

Rutherford County Regional Planning Commission

Agenda – 7-11-16 – 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- V. ITEMS WITHDRAWN/DEFERRED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

A. SUBMITTED FOR PRELIMINARY PLAN REVIEW

- 1. Walnut Grove Farms Revisions (15-1013) – 79 lots on 52.2 acres, zoned RM, located along Walnut Grove Road, Livesay Properties Inc. applicant
- 2. Muirwood, Section 5 (16-1012) – 25 lots on 6.6 acres, zoned RM, with a previously approved conditional use permit for a Planned Residential Development (PRD), located east of Rucker Lane, Tennessee Contractors, Inc. applicant

B. REZONING REQUESTS/PUBLIC HEARINGS

- 1. 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)
- 2. 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

3. **Bud George (16-A013)**
Location: 1004 Walnut Grove Road
Commissioner District: 8 (Pettus Read)
Size of Site: Approximately 150 acres
Tax Map: 159, Parcels: 6.00 and 6.01
Existing Zoning: Residential Low-Density (RM)
Proposed Zoning: Planned Unit Development (PUD) – Residential Subdivision

4. **Shane Fogle (16-A004)**
Location: 14873 Mount Pleasant Road
Commissioner District: 8 (Pettus Read)
Size of Site: Approximately 23 acres
Tax Map: 162, Parcel: 6.00
Existing Zoning: Residential Low-Density (RL)
Proposed Zoning: Planned Unit Development (PUD) – Landscape Nursery

5. **Bev DeLong (16-A009)**
Location: 8461 Franklin Road
Commissioner District: 20 (Trey Gooch)
Size of Site: Approximately 5 acres
Tax Map: 94, Parcel: 60.00
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Planned Unit Development (PUD) – Self-Storage Facility

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

Rutherford County Regional Planning Commission July 11, 2016 Staff Comments

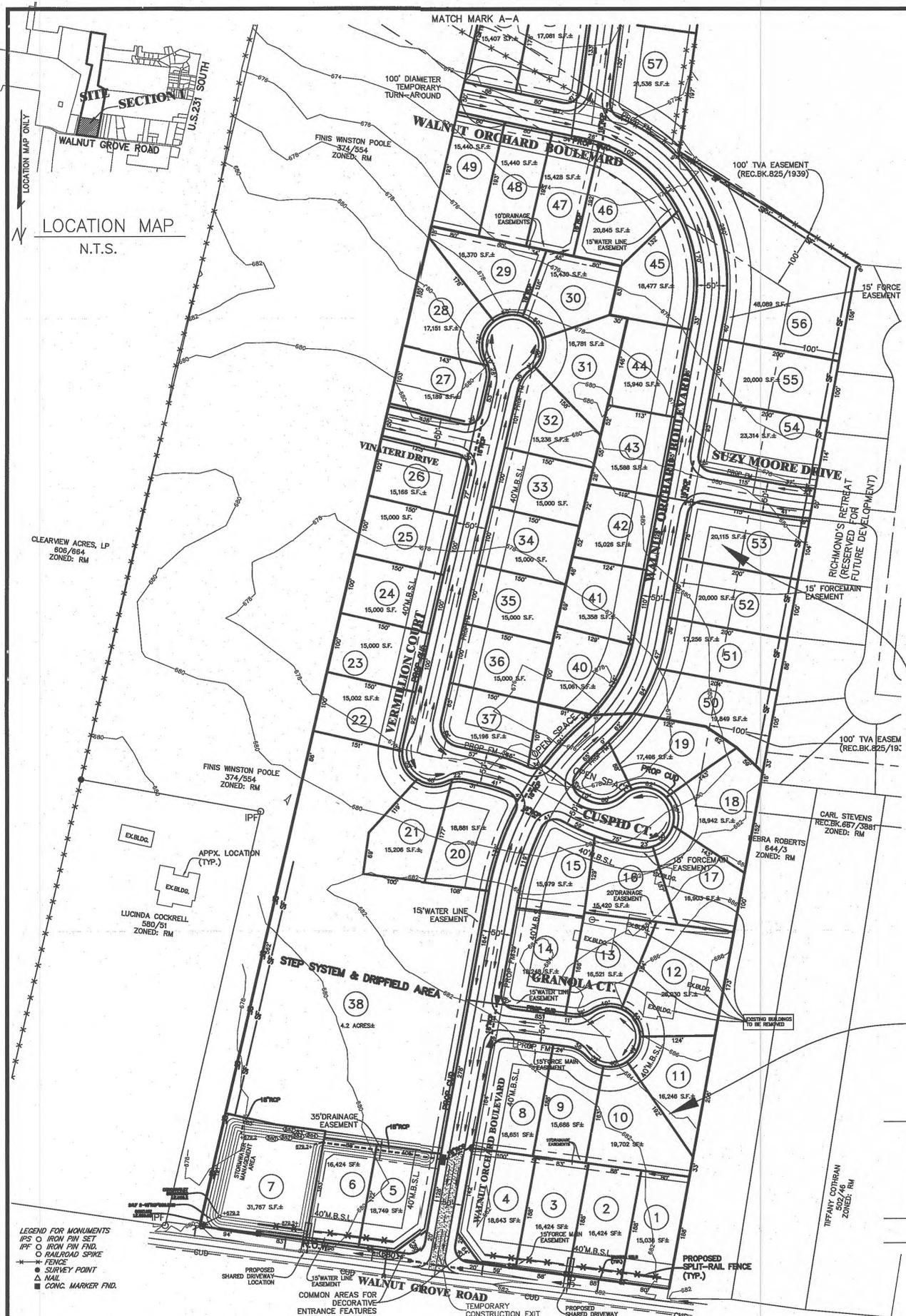
Plat/Plan Name: Walnut Grove Farms Revisions (15-1013)
Request: Preliminary Plan Approval
Site Details: 79 lots on 52.2 acres, zoned RM
Applicant: Livesay Properties, Inc.
Property Location: Walnut Grove Road



The preliminary plan for this property was originally approved at the Planning Commission's July 27, 2015 meeting. The original plan showed 92 lots. The applicant has identified wetlands on north side of the property that require modifications to be made to the plan. There were also some other changes to the road network. These changes rise to the level of requiring preapproval from the Planning Commission.

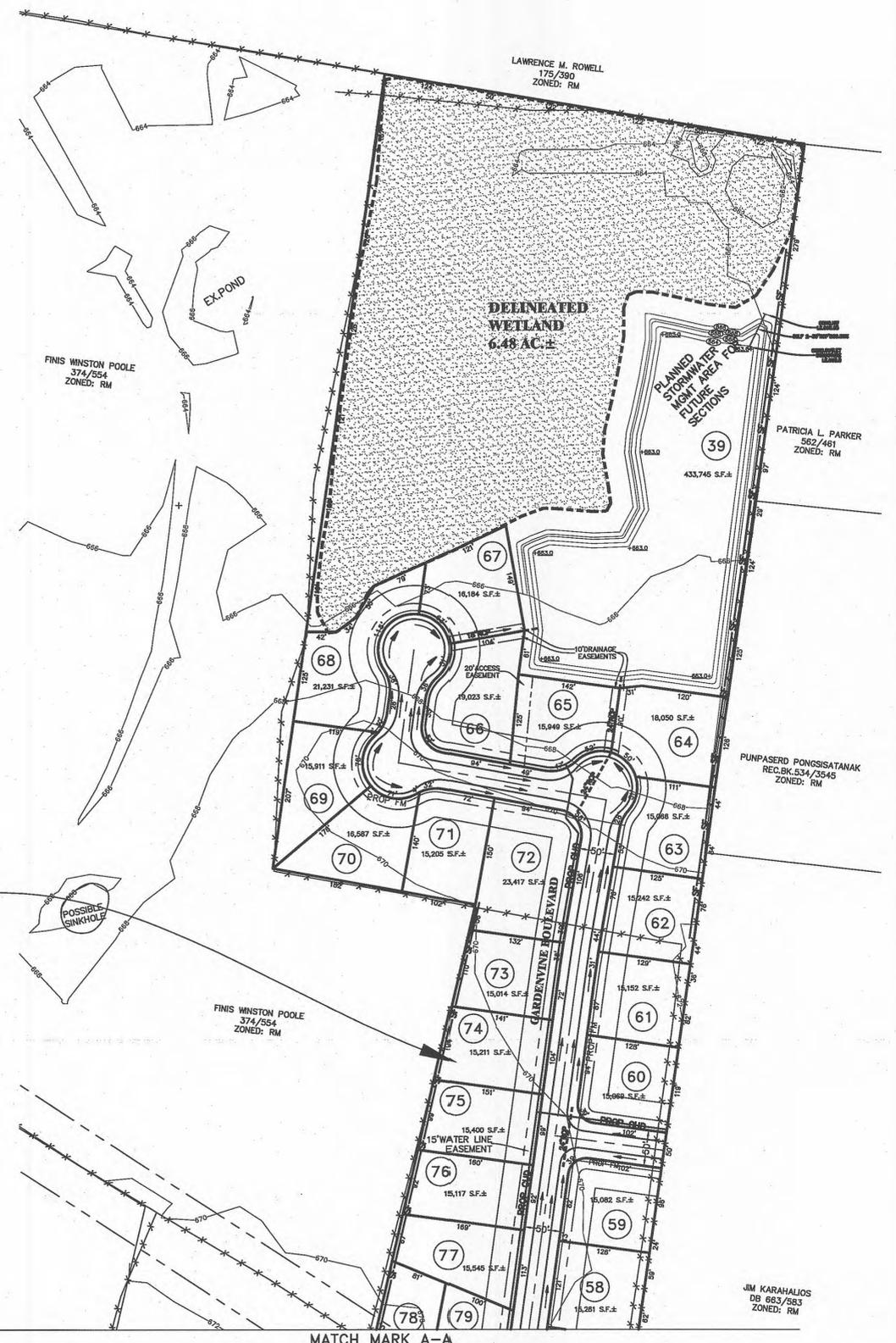
Staff has also requested that a traffic study be performed on this property, consistent with Staff's comments from the original review.

Any approval should be made subject to all Staff Comments.

