

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JANUARY 20, 2021

2:30 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Warren Russell
Chase Salas
Shawn Wright
Rick LaLance (virtual)

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Asst. Planning Director
Margaret Ann Green, Principal Planner
Amelia Kerr, Planner
Brad Barbee, Planner
Austin Cooper, Planner
Holly Smyth, Principal Planner
Katie Noel, Project Engineer
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney
Sam Huddleston, Dev't Services Exec. Dir.

Chair Kathy Jones called the meeting to order after determining there was a quorum. She explained that, in accordance with the Executive Order of the Governor, one member of the Planning Commission (Mr. Rick LaLance) would be participating electronically. All votes would be conducted by roll call.

Chair Kathy Jones asked for a motion to be made to approve the minutes of the January 6, 2021 Planning Commission meeting.

Mr. Warren Russell made a motion to approve the minutes, seconded by Mr. Shawn Wright.

Upon roll call, the motion carried by the following vote:

Aye :	Ken Halliburton
	Warren Russell
	Chase Salas
	Shawn Wright
	Kathy Jones
Nay:	None
Abstain:	Rick LaLance

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Consent Agenda

The Maples, Section 6 [2020-1026] preliminary plat for 50 lots on 19.7 acres zoned RS-8, RS-10, and RS-12 located along Maples Farm Drive and Runyan Cove, Maples Family General Partnership developer.

Miller Road Realignment, Resubdivision of Lot 1 [2020-2096] final plat for 2 lots on 4.0 acres served as an outside the City sewer customer located along Miller Road and Epps Mill Road, Kalpana Patel developer.

Evergreen Farms, Section 37, Phase 2 [2020-2098] final plat for 59 lots on 10.4 acres zoned PRD located along Secretariat Trace, Evergreen Farms Development, Inc. developer.

Stover's Glen, Section 3 [2020-2099] final plat for 32 lots on 16.9 acres zoned RS-10 and RS-A, Type 1 located along Stovers Glen and Licinius Lane, Charles Waldron developer.

The Crossings of Three Rivers, Resubdivision of Lots 11, 13, & 14 [2020-2100] final plat for 6 lots on 0.5 acres zoned PRD located along Hospitality Lane, Three Rivers Rutherford, LLC developer.

Mandatory Referral [2020-720] to consider the abandonment of an existing sanitary sewer easement located on property along the south side of Middle Tennessee Boulevard, SEC, Inc. applicant.

Vice-Chairman Ken Halliburton made a motion to approve the consent agenda, seconded by Mr. Chase Salas. Upon roll call, the motion carried by the following vote:

Aye :
Ken Halliburton
Warren Russell
Chase Salas
Shawn Wright

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Rick LaLance
Kathy Jones
Nay: None

Gateway Design Overlay

Robert Rose Village East, Lot 5 [2020-6009 & 2020-3130] final design & site plan review of a 14,005 ft2 commercial center on 2.4 acres zoned MU and GDO-1 located along Robert Rose Drive and Lothric Way, Pha Due Le developer. Ms. Margaret Ann Green summarized the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Green recommended the final design and site plan reviews be approved as the plan exceeds the minimum standards. She explained how the applicant had increased the separation between the parking lot and building with sidewalks and landscaping. In addition, the applicant has added a formal open space to their site.

Vice-Chairman Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Chase Salas. Upon roll call, the motion carried by the following vote:

Aye: Ken Halliburton
Warren Russell
Chase Salas
Shawn Wright
Rick LaLance
Kathy Jones
Nay: None

Parkway Office Park, Lot 17 (Goddard School) [2020-6010 & 2020-3142] initial design review of a 13,781 ft2 daycare center on 1.7 acres zoned CH and GDO-3 located along Gateway Boulevard, Garrison Drive, and Carl Adams Drive, ANM Properties, LLC developer. Ms. Margaret Ann Green summarized the initial design review staff report which had been provided to the Planning Commission in the agenda packet.

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Ms. Green explained Goddard School is a day care center; therefore, the applicant would have to meet all safety guidelines with the State of Tennessee. Continuing, Ms. Green stated that they removed many bollards by replacing them with structural seat walls which would serve aesthetic and amenity purposes. Ms. Green made known the Gateway Design Review Committee (DRC) had reviewed this project at its December 1, 2020 meeting. The approval was conditional based on some changes being made to the plan. The DRC asked for: detailed landscape plans including an evergreen screen equivalent to 6', landscaping with shrubs to block the visibility of playground, a detailed fence plan, to work on the area identified as formal open space to meet expectations, any murals considered should be brought back to the DRC, and specify the type of playground fixtures. Lastly, Ms. Green stated that the applicant's design team has been working with staff regarding improvements to the building and site. A material board has been provided which displays the textures and materials for their building.

