CITY OF GALLATIN
COUNCIL MEETING

September 18, 2012 **6:00 pm** **Dr. J. Deotha Malone Council Chambers**

- Call to Order – Mayor Jo Ann Graves
- Opening Prayer –
- Pledge of Allegiance – Vice Mayor Mayberry
- Roll Call: Vice Mayor Mayberry – Alexander – Camp – Garrott – Hayes – Kemp – Overton
- Approval of Minutes – September 4, 2012
- Public Recognition on Agenda Related Items
- Mayor's Comments

AGENDA

1. **Second Reading – Ordinance #O12Ø7-47** amending Zoning Ordinance of the City of Gallatin, Tennessee by amending Agricultural (A) Agricultural Residential Zone District to Residential 40 (R40) Low Density Residential Zone District – 2.02 (+/-) acres, Ann Reagan Tomlinson, owner, S.B.E. Tax Map #134//Parcel 038.00 – located at 855 Coles Ferry Road, at the intersection with Stonegate Drive **(Councilman Camp)**

2. **First 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)**

3. **First Reading – Ordinance #O12Ø9-54** of the City of Gallatin, Tennessee adopting the annual budget for the Fiscal Year beginning July 1, 2012 through June 30, 2013 **(Vice Mayor Mayberry)**

4. **Resolution #R12Ø9-38** reclassifying Director of Finance **(Councilman Garrott)**

5. **Resolution #R12Ø8-36** accepting public improvements for Remington Avenue and Skirving Terrace located in Cambridge Farms, Phase 7, Section 2 by the City of Gallatin, Tennessee **(Councilman Hayes)**

6. **Resolution #R12Ø8-37** accepting public improvements, excluding sidewalks and public utilities improvements, for Clear Lake Meadows Boulevard located in Clear Lake Meadows, Section Seven, Phase Two by the City of Gallatin, Tennessee **(Councilman Overton)**

7. **Resolution #R12Ø9-41** reappointing Gary Tidball and Jeff Derryberry to Gallatin Construction Board of Adjustment and Appeals **(Councilwoman Kemp)**

8. **Resolution #R12Ø9-42** confirming reappointment of John Puryear to Gallatin Municipal Board of Zoning Appeals **(Councilman Camp)**

9. **Resolution #R12Ø9-43** reappointing L.K. Lannom to Gallatin Regional Board of Zoning Appeals **(Councilman Hayes)**

10. **Resolution # R12Ø9-44** authorizing Public Works Department to submit application for TDEC Recycling Equipment Grant **(Councilman Alexander)**

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

City of Gallatin
City Council Meeting

September 4, 2012

The Gallatin City Council met in regular session on Tuesday, September 4, 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. Stacey Durham of Creekview Church of Christ and the Pledge of Allegiance was led by Councilman Jimmy Overton.

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 August 21, 2012 City Council Meeting for approval. Councilman Alexander made motion to approve; Councilwoman Kemp seconded. Motion carried with 7 ayes and 0 nays.

Special Presentation from TDOT on 109 South

Greg Hamilton, Project Management Division of the Tennessee Department of Transportation gave a power point presentation on SR 109 South from the Cumberland River Bridge to the 109 Bypass. Mr. Hamilton also passed out a hard copy of his presentation for all council members. Mr. Gary Hughes of the TDOT Design Division was also present.

Mr. Hamilton gave a short history of the previous meetings on this project. He then gave an update on the most recent design changes.

There was discussion on the median, shoulder width, the area being considered an urban setting, and some businesses not being able to turn left out of their parking lots.

Vice Mayor Mayberry requested the road beginning at the 109 Bypass/Airport Road intersection to have at least five (5) 12 foot lanes, a 12 foot safety shoulder on each side of the roadway, curb and gutter and a sidewalk down to the point of the split median at Odom's Bend Road.

Mr. Hamilton stated TDOT is asking for consensus. He added that this design is what TDOT is suggesting but it is up the City of Gallatin to determine what they agree to and then notify TDOT of their decision. Once TDOT receives that notification, they will proceed with the design work.

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

- "State of the City" will be September 10th at the Gallatin Chamber of Commerce Luncheon at the Epic Event Center
- Third Thursday on Main will be September 20th with Daryle Singletary playing at 6:30 P.M.
- Southern Circuit Tour of Independent Filmmakers will be presenting six (6) independent films beginning Friday, September 21st at the Historic Palace Theatre
- 9/11 Memorial Ceremony will be next Tuesday outside the front of City Hall at 8:46 A.M. with the Fire Department Color Guard

Vice Mayor Mayberry asked TDOT about the time frame on 109 South project?

Mr. Hamilton stated he could not answer that question at this time but he requested anyone with questions or comments to send them to TDOT.Comments@tn.gov.

Agenda

1. **Ordinance #O1207-47 – Public Hearing**

Councilman Camp presented this ordinance amending Zoning Ordinance of the City of Gallatin, Tennessee by amending Agricultural (A) Residential Zone District to Residential 40 (R40) Low Density Residential Zone District – 2.02 (+/-) acres, Ann Reagan Tomlinson, owner, S.B.E. Tax Map #134//Parcel 038.00 – located at 855 Coles Ferry Road, at the intersection with Stonegate Drive.

Mayor opened the public hearing. With no one wishing to speak, the public hearing was closed.

2. **Ordinance #O1208-50 – Second Reading**

Councilman Overton presented this ordinance appropriating funds for 2012 General Fund budget overages.

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

3. **Ordinance #O1208-51 – Second Reading**

Councilman Hayes presented this ordinance appropriating funds for 2012 Drug Fund budget overages.

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

4. **Ordinance #O1208-52 – First Reading**

Councilman Alexander presented this ordinance to vacate right-of-way to James Caldwell Etux Faye Caldwell and accept right-of-way and drainage easement from James Caldwell Etux Faye Caldwell.

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

5. **Resolution #R1209-38**

Councilman Garrott presented this resolution reclassifying Director of Finance, Rachel Nichols.

Councilman Garrott made motion to approve; Councilman Camp seconded.

Councilman Garrott stated that what the ordinance says is not exactly what was approved at the meeting and may need more discussion.

City Attorney Joe Thompson stated he spoke with Personnel Official Dave Crawford and instructed him to write the resolution exactly as stated at the committee meeting.

Councilman Overton requested this be sent back to committee for further discussion.

There was no objection to this request.

