
M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: July 26, 2016
TO: Rutherford County Public Works Committee and Board of Commissioners
FROM: Rutherford County Regional Planning Commission
RE: Rutherford County Regional Planning Commission Activity Report

The Rutherford County Regional Planning Commission acted on the following rezoning requests at its June 13 and July 11, 2016 meetings:

- A. David Alcorn (16-A010)
Motion to Recommend APPROVAL (7 For, 0 Against, 1 Abstention)
Location: 4613 Veterans Parkway
Commissioner District: 20 (Trey Gooch)
Size of Site: Approximately 6 acres
Tax Map: 93, Parcel: 10.17
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Commercial Services (CS)

- B. Lucas Thompson for Jim Thompson (16-A011)
Motion to Recommend APPROVAL (10 For, 0 Against)
Location: Jackson Ridge Road
Commissioner District: 8 (Pettus Read)
Size of Site: Approximately 5 acres
Tax Map: 146, Parcel: 38.01
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Commercial Services (CS)

- C. Bud George (16-A013)
Motion to Recommend APPROVAL (10 For, 0 Against)
Location: 1004 Walnut Grove Road
Commissioner District: 8 (Pettus Read)
Size of Site: Approximately 150 acres
Tax Map: 159, Parcels: 6.00 and 6.01
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Planned Unit Development (PUD) – Residential Subdivision

D. Shane Fogle (16-A004)

Motion to Recommend DENIAL (7 For, 3 Against)

Location: 14873 Mount Pleasant Road

Commissioner District: 8 (Pettus Read)

Size of Site: Approximately 23 acres

Tax Map: 162, Parcel: 6.00

Existing Zoning: Residential Low-Density (RL)

Proposed Zoning: Planned Unit Development (PUD) – Landscape Nursery

E. Beverly DeLong (16-A009)

Motion to Recommend DENIAL (10 For, 0 Against)

Location: 8461 Franklin Road

Commissioner District: 20 (Trey Gooch)

Size of Site: Approximately 5 acres

Tax Map: 94, Parcel: 60.00

Existing Zoning: Residential Medium-Density (RM)

Proposed Zoning: Planned Unit Development (PUD) – Self-Storage Facility

F. Eddie Smotherman (16-A012)

Motion to Recommend DENIAL (8 For, 2 Against)

Location: 10215 Midland Road

Commissioner District: 8 (Pettus Read)

Size of Site: Approximately 62 acres

Tax Map: 183, Parcels: 6.02, 6.03 and 6.17

Existing Zoning: Residential Low-Density (RL)

Proposed Zoning: Planned Unit Development (PUD) – Residential Subdivision

In addition, the following plats and site plans were approved at the June 28, 2016, July 11, 2016, and July 25, 2016 meetings:

The Springs Preliminary Plan (16-1010)	Site Details: Applicant: Location:	128 lots on approximately 80 acres, zoned RM Alcorn Properties, LLC Armstrong Valley Road
Walnut Grove Farms (Revision) Preliminary Plan (15-1013)	Site Details: Applicant: Location:	79 lots on 52.2 acres, zoned RM Livesay Properties, Inc. Walnut Grove Road
Muirwood, Section 5 Preliminary Plan (16-1011)	Site Details: Applicant: Location:	25 lots on 6.6 acres, zoned RM with a previously approved CUP for a PRD Tennessee Contractors, Inc. East of Rucker Lane
Buchanan Estates, Section 7 Preliminary Plan (16-1012)	Site Details: Applicant: Location:	62 lots (60 buildable) on approximately 25.9 acres, zoned RM Jones Construction Co. Off of Epps Mill Road

Harvest Woods, Section 2, Phase 2 Preliminary Plan (16-1013)	Site Details: Applicant: Location:	16 lots on approximately 9.7 acres, zoned RM Harvest Grove, LLC Off of Cutoff Road
Stephen D. Nutt Final Plat (15-2069)	Site Details: Applicant: Location:	2 tracts on 25 acres, zoned RM – included a fire hydrant waiver Stephen D. Nutt McNiel Drive (South of Franklin Road/SR 96)
Stewart Creek Farms, PRD Final Plat (16-2031)	Site Details: Applicant: Location:	50 lots (49 buildable) on 30.21 acres, zoned RM with a previously approved CUP for a PRD A&R Land Investments, LLC Off of Burnt Knob Road
Ellis Wright, One-Lot Subdivision Final Plat (16-2033)	Site Details: Applicant: Location:	1 lot on 2.00 acres, zoned RM – Included a fire hydrant waiver Ellis Wright Concord Road
Cascade Falls, Section 4 Final Plat (16-2035)	Site Details: Applicant: Location:	25 lots on 13.53 acres, zoned RM – Included a fire hydrant waiver Michael Hollingshead Springcreek Drive (North of JD Todd Road)
Joshua Watson, Two-Lot Subdivision Final Plat (16-2036)	Site Details: Applicant: Location:	2 lots on 5.14 acres, zoned RM – Included a fire hydrant waiver Joshua and Laura Watson Windrow Road
Lewis Downs, Section 3, Phase 1 Final Plat (16-2037)	Site Details: Applicant: Location:	13 lots on 6.3 acres, zoned RM Stewart Springs, LLC Ansley Kay Drive (North of Rock Springs Midland Road)
Sue Cook Subdivision Final Plat (16-2039)	Site Details: Applicant: Location:	2 lots on 5.43 acres, zoned RM John Chris Sexton Deer Run Road
Harrison Glen, Section 6, Phases 1&2 Final Plat (16-2041)	Site Details: Applicant: Location:	19 lots on 24.42 acres, zoned RM (Total) Equity Programmers, Inc. South of Crescent Road
Springhouse, Section 5 Final Plat (16-2042)	Site Details: Applicant: Location:	18 lots on 7.42 acres, zoned RM Springhouse Development, LLC Off of Shores Road
Chapel Hills, Section 9 Final Plat (16-2043)	Site Details: Applicant: Location:	7 lots on 5.65 acres, zoned RM Chapel Hills Development Company Intersection of West Jefferson Pike and Powells Chapel Road
Mankin McKnight Road Subdivision Final Plat (16-2044)	Site Details: Applicant: Location:	3 lots on 5.96 acres, zoned RM Blue Sky Construction, Inc. Mankin McKnight Road
Holton Concrete Products, LLC Site Plan (16-3004)	Site Details: Applicant: Location:	New construction of a 25,000 square feet of heavy industrial space on 43.0 acres, zoned HI Thomas Holton Shelbyville Pike

<p>Auto Storage Lot Site Plan (16-3017)</p>	<p>Site Details: Applicant: Location:</p>	<p>New construction of 9,375 square feet of new vehicle storage/preparation space on 21.72 acres, zoned PUD Franklin Road Baptist Church 802 Gresham Lane</p>
<p>Buchanan Storage Site Plan (16-3018)</p>	<p>Site Details: Applicant: Location:</p>	<p>New construction of 20,750 square feet of personal services space (Mini-warehouses) on 10.00 acres, zoned EAC Buchanan Storage Miller Road</p>

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 11, 2016

Case Number: 16-A010

Staff Recommendation: **APPROVAL**

PC Recommendation: **APPROVAL (7 For, 0 Against, 1 Abstention)**

Request by: David Alcorn

Property Address: 4613 Veterans Parkway

Commission District: 20 – Trey Gooch

Urban Growth Boundary: Murfreesboro UGB

Applicant Request

Rezoning from Residential Medium-Density (RM) to Commercial Services (CS)

Purpose of District

This class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. However, it is not intended that this district permit uses which generate large volumes of truck traffic, and certain activities that have lower performance characteristics are prohibited. Less building bulk is permitted, and more open space and buffering are required.

Site Characteristics

Current Zoning: RM

Current Use: Single-Family Residential

Adjacent Uses: Single-Family Residential on all sides, with the exception of the northwest corner, which is used for agricultural purposes

Adjacent Zoning: RM on all sides, PRD (Murfreesboro City) across Veterans Parkway for The Cloister Subdivision

Size of Tract: Approximately 6 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Character Area. Recommended non-residential density for the Suburban Character Area is 0.2 Floor/Area Ratio.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan anticipates commercial uses in the Suburban Character Area. It also appears to Staff that this area is in a state of transition with the widening and realignment complete and multiple non-residential uses being proposed for the area.

Infrastructure

Roads: Veterans Parkway is a 5-lane arterial road with curb-and-gutters that has adequate right-of-way. There is a traffic count at the south end of the Interchange with SR 840 that shows a 2014 count of 7,014 vehicles per day according to TDOT counts.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 16-inch water line in this area to serve the property. The attached map shows existing water lines in the area of the subject property.

Fire Protection: The closest fire hydrant is located immediately adjacent to the south of the subject property. Any new development/redevelopment on the property will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: No portion of the property is located within the 100-year flood zone, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Not Applicable since this application is not for residential uses.

Background/Proposal Details

Proposed Use: The applicant would like to use the subject property as the main office for Southern Lifestyle Homes. The existing house will be used as an office and the existing accessory structure behind the house will be used for equipment storage. There will also be some vehicle/trailer storage behind the house. The applicant has met with Building Codes Staff to determine what improvements need to be made with the change of occupancy. A concept plan has been included with your agenda materials.

Access & Parking: Access will be from Veterans Parkway. The applicant does plan to construct a new parking area. Any new parking lots and access drives will need to be constructed consistent with the regulations in the Zoning Ordinance.

Landscaping: If approved, a Type 2 buffer yard will be required along any property line adjacent to residential zoning. Development projects would be required to meet the Landscape Requirements of the Zoning Ordinance. Existing plantings can be used to help satisfy the buffering requirements.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for light, noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet.

Staff/Planning Commission Recommendation

Staff believes that the Veterans Parkway area is in a state of transition. Since the completion of the widening and realignment to Veterans Parkway, multiple non-residential uses have been introduced to the area. Examples include MTEMC's proposed campus directly across the street from the subject property, the new Kroger development at the intersection of Franklin Road and Veterans Parkway, and a commercial element to the PUD located at the intersection of Shores Road and Veterans Parkway. The Board of Commissioners also approved a rezoning request at 4925 Veterans Parkway at their December 17 2015 meeting.

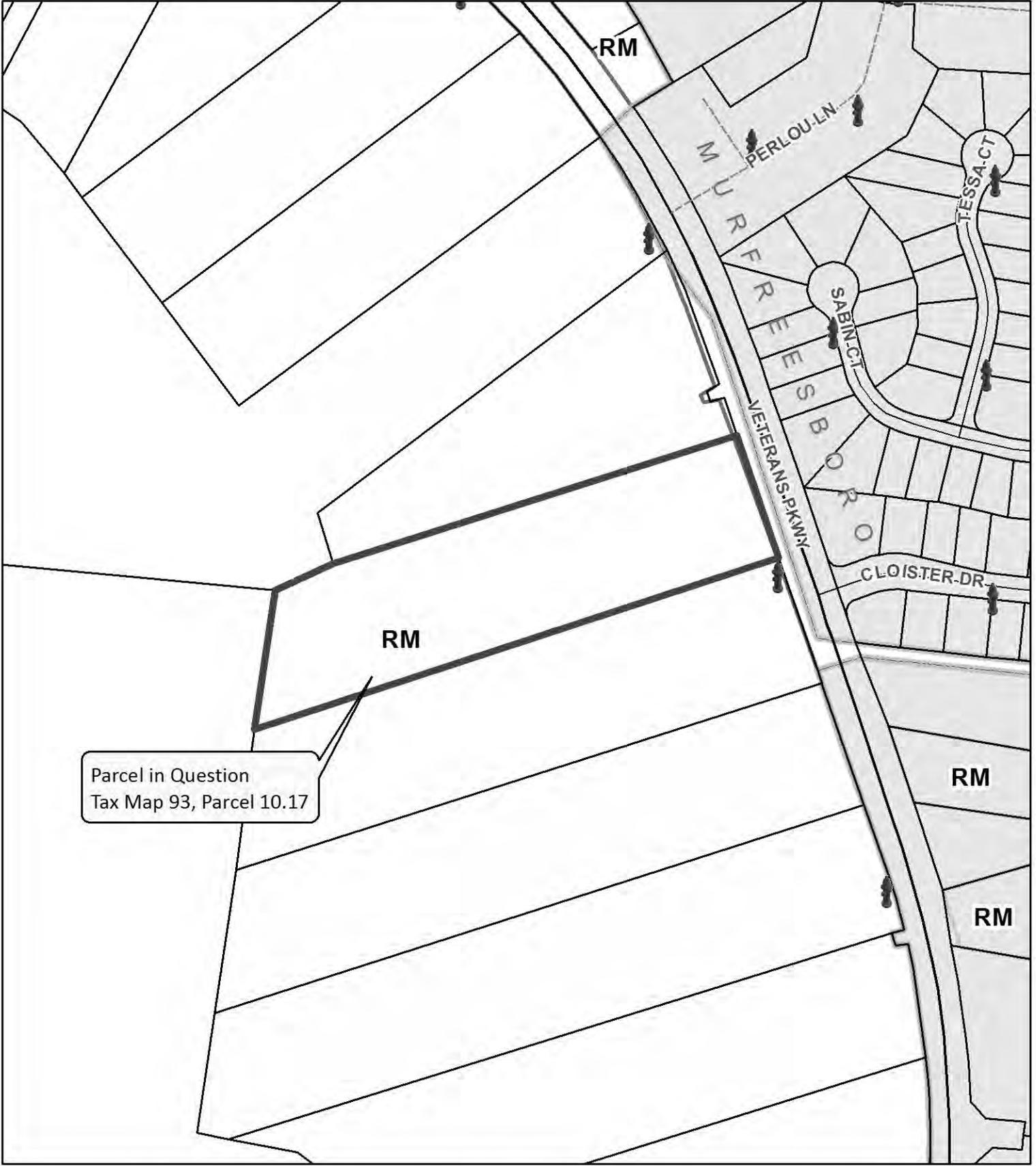
Staff feels that CS zoning would be consistent with the development trend in the area and recommends approval.

There was very little discussion on this item at the Planning Commission's meeting. There were some questions raised in regards to the existing private covenants against commercial use on the property. The County's Legal Staff advised that private covenants should not be considered during the deliberation of a rezoning request. There was also some discussion on how the County's Commercial Services (CS) zone compares with the City of Murfreesboro's Commercial Fringe (CF) zone. The application was recommended to be approved (7 for, 0 against, 1 abstention).

