

Rutherford County Regional Planning Commission

Agenda – 11-9-15 – 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**
- V. ITEMS WITHDRAWN/DEFERRED**
- VI. NEW BUSINESS**
 - A. SUBMITTED FOR FINAL PLAT APPROVAL**
 - 1. The Retreat at Pinnacle Hills, Section 1 (15-2082) – 17 lots on 5.6 acres, zoned PUD, located along Selous Drive (West of Thompson Road), Park Trust Development, LLC applicant
 - 2. The Estates of Lewis Downs (15-2083) – 14 lots on 29.35 acres, zoned RM, located along Rhonda Drive (North of Rock Springs Midland Road), New South Developers, LLC applicant
 - 3. Twin Oak Point, Section 1 (15-2084) – 2 lots on 1.17 acres, zoned RM, located along Twin Oak Drive, Donald L. Bruce, applicant
 - B. REZONING REQUESTS/PUBLIC HEARINGS**
 - 1. Scott Graby (15-A014)
Location: 4925 Veterans Parkway
Commissioner District: 20 (Trey Gooch)
Size of Site: Approximately 10 acres
Tax Map: 93, Parcel: 2.18
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Commercial Services (CS)
 - 2. Amendments to the Zoning Ordinance Concerning Setbacks for Mini Warehouse developments (15-5003), Planning Staff applicant
- VII. OLD BUSINESS**
- VIII. STAFF REPORTS/OTHER BUSINESS**
- IX. ADJOURNMENT**

Rutherford County Regional Planning Commission November 9, 2015 Staff Comments

Plat/Plan Name: The Retreat at Pinnacle Hills, Section I (15-2082)
Request: Final Plat Approval
Site Details: 17 lots on 5.6 acres, zoned PUD
Applicant: Park Trust Development, LLC
Property Location: Selous Drive (West of Thompson Road)



The zoning of the property was approved at the May 15, 2014 Board of Commissioners meeting. The Planning Commission approved the preliminary plan for this development at their July 28, 2014 meeting. This plat appears to be consistent with the plan. Besides some housekeeping changes, the plat appears to be in good order.

Any approval should be made subject to all Staff Comments.

GENERAL NOTES

- THE PURPOSE OF THIS FINAL PLAN IS TO CREATE 17 SINGLE FAMILY LOTS.
- BEARING SYSTEM IS BASED ON TENNESSEE STATE PLANE COORDINATES TIED TO CITY OF MURFREESBORO CONTROL MONUMENT UG00-463, (WAB 83-96).
- THIS PROPERTY LIES WITHIN ZONE X, NOT IN A SPECIAL FLOOD HAZARD AREA, PER FEMA FIRM MAP NO. 4749C0265 H, EFFECTIVE DATE JANUARY 5, 2007.
- PARCELS MAY BE SUBJECT TO ADDITIONAL EASEMENTS AND/OR RESTRICTIONS, BY RECORD OR PRESCRIPTION, THAT A COMPLETE TITLE SEARCH MAY REVEAL.
- IT IS THE RESPONSIBILITY OF EACH RESIDENTIAL BUILDER TO DESIGN AND CONSTRUCT A SATISFACTORY GRADING AND DRAINAGE SCHEME WHICH WILL CONVEY SURFACE WATER, WITHOUT PONDING IN THE LOT OR UNDER THE HOUSE, FROM HIS STRUCTURE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.
- THE SOIL MATERIALS ON LOTS SHOWN HEREON MAY BE DISTURBED BY CUTTING OR FILLING OPERATIONS PERFORMED DURING OR BEFORE DEVELOPMENT; THEREFORE, THE BUILDER OF ANY PROPOSED STRUCTURE SHALL INVESTIGATE THE CURRENT CONDITIONS AND CONSULT WITH A GEOTECHNICAL EXPERT OR OTHER QUALIFIED PERSON AS HE DEEMS APPROPRIATE TO ASSURE HIMSELF THAT THE DESIGN OF THE PROPOSED FOUNDATION IS ADEQUATE.
- PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENuded AREAS WITHIN 60 DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. SOIL STABILIZATION SHALL ALSO BE APPLIED WITHIN 60 DAYS TO THE DENuded AREAS WHICH MAY NOT BE AT FINAL GRADE, BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 60 DAYS.
- PROPERTIES ADJACENT TO THE SITE OF LAND SHALL BE PROTECTED FROM SEDIMENT DEPOSITION. THIS MAY BE ACCOMPLISHED BY PRESERVING A WELL-VEGETATED BUFFER STRIP AROUND THE LOWER PERIMETER OF THE LAND DISTURBANCES BY INSTALLING PERIMETER CONTROLS SUCH AS SEDIMENT BARRIERS, FILTERS OR DICES, OR SEDIMENT BASINS; OR BY A COMBINATION OF SUCH MEASURES.
- PUBLIC UTILITY EASEMENTS, IF AND WHERE SHOWN HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITIES AND DRAINAGE WAYS, INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES, AND NATURAL GAS LINES.
- IN TENNESSEE IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE 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.
- PROPERTY IS CURRENTLY ZONED PUD.
- MINIMUM SETBACKS FOR LOTS AS SHOWN HEREON UNLESS NOTED OTHERWISE: FRONT - 35 FT. / SIDE - 5 FT. (7.5 FT. ADJ. TO ROW) / REAR - 20 FT. (SEE DETAIL).
- NO FILL MATERIAL, RUBBISH, OR BUILDING MAY BE PLACED IN ANY NATURAL DRAINAGE WAY, SUCH AS STREAM BEDS, SINKHOLES, UNDERGROUND STREAMS OR CHANNELS, OR WET WEATHER STREAM BEDS OR FLOODWAYS.
- C.U.D. ACCESS TO THE SEPTIC TANK SHALL BE UNENCUMBERED BY FENCING OR LANDSCAPING. A PERMANENT ACCESS EASEMENT EXISTS ON EACH LOT AT THE SEPTIC TANK LOCATION. THIS EASEMENT IS INTENDED TO ASSURE SERVICE AND REPAIR ACCESS TO THE SEPTIC TANK. SEE SEPTIC TANK EASEMENT DETAIL.
- SEPTIC TANKS SHALL BE SET ONLY AFTER THE BUILDING FOUNDATION HAS BEEN STARTED AND FINISHED YARD GRADE AT THE TANK CAN BE DETERMINED. TANK ROISERS SHALL BE BETWEEN 18" AND 18" INCHES HIGH FROM THE TOP OF THE TANK.
- WATER LINE IS SHOWN FOR GRAPHICAL PURPOSES ONLY. PLEASE CONTACT CONSOLIDATED UTILITY DISTRICT (C.U.D.) FOR WATER LINE LOCATION, SIZE, AND PLACEMENT OF FIRE HYDRANTS.
- ALL FIRE HYDRANTS SHALL BE PLACED IN COORDINATION WITH CONSOLIDATED UTILITY DISTRICT.

