

ORDINANCE NO. 2024-52

AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP), INCLUDING A REZONE FROM RS-40 TO CMU-PUD FOR GOLDEN BEAR PLACE PLANNED UNIT DEVELOPMENT (PUD), BEING LOCATED OFF BECKWITH ROAD, MAP 078, PARCELS 10.16, 17.01 & P/O PARCEL 21.10, IN THE CITY OF MT. JULIET, WILSON COUNTY, TN.

WHEREAS, the Preliminary Master Development Plan amendment for the Golden Bear Place Planned Unit Development amendment request is compliant with the requirements found in the City's Zoning Ordinance and;

WHEREAS, the Regional Planning Commission considered this request during their meeting of September 19, 2024 and forwarded a positive 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 November 25, 2024 and notice thereof published in the Chronicle of Mt. Juliet on October 16, 2024; and

WHEREAS, the City of Mt. Juliet Board of Commissioners desires to amend the Preliminary Master Development Plan for the Golden Bear Place Planned Unit Development, for Map 078, Parcels 10.16, 17.01 & P/O 21.10.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON November 25, 2024 THAT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE GOLDEN BEAR PLACE PLANNED UNIT DEVELOPMENT BE AMENDED AS FOLLOWS:

SECTION 1. – The Preliminary Master Development Plan for the Golden Bear Place Planned Unit Development, is amended as shown in Exhibit B. The PMDP-PUD shall comply with the Zoning Ordinance, be in conformance with all other applicable rules, regulations, approvals and ordinances of the City of Mt. Juliet and is further conditioned upon the following:

1. Add note that all open space shall remain undeveloped.
2. The preliminary plat previously approved will need to be revised and reapproved.
3. Confirm the units in area E will be single family, if so, revise the base zoning to RS-10.
4. 4-114 and 5-104.1 shall be adhered to excepting any waivers granted by the BOC.
5. 6-104.1 shall be adhered to excepting any waivers granted by the BOC.
6. 6-103.7 shall be adhered to excepting any waivers granted by the BOC.
7. Provide decorative street lighting on black poles throughout the development.
8. Provide black, split rail fencing and enhanced landscaping along the streets. Provide a detail.
9. Signage to be reviewed via a separate application to the Planning Department. All waivers are subject to approval by the BOC.

10. Staff may request additional amenities and enhancements at final master development plan submittal.
11. On sheet C4.01, correct spelling from "Mount" to "Mt." Juliet.
12. All conditional uses on C1.01 shall not be granted as permitted uses excepting assisted living in area F.
13. Identify the commercial component of Area D and F (CMU zoning). 25% commercial shall be provided. Green space shall not be included in the required commercial percentages.
14. Provide civil details with future submittals.
15. A Traffic signal will be installed as warranted and the off-site turn lanes and signals coming off the interstate will be completed prior to the first Certificate of Occupancy (CO).
16. Voluntarily committed to including HOA provision for 10% cap on rental units and that no one owner can own more than two units in the "For Sale" townhomes.

Waivers/Variances:

1. Planning Commission approved the request to deviate from maximum building height allowed within the CRC, CI and CMU districts from 35' to 70' or 6 stories. All areas of the PUD are within ½ mile of the Beckwith Road Interchange. Height exemption shall be for Office, Hotel or Multi-family uses.
2. Planning Commission approved the request to omit a portion of the required perimeter fence for Area D, on the east side of the site along the creek buffer and Area E on the West side along the creek buffer.
3. Planning Commission approved the Multi-Family Residential and the Senior Living building exterior façades to contain a minimum mix of 50% brick, 50% Hardy Plank. The use of vinyl is strictly prohibited.
4. Planning Commission approved the request to allow roof top mounted HVAC units within the multi-family portions of the development. All roof top mounted equipment will be screened with parapet walls or approved alternate.
5. Planning Commission approved the request to deviate from the sign ordinance to allow the building signage as shown on the attached building elevations (increased number of signs and size of signs)
 - Storage Facility: North Wall (150 sf) and East Wall (150 sf)
 - Bowling Alley: North Wall (500 sf) South Wall (100 sf) East Wall (500 sf) One large and one small. Variance to increase maximum size from 300 sf to 500 sf and number of permitted signs on one wall.
6. Planning Commission approved to allow offsite monument signage at locations shown on C2.01.
7. Planning Commission approved to allow project monument signage as shown on C4.01. Three (3) signs to be 25 ft tall, Three (3) signs to be 15 ft tall. To allow sign face area as shown C4.01.
8. Planning Commission approved to deviate from the Self Storage Supplemental Provisions to eliminate the requirement for an opaque barrier around the project site. All storage units

are contained within the single building, and therefore the building itself provides the screening.

