RESOLUTION 19-R-PS-08 to adopt a Plan of Services for approximately 123 acres along South Rutherford Boulevard, Lee Lane, and I-24, Pinnacle Bank and Elizabeth Hoover Derryberry, applicants. [2019-501]

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 March 6, 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 May 2, 2019, pursuant to a Resolution passed and adopted by the City Council on March 21, 2019, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on April 16, 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-08**, the public welfare and the welfare of the City requiring it.

Passed: May 2, 2019

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

Adam F. Tucker
City Attorney

SEAL

mjp \\puckett\legal\files\council\ordinances & annexation, pos resolutions\2019\08 - 19-r-ps-08 plan of services.doc 4/4/2019 1:10:12 PM #1

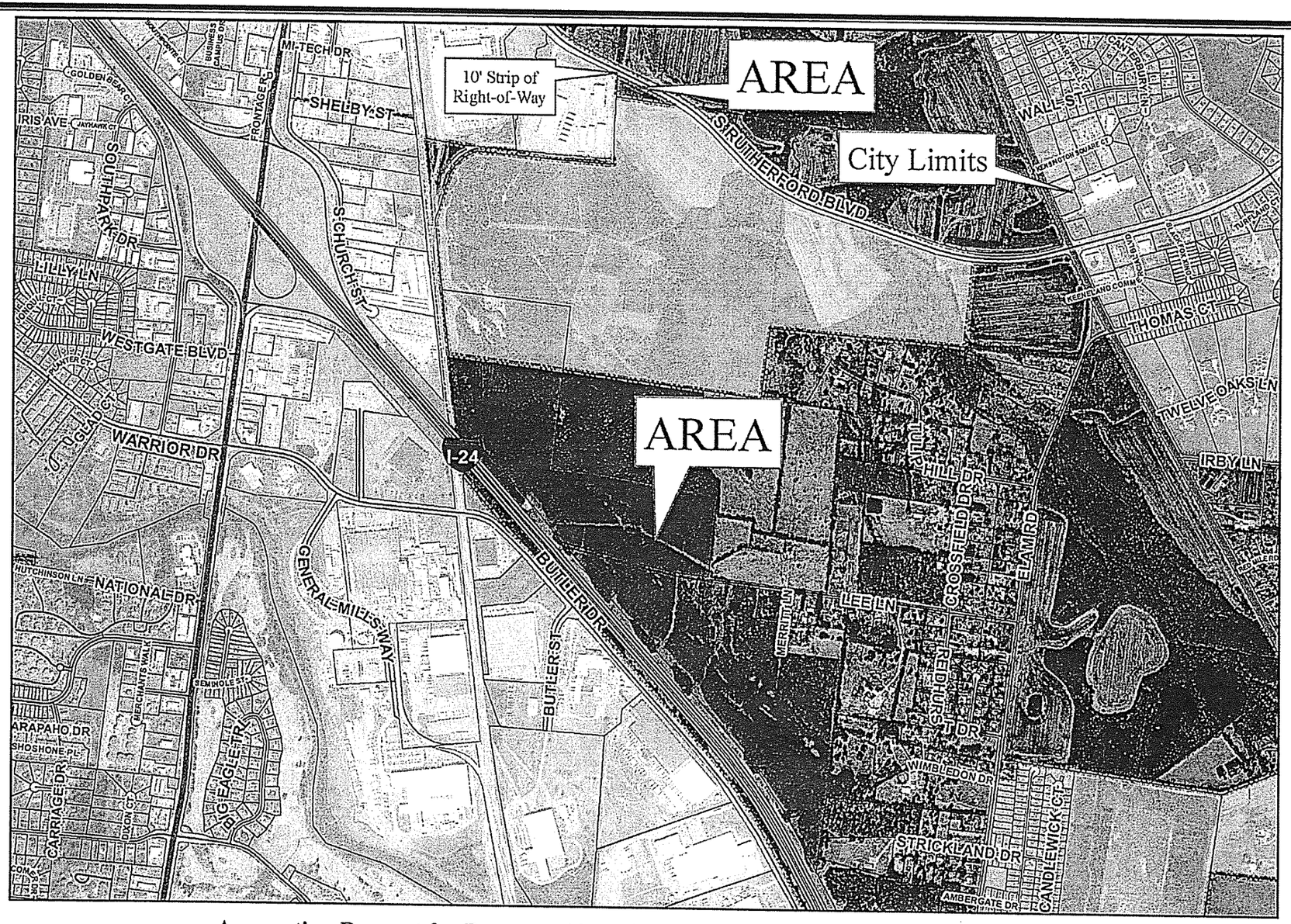
Resolution 19-R-PS-08
Area to be Annexed
FORREST POINTE DR
SARATOGA DR
PRINCE EDWARD CT
ASCOT CLOSE
TODDINGTON DR
GLENHAVEN DR
LAKESHORE DR
BARTWAY
BROADLANDS DR
CANTERBURY LN
BRIGHTON DR
WALE ST
KENSINGTON SQUARE CT
W RUTHERFORD BLVD
SOUTHCAMPUS DR
STEELE TECH DR
SOUTHPOINTE CT
GOLDEN BEAR CT
JAYHAWK CT
FRONTAGE RD
SHELBY ST
S CHURCH ST
S RUTHERFORD BLVD
SOUTHPARK DR
LILLY LN
WESTGATE BLVD
WARRIOR DR
I-24
GENERAL MILES WAY
NATIONAL DR
HUTCHINSON LN
MERCHANTS WALK
SEMINOLE ST
ARAPAHO DR
SHOSHONE PL
CARRIAGE DR
DIXON CT
SEQUOYA TRCE
BLACK HAWK WAY
NATCHEZ TRACE CT
WHITE CLOUD TRL
RUNNYMEADE DR
WOLVES TRL
BLACK BEAR TRL
COUNCIL BLUFF PKWY
STANDING BEAR WAY
GREAT SUN CT
QUANAH PARKER TRL
RED JACKET TRCE
BUTLER ST
BUTLER DR
MERRITT LN
LEE LN
FULTON HILL DR
REDHURST DR
WIMBLEDON DR
ELAM RD
APPLECROSS DR
CANDLEWICK CT
PEARWICK CT
ELAM FARMS PKWY
City of MURFREESBORO