6. **Resolution #R1209-39**

Vice Mayor Mayberry presented this resolution awarding health insurance contract for the City of Gallatin.

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

7. **Resolution #R1209-40**

Councilwoman Kemp presented this resolution confirming appointment of Kenneth Thomson, Jr. and reappointment of John Garrott to Gallatin Historic District Commission.

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

Other Business

Mayor Graves stated council requested the RTA/Farmer's Market pick-up location be on the agenda for further discussion.

There was discussion on the Farmer's Market as the second pick-up location for the RTA bus route.

Police Chief Don Bandy presented a request for a road closure for the Sumner County Food Bank on October 13, 2012.

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

Councilman Overton left the meeting at this time.

City Attorney Joe Thompson left the meeting at this time.

Public Recognition on Non-Agenda Related Items

Mayor opened public recognition on non-agenda related items.

Mr. Joe Debord of 1007 Hart Street spoke about recycling trash. Mr. Debord requested the city appoint a group to study recycling and the varied savings to the city.

Mr. Debord presented a paper tablet and pencil to Finance Director Rachel Nichols. Mr. Debord told council to give the people the things they need to work with.

Mr. Debord spoke about SR 840 and its effect on people all across the United States.

Mr. Debord stated he was in agreement with Vice Mayor Mayberry's request for the new design of 109 South.

Adjourn

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

_____

Mayor Jo Ann Graves

ORDINANCE NO. O12Ø7-47

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING AGRICULTURAL (A) AGRICULTURAL RESIDENTIAL ZONE DISTRICT TO RESIDENTIAL 40 (R40) LOW DENSITY RESIDENTIAL ZONE DISTRICT – 2.02 (+/-) ACRES, ANN REAGAN TOMLINSON, OWNER, S.B.E. TAX MAP #134//PARCEL 038.00- LOCATED AT 855 COLES FERRY ROAD, AT THE INTERSECTION WITH STONEGATE DRIVE.

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 in GMRPC Resolution No. 2011-69, 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 has reviewed and recommended approval of this amendment in GMRPC Resolution No. 2011-69, attached hereto as Exhibit A; 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 the real property described in Exhibit C, attached hereto, and further defined in Exhibit D, Rezoning Exhibit for Ann Reagan Tomlinson Property, shall be amended from the regular zoning district of Agricultural (A) agricultural residential zone district to Residential 40 (R40) low residential density zone district.

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: August 21, 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. 2012-69

RESOLUTION RECOMMENDING APPROVAL OF ORDINANCE NO. O1207-47 TO THE GALLATIN CITY COUNCIL - AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING AGRICULTURAL (A) AGRICULTURAL RESIDENTIAL ZONE DISTRICT TO RESIDENTIAL 40 (R40) LOW RESIDENTIAL DENSITY ZONE DISTRICT – 2.02 (+/-) ACRES, ANN REAGAN TOMLINSON, OWNER, S.B.E. TAX MAP #134//PARCEL 038.00- LOCATED AT 855 COLES FERRY ROAD, AT THE INTERSECTION WITH STONEGATE DRIVE – PC0020-12

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the rezoning request submitted by the applicant, C&K Surveyors, LLC., at its regular meeting on July 23, 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 zoning amendment 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 change to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the zoning amendment to the Gallatin City Council with the following conditions:

1. The applicant shall submit a copy of the signed affidavit that property owners have been notified by mail once letters are mailed. The deadline to mail the letters is 15

EXHIBIT A

days before the Public Hearing is held at City Council (not counting that date).

2. The applicant shall submit fourteen (14) corrected copies of the rezoning exhibit to the Codes/Planning Department.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 6

NAY: Ø

DATED: 7/23/12

Dick Dempsey

Dick Dempsey, Chairman

Johnny Wilson

Johnny Wilson, Secretary

APPROVED AS TO FORM:

Joe H. T.

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

RECEIVED
JUN 26 2012
GALLATIN PLANNING
& ZONING

Legal Description
For
Ann Reagan Tomlinson
Map 134 – Parcel 38.00

Property located at 855 Coles Ferry Road in the City of Gallatin, 3rd Civil District of Sumner County, Tennessee. Being described according to a survey by C&K Surveyors, LLC, William E. Crenshaw, R.L.S. #2395, dated June 10, 2012, as follows:

BEGINNING at an existing iron rod in the easterly right-of-way of Coles Ferry Road at the Southwest corner of the herein-described tract. Said pin also being the Northwest corner of the Tom W. Stone et ux property of record in Deed Book 163, Page 213, R.O.S.C., TN. Thence, from said POINT OF BEGINNING, along the easterly right-of-way of Coles Ferry Road (25 feet from the centerline) N 17°06'22" W – 290.84' to an iron rod set at the Northwest corner of the herein-described tract and the Southwest corner of the Charles Tomlinson et ux property of record in Deed Book 281, Page 222, R.O.S.C., TN. Thence, leaving the easterly right-of-way of Coles Ferry with the southerly line of the Charles Tomlinson property, S 85°21'16" E – 432.54' to an iron rod set in the westerly right-of-way of the C.S.X. Railroad at the Northeast corner of the herein-described tract and the Southeast corner of the James R. Clifton et ux property of record in D.B. 535, Page 375, R.O.S.C., TN. Thence, along the westerly right-of-way of the railroad (50 feet from the centerline) S 18°16'33" E – 209.60' to an existing concrete monument at the Southeast corner of the herein-described tract and the Northeast corner of Tom W. Stone, aforementioned. Thence leaving the railroad with the northerly line of Stone, N 83°50'55" W – 294.53' to an existing planted stone; Thence S 57°29'42" W – 140.46' to the POINT OF BEGINNING, containing 2.02 acres.

Being the same property conveyed to Ann Reagan Tomlinson by deeds of record in Deed Book 281, Page 219 and Deed Book 546, Page 606, R.O.S.C., TN.

EXHIBIT C

PC0020-12

EXHIBIT A

ITEM 4
7/23/12 GMRPC MEETING

Public Comment
Applicant requests approval to rezone 2.02 (+/-) acres from Agriculture (A) to Residential 40 (R40). Property is located at 855 Coles Ferry Road.