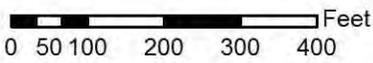
Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Portion of Murfreesboro Zoning Map
Materials from Applicant (Concept Plan)

16-A010



Parcel in Question
Tax Map 93, Parcel 10.17



RM RM - Medium Density Residential

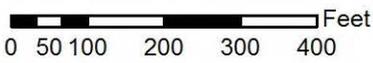
 In Question

 Fire Hydrants

16-A010



Parcel in Question
Tax Map 93, Parcel 10.17



In Question



Fire Hydrants

Rezoning Request Tax Map 93, Parcel 10.17

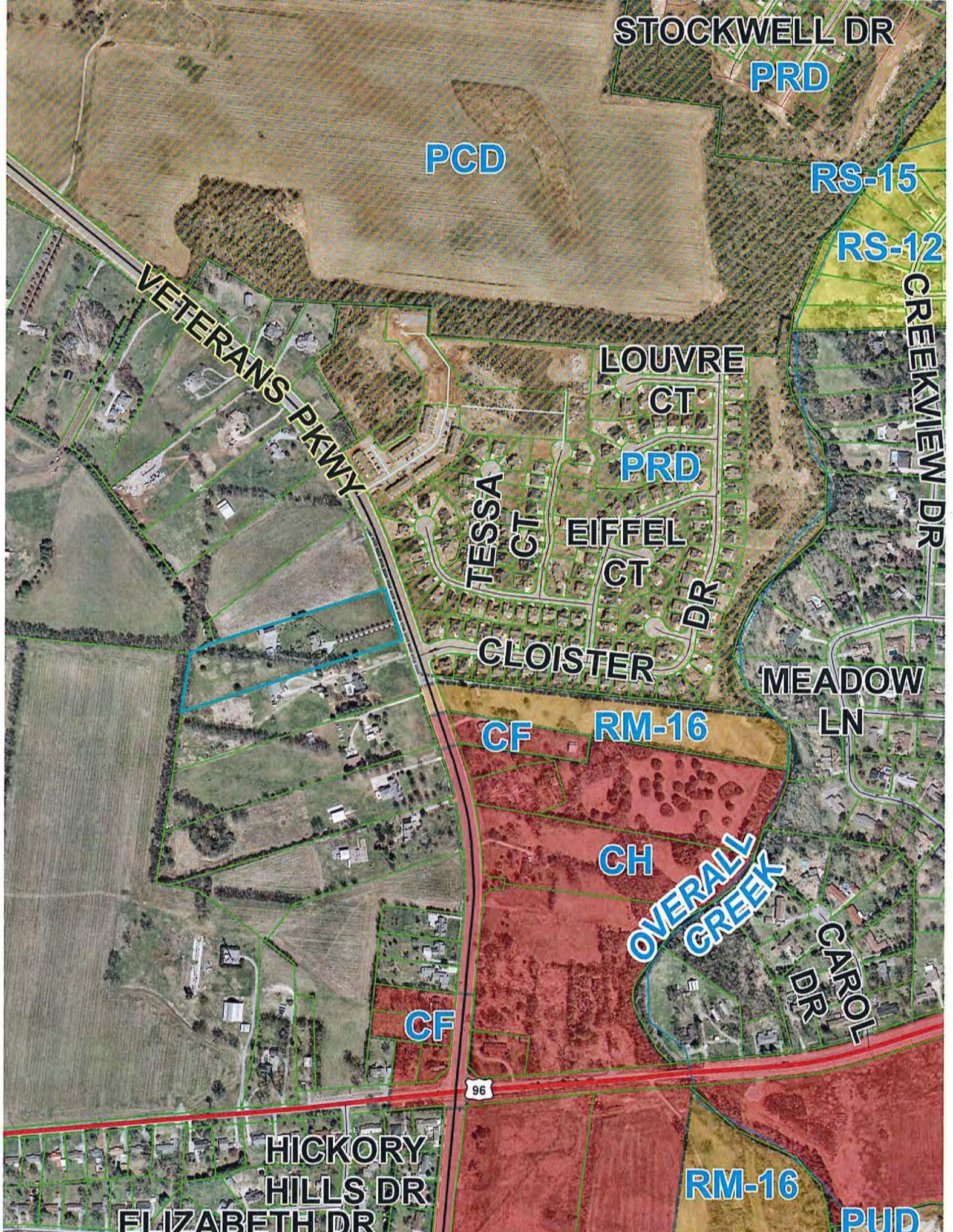


Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and due diligence by the recipient.

Date: May 31, 2016





STOCKWELL DR
PRD

PCD

RS-15

RS-12

CREEKVIEW DR

VETERANS PKWY

LOUVRE
CT

PRD

TESSA
CT

EIFFEL
CT

DR

CLOISTER

MEADOW
LN

CF

RM-16

CH

OVERALL
CREEK

CAROL
DR

CF

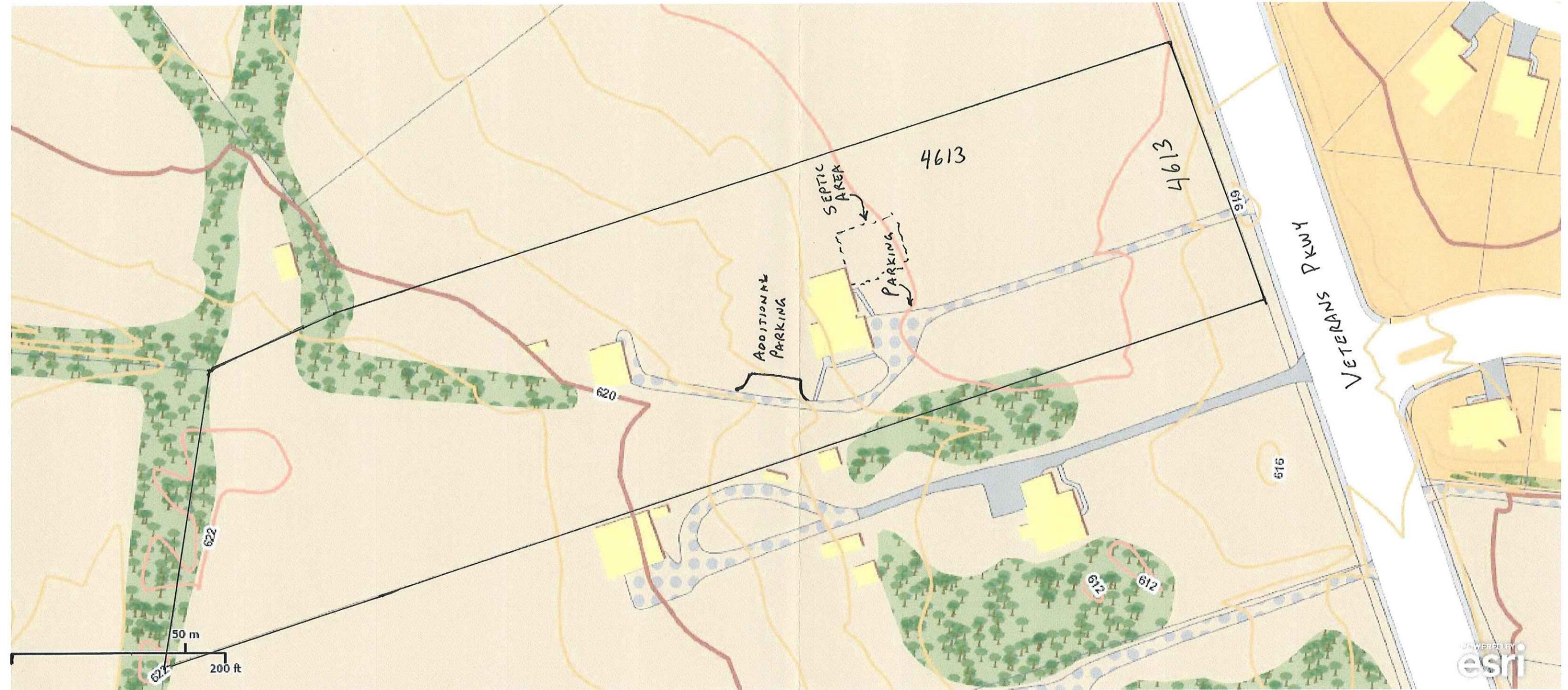
96

HICKORY
HILLS DR

RM-16

ELIZABETH DR

PUD



Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 11, 2016

Case Number: 16-A011

Staff Recommendation: **APPROVAL**

PC Approval: **APPROVAL (CS Zoning instead of CG – 10 For, 0 Against)**

Request by: Lucas Thompson for Jim Thompson

Property Address: Jackson Ridge Road

Commission District: 8 – Pettus Read

Urban Growth Boundary: Rural Area

Applicant Request

Rezoning from Residential Medium-Density (RM) to Commercial Services (CS)

Purpose of District

This class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. However, it is not intended that this district permit uses which generate large volumes of truck traffic, and certain activities that have lower performance characteristics are prohibited. Less building bulk is permitted, and more open space and buffering are required.

Site Characteristics

Current Zoning: RM

Current Use: Vacant/Agricultural

Adjacent Uses: Single-Family Residential to the south, west and east. Vacant/agricultural to the north. Commercial uses are located at the intersection of Jackson Ridge Road and Rockvale Road to the southeast

Adjacent Zoning: RM on all sides. Commercial Neighborhood (CN) at the intersection of Jackson Ridge Road and Rockvale Road

Size of Tract: Approximately 5 ½ acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Character Area. Recommended non-residential density for the Suburban Character Area is 0.2 Floor/Area Ratio. Jackson Ridge Road is also identified as an Urban Corridor by the Plan.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan anticipates commercial uses in the Suburban Character Area.

Infrastructure

Roads: Jackson Ridge Road is a 2-lane, ditch-section road that has adequate right-of-way. The County's Long Range Transportation Plan shows this section of Jackson Ridge Road to be widened to a cross-section of 2-lanes with shoulders. There appears to be adequate

right-of-way to make this improvement. There is a TDOT traffic count located about a mile to the southeast of the property along Concord Road that shows a 2015 count of 767 vehicles per day.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 8-inch water line located along the opposite side of Jackson Ridge Road as it fronts the subject property. The attached map shows existing water lines in the area of the subject property.

Fire Protection: The closest fire hydrant is located at the intersection of Jackson Ridge Road and Rockvale Road (Orange Top). Any new development/redevelopment on the property will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: No portion of the property is located within the 100-year flood zone, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Not Applicable since this application is not for residential uses.

Background/Proposal Details

Background/Proposed Use: The property was originally zoned "Services" under the previous Zoning Resolution in 2005. A conditional use permit (copy attached) was also approved for Mini-warehouses, Storage of Boats, RVs and ATVs and Maintenance Service Businesses that include the following: Heating And Air Conditioning Maintenance, Lawn And Garden Maintenance, Plumbing Maintenance and Janitorial Services. The property was never developed with any of these businesses and the conditional use permit lapsed. The property was zoned RM when the County comprehensively rezoned the unincorporated area in 2013. The applicant is asking to reestablish the commercial zoning and construct a mini-storage business. A concept plan has been provided to Staff and is included with your agenda materials. CG zoning does not allow mini-warehouse uses by right. They are allowed by special exception approval through the Board of Zoning Appeals.

The concept plan shows the proposed construction of four buildings, as well as the existing building which would remain as indoor storage. The western-most building will be used for RV/Boat storage and from what the applicant stated to Staff, will probably be the first phase of what they will construct. This is a non-binding concept plan and an engineered site plan will be required to be submitted to the Planning Commission should both the rezoning and special exception applications be approved.

Access & Parking: Access will be from Jackson Ridge Road. Any new parking lots and access drives will need to be constructed consistent with the regulations in the Zoning

Ordinance.

Landscaping: If approved, a Type 2 buffer yard will be required along any property line adjacent to residential zoning. Development projects will be required to meet the Landscape Requirements of the Zoning Ordinance. Existing plantings can be used to help satisfy the buffering requirements.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for light, noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet.

Staff/Planning Commission Recommendation

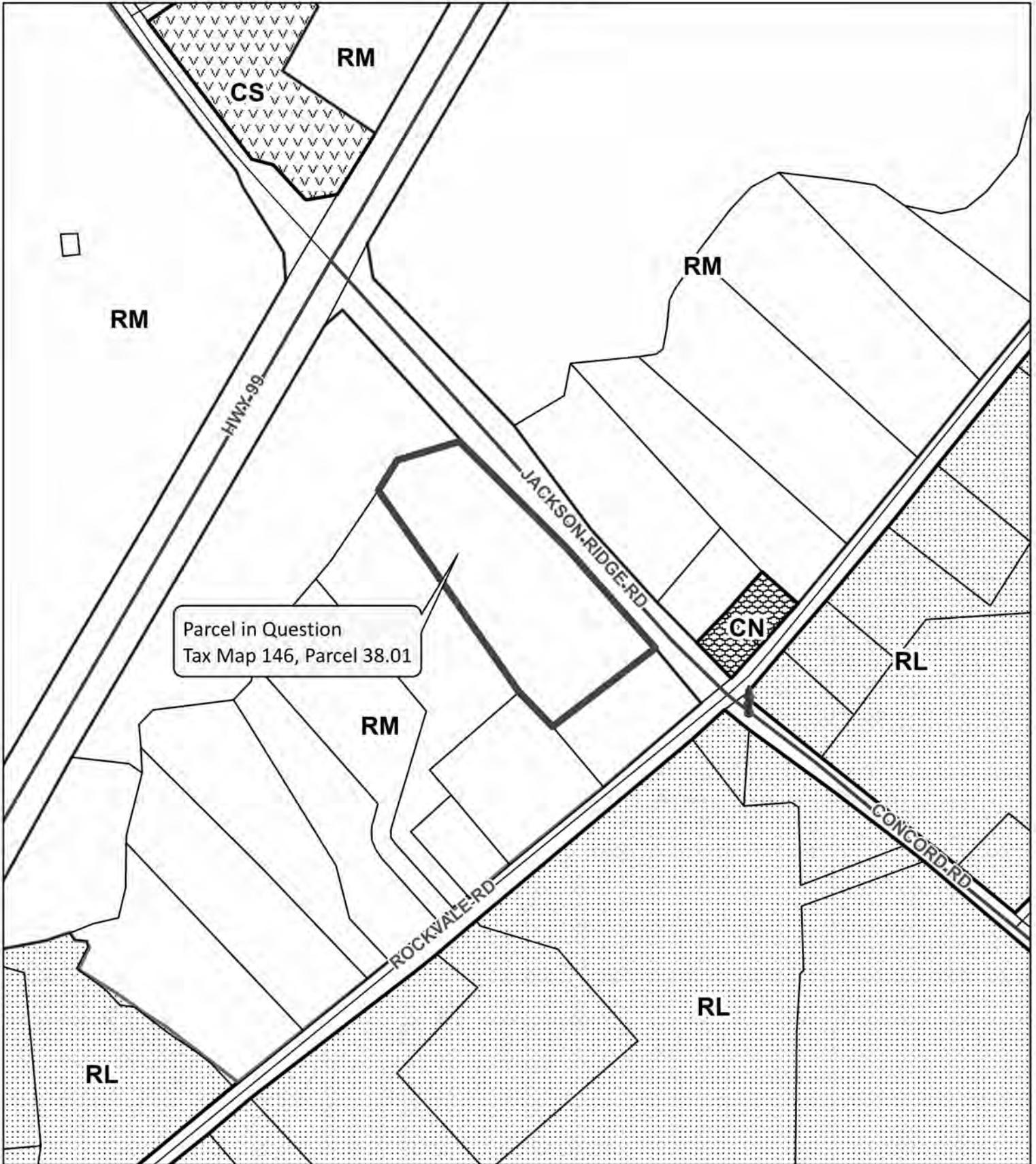
Considering that the property was zoned for commercial purposes in the past, Staff feels that commercial zoning is appropriate. Staff would like the Planning Commission to have some discussions on whether CG or CS would be the more appropriate zoning classification for the property. Staff typically recommends CS zoning for mini-warehouse developments submitted for review. Although the applicant has requested CG zoning, all of the activities that the applicant is proposing would also be allowed in the CS zoning district.

