

Rutherford County Regional Planning Commission

Agenda – 6-13-16 – 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- V. ITEMS WITHDRAWN/DEFERRED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. David Alcorn (16-A010)

Location: 4613 Veterans Parkway

Commissioner District: 20 (Trey Gooch)

Size of Site: Approximately 6 acres

Tax Map: 93, Parcel: 10.17

Existing Zoning: Residential Medium-Density (RM)

Proposed Zoning: Commercial Services (CS)

B. Lucas Thompson for Jim Thompson (16-A011)

Location: Jackson Ridge Road

Commissioner District: 8 (Pettus Read)

Size of Site: Approximately 5 acres

Tax Map: 146, Parcel: 38.01

Existing Zoning: Residential Medium-Density (RM)

Proposed Zoning: Commercial General (CG)

C. Eddie Smotherman (16-A012)

Location: 10215 Midland Road

Commissioner District: 8 (Pettus Read)

Size of Site: Approximately 62 acres

Tax Map: 183, Parcels: 6.02, 6.03 and 6.17

Existing Zoning: Residential Low-Density (RL)

Proposed Zoning: Planned Unit Development (PUD) – Residential Subdivision

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

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: June 13, 2016

Case Number: 16-A010

Staff Recommendation: **APPROVAL**

Request by: David Alcorn
Property Address: 4613 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
Adjacent Uses: Single-Family Residential on all sides, with the exception of the northwest corner, which is used for agricultural purposes
Adjacent Zoning: RM on all sides, PRD (Murfreesboro City) across Veterans Parkway for The Cloister Subdivision
Size of Tract: Approximately 6 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 immediately adjacent to the south of the subject property. Any new development/redevelopment 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

Proposed Use: The applicant would like to use the subject property as the main office for Southern Lifestyle Homes. The existing house will be used as an office and the existing accessory structure behind the house will be used for equipment storage. There will also be some vehicle/trailer storage behind the house. The applicant has met with Building Codes Staff to determine what improvements need to be made with the change of occupancy. A concept plan has been included with your agenda materials.

Access & Parking: Access will be from Veterans Parkway. The applicant does plan to construct a new parking area. Any new parking lots and access drives will need to be 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. Development projects would be required to meet the Landscape Requirements of the Zoning Ordinance. Existing plantings can be used to help satisfy the buffering requirements.

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 believes that the Veterans Parkway area 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 MTEMC'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. The Board of Commissioners also approved a rezoning request at 4925 Veterans Parkway at their December 17 2015 meeting.

Staff feels that CS zoning would be consistent with the development trend in the area and recommends approval.

Attachments

Zoning Map

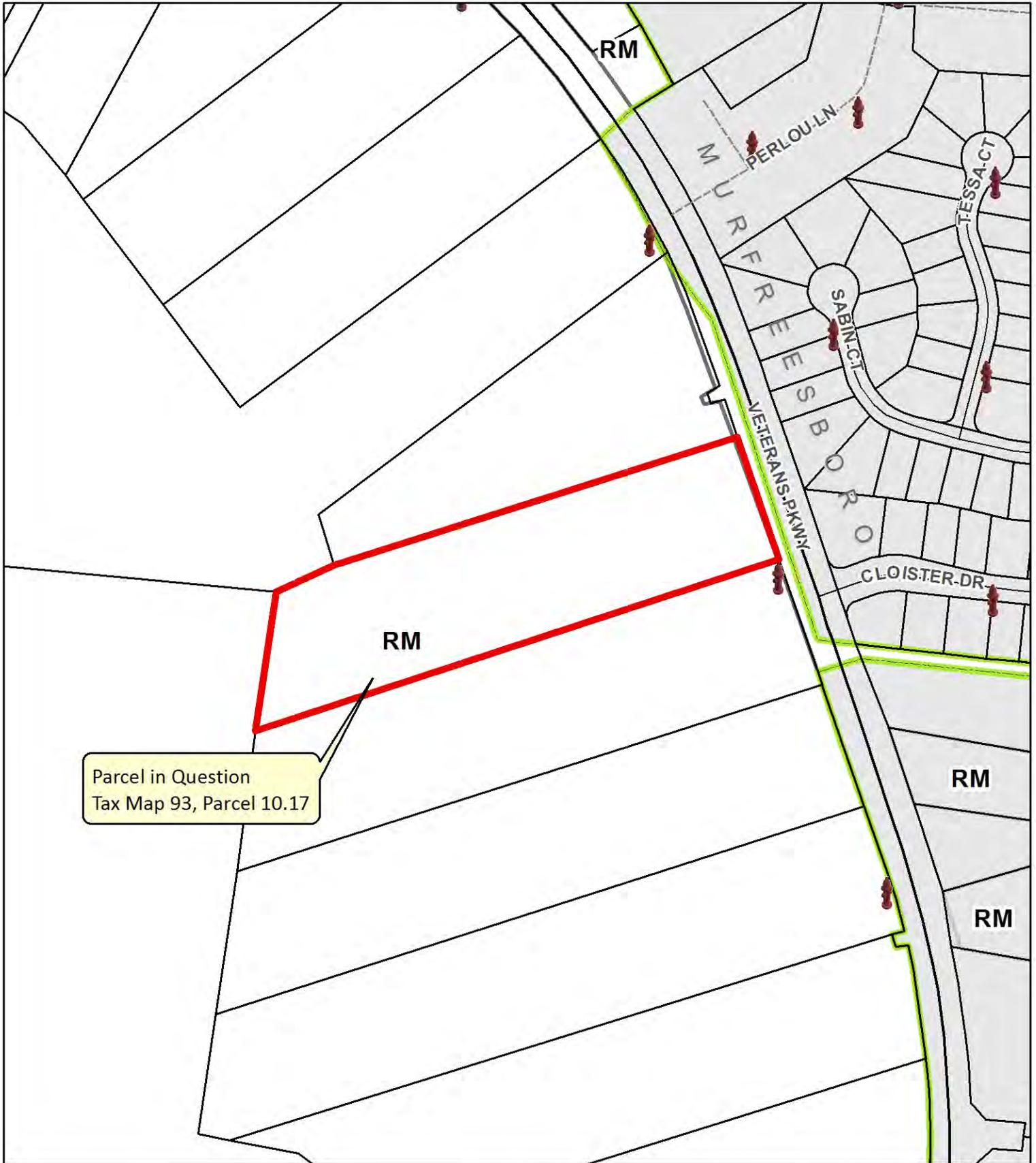
Aerial Map

Water Line Map from CUD

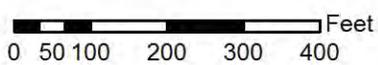
Portion of Murfreesboro Zoning Map

Materials from Applicant (Concept Plan)

