

MEMORANDUM

DATE: April 13, 2012

TO: Rutherford County Public Works Committee and Board of Commissioners

FROM: Rutherford County Regional Planning Commission

RE: Public Hearing Scheduled for the Following Requests—to be heard at the **May 17, 2012** Board of Commissioners Meeting

DATE: April 13, 2012

Rutherford County Regional Planning Commission

The Rutherford County Regional Planning Commission acted on the following requests at its scheduled meetings on April 9, 2012:

1. Conditional Use Permit Request: 12-A002 – Tristea Bankston

Commissioner: Will Jordan Recommendation for **Approval** (10 for, 0 against) Location: 4540 West Jefferson Pike Tax Map: 26, Parcel: 27.03 Size of Site: Approximately 1.8 acres Existing Zoning: Retail/ Wholesale Trade Conditional Use Permit: Daycare Center

2. Rezoning and Conditional Use Permit Request: 12-A003 – Keith Strain

Commissioner: Robert Peay Recommendation for **Deny** (5 for, 4 against, 1 abstain) Location: 3646 Lascassas Pike Tax Map: 60, Parcel: 64.03 Size of Site: Approximately 2.04 acres Existing Zoning: R-15 Requested Zoning: Services Conditional Use Permit: Retail Nursery

Rutherford County Regional Planning Commission Staff Report

Planning Commission
Recommendation:

APPROVE (10 for, 0 against)

Board of Commissioners Meeting Date: May 17, 2012

Case Number: 12-A002

Request by: Tristea Bankston, applicant; Lailia Jordan, owner Property Address: 4540 West Jefferson Pike Commission District: 3 – Will Jordan Urban Growth Boundary: Smyrna UGB

Applicant Request

Conditional Use Permit: Daycare Center

Site Characteristics

Current Zoning: Retail/ Wholesale Trade Current Use: Vacant Commercial Building

Adjacent Uses: Single Family Residential, Vacant, State Route 840, Trucking Firm Size of Tract: 1.8 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan shows this property located within the Jefferson Pike Employment Center, which is intended to attract a concentration of office, industrial and commercial development. The Plan also classifies West Jefferson Pike as an Urban Corridor.

- Goal statement objective 1.B; “Guide development to create commercial and residential nodes rather than residential sprawl”
- Goal statement objective 2.F; “Designate and reserve optimal employment areas from inappropriate development using the Comprehensive Plan”

Proposal supported by Comprehensive Plan Yes, this proposal would be within the recommended uses for the Employment Center. A daycare center is an excellent complimentary use to other types of employment facilities, which might locate in the area in the future.

Infrastructure

Roads: West Jefferson Pike is a 2 lane arterial road with shoulders that has adequate right of way. The 2011 TDOT traffic count 1 mile to the east on West Jefferson Pike was 7,567 vehicles per day. The 2011 TDOT traffic count 1 mile to the west on West Jefferson Pike was 12,352 vehicles per day. Based on the MPO’s Regional Transportation Plan, Jefferson Pike is scheduled to be widened from Nissan Drive to State Route 840 during the fiscal years 2026 to 2035.

Utilities: Consolidated Utility District has an 8” waterline on Jefferson Pike. The existing septic system was installed for a shop with one employee and the applicant intends to expand the system to accommodate the increased water usage. The applicant will be responsible for finding additional soils on the property before the

daycare center will be able to open. Fire Protection: There is a fire hydrant located within 1,000 feet of the property. Stormwater: No portion of this property is located within the flood zone.

Proposal Details Proposed Use: The applicant is proposing to open a daycare center for 30 children in the existing building on the property. The center will have a total of 8 employees split between a morning and afternoon shift. The hours of operation are from 6:15 a.m. to 5:45 p.m.

Site Design: The existing building is approximately 1,100 square feet in size and the applicant is proposing to add a fenced in play area.

Access & Parking: A small gravel parking area was established by a previous business but it will not be adequate to serve a daycare center of this size. A minimum of 8 parking spaces and a turnaround area will be required for this use. The parking lot must be built to the required commercial standards including a paved surface and landscaping. If this application is approved, the applicant will need to submit an engineered site plan of the new parking area. The daycare center will continue to use the existing shared access point on West Jefferson Pike.

