

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 18, 2022

1:00 PM

CITY HALL

## MEMBERS PRESENT

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

## STAFF PRESENT

Greg McKnight, Planning Director  
Matthew Blomeley, Assistant Planning Director  
Margaret Ann Green, Principal Planner  
Marina Rush, Principal Planner  
Holly Smyth, Principal Planner  
Amelie Kerr, Planner  
Brad Barbee, Planner  
Joel Aguilera, Planner  
Katie Noel, Project Engineer  
Gabriel Moore, Project Engineer  
Serena Harris, Recording Assistant  
David Ives, Deputy City Attorney  
Roman Hankins, Assistant City Attorney  
Sam Huddleston, Executive Dir. Dev't Services

### 1. Call to order.

Chair Kathy Jones called the meeting to order at 1:00 p.m.

### 2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

### 3. Approve minutes of the April 20, 2022, Planning Commission meeting.

Mr. Chase Salas moved to approve the Minutes of the April 20, 2022 Planning Commission meeting; the motion was seconded by Mr. Warren Russell and carried by the following vote:

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

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Chase Salas

Shawn Wright

Nay: None.

#### 4. **Consent Agenda:**

Chair Kathy Jones stated revised plans had been submitted for item G. regarding Taco Bell [2022-3045] and emailed to the Planning Commissioners on 5/17/2022 for their review before today's meeting.

**Carlton Landing, Section 5 [2022-1016]** preliminary plat for 70 lots on 24.4 acres zoned RS-10 located along Gladstone Lane, Cornerstone Development, LLC developer.

**The Row on Bilbro Townhomes [2022-2031]** horizontal property regime plat for 18 dwelling units on 1.3 acres zoned PRD located along South Bilbro Avenue and East State Street, WB Holdings developer.

**Parkway Place, Resubdivision of Lot 3 [2022-2027]** final plat for 2 lots on 3.1 acres zoned PID located along Treasure Drive and Richard Reeves Drive, Swanson Development, LP developer.

**Jackson Park, Resubdivision of Lots 1A, 1B, 1D, and 1E [2022-2029]** final plat for 2 lots on 30.4 acres zoned L-I located along Joe B Jackson Parkway, Liberty Property Company developer.

**The Maples, Section 6 [2022-2033]** final plat for 52 lots on 20.3 acres zoned RS-12 located along Maples Farm Drive, The Maples, Inc. developer.

**Valley Farms, Section 4 [2022-1012]** preliminary plat for 55 lots on 11.8 acres zoned PUD in the unincorporated County and served as an outside the City sewer customer located along Dunbar Lane, Valley Farms Group, LLC developer.

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**Taco Bell [2022-3045]** site plan for a 2,100 ft<sup>2</sup> restaurant with drive-thru on 1.09 acres zoned H-I located on the southside of Joe B Jackson Parkway east of Elam Farms Parkway, CVHC8, LLC developer.

**Whataburger [2022-3048]** site plan for 3,751 ft<sup>2</sup> carry-out restaurant on 1.3 acres zoned CH located along Memorial Boulevard and Airport Road, Andy Beaupre & Moody Ramin developer.

There being no further discussion, Mr. Warren Russell moved to approve the Consent Agenda subject to all staff comments; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

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

Nay: None.

## 5. **Old Business:**

**Annexation petition and plan of services [2022-501] for approximately 78 acres located along Highway 99 south of Clearidge Drive, Ferrari Partners, LP applicant.**

Ms. Marina Rush presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Ms. Marina Rush stated if approved, Staff recommends removing the 3,600 linear-foot segment of Highway 99 ROW from the annexation area.

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The Planning Commission began discussing the annexation petition and asked would the Tennessee Department of Transportation be notified regarding access connections onto Highway 99. Mr. Matt Taylor (design engineer) explained the construction plans would be submitted to the City. Next, they would make an application with TDOT for approval. In addition, they had conducted a neighborhood meeting to address the concerns that had been expressed during the public hearing.

There being no further discussion, Mr. Rick LaLance moved to approve the Annexation petition and plan of services subject to all staff comments and to excluding the Highway 99 right-of-way from the study area and the plan of services; 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.

**Zoning application [2022-401] for approximately 68 acres located along Highway 99 south of Clearidge Drive to be zoned PRD simultaneous with annexation, Patterson**

**Company applicant.** Ms. Marina Rush presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Ms. Marina Rush stated Staff supports the zoning request to PRD for the following reasons:

Mr. Matt Taylor came forward stating they would comply with the current Murfreesboro Street Specifications for this proposal. In addition, Mr. Matt Taylor explained the storm

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drainage and detention calculations would be provided to City Staff and TDOT for their review and approval.

