
M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: April 28, 2014
TO: Rutherford County Public Works Committee and Board of Commissioners
FROM: Rutherford County Regional Planning Commission
RE: Rutherford County Regional Planning Commission Activity Report

The Rutherford County Regional Planning Commission acted on the following request at its April 14, 2014 meeting:

- A. Jamie Reed for ParkTrust Development, LLC (14-A002)
Motion to Recommend APPROVAL (10 for, 0 against)
Location: Thompson Road
Commissioner: Gary Farley
Size of Site: Approximately 33 acres
Tax Map: 138, Parcel: 10.00
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Planned Unit Development (PUD)

- B. Draft Zoning Ordinance Amendments (14-5001) – Child Care Centers as Accessory Uses with Community Assembly Uses, Planning Staff applicant

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: May 15, 2014

Case Number:	14-A002
Staff Recommendation:	APPROVAL
PC Recommendation:	APPROVAL (10 For, 0 Against)
Request by:	Jamie Reed with SEC, Inc. for ParkTrust Development, LLC
Property Address:	Thompson Road
Commission District:	7 – Gary Farley
Urban Growth Boundary:	Murfreesboro UGB

Applicant Request

Rezoning: From Residential Medium-Density (RM) To Planned Unit Development (PUD)

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RM

Current Use: Vacant – Area approved for a residential subdivision

Adjacent Uses: Residential uses on all sides except to the north. Property containing Rockvale Middle School is located to the north and west. This site is also proposed for a future high school.

Adjacent Zoning: Residential Medium-Density (RM) on all sides except the north and west, which is zoned Institutional.

Size of Tract: Approximately 34 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. The proposed density of this development is 2.8 units/acre, which is very consistent with RM zoning and the intent of the Comprehensive Plan.

- Goal Statement 1: Ensure growth policies that recognize land is a limited resource and that growth should occur where suitable land use and public services can be economically provided.

Proposal supported by Comprehensive Plan

Yes. Staff feels that a number of the objectives under this goal statement apply to this proposal.

Infrastructure

Roads: Thompson Road is a 2-lane undivided minor road with approximately 50 feet of right-of-way. The Tennessee Department of Transportation (TDOT) does not have any traffic counts in this area. The Long Range Transportation Plan for Rutherford County does not show any proposed improvements to this segment of road.

Utilities: Consolidated Utility District (CUD) maintains an 8-inch poly vinyl chloride water line along Pinnacle Hills Drive that will be able to serve this development (See attached map). The development is served by an existing STEP system. Verification will be needed from CUD that the STEP system can support the additional lots proposed.

Fire Protection: The map provided by CUD shows a number of fire hydrants within 1,000 feet of the property. Additional fire hydrants may be required should this application be approved.

Stormwater: No portion of the subject property is 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: This property is zoned for Rockvale Elementary and Middle Schools, and is dual zoned for Eagleville School and Riverdale High School. Staff has sent a copy of the plan to the School's Central Office and they have responded that they did not have any questions about the development.

Background/Proposal Details

Background/Proposed Use: The subject property is part of the Pinnacle Hills Subdivision that was originally approved at the May 8, 2006 Planning Commission meeting. The original development was proposed to have a total of 155 single-family homes on 117 acres. The Final Plat for Section I was recorded on August 14, 2007 with a total of 59 lots. As of December 31, 2013 there were still 21 lots available in this section.

The applicant is proposing to rezone approximately 34 acres to Planned Unit Development (PUD) to allow for 95 lots, which represents a 30-lot difference from the original 65 lots that were proposed. They are also proposing to dedicate approximately 6 acres of open space that was not included in the original plans of the subdivision. House sizes will range from **1,400** to 2,500 square feet. The average lot size will be 7,200 square feet. There is more detail as to building materials, garages, etc. in the Pattern Book, which is included with these comments.

A neighborhood meeting was held on January 29, 2014 in order to allow surrounding neighbors to review the proposal. The applicant made a couple of additional concessions based on the input received from that meeting.

An additional meeting with held with Consolidated Utility District regarding lot size, width and the impact they can have on STEP system septic tank locations. The applicant has amended the proposed front setback to 35-feet. They have also removed sidewalks from the proposal.

Access & Parking: The Pattern Book contains a concept plan of the development. This property will be accessed from the existing subdivision via an existing stub-street in Section I (RK Saxena Drive), which is proposed to stub out to the property adjacent to the north. Carrington Place is also proposed to stub out to the property to the north. There is also a planned connection to Thompson Road via Selous Drive. These connections are similar to those originally approved on the preliminary plat. Staff would like point out that it appears that the stub-street from Section I has a different street name than what is recorded on the final plat. If a new street name is desired, the original plat may have to be amended to reflect the new street name.

Landscaping: Residential PUDs do not require any buffering or landscaping between adjacent properties. Staff does expect some additional landscaping in the common areas, however.

Performance Standards: Since this is a residential PUD, the Performance Standards in Section 1106 of the Zoning Ordinance do not apply.

Planning Commission/Staff Recommendation

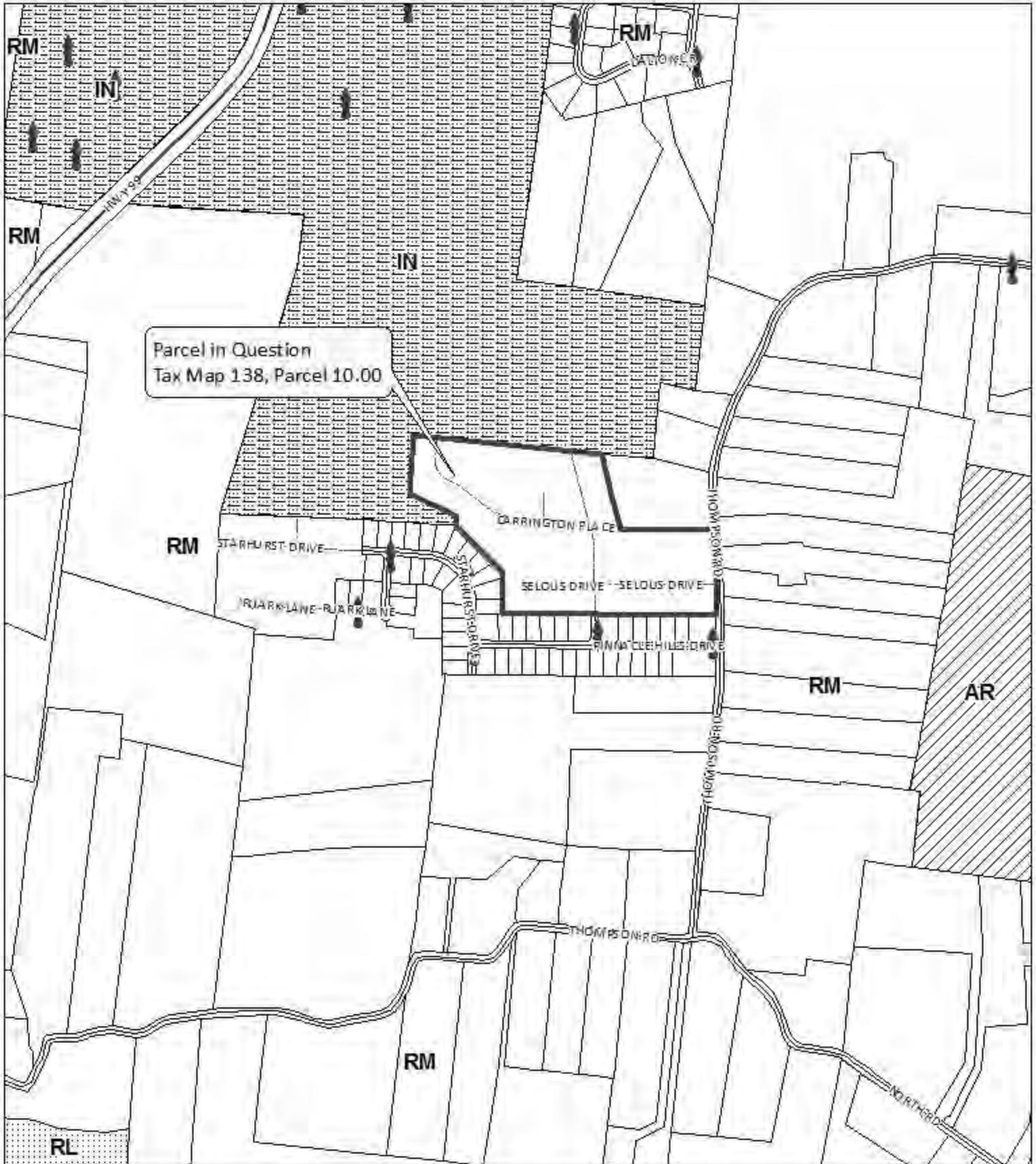
Most of the discussion at the Planning Commission centered on the restrictive covenants in the Pinnacle Hills Subdivision. Despite the smaller lot sizes, the applicant proposes to use the same covenants in effect for the existing subdivision. The Planning Commission recommended approval by a vote of 10 For and 0 Against.

Generally speaking, the proposed plan meets the intent of the PUD zoning district by varying lot size and other bulk requirements to allow for the dedication of open space. Much of the infrastructure is already in place within the existing section of Pinnacle Hills. Staff feels that the development will be complimentary to the area and recommends approval.