Landscaping: Since this application does not require the property to be rezoned, no bufferyards will be required. As mentioned above, the parking area will have to be landscaped in compliance with section 13.02.F of the Rutherford County Zoning Resolution.

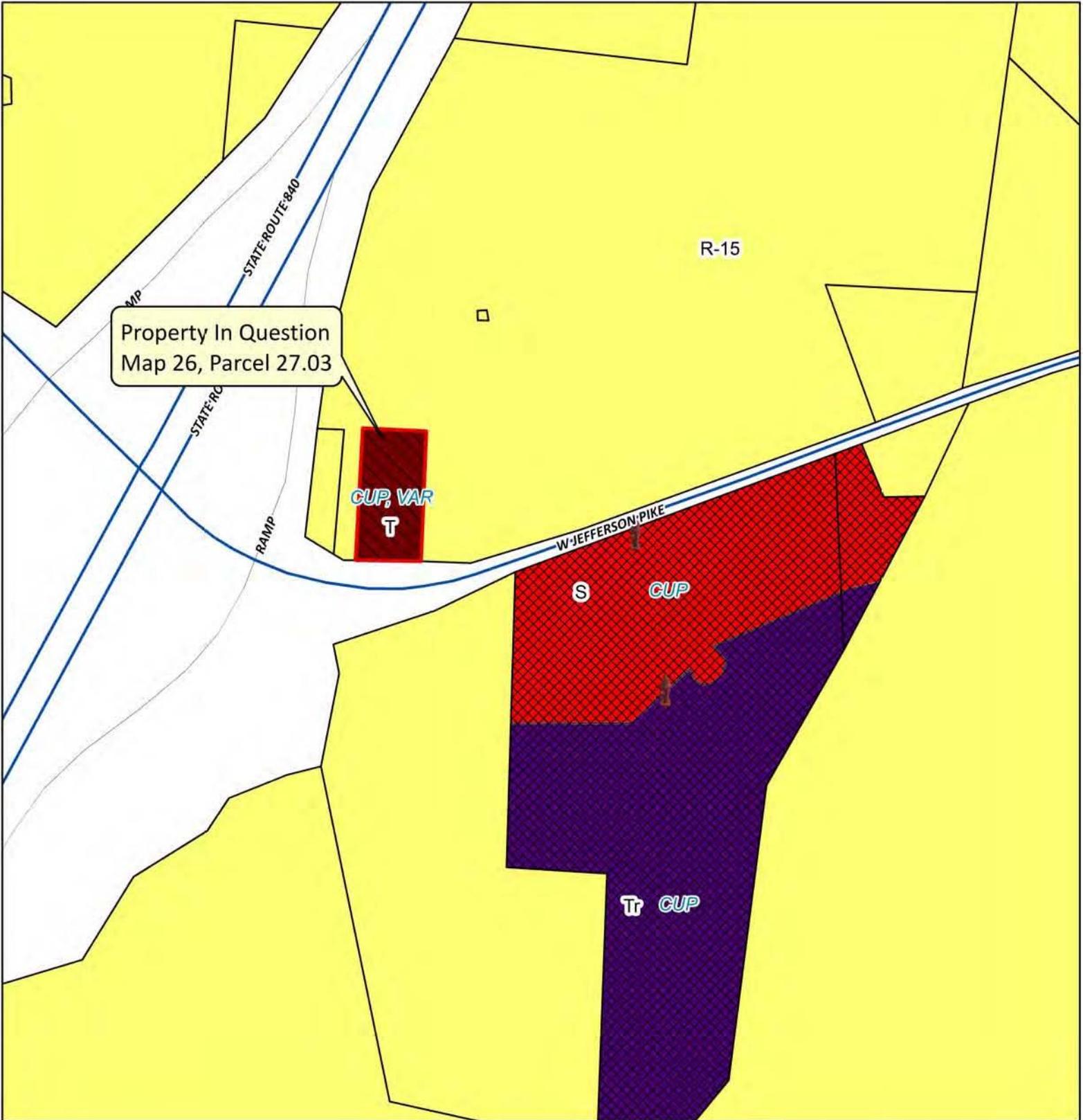
Background The property was rezoned to Retail/Wholesale Trade in 1998 specifically permitting used merchandise sales and an antique store (A-409). In 2006, the Board of Zoning Appeals approved the establishment of a floral business (BZA 2006-020). Finally in 2008, the BZA approved the site for a wellness center that offered nutritional and natural health services and education (BZA 2008-083).