Attachment 4-1 Rezoning Exhibit
Attachment 4-2 Rezoning Ordinance NO. O12Ø7-47
Attachment 4-3 Legal Description of Property

ANALYSIS
The applicant is requesting approval to rezone 2.02 (+/-) acres from Agriculture (A) to Residential 40 (R40). The property is located at 855 Coles Ferry Road, across from the intersection with Stonegate Drive. The property is currently zoned Agricultural (A). The existing use is Dwelling, One-Family Detached, which is a permitted use in the Agricultural zoned district. If the rezoning is approved by the Gallatin City Council the use of Dwelling, One-Family Detached will be maintained. No portion of this property is located in a flood hazard area. The property is located within the Gallatin Planning Region and the property is not contiguous with the existing City Limits, therefore annexation of this property is not being requested.

Gallatin on the Move 2020 General Development and Transportation Plan
The *Gallatin on the Move 2020 General Development and Transportation Plan* identifies this parcel on the Community Character Area Map as Suburban Neighborhood Emerging. The Suburban Neighborhood Emerging classification features the single-family residential use as well as small and large scale apartment and townhomes. According to the *Gallatin on the Move 2020 General Development and Transportation Plan,* the requested zone district of R40 is an applicable zone district for the Suburban Neighborhood Emerging Character Area. Staff is comfortable that the proposed use for this property meets the overall intent of *Gallatin on the Move 2020 General Development and Transportation Plan.*

Adjacent Zoning
Currently, the property at 855 Coles Ferry Road is 2.02 acres, which does not meet the zoning requirement of 2.5 acres per lot in the Agricultural zone. The applicant is wishing to rezone the property to bring it into compliance with the zoning ordinance and so a second parcel can be subdivided off at a later date. The subject property is bordered by Agricultural zoned property to the north and south, and Residential-20 (R20) to the west. To the east are the C.S.X. railroad and two (2) additional parcels. These two (2) parcels are located within Sumner County and outside of the Gallatin Planning Region. The Staff supports the applicant's request to rezone the property from A to R40.

Departmental Comments
All other departmental comments have been satisfied.

EXHIBIT A

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the rezoning request to the Gallatin City Council with the following conditions:

1. The applicant shall submit a copy of the signed affidavit that property owners have been notified by mail 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).
2. The applicant shall submit fourteen (14) corrected copies of the rezoning exhibit to the Codes/Planning Department.

ATTACHMENT 4-2

EXHIBIT A

ORDINANCE NO. O12Ø7-47

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING AGRICULTURAL (A) AGRICULTURAL RESIDENTIAL ZONE DISTRICT TO RESIDENTIAL 40 (R40) LOW DENSITY RESIDENTIAL ZONE DISTRICT – 2.02 (+/-) ACRES, ANN REAGAN TOMLINSON, OWNER, S.B.E. TAX MAP #134//PARCEL 038.00- LOCATED AT 855 COLES FERRY ROAD, AT THE INTERSECTION WITH STONEGATE DRIVE.

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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:

PASSED SECOND READING:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____

ATTACHMENT 4-2

EXHIBIT A

CONNIE KITTRELL
CITY RECORDER
APPROVED AS TO FORM:

_____

JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 4-3

RECEIVED
JUN 26 2012
GALLATIN PLANNING
& ZONING

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For
Ann Reagan Tomlinson
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Being the same property conveyed to Ann Reagan Tomlinson by deeds of record in Deed Book 281, Page 219 and Deed Book 546, Page 606, R.O.S.C., TN.

EXHIBIT C

PC0020-12

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: July 24, 2012

TO: Mr. Chuck Kemp
CK Surveyors, LLC
242 W. Main St., PMB 199
Hendersonville, TN 37075

FROM: Gallatin Codes/Planning Department

RE: July 23, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Ann Reagan Tomlinson Property: PC File #0020-12

At the above referenced meeting, the request for rezoning was:

☐ RECOMMENDED
☒ RECOMMENDED WITH CONDITIONS
☐ NOT RECOMMENDED
☐ DEFERRED

Conditions of Approval:
1. The applicant shall submit a copy of the signed affidavit that property owners have been notified by mail 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).
2. The applicant shall submit fourteen (14) corrected copies of the rezoning exhibit to the Codes/Planning Department.

Approval contains the following requirements:

☐ NONE

☐ BUILDING PERMIT/USE AND OCCUPANCY PERMIT

☐ ZONING PERMIT

☐ SIGN PERMIT

☐ LAND DISTURBANCE PERMIT

☐ MAINTENANCE SURETY

☐ SITE SURETY

EXHIBIT A

☐ SUBDIVISION SURETY

☐ LIST CONDITIONS OF APPROVAL ON RESUBMITTAL

☒ CITY COUNCIL APPROVAL
- Council Committee: 8/14/12
- 1st Reading at City Council: 8/21/12
- Ad run for Public Hearing by Codes/Planning Department: 8/15/12
- Public Hearing at City Council: 9/4/12
- 2nd Reading at City Council: 9/18/12

☒ COUNCIL SUBMITTAL

☐ SUBMIT 3 CORRECTED, FOLDED COPIES (1 FULL SIZE AND 2 HALF SIZE IF ORIGINAL PLANS ARE LARGER THAN 18 x 24)

☐ OTHER

cc: Ms. Ann Reagan Tomlinson
Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #0020-12

EXHIBIT A

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

AUGUST 14, 2012

DEPARTMENT: **CODES/PLANNING** **AGENDA # 2**

SUBJECT:
Ordinance #O1207-47 amending the Zoning Ordinance of the City of Gallatin, Tennessee by amending property located at 855 Coles Ferry Road, at the intersection with Stonegate Drive, from Agricultural (A) zone district to Residential 40 (R40) low density zone district.

SUMMARY:
Applicant request amending Agricultural (A) 2.02 (+/-) acres to Residential 40 (R40) zone district. S.B.E. Tax Map #134//Parcel 038.00 located at 855 Coles Ferry Road, at the intersection of Stonegate Drive. This rezoning was recommended at the July 23, 2012 Planning Commission meeting.

RECOMMENDATION:

ATTACHMENT:

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

- Approved ☒
- Rejected ☐
- Deferred ☐

Notes:

EXHIBIT A

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:

PASSED SECOND READING:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

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:

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 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

05-149/9432

EXHIBIT C

HUNTER POINTE
August 9, 2012

RECEIVED
AUG 09 2012
GALLATIN PLANNING & ZONING

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 06-12

EXHIBIT C

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.

