M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: November 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 **December 13, 2012** Board of Commissioners Meeting

The Rutherford County Regional Planning Commission acted on the following requests at its scheduled meetings on November 13, 2012:

1. **Rezoning and Conditional Use Permit Request: 12-A014 – Nidal Abbas**
   Commissioner: Gary Farley
   Recommendation for **Approval** (8 for, 0 against)
   Location: 3199 Franklin Road
   Tax Map: 92O, Group: A, Parcel: 17.00
   Size of Site: approximately 0.45 acres
   Existing Zoning: R-15
   Requested Zoning: Services
   Conditional Use Permit: Professional Office Space and Beauty Salon

2. **Rezoning and Conditional Use Permit Request: 12-A015 – Lucas Nemeth**
   Commissioner: Gary Farley
   Recommendation for **Approval** (8 for, 0 against)
   Location: 2887 Barfield Road
   Tax Map: 124, Parcel: 15.00
   Size of Site: approximately 6 acres
   Existing Zoning: R-15
   Requested Zoning: Services
   Conditional Use Permit: General Retail Trade, General Personal Services, Food Services, and Professional Office Space

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: December 13, 2012

Case Number:	12-A014
Planning Commission Recommendation:	**APPROVE with conditions (8 For, 0 Against)**
Request by:	Nidal Abbas, applicant and owner
Property Address:	3199 Franklin Road
Commission District:	7 – Gary Farley
Urban Growth Boundary:	Murfreesboro UGB

Applicant Request

Rezoning: To Services *with a CUP for Professional Office Space and Beauty Salon*

Site Characteristics

Current Zoning: R-15
Current Use: Residential House
Adjacent Uses: Professional Office Space and Single Family Residential
Size of Tract: approximately 0.45 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within the Urban Character Area. In addition, Franklin Road is recommended to be an Urban Corridor.

- Goal statement objective 1.B; "Guide development to create commercial and residential nodes rather than residential sprawl."

Proposal supported by Comprehensive Plan

Yes, this proposal would be within the recommended uses for the Urban Character Area and along an Urban Corridor. Because of previous rezonings, this house is surrounded by offices on either side. If rezoned, this house can act as a buffer between Franklin Road and the remaining homes.

Infrastructure

Roads: Franklin Road is a 5 lane arterial road with shoulders that has adequate right of way. The 2011 TDOT traffic count ½ a mile to the east on Franklin Road was 20,860 vehicles per day. Camden Court is a 2 lane minor road with no shoulders that has adequate right of way.

Although a traffic signal is not currently warranted, the City of Murfreesboro did require the developer of the property across Franklin Road to design Hillwood Boulevard for potential signalization in the future.

Utilities: According to the Consolidated Utility District, there is a twenty (20) inch water line running parallel to Franklin Road to service this property.

The house does have an existing septic system in the front yard, however when Franklin Road was expanded the duplicate area was lost to right of way acquisition. Based on information from the Department of Environment and Conservation Division of Ground

Water Protection, there is no area to make repairs and/or expand the system if needed. The existing system can probably support an office with a maximum of 8 employees or a 1 chair hair salon.

Fire Protection: There is a fire hydrant located on the corner of Camden Court and Franklin Road.

Stormwater: No portion of this property is located within the flood plain.

Proposal Details

Proposed Use: The applicant is proposing convert the existing house into an office space or beauty salon.

Site Design: Based on the location of the septic system, the lot will have to be designed similar to the Orthodontist Office next door where the parking is located behind the house.

Access & Parking: The property will maintain its entrance on Camden Court. The applicant created a paved parking area before applying for rezoning. It is unclear at this time whether it meets the dimension requirements for parking spaces and aisles.

Landscaping: If approved, a type 2 bufferyard would be required on the south side of the property to screen the residential houses on Camden Court. A portion of the parking lot will most likely have to be removed to accommodate this bufferyard.

Background

The four houses to the west are zoned FIRE and Services, and have conditional use permits for Insurance, Real Estate, Cleaning businesses, and Orthodontist Offices. In addition two houses immediately to the east were rezoned to Services for professional office space.

The property is part of an annexation by the City of Murfreesboro, which is currently in litigation. The county continues to have jurisdiction at this time.