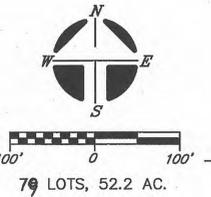
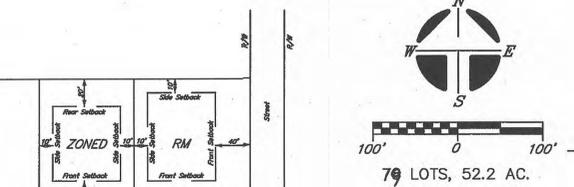


- LEGEND**
- ⊗ Power Pole
 - ⊕ Existing Fire Hydrant
 - ⊕ Proposed Fire Hydrant
 - ⊖ Reducer
 - ⊕ Proposed Gate Valve & Box
 - ⊕ Concrete Thrust Block
 - W— Existing Water Line
 - W— Proposed Water Line
 - S— Existing Sanitary Sewer Line
 - S— Proposed Sanitary Sewer Line
 - Existing Manhole
 - Proposed Manhole
 - CD— Sewer Line Check Dam
 - 00— Existing Contours
 - 00— Proposed Contours
 - 00.0 Existing Spot Elevations
 - 00.0 Proposed Spot Elevations
 - SF— Siltation Fence (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
 - ▨ Turf Reinforcement Mat
 - E— Existing Telephone & Electric Line
 - UGE— Existing Underground Electric Line
 - CMP— Corrugated Metal Pipe
 - RCP— Reinforced Concrete Pipe

SECTION II



SECTION I



79 LOTS, 52.2 AC.
 THE SURVEY IS A TOPOGRAPHIC SURVEY FOR INFORMATION ONLY AND IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-.07.

OWNER: JOHN T. ALSUP, JR.
 ADDRESS: 714 WALNUT GROVE ROAD
 CHRISTIANA, TN 37037
 TAX MAP: 159 PARCEL: 8
 DEED BOOK 374, PAGE 554

FLOOD MAP PANEL: 470165 0381 H ZONE: X
 FLOOD MAP DATED: JANUARY 5, 2007
 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.



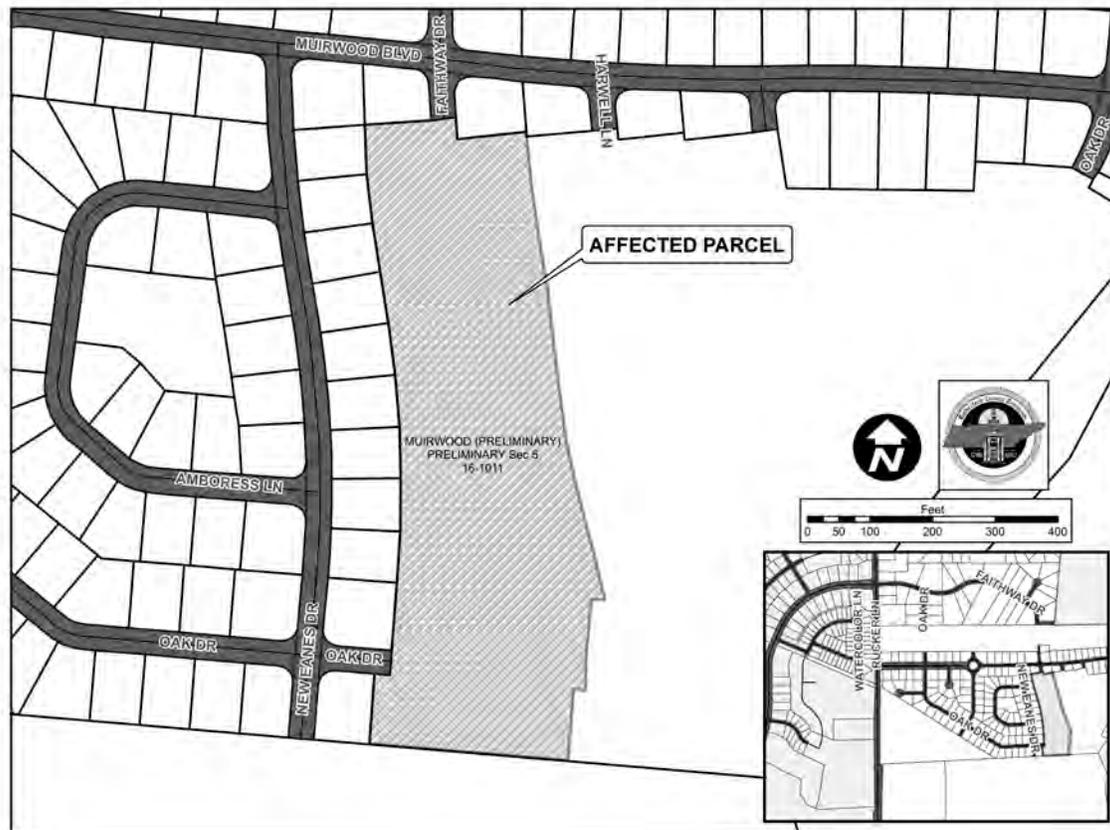
PRELIMINARY PLAN
WALNUT GROVE FARMS
 WALNUT GROVE ROAD
 20TH CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: JUNE, 2016 SCALE 1"=100' SHEET 3 OF 4

#	DATE	REVISION DESCRIPTION

THIS SUBDIVISION WILL BE SEWERED BY A STEP SYSTEM.

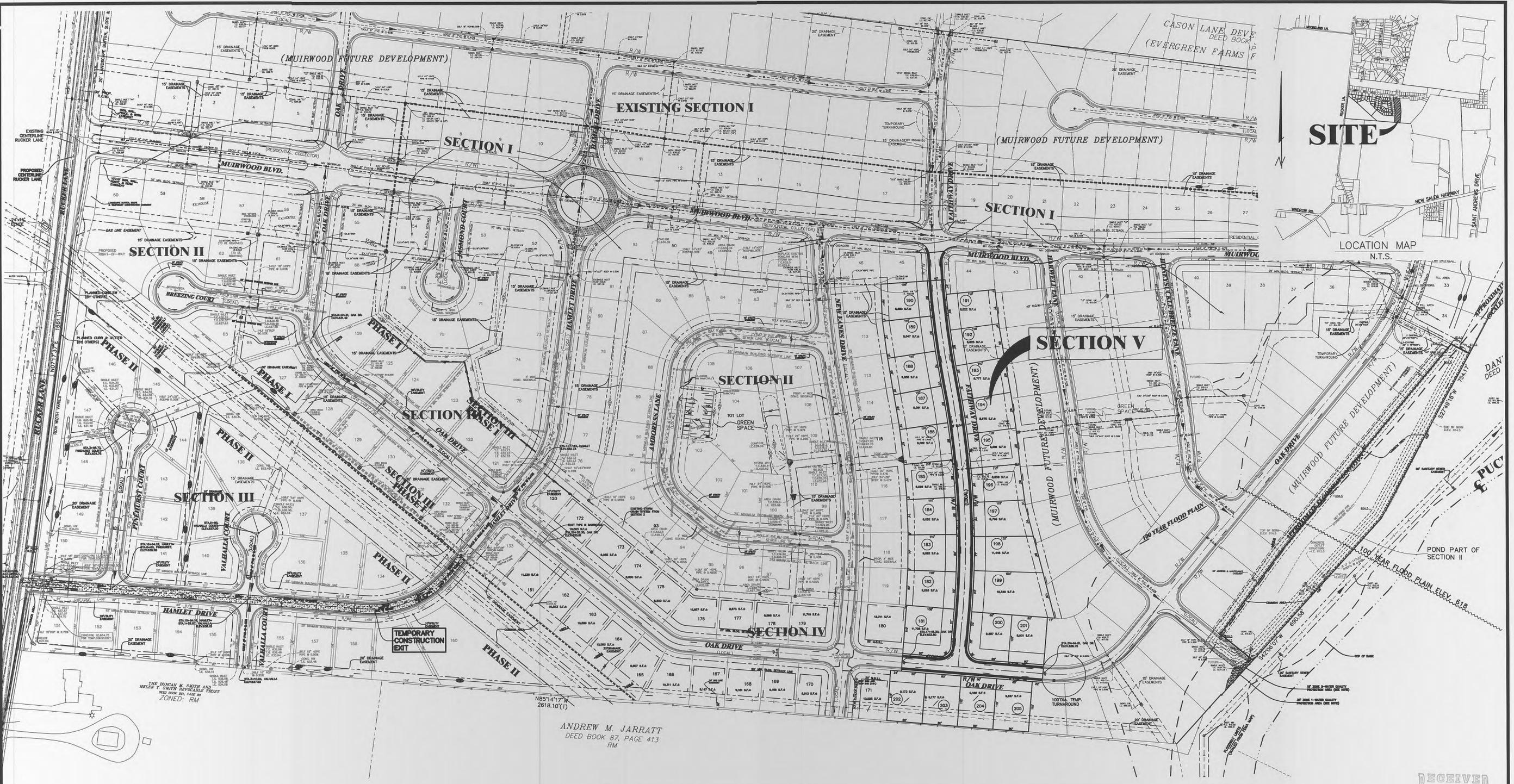
Rutherford County Regional Planning Commission July 11, 2016 Staff Comments

Plat/Plan Name: Muirwood, Section 5 (16-1012)
Request: Preliminary Plan Approval
Site Details: 25 lots on 6.6 acres, zoned RM, with a previously approved conditional use permit for a Planned Residential Development (PRD)
Applicant: Tennessee Contractors, Inc.
Property Location: East of Rucker Lane

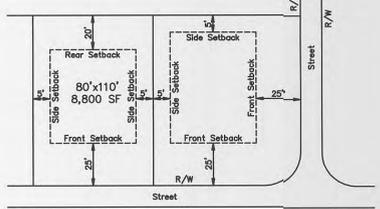


This site is served with sanitary sewer from the City of Murfreesboro and will require Murfreesboro Planning Commission approval. Staff has identified a number of issues with the plan, but expects them to be addressed prior to the Planning Commission's meeting. The primary concern identified during Staff's review was that some of the lots did not meet the minimum lot size/width requirements, but Staff expects this to be easily remedied.

Any approval should be made subject to all Staff Comments.



MUIRWOOD NEIGHBORHOOD:
 RM(COUNTY) WITH A
 PREVIOUSLY-APPROVED
 CONDITIONAL USE PERMIT FOR
 A PRD



Typical Building Setback Detail
 80' Lots

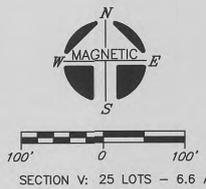
- NOTES:
- APPROVAL BY RUTHERFORD COUNTY PLANNING COMMISSION IS SUBJECT TO THE CONDITIONAL USE PERMIT FILE NO. A-791. GRANTED BY THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS AT THE NOVEMBER 16TH, 2006 MEETING.
 - THIS PROPERTY IS IN COUNTY COMMISSIONERS' DISTRICT 7.

