



# Mt. Juliet, Tennessee

## Board of Commissioners

### Agenda

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

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**Monday, January 8, 2024**

**6:30 PM**

**Commission Chambers**

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**Public Hearing 6:15 PM**

**A. Public Hearing Notice - 6:15 PM 0459**

**Sponsors:** Board of Commissioners, City Manager Kenny Martin

**Attachments:** 1-8-2024 2nd Reading items

**1. Call to Order & Declare a Quorum Present**

**2. Set Agenda**

**3. Invocation & Pledge of Allegiance**

**4. Approval of Minutes**

**4.A. Approval of December 11, 2023 Minutes 0458**

**Sponsors:** Board of Commissioners, City Manager Kenny Martin

**Attachments:** Minutes 12-11-23

**5. Citizens Comments**

**6. Commissioner Reports & Comments**

**7. City Manager's Report**

**8. Unfinished Business Consent Agenda Items:**

**8.A. AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, ARTICLE 11 SIGNS 0375**

**Sponsors:** Planning and Zoning, Kenny Howell

**Attachments:** [Article VI, Sign Regulations ZOA SR](#)  
[Summary of Sign Regulations Revision](#)  
[2023 Ordinance](#)  
[Sign Reg Rev 12.6.23](#)

**Legislative History**

10/19/23	Planning Commission	**Positive Recommendation to the Board of Commissioners
12/11/23	Board of Commissioners	recommended for approval to the Board of Commissioners

- 8.B.** AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS 330 W. DIVISION STREET, MAP 073L, GROUP C, PARCEL 002.00, FROM OPS TO CTC **0408**

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [330 W. Division St. RZ SR](#)  
[330 W Division St RZ ORD](#)  
[330 W. Division Legal Description](#)  
[330 W Division St Exhibit B Rezone 10 17 23](#)

**Legislative History**

11/16/23	Planning Commission	**Positive Recommendation to the Board of Commissioners
12/11/23	Board of Commissioners	recommended for approval to the Board of Commissioners

- 8.C.** AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE PROPERTY KNOWN AS GOLDEN BEAR PLACE LOCATED AT 4403 AND 4515 BECKWITH ROAD MAP 78, PARCELS P/O 12, 17.01, 17.02, FROM INTERSTATE COMMERCIAL TO INTERSTATE COMMERCIAL, MIXED USE, BUSINESS DEVELOPMENT CENTER AND HIGH DENSITY RESIDENTIAL. **0418**

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [Golden Bear Place KP- LUA Ord](#)  
[Golden Bear Place KP Legal Description](#)  
[Golden Bear PLace KP Map LU](#)  
[Golden Bear Place KP Deferral from BOC to 11-27-2023](#)

**Legislative History**

11/27/23	Board of Commissioners	recommended for approval to the Board of Commissioners
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- 8.D.** AN ORDINANCE TO REZONE APPROXIMATELY 81.61 ACRES OF PROPERTY ON BECKWITH ROAD, MAP 078, P/O PARCEL 12, 17.01 AND 17.02 FROM CI, CI-PUD AND CRC-PUD TO COMMERCIAL MIXED USE, PLANNED UNIT DEVELOPMENT (CMU-PUD) AND TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR GOLDEN BEAR PLACE **0419**

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [Golden Bear Place KP Revised SR](#)  
[Golden Bear Place KP PMDP Ord](#)  
[Golden Bear Place KP PMDP Legal Description](#)  
[Golden Bear Place KP Map Rezone PUD](#)  
[Golden Bear Place KP ORd 2017-04](#)

**Legislative History**

11/27/23 Board of Commissioners recommended for approval to the Board of Commissioners

- 8.E.** AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, BY AMENDING ARTICLE III, USE REGULATIONS ADDING SECTION 3-108, TEMPORARY EVENTS, USES AND PORTABLE BUILDINGS, TO INCLUDE MOBILE FOOD VENDOR (FOOD TRUCKS) REGULATIONS FOR RESIDENTIAL AND INDUSTRIAL DISTRICTS **0431**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [Mobile Food Vendor Amend Ord](#)

**Legislative History**

11/27/23 Board of Commissioners recommended for approval to the Board of Commissioners

- 8.F.** AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE GOLDEN BEAR AND VOLUNTEER BLVD TRAFFIC SIGNAL PROJECT **0434**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [2023-12-11- Amend Under Armor SIA Capital Proj budget for grant awards](#)  
[2023-12-11- Amend Under Armor SIA Capital Proj budget - Exec Summary](#)

**Legislative History**

12/11/23 Board of Commissioners recommended for approval to the Board of Commissioners

**11. New Business**

- 11.A.** AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE PROVIDENCE PLANNED UNIT DEVELOPMENT (PUD), LOCATED AT 80 BELINDA PARKWAY, MAP 096, PARCEL 001.11, IN THE CITY OF MT. JULIET, WILSON COUNTY, TN **0452**

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [Homewood Suites PUD Amend SR](#)  
[Homewood Suites PUD Amend ORD](#)  
[Legal Description Homewood Suites](#)  
[Homewood Suites PUD Amendment Exhibit B 12 14 23](#)

**Legislative History**

12/21/23 Planning Commission \*\*Positive Recommendation to the Board of Commissioners

- 11.B.** AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE MT. JULIET COMMONS PLANNED UNIT DEVELOPMENT (PUD), BEING LOCATED AT 12950 LEBANON ROAD, MAP 053, PARCEL 109.00 IN THE CITY OF MT. JULIET, WILSON COUNTY, TN. **0456**

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [MJ Commons PUD Amend SR](#)  
[MJ Commons PUD Amend ORD](#)  
[MJ Commons Legal Description Exhibit A](#)  
[MJ Commons PUD Amendment Exhibit B 12 14 23](#)

**Legislative History**

12/21/23 Planning Commission \*\*Positive Recommendation to the Board of Commissioners

- 11.C.** AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT **0464**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [2024-01-08- Amend S. Greenhill RR Xing Capital Proj budget for grant awards](#)  
[2024-01-08- Amend S. Greenhill RR Xing Capital Proj budget Exec Summary](#)

**Resolution**



- A. RESOLUTION APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT **0465**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [2024-01-08, S. Greenhill RR Signal Construction Contract Resolution](#)  
[2024-01-08, S. Greenhill RR Signal Contract Resolution - Exec Summary](#)  
[Bid Tabulation](#)  
[5.BidAwardLetter](#)  
[Stansell Contract signature pages](#)

### Appointments

- A. Ethics Commission Appointment of Gina Clarke for District 4 Commissioner Milele **0463**

**Sponsors:** Jennifer Milele

- B. Appointment - Parks & Greenways Board: Terri Atwood **0467**

**Sponsors:** James Maness

### 12. Adjournment



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0459

**Agenda Date:** 1/8/2024

**Agenda #:** A.

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**Title:**

Public Hearing Notice - 6:15 PM

## **PUBLIC NOTICE**

The Board of Commissioners of the City of Mt. Juliet will have a Public Hearing on Monday, January 8, 2024, at 6:15 p.m., at City Hall for items to be considered on 2nd and final reading:

- Amend Part B of the Unified Development Code of The City of Mt. Juliet, TN, known as The Zoning Regulations Article 11 Signs
- Rezone the property known as 330 W. Division St., Map 073L, Group C, Parcel 002.00, from OPS to CTC
- Amend the Land Use Plan for the property known as Golden Bear Place located at 4403 and 4515 Beckwith Rd., Map 78, Parcels p/o 12, 17.01, 17.02, from Interstate Commercial to Interstate Commercial, Mixed Use, Business Development Center and High Density Residential, to Rezone from CI, CI-PUD and CRC-PUD to Commercial Mixed Use, Planned Unit Development (CMU-PUD) and to amend the Preliminary Master Development Plan for Golden Bear Place
- Amend Part B of the Unified Development Code of the City of Mt. Juliet, TN, known as The Zoning Regulations Article III, Use Regulations adding Section 3-108, Temporary Events, Uses and Portable Buildings, to include Mobile Food Vendor (Food Trucks) Regulations for Residential and Industrial Districts
- Amend the Fiscal Year 2023/2024 to Accept and Appropriate Grant Funds for the Golden Bear and Volunteer Blvd Traffic Signal Project

The Public is invited to attend and comment.

Kenny Martin, City Manager

City of Mt. Juliet



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0458

**Agenda Date:** 1/8/2024

**Agenda #:** 4.A.

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**Title:**

Approval of December 11, 2023 Minutes



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## 5:30 Swearing In of Chief of Police Michael Mullins and Deputy Chief of Police Tyler Chandler

Mayor James Maness swore in Chief of Police Michael Mullins.  
Mayor James Maness swore in Deputy Chief of Police Tyler Chandler.

### Rollcall

**Present:** Bill Trivett, James Maness, Jennifer Milele, Ray Justice, and Scott Hefner

## Public Hearing 6:15 PM

Citizens Comments limited to three (3) minutes per person - Ordinance 2023-15

Ms. Meadors, Longview Drive: Lives behind this property and supports this. She prefers a fire station and parks over a multi family development. Appreciates that the City maintaining the space for the horse that has lived there for over 30 years.

### A. Public Hearing Notice

**0433**

**Sponsors:** Board of Commissioners, City Manager Kenny Martin

### Attachments:

- Amend the Fiscal Year 2023-2024 Budget Ordinance 2023-24 to appropriate funds for the purchase of property, approximately 5.5 acres located at 4370 Old Lebanon Dirt Rd, Map 077 Parcel 027.00 from Cynthia D. Law for the Fire Department.
- Annex and approve the Plan of Services for approximately 22.19 acres located at 620 Clemmons Rd Map 072, Parcels 71.06 and p/o 71.01, and located within the city's Urban Growth Boundary. (Previously Advertised)

### 1. Call to Order & Declare a Quorum Present

Mayor Maness called the Board of Commissioners to order at 6:31 PM and declared a quorum present.

### 2. Set Agenda

As Published

**3. Invocation & Pledge of Allegiance**

PIO Justin Beasley

**4. Approval of Minutes**

A motion was made by Justice, seconded by Hefner, that this be approved. The motion carried by the following vote:

**RESULT:** APPROVED

**MOVER:** Ray Justice

**SECONDER:** Scott Hefner

**Aye:** Trivett, Maness, Milele, Justice, and Hefner

**4.A. Approval of 11/27/23 Board of Commissioner Minutes****0437**

**Sponsors:** Board of Commissioners, City Manager Kenny Martin

**Attachments:**

**5. Citizens Comments**

Citizens Comment Limited to three (3) minutes per person - Ordinance 2008-24

City Attorney Gino Marchetti read a statement concerning the Ethics Complaints.

Bill Robinson, 1400 N. MJ Road: Feels the sign ordinance needs to be cleaned up. One concern is the older strip centers and the Change of Use when one tenant moves out and a new one move in. Prefers replacing the face on a grandfathered sign vs. replacing the entire sign.

Art Giles, 1459 Post Oak Point: Appreciates support of the BPAC Christmas Walk and Tree Lightning. Supports purchasing land for a future Fire Station.

## **6. Commissioner Reports & Comments**

Commissioner Scott Hefner: Thanked everyone for attending tonight and online. Thoughts and Prayers for the tornado victims and the cities. His heart goes out to each and everyone of the victims, and cities. Thanked those who attended the Tree Lighting and Parade. Both had great attendance. Thanks to all staff who are involved with these events.

Congratulations to Chief of Police Mullins and Deputy Chief of Chandler. Congratulations Chief Hambrick on his successful career and the new chapter in his life.

Commissioner Jennifer Milele: Thoughts and Prayers to tornado victims. Congratulations to Chief Hambrick, Chief of Police Mullins, and Deputy Chief of Police Chandler. The turn out for the Christmas light walk was amazing. Parade was exciting and fun. Merry Christmas and Happy New Year.

Commissioner Ray Justice: Thoughts and Prayers to the tornado victims. Tree Lighting and Parade were both a success. The Parks Department did a wonderful job with these events. Thanked the other departments that worked the parade. This is appreciated by the citizens of Mt. Juliet. Shop Local. Congratulations to Retiring Chief Hambrick. Congratulations to Chief of Police Mullins and Deputy Chief of Police Chandler. Thanked all employees.

Vice Mayor Bill Trivett: Thanks to those attending tonight and online. Congratulations to Retiring Chief Hambrick. Congratulations to Chief of Police Mullins and Deputy Chief of Police Chandler. They are three (3) amazing men. Thanks to all the staff for a great parade and the changes that had to be made at the last minute. Thoughts and Prayers to the tornado victims. Thanked his parents for visiting this weekend and participating in the parade. They were very impressed. Merry Christmas and Happy New Year. Check on your neighbors. Shop Local.

Mayor Maness: Congratulations to Chief of Police Mullins and Deputy Chief of Police. Congratulations to retiring Chief Hambrick. No one has expressed the first word of concern in this transition. Tree Lighting was a wonderful evening. The Parade was delayed to the weather. Sunday was a little cooler but it gave Mt. Juliet the opportunity to support the communities hit by the tornados. Appreciate the citizens for their support and donation. In March 2020 the support of the other cities was phenomenal. We are sending our staff to assist these cities. We will not let the other cities down. Family is important to us. Appreciates Mt. Juliet. Merry Christmas & Happy New Year.

## **7. City Manager's Report**

Thanked everyone for attending. In March 2020 and December 2021 tornados hit Mt. Juliet. We will be behind with brush pickup we are sending crews to the areas hit by the tornados to help those victims and cities. The Fire department will deliver the water that was donated to Sumner County. Thanked the Police Department for the Awards Banquet and the great work. Congratulations to Chiefs Mullins and Chandler. Donations of items and gift cards will be accepted at City Hall, Parks Department or Police department we will get them to the cities.

## **8. Unfinished Business Consent Agenda Items:**

## **9. Unfinished Business**

**9.A. AN ORDINANCE TO ANNEX INTO THE CORPORATE BOUNDARIES OF THE CITY OF MT. JULIET APPROXIMATELY 22.19 ACRES, PROPERTY KNOWN AS THE CITY OF MT. JULIET PROPERTY LOCATED 620 CLEMMONS ROAD, MAP 072, PARCELS 71.06 AND P/O 71.01, AND LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY** [0367](#)

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [620 Clemmons Road AX SR](#)  
[620 Clemmons Road Exhibit A Annex 9 20 23](#)  
[620 Clemmons Road Ord](#)

A motion was made by Justice, seconded by Milele, that this Ordinance be approved.  
The motion carried by the following vote:

**RESULT:** ADOPTED

**MOVER:** Ray Justice

**SECONDER:** Jennifer Milele

**Aye:** Trivett, Maness, Milele, Justice, and Hefner  
Enactment No: 2023-57



**9.B. AN ORDINANCE AMENDING the FISCAL YEAR 2023/2024 BUDGET  
ORDINANCE 2023-24 to appropriate funds for the PURCHASE OF  
the Property located at 4370 Old Lebanon Dirt Road, MAP 077, PARCEL  
027.00 BEING APPROXIMATELY 1.3 ACRES FROM Cynthia D Law FOR  
THE fire department**

**0425**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [Purchase 4370 OLDR Ex Summary](#)  
[Budget Amend to Purchase 4370 OLDR with PC approval](#)  
[Epcor Revised Layout with Fire Station](#)  
[4370 OLDR Appraisal](#)

City Manager Kenny Martin explained the possibility of a developer donating land for a Future Fire Department.

Discussion was held.

Chief Foulks explained how ISO is rated which is based on deployment analysis. He prefers to be in a 80-90% saturation to reach all areas and have a lower ISO rating. The PUD property would not reach all the property on the West side of the City.

Commissioner Justice questioned if we pay \$950K vs. free land.

Chief Foulks stated he is concerned over the lack of road improvements and this being a county road. The proposed property has not begun the approval process then you still have the road. This proposed property is not very deep.

City Planner Jennifer Hamblen explained the approval process and stated she has not received a submittal from the proposed development, they are trying to use this donation to meet our commercial/mixed use requirement.

Commissioner Justice questioned why we considering 5 acres when we only need a few acres.

Chief Foulks stated this property is available and the owner did not want to sell a portion of the property. Mr. Lee can use a portion of this property for parks. With this property we do not have to build a bridge to cross the creek.

Commissioner Hefner stated he has concerns over moving vs. adding fire engines and ambulances. Moving further South we move further away from Oakhall and his neighborhood, we are moving closer to Kelsey Glen and Clearview Estates. We have a county station that all City residents pay for in their County property tax on Clemmons Road. This will effect Jackson Hills. Questioned were we are on Mutual Aid.

Chief Foulks when out of ambulances we cover each other and the same for fire protection. We make a request for back-up and they respond, and we do the same. An example is the Glass Creek apartment fire. Wilson County and Lebanon were both there. We do not have an Automatic Mutual Aid but that has to be approved by both governing bodies. State law requires Mutual Aid. Chief Foulks stated he feels this is the good plan on the location. He does foresee another station on Golden Bear and on Benders Ferry. The adjoining property was 7.8 acres and a portion in the flood plain and it would require building a bridge. 1/4 of an acre near the creek of the proposed property is in the Flood Plain.

Commissioner Mllele questioned the appraisal, Chief Foulks responded \$1M.

Maps were displayed and Chief Foulks explained the coverage areas under different

scenarios.

Commissioner Milele stated she likes the coverage area. She reads comments on social media and the city gets the blame for lots of different things. Property owners have a right to sell their land. In this case we have a property owner that does not want a development and would prefer a future fire station and park land. This is an opportunity to preserve land in the city.

Mayor Maness: His focus is getting a better station than what is behind city hall. The property with a PUD has potential but does not want to worry about it being available in the future if the development does not happen.

A motion was made by Trivett, seconded by Milele, that this Ordinance be approved.

The motion carried by the following vote:

**RESULT:** ADOPTED

**MOVER:** Bill Trivett

**SECONDER:** Jennifer Milele

**Aye:** Trivett, Maness, Milele, Justice, and Hefner  
Enactment No: 2023-58

## 11. New Business

### 11.A. AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, ARTICLE 11 SIGNS

[0375](#)

**Sponsors:** Planning and Zoning, Kenny Howell

**Attachments:** [Article VI, Sign Regulations ZOA SR](#)  
[Summary of Sign Regulations Revision](#)  
[2023 Ordinance](#)  
[Sign Reg Rev 12.6.23](#)

Discussion was held on grandfathered signs.

Jill Johnson explained explained the changes and answered questions. Stated we removed the requirement that when there is a Change of Occupancy you have to come into compliance.

Discussion was held on banners.

Mayor maness thanked Jill Johnson for going over this with him. If anyone has concerns over this please email him. 2nd reading will be January 8th.

Discussion was held.

A motion was made by Trivett, seconded by Milele, that this Ordinance be approved.

The motion carried by the following vote:

**RESULT:** RECOMMENDED FOR APPROVAL

**MOVER:** Bill Trivett

**SECONDER:** Jennifer Milele

**Aye:** Trivett, Maness, Milele, Justice, and Hefner

**11.B. AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS 330 W. DIVISION STREET, MAP 073L, GROUP C, PARCEL 002.00, FROM OPS TO CTC** **0408**

**Sponsors:** Planning Commission Positive Recommendation

**Attachments:** [330 W. Division St. RZ SR](#)  
[330 W Division St Exhibit A Rezone 10 17 23](#)  
[330 W Division St RZ ORD](#)  
[330 W. Division Legal Description](#)

A motion was made by Justice, seconded by Trivett, that this Ordinance be approved. The motion carried by the following vote:

**RESULT:** RECOMMENDED FOR APPROVAL

**MOVER:** Ray Justice

**SECONDER:** Bill Trivett

**Aye:** Trivett, Maness, Milele, Justice, and Hefner

**11.C. AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE GOLDEN BEAR AND VOLUNTEER BLVD TRAFFIC SIGNAL PROJECT** **0434**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [2023-12-11- Amend Under Armor SIA Capital Proj budget for grant awards](#)  
[2023-12-11- Amend Under Armor SIA Capital Proj budget - Exec Summary](#)

A motion was made that this Ordinance be approved. The motion carried by the following vote:

**RESULT:** RECOMMENDED FOR APPROVAL

**MOVER:** Bill Trivett

**SECONDER:** Scott Hefner

**Aye:** Trivett, Maness, Milele, Justice, and Hefner

**12 New Business Consent Agenda Items:**

**Resolutions**

- A.** A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE PROPERTY KNOWN AS THE CITY OF MT. JULIET PROPERTY, LOCATED AT 620 CLEMMONS ROAD MAP 072 PARCELS 71.06 AND P/O 71.01, IN WILSON COUNTY, TENNESSEE, LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY **0377**

**Sponsors:** Planning and Zoning, Kenny Howell

**Attachments:** [620 Clemmons Road AX SR](#)  
[620 Clemmons Road POS](#)

This Resolution was adopted.

**RESULT:** ADOPTED

**MOVER:** Bill Trivett

**SECONDER:** Scott Hefner  
Enactment No:

- B.** A RESOLUTION TO APPROVE THE ATTACHED SERVICE AGREEMENT WITH GEOSERVICES FOR CONSTRUCTION MATERIALS TESTING FOR THE MT. JULIET POLICE DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT **0435**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [GEOS Contract 13-231895 Mt. Juliet Police Department Headquarters \(Mt. Juliet Tennessee\) Proposal](#)  
[GEOS Approve contract for Const of PD HQ](#)

This Resolution was adopted.

**RESULT:** ADOPTED

**MOVER:** Bill Trivett

**SECONDER:** Scott Hefner  
Enactment No:

**C. RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MT. JULIET, TENNESSEE AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE CEDAR CREEK GREENWAY, PHASE II PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT**

**0436**

**Sponsors:** City Manager Kenny Martin

**Attachments:** [2023-12-11, Cedar Creek Greenway, Ph 2 TDOT Contract Resolution](#)  
[2023-12-11, Cedar Creek Greenway, Ph 2 TDOT Contract Exec Summary](#)  
[PIN 134713.00, TDOT contract](#)

A motion was made by Trivett, seconded by Hefner, that this Resolution be approved. The motion carried by the following vote:

**RESULT:** ADOPTED

**MOVER:** Bill Trivett

**SECONDER:** Scott Hefner

**Aye:** Trivett, Maness, Milele, Justice, and Hefner  
Enactment No:

**12. Adjournment**

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Mayor James Maness

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City Recorder Sheila S. Lockett, MMC



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0375

**Agenda Date:** 1/8/2024

**Agenda #:** 8.A.

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**Title:**

**AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, ARTICLE 11 SIGNS**



## MEMORANDUM

**Date:** October 19, 2023

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jennifer Hamblen, Planning Director  
Jill Johnson, Planning Coordinator

**Re:** Zoning Ordinance Amendment  
Sign Ordinance, Article XI.

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**REQUEST:** Due to the phenomenal growth the City is experiencing, it was determined that a major revision/rewrite of the Sign regulations were due. In order to enhance, improve and maintain the aesthetics of our ever growing City, the amended ordinance is intended to provide clear and concise information. This will also provide additional opportunities for a wide range of signage types, as our City continually expands and attracts new development.

**Analysis/History:** The last major revision of the Sign ordinance was in 2016. Due to the expansive amount of economic development we are experiencing, the current regulations do not allow for or provide additional types or styles of signage that is continually being requested. This leads to a burden being placed upon staff and the Planning Commission with continual waiver and variance requests.

**RECOMMENDATION:** Staff recommends that the Regional Planning Commission forward a recommendation for approval of the proposed change to the Board of Commissioners, as outlined in the attached revised regulations and ordinance.

James Maness  
Mayor

Bill Trivett  
Vice-Mayor

Kenny Martin  
City Manager

# CITY OF MT. JULIET



Commissioners  
Ray Justice  
Scott Hefner  
Jennifer Milele

## Summary of Sign Regulations Revision –

This is a major revision/redesign of Article VI, Sign Regulations for the City. Below is a list of the major additions, amendments, changes and deletions.

1. Complete redesign and layout of the regulations to allow for clear and concise information.
2. Materials updated to eliminate the use of non-compliant or low quality, materials that can become a safety hazard.
3. Stricter regulations on Maintenance, and upkeep of all signage to include when the use or occupancy changes.
4. Prohibited signage to now include banners. Only rigid type signage of specific outdoor rated materials will be allowed for temporary signs.
5. Additional regulations on Non-conforming signs to include when a use of a business or property changes or a change in occupancy and ownership to require conformity to the current ordinance.
6. New signage types to be allowed (if approved) to include:
  - a. Band signs ( on building facades) - to be allowed in lieu of awning, canopy or wall signs.
  - b. A-frame/sandwich boards – will allow for additional options on temporary signage.
  - c. Small hanging/projecting signs- to be allowed in lieu of awning, canopy, or wall signs.
  - d. Sports Field/Court signs – This allow for more continuity of signage types that were previously not regulated.  
\*For note, Wilson County schools and all their athletic fields/courts are under the jurisdiction of Wilson County and the school board, so this will not apply to them.
  - e. Vertical blade signs – to be allowed in lieu of awning, canopy or hanging signs.These new signs while available, will still have strict limitations in size and quantity as to allow for the marketability of businesses while still maintaining the aesthetics the City desires.
7. Monument signs – while previously there were different qualifications for each specific zoning, we have reduced it down to two size types. The first will encompass all commercial and industrial zones, except CI/CMU which will have separate height and square footage maximums. We have also removed all large interstate pylon signs (anything in excess of 15 feet) due to safety concerns.
8. Window signs – we have reduced the area from 25% to 15% due to safety concerns expressed by residents and law enforcement. We also are prohibiting window perforated and visual blocking materials from window signage allowances.  
Businesses will also only be allowed one interior LED or lighted sign stating open/closed or hours of operation by permit only. All other illuminated window signs including Neon, LED, lighted (rope/string lights) are prohibited.
9. Specific Temporary signage types broken down into Temporary Construction/Leasing, Temporary Non-Commercial and Temporary Commercial signage to allow for more clarity of type, time frames and size qualifications.



## **ORDINANCE -**

### **AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, ARTICLE 11 SIGNS**

**WHEREAS**, the Board of Commissioners of the desire to continually improve the appearance, and aesthetics of the City; and

**WHEREAS**, the adoption of this Ordinance will allow for continuity, ease of use and structure within the Sign regulations, and

**WHEREAS**, the amendment will assist in reducing signage clutter and pollution in the City

**WHEREAS**, the Zoning Ordinance amendment is consistent with the findings required in Section 14-107.4 of the Zoning Ordinance, and

**WHEREAS**, the Regional Planning Commission considered this request during their meeting of October 19, 2023 and recommended approval of the zoning amendment.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the City of Mt. Juliet, Wilson County, Tennessee, while in regular session on \_\_\_\_\_ as follows:

**SECTION 1:** Article 11, “Sign Regulations” is hereby amended by adopting the attached Exhibit A, Revised Sign Regulations for the City of Mt. Juliet in its entirety which document shall replace the current Article 11.

