RESOLUTION 19-R-PS-38 to adopt a Plan of Services for approximately 11.3 acres along Asbury Lane and Asbury Road, Pretoria Rentals Trust, applicant. [2019-509]

WHEREAS, the Owner(s) of the territory identified on the attached map as the "Area to be Annexed" have either petitioned for annexation or given written consent to the annexation of such territory; and

WHEREAS, a proposed Plan of Services for such territory was prepared and published as required by T.C.A. §6-51-102 and T.C.A. §6-51-104; and

WHEREAS, the proposed Plan of Services was submitted to the Murfreesboro Planning Commission on September 4, 2019 for its consideration and a written report, at which time the Planning Commission held a public hearing and thereafter recommended approval of the Plan of Services to the City Council;

WHEREAS, a Public Hearing on the proposed Plan of Services was held before the City Council of the City of Murfreesboro, Tennessee, on October 24, 2019, pursuant to a Resolution passed and adopted by the City Council on September 19, 2019, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on October 8, 2019; and,

WHEREAS, the Plan of Services for the territory identified on the attached map as the "Area to be Annexed" establishes the scope of services to be provided and the timing of such services and satisfies the requirements of T.C.A. §6-51-102.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. That, pursuant to authority conferred by T.C.A. Sections 6-51-101, et seq., the Plan of Services attached hereto for the territory identified on the attached map as the "Area to be Annexed" is hereby adopted as it is reasonable with respect to the scope of services to be provided and the timing of such services.

SECTION 2. That this Resolution shall take effect upon the effective date of the Annexation Resolution with respect to the territory, **Resolution 19-R-A-38**, the public welfare and the welfare of the City requiring it.

Passed: October 24, 2019

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

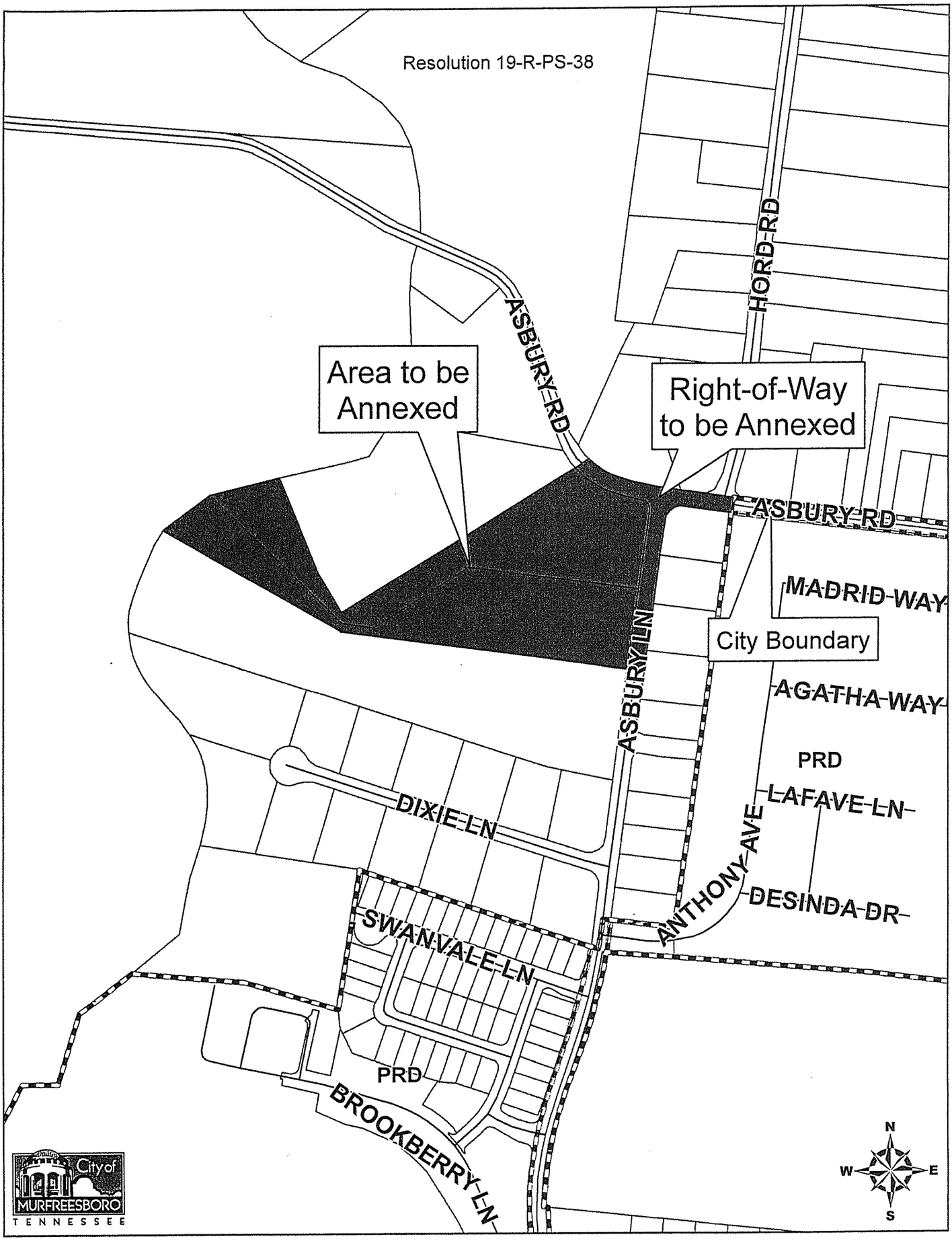
APPROVED AS TO FORM:

