

Rutherford County Regional Planning Commission

Agenda – 9-10-18 – 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- V. ITEMS WITHDRAWN/DEFERRED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. REZONING REQUESTS/PUBLIC HEARINGS
 - 1. Eddy Queen for Hamilton and Moore, LP (18-A017)
 - Location: 5907 Burnt Knob Road
 - Commissioner District: 20 (Trey Gooch)
 - Size of Site: Approximately 52 acres
 - Tax Map: 77, Parcels: 49.00 and 50.00
 - Existing Zoning: Residential Medium Density (RM)
 - Proposed Zoning: Light Industrial (LI)
- VII. OLD BUSINESS
- VIII. STAFF REPORTS/OTHER BUSINESS
- IX. ADJOURNMENT



Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: September 10, 2018

Case Number: 18-A017

Staff Recommendation: **APPROVAL**

Request by: Eddy Queen for Hamilton and Moore, LP

Property Address: 5907 Burnt Knob Road

Commission District: 20 – Trey Gooch

Urban Growth Boundary: Murfreesboro UGB

Applicant Request

Rezoning from Residential Medium Density (RM) to Light Industrial (LI)

Purpose of District

This class of district is intended to provide space for a range of industrial and related uses that conform to a high level of performance standards and have the least objectionable characteristics. It is required that all operations of such establishments with the exception of limited outdoor storage be carried on within completely enclosed buildings thus providing a standard of development which removes most adverse characteristics that affect neighboring properties. These districts may provide a buffer between other districts and other industrial activities that have more objectionable influences. New residential activities except for those permitted as an accessory use are excluded, and community facilities and commercial establishments that provide needed services for industry and are complementary thereto are permitted.

Site Characteristics

Current Zoning: RM

Current Use: Vacant/Undeveloped

Adjacent Uses: Vacant/undeveloped property to the west, east and south. Some single-family to the north; Rogers Group Rock Quarry to the north.

Adjacent Zoning: RM on all sides, with the exception of 5940 Burnt Knob Road, located across the street from the subject property, which is zoned Light Industrial (See attached map)

Size of Tract: Approximately 52 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Suburban Belt Character Area. Suburban Belt areas are recommended to include both residential and non-residential uses at densities of three (3) residential units per acre and non-residential uses at a .2 Floor/Area Ratio (FAR). Burnt Knob Road is also identified as an Urban Style Corridor in the Plan, which recommends residential densities of up to 10 units per acre and non-residential densities at .9 FAR.

This property is identified in the City of Murfreesboro's Future Land Use Map as being Suburban Residential in character (see attached map).

Analysis

Both the Suburban Belt Character Area and Urban Style Corridors anticipate and make recommendations for non-residential uses. The proximity of this property to the existing rock quarry across Burnt Knob Road and lack of utilities makes residential development unlikely at this time.

Infrastructure

Roads: Burnt Knob Road is 2-lane, ditch section, County Road with approximately 40 feet of right-of-way according to the Rutherford County Road Book. There is a TDOT traffic count approximately one mile to the east of the subject property that identifies a 2016 traffic count of 2,626 vehicles per day. The County's Long-Range Transportation Plan identifies Burnt Knob Road as being widened to five lanes from the intersection of Blackman Road to the intersection of Almadale Road. Any development of this property would require right-of-way dedication.

Utilities: The property is within the jurisdiction of Consolidated Utility District (CUD). According to information provided by CUD, there is not a water line in front of the subject property. The closest line (six-inch) is approximately 600 feet to the east (See attached map). Any further development beyond what currently exists will require the owner/developer to submit a water service availability request to CUD to determine feasibility. The owner/developer would also have to complete a developer's packet through CUD's Engineering Department.

Septic soils will be an issue on this property. According to USDA mapping, the site is composed of Gladeville Rock. There is no record of a septic system being constructed on this property with the TDEC Division of Water Resources Office.

Fire Protection: There closest fire hydrant is approximately one-half mile to the east along Burnt Knob 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 affected area 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, should this application be approved.

Schools: Not applicable, as the request is for non-residential purposes.

Background/Proposal Details

Background/Proposed Use: The applicant is requesting to rezone the property to Light Industrial in order to operate a land clearing and utility line maintenance company. Materials submitted by the applicant indicate that he also removes chipped material from the land clearing operations and regrinds the material for mulch, soil products, and

loam, which he intends to sell at retail. His business is family owned and currently has 10 employees. Additional conversations with the applicant indicate that typical hours of operation are Monday through Friday from 7:00 AM to 5:00 PM, with occasional weekend hours. Equipment on site consists of chippers, grinders, dump trucks, pick-up trucks, etc. The applicant's concept plan and submittal materials have been included with your agenda packets for reference.

