

ORDINANCE 2026 –

AN ORDINANCE TO AMEND ORDINANCE 2023-14 FOR MCFARLAND FARMS, LOCATED AT 5238, 5266, 5404 AND 0 OLD LEBANON DIRT ROAD, MAP 077, PARCELS 23, 22, 22.01 AND 22.03, BY REMOVING PUBLIC WORKS CONDITION 10.C.

WHEREAS, the Board of Commissioners previously adopted Ordinance 2023-14, which rezoned the property and approved the Preliminary Master Development Plan for McFarland Farms development; and

WHEREAS, Ordinance 2023-14 was adopted subject to certain conditions, including conditions recommended by the City of Mt. Juliet Public Works Department; and

WHEREAS, Public Works Condition 10 of Ordinance No. 2023-14 provided for an Off-Site Transportation Contribution under which the developer agreed to contribute \$5,000 per residential unit, with Condition 10.b. providing a credit of \$3,450 per residential unit for off-site improvements constructed by the developer on Old Lebanon Dirt Road, and Condition 10.c. providing that the remaining \$1,550 per residential unit would be allocated toward improvements to E. Division Street, for an estimated total contribution of \$1,044,700 based on the proposed 674 residential units; and

WHEREAS, the developer has made substantial additional contributions toward transportation and infrastructure improvements associated with the McFarland Farms development, and the Board of Commissioners finds that those additional expenditures warrant a credit for the remaining \$1,550 per residential unit contribution contemplated by Public Works Condition 10.c.; therefore, the Board desires to amend Ordinance No. 2023-14 to provide such credit.

Section 1. Public Works Condition 10.c. of Ordinance No. 2023-14 is hereby amended to read in its entirety as follows:

c. The developer shall receive a credit for the remaining \$1,550 per residential unit contribution in recognition of the developer's additional contributions toward transportation and infrastructure improvements associated with the McFarland Farms development.

Section 2. Except as specifically amended herein, all other provisions, conditions, requirements, and approvals contained in Ordinance 2023-14 shall remain unchanged and in full force and effect.

BE IT FURTHER ORDAINED

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ordinance or any part hereof, and the whole part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

ORDINANCE 2026 –

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.

This ordinance shall take effect on the earliest date allowed by law.

PASSED:

FIRST READING:

SECOND READING:

James Maness, Mayor

Kenny Martin, City Manager

ATTEST:

Jennifer Hamblen, CMC, City Recorder

APPROVED AS TO FORM:

Samantha A. Burnett, City Attorney