

CITY OF MURFREESBORO PLANNING COMMISSION AGENDA

City Hall, 111 W. Vine Street, Council Chambers

**JUNE 7, 2023
6:00 PM**

**Kathy Jones
Chair**

- 1. Call to order**
- 2. Determination of a quorum.**
- 3. Approve minutes of the May 17, 2023, Planning Commission meeting.**
- 4. Public Hearings and Recommendations to City Council:**
 - a. 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), Huddleston-Steele Engineering, Inc. applicant. (Project Planner: Joel Aguilera)
 - b. 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. (Project Planner: Brad Barbee)
- 5. Staff Reports and Other Business:**
 - a. Mandatory Referral [2023-714] to consider proposed underground electric easement to MTE located at 1930 Memorial Boulevard, City of Murfreesboro applicant.
 - b. Mandatory Referral [2023-722] to consider proposed easement to MTE located at 330 Robert Rose Drive, City of Murfreesboro applicant.
- 6. Adjourn.**

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JUNE 7, 2023
PROJECT PLANNER: JOEL AGUILERA**

- 4.a. 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), Huddleston-Steele Engineering, Inc. applicant.**



In this mandatory referral, the Planning Commission is being asked to consider the abandonment of a segment of Ashers Fork Drive public right-of-way (ROW) and a segment of a public utility easement adjacent to the subject ROW. The above-mentioned requests for abandonment are depicted on the attached exhibit pages that are included in the agenda materials. Per the attached exhibit, prepared by Huddleston-Steele Engineering, the public utility easement requested to be abandoned is shown in the green and the portion of Ashers Fork Drive ROW requested to be abandoned is shown in the purple. The above-mentioned Ashers Fork Drive right-of-way and utility easement were recorded with the Waite's Creek Crossing Subdivision Section I, Phase IA final plat (File: 2020-2068).

In August 2020, a final plat was submitted and approved by Planning Commission for the Waites Creek Crossing Subdivision, Section 1, Phase 1A that dedicated the public right-of-way of Ashers Fork Drive and a 10-foot public utility easement. As depicted on the 2020 plat, Ashers Fork Drive was dedicated several blocks to the east of the lots in Phase 1A in order to provide road frontage for the common area containing the detention pond for the development. Recently, it was discovered that the Ashers Fork Drive ROW that was recorded with this plat was greater than what was ultimately needed for the eastern terminus of the street.

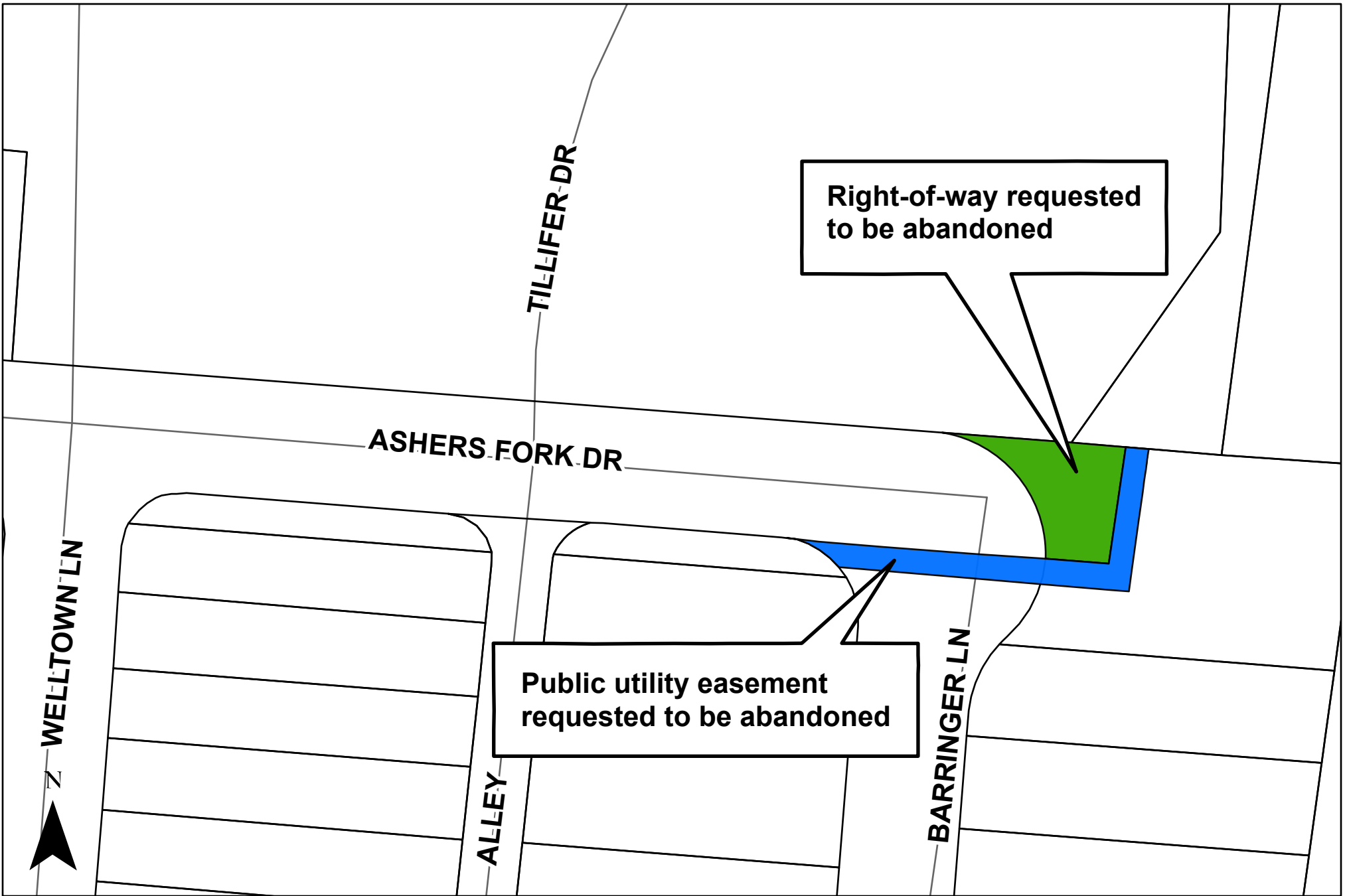
In April 2023, final plats for Section 2 were recorded and it was determined that the excess ROW conflicts with the development of two lots in Section 2. The recording of those two lots cannot move forward until such time as the excess ROW is abandoned. Huddleston-Steele Engineering, on behalf of O'Brien Loyd Venture, is requesting to abandon the excess portion of Ashers Fork Drive right-of-way as well as a portion of the adjacent 10-foot public utility easement in order to be able to plat the two outstanding lots.