Staff Recommendation Staff recommends approval. The proposed project is consistent with land use policies within the Comprehensive Plan. The proposed project is also an appropriate reuse of an existing commercial building. The property will ultimately be improved by the addition of a paved and landscaped parking area.

Attachments

Zoning Map, Aerial Map, & Concept Plan

12-A002



Property In Question
Map 26, Parcel 27.03

CUP, VAR
T

S CUP

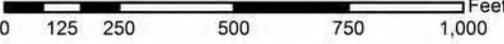
Tr CUP

R-15

STATE ROUTE 840

W JEFFERSON PIKE

STATE ROUTE
RAMP

		 Property in Question	Zoning Comments	Zoning Description
		 Conditional Use Permit; Variance	 In Question	 R-15 Residential
		 Conditional Use Permit	 T - Retail and Wholesale Trade	 Tr - Transportation
			 S - Services	

12-A002



Property In Question
Map 26, Parcel 27.03

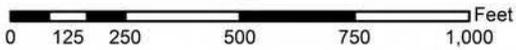
CUP, VAR
T

R-15

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CUP

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 Property in Question

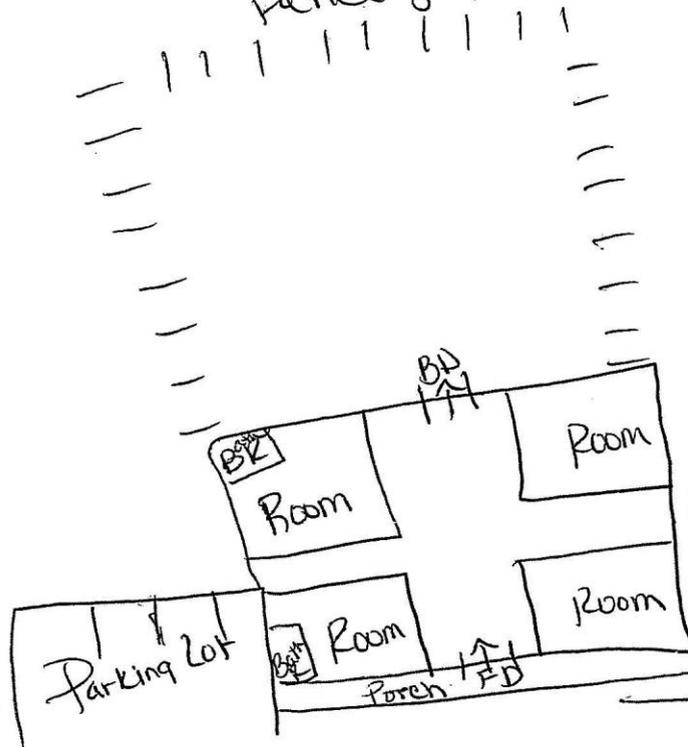
- Zoning Comments**
-  Conditional Use Permit; Variance
 -  In Question
 -  Conditional Use Permit

840

Jefferson
Ave

Grass

Installing
Fence yard



(Right now
the House is wide open)

Employee
parking

Grass

Rutherford County Regional Planning Commission Staff Report

Planning Commission
Recommendation:

Deny (5 for, 4 against, 1 abstain)

Board of Commissioners Meeting Date: May 17, 2012

Case Number: 12-A003

Request by: Keith Strain, applicant; Craig & Paula Mullen, owner Property Address: 3646 Lascassas Pike Commission District: 4 – Robert Peay Urban Growth Boundary: Murfreesboro UGB

Applicant Request

Rezoning: To Services *with a CUP for a Retail Nursery*

Site Characteristics

Current Zoning: R-15 Current Use: Vacant Adjacent Uses: Single Family Residential, Vacant Size of Tract: 2.04 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies Lascassas Pike as a Suburban Corridor which does allow limited non-residential uses. This property is also located within the Suburban Character Area.