ANDREW M. JARRATT
 DEED BOOK 87, PAGE 413
 RM

APPROVED FOR CONSTRUCTION
 THE PLANS BEARING THIS STAMP HAS BEEN REVIEWED BY THE
MURFREESBORO ENGINEERING DEPARTMENT
 AND ARE HEREBY APPROVED FOR CONSTRUCTION
 THIS REVIEW AND APPROVAL IS FOR GENERAL COMPLIANCE WITH THE
 APPLICABLE POLICIES AND REGULATIONS OF THE MURFREESBORO
 ENGINEERING DEPARTMENT AND ASSURES THAT THE PLANS HAVE BEEN
 PREPARED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICES AS
 EVIDENCED BY THE SIGNED SEAL OF THE ENGINEER OF RECORD. THIS
 APPROVAL SHALL NOT BE CONSTRUED AS CREATING A PRESUMPTION OF
 CORRECT OPERATION OR AS WAIVING BY THE MURFREESBORO
 ENGINEERING DEPARTMENT THAT THE APPROVED FACILITIES WILL REACH
 THE DESIRED GOALS.
 APPROVAL DATE: _____
 APPROVAL EXPIRES IN 12 MONTHS
 BY: _____

APPROVED FOR CONSTRUCTION
 THE DOCUMENT BEARING THIS STAMP HAS BEEN REVIEWED BY THE
MURFREESBORO WATER AND SEWER DEPARTMENT
 AND IS HEREBY APPROVED FOR CONSTRUCTION.
 UNDER THE AUTHORITY DELEGATED BY THE
 TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 DIVISION OF WATER POLLUTION CONTROL
 DIVISION OF WATER SUPPLY
 AND IS HEREBY APPROVED FOR CONSTRUCTION.
 THIS APPROVAL SHALL NOT BE CONSTRUED AS CREATING A PRESUMPTION
 OF CORRECT OPERATION OR AS WAIVING BY THE MURFREESBORO
 WATER AND SEWER DEPARTMENT THAT THE APPROVED FACILITIES
 WILL REACH THE DESIRED GOALS.
 APPROVAL DATE: _____
 APPROVAL EXPIRES IN 12 MONTHS
 BY: _____

MASTER PLAN WITH P.R.D.
 APPROVED APRIL, 2006.



- LEGEND FOR MONUMENTS
- IPS O IRON PIN SET
 - IPY O IRON PIN FIND
 - RAILROAD SPIKE
 - FENCE
 - SURVEY POINT
 - ▲ NAIL
 - CONC. MARKER FND.

DEVELOPER: TENN. CONTRACTORS, INC.
 ADDRESS: P.O. BOX 314
 FRANKLIN, TN 37065-0314
 TAX MAP: 115 PARCEL: 11.00
 RECORD BOOK: 576, PAGE: 1302
 FLOOD MAP PANEL: 47149C 0255H ZONE: X
 FLOOD MAP DATED: JANUARY 5, 2007

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.

FOR REVIEW ONLY.
NOT FOR CONSTRUCTION.
H. HUDDLESTON-STEEL ENGINEERING
 2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
 TELEPHONE: 663-4084, FAX: 663-0080

RECEIVED
 JUN 20 2016
 BY: _____

#	DATE	REVISION DESCRIPTION

MASTER PLAN
MUIRWOOD S/D
SECTION V
 12th CIVIL DISTRICT - RUTHERFORD COUNTY - TN.
 DATE: MAY, 2016 SCALE 1"=100' SH. 1 OF 6

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: July 11, 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 2015 count of 767 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.

During the public hearing for this item, comments were made regarding the possible uses should the property cease being used for self storage. There was discussion amongst the Planning Commission members on the appropriate zoning of the

property. Some of the Commissioners felt that a planned unit development (PUD) approach would be best in order to limit the potential uses of the property. Staff has had additional conversations with the applicant's representative. When these comments were prepared, the applicant was in the process of setting up a meeting with the surrounding landowners who were at the meeting. Staff will have an update at the Planning Commission's meeting on July 11.

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.

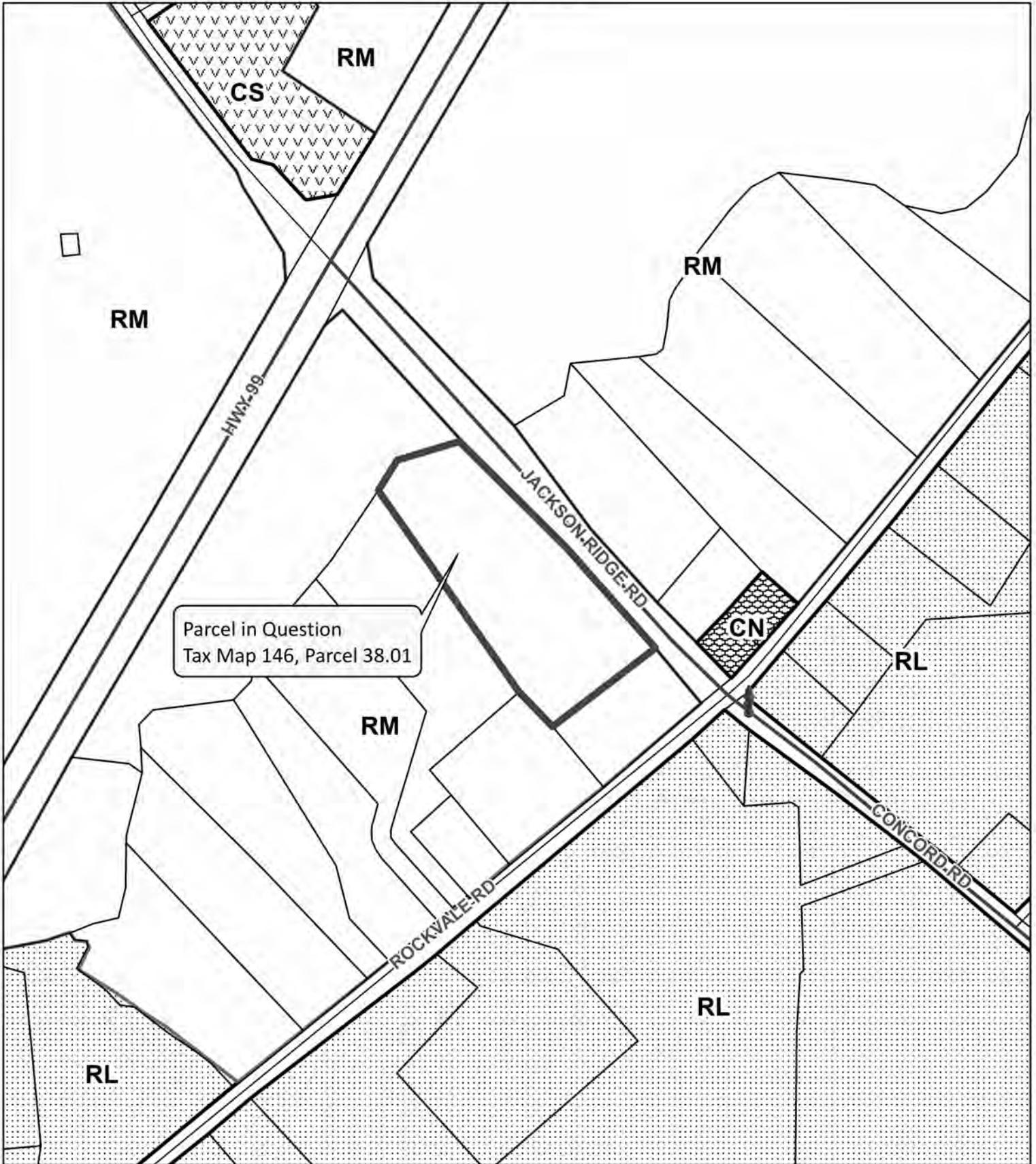
Staff Recommendation

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.

