

RESOLUTION 16-R-PS-46 to adopt a Plan of Services for approximately 84 acres along Old Salem Road, David Alcorn, Rucker Donnell Foundation, applicants. [2016-510]

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 7, 2016 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 November 3, 2016, pursuant to a Resolution passed and adopted by the City Council on September 22, 2016, and notice thereof published in The Murfreesboro Post, a newspaper of general circulation in said City, on October 17, 2016; 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:

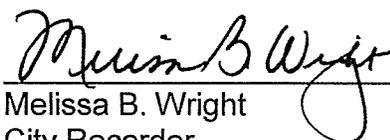
SECTION 1. That, pursuant to authority conferred by T.C.A. Sections 6-51-101, et seq., the Plan of Services attached hereto for the territory identified on the attached map as the "Area to be Annexed" is hereby adopted as it is reasonable with respect to the scope of services to be provided and the timing 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 16-R-A-46**, the public welfare and the welfare of the City requiring it.

Passed: November 3, 2016


Shane McFarland, Mayor

ATTEST:


Melissa B. Wright
City Recorder

APPROVED AS TO FORM:


Craig D. Tindall
City Attorney

SEAL



MIDDLETON DR
CITABEL CT
MONTAUCO AVE

ALL-SAINTS PL

E OVERALL CREEK RD

Area to be Annexed

OLD SALEM RD

99

PUSHER PL

Murfreesboro
City Limits

NEW SALEM HWY

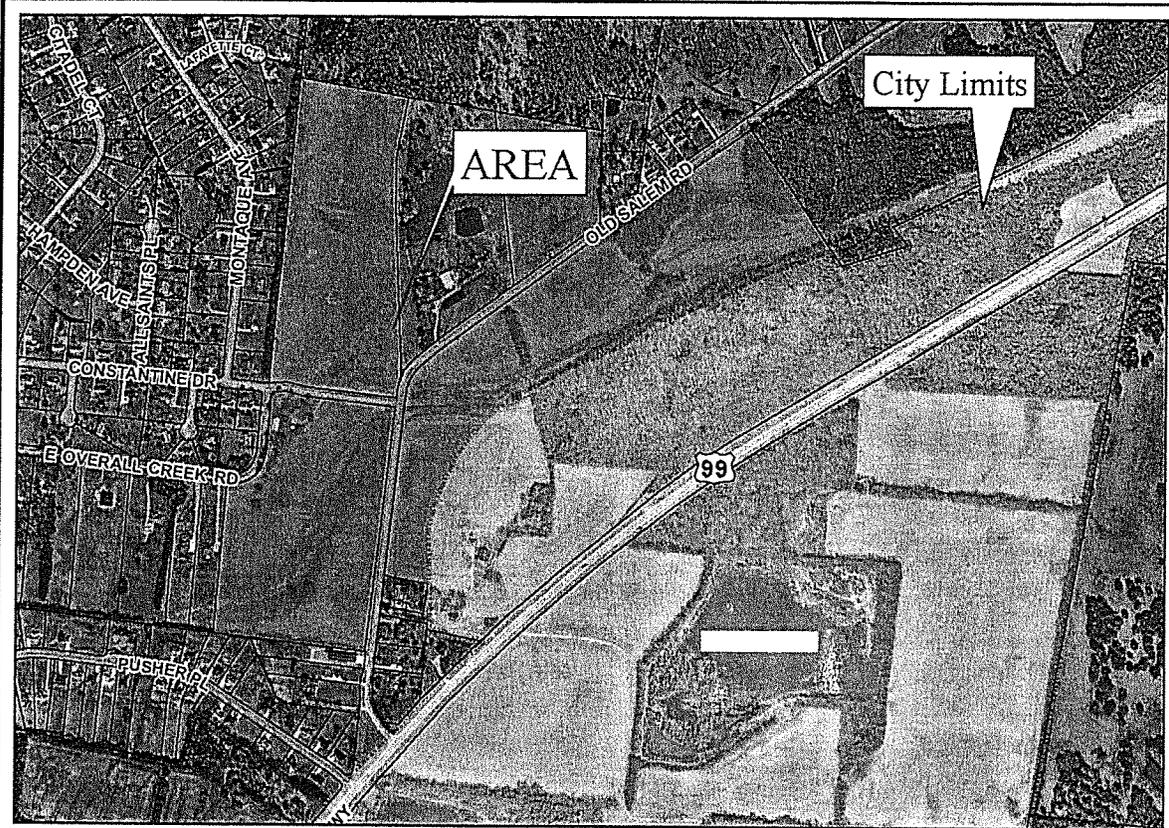
Resolution 16-R-PS-46



**ANNEXATION REPORT FOR PROPERTY LOCATED
ALONG OLD SALEM ROAD
INCLUDING PLAN OF SERVICES**

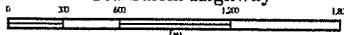


PREPARED FOR THE
MURFREESBORO PLANNING COMMISSION
September 7, 2016



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Annexation Request for Property Along
Old Salem Highway



