

# Rutherford County Regional Planning Commission

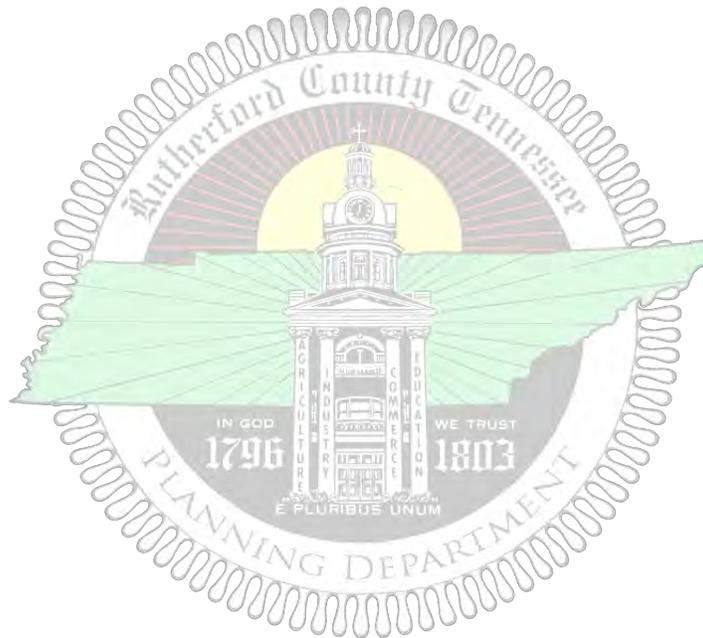
Agenda – 1-12-15 – 6:00 PM

Historic County Courthouse – 2<sup>nd</sup> Floor

- I. CALL TO ORDER
- II. PRAYER/PLEDGE OF ALLEGIANCE
- III. ROLL CALL/DETERMINATION OF QUORUM
- IV. APPROVAL OF THE DECEMBER 8, 2014 MINUTES
- V. ITEMS WITHDRAWN/DEFERRED
- VI. SUBMITTED FOR FINAL PLAT APPROVAL
  - A. Posey Ponderosa One-Lot Subdivision (14-2077) – 1 lot on 2.01 acres, zoned RM, located along Irby Lane, Gerald Louis Posey, applicant. Includes a waiver to the 5-acre minimum lot size for property on a private easement.
- VII. REZONING REQUESTS/PUBLIC HEARINGS
  - A. South Haven Development (14-A013)
    - Location: Ocala Road
    - Commissioner: Trey Gooch
    - Size of Site: Approximately 262 acres
    - Tax Map: 94, Parcels: 1.01 and 34.00
    - 77, Parcels: 62.00, 64.00 and 64.01 (portion)
    - 76, Parcel: 39.03 and 39.02 (portion)
    - Existing Zoning: Residential Medium-Density (RM)
    - Proposed Zoning: Planned Unit Development (PUD)
  - B. Dan and Kristy Allen (15-A001)
    - Location: 509 John R. Rice Boulevard
    - Commissioner: Phil Dodd
    - Size of Site: Approximately 1.4 acres
    - Tax Map: 92B, Group: E, Parcel: 8.00
    - Existing Zoning: Residential Medium-Density (RM)
    - Proposed Zoning: Office Professional (OP)
  - C. Frank Bauer (15-A002)
    - Location: 5636 Lebanon Pike
    - Commissioner: Steve Pearcy
    - Size of Site: Approximately 29 acres
    - Tax Map: 46, Parcels: 35.00 and 8.00
    - Existing Zoning: Residential Medium-Density (RM)
    - Proposed Zoning: Commercial Services (CS)

- D. Stuart Conway (15-A003)**
  - Location: 5940 Burnt Knob Road**
  - Commissioner: Joe Gourley**
  - Size of Site: Approximately 7.4 acres**
  - Tax Map: 77, Parcel: 23.08**
  - Existing Zoning: Residential Medium-Density (RM)**
  - Proposed Zoning: Light Industrial (LI)**

- VIII. STAFF REPORTS/OTHER BUSINESS**
- IX. ADJOURNMENT**



## Rutherford County Regional Planning Commission January 12, 2015 Staff Comments

**Plat/Plan Name:** Posey Ponderosa One-Lot Subdivision (14-2077)  
**Request:** Final Plat Approval – Includes a waiver request to the 5-acre for property on a private easement  
**Site Details:** 1 lots on 2.01 acres, zoned RM  
**Developer:** Gerald Louis Posey  
**Property Location:** Irby Lane



The subject property is located to the north side of Irby Lane. The property appears to have been created in 1989. However, it does not appear that any access easement was ever granted to the property. The applicants desire to build a house on the property. Since the property was created without a plat and access easement, Staff recommended that the applicant submit this plat in order to legally create the tract. The reason the plat is coming before the Planning Commission is that tracts under five (5) acres in area that access a private easement are prohibited. The applicants are asking for a waiver to this provision. Besides this issue, the plat appear to be in good order.

Any approval should be made subject to Staff Comments and the wavier(s) being granted.

**NOTES:**

- This Survey was performed in the field with a Sokkia Reflectorless Total Station.
- Surveyed area is not located within a flood hazard zone as shown by FEMA Flood Insurance Rate Map No. 47149C0290 H dated Jan. 05, 2007. Zone "X".
- Current zoning for the surveyed parcel is "RM." Minimum building setbacks are:  
Front: 40 feet  
Rear: 20 feet  
Side: 10 feet
- Underground utility locations as shown hereon are approximate and are subject to field verification by the utility owner. In Tennessee it is a requirement per the "Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners no less than three nor more than ten working days of their intent to excavate. A list of these utilities can be obtained from the county register of deeds. Those utilities participating in the Tennessee one call system can be notified by calling 1-800-351-1111.
- Bearings are based on Dead North -- RB 1339 PG. 3615
- Total Area of this subdivision: 2.01 AC. or 87,555.6 Sq. Ft. ± 1 Lot
- This parcel is subject to any and all rights-of-way and easements as shown or any other rights-of-way and easements or restrictions either recorded or by prescription that a title search may reveal.
- Main line water taps will be made by the Consolidated Utility District. Contact the Consolidated Utility District concerning any connection fees or developmental procedures.
- Water and Sewer service lines to be extended to property by owner/developer of each respective lot as needed.
- A separate right-of-way excavation permit issued at the Street Department will be required for excavation or construction in the public right of way.
- All minimum building setback lines must comply with the current ordinances of Rutherford County.
- There is a fire hydrant located within 1000' of the subject property.
- The purpose of this plat is to provide a 50' ingress and egress to the existing property Lot 1 in the name of Gerald Louis Posey et ux Cynthia as recorded in record book 1339 at page 3615.
- All adjoining properties are zoned RM.

**CERTIFICATE OF GENERAL APPROVAL FOR INSTALLATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITH RESTRICTIONS**

General approval is hereby granted for lots proposed hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions. Before the initiation of construction, the location of the house or other structure(s) and plans for the subsurface sewage disposal system shall be approved by the Division of Water Resources.

DATE \_\_\_\_\_ DIVISION OF WATER RESOURCES

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

- ANY CUTTING OR FILLING AFTER \_\_\_\_\_ MAY RENDER LOTS UNSUITABLE FOR SUBSURFACE SEWAGE DISPOSAL.
- LOT 1 HAS BEEN EVALUATED BY THE DEPARTMENT OF ENVIRONMENTAL SERVICES FOR A \_\_\_\_\_ BEDROOM HOME.
- ALL SHADED AREAS ARE TO BE RESERVED FOR SUBSURFACE SEWAGE DISPOSAL SYSTEMS. KEEP ALL HOUSES, UTILITIES, AND DRIVES OUTSIDE SHADED AREAS.
- ANY ENCRoACHMENT OF SOILS AREAS MAY RESULT IN LOSS OF BEDROOM APPROVAL.

LINE	BEARING	DISTANCE
L1	S 88°51'40" W	53.13'
L2	N 20°54'12" W	306.34'
L3	N 69°10'07" E	50.13'
L4	S 20°49'53" E	100.01'
L5	S 20°54'12" E	224.24'
L6	N 83°14'19" E	82.50'
L7	S 21°20'35" E	99.37'
L8	S 52°37'14" W	47.06'
L9	N 16°24'01" W	55.65'
L10	N 48°14'08" W	87.12'

**NOTES:**

THIS SURVEY HAS BEEN MADE USING THE LATEST RECORDED DEEDS AND OTHER INFORMATION, AND THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN THOSE SHOWN HEREON. THIS SURVEY IS SUBJECT TO THE FINDINGS OF A TITLE REPORT.

THIS PARCEL IS SUBJECT TO ALL RESTRICTIONS, COVENANTS, AND EASEMENTS APPLICABLE.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SET BACK LINES;

RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

**CERTIFICATE OF OWNERSHIP**

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 and establish the minimum building restriction lines, and dedicate all streets, alleys, walks, and utilities therein, parks and other open spaces to public or private use as noted.

(reference Record Book 1324 Page 3779 R.O.R.C.T.)

Date: 11 Dec 2014 By: Nathan Bryant

**CERTIFICATE OF OWNERSHIP**

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 and establish the minimum building restriction lines, and dedicate all streets, alleys, walks, and utilities therein, parks and other open spaces to public or private use as noted.

(reference Record Book 1324 Page 3779 R.O.R.C.T.)

Date: Dec 11, 2014 By: Annalyn V. Bryant

**CERTIFICATE OF OWNERSHIP**

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 and establish the minimum building restriction lines, and dedicate all streets, alleys, walks, and utilities therein, parks and other open spaces to public or private use as noted.

(reference Record Book 1339 Page 3616 R.O.R.C.T.)

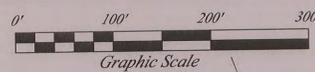
Date: 12/11/14 By: Cynthia Henly Posey

**CERTIFICATE OF OWNERSHIP**

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 and establish the minimum building restriction lines, and dedicate all streets, alleys, walks, and utilities therein, parks and other open spaces to public or private use as noted.

