
**CITY OF GALLATIN
COUNCIL COMMITTEE MEETING**

April 08, 2014

6:00 p.m.

**Dr. J Deotha Malone
Council Chambers**

- Call to Order – Councilman Overton
- Roll Call: Vice Mayor Alexander – Brackenbury – Camp – Kemp – Hayes – Mayberry – Mayor Graves
- Approval of Minutes: March 25, 2014 Council Committee Meeting
- Public Recognition
- Mayor's Comments

AGENDA

1. Roadside Produce Vendors **(Councilwoman Brackenbury)**
2. Continued Discussion on Social Media Policy **(Joe Thompson, City Attorney)**
3. Re-appointing Michelle Haynes to the Sumner Board of Equalization **(Jo Ann Graves, Mayor)**
4. Ordinance No. O14Ø3-14 appropriating \$1,270.00 from Revenue Received by Sign Shop Sale of Materials **(Ronnie Stiles, Director of Public Works)**
5. Job Description of Assistant Building Official **(Chuck Stuart, Building Official)**
6. Ordinance No. O14Ø3-13 of the City of Gallatin, Sumner County, Tennessee, Annexing 20.84 (+/-) Acres, Located East of Airport Road and North of Cairo Road. (PC259-14) **(Bill McCord, City Planner)**
7. Ordinance No. O14Ø4-19 of the City of Gallatin, Sumner County, Tennessee, Adopting a Plan of Service for the Annexation 20.84 (+/-) Acres, Located East of Airport Road and North of Cairo Road. (PC259-14) **(Bill McCord, City Planner)**
8. Ordinance No. O14Ø3-12 an Ordinance of the City of Gallatin, Sumner County, Tennessee Amending the Zoning on 20.84 (+/-) Acres from Residential 40 (R40) Zone District to Multiple Residential and Office (MRO) Zone District with a Preliminary Master Development Plan. **(Bill McCord, City Planner)**
9. Ordinance No. O14Ø4-18 an Ordinance of the City of Gallatin, Sumner County, Tennessee Reaffirming the Mixed Use (MU) Zone District on a 30.84 (+/-) Acres Parcel and Approving a Preliminary Master Development Plan. **(Bill McCord, City Planner)**

10. East Park Avenue Roadway Improvements **(Nick Tuttle, City Engineer)**
11. Discussion of Centralized 911 Dispatch **(Jo Ann Graves, Mayor and Don Bandy, Police Chief)**
12. Discussion of Noise Ordinance as It Pertains to Events in the Parks. **(David Brown, Director of Leisure Services)**
13. The Planning Department Requests that the Council Authorize Staff to Apply for an Active Transportation Grant for Sidewalk Improvements Projects from the Nashville Area Metropolitan Transportation Planning Organization's 2014-2017 Call for Projects Application Cycle. **(Bill McCord, City Planner)**

- Other Business
- Recess
- Budget Presentations
- Adjourn

City of Gallatin Council Committee Meeting

Tuesday, March 25, 2014
Dr. J. Deotha Malone Council Chambers
Gallatin City Hall

Call to Order

Councilman Ed Mayberry called the meeting to order at 6:00 P.M.

Roll Call

City Recorder Connie Kittrell called the roll:

PRESENT:

Mayor Jo Ann Graves
Vice Mayor John D. Alexander
Councilwoman Julie Brackenbury
Councilman Steve Camp
Councilman Craig Hayes
Councilwoman Anne Kemp
Councilman Ed Mayberry
Councilman Jimmy Overton

ABSENT:

None

OTHERS PRESENT:

Rosemary Bates, Special Projects Director
Rachel Nichols, Finance/IT Director
Nick Tuttle, City Engineer
Debbie Johnson, Human Resources Director
News Examiner, Reporter
David Brown, Leisure Services Director
Joe Thompson, City Attorney
Chuck Stuart, Building Official

Don Bandy, Police Chief
Ronnie Stiles, Public Works Dir.
Bill McCord, City Planner
David Gregory, Public Utilities
Connie Kittrell, City Recorder
Billy Crook, Fire Chief
Gallatin Newspaper, Reporter
James Fenton, EDA Director

Approval of Minutes

Councilman Ed Mayberry presented the minutes of the March 11, 2014 Council Committee Meeting for approval. Councilman Overton made motion to approve; Councilwoman Kemp second. Motion carried with 6 ayes and 0 nays.

Public Recognition

Councilman Mayberry opened public recognition.

Gary Driskill of 1229 Timberwood Drive requested council approve lights for the soccer fields at Triple Creek Park. Mr. Driskill stated he has been a coach and parent of soccer players and the many benefits for approving the installation of lights.

Vice Mayor Alexander entered the meeting at this time.

Councilman Mayberry requested anyone wishing to speak on the noise ordinance to wait until that item is discussed later in the agenda.

Susan Johnson, Executive Director of Habitat for Humanity of Sumner County explained the organization. Ms. Johnson requested council waive any/all applicable fees for the construction of the homes built in Gallatin.

Bob Thomas of 166 Grandview Circle spoke about the loud music from a recent event held at the pavilion in Triple Creek Park. He asked that something be done about the loud music at the park in the future. Mr. Thomas thanked Mayor Graves for the work being done at the Civic Center.

Joe Debord of 1007 Hart Street spoke about the city recycling and not burning anything.

With no one else wishing to speak, Councilman Mayberry closed public recognition.

Mayor's Comments

Mayor Graves had no comments.

Agenda

Councilman Overton requested item #4. moved to the top of the agenda and there was no objection.

4. Noise Committee Recommendation

Councilman Overton gave a history of the noise committee meetings and their recommendations. He referenced the draft ordinance that is included in council packets; he stated the two changes are Friday and Saturday 7:00 AM to 10:30 PM at 60 decibels and 10:30 PM to 7:00 AM 45 decibels and Sunday through Thursday 7:00 AM to 7:00 PM at 60 decibels and 7:00 PM to 7:00 AM at 45 decibels.

Councilman Overton made motion to approve; Councilman Hayes second.

Discussion continued.

Police Chief Don Bandy spoke on the recommendations of the noise committee.

Councilman Mayberry also commented on the draft ordinance presented and the recommendations of the noise committee.

Councilwoman Brackenbury stated she had a responsibility to the residents that have contacted her with their concerns and cannot attend tonight's meeting.

Councilwoman Kemp called for the question.

City Attorney Joe Thompson stated that if Council wanted to continue their discussion Ms. Kemp would have to withdraw her call for the question or the body has to vote by a 2/3 majority to put the question before the body.

Councilwoman Kemp withdrew her call for the question.

Vice Mayor Alexander asked if the music could be confined to inside the building; they could play as long and as loud as they like and only effect the people inside the building.

Phillip Kelly, legal representative for the Aqua Drive residents, passed out a letter from Mr. Tim Rayborn to all council members. Mr. Kelly stated the Rayborn's were out of state but requested Mr. Kelly read their letter in its entirety.

Mr. Kelly spoke about enforcement of the current ordinance, measurements of the decibel levels and noise pollution.

Mr. Kelly read the Rayborn's letter at this time.

Bart Highers, legal representative for Awedaddy's, spoke about the decibel levels, ambient noise and invited all members of the council to come out to see for themselves before voting on this ordinance.

Council discussed further.

Councilman Overton withdrew his motion.

Brent Brown of 912 Aqua Drive stated he lives 1,750 feet from Awedaddy's. He spoke about the ugly language he hears at his home from the Marina and asked for enforcement of the current laws.

Phil Flack of 212 Woodlake Drive spoke about enforcement, decibel levels and noise pollution. Mr. Flack referenced Hendersonville's noise ordinance.

Councilwoman Anne Kemp left the meeting at this time.

Bob Thomas of 166 Grandview Circle stated there is a restaurant in Hendersonville that plays acoustical guitar with no problems. Mr. Thomas suggested checking the amplification of the music at Awedaddy's.

Floyd Lessmann of 978 Aqua Drive stated he was a Vietnam Veteran that moved there 20 years ago for the enjoyment of the Marina and so he could have his boat. He spoke about the Marina being there for the community to enjoy and to leave it alone.

City Attorney Joe Thompson left the meeting at this time.

Garrett Laffely of 963 Aqua Drive thanked Mr. Lessmann for his service to our country. Mr. Laffely stated he is a musician that tours across North America/Canada and the band is responsible for their noise. He asked council for help because the noise interferes with his studying and home life.

Michelle Haynes of 1265 Lock Four Road stated she is a long time realtor and serves on the Sumner County Board of Tax Equalization. She added that noise pollution can lower property values which results in a loss of tax revenues. She asked council to look at this noise issue from that angle also.

Neil Laffely of 963 Aqua Drive asked for the law to be enforced this weekend.

Susan Oliver of 963 Aqua Drive thanked council for their time and work but asked for this issue to be resolved. Ms. Oliver stated she wants to be a good neighbor and to get this issue resolved.

Councilman Overton requested moving item #8. to item #2.

8. **Industrial Development Board Budget for 2014-2015**

EDA Director James Fenton stated that when he presented his 2014-2015 budget to council some members had questions about the IDB's budget line. Mr. Fenton stated EDA and IDB Board members Earl Fisher and Dave Jose are here tonight to answer any questions.

Earl Fisher stated that he supports the budgets for EDA and IDB and the \$30,000 for maintenance. Dave Jose added that they are asking for more money this year because the land acreage has doubled. Mr. Fisher also commented that the activity level has picked up and they are hoping for a big year.

Councilman Mayberry thanked the board for all they do.

Councilman Overton asked if EDA or IDB follow the same purchasing guidelines as the city. Mr. Fenton stated yes; bids are taken.

1. **Roadside Produce Vendors**

Councilwoman Brackenbury requested this item be deferred.

2. **Social Media Policy**

Councilman Mayberry stated that Mr. Thompson has left the meeting so this will be deferred.

3. **Ordinance #O1403-15 Awarding Bid and Authorizing Funds for Industrial Park Water/Sewer System Improvements**

Councilman Overton made motion to approve; Councilwoman Brackenbury second. With no objection the motion passed.

5. **Disposition of the Old Health Department Building on South Water**

Councilman Overton stated he would like to move this forward; sell/auction the building and use that money to purchase another building.

Councilman Overton made motion to approve; Councilwoman Brackenbury second. With no objection the motion passed.

6. Ordinance #O1403-10 Appropriating Funds from Sale of Equipment for the Public Works Department in the Amount of \$3,484.65

Councilman Overton made motion to approve; Councilwoman Brackenbury second. With no objection the motion passed.

7. Job Description of Assistant Building Official

Building Official Chuck Stuart stated he would like to change the job description for Chief Inspector to Assistant Building Official.

Councilman Overton said he would like to see the job description before voting.

There was discussion on the job description not being included in the packets.

Special Projects Director Rosemary Bates stated that it is not Mr. Stuart's fault that the job description is not in the packet.

Discussion continued.

Vice Mayor Alexander made motion to approve; Councilman Hayes second. With no objection the motion passed.

More discussion continued on the Pay Grade T salary range.

Mayor Graves stated the job description must be approved first and then the position must be posted.

Councilman Camp asked if the Mayor can raise the salary.

Mayor added that the personnel rules define that any department head can ask the Mayor to raise the salary with the proper documentation.

Other Business

- Police Chief Don Bandy asked permission from council to apply for a grant from the Governor's Highway Safety Commission.

Councilman Overton made motion to approve; Vice Mayor Alexander second. With no objection the motion passed.

- EDA Director James Fenton presented Resolution #R1404-12, a standard application in support of a FastTrack Infrastructure Development Program to serve Project Buckeye.

Vice Mayor Alexander made motion to approve; Councilman Camp second. With no objection the motion passed.

- Councilman Mayberry asked about waiving the fees for Habitat of Humanity. Public Utilities Director David Gregory said that council has waived them before. Council requested the specific location and item placed on the next work session agenda.
- Councilman Mayberry asked who sets the time limits/cut offs for events in Triple Creek Park. Leisure Services Director David Brown stated he sets those limits.
- Mayor Graves informed council that the city has received the contracts from the Corp. of Engineers for the Liberty Branch Day Park. Mayor reminded everyone this is the morning Rotary Club that Roy Alexander requested.
- Mayor asked council members to list their top three (3) priorities for the city/district for budgeting purposes and turn them into the Mayor's office by this Friday, March 28, 2014.

Recess

Budget Presentations

Councilman Mayberry reconvened the meeting.

Human Resource Director Debbie Johnson made her budget presentation to Council.

Adjourn

With no further business to discuss, Councilman Mayberry adjourned the meeting.

Council Committee Minutes
March 25, 2014

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Councilwoman Brackenbury

AGENDA # |

SUBJECT:

Roadside Produce Vendors

SUMMARY:

Councilwoman Brackenbury requested a discussion of this topic be placed on the agenda along with a copy of the current ordinance. It has been on three previous Council Committee agendas, but has been deferred because not all necessary parties were present.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 00708-58

ORDINANCE AMENDING CHAPTER 11, ARTICLE V, SECTIONS 11-136 – 11-143 OF
THE GALLATIN MUNICIPAL CODE RELATING TO PEDDLERS, SOLICITORS, AND
ITINERANT VENDORS

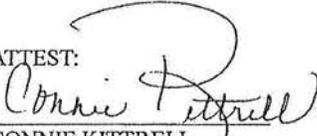
BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that Chapter 11, Article
V, Sections 11-136 thru 11-143 of the Gallatin Municipal Code, dealing with entitled “Peddlers,
Solicitors, Itinerant Vendors” is hereby amended by deleting said sections in its entirety and
replacing them with the new Sections 11-134 thru 11-143, that is attached to this ordinance as
Exhibit A.

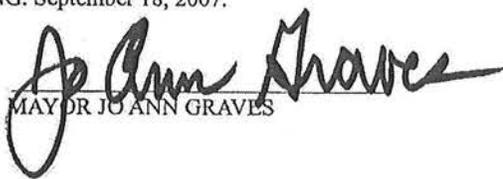
BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this
Ordinance shall take effect from and after its final passage, the public welfare requiring such.

PASSED FIRST READING: September 4, 2007.

PASSED SECOND READING: September 18, 2007.

ATTEST:


CONNIE KITTRELL
CITY RECORDER


MAYOR JO ANN GRAVES

APPROVED AS TO FORM:

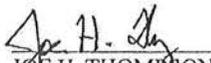

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

ARTICLE V. PEDDLERS, SOLICITORS, ITINERANT VENDORS

SECTION

| | |
|---------|--|
| 11-134. | Definitions. |
| 11-135. | Exemptions. |
| 11-136. | Permit required. |
| 11-137. | Permit procedure. |
| 11-138. | Restrictions on peddlers, street barkers and solicitors. |
| 11-139. | Restrictions on transient vendors. |
| 11-140. | Display of permit. |
| 11-141. | Suspension or revocation of permit. |
| 11-142. | Expiration and renewal of permit. |
| 11-143. | Violation and penalty. |

11-134. Definitions. Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meaning given to them in this section:

- (1) "Peddler" means any person, firm or corporation, either a resident or a nonresident of the city, who has no permanent regular place of business and who goes from dwelling to dwelling, business to business, place to place, or from street to street, carrying or transporting goods, wares or merchandise and offering or exposing the same for sale.
- (2) "Solicitor" means any person, firm or corporation who goes from dwelling to dwelling, business to business, place to place, or from street to street, taking or attempting to take orders for any goods, wares or merchandise, or personal property of any nature whatever for future delivery, except that the term shall not include solicitors for subscriptions as those terms are defined below.
- (3) "Solicitor for subscriptions" means any person who solicits subscriptions from the public, either on the streets of the city, or from door to door, business to business, place to place, or from street to street, and who offers for sale subscriptions to magazines or other materials protected by provisions of the Constitution of the United States.
- (4) "Transient vendor"¹ means any person who brings into temporary premises and exhibits stocks of merchandise to the public for the purpose of selling or offering to sell the merchandise to the public. Transient vendor does not include any person selling goods by sample, brochure, or sales catalog for future delivery; or to sales resulting from the prior invitation to the seller by the owner or occupant of a residence. For purposes of this definition, "merchandise" means any consumer item that is or is represented to be new or not

¹ Tennessee Code Annotated, § 62-30-101 et seq. contains permit requirements for "transitory vendors."

The definition of "transient vendors" is taken from Tennessee Code Annotated, § 62-30-101(3). Note also that Tennessee Code Annotated, § 67-4-709(a) prescribes that transient vendors shall pay a tax of \$50.00 for each 14 day period in each county and/or municipality in which such vendors sell or offer to sell merchandise for which they are issued a business license, but that they are not liable for the gross receipts portion of the tax provided for in Tennessee Code Annotated, § 67-4-709(b).

previously owned by a consumer, and "temporary premises" means any public or quasi-public place including a hotel, rooming house, storeroom, building or part of a building, tent, vacant lot, railroad car, or motor vehicle which is temporarily occupied for the purpose of exhibiting stocks of merchandise to the public. Premises are not temporary if the same person has conducted business at those premises for more than six (6) consecutive months or has occupied the premises as his or her permanent residence for more than six (6) consecutive months.

- (5) "Street barker" means any peddler who does business during recognized festival or parade days in the city and who limits his business to selling or offering to sell novelty items and similar goods in the area of the festival or parade.

11-135. Exemptions. The terms of this chapter shall neither apply to persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to persons selling agricultural products, who, in fact, themselves produced the products being sold.

- 11-136. Permit required. No person, firm or corporation shall operate a business as a peddler, transient vendor, solicitor or street barker, and no solicitor for subscriptions shall solicit within the city unless the same has obtained a permit from the city in accordance with the provisions of this chapter.

- 11-137. Permit procedure. (1) Application form. A sworn application containing the following information shall be completed and filed with the city recorder by each applicant for a permit as a peddler, transient vendor, solicitor, or street barker and by each applicant for a permit as a solicitor for subscriptions:

- (a) The complete name, permanent address, phone number and temporary address, if any of the business or organization the applicant represents;
- (b) Age, height, weight, color of hair and eyes;
- (c) Name, address and telephone number of the person, firm, association or corporation that the direct seller represents or is employed by, or whose merchandise is being sold;
- (d) Temporary address and telephone number from which business will be conducted, if any;
- (e) Nature of business to be conducted and a brief description of the goods offered, and any services offered;
- (f) Proposed method of delivery of goods, if applicable;
- (g) The dates for which the applicant intends to do business or make solicitations.
- (h) The names and permanent addresses of each person who will make sales or solicitations within the city.
- (i) The make, model, complete description, and license tag number and state of issue, of each vehicle to be used to make sales or solicitations, whether or not such vehicle is owned individually by the person making sales or solicitations, by the business or organization itself, or rented or borrowed from another business or person.
- (j) The last three previous cities, villages, towns, where applicant conducted similar business;

(k) Address and phone number where applicant can be contacted for at least seven days after leaving the city;

(l) Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant business within the last five years; the nature of the offense and the place of conviction.

(m) Tennessee State sales tax number, if applicable.

- (2) Permit fee. Each applicant for a permit as a peddler, transient vendor, solicitor or street barker shall submit with his application a nonrefundable fee of fifty dollars (\$50.00). There shall be no fee for an application for a permit as a solicitor for subscriptions.
- (3) Permit issued. Upon the completion of the application form and the payment of the permit fee, where required, the recorder shall issue a permit and provide a copy of the same to the applicant.
- (4) Submission of application form to chief of police. Immediately after the applicant obtains a permit from the city recorder, the city recorder shall submit to the chief of police a copy of the application form and the permit.

11-138. Restrictions on peddlers, street barkers and solicitors. No peddler, street barker, solicitor, or solicitor for subscriptions shall:

- (1) Be permitted to set up and operate a booth or stand on any street or sidewalk, or in any other public area within the city.
- (2) Stand or sit in or near the entrance to any dwelling or place of business, or in any other place which may disrupt or impede pedestrian or vehicular traffic.
- (3) Offer to sell goods or services or solicit in vehicular traffic lanes, or operate a "road block" of any kind.
- (4) Call attention to his business or merchandise or to his solicitation efforts by crying out, by blowing a horn, by ringing a bell, or creating other noise, except that the street barker shall be allowed to cry out to call attention to his business or merchandise during recognized parade or festival days of the city.
- (5) It shall be unlawful for any peddler or solicitor to call at any dwelling or other place between the hours of 7 p.m. and 9 a.m. except by appointment; to call at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning; to call at the rear door of any dwelling place; or to remain on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.
- (6) It shall be unlawful for a direct seller to misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or character of any goods offered for sale, the purpose of his visit, his identity or the identity of the organization he represents.
- (7) It shall be unlawful for any peddler, solicitor or transient vendor to allow rubbish or litter to accumulate in or around the area in which he is conducting business.

11-139. Restrictions on transient vendors. A transient vendor shall not advertise, represent, or hold forth a sale of goods, wares or merchandise as an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver's manufacturer's wholesale, cancelled order, or misfit sale, or closing-out sale, or a sale of any goods damaged by smoke, fire, water or otherwise, unless such advertisement, representation or holding forth is actually of the character it is advertised, represented or held forth.

11-140. Display of permit. Each peddler, street barker, solicitor, or solicitor for subscriptions is required to have in his possession a valid permit while making sales or solicitations, and shall be required to display the same to any police officer upon demand.

11-141. Suspension or revocation of permit. (1) Suspension by the recorder. The permit issued to any person or organization under this chapter may be suspended by the city recorder for any of the following causes:

(a) Any false statement, material omission, or untrue or misleading information which is contained in or left out of the application; or

(b) Any violation of this chapter.

(2) Suspension or revocation by the board of mayor and aldermen. The permit issued to any person or organization under this chapter may be suspended or revoked by the board of mayor and aldermen, after notice and hearing, for the same causes set out in paragraph (1) above. Notice of the hearing for suspension or revocation of a permit shall be given by the city recorder in writing, setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed to the permit holder at his last known address at least five (5) days prior to the date set for hearing, or it shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

11-142. Expiration and renewal of permit. The permit of peddlers, solicitors and transient vendors shall expire on the same date that the permit holder's privilege license expires. The registration of any peddler, solicitor, or transient vendor who for any reason is not subject to the privilege tax shall be issued for six (6) months. The permit of street barkers shall be for a period corresponding to the dates of the recognized parade or festival days of the city. The permit of solicitors for subscriptions shall expire on the date provided in the permit, not to exceed thirty (30) days.

11-143. Violation and penalty. In addition to any other action the city may take against a permit holder in violation of this chapter, such violation shall be punishable under the general penalty provision of this code. Each day a violation occurs shall constitute a separate offense.

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

04/08/2014

DEPARTMENT: Finance/I.T.

AGENDA # 2

SUBJECT:

Social Media policy, continued discussion

SUMMARY:

At the request of the City Attorney, item was deferred until 4/8/2014 to correct potential First Amendment rights issue.

RECOMMENDATION:

Approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION ESTABLISHING SOCIAL MEDIA POLICY

WHEREAS, the Gallatin City Council adopted an Information Technology Standard Operating Procedures manual on June 19, 2012; and

WHEREAS, the initial S.O.P. manual is a working document to be amended and revised as needed; and

WHEREAS, the use of social media is an integral part of business operations;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the Social Media Policy attached to this Resolution as Exhibit A is hereby approved and adopted; and

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the attached policy will be incorporated into the Information Technology Standard Operating Procedures manual.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that this Resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON, CITY ATTORNEY

SOCIAL MEDIA USE AND INTERNET POSTING POLICY

SECTION 1: APPLICABILITY

- 1.1 This policy applies to every employee, whether part-time, full-time, currently employed by the city in any capacity who posts any material whether written, audio, video or otherwise on any Web site, blog or any other medium accessible via the internet.
- 1.2 For the purposes of this policy, social media is content created by individuals using accessible and scalable technologies through the internet. Examples include: Facebook, blogs, MySpace, RSS, YouTube, Second Life, Twitter, LinkedIn, Google+, Instagram, etc.

SECTION 2: CITY-OWNED OR CREATED SOCIAL MEDIA

- 2.1 The city maintains an online presence. An employee may not characterize him or herself as representing the city, directly or indirectly, in any online posting unless pursuant to a written policy of the city.
- 2.2 All city social media sites directly or indirectly representing the city must be created pursuant to this policy and be approved by either The Mayor's Office or the pre-appointed department designee.
- 2.3 The city's primary and predominant internet presence shall remain <http://www.gallatin-tn.gov/> and no other Web site, blog or social media site shall replace it.
- 2.4 The city's IT Department designee is responsible for the content and upkeep of any official social media sites created pursuant to this policy unless otherwise specified. All posting requests for social media sites must be submitted through the currently used support ticket system managed by the city's IT Department.
- 2.5 Whenever possible a social media site shall link or otherwise refer visitors to the city's main Web site.
- 2.6 In addition to this policy, all social media sites shall comply with any and every other applicable city policy including but not limited to:
- a. Open Records Policy
 - b. Internet Use Policy
 - c. IT Security Policy
 - d. Ethics Policy
 - e. Records Retention Policy

2.7 A social media site is subject to Tennessee's Public Records Act (T.C.A. § 10-7-101, *et seq.*) and Open Meetings Act (T.C.A. § 8-44-101, *et seq.*) and no social media site shall be used to circumvent or otherwise violate these laws. All information posted on a social media site shall be a public record and subject to public inspection. All lawful records requests for information contained on a social media site shall be fulfilled by the city's IT department or designated department representative and any employee whose assistance is necessitated. Every social media site shall contain a clear and conspicuous statement referencing the aforementioned state laws. All official postings on a social media site shall be preserved in accordance with the city's records retention schedule.

2.8 Whenever possible a social media site shall also contain a clear and conspicuous statement that the purpose of the site is to serve as a mechanism for communication between the city and its constituents and that all postings are subject to review and deletion by the city. Whenever possible, commenting on city posts will be disabled (With the exception of sites used for legal and/or investigative purposes). However, in instances where commenting cannot be disabled, the following content will not be allowed and will be immediately removed at the discretion of the department head:

- Comments not related to the particular social medium article being commented upon;

- Comments in support of or in opposition to political campaigns or ballot measures;

- Profane language or content;

- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;

- Sexual content or links to sexual content;

- Solicitations of commerce;

- Conduct or encouragement of illegal activity;

- Information that may tend to compromise the safety or security of the public or public systems;

- Content that violates a legal ownership interest of any other party

- Content that violates a social media sites respective policy or terms

2.9 The city will approach the use of social media tools, software, hardware and applications in a consistent, citywide manner. All new tools, software, hardware and applications must be approved by either The Mayor's Office or the pre-appointed department designee.

2.10 Administration of city social media sites. The city will maintain a list of all social media sites, tools, and login information which have been approved for use. Department heads will submit support tickets including any changes they wish to be made to existing social media sites.

2.11 For each social media tool approved for use by the city the following documentation will be developed and adopted:

Operational and usage guidelines

Standards and processes for managing accounts on social media sites

City and departmental branding standards

Enterprise-wide design standards

Standards for the administration of social media sites

SECTION 3. NON-CITY SOCIAL MEDIA SITES

3.1 An employee may not characterize him or herself as representing the city, directly or indirectly, in any online posting unless pursuant to this policy and under the direct supervision and permission of a department head of the City of Gallatin.

3.2 The use of a city e-mail address, job title, official City name, seal or logo shall be deemed an attempt to represent the city in an official capacity. Other communications leading an average viewer to conclude that a posting was made in an official capacity shall also be deemed an attempt to represent the city in an official capacity.

3.3 Departments have the option of allowing employees to participate in existing social networking sites as part of their job duties. Department heads may allow or disallow employee participation in any social media activities in their departments.

3.4 Any posting on a non-city social media site made in an official capacity shall be subject to the Tennessee Open Records Act and the Tennessee Open Meetings Act.

3.5 An employee or official posting on a social media site shall take reasonable care not to disclose any confidential information in any posting.

