

ORDINANCE NO. 2024-33

AN ORDINANCE TO REZONE APPROXIMATELY 77.76 ACRES OF PROPERTY AT 1000 YORK ROAD, MAP 049, PARCEL 071.01 FROM WILSON COUNTY R-1 TO RS-40 PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR YORKSHIRE ESTATES

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

WHEREAS, the Regional Planning Commission considered this request during their meeting of May 16, 2024, and forwarded a positive recommendation for approval to the Board of Commissioners by a vote of (5-3-0) and;

WHEREAS, a public hearing before the City Commission of the City of Mt. Juliet was held on July 8, 2024 and notice thereof published in the Chronicle of Mt. Juliet on _____; and

WHEREAS, the City of Mt. Juliet Board of Commissioners desires to rezone the subject property at 1000 York Road, Map 049, Parcel 071.01, approximately 77.76 acres, from Wilson County R-1 to RS-40 PUD and adopt the Preliminary Master Development Plan for the Yorkshire Estates.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON July 8, 2024 as follows:

SECTION 1. – REZONING. Resolution No. 20-2022 (Zoning Map), adopted March 28, 2022, be and is hereby amended, and altered by rezoning those certain parcels of real property at 1000 York Road, Map 049, Parcel 071.01, approximately 77.76 acres from Wilson County R-1 to RS-40 PUD.

LEGAL DESCRIPTION – See Exhibit A (attached)

SECTION 2. – The Preliminary Master Development Plan for Yorkshire Estates (Exhibit B) is hereby adopted, except as modified herein. The Preliminary Master Development Plan shall comply with the Zoning Ordinance, be in substantial conformance with all other applicable rules, regulations and ordinances of the City of Mt. Juliet and is further conditioned upon the following:

Planning and Zoning:

1. Show an estimated development timeline by phase on the plans.
2. All requirements of the City’s Subdivision regulations shall be adhered to, excepting any waivers approved by the Planning Commission.
3. All requirements of 5-104.4, single family residential guidelines, shall be adhered to and shall include the garage area with appropriate free and clear space and garage bays

separated via a masonry column with two separate carriage style garage doors. Provide evidence of how these regulations are met.

4. Mail kiosks shall be covered and well lit.
5. Decorative low maintenance fencing required should it be used.
6. Brick shall be clay, baked and individually laid.
7. Stone shall be individually laid.
8. Provide street light typical at Final Master Development Plan submittal.
9. All floodplain policies shall be adhered to.
10. Explain the plan for Lot 80 since it was noted there are no plans to include future R.O.W access on this lot. This is incongruent with the plans approved for the Benders Ferry subdivision.
11. Add an additional Pavilion alongside the playground in Phase 1.
12. Each amenity area shall be completed upon completion of its respective phase.
13. Provide farm style fencing along the Residential collector/York Road property line to enhance streetscape. Fencing shall be of a low maintenance material.
14. Clearly label all amenities.
15. Label walking trail width.
16. Correct the total acreage in overall project area summary.
17. For all wet ponds, please include lighted fountains.
18. Blasting Restrictions, all blasting shall be reduced from 2 inches per second to 1 inch per second, reducing the charge by 50% from the state maximum. Certified letters shall be sent out to all property owners within 500 ft of the development's property line informing those residences they are entitled to pre and post blasting inspections. The blasting monitor shall hold a contract with the general contractor and not the blasting company.
19. Extend the type A-3 Landscape buffer along the entire Southern perimeter and extend the type A-1 landscape buffer around the perimeter of Lot 80.
20. The existing Moss Farm Development inset on sheet C1.00 does not reflect approved development plans for the Moss Farm Development.
21. Include an acknowledgement of the City of Mt. Juliet Police Department firing range to the immediate south of the property requirement in the covenants and restrictions over the development for each home or lot purchased.
22. The Board of Commissioners granted a variance to 5-104.1, Elevation Materials – 50% brick and/ or stone with the remaining 50% being a mix of masonry and cement board siding.
23. The Board of Commissioners granted a variance to 5.103a, Setbacks - Required at 30' front, 20' rear, 20' sides and 15' corner with the request for 25' front, and 10' sides.
24. The Board of Commissioners granted a variance to 5.103a, Maximum lot coverage – Required at 25%, request is for 40%.
25. The Board of Commissioners granted a variance to 4.103: Roadway speeds - All roads to be designed and posted at 25 mph.
26. The Board of Commissioners did not grant a waiver to 5-104.4: Access Streets and lots are not allowed to have front entry garages.
27. The Board of Commissioners granted a waiver to 5.104.4: Collector Road Lots allowed to have side entry garages.
28. The Board of Commissioners granted a variance to 4-102.104: Request to Disturb slopes that are greater than 20% within lots in cut conditions only. No fill will be allowed in this condition. These lots will be noted as critical lots.
29. Base zoning shall be RS-40 PUD

30. No one owner can own more than two units and the subdivision is limited to 10% rental to be monitored by the HOA.
- 31.
32. HOA shall add into the covenants and restriction that they would be responsible for mowing the grass strip between the sidewalk and curb if the homeowner does not.
33. A variance will be granted on the maximum cul-de-sac length.

Engineering:

1. Stormwater: Provide a Hydrologic Determination Study to Engineering/Stormwater Departments at FMDP.
2. Existing slopes equal to or greater than 20% shall not be within a proposed building envelope.
3. If wet ponds are used, aeration shall be provided.
4. All proposed roads shall meet City of Mt. Juliet design standards.
5. No onsite grinder systems or step systems will be allowed for this development.
6. All sidewalks, trails, curb ramps, and crosswalks shall meet ADA compliance.
7. Any improvements to the county portion of York Road are subject to review and approval by the Wilson County Road Commission. The developer shall provide correspondence from the Wilson County Road Commission that the plan was reviewed at the time of construction plan review.
8. Staff does not support street facing garages along access streets. Staff will support side entry garages for these lots.
9. Staff supports roads to be designed and posted at 25mph.
10. Staff supports request to disturb slopes exceeding 20% in a cut condition only. No fill shall be allowed within these slope conditions.
11. The entire section of roadway from lots 46-55 should be labeled as an Access Street. The transition to Access Lane shall not occur until after the main 4-way intersection shown.
12. The internal 4-way intersection shall be constructed as a roundabout. The developer shall submit a 4-way stop warrant analysis at the central internal intersection FMDP if this traffic control is pursued.
13. A finalized TIS shall be submitted at FMDP submittal.
14. Crosswalks shall be provided on all approaches on the central intersection regardless of control type.
15. A \$7,500 voluntary contribution per unit to go toward road improvements as Public Works deems appropriate in the general vicinity for widening Lebanon Road. The per-lot contribution shall be paid at the issuance of the erosion control permit from Public Works/Engineering.
16. Remove the connection to the Moss Farms Development (Benders Cove).
17. Close the two (2) northern connections and create a permanent cul-de-sac at each.
18. A variance will be granted on the maximum cul-de-sac length.
- 19.

WWUD:

1. The Water lines shown are not WWUD's Design.
2. WWUD will serve.

Wilson County School District:

1. No Comments Received.

SECTION 3. – PUBLIC HEARING – The zoning changes were the subject of a public hearing held on July 8, 2024 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: 7/8/24

James Maness, Mayor

FIRST READING: 6/10/24

SECOND READING: 7/8/24

ATTEST:

Sheila S. Lockett, MMC
City Recorder

Kenny Martin, City Manager

APPROVED AS TO FORM:

L. Gino Marchetti, Jr.
City Attorney