

RESOLUTION 19-R-PS-23 to adopt a Plan of Services for approximately 85.6 acres along Lee Lane, James Jernigan and Virginia Jernigan, applicants. [2019-505]

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 5, 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 July 25, 2019, pursuant to a Resolution passed and adopted by the City Council on June 13, 2019, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on July 9, 2019; and,

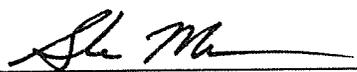
WHEREAS, the Plan of Services for the territory identified on the attached map as the "Area to be Annexed" establishes the scope of services to be provided and the timing of such services and satisfies the requirements of T.C.A. §6-51-102.

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

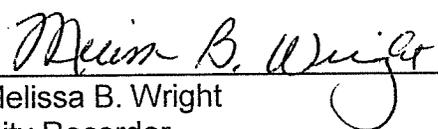
SECTION 1. That, pursuant to authority conferred by T.C.A. Sections 6-51-101, et seq., the Plan of Services attached hereto for the territory identified on the attached map as the "Area to be Annexed" is hereby adopted as it is reasonable with respect to the scope of services to be provided and the timing 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-23**, the public welfare and the welfare of the City requiring it.

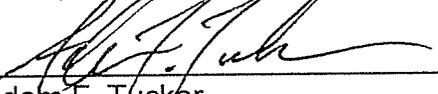
Passed: July 25, 2019


Shane McFarland, Mayor

ATTEST:


Melissa B. Wright
City Recorder

APPROVED AS TO FORM:


