

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**JULY 8, 2020
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the May 20, 2020, June 3, 2020 and June 17, 2020 Planning Commission meetings.**
- 4. Staff Reports and Other Business:**
 - a. Election of Chair and Vice-Chair for 2020-2021.
- 5. Public Hearings:**
 - a. Zoning application [2020-407] to amend the Victory Station PUD to modify the use chart on approximately 32.6 acres located south of Franklin Road and east of Rucker Lane, Swanson Development applicant. (Project Planner: Marina Rush)
 - b. Proposed amendments to the Zoning Ordinance [2020-803] to Section 26: Off-Street Parking, Queuing, and Loading, regarding off-site parking agreements, joint parking agreements, and other miscellaneous items, City of Murfreesboro Planning Department applicant.
- 6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JULY 8, 2020
Project Planner, Marina Rush**

- 5.a. Zoning application [2020-407] to amend the Victory Station PUD to modify the use chart on approximately 32.6 acres located south of Franklin Road and east of Rucker Lane, Swanson Development applicant.**

The applicant, Swanson Development, is requesting to amend the Victory Station Planned Unit District (PUD) zoning. The entire Victory Station PUD is approximately 130 acres and straddles both sides of Franklin Road. The portion proposed to be amended is 32.6 acres of the PUD located south of Franklin Road and includes Parcels J, K, Q, R, V and O-2. The property is identified as Tax Map 92, Parcels 118.00 and 118.02 and Tax Map 100, Parcel 009.02.

Adjacent Zoning and Land Uses

The properties to the west of the PUD across Rucker Lane are zoned RS-15, RS-10 (Single-Family Residential Districts), and RM (Medium Density Residential District – unincorporated County) and are developed with single family homes and a church. To the south of the PUD is zoned RS-10 and developed with single family homes. The properties to the east and north not in the Victory Station PUD are in the unincorporated portion of Rutherford County and zoned RM. The adjacent land uses are agriculture, vacant land, and single-family residential.

Request for PUD Zoning Amendment

The Victory Station PUD was approved by the City Council in 2000 and subsequently amended several times, most recently in March 2018 to add uses to the Uses Permitted Chart. For this proposed amendment, the applicant wishes to combine Parcels J and K and Parcels Q and R due to their proximity and nearly identical uses permitted, as well as add some new uses to Parcels O-2 and V. Also, the amendment would add the building at 3781 Franklin Road to Parcel O-2 of the PUD. The building is located within the PUD zoning, but the “parcel” it belongs to in the PUD has never formally been identified. The building was previously used as a volunteer fire station and has since been converted into a multi-tenant commercial building.

Attached to this staff report is the Victory Station PUD map depicting the location of each parcel, an excerpt with just the affected parcels is below. Also attached to

the staff report is the proposed Amended Use Chart where the “N” denotes the new uses proposed and “X” denotes the uses currently permitted.

Victory Station Parcels J/K, Q/R, O2 and V



TO BE PROVIDED ON BOTH SIDES OF ALL
 LEVARDS
 CHART FOR ALL ALLOWABLE USES IN THE
 S

Table 1: Combine Parcels J and K

| Uses Permitted | Parcel J | Parcel K |
|-------------------------|----------|----------|
| Gas Station | X | N |
| Pawn Shop | N | X |
| Telephone Service | N | X |
| Self-storage facility | N | X |
| Wholesale establishment | N | X |

Table 2: Combine Parcels Q and R

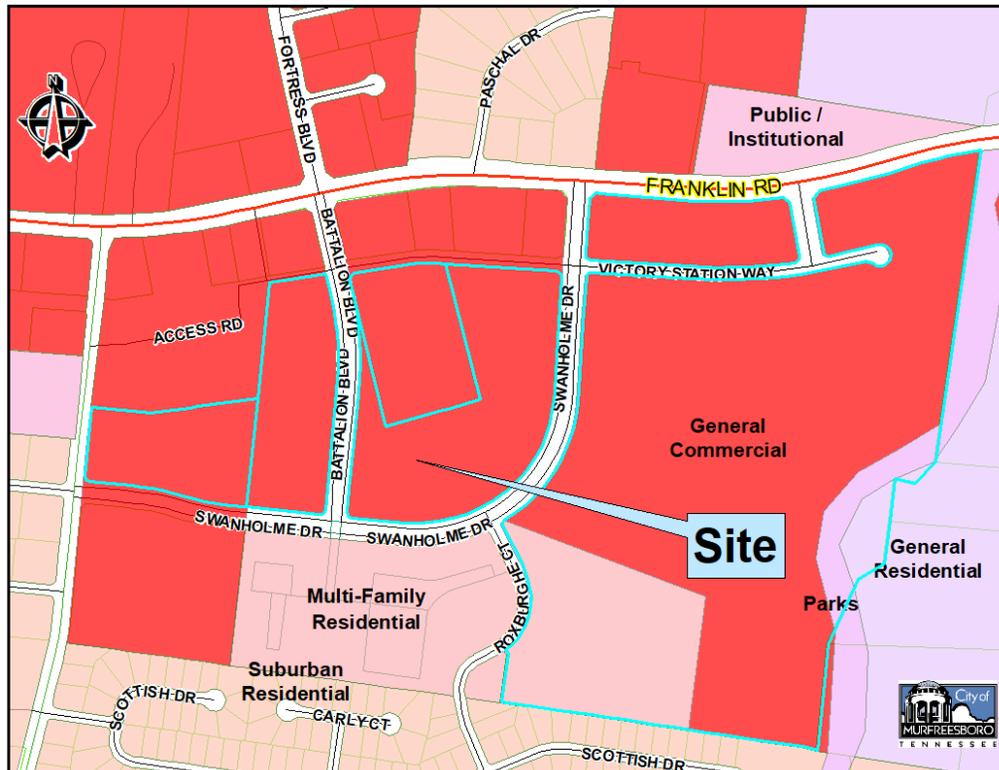
| Uses Permitted | Parcel Q | Parcel R |
|---|-----------------------|-----------------|
| Single-Family Attached | N | X |
| Senior Citizens Center | N | N |
| Motor Vehicle Service (excludes body shop, no outdoor storage, no bay doors face ROW) | X | N |
| Pharmacies | X | N |
| Motel | Remove use from chart | |

Table 3: Add New Uses Parcels O-2 and V

| Uses Permitted | Parcel O-2 | Parcel V |
|---|-------------------|-----------------|
| Senior Citizens Center | N | N |
| Coffee, food, beverage kiosk | N | - |
| Greenhouse or nursery | N | - |
| Kennels | N | - |
| Pet Funeral Home | N | - |
| Fireworks temporary stand | N | - |
| Nursery School | X | N |
| Public Building | X | N |
| Amusement, indoor | X | N |
| Business School | X | N |
| Commercial Center | X | N |
| Funeral Home | X | N |
| General Service and Repair | X | N |
| Glass pane, plate and window | X | N |
| Laboratories, medical and testing | X | N |
| Laundries, self service | - | N |
| Restaurants, drive-in, specialty, and specialty limited | X | N |
| Veterinary hospital | X | N |
| Brewery | X | N |

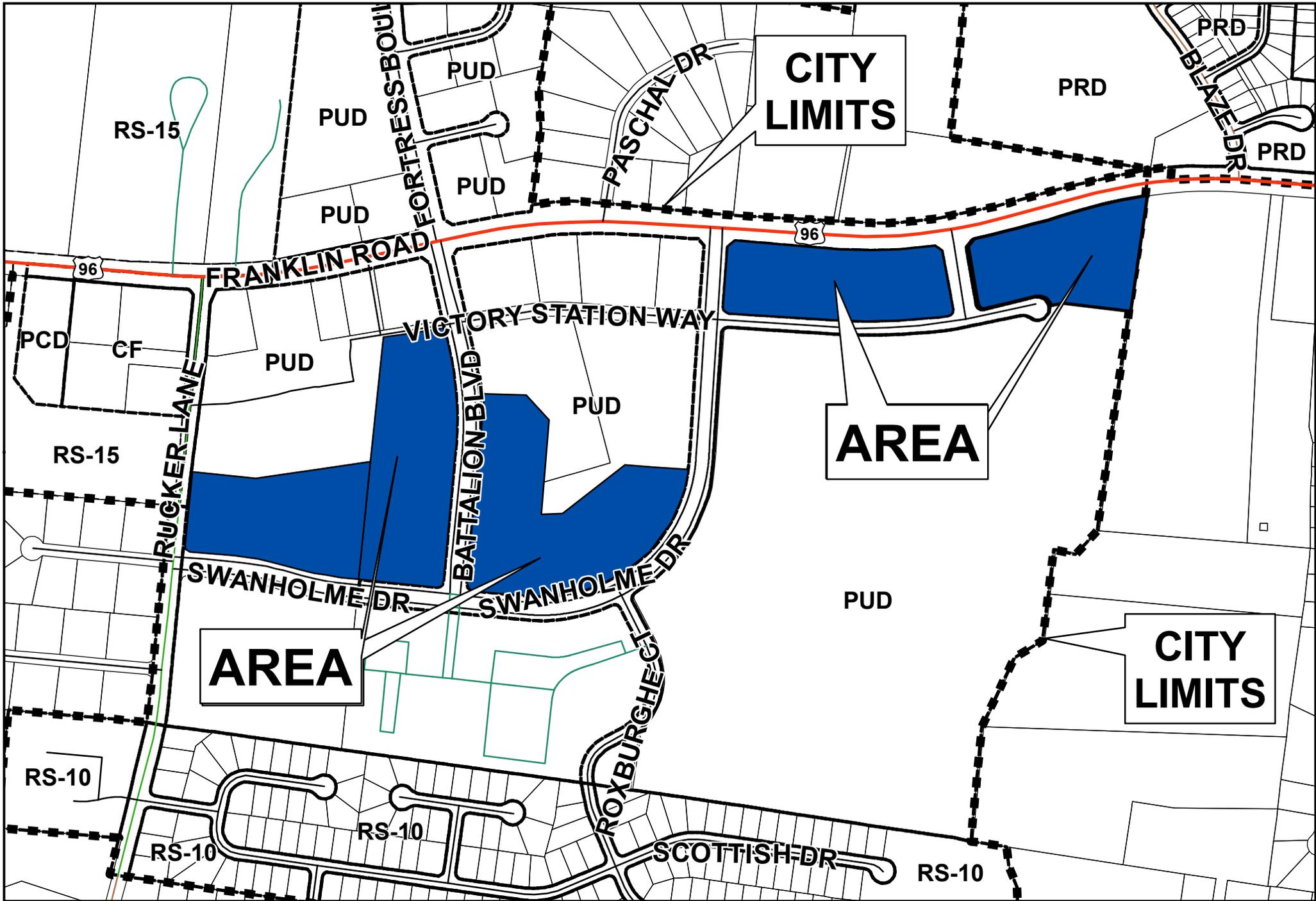
Future Land Use Map

The future land use map of the *Murfreesboro 2035 Comprehensive Plan* indicates that Auto-Urban (General) Commercial is the most appropriate land use character for the project area. The characteristics of this designation are commercial uses focused on automobile accessibility, large parking areas, and are primarily commercial uses that generate higher traffic volumes. The amendments proposed for the Victory Station PUD zoning are consistent with this land use character.



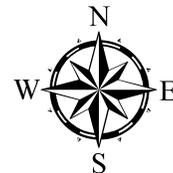
Public Hearing

The applicant will be available at the Planning Commission meeting to discuss the proposed zoning amendment. The Planning Commission should conduct a public hearing, discuss the matter, and then formulate a recommendation to the City Council.

