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# M E M O R A N D U M

## Rutherford County Regional Planning Commission

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**DATE:** January 28, 2014  
**TO:** Rutherford County Public Works Committee and Board of Commissioners  
**FROM:** Rutherford County Regional Planning Commission  
**RE:** Report on Activity at the January 13, 2014 Meeting of the Rutherford County Regional Planning Commission

The Rutherford County Regional Planning Commission acted on the following request at its January 13, 2014 meeting:

- A. Dharmendra K. Patel (13-A019)  
**Motion to APPROVE (9 for, 0 against)**  
Location: 118 Crescent Road  
Commissioner: Gary Farley  
Size of Site: Approximately 10 acres  
Tax Map: 149, Parcel: 33.00  
Existing Zoning: Residential Medium-Density (RM)  
Proposed Zoning: Commercial Services (CS)
  
- B. Stan and Terri Vaught (14-A001)  
**Motion to APPROVE (9 for, 0 against)**  
Location: 6854 Lascassas Pike  
Commissioner: Jack Black  
Size of Site: Approximately 5 acres  
Tax Map: 61, Parcel: 29.03  
Existing Zoning: Residential Medium-Density (RM)  
Proposed Zoning: Commercial Services (CS)

The following item was deferred until the February 2014 Planning Commission meeting:

Jamie Reed for ParkTrust Development, LLC (14-A002)  
Location: Thompson Road  
Commissioner: Gary Farley  
Size of Site: Approximately 33 acres  
Tax Map: 138, Parcel: 10.03  
Existing Zoning: Residential Medium-Density (RM)  
Proposed Zoning: Planned Unit Development (PUD)

Since this item has been deferred, the Staff Report has not been included with your packets. This item will be considered at the Planning Commission's February 10, 2014 meeting.

# Rutherford County Regional Planning Commission Staff Report

Board of County Commissioners Meeting Date: February 13, 2014

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Case Number: 13-A019

Staff Recommendation: **APPROVAL**

PC Recommendation: **APPROVAL (9 FOR, 0 AGAINST)**

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Request by: Mr. D.K. Patel

Property Address: 118 Crescent Road

Commission District: 7 – Gary Farley

Urban Growth Boundary: Rural Area

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## Applicant Request

Rezoning: From Residential Medium-Density (RM) To Commercial Services (CS)

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## Purpose of District

The Commercial Services district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. However, it is not intended that this district permit uses which generate large volumes of truck traffic, and certain activities that have lower performance characteristics are prohibited. Less building bulk is permitted, and more open space and buffering are required (Section 602 B).

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## Site Characteristics

Current Zoning: RM

Current Use: Single-Family Dwelling and various accessory structures

Adjacent Uses: Residential uses to the east, west and south. Existing camper sales business to the north.

Adjacent Zoning: Residential Medium-Density (RM) to the east, west and south. Office Professional (OP) and Commercial General (CG) to the north.

Size of Tract: Approximately 9 acres

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## 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. Shelbyville Highway is identified as an Urban Corridor by the Plan.

- Goal Statement 1, Objective B: Guide development to create commercial and residential nodes rather than residential sprawl.

Proposal supported by Comprehensive Plan

Yes. Staff feels that this proposal would meet the goals of the Comprehensive Plan as noted above.

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## Infrastructure

Roads: Shelbyville Highway is a 4-lane divided major urban arterial road with over 200 feet of right-of-way. The Tennessee Department of Transportation (TDOT) has a traffic count approximately one mile to the north that shows a 2012 count of 25,181 vehicles per day. Crescent Road is a minor road with approximately 45 feet of right-of-way. The Long Range Transportation Plan for Rutherford County does not show any improvements for either of these roads. Dedication of right-of-way may be required along Crescent Road prior to site plan approval if this application is approved to ensure that adequate right-of-way exists for the typical cross-section for minor roads.

Utilities: Consolidated Utility District (CUD) maintains a 16-inch water line in this area. Any new development would also require an approved septic system to be installed. ***(This is updated information than what was available from the original Staff Report.)***

Fire Protection: The closest fire hydrant to the property appears to be located approximately 1,100 feet to the north along Shelbyville Highway. There is an existing hydrant located along Cynthia Lane to the south in the Colonial Estates Subdivision, but it would appear that it would be over 1,000 feet “as the truck drives” and may not be practical to use in a fire situation. An additional hydrant may need to be installed at this location.

Stormwater: The subject property is not impacted by the 100-year floodplain, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control.

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

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## Background/Proposal Details

Background/Proposed Use: According to information submitted by the applicant, they would like to rezone the subject property in order to develop the site with a convenience store/retail and other commercial uses that are intended to serve the residents in the immediate and surrounding areas. A concept plan has been included with your agenda materials for your reference. The western portion of the property has been identified as a possible location for a mini-warehouse type development. The applicant is aware that if this zoning application is approved special exception approval will be required from the Board of Zoning Appeals prior to establishing the mini-warehouses.

The Board of Zoning Appeals granted a square-footage variance for an off-premise subdivision sign in 2000. Staff is not aware if the sign was ever constructed.

Access & Parking: The concept plan submitted by the applicant shows one access points off of Shelbyville Highway and one off of Crescent Road. Parking requirements and design will have to be consistent with the regulations in the Zoning Ordinance.

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Landscaping: Uses allowed within the CS zone require a Type 2 buffer adjacent to any residentially zoned property. Parking areas will also have to be landscaped consistent with the landscaping regulations in the Zoning Ordinance.

