Rutherford County Regional Planning Commission

Agenda – 10-12-15 – 6:00 PM

Historic County Courthouse – 2nd Floor

I. CALL TO ORDER
II. PRAYER/PLEDGE OF ALLEGIANCE
III. ROLL CALL/DETERMINATION OF QUORUM
IV. APPROVAL OF THE MINUTES FOR SEPTEMBER 28, 2015
V. ITEMS WITHDRAWN/DEFERRED
VI. NEW BUSINESS

A. SUBMITTED FOR SITE PLAN APPROVAL

1. **True Gospel (Revisions) (15-3011) – New construction of 3,865 square feet of Small Community Assembly space (Religious Facility) on 3.62 acres, zoned RM, located along West Jefferson Pike, True Gospel Missionary Baptist Church applicant**

B. REZONING REQUESTS/PUBLIC HEARINGS

1. **Caldwell Lucas – Grove Park Land Company (15-A010)**
   Location: Lebanon Pike/Cutoff Road
   Commissioner: Steve Pearcy
   Size of Site: Approximately 80 acres
   Tax Map: 24, Parcels: 50.00, 52.00 and 90.00
   Existing Zoning: Residential Medium-Density (RM)
   Proposed Zoning: Planned Unit Development (PUD)

2. **Brenda Benz (15-A011)**
   Location: Manchester Pike
   Commissioner: Joe Frank Jernigan
   Size of Site: Approximately 83 acres
   Tax Map: 156, Parcel: 21.02
   Existing Zoning: Residential Medium-Density (RM)
   Proposed Zoning: Employment and Activity Center (EAC)

VII. OLD BUSINESS
VIII. STAFF REPORTS/OTHER BUSINESS
IX. ADJOURNMENT

Rutherford County Regional Planning Commission
October 12, 2015 Staff Comments

Plat/Plan Name: **True Gospel (Revisions) (15-3011)**
Request: **Site Plan Approval**
Site Details: **New construction of 3,865 square feet of Small Community Assembly space (Religious Facility) on 3.62 acres, zoned RM**
Applicant: **True Gospel Missionary Baptist Church**
Property Location: **West Jefferson Pike**

The subject property is located on the south side of West Jefferson Pike. The site plan was originally approved by the Planning Commission at their April 27, 2015 meeting. Since that time, the church has decided to move the building further back on the lot and to rearrange the parking on the property. These changes were more than what Staff could approve administratively, so the revised site plan is being brought back for Planning Commission consideration.

The Planning Commission discussed some drainage concerns during the September 28, 2015 meeting. The Planning Commission deferred the application to allow the applicant and Staff an opportunity to address the outstanding issues with the grading and drainage plan. Staff will give an update at the meeting.

CERTIFICATE OF WATER

I hereby certify that the subdivision plat entitled SITE PLAN, TRUE GOSPEL 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.

_____, 2015
Date

_____
MANAGER, CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY

CERTIFICATE OF ELECTRICAL SERVICE

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, and in accordance with the plat approval checklist, tree planting guidelines and other regulations contained in the MTEMC website at 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 compliance with MTEMC's Requirements.

_____, 2015
Date

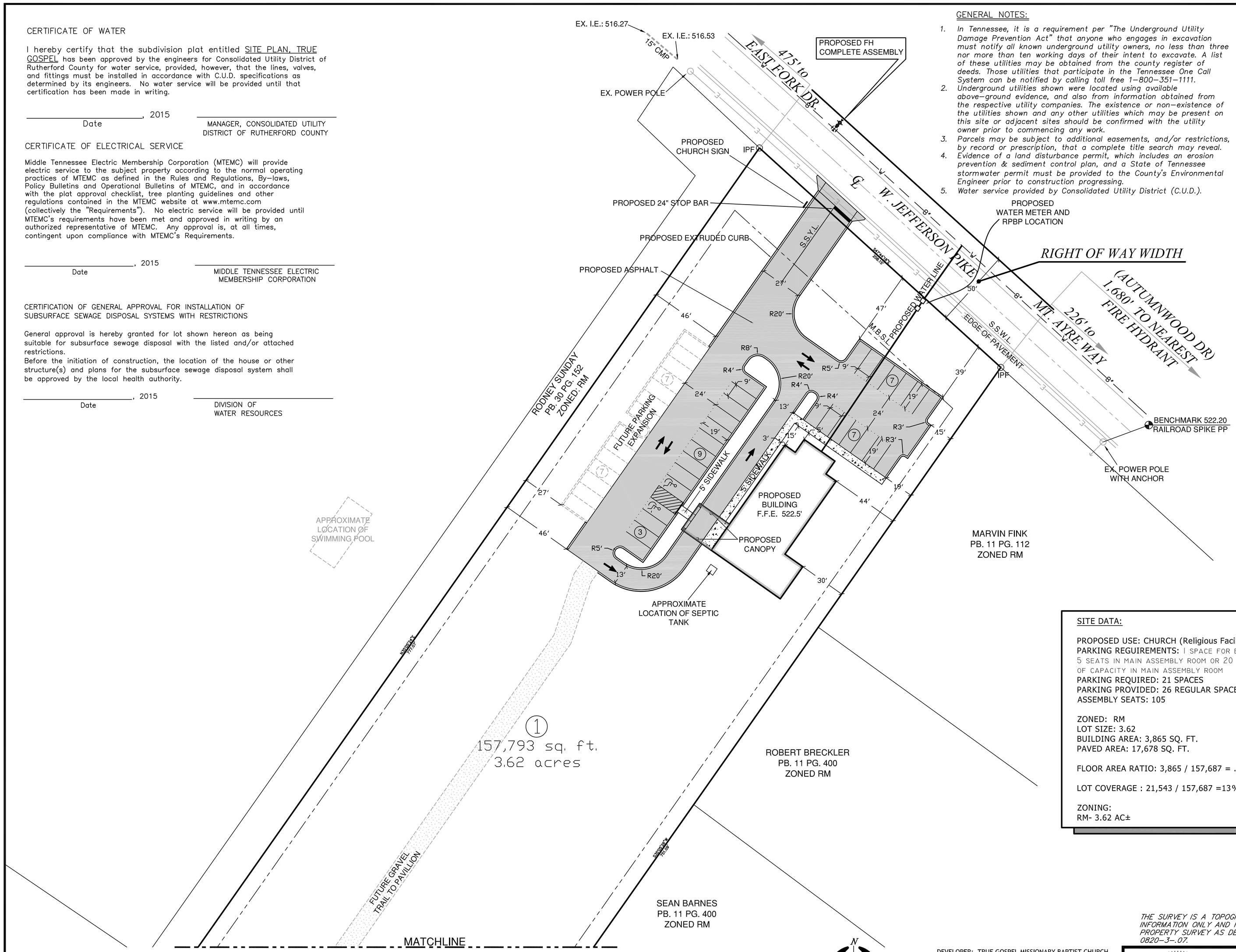
_____
MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION

CERTIFICATION OF GENERAL APPROVAL FOR INSTALLATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITH RESTRICTIONS

General approval is hereby granted for lot shown 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 local health authority.

