

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 4, 2022

6:00 PM

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice Chair
Jami Averwater
Rick LaLance
Warren Russell
Shawn Wright

STAFF PRESENT

Greg McKnight, Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Joel Aguilera, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Sam Huddleston, Executive Dir. Dev't Services
Matthew Blomeley, Asst. Planning Director

1. Call to order.

Chair Kathy Jones called the meeting to order at 6:00 p.m.

2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

3. Public Hearings and Recommendations to City Council

Zoning Ordinance amendment [2022-802] regarding amendments to Sections 2, 7, 24, Chart 1, and Chart 4 pertaining to alcohol manufacturing, City of Murfreesboro Planning Department applicant. Mr. Roman Hankins gave a PowerPoint presentation on the Zoning Ordinance Amendments for Alcohol Beverage Manufacturing. His presentation included topics such as Current Zoning, Stakeholder Involvement, Separate Uses for Breweries, Distilleries, Brewpubs, Wineries, and Parking.

Ms. Margaret Ann Green made known Staff is supportive of this rezoning request for the following reasons:

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1. The Zoning Ordinance amendment provides further clarity to alcohol manufacturing.
2. The proposed regulations are consistent with industry licensing and standards.
3. The amendment seeks to evolve the City's zoning regulations as the industry evolves, eliminating antiquated regulatory roadblocks for businesses that add value to the community.

Chair Kathy Jones opened the public hearing.

1. **Mr. Tony Johnston, Professor at Middle Tennessee State University, Director of Fermentation Science** –is in favor of the Zoning Ordinance amendment.
2. **Mr. and Ms. Mike Mattson owner of Iluzion Meads** – is in support of the Zoning Ordinance amendment.
3. **Mr. Brandon Bingman, 1112 North Spring Street** – is in support of the Zoning Ordinance amendment.
4. **Mr. Anthony Coon, 849 Double Glen Drive, Nashville** – is in support of the Zoning Ordinance amendment.
5. **Mr. Rick Lowe, 4208 Welchance Road** - is in favor of the Zoning Ordinance amendment.

Chair Kathy Jones closed the public hearing.

The Planning Commission discussed the proposed amendments and agreed the changes would help small businesses within the city.

There being no further discussion, Mr. Shawn Wright moved to approve the Zoning Ordinance amendment subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

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

Nay: None.

Zoning application [2022-403] for approximately 13.7 acres located along Medical Center Parkway, Robert Rose Drive, and Maplegrove Drive to be rezoned from MU and GDO-1 to PUD, CH, and GDO-1 (Vintage Apartments and TDK office PUD), TDK Construction applicant. Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Ms. Green made known Staff would like the Planning Commission to consider the following items in its review of this request:

1. The zoning request is inconsistent with the proposed Murfreesboro 2035 Comprehensive Plan Future Land Use Map.
2. The Zoning Ordinance limits on multi-family residential uses for master planned developments in the MU zone.
3. The proposed reduction of 150 parking spaces for the project.
4. Other exceptions as noted on sheet 26.

Mr. Matt Taylor (design engineer), Mr. Ross Bradley (developer), Mr. Ken Ayers (TDK), Mr. John David Blankenship (TDK), Ms. Gina Emmanuel (architect), and Jeff Rosiak (landscape architect) were all in attendance for the meeting. Mr. Taylor gave a PowerPoint

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presentation of the Pattern Book, which Pattern Book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Vice-Chairman Ken Halliburton requested for the commercial lot restrictive covenants to exclude gas station, convenience store, liquor store, and beer & tobacco store. Mr. Taylor agreed.

Chair Kathy Jones opened the public hearing.

1. **Mr. Darren Douglas, 1728 Lannister Avenue** – provides door to door trash and recycle services for luxury apartment complexes. He is in favor of the application.
2. **Mr. Maurice Martin, 5033 Asbury Lane** – is in favor of the zoning application.

Chair Kathy Jones closed the public hearing.

The Planning Commission began discussing the proposal with questions regarding the number of apartments and shared parking for the apartments with the commercial use.

The Planning Commissioners expressed their concerns regarding the requested exceptions. Mr. Rick LaLance expressed concerns regarding the number of multi-family units proposed. Mr. Warren Russell stated there needed to be a good balance with the number of apartments and the amount of office space.

Vice-Chairman Ken Halliburton stated he was for the development due to the applicant providing a business building for professional jobs. Mr. Chase Salas made known he was for the development due to TDK's long history of being good stewards in the community.

