M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: December 17, 2013

TO: Rutherford County Public Works Committee and Board of Commissioners

FROM: Rutherford County Regional Planning Commission

RE: Report on Activity at the December 9, 2013 Meeting of the Rutherford County Regional Planning Commission

The Rutherford County Regional Planning Commission acted on the following request at its scheduled meeting on December 9, 2013:

Gary and Jayne LeGate (13-A018)
Recommendation for APPROVAL (10 for, 0 against)
Location: 9522 Franklin Road
Commissioner: Tiffany Phillips
Size of Site: Approximately 23 acres
Tax Map: 94.00, Parcel: 42.05
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Agricultural Residential (AR)

The Planning Commission voted to defer action on the following item:

Dharmendra K. Patel (13-A019)
Motion to DEFER (10 for, 0 against)
Location: 118 Crescent Road
Commissioner: Gary Farley
Size of Site: Approximately 10 acres
Tax Map: 149.00, Parcels: 33.00
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Commercial Services (CS)

Since this item has been deferred, the Staff Report has not been included with your packets. This item will be reconsidered at the Planning Commission's January 13, 2014 meeting.

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: January 16, 2014

Case Number:	13-A018
Staff Recommendation:	**APPROVAL**
PC Recommendation:	**APPROVAL (10 FOR, 0 AGAINST)**
Request by:	Gary and Jane LeGate
Property Address:	9522 Franklin Road
Commission District:	8 – Tiffany Phillips
Urban Growth Boundary:	Murfreesboro UGB

Applicant Request

Rezoning: From Residential Medium-Density (RM) To Agricultural Residential (AR)

Purpose of District

The purpose of the AR district is designed to provide permissible areas for the growing of crops, animal husbandry, dairying, forestry and other similar activities, which generally occur and characterize rural rather than urban areas. The application of this district is appropriate in any character area in the adopted comprehensive plan where the property is at least 5 acres in size. (Section 402 A). This district also permits and encourages agricultural tourism activities.

Site Characteristics

Current Zoning: RM

Current Use: Single-Family Residential

Adjacent Uses: Primarily residential uses and agricultural/vacant land. There are commercial uses located less than 500 feet to the east. There is also a small commercial lot located to the west. The Bill Rice Ranch is also located to the west of this property.

Adjacent Zoning: Residential Medium-Density (RM) on all sides. Commercially zoned properties are located within 500 feet to the east and west.

Size of Tract: Approximately 23 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Suburban Character Area. Suburban areas are recommended to include both residential and non-residential uses at densities of three (3) residential units per acre and non-residential uses at a .2 Floor/Area Ratio.

- Goal Statement 3: Strengthen rural communities.
- Goal Statement 6: Conserve and enhance significant natural landscapes and historic and cultural resources.

Proposal supported by Comprehensive Plan

Yes. Staff feels that this proposal would meet the goals of the Comprehensive Plan as noted above. Agricultural activities are an important cultural resource to Rutherford County and should be protected when given the opportunity.

Infrastructure

Roads: Franklin Road is a 2-lane arterial road that has approximately 60 feet of right-of-way. The Tennessee Department of Transportation (TDOT) has a traffic count in the vicinity of this property that shows a 2012 count of 5,688 vehicles per day. The County's Long Range Transportation Plan calls for the eventual widening of this roadway to a five-lane cross-section. At this time, Staff is not aware of any timeframe for this construction.

Utilities: There is an existing two-inch line that serves the property. There is also a six-inch line across the street behind some existing properties (See attached map). That being said, the primary use of the property will remain agricultural/residential. In the event the applicants begin holding weddings on the property, improvements may need to be made in regards to utility service on the property. The applicant will be responsible for these improvements.

Fire Protection: There are two existing fire hydrants located within 2,000 feet of the property. With the use of the property remaining agricultural/residential, no additional hydrants will need to be installed. However, if weddings are held on the property, additional fire protection measures may need to be added to the property, possibly including sprinkling of the building where the events will be held. Information from CUD indicates that a new fire hydrant in this area may be problematic.

Stormwater: The subject property is not impacted by the 100-year floodplain, as delineated by the Federal Emergency Management Agency (FEMA). Since the property's use will remain agricultural/residential, no additional stormwater requirements should be necessary. In the event weddings are held at the property, Staff will reevaluate for any stormwater improvements that need to be made.

Schools: Not Applicable as the property will continue to be a residential and agricultural in nature.