Access & Parking: Access will be from Burnt Knob Road. The concept plans shows a looped driveway for easier access for larger vehicles. There is significant truck traffic along this stretch of road due to the existing rock quarry across the street. Staff will review any site plan carefully to ensure that any new development on this property will not have an adverse effect on the existing traffic along Burnt Knob Road.

Landscaping: Properties zoned Light Industrial are required to provide a Type 3 buffer adjacent to properties zoned for single-family purposes. Most of the site is heavily treed and is proposed to remain undeveloped. Existing plantings can be used as part of the buffering requirements. Any new parking/maneuvering areas will also require landscaping consistent with Section 1104 of the Zoning Ordinance.

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.

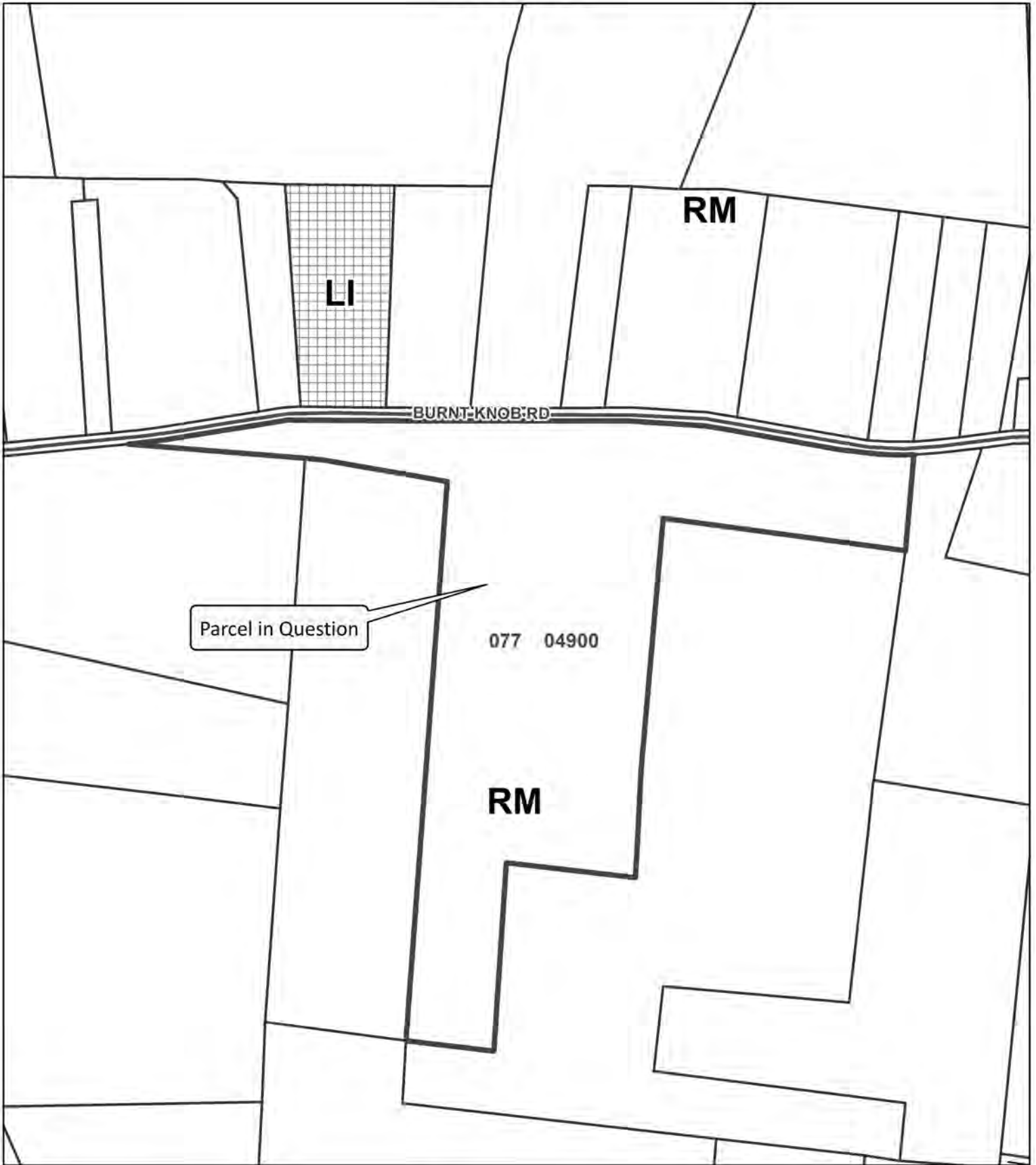
Staff Recommendation

Considering the lack of water and septic soils and its proximity to an operating quarry, it is unlikely that this property will develop in a residential manner at the present time. There is also an existing property located across Burnt Knob Road that is zoned Light Industrial. Staff recommends Approval.


Attachments


Zoning Map
Aerial Map
CUD Water Line Map
Murfreesboro Future Land Use Map
Concept Plan
Applicant's Submittal Materials