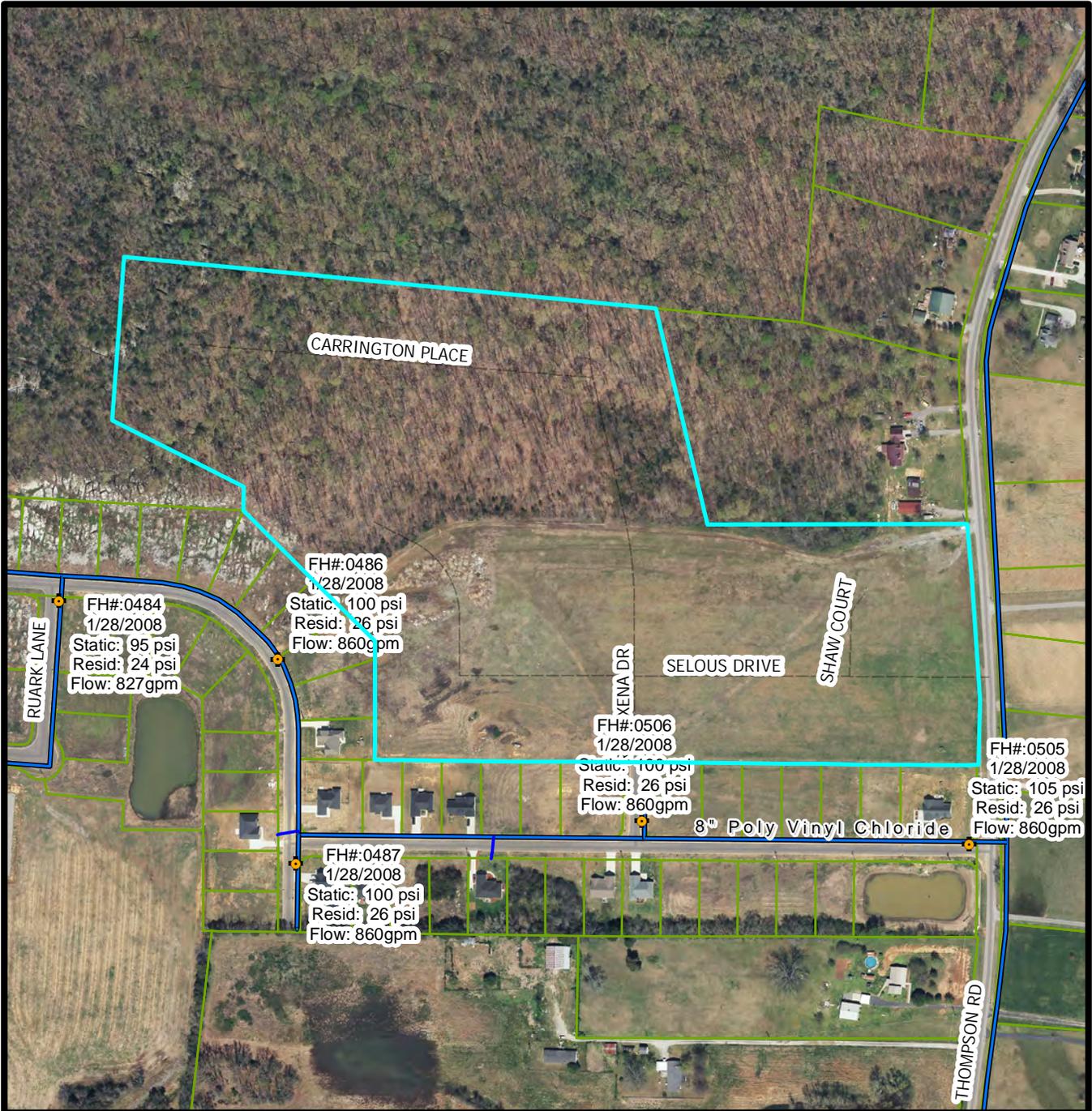
Attachments

Zoning Map
Aerial Map
CUD Waterlines Map
Originally Approved Master Plan
Proposed Master Plan
Recorded Plat for Section I
Pattern Book

14-A002



CUD Line Location Map: 138, Parcel: 10.00

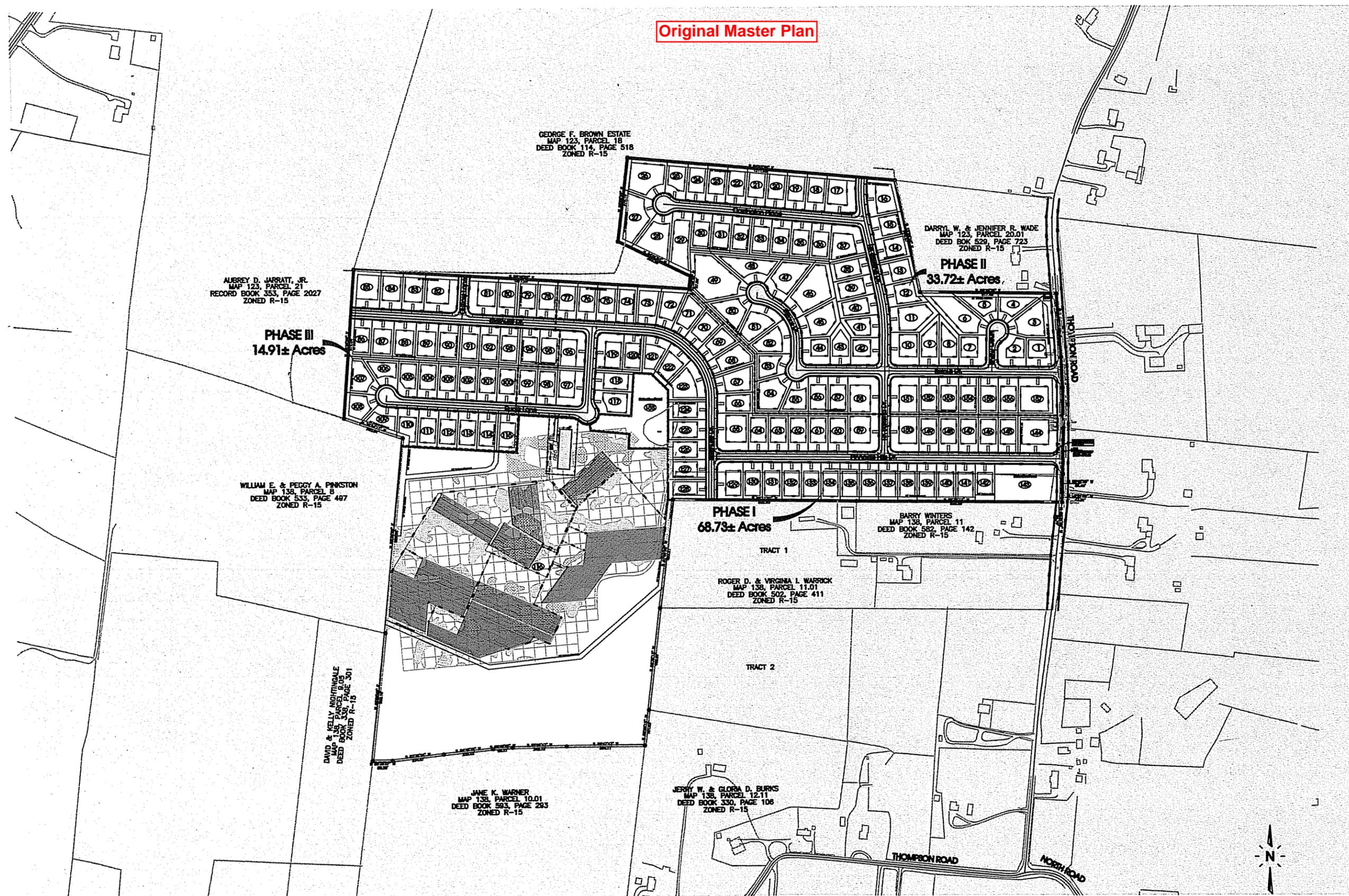


All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and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

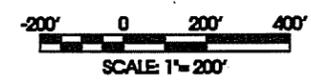
Date: 12/18/2013
Prepared by: JLW



Original Master Plan



The site as shown on these construction drawings is intended to achieve specific engineering design criteria and objectives. It is the sole responsibility of the owner/developer to ensure that the construction of the site shown on these construction drawings is in total accordance with the design as noted, described, and illustrated. The engineer assumes no administrative liability or responsibility in the assurance that the site is constructed in accordance with the construction plans.



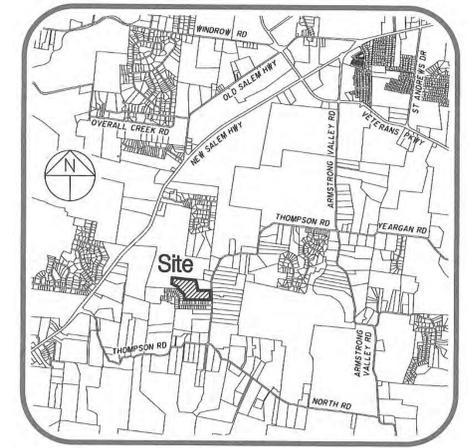
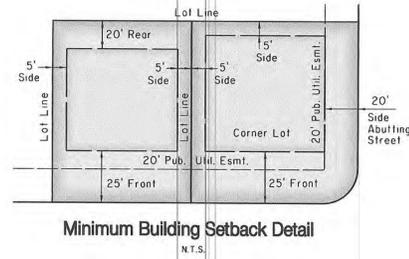
SEC, Inc.
SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING

850 MIDDLE TENNESSEE BOULEVARD
MURFREESBORO, TENNESSEE 37129
PHONE: (615) 800-7001 E-MAIL: JREED@SEC-CIVIL.COM FAX: (615) 805-2887
NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN CONSENT OF SEC, INC.

