



Mt. Juliet, Tennessee

Planning Commission

Agenda - Final

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

Thursday, October 19, 2023

6:30 PM

Commission Chambers

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

Resources: Jennifer Hamblen, Planning Director, Jon Baughman, Deputy Planning Director, Matt White, Public Works Director, 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 September 21, 2023 Planning Commission meeting.
- 6. Consent Agenda**
 - 6.A.** Review and adopt the 2024 Planning Commission and Board of Zoning Appeals Submittal Calendar.
 - 6.B.** Review the Site Plan/Final Master Development Plan for Windtree Pines Townhomes located at 810 Nonaville Road.
 - 6.C.** Review the Final Plat for Bradshaw Farms Ph. 1B located on Vanner Road.
 - 6.D.** Review the Final Plat for Village at Pleasant Grove Ph. 2 located 0 Pleasant Grove Road.
 - 6.E.** **Review the Annexation for the City of Mt. Juliet property located at 620 Clemmons Road.
 - 6.F.** **Review the Plan of Services for the City of Mt. Juliet property located at 620 Clemmons Road.
 - 6.G.** Review the Preliminary Plat for the MWAM Subdivision located at 9911 Central Pike.

7. Annexation, Plan of Services

7.A. **Review the Annexation for the Henninger Property located at 1006 Guill Road.

7.B. **Review the Plan of Services for the Henninger Property, located at 1006 Guill Road.

8. Zoning Ordinance Amendment

8.A. **Review the Zoning Ordinance Amendment for Article 11, Sign Ordinance.

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 #: 0374

Agenda Date: 10/19/2023

Agenda #: 5.A.

Title:

Review the Minutes from the September 21, 2023 Planning Commission meeting.



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

Resources: Jennifer Hamblen, Planning Director, Jon Baughman, Deputy Planning Director, Matt White, Public Works Director, Shane Shamanur, Director of Engineering, Gino Marchetti/Charles Michels - City Attorney

1. Call to Order

Rollcall

Present Chairperson Luke Winchester, Commissioner Rebecca Christenson, Vice Chair David Rast, Commissioner Scott Hefner, Commissioner Larry Searcy, and Commissioner Preston George

Absent Commissioner Gerard Bullock, Commissioner Ted Floyd, and Commissioner Lisa Neff

2. Set Agenda

3. Staff Reports

Staff went over their reports and updated the commission on projects.

4. Citizen's Comments

Doug Jakameli spoke out against the Whispering Meadows Annexation and Preliminary Master Development Plan.

5. Minutes Approval

5.A. Review the minutes from the August 17, 2023 Planning Commission meeting.

A motion was made by Commissioner Hefner, seconded by Commissioner Christenson, that these Minutes be approved. The motion carried by the following vote:

RESULT: APPROVED

MOVER: Scott Hefner

SECONDER: Rebecca Christenson

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

Absent: Commissioner Bullock, Commissioner Floyd, and Commissioner Neff

6. Consent Agenda

Staff reviewed their reports and answered questions from the commission. Shane Shamanur updated Public Works staff report for item 3.8. There were no citizen comments. Chairman Winchester closed the Planning Commission Meeting and opened a Public Hearing. There were no Citizen Comments. Chairman Winchester closed the Public Hearing and opened the Planning Commission Meeting.

A motion was made by Board Member Rast, seconded by Board Member George, that this be approved. The motion carried by the following vote:

RESULT: APPROVED

MOVER: David Rast

SECONDER: Preston George

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

Absent: Commissioner Bullock, and Commissioner Floyd

- 6.A.** The Sewer Letter of Credit (1552) for Providence Central PUD - Central Pike Sewer, in the amount of \$170,898.00, can be released.
- 6.B.** The Sewer Letter of Credit (55110362) for the Providence Parkway Extension, in the amount of \$12,120.00, can be released.
- 6.C.** The Sewer Letter of Credit (S509326) for Northtown Gardens, in the amount of \$79,650.00, can be released.
- 6.D.** Review the Site Plan for Houston's Meat & Produce, located at 3910 N. Mt. Juliet Rd.
- 6.E.** Review the Final Plat for the Canebrake Subdivision Phase 1A, located at 0 W. Division Street.
- 6.F.** Review the Final Plat for the Golden Bear Place subdivision, located at Golden Bear Gateway and Volunteer Boulevard.
- 6.G.** **Review the Rezone request from Office Professional Services to Commercial Interstate for the Golden Bear Place Subdivision, located at Golden Bear Gateway and Volunteer Boulevard.
- 6.H.** **Review the Subdivision Regulations Amendment to Section 4-101.11, redefining minimum lot sizes from 1 acre to 40,000 square feet.
- 6.I.** **Review the Minor Amendments and Clarifications requested by FEMA and TEMA to Floodplain Ordinance No. 2023-17

8. Annexation/Plan of Services

- 8.A.** **Review the Annexation and Plan of Services for Whispering Meadows, located at 0 Ritter Drive.

Subject to the approval of the Whispering Meadows Preliminary Master

Development Plan by the Board of Commissioners.

A motion was made by Commissioner Winchester, seconded by Commissioner Searcy, that this Ordinance be forwarded to the Board of Commissioners with a positive recommendation, on the meeting date of 10/23/2023. The motion carried by the following vote:

RESULT: POSITIVE RECOMMENDATION

MOVER: Luke Winchester

SECONDER: Larry Searcy

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

Absent: Commissioner Bullock, and Commissioner Floyd

9. Preliminary Master Development Plan PUD

9.A. **Review the Preliminary Master Development Plan, Planned Unit Development, with a Rezone from Wilson County R1 to RS-30 PUD, for Whispering Meadows, located at 0 Ritter Drive.

Staff reviewed their reports and answered questions from the commission. Ryan Lovelace, Civil Site Design Group, 2305 Kline Avenue, represented the project. Trisha Farmer was called to speak, 8015 Ritter Drive, spoke out against the project. Umeshkumar Patel was called to speak, 3086 Oxford Drive, spoke out against the project. Joe Gould was called to speak, 1013 Kelsey Glen Road, spoke out against the project. Julie Wood was called to speak, 7028 Bennett Drive, spoke out against the project. Eric Dichiara was called to speak, 5020 Winslow Drive, spoke out against the project. Bruce Mehlman was called to speak, 8010 Ritter Drive, spoke out against the project.

A motion was made by Commissioner Hefner, seconded by Commissioner Christenson, that this Ordinance be forwarded to the Board of Commissioners with a negative recommendation, on the meeting date of 10/23/2023. The motion carried by the following vote:

RESULT: **NEGATIVE RECOMMENDATION

MOVER: Scott Hefner

SECONDER: Rebecca Christenson

Aye: Commissioner Christenson, Vice Chair Rast, Commissioner Hefner, Commissioner Searcy, and Commissioner George

Absent: Commissioner Bullock, Commissioner Floyd, and Commissioner Neff

Abstain: Chairperson Winchester

10. Out of City Sewer Requests

10.A. AN ORDINANCE APPROVING THE REQUEST TO CONNECT TO THE MT. JULIET SEWER SYSTEM MADE BY THE OWNER/DEVELOPER OF 105 Cedar

Grove Church Road, OUTSIDE THE CITY LIMITS OF MT. JULIET, TENNESSEE, IDENTIFIED AS WILSON COUNTY, TENNESSEE, MAP 50, PARCEL 70.00

Subject to staff comments.

A motion was made by Commissioner Winchester, seconded by Commissioner George, that this Ordinance be forwarded to the Board of Commissioners with a positive recommendation, on the meeting date of 10/23/2023. The motion carried by the following vote:

RESULT: POSITIVE RECOMMENDATION

MOVER: Luke Winchester

SECONDER: Preston George

Aye: Chairperson Winchester, Vice Chair Rast, Commissioner Hefner, Commissioner Searcy, and Commissioner George

Nay: Commissioner Christenson

Absent: Commissioner Bullock, and Commissioner Floyd

- 10.B.** AN ORDINANCE APPROVING THE REQUEST TO CONNECT TO THE MT. JULIET SEWER SYSTEM MADE BY THE DEVELOPER OF KANE COVE, LLC OF 3150 NONAVILLE ROAD, OUTSIDE THE CITY LIMITS OF MT. JULIET, TENNESSEE, IDENTIFIED AS WILSON COUNTY, TENNESSEE, MAP 031, PARCEL 032.01

Steve Hart, 1208 Horseshoe Cove, spoke out against the request.