Background/Proposal Details

Background/Proposed Use: The applicants have purchased the property and plan to live on the property and operate their farm. They have received approval to construct a horse barn on the west side of the property for use with their walking horses, colts, etc. At some point in the future, the applicants may wish to have weddings on the property. The applicant was advised by Staff that if they do desire to do this, the structure and property would have to be upgraded to meet applicable building and zoning codes.

The property was originally zoned R-15 under the previous Zoning Resolution. There was also a portion of the property (Approximately 1/3 acre) that was zoned for Retail and Wholesale Trade to allow for the wholesale distribution of shipping material. The entire property was zoned RM when the new Zoning Ordinance took effect at the beginning of this year. It is Staff's understanding that the wholesale business has not operated on the property in quite some time.

Access & Parking: Access to the property will be made via an existing driveway. No additional parking is required for agricultural/residential uses. Staff will reevaluate access and parking to the property if/when weddings are ever held at the property.

Landscaping: Screening is not required for properties zoned AR.

Performance Standards: The Performance Standards found in Section 1106 of the Zoning Ordinance do not apply to residential or agricultural uses.

Staff/Planning Commission Recommendation

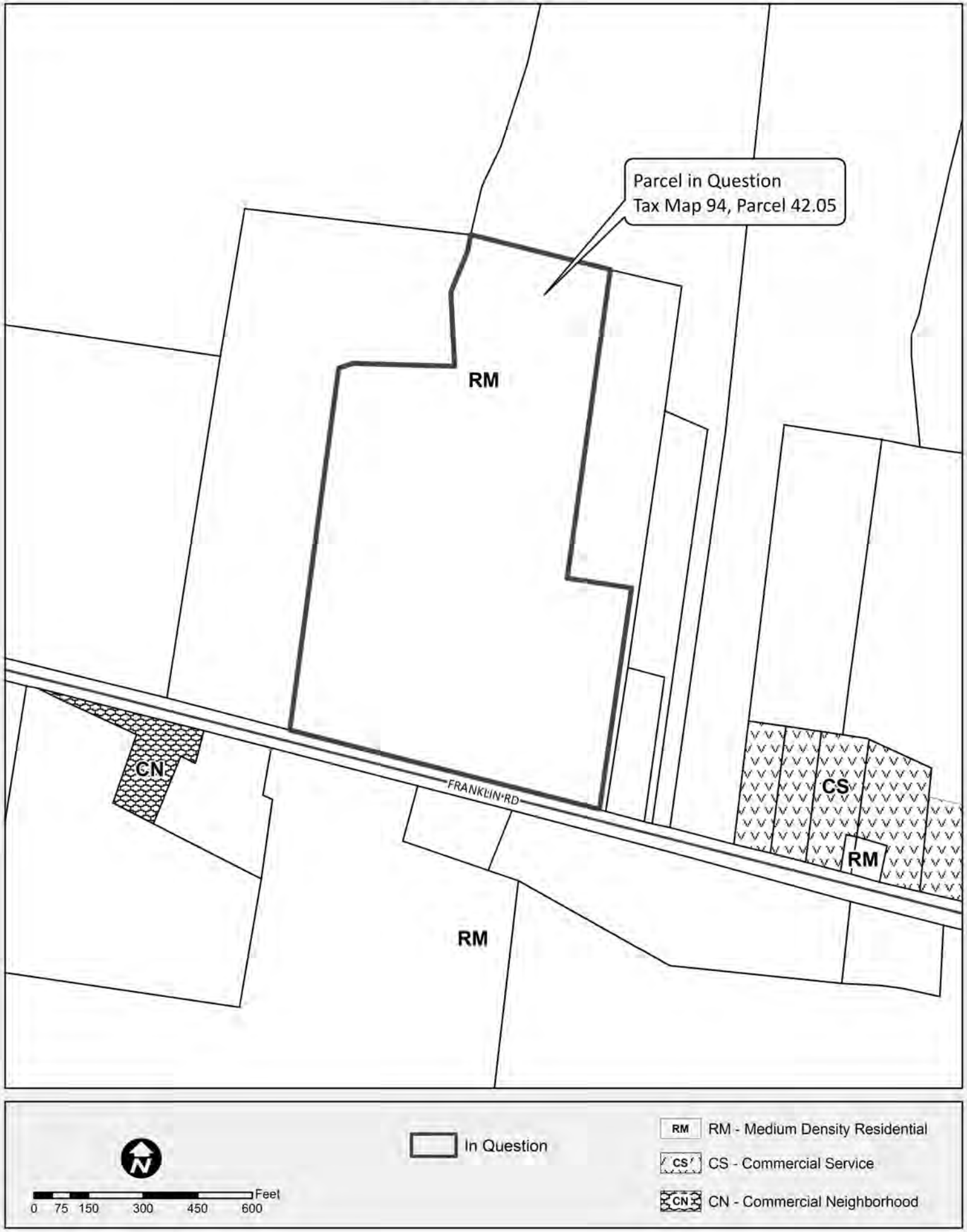
The property will remain as a residential/agricultural use. If weddings are held on the property in the future, additional improvements may have to be made, but Staff feels that it won't create any major issues for the area. Therefore, Staff recommends approval.

The Commission appeared to be comfortable with the request. There was some general discussion on the use of the property for possible wedding events. Staff stated that if these events were to take place, the structures, parking, etc. would have to meet County Regulations. The Planning Commission recommended approval by a unanimous vote (10 For, 0 Against).

Attachments

Zoning Map
Aerial Map
CUD Water Lines Map

13-A018

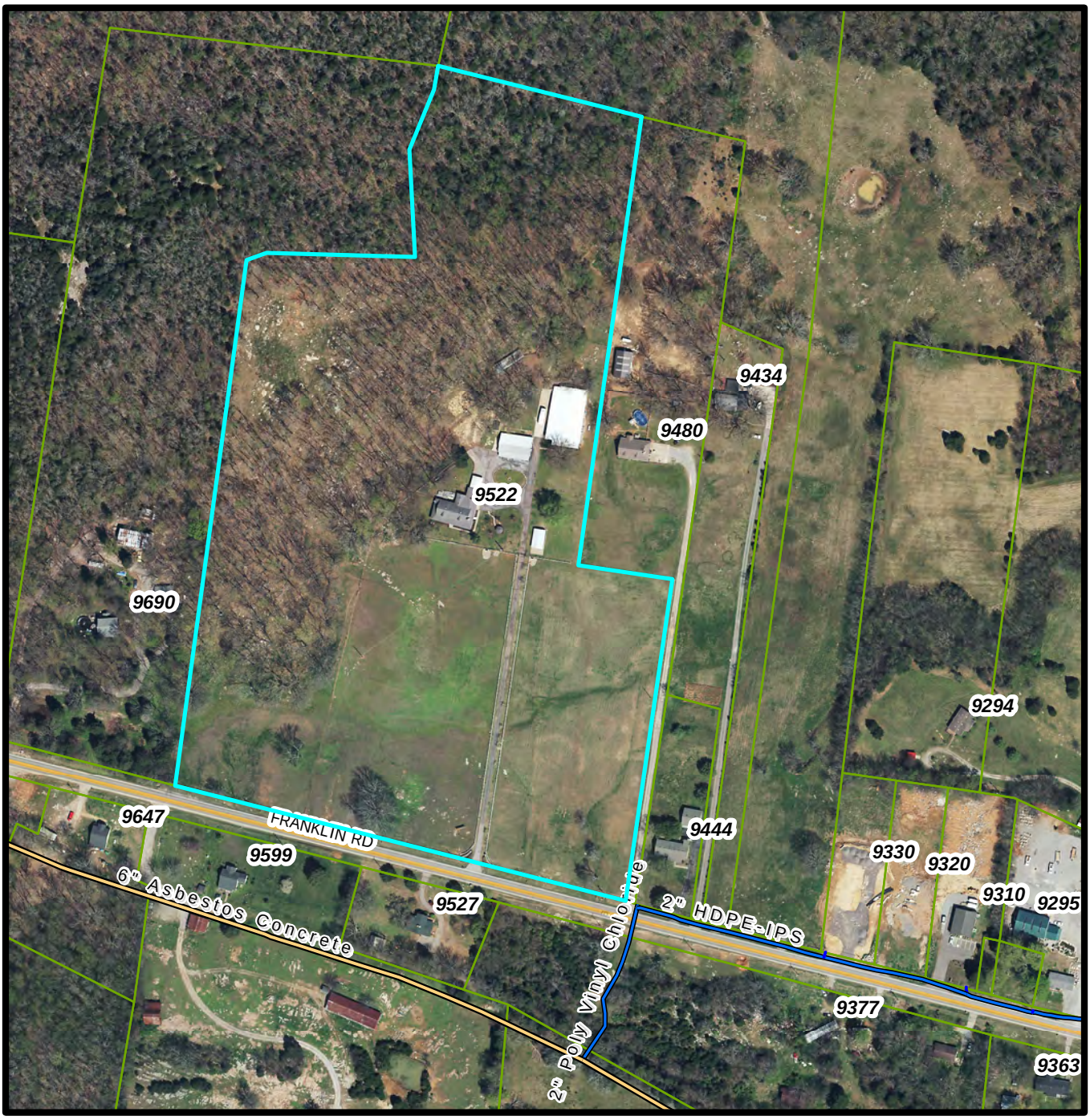

Parcel in Question
Tax Map 94, Parcel 42.05
RM
CN
FRANKLIN RD
CS
RM
RM
In Question
RM - Medium Density Residential
CS - Commercial Service
CN - Commercial Neighborhood
Feet
0 75 150 300 450 600

13-A018

In Question

Feet
0 75 150 300 450 600

CUD Line Location
9522 Frankllin Rd.



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

Date: 12/17/2013

Prepared by: JLW

N W E S

N.T.S.

CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: **DECEMBER 13, 2013**

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 ITS DECEMBER 9, 2013 MEETING**

Subdivision Plats		
Farmington Section V, Phase I (13-2047)	Site Details: Applicant: Location:	25 Lots on 14.58 aces, zoned RM Farmington Development, LLC Along Farmington Road–(Subdivision is located off of Lascassas Pike)
Richard A. Rogers Et Ux Property (13-2048)	Site Details: Applicant: Location:	1 Lot on 9.48 acres, zoned RM Richard A. and Vikki L. Rogers Off of Lascassas Pike
Ridge View at Crescent Ridge Section II (13-2049)	Site Details: Applicant: Location:	5 lots on 9.26 acres, zoned RM, New South Developers, LLC Along Crescent Ridge Drive (Subdivision is located off of Barfield Crescent Road)
Site Plans		
Bradley Creek Missionary Baptist Church (13-3029)	Site Details: Applicant: Location:	New construction of approximately 3,600 square feet on 4.28 acres zoned RL Bradley Creek Missionary Baptist Church 9014 Bradley Creek Road
Dollar General (13-3031)	Site Details: Applicant: Location:	New construction of 9,100 square feet on 1.89 acres zoned CS Monte Turner 5276 Leanna Road

RUTHERFORD COUNTY BOARD OF ZONING APPEALS
Regular Meeting, December 11, 2013

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 November 13, 2013 Meeting Minutes
MOTION TO APPROVE AS PRESENTED
Motion Carried (Unanimous Voice Vote)
November 13, 2013 Minutes were Approved as Presented

VII. Old Business

A. **Mitchell Bowman – BZA 2013-050**
Location: Rhodes Lane, Map No.:43, Parcel: 27.00, Request for temporary special exception approval for a borrow pit with relief from the area and setback requirements for borrow pits in the RL, Low Density Residential zone.
MOTION TO APPROVE AS PRESENTED
Motion Carried (5 For, 0 Against)
Request was Approved.

VIII. New Business

A. **Charles and Tina Barrett – BZA 2013-054**
Location: 13788 Versailles Road, Map No.:161, Parcel: 32.05, Request for special exception approval for an accessory dwelling unit that does not meet the design standards for ADUs involving a property located in the RL, Low Density zoning district.
MOTION TO APPROVE AS PRESENTED
Motion Carried (5 For, 0 Against)
Request was Approved.

B. **Thomas Maddox – BZA 2013-056**
Location: 8627 Burks Hollow Road, Map No.:175, Parcel: 5.00, Request for special exception for the establishment of a campground (Transient Accomodations) upon a property located in the AR, Agriculture Residential zoning district.
MOTION TO APPROVE AS PRESENTED
Motion Carried (3 For, 2 Against)
Request was Approved.

C. **Islamic Center of Murfreesboro – BZA 2013-057**
Location: 2605 Veals Road, Map No.:112, Parcel: 15.03, Request for special exception for the establishment of a cemetery, a Minimal Impact, Community Facility Activity, upon a property located in the RM, Medium Density Residential zoning district.
MOTION TO DEFER FOR 1 MONTH
Motion Carried (3 For, 2 Against)
Request was Deferred

IX. Adjournment