

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**AUGUST 5, 2020
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the July 8, 2020 and July 15, 2020 Planning Commission meetings.**
- 4. Public Hearings:**
 - a. Street renaming [2020-901] to rename an approximately 700'-long segment of East Overall Creek Road to Constantine Drive, City of Murfreesboro Planning Department applicant.
 - b. Sign Ordinance Amendment [2020-802] to amend Murfreesboro City Code, Chapter 25.2 Signs, Section 25.2-2, 25.2-4, 25.2-23, 25.2-24, 25.2-25, and Section 25.2-26, for the purposes of: (1) adding a definition of "External Customer Transaction Portal" and allow certain, limited electronic changeable signs at external locations such as ATMs, drive-up windows, and gasoline pumps; (2) decreasing the time a temporary sign can be claimed and increasing the fee of temporary signs picked up in the ROW; (3) prohibiting certain materials from use in signage; (4) reducing the maximum allowable size of temporary signs; and (5) allowing murals on more than two sides of a building, City of Murfreesboro Building and Codes Department applicant.
- 5. Staff Reports and Other Business:**
- 6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
AUGUST 5, 2020**

4.a. Street renaming [2020-901] to rename an approximately 700'-long segment of East Overall Creek Road to Constantine Drive, City of Murfreesboro Planning Department applicant.

Section 5.2 of the Subdivision Regulations states that “The Planning Commission shall have final authority over street names.” Having consistent and logical protocols for street naming and property addressing aids in predictability for the general public as well as for service providers, including emergency service providers. However, the Subdivision Regulations offers little additional guidance regarding street naming, except that proposed streets may not duplicate existing subdivision names or street names and that extensions of existing streets shall continue the same street name. In an effort to fill in the gaps, Staff, in consultation with various emergency service providers, attempts to provide professional guidance to the Planning Commission in carrying out its street naming authority.

In an effort to clarify when renaming a street is appropriate, the Planning Commission adopted the following policy in January 2019: *“It shall be the policy of the City of Murfreesboro Planning Commission to rename existing streets only when a legitimate public interest is served and only when it promotes the public health, safety, and welfare of the community as a whole (e.g., in conjunction with a road construction project or to eliminate confusion for emergency service providers). The Planning Commission shall not endorse street renaming requests that do not meet this standard.”* This policy was adopted to provide guidance for the Planning Commission in determining when to consider renaming streets.

Included in the agenda packet is a map of a segment of East Overall Creek Road. The City annexed the highlighted segment of East Overall Creek Road (located between Old Salem Road and Constantine Drive) several years ago. As one travels west on East Overall Creek Road away from Old Salem Road there is a 3-way stop. To continue on East Overall Creek Road, one turns left 90-degrees at the 3-way stop. However, if one were to continue going straight, the street name changes to Constantine Drive instead. A screenshot has been included below, illustrating this.

It defies traditional street naming logic that in order to remain on the same “street” one would need to turn 90-degrees. Similarly, it also defies logic that the street name *changes* when one travels straight through the intersection. While Staff is not aware of any specific problems caused by the current situation, it has the potential to cause confusion, as predictability is key in street naming and addressing, including for emergency service providers. Staff is proposing to

