

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 7, 2023

6:00 PM

CITY HALL

## MEMBERS PRESENT

Kathy Jones, Chair  
Ken Halliburton, Vice-Chair  
Jami Averwater  
Shawn Wright

## STAFF PRESENT

Holly Smyth, Principal Planner  
Brad Barbee, Planner  
Joel Aguilera, Planner  
Carolyn Jaco, Recording Assistant  
Roman Hankins, Assistant City Attorney

### 1. Call to order.

Chair Kathy Jones called the meeting to order at 6:00 p.m.

### 2. Determination of a quorum.

Chair Kathy Jones determined that a quorum was present.

### 3. Approve minutes of the May 17, 2023 Planning Commission meeting.

Mr. Shawn Wright moved to approve the minutes of the May 17, 2023 Planning Commission meeting; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones

Ken Halliburton

Jami Averwater

Shawn Wright

Nay: None

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

**Mandatory Referral [2023-717] to consider the abandonment of a portion of a public utility easement and a portion of Ashers Fork Drive public right-of-way (ROW).**

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 7, 2023

**Huddleston-Steele Engineering, 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.

Chair Kathy Jones opened the public hearing.

**Mr. Tim Seneker, 130 Spence Creek Road** – expressed concerns regarding drainage from the Waite’s Creek Crossing development.

The Planning Commission discussed the drainage concerns and agreed they would prefer for there to be assurance from the developer that the drainage issues would be addressed before any this request is approved.

There being no further discussion, Vice-Chairman Ken Halliburton moved to defer the request until there is an action plan in place between the developer and Mr. Seneker; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

- Aye: Kathy Jones
- Ken Halliburton
- Jami Averwater
- Shawn Wright

Nay: None

**Mandatory Referral [2023-715] to consider the abandonment of an approximately 815ft segment of alley right-of-way located west of Kings Highway, City of Murfreesboro Planning Department applicant.** 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.

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 7, 2023

The Planning Commission had questions on how this would affect approximately 20 property owners. Mr. Roman Hankins explained if the abandonment is approved, then portions of the right-of-way could be transferred to each adjacent property owner.

Chair Kathy Jones opened the public hearing.

1. **Ms. Vickie Lack, resident at 423 Douglas Avenue and owner of 414 Douglas Avenue** – asked for clarification on how this request would impact her property.
2. **Mr. Sam Parker, 311 Villa Street** - voiced concerns with the proposed abandonment.
3. **Ms. Jennifer Parker, 311 Villa Street** – voiced her concerns for property owners who have maintained the right-of-way for years and would have to relocate fences and structures that have been placed in the alley right of way.

Chair Kathy Jones closed the public hearing.

The Planning Commission began discussing the request making known that this is a City right-of-way and any private buildings, fences, etc. in this alley right-of-way are not on the homeowners' property.

Mr. Roman Hankins explained that, per State law, the only method to dispose of this alley right-of-way is abandonment. The alley right-of-way would be split in half from the centerline and go to each adjoining property owner. After studying this abandonment, it is in the City's best interest and the adjoining property owners' interest for the City to relinquish ownership of the right-of-way.

There being no further discussion, Vice-Chairman Ken Halliburton moved to approve the request subject to all staff comments, including all recommended conditions of approval in

# MINUTES OF THE MURFREESBORO PLANNING COMMISSION JUNE 7, 2023

the staff report; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones  
Ken Halliburton  
Jami Averwater  
Shawn Wright

Nay: None

Mr. Shawn Wright requested for someone to go out to this location to see if there would be any structures in the abandoned right-of-way after abandonment, and, if so, how those structures would be impacted.

## 5. Staff Reports and Other Business:

**Mandatory Referral [2023-719] to consider proposed underground electric easement to MTE located at 1930 Memorial Boulevard, City of Murfreesboro applicant.** Mr. Roman Hankins 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. Shawn Wright moved to approve the request 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  
Shawn Wright

Nay: None

**MINUTES OF THE  
MURFREESBORO PLANNING COMMISSION  
JUNE 7, 2023**

**Mandatory Referral [2023-722] to consider proposed easement to MTE located at 330 Robert Rose Drive, City of Murfreesboro applicant.** Mr. Roman Hankins 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. Shawn Wright moved to approve the request 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
- Shawn Wright

Nay: None

**6. Adjourn.**

**There being no further business the meeting adjourned at 6:48 p.m.**

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**Chair**

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**Secretary**

GM: cj