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

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### **Additional Comments/Staff Recommendation**

*Comments received at the December 9, 2013 meeting centered on traffic and drainage concerns. After discussion of these comments, the Planning Commission appeared to be more comfortable rezoning only the portion of the property for the proposed convenience market. The applicant stated that this was acceptable to them. The application was deferred in order to allow the applicant the opportunity to submit amended materials. Updated materials have been included with your agenda packets.*

*After consideration of the revised area for rezoning, the Planning Commission recommended unanimously to approve the request (9 for, 0 against).*

This property is adjacent to property zoned by Commercial General and Office Professional. It's also along a major arterial road. The permissible uses in the CS zone would be compatible with the uses along Shelbyville Highway. Staff recommends approval of the amended area for rezoning.

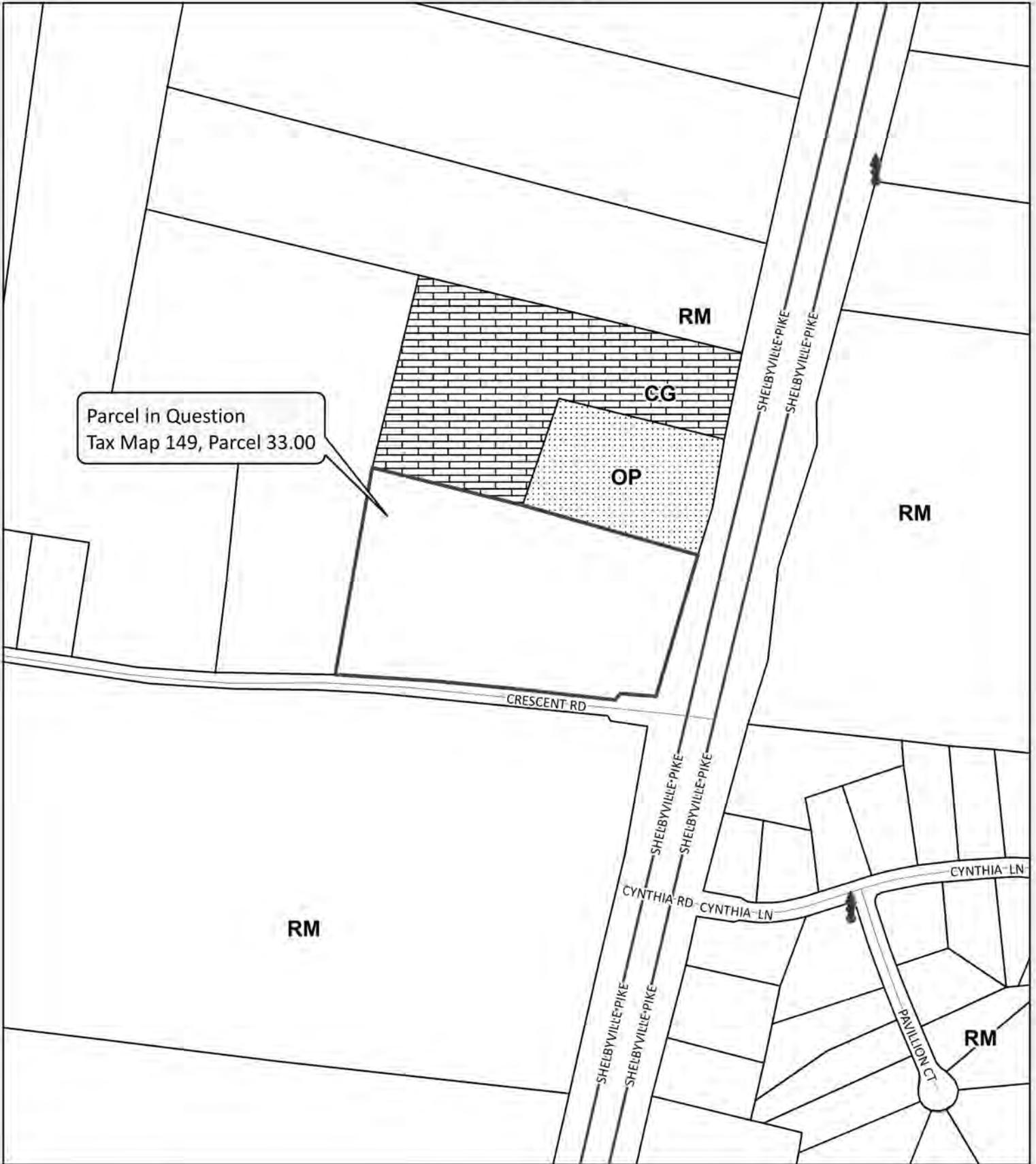
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### **Attachments**