Resolution 19-R-PS-08

ANNEXATION REPORT FOR PROPERTY LOCATED SOUTH OF SOUTH RUTHERFORD BOULEVARD AND ALONG LEE LANE INCLUDING PLAN OF SERVICES (FILE 2019-501)

City of MURFREESBORO TENNESSEE

PREPARED FOR THE MARCH 6, 2019 PLANNING COMMISSION PUBLIC HEARING



Annexation Request for Property Along South Rutherford Boulevard and Lee Lane

City of Murfreesboro TENNESSEE

Path: Z:\planning\annex\SRutherfordLeeLntortho.mxd

0 600 1,200 2,400 3,600
Feet

N

GIS Department
City Of Murfreesboro
111 West Vine Street
Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

INTRODUCTION

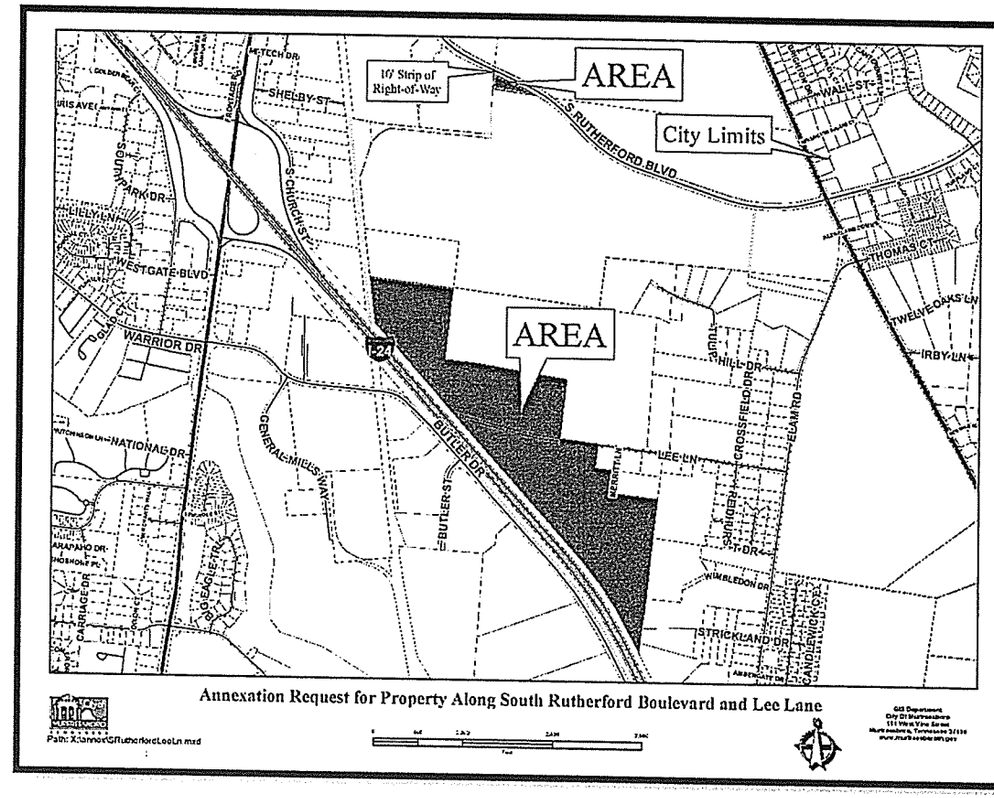
OVERVIEW

The property owners have submitted a petition requesting to be annexed by the City of Murfreesboro. The request is for three (3) parcels and a companion zoning change to Heavy Industrial District (H-I) simultaneous with the annexation. The developer has not made planning staff aware of future development intentions with this property.

The subject property is located along the south side of South Rutherford Boulevard and along Lee Lane. The parcels are approximately 123 acres and currently utilized for agricultural purposes. The study area includes rights-of-way along South Rutherford Boulevard and Lee Lane. The total study area consists of:

- Tax Map 112, Parcel 001.00 (1.63 acres)
- Tax Map 113, Parcel 013.00 (54.43 acres-partially located within City limit)
- Tax Map 113, Parcel 018.00 (66.91 acres)
- Lee Lane right-of-way, approximately 2,200 linear feet
- 10' strip of South Rutherford Boulevard right-of-way

The study area lies within the City of Murfreesboro's Urban Growth Boundary and is contiguous with current city limits.