- ⑩ Goal statement objective 5.B; “Discourage development that functions to create isolated islands in the rural landscape”

Proposal supported by Comprehensive Plan The Plan is neutral on this particular application.

Although commercial development is allowed along a Suburban Corridor, the plan also discourages developments that may create an isolated island within an established development pattern.

Infrastructure

Roads: Lascassas Pike is a 2 lane arterial road with shoulders that has adequate right of way. The 2011 TDOT traffic count 1 mile to the northeast on Lascassas Pike was 7,757 vehicles per day.

Utilities: Consolidated Utility District has a 16” waterline on Lascassas Pike. A new septic system will need to be installed on the property for the building. The concept plan does appear to impact the soil areas shown on the minor plat which created this lot in 2006. New soil areas may have to be identified or buildings rearranged to accommodate the septic system.

Fire Protection: The closest existing fire hydrant is directly across Lascassas Pike from the property.

Stormwater: No portion of this property is located within the flood zone. Detention areas are shown on the concept plan at the back northeast corner and at the front of the property.

Proposal Details Proposed Use: Valley Growers, which currently operates a retail nursery at 4710 Lascassas Pike, is proposing to build and operate a retail garden center at this new location. Wolf River Valley Growers is a family owned company which currently operates a wholesale greenhouse production facility and 4 retail garden centers within Tennessee. More information about the parent company can be found on their website (<http://www.wolfriver.net/>). The hours of operation will be during daylight hours and will be dependent on the time of year with Spring being the busiest season.

Site Design: The sales and office building will be 1,440 square feet in size. The concept plan also shows two 19'x 80' greenhouses and a 32'x 96' covered wood frame display area. Except for a small plant display area, most of the outside storage is located behind the sales office towards the rear of the property.

Access & Parking: The concept plan shows a paved parking area with 21 parking spaces, which would meet the parking requirements for a retail nursery. A commercial access permit will have to be acquired from the Tennessee Department of Transportation (TDOT) for the entrance on Lascassas Pike.

Landscaping: A type 2 bufferyard will be required on all sides of the property, except for along Lascassas Pike.