**SECTION 2:** If any section, clause, provision, or portion of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision, or portion of this Ordinance.

**SECTION 3:** PUBLIC HEARING - The zoning changes were the subject of a public hearing held on \_\_\_\_\_ at 6:15 p.m.

### **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. 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:

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James Maness, Mayor

FIRST READING:

SECOND READING:

ATTEST:

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Sheila S. Luckett, MMC  
City Recorder

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Kenny Martin, City Manager

APPROVED AS TO FORM:

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L. Gino Marchetti, Jr.  
City Attorney

## 11.101 General Provisions

### 11.101.1 Conflicting Provisions

- A. In case of conflict between this ordinance or any part hereof, the City, and any other provision of this Code, the provision that establishes the higher standard shall prevail. (Code 1997, tit. 5, ch. 1, § 2; Ord. No. 2008-59, § 2, 9-22-2008)
- B. The provisions of this sign ordinance control signage in the City. Any other provisions of the City zoning ordinance which purport to control signage are subordinate to the provisions of this ordinance, unless specifically stated otherwise in this ordinance. (Code 1997, tit. 5, ch. 1, § 3; Ord. No. 2008-59, § 3, 9-22-2008)

### 11.101.2 Placement

- A. Signs shall be placed according to the applicable sign type requirements.
- B. Signs shall not be placed within the public right-of-way, except:
1. Those placed by or on behalf of a governmental entity;
- C. All other signs placed in the right-of-way shall be forfeited by the public and shall be immediately confiscated and disposed of by the City.
- D. Signs shall not interfere or block the site of directional, instructional, or warning signs placed by or on behalf of a governmental entity.
- E. Signs, along with their supports, braces or anchors shall be placed or constructed so as not to obstruct or interfere with any door, window, fire escape or other means of egress light, or ventilation. Signs shall be located so that they do not obscure the view of pedestrian or vehicular traffic that would endanger safe movement. Signs shall not be placed to obscure prominent architectural features on a building.
- F. All freestanding signs must remain upright and intact. Any damaged signs must be removed immediately. See subsection 11.117, 11.118 and 11.119, for provisions related to Temporary sign type and placement.

### 11.101.3 Proportion and Shape

Signs shall not be irregularly shaped, nor shall they only contain a motif or symbol only.

### 11.101.4 Materials

- A. Building materials for sign backgrounds, frames, supports, and ornamentation shall:
1. Be durable and low maintenance;
  2. Be of the same or higher quality materials as the principal building; and
  3. Have compatible design for all parts of the sign.
  4. See specifications listed by sign type.
- B. The following materials are **prohibited** for sign backgrounds, frames, supports, and ornamentation:
1. Exposed metal poles; and
  2. Smoother or split faced concrete blocks, whether painted or unpainted.
  3. Non-treated wood posts, poles and products.

### 11.101.5 External Illumination

- A. External illumination of signs shall:
1. Be achieved by a white, steady, stationary light of reasonable intensity;
  2. Be aimed and shielded so that direct illumination is focused exclusively on the sign area; and
  3. Be shielded from adjacent buildings, streets, and internal drives and shall not be so right as to cause glare on or other nuisances to adjacent properties.
- B. The sign or light source shall not produce glare or illumination that could distract or interfere with the vision of drivers, cyclists, pedestrians, or adjacent property owners. Illumination shall be shielded in such a manner that no direct glare can be seen from any angle.
- C. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

## 11.101.6 Internal Illumination

- A. Internal illumination of signs shall be limited to light emanating only through the letters, number, logos, and accent lines. The remainder of the sign shall not be illuminated and shall be opaque to prohibit light penetration. The lighting source shall not flash, move, be overly bright, or create a nuisance.
- B. The sign or light source shall not produce glare or illumination that could distract or interfere with the vision of drivers, cyclists, pedestrians, or adjacent property owners. Illumination shall be shielded in such a manner that no direct glare can be seen from any angle.
- C. Exposed neon and LED that is visible are prohibited and shall not be incorporated into the design of a principal building or accessory structure.
- D. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

## 11.101.7 Maintenance

- A. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.
- B. Signs together with their supports, braces, and anchors, shall be maintained in good and safe condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay. Signs shall not be allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition.
- C. Temporary signs shall not be allowed to deteriorate to a tattered, torn, or faded condition.
- D. No sign shall be disfigured, have cracked/ripped/peeling paint, bent/broken facing, broken supports, loose appendages/struts for more than 30 days. Severely damaged or destroyed signs must be restored or removed within 60 days. Damaged illuminated signs must be turned off until such time the repair is made within the 30-day required time frame.

## 11.101.8 Removal of Landscape Materials

Trees, shrubs, non-weed/rubbish type, or other vegetation shall not be trimmed, damaged, destroyed, or removed to increase or enhance the visibility of signs in the following circumstances:

- A. Within public right-of-way, unless the work is done pursuant to the express written authorization of the City or State, whichever is appropriate;
- B. On property that is not under the ownership of or control of the person conducting or responsible for the work, unless the work is done pursuant to the express authorization of the person owning the property on which the trees or shrubs are located; or
- C. In any area where trees, shrubs, or other landscape are required to remain pursuant to this Ordinance.

## 11.101.9 Prohibited Signs

The following signs are prohibited:

- A. Abandoned, dilapidated, or obsolete.
- B. Animated signs, including attention attracting devices that emit sound, odor, visible matter (smoke/steam), sign spinners/holders/walkers, inflatable or similar balloon-type devices, or the use of live animals.
- C. Any other sign not expressly permitted by this Ordinance, the Municipal code, and all applicable building codes.
- D. Banners, Beacons, pennants, and streamers.
- E. Bench signs with advertisements. Memorial markers and non-profit bench signs are allowed.
- F. Billboards.
- G. Freestanding canopy signs, except as permitted in gas stations.
- H. Government imitation signs.
- I. Home occupation signs; In accordance with Art. III, Sec. 3-105.8.b, Accessory Uses, Home occupations.
- J. LED electronic message centers or display screen signs.
- K. Moving signs of any type.
- L. Neon, except as provided in Section 11.116

## 11.101.9 Prohibited Signs (Cont.)

- M. Noisy mechanical devices.
- N. Blade banners, feather flags, swoop flags, tear drop flags, vertical or other temporary commercial flags.
- O. Obscene signs, such as those that exhibit statements, words, or pictures of an obscene nature, as defined by the US Supreme court.
- P. Off-site signs, including but not limited to Auction, real estate, garage sale, commercial businesses, etc.
- Q. Permanent commercial signs for residentially occupied dwellings, except temporary signs as permitted by Section 11.117, 11.118 or 11.119.
- R. Roof signs, including signs painted on roofs or that extend above the lowest point of a roof.
- S. Searchlights or spotlights.
- T. Signs on natural features such as trees, other living vegetation, and rocks.
- U. Signs projected onto surfaces utilizing light.
- V. Signs in public right-of-way, utility easements, utility poles, and/or not erected by or on behalf of a governmental/utility body.
- W. String lights attached to or part of a sign, or within a window or door.
- X. Trash receptacles, except for providing the name and contact information of the waste company who owns the receptacle.
- Y. Trailer signs.
- Z. Vehicle signs are only allowed if wrapped or painted and may not be parked off-site for the sole purpose of advertising.

## 11.101.10 Sign Area Computation

- A. The sign area shall be the computed area of the background upon which lettering, insignia, or other devices are placed.
- B. Where the sign area is on the face of a building, the area of the sign shall be determined by the smallest geometric shape that encloses all borders, graphics, and letters as a complete sign.
- C. The supporting structures shall not be included in the area computation unless utilized as part of the total display area, such as the background.

## 11.101.12 Nonconforming Signs

The following shall apply to legally permitted signs or sign structures that met all applicable regulations in effect at the time of installation, but were made nonconforming prior to or as of the effective date of this Ordinance:

- A. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as printing, painting, refacing or refinishing the surface so as to maintain the condition of the sign.
- B. No sign shall be disfigured, cracked/ripped/peeling paint, bent/broken facing, broken supports, or have loose appendages/struts for more than 30 days without repair or the sign shall be removed.
- C. No illuminated damaged/destroyed sign shall remain illuminated while awaiting repair or removal. All illuminated signage shall be turned off until such time the sign is repaired/replaced.
- D. Signs shall be brought into compliance with this ordinance when:
  - 1. A sign is changed, so as to increase the extent of the non-conformity, except as permitted in 11.101.7, Maintenance guidelines.
  - 2. Decorative signs, such as holiday, special event, church or park directional, etc., which are seasonal/temporary in nature which are removed and later replaced/reposted.

## 11.101.13 Exempt and Exception Signs

- 1. Federal, State, Municipal Local signs as regulated are exempt
- 2. Traffic control signals.
- 3. Sign Internal to the building, 3 feet or more away from the window and door.
- 4. Non-commercial flags in residential zones with freestanding flag poles.
- 5. Decals, numbers, names, addresses and hours that are 2 square feet or less.
- 6. Time and temperature signage with no commercial advertisement.

## 11.101.14 Waivers and Variances

The Regional Planning Commission shall have the authority to approve increases in sign area for Commercial and Industrial buildings as prescribed in 1-3 below, as no individual sign shall exceed 300 square feet.

1. Wall signs for Commercial or Industrial buildings that have a wall dimension greater than 300 lineal feet and a minimum gross floor area of 100,000 square feet.
2. Wall Signs for buildings in commercial zoning districts other than CNS, with (5) five or more stories.
3. In making their decision, the Regional Planning Commission shall approve additional signage area under this section when it has been determined that the requested signage is in proportion and scale to the size of the building façade to which it is to be installed.

## 11.101.15 Regulatory Enforcement

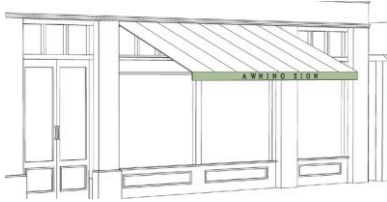


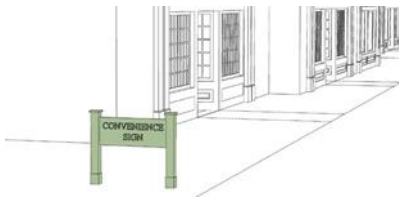



The sign administrator and/or their designees are hereby authorized and directed to enforce all of the provisions of this article. This authority empowers such individuals to perform any necessary inspections, including entering upon private property, and to issue related citations for the enforcement of this article.

1. Violation notice. The sign administrator or his designee shall order the removal of any sign erected or maintained in violation of this article, providing ten days' written notice to the owner of the premises upon which the offending sign is located to achieve compliance with provisions of this article. If, after ten days, the property owner has failed to achieve compliance with this article, a citation to municipal court shall be issued. However, when good faith efforts to bring a sign into compliance have begun within ten days of notice of violation, the sign administrator may extend the time period for compliance with this article to a period not to exceed 30 days.
2. Impoundment/disposal of signs. The sign administrator, the municipal codes officer and their designees shall have the authority to remove without notice any illegal sign on public property or a public right-of-way, or any illegal sign attached to trees, fences, posts, utility poles or other natural features. Such signs shall be considered litter and shall be subject to disposal.
3. The sign administrator, the municipal codes officer and their designees shall have the authority and discretion to remove, without prior notice, any sign on public or private property which, due to its physical condition and/or location, constitutes an immediate threat to the safety of citizens or other passersby. Notice shall, however, be provided to the landowner within ten days of removal of a permanent sign on private property.
4. Each day that a violation of this ordinance remains shall constitute a separate violation of this ordinance for purposes of the Court's assessment of fines or penalties.
5. In addition to other remedies here in under, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

(Code 1997, § 11-107; Ord. No. 2008-59, 11-107, 9-22-2008; Ord. of 10-23-2009, § 11-107)




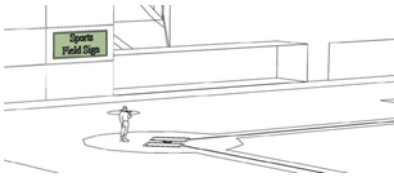



## 11.102 Overview of Sign Types

The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

Sign Type Description	Illustration	Permitted District
<p><b>Awning Sign:</b> A sign that is part of or attached to the front face of an awning attached to a building.</p>		All Commercial & Industrial
<p><b>Band Sign:</b> A sign that is flat against the façade and placed directly above a ground floor main entrance of a retail storefront/ tenant space and runs horizontally.</p>		All Commercial & Industrial
<p><b>Canopy Sign:</b> A sign that is attached to the front face of a canopy attached to a building.</p>		All Commercial & Industrial
<p><b>Convenience Sign:</b> A small, ground mounted sign for pedestrian and vehicular circulation within a site.</p>		All Commercial & Industrial
<p><b>Development Entrance Sign:</b> A ground mounted sign located at the entrance to a development, typically associated with residential subdivisions.</p>		Commercial & Residential
<p><b>Directory Sign:</b> A small sign that is flat against the building façade and mounted or applied directly to the building for informational or directional purposes only. Not to be utilized for advertisement.</p>		All Commercial & Industrial
<p><b>Flag:</b> A piece of cloth, typically rectangular, attached by one edge to a pole.</p>		All Commercial & Industrial

## 11.102 Overview of Sign Types (Cont.)

The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

Sign Type Description	Illustration	Permitted District
<p><b>Monument Sign :</b> A ground mounted sign that is placed upon or supported by the ground and independent of any other structure.</p>		All Commercial & Industrial
<p><b>Sandwich Board Sign :</b> A pair of advertisement boards (sometimes referred to as A-frame), connected at the top by straps or hinge designed to be placed on the sidewalk in front of the retail storefront/tenant space</p>		All Commercial & Industrial
<p><b>Small Hanging/Projecting Sign:</b> A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building.</p>		All Commercial & Industrial
<p><b>Sports Field/Sports Court:</b> A sign that is attached to a sports field or court fence.</p>		All Districts
<p><b>Vertical Blade Sign:</b> A vertically-oriented sign that projects from a commercial/mixed-use building that is two or more stories and fronts a street intersection.</p>		All Commercial & Industrial
<p><b>Wall Sign:</b> A sign that is flat against the building façade and mounted or applied directly to the building.</p>		All Commercial & Industrial
<p><b>Window Sign:</b> A sign placed within, affixed to, in contact with, or located within 12 inches of a window and intended to be seen from the exterior.</p>		All Commercial & Industrial



## 11.102 Overview of Sign Types (Cont.)

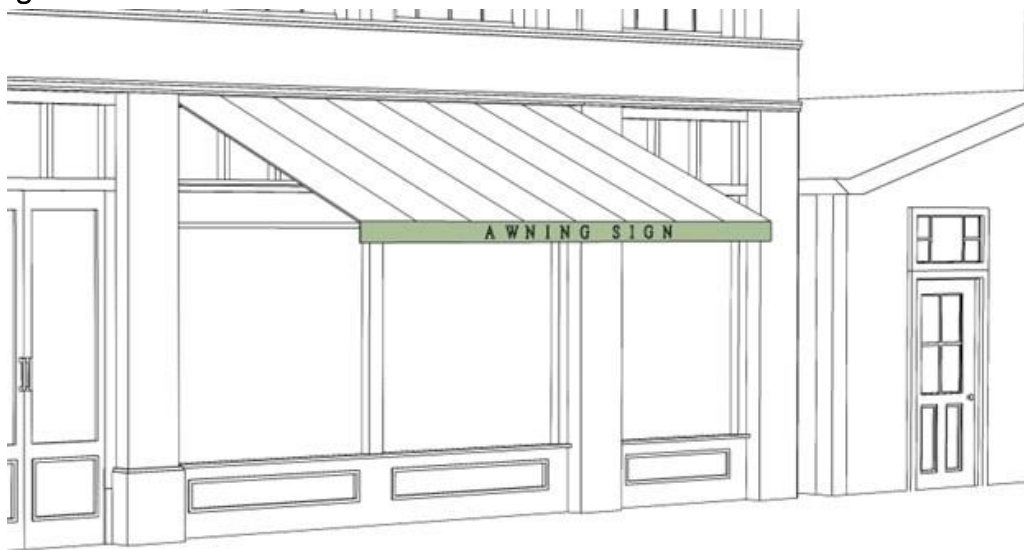
The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

**Temporary Construction Site/Leasing Sign:** A sign on an active construction site intended for temporary use during the construction period. *Permitted in all districts with no off-site signage allowed.*

**Temporary Non-commercial Sign:** A sign permitted for all non-commercial activities to include campaign/election signage. *Permitted in all districts with permission of property owner.*

**Temporary Commercial Sign:** A sign intended for temporary use for commercial and industrial activities other than temporary construction site/leasing signs and temporary non-commercial activities. *Permitted in all commercial and industrial districts with no off-site signage allowed.*

## 11.103 Awning Sign



### Description

A sign that is part of or attached to the valance or face of an awning attached to a ground floor retail storefront/tenant space.

### Standards

**Permitted Districts** All Commercial & Industrial

**Quantity** Maximum of one per main entrance per storefront on the ground floor.

**Sign Area** Multiply the linear length of the awning front fascia, by 1.0 to obtain the maximum square footage.

**Placement** Either of the awning valance or on the awning face.

**Height** Maximum height of the awning from ground level is 16 feet. Minimum height is 8 feet.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

**Lighting** External Illumination only.

## 11.104 Band Sign



### Description

A sign that is flat against the façade and placed directly above a ground floor main entrance of a retail storefront/tenant space and runs horizontally.

### Standards

**Permitted Districts** All Commercial & Industrial.

**Quantity** Maximum of one per main entrance per retail storefront/tenant space on the ground floor, if no awning, canopy or wall sign is present. Buildings with six stories or more may have band signs as described above, in addition to permitted wall signs.

**Sign Area** Maximum of 1.0 square feet per linear foot of retail storefront/tenant space façade.

**Placement** Applied to the ground floor façade and not project above the roof line. Vertically aligned with the center of an architectural element such as a retail storefront/tenant space window or entrance or centered above the overall space as occupied.

**Projection** Maximum of one foot from the building façade.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

**Lighting** External or internal illumination.

## 11.105 Canopy Sign



### Description

A sign that is attached to the front face of a canopy attached to a building.

### Standards

**Permitted Districts** All Commercial & Industrial.

**Quantity** Maximum of one sign per canopy per building façade and may be used only if no wall, band, or awning sign exists on the building façade.

**Sign Area** Maximum of 1.0 square feet per linear foot of retail storefront/tenant space façade.

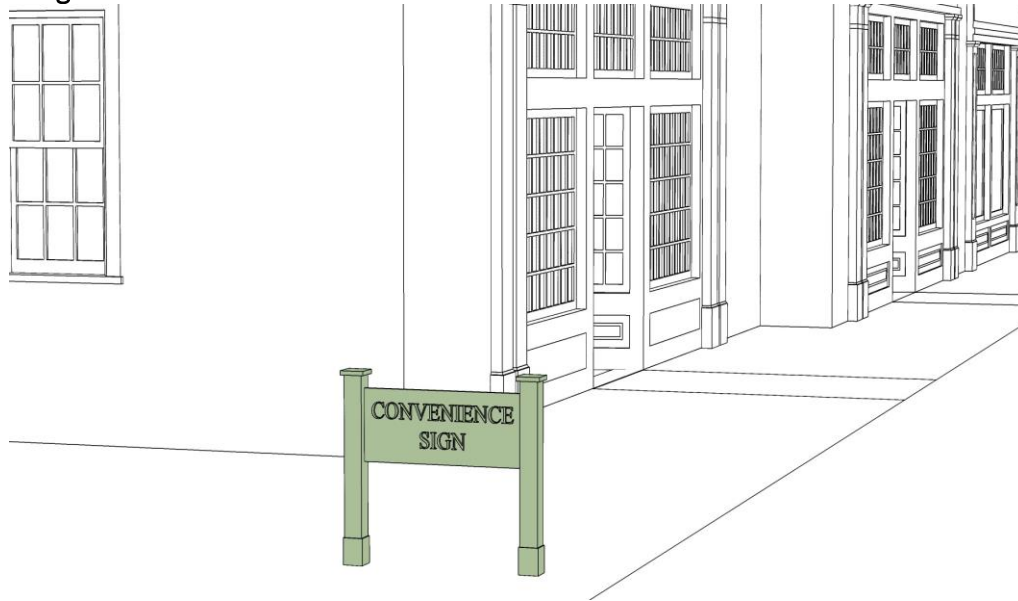
**Placement** Shall not project above or below the canopy or be located above the building roofline at the lowest point.

**Projection** Maximum of six inches from the canopy face.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

**Lighting** External illumination only.

## 11.106 Convenience Sign



### Description

A small, ground mounted sign for pedestrian and vehicular circulation within a site.

### Standards

**Permitted Districts** All Commercial and Industrial.

**Quantity** Maximum of one per entrance and one per exit, which may be dual faced. Limited additional signs may be approved when they are not visible from the right of way, such as pick-up or online ordering, etc. The City reserves the right to dictate the location of convenience signs and designated parking spaces. Additional convenience signs that may designate parking spaces may not be used towards the overall required space count, such as approved parking spaces as reflected on an approved site plan. Parking spaces for accessible parking codes.

**Sign Area** May have up to two sides (dual faced). No side shall exceed 4 square feet per side.

**Placement** Minimum setback at the property line, outside of the Right-of-Way (ROW), and any public utility drainage easement (PUDE), with a minimum of 10 feet from the edge of the street or curb. Shall not inhibit line of sight distance for motorists.

**Height** Maximum mounting height of six feet to the top edge of the sign.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved In section 11.101.4.

**Lighting** External Illumination only.

## 11.107 Development Entrance Sign



### Description

A ground mounted (monument style) sign located at the entrance to a development, typically associated with subdivisions.

### Standards (Continued)

**Permitted Districts** Residential Only.

**Quantity** Maximum of two per entrance to the development.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4. Signs must be constructed within the entrance walls.

**Sign Area** May have up to two sides (dual faced) with a maximum of (50) fifty square feet per side.  
Monument/Entrance walls shall not exceed (10) ten feet in height.

**Placement** Minimum setback at the property line, outside of the Right-of- Way (ROW), and any public utility drainage easement (PUDE), with a minimum of 10 feet from the edge of the street or curb. Shall not inhibit line of sight distance for motorists.

**Projection** At the top of the sign face area, measured at the centerline of the adjacent right-of-way.

**Lighting** External illumination only. Must include landscape in the form of trees, shrubs, and groundcover. Walls and the landscape shall be maintained by the HOA if one exists. If no HOA exists, then the developer of the property shall designate a person or entity to maintain the sign.

## 11.108 Directory Sign



### Description

A small sign that is flat against the building façade and mounted or applied directly to the building for informational or directional purposes only. Not to be utilized for advertisement.

### Standards

**Permitted Districts** All Commercial & Industrial.

**Sign Area** Maximum of (4) four square feet per building façade, in addition to the other permitted signage on the building.

**Projection** Maximum of (6) six inches from the building façade.

**Height** Maximum of (6) six feet at the top of the sign area.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

**Lighting** External illumination only.

## 11.109 Flag



### Description

A piece of cloth, typically rectangular attached by one edge to a pole and must be permanent in nature.

### Standards

**Permitted Districts** All Commercial & Industrial.

<b>Quantity</b>	Maximum of (3) three per lot. Maximum width of the flag shall not exceed (1/4) one-fourth the
<b>Sign Area</b>	Maximum width of the flag shall not exceed (1/4) one-fourth the height of the pole (e.g. 40-foot pole = maximum width of 10 feet). No more than (2) two flags per pole, with the lower flag not to exceed the overall size of the top flag.
<b>Placement</b>	No flag may contain a commercial (advertisement) message. Minimum setback at the property line. The flag shall be located outside of any Right of Way or Public Utility Drainage easement unless approved by the City Manager.
<b>Pole Height</b>	Maximum of (40) forty or (20) twenty feet for rooftop poles.
<b>Materials</b>	Bunting or fabric.
<b>Lighting</b>	External illumination only.



## 11.110 Monument Sign



### Description

A ground mounted sign that is placed upon or supported by the ground and independent of any other structure.

### Standards

**Permitted Districts** All Commercial & Industrial

**Quantity** Maximum of two per street frontage, and must be placed a minimum of 300 feet from the closest point of each sign. Max of four signs per lot.

**Sign Area** May have up to (2) two sides with a maximum of (50) fifty square feet per side. The maximum height shall not exceed (10) ten feet in all zoning classifications, except CI, and CMU where the maximum height is (15) fifteen feet. The overall sign structure shall not exceed 100 square feet.

**Placement** Minimum setback at the property line, outside of all Right-of-Way and any Public Utility Drainage easements. Signage cannot block pedestrian or motorist line of sight.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved in section 11.101.4. The sign must contain a minimum base of (12) twelve inches, which shall be surrounded by brick, natural or cultured stone or concrete frame.

**Lighting** External or internal illumination only.

**Additional Standards** No new pylon signs will be allowed.

## 11.111 Sandwich Board (A-frame) Sign



### Description

A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the retail storefront/tenant space.

### Standards

**Permitted Districts** All Commercial & Industrial

**Quantity** Maximum of one per ground floor retail storefront/tenant space, not to exceed (3) three signs per building (for multiple tenants). For buildings with single tenant only one sign is allowed.

**Sign area** May have up to (2) two sides (dual faced) with a maximum of (6) six square feet per side.

**Placement** On the sidewalk in front of the retail storefront/tenant space and shall maintain (48) forty-eight inches of sidewalk clearance for pedestrian circulation and shall adhere to all ADA regulations.

