
M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: July 16, 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 **August 16, 2012** Board of Commissioners Meeting

The Rutherford County Regional Planning Commission acted on the following requests at its scheduled meetings on June 14, 2012 and July 9, 2012:

- 1. Amend Conditional Use Permit Request: 12-A006 – Shane Fogle**
Commissioner: Tiffany Phillips
Recommendation for **Approval** (6 for, 3 against)
Location: 6155 Highway 99
Tax Map: 123G, Group A, Parcels: 1.01, 1.02, and 1.03
Size of Site: Approximately 6.85 acres
Existing Zoning: Services
Existing Conditional Use Permit: Planned Commercial Development
Amendment Requested: Remove turn lane requirement
- 2. Amend Conditional Use Permit Request: 12-A007 – Murfreesboro Kubota**
Commissioner: Joe Frank Jernigan
Recommendation for **Approval** (9 for, 0 against)
Location: 4102 Shelbyville Pike
Tax Map: 136, Part of Parcel: 75.00
Size of Site: Approximately 10 acres
Existing Zoning: R-15
Existing Conditional Use Permit: Planned Unit Development
Amendment Requested: Change Master Plan layout, add commercial uses, and reduce masonry requirement
- 3. Rezoning and Conditional Use Permit Request: 12-A009 – Rhodes Development**
Commissioner: Joe Frank Jernigan
Recommendation for **Approval** (7 for, 0 against)
Location: 5700 Epps Mill Road & Miller Road
Map: 156, Parcel: 47.00 and 32.00
Size of Site: Approximately 87.98 acres
Existing Zoning: R-15 & C-2
Requested Zoning: Industrial
Conditional Use Permit: Light Industrial Activities, Transport & Warehousing, General Retail Trade, Transient Accommodations, and Food Services

4. Rezoning and Conditional Use Permit Request: 12-A010 – Montgomery Turner

Commissioner: Jack Black

Recommendation for **Approval** (9 for, 1 against)

Location: Lascassas Pike

Map: 61, Parcel: 29.05

Size of Site: Approximately 5.67 acres

Existing Zoning: R-15

Requested Zoning: Services

Conditional Use Permit: General Retail Trade, Animal Care & Veterinarian Services, Consumer Repair services, Financial, Consultative & Administrative, General Personal Services, Entertainment & Amusement Services, Food and Beverage Services, Food Service Drive-in & Drive-thru, General Business & Communication Service, and Medical Services

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 16, 2012

Case Number: 12-A006

Planning Commission Recommendation: **APPROVE with conditions (6 For, 3 Against)**

Request by: Shane Fogle, applicant & owner

Property Address: 6155 Highway 99

Commission District: 8 – Tiffany Phillips

Urban Growth Boundary: Murfreesboro UGB

Applicant Request

To Amend Conditional Use Permit 09-A008 to remove the turn lane requirement

Site Characteristics

Current Zoning: Services

Current Use: Dollar General, Subway Restaurant, Tobacco & Beer Store, Nursery, and Vacant

Adjacent Uses: Single Family Residential, Schools, Vacant

Size of Tract: approximately 6.85 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies Highway 99 as an Urban Corridor which allows commercial uses. This property is also located within the Suburban Character Area.

Proposal supported by Comprehensive Plan

The existing uses are within the recommended uses for the Urban Corridor however the Comprehensive Plan does not directly deal with this type of request.

Infrastructure

Roads: Highway 99 is a 2 lane arterial road with shoulders that has adequate right of way. The 2011 TDOT traffic count 1/3 of a mile to the southwest on Highway 99 was 8,533 vehicles per day.

Utilities: Consolidated Utility District has a 8" waterline on Highway 99. The businesses are served by existing septic systems.

Fire Protection: There is a fire hydrant on the corner of Clearidge Drive and Highway 99.

Stormwater: No portion of this property is located within the flood zone. The stormwater infrastructure that was installed during construction has been working well.

Proposal Details

Proposed Amendment: The applicant is proposing to remove the following condition from the original approval of the site; "Request the use of turn lanes with TDOT approval to serve the site and Clearidge Drive."

Site Design: The property has been divided into 3 lots as shown on the original concept plan. Lot 1 still contains the landscaping business, Greenbriar Nursery. Lot 2 is currently vacant and lot 3 contains a Dollar General, Tobacco & Beer Store, and Subway restaurant.

Access & Parking: A three lane shared access drive was built between lots 2 and 3. A secondary access drive was built to Clearidge Drive.

Landscaping: The landscaping requirements are not applicable to this request.

Background

A portion of the property was rezoned to Agricultural Services in 2003 to allow a landscaping business and nursery (A-643). In 2009 the property was rezoned to Services with a conditional use permit for a planned commercial development (09-A008). During the review process there was a lot of discussion about the types of uses, potential drainage problems, and access and traffic issues. The Planning Commission approved a site plan for the Dollar General on September 28, 2009. Before permits were issued, a \$75,000 bond was posted by the applicant for all the road work, including the turn lanes. At the time the improvements to Highway 99 were in the development stages and TDOT did not want the applicant to install a turn lane just to be torn out during the widening project.

The surrounding area is zoned R-15 and includes the Rockvale Middle and Elementary School and the Clearidge Subdivision.

Staff Recommendation

Staff recommends approval. Based on the letter from SEC, Inc. the entrance on Highway 99 has functioned well since it was constructed. The existing uses do not warrant a turn lane at this time. Access to the development will be reviewed again when lot 2 is developed. Depending on the use, turn lanes may be warranted and required at that time.

Conditions:

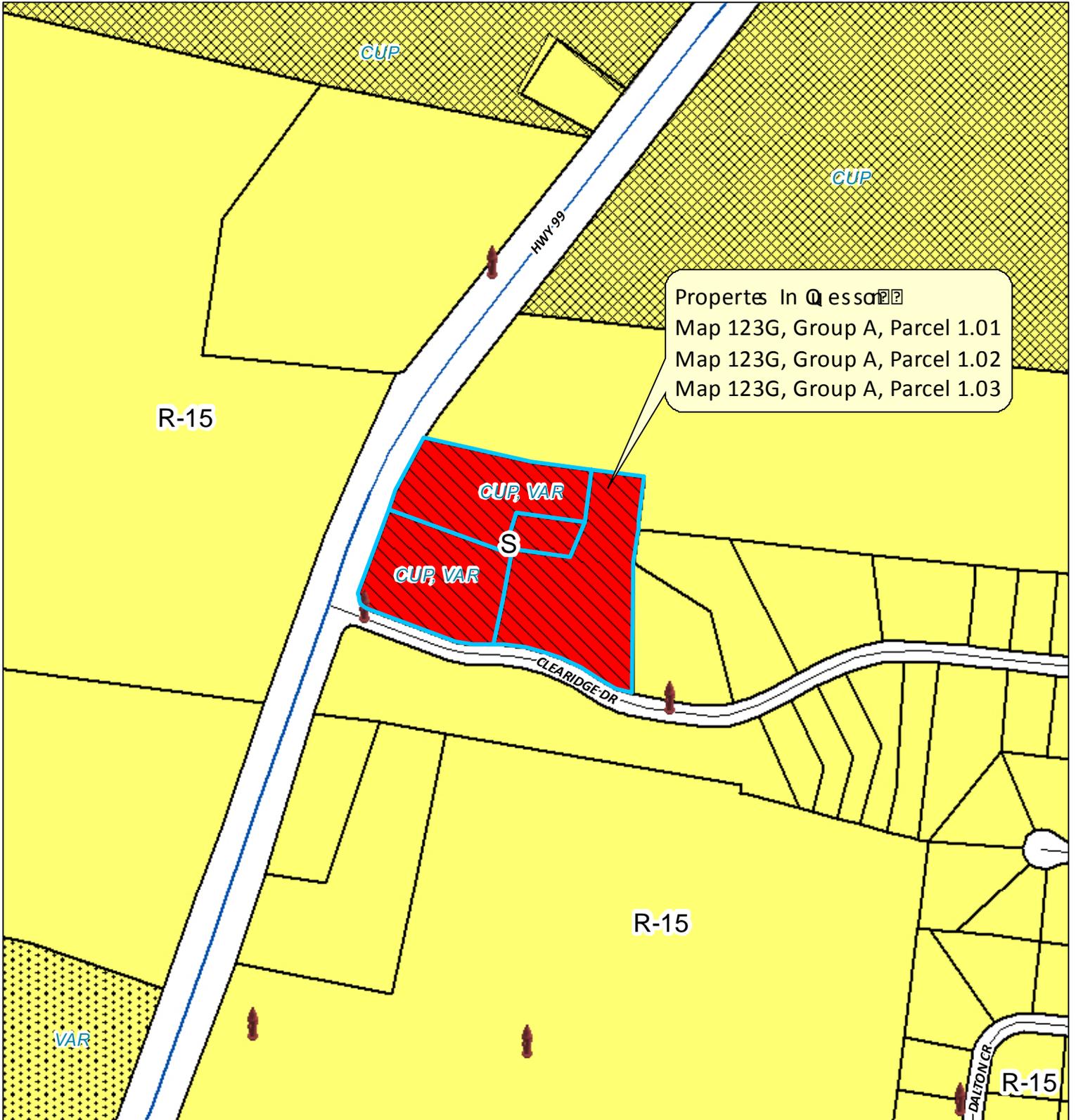
Remove the "Request the use of turn lanes with TDOT approval to serve the site and Clearidge Drive." from CUP 09-A008 and replace with;

- 1) When lot 2 is developed, the whole site (lots 1, 2, and 3) shall be reanalyzed and if turn lanes are warranted then the developer shall install turn lanes with TDOT approval.
- 2) The existing gravel driveway entrance shall be removed.

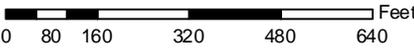
Attachments

Zoning Map,
Aerial Map,
Original Concept Plan,
Existing CUP
List of Approved Uses
Letter From SEC
Letter From TDOT

12-A006



Properties In Question
 Map 123G, Group A, Parcel 1.01
 Map 123G, Group A, Parcel 1.02
 Map 123G, Group A, Parcel 1.03

 	 Parcels In Question	Zoning Description  R-15 Residential  S - Services	Zoning Comments  Conditional Use Permit  Variance  Conditional Use Permit; Variance
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12-A006



0 80 160 320 480 640 Feet

 Parcels In Question

Zoning Comments

-  Conditional Use Permit
-  Variance
-  Conditional Use Permit; Variance

Curve Data

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	27°22'04"	224.80'	87.80'	44.46'	87.24'	N63°20'35" W
C2	36°31'52"	474.90'	302.79'	156.74'	297.69'	N70°25'28" W
C3	21°44'10"	224.98'	85.34'	43.19'	84.83'	N77°49'20" W

Map 123, Parcel 13.02
Richard B. & Jon Wornick
D.Bk. 597, Pg. 661
6015 Hwy. 99
Rockvale, TN 37153
896-1184

Map 123, Parcel 2.01
Abner B. III & Helen Dement
R.Bk. 757, Pg. 2540
6006 Hwy. 99
Rockvale, TN 37153
890-4639

Map 123G, Group A, Parcel 3
Ruth E. & Rodney L. Hendrix
R.Bk. 650, Pg. 3119
127 Clearidge Dr.
Rockvale, TN 37153
907-8800

Map 123G, Group A, Parcel 12
Paul J. & Deborah A. IGicher
R.Bk. 100, Pg. 3207
121 Clearidge Dr.
Rockvale, TN 37153
848-1036