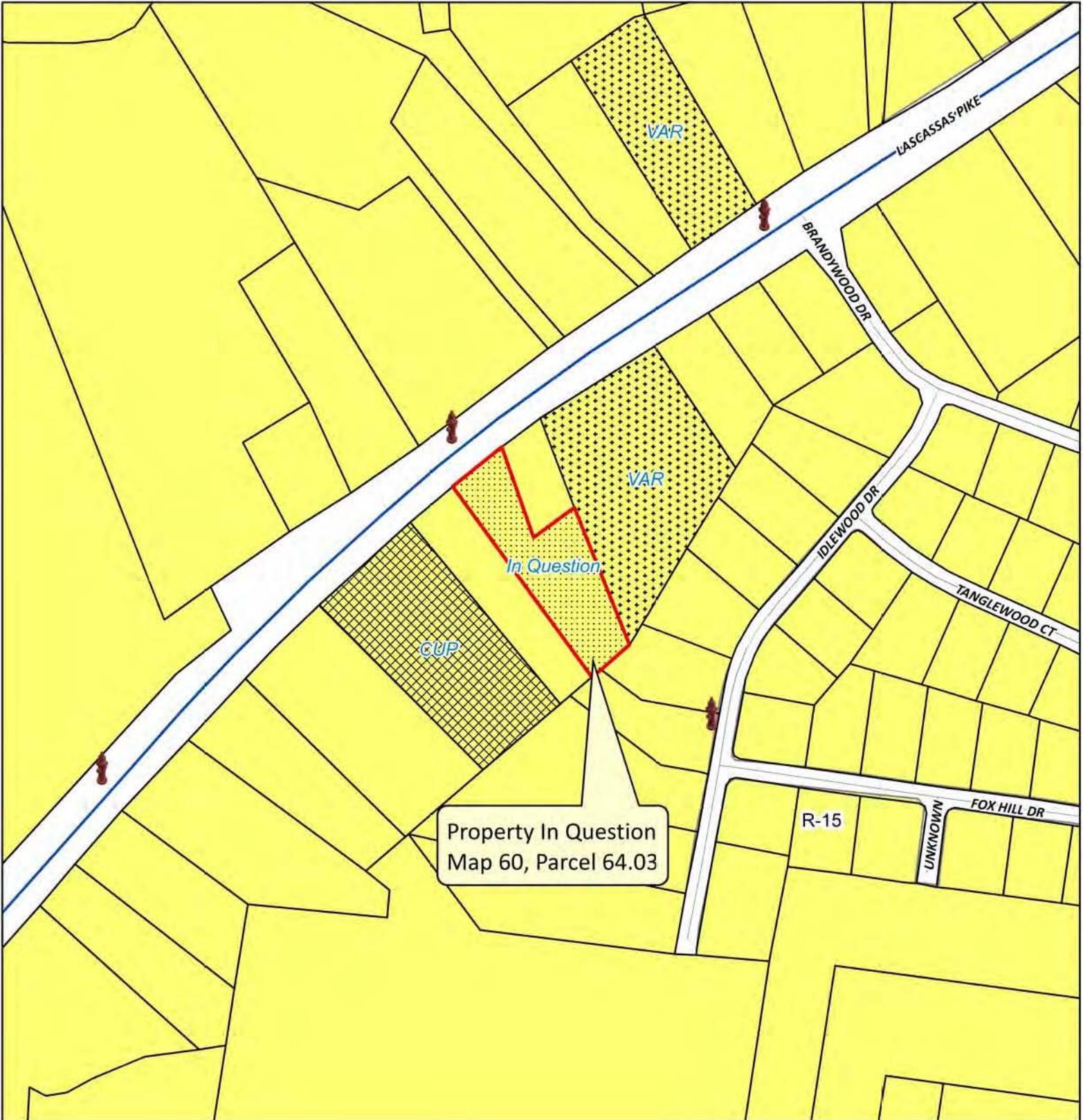
Background The property is currently vacant except for a barn, which is 800 square feet in size. The surrounding area is residential with the closest commercial property being ½ mile to the southwest at the intersection of Lascassas Pike and Compton Road. A neighboring property was approved for a chiropractor's office in 2007 but remains residentially zoned.

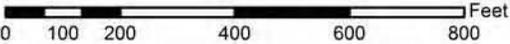
Staff Recommendation Staff has no recommendation because this application has positives and negatives that the Planning Commission will have to weigh during the hearing. The proposed project appears to be a well-designed garden center and is capable of meeting all the zoning requirements found within the Rutherford County Zoning Resolution. The established development pattern in this area, however, is predominately residential and a commercial business may not be compatible.

Attachments

Zoning Map, Aerial Map, & Concept Plan

12-A003



		 Property in Question	Zoning Comments	Zoning Description
		 Variance	 R-15 Residential	
		 In Question	 Conditional Use Permit	