9. Planning Commission approved to request to exceed the number of units permitted on a cul-de-sac within the townhomes area (Area E).

Engineering:

1. Applicant states that they have completed a flood study of this site. The City requires the flood study to be submitted to FEMA for approval based upon section 4.2, "*a flood study shall be required for areas outside the unnumbered A Zones, when the stream has a tributary area of one square mile or greater*"; According to StreamStats, the tributary (Sullivan Branch) has a watershed of 2.17 square miles.
2. Request updated sewer availability if not already requested.
3. A macerator for the site will be required for the multi-family portion of the development.
4. Construct boardwalk between Area C and Area E.
5. The updated traffic analysis still includes the Lowry property. The analysis needs to include only the trips generated by this site. The following additional traffic analysis is required:
 - a. Update the trip generation and compare to the original development
 - b. If the proposed PUD generates fewer trips than original, a memo outlining the new trips generated and assignment will be required.
 - c. If the proposed PUD generated more trips than the original, the full study shall be updated to include capacity analysis.
 - d. Regardless of trip generation, capacity analysis is required for the roundabout(s) within the development, including the optimal lane configurations.
6. Staff supports variance #9 with the caveat of 24' pavement width (excluding curb and gutter).
7. Provide specific land uses for each site.
8. Driveways on opposite sides of roadways shall align.
9. All driveways shall comply with TDOT's HSAM.
10. The access stubs connecting to parcels to the south shall match what is proposed in the Beckwith Business Park.
11. Transportation:
 - a. Construct an auxiliary lane from the I-40 westbound exit ramp to the primary access point including any required signal pole or utility relocation. Curb & gutter, grass strip, and stormwater collection shall be provided.
 - b. Construct a southbound right-turn lane onto the I-40 westbound entrance ramp. This lane shall be a maximum length of 400 feet including bay taper.
 - c. Reconfigure the existing intersection of Golden Bear Gateway and Beckwith Road into a right-in/right-out configuration. Extend the central median south to the I-40 westbound ramp intersection.
 - d. Provide landscaping with drip irrigation in the median island of Golden Bear Gateway in the area of the project.
 - e. Individual lot connections to Golden Bear Gateway are prohibited.
 - f. Provide a connection to the property to the west for future connectivity along the existing Old Beckwith Rd alignment.

- g. Configure the intersection of the new project roadway and Old Beckwith Road into a roundabout. The laneage of the roundabout is dependent on the traffic analysis to be provided.
 - h. Access to the commercial lots on the new project roadway shall be right-in/right-out only between Golden Bear Gateway and Old Beckwith Road. Provide a landscaped median island to restrict left-turns.
 - i. A traffic signal at the main project access to Golden Bear Gateway will be permitted as warranted. Traffic signal warrants shall be submitted with each site plan submittal. Once the property to the west is developed and Beckwith Road is aligned with Legacy Point Boulevard, the signal at the Golden Bear Place entrance may be reconfigured or removed by the City or others.
 - j. All public roadways to meet minor collector standards at a minimum.
 - k. 10' wide side paths shall be constructed in lieu of bicycle lanes along the collectors.
 - l. A 10' wide side path shall be constructed along the Golden Bear Gateway frontage including curb & gutter, grass strip, and stormwater collection.
 - m. The private roads within the townhomes section shall comply with the City's standard details and shall be classified based on ADT.
 - n. Provide enhanced pedestrian crossings between Areas A and D and Areas D and E.
 - o. Dedicate right-of-way north of the parking lot in Area A to connect Beckwith Road into a new connector road should the property to the west develop.
12. Construct a boardwalk between Area C and Area E.
 13. Access to the commercial sites within Area A shall be primarily from a shared access drive from Beckwith Road. This street shall extend to the parcel to the west. The driveway on the new collector road shall be right-in/right-out only.
 14. Area B shall have a maximum of 3 curb cuts.
 15. The driveways to Area C shall be right-in/right-out only if the driveways are aligned with the painted medians approaching the roundabout splitter islands.
 16. Provide curb extensions at three legged intersections where parallel parking spaces are provided in Area E. No parking shall be provided in the intersection.
 17. The two-way left-turn lane may not be transitioned into a through lane at the intersection of Beckwith Road and Old Beckwith Road. Additional width is needed for an exclusive left-turn lane.
 18. Remove the unneeded receiving lane on the new collector road at Golden Bear Gateway.
 19. All references to age restricted townhomes in Area E shall be removed.
 20. Stormwater Coordinator: Buffer signage needed at construction plan along buffers with no mow language.
 21. Stormwater Coordinator: Construction Plans – Tennessee Rule 0400-10-.04 required for water quality and quantity.
 22. 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.

