

August 17, 2020

Rutherford County Planning Commission  
One Public Square South, Suite 200  
Murfreesboro, Tennessee 37130

Re: Site Plan—(20-3003) Burnt Knob Self Storage

Dear Commissioners:

Bill Huddleston and I have again addressed staff comments regarding my proposed site plan. As you will recall, the overarching issue that has been repeatedly voiced by Mr. Demosi and Mr. Hughes is the removal of material from the site. Specifically, both have voiced their suspicions that I am seeking site plan approval as a ruse in order to avoid the borrow pit regulations.

I have repeatedly denied this conjecture. I will not here rehash my insistence that I will build a self-storage facility on the site. That is the business I am engaged in. I do want to address the legal issue presented by the denial.

I am certainly no lawyer, but I am advised that mini warehousing is a use permitted by right within the LI zoning classification. That being the case, denial based upon “mere beliefs, opinions, or fears” does not constitute material evidence entitling either this Commission or the County Commission to deny the site plan. Such action would be arbitrary and capricious.

I do not wish to get embroiled in a controversy with the County. I simply want to proceed with the project. I have made more than adequate plans for the removal of spoil from the site. Mr. Huddleston has addressed the remaining issues.

Thank you for your consideration.

Respectfully,



Stuart Conway

cc: G. Sumner R. Bouldin, Jr.

## BURNT KNOB SELF-STORAGE

### Property Maintenance Plan - Rock Cut

My proposed self-storage facility to be located at 5940 Burnt Knob Road will implement rock slopes. I have engaged experts in Geotechnical Engineering, Mr. Mark Herrmann of TTL. I have also consulted with Mr. Robert Jowers, Geotechnical Engineer with TDOT, who stated that TDOT relies on quality of construction as the primary factor to long term success. I and my distinguished team will follow all GeoTech recommendations during construction. Mr. Herrmann will inspect and monitor all cuts during and at the completion of construction, thus ascertaining the finished product meets and/or exceeds the desired high benchmark for exceptional public safety.

Per TDOT GeoTech, once quality of construction is inspected and confirmed, the 'long-term maintenance plan' is reliant upon the public. TDOT relies on the public to contact them if any issue is known and will address any concern relayed to them. I as the owner will be on site weekly, if not daily, and any noticeable changes will be relayed to and investigated by Mr. Herrmann.

TDOT implements thousands of said cuts along public Highways and Interstates. I am thankful to have two experts providing guidance that creates a safe and successful long-term maintenance plan.

Regards,

Stuart



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## **MEMORANDUM**

**TO:** Mr. Stuart Conway  
**FROM:** Mark A. Herrmann, P.E.  
**DATE:** August 11, 2020  
**RE: SUPPLEMENTAL GEOTECHNICAL COMMENTS**  
**Storage Facility – Burnt Knob Road**  
Murfreesboro, Tennessee  
TTL Project No. 000200800682.00

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We previously performed a limited geotechnical exploration for the storage facility planned in Murfreesboro, Tennessee. The results of the exploration were submitted in our report dated March 16, 2020.

We were recently provided a set of drawings prepared by Huddleston-Steele Engineering, Inc. (drawings dated January, 2020) showing details of the planned construction. A comment included on the "Grading and Drainage Plan" indicated the referenced geotechnical report recommended a 15-foot wide bench be included in areas where deep cuts into rock are required. Review of the referenced drawing shows a 10-foot wide bench is planned. In addition, the bench is planned about 6 feet to 8 feet below existing ground surface. The original 15-foot wide bench was recommended because benches are often included in deep cuts near the mid-height of the wall. The bench width is sufficient to allow machinery to access the area to remove talus build-up on the bench. However, for this case, since the bench is being constructed at a level less than 10 feet below the top of the cut, a significant amount of talus that requires periodic removal is not expected. Therefore, a reduced bench width (i.e., 10 feet) can be incorporated into the design and construction.