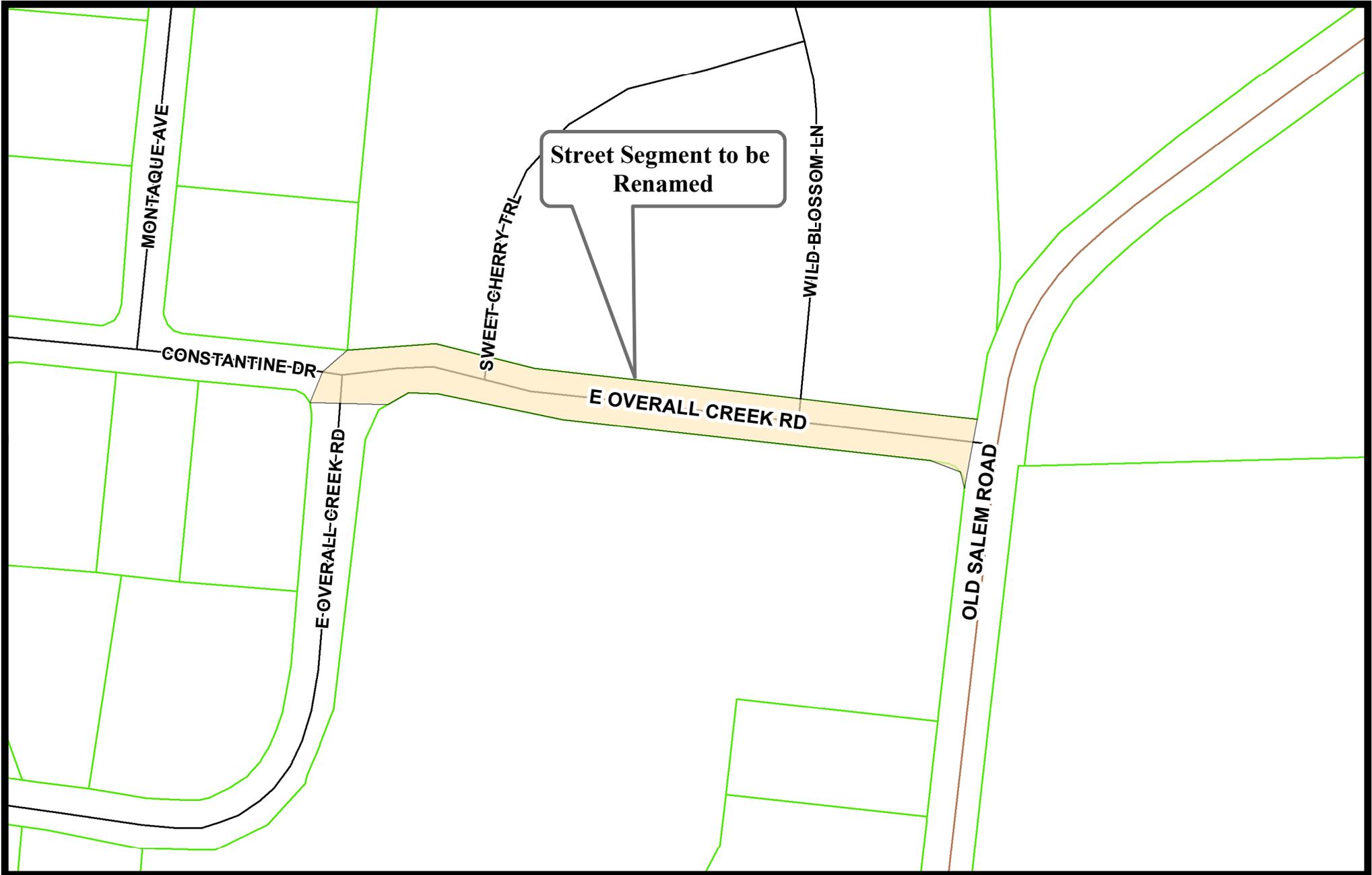
rename this segment of East Overall Creek Road to Constantine Drive. If the renaming is approved, it will essentially be a continuation of the existing Constantine Drive from the 3-way stop east to Old Salem Road. The balance of Constantine Drive west of the 3-way stop is a County road. It is Staff's opinion that this request complies with the policy adopted by the Planning Commission in 2019.

Plans have been approved for Section 2 of the Bellemore Subdivision, which will have new lots fronting on the highlighted segment of East Overall Creek Road as well as on the segment south of the 3-way stop. The timing seemed to be ideal to bring this up now before the new lots are recorded and addressed. There is only one existing house addressed off of this segment of East Overall Creek Road that will be affected by the street name change. It is owned by the developer of Bellemore, Mr. David Alcorn. Mr. Alcorn leases this house to tenants. Mr. Alcorn has indicated to Staff that he is in favor of the renaming. Staff is in the process of contacting various City departments and agencies to receive feedback regarding the proposed street renaming.

Action Needed:

The Planning Commission will need to conduct a public hearing on this matter, after which it will need to discuss the matter and then determine whether the requested street renaming is appropriate.

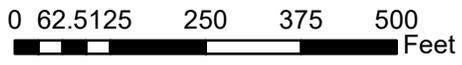




Path: C:\Users\bbarbee\Desktop\MAP\Constantine.mxd



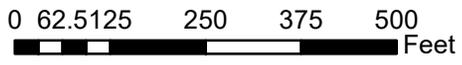
Proposed Renaming of Segment of East Overall Creek Road to Constantine Drive





Path: C:\Users\bbarbee\Desktop\MAP\Constantine.mxd

Proposed Renaming of Segment of East Overall Creek Road to Constantine Drive



**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
AUGUST 5, 2020**

SIGN ADMINISTRATOR: TERESA STEVENS

- 4.b. Sign Ordinance Amendment [2020-802] to amend Murfreesboro City Code, Chapter 25.2 Signs, Section 25.2-2, 25.2-4, 25.2-23, 25.2-24, 25.2-25, and Section 25.2-26, for the purposes of: (1) adding a definition of “External Customer Transaction Portal” and allow certain, limited electronic changeable signs at external locations such as ATMs, drive-up windows and gasoline pumps, (2) decreasing the time a temporary sign can be claimed and increasing the fee of temporary signs picked up in the ROW, (3) prohibiting certain materials from use in signage, (4) reducing the maximum allowable size of temporary signs, and (5) allowing murals on more than two sides of a building.**

Added Definition:

The Sign Ordinance provides definitions for words or terms that may deviate from the Webster’s Eleventh Collegiate Dictionary and or the International Building Code. To more clearly define a specific use of signage in Section 25.2-26 On Site Permanent Signs, Staff is proposing adding the term and definition ‘ External Customer Transaction Portal (ECTP)’ – as a location where an activity or event that can be measured in terms of money and which affects the financial position or operations of the business entity. Examples include, but are not limited to, ATM machines, fuel dispensers and DVD rental kiosks.