Adam F. Tucker
City Attorney

SEAL

CITY OF MURFREESBORO
SEAL
MURFREESBORO, TENN

mjp \\puckett\legal\files\council\ordinances & annexation, pos resolutions\2019\38 - 19-r-ps-38 plan of services.doc 9/23/2019 3:33:51 PM #1

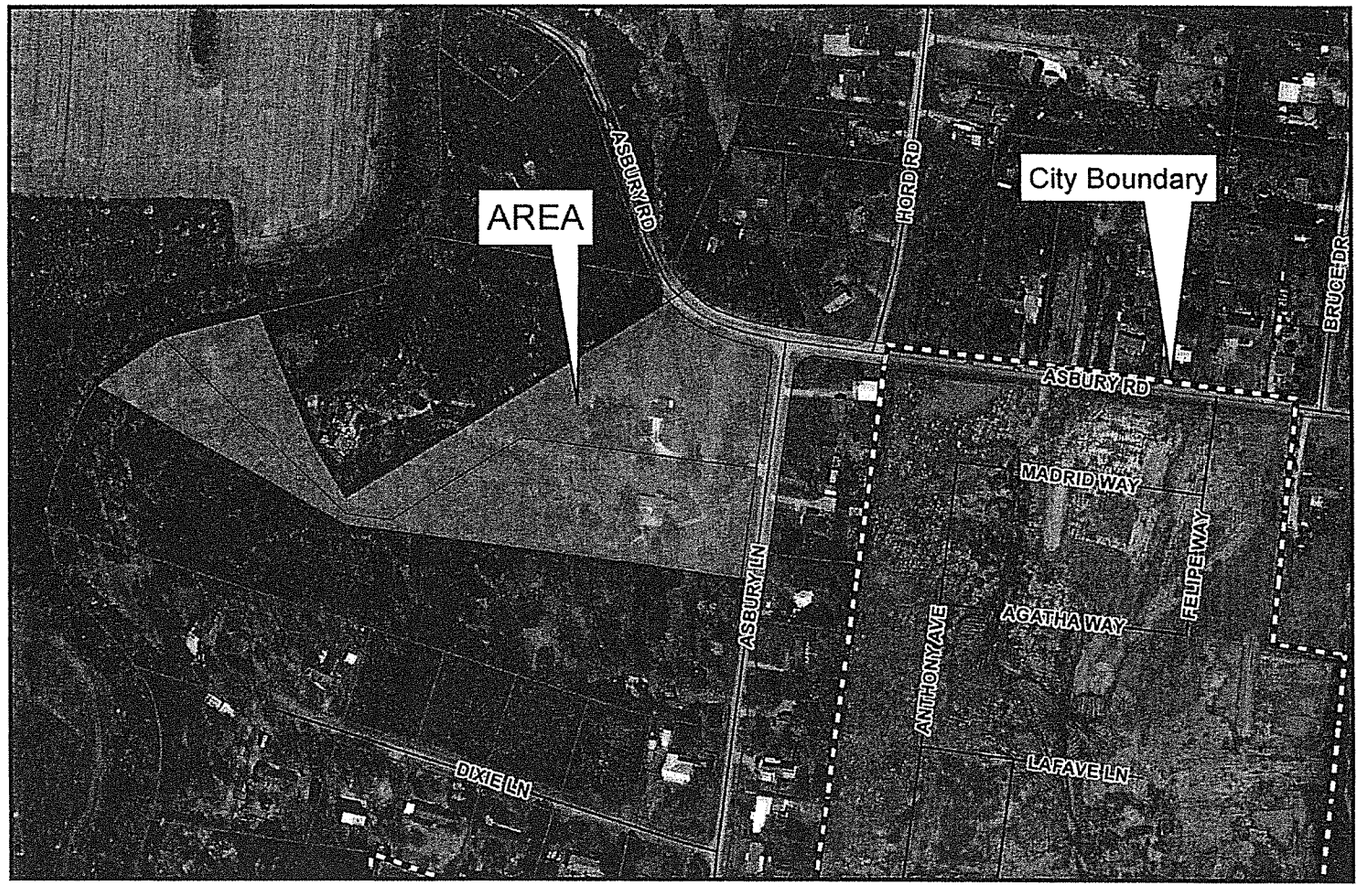

Resolution 19-R-PS-38
Area to be Annexed
Right-of-Way to be Annexed
City Boundary
ASBURY RD
HORD RD
ASBURY LN
MADRID WAY
AGATHA WAY
PRD
LAFAVE LN
DESINDA DR
ANTHONY AVE
DIXIE LN
SWANVALE LN
PRD
BROOKBERRY LN
City of MURFREESBORO TENNESSEE
N
W
E
S

Resolution 19-R-PS-38

ANNEXATION REPORT FOR PROPERTY LOCATED WEST OF ASBURY LANE AND SOUTH OF ASBURY ROAD INCLUDING PLAN OF SERVICES

City of MURFREESBORO TENNESSEE

PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
September 4, 2019



City of MURFREESBORO TENNESSEE

Annexation Request for Property
Along Asbury Road and Asbury Lane

0 200 400 800 1,200 Feet

N W E S

Planning Department
City of Murfreesboro
11 W Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