CURVE DATA

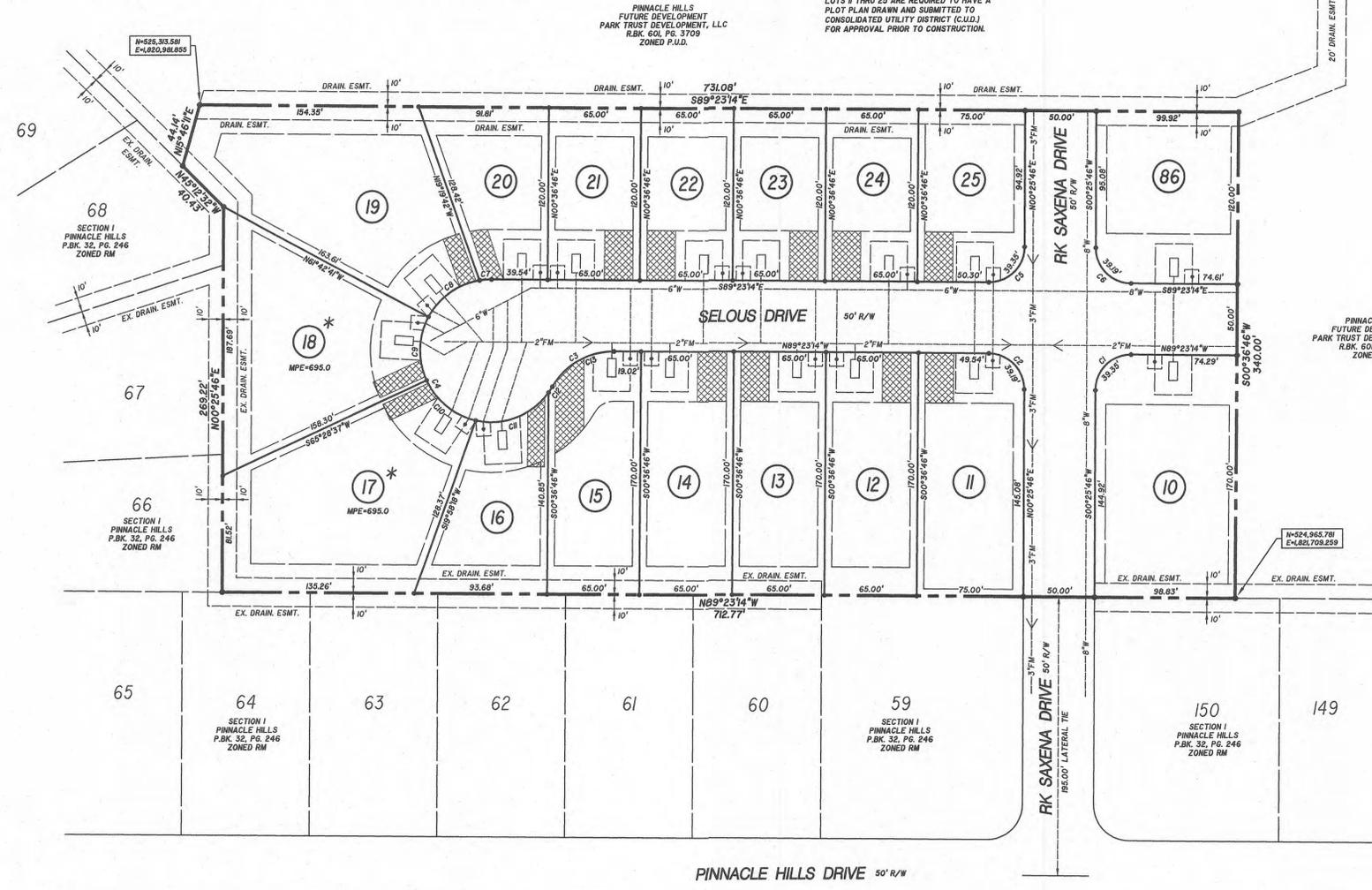
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	90°11'00"	25.00'	39.35'	25.08'	35.41'	S45°31'16"W
C2	89°48'00"	25.00'	39.19'	24.92'	35.30'	N44°28'44"W
C3	60°00'00"	50.00'	52.36'	28.87'	50.00'	S60°36'46"W
C4	240°00'00"	50.00'	209.44'	86.60'	86.60'	N29°23'14"W
C5	90°11'00"	25.00'	39.35'	25.08'	35.41'	N45°31'16"E
C6	89°48'00"	25.00'	39.19'	24.92'	35.30'	S44°28'44"E
C7	9°45'37"	50.00'	6.52'	4.27'	6.51'	N85°43'59"E
C8	52°33'50"	50.00'	45.87'	24.69'	44.28'	S54°34'14"W
C9	52°48'43"	50.00'	46.09'	24.83'	44.47'	S01°52'58"W
C10	52°44'31"	50.00'	46.03'	24.79'	44.42'	S50°33'39"E
C11	66°27'56"	50.00'	59.00'	32.76'	54.80'	N69°30'07"E
C12	5°39'24"	50.00'	4.94'	2.47'	4.93'	S33°26'28"W
C13	60°00'00"	50.00'	52.36'	28.87'	50.00'	S60°36'46"W

*** MINIMUM PAD ELEVATION**

LOTS 17 & 18 ARE NOT IN A 100 YEAR F.E.M.A. FLOOD HAZARD AREA. A MINIMUM PAD ELEVATION HAS BEEN ESTABLISHED IN ORDER TO PROTECT THE HOMEOWNER FROM POSSIBLE HIGH WATER IN NEARBY DRAINAGE SYSTEMS.

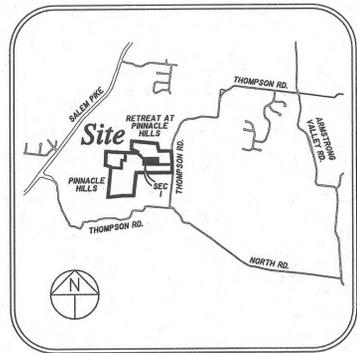
C.U.D. NOTE:

LOTS 17 THRU 25 ARE REQUIRED TO HAVE A PLOT PLAN DRAWN AND SUBMITTED TO CONSOLIDATED UTILITY DISTRICT (C.U.D.) FOR APPROVAL PRIOR TO CONSTRUCTION.



LOT AREAS

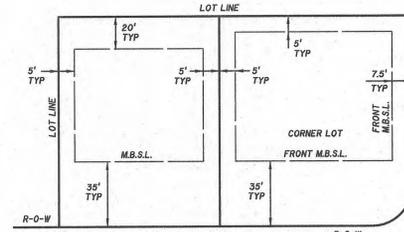
LOT	SQ. FT.	ACRES
10	16,712	0.384
11	12,571	0.289
12	11,050	0.254
13	11,050	0.254
14	11,050	0.254
15	10,653	0.245
16	8,970	0.206
17	18,448	0.424
18	16,571	0.380
19	19,150	0.440
20	8,406	0.193
21	7,800	0.179
22	7,800	0.179
23	7,800	0.179
24	7,800	0.179
25	8,888	0.204
26	11,834	0.272



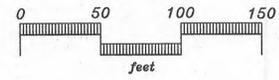
LOCATION MAP
N.T.S.

LEGEND

- IRON PIN (FOUND)
- IRON PIN SET (NEW)
- CONC. MONUMENT (FOUND)
- WATER LINE W/FIRE HYD.
- STEP SYSTEM FORCE MAIN
- ▨ APPROVED DRIVEWAY LOCATION



MINIMUM BUILDING SETBACKS
FOR RETREAT AT PINNACLE HILLS
PLANNED UNIT DEVELOPMENT
N.T.S.



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE: _____
 RECORD BOOK 60L PAGE 3709 BOB PARKS, CHIEF MANAGER
 PARK TRUST DEVELOPMENT, LLC
 A TENNESSEE LIMITED LIABILITY COMPANY
 HOMEOWNERS ASSOCIATION RECORDED IN RECORD BOOK 766, PAGE 1399.

CERTIFICATE OF ACCURACY

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

SEC. INC. _____
 DATE: 10-15-15 David A. Parker
 TENN. R.L.S. No. 2381 REGISTERED SURVEYOR

CERTIFICATION OF APPROVAL OF WATER SYSTEMS

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT ENTITLED "THE RETREAT AT PINNACLE HILLS, SECTION 1" HAS BEEN APPROVED BY THE ENGINEERS OF CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY FOR WATER SERVICE, PROVIDED HOWEVER, THAT THE LINES, VALVES, AND FITTINGS MUST BE INSTALLED IN ACCORDANCE WITH C.U.D. SPECIFICATIONS AS DETERMINED BY ITS ENGINEERS. NO WATER SERVICE WILL BE PROVIDED UNTIL THAT CERTIFICATION HAS BEEN MADE IN WRITING.

DATE: _____
 CONSOLIDATED UTILITY DISTRICT
 OF RUTHERFORD COUNTY

CERTIFICATION OF APPROVAL OF SEWER S.T.E.P. SYSTEM

I HEREBY CERTIFY THAT THIS PLAT ENTITLED "THE RETREAT AT PINNACLE HILLS, SECTION 1" HAS BEEN RECEIVED BY CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY FOR REVIEW CONNECTION TO THE EXISTING SEPTIC TANK EFFLUENT PUMP (S.T.E.P.) SYSTEM. SHALL MEET CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY'S SPECIFICATIONS. CONSTRUCTION WILL NOT START UNTIL A NOTICE TO PROCEED IS GIVEN BY C.U.D.

DATE: _____
 CONSOLIDATED UTILITY DISTRICT
 OF RUTHERFORD COUNTY

CERTIFICATE FOR APPROVAL OF ELECTRIC POWER

MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION (MTEMC) WILL PROVIDE ELECTRIC SERVICE TO THE SUBJECT PROPERTY ACCORDING TO THE NORMAL OPERATING PRACTICES OF MTEMC AS DEFINED IN THE RULES AND REGULATIONS, BY-LAWS, POLICY BULLETINS AND OPERATIONAL BULLETINS OF MTEMC, AND IN ACCORDANCE WITH THE PLAT APPROVAL CHECKLIST, TREE PLANTING GUIDELINES AND OTHER REGULATIONS CONTAINED ON THE MTEMC WEB SITE 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 CONTINUING COMPLIANCE WITH MTEMC'S REQUIREMENTS.