WWUD:

1. The water lines shown are not WWUD's design.

Wilson County Schools:

1. No Comments

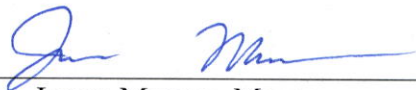
LEGAL DESCRIPTION – See Exhibit A.

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: 11/25/24

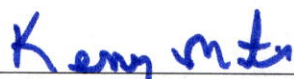

James Maness, Mayor

FIRST READING: 10/28/24

SECOND READING: 11/25/24

ATTEST:


Sheila S. Luckett, MMC
City Recorder


Kenny Martin, City Manager

APPROVED AS TO FORM:

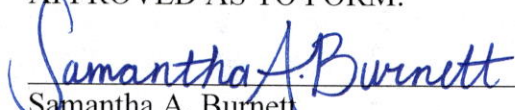
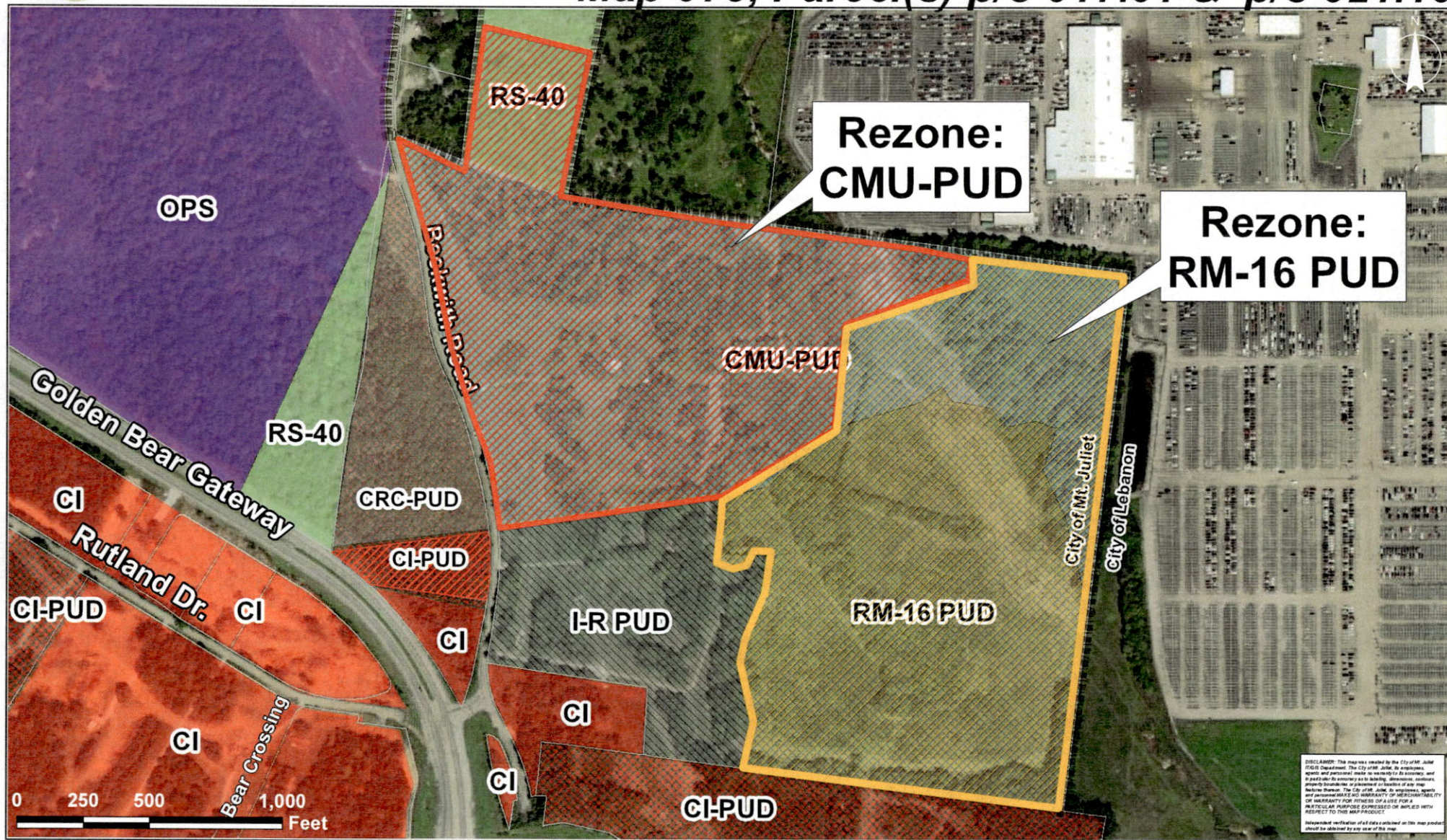

