

AGENDA

Board of Mayor and Aldermen
September 5, 2023 Public Hearing @ 6:30 PM

- Call meeting to order.

ORDER OF BUSINESS

1. **Ordinance #2023-21** - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcel 72, Consisting of Approximately 9.33 Acres, Located at 31 Lillian Buchanan Drive, From a C-2 (Highway Service Commercial) Zoning District to a R-3 (High Density Residential) Zoning District.

ADJOURN



AGENDA ITEM SUMMARY SHEET

Board of Mayor and Aldermen

Meeting Date: September 5, 2023

Item Title: **Ordinance #2023-21** - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcel 72, Consisting of Approximately 9.33 Acres, Located at 31 Lillian Buchanan Drive, From a C-2 (Highway Service Commercial) Zoning District to a R-3 (High Density Residential) Zoning District.

Department: Planning

Presented By: Bo Logan

Item Attachments:

1. Ordinance #2023-21
2. Multifamily Elevations
3. Retail Elevations

Summary:

This is an ordinance to rezone the property located at 31 Lillian Buchanan Drive from C-2 to R-3.

Background Information:

The applicant, DSG, Inc., is requesting to rezone approximately 9.33 acres from C-2 (Highway Service Commercial) to R-3 (High Density Residential). Per the applicant, the purpose of the rezoning is to be able to pursue the development of a multi-family development. There has been no formal plan offered at this time, but the applicant has offered a rezoning exhibit. Proposed elevations are also attached for the multi-family development and the future retail development on a neighboring property.

There is a mixture of zoning in the area including C-2, R-3 and R-2, but the area is predominantly zoned C-2. The property that borders this site on the north is R-3 and to the south is C-2. There is also a large area of C-2 to either side of the property

along Murfreesboro Road.

Financial Summary:

Revenues: The city could possibly receive additional impact fees and property taxes from any buildings that might be built on the property. Expenditures: Other than normal services being provided by the city, there are no specific expenditures required from the city for the development of this property.

Staff Recommendation:

Staff does not typically give recommendations on whether to approve or deny rezoning requests. This is a decision for the Board of Mayor and Aldermen.

ORDINANCE #2023-21

AN ORDINANCE TO AMEND THE CITY OF LA VERGNE ZONING ORDINANCE BY CHANGING THE OFFICIAL ZONING MAP FOR TAX MAP 14, PARCEL 72, CONSISTING OF APPROXIMATELY 9.33 ACRES, LOCATED AT 31 LILLIAN BUCHANAN DRIVE, FROM A C-2 (HIGHWAY SERVICE COMMERCIAL) ZONING DISTRICT TO A R-3 (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT.

WHEREAS, a request has been made by Josh Hamby, to rezone property located within the City of La Vergne; and

WHEREAS, the City of La Vergne Planning Commission, on August 29, 2023, made a favorable recommendation to the Board of Mayor and Aldermen that this request be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LA VERGNE BOARD OF MAYOR AND ALDERMEN THAT:

SECTION 1. That the Zoning Ordinance be and is hereby amended by making certain changes to the Official Zoning Map for the City of La Vergne, by changing the property identified as Tax Map 14, Parcel 72 from a C-2 (Highway Service Commercial) Zoning District to a R-3 (High Density Residential) Zoning District. This property consists of approximately 9.33 acres and is owned by Richland South, LLC, who authorized the submittal of application #ZR-2023-03 for the rezoning of this property, which is attached to and made a part of this ordinance as though copied herein.

SECTION 2. BE IT FURTHER ORDAINED, that the Codes and Planning Department is hereby authorized and directed, upon approval of this Ordinance to cause the change to be made on the Official Zoning Map, as set out in Section 1 of this Ordinance, and to make notation thereon of reference to the date of passage and approval of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, that this Ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of the City of La Vergne requiring it.

