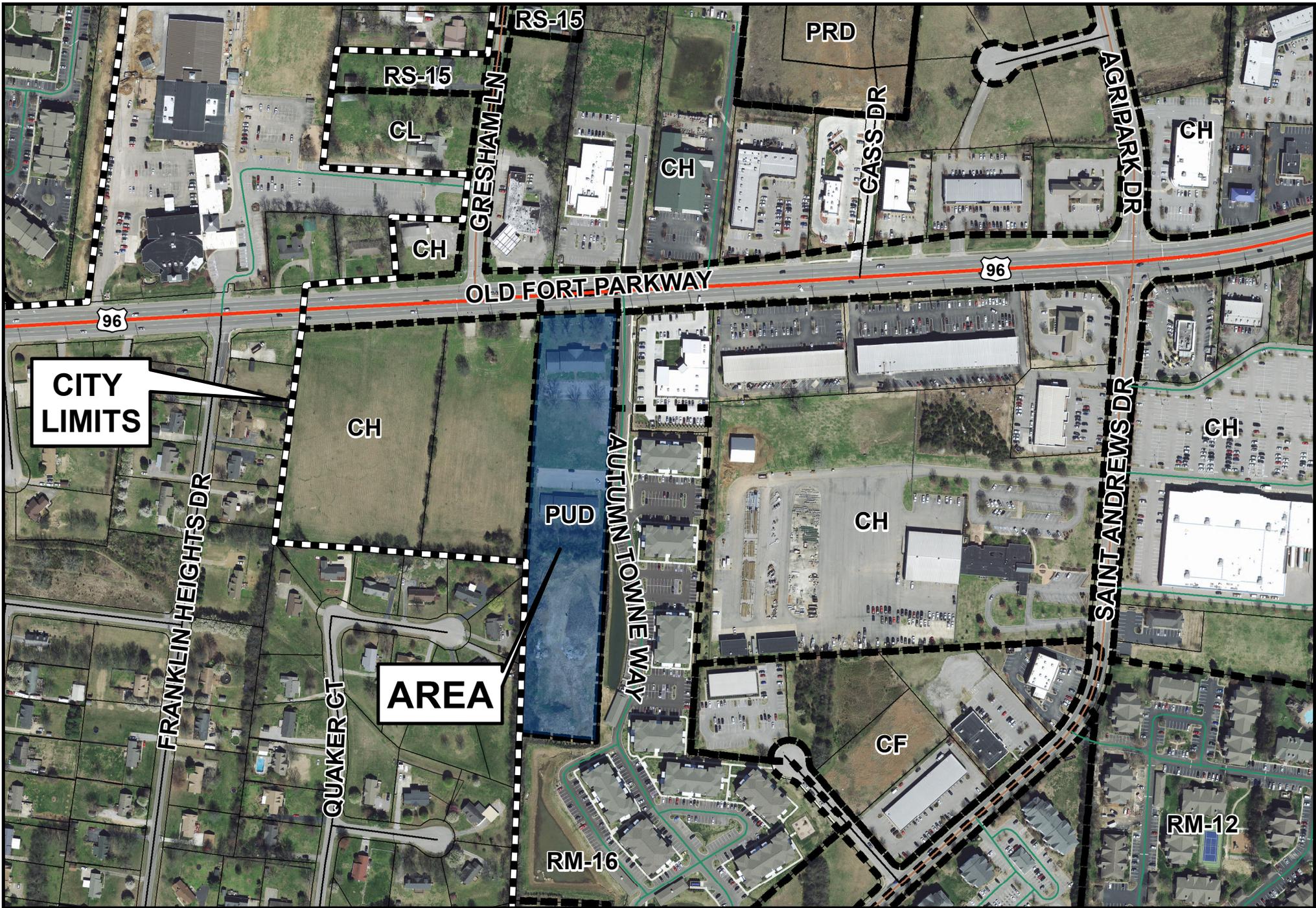
The Planning Commission will need to conduct a public hearing on this rezoning request, after which it will need to discuss this matter and then formulate a recommendation for the City Council.



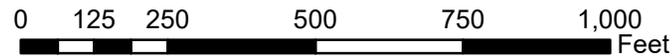
**Zoning Request Along Old Fort Parkway
PUD Amendment (Old Fort Plaza PUD)**



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



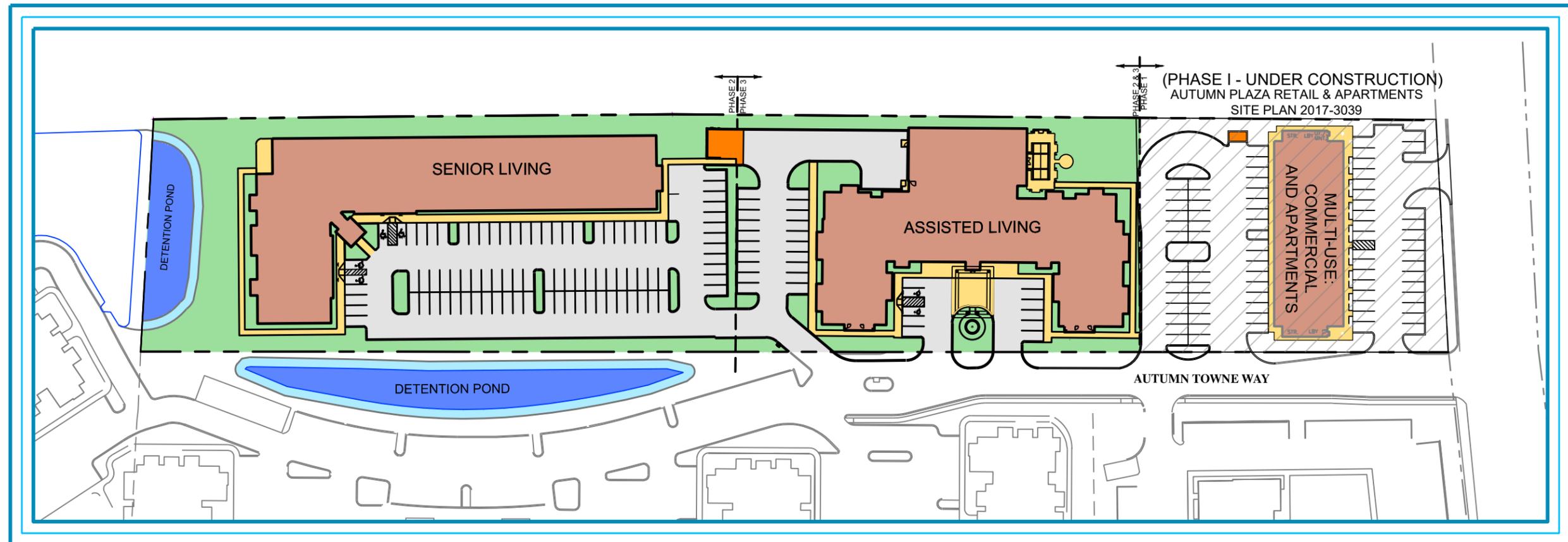
**Zoning Request Along Old Fort Parkway
PUD Amendment (Old Fort Plaza PUD)**



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

OLD FORT PLAZA PUD(Amendment)

2915 OLD FORT PARKWAY



DEVELOPER: AUTUMN PLAZA PARTNERS

CONTACT:
DR. MURALIDHAR BETHI
1451 ELM HILL PIKE, SUITE-317
NASHVILLE, TN 37210
931.216.9702

PLANS PREPARED BY:



CONTACT:
ERIC S. BROCK, P.E.
1427 KENSINGTON SQ CT
MURFREESBORO, TN 37130
615.278.1500

esbrock@wiserconsultants.com

Submitted on April 1, 2020 for the May 7, 2020
City Council Meeting
Proposed Amendment to PUD #2016-437

SUMMARY OF DEVELOPMENT CONCEPT

AUTUMN PLAZA PARTNERS IS REQUESTING TO AMEND THE OLD FORT PLAZA PUD (2016-437) IN ORDER TO MODIFY THE FOLLOWING:

THE “SENIOR LIVING” APARTMENTS BUILDING SIZE WILL BE REDUCED FROM 55,920 GSF TO 55,059 GSF, AND THE BUILDING’S FOOTPRINT WILL CHANGE SOMEWHAT, AND THE NUMBER OF 1-BEDROOM AND 2-BEDROOM UNITS WILL BE RECONFIGURED.

THE ASSISTED LIVING FACILITY BUILDING SIZE WILL BE INCREASED FROM 65,466 GSF TO 66,925 GSF, THE BUILDING WILL CHANGE FROM A 2-STORY W/PARTIAL 3 -STORY TO A FULL 3-STORY. THE BUILDING’S FOOTPRINT WILL CHANGE SIGNIFICANTLY AND MOVE 6.4 FEET CLOSER TO THE WEST PROPERTY LINE, AND THE NUMBER OF 1- AND 2-BEDROOM UNITS WILL BE RECONFIGURED.

THIS REQUEST FOR PUD AMENDMENT IS NECESSARY DUE TO CHANGES MADE TO BOTH PHASE 2 AND PHASE 3 OVERALL BUILDING SHAPES. THE LAND USE, PARKING REQUIREMENTS, ACCESS AND GENERAL PARKING LAYOUT, ALONG WITH THE OVERALL CHARACTER OF THE SITES WILL REMAIN UNCHANGED FROM THE APPROVED PUD, BUT THE SHAPE AND DIMENSIONS OF THE PROPOSED BUILDINGS WERE REVISED TO THE EXTENT THAT SOME OF THE BUILDING CORNERS WERE MOVED BEYOND THE FIVE FOOT MAXIMUM DISTANCE THRESHOLD ALLOWED FOR ADMINISTRATIVE APPROVAL AND REQUIRED PUD AMENDMENT.

EXISTING CONDITIONS:

THE PROPERTY IS LOCATED IN MURFREESBORO AT 2915 OLD FORT PARKWAY NEAR THE CITY LIMITS. THE CURRENT USE IS MIXED-USE COMMERCIAL AND RESIDENTIAL (AUTUMN PLAZA-UNDER CONSTRUCTION). THE PROPERTY IS CURRENTLY ZONED PUD, CONTAINS APPROXIMATELY 5.17 ACRES, AND IS IDENTIFIED AS PARCEL 92 OF TAX MAP 114. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF OLD FORT PARKWAY (SR-96), AND IS WEST AND NORTHWEST OF AUTUMN WOOD APARTMENTS, EAST OF A RACETRAC FUELING STATION/CONVENIENCE MARKET (UNDER CONSTRUCTION), AND NORTH AND EAST OF HAVERFORD SUBDIVISION, A RUTHERFORD COUNTY SUBDIVISION.

PROPOSED DEVELOPMENT PLANS:

THE AMENDED PUD WILL CONSIST OF:

- MIXED-USE COMMERCIAL AND RESIDENTIAL [AUTUMN PLAZA-UNDER CONSTRUCTION]
- ASSISTED LIVING [AUTUMN PLAZA SENIOR RESIDENCE]
- SENIOR LIVING [AUTUMN TOWNE SENIOR LIVING]

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

- THE MIXED-USE COMMERCIAL AND RESIDENTIAL CONSISTS OF 9600 SF COMMERCIAL AREA ON THE LOWER FLOOR WITH 16 ONE BEDROOM APARTMENT UNITS ABOVE. THIS SITE IS CURRENTLY UNDER CONSTRUCTION (SITE PLAN 2017-3039)
- THE ASSISTED LIVING FACILITY WILL INCLUDE (45) ONE BEDROOM DWELLING UNITS AND (20) TWO BEDROOM UNITS IN A 3 STORY BUILDING WITH 66,925 GSF.
- THE SENIOR LIVING FACILITY WILL CONSIST OF (38) ONE BEDROOM UNITS AND (14) TWO BEDROOM UNITS IN A 2 STORY BUILDING WITH 55,059 GSF.

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PROPOSED DEVELOPMENT PLANS

AUTUMN PLAZA PARTNERS REQUEST AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT (2016-437 PUD). THE DEVELOPMENT WILL CONSIST OF MIXED-USE COMMERCIAL AND RESIDENTIAL, ASSISTED LIVING, AND SENIOR LIVING. THE DEVELOPMENT WILL INCLUDE:

- MIXED-USE COMMERCIAL AND RESIDENTIAL WITH COMMERCIAL (LOWER LEVEL) AND RESIDENTIAL (UPPER LEVEL)
 - FOR THE COMMERCIAL AREA ON THE FIRST FLOOR OF THE MIXED-USE BUILDING, ALL USES ALLOWED IN THE CH ZONE WILL BE PERMITTED EXCEPT THOSE IN THE “LIST OF USES PROHIBITED”.
 - FOR THE RESIDENTIAL AREA ON THE SECOND FLOOR OF THE MIXED-USE BUILDING, THE RESIDENTIAL SPACE WILL BE 16 ONE BEDROOM APARTMENTS.
- ASSISTED LIVING WITHIN A 3-STORY BUILDING CONTAINING 45 ONE BEDROOM UNITS AND 20 TWO BEDROOM UNITS.
- SENIOR LIVING WITH 2 STORIES AND CONTAINING 38 ONE BEDROOM UNITS AND 14 TWO BEDROOM UNITS.
 - THESE RESIDENTIAL UNITS ARE PLANNED AS INDEPENDENT SENIOR LIVING, WITH MARKETING TARGETED TO THE 55 PLUS AGE GROUP.
 - SERVICES SUCH AS CLEANING, MEALS, ETC. WILL BE MADE AVAILABLE TO RESIDENTS OF THE SENIOR LIVING FACILITY BY THE STAFF OF THE ASSISTED LIVING FACILITY, BUT THE DEVELOPMENT PLAN DOES NOT INCLUDE THE FULL LIST OF SERVICES TO QUALIFY AS A HOME FOR THE AGED UNDER CITY OF MURFREESBORO ZONING RULES.
 - THE ASSISTED LIVING AND SENIOR LIVING BUILDINGS WILL HAVE OVERLAPPING SERVICES, BUT THEY WILL NOT NECESSARILY HAVE THE SAME OWNERSHIP OR JOINT MANAGEMENT.
 - THE SENIOR LIVING BUILDING INCLUDES A COMMON AREA WITHIN THE BUILDING.

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

LIST OF USES PROHIBITED

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

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

AUTUMN TOWNE SENIOR LIVING APARTMENTS

SITE AREA = 2.37 ACRES
 1 BR UNITS = 38
 2 BR UNITS = 14
 52 TOTAL UNITS

PARKING REQUIREMENTS
 1 BR UNIT = 1.5 SPACES PER BR = 38 x 1.5 = 57
 2 BR UNIT = 1.1 SPACES PER BR = 14(2) x 1.1 = 31
 REQUIRED SPACES = 88
 PROVIDED = 88 SPACES + 4 HC

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

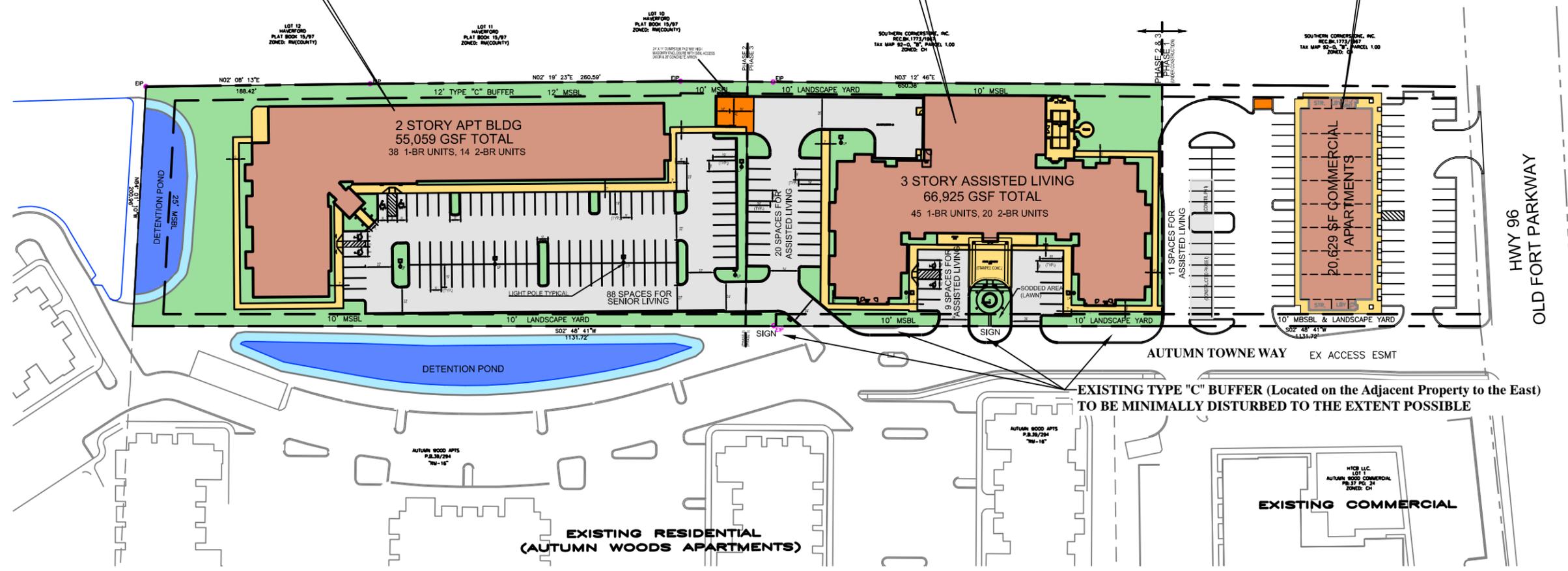
AUTUMN PLAZA SENIOR RESIDENCE

SITE AREA = 1.80 ACRES
 1 BR UNITS = 45
 2 BR UNITS = 20

PARKING REQUIREMENTS
 1 SPACE PER 3 BEDS + EMPLOYEES (12)
 REQUIRED = 45+20(2)/3 + 12 = 40 SPACES
 PROVIDED = 40 SPACES + 2 HC

SETBACKS
 FRONT: NA
 SIDE: 10'
 REAR: NA

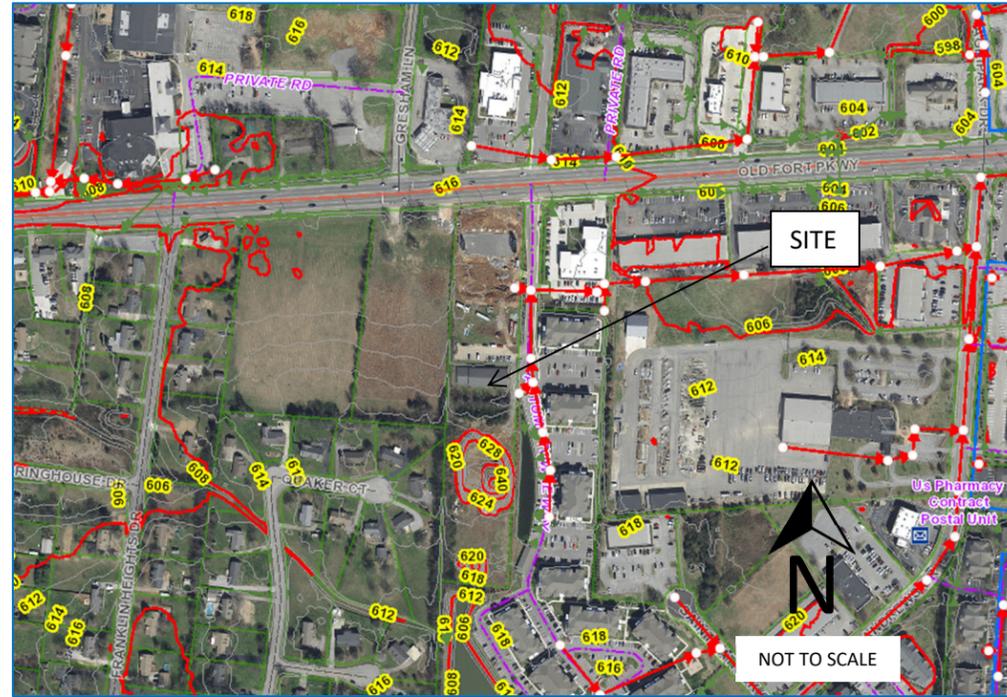
PHASE 1 AUTUMN PLAZA RETAIL & APARTMENTS
 SITE PLAN 2017-3039
 (UNDER CONSTRUCTION)



TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: AUTUMN PLAZA PARTNERS

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

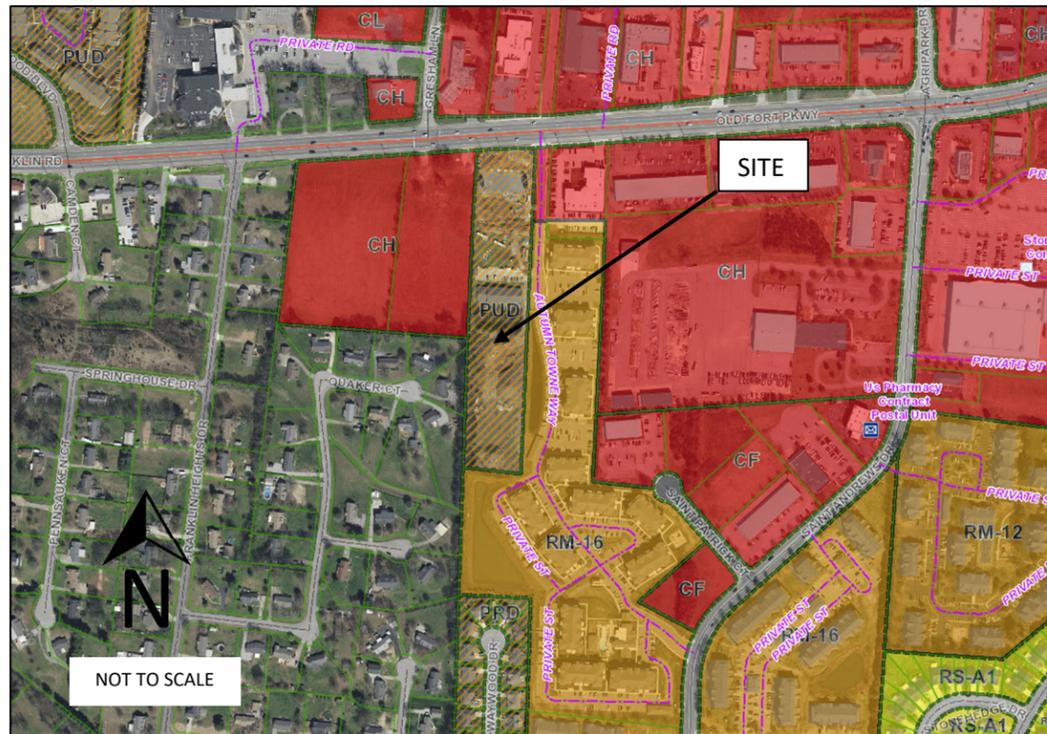




AERIAL VIEW OF THE SITE:
 SHOWING COMMERCIAL DEVELOPMENTS ALONG SR-96 AND RESIDENTIAL
 AREA TO THE SOUTHWEST

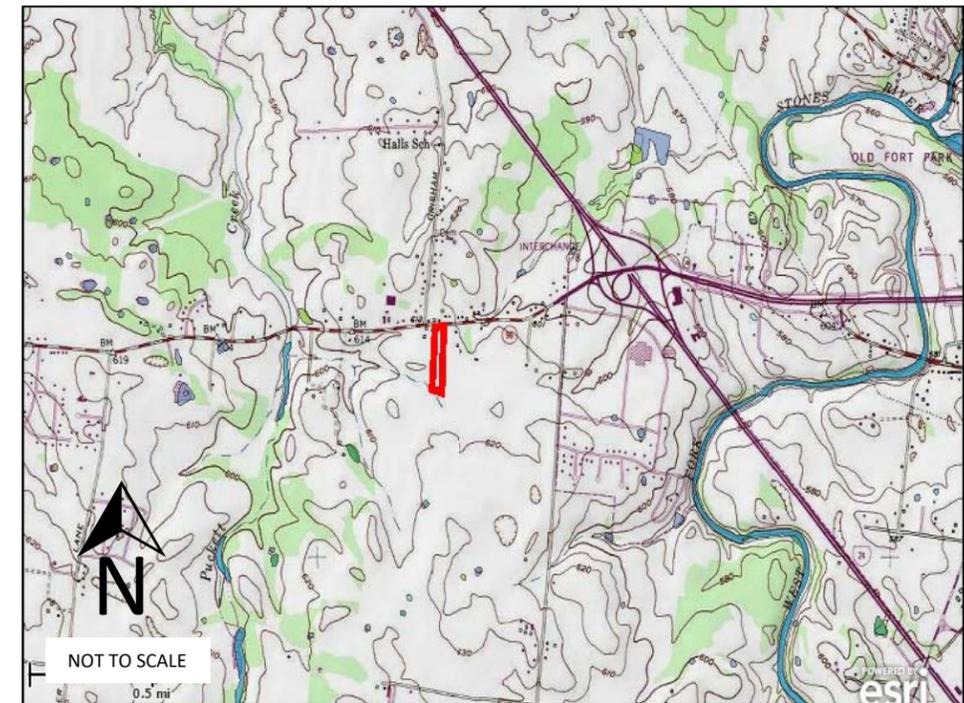


SURROUNDING AREA:
 SHOWING EXISTING DEVELOPMENT AND ROADWAY PATTERNS,
 INCLUDING I-24



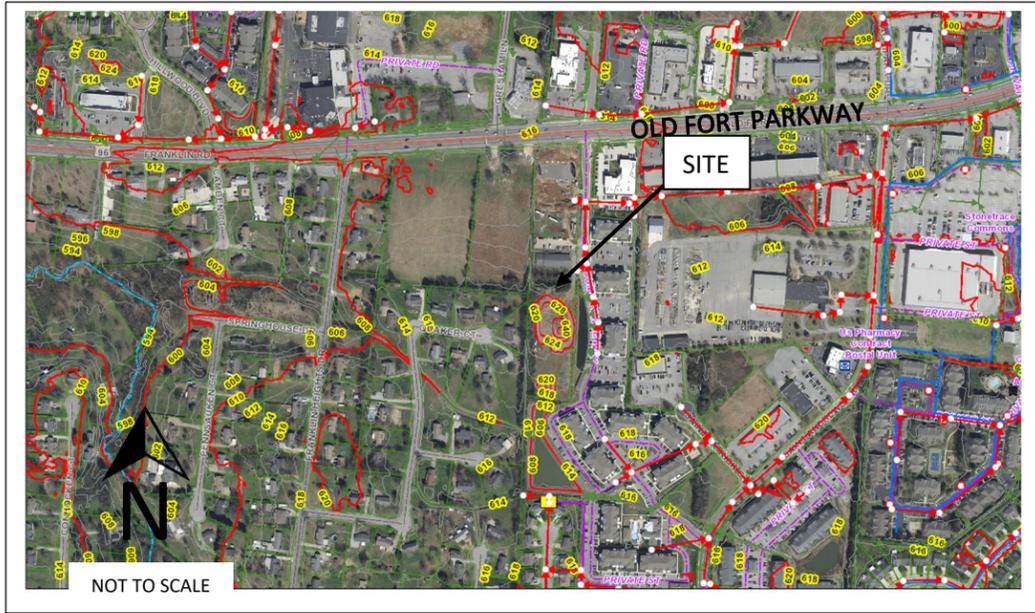
EXISTING ZONING:
 CH ALONG SR-96 TO THE EAST, WEST, AND NORTH,
 RM TO THE EAST AND SOUTH, AND COUNTY RESIDENTIAL TO THE SW

Source: Murfreesboro GIS (top left & bottom left)



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

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



CITY OF MURFREESBORO

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



MURFREESBORO WATER AND SEWER DEPARTMENT

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



MURFREESBORO ELECTRIC DEPARTMENT

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



CONSOLIDATED UTILITY DISTRICT

WATER SERVICE WILL BE BY CONSOLIDATED UTILITY DISTRICT (C.U.D.). THE DEVELOPER WILL BE RESPONSIBLE FOR THE WATERLINE INSTALLATION, BOTH DOMESTIC AND FIRE SERVICE. THE WATER SERVICE WAS INSTALLED DURING PHASE 1, AND FIRE AND DOMESTIC LINES WERE STUBBED OUT IN ORDER TO EXTEND TO THE SOUTH ALONG THE WEST BOUNDARY FOR PHASES 2 & 3.