During the first public hearing for this item at the June 13, 2016 PC meeting, comments were made regarding the possible uses should the property cease being used for self storage. There was discussion amongst the Planning Commission members on the appropriate zoning of the property. Some of the Commissioners felt that a planned unit development (PUD) approach would be best in order to limit the potential uses of the property. Staff has had additional conversations with the applicant's representative on this issue. The applicant met with surrounding landowners and after this meeting, they were comfortable with what he was proposing. There were no further comments from the neighbors at the Planning Commission's July 11, 2016 meeting after this explanation was given. The Commission voted to recommend approval by a unanimous vote (10 for, 0 against) for CS zoning as opposed to CG zoning. The applicant was fine with the CS zoning designation.

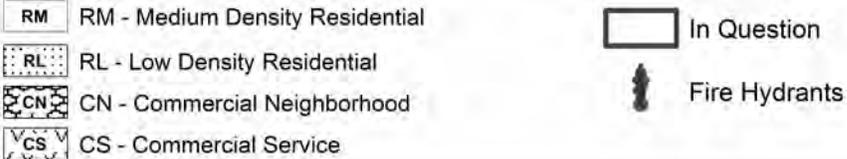
Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Concept Plan
Previously Approved Conditional Use Permit

16-A011



Parcel in Question
Tax Map 146, Parcel 38.01

 RM	RM - Medium Density Residential		In Question
 RL	RL - Low Density Residential		Fire Hydrants
 CN	CN - Commercial Neighborhood		
 CS	CS - Commercial Service		

16-A011



Parcel in Question
Tax Map 146, Parcel 38.01



0 75 150 300 450 600 Feet

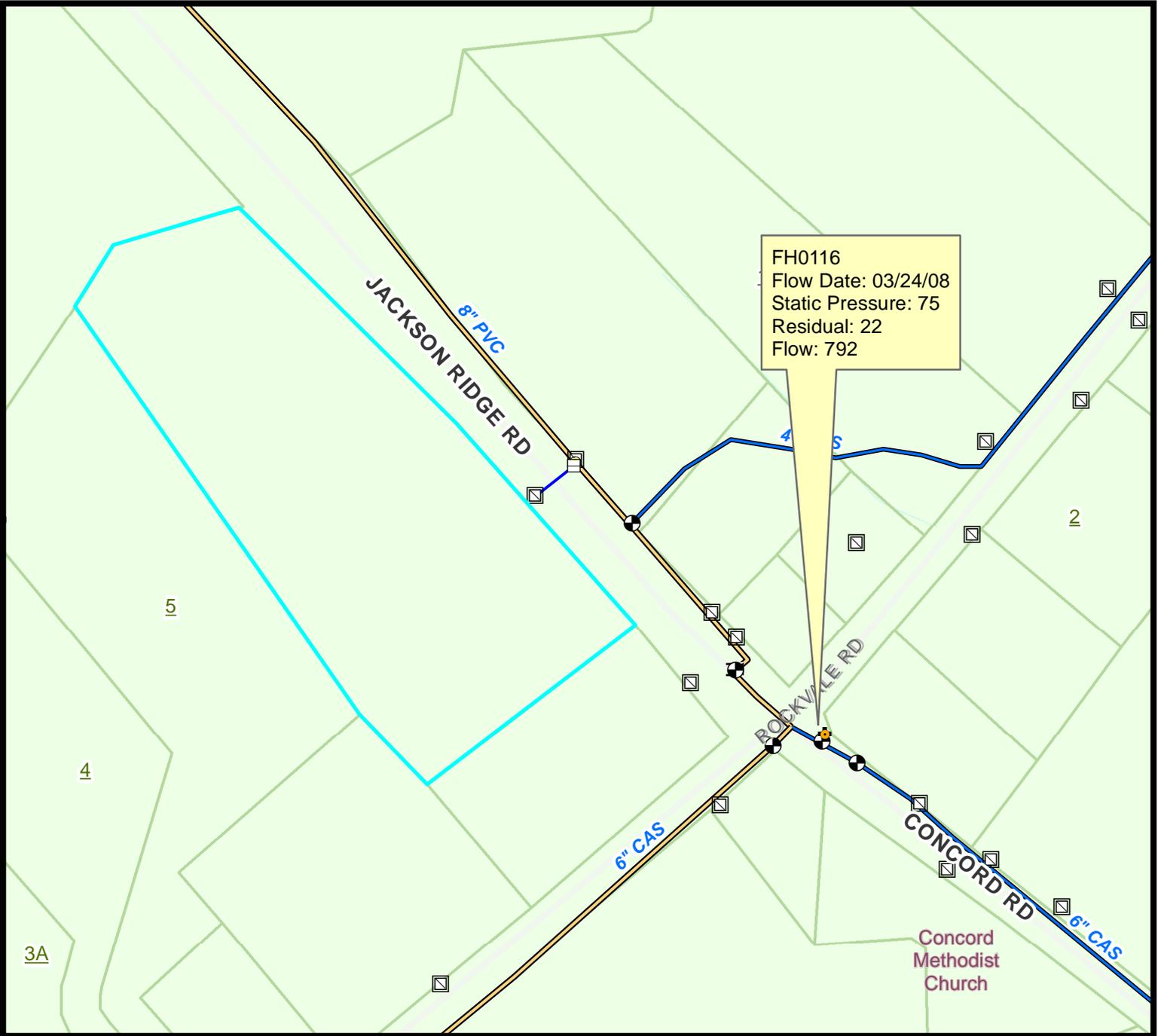


In Question



Fire Hydrants

Rezoning Request Tax Map 146, Parcel 38.01

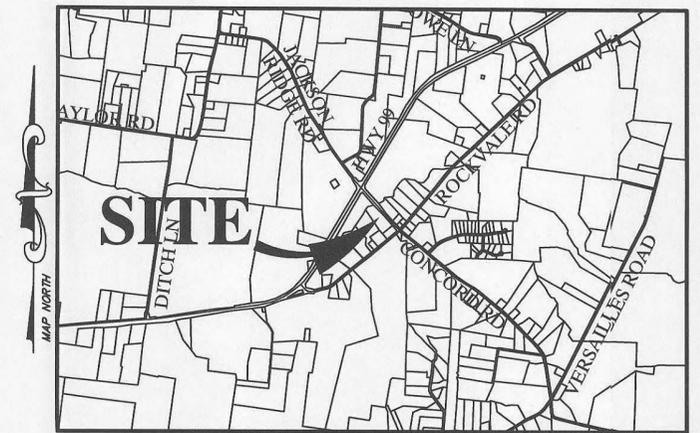


Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

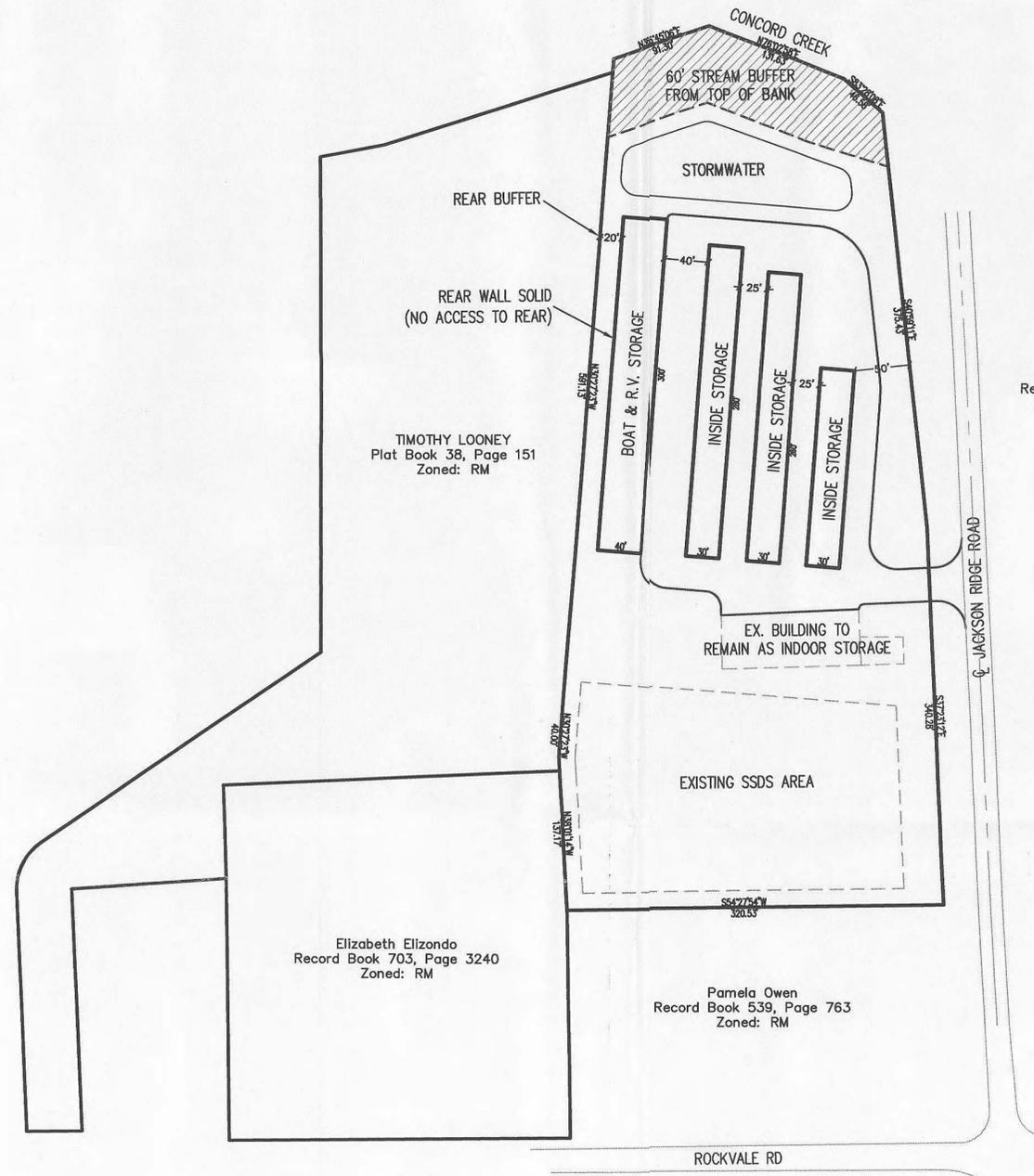
All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and due diligence by the recipient.

Date: May 31, 2016





LOCATION MAP
N.T.S.



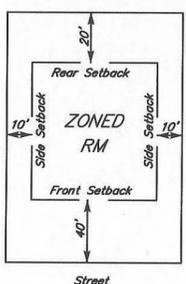
Billie Johns
Record Book 703, Page 3242
Zoned: RM

RECEIVED
MAY 13 2016

BY:

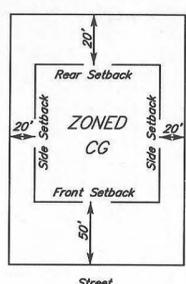
PROPERTY IS CURRENTLY ZONED RM
APPLYING FOR ZONING CG

ZONED: RM
FRONT SETBACK: 40'
SIDE SETBACK: 10'
REAR SETBACK: 20'

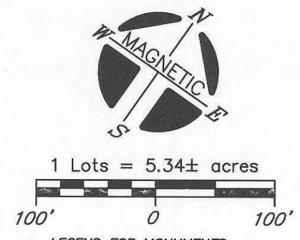


TYPICAL BUILDING SETBACK DETAIL
N.T.S.

ZONED: CG
FRONT SETBACK: 50'
SIDE SETBACK: 20'
REAR SETBACK: 20'



TYPICAL BUILDING SETBACK DETAIL
N.T.S.



1 Lots = 5.34± acres

LEGEND FOR MONUMENTS
 IPS ○ IRON PIN SET (1/2" H-5)
 IPF ○ IRON PIN FND.
 R ○ RAILROAD SPIKE
 * FENCE
 S ● SURVEY POINT
 N ▲ NAIL
 CM ■ CONC. MARKER FND.
 P.O.B. POINT OF BEGINNING

OWNER: THOMPSON FAMILY TRUST
 ADDRESS: 14136 MT PLEASANT RD
 Rockvale, TN 37153
 PROPERTY: JACKSON RIDGE RD
 Tax Map 146, Parcel 38.01

THIS PROPERTY IS NOT INCLUDED IN AN AREA DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY MAP 470149C0, 0360-H, DATED JAN. 05, 2007 ZONE: X (PANEL NOT PRINTED)

FLOOD MAP 47149C0 PANEL 0360-H
 DATED JAN. 5, 2007 ZONE: X
 (PANEL NOT PRINTED)

HS HUDDLESTON-STEEL ENGINEERING INC.
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 TELEPHONE: 893 - 4084, FAX: 893 - 0080

REZONE EXHIBIT

THOMPSON STORAGE

10th Civil District of Rutherford County, Tennessee

Date: May, 2015 Scale: 1"=100' Sheet 1 of 1

I:\C03036\Land Projects 2004\RC-HARD SC-COLO-NEW\THOMPSON STORAGE.dwg, RESUB (2), 5/13/2016 9:24:34 AM, ACAD105

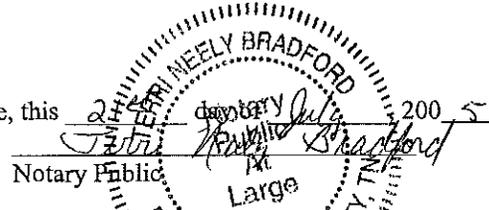
- There shall be a dedication of a twenty (20) foot strip of land for right-of-way to Jackson Ridge Road.

The Rutherford County Board of Commissioners granted the Executive Director of Planning authorization to issue this **TYPE III CONDITIONAL USE PERMIT** at its regularly scheduled meeting on **April 14, 2005**.

