

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION APRIL 6, 2022

6:00 PM

CITY HALL

## Members Present

Ken Halliburton, Vice-Chair  
Rick LaLance  
Warren Russell  
Chase Salas  
Shawn Wright

## Staff Present

Greg McKnight, Planning Director  
Matthew Blomeley, Assistant Planning Director  
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

### 1. Call to order.

Vice-Chairman Ken Halliburton called the meeting to order at 6:00 p.m.

### 2. Determination of a quorum.

Vice-Chairman Ken Halliburton determined that a quorum was present.

### 3. Approve minutes of the March 16, 2022, Planning Commission meeting.

Mr. Warren Russell moved to approve the Minutes of the March 16, 2022, Planning Commission meeting; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Ken Halliburton

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

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## 4. Public Hearings and Recommendations to City Council:

Annexation petition and plan of services [2022-501] for approximately 79.7 acres located along Highway 99 south of Clearidge Drive, including right-of-way of approximately 3,600 linear feet of Highway 99, Ferrari Partners, LP 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), Mr. Wes Patterson (applicant), Mr. Jackson Nichols (applicant), and Mr. Greg Gamble (landscape architect) were in attendance representing the application.

Vice-Chairman Ken Halliburton opened the public hearing.

1. **Mr. Jay Cunningham, 9910 Taylor Road** – opposes the request until a traffic impact study has been provided to make known how traffic issues would be addressed.
2. **Mr. Pat Justice, 8081 Old Jackson Ridge Road** – opposes the request.
3. **Mr. David Ragsdale, 6971 Highway 99** – stated he was representing over 1,000 people who has signed a petition in opposition of this request.
4. **Mr. Gabriel Fancher, 5606 Old Salem Road** – opposes the request due to the existing overcrowding at Rockvale schools.
5. **Mr. Duke Barnes, 2108 Nunley Drive** – opposes the request.
6. **Mr. Timothy Hinote, 2100 Nunley Drive** – opposes the request due to overcrowding at Rockvale schools and traffic and drainage concerns.

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- 7. Mr. Michael Bryan, 5809 East Overall Creek Road** – opposes the request due to overcrowding at Rockvale schools and drainage.
- 8. Ms. Wendy Deberry, 3621 Thompson Road** – opposes the request due to sink holes and overcrowding at Rockvale schools.
- 9. Mr. Paul Boyd, 2221 Scout Drive** – opposes the request.
- 10. Ms. Kimberly Marson, 1122 Starhurst Drive** – opposes the request.
- 11. Mr. Doug York, 1218 Paramount Drive** - opposes the request due to traffic and drainage.
- 12. Mr. Pettus Read, 11795 Mt. Pleasant Road (Rutherford County Commissioner)** – opposes the request due to Rockvale schools being overcrowded, traffic issues, and the need for infrastructure improvements. Mr. Pettus provided a handout from Rockvale Ruritan Club against this request.
- 13. Mr. Jim Thompson, 2027 Watercolor Lane** –opposes the request.
- 14. Mr. Brady Allred, 5871 East Overall Creek Road** – opposes the request.
- 15. Ms. Jackie Panzik, 10669 South Windrow Road** – opposes the request due to flooding from sinkholes in this area.

Vice-Chairman Ken Halliburton closed the public hearing.

Mr. Matthew Blomeley discussed the proposed update to the City’s future land use map, which includes a service infill line.

Mr. Sam Huddleston explained how sanitary sewer was extended to this area for the schools.

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Mr. Matt Taylor addressed the stormwater system for drainage would be designed for this property; and, that it would be directed into the Tennessee Department of Transportation right of way. In addition, a traffic impact study has been completed with several recommendations that includes left and right turn lanes along the front of the property. The applicant is in agreement to implement all recommendations. Lastly, Mr. Taylor agreed to conduct a neighborhood meeting for the area residents to address their questions.

There being no further discussions, Mr. Shawn Wright moved to defer the annexation petition until a neighborhood meeting has been conducted and there is resolution regarding ingress/egress; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

Aye: Ken Halliburton

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

Mr. Matt Taylor (design engineer), Mr. Wes Patterson (applicant), Mr. Jackson Nichols (applicant), and Mr. Greg Gamble (landscape architect) 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

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incorporated into these Minutes by reference. Mr. Wes Patterson came forward to answer questions asked from the Planning Commission.

Vice-Chairman Ken Halliburton opened the public hearing.