DATE: _____
 AUTHORIZED MTEMC OFFICIAL

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 RUTHERFORD COUNTY REGISTER.

DATE: _____
 SECRETARY, PLANNING COMMISSION

DATE OF RECORDING: _____
 TIME OF RECORDING: _____
 PLAT BOOK _____, PAGE _____

FINAL PLAT
SECTION 1
The Retreat at
PINNACLE HILLS
SUBDIVISION

10th CIVIL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

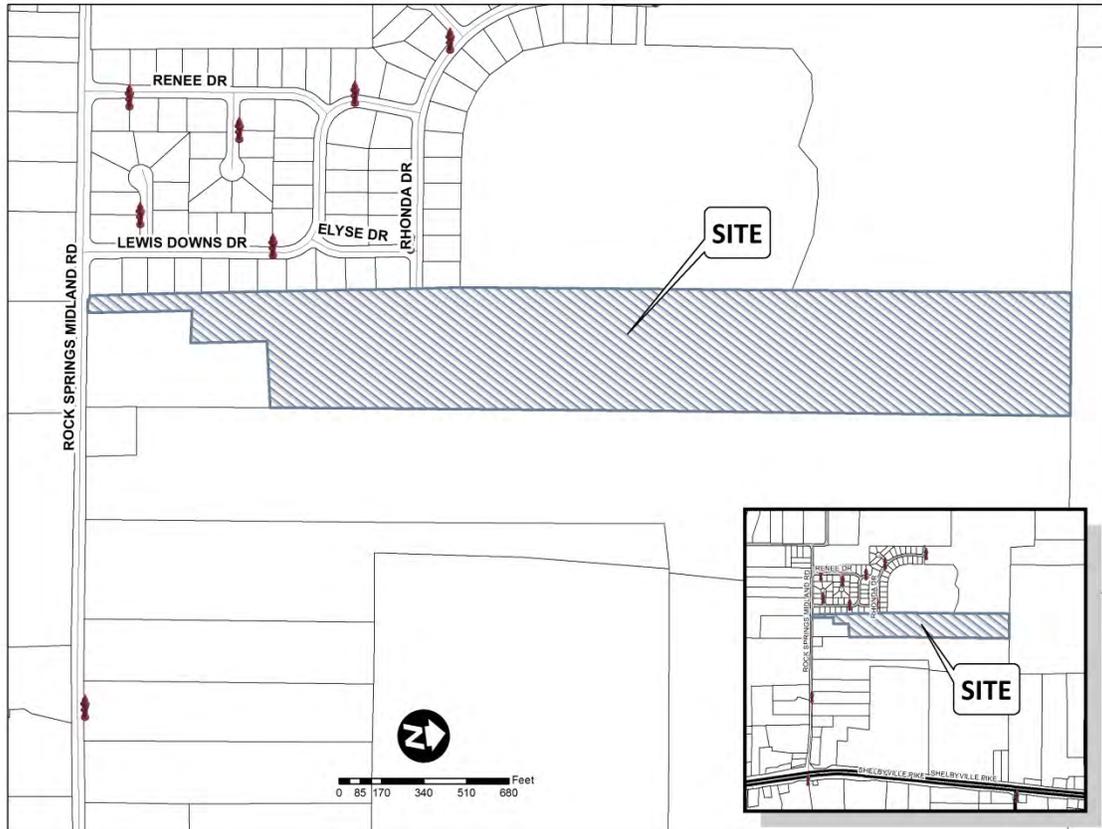
SEC, Inc. SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
 PHONE (615) 890-7901 • FAX (615) 895-2567

PROJ. # 05242 DATE: 4-16-15 REV. FILE: RETREATATPINNACLE HILLSSEC1PLAT DRAWN BY: ACAD/AVG SCALE: 1" = 50' SHEET 1 OF 1

15-2082

Rutherford County Regional Planning Commission November 9, 2015 Staff Comments

Plat/Plan Name: The Estates of Lewis Downs (15-2083)
Request: Final Plat Approval
Site Details: 14 lots on 29.35 acres, zoned RM
Applicants: New South Developers, LLC
Property Location: Rhonda Drive (North of Rock Springs Midland Road)



The Planning Commission approved the preliminary plan for this development at their January 26, 2015 meeting. This plat appears to be consistent with that plan.

Planning Commissioners will recall that a waiver was granted to allow the detention pond to be included with Lot 10. The applicant will need to submit documentation to Staff detailing how perpetual maintenance will be accommodated for the pond. A waiver was also granted for this development to be served with residential sprinkler systems as opposed to fire hydrants. A plat note needs to be added to this effect. Staff is also curious as to why the plat was submitted with a Phase 1 designation. Staff was under the impression that this was the extent of the subdivision.

Any approval should be made subject to all Staff Comments.

GENERAL NOTES

- THE PURPOSE OF THIS FINAL PLAT IS TO CREATE 14 SINGLE FAMILY LOTS.
- BEARING SYSTEM IS BASED ON TENNESSEE STATE PLANE COORDINATES TIED TO RUTHERFORD COUNTY CONTROL MONUMENT RCO-057, (DAD 83-96).
- THIS PROPERTY LIES WITHIN ZONE X, NOT IN A SPECIAL FLOOD HAZARD AREA, PER FEMA FIRM MAP NO. 4749C0363 H, EFFECTIVE DATE JANUARY 5, 2007.
- PARCELS MAY BE SUBJECT TO ADDITIONAL EASEMENTS AND/OR RESTRICTIONS, BY RECORD OR PRESCRIPTION, THAT A COMPLETE TITLE SEARCH MAY REVEAL.
- IT IS THE RESPONSIBILITY OF EACH RESIDENTIAL BUILDER TO DESIGN AND CONSTRUCT A SUITABLE GRADING AND DRAINAGE SCHEME WHICH WILL CONVEY SURFACE WATER, WITHOUT PONDING IN THE LOT OR UNDER THE HOUSE, FROM HIS STRUCTURE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.
- THE SOILS MATERIALS ON LOTS SHOWN HEREON MAY BE DISTURBED BY CUTTING OR FILLING OPERATIONS PERFORMED DURING OR BEFORE DEVELOPMENT; THEREFORE, THE BUILDER OF ANY PROPOSED STRUCTURE SHALL INVESTIGATE THE CURRENT CONDITIONS AND CONSULT WITH A GEOTECHNICAL EXPERT OR OTHER QUALIFIED PERSON AS HE DEEMS APPROPRIATE TO ASSURE HIMSELF THAT THE DESIGN OF THE PROPOSED FOUNDATION IS ADEQUATE.
- PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENuded AREAS WITHIN 15 DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. SOIL STABILIZATION SHALL ALSO BE APPLIED WITHIN 15 DAYS TO THE DENuded AREAS WHICH MAY NOT BE AT FINAL GRADE, BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 60 DAYS.
- PROPERTIES ADJACENT TO THE SITE OF LAND SHALL BE PROTECTED FROM SEDIMENT DEPOSITION. THIS MAY BE ACCOMPLISHED BY PRESERVING A WELL-VEGETATED BUFFER STRIP AROUND THE LOWER PERIMETER OF THE LAND DISTURBANCE, BY INSTALLING PERIMETER CONTROLS SUCH AS SEDIMENT BARRIERS, FILTERS OR DICES, OR SEDIMENT BASINS; OR BY A COMBINATION OF SUCH MEASURES.
- NO FILL MATERIAL, RUBBISH, OR BUILDING MAY BE PLACED IN ANY NATURAL DRAINAGE WAY, SUCH AS STREAM BEDS, SINKHOLES, UNDERGROUND STREAMS OR CHANNELS, OR NEAR WEATHER STREAM BEDS OR FLOODWAYS.
- PUBLIC UTILITY EASEMENTS, IF AND WHERE SHOWN HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITIES AND DRAINAGEWAYS INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES, AND NATURAL GAS LINES.

