

To be Amended for Second Reading

ORDINANCE NO. 2024-

AN ORDINANCE TO RECONSIDER PUBLIC WORKS CONDITION 1b, OF ORDINANCE 2019-01 WHICH ESTABLISHED THE ZONING AND PUD OVERLAY FOR THE LYNWOOD STATION, TO REVISE THE REQUIREMENT FOR THE GREENWAY TRAIL TO BE CONSTRUCTED BY THE 35th CERTIFICATE OF OCCUPANCY

WHEREAS, Ordinance 2019-01, adopted on 1-14-2019, established the zoning and PUD overlay for the Lynwood Station. Per PUD Ordinance the following condition was placed on the development:

Install a 10 foot wide multi-use trail from the site to the train station to become an extension of the Town Center Trail. This improvement must be completed by the 35th Certificate of Occupancy. New building permits will be withheld thereafter if not completed. This trail shall extend to the southeastern boundary with the railroad. Portions of the trail within the site that may be impacted by future phases shall be constructed no later than the accompanying phase of the development. The trail shall be either within the Nashville & Eastern Railroad ROW or shall be an access easement acquired from the necessary landowners.

WHEREAS, the City of Mt. Juliet desires to revise the condition to the following:

“Install a 10-foot-wide multi-use trail from the site (fronting E. Division Street) to the train station to become an extension of the Town Center Trail (Phase 1). **This improvement shall be completed by the 91st (Section 1a and 1b) Certificate of Occupancy.** Due to existing site conditions, the multi-use trail will remain on the south side of the railroad tracks and will not be continued through the Lynwood Station development. Therefore, Phase 2 of the multi-use path shall extend further to the east along the railroad tracks to Clemmons Road. The multi-use trail shall then run up Clemmons Road to the entrance of the development. **Phase 2 of the multi-use path shall be completed by the ____ Certificate of Occupancy.** New building permits will be withheld thereafter if not completed. The trail shall be either within the Nashville & Eastern Railroad ROW or shall be an access easement acquired from the necessary landowners.”

WHEREAS, the city recognizes that due to unforeseen supply chain disruptions, product and material delays have significantly impacted the timely completion of various development projects within the city; and

WHEREAS, in recognition of the challenges presented by these delays, the city desires to provide reasonable accommodations by offering an extended timeline for the completion of the trail system without penalty to ensure the project’s success and alignment with city development standards;

THEREFORE, BE IT ORDAINED by the Board of Commissioners for the City of Mt. Juliet, Wilson County, Tennessee, that:

SECTION 1. The condition be revised to reflect completion of Phase 1 of the multi-use path by the 91st Certificate of Occupancy and Phase 2 of the multi-use path by the _____ Certificate of Occupancy.

SECTION 2. In case of conflict between this ordinance or any part hereof, and the whole part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

SECTION 3. If any section, clause, or provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, or provision or portion of this ordinance.

PASSED:

James Maness, Mayor

FIRST READING:

SECOND READING: _____

ATTEST:

Sheila S. Lockett, MMC
City Recorder

Kenny Martin, City Manager

APPROVED AS TO FORM:

Samantha Burnett, City Attorney

