



Mt. Juliet, Tennessee

Planning Commission

Agenda

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

Thursday, July 18, 2024

6:30 PM

Commission Chambers

Members: Luke Winchester, Rebecca Christenson, Ted Floyd, Scott Hefner, David Rast, Larry Searcy, Gerard Bullock, Preston George, Linda Armistead

Resources: Jon Baughman, City Planner, Jill Johnson, Planner I, Shane Shamanur, Director of Engineering, Gino Marchetti/Charles Michels - City Attorney

- 1. Call to Order**
- 2. Set Agenda**
- 3. Staff Reports**
- 4. Citizen's Comments**
- 5. Minutes Approval**
 - 5.A.** Review the Minutes from the June 20, 2024, Planning Commission Meeting.
- 6. Consent Agenda**
 - 6.A.** **AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MT. JULIET, TENNESSEE, BY REPEALING SECTION 14-109.2 THRU 14.10.9.4.c TO COMPLY WITH TCA 6-5-102, 6-51-04 AND 13-7-203, REGARDING THE NOTIFICATION PROCESS FOR ANNEXATIONS
 - 6.B.** Review the Mass Grading Plan for Greenhill Road Commercial, located on the northwest corner of North Greenhill Road and Lebanon Road.
 - 6.C.** Review the Mass Grading Plan for New Tribe Church, located at 260 Clemmons Road.
 - 6.D.** Review the Site Plan for Waffle House, located at 12085 Lebanon Road.
- 7. Land Use Amendments, Annexations, Preliminary Master Development Plans & PUD Amendments**
 - 7.A.** **Review the Land Use Plan Amendment from Neighborhood Commercial and Parks and Greenways to Low Density Residential for 4470 Old Lebanon Dirt Road.

- 7.B. **Review the Rezone Request from OPS to RS-40 for 4470 Old Lebanon Dirt Road.
- 7.C. **Review the Land Use Plan Amendment from Mixed Use to High Density Residential for the 782 NW Rutland Road Subdivision, located at 782, 870 & 908 NW Rutland Road.
- 7.D. **Review the Annexation and Plan of Services for the 782 NW Rutland Road Subdivision, located at 782, 870 & 908 NW Rutland Road.
- 7.E. **Review the Preliminary Master Development Plan PUD, including a rezone from R-1 to RS-15 PUD for the 782 NW Rutland Road Subdivision, located at 782, 870 & 908 NW Rutland Road.
- 7.F. **Review the Land Use Plan Amendment from Low Density Residential to Medium Density Residential for Silver Springs Phases 8-13, Located at 9621 Lebanon Road.
- 7.G. **Review the Annexation and Plan of Services for Silver Springs Phases 8-13, located at 9621 Lebanon Road.
- 7.H. **Review the PUD Amendment for Silver Springs Phases 8-13, located at 9621 Lebanon Road.

8. Site Plans

- 8.A. Review the Site Plan for Tim Horton's located at 10576 Lebanon Road.
- 8.B. Review the Site Plan for Children's Lighthouse, located at 9468 Lebanon Road.

9. Adjourn

****Indicates item is recommended to the Board of Commissioners. All final design layouts, conditions of approval and final approval will be voted on by the Board of Commissioners at a later date. The public is welcome and invited to attend.**



Mt. Juliet, Tennessee

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

Staff Report

File #: 0771

Agenda Date: 7/18/2024

Agenda #: 5.A.

Title:

Review the Minutes from the June 20, 2024, Planning Commission Meeting.



Members: Luke Winchester, Rebecca Christenson, Ted Floyd, Scott Hefner, David Rast, Larry Searcy, Gerard Bullock, Preston George, Linda Armistead

Resources: Jon Baughman, City Planner, Jill Johnson, Planner I, Shane Shamanur, Director of Engineering, Gino Marchetti/Charles Michels - City Attorney

Rollcall

Present Chairperson Luke Winchester, Vice Chair David Rast, Commissioner Gerard Bullock, Commissioner Rebecca Christenson, Commissioner Larry Searcy, Commissioner Preston George, Commissioner Linda Armistead, and Commissioner Ted Floyd

Absent Commissioner Scott Hefner

1. Call to Order

2. Set Agenda

David Rast made the motion to remove item 10A from the agenda. Larry Searcy seconded. The agenda was set as stated.

3. Staff Reports

Staff reviewed their reports and updated the commission on projects.

4. Citizen's Comments

Jake Porter, CSDG, 2305 Kline Ave. asked for item 7A to be deferred from the agenda . Stefanie Beemer, 513 Montrose Dr., spoke out against item 9B and 9C Elliott Reserve. Eric Fisher, 435 Whitley Way spoke out against item 9B and 9C Elliott Reserve.

5. Minutes Approval

A motion was made by Commissioner George, seconded by Commissioner Armistead, that this be approved. The motion carried by the following vote:

5.A. Approve the Minutes from the May 16, 2024 Planning Commission meeting.

This Minutes was approved.

RESULT: APPROVED

MOVER: Preston George

SECONDER: Ted Floyd

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

Abstain: Commissioner Bullock

6. Consent Agenda

Staff went over their reports and answered questions from the commission. There were no citizen comments.

A motion was made by Commissioner Bullock, seconded by Commissioner Christenson, that this be approved. The motion carried by the following vote:

RESULT: APPROVED

MOVER: Gerard Bullock

SECONDER: Rebecca Christenson

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

6.A. The Development Letter of Credit (1269) for Silver Springs Ph. 5 in the amount of \$96,857.56 can be released.

6.B. AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS THE SMILEY PROPERTY LOCATED 815 JOHN WRIGHT ROAD, MAP 076, PARCEL 059.00, FROM RS-40 TO RS-30

Planning and Zoning:

- 1. No comments.

Public Works:

- 1. No comments.

Wilson County Schools:

- 1. No comments provided.

West Wilson Utility District:

- 1. No comments.

This Ordinance was **Positive Recommendation.to the Board of Commissioners due back on 7/8/2024

RESULT: **POSITIVE RECOMMENDATION

6.C. AN ORDINANCE AMENDING THE LAND USE MAP AND PLAN OF THE CITY OF MT. JULIET

This Ordinance was **Positive Recommendation.to the Board of Commissioners due back on 7/8/2024

RESULT: **POSITIVE RECOMMENDATION

7. Site Plans

7.A. Review the Site Plan for Tim Horton’s located at 10576 Lebanon Road.

This Action Item was deferred.to the Planning Commission due back on 7/18/2024

RESULT: DEFERRED

8. Annexation

8.A. **Review the Roadway and Right-of-Way Annexation, including Plan of Services, for South Greenhill Road.

Staff went over their reports and answered questions from the commission. There were no citizen comments.

A motion was made by Chairperson Winchester, seconded by Commissioner Armistead, that this Ordinance be approved. The motion carried by the following vote:

RESULT: **POSITIVE RECOMMENDATION

MOVER: Luke Winchester

SECONDER: Linda Armistead

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

9. Land Use Amendment, PMDP

9.A. **AN ORDINANCE TO REZONE APPROXIMATELY 0.48 ACRES OF PROPERTY AT 2190 N. MT. JULIET ROAD, MAP 072I, GROUP C, PARCEL 011.00 FROM CTC TO CNS PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN 2190 NMJR CONVENIENCE STORE**

Staff went over their reports and answered questions from the commission. Trevor Teague, LI Smith, 475 Metroplex Dr., Nashville, represented the project. The item was tabled until the end of the agenda.

9.B. **AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE PROPERTY KNOWN AS ELLIOTT RESERVE LOCATED AT 12440 & 12582 LEBANON ROAD, MAP 053, PARCELS 101.01 & 102.00, FROM THOROUGHFARE COMMERCIAL TO MIXED-USE**

Staff went over their reports and answered questions from the commission. There were no citizen comments. Preston George made a motion for a positive recommendation with the condition that it will revert back to its original designation if the Preliminary Master Development Plan is not approved at the Board of Commissioners.

A motion was made by Commissioner George, seconded by Vice Chair Rast, that this Ordinance be approved. The motion carried by the following vote:

RESULT: **POSITIVE RECOMMENDATION

MOVER: Preston George

SECONDER: David Rast

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

9.C. AN ORDINANCE TO REZONE APPROXIMATELY 22.64 ACRES OF PROPERTY AT 12440 & 12582 LEBANON ROAD, MAP 053, PARCELS 101.01 AND 102.00 FROM CG AND CRC TO CMU PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR ELLIOTT RESERVE

Staff went over their reports and answered questions from the commission. Jake Porter, CSDG, 2305 Kline Ave, Nashville, represented the project. Keith Hines, 437 Whitley Way, asked for clarification on a comment on the buffer. Alex Brown, 3023 Nichols Vale Lane, asked for clarification on a tree line. Jorge Budzynski, 591 Montrose Dr., asked for clarification on drainage issues. Vince Chelstrom, 429 Whitley Way, asked for clarification on the buffer. Linda Armistead made the motion for a positive recommendation subject to staff comments.

Planning and Zoning:

1. Provide a phasing plan.
2. Revisit development timeline and revise for clarity and accuracy, the timeline seems unreasonable and lacks any information regarding phasing and number of units per phase etc.
3. Place the parking behind the commercial structures along Lebanon Road and move the structures to the front setback.
4. Provide a sidewalk on both sides of the access drive to the townhomes.
5. Excepting any waivers granted, all requirements of 5-104.4 shall be adhered to.
6. Excepting any waivers granted, all requirements of 6-103.7 shall be adhered to.
7. Provide a pedestrian connection between commercial lots 4 and 5 from the drive aisle to the townhomes.
8. Identify the percentage of the PUD devoted to commercial uses in the site data table.
9. Wet ponds shall include fountains.
10. Identify the percentage of improved open space.
11. Wheel stops are not permitted.
12. Provide landscaping and a decorative, low maintenance fence with lockable gate around all detention/retention ponds.
13. Notate the percentage of improved open space for the residential area.
14. Identify retaining wall locations and provide a detail of the proposed walls. Walls shall be faced with masonry or segmental block.
15. Preserve as many existing trees as possible. Delineate tree protection areas on

- subsequent submittals.
16. All requirements of the City's Subdivision Regulations and Zoning Ordinance shall be met, excepting any waivers approved by the Planning Commission.
 17. Provide a copy of covenants and restrictions for legal to review. Include 10% rental cap in this document.
 18. Add a note that no more than two units may be owned by a single entity. Include this in the restrictions and covenants.
 19. Townhome buildings shall provide a minimum of 30' separation of buildings, unless a waiver is granted.
 20. Garages shall include 20' width free and clear and 440 sq ft in area.
 21. The amenities shall be complete before issuance of the final townhome certificate of occupancy.
 22. For the townhomes provide two car wide driveways a minimum of 22' long from the back of the sidewalk. Provide, individual garage doors separated by a brick column where two car garages are provided.
 23. Driveways shall be at least 18' wide.
 24. Blasting Restrictions: all blasting shall be reduced from 2 inches per second to 1 inch per second, reducing the charge by 50% from the state maximum. Certified letters shall be sent out to all property owners within 500 ft of the development's property line informing those residences they are entitled to pre and post blasting inspections. The blasting monitor shall hold a contract with the general contractor and not the blasting company.
 25. Provide sidewalk connection from the ROW to the commercial area at the Western end of Lot 7.
 26. Provide a pedestrian connection from the townhome access road to the commercial areas between lots 4 and 5.
 27. Explanations on the response letters do not correspond with the correct development note numbers at C1.00.
 28. Provide dog park amenity on the typical.
 29. Provide loading zones per code for the commercial uses.
 30. The Planning Commission approved the waiver request to use an ornamental boundary fence in lieu of an opaque fence.
 31. The Planning Commission approved the request to allow up to 3.6 acres of disturbance of slopes exceeding 20%.
 32. The Planning Commission approved the request to allow 20' of building separation in lieu of 30' due to the buildings being sprinkled.
 33. The Planning Commission approved the request to omit the landscape buffer between the residential and commercial areas of the PUD.
 34. The Planning Commission approved the request to omit the masonry column between garage downs as shown on the renderings.
 35. The Planning Commission approved the request to deviate from the residential material standards as follows:
50% masonry 50% secondary material all homes.
 36. The Planning Commission approved the request to deviate from the material standards for commercial buildings as follows: 65% masonry and 35% secondary materials.

Public Works:

1. All sewer mains shall be public (minus laterals) and within a 20' easement (minimum).
2. No onsite grinder systems or step systems will be allowed for this development.
3. Landscaping plans shall be approved before construction plans are approved.
4. All sidewalks, trails, curb ramps, and crosswalks shall meet ADA compliance.
5. If wet ponds are used, aeration shall be provided.
6. Sidewalks are required on both sides of the access street to the multifamily from Lebanon Road.
7. All curb cuts on Lebanon Road require TDOT approval.
8. The access street shall align with the existing industrial driveway on Lebanon Road.
9. Connect the office building to the retail/restaurant with sidewalk and crosswalks.
10. The TIS shall be finalized by the June 2024 Planning Commission meeting, or the item will be subject to deferral.
11. The development shall install traffic calming devices on Sunset Drive. The traffic calming plan shall be coordinated with Engineering/Public Works prior to FMDP.
12. The development shall dedicate an access easement to the adjoining property to the east. The access easement shall be recorded prior to construction plan approval.
13. Monument signs may not be located within the sight triangles for the driveways.
14. Existing slopes equal to or greater than 20% shall not be within a proposed building envelope.

Wilson County Schools:

1. No comments provided.

West Wilson Utility District:

2. Water lines shown are not WWUD's design.
3. Some existing water lines that shown are labeled with the wrong size.

A motion was made by Commissioner Armistead, seconded by Commissioner Bullock, that this Ordinance be approved. The motion carried by the following vote:

RESULT: **POSITIVE RECOMMENDATION

MOVER: Linda Armistead

SECONDER: Gerard Bullock

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

10. Discussion

10.A. Discuss the Whispering Meadows project located at 0 Ritter Drive.

9.A. AN ORDINANCE TO REZONE APPROXIMATELY 0.48 ACRES OF PROPERTY AT 2190 N. MT. JULIET ROAD, MAP 072I, GROUP C, PARCEL 011.00 FROM CTC TO CNS PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN 2190 NMJR CONVENIENCE STORE

The item was brought back to the floor. Trevor Teague, LI Smith, 375 Metro Place Dr. represented the project. There were no citizen comments.