**Height** Maximum of (4) four feet at the top of the sign area.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

**Lighting** No external or internal illumination.

## 11.112 Small Hanging/Projecting Sign



### Description

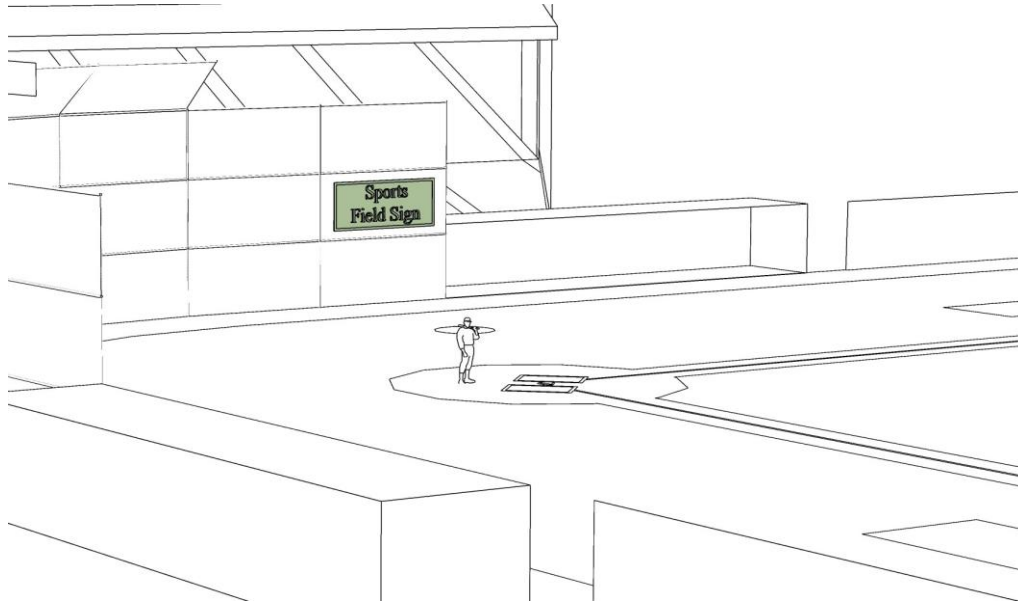
A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building.

### Standards

**Permitted Districts** All Commercial and Industrial

<b>Quantity</b>	Maximum of one per building main entrance, in lieu of a wall sign. One hanging/projecting sign is allowed per individual business principal entrance, in lieu of an awning, canopy or wall sign for retail centers with multiple tenants.
<b>Sign Area</b>	May have up to (2) two sides, with a maximum of (4) four square feet per side.
<b>Projection</b>	Projects from the building façade at a 90-degree or at a 45 degree angle when placed at a corner of a building. Maximum of (3) three feet from the building façade, inclusive of the bracket depth.
<b>Placement</b>	Minimum clearance of (8) eight feet from the grade surface (Generally defined as the sidewalk or the floor in front of the space).
<b>Height</b>	Maximum height shall be the roofline or window sill of the second story, whichever is less. The minimum height at the bottom of the sign is (8) eight feet.
<b>Materials</b>	Brick, stone, metal, composite or other outdoor rated materials as approved In section 11.101.4.
<b>Lighting</b>	External illumination only.

## 11.113 Sports Field/Sports Court Sign



### Description

A sign that is attached to a sports field or sports court fence.

### Standards

**Permitted Districts** All districts

**Quantity** N/A

**Placement** Shall face into the sports field or sports court.

**Sign Area/Height** No sign shall exceed 32 square feet. And the sign shall not be higher than the top of the fence to which it is attached.

**Materials** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

**Color** The backs of all signs shall be the same color.

**Lighting** External illumination only.

**Additional standards** Scoreboards are exempt from this Chapter, but shall have ever-green screening at the base of the support structure when visible from an arterial or collector street. Wilson County Schools and all athletic fields and courts, are under the jurisdiction of Wilson County and the school district. All City of Mt. Juliet Parks facilities are under the jurisdiction of the City of Mt. Juliet and the Parks Director.

## 11.114 Vertical Blade Sign



### Description

A vertically oriented sign that projects from a commercial/mixed-use building that is two or more stories and front a Street intersection.

### Standards

**Permitted Districts** All Commercial & Industrial.

<b>Quantity</b>	Maximum of one per building frontage on a street intersection and may be used only if no other awning, canopy, wall or hanging signs exist on the ground floor retail storefront/tenant space below.
<b>Sign Area</b>	Maximum of (20) twenty square feet or one square foot per linear foot of building façade for which the fascia sign is to be placed upon, whichever is less.
<b>Placement</b>	At the corner of the building or at the change in massing near the corner of the building. Shall not project below the window header of the first floor. Shall not project above the cornice of a two-story building or above the window sills of the third story of a building with more than two stories.
<b>Projection</b>	Projects from the building façade at a 90-degree angle or at a 45-degree angle when placed at a corner of a building. Maximum of (3) three feet from the building façade, inclusive of bracket depth. Brackets connecting the sign to the building façade shall be a minimum depth of (1) one foot and a maximum of (1.5) one and a half feet.
<b>Materials</b>	Metal with a minimum thickness of one-half inch and a maximum thickness of (1) one foot.
<b>Lighting</b>	External or internal illumination

## 11.115 Wall sign



### Description

A sign that is flat against the building façade and mounted or applied directly to the building.

### Standards

**Permitted Districts** All Commercial and Industrial

<b>Quantity</b>	Maximum of (4) four per business. Wall sign allowed only if no awning, band, canopy or hanging sign exists on the building. Buildings (5) five stories or more may have wall signs as described above, in addition to permitted band signs.
<b>Sign Area</b>	Maximum of (1) one square foot per linear foot of building façade, with no single sign exceeding 300 square feet.
<b>Placement</b>	Maximum height shall be the main roofline of the uppermost full story. Signs are not allowed to be placed upon any parapet or similar type walls above the main roofline.
<b>Projection</b>	Maximum of (6) six inches from the building façade.
<b>Materials</b>	Brick, stone, metal, composite material or other outdoor rated materials.
<b>Lighting</b>	External or Internal Illumination.

## 11.116 Window Sign



### Description

A sign placed within, affixed to, in contact with, or located within 12 inches of glazing and visible from the exterior.

### Standards

**Permitted Districts** All Commercial & Industrial

**Sign Area** Maximum of 15 percent of an individual window area, but shall not exceed 4 window signs. In cases where windows are grouped, the sign area shall not exceed 15 percent of the window grouping area.

**Placement** Fully within the interior of the building and attached directly to or mounted within 12 inches of the inside of the business.

**Materials** Metal, paper, cloth or other related materials as approved In section 11.101.4. Window Perf or other visual blocking materials are strictly prohibited.

**Lighting** Retail businesses may have one Interior LED or lighted sign stating open/closed or hours of operation by permit only, and shall comply with all other standards in this section. All other illuminated window signs including Neon, LED, lighted, including rope and string lights are prohibited.

## 11.117 Drive-Thru Signs

### Description

Commercial signage, both manual and/or static digital signs strictly for the intent to provide menu options for customers.

### Standards

<b><i>Permitted Districts</i></b>	All Districts where Drive-thru restaurants are allowed.
<b><i>Quantity</i></b>	Maximum of (1) one standard menu board and (1) pre-sell menu board per drive-thru lane. Curbside service style restaurants may have one menu board per bay/stall.
<b><i>Sign Area</i></b>	Standard menu board may have a maximum sign face not to exceed (40) forty square feet. Pre-sell menu board may have a maximum sign face not to exceed (20) twenty square feet. Curbside service menu board may have a maximum sign face not to exceed (6) six square feet.
<b><i>Placement</i></b>	Signage must be outside of the lane of travel and within a pre-determined area according to all site plan approvals. Pre-existing restaurants must have all placements approved prior to issuance of any permits.
<b><i>Materials</i></b>	Brick, stone, metal, composite or other outdoor rates materials as approved.
<b><i>Height</i></b>	Maximum height for all drive-thru, pre-sell and curbside boards shall not exceed (6) six feet.
<b><i>Lighting</i></b>	Illumination requirements are provided in section 11.105 and 11.106.
<b><i>Requirements</i></b>	All digital signage must remain static at all times, except if an immediate change is required to update the menus from one time frame to another, such as breakfast to lunch or supper. Signs must be turned off at close of business, and may not be turned back on until such time the business re-opens.



## 11.118 Temporary Construction Site / Leasing Sign

### Description

A sign on an active construction site intended for temporary use during the construction/leasing period.

### Standards

**Permitted Districts** All Districts

<b>Quantity</b>	Maximum of (3) three signs per construction site under (5) five acres and maximum of (4) four signs for sites in excess of (6) acres or more.
<b>Sign Area</b>	May have up to (2) two sides, with a maximum of (40) forty square feet per side. Signs may include and limited to the developer, architect, engineer, general contractor and finance company in addition to the name of the project, business or development or any combination of thereof.
<b>Placement</b>	Minimum setback at the property line and outside of the Right-of Way and any Public Utility Drainage easement. Signs on major thoroughfares are limited to no more than (2) signs. All signs must be placed a minimum of 300 feet apart.
<b>Materials</b>	Brick, stone, metal, composite or other outdoor rated materials as approved In section 11.101.4.
<b>Height</b>	Maximum of (8) feet from ground level.
<b>Lighting</b>	Illumination is prohibited.
<b>Duration</b>	Signs associated with nonresidential and mixed use development shall be removed upon issuance of the certificate of occupancy or no later than (5) days following the issuance of the Certificate of Occupancy. Signs associated with residential development including multi-family leasing signs shall be removed after 75% build out or (3) three years, whichever occurs first.
<b>Requirements</b>	All freestanding signs must remain upright and intact. Any damaged signs must be removed immediately or are subject to removal and disposal. Off site placement is prohibited for any and all temporary signs.

## 11.119 Temporary Non-commercial Signs

### Description

A sign intended for temporary use other than temporary construction site or commercial signs. Temporary Non Commercial signs (election/campaign signs included) are allowed in addition to all other permitted signs, and a Sign permit is not required.

\*Election/Campaign signs are regulated by T.C.A. 2-7-143.

### Standards

**Permitted Districts** All Districts.

**Quantity** (1) one sign per candidate/issue/subject with no duplicate signs allowed.

**Sign Area** The signs are limited to (16) sixteen square feet per sign face for residentially zoned properties and a maximum of (32) thirty-two square feet per sign face for non-residentially zoned properties.

**Placement** Signs are allowed on private property with the permission of the property owner and must be placed outside of the right-of-way and withing the required setbacks as noted below. All temporary signs shall be located at least ten (10) feet back from the street curb, edge of pavement or stabilized shoulder and two (2) feet from the edge of the public right-of-way or private roadway, whichever is greater, unless a greater distance is required to remove such sign from the sight distance triangle or otherwise specified within these provisions.

**Material** Brick, stone, metal, composite or other outdoor rated materials as approved In section 11.101.4.

Only rigid type signs within a frame of approved materials, will be allowed to be free-standing. All temporary banners are required to be affixed to the building.

**Lighting** Illumination is prohibited.

**Requirements** All freestanding signs must remain upright and intact. Any damaged signs must be removed immediately or are subject to removal and disposal. All garage sale, must be on-site only. Garage sale signs are allowed to be placed on Thursdays and must be removed by Sunday. Special and/or temporary event signage is only allowed one week prior to the event and must be removed no later than the day following the cessation of the event.

## 11.120 Temporary Commercial Signs

### Description

A sign intended for temporary use other than temporary construction site or non-commercial signs.

### Standards

**Permitted Districts** All Commercial and Industrial districts.

**Quantity** (1) one sign per lot, per permit. Single lots with multiple businesses are limited to no more than (1) one sign per business and the lot shall not exceed (3) three signs at any time. Only (4) permits per business per calendar year shall be issued, with each permit limited to (30) thirty consecutive days.

**Sign Area** The sign is limited to (20)n square feet per sign face, may be dual sided.

**Placement** Signs are allowed on private property with the permission of the property owner and must be placed outside of the right-of-way and withing the required setbacks as noted below. All temporary signs shall be located at least ten (10) feet back from the street curb, edge of pavement or stabilized shoulder and two (2) feet from the edge of the public right-of-way or private roadway, whichever is greater, unless a greater distance is required to remove such sign from the sight distance triangle or otherwise specified within these provisions. No temporary signs, except temporary signs posted on residentially zoned property with a residential use and not impeding visibility along a public thoroughfare, shall be permitted within a public right-of-way. Signs placed in the public right-of-way are subject to immediate removal.

**Material** Brick, stone, metal, composite or other outdoor rated materials as approved  
In section 11.101.4.

Only rigid type signs within a frame of approved materials, will be allowed to be free-standing. Banners are prohibited.

**Lighting** Illumination is prohibited.

**Requirements** All freestanding signs must remain upright and intact. Any damaged signs must be removed immediately or are subject to removal and disposal. All real estate, auction and other commercial related signage, must be on-site only. Special and/or temporary event signage is only allowed one week prior to the event and must be removed no later than the day following the cessation of the event.  
Off site placement is prohibited for any and all temporary signs.





# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0408

**Agenda Date:** 1/8/2024

**Agenda #:** 8.B.

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**Title:**

**AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS 330 W. DIVISION STREET, MAP 073L, GROUP C, PARCEL 002.00, FROM OPS TO CTC**



## MEMORANDUM

**Date:** November 16, 2023

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jennifer Hamblen, Planning Director  
Jon Baughman, Deputy Planner

**Re:** 330 W. Division Street  
Rezone  
Map – 073L, Group C  
Parcel(s) – 002.00

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**Request:** Submitted by Robinson Properties, the applicant seeks a rezone from OPS to CTC for 330 W. Division Street located in District 1.

**Description:** The subject property is in the City limits, located on the north side of W. Division Street between 3<sup>rd</sup> and 4<sup>th</sup> Avenues. North of the property are the railroad tracks. The area of the site is approximately an acre. There is an existing single-family home and accessory structure on the site. The applicant desires to change the zoning from OPS (office professional services) to CTC (commercial town center), a request which the City's land use plan supports. The intent for the property is for a hair salon and coffee shop. OPS does not support take-out which is the reason for the request. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
Robinson Properties	Neighborhood Commercial	N/A	OPS	CTC

**Future Land Use Plan:** The City's Future Land Use Map identifies the property as Neighborhood Commercial. Surrounding land uses classifications include Neighborhood Commercial and Low Density Residential. The future land use plan supports this request for CTC zoning and a plan amendment is not required.

**Zoning:** Current zoning OPS and the requested zoning is CTC. Surrounding properties include CTC, RS-40 north of the railroad tracks and RS-20 west of 4<sup>th</sup> Avenue.

**Findings:** In reviewing the requested zoning actions, staff finds that the request agrees with all of the following findings, as contained in the zoning ordinance. The proposed annexation and rezone:

1. *is agreement with the general plan for the area, and*
2. *does not contravene the legal purposes for which zoning exists, and*

3. *will have no adverse effect upon joining property owners, unless such effect can be justified by the overwhelming public good or welfare, and*
4. *is not materially beneficial to a property owner or small group of property owners and will not be detrimental to the general public, and*
5. *is possible because conditions affecting the area have changed to a sufficient extent to warrant an amendment to the zoning map, and*
6. *allows uses by right, for which the base infrastructure is in place or will be required, to support their operation.*

**Summary:** The applicant seeks CTC zoning (OPS currently) for this property. The request is supported by the City's Land Use Plan.

**Recommendation:** Staff recommends forwarding the Rezone request from OPS to CTC for 330 W. Division Street to the Board of Commissioners with a positive recommendation, subject to the conditions below:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS 330 W. DIVISION STREET, MAP 073L, GROUP C, PARCEL 002.00, FROM OPS TO CTC.**

**WHEREAS**, the rezoning request is supported by the City's Land Plan and complies with the findings found in the City's Zoning Ordinance, and;

**WHEREAS**, a public hearing before the City Commission of the City of Mt. Juliet was held on \_\_\_\_\_, 2023 and notice thereof published in the Chronicle of Mt. Juliet on \_\_\_\_\_; and

**WHEREAS**, the City of Mt. Juliet Regional Planning Commission considered this request during their meeting on November 16, 2023, and forwarded a Positive recommendation (Vote Count 9-0-0) for approval to the Board of Commissioners; and

**WHEREAS**, the City of Mt. Juliet Board of Commissioners desires to rezone the property from OPS to CTC; and

**NOW, THEREFORE, BE IT ORDAINED** BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON \_\_\_\_\_, 2023 as follows:

**SECTION 1.** – REZONING. Resolution No. 20-2022 (Zoning Map), adopted March 28, 2022, be and is hereby amended, and altered by rezoning the certain parcel of real property at 330 W. Division Street, Map 073L, Group C, Parcel 002.00, from OPS to CTC.

**LEGAL DESCRIPTION** – See Exhibit A (attached)

**SECTION 2.** – PUBLIC HEARING – The zoning changes were the subject of a public hearing held on \_\_\_\_\_ at 6:15 p.m.

**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. 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:



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James Maness, Mayor

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ATTEST:

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Sheila S. Luckett, MMC  
City Recorder

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Kenny Martin, City Manager

APPROVED AS TO FORM:

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L. Gino Marchetti, Jr.  
City Attorney

## **Exhibit A**

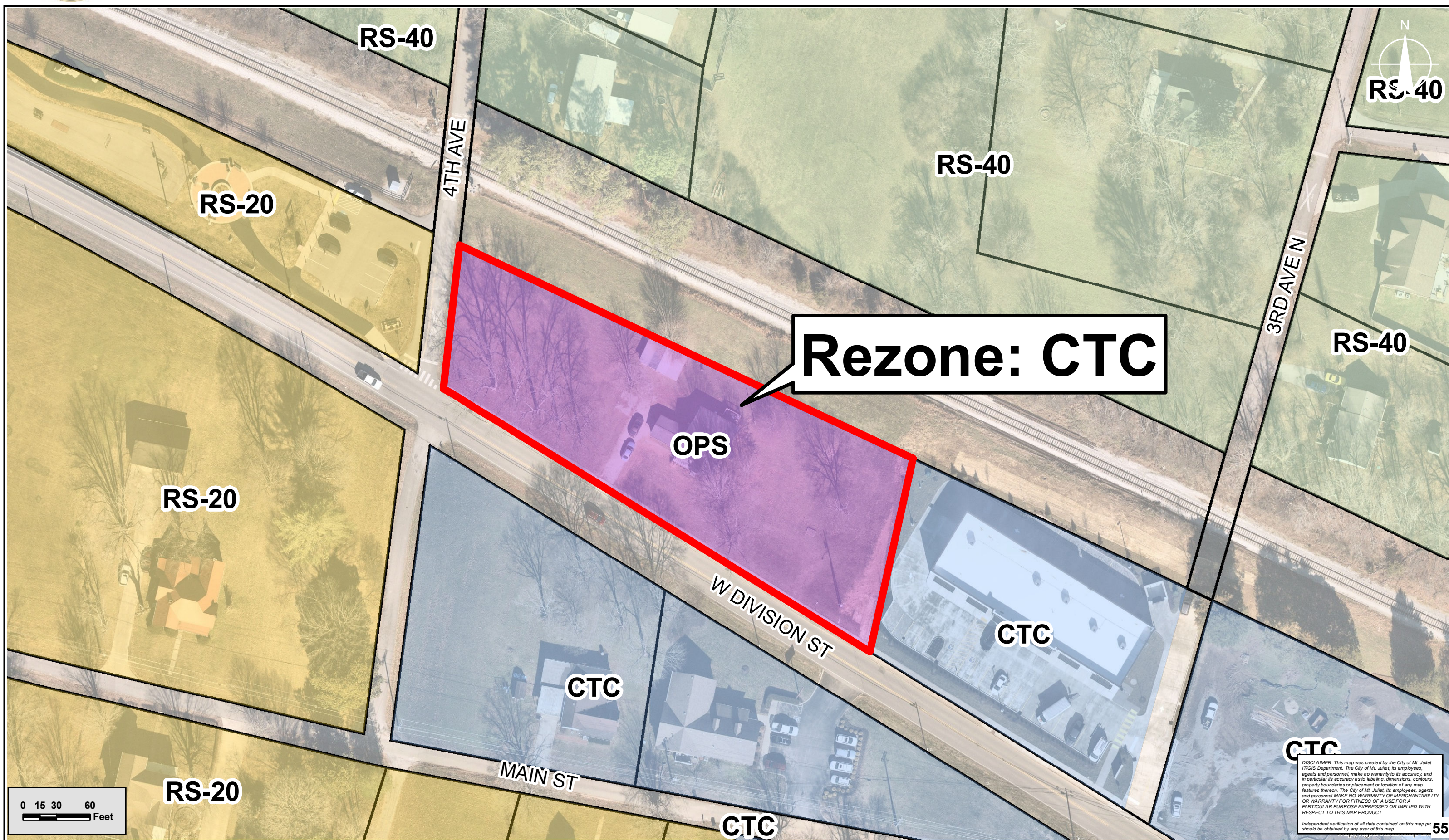
Being one lot situated in the 1<sup>st</sup> Civil District of Wilson County, Tennessee, and in the village of Mt. Juliet, and containing one and three quarter acres, more or less, and bounded North by Tennessee Central Railways; South by this old North Central St. Louis Railways, now public road (West Division); East by the late J.P. Bashaw land (Robinson Developments LP); and west by public road (4<sup>th</sup> Avenue North).





# Exhibit B - Rezone

330 W. Division St.  
Map 072I, Group C, Parcel 002.00







# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0418

**Agenda Date:** 1/8/2024

**Agenda #:** 8.C.

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**Title:**

**AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE PROPERTY KNOWN AS GOLDEN BEAR PLACE LOCATED AT 4403 AND 4515 BECKWITH ROAD MAP 78, PARCELS P/O 12, 17.01, 17.02, FROM INTERSTATE COMMERCIAL TO INTERSTATE COMMERCIAL, MIXED USE, BUSINESS DEVELOPMENT CENTER AND HIGH DENSITY RESIDENTIAL.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE PROPERTY KNOWN AS GOLDEN BEAR PLACE LOCATED AT 4403 AND 4515 BECKWITH ROAD MAP 78, PARCELS P/O 12, 17.01, 17.02, FROM INTERSTATE COMMERCIAL TO INTERSTATE COMMERCIAL, MIXED USE, BUSINESS DEVELOPMENT CENTER AND HIGH DENSITY RESIDENTIAL.**

**WHEREAS**, a public hearing before the City Commission of the City of Mt. Juliet was held on \_\_\_\_\_, 2022 and notice thereof published in the Chronicle of Mt. Juliet on \_\_\_\_\_; and

**WHEREAS**, the City of Mt. Juliet Regional Planning Commission considered this request during their meeting of December 15, 2022, and forwarded a positive recommendation (5-1-0) for approval to the Board of Commissioners; and

**WHEREAS**, the City of Mt. Juliet Board of Commissioners desires to amend the land use plan for the property from Interstate Commercial to Interstate Commercial, Mixed Use, Business Development Center and High Density Residential; and

**WHEREAS**, the property described herein is entirely within the Mt. Juliet city limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON \_\_\_\_\_, 2022 as follows:**

**SECTION 1.** – LAND USE PLAN AMENDMENT. The land use plan for the property described in Exhibit A is hereby amended from Interstate Commercial to Interstate Commercial, Mixed Use, Business Development Center and High Density Residential as shown in Exhibit B.

**LEGAL DESCRIPTION** – See Exhibit A.

**SECTION 2.** – PLANNING COMMISSION RECOMMENDATION – This matter was considered by the Planning Commission and received a positive recommendation 5-1-0 in a regular meeting held on December 15, 2022.

**SECTION 3.** – PUBLIC HEARING – The zoning changes were the subject of a public hearing held on \_\_\_\_\_ at 6:15 p.m.

**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. 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:

\_\_\_\_\_  
James Maness, Mayor

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sheila S. Lockett, MMC  
City Recorder

\_\_\_\_\_  
Kenny Martin, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
L. Gino Marchetti, Jr.  
City Attorney

## EXHIBIT A

Being a tract of land lying in the 24th Civil District of Wilson County, City of Mt. Juliet, Tennessee, said tract being part of Parcel 17.01 on Tax Map 78, said tract lying on the **easterly side of Old Beckwith Road**, and being more particularly described as follows:

BEGINNING at an iron rod (new) on the easterly right-of-way (50 feet wide) of Old Beckwith Road, said iron rod (new) being at the intersection of said right-of-way with the southerly boundary line of the William Matthews property recorded in Book 432, page 62 in the Register's Office for Wilson County, Tennessee, and being the northwest corner of the portion of Parcel 17.02 lying on the east side of Old Beckwith Road;

Thence, with said boundary line, South 69 degrees 37 minutes 13 seconds East 215.00 feet to an iron rod (new) at the southwest corner of the Darryl Box property recorded in Book 1334, page 1162 in said Register's Office;

Thence, with Box's southerly boundary line, South 70 degrees 24 minutes 10 seconds East 326.31 feet to a post (old) at the southwest corner of the Gary Jaynes property recorded in Book 386, page 88 in said Register's Office,

Thence, with said Jaynes's southerly boundary line as follows: South 84 degrees 37 minutes 06 seconds East 19.89 feet to and iron rod (old), and South 82 degrees 25 minutes 50 seconds East 595.47 feet to an iron rod (new);

Thence, with the boundary line of the Tennessee Services Corp. recorded in Book 937, page 391 in said Register's Office the next nine (9):

Thence, South 80 degrees 22 minutes 52 seconds East 234.00 feet to a post (old),

Thence, South 82 degrees 00 minutes 46 seconds East 191.38 feet to a post (old),

Thence, South 83 degrees 12 minutes 48 seconds East 197.59 feet to an iron rod (new),

Thence, South 82 degrees 27 minutes 34 seconds East 213.94 feet to an iron rod (new),

Thence, South 81 degrees 45 minutes 06 seconds East 285.23 feet to an iron rod (new),

Thence, South 07 degrees 29 minutes 58 seconds West 742.31 feet to a post (old);

Thence, South 07 degrees 40 minutes 20 seconds West 872.02 feet to an iron rod (new),

Thence, South 02 degrees 54 minutes 38 seconds East 46.31 feet to an iron rod (new),

Thence, South 10 degrees 27 minutes 03 seconds West 12.00 feet to an iron rod (old)

Thence, with the northerly boundary line of the Mid Tenn Powersports Property LLC recorded in Book 2196, page 2104 in said Register's Office the next nine (9) calls:

Thence, North 78 degrees 46 minutes 25 seconds West 71.04 feet to an iron rod (new),

Thence, North 84 degrees 55 minutes 30 seconds West 64.49 feet to an iron rod (new),

Thence, North 82 degrees 23 minutes 20 seconds West 495.82 feet to an iron rod (new),

Thence, South 87 degrees 56 minutes 11 seconds West 45.11 feet to an iron rod (new),

Thence, North 82 degrees 47 minutes 39 seconds West 184.96 feet to an iron rod (new),

Thence, North 80 degrees 41 minutes 52 seconds West 100.51 feet to an iron rod (new),

Thence, North 73 degrees 16 minutes 44 seconds West 90.32 feet to an iron rod (new),

Thence, North 81 degrees 42 minutes 10 seconds West 178.96 feet to an iron rod (new),

Thence, North 80 degrees 02 minutes 54 seconds West 60.02 feet to an iron rod (old),

Thence, with the easterly and northerly lines of Unique Development of Record Book 1970, Page 1374 in said Register's Office the next three (3) calls:

Thence, North 04 degrees 47 minutes 37 seconds East 205.19 feet to an iron rod (old);

Thence, North 80 degrees 39 minutes 17 seconds West 228.15 feet to an iron rod (old),

Thence, North 79 degrees 34 minutes 25 seconds West 267.89 feet to an iron rod (new), passing an iron rod (old);

Thence, with the easterly margin of Old Beckwith Road (50' R.O.W.) the next ten (10) calls:

Thence, North 09 degrees 01 minutes 03 seconds East 175.83 feet to an iron rod (new),

Thence, with a curve to the left having a radius of 925.00 feet, an arc distance of 350.89 feet, a central angle of 21 degrees 44 minutes 04 seconds, chord North 1 degree 50 minutes 59 seconds West 348.79 feet to an iron rod (new),

Thence, North 12 degrees 43 minutes 01 seconds West 106.20 feet to an iron rod,

Thence, with a curve to the left having a radius of 1225.00 feet, an arc distance of 252.78 feet through a central angle of 0 degrees 11 minutes 44 seconds, chord: North 18 degrees 37 minutes 42 seconds West 252.33 feet to an iron rod (new) ;

Thence, North 24 degrees 32 minutes 23 seconds West 56.28 feet to an iron rod (new),

Thence, with a curve to the right having a radius of 450.00 feet, an arc distance of 133.67 feet through a central angle of 17 degrees 01 minutes 09 seconds, chord: North 16 degrees 01 minutes 49 seconds West 133.18 feet to an iron rod (new),

Thence, North 07 degrees 31 minutes 14 seconds West 157.68 feet to an iron rod (new),

Thence, with a curve to the left having a radius of 1175.00 feet, an arc distance of 199.93 feet a central angle of 09 degrees 44 minutes 57 seconds, chord: North 12 degrees 23 minutes 43 seconds West 199.69 feet to an iron rod (new)

Thence, North 17 degrees 16 minutes 12 seconds West 129.45 feet to an iron rod (new)

Thence, with a curve to the right having a radius of 569.90 feet, arc distance of 88.82 feet, central angle of 08 degrees 55 minutes 47 seconds, chord North 12 degrees 48 minutes 18 seconds West 88.73 feet to the POINT OF BEGINNING.