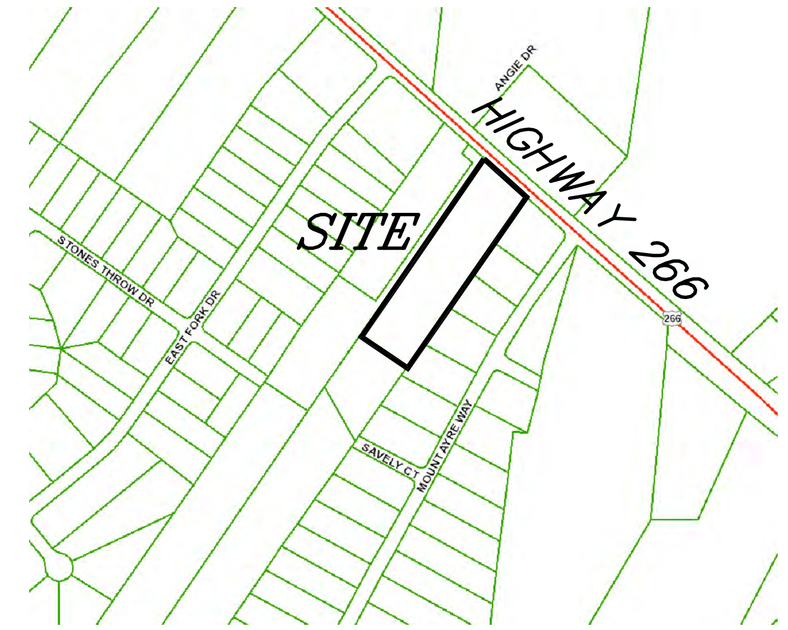
_____, 2015
Date

_____
DIVISION OF WATER RESOURCES

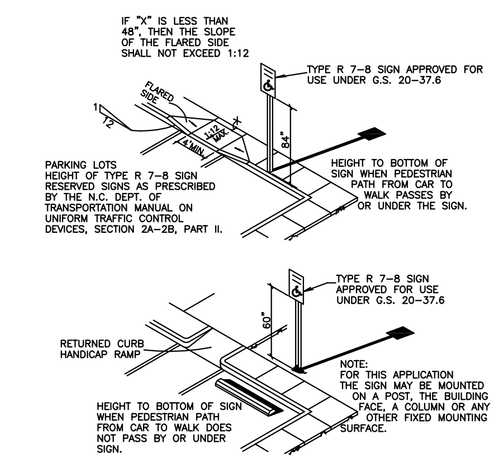


GENERAL NOTES:

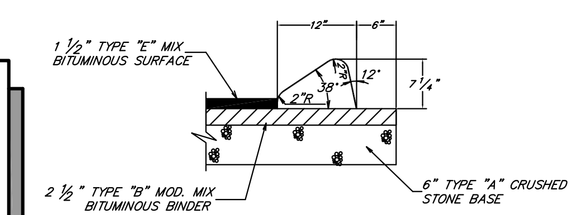
1. *In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from 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.*
2. *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.*
3. *Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.*
4. *Evidence of a land disturbance permit, which includes an erosion prevention & sediment control plan, and a State of Tennessee stormwater permit must be provided to the County's Environmental Engineer prior to construction progressing.*
5. *Water service provided by Consolidated Utility District (C.U.D.).*



LOCATION MAP
N.T.S.



H.C. SIGN AND RAMP DETAILS
N.T.S.



EXTRUDED MOUNTABLE CONCRETE CURB
N.T.S.

SITE DATA:

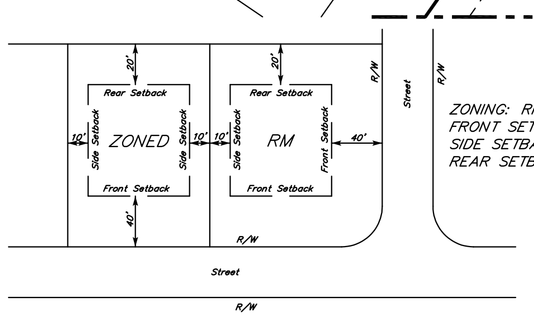
PROPOSED USE: CHURCH (Religious Facilities)
PARKING REQUIREMENTS: 1 SPACE FOR EACH 5 SEATS IN MAIN ASSEMBLY ROOM OR 20 PERCENT OF CAPACITY IN MAIN ASSEMBLY ROOM
PARKING REQUIRED: 21 SPACES
PARKING PROVIDED: 26 REGULAR SPACES + 2 H.C. SPACES
ASSEMBLY SEATS: 105

ZONED: RM
LOT SIZE: 3.62
BUILDING AREA: 3,865 SQ. FT.
PAVED AREA: 17,678 SQ. FT.

FLOOR AREA RATIO: 3,865 / 157,687 = .02%

LOT COVERAGE : 21,543 / 157,687 =13%

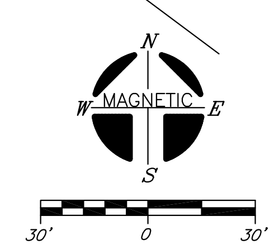
ZONING:
RM- 3.62 AC±



ZONING: RM
FRONT SETBACK: 40'
SIDE SETBACK: 10'
REAR SETBACK: 20'

NOTE:
OWNER TO PROVIDE AS-BUILT FOR ALL STORMWATER AND PUBLIC INFRASTRUCTURE AS REQUIRED BY RUTHERFORD COUNTY ENGINEERING DEPT.

NOTE:
IN ACCORDANCE TO RUTHERFORD COUNTY'S SUBDIVISION REGULATIONS, ARTICLE IV, SECTION B 5, RUTHERFORD COUNTY ENGINEERING MUST APPROVE AS-BUILT DRAWINGS PRIOR TO ISSUANCE OF THE FINAL CERTIFICATION OF OCCUPANCY.



1 LOT 3.62 AC±

DEVELOPER: TRUE GOSPEL MISSIONARY BAPTIST CHURCH

ADDRESS: PO BOX 11592
MURFREESBORO, TN 37129

TAX MAP: 25 PART OF PARCEL: 18.05

NOTE: THIS PARCEL IS SUBJECT TO ALL EASEMENTS AS SHOWN AND ANY OTHER EASEMENTS AND/OR RESTRICTIONS EITHER RECORDED OR BY PRESCRIPTION THAT A COMPLETE TITLE SEARCH MAY REVEAL.

A PORTION OF THIS PROPERTY IS INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD AREA" ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD MAP PANEL: 47149C0132H ZONE: X
DATED: JAN. 05, 2007

THE SURVEY IS A TOPOGRAPHIC SURVEY FOR INFORMATION ONLY AND IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-.07.

WILLIAM H. HUDDLESTON IV
REGISTERED LAND SURVEYOR
AGRICULTURE
CIVIL
COMMERCE
TENNESSEE No. 1630

WILLIAM H. HUDDLESTON
REGISTERED ENGINEER
AGRICULTURE
CIVIL
COMMERCE
CERTIFICATE No. 102893
STATE OF TENNESSEE

HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE : (615)893 - 4084, FAX: (615)893 - 0080