12-A003

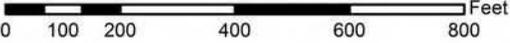


Property In Question
Map 60, Parcel 64.03

Zoning Comments

-  Variance
-  In Question
-  Conditional Use Permit



 Feet
0 100 200 400 600 800

LOT 60
BRANDYWOOD
SECTION V
P.B. 7, PG. 66

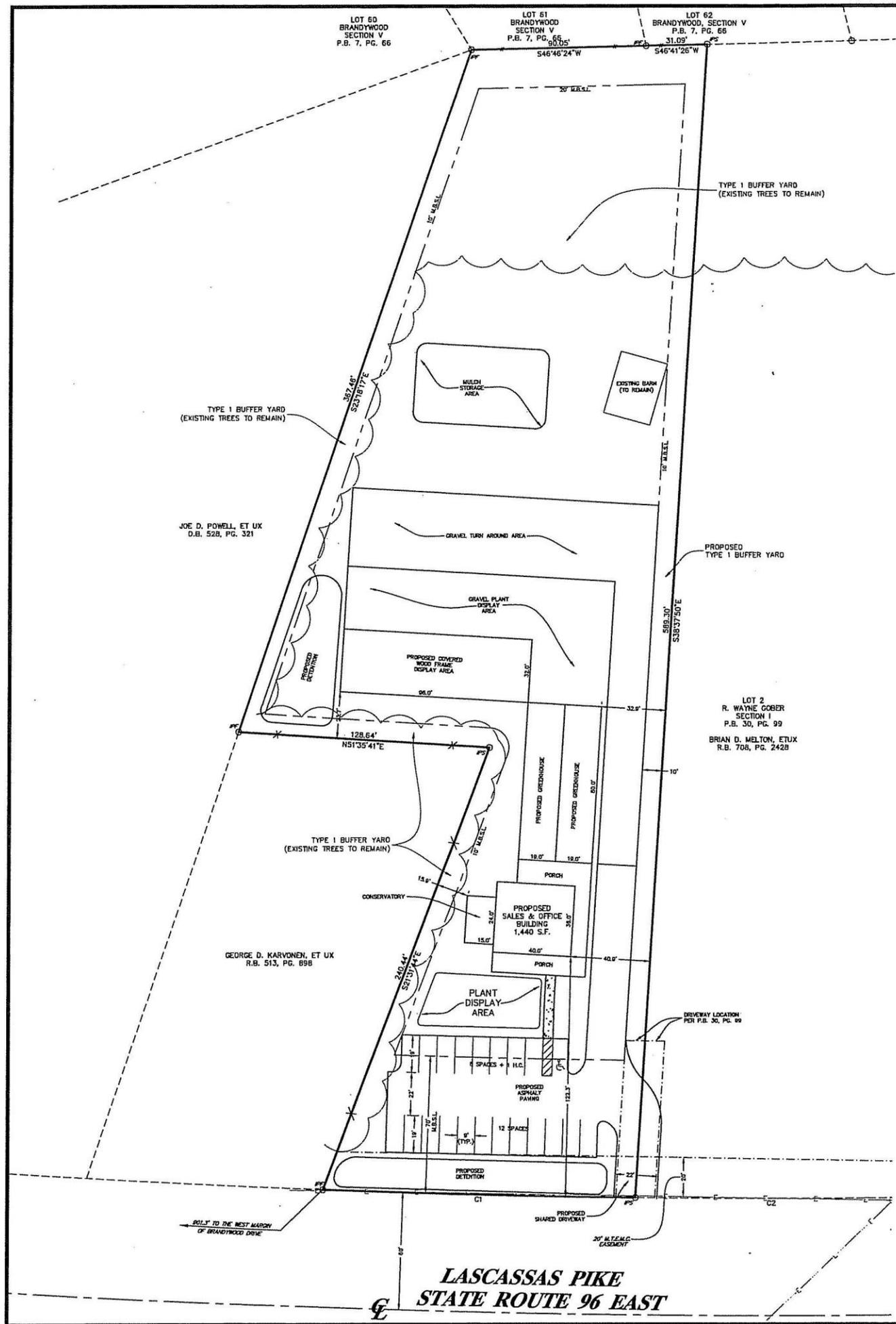
LOT 61
BRANDYWOOD
SECTION V
P.B. 7, PG. 66

LOT 62
BRANDYWOOD, SECTION V
P.B. 7, PG. 66

LOT 2
R. WAYNE GOBER
SECTION I
P.B. 30, PG. 99
BRIAN D. MELTON, ETUX
R.B. 708, PG. 2428

JOE D. POWELL, ET UX
D.B. 528, PG. 321

GEORGE D. KARVONEN, ET UX
R.B. 513, PG. 898



LASCASSAS PIKE
STATE ROUTE 96 EAST



RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting, April 11, 2012

Location: Commission Chambers, 2nd Floor, Historic Courthouse

AGENDA

I. Call to Order: 4:30 PM

II. Invocation

III. Pledge of Allegiance

- Deferred Items
- Roll Call & Determine Quorum

VI.