For the request to abandon the easement and public right-of-way, the Planning Department has reached out to other City departments for comment regarding the impact of abandoning a portion of Ashers Fork Drive. No objections were received.

However, MWRD has an existing sewer main within the abandonment area and will therefore require a thirty-foot sanitary sewer easement to be retained and centered over the existing main prior to the requested abandonment. For further review of City department responses, see the attached memorandum included in the package materials.

The Planning Commission will need to conduct a public hearing and then discuss this application and make a recommendation to the City Council. Staff recommends that approval be made subject to the following conditions in order to facilitate the abandonment process:

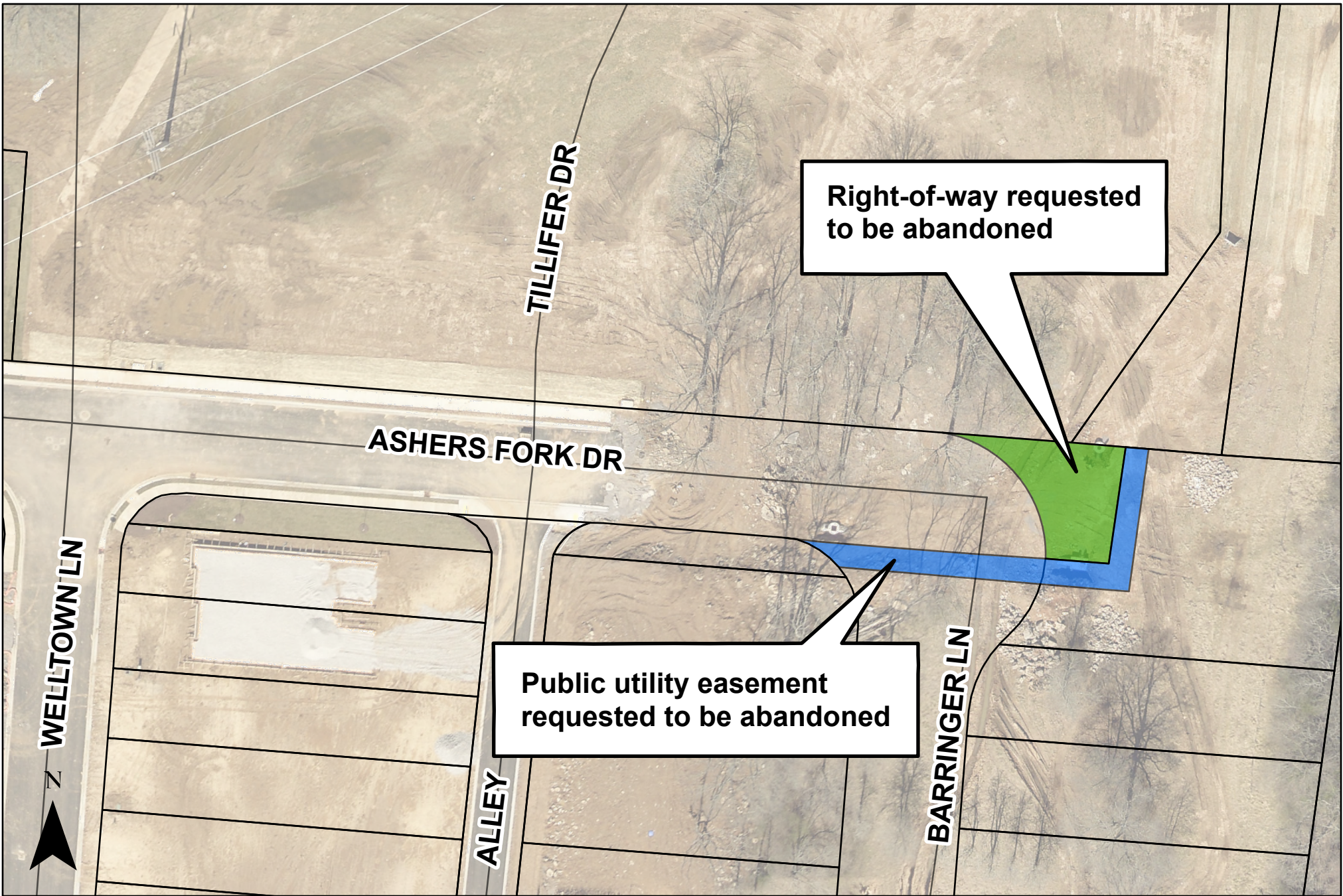
1. The applicant must provide to the City Legal Department all the necessary documentation (including any needed legal descriptions and exhibits) required to prepare and record the legal instrument.
2. The abandonment shall be subject to the final approval of the legal documents by the City Attorney.
3. The applicant will be responsible for recording the document(s), including paying any recording fees.
4. Utility and drainage easements shall be recorded as necessary to accommodate any existing or proposed utility and/or drainage infrastructure.
5. The final plat dedicating the required easements and combining the abandoned ROW with adjacent property shall be recorded simultaneously with the quitclaim deed. The plat must also provide required road frontage for the existing common area to the north of Ashers Fork Drive.



Request to abandon a segment of Ashers Fork Drive and portion of a 10 foot public utility easement



Planning Department
 City of Murfreesboro
 111 West Vine St
 Murfreesboro, TN 37130
www.murfreesborotn.gov



Request to abandon a segment of Ashers Fork Drive and portion of a 10 foot public utility easement



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April 11, 2023

Mr. Greg McKnight, Planning Director
City of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130

Re: Abandonment of right-of-way and public utility easement
Waites Creek Crossing, Section I, Phase IA (Plat Book 45, Page 54-55)
Murfreesboro, TN

Dear Greg:

At the request of our client, O'Brien Loyd Venture, we hereby make a request to abandon a portion of the existing right-of-way of Ashers Fork Drive and a portion of an existing 10' Public Utility Easement in Waites Creek Crossing, Section I, Phase IA. We propose to do this with a mandatory referral by Planning Commission and City Council. Property descriptions and an exhibit are attached.

Sincerely,

HUDDLESTON-STEEL ENGINEERING, INC.



William H. Huddleston IV, P.E., R.L.S.