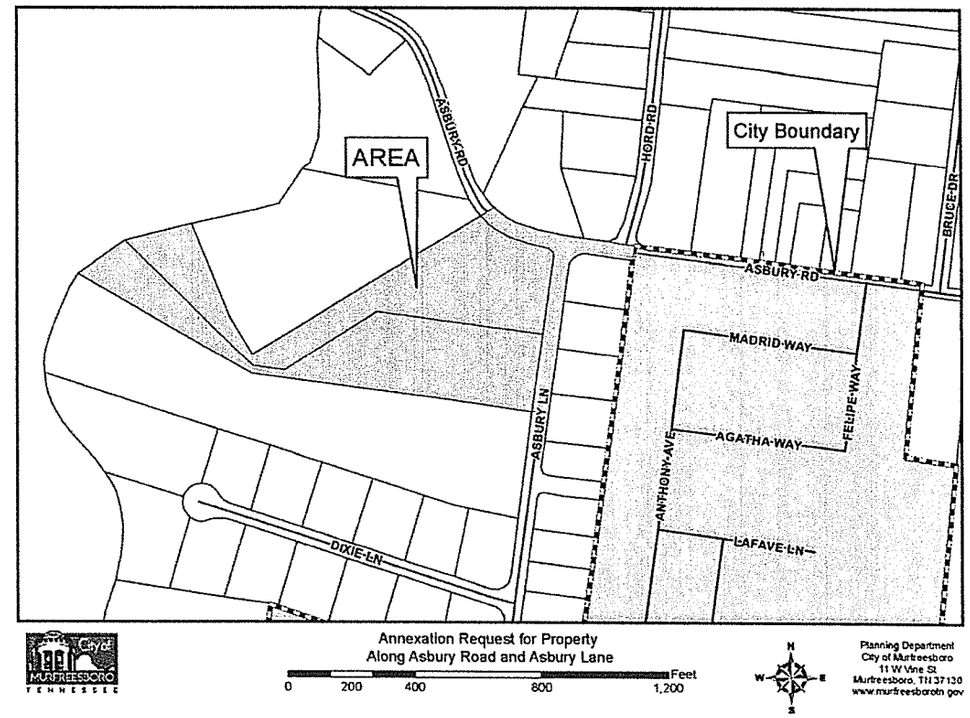
INTRODUCTION

OVERVIEW

The areas studied in this Plan of Services are two parcels (Tax Map 79, Parcel 17 and Parcel 19) situated along the west side of Asbury Lane and south of Asbury Road. Also included in the study area are two segments of rights-of-way: approximately 530 linear feet of Asbury Lane and approximately 500 linear feet of Asbury Road. The study area adjoins the City on its east, while the areas to the north, west and south lie within the unincorporated County.

Each parcel has a single-family house. A written petition requesting annexation has been filed with the City by the property owners' legal representatives.

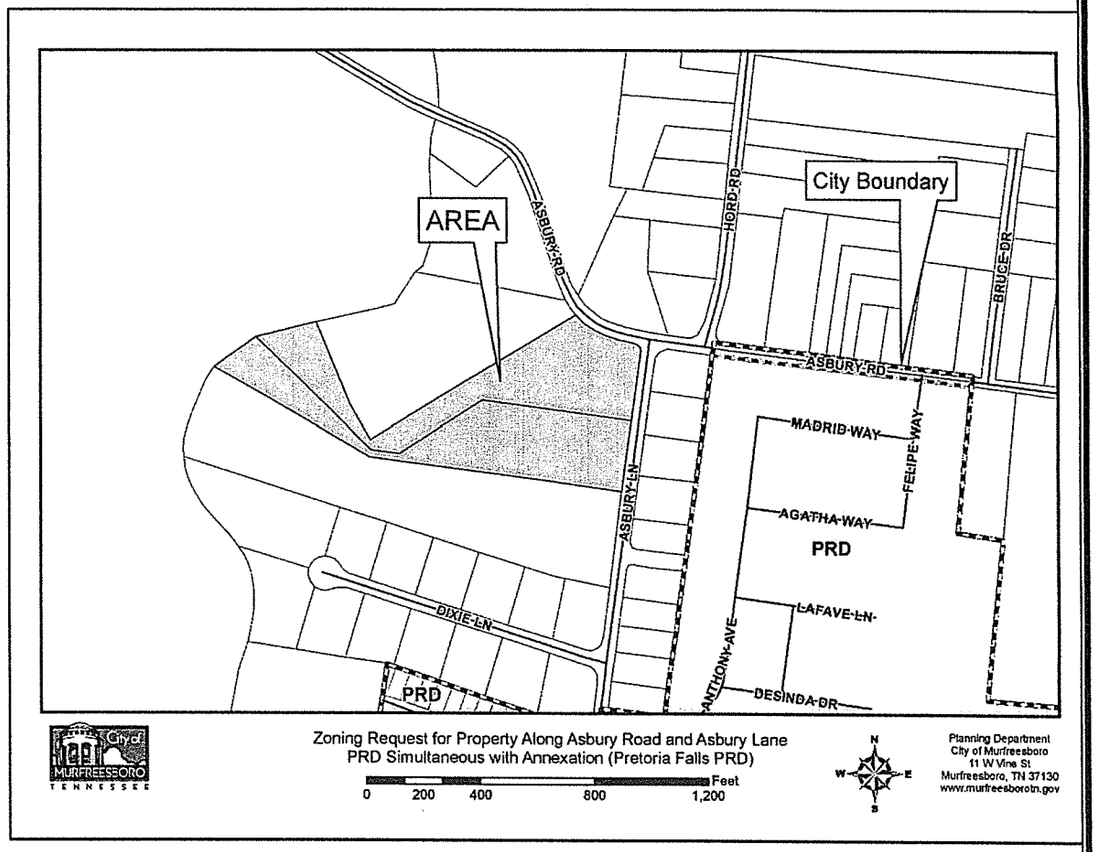
The parcel as well as the rights-of-way are located within the City of Murfreesboro's Urban Growth Boundary.