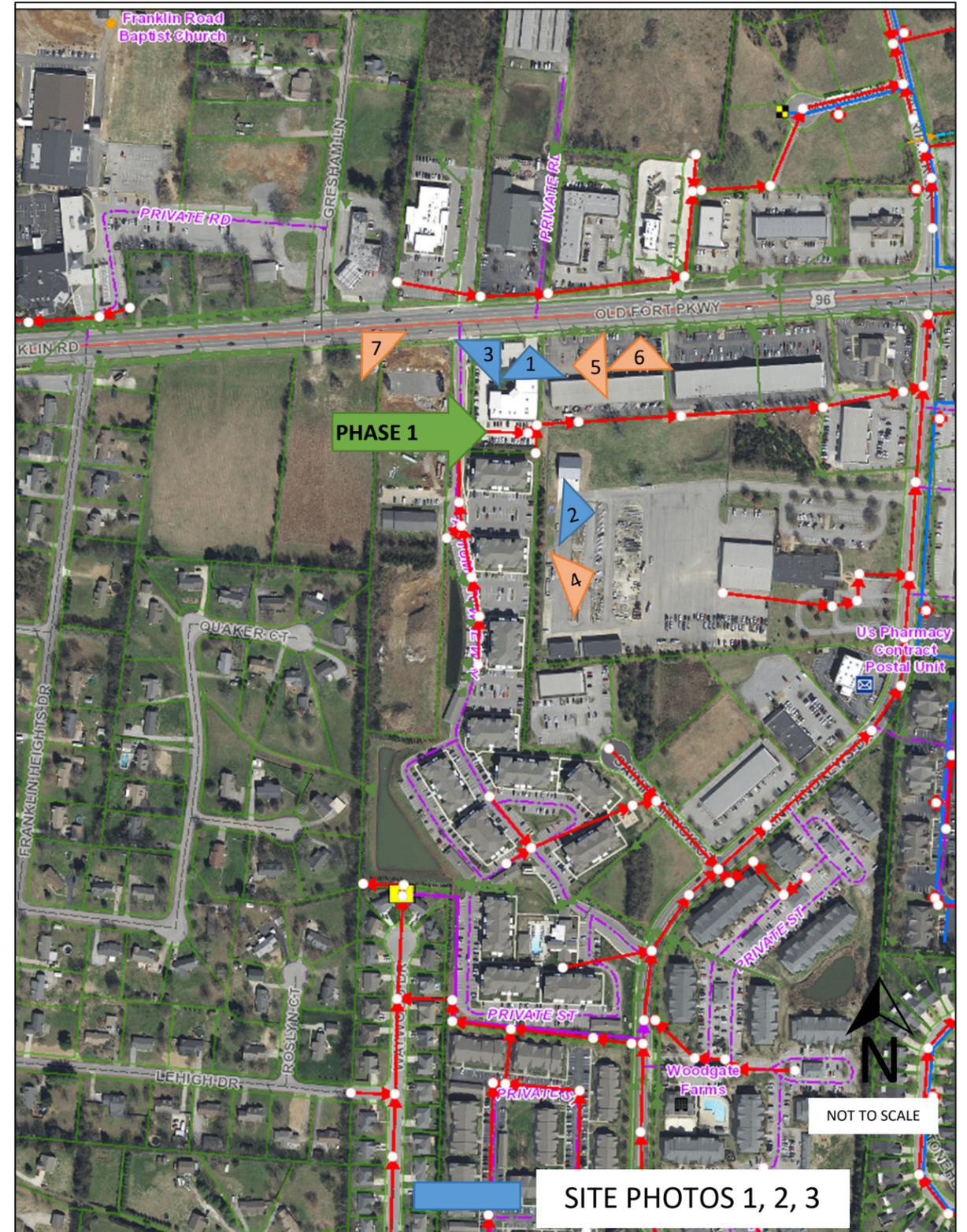
IMAGE 1
 PHASE 1-AUTUMN PLAZA RETAIL & APARTMENTS
 FROM SR-96
 (UNDER CONSTRUCTION)



IMAGE 2
 EXISTING REAR OF PHASE 1
 (UNDER CONSTRUCTION)



IMAGE 3
 EXISTING NEW CONSTRUCTION WEST OF PHASE 1



SITE PHOTOS 1, 2, 3



IMAGE 4

VIEW OF PHASE 2 ENTRANCE LOCATION FROM
AUTUMN TOWNE WAY



IMAGE 5

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



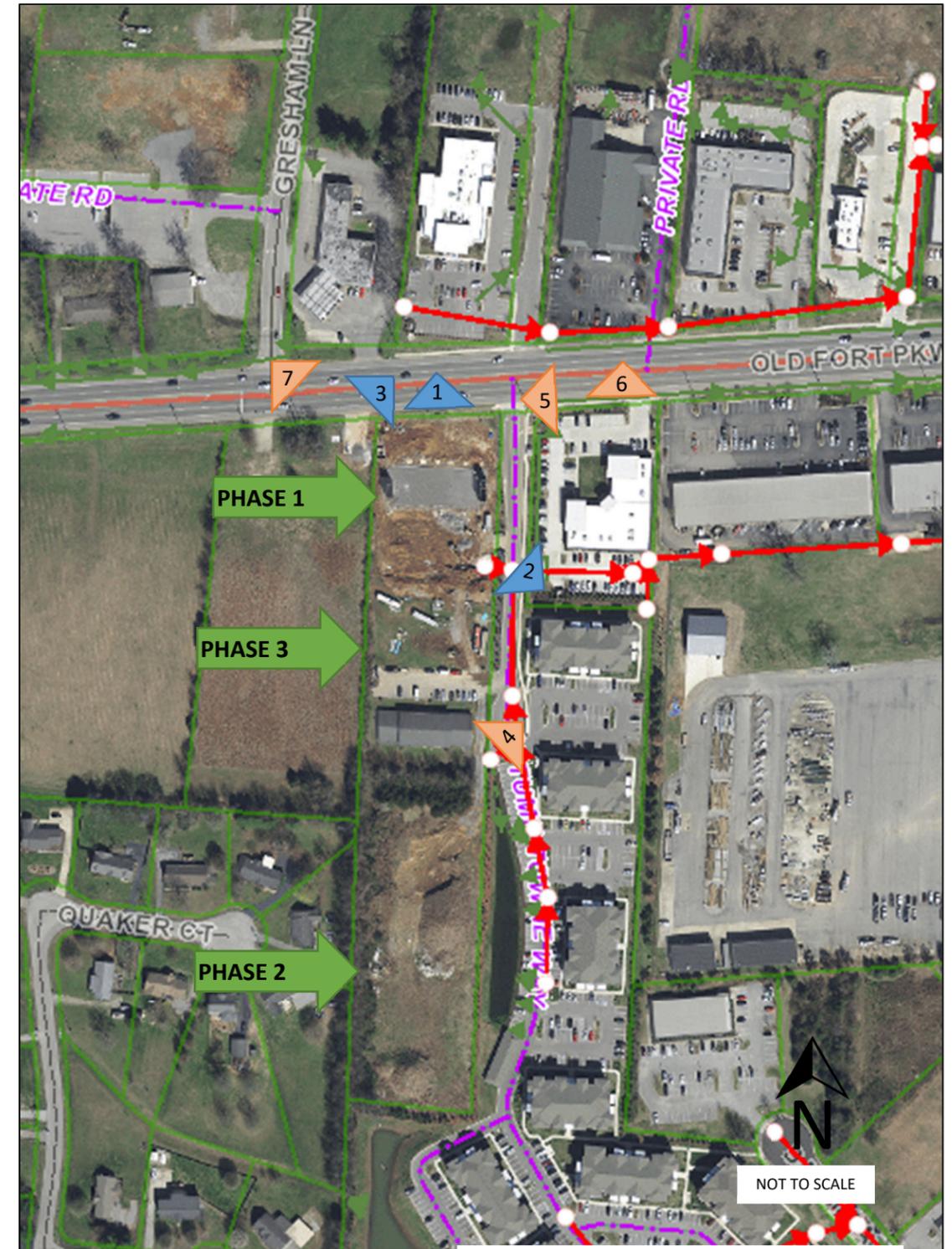
IMAGE 6

VIEW OF ADJACENT AUTUMN WOODS PLAZA



IMAGE 7

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



OFF-SITE PHOTOS 4, 5, 6, 7

ADJACENT SITE PHOTOS

DEVELOPMENT STANDARDS

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

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

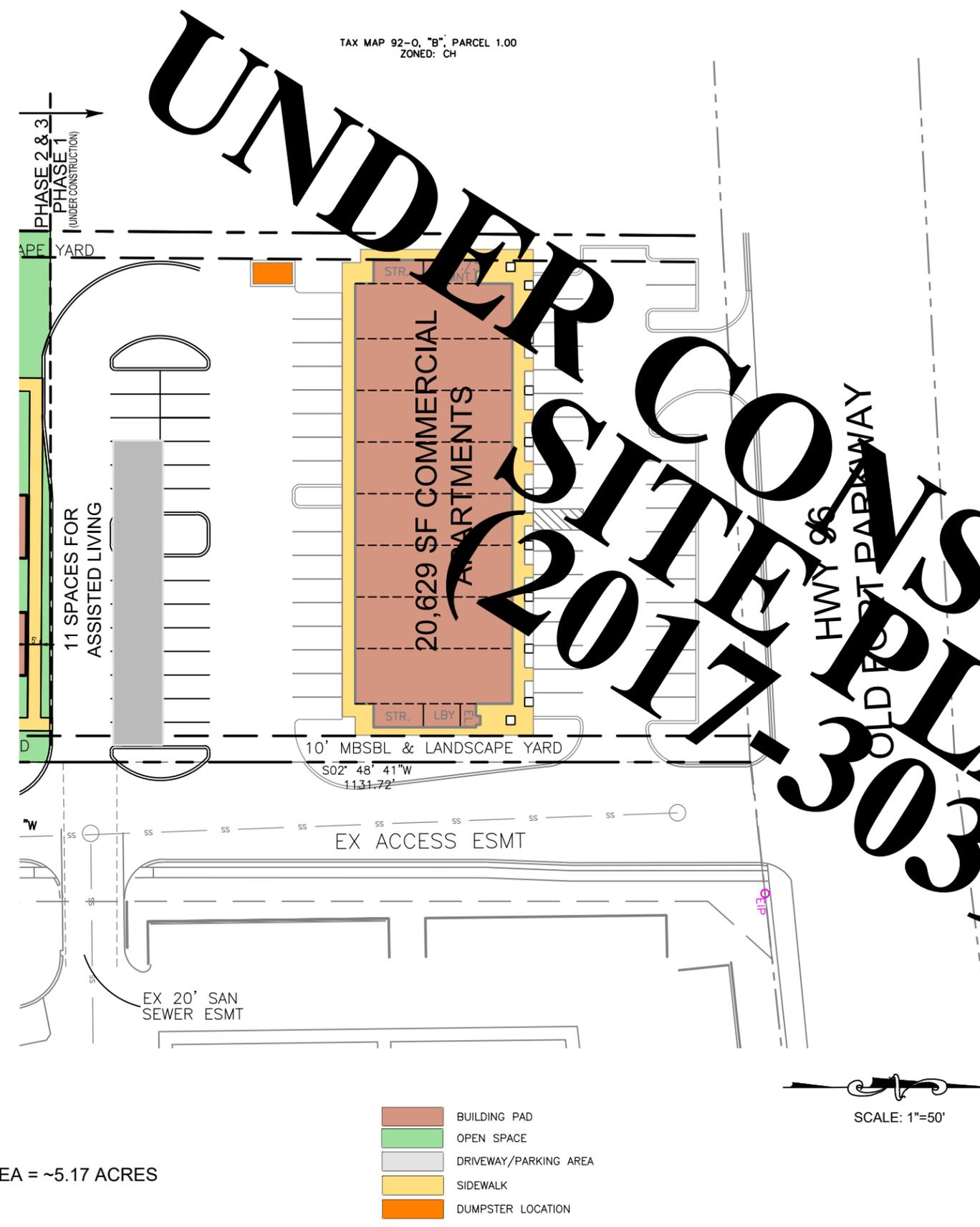
THE PROJECT WILL COMPLY WITH OTHER CITY OF MURFREESBORO ZONING & DEVELOPMENT STANDARDS. PLANS FOR OTHER ASPECTS OF DEVELOPMENT WITH BE SUBMITTED DURING THE SITE PLAN AND BUILDING PERMIT APPROVAL PROCESS, SUCH AS

- SIGNS: EACH PHASE WILL INCLUDE AN ENTRANCE SIGN, AND AN OVERALL SIGN AT OLD FORT PARKWAY. ALL SIGNS WILL BE SUBJECT TO THE SIGN REGULATIONS FOR PUD ZONING, INCLUDING THE REQUIREMENT FOR A MASONRY BASE.
- STORMWATER: THE PROJECT WILL COMPLY WITH STORMWATER REQUIREMENTS THROUGH THE USE OF A FILTER STRIP, BIORETENTION BASIN, AS WELL AS EXTENDED WET & DRY DETENTION PONDS. BASED ON INITIAL DISCUSSION WITH THE CITY ENGINEERING STAFF AND THE ADJACENT DEVELOPERS OF AUTUMN WOOD APARTMENTS, A JOINT DETENTION AREA IS PROPOSED AT THE REAR OF THE SITE. A BIORETENTION BASIN IS PLANNED TO BE LOCATED ON THE NORTHWEST PORTION OF THE PHASE 3 SITE, AND A 25 FOOT FILTER STRIP WILL BE LOCATED ALONG THE EAST SIDE OF THE PHASE 2 SITE. THESE STORMWATER QUANTITY/QUALITY BMP'S WILL RECEIVE STORMWATER RUNOFF FROM THE PARKING AREAS AND ROOF DRAINS IN ORDER TO MEET THE STORMWATER REQUIREMENTS.
- LANDSCAPING: THE PROJECT WILL COMPLY WITH LANDSCAPING AND BUFFER REQUIREMENTS. THE EXISTING MATURE TREES ALONG THE PROPERTY LINES ARE TO REMAIN AND WHERE FEASIBLE.
- LIGHTING: THE PROJECT WILL COMPLY WITH LIGHTING REQUIREMENTS.

REFER TO THE TABLES BELOW FOR A COMPARISON BETWEEN THE APPROVED PUD AND THE AMENDED PUD FOR THE PHASE 2 AND PHASE 3 SITES

PHASE 2 SITE – SENIOR LIVING APARTMENTS		
	APPROVED PUD	REVISED PUD
LAND AREA	2.42 ACRES	2.37 ACRES
BUILDING (LEVELS)	2 – STORY	2- STORY
BUILDING FOOTPRINT	27,961 SF	27,529 SF
1 - BR UNITS	28	38
2 – BR UNITS	24	14
PARKING/LOADING AREA	37,398 SF	33,430 SF

PHASE 3 SITE – ASSISTED LIVING (SENIOR RESIDENCE)		
	APPROVED PUD	REVISED PUD
LAND AREA	1.78 ACRES	1.80 ACRES
BUILDING (LEVELS)	2 – STORY W/PARTIAL 3 - STORY	3- STORY
BUILDING FOOTPRINT	28,334 SF	26,253 SF
1 - BR UNITS	85	45
2 – BR UNITS	0	20
PARKING/LOADING AREA	27,631 SF	27,125 SF



TAX MAP 92-0, "B", PARCEL 1.00
ZONED: CH

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

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

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

AUTUMN PLAZA MIXED-USE

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

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

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

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

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

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

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

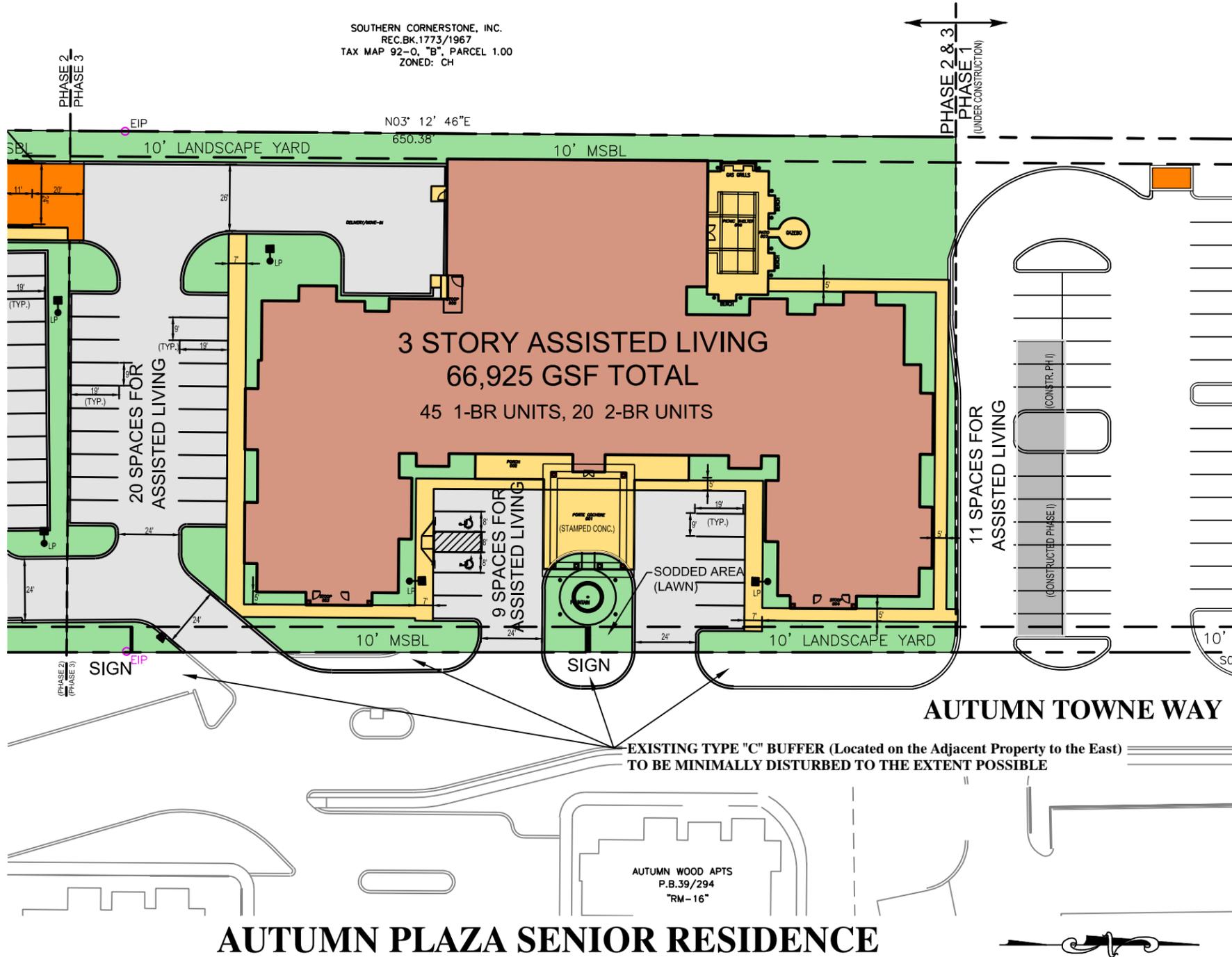
TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: OLD FORT GROUP



SCALE: 1"=50'

AUTUMN PLAZA COMMERCIAL & APARTMENTS
MIXED-USE COMMERCIAL & RESIDENTIAL

SOUTHERN CORNERSTONE, INC.
 REC.BK.1773/1967
 TAX MAP 92-0, "B", PARCEL 1.00
 ZONED: CH



AUTUMN PLAZA SENIOR RESIDENCE-PHASE 3

ASSISTED LIVING
 SITE AREA = 1.80 ACRES
 1 BR UNITS = 45
 2 BR UNITS = 20
 TOTAL BEDS = 85

PARKING REQUIREMENTS
 1 SPACE PER 3 BEDS PLUS EMPLOYEES (12)
 = 85/3 = 28 + 12 = 40
 PROVIDED = 40 SPACES + 2 HC

SETBACKS
 FRONT: NA
 SIDE: 10'
 REAR: NA

AUTUMN PLAZA SENIOR RESIDENCE - ASSISTED LIVING:

DEVELOPMENT AT THE MIDDLE OF THE SITE AT 130 AUTUMN TOWNE WAY WILL INCLUDE AN ASSISTED LIVING FACILITY WITHIN A 3-STORY BUILDING CONTAINING 45 ONE BEDROOM UNITS AND 20 TWO BEDROOM UNITS.

THE ASSISTED LIVING WILL HAVE ACCESS FROM THE JOINT ACCESS EASEMENT ON THE EAST SIDE OF THE PROPERTY. THE MAIN DRIVE TO THE FRONT DOORS INCLUDES A PASSENGER UNLOADING AREA, VAN ACCESSIBLE PARKING SPACES, AND SEVERAL PARKING SPACES FOR VISITORS AND FUTURE RESIDENTS. RESIDENT AND EMPLOYEE PARKING WILL BE IN SPACES PROVIDED TO THE NORTH AND SOUTH OF THE BUILDING. CONSTRUCTION OF THE PARKING AREAS IS PLANNED WITH ASPHALT PAVEMENT AND CONCRETE PAVEMENT. TRUCK UNLOADING WILL BE AT THE REAR OF THE BUILDING. WASTE MANAGEMENT WILL A SHARED FACILITY LOCATED BETWEEN PHASE 2 AND PHASE 3 SITES, ALONG THE WESTERN PROPERTY LINE. A MASONRY ENCLOSURE WILL BE PROVIDED FOR THE DUMPSTER AREA.

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

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

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

AUTUMN PLAZA SENIOR RESIDENCE

TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: AUTUMN PLAZA PARTNERS



AUTUMN TOWNE SENIOR LIVING APARTMENTS PHASE 2

SENIOR LIVING
 SITE AREA = 2.37 ACRES
 1 BR UNITS = 38
 2 BR UNITS = 14
 52 TOTAL UNITS

PARKING REQUIREMENTS
 1 BR UNIT = 1.5 SPACES PER BR = 38 x 1.5 = 57
 2 BR UNIT = 1.1 SPACES PER BR = 14(2) x 1.1 = 31
 REQUIRED = 88
 PROVIDED = 88 SPACES + 4 HC

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

SENIOR LIVING:
 DEVELOPMENT AT THE REAR OF THE SITE AT 146 AUTUMN TOWNE WAY WILL INCLUDE A SENIOR LIVING FACILITY WITH 2 STORIES AND A MIX OF 1-2 BEDROOM UNITS PER FLOOR.

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

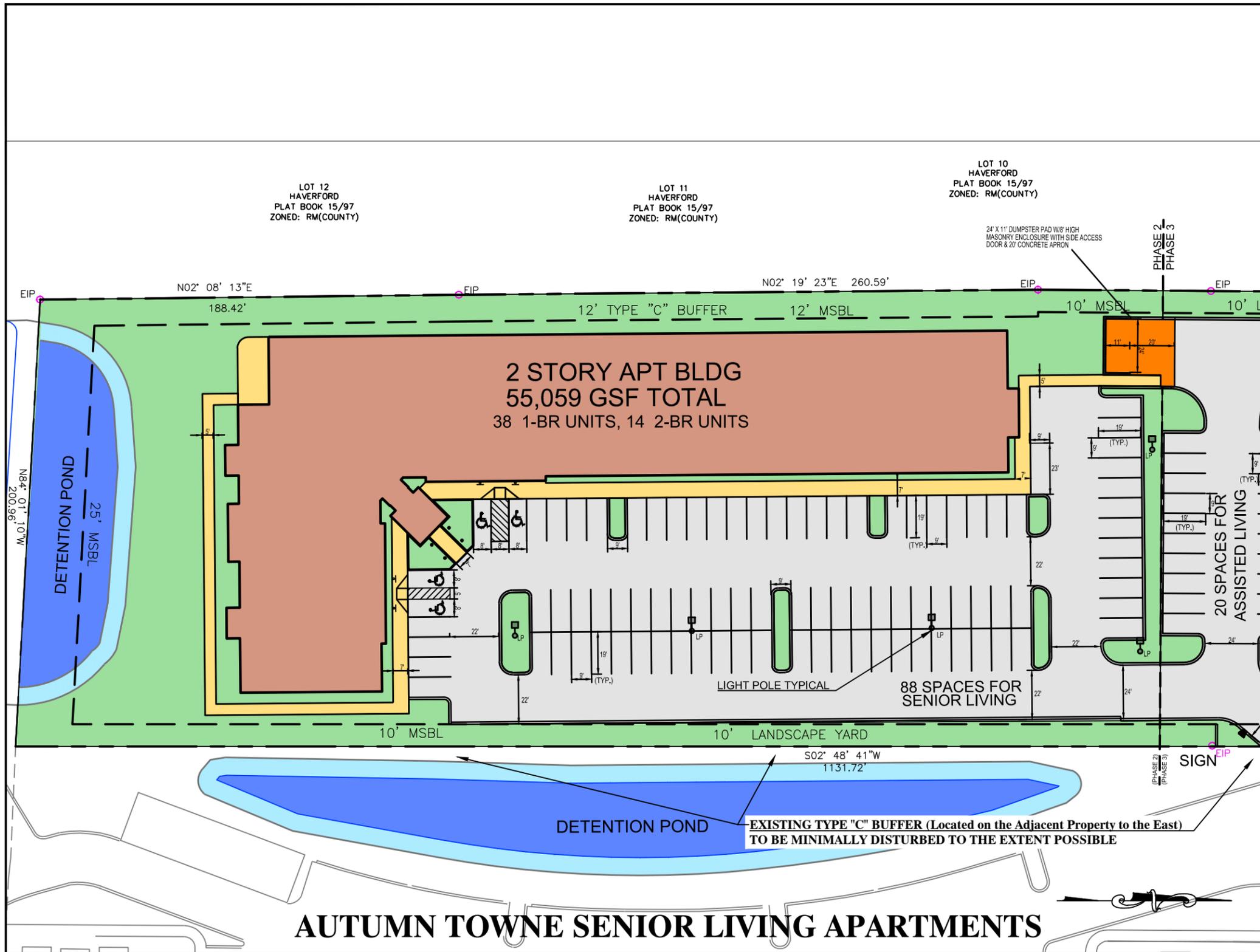
THE SENIOR LIVING FACILITY WILL HAVE ACCESS FROM THE JOINT ACCESS EASEMENT ON THE EAST SIDE OF THE PROPERTY. THE MAIN ENTRANCE DRIVE LOOPS THROUGH THE FRONT PARKING AREA. WASTE MANAGEMENT WILL BE AT THE NORTHWEST CORNER OF THE SITE. A MASONRY ENCLOSURE WILL BE PROVIDED FOR THE DUMPSTER AREA.

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

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

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

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



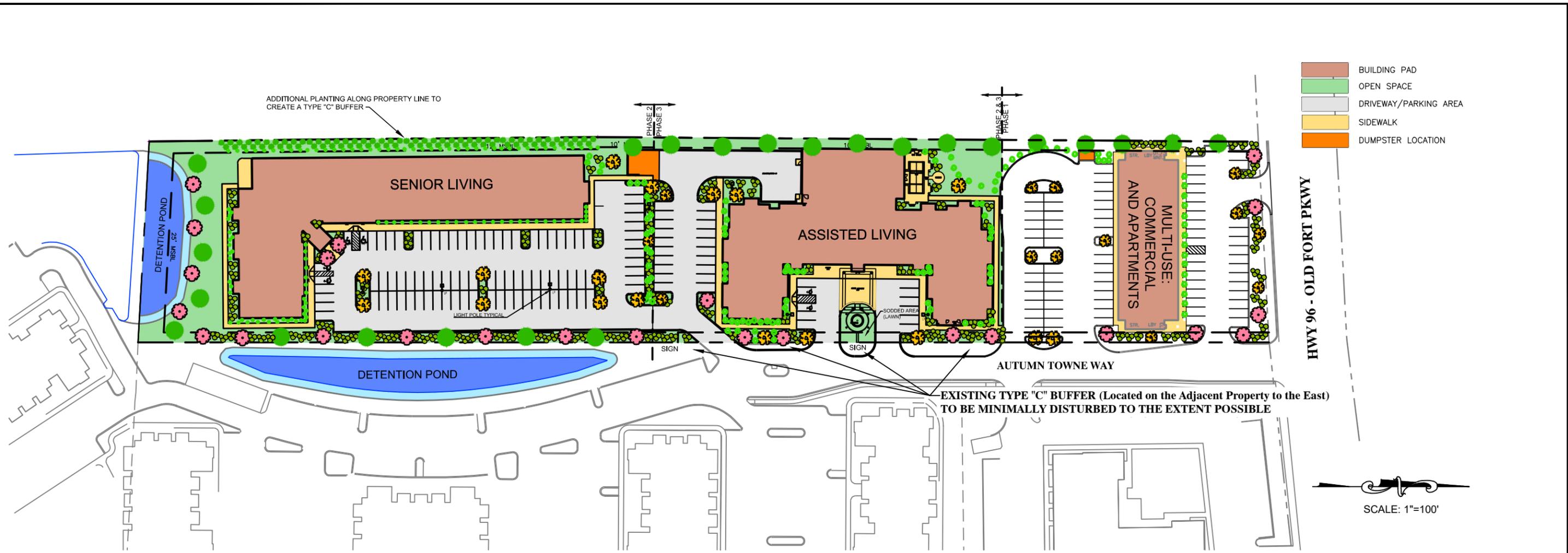
AUTUMN TOWNE SENIOR LIVING APARTMENTS

TOTAL SITE AREA = ~5.17 ACRES
 MAP 092
 PARCEL 11400
 DEVELOPER: AUTUMN PLAZA PARTNERS

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

SCALE: 1"=50'

SENIOR LIVING FACILITY



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

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

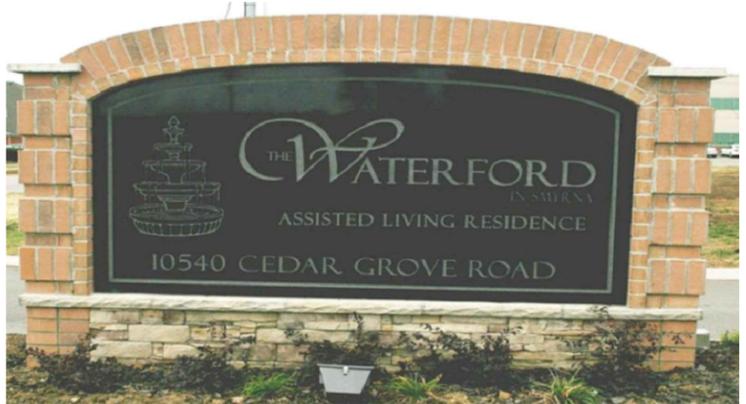
BUILDING MOUNTED LIGHTING WILL ALSO BE PROVIDED, AND LANDSCAPE LIGHTING MAY BE USED.

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

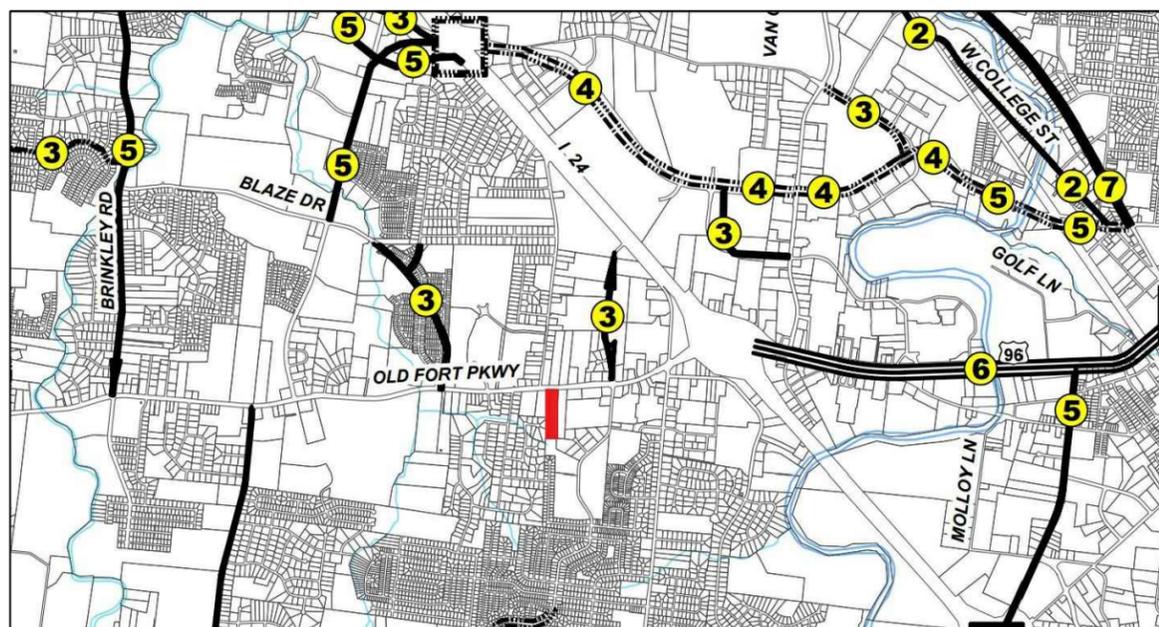
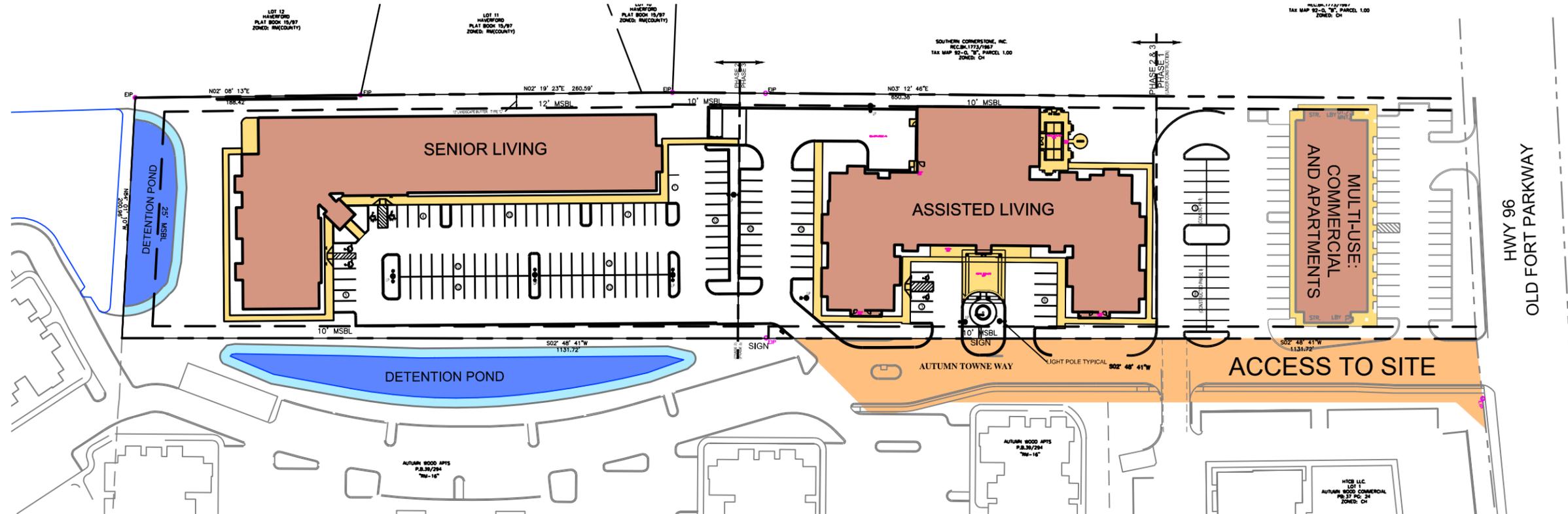
SIGN NOTES:
ALL SIGNAGE WILL COMPLY WITH THE CITY OF MURFREESBORO SIGN ORDINANCE.
ENTRANCE SIGNS WILL HAVE UP LIGHTING.
SIGN FOR COMMERCIAL TENANTS TO INCLUDE INTERNAL LIGHTING OF THE LETTERS AND BE MAX 16FT TALL.
ALL SIGNS MUST HAVE A MASONRY BASE, 3FT TO 4FT TALL.
SIGNS TO BE A MAX OF 100 SF.



