# Rutherford County Regional Planning Commission

## Agenda – 1-11-16 – 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V. ITEMS WITHDRAWN/DEFERRED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 – REZONING REQUESTS/PUBLIC HEARINGS

A. **Ernie Lee Colvin, II (15-A016)**
**Location: 4025 Southridge Boulevard**
**Commissioner District: 7 (Mike Kusch)**
**Size of Site: Approximately .8 acres**
**Tax Map: 125G, Group: A, Parcel: 2.00**
**Existing Zoning: Residential Medium-Density (RM)**
**Proposed Zoning: Office Professional (OP)**

B. **Aaron Duggin (16-A001)**
**Location: Miller Road**
**Commissioner District: 6 (Joe Frank Jernigan)**
**Size of Site: Approximately 29.4 acres (10 acres requested for rezoning)**
**Tax Map: 156, Parcel: 46.00**
**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 Staff Report

Planning Commission Meeting Date: January 11, 2016

| | |
|---|---|
| Case Number: | 15-A016 |
| Staff Recommendation: | **DENIAL** |
| Request by: | Ernie Lee Colvin, II |
| Property Address: | 4025 Southridge Boulevard |
| Commission District: | 7 – Mike Kusch |
| Urban Growth Boundary: | Murfreesboro UGB |

## Applicant Request

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

## 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.

## Site Characteristics

Current Zoning: RM

Current Use: Residential

Adjacent Uses: Residential to the north and west. Community Assembly use (Religious facility) to the east. Barfield Park is located across Veterans Parkway.

Adjacent Zoning: RM on all sides, except the south. City of Murfreesboro zoning of Park (P) across Veterans Parkway

Size of Tract: Approximately .8 acres

## Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the General Urban Character Area, as well as the Barfield Rural Center. General Urban areas are recommended to include residential uses at densities of up to ten residential units per acre and .9 Floor/Area Ratio for non-residential uses. Veterans Parkway is also identified as an Urban Corridor.

Proposal supported by Comprehensive Plan

Non-residential uses are contemplated along Urban Corridors and within both the General Urban Character Area and Rural Centers. The Plan also encourages non-residential development in commercial nodes. While there are existing non-residential uses adjacent and across the street from the property, Staff wouldn't necessarily consider this property within an existing commercial node.

## Infrastructure

Roads: The properties have frontage along Veterans Parkway, which is a 5-lane undivided road with adequate right-of-way.

A traffic count along Veterans Parkway just to the west of the intersection with Southridge Boulevard shows a 2014 count of 11,991 trips per day. The right-of-way for Veterans Parkway is located within the city limits of Murfreesboro.

Utilities: Information from Consolidated Utility District (CUD) indicates that there is an existing 12-inch water line on both Veterans Parkway and Southridge Boulevard.

Fire Protection: There are several fire hydrants located within 1,000 feet of the property. If the rezoning is approved, the home will need to be evaluated to determine what improvements need to be made to conform to both the Building Code and the Fire Codes.

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: Since this is a rezoning for a non-residential use, no impact is foreseen on the Rutherford County School System.

## Background/Proposal Details

Proposed Use: The applicant would like to rezone the property for use as an office, with the possibility of adding a second tenant in the future. The applicant has submitted a concept plan that has been included with your agenda materials.

***This application was requested to be deferred by the applicant prior to the December 14, 2015 meeting. The applicant discovered a restrictive covenant for the property that prohibited commercial use. Although the existence of this covenant does not affect any action the Planning Commission or Board of Commissioners may take on the application, the applicant wanted to try to amend the covenant prior to moving the application forward.***

Access & Parking: Access to the properties would be from Southridge Boulevard. The access would need to be improved to accommodate two-way traffic. The parking area would have to be designed to County standards.

Landscaping: A Type 1 buffer would be required between adjacent residentially zoned areas and the subject property. The buffer zone is a minimum of 15 feet, but can be reduced to 7.5 feet if a solid visual screen is utilized.

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.