Planning and Zoning:

1. Label the zoning of adjacent parcels.
2. All commercial design regulations and supplemental regulations shall be adhered to excepting any waivers granted by the Board of Commissioners.
3. Secondary façade materials shall not include metal or vinyl.
4. Provide a pedestrian connection from the r-o-w to the main building entrance via pavement and striping.
5. Roof mounted HVAC equipment shall be screened entirely from horizontal view via the parapet wall.
6. Provide evidence of the railroads approval of the use and modification of their r-o-w.
7. Raise the sidewalk on the east side of the building to eliminate the excess bollards.
8. Identify the area of the existing building on subsequent submittals.
9. Wall mounted utility meters shall be screened with brick/stone screen walls or painted to match the building façade.
10. The dumpster enclosure shall meet all requirements found in 6-103.7.
11. All building mounted exterior lighting fixtures shall be decorative.
12. Site lighting shall be decorative, mounted to black poles.
13. Decorative low maintenance fencing is required should it be used.
14. Brick shall be clay, baked and individually laid.
15. Stone shall be individually laid.
16. ADA signage shall be placed in a bollard.
17. Poles, posts and bollards shall be painted black, channel posts are not permitted.
18. Provide a loading zone for deliveries.
19. Screen all gas release and associated equipment from the public ROW.
20. Provide a trash receptacle at the main building entrance per the requirements of the commercial design standards 6-103.7.
21. Signage shall be reviewed and approved via a separate application to the Planning Department.
22. No exterior signage is permitted for tobacco and/or alcohol.
23. No signage is permitted to be placed on the gas canopy or bollards.
24. Remove off-site improvements from the plan (rail r-o-w).
25. Due to the waiver request for street yard relief, provide foundation plantings around the building.
26. Brick shall be clay, baked and individually laid.
27. Consider decreasing the size of the building to alleviate the parking and site constriction issues.
28. Provide a dumpster detail compliant with 6-103.7.
29. Provide landscaping along the Northern Boundary line to discourage customers from parking in the railroad ROW and drive aisle.

Public Works:

1. Upgrade sidewalk along NMJR to 6' and meet ADA requirements.

2. No construction activities shall be done in the railroad right-of-way without written agreement from NERA and RJ Corman Railroad.
3. Water quality is required and shall be addressed at site plan/FMDP submittal.
4. This property and the property to the west (108 W. Division St.) currently utilize the NERA ROW for access.
 - Provide proof of agreement to utilize the RR ROW for access to both properties and parking (if applicable).
 - Remove any required parking from NERA ROW regardless of agreement. Non-required parking can be permitted with signed agreement, but all parking and drive aisles to meet zoning requirements shall be within the boundaries of the property.
5. Sidewalks along the store frontage shall be raised from the asphalt.
6. No parking will be provided from the railroad ROW.
7. Coordination shall take place with the City on the City’s southbound deceleration lane project on Mt. Juliet Road (to W. Division St) as this project progresses.
8. Due to the lack of space for vehicles to queue on NMJR, left turns into the development should be restricted. These will be striping modifications and signage to NMJR that are subject to review and approval by TDOT.

Wilson County Schools:

1. No comments provided.

West Wilson Utility District:

2. Need to discuss service connection and cross connection along separation sewer service and water service.

A motion was made by Commissioner George, seconded by Commissioner Searcy, that this Ordinance be approved. The motion carried by the following vote:

RESULT: **NEGATIVE RECOMMENDATION

MOVER: Preston George

SECONDER: Ted Floyd

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

11 Annual Meeting - Elect Chairperson and Vice Chair

11A. Vote to elect a Chairperson and Vice Chairperson.

Vice Chair Rast nominated Chairman Luke Winchester. Armistead seconded. Unanimously approved. Rebecca Christenson nominated David Rast for Vice Chair. Gerard Bullock seconded. Unanimously approved.

A motion was made by Commissioner Christenson, seconded by Commissioner Bullock, that this Action Item be approved. The motion carried by the following vote:

RESULT: APPROVED

MOVER: Rebecca Christenson

SECONDER: Gerard Bullock

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

12. Adjourn

A motion was made by Commissioner Searcy, seconded by Vice Chair Rast, that this be approved. The motion carried by the following vote:

RESULT: APPROVED

MOVER: Larry Searcy

SECONDER: David Rast

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Bullock, Commissioner Christenson, Commissioner Searcy, Commissioner George, Commissioner Armistead, and Commissioner Floyd

Absent: Commissioner Hefner

****Indicates item is recommended to the Board of Commissioners. All final design layouts, conditions of approval and final approval will be voted on by the Board of Commissioners at a later date. The public is welcome and invited to attend.**

Luke Winchester, Chairperson

Kenny Howell, Planning Commission Secretary



Mt. Juliet, Tennessee

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

Staff Report

File #: 0781

Agenda Date: 7/18/2024

Agenda #: 6.A.

Title:

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MT. JULIET, TENNESSEE, BY REPEALING SECTION 14-109.2 THRU 14.10.9.4.c TO COMPLY WITH TCA 6-5-102, 6-51-04 AND 13-7-203, REGARDING THE NOTIFICATION PROCESS FOR ANNEXATIONS

EXHIBIT A

§ 6-51-104. Resolution; notice

(a)(1) A municipality, when petitioned by interested persons, or upon its own initiative, by resolution, may propose extension of its corporate limits by the annexation of territory adjoining to its existing boundaries; provided, however, no such resolution shall propose annexation of any property being used primarily for agricultural purposes. Notwithstanding this part or any other law to the contrary, property being used primarily for agricultural purposes shall be annexed only with the written consent of the property owner or owners.

(2) A referendum is not required to effectuate annexation of territory if:

(A) All of the property owners within the territory proposed for annexation consent in writing; or

(B) Repealed by its own terms eff. Jan. 1, 2023.

(b)(1) The municipality shall send a copy of the resolution describing the territory proposed for annexation to the last known address listed in the office of the property assessor for each property owner within the territory proposed for annexation, each adjoining property owner, the county mayor, and the county commissioners whose district includes the territory.

(2)(A) No later than twenty-one (21) calendar days prior to the scheduled date of the first hearing on such proposed annexation, the resolution, which must include a plan of services for the area proposed for annexation, must be:

(i) Sent by first class mail pursuant to subdivision (b)(1);

(ii) Posted in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the municipality proposing such annexation; and

(iii) Published in a newspaper of general circulation, if there is one, in such territory and municipality.

(B) A person with personal knowledge of the mailing of the resolutions pursuant to subdivision (b)(2)(A)(i) may submit a notarized affidavit to the presiding officer of the municipality attesting that such resolutions were mailed in accordance with this subsection (b). Failure of a property owner to receive a notice that was mailed pursuant to subdivision (b)(2)(A)(i) is not a reason to invalidate the annexation.

(3)(A) No later than twenty-one (21) calendar days prior to the scheduled date of the first hearing on such proposed annexation, the municipality shall post signage that informs

viewers of the proposed annexation, the date, time, and location of the public hearing on the proposed annexation, and a website address for additional information.

(B) The signs used pursuant to subdivision (b)(3)(A) must be a minimum of three feet (3') wide by two feet (2') tall, be affixed to a sturdy base with the top of the sign no less than five feet (5') from the ground, and be posted within the territory proposed for annexation and along any thoroughfare bordering the territory. The signs must remain until the territory is annexed or the annexation is abandoned.

(4) As used in this subsection (b), "adjoining property owner" means a person who owns real property that shares a common boundary with the territory proposed for annexation or that any part of the property lies within two hundred feet (200') of the territory proposed for annexation.

Tenn. Code Ann. § 6-51-102 Plan of Services

(b)(1) Before any territory may be annexed under this part, the governing body of the municipality shall adopt a plan of services establishing at least the services to be delivered and the projected timing of the services. Upon adoption of the plan of services, the municipality shall cause a copy of the plan of services to be forwarded to the county mayor in whose county the territory being annexed is located. The plan of services shall be reasonable with respect to the scope of services to be provided and the timing of the services.

(2) The plan of services shall include, but not be limited to: police protection, fire protection, water service, electrical service, sanitary sewer service, solid waste collection, road and street construction and repair, recreational facilities and programs, street lighting, and zoning services. If the municipality maintains a separate school system, the plan shall also include schools and provisions specifically addressing the impact, if any, of annexation on school attendance zones. If the municipality does not maintain a separate school system, then the municipality shall provide written notice of the annexation to all affected school systems as soon as practicable, but in no event less than thirty (30) days prior to the public hearing requirement set forth in subdivision (b)(4). The plan of services may exclude services that are being provided by another public agency or private company in the territory to be annexed other than those services provided by the county.

(3) The plan of services shall include a reasonable implementation schedule for the delivery of comparable services in the territory to be annexed with respect to the services delivered to all citizens of the municipality.

(4) Before the adoption of the plan of services, a municipality shall:

(A) Submit the plan of services to the local planning commission, if there is one, for study and to compile a written report, to be rendered within ninety (90) days after such submission, unless by resolution of the governing body a longer period is allowed. The local planning commission shall hold a public hearing on the plan of services at least seven (7) days prior to the public hearing pursuant to subdivision (b)(4)(B); and

(B) Hold a public hearing, with the notice of the time, place, and purpose of the public hearing to be published in a newspaper of general circulation in the municipality not less than twenty-one (21) days before the hearing. The notice must include the locations of a minimum of three (3) copies of the plan of services, which the municipality shall provide for public inspection during all business hours from the date of notice until the public hearing.

(5) A municipality may not annex any other territory if the municipality is in default on any prior plan of services.

(6) If a municipality operates a school system, and if the municipality annexes territory during the school year, any student may continue to attend such student's present school until the beginning of the next succeeding school year unless the respective boards of education have provided otherwise by agreement.

(e) After receiving the notice from the municipality, as provided in subdivision (b)(1), the county mayor shall notify the appropriate departments within the county regarding the information received from the municipality.

§ 13-7-203. Ordinance or amendment; notice and public hearing; changes or departures

(a) Before enacting the zoning ordinance or any amendment thereof, the chief legislative body shall hold a public hearing thereon, at least twenty-one (21) calendar days' notice of the time and place of which shall be published in the official municipal journal or in a newspaper of general circulation in the municipality.

(b) No change in or departure from the text or maps as certified by the planning commission shall be made, unless such change or departure be first submitted to the planning commission and approved by it, or, if disapproved, shall receive the favorable vote of a majority of the entire membership of the chief legislative body.

ORDINANCE NO. 2024-33

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MT. JULIET, TENNESSEE, BY REPEALING SECTION 14-109.2 THRU 14.10.9.4.c TO COMPLY WITH TCA 6-5-102, 6-51-04 AND 13-7-203, REGARDING THE NOTIFICATION PROCESS FOR ANNEXATIONS

WHEREAS, the City of Mt. Juliet has adopted a Zoning Ordinance that governs land use and zoning regulations within the city; and

WHEREAS, the State of Tennessee has enacted TCA 6-5-102, 6-51-04 AND 13-7-203, necessitating changes to the city's zoning regulations to ensure compliance with state law; and

WHEREAS, the City of Mt. Juliet will comply with the new State Law which requires a twenty-one day notification plan, notification to the County Commissioner of the proposed annexation as well as notification to the County Mayor and Wilson County Schools; and

WHEREAS, the State Law is attached as Exhibit A; and

WHEREAS, the following statement shall be placed starting as 14.09.2, PUBLIC NOTICE in the City Zoning Ordinance: “The City of Mt. Juliet will follow State Laws as required for Public Notices for Annexations, Plan of Services, Rezones, map and text Amendments”; and

WHEREAS, the Regional Planning Commission considered this amendment during their meeting of July 18, 2024, and forwarded a positive recommendation for approval to the Board of Commissioners by a vote of (9-0-0); and

WHEREAS, a public hearing before the City Commission of the City of Mt. Juliet was held on August 26, 2024, and notice thereof was published in the Chronicle of Mt. Juliet on July 24, 2024, and

WHEREAS, the City of Mt. Juliet Board of Commissioners desires to amend the Zoning Ordinance to comply with the requirements of TCA 6-5-102, 6-51-04 AND 13-7-203.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON AUGUST 26, 2024, AS FOLLOWS:

SECTION 1. – REPEAL OF SECTIONS 14-109.2 thru 14.109.4.c.

Section 14-109.2 thru 14.109.4.c of the Zoning Ordinance of the City of Mt. Juliet is hereby repealed in its entirety and replaced with the following statement: 14-109.2 The City of Mt. Juliet will follow State Laws as required for Public Notices for Annexations, Plan of Services, Rezones, map and text amendments

SECTION 2. – COMPLIANCE WITH STATE LAW.

The Zoning Ordinance of the City of Mt. Juliet shall be amended and interpreted to comply with the provisions of TCA 6-5-102, 6-51-04 AND 13-7-203, attached as Exhibit A.

SECTION 3. – PUBLIC HEARING.

The amendment and repeal were the subject of a public hearing held on August 26, 2024 at 6:15 p.m.

BE IT FURTHER ORDAINED:

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. 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



Mt. Juliet, Tennessee

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

Staff Report

File #: 0757

Agenda Date: 7/18/2024

Agenda #: 6.B.

Title:

Review the Mass Grading Plan for Greenhill Road Commercial, located on the northwest corner of North Greenhill Road and Lebanon Road.

**City of Mt. Juliet
Department of Engineering
Report of Submittal Review**

Date Received: June 20, 2024

Project Name: Greenhill Rd Commercial (Mass Grading)

Project Phase:

Submitted By: CSDG

Nature of Submittal:

Preliminary Plat

Final Plat

Site Plan

PMDP

FMDP

Construction Plans

Engineering Comments:

1. Previous PMDP/PUD conditions apply.
2. Hydrologic determination (HD) was submitted, but incomplete. PMDP/PUD conditions state that HD was to be completed for ditch running parallel along Lebanon Road. The full area was not analyzed and shall be analyzed prior to the issuance of the land disturbance permit.
3. Drainage report under preliminary review. A comprehensive review of the drainage report shall take place at the construction plan review.
4. Notes on Utility sheets are inconsistent with the plans. What impacts will occur to the force main as WWUD is requiring water line under N Greenhill Road to be relocated?

WWUD Comments:

1. The existing 20" water line along North Greenhill Road shall be relocated out from under proposed paving, sidewalk and away from the storm lines.
2. It appears that there is still a proposed headwall within 10' of the existing 12" water line.
3. Water line extensions, relocations and fire hydrants shall be designed by WWUD once the fees are paid and files provided.
4. Storm and sewer lines which cross water lines shall have a minimum of 18" vertical clearance.

Recommendation: Approve with conditions

Review Date: June 27, 2024

Reviewed By: Shane Shamanur, P.E.

Engineering – Director

City of Mt. Juliet

(615) 773-7957

Note: Review of this submittal does not relieve the Developer and Consultant from full compliance with the requirements of the Subdivision Regulations for the Mt. Juliet Regional Planning Commission and/or from full compliance with the requirements of the Zoning Ordinance for the City of Mt. Juliet



Mt. Juliet, Tennessee

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

Staff Report

File #: 0766

Agenda Date: 7/18/2024

Agenda #: 6.C.

Title:

Review the Mass Grading Plan for New Tribe Church, located at 260 Clemmons Road.

**City of Mt. Juliet
Department of Public Works & Engineering
Report of Submittal Review**

Date Received: July 03, 2024 (June 20, 2024)
Project Name: New Tribe Church (260 Clemmons Road)
Project Phase:
Submitted By: Para Design

Nature of Submittal:

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat | <input checked="" type="checkbox"/> Site Plan – Mass Grading |
| <input type="checkbox"/> PMDP – PUD | <input type="checkbox"/> FMDP | <input type="checkbox"/> Construction Plans |

PW Comments:

1. The concept plan should include sidewalk grading along the driveway and along Clemmons Road.
2. Surveyor needs to sign boundary exhibit.