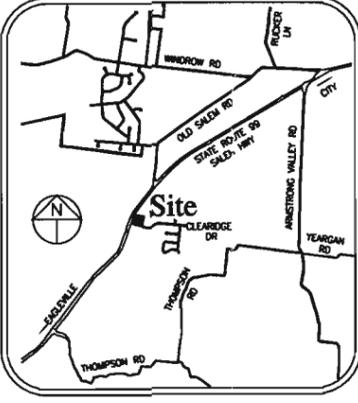
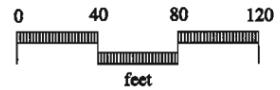
Map 123G, Group A, Parcel 1
Bryan L. & Rose Ann Klein
R.Bk. 100, Pg. 326
117 Clearidge Dr.
Rockvale, TN 37153
898-1517

Map 123G, Group A, Parcel 7
Kawley, Survey
R.Bk. 800, Pg. 3167
128 Clearidge Dr.
Rockvale, TN 37153
890-3902

Map 123G, Group A, Parcel 8
Edwards & David Corral
R.Bk. 715, Pg. 1925
124 Clearidge Dr.
Rockvale, TN 37153
907-6947

Map 123G, Group A, Parcel 9
D.Bk. 605, Pg. 31
120 Clearidge Dr.
Rockvale, TN 37153
904-1847

Map 123G, Group A, Parcel 10
Luis A. & Carmen Garay
R.Bk. 158, Pg. 1123
116 Clearidge Dr.
Rockvale, TN 37153



Location Map
NOT TO SCALE

Owner/Developer:
Shane Fogle
Greenbriar Landscape Co. Inc.
6155 Hwy. 99
Rockvale, TN 37153

R.Bk. 790, Pg. 2252
R.Bk. 314, Pg. 69

Zoned: R15
w/ Conditional Use Permit

Option #2 Greenbriar Nursery Rockvale, Tennessee

SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
850 MOULD TENNESSEE BLVD • HARRISBURG, TENNESSEE 37093
PHONE (615) 890-7904 • FAX (615) 895-2567



Benchmark
Chiseled Square
On Conc. Mon.
Elev=654.75

Map 123, Parcel 2
Rucker Donny Foundation
Jonathon Rucker
3001 Tennessee Ln.
Woodstock, CA 30189-2519

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: 09-A008
PROPERTY OWNER: Shane Fogle
PROPERTY ADDRESS: 6155 Highway 99

DATE: May 15, 2009

TAX MAP: 123
RECORD BOOK: 314

PARCEL NUMBER: 13.00
PAGE NUMBER: 69-70

TAX MAP: 123G
RECORD BOOK: 790

GROUP: A

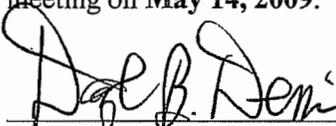
PARCEL NUMBER: 1.01
PAGE NUMBER: 2252-2253

ZONING DISTRICT: Services

PROPOSED USE: Planned Commercial Development
CONDITIONS:

- The applicant shall be required to adhere to the Community Design Guidelines as defined in the Salem Pike Land Use Plan, including the 80 ft front setback requirement.
- Lot 1 shall not have access onto Clearidge Drive.
- The conditions of CUP A-643 shall remain applicable and unchanged.
- Lots 2 and 3 shall be allowed only one shared access easement onto Highway 99.
- The applicant shall install a street light at the intersection of Clearidge Drive and Highway 99.
- Request the use of turn lanes with TDOT approval to serve the site and Clearidge Drive.

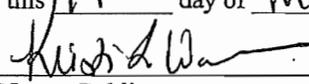
The Rutherford County Board of Commissioners granted the Executive Director of Planning authorization to issue this **TYPE III CONDITIONAL USE PERMIT** at its regularly scheduled meeting on **May 14, 2009**.



Douglas B. Demosi
Planning Director

Witness My hand and official seal at Murfreesboro, Tennessee, this 19th day of May, 2009

My Commission Expires: 9-16-2012



Notary Public



**RE: Fogle Commercial Development (6155 Hwy 99)
Greenbriar Landscape Company Inc.
Permitted Uses List**

1) Retail:

- a) Offices
- b) Bakery
- c) Clothing
- d) Department or Discount Store
- e) Convenience Sales and Service
- f) Financial Service
- g) Garden and Lawn Supplies
- h) Gas Station
- i) Greenhouse and Nursery
- j) Health Club
- k) Ice Cream Shop
- l) Interior Decorator
- m) Lawn Tree and Garden Service
- n) Music or Dance Academy
- o) Pharmacies
- p) Photo Finishing
- q) Video Rental
- r) Tanning Salon
- s) Antique Shop
- t) Bank
- u) Art or Photo Studio or Gallery
- v) Book or Card Shop
- w) Flower or Plant Store
- x) Catering
- y) Delicatessen
- z) Locksmith
- aa) Karate Instruction/Work out Gym
- bb) Optical Dispensing
- cc) Retail Shop
- dd) Specialty Shop
- ee) Vet Office (Not Hospital/Clinic)

May 31, 2012

Mr. Doug Demosi
Rutherford County Planning Director
One Public Square South
Murfreesboro, TN 37129

RE: Dollar General – Lot 3 Fogle Property
6155 Highway 99
Rockvale, TN 37153
SEC, Inc. Project No. 03200
Rutherford County Review No. (09-3020)

Dear Mr. Demosi:

The existing Dollar General site contains 12,614 s.f. of building on 1.93 acres located along the southeast side State Highway 99 (Salem Pike). The property was developed by Shane Fogle and approved in 2009. Since the construction of the site, the entrance onto State Highway 99 has functioned according to design without a left turn lane. Tennessee Department of Transportation (TDOT) along with SEC Inc has always stated that a left turn lane into site is not warranted for a Dollar General establishment of this size. The site's impact on State Highway 99 traffic is minimal. State Highway 99 has an ADT (average daily traffic) in 2010 of approximately 6,560 veh/day.

Based on the recommendations from TDOT and SEC Inc, the developer (Shane Fogle) would formally request that the turn lane requirement be removed from Lot 3 and placed on the corner Lot 2 at the time of site plan approval. Should you need any clarification concerning the plans or our revisions, please feel free to contact me at 890-7901.

Sincerely,



Jamie Reed P.E., R.L.S.
President
SEC, Inc.



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

REGION 3

6601 CENTENNIAL BOULEVARD
NASHVILLE, TENNESSEE 37243

(615) 350-4300
June 8, 2012

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

Mr. Doug Demosi
Rutherford County Engineer
One Public Square South
Murfreesboro, TN 37129

Re: Dollar General Store – Lot 3 Fogle Property
6155 Highway 99
Rockvale, TN 37153

Dear Mr. Demosi:

It is my understanding that work at the subject site has been completed with the exception of the left turn lane that was being required as a part of the TDOT Grading Permit. That left turn requirement was placed in the permit conditions at the request of the County. TDOT would not require a left turn lane because the traffic generated is not expected to meet the levels necessitating a requirement. However, turn lanes almost always provide a higher level of safety so we are happy to consent when one is requested. Since we would not have required one in the beginning, the only reason we now must hold the bond on file for this permit is because we still have the county's requirement on file. If the county no longer wishes to hold the property owner to this requirement, we only need a letter stating such. With this letter from the county, and an inspection report telling us that all else meets the construction requirement, we should be able to release the bond.

Please feel free to call me at 350-4332 if I may be of further service.

Sincerely,

A handwritten signature in blue ink that reads 'Phil R. Trammel'.

Phil Trammel, P.E.
Regional Traffic Engineer
Tenn. Dept. of Transportation
6603 Centennial Blvd.
Nashville, TN 37243-0360

cc: Stanley Sumner
Richard Weber
George Hardy

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 16, 2012

Case Number: 12-A007

Planning Commission Recommendation: **APPROVE with conditions**

Request by: Murfreesboro Kubota, applicant; Charlie Mitchell, Jr. owner
Property Address: 4102 Shelbyville Pike
Commission District: 6 – Joe Frank Jernigan
Urban Growth Boundary: Murfreesboro UGB

Applicant Request

To Amend Conditional Use Permit A-812 to change master layout, add commercial uses (see attached sheet), and reduce masonry requirement

Site Characteristics

Current Zoning: R-15 with CUP for PUD
Current Use: Vacant
Adjacent Uses: Single Family Residential, Vacant, Religious Institutions
Size of Tract: 10 acres of 142 acre tract

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies Shelbyville Pike as an Urban Corridor which allows commercial and industrial uses. This property is also located within the General Urban Character Area.

- Goal statement 2; “Cultivate an environment attractive to new business investment and retention and expansion of existing businesses”

Proposal supported by Comprehensive Plan

Yes, this proposal would be within the recommended uses for the Urban Corridor. The proposed building falls well within the recommended Floor Area Ratio (FAR). It also reinforces the goal of retaining existing businesses in the community.

Infrastructure

Roads: Shelbyville Pike is a 4 lane divided arterial road with shoulders that has adequate right of way. The 2011 TDOT traffic count a 1/3 of a mile to the north on Shelbyville Pike was 24,794 vehicles per day.

Utilities: Consolidated Utility District has a 16” waterline on Shelbyville Pike. Although the Planned Unit Development, Davenport Station, will be served by a STEP system, these commercial lots are proposed to have individual septic systems.

Fire Protection: The closest fire hydrant is located 465 feet across the street on the Word and Spirit Church’s property.

Stormwater: Although a portion of the 142 acre tract is within the AE flood zone, it is over 2,000 feet away from the 10 acres in question.

Proposal Details

Proposed Use: The applicant is proposing to amend the master plan for the Davenport Station PUD by replacing a townhome portion of the development and 7 single family lots with 2 large commercial lots (See attached Master Plan sheets). The original master plan showed 10 commercial lots along Shelbyville Pike; however no commercial uses were approved with the PUD. The applicant is proposing to add a list of commercial uses to be allowed within Davenport Station.

The purpose of these amendments is to allow the northern lot to be used by the Murfreesboro Kubota for a tractor sales and service center. Murfreesboro Kubota has been operating in Murfreesboro since 2001. The proposed hours of operation will be Monday thru Friday 7:00 a.m. to 5:00 p.m. and Saturday 7:00 a.m. to 12:00 p.m. The specific use for the southern lot is unknown at this time.

Site Design: The concept plan shows a 15,000 sq. ft. building with a 4,000 sq. ft. attached porch. The majority of the building, 10,000 sq. ft., will be a shop area with the remainder being composed of a showroom and offices. There are two large gravel display areas and a guardrail surrounding the property for security.

One of the conditions of the original approval is that all structures must be composed of a minimum of 35% masonry materials (brick, stone, hardiplank or similar material). The applicant is proposing to reduce the requirement for the Kubota Dealership and the development of the adjacent 5 acres to a minimum of 20% masonry and glass.

Access & Parking: The applicant is proposing a paved parking area with 23 parking spaces, which will meet the parking requirements found in the Zoning Resolution. The concept plan shows two access points from Shelbyville Pike. One is the extension of Rucker Road which will eventually serve the entire Davenport Station development. The other is a shared access between lots 1A and 1B. Commercial access permits will have to be acquired from the Tennessee Department of Transportation (TDOT).

