

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 3, 2021

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Jennifer Garland
Rick LaLance
Warren Russell
Shawn Wright

STAFF PRESENT

Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Holly Smyth, Principal Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Katie Noel, Project Engineer
Sam Huddleston, Dev't Services Executive Dir.

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

Consent Agenda:

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

Shelton Square, Section 6 [2021-1002] preliminary plat for 59 lots on 12.3 acres zoned PRD located along Chatfield Drive, Shelton Square, LLC developer.

Westwind Reserve, Section 3 [2021-1004] preliminary plat for 30 lots on 7.2 acres zoned RS-6 located along Lantern Lane, Cornerstone Development, LLC developer.

Parkside at Hidden River [2021-2001] final plat for 24 lots on 11.9 acres zoned RS- 10 located along Cason Trail and Shalom Street, Hidden River Development Company, LLC developer.

Shelton Square, Section 3, Phase 1 [2021-2003] final plat for 27 lots on 10.6 acres zoned PRD located along Eaglemont Drive and Hopetown Way, Shelton Square, LLC developer.

Shelton Square, Section 3, Phase 2 [2021-2004] final plat for 10 lots on 4.1 acres zoned PRD located along Eaglemont Drive, Shelton Square, LLC developer.

Shelton Square, Section 4, Phase 1 and the Resubdivision of the Common Area of Section 2, Phase 1 [2021-2005] final plat for 52 lots on 10.9 acres zoned PRD located along Bridgemore Boulevard, Shelton Square, LLC developer.

Shelton Square, Section 4, Phase 2 [2021-2006] final plat for 10 lots on 2.8 acres zoned PRD located along Bridgemore Boulevard and Hopetown Way, Shelton Square, LLC developer.

Laurelstone, Section 2 [2021-1003] preliminary plat for 66 lots on 23.8 acres zoned PRD located along Ann Lew Lane, Goodall Homes, LLC developer.

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Osborne Estates, Section 2 [2021-2007] final plat for 19 lots on 5.4 acres zoned RS-10 located along Osborne Lane and Hardwick Street, Black Diamond Construction developer.

Bellemore, Section 2, Phase 1 [2021-2008] final plat for 5 lots on 14.7 acres zoned RS-15 located along East Overall Creek Road, Constantine Drive, and Old Salem Road, Alcorn Properties, LLC developer.

Carlton Landing, Section 3 [2021-1001] preliminary plat for 22 lots on 13.1 acres zoned RS-10 located along Jessup Lane and Farm Castle Drive, Cornerstone Development, LLC developer.

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

Public Hearing:

Mandatory Referral and Right-of-way Abandonment [2021-704] to consider abandonment of a portion of the right-of-way of Vaughn Street, Huddleston-Steele Engineering, Inc. applicant on behalf of the Murfreesboro Housing Authority. Ms. Holly Smyth summarized the mandatory referral and right-of-way (ROW) abandonment from the staff report which had been provide to the Planning Commission in the agenda packet.

Ms. Smyth stated for the record, based on the responses received from other City departments, Staff recommends the following conditions for approval:

1. A temporary public utility and drainage easement in the abandonment area shall be dedicated concurrently with the recording of the ROW abandonment.
2. The ROW abandonment and public utility and drainage easement dedication shall be subject to the final approval of the legal instruments by the City Legal Department. The applicant shall prepare and submit legal descriptions and exhibits necessary for the City Legal Department to draft the necessary legal instruments.
3. A quitclaim deed transferring the subject ROW shall be executed and recorded.

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4. Once final utility locations are determined with the final redesign of the Parkside Apartments, new public utility easement(s) shall be dedicated in the proper location(s) to meet the needs of the various utility companies with any obsolete easements being abandoned concurrently. Approval of this mandatory referral shall include approval of any future easement abandonments and dedications, as determined necessary by City Staff.
5. All recording fees shall be paid by the applicant.

Chair Kathy Jones opened the public hearing. No one came forward to speak for or against the mandatory referral and ROW abandonment request; therefore, Chair Kathy Jones closed the public hearing.

Mr. David Ives commented that the City can retain any needed easements when the quitclaim is recorded. There would not need to be a second easement grant document; it all could be done in one document. Continuing, Mr. Ives explained the City had never claimed this area as ROW, and it has been treated as a private road. It needs to be quitclaimed, so that the Murfreesboro Housing Authority can proceed with their financing.

In addition, Mr. Ives explained the property also has active water, sewer, and stormwater easements. These facilities would most likely be removed. Therefore, Mr. Ives requested for the Planning Commission to authorize staff to abandon the easements and prepare abandonments for the Mayor to sign as necessary and accept the new easements and dedications. The new easements may be on a plat or other documents. Also, this information would be included on future site plans for the Planning Commission's formal review.

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

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Gateway Design Overlay:

Parkway Office Park Lot 17 (Goddard School) [2020-6010 & 2020-3142] final design & site plan 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 final design and site plan review from the staff report which had been provided to the Planning Commission in the agenda packet.