16-A010



Parcel in Question
Tax Map 93, Parcel 10.17



RM RM - Medium Density Residential

 In Question

 Fire Hydrants

16-A010



Parcel in Question
Tax Map 93, Parcel 10.17



0 50 100 200 300 400 Feet



In Question



Fire Hydrants

Rezoning Request Tax Map 93, Parcel 10.17

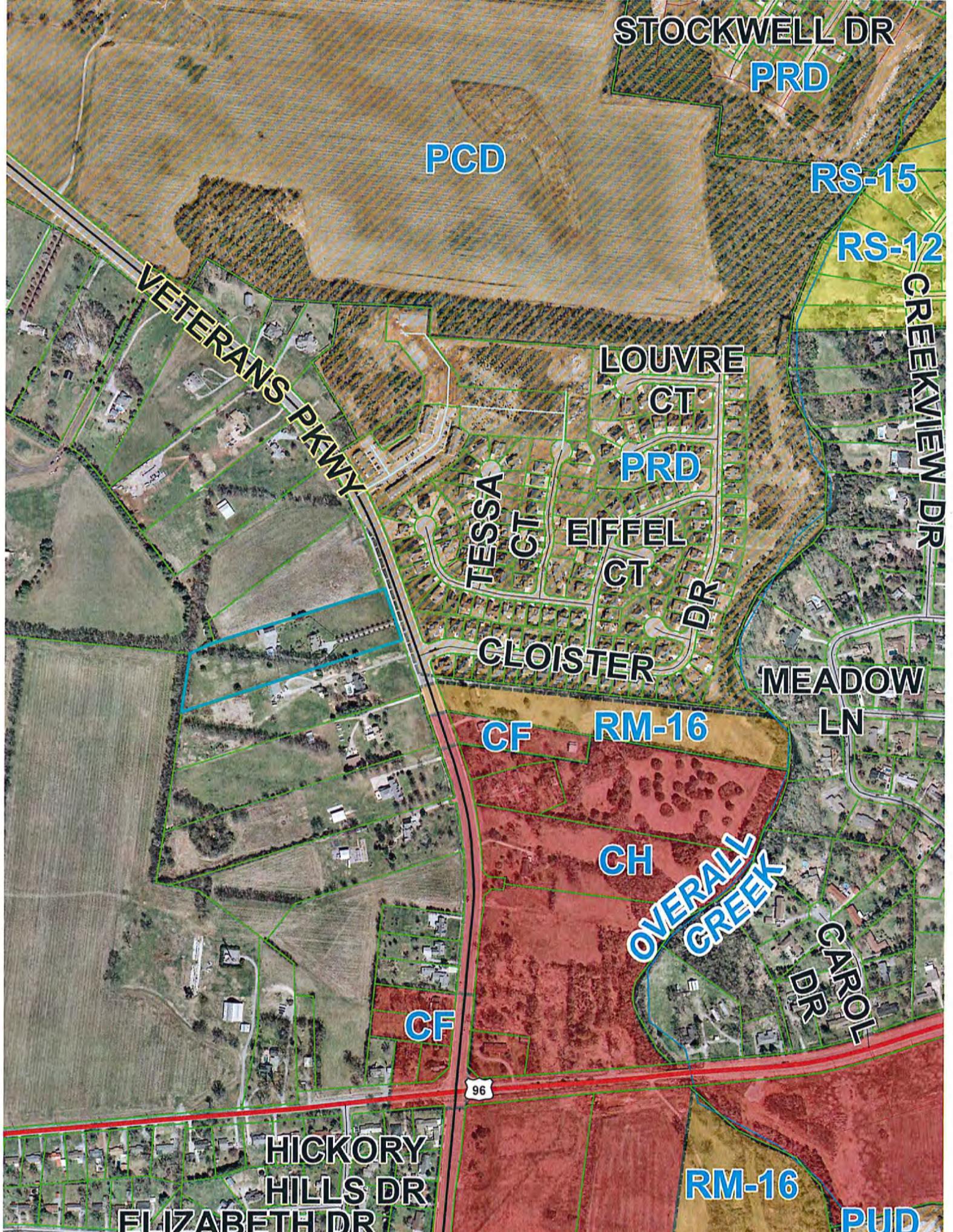


Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

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: May 31, 2016





STOCKWELL DR
PRD

PCD

RS-15

RS-12

VETERANS PKWY

LOUVRE
CT

PRD

TESSA
CT

EIFFEL
CT

DR

CREEKVIEW DR

CLOISTER

MEADOW
LN

CF

RM-16

CH

OVERALL
CREEK

CAROL
DR

CF

96

HICKORY
HILLS DR

RM-16

ELIZABETH DR

PUD



Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: June 13, 2016

Case Number: 16-A011

Staff Recommendation: **APPROVAL**

Request by: Lucas Thompson for Jim Thompson

Property Address: Jackson Ridge Road

Commission District: 8 – Pettus Read

Urban Growth Boundary: Rural Area

Applicant Request

Rezoning from Residential Medium-Density (RM) to Commercial General (CG)

Purpose of District

This class of district is designed to provide sufficient space in appropriate locations for a diverse range of commercial activities to serve a wide market area including retail, consumer and personal services, auto sales and repair, entertainment and amusement venues, food services, transient sleeping accommodations, various office uses, administrative and consulting services, the warehousing of products with no objectionable characteristics, limited industrial and assembly uses, and compatible services. These districts should be well separated from residential districts.

Site Characteristics

Current Zoning: RM

Current Use: Vacant/Agricultural

Adjacent Uses: Single-Family Residential to the south, west and east. Vacant/agricultural to the north. Commercial uses are located at the intersection of Jackson Ridge Road and Rockvale Road to the southeast

Adjacent Zoning: RM on all sides. Commercial Neighborhood (CN) at the intersection of Jackson Ridge Road and Rockvale Road

Size of Tract: Approximately 5 ½ 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. Jackson Ridge Road is also identified as an Urban Corridor by the Plan.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan anticipates commercial uses in the Suburban Character Area.

Infrastructure

Roads: Jackson Ridge Road is a 2-lane, ditch-section road that has adequate right-of-way. The County's Long Range Transportation Plan shows this section of Jackson Ridge Road to be widened to a cross-section of 2-lanes with shoulders. There appears to be adequate right-of-way to make this improvement. There is a TDOT traffic count located about a

mile to the southeast of the property along Concord Road that shows a 2014 count of 789 vehicles per day.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 8-inch water line located along the opposite side of Jackson Ridge Road as it fronts the subject property. The attached map shows existing water lines in the area of the subject property.

Fire Protection: The closest fire hydrant is located at the intersection of Jackson Ridge Road and Rockvale Road (Orange Top). Any new development/redevelopment 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

Background/Proposed Use: The property was originally zoned "Services" under the previous Zoning Resolution in 2005. A conditional use permit (copy attached) was also approved for Mini-warehouses, Storage of Boats, RVs and ATVs and Maintenance Service Businesses that include the following: Heating And Air Conditioning Maintenance, Lawn And Garden Maintenance, Plumbing Maintenance and Janitorial Services. The property was never developed with any of these businesses and the conditional use permit lapsed. The property was zoned RM when the County comprehensively rezoned the unincorporated area in 2013. The applicant is asking to reestablish the commercial zoning and construct a mini-storage business. A concept plan has been provided to Staff and is included with your agenda materials. CG zoning does not allow mini-warehouse uses by right. They are allowed by special exception approval through the Board of Zoning Appeals.

The concept plan shows the proposed construction of four buildings, as well as the existing building which would remain as indoor storage. The western-most building will be used for RV/Boat storage and from what the applicant stated to Staff, will probably be the first phase of what they will construct. This is a non-binding concept plan and an engineered site plan will be required to be submitted to the Planning Commission should both the rezoning and special exception applications be approved.