3.6 When posting in a non-official capacity an employee or official shall clearly state the he or she is posting in a private capacity and that the views expressed are his or her own and not representative of the City of Gallatin or any of its departments.

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

3/11/2014

DEPARTMENT: Finance/I. T.

AGENDA #

SUBJECT:

Social Media policy, continued discussion

SUMMARY:

Draft Social Media Policy is attached. The social media committee drafted the policy after reviewing other governments' social media policies and incorporated elements which will allow the City to maintain a social media presence and comply with Federal, State and Local policies, rules, laws.

Upon approval, the Social Media policy will be incorporated into the City of Gallatin Information Technology Standard Operating Procedures manual.

Also, a copy of the current employee *Computer, E-mail, and Voice Mail Systems Policy* is attached. From the employee's perspective, the new Social Media Policy will not change any existing rules.

RECOMMENDATION:

approval

ATTACHMENT:

Resolution Correspondence Bid Tabulation
 Ordinance Contract Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

3/25/2014

DEPARTMENT: Finance/I. T.

AGENDA #

SUBJECT:

Social Media policy, continued discussion

SUMMARY:

At the request of the City Attorney, item was deferred until 3/25/2014 to correct potential First Amendment rights issue.

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Mayor Graves

AGENDA # 3

SUBJECT:

Re-appointing Michelle Haynes to the Sumner County Board of Equalization

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:



SUMNER COUNTY
ASSESSOR OF PROPERTY

JOHN C. ISBELL
ASSESSOR

355 N. BELVEDERE DRIVE, ROOM 206
GALLATIN, TENNESSEE 37066
PHONE (615) 452-2412 • FAX (615) 442-1108

March 27, 2014

Mayor JoAnn Graves
Gallatin City Hall
132 West Main Street
Room #102
Gallatin, TN 37066

Dear Mayor Graves:

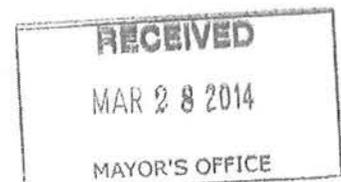
Pursuant to Tennessee Code Annotated 67-1-401 (3), the City of Gallatin shall appoint, by action of the City Council or Governing Body, one member to the Sumner County Board of Equalization for a two year term. This appointment is subject to approval by the Sumner County Commission in its April session. The member from Gallatin last term was Michelle Haynes. She is willing to serve again and has the time to devote to the job.

If you could give this matter your immediate attention and forward this recommendation to me, it would help greatly in resolving this matter.

If you have any questions, please contact me at any time at 452-2412.

Sincerely,

John C. Isbell
Assessor of Property



RESOLUTION NO. R1404-13

RESOLUTION TO REAPPOINT MICHELLE HAYNES TO SUMNER COUNTY BOARD
OF EQUALIZATION

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE that pursuant to
T.C.A. § 67-1-401(a)(3), Michelle Haynes is hereby reappointed to the Sumner County Board
of Equalization for a two year term to expire April 2016.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after its
final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

CITY OF GALLATIN
THE COUNCIL COMMITTEE
AGENDA SUMMARY
04/08/2014

AGENDA # 4

DEPARTMENT: Public Works

SUBJECT: Ordinance to make appropriation for signs and sign installation

SUMMARY: Please appropriate \$1,270.00 to 110-43120-342

RECOMMENDATION:

ATTACHMENT:

Resolution

Correspondence

Bid Tabulation

Ordinance

Contract

Other

Approved _____

Rejected _____

Deferred _____

Notes:

ORDINANCE NO. O14Ø3-14

ORDINANCE APPROPRIATING \$1,270.00 FROM REVENUE RECEIVED BY SIGN
SHOP SALE OF MATERIALS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of
\$1,270.00 is hereby appropriated from revenue received from Sale of Materials – Signs,
account #110-36500, to account #110-43120-342, Sign Parts and Supplies, and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,
that this Ordinance shall take effect from and after its final passage, the public welfare
requiring such.

PASSED FIRST READING:.

PASSED SECOND READING:.

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL
CITY RECORDER

JOE THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Codes

AGENDA # 5

SUBJECT:

Job Description of Assistant Building Official

SUMMARY:

Codes would like to eliminate Chief Inspector/Plans Examiner and create Assistant Building Official job description. Further discussion

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1403-11

**RESOLUTION APPROVING REVISED JOB DESCRIPTION OF ASSISTANT
BUILDING OFFICIAL FOR THE CODES DEPARTMENT**

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the attached revised job description for the Assistant Building Official (Grade T) is hereby approved and ordered implemented into the Personnel Classification System for the City of Gallatin, Tennessee.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON, CITY ATTORNEY

CHIEF INSPECTOR/PLANS EXAMINER

ASSISTANT BUILDING OFFICIAL

GENERAL DEFINITION AND CONDITIONS OF WORK:

Performs difficult technical and administrative work in the examination of plans and specifications for construction of residential, multi-family, commercial and industrial buildings; performs requisite field inspections; exercises all the powers of the Building Official during his/her absence or disability; does related work as required. Work is performed under the general supervision of the Building Official. *Assist Building Official with personnel, department budget, and administrative issues for the building permit and inspection process.*

This is medium work requiring the exertion of up to 50 pounds of force occasionally, up to 20 pounds of force frequently, and up to 10 pounds of force constantly to move objects; work sometimes requires climbing, balancing, reaching, fingering, grasping, and repetitive motions; vocal communication is required to perceive information at a normal spoken word levels; visual acuity is required for preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, use of measuring devices, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the worker is subject to inside and outside environmental conditions.

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

Conducts plans and specification reviews; prepares and maintains files and records; conducts building and related inspections.

- *Serves as the Building Official in his/her absence.*
- Serves as a resource on code requirements for Inspectors and Permit Specialist.
- *Provide technical guidance to Department Staff.*
- Review plans and specifications for conformance with code requirements.
- Provides information and answers questions regarding building and codes requirements.
- Performs field inspections and re-inspections of residential, commercial, industrial and public facilities for compliance with building, plumbing and mechanical codes.
- Receives and assists in resolving complaints in regard to defective construction and handles enforcement issues.
- Inspects existing buildings for hazardous conditions, structural failures or improper uses.
- Receives applications, issues and logs construction permits and maintains appropriate records thereof.
- Assists Permit Specialist with permit issuance.
- Interprets various codes and ordinances, recommends changes as appropriate to the Building Official.
- Where construction is not in compliance with regulations as to methods and/or materials, works with the builder to bring the construction into compliance, and
- Issues warnings and stop-work orders if necessary.
- May testify in court on code violation cases.
- Assists in assessing technology needs for automated databases, etc.
- Makes reports and keeps records regarding inspections.
- Performs related tasks as required.
- *Attends staff meeting for professional services*
- *Stay abreast of changes to model building code series.*

KNOWLEDGE, SKILLS AND ABILITIES:

Thorough knowledge of all types of building construction materials and methods and stages of construction when possible violations and defects may be most easily observed and corrected; thorough knowledge of State and City building and related codes laws and ordinances; ability to detect poor workmanship, inferior materials, and hazards of collapse; ability to read and interpret plans and specifications accurately and to compare them with construction in progress; ability to contact building owners, contractors, architects and the public and affect satisfactory working relationships; computer literacy; consistency and tact in enforcing building ordinances and codes.

EDUCATION AND EXPERIENCE:

Five (5) years experience in building department administration and any combination of education and experience equivalent to graduation from a community college with major course work in a variety of inspection specialties. ~~and shall possess qualifications of "Chief Inspector" as outlined in the Standard Building Code.~~

SPECIAL REQUIREMENTS:

Possession of an appropriate driver's license valid in the State of Tennessee. Certification as a Plans Examiner and Building, *Mechanical, Plumbing, Accessibility, Zoning, and Property Maintenance Inspector*. (ICC or other approved model code agency is acceptable.)

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

March 25, 2014

DEPARTMENT: Codes

AGENDA # 7

SUBJECT:

Job Description of Assistant Building Official

SUMMARY:

Codes would like to eliminate Chief Inspector/Plans Examiner and create an Assistant Building Official job description with Pay Grade T, which ranges from \$50,190.40 to \$74,464.00. Chuck Stuart will provide additional information at meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 6

SUBJECT:

Ordinance No. O1403-13 of the City of Gallatin, Sumner County, Tennessee, annexing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. (PC259-14)

SUMMARY:

Applicant requests the annexation of three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08) containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. The Gallatin Municipal-Regional Planning Commission recommended approval at the March 24, 2014 Planning Commission Meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. O1403-13

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, ANNEXING THREE (3) PARCELS COMPRISING APPROXIMATELY 20.84 (+/-) ACRES INTO THE CITY OF GALLATIN, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD, AUTHORIZING THE ANNEXED PARCEL(S) TO BE INDICATED ON THE OFFICIAL ZONING MAP; AUTHORIZING ASSIGNING ANNEXED AREA TO A COUNCIL DISTRICT; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property of the affected area has/have submitted a petition to annex 20.84 acres located adjacent to and substantially contiguous to the City of Gallatin, Tennessee city limits and located in the City of Gallatin Planning area; and

WHEREAS, a public hearing was held following public notice as prescribed by ordinance and §6-51-102 T.C.A.; and

WHEREAS, the City of Gallatin deems it reasonable and mutually beneficial to annex the territory described herein; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission has by a majority vote recommended approval of the proposed annexation AND Plan of Service to the affected area; and

WHEREAS, the City Council of the City of Gallatin has approved a Plan of Services for the annexation area as described in Ordinance O1404-19 (Exhibit 'A').

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE:

Section 1. The City Council of the City of Gallatin does hereby annex the following property as described in Exhibit 'B' and indicated on the map in Exhibit 'C';

Section 2. The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's boundaries and the Official Zoning Atlas to show the classification for the area as hereby being annexed into the City as shown on Exhibit 'B' and Exhibit 'C' attached hereto.

Section 3. The territory described in Exhibit 'B' and depicted in Exhibit 'C' shall become part of the City Council District 1.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. This ordinance shall take effect thirty (30) days after final passage, the public welfare requiring such, per Sec. 6-51-102(a)(1) T.C.A.

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Plan of Services for the annexation property (Ordinance O1404-19)

Exhibit 'B' – Legal Description of annexation territory

Exhibit 'C' – Map of the annexation territory

EXHIBIT A

ORDINANCE NO. 01404-19

ORDINANCE ADOPTING A PLAN OF SERVICE FOR THE ANNEXATION OF THREE (3) PARCELS (TAX MAP 127 AND PARCELS 005.00, 005.07, AND 005.08) CONTAINING 20.84 (+/-) ACRES, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

WHEREAS, the City of Gallatin received a petition by a property owner for the annexation of 20.84 (+/-) acres contiguous to the City; and

WHEREAS, the area proposed for annexation to the City of Gallatin is substantially contiguous to the corporate limits to the City and within the City's Urban Growth Boundary, as required by law; and

WHEREAS, Tennessee Code Annotated Section 6-51-102(b) as amended requires that a Plan of Service be adopted by the governing body of a City prior to the passage of an annexation ordinance; and,

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to T.C.A. 6-51-102(b)(4), 6-5-107, 13-3-104, 13-3-301, and 13-4-103 has reviewed and recommended approval of this Plan of Service, as contained in this ordinance, in GMRPC Resolution 2014-24.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described in Exhibit 'A' and the Plan of Service described in Exhibit 'B':

SECTION 2. This Ordinance shall be effective April 24, 2014, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

EXHIBIT A

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal Description and Annexation Exhibit
Exhibit 'B' – Plan of Service

EXHIBIT A

EXHIBIT B PLAN OF SERVICE FOR CAIRO ESTATES (PC0259-14)

A. Water

Water service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a six (6) inch GPU water line located within Cairo Road, which is adjacent to the proposed entrance of this development.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

B. Sanitary Sewer

Sanitary sewer service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a 12 inch sanitary sewer line located along Albright Creek, which bisects this property between the proposed Phase 2 and 3.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

C. Street Construction and Maintenance

Approximately 2,660 linear feet of new roadways are proposed within Cairo Estates. The streets in the annexation area will be maintained by the City of Gallatin upon request from the property owner for the City of Gallatin to accept the roads.

EXHIBIT A

D. Solid Waste and Refuse Collection

Upon annexation, the City of Gallatin will begin the collection of solid waste in the annexation area based on the provisions set forth in the Gallatin Municipal Code.

E. Planning and Zoning Services

Upon annexation, the planning and zoning services of the City of Gallatin will continue to be provided in the annexation area.

F. Building Inspections and Code Enforcement Services

Upon annexation, building and code inspection services will continue to be provided by the City of Gallatin.

G. Fire Protection

Present personnel and equipment of the Gallatin Fire Department will provide fire protection on and after the effective date of the annexation. The developer will provide fire hydrants in the annexation area pursuant to NFPA Life Safety Standards as determined by the City's Senior Fire Inspector.

Gallatin Fire Department has indicated that no additional firemen or departmental vehicles will be needed for this annexation/plan of service.

H. Police Protection

Police patrol, response to calls, and other routine police services by the Gallatin Police Department will be provided with existing personnel on and after the effective date of the annexation.

Gallatin Police Department has indicated that:

- No additional police officers will be needed to provide service to this area due to annexation and
- No additional departmental vehicles will be needed.

I. Animal Control

The Public Works Department provides animal control services and enforces the City's animal control ordinances. These services will be available in the annexation area when the annexation becomes effective.

J. Recreational Facilities and Programs

The benefit and use of all recreational facilities and programs provided by the Leisure Services Department will be available on and after the effective date of the annexation. Recreational facilities and programs will be provided with existing personnel, facilities, and resources.

EXHIBIT A

K. Street Lighting and Electric Service

Street lighting will be extended into the annexed area in accordance with existing City policy along with the extension of City electric facilities as provided in T.C.A. Section 6-51-112. Either the City of Gallatin or Cumberland Electric Membership Corporation will provide electrical service to the annexation area.

Gallatin Department of Electricity has indicated that:

- The existing Gallatin Department of Elect city infrastructure will not support this proposed annexation and subsequent development.
- To be served by Gallatin Department of Electricity, the developer must supply route electric service lines, approved by GDE, from either Gregory Drive or Airport Road for access to this development. GDE cannot build an elevated power line along Cairo Road from Airport Road due to FAA restrictions. GDE will have discussions with Cumberland Electric Membership Corporation (CEMC) about serving this development.

The City may negotiate to acquire CEMC lines serving the development after construction or franchise to CEMC the operation of services in the annexation area as provided by T.C.A. Sec. 6-5-112.

L. Gas

The Gallatin Public Utilities Department provides natural gas services to residential, business, and industrial customers in the City of Gallatin and outside the City's corporate limits. The Public Utilities Department will extend natural gas service in the annexation area. Upon extension of gas lines by Gallatin Public Utilities, the City will oversee and monitor such lines.

EXHIBIT B

ATTACHMENT 3-2

DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY: 20.84 ACRE TRACT

The property described herein is located in the 2nd Civil District of Sumner County, Tennessee; situated on the northern side of Cairo Road approximately 0.3 mile easterly of the intersection with Airport Road adjoining the City Limits of Gallatin, Tennessee; being known as Job Number 13031T as described by a survey performed by Richard D. Graves, Tennessee Registered Land Surveyor Number 1628, on the 27th day of January, 2014 in detail as follows:

Beginning on a five-eighths inch iron re-bar found on the north right-of-way of Cairo Road, being found 28.00 feet from the existing centerline of said road at the southeastern corner of the Sumner County Regional Airport Authority (R.B. 502 P. 70), being the southwestern corner of the herein described tract, thence running with the east line of the Sumner County Regional Airport Authority (R.B. 502 P. 70), Lot 1 of the Ramsey Industrial Center Subdivision - Section Two (P.B. 19 P. 53) - Owner - Joseph C. Merlo (R.B. 1175 P. 268), and Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) along the City Limits of Gallatin, Tennessee N 05 degrees 52 minutes 53 seconds E 1,120.77 feet to a half inch iron re-bar found by a corner post in the east line of Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) at the southwest corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), thence running and cornering with the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), continuing with the City Limits of Gallatin, Tennessee, for the next two calls: S 81 degrees 54 minutes 44 seconds E 298.52 feet to a half inch iron re-bar found by a corner post, thence N 12 degrees 42 minutes 51 seconds E 373.63 feet to a one inch iron pipe found by a corner post at the northeast corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320) in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50), thence running with the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) S 83 degrees 29 minutes 58 seconds E 514.76 feet (passing through a half inch iron re-bar found at 109.39 feet, leaving the City Limits of Gallatin, Tennessee, and passing through a railroad spike found at 304.43 feet at a Deed/Tract corner of Holleman) to a five-eighths inch iron re-bar found in concrete by a corner post in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) at the northwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160), thence running and cornering with the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) for the next three calls: S 06 degrees 02 minutes 05 seconds W 297.63 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 20 degrees 02 minutes 33 seconds W 153.35 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 24 degrees 45 minutes 19 seconds W 657.51 feet to a half inch iron re-bar set prior survey at the southwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) with the northwest corner of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113), thence running and cornering with the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) for the next three calls: S 06 degrees 52 minutes 10 seconds E 167.00 feet to a half inch iron re-bar set prior survey, thence S 05 degrees 19 minutes 55 seconds W 103.30 feet to a half inch iron re-bar set prior survey found in concrete (disturbed), thence S 21 degrees 01 minute 58 seconds W

RECEIVED
MAR 13 2014

GALLATIN PLANNING
& ZONING

PC0260-14

EXHIBIT B

ATTACHMENT 3-2

193.11 feet to a half inch iron re-bar set prior survey in the west line of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) at the northeast corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757), thence running and cornering with the northern line of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) for the next two calls: N 20 degrees 21 minutes 05 seconds W 200.71 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 128.35 feet to a half inch iron re-bar set prior survey at the northwest corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) with the northeast corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running and cornering with Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623) for the next three calls: N 51 degrees 43 minutes 37 seconds W 125.72 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 80.00 feet to a half inch iron re-bar set prior survey, thence S 12 degrees 42 minutes 55 seconds W 317.89 feet to a half inch iron re-bar set prior survey on the north right-of-way of Cairo Road, being found 24.50 feet from the existing centerline of said road at the southwest corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running with the northern right-of-way of Cairo Road N 57 degrees 23 minutes 56 seconds W 174.59 feet to the beginning, containing 20.84 acres more or less.....

Surveyor's Notes: (1) A Major Portion of the above described tract is located in Flood Hazard Zones AE & X. (2) Subject to a Sewer Line crossing through the tract and any easements or rights-of-ways associated with said sewer line. (3) Subject to any rights-of-ways, easements, liens, encroachments, leases, etc. that exist and still apply to said property.

The above described tract being all of the tract of land conveyed to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, from Raymond Keith Brown and Morgan Lee Brown of record in Record Book 3752 Pages 416-418, all of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Kyle McMahon, Douglas L. McMahon, Jack B. McMahon, and Jill Writesman of record in Record Book 2030 Pages 283-286 - in Record Book 3286 Pages 509-512 - See Tract 2, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, and the remainder of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Joy McMahon of record in Record Book 2030 Pages 287-290 - in Record Book 3286 Pages 509-512 - See Tract 1, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, all references to Record Books being in the Office of the Register for Sumner County, Tennessee and to Will Books being in the Office of the Circuit Court Clerk for Sumner County, Tennessee.

Tax Map Reference: Map 127 All of Parcels 5.00, 5.07, and 5.08

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GALLATIN PLANNING
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Page 2 of 2

Richard A. [Signature]
1/27/2014

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ITEM 3

STAFF REPORT to CITY COUNCIL

Cairo Estates Annexation and Plan of Service (PC0259-14)

Located East of Airport Road and North of Cairo Road

Date: March 28, 2014

REQUEST: THE OWNER/APPLICANT IS REQUESTING APPROVAL AND RECOMMEND TO THE GALLATIN CITY COUNCIL THE ANNEXATION AND AN ORDINANCE ADOPTING A PLAN OF SERVICE FOR THREE (3) PARCELS (TAX MAP 127 AND PARCELS 005.00, 005.07, AND 005.08), CONTAINING 20.84 (+/-) ACRES, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

OWNER: HENRY HOLLEMAN

APPLICANT: ROGERS ENGINEERING GROUP (ANDY LEATH, P.E.)

STAFF RECOMMENDATION: RECOMMEND APPROVAL

STAFF CONTACT: KEVIN CHASTINE

PLANNING COMMISSION DATE: MARCH 24, 2014

CITY COUNCIL DATE: APRIL 8, 2014

PROPERTY OVERVIEW:

The owner/applicant is requesting approval of Ordinance O1403-13 for the annexation of and Ordinance O1404-19 adopting a Plan of Service for three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08), containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. This property is currently located within the Gallatin Planning Region. The subject property is located within the City of Gallatin's Urban Growth Boundary and is contiguous to the existing City limits.

A Plan of Service is required by state statute (T.C.A. 6-5-102(6)) to accompany an annexation request. The Planning Commission is required to review the Plan of Service Ordinance and provide a recommendation to the Gallatin City Council as required by T.C.A. Title 6, Chapter 6, Sec. 6-5-102(b)(4). Please refer to Attachment 3-1 for a detailed description of the proposed Plan of Service for this property.

Proposed Development

In addition to the annexation and plan of service, the owner is requesting rezoning from Residential-40 (R40) zone district to Multiple Residential and Office (MRO) zone district to develop a subdivision with 63 One-Family Detached Dwelling lots and approval of a Preliminary Master Development Plan on 20.84 (+/-) acres. (Tax Map 127 and Parcels 005.00, 005.07, and 005.08)

Department of Electricity

During the initial review of the Preliminary Master Development Plan the Gallatin Department of Electricity (GDE) stated that the existing infrastructure would not support this proposed annexation and subsequent development because there were no GDE electric lines in the area. GDE stated they could not install aerial power lines along Cairo Road from Airport Road due to FAA restrictions. The option to circumvent this situation was for the developer to supply a route that would be approved by GDE from either Gregory Drive, to the north of Cairo Estates or for the developer to pay to install the line underground along Cairo Road from Airport Road to the proposed development. GDE is in discussion with Cumberland Electric Membership Corporation (CEMC) regarding CEMC serving this development. CEMC serves the adjacent Cairo Landing subdivision to the east and the existing adjacent single family homes to the south.

Discussions between GDE and CEMC have been ongoing for approximately two (2) weeks, but a final decision has not been reached. The Cairo Estates development will be served by one of these two agencies, but this decision has not been finalized. The City may negotiate to acquire CEMC lines serving the development after construction or franchise to CEMC the operation of services in the annexation area as provided by T.C.A. Sec. 6-5-112. (See Attachment 3-4 and 3-5)

Engineering Division Comments

The Engineering Division reviewed and commented on the site plan. All of the Engineering Division Comments have been satisfied.

Other Departmental Comments

Other City Departments, including Police, Fire, Building Codes, and Public Utilities has reviewed and commented on the Site Plan. All of the Other Departmental Comments have been satisfied.

PLANNING COMMISSION RECOMMENDATION:

After discussion and public comment the Planning Commission recommended approval as indicated in GMRPC Resolution No. 2014-24 (Attachment 3-6) and the Action Form (Attachment 3-7) as required by Article 12, Section 12.02.020, Gallatin Zoning Ordinance.

The Planning Commission and staff recommend approval of Annexation Ordinance No. O1403-13 and Plan of Service Ordinance O1404-19 for the proposed Cairo Estates Subdivision.

ATTACHMENTS

- Attachment 3-1** Cairo Estates Annexation Exhibit
- Attachment 3-2** Cairo Estates Legal Description
- Attachment 3-3** Draft Plan of Service Ordinance
- Attachment 3-4** T.C.A. Sec. 6-51-111(e)
- Attachment 3-5** T.C.A. Sec. 6-51-112 and 6-51-112(a)(7)
- Attachment 3-6** GMRPC Resolution 2014-24
- Attachment 3-7** Action Form for PC0259-14

ATTACHMENT 3-2

DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY: 20.84 ACRE TRACT

The property described herein is located in the 2nd Civil District of Sumner County, Tennessee; situated on the northern side of Cairo Road approximately 0.3 mile easterly of the intersection with Airport Road adjoining the City Limits of Gallatin, Tennessee; being known as Job Number 13031T as described by a survey performed by Richard D. Graves, Tennessee Registered Land Surveyor Number 1628, on the 27th day of January, 2014 in detail as follows:

Beginning on a five-eighths inch iron re-bar found on the north right-of-way of Cairo Road, being found 28.00 feet from the existing centerline of said road at the southeastern corner of the Sumner County Regional Airport Authority (R.B. 502 P. 70), being the southwestern corner of the herein described tract, thence running with the east line of the Sumner County Regional Airport Authority (R.B. 502 P. 70), Lot 1 of the Ramsey Industrial Center Subdivision - Section Two (P.B. 19 P. 53) - Owner - Joseph C. Merlo (R.B. 1175 P. 268), and Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) along the City Limits of Gallatin, Tennessee N 05 degrees 52 minutes 53 seconds E 1,120.77 feet to a half inch iron re-bar found by a corner post in the east line of Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) at the southwest corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), thence running and cornering with the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), continuing with the City Limits of Gallatin, Tennessee, for the next two calls: S 81 degrees 54 minutes 44 seconds E 298.52 feet to a half inch iron re-bar found by a corner post, thence N 12 degrees 42 minutes 51 seconds E 373.63 feet to a one inch iron pipe found by a corner post at the northeast corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320) in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50), thence running with the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) S 83 degrees 29 minutes 58 seconds E 514.76 feet (passing through a half inch iron re-bar found at 109.39 feet, leaving the City Limits of Gallatin, Tennessee, and passing through a railroad spike found at 304.43 feet at a Deed/Tract corner of Holleman) to a five-eighths inch iron re-bar found in concrete by a corner post in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) at the northwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160), thence running and cornering with the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) for the next three calls: S 06 degrees 02 minutes 05 seconds W 297.63 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 20 degrees 02 minutes 33 seconds W 153.35 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 24 degrees 45 minutes 19 seconds W 657.51 feet to a half inch iron re-bar set prior survey at the southwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) with the northwest corner of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113), thence running and cornering with the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) for the next three calls: S 06 degrees 52 minutes 10 seconds E 167.00 feet to a half inch iron re-bar set prior survey, thence S 05 degrees 19 minutes 55 seconds W 103.30 feet to a half inch iron re-bar set prior survey found in concrete (disturbed), thence S 21 degrees 01 minute 58 seconds W

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PC 0260-14

ATTACHMENT 3-2

193.11 feet to a half inch iron re-bar set prior survey in the west line of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) at the northeast corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757), thence running and cornering with the northern line of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) for the next two calls: N 20 degrees 21 minutes 05 seconds W 200.71 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 128.35 feet to a half inch iron re-bar set prior survey at the northwest corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) with the northeast corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running and cornering with Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623) for the next three calls: N 51 degrees 43 minutes 37 seconds W 125.72 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 80.00 feet to a half inch iron re-bar set prior survey, thence S 12 degrees 42 minutes 55 seconds W 317.89 feet to a half inch iron re-bar set prior survey on the north right-of-way of Cairo Road, being found 24.50 feet from the existing centerline of said road at the southwest corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running with the northern right-of-way of Cairo Road N 57 degrees 23 minutes 56 seconds W 174.59 feet to the beginning, containing 20.84 acres more or less.....

Surveyor's Notes: (1) A Major Portion of the above described tract is located in Flood Hazard Zones AE & X. (2) Subject to a Sewer Line crossing through the tract and any easements or rights-of-ways associated with said sewer line. (3) Subject to any rights-of-ways, easements, liens, encroachments, leases, etc. that exist and still apply to said property.

The above described tract being all of the tract of land conveyed to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, from Raymond Keith Brown and Morgan Lee Brown of record in Record Book 3752 Pages 416-418, all of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Kyle McMahon, Douglas L. McMahon, Jack B. McMahon, and Jill Writesman of record in Record Book 2030 Pages 283-286 - in Record Book 3286 Pages 509-512 - See Tract 2, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, and the remainder of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Joy McMahon of record in Record Book 2030 Pages 287-290 - in Record Book 3286 Pages 509-512 - See Tract 1, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, all references to Record Books being in the Office of the Register for Sumner County, Tennessee and to Will Books being in the Office of the Circuit Court Clerk for Sumner County, Tennessee.

Tax Map Reference: Map 127 All of Parcels 5.00, 5.07, and 5.08

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Page 2 of 2

Richard A. Barnes
1/27/2014

PC0260-144

ATTACHMENT 3-3

ORDINANCE NO.

ORDINANCE ADOPTING A PLAN OF SERVICE FOR THE ANNEXATION OF THREE (3) PARCELS (TAX MAP 127 AND PARCELS 005.00, 005.07, AND 005.08) CONTAINING 20.84 (+/-) ACRES, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

WHEREAS, the City of Gallatin received a petition by a property owner for the annexation of 20.84 (+/-) acres contiguous to the City; and

WHEREAS, the area proposed for annexation to the City of Gallatin is substantially contiguous to the corporate limits to the City and within the City's Urban Growth Boundary, as required by law; and

WHEREAS, Tennessee Code Annotated Section 6-51-102(b) as amended requires that a Plan of Service be adopted by the governing body of a City prior to the passage of an annexation ordinance; and,

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to T.C.A. 6-51-102(b)(4), 6-5-107, 13-3-104, 13-3-301, and 13-4-103 has reviewed and recommended approval of this Plan of Service, as contained in this ordinance, in GMRPC Resolution 2014-24.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described in Exhibit 'A' and the Plan of Service described in Exhibit 'B':

SECTION 2. This Ordinance shall be effective April 24, 2014, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

ATTACHMENT 3-3

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal Description and Annexation Exhibit
Exhibit 'B' – Plan of Service

EXHIBIT B PLAN OF SERVICE FOR CAIRO ESTATES (PC0259-14)

A. Water

Water service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a six (6) inch GPU water line located within Cairo Road, which is adjacent to the proposed entrance of this development.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

B. Sanitary Sewer

Sanitary sewer service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a 12 inch sanitary sewer line located along Albright Creek, which bisects this property between the proposed Phase 2 and 3.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

C. Street Construction and Maintenance

Approximately 2,660 linear feet of new roadways are proposed within Cairo Estates. The streets in the annexation area will be maintained by the City of Gallatin upon request from the property owner for the City of Gallatin to accept the roads.

ATTACHMENT 3-3

D. Solid Waste and Refuse Collection

Upon annexation, the City of Gallatin will begin the collection of solid waste in the annexation area based on the provisions set forth in the Gallatin Municipal Code.

E. Planning and Zoning Services

Upon annexation, the planning and zoning services of the City of Gallatin will continue to be provided in the annexation area.

F. Building Inspections and Code Enforcement Services

Upon annexation, building and code inspection services will continue to be provided by the City of Gallatin.

G. Fire Protection

Present personnel and equipment of the Gallatin Fire Department will provide fire protection on and after the effective date of the annexation. The developer will provide fire hydrants in the annexation area pursuant to NFPA Life Safety Standards as determined by the City's Senior Fire Inspector.

Gallatin Fire Department has indicated that no additional firemen or departmental vehicles will be needed for this annexation/plan of service.

H. Police Protection

Police patrol, response to calls, and other routine police services by the Gallatin Police Department will be provided with existing personnel on and after the effective date of the annexation.

Gallatin Police Department has indicated that:

- No additional police officers will be needed to provide service to this area due to annexation and
- No additional departmental vehicles will be needed.

I. Animal Control

The Public Works Department provides animal control services and enforces the City's animal control ordinances. These services will be available in the annexation area when the annexation becomes effective.

J. Recreational Facilities and Programs

The benefit and use of all recreational facilities and programs provided by the Leisure Services Department will be available on and after the effective date of the annexation. Recreational facilities and programs will be provided with existing personnel, facilities, and resources.

ATTACHMENT 3-3

K. Street Lighting and Electric Service

Street lighting will be extended into the annexed area in accordance with existing City policy along with the extension of City electric facilities as provided in T.C.A. Section 6-51-112. Either the City of Gallatin or Cumberland Electric Membership Corporation will provide electrical service to the annexation area.

Gallatin Department of Electricity has indicated that:

- The existing Gallatin Department of Electricity infrastructure will not support this proposed annexation and subsequent development.
- To be served by Gallatin Department of Electricity, the developer must supply route electric service lines, approved by GDE, from either Gregory Drive or Airport Road for access to this development. GDE cannot build an elevated power line along Cairo Road from Airport Road due to FAA restrictions. GDE will have discussions with Cumberland Electric Membership Corporation (CEMC) about serving this development.

The City may negotiate to acquire CEMC lines serving the development after construction or franchise to CEMC the operation of services in the annexation area as provided by T.C.A. Sec. 6-5-112.

L. Gas

The Gallatin Public Utilities Department provides natural gas services to residential, business, and industrial customers in the City of Gallatin and outside the City's corporate limits. The Public Utilities Department will extend natural gas service in the annexation area. Upon extension of gas lines by Gallatin Public Utilities, the City will oversee and monitor such lines.

Tenn. Code Ann. § 6-51-111

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*** Current through the 2013 Regular Session ***

Title 6 Cities And Towns
Municipal Government Generally
Chapter 51 Change of Municipal Boundaries
Part 1 Annexation

Tenn. Code Ann. § 6-51-111 (2013)

6-51-111. Municipal property and services.

(a) Upon adoption of an annexation ordinance or upon referendum approval of an annexation resolution as provided in this part, an annexing municipality and any affected instrumentality of the state, including, but not limited to, a utility district, sanitary district, school district, or other public service district, shall attempt to reach agreement in writing for allocation and conveyance to the annexing municipality of any or all public functions, rights, duties, property, assets and liabilities of such state instrumentality that justice and reason may require in the circumstances. Any and all agreements entered into before March 8, 1955, relating to annexation shall be preserved. The annexing municipality, if and to the extent that it may choose, shall have the exclusive right to perform or provide municipal and utility functions and services in any territory that it annexes, notwithstanding § 7-82-301 or any other statute, subject, however, to the provisions of this section with respect to electric cooperatives.

(b) Subject to such exclusive right, any such matters upon which the respective parties are not in agreement in writing within sixty (60) days after the operative date of such annexation shall be settled by arbitration with the laws of arbitration of this state effective at the time of submission to the arbitrators, and § 29-5-101(2) shall not apply to any arbitration arising under this part and § 6-51-301. The award so rendered shall be transmitted to the chancery court of the county in which the annexing municipality is situated, and thereupon shall be subject to review in accordance with §§ 29-5-113 -- 29-5-115 and 29-5-118.

(c) (1) If the annexed territory is then being provided with a utility service by a state instrumentality that has outstanding bonds or other obligations payable from the revenues derived from the sale of such utility service, the agreement or arbitration award referred to in subsections (a) and (b) shall also provide that:

(A) The municipality will operate the utility property in such territory and account for the revenues therefrom in such manner as not to impair the obligations of contract with reference to such bonds or other obligations; or

(B) The municipality will assume the operation of the entire utility system of such state instrumentality and the payment of such bonds or other obligations in accordance with their terms.

(2) Such agreement or arbitration award shall fully preserve and protect the contract rights vested in the holders of such outstanding bonds or other obligations.

(d) (1) Notwithstanding the provisions of any law to the contrary, if a private individual or business entity provides utility service within the boundaries of a municipality under the terms of a privilege, franchise, license, or agreement granted or entered into by the municipality, and if the municipality annexes territory that includes the service area of a utility district, then such

private individual or business entity and the utility district shall attempt to reach agreement in writing for allocation and conveyance to such private individual or business entity of any or all public functions, rights, duties, property, assets, and liabilities of such utility district that justice and reason may require in the circumstances. If an agreement is not reached, then notwithstanding the change of municipal boundaries, the service area of the utility district shall remain unchanged, and such private individual or business entity shall not provide utility service in the service area of the utility district.

(2) Nothing in subdivision (d)(1) shall be construed to diminish the authority of any municipality to annex.

(e) If at the time of annexation, the annexed territory is being provided with utility service by a municipal utility system or other state instrumentality, including but not limited to, a utility district, the annexing municipality shall, by delivering written notice of its election to the municipal utility system or other state instrumentality, have the right to purchase all or any part of the utility system of the municipal utility system or other state instrumentality then providing utility service to the area being annexed that the annexing municipality has elected to serve under this section. The purchase price shall be a price agreed upon by the parties for the properties comprising the utility system, or part thereof, that is being acquired and payment of such purchase price shall be on terms agreed to by the parties. In the event the parties cannot agree on a purchase price, then a final determination of the fair market value of the properties being acquired and all other outstanding issues related to the provision of utility services in the annexed area shall be made using the arbitration provisions of subsection (b); provided, that the arbitrator or arbitrators shall be a person or persons experienced and qualified to value public utility properties and any such arbitrator or arbitrators shall be agreed upon by the parties. If the parties cannot agree, the selection of an arbitrator shall be as otherwise provided by the laws of arbitration of this state. Such method and determination shall be the sole means by which the annexing municipality may acquire the facilities of a municipal utility or other state instrumentality located in the annexed territory.

HISTORY: Acts 1955, ch. 113, § 9; 1957, ch. 381, § 1; 1968, ch. 413, § 1; T.C.A., § 6-318; Acts 1993, ch. 375, § 1; 1998, ch. 586, § 1; 2003, ch. 93, § 1.

Tenn. Code Ann. § 6-51-112

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*** Current through the 2013 Regular Session ***

Title 6 Cities And Towns
Municipal Government Generally
Chapter 51 Change of Municipal Boundaries
Part 1 Annexation

Tenn. Code Ann. § 6-51-112 (2013)

6-51-112. Electric cooperatives.

(a) Notwithstanding the provisions of any other statute, if the annexing municipality owns and operates its own electric system, it shall either offer to purchase any electric distribution properties and service rights within the annexed area owned by any electric cooperative, or grant such cooperative a franchise to serve the annexed area, as follows:

(1) The municipality shall notify the affected electric cooperative in writing of the boundaries of the annexed area and shall indicate such area on appropriate maps;

(2) The municipality shall offer to purchase the electric distribution properties of the cooperative located within the annexed area, together with all of the cooperative's rights to serve within such area, for a cash consideration, which shall consist of:

(A) The present-day reproduction cost, new, of the facilities being acquired, less depreciation computed on a straight-line basis; plus

(B) An amount equal to the cost of constructing any necessary facilities to reintegrate the system of the cooperative outside the annexed area after detaching the portion to be sold; plus

(C) An annual amount, payable each year for a period of ten (10) years, equal to the sum of:

(i) Twenty-five percent (25%) of the revenues received from power sales to consumers of electric power within the annexed area, except consumers with large industrial power loads greater than three hundred kilowatts (300kW), during the last twelve (12) months preceding the date of the notice provided for in subdivision (a)(1); and

(ii) Fifty percent (50%) of the net revenues, which is gross power sales revenues less wholesale cost of power including facilities rental charge, received from power sales to consumers with large industrial power loads greater than three hundred kilowatts (300kW) within the annexed area during the last twelve (12) months preceding the date of the notice provided for in subdivision (a)(1);

(3) The electric cooperative, within ninety (90) days after receipt of an offer by the annexing municipality to purchase the cooperative's electric distribution properties and service rights within the annexed area, shall signify in writing its acknowledgement of the offer, and the parties shall proceed to act. The annexing municipality shall then be obligated to buy and pay for, and the cooperative shall be obligated to sell to the municipality, such properties and rights free and clear of all mortgage liens and encumbrances for the cash consideration computed and payable as provided in subdivision (a)(2);

(4) The annexing municipality, if it elects not to make the offer to purchase as provided for in subdivisions (a)(1) and (2), shall grant to the cooperative a franchise to serve within the annexed area, for a period of not less than five (5) years, and the municipality shall thereafter renew or extend the franchise or grant new franchises for similar subsequent periods; provided, that upon expiration of any such franchise, the municipality may elect instead to make an offer to buy the cooperative's electric distribution properties and service rights as they then exist in accordance with and subject to the provisions of subdivisions (a)(1) and (2); provided further, that, during the term of any such franchise, the annexing municipality shall be entitled to serve only such electric customers or locations within the annexed area as it served on the date when such annexation became effective;

(5) If any annexing municipality contracts its boundaries so as to exclude from its corporate limits any territory, the cooperative may elect within sixty (60) days thereafter to purchase from such municipality, and such municipality shall thereupon sell and convey to the cooperative, the electric distribution properties and service rights of the municipality in any part of the excluded area that the electric cooperative had previously served, upon the same procedures set forth in subdivisions (a)(1)-(4) for acquisitions by municipalities;

(6) Nothing contained in this section shall prohibit municipalities and any cooperative from buying, selling, or exchanging electric distribution properties, service rights and other rights, property, and assets by mutual agreement;

(7) The territorial areas lying outside municipal boundaries served by municipal and cooperative electric systems will remain the same as generally established by power facilities already in place or legal agreements on March 6, 1968, and new consumers locating in any unserved areas between the respective power systems shall be served by the power system whose facilities were nearest on March 6, 1968, except to the extent that territorial areas are revised in accordance with this section; and

(8) "Electric distribution properties," as used in this section, means all electric lines and facilities used or useful in serving ultimate consumers, but does not include lines and facilities that are necessary for integration and operation of portions of a cooperative's electric system that are located outside the annexed area.

(b) The methods of allocation and conveyance of property and property rights of any electric cooperative to any annexing municipality provided for in subsection (a) shall be exclusively available to such annexing municipality and to such electric cooperative notwithstanding § 7-52-105 or any other title or section of the code in conflict or conflicting herewith.

HISTORY: Acts 1968, ch. 413, §§ 2, 3; T.C.A., § 6-320.



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A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ANNEXATION ORDINANCE NO. O1403-13 AND A PLAN OF SERVICE ORDINANCE NO. O1404-19 TO THE GALLATIN CITY COUNCIL – PC0259-14

WHEREAS, the owner of property of the affected area has submitted a petition to annex 20.84 (+/-) acres located adjacent to and substantially contiguous to the City of Gallatin city limits and located in the City of Gallatin Planning Region; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the annexation petition submitted by the applicant, Rogers Engineering Group, at its regular meeting on March 24, 2014; and

WHEREAS, the Planning Commission, acting as the Planning agency for the municipality, has made study of and a report on a Plan of Service for 20.84 (+/-) acres proposed for annexation to the City Council as authorized under Title 6, Sec. 6-5-107, T.C.A.,

WHEREAS, Tennessee Code Annotated , Title 6, Chapter 6, Section 6-51-102 requires a Plan of Services be adopted upon annexation of territory into the City, and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report, and evidence and testimony presented during a public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION as follows.

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to T.C.A. Title 6, Chapter 51 and Title 13, Chapter 33 and Chapter 4, § 13-3-104, 13-3-301 and 13-4-103, 16-51-102(b), 6-51-102(b)(4), 6-5-107

1. The City of Gallatin Municipal-Regional Planning Commission deems it necessary and reasonable to annex the territory described here in; and
2. The proposed Plan of Service is in agreement and consistent with the recommendations of the General Development and Transportation Plan for the area.
3. The City is not in default on any existing as adopted plan of services. (T.C.A. 65-51-102(b)(5))
4. It has been determined that there will not be an adverse effect upon adjoining property owners by annexation or implementing the Plan of Services or any such adverse effect can be justified by the public good or welfare.

5. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the annexation and plan of services to the detriment of the general public.

Section 2. Action -- The Gallatin Municipal-Regional Planning Commission as authorized by Title 6, Sec. 6-5-102(b)(4) hereby recommends approval of the Annexation Ordinance No. O1403-13(Exhibit 'A') and the Plan of Service Ordinance No.O1404-19 (Exhibit 'B') to the Gallatin City Council.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL-REGIONAL PLANNING COMMISSION that this resolution shall take effect from and after its final passage, the public welfare requiring such.

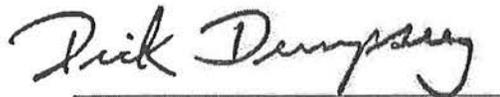
IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

NAY: 0

DATED: 3/24/2014



Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY

Exhibit A – Annexation Ordinance No. O1403-13
Exhibit B – Plan of Service Ordinance No. O1404-19



City of Gallatin, Tennessee

Planning Department

**Gallatin Municipal-Regional Planning Commission
ACTION FORM**

DATE: March 25, 2014

TO: Mr. Andy Leath
Rogers Engineering Group
114B West Main Street
Gallatin, TN 37066

FROM: Planning Department

RE: March 24, 2014, Gallatin Municipal-Regional Planning Commission Meeting
Cairo Estates, Phase 3, Annexation File: PC0259-14

At the above referenced meeting, the request for annexation and plan of service was:

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Approval contains the following requirements:

- COUNCIL SUBMITTAL
- CITY COUNCIL APPROVAL
 - Council Committee: 4/8/14
 - 1st Reading at City Council: 4/15/14
 - Ad runs for Public Hearing by Codes/Planning Department: 4/17/14
 - Public Hearing 5/6/14
 - 2nd Reading at City Council: 5/20/14

cc: PC File PC0259-14
Mr. Henry Holleman

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 7

SUBJECT:

Ordinance No. O1404-19 of the City of Gallatin, Sumner County, Tennessee, adopting a Plan of Service for the annexation 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. (PC259-14)

SUMMARY:

Applicant requests approval of a Plan of Service on three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08) containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. The Gallatin Municipal-Regional Planning Commission recommended approval at the March 24, 2014 Planning Commission Meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE ADOPTING A PLAN OF SERVICE FOR THE ANNEXATION OF THREE (3) PARCELS (TAX MAP 127 AND PARCELS 005.00, 005.07, AND 005.08) CONTAINING 20.84 (+/-) ACRES, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

WHEREAS, the City of Gallatin received a petition by a property owner for the annexation of 20.84 (+/-) acres contiguous to the City; and

WHEREAS, the area proposed for annexation to the City of Gallatin is substantially contiguous to the corporate limits to the City and within the City's Urban Growth Boundary, as required by law; and

WHEREAS, Tennessee Code Annotated Section 6-51-102(b) as amended requires that a Plan of Service be adopted by the governing body of a City prior to the passage of an annexation ordinance; and,

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to T.C.A. 6-51-102(b)(4), 6-5-107, 13-3-104, 13-3-301, and 13-4-103 has reviewed and recommended approval of this Plan of Service, as contained in this ordinance, in GMRPC Resolution 2014-24.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described in Exhibit 'A' and the Plan of Service described in Exhibit 'B':

SECTION 2. This Ordinance shall be effective April 24, 2014, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal Description and Annexation Exhibit
Exhibit 'B' – Plan of Service

EXHIBIT A ATTACHMENT 3-2

DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY: 20.84 ACRE TRACT

The property described herein is located in the 2nd Civil District of Sumner County, Tennessee; situated on the northern side of Cairo Road approximately 0.3 mile easterly of the intersection with Airport Road adjoining the City Limits of Gallatin, Tennessee; being known as Job Number 13031T as described by a survey performed by Richard D. Graves, Tennessee Registered Land Surveyor Number 1628, on the 27th day of January, 2014 in detail as follows:

Beginning on a five-eighths inch iron re-bar found on the north right-of-way of Cairo Road, being found 28.00 feet from the existing centerline of said road at the southeastern corner of the Sumner County Regional Airport Authority (R.B. 502 P. 70), being the southwestern corner of the herein described tract, thence running with the east line of the Sumner County Regional Airport Authority (R.B. 502 P. 70), Lot 1 of the Ramsey Industrial Center Subdivision - Section Two (P.B. 19 P. 53) - Owner - Joseph C. Merlo (R.B. 1175 P. 268), and Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) along the City Limits of Gallatin, Tennessee N 05 degrees 52 minutes 53 seconds E 1,120.77 feet to a half inch iron re-bar found by a corner post in the east line of Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) at the southwest corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), thence running and cornering with the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), continuing with the City Limits of Gallatin, Tennessee, for the next two calls: S 81 degrees 54 minutes 44 seconds E 298.52 feet to a half inch iron re-bar found by a corner post, thence N 12 degrees 42 minutes 51 seconds E 373.63 feet to a one inch iron pipe found by a corner post at the northeast corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320) in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50), thence running with the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) S 83 degrees 29 minutes 58 seconds E 514.76 feet (passing through a half inch iron re-bar found at 109.39 feet, leaving the City Limits of Gallatin, Tennessee, and passing through a railroad spike found at 304.43 feet at a Deed/Tract corner of Holleman) to a five-eighths inch iron re-bar found in concrete by a corner post in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) at the northwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160), thence running and cornering with the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) for the next three calls: S 06 degrees 02 minutes 05 seconds W 297.63 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 20 degrees 02 minutes 33 seconds W 153.35 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 24 degrees 45 minutes 19 seconds W 657.51 feet to a half inch iron re-bar set prior survey at the southwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) with the northwest corner of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113), thence running and cornering with the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) for the next three calls: S 06 degrees 52 minutes 10 seconds E 167.00 feet to a half inch iron re-bar set prior survey, thence S 05 degrees 19 minutes 55 seconds W 103.30 feet to a half inch iron re-bar set prior survey found in concrete (disturbed), thence S 21 degrees 01 minute 58 seconds W

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COMMISSION

PC0260-14

EXHIBIT A

ATTACHMENT 3-2

193.11 feet to a half inch iron re-bar set prior survey in the west line of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) at the northeast corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757), thence running and cornering with the northern line of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) for the next two calls: N 20 degrees 21 minutes 05 seconds W 200.71 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 128.35 feet to a half inch iron re-bar set prior survey at the northwest corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) with the northeast corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running and cornering with Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623) for the next three calls: N 51 degrees 43 minutes 37 seconds W 125.72 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 80.00 feet to a half inch iron re-bar set prior survey, thence S 12 degrees 42 minutes 55 seconds W 317.89 feet to a half inch iron re-bar set prior survey on the north right-of-way of Cairo Road, being found 24.50 feet from the existing centerline of said road at the southwest corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running with the northern right-of-way of Cairo Road N 57 degrees 23 minutes 56 seconds W 174.59 feet to the beginning, containing 20.84 acres more or less.....

Surveyor's Notes: (1) A Major Portion of the above described tract is located in Flood Hazard Zones AE & X. (2) Subject to a Sewer Line crossing through the tract and any easements or rights-of-ways associated with said sewer line. (3) Subject to any rights-of-ways, easements, liens, encroachments, leases, etc. that exist and still apply to said property.

The above described tract being all of the tract of land conveyed to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, from Raymond Keith Brown and Morgan Lee Brown of record in Record Book 3752 Pages 416-418, all of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Kyle McMahon, Douglas L. McMahon, Jack B. McMahon, and Jill Writesman of record in Record Book 2030 Pages 283-286 - in Record Book 3286 Pages 509-512 - See Tract 2, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, and the remainder of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Joy McMahon of record in Record Book 2030 Pages 287-290 - in Record Book 3286 Pages 509-512 - See Tract 1, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, all references to Record Books being in the Office of the Register for Sumner County, Tennessee and to Will Books being in the Office of the Circuit Court Clerk for Sumner County, Tennessee.

Tax Map Reference: Map 127 All of Parcels 5.00, 5.07, and 5.08

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& ZONING

*Richard A. B...
1/27/2014*

PA0260-14

EXHIBIT B

EXHIBIT B PLAN OF SERVICE FOR CAIRO ESTATES (PC0259-14)

A. Water

Water service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a six (6) inch GPU water line located within Cairo Road, which is adjacent to the proposed entrance of this development.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

B. Sanitary Sewer

Sanitary sewer service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a 12 inch sanitary sewer line located along Albright Creek, which bisects this property between the proposed Phase 2 and 3.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

C. Street Construction and Maintenance

Approximately 2,660 linear feet of new roadways are proposed within Cairo Estates. The streets in the annexation area will be maintained by the City of Gallatin upon request from the property owner for the City of Gallatin to accept the roads.

EXHIBIT B

D. Solid Waste and Refuse Collection

Upon annexation, the City of Gallatin will begin the collection of solid waste in the annexation area based on the provisions set forth in the Gallatin Municipal Code.

E. Planning and Zoning Services

Upon annexation, the planning and zoning services of the City of Gallatin will continue to be provided in the annexation area.

F. Building Inspections and Code Enforcement Services

Upon annexation, building and code inspection services will continue to be provided by the City of Gallatin.

G. Fire Protection

Present personnel and equipment of the Gallatin Fire Department will provide fire protection on and after the effective date of the annexation. The developer will provide fire hydrants in the annexation area pursuant to NFPA Life Safety Standards as determined by the City's Senior Fire Inspector.

Gallatin Fire Department has indicated that no additional firemen or departmental vehicles will be needed for this annexation/plan of service.

H. Police Protection

Police patrol, response to calls, and other routine police services by the Gallatin Police Department will be provided with existing personnel on and after the effective date of the annexation.

Gallatin Police Department has indicated that:

- No additional police officers will be needed to provide service to this area due to annexation and
- No additional departmental vehicles will be needed.

I. Animal Control

The Public Works Department provides animal control services and enforces the City's animal control ordinances. These services will be available in the annexation area when the annexation becomes effective.

J. Recreational Facilities and Programs

The benefit and use of all recreational facilities and programs provided by the Leisure Services Department will be available on and after the effective date of the annexation. Recreational facilities and programs will be provided with existing personnel, facilities, and resources.

EXHIBIT B

K. Street Lighting and Electric Service

Street lighting will be extended into the annexed area in accordance with existing City policy along with the extension of City electric facilities as provided in T.C.A. Section 6-51-112. Either the City of Gallatin or Cumberland Electric Membership Corporation will provide electrical service to the annexation area.

Gallatin Department of Electricity has indicated that:

- The existing Gallatin Department of Elect city infrastructure will not support this proposed annexation and subsequent development.
- To be served by Gallatin Department of Electricity, the developer must supply route electric service lines, approved by GDE, from either Gregory Drive or Airport Road for access to this development. GDE cannot build an elevated power line along Cairo Road from Airport Road due to FAA restrictions. GDE will have discussions with Cumberland Electric Membership Corporation (CEMC) about serving this development.

The City may negotiate to acquire CEMC lines serving the development after construction or franchise to CEMC the operation of services in the annexation area as provided by T.C.A. Sec. 6-5-112.

L. Gas

The Gallatin Public Utilities Department provides natural gas services to residential, business, and industrial customers in the City of Gallatin and outside the City's corporate limits. The Public Utilities Department will extend natural gas service in the annexation area. Upon extension of gas lines by Gallatin Public Utilities, the City will oversee and monitor such lines.



ITEM 3

STAFF REPORT to CITY COUNCIL

Cairo Estates Annexation and Plan of Service (PC0259-14)
Located East of Airport Road and North of Cairo Road
Date: March 28, 2014

REQUEST: THE OWNER/APPLICANT IS REQUESTING APPROVAL AND RECOMMEND TO THE GALLATIN CITY COUNCIL THE ANNEXATION AND AN ORDINANCE ADOPTING A PLAN OF SERVICE FOR THREE (3) PARCELS (TAX MAP 127 AND PARCELS 005.00, 005.07, AND 005.08), CONTAINING 20.84 (+/-) ACRES, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

OWNER: HENRY HOLLEMAN
APPLICANT: ROGERS ENGINEERING GROUP (ANDY LEATH, P.E.)
STAFF RECOMMENDATION: RECOMMEND APPROVAL
STAFF CONTACT: KEVIN CHASTINE
PLANNING COMMISSION DATE: MARCH 24, 2014
CITY COUNCIL DATE: APRIL 8, 2014

PROPERTY OVERVIEW:

The owner/applicant is requesting approval of Ordinance O1403-13 for the annexation of and Ordinance O1404-19 adopting a Plan of Service for three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08), containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. This property is currently located within the Gallatin Planning Region. The subject property is located within the City of Gallatin's Urban Growth Boundary and is contiguous to the existing City limits.

