

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MARCH 15, 2023

1:00 PM

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Ken Halliburton, Vice-Chair
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

STAFF PRESENT

Greg McKnight, Executive Dir. Dev't Services
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Amelia Kerr, Planner
Carolyn Jaco, Recording Assistant
Gabriel Moore, Project Engineer
Jennifer Knauf, Project Engineer
Roman Hankins, Assistant City Attorney

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 February 15, 2023 & March 1, 2023 Planning Commission meetings.

Mr. Chase Salas moved to approve the minutes of the February 15, 2023 and March 1, 2023 Planning Commission meetings; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince

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Chase Salas

Shawn Wright

Nay: None

4. **Consent Agenda:**

Beau Monde [2023-1007] preliminary plat for 4 lots on 1.4 acres zoned PRD located along Haynes Drive, Blue Sky Construction developer.

Enterprise, Lot 1 [2023-2011] final plat for 1 lot on 4.7 acres zoned CH located along Franklin Road and Bob Kelley Drive, 2000 Pingree Real Estate Holdings, LLC developer.

Waites Creek Crossing, Section 2, Phase 1A [2023-2013] final plat for 12 lots on 3.3 acres zoned RS-A, Type 1 located along Ashers Fork Drive, O'Brien Loyd Venture developer.

Waites Creek Crossing, Section 2, Phase 1B [2023-2014] final plat for 20 lots on 2.6 acres zoned RS-A, Type 1 located along Ashers Fork Drive, O'Brien Loyd Venture developer.

Waites Creek Crossing, Section 2, Phase 2A [2023-2015] final plat for 5 lots on 1.6 acres zoned RS-A, Type 1 located along Blackwater Drive, O'Brien Loyd Venture developer.

Waites Creek Crossing, Section 2, Phase 2B [2023-2019] final plat for 10 lots on 1.3 acres zoned RS-A, Type 1 located along Blackwater Drive, O'Brien Loyd Venture developer.

Seals Way, Resubdivision of Lot 2 [2023-2016] final plat for 2 lots on 1.8 acres zoned H-I located along Seals Way and Park Avenue, Swanson Development, LP developer.

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West Point, Lot 22 [2023-2009] final plat for 1 lot on 2 acres zoned L-I located along Beasie Road, Charlie B. Mitchell, Jr. developer.

Samsonite Development, Resubdivision of Lots 6 & 9 and the Resubdivision of Lot 1 of the Murphy Subdivision [2023-2017] final plat for 3 lots on 12.5 acres zoned H-I located along Middle Tennessee Boulevard and Captain Joe Fulghum Drive, Swanson Development, LP developer.

Thos. Henry White Farm, Resubdivision of Lots 1-6 [2023-2018] final plat for 1 lot on 9.26 acres zoned H-I located along Northwest Broad Street and North Thompson Lane, 84 Properties, LLC developer.

Alexander Square, Resubdivision of Lot 1 [2023-2012] final plat for 2 lots on 4.7 acres zoned CH located along South Rutherford Boulevard and John Bragg Highway, Alexander Square Partnership developer.

Murphy Subdivision, Lot 1 [2023-3020] site plan for site modifications at an existing 6,000 ft² office and warehouse building on 0.72 acres zoned H-I located at 539 Middle Tennessee Boulevard, Swanson Development, LP developer.

Mandatory Referral [2023-708] to consider the abandonment of a drainage easement located on property at North Thompson Lane, Bradyville Pike and Searcy Street, Middle Tennessee Electric applicant. *(Ed. Note: The heading for this item was incorrect in the published agenda, and the attachments were inadvertently omitted from the agenda packet. As a result, even though the approval of this item was included in the motion to approve the consent agenda, its approval is moot because the information provided was inaccurate and incomplete.)*

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Mandatory Referral [2023-709] to consider the dedication of right-of-way & temporary construction easements to TDOT along New Salem Highway, City of Murfreesboro applicant.

Mandatory Referral [2023-710] to consider the dedication of right-of-way & temporary construction easements to TDOT along Thompson Lane, City of Murfreesboro applicant.