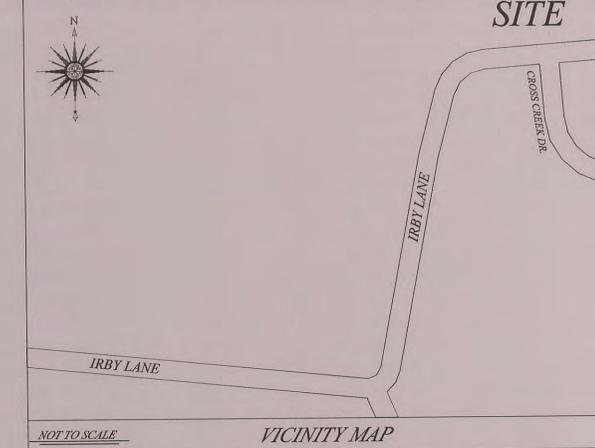
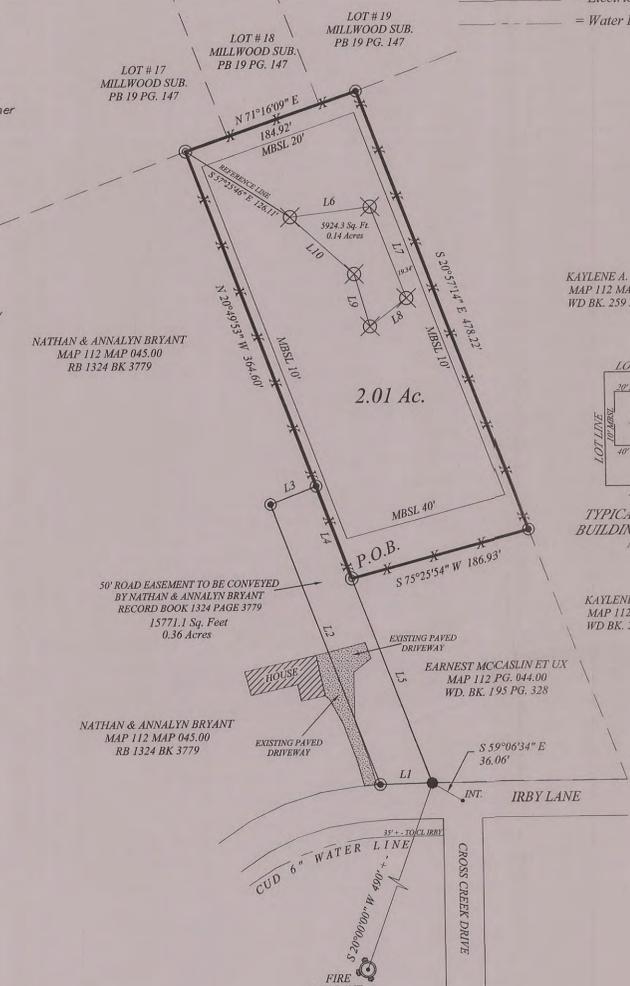
(reference Record Book 1339 Page 3616 R.O.R.C.T.)

Date: 11 Dec 14 By: Gerald Louis Posey



**LEGEND**

- = 1/2" Rebar or Iron Pipe (O)
- = 1/2" Rebar (N) w/ Sexton Cap
- ⊗ = Soils Stake
- = Property Line
- X-X- = Fence Line
- - - = Electric Line
- - - - - = Water Line



TOTAL ACRES THIS SURVEY 2.01 OR 87,348.9 SQ. FT.

**CERTIFICATE OF APPROVAL FOR 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, bylaws, policy bulletins and operational bulletins of MTEMC, and in accordance with the plat approval checklist, tree planting guidelines and other regulations contained on the MTEMC website at [www.mtemc.com](http://www.mtemc.com) (collectively the "Requirements"). No electric service will be provided until MTEMC's Requirements have been met and approved in writing by an authorized representative of MTEMC. Any approval is, at all times, contingent upon continuing compliance with MTEMC's Requirements.

Date Middle Tennessee Electric Membership Cooperation

**CERTIFICATE OF APPROVAL OF WATER SYSTEMS**

I hereby certify that the Subdivision Plat entitled "Posey Ponderosa One-Lot Subdivision" has been approved by the engineers for Consolidated Utility District of Rutherford County for water services, provided however, that the lines, valves, and fittings must be installed in accordance with CUD specifications as determined by its engineers. No water service will be provided until that certification has been made in writing.

Date Consolidated Utility District of Rutherford County

**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 of Deeds.

Date Planning Commission Secretary

DATE OF RECORDING: \_\_\_\_\_

TIME OF RECORDING: \_\_\_\_\_

PLAT BK.: \_\_\_\_\_ PAGE: \_\_\_\_\_

**CERTIFICATE OF ACCURACY**

I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is greater than 1:10,000 as shown hereon. I also certify that the monuments have been or will be placed as shown hereon to the specifications outlined by the State of Tennessee.

Date 12-9-14 John Chris Sexton RLS 1898

**REVISIONS:**

**PREPARED FOR:**  
OWNER/CLIENT  
  
OWNER:  
GERALD & CYNTHIA POSEY  
2255 IRBY LANE  
MURFREESBORO, TN 37127

**MINOR SUBDIVISION**  
**POSEY PONDEROSA**  
**ONE-LOT SUBDIVISION**

LOCATED IN THE EIGHTEENTH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE. NEAR THE INTERSECTION IRBY LANE AND CROSS CREEK DRIVE AND IS THE PROPERTY OF GERALD LOUIS POSEY ET UX CYNTHIA HENLY POSEY AND IS RECORDED RECORD BOOK 1339 PAGE 3615, R.O.R.C.T.

**TAX MAP REF.:**  
Tax Map 112  
Parcel 044.03

**SURVEYED BY:** JCS, JWS, MJ

**DRAWING DATE:** 12/09/2014

**DRAWN BY:** JCS

**CHECKED BY:** JCS

**SCALE:** PAPER SIZE: 18" X 24" 1" = 100'  
**PROJECT NUMBER:** 2014-091

**FILE NAME:** C:\CARLSON\2014\2014-091\NATHAN BRYANT.dwg

**JOHN CHRIS SEXTON**  
RLS 1898

467 SOUTHRIDGE CIRCLE  
CROSSVILLE, TN 38555  
615-785-3609  
chris.sexton53@gmail.com

**JOHN CHRIS SEXTON**  
REGISTERED LAND SURVEYOR  
COMMERCIAL  
TENNESSEE NO 1898

**SHEET NO.**  
1 OF 1

14-2077

# Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: January 12, 2015

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Case Number: 14-A013

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Staff Recommendation: **APPROVAL**

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Request by: South Haven Development

Property Address: Ocala Road

Commission District: 20 – Trey Gooch

Urban Growth Boundary: Smyrna UGB

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## Applicant Request

Rezoning from Residential Medium-Density (RM) to Planned Unit Development (PUD)

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## 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.

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## Site Characteristics

Current Zoning: RM

Current Use: Vacant Land

Adjacent Uses: Residential of open on all sides. The property to the north is proposed for a subdivision (Stewart Creek Farms). State Route (SR) 840 is located directly south of Ocala Road

Adjacent Zoning: RM on all sides

Size of Tract: Approximately 262 acres

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## Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Suburban Belt Character Area. Suburban Belt areas are recommended to include residential uses at densities of up to three (3) residential units per acre. The proposed density for the project is 2.36 units per acre. Portions of the property are also located within the Major Employment Center Activity Node, which recommends higher non-residential uses.

### Proposal supported by Comprehensive Plan

Staff feels that the proposed development is consistent with the recommendations of the Comprehensive Plan. The applicants are using the PUD approach to allow for smaller lots but are conserving more open space and are providing amenities that aren't typically required in a conventionally zoned development.

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## Infrastructure

Roads: The properties have frontage along Ocala Road. Staff required the applicant to complete a traffic study due to the amount of traffic that this development could generate. The results of that study have been received by Staff and a synopsis has been included with these comments. The entire study has not been included with this report

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but is available for inspection. Staff has visited the area and feels that improvements are needed to the entire portion of Old Shores Road that extends from Almaville Road to Ocala Road and not just the first 300 feet off of Almaville Road. It is a narrow road and Staff has concerns about the amount of traffic it can accommodate. Staff would also like to see additional traffic control measures at the intersection of Ocala Road and Old Shores Road. These concerns have been communicated to the applicant and the applicant has responded that they will address these issues. The Pattern Book mentions bringing Old Shores Road up to a minimum of 18 feet. Staff would like this statement to reflect the County minimum of 20 feet. The improvements to the intersection of Almaville Road and Old Shores road are listed on Page 10 of the pattern book as being completed prior to the recording of the final plat for the 100<sup>th</sup> lot. However, the traffic report state that they would be installed with the initial phase. In addition, the improvements to Old Shores Road and Ocala Road are proposed to occur during the infrastructure work with Phase 2. Staff feels these improvements should also be completed with the initial phase.

There are no traffic counts along Ocala Road. The closest TDOT traffic count is located on Almaville Road on the south side of the interchange of Almaville Road and State Route SR 840, approximately 1 ½ miles away as the truck drives that shows a 2013 count of 1,830 trips per day.

Utilities: According to the Consolidated Utility District (CUD), there are no water lines along Ocala Road. The applicant has asked CUD to complete a feasibility study to determine what infrastructure upgrades would be necessary in order to develop the project with fire hydrants. The study has been completed and a memorandum from CUD is included with this report.

The development will be served by a STEP system that would be owned, operated and maintained by CUD. The applicant has also provided a letter from MTEMC stating that they can serve the development.

Fire Protection: There is not a fire hydrant in close proximity to the properties. CUD has completed a feasibility study to determine what infrastructure upgrades would be necessary to develop the property with fire hydrants. If fire hydrants cannot be supported, the development would be required to provide residential sprinkler systems in all houses. The feasibility study included with your agenda materials outlines the options the developer has in relation to fire protection and will be discussed in more detail at the meeting. Staff would like to know the developer's intentions prior to any action being taken by the Planning Commission.

Stormwater: Portions of the subject properties are 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.

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Staff has asked for more detailed information on the drainage plan for the proposed development.

Schools: The revised concept plan has been sent to the Rutherford County Schools Central Office. Staff had not received any comments prior to these comments being distributed. Any comments will be relayed to the Planning Commission at the meeting.

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### **Background/Proposal Details**

Proposed Use: The subject properties are located on the north side of Ocala Road, to the east of Almaville Road and in very close proximity to SR 840. This development was originally approved in October of 2007 and was known as Cedar Brook. The original development contained 434 lots and contained a mixture of single-family detached and attached structures. Although the development was approved, no subdivision plats were ever submitted, nor was any work completed on the property. The approval for this development has long since lapsed and the applicant is resubmitting the development using a different arrangement. The proposed development, South Haven, contains more property than the original development contained (218 acres as compared to 262 acres).

The current application was originally considered by the Planning Commission at their November 10, 2014 meeting. The Commission had several questions on water service, size of the lots, traffic and other issues. Ultimately, the Commission deferred the application until more information could be provided on the overall design of the subdivision due to the possible need to provide wider lots for the STEP system septic tanks. Since that time, CUD has met with their board to discuss the issue of lot width and they recommend that the minimum width should be at least 65 feet. In anticipation of this, the applicants have revised their proposal to show the wider lots. The original proposal was for 55-foot lots, which yielded 618 lots. The new arrangement provides for 552 lots, a reduction of 66 lots. All units are still proposed to be single-family detached dwellings. The pattern book provides details as to how the amenities will be phased into the project.