A Plan of Service is required by state statute (T.C.A. 6-5-102(6)) to accompany an annexation request. The Planning Commission is required to review the Plan of Service Ordinance and provide a recommendation to the Gallatin City Council as required by T.C.A. Title 6, Chapter 6, Sec. 6-5-102(b)(4). Please refer to Attachment 3-1 for a detailed description of the proposed Plan of Service for this property.

Proposed Development

In addition to the annexation and plan of service, the owner is requesting rezoning from Residential-40 (R40) zone district to Multiple Residential and Office (MRO) zone district to develop a subdivision with 63 One-Family Detached Dwelling lots and approval of a Preliminary Master Development Plan on 20.84 (+/-) acres. (Tax Map 127 and Parcels 005.00, 005.07, and 005.08)

Department of Electricity

During the initial review of the Preliminary Master Development Plan the Gallatin Department of Electricity (GDE) stated that the existing infrastructure would not support this proposed annexation and subsequent development because there were no GDE electric lines in the area. GDE stated they could not install aerial power lines along Cairo Road from Airport Road due to FAA restrictions. The option to circumvent this situation was for the developer to supply a route that would be approved by GDE from either Gregory Drive, to the north of Cairo Estates or for the developer to pay to install the line underground along Cairo Road from Airport Road to the proposed development. GDE is in discussion with Cumberland Electric Membership Corporation (CEMC) regarding CEMC serving this development. CEMC serves the adjacent Cairo Landing subdivision to the east and the existing adjacent single family homes to the south.

Discussions between GDE and CEMC have been ongoing for approximately two (2) weeks, but a final decision has not been reached. The Cairo Estates development will be served by one of these two agencies, but this decision has not been finalized. The City may negotiate to acquire CEMC lines serving the development after construction or franchise to CEMC the operation of services in the annexation area as provided by T.C.A. Sec. 6-5-112. (See Attachment 3-4 and 3-5)

Engineering Division Comments

The Engineering Division reviewed and commented on the site plan. All of the Engineering Division Comments have been satisfied.

Other Departmental Comments

Other City Departments, including Police, Fire, Building Codes, and Public Utilities has reviewed and commented on the Site Plan. All of the Other Departmental Comments have been satisfied.

PLANNING COMMISSION RECOMMENDATION:

After discussion and public comment the Planning Commission recommended approval as indicated in GMRPC Resolution No. 2014-24 (Attachment 3-6) and the Action Form (Attachment 3-7) as required by Article 12, Section 12.02.020, Gallatin Zoning Ordinance.

The Planning Commission and staff recommend approval of Annexation Ordinance No. O1403-13 and Plan of Service Ordinance O1404-19 for the proposed Cairo Estates Subdivision.

ATTACHMENTS

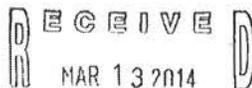
- Attachment 3-1** **Cairo Estates Annexation Exhibit**
- Attachment 3-2** **Cairo Estates Legal Description**
- Attachment 3-3** **Draft Plan of Service Ordinance**
- Attachment 3-4** **T.C.A. Sec. 6-51-111(e)**
- Attachment 3-5** **T.C.A. Sec. 6-51-112 and 6-51-112(a)(7)**
- Attachment 3-6** **GMRPC Resolution 2014-24**
- Attachment 3-7** **Action Form for PC0259-14**

ATTACHMENT 3-2

DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY: 20.84 ACRE TRACT

The property described herein is located in the 2nd Civil District of Sumner County, Tennessee; situated on the northern side of Cairo Road approximately 0.3 mile easterly of the intersection with Airport Road adjoining the City Limits of Gallatin, Tennessee; being known as Job Number 13031T as described by a survey performed by Richard D. Graves, Tennessee Registered Land Surveyor Number 1628, on the 27th day of January, 2014 in detail as follows:

Beginning on a five-eighths inch iron re-bar found on the north right-of-way of Cairo Road, being found 28.00 feet from the existing centerline of said road at the southeastern corner of the Sumner County Regional Airport Authority (R.B. 502 P. 70), being the southwestern corner of the herein described tract, thence running with the east line of the Sumner County Regional Airport Authority (R.B. 502 P. 70), Lot 1 of the Ramsey Industrial Center Subdivision - Section Two (P.B. 19 P. 53) - Owner - Joseph C. Merlo (R.B. 1175 P. 268), and Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) along the City Limits of Gallatin, Tennessee N 05 degrees 52 minutes 53 seconds E 1,120.77 feet to a half inch iron re-bar found by a corner post in the east line of Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) at the southwest corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), thence running and cornering with the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), continuing with the City Limits of Gallatin, Tennessee, for the next two calls: S 81 degrees 54 minutes 44 seconds E 298.52 feet to a half inch iron re-bar found by a corner post, thence N 12 degrees 42 minutes 51 seconds E 373.63 feet to a one inch iron pipe found by a corner post at the northeast corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320) in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50), thence running with the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) S 83 degrees 29 minutes 58 seconds E 514.76 feet (passing through a half inch iron re-bar found at 109.39 feet, leaving the City Limits of Gallatin, Tennessee, and passing through a railroad spike found at 304.43 feet at a Deed/Tract corner of Holleman) to a five-eighths inch iron re-bar found in concrete by a corner post in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) at the northwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160), thence running and cornering with the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) for the next three calls: S 06 degrees 02 minutes 05 seconds W 297.63 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 20 degrees 02 minutes 33 seconds W 153.35 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 24 degrees 45 minutes 19 seconds W 657.51 feet to a half inch iron re-bar set prior survey at the southwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) with the northwest corner of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113), thence running and cornering with the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) for the next three calls: S 06 degrees 52 minutes 10 seconds E 167.00 feet to a half inch iron re-bar set prior survey, thence S 05 degrees 19 minutes 55 seconds W 103.30 feet to a half inch iron re-bar set prior survey found in concrete (disturbed), thence S 21 degrees 01 minute 58 seconds W



ATTACHMENT 3-2

193.11 feet to a half inch iron re-bar set prior survey in the west line of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) at the northeast corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757), thence running and cornering with the northern line of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) for the next two calls: N 20 degrees 21 minutes 05 seconds W 200.71 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 128.35 feet to a half inch iron re-bar set prior survey at the northwest corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) with the northeast corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running and cornering with Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623) for the next three calls: N 51 degrees 43 minutes 37 seconds W 125.72 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 80.00 feet to a half inch iron re-bar set prior survey, thence S 12 degrees 42 minutes 55 seconds W 317.89 feet to a half inch iron re-bar set prior survey on the north right-of-way of Cairo Road, being found 24.50 feet from the existing centerline of said road at the southwest corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running with the northern right-of-way of Cairo Road N 57 degrees 23 minutes 56 seconds W 174.59 feet to the beginning, containing 20.84 acres more or less.....

Surveyor's Notes: (1) A Major Portion of the above described tract is located in Flood Hazard Zones AE & X. (2) Subject to a Sewer Line crossing through the tract and any easements or rights-of-ways associated with said sewer line. (3) Subject to any rights-of-ways, easements, liens, encroachments, leases, etc. that exist and still apply to said property.

The above described tract being all of the tract of land conveyed to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, from Raymond Keith Brown and Morgan Lee Brown of record in Record Book 3752 Pages 416-418, all of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Kyle McMahon, Douglas L. McMahon, Jack B. McMahon, and Jill Writesman of record in Record Book 2030 Pages 283-286 - in Record Book 3286 Pages 509-512 - See Tract 2, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, and the remainder of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Joy McMahon of record in Record Book 2030 Pages 287-290 - in Record Book 3286 Pages 509-512 - See Tract 1, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, all references to Record Books being in the Office of the Register for Sumner County, Tennessee and to Will Books being in the Office of the Circuit Court Clerk for Sumner County, Tennessee.

Tax Map Reference: Map 127 All of Parcels 5.00, 5.07, and 5.08

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MAR 13 2014

GALLATIN PLANNING
& ZONING

Page 2 of 2

Richard A. Barnes
1/27/2014

PC0260-14

ATTACHMENT 3-3

ORDINANCE NO.

ORDINANCE ADOPTING A PLAN OF SERVICE FOR THE ANNEXATION OF THREE (3) PARCELS (TAX MAP 127 AND PARCELS 005.00, 005.07, AND 005.08) CONTAINING 20.84 (+/-) ACRES, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

WHEREAS, the City of Gallatin received a petition by a property owner for the annexation of 20.84 (+/-) acres contiguous to the City; and

WHEREAS, the area proposed for annexation to the City of Gallatin is substantially contiguous to the corporate limits to the City and within the City's Urban Growth Boundary, as required by law; and

WHEREAS, Tennessee Code Annotated Section 6-51-102(b) as amended requires that a Plan of Service be adopted by the governing body of a City prior to the passage of an annexation ordinance; and,

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to T.C.A. 6-51-102(b)(4), 6-5-107, 13-3-104, 13-3-301, and 13-4-103 has reviewed and recommended approval of this Plan of Service, as contained in this ordinance, in GMRPC Resolution 2014-24.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described in Exhibit 'A' and the Plan of Service described in Exhibit 'B':

SECTION 2. This Ordinance shall be effective April 24, 2014, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

ATTACHMENT 3-3

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal Description and Annexation Exhibit
Exhibit 'B' – Plan of Service

ATTACHMENT 3-3

EXHIBIT B PLAN OF SERVICE FOR CAIRO ESTATES (PC0259-14)

A. Water

Water service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a six (6) inch GPU water line located within Cairo Road, which is adjacent to the proposed entrance of this development.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

B. Sanitary Sewer

Sanitary sewer service in the annexation area will be provided by Gallatin Public Utilities (GPU). There is a 12 inch sanitary sewer line located along Albright Creek, which bisects this property between the proposed Phase 2 and 3.

Gallatin Public Utilities has indicated that:

- The existing utility infrastructure will support this proposed annexation. Detailed plans and specifications for extending water and sanitary sewer to this development must be submitted for review and approval.
- Additional water and/or sanitary sewer capacity may be needed to serve the annexation property and development. Upon receipt of detailed plans and specifications for water and sewer installations and hydraulic calculations. Specific facility needs cannot be determined. The developer of the properties should be responsible for extending municipal water lines to the property upon or prior to development.

C. Street Construction and Maintenance

Approximately 2,660 linear feet of new roadways are proposed within Cairo Estates. The streets in the annexation area will be maintained by the City of Gallatin upon request from the property owner for the City of Gallatin to accept the roads.

ATTACHMENT 3-3

D. Solid Waste and Refuse Collection

Upon annexation, the City of Gallatin will begin the collection of solid waste in the annexation area based on the provisions set forth in the Gallatin Municipal Code.

E. Planning and Zoning Services

Upon annexation, the planning and zoning services of the City of Gallatin will continue to be provided in the annexation area.

F. Building Inspections and Code Enforcement Services

Upon annexation, building and code inspection services will continue to be provided by the City of Gallatin.

G. Fire Protection

Present personnel and equipment of the Gallatin Fire Department will provide fire protection on and after the effective date of the annexation. The developer will provide fire hydrants in the annexation area pursuant to NFPA Life Safety Standards as determined by the City's Senior Fire Inspector.

Gallatin Fire Department has indicated that no additional firemen or departmental vehicles will be needed for this annexation/plan of service.

H. Police Protection

Police patrol, response to calls, and other routine police services by the Gallatin Police Department will be provided with existing personnel on and after the effective date of the annexation.

Gallatin Police Department has indicated that:

- No additional police officers will be needed to provide service to this area due to annexation and
- No additional departmental vehicles will be needed.

I. Animal Control

The Public Works Department provides animal control services and enforces the City's animal control ordinances. These services will be available in the annexation area when the annexation becomes effective.

J. Recreational Facilities and Programs

The benefit and use of all recreational facilities and programs provided by the Leisure Services Department will be available on and after the effective date of the annexation. Recreational facilities and programs will be provided with existing personnel, facilities, and resources.

ATTACHMENT 3-3

K. Street Lighting and Electric Service

Street lighting will be extended into the annexed area in accordance with existing City policy along with the extension of City electric facilities as provided in T.C.A. Section 6-51-112. Either the City of Gallatin or Cumberland Electric Membership Corporation will provide electrical service to the annexation area.

Gallatin Department of Electricity has indicated that:

- The existing Gallatin Department of Elect city infrastructure will not support this proposed annexation and subsequent development.
- To be served by Gallatin Department of Electricity, the developer must supply route electric service lines, approved by GDE, from either Gregory Drive or Airport Road for access to this development. GDE cannot build an elevated power line along Cairo Road from Airport Road due to FAA restrictions. GDE will have discussions with Cumberland Electric Membership Corporation (CEMC) about serving this development.

The City may negotiate to acquire CEMC lines serving the development after construction or franchise to CEMC the operation of services in the annexation area as provided by T.C.A. Sec. 6-5-112.

L. Gas

The Gallatin Public Utilities Department provides natural gas services to residential, business, and industrial customers in the City of Gallatin and outside the City's corporate limits. The Public Utilities Department will extend natural gas service in the annexation area. Upon extension of gas lines by Gallatin Public Utilities, the City will oversee and monitor such lines.

ATTACHMENT 3-4

Tenn. Code Ann. § 6-51-111

TENNESSEE CODE ANNOTATED
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*** Current through the 2013 Regular Session ***

Title 6 Cities And Towns
Municipal Government Generally
Chapter 51 Change of Municipal Boundaries
Part 1 Annexation

Tenn. Code Ann. § 6-51-111 (2013)

6-51-111. Municipal property and services.

(a) Upon adoption of an annexation ordinance or upon referendum approval of an annexation resolution as provided in this part, an annexing municipality and any affected instrumentality of the state, including, but not limited to, a utility district, sanitary district, school district, or other public service district, shall attempt to reach agreement in writing for allocation and conveyance to the annexing municipality of any or all public functions, rights, duties, property, assets and liabilities of such state instrumentality that justice and reason may require in the circumstances. Any and all agreements entered into before March 8, 1955, relating to annexation shall be preserved. The annexing municipality, if and to the extent that it may choose, shall have the exclusive right to perform or provide municipal and utility functions and services in any territory that it annexes, notwithstanding § 7-82-301 or any other statute, subject, however, to the provisions of this section with respect to electric cooperatives.

(b) Subject to such exclusive right, any such matters upon which the respective parties are not in agreement in writing within sixty (60) days after the operative date of such annexation shall be settled by arbitration with the laws of arbitration of this state effective at the time of submission to the arbitrators, and § 29-5-101(2) shall not apply to any arbitration arising under this part and § 6-51-301. The award so rendered shall be transmitted to the chancery court of the county in which the annexing municipality is situated, and thereupon shall be subject to review in accordance with §§ 29-5-113 -- 29-5-115 and 29-5-118.

(c) (1) If the annexed territory is then being provided with a utility service by a state instrumentality that has outstanding bonds or other obligations payable from the revenues derived from the sale of such utility service, the agreement or arbitration award referred to in subsections (a) and (b) shall also provide that:

(A) The municipality will operate the utility property in such territory and account for the revenues therefrom in such manner as not to impair the obligations of contract with reference to such bonds or other obligations; or

(B) The municipality will assume the operation of the entire utility system of such state instrumentality and the payment of such bonds or other obligations in accordance with their terms.

(2) Such agreement or arbitration award shall fully preserve and protect the contract rights vested in the holders of such outstanding bonds or other obligations.

(d) (1) Notwithstanding the provisions of any law to the contrary, if a private individual or business entity provides utility service within the boundaries of a municipality under the terms of a privilege, franchise, license, or agreement granted or entered into by the municipality, and if the municipality annexes territory that includes the service area of a utility district, then such

private individual or business entity and the utility district shall attempt to reach agreement in writing for allocation and conveyance to such private individual or business entity of any or all public functions, rights, duties, property, assets, and liabilities of such utility district that justice and reason may require in the circumstances. If an agreement is not reached, then notwithstanding the change of municipal boundaries, the service area of the utility district shall remain unchanged, and such private individual or business entity shall not provide utility service in the service area of the utility district.

(2) Nothing in subdivision (d)(1) shall be construed to diminish the authority of any municipality to annex.

(e) If at the time of annexation, the annexed territory is being provided with utility service by a municipal utility system or other state instrumentality, including but not limited to, a utility district, the annexing municipality shall, by delivering written notice of its election to the municipal utility system or other state instrumentality, have the right to purchase all or any part of the utility system of the municipal utility system or other state instrumentality then providing utility service to the area being annexed that the annexing municipality has elected to serve under this section. The purchase price shall be a price agreed upon by the parties for the properties comprising the utility system, or part thereof, that is being acquired and payment of such purchase price shall be on terms agreed to by the parties. In the event the parties cannot agree on a purchase price, then a final determination of the fair market value of the properties being acquired and all other outstanding issues related to the provision of utility services in the annexed area shall be made using the arbitration provisions of subsection (b); provided, that the arbitrator or arbitrators shall be a person or persons experienced and qualified to value public utility properties and any such arbitrator or arbitrators shall be agreed upon by the parties. If the parties cannot agree, the selection of an arbitrator shall be as otherwise provided by the laws of arbitration of this state. Such method and determination shall be the sole means by which the annexing municipality may acquire the facilities of a municipal utility or other state instrumentality located in the annexed territory.

HISTORY: Acts 1955, ch. 113, § 9; 1957, ch. 381, § 1; 1968, ch. 413, § 1; T.C.A., § 6-318; Acts 1993, ch. 375, § 1; 1998, ch. 586, § 1; 2003, ch. 93, § 1.



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Tenn. Code Ann. § 6-51-112

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*** Current through the 2013 Regular Session ***

Title 6 Cities And Towns
Municipal Government Generally
Chapter 51 Change of Municipal Boundaries
Part 1 Annexation

Tenn. Code Ann. § 6-51-112 (2013)

6-51-112. Electric cooperatives.

(a) Notwithstanding the provisions of any other statute, if the annexing municipality owns and operates its own electric system, it shall either offer to purchase any electric distribution properties and service rights within the annexed area owned by any electric cooperative, or grant such cooperative a franchise to serve the annexed area, as follows:

(1) The municipality shall notify the affected electric cooperative in writing of the boundaries of the annexed area and shall indicate such area on appropriate maps;

(2) The municipality shall offer to purchase the electric distribution properties of the cooperative located within the annexed area, together with all of the cooperative's rights to serve within such area, for a cash consideration, which shall consist of:

(A) The present-day reproduction cost, new, of the facilities being acquired, less depreciation computed on a straight-line basis; plus

(B) An amount equal to the cost of constructing any necessary facilities to reintegrate the system of the cooperative outside the annexed area after detaching the portion to be sold; plus

(C) An annual amount, payable each year for a period of ten (10) years, equal to the sum of:

(i) Twenty-five percent (25%) of the revenues received from power sales to consumers of electric power within the annexed area, except consumers with large industrial power loads greater than three hundred kilowatts (300kW), during the last twelve (12) months preceding the date of the notice provided for in subdivision (a)(1); and

(ii) Fifty percent (50%) of the net revenues, which is gross power sales revenues less wholesale cost of power including facilities rental charge, received from power sales to consumers with large industrial power loads greater than three hundred kilowatts (300kW) within the annexed area during the last twelve (12) months preceding the date of the notice provided for in subdivision (a)(1);

(3) The electric cooperative, within ninety (90) days after receipt of an offer by the annexing municipality to purchase the cooperative's electric distribution properties and service rights within the annexed area, shall signify in writing its acknowledgement of the offer, and the parties shall proceed to act. The annexing municipality shall then be obligated to buy and pay for, and the cooperative shall be obligated to sell to the municipality, such properties and rights free and clear of all mortgage liens and encumbrances for the cash consideration computed and payable as provided in subdivision (a)(2);

(4) The annexing municipality, if it elects not to make the offer to purchase as provided for in subdivisions (a)(1) and (2), shall grant to the cooperative a franchise to serve within the annexed area, for a period of not less than five (5) years, and the municipality shall thereafter renew or extend the franchise or grant new franchises for similar subsequent periods; provided, that upon expiration of any such franchise, the municipality may elect instead to make an offer to buy the cooperative's electric distribution properties and service rights as they then exist in accordance with and subject to the provisions of subdivisions (a)(1) and (2); provided further, that, during the term of any such franchise, the annexing municipality shall be entitled to serve only such electric customers or locations within the annexed area as it served on the date when such annexation became effective;

(5) If any annexing municipality contracts its boundaries so as to exclude from its corporate limits any territory, the cooperative may elect within sixty (60) days thereafter to purchase from such municipality, and such municipality shall thereupon sell and convey to the cooperative, the electric distribution properties and service rights of the municipality in any part of the excluded area that the electric cooperative had previously served, upon the same procedures set forth in subdivisions (a)(1)-(4) for acquisitions by municipalities;

(6) Nothing contained in this section shall prohibit municipalities and any cooperative from buying, selling, or exchanging electric distribution properties, service rights and other rights, property, and assets by mutual agreement;

(7) The territorial areas lying outside municipal boundaries served by municipal and cooperative electric systems will remain the same as generally established by power facilities already in place or legal agreements on March 6, 1968, and new consumers locating in any unserved areas between the respective power systems shall be served by the power system whose facilities were nearest on March 6, 1968, except to the extent that territorial areas are revised in accordance with this section; and

(8) "Electric distribution properties," as used in this section, means all electric lines and facilities used or useful in serving ultimate consumers, but does not include lines and facilities that are necessary for integration and operation of portions of a cooperative's electric system that are located outside the annexed area.

(b) The methods of allocation and conveyance of property and property rights of any electric cooperative to any annexing municipality provided for in subsection (a) shall be exclusively available to such annexing municipality and to such electric cooperative notwithstanding § 7-52-105 or any other title or section of the code in conflict or conflicting herewith.

HISTORY: Acts 1968, ch. 413, §§ 2, 3; T.C.A., § 6-320.



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A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ANNEXATION ORDINANCE NO. 01403-13 AND A PLAN OF SERVICE ORDINANCE NO. 01404-19 TO THE GALLATIN CITY COUNCIL – PC0259-14

WHEREAS, the owner of property of the affected area has submitted a petition to annex 20.84 (+/-) acres located adjacent to and substantially contiguous to the City of Gallatin city limits and located in the City of Gallatin Planning Region; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the annexation petition submitted by the applicant, Rogers Engineering Group, at its regular meeting on March 24, 2014; and

WHEREAS, the Planning Commission, acting as the Planning agency for the municipality, has made study of and a report on a Plan of Service for 20.84 (+/-) acres proposed for annexation to the City Council as authorized under Title 6, Sec. 6-5-107, T.C.A.,

WHEREAS, Tennessee Code Annotated , Title 6, Chapter 6, Section 6-51-102 requires a Plan of Services be adopted upon annexation of territory into the City, and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report, and evidence and testimony presented during a public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION as follows.

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to T.C.A. Title 6, Chapter 51 and Title 13, Chapter 33 and Chapter 4; § 13-3-104, 13-3-301 and 13-4-103, 16-51-102(b), 6-51-102(b)(4), 6-5-107

1. The City of Gallatin Municipal-Regional Planning Commission deems it necessary and reasonable to annex the territory described here in; and
2. The proposed Plan of Service is in agreement and consistent with the recommendations of the General Development and Transportation Plan for the area.
3. The City is not in default on any existing as adopted plan of services. (T.C.A. 65-51-102(b)(5))
4. It has been determined that there will not be an adverse effect upon adjoining property owners by annexation or implementing the Plan of Services or any such adverse effect can be justified by the public good or welfare.

5. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the annexation and plan of services to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission as authorized by Title 6, Sec. 6-5-102(b)(4) hereby recommends approval of the Annexation Ordinance No. O1403-13(Exhibit 'A') and the Plan of Service Ordinance No.O1404-19 (Exhibit 'B') to the Gallatin City Council.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL-REGIONAL PLANNING COMMISSION that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

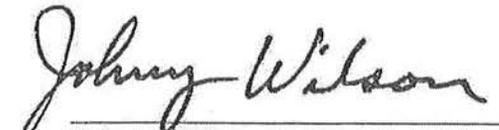
AYE: 7

NAY: 0

DATED: 3/24/2014



Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY

Exhibit A – Annexation Ordinance No. O1403-13
Exhibit B – Plan of Service Ordinance No. O1404-19



City of Gallatin, Tennessee

Planning Department

**Gallatin Municipal-Regional Planning Commission
ACTION FORM**

DATE: March 25, 2014

TO: Mr. Andy Leath
Rogers Engineering Group
114B West Main Street
Gallatin, TN 37066

FROM: Planning Department

RE: March 24, 2014, Gallatin Municipal-Regional Planning Commission Meeting
Cairo Estates, Phase 3, Annexation File: PC0259-14

At the above referenced meeting, the request for annexation and plan of service was:

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Approval contains the following requirements:

- COUNCIL SUBMITTAL
- CITY COUNCIL APPROVAL
 - Council Committee: 4/8/14
 - 1st Reading at City Council: 4/15/14
 - Ad runs for Public Hearing by Codes/Planning Department: 4/17/14
 - Public Hearing 5/6/14
 - 2nd Reading at City Council: 5/20/14

cc: PC File PC0259-14
Mr. Henry Holleman

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 8

SUBJECT:

Ordinance No. O1403-12 an ordinance of the City of Gallatin, Sumner County, Tennessee, amending the zoning on 20.84(+/-) acres from Residential 40 (R40) zone district to Multiple Residential and Office (MRO) zone district with a Preliminary Master Development Plan.

SUMMARY:

Applicant requests approval to amend the Gallatin Zoning Ordinance to rezone three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08) and approval of a Preliminary Master Development Plan for Cairo Estates, containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. The Gallatin Municipal-Regional Planning Commission recommended approval at the March 24, 2014 Planning Commission Meeting. (PC0260-14)

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01403-12

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, REZONING AN APPROXIMATE 20.84 ACRE PARCEL, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD FROM LOW DENSITY RESIDENTIAL-40 (R40) ZONING DISTRICT TO THE MULTIPLE RESIDENTIAL AND OFFICE (MRO) ZONING DISTRICT AND ADOPTING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR CAIRO ESTATES, AUTHORIZING THE REVISION TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property has submitted a complete application to rezone these parcels consisting of 20.84 (+/-) acres located in the City of Gallatin, Tennessee Planning Region; and

WHEREAS, the property to be rezoned is located east of Airport Road and north of Cairo Road and is currently zoned R40; and

WHEREAS, a public hearing was held following public notice as prescribed by Section 15.0.060 of the Gallatin Zoning Ordinance and 13-7-203 T.C.A. and ordinance; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission has by a majority vote recommended approval of the proposed rezoning in Resolution 2014-25; and

WHEREAS, the City Council has approved by majority vote of the members present the rezoning request of the described property; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE:

Section 1. The City Council of the City of Gallatin does hereby rezone the following described property from Low Density Residential 40 (R40) Zoning District to the Multiple Residential and Office (MRO) District.

Section 2. The property rezoned consists of approximately 20.84 acres located east of Airport Road and north of Cairo Road and more particularly described in Exhibit 'A' attached hereto.

Section 3. The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area as hereby rezoned.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. This ordinance shall become effective immediately upon adoption.