- IN TENNESSEE IT IS A REQUIREMENT PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE 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 1-800-354-8686.
- PROPERTY IS CURRENTLY ZONED RM.
- ALL PROPERTY ADJACENT TO THIS SUBDIVISION IS CURRENTLY ZONED RM.
- MINIMUM SETBACKS FOR LOTS AS SHOWN HEREON UNLESS OTHERWISE SPECIFIED: FRONT = 40 FT. / SIDE = 10 FT. ON CORNER LOTS / REAR = 20 FT.
- WATER LINE IS SHOWN FOR GRAPHICAL PURPOSES ONLY. PLEASE CONTACT CONSOLIDATED UTILITY DISTRICT (C.U.D.) FOR WATER LINE LOCATION, SIZE, AND PLACEMENT OF FIRE HYDRANTS.
- ALL FIRE HYDRANTS SHALL BE PLACED IN COORDINATION WITH CONSOLIDATED UTILITY DISTRICT.

LEGEND

- IRON PIN (FOUND)
- IRON PIN SET (NEW)
- CONC. MONUMENT (FOUND)
- 8" W — WATER LINE w/FIRE HYD.

LINE DATA

LINE	BEARING	DISTANCE
L1	S82°23'19"E	6.61'
L2	N82°23'19"W	5.10'
L3	N05°52'41"E	30.02'

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	65°11'29"	135.00'	153.60'	86.32'	145.45'	N65°00'57"E
C2	50°55'04"	225.00'	199.35'	107.12'	193.44'	N05°57'40"E
C3	55°04'00"	355.00'	147.86'	75.23'	146.59'	N05°27'52"W
C4	50°14'34"	30.00'	26.31'	14.07'	25.47'	N17°33'09"W
C5	280°29'09"	56.00'	274.14'	46.99'	71.63'	S82°25'52"E
C6	50°14'34"	30.00'	26.31'	14.07'	25.47'	S33°41'25"W
C7	55°04'00"	275.00'	125.11'	63.66'	124.03'	S05°27'52"E
C8	50°55'04"	275.00'	244.35'	130.93'	236.42'	S05°57'40"W
C9	65°11'29"	185.00'	210.49'	118.29'	199.32'	S65°00'57"W
C10	50°34'02"	185.00'	163.27'	87.38'	158.03'	S72°19'40"W

***MINIMUM BUILDING PAD ELEVATIONS**

THESE LOTS ARE NOT IN A F.E.M.A. 100 YEAR FLOOD HAZARD AREA. MINIMUM BUILDING PAD AND MINIMUM FINISHED FLOOR ELEVATIONS ARE REQUIRED FOR THESE LOTS TO PROTECT THE HOMEOWNERS FROM POSSIBLE HIGH WATER IN LOCAL DRAINAGE SYSTEMS.

LOT AREAS

LOT NO.	SQ.FT.	ACRES	SQ.FT.		SQ.FT. 75 MPI	SQ.FT. 75 MPI W/100'
			45/60 MPI	5/80 0		
1	43,836	1.006	13,281	9,580	0	4,701
2	64,430	1.479	15,457	9,911	3,930	5,616
3	44,896	1.031	9,741	9,741	0	0
4	29,219	0.671	19,927	934	0	18,993
5	28,690	0.659	17,135	17,135	0	0
6	28,692	0.659	11,188	5,773	7,415	0
7	28,692	0.659	9,780	2,873	6,907	0
8	23,328	0.536	16,092	9,320	1,213	5,559
9	66,552	1.528	11,885	0	3,664	8,221
10	64,322	14,723	20,063	0	0	20,063
11	40,802	0.937	19,396	0	934	18,462
12	19,854	0.456	14,559	0	14,559	0
13	74,175	1.703	11,798	0	7,540	4,258
14	76,326	1.752	14,087	0	7,788	6,299

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE: 10-21-15
 RECORD BOOK 1266, PAGE 2029
 AUTHORIZED AGENT
 NEW SOUTH DEVELOPERS, LLC
 A TENNESSEE LIMITED LIABILITY COMPANY

CERTIFICATE OF ACCURACY

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

SEC. INC. David A. Parker
 DATE: 10-21-15
 TENN. R.L.S. # 2381
 REGISTERED SURVEYOR

CERTIFICATE FOR APPROVAL OF WATER SYSTEMS

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

DATE: _____
 CONSOLIDATED UTILITY DISTRICT
 OF RUTHERFORD COUNTY

CERTIFICATE FOR APPROVAL OF ELECTRIC POWER

MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION (MTEMC) WILL PROVIDE ELECTRIC SERVICE TO THE SUBJECT PROPERTY ACCORDING TO THE NORMAL OPERATING PRACTICES OF MTEMC AS DEFINED IN THE RULES AND REGULATIONS BY LAWS, POLICY BULLETINS AND OPERATIONAL BULLETINS OF MTEMC, AND IN ACCORDANCE WITH THE PLAT APPROVAL CHECKLIST. TREE PLANTING GUIDELINES AND OTHER REGULATIONS CONTAINED ON THE MTEMC WEB SITE 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 CONTINUING COMPLIANCE WITH MTEMC'S REQUIREMENTS.

DATE: _____
 AUTHORIZED MTEMC OFFICIAL

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

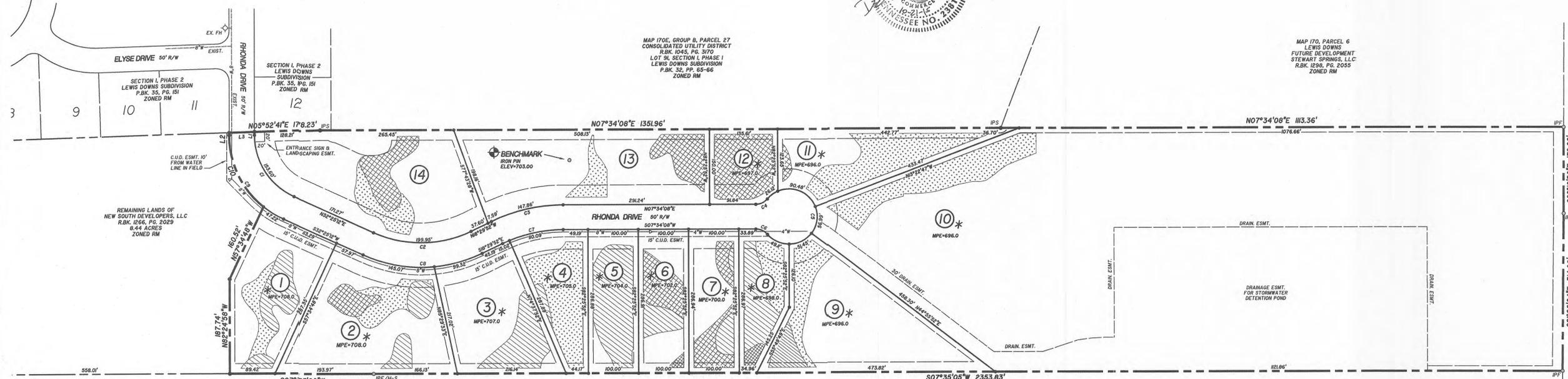
GENERAL APPROVAL IS HEREBY GRANTED FOR LOTS PROPOSED HEREON AS BEING SUITABLE FOR SUBSURFACE SEWAGE DISPOSAL WITH THE LISTED AND/OR ATTACHED RESTRICTION. BEFORE THE INITIATION OF CONSTRUCTION, THE LOCATION OF THE HOUSE OR OTHER STRUCTURES AND PLANS FOR THE SUBSURFACE SEWAGE DISPOSAL SHALL BE APPROVED BY THE LOCAL HEALTH AUTHORITY.

DATE: _____
 T.D.E.C./D.W.R.

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 RUTHERFORD COUNTY REGISTER.

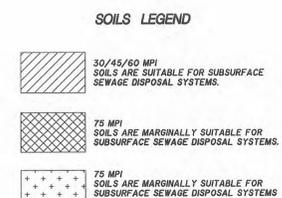
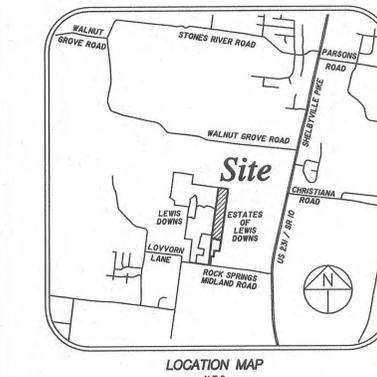
DATE: _____
 SECRETARY, PLANNING COMMISSION



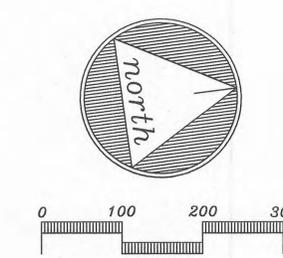
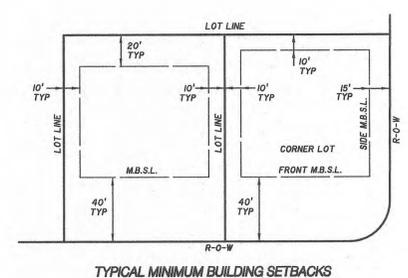
MAP 170, PARCEL 6.03
 MARCHELLA A. RICHARDSON
 D.B.K. 534, PG. 675
 ZONED RM

MAP 170, PARCEL 6.03
 MARCHELLA A. RICHARDSON
 D.B.K. 534, PG. 675
 ZONED RM

MAP 170, PARCEL 6.03
 MARCHELLA A. RICHARDSON
 D.B.K. 534, PG. 675
 ZONED RM



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION NOTES:
 1. ALL LOTS ARE APPROVED FOR _____ BEDROOMS USING CONVENTIONAL SYSTEMS ONLY. LOTS CAN BE REVIEWED ON A LOT BY LOT BASIS.
 2. SHADED AREAS ARE RESERVED FOR SUBSURFACE SEWAGE DISPOSAL ONLY. KEEP ALL BUILDINGS, DRIVEWAYS AND UNDERGROUND UTILITIES OUTSIDE THE SHADED SOILS AREAS. ANY ENCROACHMENT OF THESE AREAS MAY VOID LOT APPROVAL.



OWNER:
 NEW SOUTH DEVELOPERS, LLC
 239 VETERANS PARKWAY - SUITE C
 MURFREESBORO, TN 37128
 MAP 170, PARCEL 6.03
 R.B.K. 1266, PG. 2029

SITE DATA:
 TOTAL AREA = 29,354 ACRES
 AREA IN RIGHT-OF-WAY = 1557 ACRES
 NO. OF LOTS = 14
 MINIMUM LOT SIZE = 15,000 SQ.FT.
 ZONING = RM

FINAL PLAT
Phase I
The Estates of Lewis Downs
SUBDIVISION
 20th CIVIL DISTRICT, RUTHERFORD COUNTY, TENNESSEE

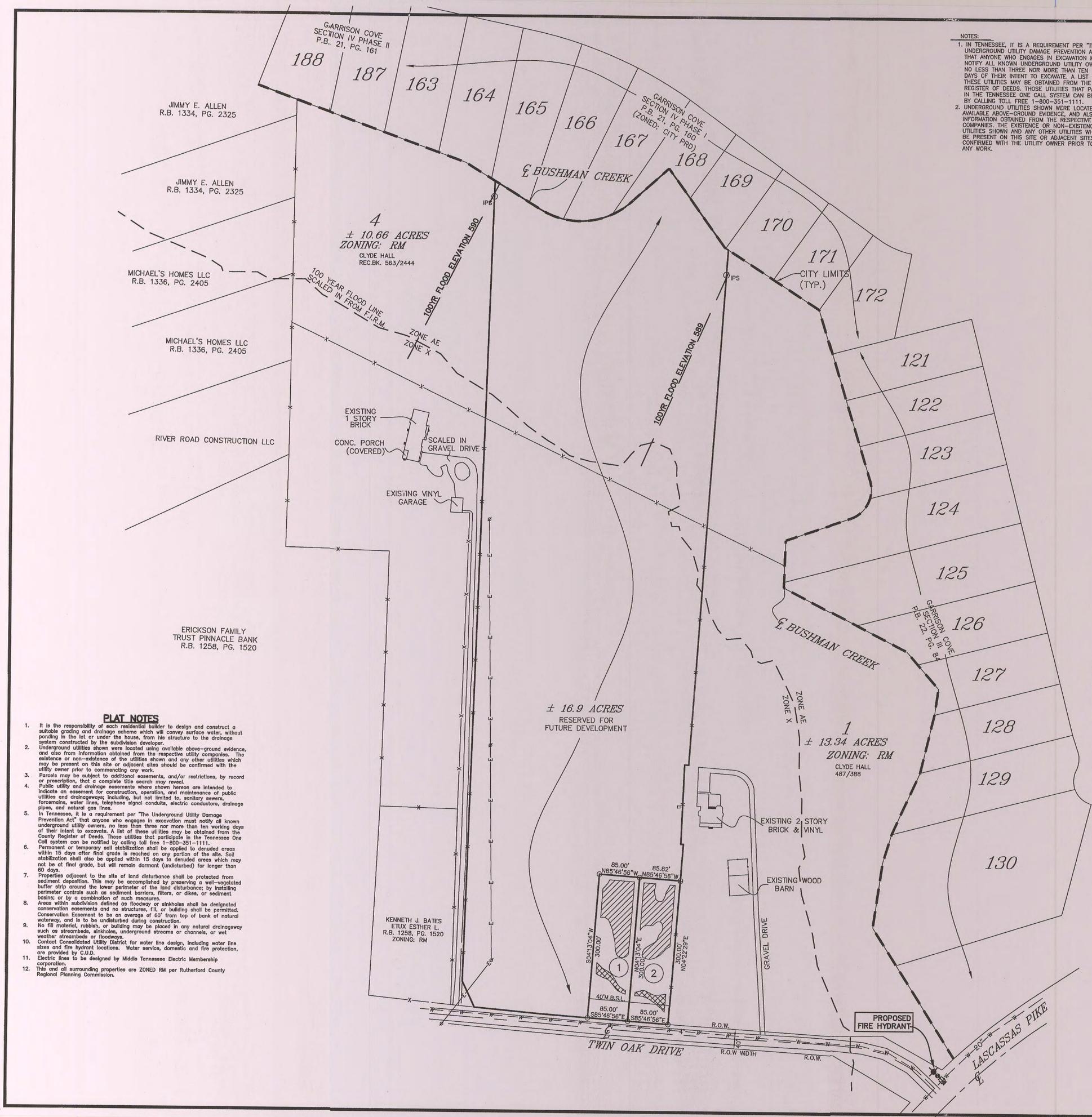
SEC, Inc. SITE ENGINEERING CONSULTANTS
 ENGINEERING • SURVEYING • LAND PLANNING
 LANDSCAPE ARCHITECTURE
 850 MIDDLE TENNESSEE BLVD • MURFREESBORO, TENNESSEE 37129
 PHONE (615) 890-7901 • FAX (615) 895-2567

PROJ. # 08024 DATE: 10-23-15 REV.: _____ FILE: ETSTATESDPLAT DRAWN BY: ACAD/JWG SCALE: 1" = 100' SHEET 1 OF 2

RECEIVED
 OCT 23 2015
 BY: _____

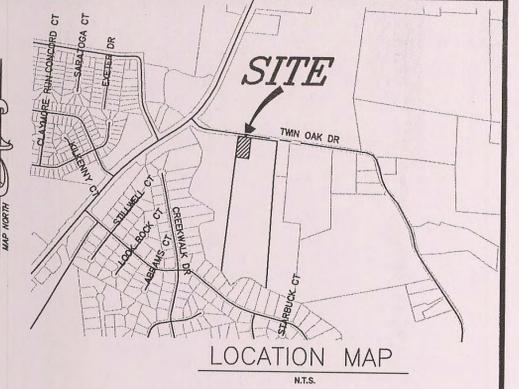
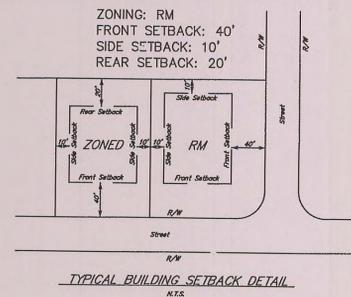
DATE OF RECORDING: _____
 TIME OF RECORDING: _____
 PLAT BOOK _____, PAGE _____

15-2083



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.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date: _____

Record Book: _____ OWNER

Page: _____

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 Registrar.

Date: _____

SECRETARY, PLANNING COMMISSION

CERTIFICATE OF WATER

I hereby certify that the subdivision plat entitled "FINAL PLAT, SECTION I - PHASE III HARVEST WOODS" has been approved by the engineers for Consolidated Utility District of Rutherford County for water service, provided, however, that the lines, valves, and fittings must be installed in accordance with C.U.D. specifications as determined by its engineers. No water service will be provided until that certification has been made in writing.