On-Site Permanent Signs, Section 25.2-26

- Signs for an ‘External Customer Transaction Portal (ECTP)’ will be allowed under the new Sign Ordinance proposal.
- The proposed ordinance will allow one changeable sign per External Customer Transaction Portal (ECTP), the sign (video screen) shall be no greater than 3 square feet and no more than 6 feet above grade.
- These signs will be required to automatically adjust to ambient light conditions.



(Example of ECTP)

This is a continuation of Section 25.2-26 and will allow the use of what is commonly termed as a digital menu board in drive thru lanes. Staff recognizes the technology has transitioned as such that allowing these types of signs is a benefit to our customers and the community. The following additions are being proposed.

- One nine square foot 'pre order' board.
- One menu or reader board that is no more than twenty square feet.
- One order station of no more than nine square feet and may include up to a three square feet video display insert to display orders being processed.
- Sign must be placed between the beginning of each drive lane (stacking lane) and the 1st pick up window.
- The signs must be equipped to automatically adjust to ambient light conditions.
- No greater than six feet in over all height.



(Examples from L-R, pre order menu board, ordering station and a menu board)



(Example of Drive Thru or 'Stacking' Lane)

Violations and Penalties, Section 25.2-4 and Section 25.2-25 Temporary Signs

Staff is proposing amending Section 25.2-4(B) *Signs Placed in Right of Way*, by increasing the return fee for signs 5 ½ square feet and under to \$15.00, an increase of \$10.00 per sign and increasing the return fine of signs over 5 ½ square feet to \$75.00, an increase of \$50.00 per sign. Currently the City will hold confiscated signs for 10 days, staff is proposing this be decreased to 5 business days.

Additionally, staff proposes deleting Section 25.2-25(F) Violations; penalties from Temporary Signs as it duplicates Section 25.2-4 Violations; penalties.

Prohibited Signs and Other Regulations, Section 25-2-24

Currently Section 25.2-24(A)(18) is 'reserved', staff proposes replacing 'reserved' with the following, "Signs which are constructed from painted and unpainted tires; exposed razor or barbed wire; or wood, metal, or plastic pallets", making these materials as prohibited for use as a sign.

Temporary Signs, Section 25.2-25

In subsection (C)(12) *Other Temporary Signs*, staff is proposing the size of other temporary signs be reduced from thirty-two (32) square feet to sixteen (16) square feet, the maximum height reduced from twelve feet (12') to six feet (6') and signs may not be placed so as to appear to be one sign that exceeds sixteen (16) square feet.

Exemptions, Section 25.2-23, Prohibited Signs and Other Regulations, Section 25.2-24 and Temporary Signs, Section 25.2-25

The Sign Ordinance defines a mural as a painting or graphic applied directly to a wall or permanent surface, other than a window, which contains no advertising material. Since murals are not allowed on the front building elevation, staff needed to clarify, for the purposes of this subsection, what defines a front elevation on corner lots. This change will define front elevation as the exterior wall or elevation that is substantially parallel to the public street or right of way reflected by the building's street address.

Murals are also addressed in Section 25.2-25, Temporary Signs at subsection (D)(17), staff is proposing deleting this section in its entirety and substituting 'reserved'.

Additional Information

Section 5 of this Ordinance (changes to allowable Temporary Signs) shall become effective six months from the date of passage. The remainder of this Ordinance shall take effect fifteen (15) days after the date of passage.

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

DRAFT

ORDINANCE 20-O-XX amending Murfreesboro City Code, Chapter 25.2 Signs, Sections 25.2-2, 25.2-4, 25.2-23, 25.2-24, 25.2-25, and Section 25.2-26, for the purposes of: (1) adding a definition of “External Customer Transaction Portal” and allow certain, limited electronic changeable signs at external locations such as ATMs, drive-up windows and gasoline pumps, (2) allowing the immediate disposition of temporary signs picked up in the ROW, (3) prohibiting certain materials from use in signage, (4) reducing the maximum allowable size of temporary signs, and (5) allowing murals on more than two sides of a building.