A motion was made by Commissioner Hefner, seconded by Commissioner George, that this Ordinance be forwarded to the Board of Commissioners with a negative recommendation, on the meeting date of 10/23/2023. The motion carried by the following vote:

RESULT: **NEGATIVE RECOMMENDATION

MOVER: Scott Hefner

SECONDER: Preston George

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

Absent: Commissioner Bullock, and Commissioner Floyd

- 10.C.** AN ORDINANCE APPROVING THE REQUEST TO DENY SEWER SERVICE TO THE MT. JULIET SEWER SYSTEM MADE BY THE DEVELOPER OF WMAN SUBDIVISION OF 9911 CENTRAL PIKE, OUTSIDE THE CITY LIMITS OF MT. JULIET, TENNESSEE, IDENTIFIED AS WILSON COUNTY, TENNESSEE, MAP 99, PARCELS 009.06 & 010.00

Chairman Winchester stepped away from the podium due to a person stake in item 10.C. and turned the meeting over to Vice Chairperson David Rast. Luke Winchester, 1011 Virginia Hill Drive, spoke out against the request. He stated the

project is willing to grant an access easement to the city of Mt. Juliet for sewer, should it be necessary in the future.

A motion was made by Commissioner Christenson, seconded by Commissioner Hefner, that this Ordinance be forwarded to the Board of Commissioners with a negative recommendation, on the meeting date of 10/23/2023. The motion carried by the following vote:

RESULT: **NEGATIVE RECOMMENDATION

MOVER: Rebecca Christenson

SECONDER: Scott Hefner

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

Absent: Commissioner Bullock, and Commissioner Floyd

11. Site Plans

11.A. Review the Site Plan for Express Oil located at 11090 Lebanon Road.

Staff reviewed their reports and answered questions from the commission. Ashley Bernatski Birmingham, Alabama, represented the project. Subject to staff comments. Work with staff to possible add 1 more parking space.

A motion was made by Chairperson Winchester, seconded by Board Member Searcy, that this Action Item be approved. The motion carried by the following vote:

RESULT: APPROVED

MOVER: Luke Winchester

SECONDER: Larry Searcy

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

Absent: Commissioner Bullock, and Commissioner Floyd

12. Adjourn

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

RESULT: APPROVED

MOVER: Rebecca Christenson

SECONDER: Scott Hefner

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

Absent: Commissioner Bullock, and Commissioner Floyd

****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

Tyler Gutierrez, Planning Commission Secretary



Mt. Juliet, Tennessee

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

Staff Report

File #: 0373

Agenda Date: 10/19/2023

Agenda #: 6.A.

Title:

Review and adopt the 2024 Planning Commission and Board of Zoning Appeals Submittal Calendar.

City of Mt. Juliet 2024 Planning Commission Submittal Calendar

Month	Pre-Application Mtg, (Appt times to be scheduled, we recommend scheduling well in advance.)	Submittal Deadline 3:00 pm	Open Tech Review (Applicant Attendance Mandatory)	Staff Comments Available	Resubmittal Deadline 3:00	Tech Review (Staff Only)	Packages to PC members	PC meeting 6:30 pm
<i>January</i>	Nov. 28, 2023	Dec. 20, 2023	Dec. 28, 2023	Dec. 29, 2023	Jan. 4, 2024	Jan. 8, 2024	Jan. 12, 2024	<i>Jan. 18, 2024</i>
<i>February</i>	Jan. 4, 2024	Jan. 17, 2024	Jan. 23, 2024	Jan. 26, 2024	Feb. 1, 2024	Feb. 5, 2024	Feb. 9, 2024	<i>Feb. 15, 2024</i>
<i>March</i>	Jan. 30, 2024	Feb. 14, 2024	Feb. 20, 2024	Feb. 23, 2024	Feb. 29, 2024	March 4, 2024	March 15, 2024	<i>March 21, 2024</i>
<i>April</i>	Feb. 26, 2024	March 20, 2024	March 26, 2024	March 29, 2024	April 4, 2024	April 8, 2024	April 12, 2024	<i>April 18, 2024</i>
<i>May</i>	April 2, 2024	April 17, 2024	April 23, 2024	April 26, 2024	May 2, 2024	May 6, 2024	May 10, 2024	<i>May 16, 2024</i>
<i>June</i>	April 30, 2024	May 15, 2024	May 21, 2024	May 24, 2024	May 30, 2024	June 3, 2024	June 14, 2024	<i>June 20, 2024</i>
<i>July</i>	May 29, 2024	June 18, 2024	June 25, 2024	June 28, 2024	July 3, 2024	July 8, 2024	July 12, 2024	<i>July 18, 2024</i>
<i>August</i>	July 1, 2024	July 17, 2024	July 23, 2024	July 26, 2024	Aug. 1, 2024	Aug. 5, 2024	Aug. 9, 2024	<i>Aug. 15, 2024</i>
<i>September</i>	July 30, 2024	Aug. 14, 2024	Aug. 20, 2024	Aug. 23, 2024	Aug. 29, 2024	Sept. 3, 2024	Sept. 13, 2024	<i>Sept. 19, 2024</i>
<i>October</i>	Aug. 27, 2024	Sept. 18, 2024	Sept. 24, 2024	Sept. 27, 2024	Oct. 3, 2024	Oct. 7, 2024	Oct. 11, 2024	<i>Oct. 17, 2024</i>
<i>November</i>	Oct. 1, 2024	Oct. 16, 2024	Oct. 22, 2024	Oct. 25, 2024	Oct. 31, 2024	Nov. 4, 2024	Nov. 15, 2024	<i>Nov. 21, 2024</i>
<i>December</i>	Oct. 29, 2024	Nov. 20, 2024	Nov. 25, 2024	Nov. 27, 2024	Dec. 5, 2024	Dec. 9, 2024	Dec. 13, 2024	<i>Dec. 19, 2024</i>
<i>January 2025</i>	Dec. 3, 2024	Dec. 16, 2024	Dec. 18, 2024	Dec. 20, 2024	Jan. 2, 2025	Jan. 6, 2025	Jan. 10, 2025	<i>Jan. 16, 2025</i>

Pre-Application Meeting – All submittals will be required to have attended a pre-app meeting prior to submitting a project. Contact the Planning office to reserve a spot on our Pre-App Agendas. All reservations must be received at least 3 business days prior to the Pre-App meeting date. Due to time constraints, Pre-App meeting appointments are limited to 30-minute increments per project. **PRE-APPS ARE ONLY HELD ONCE PER CYCLE AND SLOTS FILL QUICKLY. PLEASE PLAN ACCORDINGLY.**

Initial Submittal - Must be received by **3:00 pm** on the published submittal deadline. **No late or incomplete submittals will be accepted.** All submittals must include the following: Paper copies of completed/signed application, completed checklist, fees, letters of sewer availability (if required), a recorded copy of the Deed(s) for the parcel(s) listed on the application, a legal description of the project property in Microsoft Word format (if applicable), **USB digital file** with all files saved in PDF format, & all pages saved individually. Submissions must include **TWELVE (12) 11 x 17-inch folded and stapled copies and TWO (2) 24 x 36-inch folded and stapled copies.** **Land Use Map Amendments must be submitted fourteen (14) days prior to the initial submittal date due to publication requirements. Internal administrative/staff reviews will follow the submittal calendar dates.

Resubmittal – Must be received by **3:00 pm** on the published resubmittal deadline. **No late or incomplete submittals will be accepted.** All submittals must include the following: Updated Digital file with all files saved in PDF format & all pages saved individually. Resubmissions must include **THIRTY (30) 11 x 17-inch, TWO (2) 24 x 36-inch** corrected, folded and stapled copies with **plan changes “clouded”**, supporting documentation and a detailed response letter that incorporates the departmental review comments & response/action taken on each item. Please include **fifteen (15) separate copies of your response letter.**

Notes - * Highlighted areas are date changes or modified scheduling due to holidays. ***Please note the following changes to our requirements, A Legal Description of the property is required for all projects where Board of Commissioner approval is necessary, recorded copies of Deeds now required* ***PROJECTS ADVANCING TO THE BOARD OF COMMISSIONERS WILL BE REQUIRED TO SUBMIT 10 (11X17 IN) CORRECTED COPIES NO LATER THAN 10 BUSINESS DAYS BEFORE THE BOC MEETING WHEN YOUR PROJECT IS BEING HEARD.* ** Any project that is deferred for longer than three months must come back on initial submittal date.