There being no further discussion, Ms. Jami Averwater 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
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

5. GDO:

On Motion

Clari Park, Lot 1 (Whataburger) [2022-6017 & 2022-3127] initial design review of a 3,318 ft2 restaurant with drive-thru located on 1.4 acres zoned CH and GDO-1 located along Medical Center Parkway and Willowoak Trail, Whataburger Restaurants, 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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The Planning Commission expressed their concerns with the design presented for the proposed drive-thru. The traffic flow along Willowoak Trail would be negatively impacted by the drive-thru, creating problems with overflow of traffic onto Willowoak Trail. In addition, the overflow of traffic from the drive-thru should be located entirely on the Whataburger parking lot.

Ms. Morgan Salsman (project engineer), Mr. Micah Gates (landscape architect), and other members of the design team were in attendance representing the application. Mr. Micah Gates explained the traffic management plan.

There being no further discussion, Mr. Shawn Wright moved to defer the initial design review so the applicant could continue working to address overflow traffic related to the drive-thru; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Clari Park, Lot 4 (Black Rifle Coffee) [2023-6003 & 2023-3019] initial design review of a 2,720 ft2 drive-in restaurant located on 1.1 acres zoned CH & GDO-1 located along Medical Center Parkway and Roby Corlew Lane, Blacktide Development, 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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Mr. Matt Hamilton (landscape architect) and other members of the design team were in attendance representing the application. Mr. Matt Hamilton explained the traffic management plan for the proposed drive-thru.

There being no further discussion, Ms. Jami Averwater moved to approve the initial design review subject to all staff comments including adding striping for improvements to the traffic pattern for this site; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

6. **Plats and Plans:**

On Motion

Hy-Vee – New Salem [2023-3021] site plan for 116,000 ft² grocery store and a 6,000 ft² convenience store with fueling station on 28.5 acres zoned CH and RM-16 located along New Salem Highway and Barfield Road, Hy-Vee, Inc. developer. 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. Rush distributed to the Planning Commissioners additional staff comments that addressed revisions which had been made to the proposed site plan. She recommended

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approval of the site plan subject to all staff comments, including the additional staff comments, and for the applicant to continue working with staff on addressing these comments prior to the issuance of permits.

Mr. Matt Taylor (design engineer), Mr. Randy Downs (project manager), and Mr. Phil Hoey (real estate manager) were in attendance representing the application. Mr. Matt Taylor stated they would continue working with staff on this proposal.

There being no further discussion, Mr. Shawn Wright moved to approve the site plan subject to all staff comments, including the additional comments provided at today's meeting, and the applicant continuing to work with staff on addressing staff comments prior to the issuance of permits; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Hy-Vee [2023-3022] integrated site plan review for 153,056 ft² Neighborhood Shopping Center and 10,126 ft² liquor store on 21.6 acres zoned CH & CF located along Memorial Boulevard and Haynes Drive, Hy-Vee, Inc. 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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Mr. Matt Taylor (design engineer) and other members of the design team were in attendance representing the application. Mr. Matt Taylor stated they would continue working with staff on the public and private partnership on drainage, public infrastructure, public utility easements for a sewer line, etc.

Mr. Greg McKnight came forward to explain, if the site plan is approved, then any items not currently addressed would be resolved before any building permits are issued.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject to all staff comments, including the additional comments provided at today's meeting, and the applicant continuing to work with staff on addressing staff comments prior to the issuance of permits; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Hy-Vee – Memorial Blvd. Subdivision [2023-1008] Master Plan & Integrated preliminary plat for 8 lots on 34.2 acres zoned CH & CF located west of Memorial Blvd and north of Haynes Drive, Hy-Vee, Inc. 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, Vice-Chairman Ken Halliburton moved to approve the master plan and preliminary plat subject to all staff comments, including the additional comments provided at today's meeting, and the applicant continuing to work with staff on addressing staff comments prior to the issuance of permits; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Palmer Heights, Resubdivision of Lots 1-9 (Hy-Vee Memorial) [2023-2010] final plat for 8 lots on 34.2 acres zoned CH and CF located along Memorial Boulevard and Haynes Drive, Hy-Vee 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, Mr. Chase Salas moved to approve the final plat 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
Bryan Prince
Chase Salas

