

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 16, 2021

1:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Warren Russell
Chase Salas
Shawn Wright
Ronnie Martin

STAFF PRESENT

Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Amelia Kerr, Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Carolyn Jaco, Recording Assistant
David Ives, Deputy City Attorney
Roman Hankins, Assistant City Attorney
Teresa Stevens, Sign Administrator
Ram Balachandran, Traffic Engineer
Jim Kerr, Transportation Director
Russ Brashear, Assistant Transportation Director

1. Call to order:

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

2. Determination of a quorum:

Chair Jones determined that a quorum was present.

3. Consent Agenda:

Calderon Subdivision [2021-2042] final plat review for 2 lots on 0.3-acres zoned RS-4 and CCO located along Reid Avenue, Armando and Karen Calderon developers.

Green Pastures, Resubdivision of Lot 23 [2021-2044] final plat review for 2 lots on 0.49-acres zoned RS-10 located along South Baird Lane and Sherrill Boulevard, Howard George, III developer.

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Airport Road, Lot 1 [2021-2048] final plat for 1 lot on 1.28 acres zoned CH located along Memorial Boulevard and Airport Road, City of Murfreesboro developer.

Oakland Court, Resubdivision of Lots 1,2,4 and 5, and the 2nd Resubdivision of Lot 3 [2021-2038] final plat for 5 lots on 18.75 acres zoned PRD located along North Academy Street and East Hembree Street, Murfreesboro Housing Authority developer.

Hastings Property South, Lots 1-6 [2021-1014] preliminary plat for 6 lots on 13.77 acres zoned CH located along Joe B Jackson Parkway and Manchester Pike, Denny Hastings Family LTD Partnership II developer.

Salem Landing Commercial, Lot 1 [2021-2045] final plat for 1 lot on 2.0 acres zoned CH located along New Salem Highway and Rivermont Way, Rucker Donnell Foundation developer.

The Gardens of Three Rivers, Resubdivision of Lot 5 [2021-2049] final plat for 4 lots on 0.38-acres zoned PRD located along Elmcroft Avenue, Patterson Company, LLC developer.

The Gardens of Three Rivers, Resubdivision of Lot 21 [2021-2050] final plat for 3 lots on 0.3-acre zoned PRD located along Leawood Court, Harpeth Valley Homes, LLC developer.

The Gardens of Three Rivers, Resubdivision of Lot 9 [2021-2051] final plat for 3 lots on 0.29-acre zoned PRD located along Elmcroft Avenue, Patterson Company, LLC developer.

Journey Home, Lot 1 [2021-2047] final plat for 1 lot on 1.37 acres zoned H-I located along Old Salem Road, The Journey Home, Inc. developer.

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Old Hickory Buildings Office Building, Phase 1 [2020-3129] revised site plan (including new entrance off of Captain Joe Fulghum Drive) for 31,724 ft² office building on 5.9 acres zoned H-I located at the northwest corner of Middle Tennessee Boulevard and Old Salem Road, Old Hickory Buildings, LLC developer. **WITHDRAWN BY APPLICANT**

Marketplace at Savannah Ridge, Phase 1A, Lot 4 [2021-3067] site plan amendment for two multi-tenant commercial buildings totaling 12,875 ft² on 1.73 acres zoned PUD located along South Church Street, Murfreesboro North, LLC developer.

Meadows at Kimbro Woods Section 4 [2021-2039] final plat for 26 lots on 8.99 acres zoned PRD located along Shady Forest Drive, KW53, LLC developer.

Meadows at Kimbro Woods Section 5 [2021-2040] final plat for 36 lots on 4.7 acres zoned PRD located along Shady Forest Drive, KW53, LLC developer.

Maples Section 5 [2021-2046] final plat for 42 lots on 16 acres zoned RS-12 located along Merryman Lane, Mullendore Court, and Mendenhall Way, The Maples, Inc. developer.

Mr. Matthew Blomeley announced that design engineer Mr. Matt Taylor had sent an email on June 15, 2021, asking for Old Hickory Buildings Office Building, Phase 1 [2021-3129] to be withdrawn from the agenda. Mr. Taylor would like to bring the site plan back at a later date.

Mr. Rick LaLance moved to approve the Consent Agenda with the removal of Old Hickory Buildings Office Building, Phase 1; the motion was seconded by Mr. Shawn Wright, there being no further discussion, the motion carried by the following vote:

Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell

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Chase Salas

Shawn Wright

Nay:

None.