WWUD Comments:

1. Add a note that all fill placed in WWUD’s easement shall be per WWUD’s specifications.

Recommendation: Approve with conditions

Review Date: July 11, 2024 (June 27, 2024)

Reviewed By: Shane Shamanur, P.E.
Public Works – City Engineer
City of Mt. Juliet
(615) 773-7957

Note: Review of this submittal does not relieve the Developer and Consultant from full compliance with the requirements of the Subdivision Regulations for the Mt. Juliet Regional Planning Commission and/or from full compliance with the requirements of the Zoning Ordinance for the City of Mt. Juliet



Mt. Juliet, Tennessee

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

Staff Report

File #: 0769

Agenda Date: 7/18/2024

Agenda #: 6.D.

Title:

Review the Site Plan for Waffle House, located at 12085 Lebanon Road.

MEMORANDUM



Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: Waffle House
Site Plan
Map - 053
Parcel(s) – 065.00

Request: Submitted by the Contineo Group, on behalf of their client, Waffle House, the applicant is requesting a Site plan approval for a Waffle House restaurant. The project will be located at 12085 Lebanon Rd.

Analysis: This parcel is zoned CG, Convenience General and is approximately 1.059 acres. The surrounding zoning is CG, to the North, West and South parcels, and I-R, Industrial Restrictive to the East. The development site is located on the North side of Lebanon Road, just east of Nonaville Road. This site sits adjacent to the Speedway convenience store to the West and Pace Analytical to the East. The site currently houses a self-serve car wash, which is to be torn down for the new development.

Bulk Regulations: Required setbacks are 30' front, 10 side' and 20 rear' and correctly rendered. The maximum building coverage allowance is 50% and the proposed total building coverage is at 2,000 sf and acceptable at 4.3%. The maximum ISR coverage allowance is 80% and the proposed total ISR coverage is acceptable at 39%. The maximum building height allowance is 35' and as proposed is only 16' 2" and one story.

Vehicular access: Vehicular access is provided via Lebanon Rd, adjacent to Nonaville Road to the West. The existing driveway from Lebanon Rd., from the current use is to remain and is 30' in width. The proposed drive aisles throughout the remainder of the site are shown at 26'. The existing access easement to the Easterly parcel is proposed to remain open.

Pedestrian access: A pedestrian access area will be provided to the sidewalk along Lebanon Rd., via the public sidewalk connection.

Parking: Parking spaces for the restaurant are required at one space per 150 sf or ever four seats, whichever is greater. This is a sit down restaurant, and the requirement is 13 spaces for the 2000 sf of space. The proposed parking is for 34 spaces and included two van accessible handicapped spaces with direct access to the front of the restaurant.

Spaces are of adequate size, and wheel stops are not permitted nor proposed. ADA signage is to be placed in bollards and painted black or a color complimentary to the building façade. A five-

space wave style bike rack and detail is provided. Cross hatching shall be provided on the pavement at the Southern end of the parking lot for the Eastern and Western portions of the lot and drive aisles for pedestrian and employee access and safety.

Landscaping: The most recent Landscape plan resubmittal is under review and comments are forthcoming. Enhanced landscaping was requested and will be provided around the detention pond. All comments shall be addressed prior to the submittal of construction plans.

Building Design, 6-103.7: The 16'2", one story structure and dumpster enclosure are predominantly faced with brick, which is to be clay baked and individually laid. Wall mounted utility equipment shall be screened via masonry or painted to match the façade. HVAC equipment is roof mounted and its location is screened entirely via the parapet wall per code requirements. Wall mounted lighting fixtures are shown as decorative sconces, and wall packs are not permitted.

Other: The dumpster enclosure detail is provided but does not provide a separate pedestrian access door, which will be required in order to be compliant with the requirements of 6.103.7.7. A trash receptacle is provided at the South end of the building and adequate. All poles, posts and bollards are to be painted black or a color complimentary to the building and shall not be painted yellow. Wheel stops are not permitted nor proposed. Parking lot lighting fixtures are provided, in the LED D-series style, commonly found throughout the city. The poles are to be painted black. The photometric plan is compliant with the regulations for the use and location of this property. Signs are to be reviewed under a separate application via the Planning department.

Summary: The resubmittal has very minimal items to be addressed and these are found in the conditions of approval below. There are no waiver or variance requests.

Recommendation: Staff recommends approval of this site plan for Waffle House on Lebanon Road with the inclusion of the following conditions:

Planning Department:

1. Wall mounted exterior lighting fixtures shall be a decorative sconce variety. Wall packs are not permitted and should be removed from the typical details on sheet C10.
2. Provide a pedestrian access door to the dumpster corral.
3. Revise cover page to include Site Plan on Main label.
4. Provide additional lighting at ingress/egress along with the access easement connection.
5. Show location of proposed decorative aluminum fence.
6. Provide additional crosswalks, and safety measures for customers and employees on Southern parking areas to the East and West.
7. Identify the shared or joint access easement with the parcel to the East, on the plans or provide evidence otherwise prior to the submittal of construction documents.
8. All poles, posts and bollards shall be painted black or a color complimentary to the building façade, not yellow nor red. Channel posts and wheel stops are prohibited.
9. Landscape plans shall be addressed prior to the submittal of construction plans. Verify the location of the trees in the streetscape do not encroach into utility easements.
10. Signage to be reviewed under a separate application to the Planning Department.
11. All requirements of the commercial design guidelines, 6.103.7, shall be adhered to.

Engineering Department:

1. Landscaping plans shall be approved prior to the approval of construction plans.
2. All sidewalks, trails, curb ramps, and crosswalks shall meet ADA compliance.
3. ADA parking must be as close as practical to the front entrance.
4. The centerline of the driveway must align with Sunset Drive.
5. The driveway shall be striped to include a 24” stop bar and 6” DSYL centerline from Lebanon Road to the first parking row.
6. The driveway shall install a stop sign at Lebanon Road.
7. Guard rail is required on both sides of the driveway culvert crossing.
8. The pedestrian walkway must be behind a raised curb. It may not be level with the travel way.
9. Truck turning template for dumpster removal shall be provided.
10. Staff requests that the developer clean up the stream channel at the culvert crossing (ARAP required) during construction.
11. Preliminary drainage report under review. A comprehensive review of the drainage report will take place at the construction plan review.
12. Surveyor shall stamp and sign proposed survey submitted.
13. Surveyor or Certified Floodplain Surveyor to provide a certified finished floor elevation of any proposed structure before land disturbance permit is issued. City requirements are to show 4 feet above highest adjacent grade. Provide an elevation certificate showing proper elevations before the issuance of land disturbance permit. *Currently, this submittal does not meet the Zone A requirements of the City of Mt Juliet code.*
14. Provide Engineering Department cut and fill calculations for approval before the issuance of the land disturbance permit.
15. Property is in FEMA Flood Zone A. Owner can submit to FEMA for a Letter of Map Revision (LOMR) to adequately show the proposed building are being constructed out of Flood Zone A. This would satisfy the National Flood Insurance Program regulations and may change the owner’s requirements for flood insurance.
16. This development shall comply with the City Floodplain Ordinance Section 8-305.5.
17. No section of the turndown sidewalk may be flush with the pavement.
18. Continue the sidewalk into the westernmost parking channel. Provide an ADA compliant crossing to the turndown sidewalk.
19. Site Note #10 shall state compressive strength of 3,500 psi.
20. TDOT shall ultimately approve the driveway permit prior to construction.
21. Engineer shall date the plans.

Wilson County Schools:

1. No Comments Provided

West Wilson Utility District:

1. The existing 12” water line along Lebanon Road is not shown.
2. Add a note stating the backflow device will be per WWUD specifications.



Mt. Juliet, Tennessee

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

Staff Report

File #: 0685

Agenda Date: 7/18/2024

Agenda #: 7.A.

Title:

**Review the Land Use Plan Amendment from Neighborhood Commercial and Parks and Greenways to Low Density Residential for 4470 Old Lebanon Dirt Road.



MEMORANDUM

Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: 4470 Old Lebanon Dirt Rd
Land Use Amendment
Rezone (Non-PUD)
Map - 077
Parcel(s) – 026.00

Request: Submitted by Gary Merritt on behalf of Beverly Heatherly, the applicant seeks a Land Use Amendment and rezone approval for the property located at 4470 Old Lebanon Dirt Rd., in District 3.

Description: The subject property is approximately 7.4 acres and is located on the South side of Old Lebanon Dirt Road and is just West of North Mt. Juliet Road. The property currently houses one single family home, with a shed, detached carport and detached garage. The house had previously been utilized as a business location for a local title company and arts alliance and now serves as a residence.

Request	Current Land Use Designation	Requested Classification	Current Zoning	Requested Zoning
Rezone and Land Use Map Amendment	Office Professional & Parks/Greenways	Low Density Residential	OPS & RS-40	RS-40

Zoning: The property is currently zoned OPS, office professional services and RS-40, low density single family residential and the requested zoning is RS-40 for the entire parcel. Surrounding zoning on the West and Southern sides are RS-40, and to the North and Eastern sides are bordered by CTC, Commercial town center zoned properties.

Future Land Use Plan: The property is currently zoned OPS, Office Professional services and RS-40, Single Family Low Density residential; however, the City’s Future Land Use map identifies the property as Neighborhood Commercial on the Southern portion, with the Northeastern quadrant as Parks and Greenways. The parks and greenways designation is due to the encumbrance of the flood plain for this portion of the property. Surrounding land use is designated as Neighborhood Commercial to the East, Town Center to the North, and Low Density residential to the West and South. The request to Low Density residential is consistent with a large

majority of parcels, within the vicinity of this home, and the use has been clarified to be for a single-family residence only.

Findings: In reviewing the requested zoning action, staff finds that this request DOES NOT agree with all of the following requirements as set forth in the zoning ordinance. The proposed rezone:

1. *Is in agreement with the general plan for the area, and;*
2. *Does not contravene the legal purposes for which the 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 the 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 subject parcel is within the City Limits and also within the City's UGB. The Future Land Use plan does not support this rezone request being neighborhood commercial and parks and greenways.

Recommendation: Should the Planning Commission forward the Rezone request for RS-40 zoning for 4470 Old Lebanon Dirt Road to the Board of Commissioners with a positive recommendation please include the condition as noted below:

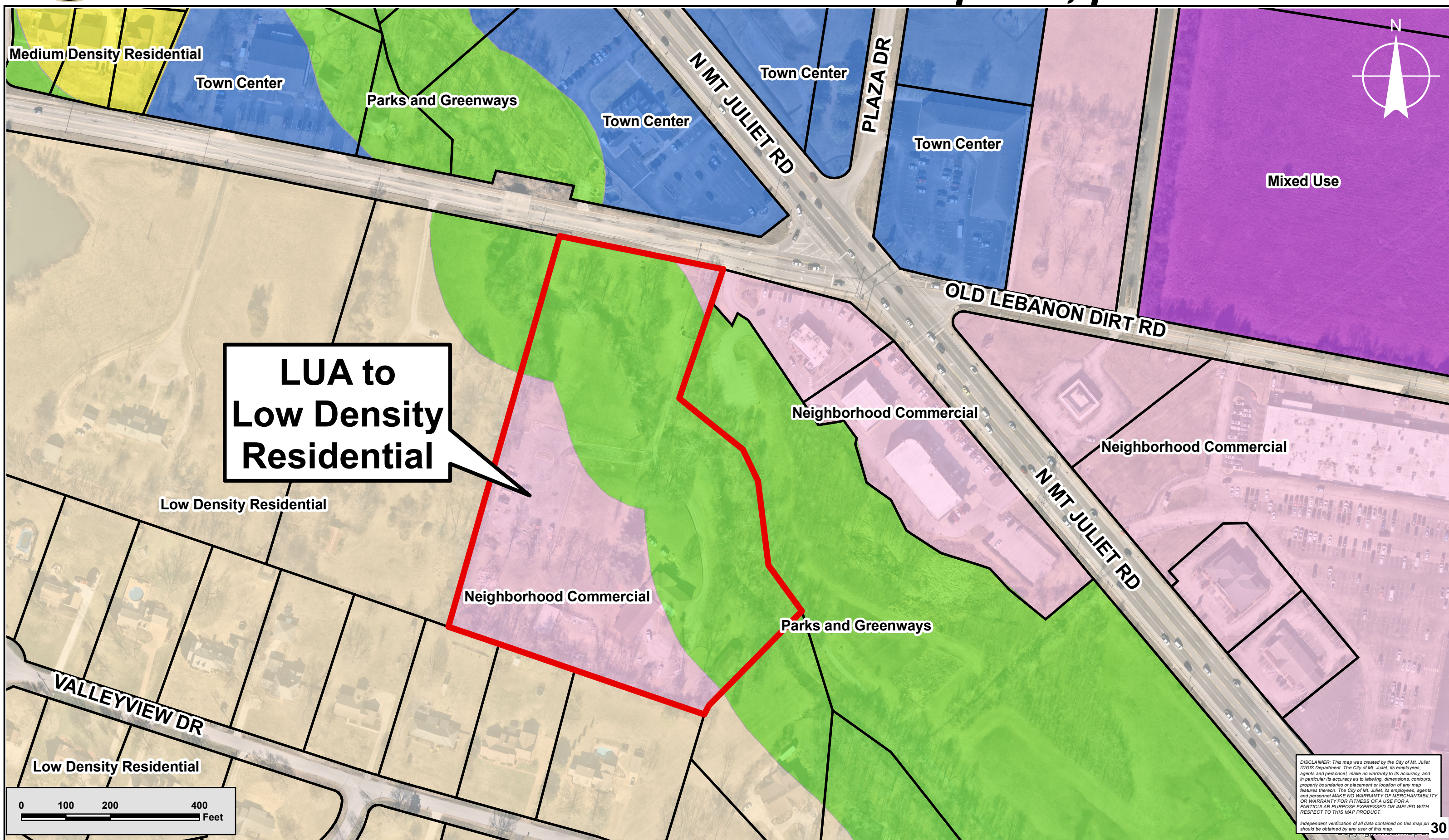
Planning and Zoning:

1. This parcel, if approved for the rezone to RS-40, is subject to all regulations in Article V. of the zoning ordinance.



Exhibit A - LUA

4470 Old Lebanon Dirt Road Map 077, p/o Parcel 026.00



**LUA to
Low Density
Residential**

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.
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Mt. Juliet, Tennessee

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

Staff Report

File #: 0686

Agenda Date: 7/18/2024

Agenda #: 7.B.