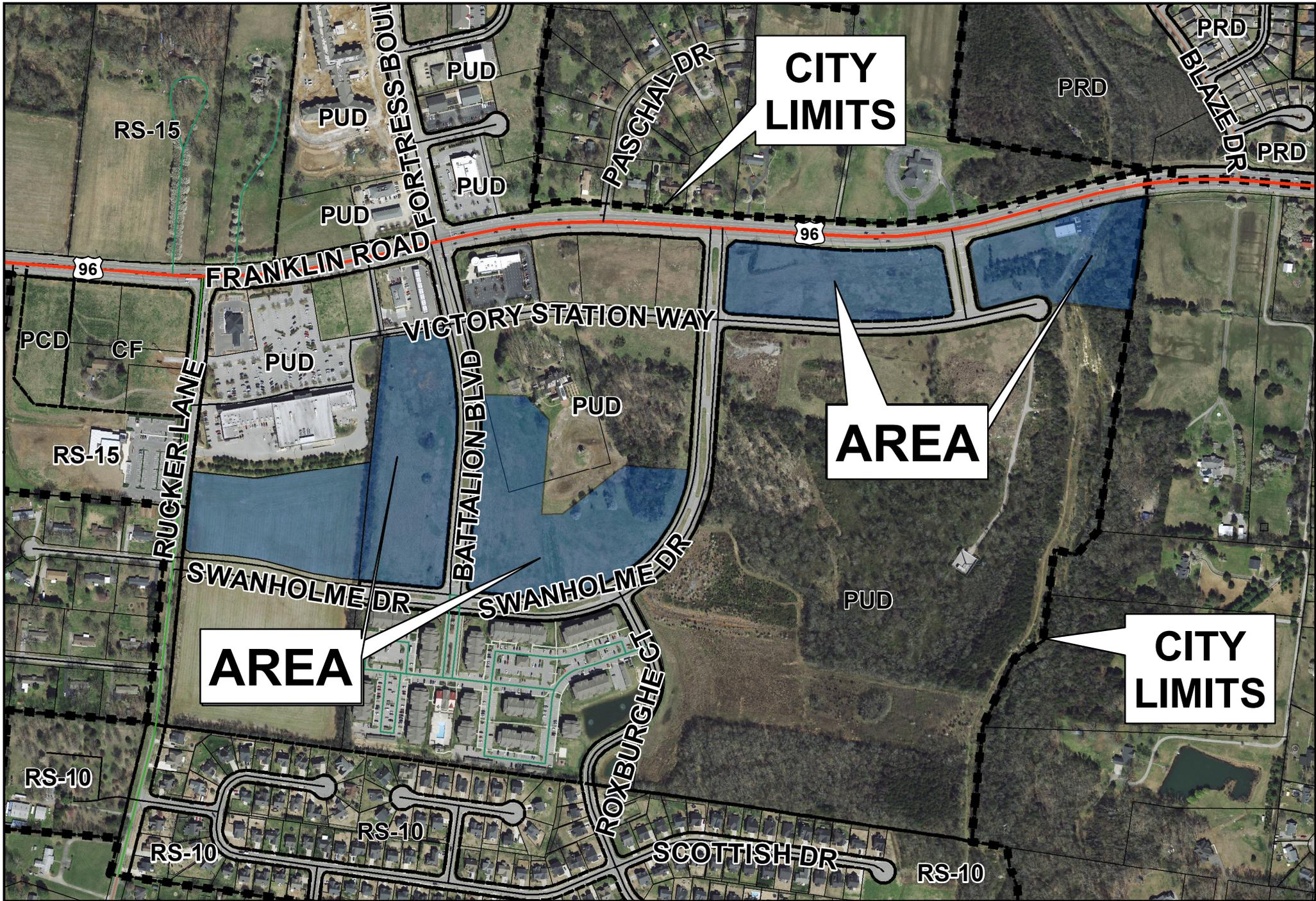


**Zoning Request Along Franklin Road, Battalion Boulevard,
and Swanholme Drive**

PUD Amendment (Victory Station PUD)

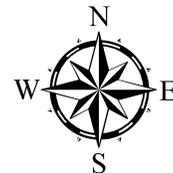
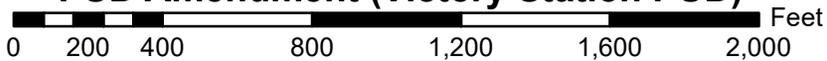


Planning Department
 City of Murfreesboro
 111 West Vine Street
 Murfreesboro, TN 37130
murfreesborotn.gov/planning



**Zoning Request Along Franklin Road, Battalion Boulevard,
and Swanholme Drive**

PUD Amendment (Victory Station PUD)



Planning Department
City of Murfreesboro
111 West Vine Street
Murfreesboro, TN 37130
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developments | real estate | construction

(615)-896-0000

1-888-269-9939

swansondev.com

Victory Station

Planned Unit Development

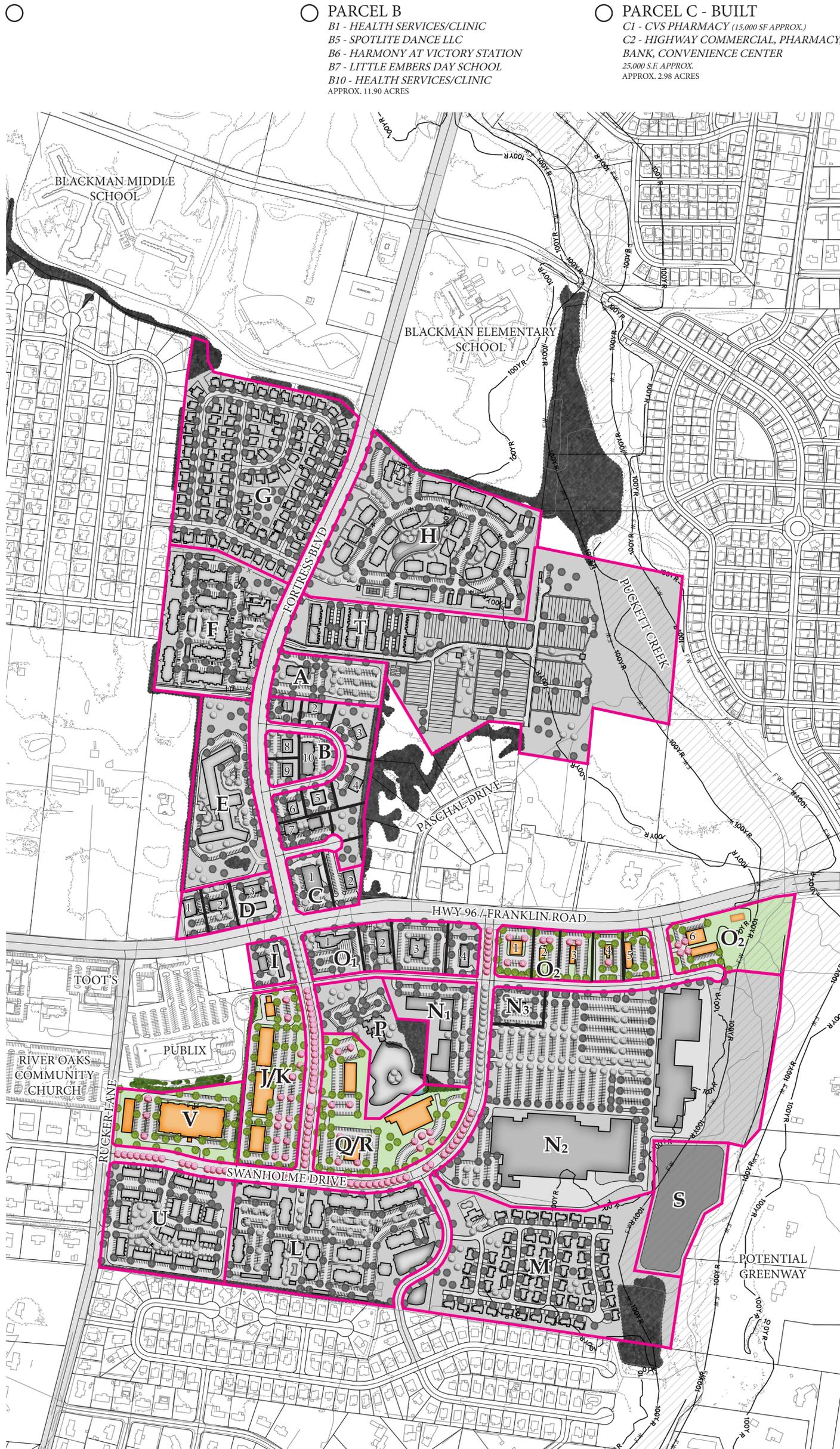
Murfreesboro, Tennessee

SEC, Inc.

SITE ENGINEERING CONSULTANTS

Engineering • Surveying • Land Planning • Landscape Architecture
850 Middle Tennessee Blvd, Murfreesboro, TN 37129
www.sec-civil.com • 615-890-7901 • fax 615-895-2567

Initial Submittal Date: 05-14-2020



○ PARCEL B
 B1 - HEALTH SERVICES/CLINIC
 B5 - SPOTLITE DANCE LLC
 B6 - HARMONY AT VICTORY STATION
 B7 - LITTLE EMBERS DAY SCHOOL
 B10 - HEALTH SERVICES/CLINIC
 APPROX. 11.90 ACRES

○ PARCEL C - BUILT
 C1 - CVS PHARMACY (15,000 SF APPROX.)
 C2 - HIGHWAY COMMERCIAL, PHARMACY,
 BANK, CONVENIENCE CENTER
 25,000 S.F. APPROX.
 APPROX. 2.98 ACRES

○ PARCEL D
 D1 - SITE FOR SORE EYES LLC (6,850 SF APPROX.)
 D2 - GENERAL RETAIL/OFFICE (6,000 SF APPROX.)
 D3 - EXXON & TIGER MARKET (4,800 SF APPROX.)
 20,000 S.F. APPROX.
 APPROX. 1.75 ACRES

○ PARCEL E - BUILT
 THE CROSSINGS AT VICTORY STATION
 ASSISTED LIVING FACILITY
 APPROX. 9.70 ACRES

○ PARCEL F
 GARRISON STATION APARTMENTS
 176 UNITS
 APPROX. 12.17 ACRES

○ PARCEL G - BUILT
 VICTORY POINTE SUBDIVISION
 157 LOTS
 APPROX. 22.80 ACRES

○ PARCEL H - BUILT
 CROSS CREEK AT VICTORY STATION
 360 UNITS
 16 UNITS PER ACRE
 APPROX. 21.90 ACRES

○ PARCEL I - BUILT
 SPEEDWAY GAS STATION
 APPROX. 1.49 ACRES

● PARCEL J/K
 RETAIL SHOPS, HIGHWAY COMMERCIAL, BANKS,
 CONVENIENCE CENTER
 APPROX. 8.50 ACRES

○ PARCEL L - BUILT
 BELDEN RESERVE APARTMENTS
 288 UNITS
 APPROX. 18.00 ACRES

○ PARCEL M
 MULTI-FAMILY
 220 UNITS
 10 UNITS PER ACRE
 APPROX. 22.00 ACRES

○ PARCEL N₁ - N₃
 RETAIL
 APPROX. 51.70 ACRES

○ PARCEL N₂ - N₃
 RETAIL
 APPROX. 46.48 ACRES
 497,550 S.F. APPROX. OF FLOOR AREA

○ PARCEL O₁
 O₁ - 1 - ASCEND FEDERAL CREDIT UNION
 (10,650 SF APPROX.)
 O₁ - 2 - DAYCARE (10,050 SF APPROX.)
 O₁ - 4 - FIRESTONE (6,500 SF APPROX.)
 HIGHWAY COMMERCIAL / RETAIL SHOPS
 HOTELS, BANKS, RESTAURANTS
 APPROX. 6.71 ACRES
 59,107 TOTAL S.F. APPROX. FOR PARCELS O₁ & O₂ COMBINED

● PARCEL O₂
 HIGHWAY COMMERCIAL / RETAIL SHOPS
 HOTELS, BANKS, RESTAURANTS
 APPROX. 6.29 ACRES
 59,107 TOTAL S.F. APPROX. FOR PARCELS O₁ & O₂ COMBINED

○ PARCEL P
 OFFICES, HEALTH CLUB, RESTAURANTS
 14,100 SF APPROX.
 APPROX. 6.75 ACRES

● PARCEL Q/R
 RESTAURANTS, INDEPENDENT LIVING
 49,750 SF APPROX. OF NON-RESIDENTIAL ALLOWED
 7 DU / ACRE ALLOWED OF TOWNHOMES
 APPROX. 10.90 ACRES

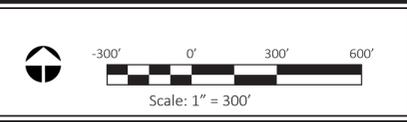
○ PARCEL S
 DRIVING RANGE, NURSERY
 APPROX. 7.10 ACRES

○ PARCEL T
 VILLAS AT STONES RETREAT
 176 UNITS
 APPROX. 38.40 ACRES

○ PARCEL U
 87 TOWNHOMES
 8.12 UNITS PER ACRE
 APPROX. 10.71 ACRES

● PARCEL V
 ASSISTED LIVING FACILITY
 10,000 S.F. OF FLEX USE SPACE
 APPROX. 6.90 ACRES

*NOTE:
 • SIDEWALKS ARE TO BE PROVIDED ON BOTH SIDES OF ALL INTERNAL BOULEVARDS
 • SEE PROVIDED CHART FOR ALL ALLOWABLE USES IN THE DEVELOPMENTS



2020 Revised Master Plan

| Date | Revision Note |
|------|---------------|
| | |
| | |
| | |

Sheet 1

May 13, 2020

Mrs. Marina Rush
Murfreesboro Planning & Engineering Dept
111 W. Vine St
Murfreesboro, Tennessee 37130

RE: PUD Amendment Cover Letter
Victory Station South
Murfreesboro, Tennessee

Dear Mrs. Rush:

Please accept this letter along with the attached exhibit and application as Swanson Development LP's official request to the City of Murfreesboro to amend the previously approved Victory Station South PUD. The original PUD included a list of allowable uses based on parcel identification on the master plan. Swanson Development, LP has had multiple requests for uses on certain properties that are either not allowed or on properties that are not clearly delineated which parcel they are assigned to. Since these uses are allowed within the overall development, it appears the uses are appropriate to the location and project.