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

SECTION 1. Section 25.2-2, Definitions; interpretation, of the Murfreesboro City Code is hereby amended at subsection (A) by adding the following definition in appropriate alphabetical order:

“External Customer Transaction Portal (ECTP)”: An exterior location where an activity or event that can be measured in terms of money and which affects the financial position or operations of the business entity. Examples include, but are not limited to: ATM machines, fuel dispensers, and DVD rental kiosks.

SECTION 2. Section 25.2-4, Violations; penalties, of the Murfreesboro City Code is hereby amended at subsection (B), *Signs Placed in Right of Way*, by deleting subsection (B)(1) and (B)(2) in their entirety and substituting in lieu thereof the following:

(B)(1) Signs five and one-half square feet and under - \$15.00 return fine. If the sign is not claimed within 5 business days, the City may consider it abandoned and destroy same.

(B)(2) Signs over five and one-half square feet - \$75.00 return fine. If the sign is not claimed within 5 business days, the City may consider it abandoned and destroy same.

SECTION 3. Section 25.2-23, Exemptions, of the Murfreesboro City Code is hereby amended at subsection (A)(6) by deleting the subsection in its entirety and substituting in lieu thereof the following:

(6) Murals placed on a side or rear wall or elevation. Murals placed on front elevation are prohibited. See Section 25.2-24.

DRAFT

SECTION 4. Section 25.2-24, Prohibited signs and other regulations, of the Murfreesboro City Code is hereby amended at subsections (A)(18) and (A)(23) by deleting the word 'Reserved' and substituting in lieu thereof the following:

- (18) Signs which are constructed from painted or unpainted tires; exposed razor or barbed wire; or wood, metal, or plastic pallets.
- (23) Murals placed on a front wall or elevation. For purposes of this subsection, the front wall or elevation of a building shall be the exterior wall or elevation that is substantially parallel to the public street or right of way reflected by the building's street address.

SECTION 5. Section 25.2-25, Temporary Signs, of the Murfreesboro City Code is hereby amended at subsection (C)(12) by deleting subsections (C)(12)(b), (C)(12)(c), and (C)(12)(i) in their entirety and substituting in lieu thereof the following:

- (b) Size – sixteen (16) square feet maximum
- (c) Height – six (6) feet maximum
- (i) Other Limitations- On-site only. Multiple signs shall not be placed so as to appear to be one sign that exceeds sixteen (16) square feet.

SECTION 6. Section 25.2-25, Temporary Signs, of the Murfreesboro City Code is hereby amended at subsection (D)(17) by deleting it in its entirety and substituting in lieu thereof the following:

- (17) Reserved.

SECTION 7. Section 25.2-25, Temporary Signs, of the Murfreesboro City Code is hereby amended by deleting subsection (F), Violations; penalties, in its entirety and marking as "Reserved."

SECTION 8. Section 25.2-26, On-site permanent sign requirements, of the Murfreesboro City Code is hereby amended at subsection (C)(9), Allowable changeable signs, by adding the following subsection to the end thereof:

- (g) A 'changeable sign-electronic graphic display' or a 'changeable sign-video display' sign may be used at a point of sale or an automated External Customer Transaction Portal (ECTP), the location of which must be shown on a site plan and approved by the Planning Department, prior to the issuance of a sign permit pursuant to Chapter 25.2, subject to the following:

- [1] At an External Customer Transaction Portal (ECTP)

DRAFT

[aa] An External Customer Transaction Portal (ECTP) shall be allowed one 'changeable sign-video display' sign per station that is no greater than three (3) square feet.

[bb] The 'changeable sign-video display' sign can be no more than six (6) feet above the adjacent ground.

[cc] Signs must be equipped to automatically adjust to ambient light conditions.

[2] At Drive Thru Lanes and Point of Sale Sites

[aa] Drive Thru Lanes as shown on approved site plans shall be permitted the following signs at each drive lane.

- (i) One nine (9) square foot 'changeable sign- electronic graphic display' sign.
- (ii) One 'changeable sign- electronic graphic display' sign menu or reader board that is no more than twenty (20) square feet.
- (iii) One order station 'changeable sign- electronic graphic display' sign of no more than nine (9) square feet which can include no more than three (3) square feet of changeable sign-video display signage.
- (iv) Signs allowed by (i), (ii), and (iii) of this subsection (g)[2][aa];
 - a. Must be placed between the beginning of each drive lane (stacking lane) and the 1st pick up window.
 - b. Must be equipped to automatically adjust to ambient light conditions.
 - c. Shall have a maximum six (6) feet in overall height.

SECTION 9. That Section 5 of this Ordinance shall become effective [PLACEHOLDER: six months from the date of passage]. The remainder of this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

Shane McFarland, Mayor

1st reading _____

2nd reading _____

ATTEST:

APPROVED AS TO FORM:

Melissa B. Wright
City Recorder

Adam F. Tucker
City Attorney

SEAL

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 8, 2020

CITY HALL

6:00 P.M

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Sam Huddleston, Exec. Dir of Dev. Services

Mr. Greg McKnight called the meeting to order after determining there was a quorum.