LEGAL STATUS PROVISIONS

Approved and certified by the Planning Commission:

_____ Chairman

_____ Date

Public Hearing Held: _____

Approved by the Mayor and Board of Aldermen:

_____ 1st Reading

_____ Jason Cole, Mayor

_____ 2nd Reading

ATTEST:

_____ Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.

City of La Vergne, Tennessee

5093 Murfreesboro Road, La Vergne, TN 37086 ♦ (615) 793-6295

REZONING REQUEST APPLICATION

For a Rezoning Request, the City of La Vergne **requires** the following:

1. Completion of this application. Please type or print the information in blue or black ink.
2. A map of the property. (See Zoning Ordinance for Specific Details.)
3. A label matrix with a list of Names **and** addresses of all adjacent property owners within 500 feet.
4. A legal description of the property, if available.
5. If the applicant is not the property owner, a letter from the property owner must be attached giving the applicant the authority to request rezoning.
6. A letter summarizing the project proposal, including the proposed usage of the land, reason for the rezoning request and justification for the rezoning request.
7. Payment of a Non-Refundable \$300.00 application fee. (Checks should be made payable to "City of La Vergne")

Request No. ZR-2023-03
(Assigned by the City Recorder)

Date Submitted: _____

SECTION 1 - Applicant Information (Any Correspondence from the City will be addressed to the applicant.)

Property Owner
 Purchaser of Property
 Engineer
 Trustee
 Architect
 Other: _____

Name: Josh Hamby Phone #: 864-280-3770

Business: Woodhaven Development Group E-Mail: josh@woodhavendg.com

Address: 6000 Fairview Rd., Suite 1530 Best Way to Contact: email
(Mail, E-Mail, Phone)

City: Charlotte State: NC Zip: 27529

SECTION 2 - Property Information for the Rezoning Request

Tax Map	Parcel(s)	Current Zoning District	Requested Zoning District	# of Acres	Property Owner
014	07200	C-2	R-3	9.33	Richland South LLC

*** Reason for Rezoning must be included on an attached sheet.

Project Name: Lillian Buchanan Dr. Multi-Family

Project Address: 31 Lillian Buchanan Dr.

Existing Land Use: Undeveloped

Proposed Land Use: Multi-family Residential

Total Acreage of Project / Rezoning: 9.33

The rezoning process takes approximately three to four months depending on when the application is received by the City. The request must go to the Planning Commission where it receives a recommendation to the Board of Mayor and Aldermen. The Board of Mayor and Aldermen must approve a Rezoning Ordinance on two readings and hold a public hearing before the rezoning request is considered approved.

Applicant's Signature: Joshua L Hamby **Date:** 02/22/2023

**CITY OF LA VERGNE
PLAN REVIEW APPLICATION**

For Staff Use Only

Project Name: _____	Date: _____	Fee: _____
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**Please submit Application Forms in person to the
City of La Vergne Codes Building Front Desk/City Planner**

Project Name: Lillian Buchanan Dr. Multi-Family

Project Address: 31 Lillian Buchanan Dr.

Land Use Existing: Undeveloped

Land Use Proposed: Multi-family Residential

Existing Zoning District: C-2 Highway Service

Tax Map(s) & Parcel Number(s): 014-072.00-000

Check one or more of the following:

- | | |
|---|--|
| <input type="checkbox"/> Concept Plan for Major Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Preliminary Subdivision Plat for Major Subdivision | <input type="checkbox"/> Variance* |
| <input type="checkbox"/> Final Subdivision Plat for Minor Subdivision | <input type="checkbox"/> Special Exception* |
| <input type="checkbox"/> Final Subdivision Plat for Major Subdivision | <input type="checkbox"/> Road or alley abandonment |
| <input type="checkbox"/> Final Subdivision Plat for Condominium | |

*These requests require an additional application form.

*****NOTE: A letter explaining the proposal must accompany all requests.*****

Environmental Constraints on Site?

- | | | |
|---|-----|-----------------------------|
| 1. Are there slopes of 12-20% or greater on site? | Yes | <input type="checkbox"/> No |
| 2. Is the development located in a local regulatory flood plain/zone? | Yes | <input type="checkbox"/> No |

Engineer/Designer (if applicable) Print Name Gary Franks

Address 1210 Progressive Dr., Suite 201 Zip Code 23320

Daytime Phone 757-908-2372 Fax _____ E-mail: gfranks@dsgva.com

Attorney (if applicable) Print Name _____

Address _____ Zip Code _____

Daytime Phone _____ Fax _____ E-mail _____

City of La Vergne Planning Department
5175 Murfreesboro Road
La Vergne, TN 37086
Phone: 615-287-8702 Fax: 615-213-8692

Revised 8/18/10

Certification Statement

I hereby certify that Richland South LLC is the owner of the property located at 31 Lillian Buchanan Dr. which is the subject of this application, and that I, Hoss Mousavi, in my capacity as President, am authorized to sign this application on behalf of the owner.

I understand that knowingly providing false information on this Application may result in any action taken heron being declared null and void. I further understand that pursuant to TCA 39-16-301 et seq., knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his duty is punishable as a Class B misdemeanor.