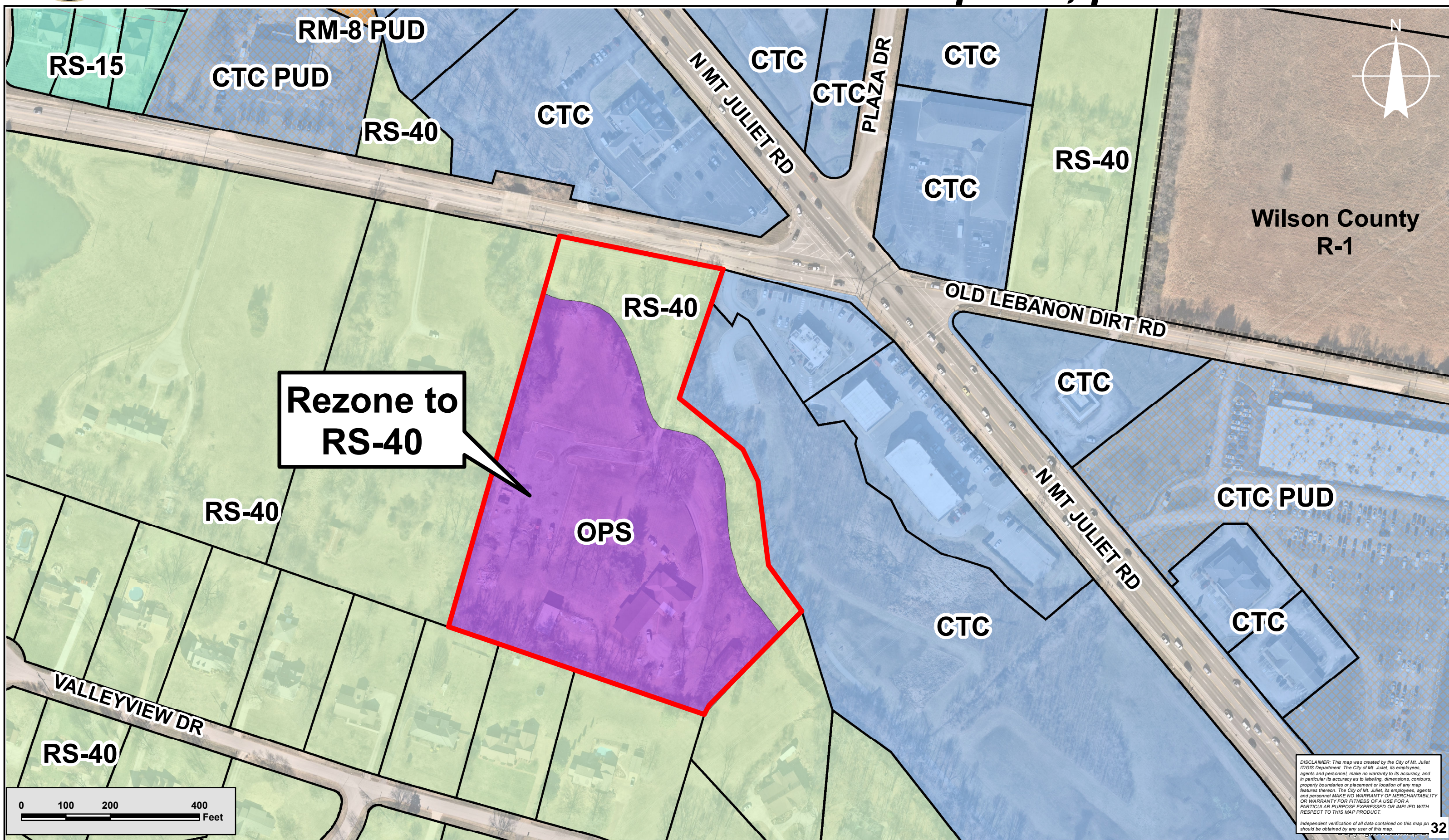
Title:

**Review the Rezone Request from OPS to RS-40 for 4470 Old Lebanon Dirt Road.



Exhibit B - Rezone

4470 Old Lebanon Dirt Road Map 077, p/o Parcel 026.00



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Mt. Juliet, Tennessee

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

Staff Report

File #: 0760

Agenda Date: 7/18/2024

Agenda #: 7.C.

Title:

**Review the Land Use Plan Amendment from Mixed Use to High Density Residential for the 782 NW Rutland Road Subdivision, located at 782, 870 & 908 NW Rutland Road.

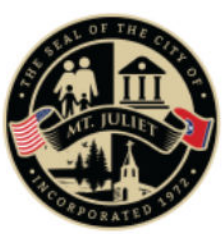
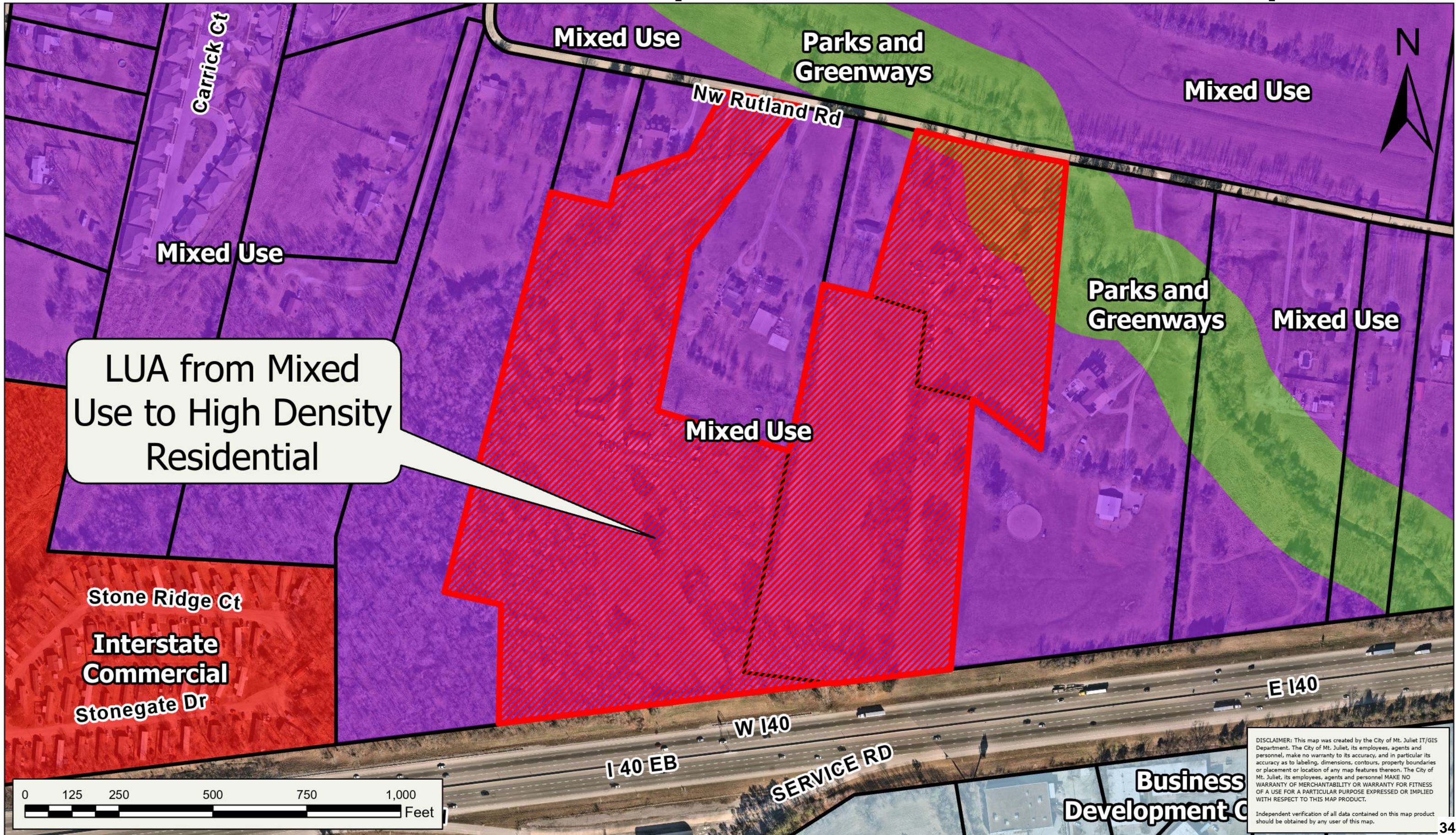


Exhibit A- LUA

782 NW Rutland Rd Map 77, Parcels 58.19, 59.02, & p/o 58.01





Mt. Juliet, Tennessee

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

Staff Report

File #: 0761

Agenda Date: 7/18/2024

Agenda #: 7.D.

Title:

**Review the Annexation and Plan of Services for the 782 NW Rutland Road Subdivision, located at 782, 870 & 908 NW Rutland Road.

RESOLUTION - 2022

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE PROPERTY KNOWN AS THE 782 NW RUTLAND ROAD PROPERTY, LOCATED AT 782, 870 & 908 NW RUTLAND ROAD MAP 077 PARCELS 059.02, 058.19 & P/O 058.01, IN WILSON COUNTY, TENNESSEE, LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY:

WHEREAS, Tennessee Code Annotated Section 6-51-102 an amended requires the a Plan of Services be adopted by the governing body of a city prior of passage of an annexation ordinance of any territory which may be annexed within any 12 month period; and

WHEREAS, the City of Mt. Juliet (herein referred to as "City") contemplates annexation of property known as 782 NW Rutland Road, located at 782, 870 & 908 NW Rutland Road, In Wilson County, Tennessee, as described herein;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE THAT THE PROPERTY LOCATED AT 782, 870 & 908 NW RUTLAND ROAD, IN WILSON COUNTY, TENNESSEE IS ADOPTED.

A. Police:

1. Patrolling, radio responses to calls, and all other calls, and other routine police services, using present personnel and equipment, will be provided beginning on the effective date of annexation.

B. Fire:

1. The City of Mt. Juliet will assume primary responsibility for Fire Protection with automatic and mutual aid assistance from the Wilson County Emergency Management Agency.

C. Water:

1. Water for domestic and commercial is already and will continue to be provided by the West Wilson Utility District.

D. Sanitary Sewers:

1. Sanitary Sewer infrastructure exists at or near the subject property boundary. Any required extension of the public sanitary sewer infrastructure shall be the responsibility of the developer of the subject property.
2. The annexation of existing developed areas that are not presently on sanitary sewer will not have sewer extended to the properties until funding is appropriated for such extensions or another funding mechanism is approved.

RESOLUTION - 2022

E. Refuse Collection:

1. Refuse Collection is available from private companies in the area. The City of Mt. Juliet has no current plans to offer refuse collection or solid waste disposal services in any area of the City.

F. Public Streets:

1. Emergency maintenance of streets designated as public streets, built to City of Mt. Juliet Standards and dedicated to the City of Mt. Juliet by recording of a final plat as public streets (repair of hazardous pot holes, measures necessary for traffic flows, etc.) will become available on the effective date of annexation.
2. Routine maintenance of streets designated, built and dedicated as public streets, on the same basis as in the present City, will become available in the annexed area when funds from the state gasoline tax based on the annexed population are received (usually July 1, following the effective date of annexation.)
3. Reconstruction and resurfacing of streets designated, built and dedicated as public streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements will be accomplished under current policies of the City or as funds are made available.
4. Cleaning of streets designated, built and dedicated as public streets having curbs and gutters will be considered after the effective date of annexation on the same basis as the cleaning of streets within the present City.
5. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed on public streets as the need is established, by appropriate study and traffic standards.

G. Schools:

1. The entire annex area is served by Wilson County Schools. This annexation will have no effect on school districts.

H. Inspection Services:

1. Any inspection service now provided by the City (building, plumbing, electrical, gas, housing and City of Mt. Juliet by Ordinance, etc) will become available in the annexed area on the effective date of annexation.

I. Planning:

1. The Planning Jurisdiction of the City already includes the annexed area. The property herein annexed is recommended to be zoned: RS-15 PUD.

RESOLUTION - 2022

J. Street Lighting

1. The City only installs streetlights on main thoroughfares (currently Mt. Juliet Road/SR171 and Lebanon Road/US Highway 70).

K. Recreation

1. Residents of the annexed area may begin using all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the City will be followed in expanding the recreational program facilities in the enlarged City.

L. Electrical Service

1. Electrical service for domestic and commercial uses is already and will continue to be provided by the Middle Tennessee Electric Membership Cooperative.

NOW THEREFORE BE IT RESOLVED:

In case 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. 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.

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

PASSED:

FIRST READING:

James Maness, Mayor

ATTEST:

Sheila S. Lockett, MMC
City Recorder

APPROVED AS TO FORM:

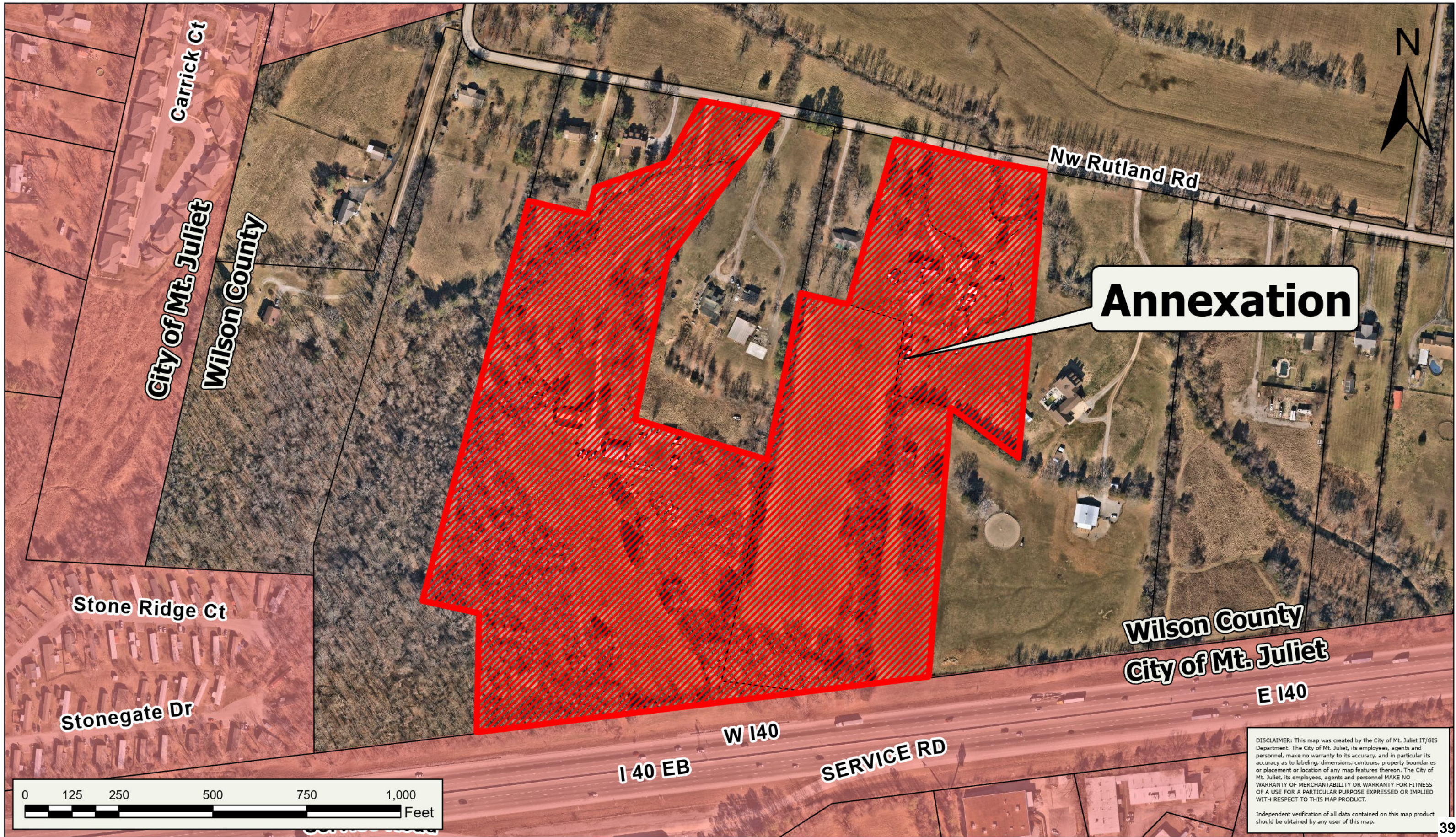
Kenny Martin, City Manager

Gino Marchetti, City Attorney



Exhibit B- Annexation

782 NW Rutland Rd Map 077, Parcels 58.19, 59.02, & p/o 58.01





Mt. Juliet, Tennessee

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

Staff Report

File #: 0762

Agenda Date: 7/18/2024

Agenda #: 7.E.