Election of Planning Commission Chair and Vice-Chair for the 2020-2021 fiscal year.

Mr. Greg McKnight began by making known during the first regular meeting in July of each fiscal year the Rules of Procedure for the Murfreesboro Planning Commission specifies the Chair and Vice-Chair of the Planning Commission shall be elected for a one-year term by the Commission, from among its members. Accordingly, it is the responsibility of the Planning Commission members to nominate and elect a Chair and a Vice-Chair. There should be separate motions for the election of Chair and Vice-Chair.

Mr. Ken Halliburton made a motion to re-elect Ms. Kathy Jones as Chair for the 2020-2021 Planning Commission year, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

Mr. Ronnie Martin made a motion to re-elect Mr. Ken Halliburton as Vice-Chair for the 2020-2021 Planning Commission year, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Chair Kathy Jones requested for a motion to be made to approve the minutes from the May 20, 2020, June 3, 2020 and June 17, 2020 Planning Commission meetings. Mr. Eddie Smotherman made a motion to approve, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 8, 2020

Public Hearings

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. Mr. Matthew Blomeley summarized the zoning request from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley complimented Ms. Marina Rush for her hard work in creating tables in the staff comments for the uses permitted for the amended Parcels J/K, Q/R, O-2, and V. The proposed amendments are consistent with this land use character.

Mr. Mark Lee, Mr. Joe Swanson, Jr. Mr. Bruce Kirk, and Ms. Kara Kirk were in attendance to represent the zoning application.

Chair Kathy Jones opened the public hearing.

1. **Ms. Kara Kirk** - representing the Swanson Development team came forward stating she was available to answer any questions.
2. **Mr. Joe Swanson, Jr.** - the applicant, came forward to make known his family members would be representing the company in the future to assist with development during Planning Commission meetings.

Chair Kathy Jones closed the public hearing.

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

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 proposed amendments from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley stated that this proposal has substantial changes in Section 26 which needed to be addressed. Mr. David

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 8, 2020

Ives and the Planning Staff has worked very hard on the proposed amendments in order to address deficiencies in Section 26. In addition, Staff had conducted a stakeholders meeting with several members of the development community to discuss the amendment.

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

Mr. Eddie Smotherman made a motion to approve, seconded by Mr. Ken Halliburton. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

Mr. Matthew Blomeley made known the Planning Commissioners had agreed to change the time for their next scheduled meeting from 1:00 p.m. to 2:30 p.m. on July 15, 2020. On the same date there is a City Council workshop scheduled and it is important to make these changes so the two different meetings would not overlap. He requested for a motion be made that would officially change the meeting time on the 2020 Planning Commission calendar. **Mr. Ken Halliburton made a motion to approve, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.**

Lastly, Mr. Sam Huddleston came forward to promote “Rutherford County Counts - United States Census 2020”. He stated how the Census benefits the City of Murfreesboro and Rutherford County. He encouraged the public to register and complete the 2020 Census online at www.my2020census.gov.

There being no further business the meeting adjourned at 6:25 p.m.

**MINUTES OF THE MURFREESBORO
PLANNING COMMISSION
JULY 8, 2020**

Chair

Secretary

GM: cj

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

CITY HALL

2:30 P.M.

Members Present

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

Staff Present

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Amelia Kerr, Planner
Jafar Ware, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Robert Holtz, Building & Codes Director
Brad Barbee, Landscape Site Plan Inspector
Teresa Stevens, Sign Administrator
Katie Noel, Project Engineer

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

Old Business

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. Mr. Matthew Blomeley summarized the site plan from the staff report which had been provided to the Planning Commission in the agenda packet. He stated this site plan is for Phase 1 only. Continuing, Mr. Blomeley made known the applicant has been working with Ms. Margaret Ann Green to address the concerns that had been discussed during the May 20, 2020 day meeting being the following:

- Provide exhibits to address the viewshed from all four sides of the property for the entire development.
- That the buffer along the back side of Phase 1 would remain when Phase 2 is constructed.
- A letter has been submitted by the applicant confirming that he understands that if the site plan is approved at today's meeting, it is for Phase 1 only.

Mr. Matt Huff (the landscape architect) and Mr. Paul Bass (the architect) were in attendance to represent the application. Mr. Paul Bass came forward to begin a PowerPoint presentation to

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

explain the viewshed from Google maps along I-840 and I-24. In addition, he provided renderings of the buildings in Phase 1. Mr. Bass stated that most of the site would be screened by landscaping, topography, and future development. The materials for the buildings would be 50 percent brick and 50 percent hardi board and the site would have black aluminum fencing.