Board of Zoning Appeals Submittal Calendar 2024

Month	Pre-Application Mtg.	Submittal Deadline	Public Notice Due	Packets to Members	Meeting Date
January	November 28, 2023	December 13, 2023	December 28, 2023	January 5, 2024	January 11, 2024
February	January 4, 2024	January 10, 2024	January 25, 2024	February 2, 2024	February 8, 2024
March	January 30, 2024	February 7, 2024	February 29, 2024	March 8, 2024	March 14, 2024
April	February 26, 2024	March 13, 2024	March 28, 2024	April 5, 2024	April 11, 2024
May	April 2, 2024	April 10, 2024	April 25, 2024	May 3, 2024	May 9, 2024
June	April 30, 2024	May 8, 2024	May 30, 2024	June 7, 2024	June 13, 2024
July	May 29, 2024	June 12, 2024	June 27, 2024	July 5, 2024	July 11, 2024
August	July 1, 2024	July 10, 2024	July 25, 2024	August 2, 2024	August 8, 2024
September	July 30, 2024	August 7, 2024	August 29, 2024	September 6, 2024	September 12, 2024
October	August 27, 2024	September 11, 2024	September 26, 2024	October 4, 2024	October 10, 2024
November	October 1, 2024	October 9, 2024	October 31, 2024	November 8, 2024	November 14, 2024
December	October 29, 2024	November 13, 2024	November 28, 2024	December 6, 2024	December 12, 2024
Jan (2025)	December 3, 2024	December 11, 2023	December 26, 2023	January 3, 2025	January 9, 2025

Pre-Application Meeting – All submittals will be required to have attended a pre-app meeting prior to submitting an appeal. Contact the Planning office to reserve a spot on our Pre-App Agendas. All reservations must be received at least 3 business days prior to the Pre-App meeting date. Due to time constraints, Pre-App meeting appointments are limited to 30-minute increments per project. **PRE-APPS ARE ONLY HELD ONCE PER CYCLE AND SLOTS FILL QUICKLY. PLEASE PLAN ACCORDINGLY.**

Submittal Requirements – Must be received by **4:00 pm** on the published submittal deadline. **No late or incomplete submittals will be accepted.** All submittals must include 10 copies all documents (Not the Application) being reviewed by the Board. i.e., Letters, Exhibits, Licenses, Photos, Etc.

Public Notice is Due by Close of Business on the Scheduled Due Date.

Board of Zoning Appeals Meetings are at 6:00 PM inside City Hall Commission Chambers at 2425 N. Mt. Juliet Rd. on the Scheduled Meeting Date.



Mt. Juliet, Tennessee

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

Staff Report

File #: 0362

Agenda Date: 10/19/2023

Agenda #: 6.B.

Title:

Review the Site Plan/Final Master Development Plan for Windtree Pines Townhomes located at 810 Nonaville Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: FMDP/Site Plan
Windtree Pines Townhomes
Map: 49
Parcel: 74, 76, 76.01

Request: Civil Site Design Group, on behalf of their client, seeks Final Master Development Plan and Site Plan approval for 50 townhome units in the Windtree Pines PUD in District 1 of of Nonaville Road.

Analysis/History: A Preliminary Master Development Plan was approved for this PUD in January 2021 (ordinance 21-11) and Final Master Development Plan in September 2021. The entire PUD consists of 193 acres and has an overall density of 2.2 units/acre with 423 lots and an estimated population of 1,058 people. This townhome section of the PUD is zoned RM-8 and is 6.3 acres. The density of the RM-8 portion is approximately 7.9 units/acres with 50 units. The estimated population of the townhome section is 145 people. The townhome portion of this PUD was delineated as phase 5 in the PMDP.

Bulk Regulations: Several waivers to the bulk standards were approved at PMDP and the following apply to this multi-family portion. Lot coverage of 40%. Maximum building height is within regulation requirements at 35' maximum.

Streets/Sidewalks/Access: This section is served by a 50' wide private drive. Five-foot-wide sidewalk is proposed on both sides of the street.

Residential Design Guidelines: The townhomes will be for sale so the multi-family regulations of 5-104 do not apply. Façade waivers were granted for 5% reduction in masonry for the entirety of the structures within the PUD and the elevations reflect this, being primarily brick. Color elevations are not provided, notes in the resubmittal letter state they will be provided by the PC meeting. Notes provided indicate that wall mounted utility equipment will be screened via masonry.

Parking: The site includes 114 spaces total (50 driveway, 50 garage, 14 visitor spaces). This exceeds the minimum requirement of 2/unit or 100 spaces. Bicycle racks and details are provided. Bike parking spaces exceed the minimum required by code.

Amenities: The townhome phase does not include specific amenities, rather they will be served by the amenities within Windtree Pines as a whole, which will be located directly to the west of these townhomes.

Miscellaneous: Decorative lighting fixtures are proposed. Poles and posts are notated to be decorative and painted black. Mail service details are not provided, a kiosk is not proposed in this section, but a note indicates the mail kiosk for the entire development will be located at the clubhouse

Landscaping: The landscape plans are under review by the City's consultant. Outstanding comments shall be addressed.

Waivers/Variances: Several variances were granted at Preliminary Master Development Plan approval in January 2021:

1. Bulk standards: 30' to 20' front setback, 20' to 6' side setbacks, minimum lot area 20,000' to 7,500', minimum lot width 100' to 50'.
2. 95% primary façade materials on the front and remaining facades as opposed to 100%.
3. Lots along "Access Streets A & B, north of the Cedar Creek Drive roundabout, to allow front facing garages.
4. Request to omit perimeter fence around the multi-family area.
5. To allow 40% lot coverage for all lots.

Summary: This Site Plan is substantially in conformance with the previous approvals.

Recommendation: Staff recommends approval of the FMDP/Site Plan for Windtree Pines Townhomes on Nonaville Road, subject to the conditions below.

Planning and Zoning:

1. Include FMDP label on the plans.
2. Certified letters shall be mailed to residents within 500' of the blasting area, by the seismic company, for pre and post blasting surveys. Reduce the charge velocity from the maximum permitted velocity of 2" per second to 1" per second.
3. All PMDP conditions shall be met Ordinance 21-11.
4. Provide color elevations of the product with façade material percentages specified.
5. Provide architectural elements to prevent blank rear walls from being visible from streets.
6. All sign posts shall have decorative features (not just tubular post as detailed on the plans).
7. Multifamily Design Guidelines of 4-114 in the City Sub Regs shall be met. Excluding waivers previously granted. This includes minimum garage size of 14' wide x 20' deep. No stairs, water heaters or other fixed items may encroach into this space.
8. Driveways shall be a minimum of 22' in length from the back of sidewalk. (Plans indicated 22'-24' is provided).
9. Identify proposed bench locations.
10. The units shall be for sale, as indicated on the plans.

Public Works:

1. No comments

West Wilson Utility District:

1. The location of the tap should be coordinated with the contractor on-site that is currently installing water lines.
2. Add a note that states that all fire hydrants in this section shall be painted white.



Mt. Juliet, Tennessee

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

Staff Report

File #: 0363

Agenda Date: 10/19/2023

Agenda #: 6.C.

Title:

Review the Final Plat for Bradshaw Farms Ph. 1B located on Vanner Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: Bradshaw Farms Ph 1B
Final Plat
Map - 072
Parcel(s) – 43.04

Request: Ragan Smith, on behalf of the owner and developer, requests Final Plat approval for Phase 1B of Bradshaw Farms residential PUD in District 3, consisting of 75 single family lots, r-o-w, access easements, six open spaces and a future development lot.

Analysis: Bradshaw Farms is located east of Jackson Hills; the communities connect via Vanner Road and Andrea Drive in this phase. The PUD was established 2022 via ordinance 22-37. The zoning is RS-15 PUD. Phase 1B consists of 75 single family lots (of 533 total for the PUD), open space lots, various easements and right-of-way. The total area being platted in this phase is 24.98 acres; 6.9 acres of public and private R-O-W, 10.86 acres in residential lots, 4.55 acres of open space.

Setbacks are consistent with previous approvals (20'f, 6's. and 20'r). Six-foot-wide sidewalk is shown on both sides of the streets. Street lighting is identified. Addresses are provided. Critical lots are identified. Street lighting is provided. The applicant has provided a matrix to track the design guideline waivers granted with this PUD.

Summary: The applicant has addressed most of the comments received from Open Tech Review and in the Final Plat Checklist. Items left outstanding are found in the conditions below.

Recommendation: Staff recommends approval of the Final Plat for Bradshaw Farms Phase 1B, subject to the following conditions:

Planning & Zoning:

1. All conditions of Ordinance 20-05 shall be adhered to.
2. Public Access Easements shall be defined and recorded.
3. A building matrix shall be provided to the Building and Planning Department to assist staff track the granted design waivers.
4. Vintage Series plans shall have a brick column to separate garage doors.

Public Works:

1. All punch list items from Public Works must be completed prior to Public Works signing of the plat.
2. All requirements of the PUD, Ordinance 2020-05 shall be met.

West Wilson Utility District:

1. WWUD has no comments.



Mt. Juliet, Tennessee

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

Staff Report

File #: 0364

Agenda Date: 10/19/2023

Agenda #: 6.D.

Title:

Review the Final Plat for Village at Pleasant Grove Ph. 2 located 0 Pleasant Grove Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: Village at Pleasant Grove Ph. 2
Final Plat
Map - 076
Parcel(s) – 040.00

Request: Matt Gardner of Image1 Co. has submitted a Final Plat approval request for Village at Pleasant Grove Ph. 2 on Pleasant Grove Road in District 3.