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Shawn Wright

Nay: None

Hy-Vee [2023-3028] site plan review for 5,400 ft² gas station, 4,067 ft² convenience store & 2,540 ft² drive-thru restaurant on 2 acres zoned CH located along Memorial Boulevard, Hy-Vee Inc. 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. Matt Taylor (design engineer) and the design team were in attendance representing the application.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the site plan subject to all staff comments, including the additional comments provided at today's meeting, and the applicant continuing to work with staff on addressing staff comments prior to the issuance of permits; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

7. **New Business:**

Zoning application [2023-402] for approximately 22 acres located along Wenlon Drive to be rezoned from RM-12 to PRD (The Murph PRD), Eastman Residential

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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, Vice-Chairman Ken Halliburton moved to schedule a public hearing for April 5, 2023; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Zoning application [2023-403] for approximately 17.98 acres located along East Northfield Boulevard and North Tennessee Boulevard to be rezoned from CF to PRD (Northfield Acres PRD – 14.7 acres) and PCD (Northfield Acres PCD – 3.28 acres), Haury & Smith Contractors, Inc. 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.

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

There being no further discussion, Mr. Chase Salas moved to schedule a public hearing for April 5, 2023; the motion was seconded by Vice-Chairman Ken Halliburton and carried by the following vote:

Aye: Kathy Jones

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Ken Halliburton

Jami Averwater

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

Annexation petition and plan of services [2023-502] for approximately 8.6 acres located along Manson Pike, Marsha Love 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.

Mr. Matt Taylor was in attendance representing the application.

There being no further discussion, Mr. Shawn Wright moved to schedule a public hearing for April 5, 2023; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

Zoning application [2023-404] for approximately 8.2 acres located along Manson Pike to be zoned PND (Rutherford Collegiate Prep PND) simultaneous with annexation, Ryan Companies US, Inc. applicant. Ms. Marina Rush presented the Staff Comments

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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 school representatives were in attendance representing the application.

There being no further discussion, Ms. Jami Averwater moved to schedule a public hearing on April 5, 2023; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

8. Staff Reports and Other Business:

Mandatory Referral [2023-704] to consider the abandonment of a repurified water line easement on property located along Greshampark Drive and Medical Center Parkway, Chris Mabery of Ragan Smith on behalf of Hines Clari Park Land Holdings, LLC applicant. Ms. Amelia Kerr 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 the conditions listed in the staff report; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

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Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Mandatory Referral [2023-705] to consider the abandonment of a portion of a sanitary sewer easement on property located at the corner of New Salem Highway and Rivermont Way, Matt Taylor of SEC, Inc. applicant. Ms. Amelia Kerr 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, Ms. Jami Averwater moved to approve the mandatory referral subject to the conditions listed in the staff report; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Mandatory Referral [2023-707] to consider the abandonment of a portion of a drainage easement, a temporary construction easement, and a public utility and drainage easement on property located at the northwest corner of Memorial

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Boulevard and Haynes Drive, Matt Taylor with SEC, Inc. applicant. 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 mandatory referral subject to the conditions listed in the staff report; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton
Jami Averwater
Bryan Prince
Chase Salas
Shawn Wright

Nay: None

Mandatory Referral [2023-706] to consider the abandonment of a drainage easement located on property at 539 Middle Tennessee Boulevard, Huddleston-Steele Engineering, Inc. on behalf of Joe Swanson, Jr. applicant. 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, Mr. Chase Salas moved to approve the mandatory referral subject to the conditions listed in the staff report; the motion was seconded by Mr. Bryan Prince and carried by the following vote:

Aye: Kathy Jones
Ken Halliburton

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Jami Averwater

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

Mandatory Referral [2023-712] to consider the City's acquisition of Lot 82 of the Evergreen Farms Subdivision, City Administration Department applicant. Mr. Greg McKnight asked for approval of the mandatory referral and was available to answer any questions.

There being no further discussion, Ms. Jami Averwater 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

Bryan Prince

Chase Salas

Shawn Wright

Nay: None

Mr. Greg McKnight announced that City Manager Mr. Craig Tindall has appointed Ms. Jennifer Knauf, Project Engineer in the Planning Department, as Murfreesboro's Floodplain Administrator.

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PLANNING COMMISSION
MARCH 15, 2023**

9. Adjourn.

There being no further business the meeting adjourned at 3:00 p.m.

Chair

Secretary

GM cj