GIS Department
City of Murfreesboro
111 First View Street
Murfreesboro, Tennessee 37138
www.murfreesboro.gov

INTRODUCTION

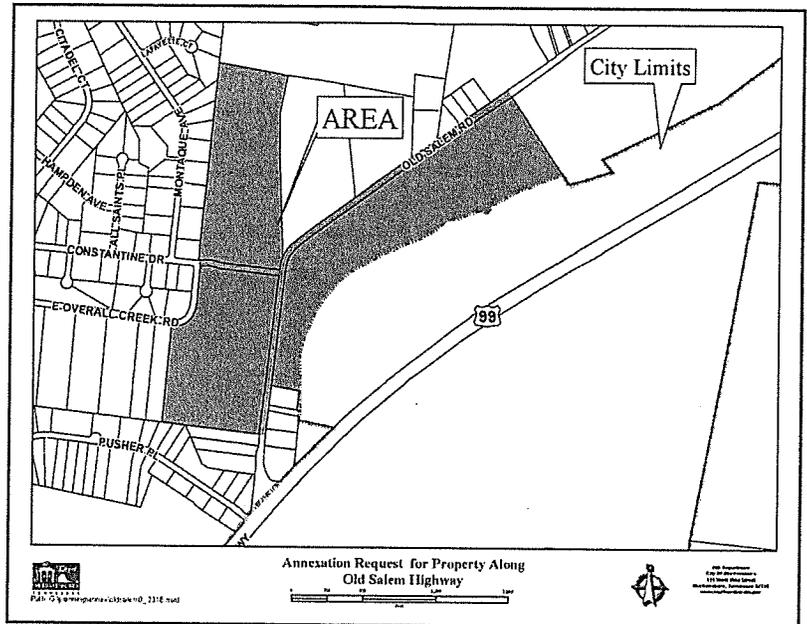
OVERVIEW

Linda Gilley, David Alcorn, and the Rucker Donnell Foundation have requested annexation of 84.15 acres divided among three properties located along Old Salem Road.

The area studied in this Plan of Services includes: Tax Map 115, Parcel 29.00, a 25-acre parcel; Tax Map 123, Parcel 5.00, a 25-acre parcel; and Tax Map 123, Parcel 12.00, a 34.15-acre portion of a 447-acre parcel.

Additionally, the study area includes adjacent rights-of-way along Old Salem Road (approximately 3,800 linear feet, 4.5 acres) and East Overall Creek Road (approximately 725 linear feet, 0.8 acres).

With the exception of a portion of Tax Map 123, Parcel 5.00, the study area lies within the City of Murfreesboro's Urban Growth Boundary and adjoins the City on the east. Adjacent areas to the north, northeast, south, and west lie within the unincorporated County.

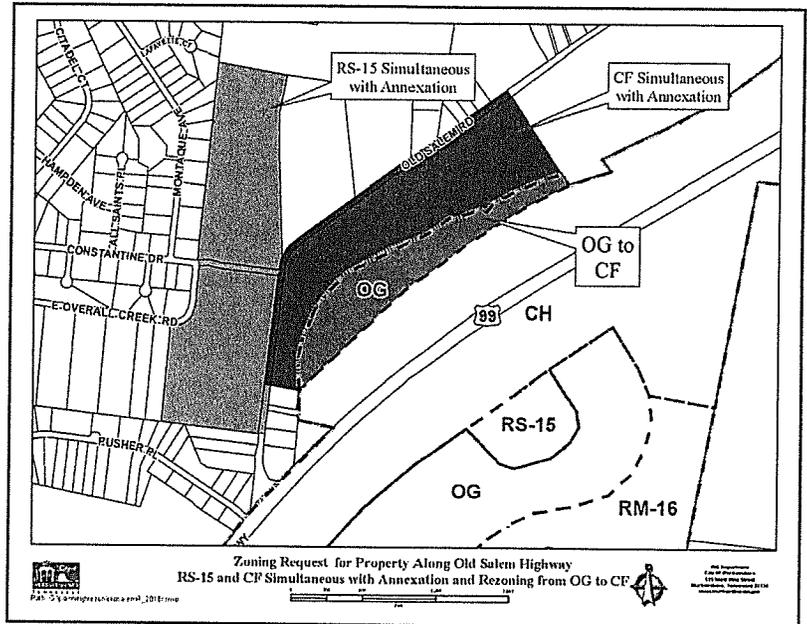


CITY ZONING

The study area is presently zoned RM (Residential – Medium Density) in the County. Rucker-Donnell Foundation has requested rezoning to CF (Commercial Fringe) for the 34.15-acre portion of Tax Map 123, Parcel 12.00 included in the annexation request. Additionally, Rucker-Donnell Foundation has requested rezoning to CF for a 17.68-acre portion of the same parcel lying south of the study area; the 17.68-acre portion is currently located in the City and is zoned OG (General Office).

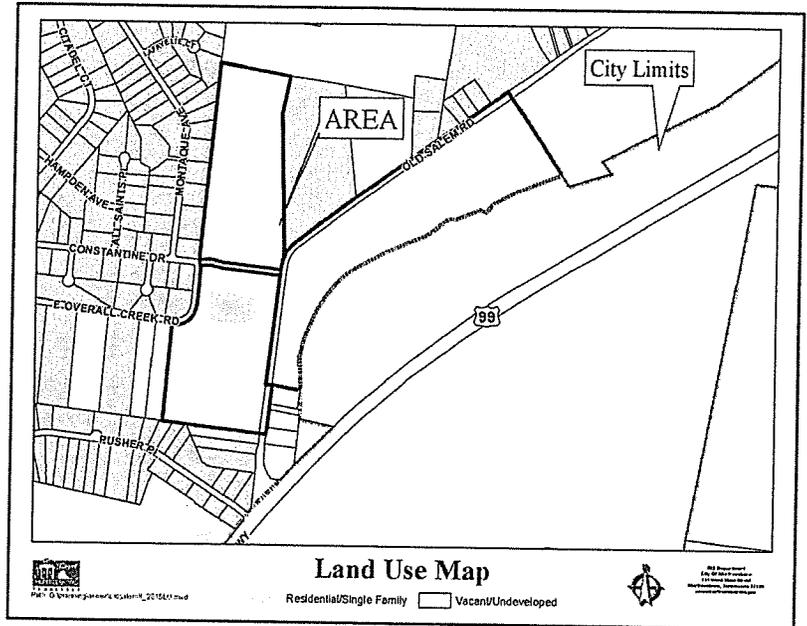
Rezoning is not being sought for the two westernmost parcels included in the study area. These parcels will default to RS-15 (Single-Family Residential) zoning upon annexation.

The property lying adjacent to the study area on the southeast is located within the City boundaries and is zoned CH (Highway Commercial). Adjacent properties to the north, northeast, south, and west lie outside the City's boundaries and are zoned RM in the County.



**PRESENT AND SURROUNDING
LAND USE**

Both the 34.15-acre portion of the Rucker Donnell property (Tax Map 123, Parcel 12.00) and the 25.00-acre Gilley property (Tax Map 115, Parcel 29.00) are presently vacant. A single-family house is situated on the northwest corner of the 25.00-acre Alcorn property (Tax Map 123, Parcel 5.00). Salem Close and Overall Creek, both County single-family residential subdivisions, are located west of the study area. Another County subdivision, Blue Ribbon Estates, adjoins the study area on its southwestern side. Other single-family residential properties adjoin the study area on the northeast.



TAXES AND REVENUE

The first City tax bill for all property annexed during the calendar year of 2016 will be due on December 31, 2017. 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 \$1.2703/\$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
Gilley Talmadge Jr Trust	25.00	\$49,900	N/A	\$12,475	\$158.47
Alcorn Properties LLC	25.00	\$66,200	\$107,800	\$43,500	\$552.58
Rucker Donnell Foundation	34.15	\$54,556	N/A	\$13,639	\$173.25
Total	84.15	\$170,656	\$107,800	\$69,614	\$884.30

These figures are for the property in its current state. Note that the Rucker Donnell Foundation property includes a total of 447 acres; however, the study area includes only a 34.15-acre portion of the property. All figures for the Rucker Donnell Foundation property are based on the 7.6 percent share of the property's area included in the study area.

The City of Murfreesboro is also projected to receive additional revenue from state-shared taxes. Table II below shows the 2016-2017 per capita state revenue estimates for the City of Murfreesboro once the development is built out.

Table II
Per Capita State Revenue Estimates

General Fund	Per Capita Amount
State Sales Tax	\$70.00
State Beer Tax	\$0.50
Special Petroleum Products Tax (Gasoline Inspection Fee)	\$2.05
Gross Receipts (TVA in-lieu taxes)	\$11.00
<i>Total General Revenue Per Capita</i>	\$83.55
State Street Aid Funds	Per Capita Amount
Gasoline and Motor Fuel Taxes	\$25.91
<i>Total Per Capita (General and State Street Aid Funds)</i>	\$109.46
Total State-Shared Revenues (based on full build-out at 2.58 per dwelling unit with maximum density of 108 units)	\$30,499.93

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 #2.

ELECTRIC SERVICE

The property is located within Middle Tennessee Electric Membership Cooperative's (MTEMC) service boundary. MTEMC has facilities and capacity in place to serve the proposed development. The electrical infrastructure installed to serve the proposed development will be required to adhere to MTEMC standards.

STREET LIGHTING

According to MTEMC, street lighting will be installed upon request by the City of Murfreesboro.

STREETS AND ACCESS

The study area has access to Old Salem Road and East Overall Creek Road. The existing Old Salem roadway is approximately 20 feet in width and has open ditches on both sides. The existing pavement is in fair-to-poor condition and will require resurfacing upon redevelopment. Likewise, the portion of East Overall Creek Road included in the study area is 20 feet in width and will require resurfacing upon redevelopment. Any new public roadways to serve the study area must be constructed in accordance with City standards.

WATER SERVICE

The study area lies within Consolidated Utility District's (CUD) service area. The study area is presently served by a six-inch water line, which runs along the west side of Old Salem Road. Any new development in the study area will likely be required to connect to an existing 12-inch water line on New Salem Highway in order to meet City fire requirements. Should any new uses be proposed on the property, the developer/owner shall submit a Water Availability Request to CUD.

The existing 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.

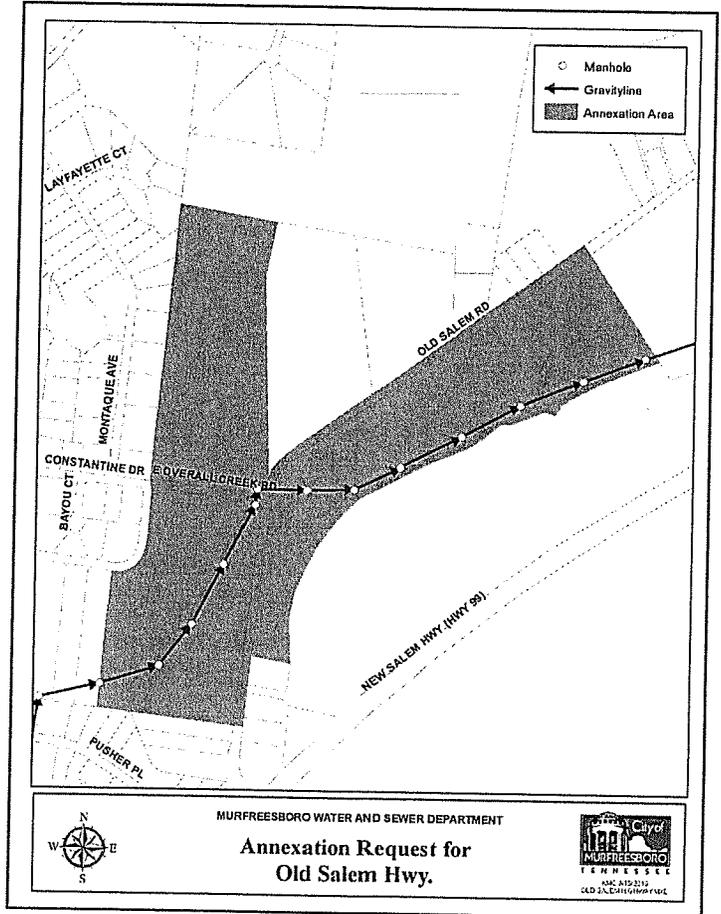


SANITARY SEWER SERVICE

Sanitary sewer is currently available to serve the subject property, per the Murfreesboro Water and Sewer Department's (MWSD) definition of "available." Sewer service will be provided from an existing 15-inch sewer main flowing southwest to northeast through the study area. All sewer main improvements and easements needed to serve the subject property are to be acquired and installed by the developer in accordance with MWSD's development policies and procedures.

The existing sewer connects to the Overall Creek and Rockvale Assessment Districts. All developments that connect into this sewer system are assessed a \$1,000 fee per single-family unit or equivalent for the Overall Creek Assessment District and \$1,550 fee per single-family unit or equivalent for the Rockvale Assessment District. Assessment District fees are charged in addition to the current and standard connection fees.

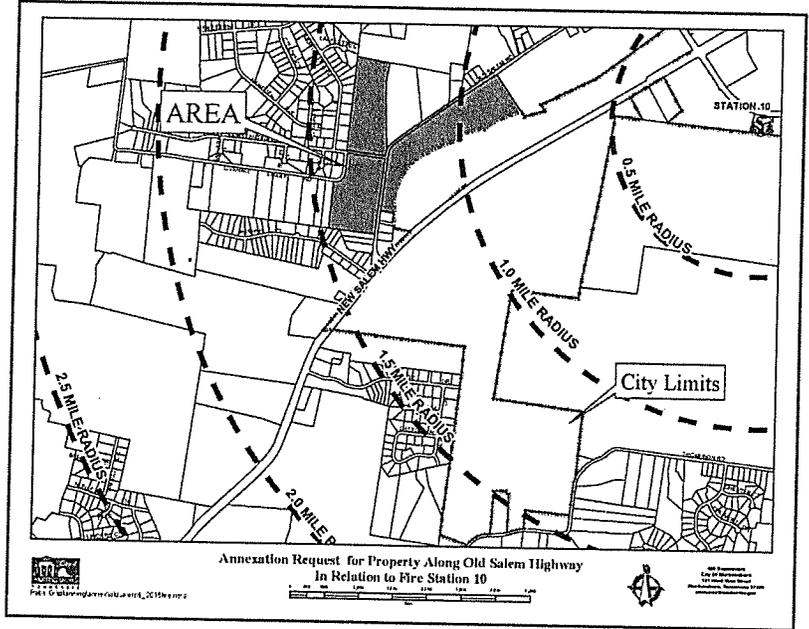
The red lines on the adjacent map represent existing sewer lines.



FIRE AND EMERGENCY SERVICE

The annexation will have no negative impact on the Murfreesboro Fire and Rescue Department (MFRD). The MFRD will provide fire protection with a full-time, professional staff as well as medical first responder service. Any development on the site must provide adequate fire flows and install water lines and fire hydrants per the Consolidated Utility District (CUD) policies and procedures.

The closest fire stations to the subject tract are Fire Station #10, located at 2563 Veterans Parkway, which is 1.81 miles from the study area, and Station #9, located at 802 Cason Lane, which is 5.24 miles from the study area. The MFRD can provide ISO Class Two (2) fire protection. The dashed lines on the adjacent map represent linear distance ranges from the nearest fire stations.



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, no additional equipment or manpower will be needed to serve the study area.

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.

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 is located in the Scales Elementary school zone. The school system anticipates opening a new elementary school to serve the study area and vicinity in 2018. The 34.15-acre property included in the study area should have no impacts on school enrollment.

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.

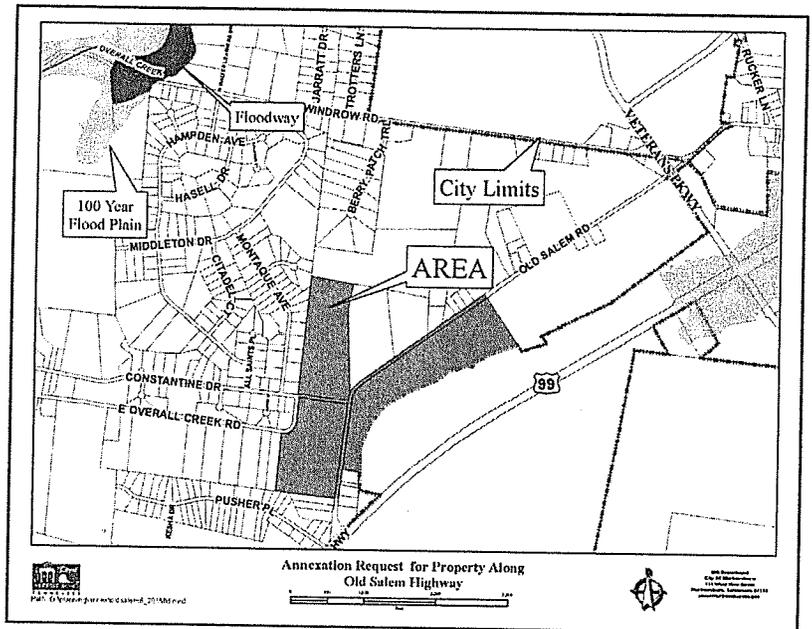
PLANNING, ENGINEERING, AND ZONING SERVICES

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.

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



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.