RESOLUTION 18-R-PS-39 to adopt a Plan of Services for approximately 146.6 acres along Bradyville Pike, Kenneth S. Carter, applicants. [2018-501]

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 June 6, 2018 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 July 19, 2018, pursuant to a Resolution passed and adopted by the City Council on June 14, 2018, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on July 3, 2018; 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 18-R-A-39**, the public welfare and the welfare of the City requiring it.

Passed: July 19, 2018

Shane McFarland, Mayor

ATTEST:

Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

Adam F. Tucker
Interim City Attorney

SEAL

mjp \\puckett\legal\files\council\ordinances & annexation, pos resolutions\2018\39 - 18-r-ps-39.docx 6/19/2018 1:13:04 PM #1

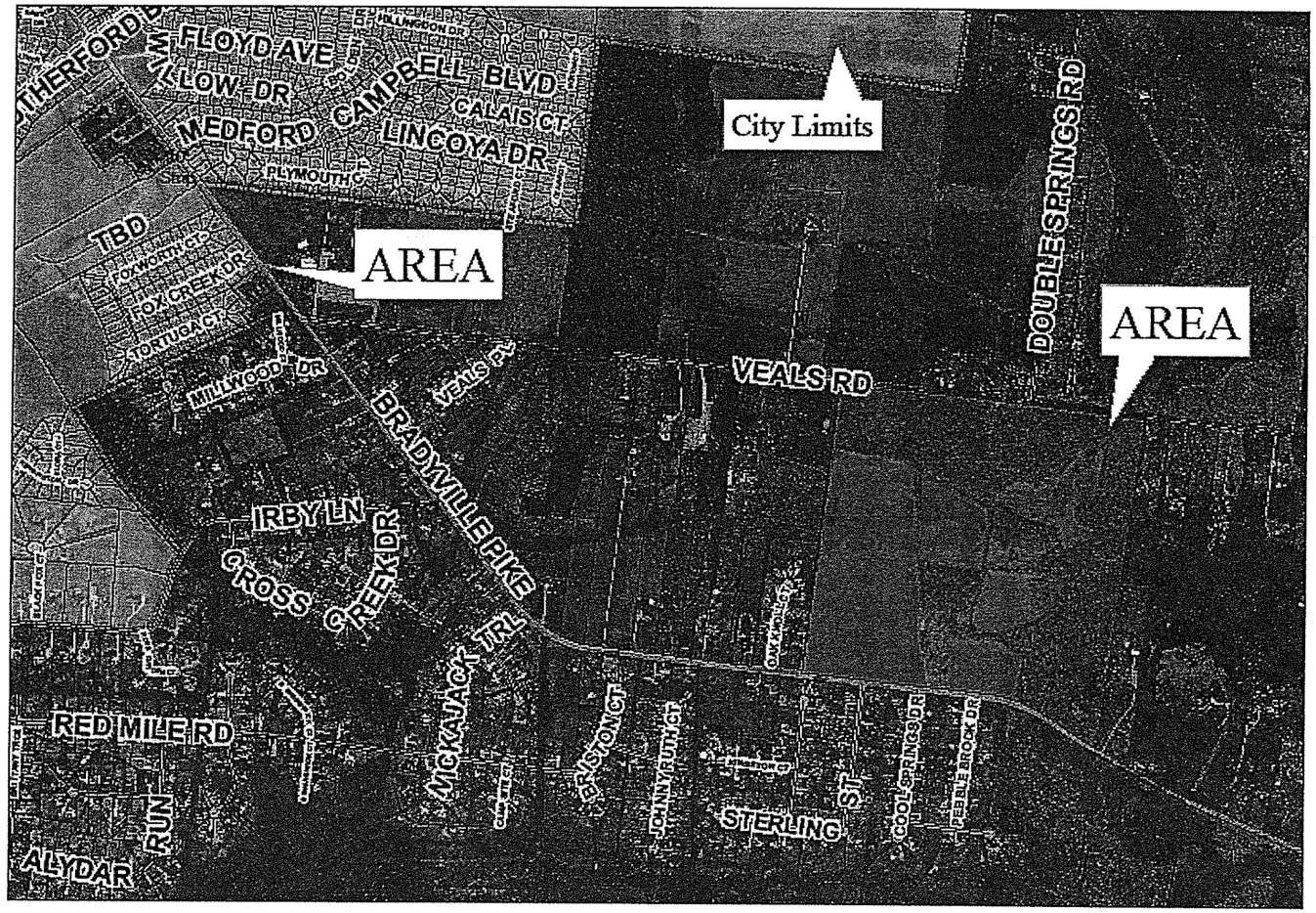
Resolution 18-R-PS-39

Resolution 18-R-PS-39
Revised 07/19/18

ANNEXATION REPORT FOR PROPERTY LOCATED AT 3795 BRADYVILLE PIKE INCLUDING PLAN OF SERVICES (FILE 2018-501)

City of MURFREESBORO TENNESSEE

PREPARED FOR THE MARCH 7, 2018 PLANNING COMMISSION PUBLIC HEARING
REVISED FOR THE MAY 3, 2018 CITY COUNCIL PUBLIC HEARING
REVISED FOR THE JUNE 6, 2018 PLANNING COMMISSION PUBLIC HEARING
REVISED JULY 13, 2018 FOR THE JULY 19, 2018 CITY COUNCIL PUBLIC HEARING