RECEIVED
AUG 09 2012
GALLATIN PLANNING
& ZONING

3RD REVISED RESUBMITTAL

PA 9962-12

EXHIBIT A

ITEM 6

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.

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

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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 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

ITEM 6

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.
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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.
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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.
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EXHIBIT A

ITEM 6

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:

NAY:

DATED: 8/27/12

_____
Dick Dempsey, Chairman

_____
Johnny Wilson, Secretary

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

05-149/9432

EXHIBIT C

HUNTER POINTE
August 9, 2012

RECEIVED
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Property Descriptions

Parcel 18.02

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3RD REVISED RESUBMITTAL

EXHIBIT C

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

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RECEIVED
AUG 09 2012
GALLATIN PLANNING
& ZONING

3RD REVISED RESUBMITTAL

EXHIBIT A

EXHIBIT B

ITEM 6
8/27/12 GMRPC MEETING

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 at the corner of SR 386 and SR 174 (Long Hollow Pike). (PC0029-12)

Attachment	**6-1**	**Hunter Pointe/The Heights of GreenLea, Ph. 1 PMDP**
Attachment	**6-2**	**Response letter from Mr. C. Lowe, P.E., R.L.S, dated 8/9/12**
Attachment	**6-3**	**Emails from Mr. Nick Tuttle, P.E. to developers dated 2/21/12**
Attachment	**6-4**	**Memo to Planning Commission dated 12/12/08**
Attachment	**6-5**	**Letter from TDOT dated 8/2/12 from Mr. Paul Degges, P.E.**
Attachment	**6-6**	**Letter from TDOT dated 3/27/12 from Mr. Paul Degges, P.E.**
Attachment	**6-7**	**2020 Plan Road Projects; Figure 4-2**
Attachment	**6-8**	**Details of proposed access points**

ANALYSIS
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

EXHIBIT B EXHIBIT A

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:

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.

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 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 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 6-8. 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 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 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

EXHIBIT B EXHIBIT A

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 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 6-7 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 6-7. 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 6-8.

EXHIBIT B EXHIBIT A

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 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 6-3 and 6-4.

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 6-5 and Attachment 6-6.

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

EXHIBIT A
EXHIBIT B

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 poles, 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 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.

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

EXHIBIT B EXHIBIT A

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 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 on SR 386.

RECOMMENDATION
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.

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

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.

EXHIBIT B

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.

EXHIBIT B

Tony Allers
Director

Katherine Schoch
Assistant Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

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.

EXHIBIT B

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.

EXHIBIT B

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.

EXHIBIT B

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

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

ATTACHMENT 6-2

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

RECEIVED
AUG 09 2012
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

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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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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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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.

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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.

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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

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 6-3

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);

EXHIBIT B
ATTACHMENT 6-3

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

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

ATTACHMENT 6-4

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

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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 B
ATTACHMENT 6-5

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 6-5
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 B

ATTACHMENT 6-6

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.

ATTACHMENT 6-6

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

ATTACHMENT 6-7

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 B

ATTACHMENT 6-7

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.

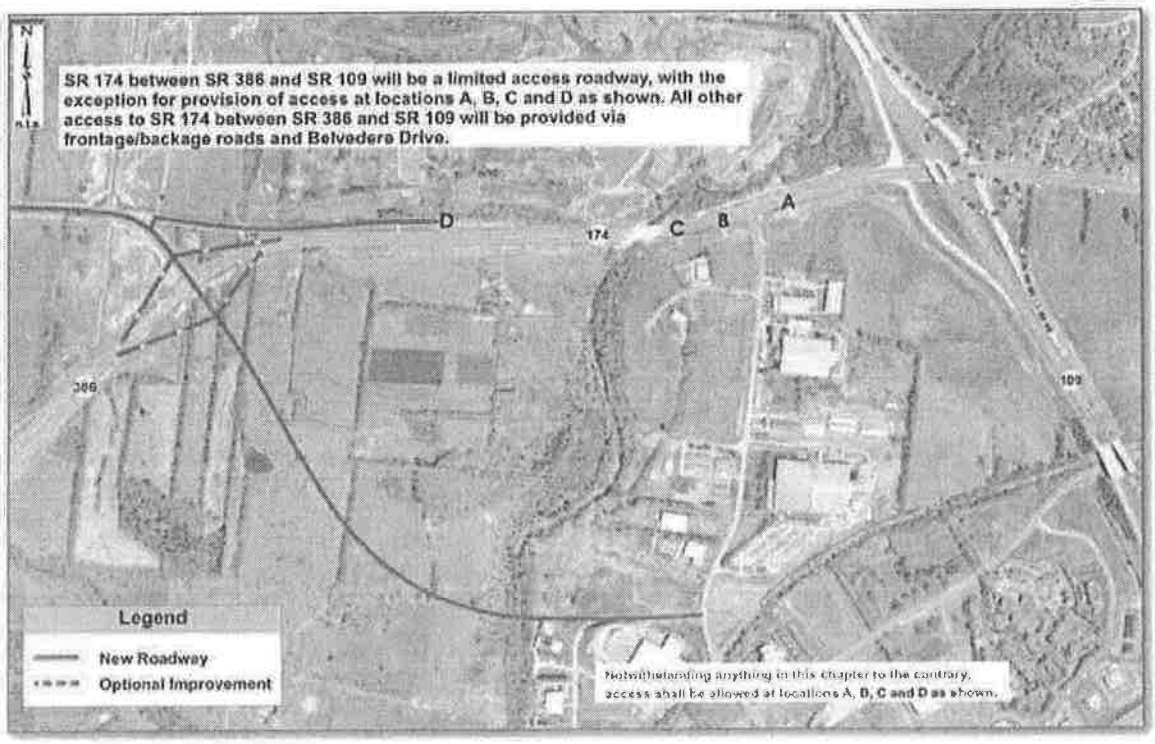
[13] It is recommended that engineering studies be performed on the proposed improvements to validate the feasibility of the various alternative alignments. The potential for redevelopment in the area should also be considered.

EXHIBIT B

ATTACHMENT 6-7

- 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.

