

RESOLUTION 16-127

A RESOLUTION TO ALLOW AN OFFSET OF CERTAIN ADEQUATE FACILITIES TAX FOR IMPROVEMENTS TO HURT ROAD

WHEREAS, the developer of Brixworth Phases Five through Seven will complete several public streets through the development, including the extension of Hurt Road from Savannah Park Drive; and

WHEREAS, this development will result in achieving a complete and connected street network in an area of limited connectivity; and

WHEREAS, the extension of Hurt Road is identified as an important north/south street connection in the Major Thoroughfare Plan; and

WHEREAS, off-site improvements to Hurt Road are necessary in order to promote the health, safety, and welfare of the general public; and

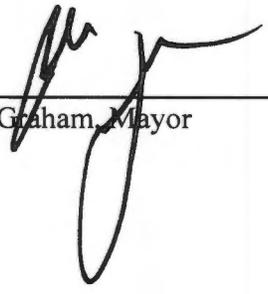
WHEREAS, the City estimates off-site improvements to Hurt Road between Savannah Park Drive and Silver Cloud way to local street standards with open ditch and sidewalk on one side would be approximately \$200,000; and

WHEREAS, the Developer is obligated to pay to the City an estimated \$501,550 in Adequate Facilities Taxes for the development, a portion of which could be used to improve and complete the extension of Hurt Road; and

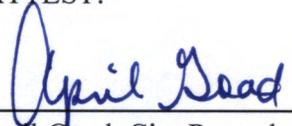
WHEREAS, the Developer requests \$200,000 apportionment of the required Adequate Facilities Taxes be used by the Developer to construct the improvements to Hurt Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN, that the City of Spring Hill enters into an agreement with Smart Living, LLC, offsetting the required Adequate Facilities Tax by the actual construction of Hurt Road to local street standards with open ditch and a 5' sidewalk on one side between Savannah Park Drive and Silver Cloud Way not to exceed \$200,000.

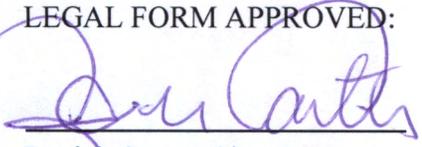
Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 20th day of September, 2016.


Rick Graham, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney

Passed on First Reading:

SUBJECT: Resolution 16-127 (Brixworth Adequate Facilities)

DATE: September 6, 2016

ATTENTION: Board of Mayor and Aldermen (BOMA)

DEPARTMENT HEAD: Dara Sanders, Planning Director



STAFF MEMORANDUM

Request: The applicant requests consideration of an offset to the adequate facilities fee for Brixworth future phases 5-7 as described in the attached letter.

Project Description: Brixworth Phases 5-7 are shown in the attached exhibit and are proposed to include 255 single-family detached homes. This proposal includes five (5) street connections to the existing surrounding neighborhoods, as well as one (1) future street connection and extension of four (4) new streets currently being constructed with Phases 3 and 4 of Brixworth.

A key connection to an existing neighborhood is to Hurt Road, designated as a Local Street in the Major Thoroughfare Plan. This connection to Hurt Road would achieve a recommendation of the Major Thoroughfare Plan to extend this north/south connection from Duplex Road to Stewart Campbell Point. The condition of Hurt Road between Savannah Park Drive and its northern terminus at Silver Cloud Way is not built to local street standards and tapers to one lane at its terminus. Silver Cloud Way in the Spring Hill Place development currently ends in a cul-de-sac configuration, but its right-of-way extends to the terminus of Hurt Road. This project pre-dates the current staff, and we have been unable to find documentation indicating the reason no connection to Hurt Road was planned at this location.

The connection to Hurt Road will likely occur in the later phases/sections of Brixworth, and the majority of the substandard segment is located outside of the project's boundary. Due to the development history along Hurt Road, and because of the significant benefit of this street connection to the City's street network, staff has requested Planning Commission discussion regarding off-site improvements to Hurt Road between Savannah Park Drive and the project boundary.

This discussion has led to the option of offsetting the adequate facilities fee in the amount of improvements to Hurt Road and requiring the developer to construct the improvements. The following information is based on staff's review of the adequate facilities fees collected per dwelling in the current Brixworth neighborhood:

Anticipated fees to be collected: **\$501,550**

Cost estimate** for Hurt Road: **\$198,000**

Remaining fees to be collected: **\$303,550**

Recommendation: Staff is in favor of the request, finding that offsetting a fee collected for the future public good to benefit the immediate public good meets the intent of the adequate facilities fee and will promote safe and orderly development while working to achieve a complete and connected street network.

*** To include two lanes, open ditch, and sidewalk on one (1) side.*

City of Spring Hill, Tenn.

199 Town Center Parkway | Spring Hill, TN 37174 | (931) 486-2252

Mullins, LLC

September 2, 2016

Mayor and Board of Alderman, Spring Hill
c/o Dara Sanders, City Planner
199 Town Center Parkway
Spring Hill, Tennessee 37174

Dear Ms. Sanders,

Mullins LLC is representing Smart Living LLC in the development of Brixworth. Smart Living is currently under contract to acquire and develop another 160 acres south of Brixworth Phase 3 and 4. Our plan is outlined in the Neighborhood Concept Plan (NCP) currently under consideration by the planning commission. This proposed development will link several neighborhoods together and provide multiple means of ingress and egress to neighborhoods that have only one or two access points. It will also allow the extension of Hurt Road to the north and ultimately provide a secondary connection from Duplex Road to Buckner Road.

As you are aware the portion of Hurt Road north of Savannah Park Drive is a narrow 2-lane substandard roadway. Smart Living sees the need for the roadway to be improved, but believes that we should not be responsible for the costs of the off-site improvements (approximately a 1000 LF).

Smart Living is requesting that the Spring Hill Mayor and Board of Alderman(BOMA) reimburse Smart Living for the cost of the improvements, dollar for dollar, by waiving or refunding the *Adequate Facilities Fees* imposed on this development. The improvements would include widening the road to 26 feet, improving the open ditches, and constructing a sidewalk on the east side.

Please present our proposal to the BOMA on our behalf and thank you for the consideration of this plan.

Sincerely,



Jeff Mullins
Mullins, LLC



Wes Alford
Partner
Smart Living LLC