Analysis: This subdivision is located on the south side of Pleasant Grove Road, west of the Church of Pleasant Grove and is known as the Baretta property. It is presently undeveloped, wooded with two ponds and a barn. A Preliminary Master Development Plan for the Village at Pleasant Grove was approved in October 2021 and a Final Master Development Plan in 2022. A Final Plat for Ph. 1 was approved in March 2022.

Phase 2 Final Plat includes four lots over 16.76 acres. Lots 1 (1.12ac), 2 (0.96ac) and 3 (10.13) are commercial outparcels along Pleasant Grove Road zoned CMU-PUD and lot 4 (4.53) is zoned RS-40. Setbacks are not identified. The recording signature block language is incorrect and needs to be corrected.

Summary: A few of the comments from open tech review have not yet been addressed though they are minor in nature and may be addressed via the conditions below.

Recommendation: Staff recommends approval of the Final Plat for Village at Pleasant Grove Ph. 2 on Pleasant Grove Road, subject to the conditions found below:

Planning and Zoning:

1. Add building setbacks to the Final Plat before submitting for signatures.
2. Correct the language in the recording signature block.
3. Provide addresses on the plat prior to submitting for recording.

Public Works:

1. Show all easements and ROW dedication on the plat as detailed in the development plan.
2. At the time that Lot 4 is developed, the roadway within the Villages of Pleasant Grove shall be extended and/or realigned to connect to Pleasant Grove Road opposite Catalpa Drive.

West Wilson Utility District:

1. An on-site visit has not been made to verify the location of the water lines and related appurtenances.
2. The existing water lines are not shown.



Mt. Juliet, Tennessee

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

Staff Report

File #: 0367

Agenda Date: 10/19/2023

Agenda #: 6.E.

Title:

**Review the Annexation for the City of Mt. Juliet property located at 620 Clemmons Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: 620 Clemmons Road
Annexation
Map - 072
Parcel(s) – 071.06, p/o 071.01

Request: Submitted by City staff, the City of Mt. Juliet seeks annexation of 620 Clemmons Road.

Description: The subject property is located on east side of Clemmons Road and will be part of District 3 if annexed. The property is undeveloped and about 23 acres. This property is across the street from the eastern entrance of Lynwood Station currently under construction. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
Mt. Juliet/620 Clemmons Road	Business Development Center	N/A	R-1	RS-40 Default

Future Land Use Plan: The City's Future Land Use Map identifies this area as Business Development Center. A change is not requested.

Zoning: Current zoning is Wilson County R-1. If annexed, the property will default to RS-40 zoning.

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

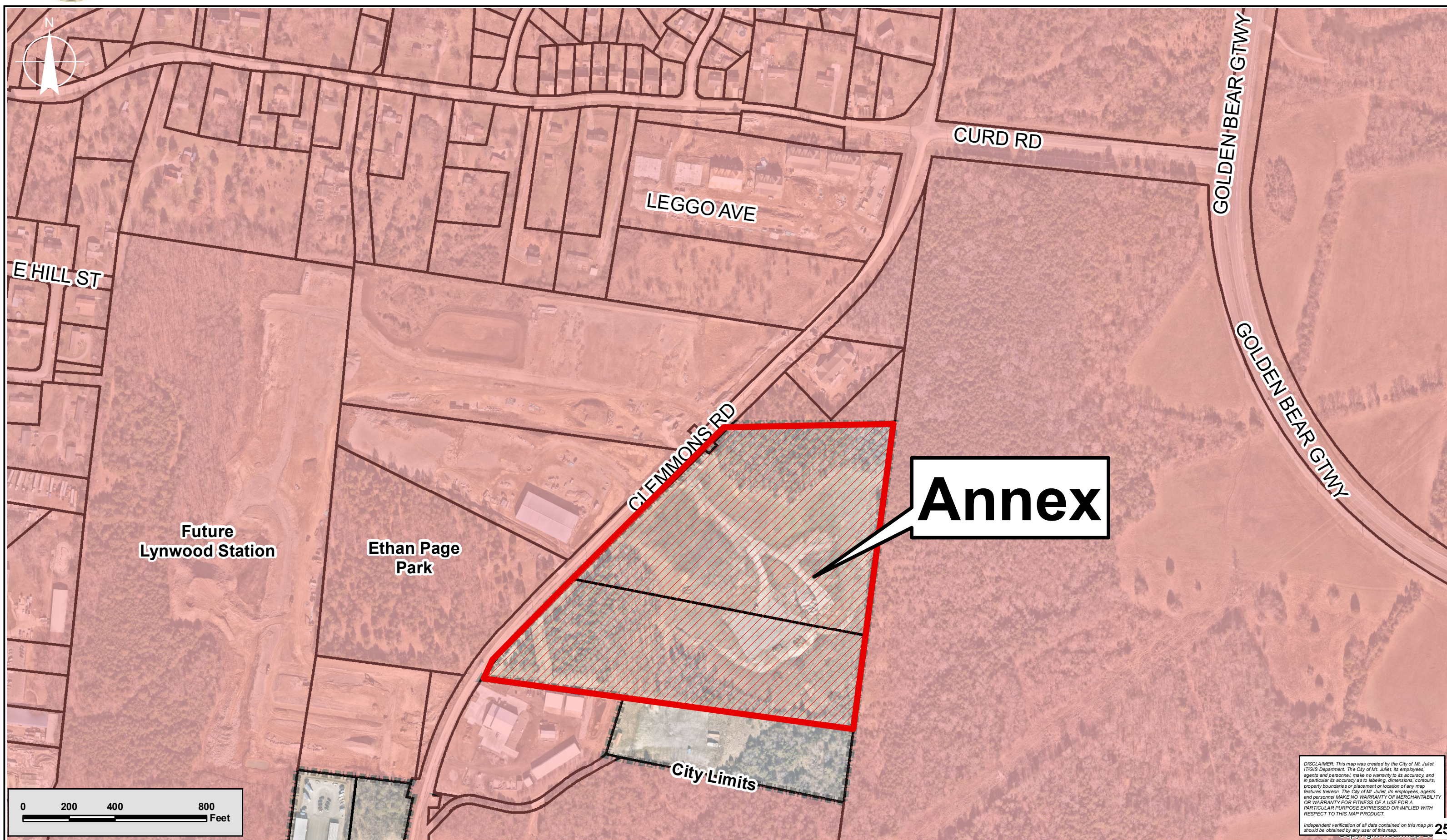
Plan of Service: A plan of services is included for review.

Recommendation: Staff recommends forwarding the Annexation and Plan of Services for 620 Clemmons Road to the Board of Commissioners with a positive recommendation.



Exhibit A - Annex

620 Clemmons Road
Map 072, Parcel 071.06 & p/o Parcel 071.01





Mt. Juliet, Tennessee

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

Staff Report

File #: 0377

Agenda Date: 10/19/2023

Agenda #: 6.F.

Title:

**Review the Plan of Services for the City of Mt. Juliet property located at 620 Clemmons Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: 620 Clemmons Road
Annexation
Map - 072
Parcel(s) – 071.06, p/o 071.01

Request: Submitted by City staff, the City of Mt. Juliet seeks annexation of 620 Clemmons Road.

Description: The subject property is located on east side of Clemmons Road and will be part of District 3 if annexed. The property is undeveloped and about 23 acres. This property is across the street from the eastern entrance of Lynwood Station currently under construction. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
Mt. Juliet/620 Clemmons Road	Business Development Center	N/A	R-1	RS-40 Default

Future Land Use Plan: The City's Future Land Use Map identifies this area as Business Development Center. A change is not requested.

Zoning: Current zoning is Wilson County R-1. If annexed, the property will default to RS-40 zoning.

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 for review.

Recommendation: Staff recommends forwarding the Annexation and Plan of Services for 620 Clemmons Road to the Board of Commissioners with a positive recommendation.

RESOLUTION - 2022

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

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

WHERAS, the City of Mt. Juliet (herein referred to as "City") contemplates annexation of property known as City of Mt. Juliet property located at 620 Clemmons 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 620 CLEMMONS 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-40.

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



Mt. Juliet, Tennessee

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

Staff Report

File #: 0368

Agenda Date: 10/19/2023

Agenda #: 6.G.

Title:

Review the Preliminary Plat for the MWAM Subdivision located at 9911 Central Pike.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: MWAM Subdivision
Preliminary Plat
Map - 099
Parcel(s) – 009.06, 010.00

Request: Rob and Jake Porter, on behalf of their client Mitchell-Winchester Asset Management, request Preliminary Plat approval for a seven (7) lot single family subdivision off Central Pike in Wilson County.