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

**DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY:
20.84 ACRE TRACT**

The property described herein is located in the 2nd Civil District of Sumner County, Tennessee; situated on the northern side of Cairo Road approximately 0.3 mile easterly of the intersection with Airport Road adjoining the City Limits of Gallatin, Tennessee; being known as Job Number 13031T as described by a survey performed by Richard D. Graves, Tennessee Registered Land Surveyor Number 1628, on the 27th day of January, 2014 in detail as follows:

Beginning on a five-eighths inch iron re-bar found on the north right-of-way of Cairo Road, being found 28.00 feet from the existing centerline of said road at the southeastern corner of the Sumner County Regional Airport Authority (R.B. 502 P. 70), being the southwestern corner of the herein described tract, thence running with the east line of the Sumner County Regional Airport Authority (R.B. 502 P. 70), Lot 1 of the Ramsey Industrial Center Subdivision - Section Two (P.B. 19 P. 53) - Owner - Joseph C. Merlo (R.B. 1175 P. 268), and Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) along the City Limits of Gallatin, Tennessee N 05 degrees 52 minutes 53 seconds E 1,120.77 feet to a half inch iron re-bar found by a corner post in the east line of Lot 10 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gary H. Branham, et ux (R.B. 3275 P. 552) at the southwest corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), thence running and cornering with the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320), continuing with the City Limits of Gallatin, Tennessee, for the next two calls: S 81 degrees 54 minutes 44 seconds E 298.52 feet to a half inch iron re-bar found by a corner post, thence N 12 degrees 42 minutes 51 seconds E 373.63 feet to a one inch iron pipe found by a corner post at the northeast corner of the Gregory Real Estate, LLC. Property (R.B. 3278 P. 320) in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50), thence running with the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) S 83 degrees 29 minutes 58 seconds E 514.76 feet (passing through a half inch iron re-bar found at 109.39 feet, leaving the City Limits of Gallatin, Tennessee, and passing through a railroad spike found at 304.43 feet at a Deed/Tract corner of Holleman) to a five-eighths inch iron re-bar found in concrete by a corner post in the south line of Lot 11 of the Odrick Gregory Industrial Park Subdivision - Phase Three (P.B. 26 P. 323) - Owner - Gregory Real Estate, LLC. (R.B. 3203 P. 50) at the northwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160), thence running and cornering with the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) for the next three calls: S 06 degrees 02 minutes 05 seconds W 297.63 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 20 degrees 02 minutes 33 seconds W 153.35 feet to a half inch iron re-bar found (Darnall RLS 1571), thence S 24 degrees 45 minutes 19 seconds W 657.51 feet to a half inch iron re-bar set prior survey at the southwest corner of the Cairo Landing Subdivision - Phase One (P.B. 22 P. 15) - Owner - the Cairo Landing Phase 1 Homeowners' Association, Inc. (R.B. 2984 P. 160) with the northwest corner of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113), thence running and cornering with the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) for the next three calls: S 06 degrees 52 minutes 10 seconds E 167.00 feet to a half inch iron re-bar set prior survey, thence S 05 degrees 19 minutes 55 seconds W 103.30 feet to a half inch iron re-bar set prior survey found in concrete (disturbed), thence S 21 degrees 01 minute 58 seconds W

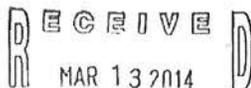


EXHIBIT A

PC 0260-14

193.11 feet to a half inch iron re-bar set prior survey in the west line of the Cairo Landing Subdivision - Phase Two (P.B. 23 P. 20) - Owner - the Cairo Landing Phase 2 Homeowners' Association, Inc. (R.B. 2984 P. 113) at the northeast corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757), thence running and cornering with the northern line of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) for the next two calls: N 20 degrees 21 minutes 05 seconds W 200.71 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 128.35 feet to a half inch iron re-bar set prior survey at the northwest corner of Lot 2 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Edward T. White (R.B. 3266 P. 757) with the northeast corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running and cornering with Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623) for the next three calls: N 51 degrees 43 minutes 37 seconds W 125.72 feet to a half inch iron re-bar set prior survey, thence N 74 degrees 08 minutes 11 seconds W 80.00 feet to a half inch iron re-bar set prior survey, thence S 12 degrees 42 minutes 55 seconds W 317.89 feet to a half inch iron re-bar set prior survey on the north right-of-way of Cairo Road, being found 24.50 feet from the existing centerline of said road at the southwest corner of Lot 1 of the McMahon Acres Subdivision - An Un-recorded Plat - Owner - Timothy H. Smith, II, et ux (R.B. 2691 P. 623), thence running with the northern right-of-way of Cairo Road N 57 degrees 23 minutes 56 seconds W 174.59 feet to the beginning, containing 20.84 acres more or less.....

Surveyor's Notes: (1) A Major Portion of the above described tract is located in Flood Hazard Zones AE & X. (2) Subject to a Sewer Line crossing through the tract and any easements or rights-of-ways associated with said sewer line. (3) Subject to any rights-of-ways, easements, liens, encroachments, leases, etc. that exist and still apply to said property.

The above described tract being all of the tract of land conveyed to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, from Raymond Keith Brown and Morgan Lee Brown of record in Record Book 3752 Pages 416-418, all of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Kyle McMahon, Douglas L. McMahon, Jack B. McMahon, and Jill Writesman of record in Record Book 2030 Pages 283-286 - in Record Book 3286 Pages 509-512 - See Tract 2, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, and the remainder of the tract of land deeded to Henry Holleman and Leon Strong and Betty Strong from Joy McMahon of record in Record Book 2030 Pages 287-290 - in Record Book 3286 Pages 509-512 - See Tract 1, Betty Strong - See Will Book 74 Page 531 for further information - conveyed her interest to Henry Holleman for and during his Natural Life and at his death to Morris Holleman, their heirs and assigns, all references to Record Books being in the Office of the Register for Sumner County, Tennessee and to Will Books being in the Office of the Circuit Court Clerk for Sumner County, Tennessee.

Tax Map Reference: Map 127 All of Parcels 5.00, 5.07, and 5.08

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MAR 13 2014

GALLATIN PLANNING
& ZONING

Page 2 of 2

EXHIBIT A

Richard A. Jones
1/27/2014

PC0260-14



ITEM 5

STAFF REPORT to CITY COUNCIL

Preliminary Master Development Plan and Rezoning for Cairo Estates
(PC0260-14)

Located East of Airport Road and North of Cairo Road

Date: March 28, 2014

REQUEST: OWNER AND APPLICANT REQUESTS REZONING AND APPROVAL OF A PRELIMINARY MASTER DEVELOPMENT PLAN FOR CAIRO ESTATES, ON THREE (3) PARCELS COMPRISING 20.84 (+/-) ACRES, TO CREATE 63 LOT SUBDIVISION, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD.

OWNER: HENRY HOLLEMAN
APPLICANT: ROGERS ENGINEERING GROUP (ANDY LEATH, P.E.)
STAFF RECOMMENDATION: RECOMMEND APPROVAL WITH CONDITIONS
STAFF CONTACT: KEVIN CHASTINE
PLANNING COMMISSION DATE: MARCH 24, 2014
CITY COUNCIL DATE: APRIL 8, 2014 (COUNCIL COMMITTEE)

PROPERTY OVERVIEW: The owner and applicant are requesting approval of Ordinance O1403-12 to rezone three (3) parcels comprising 20.84 (+/-) acres (Tax Map 127 and Parcels 005.00, 005.07, and 005.08) from Residential-40 (R40) zone district to Multiple Residential and Office (MRO) zone district and a Preliminary Master Development Plan to create 63 One-Family Detached Dwelling lots. One-Family Detached Dwellings are a permitted use in the MRO zone district. (Attachment 5-1)

CASE BACKGROUND:

Previous Submittals

A rezoning (PC File #3-27-06) and an annexation request (PC File #6-7-06) was submitted for Cairo Landing Phase 3 on October 26, 2006 for a portion of this property (Tax Map and Parcel 127//005.07). The request to rezone 15.025 (+/-) acres from Residential-40 (R40) to Residential-20 Planned Residential Development (R20-PRD) with a Preliminary Master Development Plan to create 27 One-Family Detached Dwelling lots was submitted with the annexation request in 2006. Both the Preliminary Master Development Plan and the Annexation request were withdrawn by the applicant on November 14, 2006. No additional actions have been taken on these submittals.

The Planning Commission approved the Preliminary Master Development Plan under GMRPC Resolution No. 2014-25 on March 24, 2014 (Attachment 5-5).

DISCUSSION:

Proposed Development

The applicant is proposing to rezone 20.84 (+/-) acres from Residential-40 (R40) to Multiple Residential and Office (MRO) and obtain approval of the PMDP to create 63 One-Family Detached Dwelling lots. The subdivision will be developed in three (3) phases with 32 lots in Phase 1, 15 lots in Phase 2, and 16 lots in Phase 3. Of the 63 proposed lots, 52 are between 6,000 and 9,000 square feet in size. The remaining 11 lots vary greatly in size with the largest being 25,023 square feet. The estimated construction schedule is as follows:

- Phase 1 – Begin July 2014 end December 2014
- Phase 2 – Begin October 2014 end March 2014
- Phase 3 – Begin January 2015 end June 2015

Natural Features

The natural topography for the existing vacant farmland slopes from the highest point of elevation (580') located along the west boundary, with a steady and even decline, towards the lowest point of elevation (560') located along the eastern and northern boundaries. The decline in elevation relates to the presence of a stream that runs along the eastern property boundary and dissects the project site between proposed Phase 2 and 3 of the project. There are existing mature trees and other vegetation located along the stream. Based on FEMA FIRM Map 471650318G and 471650319G a large portion of the site along the eastern boundary is located within the Floodway and Zone A and AE of Albright Creek.

Adjacent or Area Uses

The adjacent surrounding area to the north has developed as industrial, to the south is the Sumner Regional Airport runway, to the east is Cairo Landing Subdivision, which contains 49 single family lots, and to the west is vacant property owned by the Sumner Regional Airport Authority. The project site is surrounded by Industrial Restrictive (IR) zoning to the north, Industrial General (IG) zoning to the south, Residential-40 (R40) to the west and Residential-20 Planned Residential Development (R20-PRD) to the east.

Character Area Change Request

The applicant has formally requested a change in the Character Area designation for the Cairo Estates project site. Currently, the *Gallatin On The Move 2020 Plan* designates the project site as part of the Airport Road Industrial Special District Character Area. The applicant is requesting a change to the Suburban Neighborhood Established Character Area. The project site is located between parcels designated as Airport Road Industrial Special District to the north and west and Suburban Neighborhood Established Character Area to the east. The project site is currently zoned Residential-40 (R40) and was zoned this way at the time of the adoption of *2020 Plan*. The Character Area request (PC262-14) will come before the Planning Commission for a consideration at the April 28th, 2014 meeting. The approval of the Cairo Estates Preliminary Master Development Plan and rezoning is conditioned on the Planning Commission granting the Character Area Change from Airport Road Industrial Special District to Suburban Neighborhood Established Character Area.

Sumner County Regional Airport

The proposed Cairo Estates subdivision would be located east of Airport Road and north of Cairo Road. The property located to the south and west of Cairo Estates is owned by the Sumner County Airport Authority. Due to the close proximity of the Sumner County Regional Airport and Article 10.04 Airport Overlay (AO) Zoning District Regulations of the Gallatin Zoning Ordinance, the development was reviewed for potential conflicts with the airport master plan (PC9801-11).

The proposed Cairo Estates subdivision lies outside of the runway approach zone as established in Article 10.04 and it is outside of the Building Restriction Line and Runway Object Free Zone as established by the Sumner County Airport Master Plan. Section 10.04.060.B establishes a maximum height restriction of 150 feet or elevation of 734 feet above mean sea level within the Transitional Zones that radiate out from the Horizontal Zone above the runway. Also, Section 10.04.060.E states, ". . . *nothing shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land.*"

The Cairo Estates subdivision is located within the horizontal zone of the Airport Overlay Zone. As proposed no structure or tree will exceed the height restriction of 150 feet or mean sea level of 734. Also, none of the sample architectural elevations show homes that will exceed the 50 feet limit found in Section 10.04.060.E.

Airport Authority chair Jim Egan reviewed the Cairo Estates Preliminary Master Development Plan and will be provided noise level projections (Attachment 5-7) for the owner/developer to review in regards to the potential need of adding noise deadening materials to the proposed homes. This information will be provided to the owner/developer as soon as staff receives it from Mr. Egan.

Architectural Designs

The three (3) sample architectural designs for homes proposed for Cairo Estates range in size from 1,268 square feet to 1,524 square feet. The two (2) smallest of the home designs are one-story in height with front loading garages. The third and largest home design is two-story in height and also has a front loading garage. Two (2) of the home designs have front elevations of brick, while the three (3) other elevations are vinyl. The other home design has vinyl siding on all sides. All three (3) sample architectural designs meet the architectural requirements in Section 13.08.010 of the Gallatin Zoning Ordinance. The Planning Commission approved the architectural designs included as Attachment 5-2, with the understanding that the final architectural designs will be submitted with the Final Master Development Plan for Cairo Estates.

Lot Layout

The requested (MRO) zoning requires a minimum lot size of 6,000 square feet. All lots meet or exceed the required minimum lot size, with the smallest lots meeting the minimum size of 6,000 square feet. There are 20 lots that meet the minimum lot size of 6,000 square feet. Of the 63 proposed lots, 52 are between 6,000 and 9,000 square feet in size. The remaining 11 lots vary greatly in size with the largest being 25,023 square feet.

The lots are designed to accommodate and work with the natural topography of the land to reduce impact of stormwater runoff to each adjoining lots within this phase and adjacent lots to this phase. Phase 1 and 2 are located south of where Albright Creek bisects the property and Phase 3 is located north of Albright Creek. The site layout is dictated by the presence of Albright Creek and the associated floodplain. The development is designed to minimize the impact of the floodplain on potential lots. The floodplain encroaches on just nine (9) lots, with only lots 17 and 18 having any portion of the building envelope encroached upon by the floodplain. Also, Albright Creek is shown with a 60 foot stream buffer, which is larger than the City required 50 foot buffer. The lot layout has kept all but eight (8) lots from being encroached upon by the floodplain of Albright Creek and six (6) lots from being encroached upon by the stream buffer. No homes can be built within the stream buffer, but homes can be built within the floodplain if the finish floor elevation of the home is constructed one (1) foot above the Base Flood Elevation (BFE) for floodplain areas with established BFEs or three (3) foot above the highest adjacent grade for floodplain areas without an established BFE, as required in Section 10.03.070.B.

Rights-of-Way/Streets/Roads

There will be approximately 2,660 linear feet of public right-of-way with the construction of Hayden Lane, Cairo Way, and Hutch Court. Five (5) foot wide sidewalks will be constructed on both sides of all streets as well as along Cairo Road.

The Gallatin on the Move 2020 Plan: The General Development and Transportation Plan 2008-2020 indicates a future greenway located through this project site along Albright Creek. The applicant shall work with staff to identify and reserve a corridor for the location of this future greenway.

Easements (P.U.D.E's)

All lots will include 10 foot wide P.U.D.E's along the front, side, and rear property lines. All easements shall be considered "Public" in accordance with the City of Gallatin Subdivision Regulations.

Stormwater Detention

There are two (2) proposed stormwater detention areas, both of which are located on the eastern portion of the site, within the floodplain area of Albright Creek. The southern detention area is approximately 18,775 square feet and is located along the back of lots 26 through 32. The northern detention area is approximately 20,221 square feet and is located at the back of lots 60 and 61. Due to the topography of the site sloping from west to east towards Albright Creek the stormwater system will include several inlets and outflow points between lots and will be supplemented by grading that will direct the stormwater to the two (2) detention areas. A more detailed drainage plan will be submitted with construction drawings and with the Final Master Development Plan for each phase.

Open Space and Bufferyard

The Preliminary Master Development Plan shows no proposed open space tracts. However, the areas not included as lots or streets should be designated as open space tracts, including the detention ponds. This area comprises the stream buffers, creek, and adjacent lands. Other small areas along Cairo Way could also be designated as open space tracts.

Bufferyards are required to be shown as part of the Preliminary Master Development Plan. These are intended to minimize the potential impacts of the proposed development on the adjacent properties as outlined in Article 13 of the Gallatin Zoning Ordinance. The applicant has submitted a preliminary bufferyard plan, which includes some alternatives to the requirements of the Gallatin Zoning Ordinance.

A Type 35, 40, and 50 Bufferyard is required per Table 13-05 Bufferyard Requirements of the Gallatin Zoning Ordinance. An Alternative Type 35 Bufferyard is proposed on the lots located on the western boundary between lots 13 thru 18 and the northern boundary between lots 48 thru 56. Next, an Alternative Type 40 Bufferyard is proposed along the entirety of the eastern boundary. Finally, an Alternative Type 50 Bufferyard is proposed along the western boundary between lots 1 thru 12 and the entirety of the southern boundary (Lots 19-23).

The applicant could consider including the bufferyards along lots 14 thru 18, lots 56 thru 61, lot 63, and lots 23 thru 33 within the suggested open space tracts.

Due to the heavy existing vegetation on the site and along Albright Creek, the applicant is requesting to utilize some of the existing vegetation as the required bufferyards. The Preliminary Master Development Plan notes that a tree survey will be required with each Final Master Development that is submitted. The applicant has presented two (2) different alternative bufferyard plans to be utilized dependent upon the existing vegetation.

Alternative Bufferyard 'A' will be utilized when sufficient deciduous vegetation *does not* exist. Alternative 'A' provides one (1) large deciduous tree (minimum 2 1/2 inch caliper) planted every 80 feet along with one (1) ornamental tree (minimum 2 1/2 inch caliper) planted equal distance (40 feet) between the large deciduous trees. Also, Alternative 'A' includes six (6) foot tall medium evergreen trees planted on a triangular pattern of 20 feet apart and 10 feet between the rows. All proposed plant material will be planted within a 30 foot wide area.

Alternative Bufferyard 'B' will be utilized when sufficient deciduous vegetation *does* exist. Alternative 'B' provides six (6) foot tall medium evergreen trees planted on a triangular pattern of 20 feet apart and 10 feet between the rows. All proposed plant material will be planted within a 30 foot wide area.

Until a tree survey is completed for the subdivision it is unknown exactly where the Alternative Bufferyard 'A' and Alternative Bufferyard 'B' will be placed. The specific location of each alternative bufferyard will be shown on the Final Master Development Plan for each phase of Cairo Estates.

The Planning Commission approved the Alternative Bufferyard Plan per Section 13.04.100.C of the Gallatin Zoning Ordinance. The Planning Commission determined the alternative landscaping plan is acceptable and meets the intent of the Gallatin Zoning Ordinance.

Department of Electricity

During the initial review of the Preliminary Master Development Plan the Gallatin Department of Electricity stated that the existing Gallatin Electric Department infrastructure would not support this proposed annexation and subsequent development because there was no Gallatin Electric Department lines in the area. The Department stated that they could not build an elevated power line along Cairo Road from Airport Road due to FAA restrictions. The option to circumvent this situation was for the developer to supply a route that would be approved by GDE from either Gregory Drive, to the north of Cairo Estates or for the developer to pay to place the line underground along Cairo Road from Airport Road to the proposed development. Finally, GDE began discussion with Cumberland Electric Membership Corporation (CEMC) regarding CEMC serving this development.

Discussions between GDE and CEMC have been ongoing for approximately four (4) weeks, but a final decision has not been reached. The Cairo Estates development will be served by one of these two agencies, but this decision has not be finalized.

Gallatin Public Utilities Department Comments

This development will be serviced by the Gallatin Public Utilities Department through existing water lines within Cairo Road right-of-way and a sewer line that bisects this property as it extends to the adjacent subdivision, Cairo Landing. The applicant shall coordinate all development with Gallatin Public Utilities Department to ensure all future utility infrastructures are installed to the satisfaction of the Gallatin Public Utilities Department standards. The Gallatin Public Utilities Department reviewed the Preliminary Master Development Plan and made the following comment indicated below:

1. Provide detailed plans and specifications and hydraulic calculation for water and sanitary sewer installations.

Planning Department Comments

The Planning Department reviewed and commented on the Preliminary Master Development Plan. The applicant satisfactorily addressed the Planning Department comments; however the applicant shall comply with the following:

1. No homes shall be constructed within the stream buffer, but homes can be built within the floodplain if the finish floor elevation of the home is constructed one (1) foot above the Base Flood Elevation (BFE) for floodplain areas with established BFEs or three (3) foot above the highest adjacent grade for floodplain areas without an established BFE, as required in Section 10.03.070.B.

Engineering Division Comments

The Engineering Division reviewed and commented on the Preliminary Master Development Plan. The applicant satisfactorily addressed all Engineering Division comments.

FINDINGS:

1. The owner/applicant has submitted a completed application with required attachments to the City requesting the zoning change and Preliminary Master Development Plan approval.
2. The proposed zoning amendment is in general conformance with the general plan of the area subject to amendment of the Character Area from Airport Road Industrial Special District to the Suburban Neighborhood Established Character Area and that the public necessity, convenience, and the general welfare, require the adoption of the proposed amendment.
3. The property proposed for rezoning has adequate public utilities, infrastructure and private or municipal services necessary to serve the existing and proposed development and population permitted by the requested zoning or such necessary services and facilities will be provided upon development of the property.
4. Due public notice of the proposed zoning change has been provided at least fifteen (15) days but no more than thirty (30) days prior to the public hearing and public notice signs have been posted on the property consistent with Section 15.07.060 of the Gallatin Zoning Ordinance.
5. The Gallatin Regional-Municipal Planning Commission held a public meeting and has reviewed and recommended to the City Council action on the proposed rezoning request.
6. The proposed rezoning will be compatible with surrounding environment and will protect the public health, safety and welfare and will not be injurious to other property or improvements in the area in which the property is located.
7. A Preliminary Master Development Plan was submitted with the rezoning application as required by Sections 12.02.010 B. and 15.07.030 of the Gallatin Zoning Ordinance and complies with the twelve (12) standards required of the plan.

PLANNING COMMISSION RECOMMENDATION:

After discussion and public comment the Planning Commission recommended approval as indicated in GMRPC Resolution 2015-25 (Attachment 5-5) and the Action Form (Attachment 5-6) as required by Article 12, Section 12.02.020, Gallatin Zoning Ordinance.

The Planning Commission and staff recommend approval of Ordinance O1403-12, approving the rezoning from Residential-40 (R40) to Multiple Residential and Office (MRO) and a Preliminary Master Development Plan for Cairo Estates consisting of a four (4) sheet plan, prepared by Rogers Engineering Group of Gallatin TN, with project No. #14-005 and dated February 26, 2014, with a revised date of March 13, 2014, and the architectural renderings for housing types consisting of existing photographs labeled PC0260-14 dated February 26, 2014 with the following conditions:

1. The Planning Commission determined the proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance and approval of the alternative bufferyards.
2. The rezoning and Cairo Estates Preliminary Master Development Plan approval is conditioned on the Planning Commission granting approval of an amendment to the Gallatin on the Move 2020, The General Development and Transportation Plan 2008-2020 Update to change the Airport Road Industrial Special District to Suburban Neighborhood Established Character Area. (This is scheduled to be considered at the April 28th, 2014 Planning Commission meeting.)
3. No homes shall be constructed within the stream buffer, but homes can be built within the floodplain if the finish floor elevation of the home is constructed one (1) foot above the Base Flood Elevation (BFE) for floodplain areas with established BFEs or three (3) foot above the highest adjacent grade for floodplain areas without an established BFE, as required in Section 10.03.070.B.
4. Provide Gallatin Public Utilities with detailed plans, specifications and hydraulic calculations for water and sanitary sewer installations.
5. Establish and label all portions of the development not including lots or proposed right-of-way as open space tract(s) to be owned and maintained by the homeowner's association and identify the proposed greenway through the development site.

(The plans shall be amended to comply with the conditions of approval prior to the final staff approval by the City)

ATTACHMENTS

- | | |
|-----------------------|---|
| Attachment 5-1 | PMDP for Cairo Estates |
| Attachment 5-2 | Architectural Elevations for Cairo Estates |
| Attachment 5-3 | Sumner County Regional Airport Master Plan (PC9801-11) |
| Attachment 5-4 | Draft City Council Ordinance (NO. 1403-12) |
| Attachment 5-5 | GMRPC Resolution 2015-25 |
| Attachment 5-6 | Action Form for PC0260-14. |
| Attachment 5-7 | Sumner County Airport Noise Projections |

dining with a view



LOWE'S
LEGACY
SERIES

plan #544-007D-0038
Total living area: 1,524
Width: 38'-0"
Depth: 41'-4"
3 bedrooms
2 1/2 baths
2-car garage
Basement foundation,
drawings also include crawl
space and slab foundations

Price Code B

plan highlights

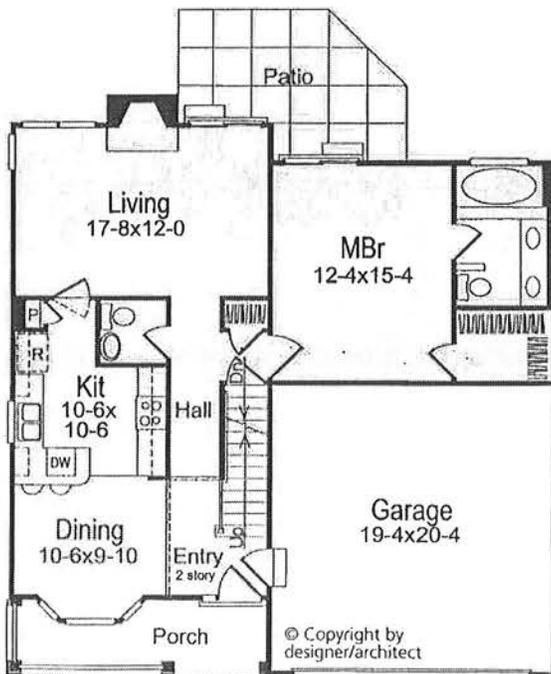
The delightful balcony
overlooks the two-story
entry illuminated by an oval
window

The roomy first floor master
bedroom offers quiet and
privacy

All of the bedrooms feature
one or more walk-in closets

order page 288 or
call 1-877-379-3420

ATTACHMENT 5-2



First Floor
951 sq. ft.



Second Floor
573 sq. ft.

RECEIVED
FEB 26 2014
GALATHEA BUILDING
& DESIGN

design lesson

Hang a large mirror (or
prop it against a wall)
in a small room like the
dining room of this home
to create the illusion of
depth in a small space.
Even small mirrors expand
the sense of space by
reflecting views and light,
but an oversize mirror has
a dramatic effect because
it reflects a large portion
of the room.

PC 0260-14

small home packed with big style



LOWE'S
LEGACY
SERIES

plan #544-121D-0012
Total living area: 1,281
Width: 37'-6"
Depth: 52'-0"
3 bedrooms
2 baths
2-car garage
Basement foundation

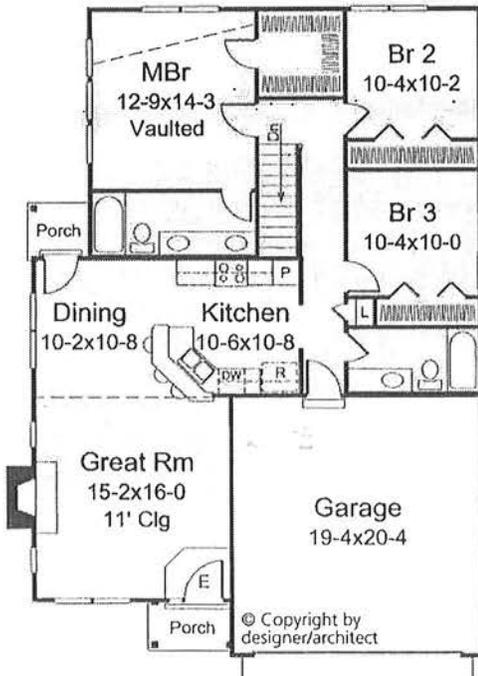
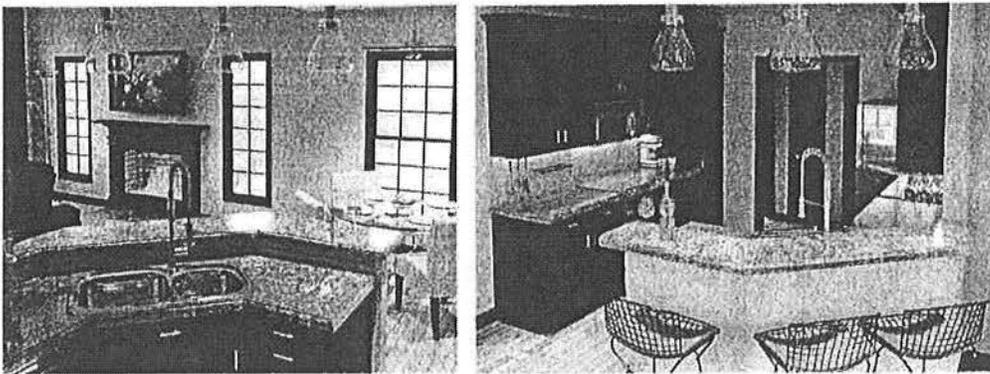
Price Code AA

plan highlights
The well-appointed kitchen enjoys an angled raised counter perfect for casual dining

The great room has an 11' ceiling, a fireplace for warmth, and easy access to the breakfast area

The vaulted master bedroom enjoys a sizable walk-in closet and its own private bath

order page 288 or
call 1-877-379-3420



RECEIVED
FEB 26 2014

GALLATIN PLUMBING
& ZONING

design lesson
If you're a bit nervous about painting an entire room or even a wall one of the bold colors that is popular right now, then try starting with a furniture piece like a small side chair or coffee table and make it a fun focal point.