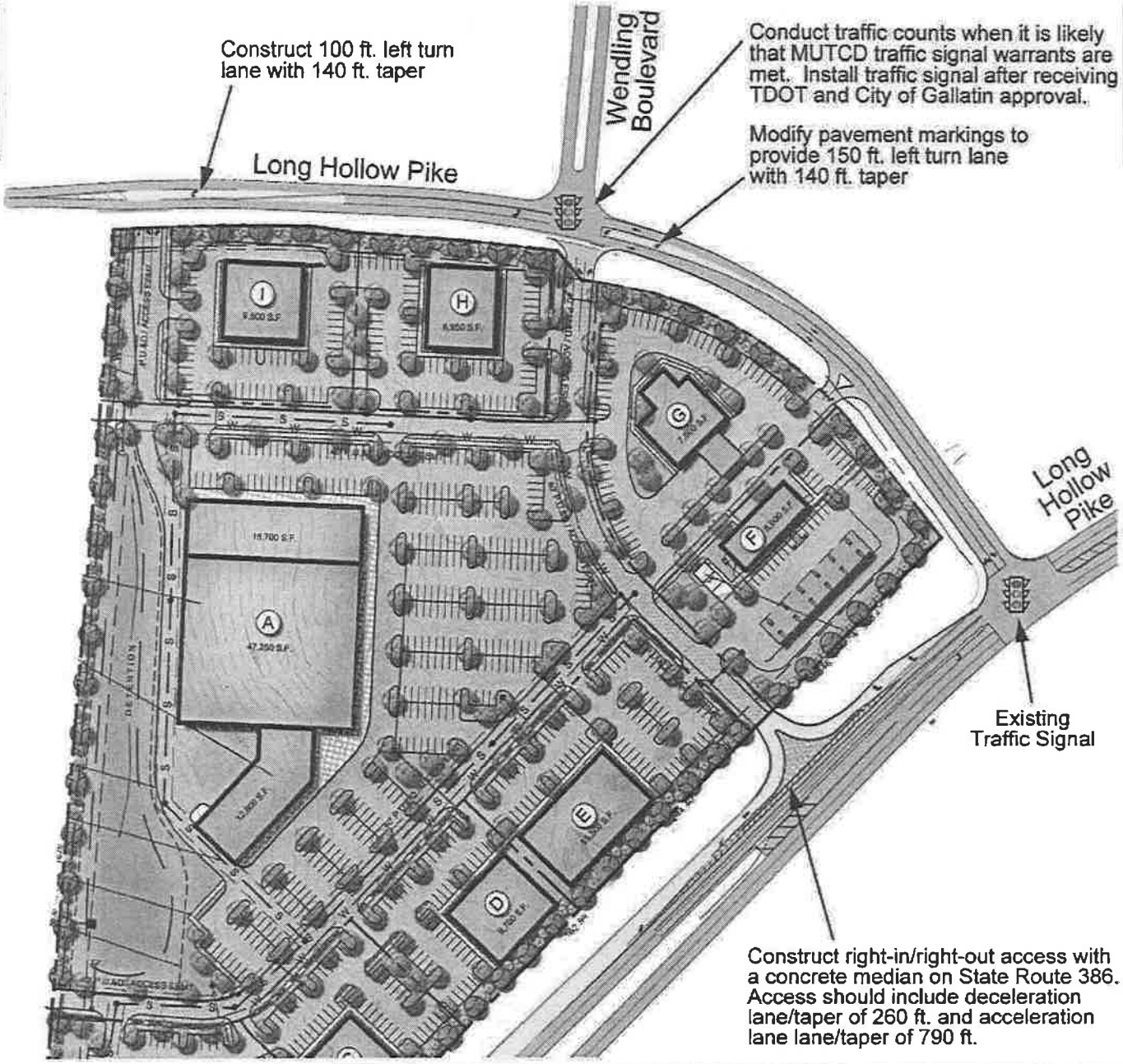


EXHIBIT B

ATTACHMENT 6-8

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

EXHIBIT B

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

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

Jo Ann Graves
Mayor

CITY OF GALLATIN, TENNESSE
Gallatin Police Department

Donald W. Bandy
Chief of Police

RECEIVED
AUG 03 2012
By

M E M O R A N D U M

DATE: August 1, 2012

TO: Mayor Jo Ann Graves

FROM: Chief Donald Bandy JB 8-2-12

RE: 109 By Pass Traffic Survey

Attached please find 109 Bypass Traffic Survey Report and Synopsis of Crash/Citation Statistics.

It is my recommendation that there be no change in the speed limit.

EXHIBIT B

130 West Franklin Gallatin, TN 37066 (615) 452-1313 Fax (615) 452-1597

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 B

ORDINANCE NO. O12Ø9-54

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	6,317,583
Total Available Funds	$37,381,035	$35,973,539	$34,034,003

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	$ 1,613,647
Total Revenue	$ 1,586,558	$ 1,635,201	$ 1,613,647
Fund Balance	$ -	$ -	$ -
Total Available Funds	$ 1,586,558	$ 1,635,201	$ 1,613,647

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	$ 11,096,959
Public Works	$ 2,393,484	$ 2,324,442	$ 2,168,585
Parks and Recreation	$ 4,542,014	$ 4,311,894	$ 4,163,003
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	$ 2,256,647
Total Appropriations	$ 27,845,827	$ 29,655,954	$ 30,072,086

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	$ 1,613,647
Total Appropriations	$ 1,483,595	$ 1,755,491	$ 1,613,647

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	$ 3,961,917
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	$ -
Greenway Extension	$ 600,000.00	$ -

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

General	
City Administration	655,736
Finance	477,961
City Recorder	468,603
Insurances	532,500
City Attorney	333,321
Information Technology	510,903
Personnel Administration	183,701
Engineering	4,209,438
Planning Commission	21,768
Planning & Codes	961,510
Government Buildings	429,156
Police Department	5,951,982
A.C.E.S. Program	200,000
Fire Department	4,830,778
Animal Control	114,199
Public Works Administration	386,950
Street Maintenance	1,347,943
Vehicle Maintenance	433,692
Community Enhancement	122,000
Community Services	88,000
Leisure Services	554,308
Civic Center	1,072,361
Golf Course	945,568
Parks	1,380,766
Economic Development	325,387
Bond Expenses	1,276,908
Operating Transfers	2,256,647
SOR	5,100
Police Special	20,000
Environmental Serv Admin	36,000
Waste Collections	1,577,647
Drug Fund Investigations	100,000
Water/Sewer	
Water Treatment and Pumping	1,346,819
Transmission & Distribution	2,243,741
Customer Accounting	587,523
Administration & General	1,107,421
Depreciation	2,991,904
Bond Expense	2,323,057
Paying Agent	800
Sewer Collection/Lines	1,378,022
Sewer System Rehabilitation	361,158
Sewer Treatment & Disposal	1,334,592
Sewer Admin & General	181,873

Sewer Pre-treatment Program	83,250
Gas	
Depreciation	692,480
Purchased Gas	12,000,000
Transmission & Distribution	2,355,650
Customer Accounting	347,638
Administration & General	598,150

City of Gallatin, Tennessee
Summary of the City Budget
For the Fiscal Year Ending June 30, 2013

	Actual 2010-11	Estimated 2011-12	Estimated 2012-13
GENERAL FUND			
REVENUES			
Local Taxes	20,175,382	19,452,293	19,888,300
State of Tennessee	3,877,360	4,788,360	5,656,000
Federal Government	2,463,235	720,457	700,000
Other Sources	2,296,855	1,477,220	1,472,120
Total Revenues	28,812,832	26,438,330	27,716,420
EXPENDITURES			
Salaries	16,032,957	16,868,094	17,210,568
Other Costs	11,812,870	12,787,861	13,118,662
Total Expenditures	27,845,827	29,655,955	30,329,230
Beginning Balances - July 1	8,568,203	9,535,208	6,317,583
Ending Balances - June 30	9,535,208	6,317,583	3,704,773
Employment	369	373	376

DEBT SERVICE FUND within General Fund

STREET FUND within General Fund

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

September 11, 2012

DEPARTMENT: **Councilman Garrott** **AGENDA #** 2

SUBJECT:
Budget

SUMMARY:
Councilman Garrott requested this item be placed on the agenda.

RECOMMENDATION:

ATTACHMENT:

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

- **Approved** ☒
- **Rejected** ☐
- **Deferred** ☐

Notes:

RESOLUTION NO. R12Ø9-38

RESOLUTION RECLASSIFYING DIRECTOR OF FINANCE

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the position of Director of Finance is hereby reclassified from the Non-Classified Pay Grade MC to a Non-Classified Pay Grade MD, and that the incumbent, Rachel Nichols, be changed from a Pay Level MC17 ($90,204.84) to Pay Level MD15 ($93,132.98). Ms. Nichols' anniversary date shall remain August 29th.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that Ms. Nichols shall receive back pay totaling $4,811.73 computed retroactively to December 30, 2010, the date of the assumption of additional duties.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: _____

NAY: _____

DATED: _____.

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON, CITY ATTORNEY

Council Meeting 9/4/12

Councilman Garrott:

"There's some questions as to what the Ordinance meant. What it says is not exactly what we approved at the Council meeting, I don't think. So, I do think we might have to do some talking about that. I'll let everybody else have their opinion."

Council Committee Meeting
August 28, 2012

Starting at time mark 01:59:54

Councilman Alexander: Alright, we're ready for the question. There's been a motion made by Mr. Overton, a second by Mr. Garrott that we move Ms. Nichols to MD 14. Is that correct?

Councilman Overton: And retroactive with pay that he's going to tell us how much it is

Council Committee Meeting
August 28, 2012

Starting at time mark 01:59:54

Councilman Alexander:	Alright, we're ready for the question. There's been a motion made by Mr. Overton, a second by Mr. Garrott that we move Ms. Nichols to MD 14. Is that correct?
Councilman Overton:	And retroactive with pay that he's going to tell us how much it is
Councilman Alexander:	Yea, he's going to bring us that
Councilman Overton:	to 2010
Councilman Garrott:	Retroactive with pay

(No vote was taken. General discussion follows until the 02:03:39 time mark.)

Starting at time mark 02:03:39

Councilman Alexander:	We're gonna call for the question. Uh um, we've already had a motion and a second that we move Ms… now let me… I done forgot what I was… we move Ms. Nichols to MD 14 radio…
Councilman Garrott:	That's retroactive
Councilman Alexander:	Rachel… I'm putting radio in there… Whoo… ya'll know I'm tired… Rachel ok active. Alright… All in favor…
Councilman Garrott, Councilman Overton, Councilman Camp:	Aye
Councilman Alexander:	Aye
Councilman Alexander:	4
	All opposed…
Councilman Hayes, Councilman Mayberry, Councilwoman Kemp:	No
Councilman Alexander:	4 - 3

CITY of GALLATIN

Dave Crawford, Personnel Official

Telephone: (615) 451-5890 Fax: (615) 451-5960
dave.crawford@gallatin-tn.gov

INTEROFFICE MEMO

DATE: 8/31/12

TO: Mayor Jo Ann Graves

FROM: Dave Crawford, Personnel Official Dwc

SUBJECT: Salary Requested Information

Mayor, here is the information you requested.

	Current Pay Grade	Current Salary	Eval. Date	Proposed Grade/Salary	
David Gregory	ME16	$106,259	7/1/12		
David Brown	MD15	$93,133	7/1/12		
Rachel Nichols	MC17	$90,205	8/29/12	MD14	$90,861

DEPARTMENT HEADS' SALARY CHANGES DUE TO INCREASED DUTIES

DAVID BROWN

6/24/08 – Golf Course Operations placed under LSV Director duties.

12/2/08 – Mr. Brown's Pay grade changed from 32R to 34L (under Munis, this would be MB17 to MD11). Salary adjusted retroactive to 6/24/08. Salary increased from $80,866 to $84,374, a $3,508 raise or 4.33%. This is equivalent to a step and three-quarters raise.

TONY ALLERS

6/8/09 – Mr. Allers hired as Building Official. Katherine Schoch was Acting Planning Director at that time.

9/2/09 – Mr. Allers promoted to Director of Codes/Planning from Pay grade MA11 to Pay grade MD8. Salary not adjusted retroactively due to no Planning Duties. Salary increased from $63,391 to $78,350, a $14,959 raise, or 23.6%. This is equivalent to 9 and a half step raises.

RACHEL NICHOLS

12/30/10 – IT (Information Technology) placed under Finance Director duties. No salary adjustments.

8/29/12 – Ms. Nichols eligible for normal step increase to Pay grade MC17 at $90,205.

To put Ms. Nichols at the same MD Pay grade as the other five DHs and on the same pay plan schedule as the others, the following Steps are options.