Zoning Map  
Aerial Map  
Concept Plan  
Applicant's Justification Statement

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# 13-A019



Parcel in Question  
Tax Map 149, Parcel 33.00

RM

CG

OP

RM

CRESCENT RD

SHELBYVILLE PIKE

SHELBYVILLE PIKE

SHELBYVILLE PIKE

SHELBYVILLE PIKE

CYNTHIA RD

CYNTHIA LN

CYNTHIA LN

RM

RM

RM

PAVILLION CT

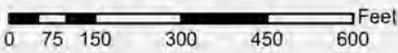


 In Question

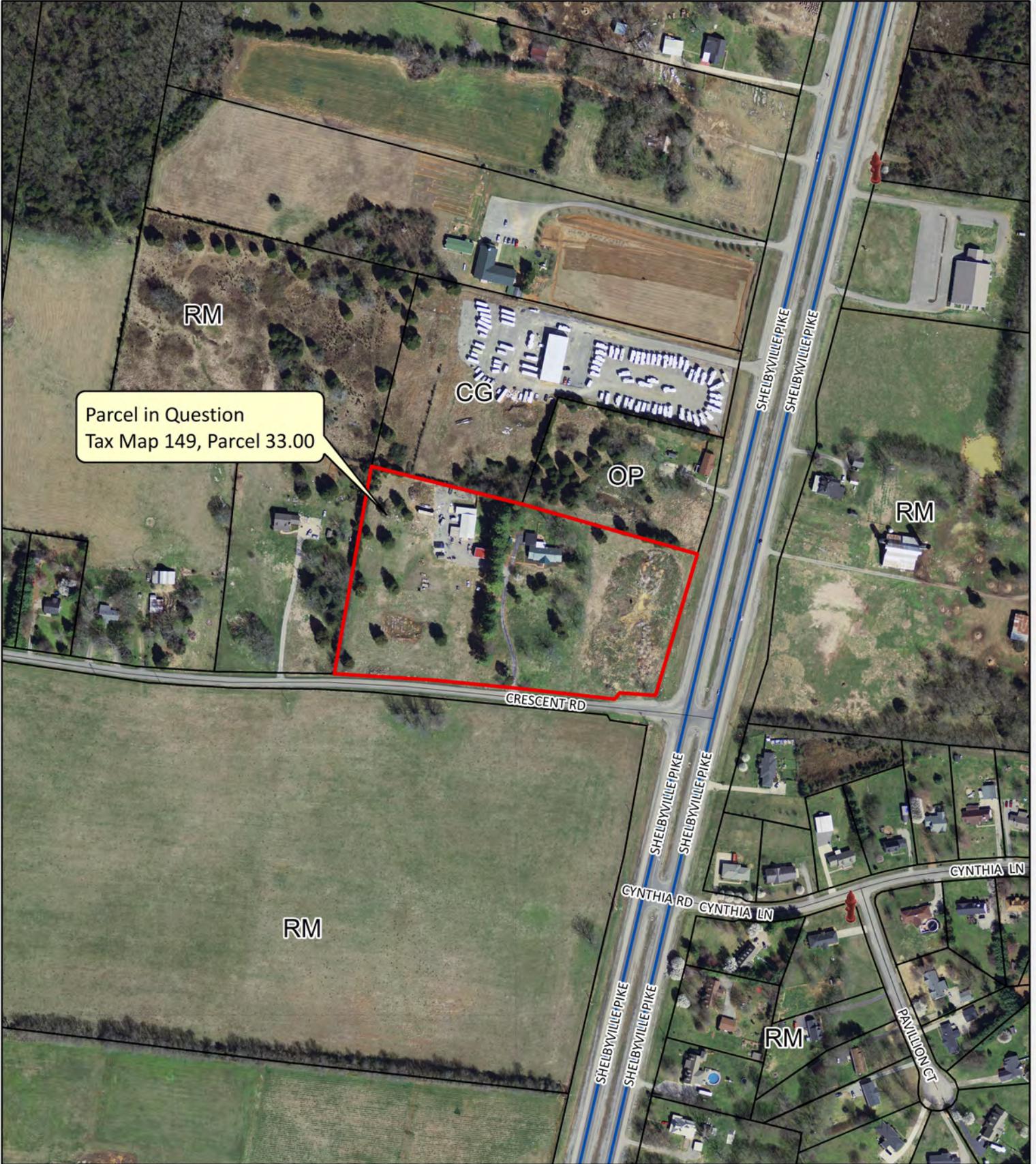
 RM - Medium Density Residential

 OP - Office Professional

 CG - Commercial General



# 13-A019



Parcel in Question  
Tax Map 149, Parcel 33.00



 In Question

0 75 150 300 450 600 Feet



LOCATION MAP  
N.T.S.

MARK RADABAUGH  
198 CRESCENT RD. MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 34.05  
ZONED: RM

①  
WILLIAM ALLEN  
118 CRESCENT RD. MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 33.00  
TO REMAIN ZONED RM

CANDY'S CAMPERS  
4358 SHELBYVILLE PKE.  
MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 34.06  
ZONED: CG

MUHAMED FAOUR  
4372 SHELBYVILLE PKE.  
MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 32.01  
ZONED: OP

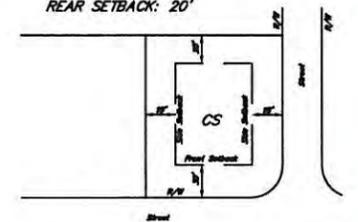
HARRISON REAL ESTATE PARTNERS  
4371 SHELBYVILLE PKE.  
MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 31.01  
ZONED: RM

PARCEL 1: 4.4 AC.±  
PARCEL 2: 5.28 AC.±

LAMB FAMILY PARTNERSHIP  
4405 SHELBYVILLE PKE.  
MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 28.00  
ZONED: RM

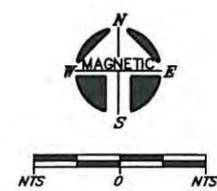
ELIZABETH ROBERTSON  
363 CRESCENT RD. MURFREESBORO, TN  
TAX MAP: 149 PARCEL: 38.00  
ZONED: RM

ZONING: CS  
FRONT SETBACK: 30'  
SIDE SETBACK: 15'  
REAR SETBACK: 20'



TYPICAL BUILDING SETBACK DETAIL  
N.T.S.

- LEGEND**
- ⊕ Power Pole
  - ⊕ Existing Fire Hydrant
  - ⊕ Proposed Fire Hydrant
  - ⊕ Reducer
  - ⊕ Proposed Gate Valve & Box
  - ⊕ Concrete Throat 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
  - ⊕ Station 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 (TOD TYPE II)
  - Existing Telephone & Electric Line
  - Existing Underground Electric Line
  - Corrugated Metal Pipe
  - Reinforced Concrete Pipe