PC0260-14

ATTACHMENT 5-2

ATTACHMENT 5-2

distinguished styling for a small lot

LOWE'S LEGACY SERIES

plan #544-007D-0060
 Total living area: 1,268
 Width: 38'-8"
 Depth: 48'-4"
 3 bedrooms
 2 baths
 2-car garage
 Basement foundation,
 drawings also include crawl
 space and slab foundations

Price Code B

plan highlights

Multiple gables, a large porch and arched windows create a classy exterior

This innovative design provides openness in the great room, kitchen and the breakfast area

The secondary bedrooms have a private hall with a bath

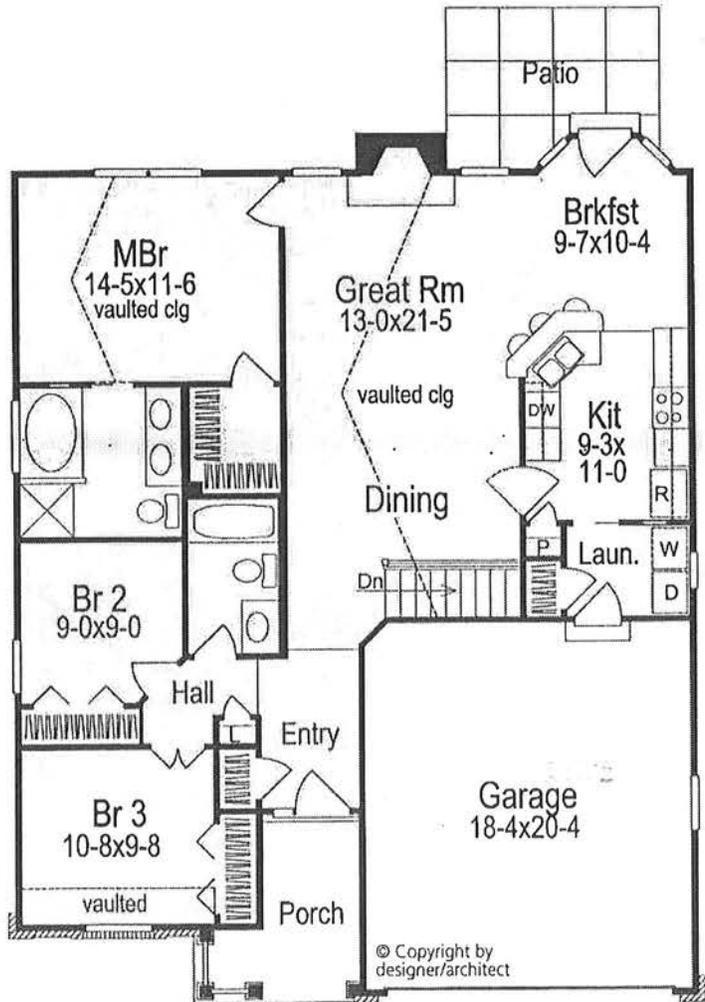
2" x 6" exterior walls available, please order plan #544-007E-0060

order page 288 or call 1-877-379-3420

RECEIVED
 FEB 26 2014
 GALLATIN PLANNING & ZONING

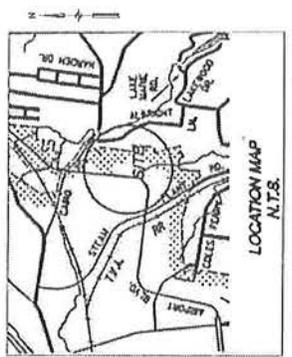
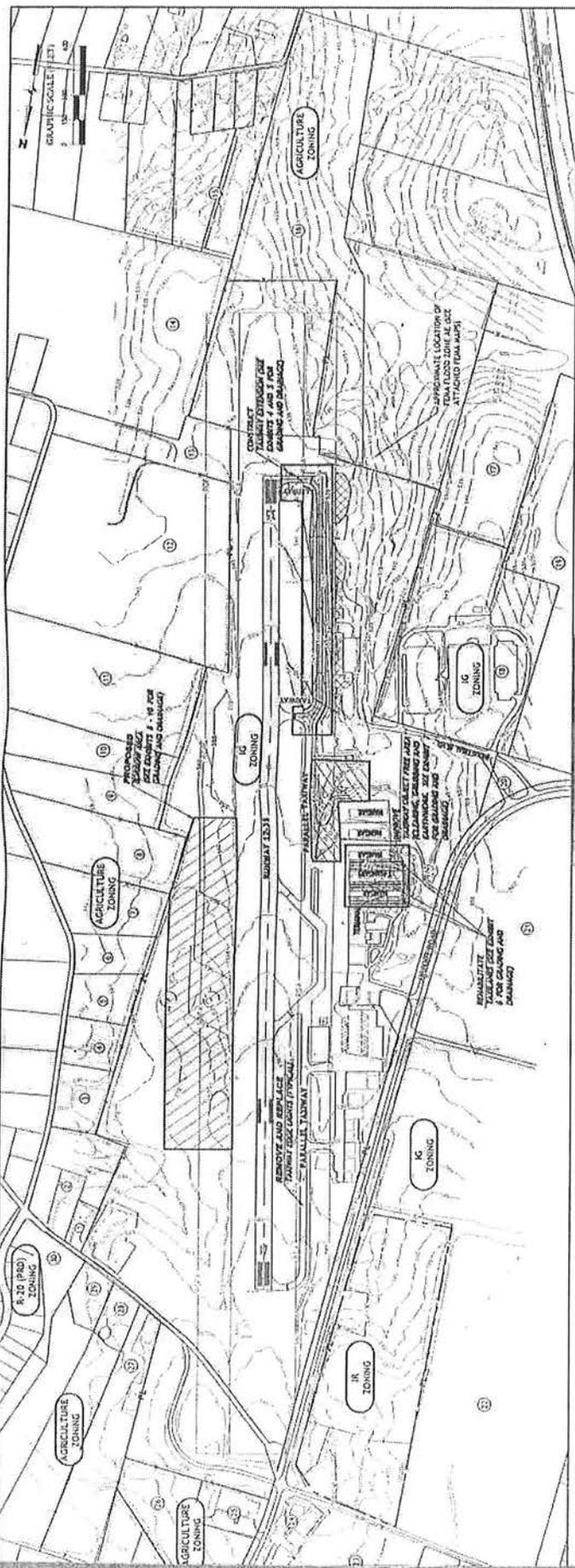
design lesson

A single shelf or a collection of corner shelves are surprisingly appealing, offering an opportunity to show off collectibles in an exciting new way. Plus, they also work well in more compact homes with smaller rooms.



© Copyright by designer/architect

PC 0260-14



LEGEND

| | |
|----------|---|
| [Symbol] | RUNWAY AREA |
| [Symbol] | TAXIWAY OBJECT FREE AREA |
| [Symbol] | GRADING AND DRAINAGE |
| [Symbol] | EXISTING UTILITIES WITHIN THE TAXIWAY SAFETY AREA |
| [Symbol] | PROPERTY OWNER BOUNDARIES |
| [Symbol] | RUNWAY OBJECT FREE ZONE |
| [Symbol] | RUNWAY SAFETY AREA |
| [Symbol] | TAXIWAY SAFETY AREA |
| [Symbol] | RUNWAY OBJECT FREE AREA |
| [Symbol] | BUILDING RESTRICTION LINE |
| [Symbol] | EXISTING COUNTY FENCE |

OWNER

| | |
|----|------------------|
| 1 | PARALLEL TAXIWAY |
| 2 | PARALLEL TAXIWAY |
| 3 | PARALLEL TAXIWAY |
| 4 | PARALLEL TAXIWAY |
| 5 | PARALLEL TAXIWAY |
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| 50 | PARALLEL TAXIWAY |

- SITE PLAN NOTES**
1. THE PROPOSED PARALLEL TAXIWAY SHALL BE CONSTRUCTED TO MEET THE FOLLOWING ZONING ORDINANCE PERFORMANCE STANDARDS: L20 (SIC 13) SEE ATTACHED FROM MAPS.
 2. THE PROJECT IS FINANCED THROUGH A FEDERAL GRANT WITH MATCHING LOCAL FUNDING.
 3. PLEASE REFER TO THE ATTACHED FROM MAPS.
 4. CONTRACTOR IS RESPONSIBLE FOR OBTAINING LAND SURVEY AND PROPERTY OF GALLATIN INCLUDING CONSIDERATION TO GRADING.

SITE DATA TABLE

| | |
|---------------------------------------|---|
| OWNER | SUMNER COUNTY AIRPORT AUTHORITY |
| ADDRESS | 1475 AIRPORT ROAD GALLATIN, TN 37066 |
| PROPERTY ZONING | IG (R-SUBTRIAL) |
| PAR. MAP AND PARCEL NUMBERS | 127 / 52 |
| SITE ADDRESS | 1475 AIRPORT ROAD GALLATIN, TN 37066 |
| PROPOSED AND PROPOSED USE OF FACILITY | EXTENSIVE IMPACT COMMUNITY FACILITY |

ARMSTRONG.
9019 Overlook Blvd. / Suite D-4
Brentwood, TN 37027
PH 615.377.1322 // FX 615.377.3630
FWA@armstrong.com

SUMNER COUNTY REGIONAL AIRPORT
PARALLEL TAXIWAY EXTENSION AND REHABILITATE TAXIWAYS
EXHIBIT 1
SITE PLAN
04/14/2011

DRAFT

ATTACHMENT 5-4

ORDINANCE NO. 01403-12

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, REZONING AN APPROXIMATE 20.84 ACRE PARCEL, LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD FROM LOW DENSITY RESIDENTIAL-40 (R40) ZONING DISTRICT TO THE MULTIPLE RESIDENTIAL AND OFFICE (MRO) ZONING DISTRICT AND ADOPTING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR CAIRO ESTATES, AUTHORIZING THE REVISION TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property has submitted a complete application to rezone these parcels consisting of 20.84 (+/-) acres located in the City of Gallatin, Tennessee Planning Region; and

WHEREAS, the property to be rezoned is located east of Airport Road and north of Cairo Road and is currently zoned R40; and

WHEREAS, a public hearing was held following public notice as prescribed by Section 15.0.060 of the Gallatin Zoning Ordinance and 13-7-203 T.C.A. and ordinance; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission has by a majority vote recommended approval of the proposed rezoning in Resolution 2014-25; and

WHEREAS, the City Council has approved by majority vote of the members present the rezoning request of the described property; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE:

Section 1. The City Council of the City of Gallatin does hereby rezone the following described property from Low Density Residential 40 (R40) Zoning District to the Multiple Residential and Office (MRO) District.

Section 2. The property rezoned consists of approximately 20.84 acres located east of Airport Road and north of Cairo Road and more particularly described in Exhibit 'A' attached hereto.

Section 3. The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area as hereby rezoned.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

DRAFT

ATTACHMENT 5-4

Section 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. This ordinance shall become effective immediately upon adoption.

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 5-5

GMRPC Resolution No. 2014-25

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL TO GALLATIN CITY COUNCIL OF A REZONING THREE (3) PARCELS CONSISTING OF 20.84 (+/-) ACRES FROM RESIDENTIAL-40 (R40) TO MULTIPLE RESIDENTIAL AND OFFICE (MRO) AND PRELIMINARY MASTER DEVELOPMENT PLAN AND FOR THE CAIRO ESTATES SUBDIVISION LOCATED EAST OF AIRPORT ROAD AND NORTH OF CAIRO ROAD. (PC0260-14)

WHEREAS, The applicant has submitted an application for rezoning and a Preliminary Master Development Plan consistent with Section 12.02.050 of the City of Gallatin Zoning Ordinance, and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Master Development Plan submitted by the applicant, Rogers Engineering Group, at its regular meeting on March 24, 2014; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report and the evidence and testimony presented during the meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION as follows.

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to TCA § 13-7-202 and 13-7-203 and Section 12.02 020 of the City of Gallatin Zoning Ordinance:

1. The proposed rezoning is internally consistent with Gallatin on the Move 2020 General Development and Transportation Plan Update subject to a land use change from the Airport Road Industrial Special District to the Suburban Neighborhood Established Character Area and the Intent and Purpose of the Zoning Ordinance of Gallatin, Tennessee as set forth in Article 1.00, Section 1.03 of said Ordinance. The proposed zoning is consistent with the Suburban Neighborhood Established Character Area assigned to the property.
2. The owner/applicant has submitted a completed application with required attachments to the City requesting the zoning change
3. The proposed zoning amendment is in general conformance with the general plan of the area subject to amendment of the Character Area from Airport Road Industrial Special District to the Suburban Neighborhood Established

ATTACHMENT 5-5

Character Area and that the public necessity, convenience, and the general welfare, require the adoption of the proposed amendment.

4. The property proposed for rezoning has adequate public utilities, infrastructure and private or municipal services necessary to serve the existing and proposed development and population permitted by the requested zoning or such necessary services and facilities will be provided upon development of the property,
5. Due public notice of the proposed zoning change has been provided at least fifteen (15) days but no more than thirty (30) days prior to the public hearing and public notice signs have been posted on the property consistent with Section 15.07.060 of the Gallatin Zoning Ordinance,
6. The Gallatin Regional-Municipal Planning Commission held a public meeting and has reviewed and recommended to the City Council action on the proposed rezoning request,
7. The proposed rezoning will be compatible with surrounding environment and will protect the public health, safety and welfare and will not be injurious to other property or improvements in the area in which the property is located.
8. A Preliminary Master Development Plan was submitted with the rezoning application as required by Sections 12.02.010 B. and 15.07.030 of the Gallatin Zoning Ordinance and complies with the twelve standards required of the plan.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of a rezoning of the subject property from the Residential-40 (R40) district to the Multiple Residential and Office (MRO) district as described in Exhibit 'A' and a Preliminary Master Development Plan for Cairo Estates to Gallatin City Council with the following conditions:

1. The Planning Commission shall determine whether the proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance and approval of the alternative bufferyards.
2. The rezoning and Cairo Estates Preliminary Master Development Plan approval is conditioned on the Planning Commission granting approval of an amendment to the Gallatin on the Move 2020, The General Development and Transportation Plan 2008-2020 Update to change the Airport Road Industrial Special District to Suburban Neighborhood Established Character Area. (This is scheduled to be considered at the April 28th, 2014 Planning Commission meeting.)
3. No homes shall be constructed within the stream buffer, but homes can be built within the floodplain if the finish floor elevation of the home is

ATTACHMENT 5-5

constructed one (1) foot above the Base Flood Elevation (BFE) for floodplain areas with established BFEs or three (3) foot above the highest adjacent grade for floodplain areas without an established BFE, as required in Section 10.03.070.B.

4. Provide Gallatin Public Utilities with detailed plans, specifications and hydraulic calculations for water and sanitary sewer installations.
5. Establish and label all portions of the development not including lots or proposed right-of-way as open space tract(s) to be owned and maintained by the homeowner's association.
6. The applicant shall construct the building elevation facing north (Coles Ferry Road) to be at least 70 percent masonry.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL-REGIONAL PLANNING COMMISSION that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

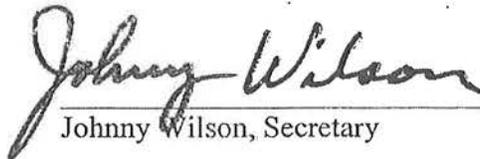
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NAY: 0

DATED: 03/24/2014

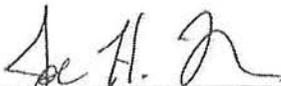


Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY



City of Gallatin, Tennessee

Planning Department

**Gallatin Municipal-Regional Planning Commission
ACTION FORM**

DATE: March 25, 2014

TO: Mr. Andy Leath
Rogers Engineering Group
114B West Main Street
Gallatin, TN 37066

FROM: Planning Department

RE: March 24, 2014, Gallatin Municipal-Regional Planning Commission Meeting
Cairo Estates, Phase 3, PMDP Rezoning File: PC0260-14

At the above referenced meeting, the request for recommendation of a Preliminary Master Development Plan and Rezoning was:

- RECOMMENDED
 RECOMMENDED WITH CONDITIONS
 NOT RECOMMENDED
 DEFERRED

Conditions of Approval:

1. The Planning Commission shall determine whether the proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance and approval of the alternative bufferyards.
2. The rezoning and Cairo Estates Preliminary Master Development Plan approval is conditioned on the Planning Commission granting approval of an amendment to the Gallatin on the Move 2020, The General Development and Transportation Plan 2008-2020 Update to change the Airport Road Industrial Special District to Suburban Neighborhood Established Character Area. (This is scheduled to be considered at the April 28th, 2014 Planning Commission meeting.)
3. No homes shall be constructed within the stream buffer, but homes can be built within the floodplain if the finish floor elevation of the home is constructed one (1) foot above the Base Flood Elevation (BFE) for floodplain areas with established BFEs or three (3) foot above the highest adjacent grade for floodplain areas without an established BFE, as required in Section 10.03.070.B.
4. Provide Gallatin Public Utilities with detailed plans, specifications and hydraulic calculations for water and sanitary sewer installations.



City of Gallatin, Tennessee

Planning Department

5. Establish and label all portions of the development not including lots or proposed right-of-way as open space tract(s) to be owned and maintained by the homeowner's association.
6. The applicant shall work with staff to identify and reserve a corridor for the location of the proposed greenway along Albright Creek as indicated in the Gallatin on the Move 2020 Plan: The General Development and Transportation Plan 2008-2020.

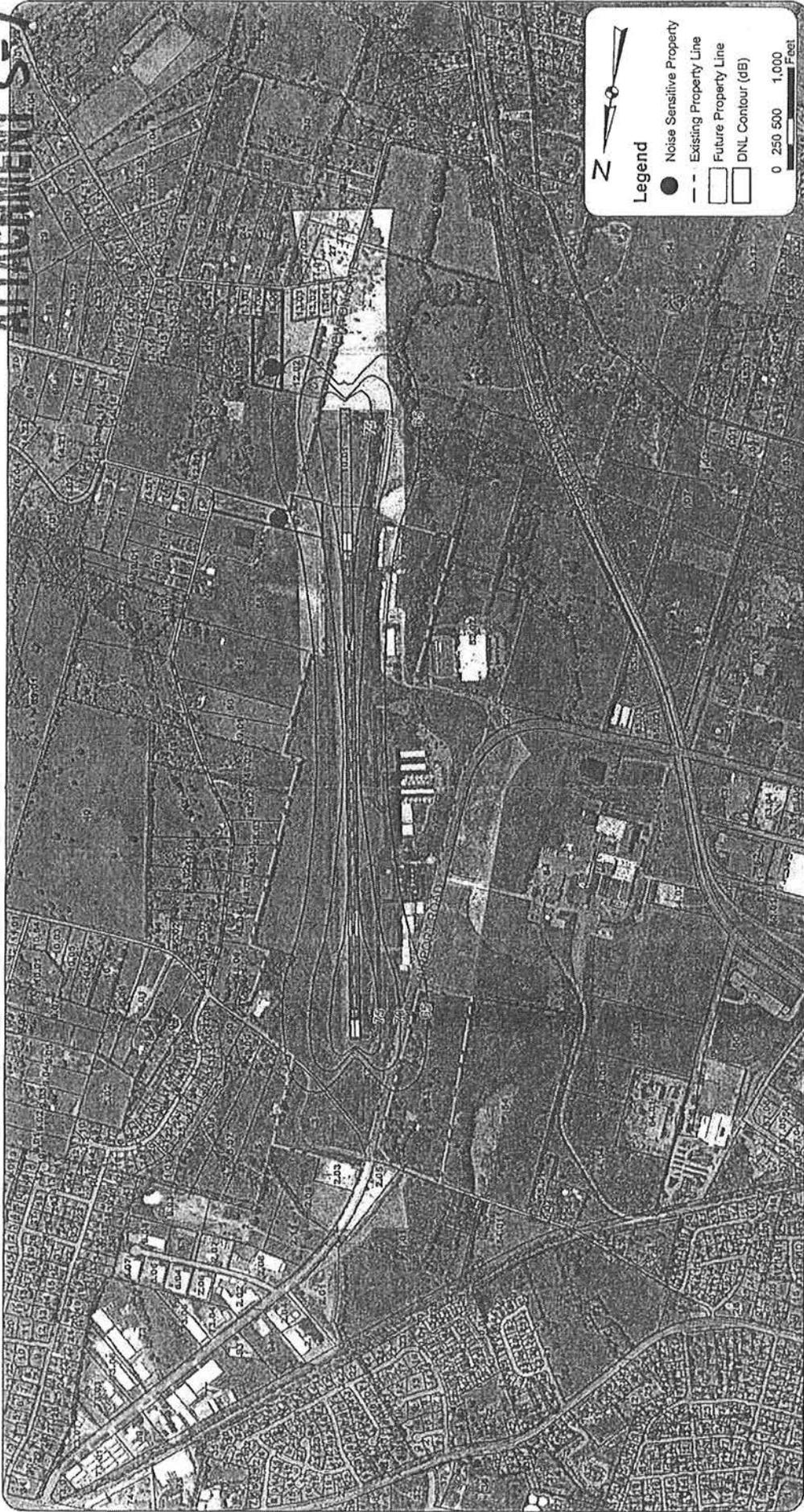
Approval contains the following requirements:

COUNCIL SUBMITTAL

CITY COUNCIL APPROVAL

- Council Committee: 4/8/14
- 1st Reading at City Council: 4/15/14
- Ad runs for Public Hearing by Codes/Planning Department: 4/17/14
- Public Hearing 5/6/14
- 2nd Reading at City Council: 5/20/14

cc: PC File PC0260-14
Mr. Henry Holleman



9019 Overlook Blvd., Suite D-4
 Brentwood, TN 37027
 ph 615-377-4320 // fx 615-377-3630
 rwa@armstrong.com

SUMNER COUNTY REGIONAL AIRPORT

ENVIRONMENTAL ASSESSMENT

EXHIBIT 4-4: 2016 BUILD NOISE EXPOSURE

SUMNER COUNTY REGIONAL AIRPORT
 1475 AIRPORT ROAD
 GALLATIN, TENNESSEE

PC0216-14

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 9

SUBJECT:

Ordinance No. O1404-18 an ordinance of the City of Gallatin, Sumner County, Tennessee, reaffirming the Mixed Use (MU) zone district on a 30.84 (+/-) acres parcel and approving a Preliminary Master Development Plan.

SUMMARY:

Applicant requests approval to reaffirm the Mixed Use (MU) district zoning on a 30.84 (+/-) acre parcel (S.B.E. Tax Map126//001.00), and approving a Preliminary Master Development Plan for Long Hollow Pike Mixed Use Development located at the southeastern corner of the intersection of Long Hollow Pike and State Route 109 North. The Gallatin Municipal-Regional Planning Commission recommended approval at the March 24, 2014 Planning Commission Meeting. (PC0189-13)

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:



ITEM 6

STAFF REPORT TO CITY COUNCIL

Preliminary Master Development Plan for Long Hollow Pike Mixed Use Development

(PC0189-13)

Long Hollow Pike and State Route Highway 109

Date: April 1, 2014

PUBLIC COMMENT

REQUEST: OWNER AND APPLICANT REQUESTS APPROVAL REAFFIRMING THE MIXED USE (MU) DISTRICT ZONING ON A 30.84 (+/-) ACRE PARCEL AND APPROVAL OF A PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE LONG HOLLOW PIKE MIXED USE DEVELOPMENT IN ORDER TO DEVELOP A MIXED USE DEVELOPMENT INCLUDING COMMERCIAL PARCELS AND A MULTI-FAMILY DWELLING RESIDENTIAL PARCEL LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION LONG HOLLOW PIKE AND STATE ROUTE HIGHWAY 109.

OWNER: GREEN AND LITTLE, LLP. (LEE ZOLLER)
APPLICANT: LOSE AND ASSOCIATES, INC. (JAY EVERETT)
STAFF RECOMMENDATION: RECOMMEND APPROVAL WITH CONDITIONS
STAFF CONTACT: ROBERT J. KALISZ
PLANNING COMMISSION DATE: MARCH 24, 2014
CITY COUNCIL DATE: APRIL 8, 2014 (COUNCIL COMMITTEE)

PROPERTY OVERVIEW: The owner and applicant are requesting approval of Ordinance O1404-18 (Attachment 6-1) reaffirming the Mixed Use (MU) District Zoning on a 30.84 (+/-) acre parcel (S.B.E. Tax Map 126//001.00), and a Preliminary Master Development Plan (PMDP) for the Long Hollow Pike Mixed Use Development located at the southeastern intersection of Long Hollow Pike and State Route Highway 109. (Attachment 6-2) The PMDP illustrates the site layout, number and size of future parcels, and architectural elevations and materials. The development contains seven (7) future parcels; one (1) future parcel for multi-family dwelling residential development, and the remaining six (6) future parcels for commercial activities as General Retail Sales and Service, Office, Food Service, and Convenience Sales and Service (with Gas Pumps) on 30.84 (+/-) acres. The Planning Commission recommended approval with conditions.

CASE BACKGROUND:

Previous Approvals

The Planning Commission recommended approval of a rezoning with the Preliminary Master Development Plan for the Green Mixed Use Development on 34.76 (+/-) acres to the Gallatin City Council at the May 20, 2002 meeting with a condition that the applicant

submit a revised boundary survey and legal description for the property. The rezoning from Industrial Restrictive (IR) to Mixed Use (MU) zone district, passed Second Reading at the July 02, 2002 Gallatin City Council meeting.

The previously approved Preliminary Master Development Plan for Green Mixed Use Development consisted of 19.76 (+/-) acres of commercial use and 15.00 (+/-) acres of multi-family residential use. The 34.76 (+/-) acres of development consisted of six (6) future parcels or areas including four (4) commercial outparcels, with no specific uses outlined, located along Long Hollow Pike, one (1) General Retail future parcel consisting of a 124,450 square foot building located directly behind the four (4) commercial outparcels, and located in the rear of the development, one (1) multi-family dwelling residential development future parcel consisting of 192 units.

The Planning Commission approved reaffirming the Mixed Use (MU) District Zoning and the Preliminary Master Development Plan for Long Hollow Pike Mixed Use Development under GMRPC Resolution No. 2014-22 on March 24, 2014 (Attachment 6-3).

DISCUSSION:

Lapse of Approval

Gallatin Zoning Ordinance Section 12.02.040.A, Preliminary Master Development Plan indicates that a Preliminary Master Development Plan shall become void two (2) years after the date of Planning Commission approval unless a Final Master Development Plan (previously referred to as a Final Site Development Plan) for the subject property, or portion thereof, has been approved by the Planning Commission in accordance with Section 12.02.030.