Approval of March 14, 2012 Meeting Minutes **MOTION TO APPROVE WITH CORRECTION Motion Carried (Unanimous Voice Vote) March 14, 2012 Minutes were Approved**

VII. Old Business

VIII. New Business

A. Consolidated Utility District of Rutherford County – BZA 2012-009

Location: 5592 Central Valley Road, Map No.: 26, Parcel: 34.01, Request for variance relief to the 35' height maximum that would allow a structure measuring 44.5' in height in the Residential-15 zone.

MOTION TO APPROVE AS PRESENTED

Motion Carried (5 For, 0 Against)

Request was Approved

B. James and Lori Gibson – BZA 2012-010 Location: 2502 Blackman Road, Map No.: 78, Parcel: 31.01, Request for temporary conditional use permit approval to allow a temporary fireworks stand in the Retail and Wholesale Trade zone.

MOTION TO APPROVE AS PRESENTED

Motion Carried (5 For, 0 Against)

Request was Approved

C. James H. Jacobs II – BZA 2012-011 Location: John Bragg Highway and Woodcraft Road, Map No.: 103, Parcel: 21.00, Request for temporary conditional use permit allowing a borrow pit with relief from the setback and area requirements for borrow pits in the R-15 zone.

MOTION TO APPROVE AS PRESENTED

Motion Carried (5 For, 0 Against)

Request was Approved

D. John Hodge Jones – BZA 2012-012

Location: 2002 Whitus Road, Map No.: 137, Parcel: 56.00, Request for a temporary conditional use permit for a borrow pit in the R-15 zone.

MOTION TO APPROVE AS PRESENTED Motion Carried (5 For, 0 Against)

Request was Approved

E. Jason and Amy Ladd – BZA 2012-013 Location: 4374 Rocky Glade Road, Map No.:140, Parcel: 25.00, Request for conditional use permit to establish a agritourism operation and variance relief from the development standard requiring double bituminous parking areas in the R-15 zone.

MOTION TO APPROVE AS PRESENTED Motion Carried (4 For, 1 Against)

Request was Approved

F. Paulette Rogers – BZA 2012-014 Location: 3641 John Bragg Highway, Map No.:103, Parcel: 27.01, Request for conditional use permit to establish a flea and farmers market with variance relief from the development standard requiring double bituminous parking areas in the Retail and Wholesale Trade District.

MOTION TO APPROVE AS PRESENTED Motion Carried (5 For, 0 Against)

Request was Approved

G. Barbara Lester – BZA 2012-015 Location: 9901 Lascassas Pike, Map No.:62, Parcel: 4.07, Request for conditional use permit for special events and variance relief from the development standard requiring double bituminous parking areas in the R-15 zone.

MOTION TO APPROVE WITH ADDED CONDITION Motion Carried (5 For, 0 Against)

Request was Approved

IX. Adjournment

MEMORANDUM Rutherford County Regional Planning Commission

DATE: April 13, 2012
TO: Rutherford County Public Works Committee and Board of Commissioners
FROM: Rutherford County Regional Planning Commission
RE: Public Hearing Scheduled for the Following Requests—to be heard at the **May 17, 2012** Board of Commissioners Meeting
DATE: April 13, 2012
TO: Public Works Committee and Board of Commissioners

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TO: Rutherford County Public Works Committee and Board of Commissioners
FROM: Rutherford County Regional Planning Commission
RE: Public Hearing Scheduled for the Following Requests—to be heard at the **May 17, 2012** Board of Commissioners Meeting
DATE: April 13, 2012
TO: Public Works Committee and Board of Commissioners
FROM: Rutherford County Regional Planning Commission
SUBJECT: The following requests were granted approval by the Rutherford County Regional Planning Commission at the March 26, 2012 meetings.

Plat/ Bond Extension	Springhouse, Sec 1	Request Details:	1 year letter of credit extension
	Sterling Ridge, Sec 3 (Final)	Site Details: Developer: Property Location:	3 lots on 6.2 acres, Zoned R-15 Harrell Homes, Inc. Rockingham Drive, off Allen Road