CITY ZONING

The property has a pending zoning change application to be zoned PRD (Planned Residential District). Landmark Homes of TN has contractual interest in the property and has requested rezoning simultaneous with annexation. The proposed Pretoria Falls PRD will allow 60 single-family, detached dwellings.

The subject property is currently zoned RM (Residential – Medium Density) in the County.

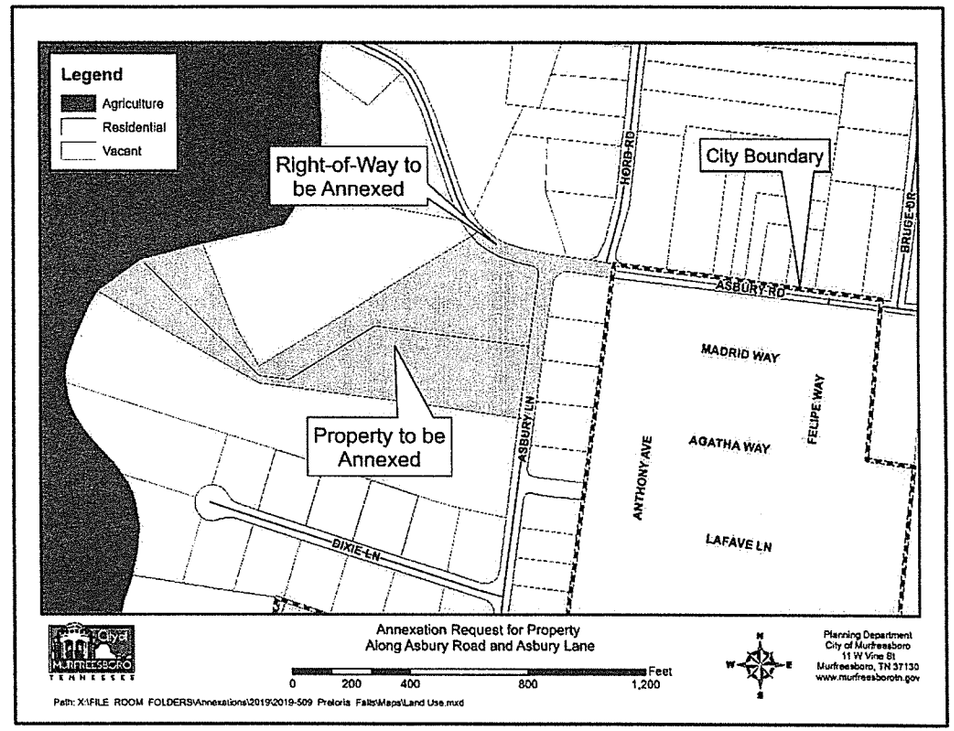


PRESENT AND SURROUNDING LAND USE

The primary areas being considered for annexation are two 5.1-acre parcels and rights-of-way for total of 10.6 acres.

The area surrounding the 10.6-acre parcel is characterized by large lots with residential and agricultural uses. Notable exceptions include Spring Creek PRD and Kingsbury PRD- two developing residential subdivisions located within the City. Spring Creek PRD allows 101 townhomes and 48 single-family, detached lots with a density of 2 dwelling units per acre. Kingsbury PRD allows 156 single-family, detached lots with a density of 4.35 dwelling units per acre. Both PRDs are currently under development.

Access to the study area will be from Asbury Lane and Asbury Road. The study area also runs along Overall Creek.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2019 will be due on December 31, 2020. City taxes are calculated upon the property appraisal and assessment of the Rutherford County Property Assessor's Office. The current tax rate for the City of Murfreesboro is $1.2894/$100 assessed value. Residential property is assessed at a rate of 25% of its appraised value and commercial property is assessed at a rate of 40% of its appraised value. Table I below shows total assessment and estimated City taxes that would be collected, if the property were to be annexed in its present state.

Table I
Estimated Taxes from Site

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
PRETORIA RENTALS TRUST-MYBURGH SONETTE TRUSTEE	5.1	$67,900	$134,100	$202,500	$651.15
PRETORIA RENTALS TRUST HERMAN MYBURGH TRUST-SONETTE MYBURGH TRUSTE	5.1	$67,900	$154,700	222,300	$716.58

These figures are for the property in its current state.

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2019-2020 per capita state revenue initial estimates for the City of Murfreesboro once the development is built out. The study area is proposed to be developed with 60 single-family homes.

Table II
Per Capita State Revenue Estimates

General Fund	**Per Capita Amount**
State Sales Tax	$89.00
State Beer Tax	$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	$2.00
Gross Receipts (TVA in-lieu taxes)	$11.80
Total General Revenue Per Capita	$103.30
State Street Aid Funds	**Per Capita Amount**
Gasoline and Motor Fuel Taxes	$38.50
Total Per Capita (General and State Street Aid Funds)	**$141.80**
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit for proposed 60 units)	**$21,950**

The per capita state revenue estimates apply only to new residents.

PLAN OF SERVICES

POLICE PROTECTION

At present, the study area receives police service through the Rutherford County Sheriff's Department. If annexed, the Murfreesboro Police Department will begin providing services such as patrol, criminal investigation, community policing, traffic operations, canine, DARE and other community crime prevention programs to the subject parcels immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Police Department. No additional costs to the department are expected. This property is located in Police Zone #4.

ELECTRIC SERVICE

The study area is currently served by Middle Tennessee Electric Membership Corporation (MTEMC). MTEMC will serve the study area as it develops with the extension of facilities along Asbury Lane. The developer will be responsible for the service extension and alternative feed that will be required.

STREET LIGHTING

According to MTEMC, street lighting will be installed on the property if any future development on the property includes public streets. No street lighting is proposed along Asbury Lane or Asbury Road as a result of this annexation.

SOLID WASTE COLLECTION

The City will provide weekly curbside solid waste collection service immediately upon the effective date of annexation, as well as brush/debris removal every two to three weeks. The initial day of service will be Thursday. In its current state, two carts will be provided at a cost of $106.60 ($53.30 per cart). If developed with 60 single-family homes, then it will cost the department $3,198 for 60 carts and will take approximately one hour to serve.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area. Currently Murfreesboro has two multi-purpose facilities, one community center, a wilderness facility, over 1,000 acres of parks, a network of greenways, and recreational sports. These facilities and programs are wholly funded by the Murfreesboro tax payers. Children who are residents of the City of Murfreesboro, attend Murfreesboro Elementary Schools, and receive free or reduced lunches also receive free or reduced recreational fees.

CITY SCHOOLS

The Murfreesboro City School system serves grades kindergarten through sixth and is offered to students who are within the jurisdiction of the City of Murfreesboro. The study area will be within the Overall Creek school zone.

STREETS AND ACCESS

Public Roadway System

The Annexation Study Area has access to existing Asbury Lane and Asbury Road roadways. Portions of both Asbury Lane and Asbury Road are included in the Study Area. Asbury Lane and Asbury Road are existing 2-lane, ditch section streets. Upon annexation, the City would become responsible for operation and maintenance of these streets. Based on a 20-year repaving cycle for both, the annualized maintenance cost is $1,150 with State Street Aid and General Fund as funding sources. The addition of the ROW will also result in $250 of capital cost with State Street Aid and General Fund as funding sources. Any new connections to either roadway must be approved by the City Engineer. Additionally, development along these roadways may require improvements to include widening for turning lanes and ROW/easement dedication in accordance with the City's Substandard Street requirements.

This property is affected by mid-term improvement #7 on the major transportation plan. This includes improves to Asbury Road to a 3-lane section as well as realignment of the roadway. The applicant will be required to participate in those improvements. Any future public roadway facilities to serve the study area must be constructed to City standards

Regional Traffic and Transportation Conditions

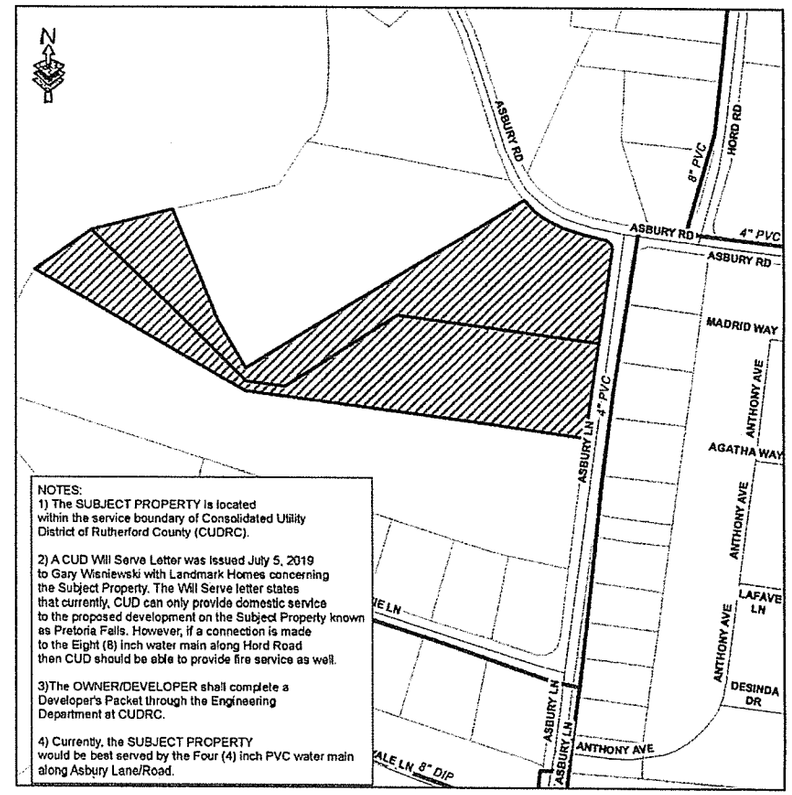
The Study Area is currently served by Asbury Lane and Asbury Road Street as the major roadway facilities. Asbury Lane intersects with Asbury Road to the north and Medical Center Parkway to the south. While Asbury Road intersects with Old Nashville Highway to the east and dead ends to the west just before Interstate 840. The 2014 Level of Service Model in the 2040 Major Transportation Plan (MTP) indicates Asbury Lane to be operating at a Level of Service B and Asbury Road to be operating at a Level of Service A in the Study Area based on average daily traffic (ADT). The 2040 Level of Service Model shows that Asbury Lane operates at a level of service of D without the proposed improvements recommended in the 2040 MTP and Asbury Road operates at a level of service B without the proposed improvements.

WATER SERVICE

The study area is served by a 4-inch Consolidated Utility District (CUD) water line along Asbury Lane and Asbury Road. This line is adequate for providing domestic water service but not for maintaining the proper fire flows for the proposed development. The Developer will be responsible for extending service from the 8-inch line along Hord Road to provide fire service as well.

A Water Availability Request must be submitted to CUD for review and approval before any additional development on the property may occur. Any new water line development must be done in accordance with CUD's development policies and procedures.

3790 & 3798 Asbury Lane Annexation Request



AUGUST 9, 2019

TAX MAP: 79
PARCELS: 17.00, 19.00

CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

Tax Parcels selection

CUD WATER MAIN

1 INCH = 250 FEET

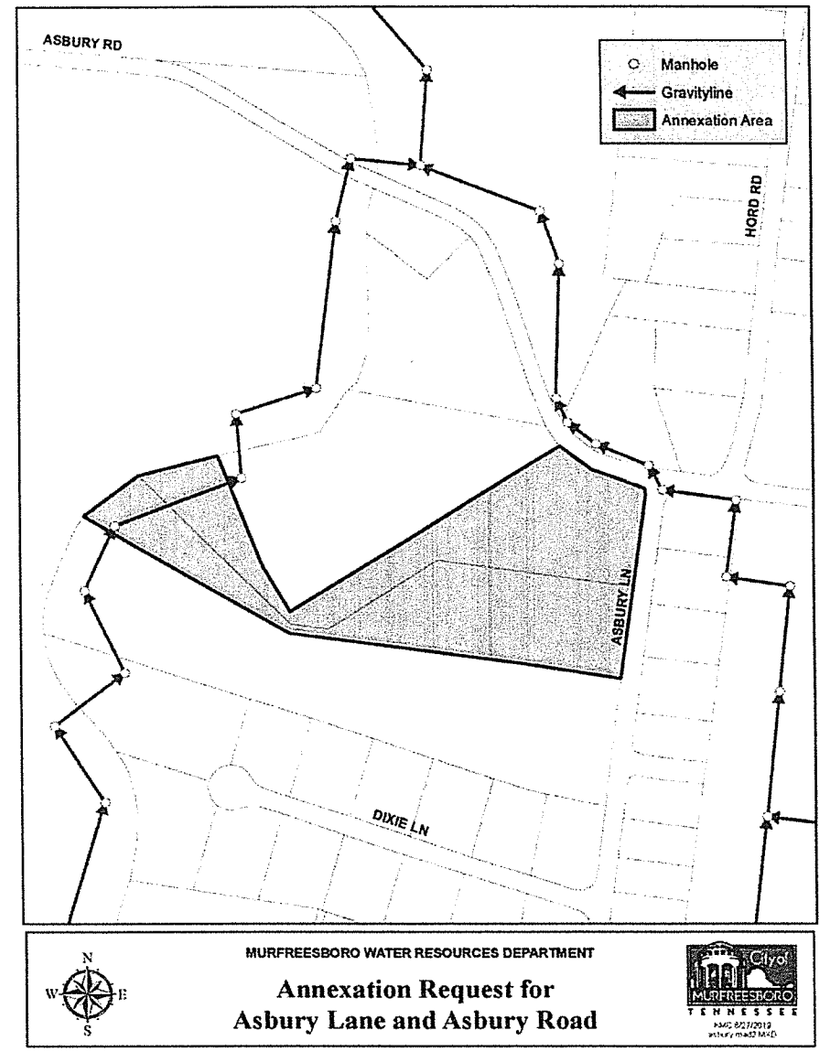
0 125 250 500 Feet

SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." There is an existing 24-inch sewer main along Overall Creek along the western boundary of the properties.

The study area lies within the Overall Creek Sanitary Sewer Assessment District and will be required to pay $1,000 per single family unit in addition to the existing standard sewer connection fee of $2,550. All sewer main improvements and easements needed to serve the subject properties are to be installed and acquired respectively by the developer in accordance with MWSD's development policies and procedures. The red lines on the adjacent map represent existing sewer lines.

This development will be required to comply with the proposed Sewer Allocation Ordinance upon its final reading at City Council. At present, the Ordinance proposes to allow 5 single family units per acre for townhome developments.

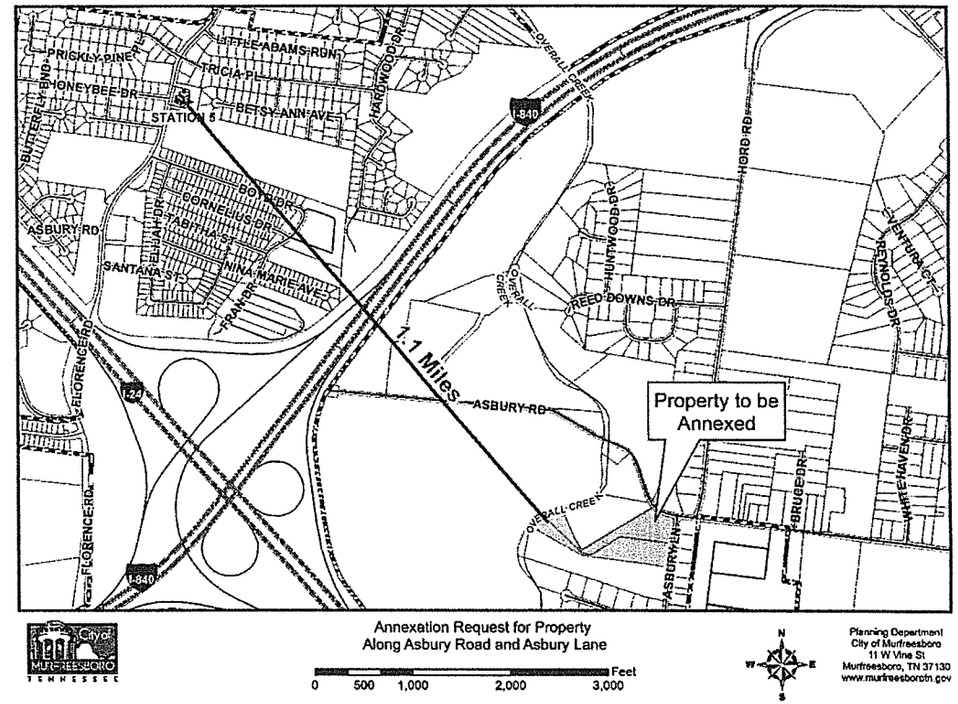


FIRE AND EMERGENCY SERVICE

The Murfreesboro Fire and Rescue Department will begin providing fire protection and medical first responder service to the study area immediately upon the effective date of annexation. This annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD).

Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District policies and procedures. Current guidelines recommend fire hydrants be 500 feet apart. There is a 4-inch Consolidated Utility District water line along Asbury Lane that serves the subject property. The developer will be responsible for extending service from an 8-inch line along Hord Road to support fire service.

The closest operating fire station to the subject property is Fire Station #4, located at 1321 Medical Center Parkway, approximately 3.9 miles from the study area. Fire Station #9, located at 802 Cason Lane, is approximately 4.5 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection.



Annexation Request for Property
Along Asbury Road and Asbury Lane

0 500 1,000 2,000 3,000 Feet

Planning Department
City of Murfreesboro
11 W Vine St
Murfreesboro, TN 37130
www.murfreesborotn.gov

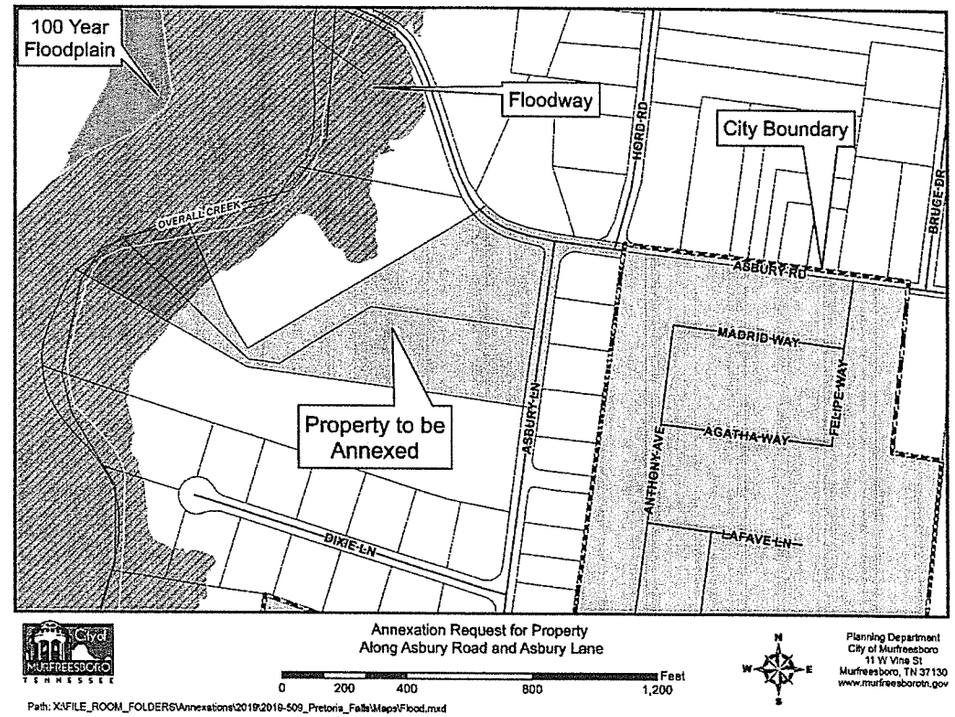
FLOODWAY

The study area is located within a floodway and 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA).