Staff Recommendation

Staff recommends approval with conditions. The proposed project is consistent with land use policies within the Comprehensive Plan and compatible with the surrounding uses. One main concern is the existence of a parking lot before site plan approval. A portion of the parking lot will have to be removed to accommodate the landscaping that will be required. In addition the space and aisle dimensions may be not meet the requirements.

The City of Murfreesboro has plans to place a traffic signal at this intersection in the future and has requested that right of way be dedicated to facilitate that improvement.

If this application is approved, the property would eventually be zoned Office Professional (OP) under the new zoning ordinance.

The applicant was not present at the October 8, 2012 Planning Commission meeting so the Commission recommended that the application be deferred to the November 13, 2012

meeting.

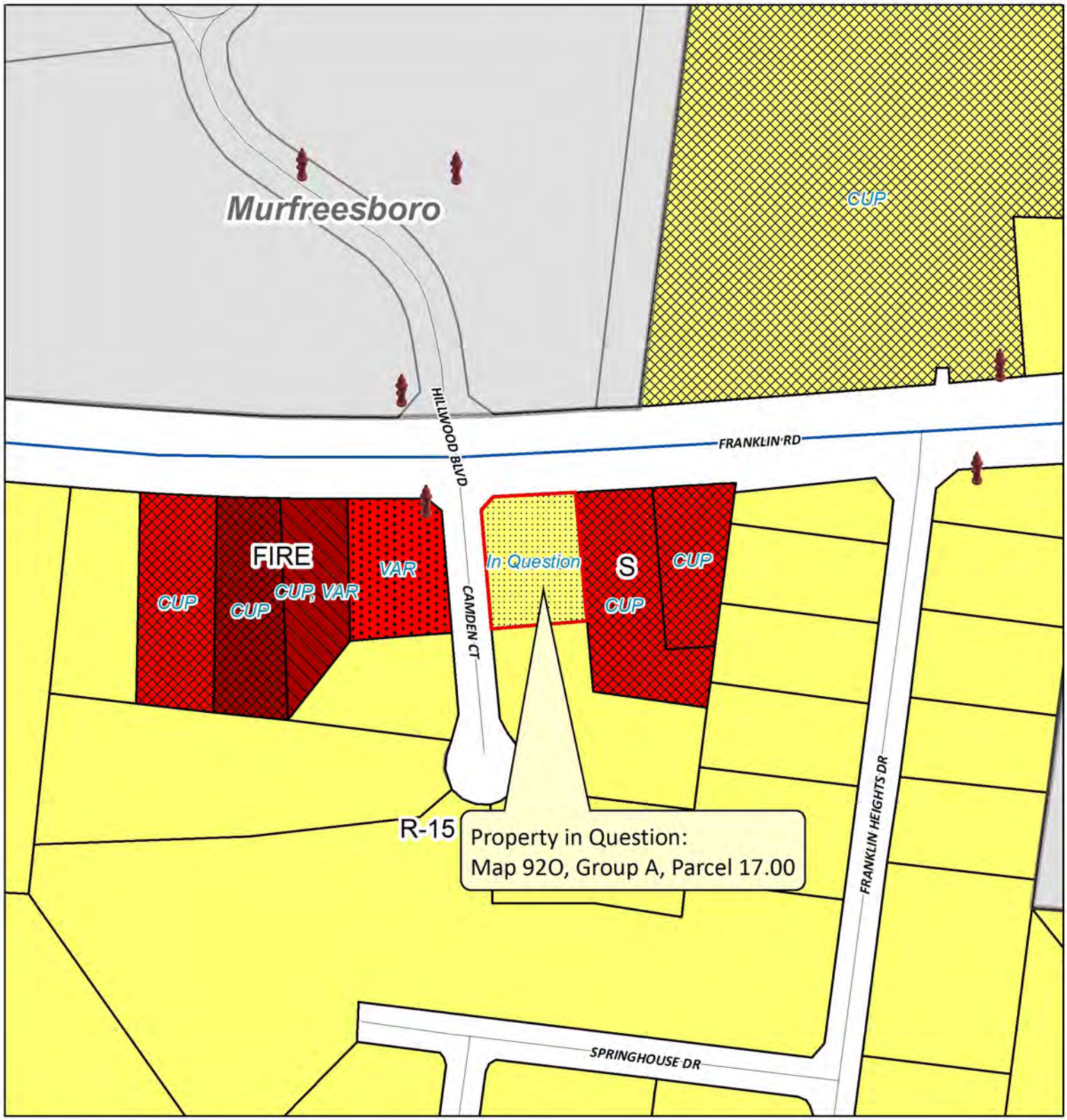
Conditions

1) Site plan shall be submitted for the property as required by the Rutherford County Zoning Resolution. The parking lot must be altered to meet all applicable requirements.
2) No outside storage except for business vehicles.
3) The applicant shall dedicate a strip of land needed to provide adequate right-of-way for the future signalization of Franklin Road and Camden Court.

Attachments

Zoning Map and Aerial Map

12-A014



Parcels In Question

Zoning Description

- R-15 Residential
- S - Services
- FIRE - Finance-Insurance-Real Estate

Zoning Comments

- In Question
- Conditional Use Permit
- Conditional Use Permit; Variance
- Variance

0 45 90 180 270 360 Feet

12-A014

Parcels In Question

Zoning Comments

- In Question
- Conditional Use Permit
- Conditional Use Permit; Variance
- Variance

0 45 90 180 270 360 Feet

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: December 13, 2012

Case Number:	12-A015
Planning Commission Recommendation:	**APPROVE with conditions (8 For, 0 Against)**
Request by:	Lucas Nemeth, applicant and owner
Property Address:	2887 Barfield Road
Commission District:	7 – Gary Farley
Urban Growth Boundary:	Murfreesboro UGB

Applicant Request

Rezoning: To Services *with a conditional use permit for General Retail Trade, General Personal Services, Food Services, and Professional Office Space*

Site Characteristics

Current Zoning: R-15
Current Use: Single Family Residential
Adjacent Uses: Single Family Residential