TYPICAL STREET LIGHTS



EXAMPLE OF ENTRANCE SIGN



MAJOR THOROUGHFARE PLAN

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

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

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

[UNDER CONSTRUCTION]



No.	Revision	Date

No.	Revision	Date

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

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

DOOLEY ASSOCIATES
 6319 PERCY DRIVE, NASHVILLE, TN 37205
 (615) 975-2137
 ALAN@DA-ARC.COM

SHEET NO:
R1
 OF:



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

AUTUMN PLAZA RETAIL / APARTMENT BUILDING NORTH ELEVATION



AUTUMN PLAZA EAST ELEVATION



AUTUMN PLAZA WEST ELEVATION

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

MATERIAL LEGEND

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



AUTUMN PLAZA RETAIL / APARTMENT BUILDING SOUTH ELEVATION

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

ASSISTED LIVING (PHASE 3)



EAST ELEVATION (FACING AUTUMN TOWNE WAY)



WEST ELEVATION

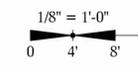


SOUTH ELEVATION



NORTH ELEVATION

EXTERIOR FINISH SCHEDULE		
GRAPHIC	KEY	FINISH
	EIFS-1 CORNICHE/CORBEL TRIM	BENJAMIN MOORE WHITE HERON OC-57
	BRICK-1 FIELD	ACME PEABODY BLEND MODULAR
	BRICK-2 INSETS	PALMETTO WHITE STONE MODULAR
	STONE-1	ARRISCRAFT LIMESTONE ROCK FACE WHITE
	FIBER CEMENT-1 5" EXPOSURE	HARDIEPLANK LAP SIDING SELECT CEDARMILL MATCH BRICK-1
	STOREFRONT, WINDOWS	WHITE
	PRECAST LIMESTONE LINTELS	MATCH STONE 1
	HOLLOW METAL DOORS AND FRAMES	MATCH ADJACENT COLOR
	VTAC GRILLES, LOUVERS, VENTS AND COPING	MATCH ADJACENT COLOR
	METAL ROOFING, BALCONIES, DUMPSTER GATES, MAILBOXES, LIGHT FIXTURES	DARK BRONZE



AUTUMN PLAZA
SENIOR RESIDENCE
 MURFREESBORO, TENNESSEE
 WWW.DAVIDRCARTER.NET
DAVID R. CARTER AND ASSOCIATES

ISSUE DATE 01-02-20
 ▲ REVISION LOG

PROJECT 00736

24 x 36

SENIOR LIVING (PHASE 2)



EAST ELEVATION (FACING AUTUMN TOWNE WAY)



WEST ELEVATION

PREFABRICATED ALUMINUM PATIO COVER



SOUTH ELEVATION

- ALUMINUM COPING
- EIFS CORNICE
- PRECAST LIMESTONE LINTELS
- BRICK FACADE
- METAL BALCONY RAILINGS
- ALUMINUM WINDOWS
- BRICK WATER TABLE
- SPLIT FACED BLOCKS

OUTLINE OF PREFABRICATED PATIO COVER



NORTH ELEVATION

EXTERIOR FINISH SCHEDULE		
GRAPHIC	KEY	FINISH
	EIFS-1 CORNICE/CORBEL TRIM	BENJAMIN MOORE WHITE HERON OC-57
	BRICK-1 FIELD	ACME PEABODY BLEND MODULAR
	BRICK-2 FIELD	PALMETTO WHITE STONE MODULAR
	STONE-1	ARRISCRAFT LIMESTONE ROCK FACE WHITE
	STONE-2	ELDORADO STONE EUROPEAN LEDGE GLACIER
	FIBER CEMENT-1 5" EXPOSURE	HARDIEPLANK LAP SIDING SELECT CEDARMILL MATCH BRICK-1
STOREFRONT, WINDOWS		WHITE
PRECAST LIMESTONE LINTELS		MATCH STONE 1
HOLLOW METAL DOORS AND FRAMES		MATCH ADJACENT COLOR
VTAC GRILLES, LOUVERS, VENTS AND COPING		MATCH ADJACENT COLOR
METAL ROOFING, BALCONIES, DUMPSTER GATES, MAILBOXES, LIGHT FIXTURES		DARK BRONZE

AUTUMN PLAZA
SENIOR LIVING
MURFREESBORO, TENNESSEE

WWW.DAVIDRCARTER.NET

DAVID R. CARTER AND ASSOCIATES

ISSUE DATE 02-13-20

▲ REVISION LOG

1/8" = 1'-0"
0 4' 8'

PROJECT 00737

24 x 36

RENDERINGS 17

BUILDING ELEVATIONS NARRATIVE:

All three buildings will be of traditional design having coordinated features and colors that include:

- White split face masonry units to create a base with water table course.
- Predominantly brick façade.
- White smooth EIFS cornices.
- White architectural precast limestone lintels with keystones above windows and doors.
- HVAC equipment on roof or ground, screened from view with materials matching building.
- Dumpsters with walls matching buildings.

Front Elevations:

- Multi-use Commercial/Apartments: Commercial spaces have aluminum storefronts with 24" high masonry knee-walls below. Apartments have aluminum windows. Signage mounted below apartment windows. Twin gables anchor each end.
- L-shape Senior Living: Main entrance accented with spacious porch having classical fiberglass columns, high parapet and stone siding. Apartments have aluminum windows and some have patios/balconies. Fiber cement siding used at patio/balcony areas and to visually break up length. Two colors of brick used to highlight architecture.
- U-shape Assisted Living: Main entrance accented with porte cochere and porch having classical fiberglass columns and high parapet. Apartments have aluminum windows, and some have partially enclosed patios/balconies. Fiber cement siding used at patio/balcony areas. Two colors of brick used to highlight architecture.

Side Elevations:

- Multi-use Commercial/Apartments: Covered porches at entry access to apartments located on second floor. Aluminum windows at apartments and corridor.
- L-shape Senior Living: Covered porches or alcove at entry access to corridors. Corridor access is storefront and exit stair door is hollow metal painted to match brick. Aluminum windows at corridors and adjacent spaces.
- U-shape Assisted Living: Covered porches at entry access to corridors. Corridor access is storefront and exit stair door is hollow metal painted to match brick. Aluminum windows at corridors and adjacent spaces.

Rear Elevations:

- Multi-use Commercial/Apartments: Hollow metal doors for commercial space deliveries painted to match brick. Steel Juliette balconies at each apartment. Aluminum windows at apartments.
- L-shape Senior Living: Same as front. Patio adjacent to dining area has partial prefabricated aluminum cover.
- U-shape Assisted Living: Same as front, except with kitchen/dining wing and outdoor patio with picnic shelter and gazebo. Kitchen deliveries occur at rear.

Zoning Information per City Zoning Ordinance

Subsection D Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

See the included rezoning drawings.

Phase 1, Commercial/residential 1.0 acres

Phase 2, Independent living, 2.37 acres

Phase 3, Assisted living, 1.80 acres

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

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

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

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

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

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

[9] a tabulation setting forth:

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

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

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

Area/ Building	Land Area	% of total	Floor Area	F.A.R.	L.S.R.	O.S.R.
Commercial/Residential	1.00	19.34	20,629	0.50	0.34	1.60
Assisted Living	1.80	34.82	43,066	0.55	0.33	0.66
Independent Living	2.37	45.84	41,643	0.40	0.30	0.73
Total	5.17					

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

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

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

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

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

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

*Primary Contact: Eric S. Brock, P.E.
Wiser Consultants, LLC
1427 Kensington Square Court
Murfreesboro, TN, 37130
615-278-1500
esbrock@wiserconsultants.com*

*Applicant: Autumn Plaza Partners
1451 Elm Hill Pike, Suite 317
Nashville, TN 37
931-216-9702
developer contact: Dr. Muralidhar Bethi*

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

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

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

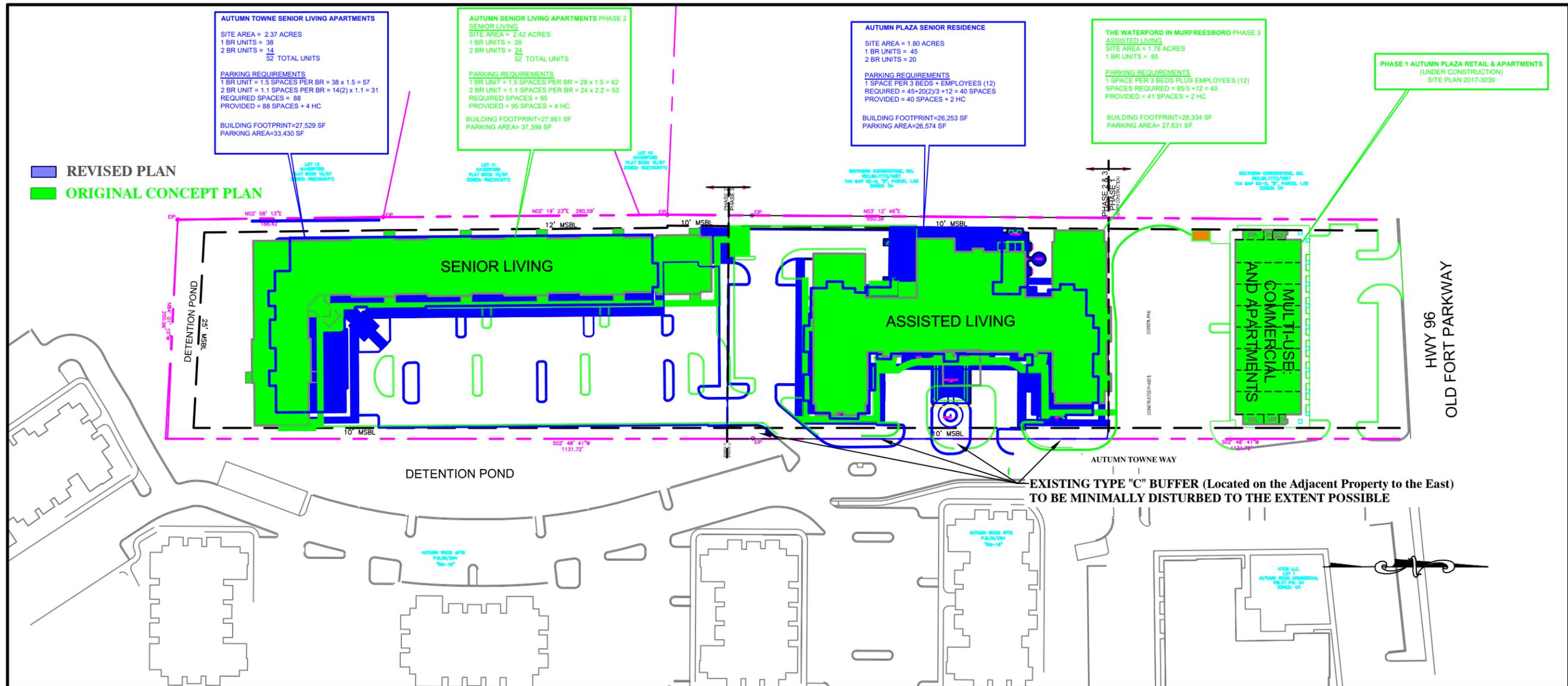
The signage for the site will include separate ground-level entrance signs for each of the three buildings: commercial/residential, assisted living, and senior living.

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

AUTUMN PLAZA-PHASE 2 & 3

130 & 146 AUTUMN TOWNE WAY

AUTUMN TOWNE SENIOR LIVING APARTMENTS & AUTUMN PLAZA SENIOR RESIDENCE



SCALE: 1"=100'

OVERLAY EXHIBIT

PUD (2016-437)

OWNER & DEVELOPER: AUTUMN PLAZA PARTNERS
 CONTACT:
 Dr. Muralidhar Bethi
 1451 Elm Hill Pike, Suite 317
 Nashville, TN 37210
 931.216.9702

DEED REFERENCE:
 Property Address(s): 130 & 146 Autumn Towne Way
 Murfreesboro, TN. 37128
 Tax Map 92
 Parcel 114
 RB 1467 - Pg 3924
 PHASE 2 & 3 SITE AREA = ~4.0 ACRES; TOTAL=5.17 Ac.
 Zoning: PUD
 Old Fort Plaza PUD (2016-437)
 Site Plan (2017-3039)

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

CITY HALL

6:00 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Austin Cooper, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev. Services Exec. Director

Chair Kathy Jones called the meeting to order after determining there was a quorum. Continuing, Chair Kathy Jones announced, as of today, Mr. Greg McKnight has been officially appointed as our Planning Director.

New Business

Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners applicant. Ms. Marina Rush summarized the zoning amendment application from

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

Ms. Rush explained the changes that were being made included the of number of beds for the one-bedroom units and two-bedroom units. These changes would affect the number of parking spaces. Overall, the changes as presented for the two buildings would reduce the parking from 136 parking spaces to 126 parking spaces. This allows more room for buildings and improvements to the buffer along the west property line. Continuing, Ms. Rush explained the revision being made to the architecture would be predominantly brick materials. Staff feels the new architecture is an improved design and would be compatible with the existing building which is currently being

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

completed on this site. In addition, this amendment is consistent with the future land use map and it would not make any changes to the zoning or land use.

Mr. Eric Brock of Wiser Company was in attendance to represent the applicant. He came forward to explain the original zoning which had been approved in 2016. Since then, there had been changes made to the architecture, which produced changes to the shape of the buildings, and the ratio of the bedrooms. He explained how they are working with staff to address changes to the buffer, landscaping, amenities, drainage, and all other staff comments. Mr. Brock made known they would take as much care as possible in preserving the existing mature trees located on this property. In addition, all the proposed buildings would have full access onto Autumn Towne Way.

Chair Kathy Jones commented on the applicant's pattern book on page 13, is the driveway for this site on adjoining property, or is it a public road? Mr. Brock stated the driveway is a private driveway with the existing Autumn Wood Apartments. There is a gate at the end of the driveway for the apartments which includes a joint access easement. Chair Jones wanted to know if the landscaping to be placed in front of the Assisted Living building is on the subject property. In the applicant's pattern book, it appears to be on the adjoining property. Mr. Brock explained the landscaping would be on their property. With their site plan they would be submitting landscaping plans which would provide additional details. Ms. Marina Rush requested for the landscaping to be addressed and revised in the applicant's pattern book. Mr. Brock agreed.

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

Vice-Chairman Ken Halliburton made a motion to approve the zoning application subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

ORDINANCE 20-OZ-08 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to amend the conditions applicable to approximately 5.4 acres in the Planned Unit Development (PUD) District (Old Fort Plaza PUD) located along Old Fort Parkway as indicated on the attached map; Autumn Plaza Partners, applicant [2019-447].

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

SECTION 1. That the same having been heretofore recommended to the City Council by the City Planning Commission, the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as herein referred to, adopted and made a part of this Ordinance as heretofore amended and as now in force and effect, be and the same are hereby amended so as to modify the conditions of the Planned Unit Development (PUD) District, as indicated on the attached map, for the purpose of modifying the site and building design.

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

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

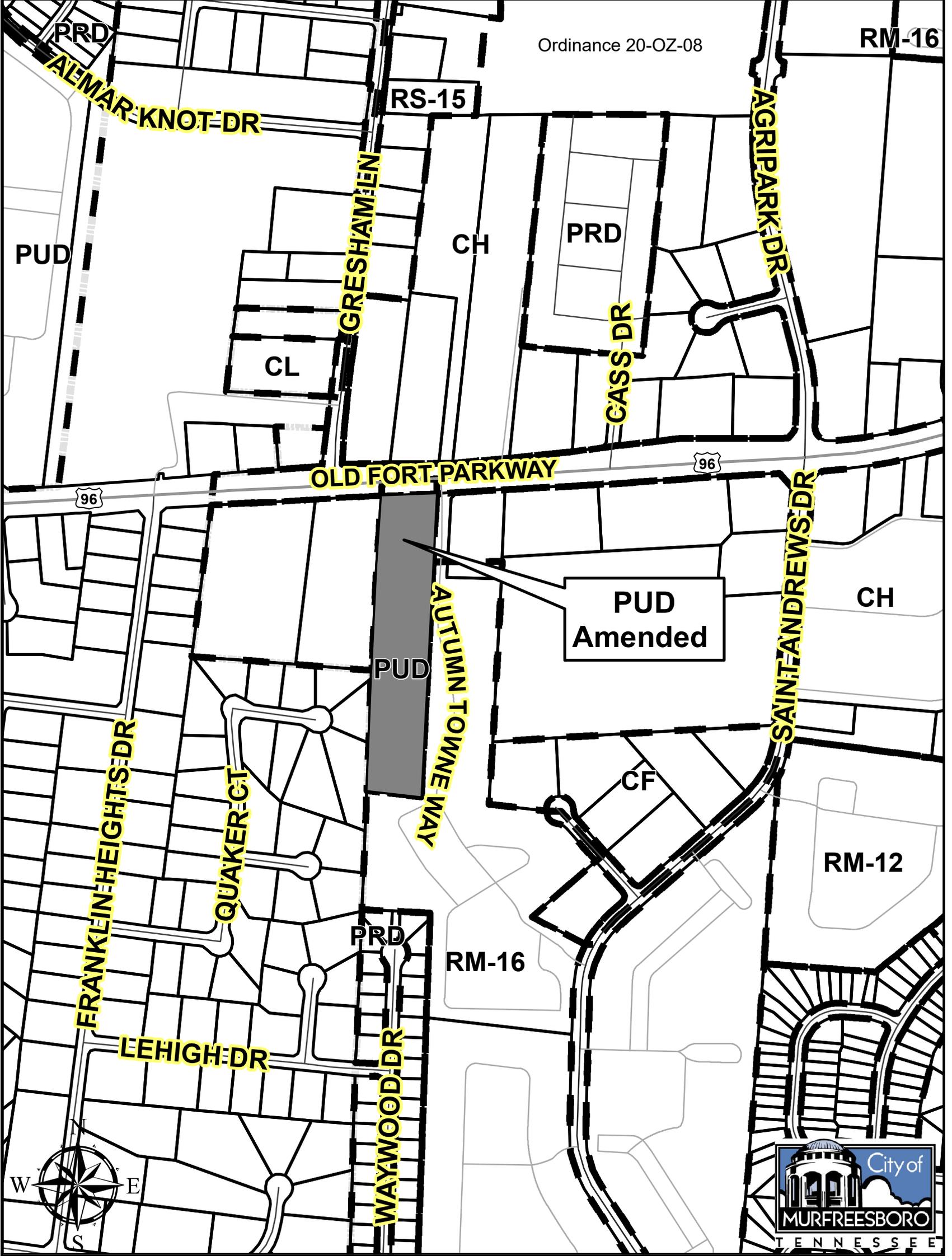
Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

43A2035E51F8401...
Adam F. Tucker
City Attorney

SEAL



PRD

ALMAR KNOT DR

RS-15

GRESHAM LN

AGRIPARK DR

PUD

CH

PRD

CL

CASS DR

OLD FORT PARKWAY

96

96

PUD Amended

CH

PUD

AUTUMN TOWNE WAY

CF

RM-12

FRANKLIN HEIGHTS DR

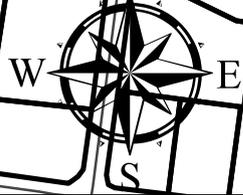
QUAKER CT

PRD

RM-16

LEHIGH DR

WAYWOOD DR



COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

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

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

Rezone approximately 0.36 acres located at the northwest corner of East Vine Street and South Bilbro Avenue.

Staff Recommendation

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

Background Information

Gregg Stanley presented a zoning application [2020-401] for approximately 0.36 acres located at the northwest corner of East Vine Street and South Bilbro Avenue to be rezoned from RS-8 (Single-Family Residential District 8) to PRD (Planned Residential District). During its regular meeting on March 11, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Improve Economic Development

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

Attachments:

1. Ordinance 20-OZ-09
2. Maps of the area
3. Planning Commission staff comments from 03/11/2020 meeting
4. Planning Commission minutes from 03/11/2020 meeting
5. Bilbro & Vine Towns PRD pattern book
6. Other miscellaneous exhibits

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MARCH 11, 2020
PROJECT PLANNER: AMELIA KERR**

3.b. Zoning application [2020-401] for approximately 0.36 acres located along East Vine Street and South Bilbro Avenue to be rezoned from RS-8 to PRD (Bilbro & Vine Towns PRD), Gregg Stanley applicant.

The subject property is located at the northwest corner of East Vine Street and South Bilbro Avenue. The property consists of 2 parcels with 0.36 acres and is identified as Tax Map 91M, Group G, Parcels 14.00 and 15.00. The parcels are currently developed with a single-family dwelling and a non-conforming triplex and are zoned RS-8 (Single-Family Residential District 8). The applicant wishes to rezone the properties to PRD (Planned Residential District). The proposed PRD would consist of a 5-unit townhouse development (Bilbro & Vine Towns PRD). The proposed gross density would be 13.8 dwelling units per acre.

The development would have direct access to East Vine Street via a single access point. No connections to neighboring properties are proposed. The proposed development would include 1 building with 5 three-story townhouse units. All units will have rear-entry, two-car garages and in order to meet the CCO (City Core Overlay) requirement of 10 parking stalls, these garages must be dedicated for the parking of motor vehicles only. The development would include an additional 3 surface parking spaces for residents of the 5 two-bedroom townhomes and their guests. Primary exterior materials would include brick, stone, and cementitious siding. Minimum building setbacks for the development would be 18 feet on the front along both South Bilbro Avenue and East Vine Street, 21 feet on the north side, and 14.3 feet on the west side. The pattern book states that the development will include approximately 35% of the total lot as open space. The site is proposed to contain 5% formal open space consisting of a courtyard seating area with decorative fence along East Vine Street and a stamped concrete patio area with bench seating and a dog run at the rear of the property. The proposed exception to the Zoning Ordinance includes a hedgerow along the sidewalk on South Bilbro Avenue and East Vine Street in lieu of the required 3' base of building planting yard.

Adjacent Zoning and Land Uses

Surrounding zoning includes RS-8 and RS-15 (Single-Family Residential District 15) to the west, RS-8 to the north, RS-8 to the south across East Vine Street, and RS-15 to the east across South Bilbro Avenue. Surrounding land uses primarily include single-family residential and multi-family residential uses. The proposed

development would include a 6' white vinyl privacy fence along both the north and west property lines.

Future Land Use Map

The future land use map contained in the *Murfreesboro 2035 Comprehensive Plan*, which was adopted in July 2017, recommends that the subject property develop with a *Suburban Residential* land use character (see excerpt from the future land use map below). This classification intends to serve as a transition from urban to rural residential development and is predominantly located along the periphery of the City. The comprehensive plan calls out RS-15, RS-12, and RS-10 as existing zoning districts that are compatible with this designation. 2.0-3.54 dwelling units per acre is the recommended density.

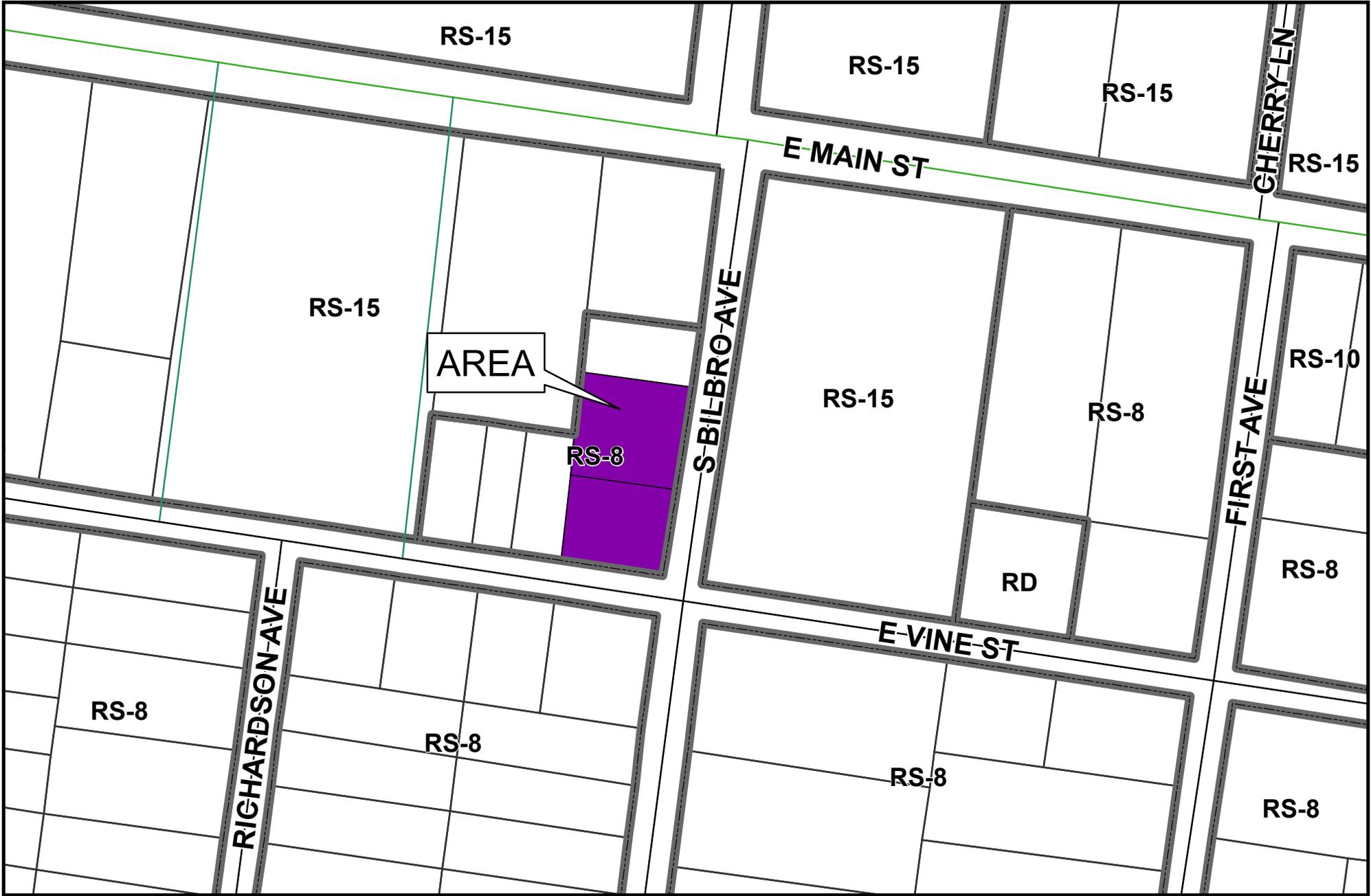


While single-family attached residential uses are consistent with the *Suburban Residential* land use character in certain circumstances, the more intense single-family residential attached use that is proposed -- at 13.8 dwelling units per acre -- is not consistent with the vision for the *Suburban Residential* land use character.

The subject property's current RS-8 zone would allow a slightly higher density than what is recommended with the *Suburban Residential* land use character. In addition, the existing non-conforming triplex is not consistent with the *Suburban Residential* land use character. The development more closely resembles the *Auto Urban (General) Residential* land use character, which is depicted on the future land use map on the adjacent property directly to the northwest, despite the fact that the proposed density exceeds what is recommended for that land use character as well. The characteristics of *Auto Urban (General) Residential* include detached or attached residential dwelling units with compatibility and open space requirements, less openness and separation between dwellings, interior yard consumed by driveway and off-street parking, and a density of 3.54 to 8.64 dwelling units per acre. The Planning Commission will need to determine whether this is an appropriate instance to deviate from the recommendations of the future land use map.

Action Needed

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



Rezoning Request for Property Along South Bilbro Avenue and East Vine Street
 RS-8 to PRD (Bilbro & Vine Towns PRD)



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



Rezoning Request for Property Along South Bilbro Avenue and East Vine Street
 RS-8 to PRD (Bilbro & Vine Towns PRD)



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



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

Creating a better quality of life

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

Procedure for applicant:

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

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

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

To be completed by applicant:

APPLICANT: HUDDESTON-STEEL ENGINEERING

Address: 2115 N.W. PROVO STREET City/State/Zip: MURFREESBORO TN 37129

Phone: 615.893.4084 E-mail address: roundtree.associates@yahoo.com

PROPERTY OWNER: NILEWOOD ENTERPRISES

Street Address or property description: 1416 GRAYBAR LN.

and/or Tax map #: 091M Group: G Parcel (s): 01500 & 01400

Existing zoning classification: RS-8

Proposed zoning classification: PRD Acreage: .36 ±

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

CLYDE ROUNTREE OF HUDDESTON-STEEL ENG.

E-mail: REPRESENTING MR. LOREUB STANLEY

APPLICANT'S SIGNATURE (required): Clyde Rountree

DATE: 1-16-2020

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

Date received: _____ MPC YR.: _____ MPC #: 2020-401

Amount paid: 950.00 Receipt #: 293637

Bilbro & Vine Towns

PLANNED RESIDENTIAL DEVELOPMENT

SHEET INDEX

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

Plans Prepared By:

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

SUBMITTED FOR THE MAY 7, 2020 CITY COUNCIL PUBLIC HEARING

Development Team & Project Summary

Bilbro & Vine Towns

PLANNED RESIDENTIAL DEVELOPMENT

The Bilbro & Vine Towns are a new townhouse development located a few minute walk from the MTSU. campus. The subject property is currently zoned RS-8 within the CCO, and consists of .36 acres. The proposed Bilbro & Vines Towns will be a five home development and will have two bedrooms with a minimum size of 1000 square feet. The homes will be three story structure with architecturally interesting facades.

The homes will be brick, cementitious siding, and stone. The homes will have asphalt shingle roofing, with aluminum trim and vinyl soffits. The townhome building with sides of the building facing the public right-of-way will have architectural details that will give the impression of a front facade through the use of additional windows, shutters and masonry details. The development will have a formal open space and dog run area. The homes will have rear entry garages with all parking being accessed in the rear of the building. A privacy fence will be build to screen the parking area from the rear and side of the building.

Owner/ Developer

Gregg Stanley
2501 Park Place
Nashville, TN. 37203

Architecture

Micheal Picklesimer
1817 Holloway Circle
Murfreesboro, TN. 37129

PROJECT SUMMARY

HOME TYPE	SIZE	STORY	MATERIALS	BEDROOMS	PARKING	PARKING SPACE WIDTH	SPACES REQUIRED/ PROVIDED
Townhome	1000 S.F. (Min)	3 Story	Brick Stone	5 - 2 Bedrooms	Garage/Surface	Parallel	11 Required / 13 Provided

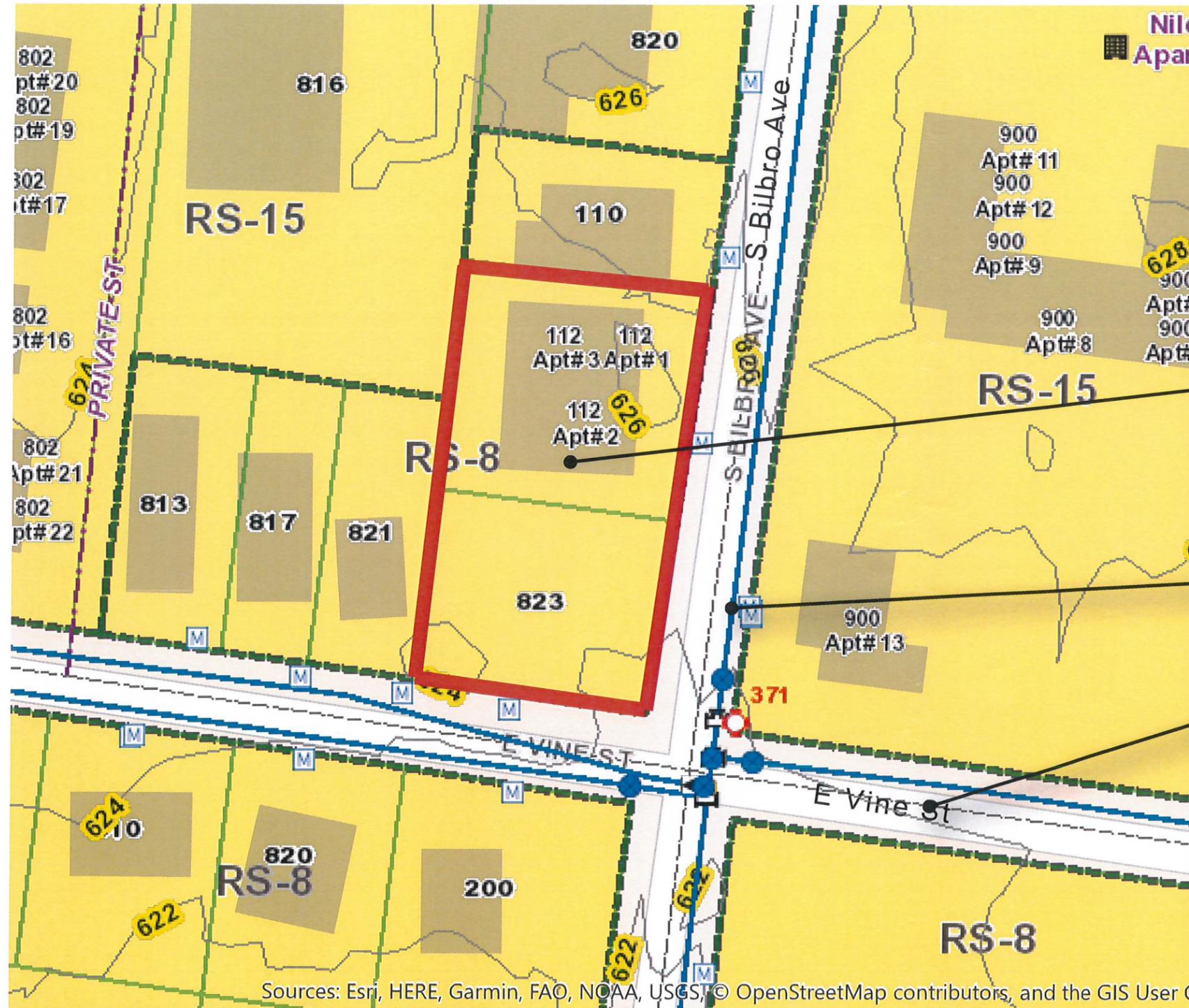
Planning and Engineering

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

Zoning Map

Bilbro & Vine Towns

PLANNED RESIDENTIAL DEVELOPMENT



The subject property is zoned RS-8.