Mr. Matt Taylor asked to defer action to continue working on this application.

There being no further discussion, Mr. Warren Russell moved to defer the zoning application; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

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

Nay: None.

Zoning application [2022-409] for approximately 238 acres located along Northwest Broad Street to be removed from the GDO-1 zoning overlay district (with approximately 20.8 acres remaining in the GDO-1 overlay), City of Murfreesboro applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance to represent the application. He explained the proposed Type D buffer would be discussed further during site plan review. Mr. Matthew Blomeley explained any additional landscaping could be addressed during site plan review.

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

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the zoning application subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton

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Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

Annexation petition and plan of services [2022-502] for approximately 7.3 acres located along Veterans Parkway, David Scott Rowlett applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) was in attendance to represent the application.

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

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the annexation petition and plan of services subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

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Zoning application [2022-402] for approximately 1.6 acres located along Veterans Parkway to be zoned CH simultaneous with annexation; 5.7 acres to be zoned PRD (The Villas at Veterans PRD) simultaneous with annexation; and to amend the existing Villas at Veterans PRD zoning on 7.1 acres located along Franklin Road, Harney Homes, LLC applicant. Ms. Marina Rush presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Ms. Rush explained the applicant has made improvements to their detached units, however the elevations that were presented are not acceptable. The revised plan book was submitted April 28, 2022 and included side and rear elevations of the detached single-family residential models as requested. Based on the renderings provided in the PRD plan book, the design quality of the detached product should be, at a minimum, equivalent to the design quality of the attached townhome product. In addition, other opportunities were not addressed with the revised pattern book. Ms. Marina Rush requested for a revised pattern book be provided before the next Planning Commission meeting with design changes for review.

Mr. Matt Taylor (design engineer), Mr. Justin Harney (developer), and Mr. John Harney (developer) were in attendance representing the application. Mr. Taylor gave a PowerPoint presentation of the Pattern Book, which Pattern Book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

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

There being no further discussion, Mr. Rick LaLance moved to approve the zoning application subject to the applicant continuing to work with staff on elevations and materials, revising the pattern book prior to the City Council public hearing, and including in the pattern book that the development would not be sold to a corporation as rental

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properties and all other staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

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

Nay: None

4. Staff Reports and Other Business

Mandatory Referral [2022-709] to consider the abandonment of a drainage easement located on property at the southwest corner of South Church Street and Westgate Boulevard, Josh Hutcheson of Fulmer Lucas applicant. Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Mr. Blomeley recommended that approval be made subject to the following conditions:

- 1) The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required to prepare and record the legal instrument.
- 2) The drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.
- 3) The applicant will be responsible for paying any recording fees.

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There being no further discussion, Mr. Rick LaLance moved to approve the mandatory referral subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

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

Nay: None.

Mandatory Referral [2022-710] to consider the abandonment of a drainage easement located on property along the east side of Medical Center Parkway, Chris Mabery of Ragan Smith applicant.

Mr. Matthew Blomeley presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Mr. Blomeley recommended that approval be made subject to the following conditions:

- 1) The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required to prepare and record the legal instrument.
- 2) The drainage easement abandonment should be subject to the final approval of the legal documents by the City Attorney.
- 3) The applicant will be responsible for paying any recording fees.
- 4) The final plat dedicating the new drainage easement shall be recorded simultaneously with the recording of the quit claim deed abandoning the easement.

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There being no further discussion, Mr. Chase Salas moved to approve the mandatory referral subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

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

Nay: None.

Mandatory Referral [2022-711] to consider the adjustment of easements located on property at property at 106 SE Broad Street and City-owned property at the corner of SE Broad Street and S. Church Street, City of Murfreesboro Legal Department applicant. Mr. David Ives presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Mr. Shawn Wright moved to approve the mandatory referral subject to all staff comments; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Rick LaLance
Warren Russell
Chase Salas

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Shawn Wright

Nay: None.

Mandatory Referral [2022-712] to consider the purchase of property at 316 Robert Rose Drive, City of Murfreesboro Administration Department applicant. Mr. David Ives presented the Staff Comments regarding this item, a copy which is maintained in the permanent files of the Planning Commission Department and is incorporated into these Minutes by reference.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the mandatory referral subject to all staff comments; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

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

Nay: None.

5. **Adjourn.**

There being no further business the meeting adjourned at 9:25 p.m.

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MURFREESBORO PLANNING COMMISSION
MAY 4, 2022**

Chair

Secretary

GM: cj