18-A017




0 120 240 480 720 960 Feet

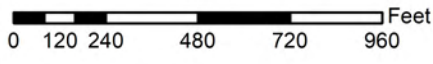
 In Question

 RM - Medium Density Residential


 LI - Light Industrial

 Fire Hydrants

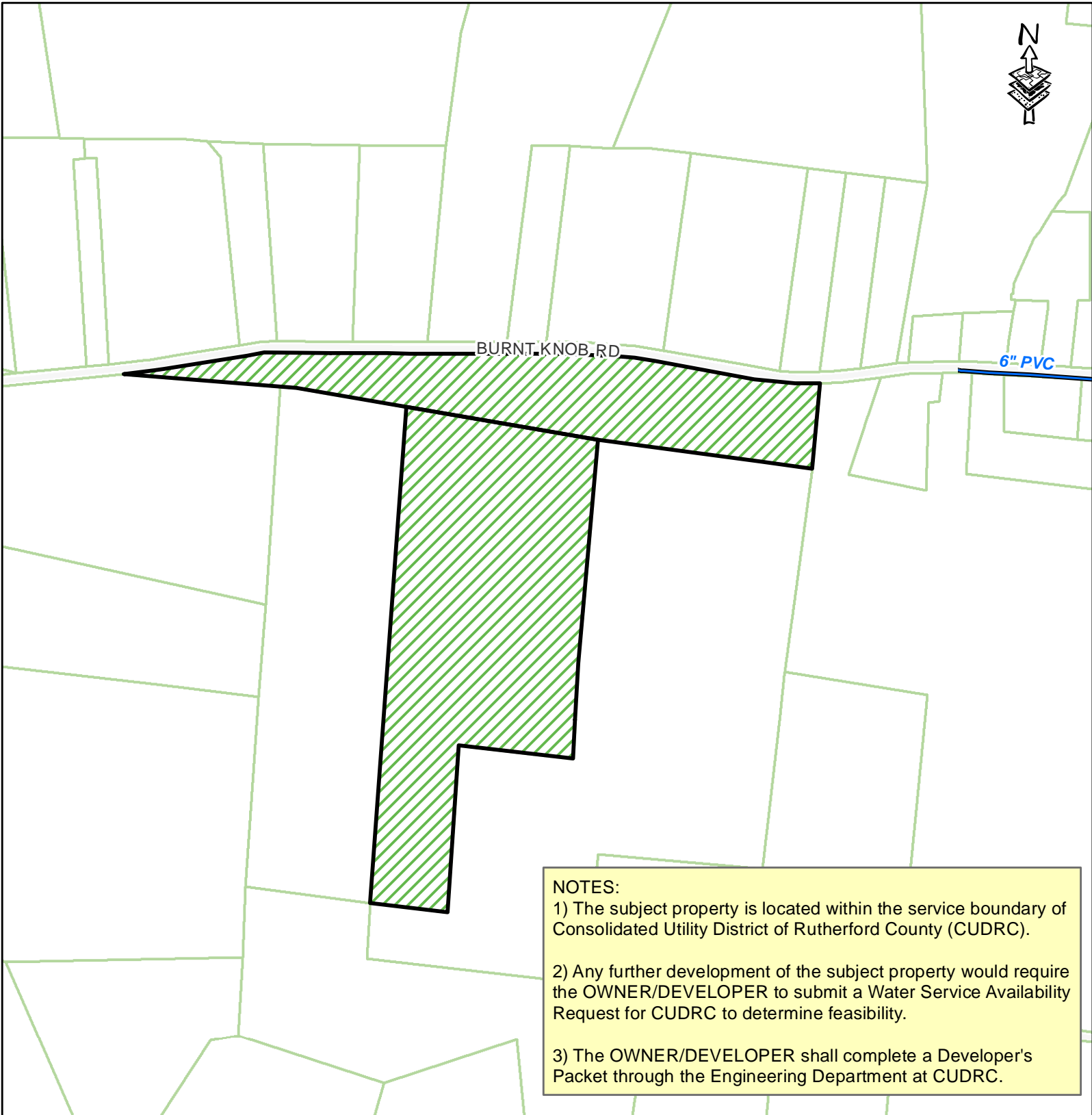