4. Gateway Design Overlay:

Robert Rose Village East, Lot 6 (The Blake at Gateway) [2021-6005 & 2021-3043] final design & site plan review of a 85,789 ft2 Assisted Living Facility located on 4.1 acres zoned MU & GDO-1 along Robert Rose Drive and Lothric Way, The Blake at Gateway, LLC developer. 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.

Mr. Kyle Hoyt, the design engineer, was in attendance for the meeting.

There being no further discussion, Mr. Rick LaLance moved to approve the final design and site plan review subject to all staff comments; seconded by Mr. Shawn Wright and the motion carried by the following vote:

Aye: Chair Kathy Jones

Vice-Chairman Ken Halliburton

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay:

None.

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North Church Property, Lot 18 [2021-6003 & 2021-3031] final design & site plan review of a 24,658 ft² commercial center/gas station located on 3.1 acres zoned CH and GDO-1 located along Medical Center Parkway and Silohill Lane, Gateway Investments, Inc., LLC developer. 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. Candace Shriver (architect) and Mr. Rob Molchan (landscape architect) were in attendance to represent the application.

The Planning Commission began discussing the site plan and the proposed changes that had been made since the Planning Commission meeting on April 21, 2021. Items discussed included the following:

- Perimeter landscaping near the retention pond would be 3 feet high at planting season with three-inch caliper trees. Within ten years the shrubs should be 5/6 feet high; and the canopy trees at full growth would be around 40-60 feet high.
- Signage would be restricted to the GDO-3 standards.
- Could suggestions be made regarding the proposed signage?

Ms. Teresa Stevens, Sign Administrator, came forward stating the City could not regulate signage content. If the applicant volunteers to restrictions on content, that would be their decision.

Mr. LaLance stated he could not support the proposal due to the increase of traffic to this property, and the liquor store use with its signage along Medical Center Parkway.

Vice-Chairman Ken Halliburton asked for more details regarding the windows not being blocked with advertisement or inventory for the proposed liquor store. Ms. Shriver came forward stating that the windows in front of the proposed liquor store would be 6'8" in

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height; the windows would not be blocked with shelving, signage, bottles, etc... Vice-Chairman Ken Halliburton asked if this type of window could be regulated? Ms. Stevens stated they could only enforce what is in the Sign Ordinance. In addition, shelving is not part of signage; however, if a sign is placed on a shelf within three feet of the windows, it is considered a window sign.

Mr. David Ives made known the Sign Ordinance does allow certain signage in windows. However, the Planning Commission could place a condition that no window signs would be placed on the building. This is not restricting speech. In a sensitive area, the Planning Commission could consider placing limitations that there not be window signage allowed on this particular building. In addition, if the use changes in the future from a liquor store to something else, they could come back requesting the limitations to be modified.

Mr. Shawn Wright commented that he does not approve of a liquor store being the first building being viewed coming off of the interstate into our City and into the Gateway. Therefore, he does not support this site plan.

Vice-Chairman Ken Halliburton voiced his concerns there would be no control with signage for the proposed liquor store use in the Gateway. In addition, he does not approve this type of use being viewed by those coming off of the interstate into the entrance of our City and Medical Center Parkway. He is not in favor of this request.

Chair Jones stated that she agrees with the comments that have been stated.

Mr. Rob Molchan came forward stating that, based on the comments that have been made, he requested to defer the site plan to a future date and time. He commented that he would continue working with the client to address the uses, traffic flow, etc... for this property

There being no further discussion, Mr. Rick LaLance moved to indefinitely defer the request with it to come back for both initial and final design review when it is ready. Mr.

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Molchan indicated his consent to the deferral on behalf of the applicant. The motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell
Chase Salas
Shawn Wright

Nay:

None.

Jackson Motel [2021-6006 & 2021-3046] site plan review for parking lot modifications to an existing Extended Stay Motel located on 1.4 acres zoned CH & GDO-4 located at 831 NW Broad Street, Dev P LLC developer. 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 the applicant had appeared in City Court on April 20, 2021, regarding the fire damage to his building. Judge Ewing Sellers gave the applicant 30 days to hire a contractor and another 30 days to complete the work (60 days total). On June 15, 2021, the applicant did not appear in City Court; therefore, Judge Sellers started a preliminary order for the owners to pay fines.

Ms. Green explained that Huddleston-Steele has provided a site plan for this property which meets minimum standards. The proposal would be in two Phases. For Phase 1, it includes landscaping to their building and along Medical Center Parkway.