1. **Mr. Pat Justice, 8081 Old Jackson Ridge Road** – opposes the request due to traffic and overcrowded schools.
2. **Mr. Gabriel Fancher, 5606 Old Salem Road** – opposes the request due to the traffic and overcrowded schools.
3. **Mr. Dylan Crouch, 2213 Scout Street** – opposes the request because the development is out of character with the area.
4. **Ms. Kimberly Marson, 1122 Starhurst Drive** – opposes the request due to drainage and traffic concerns.
5. **Mr. Mike Ryan, East Overall Creek Road** – opposes the request due to the proposed density and light pollution.
6. **Mr. Timothy Hinote, 2100 Nunley Drive** – opposes the request due to blasting, traffic, and because the development is out of character with the area.
7. **Mr. Pettus Read, 11795 Mt. Pleasant Road (Rutherford County Commissioner)** – opposes the request due to density and traffic concerns.
8. **Mr. Paul Boyd, 2221 Scout Drive** – opposes the request due to density and traffic concerns.
9. **Mr. Jim Thompson, 2027 Watercolor Lane** – opposes the request due to concerns, including drainage, traffic, and density.

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10. **Mr. David Ragsdale, 6971 Highway 99** – opposes the request due to traffic concerns and because the development is out of character with the area.

11. **Mr. Jay Cunningham, 9910 Taylor Road** – opposes the request due to traffic, drainage, and density concerns.

12. **Mr. Doug York, 1218 Paramount Drive** – requested for this proposal to be deferred until a neighborhood meeting has been conducted.

13. **Mr. Greg Gamble** (landscape architect) –agreed to host a neighborhood meeting.

Vice-Chairman Ken Halliburton closed the public hearing.

Mr. Matt Taylor addressed the traffic, drainage, and lighting concerns.

There being no further discussions, Mr. Shawn Wright moved to defer; the motion was seconded by Mr. Rick LaLance and carried by the following vote:

Aye: Ken Halliburton

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

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

**Mandatory Referral [2022-705] to consider the acquisition of property located along South Church Street and at the corner of South Church and NW Broad Street, City 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 Department and is incorporated into these Minutes by reference.

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Mr. David Ives stated if the Planning Commission recommends approval of the mandatory referral, it would be presented at the City Council meeting tomorrow night April 7, 2022, for final approval.

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

Aye: Ken Halliburton  
Rick LaLance  
Warren Russell  
Chase Salas  
Shawn Wright

Nay: None.

**Mandatory Referral [2022-706] to consider the acquisition of property for the daylighting of Town Creek located along NW Broad Street and Hickerson Drive, City 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 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 staff comments; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Ken Halliburton  
Rick LaLance  
Warren Russell  
Chase Salas  
Shawn Wright

Nay: None

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**Mandatory Referral [2022-707] to consider the acquisition of approximately 42 acres just north of the Thompson Lane/ NW Broad Street intersection for the operation of a park, City Parks and Recreation 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. Rick LaLance moved to approve the mandatory referral subject to staff comments; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Ken Halliburton  
Rick LaLance  
Warren Russell  
Chase Salas  
Shawn Wright

Nay: None.

**Mandatory Referral [2022-704] to consider the abandonment of drainage and sanitary sewer easements on property at the southeast corner of Manchester Pike and Keeneland Commercial Boulevard, Mr. Matt Taylor of SEC, Inc. 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. For the record, Ms. Smyth stated that Staff recommends approval to City Council subject to the following conditions:

1. The new sanitary sewer easement shall be recorded at a time to be determined by the Water Resources Department.
2. The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required



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to prepare and record the legal instrument of abandonment. This instrument would be subject to final review and approval of the City Legal Department.

3. The applicant would be responsible for recording the legal instrument, including paying any recording fees.

There being no further discussion, Mr. Rick LaLance moved to approve the mandatory referral subject to the recommended conditions of approval listed in the staff report; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Ken Halliburton

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

**Zoning application [2019-423] clarifying the correct boundary of the property that was rezoned along North Academy Street, East Lokey Avenue, East Hembree Street, Christy Court, Palm Court, and Jetton Drive from RD to PRD (Oakland Court PRD), Murfreesboro Housing Authority 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.

For the record, Mr. Matthew Blomeley stated that if the Planning Commission votes to recommend approval on the clerical error to clarify the correct boundary of property, it would be presented at the City Council tomorrow night April 7, 2022 for final approval.

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

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Aye: Ken Halliburton  
Rick LaLance  
Warren Russell  
Chase Salas  
Shawn Wright

Nay: None.

**Mandatory Referral [2022-708] to consider the dedication of an easement for Middle Tennessee Electric (MTE) City-owned property located at 7096-7122 Franklin Road, MTE 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 stated Staff recommends that the Planning Commission vote to recommend approval to City Council subject to the following conditions:

- 1) The legal instrument to dedicate the easement would be subject to the review and approval of the City Legal Department.
- 2) The applicant would be responsible for recording said legal instrument, including payment of any applicable recording fees.
- 3) Prior to recording the easement, MTE shall field locate the existing Atmos gas line and adjust the location of the pole as needed in order to maintain a minimum of 3' of separation from the gas line.

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

Aye: Ken Halliburton  
Rick LaLance  
Warren Russell

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Chase Salas

Shawn Wright

Nay: None.

**6. Adjourn.**

**There being no further business the meeting adjourned at 9:30 p.m.**

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**Chair**

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**Secretary**