COMMON AREA,
WAITES CREEK CROSSING,
SECTION 1, PHASE 1A
(O'BRIEN LOYD VENTURE,
REC.BK.1869/1910)
ZONED: RS-6

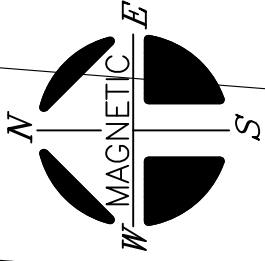
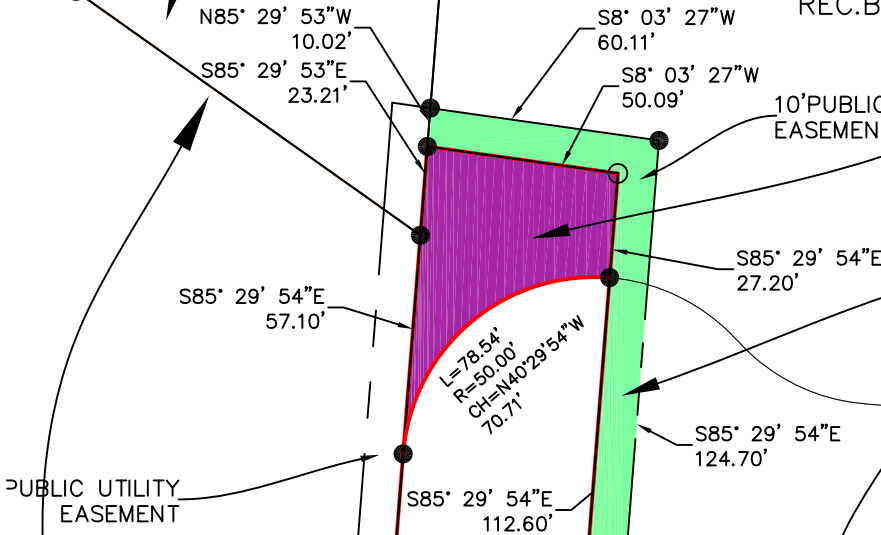
TIMOTHY SENEKER
REC.BK.540/368
ZONED: RM(COUNTY)

O'BRIEN-LOYD
VENTURE
REC.BK.2308/3454
ZONED: RS-6

O'BRIEN LOYD VENTURE
REC.BK.1869/1910

ASHERS FORK DRIVE
TO BE ABANDONED,
236 S.F.±, 0.05 AC.±

10'PUBLIC UTILITY
EASEMENT
TO BE ABANDONED,
412 S.F.±, 0.04 AC.±



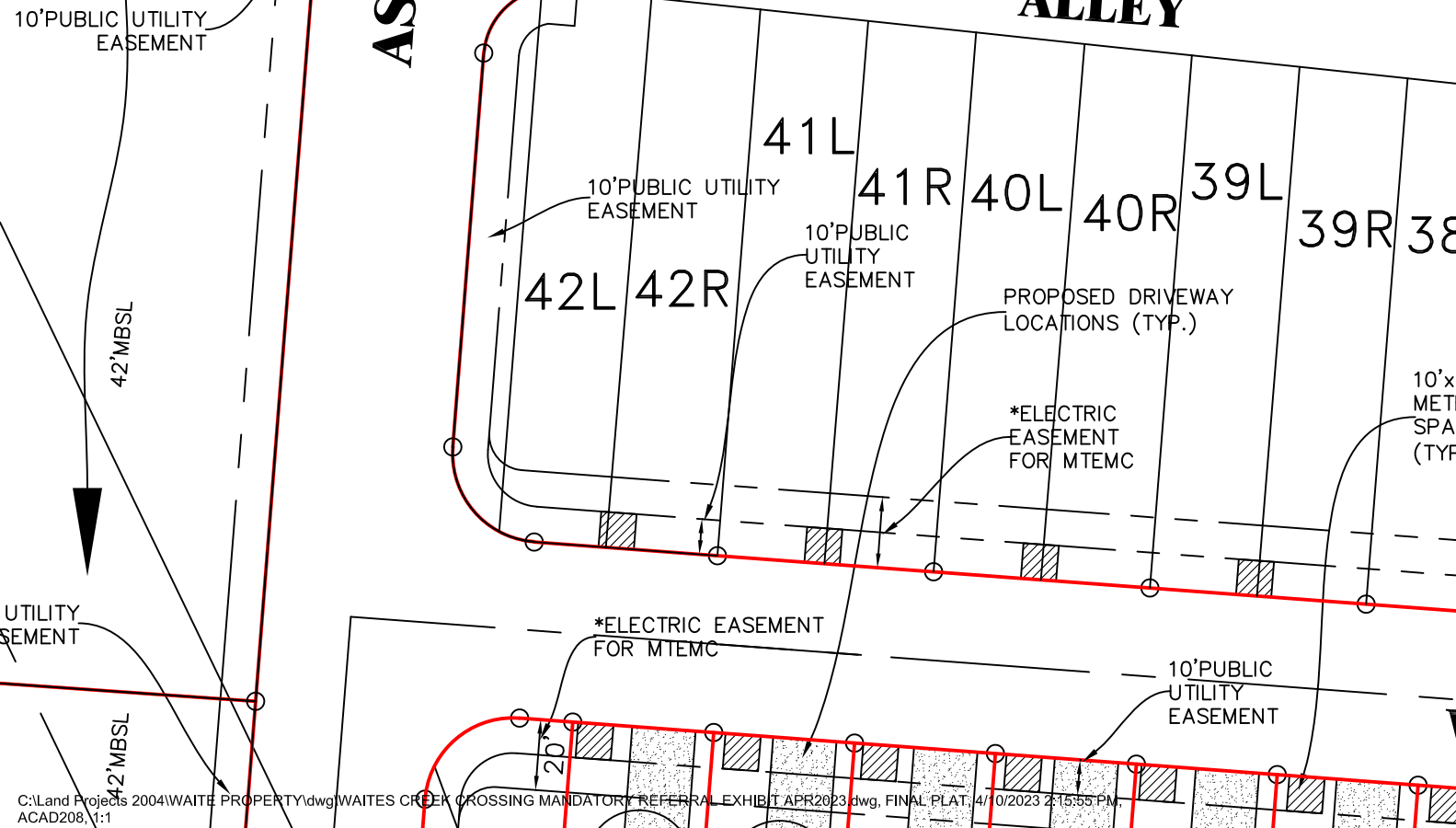
OWNER: O'BRIEN LOYD VENTURE
ADDRESS: 1980 OLD FORT PARKWAY
MURFREESBORO, TN 37129
TAX MAP: 114 PART OF PARCEL: 14.01

PLANNED
WAITES CREEK CROSSING
SECTION 2, PHASE 1A

ASHERS FORK DRIVE

ALLEY

41L 41R 40L 40R 39L 39R 3E
42L 42R



Memorandum

To: Greg McKnight, Planning Director & Matthew Blomeley, Assistant Planning Director
From: Joel Aguilera, Planner
Date: May 8, 2023
Re: Mandatory Referral 2023-717: Abandonment of public utility easement and portion of Ashers Fork Drive public right-of-way in the Waites Creek Crossing Section 1 Phase 1A Subdivision.