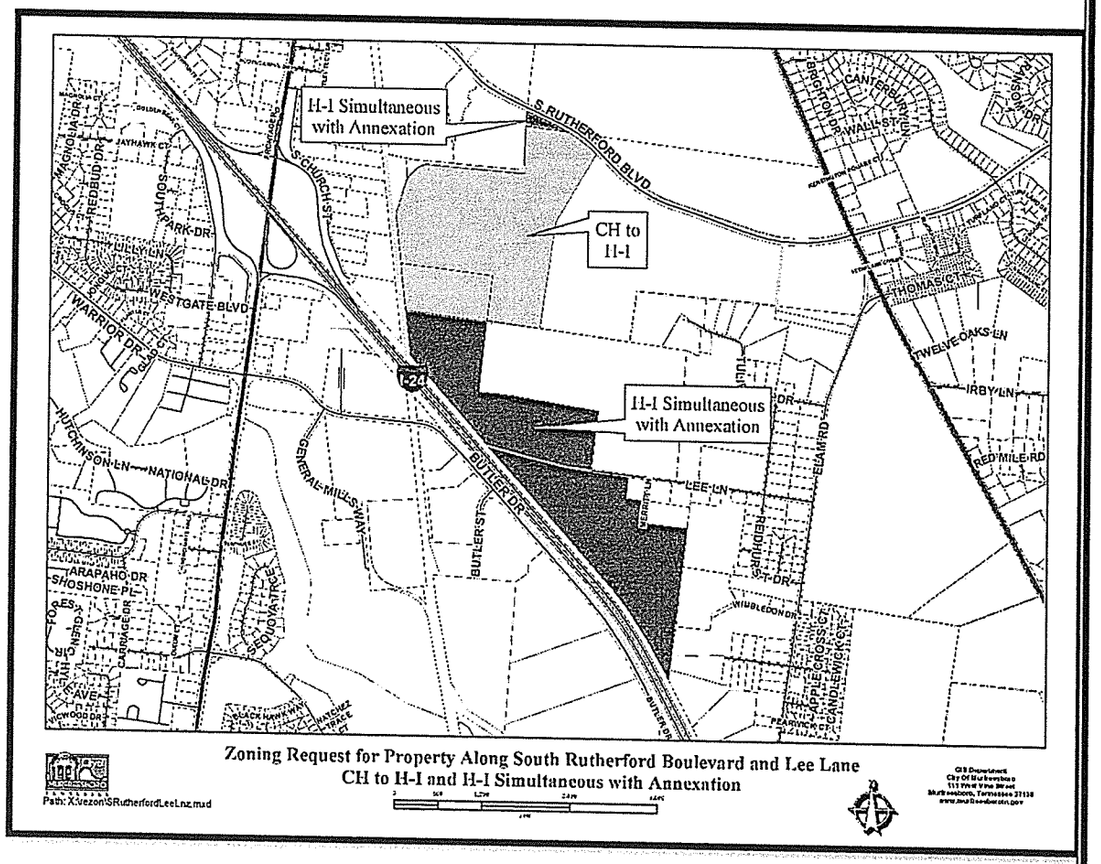


CITY ZONING

Simultaneous with the annexation, a request for rezoning for the subject property to H-I (Heavy Industrial District) is requested. The application for rezoning is made by Brian Berryman. The request is to allow for the potential development of the property with heavy industrial uses.

The study area is presently zoned RM (Residential – Medium Density) in the unincorporated area of Rutherford County.

The nearest City incorporated properties are east of the subject property and are developed, single-family residential lots that are zoned PRD (Sommersby Subdivision). Within unincorporated Rutherford County, adjacent properties are zoned RM and developed with suburban residential lots.