Access & Parking: Access will be from Jackson Ridge Road. Any new parking lots and access drives will need to be 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. Development projects will be required to meet the Landscape Requirements of the Zoning Ordinance. Existing plantings can be used to help satisfy the buffering requirements.

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.

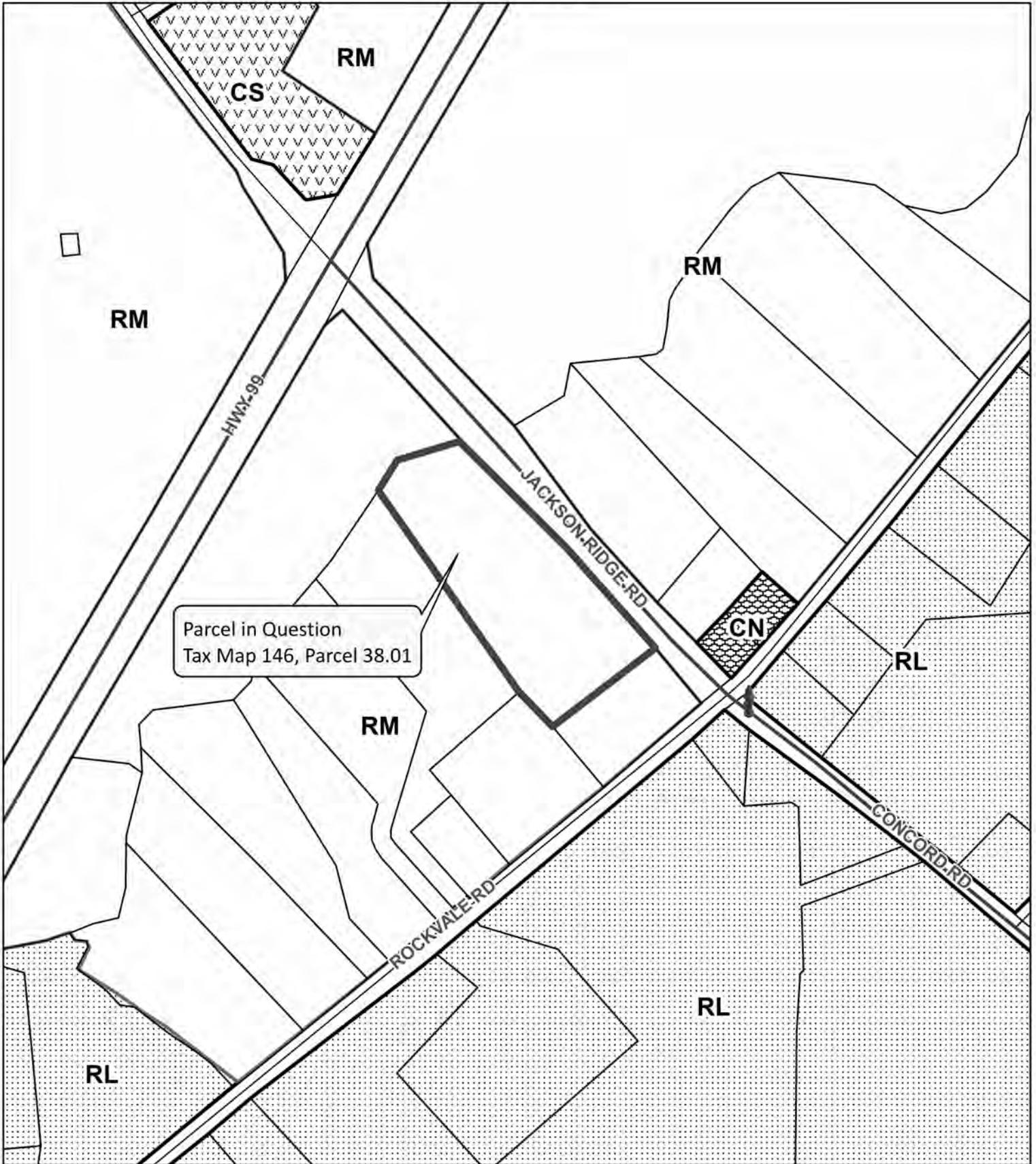
Staff Recommendation

Considering that the property was zoned for commercial purposes in the past, Staff feels that commercial zoning is appropriate. Staff would like the Planning Commission to have some discussions on whether CG or CS would be the more appropriate zoning classification for the property. Staff typically recommends CS zoning for mini-warehouse developments submitted for review. Although the applicant has requested CG zoning, all of the activities that the applicant is proposing would also be allowed in the CS zoning district.

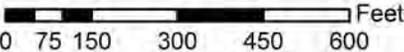
Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Concept Plan
Previously Approved Conditional Use Permit