Title:

**Review the Preliminary Master Development Plan PUD, including a rezone from R-1 to RS-15 PUD for the 782 NW Rutland Road Subdivision, located at 782, 870 & 908 NW Rutland Road.



M E M O R A N D U M

Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: 728 NW Rutland Rd
LUA, AX, PMDP PUD
Map - 077
Parcel(s) – 058.19, 059.02 and p/o 058.01

Request: Submitted by CSDG, on behalf of their client, Ashton Woods, the applicant requests Annexation, Land Use Plan Amendment, Rezone and Preliminary Master Development Plan approval for an age restricted (55+) single family subdivision with 99 lots on the south side of NW Rutland Road.

Overview: The property is 39.11 acres on the south side of NW Rutland Road in the County. The current zoning is R-1 County. The City’s land use plan includes a mixed-use and parks and greenways designations for this area. The applicant seeks annexation, plan of services, a land use plan amendment to high density residential and a rezone to RS-15 PUD for a 99 lot single family, age restricted 55+ subdivision. Residential density proposed is 2.5 units per acre. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
CSDG/NW Rutland Rd	Mixed Use/Parks & Greenway	High Density Residential	R-1 County	RS-15 PUD

Future Land Use Plan: The City’s future land use map identifies the property as mixed use and parks and greenways. Surrounding land uses include mixed use and parks and greenways. The applicant requests high density residential land use for the entire development site. The land use plan does not support high density residential at this location.

Zoning: The zoning is R-1 County, surrounding zoning includes R-1. The applicant is seeking RS-15 base zoning with a PUD overlay. The RS-15 base zoning is subject to a land use plan amendment to high density residential.

Annexation: The subject site is within the City’s growth boundary. The area will be part of District 3 should the annexation be approved. A plan of services will be presented to the Board of Commissioners should the annexation proceed.

Findings: In reviewing the requested zoning actions, staff finds that the request DOES NOT agree with all of the following findings, as contained in the zoning ordinance. The proposed annexation and rezone:

1. *IS NOT 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.*

Preliminary Master Development Plan:

5-103 Bulk Standards: The development area consists of 39.11 acres. Residential density 2.5 units/acre with 99 lots proposed. Waivers for certain bulk requirements are requested and include setbacks, lot width and lot coverage. The minimum lot area is 6,500sf and the average is 6,650. Age restricted developments are exempt from the 10,000 minimum lot size and 15,000sf average lot size required of residential PUDS by ordinance 2021-50 via ordinance 2023-22. Excepting any waivers granted by the Board of Commissioners, all requirements of 5-103 shall be adhered to.

Pedestrian/Vehicle Connections: Access to development is via two points on NW Rutland Road. Pedestrian infrastructure is proposed with a sidewalk shown along both sides of the access drives and along the NW Rutland Rd frontage. The internal sidewalk network is complete with a sidewalk on both sides of all internal streets. Bicycle parking will be required at the amenity center.

Article IX Parking: Residential parking is required at two spaces per unit and this is provided for on the plans. The required residential parking is 198 spaces, 416 spaces are provide via two car garages (198), two car driveways (198) and on street (20). Parallel parking spaces are provided along the streets adjacent to the amenity center. All dimension requirements of article IX shall be adhered to.

5-104.4 Residential Design Regulations: Supplied renderings indicate single story, front loaded homes with two car garages. There are waivers outlined below regarding the façade materials and garages. Excepting any waivers granted, the homes shall comply with all design requirements found in 5-104.4.

Article X Landscaping: The site will require landscape buffers and the location of these is notated on the plans with general compliance. A full landscape plan will be required at fmdp and site plan submittal where full compliance with code requirements will be required. The site is surrounded by R-1 County zoning. RS-15 district against R-1 districts require a type A buffer. This buffer is required to be installed adjacent to all R-1 including drive aisles, this will need to be revised. Staff

requests a low maintenance material, opaque fence to be installed on the inside edge of the landscape buffers for further shielding for the adjacent neighbors.

Amenity areas along the west side of the development encroach into the detention pond and required landscape buffers. This shall be revised with subsequent submittals.

Notes indicate the buffers will be the responsibility of the HOA and located in open space. Heavy landscaping is required around water detention/retention ponds. A waiver is requested to omit the required buffer between the commercial and residential portions of this PUD. Given the grade staff supports this request.

Open Space/Amenities: Open space is 11.06 acres of the subdivision. Amenities provided include a pickleball court, pavilion, dog park w/ agility and clean up equipment, benches, picnic areas and walking trails. The improved open space provided is 3.9 acres or 10% of the site area. Amenities within landscape buffers shall be relocated on subsequent submittals.

Other: The mail kiosk shall be covered and lit. Should retaining walls be used, they shall be constructed of brick/stone or segmental block provide details at final master development plan submittal.

Waivers: The following waivers are requested:

1. 5-104.4: Each façade of the house shall contain a minimum of 50% brick/stone with the remaining 50% being brick/stone and/or cement board in any combination. STAFF SUPPORTS
2. 5-104.4: Front loading garages along access roads. STAFF DOES NOT SUPPORT
3. 5-104.4: Garages recessed 6' from the front façade in lieu of 10'. STAFF SUPPORTS
4. 5-104.4: Omit the masonry column between garage doors. STAFF SUPPORTS
5. 5-103: Bulk waivers as shown below:
 - a. Setbacks: front 20' (30'), rear 20' (20'), side 7.5' (10'), corner 15' (15') STAFF SUPPORTS 10' SIDE SETBACK
 - b. Min. lot width: 55' (75') STAFF SUPPORTS
 - c. Max. lot coverage: 50% (30%) STAFF SUPPORTS

Summary: This proposal will add 99 (2.5 du/ac.) of age restricted (55+) single family residential and associated infrastructure to the south side of NW Rutland Road. The City's land use plan does not support high density residential in this area, rather mixed use and parks and greenways.

Recommendation: Staff recommends sending the following conditions with the Planning Commission recommendation to the Board of Commissioners for the annexation, plan of services, land use amendment, rezone and preliminary master development plan for the 782 NW Rutland Road age restricted PUD:

Planning Department:

1. Remove amenities and walking trails from the landscape buffer and detention areas on the west side of the site.
2. Add a note that all landscaping buffers and open space is to be maintained by the HOA.

3. Landscape buffers shall be located in open space and not on individual lots.
4. Provide a 6' tall opaque, low maintenance material fence on the inside edge of all landscape buffers.
5. Provide bicycle parking at the amenity center.
6. Wet ponds shall include lighted fountains.
7. Provide landscaping and a decorative, low maintenance fence with lockable gate around all detention/retention ponds.
8. Retaining walls shall be faced with masonry or constructed of segmental block.
9. Blasting Restrictions: all blasting shall be reduced from 2 inches per second to 1 inch per second, reducing the charge by 50% from the state maximum. Certified letters shall be sent out to all property owners within 500 ft of the development's property line informing those residences they are entitled to pre and post blasting inspections. The blasting monitor shall hold a contract with the general contractor and not the blasting company.
10. All requirements of 5-104.4, single family residential design regulations, shall be adhered to excepting any waivers granted by the Board of Commissioners.
11. Provide an estimated development timeline.
12. Preserve as many trees as possible.
13. Provide decorative streetlighting throughout the PUD and at the entrances. These fixtures shall be maintained by the HOA.
14. A complete landscape plan will be required at FMDP/PP submittal.
15. Update HOA covenants and restrictions, that the units in the subdivision will be for sale only.
16. Add to the HOA documents that no more than one entity or person shall own more than two units in the subdivision.
17. Add City department contact information to the cover sheet.
18. Add to the title on the cover sheet: Land Use Amendment.
19. All requirements of the City's Subdivision Regulations and Zoning Ordinance shall be met, excepting any waivers approved by the Board of Commissioners.
20. Garages shall include 20' width free and clear and 440 sq ft in area per 5-104.4.
21. The amenities shall be complete by the 50th certificate of occupancy.
22. Provide individual garage doors separated by a brick column where two car garages are provided per 5-104.4, unless the waiver request is granted.
23. Garages shall be recessed 10' unless the waiver request is granted.
24. Side loaded garages are required along access roads unless the waiver request is granted.
25. Driveways shall be at least 18' wide and 22' long to the back of the sidewalk.

Engineering Department:

1. All wet ponds, if proposed, shall have aeration.
2. Provide steep slope sheets.
3. All sanitary sewer shall be public and within a minimum 20' sewer easement.
4. No homes shall be served for sewer via individual grinder pumps or onsite step or septic systems.
5. All improvements to NW Rutland Road are subject to review and approval of the Wilson County Road Commission. The developer shall provide correspondence from the Wilson

County Road Commission that the plan was reviewed at the time of construction plan review.

6. A letter of approval from West Wilson Utility District will be needed prior to construction plan approval is issued.
7. The turnaround on Road E shall have an entering radius of 50'.
 - a. The revised plans show a turnaround radius of 50' but the entrance radius still looks substandard. Consult ST-121 for cul-de-sac dimensions.
8. Landscaping plans shall be approved prior to construction plans approval.
9. The sidewalk along NW Rutland shall be outside of the ROW, within a public access easement, and maintained by the HOA. The sidewalk shall be 6' in width.
10. Any grading in Zone "AE" will require a CLOMR approval from FEMA. Detention pond is shown partially in Zone "AE", and FEMA submittal will be required.
11. Eastern access (Road B) to site is in FEMA flood Zone "AE", any grading for finished road shall be located at minimum 1' above Base Flood Elevation (BFE). FEMA submittal will be required.
12. A portion of Lot 1 is in Zone "AE" and subject being elevated 4' above BFE. Staff suggests removing the building envelope out of Zone "AE" and this portion would not be subject to FEMA review.
13. ADA compliant curb ramps are required on the corners of all intersections.
14. There are two layers showing lot ownership. Please remove one layer.
15. Staff does not support requested variance #2 for front loading garages from an access street. Units may be side loaded.
16. Staff recommends that the walking trail be paved.
17. All trails, sidewalks, and crossings must be ADA compliant.

Wilson County Schools:

1. No Comments Provided

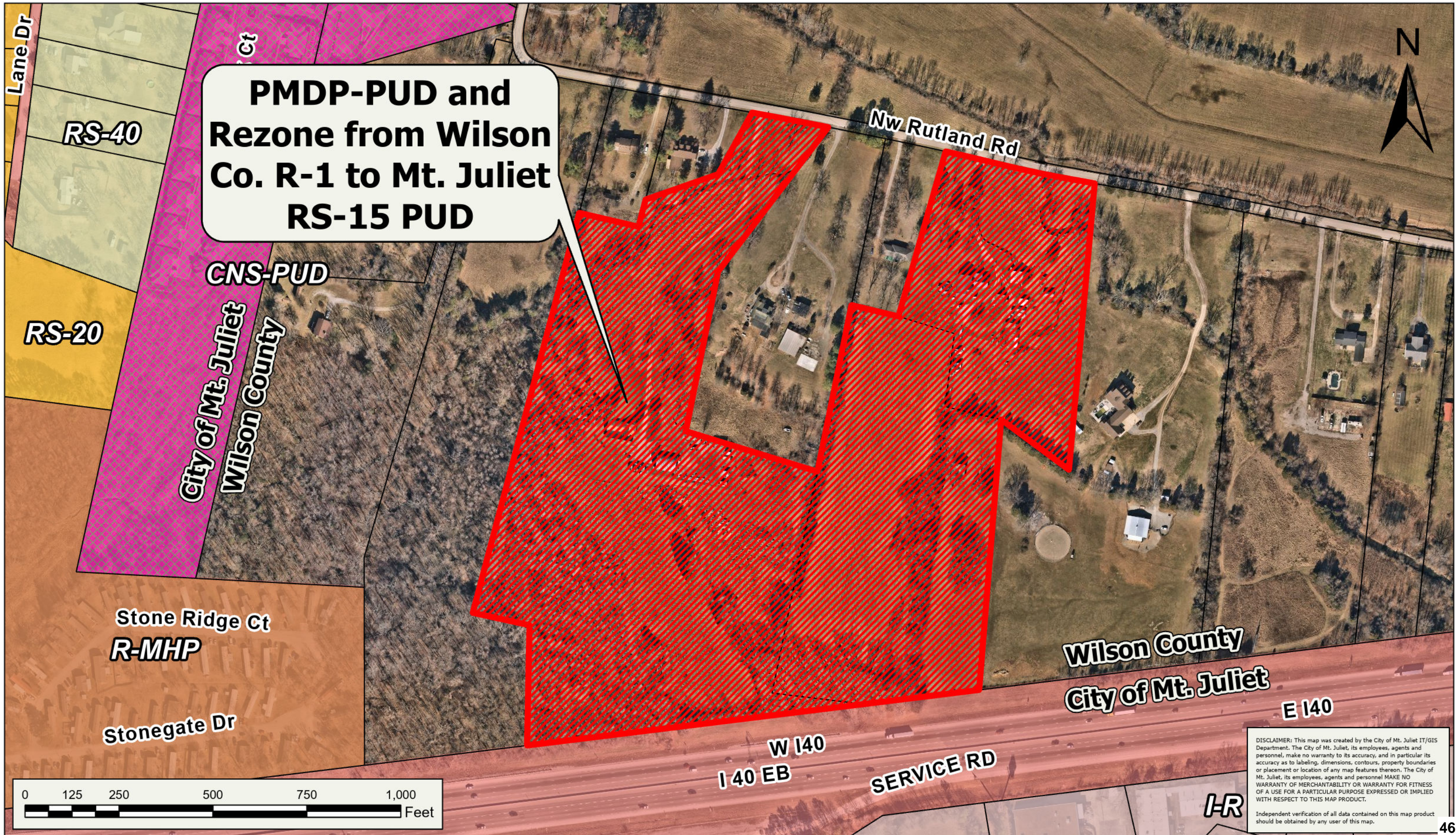
West Wilson Utility District:

1. Water lines shown are not WWUD's design.



Exhibit C- PMDP and Rezone

782 NW Rutland Rd Map 077, Parcels 58.19, 59.02, & p/o 58.01





Mt. Juliet, Tennessee

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

Staff Report

File #: 0763

Agenda Date: 7/18/2024

Agenda #: 7.F.