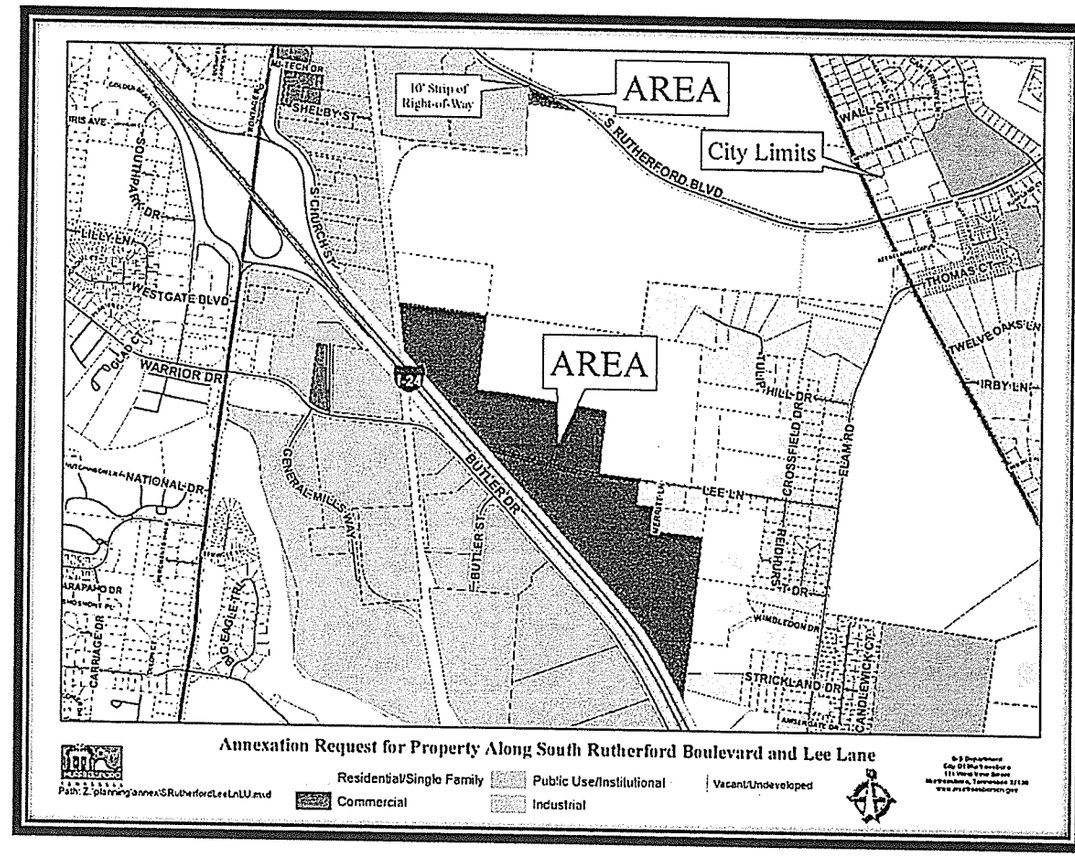


PRESENT AND SURROUNDING LAND USE

The study area is undeveloped but does have several agricultural accessory structures.

Surrounding land uses include:

- Single-family residential, as shown in yellow,
- Agricultural and vacant/undeveloped,
- Religious institutional uses, as shown in blue,
- And industrial uses in grey.



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 $0.9494/$100.00 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
DERRYBERRY BETTIE	1.63	$3,673	$0	$563	$9
CLARK ELIZABETH L & V LASSETER & S E LASSETER	54.43	$11,400	$0	$2,850	$27
CLARK ELIZABETH L & V LASSETER & S E LASSETER	66.91	$96,900	$21,500	$296	$281
Total					$317

These figures are for the property in its current state and assessed at the residential rate of 25 percent. If this property is rezoned to Heavy Industrial District (H-I) and when it is developed, an improvement value will be added, which will result in an increase to the City and County taxes.

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 operatiohs, 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 #7.

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 not have an impact on the school's enrollment numbers as it is anticipated to be developed with heavy industrial/commercial uses.

SOLID WASTE COLLECTION

The City will not provide solid waste collection service to commercial/industrial properties.

ELECTRIC SERVICE

The study area is located within Murfreesboro Electric Department (MED) service boundary and currently has facilities along South Rutherford Boulevard.

Murfreesboro Electric Department (MED) will serve this property from South Rutherford Boulevard Due to the size of the property and the potential zoning of Heavy-Industrial, MED will limit the electric capacity of the site to a maximum of 10MW. If the property owner has a potential buyer that needs more than 10MW of electricity, MED will need to perform an in-depth analysis of our electric system in the area as a new substation may be required. Any new electrical infrastructure installed will be required to adhere to MED standards.

STREET LIGHTING

Streetlights are existing along South Rutherford Boulevard and will be installed in the development if public streets exist. No street lighting is proposed along Lee Lane.

STREETS AND ACCESS

The annexation study area has access to existing South Rutherford Boulevard to the north and existing Lee Lane. The annexation study area includes approximately 10 linear feet of South Rutherford Boulevard right-of-way and 2,200 linear feet of Lee Lane right-of-way. South Rutherford Boulevard is a 5-lane, curb and gutter roadway. The City is already responsible for the operation and maintenance of this street and there will be no additional services required from the Engineering or Streets Departments.

Four Hundred and Eighty Seven (487) feet of Lee Lane is a 2-lane residential road that does not meet minimum City specifications; 1,509 feet is gravel and dirt within the ROW of Lee Lane that does not meet minimum City specifications. Any new public roadways to serve the study area must be constructed to City Standards.

No additional public roadways are included in the study area. Any future public roadway facilities to serve the study area must be constructed to City standards.

It is recommended that the development of this tract include planning for a public roadway extension to the south with an intersection on South Rutherford Boulevard west of Lytle Creek. This new connector is on the 2040 Major Transportation Plan as MTI #5. The future corridor is to be a 3-lane roadway connection to south of South Rutherford Boulevard and west of Elam Road.

REGIONAL TRAFFIC & TRANSPORTATION

The intersection west of this property is South Church Street and South Rutherford Boulevard. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan (MTP) shows South Church Street to be operating at a Level of Service D/F. The 2040 Level of Service Model indicates that South Church Street falls to Level of Service of F with or without the proposed improvements recommended in the 2040 MTP.

The intersection to the east is South Rutherford Boulevard & Manchester Pike. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan (MTP) shows South Rutherford Boulevard to be operating at a Level of Service C in the study area using average daily traffic (ADT) counts. The 2040 Level of Service Model indicates that South Rutherford Boulevard falls to Level of Service of D with or without the proposed improvements recommended in the 2040 MTP.

Manchester Pike is operating at a Level of Service C. The 2040 Level of Service Model indicates that Manchester Pike falls to Level of Service of F with or without the proposed improvements recommended in the 2040 MTP.

Lee Lane intersects Elam Road which is 2-lane roadway that does not meet minimum City specifications. Elam Road is on the 2040 Major Transportation Plan as MTI #23 proposed to be a 3-lane roadway.

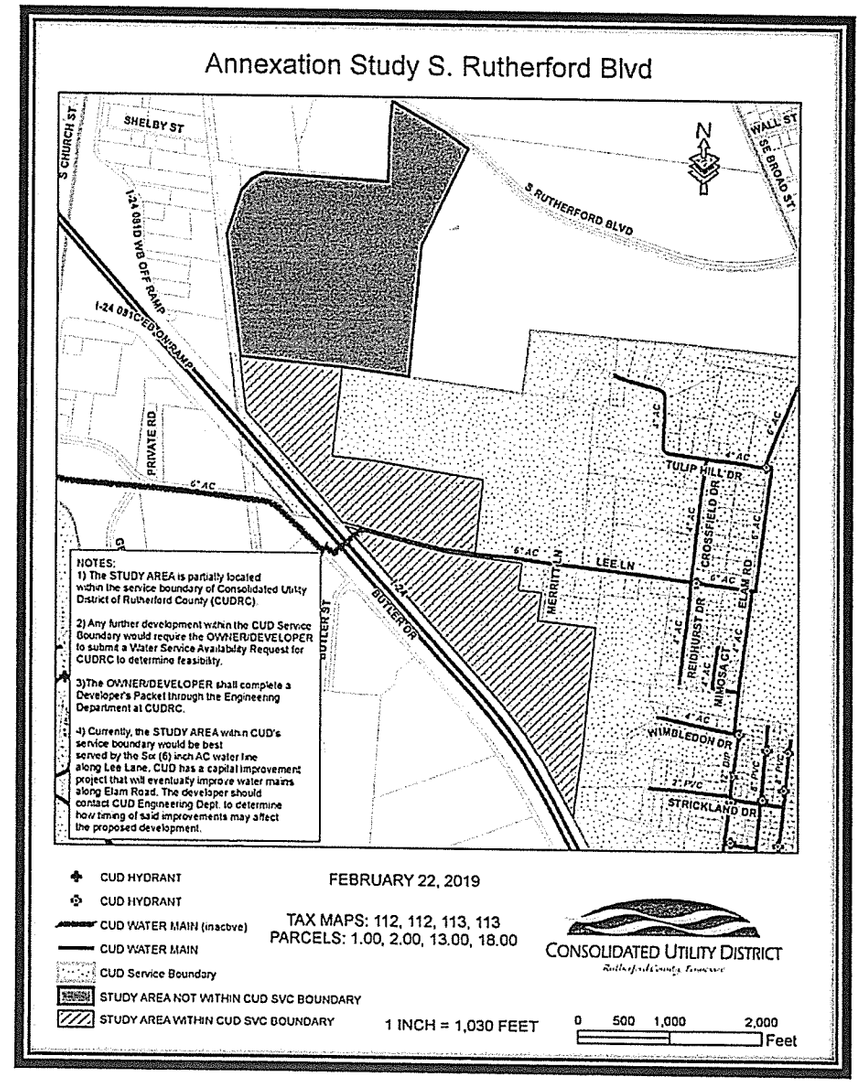
A traffic impact study will be required incorporating the surrounding properties and roadway systems.

WATER SERVICE- CUD

The study area is partially located within Consolidated Utility District's (CUD) service area. Currently, the portion of the study area within CUD's service boundary would be best served by the Six (6) inch AC water line along Lee Lane. CUD has a capital improvement project that will eventually improve water mains along Elam Road. The developer should contact the CUD Engineering Dept. to determine how timing of said improvements may affect the proposed development.

Also, the developer of the property will be required to complete CUD's Developer Packet through the CUD Engineering Department to determine feasibility prior to entering the construction phase.

The existing CUD water lines are shown on the adjacent map. Any new water line development must be done in accordance with CUD's development policies and procedures.



WATER SERVICE- MWRD

The study area is partially located within Murfreesboro Water Resources (MWRD) service area. Map 112, Parcel 001.00 is within the Department's service area has a 16" water main available. In addition to the above parcel, the very northernmost portion of Map 113, Parcel 13 is also within MWRD service area, however, unless served through Map 112, Parcel 2, Parcel 13 does not have MWRD water available. The remaining portion of Map 113, Parcel 13 & 18 are within Consolidated Utility District's water service area.

SANITARY SEWER SERVICE

Per the Department's current definition of "available", public sanitary sewer is not available to the properties requesting annexation other than Map 112, Parcel 1. There is an existing sewer main on both the north and south sides of South Rutherford Boulevard. There are several possible options for sewer service to the properties, however, all options will require the developer to obtain easements from adjacent property owners and be dedicated to the City of Murfreesboro.

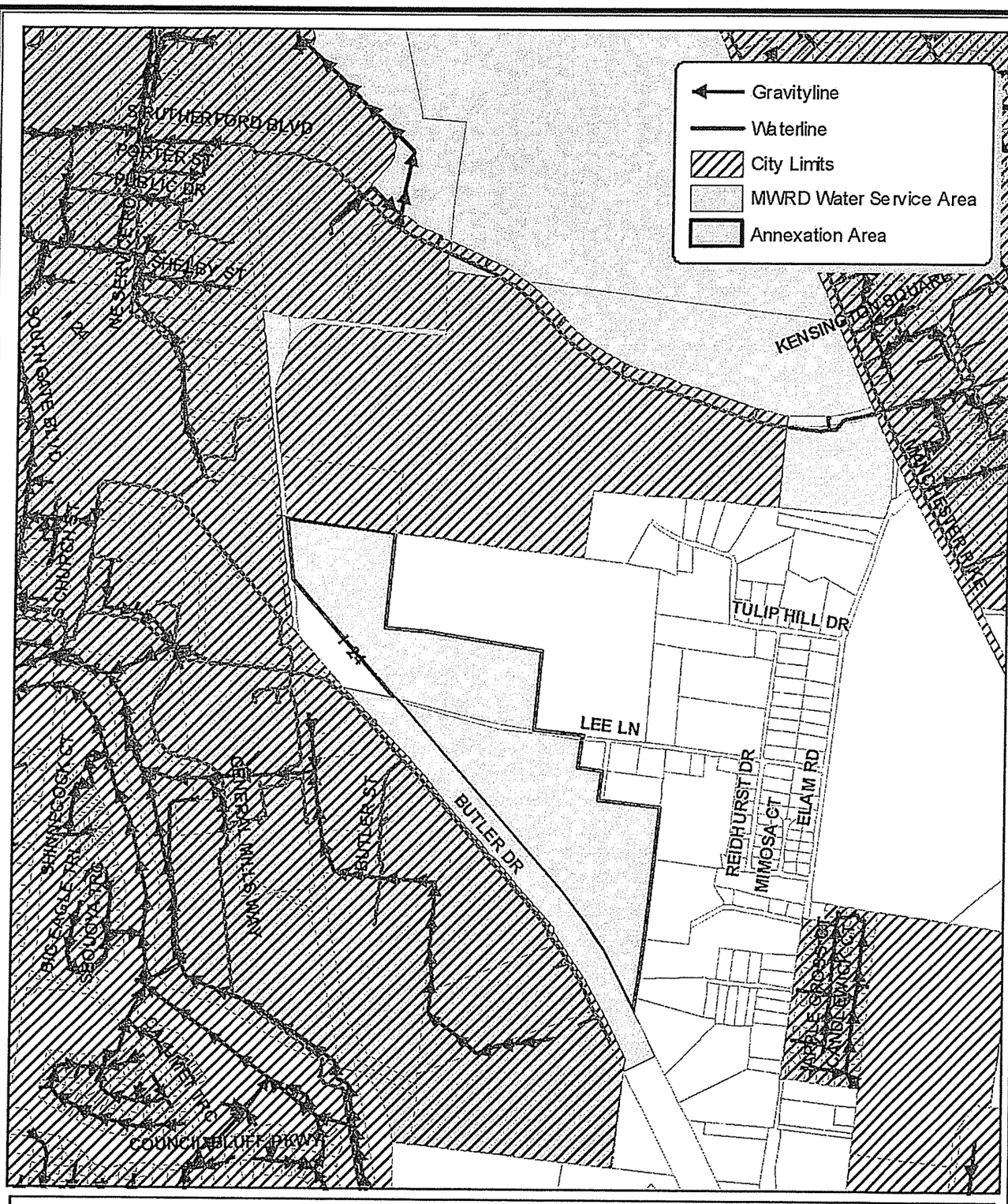
- Option 1 would be to acquire permanent and temporary construction easements from the Murfree (Map 102, Parcel 49) and Derryberry (Map 112, Parcel 1) properties north of South Rutherford Boulevard and extend sewer east parallel to the northern right-of-way of Rutherford and bore to the south side to the requesting properties.

- Option 2 would be to acquire and/or redefine permanent and temporary construction easements from the Huskey Truss property (Map 113, Parcel 11.06) and extend sewer east and south to the requesting properties.

- Option 3 would be to acquire and/or redefine permanent and temporary construction easements from the Huskey Truss and Derryberry properties and extend sewer east parallel to the southern right-of-way of Rutherford Boulevard to the requesting properties.

With all of these options, the extension of sewer to the southern properties requesting annexation will somewhat follow the Lytle Creek Sanitary Sewer Study written by SEC, Inc. Gravity sewer should extend to the south from South Rutherford Boulevard to a natural high point and then the remaining properties would be served by a pump station and forcemain pumping back to the gravity sewer extension from Rutherford. In addition to serving these properties requesting annexation with sewer, if the eastern portion of Map 112 Parcel 2 develops, the Department and Developer will need to work together with regard to a proposed route for the Lytle Creek Interceptor Extension along Lytle Creek that is shown on the Department 201 Wastewater Facilities Plan. An easement will need to be dedicated for this future extension if not already.

All main line extensions are the financial responsibility of the developer and may be extended in accordance with the Development Policies and Procedures of the Murfreesboro Water Resources Department found on-line at: http://www.murfreesborotn.gov/DocumentCenter/View/144