Mr. Matt Huff came forward to explain the landscaping and made known the landscaping has been designed to be close to the buildings and could grow up to 20 feet tall or taller.

Vice-Chairman Halliburton made a motion to approve the site plan for Phase One only subject to all staff comments, seconded by Mr. Eddie Smotherman. The motion carried by unanimous vote in favor.

Consent Agenda

Mr. Ronnie Martin requested for item M on the consent agenda for Pretoria Falls [2020-3079] site plan to be removed from the consent agenda. He asked for this item to be placed under “Staff Reports and Other Business” for further discussion.

Chair Kathy Jones read the following items to be considered for approval.

East Side Village, Lot 1 [2020-2039] final plat for 1 lot on 1.9 acres zoned PCD located along North Rutherford Boulevard and Yearwood Avenue, Greenland Partners, LLC developer.

Greenhouse Ministries [2020-2040] final plat for 1 lot on 1.1 acres zoned PUD and CCO located at the southeast corner of South Academy Street and East Sevier Street, Greenhouse Ministries, Inc. developer.

Kingsbury, Section 2 [2020-2041] final plat for 47 lots on 9.62 acres zoned PRD located east of Asbury Lane, Kingsbury 156, LLC developer.

Laurelstone, Section 1, Phase 1A [2020-2042] final plat for 22 lots on 8.46 acres zoned PRD located along Lascassas Pike, Clayton Properties Group, Inc. developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

Elam Farms, Resubdivision of Lot 3 [2020-2043] final plat for 2 lots on 77.65 acres zoned L-I located along Elam Farms Parkway and Elam Road, Prologis, LP developer.

Shelton Crossing, Lot 1 (Including the Resubdivision of Shelton Square, Lot 132) [2020-2044] final plat for 1 lot on 11.65 acres zoned PRD located along Florence Road and Pointer Place, Ole South Properties, Inc. developer.

Oakland Court, Resubdivision of lot 3 [2020-2045] final plat for 3 lots on 15.5 acres zoned PRD located along North Academy Street and East Hembree Street, Murfreesboro Housing Authority developer.

The Crossings of Three Rivers, Resubdivision of Lots 5, 6, 7, & 24 [2020-2047] final plat for 8 lots on 0.75 acres zoned PRD located along Hospitality Lane, Three Rivers, LLC developer.

Tommy Car Wash [2020-2048] final plat for 1 lot on 0.99 acres zoned CH located along Memorial Boulevard, Tommy Car Wash developer.

University Villas and Lyon Property, Section 1 [2020-2049] final plat for 2 lots on 31.83 acres zoned CH and RM-16 located along John Bragg Highway, Front Street Partners developer.

Westwind, Section 5 [2020-2050] final plat for 15 lots on 12.58 acres zoned RS-8 located along Fuji Apple Lane, Cornerstone Development, LLC developer.

Marketplace at Savannah Ridge [2020-2051] final plat for 9 lots on 24.14 acres zoned PUD located along Shelbyville Pike, Murfreesboro North, LLC developer.

Mr. Warren Russell made a motion to approve the consent agenda, with the exception of the Pretoria Falls site plan, which would be discussed later in the meeting under “Staff Reports and Other Business”, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

Plats and Plans

Kimbro Woods/The Meadows at Kimbro Woods [2020-1014] master plan amendment for 314 lots on approximately 83.4 acres zoned PRD located west of Saint Andrews Drive and north of Veterans Parkway, KW53, LLC developer. Mr. Jafar Ware summarized the master plan amendment from the staff report, which had been provided to the Planning Commission in the agenda packet. Mr. Ware explained that this proposal would be to close the current intersection of Genoa Drive and Saint Andrews Drive and to create a new intersection to the south instead. The purpose of closing the intersection is to allow the city to make improvements to a current drainage issue in this area. The City of Murfreesboro would maintain ownership of the closed right-of-way. Lastly, street naming/renaming issues would be resolved at a later date.

Mr. Manly Thweatt was in attendance to represent the application.

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

New Business

Street renaming [2020-901] to rename an approximately 700'-long segment of East Overall Creek Road to Constantine Drive, 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. Mr. Blomeley stated this would be a good time to address the renaming of the street due to new lots and new houses being developed in the Bellemore Subdivision that would be facing this street segment. Currently, there is only one home facing this segment of East Overall Creek Road and it is owned by the Bellemore developer. The renaming action would likely require a change to its address. The Bellemore developer is in agreement with this request. Mr. Blomeley recommended for a public hearing to be scheduled for August 5, 2020.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

Ms. Jennifer Garland made a motion to schedule a public hearing on August 5, 2020, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Sign Ordinance Amendment [2020-802] to amend Murfreesboro City Code, Chapter 25.2 Signs, Section 25.2-2, 25.2-4, 25.2-23, 25.2-24, 25.2-25, and Section 25.2-26, for the purposes of: (1) adding a definition of “External Customer Transaction Portal” and allow certain, limited electronic changeable signs at external locations such as ATMs, drive-up windows, and gasoline pumps; (2) decreasing the time a temporary sign can be claimed and increasing the fee of temporary signs picked up in the ROW; (3) prohibiting certain materials from use in signage; (4) reducing the maximum allowable size of temporary signs; and (5) allowing murals on more than two sides of a building, City of Murfreesboro Building and Codes Department applicant.

