

## Staff Notes

**Item # 1** **The Parks Subdivision-Phase 1A:** Staff requests a (1) one-year subdivision improvement bond extension

**STAFF NOTES:**

The current bond amount is 950,338.

**STAFF RECOMMENDATION:** One-year extension at \$ 1,007,358

**Item # 2** **Jesse and Emilee Cain:** Requests Recommendation to the Board of Mayor and Aldermen to de-annex 5.81 acres. Property is referenced as Robertson County Tax Map 96, Parcel 49.00 and is located at Highway 31W North.

**Staff Notes are located under Item 3. These properties are contiguous.**

**Item # 3** **Erinn Martin:** Requests Recommendation to the Board of Mayor and Aldermen to de-annex 5.66 acres. Property is referenced as Robertson County Tax Map 96, Parcel 48, and is located at Highway 31W North.

**Staff Notes:** This property is located on the northern edge of White House near the Briarwood Subdivision. The property currently is split, with a portion in Robertson County and 500' in the City of White House. There is currently no sewer servicing this property. De-Annexing would not affect the continuity of the city limits boundary.

**Deannexation: Initiation by Residents and Landowners under Limited Circumstances**

When a city has failed to fully implement a plan of services adopted for an annexed area, residents and landowners' only recourse under current law is to sue the city to provide the services. Although deannexation may seem to be a reasonable alternative and one that might be acceptable to the city,

residents and owners have no way to initiate or even participate in the deannexation process except by petitioning to force a vote in hopes of stopping a deannexation. One way to enable greater resident and landowner participation, including by those who own agricultural land, would be to allow them to petition for deannexation using the same formal dual-petition process proposed for annexation when a city has not fully implemented the plan of services adopted for the area.

Of the 36 states with deannexation laws, Tennessee is one of only ten that do not allow residents or owners to initiate deannexation proceedings. Local officials in Tennessee have expressed concern that allowing residents to initiate deannexations could lead to donut holes and irregular boundaries that create confusion over provision of services. In order to prevent these problems, eight states prohibit deannexations that would create donut holes by limiting them to areas on the city borders.

Tennessee, like many other states, allows cities to continue taxing deannexed property to repay debt incurred in order to meet the needs of those areas and requires them to charge sufficient rates for utilities to pay for services provided to those areas. Because of this, allowing residents and landowners to petition for deannexation is unlikely to cause issues with provision of services as long as those deannexations are limited to areas on the city border in order to avoid creating non-contiguous islands and donut holes. However, because counties may be obligated to assume responsibility for infrastructure such as roads or for emergency or other services, their approval for deannexation should be required. Moreover, deannexations should be allowed only when the proposal is to remove the entire area as it had been annexed, not scattered individual parcels, unless the city and county agree otherwise.

**Staff Recommendation:** Approval for Item 2 and 3. This property does not have city utility services and would not cause parcels to be scattered.

### **{Deferred from the June Meeting}**

**Item # 4     Byrum Family Property/Land Solutions Co.:** Requests Recommendation to the Board of Mayor and Aldermen to rezone 26.15 acres from C-2, General Commercial to C1-R, Central Service District Gateway Infill. Property is referenced as Robertson County Tax Map 106, Parcel 66.00 and is located (behind the Kroger Shopping Center-Highway 76).

**STAFF NOTES:** The developer is requesting to rezone the proposed 26.15 acres from C-2 to C-1R. The C-1R zoning was adopted by the Board of Mayor and Alderman in May 2019. Developer intentions are to develop a mixed use design on the property. The intention of the C1R zoning district is to permit flexibility with setbacks and requirements for mixed residential and commercial uses in-fill type developments. The minimum setback requirements were amended to include reduced front and rear setbacks but the zoning also includes a special condition based on fire protection and parking requirements to be consistent with other recent zoning

amendments. C-1R includes include an increased front setback in the unlikely case of residential parking areas between the residential building and road on secondary public roadways to prevent cars from blocking roadways and sidewalks. This set up would be unlikely due to limited property areas in the current C-1 district and would only apply on secondary single/two family residential streets which are the only place a parking space is permitted adjacent and perpendicular to a street. Staff also included a provision that since this is a commercial zoning classification intended for mixed use developments that all buildings including one- and two-family homes to meet the commercial design standards requirements. The developer would be required to adhere to the commercial design standards.

