

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 17, 2021

1:00 P.M.

COUNCIL CHAMBERS

## MEMBERS PRESENT

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

## STAFF PRESENT

Greg McKnight, Planning Director  
Matthew Blomeley, Assistant Planning Director  
Margaret Ann Green, Principal Planner  
Amelia Kerr, Planner  
Austin Cooper, Planner  
Brad Barbee, Planner  
Katie Noel, Project Engineer  
Carolyn Jaco, Recording Assistant  
David Ives, Deputy City Attorney  
Sam Huddleston, Dev't Services Executive Dir.

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

Chair Jones requested for a motion to approve the minutes of the February 3, 2021 Planning Commission meeting.

**Mr. Warren Russell made a motion to approve the February 3, 2021 minutes, seconded by Vice-Chairman Ken Halliburton. The motion carried by unanimous vote in favor.**

## Consent Agenda

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

**River Downs Annex, Section 2, Phase 1 [2021-2014]** final plat for 43 lots on 17.41 acres zoned RS-10 located along Firerock Drive, Alcorn Properties, LLC developer.

**Hayden Cove, Section 1 [2021-2015]** final plat for 46 lots on 19.61 acres zoned PUD located along Veterans Parkway, Alcorn Properties, LLC developer.

**West Point, Lot 5 [2021-2016]** final plat for 1 lot on 0.89 acres zoned L-I located along Beasie Road, Charlie B. Mitchell developer.

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Parkway Place, Section 3 [2021-2012] final plat for 1 lot on 49.1 acres zoned PID located along Richard Reeves Drive and Logistics Way, Al-Neyer developer.

Tuckasee Holdings, LLC [2021-2010] final plat for 1 lot on 1.02 acres zoned CH located along Memorial Boulevard, Tuckasee Holdings, LLC developer.

Stones River Mall, Resubdivision of Lot 1A [2021-2019] final plat for 3 lots on 35.21 acres zoned CH and PSO located along the north side of Old Fort Parkway, SVAP II Stones River, LLC developer.

Mr. Rick LaLance made a motion to approve the consent agenda, seconded by Mr. Shawn Wright. The motion carried by unanimous vote in favor.

## Plats and Plans

Farmhouse Downs, Section 1 [2021-1005] master plan amendment (for University Villas and Lyon Family subdivision master plan) and preliminary plat for 135 lots on 94.94 acres zoned RS-6 located along Lyons Farm Parkway south of John Bragg Highway, Front Street Partners developer. WITHDRAWN BY APPLICANT

Kingdom Crest Commercial, Section 1 [2021-1007] master plan and preliminary plat for 3 lots on 20.33 acres zoned CH, Swanson Development, LP developer. Mr. Brad Barbee summarized the master plan and preliminary plat from the staff report which had been provided to the Planning Commission in the agenda packet. He stated the master plan and preliminary plat were in good order.

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

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**Windwoods, Section 2 [2021-1006] master plan amendment and preliminary plat for 39 lots on 9.02 acres zoned RS-A, Type 2 located west of Florence Road along Effie Seward Drive, AMH TN Development, LLC developer.** Mr. Austin Cooper summarized the master plan amendment and preliminary plat from the staff report which had been provided to the Planning Commission in the agenda packet. He made known the property had a new ownership group with a new plan which changed the townhome use into single-family detached lots. The road networks would remain the same and the number of units would decrease with this plan from 87 units to 39 units.

Mr. Matt Taylor of SEC, Inc. was in attendance to represent the application.

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

**Westlawn Commercial North, Lot 1 [2021-2020] final plat for 1 lot on 1.88 acres zoned PUD located along Westlawn Boulevard and Veterans Parkway, Donald McDonald Charitable Remainder Unitrust developer.** Mr. Austin Cooper summarized the final plat from the staff report which had been provided to the Planning Commission in the agenda packet. He explained to the Planning Commissioners that Staff does not support access onto Veterans Parkway with this final plat.

Ms. Katie Noel came forward to make known this lot had been presented with a site plan during a pre-application meeting. Initially, she made known her concerns regarding access at that meeting. Continuing, Ms. Noel explained how there was a grade change with this lot and Veterans Parkway due to the nearby interchange that had changes in a slope and a guardrail. Staff agreed that there are challenges with the proposed access and suggested an appropriate alternative access. Staff's analysis included safety concerns with the sight distance and visibility. Therefore, Staff is requesting for a note to be placed on the final plat stating there would not be any driveway access onto Veterans Parkway.

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Mr. Bill Huddleston came forward stating they had performed a sight distance study at this location for right in/right out access onto Veterans Parkway. The study had been submitted on February 4, 2021 and indicated the sight distance for the proposed right in/right out access onto Veterans Parkway exceeds the City's requirements for this roadway. Therefore, they do not see any reason why the right in/right access cannot be provided at this location. Continuing, Mr. Huddleston explained in detail how the access onto Veterans Parkway would work for this property.