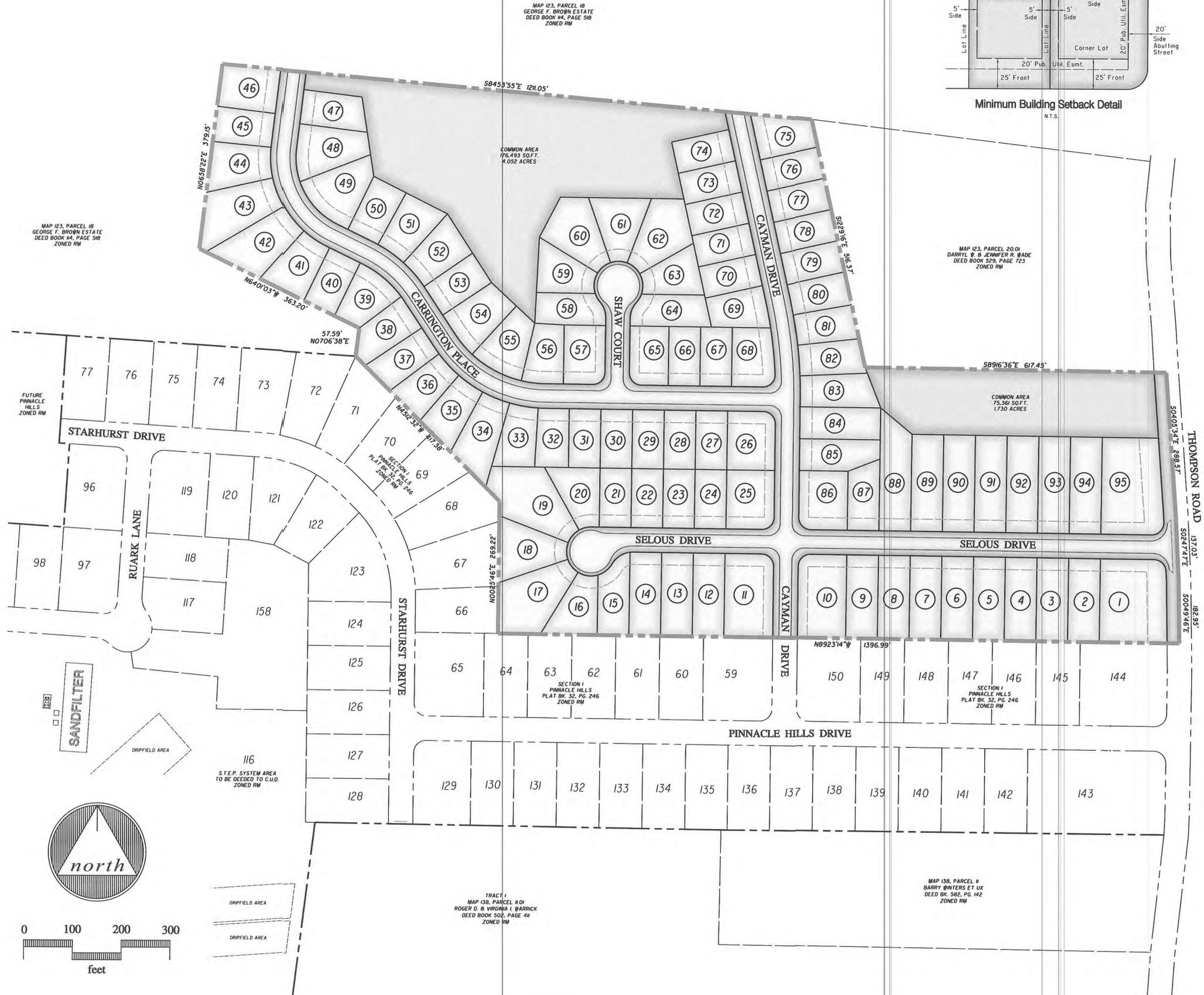
**Pinnacle Hills
Subdivision**
Rutherford County, Tennessee

DRAWING SIA
DATE: 04-7-06
CHECKED: JFR, MFL
FILE NAME: 05242project.dwg
REVISED: 05-17-06
SCALE: 1"=200'
JOB NO. 05242
SHEET:

Proposed Master Plan



Vicinity Map



Site Data

Total Area = 33.717 Acres±
Common Area = 5.782 Acres± (17%)
Area in Right-Of-Way = 5.002 Acres±
No. of Lots = 95
Typical Lot Size = 60'w x 120'd (7,200 sq.ft.)

Ownership Data

Map 138, Parcel 1
Park Trust Development, LLC
R.Bk. 601, Pg. 3709

The Retreat at Pinnacle Hills

Planned Residential Development
Thompson Road
Rutherford County, Tennessee

SEC, Inc.

SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 3729
PHONE (615) 890-7901 • FAX (615) 895-2567
WWW.SEC-CIVIL.COM

December 2013



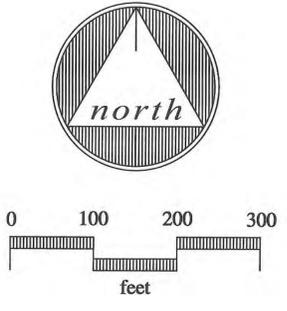
MAP 123, PARCEL 19
GEORGE F. BROWN ESTATE
DEED BOOK 14, PAGE 588
ZONED RM

MAP 123, PARCEL 18
GEORGE F. BROWN ESTATE
DEED BOOK 14, PAGE 588
ZONED RM

MAP 123, PARCEL 20 01
DARRYL W. & JENNIFER R. WADE
DEED BOOK 329, PAGE 723
ZONED RM

TRACT 1
MAP 138, PARCEL 101
ROGER D. & VIRGINIA L. WARRICK
DEED BOOK 502, PAGE 411
ZONED RM

MAP 138, PARCEL 11
BARRY WINTERS ET UX
DEED BK. 382, PG. 142
ZONED RM



116
S.T.P. SYSTEM AREA
TO BE DEEDED TO C.U.D.
ZONED RM

DRIPFIELD AREA

FUTURE
PINNACLE
HILLS
ZONED RM

SANDFILTER

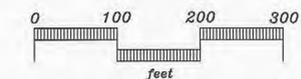
DRIPFIELD AREA

NOTES

- IT IS THE RESPONSIBILITY OF EACH RESIDENTIAL BUILDER TO DESIGN AND CONSTRUCT A SUITABLE DRAINAGE AND DRAINAGE SCHEME WHICH WILL CONVEY SURFACE WATER, WITHOUT PONDING IN THE LOT OR UNDER THE HOUSE, 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 EASEMENTS, IF AND WHERE SHOWN HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITIES AND DRAINAGE WAYS, INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUITS, DRAINAGE PIPES, AND NATURAL GAS LINES.
- 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 (3) 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.
- 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 THE DENUDED AREAS WHICH MAY NOT BE AT FINAL GRADE, BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 60 DAYS.
- PROPERTIES ADJACENT TO THE SITE OF LAND SHALL BE PROTECTED FROM SEDIMENT DEPOSITION. THIS MAY BE ACCOMPLISHED BY PRESERVING A 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.
- NO FILL MATERIAL, RUBBISH OR BUILDING MAY BE PLACED IN ANY NATURAL DRAINAGE WAY, SUCH AS STREAM BEDS, SWALES, UNDERGROUND STREAMS OR CHANNELS, OR WET WEATHER STREAM BEDS OR FLOODWAYS.
- THIS PROPERTY LIES WITHIN ZONE X, NOT IN THE 100 YEAR FLOODPLAIN, PER FEMA FIRM MAPS FOR RUTHERFORD COUNTY, MAP NO. 4749C008H, EFFECTIVE DATE: JAN 5, 2007 AND MAP NO. 4749C0245 H, EFFECTIVE DATE: JAN 5, 2007.
- MINIMUM SETBACKS FOR LOTS AS SHOWN HEREON UNLESS NOTED OTHERWISE: FRONT = 40 FT. / SIDE = 10 FT. / REAR = 20 FT.
- PROPERTY IS CURRENTLY ZONED R-15. ALL PROPERTY ADJACENT TO THIS SUBDIVISION IS CURRENTLY ZONED R-15.
- LOTS 143 & 158 ARE DETENTION PONDS AND ARE NOT BULIDABLE LOTS. ALL DETENTION PONDS ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OF PINNACLE HILLS SUBDIVISION.

NOTES (CONTINUED)

- BEARING SYSTEM IS TENNESSEE STATE PLANE BASED ON CITY OF MURFREESBORO URBAN GROWTH BOUNDARY 49020-463.
- A SIGN NOTIFYING THE PUBLIC THAT THIS SUBDIVISION IS SERVICED BY A DECENTRALIZED SEWER SYSTEM SHALL BE PLACED AND MAINTAINED BY THE DEVELOPER UNTIL ALL HOMES ARE BUILT AND OCCUPIED.
- C.U.D. ACCESS TO THE SEPTIC TANK SHALL BE UNENCUMBERED BY FENCING OR LANDSCAPING. A PERMANENT ACCESS EASEMENT EXISTS ON EACH LOT AT THE SEPTIC TANK LOCATION. THIS EASEMENT IS INTENDED TO ASSURE SERVICE AND REPAIR ACCESS TO THE SEPTIC TANK. SEE SEPTIC TANK EASEMENT DETAIL.
- SEPTIC TANKS SHALL BE SET ONLY AFTER THE BUILDING FOUNDATION HAS BEEN STARTED AND FINISHED YARD GRADE AT THE TANK CAN BE DETERMINED. TANK RISERS SHALL BE BETWEEN 18" AND 26" INCHES HIGH FROM THE TOP OF THE TANK.
- WATER LINE IS SHOWN FOR GRAPHICAL PURPOSES ONLY. PLEASE CONTACT CONSOLIDATED UTILITY DISTRICT (C.U.D.) FOR WATER LINE LOCATION, SIZE, AND PLACEMENT OF FIRE HYDRANTS.
- ALL FIRE HYDRANTS SHALL BE PLACED IN COORDINATION WITH CONSOLIDATED UTILITY DISTRICT.
- LOT 16 (29.52 ACRES) IS TO BE DEEDED TO CONSOLIDATED UTILITY DISTRICT. FOR THE PURPOSE OF OPERATING & MAINTAINING THE S.T.E.P. SYSTEM.
- NO DRIVEWAY ACCESS IS PERMITTED TO THOMPSON ROAD FROM LOT 144.



