

AGENDA

Board of Mayor and Aldermen
February 6, 2024 Public Hearing @ 6:30 PM

- Call Public Hearing to order.

ORDER OF BUSINESS

1. **Ordinance #2024-01** - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 18P, Group C, Parcels 5 and 5.01, Consisting of Approximately 0.83 Acres, Located at 512 and 516 Old Nashville Highway, From a R-3 (High Density Residential) Zoning District to a C-3 (Neighborhood Service Commercial) Zoning District. (Received a favorable recommendation from the Planning Commission on November 28, 2023.)
2. **Ordinance #2024-02** - An Ordinance to Amend Article IV, Section 4.010 of the La Vergne Zoning Ordinance Regarding Off-Street Parking Requirements. (Received a favorable recommendation from the Planning Commission on November 28, 2023.)

ADJOURN



AGENDA ITEM SUMMARY SHEET

Board of Mayor and Aldermen

Meeting Date: February 6, 2024

Item Title: **Ordinance #2024-01** - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 18P, Group C, Parcels 5 and 5.01, Consisting of Approximately 0.83 Acres, Located at 512 and 516 Old Nashville Highway, From a R-3 (High Density Residential) Zoning District to a C-3 (Neighborhood Service Commercial) Zoning District. (Received a favorable recommendation from the Planning Commission on November 28, 2023.)

Department: Planning

Presented By: Bo Logan

Item Attachments: 1. Ordinance #2024-01

Summary:

This is an ordinance to rezone the properties located at 512 and 516 Old Nashville Highway from R-2 to C-3.

Background Information:

The applicant is requesting to rezone approximately 0.83 acres from R-3 (High Density Residential) to C-3 (Neighborhood Service Business District). The property is located at 512 & 516 Old Nashville Highway near Chaney Blvd. Per the applicant, the purpose of the rezoning is to be able to pursue the development of a market or retail store. There is no formal plan offered at this time.

The main zoning in the area is R-1, R-2 and R-3. There is scattered C-2 along the entire Old Nashville corridor. C-3 exists at main intersections, and this is a very busy intersection. The property that borders this site on the southeast is R-1. The property to the north is also zoned R-1 (Low Density Residential). C-2 zoning exists

almost directly across the street to the north and slightly west.

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 18P, GROUP C, PARCELS 5 AND 5.01, CONSISTING OF APPROXIMATELY 0.83 ACRES, LOCATED AT 512 AND 516 OLD NASHVILLE HIGHWAY, FROM A R-3 (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT TO A C-3 (NEIGHBORHOOD SERVICE COMMERCIAL) ZONING DISTRICT.

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

WHEREAS, the City of La Vergne Planning Commission, on November 28, 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 18P, Group C, Parcels 5 and 5.01 from a R-3 (High Density Residential) Zoning District to a C-3 (Neighborhood Service Commercial) Zoning District. This property consists of approximately 0.83 acres and is owned by Rafik Aleshaa and Cristen Youssef who submitted application #ZR-2023-04 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-2023-04
(Assigned by the City Recorder)

Date Submitted: OCT. 25, 2023

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: Rafik Aleshaa Phone #: 615 710 7283

Business: _____ E-Mail: ~~ESF~~ Neighborhood Market 20

Address: 2101 oaksprings place Best Way to Contact: phone / mail
(Mail, E-Mail, Phone)

City: Mt. Juliet State: TN Zip: 37122

SECTION 2 - Property Information for the Rezoning Request

Tax Map	Parcel(s)	Current Zoning District	Requested Zoning District	# of Acres	Property Owner
188	5.0	R-3	C-3	1.0	Rafik Aleshaa
188	5.01	R-3	C-3	1.0	Rafik Aleshaa

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

Project Name: 512 & 516 old Nashville Hwy Laverne TN 37086

Project Address: 512 & 516 old Nashville Hwy Laverne TN 37086

Existing Land Use: _____

Proposed Land Use: _____

Total Acreage of Project / Rezoning: _____

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:  Date: 10/25/23

CITY OF LA VERGNE
PLAN REVIEW APPLICATION

Project Name: S12 & S16 For Staff Use Only Date: OCT. 25, 2023 Fee: _____

Please submit Application Forms in person to the
City of La Vergne Codes Building Front Desk/City Planner

Project Name: S12 & S16 012 Nashville Hwy La Vergne TN 37086

Project Address: S12 & S16 012 Nashville Hwy La Vergne TN 37086

Land Use Existing: _____

Land Use Proposed: _____

Existing Zoning District _____

Tax Map(s) & Parcel Number(s): _____

Check one or more of the following:

- ☐ Concept Plan for Major Subdivision
- ☐ Preliminary Subdivision Plat for Minor Subdivision
- ☐ Preliminary Subdivision Plat for Major Subdivision
- ☐ Final Subdivision Plat for Minor Subdivision
- ☐ Final Subdivision Plat for Major Subdivision
- ☐ Final Subdivision Plat for Condominium

- ☐ Site Plan
- ☐ Variance*
- ☒ Rezoning*
- ☐ Road or alley abandonment
- ☐ Special Exception*