MURFREESBORO WATER AND SEWER DEPARTMENT

Annexation Request for S Rutherford Blvd and Lee Lane

N W E S

MURFREESBORO TENNESSEE

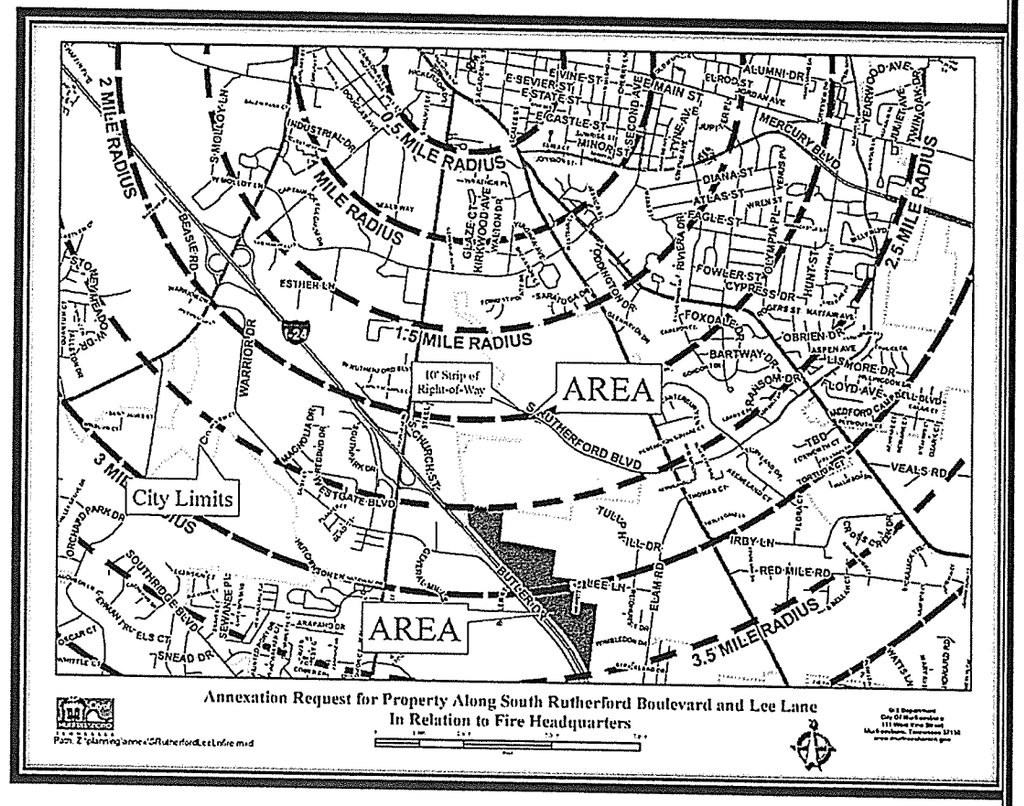
KMC 3/1/2019
LEE LANE.MXD

FIRE AND EMERGENCY SERVICE

The Murfreesboro Fire and Rescue Department (MFRD), will provide fire protection with a full-time, professional staff as well as medical first responder service immediately upon the effective date of annexation. The study area contains several agricultural accessory structures and it should be noted that the existing accessory structures are inaccessible and cannot receive fire protection from the MFRD.

Prior to any development on the site, the developer shall provide adequate fire flows and install water lines and fire hydrants per the Murfreesboro Water Resources Department (MWRD) policies and procedures.

The closest fire station to the subject property is Fire Headquarters located along East Vine Street. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.

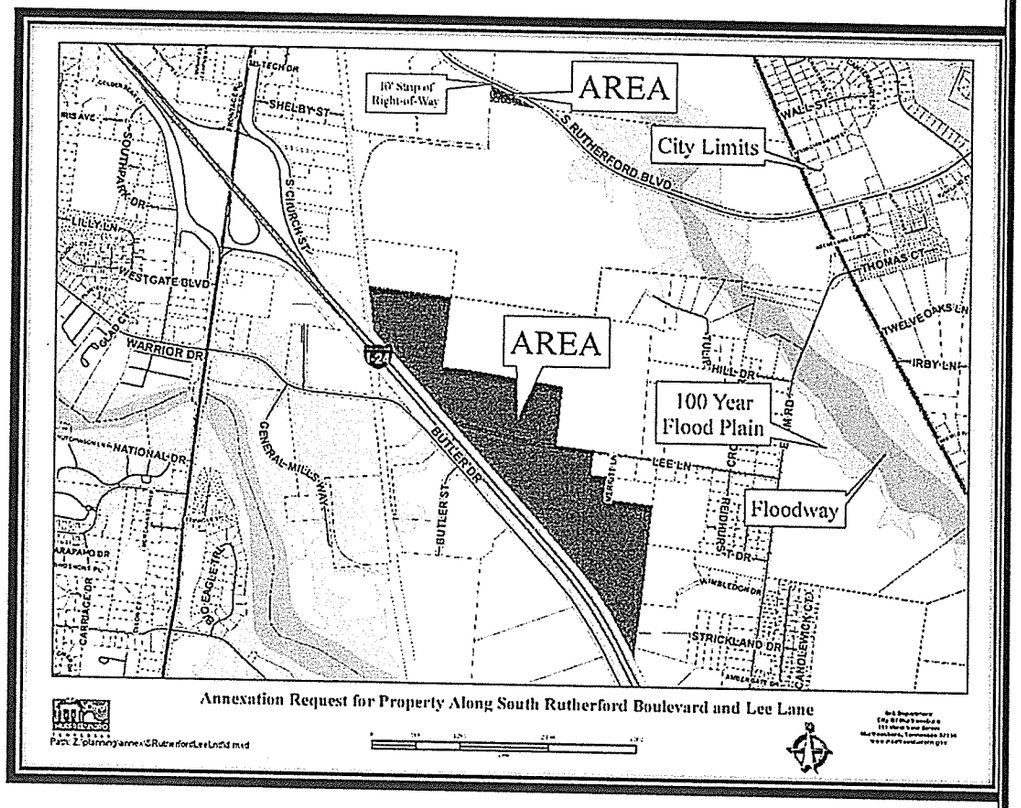


FLOODWAY

The study area is not located within a floodway or 100-year floodplain as delineated on the Flood Insurance Rate Maps (FIRM) developed by the Federal Emergency Management Agency (FEMA).