Date: _____

OFFICIAL, CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY

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, By-laws, Policy Bulletins and Operational Bulletins of MTEMC. No electric service will be provided until MTEMC's requirements have been met.

Date: _____

MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION

Certification of general Approval for Installation of Subsurface Sewage Disposal System 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 and plans for the subsurface sewage disposal system shall be approved by the TDEC Division of Water Resources.

Date: _____

T.D.E.C. / D.W.R.

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION:

- Any cutting or filling after October 22, 2015 may render lots unsuitable for subsurface sewage disposal.
- All lots are approved for up to a 3 bedroom residence.
- All shaded soil areas are to be reserved for subsurface sewage disposal systems. Keep all houses, utilities, & drive outside shaded areas.

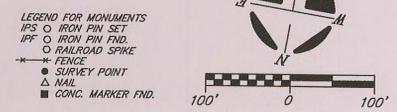
75 MPI
60 MPI or less

SOILS AREAS

LOT	≤ 60 MPI	75 MPI	TOTAL
1	7720 SF	1000 SF	8720 SF
2	6973 SF	1084 SF	8057 SF

LOT AREAS

1	25,500 S.F.±, 0.59 AC.±
2	25,623 S.F.±, 0.59 AC.±



OWNER: DONALD L. BRUCE, TR
 ADDRESS: 1911 HAYNES DR.
 Murfreesboro, TN 37129

Tax Map 81, Parcel 57.02
 Record Book 1382, Page 2981

THIS PROPERTY IS INCLUDED IN AN AREA DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY MAP 47149C0163H and 47149C0280H DATED: 01/05/07

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.

OCT 23 2015

CERTIFICATE OF ACCURACY - I hereby certify that this is a category "1" survey and the ratio of precision of the unadjusted survey is 1:10000 as shown hereon.

DATE OF RECORDING: _____
 TIME OF RECORDING: _____
 PLAT BOOK: _____, PAGE: _____

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

FINAL MINOR PLAT - SECTION I
TWIN OAKS POINT
 TWIN OAKS DRIVE
 21ST CIVIL DISTRICT - RUTHERFORD COUNTY - TN.

DATE: OCTOBER, 2015 SCALE 1"=100' SH. 1 OF 1

Projects: 20140102 DE HALL/TWIN OAKS POINT MINOR PLAT OCT2015.dwg, ACAD108, MAP 7700 Series.

152084

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: November 9, 2015

Case Number: 15-A014

Staff Recommendation: **APPROVAL**

Request by: Scott Graby
Property Address: 4925 Veterans Parkway
Commission District: 20 – Trey Gooch
Urban Growth Boundary: Murfreesboro UGB

Applicant Request

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

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.

Site Characteristics

Current Zoning: RM

Current Use: Single-Family Residential with a conditional use permit for a home occupation

Adjacent Uses: Single-Family Residential to the east/southeast. Vacant land immediately to the north/northwest (Owned by the applicant); agricultural venue to the south. Royal Glen Subdivision is located to the southwest of the property.

Adjacent Zoning: RM on all sides, PCD (Murfreesboro City) across Veterans Parkway

Size of Tract: Approximately 10 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Character Area. Recommended non-residential density for the Suburban Character Area is 0.2 Floor/Area Ratio.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan anticipates commercial uses in the Suburban Character Area. It also appears to Staff that this area is in a state of transition with the widening and realignment complete and multiple non-residential uses being proposed for the area.

Infrastructure

Roads: Veterans Parkway is a 5-lane arterial road with curb-and-gutters that has adequate right-of-way. There is a traffic count at the south end of the Interchange with SR 840 that shows a 2014 count of 7,014 vehicles per day according to TDOT counts.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 16-inch water line in this area to serve the property. The attached map shows existing water lines in the area of the subject property.

Fire Protection: The closest fire hydrant is located approximately 1,000 feet to the south/southeast along Veterans Parkway. Any new development on the property 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 improvements.

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

Background/Proposal Details

The applicant operates a property maintenance company from the property. Approval was originally granted by the Board of Zoning Appeals in 1989. An amendment to the original conditional use permit was issued in 1999 in order to allow the applicant to expand his business. Copies of materials from both meetings have been included with your agenda packet.

County Zoning Enforcement Officials received a complaint regarding a recent addition made to one of the applicant's buildings. After discussing the situation with our Building Codes Director, it was determined that the buildings and any subsequent additions would need site plan approval. The applicant discussed the situation with Planning and Engineering Staff and it was agreed that pursuing a commercial zone for the property would be appropriate.

It can be seen from the applicant's materials and aerial photo that there are a number of structures and vehicles on the property. Hours of operation are 8:00 AM to 5:30 PM, Monday through Friday. Sweeper trucks leave the site around 8:30 PM and return to the property between 6:00 AM and 7:00 AM. There are 35-40 employees, with six of them employed on the property (five in the office, one in the shop). The property is used for the operation of the business, including vehicle storage, maintenance, storage of supplies, and administrative activities. The applicant has indicated that he will continue to live on the property in the existing home.

Access & Parking: Access will be from Veterans Parkway. Any new parking lots and access drives will need to be provided and constructed consistent with the regulations in the Zoning Ordinance.

Landscaping: If approved, a Type 2 buffer yard will be required along any property line adjacent to residential zoning. There is a large amount of existing trees on the property that can be used as part of the screen. 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 Recommendation

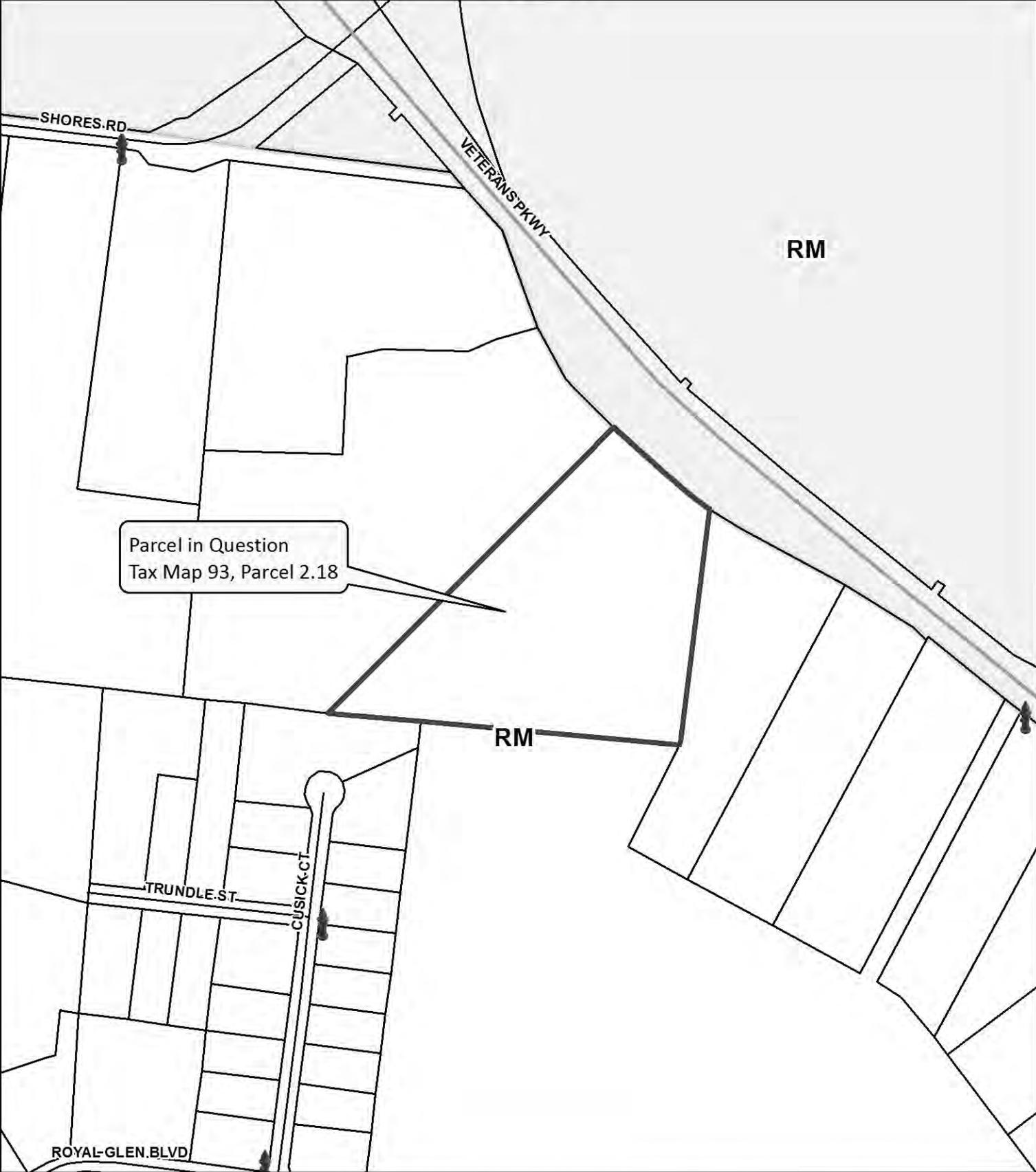
The applicant's business has been in existence since the late 1980's. His home-based business has expanded to the point where commercial zoning is more appropriate. Rezoning the property will also help ensure proper codes compliance, as site plans will be required for any new buildings or expansions.