Mr. Matt Taylor, Mr. Buddy Ferguson, and the design team were in attendance representing the application. Mr. Taylor came forward complimenting Mr. Ferguson for the design of the building and Ms. Green's input regarding the improvements to the building. Mr. Buddy Ferguson came forward to explain that the building materials included smooth stone, cast stone, brick, metal canopies, glass glazing, and bronze metal.

Vice-Chairman Ken Halliburton made a motion to approve the initial design subject to all staff comments, seconded by Mr. Warren Russell. Upon roll call, the motion carried by the following vote:

Aye :
Ken Halliburton
Warren Russell
Chase Salas
Rick LaLance
Shawn Wright
Kathy Jones

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Nay: None

Plats and Plans

Westlawn Pavilion Lot 1 (7-eleven) [2020-3128] site plan review for 4,650 ft2 gas station and 4,590 ft2 gasoline canopy on 2.4 acres zoned PUD located along Veterans Parkway and Westlawn Boulevard, SE Murfreesboro Westlawn, LLC developer. Ms. Margaret Ann Green summarized the staff report for a 7-eleven gas station and fuel canopy which had been provided to the Planning Commission in the agenda packet. The lot is part of Westlawn PUD and is an outparcel of the Westlawn Pavilion master planned development with a grocery store as an anchor tenant. The site would utilize a shared access drive to Veterans Parkway and one to Westlawn Boulevard. In addition, Westlawn Boulevard and Veterans Parkway would be a signalized intersection.

Ms. Green explained the applicant's design team has been working with staff to meet the Gateway Design Overlay standards. This includes the proposed structure, materials to be used for the building, and the detached fuel canopy. Architectural elevations have been provided which address all four sides of the building. In addition, a truck turn template has been provided to make certain it would allow navigation onto this site. Lastly, Ms. Green made known the plans were in good order and asked for approval subject to all staff comments. Vice-Chairman Ken Halliburton wanted to know who would be responsible for the construction of the roads to this site. Ms. Green explained the developer of this property would be responsible to provide road access to this parcel as well as installing the signalization. A certificate of occupancy for the c-store would not be issued until road access and signalization were completed.

No one was present to represent the application.

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Mr. Warren Russell made a motion to approve the site plan subject to all staff comments, seconded by Vice-Chairman Ken Halliburton. Upon roll call, the motion carried by the following vote:

Aye : Ken Halliburton
 Warren Russell
 Chase Salas
 Shawn Wright
 Rick LaLance
 Kathy Jones
Nay: None

The Haynes Family, Lots 3-6 [2020-1031] master plan amendment and preliminary plat for 4 lots on 4.5 acres zoned CH located along Memorial Boulevard, Track West Partners developer. Mr. Austin Cooper summarized the staff report which had been provided to the Planning Commission in the agenda packet. Mr. Cooper made known the purpose for this plat was to create 4 lots of record.

Vice-Chairman Ken Halliburton made a motion to approve the master plan amendment and preliminary plat subject to all staff comments, seconded by Mr. Chase Salas. Upon roll call, the motion carried by the following vote:

Aye : Ken Halliburton
 Warren Russell
 Chase Salas
 Shawn Wright
 Rick LaLance
 Kathy Jones
Nay: None

Haynes Family, Lots 3-6 [2020-2097] final plat for 4 lots on 4.5 acres zoned CH located along Memorial Boulevard, Track West Partners developer. Mr. Austin Cooper summarized the

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staff report which had been provided to the Planning Commission in the agenda packet. Mr. Cooper made known the purpose for this plat was to create 4 lots of record.

Mr. Warren Russell made a motion to approve the final plat subject to all staff comments, seconded by Vice-Chairman Ken Halliburton. Upon roll call, the motion carried by the following vote:

Aye :	Ken Halliburton
	Warren Russell
	Chase Salas
	Shawn Wright
	Rick LaLance
	Kathy Jones
Nay:	None

Riverview Cove [2020-1033] preliminary plat for 44 lots on 33.8 acres zoned RS-15 located along Moccasin Trail, London Avenue, and Rigsby Avenue, Ole South Properties developer.

Mr. Austin Cooper summarized the staff report which had been provided to the Planning Commission in the agenda packet. Mr. Cooper explained that the property would be developed with the existing RS-15 zone. The subdivision would include interconnectivity with existing stub streets being Rigsby Avenue, London Avenue, and Moccasin Trail. Mr. Austin Cooper explained that street interconnectivity was compliant with the Murfreesboro Subdivision Regulations and Design Guidelines.