The property is surrounded by RS-15 to the east, RS-15 and RS-8 zoning on the west, and RS-15 and RS-8 to the north and RS-8 to the south.

The subject property is proposed to be rezoned

SITE

South Bilbro Avenue

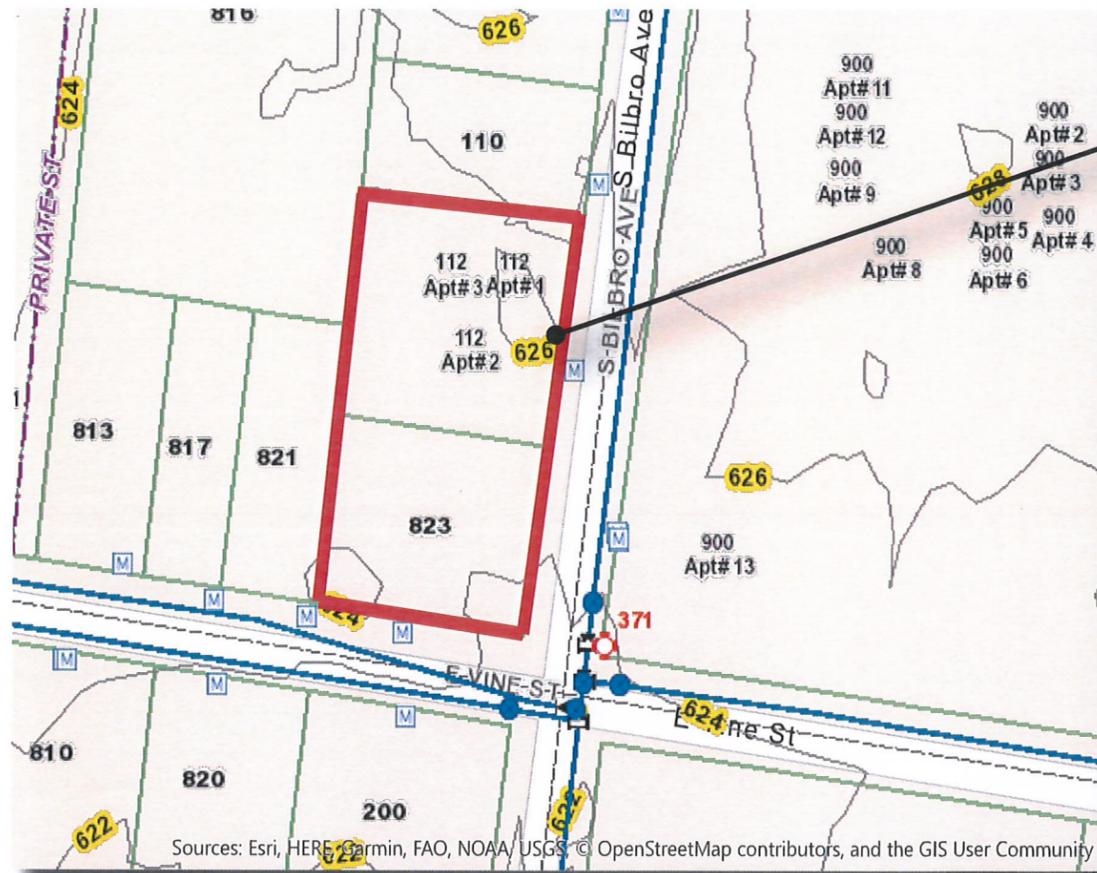


East Vine Street

Utility Map

Bilbro & Vine Towns

PLANNED RESIDENTIAL DEVELOPMENT



Water Line Location Map

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

SITE

The subject property utility providers:

Water is provided by Murfreesboro Water Resources.

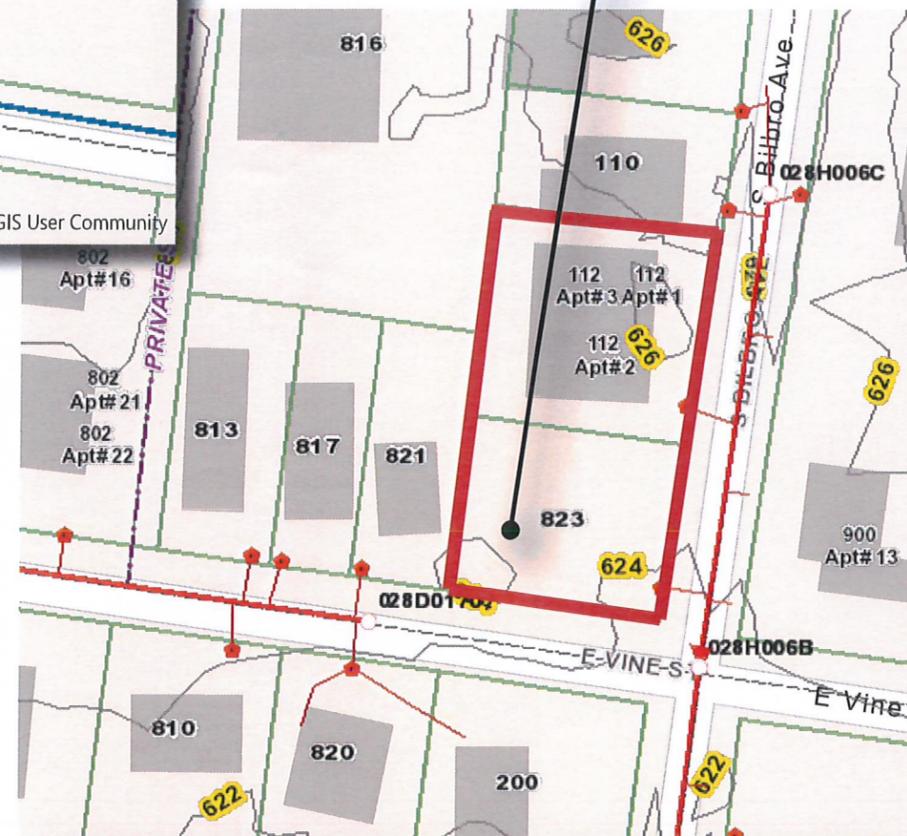
Electric is provided by Murfreesboro Electric Department.

Sewer is provided by Murfreesboro Water Resources.

LEGEND

Water 

Sewer 



Sewer Line Location Map

Aerial Map

Bilbro & Vine Towns PLANNED RESIDENTIAL DEVELOPMENT



This aerial photograph shows the subject site embedded in an existing neighborhood. The subject property is less than a few blocks away from MTSU.

South Bilbro Avenue

Site

North Maple Street

Existing homes to be removed

Aerial Location Map

Existing Conditions

Bilbro & Vine Towns

PLANNED RESIDENTIAL DEVELOPMENT



A Neighboring property to the north



B Home to be removed



C View of property across street at an angle

Existing Conditions

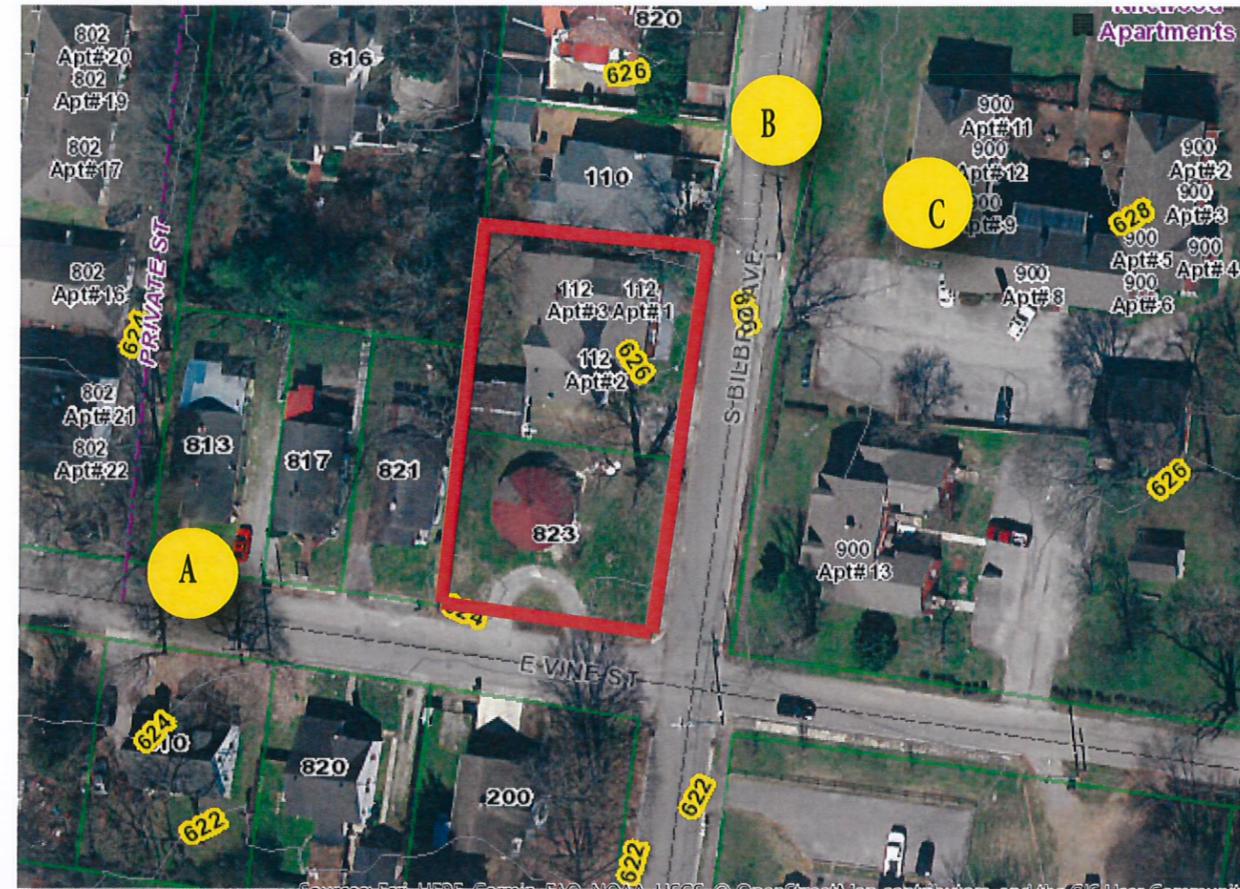
Bilbro & Vine Towns

PLANNED RESIDENTIAL DEVELOPMENT



A

Apartments a block down East Vine Street towards downtown



B

View down South Bilbo

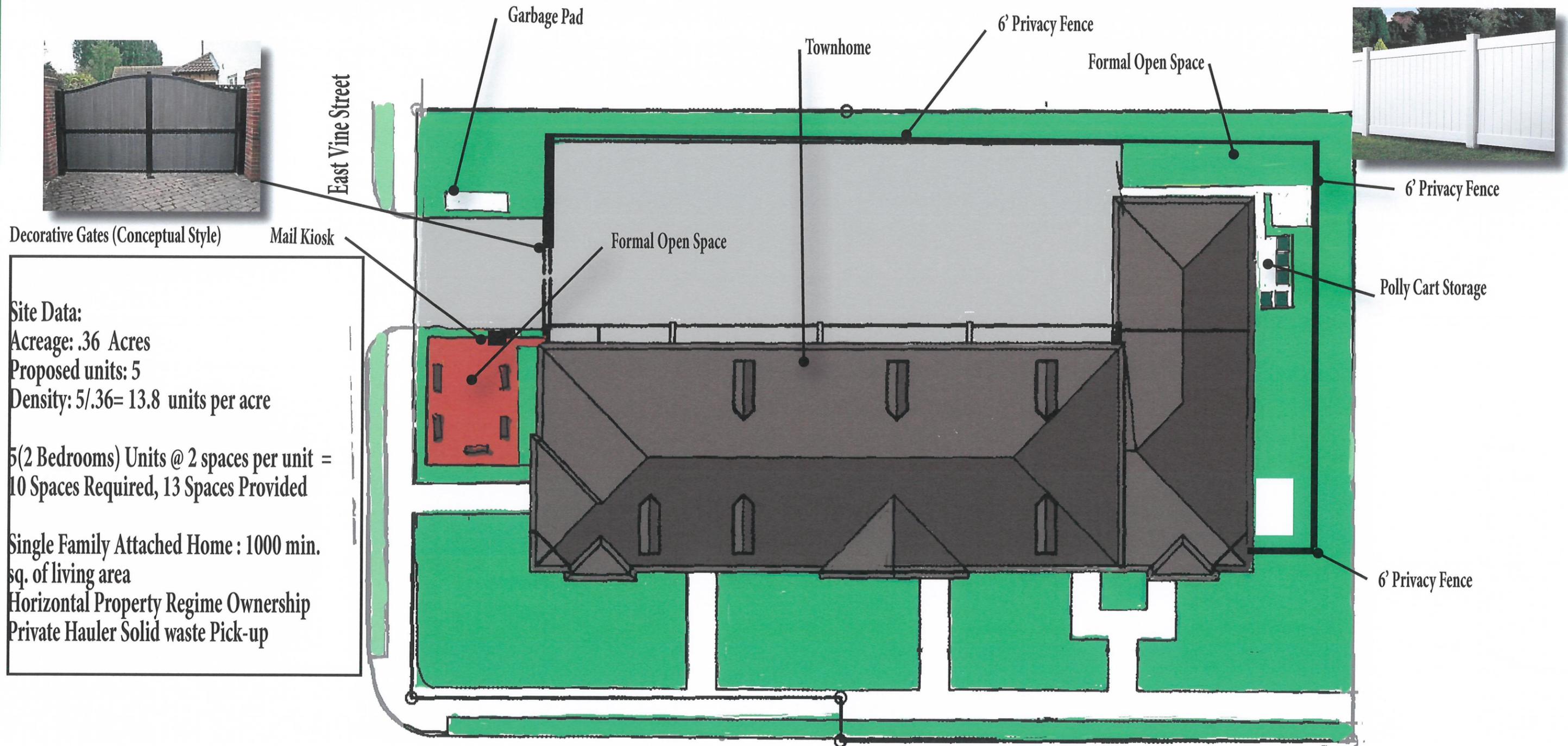


C

View of apartment building across from subject property

Site Plan

Bilbro & Vine Towns PLANNED RESIDENTIAL DEVELOPMENT



Decorative Gates (Conceptual Style) Mail Kiosk

Site Data:
 Acreage: .36 Acres
 Proposed units: 5
 Density: $5 / .36 = 13.8$ units per acre

5(2 Bedrooms) Units @ 2 spaces per unit =
 10 Spaces Required, 13 Spaces Provided

Single Family Attached Home : 1000 min.
 sq. of living area
 Horizontal Property Regime Ownership
 Private Hauler Solid waste Pick-up

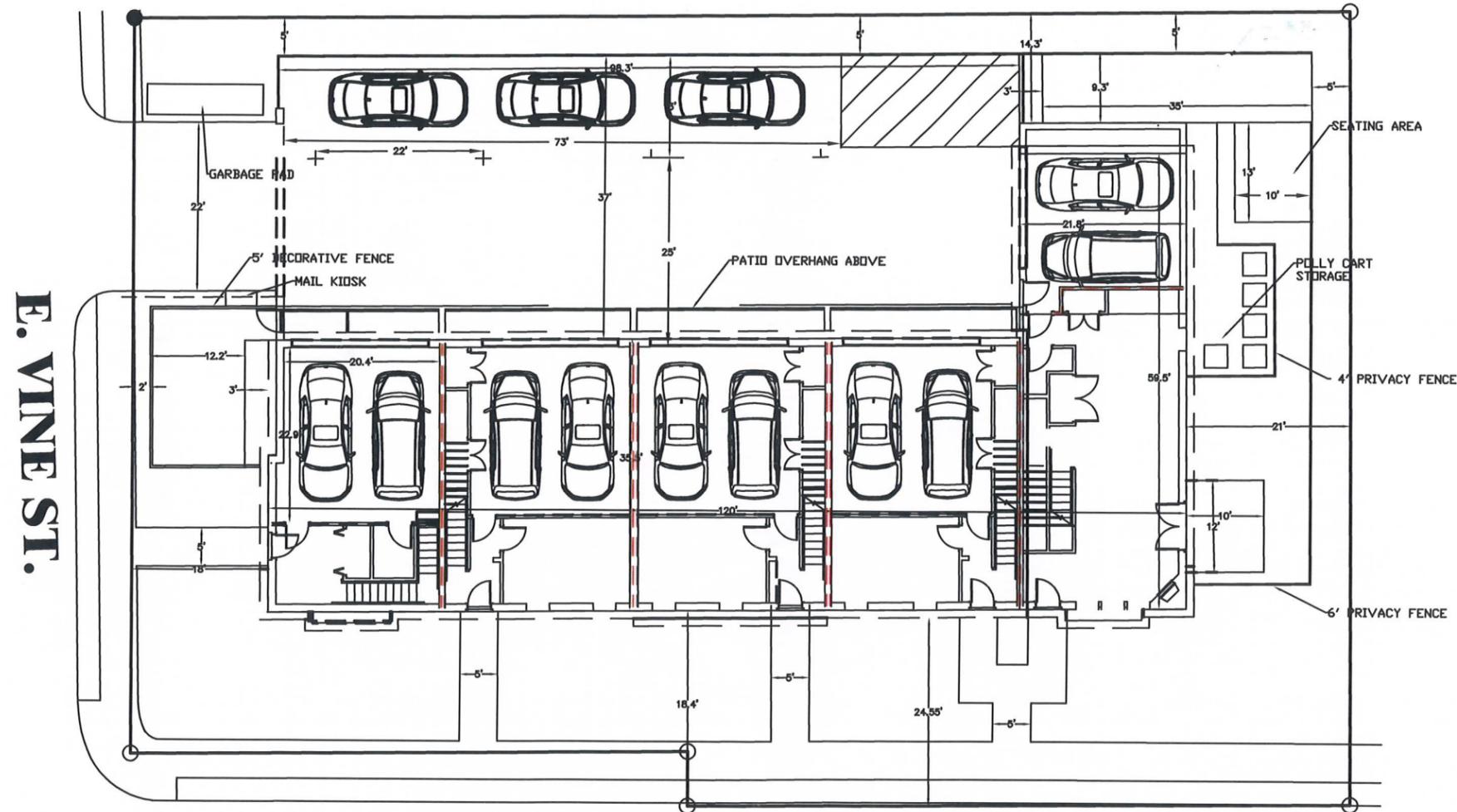
CPTED principles will be applied to the extent that developer is able. Natural surveillance will be assisted by the visual open quality of the project. The access points are well defined and easy to see. Territorial reinforcement will be established through the utilization of consistency in the landscaping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

South Bilbro Avenue



Site Plan (with Dimensions)

PLANNED RESIDENTIAL DEVELOPMENT



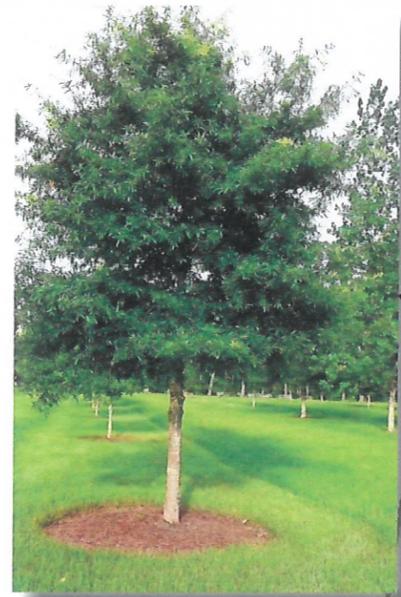
S. BILBRO AVE.

SITE PLAN

SCALE: 1" = 20'

Conceptual Landscape Plan

6' Privacy Fence

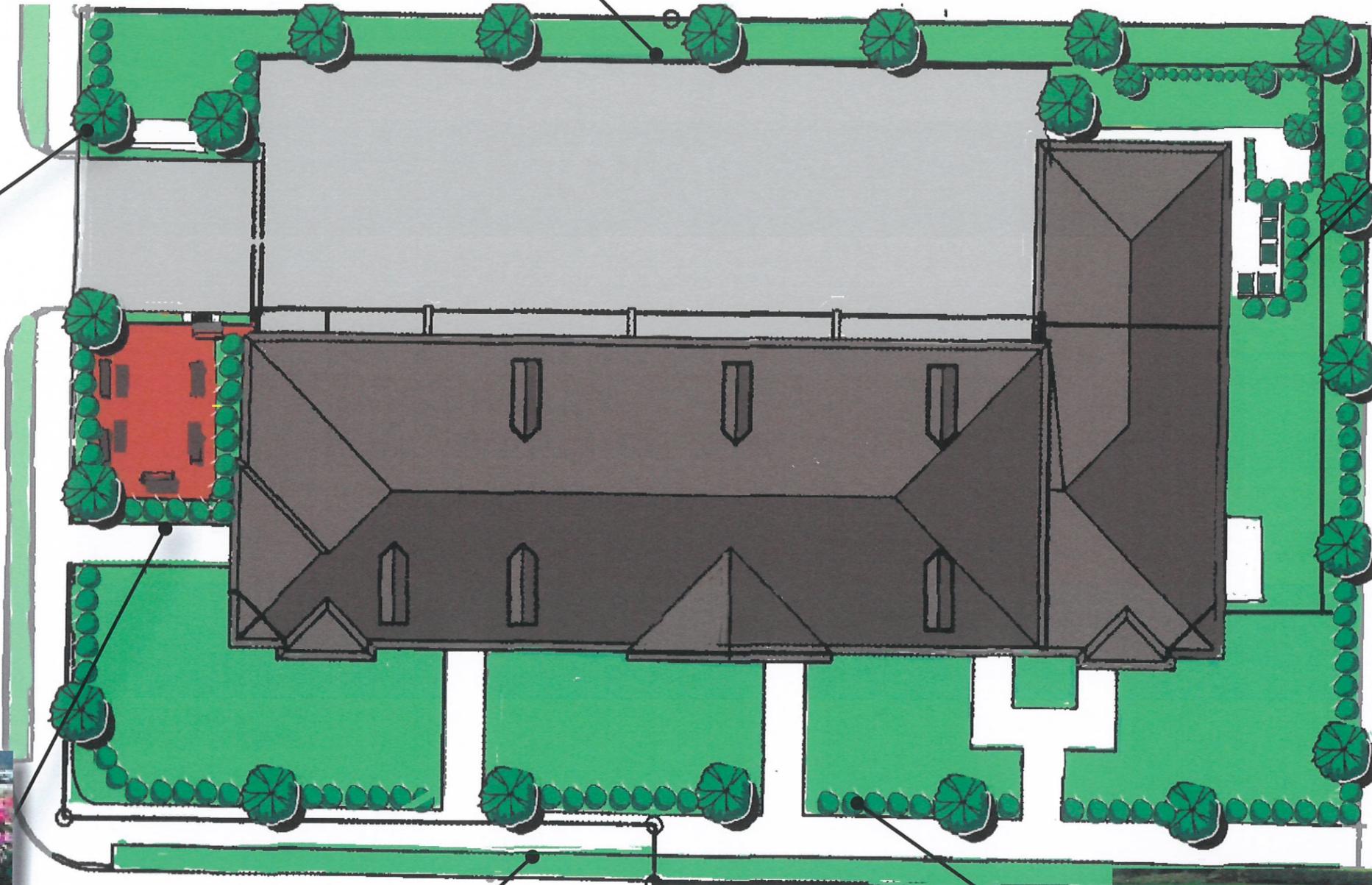


Shade Tree

E. VINE ST.



Screening Shrub



NORTH



Foundation Planting

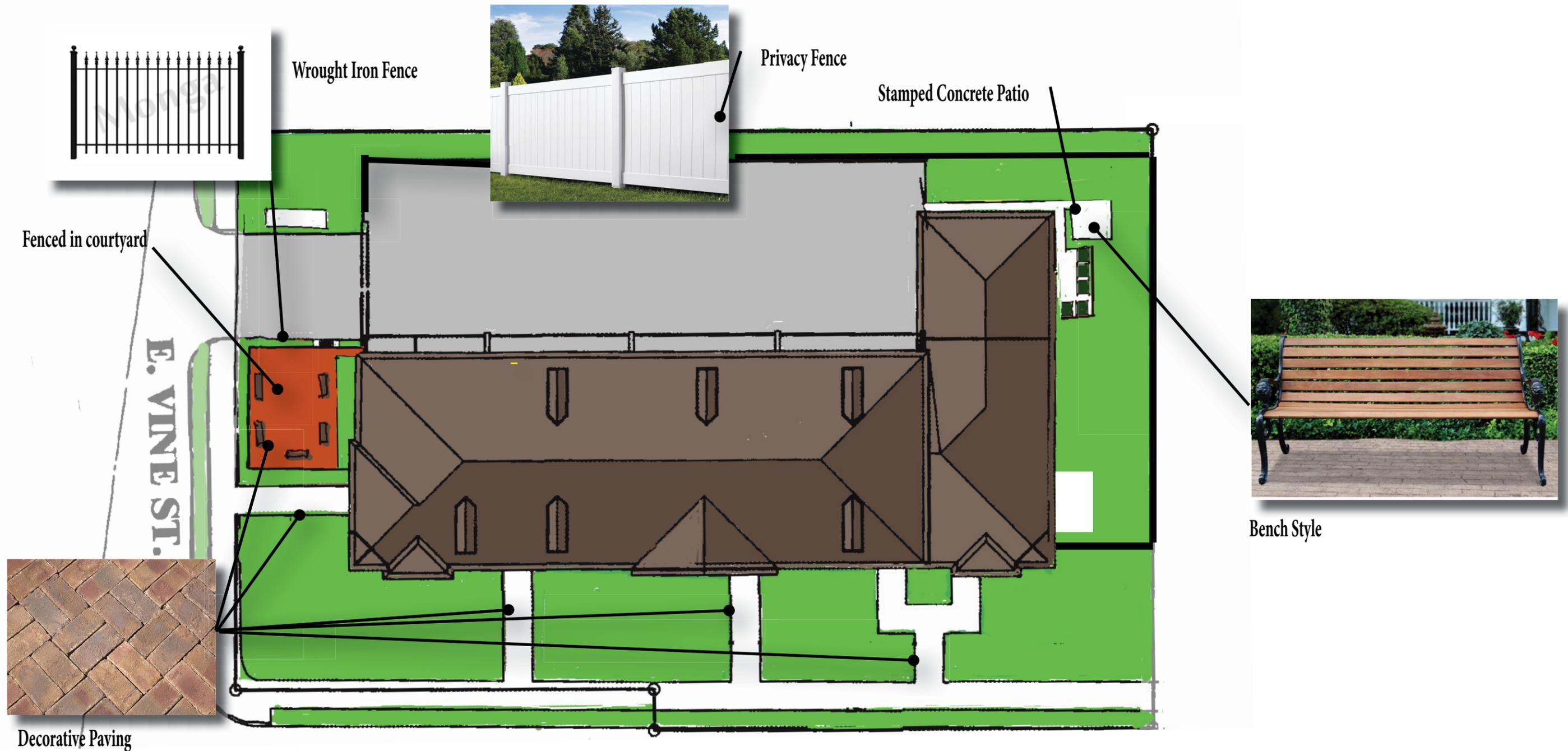
Note: Sidewalk easement to be dedicated to the City of Murfreesboro

Hedge row along front sidewalks on East Vine and South Bilbro



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

Open Space / Amenities



Formal open space provides a more structured environment and is quantified by 5% of the site which is approximately 794 square feet. The formal open space consist of two seating area and a dog run for the residents to socialize while watching their dogs play. The second seating area is an elegant courtyard along East Vine Street.

Development Standards

Development Standards:

Development will include four 3-story tall residential townhomes

The maximum building height of 50'-0"

All units will be 2 bedroom

The units will have 13 parking spaces

Solid waste will be through a private hauler with polly carts

Sidewalks will be provided on both South Bilbro Avenue and East Vine Street

All site utilities will be underground

No identification signage will be associated with this development

The development will be managed by an H.O.A.

Mail delivery will be accommodated via a mail kiosk

Common open space will be maintained by an H.O.A.

All townhomes owners will be required to be a member of the H.O.A.

The garages are to meet minimum parking requirements and the H.O.A. documents must include language that states the garages are to be used for parking of vehicles at all times and may not be used primarily for household storage

All parking will be screened from the public right-of-way by privacy wall

Buildings elevations will have well articulated front elevations with details responding to the scale of the neighborhood

Parking will comply with the Murfreesboro City Core Regulations of two parking spaces per dwelling unit with two or more bedrooms

Telecommunication and television equipment shall be located of the rear of the proposed buildings

AC units are to be mounted off of the rear of the building

Building Elevation Materials:

Brick

Fiber cement board

Stone

Vinyl trim and soffit

Allowable Uses:

There will be no other allowable uses permitted with the PRD

SETBACKS TABLE				
SETBACKS	RS-A3	PRD	DIFFERENCE	CCO
FRONT SETBACK (BILBRO)	20'	18'	(-) 2	30'***
SIDE SETBACK (EAST VINE)	5'	18'	(+) 13'	5'
SIDE SETBACK (SOUTH)	5'	14.3'	(+) 9.3'	
REAR SETBACK (WEST)	20'	14.3'	(-) 9.3"	20'
HEIGHT	42'*	39'	(-) 5.7'	2 Stories**
DENSITY		12	13.8	(+) 1.8'

The following standards shall apply to developments in the RS-A district for Type 3 (Urban Townhouse) developments:

* Maximum building height shall be 42 feet or three stories, whichever is less

** CCO height for principle building. A principal building in the CCO district shall have a height no greater than fifty (50) percent over the highest adjacent building. However, a principal building shall be permitted to have a height of two (2) stories, regardless of the height of adjacent buildings.

***CCO setback note - structure shall be built to the average front setback of all structures on the same block face, provided that no structure shall be built more than (30) feet behind the property line.