18-A017





 In Question

 Fire Hydrants

5907 Burnt Knob Road Rezoning Request



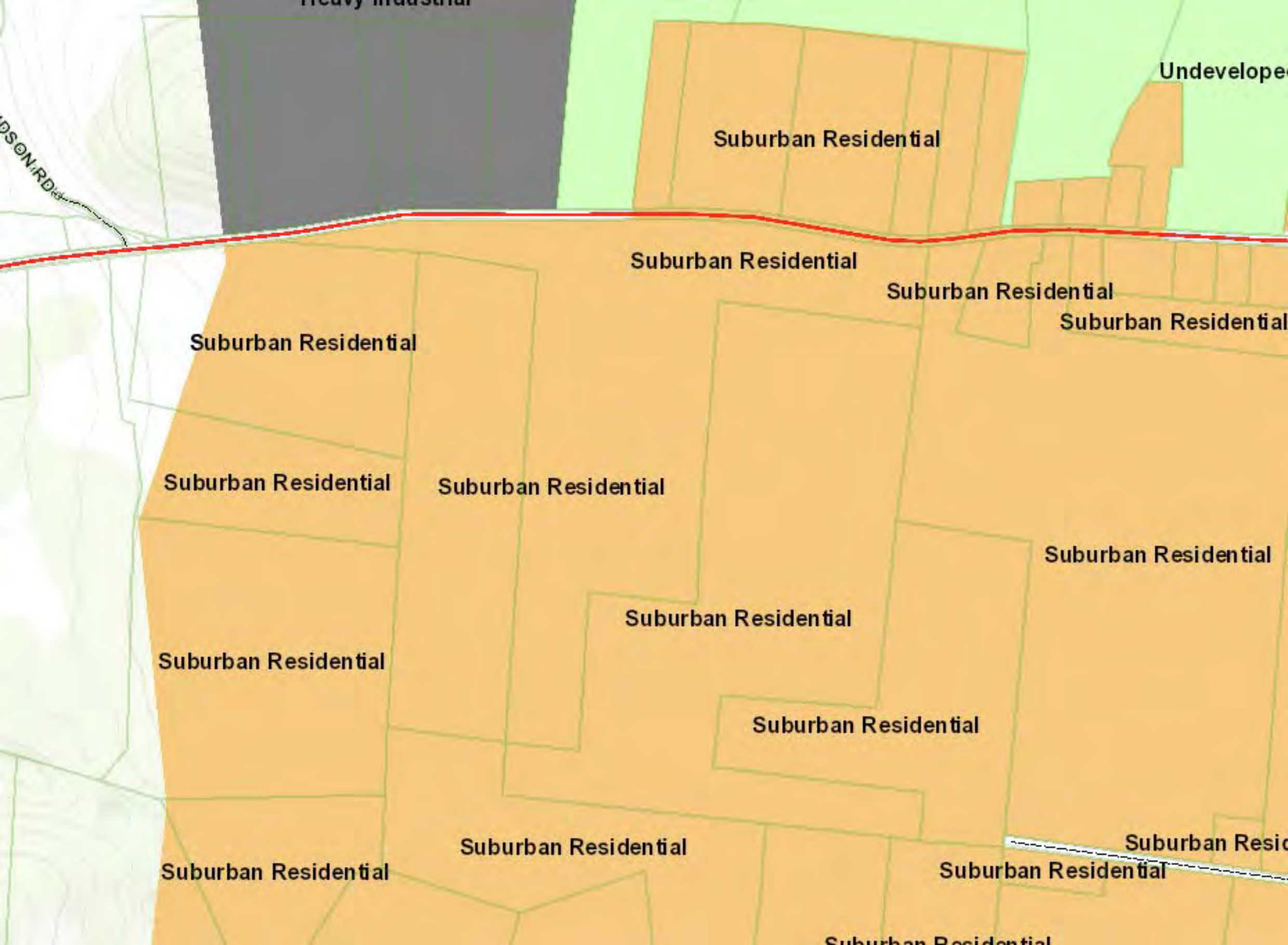
AUGUST 20, 2018
TAX MAP: 77
PARCELS: 49.00, 50.00