Samantha A. Burnett
City Attorney



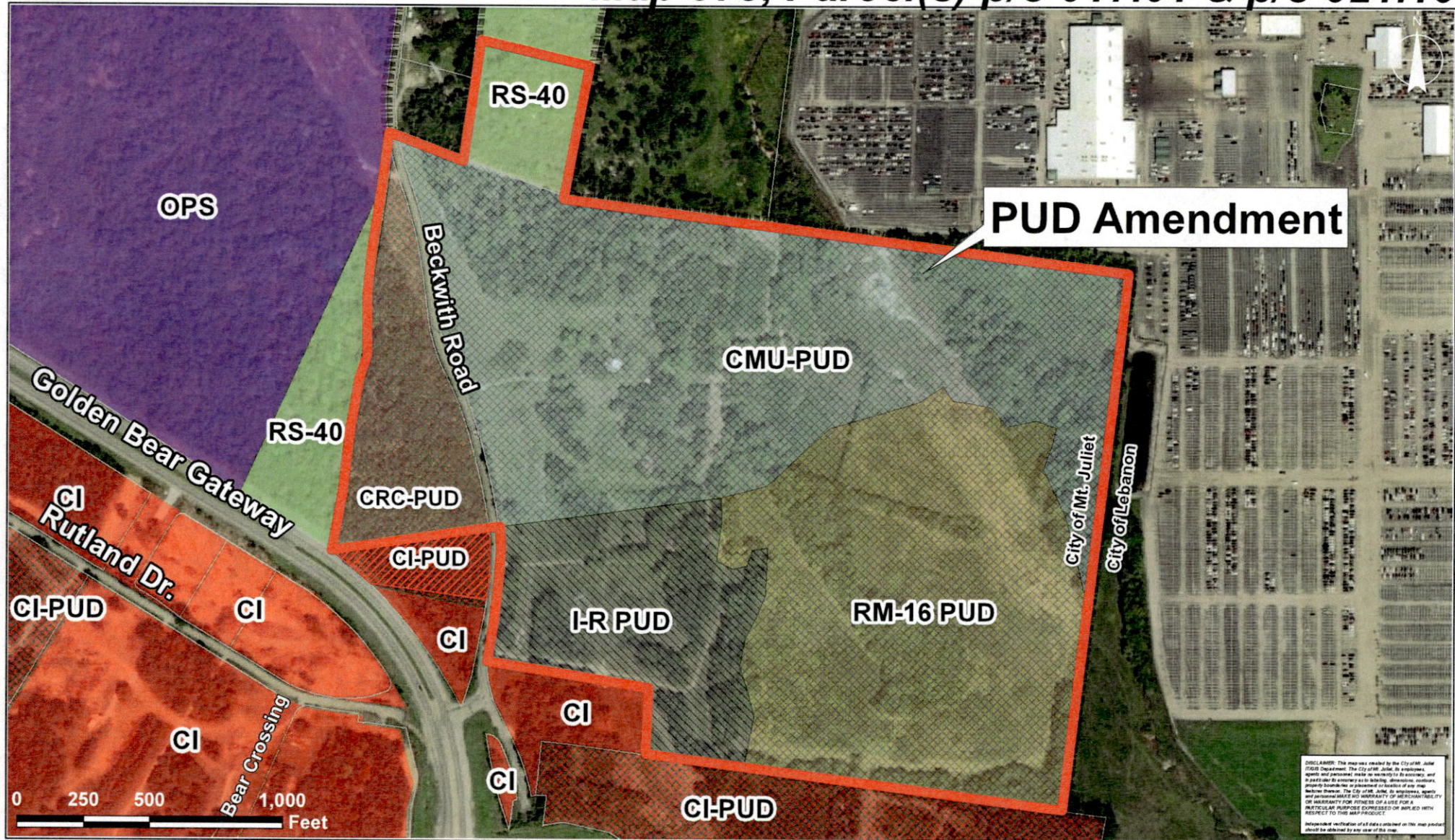
Exhibit B

Golden Bear Place- Rezone Map 078, Parcel(s) p/o 017.01 & p/o 021.10





PUD Amendment





MEMORANDUM

Date: September 19, 2024

To: Luke Winchester, Chairman
and Planning Commission

From: Jon Baughman, City Planner
Jill Johnson, Planner I

Re: Golden Bear Place
LUA, PUD Amendment
Map - 78
Parcel(s) – 21.10

Request: CSDG requests a Major PUD and Land Use amendment, due to the addition of 5.85 acres in the Northwest corner, to the original PUD, for Golden Bear Place (Formerly Gateway Business Parkway East and Beckwith Interchange Park) on Beckwith Road and Golden Bear Gateway. This request also removes area B from the PUD.

History: The property originally received PMDP approval in 2017 as Beckwith Interchange Park, a PUD with CI and CRC base zoning. Part of this amendment is due to the addition of 5.85 acres labeled as Area F. The request seeks to amend the land use plan from Interstate commercial to mixed use, and rezone from RS-40 to CMU-PUD. This will match the previously approved land use and zoning from the PMDP.

REQUEST SUMMARY	Land Use Map	Requested Classification	Current Zoning	Requested Zoning
CSDG	Interstate Commercial	Mixed Use	RS-40	CMU-PUD

Future Land Use: The City's Future Land Use map identifies the proposed Northwest parcel as Interstate commercial. The request includes a Land Use amendment for an addition of 5.85 acres in the Northwest corner from Interstate Commercial to Mixed use that is consistent with the remainder of Area D. The future land use map, does not support this request, however in the original PUD, the land use amendment from Interstate commercial to mixed use was approved.

Zoning: The zoning is presently RS-40 for the additional 5.85 acres to add to the PUD. The rezone request of CMU-PUD will be consistent with the previously approved CMU zoning within the PUD.

Findings: In reviewing the requested zoning actions, staff finds that the request DOES NOT agree with all of the following findings, as contained in the zoning ordinance. The proposed rezone:

1. *IS in agreement with the general plan for the area, and*
2. *Does not contravene the legal purposes for which zoning exists, and*

3. *will have no adverse effect upon adjoining property owners, unless such effect can be justified by the overwhelming public good or welfare, and*