Record Book
522 Pg 2468

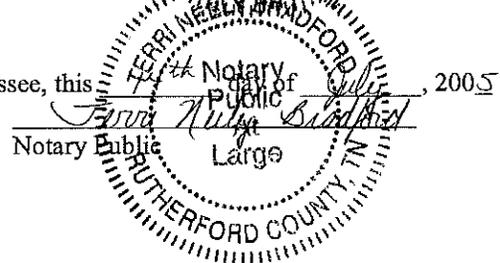
John R. Davis for
John R. Davis
Executive Director

Witness My hand and official seal at Murfreesboro, Tennessee, this 24th day of July, 2005
My Commission Expires: 4-21-08



Sammie L. Farris
Sammie L. Farris
Property Owner

Witness My hand and official seal at Murfreesboro, Tennessee, this 24th day of July, 2005
My Commission Expires: 4-21-08



Jennifer M Gerhart, Register
Rutherford County Tennessee
Rec #: 438149 Instrument 1356280
Rec'd: 10.00 NBk: 80 Pg 700
State: 0.00
Clerk: 0.00 Recorded
EDP: 2.00 7/21/2005 at 3:00 PM
Total: 12.00 in Record Book
522 Pages 2467-2468

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 11, 2016

Case Number:	16-A013
Staff Recommendation:	APPROVAL
PC Recommendation:	APPROVAL (10 For, 0 Against)
Request by:	Bud George
Property Address:	1004 Walnut Grove Road
Commission District:	8 – Pettus Read
Urban Growth Boundary:	Rural Area

Applicant Request

Rezoning from Residential Medium-Density (RM) to Planned Unit Development (PUD)

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RM
Current Use: Existing Single-Family Structure/Agricultural
Adjacent Uses: Residential/Agricultural on all sides
Adjacent Zoning: RM on all sides
Size of Tract: Approximately 150 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Belt Character Area. This character area recommends residential densities of up to three units per acre. Walnut Grove Road is also classified as an Urban Corridor which recommends residential densities of up to 10 units per acre. The proposed development has an overall density of 1.86 lots per acre.

Proposal supported by Comprehensive Plan

Yes. The proposed development's densities are within the guidelines recommended by the Comprehensive Plan.

Infrastructure

Roads: Walnut Grove Road/State Route (SR) 269 is a 2-lane, ditch-section road that has 50 feet of right-of-way. The County's Long Range Transportation Plan shows future realignment of SR 269 so that it aligns with the portion east of US 231/Shelbyville Pike. Staff will explore the possibility of any right-of-way needs for this eventual realignment as it fronts the subject property. There is a TDOT traffic count approximately ¼ of a mile to the east of the subject properties that identifies a 2015 count of 360 vehicles per day. This is lower than the 2014 count of 472.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 12-inch water line located along the opposite side of Walnut Grove Road as it fronts the subject property. At the time these comments were prepared, Staff was still awaiting response from CUD on a map of the water lines in the area. Staff will forward this map to the Planning Commission when it is received.

Fire Protection: The closest fire hydrant is located across Walnut Grove Road directly in front of the property (Green Top). Any new development/redevelopment on the property will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: Portions of the property are located within the 100-year flood zone, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Staff has sent a copy of the pattern book to the County Schools Central Office for their comments. Staff will relay any comments received to the Planning Commission.

Background/Proposal Details

Background/Proposed Use: The applicant is proposing to construct 267 single-family residential lots on the subject property. Overall density will be 1.8 dwelling units per acre. Minimum lot sizes will range between 6,600 and 7,800 square feet, with typical lot widths being between 55 and 65 feet. Home sizes will range from 1,400 to 2,500 square feet. There will be approximately 40 acres of open space, most of which would be considered usable under County zoning requirements. The site will be served with a STEP system that will be owned and maintained by Consolidated Utility District (CUD). The project will be completed in six phases. Additional information can be found in the applicant's pattern book which will be included as a separate attachment to the agenda.

Access & Parking: There will be two points of access along Walnut Grove Road. The pattern book also shows stub-outs to both the east and south. Since Walnut Grove Road is a state route (S.R. 269), TDOT regulations will require a traffic study to be completed to determine if any traffic improvements are necessary for this project. This project also meets the County's thresholds for a traffic study. Proposed streets will have 50 feet of right-of-way and will be designed to current County standards.

Landscaping: Since this is a single-family development, buffering would not be required by the Zoning Ordinance. In Staff's opinion, the significant amount of open space being set aside makes any potential buffering unnecessary.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet. Since this is a residential development, the performance standards do not apply.

Staff/Planning Commission Recommendation

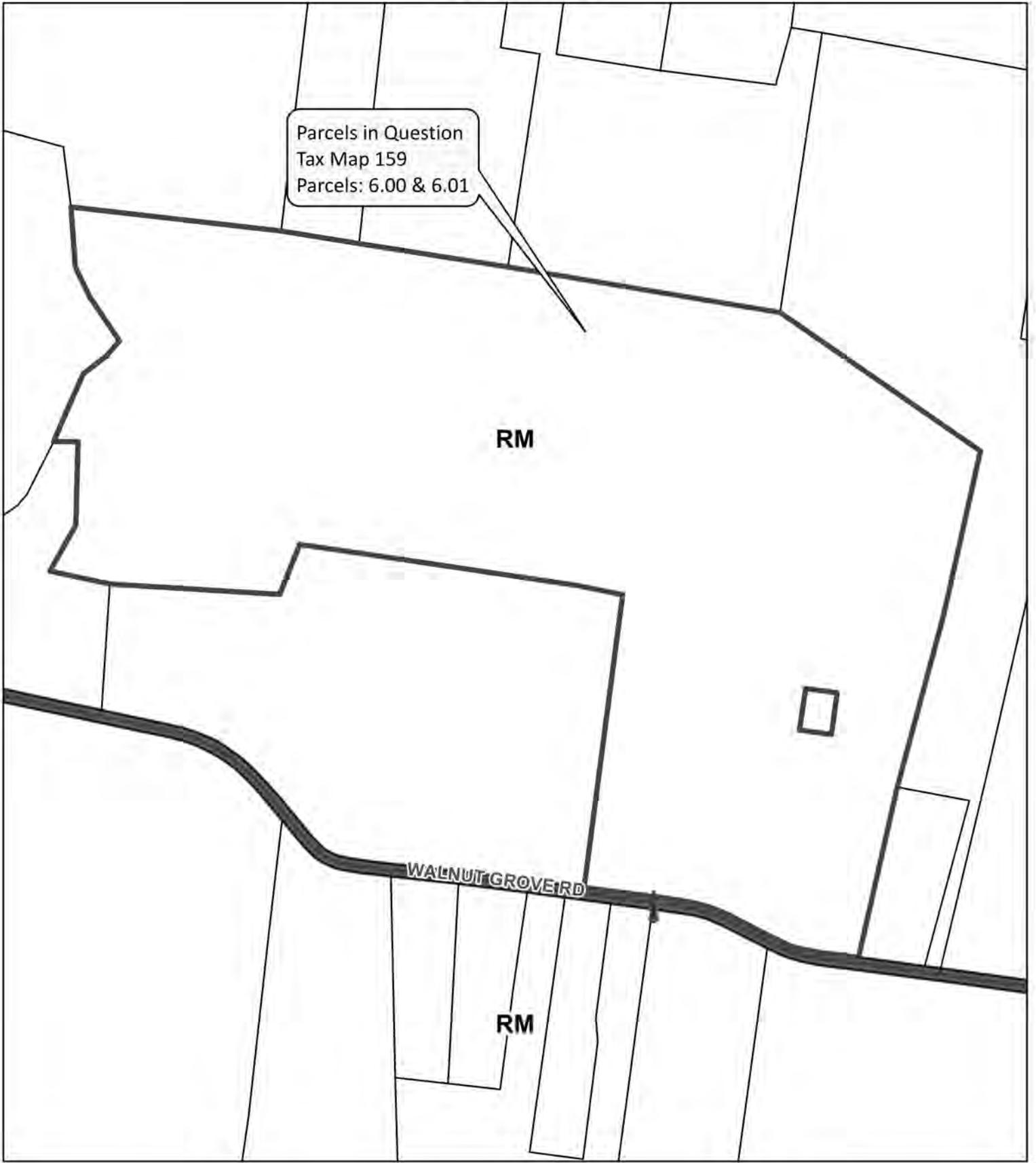
Staff is comfortable with the proposed design of the development. The proposed residential densities are consistent with the Comprehensive Plan. A traffic study will identify any roadway improvements that need to be constructed with the development. Staff recommends approval.

There was some discussion on this item at the Planning Commission's meeting regarding lot sizes, drainage and traffic issues. After discussion of these items, the Planning Commission voted to recommend approval by a unanimous vote (10 for, 0 against).

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Pattern Book (Separate Attachment)

16-A013



Parcels in Question
Tax Map 159
Parcels: 6.00 & 6.01

RM

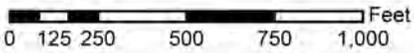
WALNUT GROVE RD

RM

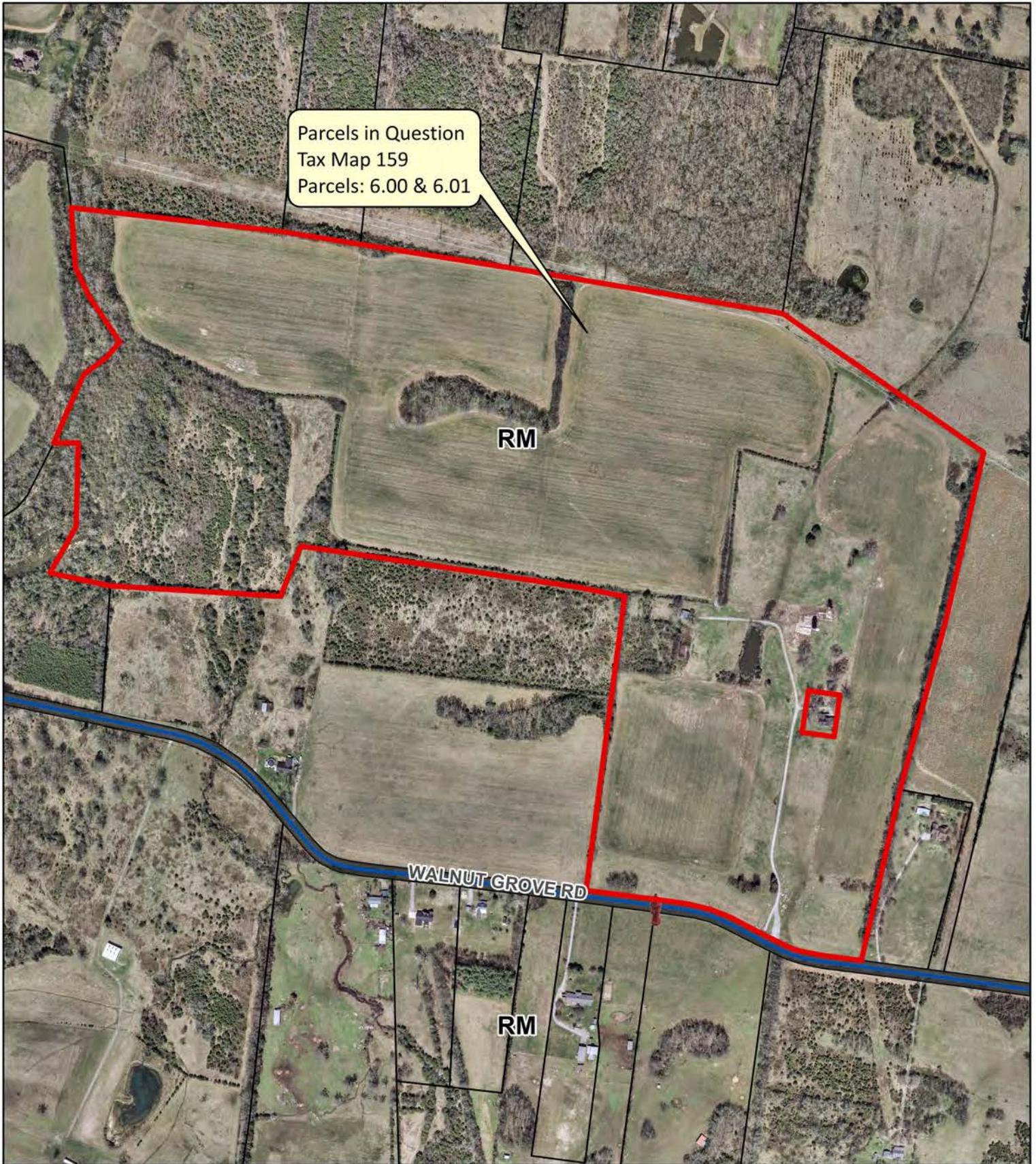
RM RM - Medium Density Residential

 In Question

 Fire Hydrants



16-A013



0 125 250 500 750 1,000 Feet



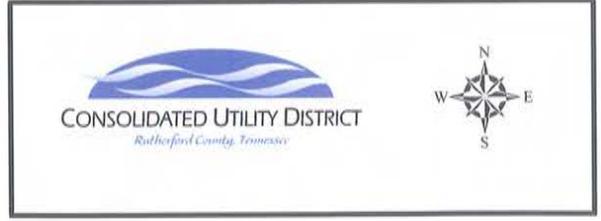
In Question



Fire Hydrants



REZONING REQUEST
WALNUT GROVE ROAD
DATE: JULY 6, 2016



Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 11, 2016

Case Number: 16-A004

Staff Recommendation: **APPROVAL**

PC Recommendation: **DENIAL (7 For, 3 Against)**

Request by: Shane Fogle

Property Address: 14873 Mount Pleasant Road

Commission District: 8 – Pettus Read

Urban Growth Boundary: Rural Area

Applicant Request

Rezoning from Residential Low-Density (RL) to Planned Unit Development (PUD)

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RL

Current Use: Vacant/Abandoned Borrow Pit

Adjacent Uses: Vacant to the west and south. Single-Family Residential to the north and east, across Mount Pleasant Road

Adjacent Zoning: RL on all sides

Size of Tract: Approximately 23 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Rural Character Area.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan anticipates commercial uses in the Suburban Character Area.

Infrastructure

Roads: Mount Pleasant Road is a 2-lane, ditch-section road that has adequate right-of-way. The County's Long Range Transportation Plan shows this section of Mount Pleasant Road as requiring safety improvements, which can include adding shoulders, improving pavement conditions or site distance issues, etc. There appears to be adequate right-of-way to make this improvement. There are no TDOT traffic counts located in this area.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 8-inch water line located along the opposite side of Mount Pleasant Road as it fronts the subject property. The attached map shows existing water lines in the area of the subject property.

Fire Protection: The closest fire hydrant is located across Mount Pleasant Road directly in front of the property (Green Top). Any new development/redevelopment on the property will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: No portion of the property is located within the 100-year flood zone, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Not Applicable since this application is not for residential uses.

Background/Proposal Details

Background/Proposed Use: The subject property was used for rock extraction during the widening of State Route 99 back in 2008. Since that time, the property has remained vacant, except for the structures built during the widening project.

The applicant came to meet with Staff in June of 2015. He currently occupies property at 6155 Highway 99 and plans to move his operations to the subject property. After speaking with the applicant, Staff advised that a rezoning would be required and recommended Commercial Services (CS) as the zone that could best accommodate the type of business he was operating.

