

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 17.14 ACRES OF PROPERTY AT 0 RITTER DRIVE, MAP 076, PARCEL 021.02 FROM WILSON COUNTY R-1 TO RS-30 PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR WHISPERING MEADOWS

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 September 21, 2023, and forwarded a negative recommendation to the Board of Commissioners by a vote of (5-1-0) 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 0 Ritter Drive, Map 076, Parcel 021.02, approximately 17.14 acres, from Wilson County R-1 to RS-30 PUD and adopt the Preliminary Master Development Plan for the Whispering Meadows.

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 0 Ritter Drive, Map 076, Parcel 021.02, approximately 17.4 acres from Wilson County R-1 to RS-30 PUD.

LEGAL DESCRIPTION – See Exhibit A (attached)

SECTION 2. – The Preliminary Master Development Plan for Whispering Meadows (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. Residential Design Guidelines 5-104.4 shall be adhered to excepting any waivers granted.
2. All bulk standards 5-103a shall be adhered to excepting any waivers granted.
3. All subdivision regulations shall be adhered to, excepting any waivers granted.
4. Construction traffic shall be routed via John Wright Road.
5. The mail kiosk shall be covered and well lit, provide a detail.
6. Provide heavy landscape screening and fencing with a lockable access gate around all detention ponds.

7. Provide a pavilion and a detail/rendering in the vicinity of the play area.
8. The fencing around the cemetery shall be low maintenance, decorative material, provide a detail.
9. Preserve as many trees as possible.
10. Signage shall be submitted via a separate application and review process to the Planning Department.
11. Quantify the waiver requests for cul-de-sac length, number or units on a cul-de-sac and number of units on an access lane.
12. 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.
13. No one homeowner can own more than two units. There will be a 10% cap on rentals with the HOA monitoring both.

Public Works:

1. Lots 5-10 can be in the floodplain if the finished floor elevation is 4' above the BFE. Adjust building envelope so that the building envelope to be out of the Special Flood Hazard Areas (SFHA) (100-year floodplain).
2. No stormwater detention shall be in the Special Flood Hazard Area (SFHA) deemed by FEMA.
3. Show appropriate stream buffer for Lick Creek.
4. If any fill is in the designated 100-year floodplain (SFHA), a CLOMR-F/LOMR-F along with cut/fill calculations (hydrology and hydraulic) shall be submitted to FEMA before land disturbance can begin on any home on lots 5-10.
5. No homes shall be served sewer via individual grinder pumps or onsite step or septic systems.
6. The alignment of the Western Connector shown is preliminary in nature and is subject to change. The final alignment is to be determined at the FMDP submittal and the construction plan submittal.
7. For the portions of the western connector that aren't being constructed on your property, designate additional easements outside of the right-of-way, so that when the road is extended in the future, the grades/slopes can be tied down outside of the ROW. Designate a 20-foot Construction Public Access and Slope Easement on each side of the ROW.
8. All bridges shall be designed for the 100-year, 24-hour storm event. The design flow shall consider runoff from the total tributary area and will require stream channel routing, as appropriate.
9. All construction-related traffic must use closest public path outside of the neighborhood.
10. The maximum number of residential dwellings that an access lane street can serve is 25. The site layout presented exceeds this amount. The developer shall request a variance from the Planning Commission if the number of proposed lots is not decreased.
11. Voluntary \$8,000 contribution per lot for retention pond maintenance to go to the Kelsey Glen HOA. Must be collected at issuance of Erosion Control Permit.

WWUD:

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

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 A. Burnett
City Attorney