Size of Tract: approximately 6 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within the Barfield Rural Center. Rural Centers are intended to permit a compatible mixture of residential, institutional, and commercial uses within a neighborhood setting. The intent is to encourage interaction among the activities within the district to enhance business vitality, reduce vehicular traffic, and ensure that the appearance and effects of the buildings and uses are harmonious with each other and maintain a rural atmosphere.

- Goal statement objective 1.B; "Guide development to create commercial and residential nodes rather than residential sprawl"
- Goal statement objective 3.A; "Recognize the history and importance of rural communities in planning and zoning documents"
- Goal statement objective 5.A; "Provide on and off street bike and pedestrian connections between development areas"

Proposal supported by Comprehensive Plan

Yes, this proposal would be within the recommended uses for the Barfield Rural Center. The applicant should be mindful of the existing buildings in the Barfield area and create a development that is visually compatible with the surrounding area. In addition, the buildings will need to be attractive from the view of the future Greenway at the rear of the property.

Infrastructure

Roads: Veterans Parkway is a 4 lane arterial road with no shoulders that has adequate right of way. The 2011 TDOT traffic count one mile to the west on what was at the time Kimbro Road was 2,914 vehicles per day. The 2011 TDOT traffic count one mile to the east on what was at the time Barfield Crescent Road was 9,687 vehicles per day. The road network in this area is changing fairly dramatically so the traffic counts listed above may

not accurately portray the potential for Veterans Parkway. (See attached sheet for new road intersection layout)
Barfield Road is a 2 lane collector road with no shoulders that does not have adequate right of way.

Greenway: The future plans for the City of Murfreesboro's Greenway System show the corner of this property being used for a branch of the Greenway. The City has indicated that they will be acquiring the easements for this area within the next few months. (See attached sheet for the location of Greenway on this property)

Utilities: Consolidated Utility District has an 8" waterline on the opposite side of Barfield Road. The applicant has not indicated how sanitary sewer will be provided to this project (i.e. location of soils, type of system).

Fire Protection: There are fire hydrants within 1,000 feet of this property.

Stormwater: Approximately 1 acre of this property is within the AE flood zone.