Staff believes that the area around Veterans Parkway is in a state of transition. Since the completion of the widening and realignment to Veterans Parkway, multiple non-residential uses have been introduced to the area. Examples include MTEM's proposed campus directly across the street from the subject property, the new Kroger development at the intersection of Franklin Road and Veterans Parkway, and a commercial element to the PUD located at the intersection of Shores Road and Veterans Parkway (See Murfreesboro Zoning Map included with your agenda materials). Staff feels that CS zoning would be consistent with the development trend in the area and recommends approval.

Attachments

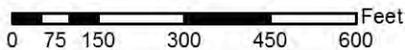
Zoning Map
Aerial Map
Water Line Map from CUD
Portion of Murfreesboro Zoning Map and Approved Concept Plans
Materials from Applicant
Previous Conditional Use Permit Approvals

15-A014



RM RM - Medium Density Residential

 In Question



15-A014



Parcel in Question
Tax Map 93, Parcel 2.18

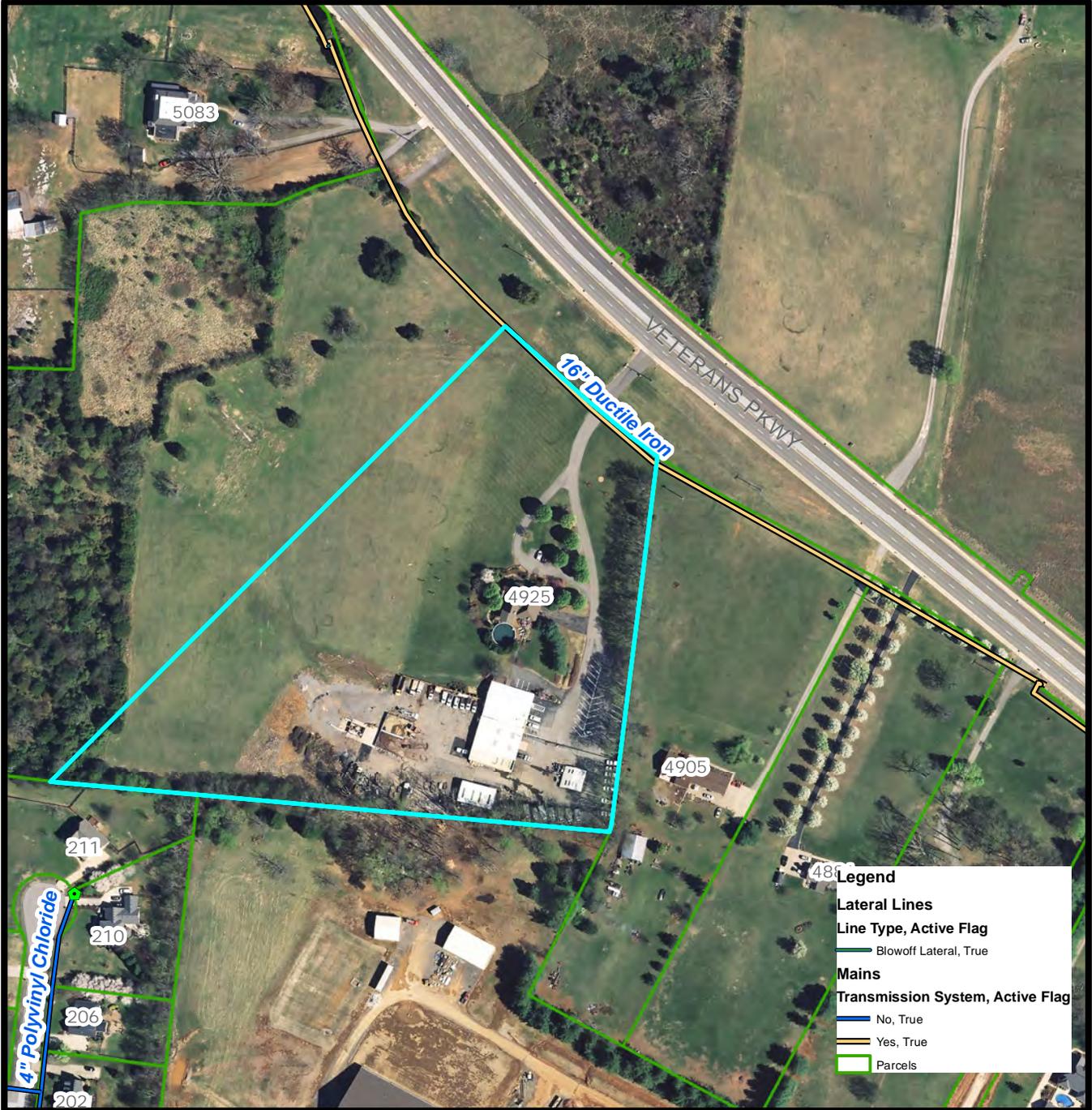
RM

 In Question



0 75 150 300 450 600 Feet

Rezoning Request 4925 Veterans Parkway



Legend

Lateral Lines
Line Type, Active Flag
— Blowoff Lateral, True

Mains
Transmission System, Active Flag
— No, True
— Yes, True
— Parcels

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: 10/30/2015
 Prepared by: JLW


 N.T.S.



840

CH

CF

CF RS-12
RS-10

RS-15

PRD

PRD

RS-10

RS-12

PUD

PRD

RS-15

RZ RS-15

PCD

PRD

RS-10

RS-15

RS-12

Site



OVERALL CREEK

RS-12

RS-15

PRD

PRD

RM-16

CH

RS-15

CF

PUD

96

RM-16



MASTER PLAN



MTEMC CONCEPTUAL MASTER PLAN



AMENITY CENTER

CORPORATE OFFICE AND OPERATIONS BUILDING

FIELD SERVICE YARD

4925 Veterans Parkway 10 acres

Rezoning from RM with a specific use variance to CS class.

We intend to continue using the property in the same manner as we have used it for the past 28 years. We have approx. 8000 sf of office and shop space to take care of vehicles and equipment involved in parking lot sweeping, landscape maintenance, pressure washing, and snow plowing for local shopping centers.



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

60

010867

RUTHERFORD COUNTY
BOARD OF ZONING APPEALS
ORDER OF ACTION

Appeal No. 99-13 Date: February 10, 1999

Applicants: Scott and Sandy Graby

Address of Appeal: 625 Beesley Road

Tax Map: 93 Parcel No. 2.18

Current Zoning of Property: R-20 Deed Book: 371 Page No. 369

Type of Appeal:

Amend an Existing Conditional Use Permit for a Home Business

FINDING OF FACT:

The Board found that the request met the following
Standards of General Applicability Article VII, Section 7.02:

- A. That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matter affecting the public health, safety, and general welfare.
- B. That the proposed building or use will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- C. That the proposed building or use will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water, and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.
- D. That the proposed building or use will not result in the destruction, loss, or damage of any features determined by the Board, to be of significant natural, scenic or historic importance.
- E. That the proposed building or use complies with all additional standards imposed by the Board.
- F. All sink holes are to be protected as permanent open space, therefore, all uses must take care not to generate additional runoffs into a sinkhole or cause excess sediment to reach the sinkhole.