#	DATE	REVISION DESCRIPTION
1	4-10-15	ORIGINAL ISSUE
2	9-8-15	REVISED SITE LAYOUT
3	9-22-15	ADDRESSED STAFF COMMENTS

SITE PLAN

TRUE GOSPEL

13TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

DATE: APRIL, 2015 | SCALE 1"=30' | SH. 3 OF 5

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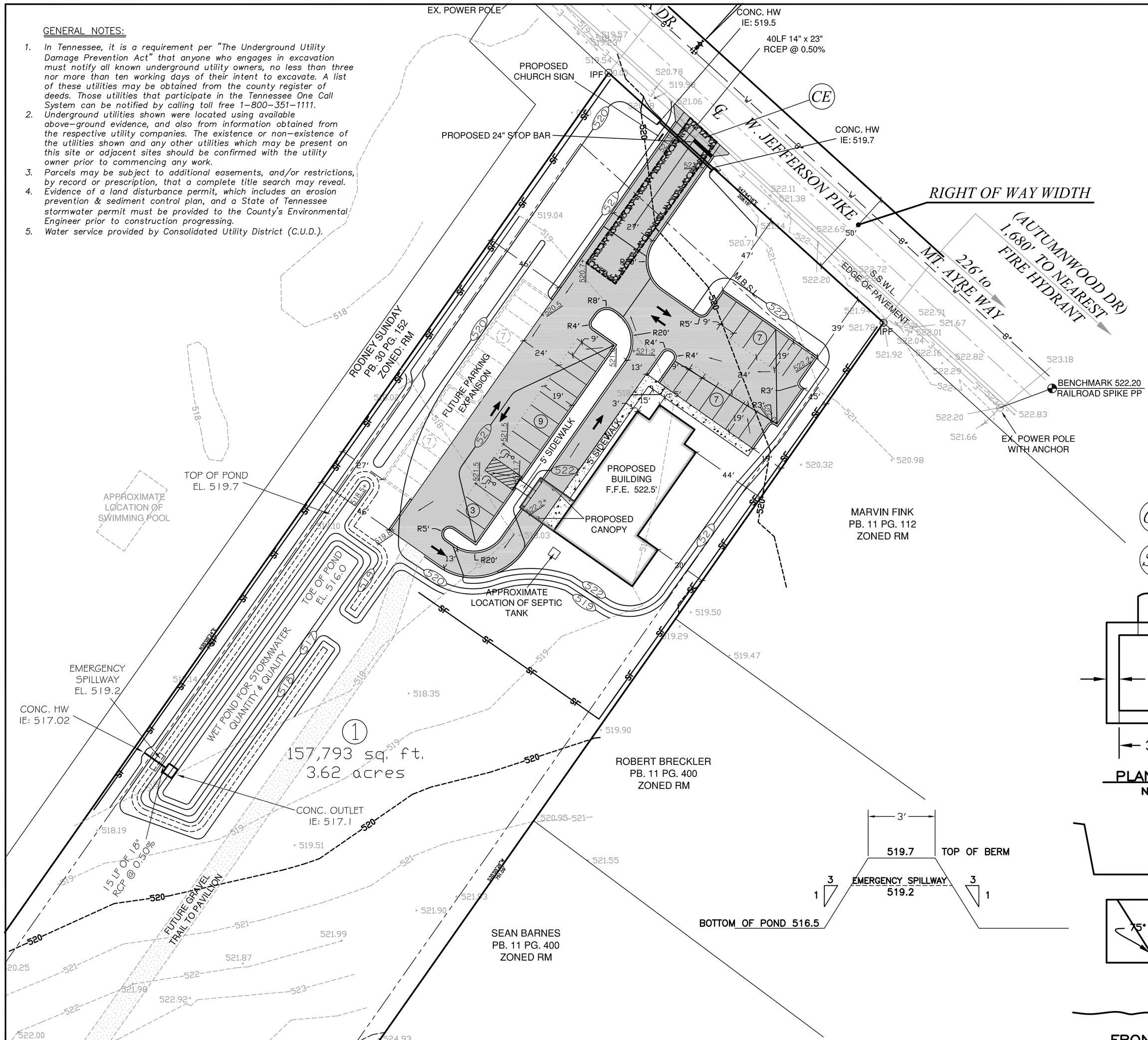
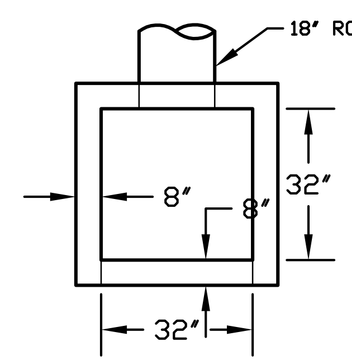


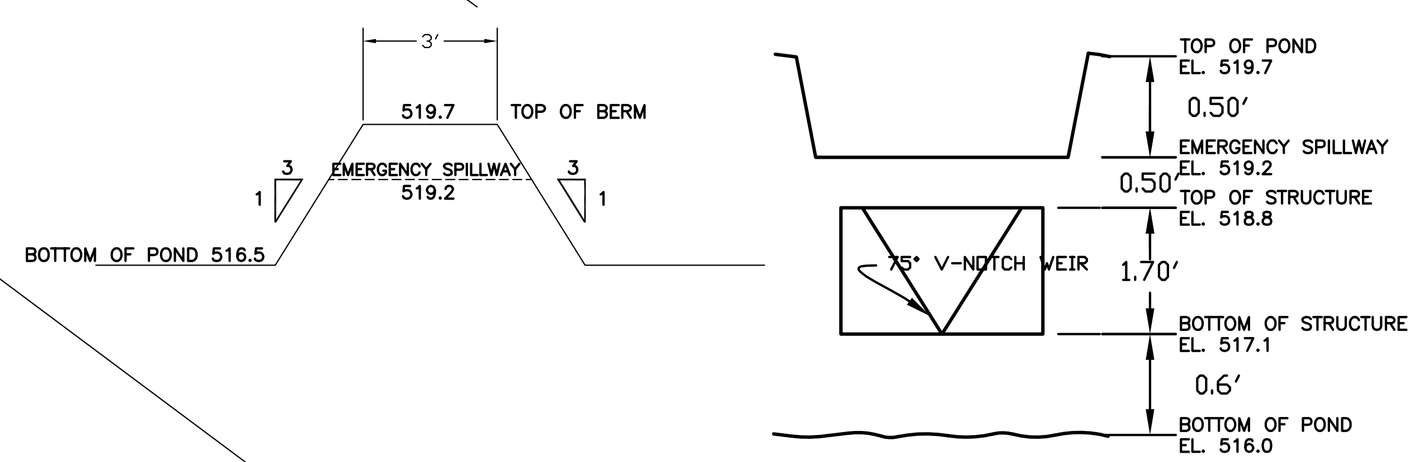
LOCATION MAP
N.T.S.

LEGEND

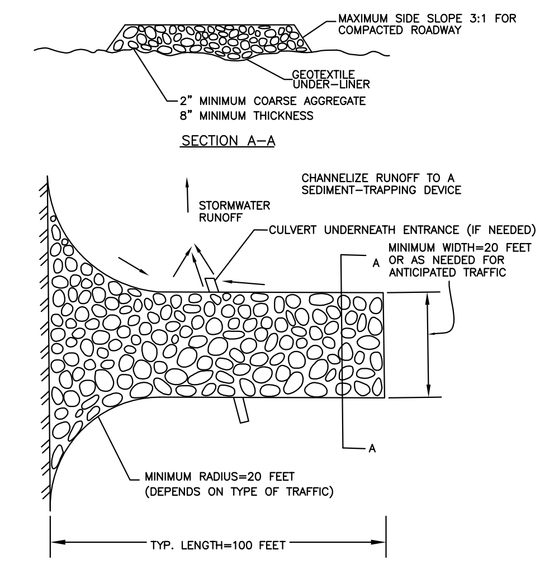
CE	CONSTRUCTION EXIT
SF	SILT FENCE



PLAN VIEW
N.T.S.



FRONT VIEW
N.T.S.



CONSTRUCTION EXIT
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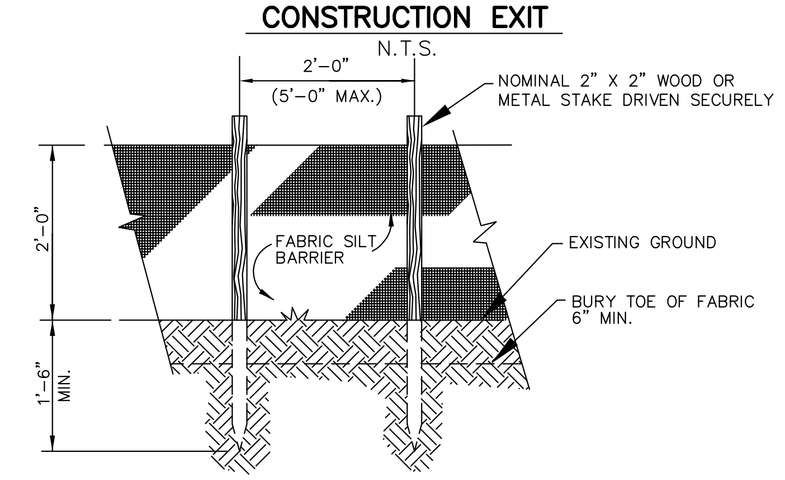

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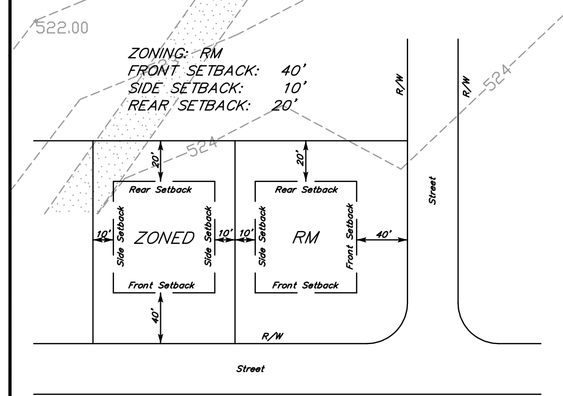

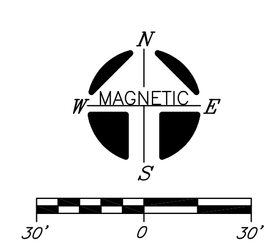

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2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE : (615)893 - 4084, FAX: (615)893 - 0080