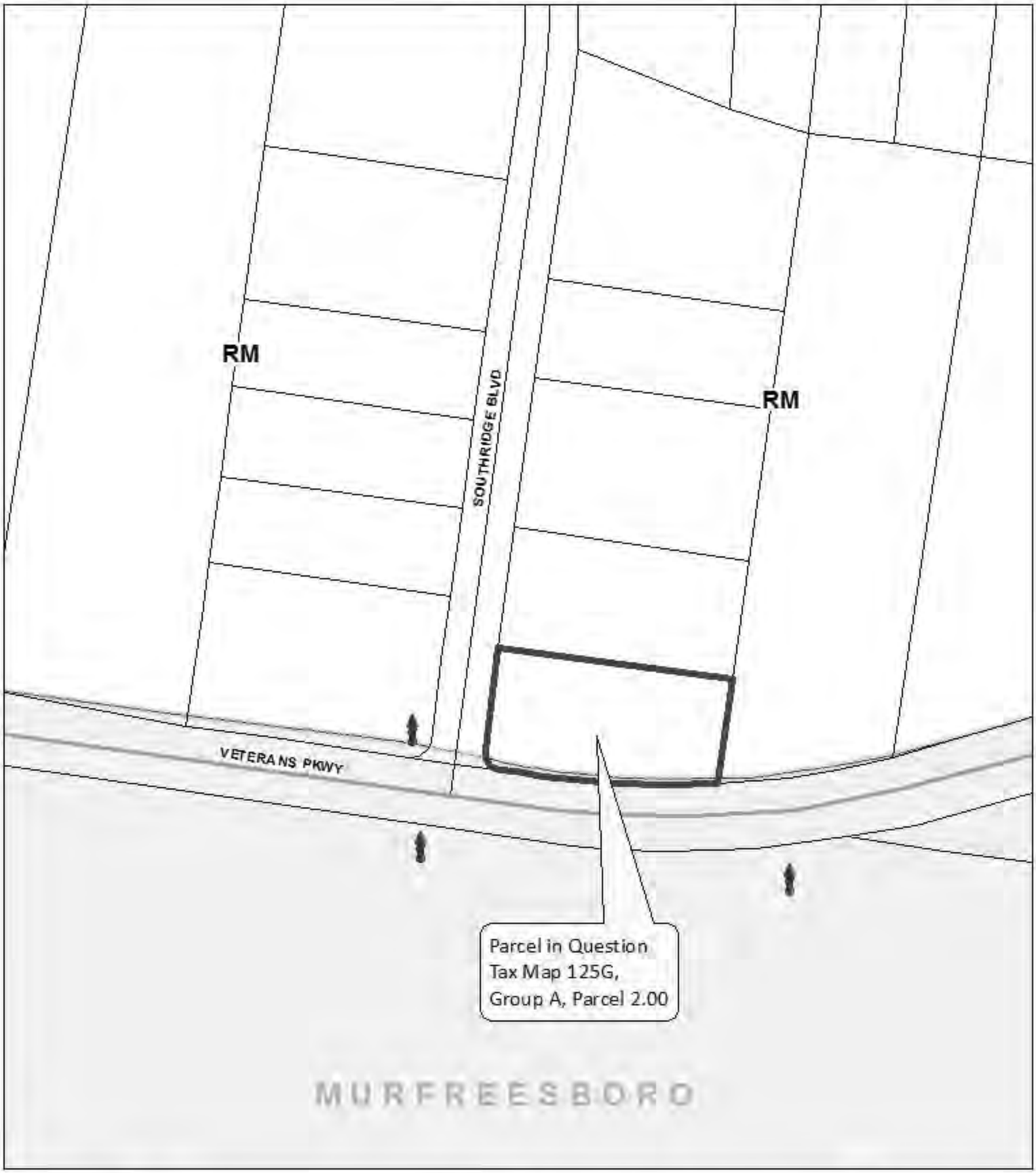
## Staff Recommendation

Staff recommends denial of this application. Staff informed the applicant at the beginning of the process that we didn't have much of a comfort level with this rezoning. Staff generally doesn't support single lots in existing subdivisions being zoned for non-residential uses, even if those lots happen to be at the entrance to the subdivision. The property was developed as part of a residential subdivision and was never intended for non-residential occupancy. That being said, the OP zone can be used as a transitional zone from the more intensely zoned areas in the City of Murfreesboro to the east. Veterans Parkway was recently widened to five lanes in this area and this lot has frontage along the street. The property is also immediately adjacent to an existing church and Barfield Park is located directly across the street. Barfield Elementary School is also less than a quarter of a mile to the east of the property.