Some modifications have been made to the street network, namely some improvements that eliminated some potentially awkward intersections. The biggest change in the proposed plan is the reduction in the number of lots.

Access & Parking: Access to the properties will be along Ocala Road. There is a proposed stub street on the north side of this project which may be shifted in order to line up the current stub street in the Stewart Creek Farms Subdivision. The applicant has also provided stub streets to the east and west, as requested by Staff.

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Landscaping: Since this is a residential development, there is no required screening from adjacent properties. The Planning Commission can recommend screening, but Staff does not see what practical benefit this would have since the Concept Plan shows a large amount of existing tree material to be preserved.

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. Since this is a residential development, the performance standards should not be an issue.

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### **Staff Recommendation**

Overall, Staff is more comfortable with this project than we were back in November. Most of the concerns Staff has have been addressed. One remaining issue is the fire protection element of the project. Staff would like to see more attention given to this issue prior to final approval. Staff recommends approval pending resolution of the fire protection issue.

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### **Attachments**

Zoning Map  
Aerial Map  
CUD Water Lines Map  
CUD Will Serve Letter  
CUD Feasibility Study  
Traffic Study Synopsis  
PUD Pattern Book (Separate Attachment)

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# 14-A013



In Question

RM

RM - Medium Density Residential

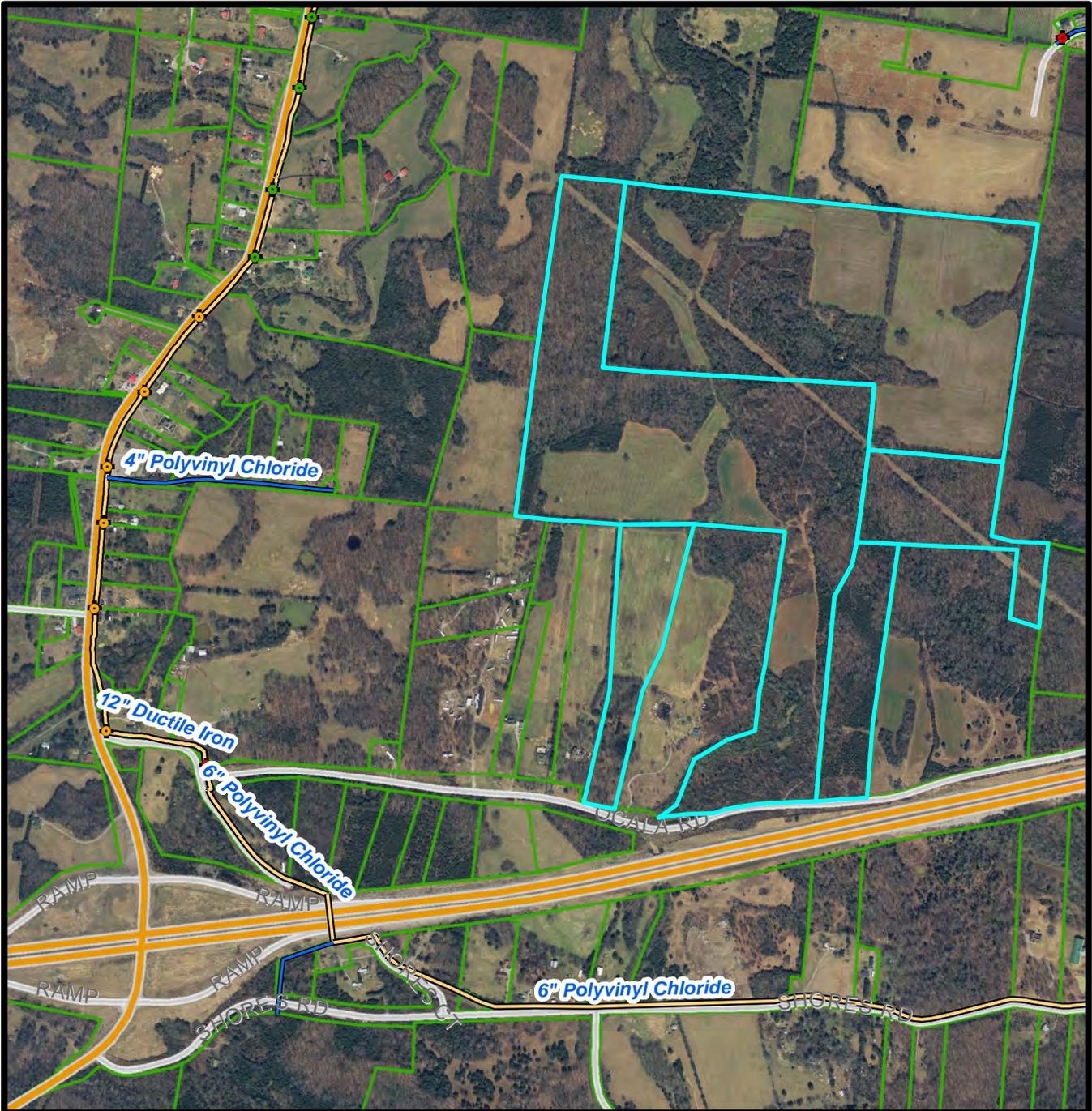


CN - Commercial Neighborhood

0 200 400 800 1,200 1,600 Feet



# CUD Line Location / Ocala Rd. Proposed South Haven Development



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: 10/21/2014

Prepared by: JLW





**CONSOLIDATED UTILITY DISTRICT**  
*Rutherford County, Tennessee*

September 9, 2015

Mr. Jim Hysen  
Land Venues  
P.O. Box 682766  
Franklin, TN 37068

**Re: Saddle Creek Subdivision  
Ocala Road, Murfreesboro, TN  
Tax Map 76, Parcel 39.03 and Tax Map 77, Parcels 39.62, 64.00, and 64.01  
Will Serve Letter – Water Only**

Dear Mr. Hysen,

This “Will Serve Letter” is for the property identified as Saddle Creek Subdivision (hereafter “Developer”) (Tax Map 76, Parcel 39.03 and Tax Map 77, Parcels 39.62, 64.00, and 64.01) located off Ocala Road in Murfreesboro, TN which lies within the water service area of Consolidated Utility District of Rutherford County (hereafter “the District”). Based on the request and plan provided to the District, the proposed development will create six hundred and fifty (650) residential lots in the proposed Saddle Creek Subdivision, each with a detached single-family residence to be completed in multiple phases.

No water main infrastructure currently exists down Ocala Road where the proposed development will be accessed. However, the District system currently has a twelve (12) inch water main along Almadale Road/Old Shores Road to the Ocala Road intersection which will serve as the main water connection point for the development. Prior to development of these properties, a water main shall be extended down Ocala Road which would serve as the main feed for the properties in question. Sizing will be determined by the District in the design phase.

Additionally, the current infrastructure is not adequate to serve both the domestic water demands and fire demands in the form of fire hydrants for all 650 single-family, residential lots as requested. However, the District has approved several options for the Developer to consider.

- (1) The current infrastructure along Almadale Road/Old Shores Road can meet the domestic water and fire demands in the form of fire hydrants for no more than 400 single-family, residential lots.
- (2) The current infrastructure along Almadale Road/Old Shores Road can meet the domestic water and fire demands in the form of residential fire sprinklers for no more than 650 single-family, residential lots.
- (3) The Developer may additionally request a Facilities Improvement Determination (FID) study to be conducted to determine the required infrastructure upgrades the Developer would be responsible for installing in order to support the proposed development as requested. If the Developer requests to move forward with the FID, he/she must submit a request in writing along

with a \$1,000 check made payable to Consolidated Utility District. FID documents will be sent within approximately two (2) calendar months following the receipt of request. If the Developer chooses at that time to move forward with the development based on the FID, that \$1,000 will roll into the engineering fees due for the project. The fee will not be refunded should the Developer choose not to move forward after the FID has been conducted.

Fire demands are based on current requirements, and the Developer should verify with the appropriate local regulating body and what, if any, alternatives there are to this requirement. As a general note, the decentralized wastewater system (STEP) capacity and approvals should be verified separately with David Jones at the District.

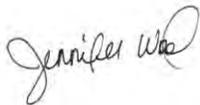
No public water improvements and/or extensions shall be approved or installed until all conditions are fulfilled as outlined in the District's Developer's Packet and are subject to payment by Developer of engineering and inspection fees. All water lines/facilities improvements needed to serve the property in question are to be installed by the Developer in accordance with the District's policies and procedures as outlined in the Technical Specifications of the District which can be found on our website or at our office.

This letter is specifically subject to the above conditions and such other terms and conditions as the District may require from time to time or at the time the water line improvements/upgrades are to be implemented and installed according to the District's requirements. This letter is intended only as a matter of "general information" and is not a contract between the parties. The letter shall not be considered an agreement or obligation of the District to provide water service to the Developer. In addition, there are or may be additional terms, requirements and conditions of the District to provide water service to the Developer which are not set forth or otherwise referred to in this letter.

In addition to the foregoing, if the Developer has not commenced development of the plans submitted to the District within one (1) year of the date of this letter, any approval(s) previously granted the Developer by the District shall automatically expire.

Please feel welcome to call or email if you have questions.

Sincerely,



**Jennifer Wood, P.E.**  
**Engineering Department Manager**  
**Consolidated Utility District**  
PH: 615-225-3311  
Fax: 615-225-3314  
Email: [jwood@cudrc.com](mailto:jwood@ cudrc.com)

cc: Jamie Reed, SEC, Inc.  
cc: Matt Taylor, SEC, Inc.



**CONSOLIDATED UTILITY DISTRICT**  
*Rutherford County, Tennessee*

November 5, 2014

Mr. Jim Hysen  
Land Venues  
P.O. Box 682766  
Franklin, TN 37068

**Re: Southhaven Subdivision (previously Saddle Creek)  
Ocala Road, Murfreesboro, TN  
Tax Map 76, Parcels 39.02 and 39.03; Tax Map 77, Parcels 62.00, 64.00, and 64.01; Tax  
Map 94, Parcels 1.01 and 34.00  
Feasibility Improvement Determination Analysis Results – Water Only**

Dear Mr. Hysen,

A “Will Serve Letter” was sent to you on September 9, 2014 for your property identified as Southhaven Subdivision (previously Saddle Creek) (hereafter “Developer/Development”) (Tax Map 76, Parcels 39.02 and 39.03; Tax Map 77, Parcels 62.00, 64.00, and 64.01; and Tax Map 94, Parcels 1.01 and 34.00) located off Ocala Road in Murfreesboro, TN which lies within the water service area of Consolidated Utility District of Rutherford County (hereafter “the District”). Based on the request and plan provided to the District, the proposed development will create six hundred and fifty (650) residential lots in the proposed Saddle Creek Subdivision, each with a detached single-family residence to be completed in multiple phases.