Vice-Chairman Ken Halliburton asked, “Why do we want interconnectivity in this subdivision?” Mr. Cooper explained that interconnectivity in subdivisions is consistent with other developments that have stub streets. It is good planning to have multiple access streets so as not to place all traffic onto one street; and it is also needed for emergency vehicle access.

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Chair Jones commented that there are existing stub streets which had been planned over 40 years ago to allow for interconnectivity. Allowing for interconnectivity is extremely important and is consistent with past practice.

Vice-Chairman Ken Halliburton made a motion to approve subject to all staff comments, seconded by Mr. Shawn Wright. Upon roll call, the motion carried by the following vote:

Aye : Ken Halliburton
Warren Russell
Chase Salas
Shawn Wright
Rick LaLance
Kathy Jones
Nay: None

Parkway Place Section 3 [2020-1032] master plan amendment and preliminary plat for 1 lot on 49.2 acres zoned PID located along Richard Reeves Drive, Al-Neher developer. Mr. Brad Barbee summarized the staff report which had been provided to the Planning Commission in the agenda packet. Mr. Barbee explained the purpose of this plat is to create 1 lot of record.

Vice-Chairman Ken Halliburton asked if the required nine-foot brick fence for this property had been completed. Mr. Brad Barbee answered yes. Mr. Matthew Blomeley explained how this particular lot was adjacent to I-24 and not adjacent to the Magnolia Trace residential subdivision.

Vice-Chairman Ken Halliburton made a motion to approve the master plan and preliminary plat subject to all staff comments, seconded by Mr. Warren Russell. Upon roll call, the motion carried by the follow vote:

Aye : Ken Halliburton
Warren Russell
Chase Salas
Shawn Wright

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Rick LaLance

Kathy Jones

Nay: None

Parkway Place Warehouse [2020-3145] site plan for 844,480 ft2 warehouse/distribution building on 49.2 acres zoned PID located along Richard Reeves Drive south of Joe B Jackson Parkway, Al-Neyer developer. Ms. Amelia Kerr summarized the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Kerr explained the site plan was for a speculative industrial warehouse along Richard Reeves Drive. The applicant propose to have access to Richard Reeves Drive and to dedicate a new public right-of-way. The primary building material of the project would be tilt-up painted concrete with vertical features on the building. Continuing, Ms. Kerr explained that this warehouse would allow multiple tenants and would be built with flex space. Flex space could be modified internally to accommodate future tenants.

Mr. Matt Taylor and the design team were in attendance for the meeting to represent the application.

The Planning Commission began discussing the proposed warehouse and asked for additional information regarding large trucks coming to the site and exiting from this location. In addition, how would light pollution be addressed.

Mr. Matt Taylor came forward to explain the site plan as being the following:

- The location of the docks for the trucks to load and unload would be on either side of the building.
- All trucks would be coming to this site from Richard Reeves Drive.
- There is signalization installed from the existing Amazon project.
- A second signal is currently being installed and should be completed soon.
- A new public three-lane commercial connector road would be completed with this project.

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- The overall height of the building is 47 feet.
- There is extensive vegetation 2,000 feet away from this property.
- The applicant has plans for additional buildings to be added in the future.
- The PID zone requires for the applicant to leave existing vegetation along I-24. Also, if needed, a supplement of evergreen material would be added.
- This property rises which would help control noise, lights, and they would be adding berm and evergreen screens along the roadway to help mitigate any impacts from this site.

Mr. Chase Salas made a motion to approve subject to all staff comments, seconded by Mr. Warren Russell. Upon roll call, the motion carried by the following vote:

Aye : Ken Halliburton
Warren Russell
Chase Salas
Shawn Wright
Rick LaLance
Kathy Jones
Nay: None

City of Murfreesboro Fortress Boulevard and Blaze Drive Two Lot Subdivision [2020- 2095] final plat for 2 lots on 17.6 acres zoned RS-15 located along Fortress Boulevard and Blaze Drive and mandatory referral [2021-702] for land lease agreement for same property with Rutherford County Government, City of Murfreesboro developer. Mr. Brad Barbee summarized the staff report which had been provided to the Planning Commission in the agenda packet. Also included was a mandatory referral for a land lease for the same property with Rutherford County Government. The property is zoned RS-15. The purpose of this plat is to create 2 lots of record and to record easements. Continuing, Mr. Barbee requested for the Planning

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Commission to include a condition if this final plat is approved that City staff have the ability to determine the final location of the lot line between Lot 1 and Lot 2 prior to it being recorded.

Mr. Doug Demosi with Rutherford County Planning Department was in attendance representing Rutherford County Government.

Mr. Matthew Blomeley made known the Mandatory Referral for the land lease is for Rutherford County Government to construct a future office building. It is the same property on Fortress Boulevard as the new Fire Station and police/fire telecommunications tower. City Administration and the City Legal Department have been working with Rutherford County Government for the proposed lease. Mr. Blomeley stated the property is zoned RS-15 and would be required to go before the Board of Zoning Appeals to request for a Special Use Permit if or when the project moves forward.