Overview & History: The development site is located on the north side of Central Pike and is included within the City's urban growth boundary. The zoning is R-1. Existing structures, including a house and barn, are to be demolished for this subdivision. A stream and associated buffer traverse the property east/west. Subdivisions in the City's UGB are required full compliance with the City's Subdivision Regulations.

Preliminary Plat: This Preliminary Plat includes the entire subdivision, all seven lots, over 7.25 acres. About a half an acre is r-o-w. Average lot size is just under an acre at 41,797sf. Soils areas are identified as the subdivision will not be served by City sewer. Sidewalk is proposed along both sides of the cul-de-sac and along Central Pike frontage. The applicant has provided a letter from Wilson County Planning, wherein they offer their approval of the subdivision regarding compliance with their zoning regulations. A signature block for recording is provided.

Subdivision Regulations: The City's Subdivision Requirements require that lots include no less than 50' of road frontage and 35' for cul-de-sacs and sidewalk is required along internal streets and along the Central Pike frontage. The Preliminary Plat complies. The Subdivision Regulations also require that subdivisions within the UGB:

4-101.11 Lot Area Requirements for Subdivision's Within Mt. Juliet's Urban Growth Boundary

Applicability: Any project submitted to the Mt. Juliet Regional Planning Commission (RPC) for Preliminary Plat or Final Plat of a Major Subdivision (outside of a PUD) including any subdivision application for a parcel located outside the City of Mt. Juliet's

corporate limits but within Mt. Juliet's Urban Growth Boundary shall be subject to the following requirements:

(New subsection) 4-102.11, Lot Area Requirements for Subdivisions Within Mt. Juliet's Urban Growth Boundary:

- a. No subdivision of a parcel may result in any new lot/parcel having a total area of less than 40,000 sq.ft. – **REGULATION MET**
- b. No subdivision of a parcel is permitted if the applicant will not receive sewer service from the City of Mt. Juliet.
- c. Subsection (a) does not apply if:
 - a. The applicant for subdivision requested annexation by the City of Mt. Juliet and the annexation was denied; and
 - b. The applicant is requesting a subdivision of land that is substantially similar to that for which annexation was denied.
- d. Subsection (b) does not apply if:
 - a. The applicant for subdivision requested sewer service from the City of Mt. Juliet, and the City of Mt. Juliet, in writing, determined that providing sewer service to the area in question is not in the City of Mt. Juliet's best interest. **Out of City Sewer did not receive a Positive Recommendation from PC, Pending review at BOC.**

SECTION 3 – Amend 4-103, Streets and Pedestrian Ways, as follows, by amending 4-103.101, 4-103.103, and 4-103.105, and adding 4-103.107:

4-103.101. Sidewalks along new streets. Sidewalks shall be required along all streets

4-103.103. Location of sidewalks. Sidewalks shall be required along both sides of all streets. Sidewalks shall be included within the dedicated nontraffic way portion of the right-of-way of all public ways. Concrete curbs are required for all public ways where sidewalks are to be constructed. A median strip of grassed or landscaped area at least six (6) feet wide shall separate all sidewalks from adjacent curbs. No sidewalk shall be constructed closer than six (6) inches from any lot line. Sidewalk construction details shall be shown in appendix B of these regulations.

4-103.105. Alternative pedestrian ways. Within PUD districts, the Planning Commission may recommend approval for pedestrian walkways at locations other than along the rights-of-way of streets provided that those locations provide an equal alternate pedestrian route. Within these developments, a system of pedestrian walkways may be located within commonly held open space and contained within access easements.

4-103.107. ADA Compliance. Proposed developments or re-developments along streets that contain existing sidewalks shall reconstruct the sidewalk and/or curb ramps to meet current ADA standards if it is determined that the sidewalk or curb ramp is non-compliant per the City's ADA transition plan or by the City's ADA coordinator. The

sidewalk shall also be replaced to meet the width standards for that particular roadway classification even if it currently meets ADA compliance.

The plans note a sidewalk along both sides of the street and along Central Pike.

Building Elevations: Supplied sample elevations indicate the proposed large homes will include primarily brick and stone for each façade.

Variances/Waivers: None are requested.

Summary: A letter from Wilson Co. Planning is included in this resubmittal and indicates their satisfaction with the subdivision as proposed in relation to their zoning regulations. The applicant has requested out of City sewer service which has been officially denied by Public Works.

Recommendation: Staff recommends approval of the Preliminary Plat for the MWAM Subdivision on Central Pike in Wilson County, subject to the conditions below:

Planning and Zoning:

1. Full compliance with City Subdivision Regulations and Wilson County Zoning is required.
2. Pending final determination of Out of City Sewer Request from the Board of Commissioners.

Public Works:

1. No comment

West Wilson Utility District:

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



Mt. Juliet, Tennessee

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

Staff Report

File #: 0361

Agenda Date: 10/19/2023

Agenda #: 7.A.

Title:

**Review the Annexation for the Henninger Property located at 1006 Guill Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: Henninger Property
Annexation
Map - 097
Parcel(s) – 067.00

Request: Submitted by Dean Design Group on behalf of the property owner, the applicant seeks Annexation of property at 1006 Guill Road in Wilson County.

Description: The subject property is located on the west side of Guill Road and is zoned Wilson Co. R-1. Presently, the property includes the Brumley Mobile Home Park. The property is 12.8 acres. The proposal for the property includes a subdivision for 18 single family lots, all of which are 20,167 sq.ft. in area and will be served via a septic system. A soils area is delineated. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
1006 Guill Rd.	Medium Density Residential	N/A	Wilson Co. R-1	RS-40 Default

Future Land Use Plan: The City's Future Land Use Map identifies this area as Medium Density Residential. A land use plan amendment is not requested.

Zoning: Current zoning is R-1. If annexed the property would default to RS-40, Low Density Single Family Residential, as a rezone is not requested.

Annexation: The subject property is located wholly within the City's Urban Growth Boundary but is not contiguous with existing City limits. City sewer is approximately a mile away.

Plan of Service: A plan of services is included for review.

Subdivision Regulations: Subdivisions in UGD:

4-101.11 Lot Area Requirements for Subdivision's Within Mt. Juliet's Urban Growth Boundary

Applicability: Any project submitted to the Mt. Juliet Regional Planning Commission (RPC) for Preliminary Plat or Final Plat of a Major Subdivision (outside of a PUD) including any subdivision application for a parcel located outside the City of Mt. Juliet's corporate limits but within Mt. Juliet's Urban Growth Boundary shall be subject to the following requirements:

4-102.11, Lot Area Requirements for Subdivisions Within Mt. Juliet's Urban Growth Boundary:

- a) No subdivision of a parcel may result in any new lot/parcel having a total area of less than 40,000 sq.ft.
- b) No subdivision of a parcel is permitted if the applicant will not receive sewer service from the City of Mt. Juliet.
- c) Subsection (a) does not apply if:
 - a. The applicant for subdivision requested annexation by the City of Mt. Juliet and the annexation was denied; and
 - b. The applicant is requesting a subdivision of land that is substantially similar to that for which annexation was denied.
- d) Subsection (b) does not apply if:
 - a. The applicant for subdivision requested sewer service from the City of Mt. Juliet, and the City of Mt. Juliet, in writing, determined that providing sewer service to the area in question is not in the City of Mt. Juliet's best interest.

4-103.101. Sidewalks along new streets. Sidewalks shall be required along all streets.

4-103.103. Location of sidewalks. Sidewalks shall be required along both sides of all streets. Sidewalks shall be included within the dedicated nontraffic way portion of the right-of-way of all public ways. Concrete curbs are required for all public ways where sidewalks are to be constructed. A median strip of grassed or landscaped area at least six (6) feet wide shall separate all sidewalks from adjacent curbs. No sidewalk shall be constructed closer than six (6) inches from any lot line. Sidewalk construction details shall be shown in appendix B of these regulations.

4-103.105. Alternative pedestrian ways. Within PUD districts, the Planning Commission may recommend approval for pedestrian walkways at locations other than along the rights-of-way of streets provided that those locations provide an equal alternate pedestrian route. Within these developments, a system of pedestrian walkways may be located within commonly held open space and contained within access easements.

4-103.107. ADA Compliance. Proposed developments or re-developments along streets that contain existing sidewalks shall reconstruct the sidewalk and/or curb ramps to meet current ADA standards if it is determined that the sidewalk or curb ramp is non-compliant per the City's ADA transition plan or by the City's ADA coordinator. The sidewalk shall also be replaced to meet the width standards for that particular roadway classification even if it currently meets ADA compliance.

