

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

2:30 PM

CITY HALL

MEMBERS PRESENT

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

STAFF PRESENT

Greg McKnight, Planning Director
Roman Hankins, Assistant City Attorney
Marina Rush, Principal Planner
Holly Smyth, Principal Planner
Amelia Kerr, Planner
Brad Barbee, Planner
Katie Noel, Project Engineer
Carolyn Jaco, Recording Assistant

1. Call to order:

Chair Kathy Jones called the meeting to order at 2:30 p.m.

2. Determination of a quorum.

Chair Jones determined that a quorum was present.

3. Consent Agenda:

Shelton Square, Section 8 [2021-1015] preliminary plat for 28 lots on 7.63 acres zoned PRD located along Willoughby Way, Shelton Square, LLC developer.

Carters Retreat, Section 1 [2021-2057] final plat for 62 lots on 74.92 acres zoned PRD located along Bradyville Pike and Veals Road, LGI Homes of Tennessee developer.

Maymont, Resubdivision of Section C, Lots 34 and 35 [2021-2052] final plat for 4 lots on 0.84 acres zoned RD located along Parkwood Court, Jordan Drumel developer.

Mercury Plaza Shopping Center, Lots 1, 2, 8, and 9 [2021-2053] amended final plat for 4 lots on 17.84 acres zoned CH located along Mercury Boulevard and

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Middle Tennessee Boulevard, Mercury Plaza, LLC and Kroger Limited Partnership
I developers.

Henry King Resubdivision of Kingwood Heights, Resubdivision of Lots 30-33

[2021-2054] final plat for 2 lots on 0.35 acres zoned RS-8 located along Chamberlain Drive, Maitland Drive, and Byrd Avenue, Alviri Mehryar developer.

The Gardens of Three Rivers, Resubdivision of Lot 12 [2021-2058] final plat for 3 lots on 0.291 acres zoned PRD located along Elmcroft Avenue, Patterson Company, LLC developer.

The Gardens of Three Rivers, Resubdivision of Lot 24 [2021-2059] final plat for 3 lots on 0.3 acres zoned PRD located along Leawood Court, Harpeth Valley Homes, LLC developer.

Victory Station PUD, Parcel U, Lot 1 [2021-2060] easement plat and horizontal property regime plat for 87 units on 10.71 areas zoned PUD located along Rucker Lane and Swanholme Drive, Lennar Homes of Tennessee, LLC developer.

Enclave at Berkshire Commercial, Lots 1 & 2 [2021-1017] preliminary plat for 2 lots on 5.85 acres zoned PCD located along Blackman Road east of Veterans Parkway, Bob Parks developer.

Enclave at Berkshire Commercial, Lots 1 & 2 [2021-2061] final plat for 2 lots on 5.85 acres zoned PCD located along Blackman Road east of Veterans Parkway, Bob Parks developer.

Snyder Retreat [2021-2056] final plat for 2 lots on 4.35 acres zoned RS-10 located along Avon Road and Battleground Drive, Alcorn Properties, LLC developer.

Enterprise Car Sales [2021-1018] preliminary plat for 2 lots on 4.86 acres zoned

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

CH located along Franklin Road, Enterprise Holdings, Inc. developer.

Gresham Lane Shopping Center Resubdivision [2021-1019] preliminary plat for 2 lots on 2.62 acres zoned CH located along Old Fort Parkway and Gresham Lane, Gresham Lane Partners Partnership developer.

Rutherford County Public Safety Building [2021-3064] site plan for a 10,731 ft² public safety building on 45.95 acres located in unincorporated Rutherford County and to be served as an outside the City sewer customer located along Highway 99 in Rockvale, Rutherford County Government developer.

Turney Property [2021-3084] site plan for an 11,598 ft² multi-tenant commercial building and fueling station on 2.41 acres zoned CH located along New Salem Highway, Nick Patel developer.

Farrer Commercial Center [2021-3077] site plan review for 15,200 ft² retail/warehouse building on 2.5 acres zoned CH located along Brinkley Avenue, Fred H. Farrer Limited Partnership developer.

Chair Jones asked the Planning Commission if any items from the Consent Agenda needed to be removed for further discussion.

There being no further discussion, Mr. Rick LaLance moved to approve the Consent Agenda; the motion was seconded by Ms. Jennifer Garland and carried by the following vote:

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

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Shawn Wright

Nay: None.