Several months went by and Staff received a complaint of activity occurring at the subject property. After investigating the complaint, it was discovered that the applicant had begun to move his business to the subject property and erecting structures without zoning authorization, site plan approval or building permits. A stop work order was issued for by the County's Building Codes Department for the building construction. Planning and Engineering Staff met with the applicant in order to discuss possible remedies to what was now a zoning violation. Most of the concerns relayed to Staff concerned the noise created from the applicant's use of a dirt/rock separator on the property. There was also concerns regarding the possible use of the property should the applicant ever sell the property in the future and traffic concerns. After hearing the concerns, Staff recommended to the applicant that they no longer pursue CS zoning but a planned development (PUD) approach for his application.

The applicant has provided a pattern book for his proposed development, which has been included with your agenda materials. The applicant has approximately 15 employees and will have operating hours from 7:00 AM to 5:00 PM. Activities will include, but not be limited to, loading of materials, such as top soil, trees, mulch, etc. using skid steers onto trucks for delivery to various job sites. There will be no retail component of this business on the property. Concrete bins will be added to contain mulch.

Access & Parking: Access will be from Mount Pleasant Road. There are currently two access points to the property. Per Staff's suggestion, due to the fact that the northern access is closer to several homes on the eastern side of Mount Pleasant Road, the applicant has stated that he will utilize the southern access point for a majority of the site's traffic. Parking lots and access drives will need to be upgraded consistent with the regulations in the Zoning Ordinance.

Landscaping: Buffering is required consistent with Section 1104 of the Rutherford County Zoning Ordinance. Most of the site is heavily wooded, with only the portion used for the borrow pit being cleared. The applicant has indicated that this would remain the case. Staff does not believe that any additional buffering is required.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for light, noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet. Most of the noise issues were created as a result of the rock sifter located on the property. The applicant has indicated that he will no longer sift any of the material on his property.

Staff/Planning Commission Recommendation

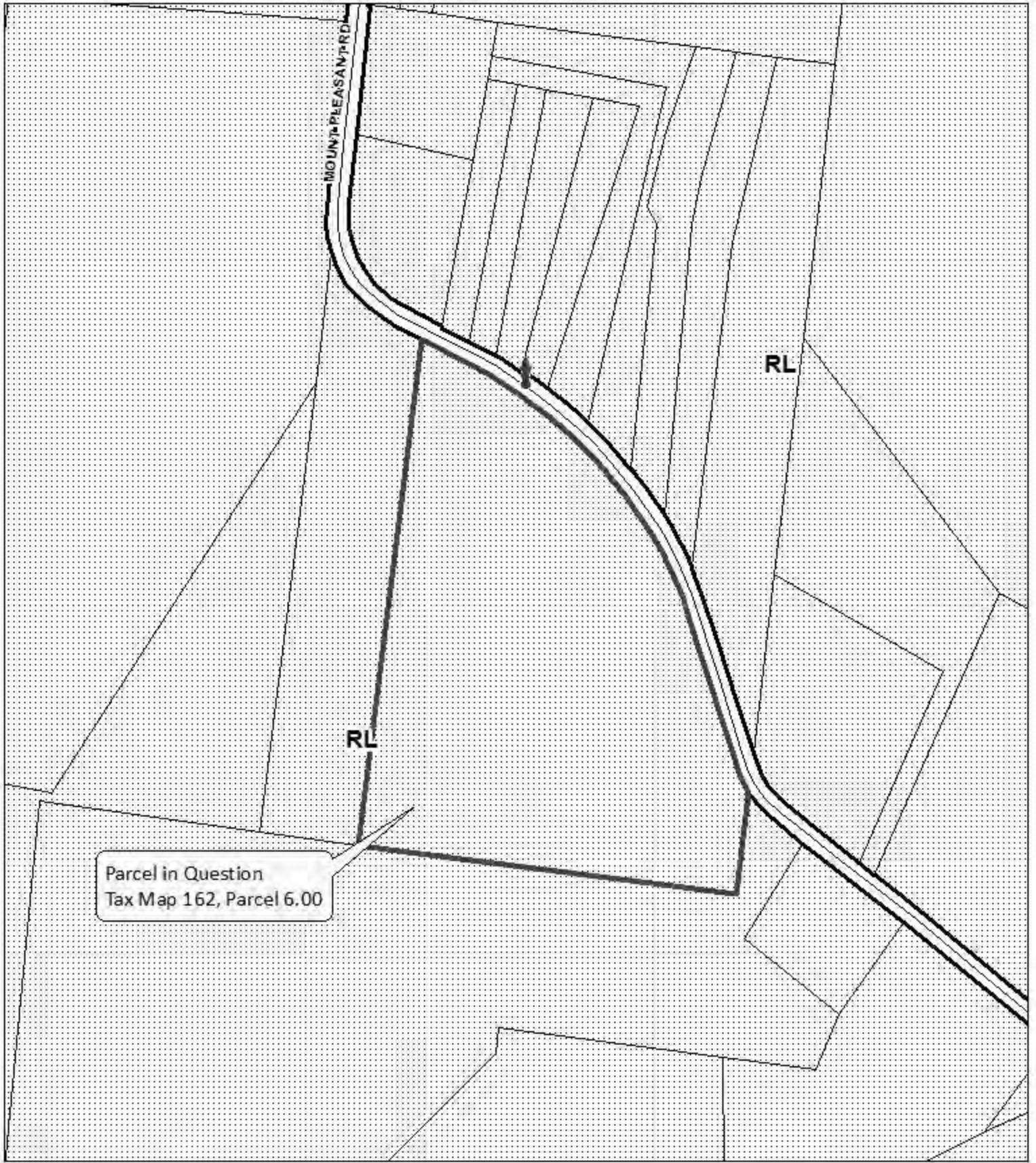
Despite the manner in which the application has come forward, Staff believes that this is likely the best use for the property. Septic soils are limited at best and the State's use of the property as a borrow pit makes single-family use highly unlikely. While not zoned commercially, the Champion's Run Golf Course is located in very close proximity to the subject property. The site is heavily treed and should adequately screen the applicant's activity. The proposed zoning also limits the use of the property to similar uses as the applicant proposes. Staff recommends approval of the request.

There were a number of people of spoke during the public hearing regarding this application. Most of the concerns raised were in regards to traffic from the proposed development and the conditions of the roads in the area, noise issues from the property, lack of soil sites for septic tanks, property value concerns for the existing homes along Mt. Pleasant Road. The Planning Commission ultimately voted to recommend denial of this application by a vote of 7 for and 3 against.

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Applicant's Description
Pattern Book (Separate Attachment)

16-A004



Parcel in Question
Tax Map 162, Parcel 6.00

RL - Low Density Residential

In Question

Fire Hydrants



0 100 200 400 600 800 Feet

16-A004



Rezoning Request Tax Map 162, Parcel 6.00



Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and due diligence by the recipient.

Date: May 31, 2016





6155 Highway 99
Rockvale, TN 37153
Office: (615) 898-3755
Fax: (615) 904-7229

Explain in detail what you propose to do with this property and outline your long term plans for the property. Refer to the purpose statement of the zoning district for which you are requesting and explain how your project will fit within the description of that district.

Greenbriar Landscape Co, Inc. currently operates at 6155 Highway 99, Rockvale TN. I purchased 14873 Mount Pleasant Road in November 2014. As the economy has thrived, we have as well, and have out grown our current location.

I would like to operate the landscape and excavating division on the property located at 14873 Mount Pleasant Road, Rockvale TN 37153.

This part of the operation would include two landscape trucks, two grading trucks and 5 to 7 employees, which includes two managers overseeing the operation. There would be small equipment kept at this location, including, but not limited to, skid steers, mini x and backhoes. Currently there is dirt screener on the property that is used to separate the rock from the dirt that is already being used in landscape projects.

We plan to have landscape materials delivered to the property, such as bushes, trees, perennial, annuals, compost, mulch, straw, and drainage materials. The materials will be for landscape projects only and will not be sold to the public.

To best fit our operation, we will need to construct storage sheds, mulch bins, and a green house, as well as parking areas to store all of the above. This property is a perfect place to operate a landscape company.

A handwritten signature in black ink, appearing to read "Steve J. C.", is located at the bottom left of the page.

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 11, 2016

Case Number: 16-A009

Staff Recommendation: **APPROVAL**

PC Recommendation: **DENIAL (10 For, 0 Against)**

Request by: Beverly DeLong

Property Address: 8461 Franklin Road

Commission District: 20 – Trey Gooch

Urban Growth Boundary: Murfreesboro UGB

Applicant Request

Rezoning from Residential Medium-Density (RM) to Planned Unit Development (PUD)

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RM

Current Use: Existing Single-Family

Adjacent Uses: Residential on all sides

Adjacent Zoning: RM on all sides

Size of Tract: Approximately 5 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Belt Character Area. This character area recommends non-residential densities of up to .2 floor/area ratio (FAR). Franklin Road is also classified as an Urban Corridor which recommends non-residential densities of up to .9 FAR.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan does contemplate non-residential uses within Suburban Character Area and along Urban Corridors.

Infrastructure

Roads: Franklin Road/State Route (SR) 96 is a 2-lane, ditch-section road that has approximately 60 feet of right-of-way. The County's Long Range Transportation Plan shows a future widening of Franklin Road to five lanes. Staff will explore the possibility of any right-of-way needs for this eventual widening. The closest traffic count to the subject property is located approximately 1/2 of a mile to the west of the subject property. The location (Station 51) shows a 2015 count of 5,717 trips per day.

Utilities: According to Consolidated Utility District (CUD), there is a 6-inch water line to service the property along Franklin Road.

Fire Protection: According to information provided by CUD, there is a fire hydrant located at the intersection of Franklin Road and Puckett Road, which is about 800 feet to the west of the subject property. Any development will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: No portion of the subject property is impacted by the 100-year floodplain, as delineated by the Federal Emergency Management Agency (FEMA). The County's Engineering Staff has stated that the drainage area downstream from this property is volume sensitive. The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Not Applicable since this application is not for residential uses.

Background/Proposal Details

Background/Proposed Use: The property was the subject of a rezoning request in August of 2015. The applicant was requesting Commercial Services (CS) zoning for the eventual use of a self-storage facility. Following the public hearing, the Planning Commission recommended denial by a unanimous vote. The minutes of that meeting have been included with your agenda materials. The applicant withdrew the application following the Planning Commission's meeting.

The applicant has submitted a new application for an identical use (Self-Storage) but is doing so as a PUD as opposed to conventional zoning. The pattern book has been included with your agenda materials as a separate attachment. The concept plan shows only a portion of the property being used for the self-storage business, approximately five acres, as opposed to the entire property (Approximately nine and one-half acres). The plan is to develop 100 units initially, with an ultimate buildout of approximately 300 units. Additional buildings will be added when the existing units are 80 percent occupied. Complete buildout will be in three to five years. Hours would be from 8:00 AM to 8:00 PM with possible seasonal adjustments and would employ between one to three people. The existing house will remain and will be used for an office.

Access & Parking: Access to the property was originally shown off of Baltimore Road. Staff had some concerns as to the feasibility of this access, as Baltimore Road is a private drive and would require significant improvements for commercial use. When the current application was submitted, the access from Baltimore Road was removed and access was shown off of Deer Run Road, which is a public right-of-way as it fronts the subject property. A neighborhood meeting was held on April 18, 2016. Several of the property owners along Deer Run Road objected to the new access point.

After discussion, the applicant agreed to move the access to Franklin Road, using the same access as the existing house.

The applicant's engineer has completed a sight-visibility study, which has been included with your agenda materials. Staff has also visited the site and with proper modifications to the existing access drive, sight distance should be adequate.

Landscaping: The pattern book shows a Type 2 Buffer along the perimeter of the property. It also appears that buildings along the eastern and western property lines will be used as part of the buffering requirements.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet. The site will be bound by these standards.

Staff Recommendation

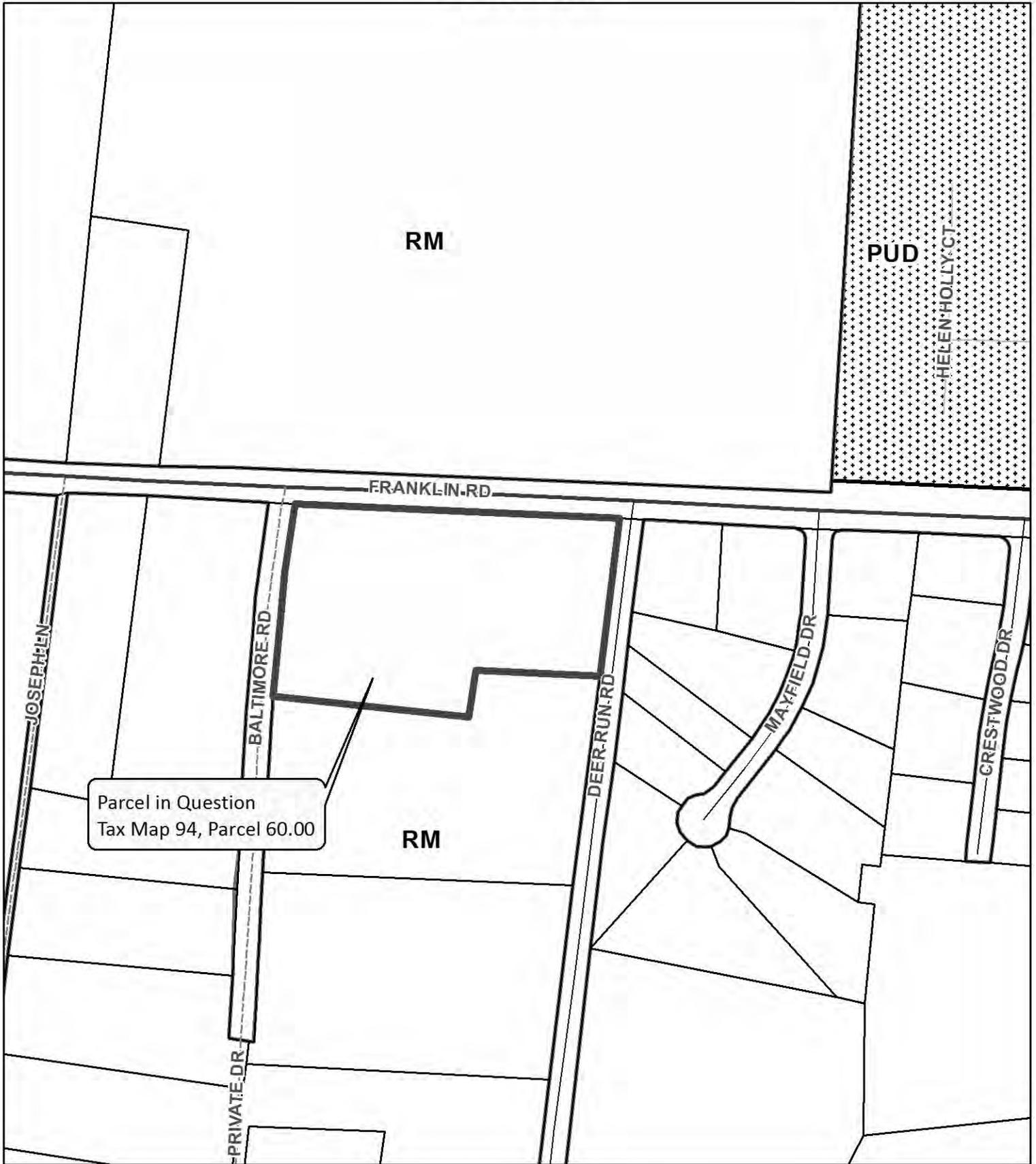
The applicant has tried to be sensitive to the concerns of those who live in the surrounding area. Staff does have concerns about the proposed access but feels that improvements can be made to alleviate those concerns. Staff recommends approval.