Ms. Teresa Stevens summarized the staff report, which had been provided to the Planning Commission in the agenda packet. Ms. Stevens explained there are several proposed changes that are being presented which would clearly define a specific use of signage in Section 25.2-26. She made known a stakeholders meeting had been conducted on June 2, 2020.

The Planning Commission began discussing that currently around the city there are temporary signs being displayed that exceed the proposed requirements. How would the current large signs be addressed? Mr. David Ives stated they would have to address the current temporary signs being displayed within the City. Ms. Jennifer Garland inquired if this proposal would impact or affect current temporary construction signs, in which Ms. Stevens answered yes. Mr. Warren Russell asked if approved, when would this sign ordinance amendment go into effect. He expressed his concerns on how there may be individuals whom are currently having temporary signs made that would not meet the new requirements contained in this proposal. Mr. David Ives stated that normally this would go into effect 15 days after City Council’s 2nd and final reading. Mr. Eddie Smotherman requested for a 6-month moratorium be considered on reducing the maximum

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

allowable size of temporary signs. Mr. David Ives stated a 6-month moratorium could be done. Chair Kathy Jones requested for this to be changed before a public hearing.

Ms. Jennifer Garland made a motion to schedule a public hearing on August 5, 2020, seconded by Mr. Ronnie Martin. The motion carried by unanimous vote in favor.

Revision to Amendment of McKnight Park Master Plan [2020-S101], City of Murfreesboro Legal Department applicant. Mr. David Ives began to summarize the staff report which had been provided to the Planning Commission in the agenda packet. This proposal would be to reconfigure an access road for a portion of surplus property at McKnight Park. This is to relocate the access road from the East side of the of the property to the West side. In addition, there would be a new gated park access with these changes. The adjoining properties connected to the surplus property which faces Memorial Boulevard would have rear access available for future businesses. This revision constitutes an amendment to a Master Plan. A 30-day legal notice is required for the Planning Commission to conduct a public hearing.

Vice-Chairman Halliburton made a motion to schedule a public hearing on September 2, 2020, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

Staff Reports and Other Business

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. Mr. Matthew Blomeley began by explaining that this item had been presented during the June 17, 2020, day meeting. The Planning Commission had deferred action so the applicant could address several issues before a public hearing could be scheduled. Since that time, Staff has met with the applicants and their design team to continue working on the proposal. This includes architecture of the proposed product, transportation network improvements, etc. Continuing, Mr. Blomeley made known that staff would like to continue working with the applicant and would recommend a public hearing to be scheduled on September 2, 2020. The

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

applicant has agreed to continue working with staff before a public hearing is conducted. Also, the applicant has scheduled a neighborhood meeting for July 28, 2020 at Firehouse 4.

Mr. Kevin Guenther, Mr. Walter O'Shea, and Mr. Randy Caldwell were in attendance to represent the application. Mr. Walter O'Shea came forward stating they were in full concurrence with Staff's recommendation for a public hearing on September 2, 2020. They would continue working with Staff to resolve the outstanding issues. Continuing, Mr. O'Shea stated they have made a few changes to the plan for three areas. One, is to provide more specificity on the architecture, site planning, and timing to improvements with this site. Second, they have reduced the areas designated for residential use, and they would be reducing the maximum number of units by 19 percent in the overall plan. Third, they have increased their commitment to public infrastructure, such as Wilkinson Pike improvements with turn lanes during the first phase of this project.

Mr. Matthew Blomeley distributed a revised pattern book from the applicant to the Planning Commission. Mr. Kevin Guenther began a PowerPoint presentation making known the specifics of the revisions to the pattern book. Mr. Guenther stated the primary changes were located in the revised pattern book on page 13 for Area 1 and Area 4. Those areas have removed specifics of the residential component out of the plan. Now, they are proposing commercial and mixed-use for Area 1 and Area 4. In Area 2 and Area 6 they have committed to very specific land uses and they would continue working with Staff on these areas. Area 5 and Area 7 they have committed to clearly allow multi-family with a dedicated commercial component and Area 3 would remain commercial. Continuing, Mr. Guenther explained it was not in the pattern book, but they would be providing a pedestrian connection network that would work with the street network, the green space, and the single-family attached units. Lastly, Mr. Guenther made known that the pattern book provides a list of details for building construction, including specific design criteria and materials.