4. Gateway Design Overlay

**Commons at the Gateway (Cajun Steamer patio) [2021-6009 & 2021-3086]
initial/final design & site plan review of outdoor dining/parking lot
modifications to an existing multi-tenant building on 3.3 acres zoned MU &
GDO-1 located at 2108 Medical Center Parkway, Cajun Steamer developer.**

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.

Mr. Matt Taylor of SEC (design engineer) and Ms. Erin Leaf (architect) were in attendance to represent the application. Mr. Taylor explained he had worked with Ms. Green regarding the folding door. There are options for the folding door with three or four glass panels that would blend with the black trim and match the storefront. The folding doors are attractive for the outdoor dining area. Vice-Chairman Ken Halliburton asked if the door would be hidden from view. Ms. Leaf explained it would be an exterior collapsible door when not in use and would be locked into place. One panel would be open while facing the patio area. The panel would not block any sidewalk circulation.

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

Aye: Chair Kathy Jones

Vice-Chairman Ken Halliburton

Jennifer Garland

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

5. Plats and Plans

Westlawn Commercial Lot 1 (Ascension Saint Thomas Rutherford) [2021-3070] initial/final design & site plan review of a 32,394 ft². Hospital/Medical Office Building (MOB) on 3.4 acres zoned PUD located along Shores Road, Saint Thomas Rutherford Hospital developer. Ms. Jennifer Garland announced she would abstain from all discussion and vote regarding this application.

Ms. Amelia Kerr 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. David Magner of Gresham Smith (architect) and Mr. Rob Whitson of Gresham Smith (civil engineer) were in attendance to represent the application. Mr. Magner made known they were requesting for a slight modification at the front entrance of the building. They are proposing a glass curtain wall to the ground without a 24-inch base. The glass wall area would be approximately 25-30 feet wide. The remaining proposal would be compliant with the Gateway Design Overlay requirements. Lastly, the building materials for this site would match Saint Thomas Rutherford Hospital.

The Planning Commission began discussing the modification and agreed that glass walls without a base had not been allowed for other developments that had to follow the design guidelines. This proposal should be consistent with a 24-inch base

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

except only the area that includes the canopy at the entrance to the building.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to approve the initial and final design and site plan review subject to all staff comments and adding a base on the sides of each waiting room area that does not have a canopy, 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.

Abstain: Jennifer Garland

6. New Business

Mandatory Referral and Right-of-way Abandonment [2021-712] to consider abandonment of the right-of-way of Florence Road, Terry Smith applicant.

Ms. Amelia Kerr 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. Bill Huddleston (civil engineer) was in attendance to represent the application.

There being no further discussion, Vice-Chairman Ken Halliburton made a motion to schedule a public hearing for August 4, 2021, seconded by Mr. Shawn Wright, and the motion carried by the following vote:

Aye: Chair Kathy Jones

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Vice-Chairman Ken Halliburton

Jennifer Garland

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

Zoning application [2021-414] for approximately 17.48 acres located over 7 City blocks north of Mercury Boulevard, south of East Castle Street, east of South Highland Avenue, and west of First Avenue to be rezoned from RM-16, RD, RS-8, and CCO to PUD and CCO, 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.

Mr. Thomas Rowe, Executive Director of the Murfreesboro Housing Authority and Ms. Margaret Butler (architect) were in attendance representing the application. Ms. Butler gave a PowerPoint presentation of excerpts from the Pattern Book, which Pattern Book is maintained in the permanent files of the Planning Department and is incorporated into these Minutes by reference. Ms. Butler explained, due to COVID-19, they could not conduct any in-person neighborhood meetings. Therefore, with this proposal they had engaged with the public and neighbors by virtual meetings and had hosted a website for the public to stay informed and provide their comments and feedback. Ms. Butler made known they would continue to work with city Staff on the architecture for this project to make certain it would work with the neighborhood.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Ms. Butler requested with this zoning request the following exceptions to the standard zoning regulations to include the following:

1. Parking within the Parkside area on East Castle Street to be 1.8 stalls per unit average for a total of 83 parking spaces for residents and guests for the 46 units. The current 46 units only have 69 parking spaces with approximately 58 cars parking on an average evening.
2. 10' minimum building setbacks for front, side, and rear are requested, while the CCO district allows the front setback to be an average of the buildings on the same block face and all other setbacks are set by the underlying district. However, staff would like to retain adequate setbacks on corner lots to maintain adequate view sheds as determined by Engineering during Site Plan Review of the project as well as a 20' setback from the Mercury Boulevard ROW.
3. Allow for a 20' wide private loop alley/street Block 2 and at the entry into Block 6 from Minor Street.