One of the conditions of the original approval is that turn lanes and a traffic signal were to be constructed at the intersection of Rucker Road and Shelbyville Highway to serve the development. According to a letter submitted by Huddleston-Steele Engineering, the Kubota Dealership would not warrant a traffic signal. Since this applicant is only responsible for developing lot 1A, a percentage of those traffic improvements will need to be placed in an escrow account. Huddleston-Steele Engineering has estimated that each 5 acre development would need to contribute \$2,250 toward the future improvements. This estimation is based on the fact that 10 acres is only 4.5% of the Davenport Station PUD and assumes that a signal would cost \$100,000.

Landscaping: Buffering is required to be placed between the commercial and single family elements of the PUD. The applicant is proposing a 20' landscaped buffer yard at the rear of the property.

Background

This 142 acre tract plus an addition 83 acres to the north was granted a Condition Use Permit for a Planned Unit Development in 2007 (A-812). Seventy single family lots of Davenport Station have received subdivision approval but no plat has ever been recorded. The latest plat extension for these final plats will expire in October 2012.

There are several commercial businesses in the surrounding area including used car sales, RV sales, bar, and mini warehouses. In addition the county rock quarry is located across the street north of Rucker Road.

Staff Recommendation

Staff recommends approval. The proposed project is consistent with land use policies within the Comprehensive Plan. The project is also capable of meeting all the zoning requirements found within the Rutherford County Zoning Resolution.

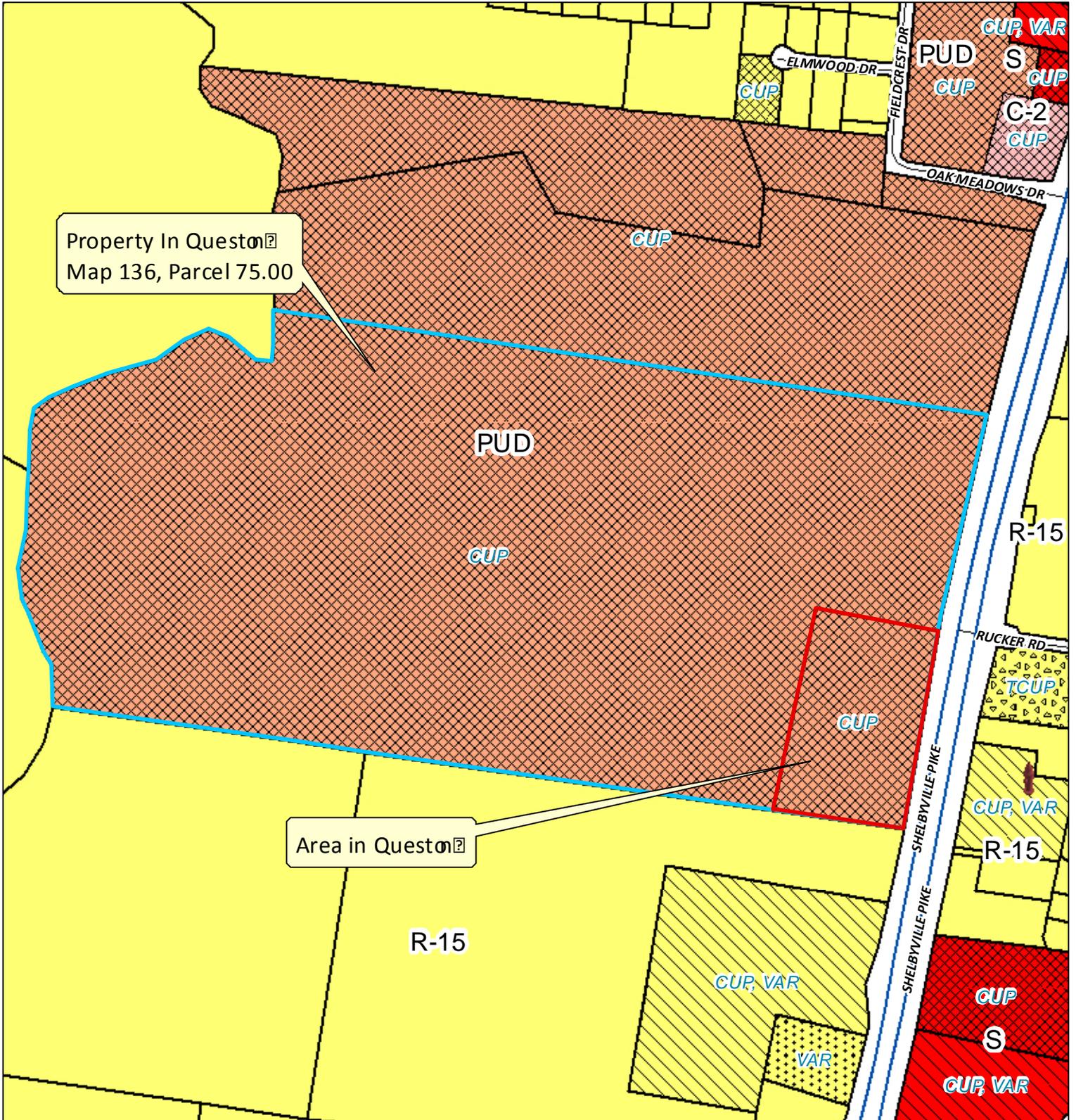
Conditions

- 1) Each 5 acre development shall place \$2,250 in escrow to the County for the future construction of the traffic signal at Shelbyville Pike and Rucker Road before building permits are issued.
- 2) The buildings on Lot 1A and Lot 1B shall be composed of a minimum of 20% masonry and glass with the front elevation of the buildings composed entirely of masonry and glass. The remainder of Davenport Station must abide by the 35% masonry requirement listed in CUP A-812.

Attachments

Zoning Map
Aerial Map
Existing CUP
Existing PUD Master Plan
Amended PUD Master Plan
Concept Plan
List of additional commercial uses

12-A007



Property In Question
Map 136, Parcel 75.00

Area in Question




 Parcels In Question

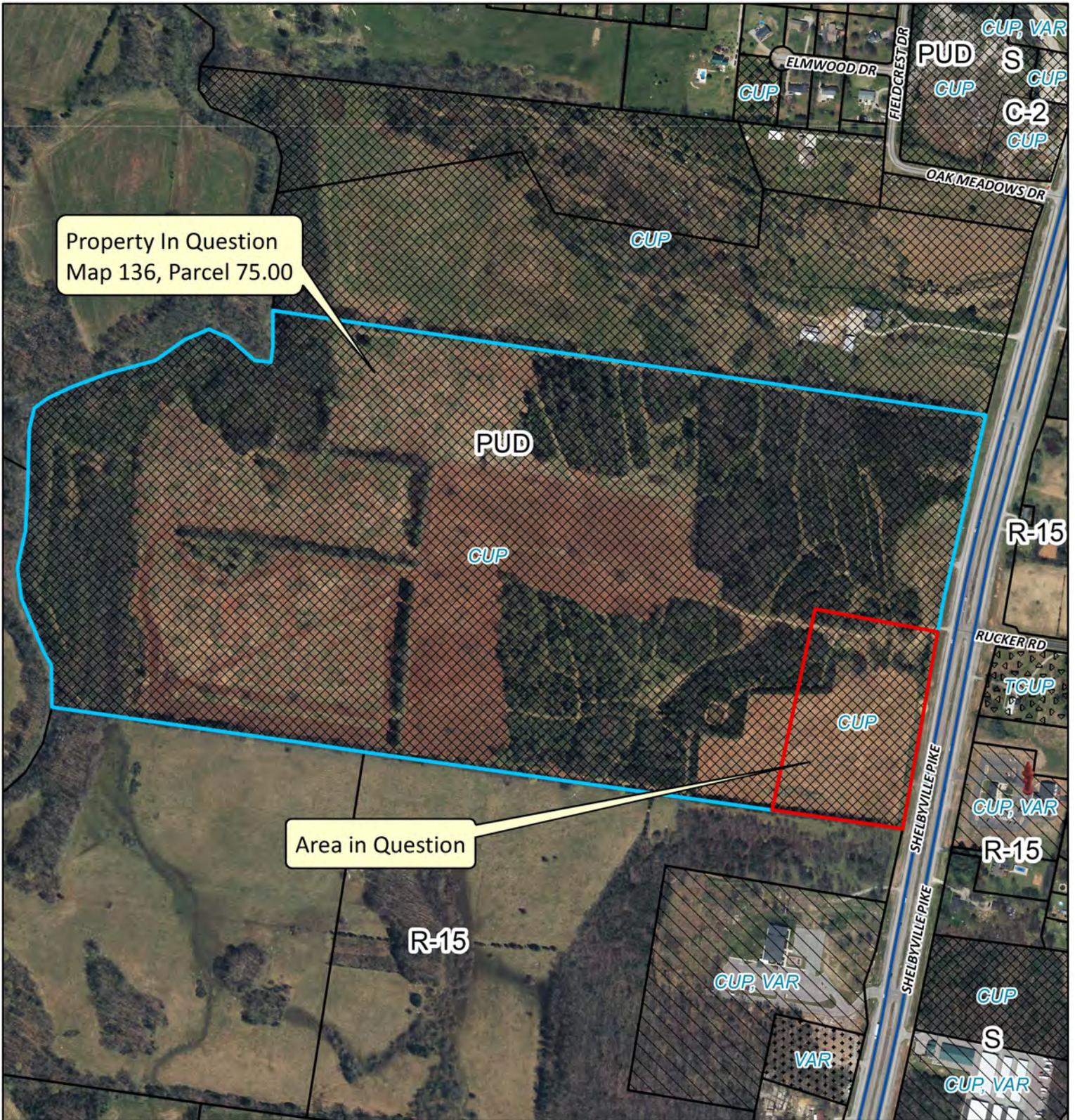
 Area in Question

Zoning Description

-  R-15 Residential
-  S - Services
-  C-2 Commercial - Pre-1984 Zoning District
-  PUD Planned Unit Development

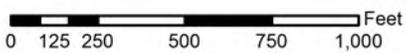
-  Conditional Use Permit
-  Variance
-  Conditional Use Permit; Variance
-  Temporary Conditional Use Permit

12-A007



Property In Question
Map 136, Parcel 75.00

Area in Question



- Parcels In Question
- Area in Question

- Zoning Comments**
- Conditional Use Permit
 - Variance
 - Conditional Use Permit; Variance
 - Temporary Conditional Use Permit

RUCKER ROAD

FIELDCREST DRIVE

BONEADOWS DRIVE

JUSTINWOOD DRIVE

45

44

27

26

25

24

364

COMMERCIAL
LOT #1

46

43

28

47

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51

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37

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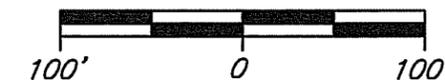
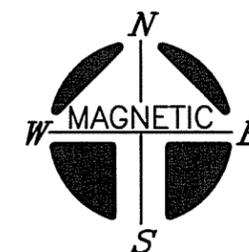
36

35

365

TOWNHOMES

SHELBYVILLE PIKE (S.R. 231)