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. 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.

**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. Continuing, Ms. Margaret Ann Green stated, notable changes the zoning application includes:

- Reduction in the number of apartments from 274 dwelling units to 232 dwelling units;
- Increase the square footage of TDK's office building from 50,000 s.f. up to 60, 000 square feet minimum;
- Increase the parking area for the proposed apartments only; and
- Clarified the parking exceptions for the proposed apartments.

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Mr. Matt Taylor (design engineer) and Mr. Ross Bradley (developer) were in attendance representing the application. Mr. Taylor stated that they have added language prohibiting the following uses: liquor store, beer and tobacco store, and convenience store.

Vice-Chairman Ken Halliburton requested for shared parking to be considered with the future CH lot to the north. Ms. Green stated she would research this request further. Mr. Shawn Wright asked if the office space would be built first, to which Mr. Ross Bradley answered yes.

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  
Warren Russell  
Chase Salas  
Shawn Wright  
Nay: Jami Averwater  
Rick LaLance

## 6. GDO:

### On Motion

**Clari Park Section 1 [2022-2030] final plat for 12 lots on 36.2 acres zoned CH, PUD, GDO-1, & GDO-2 located along Medical Center Parkway, Roby Corlew Lane, Willowoak Trail, and Wilkinson Pike, Hines Clari Park Land Holdings, LLC developer.** Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

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There being no further discussion, Mr. Warren Russell moved to approve the final plat subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

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

Nay: None.

## 7. **Plats and Plans:**

### **On Motion**

**Westlawn Commercial East Lot 7 (Liberty Financial) [2022-3046] site plan review for a 6,840 ft<sup>2</sup> bank located on 2.9 acres zoned PUD located along Veterans Parkway and Blackman Road, Evansville Teachers Federal Credit Union developer.** Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

Mr. Matt Taylor (design engineer) and the design team were in attendance for the meeting to address any questions.

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

Aye: Kathy Jones

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Ken Halliburton

Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

**Westlawn Commercial East [2022-1014] master plan amendment for 8 lots zoned PUD located along Veterans Parkway and Blackman Road, Oscar Properties, LLC developer.** Mr. Joel Aguilera presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the master plan amendment subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

**Westlawn Commercial East, Resubdivision of Lot 7 [2022-2022] final plat for 2 lots on 7.2 acres zoned PUD located along Veterans Parkway and Blackman Road, Oscar Properties, LLC developer.** Mr. Joel Aguilera presented the Staff Comments regarding



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this item, a copy of 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. Warren Russell moved to approve the final plat subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

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

Nay: None.

**The Arbors at Compton, Section 1 [2022-1013] master plan and preliminary plat for 90 lots on 49.8 acres zoned PRD located along Compton Road, Middle Tennessee Developers, LLC developer.** Mr. Joel Aguilera 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 representing the application.

There being no further discussion, Mr. Chase Salas moved to approve the master plan and preliminary plat subject to all staff comments; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater

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Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

**Westwind Reserve, Section 4 [2022-1011] master plan amendment and preliminary plat for 26 lots on 5.3 acres zoned RS-6 located along Hallanday Drive and Drysdale Drive, Cornerstone Development, LLC developer.** Mr. Brad Barbee presented the Staff Comments regarding this item, a copy of 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 representing the application.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the master plan amendment and preliminary plat subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

**Salem Oaks [2022-1015] preliminary plat for 74 lots on 24.98 acres zoned CH and RS-8 located along New Salem Highway, Salem Properties, Inc. developer.** Mr. Brad Barbee presented the Staff Comments regarding this item, a copy of which is maintained

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in the permanent files of the Planning Department and is incorporated into these Minutes by reference.

There being no further discussion, Ms. Jami Averwater moved to approve the preliminary plat subject to all staff comments; the motion was seconded by Mr. Warren Russell and carried by the following vote:

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

Nay: None.

**Take 5 Car Wash- modifications to approved building elevations for existing car wash locations: West Clark Boulevard [2022-3008], South Rutherford Boulevard [2022-3010], and Cedar Glades Drive [2022-3011], Boing US Holdco, Inc. developer.** Ms. Amelia Kerr presented the Staff Comments regarding these items, copies of which are maintained in the permanent files of the Planning Department and are incorporated into these Minutes by reference.

Ms. Amelia Kerr stated she would be presenting each application and requested for three separate motions be made for each individual Take 5 Car Wash site plan application.

Mr. Wesley Monaghan, representing Take r, 3327 Belfort Court, was in attendance.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan application for West Clark Boulevard [2022-3008] 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.