Our initial analysis concluded that the current infrastructure is not adequate to serve both the domestic water demands and fire demands in the form of fire hydrants for all 650 single-family, residential lots as requested. However, the District provided several options for the Developer to consider one of which was a Facilities Improvement Determination study to be conducted to determine the required infrastructure upgrades the Developer would be responsible for installing in order to support the proposed development as requested. As requested on September 24, 2014, the study was conducted, and the results are outlined below.

In order to serve the 650 single-family, residential lots as requested with fire hydrants, the Developer will be responsible for installing the following infrastructure improvements prior to the start of Development:

1. Install a 12-inch water line from the intersection of Ocala Rd. and Old Shores Rd. down Ocala Rd. to and across the eastern-most parcel of the Development (Tax Map 94, Parcel 34.00).
2. Upgrade the existing 6-inch water line to a 12-inch water line from the intersection of Ocala Rd. and Old Shores Rd. to where the District’s 8-inch water line currently ends on Shores Rd. This includes the crossing at I-840. The total length is approximately 8,000 feet.

3. In addition, when the subdivision builds out to the northern-most parcel (Tax Map 77, Parcel 62.00), the water line shall connect through to the existing Stewart Creek Farms subdivision.

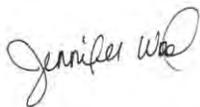
No public water improvements and/or extensions shall be approved or installed until all conditions are fulfilled as outlined in the District's Developer's Packet and are subject to payment by Developer of engineering and inspection fees. All water lines/facilities improvements needed to serve the property in question are to be installed by the Developer in accordance with the District's policies and procedures as outlined in the Technical Specifications of the District which can be found on our website or at our office. In addition, any easements needed for the infrastructure improvements will be the responsibility of the Developer and shall be dedicated to the District.

This letter is specifically subject to the above conditions and such other terms and conditions as the District may require from time to time or at the time the water line improvements/upgrades are to be implemented and installed according to the District's requirements. This letter is intended only as a matter of "general information" and is not a contract between the parties. The letter shall not be considered an agreement or obligation of the District to provide water service to the Developer. In addition, there are or may be additional terms, requirements and conditions of the District to provide water service to the Developer which are not set forth or otherwise referred to in this letter.

In addition to the foregoing, if the Developer has not commenced development of the plans submitted to the District within one (1) year of the date of this letter, any approval(s) previously granted the Developer by the District shall automatically expire.

Please feel welcome to call or email if you have questions.

Sincerely,



**Jennifer Wood, P.E.**  
**Engineering Department Manager**  
**Consolidated Utility District**  
PH: 615-225-3311  
Fax: 615-225-3314  
Email: [jwood@cudrc.com](mailto:jwood@ cudrc.com)

cc: Jamie Reed, SEC, Inc.  
cc: Matt Taylor, SEC, Inc.

## 7. CONCLUSIONS AND RECOMMENDATIONS

The analyses presented in this study indicate that the following infrastructure improvements should be provided in order to accommodate the existing, background, and total projected traffic volumes with the completion of the proposed multi-family residential project:

1. Each of the project accesses on Ocala Road constructed to include one entering lane and one exiting lane.
2. As planned, future connectivity should be provided to future development on the properties north and west of the project site. *What about the large tract to the east?*
- ✓3. A southbound left turn lane should be constructed on Almaville Road at Old Shores Road. This turn lane should be 12 feet wide and include at least 125 feet of storage and should be designed and constructed according to AASHTO standards. Also, this turn lane should be designed and constructed so as to reduce the existing curvature on the east side of Almaville Road and increase the available sight distance for motorists on Old Shores Road.

This improvement should be based on guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book. Specifically, The Green Book indicates that for a speed of 40 mph, the minimum stopping sight distance is 305 feet. This is the distance that a motorist on Almaville Road will need to come to a stop if a vehicle turning from Old Shores Road creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 445 feet. This is the distance that a motorist on Old Shores Road will need to safely complete a left turn onto southbound Almaville Road.

This improvement should be constructed while initial site work is being completed on the project site. Specifically, because Old Shores Road and Ocala Road provide the only access to the project site, these improvements will be necessary to facilitate safe and efficient turning movements by construction vehicles at the intersection of Almaville Road and Old Shores Road.

- ✓4. A northbound right turn lane should be constructed on Almaville Road at Old Shores Road. This turn lane should be 12 feet wide and include at least 100 feet of storage and should be designed and constructed according to AASHTO standards.

This improvement should be constructed while initial site work is being completed on the project site. Specifically, because Old Shores Road and Ocala Road provide the only access to the project site, these improvements will be necessary to facilitate safe and efficient turning movements by construction vehicles at the intersection of Almaville Road and Old Shores Road.

5. At the intersection with Almaville Road, Old Shores Road should be widened and improved to include one 12-foot eastbound lane and two 12-foot westbound lanes, striped as separate left and right turn lanes. Each of these turn lanes should include at least 300 feet of storage and should be designed and constructed according to AASHTO standards. Also, in conjunction with these improvements, the westernmost portion of Old Shores Road should intersect Almaville Road at a 90-degree angle.

This improvement should be constructed while initial site work is being completed on the project site. Specifically, because Old Shores Road and Ocala Road provide the only access to the project site, these improvements will be necessary to facilitate safe and efficient turning movements by construction vehicles at the intersection of Almaville Road and Old Shores Road.

6. It is important to note that the total projected traffic volumes at the intersection of Almaville Road and Old Shores Road will not likely warrant the installation of a traffic signal at this location, particularly because the non-peak hour traffic volumes will likely be below the thresholds established by the Manual on Uniform Traffic Control Devices (MUTCD). However, in conjunction with the development of the South Haven residential project, traffic counts should be collected and traffic signal warrant analyses should be conducted for this intersection at 75% completion and 100% completion of the project.

# Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: January 12, 2015

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Case Number: 15-A001

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Staff Recommendation: **DENIAL**

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Request by: Dan and Kristi Allen  
Property Address: 509 John R. Rice Boulevard  
Commission District: 20 – Trey Gooch  
Urban Growth Boundary: Murfreesboro UGB

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## **Applicant Request**

Rezoning from Residential Medium-Density (RM) to Office Professional (OP)

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## **Purpose of District**

This class of district is designed to provide for low intensity office development and compatible commercial uses such as small retail and business service uses with a minimum of objectionable characteristics in appropriate locations. This district may be used as a transitional zone between residential and intense commercial areas. Permitted uses are those which tend to attract small numbers of people and generate lower volumes of traffic. Less building bulk is permitted and more open space is required.

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## **Site Characteristics**

Current Zoning: RM  
Current Use: Single-Family Home with a special exception for a home-based businesses (Beauty Salon)  
Adjacent Uses: Residential on all sides. Interstate 24 is on the other side of John R. Rice Boulevard.  
Adjacent Zoning: RM on all sides  
Size of Tract: Approximately 1.4 acres

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## **Comprehensive Plan**

The Rutherford County Comprehensive Plan shows this location as being included within the General Urban Character Area. General Urban areas are recommended to include residential uses at densities of up to ten (10) residential units per acre and non-residential densities of .9 Floor/Area Ratio. John R. Rice Boulevard and not identified as either an urban, suburban or rural corridor in the Plan.

Proposal supported by Comprehensive Plan

Staff feels that the proposed development is not consistent with the recommendations of the Comprehensive Plan. Many of the recommendations of the Plan encourage commercial growth in existing nodes. The proposed property is completely surrounded by residential development and would not qualify as a development node.

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## **Infrastructure**

Roads: The property is located at the intersection of John R. Rice Boulevard and Wickham Court. There is an existing access drive to John R. Rice Boulevard, which the applicant

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plans to improve with additional parking if the rezoning request is granted. There is currently no access onto Wickham Court and the applicant has not indicated any desire for future access onto this road.

The closest traffic count to the subject property is located near the northernmost access point to the Sam's Club, which is approximately one mile to the south that shows a 2013 count of 6,817 trips per day.

Utilities: According to Consolidated Utility District (CUD), there is a 12-inch line along John R. Rice Boulevard and a 6-inch line on Wickham Court to serve this property (See attached map).

Fire Protection: According to information provided by CUD, there is fire hydrant directly across the street from the subject property (See attached map).

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 for any new improvements.

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

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### **Background/Proposal Details**

Proposed Use: The subject property is located at the intersection of Wickham Court and John R. Rice Boulevard. The property owners received a special exception by the Board of Zoning Appeals (BZA) at their June 11, 2014 meeting to operate a beauty salon as a home-based business. The applicants have since made a number of renovations to the property and would like to operate as a full-time salon without living on the property.

Staff has had a number of conversations with the applicant and has expressed reservations with this request. While there is commercial zoning in fairly close proximity to the north and south, the property itself is at the entrance to a subdivision (Wickham Place) and is completely surrounded by residential uses, with the exception of I-24 to the east. There are other existing residential subdivisions located to the north of the subject property. Even with OP zoning, Staff is of the opinion that this rezoning request is not appropriate for the area.

Access & Parking: Access to the property will be from an existing driveway onto John R. Rice Boulevard. The existing access drive and parking area, while paved, would have to be brought up to County standards for commercial businesses and conformance demonstrated on an engineered site plan.

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Landscaping: If the rezoning application is approved, a Type 1 buffer would be required to be installed. This could be accomplished through the use of plantings and/or solid visual screens and plantings. The parking areas would also have to be landscaped according to the provisions of 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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### **Staff Recommendation**

Based on Staff's opinion that the proposal is not consistent with the Comprehensive Plan and considering that the property is completely surrounded by residential uses and is not located along an identified urban, suburban or rural corridor, Staff recommends denial of the application.