*EXISTING MASTER PLAN
DAVENPORT STATION
SUBDIVISION P.U.D.*

11TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

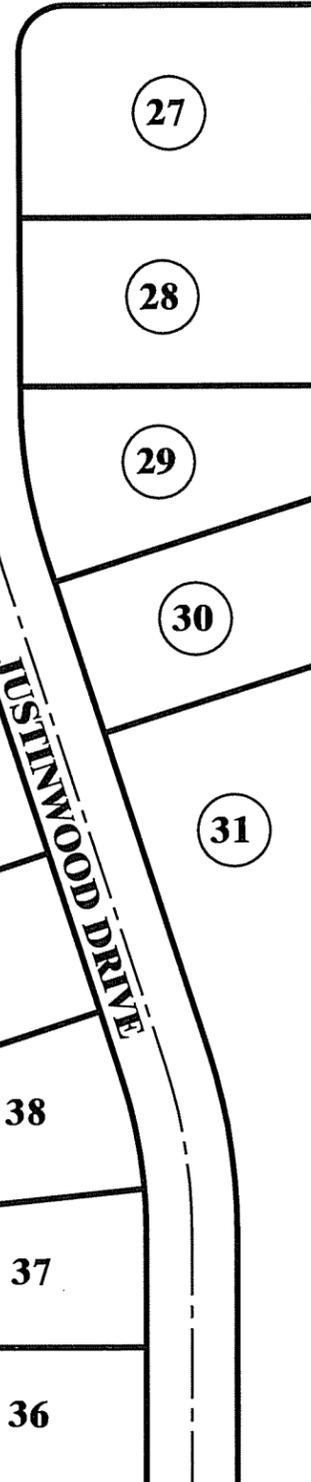
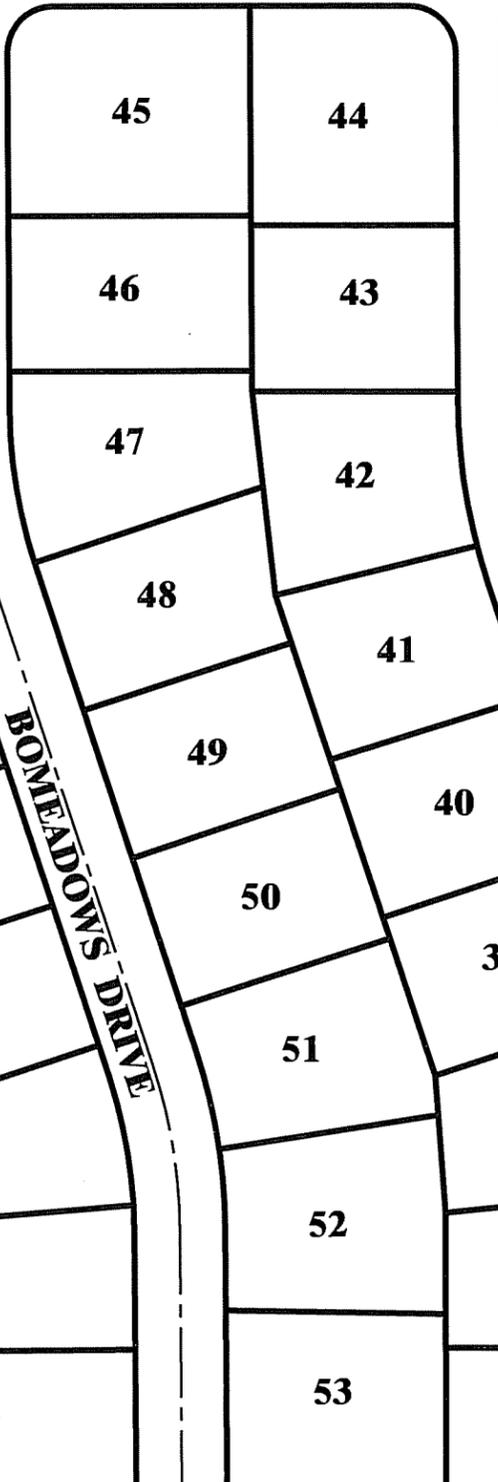
DATE: MAY, 2012

SCALE 1"=100'

SH. 1 OF 1

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

RUCKER ROAD



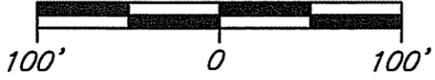
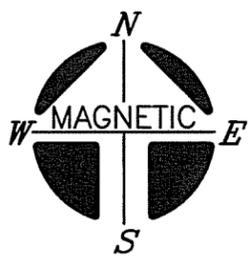
364

COMMERCIAL
LOT #1A
5.0 AC.±

365

COMMERCIAL
LOT #1B
5.0 AC.±

SHELBYVILLE PIKE (S.R. 231)



*PROPOSED MASTER PLAN
DAVENPORT STATION
SUBDIVISION P.U.D.*

11TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

DATE: MAY, 2012 SCALE 1" = 100' SH. 1 OF 1

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



LEGEND

- ⊗ Power Pole
- ⊕ Existing Fire Hydrant
- ⊙ Proposed Fire Hydrant
- △ Reducer
- ⊕ Proposed Gate Valve & Box
- ⊕ Concrete Thrust Block
- W— Existing Water Line
- W— Proposed Water Line
- S— Existing Sanitary Sewer Line
- S— Proposed Sanitary Sewer Line
- Existing Manhole
- Proposed Manhole
- CD— Sewer Line Check Dam
- 00— Existing Contours
- 00— Proposed Contours
- 00.0 Existing Spot Elevations
- 00.0 Proposed Spot Elevations
- SF— Siltation Fence
- (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- Turf Reinforcement Mat
- E— Existing Telephone & Electric Line
- UGE— Existing Underground Electric Line
- CMP— Corrugated Metal Pipe
- RCP— Reinforced Concrete Pipe

- NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.



2 LOTS = 10.0 AC. ±

50' 0 50'

PROPOSED: COMMERCIAL ZONING
 FRONT SETBACK: 70'
 SIDE SETBACK: 10'
 REAR SETBACK: 20'

LEGEND FOR MONUMENTS
 IRS ○ IRON PIN SET
 IRP ○ IRON PIN FND.
 ○ RAILROAD SPIKE
 — FENCE
 ● SURVEY POINT
 △ NAIL
 ■ CONC. MARKER FND.

THIS LOT IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD AREA" ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD MAP PANEL: 470185 0270 H ZONE: X DATED: 01/05/07

DEVELOPER: MURFREESBORO KUBOTA, LLC
 ADDRESS: 640 NEW SALEM ROAD
 MURFREESBORO, TN 37129

OWNER: CHARLIE B. MITCHELL JR.
 ADDRESS: 125 INTERNATIONAL BLVD, SUITE 200
 LAVERGNE, TN 37086
 R.B. 497, PG. 553

TAX MAP: 136 PART OF PARCEL: 75.00

#	DATE	REVISION DESCRIPTION



P. U. D. AMENDMENT
MURFREESBORO KUBOTA
 (DAVENPORT STATION SUB. P. U. D.)
 11TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: MAY, 2012 SCALE 1" = 50' SH. 1 OF 1

NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

Proposed Land Use Activity Table

Administrative Services	Financial, Consultative & Administrative
Community Assembly Small	Food & Beverage Services
Community Assembly Medium	Food Service Drive-in & Drive-thru
Community Education	General Business & Communication Service
Cultural & Recreation Services	General Personal Services, including Self Storage
Essential Services	General Retail Trade (5,000 sq. ft. or less)
Health Care Facilities	General Retail Trade (more than 5,000 sq. ft.)
Institutional Care Facilities	Group Assembly
Minimal Impact Facilities	Medical Services
Personal & Group Care Facilities	Transient Accommodations
Animal Care & Veterinarian Services	Undertaking Services
Automotive Parking	Vehicular, Craft & Related Equipment Sales
Automotive Repair & Servicing	Wholesale Sales
Consumer Repair Services	Transport & Warehousing
Construction Sales and Services	Agricultural Sales & Services
Entertainment & Amusement Services	Plant & Forest Nurseries

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 16, 2012

Case Number: 12-A009

Planning Commission Recommendation: **APPROVE with conditions (7 For, 0 Against)**

Request by: Rhodes Development, applicant & owner

Property Address: 5700 Epps Mill Road & Miller Road

Commission District: 6 – Joe Frank Jernigan

Urban Growth Boundary: Rural Area

Applicant Request

Rezoning: To Industrial *with a CUP for Light Industrial Activities, Transport & Warehousing, General Retail Trade, Transient Accommodations, and Food Services*

Site Characteristics

Current Zoning: R-15 & C-2

Current Use: Single Family Residential, Mostly Vacant

Adjacent Uses: Industrial Uses, Convenience Market, General Retail, Single Family Residential

Size of Tract: 87.98 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies these properties as being located within the Employment Center, which is intended to attract a concentration of office, industrial and commercial development.

- Goal statement objective 1.B; “Guide development to create commercial and residential nodes rather than residential sprawl”
- Goal statement 2: “Cultivate an environment attractive to new business investment and retention and expansion of existing businesses”
- Goal statement objective 2.F; “Designate and reserve optimal employment areas from inappropriate development using the Comprehensive Plan”
- Goal statement objective 7.F; “Limit development along roads with an inadequate level of service until funds or improvements to roads are in place”

Proposal supported by Comprehensive Plan

Yes, this proposal would be within the recommended uses for the Employment Center. Establishing appropriate centers for employment opportunities lays the groundwork for the Rutherford County’s economic stability in the future. The only concern raised by the plan is allowing untimely development on a road before an improvement plan is in place. Since the plan is intended to be long range in scope, some areas may not have all of the necessary infrastructure available yet.

Infrastructure

Roads: Epps Mill Road is a 2 lane collector road with no shoulders that does not have adequate right of way. Miller Road is also a 2 lane collector road with no shoulders that does not have adequate right of way. The 2011 TDOT traffic count on Epps Mill Road in front of

the property was 2,219 vehicles per day.

According to the Nashville Area Metropolitan Planning Organization's list of cost-feasible projects, the improvement of Epps Mill Road is to be completed between FY 2026 to FY 2035. The plan is to widen Epps Mill Road to a 3-lane cross section from Aldridge Drive to Manchester Highway and redesign Exit 89 to better accommodate truck traffic. Huddleston-Steele Engineering also completed a feasibility study of Epps Mill Road in 2011 that shows the need for 80-foot right of way to accommodate a 3 lane road with sidewalks on either side. The total project cost was estimated at \$4,004,000, which does not include the Exit 89 interchange.

Utilities: Consolidated Utility District has an 8" line that runs on the opposite side of Epps Mill Road from this property, a short section of 20" in the northeast corner of this property along Miller Road, and a 6" line that runs on the opposite side of Miller Road from this property. The size of the lines will reduce the overall water capacity for these properties.

The applicant is proposing that future projects would connect to the 12" sewer main, which according to the Murfreesboro Water and Sewer Department has little use at this time. Any project connecting to the sewer will have to meet the Murfreesboro design standards as well as any county standards.

Fire Protection: There are several hydrants within 1,000 feet.

Stormwater: Approximately 17 acres on the west side of the property is located within the AE flood zone.

Proposal Details

Proposed Use: The applicant is proposing to rezone the land for potential industrial uses. The primary uses would likely be indoor manufacturing, transportation and warehousing with the possibility of some convenience commercial uses as well.

Site Design: The concept plan shows the property divided into 15 lots, with lot 1 being the location of the existing Dollar General. The lots range in size from 1.94 acres to 18.7 acres.

Access & Parking: The applicant is proposing to continue to extend Capital Way south of Epps Mill Road to access some of the lots. The remaining lots are proposed to have direct access onto Epps Mill Road or Miller Road.