#### **5.053.1.1 C-1R Central Business Service District-Gateway Infill Residential**

##### **A. District Description**

**This district is designed to provide for a wide range of retail, office, amusement, service uses, in addition to residential uses in a mixed-use setting. In addition, this district provides for governmental uses, and community facilities and utilities necessary to serve the district or which are required for the general community welfare. The regulations are structured to permit maximum freedom of pedestrian movement and design flexibility need for in-fill type developments on smaller properties to incorporate residential uses on properties and within buildings of commercial permitted uses. Relative high density and intensity of use is permitted in this district. The intention is for the C1R zoning districts to be in the gateway areas of the City's Town Center area including Hwy 31W from Raymond Hirsch Parkway to Calista Road and SR 76 from the City park to the town center area at the intersection of Hwy 31W/SR 76/College Street.**

##### **B. Uses Permitted**

In the C-1, Central Business Service District, the following uses and their accessory uses are permitted.

1. General retail sales and services.
2. Professional, finance, insurance, real estate, personal, business, and repair services.
3. Hotels, motels and boarding houses.

4. Commercial amusement establishments.
5. Churches and other places of assembly.
6. Governmental buildings and community centers.
7. Utility facilities (without storage yards) necessary for the provision of public services.
8. Communication business services.
9. Educational services.
10. Signs and billboards as regulated in Article IV, Section 4.070.
11. Food services.
12. Wholesale sales.
13. Medical services.
14. Convenience sales and service.
15. Laundry and dry-cleaning services.
16. Essential municipal services.
17. Vehicular craft, and related equipment sales, rental and delivery.
18. **Residential mixed use including upper story residential, single or two family detached, attached, semi-attached, and multi-family units not exceeding thirteen (13) units per acre.**
19. **Residential single family detached, attached, multi-family not exceeding thirteen (13) units per acre.**

C. Uses Permitted as Special Exceptions

In the C-1, Central Business Service District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VII, Section 7.060.

1. Automotive parking lot.
2. Day care centers

D. Uses Prohibited

Industrial uses; automobile wrecking, junks, and salvage yards; uses not specifically permitted or uses not permitted upon approval as a special exception.

#### E. Dimensional Regulations

All uses permitted in the C-1R District shall comply with the following requirements, except as provided in Article VI.

1. Minimum Lot Size Requirements

No minimum lot size shall be required in the C-1 District.

2. Minimum Yard Requirements

Front Yard – Ten (10) feet\* See Section 5 Parking Space

Side Yard – Five (5) feet except one- and two-family dwellings side setback- 6.5\*\* feet

\*\*Five-feet side (5) minimum side setback permitted where fire protection meets City's Fire Department requirements for reduced building separation.

Rear Yard- Ten (10) feet

3. Maximum Lot Coverage

There are no restrictions on the area occupied by all buildings including accessory buildings on a lot or parcel located in the C-1 District.

4. Height Requirement

No building shall exceed fifty-three (53) feet in height, except as provided in Article VII, Section 7.040.

- a. The maximum building height at the street line shall be thirty-five (35) feet.
- b. For each foot the buildings is set back from the street line, the height of the building may be increased by one and one-half (1 1/2) feet to a maximum height of five-three (53) feet in height

5. Parking Space Requirements

As regulated in Article IV, Section 4.010 and 3.090. Increased front setback of thirty (30') feet is required for residential parking areas between secondary public streets and buildings to ensure parking in front would not block public sidewalks or roadways.

F. Landscaping Requirements

See Article III, Section 3.120. Where a transitional buffer yard requires a buffer exceeding ten (10) feet, a solid fence or wall meeting the requirements of the City Commercial Design Standards with a solid understory vegetative screen is permitted to be completed within the ten (10') rear setback as determined by the Planning Commission based on site plan design and property conditions.

G. Outdoor Storage

1. All outdoor storage shall be prohibited in the front yard which shall be interpreted as that portion of the property abutting the portion of the property abutting the right-of-way.