Title:

**Review the Land Use Plan Amendment from Low Density Residential to Medium Density Residential for Silver Springs Phases 8-13, Located at 9621 Lebanon Road.

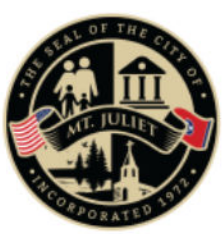
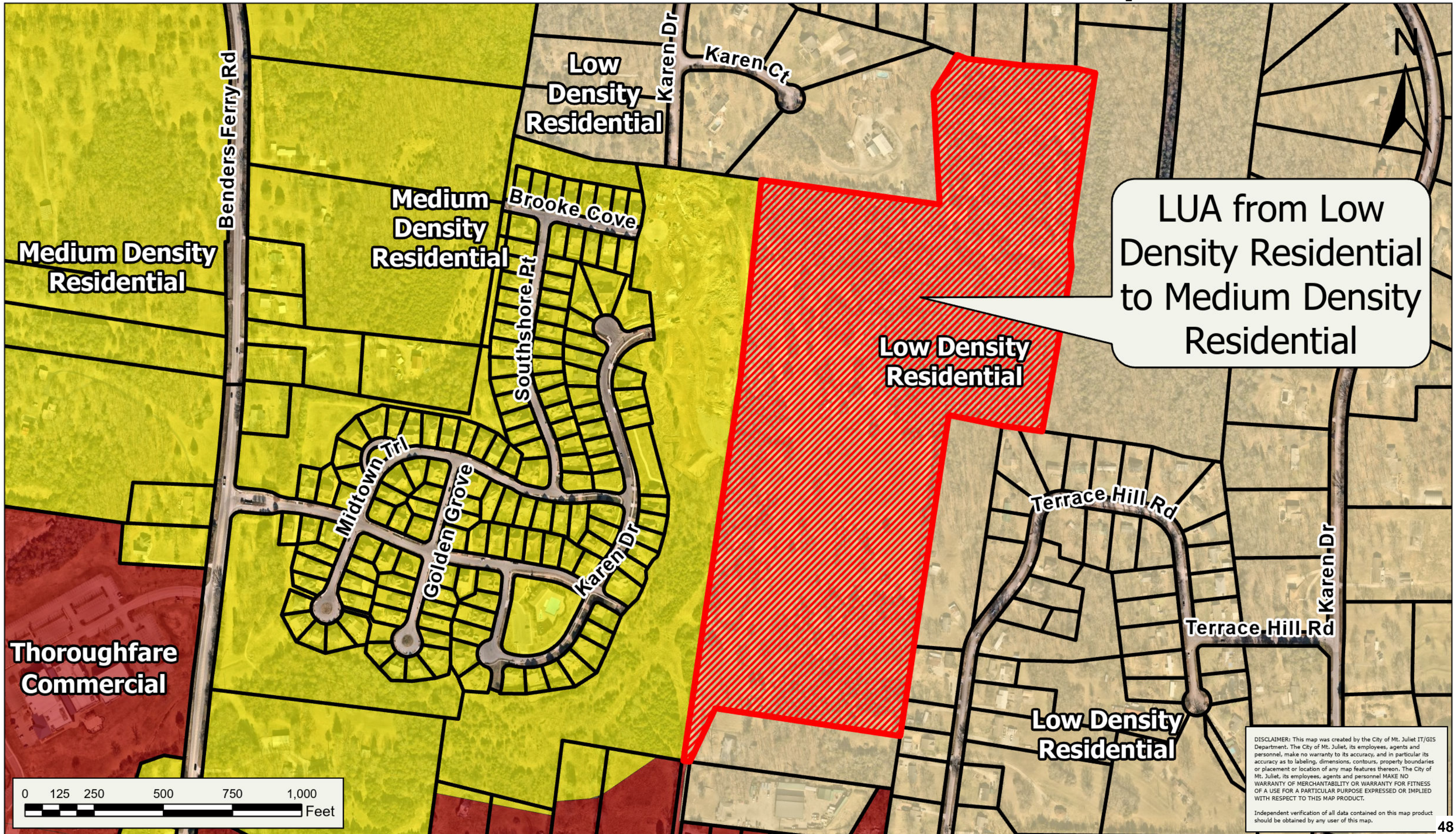


Exhibit A- LUA

Silver Springs Ph. 8-13 Map 054, Parcel 45





Mt. Juliet, Tennessee

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

Staff Report

File #: 0764

Agenda Date: 7/18/2024

Agenda #: 7.G.

Title:

**Review the Annexation and Plan of Services for Silver Springs Phases 8-13, located at 9621 Lebanon Road.

RESOLUTION - 2022

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE PROPERTY KNOWN AS THE SILVER SPRINGS PHASE 8 PROPERTY, LOCATED AT 9621 LEBANON ROAD MAP 054 PARCELS 045.00, IN WILSON COUNTY, TENNESSEE, LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY:

WHEREAS, Tennessee Code Annotated Section 6-51-102 an amended requires the a Plan of Services be adopted by the governing body of a city prior of passage of an annexation ordinance of any territory which may be annexed within any 12 month period; and

WHEREAS, the City of Mt. Juliet (herein referred to as "City") contemplates annexation of property known as Silver Springs Phase 8 located at 9621 Lebanon Road, In Wilson County, Tennessee, as described herein;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE THAT THE PROPERTY LOCATED AT 9621 LEBANON ROAD, IN WILSON COUNTY, TENNESSEE IS ADOPTED.

A. Police:

1. Patrolling, radio responses to calls, and all other calls, and other routine police services, using present personnel and equipment, will be provided beginning on the effective date of annexation.

B. Fire:

1. The City of Mt. Juliet will assume primary responsibility for Fire Protection with automatic and mutual aid assistance from the Wilson County Emergency Management Agency.

C. Water:

1. Water for domestic and commercial is already and will continue to be provided by the West Wilson Utility District.

D. Sanitary Sewers:

1. Sanitary Sewer infrastructure exists at or near the subject property boundary. Any required extension of the public sanitary sewer infrastructure shall be the responsibility of the developer of the subject property.
2. The annexation of existing developed areas that are not presently on sanitary sewer will not have sewer extended to the properties until funding is appropriated for such extensions or another funding mechanism is approved.

RESOLUTION - 2022

E. Refuse Collection:

1. Refuse Collection is available from private companies in the area. The City of Mt. Juliet has no current plans to offer refuse collection or solid waste disposal services in any area of the City.

F. Public Streets:

1. Emergency maintenance of streets designated as public streets, built to City of Mt. Juliet Standards and dedicated to the City of Mt. Juliet by recording of a final plat as public streets (repair of hazardous pot holes, measures necessary for traffic flows, etc.) will become available on the effective date of annexation.
2. Routine maintenance of streets designated, built and dedicated as public streets, on the same basis as in the present City, will become available in the annexed area when funds from the state gasoline tax based on the annexed population are received (usually July 1, following the effective date of annexation.)
3. Reconstruction and resurfacing of streets designated, built and dedicated as public streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements will be accomplished under current policies of the City or as funds are made available.
4. Cleaning of streets designated, built and dedicated as public streets having curbs and gutters will be considered after the effective date of annexation on the same basis as the cleaning of streets within the present City.
5. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed on public streets as the need is established, by appropriate study and traffic standards.

G. Schools:

1. The entire annex area is served by Wilson County Schools. This annexation will have no effect on school districts.

H. Inspection Services:

1. Any inspection service now provided by the City (building, plumbing, electrical, gas, housing and City of Mt. Juliet by Ordinance, etc) will become available in the annexed area on the effective date of annexation.

I. Planning:

1. The Planning Jurisdiction of the City already includes the annexed area. The property herein annexed is recommended to be zoned: RS-15 PUD.

RESOLUTION - 2022

J. Street Lighting

1. The City only installs streetlights on main thoroughfares (currently Mt. Juliet Road/SR171 and Lebanon Road/US Highway 70).

K. Recreation

1. Residents of the annexed area may begin using all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the City will be followed in expanding the recreational program facilities in the enlarged City.

L. Electrical Service

1. Electrical service for domestic and commercial uses is already and will continue to be provided by the Middle Tennessee Electric Membership Cooperative.

NOW THEREFORE BE IT RESOLVED:

In case 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. 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.

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

PASSED:

FIRST READING:

James Maness, Mayor

ATTEST:

Sheila S. Lockett, MMC
City Recorder

APPROVED AS TO FORM:

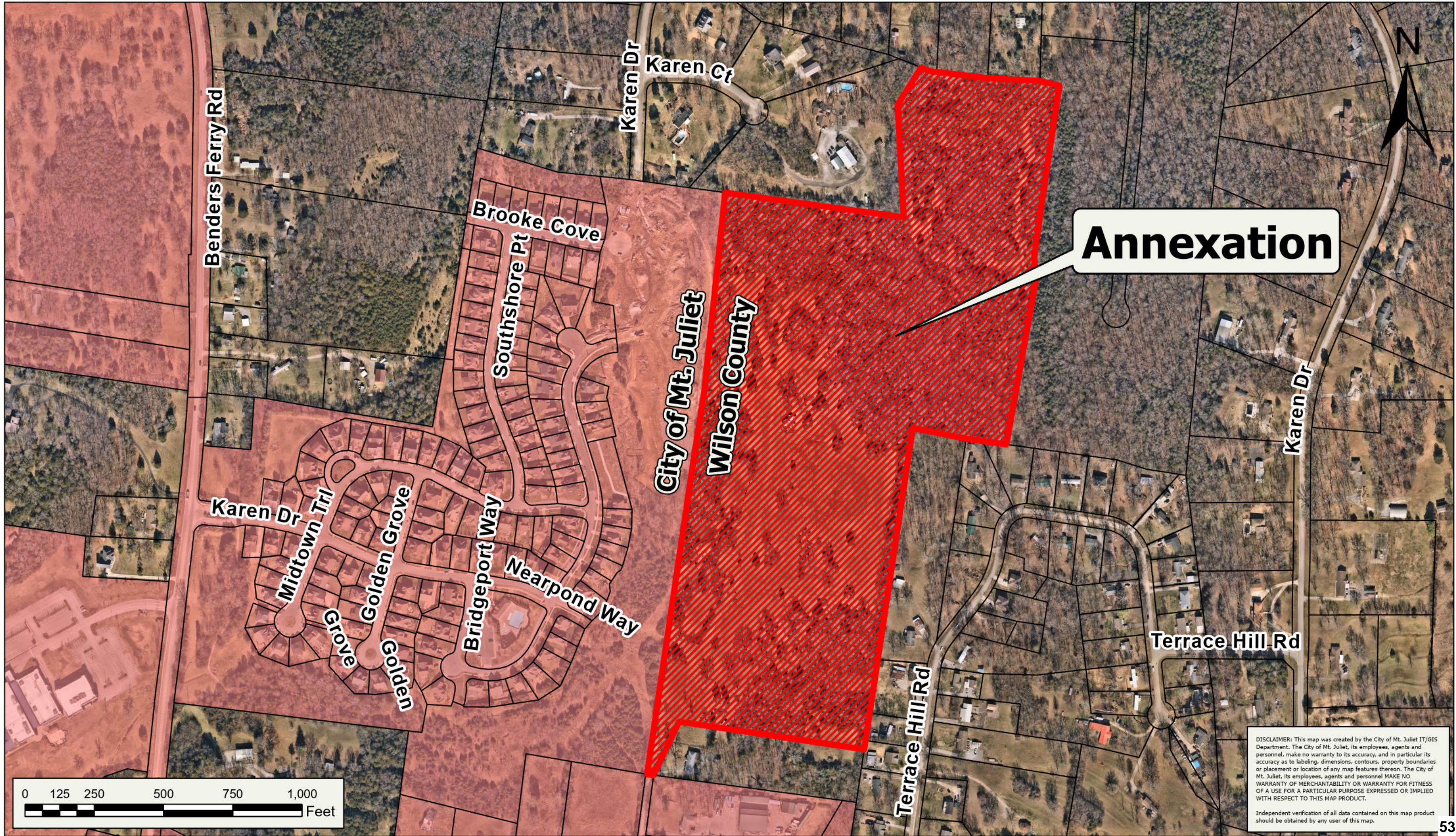
Kenny Martin, City Manager

Gino Marchetti, City Attorney



Exhibit B- Annexation

Silver Springs Ph. 8-13 Map 054, Parcel 45





Mt. Juliet, Tennessee

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

Staff Report

File #: 0765

Agenda Date: 7/18/2024

Agenda #: 7.H.

Title:

**Review the PUD Amendment for Silver Springs Phases 8-13, located at 9621 Lebanon Road.



MEMORANDUM

Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: Silver Springs Ph. 8-13
LUA, AX, PMDP PUD Amendment
Map - 054
Parcel(s) – 045.00

Request: Submitted by Lose Design, on behalf of their client Universal builders, the applicant is requesting a PMDP PUD Amendment to include Phases 8-13 to the Silver Springs PUD. The project will be located off Benders Ferry Road.

Analysis: This is an amendment to the Silver Springs PMDP-PUD, to add the additional phases 8-13. Per the applicant, they are not requesting any changes to the PUD standards, only requesting via this amendment to have the additional phases meet the prior standards as approved. The property is 47.39 acres to the East side of Benders Ferry and North of Lebanon Road and will be an extension of the existing Silver Springs subdivision. The current zoning for the proposed parcel is Wilson County, A-1, Agricultural land. The applicant is seeking RS-20 zoning with a PUD overlay, to match the existing PUD overlay for Phases 1-7. The proposal is for approximately 96 lots. The City’s land use plan identifies the area as Low Density residential, therefore a Land use amendment for the RS-20 zoning will be required. Residential density proposed is 2.02 units per acre. The subject property is outside the city limits and will require annexation as well.

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
Silver Springs Ph. 8-13 Lose Design	Low Density Residential	Medium Density	A-1, Agriculture	RS-20 PUD

Future Land Use Plan: The City’s Future Land Use map identifies the property as Low density residential. Current surrounding land uses include medium density residential and thoroughfare commercial.

Zoning: The zoning is currently Wilson County A-1, Agriculture, and surrounding parcels include RS-15, CRC-Commercial Retail Center, and CG-Commercial General. The original phases of Silver Springs are zoned RS-15. The base zoning of RS-20, Medium Density Residential is subject to a Land Use Plan Amendment.