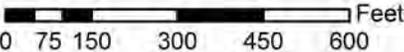
Attachments

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

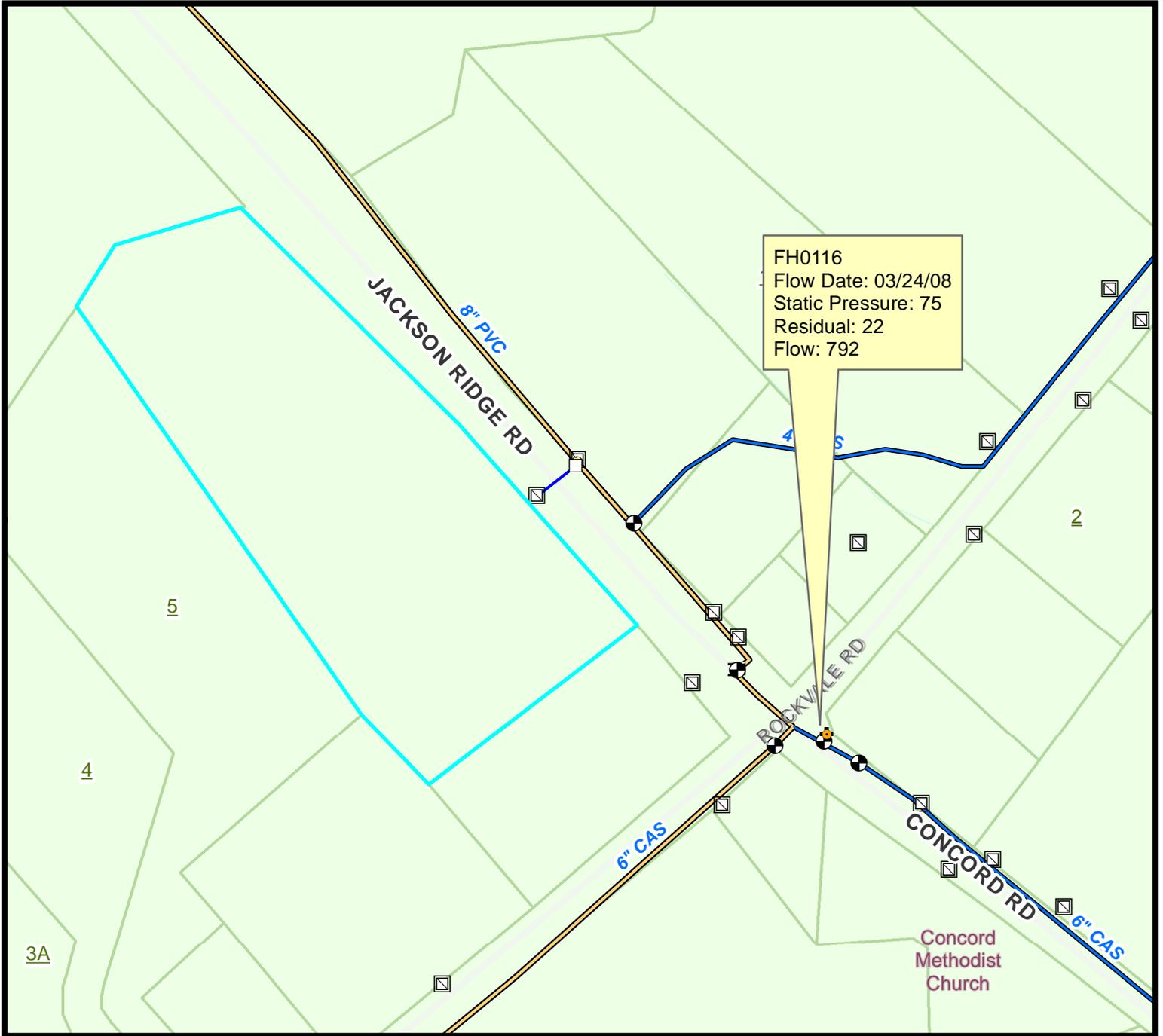
16-A011



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

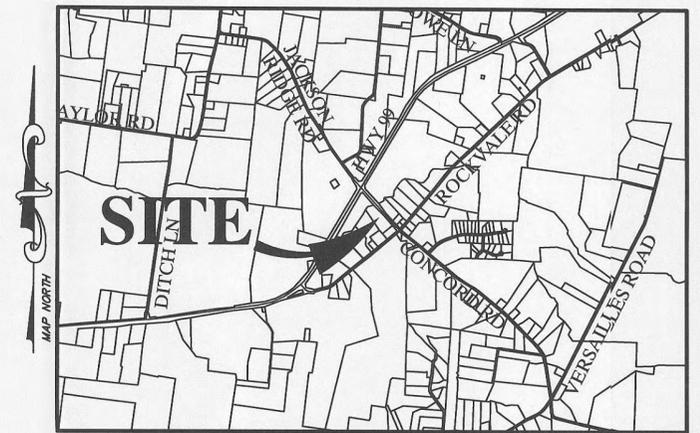


Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

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



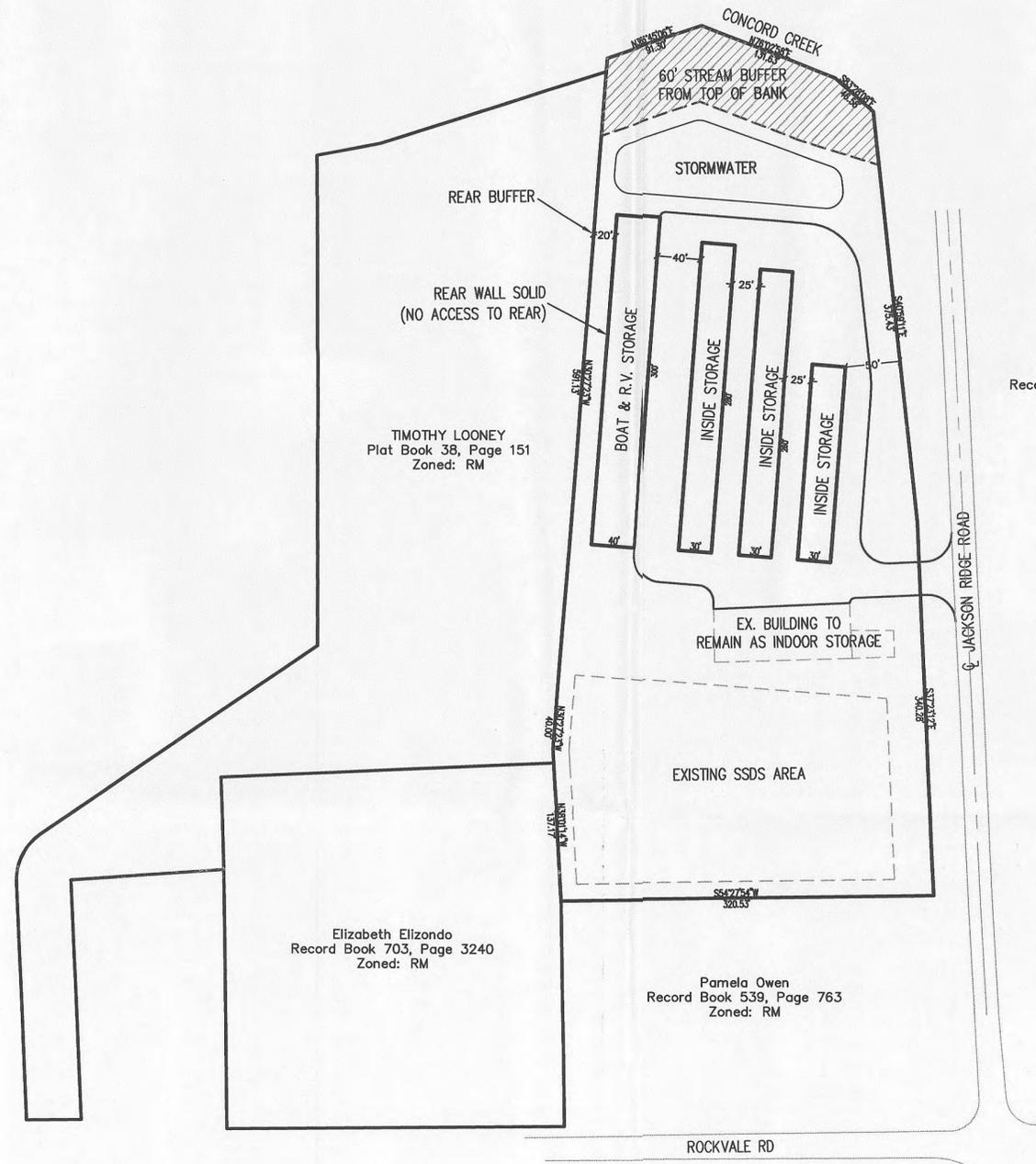


LOCATION MAP
N.T.S.

Billie Johns
Record Book 703, Page 3242
Zoned: RM

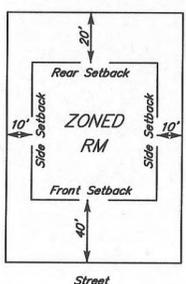
RECEIVED
MAY 13 2016

BY:



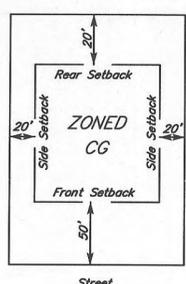
PROPERTY IS CURRENTLY ZONED RM
APPLYING FOR ZONING CG

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

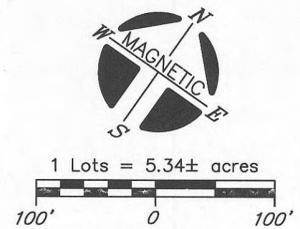


TYPICAL BUILDING SETBACK DETAIL
N.T.S.

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



TYPICAL BUILDING SETBACK DETAIL
N.T.S.



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:\WC03036\Land Projects 2004\RC-HARD SC0CLO\NEW\THOMPSON\STORAGE.dwg, RESUB (2), 5/13/2016 5:24:34 AM, ACAD105

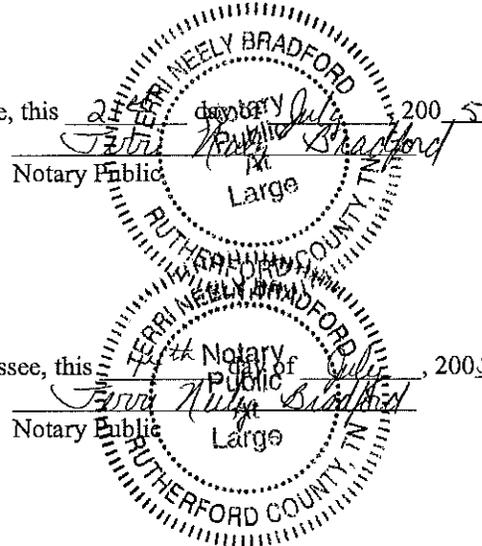
- There shall be a dedication of a twenty (20) foot strip of land for right-of-way to Jackson Ridge Road.

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: July 11, 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 2015 count of 662 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.

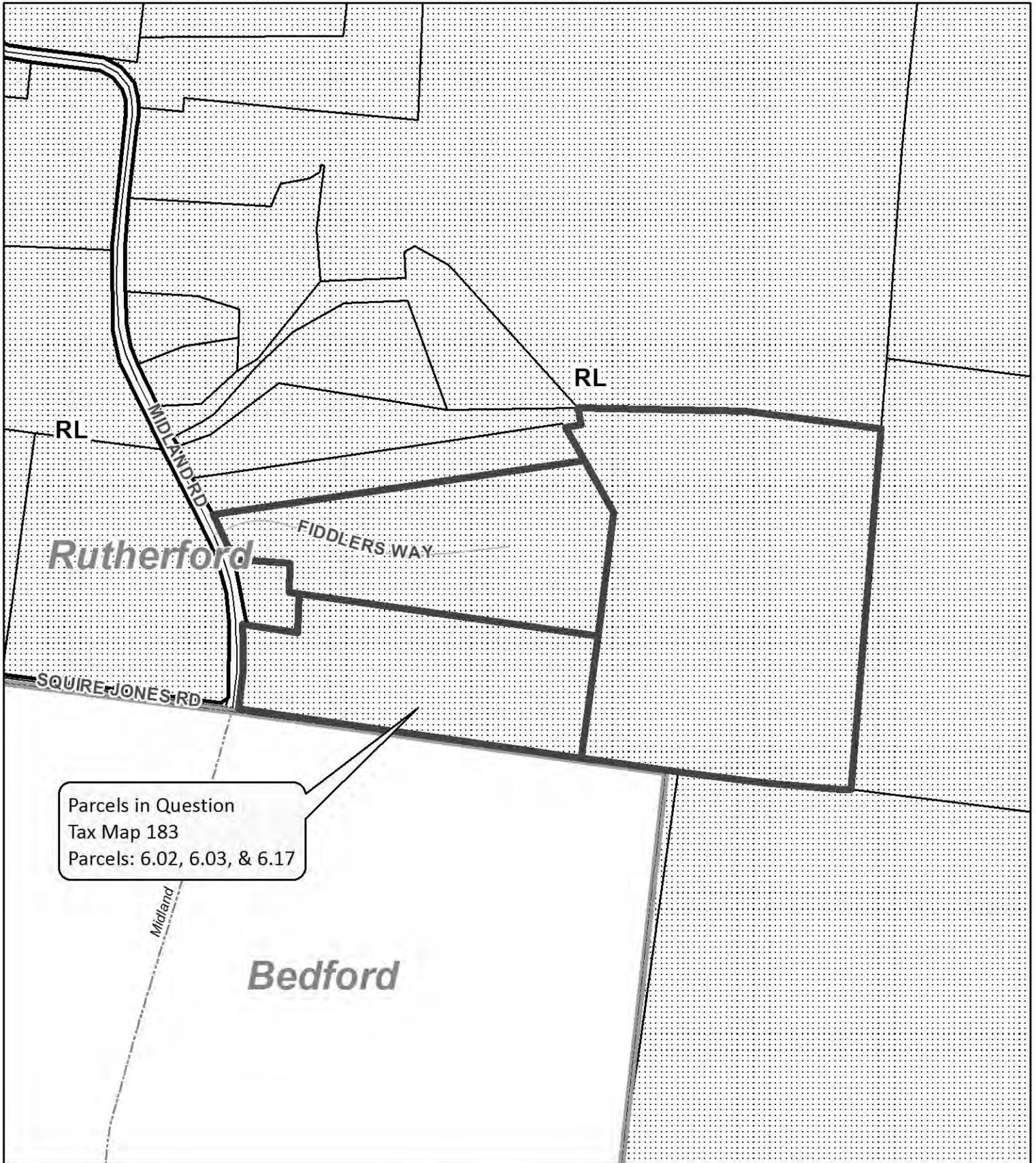
Staff Recommendation

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 and 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
Pattern Book (Separate Attachment)