2. Outdoor storage shall take place in the rear yard and shall be screened by fencing or landscaping.

H. All commercial and all new residential developments including one- and two-family residential buildings shall be regulated by the commercial design standards since the zoning district is intended for a mixed-use zoning district.

Character Area Policy	
76 East Corridor	<b>Character:</b> The 76 East Corridor is a major commercial corridor for White House. The development pattern is established, but evolving. Changes to the area are likely and encouraged as development and redevelopment occurs. Since this a commercial corridor, new development should focus on a mix of retail uses and services that provide markets for local and regional customers.
	<b>Appropriate Zoning Category and Uses</b> C-2 General Commercial, C-4 Office/Professional, SR-PUD Suburban Planned Unit Development, NC-PUD Neighborhood Center Planned Unit Development
	<b>Infrastructure:</b> Extensions to transportation, water, sewer, and other services should be expected. New service or extensive redevelopment of existing services should be vetted and reviewed by Planning Commission and Board of Mayor and Aldermen as a primary element of approval.
	<b>Design and Context Principles:</b> This character area represents a high activity commercial corridor within White House. Therefore, the design and context should be flexible to accommodate a range of commercial uses, with an emphasis on quality materials on facades facing the corridor. New developments should include a mix of architectural styles. Buildings should include quality materials with architectural details and features. Parking should be mitigated by landscaping.









- STAFF RECOMMENDATION:** Approval. The C-1R Infill was approved following the approval of the Planning Commissions adoption of the Comprehensive Plan. The Gateway Infill goes from the Park on Hwy 76 to Hwy 31W. This site is on the edge of the park, behind the Kroger shopping center. The developer is proposing to extend Bynum Road to connect to Indian Ridge subdivision. This proposed connector is also in the cities Major Throrofare plan.

**Item # 5     White House Community Center/HFR Design:** Requests Site Construction Plan Approval. Property is referenced as Sumner County Tax Map 77, Parcels 73 and 73.01. Property is zoned C-6, Town Center Commercial District and is located at Highway 31W.

**STAFF NOTES:**

The site plan meets the City's review comments. The applicant had preliminary design meetings with city staff.

**STAFF RECOMMENDATION: Approval**

**Item # 6     The Farmstead/Dewey Engineering:** Requests Recommendation to the Board of Mayor and Aldermen to rezone 150.7 acres from R-20, Low Density Residential to SRPUD, Suburban Residential Planned Unit Development. Property is referenced as Sumner County Tax Map 96, Parcels 5.00, 5.01, and Parcel 9.00. Request is further made for Preliminary Master Development Approval. Property is located at Tyree Springs Road.

**STAFF NOTES:** This proposed development is located on Tyree Springs, between Raymond Hirsch Rd/ Meadows and South Palmers Chapel. The site consists of 145.3 acres, on both the east and west sides of Tyree Springs. The east side of Tyree will have 151 units, while the plan to the west of Tyree Springs shows 290 units. There will be two access points onto Tyree Springs from the western phase of the development onto Tyree Springs. The required recreation open space is 7.27 acres. There will be an amenity center with a large pool area, community garden and an aesthetic barn in the front of the development. The Major Thorofare plan shows a road connecting Cedar Brook Road to Tyree Springs, which the developer aligns for a future connection. This area is designated Single Family Medium density in the Comprehensive Plan. The Developer is requesting a portion be SRPUD on the east side of Tyree Springs and a portion be NCRPUD on the west side of Tyree Springs. The total development will be majority SF Residential, with a small percentage of cottage style homes.

**4-104.302     Residential Access Street**

- a.     Street Function - Residential access streets are designed to provide access to individual properties as well as access to the higher classification street network. The residential access street provides for neighborhood circulation and may carry

neighborhood traffic and through movements. Residential access streets differ in their design depending upon their location. The rural residential street is designed to maintain the rural character of the area or neighborhood. It is designed as a curbless paved street section, with gravel shoulders for emergency parking and open roadside ditches for drainage. The urban residential street performs the same function as the rural residential street except within an urban environment. The urban residential street is designed as a curb street.