Chair Kathy Jones wanted to know if the residents in the Wilkinson Pike area would be notified about the public hearing. Mr. Matthew Blomeley made known that he had provided a mailing list

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

to the applicant that included a 500-foot radius around the property which will cast a wider net than the standard 250-foot radius used for Planning Commission public hearings.

Ms. Jennifer Garland inquired if there had been any changes to the exceptions that had been brought up during the June meeting. Mr. Guenther answered yes, they are requesting an exception to allow porches, eaves, and bay windows in the single-family attached product to encroach in the front and side setbacks. This would impact Area 2 and Area 6.

Mr. Ronnie Martin made a motion to schedule a public hearing on September 2, 2020, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

Pretoria Falls [2020-3079] site plan for 53 single-family, detached dwelling units on 10.5 acres zoned PRD located along Asbury Road and Asbury Lane, Landmark Homes of Tennessee, Inc. developer. Chair Kathy Jones announced that she would be abstaining from all discussion and vote regarding this application.

Mr. Matthew Blomeley summarized the site plan from the staff report which had been provided to the Planning Commission in the agenda packet. Mr. Blomeley explained that the development would provide right-of-way dedication as needed for a future road widening to accommodate future realignment of Asbury Road. In addition, the developer has decreased the number of units from 55 to 53. In the cul-de-sac area at the rear of the development, there would be only one dwelling unit near the common area, which will include a playground and guest parking spaces.

Mr. Ronnie Martin made known he has been in support of this development; however, he has concerns regarding the one dwelling unit being located at the back of property. The future property owner could possibly have a lot of foot traffic towards the open area and from those who want to walk to the nearby river.

Mr. Nick Wisniewski and Mr. Kyle Griffin were in attendance to represent the application. Mr. Kyle Griffin came forward to explain that the developer wanted to keep the three lots in the back of the proposal to form more unity instead of just one lot. Due to the limitations such as to fill in

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

areas needed for the floodplain, the size of the detention pond, and the right-of-way dedication, they had to give up two lots. It was not by choice that they had to eliminate two lots. The developer would love to keep as many lots as possible for their development because every lot is precious. Mr. Nick Wisniewski came forward to explain how they had to make changes over the last 6 months. He explained that they have been working with Staff to conform to the requirements. The one dwelling unit being discussed was included in the approved PRD pattern book. There is no way to shift the detention area, grading, nor fit any other units in the back of the development. The cul-de-sac in the back is required for fire trucks to maneuver for egress and for safety. Having the home in the back prevents this area from solely being a dead end.

The Planning Commission began discussing the proposal and suggested the one dwelling unit in the back should have a 10-foot buffer between the homeowner and the open space/common area. The 10-foot buffer would provide security for the one dwelling unit. Mr. David Ives commented that a fence could be placed between the two areas.

Mr. Warren Russell requested for a direct path to be added for access for those walking towards the river. This would keep people away from the single dwelling unit. Mr. Ronnie Martin made known he was not in favor of the one dwelling unit being by itself with this proposal. Mr. Chase Salas stated he had concerns with the single dwelling unit as well. Vice-Chairman Halliburton made known he was in favor of this request. He said that the topography, the flood zone, detention pond, etc., had limited where they could place the one dwelling unit. He suggested for the applicant to work on how to guide people towards the open space and to Overall Creek. Ms. Jennifer Garland commented how this lot could be the dream lot, but the owners would have to know the constraints for their property. She suggested that the owner of the one lot should have the flexibility to have a fence or a patio.

Mr. Nick Wisniewski stated how this development is a Horizontal Property Regime which means there are no lot lines, and it is a one lot of record. They have a landscape plan for the community with buffers. Before the one single dwelling unit is transferred, they could record on the master

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 15, 2020

deed for that home to have limited common area at its rear. Mr. David Ives agreed it could be recorded on the master deed.

Vice-Chairman Halliburton made a motion to approve subject to all staff comments as well as the following conditions:

- **The site plan shall be revised to show a pedestrian connection from the parking lot at the end of the cul-de-sac to the creek.**
- **A 10' deep limited common area belonging to the single unit at the end of the cul-de-sac shall be provided along the entire width of the rear of the building. This limited common area shall be fenced or landscaped subject to staff's approval in such a manner to signify that it belongs to that dwelling unit.**

The motion was seconded by Ms. Jennifer Garland and carried by a vote of 4-2 (Mr. Ronnie Martin and Mr. Chase Salas voted no, and Chair Kathy Jones abstained from the vote).

There being no further business the meeting adjourned at 4:20 p.m.

Chair

Secretary

GM: cj