If a Final Master Development Plan has not been approved by the end of this two (2) year period, the owner may not apply for approval of a Final Master Development Plan until the owner requests the Planning Commission review the previously approved Preliminary Master Development Plan and provide the Mayor and Alderman with a recommendation to either: (1) extend the approval of the Preliminary Master Development Plan of the subject property for a period not to exceed two (2) years; (2) revise the Preliminary Master Development Plan in regards to the use, bulk, and/or design standards required of the previous approval; or (3) cancel the approval and impose a new base zoning district on the subject project.

The Planning Commission recommended approval of a new Preliminary Master Development Plan (PMDP) for Long Hollow Pike Mixed Use Development. The new plan includes changes to the site layout, number of future parcels, future parcel sizes, and architectural elevations and materials, and affirms the Mixed Use (MU) zoning on the 30.84 (+/-) acre site.

Natural Features of the Site

The natural topography for the existing vacant land slopes from the highest point of elevation (532') located along the south boundary (CSX Railroad), with a steady and even decline, towards the lowest point of elevation (490') located along the north boundary (Long Hollow Pike). There are existing mature trees located along the majority of the perimeter of

the property with the exception along Highway 109. There is existing vegetation located along the north boundary which is adjacent to the existing stormwater drainage ditch that runs through the two (2) existing box culverts. No portion of this development for Long Hollow Pike Mixed Use Development is located within a flood hazard area.

Adjacent Development and Zoning

The adjacent area to the north and east of the proposed development are established subdivisions zoned Residential R-10. Howard Elementary School is located in close proximity to the east of the proposed development. A portion of the property area to the north, across from Long Hollow Pike, is vacant land zoned Commercial Service (CS) and is part of the Commercial Corridor as outlined in the *Gallatin on the Move 2020 Plan*. Located to the west is State Route Highway 109 and to the south is the CSX Railroad. Beyond State Route Highway 109 is the Long Hollow Golf Course and Village Green Industrial Park and beyond the CSX Railroad are commercial zoned (CS) properties.

Comprehensive Plan Land Use and Policies

The *Gallatin on the Move 2020 Plan* shows this property as part of the Commercial Corridor Character Category. The intent of the commercial corridors is to discourage continuous ribbons of automobile-oriented commercial development, provide sidewalks and more pedestrian-friendly environment, encourage mixed use development, and reflect quality materials and design. The development strategies for the commercial corridors is to establish pedestrian-oriented building setbacks, guide building and site designs, including parking lot configuration and streetscape features, and to find an appropriate balance between residential and commercial uses within mixed use developments. The primary land uses for the commercial corridor are small and large-scale apartments, office, and commercial retail uses.

The Mixed Use (MU) zoning and the Preliminary Master Development Plan for the Long Hollow Pike Mixed Use Development is consistent with the intent, strategies, and land uses as outlined in the *Gallatin on the Move 2020 Plan*.

Proposed Development

The owner and applicant requests approval reaffirming the Mixed Use (MU) zoning on 30.84 (+/-) acres and approval of the Preliminary Master Development Plan (PMDP) for the Long Hollow Pike Mixed Use Development located at the southeastern intersection of Long Hollow Pike and State Route Highway 109. Per Section 12.02.040.A of the Gallatin Zoning Ordinance, the Planning Commission recommended approval of the Preliminary Master Development Plan with conditions.

Access and Traffic Generation

There are two (2) existing access points to this development located off of Long Hollow Pike over two (2) existing box culverts. These access points will become the two (2) main accesses to the development which in turn will become local public streets servicing the future parcels in the development. The western main access point is located approximately 350 feet from the off-ramp of the interchange of Highway 109 and Long Hollow Pike and will provide primarily access to future parcels "D", "E", and "F". The eastern main access point is located approximately 430 feet east of the western access point on Long Hollow Pike and will provide primary access to future parcels "A", "B", "C", and "G". Another local

public street will be located parallel to Long Hollow Pike providing connectivity to the other local public streets and provide additional access to future parcels “F” and “G”.

Another minor access point to the development will be the continuation of Mike Street from Holland Heights Subdivision located along the eastern boundary to the eastern local public street. A proposed emergency vehicle access (crash gate) will be located at the northwest corner of future parcel “C” adjacent to the parking lot located in the southwest corner of future parcel “D”.

A Traffic Impact Study has been submitted to the Engineering Division for review. The Traffic Impact Study identifies project traffic generation and assignment and outlines the schedule for transportation improvements based upon project trip generation.

Future Parcel Types

The proposed Preliminary Master Development Plan for Long Hollow Pike Mixed Use Development consists of 16.82 (+/-) acres of commercial use and 14.02 (+/-) acres of multi-family residential use. The future parcel uses are clearly identified. The architectural elevations and building materials are submitted with the proposed PMDP which meet the Architectural Character and Compatibility Standards of Section 13.08 of the Gallatin Zoning Ordinance. The proposed building sizes, stories, tenant, square footage of proposed building and proposed use are as follows:

- Parcel A: 1.74 (+/-) acres, one (1) proposed building:
 - one-story, multi-tenant (10), 17,500 s.f.-General Retail Sales and Service
- Parcel B: 3.66 (+/-) acres, two (2) proposed buildings:
 - one-story, multi-tenant (10), 17,500 s.f.-General Retail Sales and Service
 - one-story, multi-tenant (6), 10,500 s.f.-Office
- Parcel C: 14.02 (+/-) acres, 16 proposed buildings and clubhouse:
 - two-story, multi-family dwelling, 192 total dwelling units, 13.69 dwelling units per acre
- Parcel D: 5.82 (+/-) acres, three (3) proposed buildings:
 - two-story, multi-tenant (20), 17,500 s.f.-General Retail Sales and Service and 17,500 s.f. Office
 - two-story, multi-tenant (12), 10,500 s.f.-General Retail Sales and Service and 10,500 s.f.-Office
 - two-story, multi-tenant (12), 10,500 s.f.-General Retail Sales and Service and 10,500 s.f.-Office
- Parcel E: 1.00 (+/-) acres, one (1) proposed building:
 - one-story, single-tenant (1), 9,700 s.f.-General Retail Sales and Service
- Parcel F: 1.74 (+/-) acres, one (1) proposed building:
 - one-story, single-tenant (1), 6,500 s.f.-Food Service
- Parcel G: 1.25 (+/-) acres, one (1) proposed building:
 - one-story, single-tenant (1), 4,000 s.f.-Convenience Sales and Service (with Gas Pumps/20 fueling stations)

Buildings and Architectural Elevations

The owner and applicant have designed the layout of the commercial buildings with pedestrian-oriented building setbacks being closer to the proposed public sidewalks and reflecting quality materials and design.

All of the proposed buildings for the development will mainly consist of brick veneer facades (minimum 70 percent), stone or pre-cast base (exception multi-family residential), E.I.F.S. or brick parapet walls (commercial), and cementitious board located in the dormers and trim package (multi-family residential). The percentage of the materials to be used is illustrated on the architectural elevations. (Attachment 6-2) The owner and applicant has submitted a sample board of material and color which shows the proposed colors to be earth tones complimenting each other into the design of the proposed buildings.

The roofing system for proposed tenant buildings will be a low slope membrane material. The proposed convenience sales and service building will be standing seam metal roof panels. The multi-family residential buildings and clubhouse will use architectural asphalt shingles.

The proposed single-tenant, multi-tenant, and food service buildings are illustrated to be a typical modern design for retail centers. The proposed architectural elevations show the main entrances to the buildings using a typical extended tower facade entry to bring definition to the relative long tenant buildings.

- The one (1) story single tenant building shows one (1) front main entrance and two (2) storefront window systems with three (3) rear covered entrances.
- The one (1) story multi-tenant building (10 tenants) shows four (4) front main entrances with separate front covered entrances for the remaining tenants and rear covered entrances located opposite of the four (4) main entrances. The proposed tenant building also shows the two (2) outside main entrances include side entrance as part of the extended tower facade.
- The two (2) story multi-tenant building shows two (2) front main entrances included with the side entrances with separate front covered entrances for the remaining tenants and rear covered entrances located opposite of the two (2) main entrances.
- The one (1) story multi-tenant building (six (6) tenants) will be familiar to the two (2) story multi-tenant building minus the second story.
- The food service building will be familiar to the one (1) story single tenant with exception of more storefront window systems and no rear public entrance.

The proposed convenience sales and service (with gas pumps) building is illustrated to be a typical one (1) story rectangular shaped building with a hip roof. The main and rear entrance will be a typical aluminum storefront entry system with multiple aluminum storefront window systems located in front and on the sides of the building. The gas pump canopy will be pre-finished metal roof structure with brick veneer on the support columns. The owner and applicant show a gas station logo sign to be located on the front and sides of the canopy. A detailed sign package for the gas station logo needs to be submitted as part of the Final Master Development Plan.

The Planning Commission approved the architectural elevations as submitted, with the understanding that the final architectural elevation will be provided as part of each Final Master Development Plan.

Open Space and Landscaping

The Preliminary Master Development Plan for Long Hollow Pike Mixed Use Development does not identify any open space tracts throughout the proposed development except a detention area located in the northwest corner of the proposed development. The PMDP shows two (2) pocket parks to be located in future parcels “B” and “D” to accommodate public activities and provide improved connectivity from the corners of the local public streets. The PMDP shows landscaping in the pocket parks and detention area. Any future open space tracts might be identified as future parcels develop through the Final Master Development Plan process.

The PMDP includes a conceptual landscaping plan that shows landscaping throughout the proposed development. Bufferyards are required to be shown as part of the Preliminary Master Development Plan. These are intended to minimize the potential impacts of the proposed development on the adjacent properties as outlined in the *Gallatin on the Move 2020 Plan* and Article 13 of the Gallatin Zoning Ordinance. The applicant has submitted a conceptual landscaping and bufferyard plan, which includes some alternatives to the requirements of the Gallatin Zoning Ordinance. (Refer to plan sheet PMDP.4) The conceptual landscaping plan shows the required bufferyards; however, the owner and applicant are requesting alternative bufferyards located along the south (railroad tracks) and west (S.R. 109) boundaries, and the northern portion of the east boundary. The conceptual landscaping plan shows details of the bufferyard types. The owner and applicant stated the amount of required landscaping will not be reduced but the width of the bufferyard is to be reduced to accommodate the proposed development. The conceptual landscaping plan does not indicate any of the existing mature trees to be used towards the required bufferyards. If the owner and applicant wish to incorporate the existing mature trees into the landscaping plan then a detailed tree survey will have to be submitted with each Final Master Development Plan. Detailed landscaping plans will be submitted with each Final Master Development Plan illustrating bufferyards, parking area screening, interior planting areas, and any other required landscaping for the proposed development.

The owner and applicant is requesting approval of an Alternative Bufferyard Plan per Section 13.04.100.C of the Gallatin Zoning Ordinance. The Planning Commission determined the alternative bufferyard plan is acceptable and meets the intent of the Gallatin Zoning Ordinance. The Planning Commission approved the alternative bufferyard plan as submitted.

Parking

The parking requirements are based on the following ratios for the proposed use classifications.

- General Retail Sales and Services, one (1) parking space per 250 square feet, for future parcels “A”, “B”, “D”, and “E”
- Office, one (1) space per 300 square feet, for future parcels “B” and “D”

- Convenience Sales and Service, one (1) space per 100 square feet of gross area, for future parcel “G”
- Multi-Family Residential, two (2) spaces per dwelling unit, for future parcel “C”
- Food Service, one (1) space per four (4) person seating capacity, for future parcel “F”.

Based on these ratios, the proposed development is required to provide:

- 333 parking spaces for the retail centers
- 164 parking spaces for the office centers
- 40 parking spaces for the convenience sales and service
- 384 parking spaces for the multi-family apartments
- 71 parking spaces for the food service (seating capacity unknown)
 - The PMDP has noted when food service is submitted in the Final Master Development Plan stage the parking requirements will be established and followed per the Gallatin Zoning Ordinance.
- Total of 1,009 parking spaces required
- Total of 1,033 parking spaces provided

Staff is satisfied that adequate parking is provided for future parcels and complies with the minimum number of required regular parking spaces, including handicapped parking requirements, for each building per G.Z.O., Section 11.03, *Schedule of Off-Street Parking Requirements* and Section 11.07, *Handicapped Parking*.

Drainage and Retention

The applicant has shown the stormwater infrastructure and detention pond on the PMDP. The new site layout channels stormwater runoff into the catch basins located along the local public streets into the proposed detention area located in the northwest corner of the proposed development. The applicant shall provide more detailed information for the detention pond and stormwater infrastructure on the Final Master Development Plan for each of the future parcels.

Signing

The owner and applicant has provided a preliminary design with the PMDP illustrating the proposed freestanding ground signs and noted the freestanding ground signs to be of metal and masonry materials (stone, brick, and/or split-faced block). The PMDP shows one (1) multi-tenant freestanding ground sign, located in future parcel “A” along the local public street, and three (3) single-tenant freestanding ground signs located in front at future parcels “C”, “F”, and “G”. The applicant has not provided a preliminary design for any wall mounted signs with this PMDP, but will be required to submit a detailed sign package for Final Master Development Plans that contain wall mounted signs and freestanding ground signs.

Subdivision Plat

A subdivision plat will be submitted for the dedication of the proposed public streets right-of-way, common area tracts, and any future parcels, five (5) acres or less, to be subdivided or sold from the development.

Planning Department Comments

The Planning Department reviewed and commented on the Preliminary Master Development Plan. The applicant satisfactorily addressed the Planning Department comments; however the applicant shall comply with the following:

1. Correct the rear yard in the residential bulk regulations from “30 feet” to “20 feet” on sheets PMDP.0 and PMDP.3.
2. Correct and add the M.B.S.L.’s and yards to parcels on sheets PMDP.3 and PMDP.4.
3. Remove the “DEVELOPMENT SIGN” wording and arrow from sheet PMDP.3.
4. Correct the “Signage Notes per G.Z.O.13.07.100” to read “Signage Notes per G.Z.O.13.07 Sign Regulations” on sheet PMDP.3.
5. Correct “but in no case shall a single sign face exceed one hundred twenty (120) square feet” to read “but in no case shall a single sign face exceed one hundred (100) square feet” on sheet PMDP.3.
6. Correct the “(1) per lot-no single tenant ground sign permissible with multi-tenant ground signs” to read “(1) per development entrance-no single tenant ground sign permissible with multi-tenant ground signs” in the Multi-Tenant Ground Sign Detail on sheet PMDP.3.
7. Correct CS zoning on the property on the north side of Long Hollow Pike and add IR and CG zoning to the property on the east side of S.R. 109 on sheet PMDP.4.
8. Add a Buffer Yard Type 12 detail and use the landscape description from Buffer Yard Type 25 to sheet PMDP.4.
9. Correct 15’ to 20’ and “sixty feet” to “seventy-five feet” in Buffer Yard Type 20 detail on sheet PMDP.4.

Engineering Division Comments

The Engineering Division reviewed and commented on the Preliminary Master Development Plan and the Traffic Impact Study. Most of the Engineering Division comments have been satisfied; however, the applicant shall be aware that the Traffic Impact Study identifies project traffic generation and assignment and outlines the schedule for transportation improvements based upon project trip generation. Additional traffic review may be requested upon submittals of Final Master Development Plans.

Gallatin Public Utilities Department Comments

This development is serviced by the Gallatin Public Utilities Department. The applicant shall coordinate all development with Gallatin Public Utilities Department to ensure all future utility infrastructures are installed to the satisfaction of the Gallatin Public Utilities Department standards. The Gallatin Public Utilities Department reviewed the Preliminary Master Development Plan and made the following comment indicated below:

1. Submit detailed plans and specifications for water and sanitary sewer to the Gallatin Public Utilities Department for review and approval prior to submittal of final plats.

Other Departmental Comments

Other City Departments reviewed and commented on the Preliminary Master Development Plan. The applicant satisfactorily addressed the Other Departmental Comments.

FINDINGS:

1. The Preliminary Master Development Plan is in agreement and consistent with the intent and recommendations of the Gallatin on the Move 2020 General Development and Transportation Plan for the area, and in particular, the Commercial Corridor Character Area Category.
2. The proposed Preliminary Master Development Plan is consistent with the purpose and intent of the Mixed Use (MU) zone district and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines and minimum building setback line requirements established in said zone district with conditions.
3. The Preliminary Master Development Plan complies with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.
4. It has been determined that the legal purposes for which zoning regulations exists have not been contravened.
5. It has been determined that the zoning and Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
6. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.

RECOMMENDATION:

After discussion and public comment the Planning Commission recommended approval as indicated in GMRPC Resolution No. 2014-22 (Attachment 6-3) and the Action Form (Attachment 6-4) as required by Article 12, Section 12.02.020, Gallatin Zoning Ordinance.

The Planning Commission and staff recommend approval of Ordinance O1404-18, reaffirming the Mixed Use (MU) zoning and approval of a Preliminary Master Development Plan (PMDP) for the Long Hollow Pike Mixed Use Development, consisting of a eight (8) sheet plan including architectural elevations, prepared by Lose and Associates, Inc. of Nashville TN, with project No. 10075 and dated February 26, 2014, with a final revised date of April 1, 2014, and including the boundary survey of the Green & Little, L.P. Property, consisting of one (1) sheet plan, prepared by John Darnall Surveying of Gallatin TN, with project No. #10-016 and dated April 15, 2010, with a revised date of March 13, 2014, and including legal description of Green & Little, L.P. Property, consisting of two (2) sheets, prepared by Darnall & Associates, LLC of Gallatin TN, received March 7, 2014 with the following conditions:

1. Planning Commission approves the architectural elevations as submitted.
2. Planning Commission approves the alternative bufferyard plan as submitted.
3. Correct the 10' M.B.S.L. along Long Hollow Pike in future parcel "A" to 20' M.B.S.L. on sheets PMDP.3 and PMDP.4.
4. Correct the 10' M.B.S.L. along the local public streets in future parcels "F" and "G" to 20' M.B.S.L. on sheets PMDP.3 and PMDP.4.
5. Correct 15' width to 20' width in Buffer Yard Type 20 detail on sheet PMDP.4.

6. Submit five (5) corrected and folded copies, one (1) full size and four (4) half-size, of the Preliminary Master Development Plan to the Planning Department.

(The plans shall be amended to comply with the conditions of approval prior to the final staff approval by the City.)

ATTACHMENTS

Attachment 6-1 Draft City Council Ordinance No. O1404-18

Attachment 6-2 Preliminary Master Development Plan with Architectural Elevations

Attachment 6-3 GMRPC Resolution No. 2014-22

Attachment 6-4 GMRPC Action Form dated March 25, 2014

ATTACHMENT 6-1

ORDINANCE NO. 01404-18

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, REAFFIRMING THE MIXED USE (MU) DISTRICT ZONING ON A 30.84 (+/-) ACRE PARCEL (S.B.E. TAX MAP 126//001.00), LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF LONG HOLLOW PIKE AND STATE ROUTE 109 NORTH AND APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE LONG HOLLOW PIKE MIXED USE DEVELOPMENT, AUTHORIZING THE REVISION TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval in GMRPC Resolution No. 2014-22; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE as follows:

1. The Gallatin City Council hereby concurs with the recommendations of the Gallatin Municipal-Regional Planning Commission and hereby reaffirms the Mixed Use (MU) District Zoning on the property described in Exhibit A and adopts the Preliminary Master Development Plan as described in Exhibit B; and
2. Based upon the recommendation of approval by the Gallatin Municipal-Regional Planning Commission and after public notice and public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the Mixed Use (MU) zoning of the property is reaffirmed and the Preliminary Master Development Plan is approved with the conditions as described in Exhibit B; and
3. The Gallatin City Council does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas in accordance with Section 15.07.080 of the Gallatin Zoning Ordinance, the official zoning map of the City of Gallatin, Tennessee, shall, upon the effective date of this ordinance, be amended to reflect the reaffirmed zoning and approved Preliminary Master Development Plan herein made; and
4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict; and
5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect upon final passage, the public welfare requiring such.

ATTACHMENT 6-1

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

- Land Development Services • Construction Staking • Land Surveying • Design •

METES AND BOUNDS DESCRIPTION

GREEN & LITTLE, L.P. PROPERTY, LONG HOLLOW PIKE & HIGHWAY 109

Land lying in the southeast corner of the intersection of Tennessee Highway 109 and Tennessee Highway 174 (Long Hollow Pike) in the City of Gallatin, Third Civil District, Sumner County, Tennessee. Being part of the land deeded to Green & Little, LLC (now Green & Little, L.P.) by deed recorded in Record book 765, page 768, the Certificate of Merger of Green & Little, LLC, into Green & Little, G.P. being recorded in Record book 1065, page 515, and the Certificate of Merger of Green & Little, G.P. into Green & Little, L.P., being recorded in Record book 2166, page 670, Register's Office of Sumner County (R.O.S.C.), Tennessee, and being more particularly described as follows:

BEGINNING at a concrete right of way monument (old) at the intersection of the east right of way line of said Highway 109 and the south right of way line of said Long Hollow Pike; thence,

1. with said south right of way line of said Long Hollow Pike, S83°44'10"E, a distance of 666.90 feet to a 1/2" iron rod (new) with a cap stamped "TN1571" and "KY3050"; thence,
2. continuing with said south right of way line, S85°24'06"E, a distance of 270.31 feet to a 1/2" iron rod (new) with a cap stamped "TN1571" and "KY3050" on the west line of Lot 1 of the "H.A.T.S. Subdivision" as recorded in Plat book 10, page 364, R.O.S.C., Tennessee; thence,
3. with said west line of said Lot 1, S07°40'48"W, a distance of 322.04 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050"; thence,
4. with the south line of said Lot 1, N82°40'41"E, a distance of 232.63 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" on the west line of the land deeded to John Counce by deed recorded in Record book 2864, page 535, R.O.S.C., Tennessee; thence,
5. with said west line of said Counce land and with the west line of "Holland Heights, Section 2", as recorded in Plat book 9, page 37, R.O.S.C., Tennessee, S05°09'39"W, a distance of 253.65 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" at the west end of Mike Street; thence,
6. with the west end of said Mike Street, S14°49'46"W, a distance of 51.02 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050"; thence,
7. continuing with said west line of said "Holland Heights", S16°03'57"E, a distance of 782.42 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" on the north right of way line of Trail Drive; thence,
8. with said north right of way line of said Trail Drive, S73°56'03"W, a distance of 20.00 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050"; thence,
9. continuing with said west line of said "Holland Heights", S16°03'57"E, a distance of 205.63 feet to an iron pipe (old) on the north line of the CSX Railroad; thence,
10. with said north line of said CSX Railroad, S72°49'58"W, a distance of 508.68 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" on said east right of way line of said Highway 109; thence,

with said east right of way line the following eight calls (11 through 18):

11. N31°11'04"W, a distance of 299.97 feet to a concrete right of way monument (old);
thence,
12. N34°45'12"W, a distance of 150.22 feet to a concrete right of way monument (old);
thence,
13. N28°45'08"W, a distance of 299.71 feet to a concrete right of way monument (old);
thence,
14. N28°44'59"W, a distance of 448.28 feet to a concrete right of way monument (old);
thence,
15. with a curve to the right, northwesterly an arc length of 161.15 feet, said curve having a
radius of 5644.58 feet, a delta angle of 1°38'09", and a chord of N25°41'45"W, 161.15
feet to a concrete right of way monument (old); thence,
16. N30°02'59"W, a distance of 149.40 feet to a concrete right of way monument (old);
thence,
17. N24°01'14"W, a distance of 381.41 feet to a concrete right of way monument (old);
thence,
18. N20°03'34"E, a distance of 140.81 feet to the POINT OF BEGINNING;
CONTAINING 1,343,526 square feet 30.843 acres, more or less.

This description was prepared using the "Boundary Survey of the Green & Little, L.P. Property, Long Hollow Pike & Tennessee Highway 109", by Darnall & Associates, dated October 1, 2008 and certified by John T. Darnall, Tennessee RLS #1571.

EXHIBIT A

ORDINANCE NO. O1404-18
EXHIBIT B

EXHIBIT B

The development shall be consistent with the Preliminary Master Development Plan for the Long Hollow Pike Mixed Use Development, consisting of a eight (8) sheet plan, prepared by Lose and Associates, Inc. of Nashville TN, with project No. 10075 and dated February 26, 2014, with a final revised date of April 1, 2014, and including the boundary survey of the Green & Little, L.P. Property, consisting of one (1) sheet plan, prepared by John Darnall Surveying of Gallatin TN, with project No. #10-016 and dated April 15, 2010, with a revised date of March 13, 2014, and including legal description of Green & Little, L.P. Property, consisting of two (2) sheets, prepared by Darnall & Associates, LLC of Gallatin TN, received March 7, 2014 with the following conditions:

1. Planning Commission approved the architectural elevations as submitted.
2. Planning Commission approved the alternative bufferyard plan as submitted.
3. Correct the 10' M.B.S.L. along Long Hollow Pike in future parcel "A" to 20' M.B.S.L. on sheets PMDP.3 and PMDP.4.
4. Correct the 10' M.B.S.L. along the local public streets in future parcels "F" and "G" to 20' M.B.S.L. on sheets PMDP.3 and PMDP.4.
5. Correct 15' width to 20' width in Buffer Yard Type 20 detail on sheet PMDP.4.
6. Submit five (5) corrected and folded copies, one (1) full size and four (4) half-size, of the Preliminary Master Development Plan to the Planning Department.

ATTACHMENT 6-3

GMRPC Resolution No. 2014-22

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL REAFFIRMING THE MIXED USE (MU) DISTRICT ZONING ON A 30.84 (+/-) ACRE PARCEL AND APPROVAL OF A PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE LONG HOLLOW PIKE MIXED USE DEVELOPMENT INCLUDING COMMERCIAL PARCELS AND A MULTI-FAMILY RESIDENTIAL DWELLING PARCEL LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION LONG HOLLOW PIKE AND STATE ROUTE HIGHWAY 109 – (PC0189-13)

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Master Development Plan submitted by the applicant, Lose & Associates, Inc., at its regular meeting on March 24, 2014; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff, in the Planning Commission Staff Report, in the Preliminary Master Development Plan and architectural elevations attached hereto as Exhibit A, and the evidence and testimony presented during the meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION as follows.

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to T.C.A. §13-7-202, and §13-7-203 and G.Z.O. § 12.02.020:

1. The Preliminary Master Development Plan is in agreement and consistent with the intent and recommendations of the Gallatin on the Move 2020 General Development and Transportation Plan for the area, and in particular, the Commercial Corridor Character Area Category.
2. The proposed Preliminary Master Development Plan is consistent with the purpose and intent of the Mixed Use (MU) zone district and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines and minimum building setback line requirements established in said zone district with conditions.
3. The Preliminary Master Development Plan complies with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.
4. It has been determined that the legal purposes for which zoning regulations exists have not been contravened.
5. It has been determined that the zoning and Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.