## Attachments

Zoning Map
Aerial Map
CUD Water Lines Map
Application Materials from Applicant

# 15-A016




RM - Medium Density Residential

In Question

N

Feet

0 25 50 100 150 200

# 15-A016

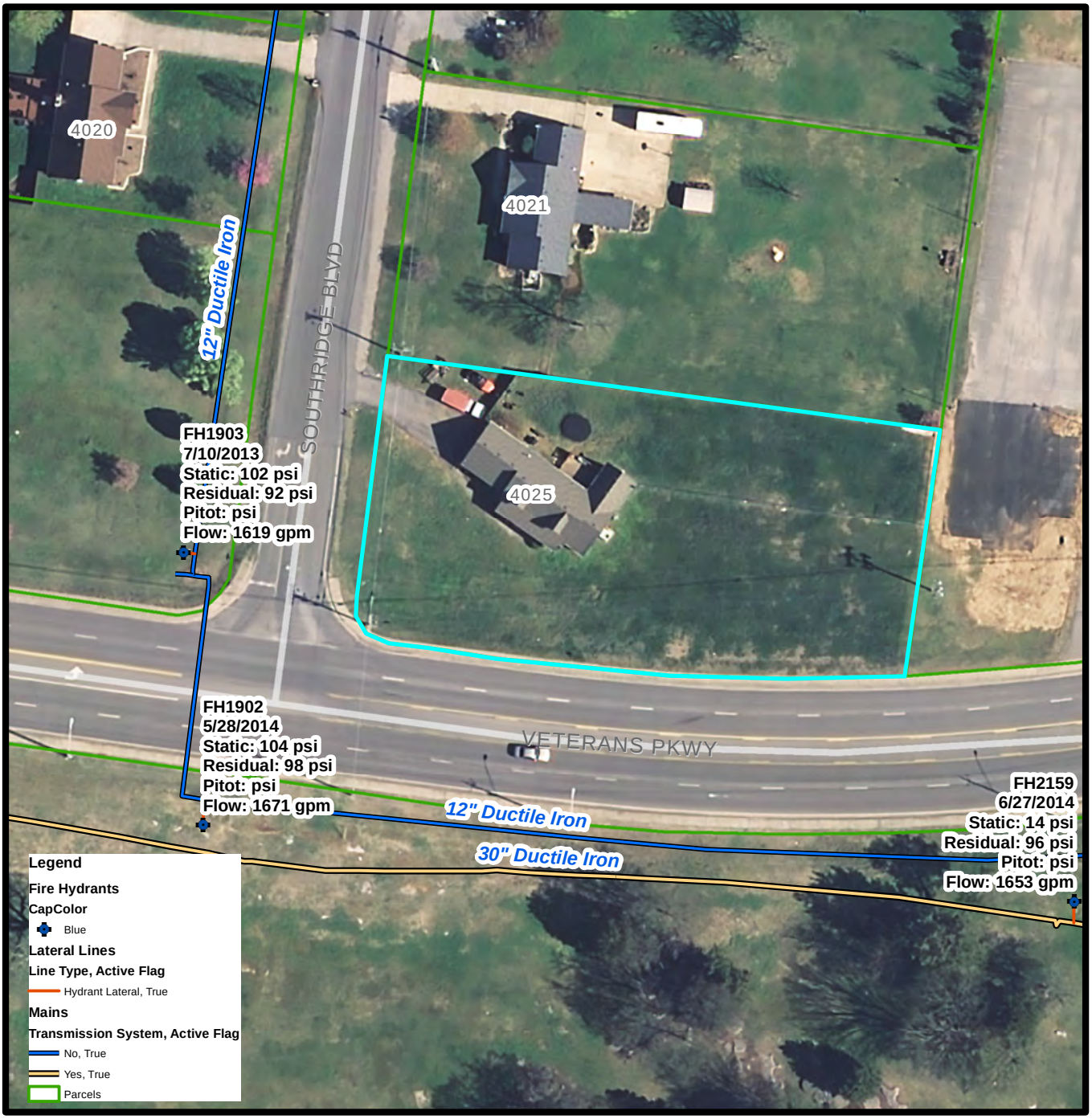
In Question

N

Feet

0 25 50 100 150 200

# Rezoning Request
# Tax Map 125G Group A Parcel 2.00




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

Date: 12/4/2015

Prepared by: JLW

N W E S

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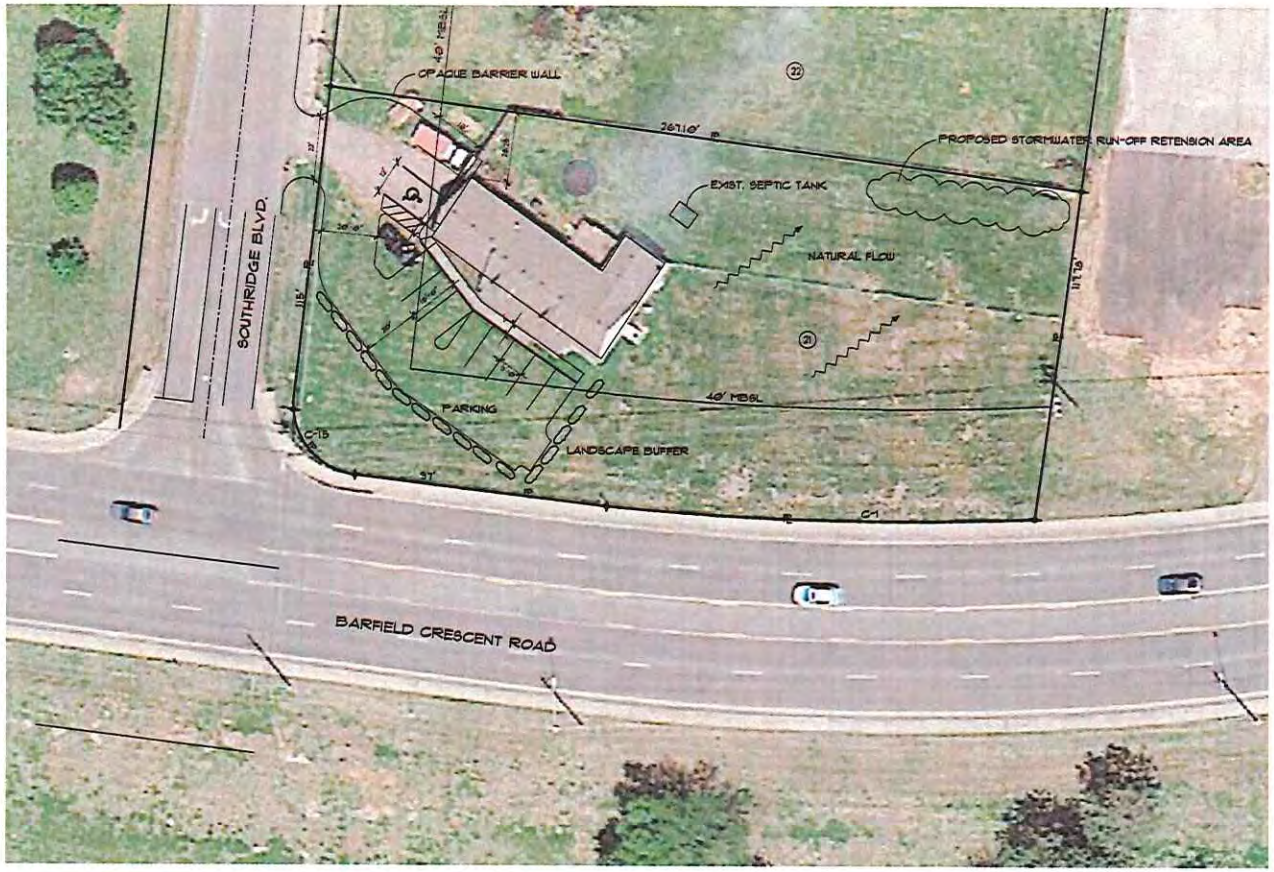
CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee




NOTES:

2753 S.F. +/- / 250 S.F. PER PARKING SPACE = (10) SPACES AT 9'W x 18'D
AND (1) H.C. PARKING SPACE AT 12'W x 19'D. W/ 5' STRIPED WALK AREA AND SIDE WALK RAMPS.

POST -RUNOFF EQUALING PRE-RUNOFF.

NORTH

**EXISTING SITE CONDITIONS : 1" = 20'**

BERT THOMAS
architects
Florida Registration #10668
1305 Estatewood Drive
Brandon, Florida 33510
ph. 813 689 6493
bdarch@aol.com

**CHANGE OF USE: RESIDENTIAL TO BUSINESS PROFESSIONAL SERVICES FOR**

**MR. LEE COLVIN, ADVISOR**

**EDWARD JONES FINANCIAL SERVICES**

4025 SOUTHRIDGE BOULEVARD
MURFREESBORO, TENNESSEE

BT 15 40
5 NOVEMBER 2015

**A1**

W:\BT-15-40-EDWARD JONES OFFICE FOR LEE COLVIN\CAD FILES\PLAN SET.dwg, 11/12/2015 1:09:30 PM

4025 Southridge Blvd, Murfreesboro, TN
Rezoning Approval/ Business Professional

Name
Address

1 Rick Nelms
468 VETERNS PKY
2 Judy Underwood
478 veterans Pky
3 Ava Oates
4011 Southridge Blvd
4 Sean Sanders
4007 SouthRidge Blvd
5 Susan Rodeharver
4004 Southridge Blvd
6 Daisy Lam
4008 Southridge Blvd
7 4012 southridge Blvd.
Judy Martin, Just Talked
8 Lana Dunlap
4020 Southridge blvd

9 Veterans Pkwy church of Christ
Tracy Harris & Wilson Adams

# Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: January 11, 2016

| | |
|---|---|
| Case Number: | 16-A001 |
| Staff Recommendation: | **APPROVAL** |
| Request by: | Aaron Duggin |
| Property Address: | Miller Road |
| 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: RM

Current Use: Vacant

Adjacent Uses: I-24 to the east. Mulch facility to the west. Vacant to the north. Single-family homes to the south, across Miller Road

Adjacent Zoning: RM on all sides. While not directly adjacent, the mulch facility is zoned EAC

Size of Tract: Approximately 29 acres (10 acres requested for rezoning)

## Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Employment Character Area, as well as the Epps Mill Road Major Employment Center. Employment Character areas recommend a .9 Floor/Area Ratio for non-residential uses. Veterans Parkway is also identified as an Urban Corridor.

Proposal supported by Comprehensive Plan

Non-residential uses are contemplated within both the Employment Character Areas. The Plan also encourages non-residential development in commercial nodes, which this property is part of. The location of this property, however, is more remote from existing infrastructure than some of the other EAC-zoned properties in the area.

## Infrastructure

Roads: The property has frontage along Miller Road, which is a 2-lane undivided road with inadequate right-of-way. There are no traffic counts along Miller Road in this area. The County's Long Range Transportation Plan identifies Miller Road as requiring safety improvements, which typically include adding shoulders. If this application is approved, Staff will work with the applicant to provide these improvements along their frontage.

Utilities: Information from Consolidated Utility District (CUD) indicates that there is an existing 6-inch water line along Miller Road in this area (See attached map).

Fire Protection: There are no fire hydrants in close proximity to the subject property. The existing water line cannot support a fire hydrant. Any development will have to conform to the adopted building and fire codes for the County.

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: Since this is a rezoning for a non-residential use, no impact is foreseen on the Rutherford County School System.

## Background/Proposal Details

Proposed Use: The applicant would like to rezone the property for use as a mini-warehouse facility. No concept plan has been developed at this point. Mini-warehouse developments are permitted by special exception in the EAC zone. If the rezoning application is approved, a special exception application to the Board of Zoning Appeals will also be required. Site plan approval will ultimately be required before the Planning Commission should the application proceed to this point.

Access & Parking: Access to the property will be from Miller Road. Miller Road is shown on the County's Long-Range Transportation Plan as needing safety improvements, which typically include adding shoulders. If the application is approved, Staff would expect these improvements as part of the project. Staff would also like to see the access to the property as far away from the curve in Miller Road as possible.

Landscaping: A Type 2 buffer is required between adjacent residentially zoned areas and the subject property. The buffer zone is a minimum of 30 feet, but can be reduced to 15 feet if a solid visual screen is utilized. Recent changes to the setback requirements for mini warehouse facilities would allow the applicant to use the backs of the buildings as part of the screen if designed properly.

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

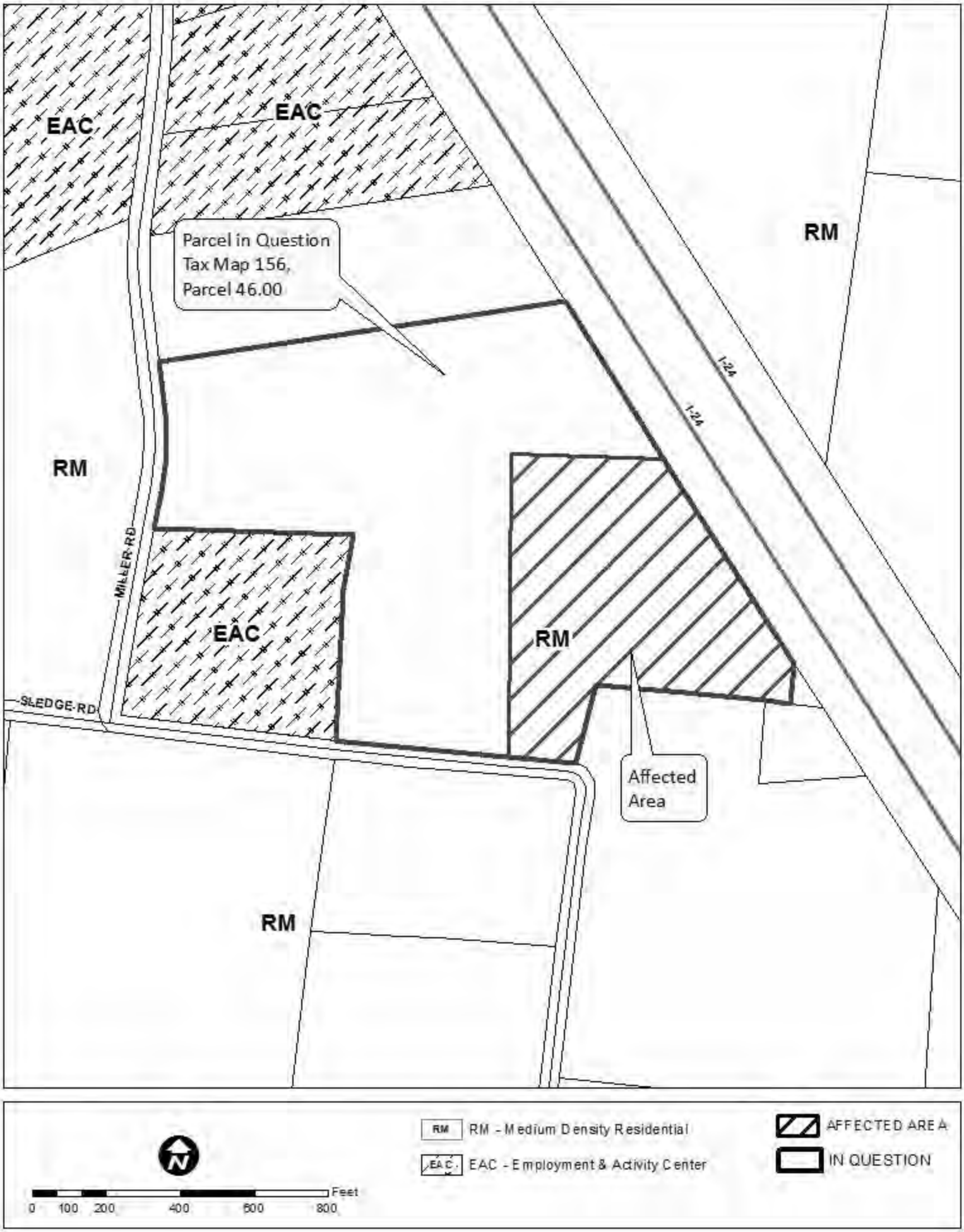
The property is located within the Epps Mill Road Major Employment Center. The EAC zoning district was designed specifically for these centers. Staff also doesn't believe that the property will be used for single-family purposes.

The setback regulations for mini warehouse developments were recently amended to allow for more flexible design, allowing the backs of the buildings to be used as part of the required screening for the project. That being said, Staff does have concerns about the lack of fire protection in the area. If the application is approved and the development moves forward the County's Fire Chief will have to work closely with the applicant to ensure that the buildings are constructed as safely as possible. Staff recommends approval.