Containing an area of 3,142,603 Square Feet or 72.14 Acres more or less.

Being a tract of land lying in the 24th Civil District of Wilson County, City of Mt. Juliet, Tennessee, said tract being part of Parcel 17.01 on Tax Map 78, said tract lying on the **westerly side of Old Beckwith Road**, and being more particularly described as follows:

BEGINNING at an iron rod (old) on the westerly right-of-way (50 feet wide) of Old Beckwith Road, said iron rod (old) being at the intersection of said right-of-way with the northerly boundary line of the LP Land Holdings LLC property recorded in Book 1622, page 1362 in the Register's Office for Wilson County, Tennessee, and being the southeast corner of the portion of Parcel 17.01 lying on the east side of Old Beckwith Road;

Thence, with the northerly line of said LP Land Holdings LLC, North 81 degrees 41 minutes 42 seconds West 353.63 feet to an iron rod (new);



Thence, with the northerly right-of-way of Golden Bear Gateway (120 feet wide) along a curve to the left having a radius of 1074.68 feet, an arc distance of 160.21 feet, a central angle of 8 degrees 32 minutes 29 seconds, chord North 51 degrees 45 minutes 18 seconds West 160.06 feet, to an iron rod (new),

Thence, with the easterly line of Prime Asset LLC of record in Book 2200, Page 856 of said Register's office the next eight (8) calls:

Thence, North 7 degrees 39 minutes 32 seconds East 386.19 feet to a 6" cedar,  
Thence, North 14 degrees 50 minutes 48 seconds East 112.01 feet to an iron rod (new),  
Thence, North 12 degrees 14 minutes 12 seconds East 73.90 feet to an 6 inch cedar post,  
Thence, North 06 degrees 52 minutes 54 seconds East 135.47 feet to an iron rod (new),  
Thence, North 02 degrees 59 minutes 29 seconds West 88.25 feet to an 8 inch dead cedar,  
Thence, North 03 degrees 52 minutes 22 seconds East 73.87 feet iron rod (new),  
Thence, North 08 degrees 04 minutes 47 seconds East 316.22 feet to an iron rod (new),  
Thence, North 12 degrees 02 minutes 28 seconds East 87.37 feet to an iron rod (old),

Thence, with the westerly right of way with said Old Beckwith Road the next nine (9) calls:

Thence, with a curve to the left having a radius of 619.90 feet, an arc distance of 103.70 feet, a central angle of 09 degrees 35 minutes 06 seconds, chord South 12 degrees 28 minutes 39 seconds East 103.58 feet to an iron rod (new) ,

Thence, South 17 degrees 16 minutes 12 seconds East 129.45 feet to an iron rod (new) ,

Thence, with a curve to right having a radius of 1125.00 feet, an arc distance of 191.43 feet, a central angle of 09 degrees 44 minutes 57 seconds, chord South 12 degrees 23 minutes 43 seconds East 191.20 feet to an iron rod (new) ,

Thence, South 07 degrees 31 minutes 14 seconds East 157.68 feet to an iron rod (new),

Thence, with a curve to the left having a radius of 500.00 feet, an arc distance of 148.52 feet, a central angle of 17 degrees 01 minutes 09 seconds, chord South 16 degrees 01 minutes 49 seconds East 147.97 feet to an iron rod (new),

Thence, South 24 degrees 32 minutes 23 seconds East 56.28 feet to an iron rod (new)

Thence, with a curve to the left having a radius of 1175.00 feet; an arc distance of 242.46, a central angle of 11 degrees 06 minutes 36 seconds, chord South 18 degrees 37 minutes 42 seconds East 242.03 feet to an iron rod (new),

Thence, South 12 degrees 43 minutes 01 seconds East 106.20 feet to an iron rod (new),

Thence, with a curve to right having a radius of 875.00 feet, an arc distance of 316.04 feet, a central angle of 20 degrees 41 minutes 42 seconds, chord South 2 degrees 22 minutes 10 seconds East 314.33 feet to the POINT OF BEGINNING.

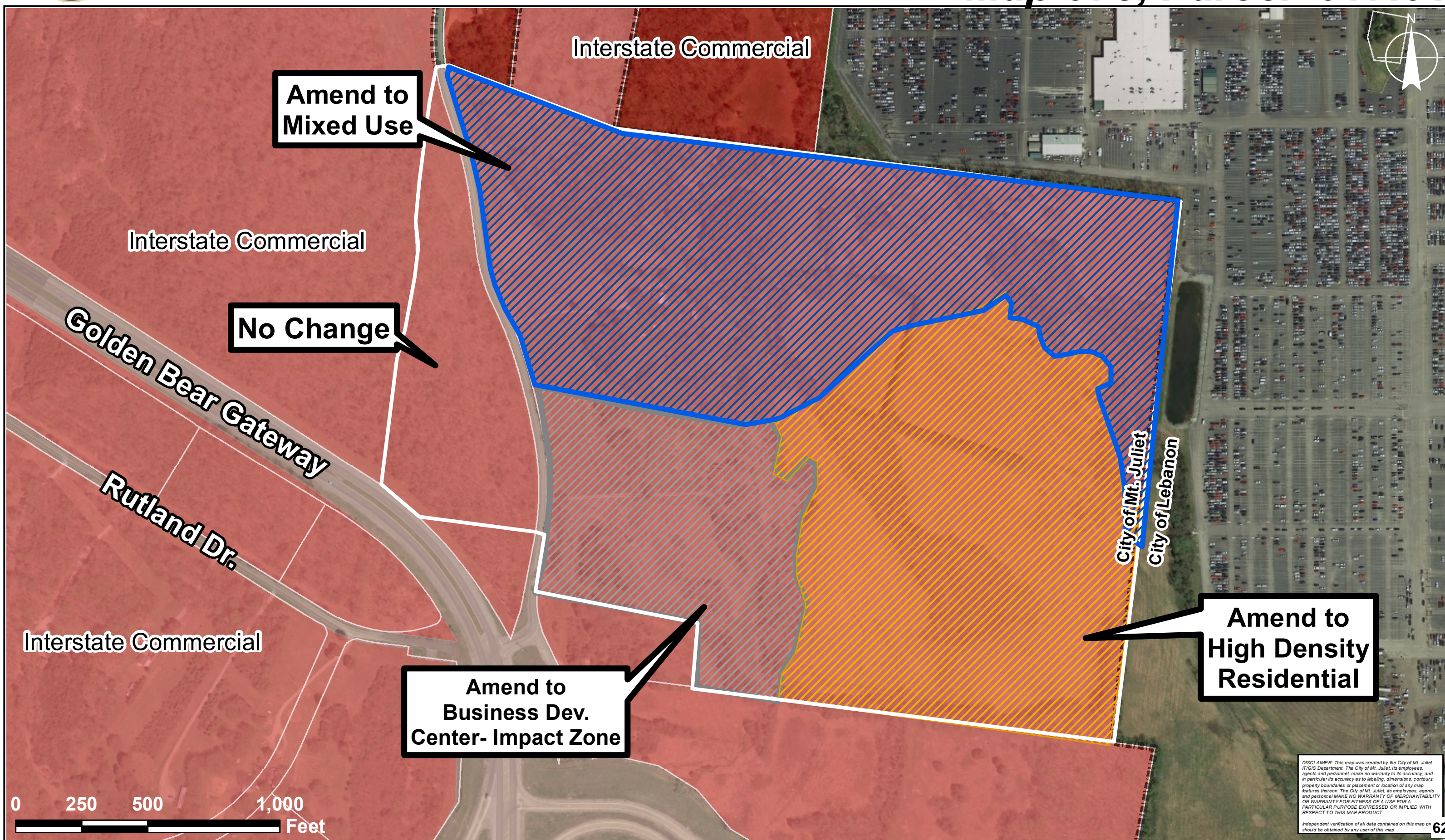
Containing 360,816 Square Feet or 8.28 Acres more or less.





# Exhibit B

## Golden Bear Place- FLU Map 078, Parcel 017.01



DISCLAIMER: This map was created by the City of Mt. Juliet IT/GIS Department. The City of Mt. Juliet, its employees, agents and personnel, make no warranty to its accuracy, and in particular its accuracy as to labeling, dimensions, contours, property boundaries or placement or location of any map features thereon. The City of Mt. Juliet, its employees, agents and personnel MAKE NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF A USE FOR A PARTICULAR PURPOSE EXPRESSED OR IMPLIED WITH RESPECT TO THIS MAP PRODUCT.

Independent verification of all data contained on this map should be obtained by any user of this map.





# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0419

**Agenda Date:** 1/8/2024

**Agenda #:** 8.D.

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**Title:**

**AN ORDINANCE TO REZONE APPROXIMATELY 81.61 ACRES OF PROPERTY ON BECKWITH ROAD, MAP 078, P/O PARCEL 12, 17.01 AND 17.02 FROM CI, CI-PUD AND CRC-PUD TO COMMERCIAL MIXED USE, PLANNED UNIT DEVELOPMENT (CMU-PUD) AND TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR GOLDEN BEAR PLACE**



**MEMORANDUM**  
**Reflects Revisions**

**Date:** August 14, 2023

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jennifer Hamblen, Planning Director  
Jon Baughman, Deputy Planner

**Re:** Golden Bear Place  
LUA, RZ, PMDP, PUD Amendment  
Map - 078  
Parcels – p/o 12, 17.01, 17.02

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**Request:** CSDG requests a Land Use Plan Amendment, Rezone and Major Preliminary Master Development Plan Amendment for Golden Bear Place (formerly Gateway Business Parkway East and Beckwith Interchange Park) on Beckwith Road and Golden Bear Gateway.

**History:** The property originally received PMDP approval in 2017 as Beckwith Interchange Park, a PUD with CI and CRC base zoning. Part of this amendment seeks to rezone the property within the PUD, east of Beckwith Road, to RM-16, CMU and IR. The property west of Beckwith Road and the area F on these plans will retain the base zoning it currently has, CRC and CI. This amendment was heard at the December 2022 Planning Commission meeting where it received a positive recommendation.

We have included the original staff report for reference. The plans have changed since it was first presented to the Planning Commission. Below is a list of revisions submitted by the applicant to address some of staff's original comments:

- Updated plan to reflect conditions of approval at PC, cover letter provided addressing all open comments.
- Revised Area D to include 370 multi-family unit (350 previously), revised Area E to include 103 (250 previously) age-restricted (55+) cottages and townhomes and revised Area F to include 187 age-restricted units (55+) apartments, or an assisted living facility. Total unit count remains 660.
- Provided commercial breakdown for the mixed use site and mixed use building. Which includes 15,000 sq ft of commercial, includes associated parking.
- Revised concept imagery provided (garden style apartments removed). Additional images provided for Area D (mixed use site), Area E (townhomes and cottages) and Area F (mixed use building). The applicant has asked for a Conditional Use Permit to be granted within the PUD to allow the use of an Assisted Living Facility in Area F.
- Additional imagery provided for the proposed IR zoning.

Waivers/Variances: The following are requested:

1. 6-103.3: Office, Hotel and Multifamily height within ½ mile of the interstate interchange allowed up to 70', six stories, in lieu of 35' maximum height for CRC, CI and CMU zoning districts. The request is to extend the additional height allowance to include the whole PUD, as some of it is outside the ½ radius from I40. The request also includes this exemption to be applied to CMU zoned districts within the PUD. **STAFF SUPPORTS, all fire codes shall be met. Area C shall not exceed 50' in height.**
2. 5-104.1: Omit a portion of the perimeter fence, for areas D and E, where adjacent to creek buffers. **STAFF SUPPORTS**
3. 5-104.1: Request to permit up to 30% secondary materials, per building façade, for areas D, E and F. **STAFF SUPPORTS**
4. Request to allow rooftop mounted HVAC units for the multi-family portions of the development. **STAFF SUPPORTS, all roof top mounted equipment shall be fully screened with parapet walls or approved alternate.**
5. Request to deviate from the sign ordinance to allow building signage as shown on the attached elevations, shown on Sheet 2.01. **STAFF WILL CONSIDER, pending exact variance requests being made by the applicant. This shall be completed before the second reading.**

**Summary:** The City's Future Land Use plan identifies the entire subject property as Interstate Commercial and doesn't support Mixed Use, Business Development Center (Industrial) or Multi-Family Residential. The applicant has removed all industrial uses from the proposed use listing for I-R on Sheet C1.01. The plans indicate that all previous conditions from the January 9, 2017, meeting regarding this development shall be met (Ordinance 17-04).

**Recommendation:** Should the Board of Commissioners pass this PMDP on first reading, staff requests that all comments be addressed by the applicant before second reading.

**Planning and Zoning:**

1. Conditional Uses listed on Sheet C1.01 shall not be granted as permitted uses, with the exception of Assisted Living in Area F.
2. Provide a minimum of 25% commercial for Area D and F.
3. Staff reserves the right to request additional queuing for proposed fast food restaurants. Vehicle queuing shall not spill over to the roadways.
4. Add a note that all open space shall remain undeveloped.
5. Identify the commercial component of Area D and Area F (CMU zoning). 25% commercial shall be provided. Green Space shall not be included in the required commercial percentages.
6. Staff reserves the right to ask for additional amenity enhancements during FMDP review.
7. Greenways shall be placed in a public access easement.
8. All structures shall comply with maximum height restrictions unless a waiver is granted, total max height for Area C shall not exceed 50'.

9. Signage to be reviewed via a separate application to the Planning Department, sign variances requested are subject to BOC approval.
10. Provide black split rail fencing with enhanced landscaping along the street to provide a nice streetscape throughout, provide typical.
11. 4-114 and 5-104.1 Multifamily guidelines shall be adhered to, excepting any waivers approved by the Board of Commissioners.
12. 6-104.1 Mixed-use regulations shall be adhered to, excepting any waivers approved by the Board of Commissioners.
13. All variances shall be asked for now, not at FMDP.
14. Requirements for our ordinance need to be addressed now, in addition to FMDP.
15. Areas A, B, C and D will be done in Phase 1. Areas E and F will be done in Phase 2 and shall be brought back to the Planning Commission as a recommendation item. Please add this note to the PMDP and provide a Phasing Plan.

#### Public Works:

1. Transportation:
  - a. Construct an auxiliary right turn lane from the I-40 westbound exit ramp to the primary access point including any signal pole relocations required.
  - b. Construct a southbound right turn lane onto the ramp to I-40 westbound. Lane shall be at least 300' plus bay taper.
  - c. Reconfigure the existing intersection of Golden Bear Gateway and Beckwith Road into a right-in, right out only configuration. Extend the median south to the I-40 westbound exit ramp intersection.
  - d. At the primary access point to Golden Bear Gateway, reconfigure the median to provide a left turn deceleration lane in and a left turn acceleration lane out from the side street. Provide a curbed separation between the left turn lanes in the median and the through lanes on Golden Bear Gateway to facilitate safe diverging and merging movements.
  - e. Provide landscaping with drip irrigation in median island of Golden Bear Gateway in the area of the project.
  - f. Individual lot connections to Golden Bear Gateway are prohibited.
  - g. Provide a connector roadway to the property to the west for future connectivity.
  - h. Configure the intersection of the new project roadway and Old Beckwith Road into a roundabout intersection.
  - i. Access to the commercial lots between Golden Bear Gateway and Old Beckwith Road shall be right-in, right-out only. Provide a median to restrict left turns.
  - j. The traffic signal at the main project access to Golden Bear Gateway will be permitted as warranted. Once the property to the west is developed and Beckwith Road is realigned to intersect Golden Bear opposite of Legacy Point Blvd, the signalized main project access may be revised by the City or others.
  - k. A 10' wide multi-use path is required along the Golden Bear Gateway property frontage.
  - l. Provide a 10' wide greenway connection to both sets of apartments.
  - m. All public roadways to meet the minor collector standard at a minimum.

- n. In lieu of bike lanes on the collector roadways, provide 10' wide multi-use paths on both sides of the roads.
  - o. Roadway connectivity between the proposed site and the Lowery tract to the west shall be subject to further review and planning for interconnectivity between the sites at the FMDP's and site plans.
  - p. Provide a southbound right turn deceleration lane on Old Beckwith Road at the main project access roadway that is separate from the southbound through lane.
- 2. Provide a connector road between Area C and Area E for egress and safety reasons.
  - 3. Applicant states that they have completed a flood study of this site. The City requires the flood study to be submitted to FEMA for approval based upon section 4.2, "*a flood study shall be required for areas outside the unnumbered A Zones, when the stream has a tributary area of one square mile or greater*"; According to StreamStats, the tributary (Sullivan Branch) has a watershed of 2.17 square miles.
  - 4. Request updated sewer availability if not already requested.
  - 5. Construct boardwalk between Area C and Area E.

WWUD:

- 1. The water lines shown are not WWUD's design.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REZONE APPROXIMATELY 81.61 ACRES OF PROPERTY ON BECKWITH ROAD, MAP 078, P/O PARCEL 12, 17.01 AND 17.02 FROM CI, CI-PUD AND CRC-PUD TO COMMERCIAL MIXED USE, PLANNED UNIT DEVELOPMENT (CMU-PUD) AND TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR GOLDEN BEAR PLACE**

**WHEREAS**, the subject rezoning request is consistent with the findings required in the zoning ordinance, and;

**WHEREAS**, the Regional Planning Commission considered this request during their meeting of December 15, 2022, and forwarded a positive recommendation for approval to the Board of Commissioners by a vote of (4-2-0) and;

**WHEREAS**, a public hearing before the City Commission of the City of Mt. Juliet was held on \_\_\_\_\_ 2022 and notice thereof published in the Chronicle of Mt. Juliet on \_\_\_\_\_; and

**WHEREAS**, the City of Mt. Juliet Board of Commissioners desires to rezone the subject property on Beckwith Road, Map 078, p/o Parcels 12, 17.01 and 17.02, approximately 81.61 acres, from CI, CI-PUD and CRC-PUD to Commercial Mixed Use Planned Unit Development (CMU-PUD) and amend the Preliminary Master Development Plan for Golden Bear Place.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON \_\_\_\_\_, 2022 as follows:**

**SECTION 1.** – REZONING. Ordinance No. 2012-44 (Zoning Map), adopted July 23, 2012, is hereby amended, by rezoning certain parcels of real property on Beckwith Road known as Map 078, p/o Parcels 12, 17.01 and 17.02, approximately 81.62 acres, described in Exhibit A (attached) from CI, CI-PUD and CRC-PUD to Commercial Mixed Use Planned Unit Development (CMU-PUD).

**LEGAL DESCRIPTION** – See Exhibit A

**SECTION 2.** – PRELIMINARY MASTER DEVELOPMENT PLAN. The Preliminary Master Development Plan for Golden Bear Place (Exhibit B) is hereby amended, except as modified herein. The Preliminary Master Development Plan shall comply with the Zoning Ordinance, be in substantial conformance with all other applicable rules, regulations and ordinances of the City of Mt. Juliet and is further conditioned upon the following:



### Planning and Zoning:

1. Conditional Uses listed on Sheet C1.01 shall not be granted as permitted uses, with the exception of Assisted Living in Area F.
2. Provide a minimum of 25% commercial for Area D and F.
3. Staff reserves the right to request additional queuing for proposed fast food restaurants. Vehicle queuing shall not spill over to the roadways.
4. Add a note that all open space shall remain undeveloped.
5. Identify the commercial component of Area D and Area F (CMU zoning). 25% commercial shall be provided. Green Space shall not be included in the required commercial percentages.
6. Staff reserves the right to ask for additional amenity enhancements during FMDP review.
7. Greenways shall be placed in a public access easement.
8. All structures shall comply with maximum height restrictions unless a waiver is granted, total max height for Area C shall not exceed 50'.
9. Signage to be reviewed via a separate application to the Planning Department, sign variances requested are subject to BOC approval.
10. Provide black split rail fencing with enhanced landscaping along the street to provide a nice streetscape throughout, provide typical.
11. 4-114 and 5-104.1 Multifamily guidelines shall be adhered to, excepting any waivers approved by the Board of Commissioners.
12. 6-104.1 Mixed-use regulations shall be adhered to, excepting any waivers approved by the Board of Commissioners.
13. All variances shall be asked for now, not at FMDP.
14. Requirements for our ordinance need to be addressed now, in addition to FMDP.
- ~~15. Areas A, B, C and D will be done in Phase 1. Areas E and F will be done in Phase 2 and shall be brought back to the Planning Commission as a recommendation item. Please add this note to the PMDP and provide a Phasing Plan.~~

### Public Works:

1. Transportation:
  - a. Construct an auxiliary right turn lane from the I-40 westbound exit ramp to the primary access point including any signal pole relocations required.
  - b. Construct a southbound right turn lane onto the ramp to I-40 westbound. Lane shall be at least 300' plus bay taper.
  - c. Reconfigure the existing intersection of Golden Bear Gateway and Beckwith Road into a right-in, right out only configuration. Extend the median south to the I-40 westbound exit ramp intersection.
  - d. At the primary access point to Golden Bear Gateway, reconfigure the median to provide a left turn deceleration lane in and a left turn acceleration lane out from the side street. Provide a curbed separation between the left turn lanes in the median and the through lanes on Golden Bear Gateway to facilitate safe diverging and merging movements.
  - e. Provide landscaping with drip irrigation in median island of Golden Bear Gateway in the area of the project.
  - f. Individual lot connections to Golden Bear Gateway are prohibited.
  - g. Provide a connector roadway to the property to the west for future connectivity.

- h. Configure the intersection of the new project roadway and Old Beckwith Road into a roundabout intersection.
  - i. Access to the commercial lots between Golden Bear Gateway and Old Beckwith Road shall be right-in, right-out only. Provide a median to restrict left turns.
  - j. The traffic signal at the main project access to Golden Bear Gateway will be permitted as warranted. Once the property to the west is developed and Beckwith Road is realigned to intersect Golden Bear opposite of Legacy Point Blvd, the signalized main project access may be revised by the City or others.
  - k. A 10' wide multi-use path is required along the Golden Bear Gateway property frontage.
  - l. Provide a 10' wide greenway connection to both sets of apartments.
  - m. All public roadways to meet the minor collector standard at a minimum.
  - n. In lieu of bike lanes on the collector roadways, provide 10' wide multi-use paths on both sides of the roads.
  - o. Roadway connectivity between the proposed site and the Lowery tract to the west shall be subject to further review and planning for interconnectivity between the sites at the FMDP's and site plans.
  - p. Provide a southbound right turn deceleration lane on Old Beckwith Road at the main project access roadway that is separate from the southbound through lane.
2. Provide a connector road between Area C and Area E for egress and safety reasons.
  3. Applicant states that they have completed a flood study of this site. The City requires the flood study to be submitted to FEMA for approval based upon section 4.2, "*a flood study shall be required for areas outside the unnumbered A Zones, when the stream has a tributary area of one square mile or greater*"; According to StreamStats, the tributary (Sullivan Branch) has a watershed of 2.17 square miles.
  4. Request updated sewer availability if not already requested.
  5. Construct boardwalk between Area C and Area E.

**WWUD:**

1. The water lines shown are not WWUD's design.

**SECTION 3. – PUBLIC HEARING** – The zoning changes were the subject of a public hearing held on \_\_\_\_\_ at 6:15 p.m.