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The Planning Commissioners began discussing the proposal and agreed there could be issues or discrepancies with the applicant's insurance which could cause the applicant not to be able to repair the fire-damaged rooms.

There being no further discussion, Mr. Rick LaLance made a motion to approve with a condition for the applicant to first repair the fire-damaged area of the building and that the repair work be approved by the Building and Codes Department, as well as all other staff comments. The motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell
Chase Salas
Shawn Wright

Nay:
None.

Jackson Motel Lots 1 & 3 Resub [2021-2043] final plat for 1 lot on 1.3 acres zoned CH & GDO-4 along NW Broad Street and Medical Center Parkway, Dev P LLC developer. 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.

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

Aye: Chair Kathy Jones

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Vice-Chairman Ken Halliburton

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay:

None.

5. Plats and Plans:

Hidden River Estates, Phase 1B [2021-3066] site plan for 102 single-family attached dwellings (townhomes) on 39.61 acres zoned PUD located north of Cason Trail east of Stoney Meadow Drive, Hidden River Holding Company, LLC developer. 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 requested for Staff Comment number 4 be modified to eliminate the text regarding the removal of the vinyl fence.

Mr. Brian Burns came forward stating they prefer to use white decorative fencing to match the white material to be used for the soffits and trim.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject to the following:

- The applicant provide patio fence details to address material and color.
- The applicant provides berm and landscape screening along public right-of-way.
- The applicant addresses all other staff comments.

The motion was seconded by Mr. Chase Salas and carried by the following vote:

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Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell
Chase Salas
Shawn Wright

Nay:
None.

Kings Landing Villas [2021-1016] master plan and preliminary plat for 30 lots on 13.2 acres zoned PRD, Black Diamond Construction LLC developer. 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 explained during review there were items and concerns that needed to be addressed with the preliminary plat being the following:

- The roundabout design plans are incomplete.
- The roundabout design would have to meet the Fire Department requirements for their fire trucks and vehicles.
- Details for the applicant's signage, striping and cross sections are incomplete.
- The applicant needs to provide plans to address the commitments that had been made during the Planning Commission and City Council zoning process. The applicant agreed to add a 10-foot drainage easement on their property with the existing 10-foot drainage easement at Northboro Subdivision. The total drainage easement would be approximately 20 feet.

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- Provide information which shows the locations for the street trees and how they will be impacted by driveways and utilities.

Mr. Enoch Jarrell (design engineer) stated they would address all comments and he asked to move forward with approval.

There being no further discussion, Mr. Rick LaLance moved to approve the master plan and preliminary plat subject to all staff comments written and verbal; seconded by Mr. Shawn Wright and the motion carried by the following vote:

Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell
Chase Salas
Shawn Wright

Nay:
None.

New Business:

Mandatory Referral and Right-of-way Abandonment [2021-708] to consider abandonment of the rights-of-way of Berry Place, Burns Court, and Essex Court, Murfreesboro Housing Authority applicant. Ms. Holly Smyth 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. All three street abandonment rights-of-way would be conducted in three separate public hearings due to being three separate roadways.

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There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule three separate public hearings on July 14, 2021; seconded by Mr. Chase Salas; and the motion carried by the following vote:

Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell
Chase Salas
Shawn Wright

Nay:
None.

Zoning application [2021-413] for approximately 5.4 acres located along Bridge Avenue and New Salem Highway to be rezoned from RS-10 to PND (Transit Center PND), City of Murfreesboro applicant. Ms. Holly Smyth 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.

Vice-Chairman Ken Halliburton asked if other transportation maintenance uses would be permitted at this facility such as, Greyhound buses or City school buses.

Mr. Jim Kerr, Transportation Director, made known this facility would be strictly for the Rover Bus System, which is regulated by the Federal Government. Therefore, they must meet and follow certain guidelines. Also, this particular facility would service both Rover and RTA (The Regional Transportation Authority).

There being no further discussion, Mr. Warren Russell made a motion to schedule a public hearing on July 14, 2021; seconded by Vice-Chairman Ken Halliburton; the motion carried by the following vote:

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Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Rick LaLance
Warren Russell
Chase Salas
Shawn Wright

Nay:
None.

7: Staff Reports and Other Business:

Mr. Blomeley reminded the Planning Commission the because of the fourth of July holiday, the Planning Commission July meetings would be conducted on July 14, 2021 at 6:00 p.m. and July 21, 2021, at 2:30 p.m.

8. Adjourn:

There being no further business the meeting adjourned at 2:30 p.m.

Chair

Secretary