Following is a summary of the City department staff and utility provider comments regarding the requested partial public utility easement and right-of-way (ROW) abandonment.

Engineering & Streets Departments

The request to abandon ROW should be subject to submission and recording of a subdivision plat that will accommodate any existing or proposed drainage and utilities either as ROW or as separate easements if needed to accommodate facilities outside the proposed ROW. The ROW abandonment and final plat recording should be done simultaneously.

Fire and Rescue Department

MFRD does not object to the abandonment.

Police Department

MPD does not object to the abandonment.

Solid Waste Department

The abandonment will have no effect on the Solid Waste Department.

Murfreesboro Water Resources Department (MWRD)

MWRD has an existing sewer main within the abandonment area; therefore, MWRD will require a thirty-foot sanitary sewer easement be retained centered over this existing main prior to this abandonment.

Consolidated Utility District (CUD)

CUD does not object to the abandonment.

Middle Tennessee Electric Members Cooperative (MTE)

MTE does not object to the abandonment.

AT&T

After discussion with AT&T staff, AT&T confirmed on May 4th, that there is no objection to the abandonment, as long as there is no interference with the conduit crossing Ashers Fork Drive, that was originally placed by the developer to serve the new homes on Barringer Lane.

Atmos Energy

Atmos Energy does not object to the abandonment.

Comcast

Comcast does not object to the abandonment.

**MURFREESBORO PLANNING COMMISSION
STAFF COMMENTS, PAGE 1
JUNE 7, 2023
PROJECT PLANNER: BRAD BARBEE**

- 4.b. **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 applicant.**



In this mandatory referral, the Planning Department has requested the abandonment of an approximately 815ft long segment of alley right-of-way (ROW) located west of Kings Highway.

The church located at 318 Kings Highway has proposed making changes to their existing parking lot and it was discovered during the review of that project that the current parking lot area was constructed on top of the alley ROW years ago. Staff evaluated the church's proposed development plan and decided to study for abandonment the entirety of the alley ROW remaining in this block and the block located to the south rather than just the portion adjacent to 318 Kings Highway. The entirety of the alleyway appears to be unimproved, blocked by trees and other privately owned structures, and not apparently utilized for access or the delivery of services.

Staff has obtained comments from other City Departments and utility providers regarding the impact of the proposed abandonment. A memorandum of these responses is attached to this report. There were no objections to the proposed ROW abandonment from any of the responding entities.

Staff proposes to abandon the alley ROW down the centerline (to be determined), one half to each abutting Lot. If approved, the Legal Department will prepare and record a Declaration of Abandonment.

Staff recommends the following conditions of approval:

- 1) Any abutting property owner desiring to have adjacent alley ROW quitclaimed to them shall provide to the City Legal Department legal descriptions and exhibits, as needed, in order to draft a quitclaim deed. Each property owner wishing to receive such quitclaim deed shall be responsible for the recording of the same, including the payment of the recording fee.
- 2) Each property owner receiving abandoned ROW shall also be responsible for submitting a subdivision plat incorporating the abandoned ROW into their respective parcel or lot at such time as the owner or their successor redevelops such property. Each plat should be recorded simultaneously with the recording of the quitclaim deed, if provided.

Action Needed

The Planning Commission should conduct a public hearing, after which it should discuss this application and then make a recommendation to the City Council.

Attachments:

- Memorandum from Planning Staff regarding agency responses
- Non-ortho and Ortho maps depicting the abandonment area.
- Completed Application Form