There were a number of comments made on this application at the Planning Commission's meeting. Most of the comments focused on the timing of the development for the proposed location. Traffic concerns/possible turn lanes were also discussed, along with the lack of services-related property along the south side of Franklin Road in the immediate area. The first motion made was for approval of the application with an added condition that a turn lane be added, but this was withdrawn after discussion. Ultimately, the Planning Commission didn't feel this application was much different from the original application made in 2015 and recommended denial by a vote of 10 for and 0 against.

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Minutes from August 10, 2015 Meeting
Sightline Study
Pattern Book (Separate Attachment)

16-A009



Parcel in Question
Tax Map 94, Parcel 60.00

  RM - Medium Density Residential  PUD - Planned Unit Development  In Question  Fire Hydrants

0 50 100 200 300 400 Feet

16-A009



Parcel in Question
Tax Map 94, Parcel 60.00



0 50 100 200 300 400 Feet

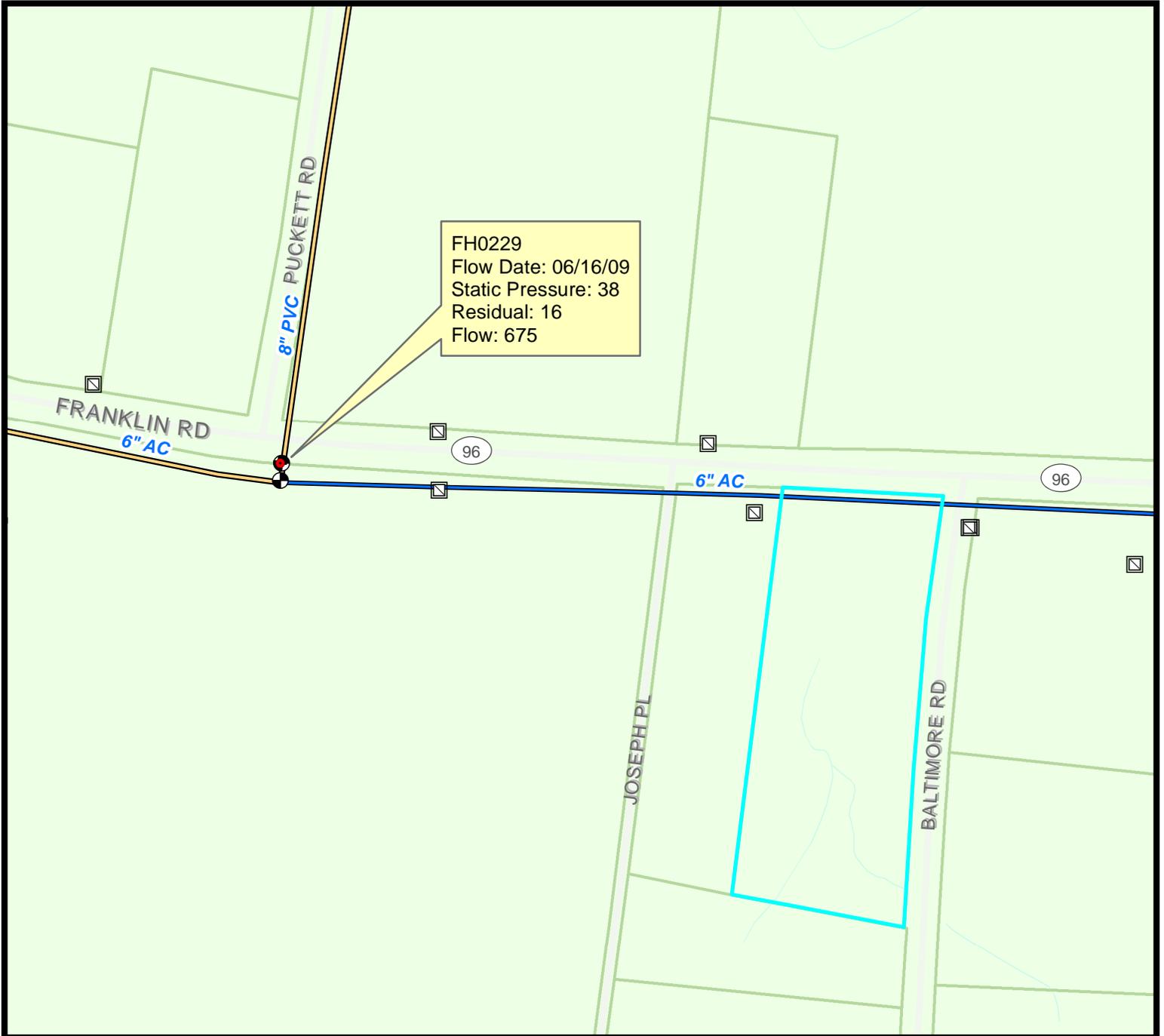


In Question



Fire Hydrants

Rezoning Request Tax Map 94, Parcel 60.00



Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and due diligence by the recipient.

Date: May 31, 2016



Minutes from August 10, 2015 PC Meeting (Portion Only)

B. BEVERLY DELONG (15-A008)

Doug Demosi presented and said that the applicant is requesting to rezone from RM to CS and wishes to do so in order to establish mini-warehouses. That type of facility is only allowed by special exception in the CS zone and they would need to go to the Board of Zoning appeals. He said that the concept plan has been revised since its submission. He outlined several concerns that Staff had, including the road needing improvement and the need for a traffic study due to the traffic in the area. They are showing some right-of-way dedication on the west side but not on the east. He also said that they may have problems with any effective soil sites. He said the applicant has spoken with some of the residents in the area. He also said there is some commercial zoning to the west, but nothing right by the site.

Veronica Buchanan asked which area is going to be affected with the widening of the road. Doug said that he didn't think there is any design yet so it's difficult to say but he would anticipate they would need right-of-way on both sides. Veronica asked if they have a back-up site for their soils. Doug said the plan only shows one but they may not need a lot.

Steve Sandlin asked how many residents are living down Baltimore Road. Doug said about 5-10. Doug further said the reason that this was deferred last month was because their original application was only for one portion of the site but the applicant decided they wanted to rezone the whole site.

Jeff Phillips opened the public hearing.

Beverly DeLong came forward with Trent Smith, her civil engineer. She gave a video presentation of her request for mini storage.

Will Jordan asked if she is planning on leaving the house on the property. She said the house would remain there and possibly be used for an office.

Amy Baltimore of 356 Baltimore Road spoke and said that she represents the Baltimore Road area and Deer Run and Coleman Hill. She asked for a show of hands of those she is representing. She said they are all opposed to the request due to the water shed being disturbed, flooding, safety concerns with traffic, and that is a private road and they do not wish to give up any rights to that and would not want their current way of life affected. She also said there is no room for a turnaround for bigger vehicles in that area and water lines would also need to be added. She also stated that they had concerns if the property is zoned to Commercial Services, what would stop the owner from selling and something new coming in. She gave a copy of a petition with 103 signatures of those in the area that are opposed to the rezoning, including Trey Gooch.

Bruce Colvin of Deer Run Road spoke and asked those who live on Deer Run Road to stand. He said they are opposed to the request and have concerns with the same things that Ms. Baltimore stated.

Chris Moore of Franklin Road spoke and said his property is directly adjacent to the site and he is opposed because of the same reasons others stated and because it is right next door and this would cause noise, lighting and privacy issues.

Mike Hughes spoke regarding the drainage in the area and said there would have to be a comprehensive drainage study if this were approved.

Kathleen Runger of Deer Run Road spoke and said that part of the wetlands are on her property. When it rains it floods their front yard and she is concerned this could flood them completely.

Robert Pope of Deer Run Road said he is opposed to the commercial zoning in this location.

Jennifer Sullivan of Baltimore Road said she is opposed due to the concerns already stated and especially about traffic safety and privacy.

Heather Macarone of Deer Run Road, a real estate appraiser, said this would affect property values and safety is a definite concern.

Jeff Phillips closed the public hearing.

Steve Sandlin thanked the community for coming.

Steve Sandlin moved, seconded by Mike Kusch to Deny the Rezoning Request due to traffic concerns, sinkholes and water drainage, and private roads, no turn around, safety and other concerns. The motion carried by voice vote (11 for, 0 against).

Will Jordan announced that this will also go to the Board of Commissioners Thursday, September 17th with the recommendation for denial.

May 4, 2016

Mr. Doug Demosi, Planning Director
Rutherford County Regional Planning Commission
One Public Square
Murfreesboro, TN 37130

Re: Sight Distance Study
Murfreesboro Self Storage
State Route 96
Rutherford County, Tennessee

Dear Doug:

Huddleston-Steele Engineering, Inc., is pleased to present this summary of our Sight Distance Study for the Murfreesboro Self Storage on State Route 96 in Rutherford County, Tennessee.

The Murfreesboro Self Storage is to have a proposed access onto State Route 96 in front of the site between Deer Run Road to the east and Baltimore Road to the west. More specifically, this access is proposed at the top of a small hill at the mailbox for 8461 Franklin Road (State Route 96).

A Sight Distance Study was performed at this proposed access location on State Route 96 to determine if enough sight distance is provided at the subject intersection with State Route 96.

From visible observations and measurements at the proposed access location on State Route 96, approximately 1372 feet of sight distance exists to the west on State Route 96 and approximately 1301 feet of sight distance exists to the east (see Exhibit).

According to Tennessee Department of Transportation (TDOT) Standard Drawing RD01-SD-3, intersection sight distance for 45 MPH design speed for passenger vehicles is 500 feet (for 55 MPH it is 610 feet). According to TDOT Standard Drawing RD01-TS-3, stopping sight distance for 45 MPH design speed is 360 feet (for 55 MPH it is 495 feet).

Since the observed and measured sight distance existing exceeds the sight distance in TDOT tables, adequate sight distance exists for the proposed access onto State Route 96.

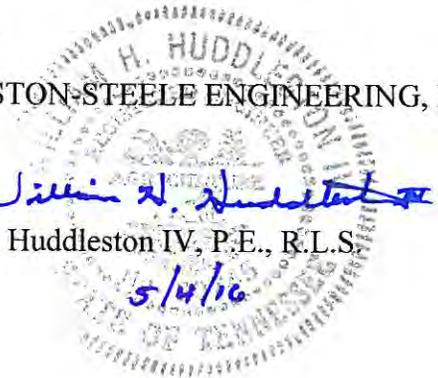
Please contact us if you have any questions or comments.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

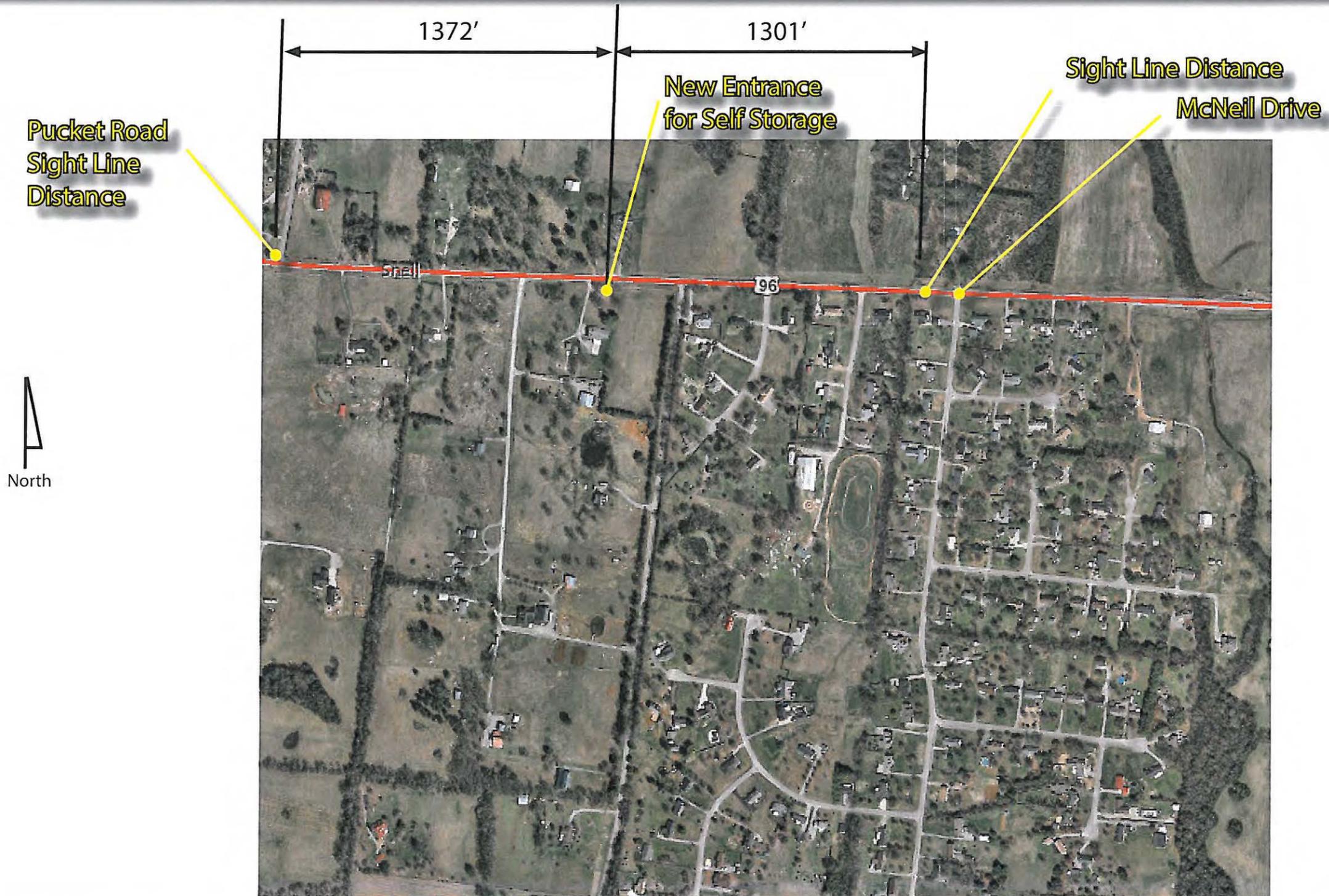


William H. Huddleston IV, P.E., R.L.S.