Vice-Chairman Ken Halliburton wanted to know the duration of the term of the proposed land lease. Mr. Sam Huddleston come forward stating the City's Legal Department has been working on this being a long-term lease agreement to include renewable terms. It is to allow the County to use the property consistent with the agreement as long as they need it. There are plans for future facilities on this property for projects between the City and the County. A master plan has been created and is the basis for the agreement.

Vice-Chairman Ken Halliburton made a motion to approve the final plat subject to all staff comments, seconded by Mr. Warren Russell. Upon roll call, the motion carried by the following vote:

Aye :
Ken Halliburton
Warren Russell
Chase Salas
Shawn Wright
Rick LaLance

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Kathy Jones
Nay: **None**

Mr. Warren Russell made a motion to approve the Mandatory Referral subject to all staff comments, seconded by Mr. Chase Salas. Upon roll call, the motion carried by the following vote:

Aye : **Ken Halliburton**
Warren Russell
Chase Salas
Shawn Wright
Rick LaLance
Kathy Jones
Nay: **None**

New Business

Zoning application [2020-422] for approximately 1.28 acres located along South Bilbro Avenue and East State Street to be rezoned from RS-8 and CCO to PRD (The Row on Bilbro PRD) and CCO, Blue Sky Construction, Inc. applicant. Ms. Amelia Kerr summarized the staff report which had been provided to the Planning Commission in the agenda packet. She provided information for the 18-unit townhouse development from the applicant's pattern book.

Continuing, Ms. Kerr made known in the applicant's proposed PRD pattern book it states the development would include approximately 29% of the total lot as open space. The site is required to contain 5% formal open space; the applicant is proposing 10.5% formal open space. The formal open space internal to the site consists of a courtyard seating area with a stamped concrete patio, an arbor with a fire pit, and enhanced landscaped areas within the open space grass island. The following exceptions to the standard RS-A, Type 3 zoning regulations are proposed:

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1. front setbacks to be 8' as opposed to 30' and side and rear setbacks to be 10' to accommodate required landscaping buffer between the development and neighboring RS-8 zone;
2. that the rooftop patio areas be allowed to be included in the calculation of formal open space;
3. a reduction in the required 18" "step-up" at the front elevations to a 6" "step-up" (RS-A, Type 3 townhomes are required to have a minimum finished floor elevation of 18" above grade when the front setback is less than 30');
4. an exception to allow the use of solid waste cart valet garbage service in lieu of the required Dumpster; and
5. an exception to allow a Type B buffer with a privacy fence in lieu of a Type D buffer along property lines adjacent to single-family residential zoning.

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

While single-family attached residential uses are consistent with the *Suburban Residential* land use character in certain circumstances, the more intense single-family residential attached use that is proposed -- at 14.0 dwelling units per acre -- is not consistent with the vision for the Suburban Residential land use character. Ms. Kerr requested for the Planning Commission to determine whether this is an appropriate instance to deviate from the recommendations of the future land use map.

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Lastly, Ms. Kerr made known Staff is supportive of this rezoning request, including the deviation from the future land use map, for the following reasons:

- 1) the proposed residential land use would be compatible with the surrounding residential land uses;
- 2) compact, dense development is desirable in and around downtown and promotes walkability; and
- 3) the proposed development would contribute to the vitality and quality of life of the downtown, continuing the positive trend toward reinvestment in the area.

Mr. Clyde Rountree and Mr. Brian Burns were in attendance to represent the application. Mr. Rountree stated their plan is to bring revitalization in an area that had been rental property for many years. Continuing, Mr. Rountree began a PowerPoint presentation from the applicant's pattern book providing details for this development

The Planning Commission began discussing the proposal making known their concerns as being the following:

- The height restrictions should be provided in the applicant's pattern book.
- The applicant should provide four to five minimum guest parking spaces for this development.
- Improve the formal open space that could be used for the entire development.
- Continue working with Staff before the public hearing.
- Continue working on the issue of the 18" "step-up" at the front elevations.

Mr. Brian Burns agreed to address the concerns that have been discussed. He commented that he could delete one of the two-bedroom units to make this development work.

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Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on February 3, 2021, seconded by Mr. Shawn Wright. Upon roll call, the motion carried by the following vote:

Aye : **Ken Halliburton**
 Warren Russell
 Chase Salas
 Shawn Wright
 Rick LaLance
 Kathy Jones

Nay: **None**

Staff Reports and Other Business

None.

There being no further business the meeting adjourned at 4:30 P.M.

Chair

Secretary

GM: cj