Ms. Green made known during the initial review, the plans showed bollards around the building in response to safety concerns. After discussions with staff, the design team was able to remove many of the bollards and replace them with structural seat walls that also served aesthetic and amenity purposes. The remaining bollards have been relocated away from the parking spaces and disguised in a fence design.

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

Vice-Chairman Ken Halliburton made a motion to approve the final design and site plan review, subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by unanimous vote in favor.

North Church, LLC, Lot 12 (Vintage at The Avenue) [2021-6001 & 2021-3008] initial design review of two private, outdoor dog patios on 5.5 acres zoned PRD and GDO- 1 located along Conference Center Boulevard, Avenue Way and Greshampark Drive, Nicol Investment Company developer. Ms. Margaret Ann Green summarized the initial design and site plan review from the staff report which had been provided to the Planning Commission in the agenda packet.

She explained the two private outdoor dog patios had been added to an existing apartment complex. The dog patios were installed without plans or approval from the Planning Commission. Staff reached out to the property owner requesting that this zoning violation be corrected. The units with the private dog patios front Avenue Way and are located just outside of the minimum front building setback line. They are, however, located on top of Murfreesboro Water Resources

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Department (MWRD) utility lines and easements. MWRD would require an agreement be executed if this plan is approved by the Planning Commission. After review of the PUD program book and consultation with the applicant, the Planning Director approved a minor deviation to the PUD zoning with the following conditions:

1. They are not located between the front of the structures and public right-of-way (within required front yards)
2. Staff reviews and approves the drainage design for these areas
3. The enclosures are brought up to Gateway Design Overlay standards (addition of brick, stone, rock, and other ornamental features) and plans include adequate detail demonstrating compliance with these standards.
4. The plans are approved by the Planning Commission

The proposed structure is elevated above the adjacent grade and treated with artificial turf. The fencing is decorative black aluminum fencing on a wood base. Staff requested the base be clad in brick or stone veneer to match the existing structure.

Vice-Chairman Ken Halliburton wanted to know if more private outdoor patios would be requested with this apartment complex.

Mr. Taylor of SEC, Inc. came forward representing the application to make known they would like to have additional dog patios. However, they would have to review other locations to see if they could comply with all Zoning Ordinance regulations. In order to meet all the requirements, these may be the only two outdoor dog patios at this development.

Mr. Warren Russell wanted to know if there was any additional liability associated with these patios being placed on top of MWRD utility lines and easements. Mr. Taylor stated the owner knows and understands they have no rights if MWRD had to work in the patio areas. The owner would be required to obtain a recorded document making known they have no rights if MWRD

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had to tear out the patios to work on their utility lines. The recorded document would run with the land to any future buyer being subject to the same agreement.

Mr. Shawn Wright made known he had issues with this going forward with other developments to allow those to ask for forgiveness instead of permission. Chair Jones commented that requesting for amenities on the front end is always better.

Vice-Chairman Ken Halliburton made a motion to approve initial and final design review and site plan review subject to all staff comments, seconded by Mr. Warren Russell. The motion carried by a vote of 5-1 (with one “nay” vote by Mr. Shawn Wright).

The Avenue (Burlington) [2021-6002 & 2021-3006] initial design review of a 13,781 ft² tenant build-out on 97.5 acres zoned CH, GDO-1 and PSO located along Medical Center Parkway, Big V Property Group developer. Ms. Margaret Ann Green summarized the initial design and site plan review from the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Green stated this is a big box retail with façade changes consisting of a large amount of red color and changes to the storefront.

Mr. Blake Nelson, architect, was in attendance representing the application. He came forward making known the color palette selected was a tenant branding identity used predominantly for Burlington stores. This is an existing building that has limitations on where they could place their storefront. Therefore, they have adapted their 40,000 square-foot prototype to a 30,000 square-foot store. For their signage, they have added a light box above the storefront with decorative “up-lighting”. The entire storefront would be upgraded to Burlington’s branding. Mr. Shawn Wright and Ms. Jennifer Garland made known they were comfortable with the red color signage.

Mr. Rick LaLance made a motion to approve the initial design and final design review subject to all staff comments, seconded by Mr. Chase Salas. The motion carried by unanimous vote in favor.

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North Church Section 4 Berm/ Landscaping Plan [2017-3091] site plan for berm & landscape plan located along Wilkinson Pike, Tommy Smith developer. Ms. Margaret Ann Green summarized the site plan review from the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Green made known the developer, Mr. Tommy Smith, is in agreement to move forward to install the berm and landscaping within the current planting season.

Mr. David Ives came forward stating there have were a few changes to the easements and the redesign of the berm area. He explained the changes include amending an agreement with minor modifications to infrastructure and sewer easements. This agreement would need to be presented to City Council for their review and approval.

Mr. Matt Taylor of SEC, Inc. came forward, representing the application, stating they would be scheduling a pre-construction meeting in the morning and would begin work immediately.

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

Plats and Plans:

Westlawn Commercial, Lot 4 (Murfreesboro Medical Clinic) [2021-3011] final design & site plan review of a 25,862 ft2 medical office building on 8.5 acres zoned PUD located along Shores Road, Veterans Medical Properties LLC developer. Ms. Margaret Ann Green summarized the final design and site plan review from the staff report which had been provided to the Planning Commission in the agenda packet.