Proposal Details

Proposed Use: The applicant has provided a list of potential commercial uses for the property. The corner of Barfield Road and Veterans Parkway would likely be a convenience store/gas station. Another portion of the property would likely be professional offices, retail stores, or salons. Since the Greenway will be on the edge of this property, the applicant is also considering uses that would accommodate Greenway users such as a bike shop. Finally the back portion of the property could be used a restaurant/gift shop with seating overlooking the river.

Site Design: The applicant is proposing to divide the 6 acres into 4 separate lots. At this time no additional designs have been submitted.

Access & Parking: Most of the lots will have access off of Veterans Parkway. Lot 1 would likely have access on Barfield Road in addition to Veterans Parkway. Lot 4 would be limited to Barfield Road based on the provided Concept Plan.

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

Background

A previous rezoning case was submitted for this property in 2005 containing a similar request (A-732). The application was deferred and eventually withdrawn because the City of Murfreesboro was in the initial phases of acquiring right-of-way from this property for Veterans Parkway.
The surrounding area is predominantly zoned R-15 with the exception of 2.5 acres on Barfield Road that were rezoned commercial in 1976 for an auto repair shop.

Staff Recommendation

Staff recommends approval with conditions. 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.

In order to minimize the impact of the adjoining roads, joint access easements should be utilized whenever practical to limit the amount of entrances to the property.

Due to the location of the Greenway, the City of Murfreesboro would like to be involved in the site plan review phase if this application is approved. Staff feels this request can be easily accommodated.

If this application is approved, the property would eventually be zoned Rural Center (RC) under the new zoning ordinance.

The Planning Commission recommended the application be deferred at the October 8, 2012 meeting in order to give the applicant time to provide schematic drawings for the project. The drawings should show the envisioned design of the buildings including materials and style.

The applicant submitted an amended proposal to the Planning Commission at the November 13, 2012 meeting. The proposal showed various examples of commercial developments with brick or split faced block facades. The proposal stated "Construction will improve visual appeal of immediate area and be similar quality to relatively close commercial construction."