The Planning Commission began discussing the proposal and asked for more information from Staff. Ms. Katie Noel said that the access had been reviewed in conjunction with the City Engineer, Chris Griffith and Assistant City Engineer, Michele Emerson for sight distance and speed.

Mr. Bill Huddleston said that he would like to meet with Chris Griffith, Michele Emerson, and Katie Noel on-site for further discussion. Mr. Huddleston commented if the City infrastructure team does not agree with him, he would be ok with their decision. However, he feels they would agree with him.

Vice-Chairman Ken Halliburton stated during site plan review it would be made known whether or not the access onto Veterans Parkway was approved by Staff. Mr. Shawn Wright suggested this request be deferred until Mr. Huddleston can meet with Staff on-site. If they meet and do not come up with an agreement, the note would have to be placed on the final plat.

Mr. Laws Bouldin came forward to represent the applicant requesting for the decision to be made during site plan approval. This is a subdivision plat for a legal lot of record. He requested approval of the final plat without any notations.

**Vice-Chairman Ken Halliburton made a motion to approve the final plat subject to the following:**

- **All staff comments;**

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- Staff would meet and consult with the applicant and their design team for further study;
- If Staff makes the determination a plat note is needed to restrict access onto Veterans Parkway a note would be added to the final plat;
- The final plat would not be recorded until these details are resolved.

The motion was seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.

## New Business

**Zoning application [2021-402] for approximately 0.66 acres located along Lee Street to be rezoned from CM-R and CCO to PRD (Lee Street Towns PRD) and CCO, Lee Street Partnership applicant.** Ms. Amelia Kerr summarized the zoning application from the staff report which had been provided to the Planning Commission in the agenda packet. Ms. Kerr stated that the applicant is requesting the following exceptions:

1. front setback to be 9' along Lee Street as opposed to the 18' setback required by the CCO regulations (based on the average of the front setbacks on the same block face);
2. rear setbacks to be 18' instead of the required 20', per Chart 2 of the Zoning Ordinance;
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'), per Chart 2 Endnote #34 (a); and
4. an exception to allow a Type A buffer with a privacy fence in lieu of a Type D buffer on property lines adjacent to single-family residential zoning, per Table 2 Buffer requirements in the Zoning Ordinance.

Continuing, Ms. Kerr stated that 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 will be compatible with the surrounding residential land uses;

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- 2) compact, dense development is desirable in and around downtown and promotes walkability;
- 3) the proposed development will contribute to the vitality and quality of life of the area, continuing a positive trend toward reinvestment in the area; and
- 4) the zoning request is generally consistent with the recommendations of the North Highland Avenue Planning Study.

Mr. Clyde Rountree and Mr. Brian Burns were in attendance for the meeting. Mr. Rountree came forward representing the applicant to make known this proposal was for redevelopment within the downtown area and would be consistent with other developments in the area. Mr. Rountree began a PowerPoint presentation to explain the proposal from the applicant's pattern book.

Vice-Chairman Ken Halliburton asked for clarification regarding the solid waste carts. Mr. Brian Burns came forward stating how this proposal would include a private hauler for solid waste service. The solid waste carts would be left at the end of the driveways for pick-up service. After solid waste is picked-up, the carts would be stored inside the garages.

**Mr. Warren Russell made a motion to schedule a public hearing on April 7, 2021, seconded by Mr. Shawn Wright. The motion carried by unanimous vote in favor.**

**Zoning application [2021-404] to amend the One East College PUD zoning for approximately 2.42 acres located along East College Street, North Spring Street, East Lytle Street, and North Church Street, 705 4th Avenue South Holding Company, LLC applicant.**

Ms. Amelia Kerr began by summarizing the zoning application from the staff report which had been provided to the Planning Commission in the agenda packet. The following exceptions to the standard zoning regulations are being proposed:

1. 35% of the required 490 garage parking spaces to be 7'6" wide, compact spaces and the remainder to be 8'6" wide as opposed to the 9' wide spaces required by the Zoning Ordinance; and

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2. Maximum building height to be 148' instead of the maximum overall height in the CBD of 75'.

Staff is supportive of this rezoning request for the following reasons:

- 1) the proposed land uses will be compatible with the surrounding land uses;
- 2) compact, dense development is desirable in and around downtown and promotes walkability;
- 3) the proposed development will contribute to the vitality and quality of life of the downtown, continuing the positive trend toward reinvestment in the area; and
- 4) the zoning plan is generally consistent with the recommendations of the Murfreesboro 2035 Comprehensive Plan and the North Highland Avenue Planning Study.