Adam F. Tucker
City Attorney





BRIGHTON DR

SOUTH RUTHERFORD BLVD

City Boundary

Area to be Annexed

TULIP SHIELD DR

GROSSFIELD DR

LEE LN

REIDHURST DR

ELAM RD

BUTLER ST



STRICKLAND ST

GROSS DR

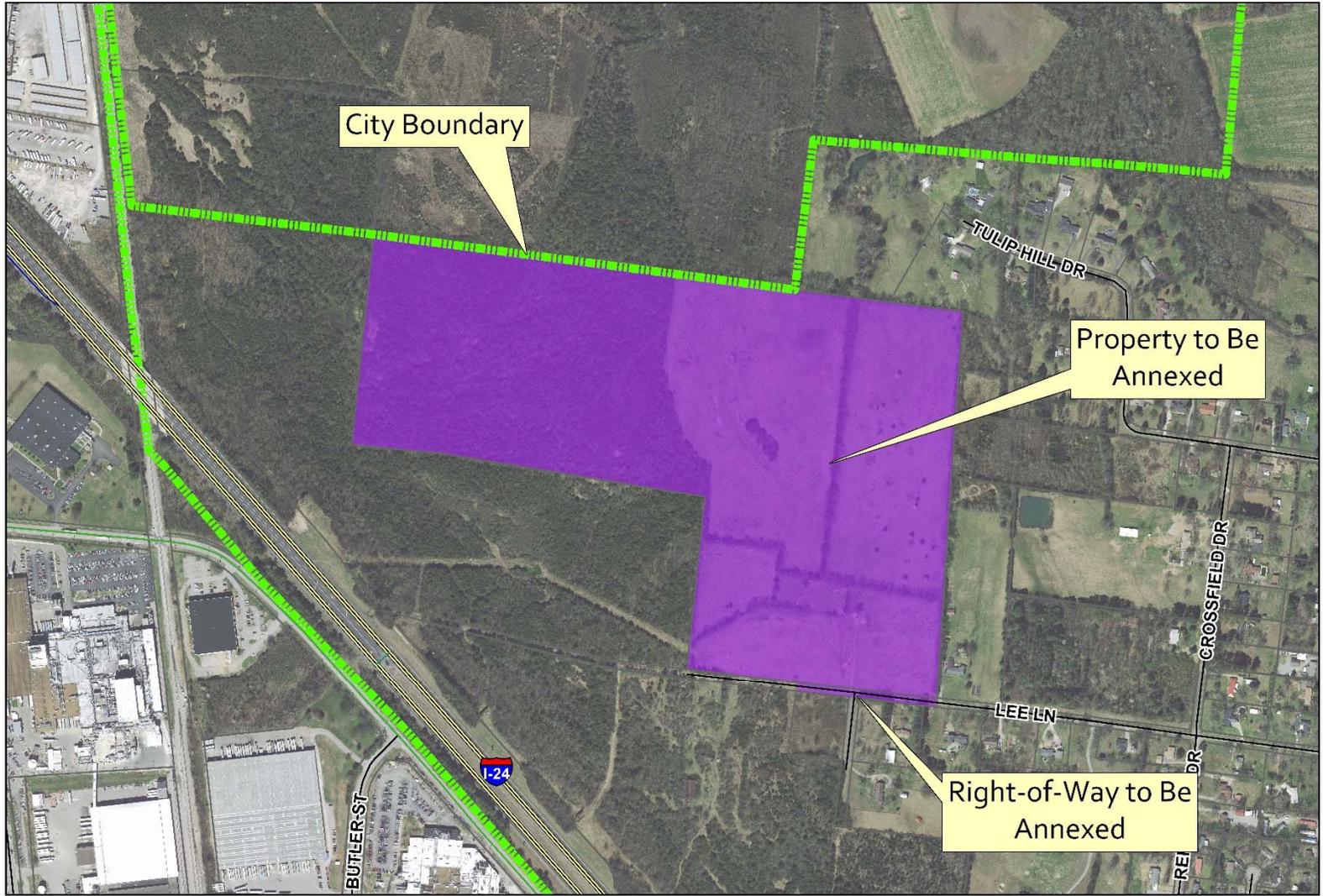
WICK CT



**ANNEXATION REPORT FOR PROPERTY LOCATED
NORTH OF LEE LANE
INCLUDING PLAN OF SERVICES**



PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
June 5, 2019
Revised June 20, 2019 (page 7)

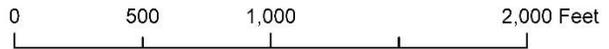


City Boundary

Property to Be Annexed

Right-of-Way to Be Annexed

Annexation Request for Property Along Lee Lane



G:\annex\Lee Ln Annex - April 2019.aprx

Planning Department
 City of Murfreesboro
 111 West Vine Street
 Murfreesboro, Tennessee 37130
www.murfreesborotn.gov