- b. Design Capacity and Service Restriction - The residential street is designed to convey an average daily traffic (ADT) volume in the range of five hundred (500) to one thousand (1,000).

c. Street Access - If the total design traffic exceeds five hundred (500) ADT, a residential access street shall be provided with no fewer than two (2) access intersections to streets of higher classification in the street hierarchy. For residential access streets with less than five hundred (500) ADT, one access intersection to a street of higher order is allowed.

Single Family Medium Density Residential	
Character Area Policy	
Single Family Medium Density Residential	<b>Character:</b> The Single Family Character Area consists of residential development that include quality neighborhoods and housing choices for community at medium density per acre.
	<b>Appropriate Zoning Category and Uses</b> R-15 Medium-Density Residential, SR-PUD Suburban Planned Unit Development
	<b>Infrastructure:</b> Extensions to transportation, water, sewer, and other services should be expected. New service or extensive redevelopment of existing services should be vetted and reviewed by Planning Commission and Board of Mayor and Aldermen as a primary element of approval.
	<b>Design and Context Principles:</b> New dwellings and structures should aid in establishing the residential character of the area and provide housing choices for the community. New developments or redevelopments should include a mix of architectural styles, while also blending with existing, adjacent development patterns. Open space preservation is encouraged through the use of SPUD or clustering/alternative lot layout and design through convention zoning. Interconnected open space preservation is encouraged.

#### **5.056.4 COMMON OPEN SPACE**

Any

(1). Use of Common Open Space

All open space shown on a development plan of a Residential Planned Development shall be indicated as to its intended use. Common open space may consist of the following:

- a. Cultural and environmental open space.
- b. Improved recreational open space.

(3) Improved Recreational Open Space

A recreation plan shall be developed and presented with the Final Master Development Plan for any proposed residential planned development. This plan shall indicate the general demographic characteristics of the anticipated market being targeted by the proposed development. The plan shall indicate the recreation facilities proposed and the age groups these facilities are designed to serve, as well as provide the number and detailed specifications of each type of recreational equipment and facility proposed. The size of each type of recreational facility, or type of recreational equipment shall be directly related to the age and number of the anticipated user population. These facilities may be devoted to either: (1) Shared limited use facilities designed so as to assure privacy and control of access by and for the exclusive use of a specific residential clientele within the development or (2) shared general use recreation facilities which are available to all residents of the proposed development. A minimum of five (5) percent of the gross area of every residential Planned Unit Development shall be devoted to improved recreational open space.

(4) Recreation Plan

In phased developments every phase shall have open space proportioned to each phase and recreation improvements must be installed in each phase with the recreational improvements receiving approval before the next phase can begin or if the master plan includes the recreation improvements for the entire development in one phase then the recreational improvements must be completed and accessible to the first phase. All

recreational improvements will need to be bonded with other improvements if not completed before the final subdivision plat of the phase is recorded. The recreation plan must be submitted with a site plan detailing landscaping, drainage, lighting, access, building locations and detailed plans of the recreational equipment. The recreational plan shall determine the percentage in which the dwelling units and commercial structures are to be constructed in relation to the construction of recreation improvements.

D. Permitted Activities in a Residential PUD

The following activities listed in Table I may be permitted in a RPUD only when deemed appropriate by the Planning Commission and the Board of Mayor and Aldermen as approved with the preliminary master plan. Other activities not listed below are prohibited.

Residential accessory residential dwelling units shall require review by the Board of Zoning Appeals for a special exception under Section 4.190 of this ordinance. If a residential planned unit development is being designed to include accessory dwelling units for the entire development, then the units will need to be included on preliminary master plan to be approved by Planning Commission and Board of Mayor and Aldermen. **(Added by Ordinance 06-31, August 17, 2006)**

**Table I**  
**Permitted Uses and Structures**  
**Residential Planned Development**

<u>Residential Activities</u>	<u>Districts</u>	
	<u>SRPUD</u>	<u>NCRPUD</u>
Permanent Residential		
Dwelling Attached	N	P
Dwelling One-Family Detached	P	P
Dwelling Two-Family Detached	P	N
Dwelling Semi-Detached	P	P
Dwelling Mobile Home	N	N
Dwelling Multi-Family	N	P
Residential Accessory Dwelling Unit (section 4.190)	SE	SE
Semi-Permanent Residential	N	N
 <u>Community Facilities Activities</u>		
Administrative Services	P	P
Community Assembly	P	P
Community Education	P	P
Cultural & Recreation Services	P	P
Essential Services	P	P
Personal & Group Care Facilities	N	P
Religious Facilities	P	P
 <u>Commercial Activities</u>		
Consumer Repair Services	P	P
Convenience Commercial	P	P*
Home Occupations (Section 4.180)	P	P
Entertainment & Amusement Services	P*	P
Financial, Consultative & Administrative	P	P
Food & Beverage Services	P*	P
General Business Services	P*	P
General Personal Services	P*	P
Medical and Professional Services	P	P

Key to Interpreting Uses

P - May be considered as a permitted use.

N - Not permitted in the district.

SE- May be considered by Board of Zoning Appeals as Special Exception

\* May be considered only when the PUD contains 200 units or more.

F. Suburban Residential Planned Development

1. Density and Open Space Regulations

Maximum Density	3.0 Units/Acre
Minimum Lot Size	8,500 sq. ft. per dwelling unit

The remaining area shall be left as common open space and used for designated purposes as approved by the Planning Commission. The minimum required ratio of dedicated common open space shall be in terms of the maximum density of the planned development. The percentage of the total acreage dedicated to open space shall be as follows:

<u>Maximum Density</u>	<u>Minimum Open Space %</u>
3.0 Units/Acre	15%

2. Yards

Minimum Front Yard	35 ft.
Minimum Side Yard	10 ft.*
Minimum Rear Yard	15 ft.*

*\*Minimum lot width at Front Building Setback 75ft.*

H. Limitation on Density

The planning commission and board of mayor and aldermen may, within their discretion, limit the density to a figure lower than the maximum permitted above. This type of limitation shall be exercised only if the character of the adjoining neighborhood is inappropriate for the proposed development or if the development would place an excessive burden on the existing street and utility system.

**5.056.7 Design and Development Standards**

A. Development Standards

1. Perimeter Requirements

Along the perimeter of the Planned Development, buildings shall be designed to harmonize in scale, setbacks, and mass with existing adjacent areas. A minimum setback of



twenty-five (25) feet shall be required around the perimeter of all residential planned developments. Perimeter landscaping shall also be required.

2. Landscaping Requirements

Every PUD shall be attractively landscaped. The site perimeter and parking lot, landscaping requirements of Article III shall apply and be included in the dedicated open space. All transitional buffers within single-family developments shall be in dedicated open space or within a Buffer Easement that will be maintained by the homeowners Association. All developments are required to have street trees along the right-of-way in the area reserved for them.

3. Parking and Storage

On-street parking is a permitted design feature, except along arterial streets unless a section of an arterial street is within a commercial town center development. All parking lots and storage areas shall be enclosed or concealed by berms, buffers or through building design

4. Signs

The sign provisions contained in Article IV, Section 4.080 shall apply. Entry sign locations and designs shall be shown on or as a separate element of the final master plan and be consistent with the character of the development. Any sign located within a dedicated public right-of-way shall be perpetually maintained by the Homeowners

11. Development Standards for Attached Dwellings

- a. The minimum lot required for any individual attached dwelling shall be as required to meet other provisions of these regulations. Individual attached dwellings may exceed the maximum lot coverage provisions established for the area in which such site is located. However, in no instance shall the aggregate site coverage of all dwellings, attached or otherwise, exceed the coverage provisions established for the PUD district in which such site is located.

- b. Minimum width for the portion of the lot on which the town house is to be constructed shall be twenty-two (22) feet.
- c. Not more than six (8) contiguous town houses shall be built in a row with the same or approximately the same front line, and not more than twelve (12) town houses shall be contiguous.
- d. The spacing of buildings containing attached dwellings shall be as required by Article IV, Section 4.070, and standards in zoning ordinance.

e.

