

ORDINANCE NO. _____

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

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 June 20, 2024, and forwarded a negative recommendation to the Board of Commissioners by a vote of (8-0-0) and;

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

WHEREAS, the City of Mt. Juliet Board of Commissioners desires to rezone the subject property at 2190 N. Mt. Juliet Road, Map 072I, Group C, Parcel 011.00, approximately 0.48 acres, from CTC to CNS PUD and adopt the Preliminary Master Development for 2190 NMJR Convenience Store.

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 2190 N. Mt. Juliet Road, Map 072I, Group C, Parcel 011.00, approximately 0.48 acres, from CTC to CNS PUD.

LEGAL DESCRIPTION – See Exhibit A (attached)

SECTION 2. – The Preliminary Master Development Plan for 2190 NMJR Convenience Store (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. Label the zoning of adjacent parcels.
2. All commercial design regulations and supplemental regulations shall be adhered to excepting any waivers granted by the Board of Commissioners.
3. Secondary façade materials shall not include metal or vinyl.

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

Public Works:

1. Upgrade sidewalk along NMJR to 6' and meet ADA requirements.
2. No construction activities shall be done in the railroad right-of-way without written agreement from NERA and RJ Corman Railroad.
3. Water quality is required and shall be addressed at site plan/FMDP submittal.
4. This property and the property to the west (108 W. Division St.) currently utilize the NERA ROW for access.
 - Provide proof of agreement to utilize the RR ROW for access to both properties and parking (if applicable).
 - Remove any required parking from NERA ROW regardless of agreement. Non-required parking can be permitted with signed agreement, but all parking and drive aisles to meet zoning requirements shall be within the boundaries of the property.

5. Sidewalks along the store frontage shall be raised from the asphalt.
6. No parking will be provided from the railroad ROW.
7. Coordination shall take place with the City on the City's southbound deceleration lane project on Mt. Juliet Road (to W. Division St) as this project progresses.
8. Due to the lack of space for vehicles to queue on NMJR, left turns into the development should be restricted. These will be striping modifications and signage to NMJR that are subject to review and approval by TDOT.

Wilson County Schools:

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

West Wilson Utility District:

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

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

BE IT FURTHER ORDAINED

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

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

PASSED:

James Maness, Mayor

FIRST READING:
SECOND READING:

ATTEST:

Sheila S. Lockett, MMC
City Recorder

Kenny Martin, City Manager

APPROVED AS TO FORM:

Samantha Burnett
City Attorney