MOTION: Carroll Uselton moved, seconded by Tony Webb, to approve the conditional use permit on the above described property with the following conditions:

- There shall be no sign.
- An off-street area shall be provided for vehicles to load and unload passengers.
- Facilities for vehicular access to and from the site shall be arranged to permit vehicles to exit from the site without backing out onto Beesley Road.
- Required off-street parking shall be located on site.
- No business shall be done at this site. This site shall be used only for storage of equipment and materials for business done offsite.
- All storage and activity shall be limited to the 6300 square feet building and done inside that building.
- There shall be no burning or dumping of trash or landscaping debris on site.
- There shall be a privacy fence erected between this site and the property to the immediate east, identified as Tax Map 93, Parcel 10.09.

VOTE: AYES 4 NAYES 1

[Signature]
Chairman

[Signature]
Secretary

Witness My hand and official seal at Murfreesboro, Tennessee, this 10th day of March 1999

My Commission Expires APRIL 16, 2000

[Signature]
Notary Public



[Signature] [Signature]
Scott and Sandy Graby,
Applicants

Witness My hand and official seal at M'boro, Tennessee, this 15th day of February 1999

My Commission Expires January 17, 2000

Received for recording the 12 day of MAR, 1999 at 3:22 PM

Notebook 53 page 527

REC. FEE \$ [Signature] REC#164510-001

STATE TAX \$ _____ LORI DIETRICH

REG. FEE \$ _____ Deputy Register

COMP. FEE \$ 2.00

RECORDED IN BOOK 645 Page 60
JENNIFER M. GERHART, REGISTER

61



SCOT GRABY - BZA 89-8

Mr. Graby had submitted application for a Home Occupation Permit to Operate a workshop in an accessory structure on property zoned R-15. The 40' x 70' and would be used for a shop, storage and office facility connected with his businesses. The property is located off Beasley Road and referenced by Tax Map 93, Parcel No. 2.18.

Chairman Cantrell opened the floor to public hearing; noone spoke for or against. The public hearing was closed.

Mr. Hall moved, seconded by Mrs. Lester to grant Mr. Graby's Home Occupation Permit. The motion carried unanimously by roll call vote (5 for).

BARBARA HAYES - BZA 89-7

Ms. Hayes property is located on Franklin Road and she had requested an interpretation of zoning on her property, however, the application was deferred since Ms. Hayes was not present. For the record, Mr. Jerry Philpin, an attorney from Milan, Tennessee spoke as a representative of his wife's family, who stated that there is serious question if applicant owns property. It seems that the owner had a lifetime interest in the property and that person is deceased.

LARRY AND DEBBIE HICKLEN - BZA 89-10

Mr. and Mrs. Hicklen had submitted application for a variance to allow a residence in an Industrial - 2 zone. The property is located on Old Nashville Hwy. adjacent to Stones River Battlefield as referenced by Tax Map 79-D, Parcel No. 6-A. Since 1976 the Hicklens have operated "Yesteryear" in an old store front with residence in the rear. Due to a growing family the Hicklens propose to add a bedroom with bath, a family room, and a recreation room to the existing facility. Since the property is located in the industrial zone, they have requested the variance in order to make the addition.

Chairman Cantrell opened the floor to public hearing; noone spoke for or against. The public hearing was closed.

Mr. Hayes moved, seconded by Mr. McAdoo to grant the variance request made by Hicklen. The motion carried unanimously by roll call vote (5 for).

EDDIE R. POGUE - BZA 87-9

Mr. Pogue's garage recently burned and he had made application to re-build on the residential lot, located at 213



Doug Demosi, AICP, CFM
Planning Director

Mike Hughes, P.E., CFM
County Engineer

MEMORANDUM

To: Planning Commission Members

From: Doug Demosi, Planning Director

Date: October 30, 2015

Subject: Staff Report – Mini Warehouse Regulation Amendments

The Planning Commission instructed Staff to investigate the possibility of amending the standards for mini warehouse developments in the unincorporated areas of Rutherford County at their September 28, 2015 meeting. The following analysis outlines the history of the regulations, requirements in other communities in the Middle Tennessee Area, presents amendment options and Staff recommendations.

History

The Zoning Resolution in effect prior to 2013 did not contain any specific regulations for mini warehouse developments, with the exception of the definition, which stated that no sales, service or repair activities other than rental of dead storage units were permitted. **General standards for all developments still applied to these uses.** Historically, these developments were categorized as Type II Conditional Use Permits that required approval from the Board of Zoning Appeals (BZA).

Standards were added to the Zoning Ordinance adopted in 2012 (Effective January 1, 2013) for mini warehouse developments. They are allowed with Special Exception approval from the BZA in the OP, CN, CS, CG, VNC, RC and EAC zones and by-right in the LI and HI zones. Section 1103 contains use-specific standards for mini warehouse developments, regardless of whether allowed by Special Exception or by-right, which 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 boats, campers and trailers.



Rutherford County Planning and Engineering Department

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

Doug Demosi, AICP, CFM
Planning Director

Mike Hughes, P.E., CFM
County Engineer

- 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.

The Planning and Engineering Department has received four applications for mini warehouse developments since these new regulations were implemented. During that time, Staff has received several concerns about Item e, the 65-foot setback requirement. One of the primary concerns raised was that with such a large setback, as opposed to 15 or 20 feet, can make site design a challenge. The Planning Commission has also approved mini warehouse developments prior to 2013 where the backs of the buildings serve as part of the buffer between properties. Staff believes that this is not practical with buildings that are setback a minimum of 65 feet from the property line.

Comparison of Regulations

Staff contacted several Planning offices in the Middle Tennessee area regarding their setback requirements for mini warehouse developments. Those findings can be seen in the following table:

Locality	Required Setback
RUTHERFORD COUNTY	65 feet
Brentwood	Controlled by the zoning district. No additional setbacks
Franklin	Controlled by the zoning district, but not permitted within 500 feet of an arterial right-of-way as shown on the Franklin Major Thoroughfare Plan unless screened in accordance with the Zoning Ordinance
Lebanon	65 feet



Doug Demosi, AICP, CFM
Planning Director

Mike Hughes, P.E., CFM
County Engineer

LaVergne	220 feet from any road frontage in C-2 district. Allowed in Industrial zones, following district setbacks.
Murfreesboro	Controlled by the zoning district. No additional setbacks
Smyrna	Controlled by the zoning district. No additional setbacks
Williamson County	150 feet between all residential property lines and all buildings and/or storage areas related to the self-service storage use – Can be waived if fencing and screening is utilized in accordance with the Zoning Ordinance
Wilson County	Controlled by the zoning district. No additional setbacks

A majority of the localities surveyed required no additional setbacks other than what is required in the zoning district. Franklin and Williamson County both have greater minimum setbacks than those required in the zoning district, but have the ability to reduce them if the use is buffered properly. Lebanon and LaVergne have setbacks that cannot be reduced with buffering.

Amendment Options

After reviewing how other localities regulate setbacks for mini warehouse developments, Staff has identified the following options:

- Option 1: Remove the 65-foot setback requirement. Removing the requirement would be consistent with the majority of the communities surveyed;
- Option 2: Amend the 65-foot requirement. Either reduce the requirement or adopt language that would allow a developer to reduce the distance if screening requirements are met.
- Option 3: Leave the 65-foot requirement as is.

These options were discussed in detail at the Planning Commission's October 26, 2015 meeting. Most of the discussion concerned Options 1 and 2. Some of the Commissioners felt that eliminating the requirement would be the simplest solution. While the consensus was to reduce the requirement, several other Commissioners favored keeping the 65-foot setback for those structures that would have access on both sides of the building. The approved recommendation from the Planning Commission was to use the language Staff provided in the next section, with the last sentence (Blank walls of masonry, concrete block or similar material will not be allowed.) being modified.



Doug Demosi, AICP, CFM
Planning Director

Mike Hughes, P.E., CFM
County Engineer

Staff Recommendation

After researching and analyzing the results, Staff feels that Option 2 would be the best course of action. If constructed properly, the backs of the buildings can be used as part of the buffering for the property. That being said, Staff feels that some scrutiny in the design is appropriate in this situation. Staff recommends the following changes to Section 1103 C.3:

*The setback for such activities (i.e. buildings and outdoor storage) shall be a minimum of sixty-five (65) feet, **provided that if there is access on only one side of the building**, the setbacks of the district can apply. The buildings may be used as part of the required buffer **if the design and appearance is approved** by the Board of Zoning Appeal or Planning Commission, as applicable, consistent with Section 1104 of this Ordinance.*

In order to make this amendment, a public hearing will need to be held at both the Planning Commission and Board of Commissioners, consistent with the requirements of the Zoning Ordinance.

Staff will be available before or during the meeting to answer any questions.