After receiving these requests, we have examined the entire list of current allowed uses listed in the booklet and are proposing to change which uses are allowed on each parcel as outlined in the attached document.

The master plan was updated to accurately reflect previously constructed and/or approved projects as well as more clearly delineate the parcels.

Parcels J and K were combined due to their proximity and almost allowed identical uses.

Parcels Q and R were also combined due to their proximity and almost identical allowed uses.

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

Sincerely,



Matt Taylor
Vice-President
SEC, Inc

**APPENDIX A - ZONING
USES PERMITTED BY PARCEL**

Chart 1

X = Use permitted by right, currently

X = Use permitted by PREVIOUS PUD AMENDMENT

S = Use requiring special use permit in accordance with the provisions of Sections 8 and 9, currently

N = Use permitted by right, proposed with this request

| USES PERMITTED: | ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | |
|---|------------------|---|---|---|---|---|---|---|---|----------------------|---|---|----|----|----|----|---|-----|-----|---------|---|---|---|
| | A | B | C | D | E | F | G | H | I | J/K (see footnote 1) | L | M | N1 | N2 | O1 | O2 | P | Q/R | S | T | U | V | |
| DWELLINGS | | | | | | | | | | | | | | | | | | | | | | | |
| Single-Family detached | | | | | | | x | | | | | | | | | | | | | | x | | |
| Single-Family attached | | | | | | | | | | x | | | | | | | | | N/x | | x | x | |
| Two-Family | | | | | | | | | | | | | | | | | | | | | x | x | |
| Three-Family | | | | | | | | | | | | | | | | | | | | | | | |
| Four-Family | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple-Family | | | | | | | x | | x | | x | x | | | | | | | | | | x | |
| OTHER HOUSING | | | | | | | | | | | | | | | | | | | | | | | |
| Accessory Apartment | | | | | | | | | | | | | | | | | | | | | | | x |
| Accessory Dwelling Unit | x | x | | x | x | | | | x | x | x | x | x | | | | | | | | x | x | |
| Assisted-Care Living Facility ¹⁵ | x | x | | | | | | | | x | x | x | x | | | | x | x/x | x | | | | x |
| Bed-and-Breakfast Homestay | | | | | | | | | | | | | | | | | x | | | | | | |
| Bed-and-Breakfast Inn | | | | | | | | | | | | | | | | | x | | | | | | |
| Boarding House ¹⁵ | | | | | | | | | | | | | | | | | | | | | | | |
| Emergency Shelter | | | | | | | | | | | | | | | | | | | | | | | |
| Extended Stay Hotel/Motel | | | | | | | | | | | | | | | | | | | | | | | |
| Family Crisis Shelter | | | | | | | | | | | | | | | | | | | | | | | |
| Family Violence Shelter | | | | | | | | | | | | | | | | | | | | | | | |
| Fraternity/Sorority | | | | | | | | | | | | | | | | | | | | | | | |
| Group Shelter | | | | | | | | | | | | | | | | | | | | | | | |
| Class I Home for the Aged ¹⁵ | | x | | | | | | | | | | | | | | | | | | x | | | |
| Class II Home for the Aged ¹⁵ | | x | | | | | | | | | | | | | | | | | | x | | | |
| Class III Home for the Aged ¹⁵ | | x | | | | | | | | | | | | | | | | | | x | | | |
| Hotel | | | | | | | | | | x | | | | | x | x | x | | | x/x | | | |
| Mission ¹⁰ | | | | | | | | | | | | | | | | | | | | | | | |
| Mobile Homes | | | | | | | | | | | | | | | | | | | | | | | |
| Motel | | | | | | | | | | | | | | | | | | | | removed | | | |
| Rooming House | | | | | | | | | | | | | | | | | | | | | | | |
| Student Dormitory | | | | | | | | | | | | | | | | | | | | | | | |
| Transitional Home | | | | | | | | | | | | | | | | | | | | | | | |
| INSTITUTIONS | | | | | | | | | | | | | | | | | | | | | | | |
| Adult Day Care Center | | x | | | | | | | | x | | | x | x | | | x | x | | | | | |
| Adult Day Care Home | x | x | | | | | | | | | | | | | | | | | | | | | |
| Airport, Heliport | | | | | | | | | | | | | | | | | | | | | | | |
| Cemetery, Mausoleum | | | | | | | | | | | | | | | | | | | | | | | |
| Church | x | x | | | | | | | | x | | | x | x | | | x | x/x | | | | | x |

**APPENDIX A - ZONING
USES PERMITTED BY PARCEL**

| USES PERMITTED ³ | ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | |
|--|------------------|---|---|---|---|---|---|---|---|---|-----|---|---|----|----|----|----|---|-----|---|---|---|---|
| | A | B | C | D | E | F | G | H | I | J | K | L | M | N1 | N2 | O1 | O2 | P | Q/R | S | T | U | V |
| College, University | x | x | | | | | | | | | x | | | x | x | | | x | x | | | | |
| Day-Care Center | x | x | | x | x | | | | | | x | | | x | x | x | x | x | x | | | | x |
| Family Day-Care Home | x | x | | | | | | | | | | | | | | | | | | | | | |
| Group Day-Care Home | x | x | | | | | | | | | | | | | | | | | | | | | |
| Hospital | | | | | | | | | | | x/x | | | x | x | x | x | x | x | | | | |
| Lodge, Club, Country Club ¹³ | | | | x | | | | | | | x/x | | x | x | x | | | x | x | | | | |
| Mental Health Facility | | | | | | | | | | | | | | | | | | | | | | | |
| Morgue | | | | | | | | | | | | | | | | | | | | | | | |
| Museum | | x | | x | | | | | x | | x/x | | | x | x | | | x | x | | | | x |
| Nursing Home | | x | | | | | | | | | x | | | | | | | | x | | | | |
| Nursery School | x | x | x | x | x | | | | | | x | | | x | x | x | x | | x | | | | N |
| Park | | x | | | | | | | | | | | | | | | | | x | x | x | x | x |
| Philanthropic Institution | | x | x | | | | | | | | x | | | | | | | | x | | | | |
| Pet Cemetery | | | | | | | | | | | | | | | | | | | | | | | |
| Public Building ¹³ | | x | x | x | x | | | | | | x/x | | | x | x | x | x | x | x | | | | N |
| Recreation Field ¹³ | | x | | | | | | | | | | | | | | | | | | x | x | x | x |
| Senior Citizens Center | | x | | | | | | | | | | | | | | | N | | N | | | | N |
| School, Public or Private, Grades K - 12 ¹³ | x | x | | | | | | | | | x | | | | | | | | x | | | | |
| Student Center | | x | | | | | | | | | | | | | | | | | | | | | |
| AGRICULTURAL USES | | | | | | | | | | | | | | | | | | | | | | | |
| Customary General Farming | | x | | | | | | | | | | | | | | | | | | | | | |
| Crop, Soil Preparation Agricultural Services | | x | | | | | | | | | | | | | | | | | | | | | |
| Farm Labor and Management Services | | x | | | | | | | | | | | | | | | | | | | | | |
| Fish Hatcheries and Preserves | | | | | | | | | | | | | | | | | | | | | x | | |
| Grain, Fruit, Field Crop and Vegetable | | | | | | | | | | | | | | | | | | | | | | | |
| Hunting, Trapping, and Game Propagation | | | | | | | | | | | | | | | | | | | | | | | |
| Livestock, Horse, Dairy, Poultry, and Egg | | | | | | | | | | | | | | | | | | | | | | | |
| Timber Tracts, Forest Nursery, Gathering of | | | | | | | | | | | | | | | | | | | | | | | |
| COMMERCIAL | | | | | | | | | | | | | | | | | | | | | | | |
| Adult Cabaret | | | | | | | | | | | | | | | | | | | | | | | |
| Adult Entertainment Center | | | | | | | | | | | | | | | | | | | | | | | |
| Adult Motel | | | | | | | | | | | | | | | | | | | | | | | |
| Adults-Only Bookstore | | | | | | | | | | | | | | | | | | | | | | | |
| Adults-Only Motion Picture Theater | | | | | | | | | | | | | | | | | | | | | | | |
| Amusements, Commercial Indoor (see footnote 3) | x | x | | x | x | | | | x | x | | | | x | x | x | x | | x | | | | N |
| Amusements, Commercial Outdoor excluding | | | | | | | | | x | x | | | | | | x | x | | x | | | | |
| Amusements, Commercial Outdoor Motorized | | | | | | | | | | | | | | x | x | | | | | | | | |
| Animal Grooming Facility | | | | | | | | | | | x | | | x | x | x | x | | x | | | x | x |
| Antique Mall | | x | | x | x | | | | x | x | | | | x | x | x | x | x | x | | | x | x |
| Antique Shop <3,000 sq. ft. | | x | | x | x | | | | x | x | | | | x | x | x | x | | x | | | x | x |
| Apothecaries (pharmaceuticals only) | | 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 | | | x | x |
| Automotive Repair ¹² | | | | | | | | | | | | | | x | x | x | x | | x | | | | |
| Bakery, Retail | x | x | x | x | x | | | | x | | x | | | x | x | x | x | | x | | | x | x |

**APPENDIX A - ZONING
USES PERMITTED BY PARCEL**

| USES PERMITTED: | ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | | |
|---|------------------|---|---|---|---|---|---|---|---|-----|-----|---|---|---|---|---|---|---|-----|-----|---|---|---|---|
| | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | | |
| Bank, Branch Office | | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | X/X | | | | X |
| Bank, Drive-Up Electronic Teller | | | X | X | X | | | | X | X | | | | X | X | X | X | | X/X | | | | | X |
| Bank, Main Office | | | X | X | X | | | | X | X | | | | X | X | X | X | X | X/X | | | | | X |
| Barber or Beauty Shop | | X | X | X | X | | | | X | X | | | | X | X | X | X | | X/X | | | | X | X |
| Beer, Packaged | | | | | | | | | | | | | | | | | | | | | | | | |
| Boat Rental, Sales, or Repair (exclude body work, no outdoor storage, bay doors can't face public road) | | | | | | | | | | | X | | | X | X | | | | X | | | | | |
| Book or Card Shop | X | X | X | X | 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 | | | | N |
| Business and Communication Service | | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | X | | | | X |
| Campground, Travel-Trailer Park | | | | | | | | | | | | | | | | | | | | X | | | | |
| Carnivals | | | | | | | | | | | | | | S | S | | | | | | | | | |
| Catering Establishment | X | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X/X | | | | X | X |
| Clothing Store | | X | | X | X | | | | X | X | | | | X | X | X | X | | X | | | X | X | |
| Coffee, Food, or Beverage Kiosk | | | | | | | | | | | | | | | | | N | | | | | | | |
| Commercial Center | | X | | | | | | | | X | | | | X | X | X | X | X | X | | | | | N |
| Convenience Sales and Service, maximum | | X | X | X | | | | | X | X | | | | X | X | X | X | X | X | | | | | X |
| Crematory | | | | | | | | | | | | | | | | | | | | | | | | |
| Delicatessen | X | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | | |
| Department or Discount Store | | | | | X | | | | | X | | | | X | X | X | X | | X/X | | | | | X |
| Doughnut Shop | X | | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | X | X |
| Drive-In Theater | | | | | | | | | | | | | | | | | | | | | | | | |
| Dry Cleaning | | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | | X |
| Dry Cleaning Pick-Up Station | | X | | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | | |
| Financial Service | | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | X | X |
| Fireworks Public Display | | | | | | | | | | | | | | | | | | | | | | | | |
| Fireworks Retailer | | | | | | | | | | | | | | | | | | | | | | | | |
| Fireworks Seasonal Retailer | | | | | | | | | | | | | | | | | | | | | | | | |
| Flower or Plant Store | | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | X | X |
| Funeral Home | | | | | | | | | | X | | | | | | X | X | X | X | | | | | N |
| Garage, Parking | | | | | | | | | | | | | | | | | | | | | | | | |
| Garden and Lawn Supplies (no outdoor storage) | | X | | X | X | | | | | X/X | | | | X | X | X | X | X | X | | X | | | |
| Gas--Liquified Petroleum, Bottled and Bulk | | | | | | | | | | | | | | | | | | | | | | | | |
| Gas Station | | | X | X | | | | | X | X/N | | | | X | X | X | X | | | | | | | |
| General Service and Repair Shop (non-automotive) | | | | | | | | | | X/X | | | | X | X | X | X | | X | | | | | N |
| Glass--Auto, Plate, and Window (no outdoor storage allowed) | | | | | | | | | | X | | | | X | X | X | X | | X | | | | | N |
| Glass--Stained and Leaded | | X | | | X | | | | | X | | | | X | X | | | | | | | | | |
| Greenhouse or Nursery | | | | | | | | | | | X | | | X | X | | N | | | | X | | | |
| Group Assembly, <250 persons | | X | | | | | | | | X | | | | | | X | X | X | X | | | | | |
| Group Assembly, >250 persons | | X | | | | | | | | X | | | | | | X | X | X | X | | | | | |
| Health Club | | X | | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | | X |
| Ice Cream Shop | | | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | | X |
| Ice Retail | | | | | | | | | | X | | | | | | | | X | X | | | | | |
| Interior Decorator | | X | X | X | X | | | | X | X | | | | X | X | X | X | X | X | | | | X | X |
| Iron Work | | | | | | | | | | X | | | | | | | | X | X | | | | | |

**APPENDIX A - ZONING
USES PERMITTED BY PARCEL**

| USES PERMITTED ³ | ZONING DISTRICTS | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------------------|---|---|---|---|---|---|---|---|---|-----|---|---|---|-----|---|---|---|---|---|---|---|--|--|---|--|
| | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | | | | |
| Garbage or Refuse Collection Service | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Refuse Processing, Treatment, and Storage | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gas, Electric, Water, Sewerage Production and/or Treatment Landfill ¹⁹ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Post Office or Postal Facility | | | | | x | x | | | | | x | | | x | x | x | x | x | x | | | | | | x | |
| Railroad Switching Yard, Terminal, Piggyback Yard | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Telephone Service Center | | | | | x | | | | | | N/x | | | x | x | | x | | | | | | | | | |
| Telephone Switching Center, Electric Transmission, Gas | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Taxicab Dispatch Station | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck or Motor Freight Terminal, Service | | | | | | | | | | | | | | | | | | | | | | | | | | |
| OTHER | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Advertising Sign | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Automobile graveyard | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Golf Driving Range | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Occupations | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Junkyard | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Metal, Sand, Stone, Gravel, Clay, Mining, and other related processing | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recycling center | | | | | | | | | | | | | | | x | x | | | | | | | | | | |
| Self-Service Storage Facility (Indoor only) | | | | | | | | | | | | | | | N/x | x | x | | | | | | | | | |
| Wholesale Establishments | | | | | x | | | | | | | | | | N/x | x | x | | | | | | | | | |
| Temporary Mobile Recycling Center | | | | | | | | | | | | | | | | | | | | | | | | | | |

Footnote 1: The sale of distribution of gasoline, diesel, and other fuels for motor vehicles will be permitted only when developments for such are setback a minimum of 200 feet from residential portion of land zoned in the PUD. Required distance shall be measures from property line to property line.

Footnote 2: Brewery will only be allowed on Parcel V, if it is inside of a restaurant as an ancillary use

Footnote 3: Indoor amusement on Parcel V shall be limited to businesses of less than 10,000 s.f. in size and total occupancy of less than 100 people as determined by the IBC

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

5.b. Proposed amendments to the Zoning Ordinance [2020-803] to Section 26: Off-Street Parking, Queuing, and Loading, regarding off-site parking agreements, joint parking agreements, and other miscellaneous items, City of Murfreesboro Planning Department applicant.

In this request, Staff brings to the Planning Commission for its consideration proposed amendments to the Zoning Ordinance pertaining to *Section 26: Off-Street Parking, Queuing, and Loading*. See below for additional detail. Because there are numerous proposed amendments within Section 26, Staff proposes deleting Section 26 in its entirety and replacing it with version included in the agenda packet.

Off-Site and Joint Parking Agreements:

Over the course of the last several months, it has become clear to Staff that the subsections of Section 26 pertaining to off-site parking agreements are in need of improvements. At a time when an increased demand for downtown infill development appears to warrant more flexible parking solutions, the current standards make it difficult to implement such off-site parking arrangements. Specifically, it requires that off-site parking used to meet minimum parking requirements be on property that is in the same ownership as the property seeking the additional parking. This eliminates the majority of potential off-site parking agreements, because the off-site parking area is typically under different ownership. The Planning and Legal Departments have worked to improve these provisions so that they will be easier to administer and more effective in the long run, including not requiring the location of the proposed off-site parking area to be under the same ownership as the property seeking the additional parking.

Garage Parking Spaces:

In recent years, we have seen more townhouse developments utilizing garages and driveways to address minimum parking requirements instead of traditional parking lots. While there is more flexibility with townhomes in planned development zoning to allow garage parking to be counted toward the development's minimum parking requirements, there is currently less clarity in the Zoning Ordinance with regards to this issue for townhome developments in bulk zoning districts. Staff does not want to discourage townhome developments from having units with garages. Allowing garage parking spaces to count toward the minimum parking requirements in certain bulk zones will remove a roadblock for

developers to including garages in single-family attached developments. However, Staff is attempting to balance this desire to encourage garages with some practical requirements to make sure that the garages are of adequate size to house vehicles and also to make sure that the garages are to be used for vehicular parking. As a point of clarification, for garages not used to meet minimum parking requirements, there are no proposed restrictions on their size or usage. Staff conducted a stakeholder meeting with developers in May to discuss the ordinance amendment, specifically as it relates to the minimum garage sizes for single-family developments seeking to utilize garage parking spaces to meet minimum parking requirements. By the end of the meeting, there seemed to be a general consensus regarding the garage dimensions.

In addition, this ordinance amendment was brought up for discussion at the May 20th regular Planning Commission meeting. Several Planning Commissioners expressed concerns about the language restricting the use of garages when such garages were being used to meet minimum parking requirements. While it would still be a violation to use such a garage in a manner inconsistent with its approval and in a manner that would preclude the parking of the required number of vehicles, the sentence that was previously included explicitly stating that this would be a violation has been removed from the ordinance amendment. In addition, the proposed language in the ordinance has been made more permissive regarding how such garages can be used. For example, it is now explicitly stated that the use of the garage for the storage or parking of other items is only prohibited if it precludes the parking of the requisite number of vehicles. In other words, people can use these garages for storage of other items, so long as it doesn't conflict with their ability to park vehicles there if the garage was used to meet the minimum parking requirements during the approval process.

On a related note, the Zoning Ordinance already makes provisions for garage parking spaces in multi-family developments, such as apartment complexes, to count toward the minimum parking requirements. Similar to single-family attached uses, however, Staff proposes amending the ordinance to add minimum size and use restrictions for garages in multi-family developments.

Parking Stall Size:

Chart 3 of the Zoning Ordinance sets forth the minimum dimensions of parking stalls and access aisles. The dimensions are dependent on the angle of the parking stall. Each angle has options for 9'-wide stalls and 8.5'-wide stalls. There is currently no cap on the maximum number of the narrower 8.5'-wide spaces in a given parking lot. While flexibility is desirable to allow for some narrower stalls, Staff has concerns about excessive amounts of the narrower parking stall option being utilized. Staff proposes that the ordinance be amended to allow for a

maximum of 20% of the total number of parking spaces to be 8.5' in width. However, Staff understands the need to allow for greater flexibility for infill development in and around the downtown area, so an exemption to the 20% cap is proposed for the City Core Overlay District.

Miscellaneous:

In addition to the aforementioned revisions, Staff also proposes some other additional miscellaneous revisions to Section 26. These additional revisions include, but are not limited to, correcting certain outdated terminology, clarifying how parking is to be determined for outdoor dining areas at restaurants and other similar uses, and requiring that continuous curbing be provided around parking lots and parking lot expansions in order to protect landscaping and other site elements.

Action Needed:

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

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

(A) *Purpose.* The off-street parking, queuing, and loading requirements and the regulations of such parking, queuing, and loading set forth in this section are designed to alleviate and prevent congestion in the streets.

(B) *Application of regulations.*

(1) *Effective Date:* The effective date of this Section 26 shall be September 11, 2009.

(2) *Existing, new, changed, and expanded uses.*

(a) No building, structure, or use lawfully established prior to the effective date of this section shall be required to comply with the provisions of this section except as hereinafter provided.

(b) All buildings and structures erected and uses established after the effective date of this section shall comply with the provisions of this section, provided, however, that if a building permit was issued prior to the effective date of this section and construction is begun within one year of the date of such permit, the parking and loading regulations in effect on the date such permit was issued shall apply.

(c) If any building or structure is increased by the addition of dwelling units, gross floor area, seating capacity, or any other measure of increased parking intensity as measured by Chart 4 after the effective date of this section, the provisions of this section shall only apply to the extent of such increase.

(d) If the existing use of a building or structure shall be changed to a new use, as measured by Chart 4, such new use shall comply with the provisions of this section; provided, however, that if the existing use is located in a building or structure existing on the effective date of this section, additional parking, queuing, or loading requirements shall be required only in the amount by which the requirements for the new use exceed the amount required for the existing use if such existing use were subject to the provisions of this section.

(e) Any conforming or legally nonconforming building, structure, or use which is in existence on the effective date of this section, which is subsequently damaged or destroyed and thereafter reconstructed, re-established or repaired may

maintain the same amount of parking and loading which existed on the date of the damage or destruction, provided, however, if such damage or destruction exceeds seventy-five percent (75%) of the value of such building, structure or use, then the parking, queuing, and loading requirements of this section shall apply.

(f) Upon the effective date of this section no existing parking space, parking lot, queuing space, or loading space shall be reduced in size or number below the requirements of this section.

(3) *CBD district exemption.* The provisions of this section shall not apply to any building, structure, or use located in the CBD zoning district.

(C) Regulations Applicable to Parking Spaces and Parking Lots

(1) *Location of required parking spaces.* Except as may otherwise be provided in this article, the off-street parking spaces required by this section shall be located as provided in this subsection (C). Where a distance is specified, such distance shall be measured from the nearest point of the parking lot to the nearest point of the building structure or uses served by such parking lot.

(a) *Single-family attached, single-family detached, and duplex residential uses.*

[1] Required parking spaces shall be located on the same lot as the structure to which they are accessory.

[2] Access to one parking space through another parking space is permitted provided that the lot does not front upon a street identified as a major arterial, minor arterial, or collector street in the Murfreesboro Major Transportation Plan as adopted and as may be amended from time to time.

[3] Four required parking spaces per dwelling unit may be located in the required front yard provided that the lot does not front upon a street identified as a major arterial, minor arterial, or collector street in the Murfreesboro Major Transportation Plan as adopted and as may be amended from time to time.

[4] Lots that front upon a street identified as a major arterial, minor arterial, or collector street in the Murfreesboro Major Transportation Plan as adopted and as may be amended from time to time shall have parking located to the

side or rear of the proposed structure, shall be permitted to have no more than one required parking space in the required front yard, and shall have the parking designed such that backing into the street is not required in order to exit the on-site parking. Provided further that backing from the street in order to gain access to required parking is prohibited.

- [5] Parking spaces within garages, whether attached to or detached from the principal structure, shall not be considered as required parking spaces for the purposes of this section. However, within the RM-12, RM-16, RS-A, Type 1, RS-A, Type 2, and RS-A, Type 3 zones parking spaces within garages for single-family detached and single-family attached structures may be considered as required parking for purposes of this section provided such spaces are restricted to use for parking of automobiles (and not for the parking or storage of boats, recreational vehicles, trailers, equipment, household items, or any other items if such parking or storage would preclude the parking of the requisite number of vehicles), and that such restriction is reflected in a legal instrument or instrument(s) in form suitable for recording and approved by the Director and the City Attorney. Where parking spaces within garages have been approved to meet minimum parking requirements, the interior of two-car garages from wall to wall shall have minimum dimensions of 19 ft., 4 inches wide by 20 ft. deep and the interior of one-car garages from wall to wall shall have minimum dimensions of 11 ft., 4 inches wide by 20 ft. deep.

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

- [1] Required parking spaces shall be located on the same lot or, if located off-site, on land within five hundred feet of the building, structure or use served; provided that such off-site parking complies with the following requirements:
- [i] Such off-site parking spaces are located within a zoning district which would permit the use to which such parking is accessory,

[ii] The person proposing the use of off-site parking to meet the required off-street parking spaces files a written application with the Director setting forth the following information:

(a) the names, addresses, telephone numbers and other contact information for the applicant and the owner of land proposed for off-site parking;

(b) the uses which will utilize and which will provide the proposed off-site parking spaces, the number of parking spaces required by Chart 4 for each use, the number of off-site parking spaces to be provided, and evidence the number of parking spaces to be provided are surplus and will not create a parking deficit for the use providing the off-site parking spaces; and

(c) any other information required by the Director as reasonably necessary in order to make a determination in the matter.

[iii] Within thirty (30) days after a complete application is filed, the Director shall determine whether utilization of the proposed off-site parking spaces will be allowed and shall so notify the applicant in writing.

[iv] The provisions of the approved off-site parking arrangement shall be incorporated into a written agreement signed by both parties that will remain in place until either [i] business circumstances justify modification or elimination of the arrangement or [ii] alternative parking arrangements are provided, which modification, elimination, or alternative arrangements must be approved by the Director. The agreement must be in form suitable for recording and approved by the Director and the City Attorney before it becomes effective. Premature termination or unauthorized modification to the terms of the approved agreement shall be considered a violation of this article.

[2] Parking spaces or access aisles for parking spaces of multi-family dwellings located in the RM-12 and RM-16 districts shall not be located within a required front yard.

[3] Vehicles used in connection with a non-residential use for deliveries or transportation of patrons or tenants, and referred to as business vehicles for purposes of this section, may be parked on-site, provided that space(s) for parking for such business vehicles shall not count towards required parking. The number of required spaces for business vehicles shall be as provided in Chart 4 REQUIRED OFF-STREET PARKING AND QUEUING SPACES BY USE.

(2) *Computation of required parking spaces.*

- (a) When computation of the number of required parking spaces results in a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) shall require one parking space.
- (b) When parking spaces are computed on the basis of the number of employees or students, the maximum number present at any one time shall govern.
- (c) In determining the minimum number of parking spaces required under this article, accessible parking spaces required under state or federal law shall not be considered.
- (d) Parking spaces within garages for multi-family structures may be considered as required parking for purposes of this section provided such spaces are used for parking of automobiles (and not for the parking or storage of boats, recreational vehicles, trailers, equipment, household items, or any other items if such parking or storage would preclude the parking of the requisite number of vehicles), and that such spaces shall be included in the leases for individual units and shall not be leased separately. In addition, a written commitment from the developer must be provided at the time of site plan approval stating that the garages will be managed to ensure that the garages will be used as required above. Where parking spaces in garages have been approved to meet minimum parking requirements, the interior of two-car garages from wall to wall

shall have minimum dimensions of 19 ft., 4 inches wide by 20 ft. deep and the interior of one-car garages from wall to wall shall have minimum dimensions of 11 ft., 4 inches wide by 20 ft. deep. Parking spaces within garages for multi-family residential structures that are also classified as single-family attached residential structures (e.g., townhomes) shall be regulated by Section 26(C)(1)(a)[5] of this article.

- (e) For purposes of determining the number of required parking spaces for a Specialty Restaurant or a Limited-Specialty Restaurant located as a tenant in a retail center with multiple tenants such use shall be considered as a Retail Shop, provided however, that the number of queuing spaces for a drive-up window shall be 10 queuing spaces for each drive-up window associated with the use.
- (f) Parking spaces shall be provided in accordance with the ratios set forth in Chart 4, Required Off-Street Parking and Queuing Spaces by Use, for all outdoor dining areas for the following uses, irrespective of whether or not they are located in a multi-tenant building:
 - bar or tavern;
 - restaurant, night club, tavern or cocktail lounge;
 - restaurant, drive-in;
 - restaurant, specialty;
 - restaurant, specialty-limited;

Such parking spaces shall be in addition to the number of parking spaces required for the building itself.

- (g) *Non-residential uses; joint use of required parking spaces.* Joint use of up to one hundred percent (100%) of required off-street parking spaces shall be permitted for two or more uses located in the same or different buildings or structures, whether or not located on the same lot or parcel, and whether or not under the same ownership, subject to the following requirements:

- (a) the lots or parcels are adjacent or within five hundred feet of each other and the zoning of both allows the uses that will utilize the proposed joint parking arrangement; and,
- (b) the persons proposing the joint use of required off-street parking spaces file a joint written application with the Director setting forth the following information:
 - [1] the names, addresses, and telephone numbers of the applicants;
 - [2] the ownership and location of the off-street parking spaces proposed to be jointly used;
 - [3] the uses which will jointly use the required off-street parking spaces, the hours of operation of each such use, the number of parking spaces required for each use, and the number of required parking spaces proposed to be jointly used; and,
 - [4] any other information required by the Director reasonably necessary in order to make a determination in this matter.
- (c) Within thirty (30) days after such complete application is filed, the Director shall determine whether such joint use of required off-street parking spaces will be allowed, and shall in writing notify the applicants thereof.
- (d) The provisions of the approved joint use arrangement shall be incorporated into a written agreement that will remain in place until either [i] business circumstances justify modification or elimination of the arrangement or [ii] alternative parking arrangements are provided, which modification, elimination, or alternative arrangements must be approved by the Director. The agreement must be in form suitable for recording and approved by the Director and the City Attorney before it becomes effective. Premature termination or unauthorized modification to the terms of the approved agreement shall be considered a violation of this article.

(4) *Regulations applicable to parking voluntarily established.* Any parking spaces, parking areas, parking aisles, parking lots, or maneuvering areas established,

whether required by this section or not, shall comply with the provisions of this section as regards design and construction.

(5) *Prohibition of using parking spaces for another use.* Any land designated for required off-street parking shall not be used for any other purpose, including but not limited to the display and/or storage of equipment, materials, or products for sale, until alternate or replacement off-street parking spaces are established for the building, structure, or use served by the parking spaces located on such land.

(6) Dimensions of parking spaces and aisles.

(a) *Dimensions of non-accessible off-street parking spaces.* Non-accessible off-street parking spaces shall be of the dimensions as shown on Chart 3 of this article, provided that, except in the City Core Overlay District, no more than twenty (20%) percent of the total number of on-site non-accessible parking spaces provided shall be 8.5 ft. in width.

(b) *Dimensions of accessible off-street parking.* Accessible parking spaces shall be designed in accordance with the accessibility code then in effect in the State of Tennessee.

(7) *Design standards.* Parking lots shall be designed, constructed, and maintained in accordance with the following minimum standards and requirements:

(a) The design requirements for non-accessible parking spaces and aisles located within a parking lot are set forth on Chart 3. Subject to compatibility with overall access and circulation configuration, the applicant for permits and approvals required by this section shall choose any one of the parking angles and stall widths for such spaces as are indicated on Chart 3, provided that, except in the City Core Overlay District, no more than twenty (20%) percent of the total number of on-site non-accessible parking spaces provided shall be 8.5 ft. in width. The regulations opposite such parking angle and stall widths shall apply to the development of the parking lot.

(b) Parking lots, loading spaces, and maneuvering areas shall be surfaced with asphalt, concrete, or other hard surface dustless material and be so constructed to provide for adequate drainage and prevent the release of dust into the atmosphere and sediment into the storm drainage system in

accordance with applicable codes and standards. Gravel and bituminous surface treatment may only be permitted for wrecker service storage yards or areas used for materials or equipment storage, only after approval from the Development Services Division.

- (c) Parking lots and maneuvering areas shall be designed, landscaped, and screened in accordance with the requirements of Sections 24 and 27 of this article (Appendix A – Zoning).
- (d) Continuous curbing shall be provided around all parking lots or parking lot expansions in order to protect landscape areas and other site elements.
- (e) Lighting used to illuminate off-street parking lots shall be sufficient so as to provide for the safety and security of motorists and pedestrians and shall be so arranged to prevent direct glare onto any public or private property or streets in accordance with applicable codes and standards.
- (f) The design requirements for accessible parking spaces and aisles located within a parking lot shall be as required in the accessibility code then in effect in the State of Tennessee.
- (g) Parking lots shall be designed so that backing into any queuing lanes or queuing spaces for drive-thru windows or other drive-thru/drive-up elements of a site shall not be necessary in order to exit parking spaces.

(8) *Number of parking spaces.*

- (1) The number of non-accessible parking spaces required for specific uses is set forth on Chart 4; the number of accessible parking spaces shall be as set forth in the accessibility code then in effect in the State of Tennessee.
- (2) In single-family residential and duplex zoning districts, no more than six parking spaces per dwelling unit, excluding parking spaces within garages, shall be allowed.
- (3) For uses not expressly listed on Chart 4, parking spaces shall be provided on the same basis as required for the most similar listed use, as determined by the Planning Director pursuant to the Director's authority to interpret the provisions of this article (Appendix A – Zoning).

(2) For special permit uses requiring approval by the Board of Zoning Appeals, the BZA may require more parking than the minimum requirements of this section.

(D) Regulations applicable to off-street queuing and drive-up/drive-thru lanes.

(1) *Location of required queuing spaces and drive-up/drive-thru lanes.* Queuing spaces and drive-up/drive-thru lanes shall be located on the same lot as the use, building, or structure to which they are accessory and shall not extend onto any adjacent lot or into any public right-of-way. No queuing space or drive-up/drive-thru lanes shall be located in a required front yard.

(2) *Designation and use.* Required queuing spaces or the drive-up/drive-thru lanes to which they are accessory shall be designated as such and shall only be used for queuing or drive-up/drive-thru purposes.

(3) *Computation of the number of required queuing spaces.*

The number of required queuing spaces required for specific uses is set forth on Chart 4. For uses not expressly listed on Chart 4, queuing spaces shall be provided on the same basis as required for the most similar listed use, as determined by the Planning Director pursuant to the Director's authority to interpret the provisions of this article (Appendix A – Zoning). For special permit uses requiring approval by the Board of Zoning Appeals, the BZA may require more queuing than the minimum requirements of this section.

(4) *Regulations applicable to queuing spaces and drive-up/drive-thru lanes voluntarily established.* Any queuing space or drive-up/drive-thru lane, whether required by this section or not, shall comply with the provisions of this section as regards design and construction.

(5) *Design standards.*

(a) Drive-up/drive-thru lanes that are accessory to buildings with drive-up windows or drive-up tellers shall be designed to circulate one-way in a counterclockwise direction.

(b) Queuing spaces and drive-up/drive-thru lanes shall be designed so that their use does not conflict with the use of on-site parking spaces, other site elements, or on-site circulation.

- (c) Drive-up/drive-thru lanes that are accessory to buildings with drive-up windows shall be designed to include a one-way by-pass lane available to users should they seek to remove themselves from the drive-up/drive-thru lane.
- (d) Drive-up/drive-thru lanes that are accessory to a building with drive-up windows or other such facilities shall be designed with a landscape area between the drive-up/drive-thru lanes and the building to which it is accessory except on the side of the building that contains the drive-up window or other such facility. This area shall be planted with shrubs and trees in accordance with Section 27 of Appendix A – Zoning. The landscape area may be used for menu boards to the extent otherwise permitted by this article and other regulations of the City.
- (e) Queuing spaces shall be a minimum of ten (10) feet in width and a minimum of twenty (20) feet in length. Drive-up/drive thru lanes shall be a minimum of ten (10) feet wide. A one-way by-pass lane shall be a minimum width of eleven (11) feet wide.

(E) Regulations applicable to off-street loading.

- (1) *Location of required loading spaces.* Loading spaces shall be located on the same lot as the building or structure to which they are accessory. No loading space shall be located in a required front yard.
- (2) *Designation and use.* Each required loading space shall be designated as such. A loading space may be used for other purposes provided it is available as a loading space when needed for such use.
- (3) *Computation of the number of required loading spaces.*
 - (a) In the computation of the number of required loading spaces, floor area shall be deemed to include the gross area of the floor area devoted to a particular use and any use incidental thereto, which floor area shall be measured along the interior faces of the walls or partitions which surround the perimeter of the space the use occupies.
 - (b) If a building is devoted to more than one use, the number of loading spaces required shall be computed separately on the basis of the floor area occupied by each such use.
- (4) *Loading; design and maintenance.*

(a) *Dimensions.* Required off-street loading spaces shall not be less than ten feet in width and shall have an unobstructed vertical clearance of not less than fourteen feet. The minimum length of loading spaces shall be fifty feet.

(b) *Surfacing and drainage.* Loading spaces and maneuvering areas related thereto shall be surfaced with asphalt, concrete, or other hard surface dustless material and be so constructed to provide for adequate drainage and to prevent the release of dust.

(5) *Required number of loading spaces.* The number of loading spaces required for specified categories of uses is set forth on Chart 5.

[Ord. No. 92-3 §§1–4, 01-15-92; Ord. No. 96-O-82 §1, 11-12-96; Ord. No. 99-O-66 §§8–10, 08-24-00; Ord. No. 09-O-29 §3, 08-27-09; Ord. No. 12-O-30 §1, 11-15-12; Ord. No. 14-O-61 §4, 01-15-15; Ord. No. 15-O-25 §3, 05-14-15; Ord. No. 17-O-25 §9, 08-17-17; Ord. No. 17-O-39 §3, 08-31-17; Ord. No. 18-O-31 §2, 06-21-18; Ord. No. 18-O-53 § 5, 09-27-18]

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

CITY HALL

1:00 P.M.

Members Present

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

Staff Present

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Amelia Kerr, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Katie Noel, Project Engineer
Brad Barbee, Landscape Site Plan Inspector
Jafar Ware, Planner
Ram Balachandran, Traffic Engineer
Sam Huddleston Executive Dir. Develop. Serv.

Vice-Chairman Ken Halliburton called the meeting to order after determining there was a quorum.

Old Business

RaceTrac [2020-3023] site plan for 16,371 ft² gas station/convenience market on 2.8 acres zoned CH located along NW Broad Street and N Thompson Lane, RaceTrac Petroleum Inc developer. Ms. Margaret Ann Green summarized the site plan from the staff report, which had been provided to the Planning Commission in the agenda packet. She explained that this site plan had been presented at the March 18, 2020 Planning Commission meeting. However, the site plan had been deferred to consider the following items:

- Signage should be added to discourage large trucks into this site.
- Right-turn only from this site onto North Thompson Lane due to the proximity of the Northwest Broad Street intersection.
- Make certain there is enough land to provide future right-of-way for the possibility of a bridge to be constructed over Northwest Broad Street.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

Continuing, Ms. Green made known Mr. Matt Taylor, who is representing the application, met with the City's Traffic Engineer and other City Staff members to discuss parking and access. Mr. Ram Balachandran, City Traffic Engineer, provided an analysis that made known the time-of-day prohibitions and restrictions are not very effective and create other unintended problems. If full access onto Thompson Lane from the Racetrac site is not allowed, motorists would not be able to get back onto Broad Street heading southeast without making illegal U-turns or left turns. There are no other cross-streets close-by that connect back to Broad Street. During the Planning Commission meeting on March 18, 2020, there was discussion about making it a right-in/right-out entrance similar to the existing BP site across the street. The BP site is a little different because there is a full access just north of the right-in/right-out entrance. If the full access was not granted when we approved it several years ago, motorists would be facing a similar situation. Traffic from the BP site would not be able to head north-east on Thompson Lane. Therefore, Staff is recommending for RaceTrac to have full access. In addition, Staff is recommending for RaceTrac to include a design on their site to provide full access to the adjoining property to the northeast that could be used in the future. The applicant has provided this design for cross access to that adjacent property with this site plan.

Mr. Matt Taylor was in attendance to represent the applicant. Mr. Taylor came forward making known the applicant's design team has been working with City Staff for the past 6 weeks to make changes for road access to Thompson Lane, Broad Street, and to provide access to the adjoining northeastern property.

The Planning Commission began discussion the improvements that had been made and expressed their gratitude resolving this unique challenge and issues for this site plan for this location.

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

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Tommy Car Wash [2019-3114] site plan for a 5,200 ft² vehicle wash on 0.99 acres zoned CH located along Memorial Boulevard, Tommy Car Wash Systems developer. Ms. Margaret Ann

Green explained that this site plan had been presented at the March 18, 2020 Planning Commission meeting. This item had been deferred so the applicant could revise their plans to attempt to meet the Design Guidelines for a car wash. Also, during the meeting, the applicant had requested for several exemptions to the Design Guidelines.

Mr. Steven Blake, the applicant's architect, began to address the proposal by Zoom audio. Mr. Blake made a PowerPoint presentation, explaining in detail the revisions that had been made to the elevations.

Mr. Blake requested for two exemptions be considered for the following:

- The required 24-inch minimum base of the building located on the back of the building and at the front of the wash tunnel.
- The thirty-five percent void calculations from the elevation in front of the building.

The Planning Commission began discussing the revisions and made known they appreciate the developer listening to Staff's comments. Mr. Ronnie Martin wanted to know if this site meets the Design Guidelines. Ms. Green answered this proposal is more compliant with the Design Guidelines than the applicant's first car wash, which is not compliant. Mr. Martin commented how difficult it has been for him this being the same franchise owner with two different buildings. In the future, if the applicant decides to construct a third car wash, it would be known what would be expected. Mr. Eddie Smotherman commented how much he appreciates the developer listening and that every situation is unique. Vice-Chairman Ken Halliburton addressed the exemptions and made known he approves of the front 24-inch base. He understands the areas that do not have the 24-inch base; however, there would be landscaping in these areas. He would like more information regarding the void calculations. Ms. Green explained the building could be broken up with shadow lines, dimensions, details, etc. Ms. Jennifer Garland commented on how

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

they have done a good job by bringing a tremendous amount of changes from their original site plan. She feels the exception regarding the void calculations is appropriate due to the red element bringing interest to the front of the building. Mr. Chase Salas stated this is a great project and that it would complement this area in Murfreesboro. Mr. Warren Russell stated he likes the design and appreciates the applicant working with Staff. He agreed that this development would complement the area.

Mr. Eddie Smotherman made a motion to approve subject to all staff comments including the exceptions from the Design Guidelines being requested, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

Consent Agenda

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

Valley Farms, Section 2 [2020-1009] preliminary plat for 32 lots on 6.52 acres zoned PUD in unincorporated Rutherford County and served as an outside the City sewer customer located along Red Barn Road and Pinyon Street, Valley Farms Group, LLC developer.

Westwind Reserve, Section 2 [2020-1008] preliminary plat for 45 lots on 10.6 acres zoned RS-6 located east of Armstrong Valley Road, Cornerstone Development developer.

American Plumbing [2020-2031] final plat for 1 lot on 5.78 acres zoned H-I located along South Molloy Lane, Joseph Miller developer.

Harrison and Black, Lot 214 [2020-2028] final plat for 1 lot on 0.47 acres zoned RM- 16 located along Fairview Avenue, Kurt E. and Rosemarie Blum developers.

Harrison and Black, Resubdivision of Lots 158 and 159 [2020-2030] final plat for 1 lot on 0.7 acres zoned RM-16 located along Crestland Avenue south of Division Street, Eric Blum developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

Parks and Holden Addition, Resubdivision of lot 41 [2020-2029] final plat for 1 lot on 0.17 acres zoned RM-16 located along East Street, Kurt E. and Rosemarie Blum developers.

Shelton Square Common Area/Amenity Lot [2020-2034] final plat for 1 lot on 7.35 acres zoned PRD located along Blackman Road and Shelton Boulevard, Shelton Square, LLC developer.

Liberty Valley, Section 7 [2020-2033] final plat for 24 lots on 8.18 acres zoned PRD located along General Yeager Drive, Liberty Heights, LLC developer.

Brick Way, Resubdivision of Lot 11 [2020-2026] final plat for 2 lots on 2.84 acres zoned RS-15 located along Pitts Lane, Peggy H. Moore developer.

Buchanan Estates, Section 8, Phase 1 [2020-2032] final plat for 51 lots on 33.63 acres zoned RM in the unincorporated County and served as an outside of the City sewer customer located along Dusenburg Drive and Volta Road, Jones Construction Co. developer.

Warrior Drive Self-Storage, Phases 1 and 2 [2019-3030] site plan for 41,900 ft² storage facility on 4.6 acres zoned CH located along Warrior Drive south of New Salem Highway, Stuart Conway developer.

Mr. Warren Russell made a motion to approve the consent agenda, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Plats and Plans

Greenway Estates [2020-1010] preliminary plat for 24 lots on 12.7 acres zoned RS-10 located along Cason Trail east of Stoney Meadow Drive, Blue Sky Construction developer. Mr. Jafar Ware summarized the preliminary plat from the staff report which had been provided in the agenda packet.

Mr. Matthew Blomeley stated this plat would provide part of the road connection from this property to World Outreach Church property in advance to the development of Hidden River Estates. Mr. Blomeley explained that Mr. Brian Burns had committed to provide a road connection

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

with this development before he could start the construction of Hidden River Estates. This commitment had been provided in the applicant's approved pattern book.

Mr. Brian Burns, the applicant, came forward to state that this development and a road connection would have to be completed before he could begin developing Hidden River Estates.

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

Pinnacle Bank [2020-3051] site plan for a temporary drive-thru facility and demolition of an existing 44,055 ft² building on 1.08 acres zoned CBD located at the northeast corner of North Maple Street and West College Street, Pinnacle Financial developer.

Vice-Chairman Ken Halliburton and Mr. Ronnie Martin announced that they would be abstaining from all discussion and vote regarding this application.

Ms. Amelia Kerr came forward to summarize the site plan from the staff report which had been provided to the Planning Commission in the agenda packet. She stated that this proposal is for a temporary portable building that would be placed on-site for drive-thru service operations while construction is occurring for the new permanent building. Therefore, they are requesting exemptions from the architectural design guidelines, because the building is temporary in nature.

Mr. Neil Parrish was in attendance to represent the applicant. Mr. Parrish stated they anticipate for this temporary building to be used approximately 18 months from demolition to final construction.

Mr. Warren Russell made a motion to approve subject to all staff comments including to approve the exemptions from the architectural requirements of the Design Guidelines, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor with two abstentions (Vice-Chairman Ken Halliburton and Mr. Ronnie Martin).

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840 Storage Solutions [2019-3148] site plan for 32,130 ft² self-service storage facility on 8.2 acres zoned PUD located along Florence Road and Santana Street, The Downs Group LLC

developer. Ms. Margaret Ann Green summarized the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Green stated the PUD zoning allows this type use for this property. Staff has worked with the applicant over the past several months to work on the layout of the site and their traditional single-story building. This proposal meets the Design Guidelines. Staff has provided several comments about this property since it would be located at a highly visible site along I-24 and I-840.

Continuing, Ms. Green made known this site plan is for phase one and it would be facing Santana Street. The applicant owns the remaining property and proposes commercial outparcels that would be fronting Florence Road. The commercial outparcels would help screen this proposal. The proposal would be for interior storage only and the buildings would not be climate controlled.

Mr. Dickie Sullivan and Mr. Paul Bass were attendance to represent the application. Vice-Chairman Ken Halliburton wanted to know if this site would be viewed downward from the interstate or be at the same level as I-24 and I-840. Mr. Dickie Sullivan explained the view would be a similar elevation as I-24 with screening in all directions. Continuing, Ms. Sullivan stated the view for Phase 1, facing I-840, would be limited due to the interstate ramp. However, Phase 2, would be visible to I-24. Mr. Warren Russell commented how this site would be a Gateway into Murfreesboro. He asked for additional information regarding the screening and buffer for Phase 1. Mr. Brad Barbee came forward stating a Type D buffer would be placed on the eastern property line located beside the existing residential area. On the southern property line for Phase 1, a single row of trees would be planted to screen the bay doors and roll up doors from the ramp of I-840 and I-24. However, the applicant wants to remove the trees whenever Phase 2 occurs. The applicant proposes to provide screening for the entire property when the balance is developed.

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Mr. Brad Barbee explained that for Phase 1 this proposal would be a typical one-story mini-storage development with bay doors that would need to be screened from public right-of-way.

Ms. Margaret Ann Green explained that she opposes the applicant's plan to provide landscaping with Phase 1, then remove the trees during Phase 2. This is losing time on the growth of the trees. She has suggested for the applicant to place a buffer and trees with Phase 1, so it would be more effective for screening. At this time, there is no timeline for Phase 2.

The Planning Commission began discussing the proposal and expressed their concerns due to the location and the visibility of this site being the follow:

- Two different types of fencing for this project.
- Would like to see the architecture be similar as the compact storage buildings that have been recently approved and constructed in Murfreesboro.
- The applicant would need to provide an exhibit of the viewshed from all four sides of the property for the entire development.
- The applicant would need to provide a master plan to make known the future expansion for this development with landscaping and buffer details.
- The Planning Commission felt like this proposal is a step back from current approved storage facilities. This proposal is not raising the bar.

Mr. Paul Bass came forward stating the long slender buildings would have roll up doors with 50 percent brick and 50 percent hardi material to appear as retail. The buildings could be re-adapted from roll-up doors to a storefront assembly. In addition, Mr. Bass agreed to keep the landscaping in place from Phase 1 to be included with the landscaping for Phase 2.

Mr. Eddie Smotherman made a motion to defer, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

New Business

Zoning application [2020-408] for approximately 0.54 acres located along South Maney Avenue north of East Castle Street to be rezoned from CH and CCO to PUD (Maney Station PUD) and CCO, Rhett Kelton applicant. Ms. Amelia Kerr summarized the staff report which had been provided to the Planning Commission in the agenda packet.

Mr. Clyde Rountree, Mr. Brian Oliver, and Mr. Rhett Kelton were in attendance representing the application. Mr. Rhett Kelton came forward making known his plans for this development would be for young professionals or empty nesters to enjoy an urban environment within the downtown area. For the commercial use he would like to see a neighborhood coffee shop, offices, etc. Mr. Clyde Rountree came forward to make known the details from the applicant's pattern book. In addition, Mr. Rountree made known the proposed uses and prohibited uses that were listed in the pattern book. Mr. Brian Oliver came forward to describe the architecture of the three-story building being brick and EIFS. There would be a total of six units on the second and third floors. On the first floor would be one single accessible dwelling unit that would have access from the inside of the building. The commercial area would be open on the first floor and divided as needed. Continuing, the parking for this site would be located at the rear of the building and the lighting would be away from the residential area.

Mr. Ronnie Martin made a motion to schedule a public hearing on June 3, 2020, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Zoning application [2020-406] for approximately 5.09 acres located along Robert Rose Drive to amend the North Thompson Place PUD (also known as Gateway Village) to expand the uses permitted, Swanson Development, LP applicant. Ms. Margaret Ann Green summarized the staff report which had been provided to the Planning Commission in the agenda packet.

Mr. Matt Taylor and Mr. Joe Swanson, Jr. were in attendance to represent the application.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

Mr. Eddie Smotherman made a motion to schedule a public hearing on June 3, 2020, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Proposed amendments to the Zoning Ordinance [2020-803] to Section 26: Off-Street Parking, Queuing, and Loading, regarding off-site parking agreements, joint parking agreements, and other miscellaneous items, City of Murfreesboro Planning Department applicant. Mr. Matthew Blomeley summarized the staff report which had been provided to the Planning Commission in the agenda packet. He stated that this proposed amendment was to add clarity and to address standards for parking. This amendment would be for properties to meet minimum parking requirements for properties zoned RM-12, RM-16, RS-A/Type-1, Type-2, and Type-3. In addition, this amendment would address standards for garage parking for townhomes and other types of single-family attached dwellings.

Mr. Blomeley made known a stakeholders meeting had been conducted on May 19, 2020, in which those who attended the meeting provided their valuable feedback.

The Planning Commission began discussing the proposal and requested that Staff further review how garage parking would be regulated. Mr. David Ives made known he appreciated the comments and discussion. Mr. Ives recommended for this item to be reviewed further and should come back at a later date for consideration. No action was taken.

Hear report from Staff regarding modified language for temporary signage and consider request from Legal Department to modify the Planning Commission's conditions of approval, both pertaining to the Zoning Request [2020-403] for PSO (Planned Signage Overlay) zoning for approximately 30 acres located along North Thompson Lane, West College Street, and West Northfield Boulevard, New Vision Baptist Church applicant. Mr. David Ives summarized the staff report which had been provided to the Planning Commission in

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 20, 2020

the agenda packet. Mr. Ives stated this proposal is to modify the language for the Planning Commission's original recommendation of approval, so that they would not be required to approve the proposed mural design on the building. In addition, language in the pattern book had been revised regarding banners and temporary signs that would be placed on the property during events. The applicant's pattern book includes the revised language for banners on sheet 9. The mural design has been removed from the applicant's pattern book. The revised pattern book would be presented to City Council. Two different motions were made that would address the discussions for banners and the discussions for the mural from the applicant's pattern book.

Mr. Ronnie Martin made a motion to approve the revisions to the applicant's pattern book on sheet 9 regarding temporary signage, subject to all staff comments, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Mr. Eddie Smotherman made a motion to delete the original condition of approval that required the applicant to bring back the mural design for approval to the Planning Commission, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

Mandatory Referral [2020-712] to consider abandoning any City interest in Tax Map 090J, Group A, Parcel 03200 by quitclaim deed to the current lot owner of 732 Greenbrier Drive.

Mr. Sam Huddleston summarized the mandatory referral by making known the request is for the abandonment of any City interest in Tax Map 90J, Group A, Parcel 03200 by quitclaim deed to the current lot owner and to authorize the Mayor to sign on behalf of the City subject to approval by the City Attorney.

Mr. Huddleston made known the Murfreesboro Water Resources Department had confirmed the Tax Parcel has no continuing benefit to the City. The Legal staff would prepare a quitclaim deed to abandon the City's interest in the tax parcel.

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

**MINUTES OF THE
MURFREESBORO PLANNING COMMISSION
MAY 20, 2020**

There being no further business the meeting adjourned at 3:35 p.m.

Chair

Secretary

GM: cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 3, 2020

6:00 P.M.

Council Chambers

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney

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

Vice-Chairman Ken Halliburton made a motion to approve the minutes of the April 29, 2020 and May 6, 2020 Planning Commission meetings, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Public Hearings

Zoning application [2020-408] for approximately 0.54 acres located along South Maney Avenue north of East Castle Street to be rezoned from CH and CCO to PUD (Maney Station PUD) and CCO, Rhett Kelton applicant. Mr. Matthew Blomeley summarized the staff report which had been provided to the Planning Commission in the agenda packet.

Mr. Blomeley explained that the *Murfreesboro 2035 Comprehensive Plan* recommends the most appropriate land use character for this property to be “Neighborhood Commercial” which would be a low-intensity commercial use. However, the applicant is proposing a development that would be more consistent with the “Urban Commercial/Mixed-Use” land use character. The uses for this land use character include multi-family residential, entertainment, restaurants and other retail, general and professional offices. Mr. Blomeley stated the Planning Commission would need to determine whether or not this is an appropriate instance to deviate from the recommendations of the future land use map.

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Mr. Clyde Rountree, Mr. Rhett Kelton, and Mr. Brian Oliver were in attendance to represent the application. Mr. Clyde Rountree gave a PowerPoint presentation with the following information:

- 13 residential dwelling units that would be approximately 9,500 square-feet total.
- The average size of the one-bedroom dwelling units would be a minimum of 550 square-feet.
- There would be one accessible dwelling unit on the first floor located at the back of the building. Also, the first floor would include commercial uses, the second floor would have six dwelling units, and the third floor would have six dwelling units.
- All units would be for sale via a Horizontal Property Regime.
- The building would be facing the street with parking at the rear of the building.
- There would be a rooftop patio area with raised gardens, patio seating, tables, etc.
- On the first floor there would be approximately 3,900 square-feet of commercial space.
- A list for the proposed permitted uses had been included in the applicant's pattern book.

Mr. Brian Oliver, the architect, explained the proposed architecture. The building materials would be five different colors of brick and commercial glass across the front and two sides. Each residential unit would have a balcony and have access to the rooftop patio area. In addition, there would be two interior stairs for tenants to have access with key cards at the security doors.

Mr. Eddie Smotherman addressed the list of permitted uses. He requested for Tobacco and Vape Sales to be removed and placed on prohibited use list. Mr. Clyde Rountree stated that he would remove Tobacco and Vape Sales and Laundries from the permitted use list.

Mr. Rhett Kelton came forward making known his vision for this development. This property is in a great location with a wonderful streetscape for young professionals that could enjoy an urban

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 3, 2020

environment living in the downtown area. This development could become a precursor for more to come in the future.

Chair Kathy Jones opened the public hearing.

Mr. Allen McAdoo – came forward to make known he is in favor for this proposal. He hopes this project will help bring additional development to the area.

Chair Kathy Jones closed the public hearing.

Mr. Eddie Smotherman made a motion to approve subject to moving the following uses from the permitted use list to the prohibited use list: for Laundries and Tobacco/E-Cigarettes/Vape Sales, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Zoning application [2020-406] for approximately 5.09 acres located along North Thompson Lane to amend the North Thompson Place PUD (also known as Gateway Village) to expand the uses permitted, Swanson Development, LP applicant. Ms. Margaret Ann Green summarized the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Green stated the applicant would like to expand the permitted uses for their buildings. The permitted uses are currently allowed per the approved pattern book and are proposed to be redefined as follows:

Buildings A & B 1st Floor additional permitted uses to be added:

1. Church
2. College, University
3. Business School
4. Janitorial Service
5. Laboratories, Medical
6. Laboratories, Testing
7. Offices

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 3, 2020

8. Radio TV or Recording Studio

Buildings A & B 2nd Floor proposed additional permitted uses to be added:

1. Student Center
2. Amusements, Commercial Indoors
3. Animal Grooming Facility
4. Antique Mall
5. Antique Store
6. Apothecaries
7. Barber or Beauty Shop
8. Book, Card Shop
9. Catering Establishment
10. Clothing Store
11. Department or Discount Store
12. Flower or Plant Store
13. Glass-Stained and Leaded
14. Key, Locksmith
15. Reducing and Weight Control Services
16. Restaurant and Carryout Restaurant (excludes drive-up window)
17. Specialty Shop

Ms. Green stated that these proposed permitted uses were consistent with the future land use map. In addition, a traffic analysis has been prepared and provided that makes known how this proposal would not create any negative traffic impacts for this development.

Mr. Matt Taylor and Mr. Joe Swanson, Jr. were present to represent the application.

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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 3, 2020

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

Mandatory Referral

Mandatory Referral [2020-710] to consider the abandonment of an existing MWRD water easement located within the Northfield Village subdivision along West Northfield Boulevard, Mr. Matt Taylor (on behalf of A + Storage) applicant. Ms. Margaret Ann Green summarized the staff report which had been provided to the Planning Commission in the agenda packet. This item has been reviewed and recommended for approval by the Murfreesboro Water Resource Board. Ms. Green stated if this mandatory referral is approved it should be made subject to the applicant providing all the necessary documentation required to prepare and record the instrument to City Staff. This includes legal descriptions and an illustration of the property.

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

Staff Reports and Other Business

There being no further business the meeting adjourned at 6:35 p.m.

Chair

Secretary

GM: cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 17, 2020

MEMBERS PRESENT

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

STAFF PRESENT

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

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

Consent Agenda

Veterans Cove [2020-1011] preliminary plat for 4 lots on 22.8 acres zoned PRD located along the north side of Veterans Parkway, Alcorn Properties, LLC developer.

Elam Farms, Resubdivision of Lot 3 [2020-1012] preliminary plat for 2 lots on 77.65 acres zoned L-I located along Elam Farms Parkway and Elam Road, Prologis, LP developer.

Beckham Pointe [2020-2023] final plat for 32 lots on 17.86 acres zoned RS-6 located along Esquire Drive and Mary Beth Court, BRS Development developer.

Buford Creek [2020-2035] final plat for 21 lots on 16.22 acres zoned RS-12 located along Osborne Lane, BRS Development developer.

Pinnacle Bank [2020-3061] site plan for 12,250 ft² building on 1.09 acres zoned CBD and CCO located at the northeast corner of West College Street and North Maple Street, Pinnacle Financial Partners developer.

East Side Village [2020-3057] site plan for 11,100 ft² multi-tenant commercial building on 1.93 acres zoned PCD located along North Rutherford Boulevard and Yearwood Avenue, Greenland Properties, LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 17, 2020

Evergreen Cemetery Maintenance Building [2020-3037] site plan for 4,800 ft² maintenance building at existing cemetery on 1.4 acres zoned RS-10 located at 519 Greenland Drive, Evergreen Cemetery developer.

Mr. Chase Salas made a motion to approve the consent agenda subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Plats and Plans

Prologis [2020-3065] site plan for 1,244,493 ft² warehouse/industrial building on 77.65 acres zoned L-I located along Elam Farms Parkway north of Joe B Jackson Parkway, Prologis developer. Ms. Margaret Ann Green summarized the site plan from the staff report, which had been provided to the Planning Commission in the agenda packet. She requested for the applicant to continue working with staff to address the following:

- Improve the architecture in front of the building for the office area;
- The applicant has proposed a future public right-of-way along the southern property line that would tie in with Elam Road that would need to meet all City street standards.

Mr. Terry Mulvaney, Mr. Mike Hunkler, and Mr. Ryan George were in attendance to represent the application. Mr. Mulvaney came forward to make known he had worked with Mr. Brad Barbee to address all landscaping issues. They have agreed to enhance the Type E buffer to be located beside the adjoining residential properties. Their landscaping would include a berm with two rows of 6-foot trees and evergreen shrubs with a fence.

The Planning Commission began discussing the proposal and wanted to make certain that all lights and noise have been addressed with this property especially beside the adjoining residential areas.

Mr. Ryan George came forward to make known they did not have a user at this time. However, they agree to be a good business partner and good neighbor by addressing any noise and lighting issues and would make certain any refrigeration would be located away from the residential area. Their goal is to have a long-term user for this property.

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

Salem Square [2020-1013] master plan for 9 lots on 29.18 acres zoned CH located along New Salem Highway and Barfield Road, New Salem Land Development, LLC developer. Mr. Jafar Ware summarized the master plan from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Ware made known that in the Spring of 2020, the Planning Commission and City Council approved the annexation and zoning of this property. If the master plan is approved, it would allow the applicant to submit construction plans for this property.

Mr. Matt Taylor was in attendance to represent the application. Mr. Taylor came forward and made known he has been working with City Staff and the Tennessee Department of Transportation to address all access points for this site including road improvements to Barfield Road.

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

Salem Square, Section 1, Lot 1 (Pinnacle National Bank - Resubdivision Lot 1) [2020- 2037] final plat for 1 lot on 2.16 acres zoned CH located along New Salem Highway and Barfield Road, New Salem Land Development, LLC developer.

Ms. Kathy Jones commented that the plat name for this subdivision is Pinnacle National Bank, Resubdivision Lot 1. However, this plat does not have anything to do with Pinnacle National Bank, so she will not abstain.

Mr. Jafar Ware summarized the final plat from the staff report, which had been provided to the Planning Commission in the agenda packet. Staff recommends approval for this final plat subject to all staff comments.

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

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New Business

Zoning application [2020-407] to amend the Victory Station PUD to modify the use chart on approximately 32.6 acres located south of Franklin Road and east of Rucker Lane, Swanson Development applicant. Ms. Marina Rush summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Rush made known the amendment proposes the following changes to the PUD:

1. Combine Parcels J and K – due to their adjacent proximity and nearly identical uses permitted;
2. Combine Parcels Q and R – due to their adjacent proximity and nearly identical uses permitted;
3. Modify the Uses Permitted Chart – add missing uses on Parcels J, K, Q, and R, and add new uses on Parcels V and O2. Attached to the staff report are the proposed revisions to the Permitted Use Chart.; and
4. Formally adding the building at 3781 Franklin Road to Parcel O2 of the Victory Station PUD. This building was previously used as a volunteer fire station and has since been converted into a multi-tenant commercial building. The building is located within the PUD zoning, but the “parcel” it belongs to in the PUD has never formally been identified.

Ms. Rush stated the proposed changes were consistent with the 2035 Comprehensive Plan.

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

Mr. Warren Russell made a motion to schedule the public hearing on July 8, 2020, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

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Zoning application [2020-409] for approximately 78 acres located along Medical Center Parkway, Robert Rose Drive, Wilkinson Pike and Willowoak Trail to be rezoned from MU, GDO-1 and GDO-2 to PUD (Clari Park), GDO-1 and GDO-2, Hines Acquisitions LLC applicant. Ms. Margret Ann Green summarized the zoning application from the staff report, which had been provided to the Planning Commission in the agenda packet.

Ms. Green made known that Staff had reviewed the applicant's PUD pattern book and had determined the request does not support the City's vision for a mixed-use district. The applicant's pattern book, as submitted, appears to be a large residential development consisting of townhomes, multi-family condominiums, and apartment complexes, and commercial outparcels. Ms. Green explained that Staff has concerns regarding the applicant's pattern book due to the following:

- Lack of true commitment or guidance on future development.
- Several images have been provided in the program book that depict a desirable, mixed-use development that is in keeping with the vision Murfreesboro has established for this area; however, there are very few commitments being made that guarantee this project would develop as suggested.
- The applicant has expressed a desire to allow this project to be open-ended and market-driven and requesting the PUD be approved as such.
- A few conceptual layouts have been shown; however, these layouts are for illustrative purposes only. They do not depict future design.
- The developer is requesting the future layout be reviewed at the site plan stage with Planning Commission.
- Staff has made known to the applicant that the depicted conceptual plans may conflict with service-delivery vehicle circulation, not meet street design standards, would need further review, etc.

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Also, in the PUD pattern book on page 17 the applicant is requesting several exceptions to typical zoning requirements as follows:

1. To allow townhomes (single-family, attached) as a permitted use within the MU district;
2. To exceed the maximum density of 25 dwelling units per acre for the apartments;
3. To reduce the required parking for one-bedroom apartments from 1.5 to 1.1 spaces per unit. To exempt the potential first floor office/personal service uses from any required parking standards;
4. To reduce the required rear-yard setback for townhomes (single-family, attached);
5. To allow garages to count toward minimum off-street parking requirements;
6. To allow outdoor sales of food and alcohol in specified areas for temporary events.

In addition, Ms. Green made known that Staff from our Development Services and Public Infrastructure divisions have provided to the design team comments and feedback regarding the proposed street networks, layouts, improvements, infrastructure, and streetscape elements. The proposal conflicts with several of the recommendations from these divisions. Staff has requested for the design team to address improvements to existing infrastructure and has requested conformance with the approved master plans for the street network. The Gateway Streetscape Master Plan also applies to this property and the design team is reluctant to participate in some of those improvements.

Continuing, Ms. Green stated the Murfreesboro 2035 Future Land Use Map indicates that Urban Commercial/Mixed-Use (UC) is most appropriate land use character for the subject property. Therefore, because of the speculative nature of the PUD, it is unclear if it would be consistent with the Future Land Use Map. If the property develops as a mixed-use development, it would be consistent with the UC character. If the property develops with mostly apartments and townhomes, then it is more consistent with the Auto Urban/General Residential land use character (AUR) and Auto-Urban/General Commercial land use character (GC).

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Lastly, Ms. Green made known Staff recommends for the developer to conduct a neighborhood meeting before a public hearing is scheduled; therefore, she recommended a public hearing be scheduled for August 5, 2020.

Mr. Kevin Guenther, Mr. Randy Caldwell, Mr. Tommy Smith, and Mr. Walter O'Shea were in attendance to represent the application. Mr. Kevin Gunther came forward to explain the PUD proposal would allow single-family attached dwellings to be allowed as a permitted use. This type use would bring ownership to the Gateway in a walkable community. This is a large piece of property for the developer to create long-term opportunities with residential, office use, retail, etc. At this time, they do not know exactly where these uses would occur so the Hines team would work with the land use, the infrastructure, and continue look at current market and investment opportunities. Their team is committed to continue working with Staff to address architecture, open space, the Gateway Design Overlay and the Murfreesboro Design Guidelines. Mr. Guenther agreed a neighborhood meeting would be conducted to share the vision of this property.

Mr. Walter O'Shea said they have incorporated many of Staff's suggestions but not all. However, they have provided thoughtful responses so Staff could understand their thought processes. They know how important the Gateway area is to City Staff, the Planning Commission, and Murfreesboro. They want to create an exceptional mixed-use community on this property. They do not excel in volume or commodity real estate. They carefully select sites that warrant custom execution. Their request for a zoning change to allow higher density, for-sale housing, which is currently not permitted in the mixed-use zone district, is to complement the office, retail, and hospitality uses that are permitted.

Mr. O'Shea began a PowerPoint presentation to make known their company is privately owned and they have developed in the Nashville and Cool Springs areas. From the pattern book he began to explain their master plan starting at the Grand Lawn outdoor area (page 29 & 30) which includes a plaza. The outdoor space would include programmed outdoor activities and food trucks. Their intent is for this area to become the heart and soul of the community. The Grand Lawn would be

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tied into a hotel, retail, office, and residential uses. These areas would be linked together through a linear park network. The linear park would allow walkways, pocket parks, seating, and bike trails with the potential for a Rover transit location.

To address Staff's concern, they have committed to the following:

- Committed uses for Areas 2,3,5,6 in the pattern book on page 13. These areas would be sixty percent of the overall total of land.
 - Area 2, and Area 6 would be for sale housing;
 - Area 3, commercial use only;
 - Area 5, multi-family residential;
 - Area 6, residential;
- For areas 1,4,7, in the pattern book on page 13, they are requesting flexibility. These areas could be for office use, hospitality, retail, and/or residential use.
- Their goal is to truly develop a mixed-use community.

Mr. O'Shea said that page 24 in the pattern book addresses the infrastructure for public improvements for this property. Mr. O'Shea stated they had addressed Staff comments about a connection point to Wilkinson Pike by widening it to three lanes for the portion that is in front of this project. However, they have provided a traffic report for this site during peak hours which made known there was not enough traffic to include turn lanes onto Wilkinson Pike. Therefore, they feel it is inappropriate to burden the project to widen Wilkinson Pike. They have agreed to provide a buffer and berm with each phase of development.

Mr. O'Shea agreed to schedule a neighborhood meeting for this proposal; therefore, he asked for consideration for a public hearing on July 8, 2020.

Mr. David Ives announced he had legal concerns with this proposal. He does not see how this qualifies as a plan or a planned development. At least a third of this proposal is uncertain. There

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is potential for this property to be eighty percent high-density residential. If this is a planned development, it needs to have a plan. What is being discussed is a concept plan with ideas in areas but that is not a plan. He does not see how the City can adopt this pattern book as a planned development that is not sufficient to enforce or administer future development.

Mr. Randy Caldwell came forward stating for this proposal they are designing infrastructure and definitive plans for areas 2, 5, and 6. He commented on how the nature of the market changes daily, especially now with the pandemic. The developer is well known and would deliver a quality product. They would deliver commercial uses in the appropriate areas that would work in context with adjoining properties. Internally, the open space network would connect the various uses. This proposal would allow flexibility but would still commit to the Gateway Design Overlay and the Murfreesboro Design Guidelines. They could submit something for the areas 1,4,7, but it would change. In addition, they have submitted a list of committed uses for their development.

The Planning Commission began discussing the proposal making known their concerns with the uncertainty of how areas 1,4, and 7 could be developed. They agreed this is a commitment to a high-density development. In addition, Mr. David Ives has made known this pattern book is not sufficient for a planned development. Also, this project would bring additional traffic to Wilkinson Pike. Currently, Wilkinson Pike is a substandard street and this development would have road frontage. Therefore, road improvements would need to be added with this development or fees in lieu of improvements to Wilkinson Pike.

Mr. Eddie Smotherman made a motion to defer, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Proposed amendments to the Zoning Ordinance [2020-803] to Section 26: Off-Street Parking, Queuing, and Loading, regarding off-site parking agreements, joint parking agreements, and other miscellaneous items, City of Murfreesboro Planning Department

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applicant. Mr. Matthew Blomeley summarized the site plan from the staff report, which had been provided to the Planning Commission in the agenda packet. He made known the proposed regulations for garages are primarily with regards to townhome developments, multi-family developments and properties zoned RS-A/Type-1, Type-2, and Type-3. This would require dimensional requirements for garages in those developments where developers are voluntarily seeking to count garage parking spaces toward the minimum parking requirements. For a two-car garage, the proposed minimum dimensions are 19 feet, 4 inches wide x 20 feet deep. For a one car garage, the proposed minimum dimensions are 11 feet, 4 inches wide x 20 feet deep. Mr. Blomeley asked that if the Planning Commission is comfortable with these proposed amendments, he requested for a public hearing to be scheduled on July 8, 2020.

Vice-Chairman Ken Halliburton made a motion to schedule the public hearing on July 8, 2020, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

There being no further business the meeting adjourned at 3:10 p.m.

Chair

Secretary

GM: cj