Planned Development Criteria & 2035 Plan

General Applicability Per Section 13 - Planned Development Regulations

1. Ownership and division of land: *The site is owned by the developer identified on Sheet 1, The lot is currently zoned RM-12 in the City of Murfreesboro.*
2. Waiver of BZA action: *No BZA actions will be required.*
3. Common open space: *5454 s.f. area will be common open space with 794 s.f. of formal open space encompassing two patio areas.*
4. Accessibility to site: *The property is accessible from East Vine Street.*
5. Off street parking. *See Sheet 8 for parking calculations*
6. Pedestrian circulation: *Sidewalks will be construction on the subject property on both South Bilbro Avenue and East Vine Street*
7. Privacy and screening: *A privacy fence will separate the rear parking area from the view of the adjacent neighbors.*
8. Zoning and subdivision modifications proposed: *A PRD is being requested for the subject property.*
9. Phasing: *The project shall be completed in one phase.*
10. Annexation: *No annexation is required for this site.*
11. Landscaping: *The townhome development will be designed to meet all minimum landscaping requirements outlined in Section 27 of the Zoning Ordinance. The quantities will be consistent with Section 27, however we are requesting to pull the landscaping out to the sidewalk in lieu of having foundation planting.*
12. Major Thoroughfare Plan: *The PRD is not impacted by the Major Transportation Plan.*
13. Applicant contact information: *Contact information is located on Sheet 1.*



Section 13 – Project Development Criteria Requirements

1. Identification of existing utilities: *Shown in pattern book on Sheet 3*
- 2/3. Graphics, renderings, maps and or aerial photography showing existing conditions and natural features of the site: *Shown in pattern book Sheet, 5 - 7.*
- 4/5. Drawing and/or diagrams identifying areas of development, proposed buildings, screening, proposed landscaping and pedestrian and vehicular circulation: *Shown in pattern book Sheet 8-11.*
6. Development schedule: *Construction is projected to begin once all zoning and site planning is approved by the City.*
7. Relationship of the planned development to current city policies and plans: *The development is consistent with the growth in the area. The land use is inconsistent with the “Suburban Residential” designation however the density is higher than is recommended in the 2035 plan. The density requested would be more consistent with the “Urban Auto” classification. The five units being proposed are consistent with the development patterns of the existing neighborhood. We also desire to deviate from the foundation planting requirement and move the the same quantity of landscaping out to the property line on both street frontages in order to give the building a more traditional look.*
8. Proposed deviation from zoning and subdivision ordinance: *#1 Requesting not to provide base of building planting yard and instead plant a row of hedges behind the sidewalk on both front yards. #2 Garages to be used for total parking requirement. #3 Ridge line of building is upwards of 48’, however the calculated building height is 39’ (as per table Appendix A-Zoning) (Figure 1) Illustrations of Building Height. #4 See sheet 13- “Setback Table.”*
9. Site tabulation data for land area, FAR, LSR, and OSR:

SITE DATA		
Total Land Area	15683 SF	
Total Open Space	Required: 3,136 SF	Provided: 5454 SF
Formal Open Space	Required: 784 SF	Provided: 794 SF
Total Impervious	8625 SF	
Total Pervious	7058 SF	
F.A.R.		0.88
L.S.R.		1.02
O.S.R.		1.13

10. The nature and extent of any overlay zones as described in Section 24 and 34: *The proposed development is in the City Core Overlay. The “Setback Table” on Sheet 13 shows the exceptions to the CCO standards we are requesting.*

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

CITY HALL

6:00 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Austin Cooper, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev. Services Exec. Director

Chair Kathy Jones called the meeting to order after determining there was a quorum. Continuing, Chair Kathy Jones announced, as of today, Mr. Greg McKnight has been officially appointed as our Planning Director.

New Business

Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners applicant. Ms. Marina Rush summarized the zoning amendment application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Rush explained the changes that were being made included the of number of beds for the one-bedroom units and two-bedroom units. These changes would affect the number of parking spaces. Overall, the changes as presented for the two buildings would reduce the parking from 136 parking spaces to 126 parking spaces. This allows more room for buildings and improvements to the buffer along the west property line. Continuing, Ms. Rush explained the revision being made to the architecture would be predominantly brick materials. Staff feels the new architecture is an improved design and would be compatible with the existing building which is currently being

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

Zoning application [2020-401] for approximately 0.36 acres located along East Vine Street and South Bilbro Avenue to be rezoned from RS-8 to PRD (Bilbro & Vine Towns PRD), Gregg Stanley applicant. Ms. Amelia Kerr summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree of Huddleston-Steele Engineering, Mr. Gregg Stanley, and Mr. Michael Picklesimer, the architect, were in attendance to represent the application. Mr. Clyde Rountree came forward to begin a PowerPoint presentation from the pattern book. He explained the style of the development would be like the existing properties within this area. Continuing, Mr. Rountree made known they had discussions with the property owner who resides north of this project to address their concerns such as the scale of the building, the lighting, the formal open space area, and the dog run. Mr. Rountree stated the dog run area may be removed to prevent any issues regarding noise with the residential properties. Also, they have made the commitment for the garages to be used for vehicular use only. The parking area would be enclosed with a perimeter fence for privacy. The landscaping in front of the structure would be pulled away from the foundation towards the road with a boxwood hedge.

Mr. Michael Picklesimer came forward to address the proposed architecture. He began to describe the front of the building facing Bilbro and that it was designed to appear similar as the larger homes along East Main Street instead of as traditional townhomes. The materials include a stone base and two different primary brick colors with offsets across the front. Along the backside of the building above the garages would be fiber cement board siding. Along the north side of the building they have scaled down to two stories to be similar to the existing adjoining residential property.

Chair Kathy Jones opened the public hearing.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

1. **Mr. Ron Taylor, 816 East Main Street** – came forward to make known he loved the proposal and welcomed this type development in their neighborhood. He hopes this will begin a positive impact to development within the downtown area. He thanked the Planning Department and the Planning Commission for their approval of this request.

Chair Kathy Jones closed the public hearing.

Mr. Eddie Smotherman made a motion to approve the zoning application, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

Zoning application [2019-434] for approximately 2.42 acres located along East College Street, North Spring Street, East Lytle Street, and North Church Street to be rezoned from OG-R to PUD (One East College PUD), 705 4th Avenue South Holding Company applicant.

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

Mr. Matt Taylor (the design engineer), Mr. Brian Davis (the applicant's representative), Mr. Bart Kline (the project architect), Mr. Jeff Reed (the applicant's attorney), and Mr. John Harney (the applicant's representative) were in attendance to represent the application. Mr. Matt Taylor came forward to begin a PowerPoint presentation from the pattern book. He stated that this project had been discussed for several years since the City of Murfreesboro purchased the property from the previous owners. Continuing, Mr. Taylor provided the following additional details:

- 490,000 square-foot proposed buildings on 2.42 acres
- Pedestrian Plazas
- 627 Parking Spaces
- Parking Garage
- Limited Access Points
- Office/Retail Building
- 110 Room Hotel
- 156 Residences
- Existing Church Building to Remain
- Owners' Association

ORDINANCE 20-OZ-09 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 0.36 acres along East Vine Street and South Bilbro Avenue from Single-Family Residential Eight (RS-8) District to Planned Residential Development (PRD) District (Bilbro & Vine Towns PRD); Gregg Stanley, applicant [2020-401].

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

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

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

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

43A2035E51F9401
Adam F. Tucker
City Attorney

SEAL

Ordinance 20-OZ-09

RS-15

RS-15

RS-15

N BILBRO AVE

E MAIN ST

RS-15

Area Rezoned
From RS-8 to PRD

RS-8

S BILBRO AVE

RS-15

RS-8

RD

E VINE ST

RS-8

RS-8

RS-8

RICHARDSON AVE



COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Rezoning property along East College Street and North Church Street
[Public Hearing Required]

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

Rezone approximately 2.42 acres located along East College Street, North Church Street, East Lytle Street, and North Spring Street.

Staff Recommendation

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

The Planning Commission recommended approval of the rezoning.

Background Information

705 4th Avenue South Holding Company presented a zoning application [2019-434] for approximately 2.42 acres located along East College Street, North Church Street, East Lytle Street, and North Spring Street to be rezoned from OG-R (General Office District - Residential) and CCO (City Core Overlay District) to PUD (Planned Unit District) and CCO. During its regular meeting on March 11, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Improve Economic Development

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

Establish Strong City Brand

The development that this rezoning will enable will continue to strengthen the identity of the City's downtown as a destination for living, working, and playing, consistent with the vision adopted by the City in the North Highland Avenue and Historic Bottoms planning studies.

Expand Infrastructure

The proposed development includes the construction of a parking garage as well as on-street parking in order to provide the downtown with additional parking infrastructure

to continue to accommodate the demand for parking as the downtown grows and develops.

Maintain Public Safety

The proposed development sets aside space inside of the retail/office building for a police precinct, which will continue to enable a police presence in and around the downtown.

Attachments:

1. Ordinance 20-OZ-10
2. Maps of the area
3. Planning Commission staff comments from 03/11/2020 meeting
4. Planning Commission minutes from 03/11/2020 meeting
5. One East College PUD pattern book
6. Other miscellaneous exhibits

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MARCH 11, 2020
PROJECT PLANNER: AMELIA KERR**

3.c. Zoning application [2019-434] for approximately 2.42 acres located along East College Street, North Spring Street, East Lytle Street, and North Church Street to be rezoned from OG-R to PUD (One East College PUD), 705 4th Avenue South Holding Company applicant.

The subject property is located in the 100 block of East College Street and North Spring Street. The property is approximately 2.42 acres and is identified as Tax Map 091K, Group G, Parcels 8.00, 8.01 and 9.00 and is developed with the former location of First United Methodist Church/Franklin Synergy Bank. The property is presently zoned OG-R (General Office - Residential District) and CCO (City Core Overlay District), as shown on the attached map. The applicant wishes to rezone the property to PUD (Planned Unit District). The proposed PUD (One East College PUD) would be constructed in 5 phases and would consist of a mix of uses, including residential living, office, hotel, retail, restaurants, a parking garage, and refurbishing the existing church sanctuary and bell tower as an event space or restaurant. The zoning request will not remove the property from the CCO.

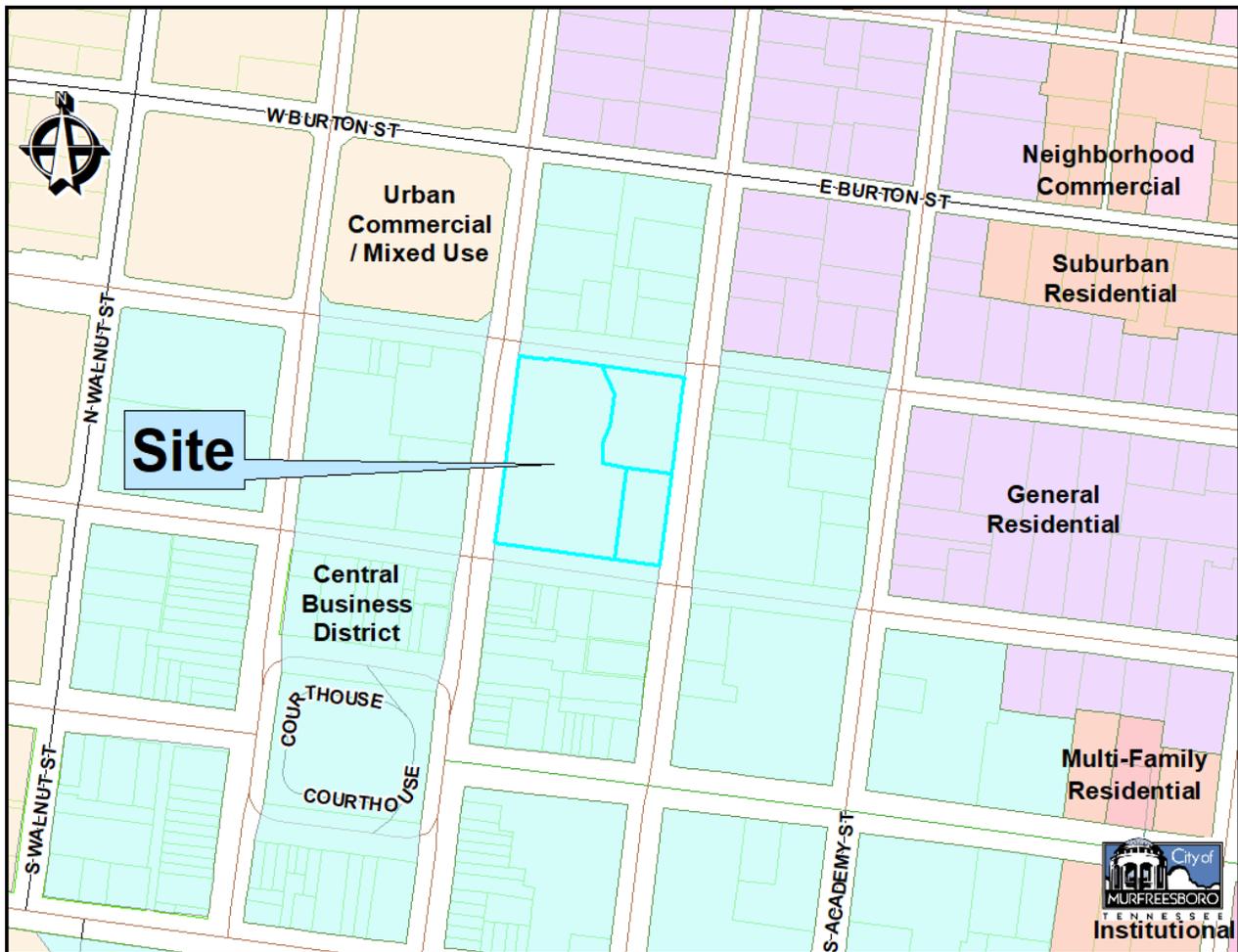
The proposed development would include one 56,215 square-foot, 4-story mixed use building for retail, restaurants, and a small police precinct on the street level and offices on the upper three floors. The proposed development also includes a 6-story, 110-room hotel building with 54,273 square-feet of area including some retail on the first floor. The proposed parking garage building is 8.5 stories, including one parking level below grade and consists of 627 required parking spaces including on-street parking and handicapped spaces. The parking garage will be surrounded with five stories of residential dwelling units with an additional four stories of penthouse residential dwelling units on top of the parking garage along East Lytle Street, for a total of 156 1-bedroom, studio, 2-bedroom, and 3-bedroom dwelling units with total square footage of 185,634 and a density of 64.64 dwelling units per acre. The First United Methodist Church sanctuary and bell tower will be restored and repurposed. The proposed amenities for the residential buildings will include a fitness center and clubhouse for the dwelling units surrounding the parking garage and a roof top terrace for the penthouse dwelling units. Amenities also include a gated dog park between the hotel and residential buildings and gated promenade with green space and seating area for residents between the retail/office building and the residential building. Public amenities would include a public outdoor plaza and bicycle parking racks.

Adjacent Zoning and Land Uses

The subject property is surrounded to the south and west with the CBD (Central Business District) with multiple businesses, offices, restaurants, and the Center for the Arts. Properties to the north and east are zoned OG-R -- to the north consists of a mixture of residential uses and small businesses and to the east are small businesses and the location of the First Presbyterian Church. The Rutherford County Judicial Building lies to the northwest and is zoned PND (Planned Institutional District) and the southeast corner adjacent to the subject property is zoned CH (Commercial Highway District).

Future Land Use Map

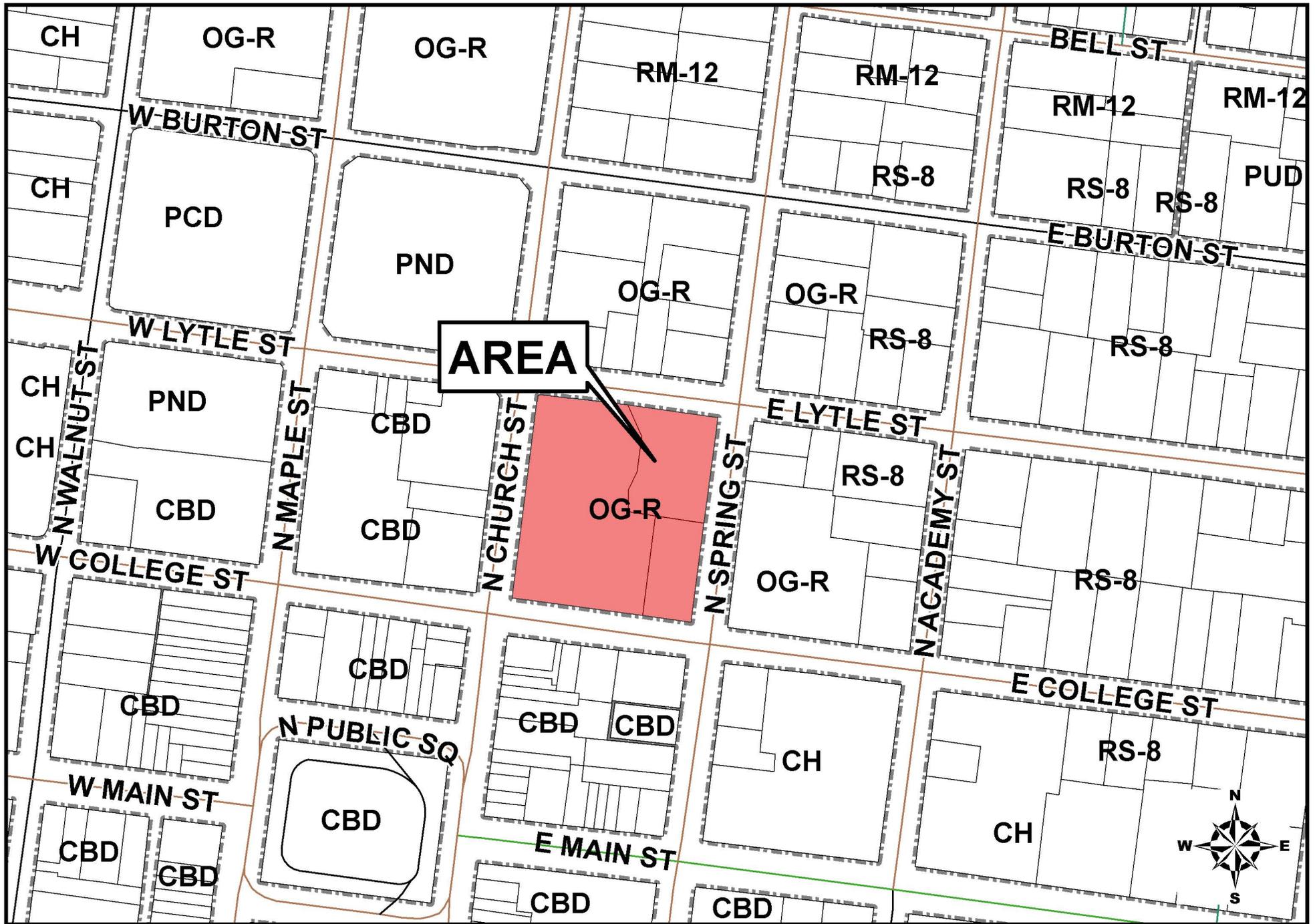
The future land use map of the *Murfreesboro 2035 Comprehensive Plan*, which was adopted in July 2017, recommends that *Downtown Mixed-Use Central Business District* is the most appropriate land use character for the subject property, as shown on the map below.



Compatible existing zoning districts are CBD (Central Business District), MU (Mixed-Use District), and PUD (Planned Unit District). Examples of development types in the *Downtown Mixed-Use Central Business District* land use character include “an active mix and concentration of uses and public gathering/event spaces in a main street setting.” Recommended allowable uses included “multi-family residential uses, entertainment, restaurants, department stores, and other retail, general and professional offices, and hotels.” This land use character is also characterized by “streets and other public spaces framed by buildings with zero/minimal front setbacks, creating architectural enclosure.” It is Staff’s opinion that the proposed zoning request is consistent with the recommendation of the future land use map of the *Murfreesboro 2035 Comprehensive Plan*.

Action Needed

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



Zoning Request for Property Along East College Street,
 North Church Street, North Spring Street & East Lytle Street
 OG-R to PUD (One East College PUD)



T E N N E S S E E

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



Zoning Request for Property Along East College Street,
 North Church Street, North Spring Street & East Lytle Street
 OG-R to PUD (One East College PUD)



T E N N E S S E E

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



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

Creating a better quality of life

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

Procedure for applicant:

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

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

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

To be completed by applicant:

APPLICANT: 705 4th Avenue South Holding Company c/o Brian Davis

Address: 217 ward Circle City/State/Zip: Brentwood, TN 37027

Phone: 615-376-1110 x 1580 E-mail address: bndavis@trccsi.com

PROPERTY OWNER: 705 4th avenue south holding company

Street Address or property description: The block between E. Lytle, N. Church, E College, and N. Spring St

and/or Tax map #: 91K Group: G Parcel (s): 8.00, 8.01, 9.00

Existing zoning classification: OG-R

Proposed zoning classification: PUD Acreage: _____

Contact name & phone number for publication and notifications to the public (if different from the applicant): Matt Taylor 615-890-7901

E-mail: mtaylor@sec-civil.com

APPLICANT'S SIGNATURE (required): 

DATE: 9-12-19

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

Date received: _____ **MPC YR.:** _____ **MPC #:** 2019-434

Amount paid: 950.00 **Receipt #:** 293626

ONE EAST COLLEGE

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



Initial Submittal January 16, 2020
 Resubmitted February 7, 2020 for the February 19, 2020 Planning Commission Workshop
 Resubmitted March 4, 2020 for the March 11, 2020 Planning Commission Public Hearing
 Resubmitted March 11, 2020 for the March 11, 2020 Planning Commission Public Hearing
 Resubmitted April 15, 2020 for the May 7, 2020 City Council Public Hearing

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SEC Project #18060

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

850 Middle Tennessee Blvd.
 Murfreesboro, Tennessee 37129



Company Name: TRC CSI, INC.
 Profession: Design & Construction
 Attn: Brian N. Davis
 Phone: 615-376-1110
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 Profession: Developer
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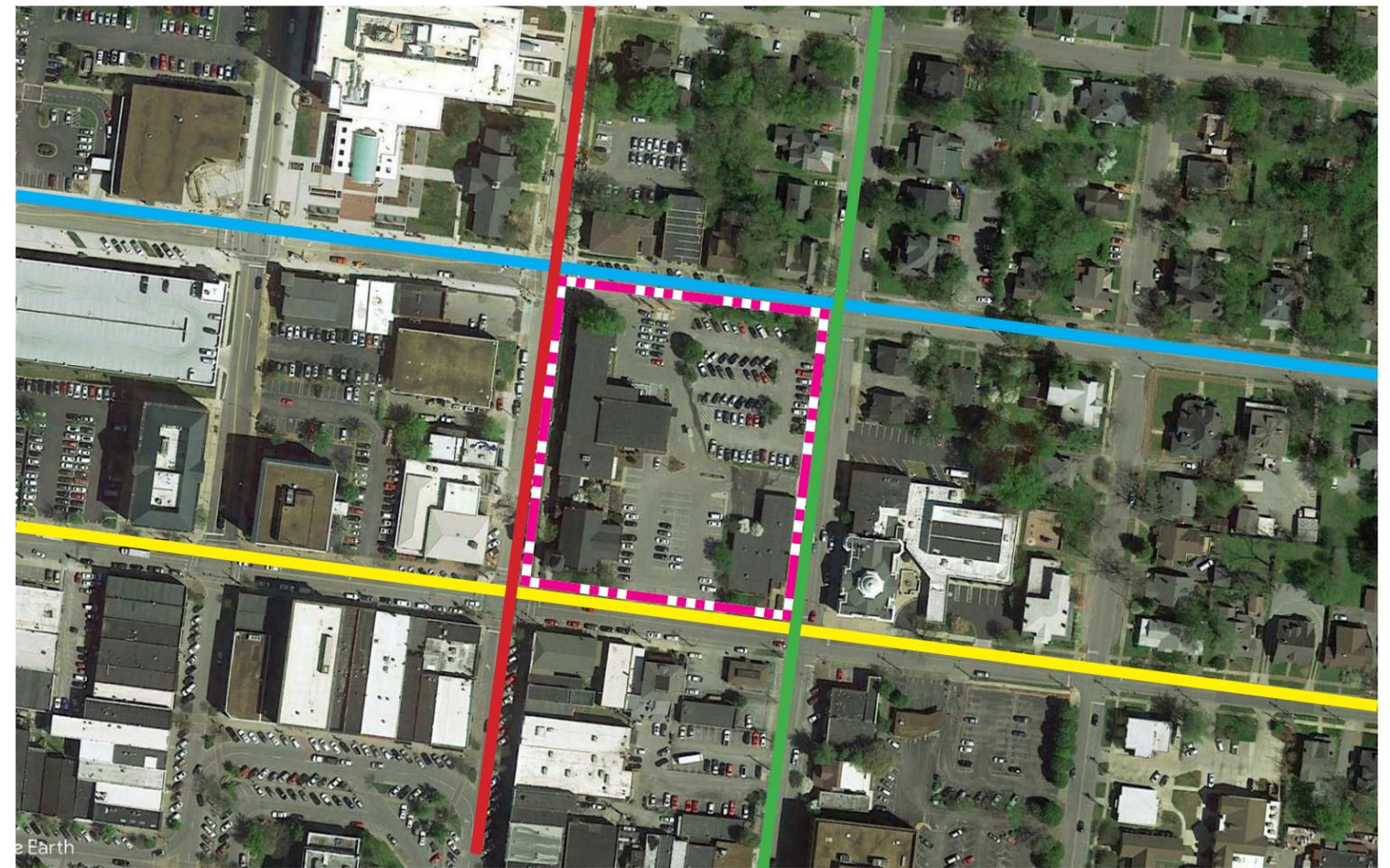
INTRODUCTION

SYNOPSIS/REQUEST

One East College, LLC. respectfully requests rezoning of the One East College Property located on the 100 Block of East College Street and North Spring Street from General Office District - Residential (OG-R) in the City Core Overlay District (CCO) to a Planned Unit District (PUD)(CCO) to create One East College. The property is the entire 100 block located at East College Street and North Spring Street. The site is identified as Parcels 8.00, 8.01, and 9.00 of Tax Map 91K, and is approximately 2.42 acres.

One East College will consist of a mix of uses from residential living, office space, hotel, retail, restaurants, and a parking garage. This development is proposing a total of 156 residential units ranging from one to three bedroom units along with studios. The Hotel will accommodate 110 rooms and will be approximately 54,500 s.f. in size. The proposed Offices will be 42,500 s.f. in size and complimented with 14,200 s.f. of retail and restaurants. The buildings will range in heights and have a maximum of 12.5 stories at 145 feet tall. Heights of the surrounding structures have been considered to avoid overshadowing existing users. The Retail and Office Building will have a maximum of 4 floors and will have retail and/or restaurants on the ground floor with offices above. Additionally, the first floor of this building will house approximately 1,000 s.f. for a police precinct. The residential and parking garage building will include 8.5 stories of parking and 9 stories of residential, 5 stories around the parking garage with 4 stories on top/above the parking garage. The proposed hotel will consist of 6 floors. The existing church will remain, and will be repaired and re-purposed.

Sidewalks with lighting and street trees will create a sense of place that reflects the core of downtown Murfreesboro. The articulating facade of the buildings will add variety and character to the area. Plazas and open spaces will provide pedestrians a place to sit and relax while softening the area with landscape. One East College will provide a mix of uses and services adding a cohesive but unique aspect to downtown Murfreesboro.



AERIAL PHOTOGRAPH

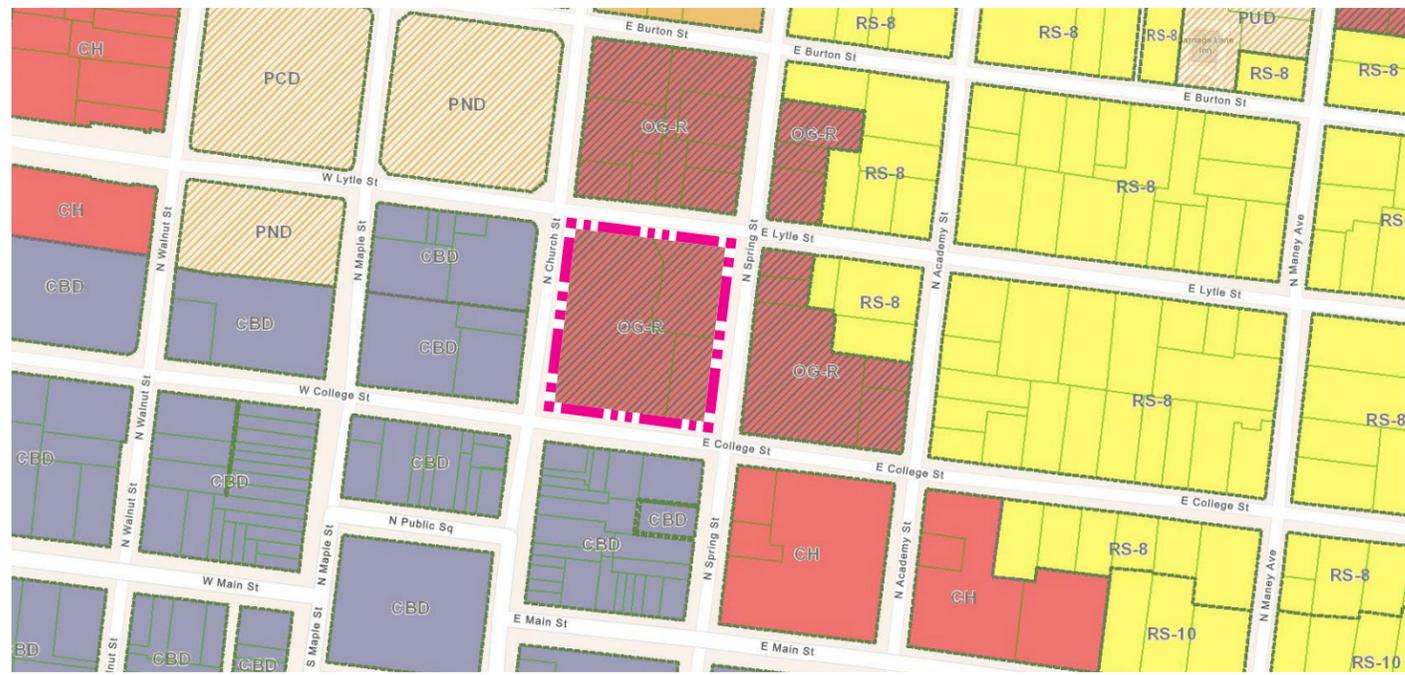
Not To Scale

- East Lytle Street
- East College Street
- North Church Street

North Spring Street



Site Boundary



ZONING MAP

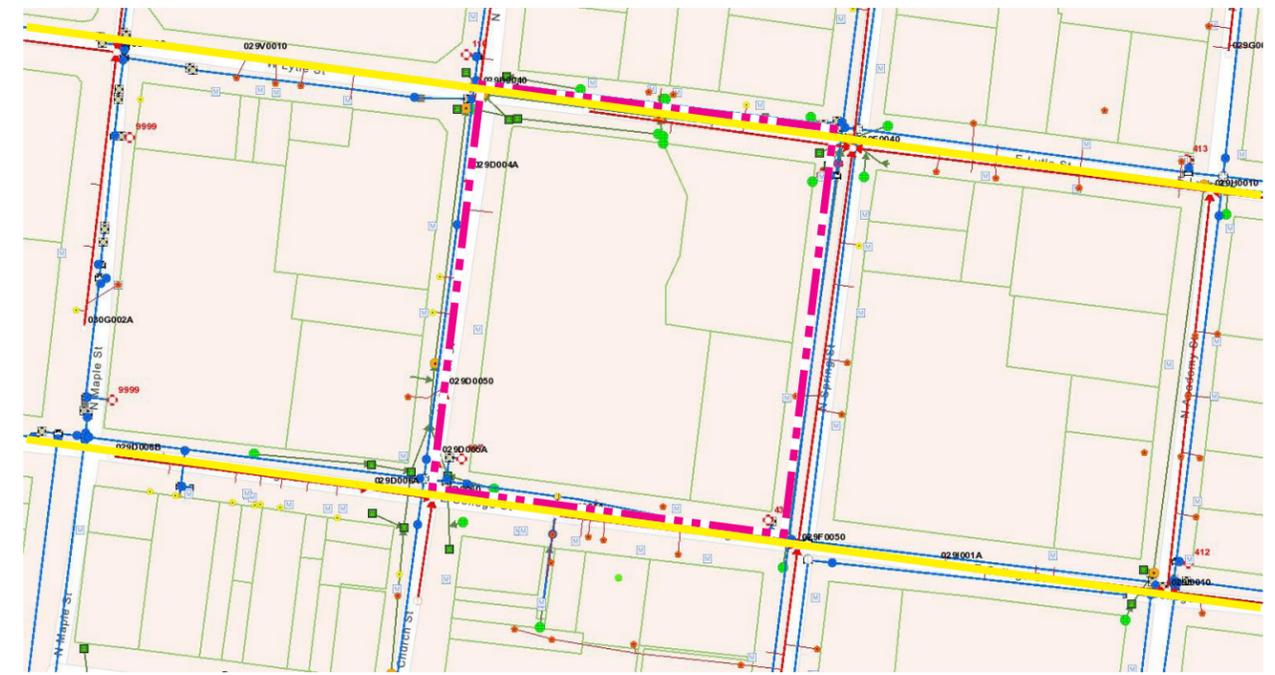
Not To Scale

- | | |
|-----------------------------------|---|
| Residential Single-Family (RS-10) | General Office District- Residential (OG-R) |
| Residential Single-Family (RS-12) | Planned Institutional District (PND) |
| Central Business District (CBD) | Planned Unit District (PUD) |
| Commercial Highway (CH) | Planned Commercaill District (PCD) |



Site Boundary

The surrounding area consists of a mixture of zoning types and uses. The land to the east and north is zoned General Office District-Residential (OG-R). Areas directly south and west of the site are zoned Central Business District (CBD). The entire city block to the southeast is zoned commercial highway (CH), while the block to the northwest is zoned Planned Institutional District (PND). This site is also within the City Core Overlay District (CCO). The proposed PUD's mix of uses will be a seamless addition to the area and will unify and elevate the area into a more cohesive downtown element.



UTILITY MAP

Not To Scale

- | | |
|------------|----------|
| WATER | ELECTRIC |
| SEWER | |
| STORMWATER | |



Site Boundary



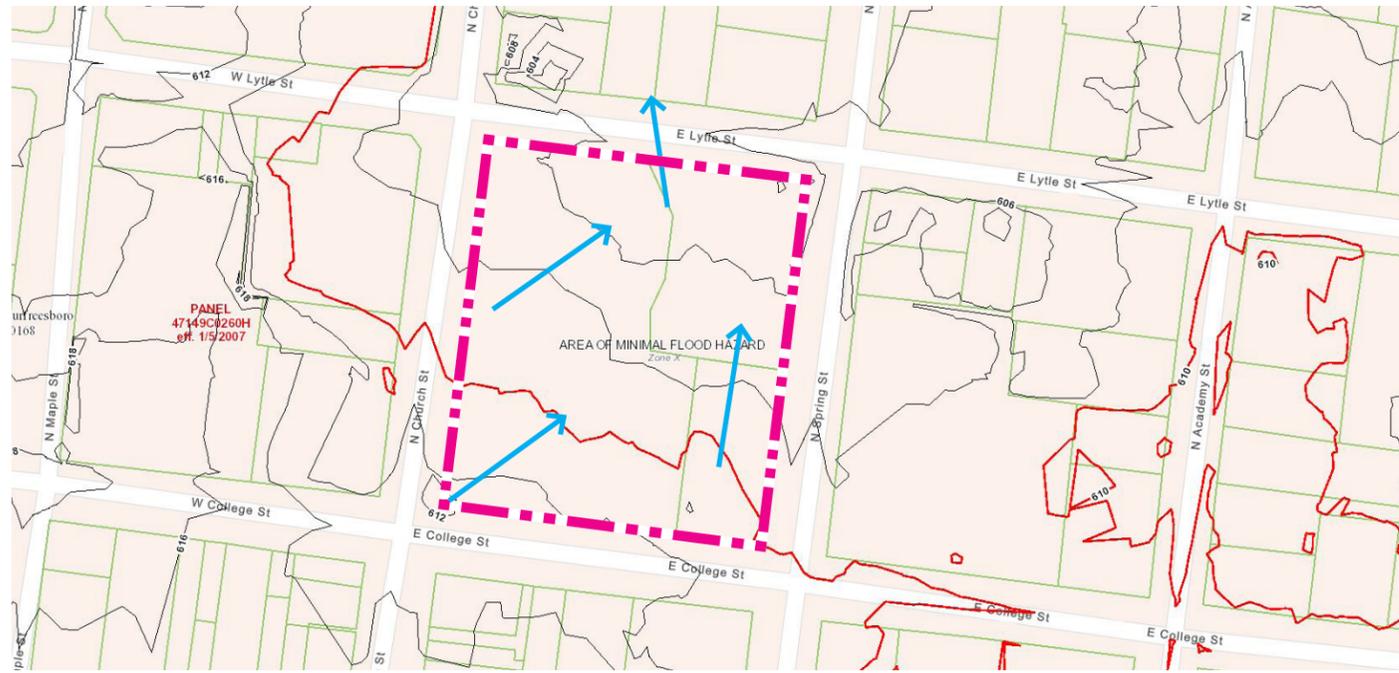
Water service will be provided by Murfreesboro Water Resource Department. There is existing 8 inch ductile iron and cast iron water lines along all sides of the development. The developer will be responsible for extending the waterline into the site for domestic and fire water service.



Sanitary sewer service will be provided by the Murfreesboro Water Resource Department. Sanitary sewer service can connect to an existing 8" gravity sewer line along all sides of the development. Construction will extend the sewer service into the site and the developer will be responsible for extending the sewer into this property.



Electric service will be provided by the Murfreesboro Electric Department. The developer will be responsible for extending the electric lines into the site, and all on-site electric will be underground.



HYDROLOGY AND TOPOGRAPHY MAP

Not To Scale

WATER FLOW DIRECTION

INTERMEDIATE CONTOURS

INDEX CONTOURS



The topographic map above shows the site's topographic high point generally at the south western corner of the property. From this high point, the property drains towards the north and east. Stormwater that drains to the north, flows towards East Lytle Street. Stormwater drains currently capture water and the remaining flows to the surrounding street and into the curb and gutter system.

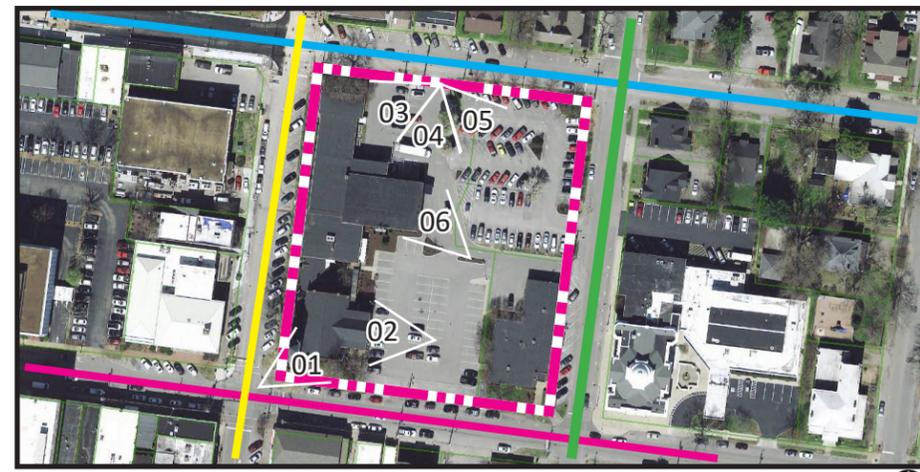
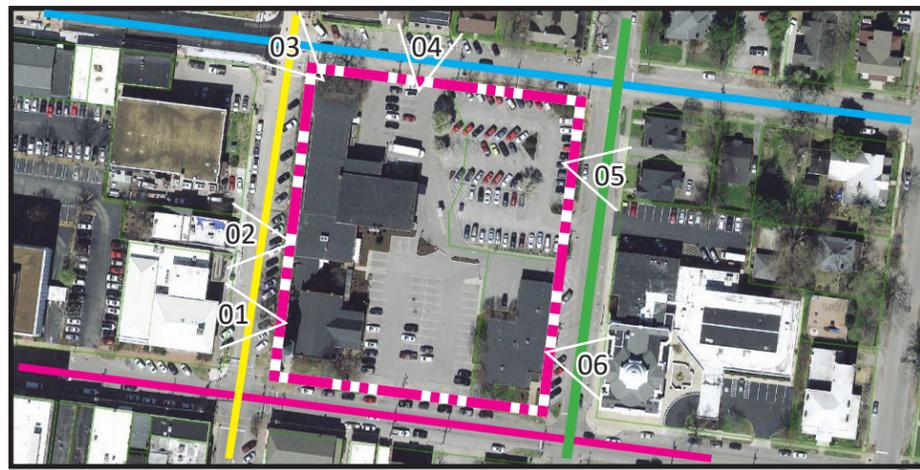


PHOTO DIRECTION MAP

Not To Scale

- East Lytle Street
- East College Street
- North Church Street
- North Spring Street



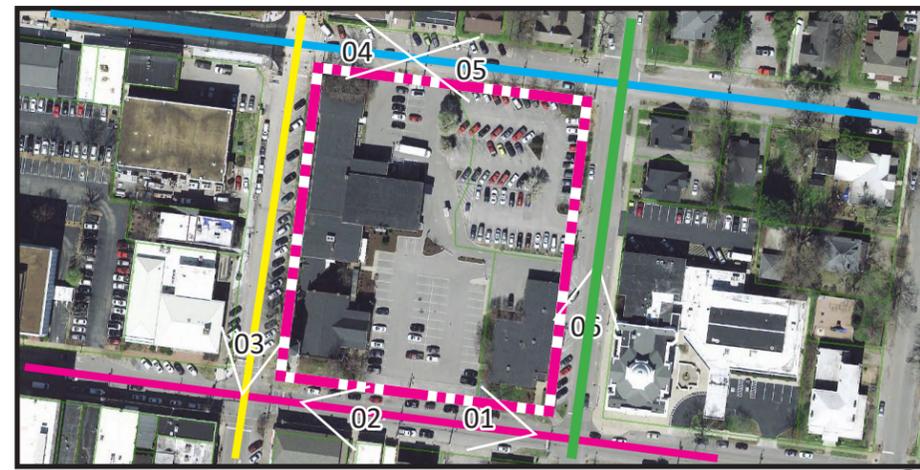


- █ East Lytle Street
- █ East College Street
- █ North Church Street
- █ North Spring Street



PHOTO DIRECTION MAP

Not To Scale

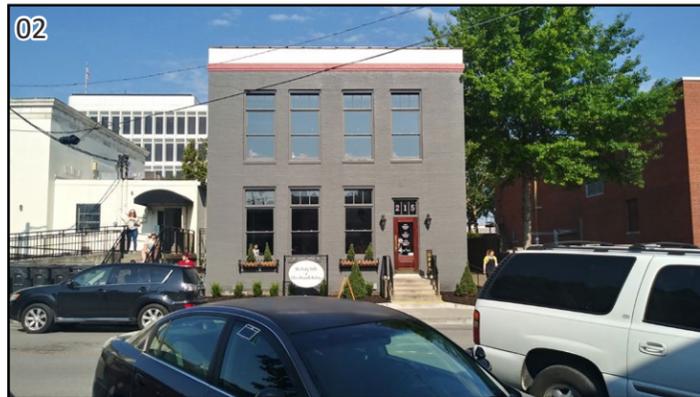


- █ East Lytle Street
- █ East College Street
- █ North Church Street
- █ North Spring Street



PHOTO DIRECTION MAP

Not To Scale





PROJECT DATA:

TOTAL LAND AREA: 2.42 ACRES
 DENSITY: 156 RESIDENTIAL UNITS/2.42 AC = 64.46 UNITS/AC

RESIDENTIAL/PARKING GARAGE BUILDING

5-FLOORS RESIDENTIAL AROUND GARAGE 157,080 SF.*
 4-FLOORS RESIDENTIAL ABOVE GARAGE 28,554 SF.*
 TOTAL RESIDENTIAL AREA 185,634 SF.*

GARAGE PARKING AREA 185,307 SF.*
 TOTAL RESIDENTIAL/GARAGE BUILDING: 307,941 SF.*
 *(S.F. EXCLUDES VERTICAL CIRCULATION)

HOTEL BUILDING

1ST-6TH FLOOR 54,273 SF.
 TOTAL HOTEL BUILDING AREA: 54,273 SF.

OFFICE/RETAIL BUILDING

1ST FLOOR RETAIL/RESTAURANT 14,173 SF.
 2ND OFFICE 14,014 SF.
 3RD OFFICE 14,014 SF.
 4TH OFFICE 14,014 SF.
 TOTAL OFFICE BUILDING AREA: 56,215 SF.

EXISTING CHURCH BUILDING:

EVENT/RESTAURANT SPACE 5,300 SF.

BUILDING AREAS:

RESIDENTIAL BUILDING AREA 185,634 SF.
 PARKING GARAGE AREA 185,307 SF.
 HOTEL BUILDING AREA 54,273 SF.
 OFFICE/RETAIL BUILDING AREA 56,215 SF.
 EXISTING CHURCH/EVENT SPACE 5,300 SF.
TOTAL BUILDING AREA: 486,792 SF.

BUILDING HEIGHTS:

OFFICE BUILDING:
 4 STORIES: UP TO 64'-0"

HOTEL BUILDING:
 6 STORIES: UP TO 72'-0"

RESIDENTIAL/GARAGE BUILDING:
 12.5 STORIES UP TO 145'-0"(*)

(*) RESIDENTIAL BUILDING HEIGHT TAKEN FROM FINISHED GRADE TO TOP OF STRUCTURE ON EAST LYTLE STREET)

PARKING REQUIREMENTS:

RESIDENTIAL BUILDING
 112 1-BEDROOM UNITS 1.0 / UNIT 112 SPACES
 44 2/3-BEDROOM UNITS 2.0 / UNIT 88 SPACES
156 DWELLING UNITS TOTAL
RESIDENTIAL PARKING REQUIRED 200 SPACES

HOTEL BUILDING
 110 ROOMS 1.0 SPACE PER ROOM 110 SPACES

OFFICE/RETAIL BUILDING
 1-FLOOR RETAIL/RESTAURANT
 3-FLOORS OFFICE
 4-FLOORS = 56,215 SF (1 SPACE / 250 SF.)* 224 SPACES

EXISTING CHURCH BUILDING
 EVENT/RESTAURANT SPACES
 5,300 SF. (1 SPACE / 250 SF.)* 22 SPACES

PARKING REQUIRED:
 TOTAL PARKING REQUIRED = 556 SPACES
 25% SHARED PARKING REDUCTION = - 61 SPACES**
TOTAL PARKING REQUIRED FOR SITE: 495 SPACES

PARKING PROVIDED:
 ON-STREET SPACES = 45 SPACES
 NON-HC GARAGE SPACES = +570 SPACES
 TOTAL NON-HC SPACES = 615 SPACES
 HC SPACES = +12 SPACES
TOTAL PROVIDED = 627 SPACES***

* THE PARKING REQUIRED FOR THE 4-STORY RETAIL/OFFICE BUILDING AND EXISTING CHURCH BUILDING IS BASED ON THE FORMULA FOR A "NEIGHBORHOOD SHOPPING CENTER".

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

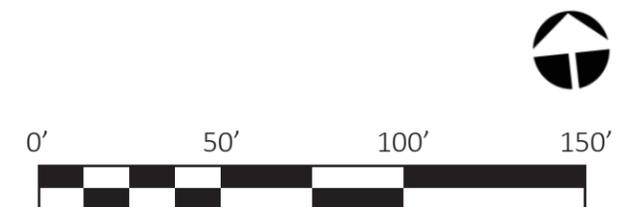
*** THERE WILL BE A MINIMUM 200 UNRESERVED PARKING SPACES IN THE GARAGE THAT WILL BE OPEN TO THE PUBLIC AND NOT RESERVED FOR ANY PARTICULAR USE.

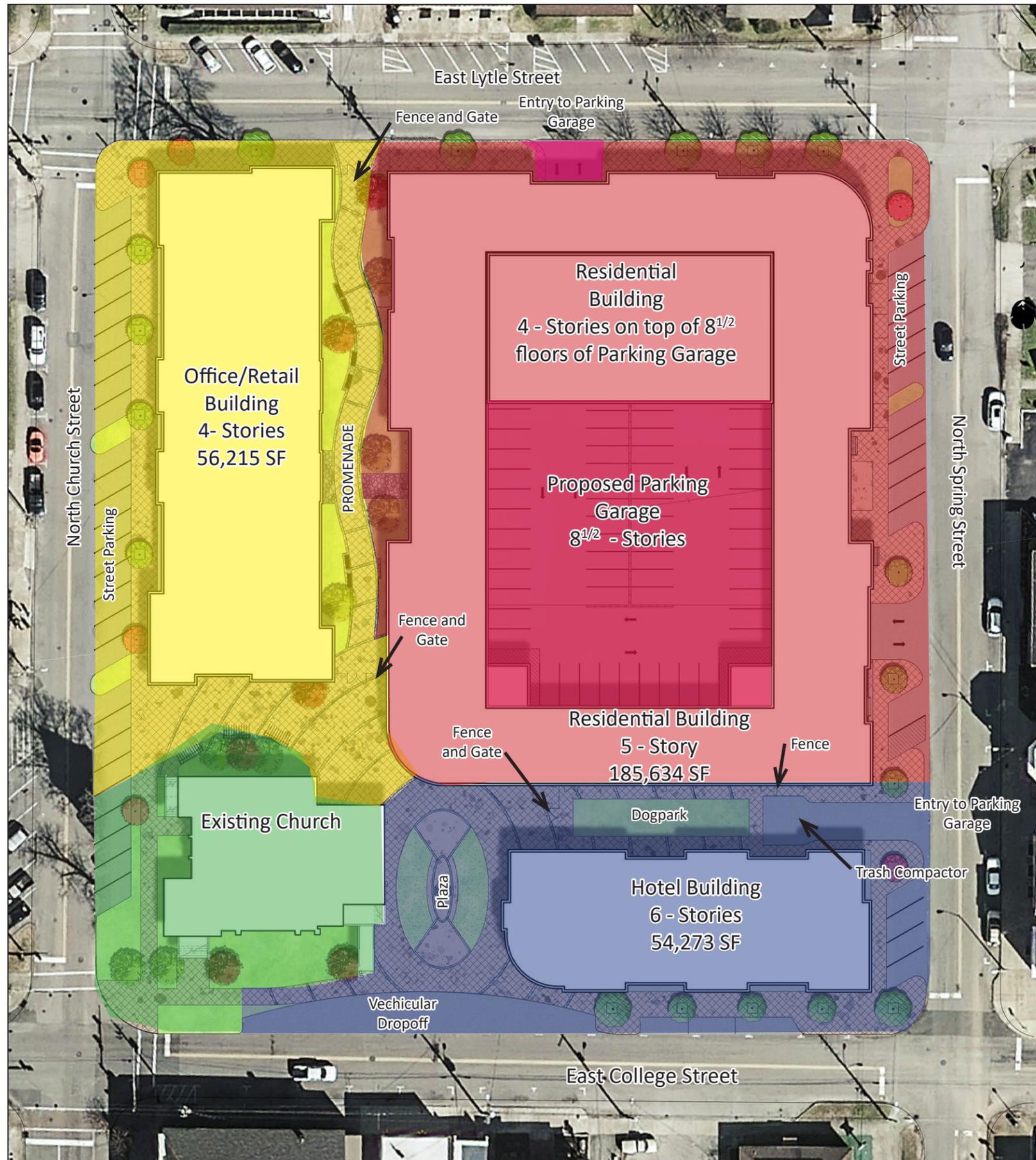
**** TIFF PARKING WAS REQUIRED FOR PUBLIC PARKING IN GARAGE AS A PART OF THE PROJECT'S TIFF AGREEMENT.

***** 25% OF THE PARKING SPACES WITHIN THE PARKING STRUCTURE ARE COMPACT SPACES 7'-6" WIDE. THE COMPACT SPACES WILL BE SPREAD OUT AMONG ALL FLOORS OF THE PARKING GARAGE. THE REMAINING PARKING SPACES ARE 8'-6" WIDE. BOTH THE 7'-6" COMPACT SPACES AND THE STANDARD 8'-6" PARKING SPACES ARE TYPICAL PARKING SPACE SIZES WITHIN PARKING GARAGES IN MANY MUNICIPALITIES.

ON-SITE BICYCLE SPACES PROVIDED 30 SPACES

-  Proposed Building
-  Proposed Property Lines
-  Sidewalks/Walkways
-  Roadway
-  Open/Landscape Areas





- Phase 1 - Parking Garage
- Phase 2 - Office Building
- Phase 3 - Residential
- Phase 4 - Hotel
- Phase 5 - Church Repair and Re-purposing

- The project is anticipated to be built in 5 phases
- Phase 5 construction to begin prior to Certificate of Occupancy for the hotel.
- Construction of Phase 1 is planned to begin within 90-120 days after the completion of the rezoning process
- The timing of the remaining phase of construction will be market driven and dependent upon the absorption of the units/tenants in the previous phase.

3/12/2020

**One East College
Murfreesboro, TN.**

Average Week Day Parking Use Projections														
Time Period	Residential	Hotel	Office Building							Church Event Space	Total Spaces Used	Open Public Spaces	Total Spaces Provided Including Shared	
			Level 1											Level 2/3/4
			Restaurant	Coffee Shop	Deli	Bank	Police Precinct	Common Area	Office Areas					
1	217	83	36.00	8.00	14.00	6.00	2.00	0.00	86	40	300	327	627	
10:00 PM to 8:00 AM	217	83	0	0	0	0	0	0	0	0	300	327	627	
2	217	20	36	8	14	6	3	0	86	0	390	237	627	
8:00 AM to 5:00 PM	217	20	36	8	14	6	3	0	86	0	390	237	627	
3	217	83	36	8	14	0	3	0	0	53	414	213	627	
5:00 PM to 10:00 PM	217	83	36	8	14	0	3	0	0	53	414	213	627	

Average Saturday & Sunday Day Parking Use Projections														
Time Period	Residential	Hotel	Office Building							Church Event Space	Total Spaces Used	Open Public Spaces	Total Spaces Provided Including Shared	
			Level 1											Level 2/3/4
			Restaurant	Coffee Shop	Deli	Bank	Police Precinct	Common Area	Office Areas					
1	216.8	82.5	36.00	8.25	14.48	5.63	2.48	0.00	86.4	39.75	300	327	627	
10:00 PM to 8:00 AM	217	83	0	0	0	0	0	0	0	0	300	327	627	
2	217	20	36	8	14	0	3	0	0	53	351	276	627	
8:00 AM to 5:00 PM	217	20	36	8	14	0	3	0	0	53	351	276	627	
3	217	83	36	8	14	0	3	0	0	53	414	213	627	
5:00 PM to 10:00 PM	217	83	36	8	14	0	3	0	0	53	414	213	627	



Proposed Hotel Elevations:



West Elevation - Facing Existing Church



East Elevation - Facing North Spring Street

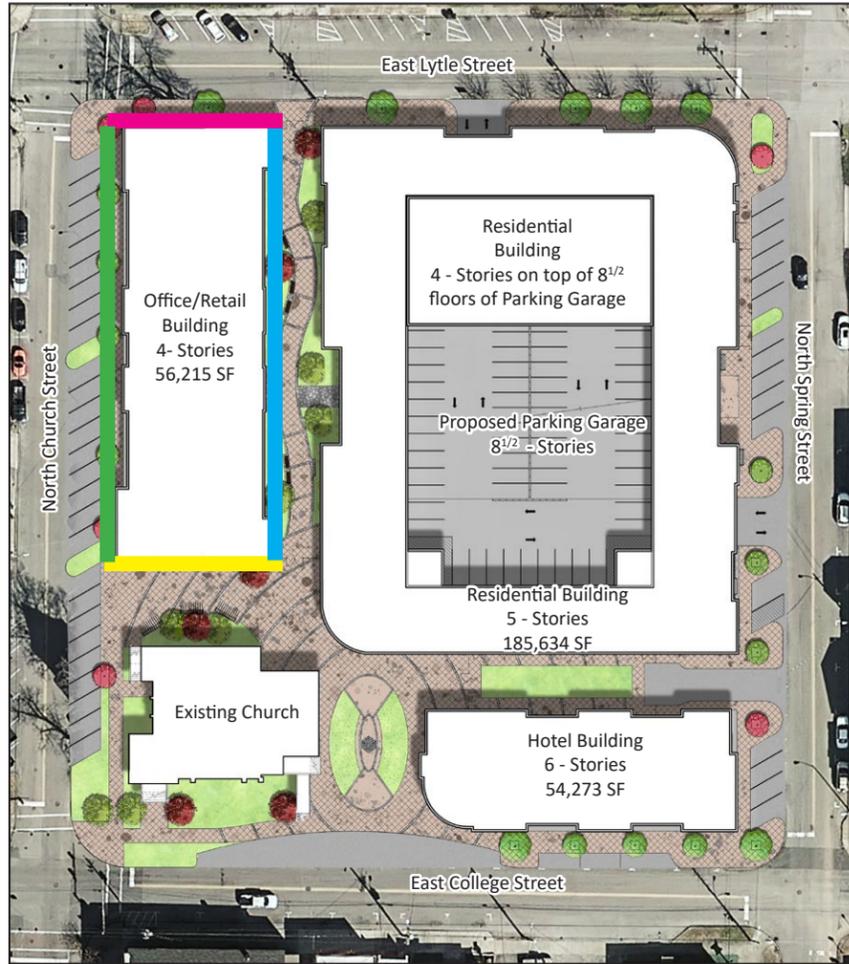


North Elevation - Facing Residential/Garage Building



South Elevation - East College Street

Proposed Office/Retail Building Elevations:



North Elevation - Facing North Lytle Street



South Elevation - Facing Existing Church

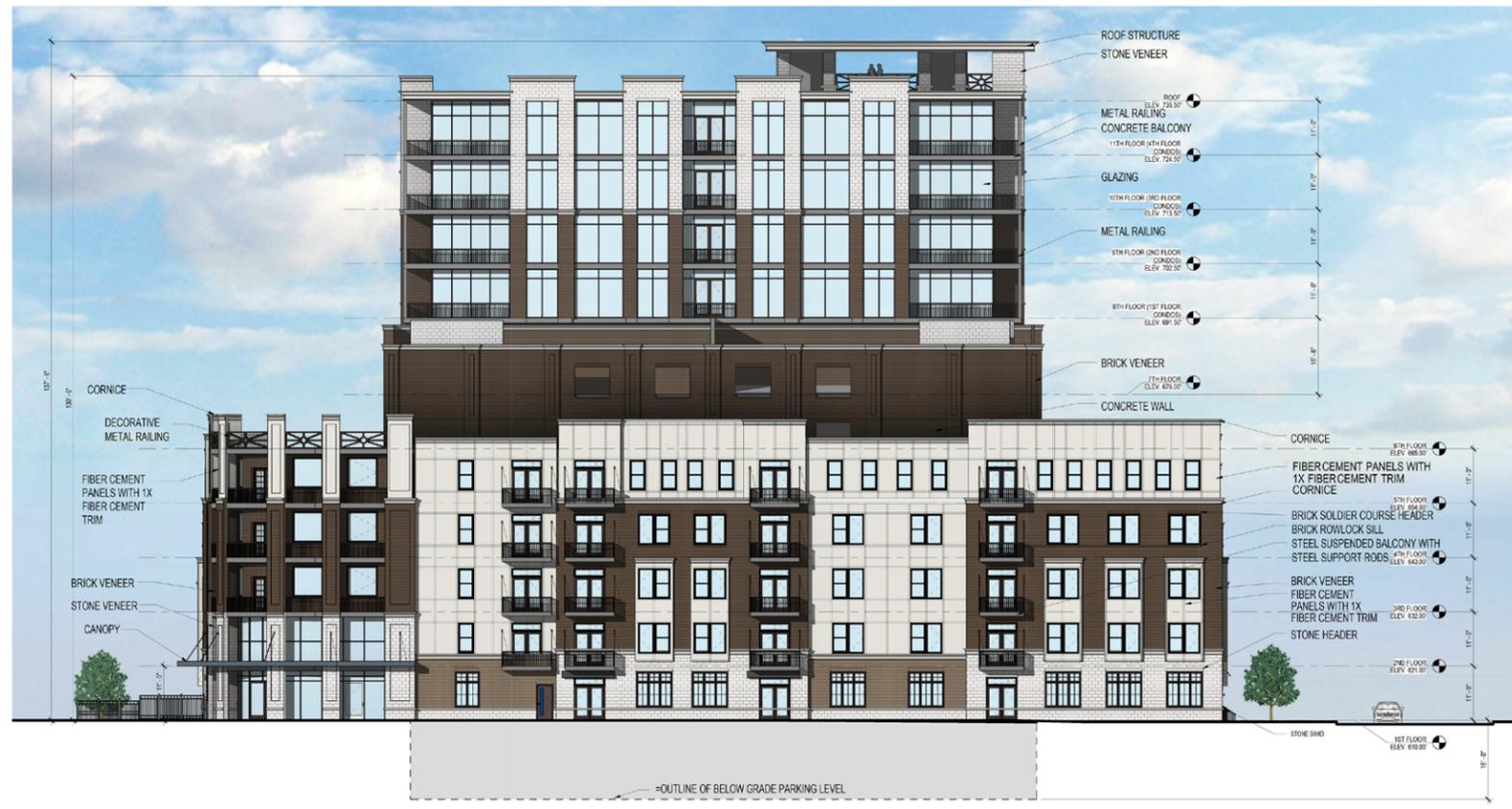
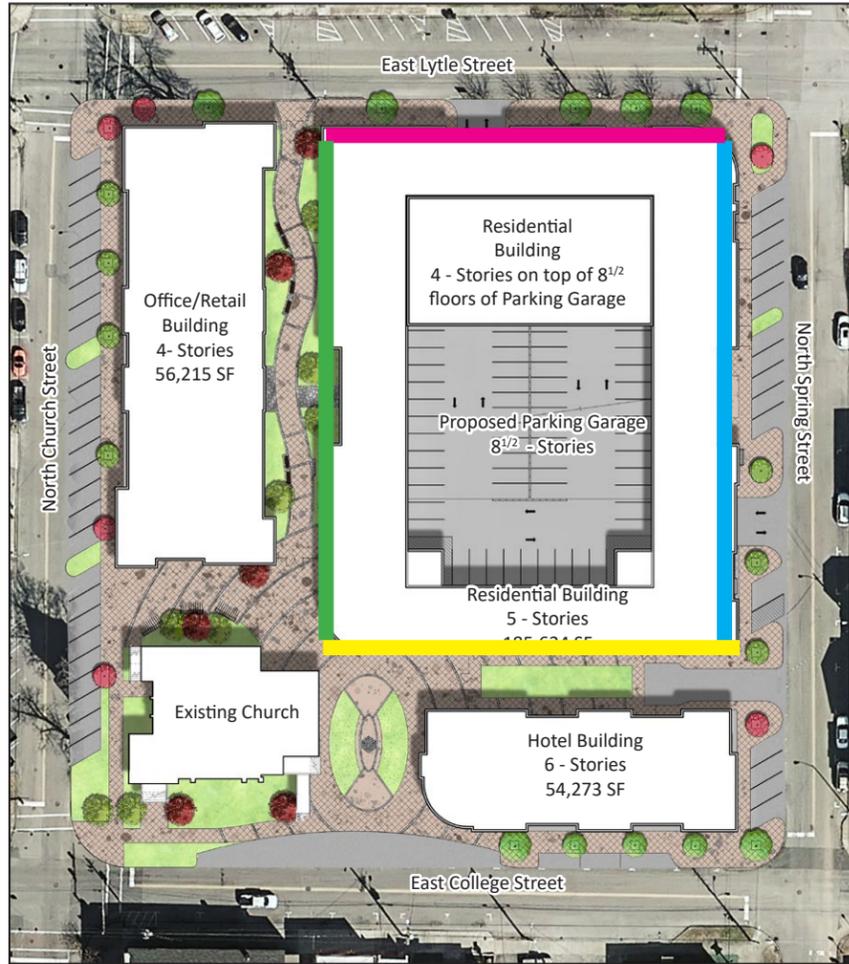


West Elevation - Facing North Church Street



East Elevation - Facing Residential/Garage Building

Proposed Residential/Parking Garage Elevations

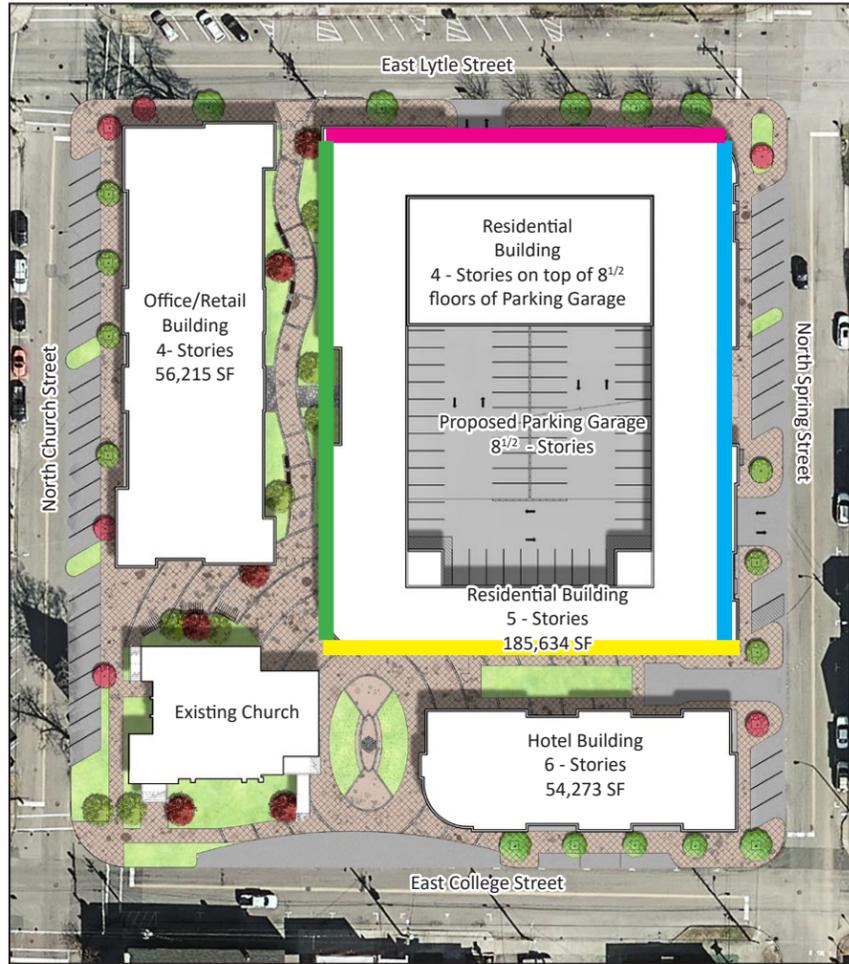


North Elevation - Facing Hotel



South Elevation - Facing East Lytle Street

Proposed Residential/Parking Garage Elevations



East Elevation - Facing North Spring Street



West Elevation - Facing Office/Retail Building

Development Standards:

- 1 Existing Church Building
- 3 Proposed Buildings
 Proposed Hotel (6-Stories)
 Proposed Office Building (4-Stories)
 Proposed Parking Garage & Residential Building (12^{1/2} Stories)
 - Parking Garage (8^{1/2}-Stories, one is a basement level)
 - Residential (5-stories around the perimeter of Parking Garage)
 - Residential (4-Stories over Parking Garage)
 Total of 9 residential floors.
- Parking Garage will have entrances to N. Spring Street and E. Lytle Street.
- Passenger drop off for Hotel along East College Street.
- Existing on-street parking to remain along all four streets, with possible new on-street parking spaces.
- Continuation of Downtown streetscape program with decorative lighting and public sidewalks.
- Decorative street lights will be coordinated with MED.
- Sidewalks along all public streets.
- Project will be coordinated with City of Murfreesboro’s planned improvements.
- ADA accessible to main entries of the buildings.
- All utilities will be underground. Existing overhead will be taken underground by City of Murfreesboro with roadway improvements.
- All mechanical features to be screened with landscaping as permitted by utility providers.
- HVAC units to be located on top of buildings except for existing church.
- Foundation plantings will not be required along the base of all buildings to promote a urban core streetscape with sidewalks stretching from street curb to the base of buildings on this block.
- Any future paid parking to be coordinated with the City of Murfreesboro.