 CUD WATER MAIN
 SUBJECT PROPERTY

1 INCH = 570 FEET

0 250 500 1,000 Feet





Heavy Industrial

Undeveloped

MADISON RD

Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

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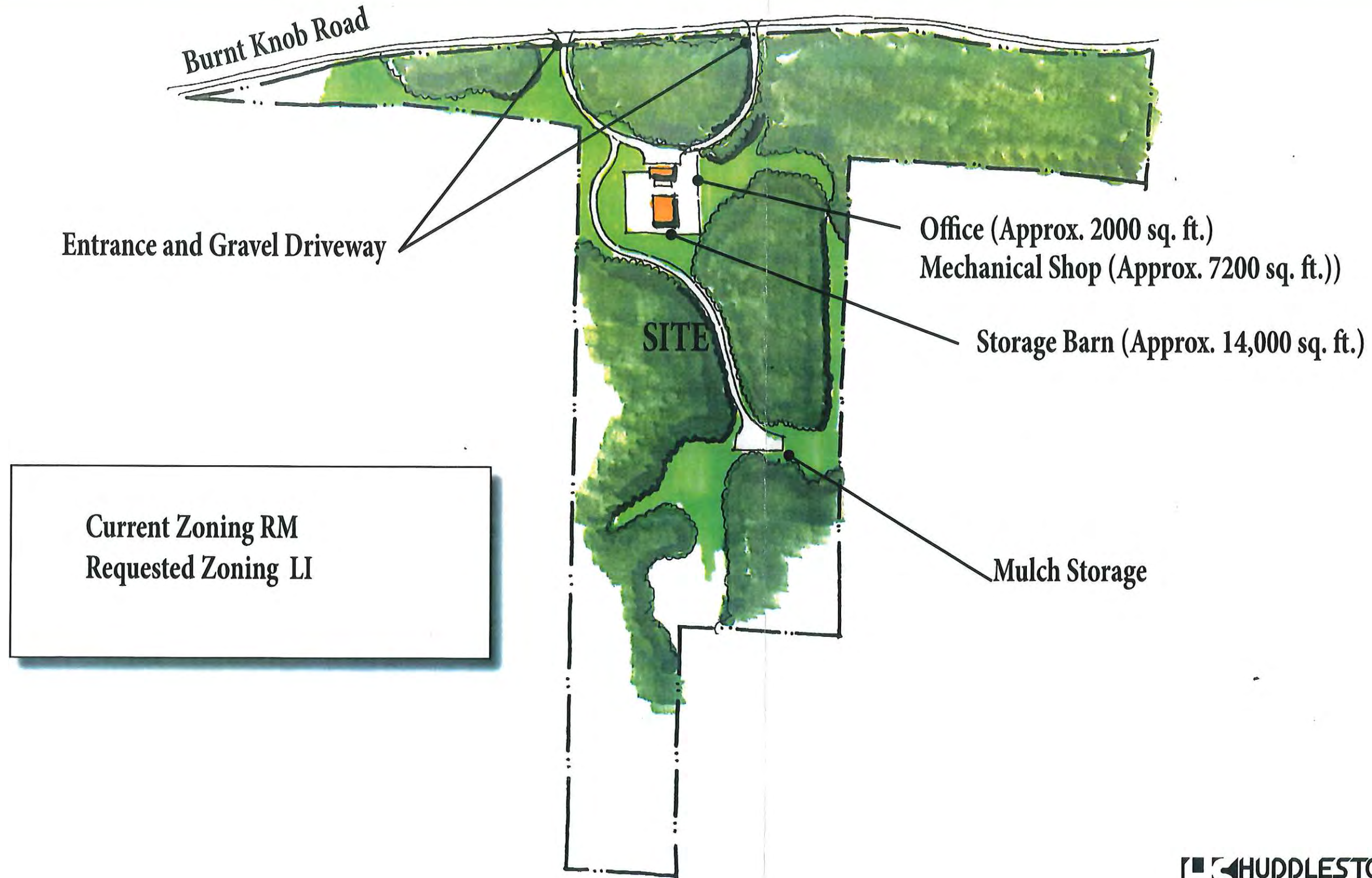
Suburban Residential