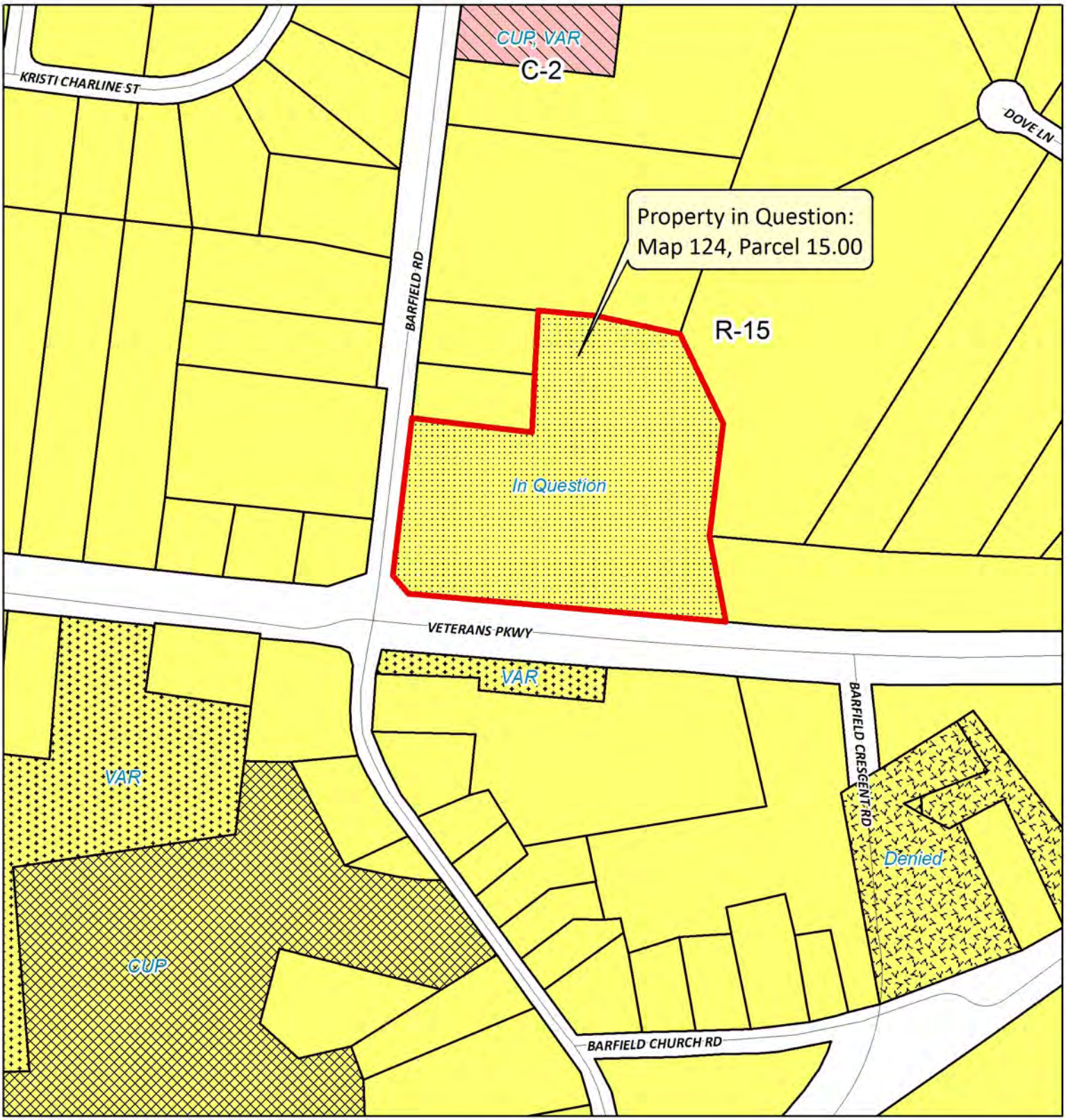
Conditions

1) The right-of-way for Barfield 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) Joint access easements shall be used to limit the amount of entrances on Veterans Parkway and Barfield Road.
3) All construction to be some type of masonry on at least the front and on at least the front and sides on corner building.
4) All light shall be shielded so that it shall not cause illumination in excess of 0.5 foot candles when measured at a residential district boundary or at the street right-of-way line. This may be accomplished with box style lighting fixtures and well placed landscaping.

Attachments

Zoning Map
Aerial Map
New Road Layout Map
Greenway Location Map
Concept Plan

12-A015



Parcels In Question

Zoning Description

- R-15 Residential
- C-3 Recreational Commercial

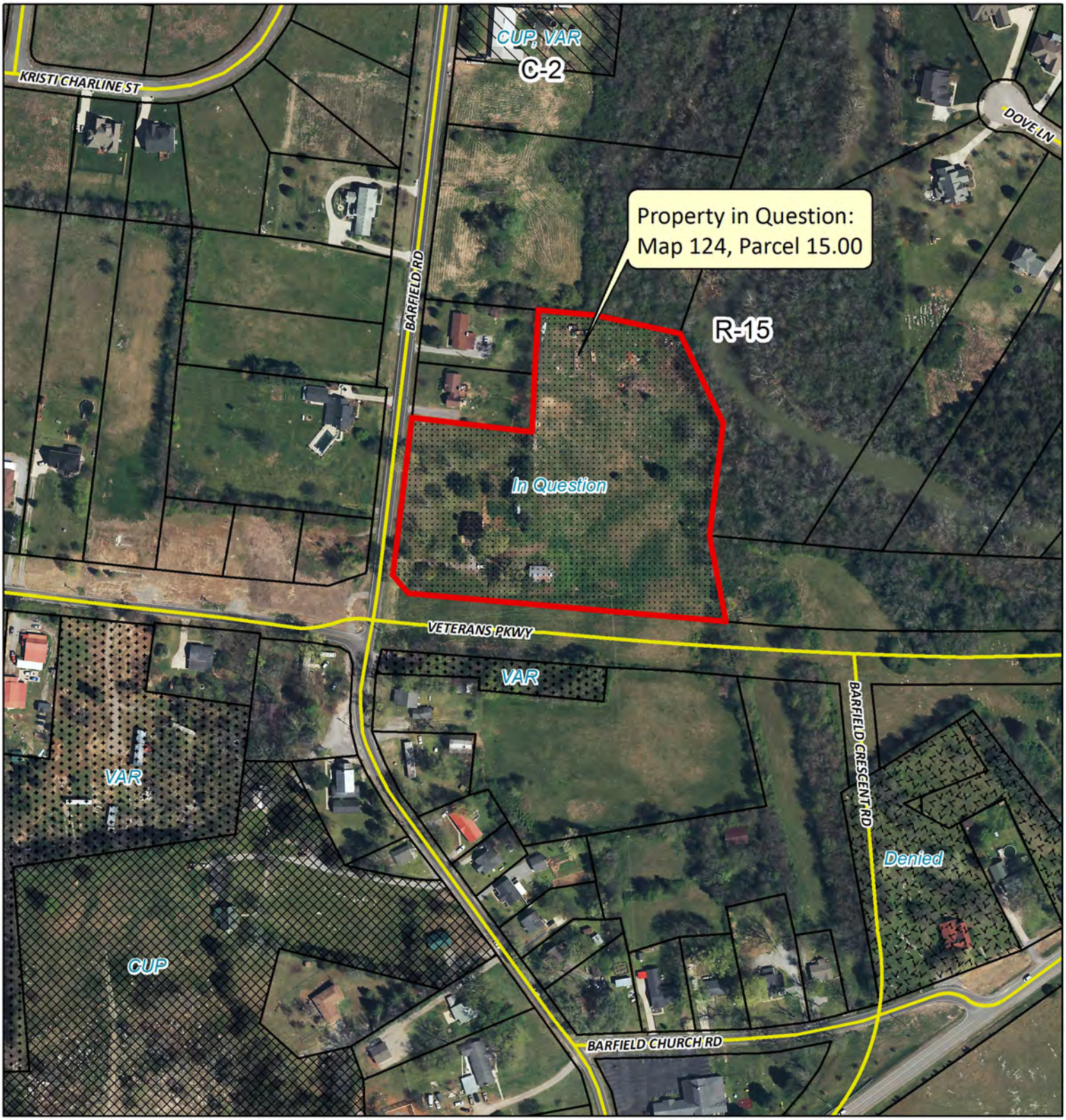
Zoning Comments

- In Question
- Conditional Use Permit
- Conditional Use Permit; Variance
- Variance
- Denied

N

0 65 130 260 390 520 Feet

12-A015



Parcels In Question

Zoning Comments

- In Question
- Conditional Use Permit
- Conditional Use Permit; Variance
- Variance
- Denied