*** MIN. FFE**

LOT NOS.	MIN. B.D. ELEV.	MIN. FIN. FLOOR ELEV.
117-126	691.8	692.8
141-142, 144-147	682.0	683.0

LINE DATA

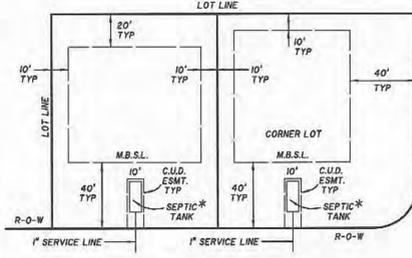
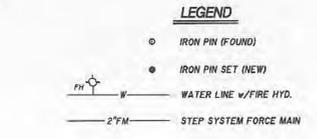
LINE	BEARING	DISTANCE
L1	S00°49'46"E	56.80'
L2	S00°42'25"W	91.02'
L3	S02°21'28"W	44.19'

LOT AREA

LOT	SQ FT	ACRES	LOT	SQ FT	ACRES	LOT	SQ FT	ACRES
59	24,008	0.551	96	20,266	0.465	132	15,129	0.347
60	15,300	0.351	97	20,266	0.465	133	15,126	0.346
61	15,300	0.351	98	15,300	0.351	134	15,184	0.349
62	15,300	0.351	99	15,300	0.351	135	15,038	0.345
63	15,300	0.351	100	17,023	0.391	136	15,032	0.345
64	15,300	0.351	101	15,300	0.351	137	15,008	0.345
65	23,996	0.551	102	20,266	0.465	138	15,196	0.349
66	15,056	0.357	103	15,300	0.351	139	15,132	0.347
67	18,968	0.435	104	15,639	0.359	140	15,107	0.347
68	16,897	0.433	105	15,418	0.354	141	15,083	0.346
69	15,768	0.362	106	21,868	0.502	142	15,058	0.346
70	15,661	0.360	107	15,300	0.351	143	29,425	0.676
71	15,966	0.369	108	15,300	0.351	144	15,300	0.351
72	17,594	0.406	109	15,300	0.351	145	15,300	0.351
73	17,032	0.391	110	15,300	0.351	146	15,300	0.351
74	15,277	0.351	111	15,376	0.353	147	15,300	0.351
75	15,275	0.351	112	20,022	0.460	148	15,300	0.351
76	15,272	0.351	113	15,074	0.346	149	15,300	0.351
77	15,270	0.351	114	15,101	0.347	150	21,987	0.504

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	90°05'54"	25.00'	39.31'	25.04'	35.39'	N44°20'17"W
C2	90°11'00"	25.00'	39.35'	25.08'	35.41'	S45°31'18"W
C3	45°35'00"	250.00'	186.90'	105.05'	193.69'	N22°21'44"W
C4	41°05'46"	250.00'	179.32'	93.71'	178.50'	N65°42'07"W
C5	90°00'00"	25.00'	39.27'	25.00'	35.36'	S48°45'00"W
C6	41°24'35"	30.00'	36.14'	18.90'	35.36'	S16°57'17"E
C7	172°49'09"	50.00'	150.91'	78.86'	99.80'	S49°45'00"W
C8	41°24'35"	30.00'	36.14'	18.90'	35.36'	N65°32'43"W
C9	90°00'00"	25.00'	39.27'	25.00'	35.36'	N48°45'00"E
C10	90°00'00"	25.00'	39.27'	25.00'	35.36'	N41°15'00"W
C11	41°09'46"	300.00'	215.18'	112.45'	210.60'	S65°42'07"E
C12	45°35'00"	300.00'	238.67'	126.06'	222.43'	S22°21'44"E
C13	89°49'00"	25.00'	39.19'	24.92'	35.30'	S44°28'44"E
C14	90°11'00"	25.00'	39.35'	25.08'	35.41'	N45°31'16"E
C15	89°49'00"	25.00'	39.19'	24.92'	35.30'	S44°28'44"E
C16	89°52'37"	25.00'	39.22'	24.95'	35.32'	N45°40'27"E



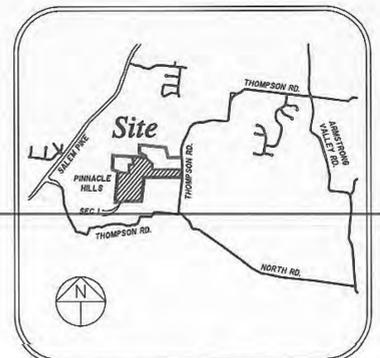
*SEPTIC TANK RISERS TO BE NO MORE THAN 26" AS SPECIFIED BY C.U.D. ADDENDUM NO. 1, NOTE 3.

OWNER/DEVELOPER:
PARKTRUST DEVELOPMENT LLC
CONTACT: RICK CANTRELL
640 BROADMOR BLVD./SUITE 100
MURFREESBORO, TN 37129

DEED REFERENCE:
RECORD BOOK 601, PG. 3709, R.O.R.C.
TAX MAP 138, PARCEL 10

SITE DATA:
TOTAL AREA SECTION I = 68.727 ACRES
TOTAL NO. LOTS = 59
AREA TO BE DEEDED TO C.U.D. = 29.132 ACRES
AREA IN 2 DETENTION POND LOTS = 2.719 ACRES
AREA IN 36 BULIDABLE LOTS = 21.460 ACRES
AREA IN RIGHT-OF-WAY = 4.652 ACRES
REMAINING LANDS INCLUDED IN THIS SECTION = 10.764 ACRES
ZONING = R15

PLAT BOOK 32, PAGE 246
TIME OF RECORDING: 2:04 P.M.
DATE OF RECORDING: August 14, 2007



CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND LOCATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: 3-30-07
RECORD BOOK 601, PAGE 3709
HOMESITE ASSOCIATION: Record Book 766 Page 1377

CERTIFICATE OF ACCURACY
I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE RUTHERFORD COUNTY, TENNESSEE, PLANNING COMMISSION, THAT THE PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1/10,000, AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON TO THE SPECIFICATIONS OF THE COUNTY ROAD COMMISSIONER OR COUNTY ENGINEER.

SEC. INC.
DATE: 1-31-07
TENN. R.L.S. No. 1905



CERTIFICATION OF APPROVAL OF WATER SYSTEM

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT ENTITLED "PINNACLE HILLS, SECTION I" HAS BEEN APPROVED BY THE ENGINEERS FOR CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY FOR WATER SERVICE, PROVIDED HOWEVER, THAT THE LINES, VALVES, AND FITTINGS MUST BE INSTALLED IN ACCORDANCE WITH C. U. D. SPECIFICATIONS AS DETERMINED BY ITS ENGINEERS. NO WATER SERVICE WILL BE PROVIDED UNTIL THAT CERTIFICATION HAS BEEN MADE IN WRITING.

DATE: 5-30-07

CERTIFICATION OF APPROVAL OF STEP SYSTEM

I HEREBY CERTIFY THAT THIS PLAT ENTITLED "PINNACLE HILLS, SECTION I" HAS BEEN RECEIVED BY CONSOLIDATED UTILITY DISTRICT FOR REVIEW AND SOIL ANALYSIS. DESIGN AND CONSTRUCTION WILL MEET CONSOLIDATED UTILITY DISTRICT'S SPECIFICATIONS. CONSTRUCTION WILL NOT START UNTIL A NOTICE TO PROCEED IS GIVEN BY CONSOLIDATED UTILITY DISTRICT.

DATE: 5-30-07

CERTIFICATE FOR APPROVAL OF ELECTRIC POWER

MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION (MTEMC) WILL PROVIDE ELECTRIC SERVICE TO THE SUBJECT PROPERTY ACCORDING TO THE NORMAL OPERATING PRACTICES OF MTEMC AS DEFINED IN THE RULES AND REGULATIONS, BY-LAWS, POLICY BULLETINS AND OPERATIONAL BULLETINS OF MTEMC. NO ELECTRIC SERVICE WILL BE PROVIDED UNTIL MTEMC'S REQUIREMENTS HAVE BEEN MET.

DATE: 1-31-07

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR RUTHERFORD COUNTY, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTER.

DATE: 2-12-07
DATE: 8-9-07

I hereby certify that this plat has been reviewed and payment received for the Rutherford County Development Tax.

The Certificate No. 1686 2/11 8-8-07
Rutherford County Regional Planning Commission

FINAL PLAT
SECTION I
PINNACLE HILLS
SUBDIVISION

10th CIVIL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING • SURVEYING • LAND PLANNING
850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
PHONE: (615) 690-7901 • FAX: (615) 690-2567

PROJ. #	DATE:	FILE:	SCALE:	SHEET
05242	6-19-06	PINNACLEHILLS PLAT	1" = 100'	1 OF 1

77-90
77-44
77-90

REV. DATE: 12-20-06
REV. DATE: 01-30-07



Doug Demosi, AICP
Planning Director

Eric Hill, P.E.
County Engineer

MEMORANDUM

To: Rutherford County Board of Commissioners

From: Douglas B. Demosi, Planning Director

Date: April 28, 2014

Subject: Accessory Daycare Regulations

Consistent with the 2014 Work Schedule provided to the Planning Commission at their January 27, 2014 meeting, Staff is presenting proposed amendments to the Zoning Ordinance relating to child care centers as accessory uses in legally established Community Assembly uses.

Child care centers are defined in the Zoning Ordinance as establishments that provide care for thirteen (13) or more pre-teenage children in any kind of building. Child care centers are classified as "General Personal Services" and are allowed in the OP zone, all Commercial, Industrial and Special Character Area zones. They are not allowed in residential zones. Community Assembly uses, which include religious facilities, frequently have child care centers on-site. With the vast majority of these uses in residential zones, the Zoning Ordinance would not allow them to begin operation of a child care center.