... creating a better quality of life

Planning Department

Memorandum

To: Greg McKnight

From: Brad Barbee

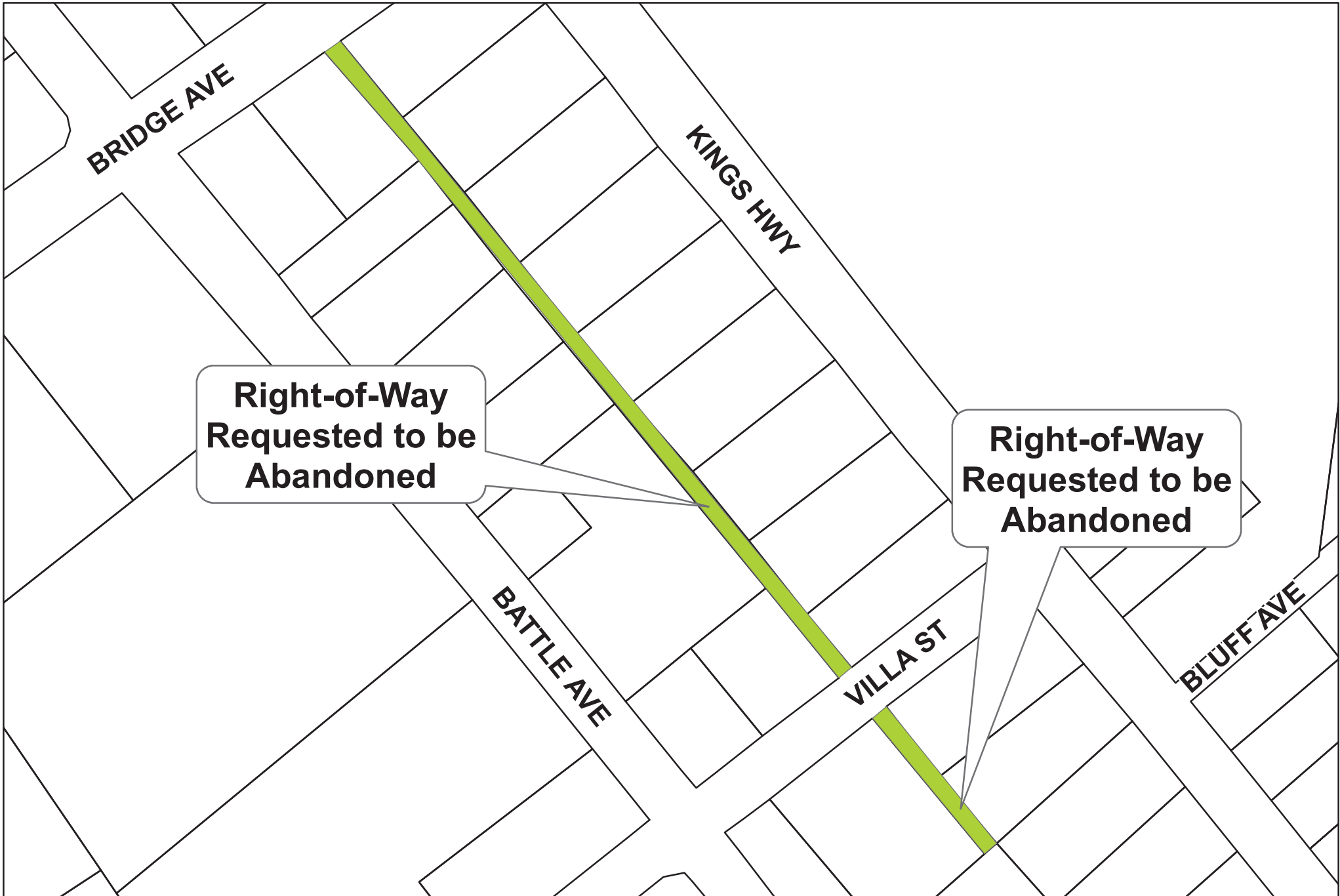
Date: May 23, 2023

Re: Mandatory Referral to consider the abandonment of alley right-of-way (ROW) located west of Kings Highway

The following is a summary of the City Departments and outside agency comments regarding the requested right-of-way (ROW) abandonment located west of Kings Highway.

- Middle Tennessee Electric – Chris Barns
 - MTE does not object to the abandonment of the alley ROW.
- Atmos Energy – Taylor Sanders
 - Atmos Energy does not have any facilities in this area and does not object to the abandonment request.
- Murfreesboro Solid Waste Department – Joey Smith
 - The right of way abandonment of the alley will not impact the Solid Waste Department.
- Murfreesboro Water Resources Department – Valerie Smith
 - The Department does not have any water or sewer mains within the abandonment area; therefore, MWRD will not be affected by this abandonment and does not object to it.
- Murfreesboro Engineering Department – Michele Emerson
 - The request to abandon ROW should be subject to submission and recording of a deed transferring the abandoned ROW. In order to facilitate the abandonment process, a legal description and exhibits necessary for the City to draft the legal documents will be required. In addition, the ROW abandonment should be subject to the final approval of the legal documents by the City Attorney.

- Consolidated Utility District – William Steele
 - No comments from CUD, as this is out of CUD’s service area.
- Comcast – Paul Johnson
 - Comcast has no objection to this request.
- MFRD – Carl Peas
 - MFRD has no objections to the abandonment.
- AT&T – Jamal Abed
 - AT&T has no conflicts with the proposed abandonment and does not object to it.
- Murfreesboro Transportation Department – Matt Fasig
 - The Murfreesboro Transportation Department has no conflicts with the requested abandonment and does not object to it.
- MPD – Clayton Williams
 - The Murfreesboro Police Department has no objections to the proposed abandonment.



Request to Abandon Alley Right-of-Way West of Kings Highway

175 87.5 0 175 Feet



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



**Right-of-Way
Requested to be
Abandoned**

**Right-of-Way
Requested to be
Abandoned**



Request to Abandon Alley Right-of-Way West of Kings Highway



Planning Department
City of Murfreesboro
111 West Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov



City of Murfreesboro
Mandatory Referral Application

111 W Vine Street • Murfreesboro, TN 37130 • 615-893-6441

Mandatory Referral Fees:

Mandatory Referral, INCLUDING abandonment of right-of-way.....	\$350.00
Mandatory Referral, NOT INCLUDING abandonment of right-of-way.....	\$150.00

Property Information:

Tax Map/Group/Parcel: N/A | Address (if applicable): N/A
 Street Name (if abandonment of ROW): Alley to the rear of 406 Kings Hwy to
 Type of Mandatory Referral: ROW Abandonment | 301 Bridge Ave

Applicant Information:

Name of Applicant: City of Murfreesboro Planning Department
 Company Name (if applicable): _____
 Street Address or PO Box: 111 W. Vine St.
 City: Murfreesboro
 State: TN | Zip Code: 37130
 Email Address: planning@murfreesborotn.gov
 Phone Number: 615-893-6441

Required Attachments:

- Letter from applicant detailing the request
- Exhibit of requested area, drawn to scale
- Legal description (if applicable)

Applicant Signature

4-4-23
 Date



**MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT**

TO: Chair Jones and Members of the Planning Commission
CY: Chad Gehrke, Matthew Blomeley, Scott Elliot
FROM: David A. Ives
DATE: May 17, 2023
RE: Mandatory Referral: Proposed Underground Electric Easement to MTE

CONSENT AGENDA

The Airport is requesting an underground electric easement to Middle Tennessee Electric ("MTE") over City-owned property located at 1930 Memorial Boulevard to provide power to the fuel farm that is being relocated.

The easement area has been surveyed and a copy of the drawing is attached. Additionally, conduit has already been installed, which was approved with the construction of the Hanger I Project.

I will be available if you have any questions.