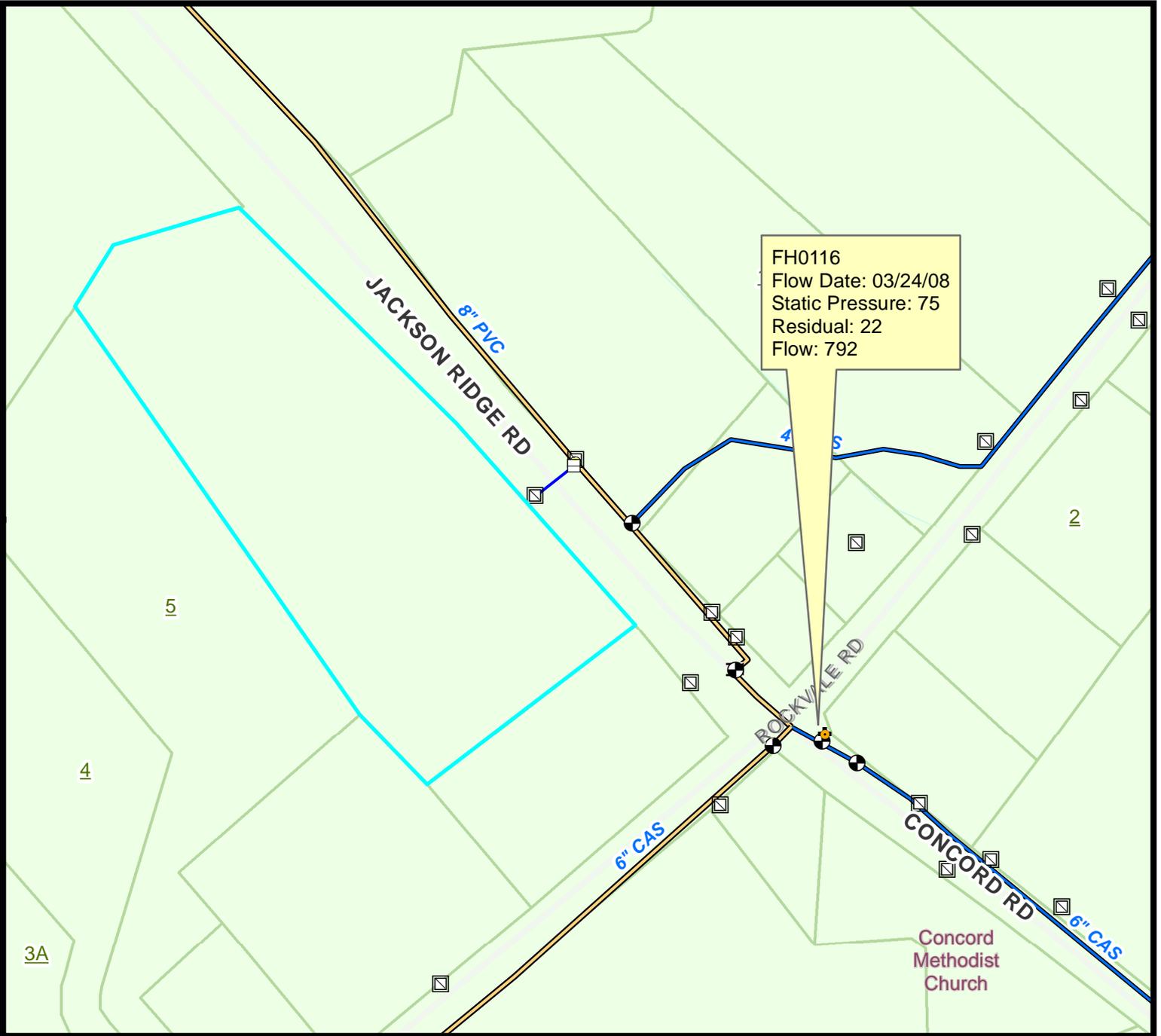
16-A011



Parcel in Question
Tax Map 146, Parcel 38.01

	 RM - Medium Density Residential	 In Question
	 RL - Low Density Residential	 Fire Hydrants
 0 75 150 300 450 600 Feet	 CN - Commercial Neighborhood	
	 CS - Commercial Service	

Rezoning Request Tax Map 146, Parcel 38.01

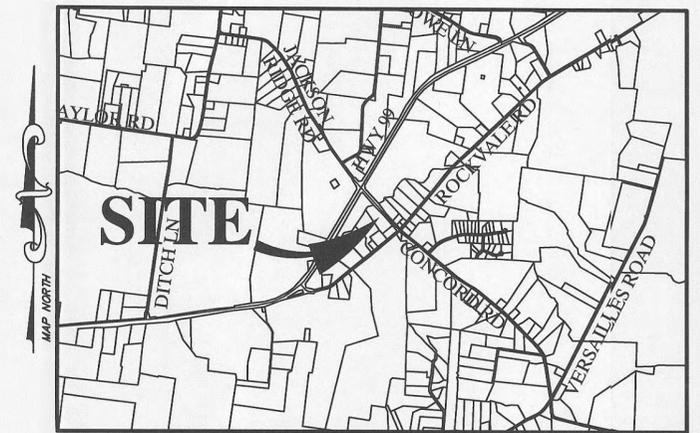


Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

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Date: May 31, 2016



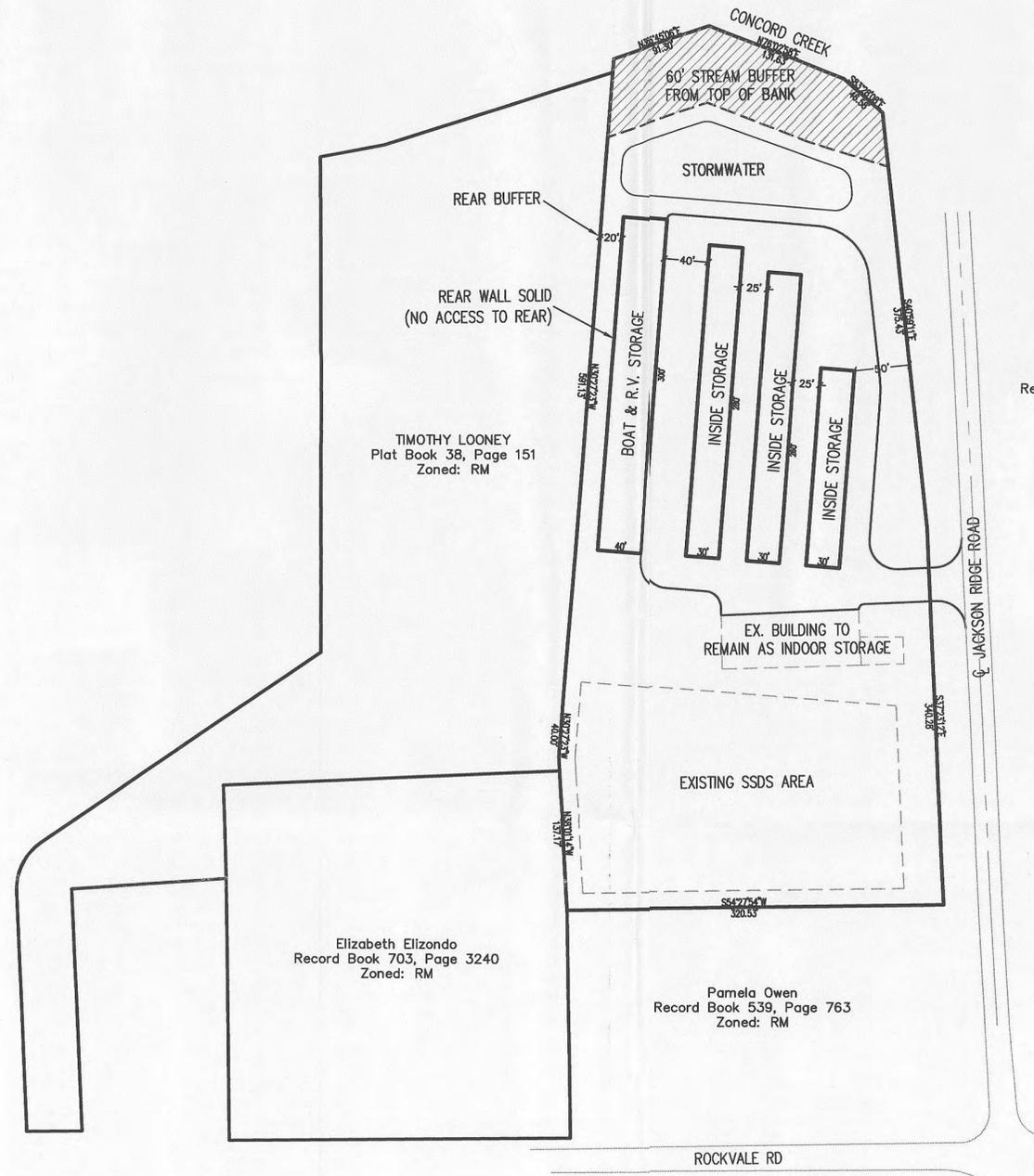


LOCATION MAP
N.T.S.

Billie Johns
Record Book 703, Page 3242
Zoned: RM

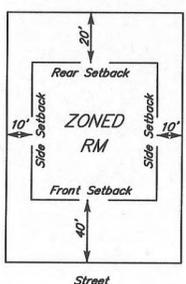
RECEIVED
MAY 13 2016

BY:



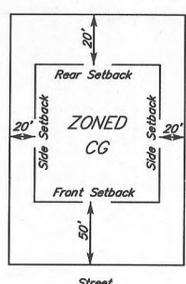
PROPERTY IS CURRENTLY ZONED RM
APPLYING FOR ZONING CG

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

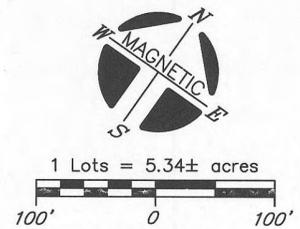


TYPICAL BUILDING SETBACK DETAIL
N.T.S.

ZONED: CG
FRONT SETBACK: 50'
SIDE SETBACK: 20'
REAR SETBACK: 20'



TYPICAL BUILDING SETBACK DETAIL
N.T.S.



- LEGEND FOR MONUMENTS
 IPS ○ IRON PIN SET (1/2" H-5)
 IPF ○ IRON PIN FND.
 ○ RAILROAD SPIKE
 * FENCE
 ● SURVEY POINT
 △ NAIL
 ■ CONC. MARKER FND.
 P.O.B. POINT OF BEGINNING

OWNER: THOMPSON FAMILY TRUST
 ADDRESS: 14136 MT PLEASANT RD
 Rockvale, TN 37153
 PROPERTY: JACKSON RIDGE RD
 Tax Map 146, Parcel 38.01

THIS PROPERTY IS NOT INCLUDED IN AN AREA DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY MAP 470149C0, 0360-H, DATED JAN. 05, 2007 ZONE: X (PANEL NOT PRINTED)
 FLOOD MAP 47149C0 PANEL 0360-H DATED JAN. 5, 2007 ZONE: X (PANEL NOT PRINTED)

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

REZONE EXHIBIT

THOMPSON STORAGE

10th Civil District of Rutherford County, Tennessee

Date: May, 2015 Scale: 1"=100' Sheet 1 of 1

I:\C03036\Land Projects 2004\RC-HARD SC0CLOLONE\THOMPSONSTORAGE.dwg, RESUB (2), 5/13/2016 9:24:34 AM, ACAD105

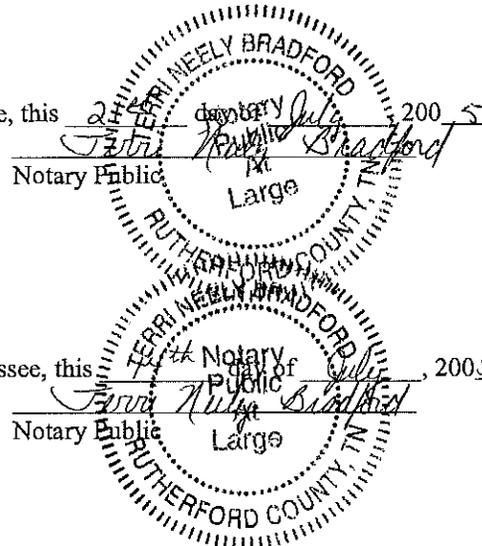
- There shall be a dedication of a twenty (20) foot strip of land for right-of-way to Jackson Ridge Road.

The Rutherford County Board of Commissioners granted the Executive Director of Planning authorization to issue this **TYPE III CONDITIONAL USE PERMIT** at its regularly scheduled meeting on **April 14, 2005**.

Record Book
522 Pg 2468

John R. Davis for
John R. Davis
Executive Director

Witness My hand and official seal at Murfreesboro, Tennessee, this 24th day of July, 2005
My Commission Expires: 4-21-08



Sammie L. Farris
Sammie L. Farris
Property Owner

Witness My hand and official seal at Murfreesboro, Tennessee, this 24th day of July, 2005
My Commission Expires: 4-21-08

Jennifer M Gerhart, Register
Rutherford County Tennessee
Rec #: 438149 Instrument 1356280
Rec'd: 10.00 NBk: 80 Pg 700
State: 0.00
Clerk: 0.00 Recorded
EDP: 2.00 7/21/2005 at 3:00 PM
Total: 12.00 in Record Book
522 Pages 2467-2468

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: June 13, 2016

Case Number: 16-A012

Staff Recommendation: **RESERVED**

Request by: Eddie Smotherman
Property Address: 10215 Midland Road
Commission District: 8 – Pettus Read
Urban Growth Boundary: Rural Area

Applicant Request

Rezoning from Residential Low-Density (RL) 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: RL

Current Use: Vacant/Agricultural

Adjacent Uses: Single-Family Residential to the north and northwest. Vacant/agricultural to the east and west. Agricultural/residential to the south.

Adjacent Zoning: RL on all sides. Property to the south is located in Bedford County, which is zoned A-1 (Minimum 1-acre lot size)

Size of Tract: Approximately 62 ½ acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Rural Character Area. Recommended residential density for the Rural Character Area is 1 residential unit/acre. Jackson Ridge Road is also identified as an Urban Corridor by the Plan.

Proposal supported by Comprehensive Plan

Yes. Although the proposed density of the project is 1.86 units per acre, it was understood by Staff and the Planning Commission that there would be pockets in the Rural area that had infrastructure to accommodate denser developments. The Zoning Ordinance makes provisions for such developments. It is Staff's opinion that the single-family character of the development along with the proposed open space is consistent with the goals found in the Plan.

Infrastructure

Roads: Midland Road is a 2-lane, ditch-section road that has 50 feet of right-of-way. The County's Long Range Transportation Plan shows this section of Midland Road to be scheduled for safety improvements, which can include adding shoulders, improving pavement conditions or site distance issues, etc. There appears to be adequate right-of-way to make this improvement. There is a traffic count located approximately 2/3 of a

mile to the north of the property along Midland Road that shows a 2014 count of 610 vehicles per day according to TDOT counts.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 6-inch water line located along Midland Road as it fronts the subject property. The attached map shows existing water lines in the area of the subject property. Staff has also included a copy of the Will-Serve Letter from CUD regarding this development.

Fire Protection: The closest fire hydrant is located at the intersection of Midland Fosterville Road and Midland Trail (Red Top), approximately one mile from the subject property. The applicant is requesting to use residential sprinkler systems in the development, as CUD has indicated that the water lines are not sufficient to provide fire protection consistent with County requirements. That being said, Staff understands that conversations are taking place between the applicant and CUD to determine what improvements would have to be made in order to provide fire hydrants to the development. Staff will provide an update when more information is made available to us.

Stormwater: Portions of the property are 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: Staff has sent a copy of the pattern book to the County Schools Central Office for their comments. Staff will relay any comments received to the Planning Commission.

Background/Proposal Details

Background/Proposed Use: The subject properties were approved for a conditional use permit (CUP) for a Planned Residential Development (PRD) by the Board of Commissioners (BOC) in October of 2007. An amendment to the original approval, regarding low-flow stub-outs for future hydrant installation, was approved by the BOC in February of 2008. Copies of both of the CUPs are included with your agenda materials. A preliminary plat was approved by the Planning Commission at their April 14, 2008 meeting. No final plat was ever received for the development and the preliminary plat approval was extended several times. The applicant asked for an additional extension in January of 2016 but was denied by the Planning Commission. The applicant met with Staff and discussed some changes they desired to make to the original application. Staff advised the applicant at that time that a new PUD application would be in order, based on the current zoning regulations.

The layout of the proposed application is very similar to the original application, but does include a second access point to Midland Road, whereas the original did not. The current proposal also has 10 less lots than the original did. Minimum lot size is proposed to be 10,000 square feet. Homes will range in size from 1,500 to 2,500 square

feet and will be built using a variety of materials. More specific details can be found in the pattern book (Separate attachment).

Access & Parking: There are two access roads proposed for the development onto Midland Road. The concept plan in the pattern book does not show any stub-outs to adjacent property, but Staff is of the opinion that practically speaking, the stub-outs would not provide much benefit in this situation. The stub-out to the west would be through the open space/STEP area. The connection to the south would be to property in Bedford County and outside of any control of Rutherford County's regulations. The tract to the north is already developed as a single-family home and does not appear to lend itself to any future development.

Staff has requested that the developer submit a traffic study to determine if any road or intersection improvements are needed due to this development. Staff has instructed the applicant to look specifically at the intersection of Midland Road and Midland Fosterville Road to see what impact this development would have. Staff will share the results of this study when they are received.

Landscaping: A copy of the pattern book was sent to the Bedford County Planning and Codes Department for their review, since the property abuts the both Rutherford and Bedford Counties. A copy of the director's e-mail is attached with this Staff Report. His concerns are for possible buffering along the shared County Boundary line. The Rutherford County Zoning Ordinance would not typically require buffering between properties zoned for single-family use and agricultural use. Conversations with the applicant indicate that the A-1 district in Bedford County have a minimum lot size of one acre, similar to the current RL zoning for 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. Since this is a residential development, the performance standards do not apply.

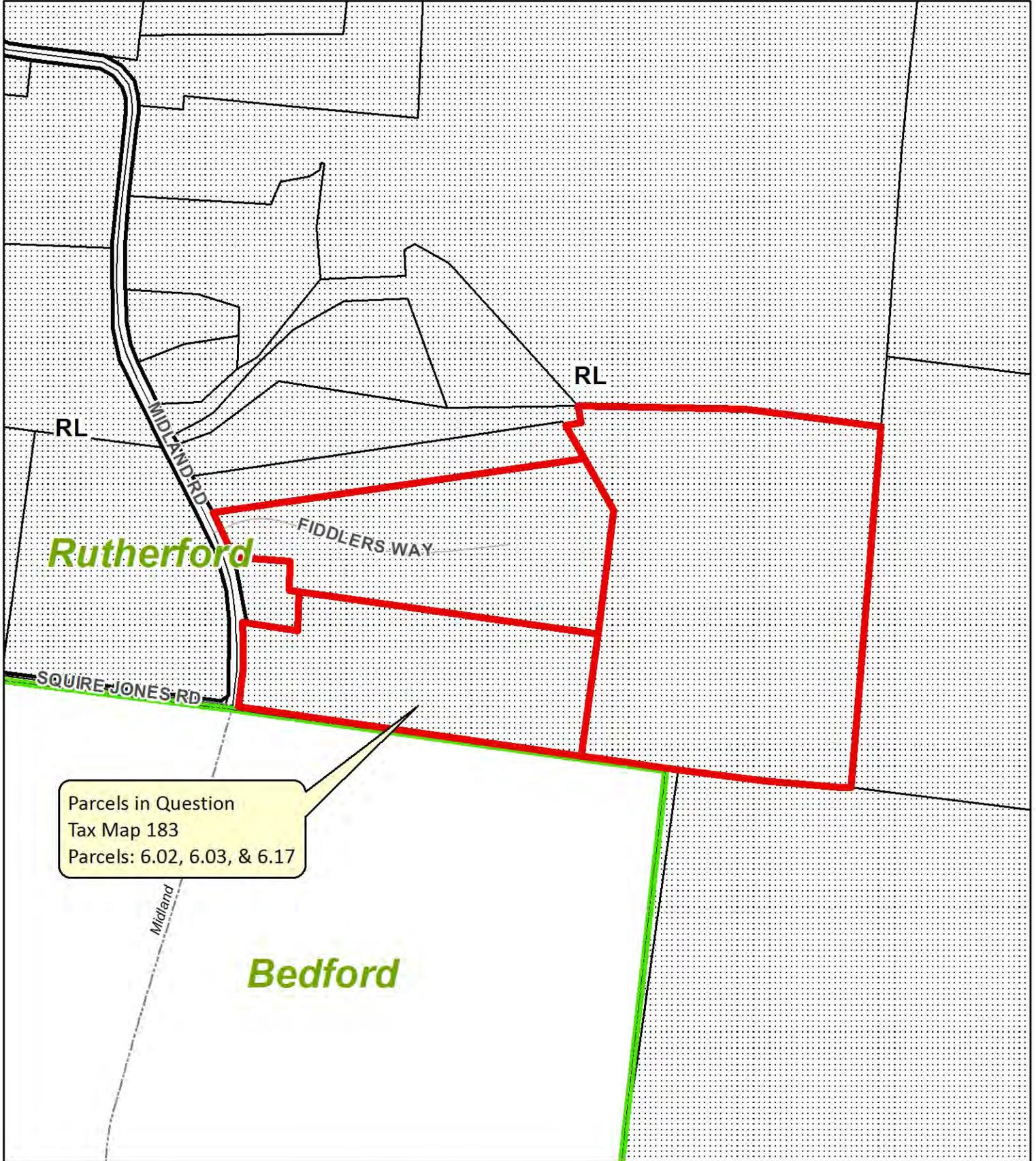
Staff Recommendation

While generally comfortable with the request, Staff is reserving its recommendation at this time pending the outcome of receiving additional information on possible water line improvements and the results of the traffic study.

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Will Serve Letter from CUD
Traffic Count Map
Original approved CUPs
E-mail from Chris White, Director of Bedford County Planning, Zoning and Building Codes