## Attachments

Zoning Map
Aerial Map
CUD Water Lines Map
Rezoning Exhibit from Applicant

# 16-A001


EAC
EAC
Parcel in Question
Tax Map 156,
Parcel 46.00
RM
I-24
I-24
RM
MILLER RD
EAC
RM
SLEDGE RD
Affected
Area
RM
RM - Medium Density Residential
EAC - Employment & Activity Center
AFFECTED AREA
IN QUESTION
N
Feet
0 100 200 400 600 800

# 16-A001

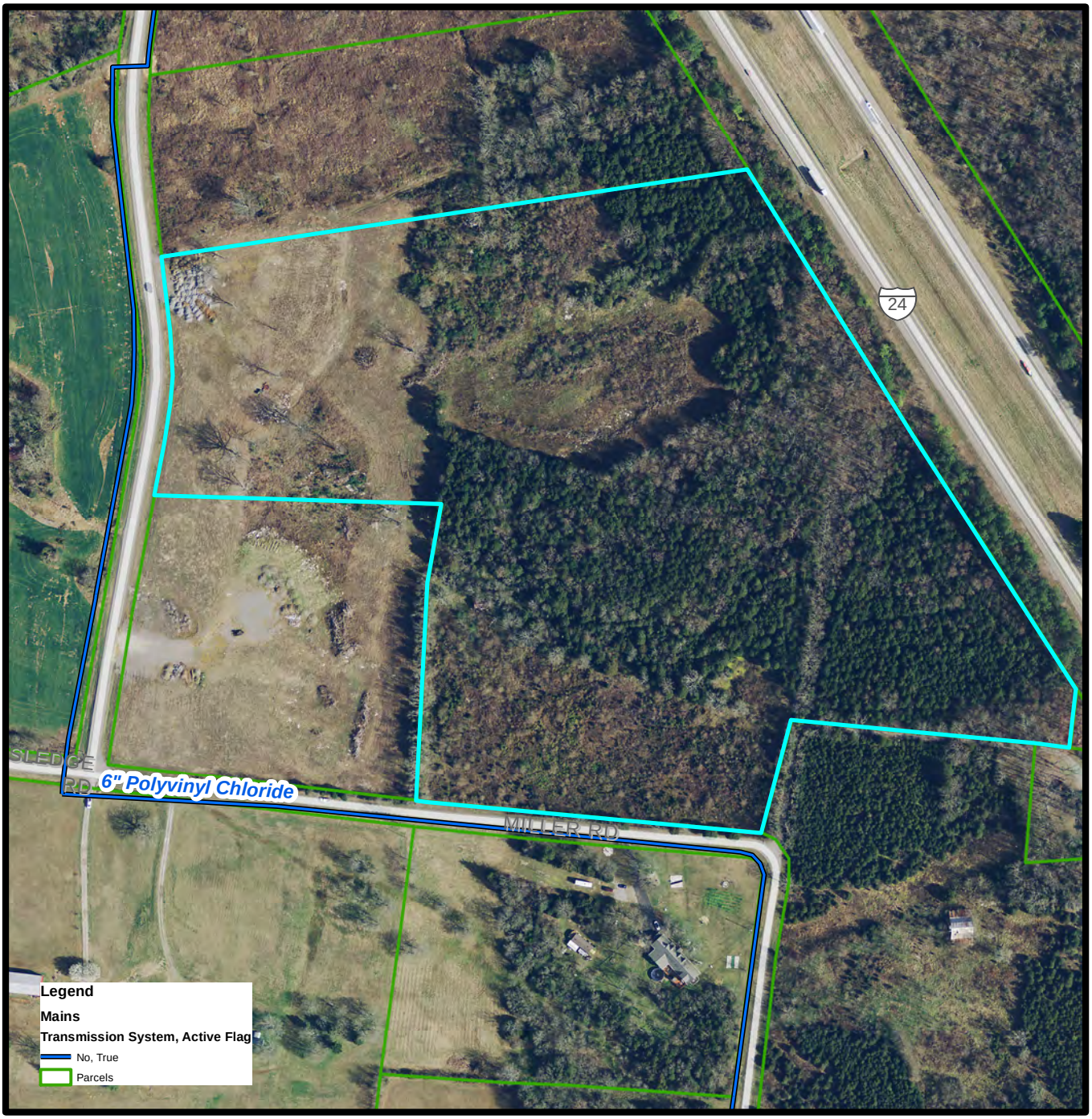
RM - Medium Density Residential

EAC - Employment & Activity Center

In Question

0 100 200 400 600 800 Feet

# Rezoning Request
# Tax Map 156 Parcel 46.00




**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: 12/14/2015

Prepared by: JLW

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CONSOLIDATED UTILITY DISTRICT
*Rutherford County, Tennessee*

# Rezoning Exhibit

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

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