The floodplain comes in close proximity to the southeast corner of the study area, and some of the study area is at the 100-year flood elevation.

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



STORMWATER MANAGEMENT

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area and existing and new improvements will be subject to the Stormwater Utility Fee. No existing improvements are included on the subject properties and will not generate revenue for the Stormwater Utility Fund until development occurs.

The subject property is proposed to be developed for a heavy industrial district on approximately 123 acres. Based on this development scenario and property limitations, it is anticipated that the site will generate $3,000 per month or $36,000 annually in revenue for the Stormwater Utility Fund including anticipated fee credits upon full buildout.

Public Drainage System

Existing public drainage systems serving the study area are integral to the existing South Rutherford Boulevard. Annualized maintenance costs for drainage systems incidental to the roadways are included within the roadway maintenance costs and are anticipated to be paid from the Stormwater Utility Fee. Any new public drainage facilities proposed to serve the study area in the future must meet City standards.

Regional Drainage System

Approximately the eastern third of the property drains directly to Lytle Creek while the central portion of the site drains northward to an existing cross drain under South Rutherford Boulevard and then to Lytle Creek. The southwest portion of the property drains southwestward under CSX Railroad to I-24 ROW and West Fork Stones River.

Lytle Creek is a FEMA studied stream and a portion of the eastern property is within the floodplain and floodway of Lytle Creek. Development must meet the Floodplain Management Regulations including proper elevation and flood hazard reduction of new developments. Lytle Creek must also include a 50-foot Water Quality Protection Area from the top of bank on each side upon development. The WQPA is an undisturbed vegetated buffer providing water quality protections for Lytle Creek. Any modifications to Lytle Creek must include appropriate State and Federal permits.

The area likely includes some areas considered jurisdictional wetlands. Any proposed modifications of wetlands must include appropriate state and federal wetland permits.

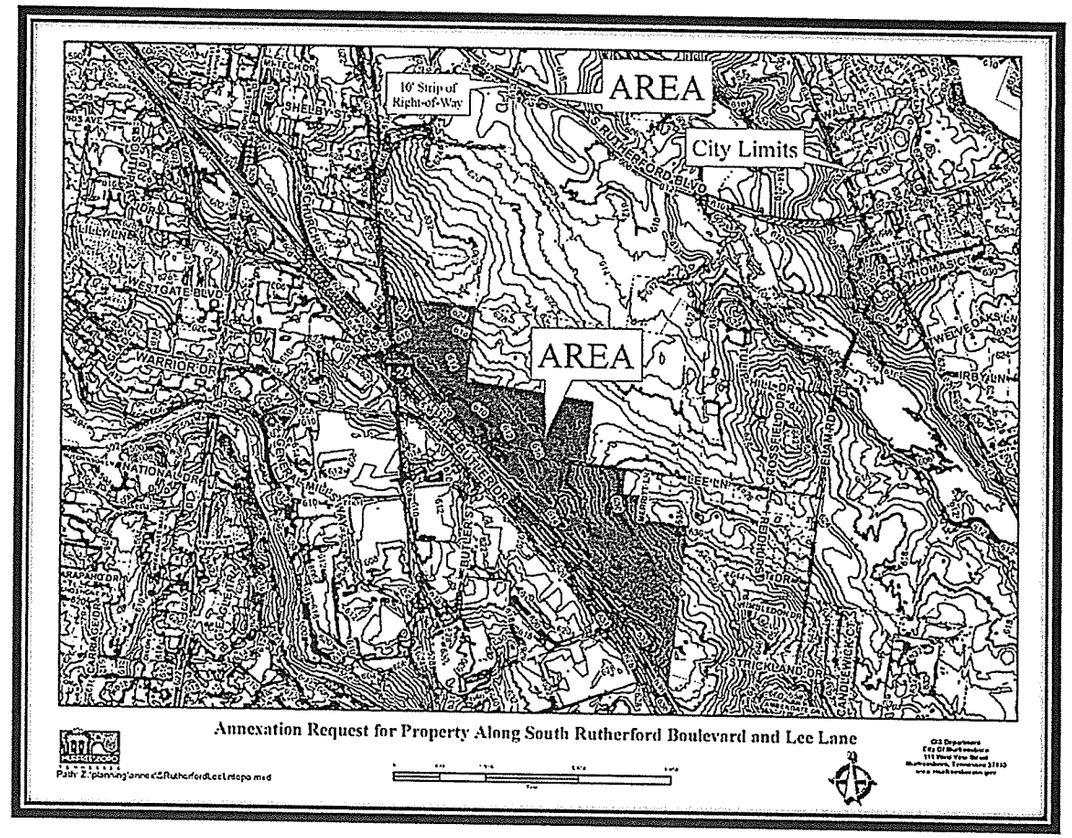
A small pond is located adjacent to a CSX spur rail on the northwestern portion of the site. It is unclear as to the jurisdictional status of this pond. If it is jurisdictional water, appropriate permits should be obtained for any proposed modifications.

PROPERTY AND DEVELOPMENT

New development should comply with the City's Stormwater Quality Regulations by providing stormwater quality, streambank protection, and detention.

New development in the study area must meet overall City of Murfreesboro Stormwater Quality requirements.

Improvements to South Rutherford Boulevard should be included for sidewalk along the development frontage.



BUILDING AND CODES

The property will 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.

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.

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 the Tennessee Growth Policy Act, 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.