N

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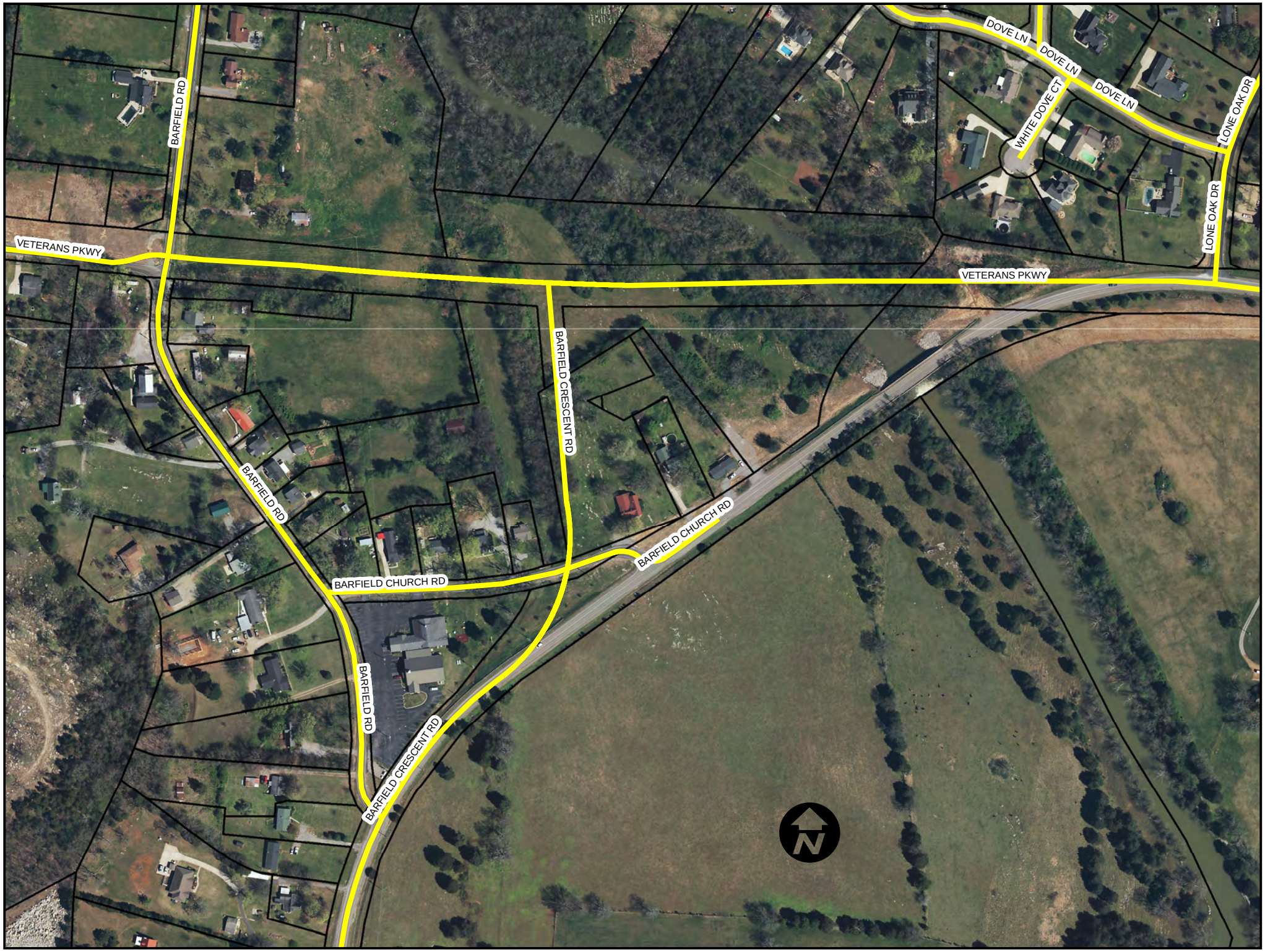
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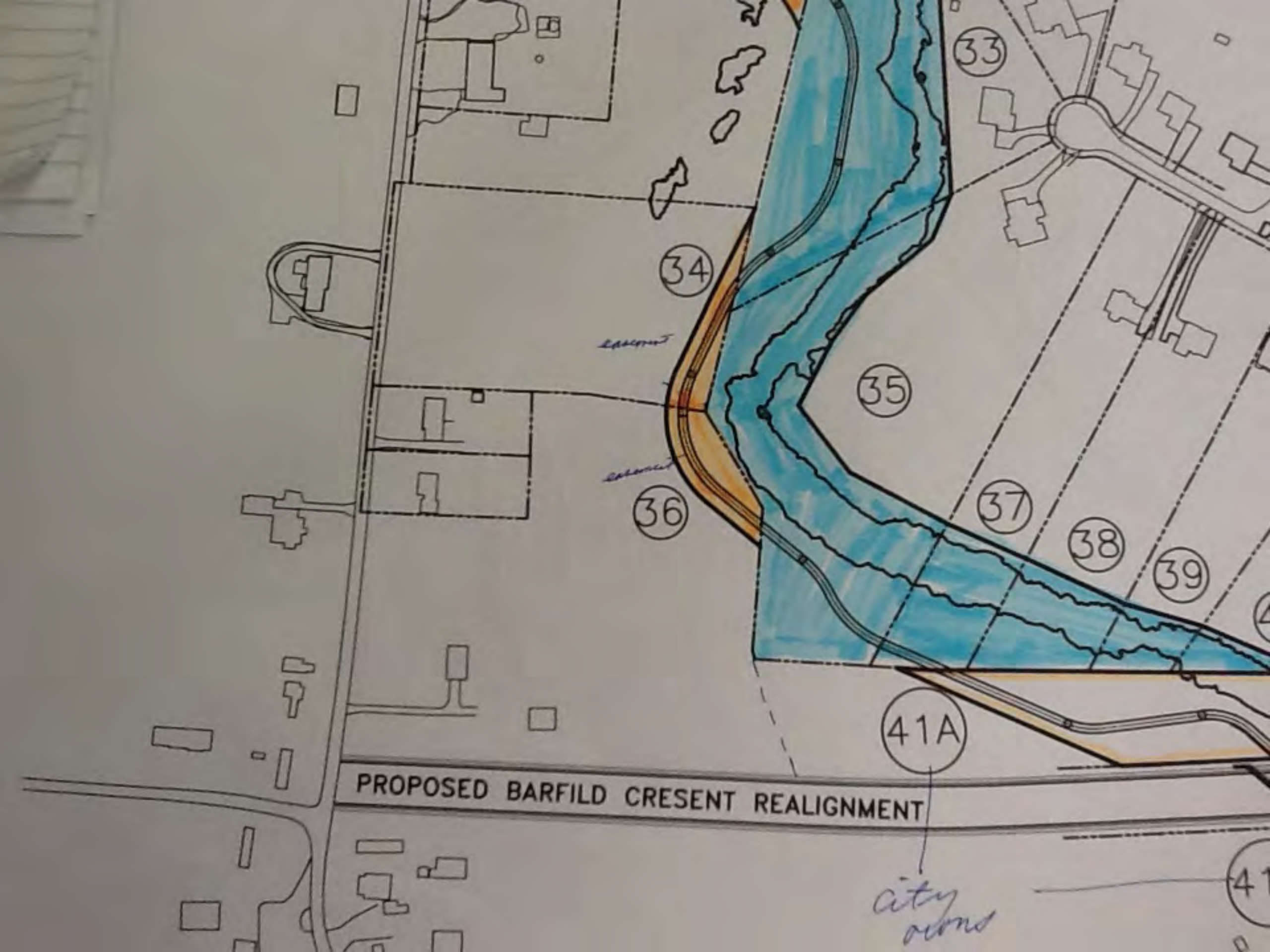
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PROPOSED BARFILD CRESENT REALIGNMENT
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RUTHERFORD COUNTY BOARD OF ZONING APPEALS
Regular Meeting, November 14, 2012

