

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

**AN ORDINANCE TO REZONE APPROXIMATELY 19.64 ACRES OF PROPERTY AT 1826 BENDERS FERRY ROAD, MAP 049, PARCEL 015.07 FROM RS-40 TO RS-30 PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR ROSEMONT**

**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 October 17, 2024, and forwarded a negative recommendation for approval to the Board of Commissioners by a vote of (4-1-1) and;

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

**WHEREAS**, the City of Mt. Juliet Board of Commissioners desires to rezone the subject property at 1826 Benders Ferry Road, Map 049, Parcel 015.07, approximately 19.64 acres, from RS-40 to RS-30 PUD and adopt the Preliminary Master Development Plan for the Rosemont.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON \_\_\_\_\_, 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 1826 Benders Ferry Road, Map 049, Parcel 015.07, approximately 19.64 acres from RS-40 to RS-30 PUD.

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

**SECTION 2.** – The Preliminary Master Development Plan for Rosemont (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. All requirements, except any waivers granted, of 5-104.4 shall be adhered to.
2. Signage to be reviewed via separate application to the Planning Department.
3. Brick shall be clay, baked and individually laid.
4. Stone shall be individually laid.
5. Provide CCR’s for review.
6. All garage doors shall be carriage style or the like, separated with bricked column.
7. Identify all critical façade lots on the FMDP.

8. Pending PMDP approval, more defined passive amenities may be required with the FMDDP, such as walking trails around the green/open space area.
9. A type "A" landscape buffer will be required by code. All landscape buffers shall be located in common open space and not on the lots and maintained by the HOA if applicable.
10. Provide decorative street lighting at the entrance and throughout the subdivision.
11. Include Planning contact information on future submittals.
12. A waiver to allow front load garages with two decorative garages doors separated by a two-foot min. brick and/or stone column on access streets is approved.
13. A waiver to allow 26 lots on a cul-de-sac is approved.
14. Waivers to the bulk standards as follows are approved:
  - a. Front setback: 30' (35')
  - b. Rear: 20' (20')
  - c. Side: 10' (20')
  - d. Minimum lot width: 75' (100'), cul-de-sac: 35' (35')
  - e. Lot coverage: 40% (18%)
15. A waiver to allow home facades to consist of 50% brick/stone and 50% hardie board and board and batten is approved. Vinyl shall be prohibited.
16. A waiver to allow disturbance in slopes more than 20% (in cut conditions only) is approved.
17. A voluntary contribution of \$7,500 per lot to be paid at the time the Erosion Control Permit is issued with monies to be allocated for the widening of Lebanon Road.
18. All houses are to be sprinkled to NFPA 13R requirements.
- 19.

#### Public Works:

1. Disturbance of slopes exceeding 20% in a cut condition only. No fill shall be allowed within these slope conditions.
2. Existing steep slopes (>20%) shall not be permitted within a building envelope, per the Land Development Code.
3. All sewer shall be public and contained within a 20' easement.
4. If wet ponds are used, aeration shall be provided.
5. The proposed road shall meet City of Mt. Juliet standards for an Access Street including 55' of right-of-way on any two way segment.
6. No onsite grinder systems or step systems will be allowed for this development.
7. PMDDP shall be signed, stamped, and dated by the engineer of record.
8. Any improvements to Benders Ferry Road are subject to review and approval by the Wilson County Road Commission. The developer shall provide correspondence from the Wilson County Road Commission to the City that the plan was reviewed at the time of construction plan review.
9. In the event karst features are encountered during grading, a licensed geotechnical engineer shall document the feature, and the feature shall be located by a licensed surveyor. If the feature is to be remediated, the geotechnical engineer shall provide a remediation plan to the City for approval. Efforts will be made to minimize any remediated features within building envelopes.
10. Landscaping plans shall be approved prior to construction plans approval.
11. A letter of approval from West Wilson Utility District will be needed prior to construction plan approval is issued.

12. All streets will be private roads. If the development prefers public streets, they shall connect to the adjacent Treymor subdivision and be two-way streets. Staff will coordinate alignment as the development progresses.
13. The sidewalk along Benders Ferry Road shall be located outside the public ROW and shall be maintained by the HOA.
14. A sight distance profile or measurement shall be provided as part of the transportation safety review. The profile provided is insufficient as it does not account for vertical curves.
15. Variance request #1 is approved for front loading garages onto an access street on the one-way portions only.
16. Variance request #2 to exceed the allowable number of units on a cul-de-sac only if the pavement width meets or exceeds 20 feet including gutter.
17. The cul-de-sac as shown exceeds allowable length.
18. Provide turn arounds between the first and second median. If turn arounds cannot be provided, connect these medians.
19. If amenity space is provided within the median, sidewalks and ADA compliant pedestrian crossings will be required to access the space.
20. All sidewalks, crosswalks, curb ramps, and trails shall be ADA complaint.
21. All driveways shall conform to TDOT's Highway Systems Access Manual (HSAM) and City of Mt. Juliet standards.
22. Right-of-way shall be dedicated to match a minor collector. This right-of-way width shall be at least 37.5' from centerline to the edge of right-of-way.
23. The turnaround road must meet City standards for an access lane including sidewalks on both sides.
24. Utilize the revision block as plans are revised.

West Wilson Utility District:

1. WWUD and the Engineer are working to determine best way to service the project

Wilson County Schools:

1. No Comments Submitted

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

**BE IT FURTHER ORDAINED**

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

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

PASSED:

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James Maness, Mayor

FIRST READING:

SECOND READING:

ATTEST:

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Sheila S. Lockett, MMC  
City Recorder

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Kenny Martin, City Manager

APPROVED AS TO FORM:

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Samantha A. Burnett  
City Attorney