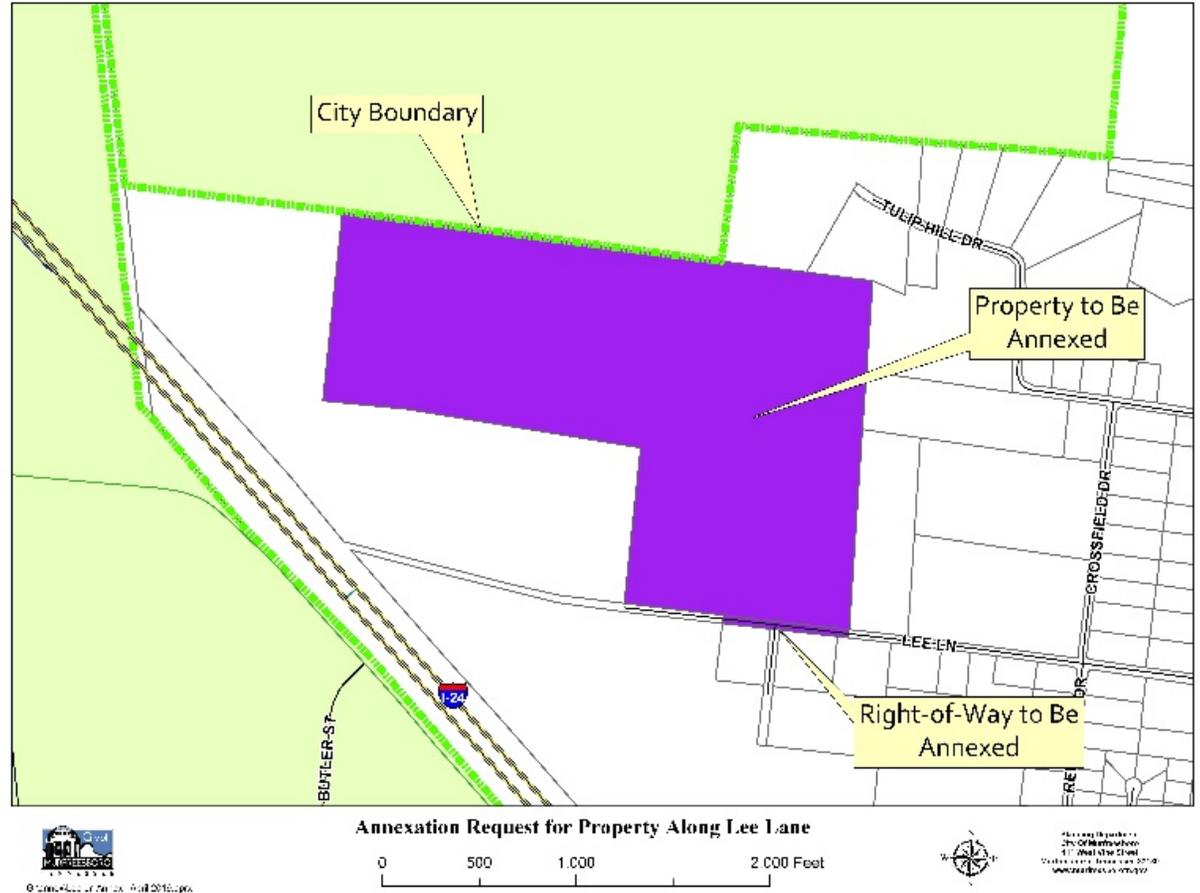
INTRODUCTION

OVERVIEW

The area studied in this Plan of Services is a 85-acre parcel (Tax Map 113, Parcel 014.00) situated along the north side of Lee Lane and the east of I-24. Also included in this study are 655 linear feet of Lee Lane right-of-way. The study area adjoins the City on the north with the unincorporated County on the east and south. An annexation is currently pending for the adjoining property to the east.

The property owners, James and Virginia Jernigan, have petitioned the City of Murfreesboro annex the property. An application to zone the property H-I (Heavy Industrial District) simultaneous with annexation has also been submitted.

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

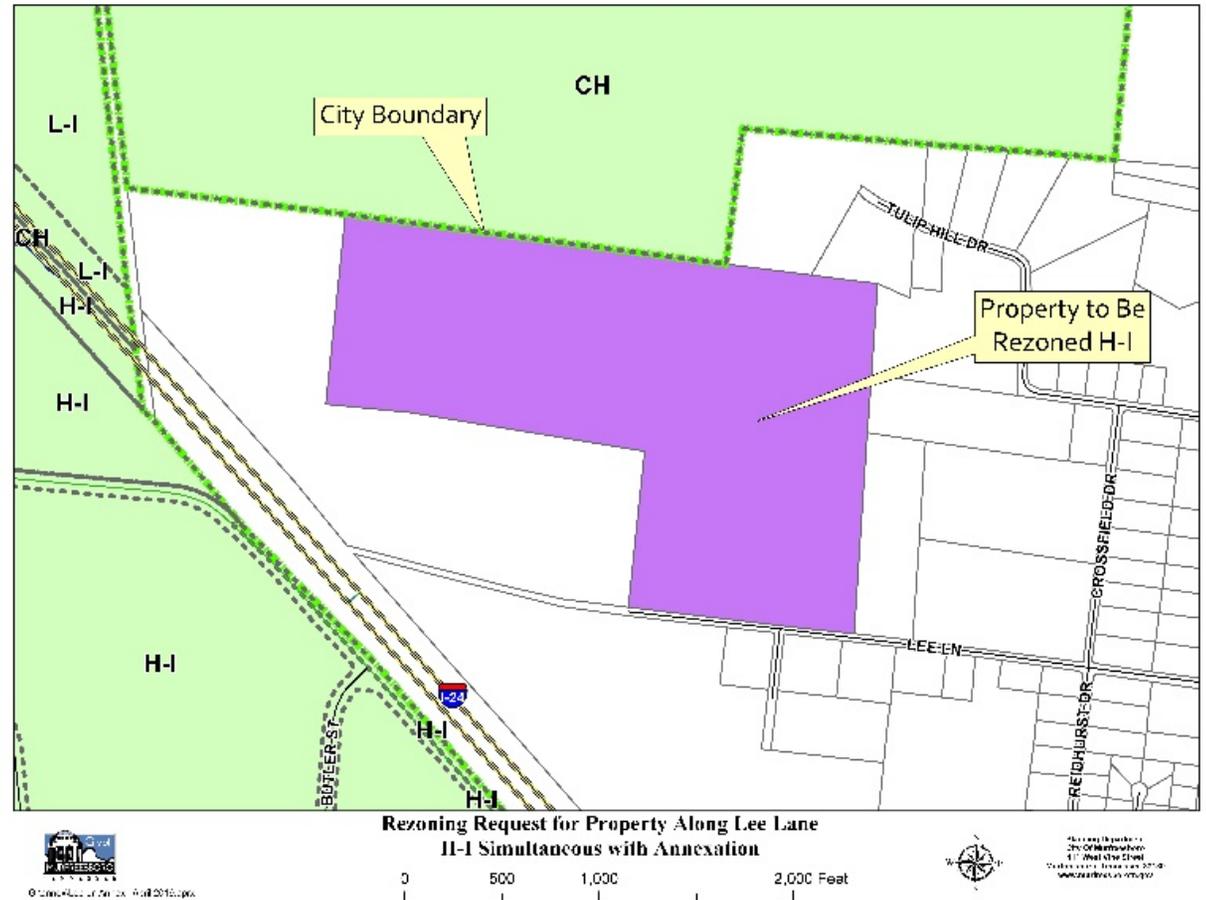


CITY ZONING

A separate application has been submitted by Mr. Brian Berryman requesting H-I (Heavy Industrial District) zoning for the subject parcel.

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

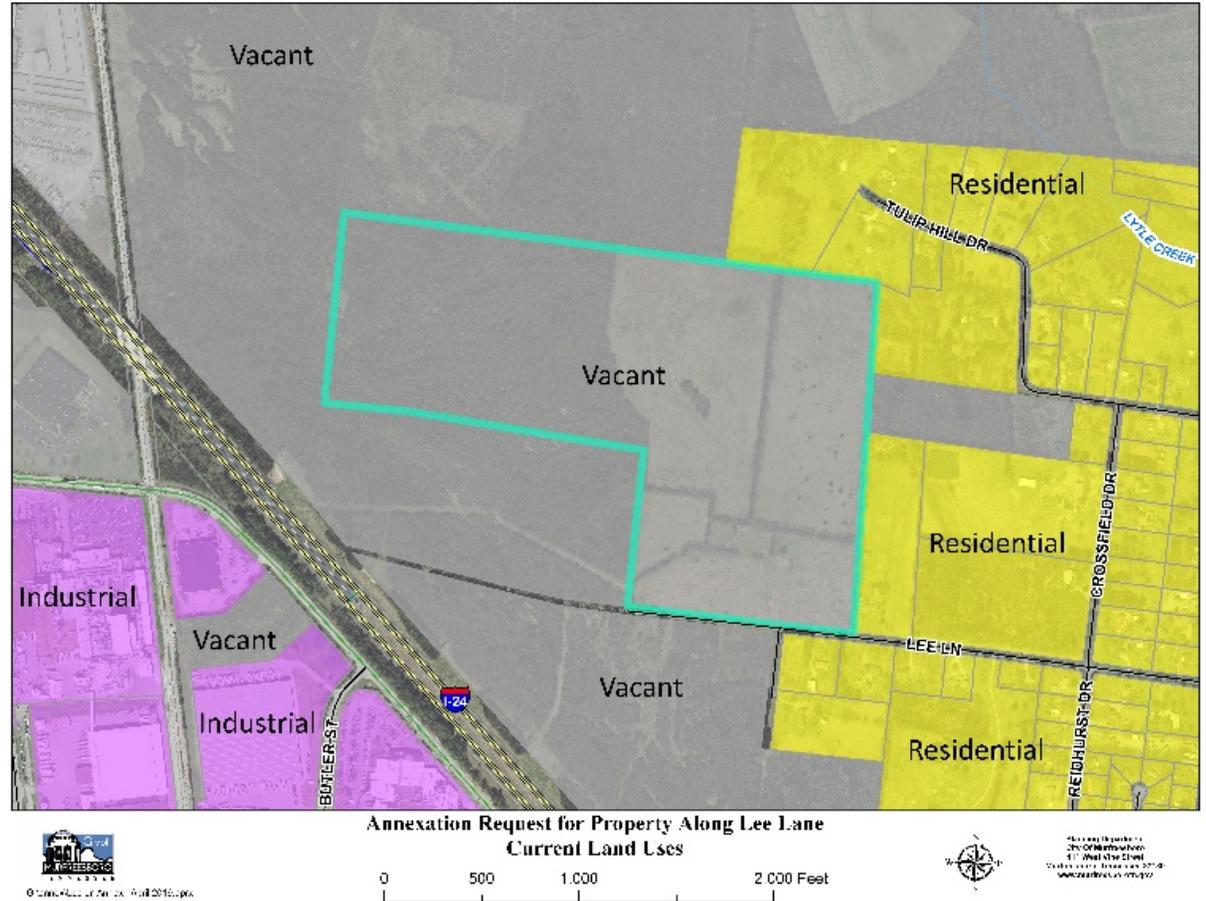
The study area is surrounded on all sides by residential and agricultural uses. The property to the north is zoned CH and was zoned such in anticipation of a FedEx distribution facility being located on this site. FedEx is no longer proposing to build a facility at this location. Mr. Barryman has requested this property be rezoned from CH to H-I as well as zoning the eastern parcel H-I simultaneous with annexation (application pending before City Council).



PRESENT AND SURROUNDING LAND USE

The area being considered for annexation is an 85-acre parcel. The property is currently used for agricultural purposes and is mostly undeveloped.

The area surrounding the 85-acre parcel is characterized by large lots with residential and agricultural uses. Approximately one mile to the south is Joe B Jackson which provides a hub for varied industrial users with nearby access to I-24 via the interchange.



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. (Note that the property currently receives a greenbelt rollback assessment. The table below assumes that the property will no longer qualify for the greenbelt rollback assessment upon sale and development.)

***Table I
Estimated Taxes from Site***

Owner of Record	Acres	Land Value	Improvements Value	Total Assessment	Estimated City Taxes
JERNIGAN JAMES W JR ETUX VIRGINIA	85.00	\$140,500	\$0	\$35,125	\$332.29*

These figures are for the property in its current agricultural state.

***The City Council approved a change in the tax rate for the City of Murfreesboro from 0.9494/\$100 assessed value to 1.2894/\$100 assessed value after this Plan of Services was recommended for approval by the Planning Commission on June 5, 2019. Based on the revised tax rate, the *Estimated City Taxes* would be \$451.29.**

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 #7.

ELECTRIC SERVICE

The study area is currently served by Middle Tennessee Electric Membership Corporation (MTEMC). The Murfreesboro Electric Department (MED) will serve the study area as it develops; facilities along South Rutherford Boulevard will be extended to serve the study area. Any electrical infrastructure installed to serve development in the study area is required to adhere to MED standards.

STREET LIGHTING

According to MED, street lighting will be installed on the property if the future development includes public streets. No street lights are proposed on Lee Lane with 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. In its current undeveloped state, no additional equipment or manpower will be needed to serve the study area. Upon development as a heavy industrial user, the developer will be required to arrange solid waste collection via a private hauler as the City will not provide solid waste collection.

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, although no students are anticipated from the annexation of this property. The study area will be within the Black Fox school zone.

STREETS AND ACCESS

Public Roadway System

The Annexation Study Area includes approximately 655 linear feet of Lee Lane right-of-way. Lee Lane is a two-lane residential road that does not meet minimum City specifications. Lee Lane intersects Elam Road which is also a two-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.

It is recommended that the development of this tract include planning for a public roadway extension from the north with an intersection on South Rutherford Boulevard just west of Lytle Creek. This proposed 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 and Transportation Conditions

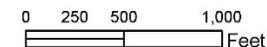
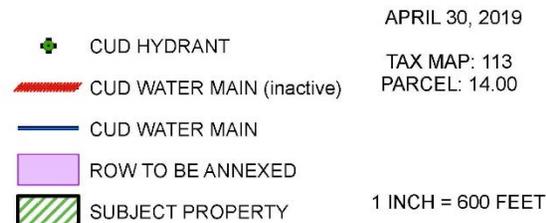
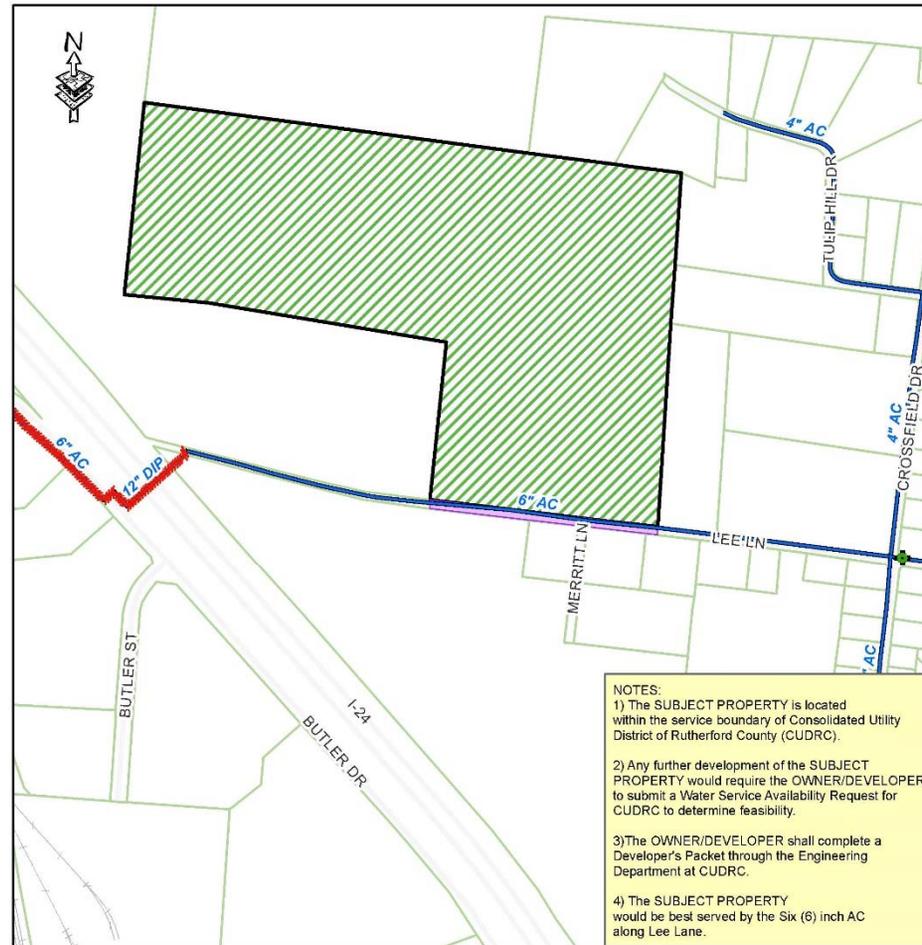
- The intersection west of this property is South Church Street and South Rutherford Boulevard. The 2014 Level of Service Model in the proposed 2040 Major Transportation Plan (MTP) shows South Church Street to be operating at a Level of Service D/F. The 2040 Level of Service Model indicates that South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

A traffic impact study will be required incorporating the surrounding properties and roadway systems. Any new public roadways to serve the study area must be constructed to City Standards.

WATER SERVICE

The subject property is served by a 6-inch Consolidated Utility District (CUD) water line along Lee Lane. This line is adequate for providing domestic water service and for maintaining the proper fire flows for the existing development. 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.

Lee Lane Annexation Request



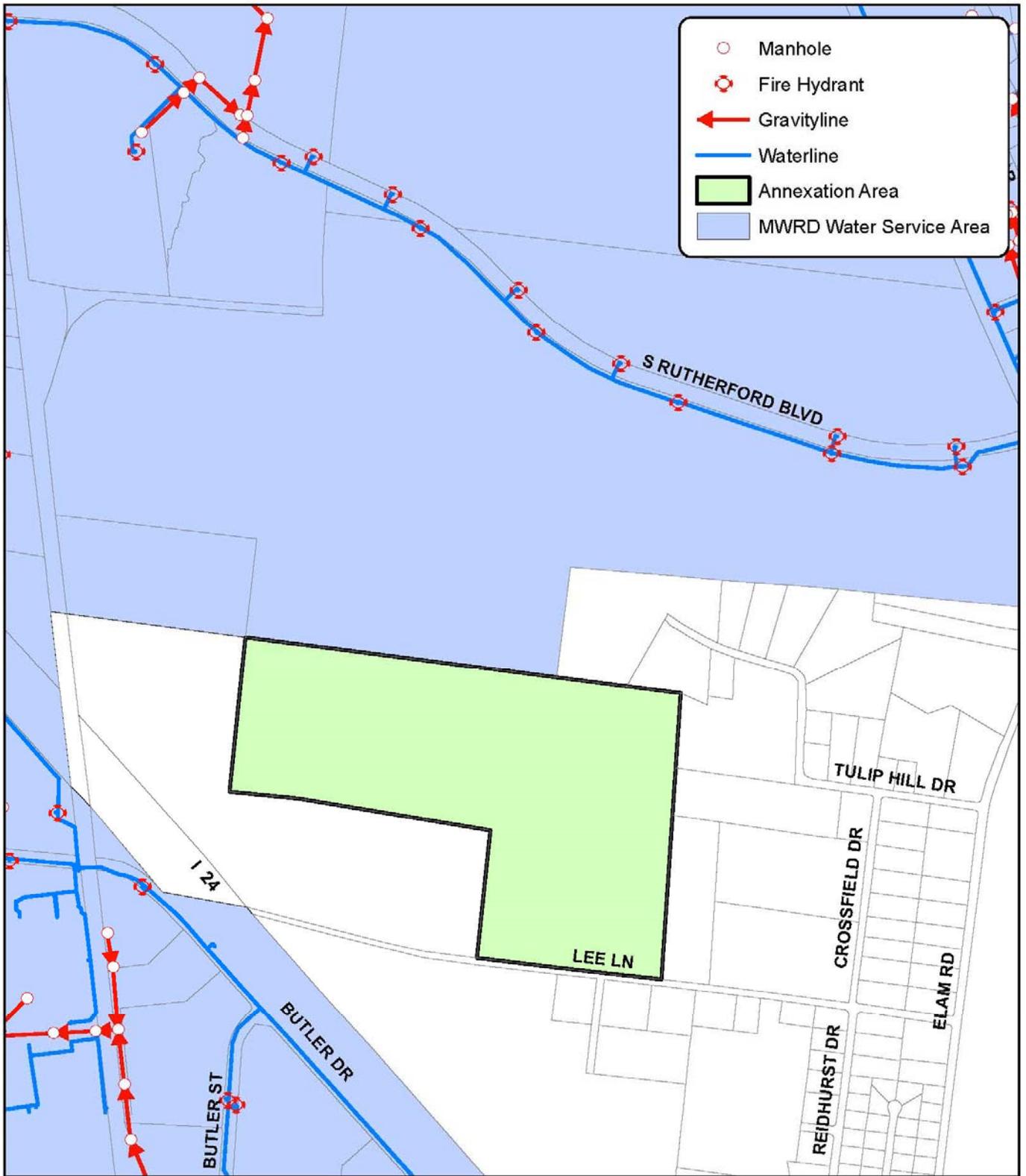
SANITARY SEWER SERVICE

Sanitary sewer is not currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." 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), Derryberry (Map 112, Parcel 1) and Hoover (Map 112, Parcel 2.0) properties in order to extend public sewer to the property. This would also require a bore under Rutherford Blvd.
- Option 2 would be to acquire and/or redefine permanent and temporary construction easements from the Husky Truss property (Map 113, Parcel 11.06) and extend sewer east and south to the requesting property.
- Option 3 would be to acquire and/or redefine permanent and temporary construction easements from the Husky Truss, Derryberry and Hoover properties and extend sewer east parallel to the southern right of way of Rutherford Boulevard and then south to the requesting property.

The entire property cannot be served by a gravity sewer main, then the Developer may need to look at serving a portion of the property with a sewer pump station and forcemain.

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 MWRD's development policies and procedures. The red lines on the adjacent map represent existing sewer lines.



MURFREESBORO WATER AND SEWER DEPARTMENT

Annexation Request for Lee Lane



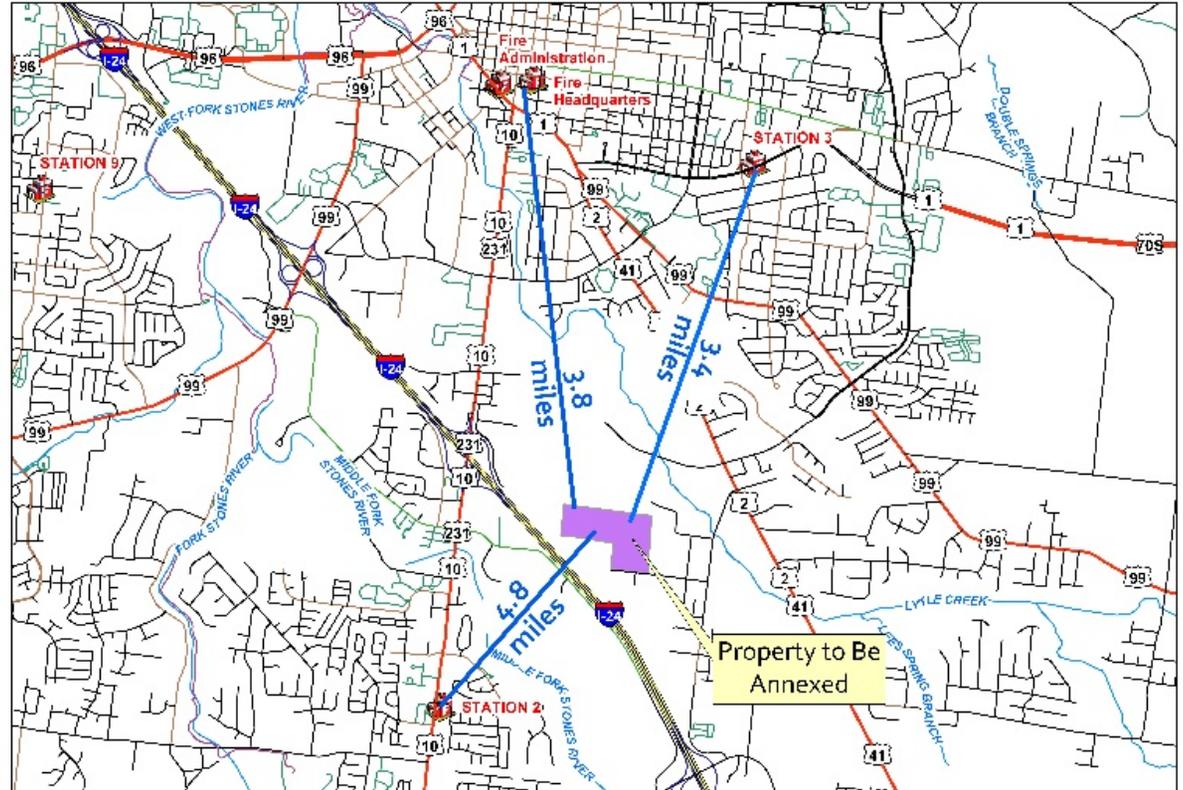
KMC 5/6/2019
LEE LANE2.MXD

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 6-inch Consolidated Utility District water line along Lee Lane that serves the subject property. The closest operating fire station to the subject property is Fire Station #3, located at 1511 Mercury Boulevard, approximately 4.8 miles from the study area.



Annexation Request for Property Along Lee Lane
Nearest Fire Stations with Travel Distances

0 3,000 6,000 12,000 Feet



Map scale: 1" = 3000 Feet
Map data: 2015
Map date: 11/11/2015
Map author: [unreadable]
Map title: [unreadable]

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). New development should comply with the City's Stormwater Quality Ordinance including water quality, streambank protection, and detention

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



Annexation Request for Property Along Lee Lane

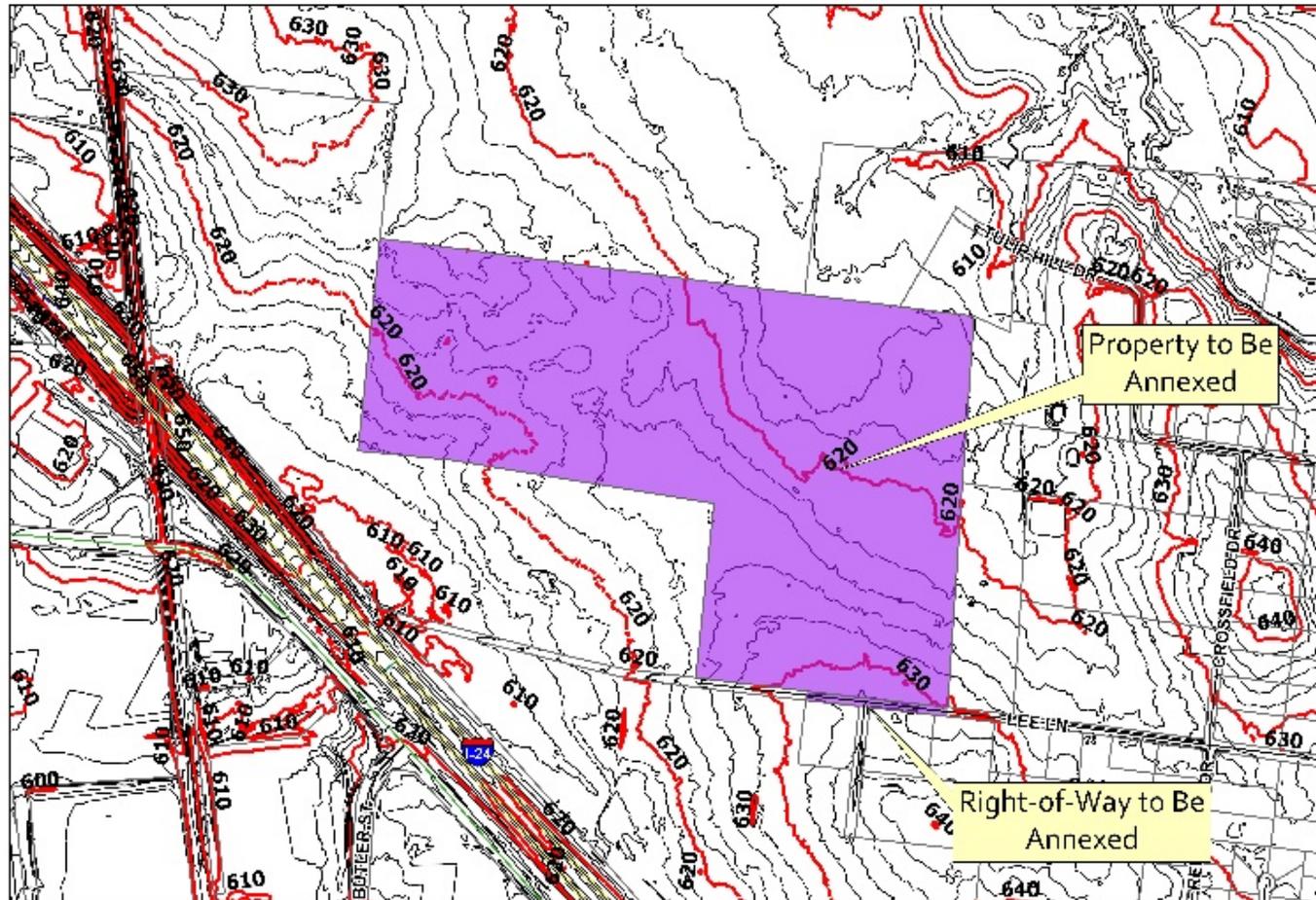
0 1250 2500 5000 Feet



City of Stone Mountain
2015
11/11/2015 10:00 AM
www.stonemountainga.gov

PROPERTY AND DEVELOPMENT

Upon annexation, stormwater management services provided by the City will be available to the study area. New development should comply with the City's Stormwater Quality Ordinance including water quality, streambank protection, and detention. The red lines on the adjacent map represent ten-foot contours. The black lines represent two-foot intervals.



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 85 acres. Based on this development scenario and property limitations, it is anticipated that the site will generate \$14,706 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 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.

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.

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.