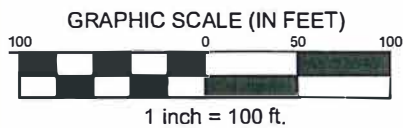
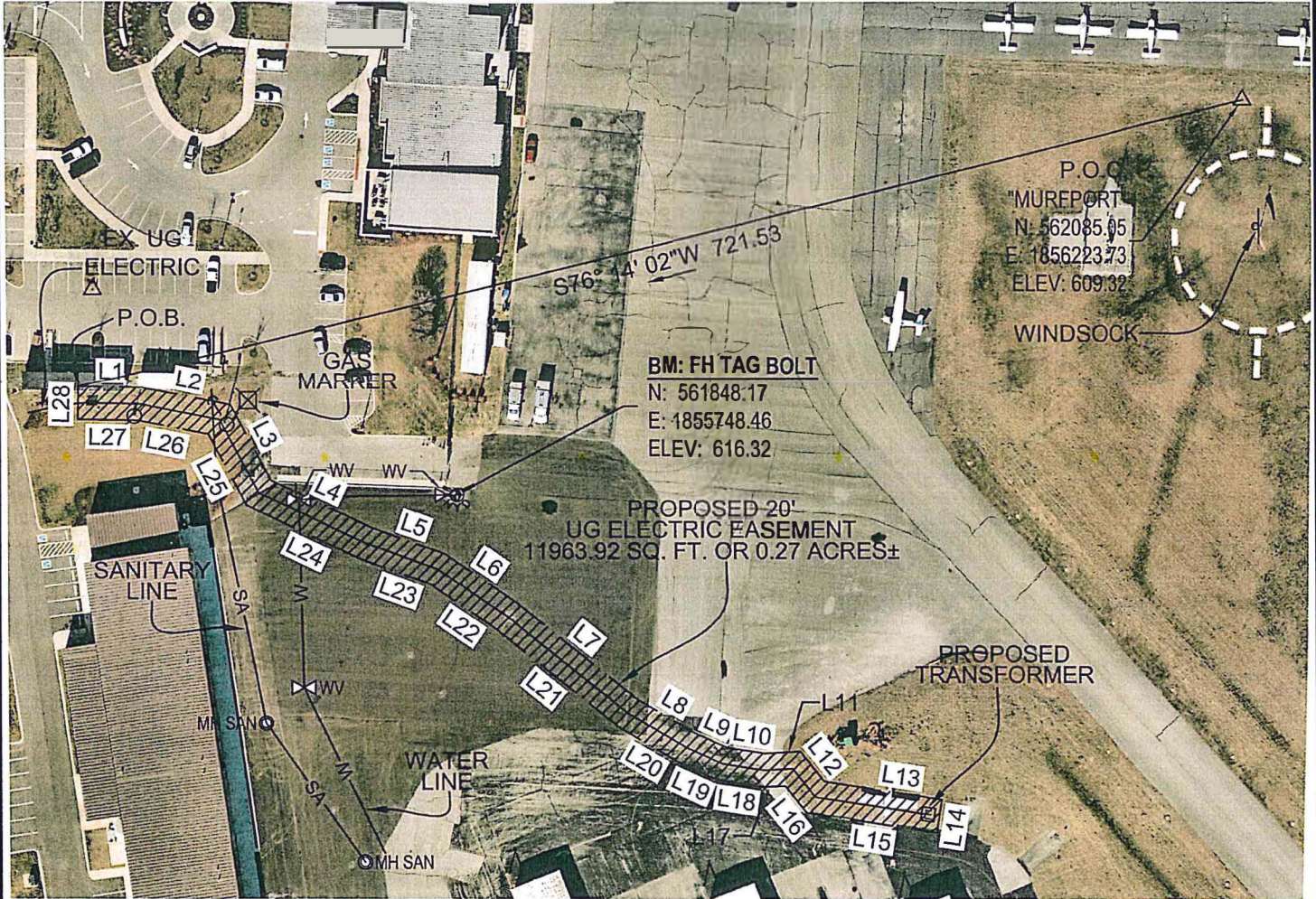


TENNESSEE STATE PLANE
NAD 83 (2011)

Line Table		
Line #	Length	Direction
L1	37.82	S89° 02' 54"E
L2	53.96	S78° 50' 59"E
L3	51.27	S27° 55' 09"E
L4	67.12	S64° 34' 44"E
L5	46.20	S70° 07' 53"E
L6	51.35	S55° 40' 59"E
L7	92.77	S51° 17' 48"E
L8	39.33	S59° 41' 36"E
L9	21.82	S65° 35' 40"E
L10	23.10	S81° 12' 16"E

Line Table		
Line #	Length	Direction
L11	21.23	N86° 48' 34"E
L12	22.93	S38° 28' 52"E
L13	71.48	S81° 14' 26"E
L14	20.00	S08° 45' 34"W
L15	79.31	N81° 14' 26"W
L16	20.41	N38° 28' 52"W
L17	12.98	S86° 48' 34"W
L18	27.95	N81° 12' 16"W
L19	25.59	N65° 35' 40"W
L20	41.83	N59° 41' 36"W

Line Table		
Line #	Length	Direction
L21	93.48	N51° 17' 48"W
L22	48.05	N55° 40' 59"W
L23	44.63	N70° 07' 53"W
L24	74.72	N64° 34' 44"W
L25	48.37	N27° 55' 09"W
L26	42.65	N78° 50' 59"W
L27	36.04	N89° 02' 54"W
L28	20.00	N00° 57' 06"E



UNDERGROUND ELECTRIC EASEMENT
AREA = 11,963.92 SQ. FT.±

- LEGEND**
- PROPERTY LINE
 - EASEMENT LINE
 - UG - UNDERGROUND
 - P.O.B. - POINT OF BEGINNING
 - P.O.C. - POINT OF COMMENCEMENT
 - POWER POLE
 - FIRE HYDRANT
 - COMMUNICATIONS BOX
 - SIGN
 - GUY WIRE



PREPARED BY:
ENERGY LAND & INFRASTRUCTURE
745 S CHURCH ST. SUITE 801 • MURFREESBORO, TN 37130
OFFICE 615-383-6300 • WWW.EI-I-LLC.COM
ENGINEERS • SURVEYORS • INFRASTRUCTURE • ENVIRONMENTAL

EXHIBIT "A"
CITY OF MURFREESBORO
MURFREESBORO MUNICIPAL AIRPORT
DEED BOOK 099, PAGE 512 & DEED BOOK 109, PAGE 139
TAX MAP 080, PARCEL 37.00
13TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TN
UNDERGROUND ELECTRIC EASEMENT

PROJECT # 19-12-2501 DATE: rev. 05/16/2023



**MEMORANDUM
CITY OF MURFREESBORO
LEGAL DEPARTMENT**

TO: Chair Jones and Members of the Planning Commission
CY: Chris Griffith, Joe Ehleben
FROM: David A. Ives
DATE: May 25, 2023
RE: Easement to MTEMC