#### Yards

- (1) For units located along the periphery of a site containing attached dwellings. The yard provisions established for the district within which the attached dwelling is located shall apply along the periphery of any site on which attached dwellings may be located.
  - (2) For units located entirely within a site. No side or rear yard as such is required in connection with any attached dwelling located entirely within a site containing attached dwellings but each such unit shall on its own lot have one yard containing not less than seven hundred fifty (750) square feet. This yard shall be reasonably secluded from view from streets or from neighboring property and shall not be used for off-street parking or for any accessory building.
  - (3) The minimum front yard shall in all cases be no less than twenty-five (25) feet.
- f. No attached dwelling shall exceed two (2) stories in height.
  - g. No development shall be approved which contains less than ten (10) dwelling units.
  - h. Parking shall be provided as required in Article IV, Section 4.020. However, attached dwellings may be constructed with parking space required in bays either adjacent to the streets or in the interior accessed by alleys. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking and service areas shall be

encouraged through ample use of trees, shrubs, hedges, and screening walls. Within each development a minimum of one visitor parking space shall be provided for each five (5) dwelling units. Visitor parking can be provided by designated areas or with on street parking.

- i. Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, screening of objectionable views or uses and the reduction of noise.
- j. Street sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking courts or garages and for convenient circulation and access to all facilities.

**STAFF RECOMMENDATION:** Approval. This site is within one mile of the town center. The developer is proposing a small portion of the west side of Tyree Springs be NCRPUD, to fit the fire flow for the 5 ½ side setbacks. This area is proposed to be Senior targeted. The yard minimums will be met in all phases of this development. Staff has also made recommendations to the developer to address concerns of the division of the subdivision along Tyree Springs with adding a flashing crosswalk. In addition to the crosswalk, staff has recommended sidewalks be installed south toward South Palmers Chapel.

**Item # 7** **WH Commercial Assets, LLC.:** Requests Planned Unit Development Amendment for a proposed mixed-use commercial/residential development. Property is referenced as Sumner County Tax Map 077, Parcel 086.01. Property is zoned C-1, Central Business District and is located at Highway 31W (Twin Springs Apartments-out lot).

**STAFF NOTES:** This is a proposed development for 22 units. The site will have an entrance from Raymond Hirsh leading into Twin Springs and into the townhouse development. This zoning request fits within the scope of the comprehensive plan and within the surrounding zoning.

**Item # 4****White House Village/Arnold Consulting Group:**

Requests Final Plat Approval for 34 lots. Property is referenced as Sumner County Tax Map 96, Parcel 55.00. Property is zoned SRPUD, Suburban Residential Planned Unit Development and is located at McCurdy Road.

Staff stated this plan matches the PMDP that was approved at last month's Commission meeting and meets all city requirements. Brandy Zachary, with Arnold Consulting Group, was present and discussed the development and that the amenities would include: Dog Park, Soccer Park, tennis court, volley ball court, and swimming pool. Staff and Commission had lengthy discussion on greenway screening and meeting city requirements. Staff and engineer discussed types of trees that would be planted and they will have a one year warranty after that it would be city responsibility to maintain. Staff and Commission discussed greenway screening zoning ordinance amendment and that going forward all developments would have to meet the provisions of the ordinance.

**Motion was made to approve by Scott Wiggins with staff's recommendations, seconded by Jerry Summers.**

**Motion passed unanimously.**

Staff Recommendation: Approval. A similar scenario came before Planning Commission with the developer requesting to rezone two parcels (this one and Item #8 below) from commercial to the PUD zoning. The developer is proposing to change this parcel to a PUD and leave the parcel on Hwy 31w as commercial.

**Item # 8** **WH Commercial Assets, LLC.:** Requests Site Plan Approval for a proposed commercial use on 0.87 acres. Property is referenced as Sumner County Tax Map 077, Parcel 085.01 and is located at Highway 31W.

**Staff Notes:** The site plan meets the City's review comments. The applicant had preliminary design meetings with city staff

**STAFF RECOMMENDATION:** Approval

**Item # 9**    **Discussion:** Staff requests discussion regarding the C-1R, Central Business Service District-Gateway Infill Residential zoning district.