Huddleston Steele Engineering submitted a memorandum studying the need for a traffic signal at the intersection of Epps Mill Road and Capital Way. It was determined that not enough traffic exists at this time to warrant a traffic signal but the situation should be reanalyzed upon the development of one-third and two-thirds of the site and/or when the Epps Mill Road traffic doubles and/or triples.

Landscaping: If approved, a type 2 bufferyard will be required along any property line still adjacent to residential zoning.

Background

Approximately 22 acres of the property in question was rezoned to commercial in 1971 as part of a blanket zoning around the I-24 Buchanan interchange.

The surrounding area contains C-2, Retail/Wholesale Trade, Transportation, Industrial, and R-15 zones.

Staff Recommendation

If this rezoning is approved the properties would come under the Employment and Activity Center District (EAC) in the new draft zoning ordinance. The purpose of the EAC District is to provide a more intense mixed-use accommodation of commercial, office, retail, service, and industrial uses as well as multi-family residential for a wide market area and a variety of activities. The list of permitted uses is quite extensive and the maximum floor area ratio is 0.9, which means the majority of the property can be covered by buildings and parking.

The concept plan shows the extension of Capital Way ending in a cul-de-sac on the property. Staff has concerns with the permanent nature of this dead end. A stub road with a temporary cul-de-sac would allow for the possibility of extending this road all the way to Sledge Road at a later date.

As noted in the utilities section of this report, there is a water capacity limitation to this property. To improve the water capacity, a developer would have to pay to increase the size of the water lines that serve the area. The available sewer capacity may make such an investment more feasible since it would increase the potential uses for the property. The applicant may want to work with CUD to address this matter.

It is generally accepted that Epps Mill Road and the Exit 89 interchange will need to be improved to accommodate the types of development that are predicated in the future for this area. In addition, this application has the potential to have some impact on Miller Road. It is difficult to determine the impact of this rezoning because no specific uses have been identified at this time. As the property is developed, the applicant will need to ensure that any improvements to the adjacent and nearby transportation system are provided in order to maintain a satisfactory level of service, an acceptable level of safety, and to provide appropriate access to the proposed development.

The Planning Commission recommends approval due to the consistency with the Comprehensive Plan and the ability to meet all zoning requirements.

Conditions:

- 1) The right-of-way for Epps Mill Road shall extend 40 feet from the center line of the road into the property. The right-of-way for Miller Road shall extend 30 feet from the center line of the road into the property. The applicant shall dedicate a strip of land needed to provide adequate
-

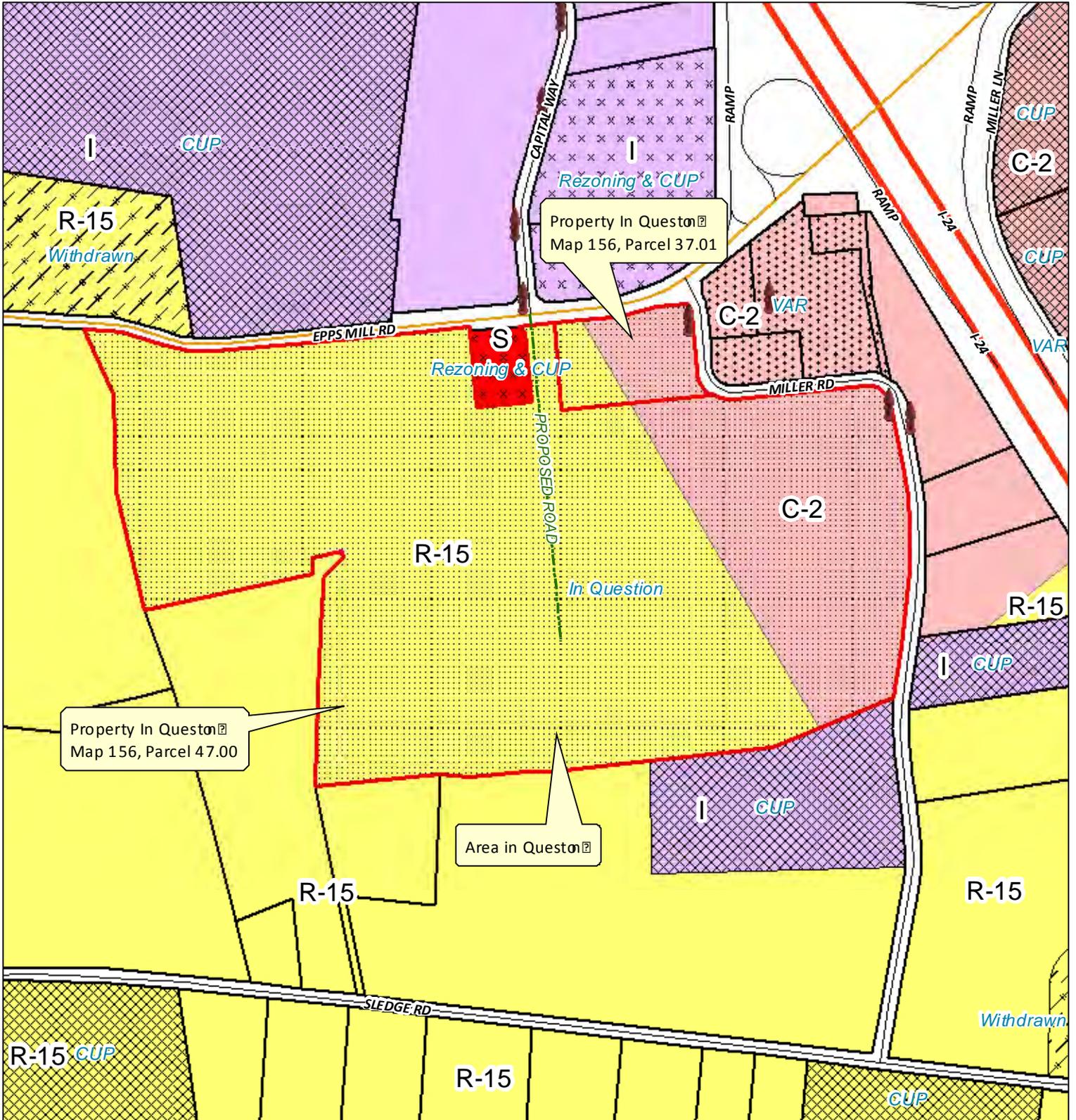
right-of-way.

- 2) Site plan or subdivision plat applications for this property must be accompanied by a traffic study that demonstrates the need for any improvements to the adjacent and nearby transportation system in order to maintain a satisfactory level of service, an acceptable level of safety, and to provide appropriate access to the proposed development. Any required road improvements must either be constructed or money placed in escrow to the County for future construction in an amount to be determined by the County Engineer.
- 3) New Signal Warrant Analyses shall be conducted upon the development of one-third and two-thirds of the site (30 acres and 60 acres, respectively) and/or when the Epps Mill Road traffic doubles (to 4,690) and/or triples (to 7,035).
- 4) The road built to access this property shall provide the opportunity for future extension.

Attachments

Zoning Map
Aerial Map
Concept Plan

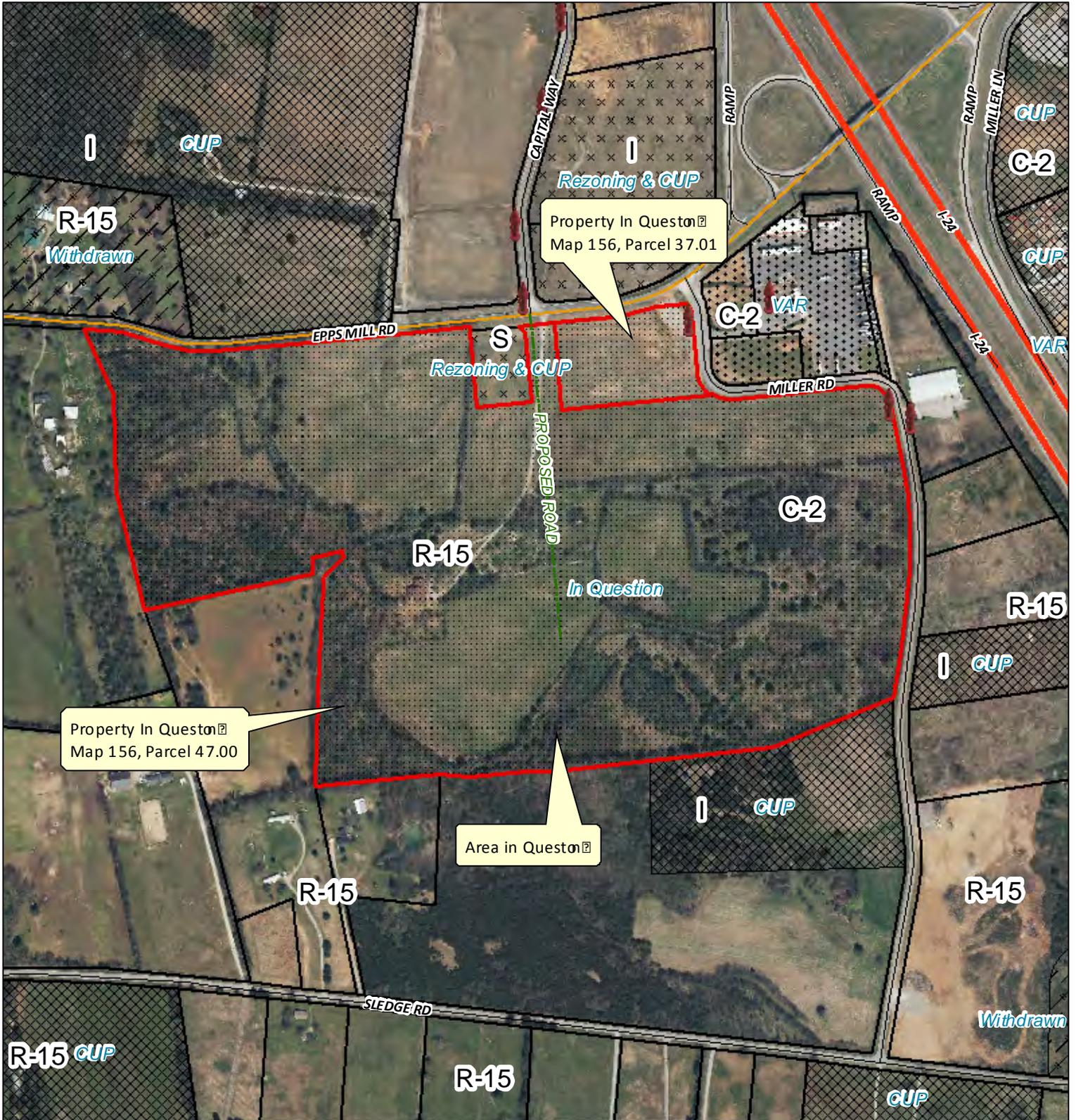
12-A009



	 Proposed Roadway	Zoning Description	Zoning Comments
	 Parcels in Question	 R-15 Residential  C-2 Commercial - Pre-1984 Zoning District  I- Industrial	 Conditional Use Permit  Variance  In Question  Withdrawn  Rezoning & CUP