16-A012



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

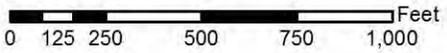
Midland

Bedford

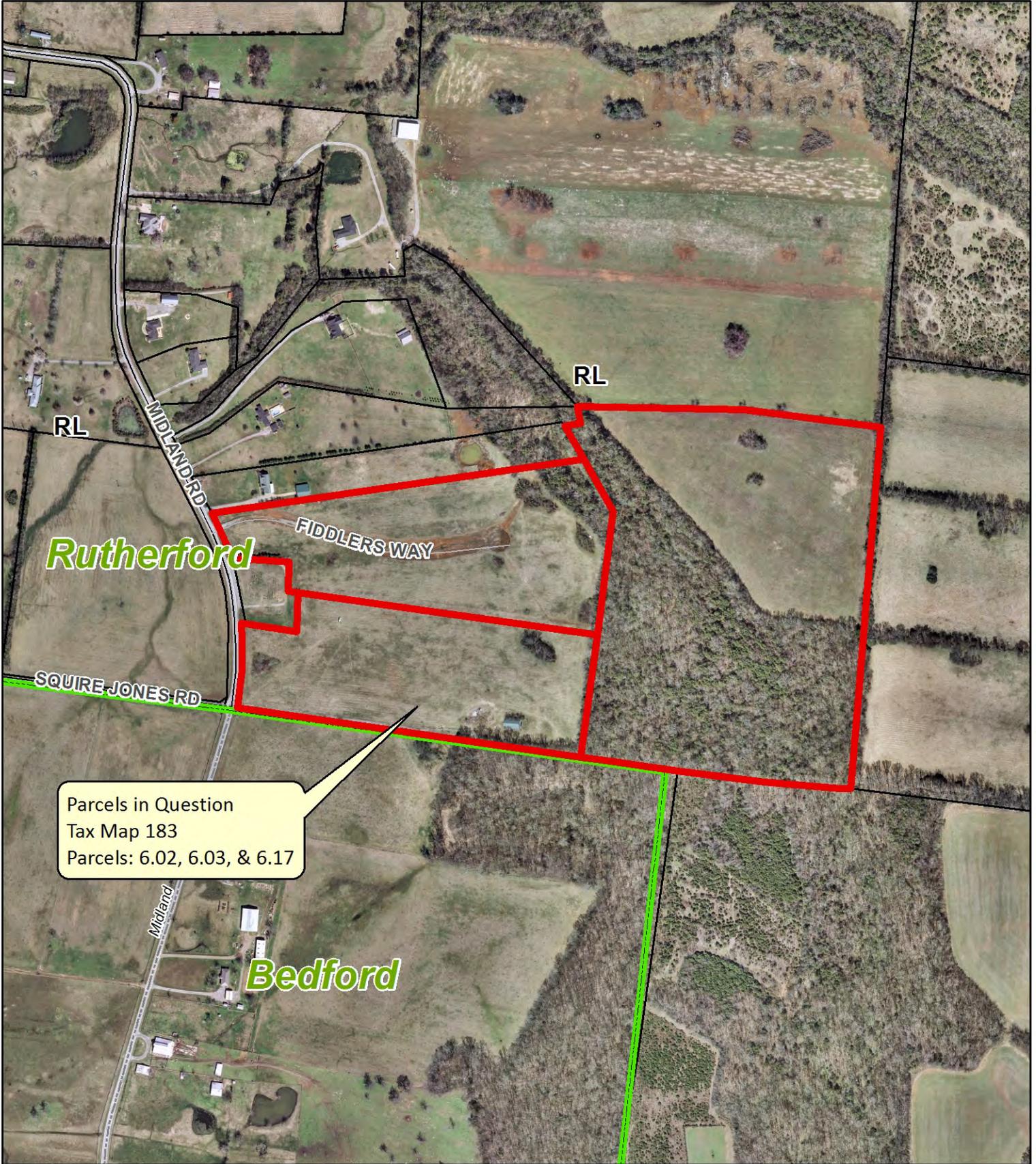
 RL - Low Density Residential

 In Question

 Fire Hydrants



16-A012



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



0 125 250 500 750 1,000 Feet



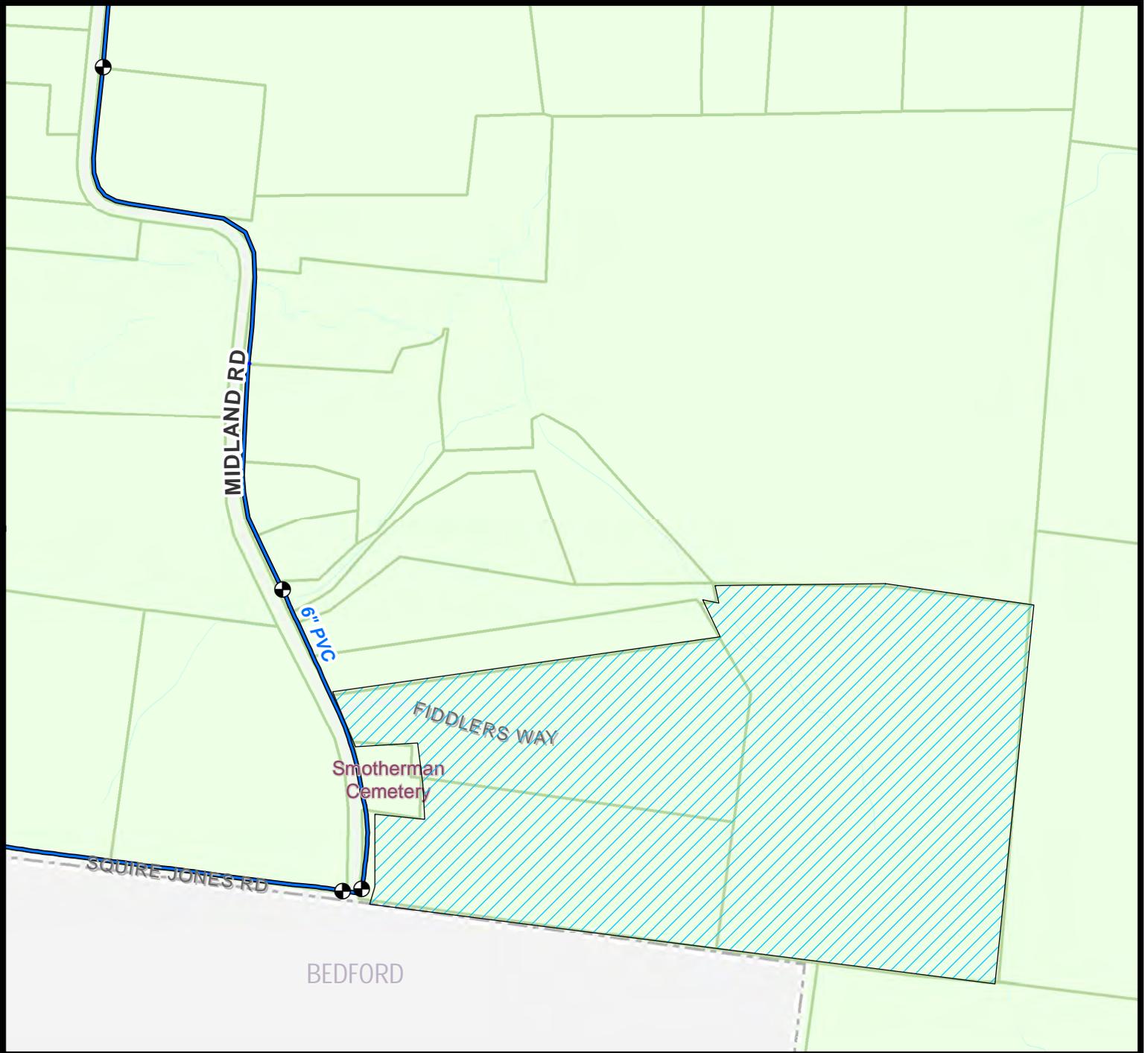
In Question



Fire Hydrants

Rezoning Request

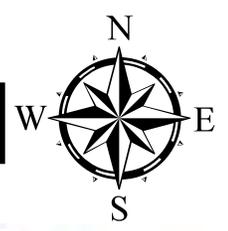
Tax Map 183, Parcels 6.02, 6.03 & 6.17



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.

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





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

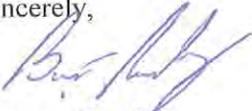
engineering and inspection fees. All water lines/facilities improvements needed to serve the property in question are to be installed by the Developer in accordance with the District's policies and procedures as outlined in the Technical Specifications of the District which can be found on our website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

773: 2015 ADT

Midland Fosterville
942: 2015 ADT

662: 2015 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

ddemosi@rutherfordcountyttn.gov

www.rutherfordcountyttn.gov

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: July 11, 2016

Case Number: 16-A013

Staff Recommendation: **APPROVAL**

Request by: Bud George
Property Address: 1004 Walnut Grove Road
Commission District: 8 – Pettus Read
Urban Growth Boundary: Rural Area

Applicant Request

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

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RM
Current Use: Existing Single-Family Structure/Agricultural
Adjacent Uses: Residential/Agricultural on all sides
Adjacent Zoning: RM on all sides
Size of Tract: Approximately 150 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Belt Character Area. This character area recommends residential densities of up to three units per acre. Walnut Grove Road is also classified as an Urban Corridor which recommends residential densities of up to 10 units per acre. The proposed development has an overall density of 1.86 lots per acre.

Proposal supported by Comprehensive Plan

Yes. The proposed development's densities are within the guidelines recommended by the Comprehensive Plan.

Infrastructure

Roads: Walnut Grove Road/State Route (SR) 269 is a 2-lane, ditch-section road that has 50 feet of right-of-way. The County's Long Range Transportation Plan shows future realignment of SR 269 so that it aligns with the portion east of US 231/Shelbyville Pike. Staff will explore the possibility of any right-of-way needs for this eventual realignment as it fronts the subject property. There is a TDOT traffic count approximately ¼ of a mile to the east of the subject properties that identifies a 2015 count of 360 vehicles per day. This is lower than the 2014 count of 472.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 12-inch water line located along the opposite side of Walnut Grove Road as it fronts the subject property. At the time these comments were prepared, Staff was still awaiting response from CUD on a map of the water lines in the area. Staff will forward this map to the Planning Commission when it is received.