4. *is not materially beneficial to a property owner or small group of property owners and will not be detrimental to the general public, and*
5. *is possible because conditions affecting the area have changed to a sufficient extent to warrant an amendment to the zoning map, and*
6. *allows uses by right, for which the base infrastructure is in place or will be required, to support their operation*

Preliminary Master Development Plan:

Location/History: This PUD received Preliminary Master Development Plan approval in 2017 under the name Beckwith Interchange Park. The current iteration of the PUD is located Northeast of Golden Bear Gateway with Beckwith Road traversing the western edge. This addition is for 5.85 acres on the Northwest corner of the PUD. The previously approved portion of Area B, has now been removed in it's entirety from the PUD.

Analysis: This request is a major modification to the original PUD. The proposal before us now will add 5.85 acres to the Northwest corner, due to the relocation of the age restricted multi-family portion of the development. The proposed Land use amendment from Interstate commercial to mixed use will match the previously approved Land use plan amendment for this area. The zoning request from RS-40 to CMU-PUD will allow for the new portion to match the current zoning previously approved in the PUD. The prior Area B will now be removed from the PUD. A summary:

Area A: CRC, 110,950 sf of hotel, retail, restaurant and gas station (5.98ac)

Area B: Restaurant, entire area removed from the PUD.

Area C: IR, 151,100 sf of Entertainment and amusement services, self service multi-story storage, general retail sales and services, community facilities building and amphitheater (9.67 ac)

Area D: CMU, 282 unit mixed use site (20.27 ac)

Area E: RM-16, 127 market rate townhomes (36.65 ac)

Area F: CMU 170 unit age restricted and assisted living (5.85 ac)

Phase one and Phase 2 include development of the mixed use site, area D.

Bulk Standards: All applicable standards shall apply and will be reviewed upon FMDP/Site Plan submittal.

6-104.1 Mixed-Use Regulations: Notes indicate 2.4 acres of area D will be dedicated to commercial use (10%). This has been increased from the previously approved 2.2 acres.