0 150 300 600 900 1,200 Feet

12-A009



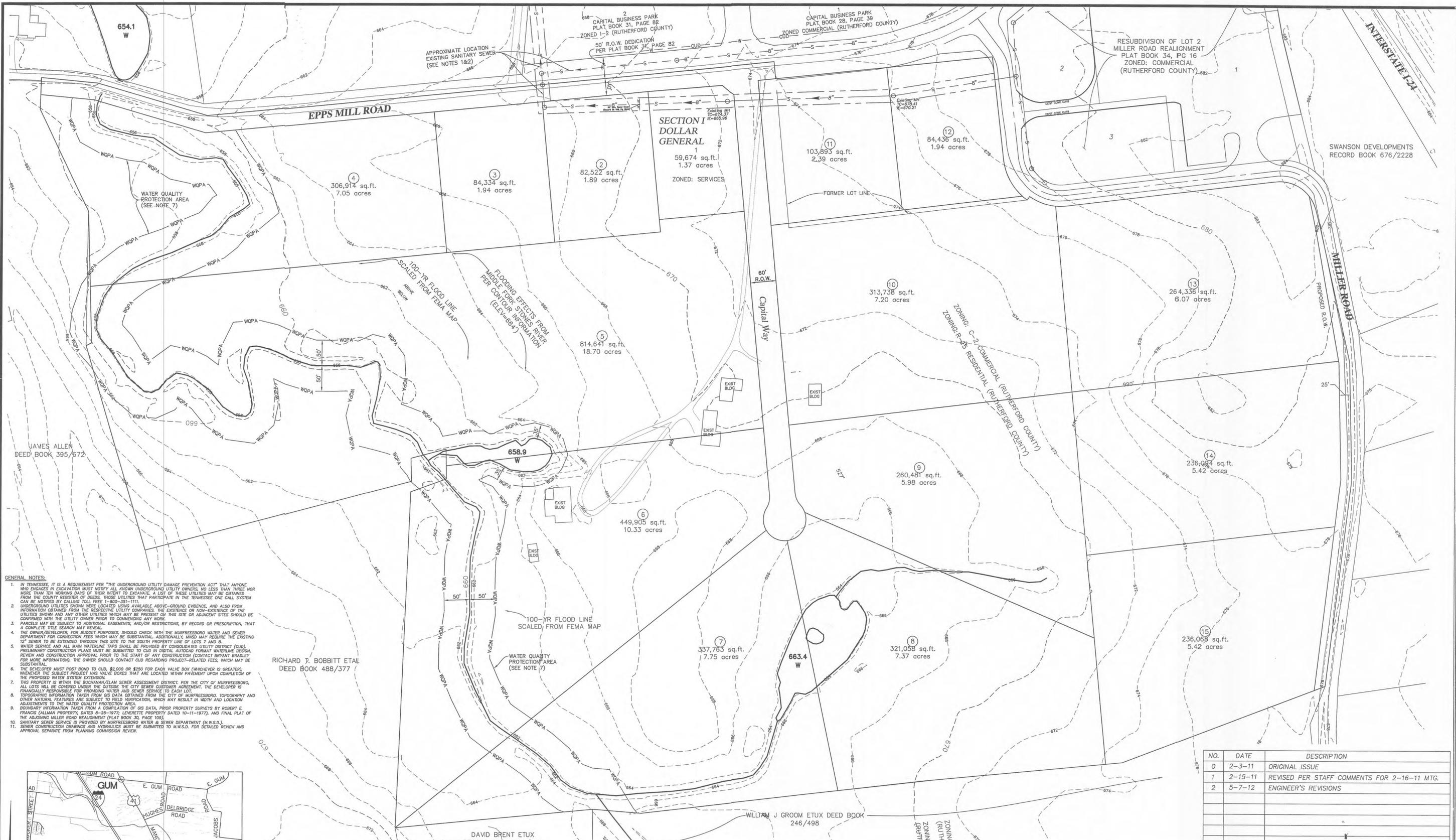



 Proposed Roadway

 Parcels in Question

Zoning Comments

-  Conditional Use Permit
-  Variance
-  In Question
-  Withdrawn
-  Rezoning & CUP

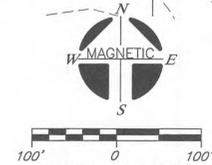


- GENERAL NOTES:**
1. IN TENNESSEE, IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS OF THEIR INTENT TO EXCAVATE. A LIST OF THESE UTILITIES MAY BE OBTAINED FROM THE COUNTY REGISTER OF DEEDS. THOSE UTILITIES THAT PARTICIPATE IN THE TENNESSEE ONE CALL SYSTEM CAN BE NOTIFIED BY CALLING TOLL FREE 1-800-351-1111.
 2. UNDERGROUND UTILITIES SHOWN WERE LOCATED USING AVAILABLE ABOVE-GROUND EVIDENCE, AND ALSO FROM INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES. THE EXISTENCE OR NON-EXISTENCE OF THE UTILITIES SHOWN AND ANY OTHER UTILITIES WHICH MAY BE PRESENT ON THIS SITE OR ADJACENT SITES SHOULD BE CONFIRMED WITH THE UTILITY OWNER PRIOR TO COMMENCING ANY WORK.
 3. PARCELS MAY BE SUBJECT TO ADDITIONAL EASEMENTS AND/OR RESTRICTIONS, BY RECORD OR PRESCRIPTION, THAT A COMPLETE TITLE SEARCH MAY REVEAL.
 4. THE OWNER/DEVELOPER, FOR BUDGET PURPOSES, SHOULD CHECK WITH THE MURFREESBORO WATER AND SEWER DEPARTMENT FOR CONNECTION FEES WHICH MAY BE SUBSTANTIAL. ADDITIONALLY, MISSISSIPPI MAY REQUIRE THE EXISTING 12" SEWER TO BE EXTENDED THROUGH THIS SITE TO THE SOUTH PROPERTY LINE OF LOTS 7 AND 8.
 5. WATER SERVICE AND ALL MAIN WATERLINE TAPS SHALL BE PROVIDED BY CONSOLIDATED UTILITY DISTRICT (CUD). PRELIMINARY CONSTRUCTION PLANS MUST BE SUBMITTED TO CUD IN DIGITAL AUTOCAD FORMAT WATERLINE DESIGN, REVIEW AND CONSTRUCTION APPROVAL PRIOR TO THE START OF ANY CONSTRUCTION (CONTACT BRYANT BRADLEY FOR MORE INFORMATION). THE OWNER SHOULD CONTACT CUD REGARDING PROJECT-RELATED FEES, WHICH MAY BE SUBSTANTIAL.
 6. THE DEVELOPER MUST POST BOND TO CUD, \$2,000 OR \$250 FOR EACH VALVE BOX (WHICHEVER IS GREATER), WHENEVER THE SUBJECT PROJECT HAS VALVE BOXES THAT ARE LOCATED WITHIN PAVEMENT UPON COMPLETION OF THE PROPOSED WATER SYSTEM EXTENSION.
 7. THIS PROPERTY IS WITHIN THE BUCHANAN/ELAM SEWER ASSESSMENT DISTRICT, PER THE CITY OF MURFREESBORO. ALL LOTS WILL BE COVERED UNDER THE OUTSIDE THE CUSTOMER AGREEMENT. THE DEVELOPER IS FINANCIALLY RESPONSIBLE FOR PROVIDING WATER AND SEWER SERVICE TO EACH LOT.
 8. TOPOGRAPHIC INFORMATION TAKEN FROM GIS DATA OBTAINED FROM THE CITY OF MURFREESBORO. TOPOGRAPHY AND OTHER NATURAL FEATURES ARE SUBJECT TO FIELD VERIFICATION, WHICH MAY RESULT IN WIDTH AND LOCATION ADJUSTMENTS TO THE WATER QUALITY PROTECTION AREA.
 9. BOUNDARY INFORMATION TAKEN FROM A COMPILED GIS DATA, PRIOR PROPERTY SURVEYS BY ROBERT E. FRANCIS (ALLMAN PROPERTY, DATED 8-25-1977; LEVETTE PROPERTY DATED 10-11-1977), AND FINAL PLAT OF THE ADJOINING MILLER ROAD REALIGNMENT (PLAT BOOK 30, PAGE 109).
 10. SANITARY SEWER SERVICE IS PROVIDED BY MURFREESBORO WATER & SEWER DEPARTMENT (M.W.S.D.).
 11. SEWER CONSTRUCTION DRAWINGS AND HYDRAULICS MUST BE SUBMITTED TO M.W.S.D. FOR DETAILED REVIEW AND APPROVAL SEPARATE FROM PLANNING COMMISSION REVIEW.



LOCATION MAP
N.T.S.

WQPA NOTE: WITHIN THE AREA ALONGSIDE A STREAM AND/OR WETLAND, DESIGNATED AS THE WATER QUALITY PROTECTION AREA, THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF THE SOIL AND/OR NATIVE VEGETATION EXCEPT AS PERMITTED IN WRITING BY THE CITY OF MURFREESBORO. DISTURBANCE OF THE WATER QUALITY PROTECTION AREA, INCLUDING PLACEMENT OF STRUCTURES AND APPLICATION OF HERBICIDES OR FERTILIZERS, IS PROHIBITED. IN ZONE 2 ONLY, PROPERTY OWNERS ARE ALLOWED TO HAVE MANAGED VEGETATION, WHICH IS LIMITED TO CUTTING, MOWING, NO-TILL PLANTING AERATION. REFERENCE CITY CODE, CHAPTER 27.



OWNER: FARRER BROS. PROPERTIES AND H. ALLEN JONES
ADDRESS: 1124 BRINKLEY AVE. MURFREESBORO, TN 37129
RECORD BOOK: 185, PAGE: 477
TAX MAP: 156 PARCELS: 47.00 & 32.00

EX. 21.86 ACRES C-2 COMMERCIAL ZONING TO BE INDUSTRIAL ZONING
EX. 69.16 ACRES R-15 ZONING TO BE INDUSTRIAL ZONING

WILLIAM H. HUDDLESTON - STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
SURVEYING : 893 - 4084, FAX: 893 - 0080

NO.	DATE	DESCRIPTION
0	2-3-11	ORIGINAL ISSUE
1	2-15-11	REVISED PER STAFF COMMENTS FOR 2-16-11 MTG.
2	5-7-12	ENGINEER'S REVISIONS

REZONING REQUEST
EPPS MILL SUBDIVISION
Epps Mill Road, Christiana, TN
25th Civil District of Rutherford County, Tenn.

DATE: MAY, 2012 SCALE: 1"=100' SHEET 1 OF 1

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: August 16, 2012

Case Number:	12-A010
Planning Commission Recommendation:	APPROVE with conditions (9 for, 1 against)
Request by:	Montgomery Turner, applicant; North Bryant Baptist Church, owner
Property Address:	Lascassas Pike
Commission District:	2 – Jack Black
Urban Growth Boundary:	Rural Area

Applicant Request

Rezoning: To Services with a CUP for General Retail Trade, Animal Care & Veterinarian Services, Consumer Repair Services, Financial, Consultative & Administrative, General Personal Services, Entertainment & Amusement Services, Food & Beverage Services, Food Service Drive-in & Drive-thru, General Business & Communication Service, and Medical Services

Site Characteristics

Current Zoning: R-15
Current Use: Vacant
Adjacent Uses: Single Family Residential, Commercial Nursery, Convenience Center, Vacant
Size of Tract: 5.67 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within the Lascassas Rural Center. The Rural Centers recommend a mix of uses including commercial, office, institutional, and residential. The Plan also classifies this section of Lascassas Pike as a Rural Collector.