Fire Protection: The closest fire hydrant is located across Walnut Grove Road directly in front of the property (Green Top). Any new development/redevelopment on the property will be required to adhere to the adopted fire codes for Rutherford County.

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 applicant is proposing to construct 267 single-family residential lots on the subject property. Overall density will be 1.8 dwelling units per acre. Minimum lot sizes will range between 6,600 and 7,800 square feet, with typical lot widths being between 55 and 65 feet. Home sizes will range from 1,400 to 2,500 square feet. There will be approximately 40 acres of open space, most of which would be considered usable under County zoning requirements. The site will be served with a STEP system that will be owned and maintained by Consolidated Utility District (CUD). The project will be completed in six phases. Additional information can be found in the applicant's pattern book which will be included as a separate attachment to the agenda.

Access & Parking: There will be two points of access along Walnut Grove Road. The pattern book also shows stub-outs to both the east and south. Since Walnut Grove Road is a state route (S.R. 269), TDOT regulations will require a traffic study to be completed to determine if any traffic improvements are necessary for this project. This project also meets the County's thresholds for a traffic study. Proposed streets will have 50 feet of right-of-way and will be designed to current County standards.

Landscaping: Since this is a single-family development, buffering would not be required by the Zoning Ordinance. In Staff's opinion, the significant amount of open space being set aside makes any potential buffering unnecessary.

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.

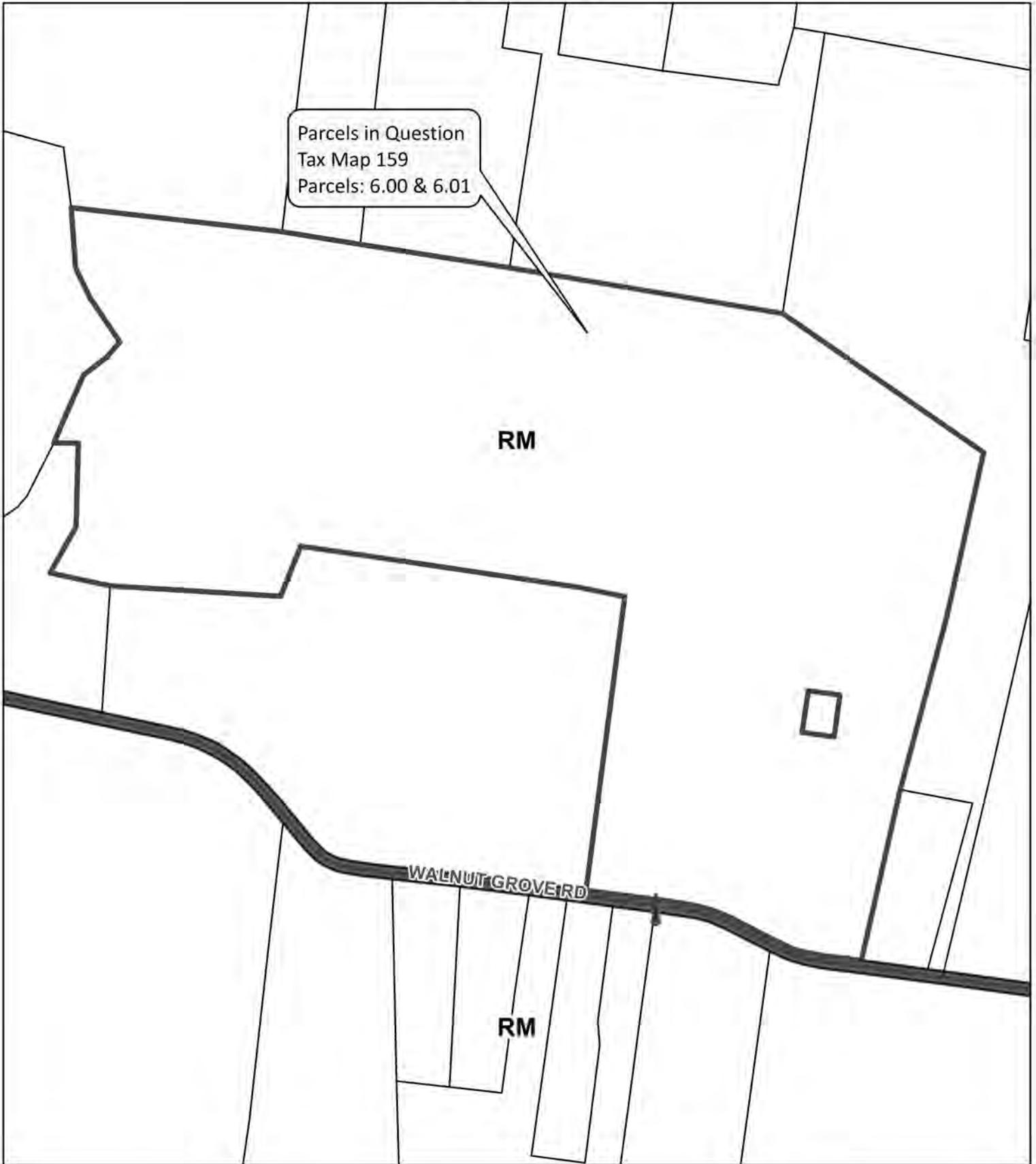
Staff Recommendation

Staff is comfortable with the proposed design of the development. The proposed residential densities are consistent with the Comprehensive Plan. A traffic study will identify any roadway improvements that need to be constructed with the development. Staff recommends approval.

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD (Forthcoming)
Pattern Book (Separate Attachment)

16-A013



Parcels in Question
Tax Map 159
Parcels: 6.00 & 6.01

RM

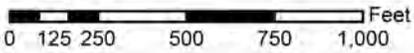
WALNUT GROVE RD

RM

RM RM - Medium Density Residential

 In Question

 Fire Hydrants



16-A013



0 125 250 500 750 1,000 Feet

 In Question

 Fire Hydrants

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: July 11, 2016

Case Number: 16-A004

Staff Recommendation: **APPROVAL**

Request by: Shane Fogle
Property Address: 14873 Mount Pleasant 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/Abandoned Borrow Pit
Adjacent Uses: Vacant to the west and south. Single-Family Residential to the north and east, across Mount Pleasant Road
Adjacent Zoning: RL on all sides
Size of Tract: Approximately 23 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Rural Character Area.

Proposal supported by Comprehensive Plan

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

Infrastructure

Roads: Mount Pleasant 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 Mount Pleasant Road as requiring 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 are no TDOT traffic counts located in this area.

Utilities: According to information from Consolidated Utility District (CUD), there is an existing 8-inch water line located along the opposite side of Mount Pleasant 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 across Mount Pleasant Road directly in front of the property (Green 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 subject property was used for rock extraction during the widening of State Route 99 back in 2008. Since that time, the property has remained vacant, except for the structures built during the widening project.

The applicant came to meet with Staff in June of 2015. He currently occupies property at 6155 Highway 99 and plans to move his operations to the subject property. After speaking with the applicant, Staff advised that a rezoning would be required and recommended Commercial Services (CS) as the zone that could best accommodate the type of business he was operating.

Several months went by and Staff received a complaint of activity occurring at the subject property. After investigating the complaint, it was discovered that the applicant had begun to move his business to the subject property and erecting structures without zoning authorization, site plan approval or building permits. A stop work order was issued for by the County's Building Codes Department for the building construction. Planning and Engineering Staff met with the applicant in order to discuss possible remedies to what was now a zoning violation. Most of the concerns relayed to Staff concerned the noise created from the applicant's use of a dirt/rock separator on the property. There was also concerns regarding the possible use of the property should the applicant ever sell the property in the future and traffic concerns. After hearing the concerns, Staff recommended to the applicant that they no longer pursue CS zoning but a planned development (PUD) approach for his application.

The applicant has provided a pattern book for his proposed development, which has been included with your agenda materials. The applicant has approximately 15 employees and will have operating hours from 7:00 AM to 5:00 PM. Activities will include, but not be limited to, loading of materials, such as top soil, trees, mulch, etc. using skid steers onto trucks for delivery to various job sites. There will be no retail component of this business on the property. Concrete bins will be added to contain mulch.

Access & Parking: Access will be from Mount Pleasant Road. There are currently two access points to the property. Per Staff's suggestion, due to the fact that the northern access is closer to several homes on the eastern side of Mount Pleasant Road, the applicant has stated that he will utilize the southern access point for a majority of the site's traffic. Parking lots and access drives will need to be upgraded consistent with the regulations in the Zoning Ordinance.

Landscaping: Buffering is required consistent with Section 1104 of the Rutherford County Zoning Ordinance. Most of the site is heavily wooded, with only the portion used for the borrow pit being cleared. The applicant has indicated that this would remain the case. Staff does not believe that any additional buffering is required.

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. Most of the noise issues were created as a result of the rock sifter located on the property. The applicant has indicated that he will no longer sift any of the material on his property.