Location: Commission Chambers, 2nd Floor, Historic Courthouse

Public Works Agenda

I. Call to Order: 4:30 PM
II. Invocation
III. Pledge of Allegiance
IV. Deferred Items
V. Roll Call & Determine Quorum
VI. Approval of October 10, 2012 Meeting Minutes
Motion to Approve
Motion Carried (Unanimous Voice Vote)
October 10, 2012 Minutes were Approved
VII. Old Business
VIII. New Business

George Hanna and Hani Mansouri – BZA 2012-056
Location: 5602 West Jefferson Pike, Map No.:26, Parcel: 16.01, Request for conditional use permit to allow the establishment of a convenience store with gas dispensing pumps, self-storage, food services, the sale of beer and tobacco, and automotive services for a property located in the C-2 zone.
Motion to Approve
Motion Carried (5 For, 0 Against)
Request was Approved

IX. Adjournment

M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: November 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 October 22, 2012 and November 13, 2012 meetings.

Plat/ Bond Extension	Davenport Station Sect 1, Phase 1 & 2	Request Details:	1 year plat extension
	Twelve Corners Sec 3	Request Details:	1 year plat extension
	Creeksbend Sec 1	Request Details:	1 year bond extension
Waiver Request	Wilma & Thomas Powers	Request Details: Property Location:	Fire hydrant Salem Road/ Hwy 99
	Warren & Chris Wrather	Request Details: Property Location:	Fire hydrant Rhodes Lane
Site Plans	Subway Restaurant (revised site plan)	Site Details: Developer: Property Location:	New construction of 2,530 square feet on 2.9 acres zoned Services with a conditional use permit for convenience market and restaurant Charlie and Greg Patel 5854 Shelbyville Highway
	Midland Fosterville Road Fire and Rescue Station	Site Details: Applicant: Property Location:	New construction of 4,340 square feet on 2 acres zoned R-15 with a conditional use permit for a fire station Gerald Bucy 2517 Midland Fosterville Road
	Johnny Spies Shop Building	Site Details: Developer: Property Location:	New Construction of 1,200 square feet (accessory building) on 0.83 acres zoned Services with a Conditional Use Permit for a warehouse Johnny Spies intersection of John Bragg Highway and Floraton Road