Staff's intent was not to prohibit child care centers as accessory uses in legally established Community Assembly uses under the Zoning Ordinance. A provision was added to the Ordinance in May of 2013 allowing Parents' Day Out programs, but the Ordinance remains silent on child care centers. Generally speaking, very few modifications are required when Community Assembly uses are used for child care centers. Required parking facilities are typically present to serve the principal use and religious buildings fall under the purview of the State Fire Marshall's office, which also inspects child care centers.



Doug Demosi, AICP
Planning Director

Eric Hill, P.E.
County Engineer

Staff feels that the primary issue is whether to allow child care centers as of right or by special exception through the Board of Zoning Appeals. Staff has contacted several Planning Departments in the Middle Tennessee area and has found that regulations vary on this issue. The City of Murfreesboro, for example, allows child care centers as accessory uses to Assembly uses, but requires them to be approved separately from the Assembly use. In other words, approval of the Assembly use does not automatically include the ability to operate a child care center. In contrast, other jurisdictions (i.e. the Town of Smyrna, Williamson County and the City of Hendersonville) allow child care centers as an accessory use by-right, provided the principal use is approved, regardless of whether the principal use is allowed by right or by special exception. In other words, if the assembly use is allowed, the child care center is allowed as well.

When this item was presented to the Planning Commission for a public hearing at their April 14, 2014 meeting, the Commission recommended by a unanimous vote (10 For, 0 Against) to allow child care centers by special exception. The following amendments are provided below for your consideration:

Add new provision to Section 1103 C. (Use Specific Standards): Child Care Centers:

4. Child Care Centers

- a. An on-site, off-street area shall be provided for vehicles to load and unload passengers.
- b. Facilities for vehicular parking access to and from the site of the child care center shall be arranged to permit vehicles to exit from the site without backing onto any street or sidewalk and shall meet the standards included in Section 1102 of this Ordinance.
- c. Day care centers must demonstrate that adequate wastewater capacity exists to serve the proposed use.
- d. All regulations for child care facilities enforced through other agencies, including but not limited to the Tennessee Department of Human Services, must be met.



Rutherford County Planning and Engineering Department

ONE PUBLIC SQUARE SOUTH, SUITE 200 MURFREESBORO, TENNESSEE 37130
PHONE 615.898.7730 FAX 615.898.7823

Doug Demosi, AICP
Planning Director

Eric Hill, P.E.
County Engineer

Additional Amendments:

- Chapter 4 – 403.A.2.j. – Child Care Centers accessory to legally established Community Assembly Uses by special exception, subject to provisions of Sections 1103 C.4 and 1408.
- Chapter 5 – 503.A.2.j. – Child Care Centers accessory to legally established Community Assembly Uses by special exception, subject to provisions of Sections 1103 C.4 and 1408.
- Chapter 6 – 603.A.2.m. – Child Care Centers accessory to legally established Community Assembly Uses by special exception, subject to provisions of Sections 1103 C.4 and 1408.
- Chapter 7 – 703.A.2.j. – Child Care Centers accessory to legally established Community Assembly Uses by special exception, subject to provisions of Sections 1103 C.4 and 1408.
- Chapter 8 – 803.A.2.f. – Child Care Centers accessory to legally established Community Assembly Uses by special exception, subject to provisions of Sections 1103 C.4 and 1408.

Staff will have additional comments at the meeting.



M E M O R A N D U M

Rutherford County Regional Planning Commission

DATE: APRIL 28, 2014

TO: PUBLIC WORKS COMMITTEE AND BOARD OF COMMISSIONERS

FROM: RUTHERFORD COUNTY REGIONAL PLANNING COMMISSION

SUBJECT: SITE PLAN/PLAT APPROVALS AT THE APRIL 14 AND 28, 2014 MEETINGS OF THE RUTHERFORD COUNTY REGIONAL PLANNING COMMISSION

Subdivision Plats	
Harvest Woods, Preliminary Plan Sec. 1, Phase 3 and Sec. 2, Phase 1 (14-1002)	Site Details: 24 Lots on 16.92 acres, zoned RM Applicant: Harvest Grove, LLC Location: To the north of Cutoff Road
Stewart Springs, Sec. 4, Phase 1 (14-2017)	Site Details: 11 Lots on 18.43 acres, zoned RM Applicant: Salem Creek Partnership Location: To the north of Burnt Knob Road
Colonial Estates, Sec. 12, Phase 1H (14-2018)	Site Details: 10 Lots on 3.93 acres, zoned RM Applicant: B.C. Developers, LLC Location: Drema Court
Benchmark Companies Mulch yard (14-2018)	Site Details: 1 Lot on 6.75 acres, zoned EAC – Included a waiver to the fire hydrant requirements Applicant: Benchmark Companies Location: Miller Road
Site Plans	
Danny Patel Site Plan (Phase 1 Only) (14-3005)	Site Details: New construction of approximately 21,000 square feet (Including canopies) on 5.3 acres zoned CS Applicant: Danny Patel Location: 118 Crescent Road
Redemption Baptist Church (14-3007)	Site Details: New construction of approximately 4,250 square feet on 5.3 acres zoned RM Applicant: Redemption Baptist Church Location: 4110 Midland Road
Rutherford Commercial Center Phase II (14-3005)	Site Details: New construction of 9,893 square feet (Accessory Buildings) on 9.56 acres zoned CS Applicant: Bill McDowell Location: 10148 Highway 99



RUTHERFORD COUNTY BOARD OF ZONING APPEALS

Regular Meeting, April 9, 2014

Location: Commission Chambers, 2nd Floor, Historic Courthouse

PUBLIC WORKS

- I. Call to Order: 4:30 PM
- II. Pledge of Allegiance
- III. Roll Call & Determination of Quorum
- IV. Approval of March 12, 2014 Meeting Minutes
- V. New Business
 - A. **Surefire Fireworks – BZA 2014-021**

Location: 2712 Lacassas Pike, Map No.:68, Parcel: 105, Request for temporary special exception approval allowing the sale of fireworks on a property located in the CS, Commercial Services zone.

Motion to Approve as Presented

Motion Carried (5 For, 0 Against)

Request was Approved
 - B. **Surefire Fireworks – BZA 2014-022**

Location: 6044 Lebanon Pike, Map No.:46, Parcel: 2.04, Request for temporary special exception approval allowing the sale of fireworks on a property located in the CN, Commercial Neighborhood zone.

Motion to Approve as Presented

Motion Carried (5 For, 0 Against)

Request was Approved
 - C. **Surefire Fireworks – BZA 2014-023**

Location: 5855 Shelbyville Highway, Map No.:158P, Group: A, Parcel(s): 4.00 and 5.00, Request for temporary special exception approval allowing the sale of fireworks on a property located in the CN, Commercial Neighborhood zone.

Motion to Approve as Presented

Motion Carried (5 For, 0 Against)

Request was Approved
 - D. **Surefire Fireworks – BZA 2014-024**

Location: At the intersection of HWY 99 and Clearidge Drive, Map No.:123G, Group: A, Parcel: 1.02, Request for temporary special exception approval allowing the sale of fireworks on a property located in the CS, Commercial Services zone.

Motion to Approve as Presented

Motion Carried (5 For, 0 Against)

Request was Approved

E. **Muhamed Faour – BZA 2014-025**

Location: 3374 Shelbyville Highway, Map No.:1250, Group: A, Parcel: 6.00, Request for special exception approval allowing the establishment of a major home based business that will provide computer and electronics repair and programming upon a property located in the RM, Medium Density Residential zoning district.

Motion to Defer

Motion Carried (Unanimous Voice)

Request was Deferred

F. **AT Project LLC by Kevin Lee – BZA 2014-026**

Location: 5110 Florence Road, Map No.:57, Parcel: 2.00, Request for special exception approval allowing the establishment of an addiction treatment center upon a property located in the IN, Institutional zoning district.

Motion to Approve w/ limit of 96 Beds

Motion Carried (5 For, 0 Against)

Request was Approved w/ 96 Beds

G. **New Cingular Wireless – BZA 2014-017**

Location: 4272 Betty Ford Road, Map No.:45, Parcel: 46.00, Request for special exception approval for the establishment of a monopole communications tower measuring 199' in height upon a property located in the RM, Medium Density Residential zoning district.

Motion to Approve as Presented

Motion Carried (5 For, 0 Against)

Request was Approved

H. **New Cingular Wireless – BZA 2014-019**

Location: 576 Flat Rock Road, Map No.:89, Parcel: 77.01, Request for special exception approval for the establishment of a monopole communications tower measuring 199' in height upon a property located in the RM, Medium Density Residential zoning district.

Motion to Approve as Presented

Motion Carried (5 For, 0 Against)

Request was Approved

VI. Adjournment

A Request to Rezone a Portion of Pinnacle Hills to PUD The Retreat at Pinnacle Hills



Submitted December 13, 2013
Revised February 10, 2014

SEC, Inc.