MD 14 at $90,861.44, a $656.60 raise from this month's current raise (0.73%).
MD 15 at $93,132.98, a $2,928.14 raise from this month's current raise (3.25%)
MD 16 at $95,461.30, a $5,256.46 raise from this month's current raise (5.83%)
MD 17 at $97,847.83, a $7,642.99 raise from this month's current raise (8.47%)
MD 18 at $100,294.03, a $10,089.19 raise from this month's current raise (11.2%)
MD 19 at $102,801.38, a $12,596.54 raise from this month's current raise (13.10%). This would be the top out Step with no future step raises other than COLAs.

It would be consistent to adjust Ms. Nichols' salary retroactive to 12/30/10.

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

September 11, 2012

DEPARTMENT: **Councilman Garrott** **AGENDA #** 1

SUBJECT:
Director of Finance Salary

SUMMARY:
Attached resolution #R1209-38 deferred at September 4, 2012, Council Meeting.

RECOMMENDATION:

ATTACHMENT:

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

Approved [x]
Rejected [ ]
Deferred [ ]

Notes:

RESOLUTION NO. R12Ø8-36

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR REMINGTON AVENUE AND SKIRVING TERRACE LOCATED IN CAMBRIDGE FARMS, PHASE 7, SECTION 2 BY THE CITY OF GALLATIN, TENNESSEE

WHEREAS, THE CITY OF GALLATIN PLANNING COMMISSION has recommended acceptance by the City of Gallatin of the public improvements in the development hereinafter named Cambridge Farms, Phase 7, Section 2;

WHEREAS, THE CITY OF GALLATIN ENGINEERING DIVISION hereby certifies that the public drainage infrastructure, rights-of-way, and public easements described above have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations;

WHEREAS, THE CITY OF GALLATIN PUBLIC UTILITIES DEPARTMENT hereby certifies that the public utility improvements in the development described hereafter have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations and City of Gallatin Municipal Code.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, pursuant to Chapter 3, Section 3-105, et seq. of the Subdivision Regulations of Gallatin, Tennessee, that the transportation, rights-of way and public easements described in Cambridge Farms, Phase 7, Section 2, Plat Book 26, Page 166, Recorded April 28, 2009 in the Register's Office for Sumner County are hereby accepted by the City of Gallatin, Tennessee.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

GMRPC Resolution No. 2012-76

RESOLUTION RECOMMENDING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS FOR REMINGTON AVENUE AND SKIRVING TERRACE LOCATED IN CAMBRIDGE FARMS, PHASE 7, SECTION 2 TO THE GALLATIN CITY COUNCIL – PC0027-12

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the request to accept public improvements in Cambridge Farms, Phase 7, Section 2 submitted by the applicant, Robert H. Goodall, 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 hereto as Exhibit A, and the evidence and testimony presented during the meeting.

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

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to TCA § 13-3-103 and 13-4-102:

1. The request for acceptance of public improvements described above is in agreement with the requirements of the Gallatin Subdivision Regulations.

2. It has been determined that the legal purposes for which zoning and subdivision 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 acceptance to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the request to accept public improvements in Cambridge Farms, Phase 7, Section 2 to the Gallatin City Council with the condition that the applicant submits a maintenance surety in the amount of $49,000 to the Codes/Planning Department.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

NAY: 0

DATED: 08/27/2012

Dick Dempsey

Dick Dempsey, Chairman

Johnny Wilson

Johnny Wilson, Secretary

APPROVED AS TO FORM:

Joe H. 2

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

ITEM 3
08/27/12 GMRPC MEETING

Applicant requests acceptance of the public improvements for Remington Avenue and Skirving Terrace containing 2.75 (+/-) acres located in Cambridge Farms, Phase 7, Section 2. (PC0027-12)

Attachment 3-1 Cambridge Farms, Phase 7, Section 2 Final Plat
Attachment 3-2 City Council Resolution No. R12Ø8-36

ANALYSIS

The applicant is requesting acceptance of the public improvements for Remington Avenue and Skirving Terrace containing 2.75 (+/-) acres located in Cambridge Farms, Phase 7, Section 2. This property is zoned Residential 20 Planned Unit Development (R20 PUD) and no portion of this property is located in a flood hazard area.

The Engineering Division has certified that the applicant has submitted all the necessary documents concerning the acceptance of public improvements for the transportation, utilities, rights-of-way, and public easements as outlined in the resolutions, located in Cambridge Farms, Phase 7, Section 2 as identified in Attachment 3-1.

The Engineering Staff completed a final inspection and reported that the applicant has satisfactorily addressed all engineering issues.

Section 3-102 of the City of Gallatin Subdivision Regulations, Maintenance Surety, requires that the applicant post a maintenance surety set at 10 percent of the completed roadway and drainage costs. Engineering staff has determined the required maintenance surety to be $49,000, which must be approved by the Planning Commission and City Council as part of this acceptance. The applicant shall submit a maintenance surety in the amount of $49,000 to the Codes/Planning Department.

RECOMMENDATION

Staff recommends the Planning Commission recommend acceptance of the public improvements in Cambridge Farms, Phase 7, Section 2 to the City Council with the condition that the applicant submit a maintenance surety in the amount of $49,000 to the Codes/Planning Department.

EXHIBIT A

Tony Allers
Director

Katherine Schoch
Assistant Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Project Comments

Meeting Date: 08/27/2012
RE: CAMBRIDGE FARMS, PHASE 7, SECTION 2, ACTIVITY, Street Acceptance
Reference #: PC0027-12

Department of Public Utilities
Review Date: 07/17/2012
No problems with water, sanitary sewer or natural gas utilities.

Planning Department
Review Date: 07/26/2012
Codes/Planning Department Project Manager: Robert Kalisz
Review Date: 07/26/2012

1. Applicant has met requirements of acceptance checklist.
2. Submit sixteen (16) corrected, folded copies of the resubmittal documents
3. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 8/9/2012.
4. Resubmittals must include the above information in order to be considered a complete resubmittal.

Codes Department
Review Date: 07/16/2012
No comments

Engineering Division
Review Date: 08/08/2012
See inspection report prevously emailed by Richard Snow.

Fire Department
Review Date: 07/23/2012
This office has no comments at this time.

Police Department
Review Date: 07/17/2012
Reviewed: no comments

EXHIBIT A

Tony Allers
Director

Katherine Schoch
Assistant Director

CITY OF GALLATIN, TENNESSEE
Gallatin Codes/Planning Department

Gallatin Department of Electricity
Review Date: 07/18/2012
O.K.