The adjacent map shows the floodway boundary and the 100-year floodplain boundary.

STORMWATER MANAGEMENT

Upon annexation, stormwater management services provided by the City will be available to the study area. The property currently has two single-family dwellings which will would generate approximately $78 in annual revenue for the Stormwater Utility Fee. The Study Area has a proposed zoning of Planned Residential District (PRD) called Pretoria Falls and consists of 60 single-family, detached dwelling units. Based on this development scenario, it is anticipated that the site will generate approximately $2,340 in revenue per year into the Stormwater Utility Fund upon full build out.

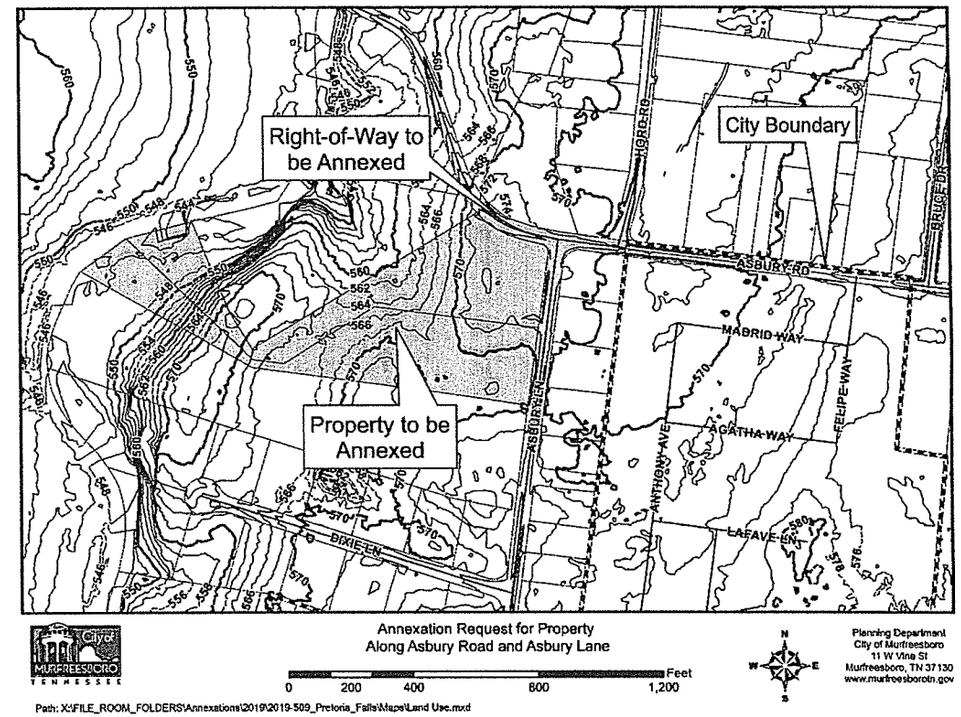


Public Drainage System

The drainage systems along and within the roadway of Asbury Lane and Asbury Road are included in the Study Area and the property has access to the drainage system. Routine operation and maintenance costs for the drainage system integral to Asbury Lane and Road are included in the public roadway annualized costs. The City has entered into an Intergovernmental agreement with the County to maintain the drainage system currently being install in Asbury Road right-of-way for Kingsbury subdivision. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage System

The Study Area drains poorly to the west and ultimately to Overall Creek through a series of closed depressions in the study area and on adjacent properties. According to aerial photography, these closed depressions fill with runoff during extreme rain events. It is been reported that homes along Asbury Lane, Asbury Road, and Hord Road are impacted from time to time with flood water in living spaces. As development plans are finalized, the development should incorporate and to the extent practical mitigate these existing drainage limitations. Consultation with City and Rutherford County engineering staffs is appropriate as the existing drainage conditions are evaluated and potential mitigation strategies are analyzed. Regional drainage patterns, drainage plans and future development should also be considered in this process.



PLANNING, ENGINEERING, AND ZONING SERVICES

The property will come within the City's jurisdiction for planning and engineering code enforcement immediately upon the effective date of annexation. As new development occurs, the Planning Commission will review all site plans, preliminary, and final plats. Among other duties, the Planning and Engineering Departments will inspect and monitor new construction of streets and drainage structures for compliance with the City's development regulations.

ANNEXATION FOLLOW-UP

The Murfreesboro City Council will be responsible for ensuring that this property will receive City services described in this plan. According to Public Chapter 1101 passed by the Tennessee Legislature, six months following the effective date of annexation, and annually thereafter until all services have been extended, a progress report is to be prepared and published in a newspaper of general circulation. This report will describe progress made in providing City services according to the plan of services and any proposed changes to the plan. A public hearing will also be held on the progress report.

BUILDING AND CODES

The property will immediately come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's construction codes immediately upon the effective date of annexation. The Building and Codes Department will also ensure that any new signs associated with the development of the property comply with the Sign Ordinance. No additional costs are expected. A preliminary inspection by the Codes Department indicated high grass and weeds, which must be cut to City standards if the property is annexed.

GEOGRAPHIC INFORMATION SYSTEMS

The property is within the area photographed and digitized as part of the City's Geographic Information Systems (G.I.S.) program.