GRADING AND DRAINAGE PLAN

TRUE GOSPEL

13TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

DATE: APRIL, 2015 | SCALE 1"=30' | SH. 4 OF 5

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Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: October 12, 2015

Case Number:	15-A010
Staff Recommendation:	**RESERVED**
Request by:	Caldwell Lucas – Grove Park Land Company
Property Address:	Lebanon Pike and Cutoff Road
Commission District:	2 – Steve Pearcy
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: Parcel 50.00 is developed with a single-family dwelling unit and accessory structures. Parcel 90.00 is undeveloped. Parcel 52.00 is identified as a cemetery according to County Assessment records

Adjacent Uses: Single-family residential uses to the west (Harvest Wood Subdivision), south (Roanoke and Tenpenny Subdivisions, along with several smaller subdivisions), vacant land to the north, vacant land and a small commercial business (Dutch barn sales) across Lebanon Pike to the east

Adjacent Zoning: RM to the west, north and south. RL and CN across Lebanon Pike to the east

Size of Tract: Approximately 80 acres

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 approximately 2.3 units per acre. Lebanon Pike is classified as an Urban Corridor by the Plan, which recommends non-residential uses at a density of 10 units per acre and 0.9 Floor/Area Ratio for non-residential uses.

Proposal supported by Comprehensive Plan

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

Infrastructure

Roads: The properties have frontage along both Lebanon Pike and Cutoff Road. Staff has asked the applicant to submit a revised traffic study due to the amount of traffic that this

development could generate. There are two traffic counts within about two miles of the property. The first count, located about a mile and a half to the north of the property along Lebanon Pike, shows a 2014 traffic count of 4,202 vehicle trips per day. The second count, located approximately two miles to the south of the property along Lebanon Pike, shows a 2014 traffic count of 8,439 vehicles per day. Staff feels that improvements will be needed to facilitate traffic in this area. Cutoff Road is also shown as having safety improvements according to the County's Long Range Transportation Plan.

Utilities: According to the Consolidated Utility District (CUD), there is a 6-inch water line and a 20-inch line available to serve the property. The applicant has submitted an updated Water Service Availability Request Form to CUD, which Staff hopes to have by the meeting. The original request was only for 100 residential lots and no commercial area.

The development will be served by a STEP system that would be owned, operated and maintained by CUD. Electric service will be provided by MTEMC.

Fire Protection: There is an existing fire hydrant located at the intersection of Lebanon Pike and Cutoff Road. Additional hydrants will need to be installed consistent with County and CUD regulations.

Stormwater: There does not appear to be any 100-year floodplain issues on the subject properties, as delineated by the Federal Emergency Management Agency (FEMA). That being said, there is a creek that runs through the northwest portion of the properties in question, so Staff does have concerns about drainage. 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: The revised concept plan has been sent to the Rutherford County Schools Central Office. Wilson Elementary School is located approximately a mile to the west of the subject properties. Staff had not received any comments prior to these comments being distributed. Any comments will be relayed to the Planning Commission at the meeting.

Background/Proposal Details

Proposed Use: The subject properties are located at the northwest corner of the intersection of Lebanon Road and Cutoff Road. The applicant is proposing a residential-only PUD that includes 183 single-family units. The maximum number of units in the RM district for 80 acres would be 232 lots, although Staff is doubtful that this many lots could be accommodated on the property considering the soils areas needed for septic tanks, roads, drainage ponds and easements, etc. The PUD pattern book is included with your agenda materials.

A neighborhood meeting was held by the developer prior to the July 13, 2015 Planning Commission (PC) meeting. After hearing the comments from the neighbors, the applicants withdrew their request from the July 13, 2015 PC meeting in order to make some modifications to their plan. The applicant asked for a second deferral, as their plans were still not ready for the August 10, 2015 PC meeting and a second neighborhood meeting had not been held. A second neighborhood meeting was held on August 25, 2015. Many of those present were concerned about the commercial element of the plan (Which has been removed), possible traffic improvements, lot size and home size. Revisions were submitted to Staff prior to the September 14, 2015 meeting but the application was ultimately deferred again by the applicant. Since that time, Staff has received an updated traffic study and pattern book. The applicant has also scheduled a third neighborhood meeting for October 5, 2015. Although this item is scheduled for the October 12, 2015 Planning Commission meeting, Staff is not certain if any further changes will be made due to the pending neighborhood meeting.

Access & Parking: Access to the property is shown to be along Cutoff Road. The tie-in to Amberly Street has been removed and an access to Lebanon Pike has been added. Staff has concerns about how this intersection is designed. Staff will have additional comments on this item at the meeting.

Landscaping: Since this is a residential development, there is no required screening from adjacent properties. The pattern book does show a large amount of open space on the property.

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. These standards are not applicable for residential developments.

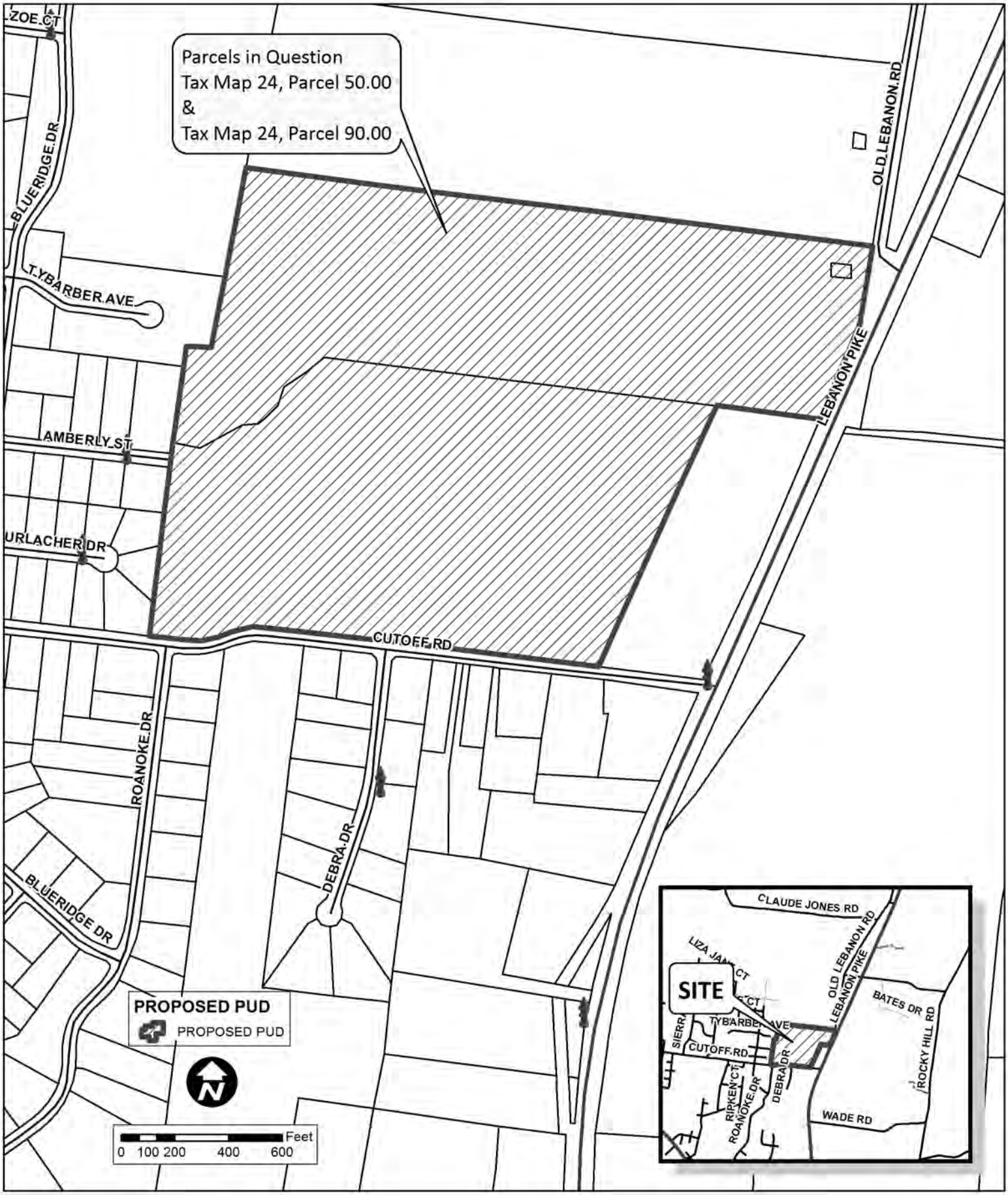
Staff Recommendation

Staff is withholding a recommendation at this time pending the neighborhood meeting on October 5, 2015 and any revised materials that may result.