SITE ENGINEERING CONSULTANTS
Engineering • Surveying • Land Planning
850 Middle Tennessee Blvd, Murfreesboro, TN 37129
www.sec-civil.com • 615-890-7901 • fax 615-895-2567

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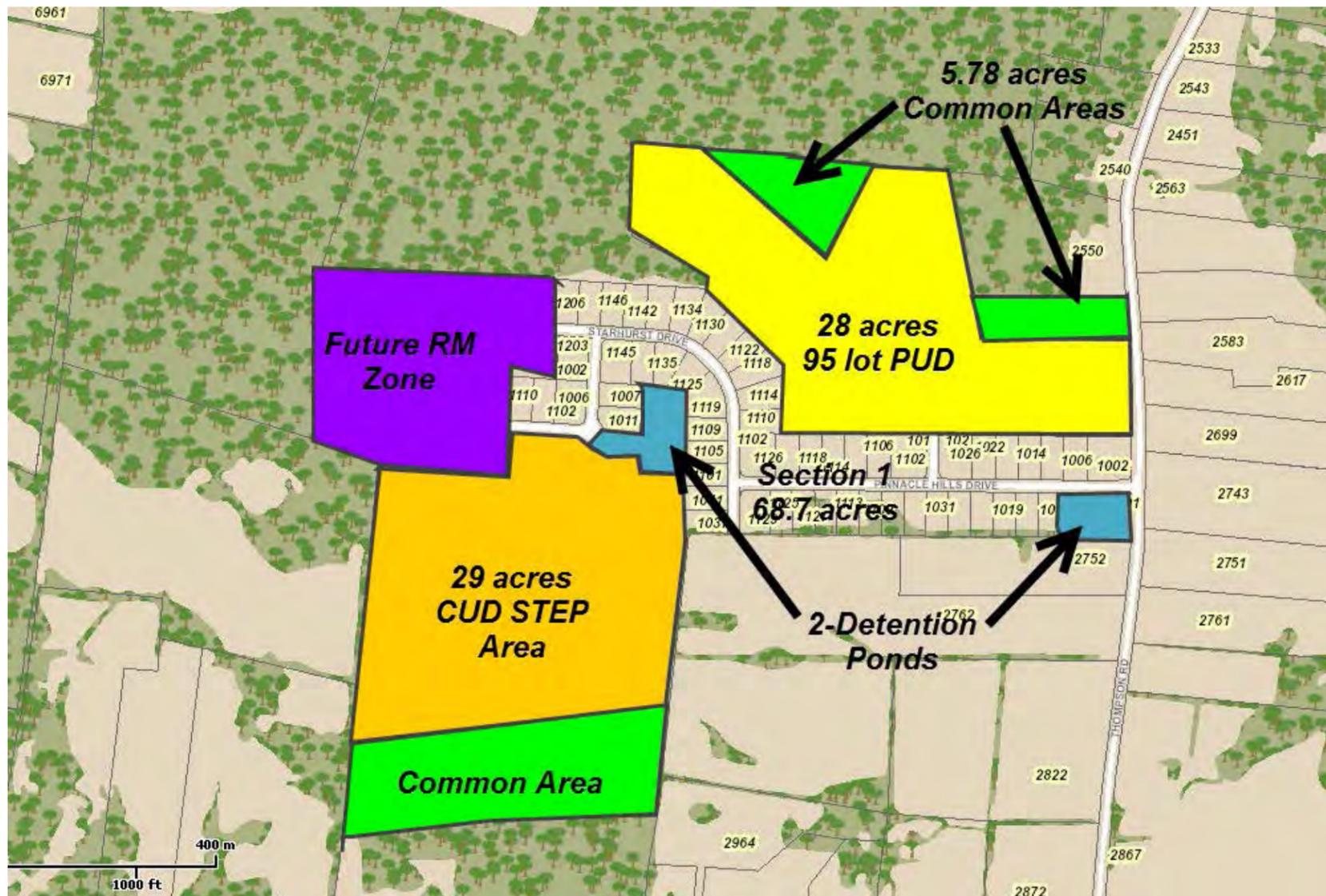
Ingress/Egress

Synopsis.....	11
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The Request

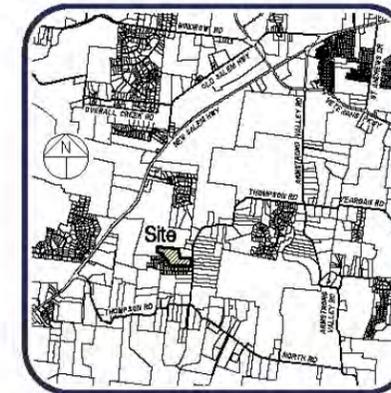
ParkTrust Development LLC respectfully requests to rezone the previously approved Pinnacle Hills Subdivision. The area of the requested rezone is approximately 33.7 acres and located west of Thompson Road. It is identified as Parcel 10 of Tax Map 138.

Current zoning of the property is RM (medium residential). The original construction plans were approved on May 5, 2006 and provided for 155 single family detached homes on 117 acres. We are requesting rezoning approximately 33.7 acres of the original 117 acres to 95 residential lots on 33.7 acres. This requested rezoning is to modify the existing lot layout and conserve approximately 17% open space. The new plan will provide for 33.7 acres of 95 single family detached residential zoning for an overall density of 2.8 lots per acre. The original 33.7 acres area had 65 lots proposed zoned RM. The proposed home sizes will range from 1,400-2,500 s.f..



PLAN COMPARISON			
	Existing Plan	Proposed Plan	DIFF.
# of Single Family Detached Dwelling Units 33.7 acres=	65	95	30
Section 1 Lots	56		
Section 1 Acres	28.9		
Future RM Zone Acres	11.6	35	-35
Acres of Single Family Detached =	88	33.7	
Single Family Density =	2.25	2.82	0.57
CUD STEP Acres	29	0	

N.T.S.
North Up



Vicinity Map
N.T.S.

Site Data

Total Area = 33.717 Acres±
 Common Area = 5.782 Acres± (17%)
 Area in Right-Of-Way = 5.002 Acres±
 No. of Lots = 95
 Typical Lot Size = 60' w x 120' d (7,200 sq.ft.)

Ownership Data

Map 138, Parcel 1
 Park Trust Development, LLC
 R.B.K. 601, Pg. 3709

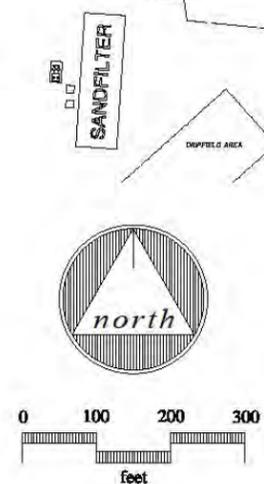
**The Retreat
 at Pinnacle Hills**
 Planned Unit Development
 Thompson Road
 Rutherford County, Tennessee



SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
 PHONE (615) 890-7501 • FAX (615) 898-2567
 WWW.SEC-CIVIL.COM

April 2014

05242





Existing Conditions

Utilities and Topography

The property has access to public right-of-way along Thompson Road and RK Saxena.

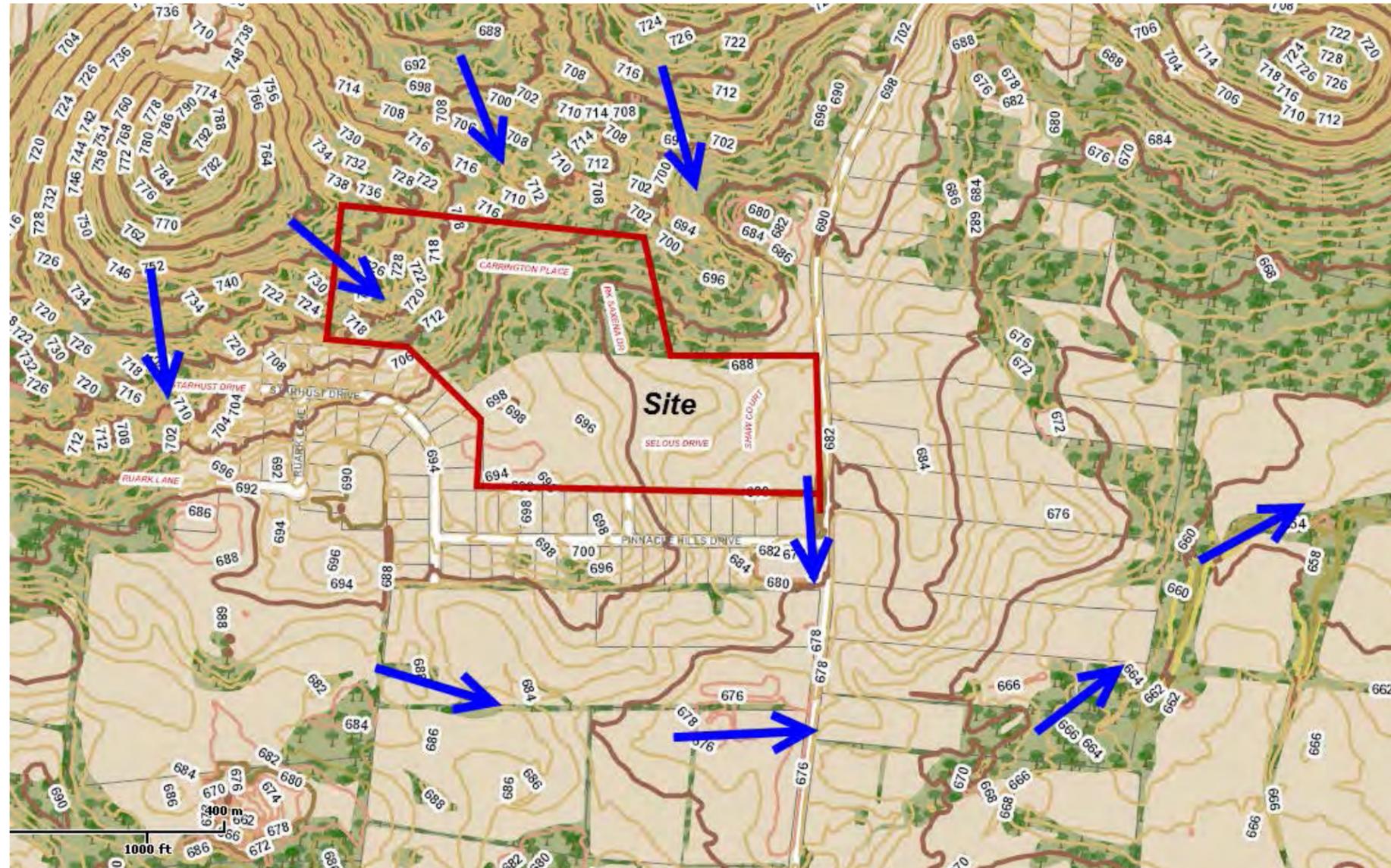


An existing 8" water main is along RK Saxena on the east side and along the west side of Thompson Road. The developer will be responsible for extending the waterline into the site for domestic and fire water service. Water service will be provided by Consolidated Utility District.



