

RESOLUTION 2019-72

A RESOLUTION REQUESTING A REFERENDUM FOR THE ANNEXATION OF SEVERAL PROPERTIES, LOCATED SOUTH OF LONG LANE, EAST OF INTERSTATE 65, AND OUTSIDE OF THE SOUTHEASTERN PART OF THE FRANKLIN URBAN GROWTH BOUNDARY (UGB), BY THE CITY OF FRANKLIN, TENNESSEE.

WHEREAS, Tennessee Code Annotated (T.C.A.) § 6-58-111 (c)(2) states as an alternative to a municipality annexing in a county's planned growth area or rural area by first amending the growth plan as described in subdivision (c)(1), a municipality may annex within a county's planned growth area or rural area, but the annexation must be by referendum only and not by ordinance, and the municipality must follow the referendum process as provided for in §§ 6-51-104 and 6-51-105; and

WHEREAS, T.C.A. § 6-51-104 (a) permits a municipality, when petitioned by interested persons, or upon its own initiative, by resolution for annexation by referendum; and

WHEREAS, T.C.A. § 6-51-105 (a) states at least thirty (30) days and not more than sixty (60) days after the last of such publications, the proposed annexation of territory shall be submitted by the county election commission in an election held on the request and at the expense of the proposing municipality, for approval or disapproval of the qualified voters who reside in the territory proposed for annexation; and

WHEREAS, T.C.A. § 6-51-105 (e) states if a majority of all the qualified voters voting thereon in the territory proposed to be annexed, or in the event of two (2) elections as provided for in subsections (a) and (b), a majority of the voters voting thereon in the territory to be annexed and a majority of the voters voting thereon in the municipality approve the resolution, annexation as provided therein shall become effective thirty (30) days after the certification of the election or elections; and

WHEREAS, property owners as listed on Exhibit A, petitioned the Board of Mayor and Aldermen (BOMA) of the City of Franklin, Tennessee ("City"), to annex 26 parcels, containing 474 +/- acres, located outside of the Franklin Urban Growth Boundary (UGB); and

WHEREAS, the Properties are located south of Long Lane and east of Interstate 65, as described herein and as depicted on the Map attached hereto as Exhibit B:

Map	Parcel	Acreage	Address	Owner
106	179.00	78.21	4341 Long Lane	Long Lane Office Partners, LLC
117	33.00	25.25	4444 Peytonsville Road	Chapter 2 Investments, LLC
133	16.00	116.54	Peytonsville Road	Pratt Lane Office Partners, LLC
117	33.01	5.17	4474 Peytonsville Road	Panzey Maxwell
117	42.10	0.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher
117	42.09	9.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher

117	42.03	1.00	4465 Peytonsville Road	Mary Kate Pratt
117	42.01	3.00	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
117	42.00	2.00	4475 Peytonsville Road	Todd Brakebill
117	42.14	11.06	4465 Peytonsville Road	Mary Kate Crutcher
117	42.12	18.03	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
117	34.00	99.20	Peytonsville Road	Thomas A. Jordan
117	43.00	5.00	4422 Pratt Lane	TRP Farms LLC
117	42.08	5.01	4424 Pratt Lane	TRP Farms LLC
117	42.15	2.27	Peytonsville Road	TRP Farms LLC
117	42.13	5.03	Pratt Lane	TRP Farms LLC
133	18.03	10.00	4516 Pratt Lane	VVK Fishpond LLC
133	18.00	13.21	Pratt Lane	William David Crafton Executor
133	18.09	3.10	4536 Pratt Lane	Gary Smartt D ETAL
133	18.15	12.73	Pratt Lane	Margaret Ann McCord
133	18.14	8.13	4540 Pratt Lane	Dorothy Ann Clark Crafton, Peggy Diane Crafton Smartt
133	18.17	5.10	Pratt Lane	Betty Jo Turnage
133	18.11	5.16	4549 Pratt Lane	William Chad Turnage
133	18.16	5.18	Pratt Lane	Betty Jo Turnage
133	18.13	20.84	Pratt Lane	MDW LLC
133	18.02	5.01	4517 Pratt Lane	Dorothy Roth Wales
		474.23	TOTAL ACRES	

WHEREAS, the referendum shall bind the Owners and subsequent Owners of the Property; and

WHEREAS, a Plan of Services for the area petitioned to be annexed will be adopted prior to the annexation becoming effective, to provide for future development in accordance with City standards, and a copy of the draft Plan of Services is attached hereto as Exhibit C.

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. §§ 6-51-104 and 6-51-105, as amended, the City of Franklin requests that a referendum for annexation be held for the following properties:

Map	Parcel	Acres	Address	Owner
106	179.00	78.21	4341 Long Lane	Long Lane Office Partners, LLC
117	33.00	25.25	4444 Peytonsville Road	Chapter 2 Investments, LLC
133	16.00	116.54	Peytonsville Road	Pratt Lane Office Partners, LLC

117	33.01	5.17	4474 Peytonsville Road	Panzey Maxwell
117	42.10	0.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher
117	42.09	9.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher
117	42.03	1.00	4465 Peytonsville Road	Mary Kate Pratt
117	42.01	3.00	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
117	42.00	2.00	4475 Peytonsville Road	Todd Brakebill
117	42.14	11.06	4465 Peytonsville Road	Mary Kate Crutcher
117	42.12	18.03	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
117	34.00	99.20	Peytonsville Road	Thomas A. Jordan
117	43.00	5.00	4422 Pratt Lane	TRP Farms LLC
117	42.08	5.01	4424 Pratt Lane	TRP Farms LLC
117	42.15	2.27	Peytonsville Road	TRP Farms LLC
117	42.13	5.03	Pratt Lane	TRP Farms LLC
133	18.03	10.00	4516 Pratt Lane	VVK Fishpond LLC
133	18.00	13.21	Pratt Lane	William David Crafton Executor
133	18.09	3.10	4536 Pratt Lane	Gary Smartt D ETAL
133	18.15	12.73	Pratt Lane	Margaret Ann McCord
133	18.14	8.13	4540 Pratt Lane	Dorothy Ann Clark Crafton, Peggy Diane Crafton Smartt
133	18.17	5.10	Pratt Lane	Betty Jo Turnage
133	18.11	5.16	4549 Pratt Lane	William Chad Turnage
133	18.16	5.18	Pratt Lane	Betty Jo Turnage
133	18.13	20.84	Pratt Lane	MDW LLC
133	18.02	5.01	4517 Pratt Lane	Dorothy Roth Wales
		474.23	TOTAL ACRES	

SECTION II. The City of Franklin requests the referendum be held on October 22, 2019, in conjunction with the Franklin Municipal Elections.

SECTION III. The question to be submitted to the qualified voters who reside in the area proposed to be annexed shall be “FOR ANNEXATION” and “AGAINST ANNEXATION.”

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

ADOPTED THIS _____.

ERIC S. STUCKEY
City Administrator

DR. KEN MOORE
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

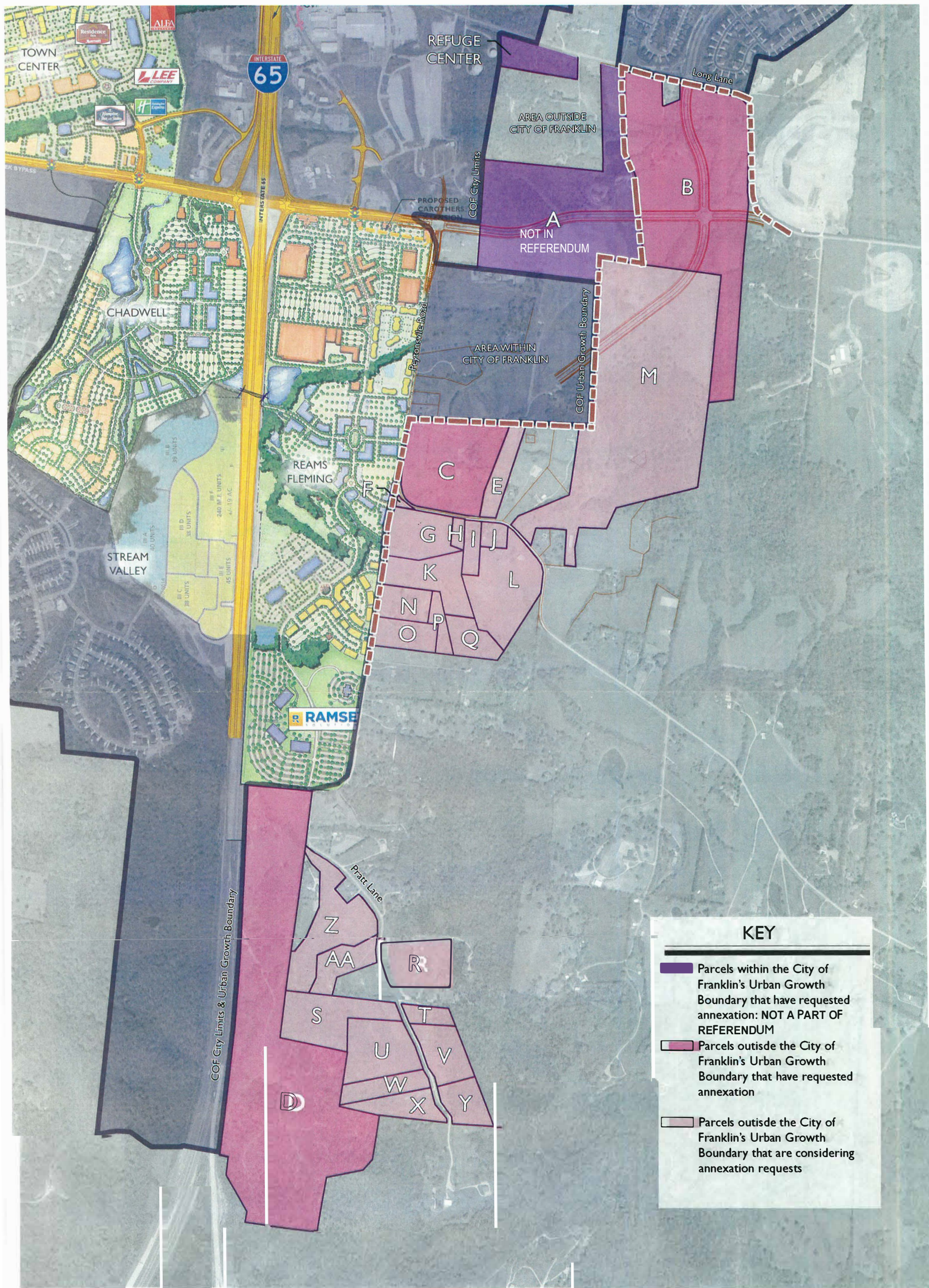
Exhibit A

Property Information associated with Map

Letter	Map	Parcel	Acreage	Address	Owner
** A	117	32.01	58.00	4331 Long Lane	Chapter 2 Investments, LLC
B	106	179.00	78.21	4341 Long Lane	Long Lane Office Partners, LLC
C	117	33.00	25.25	4444 Peytonsville Road	Chapter 2 Investments, LLC
D	133	16.00	116.54	Peytonsville Road	Pratt Lane Office Partners, LLC
E	117	33.01	5.17	4474 Peytonsville Road	Panzey Maxwell
F	117	42.10	0.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher
G	117	42.09	9.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher
H	117	42.03	1.00	4465 Peytonsville Road	Mary Kate Pratt
I	117	42.01	3.00	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
J	117	42.00	2.00	4475 Peytonsville Road	Todd Brakebill
K	117	42.14	11.06	4465 Peytonsville Road	Mary Kate Crutcher
L	117	42.12	18.03	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
M	117	34.00	99.20	Peytonsville Road	Thomas A. Jordan
N	117	43.00	5.00	4422 Pratt Lane	TRP Farms LLC
O	117	42.08	5.01	4424 Pratt Lane	TRP Farms LLC
P	117	42.15	2.27	Peytonsville Road	TRP Farms LLC
Q	117	42.13	5.03	Pratt Lane	TRP Farms LLC
R	133	18.03	10.00	4516 Pratt Lane	VVK Fishpond LLC
S	133	18.00	13.21	Pratt Lane	William David Crafton Executor
T	133	18.09	3.10	4536 Pratt Lane	Gary Smartt D ETAL
U	133	18.15	12.73	Pratt Lane	Margaret Ann McCord
V	133	18.14	8.13	4540 Pratt Lane	Dorothy Ann Clark Crafton, Peggy Diane Crafton Smartt
W	133	18.17	5.10	Pratt Lane	Betty Jo Turnage
X	133	18.11	5.16	4549 Pratt Lane	William Chad Turnage
Y	133	18.16	5.18	Pratt Lane	Betty Jo Turnage
Z	133	18.13	20.84	Pratt Lane	MDW LLC
AA	133	18.02	5.01	4517 Pratt Lane	Dorothy Roth Wales

532.23 TOTAL ACRES

**Property A at 4331 Long Lane is not part of referendum



KEY	
	Parcels within the City of Franklin's Urban Growth Boundary that have requested annexation: NOT A PART OF REFERENDUM
	Parcels outside the City of Franklin's Urban Growth Boundary that have requested annexation
	Parcels outside the City of Franklin's Urban Growth Boundary that are considering annexation requests



Exhibit B
PEYTONSVILLE ROAD PROPERTIES
 WILLIAMSON COUNTY, TENNESSEE
 May 22, 2019



Draft

RESOLUTION 2019-78

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF SEVERAL PROPERTIES, LOCATED SOUTH OF LONG LANE, EAST OF INTERSTATE 65, OUTSIDE OF THE SOUTHEASTERN 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 an annexation; and

WHEREAS, the property owners as listed below and on Exhibit B petitioned the Board of Mayor and Aldermen (BOMA) of the City of Franklin, Tennessee (“City”), to annex twenty-six (26) parcels, containing 474 +/- acres, located outside of the Franklin Urban Growth Boundary (UGB); and

WHEREAS, the Properties are located south of Long Lane and east of Interstate 65, as described herein and as depicted on the Map attached hereto as Exhibit A:

Map	Parcel	Acreage	Address	Owner
106	179.00	78.21	4341 Long Lane	Long Lane Office Partners, LLC
117	33.00	25.25	4444 Peytonsville Road	Chapter 2 Investments, LLC
133	16.00	116.54	Peytonsville Road	Pratt Lane Office Partners, LLC
117	33.01	5.17	4474 Peytonsville Road	Panzey Maxwell
117	42.10	0.00	4465 Peytonsville Road	Mary Kate Pratt Crutcher, Marion Boyd Pete Crutcher
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117	42.01	3.00	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
117	42.00	2.00	4475 Peytonsville Road	Todd Brakebill
117	42.14	11.06	4465 Peytonsville Road	Mary Kate Crutcher
117	42.12	18.03	4471 Peytonsville Road	Helen Pratt Brakebill, William A. Brakebill
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133	18.14	8.13	4540 Pratt Lane	Dorothy Ann Clark Crafton, Peggy Diane Crafton Smartt
133	18.17	5.10	Pratt Lane	Betty Jo Turnage
133	18.11	5.16	4549 Pratt Lane	William Chad Turnage
133	18.16	5.18	Pratt Lane	Betty Jo Turnage
133	18.13	20.84	Pratt Lane	MDW LLC
133	18.02	5.01	4517 Pratt Lane	Dorothy Roth Wales
		474.23	TOTAL ACRES	

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

WHEREAS, the Franklin Municipal Planning Commission has reviewed and recommended 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 and 6-51-104 (d) (4), as amended, there is hereby adopted, for the area bounded as described above, the following Plan of Services:

The Properties are located south of Long Lane and east of Interstate 65, as described herein and as depicted on the Map attached hereto as Exhibit A:

Map	Parcel	Acreage	Address	Owner
106	179.00	78.21	4341 Long Lane	Long Lane Office Partners, LLC
117	33.00	25.25	4444 Peytonsville Road	Chapter 2 Investments, LLC
133	16.00	116.54	Peytonsville Road	Pratt Lane Office Partners, LLC
117	33.01	5.17	4474 Peytonsville Road	Panzey Maxwell

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133	18.17	5.10	Pratt Lane	Betty Jo Turnage
133	18.11	5.16	4549 Pratt Lane	William Chad Turnage
133	18.16	5.18	Pratt Lane	Betty Jo Turnage
133	18.13	20.84	Pratt Lane	MDW LLC
133	18.02	5.01	4517 Pratt Lane	Dorothy Roth Wales
		474.23	TOTAL ACRES	

A. Water

1. The Properties are located within the Milcrofton service area.
2. Water availability shall be approved and provided to any site prior to its development.
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 these Properties, an extension of reclaimed water infrastructure will be required to serve any developing Property pending jurisdiction of this area for Reclaimed Water.

C. Wastewater

1. The Property lies within the Goose Creek and Mayes Creek Basins as defined in the City of Franklin Sanitary Sewer Basin Study.
2. The proposed development of the Properties is anticipated to construct only after the property is rezoned at a later date, to a City zoning district matching their proposed development plans.
3. The Owner of each property shall be required to extend the sanitary sewer mains and interceptors necessary to provide service to the Property.
4. The sanitary sewer mains and interceptors shall be sized according to the expected demands of development in the sewer basins being served by said infrastructure, as determined by a sanitary sewer study deemed acceptable by the City of Franklin.
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 their Property and shall comply with the requirements as outlined in the Franklin Municipal Code.
2. As a 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 various existing roadways in the region. The access to each property shall adhere to the Franklin Transportation & Street Technical Standards. As the properties develop, road improvements and road extensions shall be required in accordance with Connect Franklin: A Comprehensive Transportation Network Plan and a traffic impact analysis, if required.
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. No needs have been identified for the area at this time.
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. Upon annexation, the Planning Commission will amend Envision Franklin to include these parcels into the document, including assigning Design Concepts for all parcels.
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. An Owner may pursue a Planned Unit Development (PUD) Development Plan, pursuant to the requirements of the Zoning Ordinance once an amendment to Envision Franklin has been adopted.

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 Services

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. *** ALTERNATE LANGUAGE FOR NON-RESIDENTIAL / APARTMENTS / INSTITUTIONAL USES*** 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. The Owner does not have to use the City as a provider, but the Owner shall be responsible for providing refuse collection services as a matter of public health. The Owner shall present a plan for service for refuse collection services for approval by the Sanitation and Environmental Services Department, and shall be required to install required dumpster enclosures if dumpsters will be used for holding refuse between scheduled service days.
3. No additional manpower or equipment will be necessary to serve the annexation area at this time.

SECTION II. This Resolution shall be contingent upon the certification of the election for annexation and take effect 30 days after the certification of the election.

ADOPTED THIS _____.

ERIC S. STUCKEY
City Administrator

DR. KEN MOORE
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney