CITY OF GALLATIN
COUNCIL MEETING

October 16, 2012 **6:00 pm** **Dr. J. Deotha Malone Council Chambers**

- Call to Order – Mayor Jo Ann Graves
- Opening Prayer – Rev. John Arnold, Associate Pastor, First United Methodist Church
- Pledge of Allegiance – Councilman Camp
- Roll Call: Vice Mayor Mayberry – Alexander – Camp – Garrott – Hayes – Kemp – Overton
- Approval of Minutes – October 2, 2012
- Public Recognition on Agenda Related Items
- Mayor's Comments

AGENDA

1. **Second Reading – Ordinance #O12Ø8-53** amending zoning ordinance of the City of Gallatin, Tennessee by approving the Preliminary Master Development plan for Hunter Pointe/The Heights at GreenLea, Phase 1 – properties zoned Mixed Use District (MU) – Gallatin Land, LLC C/O Realty America, GP #10 owner(s) – 5.32 (+/-) acres, S.B.E. tax map #125//017.01; 10.53 (+/-) acres, S.B.E. tax map #125//018.02; and 6.94 (+/-) acres S.B.E. tax map #125//018.03 located on the north side of State Route (SR) 386, south of State Route (SR) 174 (Long Hollow Pike) **(Councilman Hayes)**

2. **Second Reading – Ordinance #O12Ø9-55** awarding bid and authorizing funds in the total amount of $123,000.00 from water/sewer reserves for Industrial Park water & sewer road crossings contract "312" **(Vice Mayor Mayberry)**

3. **Second Reading – Ordinance #O12Ø9-56** awarding bid and authorizing funds in the total amount of $1,320,000.00 from natural gas reserves for "2012 Annual Gas Line Construction" in various areas of the City. **(Councilwoman Kemp)**

4. **First Reading – Ordinance #O121Ø-57** awarding bid and authorizing funds in the amount of $51,950.00 from Natural Gas Reserves for resurfacing of Utility parking lot **(Councilman Alexander)**

5. **First Reading – Ordinance #O121Ø-59** approving agreement with TDK Construction Company, Inc. permitting a $40,000 contribution to City of Gallatin in lieu of installing sidewalks along Foxland and Mahogany Boulevard **(Councilman Overton)**

6. **First Reading – Ordinance #O121Ø-58** appropriating funds for completion of Town Creek Greenway and establishing Guidelines for Council Review of Greenway Project **(Councilman Garrott)**

7. **First Reading – Ordinance #O1210-61** Annual Budget for the Fiscal Year beginning July 1, 2012 through June 30, 2013 **(Councilman Garrott)**

8. **Resolution #R121Ø-45** appointing Gwynn Smith and David Jose to the Gallatin Industrial Development Board and the Gallatin Health Educational and Housing Facilities Board **(Councilman Camp)**

- Other Business
- Public Recognition on Non-Agenda Related Items
- Adjourn

City of Gallatin
City Council Meeting

October 2, 2012

The Gallatin City Council met in regular session on Tuesday, October 2, 2012 in the Dr. J. Deotha Malone Council Chambers in Gallatin City Hall. Mayor Jo Ann Graves called the meeting to order at 6:00 P.M. The opening prayer was led by Rev. A. Michael Clark, Flames of Fire Institutional International and the Pledge of Allegiance was led by Councilman John D. Alexander.

City Recorder Connie Kittrell called the roll and the following were present: Vice Mayor Ed Mayberry, Councilman John D. Alexander, Councilman Steve Camp, Councilman Tommy Garrott, Councilman Craig Hayes, Councilwoman Anne Kemp and Councilman Jimmy Overton.

Approval of Minutes

Mayor Graves presented the minutes of the September 18, 2012 City Council Meeting for approval. Councilman Overton made motion to approve; Councilman Alexander seconded. Motion carried with 7 ayes and 0 nays.

Public Recognition on Agenda Related Items

Mayor opened public recognition on agenda related items. With no one wishing to speak, public recognition was closed.

Mayor's Comments

Mayor Graves read a proclamation and made a special presentation to Statea Representative Mike McDonald thanking him for his 18 years of service in the General Assembly.

Councilman Overton invited everyone to Mike McDonald Appreciation Day this Sunday, October 7th from 4:00 P.M. to 6:00 P.M. at Triple Creek Park in the new pavilion.

Mayor Graves announced the following:

- Gallatin received a Fire Boat Grant in the amount of $250,000. The city is responsible for 112 miles of TVA shoreline and 57 miles of other shoreline,

hundreds of boat slips, barge ports, fuel ports and many other things that this Fire Boat will be able to service.

- Domestic Violence Awareness Month Ceremony will be this Thursday, October 4th at 5:30 P.M. in front of City Hall.

- Third Thursday on Main will conclude this Thursday, October 4th to kick-off the Main Street Festival Event and the Parks Band will perform.

- This Saturday has the following events:

    - Walk Across Sumner Program begins at 8:30 A.M. at the Civic Center
    - Main Street Fall Festival begins at 10:00 A.M.
    - Candlelight Cemetery Tour begins at 6:30 P.M.
    - Sertoma Club Truck/Tractor Pull at Triple Creek Park

- October 13th is the Motorcycle Ride for the Sumner County Food Bank

Agenda

1. Ordinance #O1208-53 – Public Hearing

Councilman Hayes presented this ordinance amending zoning ordinance of the City of Gallatin, Tennessee by approving the Preliminary Master Development plan for Hunter Pointe/The Heights at GreenLea, Phase 1 – properties zoned Mixed Use District (MU) – Gallatin Land, LLC C/O Realty America, GP #10 owner(s) – 5.31 (+/-) acres, S.B.E. tax map #125//017.01; 10.53 (+/-) acres, S.B.E. tax map #125//018.02; and 6.94 (+/-) acres S.B.E. tax map #125//018.03 located on the north side of State Route (SR) 174 (Long Hollow Pike)

Mayor opened the public hearing. No one from the audience came forward to speak.

Councilman Hayes requested Police Chief Bandy, City Engineer Nick Tuttle and Codes/Planning Director Tony Allers give their opinions and recommendations.

Chief Bandy stated this appears to be a great business for the city but he has safety concerns. He added that he agrees with Engineering and TDOT on the access that there is not enough road and area to get on the road to merge. Chief Bandy also spoke about the traffic volume and the speeds of the vehicles. Chief stated that he would support TDOT's decision.

Council discussed the accesses on SR-386.

Mr. Tuttle read a memorandum he had handed out earlier to council requesting council consider adding a condition of approval to the ordinance to clarify the council's position on safety and efficiency. Mr. Tuttle also requested council consider funding a corridor study similar to the city's Nashville Pike Access Management Plan study because the allowance of these two access points compromise the current Major Thoroughfare Plan.

Mr. Tuttle requested council consider adding the following condition of approval:

- To further ensure the safety and efficiency of the location and design of all access points for this plan, the R.O.W. improvements shall meet and/or exceed the TDOT Roadway Design Guidelines and AASHTO's Policy on Geometric Design of Highways and Streets where applicable.

Mr. Tuttle stated that this allows council to say to the state that you have done your part to encourage development yet preserve the safety and efficiency of this corridor.

There was discussion on amending Ordinance #O1208-53 to include Mr. Tuttle's request.

Mr. Allers stated Katherine Schoch worked this project and he asked that any specific questions be held until second reading when she could be available.

Mr. Charles Kimbrough stated in reference to Councilman Hayes question on accesses on SR – 386, there is an access right across the street from where they are requesting an access.

Mr. Kimbrough also spoke about the 2020 Plan and the rules changed.

Mayor spoke about the speed limits at this location of the requested access.

Bob Schalles of 216 Remington Avenue spoke about his concerns about the cuts to SR – 386 and traffic jams.

Steve Lauder of 1113 Long Hollow Pike stated he was in favor of this project.

Mayor closed the public hearing.

2. <u>Ordinance #O1209-55 – First Reading</u>

Vice Mayor Mayberry presented this ordinance awarding bid and authorizing funds in the total amount of $123,000.00 from water/sewer reserves for Industrial Park water & sewer road crossings contract "312".

Vice Mayor Mayberry made motion to approve; Councilwoman Kemp seconded. Motion carried with 7 ayes and 0 nays.

3. Ordinance #O1209-56 – First Reading

Councilwoman Kemp presented this ordinance awarding bid and authorizing funds in the total amount of $1,320,000.00 from natural gas reserves for "2012 Annual Gas Line Construction in various areas of the City.

Councilwoman Kemp made motion to approve; Councilman Alexander seconded. Motion carried with 7 ayes and 0 nays.

Other Business

Councilman Overton stated the National Night-Out Against Crime is tonight. The Gallatin Police Department had a cook-out at the Gallatin High School Football Stadium.

Mayor Graves gave an update on the SIA Grant the city received in 2010 to move Airport Road. Mayor said all the paperwork has been submitted to TDOT and they have questions on the process used to acquire some of the R.O.W. and the FHWA will make the final determination if all the documentation meets their needs.

Public Recognition on Non-Agenda Related Items

Mayor opened public recognition on non-agenda related items. With no one wishing to speak, public recognition was closed.

Adjourn

There being no other business to discuss, the meeting was adjourned.

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Mayor Jo Ann Graves

ORDINANCE NO. O1208-53

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY APPROVING THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR HUNTER POINTE/THE HEIGHTS AT GREENLEA, PHASE 1 – PROPERTIES ZONED MIXED USE DISTRICT (MU) – GALLATIN LAND, LLC C/O REALTY AMERICA, GP #10 OWNER(S) – 5.32 (+/-) ACRES, S.B.E. TAX MAP #125//017.01; 10.53 (+/-) ACRES, S.B.E. TAX MAP #125//018.02; AND 6.94 (+/-) ACRES, S.B.E. TAX MAP #125//018.03 LOCATED ON THE NORTH SIDE OF STATE ROUTE (SR) 386, SOUTH OF STATE ROUTE (SR) 174 (LONG HOLLOW PIKE)

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of this amendment and Preliminary Master Development Plan in GMRPC Resolution No. 2012-77, attached hereto as Exhibit A; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of this amendment 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 as described in Exhibit A and further described in the Staff Report and Action Form, attached hereto as Exhibit B and imposes those recommendations as conditions to this amendment; and
2. That based upon recommendation of approval by the Gallatin Municipal-Regional Planning Commission, public notice, and after public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the zone of real property defined and described in Exhibit C, and the Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1 attached hereto as Exhibit D, shall be amended and the Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1 is hereby approved.
3. 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 zoning changes herein made.

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

PASSED FIRST READING: September 18, 2012.

PASSED SECOND READING:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

GMRPC Resolution No. 2012-84

RESOLUTION RECOMMENDING APPROVAL OF ORDINANCE NO. O1208-53 TO THE GALLATIN CITY COUNCIL – APPROVING THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR HUNTER POINTE/THE HEIGHTS AT GREENLEA, PHASE 1– PROPERTIES ZONED MIXED USE DISTRICT (MU) – GALLATIN LAND, LLC C/O REALTY AMERICA, GP #10 OWNER(S) – 5.33 (+/-) ACRES, S.B.E. TAX MAP #125//017.01; GALLATIN LAND, LLC C/O REALTY AMERICA, GP #10 OWNER(S) –10.54 (+/-) ACRES, S.B.E. TAX MAP #125//018.02; HUNTER POINTE, LLC OWNER(S) – 6.94 (+/-) ACRES, S.B.E. TAX MAP #125//018.03; PROPERTIES LOCATED ON THE NORTH SIDE OF STATE ROUTE (SR) 386 AND SOUTH OF LONG HOLLOW PIKE – PC9962-12

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Master Development Plan submitted by the applicant, Ragan Smith Associates, at its regular meeting on September 24, 2012; and

WHEREAS, THE GALLATIN CITY COUNCIL approved on First Reading on September 18, 2012, Ordinance No. O1208-53 the Preliminary Master Development Plan with modifications to the conditions of approval recommended by Planning Commission at the August 27, 2012 meeting; and

WHEREAS, THE GALLATIN CITY COUNCIL has remanded the Preliminary Master Development Plan back to the Planning Commission for a recommendation; 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, attached as Exhibit A, and 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 § 13-3-103 and 13-4-102:

1. This Preliminary Master Development Plan is in agreement and consistent with the recommendations of the General Development and Transportation Plan for the area.

2. It has been determined that the legal purposes for which zoning regulations exists are not contravened.

3. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can is justified by the public good or welfare.

EXHIBIT A

4. 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 of the Preliminary Master Development Plan to the Gallatin City Council with the following conditions:

1. The applicant shall provide a reservation of public right-of-way from Long Hollow Pike through the development to area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.
2. The Planning Commission approve the conceptual architectural elevation with the addition of a pitch roof for the gas station canopy. Final architectural elevations shall be approved as part of the Final Master Development Plan for each project.
3. The Planning Commission approve the conceptual landscaping plan as shown with the understanding that final landscaping plans shall be approved as part of the Final Master Development Plan for each project.
4. The Planning Commission approve Convenience Sales and Services as a conditional use since the project meets the general requirements and special conditions of the G.Z.O. The applicant shall submit a written response explaining how the project meets the general requirements and special conditions as part of the Final Master Development Plan for outparcel F.
5. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F.
6. The Planning Commission approve the exception to the M.B.S.L. as requested by the applicant.
7. The applicant shall revise the building locations for outparcel B and outparcel G also be constructed closer to the property line.
8. The applicant shall change the total acreage shown on the plan to 22.79 (+/-) acres in order to match the legal descriptions of the properties.
9. The applicant shall submit detailed sign packages with each Final Master Development Plan. Sign permits shall be required prior to the installation of any signage on site. Freestanding monument signs shall be limited to 8 feet high as shown on the PMDP.
10. The applicant shall submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval by the Gallatin Public Utilities Department.
11. The applicant shall add the following note to the PMDP: "Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study and construction and implementation of those improvements and policies identified in the study, which the City Engineer determines are necessary to implement the purpose of the Gallatin Zoning Ordinance".
12. The applicant shall provide bike lanes on Long Hollow Pike as recommended in the 2020 Plan.
13. The applicant shall submit a copy of the signed affidavit that adjacent property owners have been notified by mail about Public Hearing at City Council once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
14. The applicant shall submit 14 corrected, folded copies of the Preliminary Master Development Plan, including revised architectural elevations, to the Codes/Planning

EXHIBIT A

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.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 1

NAY: 6

DATED: 9/24/12

Dick Dempsey, Chairman

Johnny Wilson, Secretary

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

EXHIBIT A

ITEM 7
9/24/12 GMRPC MEETING

Applicant requests approval of a Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1 for the layout and design of the project. Property contains 22.79 (+/-) acres and is located at the corner of SR 386 and SR 174 (Long Hollow Pike). (PC0029-12)

Attachment	**7-1**	**Ordinance No. O1208-53**
Attachment	**7-2**	**Hunter Pointe/The Heights of GreenLea, Ph. 1 PMDP**
Attachment	**7-3**	**Response letter from Mr. C. Lowe, P.E., R.L.S, dated 8/9/12**
Attachment	**7-4**	**Emails from Mr. Nick Tuttle, P.E. to developers dated 2/21/12**
Attachment	**7-5**	**Memo from Mr. Nick Tuttle, P.E. to GMRPC dated 12/12/08**
Attachment	**7-6**	**Letter from Mr. Paul Degges, P.E., TDOT, dated 8/2/12**
Attachment	**7-7**	**Letter from Mr. Paul Degges, P.E., TDOT, dated 3/27/12**
Attachment	**7-8**	**2020 Plan Road Projects and Figure 4-2**
Attachment	**7-9**	**Details of proposed access points**
Attachment	**7-10**	**Email from Captain Kate Novitsky, GPD, dated 8/6/12**
Attachment	**7-11**	**8/27/12 GMRPC Mtg. Minutes for Hunter Pointe: Unofficial**

PROJECT APPROVAL UPDATE

The Planning Commission considered the Preliminary Master Development Plan for the Hunter Pointe/The Heights of GreenLea, Phase 1 at the August 27, 2012 meeting. At that meeting, the Planning Commission voted unanimously to recommend approval of the PMDP to City Council with 18 conditions of approval, the first of which calls for the elimination of the proposed right-in, right-out access onto SR 386. The conditions of approval also called for the elimination or relocation of the access onto Long Hollow Pike closest to the existing traffic signal.

The applicant decided to send the PMDP onto City Council Committee without the access and design modifications requested by the Planning Commission. The item was discussed at the September 11, 2012 City Council Committee meeting at which time City Council voted 7 to 0 to remove the following conditions of approval (#1, #2, #6, and #14) from the Staff Report:

1. The applicant shall remove Access D (SR 386) and reserve adequate right-of-way for accommodation of grade separated interchange as shown in Figure 4-2 of the 2020 Plan.
2. The applicant shall revise the PMDP to remove/relocate Access A in order to conform to the 2020 Plan standards. Access is not recommended between Wendling Blvd. to the intersection on Long Hollow Pike.
6. The applicant shall reverse the location of the convenience store building and gas station canopy in order to screen gas pumps from view on SR 386.
14. The Traffic Impact Study shall be approved prior to the approval of the PMDP.

EXHIBIT B

EXHIBIT A

The project was considered for First Reading at the September 18, 2012 City Council meeting. At that meeting, City Council voted 6 to 1 to amend Ordinance #O1208-53 in order to remove conditions #1, #2, #6, and #14 of the attached Planning Commission Resolution and Staff Report. City Council then voted 6 to 1 to send the PMDP back to Planning Commission for reconsideration and onto Public Hearing without conditions #1, #2, #6, and #14 recommended by the Planning Commission. Public Hearing for this item is scheduled for October 2, 2012.

City Council voted to approve the PMDP for Hunter Pointe/The Heights at GreenLea, Phase 1 with the following conditions:

1. The applicant shall provide a reservation of public right-of-way from Long Hollow Pike through the development to area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.
2. The Planning Commission approve the conceptual architectural elevation with the addition of a pitch roof for the gas station canopy. Final architectural elevations shall be approved as part of the Final Master Development Plan for each project.
3. The Planning Commission approve the conceptual landscaping plan as shown with the understanding that final landscaping plans shall be approved as part of the Final Master Development Plan for each project.
4. The Planning Commission approve Convenience Sales and Services as a conditional use since the project meets the general requirements and special conditions of the G.Z.O. The applicant shall submit a written response explaining how the project meets the general requirements and special conditions as part of the Final Master Development Plan for outparcel F.
5. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F.
6. The Planning Commission approve the exception to the M.B.S.L. as requested by the applicant.
7. The applicant shall revise the building locations for outparcel B and outparcel G also be constructed closer to the property line.
8. The applicant shall change the total acreage shown on the plan to 22.79 (+/-) acres in order to match the legal descriptions of the properties.
9. The applicant shall submit detailed sign packages with each Final Master Development Plan. Sign permits shall be required prior to the installation of any signage on site. Freestanding monument signs shall be limited to 8 feet high as shown on the PMDP.
10. The applicant shall submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval by the Gallatin Public Utilities Department.
11. The applicant shall add the following note to the PMDP: "Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study and construction and implementation of those improvements and policies identified in the study, which the City Engineer determines are necessary to implement the purpose of the

EXHIBIT B

EXHIBIT A

Gallatin Zoning Ordinance".

12. The applicant shall provide bike lanes on Long Hollow Pike as recommended in the 2020 Plan.
13. The applicant shall submit a copy of the signed affidavit that adjacent property owners have been notified by mail about Public Hearing at City Council once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
14. The applicant shall submit 14 corrected, folded copies of the Preliminary Master Development Plan, including revised architectural elevations, to the Codes/Planning Department.

Since the City Council made significant changes to Planning Commission's recommendation, the Planning Commission must reconsider the PMDP and provide the City Council with a new recommendation.

UPDATED RECOMMENDATION

Staff still supports the previous recommendation including all 18 conditions of approval listed in the original Staff Report. The first two conditions of approval relate to Access D (right-in, right-out onto SR 386) and Access A (right-in, right-out onto Long Hollow Pike closest to the existing traffic signal) shown on the PMDP. Members of City Staff, including the Engineering Division, Police Department, and Codes/Planning Department, do not recommend access be approved onto SR 386 or the access as shown onto Long Hollow Pike closest to the existing traffic signal. Staff has safety concerns with those access points as shown. Furthermore, neither of those access points are supported by the *Gallatin on the Move 2020 General Development and Transportation Plan.*

Conditions 6, which City Council also voted to remove from the conditions of approval, pertains to the design of the Convenience Sales and Services conditional use shown for outparcel F. Staff recommends that condition 6 remain since one of the Special Conditions for that particular conditional use calls for the design of the gas station to be compatible with the surrounding residential uses in the area. Placing the gas pumps and canopy behind the convenience store building would help preserve the views in the area for people entering Gallatin on SR 386, one of the main gateways into the City.

Condition 14 called for the approval of the Traffic Impact Study prior to approval of the PMDP. City Council removed that condition; however, Staff still supports that condition of approval based on the recommendation by the City Engineer.

A new Planning Commission Resolution (GMRPC Resolution No. 2012-84) has been prepared without these four particular conditions of approval removed by City Council on First Reading.

As stated in the original Staff Report for this project, Staff understands the importance of this project and the lasting impact it will have as a major commercial development located at a major gateway into the community. Since the property has such a prominent

EXHIBIT B

EXHIBIT A

location, the project should be attractive, but more importantly, the health, safety, and welfare of the entire community must be considered as part of the overall design.

Staff is comfortable with the uses and proposed architectural design for the overall development; however, Staff does not recommend that the Planning Commission recommend approval of the PMDP to the Gallatin City Council with the access points as shown since the PMDP does not comply with the access recommendations shown in the *Gallatin on the Move 2020 General Development and Transportation Plan.*

Staff recommends that the Planning Commission not recommend approval of the PMDP to City Council with the revised conditions of approval.

ANALYSIS (8/27/12 GMRPC Meeting)
The applicant is requesting approval of a Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1 for the layout and design of the project. The property contains 22.79 (+/-) acres and is located on the corner of SR 386 and SR 174 (Long Hollow Pike). No portion of this property is located in a special flood hazard area. The property is currently zoned Mixed Use (MU) and the commercial uses proposed for this project are permitted in the MU zone district with the exception of Convenience Sales and Services which is a conditional use in the MU zone district. The applicant is required to obtain approval of Preliminary Master Development Plan for this property as part of the condition of approval of the previous approval of the MU zone district. No zone district boundary changes are being proposed at this time.

The proposed uses and square footages specified for this development are as follows:

- Outparcel A: General Retail Sales and Services (75,750 s.f.)
- Outparcel B: Transient Habitation (25,500 s.f.)
- Outparcel C: General Retail Sales and Services (8,300 s.f.)
- Outparcel D: General Retail Sales and Services (9,700 s.f.)
- Outparcel E: General Retail Sales and Services (13,500 s.f.)
- Outparcel F: Convenience Sales and Services (with gas pumps) (5,000 s.f.)
- Outparcel G: General Retail Sales and Services (7,500 s.f.)
- Outparcel H: Food Services (8,950 s.f.)
- Outparcel I: Food Services (9,500 s.f.)

Total: 163,700 s.f. on 22.79 (+/-) acres

Convenience Sales and Services (with gas pumps: Conditional Use (Outparcel F)
Convenience Sales and Services is a conditional use in the MU zone district. Planning Commission has the ability to approve that conditional use as part of the PMDP if the project meets all general requirements and special conditions for the particular use. Staff reviewed the PMDP and found that the plan meets the following general and special requirements for the Convenience Sales and Services use:

EXHIBIT B

EXHIBIT A

15.06.040 General Requirements

A conditional use permit shall be granted provided the Board finds that it:

A. Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;

B. Will not adversely affect other property in the area in which it is located;

C. Is within the provisions of "Conditional Uses" as set forth in this Ordinance; and

D. Conforms to all applicable provisions-of this Ordinance for the district in which it is to be located and is necessary for public convenience in that location.

F. Special Conditions for Convenience Sales and Services Commercial Activities

1. The location, size, and design of such facilities shall be situated such that the proposed development shall be compatible with the existing development of the surrounding area, thus reducing the impact upon the surrounding area. Convenience Sales and Service structures should be designed to be compatible with the character of residential structures in the surrounding area. Scale of materials and building forms are important elements of continuity.
2. In order to determine compatibility, the applicant shall provide information concerning building design and materials, including elevations of all sides of the proposed buildings and structures. The features shown in the elevations shall include information concerning building materials, heights, scale, door and window openings, façade offsets, roof pitch and colors.
3. The design of such facilities shall comply with the requirements of Section 13.08, Architectural Character and Compatibility Standards and shall be based on a recommendation of the Planning Commission. In addition, the following architectural standards shall apply:
    a. Building height and design shall be in keeping with the character and scale of the proposed development.
        i. Building colors should be subdued, with natural earth tones and colors compatible with surrounding development predominating.
        ii. Building rooflines and pitches should be comparable to typical residential roofline styles. To harmonize with residential structures, convenience sales and service structures should have roofs that are visible from the street, preferably with a pitch not less than 1-foot rise in 2-foot run. Roofs should be a dark earth tone in color.

EXHIBIT B

EXHIBIT A

b. Canopy height and design shall be in keeping with the character and scale of the proposed development. The canopies should have pitched rooftops compatible with the design of the proposed building(s).
c. Canopies over gas pumps shall use colors and materials that blend with proposed and surrounding building facades. The use of earth tones or dark colors is encouraged.
d. The use of primary, secondary or other bright, bold colors on building facades, canopies and awnings should be avoided.
e. Heating and cooling equipment, solid waste disposal equipment and facilities and mechanical equipment and facilities shall be adequately screened so as not to be visible from streets and adjacent properties. In addition, mechanical equipment placed on rooftops should be concealed from view from public streets and adjacent properties.

4. The number of gasoline pumps, if any, permitted with this use shall be based upon a recommendation from the Planning Commission. In making this determination the Planning Commission shall consider the location, size, and design of such facilities so that the proposed development will be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.

5. The off-street parking requirements shall be based on a recommendation from the Planning Commission.

The applicant shall submit a written response explaining how the project meets the general and special conditions as part of the Final Master Development Plan for outparcel F.

Staff understands that many of proposed uses shown on this PMPD are mainly conceptual at this time. The applicant is aware that the PMDP shall be updated in the future to reflect the final uses for each outparcel.

Development and Construction Schedule
This project will be developed in phases and each phase will require approval of a Final Master Development Plan by the Planning Commission. According to the applicant, the first project will be the construction of a convenience store with gas pumps on outparcel F. This project is expected to begin quickly following approval of the PMDP and be completed by early 2013. Final architectural elevations, detailed landscaping plans, and a full signage package shall be approved as part of each Final Master Development Plan.

Previous Approvals
The Hunter Pointe project was originally submitted in 2008 as a PMDP and rezoning request for 22 acres from Agriculture (A) to Planned General Commercial (PGC) for the construction of a gas station (PC6027-10). The project was discussed with the Planning Commission at many Work Sessions following the initial submittal; however, the plan was deferred a number of times and was never considered at a Planning Commission

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meeting. The discussion at those Work Sessions focused mainly on access to the property off SR 386. Staff did not support the access shown to SR 386 at that time and eventually the Hunter Pointe project was withdrawn. In 2010, the property was included as part of a large scale rezoning request, The Heights at GreenLea, and that rezoning plan changed the zoning on the Hunter Pointe property from Agriculture (A) to Mixed Use (MU).

The Heights at GreenLea rezoning request contained over 100 gross acres, so the property was rezoned pursuant to the previous provisions of Section 15.07.030.C of the Gallatin Zoning Ordinance, which states that a project containing over 100 gross acres may be rezoned without the submittal of a Preliminary Master Development Plan; however, a PMDP is required prior to any development on the property.

The Planning Commission recommended approval of the original rezoning request for The Heights at GreenLea (including the three Hunter Pointe parcels) to the Gallatin City Council with conditions at the May 24, 2010 meeting. The rezoning passed Second Reading at the July 6, 2010 Gallatin City Council meeting.

Soon after the approval of the rezoning request, Staff noticed errors in the rezoning plan. At the September 27, 2010 Planning Commission meeting, the corrected rezoning plan was recommended to the Gallatin City Council with conditions. The corrected plan passed Second Reading at the November 1, 2010 City Council meeting and the zoning map was updated to reflect the new zone districts.

Following much discussion and debate about the lasting impact of large scale rezoning, the Planning Commission decided to change the regulations and recommended approval of an amendment to Section 15.07.030.C of the Gallatin Zoning Ordinance at the July 26, 2010 meeting. According to the text amendment, rezoning requests containing over 100 gross acres may be submitted without a Preliminary Master Development Plan only if the property is under single ownership. The zoning ordinance amendment passed Second Reading at the January 18, 2011 City Council meeting.

Gallatin on the Move 2020 General Development and Transportation Plan/"2020 Plan
The Gallatin on the Move 2020 General Development and Transportation Plan identifies each of these properties (three parcels) on the Community Character Area Map as being part of the Regional Activity Center Community Character Area. MU is one of the recommended zone districts for that Community Character Area and the proposed uses follow the guidelines in the 2020 Plan, which calls for commercial, office and big box type stores. According to the Preliminary Master Development Plan, this project features many of the characteristics of the Regional Activity Center, which provide for pedestrian-friendly areas with a high intensity mix of business, retail, and entertainment facilities. The plan also encourages the use of sustainable design, which provides for market flexibility.

This property also features the Neighborhood Transition Corridor overlay, which consists of single-family residential on both sides of the street with commercial uses located at

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major intersections. One of the strategies listed in the 2020 Plan for Neighborhood Transition Corridor development is to avoid high traffic volumes in order to allow for uses that provide a smooth transition between existing residential uses and more intense commercial uses. The plan also recommends the use of civic space in this area including greenways, parks, and common areas.

Staff wants to encourage strong design in this area which will provide a sense of identity and arrival into Gallatin, much like the development strategies identified for property along Gateway Corridors into Gallatin. Staff is comfortable that the use, architecture, and overall internal design of the project meet many of the goals identified for the Regional Activity Center Community Character Area and Regional Activity Center overlay.

Access

As previously stated, access to this property has been a point of much debate and intense discussion for the Planning Commission over the past few years. Please refer to the detail sheet with information about the proposed access points provided by the applicant; Attachment 7-9. The following four (4) access points are shown on the PMDP:

- Access A: Right-in, right-out; Long Hollow Pike closest to existing traffic signal
- Access B: Full access at Long Hollow Pike and Wendling Blvd.
- Access C: Full access at Long Hollow Pike, west of Access B
- Access D: Right-in, right-out onto SR 386

The majority of the discussion for the access to this project has centered around access shown on SR 386; Access D on the plan.

Access D: Right-in, right-out onto SR 386

As most recently discussed at the August 13, 2012 Planning Commission Work Sessions, the Controlled Access designation for SR 386 stops at the TDOT fence located on the property where the right-in/right-out access is shown on the PMDP (Access D). The applicant has shown a designated 260 foot deceleration lane into the development and a large concrete median designed to prevent any left turns from SR 386 into the development. A 790 foot acceleration lane is shown along the right-out onto SR 386.

Staff is concerned about the close proximity of this entrance to the existing traffic signal at the intersection of Long Hollow Pike and SR 386. The access point may not be shifted further south because it would encroach into the Controlled Access area of SR 386 and would not be permitted by TDOT. Although the speed limit at this point is only 45 miles per hour, Staff has observed many vehicles accelerating quickly in order to pass through the intersection onto SR 386 and continue traveling south towards the GreenLea Blvd. exit where the speed limit increases to 65 miles per hour. Many people exceed the posted speed limit in this location because the transition distance between 45 and 65 miles per hour is so short. Staff is also concerned that traffic headed south, turning right into the development will impede the flow of traffic for others traveling south on SR 386 all the way through the intersection. This may cause traffic to back up on Long Hollow Pike

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towards the entrance ramp to SR 109 and may have additional impacts on other roadways further into Gallatin.

The 2020 Plan does not support the SR 386 access as shown on the PMDP because it specially calls for the traffic signal at the intersection to be replaced by a grade separated interchange on a portion of this property. This interchange is envisioned to accommodate the large amounts of traffic projected for this area. The applicant shall remove Access D and reserve adequate right-of-way for accommodation of grade separated interchange as shown in Figure 4-2 of the 2020 Plan. Please refer to Attachment 7-8 for additional information regarding Road Project 2; Long Hollow Pike between SR 386 and SR 109. The 2020 Plan calls for no additional access points along Long Hollow Pike from the SR 386 intersection to SR 109. The approved access points shown along that roadway were designated prior to the Planning Commission's adoption of the *Gallatin on the Move 2020 General Development and Transportation Plan* in 2008.

Staff found two (2) examples of gas stations on SR 109 South, which do not have direct access to the highway. It is possible for the proposed gas station to function successfully without access to SR 386.

Access A: Right-in, right-out; Long Hollow Pike closest to existing traffic signal
Access A is shown with a right-in, right-out only onto Long Hollow Pike. A large concrete median is shown in this area to prevent any left turns into the development from Long Hollow Pike. The 2020 Plan does not support any additional access points on Long Hollow Pike from Wendling Blvd. to the intersection with SR 386; therefore, Staff does not support the access shown in this location. In addition, the Engineering Division noted that proposed Access A would be in violation of the minimum driveway spacing requirements if a ramp is built as proposed in Figure 4-2. Please see the figure included with this staff report as Attachment 7-8. Staff recommends that the applicant revise the PMDP to remove or relocate Access Point A in order to conform to the 2020 Plan standards.

Access B: Full access at Long Hollow Pike and Wendling Blvd.
Access B is shown as a full access onto Long Hollow Pike across from Wendling Blvd., the main entrance into Fairway Farms Subdivision (One-family, detached dwellings). The applicant has indicated that a traffic signal shall be installed at this location once traffic signal warrants are met. Pavement markings in this area will also be modified and a 150 foot left turn lane, with a 140 foot taper, shall be provided. Please refer to design detail; Attachment 7-9.

Access C: Full access at Long Hollow Pike, west of Access B
Access C is shown as a full access onto Long Hollow Pike, west of Access B at Wendling Blvd. A 100 foot left turn lane will be constructed with a 140 foot taper in this location. Please refer to design detail; Attachment 6-8. Staff is comfortable with Access points B and C shown along Long Hollow Pike since they meet the recommendations of the 2020 Plan. Two (2) drive connections (road stubs) are shown on the western side of the

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property, which will allow for the future connection to the adjacent property to the west. That parcel is not currently owned by Gallatin Land, LLC, the developer of Hunter Pointe.

Many of Staff concerns with Access A and Access D have been described in a memorandum to the Planning Commission and various emails from Mr. Nick Tuttle, City Engineer, to the current developer. These documents have been included with this staff report as Attachments 7-4 and 7-5 respectively.

Please also refer to the letters from Mr. Paul Degges, Deputy Commissioner/Chief Engineer of TDOT, to Mr. Tuttle which outline TDOT's concerns with the proposed access designs and suggestions for possible alternatives. These letters are included with this staff report as Attachment 7-6 and Attachment 7-7.

To accommodate the access needs of the proposed development, the Engineering Division has suggested the applicant provide a reservation of public right-of-way from Long Hollow Pike through the development to the area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.

Major Thoroughfare Plan Amendment
If the access points are approved as shown on the PMDP, an amendment to the Major Thoroughfare Plan will need to be considered by the Planning Commission in order to show those access points prior to consideration of final plats for this property.

Architecture
Since many of the end users are unknown at this time, the applicant has submitted conceptual architecture for some of the buildings in the development, including a typical gas station and canopy, restaurant, and bank.

At the March 12, 2012 Work Session, the Planning Commission asked the applicant to revise the modern architecture, including large amounts of glass on the front facade and flat roof, for the proposed restaurant and provide new elevations which represent a more traditional building to better blend in with the existing residential uses in the area. The applicant agreed to provide more traditional architecture at the Final Master Development Plan for each project within the development.

In order to comply with the special conditions for the Convenience Sales and Services use, the applicant shall provide a pitched roof for the gas station canopy.

The convenience store building is shown with a predominantly brick façade with stone and EIFS accents. Brick and stone are also shown on the canopy pole, which improves the overall look of the building; however, Staff recommends that the applicant reverse the location of the convenience store building and gas station canopy in order to screen the gas pumps from view from SR 386. The first special condition for the Convenience Sales

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and Services use, G.Z.O. Section 15.06.060.F. 1, states that the location, size and design of the facility shall be situated such that the proposed development shall be compatible with the existing development. Staff thinks this condition would be satisfied by setting the gas pumps further back off SR 386, behind the convenience store building.

It is important to note that SR 386 is Gallatin's main connection to Nashville and the Hunter Pointe property is located on a major gateway into the City of Gallatin. Staff thinks it is vitally important to protect the views in this area. Any new construction along this gateway corridor should be of the highest quality and best design in order to provide a good first impression for people entering the community.

Staff appreciates the use of earth-tone colors shown on all building elevations and recommends that the applicant use architectural dimension shingles for the buildings, with the exception of the gas station canopy. All buildings shall also meet the 70 percent brick or stone requirement and all roof-top mechanical equipment shall be screened according to the requirements of the G.Z.O. Staff recommends the Planning Commission recommend approval of the conceptual architecture as shown with the understanding that final architectural elevations shall be approved as part of each Final Master Development Plan. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F. This requirement is listed as part of the Special Condition for the Convenience Sales and Services conditional use.

Minimum Building Setback Line (M.B.S.L.) Exception

The applicant is requesting an exception to the required 50 foot M.B.S.L. along SR 386. The buildings identified for outparcel C, E, and F are shown with a 25 foot M.B.S.L. Staff supports the exception in order to bring the buildings closer to the road. Staff recommends that buildings shown for outparcel B and outparcel G also be constructed closer to the property line.

Signage

The applicant submitted details of the proposed monument style development signs and multi-tenant signs to be located at the main entrances into the development. Monument signs shall be limited to eight (8) feet tall and shall be setback 15 feet from all rights-of-way. Final sign packages, including details of all freestanding monument and wall-mounted signage, shall be submitted as part of each Final Master Development Plan. Sign permits shall be required prior to installation of any signage on site.

Landscaping and Bufferyards

The applicant has shown the required Bufferyards around the perimeter of the development, including a Type 25 Bufferyard along SR 386 and Long Hollow Pike, and a Type 10 Bufferyard along the western property line. The applicant has shown a general layout of the interior plantings throughout the parking areas, which appear to meet the requirements of the Gallatin Zoning Ordinance. Staff recommends the Planning Commission recommend approval of the conceptual landscaping plan as shown with the

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understanding that final landscaping plans shall be approved as part of each Final Master Development Plan.

Engineering Division Comments
The majority of the Engineering Division comments have been discussed in the *Access* portion of this staff report. Review comments not addressed as part of the resubmittal have been added as conditions of approval.

Other Departmental Comments
The Public Utilities Department asked the applicant to submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval.

During their review of the PMDP, the Police Department noted that no access shall be allowed onto SR 386. Please refer to the email from Captain Kate Novitsky dated August 6, 2012 which states that access onto SR 386 would be a traffic safety issue due to the proximity of the proposed access/exit and the intersection of Long Hollow Pike as well as the speed of motorists in the area. This email is included with this Staff Report as Attachment 7-10.

RECOMMENDATION (8/27/12 GMRPC Meeting)
The Hunter Pointe property is located on a main gateway into the City of Gallatin. Staff understands the importance of this development and the lasting impact it will have as a major entrance into the community. The project should be attractive, but more importantly, the health, safety, and welfare of the entire community must be considered as part of the overall design.

Staff is comfortable with the overall layout, uses, and proposed architecture; however, Staff does not recommend that the Planning Commission recommend approval of the PMDP to the Gallatin City Council with the access points as shown since the PMDP does not comply with the access recommendations shown in the *Gallatin on the Move 2020 General Development and Transportation Plan.*

Staff recommends that the Planning Commission recommend approval of the Preliminary Master Development Plan to the Gallatin City Council with the following conditions:

1. The applicant shall remove Access D (SR 386) and reserve adequate right-of-way for accommodation of grade separated interchange as shown in Figure 4-2 of the 2020 Plan.
2. The applicant shall revise the PMDP to remove/relocate Access A in order to conform to the 2020 Plan standards. Access is not recommended between Wendling Blvd. to the intersection on Long Hollow Pike.
3. The applicant shall provide a reservation of public right-of-way from Long Hollow Pike through the development to area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.

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4. The Planning Commission approve the conceptual architectural elevation with the addition of a pitch roof for the gas station canopy. Final architectural elevations shall be approved as part of the Final Master Development Plan for each project.
5. The Planning Commission approve the conceptual landscaping plan as shown with the understanding that final landscaping plans shall be approved as part of the Final Master Development Plan for each project.
6. The applicant shall reverse the location of the convenience store building and gas station canopy in order to screen gas pumps from view on SR 386.
7. The Planning Commission approve Convenience Sales and Services as a conditional use since the project meets the general requirements and special conditions of the G.Z.O. The applicant shall submit a written response explaining how the project meets the general requirements and special conditions as part of the Final Master Development Plan for outparcel F.
8. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F.
9. The Planning Commission approve the exception to the M.B.S.L. as requested by the applicant.
10. The applicant shall revise the building locations for outparcel B and outparcel G also be constructed closer to the property line.
11. The applicant shall change the total acreage shown on the plan to 22.79 (+/-) acres in order to match the legal descriptions of the properties.
12. The applicant shall submit detailed sign packages with each Final Master Development Plan. Sign permits shall be required prior to the installation of any signage on site. Freestanding monument signs shall be limited to 8 feet high as shown on the PMDP.
13. The applicant shall submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval by the Gallatin Public Utilities Department.
14. The Traffic Impact Study shall be approved prior to the approval of the PMDP.
15. The applicant shall add the following note to the PMDP: "Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study and construction and implementation of those improvements and policies identified in the study, which the City Engineer determines are necessary to implement the purpose of the Gallatin Zoning Ordinance".
16. The applicant shall provide bike lanes on Long Hollow Pike as recommended in the 2020 Plan.
17. The applicant shall submit a copy of the signed affidavit that adjacent property owners have been notified by mail about Public Hearing at City Council once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
18. The applicant shall submit 14 corrected, folded copies of the Preliminary Master Development Plan, including revised architectural elevations, to the Codes/Planning Department.

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Tony Allers
Director

Katherine Schoch
Assistant Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Project Comments

Meeting Date: 08/27/2012
RE: HUNTER POINTE; THE HEIGHTS AT GREENLEA, PH. 1, ACTIVITY, Preliminary Master Development Plan
Reference #: PC9962-12

Department of Public Utilities
Review Date:
8/1/2012 Revised Resubmittal:
1. Detailed plans and specifications for water & sanitary sewer facilities must be submitted for approval.

2/29/2012:
1. Detailed plans and specifications for water & sanitary sewer facilities must be submitted for approval (both on-site and off-site).

Planning Department
Codes/Planning Department Project Manager: Katherine Schoch
Review date: 8/1/2012:
Revised Resubmittal Checkprint #2:

1. Provide breakdown of acreage in each parcel for City Council ordinance.
2. Provide legal descriptions for all three parcels for City Council ordinance. Calls on plan and in curve table do not match legal descriptions submitted.
3. Correct tax map numbers on surrounding parcels as shown.
4. Add note that property is shown as a Regional Activity Center on the Community Character Area map.
5. Add note that Convenience Sales and Service (with gas pumps) is a conditional use in MU that may be approved as part of the PMDP.
6. Updated FEMA note using new maps with 4/17/12 effective date.
7. Staff recommends using pervious pavement for excess parking spaces.
8. Add dimensions to monument sign detail. Signage on gas station canopy shall be calculated as part of overall wall signage. Gas prices shall not be shown gas station canopy. The leading edge of all monument signs shall be at least 15 feet from the right-of-way. Add note regarding sign permit requirement. Detailed sign packages shall be required with each Final Master Development Plan.
9. Add 20,000 square foot minimum lot size requirement to table.

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Tony Allers
Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Katherine Schoch
Assistant Director

10. Change Food Service (restaurant) parking requirement to 1 per 4 person capacity. Fire Department sets capacity of building.
11. Planning Commission requested changes to the proposed contemporary architecture at the March Work Session. Final architectural elevations shall be approved with each Final Master Development Plan.
12. Remove note 3 on architectural elevations.
13. Planning Commission requested that proposed gas station canopy be perpendicular to SR 386. Show brick on poles for gas station canopy.
14. Roof top mounted HVAC units shall be screened according to G.Z.O. Section 13.08.010.F.
15. Show location of TVA easement across property. Show and label all Public Utility and Drainage Easements.
16. Please submit written request for exception to MBSL. This may be part of the response letter to departmental comments. Exceptions must be approved by Planning Commission. Staff will recommend approval of exception so buildings may be constructed closer to SR 386.
17. Add note in statement of financial responsibility that the owner/developer of this property is responsible for all financial matters.
18. Correct surrounding zoning in note and on plan. Correct zoning for parcel 018.03.
19. Photometric plans shall be submitted with each Final Master Development Plan.
20. Provide list of all surrounding property owners, even across rights-of-way.
21. Submit affidavit that property owners were notified by mail about public hearing once letters are mailed.
22. Subdivision plats may be required as part of each Final Master Development Plans.
23. Correct building square footage in chart for outparcel B.
24. Some Bufferyards may be reduced based on G.Z.O. Sec. 13.04.060.F.1. Type 25 Bufferyard should be installed along northern property line since it is adjacent to residential development. Final landscaping shall be approved as part of each Final Master Development Plan.
25. Engineering Division must approve the access points shown. Major Thoroughfare Plan may need to be amended to show access points if plan is recommended by Planning Commission to City Council.
26. **This item will be discussed at the 8/13/12 Planning Commission Work Session at 5 p.m. Please present the overall plan and proposed architecture at that time. Please submit 9 copies of plan by Tuesday 8/7/12 for Work Session packets.**
27. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size), including architectural elevations.
28. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP and submit PDF files of all supporting documents and correspondence. **Label file formats on CD.**
28. Submit a detailed response letter addressing all departmental review comments.
29. RETURN CHECKPRINT #2.
30. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 8/9/2012.

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31. Resubmittals must include the above information in order to be considered a complete resubmittal.

Review Date: 3/5/12 Checkprint #1:
1. Correct building square footage in chart for outparcel B.
2. Submit legal description of property for City Council ordinance.
3. Show acreage for each parcel.
4. Correct notes as shown.
5. Remove landscaping note #2.
6. Please submit written request for exception to MBSL. This may be part of the response letter to departmental comments. Exceptions must be approved by Planning Commission.
7. Some bufferyards may be reduced based on G.Z.O. Sec. 13.04.060.F.1. Alternative bufferyards must be approved by Planning Commission.
8. Show and label all Public Utility and Drainage Easements.
9. The leading edge of monument signs shall be at least 15 feet from the property line.
10. List heights of proposed buildings in chart.
11. Engineering Division must approve the access points shown.
12. Correct the statement of financial responsibility.
13. Correct the surrounding zoning and correct zoning in notes.
14. How will HVAC equipment be screened on roof tops?
15. Show owners of each parcel.
16. Please label the materials to be used on the buildings and roofs and the percentages of each material. Label each roof pitch.
17. Photometric plan shall be submitted at the Final Master Development Plan stage.
18. Provide list of all surrounding property owners.
19. A subdivision plat for this property will be required at the Final Master Development Plan stage.
20. This item will be discussed at the 3/12/12 Planning Commission Work Session at 5 p.m. Please present the overall plan and proposed architecture at that time.
21. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations.
22. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP and submit PDF files of all supporting documents and correspondence. Label file formats on CD.
23. Submit a detailed response letter addressing all departmental review comments.
24. RETURN CHECKPRINT & CHECKLIST
25. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 3/15/2012.

Resubmittals must include the above information in order to be considered a complete resubmittal.

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Tony Allers
Director

Katherine Schoch
Assistant Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Codes Department
Review Date: 07/31/2012
No Building Code issues. 2/28/2012: 1. No building plans included. No comments.

Engineering Division
8-21-2012 JZW 3rd Revised Resubmittal:

1. Traffic Impact Study (TIS) must be approved prior to approval of PMDP.
2. 2020 Plan designates Long Hollow Pike for bike lanes. Provide bike lanes on Long Hollow Pike in any areas improvements are to be made.
3. Per 2020 Plan-roadway project 2, proposed access A would be in violation of the 2020 plans minimum driveway spacing requirements, if ramp is built per Figure 4-2. Remove/relocate access A to conform to 2020 plans standards..
4. Per 2020 Plan-roadway project 2, plans for a separated grade interchange to replace the existing traffic signal, and restriction of access along the 386/Long Hollow Pike Corridor are shown. Access D violates the restricted access and no accommodation for the grade separated interchange is shown. Remove access D and reserve adequate ROW area for accommodation of grade separated interchange as shown in Figure 4-2 of 2020 Plan.
5. Per letter dated 3-27-2012 to Nick Tuttle from TDOT, no access onto SR 386 will be allowed and access is not recommended between Wendling Blvd to the intersection on Long Hollow Pike.

*The Engineering Division suggests to accommodate access needs of the proposed development, providing a reservation of Public ROW from Long Hollow Pike through the development to the "Possible Future Commercial Development" which would extend on to GreenLea Blvd. This connection would provide 2 accesses to SR386.
*Refer to Memo to Planning Division from Nick Tuttle dated 12-12-2008, and Emails sent 2-17-2012 and 2-21-2012 from Nick Tuttle to Carl Schwab and Ragan Smith.
*Refer to letter from TDOT dated 8-2-2012 asking for traffic analysis for 3 alternatives for TDOT to consider.
Review Date: 8-2-2012 JZW
Revised Resubmittal:

1. Revise note 7 to read: Design for transport, detention, and treatment of each sites stormwater infrastructure will be done at the time of submittal of each sites FMDP(s). All performance standards for transport, detention, and treatment shall be met as outlined in the City of Gallatin Stormwater Ordinance at that time. The areas shown as "detention" on these plans are intended to be used to meet a portion of these requirements.
2. Add note: If regional detention and/or treatment is to be used, design and construction shall be done prior to development of the first lot within the PMDP.
3. Traffic Impact Study (TIS) must be approved prior to approval of PMDP.
4. 2020 Plan designates Long Hollow Pike for bike lanes. Provide bike lanes on Long Hollow Pike in any areas improvements are to be made.

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Tony Allers
Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Katherine Schoch
Assistant Director

5. Per 2020 Plan-roadway project 2, proposed access A would be in violation of the 2020 plans minimum driveway spacing requirements, if ramp is built per Figure 4-2. Remove/relocate access A to conform to 2020 plans standards.
6. Add note: Any driveway entrance shown on approved plan is conditioned upon the approval of TDOT driveway permit.
7. Per 2020 Plan-roadway project 2, plans for a separated grade interchange to replace the existing traffic signal, and restriction of access along the 386/Long Hollow Pike Corridor are shown. Access D violates the restricted access and no accommodation for the grade separated interchange is shown. Remove access D and reserve adequate ROW area for accommodation of grade separated interchange as shown in Figure 4-2 of 2020 Plan.
8. Add note: Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study, and construction and implementation of those improvements and policies identified in the study which the City Engineer determines are necessary to implement the purposes of the Gallatin Zoning Ordinance.
9. Per letter dated 3-27-2012 to Nick Tuttle from TDOT, no access onto SR 386 will be allowed and access is not recommended between Wendling Blvd to the intersection on Long Hollow Pike. *The Engineering Division suggests to accommodate access needs of the proposed development, providing a reservation of Public ROW from Long Hollow Pike through the development to the "Possible Future Commercial Development" which would extend on to GreenLea Blvd. This connection would provide 2 accesses to SR386. *Refer to Memo to Planning Division from Nick Tuttle dated 12-12-2008, and Emails sent 2-17-2012 and 2-21-2012 from Nick Tuttle to Carl Schwab and Ragan Smith.

3-8-2012 JZW:
1. Revise note 7 to read: Design for transport, detention, and treatment of each sites stormwater infrastructure will be done at the time of submittal of each sites FMDP(s). All performance standards for transport, detention, and treatment shall be met as outlined in the City of Gallatin Stormwater Ordinance at that time. The areas shown as "detention" on these plans are intended to be used to meet a portion of these requirements.
2. Add note: If regional detention and/or treatment is to be used, design and construction shall be done prior to development of the first lot within the PMDP.
3. Traffic Impact Study (TIS) must be approved prior to approval of PMDP.
4. 2020 Plan designates Long Hollow Pike for bike lanes. Provide bike lanes on Long Hollow Pike in any areas improvements are to be made.
5. Per 2020 Plan-access management policies, no cuts through a left turn reservoir of a median should be permitted. Access A violates the policy. Remove access A.
6. Add note: Any driveway entrance shown on approved plan is conditioned upon the approval of TDOT driveway permit.
7. Per 2020 Plan-roadway project 2, plans for a separated grade interchange to replace the existing traffic signal, and restriction of access along the 386/Long Hollow Pike Corridor are shown. Access D violates the restricted access and no accommodation for the grade separated interchange is shown.

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Remove access D and reserve adequate ROW area for accommodation of grade separated interchange as shown in Figure 4-2 of 2020 Plan.
8. Add note: Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study, and construction and implementation of those improvements and policies identified in the study which the City Engineer determines are necessary to implement the purposes of the Gallatin Zoning Ordinance. *The Engineering Division suggests to accommodate access needs of the proposed development, providing a reservation of Public ROW from Long Hollow Pike through the development to the "Possible Future Commercial Development" which would extend on to GreenLea Blvd. This connection would provide 2 accesses to SR386. *Refer to Memo to Planning Division from Nick Tuttle dated 12-12-2008, and Emails sent 2-17-2012 and 2-21-2012 from Nick Tuttle to Carl Schwab and Ragan Smith.

Fire Department
Review Date:
8/2/2012: Revised Resubmittal:
This office has no comments at this time.

03/12/2012
This office has no comments at this time.

Police Department
Review Date: 8/1/2012:
Revised Resubmittal:

1. Recommend no access or exit on to State Route 386 due to posted speed limit, volume of vehicles, and proximity to intersection of Long Hollow Pike. Safety concerns.

3/2/2012:
1. Recommend no access or exit from Hwy. 386

Gallatin Department of Electricity
Review Date: 08/01/2012
O.K.

03/01/2012
O.K.

EXHIBIT B

EXHIBIT A

Tony Allers
Director

Katherine Schoch
Assistant Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Sumner County, E-911
Review Date:
N/A

Industrial Pre-treatment Department
Review Date:
N/A

EXHIBIT B

EXHIBIT A

ATTACHMENT 7-1

ORDINANCE NO. O1208-53

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY APPROVING THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR HUNTER POINTE/THE HEIGHTS AT GREENLEA, PHASE 1 – PROPERTIES ZONED MIXED USE DISTRICT (MU) – GALLATIN LAND, LLC C/O REALTY AMERICA, GP #10 OWNER(S) – 5.32 (+/-) ACRES, S.B.E. TAX MAP #125//017.01; 10.53 (+/-) ACRES, S.B.E. TAX MAP #125//018.02; AND 6.94 (+/-) ACRES, S.B.E. TAX MAP #125//018.03 LOCATED ON THE NORTH SIDE OF STATE ROUTE (SR) 386, SOUTH OF STATE ROUTE (SR) 174 (LONG HOLLOW PIKE)

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of this amendment and Preliminary Master Development Plan in GMRPC Resolution No. 2012-77, attached hereto as Exhibit A; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of this amendment 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 as described in Exhibit A and further described in the Staff Report and Action Form, attached hereto as Exhibit B and imposes those recommendations as conditions to this amendment; and
2. That based upon recommendation of approval by the Gallatin Municipal-Regional Planning Commission, public notice, and after public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the zone of real property defined and described in Exhibit C, and the Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1 attached hereto as Exhibit D, shall be amended and the Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1 is hereby approved.
3. 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 zoning changes herein made.

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

PASSED FIRST READING: September 18, 2012.

PASSED SECOND READING:

_____

MAYOR JO ANN GRAVES

EXHIBIT B

EXHIBIT A

ATTACHMENT 7-1

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT B

EXHIBIT A

GMRPC Resolution No. 2012-77

RESOLUTION RECOMMENDING APPROVAL OF ORDINANCE NO. O1208-53 TO THE GALLATIN CITY COUNCIL – APPROVING THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR HUNTER POINTE/THE HEIGHTS AT GREENLEA, PHASE 1– PROPERTIES ZONED MIXED USE DISTRICT (MU) – GALLATIN LAND, LLC C/O REALTY AMERICA, GP #10 OWNER(S) – 5.33 (+/-) ACRES, S.B.E. TAX MAP #125//017.01; GALLATIN LAND, LLC C/O REALTY AMERICA, GP #10 OWNER(S) –10.54 (+/-) ACRES, S.B.E. TAX MAP #125//018.02; HUNTER POINTE, LLC OWNER(S) – 6.94 (+/-) ACRES, S.B.E. TAX MAP #125//018.03; PROPERTIES LOCATED ON THE NORTH SIDE OF STATE ROUTE (SR) 386 AND SOUTH OF LONG HOLLOW PIKE – PC9962-12

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Master Development Plan submitted by the applicant, Ragan Smith Associates, at its regular meeting on August 27, 2012; 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, attached as Exhibit A, and 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 § 13-3-103 and 13-4-102:

1. This Preliminary Master Development Plan is in agreement and consistent with the recommendations of the General Development and Transportation Plan for the area.

2. It has been determined that the legal purposes for which zoning regulations exists are not contravened.

3. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can is justified by the public good or welfare.

4. 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 of the Preliminary Master Development Plan to the Gallatin City Council with the following conditions:

EXHIBIT B

1. The applicant shall remove Access D (SR 386) and reserve adequate right-of-way for accommodation of grade separated interchange as shown in Figure 4-2 of the 2020

EXHIBIT A

Plan.

2. The applicant shall revise the PMDP to remove/relocate Access A in order to conform to the 2020 Plan standards. Access is not recommended between Wendling Blvd. to the intersection on Long Hollow Pike.
3. The applicant shall provide a reservation of public right-of-way from Long Hollow Pike through the development to area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.
4. The Planning Commission approve the conceptual architectural elevation with the addition of a pitch roof for the gas station canopy. Final architectural elevations shall be approved as part of the Final Master Development Plan for each project.
5. The Planning Commission approve the conceptual landscaping plan as shown with the understanding that final landscaping plans shall be approved as part of the Final Master Development Plan for each project.
6. The applicant shall reverse the location of the convenience store building and gas station canopy in order to screen gas pumps from view on SR 386.
7. The Planning Commission approve Convenience Sales and Services as a conditional use since the project meets the general requirements and special conditions of the G.Z.O. The applicant shall submit a written response explaining how the project meets the general requirements and special conditions as part of the Final Master Development Plan for outparcel F.
8. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F.
9. The Planning Commission approve the exception to the M.B.S.L. as requested by the applicant.
10. The applicant shall revise the building locations for outparcel B and outparcel G also be constructed closer to the property line.
11. The applicant shall change the total acreage shown on the plan to 22.79 (+/-) acres in order to match the legal descriptions of the properties.
12. The applicant shall submit detailed sign packages with each Final Master Development Plan. Sign permits shall be required prior to the installation of any signage on site. Freestanding monument signs shall be limited to 8 feet high as shown on the PMDP.
13. The applicant shall submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval by the Gallatin Public Utilities Department.
14. The Traffic Impact Study shall be approved prior to the approval of the PMDP.
15. The applicant shall add the following note to the PMDP: "Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study and construction and implementation of those improvements and policies identified in the study, which the City Engineer determines are necessary to implement the purpose of the Gallatin Zoning Ordinance".
16. The applicant shall provide bike lanes on Long Hollow Pike as recommended in the 2020 Plan.
17. The applicant shall submit a copy of the signed affidavit that adjacent property owners have been notified by mail about Public Hearing at City Council once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
18. The applicant shall submit 14 corrected, folded copies of the Preliminary Master Development Plan, including revised architectural elevations, to the Codes/Planning Department.

EXHIBIT B

EXHIBIT A

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: 8/27/12

Dick Dempsey

Dick Dempsey, Chairman

Johnny Wilson

Johnny Wilson, Secretary

APPROVED AS TO FORM:

Joe H. T

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT B

EXHIBIT B

City of Gallatin, Tennessee *Codes/Planning Department*

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: August 28, 2012

TO: Mr. Charlie Lowe, President
Ragan Smith Associates, Inc.
315 Woodland St.
Nashville, TN 37206

FROM: Gallatin Codes/Planning Department

RE: August 27, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Hunter Pointe – The Heights at GreenLea, Ph. 1: PC File #9962-12

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

☐ RECOMMENDED
☒ RECOMMENDED WITH CONDITIONS
☐ NOT RECOMMENDED
☐ DEFERRED

Conditions of Approval:

1. The applicant shall remove Access D (SR 386) and reserve adequate right-of-way for accommodation of grade separated interchange as shown in Figure 4-2 of the 2020 Plan.
2. The applicant shall revise the PMDP to remove/relocate Access A in order to conform to the 2020 Plan standards. Access is not recommended between Wendling Blvd. to the intersection on Long Hollow Pike.
3. The applicant shall provide a reservation of public right-of-way from Long Hollow Pike through the development to area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.
4. The Planning Commission approved the conceptual architectural elevation with the addition of a pitch roof for the gas station canopy. Final architectural elevations shall be approved as part of the Final Master Development Plan for each project.
5. The Planning Commission approved the conceptual landscaping plan as shown with the understanding that final landscaping plans shall be approved as part of the Final Master Development Plan for each project.
6. The applicant shall reverse the location of the convenience store building and gas station

canopy in order to screen gas pumps from view on SR 386.

7. The Planning Commission approved Convenience Sales and Services as a conditional use since the project meets the general requirements and special conditions of the G.Z.O. The applicant shall submit a written response explaining how the project meets the general requirements and special conditions as part of the Final Master Development Plan for outparcel F.
8. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F.
9. The Planning Commission approved the exception to the M.B.S.L. as requested by the applicant.
10. The applicant shall revise the building locations for outparcel B and outparcel G also be constructed closer to the property line.
11. The applicant shall change the total acreage shown on the plan to 22.79 (+/-) acres in order to match the legal descriptions of the properties.
12. The applicant shall submit detailed sign packages with each Final Master Development Plan. Sign permits shall be required prior to the installation of any signage on site. Freestanding monument signs shall be limited to 8 feet high as shown on the PMDP.
13. The applicant shall submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval by the Gallatin Public Utilities Department.
14. The Traffic Impact Study shall be approved prior to the approval of the PMDP.
15. The applicant shall add the following note to the PMDP: "Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study and construction and implementation of those improvements and policies identified in the study, which the City Engineer determines are necessary to implement the purpose of the Gallatin Zoning Ordinance".
16. The applicant shall provide bike lanes on Long Hollow Pike as recommended in the 2020 Plan.
17. The applicant shall submit a copy of the signed affidavit that adjacent property owners have been notified by mail about Public Hearing at City Council once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).

Approval contains the following requirements:

☐ NONE

☐ BUILDING PERMIT/USE AND OCCUPANCY PERMIT

☐ ZONING PERMIT

☐ SIGN PERMIT

☐ LAND DISTURBANCE PERMIT

EXHIBIT B

City of Gallatin, Tennessee *Codes/Planning Department*

☐ SIGNAGE CHECK

☐ UTILITY SURETY

☐ SITE SURETY

☐ SUBDIVISION SURETY

☐ LIST CONDITIONS OF APPROVAL ON RESUBMITTAL

☒ COUNCIL SUBMITTAL: No additional plans are needed if no changes are being made to the plan at this time.

☒ CITY COUNCIL APPROVAL
- Council Committee: 9/11/12
- 1st Reading at City Council: 9/18/12
- Ad runs for Public Hearing by Codes/Planning Department: 9/12/12
- Public Hearing at City Council: 10/2/12
- 2nd Reading at City Council: 10/16/12

☐ OTHER

cc: Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #9962-12

EXHIBIT A

05-149/9432

EXHIBIT C

HUNTER POINTE
August 9, 2012

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Property Descriptions

Parcel 18.02

Property located on the south side of Long Hollow Pike in the City of Gallatin, 4th Civil District of Sumner County, Tennessee. Being more particularly described according to a survey by J. Bruce Rainey, Surveyor #823, dated November 29, 2011, revised 12-06011, and known as Job No. 11-0128, as follows:

Tract 1
BEGINNING at an existing iron pin in the southerly right-of-way of Long Hollow Pike at the northwest corner of the herein-described tract and the northeast corner of Hunter Pointe, L.L.C. of record in R.B. 2675, Pg. 413, R.O.S.C., TN. Thence from said POINT OF BEGINNING along the southerly right-of-way of Long Hollow Pike and a curve right having a radius of 3779.71', a chord of S 86°18'09" E 56.21' and an arc length along said curve of 56.21' to an existing iron pin; Thence S 79°36'38" E – 49,76' to an existing iron pin; Thence with a curve right having a radius of 3774.71', a chord of S 83° 07'12" E – 260.63' and an arc length along said curve of 260.68' to an existing iron pin; Thence S 38° 19'36" E—47.26' to an existing iron pin at the northwest corner of Tract 2 of same survey; Thence leaving the right-of-way of Long Hollow Pike with the westerly line of Tract 2, S 06°51'31' W --- 865.16' to an existing iron pin in the northwesterly right-of-way of Vietnam Veterans Boulevard; Thence along said right-of-way S 45°19'36" W – 337.30' to an existing concrete highway monument; Thence S 45°30'13" W 301.69' to an existing iron pin; Thence leaving the right-of-way of Vietnam Veterans Boulevard with an easterly line of Hunter Pointe, L.L.C., aforementioned, N 06°47'16" E – 1398.25' to the POINT OF BEGINNING containing 10.53 acres, more or less.

Parcel 18.03

Land in the 4th Civil District of Sumner County, Tennessee, and being a portion of property conveyed to John N. Griffin, Jr. from John N. Griffin, Sr. in Deed Book 246, Page 577, Registers Office, Sumner County, Tennessee, and being shown as a portion of Parcel 18 on Tax Map 125, and being further described as follows:

Beginning at an iron pin set (1/2" rebar) in the south right-of-way of State Route 174 (Long Hollow Pike), and being the most northwest corner of John Thomas McKnight 2005 Revocable Trust (Record Book 2377, Page 732); thence leaving State Route 174, and with the line of said McKnight, S 06 deg. 52' 24" W, a distance of 1398.35 feet to an iron pin set (1/2" rebar), a corner to said McKnight, and in the right-of-way line of State Route 386; thence, S 45 deg. 35'17" W, a distance of 196.24 feet to a concrete highway monument in the right-of-way line of State Route 386; thence S 45 deg. 25' 50" W, a distance of 121.96 feet to an iron pin set (1/2" rebar) in the right-of-way line of State Route 386; thence with a new dividing line, N 06 deg. 52' 24" E, a distance of 1526.398 feet to an iron pin set (1/2" rebar) in the south right-of-way of said State Route 174 (Long Hollow Pike); thence, with a curve right having a delta angle of 2 deg. 56' 10", a radius of 3926.88 feet, an arc length of 201.23 feet, with a chord bearing of S 89 deg. 24' 20" E, with a chord length of 201.21 feet, to the beginning, containing 6.947 acres, according to a survey by Ray G. Cole, Registered Land surveyor, Tennessee No. 924, dated January 5, 2006.

3RD REVISED RESUBMITTAL 2-0617-12

EXHIBIT C

EXHIBIT A

Parcel 17.01

Property located on the south side of Long Hollow Pike in the City of Gallatin, 4th Civil District of Sumner County, Tennessee. Being more particularly described according to a survey by J. Bruce Rainey, Surveyor #823, dated November 29, 2011, revised 12-06011, and known as Job No. 11-0128, as follows:

Tract 2

BEGINNING at an existing iron pin in the southerly right-of-way of Long Hollow Pike at the northwest corner of the herein-described tract and the northeast corner of Tract 1 of same survey. Said pin being located approximately 579.84' in a northwesterly direction from the intersection of the southerly right-of-way of Long Hollow Pike and the westerly right-of-way of Vietnam Veterans Boulevard as measured along the southerly right-of-way of Long Hollow Pike; Thence from said POINT OF BEGINNING, along the southerly right-of-way of Long Hollow Pike, S82°15'39" E – 9.17' to an iron pin set; Thence with a curve right having a radius of 497.96', a chord of S 59°29'59" E 388.97' and an arc length along said curve of 398.63' to an iron pin set; Thence S 36°17'08" E – 172.04' to an existing concrete highway monument at the intersection of Long Hollow Pike and Vietnam Veterans Boulevard; Thence with the northwesterly right-of-way of Vietnam Veterans Boulevard, S 46°33'09" W – 244.86' to an existing concrete highway monument; Thence S 45°18'32" W 162.53' to an existing iron pin at the southeast corner of Trct1; Thence leaving the right-of-way of Vietnam Veterans Boulevard with an easterly line of Tract 1, N 06°51'31" W – 865.16' to the PONT OF BEGINNING, containing 5.32 acres, more or less.

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& ZONING

3RD REVISED RESUBMITTAL

PA 9962-12

EXHIBIT B

ATTACHMENT
7-3

EXHIBIT A

05-149/9432

RAGAN•SMITH

Land Planners • Civil Engineers
Landscape Architects • Surveyors

August 9, 2012

Ms. Katherine Schoch
Assistant Director
Codes/Planning Department
City of Gallatin
132 West Main Street
Gallatin, Tennessee 37066

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GALLATIN PLANNING & ZONING

3RD REVISED RESUBMITTAL

RE: HUNTER POINT
GALLATIN, TENNESSEE

Dear Katherine:

Attached please find the following:

- Preliminary Master Development Plan (16 copies; 5 sheets each)
- Surrounding property owner list
- Legal Descriptions of three parcel with deeds and contract of sale/authorization
- Checkprint #2 (returned)

These items are resubmitted for consideration at the August 27, 2012 Gallatin Planning Commission. City of Gallatin comments received by Ragan-Smith dated August 3, 2012 are itemized below by department with comment/response.

Department of Public Utilities (Review Date: 8/1/2012)

1. Detailed plans and specifications for water and sanitary sewer facilities must be submitted for approval (both on-site and off-site).
   Response: Agree; to be submitted for approval at time of Final Master Development Plan or Final Plat.

Planning Department (Review Date: 8/1/2012)

1. Provide breakdown of acreage in each parcel for City Council ordinance.
   Response: Agree; revised on PMPD.

2. Provide legal descriptions for all three parcels for City Council ordinance. Calls on plans and in curve table do not match legal descriptions submitted.
   Response: Agree; legal descriptions for three parcels provided with this submittal. Calls on plan and in curve table corrected.

3. Correct tax map numbers on surrounding parcels as shown.
   Response: Agree; revised on PMDP.

4. Add note that property is shown as a Regional Activity Center on the Community Character Area map.
   Response: Agree; note provided on PMDP.

5. Add note that Convenience Sales and Service (with gas pumps) is a conditional use in MU that may be approved as part of the PMDP.

315 WOODLAND ST. · P. O. BOX 60070 · NASHVILLE, TN 37206 · 615.244.8591 · 615.244.6739 (FAX) · WWW.RAGANSMITH.COM

PC 0029-12

EXHIBIT A

Response: Agree; note provided on PMDP, with agreement that approval of the PMDP recognizes Convenience Sales and Service (with gas pumps) as a conditional use (MU zoning) for this site.

6. Updated FEMA note using new maps with 4/17/12 effective date.
Response: Agree; note revised on PMDP.

7. Staff recommends using pervious pavement for excess parking spaces.
Response: Respectfully disagree at this time, however, pervious pavement for excess parking spaces may be considered by individual users at FMDP.

8. Add dimensions to monument sign detail. Signage on gas station canopy shall be calculated as part of overall wall signage. Gas prices shall not be shown [on} gas station canopy. The leading edge of all monument signs shall be at least 15 feet from the right-of-way. Add note regarding sign permit requirement. Detailed sign packages shall be required with each Final Master Development Plan.
Response: Agree; all five statements have been noted or corrected on PMDP.

9. Add 20,000 square foot minimum lot size requirement to table.
Response: Agree; shown on table.

10. Change Food Service (restaurant) parking requirements to 1 per 4 person capacity. Fire Department sets capacity of building
Response: Agree; revision provided and note added to PMDP.

11. Planning Commission requested changes to the proposed contemporary architecture at the March Work Session. Final architectural elevations shall be approved with each Final Master Development Plan.
Response: Agree; architecture will be reviewed with an eye for revisions to contemporary architecture on an individual site basis at FMDP.

12. Remove note 3 on architectural elevations.
Response: Agree; note 3 removed from PMDP.

13. Planning Commission requested that proposed gas station canopy be perpendicular to SR 386. Show brick on poles for gas station canopy.
Response: Respectfully disagree; request that gas station canopy orientation remain as submitted. Agree; architectural plans are revised to show brick on columns for gas station canopy.

14. Roof top mounted HVAC units shall be screened according to G.Z.O. Section 13.08.010.F.
Response: Agree; the manner of screening of HVAC units will be shown for each individual site on FMDP.

15. Show location of TVA easement across property. Show and label all Public Utility and Drainage Easements.
Response: Agree; No evidence of TVA easement was found on Hunter Point property. PUDE and access easements are revised and shown on the PMDP.

16. Please submit written request for exception to MBSL. This may be part of the response letter to departmental comments. Exceptions must be approved by Planning Commission. Staff will recommend approval of exception so buildings may be constructed closer to SR 386.

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PC9962-12

ATTACHMENT T-3
EXHIBIT A

EXHIBIT B

RAGAN•SMITH

Response: This response will serve as written request to the City of Gallatin Codes/Planning Department for exception to the minimum building setback line (MBSL) per this approval consideration. This exception requests that MBSL for buildings along State Route 386 be reduced from 50 foot minimum to a 25 foot minimum.

17. Add note in statement of financial responsibility that the owner/developer of this property is responsible for all financial matters.
Response: Agree; note added to PMDP.

18. Correct surrounding zoning In note and on plan. Correct zoning for parcel 018.03.
Response: Agree; corrections made for surrounding zoning on PMDP.

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GALLATIN PLANNING & ZONING

19. Photometric plans shall be submitted with each Final Master Development Plan.
Response: Agree; photometric plans shall be submitted with each sites FMPD.

20. Provide list of all surrounding property owners, even across right-of-way.
Response: Agree; attached as Exhibit with this letter.

21. Submit affidavit that property owners were notified by mail about public hearing once letters are mailed.
Response: Agree; Ragan-Smith will work with Codes/Planning Department staff for proper notification of property owners per requirements of public hearing.

22. Subdivision plats may be required as part of each Final Master Development Plans.
Response: Agree; Final Subdivision Plats will be submitted at time of each site FMDP.

23. Correct building square footage in chart for outparcel B.
Response: Agree; corrected on PMDP.

24. Some Bufferyards may be reduced based on G.Z.O. Sec. 13.04.060.F.1. Type 25 Bufferyard should be installed along northern property line since it is adjacent to residential development. Final landscaping shall be approved as part of each Final Master Development Plan.
Response: Agree; corrected on resubmitted PMDP.

25. Engineering Division mut approve the access points shown. Major Thoroughfare Plan may need to be amended to show access points if plan is recommended by Planning Commission to City Council.
Response: Agree.

26. This item will be discussed at the 8/13/12 Planning Commission Work Session at 5 p.m. Please present the overall plan and proposed architecture at that time. Please submit 9 copies of the plan by Tuesday 8/7/12 for Work Session packets.
Response: Agree; nine copies of PMDP resubmitted Tuesday, August 7, 2012 for Planning Commission Work Session.

27. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size), including architectural elevations.
Response: Agree; 16 corrected, folder copies resubmitted with this letter.

28. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plat, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP and FMDP and submit PDF files of all supporting documents and correspondence. **Label file formats on CD.**
Response: Agree.

PC9962-12

ATTACHMENT
7-3

EXHIBIT B

EXHIBIT A

RAGAN•SMITH

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GALLATIN PLANNING
& ZONING

28. Submit a detailed response letter addressing all departmental review comments.
Response: Agree; resubmitted August 9, 2012.

29. Return Checkprint #2.
Response: Agree; check print #2 resubmitted with this letter.

30. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 8/9/2012.
Response: Agree.

31. Resubmittals must include the above information in order to be considered a complete resubmittal.
Response: Agree.

Codes Department (Review date: 7/31/2012)

1. No building plans included. No comments
Response: Agree; representative architecture submitted with PMDP. Building plans for approval for individual sites will be submitted at time of FMDP.

Engineering Division (Review Date: 8/2/2012)

1. Revise note 7 to read: Design for transport, detention, and treatment of each sites stormwater infrastructure will be done at the time of submittal of each sites FMDP(s). All performance standards for transport, detention, and treatment shall be met as outlined in the City of Gallatin Stormwater Ordinance at that time. The areas shown as "detention" on these plans are intended to be used to meet a portion of these requirements.
Response: Agree. note provided on PMDP.

2. Add note: If regional detention and/or treatment is to be used, design and construction shall be done prior to development of the first lot with the PMDP.
Response: Agree; note provided on PMDP.

3. Traffic Impact Study (TIS) must be approved prior to approval of PMDP.
Response: Agree; TIS to be submitted to City of Gallatin Engineering Division.

4. 2020 Plan designated Long Hollow Pike for bike lanes. Provide bike lanes along Long Hollow Pike in any areas improvements are to be made.
Response: Agree.

5. Per 2020 Plan-Roadway Project 2, proposed access A would be in violation of the 2020 plans minimum driveway spacing requirements, if ramp is built per Figure 4-2. Remove/relocated access A to conform to 2020 plans standards.
Response: Respectfully disagree. Access A has been revised from prior submissions to be a right-in/right-out access only as discussed with Tennessee Department of Transportation and City of Gallatin Engineering Division.

6. All note: Any driveway entrance shown on approved plan is conditional upon the approval of TDOT driveway permit.
Response: Agree; note provided on PMDP.

7. Per 2020 Plan-Roadway Project 2, plans for a separated grade interchange to replace the existing traffic signal, and restriction of access along 386/Long Hollow Pike Corridor are shown. Access D violates the restricted access and no accommodation for the grade separated interchange is shown. Remove access D and reserve adequate ROW area for accommodation of grade separated interchange as shown in Figure 4-2 of 2020 Plan.

PC 9962-12

EXHIBIT A

ATTACHMENT 7-3

EXHIBIT B

RAGAN•SMITH

Response: Respectfully disagree. The 2020 Plan should be amended by the City of Gallatin to preclude the "separated grade" interchange and provide for an "at grade" intersection at State Route 386/Long Hollow Pike.

8. Add note: Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study, and construction and implementation of those improvements and policies identified in the study which the City Engineer determines are necessary to implement the purposes of the Gallatin Zoning Ordinance.
Response: Agree; with note modified and placed on PMDP.

9. Per letter dated 3-27-2012 to Nick Tuttle from TDOT, no access onto SR 386 will be allowed and access is not recommended between Wendling Blvd to the intersection on Long Hollow Pike. *The Engineering Division suggest to accommodate access needs of the proposed development, providing a reservation of Public ROW from Long Hollow Pike through the development to the "Possible Future Commercial Development' which would extend on to GreenLea Blvd. This connection would provide 2 accesses to SR 386. *Refer to Memo to Planning Division from Nick Tuttle dated 12-12-2008, and Emails sent 2-17-2012 from Nick Tuttle to Carl Schwab and Ragan-Smith.
Response: Respectfully disagree.

Fire Department (Review Date: 8/2/2012)
This office has no comments at this time.

Police Department (Review Date: 8/1/2012)
1. Recommend no access or exit on to State Route 386 due to posted speed limit. Volume of vehicles, and proximity to intersection of Long Hollow Pike. Safety concerns.
Response: Respectfully disagree.

Gallatin Department of Electricity (Review Date: 8/1/2012)
O.K.
Response: Agree.

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Sumner County, E-911
N/A

Industrial Pre-treatment Department
N/A

Thanks you for your assistance with matter. If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

RAGAN-SMITH ASSOCIATES, INC.

Charles D. Lowe, PE, RLS
President

CDL:dls

cc: Kip Sowden, Realty American Group
Carl Schwab, Realty American Group
Charles Kimbrough

PC9962-12

EXHIBIT A

Zach Wilkinson

EXHIBIT B

From: Nick Tuttle
Sent: Tuesday, February 21, 2012 9:53 AM
To: Carl Schwab; athompson@ragansmith.com; Charles Lowe; Kip Sowden
Cc: Zach Wilkinson; Tony Allers; Katherine Schoch
Subject: RE: Hunter Pointe Access

ATTACHMENT
T-4

Additional facts for opinion for access on SR-386:

Right-in

- Deceleration length outside of the through travel lane is 135'. Recommended minimum for 45 MPH design is 340'. (AASHTO, pg 714; TDOT, pg 2-24)
- Bay taper of 9:1 OK (AASHTO, pg 715; TDOT, pg 2-23)

Right-out (on-ramp) – I'm assuming that the modification made to the original submittal increased the "acceleration length" from 130' to 490'.

- Effective acceleration length would be 630'. Recommended minimum to go from 15 MPH to the 65 MPH design is 1,350'. (AASHTO, pg 847)
- No gap acceptance is/was shown. Recommended minimum from 300' to 500' depending on nose width. (AASHTO, pg 845)
- With no gap acceptance, the taper appears to be around 15:1. Recommended minimum from 50:1 to 70:1. (AASHTO, pg 845)

Nick Tuttle, PE
City of Gallatin, City Engineer

From: Carl Schwab [mailto:cschwab@realtyamericagroup.com]
Sent: Monday, February 20, 2012 1:29 PM
To: Nick Tuttle; athompson@ragansmith.com; Charles Lowe; Kip Sowden
Cc: Zach Wilkinson; Tony Allers; Katherine Schoch
Subject: RE: Hunter Pointe Access

Thank you Nick

From: Nick Tuttle [mailto:nick.tuttle@gallatin-tn.gov]
Sent: Monday, February 20, 2012 11:36 AM
To: athompson@ragansmith.com; Charles Lowe; Carl Schwab; Kip Sowden
Cc: Zach Wilkinson; Tony Allers; Katherine Schoch
Subject: RE: Hunter Pointe Access

Mr. Schwab asked that I share the memo from 2008 (attached).

Additionally, I will further qualify the concerns with references to TDOT Roadway Design Guidelines (available at the TDOT website) and the 2004 AASHTO Policy on Geometric Design of Highways and Streets. I hope to get that to you tomorrow.

Nick Tuttle, PE
City of Gallatin, City Engineer

From: Nick Tuttle
Sent: Friday, February 17, 2012 3:12 PM
To: 'athompson@ragansmith.com'; Charles Lowe; Carl Schwab (cschwab@raglp.com);

'ksowden@realtyamericagroup.com'
Cc: Zach Wilkinson; Tony Allers; Katherine Schoch
Subject: Hunter Pointe Access

EXHIBIT A

EXHIBIT B
ATTACHMENT
7-4

Alan and others:

Sorry to delay my response, but I have studied and consulted with a few members of TDOT concerning the access points and their impact to the roadways. The plan submitted for review still contains a right-in, right-out access to SR-386. The right-in has similar design characteristics as the 2008 submittal with the addition of a concrete median on SR-386. The right-out extends beyond the old submittal with a longer acceleration lane and taper.

However, after this study and consultation, the opinion that I gave in the 2008 memorandum remains the same. That is that the "access along SR-386 should be eliminated," and to create better access for this development engineering *suggests* a public way bisecting the property from the north to the west intersecting SR-174 at Wendling Boulevard." Additionally, the access point on SR-174 wouldn't be advisable due to its proximity to the signalized intersection and its conflict with the lengthy queue for the traffic signal.

Additional issues discussed with TDOT beyond the concerns mentioned in the 2008 memo were:

(1) the driver expectancy heading southbound through the traffic signal is to accelerate at a rapid pace, With the right-in to the development located directly beyond the traffic signal, in the area of transitioning from 45 MPH to 65 MPH, and a shortened deceleration length, rear-end collisions will be likely;

(2) I was advised by Steve Allen and Phil Trammel of TDOT that even if the design were acceptable, the right-out would not even be allowable because it enters the controlled access area.

Please, contact me with any questions. Thanks,

Nick Tuttle, PE
City of Gallatin, City Engineer
132 West Main Street
Gallatin, TN 37066
Phone: 615.451.5965
Fax: 615.452.0348

EXHIBIT A

ATTACHMENT 7-5

EXHIBIT B

City of Gallatin Engineering Division Memorandum

To	:	Planning Division
From	:	Nick Tuttle, City Engineer
Date	:	12/12/08
Subject	:	Hunter Pointe Development Access

The Engineering Division made several comments on the plan submitted for PC file # 3-27-08, Hunter Pointe received by the Planning Division 11/24/08. Some of the Engineering Division comments to the Planning Division for the Hunter Pointe development accesses were that the "access along SR-386 should be eliminated" and to create better access for this development, "engineering recommends a public way bisecting the property from the north to the west" intersecting SR-174 at Wendling Boulevard. The following text is a justification for our recommendations.

SR-386 is a controlled access facility up to a few hundred feet from the SR-174/SR-386 intersection as demonstrated by Ragan-Smith Associates, Inc.. SR-386 serves as Gallatin's connection to Nashville. Many plans and thoughts have been put forth on how SR-386 and SR-174 should function as they intersect SR-109. The State Route 386 Area Study recommended that a strict access management plan be followed with improvements of SR-174 from SR-386 to SR-109 to a six-lane cross-section. Some preliminary recommendations from the Gallatin on the Move 2020 General Development and Transportation Plan were to remove all direct access from this section of roadway and create a grade-separated interchange at the intersection of SR-174 and SR-386.

How this gateway into the City of Gallatin develops is not the decision of this Division, and only plays a small part in this recommendation. Without considering any future growth or change, it is our opinion that a portion of SR-386 would act as a five-lane urban, arterial highway (the right-in, a.) and the other portion of this roadway would act as a four-lane divided freeway (the right-out, b.). These sections would be governed by separate design speeds.

a. In looking at the right-in access, current conditions would make this access to SR-386 as shown by the development unacceptable by TDOT Roadway Design Guidelines and AASHTO using a design speed of forty-five MPH. Typically, a designer would use a greater design speed than the posted speed limit. For this access to be appropriate, the deceleration and taper lengths would have to be

PC 9962-12

extended pushing the drive six hundred feet or more away from the intersection of SR-174 and SR-386, therefore, making a safe and efficient right-in access impossible by TDOT and AASHTO standards given the controlled access constraints as one moves further away from the intersection.

b. Given current and future conditions, the right-out access to the development should be treated as an acceleration lane similar to a freeway on-ramp. An appropriate acceleration length (L_a) according to AASHTO for a situation such as this – a transition of 15-25 MPH to 60-70 MPH – would be at least 1,000 feet including a 300 to 500-foot gap acceptance length. The submitted plan doesn't accomplish either of these items. A much more involved right-out access would have to be constructed that would span most of the length of this property.

The standards mentioned above are very minimal for safe and efficient operation to continue on this new connection to Nashville. The proposed intersection would negatively affect through traffic on the corridor adding undue congestion.

The Hunter Pointe development is likely only the beginning of development that would occur in the area located between SR-174, SR-386, and GreenLea Boulevard. The Hunter Pointe development makes up just over twenty acres of a larger area that could be developed including anywhere from sixty acres to over one hundred acres. To serve this amount of development and to create proper access, more public road frontage would be very beneficial. The current submittal shows some ability for traffic to move through the development from Wendling Boulevard to a "possible future commercial development" area. It is our recommendation that this facility be designed to public roadway standards to serve the needs of this commercial development.

EXHIBIT A

EXHIBIT B

ATTACHMENT 7-6

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
BUREAU OF ENGINEERING
SUITE 700, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-0791

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

August 2, 2012

Mr. Charles Kimbrough
48 Wyndermere Road
Hendersonville, Tennessee 37075-2958

RECEIVED
AUG 09 2012
CITY OF GALLATIN
ENGINEERING DIVISION

RE: Proposed Hunter Pointe
Gallatin, Sumner County

Dear Mr. Kimbrough:

We recently met to discuss a development that has been proposed at the intersection of SR 386 and SR 174 (Long Hollow Pike) in Gallatin and the correspondence from the Department of Transportation to the City of Gallatin regarding the same issue. In my March 27, 2012 letter to Gallatin's City Engineer, Mr. Nick Tuttle, P.E., I expressed the Department's concerns regarding a right in right out access to SR 386 and driveway locations on SR 174.

The Department is supportive of investments in Tennessee that generate economic growth and job creation. In our meeting, it was suggested that you meet with Mr. Steve Allen, our Project Planning Director, along with Mr. Tuttle, to discuss the proposed development and the best way traffic can be accommodated to serve the interest of the development, the City, and the users of the state highway system.

The Department strives to keep an open dialogue with local agencies, the development community, and the citizens of Tennessee as we understand the dynamics of the state highway system are continually changing. The Department is open to discussing opportunities to provide access to the development from the state highway system in conjunction with the City.

ATTACHMENT 7-6

EXHIBIT B

In your meeting with Mr. Allen and Mr. Tuttle on July 5, 2012, Mr. Allen requested that you develop and provide a traffic analysis for three alternatives for the department to consider;

1) An option that includes no access to or from SR 386
2) The right in right out option currently conceptualized
3) A right out onto SR 386 with a fully developed auxiliary lane that extends to Green Lea Blvd

When you have developed these options, Mr. Allen will be glad to meet and discuss the analysis to determine a path that we hope can meet the objectives of all parties.

If you have any further questions regarding this matter, do not hesitate to contact me at 741-0791 or by email at Paul.Degges@tn.gov or Mr. Allen at 741-2208 or by email at Steve.Allen@tn.gov.

Sincerely,

Paul D. Degges

Paul D. Degges, P.E.
Deputy Commissioner and Chief Engineer

PDD/jc

Cc: Senator Kerry Roberts
Mayor Jo Ann Graves, City of Gallatin
Mr. Nick Tuttle, City of Gallatin
Mr. Toks Omishakin
Mr. Steve Allen
Mr. Winston Gaffron
Mr. Phil Trammel
Mr. Matt Barnes

EXHIBIT A

EXHIBIT B

ATTACHMENT
7-7

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
SUITE 700, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TN 37243-0349
(615) 741-2848

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

March 27, 2012

Mr. Nick Tuttle, P.E.
City of Gallatin, City Engineer
132 West Main Street
Gallatin, Tennessee 37066

RE: Proposed Hunter Pointe, City of Gallatin, Sumner County

Dear Mr. Tuttle:

You recently contacted the Department of Transportation regarding the subject development at the intersection of SR 386 and SR 174 (Long Hollow Pike). Concerns were raised regarding the access to SR 386 and the location of access to SR 174 near the signalized intersection with SR 386.

The Department has reviewed the plans and access points for SR 386 in this vicinity. It appears that the controlled access right of way fence in this area has been improperly removed. Additionally, during the construction phase, a temporary field access was built to facilitate construction activities; however, the final construction did not restore the area to the design configuration. The right of way agreement for this tract provided access via SR 174 and provided no access from SR 386 for safety reasons.

Driveway connections to state routes are regulated via state law through TCA 54-5-301. The design of this project did not contemplate a driveway on SR 386 at this location and based on the current traffic volume, we do not believe it would be in the interest of safety to allow right in right out access.

EXHIBIT A

ATTACHMENT
7-7
EXHIBIT B

Furthermore, we remain concerned about the driveway location on SR 174 near the signal with SR 386. Turning movements within the area of influence of the turning lanes of a major intersection can result in both congestion and safety issues. We would recommend that no entrances be placed between Wendling Blvd. and SR 386.

I have directed my staff to reestablish the controlled access fence and curb line per the original construction plans. If you have any further questions regarding this matter, do not hesitate to contact me at 741-0791 or by email at Paul.Degges@tn.gov.

Sincerely,

Paul D. Degges

Paul D. Degges, P.E.
Deputy Commissioner & Chief Engineer

PDD/jc

Cc: Mayor Jo Ann Graves
Mr. Winston Gaffron
Mr. Phil Trammel
Mr. Steve Allen

EXHIBIT E

EXHIBIT B

ATTACHMENT 7-8

Transportation system and land use have a circular relationship: adequate mobility must be provided to facilitate growth; growth results in increased transportation demands that necessitate an expansion of the system. In addition, trip-making patterns, volumes, and modal choices are a function of the spatial distribution of land use. Consequently, a transportation plan should be responsive to the dynamics of the area and the likely distribution of these activities across the region.

Transportation plans must be consistent with land use plans, thereby prescribing a balance between future land use development and infrastructure needs. As such, the development of a transportation system and the continued growth of a community go hand in hand. One of the first steps to determine future infrastructure needs is to evaluate how the transportation system would function with the desired population and commercial development but in the absence of transportation related infrastructure improvements. The deficiencies highlighted in this "no-build" analysis provide insights into future needs.

Historical traffic growth trends, known development plans, future land uses as described in the Gallatin on the Move 2020 General Development and Transportation Plan, and output from the Nashville Area MPO's regional travel demand model were used to develop 2030 no-build traffic forecasts for the arterial and collector roadway network in Gallatin. **Exhibit 4-7** illustrates the 2030 No-Build levels of service. Several segments are predicted to have poor 2030 levels of service if improvements are not made:

- South Water Avenue,
- Red River Road between US-31E and Long Hollow Pike,
- Long Hollow Pike between Red River Road and SR-386,
- Main Street,
- US-31E
- Big Station Camp Boulevard between Saundersville Road and SR-386.

Of note is that these are for the most part the same roadways that are congested today. The primary difference is that the severity and scope of the congestion are expected to worsen in the future. Many of the projects proposed in this plan are intended to address the issues highlighted during this evaluation.

ROADWAY PROJECTS

The following section describes the projects recommended for the Major Thoroughfare Plan component. These projects are shown on **Exhibit 4-8**. The resulting 2030 Major Thoroughfare Plan is shown in **Exhibit 4-9**.

Projects 1 and 2 are focused on preserving and enhancing Gallatin's connection to SR-386. Gallatin's primary regional freeway connections include SR-386/US-31E to I-65 and SR-109 to I-40. The SR-109 connection to I-40 is an important link to the western portions of the Nashville region, especially from south and east Gallatin. Improvement recommendations for this link are provided in Projects 20, 33, and 42. Likewise, the SR-386/US-31E connections are a critical link to the greater Nashville region. In fact, SR-386 is arguably Gallatin's most critical freeway connection.

For many years, US-31E served as the historical link between Gallatin and I-65. However, US-31E was commercialized, even before SR-386 was constructed, restricting its ability to serve as the primary artery between Gallatin and I-65. SR-386 was built as freeway facility (between I-65 and it's terminus at Long Hollow Pike) specifically for the purpose of serving as the major artery for Gallatin and Hendersonville to I-65. Enhancing Gallatin's connection to SR-386 should be a top priority for the community.

EXHIBIT A

EXHIBIT B

ATTACHMENT 7-8

1. ***Long Hollow Pike (SR-174)/Red River Road (SR-25) Corridor between US-31E and SR-109*** – Widen Long Hollow Pike (SR-174) between SR-109 and Red River Road (SR-25) to 3 lanes and distribute traffic to US-31E via multiple connections[13]. The goal is to avoid a concentration of traffic at any one location. This scheme provides for several benefits. First, it allows greater flexibility in project implementation. Second, it provides for additional rail crossing points, creating options for circulating traffic and emergency response vehicles when rail crossings are blocked by trains. Third, it minimizes the potential to overload any one intersection or roadway segment. Related projects would most likely be publically funded. However, private sector funding may be appropriate/required if development pressures force the need for roadway improvements before public sector funding can be secured. Proposed improvements for this area include the following:

   - Red River Road (SR-25) between Long Hollow Pike (SR-174) and US-31E (existing) – The existing roadway should be improved to allow for greater capacity and safer traffic movements. This could be accomplished by:

     - Create a grade-separated rail-crossing which would greatly facilitate traffic flow and enhance safety. However, topography may make a grade separated crossing physically or economically infeasible. Engineering studies are required to evaluate the viability of this improvement.
     - Improve to a three-lane cross-section.
     - Change the current traffic control scheme at the Long Hollow Pike (SR-174)/Red River Road (SR-25) intersection to allow the Long Hollow Pike (SR-174) to Red River Road (SR-25) connection to become the free flow movement. In this revised scheme Red River Road (SR-25) would "T" into the revised free flow connection as a stop controlled traffic movement.
     - Widen the Red River Road (SR-25) approach at the Red River Road (SR-25)/US-31E intersection.

   - Maple Street Connection – connect Long Hollow Pike (SR-174) to the new Maple Street/Tulip Poplar Extension via a two or three lane connector across the railroad tracks, providing access to US-31E at Maple Street. This would require a new rail crossing.
   - Blythe Avenue Connection – Strengthen the connection between Red River Road (SR-25) and West Eastland Street via Blythe Avenue to make fuller use of the West Eastland rail crossing. Roundabouts at critical intersections could be used as a part of this solution.

2. ***Long Hollow Pike (SR-174) Between SR-386 and SR-109*** – Restrict access and make a free-flow freeway segment as shown in the Figure 4-2.

   - Replace the existing traffic signal at SR-386/Long Hollow Pike (SR-174) with grade-separated interchange.
   - Restrict access to Long Hollow Pike (SR-174) between SR-386 and SR-109 Bypass as show in Figure 4-2. Access to the Long Hollow Golf Course could be provided to SR-174 approximately 500 feet west of the SR-386 interchange via the old SR-174 right-of-way. Access to the south side of SR-174 could be provided via an extended Long Hollow Pike (per figure 4-2) or Belvedere Drive.

[13] It is recommended that engineering studies be performed on the proposed improvements to validate the feasibility of the various alternative alignments. The potential for redevelopment in the area should also be considered.

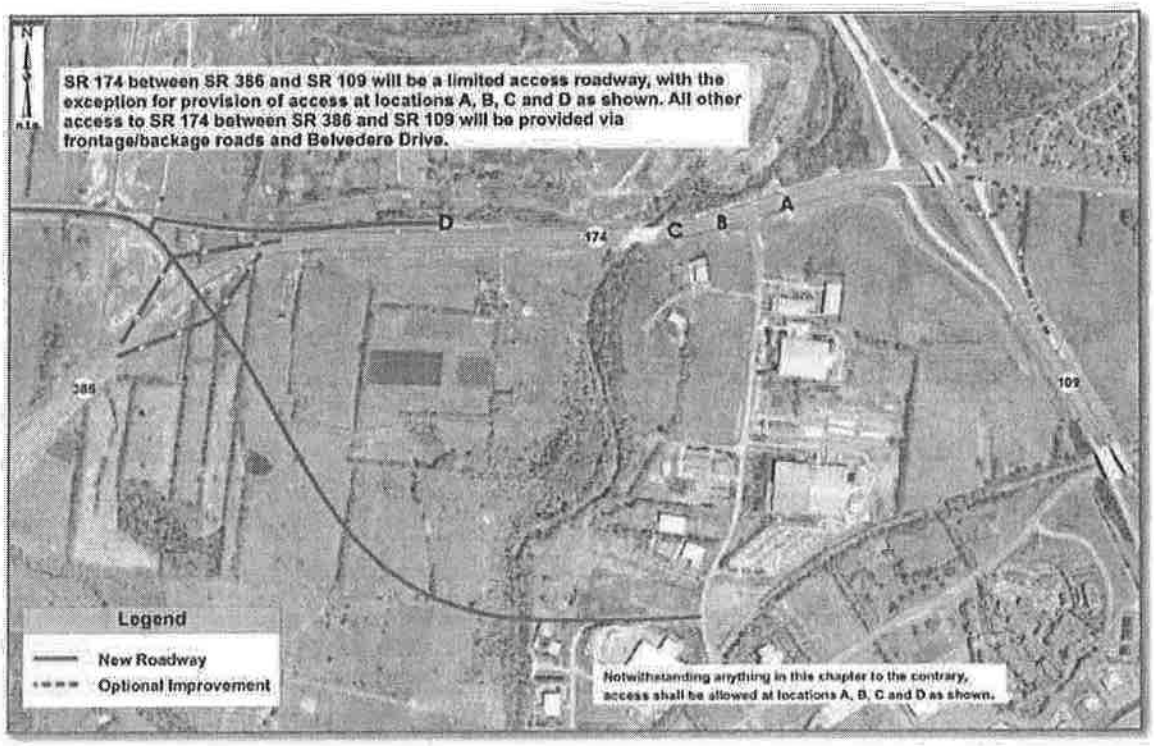
EXHIBIT A

EXHIBIT B

ATTACHMENT 7-8

- This project would most likely be funded by a public agency. However, private sector funding may be appropriate/required if development pressures force the need for roadway improvements before public sector funding can be secured.
- The addition of a loop ramps(s) on the east side of the SR-109 interchange is a supplemental improvement that could be considered to add capacity to the Long Hollow Pike/SR-109 interchange. A loop ramp in the north-east quadrant (serving the northbound to westbound movement) would allow that movement to be made without having to pass through the northbound ramp terminal traffic signal. This loop ramp would facilitate movement from downtown Gallatin and SR-109 south of Gallatin to SR-386. Likewise, a loop ramp in the south-east quadrant (for the eastbound to northbound movement) would facilitate the traffic movement from SR-386 to SR-109 north of Gallatin and the Hatten Track Extension. It may be preferable to construct one or both of these ramps in the future based on detailed traffic analysis. The construction of either ramp would add capacity to the northbound ramp terminal traffic signal. The construction of both ramps has the potential to create freeway weaving problems on northbound SR-109.

Figure: 4-2 Conceptual Plan for the upgrade of SR-174/SR-386/SR-109 Interchange



3. ***GreenLea Boulevard (North)*** – GreenLea Boulevard (North) – Provide a continuous connection between Nashville Pike and Long Hollow Pike, with an interchange at SR-386. The section between US-31E and SR-386 has been built to a five-lane section. The segment between SR-386 and Long Hollow Pike (SR-174) will initially be constructed to a three-lane section. However, adequate right-of-way should be reserved between SR-386 and Long Hollow Pike (SR-174) for potential expansion to five-lanes. The development of the surrounding area will drive the need for the project. This project would most likely be privately funded by development interests.

EXHIBIT A

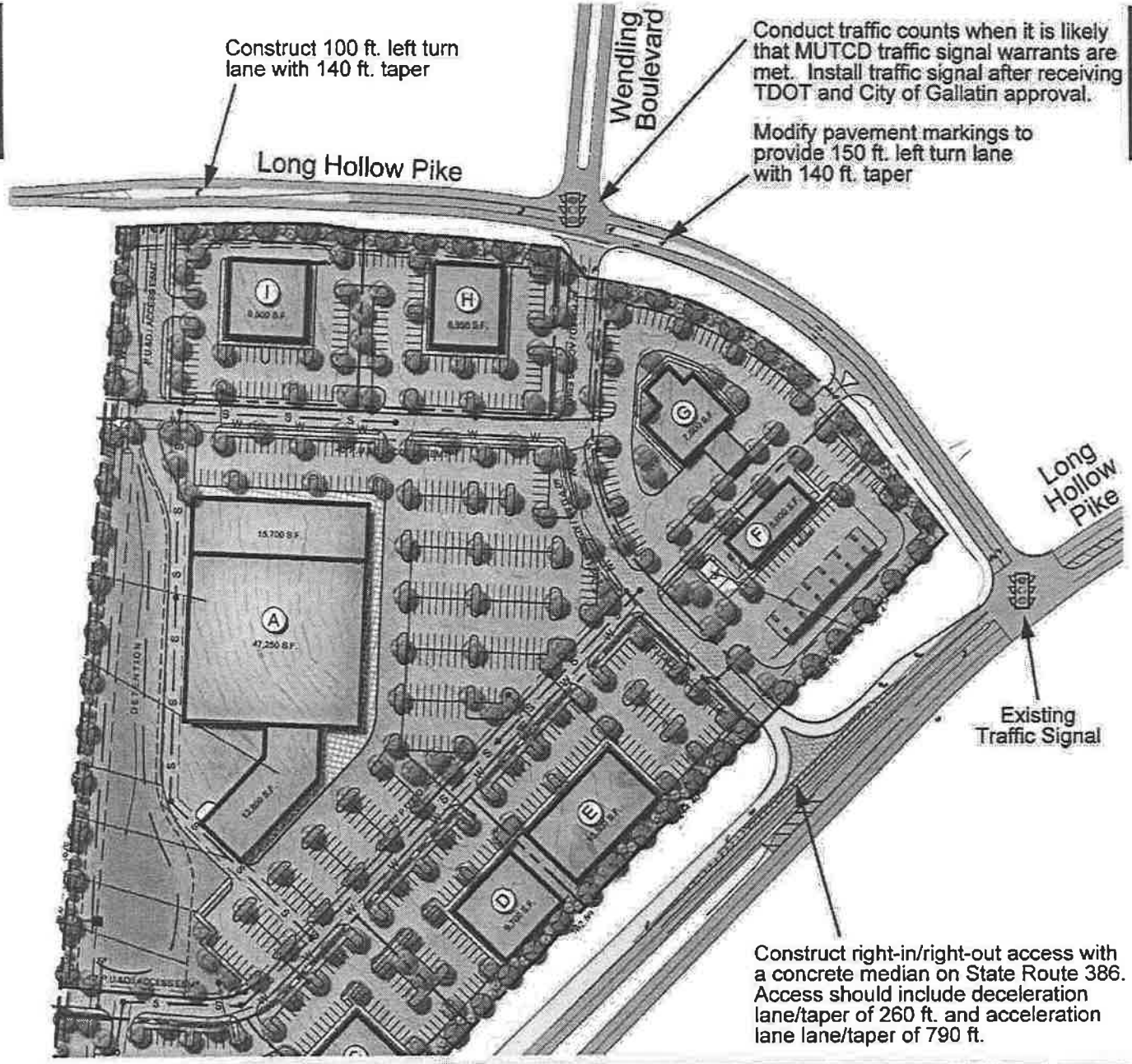


EXHIBIT B

ATTACHMENT 7-9

EXHIBIT A

RAGAN•SMITH Hunter Pointe | August 13, 2012

ATTACHMENT 7-10

Jo Ann Graves

From: Kate Novitsky
Sent: Monday, August 06, 2012 11:09 AM
To: Jo Ann Graves
Cc: Rosemary Bates; Donald Bandy; Bill Sorrells
Subject: Hunter's Pointe Development

It is the recommendation of the police department that no access or exit be allowed from the Hunter's Pointe development onto or from Hwy 386. We believe this to be a traffic safety issue due to the proximity of the proposed access/exit and the intersection of Long Hollow Pike. The flow of traffic through that intersection is traveling at least 45 miles per hour if the traffic light is green and the speed limit quickly increases on Hwy 386 to 65 mph prior to the next exit.

Capt. Kate Novitsky
Gallatin Police Department
130 W. Franklin St.
Gallatin, TN 37066

615-452-1313 ext 216
615-804-5326 Cell
knovitsky@gallatinpd.org

EXHIBIT A

EXHIBIT B

ATTACHMENT 7-11

Item 5

GMRPC Resolution No. 2012-80 – PC0029-12 – Foxland, Phase 7, Section 1 – Dale & Associates – Applicant requests approval of a Final Plat of Foxland, Phase 7, Section 1, a major subdivision containing 21 lots on 5.391 (+/-) acres. Property is located on Vinings Boulevard.

This item was approved by Consent Agenda with the following conditions:

1. The applicant shall show and clearly delineate the City Limits on the vicinity map.
2. The applicant shall submit a site surety, in the amount of $4,500 to the Codes/Planning Department prior to the issuance of any building permits for Foxland, Phase 7, Section 1.
3. The applicant shall submit a subdivision surety, in the amount of $264,000, to the Engineering Department, prior to the recording of the final plat for Foxland, Phase 7, Section 1.
4. The applicant shall submit a signage check, in the amount of $75.00, prior to the recording of the Final Plat.
5. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plat for Foxland, Phase 7, Section 1.
6. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.
7. The applicant shall submit three (3) corrected and folded paper copies of the Final Plat.

✳ Item 6 ✳

GMRPC Resolution No.2101-77 – PC9962-12 – Hunter Pointe; The Heights at GreenLea, Phase 1 – Ragan Smith & Associates - Public Comment – Applicant requests approval of a Preliminary Master Development Plan for Hunter Pointe; The Heights at GreenLea, Phase 1 for the layout and design of the project. Property contains 22.79 (+/-) acres and is located on Long Hollow Pike.

Ms. Katherine Schoch, Assistant Director Codes/Planning, presented the staff report and stated the applicant is requesting approval of a Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1, for the layout and design of the project.

Ms. Schoch said all the commercial uses proposed are permitted within the Mixed Use (MU) zone district, with the exception of Convenience Sales and Service with gas pumps. Ms. Schoch said that the use is a conditional use in the Mixed Use (MU) zone district. Ms. Schoch said this body has the authority to grant the conditional use with special condition as part of the Preliminary Master Development Plan.

Ms. Schoch said conceptual architecture was submitted at the Planning Commission work session and the Planning Commission asked for a more traditional architecture. Ms. Schoch said the applicant will present more traditional renderings. Ms. Schoch said all the buildings meet the required 70 percent brick or stone.

Ms. Schoch said staff recommends approval of the architecture with the understanding that final architecture will be approved as well as final landscape with each Final Master Development Plan.

EXHIBIT A

Ms. Schoch said Staff is in favor of the gas station canopy architecture. Ms. Schoch said one of the recommendations in the staff report is that the building and the gas pumps be reversed to create a better view for the gateway into Gallatin.

Ms. Schoch said one of the main topics of discussion has been the access to State Route 386. Ms. Schoch said Staff does not recommend approval of this access for safety reasons. Ms. Schoch said Staff has issues with the access on Long Hollow Pike closest to the traffic signal because the *Gallatin on the Move 2020 General Development and Transportation Plan* does not recommend additional access on Long Hollow Pike from Wendling Boulevard to State Route 386.

Ms. Schoch said Staff recommends the Planning Commission recommend approval of the Preliminary Master Development Plan to the Gallatin City Council with the conditions listed in the staff report.

Chair Dempsey asked Mr. Nick Tuttle, City Engineer if he had any engineering concerns with the request. Mr. Tuttle said he has had meetings with TDOT discussing the access points. Mr. Tuttle said the engineering recommendations are consistent with TDOT's preferences for this area. Mr. Tuttle said the right-in /right-out on State Route 386 does not meet TDOT's requirements.

Chair Dempsey asked about the condition dealing with bike lanes. Mr. Zach Wilkinson, Project Manager, said the recommendation is a part of the *Gallatin on the Move 2020 General Development and Transportation Plan.* Mr. Wilkinson said the recommendation is intended to provide the right-of-way. Mr. Wilson said the condition requires the applicant build the bike lane. Mr. Tuttle said he would be comfortable requiring only the right-of-way be provided.

Chair Dempsey said condition number 16 could stay as it is stated.

Dr. Orgain stated, if two of the accesses proposed are removed, one lane of traffic could not facilitate this development. Mr. Tuttle said he would expect an evaluation of an alternative that does not have a right-in/right-out or an access on State Route 386 to be submitted. Mr. Tuttle said if these access points are eliminated a new traffic study would most likely be submitted. Dr. Orgain suggested that the City codes need to be updated.

Mr. Ramsey reiterated if the two accesses are eliminated the applicant would submit a new traffic study. Mr. Tuttle said he is not sure if that is the developer's intent. Mr. Tuttle said the traffic study submitted includes the four access points proposed. Mr. Tuttle said the study shows the existing conditions at this site and the proposed conditions at the site with this development. Mr. Tuttle said the only assess of concern in the traffic study is the intersection at Long Hollow Pike and State Route 386.

Mr. Charlie Lowe, with Ragan, Smith Associates, said the architecture has been resubmitted in a more traditional approach.

Mr. Lowe said that the concerns regarding eliminating the accesses are valid. Mr. Lowe said the right-in/right-out onto SR 386 creates a better opportunity for this development. Mr. Lowe said the developer intends to work with the City and TDOT and their guidelines. Mr. Lowe said both roads are State highways and TDOT would be in a position to approve any applications that are submitted to them.

EXHIBIT A

ATTACHMENT 7-11

Mr. Kip Sowden, with Realty America Group, gave a brief history of his experience and the company's experience. Mr. Sowden said the company's intent is to bring a trophy development to Gallatin. Mr. Sowden said the intent is to attract the top tier tenants. Mr. Sowden said it would be impossible to attract these tenants without the access points as submitted.

Mr. Charles Kimbrough, represented the applicant, and said the property taxes would be approximately $400,000 per year. Mr. Kimbrough said the sales tax generated is also a consideration. Mr. Kimbrough said he is hearing that the City thinks this is a good project and asked that it should be sent on to City Council so that the developer could make a formal request to the State for access.

Mayor Graves motioned to recommend approval of the Preliminary Master Development Plan to the Gallatin City Council with the following conditions:

1. The applicant shall remove Access D (SR 386) and reserve adequate right-of-way for accommodation of grade separated interchange as shown in Figure 4-2 of the 2020 Plan.
2. The applicant shall revise the PMDP to remove/relocate Access A in order to conform to the 2020 Plan standards. Access is not recommended between Wendling Blvd. to the intersection on Long Hollow Pike.
3. The applicant shall provide a reservation of public right-of-way from Long Hollow Pike through the development to area designated as "Possible Future Commercial Development", which would extend onto GreenLea Blvd. That connection would provide two (2) accesses to SR 386.
4. The Planning Commission approved the conceptual architectural elevation with the addition of a pitch roof for the gas station canopy. Final architectural elevations shall be approved as part of the Final Master Development Plan for each project.
5. The Planning Commission approved the conceptual landscaping plan as shown with the understanding that final landscaping plans shall be approved as part of the Final Master Development Plan for each project.
6. The applicant shall reverse the location of the convenience store building and gas station canopy in order to screen gas pumps from view on SR 386.
7. The Planning Commission approved Convenience Sales and Services as a conditional use since the project meets the general requirements and special conditions of the G.Z.O. The applicant shall submit a written response explaining how the project meets the general requirements and special conditions as part of the Final Master Development Plan for outparcel F.
8. The Planning Commission shall approve the number of gas station pumps as part of the approval of the Final Master Development Plan for outparcel F.
9. The Planning Commission approved the exception to the M.B.S.L. as requested by the applicant.
10. The applicant shall revise the building locations for outparcel B and outparcel G also be constructed closer to the property line.
11. The applicant shall change the total acreage shown on the plan to 22.79 (+/-) acres in order to match the legal descriptions of the properties.
12. The applicant shall submit detailed sign packages with each Final Master Development Plan. Sign permits shall be required prior to the installation of any signage on site. Freestanding monument signs shall be limited to 8 feet high as shown on the PMDP.
13. The applicant shall submit detailed plans and specifications for on-site and off-site water and sanitary sewer facilities for approval by the Gallatin Public Utilities Department.

EXHIBIT A

ATTACHMENT 7-11

14. The Traffic Impact Study shall be approved prior to the approval of the PMDP.
15. The applicant shall add the following note to the PMDP: "Approval of PMDP is conditioned upon approval of appropriate Traffic Impact Study and construction and implementation of those improvements and policies identified in the study, which the City Engineer determines are necessary to implement the purpose of the Gallatin Zoning Ordinance".
16. The applicant shall provide bike lanes on Long Hollow Pike as recommended in the 2020 Plan.
17. The applicant shall submit a copy of the signed affidavit that adjacent property owners have been notified by mail about Public Hearing at City Council once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
18. The applicant shall submit 14 corrected, folded copies of the Preliminary Master Development Plan, including revised architectural elevations, to the Codes/Planning Department.

Mr. Puryear seconded the motion and the motion passed by unanimous vote.

Item 7
Other Business

1. GMRPC Resolution No. 2012-78 – Surety Renewals and Extensions

Ms. Katherine Schoch said Staff recommended approval of the one year site surety renewals and extensions of the following:

- Home Depot: PC File #1-7-04C subdivision performance surety one-year renewal and extension for $110,000.
- Newman Downs, Phase 3; PC File #1-19-08C subdivision performance surety one-year renewal and extension for $54,400.
- extension for $34,000.
- Home Depot; PC File #1-7-04C utility performance surety one-year renewal and extension for $343,000.
- White House Utility District; B030759-11 street opening surety one-year renewal and extension or $50,000.

Chair Dempsey motioned to approve the one-year renewal and extensions. Mr. Wilson seconded the motion and the motion passed by unanimous vote.

2. GMRPC Resolution No. 2012-81 – PC0033-12 – Dixon Street Right-of-Way – Vacating –City of Gallatin – The City of Gallatin requests approval to vacate the Dixon Street Right-of-Way to James and Faye Caldwell and accept the North Water Right – of – way and Drainage Easement from James and Faye Caldwell.

EXHIBIT A

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

SEPTEMBER 11, 2012

DEPARTMENT: **CODES/PLANNING** **AGENDA # 7**

SUBJECT:
Ordinance #O1208-53 approving the Preliminary Master Development Plan for Hunter Pointe/The Heights at GreenLea, Phase 1, located on the north side of State Route (SR) 386 and south of Long Hollow Pike.

SUMMARY:
The applicant requests approval of the Preliminary Master Development Plan for S.B.E. Tax Map #125//017.01 containing 5.33 (+/-) acres; S.B.E. Tax Map #125//018.02 containing 10.54 (+/-) acres; and S.B.E. Tax Map #125//018.03 containing 6.94 (+/-) acres located on the north side of State Route (SR) 386 and south of Long Hollow Pike. The property is currently zoned Mixed Use (MU) and no zoning district boundary line changes are included with this request. The Preliminary Master Development Plan is required as part of the conditions of the previous approval for the rezoning of this property and will establish the layout and design of the project. The Planning Commission unanimously recommended approval of the Preliminary Master Development Plan to City Council with the 18 conditions listed in the Staff Report (PC9962-12).

Planning Commission's recommendation does not support the proposed right-in, right-out access onto SR 386 or the proposed access to Long Hollow Pike closest to the existing traffic signal. The recommendation also calls for the gas pumps and canopy to be constructed behind the convenience store building so the gas pumps are screened from SR 386.
The Engineering Department does not support the proposed access onto SR 386.
The Police Department does not support the proposed access onto SR 386.

RECOMMENDATION:

ATTACHMENT:

☐ Resolution	☐ Correspondence	☐ Bid Tabulation
☒ Ordinance	☐ Contract	☒ Other

Approved ☒
Rejected ☐
Deferred ☐

Notes:

EXHIBIT B

City of Gallatin, Tennessee *Codes/Planning Department*

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: September 25, 2012

TO: Mr. Charlie Lowe, President
Ragan Smith Associates, Inc.
315 Woodland St.
Nashville, TN 37206

FROM: Gallatin Codes/Planning Department

RE: September 24, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Hunter Pointe/The Heights at GreenLea, Ph. 1: PC File #9962-12

At the above referenced meeting, the request for approval of the Preliminary Master Development Plan was:

☐ RECOMMENDED
☐ RECOMMENDED WITH CONDITIONS
☒ NOT RECOMMENDED
☐ DEFERRED

Additional requirements:

☒ COUNCIL SUBMITTAL: No additional plans are needed if no changes are being made to the plan at this time.

☒ CITY COUNCIL APPROVAL
- Council Committee: 9/11/12
- 1st Reading at City Council: 9/18/12
- Ad runs for Public Hearing by Codes/Planning Department: 9/12/12
- Public Hearing at City Council: 10/2/12
- 2nd Reading at City Council: 10/16/12

EXHIBIT A

cc: Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #9962-12

EXHIBIT B

ORDINANCE NO. O12Ø9-55

ORDINANCE AWARDING BID AND AUTHORIZING FUNDS IN THE TOTAL AMOUNT OF $123,000.00 FROM WATER/SEWER RESERVES FOR INDUSTRIAL PARK WATER & SEWER ROAD CROSSINGS CONTRACT "312"

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the bid for water and sewer line road crossings pursuant to the plans and specifications under Contract "312", 2012, submitted by Jerry B. Young Construction, Inc. in the amount of $104,868.86 is hereby accepted and awarded.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the total funds in the amount of $123,000.00 for said water and sewer line installations are authorized and appropriated from water/sewer reserves.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the Mayor and Superintendent of Public Utilities are hereby authorized to execute all necessary contracts and agreements for said Water & Sewer Industrial Park Road Crossings.

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

PASSED FIRST READING: October 2, 2012

PASSED SECOND READING: _____, 2012

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

JAMES C. HAILEY & COMPANY

Consulting Engineers

7518 Highway 70 South
Suite 100
Nashville, Tennessee 37221-1849
Telephone: 615-883-4933
Fax: 615-883-4937

JAMES C. HAILEY, P.E.
NEAL WESTERMAN, P.E.

ROBERT L. RAMSEY, P.E.
JAMES W. GARRETT, P.E.
ANTHONY L. PELHAM, P.E.
MATTHEW R. TUCKER, P.E.
MICHAEL N. GREEN, E.I.T.

September 6, 2012

Mr. David Gregory
City of Gallatin
Department of Public Utilities
239 Hancock Street
Gallatin, TN 37066

RE: Contract 312
Industrial Park Water & Sewer Road Crossings

Dear Mr. Gregory:

On September 6, 2012, bids were received for the above-referenced project. A tabulation of bids is attached displaying the bids for each contractor for Contract 312.

All bids were sealed with proper documentation, and no irregularities were apparent at the bid opening. Based on our evaluation, we recommend that the City of Gallatin award the **Contract 312** – to **Jerry B. Young Construction, Inc.** in the amount of ***$104,868.86.***

If you have any questions or if we can be of assistance, please let us know.

Sincerely,

JAMES C. HAILEY & COMPANY
Consulting Engineers

James C. Hailey

Enclosures

JCH Proj No. 10162

CITY OF GALLATION

INDUSTRIAL PARK

WATER & SEWER ROAD CROSSINGS

PROJECT BUDGET

CONSTRUCTION	$ 104,868.86
ENGINEERING DESIGN	6,300.00
INSPECTION	4,200.00
PROJECT CONTINGENCY	7,631.14
TOTAL ESTIMATED PROJECT COST	$ 123,000.00

BID TABULATION
CITY OF GALLATIN
CONTRACT 312 - INDUSTRIAL PARK WATER & SEWER ROAD CROSSINGS

CITY OF GALLATIN
239 Hancock Street
Gallatin, TN 37066

BID DATE: 9/6/12

JAMES C. HAILEY & COMPANY
Consulting Engineers
7518 Highway 70 South, Suite 100
Nashville, TN 37221

Project No. 09110

BID SECURITY				BID BOND		BID BOND		BID BOND	
BIDDER AND ADDRESS				JERRY B. YOUNG CONST 1113A No. Castle Heights Ave. Lebanon, Ten 37087		CIVIL CONSTR P.O. Box 685 Franklin, TN 37065		CHARLES DEWEESE CONST 765 Industrial ByPass North Franklin, KY 42135	
BASE BID ITEM	QUAN.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	200	L.F.	F & I 10" PVC GRAVITY SEWER PIPE @ 10' - 12' DEEP	100.76	20,152.00	110.00	22,000.00	136.00	27,200.00
2	360	L.F.	F & I 12" CLASS 52 DUCTILE IRON WATER LINE	102.07	36,745.20	105.00	37,800.00	109.50	39,420.00
3	80	L.F.	F & I 8" CLASS 52 DUCTILE IRON FORCE MAIN	127.82	10,225.60	100.00	8,000.00	98.00	7,840.00
4	2	EA.	F & I STD. 4" DIA. MANHOLES	3,459.51	6,919.02	2,550.00	5,100.00	1,750.00	3,500.00
5	9	V.F.	F & I EXTRA MANHOLE DEPTH (OVER 6')	281.44	2,532.96	165.00	1,485.00	210.00	1,890.00
6	1	EA.	F & I EXTRA MANHOLE WATERTIGHT FRAME & COVER	719.78	719.78	340.00	340.00	630.00	630.00
7	3	EA.	F & I 5 FOOT STUB OUT ON GRADE INTO/OUT OF MANHO	105.52	316.56	820.00	2,460.00	530.00	1,590.00
8	1,500	LB.	F & I MJ DUCTILE IRON FULL BODY FITTINGS	5.29	7,935.00	3.15	4,725.00	14.20	21,300.00
9	500	TN.	F & I CRUSHED STONE	24.12	12,060.00	22.10	11,050.00	30.00	15,000.00
10	2	C.Y.	F & I CLASS "B" CONCRETE	330.50	661.00	222.00	444.00	125.00	250.00
11	10	EA.	F & I REVERSE KICKERS AS PER DETAIL	12.10	121.00	1,330.00	13,300.00	1,260.00	12,600.00
12	5	C.Y.	F & I EXTRA DEPTH EXCAVATION WHERE ORDERED	242.00	1,210.00	20.00	100.00	50.00	250.00
13	1	EA.	F & I 12" GATE VALVE & BOX	2,482.84	2,482.84	2,530.00	2,530.00	2,000.00	2,000.00
14	1	EA.	F & I 8" GATE VALVE & BOX	1,505.62	1,505.62	1,520.00	1,520.00	1,200.00	1,200.00
15	10	EA.	F & I 12" MEGALUG RESTRAINED JOINT	116.33	1,163.30	115.00	1,150.00	100.00	1,000.00
16	2	EA.	F & I 8" MEGALUG RESTRAINED JOINT	59.49	118.98	60.00	120.00	60.00	120.00
			TOTAL BASE BID		104,868.86		112,124.00		135,790.00

I. James C. Hailey. certify that the above Bid Tabulation reflects the actual Bids submitted with errors corrected for Contract 312 - Industrial Park Water & Sewer Road Crossings

NOTICE OF AWARD

TO: **Jerry B. Young Construction, Inc.**
1113A North Castle Heights Avenue
Lebanon, TN 37087

PROJECT DESCRIPTION: ***CONTRACT 312 – Industrial Park Water Sewer Road Crossings***

The **OWNER** has considered the **BID** submitted by you for the above-described **WORK** in response to its Advertisement to Bid dated August 2012, and Information for Bidders.

You are required by the Information for Bidders to execute the Agreement and furnish the required **CONTRACTOR'S** Performance and Payment Bond within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said bonds within ten (10) days from the date of this Notice, said **OWNER** will be entitled to consider all your rights arising out of the **OWNER'S** acceptance of your **BID** as abandoned and as a forfeiture of your Bid Bond. The **OWNER** will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this **NOTICE OF AWARD** to the **OWNER.**

Dated this _____ day of _____, 2012.

_____City of Gallatin_____
OWNER

BY_____

Title ___Mayor_____

ACCEPTANCE OF NOTICE

Receipt of the above **NOTICE OF AWARD** is hereby acknowledged

By **Jerry B. Young Construction, Inc.**

this the ___day of _____, 2012

By_____

Title_____

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

[September 25, 2012]

DEPARTMENT: **Utilities** **AGENDA # 3**

SUBJECT:
Ordinance #O1209-55 awarding bid and authorizing funding for Industrial Park Water and Sewer Line Crossings contract "312"

SUMMARY:
Ordinance awarding bid and authorizing funds in the total amount of $123,000 from water/sewer reserves for industiral park water and sewer road crossings contract "312".

RECOMMENDATION:

ATTACHMENT:

☐ **Resolution**	☒ **Correspondence**	☒ **Bid Tabulation**
☒ **Ordinance**	☐ **Contract**	☐ **Other**

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O12Ø9-56

ORDINANCE AWARDING BID AND AUTHORIZING FUNDS IN THE TOTAL AMOUNT OF $1,320,000.00 FROM NATURAL GAS RESERVES FOR "2012 ANNUAL GAS LINE CONSTRUCTION" IN VARIOUS AREAS OF THE CITY

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the bid for gas line installations pursuant to the plans and specifications under Contract "2012 Annual Natural Gas Line Construction" submitted by James N. Bush Construction Co., Inc. in the amount of $972,565.00 is hereby accepted and awarded.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that Gas Materials Bid, as bid and specified in Gas Materials Contract, in the amount of $224,986.00 are hereby accepted and awarded.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the total funds in the amount of $1,320,000.00 for said Natural Gas Improvements are authorized and awarded and appropriated from Natural Gas Reserves.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the Mayor and Superintendent of Public Utilities are hereby authorized to execute all necessary contracts and agreements for said Annual Natural Gas Line Construction.

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

PASSED FIRST READING: October 2, 2012

PASSED SECOND READING: _____, 2012

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

GALLATIN PUBLIC UTILITIES

2012 Gas Line Construction

September 11, 2012

ESTIMATED PROJECT COSTS

DESCRIPTION	TOTAL COSTS
CONSTRUCTION	$972,565.00
MATERIALS	$224,986.50
PROJECT CONTINGENCY	$122,448.50
TOTAL ESTIMATED CONSTRUCTION COSTS	**$1,320,000.00**

CITY OF GALLATIN - DEPT. OF PUBLIC UTILITIES
BID OPENING -
2012 Gas Line Construction
September 11, 2012
* AWARDED BID

COMPANY	BID
James N. Bush Construction Co., Inc. P. O. Box 808 Cookeville, TN 38503	$972,565.00

CITY OF GALLATIN - UTILITY DEPARTMENT

GAS MATERIALS - ANNUAL CONTRACT - BID OPENING (RESULTS)

DATE: Sept. 11, 2012 TIME: 2:30 P.M.

DESCRIPTION		TRI-STATE	G&C SUPPLY	EQUIP. CNTRL	CONS. PIPE	KEROTEST
STEEL GAS PIPE						
3/4" Steel Gas Pipe	25,000 ft.	NO BID	NO BID	NO BID	$4.35	NO BID
1" Steel Gas Pipe	1,000 ft.	NO BID	NO BID	NO BID	$5.65	NO BID
2" Steel Gas Pipe	10,000 ft.	NO BID	NO BID	NO BID	$8.93	NO BID
4" Steel Gas Pipe	200 ft.	NO BID	NO BID	NO BID	$16.45	NO BID
4" Powercrete Steel Gas Pipe	200 ft.	NO BID	NO BID	NO BID	$29.68	NO BID
WELD VALVES						
2" Valve - Weld x Weld	30	$168.85	NO BID	$170.50	$365.00	$195.00
METER VALVES						
3/4" Meter Valve	500	NO BID	$15.22	NO BID	$13.99	NO BID

NOTICE OF AWARD

To: James N. Bush Construction Company, Inc. Date: September 13, 2012

Project: **2012 Annual Gas Line Construction**

The Owner has considered the Bid submitted by you for the above Project in response to the Invitation to Bid dated September 11, 2012, 2012. You are required by the Instructions to Bidders to execute the Agreement and furnish the required Contractor's Performance and Payment Bond within ten calender days from the date of this Notice of Award.

If you fail to execute said Agreement and to furnish said bonds within ten days from the date of this Notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your Bid as abandoned and as aforfeiture of your Bid Bond. The Owner will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

Date:_____

City of Gallatin
OWNER

_____
BY

Mayor
TITLE

ACCEPTANCE OF NOTICE
Receipt of the above Notice to Award
is hereby acknowledged by

Date:_____

By:_____

Title:_____

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

[September 25, 2012]

DEPARTMENT: **Utilities** **AGENDA # 4**

SUBJECT:
Ordinance #O1209-56 awarding bid and authorizing funding for 2012 Gas Line Construction

SUMMARY:
Ordinance awarding bid and authorizing funds in the total amount of $1,320,000.00 from Natural Gas Reserves for "2012 Annual Gas Line Construction" in various areas of the City.

RECOMMENDATION:

ATTACHMENT:

☐ **Resolution**	☒ **Correspondence**	☒ **Bid Tabulation**
☒ **Ordinance**	☐ **Contract**	☒ **Other**

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O121Ø-57

ORDINANCE AWARDING BID AND AUTHORIZING FUNDS IN THE AMOUNT OF $51,950.00 FROM NATURAL GAS RESERVES FOR RESURFACING OF UTILITY PARKING LOT

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the bid for utility parking lot resurfacing submitted by Rogers Group, Inc. in the amount of $51,950.00 is hereby accepted and awarded.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the total funds in the amount of $ 51,950.00 for said resurfacing project are authorized and appropriated from gas reserves.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the Mayor and Superintendent of Public Utilities are hereby authorized to execute all necessary contracts and agreements for said resurfacing project.

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

PASSED FIRST READING: _____, 2012

PASSED SECOND READING: _____, 2012

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

CITY OF GALLATIN - DEPT. OF PUBLIC UTILITIES
BID OPENING -
PARKING LOT RESURFACING
SEPTEMBER 19, 2012
* AWARDED BID

COMPANY	BID
Rogers Group, Inc. Reostone, LLC 2124 Nashville Pike Gallatin TN 37066	$51,950.00 *
ADC, Inc. P.O. Box 840 Lebanon, TN 37088-840	$70,606.00
Sessions Paving Company P.O. Box 90266 Nashville, TN 37209	$67,432.00

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 9, 2012

DEPARTMENT: **Utilities** **AGENDA # 1**

SUBJECT:
Ordinance #O1210-57 awarding bid and authorizing funding for GPU Parking Lot Resurfacing

SUMMARY:
Ordinance awarding bid and authorizing funds in the amount of $51,950.00 from natural gas reserves for resurfacing of GPU parking lot.

RECOMMENDATION:

ATTACHMENT:

☐ **Resolution**	☐ **Correspondence**	☒ **Bid Tabulation**
☒ **Ordinance**	☐ **Contract**	☐ **Other**

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O121Ø-59

ORDINANCE APPROVING AGREEMENT WITH TDK CONSTRUCTION COMPANY, INC. PERMITTING A $40,000 CONTRIBUTION TO CITY OF GALLATIN IN LIEU OF INSTALLING SIDEWALKS ALONG FOXLAND AND MAHOGANY BOULEVARD

WHEREAS, TDK Construction Company, Inc. is desirous of entering into an agreement with the City of Gallatin for completion of public infrastructure within the Foxland Crossing development;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the Mayor is authorized to execute the attached Contract with TDK Construction Company, Inc. on behalf of the City, and to file the original in the office of the City Recorder.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the 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:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

AGREEMENT FOR DONATION IN LIEU OF SIDEWALK COMPLETION

THIS AGREEMENT made and entered into by TDK Construction Company, Inc, herein called DEVELOPER, and the CITY OF GALLATIN, TENNESSEE herein called CITY.

WITNESSETH:

WHEREAS, the DEVELOPER has submitted plans, information and data to the CITY Planning and Zoning Commission for the creation and development of a development to be known as Foxland Crossing, and has requested approval of the same; and

WHEREAS, the plans for the aforesaid development have been submitted for approved to the CITY Engineer, and the CITY Engineer has reasonably estimated and determined that the cost of construction, installation and completion of the sidewalks contained in the aforesaid development in accordance with the provisions of Section 3-101.1 of the CITY's Subdivision Regulations to be the sum of $40,000; and

WHEREAS, the DEVELOPER is desirous of donating this sum to the CITY in lieu of actual construction of the sidewalks depicted in the plans for the development; and

WHEREAS, the DEVELOPER has agreed to donate the necessary scope and construction easements to the CITY to facilitate CITY construction of the sidewalks; and

WHEREAS, the CITY is willing to accept monies donated by the Developer for the sole purpose of constructing the sidewalks depicted on the approved development plans;

NOW, THEREFORE, in consideration of the covenants, promises and agreements herein provided;

IT IS HEREBY MUTUALLY AGREED:

1. That the DEVELOPER shall pay to CITY the sum of FORTY THOUSAND DOLLARS ($40,000), lawful money of the United States of America.

2. That DEVELOPER'S payment guarantees the construction, installation and completion of the following development improvements:

Sidewalk along Mahagony & Foxland Blvd/Detectable warning surface/Final stabilization.

3. DEVELOP shall convey to the CITY within thirty days of the execution of this agreement, slope and construction easements, in a form satisfactory to the CITY Engineer and CITY Attorney, sufficient to construct the sidewalks identified in Paragraph 2 above. Failure of DEVELOPER to transfer the necessary easements shall nullify this Agreement in its entirety.

4. That in the event that the DEVELOPER shall (a) abandon the development, (b) file for bankruptcy protection, or (c) assign its interest in the development; before all other infrastructure is completed, CITY reserves the right to apply the sums paid by the DEVELOPER to that portion of the

development infrastructure deemed by CITY - in its sole discretion - to be most necessary to maintenance of the public health, safety, and welfare of the citizens of the CITY, and in such event DEVELOPER or DEVELOPER'S successors-in-interest shall resume responsibility for the total costs of sidewalk installation.

IN WITNESS WHEREOF, THE PARTIES hereunto have set their hands and seals this ___ day of _____, 2012.

DEVELOPER

By: _____
Its: _____

CITY OF GALLATIN, TENNESSEE

_____
JO ANN GRAVES, MAYOR

Attest:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON, CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 9, 2012

DEPARTMENT: **Engineering** **AGENDA # 4**

SUBJECT:
ORDINANCE APPROVING AGREEMENT WITH TDK CONSTRUCTION COMPANY, INC. PERMITTING A $40,000 CONTRIBUTION TO CITY OF GALLATIN IN LIEU OF INSTALLING SIDEWALKS ALONG FOXLAND AND MAHOGANY BOULEVARD

SUMMARY:
The Engineering Division is seeking approval allowing the Mayor to execute the attached contract with TDK Construction Company, Inc. stating that they will give a $40,000 contribution to the City of Gallatin for construction of the sidewalks at Foxland Crossing's Apartments located on Foxland and Mahogany Boulevard.

RECOMMENDATION:

ATTACHMENT:

- ☐ **Resolution**
- ☒ **Ordinance**
- ☐ **Correspondence**
- ☒ **Contract**
- ☐ **Bid Tabulation**
- ☐ **Other**

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O1210-58

ORDINANCE APPROPRIATING FUNDS FOR COMPLETION OF TOWN CREEK GREENWAY AND ESTABLISHING GUIDELINES FOR COUNCIL REVIEW OF GREENWAY PROJECT

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of up to $660,000 is hereby appropriated from the rainy day fund balance pursuant to Gallatin Municipal Code Sec. 8-17 for the purpose of completing the Town Creek Greenway pursuant to Contract No. 090289, as amended;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the city council committee shall review and approve the proposed path of the greenway from Wilmore Avenue to the Farmer's Market prior to a bid is let for construction of this portion of the greenway;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the city council committee shall be provided with reports of land acquisition from property owners after the property has been acquired by the City;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the city council committee shall be notified of the successful bidder with respect to this phase of the greenway prior to the issuance of a Notice to Proceed;

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: October ___, 2012.

PASSED SECOND READING: October ___, 2012.

_____

MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON
CITY ATTORNEY

ORDINANCE NO. O121Ø-61

ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE, ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 THROUGH JUNE 30, 2013.

Whereas, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

Whereas, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

Whereas, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows:

General Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Local Taxes	$17,988,371	$17,598,520	$18,439,620
Intergovernmental Revenue	7,691,789	6,889,837	7,828,120
Fines and Forfeitures	2,134,566	1,203,700	860,500
Miscellaneous Revenue	998,106	746,274	588,180
Total Revenue	$28,812,832	$26,438,331	$27,716,420
Fund Balance	$8,568,203	$9,535,208	5,717,583
Total Available Funds	$37,381,035	$35,973,539	$33,434,003

Special Revenue Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Miscellaneous Revenue	$ 22,787	$ 24,500	$ 25,100
Total Revenue	$ 22,787	$ 24,500	$ 25,100
Fund Balance	$ -	$ -	$ -
Total Available Funds	$ 22,787	$ 24,500	$ 25,100

Environmental Serv Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Miscellaneous Revenue	$ 1,586,558	$ 1,635,201	$ 1,838,647
Total Revenue	$ 1,586,558	$ 1,635,201	$ 1,838,647
Fund Balance	$ -	$ -	$ -
Total Available Funds	$ 1,586,558	$ 1,635,201	$ 1,838,647

Drug Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Court Fines and Costs	$ 157,824	$ 100,000	$ 100,000
Total Revenue	$ 157,824	$ 100,000	$ 100,000
Fund Balance	$ 58,400	$ 29,105	$ 29,105
Total Available Funds	$ 216,224	$ 129,105	$ 129,105

Water/Sewer Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Total Revenue	$ 12,037,577	$ 12,256,750	$ 12,738,250
Fund Balance	$ 8,823,746	$ 8,005,600	$ 6,803,690
Total Available Funds	$ 20,861,323	$ 20,262,350	$ 19,541,940

Gas Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Total Revenue	$ 17,406,306	$ 21,307,000	$ 16,280,000
Fund Balance	$ 9,436,446	$ 8,733,542	$ 9,019,624
Total Available Funds	$ 26,842,752	$ 30,040,542	$ 25,299,624

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

General Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Government Administration	$ 7,405,248	$ 9,023,973	$ 8,784,597
Public Safety	$ 10,267,747	$ 11,080,814	$ 11,070,520
Public Works	$ 2,393,484	$ 2,324,442	$ 2,168,585
Parks and Recreation	$ 4,542,014	$ 4,311,894	$ 4,191,003
Economic Development	$ 286,463	$ 286,925	$ 325,387
Debt Service	$ 1,260,489	$ 1,268,495	$ 1,276,908
Operating Transfers	$ 1,690,382	$ 1,359,411	$ 1,881,647
Total Appropriations	$ 27,845,827	$ 29,655,954	$ 29,698,647

Special Revenue Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Public Safety	$ 18,873	$ 29,273	$ 25,100
Total Appropriations	$ 18,873	$ 29,273	$ 25,100

Environmental Serv Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Environmental Services	$ 1,483,595	$ 1,755,491	$ 1,838,647
Total Appropriations	$ 1,483,595	$ 1,755,491	$ 1,838,647

Drug Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Police	$ 96,649	$ 129,295	$ 100,000
Total Appropriations	$ 96,649	$ 129,295	$ 100,000

Water/Sewer Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Utilities	$ 18,753,901	$ 18,994,872	$ 13,940,160
Total Appropriations	$ 18,753,901	$ 18,994,872	$ 13,940,160

Gas Fund	FY 2011 Actual	FY 2012 Estimated	FY 2013 Proposed
Utilities	$ 15,918,492	$ 22,009,904	$ 15,993,918
Total Appropriations	$ 15,918,492	$ 22,009,904	$ 15,993,918

SECTION 3. At the end of the next fiscal year the governing body estimates balances/deficits as follows:

General Fund	$	3,735,356
Special Revenue Fund	$	-
Environmental Serv Fund	$	-
Drug Fund	$	29,105
Water/Sewer Fund	$	5,601,780
Gas Fund	$	9,305,706

SECTION 4. That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Redemption	Interest Requirements	Debt Authorized and Unissued	Condition of Sinking Fund
Bonds - General fund	$ 480,000	$ 325,052	$ -	within
Notes - General fund	$ 355,000	$ 116,106	$ -	General fund
Bonds - Water/Sewer fund	$ 1,240,000	$ 1,487,776	$ -	

SECTION 5. During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Debt
Water/Sewer lines	$ 1,000,000.00	$ -
Gas lines	$ 1,000,000.00	$ -
Greelea Extension	$ 1,116,500.00	$ -
Albert Gallatin/Hattentrack Rd Extension	$ 1,190,000.00	$ -

SECTION 6. No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 7. Money may be transferred from one appropriation to another in the same fund only by appropriate ordinance by the governing body, subject to such limitations and procedures as it may describe as allowed by Section 6-56-209 of the Tennessee Code Annotated.

SECTION 8. A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 9. If for any reason a budget ordinance is not adopted prior to the beginning of the next fiscal year, the appropriations in this budget ordinance shall become the appropriations for the next fiscal year excluding capital until the adoption of the new budget ordinance in accordance with the Section 6-56-210, Tennessee Code Annotated provided sufficient revenues are being collected to support the continuing appropriations. Approval of the Director of the Office of State and Local Finance in the Comptroller of the Treasury for a continuation budget will be requested if any indebtedness is outstanding.

SECTION 10. All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11. This ordinance shall take effect on July 1, 2012, the public welfare requiring it.

Passed First Reading: _____

Passed Second and Final Reading: _____

_____

Mayor Jo Ann Graves

_____

Approved as to Form: Joe Thompson, City Attorney

_____

Attest: Connie Kittrell, City Recorder

RESOLUTION NO. R121Ø-45

RESOLUTION APPOINTING GWYNN SMITH AND DAVID JOSETO THE GALLATIN INDUSTRIAL DEVELOPMENT BOARD AND THE GALLATIN HEALTH EDUCATIONAL AND HOUSING FACILITIES BOARD

WHEREAS, T.C.A. § 7-53-301 provides that directors of a municipal board of industrial development shall be appointed by the governing body of the municipality; and

WHEREAS T.C.A. § 48-101-307 provides that directors of a health, educational and housing facilities board shall be appointed by the governing body of the municipality; and

WHEREAS, the terms of Wilda Dodson on the Gallatin Industrial Development Board and the Gallatin Health Educational and Housing Facilities Board due to expire on August 31st, 2016 are vacant due to Ms. Dodson's resignation; and

WHEREAS, the terms of Phil Carver on the Gallatin Industrial Development Board and the Gallatin Health Educational and Housing Facilities Board due to expire on August 31st, 2014 are vacant due to Mr. Carver's resignation; and

WHEREAS, Gwynn Smith and David Jose have been nominated to replace Ms. Dodson and Mr. Carver on the Industrial Development Board and the Health Educational and Housing Facilities Board;

NOW THEREFORE BE IT RESOLVED, that Gwynn Smith is hereby appointed to the Gallatin Industrial Development Board and the Gallatin Health Educational and Housing Facilities Board to serve the remainder of the terms expiring August 31st, 2016; and

BE IT FURTHER RESOLVED that David Jose is hereby appointed to the Gallatin Industrial Development Board and the Gallatin Health Educational and Housing Facilities Board to serve the remainder of the terms expiring August 31st, 2014.

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

2012 Gallatin IDB

Terms expire August 31

Bo Bowling	CPA	2014	607 Commons Drive	Gallatin	452-8256	fbowling@finsvcs.com
Rev. Derrick Jackson		2012	282 Greenfield Lane	Castalian Springs	230-8210 584-0190 (cell)	chur413@bellsouth.net
Phil Carver	resigned	2014				
Wilda Dodson	resigned	2016	115 East Main Street	Gallatin	451-1672 452-0058-H	wildadodson@earthlink.net
Earl Fischer		2016	1038 Isaac Franklin Drive	Gallatin	230-3104 (cell) 830-9138	earl.fischer@yahoo.com
Allen Parks		2012	915 Lakeshore Drive	Gallatin	452-2756	parksw70@bellsouth.net
Clay Haynes		2012	335 Nashville Pike	Gallatin	452-7500	clay@haynesrealtors.com

2012 Gallatin Health, Educational and Housing Facilities Board

Terms expire on August 31

Bo Bowling, CPA		2014	607 Commons Drive	Gallatin
Derrick Jackson		2016	282 Greenfield Lane	Castalian Springs
Phil Carver	RESIGNED	2014	1046 Woodmont Drive	Gallatin
Wilda Dodson	RESIGNED	2016	115 East Main Street	Gallatin
Earl Fischer	Chairman	2018	1038 Isaac Franklin Drive	Gallatin
Allen Parks		2016	915 Lakeshore Drive	Gallatin
Clay Haynes		2016	335 Nashville Pike	Gallatin

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

October 9, 2012

DEPARTMENT: **EDA** **AGENDA #** 6

SUBJECT:
Appointments of Gwynn Smith and David Jose to the Industrial Development Board and the Health Educational and Housing Facilities Board

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

- [x] **Resolution**
- [ ] **Ordinance**
- [ ] **Correspondence**
- [ ] **Contract**
- [ ] **Bid Tabulation**
- [x] **Other**

Approved [x]
Rejected [ ]
Deferred [ ]

Notes: