

To: Signal Mountain Town Council
From: Signal Mountain Planning Commission
Date: September 4, 2008
Re: Report on Plans of Service for Fox Run and Windtree Subdivisions

Scope:

By resolutions dated July 14, 2008, the Town Council requested that the Planning Commission review and report on the reasonableness of the two (2) proposed Plans of Service for the Windtree and Fox Run subdivisions which are being considered for annexation pursuant to authority granted by the State of Tennessee in T.C.A. Secs. 6-51-101 and following.

At a duly noticed public hearing on the proposed Plans of Service held on August 7, 2008, the Planning Commission heard a report on the two (2) Plans of Service from Town Manager Honna Rogers. The Planning Commission also heard comments from concerned residents of the area considered for annexation. Before the hearing, Planning Commission members received several communications from affected citizenry. In preparing this Report, the Planning Commission has considered these comments and concerns.

It should be noted, as was made clear at the August 7, 2008 public hearing, that the scope of this Report is delimited by and prepared in accordance with the strictures of T.C.A. Sec. 6-51-102(b). Specifically, it is not the province of the Planning Commission to pass on or even to comment on whether the Plan of Annexation is lawful or appropriate. That determination is left to the determination of the Town Council. Rather, the Planning Commission reports here only on the reasonableness of the proposed Plans of Service as outlined in both of the July, 2008 Annexation Studies for the areas considered for annexation. The Planning Commission has reviewed and considered the Annexation Studies and the Proposed Plans of Service, citizen input, information from the fire and police chiefs and Town Manager in response to questioning at the August 7, 2008 public hearing and their personal knowledge or inspection of the subject areas in making this Report.

Recommendation:

The Planning Commission finds that the proposed Plans of Service are reasonable and meet the letter and spirit of the governing statutory standard set forth in T.C.A. Sec. 6-51-102(b).

It is apparent that many of the residents of the areas proposed for annexation oppose that action. It is equally apparent, however, that no concerns expressed to the Planning Commission cited any deficiencies in the proposed Plans of Service for these proposed annexation areas. The residents uniformly acknowledged their satisfaction with their current level of services. No resident, however, cited any reduction in their level of

services should the Plans of Service be implemented. Indeed, the overarching theme of the comments made to the Planning Commission at the hearing and in communications before the hearing was the citizens' stated belief that the admittedly increased level of services in the proposed Plans of Service may not be commensurate with the increased tax burden from annexation into the Town. This concern even if valid, however, is not within the purview of this Report or the authority of the Planning Commission. Again, the Planning Commission's sole role in this process is to study and assess the reasonableness of the Plans of Service. *(Note: Chairman Trimpey recommends deleting this entire paragraph)*

Since the Plans of Service for both the Windtree and Fox Run annexation areas do enhance the current services in the areas slated for annexation and no reduction of services would follow implementation, the Planning Commission finds them to be reasonable.

The timing of the delivery of services and, importantly, the immediate action items outlined in both of the July, 2008 Annexation Studies, is eminently reasonable, as the services will be delivered upon adoption or within a reasonable period of time following annexation, if any. Additional fire protection, police protection, storm water management, garbage and solid waste collection, street maintenance and clearing, zoning, recreational facility and program access all will inure to the benefit of the areas proposed for annexation. Water and electric services are being provided by other entities and will not be affected by implementation of the proposed Plans of Service. Sewer line extension is within the authority of the Wastewater Treatment Authority and will be provided as determined by that entity in accordance with their standards and commensurate with other areas of the Town.