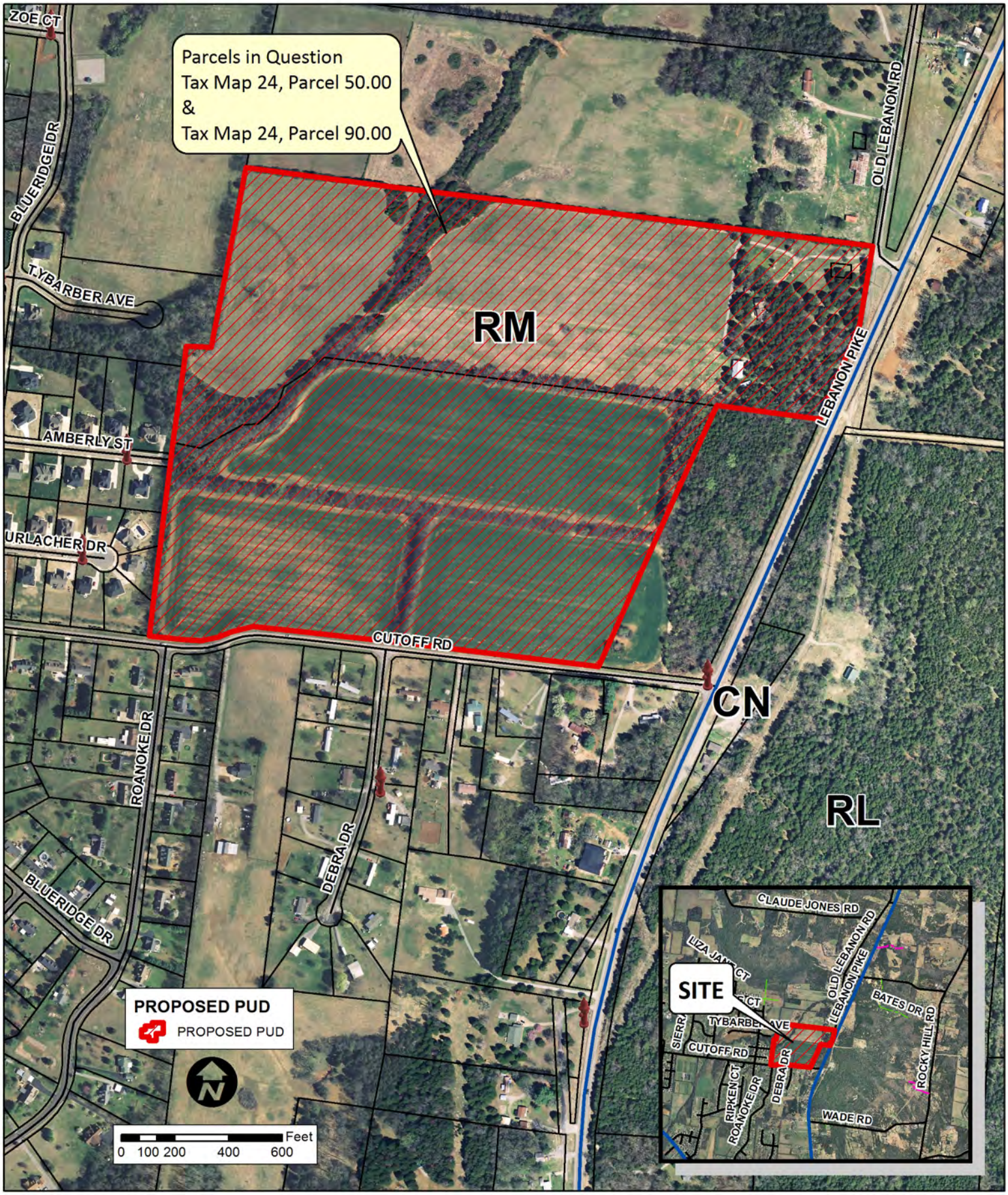
Attachments

Zoning Map
Aerial Map
CUD Water Lines Map
PUD Pattern Book (Separate Attachment)

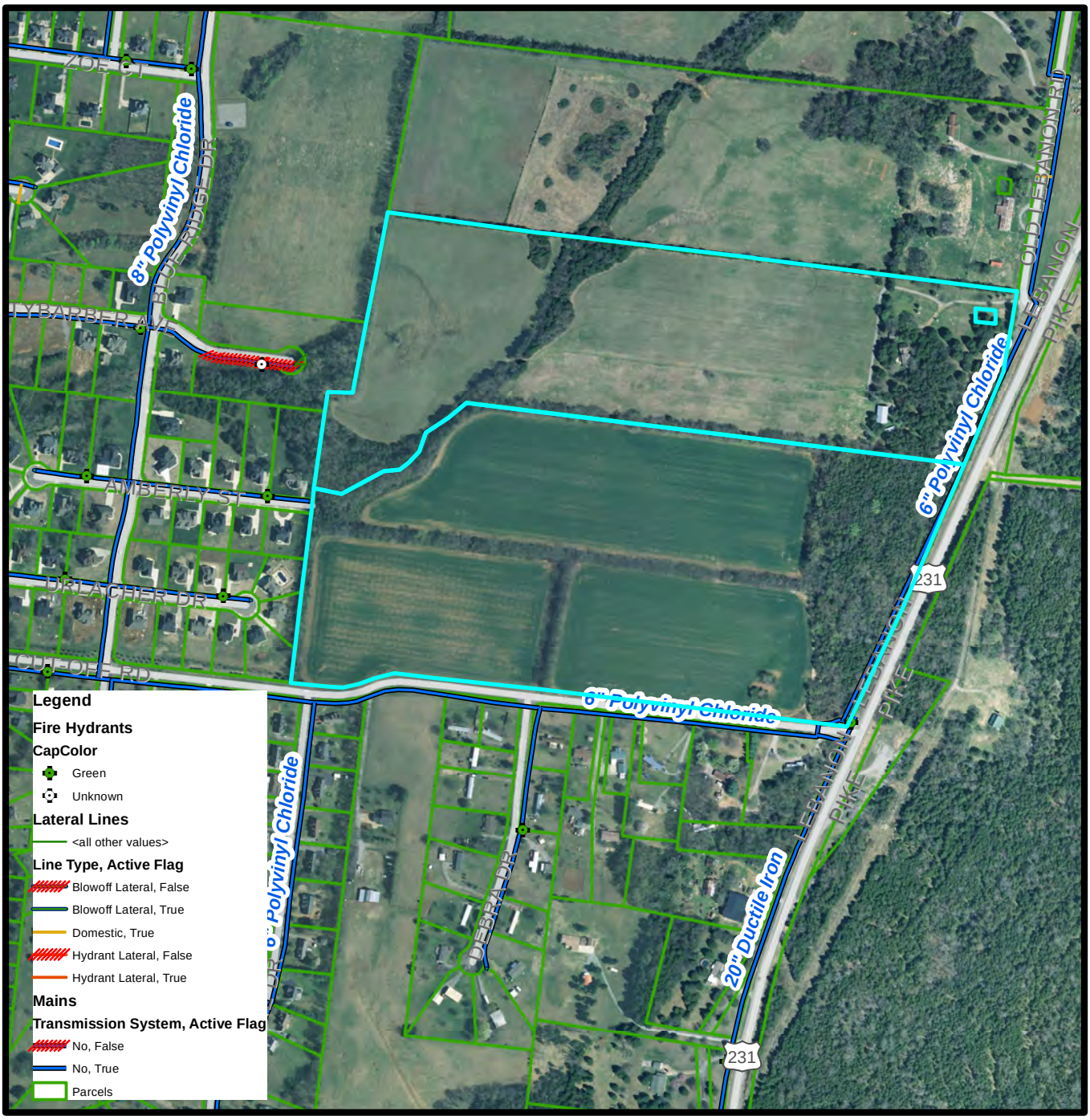
15-A010


Parcels in Question
Tax Map 24, Parcel 50.00
&
Tax Map 24, Parcel 90.00
ZOE CT
BLUERIDGE DR
TYBARBER AVE
AMBERLY ST
URLACHER DR
CUTOFF RD
ROANOKE DR
DEBRA DR
BLUERIDGE DR
OLD LEBANON RD
LEBANON PIKE
PROPOSED PUD
PROPOSED PUD
N
0 100 200 400 600 Feet
CLAUDE JONES RD
OLD LEBANON RD
LEBANON PIKE
SITE
BATES DR
ROCKY HILL RD
TYBARBER AVE
CUTOFF RD
DEBRA DR
RIPKEN CT
ROANOKE DR
WADE RD

15-A010


Parcels in Question
Tax Map 24, Parcel 50.00
&
Tax Map 24, Parcel 90.00
RM
CN
RL
ZOE CT
BLUERIDGE DR
TYBARBER AVE
AMBERLY ST
URLACHER DR
CUTOFF RD
ROANOKE DR
DEBRA DR
BLUERIDGE DR
LEBANON PIKE
OLD LEBANON RD
PROPOSED PUD
PROPOSED PUD
Feet
0 100 200 400 600
SITE
CLAUDE JONES RD
OLD LEBANON RD
LEBANON PIKE
BATES DR
ROCKY HILL RD
TYBARBER AVE
CUTOFF RD
DEBRA DR
RIPKEN CT
ROANOKE DR
WADE RD

Rezoning Request
Cothran Retreat



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: 6/24/2015

Prepared by: JLW

N
W E
S

N.T.S.

CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: October 12, 2015

Case Number:	15-A011
Staff Recommendation:	**APPROVAL**
Request by:	Brenda Benz
Property Address:	8990 Manchester Pike
Commission District:	6 – Joe Frank Jernigan
Urban Growth Boundary:	Rural Area

Applicant Request

Rezoning from Residential Medium-Density (RM) to Employment and Activity Center (EAC)

Purpose of District

The purpose of an EAC District is to provide a more intense mixed-use accommodation of commercial, office, retail, service and industrial uses as well as multi-family residential for a wide market area and a variety of activities. The district is designed to implement the alternative scenario of employment and activity centers as depicted in the adopted comprehensive plan (Section 802 C).

Site Characteristics

Current Zoning: Medium Density Residential (RM)

Current Use: Single Family Residential

Adjacent Uses: Barrett Manufacturing, truck stop and convenience market, general retail to the west. Single-family residential at the intersection of Epps Mill Road and Manchester Pike

Adjacent Zoning: EAC to the west. RM on all other sides

Size of Tract: Approximately 83 acres ***(Approximately 59 acres requested for rezoning)***

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies these properties as being located within the Epps Mill Road Major Employment Center, which is intended to attract a concentration of office, industrial and commercial development.

- Goal statement objective 1.B; "Guide development to create commercial and residential nodes rather than residential sprawl"
- Goal statement 2: "Cultivate an environment attractive to new business investment and retention and expansion of existing businesses"
- Goal statement objective 2.F; "Designate and reserve optimal employment areas from inappropriate development using the Comprehensive Plan"
- Goal statement objective 7.F; "Limit development along roads with an inadequate level of service until funds or improvements to roads are in place"

Proposal supported by Comprehensive Plan

Yes, this proposal would be within the recommended uses for the Employment Center. Establishing appropriate centers for employment opportunities lays the groundwork for

Rutherford County's economic stability in the future. The only concern raised by the plan is allowing untimely development on a road before an improvement plan is in place. Since the plan is intended to be long range in scope, some areas may not have all of the necessary infrastructure available yet.

Infrastructure

Roads: Epps Mill Road is a two-lane collector road with no shoulders that does not have adequate right-of-way. Manchester Pike is a two-lane arterial road with shoulders that does not have adequate right-of-way. The 2014 TDOT traffic count on Epps Mill Road near Forbus Drive was 3,071 vehicles per day. This is an increase from the 2013 count of 2,829 vehicles per day when this application was last considered by the Planning Commission. The 2014 TDOT traffic count a half mile to the north of the Manchester Highway/Epps Mill Road intersection was 3,844 vehicles per day. This is up from the 2013 count of 3,798 vehicles per day.

According to the Nashville Area Metropolitan Planning Organization's list of cost-feasible projects, the improvement of Epps Mill Road is to be completed between FY 2026 to FY 2035. The plan is to widen Epps Mill Road to a 3-lane cross section from Aldridge Drive to Manchester Pike and redesign Exit 89 to better accommodate truck traffic. Huddleston-Steele Engineering also completed a feasibility study of Epps Mill Road in 2011 that shows the need for 80-foot right of way to accommodate a 3 lane road with sidewalks on either side. The total project cost was estimated at $4,004,000, which does not include the Exit 89 interchange.

TDOT has constructed a new access road to the Barrett Manufacturing plant which is located beside the property in question. The road has yet to be named but it is finished and currently in use.

Along with the previous rezoning application submitted for this property, Huddleston Steele completed a Traffic Memorandum for the property on June 11, 2012 to determine if a traffic signal would be warranted at the entrance of the development. The memorandum stated that "the traffic on Epps Mill Road would need to increase two-and-a-half times before a signal could be warranted" at the entrance on Epps Mill Road.

Utilities: Consolidated Utility District has sections of 4" and 6" waterlines on the opposite side of Manchester Highway. The size of the lines will reduce the overall water capacity for these properties and limit the ability to provide fire protection. Any development would be subject to a water availability request being submitted and reviewed for feasibility.

The applicants are proposing that future projects would connect to the 8" sewer main that has been extended along TDOT's new road. The City of Murfreesboro Water and Sewer Department stated that anyone connecting to this main would have to be a small water user, such as a storage/warehouse type business. The 8" main is only able to

handle approximately 177,040 gallons of sewage per day or 123 gallons per minute and there are no plans to increase this capacity. Any project connecting to the sewer will have to meet the Murfreesboro design standards as well as any county standards.

Fire Protection: There are two fire hydrants located at the intersection of Forbus Drive and Epps Mill Road that could be used for fire protection in this area. However, there are no hydrants along Manchester Highway within 1,000 feet of the property and the size of the line and the available pressure will limit the ability to install new ones. Any development will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: No portion of the property is located within the 100-year flood zone, 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

Background: The existing commercial areas around the Epps Mill Road interchange were rezoned to EAC with the adoption of the new Zoning Map on January 1, 2013. The surrounding area is zoned Employment and Activity Center and Medium Density Residential.

A similar application was submitted by the applicant in May of 2012 (12-A008) and February 2013 (13-A005). Both of these requests involved the subject property, as well as additional property to the south. At the June 11, 2012 meeting, the Planning Commission recommended the application be deferred so more information could be provided about infrastructure improvements and additional screening. There were many letters of opposition submitted to the Planning and Engineering Department about this application. Eventually the application was withdrawn before it was heard by the Planning Commission again.

The applicant held a neighborhood meeting on January 17, 2013 at the Whitworth-Buchanan Middle School. The residents voiced concerns about inadequate roads, traffic, views from Manchester Pike and proximity to residential areas. Since the new proposal is only for Ms. Benz's property, the proximity to the Horseshoe Downs Subdivision isn't as close as it was under previous applications.

The Planning Commission held a public hearing on this item at their August 10, 2015 meeting. Several people spoke during the hearing and many concerns were presented, including the rural character of the area, traffic, uncertainty of the use(s) proposed and others. After the applicant's representative expressed a willingness to

reduce the amount of area to be rezoned, the Planning Commission moved to defer this item to the October 2015 meeting to give the applicant an opportunity to meet with the neighbors to discuss their concerns and to see if a compromise could be reached on the application. A neighborhood meeting was held on September 1, 2015 at Whitworth Buchanan Middle School. Many of the same issues discussed at the Planning Commission's meeting were also discussed in more detail at the neighborhood meeting. After discussing the concerns, the applicant's representative said he would discuss the issues with his client and make some changes based on that discussion. The applicant's representative met with some of the neighbors on September 28, 2015 and the amended request is what the applicant is presenting for the October 12, 2015 Planning Commission meeting. The proposed rezoning plan reduces the amount requested from 83 acres to approximately 59 acres. No portion of the property along Manchester Highway is included as part of the request.