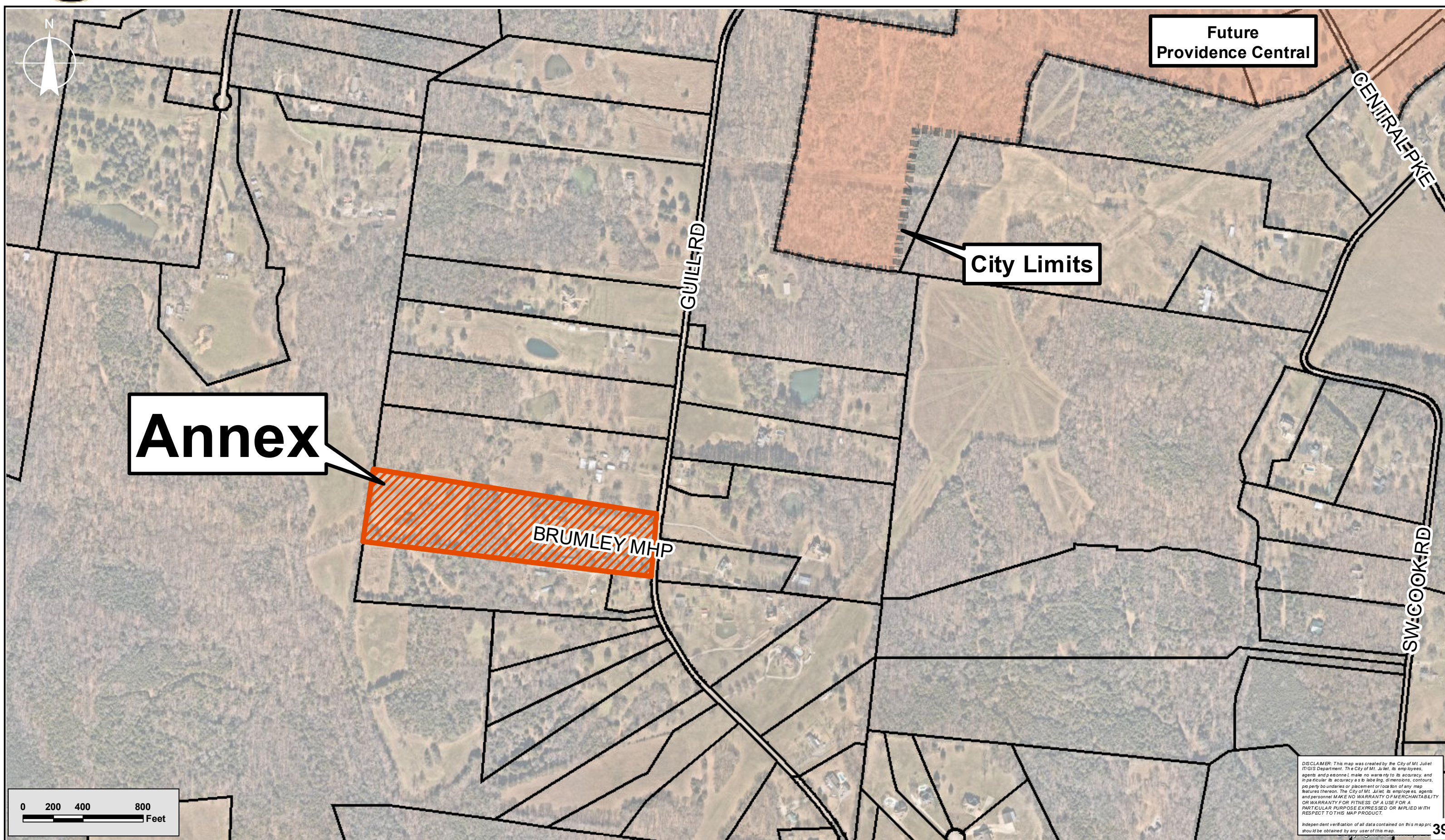
Summary: The proposal replaces the mobile home park with 18 single family lots. City sewer lines are approximately a mile away from this location. This subdivision does not meet the subdivision regulation requirements required of UGB subdivisions and is not contiguous with current City limits.

Recommendation: Staff does not recommend forwarding this Annexation and Plan of Services request for the Henninger property at 1006 Guill Road to the Board of Commissioners with a positive recommendation.



Exhibit A - Annex

1006 Guill Road
Map 097, Parcel 067.00





Mt. Juliet, Tennessee

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

Staff Report

File #: 0376

Agenda Date: 10/19/2023

Agenda #: 7.B.

Title:

**Review the Plan of Services for the Henninger Property, located at 1006 Guill Road.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: Henninger Property
Annexation
Map - 097
Parcel(s) – 067.00

Request: Submitted by Dean Design Group on behalf of the property owner, the applicant seeks Annexation of property at 1006 Guill Road in Wilson County.

Description: The subject property is located on the west side of Guill Road and is zoned Wilson Co. R-1. Presently, the property includes the Brumley Mobile Home Park. The property is 12.8 acres. The proposal for the property includes a subdivision for 18 single family lots, all of which are 20,167 sq.ft. in area and will be served via a septic system. A soils area is delineated. A summary of the request is provided below:

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
1006 Guill Rd.	Medium Density Residential	N/A	Wilson Co. R-1	RS-40 Default

Future Land Use Plan: The City's Future Land Use Map identifies this area as Medium Density Residential. A land use plan amendment is not requested.

Zoning: Current zoning is R-1. If annexed the property would default to RS-40, Low Density Single Family Residential, as a rezone is not requested.

Annexation: The subject property is located wholly within the City's Urban Growth Boundary but is not contiguous with existing City limits. City sewer is approximately a mile away.

Plan of Service: A plan of services is included for review.

Subdivision Regulations: Subdivisions in UGD:

4-101.11 Lot Area Requirements for Subdivision's Within Mt. Juliet's Urban Growth Boundary

Applicability: Any project submitted to the Mt. Juliet Regional Planning Commission (RPC) for Preliminary Plat or Final Plat of a Major Subdivision (outside of a PUD) including any subdivision application for a parcel located outside the City of Mt. Juliet's corporate limits but within Mt. Juliet's Urban Growth Boundary shall be subject to the following requirements:

4-102.11, Lot Area Requirements for Subdivisions Within Mt. Juliet's Urban Growth Boundary:

- a) No subdivision of a parcel may result in any new lot/parcel having a total area of less than 40,000 sq.ft.
- b) No subdivision of a parcel is permitted if the applicant will not receive sewer service from the City of Mt. Juliet.
- c) Subsection (a) does not apply if:
 - a. The applicant for subdivision requested annexation by the City of Mt. Juliet and the annexation was denied; and
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- d) Subsection (b) does not apply if:
 - a. The applicant for subdivision requested sewer service from the City of Mt. Juliet, and the City of Mt. Juliet, in writing, determined that providing sewer service to the area in question is not in the City of Mt. Juliet's best interest.

4-103.101. Sidewalks along new streets. Sidewalks shall be required along all streets.

4-103.103. Location of sidewalks. Sidewalks shall be required along both sides of all streets. Sidewalks shall be included within the dedicated nontraffic way portion of the right-of-way of all public ways. Concrete curbs are required for all public ways where sidewalks are to be constructed. A median strip of grassed or landscaped area at least six (6) feet wide shall separate all sidewalks from adjacent curbs. No sidewalk shall be constructed closer than six (6) inches from any lot line. Sidewalk construction details shall be shown in appendix B of these regulations.

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4-103.107. ADA Compliance. Proposed developments or re-developments along streets that contain existing sidewalks shall reconstruct the sidewalk and/or curb ramps to meet current ADA standards if it is determined that the sidewalk or curb ramp is non-compliant per the City's ADA transition plan or by the City's ADA coordinator. The sidewalk shall also be replaced to meet the width standards for that particular roadway classification even if it currently meets ADA compliance.

Summary: The proposal replaces the mobile home park with 18 single family lots. City sewer lines are approximately a mile away from this location. This subdivision does not meet the subdivision regulation requirements required of UGB subdivisions and is not contiguous with current City limits.

Recommendation: Staff does not recommend forwarding this Annexation and Plan of Services request for the Henninger property at 1006 Guill Road to the Board of Commissioners with a positive recommendation.

RESOLUTION - 2022

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE PROPERTY KNOWN AS THE HENNINGER PROPERTY, LOCATED AT 1006 GUILL ROAD MAP 097 PARCELS 067.00, 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

WHERAS, the City of Mt. Juliet (herein referred to as "City") contemplates annexation of property known as Henninger Property located at 1006 Guill 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 1006 GUILL 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. 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-40.

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



Mt. Juliet, Tennessee

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

Staff Report

File #: 0375

Agenda Date: 10/19/2023

Agenda #: 8.A.

Title:

**Review the Zoning Ordinance Amendment for Article 11, Sign Ordinance.



MEMORANDUM

Date: October 19, 2023

To: Luke Winchester, Chairman
and Planning Commission

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

Re: Zoning Ordinance Amendment
Sign Ordinance, Article XI.