REVISED JULY 20, 2018 PER DISCUSSION AT THE JULY 19, 2018 CITY COUNCIL MEETING



Annexation Request for Property Along Bradyville Pike

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

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

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

INTRODUCTION

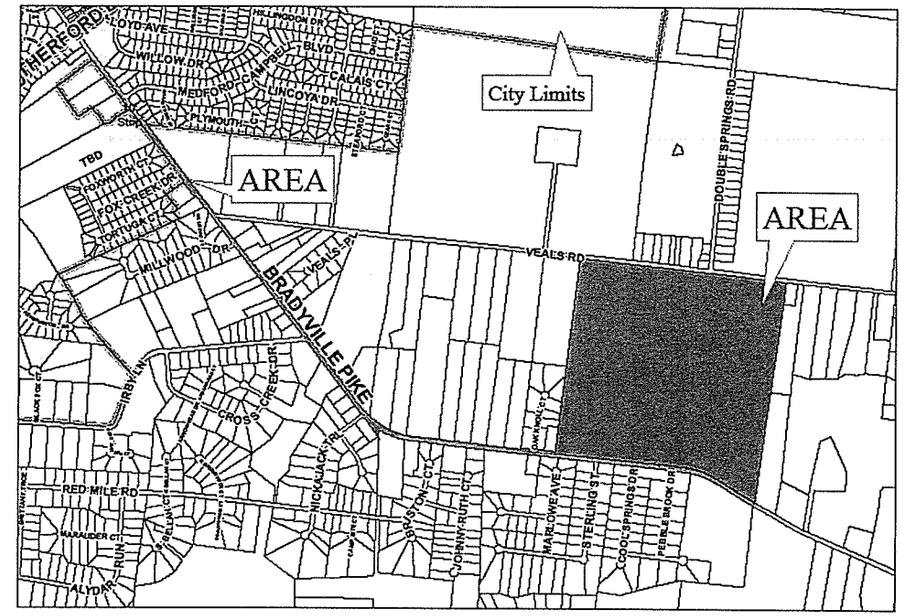
OVERVIEW

The property owners, including Mr. Kenneth S. Carter, have submitted a petition requesting to be annexed by the City of Murfreesboro. The request is for one parcel and a companion zoning change to Planned Residential District (PRD) simultaneous with the annexation. The annexation and rezoning is to allow for the development of 210 single-family residential lots.

The subject property is located along the north side of Bradyville Pike (State Route 99) and the south side of Veals Road. The parcel is approximately 134 acres, and currently developed with one single-family residence and several outbuildings. The study area includes right-of-way along Bradyville Pike, as shown in blue on the exhibit. The total study area is 146.6 acres, and consists of:

- Tax Map 112, Parcel 025.00 (134.0 acres)
- Bradyville Pike right-of-way, approximately 9,200 linear feet (12.5 acres)
- 10' strip of Tax Map 112, Parcel 005.01 (0.1 acres) (separate annexation petition submitted)

The study area lies within the City of Murfreesboro's Urban Growth Boundary.