WILLIAM H. HUDDLESTON IV  
REGISTERED ENGINEER  
CONCRETE & AGGREGATE  
STATE OF TENNESSEE

CONCEPT PLAN

**HUDDLESTON-STEFFLE**

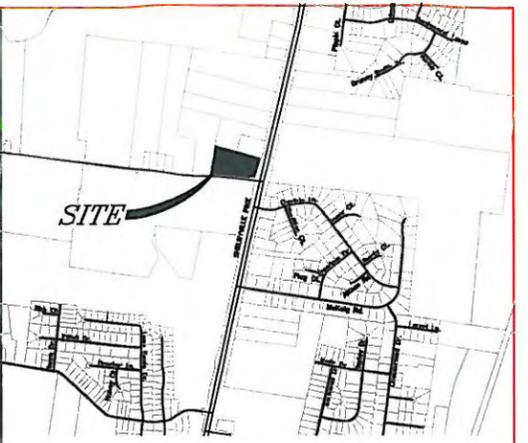
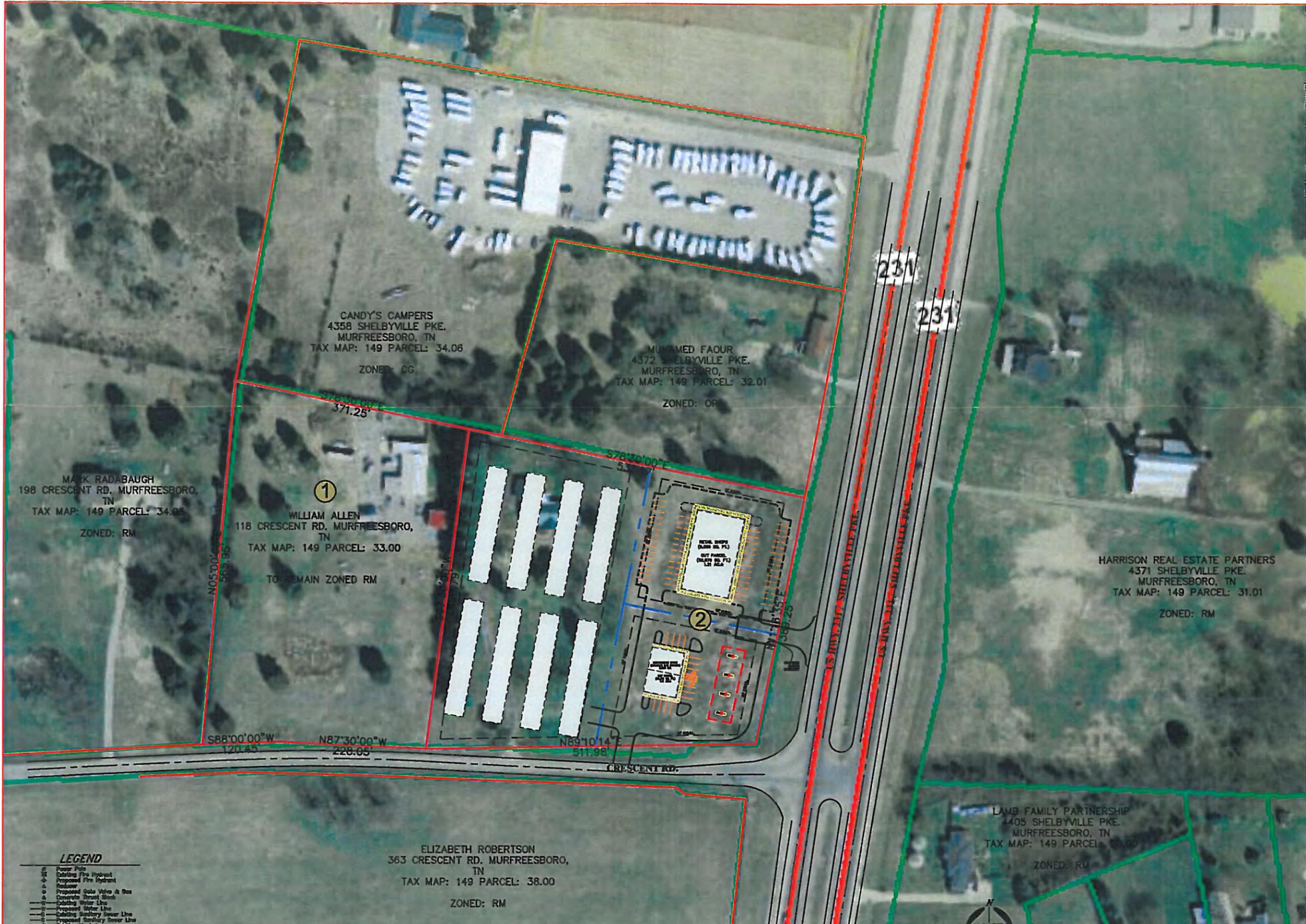
2110 N.W. BROAD STREET, MURFREESBORO, TN 37129  
TELEPHONE: (615)993-4084, FAX: (615)993-0080

CONCEPT PLAN

**118 CRESCENT RD  
REZONING**

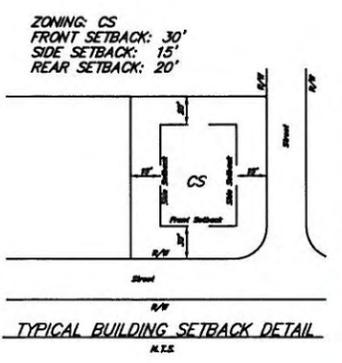
19th CIVIL DISTRICT - RUTHERFORD COUNTY - TN

DATE: DECEMBER, 2013    SCALE: N.T.S.    SHEET 1 OF 1

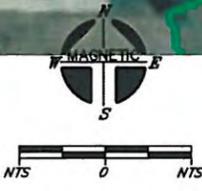


LOCATION MAP  
N.T.S.

PARCEL 1: 4.4 AC.±  
 PARCEL 2: 5.28 AC.±



- LEGEND**
- ⊕ Proposed Pole
  - ⊕ Existing Fire Hydrant
  - ⊕ Proposed Fire Hydrant
  - ⊕ Reservoir
  - ⊕ 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
  - Station 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 (TOD TYPE #)
  - Existing Telephone & Electric Line
  - Existing Underground Electric Line
  - CMP—Corrugated Metal Pipe
  - RCP—Reinforced Concrete Pipe



WILLIAM H. HUDDLESTON IV  
 REGISTERED ENGINEER  
 STATE OF TENNESSEE  
 CONCEPT PLAN  
 HUDDLESTON-STEEL  
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129  
 TELEPHONE: (615)963-4064, FAX: (615)963-0080

CONCEPT PLAN  
**118 CRESCENT RD  
 REZONING**  
 13th CIVIL DISTRICT - RUTHERFORD COUNTY - TN  
 DATE: DECEMBER, 2013 SCALE: N.T.S. SHEET 1 OF 1

November 8, 2013 (Revised December 31, 2013)

Mr. Doug Demosi, AICP  
Planning Director  
Rutherford County  
1 South Public Square  
Murfreesboro, TN 37130

Re: Rezoning Request  
W. Allen Property  
Described as a portion of Tax Map 149, Parcel 33 (As shown by exhibit) located at 118 Crescent Road  
(northwest corner of US 231 S and Crescent Road) in Murfreesboro, Tennessee. 37128

Dear Mr. Demosi:

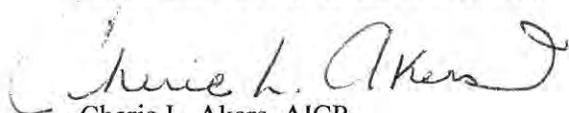
On behalf of our clients, Mr. D. K. Patel (contract purchaser) and the Property Owner, Mr. William C. Allen we hereby request a rezoning of approximately 5.28 acres on a portion of tax map 149, Parcel 33 RM to CS, as described by the attached exhibit. The overall property of record is comprised of 9.68 acres. However, pursuant to the recommendation of the Rutherford County Planning Commission at its meeting conducted on December 9, 2013, the applicant has revised the application to include only the front 5.28 acre portion of the property in the Rezoning request. The remaining 4.4 acres will remain zoned as RM. The purpose for this rezoning is to allow for the development of commercial services uses (i.e. convenience store, retail, and self-storage, etc.) on the site.

The proposed rezoning would be consistent and compatible with the surrounding commercial land uses and we believe it fits well into the context of the surrounding neighborhood given the mixture of residential and the commercial uses that exist in the area. The proposed zoning would allow for commercial uses that would serve the commercial needs of the residents in the immediate area. The adjacent parcels are zoned commercial and residential in the area.

Attached please find the revised Rutherford County rezoning application, justification statement, and concept plan indicating the boundaries of the zoning request. Please let us know if you need any additional information and thank you for your assistance with this request.

Sincerely,

HUDDLESTON-STEELE ENG., INC.

  
Cherie L. Akers, AICP

Pc: Mr. Chris Bratcher

**W. ALLEN PROPERTY  
REZONE APPLICATION**

**Tax Map 149 PARCEL 33  
118 Crescent Road  
Murfreesboro, TN**

**REVISED DECEMBER 31, 2013**

**SUMMARY:**

The Applicant and Contract Purchaser, D.K. Patel is requesting to rezone approximately 5.28 acres of land located at the northwest corner of US 231 & Crescent Road in Rutherford County, more specifically at the address of 118 Crescent Road, Murfreesboro, Tennessee. The applicant is requesting to rezone from RM to Commercial Services (CS) in order to permit the future development of commercial uses that are appropriate for the area, such as convenience store, retail and other commercial uses.

**REQUEST:**

The rezoning request consists of a parcel of land totaling approximately 5.28 acres and is currently zoned Medium Residential (RM). The overall subject property of record is comprised of 9.68 acres. However, pursuant to the recommendation of the Rutherford County Planning Commission at its meeting conducted on December 9, 2013, the applicant has revised the application to include only the front 5.28 acre portion of the property in the Rezoning request. The remaining 4.4 acres located in the rear of the property, will remain zoned as RM. The Rezoning is necessary in order to develop the property with neighborhood community commercial uses.

**SURROUNDING LAND USES:**

The area is comprised of a mixture of residential and commercial uses within the vicinity of the subject parcels. The adjacent parcels of land are zoned as follows:

	<b>ZONING</b>	<b>LAND USE</b>
<b>NORTH</b>	OP & CG	Camper Sales, Office
<b>SOUTH</b>	RM	Single Family
<b>EAST</b>	RM	Single Family
<b>WEST</b>	RM (across US 231)	Residential

**JUSTIFICATION:**

The Applicant desires to develop the site with convenience store/retail and other commercial uses that are intended to serve the residents in the immediate and surrounding area. The subject property is currently zoned RM and a rezone to the Commercial Services District is required in order to develop the property with commercial uses. Pursuant to the Rutherford County Zoning Ordinance, Section 602, the CS district "is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services". The CS District is the most appropriate zoning designation for the property in that it provides for the development of commercial uses that would be compatible with the residential uses in the immediate vicinity but also discourage commercial uses that generate large volumes of truck traffic. The requested rezoning to the Commercial Services District (CS) is consistent and compatible with the adjacent commercial land uses in the vicinity and would not be detrimental to the surrounding residential neighborhoods. A commercial retail facility that sells campers and zoned Commercial Services is located to the north. Also, located north of the subject parcel is another commercial property zoned OP and contains office uses. Residential uses exist to the south and to the west across US 231 (four lane divided highway). The proposed commercial uses would be an excellent transitional use between the existing residential and other commercial uses in the area.

# Rutherford County Regional Planning Commission Staff Report

Board of County Commissioners Meeting Date: February 13, 2014

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Case Number:	14-A001
Staff Recommendation:	<b>APPROVAL</b>
Planning Commission Recommendation:	<b>APPROVAL (9 FOR, 0 AGAINST)</b>
Request by:	Stan and Terri Vaught
Property Address:	6854 Lascassas Pike
Commission District:	2 – Jack Black
Urban Growth Boundary:	Rural Area

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## Applicant Request

Rezoning: From Residential Medium-Density (RM) To Commercial Services (CS)

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## Purpose of District

The Commercial Services district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. However, it is not intended that this district permit uses which generate large volumes of truck traffic, and certain activities that have lower performance characteristics are prohibited. Less building bulk is permitted, and more open space and buffering are required (Section 602 B).

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## Site Characteristics

Current Zoning: RM

Current Use: Single-Family Dwelling

Adjacent Uses: Residential uses to the west and south. Retail to the east and commercial uses to the north.

Adjacent Zoning: Residential Medium-Density (RM) to the west and south. Commercial Services (CS) to the east and north.

Size of Tract: Approximately 5 acres

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## Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Suburban Character Area, as well as the Lascassas Rural Center. 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. Rural centers recommend a mixture of uses and have densities similar to the Suburban Character Area. Lascassas Pike is also identified as a Rural Scenic Corridor by the Plan.

- Goal Statement 1, Objective B: Guide development to create commercial and residential nodes rather than residential sprawl.

Proposal supported by Comprehensive Plan

Yes. Staff feels that this proposal would meet the goals of the Comprehensive Plan as noted above.

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## Infrastructure

**Roads:** Lascassas Pike is a 2-lane undivided arterial road with approximately 120 feet of right-of-way. The Tennessee Department of Transportation (TDOT) has a traffic count along Lascassas Pike approximately one and one-half miles to the east that shows a 2012 count of 4,831 vehicles per day. The Long Range Transportation Plan for Rutherford County shows this section of road to be improved to a 5-lane cross-section. There are no plans to implement this improvement by the State or County at this time.

**Utilities:** Consolidated Utility District (CUD) maintains a 12-inch ductile iron water line in this area (See attached map). Any new development would also require an approved septic system to be installed.

**Fire Protection:** The closest fire hydrant appears to be located approximately 340 feet to the east along Lascassas Pike. At this time, it does not appear that any additional fire hydrants would be required should the rezoning be approved.

**Stormwater:** Portions of the subject property are impacted by the 100-year floodplain, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will also need to work closely with Engineering staff to ensure that a stormwater management system is designed to provide water quality and quantity control.

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

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## Background/Proposal Details

**Background/Proposed Use:** According to information submitted by the applicant, they would like to rezone the subject property in order to develop the site with retail uses and other commercial uses that are intended to serve the residents in the immediate and surrounding area. The southern portion of the property has been identified as a possible location for a mini-warehouse type development, while the portion that abuts Lascassas Pike would be for retail-type uses. The applicant is aware that if this zoning application is approved special exception approval will be required from the Board of Zoning Appeals prior to establishing the mini-warehouses.

**Access & Parking:** No concept plan was submitted by the applicant. That being said, Staff expects a single point of access to Lascassas Pike. Parking requirements and design will have to be consistent with the regulations in the Zoning Ordinance.

**Landscaping:** Uses allowed within the CS zone require a Type 2 buffer adjacent to any residentially zoned property. Parking areas will also have to be landscaped consistent with the landscaping regulations in the Zoning Ordinance.

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

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### **Staff/Planning Commission Recommendation**

This property is adjacent and across the street from property zoned by Commercial Services. This area is also within the Lascassas Rural Node which does recommend a mixture of uses and is along an arterial roadway. Staff feels that the permissible uses in the CS zone would be compatible with the existing uses along Lascassas Pike and recommends approval.

*There were several questions at the Planning Commission meeting regarding the potential uses on the property, as well as concerns about traffic in the area. If the rezoning is approved, Staff will need to know the proposed uses before a determination can be made on whether a traffic study will need to be required. The Planning Commission recommended approval of this request by a unanimous vote (9 for, 0 against).*

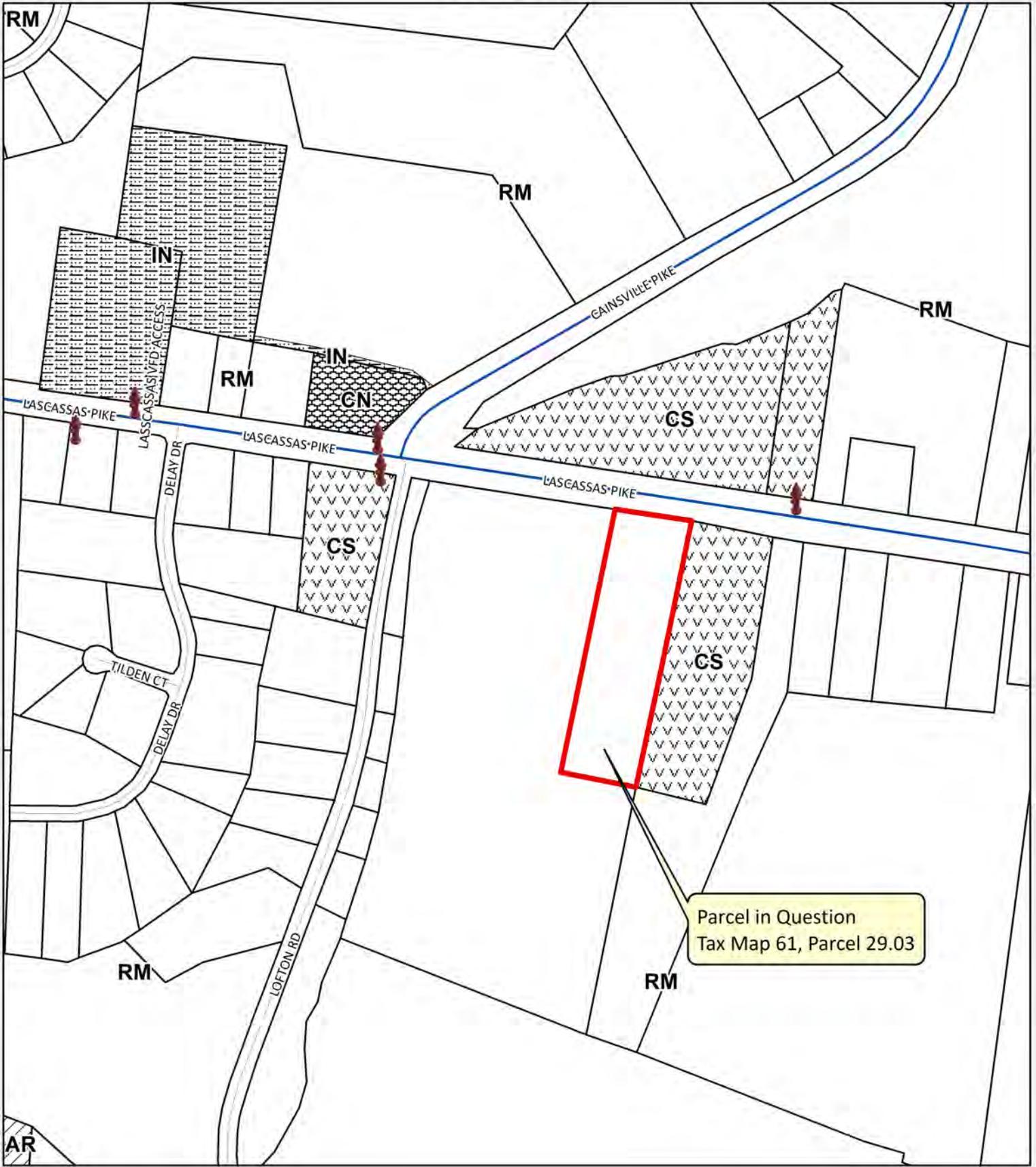
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### **Attachments**