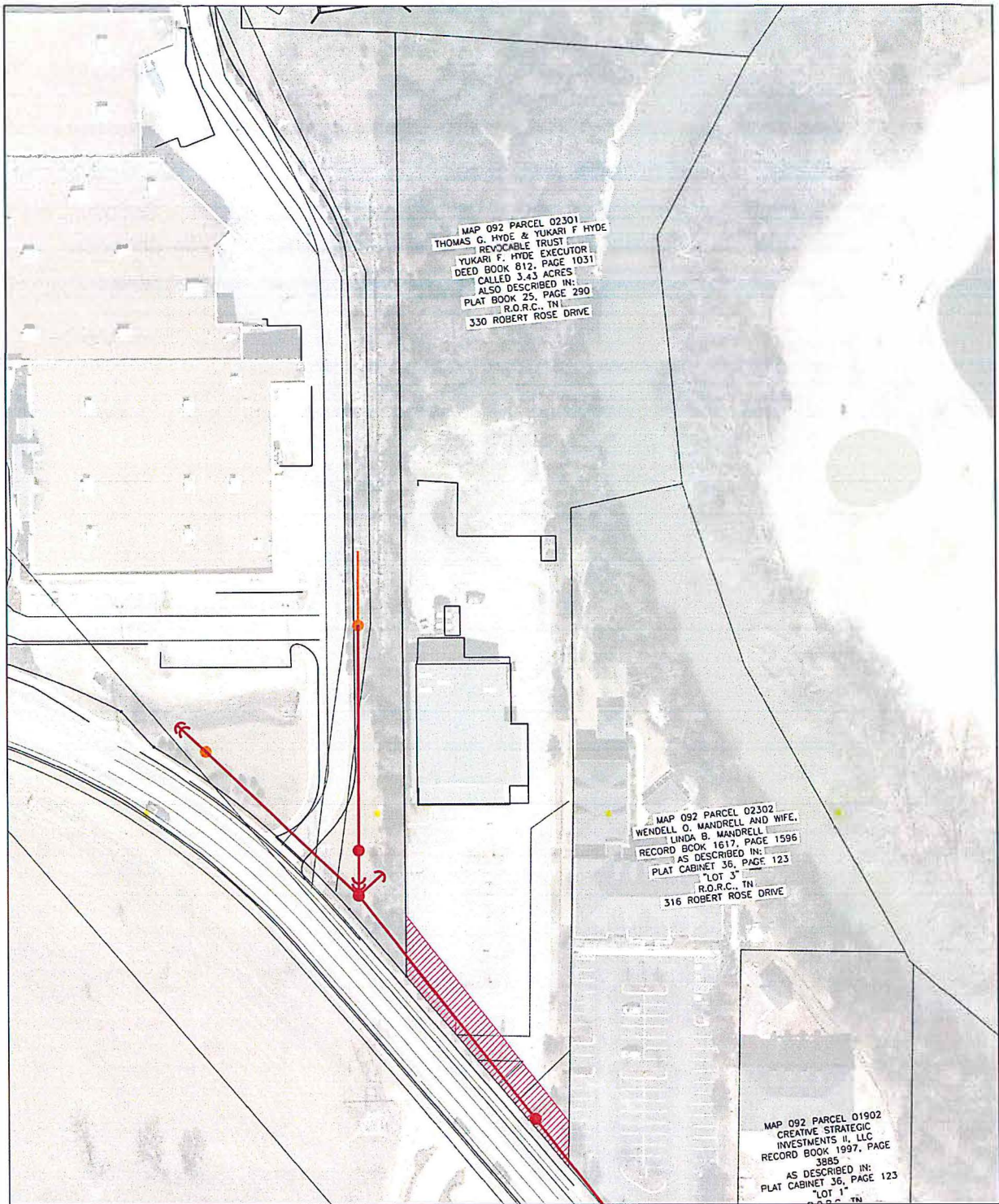
**CONSENT AGENDA
MANDATORY REFERRAL**

Middle Tennessee Electric has need for an easement across the City property at 330 Robert Rose Drive to eliminate a conflict with the construction of the extension of Gateway Boulevard.

A drawing showing the proposed Easement is attached.

Staff requests that Planning Commission recommend to City Council granting this easement to MTEMC.

I will be happy to answer any questions.



LEGEND

	EXISTING ELECTRIC UTILITY
	PROPOSED MTEMC EASEMENT
	PROPOSED ELECTRIC UTILITY
	PROPOSED UTILITY POLE
	EXISTING UTILITY POLE

Easement Notes:

1. MTE has the right to install and operate, on the Easement Tract, utility lines and related equipment for the utility service that MTE provides.
2. This Exhibit was prepared in accordance with existing field evidence and recorded information. It is not intended to be a Boundary Survey compliant with the minimum standard detail requirements of the State of Tennessee.

NOTE: PROPERTY LINES WERE COMPILED FROM TDOT DRAWINGS AND DO NOT REPRESENT AN ACTUAL BOUNDARY SURVEY OF AFFECTED PROPERTIES.

<p>Middle Tennessee Electric</p>	<p>COUNTY OF: RUTHERFORD STATE OF: TENNESSEE COUNTY CODE: 075</p>		<p>EXHIBIT "1" (TRACT #__) Scale: N.T.S.</p>
	<p>MAP NUMBER: 092 DEED BOOK: 2316</p>	<p>GROUP NO.: PAGE: 1789</p>	

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 17, 2023

1:00 P.M.

CITY HALL

MEMBERS PRESENT

Kathy Jones, Chair
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

STAFF PRESENT

Greg McKnight, Exec. Director Dev. Services
Matthew Blomeley, Assistant Planning Director
Margaret Ann Green, Principal Planner
Holly Smyth, Principal Planner
Brad Barbee, Planner
Joel Aguilera, Planner
Katie Noel, Project Engineer
Gabriel Moore, Project Engineer
Jennifer Knauf, Project Engineer
Carolyn Jaco, Recording Assistant
Roman Hankins, Assistant City Attorney
David Ives, Deputy 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 May 3, 2023 Planning Commission meetings.

Ms. Jami Averwater moved to approve the minutes of the May 3, 2023 Planning Commission meeting; the motion was seconded by Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 17, 2023

Shawn Wright

Nay: None

4. Consent Agenda:

Gene Sloan No. 2, Resubdivision of Lot 1 and Givan Court, Resubdivision of Lot 9 [2023-2033] final plat for 2 lots on 0.36 acres zoned RM-16 located along Greenland Drive and Givan Court, Robert T. Stroop developer.

Kingdom Crest, Section 1, Lot 2 [2023-2034] horizontal property regime private element plat for 7 units on 1.4 acres zoned CH located along Franklin Road, JBL Partners, LLC developer.

Shelton Square, Section 6, Resubdivision of Lots 460-467 [2023-2035] final plat for 8 lots on 1.4 acres zoned PRD located along Chatfield Drive, Crescent Homes TN, LLC and Ole South Properties, Inc. developers.

Salem Landing Townhomes, Phase 2 [2023-2037] final plat for 1 lot and horizontal property regime plat for 43 units on 4.7 acres zoned RS-A, Type 2 located along Valerian Drive, Salem Land Company, LLC developer.

BNA Highland, Lots 1 & 2 [2023-2040] final plat for 2 lots on 0.27 acres zoned OG-R & CCO located along North Highland Avenue and Evergreen Street, BNA Homes, LLC developer.

The Gardens of Three Rivers, Resubdivision of Lot 114 [2023-2036] final plat for 4 lots on 0.35 acres zoned PRD located along Camrose Way, HVH Three Rivers, LLC developer.

Learning Zone at Berkshire, Lot 2 [2023-2041] final plat for 1 lot on 3.4 acres zoned PCD located along Blackman Road, Cornerstone Development, LLC developer.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 17, 2023

Tiger Hill Townhomes, Lots 1-3 [2023-2043] final plat for 3 lots on 14.6 acres zoned CH and PRD located along Christie Knob Way, Charlie B. Mitchell, Jr. developer.

Budget Brakes, Lots 1 & 2 [2023-2039] final plat for 2 lots on 1.6 acres zoned L-I located along South Church Street, Harrison Smith Partnership developer.

Mandatory Referral [2023-718] to consider grant of guy easements to MTEMC, Legal Department 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 Mr. Warren Russell and carried by the following vote:

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

5. GDO:

On Motion

Clari Park, Lot 1 (Whataburger) [2023-6017 & 2023-3127] final design & site plan 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.

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 17, 2023

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

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

Robert Rose Drive Commercial Center, Lot 3 (MWRD Administrative Building) [2023-6005 & 2023-3038] final design & site plan review of a government office building for a parking lot expansion and addition of a service kiosk on 2.7 acres zoned CH, L-I, & GDO-1 located at 316 Robert Rose Drive, Murfreesboro Water Resources Department developer. Mr. Bryan Prince and Ms. Jami Averwater announced each would be abstaining from all discussion and vote.

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.

There being no further discussion, Mr. Warren Russell moved to approve the final design and site plan review subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Warren Russell
Chase Salas

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 17, 2023

Shawn Wright

Nay: None

Abstain: Jami Averwater

Bryan Prince

Robert Rose Village East, Lot 10 (Tidal Wave) [2023-6006 & 2023-3049] initial design review of a 4,800 ft2 vehicle wash located on 1.3 acres zoned CH and GDO-1 located along Medical Center Parkway, W4 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.

Mr. Tom Morgan (architect) and Mr. Marty Murphy (developer) were in attendance to represent the application. Mr. Marty Murphy explained the design elements, materials, and how the vehicle wash would function. Mr. Tom Morgan requested to remove the top horizontal mullions that had been designed over the vertical window.

The Planning Commission discussed the applicant's request to remove the top horizontal mullions. They suggested the applicant bring renderings with and without the horizontal mullions for final design review.

There being no further discussion, Mr. Warren Russell moved to approve the initial design review subject to all staff comments; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

MINUTES OF THE MURFREESBORO PLANNING COMMISSION MAY 17, 2023

Shawn Wright

Nay: None

Puckett Creek Station, Lot 1 (Sonic) [2023-3052] initial design review of an outdoor walk-in freezer and condenser located on 0.91 acres zoned CH and GDO-1 located at 1129 Fortress Boulevard, Cooper Rentals 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.

Mr. Jimmy Mann (architect) was in attendance to represent the application. Mr. Jimmy Mann explained the EIFS material would be changed to an off-white aluminum composite material, which would hold up better for all weather conditions. This would only affect the color of the awning and trim on the building.

Ms. Margaret Ann Green requested approval for both the initial design review and final design review for the walk-in freezer and changes to be made on the outside of the brick structure.

There being no further discussion, Mr. Shawn Wright moved to approve the initial design review and final design review (including site plan review) subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

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6. Plats and Plans:

On Motion

Dutch Bros. Coffee [2023-3051] site plan review of a 950 ft2 specialty restaurant with drive-thru located on 0.8 acres zoned CH located at 1950 Old Fort Parkway, Dutch Bros Coffee, 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.

Ms. Grace Wooten (landscape architect) and Mr. Paul Schaffer (property owner) were in attendance representing the application. Ms. Grace Wooten explained the proposed traffic design for this site with the primary exit at the rear of the property. She also explained the materials to be used for the proposed building.

The Planning Commission voiced their concerns with the traffic management design for this property being located at a major intersection and it being a small lot. There was discussion about this issue between the Planning Commission, the applicant, and staff. The Planning Commission agreed the applicant needed to continue working with their design team regarding access and traffic management. Ms. Grace Wooten agreed she would continue working to address the Planning Commission's concerns.

There being no further discussion, Mr. Warren Russell moved to defer the site plan to the July 19, 2023 regular meeting; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell

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Chase Salas

Nay: Shawn Wright

Mercury Park, Blocks 2 & 3 [2023-3039] site plan for 34 multi-family residential dwelling units on approximately 4.4 acres zoned PUD located along Minor Street and South Bilbro Avenue, Murfreesboro Housing Authority developer. 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), Mr. Thomas Rowe (Executive Director at MHA), and Ms. Margaret Butler (architect) were in attendance to represent the application.

There being no further discussion, Mr. Chase Salas moved to approve the site plan subject to all staff comments including modifying Planning staff comment #3 to add “Confirm that the enclosures do not conflict with the traffic sight distance for residents backing out of their driveways”; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

Aye: Kathy Jones

Jami Averwater

Bryan Prince

Warren Russell

Chase Salas

Shawn Wright

Nay: None

Hearthwood Development [2023-1014] amended master plan for 5 lots and remainder on approximately 8.4 acres zoned CH and RM-12 located along South Rutherford Boulevard and Chandler Place, Hearthwood Development, LLC developer. Ms. Holly

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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, Mr. Warren Russell moved to approve the amended master plan subject to all staff comments; the motion was seconded by Ms. Jami Averwater and carried by the following vote:

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

Graystone, Section 1, Phase 1 [2023-1012] amended master plan and amended preliminary plat for 19 lots on approximately 76.3 acres zoned PRD located north of Veals Road and west of Double Springs Road, Meritage Homes developer. 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 to represent the application.

There being no further discussion, Mr. Warren Russell moved to approve the amended master plan and amended preliminary plat subject to all staff comments; the motion was seconded by Mr. Chase Salas and carried by the following vote:

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Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

North Maple Townhomes [2023-3055] site plan for 3 single-family attached dwelling units (townhomes) on 0.3 acres zoned RM-12 & CCO located along North Maple Street, Hensley Group, LLC developer. 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. Ryan Long (developer) was in attendance to represent the application.

There being no further discussion, Mr. Shawn Wright moved to approve the site plan subject to all staff comments, including the clarification on the building material colors as provided by staff; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

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7. New Business:

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), 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.

There being no further discussion, Mr. Bryan Prince moved to schedule a public hearing on June 7, 2023; the motion was seconded by Mr. Chase Salas and carried by the following vote:

Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
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.

There being no further discussion, Mr. Chase Salas moved to schedule a public hearing on June 7, 2023; the motion was seconded by Mr. Shawn Wright and carried by the following vote:

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Aye: Kathy Jones
Jami Averwater
Bryan Prince
Warren Russell
Chase Salas
Shawn Wright

Nay: None

9. Adjourn.

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

Chair

Secretary

GM: cj