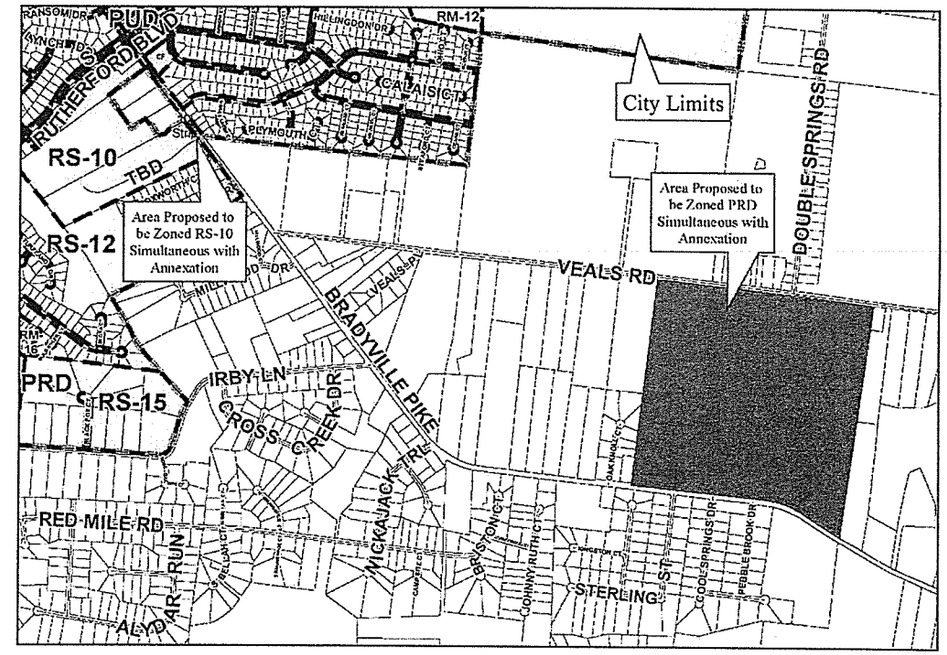
Annexation Request for Property Along Bradyville Pike

CITY ZONING

Simultaneous with the annexation, a request for rezoning for the subject property to PRD (Planned Residential District) is requested. The application for rezoning is made by SourceLand, LLC, represented by Mr. Laws Bouldin and Mr. Taze Lundy. The request is to allow for the development of 210 single-family residences. The 10' strip at the northwestern corner of the study area is proposed to be zoned RS-10 (Single-Family Residential District 10).

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

The nearest City incorporated properties are west of the subject property, and are developed with single-family homes and zoned RS-12 and RS-10 (Fox Creek Estates and Crestview subdivisions, respectively). Within unincorporated Rutherford County, adjacent properties are zoned RM and developed with the Oak Knoll subdivision to the west, Bradyton and Dilton Springs subdivisions to the south, and Twin Springs subdivision to the north.



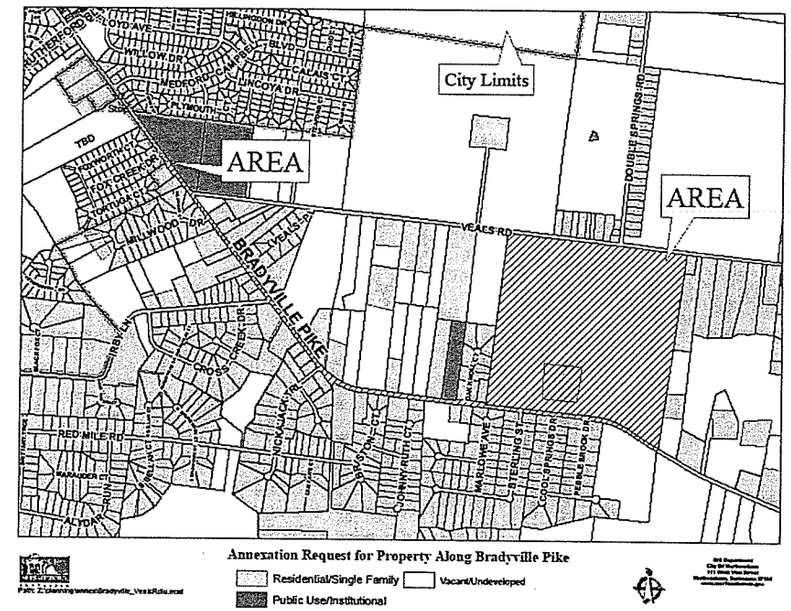
Zoning Request for Property Along Bradyville Pike
RS-10 and PRD Simultaneous with Annexation (Carter's Retreat PRD)

PRESENT AND SURROUNDING LAND USE

The study area is developed with one single-family residence and several accessory structures.