Residential Amenities

- Roof Top Terrace above residential penthouse.
- Club house within the residential that wraps the parking structure.
- Fitness Center with the residential that wraps the parking structure.
- Gated Dog Park.
- The Owners Association will set and enforce guidelines for the hours of operation of the Dog Park.
- Gated green space between Residential/Garage Building and Office/Retail Building.
- Public outdoor plaza.
- 30 public bicycle parking stalls.

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

Architectural Characteristics:

- Articulation of building plains to create varied facades along exteriors of the buildings.
- Mixture of building materials to accentuate different elements along the building exteriors.
- Project and tenant signage attached to the exterior facades to provide maximum visibility to the overall development, but also for promoting individual tenants in the buildings.
- Signage will be designed to City of Murfreesboro signage guidelines.
- Residential dwellings shall be part of and managed by a third party HOA.
- The property shall consist of a Horizontal Property Regime.



Example of Brick
(Different colors will be allowed)



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



Example of Glass
(Different colors will be allowed)



Example of Fiber Cement Panel
(Different colors will be allowed)

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



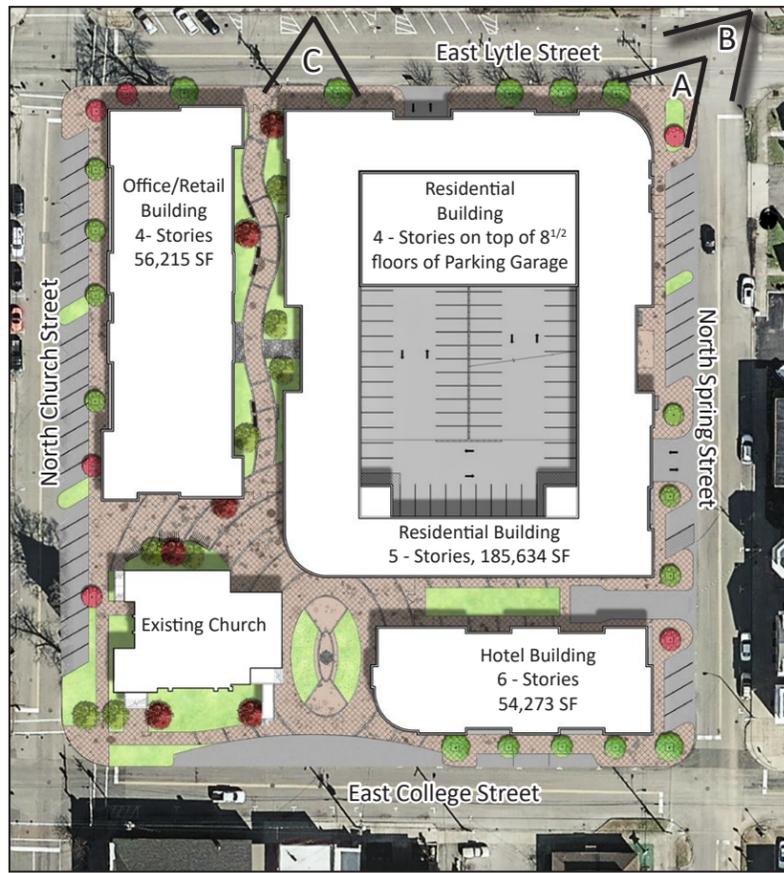
A - View from Plaza looking at Proposed Residential and Hotel



B - View of Proposed Office Building from East Lytle Street



C - View of Proposed Hotel from East College Street



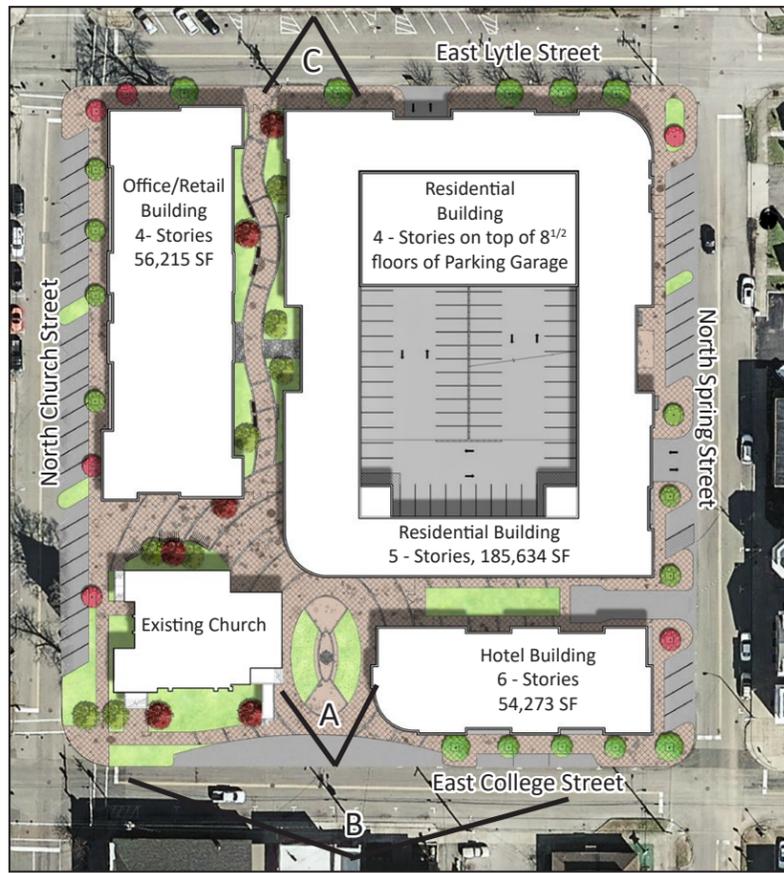
A - View of Residential Building from intersection of East Lytle Street and North Spring Street



B - Aerial Perspective of Residential Building



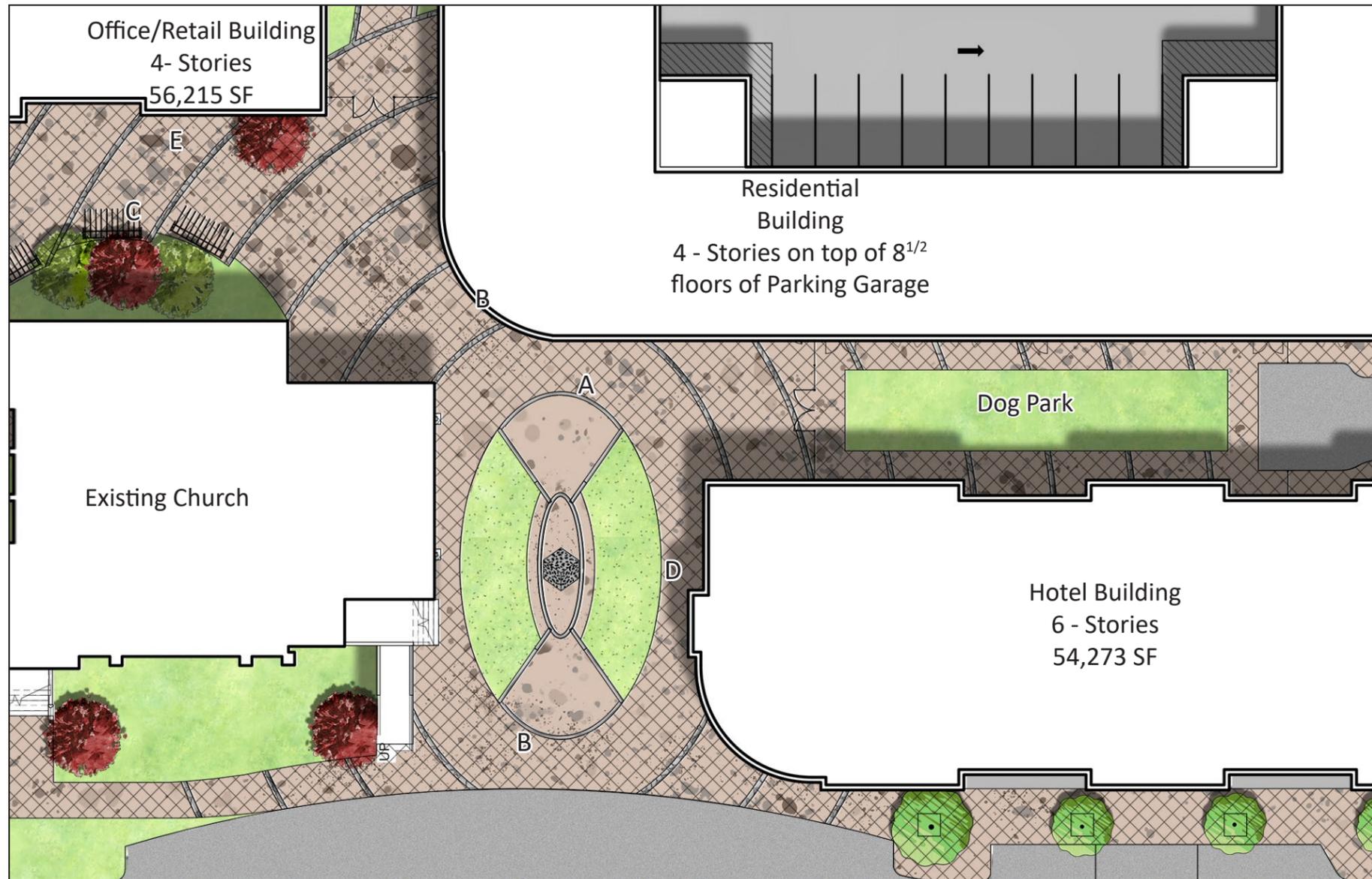
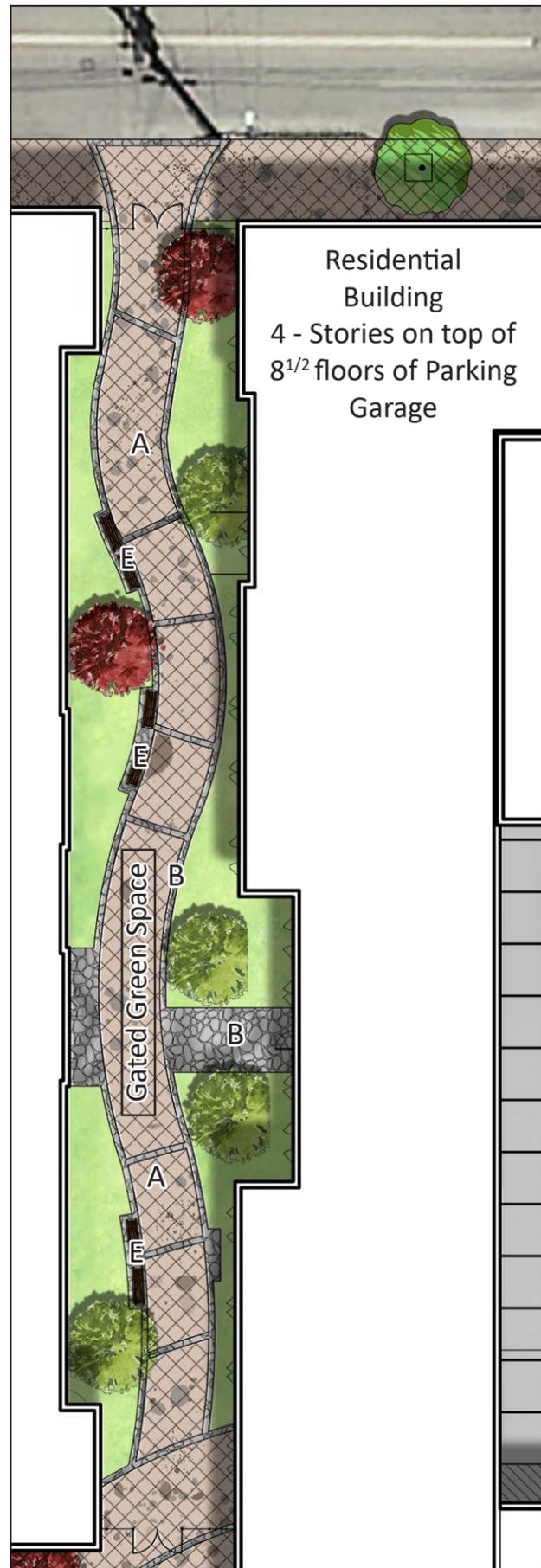
C - View of Residential Building from East Lytle Street Looking Into Site



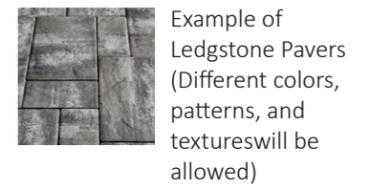
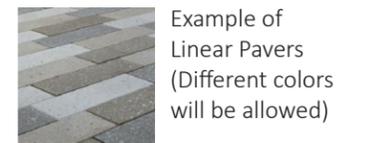
A - Perspective View from East College Street Looking into Site



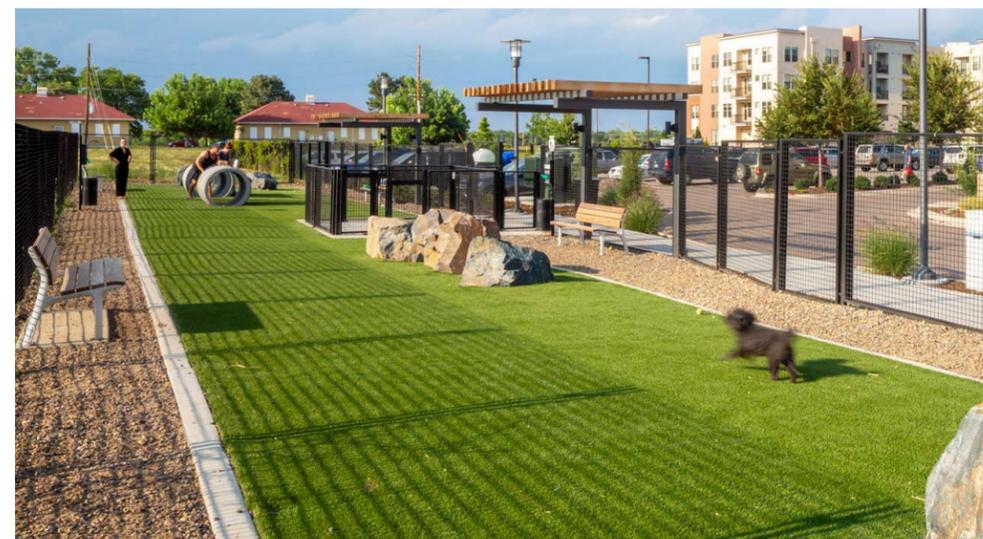
B - Perspective View of East College Street



- A Promenade
- B Accent Hardscape
- C Bike Racks
- D Plaza
- E Seating Areas



With this request, One East College will be enhancing a majority of its open space to better serve civilians and it's residents. The portion of the open space, Promenade between the Office/Retail Building and the Residential Building will be fenced and gated use by residents living within the project, while the outdoor plaza space will remain open for the public. Various paving patterns will be utilized to better enhance the hardscape of the area. Multiple seating nodes will be provided within the enclosed residential area. Waste receptacles will be provided throughout the public spaces as well. A dog park is located between the hotel and residential building for the residents of the project.



Example of Dog Park



Example of Plaza Space

LANDSCAPE MATERIALS SAMPLES: DECIDUOUS TREES



(A)



(B)

- (A) *Ulmus parvifolia* 'Emer II' / 'Emer II' Alle Elm
- (B) *Zelkova serrata* 'Green Vase' / Sawleaf Zelkova
- (C) *Buxus* x 'Green Mountain' / Boxwood
- (D) *Prunus laurocerasus* 'Otto Luyken' / Luykens Laurel
- (E) *Lagerstroemia indica* 'GAMAD VI' / Berry Dazzle Crape Myrtle
- (F) *Miscanthus sinensis* 'Adagio' / Adagio Eulalia Grass
- (G) *Liriope spicata* 'Silver Dragon' / Creeping Lily Turf
- (H) *Setcreasea pallida* 'Purple Heart' / Purple Heart Setcreasea
- (I) *Iberis sempervirens* 'Little Gem' / Little Gem Candytuft
- (J) *Liriope muscari* 'Variegata' / Variegated Lily Turf
- (K) Tree form bamboo
- (L) London Plain Tree / *Plantanus acerfolia*
- (N) *Viburnum x pragense* / Prague Viburnum
- (O) *Prunus laurocerasus* 'Schipkaensis' / Schipka Laurel

LANDSCAPE MATERIALS SAMPLES: EVERGREEN SHRUBS



(N)



(O)

LANDSCAPE MATERIAL SAMPLES: EVERGREEN/DECIDUOUS SHRUBS AND GRASSES



(C)



(D)



(E)



(F)

LANDSCAPE MATERIAL SAMPLES: GROUNDCOVER



(G)



(H)

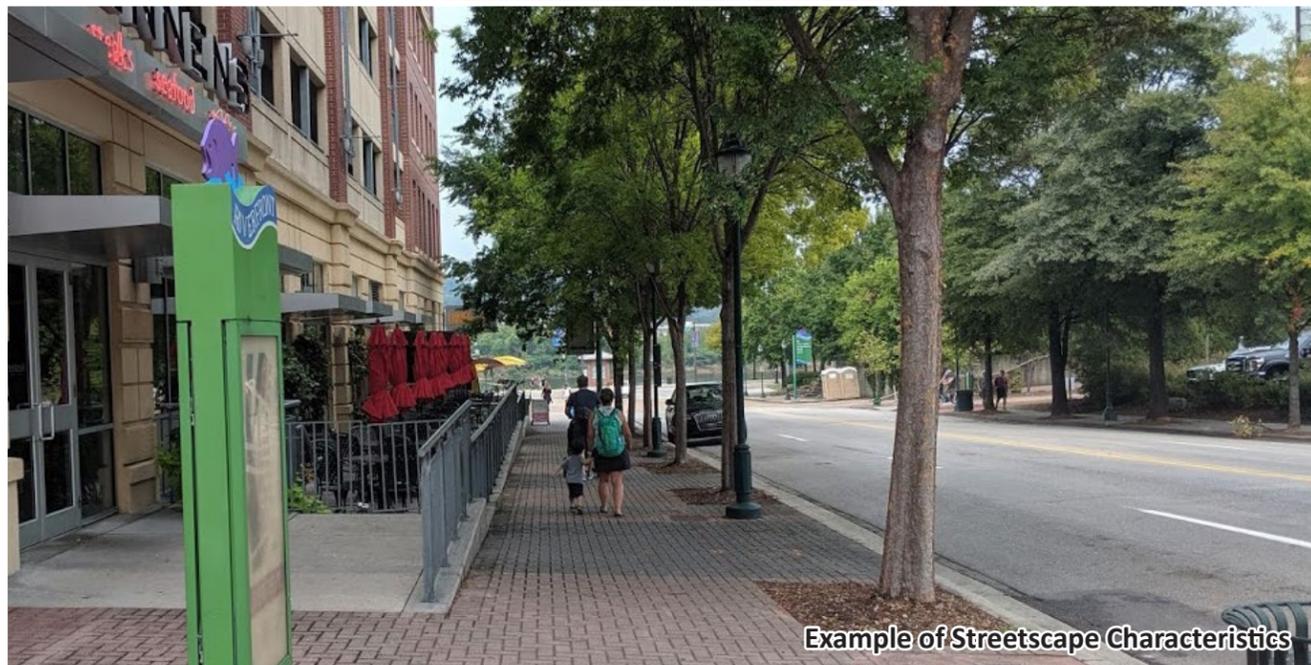


(I)



(J)

COURTYARD LANDSCAPE EXAMPLE



Example of Streetscape Characteristics



Gated Green Space Perspective Looking Towards Existing Church

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

Landscaping Characteristics:

- The landscape concept for this area will follow an urban setting to complement the buildings and create a softer design.
- Street trees in sidewalk areas shall be constructed within tree planters.
- Because of the scope of the project certain landscape elements will not be included. Perimeter trees, landscape perimeter yards, and building foundation plantings will be restricted due to design constraints. Street trees will be planted where applicable.
- The interior courtyard will have some plantings but will be limited due to the solar orientation.

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

Response: An exhibit is given on Page 5 along with descriptions of each.

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

Response: Exhibits are shown on Page 6 that shows the existing contours and drainage patterns along with an aerial photograph of the area.

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

Response: Exhibits and photographs on Page 4 gives the location of existing structures on the subject property and the surrounding properties. An exhibit on Page 5 gives the zoning of those same properties.

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

Response: The Page 8 lists standards and exhibits showing the concept plan which shows each of these items.

5.) A circulation diagram indicating the proposed principal movement of vehicles, bicycles, goods, and pedestrians with the development to and from existing thoroughfares.

Response: Page 8 denotes the vehicular and pedestrian areas.

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 PD.

TOTAL SITE AREA	105,415 s.f.
TOTAL MAXIMUM FLOOR AREA	486,792 s.f.
TOTAL LOT AREA	NA
TOTAL BUILDING COVERAGE	82,387 s.f.
TOTAL DRIVE/ PARKING AREA	185,634 s.f.
TOTAL RIGHT-OF-WAY	0 s.f.
TOTAL LIVABLE SPACE	-80,219 s.f.
TOTAL OPEN SPACE	17,269 s.f.
FLOOR AREA RATIO (F.A.R.)	4.62
LIVABILITY SPACE RATIO (L.S.R.)	-1.54
OPEN SPACE RATIO (O.S.R.)	.22

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 OG-R in the CCO. The surrounding area has a mixture of residential, commercial, and office properties. The concept plan and development standards combined with the architectural requirements of the buildings shown within this booklet align and closely mimic the type of developments in the surrounding area and are envisioned to complement 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 five phases. Phasing information is described on Page 9.

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

Response: This requirement has been addressed on Page 14.

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.

- 1.) Requesting an exception to permit 7'-6" compact parking spaces within the parking garage. These compact spaces are typical in parking garages in many municipalities, and are fully functional parking spaces in many public parking garages.

SETBACKS	CBD	PUD	CCO	DIFFERENCE From CCO
Front Setback	0'	0'	<20' from property-line, not in ROW	0'
Side Setback	0'	0'	10'	-10'
Rear Setback	0'	0'	20'	-20'
Maximum Building Height	75'	145'	75'	+70'

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

Response: This property is not in the Gateway Design Overlay District, Historic District (H-1), or Planned Signage Overlay District (PS). This site is not found within any floodway or floodplain as per FEMA panel 47149C0260H. This site is located within the City Core Overlay District (CCO)

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

Response: Page 4 discusses the Major Thoroughfare Plan. No roadways are slated for improvements near this development.

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 One East College LLC, contact info for both is provided on cover.

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

Response: Pages 10-15 shows 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. On-site lighting will comply with City Ordinance, but any building lighting along R.O.W. will be exempt.

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: Development and tenant signs will be attached to each of the proposed buildings.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

CITY HALL

6:00 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Austin Cooper, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev. Services Exec. Director

Chair Kathy Jones called the meeting to order after determining there was a quorum. Continuing, Chair Kathy Jones announced, as of today, Mr. Greg McKnight has been officially appointed as our Planning Director.

New Business

Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners applicant. Ms. Marina Rush summarized the zoning amendment application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Rush explained the changes that were being made included the of number of beds for the one-bedroom units and two-bedroom units. These changes would affect the number of parking spaces. Overall, the changes as presented for the two buildings would reduce the parking from 136 parking spaces to 126 parking spaces. This allows more room for buildings and improvements to the buffer along the west property line. Continuing, Ms. Rush explained the revision being made to the architecture would be predominantly brick materials. Staff feels the new architecture is an improved design and would be compatible with the existing building which is currently being

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

1. **Mr. Ron Taylor, 816 East Main Street** – came forward to make known he loved the proposal and welcomed this type development in their neighborhood. He hopes this will begin a positive impact to development within the downtown area. He thanked the Planning Department and the Planning Commission for their approval of this request.

Chair Kathy Jones closed the public hearing.

Mr. Eddie Smotherman made a motion to approve the zoning application, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

Zoning application [2019-434] for approximately 2.42 acres located along East College Street, North Spring Street, East Lytle Street, and North Church Street to be rezoned from OG-R to PUD (One East College PUD), 705 4th Avenue South Holding Company applicant.

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

Mr. Matt Taylor (the design engineer), Mr. Brian Davis (the applicant's representative), Mr. Bart Kline (the project architect), Mr. Jeff Reed (the applicant's attorney), and Mr. John Harney (the applicant's representative) were in attendance to represent the application. Mr. Matt Taylor came forward to begin a PowerPoint presentation from the pattern book. He stated that this project had been discussed for several years since the City of Murfreesboro purchased the property from the previous owners. Continuing, Mr. Taylor provided the following additional details:

- 490,000 square-foot proposed buildings on 2.42 acres
- Pedestrian Plazas
- 627 Parking Spaces
- Parking Garage
- Limited Access Points
- Office/Retail Building
- 110 Room Hotel
- 156 Residences
- Existing Church Building to Remain
- Owners' Association

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

Mr. Taylor discussed the building design that would include the following:

- Materials would include brick, stone veneer, fiber cement panel, EIFS, storefront windows.
- Features include defined entryways, multiple planes, and 145-foot maximum building height.
- The amenities with this proposal include location to local restaurants in the downtown area, public areas such as the courthouse and the new judicial building. Also, this proposal would include restaurants and entertainment venues that would contribute to the whole downtown area and the City.
- An outdoor plaza area would be located near the former church that could be used for potential outdoor activities such as artwork.
- A full list of allowable uses has been provided in the pattern book. This includes a mix of residential, commercial, and entertainment uses, hotel, police precinct, retail, offices, restaurant, etc.

Mr. Taylor stated a neighborhood meeting had been conducted for this proposal on Monday, March 9, 2020, at First Presbyterian Church. They had mailed over 430 letters about the neighborhood meeting and approximately 70-75 people attended. There were concerns made regarding the impact during construction, which they have made known the impact would be kept to a minimum. There were a couple of disagreements regarding the architecture. Overall, they felt the project had been received well at the neighborhood meeting. Mr. Taylor said that this is a very attractive project that will be very successful, and the City will be very proud of it for years to come.

Vice-Chairman Ken Halliburton asked on page 16 in the applicant's pattern book, what is the view looking down from the penthouse windows? Mr. Taylor answered it is the parking garage. Ms. Jennifer Garland wanted additional information regarding the parking. Mr. Matt Taylor stated the parking table would have to be updated stating the total parking would be 627 spaces. These parking spaces would be regulated for the residences, the hotel, and retail uses. Mr. Bart Kline came forward stating they would continue to work on the parking garage parking spaces for the residential use.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

Mr. Warren Russel inquired about the phasing for this project. Mr. Matt Taylor explained, after demolition the phasing would be

- 1) Garage
- 2) Office/Retail
- 3) Hotel
- 4) Residential
- 5) Church restoration could occur at any time. This would be a 2-3 year project.

Chair Kathy Jones opened the public hearing.

1. **Mr. Keith Beckman – owner of Beckman’s Prescription Shop at 120 East College Street** – came forward to voice his concerns regarding that his patients and customers would need to have access to his store during the construction. This is a good project, but he wants to make certain there is safe access for his patients and customers to gain entry and exit at the drive-thru and parking lot area.
2. **Mr. Bob Woods - 411 Lytle Street** – made known his concerns regarding the parking spaces in the downtown area.
3. **Ms. Charlene Taylor – 813 East Main Street** – made known her concerns regarding the architecture for this project and that it lacks the design and the poetry of downtown Murfreesboro.

Chair Kathy Jones closed the public hearing.

The Planning Commission began discussing the proposed parking which Mr. Matthew Blomeley explained the formulas for the parking calculations. He provided information for the project from the Zoning Ordinance and the requirements from the City Core Overlay. Mr. Matt Taylor came forward to make known the overlap in time for the shared parking would include:

- The hotel would not be at full capacity during certain times of the day.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

- Staggering of all of the proposed uses were made available in the pattern book. It explains there would be a surplus of 77 parking spaces during certain times of the day.
- Shared parking is normal for urban downtown elements.
- The downtown area is a walkable environment which the public would be parking at the courthouse square, city garage, and the Judicial Center parking garage.

Chair Kathy Jones stated that she had received numerous telephone calls and emails after the neighborhood meeting on Monday night. The architecture and style of the building being presented had upset the historic downtown area. Continuing, Chair Jones commented that after seeing the material boards with the textures, the colors of the brick material makes known how the building would actually look. She requested for the design team for this project to continue to choose materials that would elevate the character of this project that everyone will be very proud of.

Mr. Matt Taylor made known their commitment on the selection of materials and the construction to make decisions through the process to be a good neighbor to the downtown area. There will be times that deliveries will be made that will shut down part of a street; not the whole street. These will be very limited instances. These instances would be coordinated with the City for timing due to this being a very sensitive matter.

Vice-Chairman Halliburton made known he liked the project, and he is proud being part of it. This development will become a game changer to the City of Murfreesboro.

Vice-Chairman Halliburton made a motion to approve the zoning application subject to all staff comments, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

ORDINANCE 20-OZ-10 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 2.42 acres along East College Street, North Spring Street, East Lytle Street, and North Church Street from General Office - Residential (OG-R) District to Planned Unit Development (PUD) District (One East College PUD); 705 4th Avenue South Holding Company, applicant [2020-434].

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

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

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

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

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker

Adam F. Tucker
City Attorney

SEAL

Ordinance 20-OZ-10

OG-R

OG-R

RM-12

RM-12

RM-12

BELL ST

RM-12

RM-12

RS-8

RS-8

PCD

W BURTON ST

E BURTON ST

Area rezoned from OG-R to PUD

OG-R

OG-R

RS-8

RS-8

W LYTLE ST

N SPRING ST

PND

CBD

E LYTLE ST

RS-8

RS-8

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COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

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

Department: Planning

Presented by: Matthew Blomeley, AICP, Assistant Planning Director

Requested Council Action:

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

Summary

Amend the Zoning Ordinance regarding the definition of "yard," timeframes for Planning Commission review of zoning applications, outdoor storage and displays, and several other miscellaneous changes.

Staff Recommendation

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

The Planning Commission recommended approval of the Zoning Ordinance amendment.