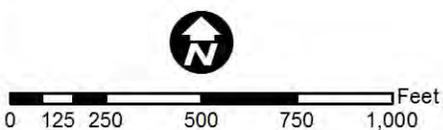
16-A012



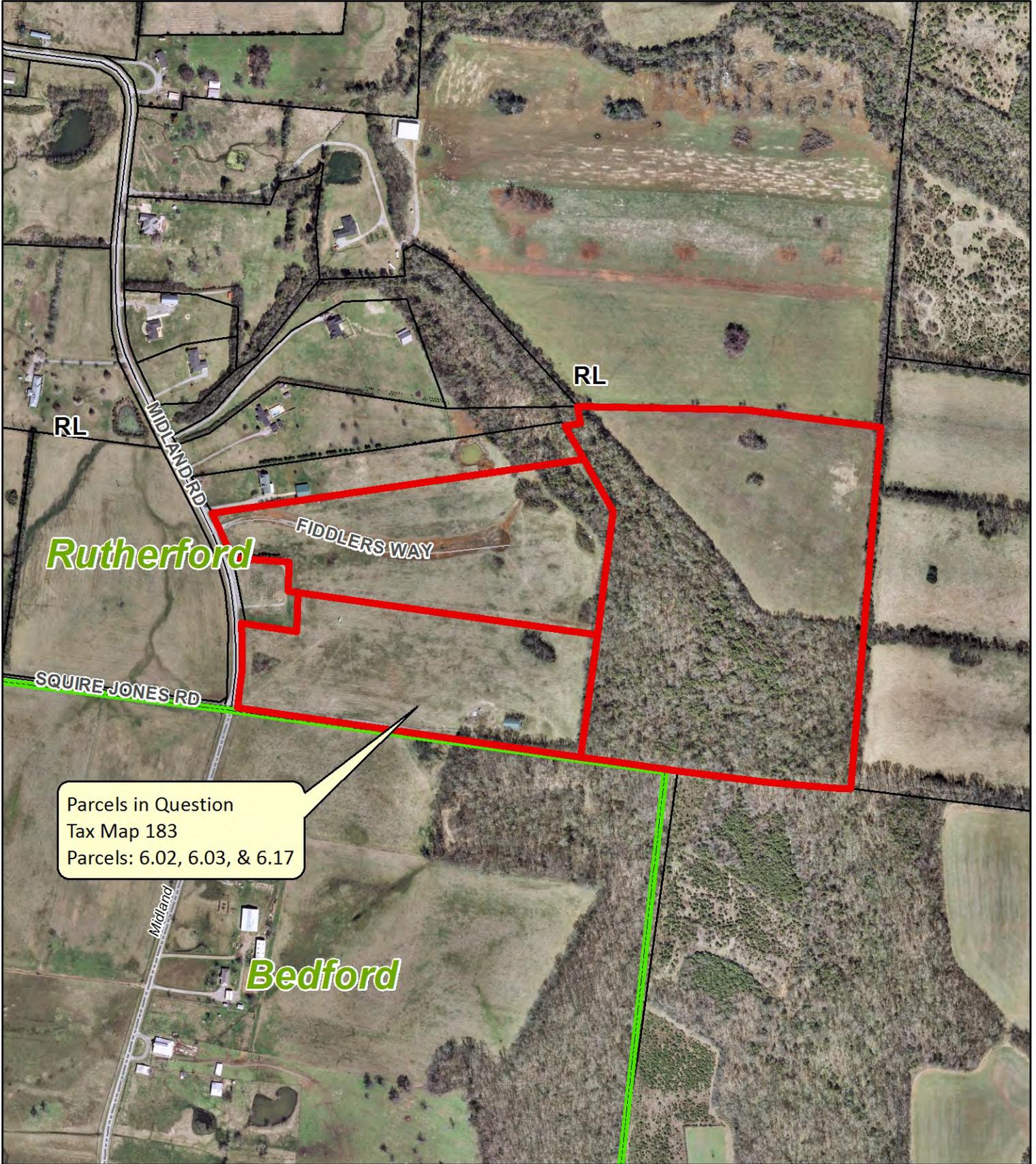
Parcels in Question
Tax Map 183
Parcels: 6.02, 6.03, & 6.17

 RL - Low Density Residential

 In Question
 Fire Hydrants



16-A012



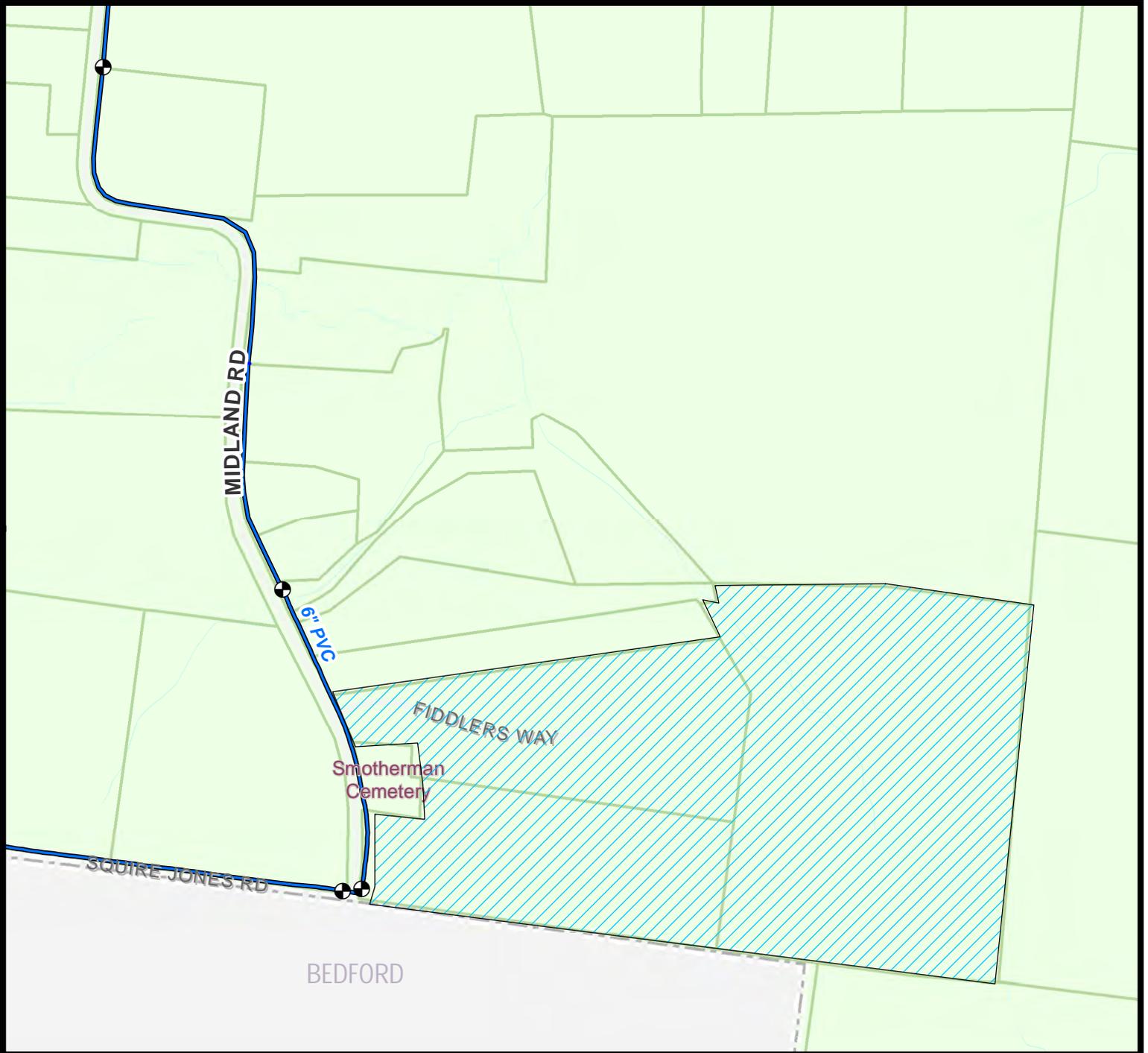
0 125 250 500 750 1,000 Feet

 In Question

 Fire Hydrants

Rezoning Request

Tax Map 183, Parcels 6.02, 6.03 & 6.17



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.