*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 | No |
| 2. Is the development located in a local regulatory flood plain/zone? | Yes | No |

Engineer/Designer (if applicable) N/A Print Name _____

Address _____ Zip Code _____

Daytime Phone _____ Fax _____ E-mail: _____

Attorney (if applicable) N/A Print Name _____

Address _____ Zip Code _____

Daytime Phone _____ Fax _____ E-mail _____

City of La Vergne Planning Department
5089 Murfreesboro Road
La Vergne, TN 37086
Phone: 615-213-2624 Fax: 615-213-8692

Contact Person

Print Name

Rafik Aleshaa

Address

2101 oaksprings place Mt Juliet, TN

Zip Code

37122

Daytime Phone

615 710 7283

Fax

E-mail

Neighborhood Market 2@yahoo.com

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

Signature

Address

Zip Code

Daytime Phone

Owner(s)

Print Name

Rafik Aleshaa

Signature



Address

2101 oaksprings place Mt Juliet, TN

Zip Code

37122

Daytime Phone

615 693 8795

Print Name

Cristen Yousset

Signature



Address

2101 oaksprings place Mt Juliet, TN

Zip Code

37122

Daytime Phone

615 710 7283

Certification Statement

I hereby certify that Cristen Youssef is the owner of the property located at 512 1/2 516 Old Nashville Hwy La Vergne TN 37086 which is the subject of this application, and that I, _____, in my capacity as _____, 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 hereon 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.

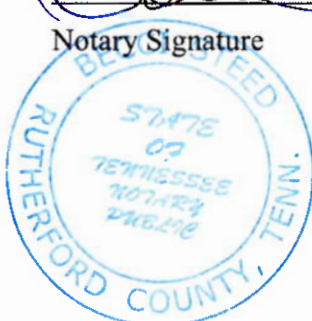
[Signature]
Signature

10/27/23
Date

Cristen Youssef (owner)
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.