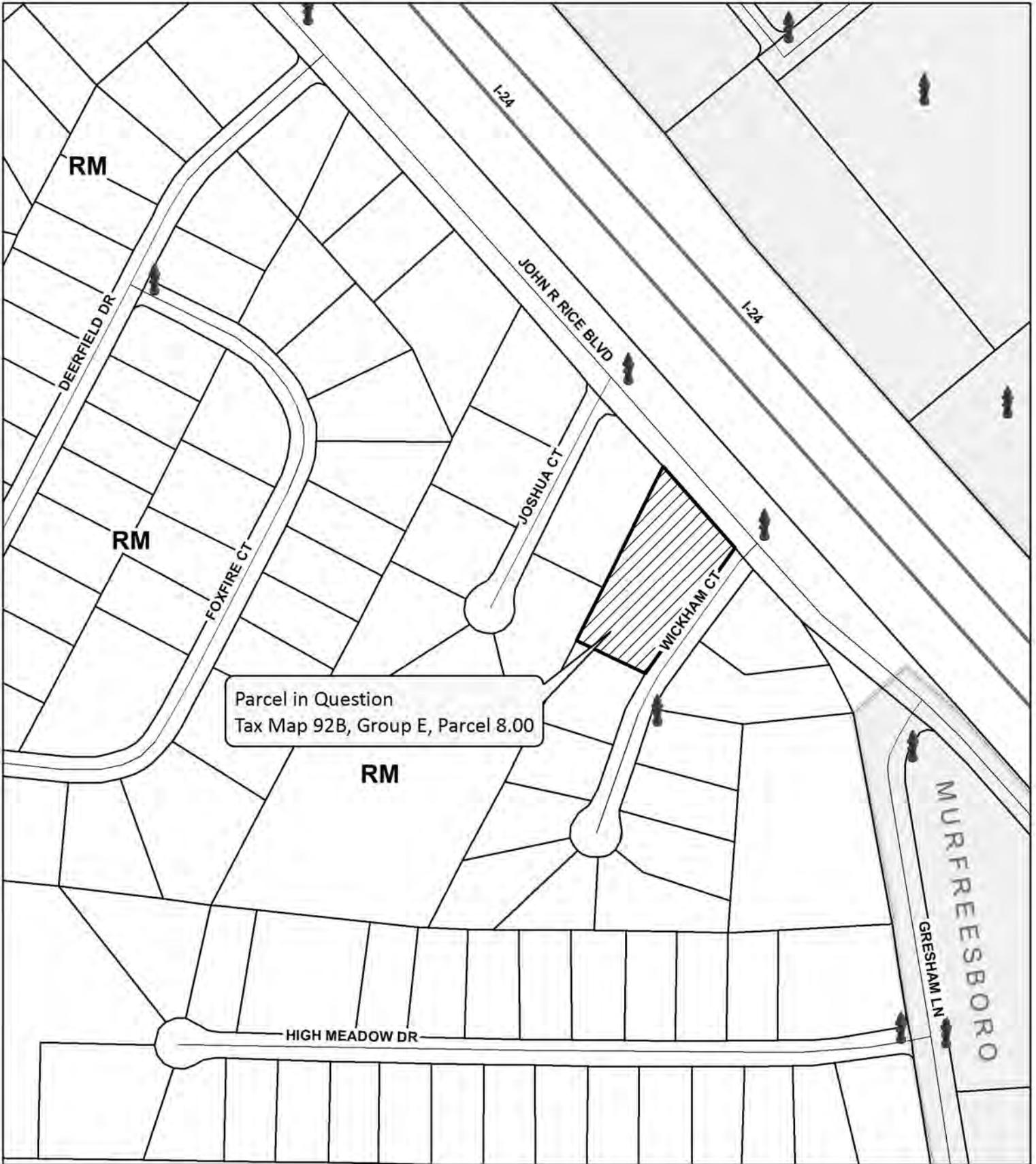
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### **Attachments**

Zoning Map  
Aerial Map  
CUD Water Lines Map  
Order of Action from the BZA  
Applicant's submittal materials

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# 15-A001



Parcel in Question  
Tax Map 92B, Group E, Parcel 8.00



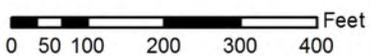
RM RM - Medium Density Residential  
IN QUESTION

0 50 100 200 300 400 Feet

# 15-A001



 In Question



# Rezoning Request / 509 John Rice Blvd. Tax Map 92B, Group E, Parcel 8.00



Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

Date: 12/18/2014

Prepared by: JLW



Document Prepared By:  
Rutherford County Regional Planning Commission  
One Public Square South, Suite 200  
Murfreesboro, TN 37130

RUTHERFORD COUNTY  
BOARD OF ZONING APPEALS  
ORDER OF ACTION

APPEAL NUMBER: 2014-046      DATE: June 11, 2014  
APPLICANTS: Kristy Allen  
ADDRESS OF APPEAL: 509 John R. Rice Boulevard  
TAX MAP: 92B      GROUP: E      PARCEL NUMBER: 8.00  
CURRENT ZONING OF PROPERTY: RM- Medium Density Residential  
RECORD BOOK: 1057      PAGE NUMBER: 3262  
TYPE OF APPEAL: Special Exception

Request for special exception approval allowing the establishment of a major home based business involving a beauty salon upon a property located in the RM, Medium Density Residential zoning district.

**FINDING OF FACT:**

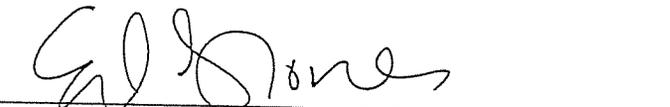
The Board found that the request met the general requirements for special exception as set forth by Section 1408 of the Rutherford County Zoning Ordinance.

**MOTION:**

A motion was made by Board Member Crowell, seconded by Board Member Meshotto, to approve Application 2014-046 subject to the condition that the use continually complies with the provisions found in Section 1101 N. 1. and Section 1408 D. 2. of the Rutherford County Zoning Ordinance.

VOTE:            AYES      5            NAYS      0

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Secretary

**Dan M. Allen & Kristy Allen**  
**509 John R. Rice Blvd., Murfreesboro, TN 37129**

December 11, 2014

County of Rutherford  
Room 101, #1 South Public Square  
Murfreesboro, TN 37130

RE: Recap of Our Request for Zoning Change from Home Based Business to Office Professional

Earlier this year we purchased this property and have made many changes to generally improve and make the property habitable for personal and home based business. This has been a time consuming and process as one contractor disappeared, two other contractors took much longer than their estimates. The home is now safe & habitable, and we are living there. We have just started the hair salon business.

The changes to date have been to improve:

- Improve overall property and internal appearance
- Improve accessibility
- Improve safety
- Improve functionality
- Meet known county Home Based Business Guidelines
- Prepare for next step to achieve Office Professional Zoning Status (or Residential Commercial)

Some of these improvements and additions include:

- Removal of a portable storage barn
- Added safe asphalt driveway and cleaned / corrected drainage culverts @ street
- Removal of storm damaged trees & diseased and shrubbery
- Repaired retention wall to eliminate erosion
- Repair to the front porch foundation
- Fix house foundation
  - Repair and add 12 new support pillars
  - Repair structural lumber

- Repairs to gutter system to eliminate water intrusion
- Repair to crawl space access point to eliminate water intrusion
- Repair and improve house supports and structure (above foundation)
- Wall & ceiling repair and total internal repainting
- Repair, correct, and improve electrical system throughout the house
- Repair, correct, and improve plumbing system
- Repairs to HVAC system
- New double front door visual appearance and for accessibility
- Additions to one bathroom for handicap accessibility and ease of use
- Addition of a privacy fence off new driveway
- Initial structural repairs to fixed antique shed / garage in back yard
- And more

We are ready and willing to make additional improvements to meet the County of Rutherford guidelines based on the acceptance of request for change in zoning. Some of our plans include:

- Addition of new plantings to meet privacy guidelines
- Parking lot lining and improvement to meet guidelines
- Possible addition to current driveway
- Handicap access improvements to meet guidelines
- Improve the appearance of external shed
- And other enhancements, additions, & improvements to meet those not yet know Office Professional Zoning guidelines

We look forward to the process of obtaining the change in zoning.

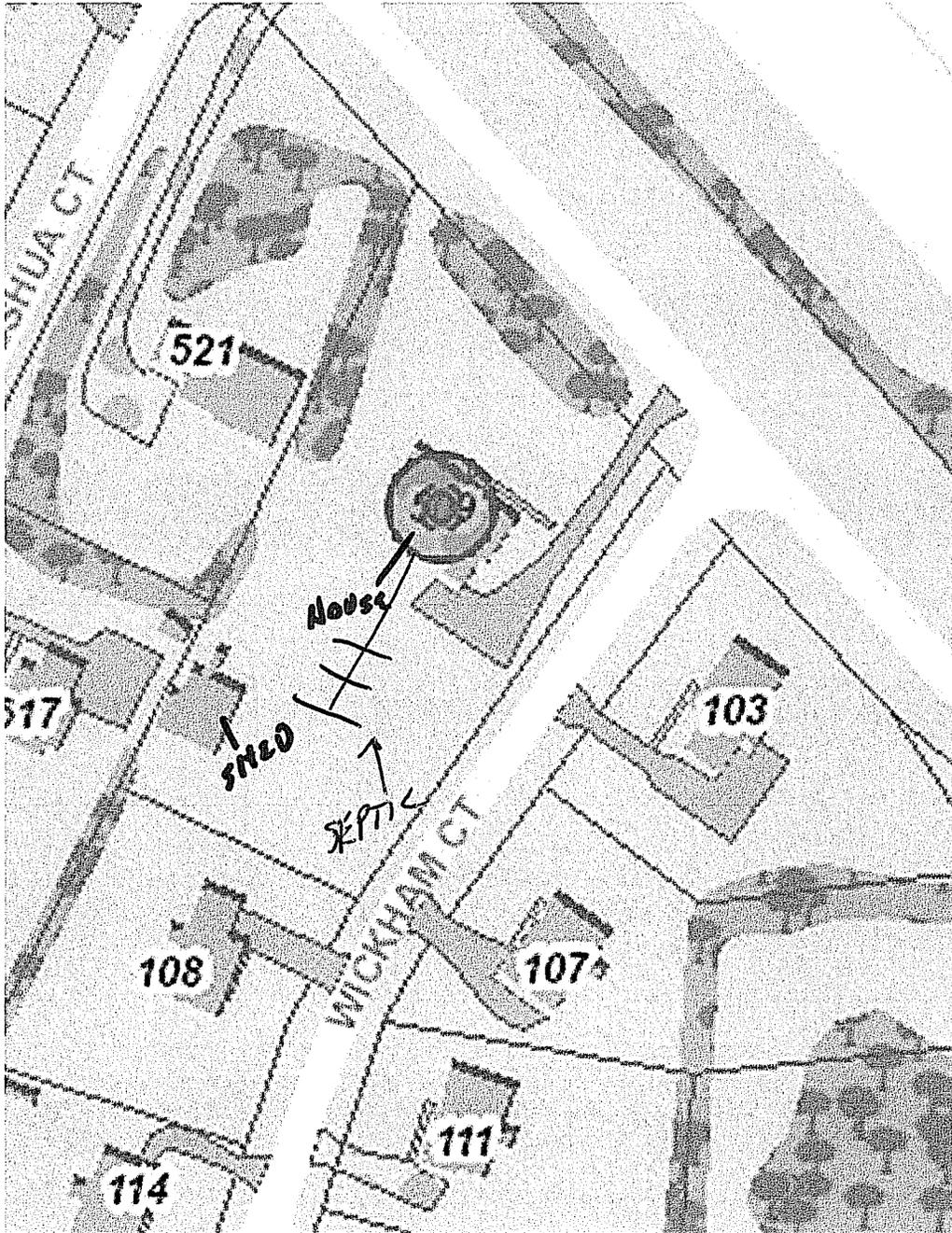
All the best,

Dan M. and Kristy Allen

Dan M. Allen & Kristy Allen

509 John R. Rice Blvd., Murfreesboro, TN

## RUTHERFORD COUNTY GIS VIEW



GOOGLE MAPS VIEW 2014 ( "-----" added approximate lot lines)



# SPRING / SUMMER 2014

GOOGLE MAPS AERIAL VIEW



## Noted Exterior Changes:

- Removal of barn structure by old owner
- Addition of double car width driveway, and 10+ car parking spaces
- Addition of 120 ft. of 4 - rail privacy fence ••••••••
- Tree removal – in middle of front yard, near old driveway, and back yard ①
- New double front door, repairs to front porch area
- Planned natural privacy plantings planned based on zoning change

# FALL / CURRENT 2014

RUTHERFORD COUNTY GIS (changes noted)



NEW 4 RAIL  
FENCE

GOOGLE MAPS VIEW (changes noted)



- SET-BACK OVER 100'

FENCE

- DRIVEWAY

DRIVE UP IS 25' WIDE x 100' LONG

PARKING AREA 45' WIDE x 110' LONG

10-12 CARS, INCLUDING HANDICAP AREA

# Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: January 12, 2015

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Case Number:	15-A002
Staff Recommendation:	<b>APPROVAL</b>
Request by:	Frank Bauer
Property Address:	5636 Lebanon Pike
Commission District:	2 – Steve Percy
Urban Growth Boundary:	Murfreesboro UGB

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## Applicant Request

Rezoning from Residential Medium-Density (RM) to Commercial Services (CS)

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## Purpose of District

This class of 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.

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## Site Characteristics

Current Zoning: RM

Current Use: Single-Family Home on Parcel 35.00. Portions of Parcel 8.00 are used for commercial purposes.

Adjacent Uses: Commercial uses on portions of Parcel 8.00

Adjacent Zoning: RM and CS (See attached map)

Size of Tract: Approximately 7 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 residential uses at densities of up to three (3) residential units per acre and non-residential densities of .2 Floor/Area Ratio (FAR). This location is also within the Walter Hill Village Neighborhood Center, which recommends slightly higher densities (4 single-family units/acre) and FAR (.5). Lebanon Pike is also identified as an Urban Corridor.

Proposal supported by Comprehensive Plan

Staff feels that the proposed development is consistent with the recommendations of the Comprehensive Plan.

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## Infrastructure

Roads: The property is located along Lebanon Pike. The closest traffic count to the subject property is located approximately 2/3 of a mile to the south of the subject property that shows a 2013 count of 16,260 trips per day.

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Utilities: According to Consolidated Utility District (CUD), there is a 12-inch line to serve this property (See attached map).

Fire Protection: According to information provided by CUD, there is a fire hydrant directly across Lebanon Pike from the property (See attached map).

Stormwater: Portions of the subject properties are 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 for any new development.

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

---

### **Background/Proposal Details**

Proposed Use: The subject property is located along the east side of Lebanon Pike. Portions of Parcel 8.00 are already zoned and used for commercial purposes. The commercial activities have expanded to areas zoned for residential purposes. In order to expand the business to these areas, the property should be zoned commercially. After speaking with the applicant, it was agreed that zoning the portions he currently uses would be the best course of action. The applicant is also proposing to zone his existing residence on Parcel 35.00 as commercial. The existing residential use of the property will become grandfathered if the application is approved.

Access & Parking: Access to the property will continue to be from existing access drives onto Lebanon Pike. Any new access points would need to be reviewed by County and TDOT Staff. Since no new development is being proposed at this time, the existing parking areas will remain in their current condition. Any new parking areas would have to be designed to the standards of the County Zoning Ordinance and shown on an engineered site plan.

Landscaping: New development would be required to install a Type 2 buffer adjacent to residentially zoned properties. The proposed areas are partially surrounded by commercially zoned property, so additional buffering would be minimal. Any new parking areas would also have to be landscaped according to the provisions of 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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### **Staff Recommendation**

There are no development intentions with the request. The applicant is requesting to zone areas already used for commercial purposes. The request is also consistent with the Comprehensive Plan. For these reasons, Staff recommends approval.

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**Attachments**

Zoning Map

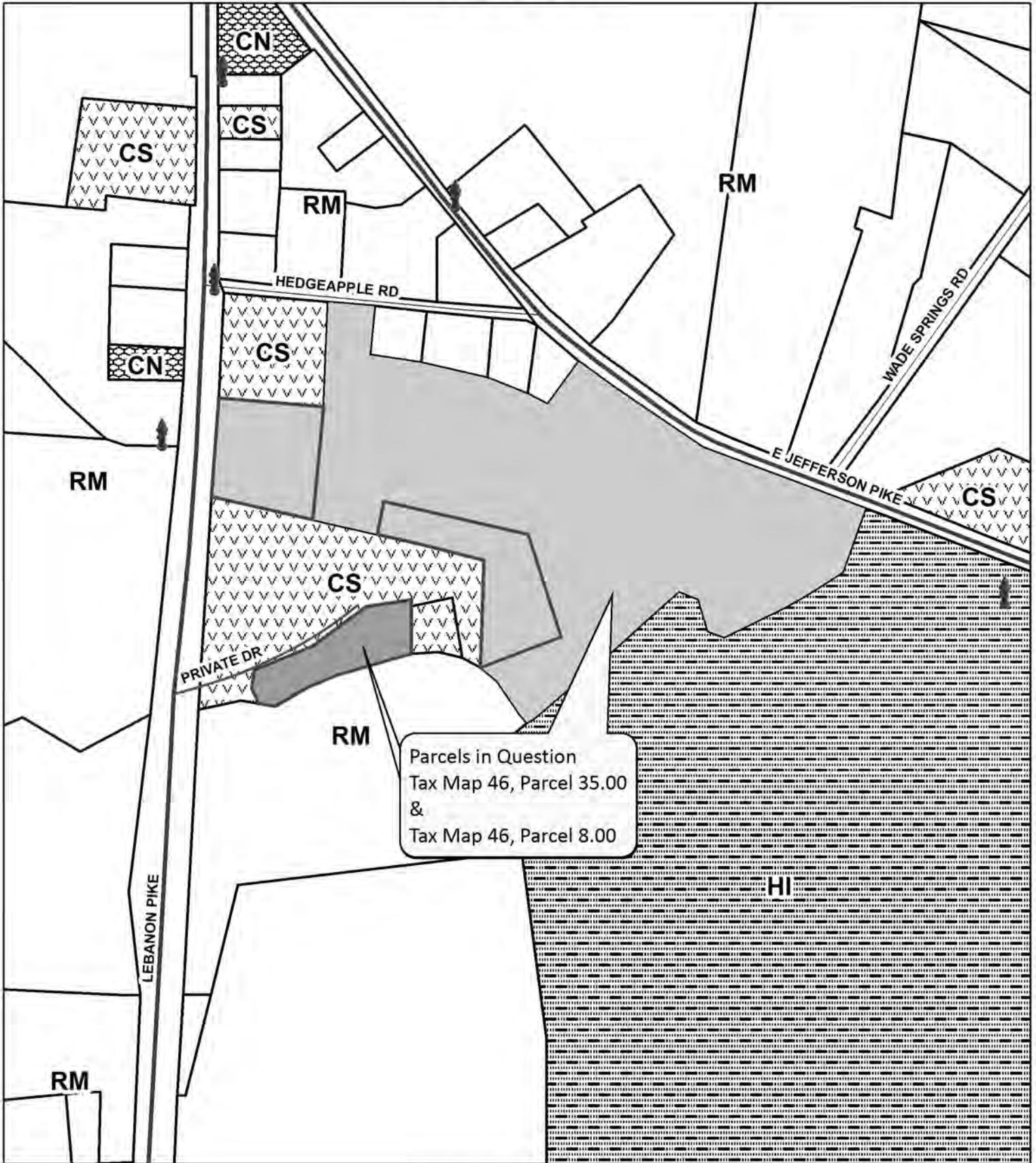
Aerial Map

CUD Water Lines Map

Applicant's submittal materials

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# 15-A002



0 100 200 400 600 800 Feet

-  CN - Commercial Neighborhood
-  CS - Commercial Service
-  HI - Heavy Industrial
-  RM - Medium Density Residential

### Parcels in Question

-  046 00800
-  046 03500

# 15-A002



Source: Esri, DigitalGlobe, GeoEye, i-loubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



 Areas seeking Rezoning

### Parcels in Question

-  046 00800
-  046 03500

0 100 200 400 600 800 Feet

# Rezoning Request / 5636 Lebanon Pike Tax Map 46, Parcels 8.00 & 35.00



Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

Date: 12/18/2014

Prepared by: JLW



December 12, 2014

Mr. Doug Demosi, Planning Director  
Rutherford County Regional Planning Commission  
One Public Square  
Murfreesboro, Tennessee 37130

Re: Rezoning Request

Described as a portion of Tax Map 46 Parcel 80.0 and 35.0, consisting of 27.40 ac. and 1.62ac. respectively (As shown in exhibit).

Dear Mr. Demosi:

On behalf of our client, Mr. Frank Bauer, we hereby request the rezoning of the properties identified by Tax Map 46 and Parcel 80.0 and 35.0 consisting of a combined 29 acres from RM to Commercial Services. Mr. Bauer currently lives on the 1.62 acres and currently has no development plans associated with the rezoning effort.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,

Huddleston-Steele Engineering, Inc.



Clyde Rountree, RLA

# Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: January 12, 2015

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Case Number: 15-A003

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Staff Recommendation: **NEUTRAL**

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Request by: Stuart Conway  
Property Address: 5940 Burnt Knob Road  
Commission District: 9 – Joe Gourley  
Urban Growth Boundary: Murfreesboro UGB

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## Applicant Request

Rezoning from Residential Medium-Density (RM) to Light Industrial (LI)

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## Purpose of District

This class of district is intended to provide space for a range of industrial and related uses that conform to a high level of performance standards and have the least objectionable characteristics. It is required that all operations of such establishments with the exception of limited outdoor storage be carried on within completely enclosed buildings thus providing a standard of development which removes most adverse characteristics that affect neighboring properties. These districts may provide a buffer between other districts and other industrial activities that have more objectionable influences. New residential activities except for those permitted as an accessory use are excluded, and community facilities and commercial establishments that provide needed services for industry and are complementary thereto are permitted.

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## Site Characteristics

Current Zoning: RM  
Current Use: Vacant  
Adjacent Uses: Rock quarry to the north. Entrance to the rock quarry to the east. Vacant land on other sides.  
Adjacent Zoning: RM on all sides  
Size of Tract: Approximately 7.4 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 residential uses at densities of up to three (3) residential units per acre and non-residential densities of .2 Floor/Area Ratio (FAR).

### Proposal supported by Comprehensive Plan

Staff feels that the Comprehensive Plan is neutral on this issue. While the area is predominantly zoned RM, the property is located immediately to the south of an existing rock quarry that has been in existence since the 1980's. It is unlikely that the subject property will ever develop as a single-family residence.