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

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

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

James Maness
Mayor

Bill Trivett
Vice-Mayor

Kenny Martin
City Manager

CITY OF MT. JULIET



Commissioners
Ray Justice
Scott Hefner
Jennifer Milele

Summary of Sign Regulations Revision –

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

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

ORDINANCE -

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

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

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

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

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

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

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

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

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

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

BE IT FURTHER ORDAINED

In case of conflict between this ordinance or any part hereof, and the whole part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further. If any section, clause, or provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, or provision or portion of this ordinance.

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

PASSED:

James Maness, Mayor

FIRST READING:

SECOND READING:

ATTEST:

Sheila S. Luckett, MMC
City Recorder

Kenny Martin, City Manager

APPROVED AS TO FORM:

L. Gino Marchetti, Jr.
City Attorney

11.101 General Provisions

11.101.1 Conflicting Provisions

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

11.101.2 Placement

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

11.101.3 Proportion and Shape

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

11.101.4 Materials

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

11.101.5 External Illumination

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

11.101.6 Internal Illumination

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

11.101.7 Maintenance

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

11.101.8 Removal of Landscape Materials

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

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

11.101.9 Prohibited Signs

The following signs are prohibited:

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

11.101.9 Prohibited Signs (Cont.)

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

11.101.10 Sign Area Computation

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

11.101.12 Nonconforming Signs

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

- A. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as printing, painting, refacing or refinishing the surface so as to maintain the condition of the sign.
- B. No sign shall be disfigured, cracked/ripped/peeling paint, bent/broken facing, broken supports, or have loose appendages/struts for more than 30 days without repair or the sign shall be removed.
- C. No illuminated damaged/destroyed sign shall remain illuminated while awaiting repair or removal. All illuminated signage shall be turned off until such time the sign is repaired/replaced.
- D. Signs shall be brought into compliance with this ordinance when:
 - 1. A sign is structurally altered.
 - 2. A sign is changed, so as to increase the extent of the non-conformity, except as permitted in 11.101.7, Maintenance guidelines.
 - 3. The use of a business/property changes, or change of occupancy/ownership.
 - 4. The sign is abandoned for a period of (60) sixty days following the discontinuation of a business.
 - 5. The sign is destroyed or damaged to the extent that repairing the sign would cost (50) fifty percent or more of the current cost to replace the sign, including labor and materials.
 - 6. The sign is being restored to a safe condition.
 - 7. Works of art, and murals that do not contain a commercial message or advertisement.
 - 8. Decorative signs, such as holiday, special event, church or park directional, etc. that are to be displayed on light/banner poles, provided such signs do not contain a commercial message or advertisement

11.101.13 Exempt and Exception Signs

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

11.101.14 Waivers and Variances

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

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

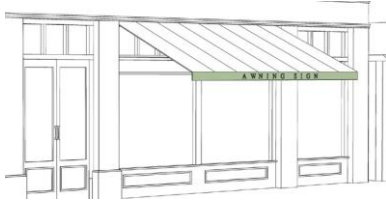






11.101.15 Regulatory Enforcement

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

1. Violation notice. The sign administrator or his designee shall order the removal of any sign erected or maintained in violation of this article, providing ten days' written notice to the owner of the premises upon which the offending sign is located to achieve compliance with provisions of this article. If, after ten days, the property owner has failed to achieve compliance with this article, a citation to municipal court shall be issued. However, when good faith efforts to bring a sign into compliance have begun within ten days of notice of violation, the sign administrator may extend the time period for compliance with this article to a period not to exceed 30 days.
2. Impoundment/disposal of signs. The sign administrator, the municipal codes officer and their designees shall have the authority to remove without notice any illegal sign on public property or a public right-of-way, or any illegal sign attached to trees, fences, posts, utility poles or other natural features. Such signs shall be considered litter and shall be subject to disposal.
3. The sign administrator, the municipal codes officer and their designees shall have the authority and discretion to remove, without prior notice, any sign on public or private property which, due to its physical condition and/or location, constitutes an immediate threat to the safety of citizens or other passersby. Notice shall, however, be provided to the landowner within ten days of removal of a permanent sign on private property.
4. Each day that a violation of this ordinance remains shall constitute a separate violation of this ordinance for purposes of the Court's assessment of fines or penalties.
5. In addition to other remedies here in under, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.
(Code 1997, § 11-107; Ord. No. 2008-59, 11-107, 9-22-2008; Ord. of 10-23-2009, § 11-107)




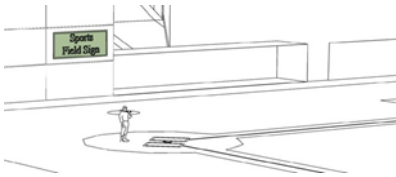



11.102 Overview of Sign Types

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

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

11.102 Overview of Sign Types (Cont.)

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

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

11.102 Overview of Sign Types (Cont.)

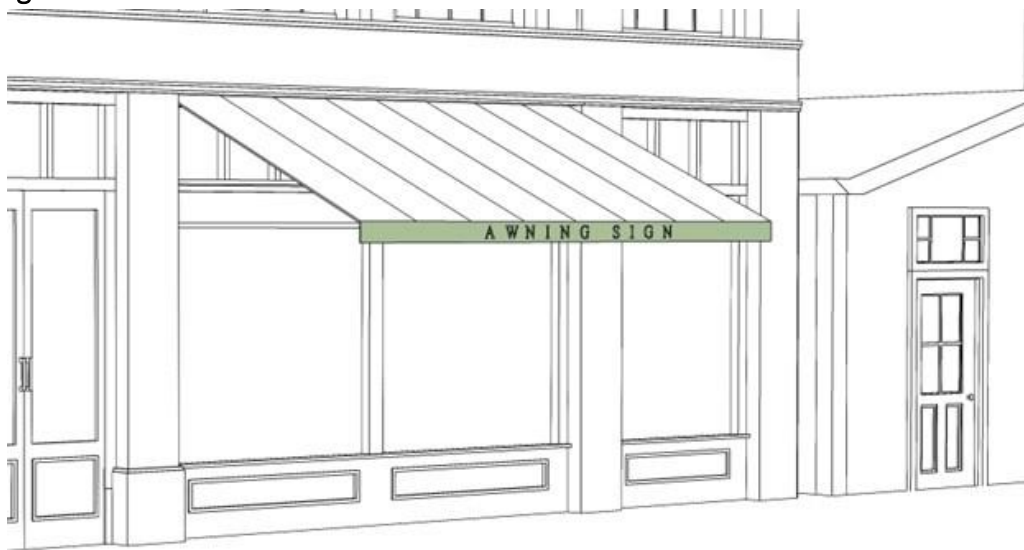
The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

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

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

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

11.103 Awning Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial

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

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

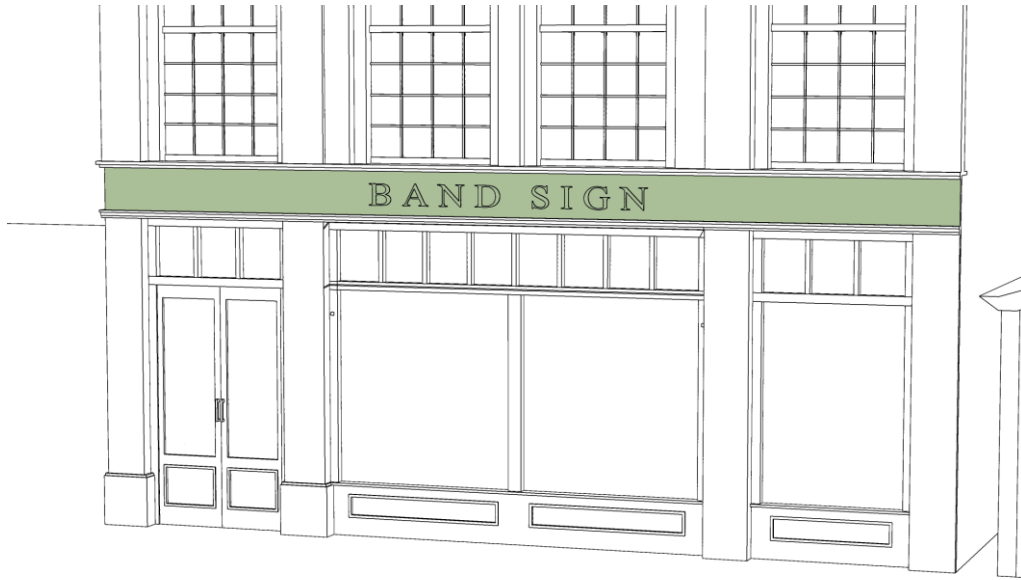
Placement Either of the awning valance or on the awning face.

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

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

Lighting External Illumination only.