There being no further discussion, Mr. Warren Russell moved to approve the site plan application for South Rutherford Boulevard [2022-3010] subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

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

Nay: None.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan application for Cedar Glades Drive [2022-3011] subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Rick LaLance

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Warren Russell

Chase Salas

Shawn Wright

Nay: None.

## 8. **New Business:**

Schedule Public Hearings

**Zoning application [2022-404] for approximately 1.5 acres located at 915 Haynes Drive to be rezoned from RS-15 to PRD (Beau Monde PRD), Blue Sky Construction applicant.** Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Ms. Margaret Ann Green commented that a neighborhood meeting had been conducted for this application at the end of last year.

Mr. Bennie Pandorf of Huddleston-Steele Engineering, representing the developer, came forward to begin 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.

There being no further discussion, Mr. Chase Salas moved to schedule a public hearing on June 1, 2022; the motion was seconded Mr. Warren Russell by 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.

**Zoning application [2022-405] for approximately 0.85 acres located at 1540 Commonwealth Court to be rezoned from RS-10 to PCD (Georgetown Park Parking Lot PCD), Skeeter Beaulieu applicant.** Ms. Margaret Ann Green presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Margaret Ann Green commented that a neighborhood meeting had been conducted at Five Senses last year which had been well attended.

Mr. Bennie Pandorf of Huddleston-Steele Engineering, representing the developer, came forward to begin 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.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on June 1, 2022; 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.

**Annexation petition and plan of services [2021-504] for approximately 16.3 acres located along Emery Road, The Anne Watkins Family Emery Road Trust and The**

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**Samuel Watkins Family Emery Road Trust applicant.** Ms. Holly Smyth presented the Staff Comments regarding this item, a copy of 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. Rick LaLance moved to schedule a public hearing on June 1, 2022; 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.

**Zoning application [2022-406] for approximately 16.3 acres located along Emery Road to be zoned RS-10 simultaneous with annexation, Jeramie Taber applicant.** Ms. Holly Smyth presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Continuing, Ms. Smyth made known a neighborhood meeting would be conducted Tuesday, May 24, 2022, starting at 5:30 p.m. at Exit Realty on Memorial Boulevard.

There being no further discussion, Mr. Rick LaLance moved to schedule a public hearing on June 1, 2022; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

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Ken Halliburton

Jami Averwater

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

**Annexation petition and plan of services [2022-503] for approximately 11.4 acres located along Lascassas Pike and East Pitts Lane, Betty Taylor, Elizabeth Taylor, and Terry Taylor applicants.** Ms. Holly Smyth presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Ms. Holly Smyth made known Staff is unable to support the annexation and zoning requests.

There being no further discussion, Mr. Shawn Wright moved to schedule a public hearing on June 1, 2022; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Warren Russell

Chase Salas

Shawn Wright

Nay: None

Abstain: Rick LaLance

**Zoning application [2022-407] for approximately 11.4 acres located along Lascassas Pike and East Pitts Lane to be zoned CF simultaneous with annexation, Murfreesboro**



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**Medical Clinic applicant.** Ms. Holly Smyth presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Ms. Holly Smyth made known Staff is unable to support the annexation and zoning requests.

Mr. Shawn Wright asked if there was any reason why this property had not been considered for PUD zoning.

There being no further discussion, Mr. Shawn Wright moved to schedule a public hearing on June 1, 2022; the motion was seconded by Mr. Warren Russell and carried by the following vote:

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

Nay: None

Abstain: Rick LaLance

**Zoning Ordinance amendment [2022-803] regarding amendments to Section 2, Chart 1, and Chart 4 pertaining to uses permitted, City of Murfreesboro Planning Department applicant.** Ms. Marina Rush presented the Staff Comments regarding this item, a copy of 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. Warren Russell moved to schedule a public hearing on June 1, 2022; the motion was seconded by Mr. Chase Salas 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.

## **Staff Reports and Other Business:**

**Mandatory Referral [2022-713] to consider the Dedication of an MTE electric easement at the General Bragg Trailhead along West College Street, City of Murfreesboro Legal Department applicant.** Mr. David Ives presented the Staff Comments regarding this item, a copy of which is maintained in the permanent files of the Planning 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 Ms. Jami Averwater 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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Mandatory Referral [2022-714] to consider the Acquisition of right-of-way and temporary construction easements for Chaffin Place road improvements, City of Murfreesboro Legal Department applicant. Mr. David Ives presented the Staff Comments regarding this item, a copy of 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. 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.

## 10. Adjourn.

There being no further business the meeting adjourned at 3:45 PM

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Chair

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Secretary

GM: cj