Findings: In reviewing the requested zoning actions, staff finds that the request DOES NOT agree with all of the following findings, as contained in the zoning ordinance. The proposed annexation and rezone:

1. *IS NOT 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.*

Annexation: The subject property is located wholly within the City's Urban Growth Boundary and is contiguous with existing City limits.

Plan of Service: A plan of services is included.

Preliminary Master Development Plan, PUD Amendment: This is an amendment to the original Silver Springs (Phases 1-7) PUD, originally approved in approximately 2003. This plan has had several amendments throughout the course of its construction. The latest revision of the PUD, was in 2014. The intent of the current PUD amendment is to include additional phases, labeled 8-13 to the existing PUD, with no changes to the original bulk standards as previously approved. The noted differences, is a decrease in density, an increase in the overall lot size, and retention of the original setbacks of 20' front, 5'side/10' side corner and 15' rear. The addition of the new phases improves upon the original PUD.

Bulk Standards, 5.103: The development area consists of 47.39 acres, on which 96 lots are proposed. The property is currently undeveloped and abuts the existing Silver Springs Subdivision. The density proposed is 2.02 units/acre and Max density in RS-20 is 2.2 units/acre. The original minimum lot size under the PUD was 5,227 and average was 7,791. The amended PUD has a minimum lot size of 10,000 sf with an average of 11,000. There are no bulk waivers requested through this amendment.

Access: This subdivision is via an extension of Mill Cove and the applicant is requesting a several roadway variances, as explained below, which will include a request to only have one access point for the seven current and 96 proposed lots on this road. There will be no road stubs included within the new phases.

Amenities: Improved Open space constitutes approximately 3.32 acres of the development site or 7% of the PUD. Amenities proposed include an asphalt paved trail. The new phases proposed will have access to the existing amenities of the subdivision, which include a swimming pool, playground and an existing walking trail.

5-104.4 Residential Design Guidelines/Elevations: The elevations show a product with primarily all masonry materials. Staff requests additional architectural elements to be included to show the required two car garages separated via a masonry column, along with elevations showing the sides and rear architectural features of the proposed new homes. Conditions requested will include that driveways will be a minimum of 18' wide and 22' feet in depth from the back of the sidewalk. Additional conditions required will include, garage door and garage interior area requirements, as noted in 5.104.4.

Article 10 Landscaping: An amended landscape plan will be required at fmdp and preliminary plat submittal.

Other: The mail kiosk location is not shown, but is noted to be by the amenity center. The kiosk shall be covered and well lit. Critical lots are to be identified and corner lots are to identify the orientation of the homes and associated setbacks. A request for driveway locations has also been included within conditions located below. Amended HOA covenants are restrictions have been requested for review. Landscape buffers are located in open space and will be maintained by the HOA.

Waivers & Variances:

The following are requested-

1. To not build a sidewalk from the end of Lot 85 to Mill Cover connection as no sidewalk connection exists on this side of Mill Cove.- **STAFF DOES NOT SUPPORT. SIDEWALK CONNECTION IS REQUESTED TO BE PLACED.**
2. To have 20 lots on the cul-de-sac for Road B.- **STAFF SUPPORTS**
3. Have one access point for the 103 lots (7 lots already exist on Mill Cove from Phases 1-7, future expansion will add 96 additional lots)– **STAFF SUPPORTS.**
4. Length of Road B cul-de-sac be 750 ft, exceeding 700 ft requirement. – **STAFF SUPPORTS**
5. To disturb steep slopes. – **STAFF SUPPORTS**

Summary: This proposal will add 96 single family residential lots and associated improvements to be built in phases 8-13, to the existing PUD for the Silver Springs subdivision located on Benders Ferry Road. The City's land use plan does not support medium density residential in this area, as the future land use plan calls for low density residential, however the requested additional phases will be in accordance with the originally approved PUD standards.

Recommendation: Staff recommends sending the following conditions with the Planning Commission recommendation to the Board of Commissioners for the annexation, plan of services, land use amendment, rezone and preliminary master development plan for the Silver Springs, Phase 8-13 PUD amendment:

Planning Department:

1. The land use plan designation shall be medium density residential if approved.
2. The base zoning for the new phase shall be RS-20 if approved.
3. Bulk Standards shall be adhered to unless waivers are granted by the Board of Commissioners and Planning Commission.

4. All single family residential design standards (5-104.4) shall be adhered to excepting any waivers granted by the Planning Commission and Board of Commissioners.
5. All brick shall be clay, baked and individually laid.
6. All stone shall be individually laid.
7. Provide a development timeline.
8. Identify driveway locations, and confirm they will meet the 22 foot depth requirement from the garage door to the sidewalk.
9. Driveway must be a minimum of 18 feet in width.
10. Street facing garages shall include a double-wide driveway (minimum 18 ft) and must contain a minimum of a two door garage, with a 24" masonry column in between.
11. Provide decorative lighting throughout, and it shall be maintained by the HOA.
12. Landscape buffers shall be located in open space, not on individual lots, and maintained by the HOA.
13. Provide a tree preservation/planting plan, to preserve as many trees as possible in any natural buffers.
14. Blasting Restrictions: all blasting shall be reduced from 2 inches per second to 1 inch per second, reducing the charge by 50% from the state maximum. Certified letters shall be sent out to all property owners within 500 ft of the development's property line informing those residences they are entitled to pre and post blasting inspections. The blasting monitor shall hold a contract with the general contractor and not the blasting company.
15. Provide amended HOA covenants and restrictions showing additional phases for review. This shall include notes that the units are for sale only, and one entity may own no more than two units.
16. Provide orientation of homes on corner lots and clearly label setbacks accordingly.
17. Identify all critical façade lots. Provide different symbols for various critical lot features.
18. Call out the location of the mail kiosk, and provide colored elevations.
19. Provide details of what is to be included in the improved open spaces within the new phases.
20. Provided analysis of how open space and improved open space requirements (not just proposed and provided) for the entire Silver Springs PUD will be met with the addition of the new phases.
21. Update HOA covenants and restrictions, that the units in the subdivision will be for sale only.
22. Add to the HOA documents that no more than one entity or person shall own more than two units in the subdivision.

Engineering Department:

1. Provide stream buffer widths.
2. If wet ponds are used, aeration shall be provided.
3. All proposed roads shall meet City of Mt. Juliet design standards.
4. No onsite grinder systems or step systems are allowed for this development.
5. All sidewalks, trails, curb ramps, and crosswalks shall meet ADA compliance.
6. Staff will support variance #6 in a cut condition only.
7. A letter of approval from West Wilson Utility District will be needed prior to construction plan approval is issued.
8. Staff supports variance #4 based on the results of the traffic analysis.

9. Staff supports variances #3 & #5.
10. A raised crosswalk will be required at the mail kiosk area on Road A if the south sidewalk is not being extended. Please provide a standard detail.
11. A “NO OUTLET” sign shall be installed off the Mill Cove Connection.
12. Adequate intersection sight distance shall be required for all intersections within the site. Sight distance profiles will be required with construction drawings.
13. All cul-de-sac turnarounds shall comply with the City’s standard drawings. Dimensions for the turnarounds will be required with construction drawings.
14. Sidewalk should be constructed on the north side of Road A to connect to the current proposed terminus for Phases 1-7. The plan included in this submission does not show sidewalk around the turnabout.
15. ADA compliant curb ramps are required at all intersections. Pedestrians should be directed to cross in front of where vehicles are stopped.
16. All driveways shall comply with Mt. Juliet ST-313 and TDOT Highway System Access Manual guidance for residential driveways with curb and gutter. The maximum proposed grades for driveways shall be provided.
17. Provide a standard detail for the raised crosswalk.
18. As a PUD amendment, staff recommends a 6’ frontage sidewalk along Benders Ferry Road with a grass strip.

Wilson County Schools:

1. No Comments Provided

West Wilson Utility District:

1. Water lines shown are not WWUD’s design.

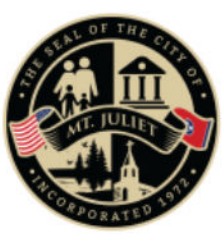
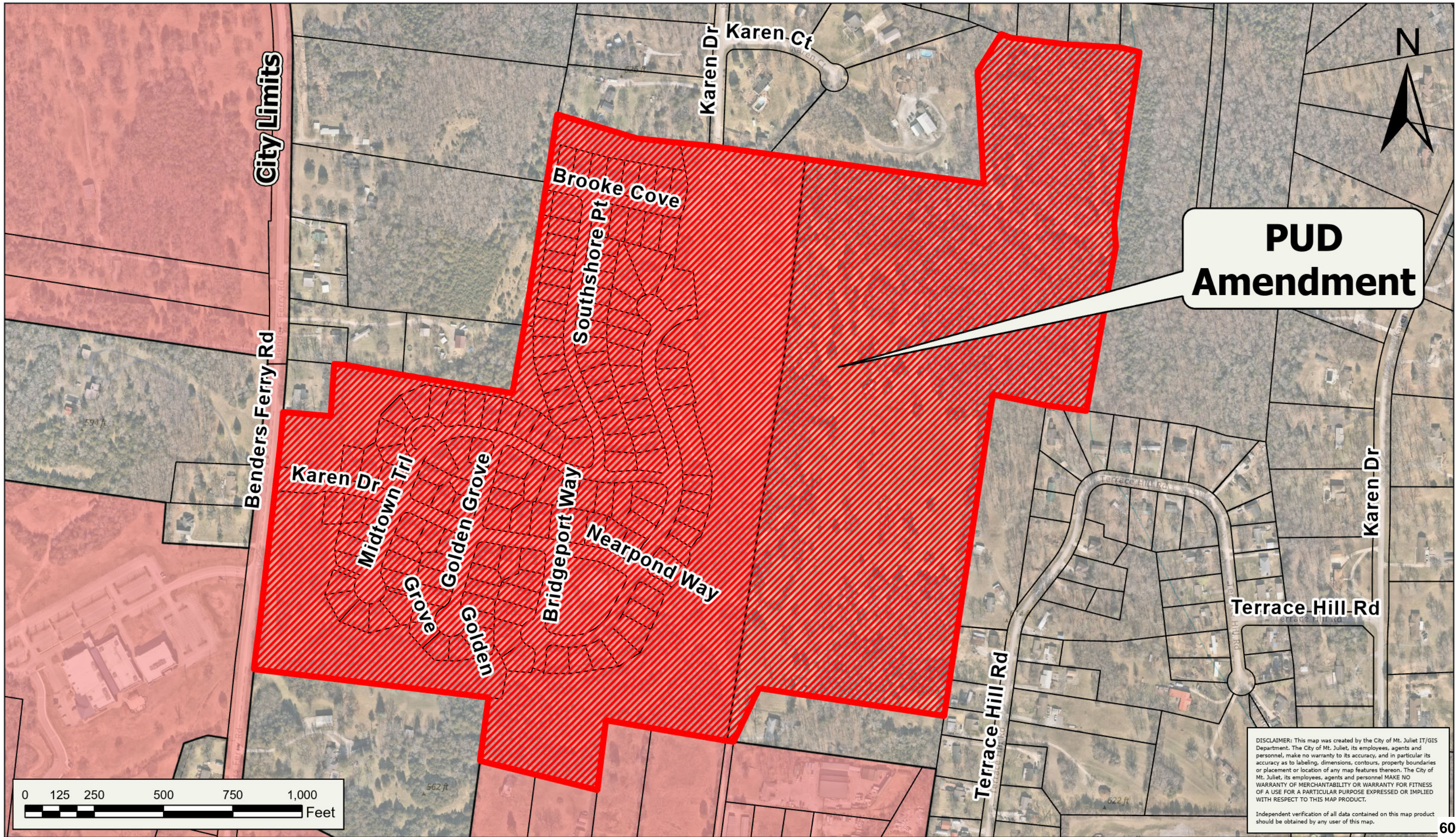


Exhibit C- PUD Amendment

Silver Springs Existing and Ph. 8-13





Mt. Juliet, Tennessee

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

Staff Report

File #: 0697

Agenda Date: 7/18/2024

Agenda #: 8.A.

Title:

Review the Site Plan for Tim Horton's located at 10576 Lebanon Road.



MEMORANDUM

Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: Tim Horton's
Site Plan
Map - 054
Parcel(s) – 102.05

Request: CSDG, on behalf of their client, Paliba, LLC., is seeking Site Plan approval for Tim Horton's drive-through restaurant. They are also requesting an addition to the existing convenience store, that is noted as a general office space. The project will be located at 10576 Lebanon Road, that is currently undergoing renovations of the existing gas pumps and convenience store. This is in District 1, which is represented by Commissioner Ray Justice.

Analysis: This parcel is zoned, CG, Convenience General and is approximately 2.38 acres. The surrounding zoning of CRC, to the North, CG to the East and West, along with RS-10 to the South. This parcel currently houses an existing convenience store and gas pumps, undergoing renovations.

The Tim Horton's drive-through restaurant will be an additional use added to the existing property, and will consist of 1,678 sf, served via two drive-through lanes. The restaurant also offers service inside. The 343 sf addition to the existing convenience store is shown to be a general office use.

Bulk Regulations: Required setbacks are 30', 10' and 20' and correctly rendered. The maximum building coverage allowance is 50%, and the proposed total building coverage is at 6,664 sf, and acceptable at 6.42% combined with the existing structures. The maximum ISR coverage allowance is 70% and the proposed total ISR cover is 50,098 sf and acceptable at 48.26 %. The maximum building height allowance is 35' and as proposed is only 15' 8" and one story for both the Tim Horton's restaurant, along with the office addition.

Vehicular Access: Vehicular access is provided via Lebanon Road, along with Park Glen Drive. The drive through includes one main 10' queuing lane that expands to two 10' lanes at the menu boards and are separated by an island that reduces back into one 10' lane at the pickup window. The queuing is shown to allow the stacking of at least five vehicles in a singular lane, as required. The bypass lane is approximately 12' around the Northern and Western portions of the drive through lane circulation.

Pedestrian Access: A pedestrian access area will be provided to the sidewalk provided along Lebanon Road via the public sidewalk connection.

Parking: Parking spaces for the Tim Horton's restaurant are required at one space per 100 sf, or 4 seats whichever is greater. Since this is a drive through restaurant, the requirement is for 17 spaces, along with 5 queued spaces within the drive through lanes. There is one van accessible handicapped space required for the restaurant.

The general office addition requires one space per 400 sf, of which would require 1 space. With the inclusion of the existing convenience store, & office location, which are currently under construction, this will require an additional 27 spaces, respectively. There is a total of 45 spaces required for this property, all uses included. They have proposed 35 parking stalls, but also 12 gas pump spaces. The gas pump spaces are not allowed to be calculated within the required parking spaces. This will be a shared parking agreement and the site is under parked by a minimum of 10 spaces.

Spaces are of adequate size, and wheel stops are not permitted nor proposed. ADA signage is placed in a bollard and shall be painted black or color complimentary to the building façade, not yellow nor red. A five-space wave style bike rack and detail is provided. Cross hatching is provided on the pavement on the Southern and Western side of the parking lot between the parking lot and the drive aisles along with the dumpster access for pedestrian and employee access and safety.

Landscaping: The most recent Landscape plans are under review and comments are forthcoming. Additional landscaping has been requested around the Northwestern area along the drive through aisles fronting Lebanon Road and Park Glen Drive. All comments shall be addressed prior to the submittal of construction plans.

Building Design, 6-103.7: The 15'8", one story structure is predominantly faced with brick veneer, and stone which is to be individually laid, painted, and elevation color schemes have requested. Staff has requested that the use of the color red, which is noted as a branding element is extremely limited in nature and used only on minimal areas. Wall mounted utility equipment shall be screened via masonry or painted to match the façade. HVAC equipment is roof mounted and its location is screened entirely via the parapet wall per code requirements. Wall mounted lighting fixtures are shown as decorative sconces, and wall-packs are not permitted.

Other: The dumpster enclosure detail is provided and includes a separate door for pedestrian access and is compliant with the requirements of 6.103.7.7. A trash receptacle is provided and adequate. All Poles, posts and bollards are to be painted black or a color complimentary to the building and shall not be yellow nor red. Wheel stops are not permitted. Parking lot lighting fixtures provided are LED, D-series style and commonly found in the city. The poles are to be painted black. The photometric plan is compliant with regulations for the additional use added to this property. Signs are to be reviewed under a separate application.

Waivers/Variances:

1. None requested

Summary: The resubmittal has a few items to be addressed and these are found in the conditions of approval below. The staff continues to have serious concerns regarding the functionality of the drive-through as proposed, on this shared access lot.

Recommendation: Staff recommends the Planning Commission approve this site plan for the Tim Horton's restaurant with the following as conditions of approval:

Planning Department:

1. Identify the shared or joint access easement on the plans or provide evidence otherwise prior to the submittal of construction documents.
2. Provide additional pedestrian crosswalks at Southeast corner of drive-thru exit for pedestrian safety accessing the parking spaces to the South.
3. Provide elevation colors and manufacturers.
4. Wall lighting must be decorative in nature. Wall packs are prohibited.
5. Provide additional crosswalks, and safety measures for employees accessing the shared Dumpster on the South end of the property.
6. Gas pump parking spaces are prohibited from proposed parking calculation requirements. Show the location and number each parking space, as parking count is not calculated as shown.
7. Clarify if the shed as shown, was pre-existing and an approved structure.
8. All requirements of the commercial design regulations, 6-103.7, guidelines, shall be adhered to.
9. Brick shall be clay, baked and individually laid.
10. All poles, posts and bollards shall be painted black, or a color complimentary to the building façade, not yellow nor red. Channel posts and wheel stops are prohibited.
11. Landscape plans comments shall be addressed prior to the submittal of construction plans. Verify location of trees in streetscape do not encroach into utility easements.
12. Signage to be reviewed via separate application through the Planning Department. Pylon signs are prohibited.
13. The use of the branding color red, shall be limited to minimal accents on the building.
14. The rear of the tower decorative element as shown on the South Elevation will need to be brick or stone.
15. Dumpster enclosure shall adhere to section 6.103.7.7, to include a steel opaque gate designed to complement the wall materials used.
16. Show location of proposed decorative aluminum fence in call out.
17. Provide elevations for the proposed office space addition on the existing convenience store. Explain the reason for additional office space on the convenience store
18. Correct General note #5 to show all signage goes through the Planning Department at 615-773-6283.
19. Correct General notes on Page C2.00, #3, & #5 are duplication of #8.
20. On page C5.00, correct notes #12 and #15 as they are duplicated.
21. On page C5.00, call out color of bike rack, and show location.
22. On page C5.00, show decorative trash cans and location.
23. On page C5.00, dumpster gate detail notes are not legible.
24. Recommend a rear entrance into the convenience store location.

Engineering Department:

1. Water quality measures are required and shall be addressed at construction plan review; stream buffer is 60' if modification made outside existing conditions (as stream is listed as 303d).
2. Any development within Zone AE shall be subject to FEMA approval (CLOMR-F). Cut/Fill calculations might be required at construction plan review.
3. Install 6' sidewalk along Lebanon Road frontage (no grass strip).
4. Provide a sidewalk along the east side of the site instead of the crosswalk running through the vehicle loading area.
5. Install 6' sidewalk along Park Glen Dr. frontage with a 2' grass strip beginning from just south of the Park Glen Dr driveway. Standard detail will be provided during the construction plan review.
6. Lebanon Road access subject to TDOT review and approval.
7. The curb on the backside of the building (facing west) shall be extended to the edge of the parking space.
8. The painted islands adjacent to the parking spaces near the Park Glen Dr access point shall be raised curbed islands.
9. Any internal drive intended to be one-way shall be striped and signed as such including DO NOT ENTER signs at the exit.
10. The TIS indicated the driveways will be blocked by the peak hour queues from the Park Glen signal. Staff indicated that the driveways should be relocated as far from the intersection as possible if this was the case. Since then, the approved redevelopment of the gas station moved the fuel tanks to the desired driveway location.
11. The fuel tank AutoTurn profile indicates the truck must pass through the vehicle fueling zone. There is potential for conflict between the fuel truck and the vehicles at the pumps, although these conflicts would resolve themselves once the vehicle at the pump finishes refueling.
12. Provide dimensions for all drive aisles.
13. Show the location of the ADA curb ramp on the turndown sidewalk for the gas station.
14. Dimension the parking spaces behind the gas station. Please include the angle of the space.
15. The drive aisle immediately within the Park Glen entrance must be at least 26'.
16. Show the two parking spaces immediately behind the gas station as proposed spaces in black. Please dimension those spaces.
17. All stop bars shall a minimum separation of 4' between the crosswalks.

West Wilson Utility District:

1. The proposed 6" service shall have to be moved to a spot where there is room for a meter and backflow device.

Wilson County Schools:

1. No comments provided.



Mt. Juliet, Tennessee

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

Staff Report

File #: 0770

Agenda Date: 7/18/2024

Agenda #: 8.B.

Title:

Review the Site Plan for Children's Lighthouse, located at 9468 Lebanon Road.



MEMORANDUM

Date: July 18, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: Children's Lighthouse 9468 Lebanon Road
Site Plan
Map - 054
Parcel – 074.00

Request: TTL, Inc., on behalf of the developer Bright Beginnings MJ, LLC, seeks site plan approval for a 11,500sf childcare facility at 9468 Lebanon Road in District 1.

Analysis: The development site is located on the south side of Lebanon Road, just southwest of the intersection with Terrace Hill Road. The property is 1.54 acres and is zoned CTC, Commercial Town Center. The proposed childcare use is permitted in this district with supplementary provisions. The south side of the site is encumbered with a stream and associated buffer. The proposed enrollment for this facility is 195 pupils with up to 16 employees.

Article VI Bulk Regulations: Yards are correctly rendered (30'f, 10's and 20'r) and structures do not violate them. Building and impervious surface coverages are within basic requirements (17% (50% max) and 48% (70% max) respectively). The building height is 34' at its highest structural point, within the maximum permitted (35').

Vehicular and Pedestrian Access: One vehicular access is proposed to Lebanon Road. The access point width and radius is insufficient per the requirements of 9-106.4.c. This shall be revised on subsequent submittals. Other drive aisles on site are appropriately sized, being 26' wide in between rows of perpendicular parking and 22' wide adjacent to a single row of perpendicular parking.

Six-foot-wide sidewalk is proposed along the Lebanon Road frontage and 5' wide sidewalk is proposed throughout the site for pedestrian circulation. Seven-foot-wide sidewalk is used adjacent to parking spaces for vehicle overhang clearance in lieu of wheel stops. Pedestrian connections to the right-of-way are proposed but the location is not finalized on the resubmittal. This shall be finalized on subsequent submittals.

Article IX Parking: Parking for childcare facilities is required as such: One space per five persons accommodated for the first 50 persons, plus one space for each additional ten persons accommodated over 50. Considering the total capacity of the building with 195 pupils and up to 16 employees (211 total persons) the total number of required spaces is 27 (33 are provided). Two

ADA spaces are provided. All parking spaces are appropriately sized. Bicycle parking is proposed, and an adequate detail is provided. Wheel stops are not proposed.

Article X Landscaping: The landscape plans are under review by the City's consultant. Any comments received shall be addressed before the submittal of construction plans. The site is subject to a transitional buffer at the south side of the lot, adjacent to RS-15 PUD zoning. The area is deep within the stream buffer and vegetated. This existing vegetation will be used toward buffer requirements.

6-103.7 Commercial Design Guidelines: Building height is identified as 34', below the maximum permitted of 35'. A design element of the tower reached a maximum height of 36'-2" and is permitted via 6-103.3. The building façade is faced primarily with masonry and glazing with a waiver requested for hardi-board trim and wall cladding in limited areas on each facade. The waiver request on the plans is unclear and doesn't address the whole building but the material takeoff table on sheet A401 indicates the correct amount of each façade materials. In summation, without including glazing, the building will include 65% masonry and 35% hardi-board. The roof is primarily shingle with red metal portions on the gables.

The HVAC equipment is ground mounted at the rear of the building and screened via fencing. Staff requests this fencing be constructed of a low maintenance trex material in lieu of the cedar planks proposed on sheet A411. Wall mounted lighting fixtures are decorative designs, and parking lot lighting fixtures are acceptable. Staff requests that parking lot lighting poles be painted black. The photometric plan does not indicate excessive light bleed off the property lines. Wall mounted utility and meter equipment shall be painted to match the building façade it is attached to.

Other: The plans show trash receptacles located at the main building entrances per code; however a detail is not provided, this will be required on subsequent submittals and shall comply with the detail provided in 6-103.7. The dumpster enclosure is compliant with City regulations, including masonry walls, steel gates and a pedestrian door. The site includes retaining walls, which are proposed to be constructed of Redi-Rock, an acceptable method and material. The color of the proposed metal fencing is not provided, staff requests this fencing be painted black, show this detail on subsequent submittals.

3-104.6.c. Supplementary Regulations for Childcare Facilities: The supplementary regulation requiring a vehicular drop off/turnaround is not met. The applicant is requesting a waiver from this requirement as it is typical practice for the brand to have customers park and walk the children into the building in lieu of dropping them off without exiting the vehicle.

The supplemental provisions require that one loading space be provided per 20 children (195/20) and be in the parking area in front of the building. This equates to 10 spaces which are provided along the front of the building and will be designated as such via signage. Further, supplemental provisions require that one parking space be provided per employee; this requirement is met.

Supplemental regulations require that childcare facilities be served by public sewer. That is the intention of the developer; however, questions remain as to how this will be accomplished as there are challenges in this area. This issue shall be addressed by submittal of construction plans for review by Public Works.

Waivers/Variances: The following waivers are requested:

1. 6-103.7: 100% masonry façade materials – Request to use 65% masonry and 35% hardi-board siding. The majority of the hardi-board is in less visible areas of the building STAFF SUPPORTS
2. 3-104.6.c: On site vehicle turnaround with separate entrance and exit points – Request to omit this requirement because pupils are walked into the building with a guardian after parking. An appropriate number of loading spaces (10) are provided directly in front of the building. STAFF SUPPORTS

Summary: Most of staff’s comments from previous reviews have been addressed. Outstanding issues include challenges connecting to City sewer service and future TDOT road improvements along the frontage of the site. Should this site plan be approved, these issues shall be addressed on the construction plans. The waivers explained above are subject to Planning Commission approval. The Planning Commission reviewed this plan in April of 2024 and denied it due to sewer access issues. Staff can recommend approval if all sewer issues are addressed.

Recommendation: Staff recommends approval of the site plan for Childrens Lighthouse at 9468 Lebanon Road, subject to the conditions of approval below.

Planning Department:

1. The building façade shall consist of 100% brick and/or stone unless a waiver is granted for the use of hardi-board as proposed.
2. Revise sheet A411 to include low maintenance trex for the HVAC screening fence in lieu of cedar.
3. All landscape plan review comments shall be addressed prior to the submittal of construction documents.
4. Finalize the location of the sidewalk connection to Lebanon Road on construction drawings.
5. Revise the access point to Lebanon Road per the requirements of 9-106.4.c.
6. All brick shall be clay, baked and individually laid.
7. Signage shall be reviewed via a separate application to the Planning Department.
8. Wall mounted utility and meter equipment shall be painted to match the building façade it is affixed to.
9. Add city district to the property information on the cover sheet.
10. Poles used for signage shall be painted black, galvanized channel posts are not permitted.
11. Poles used for parking lot lighting fixtures shall be painted black.
12. Steel fencing shall be painted black.
13. Provide a detail of the trash receptacle meeting the requirements of 6-103.7.
14. Designate employee parking spaces via signage.
15. Designate pupil drop off spaces via signage.
16. TDOT improvements to Lebanon Road shall be addressed on construction drawings.
17. Plans for connection to City sewer shall be finalized upon submittal of construction drawings.

Engineering Department:

1. Stormwater: A 60' stream buffer required.
2. Landscaping plans shall be approved prior to the approval of construction plans.
3. A letter of approval from West Wilson Utility District will be needed prior to construction plan approval is issued.
4. Drainage report under preliminary review. A comprehensive review of the drainage report will take place at the construction plan review.
5. The site plan shows that sewer to the site being provided by gravity sewer. If the developer chooses to pursue an alternate route for sewer service after the Planning Commission process, this alternate route shall be presented and reapproved by the Planning Commission.
6. Public sewer shall be a minimum of 8" in diameter.
7. 6' sidewalk required along Lebanon Road frontage.
8. Provide 5' sidewalk from site to the ROW.
9. Pretreatment requirements will be further investigated at the construction plan review.
10. The proposed driveway and turn-lanes must be approved by TDOT. The development team shall coordinate between TDOT and the City to ensure all changes to Lebanon Road do not conflict with any plans for West Elementary. All coordination shall take place prior to construction plan approval.
11. The Traffic Impact Study was not prepared in accordance with the City of Mt. Juliet or TDOT standards. However, a staff review determined the proposed turn lanes are sufficient off-site improvements. Staff will provide the required turn-lane lengths during the development team's correspondence with TDOT.
12. The proposed driveway location is offset from driveways on the north side of Lebanon Road. Staff recommends moving the driveway to the east side of the site to align with the existing auto service driveway. The driveway location must be approved by TDOT regardless of location.
13. ADA Curb ramps and a crosswalk shall be provided across the driveway.
14. Curbs outside the public right-of-way shall meet ST-203.
15. Sidewalk to be designed to ST-210 and have a compressive strength of 3,500 psi.

Wilson County Schools:

1. No comments provided.

West Wilson Utility District:

1. A Hold Harmless will be required for the proposed sidewalk in the WWUD easement.

Mt. Juliet Fire Department:

1. Hydrant at least 100' from FDC, be sure to submit plans to the State Fire Marshal.