5/4/16

SIGHT DISTANCE EXHIBIT



Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 11, 2016

Case Number: 16-A012

Staff Recommendation: **RESERVED**

PC Recommendation: **DENIAL (8 For, 2 Against)**

Request by: Eddie Smotherman

Property Address: 10215 Midland Road

Commission District: 8 – Pettus Read

Urban Growth Boundary: Rural Area

Applicant Request

Rezoning from Residential Low-Density (RL) to Planned Unit Development (PUD)

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RL

Current Use: Vacant/Agricultural

Adjacent Uses: Single-Family Residential to the north and northwest. Vacant/agricultural to the east and west. Agricultural/residential to the south.

Adjacent Zoning: RL on all sides. Property to the south is located in Bedford County, which is zoned A-1 (Minimum 1-acre lot size)

Size of Tract: Approximately 62 ½ acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Rural Character Area. Recommended residential density for the Rural Character Area is 1 residential unit/acre. Jackson Ridge Road is also identified as an Urban Corridor by the Plan.

Proposal supported by Comprehensive Plan

Yes. Although the proposed density of the project is 1.86 units per acre, it was understood by Staff and the Planning Commission that there would be pockets in the Rural Area that had infrastructure to accommodate denser developments. The Zoning Ordinance makes provisions for such developments. It is Staff's opinion that the single-family character of the development along with the proposed open space is consistent with the goals found in the Plan.

Infrastructure

Roads: Midland Road is a 2-lane, ditch-section road that has 50 feet of right-of-way. The County's Long Range Transportation Plan shows this section of Midland Road to be scheduled for safety improvements, which can include adding shoulders, improving pavement conditions or site distance issues, etc. There appears to be adequate right-of-

way to make this improvement. There is a traffic count located approximately 2/3 of a mile to the north of the property along Midland Road that shows a 2015 count of 662 vehicles per day according to TDOT counts.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 6-inch water line located along Midland Road as it fronts the subject property. The attached map shows existing water lines in the area of the subject property. Staff has also included a copy of the Will-Serve Letter from CUD regarding this development.

Fire Protection: The closest fire hydrant is located at the intersection of Midland Fosterville Road and Midland Trail (Red Top), approximately one mile from the subject property. The applicant is requesting to use residential sprinkler systems in the development, as CUD has indicated that the water lines are not sufficient to provide fire protection consistent with County requirements. That being said, Staff understands that conversations are taking place between the applicant and CUD to determine what improvements would have to be made in order to provide fire hydrants to the development. Staff will provide an update when more information is made available to us.

Stormwater: Portions of the property are located within the 100-year flood zone, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Staff has sent a copy of the pattern book to the County Schools Central Office for their comments. Staff will relay any comments received to the Planning Commission.

Background/Proposal Details

Background/Proposed Use: The subject properties were approved for a conditional use permit (CUP) for a Planned Residential Development (PRD) by the Board of Commissioners (BOC) in October of 2007. An amendment to the original approval, regarding low-flow stub-outs for future hydrant installation, was approved by the BOC in February of 2008. Copies of both of the CUPs are included with your agenda materials. A preliminary plat was approved by the Planning Commission at their April 14, 2008 meeting. No final plat was ever received for the development and the preliminary plat approval was extended several times. The applicant asked for an additional extension in January of 2016 but was denied by the Planning Commission. The applicant met with Staff and discussed some changes they desired to make to the original application. Staff advised the applicant at that time that a new PUD application would be in order, based on the current zoning regulations.

The layout of the proposed application is very similar to the original application, but does include a second access point to Midland Road, whereas the original did not. The current proposal also has 10 less lots than the original did. Minimum lot size is

proposed to be 10,000 square feet. Homes will range in size from 1,500 to 2,500 square feet and will be built using a variety of materials. More specific details can be found in the pattern book (Separate attachment).

Access & Parking: There are two access roads proposed for the development onto Midland Road. The concept plan in the pattern book does not show any stub-outs to adjacent property, but Staff is of the opinion that practically speaking, the stub-outs would not provide much benefit in this situation. The stub-out to the west would be through the open space/STEP area. The connection to the south would be to property in Bedford County and outside of any control of Rutherford County's regulations. The tract to the north is already developed as a single-family home and does not appear to lend itself to any future development.

Staff has requested that the developer submit a traffic study to determine if any road or intersection improvements are needed due to this development. Staff has instructed the applicant to look specifically at the intersection of Midland Road and Midland Fosterville Road to see what impact this development would have. Staff will share the results of this study when they are received.

Landscaping: A copy of the pattern book was sent to the Bedford County Planning and Codes Department for their review, since the property abuts the both Rutherford and Bedford Counties. A copy of the director's e-mail is attached with this Staff Report. His concerns are for possible buffering along the shared County Boundary line. The Rutherford County Zoning Ordinance would not typically require buffering between properties zoned for single-family use and agricultural use. Conversations with the applicant indicate that the A-1 district in Bedford County have a minimum lot size of one acre, similar to the current RL zoning for the property.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet. Since this is a residential development, the performance standards do not apply.

Staff/Planning Commission Recommendation

While generally comfortable with the request, Staff is reserving its recommendation at this time pending the outcome of receiving additional information on possible water line improvements and the results of the traffic study.

There were several people who spoke at the public hearing on this application. Most of the concerns raised were in relation to the flooding/drainage on the property, traffic concerns, water availability and smaller lot sizes. Mr. Bill Dunnill spoke in regards to the water infrastructure improvements and the impact it would have along Midland Road.

When the motion was made to recommend denial, some of the concerns raised included the density of a development this far out in the rural part of the County, better infrastructure, and possible lack of police patrols. The motion passed by a vote of 8 for and 2 against.

Attachments

Zoning Map

Aerial Map

Water Line Map and Will Serve Letter from CUD

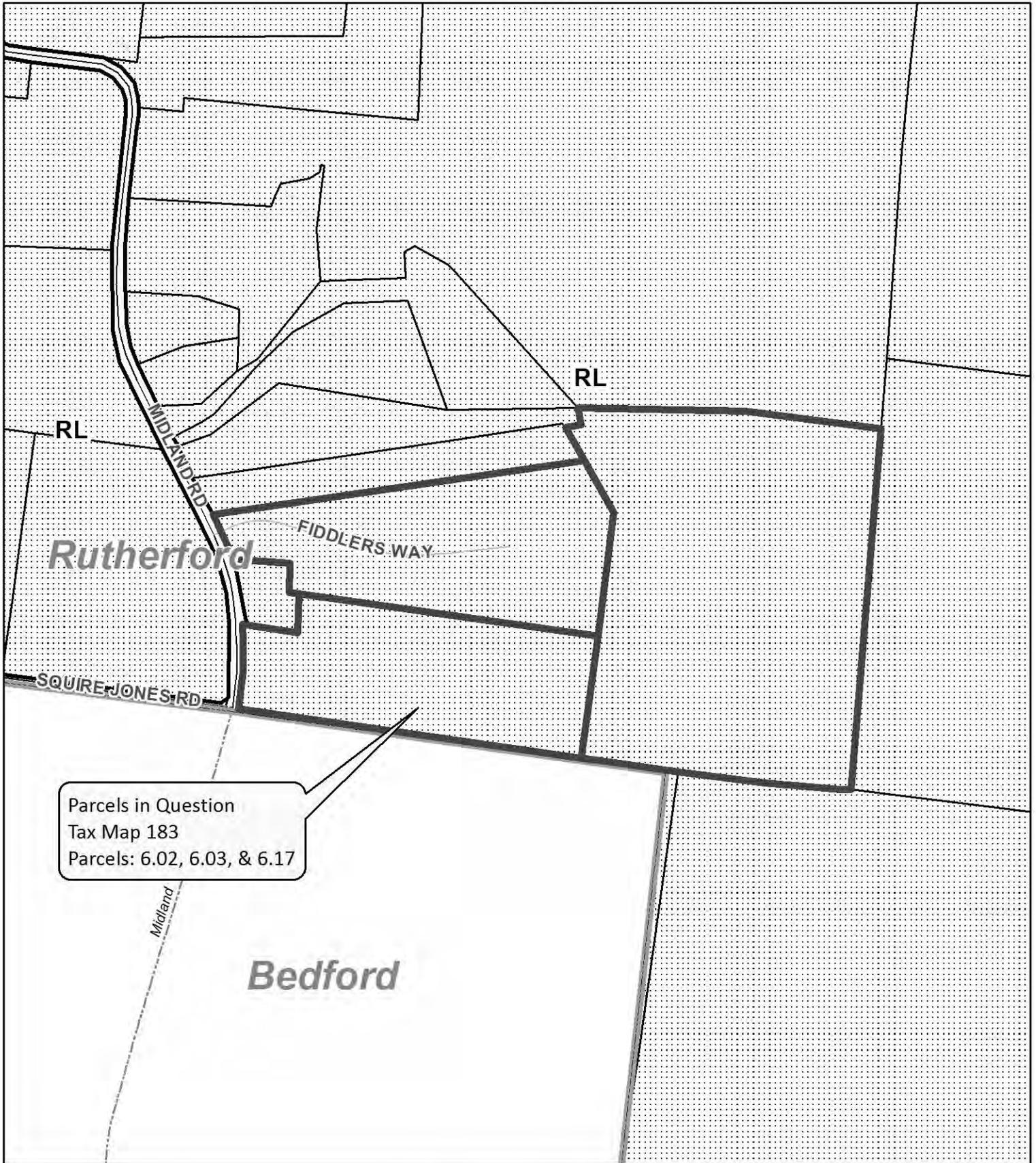
Traffic Count Map

Original approved CUPs

E-mail from Chris White, Director of Bedford County Planning, Zoning and Building Codes

Pattern Book (Separate Attachment)

16-A012



Parcels in Question
Tax Map 183
Parcels: 6.02, 6.03, & 6.17

 RL - Low Density Residential

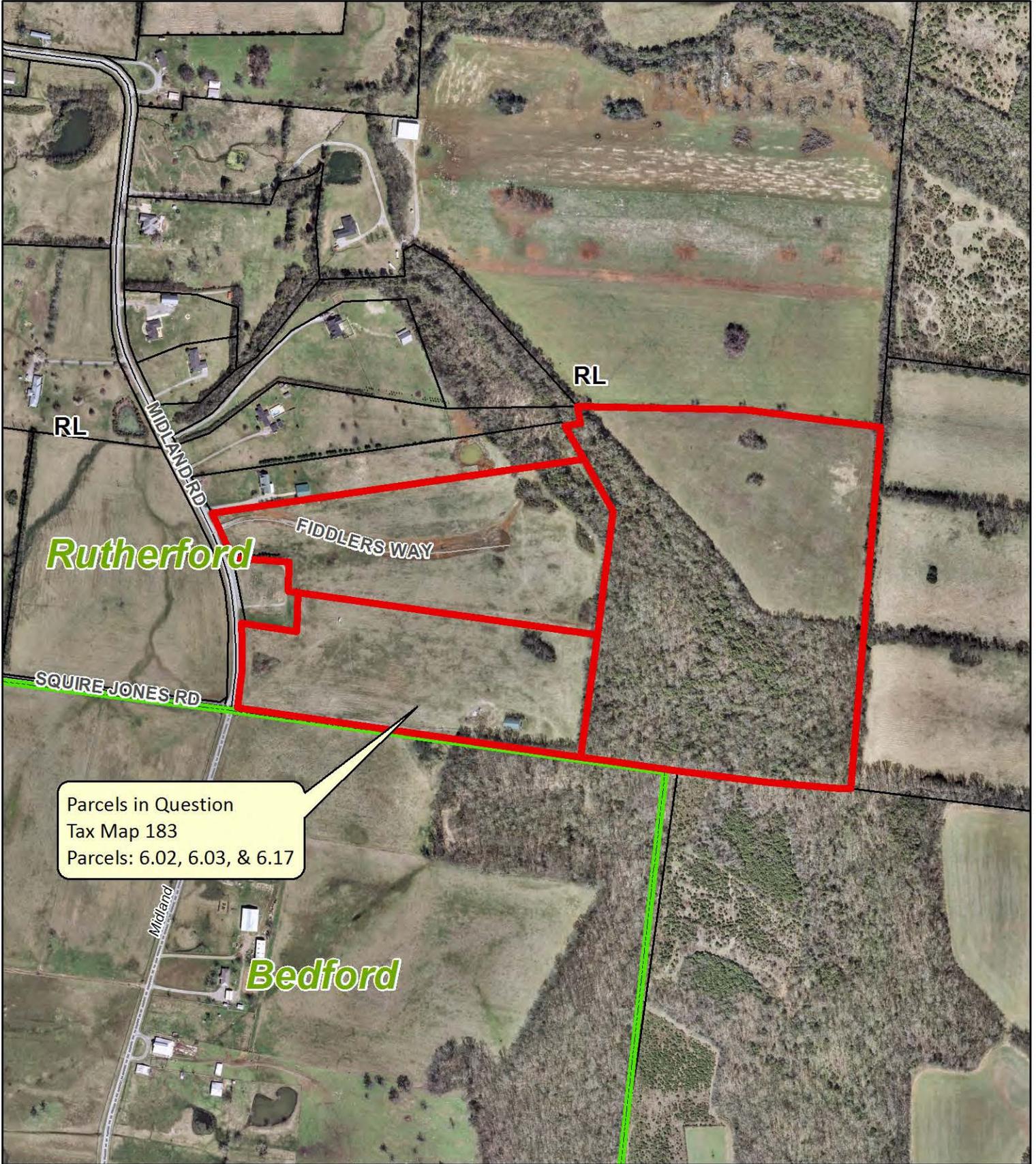
 In Question

 Fire Hydrants



0 125 250 500 750 1,000 Feet

16-A012



Parcels in Question
Tax Map 183
Parcels: 6.02, 6.03, & 6.17



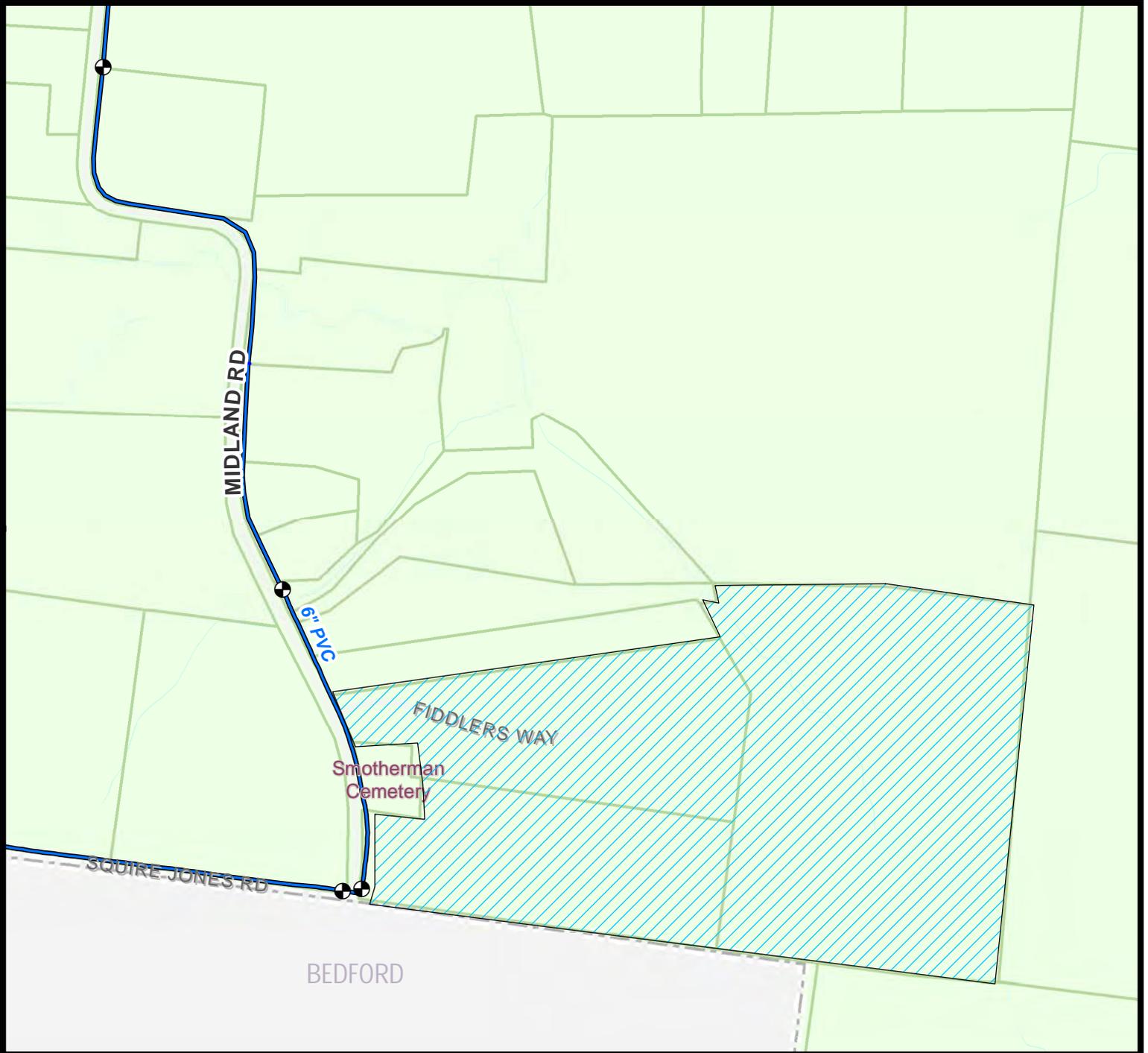
0 125 250 500 750 1,000 Feet

 In Question

 Fire Hydrants

Rezoning Request

Tax Map 183, Parcels 6.02, 6.03 & 6.17



Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and due diligence by the recipient.

Date: May 31, 2016





CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

May 11, 2016

Mr. Eddie Smotherman
Murfreesboro, TN 37130

**Re: Staghorn Subdivision
Midland Road
Tax Map 183, Parcels 6.02, 6.03 and 6.17
Will Serve Letter – Water Only**

Dear Mr. Smotherman,

This “Will Serve Letter” is for the property identified as Staghorn Subdivision (hereafter “Developer/Development”) (Tax Map 138, Parcels 6.02, 6.03 and 6.17) located off Midland Road in Murfreesboro, TN which lies within the water service area of Consolidated Utility District of Rutherford County (hereafter “the District”). Based on the proposed master plan provided to the District, the project will create 116 residential lots, each with a detached, single-family residence.

The District system currently has a six (6) inch water main along Midland Road, which would serve as the main feed for the property in question. The current infrastructure can meet the domestic water demands of the development for the proposed 116 single-family residential lots, however fire demands in the form of fire hydrants as requested **CANNOT** be supported at this location. Fire demands are based on current requirements, and the Developer should verify with the appropriate local regulating body and what, if any, alternatives there are to this requirement. If residential fire sprinklers are deemed an alternative, it should be noted that the current infrastructure *can* meet the fire demands in the form of residential fire sprinklers in this location. If the applied for fire demands are required by the governing agency an Off-site Feasibility Study will be necessary to determine the extent of off-site system improvements necessary to meet the demands. If the developer wishes to have an Off-site Feasibility Study completed, it shall be requested in writing and payment of the \$1000.00 feasibility study fee shall be paid by the developer for completion of the study. Fire demands are based on the fire hydrant requirements submitted, and the Developer should verify current requirements with the appropriate local regulating body. The sewer for this development is to be served by a new STEP system. Additional requirements and availability should be verified through the District’s STEP department for the sewer portion of this development.

No public water improvements and/or extensions shall be approved or installed until all conditions are fulfilled as outlined in the District’s Developer’s Packet and are subject to payment by Developer of

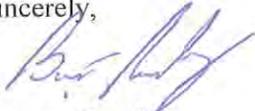
engineering and inspection fees. All water lines/facilities improvements needed to serve the property in question are to be installed by the Developer in accordance with the District's policies and procedures as outlined in the Technical Specifications of the District which can be found on our website or at our office.

This letter is specifically subject to the above conditions and such other terms and conditions as the District may require from time to time or at the time the water line improvements/upgrades are to be implemented and installed according to the District's requirements. This letter is intended only as a matter of "general information" and is not a contract between the parties. The letter shall not be considered an agreement or obligation of the District to provide water service to the Developer. In addition, there are or may be additional terms, requirements and conditions of the District to provide water service to the Developer which are not set forth or otherwise referred to in this letter.

In addition to the foregoing, if the Developer has not commenced development of the plans submitted to the District within one (1) year of the date of this letter, any approval(s) previously granted the Developer by the District shall automatically expire.

Please feel welcome to call or email if you have questions.

Sincerely,



Bryant Bradley
Project Manager
Consolidated Utility District
PH: 615-893-7225
Fax: 615-225-3314

Pc: Jamie Reed, PE, SEC Engineering, Inc.
William Dunnill, PE, CUD General Manager
Jimmy Hailey, PE, James C. Hailey & Associates

Map Satellite

773: 2015 ADT

Midland Fosterville
942: 2015 ADT

662: 2015 ADT

Approx. Site Location



Document Prepared by:
 Rutherford County Regional Planning Commission
 One Public Square South, Suite 200
 Murfreesboro, Tennessee 37130

**RUTHERFORD COUNTY BOARD OF COMMISSIONERS
 TYPE III CONDITIONAL USE PERMIT**

CASE NUMBER: A-819 **DATE:** October 12, 2007
PROPERTY OWNER: Smotherman Properties LLC
PROPERTY ADDRESS: Midland Road

TAX MAP: 183	GROUP:	PARCEL NUMBER: 6.02,6.03,6.17
RECORD BOOK: 687	PAGE NUMBER: 3717 (For Tax Map 183, Parcel 6.02)	
RECORD BOOK: 687	PAGE NUMBER: 3147 (For Tax Map 183, Parcel 6.17)	
RECORD BOOK: 743	PAGE NUMBER: 1276 (For Tax Map 183, Parcel 6.03)	

ZONING DISTRICT: R-15

PROPOSED USE: Planned Residential Development

CONDITIONS:

- ◆ Items in the pattern book are to become conditions of approval.
- ◆ Right-of-way dedication along Midland Road will be required.
- ◆ There shall be a minimum of a 10-foot side setback and 20-foot separation between structures for those units that incorporate non-combustible material on the sides of said structures. A minimum of 15 feet between structures and a 7 ½ -foot minimum setback will be allowed for structures that do incorporate combustible material on the sides of said structures.
- ◆ Professionally managed homeowners association. Part of the responsibility of this association will be the maintenance of the sprinkler systems in each house;
- ◆ Construction of a picnic pavilion within the public use area;
- ◆ \$700.00 self-imposed per lot contribution to the Rutherford County School System: \$350 of the fee be collected at the final plat stage and the other \$350 be collected at the building permit stage;
- ◆ Residential sprinkler system for each home in lieu of a hydrant-based system. This system shall incorporate a bypass around the water meter, compliant with the policies of Consolidated Utility District (CUD) so that the sprinkler systems will still operate if the water meter is turned off;
- ◆ Water distribution system to be constructed to support hydrants when Consolidated Utility District (CUD) improvements improve diameter of the existing water main;
- ◆ NFPA 13D approved dry sprinkler system in the attic and heated areas of the houses; and
- ◆ Low/slow flow fire hydrants to be installed if permitted by State Law.

The Rutherford County Board of Commissioners granted the Executive Director of Planning authorization to issue this **TYPE III CONDITIONAL USE PERMIT** at its regularly scheduled meeting on .

From: [Chris White](#)
To: [Doug Demosi](#)
Subject: RE: Staghorn PUD
Date: Tuesday, May 31, 2016 10:42:23 AM

Doug,

Thank you very much. I appreciate the opportunity to mention a few things about Staghorn considering that it borders Bedford County for nearly 1,700 feet. In review, I took notice that Chapter 9 of the Rutherford County Zoning Ordinance, *Section 902 (D) Landscaping*, requires that a landscaping buffer zone between uses be installed and maintained in order to minimize the potentially harmful impact noises and objectionable views from adjoining low-density land uses. Similarly, Chapter 4 of the Bedford County Zoning Resolution, specifically *4.043 (C)(5)*, requires that PUD's landscape the perimeter of such developments for the same exact reasons.

- The conceptual designs in Staghorn's pattern book (*attached*) don't properly address landscaping as a matter of buffering their significantly higher densities of residential use from neighboring low density land uses. More specifically, it doesn't mention any landscape buffer in Phases 2 and 3 along the Bedford County line and the southernmost border of Staghorn. The adjoiner is currently zoned A-1 (Agriculture/Forestry) and is currently farming the significant sized 117 acre parcel.
- One other concern which may later present an issue would be fencing along the same southern border. With the emergence of dozens of new neighbors along the North side of the farm along the county line AND prospective PUD border, as well as the proposed common area greenspace, the opportunity exists for dozens of encroachments by future homeowners with particularly shallow back yards. Residents and their children using the proposed green space along the proposed Staghorn Drive may be tempted to trespass on the neighboring property which could instigate expensive civil-litigation and an overall nuisance to the Bedford County property owner(s).

I would respectfully request that these issues be observed, where needed, during the approval process, especially with regard to phases 2 and 3.

Chris

Chris White – Director
Planning – Zoning – Building Codes
200 Dover Street, Suite 101 | Shelbyville, TN 37160

Office: 931.685.1336 | Local Ext. 2101

Chris.white@bedfordcountyttn.org

www.bedfordcountyttn.org

From: Doug Demosi [mailto:ddemosi@rutherfordcountyttn.gov]

Sent: Friday, May 27, 2016 3:13 PM

To: chris.white@bedfordcountyttn.org

Subject: Staghorn PUD

Chris,

The pattern book is attached. Please let me know if you have any comments on it.

Thanks.

Doug

Doug Demosi, AICP, CFM

Planning Director

Rutherford County Planning and Engineering Department

Phone: 615.898.7730

Fax: 615.898.7823

ddemosi@rutherfordcountyttn.gov

www.rutherfordcountyttn.gov

RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting July 13, 2016

Location Commission Chambers, 2nd Floor, Historic Courthouse



PUBLIC WORKS REPORT

I. Approval of June 8, 2016 Meeting Minutes

Jerry Sartain moved, seconded by Joe Meshotto, to approve the Minutes as presented by Staff.

Motion Carried (Unanimous Voice)

The Minutes of the June 8, 2016 meeting were Approved

II. New Business

A. Mildred Jones – BZA 2016-033

Location: 5437 Bradyville Pike, Map No.:127, Parcel: 9, Request for special exception approval for a retreat (event venue) on a property located in the RM, Medium Density Residential zoning district.

Jerry Sartain moved, seconded by Joe Meshotto, to Approve the request as presented by Staff.

Motion Carried (5 - For, 0 - Against)

Request was Approved

B. Steve and Kim Wright – BZA 2016-040

Location: 106 Juliet, Map No.:103C, Group: D, Parcel: 15, Request for special exception approval for an accessory dwelling unit that does not meet the design standards for ADUs involving a property located in the RM, Medium Density Residential zoning district.

Veronica Buchanan moved, seconded by Joe Meshotto, to Deny Application 2016-040 based on the request failing to meet the general provision for accessory dwelling units (ADUs) requiring the property owner must reside in either the principal structure or the ADU.

Motion Carried (5 - For, 0 - Against)

Request was Denied

C. Michael Weidenhamer – BZA 2016-041

Location: Burnt Knob Road, Map No.:77, Parcel: 39.02, Request for special exception approval to allow the establishment of a non-commercial storage facility to be used for personal storage upon a property located in the RM, Medium Density Residential zoning district.

Jerry Sartain moved, seconded by Gary Farley, to approve the request with the conditions of a portable bathroom "porta-potty" must be place upon the site.

Motion Carried (5 - For, 0 - Against)

Request was Approved

D. Ray Barrett – BZA 2016-042

Location: 1592 Jefferson Pike, Map No.:45P, Group: A, Parcel: 15, Request for special exception approval for the establishment of a major home based business involving auto repair, in association with an off site commercial business, upon a property located in the RM, Medium Density Residential zoning district.

Gary Farley moved, seconded by Jerry Sartain to Deny Application 2016-042 based on life and safety concerns.

The motion carried (5- For, 0- Against).

Request was Denied

E. Jason Makuch – BZA 2016-043

Location: 2387 North Road, Map No.:138, Parcel: 22.13, Request for special exception approval for the establishment of a major home based business involving powder coating objects upon a property located in the RM, Medium Density Residential zoning district.

Gary Farley moved, seconded by Joe Meshotto to Deny Application 2016-043.

The motion carried (5- For, 0- Against).

Request was Denied

F. Daniel and Sherry Lynn – BZA 2016-044

Location: 3597 Betty Ford Road, Map No.:59, Parcel: 23.01, Request for special exception approval for a retreat (event venue) with variance relief to the setbacks for buildings used in association with a retreat on a property located in the RM, Medium Density Residential zoning district

Gary Farley moved, seconded by Jerry Sartain, to Approve request as presented by Staff

Motion Carried (5 - For, 0 - Against)

Request was Approved

G. Aaron Duggin – BZA 2016-045

Location: Miller Road, Map No.:156, Parcel: 46, Request for special exception approval for the establishment of a mini-storage business upon a property located in the EAC, Employment Activity Center zoning district.

Joe Meshotto moved, seconded by Veronica Buchanan, to Approve request as presented by Staff.

Motion Carried (5 - For, 0 - Against)

Request was Approved