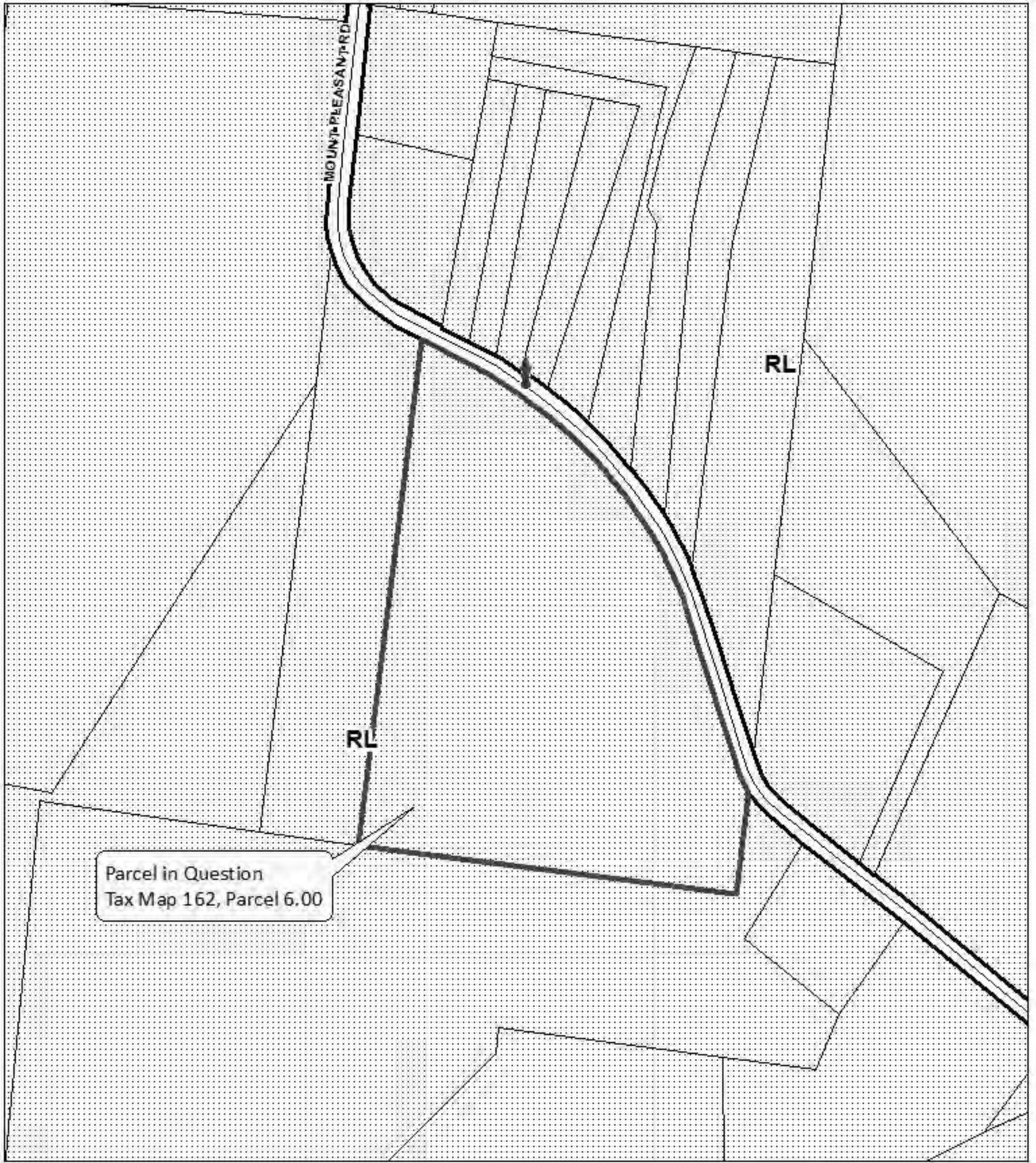
Staff Recommendation

Despite the manner in which the application has come forward, Staff believes that this is likely the best use for the property. Septic soils are limited at best and the State's use of the property as a borrow pit makes single-family use highly unlikely. While not zoned commercially, the Champion's Run Golf Course is located in very close proximity to the subject property. The site is heavily treed and should adequately screen the applicant's activity. The proposed zoning also limits the use of the property to similar uses as the applicant proposes. Staff recommends approval of the request.

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Applicant's Description
Pattern Book (Separate Attachment)

16-A004



Parcel in Question
Tax Map 162, Parcel 6.00

 RL - Low Density Residential

 In Question

 Fire Hydrants



0 100 200 400 600 800 Feet

16-A004



Rezoning Request Tax Map 162, Parcel 6.00



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.

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





6155 Highway 99
Rockvale, TN 37153
Office: (615) 898-3755
Fax: (615) 904-7229

Explain in detail what you propose to do with this property and outline your long term plans for the property. Refer to the purpose statement of the zoning district for which you are requesting and explain how your project will fit within the description of that district.

Greenbriar Landscape Co, Inc. currently operates at 6155 Highway 99, Rockvale TN. I purchased 14873 Mount Pleasant Road in November 2014. As the economy has thrived, we have as well, and have out grown our current location.

I would like to operate the landscape and excavating division on the property located at 14873 Mount Pleasant Road, Rockvale TN 37153.

This part of the operation would include two landscape trucks, two grading trucks and 5 to 7 employees, which includes two managers overseeing the operation. There would be small equipment kept at this location, including, but not limited to, skid steers, mini x and backhoes. Currently there is dirt screener on the property that is used to separate the rock from the dirt that is already being used in landscape projects.

We plan to have landscape materials delivered to the property, such as bushes, trees, perennial, annuals, compost, mulch, straw, and drainage materials. The materials will be for landscape projects only and will not be sold to the public.

To best fit our operation, we will need to construct storage sheds, mulch bins, and a green house, as well as parking areas to store all of the above. This property is a perfect place to operate a landscape company.

A handwritten signature in black ink, appearing to be "Steve J. C.", is written in a cursive style.

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: July 11, 2016

Case Number:	16-A009
Staff Recommendation:	APPROVAL
Request by:	Beverly DeLong
Property Address:	8461 Franklin Road
Commission District:	20 – Trey Gooch
Urban Growth Boundary:	Murfreesboro UGB

Applicant Request

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

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RM
Current Use: Existing Single-Family
Adjacent Uses: Residential on all sides
Adjacent Zoning: RM on all sides
Size of Tract: Approximately 5 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan classifies this property as being located within Suburban Belt Character Area. This character area recommends non-residential densities of up to .2 floor/area ratio (FAR). Franklin Road is also classified as an Urban Corridor which recommends non-residential densities of up to .9 FAR.

Proposal supported by Comprehensive Plan

Yes. The Comprehensive Plan does contemplate non-residential uses within Suburban Character Area and along Urban Corridors.

Infrastructure

Roads: Franklin Road/State Route (SR) 96 is a 2-lane, ditch-section road that has approximately 60 feet of right-of-way. The County's Long Range Transportation Plan shows a future widening of Franklin Road to five lanes. Staff will explore the possibility of any right-of-way needs for this eventual widening. The closest traffic count to the subject property is located approximately 1/2 of a mile to the west of the subject property. The location (Station 51) shows a 2015 count of 5,717 trips per day.

Utilities: According to Consolidated Utility District (CUD), there is a 6-inch water line to service the property along Franklin Road.

Fire Protection: According to information provided by CUD, there is a fire hydrant located at the intersection of Franklin Road and Puckett Road, which is about 800 feet to the west of the subject property. Any development will be required to adhere to the adopted fire codes for Rutherford 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 County's Engineering Staff has stated that the drainage area downstream from this property is volume sensitive. 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 the subject of a rezoning request in August of 2015. The applicant was requesting Commercial Services (CS) zoning for the eventual use of a self-storage facility. Following the public hearing, the Planning Commission recommended denial by a unanimous vote. The minutes of that meeting have been included with your agenda materials. The applicant withdrew the application following the Planning Commission's meeting.

The applicant has submitted a new application for an identical use (Self-Storage) but is doing so as a PUD as opposed to conventional zoning. The pattern book has been included with your agenda materials as a separate attachment. The concept plan shows only a portion of the property being used for the self-storage business, approximately five acres, as opposed to the entire property (Approximately nine and one-half acres). The plan is to develop 100 units initially, with an ultimate buildout of approximately 300 units. Additional buildings will be added when the existing units are 80 percent occupied. Complete buildout will be in three to five years. Hours would be from 8:00 AM to 8:00 PM with possible seasonal adjustments and would employ between one to three people. The existing house will remain and will be used for an office.

Access & Parking: Access to the property was originally shown off of Baltimore Road. Staff had some concerns as to the feasibility of this access, as Baltimore Road is a private drive and would require significant improvements for commercial use. When the current application was submitted, the access from Baltimore Road was removed and access was shown off of Deer Run Road, which is a public right-of-way as it fronts the subject property. A neighborhood meeting was held on April 18, 2016. Several of the property owners along Deer Run Road objected to the new access point. After discussion, the applicant agreed to move the access to Franklin Road, using the same access as the existing house.

The applicant's engineer has completed a sight-visibility study, which has been included with your agenda materials. Staff has also visited the site and with proper modifications to the existing access drive, sight distance should be adequate.

Landscaping: The pattern book shows a Type 2 Buffer along the perimeter of the property. It also appears that buildings along the eastern and western property lines will be used as part of the buffering requirements.

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. The site will be bound by these standards.

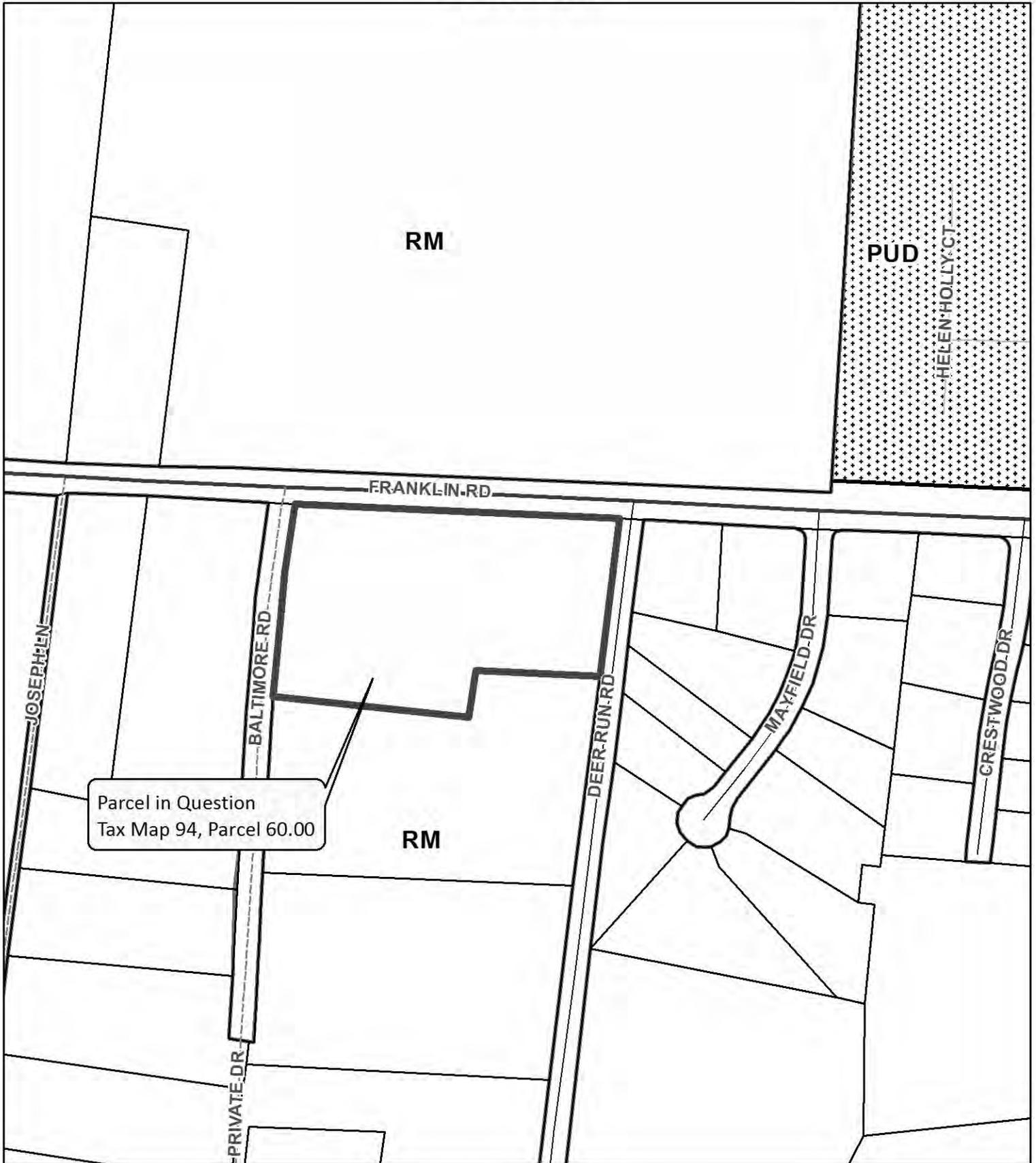
Staff Recommendation

The applicant has tried to be sensitive to the concerns of those who live in the surrounding area. Staff does have concerns about the proposed access but feels that improvements can be made to alleviate those concerns. Staff recommends approval.