Surrounding land uses include:

- Single-family residential, as shown in yellow,
- Agricultural, and
- Religious institutional uses, as shown in blue.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2018 will be due on December 31, 2019. 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
Kenneth S. Carter, etal	134	$213,300	$115,400	$88,700	$842.12
IMER Development, LLC*	0.1	$2,264	$0	$566	$6.83

*Because the entire parcel is not being annexed, the appraisal and assessment amounts from the Property Assessor's website have been adjusted in the table above based on the percentage of the parcel proposed to be annexed.

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

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2018-2019 per capita state revenue estimates for the City of Murfreesboro once the development is built out. The study area will be developed with 210 single-family homes.

Table II
Per Capita State Revenue Estimates

General Fund	**Per Capita Amount**
State Sales Tax	$85.00
State Beer Tax	$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	$2.05
Gross Receipts (TVA in-lieu taxes)	$11.30
Total General Revenue Per Capita	$98.85
State Street Aid Funds	**Per Capita Amount**
Gasoline and Motor Fuel Taxes	$34.30
Total Per Capita (General and State Street Aid Funds)	**$133.15**
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit for 210 lots)	**$72,140.67**

The per capita state revenue estimates apply only to new residents and will only be available after a certified census takes place.

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 #5.

STREETS AND ACCESS

The annexation study area has access to existing Veals Road to the north and existing Bradyville Pike (State Route 99) to the south. The proposed development includes no vehicular access to Veals Road and no part of Veals Road is included in the study area. The annexation study area includes approximately 9,200 linear feet of Bradyville Pike right-of-way (ROW). Bradyville Pike is an existing 2-lane, ditch section roadway. Upon annexation, the City will be responsible for operation and maintenance of this street under contract with TDoT. Under this contract, no additional annual maintenance costs are anticipated for the public roadway system. Additionally, it is anticipated that $7,000/year will be provided to the City by TDoT for the maintenance of this route. Bradyville Pike is on the City's 2040 Major Transportation Plan for future improvements to 3-lanes. New development along this route will require ROW dedication and participation in the upgrade of this roadway to the proposed section. Additionally, roadway connections to Bradyville Pike will require the approval of TDoT following review by the City Engineer.

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.

REGIONAL TRAFFIC & TRANSPORTATION

The study area is served by Bradyville Pike as the major roadway facility. Bradyville Pike connects to Ghee Road to the east and Irby Lane to the west. From Irby Lane, Bradyville Pike continues to Veals Road.

The 2014 Level of Service Model in the 2040 Major Transportation Plan shows Bradyville Pike to be operating at a Level of Service A east of Dilton Springs and a Level of Service B west of Dilton Springs using average daily traffic (ADT) counts. The 2040 Level of Service Model indicates that Bradyville Pike operates at a Level of Service of B to the east and a Level of Service C to the west without the proposed improvements recommended in the 2040 Plan. Bradyville Pike is proposed for improvements with the 2040 Major Transportation Plan.

Although the proposed PRD does not propose any vehicular access to Veals, the study area also has frontage along Veals Road. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan shows Veals Road to be operating at a Level of Service A. The 2040 Level of Service Model indicates that Veals Road operates at a Level of Service of B without the proposed improvements recommended in the 2040 Plan.

WATER SERVICE

The study area is located within Consolidated Utility District's (CUD) service area. CUD presently maintains a 12-inch ductile iron pipe on the north side of the property, along Veals Road, and also maintains 6-inch water line along Bradyville Pike, south of the property. The developer of the property will need to submit a Water Service Availability Request to CUD to determine if water demands can be met at this location.

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.

3795 Bradyville Pike Annexation Request

CUD HYDRANT
CUD HYDRANT
CUD HYDRANT
CUD WATER MAIN
SUBJECT PROPERTY

TAX MAP: 112 PARCEL: 25.00

FEBRUARY 12, 2018

1 inch = 720 feet

0 250 500 1,000 Feet

N

NOTES:
1) The subject property is located within the service boundary of Consolidated Utility District of Rutherford County (CUDRC) and is currently being served by CUDRC.

2) There is a "will serve" letter from CUDRC to the DEVELOPER dated December 1, 2017, which is good for one calendar year. Any further development of the subject property beyond what is indicated by the "will serve" letter would require the OWNER/DEVELOPER to make relevant submittals for CUDRC to determine feasibility.

3)The OWNER/DEVELOPER shall complete a Developer's Packet through the Engineering Department at CUDRC.

SANITARY SEWER SERVICE

The Murfreesboro Water Resources Department's current definition of "available" is defined as gravity sanitary sewer that is adjacent to the property line within an easement or in a public right-of-way. Currently, public sanitary sewer is unavailable to the requesting 134-acre parcel. The gravity sewer mains in the area are not near or adjacent to the property and/or are at capacity and will not allow any additional connections other than those already approved by the Planning Commission.

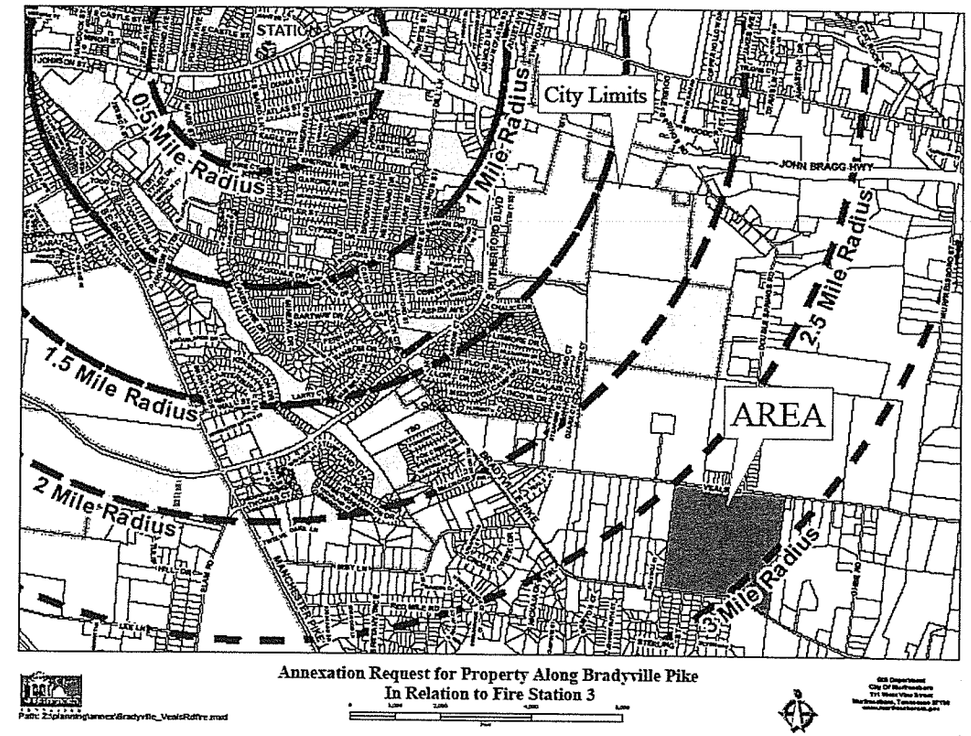
The developer wishes to serve the subdivision with the use of a STEP system, as the means of sewage disposal, for the Murfreesboro Water Resources Department to operate and maintain once the system is constructed by the developer and operational. At the December 5, 2017 meeting, the Murfreesboro Water Resources Board approved accepting the STEP system for the proposed subdivision. Being that this non-conventional system will not connect to existing public sewer infrastructure, the standard sewer connection fees will not apply for sanitary sewer connections within the subdivision.

Staff anticipates creating a customer class for customers served through a STEP system and seeing that operation and maintenance costs are adequately covered. Monthly sewer fees are anticipated to correspond with Consolidated Utility District's (CUD) STEP system rates.

FIRE AND EMERGENCY SERVICE

The study area contains an existing single-family residence and several accessory structures. Per the Murfreesboro Fire and Rescue Department (MFRD), there is an existing fire hydrant near the property that can serve the existing structures. 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. 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 Station #3, located at 1511 Mercury Boulevard, 3.5 miles from the study area. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.



Annexation Request for Property Along Bradyville Pike
In Relation to Fire Station 3

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 Tuesday. 210 carts will be required at full build-out at a cost of approximately $23,793 ($53.30/cart+$60.00/cart for assembly and delivery). Annual cost for collection for 210 single-family homes will be approximately $21,193.20 ($100.92/home per year).

ELECTRIC SERVICE

The study area is located within Middle Tennessee Electric Membership (MTEMC) service boundary and currently has service to the residence. MTEMC has capacity to serve the proposed development, and it will be served from Bradyville Pike. Any new electrical infrastructure installed will be required to adhere to MTEMC standards.

STREET LIGHTING

MTEMC can provide street lighting, as necessary, upon request by the City of Murfreesboro.

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.

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 located in the Black Fox Elementary School zone, if annexed. Ten classrooms were added to this school in 2017. Additional students from any proposed development can be accommodated.

RECREATION

Murfreesboro's Parks and Recreation facilities will be immediately available to residents of the study area upon the effective date of annexation. 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 taxpayers. 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.

BUILDING AND CODES

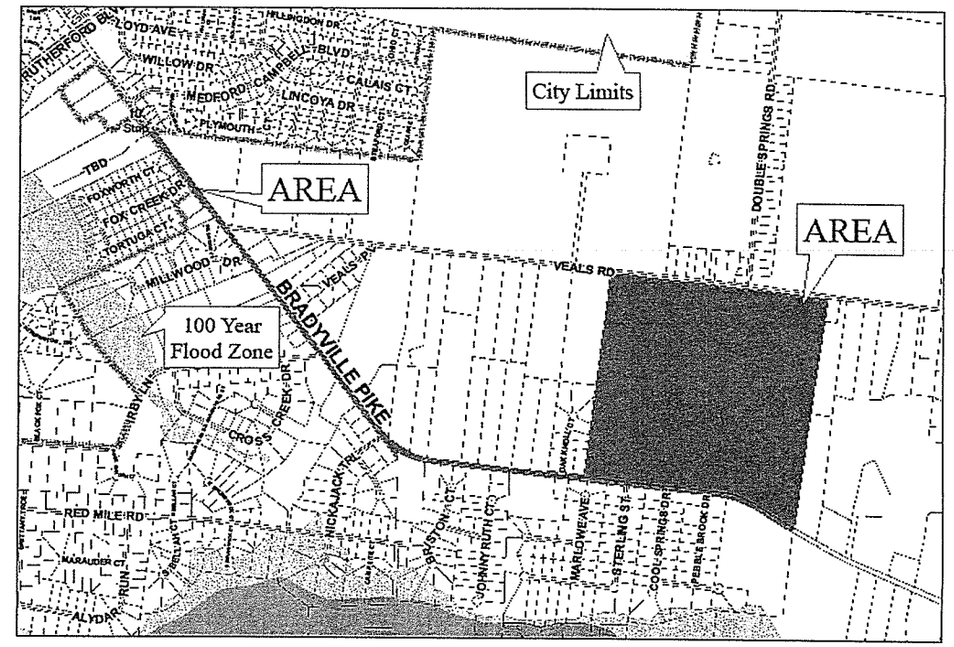
The property will come within the City's jurisdiction for code enforcement immediately upon the effective date of annexation. The City's Building and Codes Department will begin issuing building and construction permits and enforcing the codes and inspecting new construction for compliance with the City's 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.

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.



Annexation Request for Property Along Bradyville Pike

STORMWATER MANAGEMENT

Upon annexation, stormwater management services provided by the City of Murfreesboro will be available to the study area. The study area currently has one single-family residence and will generate approximately $39 per year in revenue for the Stormwater Utility Fee.

The subject property is proposed to be developed with 210 single-family residences. Based on this development scenario, it is anticipated that the site will generate approximately $8,190 annually in revenue for the Stormwater Utility Fund upon full build-out.

DRAINAGE

Public Drainage facilities available to the study area are located within the rights-of-way of Veals Road and Bradyville Pike. Both Veals Road and Bradyville Pike have ditch sections on each side for roadway drainage. Upon annexation, the operation and maintenance of this public drainage system will be the responsibility of the City and TDoT for Bradyville Pike. The annualized operation and maintenance cost for this system is included in the public roadway sections above as they are internal roadway drainage systems. Future operation and maintenance costs are anticipated to be paid from the Stormwater Utility Fee and State Street Aid. No other public drainage facilities are available to the study area. Any public drainage facilities proposed to serve the study area in the future must meet City standards.

A review of the regional drainage patterns indicates that the study area and adjacent properties are controlled by karst-like drainage conditions. Numerous closed depressions and sinkholes dominate the topography while an absence of surface streams indicates most properties are poorly drained or internally drained to sinkholes or slowly-draining closed depressions. A review of the 2010 aerial photography following the significant rainfall events of May 1 and 2 confirms the presence of numerous closed depressions and sinkholes with standing water 2 days after the rainfall stopped.

Veals Road appears to overtop in extreme rain events. Bradyville Pike also appears to overtop in multiple locations in extreme rain events. Drainage system maintenance or upgrades along and under both roadways may be necessary to alleviate the occasional roadway overtopping during extreme rainfall events.

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.

An underground injection control (UIC) permit may be required for modifications to drain to the subsurface drainage system.

The study area is located approximately 0.25 miles from the nearest surface drainage system that provides access to a surface stream (Lytle Creek)

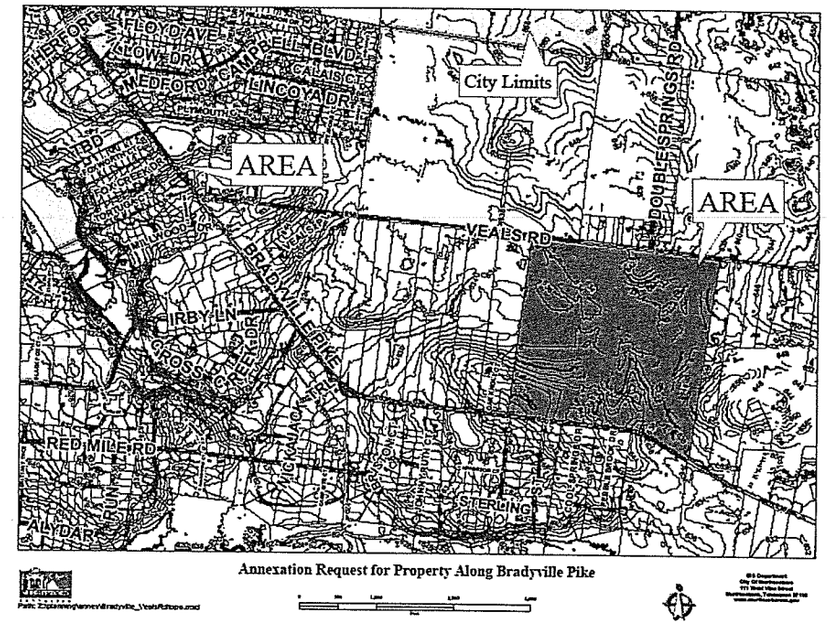
PROPERTY AND DEVELOPMENT

The study area is located approximately 0.25 miles from the nearest surface drainage system that provides access to a surface stream (Lytle Creek).

The property drains to the ROW of Veals Road and Bradyville Pike. A review of historic aerial photography and topography indicates closed depressions which pond water from time to time. These features may be associated with sinkholes and/or wetlands. The features should be evaluated to determine if sinkholes or wetlands are present and appropriate approvals and permits obtained for disturbance or modification during development.

New development should comply with the City's Stormwater Quality Regulations by providing stormwater quality, streambank protection, and detention. Improvements to and ROW and easement dedication for Veals Road and Bradyville Pike should be incorporated into the development plans. An underground injection control (UIC) permit may be required for modifications to drain to the subsurface drainage system.

The subject property is proposed to be served by providing a Septic Tank Effluent Pumping (STEP) system. The STEP system must meet the State and City standards and requirements for service with this type of system.



Annexation Request for Property Along Bradyville Pike

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.