Middle Tennessee Electric
Membership Corporation

Middle Tennessee Electric will be providing service to the development.



The existing topography of the site shows the site drains toward the south and east and ultimately drains into Armstrong Branch. The site is currently vacant with a lot of trees with majority grass cover over the site.

Existing Conditions

Aerial



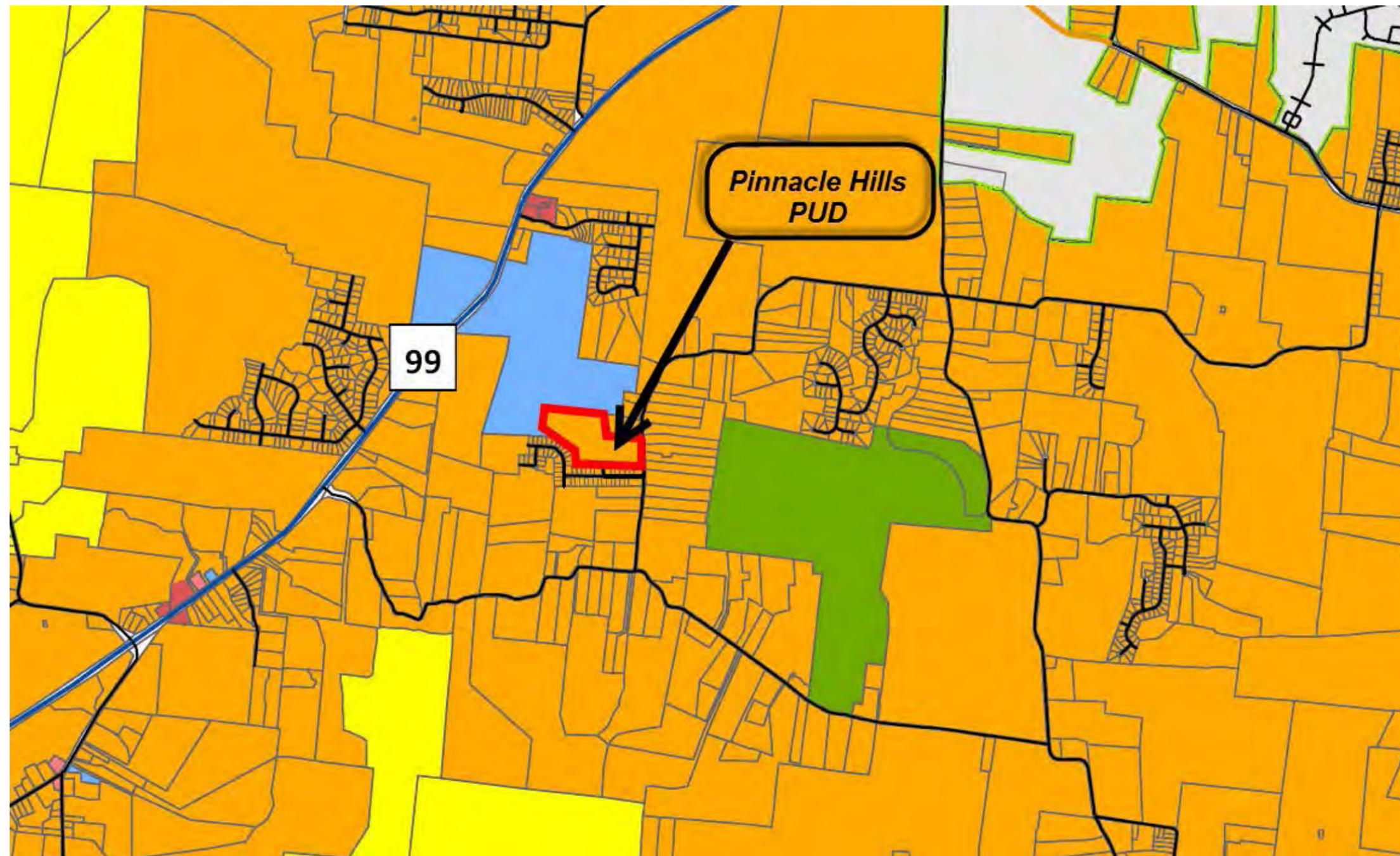
© 2013 Google

Google earth

*Not To Scale
North up*

Existing Conditions

Surrounding Zonings & Developments



Zoning

- AR - Agricultural Residential
- RL - Low Density Residential
- RM - Medium Density Residential
- RMF - Residential Multi-Family
- OP - Office Professional
- IN - Institutional
- CN - Commercial Neighborhood
- CS - Commercial Services
- CG - Commercial General
- LI - Light Industrial
- HI - Heavy Industrial
- EAC - Employment & Activity Center
- RC - Rural Center
- PUD - Planned Unit Development

Not To Scale

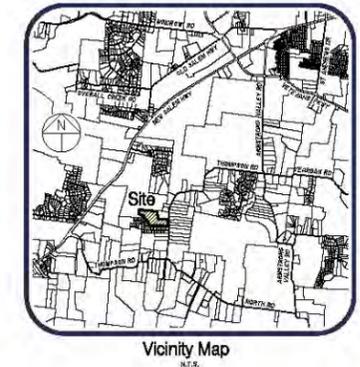
Synopsis

The Retreat at Pinnacle Hills consists of 95 lots on 33.7 acres for a density of 2.8 lots / acre. The site also provides for a stormwater management area to capture and treat the water prior to ultimately discharging into Armstrong Branch. The common area will provide walking trails for the residence to enjoy at different locations throughout Pinnacle Hills Subdivision.

Proposed PRD

Development Standards

- ✦ 95 Buildable Lots with 2 BR or more.
- ✦ The lots are an average of 7,200 s.f.
- ✦ Typical Lot Dimensions are 60' wide x 120' deep.
- ✦ Decorative mailboxes will be required.
- ✦ All homes will have 2 car garages with concrete driveways
- ✦ Setbacks: 35-foot front
7.5-foot side
Min 15' bldg separation
20-foot rear
- ✦ North Common Area line just north of lots 92-95 shall be buffered with 6-8' tall white pines that will be staggered 12' on center



Site Data

Total Area = 33.717 Acres±
Common Area = 5.782 Acres± (17%)
Area in Right-Of-Way = 5.002 Acres±
No. of Lots = 95
Typical Lot Size = 60' w x 120' d (7,200 sq.ft.)

Ownership Data

Map 138, Parcel 1
Park Trust Development, LLC
R.Bk. 601, Pg. 3709

**The Retreat
at Pinnacle Hills**
Planned Unit Development
Thompson Road
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April 2014

05242

Proposed PUD

Development Standards

- ✦ All streets have been designed to comply with the Rutherford County's subdivision regulations.
- ✦ All streets will be public right-of-ways.
- ✦ Prior to preliminary plat review, a complete and thorough design of the stormwater management system and facilities will be completed.
- ✦ All homeowners will be required to be a member of the H.O.A. which will maintain the stormwater pond and the open space areas.
- ✦ All front yards will be required to be sodded.
- ✦ The plan proposes for over 5.7 acres in open area that will be permanent green space along with 29 acres of CUD STEP system that will also be a permanent green area.
- ✦ All utilities will be underground.
- ✦ Any entrance signs for The Retreat at Pinnacle Hills will be constructed of masonry materials similar to the attached example.
- ✦ The Retreat is anticipated to be built in five phases.
- ✦ Construction of Phase 1 is anticipated to begin within 120 days after the completion of the zoning process.
- ✦ Phases 2 - 5 construction timing will be market driven and dependent upon the absorption of the lots in the previous phase.
- ✦ In general, Phases 2 - 5 construction will begin after the previous phase is 80%-85% sold.
- ✦ The # of lots, areas, limits, and timing are intended to be approximations and will vary depending on market conditions.



Example Entrance Sign



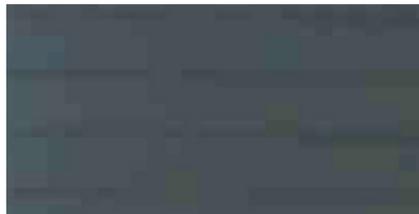
Example Decorative Mailbox

Proposed PUD

Proposed Homes

- ❖ All Homes will range from 1400 s.f. to 2400+s.f..
- ❖ All homes will have 2 car garages and will be front loaded.
- ❖ The homes can be 1, 1 ½, or 2-story buildings. (Minimum 1,000sf on 1st level)
- ❖ All homes on lots 1-9, 87-95 shall be constructed of brick or stone siding. Vinyl siding will only be used in trim areas and soffits. The remaining lots will comply with the current Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Pinnacle Hills as recorded in RB 1051, Pg 3049 and PB 838, Pg 1463.
- ❖ The remaining lots exteriors must consist of brick, hardy board, vinyl, stone or other materials approved by the Architectural Review Committee

- ❖ Building Heights will be all comply with the standards for RM zoning in the Rutherford County Zoning Ordinance.
- ❖ All homes will have at least 2 bedrooms.