Ms. Green stated the proposed plan is for Phase 1, for Murfreesboro Medical Clinic's new medical office building, while reserving an area for a future second medical office building and additional parking. The MMC structure would have the same materials as their existing building along Garrison Drive. The site has access to the newly named Shores Road with an entrance that lines up with the future Publix grocery store and a shared access drive with Lot 1 of the Westlawn

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Commercial subdivision. There is no access to the newly renamed Birchtree Drive, and the 40-foot wide landscape buffer and berm along Birchtree is identified on the plans. Even though the entire lot is not being developed in one phase, the developer is required to install the required sidewalks along the frontage of the entire lot, to install the entire buffer and berm along Birchtree, and build the decorative entrance signs as required in the Westlawn PUD.

Mr. Enoch Jarrell (design engineer) introduced the design team Mr. Rob McKelvey (architect), Mr. Joey Peay (with MMC), and Mr. Joey Rhyne (contractor), who were in attendance to represent the application. Mr. Enoch Jarrell began by explaining the design of the site and how it conforms to the PUD zoning. This facility would be MMC's third building in the community. This request is for a total 77,000 square-foot building with a second phase in the future. All signage would be reviewed and approved by the City's Sign Administrator for compliance with the PUD.

Mr. Rob McKelvey explained that they are working to replicate their current branding on Garrison Drive. He presented the material board to explain the design, the color of materials, and the tower elements along all four sides. The main entrance with the top element and canopy would be for patient drop-off facing Shores Road.

Ms. Jennifer Garland commented on the nice building design and quality materials.

Mr. Rick LaLance made a motion to approve subject to all staff comments, seconded by Mr. Shawn Wright. The motion carried by unanimous vote in favor.

Staff Reports and Other Business:

Street naming [2021-901] to clarify the point where Memorial Boulevard becomes Lebanon Pike, City of Murfreesboro Planning Department applicant. Mr. Matthew Blomeley began by describing a segment of US 231 North (also identified as State Route 10) being bounded on its north side by the intersection with Cherry Lane and on its south side by the intersection with West Thompson Lane/Compton Road. It is approximately one mile long and is located entirely within the City limits.

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Mr. Blomeley said that the City Information Technology Department works hand-in-hand with the Rutherford County Emergency Communications District (RCECD) to eliminate issues within the mapping system that cause incompatibilities with the emergency call routing software. This segment of roadway had been identified by these agencies as being problematic due to the fact that some of the address points in the GIS system did not match the centerline data for the street.

Mr. Blomeley stated there had been some confusion regarding where the Memorial Boulevard street name ends for this highway and where the Lebanon Pike street name begins. To Staff's knowledge, there has never been a formal decision to clarify this matter. The addresses on the west side of the highway closer to the intersection of West Thompson Lane/Compton Road generally have Memorial Boulevard addresses, and the addresses further to the north generally have Lebanon Pike addresses. However, there is one property with a Memorial Boulevard address that is actually further north of several Lebanon Pike addresses.

Staff evaluated several options for remedying this situation, including naming the entire segment Memorial Boulevard or Lebanon Pike, as a major intersection is typically the most logical place for a street name to change. However, changing the entire segment to Lebanon Pike would require the addresses of numerous business on the south end of the segment to be changed. Changing the entire segment to Memorial Boulevard would require the address of the VA Hospital to be changed. It was determined that, while not a perfect solution, having the street name change from Memorial Boulevard to Lebanon Pike at the main entrance to the VA Hospital would address the needs of emergency service providers, while only necessitating address changes for three structures (a veterinary clinic, a single-family residence, and a single-family residence containing a home-based business).

While Staff considers this to be more of a street name clarification than a name change, it is Staff's opinion that taking this action to create a definitive point where the street name changes from Memorial Boulevard to Lebanon Pike complies with the street renaming policy adopted by the Planning Commission in 2019, as it attempts to eliminate confusion for both the public and for

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emergency service providers. A letter from RCECD in support of this request had been included in the agenda packet. RCECD indicates this action will help to eliminate confusion by shifting the name change to a defined point. In addition, providing this clarification will be beneficial for 9-1-1 call routing software, reconciling the address data with the street name data.

In closing, Staff recommends that the Planning Commission vote to approve the main entrance to the VA Hospital as being the point where the street name changes from Memorial Boulevard to Lebanon Pike, with Memorial Boulevard being south of this intersection and Lebanon Pike being north of it. If the Planning Commission approves this recommendation, then Staff will determine an effective date and work to implement any address changes necessitated by this action.

Mr. Rick LaLance asked if anyone had spoken with any property owners who would be required to change their address. Mr. Blomeley answered yes, he had made contact with one homeowner that currently has a home-based business.

Mr. Rick LaLance made a motion to approve subject to all staff comments, seconded by Mr. Shawn Wright. The motion carried by unanimous vote in favor.

There being no further business the meeting adjourned at 7:30 p.m.

Chair

Secretary

GM: cj