

**RESOLUTION 2016-41**

**TO BE ENTITLED: “A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF PROPERTY LOCATED SOUTH OF MURFREESBORO ROAD AND NORTH OF SOUTH CAROTHERS ROAD AND ADJOINING THE CITY LIMITS WITHIN THE EAST PART OF THE FRANKLIN URBAN GROWTH BOUNDARY (UGB)., BY THE CITY OF FRANKLIN, TENNESSEE.”**

**WHEREAS**, *Tennessee Code Annotated* (T.C.A.) § 6-51-102, as amended, requires that a Plan of Services be adopted by a municipal governing body prior to the passage of an annexation resolution; and

**WHEREAS**, Glenn Adams, Rob Adams, James E. Adams Jr, George Durnin, Patti Sue Watkins, Ralph H. Peden Jr, (“Owner(s)”) of property located as described below (“Property”) petitioned the Board of Mayor and Aldermen (BOMA) of the City of Franklin, Tennessee (“City”), to annex 204.081 acres adjoining the City limits and located within the Franklin Urban Growth Boundary (UGB); and

**WHEREAS**, the Property is located south of Murfreesboro Road and north of South Carothers Road, as described herein and as depicted on the Map attached hereto as Exhibit A:

Map-Parcel	Acres
079M---B02800	
079M---B02900	2.7
089---05500	
089---04304	
089---04303	
089---04302	201.381
Total	204.081

The Property adjoins the City limits within the Franklin Urban Growth Boundary (UGB) and comprises a total of 204.081 acres in 6 parcels The Property is used as agricultural and residential.

**WHEREAS**, this Resolution shall bind the Owners and subsequent Owners of the Property; and

**WHEREAS**, the Franklin Municipal Planning Commission has reviewed and recommended approval of the Plan of Services for the annexation area; and

**WHEREAS**, a public hearing was held following public notice as required by *T.C.A.* § 6-51-102, as amended; and

**WHEREAS**, it is believed it is in the best interest of the City to adopt a Plan of Services for the area petitioned to be annexed in order to provide for future development in accordance with City standards; and

**WHEREAS**, this Resolution shall not bind the City to later annex the Property.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:**

**SECTION I.** Pursuant to the provisions of T.C.A. § 6-51-102, as amended, there is hereby adopted, for the area bounded as described above, the following Plan of Services:

A. Water

1. The Property is located within the Milcrofton Utility District.
2. Water availability shall be approved and provided through Milcrofton prior to annexation.
3. The Owner shall be required to provide adequate fire flow and pressure to the Property.

B. Reclaimed Water

1. According to the City of Franklin's Municipal Code, reclaimed water systems shall be extended to a development if the development is located within 1,000 feet of an existing reclaimed water line.
2. In the case of this Property, a several mile extension would be required to serve the Property. For this reason, reclaimed water will not be required to be extended to the Property.

C. Wastewater

1. The Property lies within the Watson Branch Basin and Goose Creek Basin as defined in the City of Franklin Sanitary Sewer Basin Study.
2. The proposed development of the Property is anticipated to construct 342 single family units as part of an overall 383 single family unit subdivision.
3. The Owner shall be required to extend the Simmons Ridge Sanitary Sewer Interceptor to provide service to the Property.
4. The City of Franklin Sanitary Sewer System Basin Plans show this as a 12" and 8" sanitary sewer Interceptor.
5. The Owner shall be required to submit engineering calculations to determine final sizing requirements.
6. The Owner shall be required to provide Engineering design, construction, easements, rights-of-way and the costs associated with the on-site sanitary sewer infrastructure required to serve the development of this Property.
7. The Owner shall be responsible for the payment of fees per the policies and procedures outlined in Franklin Municipal Code.

D. Stormwater

1. The Owner shall be responsible for the engineering, design and construction of the necessary stormwater infrastructure for the development of the Property and shall comply with the requirements as outlined in the Franklin Municipal Code.
2. As the Property develops, the City will charge prevailing stormwater user fees per policies and procedures as outlined in the Franklin Municipal Code.

E. Streets

1. Emergency maintenance of streets will begin on the effective date of annexation.
2. Reconstruction and resurfacing of streets, routine maintenance, and installation of storm drainage will be accomplished under existing City policies.
3. Access to the Property shall be provided from Ridgeway Drive and South Carothers Road.
4. Unless waived by the Franklin Engineering Department, the Owner of the Property shall be required to submit a traffic impact study prior to submitting a development plan for review and approval. The exact scope associated with this traffic impact study shall be determined prior to submittal of the development plan. Required street improvements shall be determined as part

of the plan. The roadways constructed as part of this development shall comply with City Street Standards.

F. Traffic Control

1. Traffic signals, traffic signs, street markings, and other traffic control devices shall be installed as the need is established by appropriate study and traffic standards.
2. New development after the effective date of annexation shall comply with City regulations governing traffic control devices and markings.

G. Street Lighting

1. No off-site street lighting is proposed at this time.
2. Street lighting within new developments shall be funded and installed by the Owner per City policy, which includes the installation of electric meters to allow for future ownership and maintenance by the City or homeowners association. The installation and operation of street lights shall coincide with the phasing of development and issuance of Certificates of Occupancy.

H. Street Name Signs

1. No additional street name signs in the area have been deemed necessary.
2. New development shall install street name signs per City policy.

I. Fire Protection

1. Fire protection by the present personnel and equipment of the Franklin Fire Department will be provided on and after the effective date of annexation.
2. No additional manpower or equipment will be necessary to serve the annexation area at this time.

J. Planning and Zoning

1. The planning and zoning jurisdiction of the City will extend to the annexed area on and after the effective date of annexation.
2. The Franklin Land Use Plan states: The McEwen Character Area will continue to be the major economic driver for the City of Franklin. However, economically productive development will respect the residential neighborhoods. Murfreesboro Road will be redeveloped pursuant to a comprehensive land use and economic strategy and will be a quality gateway from I-65. High-quality design and people-friendly environments will be encouraged through heightened standards and site design to reinforce the small-town appeal of Franklin.  
The Franklin Land Use Plan states for the Seward Hall Character Area- This area is largely built out and typically includes detached residential uses on larger lots. However, there are significantly sized parcels that are currently vacant or agricultural which may be considered for development in the future. The protection of environmental features is important to this area's unique community character and should be protected. Of particular importance in this area is the floodplain.
3. Upon annexation, the Property will be zoned by the Board of Mayor and Aldermen, pursuant to the requirements of the Franklin Zoning Ordinance with a base zone district, Overlay District, Character Area Overlay District, and designated as a Conventional or Traditional Area. The Owner shall also be required to submit a Planned Unit Development (PUD) Development Plan pursuant to the requirements of the Zoning Ordinance.

- K. Parks and Recreation
1. The benefit and use of the recreational facilities and programs provided by the Parks Department will be available on and after the effective date of the annexation. Recreational facilities and programs will be provided with existing personnel, facilities and resources.
  2. New development in the annexed area shall comply with the City of Franklin Parkland Dedication Ordinance.
- L. Police Protection
1. Police patrol and response to calls by the Franklin Police Department will be provided on and after the effective date of annexation.
  2. Police services will be provided with existing personnel and equipment.
- M. Building and Code Inspection Services
1. Building and code inspection services will begin in the annexed area on and after the effective date of the annexation.
  2. New development in the annexed area shall comply with adopted City Building Codes, pay the applicable fees, and obtain the required permits for inspection services.
- N. Garbage and Recycling Pickup and Environmental
1. The Sanitation and Environmental Services Department will begin providing services in the annexed area on and after the effective date of the annexation in accordance with adopted City requirements.
  2. No additional manpower or equipment will be necessary to serve the annexation area at this time.

**SECTION II.** This Resolution shall take effect from and after its adoption.

**ADOPTED THIS \_\_\_\_\_.**

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**ERIC S. STUCKEY**  
City Administrator

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**DR. KEN MOORE**  
Mayor

Approved as to form by:

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Shauna R. Billingsley  
City Attorney