- Goal statement objective 1.B; “Guide development to create commercial and rural nodes rather than sprawl”

Proposal supported by Comprehensive Plan

Yes, this proposal would be within the recommended uses for the Lascassas Rural Center. The proposed building falls well within the recommended Floor Area Ratio (FAR) for commercial developments.

Infrastructure

Roads: Lascassas Pike is a 2 lane arterial road with shoulders that has adequate right of way. The 2011 TDOT traffic count ½ a mile to the northeast on Lascassas Pike was 4,662 vehicles per day.

Utilities: Consolidated Utility District has a 12” waterline on Lascassas Pike. The businesses will be served by a new septic system that will be installed on the back portion of the property.

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

property.

Stormwater: A portion of the property is located within the 500 year flood zone.

Proposal Details

Proposed Use: The applicant is proposing to build a shopping center anchored by a Dollar General with two additional shops.

Site Design: The concept plan shows the size of the proposed building to be a total of 11,500 square feet. The majority of that space, 9,100 square feet, would be filled by the Dollar General. The applicant has submitted a proposed front and side elevation of the building which shows a brick/masonry finish.

Access & Parking: The applicant is proposing to provide a paved parking lot with 46 spaces, which would meet the parking requirements found in the Zoning Resolution. A commercial access permit will have to be acquired from the Tennessee Department of Transportation (TDOT) for the entrance on Lascassas Pike.

Landscaping: The concept plan shows a 30-foot bufferyard along all sides of the property, except for along Lascassas Pike, which would meet the landscaping requirements found in the Zoning Resolution.

Background

In April 2008 the Planning Commission approved the Dayspring Baptist Fellowship Church site plan for this property. The site plan was renewed in May 2011 but was never finalized and has since expired. The property is currently vacant.

Directly across the street is the Peach Tree Nursery which was rezoned to Services in 2006. There is also a 3.4 acre lot on the corner of Lofton Road that was zoned commercial in 1979. The remaining surrounding area is zoned R-15.

Staff Recommendation

Staff recommends approval. The proposed project is consistent with land use policies within the Comprehensive Plan. The project is also capable of meeting all the zoning requirements found within the Rutherford County Zoning Resolution.

If this rezoning is approved the property would come under the Commercial Services (CS) District in the new draft zoning ordinance.

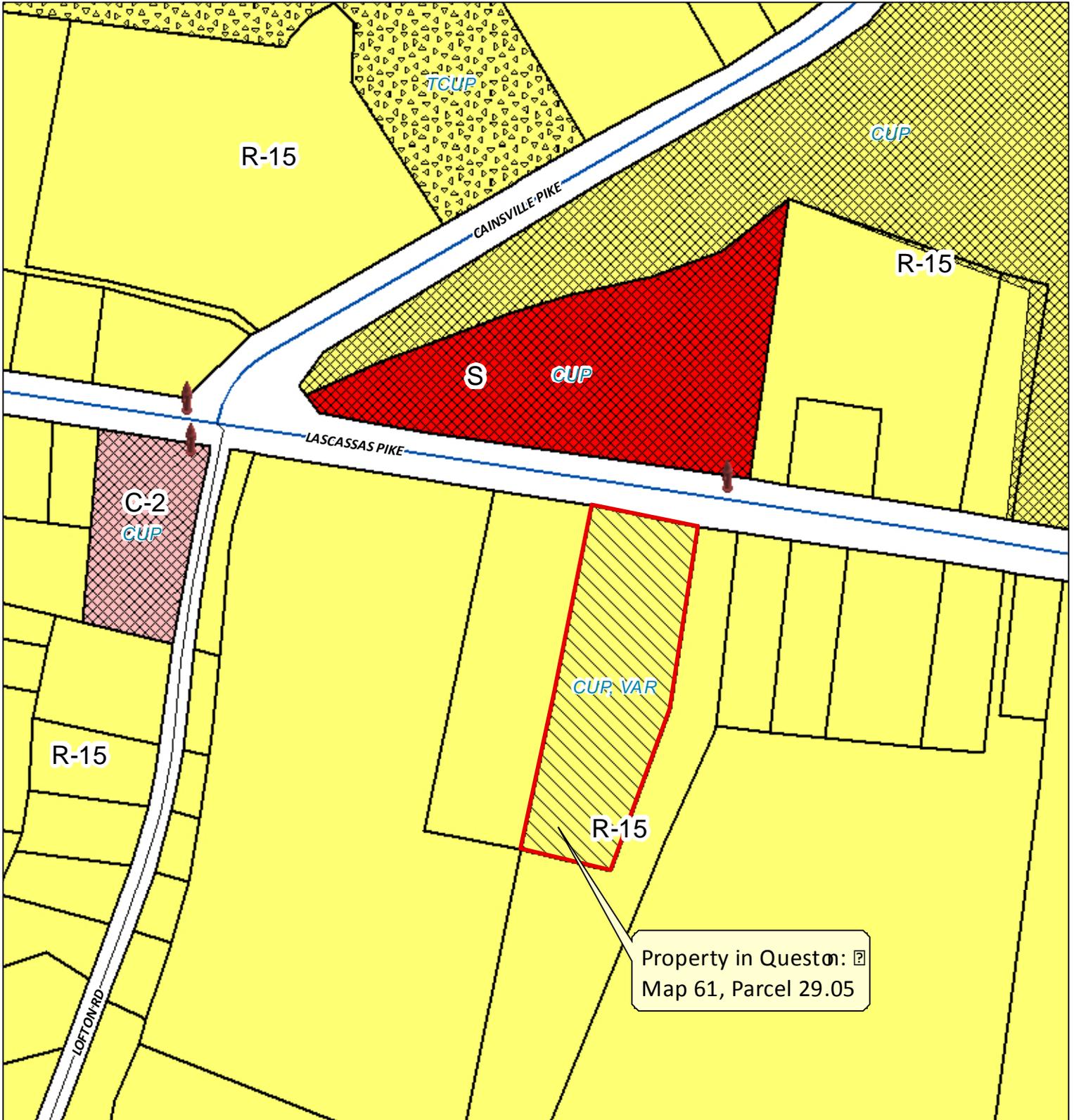
Conditions:

- 1) The front and side elevations shall be composed entirely of a brick/masonry material.
-

Attachments

Zoning Map, Aerial Map, Concept Plan, & Proposed Elevations

12-A010



Parcels In Question

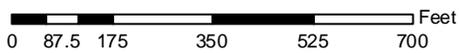
Zoning Description

- R-15 Residential
- S - Services
- C-2 Commercial - Pre-1984 Zoning District

Zoning Comments

- Conditional Use Permit
- Conditional Use Permit; Variance
- Temporary Conditional Use Permit

12-A010

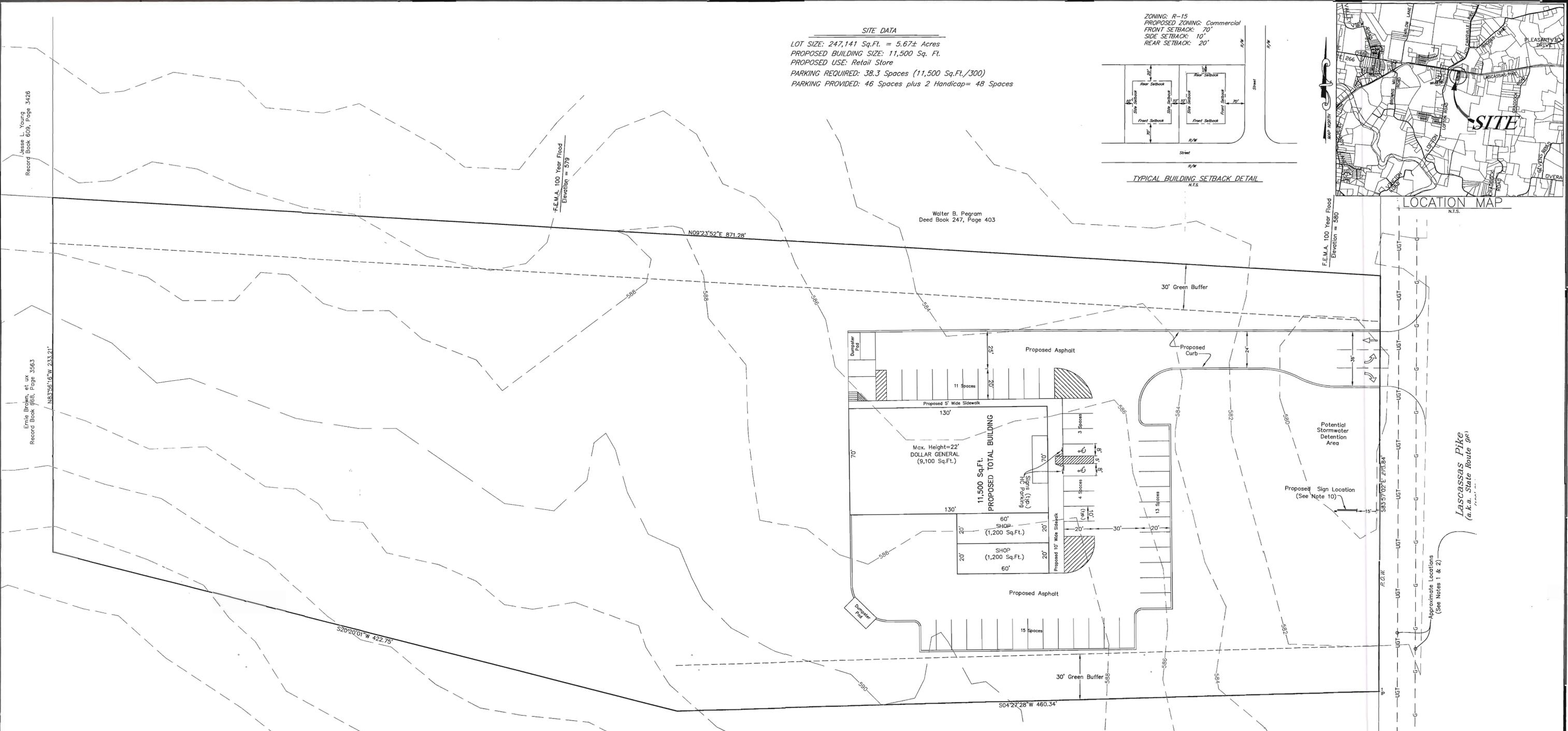
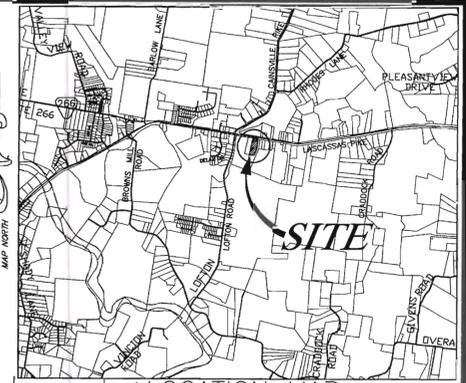
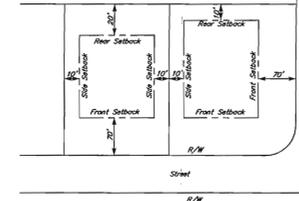


 Parcels In Question

- Zoning Comments**
-  Conditional Use Permit
 -  Conditional Use Permit; Variance
 -  Temporary Conditional Use Permit