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## Infrastructure

**Roads:** The property is located along Burnt Knob Road. The closest traffic count to the subject property is located approximately one and a half miles to the east of the property along Burnt Knob Road that shows a 2013 count of 2,547 trips per day.

**Utilities:** According to Consolidated Utility District (CUD), there is no water service to this property. The line ends approximately one quarter mile to the west (See attached map).

**Fire Protection:** According to information provided by CUD, there are no fire hydrants located within 1,000 feet of the subject property. Staff has had conversations with the Fire Chief who recommends that fire walls be incorporated into the design of the buildings if this application is 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 for any new improvements. This is especially the case with this property, as there is a significant amount of slope.

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

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## Background/Proposal Details

**Proposed Use:** The subject property is located on the northern side of Burnt Knob Road. The property is adjacent to the Rogers Group Quarry that has been in operation since the 1980's, albeit under different ownership during some of that time. The applicant is requesting to rezone the property to Light Industrial (LI) in order to construct mini-warehouses on the property.

A concept plan has been included with your agenda materials. The plan shows a total of seven (7) buildings with a total area of 46,000 square feet. The facility will not have an office or manager's apartment. The plan also shows a 50-foot TVA easement along the front of the property. Staff has contacted TVA to verify the size of location of the easement.

Section 1103 C.3. contains regulations for all mini warehouse uses. These standards include:

- a. There shall be provided along the entire site boundaries fencing, screening, and landscaping in accordance with Section 1104. When the outdoor storage of boats, campers and trailers is to be accommodated on the site, the fencing and screening heights shall be increased to completely screen from public view the
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boats, campers and trailers.

- b. The use of buildings in which the exterior facade is of one hundred (100) percent metal construction shall be prohibited with the buildings which face a street having a minimum of fifty (50) percent brick or stone;
- c. No individual storage unit may be used for sleeping or housekeeping, any business operation or for music and band operations.
- d. All buildings shall be separated by a minimum of twenty (20) feet;
- e. The setback for such activities shall be a minimum of sixty-five (65) feet;
- f. An apartment on site may be permitted for security purposes;
- g. The maximum size of an individual storage unit shall be five hundred (500) square feet;
- h. The facilities shall be designed to discourage the use by and generation of heavy or semi-truck vehicles.

If the property develops as a mini warehouse facility, these standards will apply.

The property has a significant amount of slope, which runs towards Burnt Knob Road. Although a drainage plan is not required at the rezoning stage, Staff has alerted the applicant to the possible design challenges that this type of topography may pose. Staff has also spoken with the Fire Chief in regards to the lack of water in the area. The Fire Chief feels that if the rezoning is approved, the proposed buildings should be designed incorporating fire walls.

Staff has also had conversations with the applicant regarding the proposed zoning of the property. The applicant is seeking LI so that he will not need special exception approval from the Board of Zoning Appeals (Mini warehouses are allowed by right in the LI zone). The Planning Commission will need to determine whether or not they are comfortable with the range of uses permitted in the LI zone as opposed to one of the commercial, or even Office Professional, zone.

**Landscaping:** If the rezoning application is approved, a Type 3 buffer would be required to be installed along all sides. This could be accomplished through the use of plantings and/or solid visual screens and plantings. Existing plantings can be counted towards this requirement.

**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 Recommendation**

Although the Comprehensive Plan is neutral on this application, Staff does feel that the subject property will not be developed as a single-family home. Staff will maintain a neutral recommendation at this point until the Planning Commission has had an opportunity to discuss the appropriateness of the zoning classification requested.

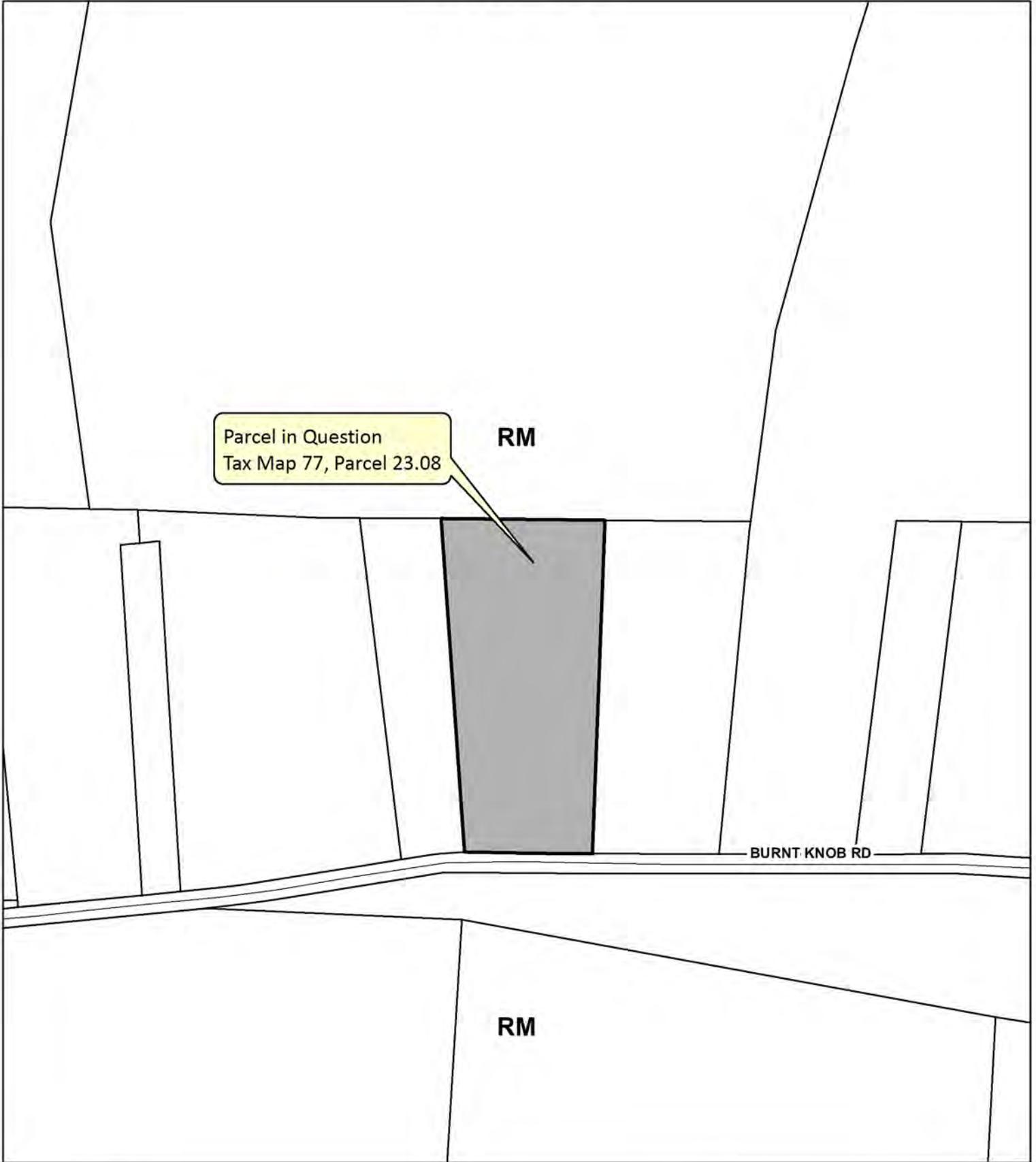
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**Attachments**

Zoning Map  
Aerial Map  
CUD Water Lines Map  
Applicant's concept plan

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# 15-A003



Parcel in Question  
Tax Map 77, Parcel 23.08

RM

BURNT KNOB RD

RM

RM RM - Medium Density Residential

 IN QUESTION



0 50 100 200 300 400 Feet

# 15-A003



Parcel in Question  
Tax Map 77, Parcel 23.08

RM

BURNT KNOB RD

RM

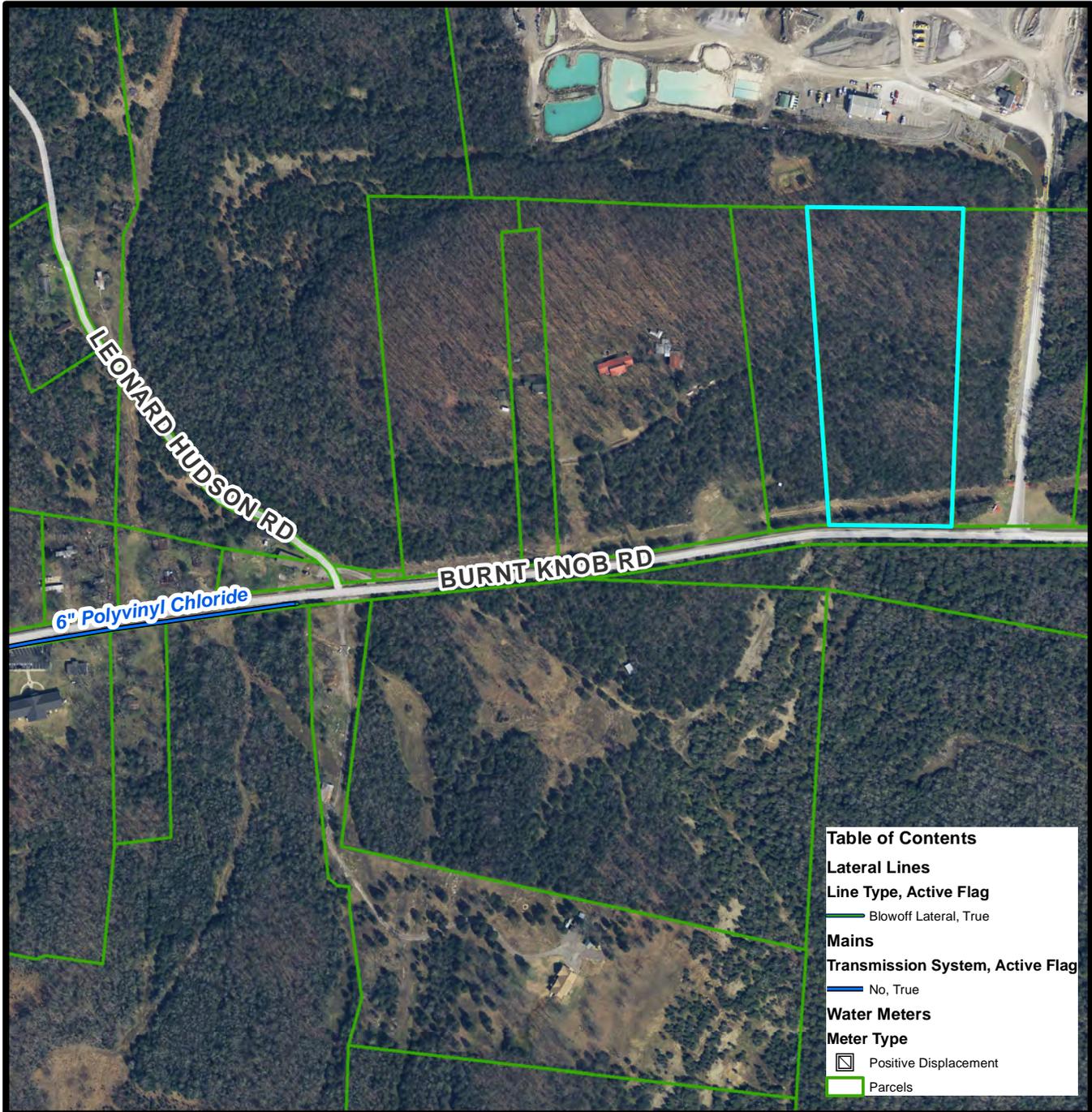
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