Proposed Use: The applicants are proposing to rezone their land for speculative purposes without a specific use in mind. Allowable uses in the EAC zone contain a wide range of commercial, light industrial and multi-family uses.

Access & Parking: The primary access will be from the new road constructed by TDOT to Epps Mill Road. There is also the potential for a secondary entrance on Manchester Pike, ***although the need for such an access will be determined at the site plan stage, should this request be approved and development plans submitted.*** While there were several concerns about access onto Manchester Pike from the residents in the area, Staff feels that such an access for private vehicles (Passenger cars, small delivery vehicles, etc.) would be appropriate. Staff would anticipate requiring a traffic study if the rezoning application is approved and development plans submitted.

Landscaping: If approved, a Type 2 bufferyard will be required along any property line adjacent to residential zoning. Development projects would be required to meet the Landscape Requirements of the Zoning Ordinance.

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

Staff Analysis/Recommendation

As noted earlier in the report, the Rutherford County Comprehensive Plan designates this area as a Major Employment Center. To promote a good quality of life, Rutherford County will have to continue to compete for higher-paying, high-skilled jobs in a very competitive regional setting. One of the main goals articulated in the plan was to cultivate an environment attractive to new business investment. One of the ways to accomplish this goal is to designate and reserve optimal employment areas from inappropriate development. Rezoning the property now would prevent it from being carved into smaller residential lots that would be harder to reassemble in the future.

The property is in very close proximity to I-24 and several existing industrial and commercial uses, such as the Barrett Manufacturing plant. The proposed EAC district would be compatible with those areas. It is unrealistic to believe that this property would ever be developed as a single family subdivision based on the existing development pattern. Nevertheless the surrounding area to the south and east are more rural and residential in nature.

There are two different State funding sources that could be used in conjunction with developer funds to improve the infrastructure in the area. The Department of Economic and Community Development offers a FastTrack grant program which is available to new and expanding industries and can be utilized to build water and transportation systems among other improvements. The funds must be tied to a project which will create high-skilled, high-wage jobs in the community. The second funding source is offered by the Tennessee Department of Transportation (TDOT) and is called the State Industrial Access (SIA) Program. Essentially funds from this program can be used to build an industrial highway defined as any road designed to provide access to an industrial site.

It is generally accepted that Epps Mill Road and the Exit 89 interchange will need to be improved to accommodate the types of development that are predicted in the future for this area, however the funds are not currently available. Finding a company willing to locate at this interchange could make the county eligible for these state funding sources. The FastTrack program and/or the SIA program could be used to improve Epps Mill Road for the benefit of everyone.

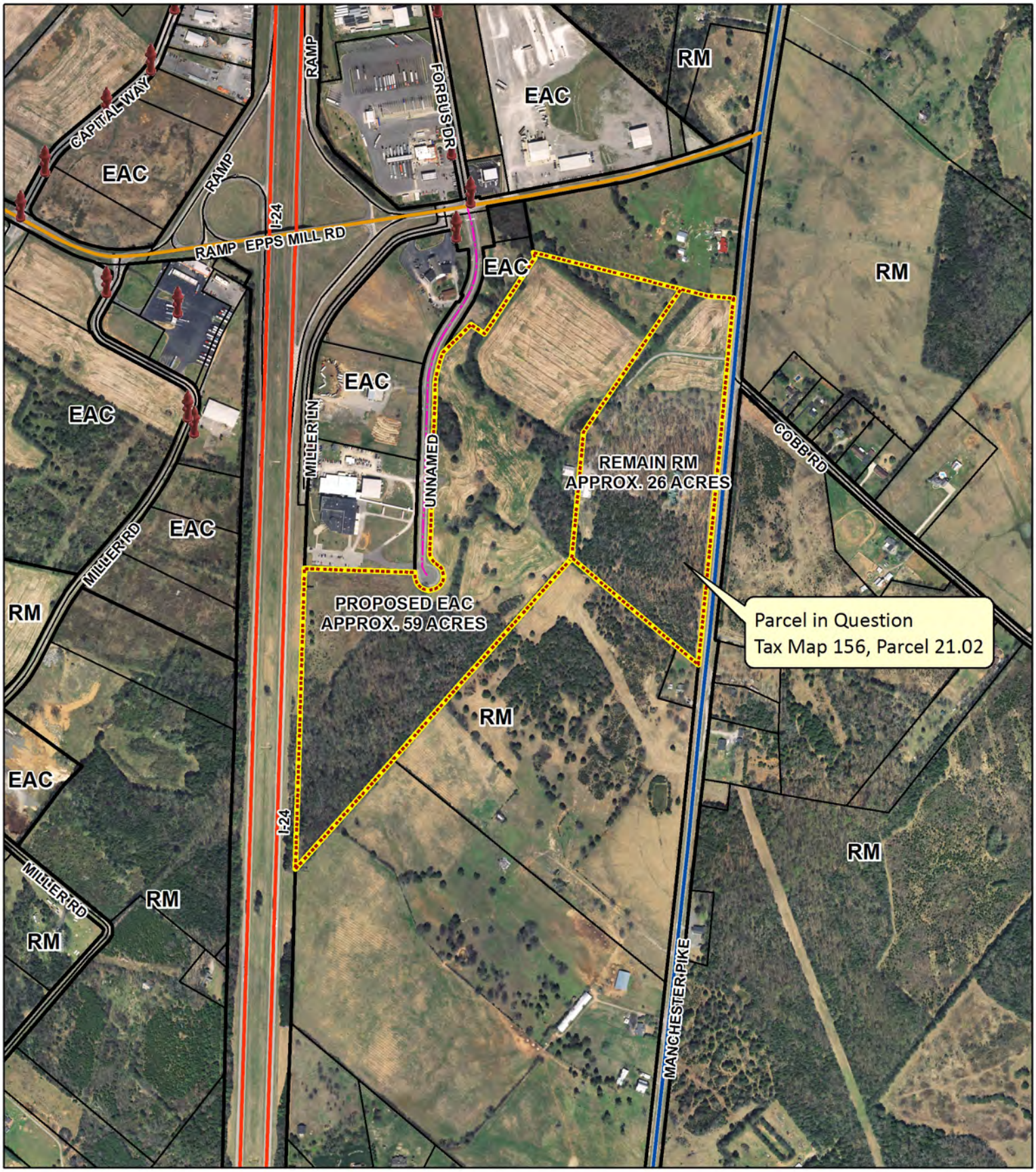
It needs to be understood, however, that there are no guarantees that these funding sources would be approved for this project. If this application is approved, the EAC district allows a variety of uses including commercial, office, retail, service, industrial and multi-family residential. If a site plan was submitted for an approved use that could be supported with the existing infrastructure, the Planning Commission would have no grounds to deny it. However as noted in the utilities section of this report, there is capacity limitation in both the water & sewer connection to this property. It would appear that this situation will place more limits on what can be built on the property than the proposed zoning.