Suburban Residential

Suburban Residential

Suburban Residential

Queen Rezoning Exhibit



August 10, 2018

Doug Demosi AICP, Planning Director

1 South Public Square
Room 200
Murfreesboro, TN 37130

Re: Queen Property Rezoning 5907 Burnt Knob Road

Dear Mr. Demosi,

On behalf of our clients, Mr. Eddie Queen, we hereby request to rezone 50 +/- acres of land located on 5907 Burnt Knob Road. The tax map is 77 and the parcels 49/50. The client anticipates using the property for landscape mulching and gravel sales. The current zoning is RM and the requested zoning is LI.

Please let me know if you need any additional information and thank you for your assistance with this request.

Sincerely,



Huddleston-Steele Engineering

Clyde Rountree, RLA

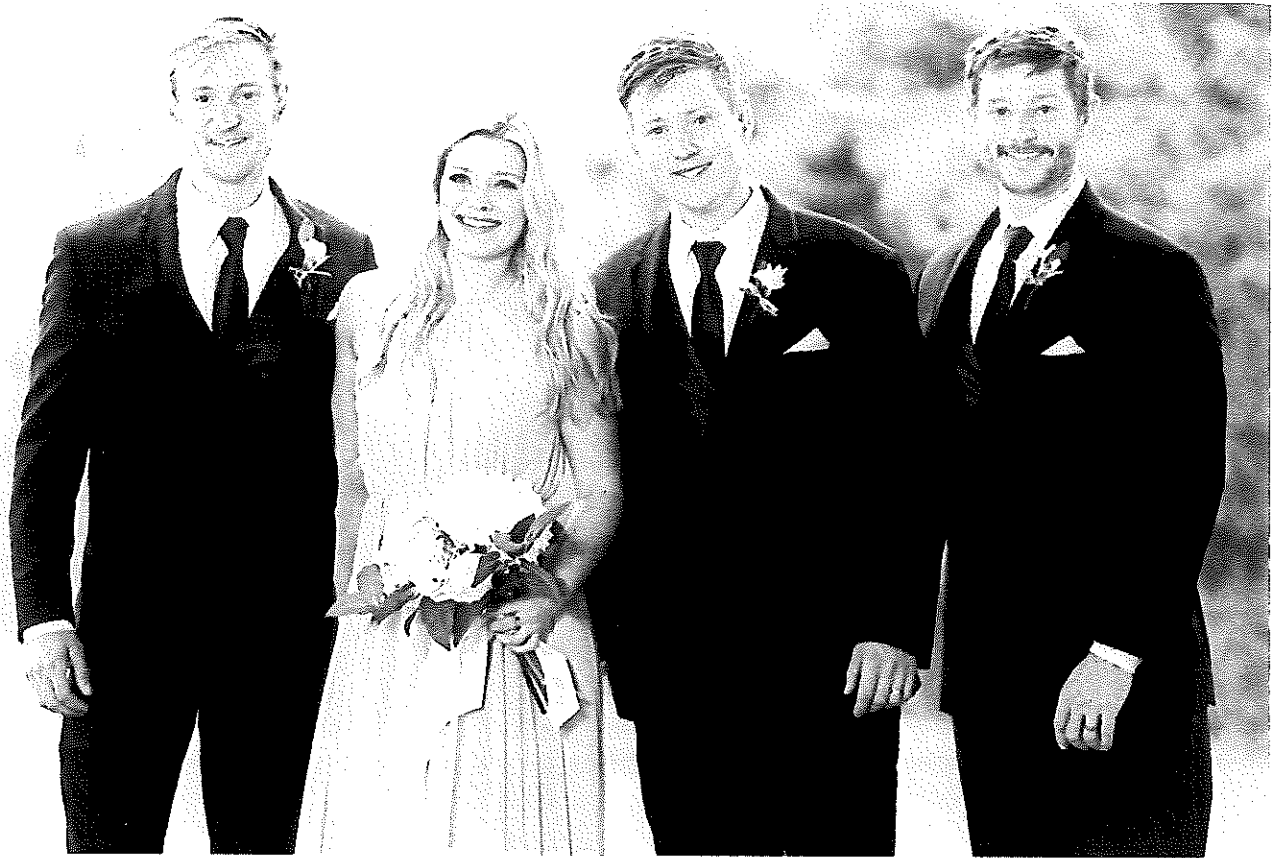
To: Zoning Board of Rutherford County

A brief history of Queen's Tree Surgery Inc. and our family.