 IN QUESTION

0 50 100 200 300 400 Feet

# Rezoning Request / 5940 Burnt Knob Rd. Tax Map 77, Parcel 23.08

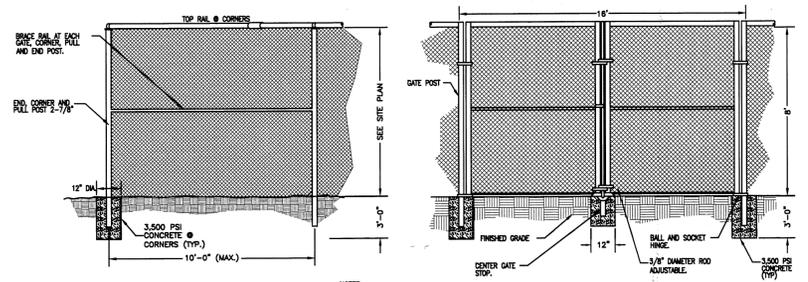
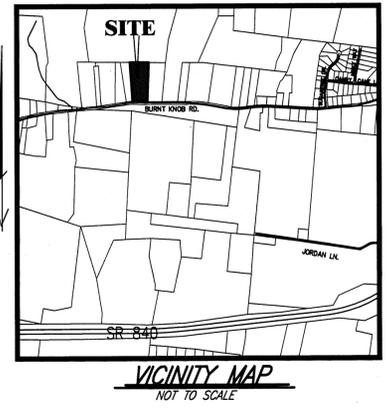
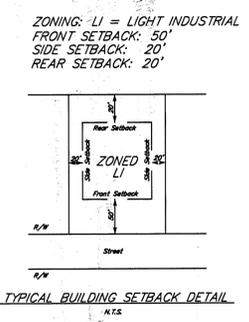
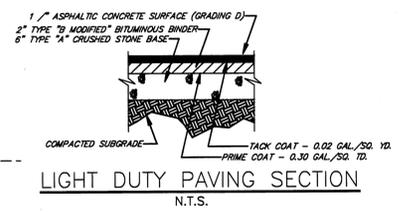
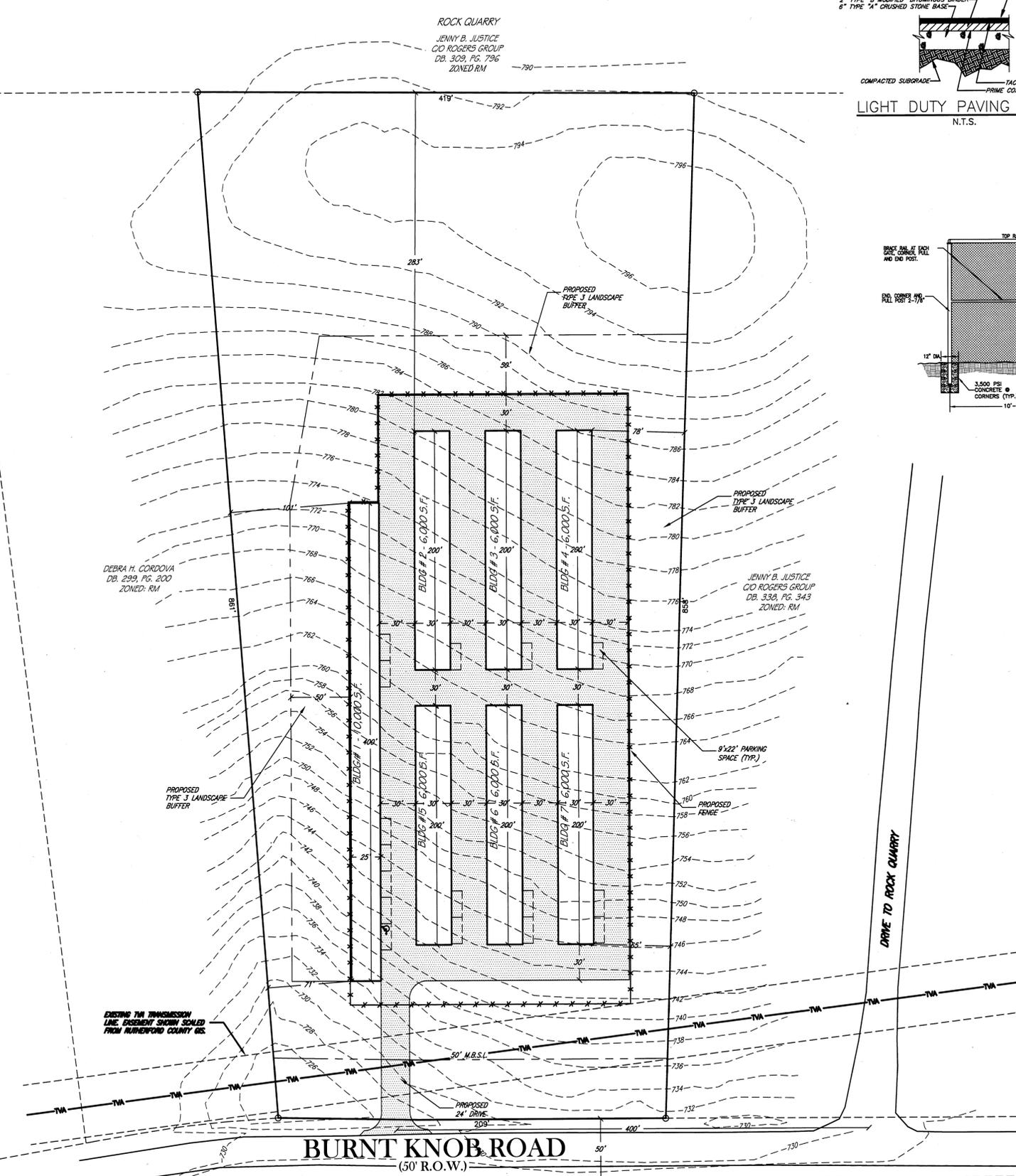


Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

Date: 12/18/2014

Prepared by: JLW

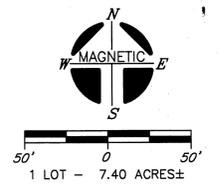




NOTES:  
 1. PROVIDE POSITIVE TYPE LATCHING DEVICE WITH PROVISIONS FOR PAULSON CENTER PULLER ROD, CATCH AND SEM-AUTOMATIC OUTER GATES.

**CHAIN-LINK FENCE & GATE**

**SITE DATA:**  
 PROPOSED USE: SELF STORAGE  
 EXISTING ZONING: RM (RESIDENTIAL MEDIUM DENSITY)  
 PROPOSED ZONING: LI (LIGHT INDUSTRIAL)  
 LOT SIZE: 7.40 AC ±  
 PROPOSED BUILDING AREA: 46,000 SQ. FT.  
 PAVED AREA: 70,266 SQ. FT.  
 LOT COVERAGE: 116,266 / 322,344 = 36.07 %  
 30' PROVIDED BETWEEN ALL BUILDINGS TO ALLOW FOR PARKING  
 PARKING REQUIRED: 1 SPACE PER 20 STORAGE STALLS = 14 SPACES  
 PROVIDED 1 H.C. SPACE AND 15 SPACES (280+ STORAGE STALLS)



DEVELOPER: STUART CONWAY  
 ADDRESS: 3422 LAWNCREST COVE  
 MURFREESBORO, TN 37129  
 TAX MAP: 77, PARCEL: 23.08  
 RECORD BOOK 1310, PG 2949

FLOOD MAP PANEL: 47149C0119H  
 FLOOD MAP DATED: JANUARY 5th, 2007  
 ZONES: X

FLOOD MAP PANEL: 47149C0118J  
 FLOOD MAP DATED: OCTOBER 16th, 2008  
 ZONES: X

TOPOGRAPHIC INFORMATION SHOWN TAKEN FROM RUTHERFORD COUNTY GIS.

- PLAT NOTES**
- In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
  - Underground utilities shown were located using available above-ground evidence, and also from information obtained from the respective utility companies. The existence or non-existence of the utilities shown and any other utilities which may be present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
  - Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
  - Public utility and drainage easements where shown herein are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways; including, but not limited to, sanitary sewers, forcemains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines. Easements in the subdivision may not have infrastructure constructed within them until some future time and there may be no notice or consultation with the individual lot owners of this construction.
  - Subject property and all surrounding property are Zoned "RM" per the Rutherford County Regional Planning Commission.
  - The applicable zoning ordinance allows for an alternate setback of 1/2 times the required side yard setback (30') for one street frontage on corner lots provided a rear setback is provided opposite the normal front setback on the other street frontage.
  - Contact Consolidated Utility District for water line design, including water line sizes and fire hydrant locations. Water service, connection and fire protection are provided by C.U.D. All main water line taps are to be made by C.U.D. The owner/developer for budget purposes should contact C.U.D. for related fees to project which may be substantial. Contact Jennifer Wood with C.U.D. (615-225-3311) for water meter specifications. The developer must post bond, \$2,000 or \$250 for each valve box (whichever is greater), whenever the subject project has valve boxes that are located within pavement upon completion of the proposed water system extension.

**LEGEND**

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

NO.	DATE	DESCRIPTION
1	12-12-14	ORIGINAL ISSUE

WILLIAM H. HUDDLESTON  
 REGISTERED ENGINEER  
 STATE OF TENNESSEE  
 No. 1600

WILLIAM H. HUDDLESTON  
 REGISTERED ENGINEER  
 STATE OF TENNESSEE  
 No. 1600

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

CONCEPT PLAN  
**BURNT KNOB**  
 SELF STORAGE  
 MURFREESBORO, TN  
 7th CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

DATE: DECEMBER, 2014 SCALE: 1" = 50' SH. 1 OF 1

PROJECT: BURNT KNOB SELF STORAGE (W) BURNT KNOB GCS BASE (W) CONCEPT PLAN, 12/12/2014 11:05:10 AM, A:\CADD\03\ACADD03