**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. 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:**

\_\_\_\_\_

James Maness, Mayor

FIRST READING:  
SECOND READING:

ATTEST:

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Sheila S. Luckett, MMC  
City Recorder

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Kenny Martin, City Manager

APPROVED AS TO FORM:

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L. Gino Marchetti, Jr.  
City Attorney

## EXHIBIT A

Being a tract of land lying in the 24th Civil District of Wilson County, City of Mt. Juliet, Tennessee, said tract being part of Parcel 17.01 on Tax Map 78, said tract lying on the **easterly side of Old Beckwith Road**, and being more particularly described as follows:

BEGINNING at an iron rod (new) on the easterly right-of-way (50 feet wide) of Old Beckwith Road, said iron rod (new) being at the intersection of said right-of-way with the southerly boundary line of the William Matthews property recorded in Book 432, page 62 in the Register's Office for Wilson County, Tennessee, and being the northwest corner of the portion of Parcel 17.02 lying on the east side of Old Beckwith Road;

Thence, with said boundary line, South 69 degrees 37 minutes 13 seconds East 215.00 feet to an iron rod (new) at the southwest corner of the Darryl Box property recorded in Book 1334, page 1162 in said Register's Office;

Thence, with Box's southerly boundary line, South 70 degrees 24 minutes 10 seconds East 326.31 feet to a post (old) at the southwest corner of the Gary Jaynes property recorded in Book 386, page 88 in said Register's Office,

Thence, with said Jaynes's southerly boundary line as follows: South 84 degrees 37 minutes 06 seconds East 19.89 feet to and iron rod (old), and South 82 degrees 25 minutes 50 seconds East 595.47 feet to an iron rod (new);

Thence, with the boundary line of the Tennessee Services Corp. recorded in Book 937, page 391 in said Register's Office the next nine (9):

Thence, South 80 degrees 22 minutes 52 seconds East 234.00 feet to a post (old),

Thence, South 82 degrees 00 minutes 46 seconds East 191.38 feet to a post (old),

Thence, South 83 degrees 12 minutes 48 seconds East 197.59 feet to an iron rod (new),

Thence, South 82 degrees 27 minutes 34 seconds East 213.94 feet to an iron rod (new),

Thence, South 81 degrees 45 minutes 06 seconds East 285.23 feet to an iron rod (new),

Thence, South 07 degrees 29 minutes 58 seconds West 742.31 feet to a post (old);

Thence, South 07 degrees 40 minutes 20 seconds West 872.02 feet to an iron rod (new),

Thence, South 02 degrees 54 minutes 38 seconds East 46.31 feet to an iron rod (new),

Thence, South 10 degrees 27 minutes 03 seconds West 12.00 feet to an iron rod (old)

Thence, with the northerly boundary line of the Mid Tenn Powersports Property LLC recorded in Book 2196, page 2104 in said Register's Office the next nine (9) calls:

Thence, North 78 degrees 46 minutes 25 seconds West 71.04 feet to an iron rod (new),

Thence, North 84 degrees 55 minutes 30 seconds West 64.49 feet to an iron rod (new),

Thence, North 82 degrees 23 minutes 20 seconds West 495.82 feet to an iron rod (new),

Thence, South 87 degrees 56 minutes 11 seconds West 45.11 feet to an iron rod (new),

Thence, North 82 degrees 47 minutes 39 seconds West 184.96 feet to an iron rod (new),

Thence, North 80 degrees 41 minutes 52 seconds West 100.51 feet to an iron rod (new),

Thence, North 73 degrees 16 minutes 44 seconds West 90.32 feet to an iron rod (new),

Thence, North 81 degrees 42 minutes 10 seconds West 178.96 feet to an iron rod (new),

Thence, North 80 degrees 02 minutes 54 seconds West 60.02 feet to an iron rod (old),

Thence, with the easterly and northerly lines of Unique Development of Record Book 1970, Page 1374 in said Register's Office the next three (3) calls:

Thence, North 04 degrees 47 minutes 37 seconds East 205.19 feet to an iron rod (old);

Thence, North 80 degrees 39 minutes 17 seconds West 228.15 feet to an iron rod (old),

Thence, North 79 degrees 34 minutes 25 seconds West 267.89 feet to an iron rod (new), passing an iron rod (old);

Thence, with the easterly margin of Old Beckwith Road (50' R.O.W.) the next ten (10) calls:

Thence, North 09 degrees 01 minutes 03 seconds East 175.83 feet to an iron rod (new),

Thence, with a curve to the left having a radius of 925.00 feet, an arc distance of 350.89 feet, a central angle of 21 degrees 44 minutes 04 seconds, chord North 1 degree 50 minutes 59 seconds West 348.79 feet to an iron rod (new),

Thence, North 12 degrees 43 minutes 01 seconds West 106.20 feet to an iron rod,

Thence, with a curve to the left having a radius of 1225.00 feet, an arc distance of 252.78 feet through a central angle of 0 degrees 11 minutes 44 seconds, chord: North 18 degrees 37 minutes 42 seconds West 252.33 feet to an iron rod (new) ;

Thence, North 24 degrees 32 minutes 23 seconds West 56.28 feet to an iron rod (new),

Thence, with a curve to the right having a radius of 450.00 feet, an arc distance of 133.67 feet through a central angle of 17 degrees 01 minutes 09 seconds, chord: North 16 degrees 01 minutes 49 seconds West 133.18 feet to an iron rod (new),

Thence, North 07 degrees 31 minutes 14 seconds West 157.68 feet to an iron rod (new),

Thence, with a curve to the left having a radius of 1175.00 feet, an arc distance of 199.93 feet a central angle of 09 degrees 44 minutes 57 seconds, chord: North 12 degrees 23 minutes 43 seconds West 199.69 feet to an iron rod (new)

Thence, North 17 degrees 16 minutes 12 seconds West 129.45 feet to an iron rod (new)

Thence, with a curve to the right having a radius of 569.90 feet, arc distance of 88.82 feet, central angle of 08 degrees 55 minutes 47 seconds, chord North 12 degrees 48 minutes 18 seconds West 88.73 feet to the POINT OF BEGINNING.

Containing an area of 3,142,603 Square Feet or 72.14 Acres more or less.

Being a tract of land lying in the 24th Civil District of Wilson County, City of Mt. Juliet, Tennessee, said tract being part of Parcel 17.01 on Tax Map 78, said tract lying on the **westerly side of Old Beckwith Road**, and being more particularly described as follows:

BEGINNING at an iron rod (old) on the westerly right-of-way (50 feet wide) of Old Beckwith Road, said iron rod (old) being at the intersection of said right-of-way with the northerly boundary line of the LP Land Holdings LLC property recorded in Book 1622, page 1362 in the Register's Office for Wilson County, Tennessee, and being the southeast corner of the portion of Parcel 17.01 lying on the east side of Old Beckwith Road;

Thence, with the northerly line of said LP Land Holdings LLC, North 81 degrees 41 minutes 42 seconds West 353.63 feet to an iron rod (new);

Thence, with the northerly right-of-way of Golden Bear Gateway (120 feet wide) along a curve to the left having a radius of 1074.68 feet, an arc distance of 160.21 feet, a central angle of 8 degrees 32 minutes 29 seconds, chord North 51 degrees 45 minutes 18 seconds West 160.06 feet, to an iron rod (new),

Thence, with the easterly line of Prime Asset LLC of record in Book 2200, Page 856 of said Register's office the next eight (8) calls:

Thence, North 7 degrees 39 minutes 32 seconds East 386.19 feet to a 6" cedar,  
Thence, North 14 degrees 50 minutes 48 seconds East 112.01 feet to an iron rod (new),  
Thence, North 12 degrees 14 minutes 12 seconds East 73.90 feet to an 6 inch cedar post,  
Thence, North 06 degrees 52 minutes 54 seconds East 135.47 feet to an iron rod (new),  
Thence, North 02 degrees 59 minutes 29 seconds West 88.25 feet to an 8 inch dead cedar,  
Thence, North 03 degrees 52 minutes 22 seconds East 73.87 feet iron rod (new),  
Thence, North 08 degrees 04 minutes 47 seconds East 316.22 feet to an iron rod (new),  
Thence, North 12 degrees 02 minutes 28 seconds East 87.37 feet to an iron rod (old),

Thence, with the westerly right of way with said Old Beckwith Road the next nine (9) calls:

Thence, with a curve to the left having a radius of 619.90 feet, an arc distance of 103.70 feet, a central angle of 09 degrees 35 minutes 06 seconds, chord South 12 degrees 28 minutes 39 seconds East 103.58 feet to an iron rod (new) ,

Thence, South 17 degrees 16 minutes 12 seconds East 129.45 feet to an iron rod (new) ,

Thence, with a curve to right having a radius of 1125.00 feet, an arc distance of 191.43 feet, a central angle of 09 degrees 44 minutes 57 seconds, chord South 12 degrees 23 minutes 43 seconds East 191.20 feet to an iron rod (new) ,

Thence, South 07 degrees 31 minutes 14 seconds East 157.68 feet to an iron rod (new),

Thence, with a curve to the left having a radius of 500.00 feet, an arc distance of 148.52 feet, a central angle of 17 degrees 01 minutes 09 seconds, chord South 16 degrees 01 minutes 49 seconds East 147.97 feet to an iron rod (new),

Thence, South 24 degrees 32 minutes 23 seconds East 56.28 feet to an iron rod (new)

Thence, with a curve to the left having a radius of 1175.00 feet; an arc distance of 242.46, a central angle of 11 degrees 06 minutes 36 seconds, chord South 18 degrees 37 minutes 42 seconds East 242.03 feet to an iron rod (new),

Thence, South 12 degrees 43 minutes 01 seconds East 106.20 feet to an iron rod (new),

Thence, with a curve to right having a radius of 875.00 feet, an arc distance of 316.04 feet, a central angle of 20 degrees 41 minutes 42 seconds, chord South 2 degrees 22 minutes 10 seconds East 314.33 feet to the POINT OF BEGINNING.

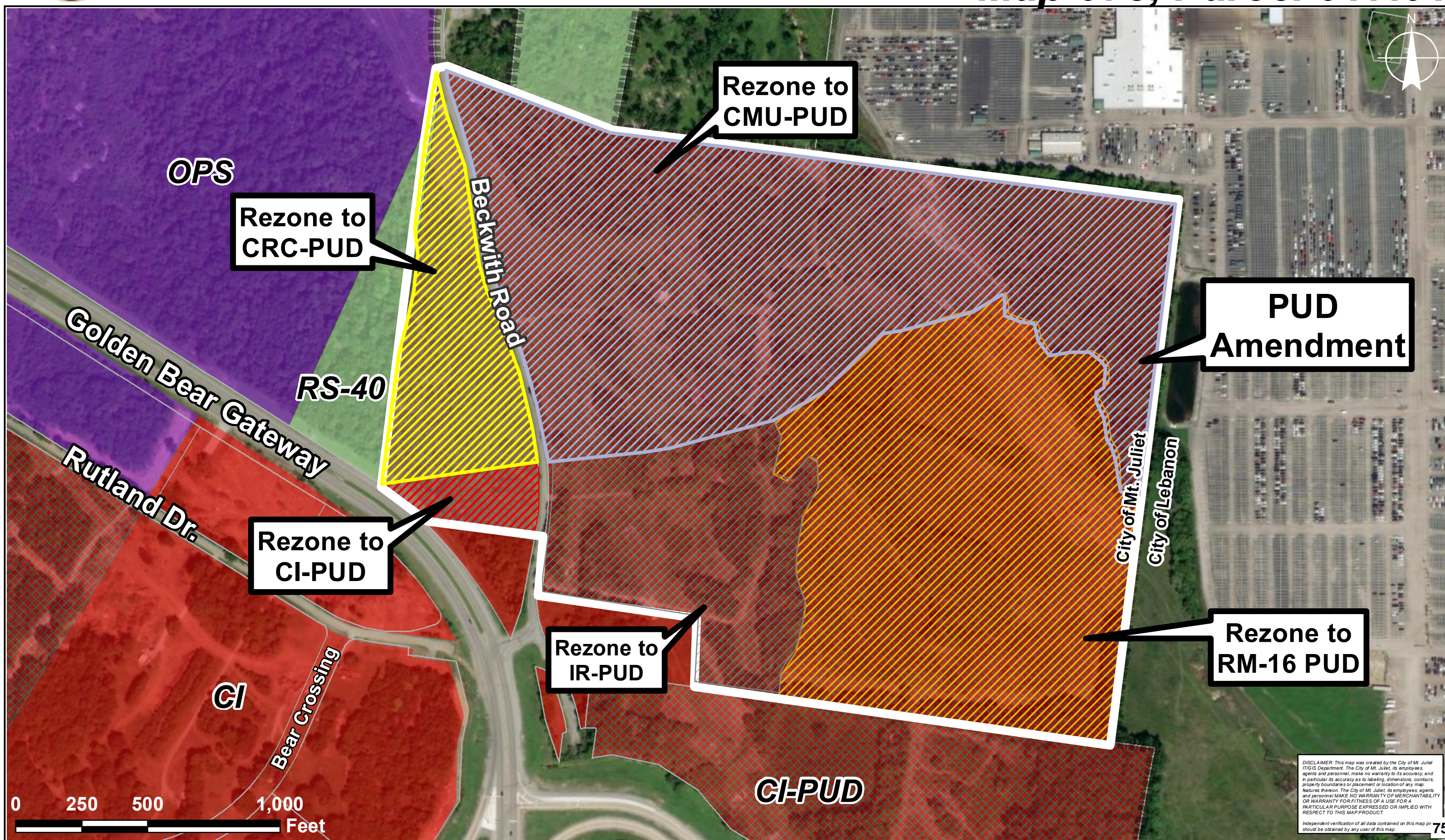
Containing 360,816 Square Feet or 8.28 Acres more or less.





# Exhibit B

## Golden Bear Place- Rezone & PUD Amendment Map 078, Parcel 017.01





ORDINANCE NO. 2017-04

AN ORDINANCE AMENDING ORDINANCE NO. 2012-44 (ZONING MAP), ADOPTED JULY 23, 2012, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 80.0 ACRES OF LAND SHOWN ON EXHIBIT B AND LOCATED ON BECKWITH ROAD FROM RS-40 TO PLANNED UNIT DEVELOPMENT WITH THE BASE ZONING OF CI (COMMERCIAL INTERSTATE) AND CRC (COMMERCIAL RETAIL CENTER) AND APPROVAL OF THE BECKWITH INTERCHANGE PARK PRELIMINARY MASTER DEVELOPMENT PLAN, BEING MAP 078, PARCELS 17.01 AND 17.02.

\* \* \* \* \*

**WHEREAS**, a public hearing before the City Commission of the City of Mt. Juliet was held on January 9, 2017 and notice thereof published in the Lebanon Democrat on \_\_\_\_\_; and

**WHEREAS**, The City of Mt. Juliet Regional Planning Commission considered this request during their meeting of November 17, 2016, and forwarded a recommendation for approval to the Board of Commissioners; and

**WHEREAS**, The City of Mt. Juliet Board of Commissioners desires to rezone the subject property from Residential Single-Family (RS-40) to Planned Unit Development (PUD) with the Base Zoning of Commercial Interstate (CI) and (CRC) Commercial Retail Center, and approve the Preliminary Master Development Plan for Beckwith Interchange Park; and

**WHEREAS**, the subject rezoning request to Planned Unit Development (PUD) is determined to be consistent with the Findings required in the Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON January 9, 2017, as follows:

**SECTION 1.** - REZONING. Ordinance No. 2012-44 (Zoning Map), adopted July 23, 2012, be and is hereby amended and altered by rezoning those certain parcels of real property in the Beckwith Interchange Park PUD, described below and on Exhibit B (attached) from Residential Single-Family (RS-40) to Commercial Interstate (CI) and (CRC) (Commercial Retail Center) Planned Unit Development (PUD).

In the State of Tennessee, County of Wilson, and City of Mt. Juliet, and being more particularly described as follows:

Legal Description:

Map 078, Parcels 17.01 and 17.02 as described in Exhibit B and below.

**SECTION 2.** EXHIBITS. The Preliminary Master Development Plan for the Beckwith Interchange Park PUD shall consist of the following Exhibits:



Ordinance No. 2017-04(cont'd.)

Exhibit A: Beckwith Interchange Park PMDP, consisting of approximately one (1) page, C1.00, dated November 3, 2016.

Exhibit B: Map of the area to be rezoned.

Except as modified herein and explicitly on the approved Preliminary Master Development Plan, the PUD shall comply with the Zoning Ordinance, be in substantial conformance with Exhibits A and B attached hereto, all other applicable rules, regulations and ordinances of the City of Mt. Juliet, and is further conditioned upon the following:

**Planning and Zoning:**

1. Use of the site is restricted to uses as listed in the zoning ordinance.
2. Sidewalks 5' in width will be required along both sides of all streets per the Zoning Ordinance.
3. All greenways shall be built to City standards and be a minimum of 10 feet wide.
4. All greenways shall match the adopted Master Greenway Plan.
5. All buildings shall comply with the trash receptacle ordinance.
6. All buildings shall comply with the bike rack ordinance.
7. Applicable buffers will be reviewed with each FMDP/site plan submittal.
8. Lighting plan shall be submitted for review at FMDP/site plan.
9. All rooftop-mounted equipment shall be screened 100% from horizontal view.
10. Exterior elevations for Buildings 3, 5, 6 & 7 shall be composed of 100% brick and/or stone on all sides except for the back of the buildings.
11. Developer agrees that no outside storage will take place for the entire PUD.
12. Greenway shall be completed before the issuance of the first Certificate of Occupancy.
13. Developer shall provide a sidewalk along Beckwith Rd between the two greenway connections to provide a full loop.
- 14.14. Developer agrees that Building 4 will be constructed of 100% brick.
- 15.15. Developer agrees that Buildings 1 & 2 will be zoned CRC and Buildings 3-7 will be zoned CI.
- 16.16. Greenway connection to Beckwith Rd on the southside shall be provided.
- 17.

**Public Works:**

1. The proposed roadway between Golden Bear Gateway and Beckwith Road at full buildout shall be a 5-lane section with double left turns onto Golden Bear Gateway. Right-of-way shall be dedicated if phased improvements are necessary.
2. The existing median on Golden Bear Gateway at the main project access shall be modified to include a 200' left turn lane plus appropriate bay taper.
3. A 200' right turn lane plus appropriate bay taper shall be constructed at the main project access with Golden Bear Gateway.
4. A traffic signal shall be installed at the main project access with Golden Bear Gateway.

Ordinance No. 2017-04 (cont'd.)

5. The existing Beckwith Road intersection with Golden Bear Gateway will be converted into a right-in, right-out access. The median on Golden Bear Gateway will be extended at the same time to prevent left turns.
6. A right turn lane shall be constructed at the Beckwith Road intersection with Golden Bear Gateway. Due to the close proximity to the interstate ramps, this will extend to the westbound exit ramp at the interstate to provide an auxiliary lane.
7. A dedicated right turn lane shall be constructed on the westbound exit ramp intersection with Golden Bear Gateway. Signal warrants shall be reviewed at this intersection at appropriate times during the development process and a signal may be required if warranted.
8. The right-of-way for Beckwith Road shall be dedicated or reserved as appropriate to meet the minor collector road standards (Mt. Juliet Standard Drawing ST-112). A reservation shall be required for future improvements or realignments to Beckwith Road on the northwestern portion of the site for future improvements along the existing corridor or for connections to adjacent properties.
9. Improvements to individual site road frontage on Beckwith Road shall be required on a site-plan basis.
10. Individual lot connections to the proposed greenway shall be made on a site-plan basis.
11. Speed tables and appropriate safe crosswalk treatments shall be applied where the greenway crosses the roadway.
12. Two Traffic Signals at either end of the ramp between Golden Bear and Division shall be constructed by FedEx.
13. The greenway along Golden Bear between the site to the west shall be constructed by FedEx (approximately 3,000 feet).

**West Wilson Utility District:**

1. The water line layout shown is not per WWUD's design.


**SECTION 3.** - PUBLIC HEARING - The zoning changes were the subject of a public hearing held on January 09, 2017 at 6:15 p.m.

**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. 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: 1/9/2017


  
\_\_\_\_\_  
Ed Hagerty, Mayor

FIRST READING: 12/12/2016

SECOND READING: 1/9/2017

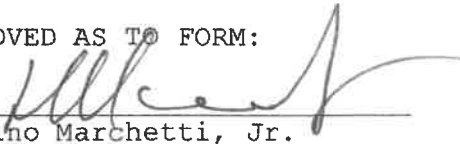
Ordinance No. 2017-04 (cont'd.)

ATTEST:

  
\_\_\_\_\_  
Sheila S. Lockett, MMC  
City Recorder

  
\_\_\_\_\_  
Kenny Martin, City Manager

APPROVED AS TO FORM:

  
\_\_\_\_\_  
L. Gino Marchetti, Jr.  
City Attorney



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0431

**Agenda Date:** 1/8/2024

**Agenda #:** 8.E.

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**Title:**

**AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, BY AMENDING ARTICLE III, USE REGULATIONS ADDING SECTION 3-108, TEMPORARY EVENTS, USES AND PORTABLE BUILDINGS, TO INCLUDE MOBILE FOOD VENDOR (FOOD TRUCKS) REGULATIONS FOR RESIDENTIAL AND INDUSTRIAL DISTRICTS**

## ORDINANCE 2024 -

**AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, BY AMENDING ARTICLE III, USE REGULATIONS ADDING SECTION 3-108, TEMPORARY EVENTS, USES AND PORTABLE BUILDINGS, TO INCLUDE MOBILE FOOD VENDOR (FOOD TRUCKS) REGULATIONS FOR RESIDENTIAL AND INDUSTRIAL DISTRICTS**

**WHEREAS**, the City of Mt. Juliet recognizes the practical benefits of allowing mobile food vendors to operate within residential and industrial districts in the city limits; and

**WHEREAS**, the City's Zoning Ordinance does not currently provide regulations regarding mobile food vendors outside of temporary commercial events; and

**WHEREAS**, the Planning Commission considered this request during their meeting of April 20, 2023 and recommended approval, to the Board of Commissioners; and

**WHEREAS**, the Board of Commissioners desires to adopt mobile food vendor regulations for residential and industrial zoning districts.

**WHEREAS**, this ordinance will become effective on August 15, 2023 and sunsets on June 20, 2024.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the City of Mt. Juliet, Wilson County, Tennessee, while in regular session on \_\_\_\_\_ that mobile food vendor regulations be adopted as described in Exhibit A below.

**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. 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.

### EXHIBIT A

#### **Sec. 3-108. – Temporary events, Mobile Food Service Vehicle operations for residential and industrial districts.**

- I. *Definitions.* The following definitions shall apply to the requirements of this section and are not intended to have general application to the Zoning Ordinance or other City regulations. Further, any uses permitted by this Section 3-108 are not subject to

Sections 3-102, 3-103, or 3-106 of the Zoning Ordinance. This Section 3-108 shall not apply to uses listed elsewhere in the Zoning Ordinance.

*Amenity Center:* A recreational facility including, but not limited to, clubhouse, pool, playground, open space, etc. for the use of private residents or homeowners associations and their guests.

*Canteen truck:* means a vehicle that operates to provide food services to workers at locations where access to such services is otherwise unavailable or impractical; from which the operator sells food and beverages that require no on-site preparation or assembly other than the heating of pre-cooked foods; and is not advertised in any form to the general public except by virtue of signage on the vehicle. Products sold from canteen trucks may include fruits, vegetables, pre-cooked foods such as hot dogs, pre-packaged foods and pre-packaged drinks.

*Commissary:* means an establishment or facility in a fixed location that is used for the storage of supplies for a mobile food service vehicle, the preparation of food to be sold or served at a mobile food service vehicle, or the cleaning or servicing of a mobile food service vehicle or the equipment used in conjunction with a mobile food service vehicle.

*Edible food products:* means those products that are ready for immediate consumption, including prepackaged food and food cooked, prepared or assembled on-site. The term "edible food products" does not include fresh produce unless the produce has been packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared for consumption.

*Food truck:* means a vehicle from which edible food products are cooked, prepared or assembled with the intent to sell such items to the general public, provided further that food trucks may also sell other edible food products and beverages that have been prepared or assembled elsewhere. Food truck operators may market their products to the public via advertising, including social media.

*Ice cream truck:* means a vehicle from which the operator sells only pre-packaged frozen dairy or water-based food products and pre-packaged beverages. For purposes of this article, a non-motorized cart from which such products are sold shall be considered an ice cream truck.

*Location:* means any single property parcel or any combination of contiguous parcels that are owned or controlled by a single entity or affiliated entities.

*Major road:* For the purposes of this section, major roads are: North and South Mt. Juliet Rd. (State Hwy. 171), Old Lebanon Dirt Road, Division Street, Adams Lane (from Mt. Juliet Road to Crossings Blvd.), Providence Parkway, Belinda Parkway (east to

Providence Trail), Central Pike, Beckwith Road, Nonaville Road, Golden Bear Gateway, and Lebanon Road (US Highway 70), or any road classified as an arterial street in the Major Thoroughfare Plan, as amended. Staff reserves the right to revise this list as deemed necessary.

*Mobile Food Service Vehicle:* a food truck, canteen truck or ice cream truck and includes any portable unit that is attached to a motorized vehicle and intended for use in the operation of a food truck, canteen truck or ice cream truck.

*Mobile vendor:* shall mean a person, corporation, company, or business that sells or offers for sale new goods, wares, merchandise, beverages or food stuffs of any kind or nature whatsoever from cart, or other mobile vehicle designed for preparing or selling these products.

*Mobile food vendor:* means a mobile vendor which operates a mobile food service vehicle.

*Mobile food vendor permit:* means a permit issued by the city for the operation of a mobile food service vehicle.

*Neighborhood Community Event* means a non-commercial event located within a residential subdivision which may be open to the public and which is approved by the Planning Director/City Administrator by permit. Community events are to be held on private property within residential developments. A neighborhood community event must be determined by the Planning Director/City Administrator to provide an overall community benefit and must be sponsored by the HOA or a group of homeowners or other organization, not one individual.

*Operate:* means to sell food, beverages, and other permitted items from a mobile food service vehicle and includes all tenses of the word.

*Operator:* means any person operating or permitted to operate a mobile food service vehicle.

*Permit administrator:* means the city's planning and codes director or a person designated by the planning and codes director to oversee the issuance, suspension and revocation of mobile food vendor permits and food truck rally permits.

*Portable building:* Includes, but is not limited to, recreational vehicles, tents, carts, kiosks, and construction trailers.

*Portable toilet:* A portable or mobile toilet can be moved around and typically doesn't require existing infrastructure.

*Sponsor:* The applicant and/or operator of the temporary event for whom the temporary event request is approved, and who is responsible for ensuring conformance with City and other regulations, and is the point of contact for the business or organization.

*Temporary event/use:* An activity limited in duration, as defined herein, that does not require the issuance of a regular City of Mt. Juliet Business Tax License. In this context the term event and use is used interchangeably.

*Vehicle:* means every device in, upon or by which any person or property may be transported or drawn upon a street, including devices moved by human power.

II. *Mobile food service vehicle operations.* The City recognizes the practical benefits of allowing mobile food vendors to operate within City limits and hereby establishes these regulations for their operation and for the health, safety, and welfare of the public.

**A. Generally.** It is a violation to operate a mobile food service vehicle at any location except in compliance with the requirements of this article.

1. Mobile food service vehicle operators must comply with all federal, state and local licensing and permitting regulations and all business tax, sales tax and other tax requirements.
2. The Planning Director, or their designee is hereby authorized to promulgate rules and regulations supplemental to the provisions herein for the purpose of carrying out the administration and enforcement of such provisions.

**B. Locations and hours of operation**

1. Food trucks.

- a. *Right-of-way/public property.* Food trucks may not operate within the public right-of-way or on any city property except as may be specifically allowed by the city. When allowed in the public right-of-way, a food truck must be positioned so as to comply with the requirements of this ordinance. Food trucks may not operate on property owned by a public entity other than the city unless specifically allowed by such public entity. No unattended food truck shall be left at any time in the right-of-way or parked on any other public property overnight.
- b. *Private property.* A food truck with a current mobile food vendor permit may operate on private property in any residential or industrial zone, subject to the following conditions:
  - i. *Permission.* Food trucks selling to the public from private property shall have the written permission of the property owner, which shall be made available to the city immediately upon request.



- ii. *Unimproved properties.* Regardless of any agreement with the owner of the property, a food truck may not operate on an unimproved parcel. For purposes of this section, a parcel is considered "improved" if it contains a building that may be occupied pursuant to applicable building codes.
- iii. *Maximum number of food trucks.* No more than two (2) mobile food service vehicles may operate at any one location.
- iv. *Placement on lot.* Food truck operations, including any canopies, signage, equipment, and seating areas, may not occupy more than four parking spaces per food truck. Food trucks not parked within designated parking spaces shall not block fire lanes, designated traffic lanes or ingress or egress to or from a building or street.
- v. *Residential neighborhoods.* In residentially zoned districts with open space/amenity center, food truck(s) must operate at the amenity area. For residentially zoned districts without open space or amenity centers, food trucks may park on private property on non—collector streets. Neighborhood Community Events are restricted to no more than two (2) consecutive days and are limited to twelve (12) Neighborhood Community Events per year.
- vi. *Public Restrooms.* If a Mobile Food Service Vendor is operating in the same location for more than four (4) consecutive hours, ADA compliant public restrooms shall be made available. Should the HOA, allow amenity center usage, a signed restroom accessibility agreement is required for access of facilities within 450' of the vending location. For developments without HOA/amenity centers, ADA compliant portable toilets shall be required, within 450' of the vending location. For industrial districts, a signed restroom accessibility agreement is required for access of facilities within 450' of the vending location, or provide ADA compliant portable toilets.
- c. *Hours of operation.* In residentially zoned districts food trucks may operate beginning at 3:00pm and ending at 10:00pm Monday -Friday and 10:00am-10:00pm Saturday and Sunday. unless otherwise restricted by the operator's mobile food vendor permit or by the property owner. In industrially zoned areas utilized for warehousing and distribution, food trucks may operate during all shifts due to the nature of these businesses, however proposed operation times are subject to city approval.

## 2. *Canteen trucks.*

- a. Canteen trucks may not operate within any other public right-of-way or on any city property except as may be specifically allowed by the city. When allowed in the public right-of-way, a canteen truck must be positioned so as to comply with the requirements of this ordinance. Canteen trucks may not operate on property owned by a public entity other than the city unless specifically allowed by such public entity. No unattended canteen truck shall be left at any time in the right-of-way or parked on any other public property overnight.

b. *Private property.* A canteen truck with a current mobile food vendor permit may operate in any residential or industrial zone on private property, subject to the following conditions:

- i. *Permission.* Canteen trucks operating on private property shall have the written permission of the property owner, which shall be made available to the city immediately upon request.
- ii. *Placement on lot.* Canteen trucks shall not block fire lanes, designated traffic lanes or ingress or egress to or from a building or street.
- iii. *Maximum number of trucks.* No more than two (2) mobile food service vehicles may operate at any one location.
- iv. *Placement on lot.* Food truck operations, including any canopies, signage, equipment and seating areas, may not occupy more than four parking spaces per food truck. Food trucks not parked within designated parking spaces shall not block fire lanes, designated traffic lanes or ingress or egress to or from a building or street.
- v. *Residential neighborhoods.* In residentially zoned districts with open space/amenity center, food truck(s) must operate at the amenity area. For residentially zoned districts without open space or amenity centers, food trucks may park on private property on non—collector streets. Neighborhood Community Events are restricted to no more than two (2) consecutive days and are limited to twelve (12) Neighborhood Community Events per year.
- vi. *Public Restrooms.* If a Mobile Food Service Vendor is operating in the same location for more than four (4) consecutive hours, ADA compliant public restrooms shall be made available. Should the HOA, allow amenity center usage, a signed restroom accessibility agreement is required for access of facilities within 450' of the vending location. For developments without HOA/amenity centers, ADA compliant portable toilets shall be required, within 450' of the vending location. For industrial districts, a signed restroom accessibility agreement is required for access of facilities within 450' of the vending location or provide ADA compliant portable toilets.
- vii.

c. *Hours of operation.* Canteen trucks may operate beginning at 3:00pm ending at 10:00pm Monday – Friday and 10:00am and ending at 10:00pm on Saturday and Sunday unless otherwise restricted by the operator's mobile food vendor permit. In industrially zoned areas utilized for warehousing/distribution, canteen trucks may operate during all shifts due to the nature of these businesses, however proposed operation times are subject to city approval.

3. *Ice cream trucks.*

a. *Right-of-way/public property.* An ice cream truck with a current mobile food vendor permit may operate from the right-of-way at any one

location for no more than 15 minutes before relocating to another location not less than one-quarter mile from the previous location. When operating in the public right-of-way, an ice cream truck must be positioned so as to comply with the requirements of this ordinance. Ice cream trucks may not operate on any other property owned by the city or another public entity except as may be specifically allowed by the city or other public entity. No unattended ice cream truck shall be left at any time in the right-of-way or parked on any other public property overnight.

- b. *Private property.* An ice cream truck with a current mobile food vendor permit may operate on private property in any residential or industrial zone, subject to the following conditions:
  - i. *Permission.* Ice cream trucks operating on private property shall have the written permission of the property owner, which shall be made available to the city immediately upon request.
  - ii. *Unimproved properties.* Regardless of any agreement with the owner of the property, an ice cream truck may not operate on an unimproved parcel. For purposes of this section, a parcel is considered "improved" if it contains a building that may be occupied pursuant to applicable building codes.
  - iii. *Placement on lot.* Ice cream trucks shall not block fire lanes, designated traffic lanes or ingress and egress to and from a building or street.
  - iv. *Maximum number of trucks.* No more than two (2) mobile food service vehicles may operate at any one location.
- c. *Hours of operation.* Ice cream trucks may operate in residentially zoned and industrially zoned districts beginning at 11:00 a.m. and ending at sunset unless otherwise restricted by the operator's mobile food vendor permit.

## C. Operating requirements

### 1. *Vehicle requirements.*

- a. *Design and construction.* Mobile food service vehicles must be specifically designed and constructed for the purpose of preparation and sale of the specific type of food being sold and may not operate in any manner that is not compatible with the purpose for which the vehicle has been designed and constructed.
- b. *Licensing.* Mobile food service vehicles must be licensed and equipped in accordance with the rules and regulations of all local, state and federal agencies having jurisdiction over such vehicles. The preparation and sale of food from mobile food service vehicles must comply with all applicable local, state and federal laws and regulations.

### 2. *Right-of-way.*

- a. Mobile food service vehicles other than ice cream trucks may not operate, stop, stand or park in any area of the right-of-way that is intended for use by vehicular travel, except in the event of a street closure for a special event.

Mobile food service vehicles, including ice cream trucks, may not operate, stop, stand or park that in any way violates the provisions of City codes, impedes the flow of traffic, interferes with ingress or egress to or from any property or presents an unsafe condition for patrons, pedestrians or other vehicles.

- b. Mobile food service vehicles shall park facing the same direction as traffic, at a distance of no more than 18 inches between the curb face or edge of pavement and with the service window of the vehicle facing the curb or edge or pavement.
3. *Business access.* No mobile food service vehicle may operate in a location that:
  - a. Impedes the ingress to or egress from another business or otherwise causes undue interference with access to another business; or
  - b. Blocks the lawfully placed signage of another business.
  - c. Prevents access to another business by emergency vehicles.
4. *Pedestrians.* If on or adjacent to a sidewalk, the components of a mobile food service vehicle's operations, including signage, seating areas and patron queue may not reduce the clear pedestrian path of travel on the sidewalk to less than six feet. All awnings or canopies of the vehicle shall be at least six feet, eight inches above the sidewalk.
5. *Distance between units.* A mobile food service vehicle may not operate within three feet of any other mobile food service vehicle.
6. *Safety and fire prevention.* All cooking, heating and electrical equipment and all cooking practices must comply with applicable safety regulations, including applicable fire and electrical codes and any other safety requirements imposed by the city's fire department. No cooking equipment other than a heating apparatus compliant with applicable safety regulations may be used in a canteen truck. No cooking or heating equipment may be used in an ice cream truck. All mobile food service vehicles must be equipped with fire extinguishers that are inspected annually and certified as meeting National Fire Protection Association standards. No power cord, cable or equipment shall be extended across any public street, sidewalk or other public property.
7. *Noise.* No sounds that are prohibited by City codes may be produced by a mobile food service vendor's operations.
8. *Lights.* No mobile food service vehicle shall emit light, other than lights provided from the factory to be used for operating the vehicle at night, nor shall any mobile food service vendor use lighting to draw attention to the mobile food service vehicle operations
9. *Support methods.* No mobile food service vendor may use stakes, rods or any other method of support related to the mobile food service vehicle's operation that must be drilled, driven or otherwise fixed into or onto asphalt, pavement, curbs, sidewalks or buildings.
10. *Spills.* To prevent discharges into waterways, drainage systems or public sewer systems, each mobile food service vehicle shall comply with all stormwater regulations of the city and all regulations regarding prohibited discharges to public

sewers. In addition, each vehicle shall have a spill response plan to contain and remediate any discharge from the vehicle.

11. *Waste collection.* The area in which a mobile food service vehicle operates must be kept neat and orderly at all times. Operation of a mobile food service vehicle in an area is deemed acceptance by the operator of the responsibility for cleanliness of the area surrounding the operations (not less than 50 feet from all parts of the vehicle) regardless of the occurrence or source of any waste in the area. During each period of operation at a location, the operator must provide proper trash receptacles for public use that are sufficient and suitable to contain all trash generated by the mobile food service vehicle. All trash receptacles must be emptied when full, and all waste must be removed prior to departure of a mobile food service vehicle from a location.
12. *Pedestrian service only.* Mobile food service vehicles shall serve pedestrians only. Drive-through or drive-in service is prohibited.
13. *Signage.* Signage for each mobile food service vehicle shall be limited to signs on the exterior or interior of the vehicle and one sandwich board sign. All signs on the exterior of the vehicle shall be secured and shall not project more than six inches from the vehicle. One sandwich board sign may be placed outside the mobile food service vehicle, provided that the base of a sandwich board sign must be placed no further than two feet beyond the mobile food service vehicle. Sandwich board signs shall not exceed eight square feet per side or 48 inches in height and shall not obstruct or impede pedestrian or vehicular traffic.
14. *Alcohol sales.* Food trucks may not sell alcoholic beverages, except as may be specifically allowed by applicable state law and city ordinance. Canteen trucks and ice cream trucks are prohibited from selling alcoholic beverages.
15. *Insurance.*
  - a. Mobile food service vehicles must maintain all motor vehicle insurance coverage required by applicable state and federal laws and regulations.
  - b. Mobile food service vehicles operating on city property other than the right-of-way shall at all times maintain such further insurance coverage as may be required by the city manager. In the event the required coverage is not properly maintained, permission to operate on city property will be immediately revoked.
16. *Exterior cooking equipment.* Any food preparation equipment outside of the mobile food service vehicle shall not obstruct vehicular or pedestrian traffic, and the use and operation of such equipment shall not create safety hazards for the public. Food shall not be served to customers directly from any outside food preparation equipment. Any smoker or other exterior equipment that generates heat shall be surrounded with at least three traffic safety cones.
17. *Commissary.* A commissary, as defined in this article, shall not be located in any residential zoning district unless permitted as a home occupation in compliance with code requirements.
18. *Overnight Parking.* Mobile Food Service Vehicles shall NOT be parked overnight on property where operations of food vending occurs.

#### **D. Mobile food vendor permits**

1. *Required.* The designated permit administrator shall oversee the issuance, suspension and revocation of mobile food vendor permits. No mobile food service vehicle may operate within the city without a mobile food vendor permit issued by the city. A mobile food vendor permit authorizes the holder only to engage in the vending of products from a mobile food service vehicle in compliance with this ordinance and as specified on the permit. The mobile food vendor permit must be prominently displayed when the mobile food service vehicle is in operation. This section shall not apply to contractual arrangements between a mobile food service vehicle operator and any individual, group or entity for pre-arranged catering at a specific location for a period of not more than four hours, provided that the mobile food service vehicle is not open to or serving the general public.
  - a. *Application.*
    - i. In order to obtain a mobile food vendor permit, a mobile food service vehicle operator must complete an application form provided by the city. The application shall include the following information:
    - ii. Name and address of the owner of the vehicle.
    - iii. Name and address of the operator of the vehicle.
    - iv. Color photographs of the exterior (front, side, and back) of the vehicle in its final condition and with all markings under which it will operate.
    - v. A copy of the vehicle license and registration form reflecting the vehicle identification number (VIN) of the vehicle.
    - vi. A copy of the state or county health department license or permit applicable to mobile food providers.
    - vii. A copy of any alcoholic beverage licenses, if applicable.
    - viii. A copy of the operators business license.
    - ix. A certificate of insurance coverage, including required motor vehicle insurance coverage.
    - x. A signed acknowledgement that the operator has read this article and will comply with all applicable requirements herein.
    - xi. Property owner permission, in writing.
    - xii. Any additional information required by the permit administrator.
  - b. Submittal of an application for a mobile food vendor permit must be accompanied by payment of an application fee in the amount of \$100 per year per mobile food service vehicle.
  - c. Each mobile food vendor permit holder shall have an ongoing duty to provide the city with notice of any change to any of the information submitted with its permit application, including current photographs of the mobile food service vehicle in the event of any change in the appearance of or signage on the vehicle.
2. *Issuance.* A mobile food vendor permit shall be issued upon verification that an application has been completed in accordance with the requirements of this section, except that no such permit will be issued to an operator whose permit is currently suspended or has been revoked within the preceding 12 months, or to any person

who intends to operate the same mobile food service vehicle for which the operator's permit is currently suspended or has been revoked within the preceding 12 months. If the permit administrator denies the application, such denial shall be in writing and provided to the applicant within 15 days of receipt of the application.

3. *Expiration.* The fee for renewal shall be the same as the application fee for a new mobile food vendor permit once the existing permit has expired.
4. *Transferability.* A mobile food vendor permit may not be transferred except as part of the sale of a controlling interest in a business holding the permit or a sale of substantially all of the assets of a business holding the permit. The operator of the mobile food service vehicle shall notify the city within ten days of any such sale and shall update any information that has been changed since the submittal of the application for the mobile food vendor permit.

## **E. Enforcement**

1. *Citation.* Each of the following circumstances constitute a violation of this ordinance, for which a citation may be issued by a codes enforcement officer, the permit administrator or police officer of the city:
  - a. Operation of a mobile food service vehicle without a current, valid permit, provided further that each day and each separate location at which a mobile food service vehicle operates without a current, valid permit shall be considered a separate violation.
  - b. Failure to comply with this Section 3-108 or any other provision of the Zoning Code or City Code, except Sections 3-102, 3-103, and 3-106 of the Zoning Ordinance.
2. *Responsibility for violations.* The city codes enforcement officers, permit administrator and police officers may, at their discretion in consideration of the situation, cite any of the individuals or entities listed below for any violation of the provisions of this ordinance:
  - a. The operator of a mobile food service vehicle.
  - b. An employee working at a mobile food service vehicle.
  - c. The owner of the property on which a mobile food service vehicle is operated.
3. *Suspension of permit.* A mobile food vendor permit shall be suspended by the permit administrator if:
  - a. The applicant for the permit knowingly provides false information on the application.
  - b. Two violations of this article occur within a six-month period in conjunction with the mobile food service vehicle for which the permit has been issued.
  - c. The operator of a mobile food service vehicle fails to maintain a current, valid vehicle registration, health department permit, business license or proof of required motor vehicle insurance coverage.
4. *Revocation of permit.* A mobile food vendor permit shall be revoked by the permit administrator if:
  - a. Four violations of this article have occurred within a 12-month period.

- b. A mobile food service vehicle is operated in an unlawful manner so as to constitute a breach of the peace or otherwise threaten the health, safety or general welfare of the public.

5. *Reinstatement.*

- a. *Suspended permit.* An operator may reinstate a suspended mobile food vendor permit by taking such actions as may be necessary to correct a mobile food service vehicle's noncompliance and paying a reinstatement fee of \$500 to offset the city's cost of enforcement measures, inspections and compliance verifications.
- b. *Revoked permit.* An operator whose mobile food vendor permit has been revoked may apply for a new permit after 12 months from the date of revocation, provided the operator has taken such actions as may be necessary to correct a mobile food service vehicle's noncompliance. The operator shall pay a permit reinstatement fee of \$500.00 to offset the city's cost of enforcement measures, inspections and compliance verifications.
- c. No permit will be issued to any person who intends to operate the same mobile food service vehicle for which the operator's permit is currently suspended or has been revoked within the preceding 12 months.

*Notice.* Notice of the suspension or revocation of a mobile food vendor permit shall be issued to the operator in writing by the permit administrator.

**F. Appeals**

1. *Filing.* The denial, suspension or revocation of a mobile food vendor permit by the permit administrator may be appealed by filing a written notice of appeal, establishing the grounds for the appeal, with the city manager no later than ten business days following receipt of the notice of denial, suspension or revocation.
2. *City manager's review.* When an appeal is filed with the city manager as set forth herein, the city manager may request such additional information from the operator and the permit administrator as may be deemed necessary. At the city manager's discretion, the appeal may be decided based on the written information and documentation submitted, or a hearing may be scheduled with the operator and the permit administrator. The city manager's decision shall be issued in writing, based on a written summation of the pertinent facts, and shall be final. The city manager may reverse the denial, suspension or revocation of a permit, or may reduce the waiting period required for reinstatement of a revoked permit if it is determined that the operator has taken reasonable steps to mitigate the violations leading to the revocation and to prevent future violations.
3. *Refunds.* There shall be no refund of an application fee for a mobile food vendor permit that has been denied. There shall be no refund of a reinstatement fee for a suspended or revoked permit unless the city manager determines on appeal that the permit administrator acted in error in suspending or revoking the permit.



PASSED: July 10, 2023

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James Maness, Mayor

FIRST READING: 5/22/23

SECOND READING: 7/10/23

ATTEST:

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Sheila S. Lockett, MMC  
City Recorder

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Kenny Martin, City Manager

APPROVED AS TO FORM:

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L. Gino Marchetti, Jr.  
City Attorney



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0434

**Agenda Date:** 1/8/2024

**Agenda #:** 8.F.

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**Title:**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO  
ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE GOLDEN BEAR AND VOLUNTEER  
BLVD TRAFFIC SIGNAL PROJECT**

## ORDINANCE 2023-\_\_\_\_\_

### AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE GOLDEN BEAR AND VOLUNTEER BLVD TRAFFIC SIGNAL PROJECT

**WHEREAS**, the City of Mt. Juliet continually seeks to improve traffic delays and congestion for citizens traveling on city roadways; and

**WHEREAS**, the City of Mt. Juliet budgeted a signal project in the FY24 Capital Projects Fund at the intersection of Golden Bear and Volunteer Blvd; and

**WHEREAS**, the project was appropriately bid however the cost exceeded the current budget; and

**WHEREAS**, TDOT committed additional State SIA grant funds to cover the total cost of construction of the project.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the City of Mt. Juliet, Tennessee as follows:

**Section 1.** The 2023/2024 Budget Ordinance (Ordinance 2023-24) is hereby amended as follows:

#### **Capital Projects Fund**

Increase / (Decrease) the Following Revenue:

300-33431	TDOT SIA Under Armor Grant	\$ 487,068
300-37810	Operating Transfers from General Fund	(\$378,800)

Increase / (Decrease) the Following Expenditures:

#### **Mt. Juliet Road ADA Upgrades, Phase II**

300-43127-943	Traffic Signal Equipment	(\$ 228,800)
300-43127-966	Construction	(\$ 150,000)
300-43127-967	Construction Funded by Grants	\$ 487,068

#### **General Fund:**

110-49800-899	Transfers to Capital Projects Fund	(\$378,800)
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**Section 2.** The budget ordinance, as amended, is ratified and readopted in all respects and this amendment is incorporated therein.

**BE IT FURTHER ORDAINED:**

**Section 3.** In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

**Section 4.** If any section, clause, 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, provision or portion of this ordinance.

**Section 5.** That this ordinance shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED:

\_\_\_\_\_  
James Maness, Mayor

FIRST READING:  
SECOND READING:

ATTEST:

\_\_\_\_\_  
Sheila S. Lockett, MMC  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Kenny Martin, City Manager

\_\_\_\_\_  
L. Gino Marchetti, Jr., City Attorney

## **ORDINANCE 2023-\_\_\_\_\_**

### **AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE GOLDEN BEAR AND VOLUNTEER BLVD TRAFFIC SIGNAL PROJECT**

#### **Executive Summary**

The project: This project consists of installing a traffic signal at the intersection of Golden Bear Gateway and Volunteer Blvd to improve traffic delays.

Funding: We recently opened bids and the BOC approved a construction contract in the amount of \$446,568. The construction inspection consultant cost is \$40,500. Therefore, the total construction cost is \$487,068. The current budget only includes \$228,800 of grant funds on the project. Public Works staff was able to secure additional grant funding from TDOT. TDOT has committed to funding the total construction cost with State SIA funds. Therefore, this project will now be covered 100% by grant funds.

Official act: This ordinance amends the budget to increase the grants funds from \$228,800 to \$487,068 and decrease the local funds by \$150,000.

Fiscal Note: This project is now covered 100% by grant funds. Therefore, the City no longer has a fiscal responsibility, unless cost overruns are experienced during construction. We are keeping \$50,000 of local funds in the budget just in case there are cost overruns.



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0452  
11.A.

**Agenda Date:** 1/8/2024

**Agenda #:**

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**Title:**

**AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE PROVIDENCE PLANNED UNIT DEVELOPMENT (PUD), LOCATED AT 80 BELINDA PARKWAY, MAP 096, PARCEL 001.11, IN THE CITY OF MT. JULIET, WILSON COUNTY, TN**



## MEMORANDUM

**Date:** December 21, 2023

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jennifer Hamblen, Planning Director  
Jon Baughman, Deputy Planner

**Re:** Providence  
PMDP PUD Amendment  
Map - 96  
Parcels – 01.11

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**Request:** CSDG, on behalf of their client Cumberland Hospitality, requests an amendment to the Providence PUD regarding Lot 4, at 80 Belinda Parkway, in District 3 for development of a hotel.

**History:** 80 Belinda Parkway is on the north side of the street between Two Rivers Ford and Music City Honda. The Providence PUD dates to 1999 and has been subject to modifications in the past. The parcel is shown on the plans as lot 4 and is approximately 3.25 acres and zoned CMU-PUD. Development intended for this parcel includes a Homewood Suites hotel. A description of the proposed amendment is below.

**Request:** The applicant requests 62' maximum permissible height (5 stories) in lieu of 35' (3 stories) for a hotel on Lot 4 in the PUD.

**Summary:** The Zoning Ordinance allows up to 70' height (in lieu of 35') to be built on CMU zoned land within ½ mile from an existing or proposed I40 interchange, this property falls just outside of that radius (approx. 0.55 miles to MJR/I40). The PUD modification request is for the building height only; all other regulations and conditions of previous approvals shall still apply.

**Recommendation:** Staff recommends forwarding this maximum height amendment for 80 Belinda Parkway in the Providence PUD to the Board of Commissioners with a positive recommendation and the conditions below.

**Planning and Zoning:**

1. All conditions of Preliminary Master Development Plan and Final Master Development Plan approval shall be adhered to.

**Public Works:**

1. No Comments

**West Wilson Utility District:**

1. There are no existing or proposed water lines shown.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE PROVIDENCE PLANNED UNIT DEVELOPMENT (PUD), LOCATED AT 80 BELINDA PARKWAY, MAP 096, PARCEL 001.11, IN THE CITY OF MT. JULIET, WILSON COUNTY, TN.**

**WHEREAS**, the Preliminary Master Development Plan amendment request for the Providence Planned Unit Development is compliant with the requirements found in the City's Zoning Ordinance and;

**WHEREAS**, the Regional Planning Commission considered this request during their meeting of December 21, 2023 and forwarded a positive recommendation to the Board of Commissioners by a vote of 8-0-0 and;

**WHEREAS**, a public hearing before the City Commission of the City of Mt. Juliet was held on \_\_\_\_\_ 2024 notice thereof published in the Chronicle of Mt. Juliet on \_\_\_\_\_; and

**WHEREAS**, the City of Mt. Juliet Board of Commissioners desires to amend the Preliminary Master Development Plan for the Providence Planned Unit Development, for Map 096, Parcel 001.11.

**NOW, THEREFORE, BE IT ORDAINED** BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON \_\_\_\_\_, 2024 THAT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE PROVIDENCE PLANNED UNIT DEVELOPMENT BE AMENDED AS FOLLOWS:

**SECTION 1.** – The Preliminary Master Development Plan for the Providence Planned Unit Development is amended as shown in Exhibit B. The PMDP-PUD shall comply with the Zoning Ordinance, be in conformance with all other applicable rules, regulations, approvals and ordinances of the City of Mt. Juliet and is further conditioned upon the following:

**Planning and Zoning:**

1. All conditions of Preliminary Master Development Plan and Final Master Development Plan approval shall be adhered to.

**Public Works:**

1. No Comments

**West Wilson Utility District:**

1. There are no existing or proposed water lines shown.



**LEGAL DESCRIPTION** – See Exhibit A.

**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. 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:

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James Maness, Mayor

FIRST READING:

SECOND READING:

ATTEST:

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Sheila S. Luckett, MMC  
City Recorder

---

Kenny Martin, City Manager

APPROVED AS TO FORM:

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L. Gino Marchetti, Jr.  
City Attorney

## **Property Description**

**POINT OF BEGINNING:** Southeastern most property corner;

Thence along said curve turning to the right through an angle of  $04^{\circ} 24' 59''$ , having a radius of 1950.00 feet, and whose long chord bears  $N 83^{\circ} 40' 11'' W$  for a distance of 150.27 feet to a point;

Thence,  $N 81^{\circ} 27' 41'' W$  for a distance of 74.79 feet to a point;

Thence,  $N 08^{\circ} 32' 17'' E$  for a distance of 68.16 feet to a point;

Thence,  $S 81^{\circ} 33' 37'' E$  for a distance of 15.79 feet to a point;

Thence,  $N 08^{\circ} 32' 24'' E$  for a distance of 10.00 feet to a point;

Thence,  $S 81^{\circ} 33' 30'' E$  for a distance of 20.00 feet to a point;

Thence,  $N 08^{\circ} 32' 18'' E$  for a distance of 30.00 feet to a point;

Thence,  $N 81^{\circ} 33' 30'' W$  for a distance of 20.00 feet to a point;

Thence,  $N 08^{\circ} 32' 21'' E$  for a distance of 33.95 feet to a point;

Thence,  $N 81^{\circ} 27' 41'' W$  for a distance of 79.47 feet to a point;

Thence,  $N 13^{\circ} 45' 54'' E$  for a distance of 576.68 feet to a point;

Thence,  $S 84^{\circ} 10' 54'' E$  for a distance of 125.00 feet to a point;

Thence,  $S 00^{\circ} 17' 09'' E$  for a distance of 725.15 feet to the **POINT OF BEGINNING**.

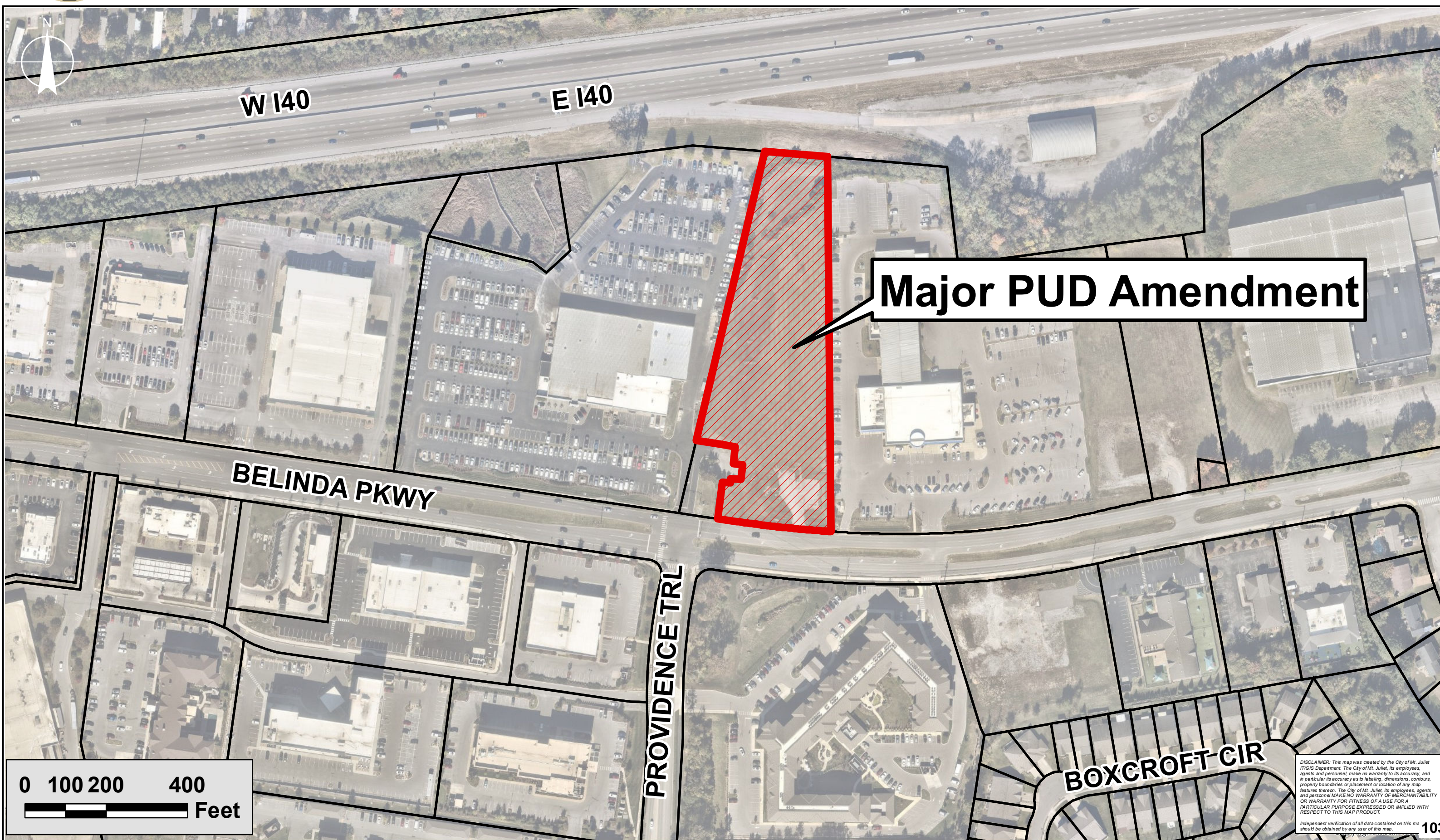
**CONTAINING APPROXIMATELY 141,760 SQUARE FEET OR 3.25 ACRES,  
MORE OR LESS.**





# Exhibit B - PUD Amendment

**Homewood Suites**  
**Map 096, Parcel 001.00**







# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0456  
11.B.

**Agenda Date:** 1/8/2024

**Agenda #:**

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**Title:**

**AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE MT. JULIET COMMONS PLANNED UNIT DEVELOPMENT (PUD), BEING LOCATED AT 12950 LEBANON ROAD, MAP 053, PARCEL 109.00 IN THE CITY OF MT. JULIET, WILSON COUNTY, TN.**



## MEMORANDUM

**Date:** December 21, 2023

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jennifer Hamblen, Planning Director  
Jon Baughman, Deputy Planner

**Re:** Mt. Juliet Commons  
PMDP PUD Amendment  
Map - 053  
Parcels – 109.00

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**Request:** CSDG, on behalf of their client, requests an amendment to the Mt. Juliet Commons PUD at 12950 Lebanon Road in District 1 for a veterinary use.

**Request:** Requested is a veterinary office located adjacent to residentially zoned property, located in a three-tenant commercial building, center unit. This amendment is required due to the supplemental regulations for veterinary uses found in the zoning ordinance, described below.

**History/Overview:** The Mt. Juliet Commons PUD dates back to at least 2003 and is located at the Tate Lane and Lebanon Road intersection. The zoning is CG PUD and the specific lot in this PUD to which this request applies is approximately 0.53 acres. Proposed for the site is a 5,036sf multi-tenant commercial building, with one tenant being a veterinary office.

To the south and east of the commercial PUD are residentially zoned, occupied, single family properties, separated from PUD by an irregularly shaped residentially zoned buffer parcel. This buffer parcel surrounds 129, 131, 133 and 135 Tate Lane and is approximately 15' wide in the vicinity of the commercial building intended to house the veterinary use. The irregular parcel is owned by the Tate Lane HOA, and serves as the residential zoned property's perimeter buffer.

Given the irregular shape of the buffer parcel, the subject site (MJ Commons) and 129 Tate Lane touch at the Tate Lane right-of-way line, due to the buffer lot tapering to a point at this location. This presents an issue regarding compliance with supplemental provisions intended for veterinary uses, highlighted below.

Supplementary Regulations 3-104.7.2:

*Animal care and veterinary services.* In all districts where authorized as a use permitted with supplemental provisions (SUP), uses classified in the animal care activity type shall be subject to the following supplementary regulations:

- a. All animal care uses shall occur in completely walled and roofed structures, except that completely fenced exercise yards may be provided as specified in subpart b of this section, below.
- b. Exercise yards shall be completely fenced and screened from all abutting lots and streets. Exercise yards shall not be used for overnight accommodations. The use of exercise yards shall be restricted to the hours of 8:00 a.m. to 8:00 p.m.
- c. Animal care boarding facilities shall be restricted to domesticated animals that have an adult weight not exceeding 200 pounds.
- d. The design of animal care facilities shall provide for the off-street pickup and drop-off of animals.
- e. Animal care, veterinary office and services shall be strictly prohibited should the lot on which the facility is situated adjoin any residentially zoned property unless the residential property is unoccupied.

**Summary:** Given the circumstances presented by this request, staff requests the Planning Commission and Board of Commissioners review the proposal.

**Recommendation:** Staff recommends forwarding this request to the Board of Commissioners with a positive recommendation and the conditions below.

**Planning and Zoning:**

- 1. Outdoor animal care and veterinary uses shall not be permitted, add this note to the plans.
- 2. All activities shall be indoors. All other supplementary regulation in 3-104.7.2 shall be adhered to.

**Public Works:**

- 1. No Comments

**West Wilson Utility District:**

- 1. Does the water line on Tate Lane extend across this property as shown?

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE MT. JULIET COMMONS PLANNED UNIT DEVELOPMENT (PUD), BEING LOCATED AT 12950 LEBANON ROAD, MAP 053, PARCEL 109.00 IN THE CITY OF MT. JULIET, WILSON COUNTY, TN.**

**WHEREAS**, the Preliminary Master Development Plan amendment for the Mt. Juliet Commons Planned Unit Development amendment request is compliant with the requirements found in the City's Zoning Ordinance and;

**WHEREAS**, the Regional Planning Commission considered this request during their meeting of December 21, 2023 and forwarded a positive recommendation to the Board of Commissioners by a vote of 8-0-0 and;

**WHEREAS**, a public hearing before the City Commission of the City of Mt. Juliet was held on \_\_\_\_\_ 2024 and notice thereof published in the Chronicle of Mt. Juliet on \_\_\_\_\_; and

**WHEREAS**, the City of Mt. Juliet Board of Commissioners desires to amend the Preliminary Master Development Plan for the Mt. Juliet Commons Planned Unit Development, for Map 053, Parcel 109.00.

**NOW, THEREFORE, BE IT ORDAINED** BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON \_\_\_\_\_, 2024 THAT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE MT. JULIET COMMONS PLANNED UNIT DEVELOPMENT BE AMENDED AS FOLLOWS:

**SECTION 1.** – The Preliminary Master Development Plan for the Mt. Juliet Commons Planned Unit Development, is amended as shown in Exhibit B. The PMDP-PUD shall comply with the Zoning Ordinance, be in conformance with all other applicable rules, regulations, approvals and ordinances of the City of Mt. Juliet and is further conditioned upon the following:

Planning and Zoning:

1. Outdoor animal care and veterinary uses shall not be permitted, add this note to the plans.
2. All activities shall be indoors. All other supplementary regulation in 3-104.7.2 shall be adhered to.

Public Works:

1. No Comments

West Wilson Utility District:

1. Does the water line on Tate Lane extend across this property as shown?

**LEGAL DESCRIPTION** – See Exhibit A.

**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. 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:

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James Maness, Mayor

FIRST READING:

SECOND READING:

ATTEST:

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Sheila S. Lockett, MMC  
City Recorder

---

Kenny Martin, City Manager

APPROVED AS TO FORM:

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L. Gino Marchetti, Jr.  
City Attorney



# **Exhibit A**

## **Property Description**

**POINT OF BEGINNING:** Northern most property corner;  
Thence, S 31° 06' 47" E for a distance of 14.58 feet to a point;  
Thence, S 58° 53' 13" W for a distance of 19.63 feet to a point;  
Thence, S 31° 06' 47" E for a distance of 54.33 feet to a point;  
Thence, S 83° 48' 40" E for a distance of 145.35 feet to a point;  
Thence, S 83° 48' 40" E for a distance of 37.63 feet to a point;  
Thence, S 34° 59' 58" W for a distance of 180.00 feet to a point;  
Thence, S 30° 40' 57" E for a distance of 23.14 feet to a point;  
Thence along said curve turning to the left through an angle of 31° 09' 58", having a radius of 140.00 feet, and whose long chord bears N 83° 40' 31" W for a distance of 75.22 feet to a point;  
Thence, S 80° 44' 29" W for a distance of 6.11 feet to a point;  
Thence, N 09° 31' 11" W for a distance of 184.58 feet to a point;  
Thence, N 85° 47' 27" W for a distance of 97.22 feet to a point;  
Thence, N 58° 53' 13" E for a distance of 115.63 feet to the **POINT OF BEGINNING.**

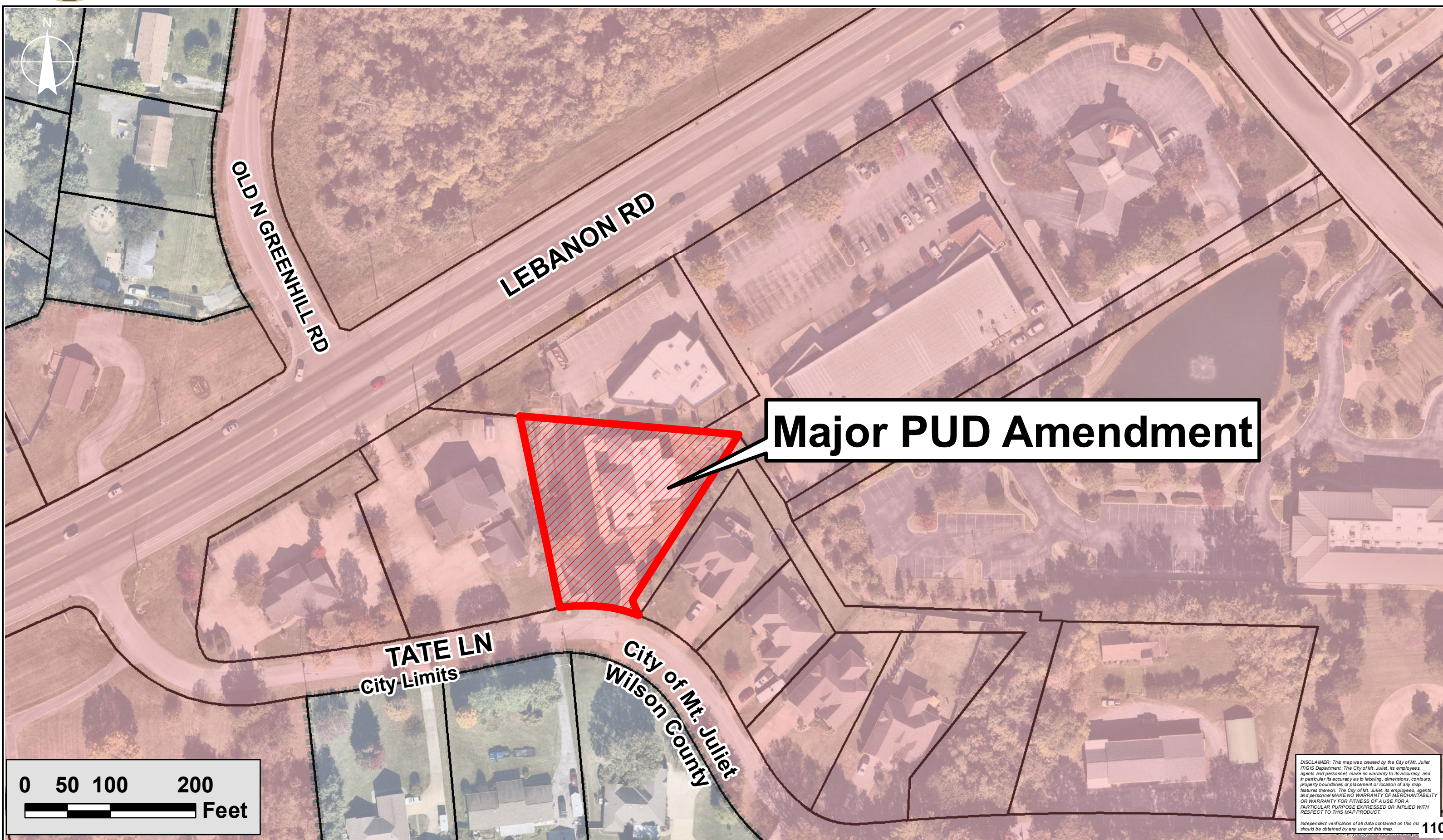
**CONTAINING APPROXIMATELY 26,553 SQUARE FEET OR 0.61 ACRES,  
MORE OR LESS.**





# Exhibit B - PUD Amendment

**Mt. Juliet Commons  
Map 053, Parcel 109.00**







# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0464  
11.C.

**Agenda Date:** 1/8/2024

**Agenda #:**

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**Title:**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT**

## ORDINANCE 2024-\_\_\_\_\_

### AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT

**WHEREAS**, the City of Mt. Juliet continually seeks to improve traffic and safety for citizens traveling on city roadways; and

**WHEREAS**, the City of Mt. Juliet budgeted a railroad signal improvement project in the FY24 Capital Projects Fund at the intersection of S. Greenhill and W. Division Street; and

**WHEREAS**, the project was recently bid and now a line item for construction funded by grants needs to be added to the budget; and

**WHEREAS**, The project is being managed by the City and TDOT is fully funding the construction of this project.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the City of Mt. Juliet, Tennessee as follows:

**Section 1.** The 2023/2024 Budget Ordinance (Ordinance 2023-24) is hereby amended as follows:

#### **Capital Projects Fund**

Add the Following Revenue:

300-33471	TDOT Railroad Safety Grant	\$ 655,109.50
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Add the Following Expenditures:

#### **S. Greenhill RR Crossing Signal**

300-43182-967	Construction Funded by Grants	\$ 655,109.50
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**Section 2.** The budget ordinance, as amended, is ratified and readopted in all respects and this amendment is incorporated therein.

**BE IT FURTHER ORDAINED:**

**Section 3.** In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

**Section 4.** If any section, clause, 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, provision or portion of this ordinance.

**Section 5.** That this ordinance shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED:

\_\_\_\_\_  
James Maness, Mayor

FIRST READING:  
SECOND READING:

ATTEST:

\_\_\_\_\_  
Sheila S. Lockett, MMC  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Kenny Martin, City Manager

\_\_\_\_\_  
L. Gino Marchetti, Jr., City Attorney

## **ORDINANCE 2024-\_\_\_\_\_**

### **AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT**

#### **Executive Summary**

- The project: This project consists of upgrading the existing traffic signal at the intersection of S. Greenhill Road and W. Division Street to steel poles and mast arms and upgrading the signal equipment and railroad safety components.
- Funding: We recently opened bids and the BOC approved a construction contract in the amount of \$655,109.50. Public Works staff were able to secure a grant from TDOT. TDOT has committed to funding the total construction cost for this project.
- Official act: This ordinance amends the budget to add the revenue from the grants funds in the amount of \$655,109.50.
- Fiscal Note: This project is covered 100% by grant funds. Therefore, the City does not have a fiscal responsibility, unless cost overruns are experienced during construction. We are keeping \$50,000 of local funds in the budget just in case there are cost overruns.



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0465

**Agenda Date:** 1/8/2024

**Agenda #:** A.

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**Title:**

**RESOLUTION APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT**



## **RESOLUTION \_\_-2024**

### **RESOLUTION APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT**

**WHEREAS**, the City of Mt. Juliet continually seeks to improve traffic and safety for citizens traveling on city roadways; and

**WHEREAS**, This project consists of upgrading the existing traffic signal at the intersection of S. Greenhill Road and W. Division Street to steel poles and mast arms and upgrading the signal equipment and railroad safety components; and

**WHEREAS**, the City of Mt. Juliet has received and reviewed bids and finds Stansell Electric (“Contractor”) to be the lowest responsive, responsible bidder for the project;

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the City of Mt. Juliet, Wilson County, Tennessee as follows:

Section 1. The Board of Commissioners approves the contract with the Contractor in the total amount of \$655,109.50 for the construction of the Project.

Section 2. Mayor James Maness is hereby authorized to execute the said contract with the Contractor.

Section 3. In the event of conflict between this resolution or any part hereof, and the whole or part of any existing resolution of the City, the conflicting resolution is repealed to the extent of the conflict but no further.

Section 4. If any section, clause, provision or portion of the resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of the resolution.

**RESOLUTION \_\_-2024**

This Resolution shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED:

FIRST READING:

\_\_\_\_\_  
James Maness, Mayor

ATTEST:

\_\_\_\_\_  
Sheila S. Lockett, MMC  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Kenneth Martin, City Manager

\_\_\_\_\_  
L. Gino Marchetti, Jr.  
Attorney

## **RESOLUTION \_\_-2024**

### **RESOLUTION APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT**

#### **Executive Summary**

- The project: This project consists of upgrading the existing traffic signal at the intersection of S. Greenhill Road and W. Division Street to steel poles and mast arms and upgrading the signal equipment and railroad safety components.
- Contract: the City of Mt. Juliet has received and reviewed bids and finds Stansell Electric (“Contractor”) to be the lowest responsive, responsible bidder for the project in the amount of \$655,109.50.
- Funding: The City has secured a grant from TDOT to cover 100% of the cost for the project. A budget amendment ordinance will need to be approved separately to add the grant funding to the capital project budget.
- Official act: This resolution is to provide formal support of the contract and to authorize the Mayor to sign the contract.

ENGINEERS ESTIMATE 12.21.23							
ITEM NO.	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	PRICE	Stansell UNIT PRICE	Stansell PRICE
105-01	CONSTRUCTION STAKES, LINES AND GRADES	LS	1	\$ 13,800.00	\$ 13,800.00	\$ 7,040.00	\$ 7,040.00
209-05	SEDIMENT REMOVAL	C.Y.	5	\$ 17.25	\$ 86.25	\$ 96.50	\$ 482.50
209-09.41	CURB INLET PROTECTION (TYPE 2)	EACH	5	\$ 690.00	\$ 3,450.00	\$ 228.00	\$ 1,140.00
303-10.01	MINERAL AGGREGATE (SIZE 57)	TON	35	\$ 51.75	\$ 1,811.25	\$ 156.00	\$ 5,460.00
403-01	BITUMINOUS MATERIAL FOR TACK COAT (TC)	TON	5	\$ 1,035.00	\$ 5,175.00	\$ 1,280.00	\$ 6,400.00
411-02.10	ACS MIX(PG70-22) GRADING D	TON	375	\$ 345.00	\$ 129,375.00	\$ 270.00	\$ 101,250.00
415-01.01	COLD PLANING BITUMINOUS PAVEMENT	TON	370	\$ 34.50	\$ 12,765.00	\$ 57.50	\$ 21,275.00
709-05.06	MACHINED RIP-RAP (CLASS A-1)	TON	140	\$ 74.75	\$ 10,465.00	\$ 114.00	\$ 15,960.00
712-01	TRAFFIC CONTROL	LS	1	\$ 13,800.00	\$ 13,800.00	\$ 28,450.00	\$ 28,450.00
712-06	SIGNS (CONSTRUCTION)	S.F.	168	\$ 17.25	\$ 2,898.00	\$ 12.50	\$ 2,100.00
713-02.21	SIGN POST DELINEATION ENHANCEMENT	L.F.	42	\$ 11.50	\$ 483.00	\$ 10.50	\$ 441.00
713-14.21	STREET NAME SIGN (RIGID 0.100IN THICK)	S.F.	30	\$ 115.00	\$ 3,450.00	\$ 31.00	\$ 930.00
713-15	REMOVAL OF SIGNS, POSTS AND FOOTINGS	LS	1	\$ 11,500.00	\$ 11,500.00	\$ 178.00	\$ 178.00
713-15.07	SUSPENDED FLAT SHEET ALUMINUM SIGN (0.080" THICK)	EACH	3	\$ 690.00	\$ 2,070.00	\$ 594.00	\$ 1,782.00
713-16.01	CHANGEABLE MESSAGE SIGN UNIT	EACH	3	\$ 9,200.00	\$ 27,600.00	\$ 3,555.00	\$ 10,665.00
713-16.20	SIGNS (R3-1(BLANKOUT NO RIGHT TURN))	EACH	1	\$ 460.00	\$ 460.00	\$ 5,950.00	\$ 5,950.00
713-16.21	SIGNS (R3-2(BLANKOUT NO LEFT TURN))	EACH	1	\$ 345.00	\$ 345.00	\$ 5,950.00	\$ 5,950.00
713-16.22	SIGNS (W10-1, 36" DIA.)	EACH	2	\$ 402.50	\$ 805.00	\$ 507.00	\$ 1,014.00
713-16.23	SIGNS (W10-3, 48"x48")	EACH	2	\$ 402.50	\$ 805.00	\$ 725.00	\$ 1,450.00
713-16.24	SIGNS (W10-9P, 30"x24")	EACH	4	\$ 230.00	\$ 920.00	\$ 414.00	\$ 1,656.00
713-16.25	SIGNS (R8-8, 24"x30")	EACH	1	\$ 517.50	\$ 517.50	\$ 414.00	\$ 414.00
713-16.26	SIGNS (R8-10, 24"x36")	EACH	1	\$ 517.50	\$ 517.50	\$ 437.00	\$ 437.00
713-16.27	SIGNS (R10-6, 24"x36")	EACH	1	\$ 517.50	\$ 517.50	\$ 437.00	\$ 437.00
713-16.28	SIGNS (TN-69A(LEFT TURN YIELD ON FLASHING ARROW))	EACH	1	\$ 517.50	\$ 517.50	\$ 353.00	\$ 353.00
714-04.01	CONDUIT (STRUCTURES - 1" RGS)	L.F.	800	\$ 34.50	\$ 27,600.00	\$ 22.50	\$ 18,000.00
714-05.03	CABLE PULL BOXES (TYPE B)	EACH	6	\$ 2,300.00	\$ 13,800.00	\$ 1,185.00	\$ 7,110.00
714-06.05	CABLE (1/C #6 AWG)	L.F.	700	\$ 5.75	\$ 4,025.00	\$ 2.10	\$ 1,470.00
714-09.03	LUMINAIRES (250 WATT LED)	EACH	3	\$ 2,070.00	\$ 6,210.00	\$ 1,740.00	\$ 5,220.00
716-01.21	SNOWPLOWABLE RAISED PAVEMENT MARKERS (BI-DIR) (1 COLOR)	EACH	60	\$ 57.50	\$ 3,450.00	\$ 142.00	\$ 8,520.00
716-01.22	SNOWPLOWABLE RAISED PAVMENT MARKERS (MONO-DIR)(1 COLOR)	EACH	32	\$ 57.50	\$ 1,840.00	\$ 142.00	\$ 4,544.00
716-02.04	PLASTIC PAVEMENT MARKING(CHANNELIZATION STRIPING)	S.Y.	15	\$ 34.50	\$ 517.50	\$ 50.00	\$ 750.00
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	230	\$ 26.45	\$ 6,083.50	\$ 28.50	\$ 6,555.00
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EACH	6	\$ 287.50	\$ 1,725.00	\$ 284.00	\$ 1,704.00
716-02.07	PLASTIC PAVEMENT MARKING (24" BARRIER LINE)	L.F.	60	\$ 28.75	\$ 1,725.00	\$ 21.50	\$ 1,290.00
716-02.12	PLASTIC PAVEMENT MARKING (8IN LINE)	L.M.	1	\$ 9,440.00	\$ 9,440.00	\$ 11,400.00	\$ 11,400.00
716-03.01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EACH	4	\$ 287.50	\$ 1,150.00	\$ 605.00	\$ 2,420.00
716-03.02	PLASTIC WORD PAVEMENT MARKING (RXR)	EACH	4	\$ 862.50	\$ 3,450.00	\$ 1,350.00	\$ 5,400.00
716-13.02	SPRAY THERMO PVMT MRKNG (60 mil) (6IN LINE)	L.M.	1	\$ 2,860.00	\$ 2,860.00	\$ 6,400.00	\$ 6,400.00
717-01	MOBILIZATION	LS	1	\$ 28,750.00	\$ 28,750.00	\$ 38,050.00	\$ 38,050.00
730-01.02	REMOVAL OF SIGNAL EQUIPMENT	EACH	1	\$ 4,025.00	\$ 4,025.00	\$ 10,350.00	\$ 10,350.00
730-01.04	MODIFICATION OF EXISTING TRAFFIC SIGNAL EQUIPMENT	LS	1	\$ 5,750.00	\$ 5,750.00	\$ 2,820.00	\$ 2,820.00
730-02.09	SIGNAL HEAD ASSEMBLY (130 WITH BACKPLATE)	EACH	6	\$ 1,725.00	\$ 10,350.00	\$ 1,520.00	\$ 9,120.00
730-02.59	SIGNAL HEAD ASSEMBLY (140 A2F WITH BACKPLATE)	EACH	1	\$ 1,955.00	\$ 1,955.00	\$ 1,955.00	\$ 1,955.00
730-03.21	INSTALL PULL BOX (TYPE B)	EACH	6	\$ 2,300.00	\$ 13,800.00	\$ 1,595.00	\$ 9,570.00
730-03.24	INSTALL PULL BOX (FIBER OPTIC TYPE B)	EACH	1	\$ 3,600.00	\$ 3,600.00	\$ 5,245.00	\$ 5,245.00
730-05.01	ELECTRICAL SERVICE CONNECTION	EACH	1	\$ 4,600.00	\$ 4,600.00	\$ 2,265.00	\$ 2,265.00
730-08.03	SIGNAL CABLE - 7 CONDUCTOR	L.F.	950	\$ 5.18	\$ 4,916.25	\$ 2.20	\$ 2,090.00
730-12.02	CONDUIT 2" DIAMETER (PVC)	L.F.	240	\$ 34.50	\$ 8,280.00	\$ 22.50	\$ 5,400.00
730-12.13	CONDUIT 2" DIAMETER (JACK AND BORE)	L.F.	120	\$ 80.50	\$ 9,660.00	\$ 88.50	\$ 10,620.00
730-12.14	CONDUIT 3" DIAMETER (JACK AND BORE)	L.F.	120	\$ 103.50	\$ 12,420.00	\$ 84.50	\$ 10,140.00
730-13.08	VEHICLE DETECTOR (RADAR - STOP LINE)	EACH	3	\$ 13,800.00	\$ 41,400.00	\$ 12,100.00	\$ 36,300.00
730-13.09	VEHICLE DETECTOR (RADAR - ADVANCE)	EACH	2	\$ 16,100.00	\$ 32,200.00	\$ 12,650.00	\$ 25,300.00
730-15.07	CABINET (54"H X 45"W X 26"D, ATC, BASE MOUNTED)	EACH	1	\$ 28,750.00	\$ 28,750.00	\$ 39,800.00	\$ 39,800.00
730-16.14	CONTROLLER (MCCAIN FLEX)	EACH	1	\$ 5,750.00	\$ 5,750.00	\$ 12,350.00	\$ 12,350.00
730-23.64	CANTILEVER SIGNAL SUPPORT (1 ARM @ 30')	EACH	1	\$ 32,200.00	\$ 32,200.00	\$ 31,500.00	\$ 31,500.00
730-23.72	CANTILEVER SIGNAL SUPPORT (1 ARM @ 35')	EACH	1	\$ 33,350.00	\$ 33,350.00	\$ 31,550.00	\$ 31,550.00
730-23.79	CANTILEVER SIGNAL SUPPORT (2 @35' & 45')	EACH	1	\$ 36,800.00	\$ 36,800.00	\$ 44,800.00	\$ 44,800.00
730-35.06	BATTERY BACK-UP AND POWER CONDITIONER	EACH	1	\$ 12,650.00	\$ 12,650.00	\$ 21,850.00	\$ 21,850.00
740-10.03	GEOTEXTILE (TYPE III) (EROSION CONTROL)	S.Y.	350	\$ 5.75	\$ 2,012.50	\$ 2.40	\$ 840.00
740-11.02	TEMPORARY SEDIMENT TUBE 12IN	L.F.	210	\$ 4.60	\$ 966.00	\$ 5.70	\$ 1,197.00
	**** SEE FOOTNOTES FROM SHEET 2 OF CONTRACT PLANS****	TOTAL BID PRICE =			\$ 662,194.25		\$ 655,109.50
NOTE: ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COST PROVIDED IS MADE ON THE BASIS OF ENGINEER'S EXPERIENCES AND QUALIFICATION AND REPRESENTS ENGINEER'S BEST JUDGMENT WITHIN THE INDUSTRY. ENGINEER DOES NOT GUARANTEE THAT PROPOSALS, BIDS, OR ACTUAL COST WILL NOT VARY FROM ENGINEER'S OPINION OF PROBABLE COST.							



**SAIN**  
ASSOCIATES

122 South First Street  
Pulaski, Tennessee 38478  
Telephone: (931) 424-0300  
[www.sain.com](http://www.sain.com)

December 21, 2023

TO: Matthew White, P.E.  
Director of Public Works  
City of Mt. Juliet  
[mwhite@mt-juliet-tn.gov](mailto:mwhite@mt-juliet-tn.gov)

SUBJECT: South Green Hills at West Division Street  
TDOT PIN. 12845.00  
Project Bid Results  
SA# 22-0226

Dear Matthew:

Bids were opened on Tuesday December 19, 2023 for the subject project. There were 4 contractors that had requested the bid documents and 1 that submitted a bid. The bid and the engineer's cost estimate were as follows:

Stansell Electric      \$655,109.50  
Engineer's Estimate \$662,194.25

Stansell Electric being the apparent low bidder, their bid was reviewed in detail. It was found to be complete with all the necessary documentation included.

I would recommend that Mt. Juliet & TDOT move forward with awarding this contract to JD Stansell Electric.

Sincerely,

Richard R. Holt, PE  
TN PE # 104329  
Tennessee Branch Manager

Cc: David Martin - TDOT

# PROPOSAL CONTRACT

FOR THE CONSTRUCTION OF

**Contract No. 22-0226**

PIN: 128450.00  
County: Wilson  
Federal Project No.: HSIP-R-4857(10)  
State Project No.: 95952-2571-94  
Local Agency Reference No.: 22-0226  
Description Of Project: S. Greenhill Rd. (04857) at Nerr Railroad, in Mt. Juliet,  
L.M. 0.030 Crossing Number 348-703S  
Project Length: 0.087 miles  
Completion Time: 90 Calendar Days  
DBE Goal: N/A

By: Stansen Electric Company, Inc.  
City, Nashville TN  
St.:  
Surety: Fidelity and Deposit Company of Maryland

TDOT Version: 3/15/19

**PROPOSAL**  
**TO THE CITY OF MT. JULIET, TENNESSEE**

By submitting this Proposal, the undersigned bidder represents that it has carefully examined the site of the work described herein, has become familiar with local conditions and the character and extent of the work; has carefully examined the Plans, the Standard Specifications for Road and Bridge Construction (January 1, 2021) adopted by the State of Tennessee, Department of Transportation, with subsequent revisions which are acknowledged to be a part of this Proposal, the Special Provisions, the Proposal Form, the Form of Contract, and the Form of Contract Payment and Performance Bond; and thoroughly understands their stipulations, requirements, and provisions.

The undersigned bidder has determined the quality and quantity of materials required; has investigated the location and determined the sources of supply of the materials required; has investigated labor conditions; and, has arranged for the continuous prosecution of the work herein described.

By submitting this Proposal, the undersigned bidder agrees to provide all necessary equipment, tools, labor, incidentals, and other means of construction, to do all the work, and furnish all the materials of the specified requirements which are necessary to complete the work in accordance with the Plans, and the Specifications, and agrees to accept as payment in full the unit prices for the various items described in the Specifications that are set forth in this Proposal. The bidder understands that the quantities of work specified are approximate only and are subject to increase or decrease and that any such increase or decrease will not affect the unit prices set forth in this Proposal. Compensation for "extra work" which may be required by the CITY OF MT. JULIET in connection with the construction and completion of the work but which was not reflected in the Plans and Specifications at the time of bidding, will be made in the following manner: work for which there is a unit price set forth in this Proposal will be compensated at that unit price; work for which there is no unit price set forth in this Proposal will be compensated in accordance with the applicable Tennessee Department of Transportation Standard Specifications.

By submitting this Proposal, the parties hereto, in the performance of this Contract, shall not act as employees, partners, joint ventures, or associates of one another. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Contract shall be construed to create an employer/employee relationship or to allow either to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purpose whatsoever.

By submitting this Proposal, the undersigned bidder, if awarded the contract, agrees that it will be responsible for compliance with the Patient Protection and Affordable Care Act ("PPACA") with respect to itself and its employees, including any obligation to report health insurance coverage, provide health insurance coverage, or pay any financial assessment, tax, or penalty for not providing health insurance. The Contractor shall indemnify the State and hold it harmless for any costs to the State arising from Contractor's failure to fulfill its PPACA responsibilities for itself or its employees.

By submitting this Proposal, the undersigned bidder, if awarded the contract, shall be registered with the Department of Revenue for the collection of Tennessee sales and use tax or



provide confirmation from the Department of Revenue that the bidder is not required to register for the Tennessee sales and use tax. This registration requirement is a material requirement of this Contract.

By submitting this Proposal, the undersigned bidder hereby agrees to be bound by the award of the Contract and, if awarded the Contract on this Proposal, to execute the required Contract and the required Contract Payment and Performance Bond within ten (10) days after receipt of notice of the award. The undersigned bidder submits herewith the required Proposal guaranty in an amount of not less than five percent (5%) of the total amount of the Proposal offered and agrees and consents that the Proposal guaranty shall immediately be at the disposal of the CITY OF MT. JULIET, not as a penalty, but as an agreed liquidated damage if the required Contract and Contract Payment and Performance Bond are not executed within ten days from receipt of the notice of award.

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to § 12-12-106. This list is generated to identify entities ineligible to contract with the State of Tennessee or any political subdivision of the State per the Iran Divestment Act, T.C.A. §§ 12-12-101 – 113, and the current list may be found at the Tennessee Department of General Services, Central Procurement Office, website under the Public Information Library webpage at the following link:

[http://tn.gov/assets/entities/generalservices/cpo/attachments/List\\_of\\_persons\\_pursuant\\_to Tenn. Code Ann. 12-12-106. Iran Divestment Act-July.pdf](http://tn.gov/assets/entities/generalservices/cpo/attachments/List_of_persons_pursuant_to_Tenn._Code_Ann._12-12-106_Iran_Divestment_Act-July.pdf).

THIS PROPOSAL SUBMITTED BY:

Stansell Electric Company, Inc.

Bidder (1)

By:

Robert P. Elliott - President

Printed Name and Title

9060 Visco Drive

Address

Nashville, TN 37210

City/State/Zip

Bidder (1) being a S-Corporation composed of officers, partners, or owners as follows:

(Type of business entity)

David P. Stansell - CEO

Name/Title

Robert P. Elliott - President

Name/Title

Chris Knopf - CFO

Name/Title

Matthew Smith - Vice President

Name/Title

James T. Stansell - Secretary

Name/Title

James N. Stansell, Jr. - Chairman Emeritus

Name/Title

N/A

Bidder (2)\*

By:

N/A

Printed Name and Title

N/A

Address

N/A

City/State/Zip

Bidder (2) being a N/A composed of officers, partners, or owners as follows:

(Type of business entity)

Name/Title

Name/Title

Name/Title

Name/Title

Name/Title

Name/Title

BID FORM					
ITEM NO.	DESCRIPTION	UNIT	QUANT.	UNIT PRICE	PRICE
105-01	CONSTRUCTION STAKES, LINES AND GRADES	LS	1	7,040.00	7,040.00
209-05	SEDIMENT REMOVAL	C.Y.	5	96.50	482.50
209-09.41	CURB INLET PROTECTION (TYPE 2)	EACH	5	228.00	1,140.00
303-10.01	MINERAL AGGREGATE (SIZE 57)	TON	35	156.00	5,460.00
403-01	BITUMINOUS MATERIAL FOR TACK COAT (TC)	TON	5	1,280.00	6,400.00
411-02.10	ACS MIX(PG70-22) GRADING D	TON	375	270.00	101,250.00
415-01.01	COLD PLANING BITUMINOUS PAVEMENT	TON	370	57.50	21,275.00
709-05.06	MACHINED RIP-RAP (CLASS A-1)	TON	140	114.00	15,960.00
712-01	TRAFFIC CONTROL	LS	1	28,450.00	28,450.00
712-06	SIGNS (CONSTRUCTION)	S.F.	168	12.50	2,100.00
713-02.21	SIGN POST DELINEATION ENHANCEMENT	L.F.	42	10.50	441.00
713-14.21	STREET NAME SIGN (RIGID 0.100IN THICK)	S.F.	30	31.00	930.00
713-15	REMOVAL OF SIGNS, POSTS AND FOOTINGS	LS	1	178.00	178.00
713-15.07	SUSPENDED FLAT SHEET ALUMINUM SIGN (0.080" THICK)	EACH	3	594.00	1,782.00
713-16.01	CHANGEABLE MESSAGE SIGN UNIT	EACH	3	3,555.00	10,665.00
713-16.20	SIGNS (R3-1(BLANKOUT NO RIGHT TURN))	EACH	1	5,950.00	5,950.00
713-16.21	SIGNS (R3-2(BLANKOUT NO LEFT TURN))	EACH	1	5,950.00	5,950.00
713-16.22	SIGNS (W10-1, 36" DIA.)	EACH	2	507.00	1,014.00
713-16.23	SIGNS (W10-3, 48"x48")	EACH	2	725.00	1,450.00
713-16.24	SIGNS (W10-9P, 30"x24")	EACH	4	414.00	1,656.00
713-16.25	SIGNS (R8-8, 24"x30")	EACH	1	414.00	414.00
713-16.26	SIGNS (R8-10, 24"x36")	EACH	1	437.00	437.00
713-16.27	SIGNS (R10-6, 24"x36")	EACH	1	437.00	437.00
713-16.28	SIGNS (TN-69A(LEFT TURN YIELD ON FLASHING ARROW))	EACH	1	353.00	353.00
714-04.01	CONDUIT (STRUCTURES - 1" RGS)	L.F.	800	22.50	18,000.00
714-05.03	CABLE PULL BOXES (TYPE B)	EACH	6	1,185.00	7,110.00
714-06.05	CABLE (1/C # 6 AWG)	L.F.	700	2.10	1,470.00
714-09.03	LUMINAIRES (250 WATT LED)	EACH	3	1,740.00	5,220.00

716-01.21	SNOWPLOWABLE RAISED PAVEMENT MARKERS (BI-DIR) (1 COLOR)	EACH	60	142.00	8,520.00
716-01.22	SNOWPLOWABLE RAISED PAVMENT MARKERS (MONO-DIR)(1 COLOR)	EACH	32	142.00	4,544.00
716-02.04	PLASTIC PAVEMENT MARKING(CHANNELIZATION STRIPING)	S.Y.	15	50.00	750.00
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	230	28.50	6,555.00
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EACH	6	284.00	1,704.00
716-02.07	PLASTIC PAVEMENT MARKING (24" BARRIER LINE)	L.F.	60	21.50	1,290.00
716-02.12	PLASTIC PAVEMENT MARKING (8IN LINE)	L.M.	1	11,400.00	11,400.00
716-03.01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EACH	4	605.00	2,420.00
716-03.02	PLASTIC WORD PAVEMENT MARKING (RXR)	EACH	4	1,350.00	5,400.00
716-13.02	SPRAY THERMO PVMT MRKNG (60 mil) (6IN LINE)	L.M.	1	6,400.00	6,400.00
717-01	MOBILIZATION	LS	1	38,050.00	38,050.00
730-01.02	REMOVAL OF SIGNAL EQUIPMENT	EACH	1	10,350.00	10,350.00
730-01.04	MODIFICATION OF EXISTING TRAFFIC SIGNAL EQUIPMENT	LS	1	2,820.00	2,820.00
730-02.09	SIGNAL HEAD ASSEMBLY (130 WITH BACKPLATE)	EACH	6	1,520.00	9,120.00
730-02.59	SIGNAL HEAD ASSEMBLY (140 A2F WITH BACKPLATE)	EACH	1	1,955.00	1,955.00
730-03.21	INSTALL PULL BOX (TYPE B)	EACH	6	1,595.00	9,570.00
730-03.21	INSTALL PULL BOX (FIBER OPTIC-TYPE B)	EACH	1	5,245.00	5,245.00
730-05.01	ELECTRICAL SERVICE CONNECTION	EACH	1	2,265.00	2,265.00
730-08.03	SIGNAL CABLE - 7 CONDUCTOR	L.F.	950	2.20	2,090.00
730-12.02	CONDUIT 2" DIAMETER (PVC SCHEDULE 40)	L.F.	240	22.50	5,400.00
730-12.13	CONDUIT 2" DIAMETER (JACK AND BORE)	L.F.	120	88.50	10,620.00
730-12.14	CONDUIT 3" DIAMETER (JACK AND BORE)	L.F.	120	84.50	10,140.00
730-13.08	VEHICLE DETECTOR (RADAR - STOP LINE)	EACH	3	12,100.00	36,300.00
730-13.09	VEHICLE DETECTOR (RADAR - ADVANCE)	EACH	2	12,650.00	25,300.00
730-15.07	CABINET (54"H x 45"W x 26"D, ATC. BASE MOUNTED)	EACH	1	39,800.00	39,800.00
730-16.14	CONTROLLER (MCCAIN FLEX)	EACH	1	12,350.00	12,350.00
730-23.64	CANTILEVER SIGNAL SUPPORT (1 ARM @ 30')	EACH	1	31,500.00	31,500.00
730-23.72	CANTILEVER SIGNAL SUPPORT (1 ARM @ 35')	EACH	1	31,550.00	31,550.00

730-23.79	CANTILEVER SIGNAL SUPPORT (2 @35' & 45')	EACH	1	44,800.00	44,800.00
730-35.06	BATTERY BACK-UP AND POWER CONDITIONER	EACH	1	21,850.00	21,850.00
740-10.03	GEOTEXTILE (TYPE III) (EROSION CONTROL)	S.Y.	350	2.40	840.00
740-11.02	TEMPORARY SEDIMENT TUBE 12IN	L.F.	210	5.70	1,197.00
**** SEE FOOTNOTES FROM SHEET 2 OF CONTRACT PLANS****				TOTAL BID PRICE =	655,109.50

**Any costs associated with the RJ Corman railroad entrance permit and insurance shall be included in other items bid.**

### PROPOSAL CERTIFICATION

The undersigned, being first duly sworn, certifies on behalf of the bidder that it has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this Proposal or Contract. This is an official document that is required or authorized by law to be made under oath and is presented in an official proceeding. A person who makes a false statement in this certification is subject to the penalties of perjury.

The undersigned further certifies that said bidder is not under the control of any person, firm, partnership, or corporation, which has or exercises any control of any other person, firm, partnership, or corporation, which is submitting a bid on this Contract.

Stansell Electric Company, Inc. Sworn to and subscribed before me  
Bidder (1)  
By: [Signature] this 19th day of December, 2023  
Robert P. Elliott - President Margaret W. Smith  
Printed Name and Title Notary Public



My commission  
expires

July 6, 2026

(Seal)

N/A Sworn to and subscribed before me  
Bidder (2)  
By: N/A this N/A day of N/A  
N/A N/A  
Printed Name and Title Notary Public

My commission  
expires

N/A

(Seal)

**\*NOTE: The signature and information for Bidder (2) is to be provided when there is a joint venture.**

**CITY OF MT. JULIET, TENNESSEE**

**CONTRACT NO. 22-0226**

This agreement is made and executed in three (3) originals, between the CITY OF MT. JULIET, and \_\_\_\_\_ hereinafter referred to as the "Contractor."

**WITNESSETH**

The CITY OF MT. JULIET did advertise for, receive and accept a bid from the Contractor for work on the above identified contract.

In consideration of the agreements herein contained, to be performed by the parties hereto and of the payments hereafter agreed to be made, it is mutually agreed by both parties that:

1. The contract between the parties consists of the following "Contract Documents" all of which constitute one instrument:
  - (a) the Instructions to Bidders
  - (b) the Proposal
  - (c) all conditions and terms of this Contract form
  - (d) the Contract Payment & Performance Bond and/or Letter of Credit, where applicable
  - (e) the most current version of the *Tennessee Department of Transportation Standard Specifications for Road and Bridge Construction* (herein referred to as *TDOT Standard Specifications*)
  - (f) Supplemental Specifications
  - (g) Revisions and Additions
  - (h) Special Provisions
  - (i) Addenda
  - (j) The most current version of the TDOT Standard Drawings
  - (k) The Contract Plans,
  - (l) The Work Order
  - (m) Construction Changes
  - (n) Supplemental Agreements

All of the provisions contained in the listed Contract Documents are incorporated herein by reference with the same force and effect as though set out in full.

2. The Contract Documents are intended to be complementary and to describe and provide for a complete work. Requirements in one of these are as binding as if occurring in all of them. In case of discrepancy, Supplemental Specifications will govern over the TDOT Standard Specifications; the TDOT Standard Specifications will govern over the local government standard specifications; the Contract Plans will govern over both Supplemental and Standard Specifications, and Special Provisions will govern over both Plans and Specifications. In interpreting Plans, calculated dimensions will govern over scaled dimensions. Contract Plans, typical cross sections and approved working drawings will govern over Standard Drawings.



3. The Contractor agrees to furnish all materials, equipment, machinery, tools and labor and to perform the work required to complete the project in a thorough and workmanlike manner, to the satisfaction of the appropriate official of the CITY OF MT. JULIET.
4. The CITY OF MT. JULIET agrees to pay to the Contractor such unit prices for the work actually done as are set out in the accompanying proposal, in the manner provided for in the TDOT Standard Specifications, Supplemental Specifications and applicable Special Provisions.
5. The Contractor shall, at all times, observe and comply with all applicable federal, state and local laws, ordinances and regulations and shall indemnify and hold harmless the CITY OF MT. JULIET and all of its officers, agents and servants against any claim of liability or assessment of fines or penalties arising from or based upon the Contractor's and/or its employees' violations of any such law ordinance or regulation. The Contractor shall maintain documentation for all charges against the CITY OF MT. JULIET under this Contract. The books, records and documents of the Contractor insofar as they relate to the work performed or money received under this contract shall be maintained for a period of seven (7) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by the CITY OF MT. JULIET, the State, the Comptroller of the Treasury, the Tennessee Department of Transportation, or their duly appointed representatives.
6. The Contractor shall be responsible for any and all injury or damage to persons or to property arising from the prosecution of the work and due to any act, omission, neglect or misconduct in its manner or method of prosecuting the work or due to its non-execution of the work or due to defective work or materials. The Contractor shall provide proof of adequate and appropriate general liability insurance providing liability coverage in an amount not less than \$1 million dollars per occurrence and \$300,000 per claimant, naming the CITY OF MT. JULIET as an additional insured.
7. The Contractor shall indemnify and hold harmless the CITY OF MT. JULIET and all of its officers, agents and employees from all suits, actions or claims of any character arising from the Contractor's acts or omissions in the prosecution of the work, use of unacceptable materials in constructing the work, infringement of patent, trade mark or copyright, or claims for Workers' Compensation. If any such suit, action or claim is filed, the CITY OF MT. JULIET may retain from the monies due to the Contractor under this Contract a sum deemed sufficient by the CITY OF MT. JULIET to protect the CITY OF MT. JULIET from loss therefrom. Upon resolution of the suit, action or claim, any remaining retained funds will be released.
8. Upon execution of this Contract, the Contractor shall be prepared to begin the work to be performed under the Contract, but will not proceed until it has received official "Notice to Proceed". This official notice will stipulate the date upon which it is expected that the Contractor will begin his work, and from which date the working days tabulated against its time limit will begin. All other requirements in regard to the beginning of construction set forth in the Proposal and Special Provisions will date from the official notice.

**IN WITNESS WHEREOF**, the parties hereto have cause this Contract to be signed and executed by their respective authorized agents or officials.

_____ Contractor 1	_____ Contractor 2*
By: _____	By: _____
_____ Print Name and Title	_____ Print Name and Title
_____ Date	_____ Date

**CITY OF MT. JULIET, TENNESSEE**

This Contract is accepted \_\_\_\_\_ day of \_\_\_\_\_  
this \_\_\_\_\_  
and is effective on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
[CITY/COUNTY Official]

Approved:

\_\_\_\_\_  
CITY OF MT. JULIET Attorney

**\*NOTE:** The signature and information for Contractor 2 is to be provided when there is a joint venture.



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0463

**Agenda Date:** 1/8/2024

**Agenda #:** A.

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**Title:**

Ethics Commission Appointment of Gina Clarke for District 4 Commissioner Milele



# Mt. Juliet, Tennessee

2425 North Mt. Juliet Rd  
Mt. Juliet, TN 37122

## Staff Report

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**File #:** 0467

**Agenda Date:** 1/8/2024

**Agenda #:** B.

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**Title:**

Appointment - Parks & Greenways Board: Terri Atwood