[Handwritten Signature]
Signature

Feb/21/2023
Date

Hoss Mousavi / president
Printed Name and Title

Note: A Certification Statement must be submitted with an application form requiring the owner's signature if the owner of the subject property is a corporation, limited liability company, partnership, association, trustee, etc., or if someone other than the owner signs the application. All Certification Statements **must** be notarized.

[Handwritten Notary Signature]
Notary Signature



2-21-23
Date

Contact Person

Print Name Same as Engineer

Address _____ Zip Code _____

Daytime Phone _____ Fax _____ E-mail _____

The undersigned has read the application associated with the above listed review request and is familiar with the information submitted herewith. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned warrants their authority to bind the owner and to subject the property to restrictions and conditions that may be attached to the proposed development.

Applicant (if other than owner)

Print Name Josh Hamby Signature _____

Address 6000 Fairview Rd., Suite 1530 Charlotte NC Zip Code 28210

Daytime Phone 864-280-3770

Owner(s)

Print Name Richland South LLC Signature 

Address 212 Overlook Circle # 207 Zip Code 37027

Daytime Phone 615-566-3250

Print Name _____ Signature _____

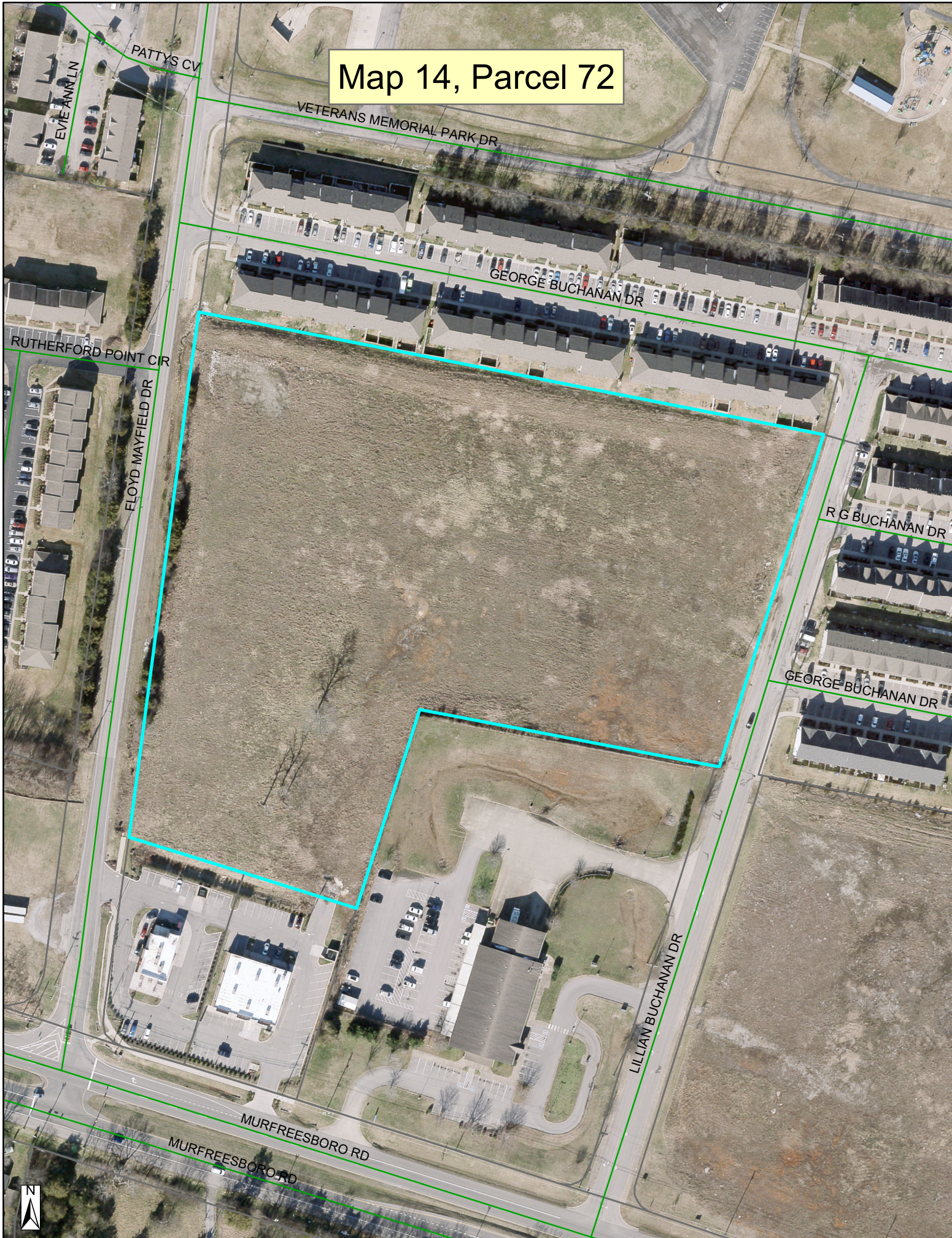
Address _____ Zip Code _____

Daytime Phone _____

City of La Vergne Planning Department
5175 Murfreesboro Road
La Vergne, TN 37086
Phone: 615-287-8702 Fax: 615-213-8692

Revised 8/18/10

Map 14, Parcel 72



Map 14, Parcel 72



SAND HILL RD

JUNIOR HIGH DR

BILLYS CV

RUCHLIN

EMIE ANN LN

GEORGE BUGHANAN DR

VETERANS MEMORIAL PARK DR

RUTHERFORD POINT CIR

FLOYD MAYFIELD DR

R G BUGHANAN DR

GEORGE BUGHANAN DR

REBECCA WAY

LILLIAN BUGHANAN DR

VETERANS MEMORIAL PKWAY

SUNSET DR

GLENDALE DR

WAUDRON CIR

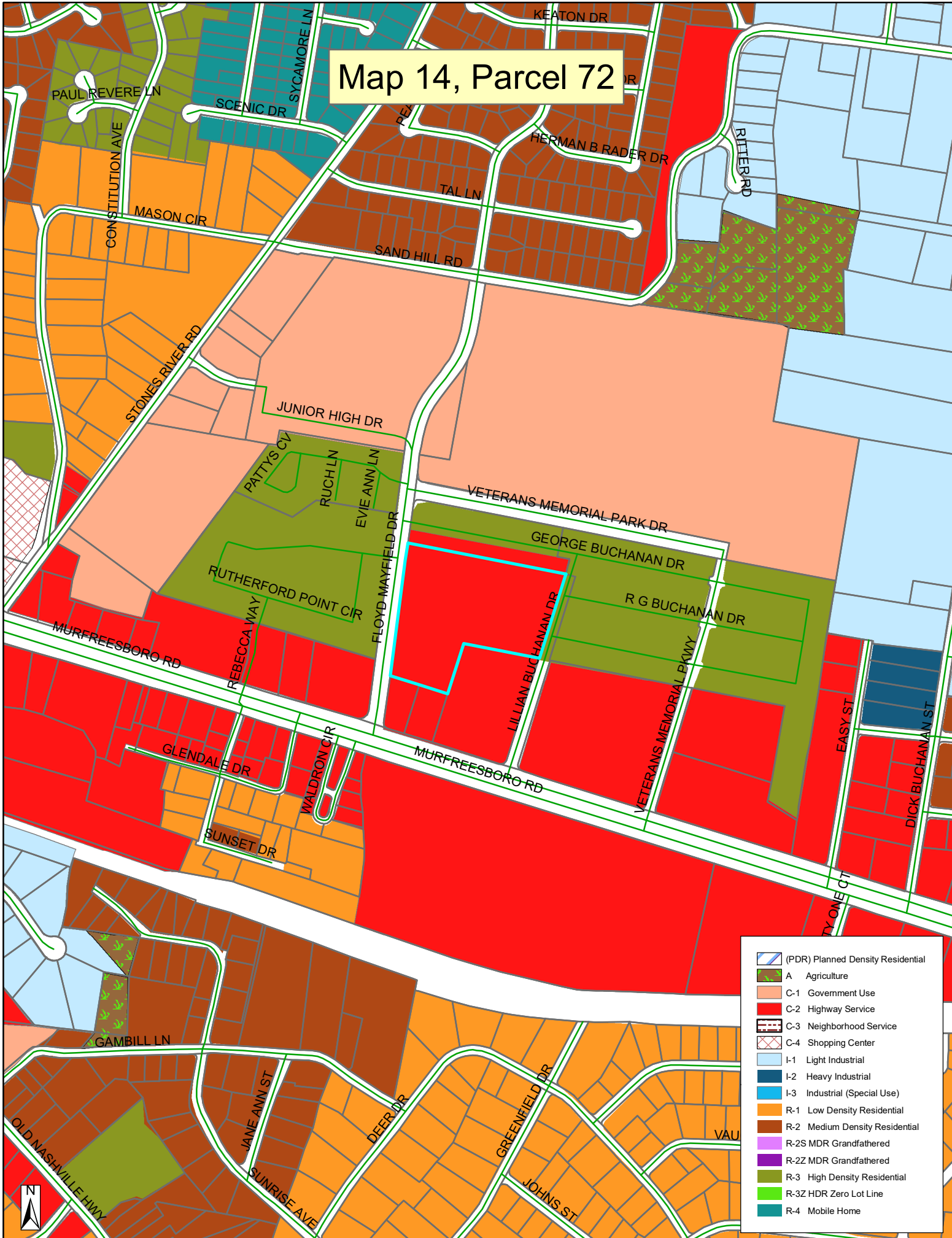
MURFREESBORO RD

MURFREESBORO RD

SUNSET DR



Map 14, Parcel 72



	(PDR) Planned Density Residential
	A Agriculture
	C-1 Government Use
	C-2 Highway Service
	C-3 Neighborhood Service
	C-4 Shopping Center
	I-1 Light Industrial
	I-2 Heavy Industrial
	I-3 Industrial (Special Use)
	R-1 Low Density Residential
	R-2 Medium Density Residential
	R-2S MDR Grandfathered
	R-2Z MDR Grandfathered
	R-3 High Density Residential
	R-3Z HDR Zero Lot Line
	R-4 Mobile Home

Adjacent Property Information				
Property Address	Parcel #	Zoning	Owner	Owner's Address
N/A	07204	C-2	Richland South LLC	749 Duncan Ct. Brentwood, TN 37027
5309 Murfreesboro Rd.	07205	C-2	United States Postal Service	1735 N. Brown Rd. (STE 200) Lawrenceville, GA
5295 Murfreesboro Rd.	07207	C-2	Richland South LLC	749 Duncan Ct. Brentwood, TN 37027
5285 Murfreesboro Rd.	07208	C-2	Richland South LLC	749 Duncan Ct. Brentwood, TN 37027
101 Floyd Mayfield Dr.	00400	C-2	Shreibman Amnon Etux Ruth	PO Box 177 La Verne, TN 37086
1 Rutherford Point Cir.	00200	R-3	Highmark Rutherford Pointe LLP	1222 16th Ave. S (STE 300) Nashville, TN 37212
George Buchanan Dr.	07206	R-3	N/A	N/A
George Buchanan Dr.	07203	R-3	N/A	N/A



PROPOSED
MULTI-FAMILY
9.33 AC±

FUTURE COMMERCIAL
3.97 AC±

EXISTING SIGNALIZED
INTERSECTION

OUTPARCEL #1
1.5AC±

OUTPARCEL #3
2.3 AC±

OUTPARCEL #4
2.2AC±

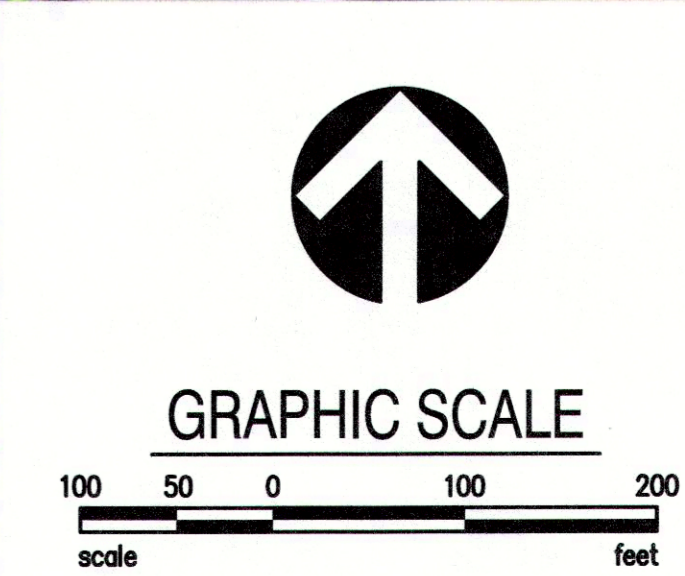
OUTPARCEL #2
1.3AC±

OUTPARCEL #5
2.3 AC±

PROPOSED SIGNALIZED
INTERSECTION

REV.	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		

DESIGNED BY: GF
DRAWN BY: GF
REVIEWED BY:



PROJECT NAME/LOCATION ID
MURFREESBORO RD.
SHEET TITLE
REZONING EXHIBIT
PROJECT LOCATION
5309 MURFREESBORO RD.
LA VERNE, TN

EX-1
CONCEPT PLAN



BUILDING A

SV



① REAR ELEVATION
 1/16" = 1'-0"





La Vergne Proposed Elevations for Zoning

Overall Site
08.15.2023
plf arch Proj. # 2367





Outparcel #1



Outparcel #2



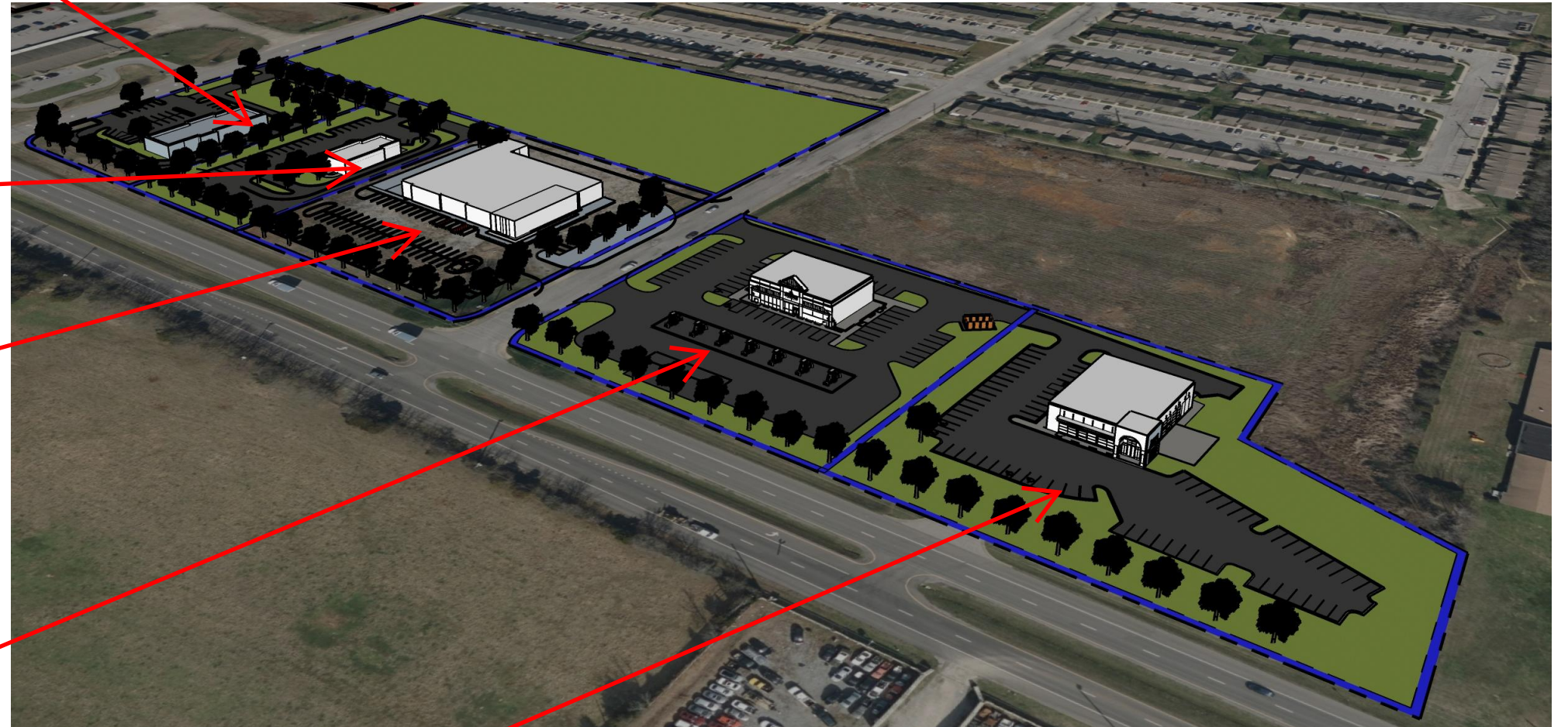
Outparcel #3



Outparcel #4



Outparcel #5



La Vergne Proposed Elevations for Zoning

Overall Site
08.15.2023
plf arch Proj. # 2367





Outparcel #1



Outparcel #2



Outparcel #3



Outparcel #4



Outparcel #5



La Vergne Proposed Elevations for Zoning

Overall Site
08.15.2023
plf arch Proj. # 2367