Example of the
Cement Board
*(different colors will
be allowed)*



Example of
Possible Brick
*(different colors will
be allowed)*



Example of the
Stone Veneer
*(different colors,
cuts, patterns will be
allowed)*



REPRESENTATIVE FRONT ELEVATIONS

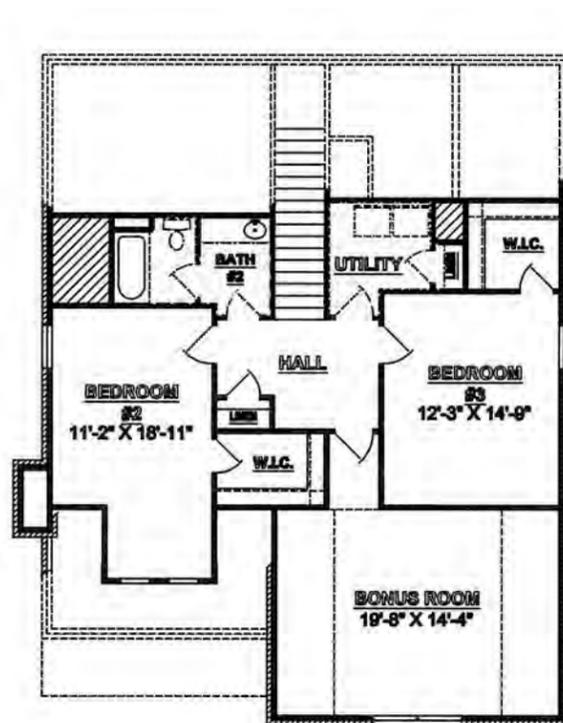
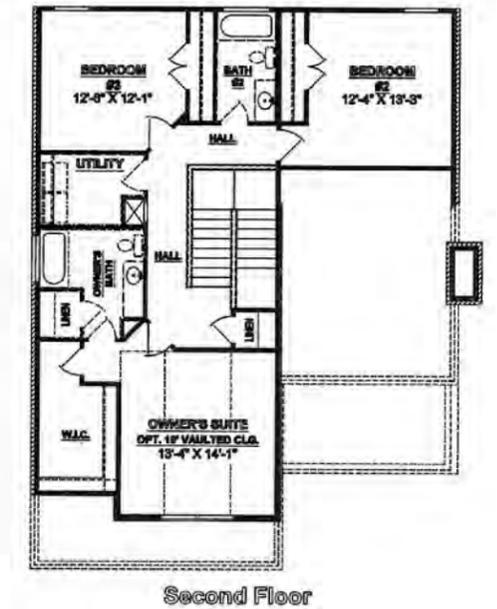
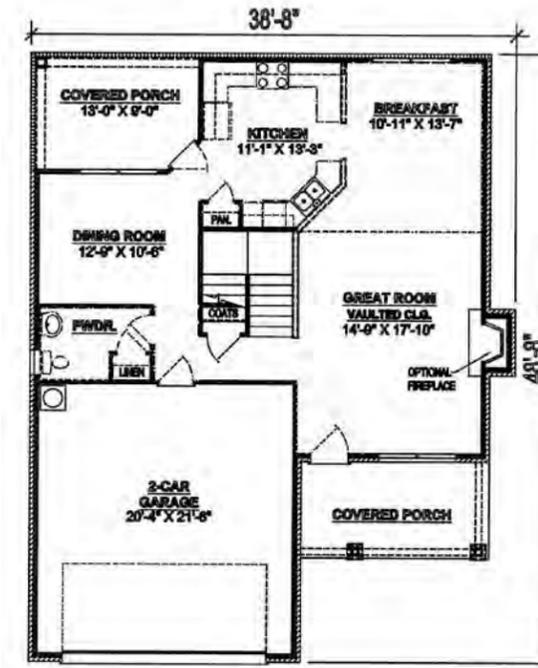
The elevations and floorplans of the homes will vary across the development due to the different lot sizes. The elevations and floorplans are meant to convey the general appearance and functionality of the buildings.

Proposed PUD

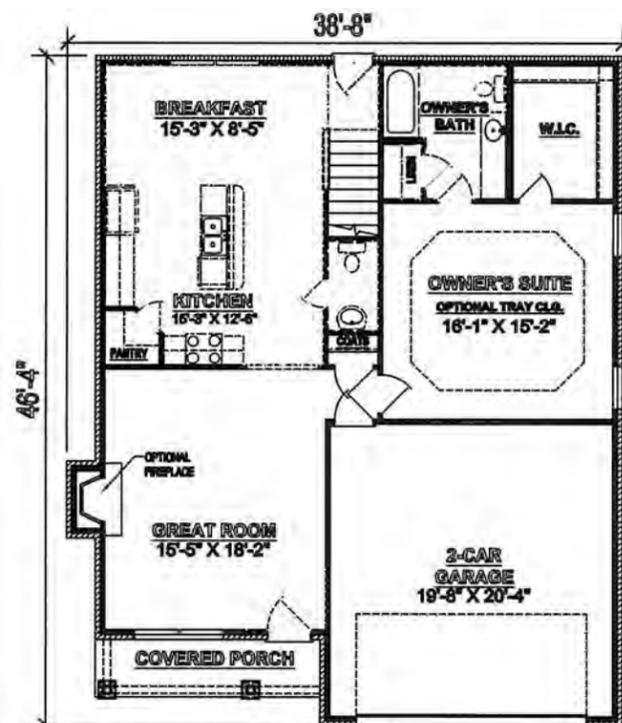
Proposed Homes



The elevations and floorplans of the homes will vary across the site due to the different lot sizes. The elevations and floorplan are meant to convey the general appearance and functionality of the homes.



Second Floor



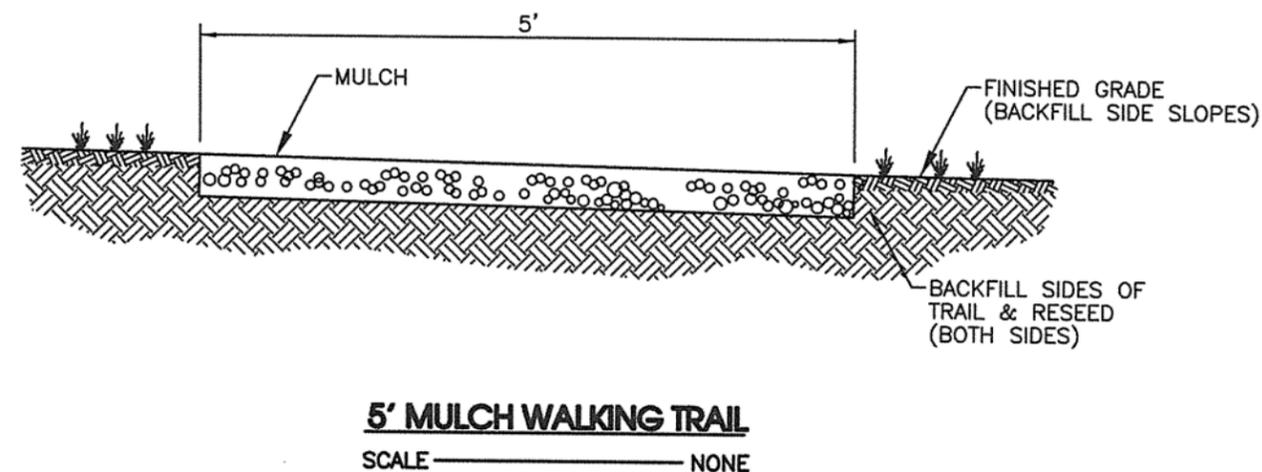
First Floor



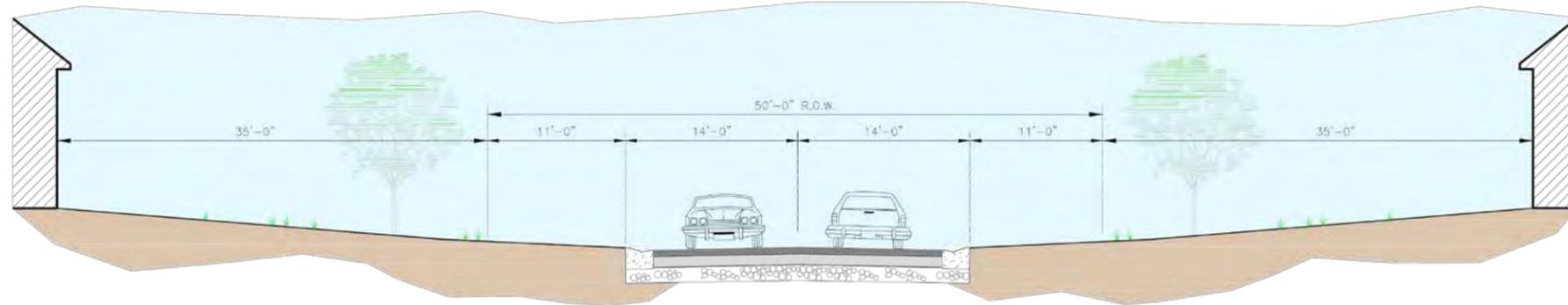
EXAMPLE ELEVATION & FLOORPLAN

With this rezoning, the plan will be dedicating approximately 5.7 acres of open space. Retreat of Pinnacle Hills PUD will offer a amenity area that has been designed to save the mature woodlands along with providing a focal feature of the community which will further enforce the sense of neighborhood and give the residents another feature to identify with and establish a sense of belonging. The open space areas will have walking trails constructed within their boundaries. The remainder of the open space will be to provide open recreation areas for physical activity.

The residents of this rezoning will be members of an H.O.A. and have access to the open space and walking trails within the Retreat of Pinnacle Hills PUD Subdivision. As a member of the H.O.A., the residents will be subject to restrictive covenants and be required to pay membership dues as determined by the 3rd party management company.



Ingress/Egress



TYPICAL 50' R.O.W. SECTION
SCALE NONE



The Retreat of Pinnacle Hills will have access to public right-of-way in two locations along Thompson Road. One access at Selous Drive and Pinnacle Hills Drive both are 50 foot right of ways. All proposed streets within The Retreat of Pinnacle Hills will be public right-of-way and proposed as 50-foot wide right-of-ways in conformance with the Rutherford County Street Specifications. Two additional stub streets are provided to the property to the north Carrington Place and Cayman Drive.