Queen's Tree Surgery Inc. was started by my father, Wayne Queen in 1942. I am the second-generation owner/operator, and all three of my sons work for Queens, which will make them the third-generation owners and operators. We are a small company with 10 employees, four of whom have Queen as their last name. All three of my sons have graduated from Lipscomb University in Nashville, Tennessee. Josh has a business degree, Daniel has an engineering degree, and Nathan has an environmental science degree. All of my children started school at Lipscomb and ended up graduating college there. Lipscomb calls them "lifers". (I was a lifer of Lipscomb as well except for one year at UT Knoxville). All three sons and I have CDL's (commercial driver's license). I have a daughter that graduated from Lipscomb with an engineering degree, too. She is presently in Pittsburgh and is the quality control manager on a 200+ million-dollar fuel farm project at their airport. She is the youngest of my children.

Queen's Tree Surgery, Inc presently is located at 625 Hamilton Ave in Nashville. My dad purchased our first lots there in 1966. I added to those lots and purchased the entire side of Moore Ave, which backs up to our Hamilton Ave property, and I purchased all Moore Ave lots between the railroad tracks to the west and our property on Hamilton. All of this was done in the 1980's. After the purchase I removed all the old residential housing making a parking lot for equipment. This location has been excellent for us until the last few years. We are in an area called Wedgewood-Houston and the housing growth has been explosive in this area. We are zoned light industrial; however, we are completely surrounded by residential housing on our east side and the railroad tracks on our west side. The increase in numbers of houses and traffic has caused difficulties for our lowboy trailers and chip trailers to maneuver in the neighborhood. I have just signed a LOI (Letter of Intent) for the sale of our property Friday the 20th of July, so we are preparing to move.

I purchased the property on Burnt Knob Road with the expressed interest of doing some nursery projects as they relate to our business. Due to the excessive amount of rock and no access to water from Consolidated Utility District or natural water sources, any agricultural projects are doomed to fail. However, having cleared approximately 10 acres of the site, its value and use to me will be much better served as our office and shop. My goal is to move our entire business to Rutherford County, which would include me moving to Rutherford County as well. My mother and father-in-law live in Murfreesboro so as you can imagine I am getting much needed support from my wife and children.



From left to right is Nathan, Abby, Josh, and Daniel. Picture taken this year at Josh's Wedding. I am lucky to get to work with all three sons every day.

Queen's Tree Surgery's main income is derived from land clearing and utility line maintenance. We remove the chipped material from our land clearing operations and regrind that material to make mulch, and soil products. We would like to use this site as a retail site for mulch sales as well. In addition, we would like to install scales and charge for stumps and pallets. We presently grind stumps and pallets to produce an engineered soil product we call loam. Our product is 95% organic material and five percent soil that is trapped in the stumps between the roots. It makes an excellent top dressing for poor soils.

I was asked about my future plans so I assume that information would be valuable to you as well. I am presently 62 years old and my plans don't include much growth. At one time I had 120 employees and I am down to 10. To be honest I don't ever see me having more than 20 employees ever again. I more see myself slowing down and playing with my grandchildren. I only have one grandchild presently but I have two on the way. While I can't speak for Josh, Daniel, or Nathan I really don't see them having a lot of employees either. In our business, state of the art equipment eliminates a lot of physical labor. One piece of equipment, with a good operator, can do more than 20 men can in a day. While that might seem impossible I promise it is true. That being the case I really don't see much growth except in the mulch side of the business. Obviously with Murfreesboro growing and more homes being built, more mulch will be consumed. In addition, I see our loam product as having a great benefit for Murfreesboro

as rock seems to be everywhere.

I encourage you to look at this site as an opportunity to benefit Rutherford County and Queen's Tree Surgery Inc. Presently, this property is zoned *medium density residential*; however, its class is *Agricultural*. Neither of these uses are well suited for this property. However, I would think that a *light industrial* zoning which would allow for a wood reuse yard and an engineered topsoil site could benefit Rutherford County and Queen's Tree Surgery Inc. equally. I appreciate your consideration in this matter.

Eddy Queen