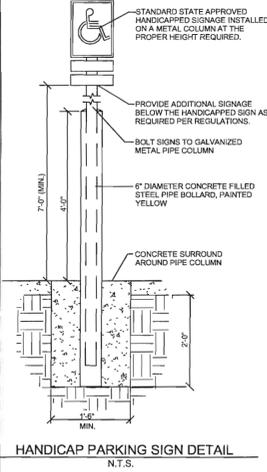
SITE DATA
 LOT SIZE: 247,141 Sq.Ft. = 5.67± Acres
 PROPOSED BUILDING SIZE: 11,500 Sq. Ft.
 PROPOSED USE: Retail Store
 PARKING REQUIRED: 38.3 Spaces (11,500 Sq.Ft./300)
 PARKING PROVIDED: 46 Spaces plus 2 Handicap = 48 Spaces

ZONING: R-15
 PROPOSED ZONING: Commercial
 FRONT SETBACK: 70'
 SIDE SETBACK: 10'
 REAR SETBACK: 20'

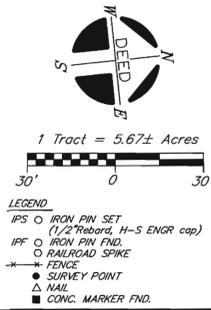


PLAT NOTES

- In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
- Underground utilities shown were located using available above-ground evidence, and also from information obtained from the respective utility companies. The existence or non-existence of the utilities shown and any other utilities which may be present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
- It is the responsibility of each builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the structure, from his structure to the drainage system constructed by the subdivision developer.
- Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
- Public utility and drainage easements where shown hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways; including, but not limited to, sanitary sewers, force mains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.
- No work within or connection to Lascassas Pike (a.k.a. State Route 96) right-of-way without the prior written approval of the Tennessee Department of Transportation (T.D.O.T.).
- Properties adjacent to the site of land disturbance shall be protected from sediment deposition. This may be accomplished by preserving a well-vegetated buffer strip around the lower perimeter of the land disturbance; by installing perimeter controls such as sediment barriers, filters, or dikes, or sediment basins; or by a combination of such measures.
- Permanent or temporary soil stabilization shall be applied to denuded areas within 15 days after final grade is reached on any portion of the site. Soil stabilization shall also be applied within 15 days to denuded areas which may not be at final grade, but will remain dormant (undisturbed) for longer than 60 days.
- Utilities shown are as proposed and not necessarily installed.
- Per the R.C.R.P.C., a separate sign permit will be required for any signage.
- Evidence of a Land Disturbance Permit, which includes an erosion prevention & sediment control plan, and a State of Tennessee stormwater permit (NOL of NPDES) must be provided to the County's Environmental Engineer prior to construction progressing.
- Per the R.C.R.P.C., this property is within the service area for Consolidated Utility District (CUD). Specific requirements for water service should be directed to Mr. Larry McElroy, who can be contacted at 615-893-7235.
- Per the R.C.R.P.C., a pre-construction conference with the county's Engineering Staff will be required before any permits are issued. Please contact Todd Sullivan to schedule this meeting at 615-893-7235.
- Boundary information taken from deed recorded in Record Book 925, Page 1047, R.O.R.C.
- Topographic information taken from Rutherford County GIS maps available at <http://maps.rutherfordcountyttn.gov/rutherford/>



- LEGEND**
- Power Pole
 - Existing Fire Hydrant
 - Proposed Fire Hydrant
 - Reducer
 - Proposed Gate Valve & Box
 - Concrete Thrust Block
 - Existing Water Line
 - Proposed Water Line
 - Existing Sanitary Sewer Line
 - Proposed Sanitary Sewer Line
 - Existing Manhole
 - Proposed Manhole
 - Sewer Line Check Dam
 - Existing Contours
 - Proposed Contours
 - Existing Spot Elevations
 - Proposed Spot Elevations
 - Siltation Fence
 - (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
 - Siltation Fence (Initial Measure)
 - Siltation Fence (Once Constructed)
 - Turf Reinforcement Mat
 - Stone Check Dam
 - Light Fixture (See Note 15)



DEVELOPER: Turner & Associates Realty, Inc.
 Attn: Monte Turner
 ADDRESS: P. O. Box 150326
 Nashville, TN 37215

OWNER: North Bryant Baptist Church
 ADDRESS: P. O. Box 896
 Bryant, AR 72089

Tax Map 61, Parcel 29.05
 Record Book 926, Page 1432
 Record Book 925, Page 1047



CONCEPT PLAN
Dollar General
 6934 Lascassas Pike, Lascassas, TN

22nd Civil District of Rutherford County, Tennessee

Date: June, 2012 | Scale: 1"=30' | Sheet 1 of 1

THIS PARCEL IS PARTIALLY LOCATED IN AN AREA DESIGNATED AS "SPECIAL FLOOD HAZARDOUS" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY MAP 470165, PANEL NO. 0167H, ZONE(S): AE & X, DATED 01-05-07.



Front and Side Elevation for Lasscassas, TN proposed Dollar General Shopping Center



RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting, June 13, 2012

Location: Commission Chambers, 2nd Floor, Historic Courthouse

PUBLIC WORKS REPORT

- I. Call to Order: 4:30 PM
- II. Invocation
- III. Pledge of Allegiance
- IV. Deferred Items
- V. Roll Call & Determine Quorum
- VI. Approval of May 9, 2012 Meeting Minutes
- VII. Old Business
- VIII. New Business
 - A. **TNT Fireworks – BZA 2012-028**
Location: 6137 Epps Mill Road, Map No.:156, Parcel: 26, Request for conditional use permit to allow the temporary sale of fireworks in the Retail and Wholesale Trade District.
Motion to Approve
Motion Carried (5 For, 0 Against)
Request was Approved.
 - B. **Absolute Fireworks – BZA 2012-029**
Location: 3892 Shelbyville Pike, Map No.:136, Parcel: 42.02, Request for conditional use permit to allow the temporary sale of fireworks in the Retail and Wholesale Trade District.
Motion to Approve
Motion Carried (5 For, 0 Against)
Request was Approved.
 - C. **Rick Marshall – BZA 2012-030**
Location: Swamp Leanna Road, Map No.:47, Parcel: 61.00, Request for a temporary conditional use permit for a borrow pit in the R-15 zone.
Motion to Approve
Motion Carried (5 For, 0 Against)
Request was Approved.
 - D. **Gary Zoller – BZA 2012-031**
Location: 503 Inez Drive, Map No.:55P, Group: A, Parcel: 6, Request for a conditional use permit for an accessory dwelling unit that does not meet the design standards for ADUs involving a property located in the R-15 zone with variance relief from the total square footage for detached accessory structures.
Motion to Approve
Motion Carried (5 For, 0 Against)
Request was Approved.
 - E. **Bob Frank – BZA 2012-033**
Location: 7173 Rhodes Lane, Map No.:44, Parcel: 13.05, Request for variance relief to allow an additional 764 square feet of detached accessory structure area in the R-15 zoning district.
Motion to Approve
Motion Carried (5 For, 0 Against)
Request was Approved.
- IX. Adjournment



RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting, July 11, 2012

Location: Commission Chambers, 2nd Floor, Historic Courthouse

Public Works Report

- I. Call to Order: 4:30 PM
- II. Invocation
- III. Pledge of Allegiance
- IV. Deferred Items
- V. Roll Call & Determine Quorum
- VI. Approval of June 13, 2012 Meeting Minutes
Motion to Approve as Presented
Motion Carried by Unanimous Voice Vote
June 13, 2012 Minutes Were Approved
- VII. Old Business
- VIII. New Business
 - A. **Murfreesboro Community Church – BZA 2012-035**
Location: 2555 Lascassas Pike, Map No.:81, Parcel: 14.00, Request an extension for variance relief from the development standard requiring a double bituminous surface for parking areas for a property located in the R-15 zone.
Motion to Approve as Presented
Motion Carried (5 For, 0 Against)
Request was Approved
 - B. **Patrick Bridges – BZA 2012-036**
Location: 6221 Buckeye Valley Road, Map No.:48, Parcel: 61.03, Request for variance relief to allow an additional 762 square feet of detached accessory structure area in the R-15 zone.
Motion to Approve as Presented
Motion Carried (5 For, 0 Against)
Request was Approved
 - C. **Joe Gourley, Rutherford County EMA – BZA 2012-037**
Location: North Milton Road, Map No.:42, Parcel: 8.02, Request for variance relief to the 35' maximum height limit to allow a communications tower measuring 199' tall for a property located in the R-15 zone.
Motion to Approve as Presented
Motion Carried (5 For, 0 Against)
Request was Approved
 - D. **Jeannie Bracken – BZA 2012-038**
Location: 400 Karstridge Road, Map No.:49I, Group: B, Parcel: 1.00, Request for variance relief from the standard prohibiting detached accessory structures from being located within a 40' front yard setback for a property located in the R-15 zone.
Motion to Deny
Motion Carried (3 For, 2 Against)
Request was Denied

E. Charles T. Taylor – BZA 2012-039

Location: 7700 East Gum Road, Map No.:151, Parcel: 40.01, Request for conditional use permit to allow an accessory structure prior to a principal structure with variance relief to allow an additional 1,700 square feet of detached accessory structure area for a property located in the R-15 zone.

Motion to Approve as Presented

Motion Carried

Request was Approved

F. Derek Veselich and Camie Perkins – BZA 2012-040

Location: 4743 Veterans Parkway, Map No.:93, Parcel: 10.06, Request for conditional use permit to allow the establishment of a major home-based business of a construction office/storage with variance relief for an additional 2,160 square feet of detached accessory structure area for a property located in the R-15 zone.

Motion to Approve Failed for Lack of Second

Motion to Deny

Motion Carried (3 For, 2 Against)

G. Marie Hatcher – BZA 2012-041

Location: 7204 North Lamar Road, Map No.:3, Parcel: 18.10, Request for conditional use permit to allow private swimming lessons during the months of June and July with variance relief from the development standard requiring double bituminous parking areas for a property located in the R-15 zone.

Motion to Approve

Motion Carried (3 For, 2 Against)

Request was Approved

IX. Adjournment

M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: July 16, 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 May 29, 2012, June 25, 2012, and July 9 2012 meetings.

Plat/ Bond Extension	Martha's Haven at Barfield	Request Details: 1 year letter of credit extension
	Travis Estates, Sec 1 & 2	Request Details: 1 year letter of credit extension
	Harvest Woods, Sec 1, Phase 1	Request Details: 1 year bond extension
	Cascade Falls, Sec 1 and 2	Request Details: 1 year bond extension
	Lewis Downs, Section 1, Phase 2	Request Details: 1 year bond extension
Subdivision Plats	Colonial Estates, Sec 12, Phase 1F (Final)	Site Details: 9 lots on 3.37 acres, Zoned R-15 Developer: B C Developers, LLC Property Location: Drema Court
	Garby Property (Minor Final)	Site Details: 3 lots on 3.09 acres, Zoned R-15 Developer: Scott D. Garby Property Location: Veterans Parkway
Site Plans	Buddhist Temple	Site Details: New construction of 4,150 square feet on 17.99 acres, Zoned R-15 Developer: Ven Predda Momungkun Property Location: 4880 Barfield Crescent Road
	Buddhist Temple	Site Details: New construction of (addition of 3 2 pavilions) 10,500 square feet on 7.9 acres, Zoned R-15 Developer: Wat Buddharam, Inc. Property Location: 5216 Old Nashville Highway