Mr. Matt Taylor of SEC, Inc. and the applicant's design team were in attendance. Mr. Matt Taylor gave a PowerPoint presentation from the pattern book. He made known the pattern book on page 16 provides the differences between the previously approved site plan and the proposed amended site plan. The main change has been eliminating the hotel with this amendment. Over the last 10 months, he and the design team have been working with this proposal to become more viable for today's market. What is being presented includes an increase for the on-street parking, adding 2,600 square-feet of space located above the garage to be used for a restaurant, and a swimming pool has been added. The existing church and the architectural style and character would remain.

Vice-Chairman Ken Halliburton wanted to know if the restaurant space was not leased in the timeline that has been presented, what would happen to it? Mr. Taylor stated the space would become part of the parking garage. However, they feel that there is a strong candidate for the restaurant space.

**Vice-Chairman Ken Halliburton made a motion to schedule a public hearing on April 7, 2021, seconded by Ms. Jennifer Garland. The motion carried by unanimous vote in favor.**

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## Staff Reports and Other Business

**Zoning application [2021-406] for approximately 169.4 acres located along Veterans Parkway, south of Burnt Knob Road, west of Blackman Road and north of Vaughn Road to be zoned GDO-1 (52.7 acres), GDO-3 (116.7 acres) and rezoned from P to CH (101.7 acres), City Administration Department applicant.** Ms. Margaret Ann Green began by describing the subject property which consists of six separate parcels and is zoned P (Park District), CH (Highway Commercial District), and RS-15 (Single-Family Residential District).

She explained that the City of Murfreesboro owns the largest parcel within the study area. This parcel was annexed and zoned Park District (P). The Murfreesboro City Council contracted Kimley-Horn to develop a master plan for a park, which was subsequently accepted by City Council. Since that time, the City Council and City Administration Department's vision for this area has changed. As proposed in this application, the City is reserving 15 acres for a potential park with a base zone of CH on the balance of the tract. The five other parcels are privately owned. Mr. Sam Huddleston would be reaching out to the privately-owned parcels notifying them about the zoning request. The privately owned parcels have not made a request for a zoning change.

Continuing, Ms. Green explained the City's Administration Department recognized that the Gateway Design Overlay District (GDO) district has proven to have a robust and vibrant economic base, creating a strong sense of identity because of the emphasis placed on high-quality design. In addition, it has significantly increased property values and was able to create the class A office space which previously did not exist in Murfreesboro. The City's desire is to capture the same successes with this property.

Ms. Green made known the City has also made an application to rezone the majority of its property to CH. The CH district is intended to permit the development and continued maintenance of general commercial uses located in a linear fashion along highways and near transportation



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facilities and industrial areas. It is the hope of City Administration that having property already zoned CH would be an additional enticement for development of its property.

The Murfreesboro 2035 Future Land Use Map indicates that Business Park (BP) land use character (BP) is most appropriate for that portion of the study area located east of Veterans Parkway. The proposed development of the City's property is consistent with the 2035 Future Land Use Map. The development types would include the following:

- Primarily office, medical, and technology/research uses;
- Higher-density auto urban (general) residential (20-30% of total area max); and
- Public/institutional; and common green spaces.

Ms. Green made known the portion of the study area west of Veterans Parkway indicates that the Suburban Residential (SR) land use character is most appropriate. The existing CH zoning is not consistent with the Future Land Use Map west of Veterans Parkway.

It is the desire of the City Administration Department for the Planning Commission to consider the matter of:

1. Zoning 52.7 acres to GDO-1;
2. Zoning 116.7 acres to GDO-3; and
3. Rezoning 101.7 acres from P to CH.

After Planning Commission's consideration, the City Administration recommends scheduling two public hearings on April 7, 2021. First, to schedule a public hearing for City property only. Second, to schedule a public hearing to consider the five properties that are not owned by the city.

Vice-Chairman Ken Halliburton asked if there was a developer in mind for changing the zoning for this request. Ms. Margaret Ann Green answered she did not know this request was from the City Administration Department.

# **MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 17, 2021**

**Vice-Chairman Ken Halliburton made a motion to schedule a public hearing for April 7, 2021, to rezone City property south of Burnt Knob Road, west of Blackman Road and north of Vaughn Road from Park to CH & GDO-3, seconded by Mr. Shawn Wright. The motion carried by unanimous vote in favor.**

**Mr. Shawn Wright made a motion to schedule a public hearing on April 7, 2021, to rezone five parcels that are privately-owned along Veterans Parkway and Burnt Knob Road to GDO-1, seconded by Mr. Rick LaLance. The motion carried by unanimous vote in favor.**

There being no further business the meeting adjourned at 2:45 p.m.

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Chair

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Secretary

GM:cj