5-104.1 Multifamily Regulations: The mixed-use sites D and multifamily site E and F are subject to multi-family regulations. A note is provided indicating willingness to comply. Amenities proposed within areas D, E and F include pool, fitness center, clubhouse, dog park, game room, grills, pocket park and walking trail.

Parking: Notes are provided which indicate willingness to comply with the parking requirements for each base zoning district at FMDP/Site Plan submittal.

Landscaping: A full landscape plan will be required and reviewed upon each FMDP/Site Plan submittal. The location is part of the City's greenway plan. The PMDP includes a 10' paved trail along the general alignment of Sullivan Brach. Staff requests greenway connections to the two apartment sites. Landscape buffers are incomplete on the exhibit on sheet C2.01.

Waivers/Variances: **The following waivers/variances were approved during the previous amendment and will continue to apply to the entire PUD:**

1. Request to deviate from maximum building height allowed within the CRC, CI and CMU districts from 35' to 70' or 6 stories. All areas of the PUD are within ½ mile of the Beckwith Road Interchange. Height exemption shall be for Office, Hotel or Multi-family uses.
2. Request to omit a portion of the required perimeter fence for Area D, on the east side of the site along the creek buffer and Area E on the West side along the creek buffer.
3. Request to deviate from the material standards of Area D, E, and F to allow up to 30% secondary materials on each façade. Should a site wish to exceed 30% secondary material (if approved) they shall revisit BOC for PUD amendment.
4. Request to allow roof top mounted HVAC units within the multi-family portions of the development. All roof top mounted equipment will be screened with parapet walls or approved alternate.
5. Request to deviate from the sign ordinance to allow the building signage as shown on the attached building elevations (increased number of signs and size of signs)
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8. To deviate from the Self Storage Supplemental Provisions to eliminate the requirement for an opaque barrier around the project site. All storage units are contained within the single building, and therefore the building itself provides the screening.
9. Request to exceed the number of units permitted on a cul-de-sac within the townhomes area (Area E).

Summary: This major PUD amendment as submitted, is for the addition of the 5.85 acres in the Northwest Corner, to supplement the relocation of the Senior living facility from Area E to Area F.

The 5.85 acres, as shown under Area F, is identified as Interstate Commercial land use. Requested land use is Mixed Use, which the future land use plan does not support. However, under the previously approved PMDP, a Land Use amendment was requested and approved from Interstate Commercial to Mixed Use for the adjacent areas. The zoning request from RS-40 to CMU-PUD, will follow in concert with the prior approval.

Also, within this major amendment, Area B has been removed in its entirety from the PUD. And the street and access layout in Area F was modified as well.

Recommendation: Staff recommends a positive recommendation to the Planning Commission for the Land Use Amendment and rezone to the Board of Commissioners and subsequently the Preliminary Master Development Plan. Please include the following conditions in the recommendation:

Planning and Zoning:

1. Add note that all open space shall remain undeveloped.
2. The preliminary plat previously approved will need to be revised and reapproved.
3. Confirm the units in area E will be single family, if so, revise the base zoning to RS-10.
4. 4-114 and 5-104.1 shall be adhered to excepting any waivers granted by the BOC.
5. 6-104.1 shall be adhered to excepting any waivers granted by the BOC.
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11. On sheet C4.01, correct spelling from "Mount" to "Mt." Juliet.
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- 6. Staff supports variance #9 with the caveat of 24' pavement width (excluding curb and gutter).
- 7. Provide specific land uses for each site.
- 8. Driveways on opposite sides of roadways shall align.
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- 10. The access stubs connecting to parcels to the south shall match what is proposed in the Beckwith Business Park.
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 - a. Construct an auxiliary lane from the I-40 westbound exit ramp to the primary access point including any required signal pole or utility relocation. Curb & gutter, grass strip, and stormwater collection shall be provided.
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 - l. A 10' wide side path shall be constructed along the Golden Bear Gateway frontage including curb & gutter, grass strip, and stormwater collection.
 - m. The private roads within the townhomes section shall comply with the City's standard details and shall be classified based on ADT.
 - n. Provide enhanced pedestrian crossings between Areas A and D and Areas D and E.
 - o. Dedicate right-of-way north of the parking lot in Area A to connect Beckwith Road into a new connector road should the property to the west develop.
- 12. Construct a boardwalk between Area C and Area E.

13. Access to the commercial sites within Area A shall be primarily from a shared access drive from Beckwith Road. This street shall extend to the parcel to the west. The driveway on the new collector road shall be right-in/right-out only.
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Wilson County Schools:

1. No Comments