The Planning Commission agreed the architecture needed to be addressed before the public hearing. This is a large project, and it needs to be the best product for the City of Murfreesboro. Ms. Butler agreed and stated that this proposal would be a transitional development due to the commercial areas and Patterson Park. However, they would be working on the development to have a traditional look.

Mr. Rick LaLance made a motion to schedule a public hearing on August 4, 2021, seconded by Vice-Chairman Ken Halliburton, and the motion carried by the following vote:

Aye: Chair Kathy Jones
Vice-Chairman Ken Halliburton
Jennifer Garland

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Rick LaLance

Warren Russell

Chase Salas

Shawn Wright

Nay: None.

Proposed amendment the Zoning Ordinance [2021-801] pertaining to Section

13: Planned Development Regulations and Section 24: Overlay District

Regulations, Article VI. CCO, City Core Overlay District, City of

Murfreesboro Planning Department 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.

The proposed amendment to this report is a redlined tracked change version so that the Commission can see the proposed additions via underlined text, deletions via strike-through text, and existing text to remain as regular black colored text. The following is a brief synopsis of the proposed changes:

- 1) Attempt to honor the recommendations of the North Highland Avenue and Historic Bottoms planning studies.
- 2) Clarify that any exceptions to the CCO regulations need to be explicitly noted in the planned development application.
- 3) Update accessory apartment provisions to require owner occupation of one of the two residences.
- 4) Clarify the amount of parking needed for single-family townhouse structures.
- 5) Modify shared parking provisions for commercial uses to reduce onsite

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

parking 50-75% depending on available adjacent street or structure parking, and allow Director to make special exceptions for unique circumstances as the downtown continues to grow.

- 6) Modify setback provisions and clarify building height provisions.
- 7) Allow 75% lot coverage for non-residential uses outside the Central Business District (CBD).
- 8) Limit the prominence of garages on the fronts of buildings.
- 9) Limit patio spaces from housing utilities.
- 10) Reduce open space requirements from 20% required by the Design Guidelines to 15%.
- 11) Add a section for formal open space and define when the 5% is required and allow the use of rooftop patios to count towards its provision.
- 12) Remove floor area ratio (F.A.R.), open space ratio (O.S.R.), and livability space ratio (L.S.R.) requirements.
- 13) Clarify landscape requirements and allow flexibility for alternative arrangements due to the unique nature of the district.

There being no further business, Ms. Jennifer Garland made a motion to schedule a public hearing for August 4, 2021, seconded by Mr. Chase Salas, and the motion carried by the following vote:

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

MINUTES OF THE MURFREESBORO PLANNING COMMISSION JULY 21, 2021

Chase Salas

Shawn Wright

Nay: None.

7. Staff Reports and Other Business

Mandatory Referral [2021-715] to consider the abandonment and relocation of a gas line easement at Siegel Soccer Park, City of Murfreesboro applicant. Ms.

Kayla Walker brought up for discussion many years ago United Cities Gas placed a gas line under property owned by Richard Siegel. After the property was given to the City, the City installed soccer fields over portions of the lines. Since this installation did not involve excavation there was no need to relocate the lines.

Excavation would be required to construct the drainage system for the fields with artificial turf, which now requires relocation of those lines. Atmos gas proposes to abandon the current easement areas to the City and the City proposes to grant a new gas line easement to Atmos. Staff requests that Planning Commission recommend approval of this gas line relocation.

There being no further business, Mr. Warren Russell made a motion to approve the request, seconded by Vice-Chairman Ken Halliburton, and the motion carried by the following vote:

Aye: Chair Kathy Jones

Vice-Chairman Ken Halliburton

Jennifer Garland

Rick LaLance

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Chase Salas

Shawn Wright

Nay: None.

**MINUTES OF THE
MURFREESBORO PLANNING COMMISSION
JULY 21, 2021**

There being no further business the meeting adjourned at 3:55 p.m.

Chair

Secretary

GM: cj