[Signature]
Notary Signature



10/27/23
Date

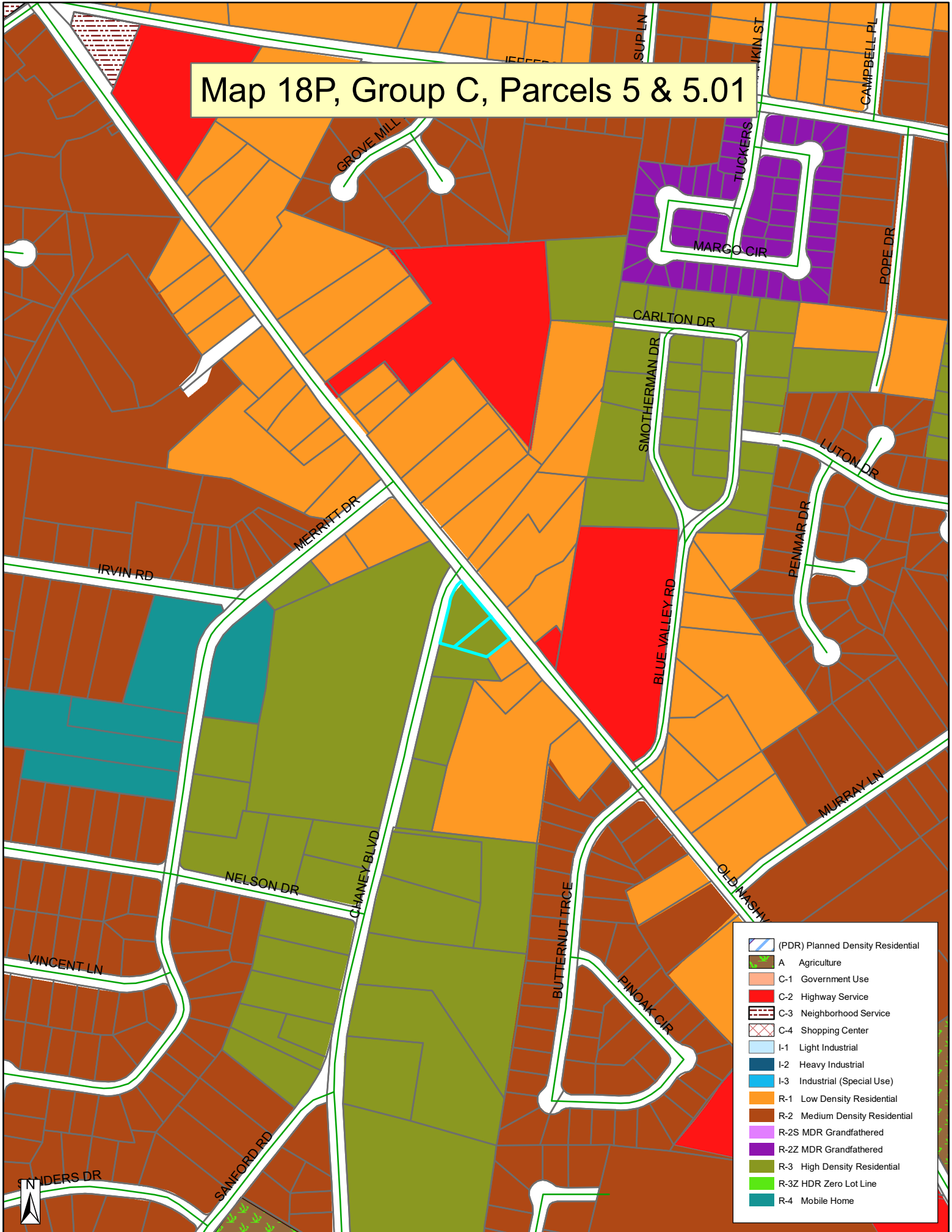
Map 18P, Group C, Parcels 5 & 5.01



Map 18P, Group C, Parcels 5 & 5.01



Map 18P, Group C, Parcels 5 & 5.01







SPEED
LIMIT
35
LOCK UP
YOUR
SEATBELT
REMOVING
IT IS
A VIOLATION

NO
LEFT
TURN
ON
RED



AGENDA ITEM SUMMARY SHEET

Board of Mayor and Aldermen

Meeting Date: February 6, 2024

Item Title: **Ordinance #2024-02** - An Ordinance to Amend Article IV, Section 4.010 of the La Vergne Zoning Ordinance Regarding Off-Street Parking Requirements. (Received a favorable recommendation from the Planning Commission on November 28, 2023.)

Department: Planning

Presented By: Bo Logan

Item Attachments: 1. Ordinance #2024-02

Summary:

This is an ordinance to amend the parking requirements for residential off-street parking requirements.

Background Information:

Currently the residential household parking requirements are three (3) spaces per dwelling unit for all dwellings. The proposed requirements for all dwellings except for a gated apartment complex with a minimum of 50 units is still three (3) spaces per dwelling, but the requirements for a gated apartment complex with a minimum of 50 units is lower.

For a one bedroom apartment, 1.75 spaces shall be provided per unit with any fraction of a space rounded up to the next highest number. For each apartment that has two or more bedrooms, the requirement will be 1.1 spaces for each bedroom with any fraction of a space rounded up to the next highest number. This will put us more in line with what other municipalities around us require.

After several months of review and discussion, on November 28, 2023, the Planning

Commission sent a favorable recommendation to the Board of Mayor and Aldermen that this change be made to our Zoning Ordinance.

Financial Summary:

N/A

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2024-02

AN ORDINANCE TO AMEND ARTICLE IV, SECTION 4.010 OF THE LA VERGNE ZONING ORDINANCE REGARDING OFF-STREET PARKING REQUIREMENTS.

WHEREAS, the following changes have been reviewed and recommended by the La Vergne Planning Commission; and,

WHEREAS, a public hearing thereon has been held as required by law; and,

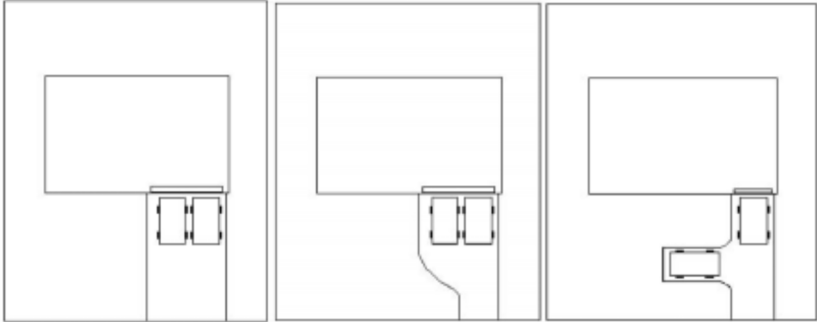
WHEREAS, the following changes have been approved by the La Vergne Board of Mayor and Aldermen.

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

That the Zoning Ordinance of La Vergne, Tennessee, is hereby amended as follows:

SECTION I. Amend Article IV, Section 4.010, Off-Street Parking Requirements, by adding the language as follows to the Residential Household Living Section of the Parking Ratio Table:

RESIDENTIAL Household Living		
	All Dwellings Except a Gated Apartment Complex with a Minimum of 50 units	Three (3) spaces per dwelling unit. All residential Driveways shall be constructed to allow for simultaneous alternate ingress and egress for two (2) vehicles. See Figures 4.1 through 4.3 below. The minimum width for a residential driveway shall be 14 feet. If a garage is utilized the garage may be used to account for a maximum of one parking space.

<u>Figure 4.1</u> <u>Figure 4.2</u> <u>Figure 4.3</u>  <u>Above are some examples of simultaneous alternate ingress and egress.</u>		
	Gated Apartment Complex with a Minimum of 50 Units	a. For each dwelling unit with 1 bedroom, 1.75 spaces shall be provided with any fraction of a space rounded to the next higher number. b. For each dwelling unit with 2 or more bedrooms, 1.1 spaces shall be provided for each bedroom with any fraction of a space rounded to the next higher number.

SECTION II. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION III. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IV. This Ordinance shall take effect immediately upon final passage, the public welfare 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 _____.