Zoning Map  
Aerial Map  
CUD Waterlines Map  
Applicant's Justification Statement

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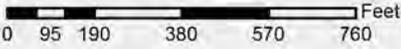
# 14-A001



Parcel in Question  
Tax Map 61, Parcel 29.03



 In Question



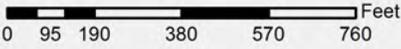
# 14-A001



Parcel in Question  
Tax Map 61, Parcel 29.03



 In Question



# CUD Line Location Map: 61, Parcel: 29.03



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: 12/18/2013

Prepared by: JLW



December 13, 2013

Mr. Doug Demosi, AICP  
Planning Director  
Rutherford County  
1 South Public Square  
Murfreesboro, TN 37130

Re: Rezoning Request  
Vaught Property  
Described as Tax Map 61, Parcel 29.03 (As shown by exhibit) located at 6854 Lascassas Pike  
in Murfreesboro, Tennessee. 37128

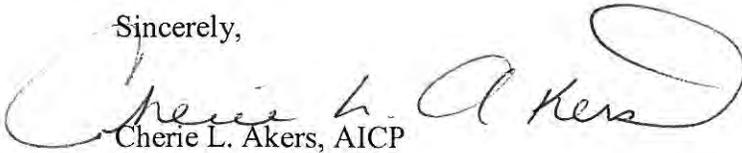
Dear Mr. Demosi:

On behalf of our clients and the property owners, Stan and Terri Vaught, we hereby request a rezoning of approximately 5 acres on tax map 61, Parcel 29.03 from RM to CS, as described by the attached exhibit. The purpose for this rezoning is to allow for the development of commercial services uses (i.e. convenience, retail, and self-storage, etc.) on the site.

The proposed rezoning would be consistent and compatible with the surrounding commercial land uses and we believe it fits well into the context of the surrounding neighborhood given the mixture of residential and the commercial uses that exist in the area. The proposed zoning would allow for commercial uses that would serve the commercial needs of the residents in the immediate area. The adjacent parcels are zoned commercial and residential in the area.

Attached please find the Rutherford County rezoning application, justification statement, a concept plan and the required fees. Please let us know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Cherie L. Akers, AICP

HUDDLESTON-STEELE ENG., INC.

Pc: Mr. Terri Vaught

**VAUGHT PROPERTY  
REZONE APPLICATION**

**Tax Map 66, PARCEL 29.03  
6854 Lascassas Pike  
Murfreesboro, TN**

**SUMMARY:**

The Applicant, Mr. Vaught, is requesting to rezone approximately 10 acres of land located at 6854 Lascassas Pike in Murfreesboro, Tennessee. The applicant is requesting to rezone from RM to Commercial Services (CS) in order to permit the future development of commercial uses that are appropriate for the area, such as convenience store, retail and other commercial uses.

**REQUEST:**

The rezoning request consists of one parcel of land totaling approximately 5 acres and is currently zoned Medium Residential (RM). The Rezoning is required in order to develop the property with commercial services land uses.

**SURROUNDING LAND USES:**

The area is comprised of a mixture of residential and commercial uses within the vicinity of the subject parcels. The adjacent parcels of land are zoned as follows:

	<b>ZONING</b>	<b>LAND USE</b>
<b>NORTH</b>	CS	Commercial
<b>SOUTH</b>	RM	Single Family
<b>EAST</b>	CS	Dollar General Store
<b>WEST</b>	RM	Residential

**JUSTIFICATION:**

The Applicant desires to develop the site as retail and other commercial uses that are intended to serve the residents in the immediate and surrounding area. The subject property is currently zoned RM and a rezone to the Commercial Services District is required in order to develop the property with commercial uses. Pursuant to the Rutherford County Zoning Ordinance, Section 602, the CS district “is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services”. The CS District is the most appropriate zoning designation for the property in that it provides for the development of commercial uses that would be compatible with the residential uses in the immediate vicinity but also discourage commercial uses that generate large volumes of truck traffic. The requested rezoning to the Commercial Services District (CS) is consistent and compatible with the adjacent commercial land uses in the vicinity and would not be detrimental to the surrounding residential neighborhoods. Property zoned Commercial Services exists immediately to the North and East (Dollar General) of the subject property. Residential uses exist to the south and to the west. The proposed commercial uses would be an excellent transitional use between the existing residential and other commercial uses in the area.

# M E M O R A N D U M

## Rutherford County Regional Planning Commission

**DATE:** JANUARY 27, 2014

**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 JANUARY 27, 2014 MEETING

<b>Bond Extensions</b>		
	Staghorn Subdivision	Request for a 12-month plat extension
<b>Preliminary Plats</b>		
Naturewalk Subdivision (14-1001)	Site Details: Applicant: Location:	173 lots on 75 acres, zoned PUD K&R Construction, LLC Franklin Road
<b>Subdivision Plats</b>		
Waldron Crossing, Section 2 (14-2004)	Site Details: Applicant: Location:	10 lots on 4.96 acres, Zoned RM Waldron's Crossing, LLC Lebanon Pike/US 231
Mack Baskin Minor Subdivision (14-2003)	Site Details:  Applicant: Location:	2 lots on 14.11 acres, zoned RL, This plat includes waiver requests for fire hydrant location, private easement width, lot size for lots on a private easement and off-site soils. Stan Baskin East Jefferson Pike.
<b>Site Plans</b>		
Benchmark Companies Mulch Yard (13-3030)	Site Details: Applicant: Location:	New construction of 7,425 square feet on 6.75 acres zoned EAC Benchmark Companies Intersection of Miller Road and Sledge Road.
Holton Concrete (13-3032)	Site Details: Applicant: Location:	New construction of 3,200 square-foot addition on 9.65 acres zoned RM (Pre-existing CUP approved in 2005) Thomas C. and Barbara Holton 8682 Cobb Road



## RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting, January 8, 2014

Location: Commission Chambers, 2<sup>nd</sup> Floor, Historic Courthouse

### PUBLIC WORKS REPORT

- I. Call to Order: 4:30 PM
- II. Invocation
- III. Pledge of Allegiance
- IV. Deferred Items

**Craig Hey – BZA 2013-055 DEFERRED**

Location: Osborne Lane, Map No.:68, Parcel: 50.00, Request for special exception approval for the establishment of a monopole communications tower measuring 195' in height upon a property located in the RM, Medium Density Residential zoning district.

**Aaron Frampton, AT&T Wireless PCS, LLC – BZA 2014-007 WITHDRAWN**

Location: Baker Road, Map No.:71, Parcel: 30.00, Request for special exception approval for the establishment of a monopole communications tower measuring 155' in height upon a property located in the AR, Agricultural Residential zoning district.

- V. Roll Call & Determine Quorum
- VI. Approval of December 11, 2013 Meeting Minutes

**MOTION TO APPROVE AS PRESENTED**

Motion Carried (Unanimous Voice)

**Minutes of December 11, 2013 meeting were Approved**

- VII. Old Business

**A. 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 Approve as Presented

**MOTION TO AMEND**

- LIMITING BURIAL SITES TO 1500
- LIMITING MARKER HEIGHT TO 1'
- REQUIRING RECORDS OF BURIAL SITES
- SPECIAL EXCEPTION APPROVAL EXPIRES UPON SALE OR TRANSFER OF PROPERTY
- MINIMUM BURIAL DEPTH OF 5'

Motion to Amend Carried ( 3 For, 2 Against)

**Motion to Amend was Approved**

Original Motion Carried (3 For, 2 Against)

**Request was Approved**

- VIII. New Business

**A. James H. Jacobs II – BZA 2014-001**

Location: John Bragg Highway and Woodcraft Road, Map No.:103, Parcel: 21.00, Request for temporary special exception approval allowing a borrow pit with relief from the setback and area requirements for borrow pits in the RM, Residential Medium Density zoning district.

**MOTION TO APPROVE**

Motion Carried (5 For, 0 Against)

**Request was Approved**

B. **Phillip Vaught – BZA 2014-002**

Location: McElroy Road, Map No.:110, Parcel: 14.09, Request for temporary special exception approval allowing a borrow pit in the RL, Residential Low Density zoning district.

**MOTION TO APPROVE**

Motion Carried (4 For, 1 Against)

**Request was Approved**

C. **Donald Bruce – BZA 2014-003**

Location: 2789 Rucker Road, Map No.:150, Parcel: 26.00 and 26.03, Request for temporary special exception approval allowing a borrow pit on a property located in the RM, Medium Density Residential zoning district.

**MOTION TO APPROVE**

Motion Carried (4 For, 1 Against)

**Request was Approved**

D. **Kevin Lee – BZA 2014-004**

Location: 10520 Independent Hill Road, Map No.:73, Parcel: 25.02, Request for special exception approval for the establishment of a major home-based business involving the restoration of cars upon a property located in the RL, Low Density Residential zoning district.

**MOTION TO APPROVE**

Motion Carried (5 For, 0 Against)

**Request was Approved**

E.

F. **Aaron Frampton, AT&T Wireless PCS, LLC – BZA 2014-005**

Location: 724 Veterans Parkway, Map No.:125, Parcel: 3.00, Request for special exception approval for the establishment of a monopole communications tower measuring 159' in height upon a property located in the RM, Medium Density Residential zoning district.

**MOTION TO DENY**

Motion Carried (4 For, 1 Against)

**Request was Denied**

G. **Aaron Frampton, AT&T Wireless PCS, LLC – BZA 2014-006**

Location: 2707 Asbury Road, Map No.:79, Parcel: 27.01, Request for special exception approval for the establishment of a monopole communications tower measuring 145' in height upon a property located in the RM, Medium Density Residential zoning district.

**MOTION TO APPROVE**

Motion Carried (5 For, 0 Against)

**Request was Approved**

H.

IX. Adjournment