11.104 Band Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial.

Quantity	Maximum of one per main entrance per retail storefront/tenant space on the ground floor, if no awning, canopy or wall sign is present. Buildings with six stories or more may have band signs as described above, in addition to permitted wall signs.
Sign Area	Maximum of 1.0 square feet per linear foot of retail storefront/tenant space façade.
Placement	Applied to the ground floor façade and not project above the roof line. Vertically aligned with the center of an architectural element such as a retail storefront/tenant space window or entrance or centered above the overall space as occupied.
Projection	Maximum of one foot from the building façade.
Materials	Brick, stone, metal, composite or other outdoor rated materials as approved In section 11.101.4.
Lighting	External or internal illumination.

11.105 Canopy Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial.

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

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

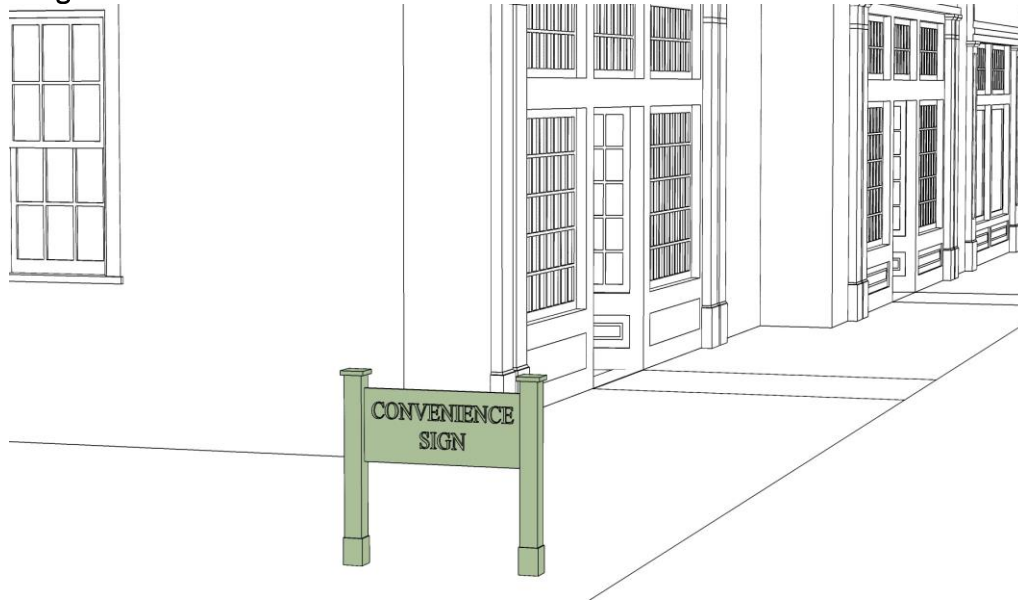
Placement Shall not project above or below the canopy or be located above the building roofline at the lowest point.

Projection Maximum of six inches from the canopy face.

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

Lighting External illumination only.

11.106 Convenience Sign



Description

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

Standards

Permitted Districts All Commercial and Industrial.

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

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

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

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

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

Lighting External Illumination only.

11.107 Development Entrance Sign



Description

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

Standards (Continued)

Permitted Districts Residential Only.

Quantity Maximum of two per entrance to the development.

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

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

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

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

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

11.108 Directory Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial.

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

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

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

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

Lighting External illumination only.

11.109 Flag

**Description**

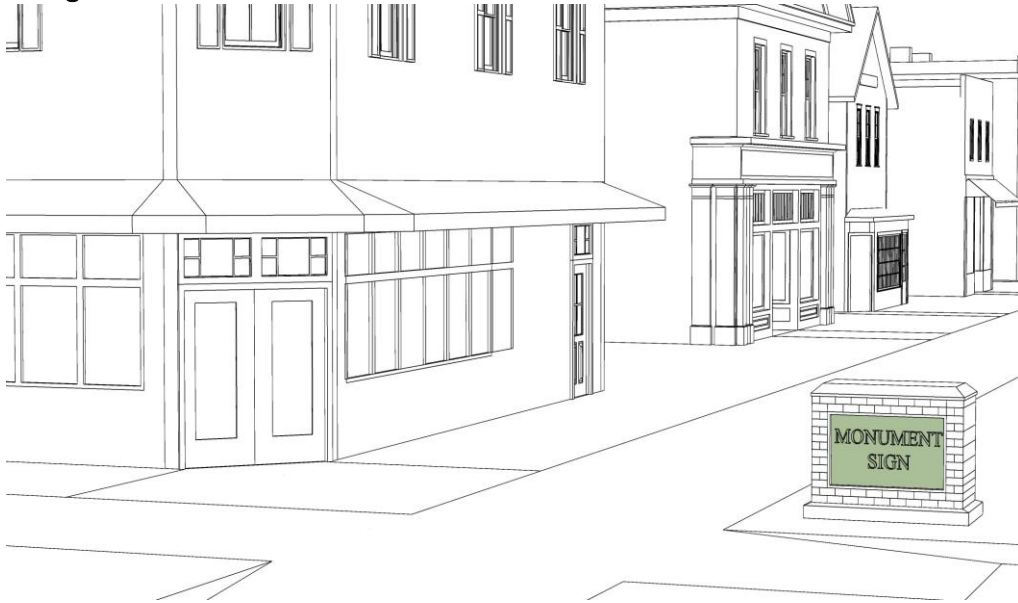
A piece of cloth, typically rectangular attached by one edge to a pole and must be permanent in nature.

Standards

Permitted Districts All Commercial & Industrial.

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

11.110 Monument Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial

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

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

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

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

Lighting External or internal illumination only.

Additional Standards No new pylon signs will be allowed.

11.111 Sandwich Board (A-frame) Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial

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

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

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

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

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

Lighting No external or internal illumination.

11.112 Small Hanging/Projecting Sign



Description

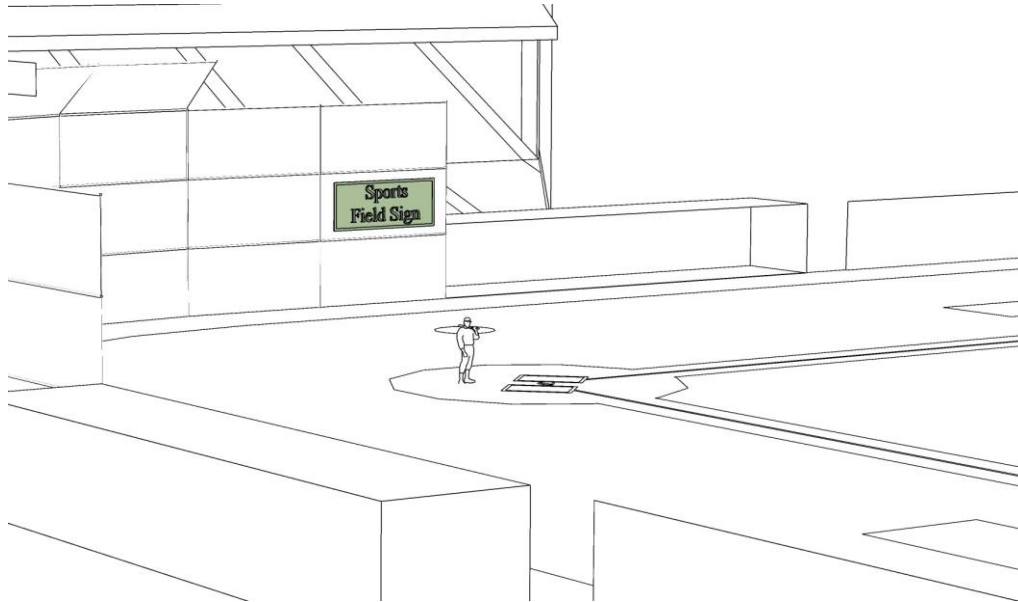
A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building.

Standards

Permitted Districts All Commercial and Industrial

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

11.113 Sports Field/Sports Court Sign



Description

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

Standards

Permitted Districts All districts

Quantity N/A

Placement Shall face into the sports field or sports court.

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

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

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

Lighting External illumination only.

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

11.114 Vertical Blade Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial.

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

11.115 Wall sign



Description

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

Standards

Permitted Districts All Commercial and Industrial

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

11.116 Window Sign



Description

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

Standards

Permitted Districts All Commercial & Industrial

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

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

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

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

11.117 Temporary Construction Site / Leasing Sign

Description

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

Standards

Permitted Districts All Districts

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

11.118 Temporary Non-commercial Signs

Description

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

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

Standards

Permitted Districts All Districts.

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

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

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

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

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

Lighting Illumination is prohibited.

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

11.119 Temporary Commercial Signs

Description

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

Standards

Permitted Districts All Commercial and Industrial districts.

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

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

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

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

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

Lighting Illumination is prohibited.

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