ATTACHMENT 6-3

6. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval reaffirming the Mixed Use (MU) district zoning and the Preliminary Master Development Plan for the Long Hollow Pike Mixed Use Development consisting of a eight (8) sheet plan, prepared by Lose and Associates, Inc. of Nashville TN, with project No. 10075 and dated February 26, 2014, with a revised date of March 13, 2014, and including the boundary survey of the Green & Little, L.P. Property, consisting of one (1) sheet plan, prepared by John Darnall Surveying of Gallatin TN, with project No. #10-016 and dated April 15, 2010, with a revised date of March 13, 2014, and including legal description of Green & Little, L.P. Property, consisting of two (2) sheets, prepared by Darnall & Associates, LLC of Gallatin TN, received March 7, 2014 with the following conditions:

1. Planning Commission approved the architectural elevations as submitted.
2. Planning Commission approved the alternative bufferyard plan as submitted.
3. Correct the rear yard in the residential bulk regulations from “30 feet” to “20 feet” on sheets PMDP.0 and PMDP.3.
4. Correct and add the M.B.S.L.’s and yards to parcels on sheets PMDP.3 and PMDP.4.
5. Remove the “DEVELOPMENT SIGN” wording and arrow from sheet PMDP.3.
6. Correct the “Signage Notes per G.Z.O.13.07.100” to read “Signage Notes per G.Z.O.13.07 Sign Regulations” on sheet PMDP.3.
7. Correct “but in no case shall a single sign face exceed one hundred twenty (120) square feet” to read “but in no case shall a single sign face exceed one hundred (100) square feet” on sheet PMDP.3.
8. Correct the “(1) per lot-no single tenant ground sign permissible with multi-tenant ground signs” to read “(1) per development entrance-no single tenant ground sign permissible with multi-tenant ground signs” in the Multi-Tenant Ground Sign Detail on sheet PMDP.3.
9. Correct CS zoning on the property on the north side of Long Hollow Pike and add IR and CG zoning to the property on the east side of S.R. 109 on sheet PMDP.4.
10. Add a Buffer Yard Type 12 detail and use the landscape description from Buffer Yard Type 25 to sheet PMDP.4.
11. Correct 15’ to 20’ and “sixty feet” to “seventy-five feet” in Buffer Yard Type 20 detail on sheet PMDP.4.
12. Submit three (3) corrected and folded copies, one (1) full size and two (2) half-size, of the Preliminary Master Development Plan to the Planning Department.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL-REGIONAL PLANNING COMMISSION that this resolution shall take effect from and after its final passage, the public welfare requiring such.

ATTACHMENT 6-3

IT IS SO ORDERED.

PRESENT AND VOTING

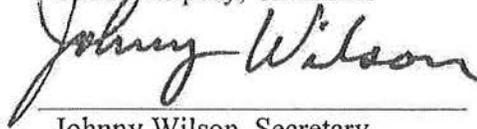
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DATED: 3/24/14

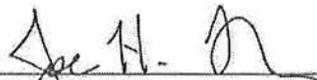


Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY



ATTACHMENT 6-4

City of Gallatin, Tennessee

Planning Department

**Gallatin Municipal-Regional Planning Commission
ACTION FORM**

DATE: March 25, 2014

TO: Mr. Jay Everett
Lose & Associates
1314 5th Avenue North, Suite 200
Nashville, TN 37708

FROM: Planning Department

RE: March 24, 2014, Gallatin Municipal-Regional Planning Commission Meeting
Long Hollow Pike Mixed Use Development, PMDP File: PC0189-13

The request for approval Reaffirming the Mixed Use (MU) District Zoning on 30.84 (+/-) acre parcel and a Preliminary Master Development Plan and was:

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Conditions of Approval:

1. Planning Commission approved the architectural elevations as submitted.
2. Planning Commission approved the alternative bufferyard plan as submitted.
3. Correct the rear yard in the residential bulk regulations from "30 feet" to "20 feet" on sheets PMDP.0 and PMDP.3.
4. Correct and add the M.B.S.L.'s and yards to parcels on sheets PMDP.3 and PMDP.4.
5. Remove the "DEVELOPMENT SIGN" wording and arrow from sheet PMDP.3.
6. Correct the "Signage Notes per G.Z.O.13.07.100" to read "Signage Notes per G.Z.O.13.07 Sign Regulations" on sheet PMDP.3.
7. Correct "but in no case shall a single sign face exceed one hundred twenty (120) square feet" to read "but in no case shall a single sign face exceed one hundred (100) square feet" on sheet PMDP.3.
8. Correct the "(1) per lot-no single tenant ground sign permissible with multi-tenant ground signs" to read "(1) per development entrance-no single tenant ground sign permissible with multi-tenant ground signs" in the Multi-Tenant Ground Sign Detail on sheet PMDP.3.



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9. Correct CS zoning on the property on the north side of Long Hollow Pike and add IR and CG zoning to the property on the east side of S.R. 109 on sheet PMDP.4.
10. Add a Buffer Yard Type 12 detail and use the landscape description from Buffer Yard Type 25 to sheet PMDP.4.
11. Correct 15' to 20' and "sixty feet" to "seventy-five feet" in Buffer Yard Type 20 detail on sheet PMDP.4.
12. Submit fifteen (15) corrected and folded copies, one (1) full size and fourteen (14) half-size, of the Preliminary Master Development Plan to the Planning Department by 12:00 p.m. (noon) on Tuesday, April 1, 2014 in order to place this item on April 8, 2014 City Council Committee meeting agenda.

Approval contains the following requirements:

- NONE
- BUILDING PERMIT/USE AND OCCUPANCY PERMIT
- ZONING PERMIT
- SIGN PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK
- SITE SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT 15 CORRECTED, FOLDED COPIES (ONE (1) FULL SIZE AND FOURTEEN (14) HALF SIZE), NO COLORED ARCHITECTURAL ELEVATIONS OR BOUNDARY SURVEY AND LEGAL DESCRIPTION REQUIRED.
- OTHER: CORRECTED AND FOLDED COPIES TO BE SUBMITTED TO PLANNING DEPARTMENT BY 12:00 P.M. (NOON) ON TUESDAY, APRIL 1, 2014.
- CITY COUNCIL APPROVAL
 - City Council Committee: April 8, 2014
 - 1ST Reading at City Council: April 15, 2014
 - Public Hearing: May 6, 2014
 - 2nd Reading at City Council: May 20, 2014

cc: PC File PC0189-13
Lee Zoller, Green & Little, LP

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: **Engineering**

AGENDA # 10

SUBJECT:

East Park Avenue Roadway Improvements

SUMMARY:

Currently we have budgeted \$136,000 for East Park Avenue roadway improvements. This construction includes roadway resurfacing and curbing along the median in addition to replacement of some storm sewer and driveway culverts.

A public meeting was held on June 11, 2013 and the residents voiced their opinion on the planned improvements. The residents were in great support of adding storm drain to eliminate the roadside ditch with curbs. They also would like sidewalks installed. The Engineering Division made a presentation to the City Council on July 23, 2013 with a request for additional funding to accomplish the residents requests. The proposal at that time was for an outside contract let with a projected construction cost of \$615,000.

After several discussions with Public Works, we believe that many of the residents requests could be satisfied with an in-house construction project for an estimated \$350,000.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Mayor's Office

AGENDA # | |

SUBJECT:

Discussion of Centralized 911 Dispatch

SUMMARY:

Mayor Graves and Chief Bandy will be presenting this item. Information will be handed out at Council Committee Meeting

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Leisure Services

AGENDA # 12

SUBJECT:

Noise Ordinance for Parks

SUMMARY:

Discussion of the Noise Ordinance as it pertains to events in the parks.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: Planning Department

AGENDA # 13

SUBJECT:

The Planning Department requests that the Council authorize staff to apply for an Active Transportation Grant for sidewalk improvements projects from the Nashville Area Metropolitan Transportation Planning Organization's 2014-2017 Call for Projects Application Cycle.

SUMMARY:

The MPO has issued a Call for Projects for the Active Transportation Program. This program provides Federal funding assistance to develop transportation projects primarily to benefit pedestrian and bicycle modes. The required local match is 20% of project cost and the Federal Match is 80% of project costs. More detailed information on the grant program is provided in Attachment 1. This program is a competitive grant program, If the City applies it will be competing with other MPO member local governments for the funds. Application abstracts are due to the MPO by April 18, 2014 and the final applications are due by May 30, 2014. If Council authorizes applying for the grant, staff will prepare the application and supporting documents and submit to the MPO for review and ranking. Submitting an application indicates to the MPO that the City is committing to provide the local match. A request to obligate funds will occur after the projects are ranked and scheduled for funding. Staff has identified a list of priority projects with a generalized estimate of costs. This list includes over 18 miles of sidewalks in the City (Attachment 2). Staff suggests that the Council select only a few of the projects for this round of funding to meet the City's desired level of commitment for this grant request. Currently, the Public Works Department receives \$50,000 per year for sidewalk improvements. If this money is applied to the local match then \$250,000 of sidewalk projects, or four times as much of sidewalk, could be built in the City with these same funds under this program.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Active Transportation Program

Call-for-Projects, FYs 2014-2017

Project Schedule

- Call for projects announced: March 19, 2014
- Project abstract due: April 18, 2014
- Deadline for Proposals: May 30, 2014
- Review and Evaluation: June - August 2014
- MPO TCC Meeting - Endorse Staff/BPAC Recommendations for Awards: October 1, 2014
- MPO Board Meeting - Endorse Staff/BPAC Recommendations for Awards: October 15, 2014
- MPO TCC Meeting - Endorse Proposed Amendments to TIP: November 5, 2014
- MPO Annual Meeting - Endorse Proposed Amendments to TIP: November 19, 2014
- MPO TCC Meeting - First Public Hearing for TIP Amendments: December 3, 2014
- MPO Board Meeting - Second Public Hearing / Adopt TIP Amendments: December 10, 2014

Background

In the spring of 2014, the MPO will accept proposals from public agencies located within the MPO planning area to help advance regional initiatives to improve walking and bicycling infrastructure in Middle Tennessee.

Program Highlights:

- The Active Transportation Program is authorized by the MPO's 2035 Regional Transportation Plan as a way to advance the region's policy initiative to support active transportation and the development of walkable communities.
- The 2035 Regional Transportation Plan identifies approximately \$115 million in federal funds over the next 25 years for the program. Funding is awarded to specific projects through the region's Transportation Improvement Program in 4 or 5-year intervals. **The MPO has programmed \$12 million in federal funds for the current FYs 2014-2017 Transportation Improvement Program.**
- Grant recipients are required to provide a non-federal match of at least 20 percent of the total project cost.

Eligible Applicants

Public sector agencies located within the MPO planning area, including state and local governments and transit agencies, are eligible to apply. Non-profit organizations are encouraged to contact a local government agency or transit agency for partnering opportunities.

Eligible Projects

Projects must meet the federal eligibility requirements associated with the Federal Highway Administration Surface Transportation Program AND advance regional initiatives to improve the availability, safety, and convenience of active forms of transportation. Funding can be used to implement a stand-alone project or supplement an existing project to ensure the inclusion of non-motorized modes (e.g., adding sidewalks to a road widening project).

Examples of eligible projects:

- *Infrastructure Improvements or Enhancements* - Projects that improve or expand the physical infrastructure to accommodate or improve access to non-motorized modes of transportation including sidewalks, bicycle lanes, shared lanes, transit stop amenities, bicyclist and pedestrian amenities, pedestrian crossings, intersection upgrades, greenways, bike share, etc.
- *Non-Infrastructure Programs* - Projects that increase awareness and understanding of the specific needs of users of active transportation modes including planning activities and studies, public outreach efforts, and education and training programs.

Match Requirements

A 20 percent match is required and must be provided from some source other than federal grant funds. Each application is required to be accompanied by a letter from the principal elected official or chief executive of the applicant agency indicating that local matching funds are available during the project's proposed timeline.

Proposal Evaluation & Selection Process

Project evaluation is completed in three stages and involves participation by MPO staff and members of the MPO Bicycle & Pedestrian Advisory Committee:

- *Quantitative Scoring by MPO Staff* - MPO staff applies the scoring criteria used during the development of the 2035 Plan which includes an analysis of Level of Service (LOS), latent/potential demand and the proximity of population and employment, traffic volumes, congestion, environmental features, Title VI populations, High Health Impact areas, etc.
- *Qualitative Assessment by BPAC* - The BPAC performs a qualitative evaluation of each project, scoring applications from 0 (worst) to 5 (best) within each of the following categories:
 - **Infrastructure Projects:** 1. Promotion of Environmental & Personal Health, 2. Expected Utility/ Usage, 3. Contribution to the Built Environment, 4. Value over No Build/ No Action
 - **Non-Infrastructure Projects:** 1. Scope of Audience/ Reach, 2. Consistency of Message to Regional Goals, 3. Synergy with other Programs, 4. Sustainability of Effort
- *Qualitative Assessment by MPO Staff* - MPO staff develops the final rankings for projects, taking into consideration FYs 14-17 TIP budget constraints, the performance history of projects sponsors, the long-term sustainability of the project, and consistency with the 2035 Regional Transportation Plan

Project Selection occurs in three stages and involves participation by MPO staff, MPO BPAC, MPO Technical Coordinating Committee, and MPO Executive Board:

ATTACHMENT /

- With the MPO BPAC serving in an advisory role, MPO staff makes recommendations for project awards to the TCC and MPO Executive Board
- The MPO TCC is requested to endorse MPO staff recommendations for consideration by the MPO Executive Board
- The MPO Executive Board is asked to adopt MPO staff recommendations.

Upon action by the MPO Executive Board, letters will be mailed to award recipients with instructions on how to move forward with the contracting process.

Application Document & Submission Instructions

Project Abstracts

Abstracts are due before complete project submittal to provide the MPO an opportunity to review each project for compliance with the intent and requirements of the funding. Abstracts should be no longer than 1-2 pages and include:

- The project description and purpose.
- The need of the project and a description of who will be served by the project.
- A sketch or drawing of the project (if infrastructure).
- Budget and timeline estimates for the project, and an indication of impending matching funds.

Once abstracts have been approved by MPO staff, applicants are invited to submit a full proposal. All proposals will include the following:

- Cover Letter from the principal elected official or chief executive indicating that local matching funds are available during the project's proposed timeline
- Completed Application Form
- Proposal Narrative (not to exceed 10 pages total in addressing each of the 7 sections)
- Completed Budget Worksheet
- An appendix of additional illustrations, letters of support, or documentation that helps communicate the importance of the proposed project (optional)

Application Materials Available Starting March 24

- Application for Infrastructure Projects 
- Application for Non-Infrastructure Projects 
- Excel Version of Budget Worksheet 

Applicants are required to submit five (5) hard copies and one (1) electronic copy of the application package to Ms. Lou Edwards by 2:00 PM on Friday, May 23, 2014:

Mailing Address:

Active Transportation Program
c/o Nashville Area MPO
800 Second Avenue South

ATTACHMENT /

PO BOX 196300
Nashville, TN 37219

Delivery Address (for FedEx, UPS, etc.):

Active Transportation Program
c/o Nashville Area MPO
800 Second Avenue South
Nashville, TN 37210

Draft Sidewalks Capital Improvements Program Priority Listing - April 2014

| Council District | Priority Number | Facility Type | Facility Name | Begin Point | End Point | Class of Street | School within 1/2 mile? | Connectivity | Distance (ft) | Side of Street | Estimated Cost | Design Issues & Concerns |
|------------------|-----------------|---------------|-----------------------------------|-------------------------|----------------------------|-----------------|-------------------------|--------------|---------------|----------------|----------------|-------------------------------------|
| 1 | 1 | Sidewalk | South Water Ave Sidewalk | Factory St. | Whitherspoon Ave | arterial | yes | H | 1000 | east | \$ 30,000 | parking lots |
| 1 | 1 | Sidewalk | Triple Creek Park connector | Redstone Drive | Park | N/A | yes | H | 275 | n/a | \$ 13,750 | (Proposed as 8' wide sidewalk) |
| 1 | 1 | Sidewalk | Park Avenue | S. Westland Ave | S. Water Ave | local | no | M | 1820 | north/south | \$ 91,000 | R/W, Swales, mailboxes |
| 1 | 1 | Sidewalk | Boyers Ave | S. of Joann Street | East Jackson St. | local | yes | M | 844 | east | \$ 25,320 | swale |
| 1 | 1 | Sidewalk | College Street | Brown Place | Broadway | collector | no | H | 562 | west/east | \$ 16,860 | swales, trees, driveways |
| 1 | 2 | Sidewalk | Westland Avenue | Main Street | Perottee Street | local | no | H | 1615 | east/west | \$ 48,450 | Trees, poles, landscaping, ditches |
| 1 | 2 | Sidewalk | Trigg Ave | Main Street | Eastland Ave | local | no | H | 1200 | east/west | \$ 36,000 | trees, mailboxes, R/W |
| 1 | 2 | Sidewalk | Hartsville Pike (SR 25) | E. of Contage Dr. | Rocky Crest Dr. | arterial | no | H | 2518 | south | \$ 75,540 | slopes, drainage facilities |
| 1 | 2 | Sidewalk | S. Westland Ave | Park Avenue | Coles Ferry Road | collector | yes | M | 2950 | east/west | \$ 88,500 | swales |
| 1 | 2 | Sidewalk | S. Westland Ave | Morrison Street | Park Avenue | collector | no | M | 1350 | east/west | \$ 40,500 | Bridge over railroad |
| 1 | 3 | Sidewalk | Main Street | Hillcrest Drive | Hamilton Place | collector | no | H | 3698 | east | \$ 110,940 | drainage, landscaping |
| 1 | 4 | Sidewalk | Eastland Street | Boyers/College | Westland | collector | no | M | 1856 | north/south | \$ 55,680 | R/W, utility poles, ditches |
| 1 | 4 | Sidewalk | Broadway (US 31E) | Boyers Avenue | Greenway Parking lot | arterial | yes | H | 2280 | south | \$ 68,400 | Greenway parallels route |
| 1 | 5 | Sidewalk | Albert Gallatin Sidewalk (SR 174) | E. of Dobbins Pike | Chic Center | minor arterial | yes | H | 1320 | north | \$ 39,600 | State R/W |
| 2 | 1 | Sidewalk | Albion Road Sidewalk | Albion Circle | S. of Albion Circle | arterial | yes | H | 181 | west | \$ 5,430 | |
| 2 | 1 | Sidewalk | Albion Circle | Albion Road | S. of Hartford Circle | local | yes | H | 285 | west | \$ 8,550 | |
| 2 | 1 | Sidewalk | Albion Road Sidewalk | N. of Coles Ferry Rd | Lena Ln | arterial | yes | M | 2500 | west | \$ 75,000 | swale, crosswalk |
| 2 | 2 | Sidewalk | Albion Road Sidewalk | Lena Lane | Water Avenue | arterial | yes | M | 1815 | north/west | \$ 54,450 | |
| 2 | 2 | Sidewalk | Coles Ferry Road | S. Westland Ave | S. Water Avenue | collector | yes | H | 670 | north | \$ 20,100 | limited R/W, poles, easement needed |
| 2 | 2 | Sidewalk | Coles Ferry Road | S. Westland Ave | Albion Road | collector | yes | H | 1930 | north | \$ 57,900 | |
| 2 | 2 | Sidewalk | South Water Avenue | Woods Ferry Road | SR 109 | arterial | yes | M | 770 | east | \$ 23,100 | |
| 2 | 3 | Sidewalk | Hancock Street | SR 109 | Public Works Facility | arterial | yes | H | 2875 | south | \$ 86,250 | |
| 2 | 3 | Sidewalk | South of Water Avenue | Albion Road | Halle Avenue | arterial | yes | M | 1818 | west | \$ 54,540 | |
| 3 | 1 | Sidewalk | Greenwave Drive | Nashville Pike | Dan P. Herron Dr. | collector | yes | H | 435 | east | \$ 13,050 | State R/W |
| 3 | 1 | Sidewalk | Nashville Pike (US 31E) | Davis Dr. | W. of Davis Drive | arterial | no | H | 571 | south | \$ 17,130 | State R/W |
| 3 | 2 | Sidewalk | Nashville Pike (US 31E) | Summer Hall Drive | Village Green Dr. | arterial | yes | H | 2840 | north | \$ 85,200 | State R/W, ditches |
| 3 | 2 | Sidewalk | Nashville Pike (US 31E) | Greenwave Drive | Lock 4 Road | arterial | yes | H | 1930 | south | \$ 57,900 | State R/W, drainage |
| 3 | 2 | Sidewalk | Lock 4 Road | Panera Plat | Hancock Street | collector | yes | H | 1600 | west | \$ 48,000 | |
| 3 | 3 | Sidewalk | Hancock Street | W. of Garnet | Lock 4 Road | collector | yes | M | 765 | north | \$ 22,950 | landscaping |
| 3 | 3 | Sidewalk | Belvedere Blvd. | CSX Railroad | Nashville Pike | arterial | no | M | 1845 | north | \$ 55,350 | RR crossing |
| 3 | 3 | Sidewalk | Hancock Street | Garnet | Lock 4 Road | collector | yes | M | 1025 | south | \$ 30,750 | |
| 3 | 3 | Sidewalk | Lock 4 Road | Hancock Street | Lennox Village | collector | yes | M | 1800 | east | \$ 54,000 | swale |
| 3 | 3 | Sidewalk | Nashville Pike (US 31E) | Peninsula Drive | E. of Niagara Way | arterial | no | H | 450 | south | \$ 13,500 | State R/W |
| 3 | 3 | Sidewalk | Nashville Pike (US 31E) | Village Green Drive | Belvedere Dr. | arterial | no | M | 1500 | north | \$ 45,000 | State R/W |
| 3 | 3 | Sidewalk | Nichols Lane | Woods Ferry Rd | E. of Woods Ferry Road | collector | no | H | 220 | north | \$ 6,600 | swale |
| 3 | 3 | Sidewalk | Summer Hall Dr | at Comfort Inn | Nichols Lane | local | no | H | 200 | west | \$ 6,000 | Adjacent to Comfort Inn Parking lot |
| 3 | 5 | Sidewalk | Lock 4 Road | Lennox Village | Lock 4 Road | collector | yes | L | 1245 | east | \$ 37,350 | slopes, creek crossing, guard rails |
| 3 | 5 | Sidewalk | Nichols Lane | Livingston | Long Hollow Pike | collector | yes | L | 2406 | north | \$ 72,180 | |
| 3 | 5 | Sidewalk | Belvedere Blvd. | CSX Railroad | Belvedere Blvd. | arterial | no | L | 3122 | east | \$ 93,660 | ditch, utility poles, RR w/g |
| 3 | 5 | Sidewalk | Long Hollow Pike (SR 174) | Belvedere | Walnut Creek Drive | arterial | yes | L | 2000 | north | \$ 60,000 | State R/W, interchange |
| 4 | 1 | Sidewalk | Big Station Camp Road | Station Camp Mid School | Bison Trail | arterial | yes | H | 1088 | west | \$ 32,640 | |
| 4 | 1 | Sidewalk | Bison Trail | Big Station Camp Road | Lower Station Camp Cl. Rd. | collector | yes | H | 3000 | south | \$ 90,000 | |

Draft Sidewalks Capital Improvements Program Priority Listing - April 2014

| Council District | Priority Number | Facility Type | Facility Name | Begin Point | End Point | Functional Class of Street | School within 1/2 mile? | Connectivity | Distance (ft) | Side of Street | Estimated Cost *** | Design Issues & Concerns |
|--------------------|-----------------|---------------|---------------------------|---------------------|--------------------|----------------------------|-------------------------|--------------|---------------|----------------|--------------------|--|
| 4 | 2 | Sidewalk | Long Hollow Pike (SR 174) | Stratford Park Blvd | Wending Blvd. | arterial | no | H | 1763 | north | \$ 52,890 | State R/W |
| 4 | 2 | Sidewalk | Browns Lane | Lincolnshire Dr. | Green Lea Blvd. | collector | no | H | 3437 | east | \$ 103,110 | landscaping, median may be possible |
| 4 | 4 | Sidewalk | Nashville Pike (US 31E) | Greensboro Drive | GreenLea Blvd. | arterial | no | H | 1168 | South | \$ 35,040 | State R/W |
| 5 | 1 | Sidewalk | Anthony Street | Small Street | Hatten Track Rd. | local | yes | M | 3197 | west | \$ 95,910 | ditch,hedge, no curb |
| 5 | 1 | Sidewalk | Carson Street | Anthony Street | Lincoln Drive | local | yes | H | 935 | north | \$ 28,050 | swales,landscaping |
| 5 | 1 | Sidewalk | Blakemore Street | Randolph South | West Eastland Ave. | local | yes | H | 452 | east | \$ 13,560 | utility poles & trees |
| 5 | 1 | Sidewalk | Blakemore Street | Small Street | Randolph St. N | local | yes | H | 638 | east | \$ 19,140 | utility poles & trees |
| 5 | 1 | Sidewalk | Long Hollow Pike (SR 174) | Red River Road | Walnut Creek Drive | minor arterial | no | H | 4325 | north | \$ 129,750 | State R/W, ditches |
| 5 | 1 | Sidewalk | Red River Road (SR 25) | CSX RR- Branch | Long Hollow Pike | minor arterial | no | H | 1243 | south | \$ 37,290 | State R/W, RR. Ltd R/W |
| 5 | 1 | Sidewalk | Red River Road (SR 25) | CSX RR- Branch | Long Hollow Pike | minor arterial | no | H | 1370 | north | \$ 41,100 | State R/W, RR. Ltd R/W |
| 5 | 2 | Sidewalk | Red River Road (SR 25) | Long Hollow Pike | Womack Circle | minor arterial | yes | H | 1130 | north | \$ 33,900 | State R/W |
| 5 | 2 | Sidewalk | Smith Street | W. of Trigs Street | Pardue Avenue | collector | no | H | 1200 | north | \$ 35,000 | R/W, swales |
| 5 | 2 | Sidewalk | Blakemore Street | Church Street | Red River Road | local | yes | H | 633 | east | \$ 18,990 | R/W, utility poles |
| 5 | 2 | Sidewalk | Blythe Avenue Sidewalk | N. of Small Street | Hall Street | collector | yes | H | 1332 | west | \$ 39,960 | swale,parking lots |
| 5 | 2 | Sidewalk | Long Hollow Pike (SR 174) | Red River Road | W. of Green Avenue | arterial | yes | H | 3520 | South | \$ 105,600 | State R/W, ditches |
| 5 | 2 | Sidewalk | Gray Street | Blythe Avenue | W of Water Avenue | collector | yes | M | 1400 | north/south | \$ 42,000 | RR crossing, fencing, landscaping |
| 5 | 3 | Sidewalk | Eastland Street | CSX Railroad | Broadway | collector | yes | M | 350 | North/South | \$ 10,500 | Parking access |
| 5 | 3 | Sidewalk | Winchester Street | Trigs Ave | Pardue Avenue | local | no | H | 653 | north/south | \$ 19,590 | R/W, swales, landscaping, creek crossing |
| 5 | 3 | Sidewalk | Pardue Avenue | Bliciose | Main Street | local | no | H | 765 | east/west | \$ 22,950 | R/W, landscaping,parking |
| 5 | 4 | Sidewalk | Blythe Avenue Sidewalk | Hall Street | N. Water Avenue | collector | yes | M | 1546 | west | \$ 46,380 | swale |
| 5 | 4 | Sidewalk | Dorothy Jordan Ave. | Eastland Street | Red River Road | collector | no | M | 1400 | east | \$ 42,000 | R/W, utility poles |
| TOTAL | | | | | | | | | | | \$ 2,940,830 | |
| Total Miles | | | | | | | | | | | 18.30 | |
| | | | | | | | | | | | Length Feet | Estimated Cost |
| | | | | | | | | | | | 23288 | \$ 740,540 |
| | | | | | | | | | | | 12844 | \$ 385,320 |
| | | | | | | | | | | | 23954 | \$ 718,620 |
| | | | | | | | | | | | 10456 | \$ 313,680 |
| | | | | | | | | | | | 26089 | \$ 782,670 |
| | | | | | | | | | | | 96631 | \$ 2,940,830 |
| | | | | | | | | | | | District 1 | |
| | | | | | | | | | | | District 2 | |
| | | | | | | | | | | | District 3 | |
| | | | | | | | | | | | District 4 | |
| | | | | | | | | | | | District 5 | |
| | | | | | | | | | | | TOTAL | |

*** Estimated cost is based on \$30/linear foot of 5 foot wide sidewalk. This is also an "Ease of Implementation Measure." Cost could be substantially greater with issues concerning grades, right-of-way availability, utility conflicts, and drainage issues. Connectivity Measure is to existing facilities and is scored as High(H), Medium (M) or Low (L)