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Date: May 31, 2016





CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

May 11, 2016

Mr. Eddie Smotherman
Murfreesboro, TN 37130

**Re: Staghorn Subdivision
Midland Road
Tax Map 183, Parcels 6.02, 6.03 and 6.17
Will Serve Letter – Water Only**

Dear Mr. Smotherman,

This “Will Serve Letter” is for the property identified as Staghorn Subdivision (hereafter “Developer/Development”) (Tax Map 138, Parcels 6.02, 6.03 and 6.17) located off Midland Road in Murfreesboro, TN which lies within the water service area of Consolidated Utility District of Rutherford County (hereafter “the District”). Based on the proposed master plan provided to the District, the project will create 116 residential lots, each with a detached, single-family residence.

The District system currently has a six (6) inch water main along Midland Road, which would serve as the main feed for the property in question. The current infrastructure can meet the domestic water demands of the development for the proposed 116 single-family residential lots, however fire demands in the form of fire hydrants as requested **CANNOT** be supported at this location. Fire demands are based on current requirements, and the Developer should verify with the appropriate local regulating body and what, if any, alternatives there are to this requirement. If residential fire sprinklers are deemed an alternative, it should be noted that the current infrastructure *can* meet the fire demands in the form of residential fire sprinklers in this location. If the applied for fire demands are required by the governing agency an Off-site Feasibility Study will be necessary to determine the extent of off-site system improvements necessary to meet the demands. If the developer wishes to have an Off-site Feasibility Study completed, it shall be requested in writing and payment of the \$1000.00 feasibility study fee shall be paid by the developer for completion of the study. Fire demands are based on the fire hydrant requirements submitted, and the Developer should verify current requirements with the appropriate local regulating body. The sewer for this development is to be served by a new STEP system. Additional requirements and availability should be verified through the District’s STEP department for the sewer portion of this development.

No public water improvements and/or extensions shall be approved or installed until all conditions are fulfilled as outlined in the District’s Developer’s Packet and are subject to payment by Developer of

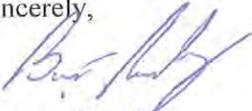
engineering and inspection fees. All water lines/facilities improvements needed to serve the property in question are to be installed by the Developer in accordance with the District's policies and procedures as outlined in the Technical Specifications of the District which can be found on our website or at our office.

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

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

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

Sincerely,



Bryant Bradley
Project Manager
Consolidated Utility District
PH: 615-893-7225
Fax: 615-225-3314

Pc: Jamie Reed, PE, SEC Engineering, Inc.
William Dunnill, PE, CUD General Manager
Jimmy Hailey, PE, James C. Hailey & Associates

Map Satellite

809: 2014 ADT

Midland Fosterville
973: 2014 ADT

610: 2014 ADT

Approx. Site Location



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

**RUTHERFORD COUNTY BOARD OF COMMISSIONERS
 TYPE III CONDITIONAL USE PERMIT**

CASE NUMBER: A-819 **DATE:** October 12, 2007
PROPERTY OWNER: Smotherman Properties LLC
PROPERTY ADDRESS: Midland Road

TAX MAP: 183	GROUP:	PARCEL NUMBER: 6.02,6.03,6.17
RECORD BOOK: 687	PAGE NUMBER: 3717 (For Tax Map 183, Parcel 6.02)	
RECORD BOOK: 687	PAGE NUMBER: 3147 (For Tax Map 183, Parcel 6.17)	
RECORD BOOK: 743	PAGE NUMBER: 1276 (For Tax Map 183, Parcel 6.03)	

ZONING DISTRICT: R-15

PROPOSED USE: Planned Residential Development

CONDITIONS:

- ◆ Items in the pattern book are to become conditions of approval.
- ◆ Right-of-way dedication along Midland Road will be required.
- ◆ There shall be a minimum of a 10-foot side setback and 20-foot separation between structures for those units that incorporate non-combustible material on the sides of said structures. A minimum of 15 feet between structures and a 7 ½ -foot minimum setback will be allowed for structures that do incorporate combustible material on the sides of said structures.
- ◆ Professionally managed homeowners association. Part of the responsibility of this association will be the maintenance of the sprinkler systems in each house;
- ◆ Construction of a picnic pavilion within the public use area;
- ◆ \$700.00 self-imposed per lot contribution to the Rutherford County School System: \$350 of the fee be collected at the final plat stage and the other \$350 be collected at the building permit stage;
- ◆ Residential sprinkler system for each home in lieu of a hydrant-based system. This system shall incorporate a bypass around the water meter, compliant with the policies of Consolidated Utility District (CUD) so that the sprinkler systems will still operate if the water meter is turned off;
- ◆ Water distribution system to be constructed to support hydrants when Consolidated Utility District (CUD) improvements improve diameter of the existing water main;
- ◆ NFPA 13D approved dry sprinkler system in the attic and heated areas of the houses; and
- ◆ Low/slow flow fire hydrants to be installed if permitted by State Law.

The Rutherford County Board of Commissioners granted the Executive Director of Planning authorization to issue this **TYPE III CONDITIONAL USE PERMIT** at its regularly scheduled meeting on .

From: [Chris White](#)
To: [Doug Demosi](#)
Subject: RE: Staghorn PUD
Date: Tuesday, May 31, 2016 10:42:23 AM

Doug,

Thank you very much. I appreciate the opportunity to mention a few things about Staghorn considering that it borders Bedford County for nearly 1,700 feet. In review, I took notice that Chapter 9 of the Rutherford County Zoning Ordinance, *Section 902 (D) Landscaping*, requires that a landscaping buffer zone between uses be installed and maintained in order to minimize the potentially harmful impact noises and objectionable views from adjoining low-density land uses. Similarly, Chapter 4 of the Bedford County Zoning Resolution, specifically *4.043 (C)(5)*, requires that PUD's landscape the perimeter of such developments for the same exact reasons.

- The conceptual designs in Staghorn's pattern book (*attached*) don't properly address landscaping as a matter of buffering their significantly higher densities of residential use from neighboring low density land uses. More specifically, it doesn't mention any landscape buffer in Phases 2 and 3 along the Bedford County line and the southernmost border of Staghorn. The adjoiner is currently zoned A-1 (Agriculture/Forestry) and is currently farming the significant sized 117 acre parcel.
- One other concern which may later present an issue would be fencing along the same southern border. With the emergence of dozens of new neighbors along the North side of the farm along the county line AND prospective PUD border, as well as the proposed common area greenspace, the opportunity exists for dozens of encroachments by future homeowners with particularly shallow back yards. Residents and their children using the proposed green space along the proposed Staghorn Drive may be tempted to trespass on the neighboring property which could instigate expensive civil-litigation and an overall nuisance to the Bedford County property owner(s).

I would respectfully request that these issues be observed, where needed, during the approval process, especially with regard to phases 2 and 3.

Chris

Chris White – Director
Planning – Zoning – Building Codes
200 Dover Street, Suite 101 | Shelbyville, TN 37160

Office: 931.685.1336 | Local Ext. 2101

Chris.white@bedfordcountyttn.org

www.bedfordcountyttn.org

From: Doug Demosi [mailto:ddemosi@rutherfordcountyttn.gov]

Sent: Friday, May 27, 2016 3:13 PM

To: chris.white@bedfordcountyttn.org

Subject: Staghorn PUD

Chris,

The pattern book is attached. Please let me know if you have any comments on it.

Thanks.

Doug

Doug Demosi, AICP, CFM

Planning Director

Rutherford County Planning and Engineering Department

Phone: 615.898.7730

Fax: 615.898.7823

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