Background Information

The Planning Department presented a request to amend the Zoning Ordinance [2020-801] pertaining to the definition of "yard," timeframes for Planning Commission review of zoning applications, outdoor storage and displays, and several other miscellaneous changes. During its regular meeting on March 11, 2020, the Planning Commission conducted a public hearing on this matter and then voted to recommend its approval.

Council Priorities Served

Maintain Public Safety

The proposed ordinance amendment will require minimum lighting levels for parking lots and walkways at multi-family developments in order to enhance safety and security.

Improve Economic Development

The proposed ordinance amendment seeks to establish requirements to make areas of outdoor storage and display orderly, which will contribute to Murfreesboro being a desirable place to live, work, and conduct business.

Attachments:

1. Ordinance 20-O-12
2. Planning Commission staff comments from 03/11/2020 meeting
3. Planning Commission minutes from 03/11/2020 meeting

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
MARCH 11, 2020**

PROJECT PLANNER MARGARET ANN GREEN

- 3.f. Zoning Ordinance amendment [2020-801] regarding Sections 2, 7, 13, 18, 24, and 25, pertaining to outdoor storage, temporary and accessory structures and uses, review time limits, lighting, and yard encroachments, City of Murfreesboro Planning Department applicant.**

This proposed revision to the *Murfreesboro Zoning Ordinance* has several components that relate to outdoor storage and display, scheduling rezoning public hearings, site plan review, multi-family lighting, and yard encroachments.

Outdoor storage and display

Section 25 of the *Zoning Ordinance* would be amended to prohibit uncovered outdoor storage of tires not otherwise in compliance with City Code. The limitations of mobile-storage units as accessory structures is further defined as follows:

- accessory structures for human occupancy on any lot;
- accessory structures for storage on any lot zoned or used for residential or institutional purposes;
- accessory structures for the storage of tires on any lot.

Rezoning public hearings

Section 13 and Section 24 of the *Zoning Ordinance* would be amended to increase the amount of time the Planning Commission has between considering an application for rezoning and then conducting a public hearing. Currently the Department has 45 days from acceptance; the ordinance amendment as written gives a maximum of 90 days after the Commission has reviewed the application to hold a public hearing.

Site plan review

Section 7 of the *Zoning Ordinance* would be amended to align the review process for administrative site plans with the procedural changes that were recently enacted. Currently the Zoning Ordinance allows 14 days for approval or denial and as proposed the changes would allow a maximum of 65 days, which corresponds with the current review process.

Section 7 also replaces several occurrences of “Building Official” with “Planning Director” or “Floodplain Administrator” to align with departmental operation and policy.

Section 7(E)(2) of the Zoning Ordinance would be amended to add a checklist item requiring the identification of outdoor storage and display.

Multi-family lighting

Section 18 of the *Zoning Ordinance* would be revised to require minimum lighting standards for higher-density developments, apartments and townhomes, in parking and walkway areas. This requirement is already a part of the Design Guidelines.

Yard encroachments

Section 2 of the *Zoning Ordinance* would be revised to increase the amount bay windows, porches and balconies may encroach into front and rear yard setbacks. It would also clarify that attached or detached, uncovered decks may extend up to five feet from side or rear lot lines.

Public Hearing

Staff will be available at the Planning Commission meeting to discuss the proposed *Zoning Ordinance* revision. The Planning Commission should conduct a public hearing and then formulate a recommendation to the City Council.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

CITY HALL

6:00 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Austin Cooper, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev. Services Exec. Director

Chair Kathy Jones called the meeting to order after determining there was a quorum. Continuing, Chair Kathy Jones announced, as of today, Mr. Greg McKnight has been officially appointed as our Planning Director.

New Business

Zoning application [2019-447] to amend the Old Fort Plaza PUD for approximately 5.4 acres located along Old Fort Parkway in order to modify the site and building design, Autumn Plaza Partners applicant. Ms. Marina Rush summarized the zoning amendment application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Rush explained the changes that were being made included the of number of beds for the one-bedroom units and two-bedroom units. These changes would affect the number of parking spaces. Overall, the changes as presented for the two buildings would reduce the parking from 136 parking spaces to 126 parking spaces. This allows more room for buildings and improvements to the buffer along the west property line. Continuing, Ms. Rush explained the revision being made to the architecture would be predominantly brick materials. Staff feels the new architecture is an improved design and would be compatible with the existing building which is currently being

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 11, 2020

Zoning Ordinance amendment [2020-801] for outdoor storage, temporary and accessory structures and uses, review time limits, lighting, and yard encroachments, City of Murfreesboro Planning Department applicant. Ms. Margaret Ann Green summarized the Zoning Ordinance amendment from the staff report, which had been provided to the Planning Commission in the agenda packet.

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

Mr. Ronnie Martin made a motion to approve the Zoning Ordinance amendment, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Mandatory Referral [2020-706] dedication of sanitary sewer easement on Siegel Soccer Park property on Cherry Lane. Mr. David Ives began by making known Siegel Landing Townhomes is a project to be developed off of Cherry Lane and across from the Siegel Soccer Park. In order to provide sanitary sewer to the project, the City needs to extend a sanitary sewer line and easement across the parking lot area of the Siegel Soccer Park. A drawing had been provided for the Planning Commission's review. This project would have minimal impact to the parking lot area. Mr. Ives made known the Murfreesboro Parks and Recreation and Water Resources Departments recommend approval of this request. Therefore, he asked for the Planning Commission to consider for approval and make a recommendation to send forward to City Council.

Vice-Chairman Halliburton made a motion to approve, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

Mandatory Referral [2020-704] City of Murfreesboro Sale of 154+/- acres of land to Rutherford County Schools along Franklin Road. Mr. David Ives began by making known in 2017 the City acquired the two referenced parcels of land totaling 154 +/- acres along Franklin

ORDINANCE 20-O-12 amending Murfreesboro City Code Appendix A— Zoning, Sections 2, 6, 7, 13, 18, 24, and 25 pertaining to outdoor storage, timeframe for holding zoning public hearings, site plan review timeframe to fit within new review cycle, yard encroachments, and minimum lighting, City of Murfreesboro Planning Staff, applicant. [2020-801]

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

SECTION 1. Appendix A, Section 2, Interpretation and Definitions of the Murfreesboro City Code is hereby amended at the definition for “Yard” by deleting exception (D) in its entirety and substituting in lieu thereof the following and by adding a new (L) to read as follows:

(D) bay windows, porches and balconies may project up to sixty inches within a front or rear yard;

(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 2. Appendix A, Section 6, Amendments, of the Murfreesboro City Code is hereby amended at subsection (E)(2)(d) by deleting it in its entirety and substituting in lieu thereof the following:

(E)(2)(d) Not more than ninety days after a complete application for an amendment to the zoning map has been accepted, or the Council or the Department has recommended an amendment to the zoning map, the Commission shall hold a public hearing thereon. At such times that the Commission reviews the application and/or that the Commission conducts a public hearing, the applicant or the applicant’s agent shall be present to answer questions. Written notice of such public hearing shall be published in a local newspaper of general circulation. In addition, a sign shall be maintained on the property by the applicant which meets the size and content specifications 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 3. Appendix A, Section 7, Site Plan Review, of the Murfreesboro City Code is hereby amended at subsection (E)(2), by adding the following language to the City of Murfreesboro Planning Commission Site Plan Review Checklist at subsection “K. Other” as item (7) as follows:

____(7) the proposed location for outdoor storage including the locations of temporary outdoor storage and/or display, permanent outdoor storage and/or display, and the screening of such elements in accordance with Sections 18, 21, 24, 25, and/or 27 of this article;

SECTION 4. Appendix A, Section 7, Site Plan Review, of the Murfreesboro City Code is hereby amended at subsection (G) by replacing the words “Building Official” with “Planning Director,” “fourteen” with “sixty-five,” and adding the word “approve” before “subject to conditions” so that it reads:

(G) *Procedure for administrative site plan review.* The Planning Director or designee shall approve, approve subject to conditions, or disapprove administrative site plans within sixty-five days of their receipt. The Planning Director shall send written notice of the decision to the applicant, along with reasons for the decision.

SECTION 5. Appendix A, Section 7, Site Plan Review, of the Murfreesboro City Code is hereby amended at subsections (A), (E)(3), (E)(3)(b), and E)(3)(c) as follows:

(A): REPLACE the word “Building Official” with “Planning Director”

(E)(3): REPLACE the word “Building Official” with “Planning Director”

(E)(3)(b): REPLACE the word “Building Official” with “Planning Director”

(E)(3)(c): REPLACE the word “Building Official” with “Floodplain Administrator”

SECTION 6. Appendix A, Section 13, Planned Development Regulations, of the Murfreesboro City Code is hereby amended at subsection (D)(4) by replacing the word “filed” with “accepted,” the word “seventy-five” with “ninety,” and the word “received” with “reviewed” so that it reads:

(D)(4) *Planning Commission review of application.* Not more than forty-five days after a complete application for planned development approval has been accepted, the Planning Commission shall review the application. At such time as the Commission reviews the application, the applicant or the applicant’s agent shall be present to answer questions regarding the proposed development. During this review, the Commission members may suggest changes to the proposed development plan.

Not more than ninety days after the Commission has reviewed the planned development application, a public hearing shall be held thereon. Notice of such public hearing shall be in the manner as prescribed in Section 6(E)(2)(d) of this article. After the conclusion of the public hearing, the Commission shall prepare a recommendation for City Council. Provided, however, the Commission may defer action for not more than sixty days or for a greater period of time if the applicant so requests. A recommendation prepared by the Commission shall be for approval, disapproval, or approval subject to special conditions.

SECTION 7. Appendix A, Section 18, Regulations of General Applicability, of the Murfreesboro City Code is hereby amended at subsection (G) by adding to the end thereof a new subsection (14) as follows:

(G)(14) In multi-family and single-family attached developments, exterior lighting levels for parking and walkways shall be a minimum of 0.5 foot-candles. Lighting shall be even, and “hot” spots are to be avoided. Switched light fixtures under the control of residents may not be used in the foot-candle calculation.

SECTION 8. Appendix A, Section 24, Overlay District Regulations, Article VI. CCO, City Core Overlay District, of the Murfreesboro City Code is hereby amended at subsection (D)(1) by adding a new subsection (c) to read as follows:

- (c) bay windows, porches and balconies may project up to sixty inches within a front or rear yard so long as they do not interfere with automotive sight triangle requirements as set forth in Section 27(P) of this article.

SECTION 9. Appendix A, Section 24, Overlay District Regulations, Article V. PS, Planned Signage Overlay District, of the Murfreesboro City Code is hereby amended at subsection (H) by replacing the words “filed” with “accepted,” “seventy-five” with “ninety,” and “received” with “reviewed” so that it reads:

- (H) *Planning Commission.* Not more than forty-five days after a complete application for Planned Signage Overlay District zoning has been accepted, the Planning Commission shall review the application. At such time as the Commission reviews the application, the applicant or the applicant’s agent shall be present to answer questions. The Commission may suggest changes. Not more than ninety days after the Commission has reviewed the application, a public hearing shall be held thereon. Notice of such public hearing shall be in the manner prescribed in Section 6(E)(4) of this article. After the conclusion of the public hearing, the Commission shall prepare a recommendation for the City Council. Provided, however, the Commission may defer action for not more than sixty days or, if the applicant so requests, for a greater period of time. A recommendation prepared by the Commission shall be for approval, disapproval, or approval subject to special conditions.

SECTION 10. Appendix A, Section 25, Temporary and Accessory Structures and Uses, of the Murfreesboro City Code is hereby amended at subsection (C) by deleting subsection (C)(2) in its entirety and substituting in lieu thereof the following and by adding a new (C)(5) to read as follows:

- (C)(2) mobile storage units, e.g., semi-trailers, converted vans, or converted buses, shall not be used as:
 - a) accessory structures for human occupancy on any lot;
 - b) accessory structures for storage on any lot zoned or used for residential or institutional purposes;
 - c) accessory structures for the storage of tires on any lot.
- (C)(5) Tires shall only be stored within a fully-enclosed structure. Open or uncovered outdoor storage of tires is prohibited. Provided however that outdoor tire displays may be permitted subject to all limitations contained in the City Code.

SECTION 11. Appendix A, Section 25, Temporary and Accessory Structures and Uses, of the Murfreesboro City Code is hereby amended at subsection (E) by replacing the period at the end of Section 25 (E)(7) with a comma, and adding the following subsection (8):

- (8) Outdoor Storage and Display for non-residential lots shall not be located within a required yard, in required parking stalls, in vehicle or pedestrian access ways, in landscape areas, or in open space. Permanent storage and display shall be screened from public and adjoining property view. Provided, however, that temporary outdoor storage and display of merchandise not located within a special overlay district may be permitted upon approval of a

site plan and documentation that it will not impair the ability of the site to meet minimum standards.

SECTION 12. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading _____

2nd reading _____

Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

DocuSigned by:
Adam F. Tucker

43A2035E-51E9401...
Adam F. Tucker
City Attorney

SEAL

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Regulatory Assistance for NPDES Permit Renewal

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

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

Summary

Approve an engineering task order to provide regulatory assistance for the Water Resources Department in obtaining our 2021 National Pollutant Discharge Elimination System (NPDES) permit.

Staff Recommendation

Approve the Hazen and Sawyer Regulatory Assistance proposal and associated Master Services Agreement (MSA) subject to Legal approval.

Background Information

The Murfreesboro Water Resource Recovery Facility (MWRRF) serves a population of approximately 160,000. The University of Tennessee's Boyd center predicts a near 50% increase in the population of Rutherford County by 2040. Murfreesboro can expect a significant increase in demand for wastewater services resulting from this growth. Staff has determined preliminarily a remaining WRRF capacity of 10-12 years given the historical growth of Murfreesboro's Urban Growth Boundary. In order to continue the socio-economic benefit the City has been afforded in the past and continue to be the economic engine to the State of Tennessee, staff believes all efforts should be made to expand the NPDES permit and in turn allow the WRRF to be expanded. The key lies in proving the West Fork Stones river has remaining assimilative capacity to accept the WRRF's highly treated effluent.

Hazen and Sawyer (Hazen) has the expertise to help MWRD in determining the remaining assimilative capacity in the WFSR. In addition, Hazen has the personnel to advance the findings of MWRD's data-driven approach and rationale to upper levels of TDEC personnel. Hazen proposes to provide Murfreesboro with regulatory and water quality planning and support in accordance with the attached proposal and the following tasks:

- Task 1 – Project Initiation/Data Gathering and Review
- Task 2 – Benchmarking
- Task 3 – Regulatory Coordination and Compliance Plan
- Task 4 – Stream Assessment Support
- Task 5 – 2021 Permit Reissuance Support
- Task 6 – On-Call Regulatory Support

Council Priorities Served

Expand Infrastructure

Expansion of the City's WRRF allows additional sewer connections to occur within the City.

Improve economic development

Additional sewer connections allow new development and redevelopment to occur within all land use types; industrial, commercial and residential, and as such, increases the socioeconomic benefit to the City by creating jobs and dwelling units within our community.

Fiscal Impact

Task	Start Date	End Date	Fee
TASK 1 – Project Initiation/ Data Gathering and Review	5/1/2020	6/31/2020	\$ 24,500
TASK 2 -Benchmarking	7/1/2020	9/31/2020	\$ 25,500
TASK 3 - Implementation Plan	10/1/2020	1/31/2021	\$ 41,100
TASK 4 - Stream Assessment Support	5/1/2020	4/30/2022	\$ 66,300
TASK 5 -2021 Permit Reissuance Support	10/1/2020	11/30/2021	\$ 33,000
Subtotal Tasks 1- 5			\$ 190,400
TASK 6 -On-Call Regulatory Services	5/1/2020	4/30/2022	\$ 13,300
Total w/ Task 6 Contingency			\$ 203,700

Attachments

Hazen and Sawyer Regulatory Assistance proposal



Hazen and Sawyer
545 Mainstream Drive, Suite 320
Nashville, TN 37228 • 615.783.1515

March 24, 2020

Darren Gore, Director
Murfreesboro Water Resources Department
300 NW Broad Street P.O. Box 1477
Murfreesboro, TN 37133-1477

Re: Regulatory Water Quality Planning Services

Dear Mr. Gore:

Per our recent discussions, I am pleased to submit this proposal to provide regulatory assistance and water quality planning services to Murfreesboro.

Attached is a scope of work that describes the services to be provided. Please feel free to reach out to me should you have any questions via phone 615-490-8110 or 615-294-4779 or by email at squalls@hazenandsawyer.com. I look forward to working with Murfreesboro to achieve the City's regulatory objectives.

Sincerely,

Saya Ann Qualls-Hickey, PE, ENV SP
Associate Vice President

Regulatory/Water Quality Planning Services

Background

The City of Murfreesboro owns and operates a 20/24 mgd Water Resource Recovery Facility that discharges reclaimed water into the West Fork Stones River at mile 10.5. The NPDES permit for this facility expires on August 31, 2021.

Historically, the West Fork Stones River has been assessed as being impaired for sediment, low dissolved oxygen and nutrients. More recently, the State of Tennessee Division of Water Resources (DWR) has assessed the river as being impaired for nitrate/nitrite, total phosphorus, dissolved oxygen and sedimentation/siltation as well as assessing the upper reaches of Percy Priest Reservoir as being threatened due to high phosphorus as evidenced by elevated chlorophyll a levels.¹

The Murfreesboro Water Resource Recovery Facility (MWRRF) serves a population of approximately 160,000. The University of Tennessee's Boyd center predicts a near 50 % increase in the population of Rutherford County by 2040. Murfreesboro can expect a significant increase in demand for wastewater services resulting from this growth.

Hazen and Sawyer (Hazen) proposes to provide Murfreesboro with regulatory and water quality planning and support in accordance with the scope of work outlined below.

Project Goals and Objectives

Key project objectives include the following:

- Develop a complete understanding of DWR's current assessment methodology and basis for assessment
- Continue to foster a collaborative relationship with DWR
- Work with DWR to ensure that any DWR assessment decisions are based on science and without bias
- Provide support to achieve issuance of reasonable, defensible and protective permits for the MWRRF

To accomplish these objectives, the following major tasks are included in this project:

Task 1 – Project Initiation/Data Gathering and Review

Task 2 – Benchmarking

Task 3 Regulatory Coordination and Compliance Plan

¹ 2016 Final Tennessee 303(d) List

Task 4 – Stream Assessment Support

Task 5 – 2021 Permit Reissuance Support

Task 6 – On-Call Regulatory Support

Scope of Work

Task 1 - Project Initiation/Data Gathering and Review

This task entails a kick-off workshop to review the scope, budget, data needs and major milestones associated with this work. During this workshop we will identify/confirm MWRD’s primary concerns and refine overall project objectives. Following the workshop, Hazen will provide MWRD with a meeting summary.

This task will also include gathering data related to effluent and instream water quality, biological, algal and stream assimilative capacity, permitting, current and future reuse practices; and data specifically used by TDEC for the 2020 assessment. Additionally, Hazen will compile information on development patterns, property values and tax base. Hazen anticipates gathering these data from sources that include:

- City of Murfreesboro
 - Water Resource Division
 - Community Development
 - GIS
 - Finance
- Rutherford County
 - Stormwater
 - GIS
 - Planning and Engineering
 - Budget and Finance
- State of Tennessee
 - Department of Environment and Conservation
 - Department of Economic and Community Development
 - Department of Agriculture
 - Advisory Commission on Intergovernmental Relations
- Federal
 - EPA
 - USACE
 - USGS

Hazen will conduct a workshop to review, compare and contrast the data and to identify/address any data gaps.

Following the workshop Hazen will prepare a technical memorandum (TM) that:

- Summarizes Murfreesboro’s goals and objectives

- Presents the findings of the data review; and
- Provides a historical timeline of permitting and assessment

Task 2 – Benchmarking

The purpose of this task is to review DWR’s approach to permitting the MWRRF and assessment of the WFSR in contrast to other permits and assessments both within Tennessee and in surrounding states.

First, Hazen will compare and contrast Tennessee’s assessment, permitting and nutrient reduction approaches with select Region IV states. Hazen will work with MWRD to identify up to 3 states for comparison.

Next Hazen will compare and contrast the NPDES permit for MWRRF with similarly situated NPDES permits both in Tennessee and surrounding states. Hazen will work with MWRD to identify and select up to 3 Tennessee permits and up to 3 permits in other Region IV states.

Hazen will review the findings with MWRD and will prepare a TM that documents the benchmarking process and summarizes the results.

Task 3 – Regulatory Coordination and Compliance Plan

Based on the results of Tasks 1-2, Hazen will work with MWRD to develop a practical, realistic and effective implementation plan that provides a path forward towards a goal of achieving more certainty in the regulatory process. The plan will:

- Address the goals outlined in Task 1
- Review, evaluate and refine MWRD’s regulatory goals
- Identify and recommend regulatory options for permitting, assessment and water quality standards implementation.

Hazen will conduct a workshop with MWRD to review Tasks 1-2 and to present an outline of the implementation plan. Following the workshop, Hazen will prepare a draft of the plan for MWRD review and conduct a workshop to review and discuss the draft plan. Hazen will then prepare a final implementation plan following that review. The plan will inform the methods for implementing Tasks 4 and 5.

Task 4 – Stream Assessment Support

2020 303(d) List Follow-up

Hazen will review the 2020 assessment methodology and protocols along with the data upon which TDEC based the assessment. Hazen will compare these data with that collected by MWRD to identify areas of commonality and to and explore the reasons for any conflicting data. Hazen will also evaluate economic impacts associated with the current assessment of the WFSR. These may include:

- Potential treatment and reclaimed water management costs and subsequent impacts to ratepayers

- Development patterns, property values and tax base

Once these impacts are identified and quantified, Hazen proposes to schedule, prepare for and conduct a meeting with TDEC upper management to review the 2020 assessment, economic impacts, and plan for the 2022 assessment cycle.

2022 Assessment Cycle Sampling Plan

Hazen will also prepare for and conduct a meeting with follow-up meeting with TDEC to develop a specific sampling approach to provide data for assessment that builds upon Murfreesboro's existing water quality data set. The sampling plan will be developed in accordance with TDEC's sampling and assessment protocols. Hazen will review draft sampling plan with MWRD, TDEC and other key team members prior to finalizing the plan.

During the sampling period (assumed to be 18 months), Hazen will provide sampling coordination and periodic water quality data review that will be used to make needed adjustments in sampling protocols, locations or parameters. It is assumed Hazen will not perform field sampling or analysis.

Upon completion of data collection, Hazen will review and evaluate data with respect to Tennessee's Water Quality Standards, assessment methodologies and other appropriate metrics. Hazen will schedule, prepare for and coordinate a meeting between MWRD and TDEC to review the data collected along with the conclusions based on the data. Hazen will compile all data into formats suitable for submittal to TDEC for the 2022 assessment cycle. Hazen will then review the draft 2022 list and provide comments for MWRD as necessary.

Task 5 – 2021 Permit Reissuance Support

The application for reissuance of the MWRRF NPDES permit must be submitted no later February 28, 2021. Approximately six months prior to application submittal Hazen will work with MWRD to schedule, prepare for and conduct a pre-application meeting with DWR. The purpose of the meeting is to review changes/activities that have occurred during the permit term, to obtain guidance from DWR and to work collaboratively with DWR to achieve MWRD's goal of a reasonable, defensible and protective permit.

Hazen will assist MWRD in preparation of the permit application package and will also schedule, prepare for and conduct a meeting with DWR subsequent to receiving notice of a complete application. The purpose of this meeting will be to get an understanding of DWR's planned permitting approach and to provide input and additional information to address any concerns.

Upon receipt of the draft permit, Hazen will review in detail, check calculations and legal basis for specific provisions. Hazen will prepare comments on the draft permit for submittal to DWR. Hazen will also review any comments submitted by third parties and EPA on the draft permit.

Upon issuance of the final permit, Hazen will review in detail for changes that were or were not made in response to comments. Hazen's review will also include recommendations for additional actions including appeal of the permit if deemed necessary. Any assistance related to permit appeal or other post-issuance support will be provided either through Task 6, On-Call Regulatory Services.

Task 6 - On-Call Regulatory Services

This task entails assistance for unanticipated regulatory issues or concerns that may arise during the term of this project. An on-call not-to-exceed fee is established for this task and will be billed on an hourly basis using standard hourly rates.

SCHEDULE AND FEE

Fees for time spent on the project will be invoiced in accordance with the following terms and labor rates: Labor will be billed according to the rates in the attached 2020-2021 Standard Rate Table and are updated annually on July 1. Expenses will be billed at cost, with the total fee not to exceed \$203,700 unless further authorization is received from Murfreesboro.

The estimated per task fees (including expenses) and anticipated schedule (assuming an May 1, 2020, notice to proceed) are provided in the following table:

Task	Start Date	End Date	Fee
TASK 1 – Project Initiation/ Data Gathering and Review	5/1/2020	6/30/2020	\$ 24,500
TASK 2 -Benchmarking	7/1/2020	9/30/2020	\$ 25,500
TASK 3 - Regulatory Coordination and Compliance Plan	10/1/2020	1/30/2021	\$ 41,100
TASK 4 - Stream Assessment Support	5/1/2020	4/30/2022	\$ 66,300
TASK 5 -2021 Permit Reissuance Support	9/1/2020	10/31/2021	\$ 33,000
TASK 6 -On-Call Regulatory Services	5/1/2020	4/30/2022	\$ 13,300

COUNCIL COMMUNICATION

Meeting Date: 05/07/2020

Item Title: Shelton Square Special Sanitary Sewer Assessment District

Department: Water Resources

Presented by: Darren Gore

Requested Council Action:

- Ordinance
 - Resolution
 - Motion
 - Direction
 - Information
-

Summary

A proposal for a SSSAD to recoup the participation amount for the upsize of the sewer forcemain to serve the development identified as Shelton Square Subdivision in the amount of \$249,590. The SSSAD would only affect adjoining parcels.

Staff Recommendation

Approve creation of the SSSAD in the amount of \$500 per single family unit or equivalent.

Background Information

At the Nov/Dec 2017 Board meeting, the Board approved of participating with Bob Parks, the developer of the Shelton Square Subdivision (770 lots), to upsize the sewer forcemain from 6" to 8" to allow for additional development in the area. The participation amount totaled \$249,590. Gravity sewer, a sewer pump station and forcemain was the only option for sewer service in the area, which is west of I-24 and north of I-840. The Shelton property pumps to the northeast, under I-24 and discharges into an 18-inch gravity sewer along Florence Rd.

The attached exhibit illustrates the properties surrounding Shelton Square that have been identified by Developers and Staff as potential properties for development, which would be required to pay the SSSAD fee.

Council Priorities Served

Responsible budgeting

Creating the SSSAD to recoup the Department's expenditure for the upsizing of the sewer force main.

Expand infrastructure

Upsizing the sewer forcemain will allow future and additional gravity sewer main extensions in the area for potential adjacent developments in addition to the Shelton Square Subdivision.

Fiscal Impact

Based on the participation cost, number of units, and time value of money, the estimated Shelton Square SSSAD would be \$500 per single family unit (sfu).

Financing Assumptions & Sanitary Sewer Special Assessment Fee

Calculation:

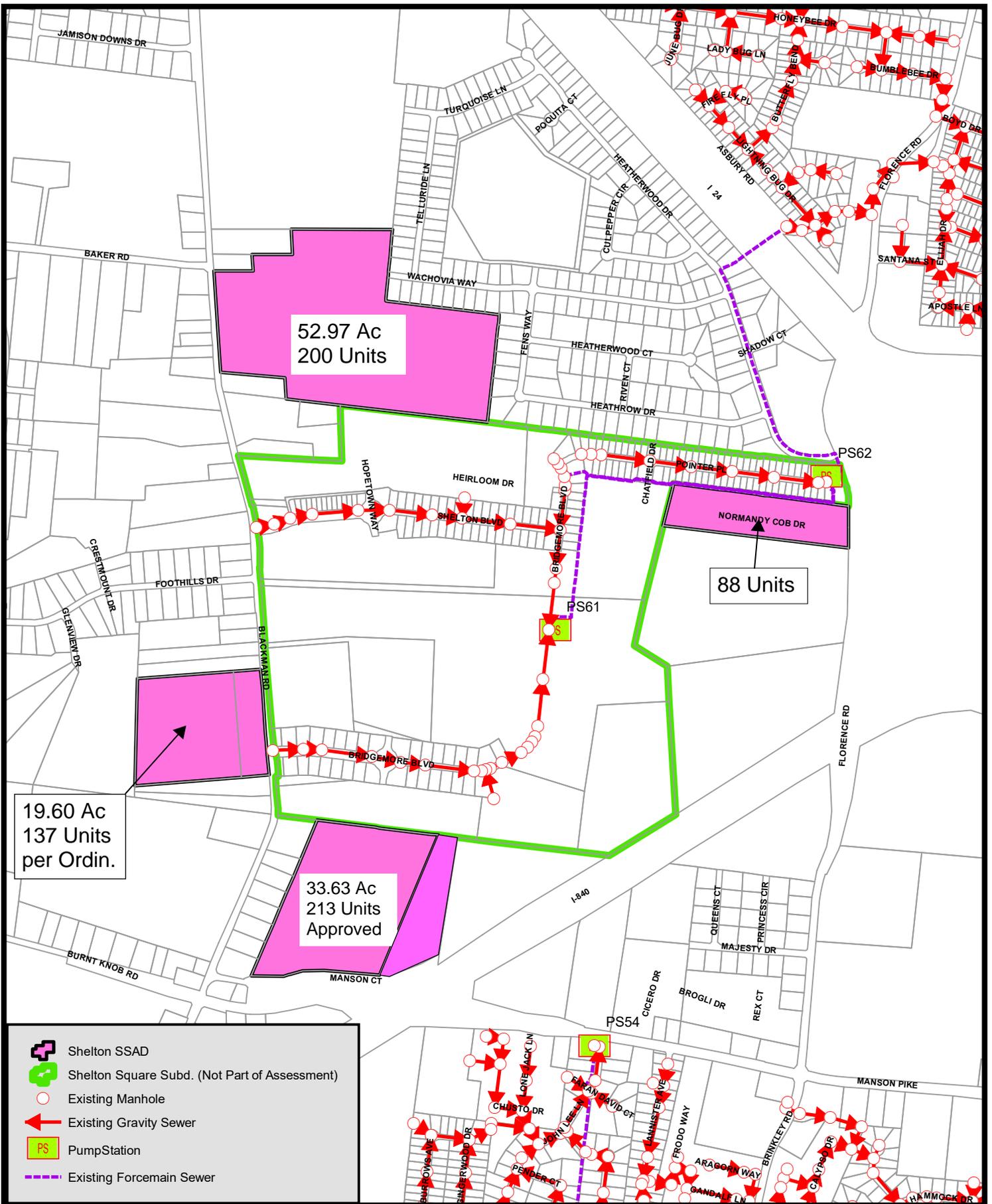
10-yr financing term @ 3.5% interest (w/ one pay period per year)
Assessment based on Estimated Single-Family Unit Count = 638 sfu's
Participation Costs = \$249,590
Finance Costs = \$50,520
Recommended Assessment at \$500 per sfu

The total cost for a sanitary sewer connection and capacity buy-in fee in this proposed SSSAD would therefore be:

Shelton Square Special Sewer Assessment = \$500 per sfu
Overall Creek Special Sewer Assessment = \$1,000 per sfu
Sanitary Sewer Capacity Buy-in Fee = \$2,550 per sfu
Total SFU cost = \$4,050

Attachments

1. Exhibit – Shelton Square Assessment Areas
2. Assessment District Cost Spreadsheet



	Shelton SSAD
	Shelton Square Subd. (Not Part of Assessment)
	Existing Manhole
	Existing Gravity Sewer
	Pump Station
	Existing Forcemain Sewer

SCALE: 1" = 1,000'

MURFREESBORO WATER AND SEWER DEPARTMENT

Proposed Shelton Sanitary Sewer Assessment District

April 2020
TAB

MURFREESBORO
TENNESSEE
WATER RESOURCES

**Shelton Square
Sanitary Sewer Assessment District
April 15,2020**

# of Single Family Units	Installation Expense **	P Principal	Y # of Years	i Interest Rate	n Pay Periods per Year	R Payment Rate	Total Payment (R*n*Y)	Rounded (\$ / Unit)
638	\$249,590.00	\$249,590.00	10	3.50	1	\$30,011.04	\$300,110.43	\$500.00

** Participation Amount to Upsize the sewer forcemain.

The pump station per latest email can handle 1457 single family units.

741 Units Currently for Shelton leaves 716 Units Available but not sure will get this many extra units because of the ordinance.

$$R=i/100*(P/n)/(1-(i/(100*n)+1)^-(n*Y))$$