**STAFF Notes:** There is no clear definition around the size of parcels for this infill zoning district. I make a recommendation that we specify that no parcel greater than five acres be granted C-1R designation.

**5.053.1.1    C-1R Central Business Service District-Gateway Infill Residential**

A.    District Description

This district is designed to provide for a wide range of retail, office, amusement, service uses, in addition to residential uses in a mixed-use setting. In addition, this district provides for governmental uses, and community facilities and utilities necessary to serve the district or which are required for the general community welfare. The regulations are structured to permit maximum freedom of pedestrian movement and design flexibility need for in-fill type developments on smaller properties to incorporate residential uses on properties and within buildings of commercial permitted uses. Relative high density and intensity of use is permitted in this district. The intention is for the C1R zoning districts to be in the gateway areas of the City's Town Center area including Hwy 31W from Raymond Hirsch Parkway to Calista Road and SR 76 from the City park to the town center area at the intersection of Hwy 31W/SR 76/College Street.

B.    Uses Permitted

In the C-1, Central Business Service District, the following uses and their accessory uses are permitted.

1.    General retail sales and services.
2.    Professional, finance, insurance, real estate, personal, business, and repair services.
3.    Hotels, motels and boarding houses.
4.    Commercial amusement establishments.
5.    Churches and other places of assembly.
6.    Governmental buildings and community centers.

7. Utility facilities (without storage yards) necessary for the provision of public services.
8. Communication business services.
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11. Food services.
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15. Laundry and dry-cleaning services.
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17. Vehicular craft, and related equipment sales, rental and delivery.
18. Residential mixed use including upper story residential, single or two family detached, attached, semi-attached, and multi-family units not exceeding thirteen (13) units per acre.
19. Residential single family detached, attached, multi-family not exceeding thirteen (13) units per acre.

C. Uses Permitted as Special Exceptions

In the C-1, Central Business Service District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VII, Section 7.060.

1. Automotive parking lot.
2. Day care centers

D. Uses Prohibited

Industrial uses; automobile wrecking, junks, and salvage yards; uses not specifically permitted or uses not permitted upon approval as a special exception.

E. Dimensional Regulations

All uses permitted in the C-1R District shall comply with the following requirements, except as provided in Article VI.

1. Minimum Lot Size Requirements

No minimum lot size shall be required in the C-1 District.

2. Minimum Yard Requirements

Front Yard –Ten (10) feet\* See Section 5 Parking Space

Side Yard – Five (5) feet except one- and two-family dwellings side setback- 6.5\*\* feet

\*\*Five-feet side (5) minimum side setback permitted where fire protection meets City's Fire Department requirements for reduced building separation.

Rear Yard- Ten (10) feet

3. Maximum Lot Coverage

There are no restrictions on the area occupied by all buildings including accessory buildings on a lot or parcel located in the C-1 District.

4. Height Requirement

No building shall exceed fifty-three (53) feet in height, except as provided in Article VII, Section 7.040.

- a. The maximum building height at the street line shall be thirty-five (35) feet.
- b. For each foot the buildings is set back from the street line, the height of the building may be increased by one and one-half (1 1/2) feet to a maximum height of five-three (53) feet in height

5. Parking Space Requirements

As regulated in Article IV, Section 4.010 and 3.090. Increased front setback of thirty (30') feet is required for residential parking areas between secondary public streets and buildings to ensure parking in front would not block public sidewalks or roadways.

F. Landscaping Requirements

See Article III, Section 3.120. Where a transitional buffer yard requires a buffer exceeding ten (10) feet, a solid fence or wall meeting the requirements of the City Commercial Design Standards with a solid understory vegetative screen is permitted to be completed within the ten (10') rear setback as determined by



the Planning Commission based on site plan design and property conditions.

G. Outdoor Storage

1. All outdoor storage shall be prohibited in the front yard which shall be interpreted as that portion of the property abutting the portion of the property abutting the right-of-way.

2. Outdoor storage shall take place in the rear yard and shall be screened by fencing or landscaping.

H. All commercial and all new residential developments including one- and two-family residential buildings shall be regulated by the commercial design standards since the zoning district is intended for a mixed-use zoning district.