Attachments

Zoning Map
Aerial Map
Water Line Map from CUD
Minutes from August 10, 2015 Meeting
Sightline Study
Pattern Book (Separate Attachment)

16-A009



Parcel in Question
Tax Map 94, Parcel 60.00

  RM - Medium Density Residential  PUD - Planned Unit Development  In Question  Fire Hydrants

0 50 100 200 300 400 Feet

16-A009



0 50 100 200 300 400 Feet

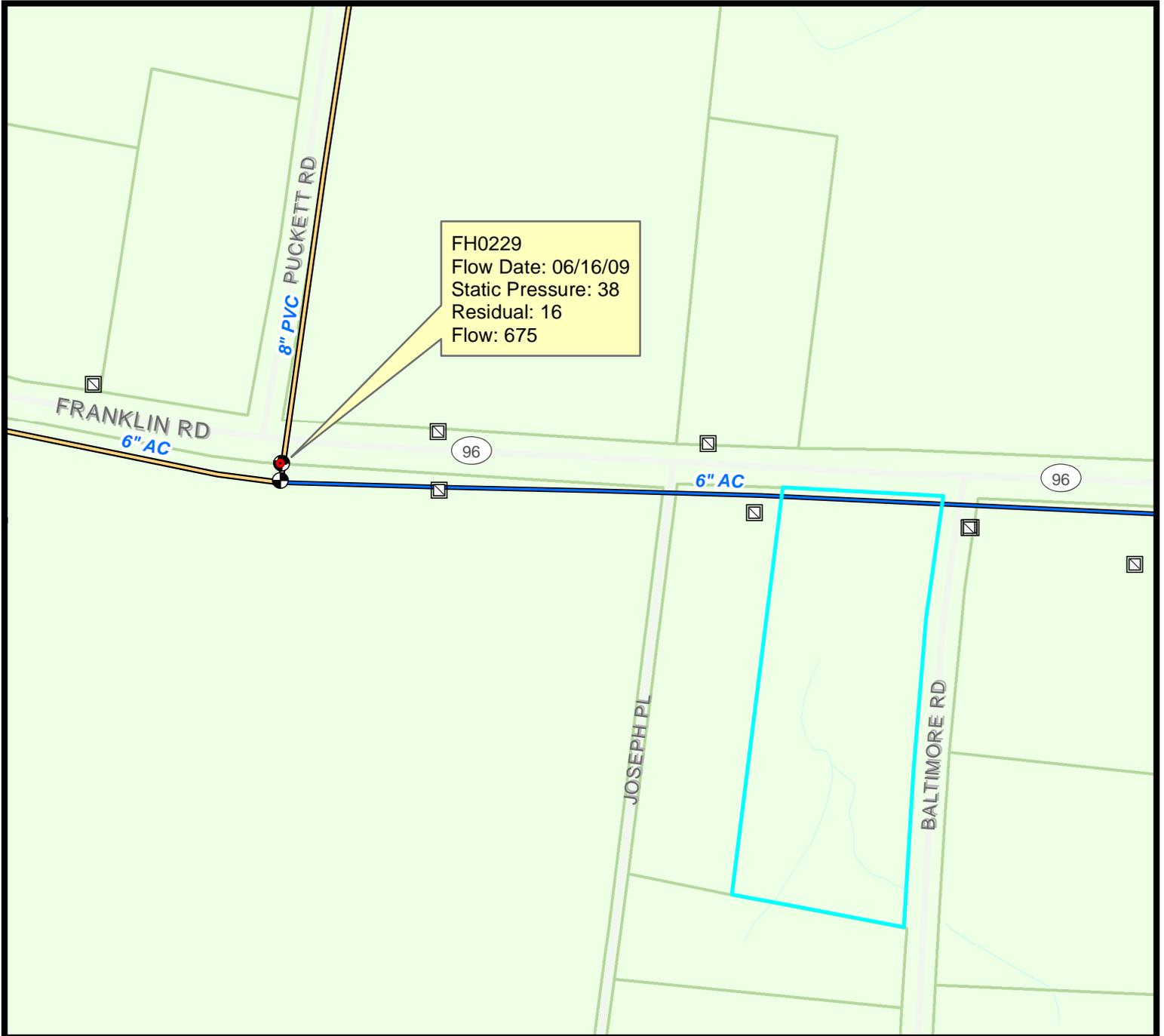


In Question



Fire Hydrants

Rezoning Request Tax Map 94, Parcel 60.00



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.

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



Minutes from August 10, 2015 PC Meeting (Portion Only)

B. BEVERLY DELONG (15-A008)

Doug Demosi presented and said that the applicant is requesting to rezone from RM to CS and wishes to do so in order to establish mini-warehouses. That type of facility is only allowed by special exception in the CS zone and they would need to go to the Board of Zoning appeals. He said that the concept plan has been revised since its submission. He outlined several concerns that Staff had, including the road needing improvement and the need for a traffic study due to the traffic in the area. They are showing some right-of-way dedication on the west side but not on the east. He also said that they may have problems with any effective soil sites. He said the applicant has spoken with some of the residents in the area. He also said there is some commercial zoning to the west, but nothing right by the site.

Veronica Buchanan asked which area is going to be affected with the widening of the road. Doug said that he didn't think there is any design yet so it's difficult to say but he would anticipate they would need right-of-way on both sides. Veronica asked if they have a back-up site for their soils. Doug said the plan only shows one but they may not need a lot.

Steve Sandlin asked how many residents are living down Baltimore Road. Doug said about 5-10. Doug further said the reason that this was deferred last month was because their original application was only for one portion of the site but the applicant decided they wanted to rezone the whole site.

Jeff Phillips opened the public hearing.

Beverly DeLong came forward with Trent Smith, her civil engineer. She gave a video presentation of her request for mini storage.

Will Jordan asked if she is planning on leaving the house on the property. She said the house would remain there and possibly be used for an office.

Amy Baltimore of 356 Baltimore Road spoke and said that she represents the Baltimore Road area and Deer Run and Coleman Hill. She asked for a show of hands of those she is representing. She said they are all opposed to the request due to the water shed being disturbed, flooding, safety concerns with traffic, and that is a private road and they do not wish to give up any rights to that and would not want their current way of life affected. She also said there is no room for a turnaround for bigger vehicles in that area and water lines would also need to be added. She also stated that they had concerns if the property is zoned to Commercial Services, what would stop the owner from selling and something new coming in. She gave a copy of a petition with 103 signatures of those in the area that are opposed to the rezoning, including Trey Gooch.

Bruce Colvin of Deer Run Road spoke and asked those who live on Deer Run Road to stand. He said they are opposed to the request and have concerns with the same things that Ms. Baltimore stated.

Chris Moore of Franklin Road spoke and said his property is directly adjacent to the site and he is opposed because of the same reasons others stated and because it is right next door and this would cause noise, lighting and privacy issues.

Mike Hughes spoke regarding the drainage in the area and said there would have to be a comprehensive drainage study if this were approved.

Kathleen Runger of Deer Run Road spoke and said that part of the wetlands are on her property. When it rains it floods their front yard and she is concerned this could flood them completely.

Robert Pope of Deer Run Road said he is opposed to the commercial zoning in this location.

Jennifer Sullivan of Baltimore Road said she is opposed due to the concerns already stated and especially about traffic safety and privacy.

Heather Macarone of Deer Run Road, a real estate appraiser, said this would affect property values and safety is a definite concern.

Jeff Phillips closed the public hearing.

Steve Sandlin thanked the community for coming.

Steve Sandlin moved, seconded by Mike Kusch to Deny the Rezoning Request due to traffic concerns, sinkholes and water drainage, and private roads, no turn around, safety and other concerns. The motion carried by voice vote (11 for, 0 against).

Will Jordan announced that this will also go to the Board of Commissioners Thursday, September 17th with the recommendation for denial.

May 4, 2016

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

Re: Sight Distance Study
Murfreesboro Self Storage
State Route 96
Rutherford County, Tennessee

Dear Doug:

Huddleston-Steele Engineering, Inc., is pleased to present this summary of our Sight Distance Study for the Murfreesboro Self Storage on State Route 96 in Rutherford County, Tennessee.

The Murfreesboro Self Storage is to have a proposed access onto State Route 96 in front of the site between Deer Run Road to the east and Baltimore Road to the west. More specifically, this access is proposed at the top of a small hill at the mailbox for 8461 Franklin Road (State Route 96).

A Sight Distance Study was performed at this proposed access location on State Route 96 to determine if enough sight distance is provided at the subject intersection with State Route 96.

From visible observations and measurements at the proposed access location on State Route 96, approximately 1372 feet of sight distance exists to the west on State Route 96 and approximately 1301 feet of sight distance exists to the east (see Exhibit).

According to Tennessee Department of Transportation (TDOT) Standard Drawing RD01-SD-3, intersection sight distance for 45 MPH design speed for passenger vehicles is 500 feet (for 55 MPH it is 610 feet). According to TDOT Standard Drawing RD01-TS-3, stopping sight distance for 45 MPH design speed is 360 feet (for 55 MPH it is 495 feet).

Since the observed and measured sight distance existing exceeds the sight distance in TDOT tables, adequate sight distance exists for the proposed access onto State Route 96.

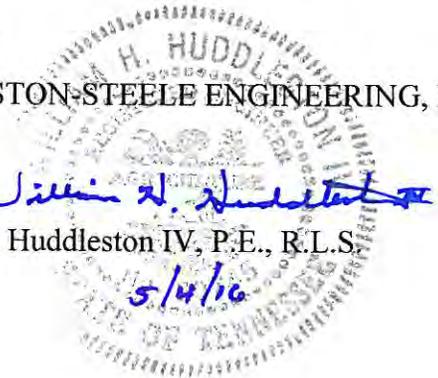
Please contact us if you have any questions or comments.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.



William H. Huddleston IV, P.E., R.L.S.



5/4/16

SIGHT DISTANCE EXHIBIT