The Planning Commission will need to weigh the benefits and issues of this application carefully, as they would with any application. An argument could be made that rezoning this property will open the door to infrastructure improvements that are already needed in the area. The new zone would be compatible with the Comprehensive Plan and the surrounding zoning near the interchange. On the other hand, an argument could also be made that due to the limitation of the infrastructure and the inability to guarantee their timely completion, that this may not be the appropriate time to rezone the property in question. ***That being said, Staff feels that EAC zoning is appropriate for the subject property, as amended from their original request, and does recommend approval.***

Attachments

Zoning Map
Aerial Map
CUD Water Lines Map
Applicant's Zoning Request Schematic

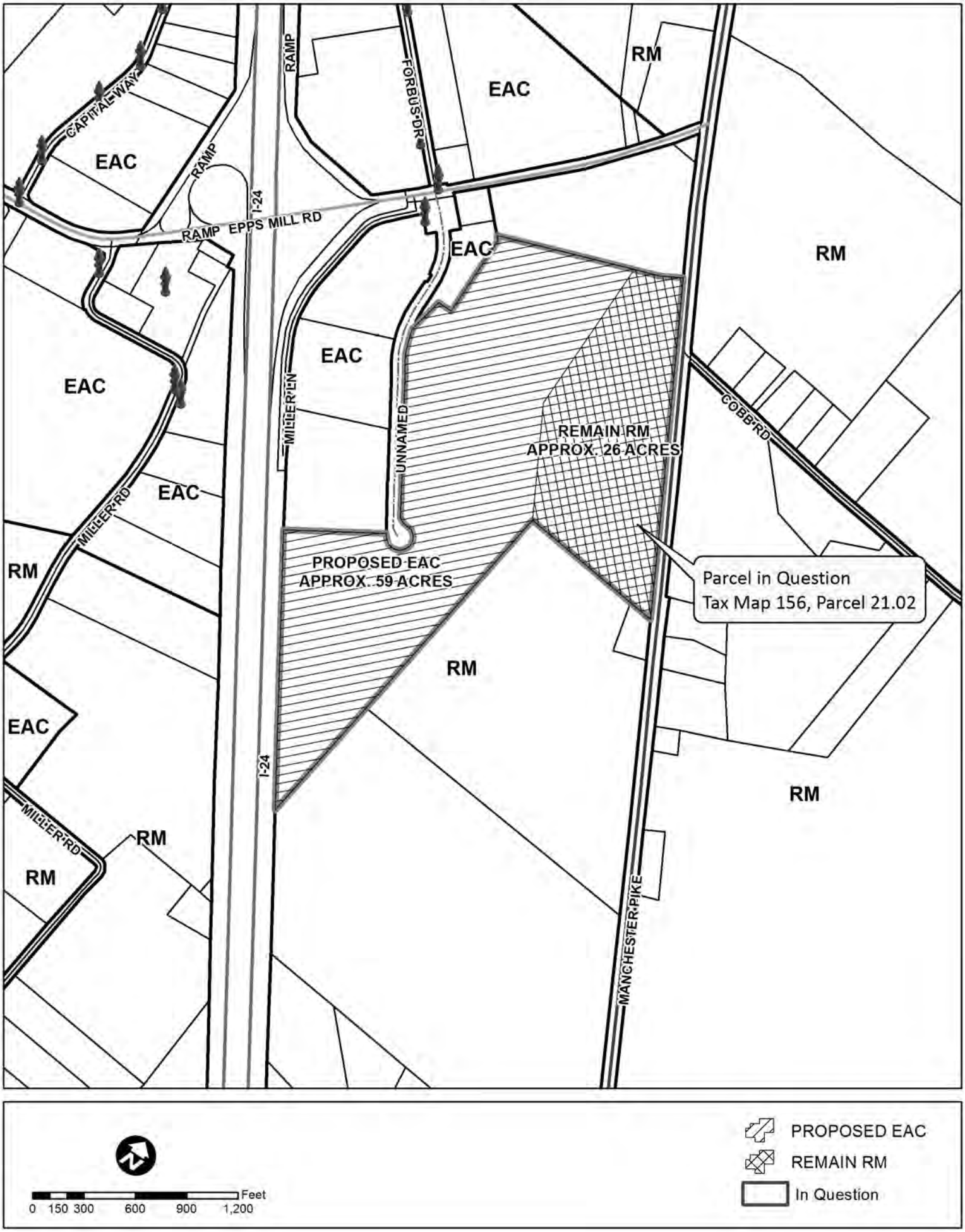
15-A011



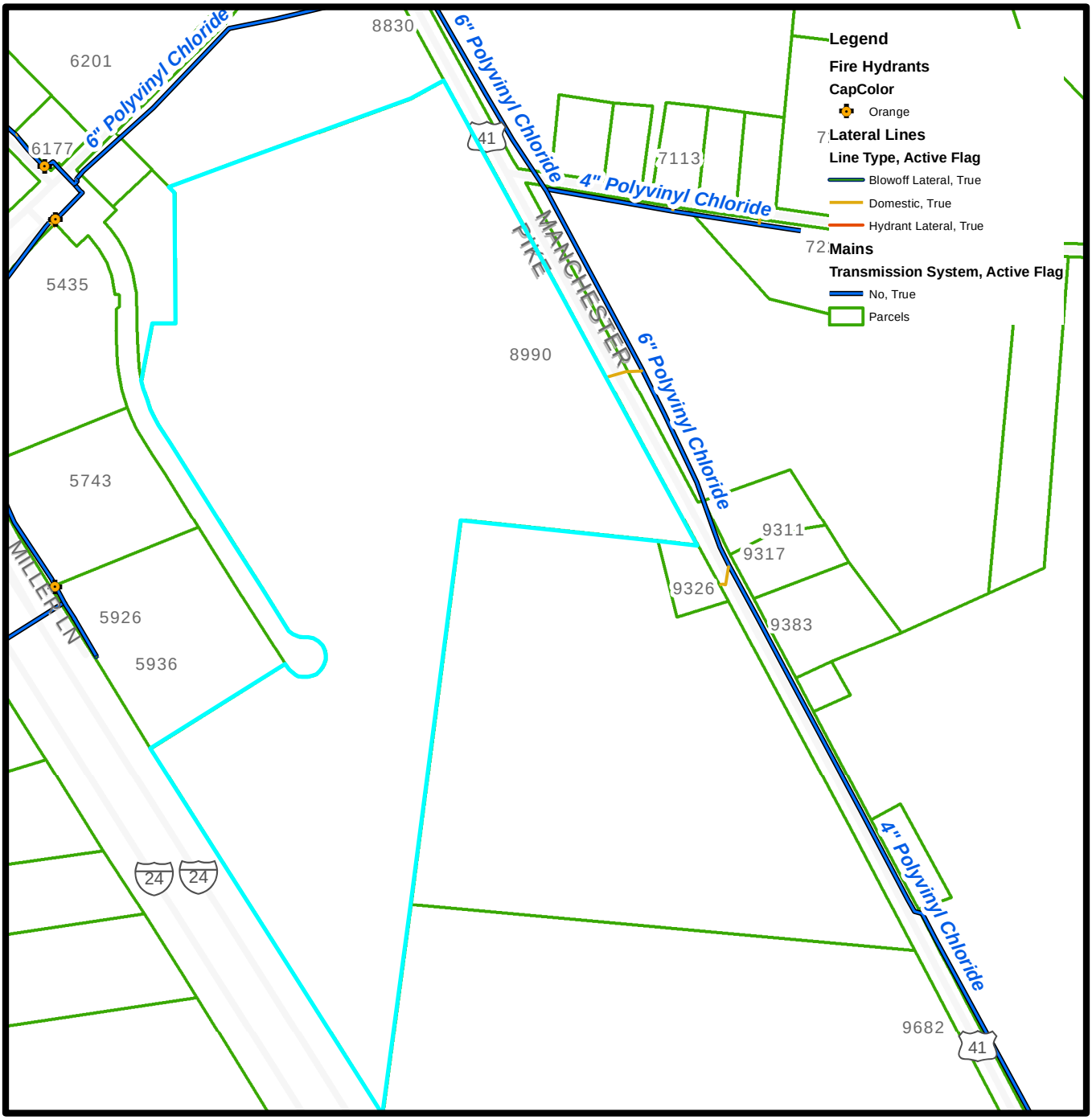
156/21.02 Proposed Rezoning

0 150 300 600 900 1,200 Feet

15-A011


CAPITAL WAY
EAC
RAMP
RAMP
I-24
RAMP EPPS MILL RD
FORBUS DR
EAC
RM
EAC
RM
EAC
EAC
MILLER LN
UNNAMED
REMAIN RM
APPROX. 26 ACRES
COBB RD
EAC
MILLER RD
RM
PROPOSED EAC
APPROX. 59 ACRES
Parcel in Question
Tax Map 156, Parcel 21.02
RM
EAC
I-24
RM
MILLER RD
RM
RM
MANCHESTER PIKE
PROPOSED EAC
REMAIN RM
In Question
Feet
0 150 300 600 900 1,200

Rezoning Request
Tax Map 156 Parcel 21.02



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.

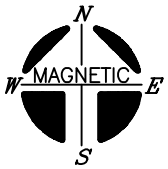
Date: 7/31/2015

Prepared by: JLW

N.T.S.

CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

BRENDA BENZ PROPOSED REZONING OF 73 ACRES



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