Sumner County, E-911
Review Date: 07/17/2012
No comments

Industrial Pre-treatment Department
Review Date:
N/A

RESOLUTION NO. R12Ø8-36

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR REMINGTON AVENUE AND SKIRVING TERRACE LOCATED IN CAMBRIDGE FARMS, PHASE 7, SECTION 2 BY THE CITY OF GALLATIN, TENNESSEE

WHEREAS, THE CITY OF GALLATIN PLANNING COMMISSION has recommended acceptance by the City of Gallatin of the public improvements in the development hereinafter named Cambridge Farms, Phase 7, Section 2;

WHEREAS, THE CITY OF GALLATIN ENGINEERING DIVISION hereby certifies that the public drainage infrastructure, rights-of-way, and public easements described above have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations;

WHEREAS, THE CITY OF GALLATIN PUBLIC UTILITIES DEPARTMENT hereby certifies that the public utility improvements in the development described hereafter have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations and City of Gallatin Municipal Code.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, pursuant to Chapter 3, Section 3-105, et seq. of the Subdivision Regulations of Gallatin, Tennessee, that the transportation, rights-of way and public easements described in Cambridge Farms, Phase 7, Section 2, Plat Book 26, Page 166, Recorded April 28, 2009 in the Register's Office for Sumner County are hereby accepted by the City of Gallatin, Tennessee.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 3-2

EXHIBIT A

RESOLUTION NO. R12Ø8-36

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR REMINGTON AVENUE AND SKIRVING TERRACE LOCATED IN CAMBRIDGE FARMS, PHASE 7, SECTION 2 BY THE CITY OF GALLATIN, TENNESSEE

WHEREAS, THE CITY OF GALLATIN PLANNING COMMISSION has recommended acceptance by the City of Gallatin of the public improvements in the development hereinafter named Cambridge Farms, Phase 7, Section 2;

WHEREAS, THE CITY OF GALLATIN ENGINEERING DIVISION hereby certifies that the public drainage infrastructure, rights-of-way, and public easements described above have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations;

WHEREAS, THE CITY OF GALLATIN PUBLIC UTILITIES DEPARTMENT hereby certifies that the public utility improvements in the development described hereafter have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations and City of Gallatin Municipal Code.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, pursuant to Chapter 3, Section 3-105, et seq. of the Subdivision Regulations of Gallatin, Tennessee, that the transportation, rights-of way and public easements described in Cambridge Farms, Phase 7, Section 2, Plat Book 26, Page 166, Recorded April 28, 2009 in the Register's Office for Sumner County are hereby accepted by the City of Gallatin, Tennessee.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____

MAYOR JO ANN GRAVES

EXHIBIT A

ATTACHMENT 3-2

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

City of Gallatin, Tennessee *Codes/Planning Department*

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: August 28, 2012

TO: Mr. Robert Goodall
935 Plantation Blvd.
Gallatin, TN 37066

FROM: Gallatin Codes/Planning Department

RE: August 27, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Cambridge Farms, Phase 7, Section 2: PC File #0027-12

At the above referenced meeting, the request for acceptance of public improvements was:

☐ RECOMMENDED
☒ RECOMMENDED WITH CONDITIONS
☐ NOT RECOMMENDED
☐ DEFERRED

Condition of Approval:

1. The applicant shall submit a maintenance surety in the amount of $49,000.

Approval contains the following requirements:

☒ CITY COUNCIL APPROVAL
- Council Committee: 9/11/12
- 1st Reading at City Council: 9/18/12

cc: Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #0019-12

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

SEPTEMBER 11, 2012

DEPARTMENT: **Engineering** **AGENDA # 6**

SUBJECT:
Resolution Accepting Public Improvements for Remington Avenue and Skirving Terrace Located in Cambridge Farms, Phase 7, Section 2

SUMMARY:
The Planning Commission passed Resolution 2012-76 August 27, 2012, to accept these public improvements.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

RESOLUTION NO. R12Ø8-37

RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS, EXCLUDING SIDEWALKS AND PUBLIC UTILITIES IMPROVEMENTS, FOR CLEAR LAKE MEADOWS BOULEVARD LOCATED IN CLEAR LAKE MEADOWS, SECTION SEVEN, PHASE TWO BY THE CITY OF GALLATIN, TENNESSEE

WHEREAS, THE CITY OF GALLATIN PLANNING COMMISSION has recommended acceptance by the City of Gallatin of the public improvements, excluding sidewalks and public utilities improvements, in the development hereinafter named Clear Lake Meadows, Section Seven, Phase Two;

WHEREAS, THE CITY OF GALLATIN ENGINEERING DIVISION hereby certifies that the public drainage infrastructure, rights-of-way, and public easements, excluding sidewalks, described above have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations;

WHEREAS, THE CITY OF GALLATIN PUBLIC UTILITIES DEPARTMENT hereby certifies that the public utility improvements in the development described hereafter have not been installed and plans and specifications has not been submitted in accordance with the City of Gallatin Subdivision Regulations and City of Gallatin Municipal Code.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, pursuant to Chapter 3, Section 3-105, et seq. of the Subdivision Regulations of Gallatin, Tennessee, that the public drainage infrastructure, rights-of way and public easements, excluding public utilities improvements, described in Clear Lake Meadows, Section Seven, Phase Two, Plat Book 27 Page 199, Recorded August 10, 2012 in the Register's Office for Sumner County are hereby accepted by the City of Gallatin, Tennessee.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

GMRPC Resolution No. 2012-75

RESOLUTION RECOMMENDING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS, EXCLUDING SIDEWALKS AND PUBLIC UTILITIES IMPROVEMENTS, FOR CLEAR LAKE MEADOWS BOULEVARD LOCATED IN CLEAR LAKE MEADOWS, SECTION SEVEN, PHASE TWO TO THE GALLATIN CITY COUNCIL – PC0019-12

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the request to accept public improvements in Clear Lake Meadows, Section Seven, Phase Two submitted by the applicant, City of Gallatin Engineering Division, 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 hereto as Exhibit A, and the evidence and testimony presented during the meeting.

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

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to TCA § 13-3-103 and 13-4-102:

1. The request for acceptance of public improvements described above is in agreement with the requirements of the Gallatin Subdivision Regulations.

2. It has been determined that the legal purposes for which zoning and subdivision 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 acceptance to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the request to accept public improvements, excluding sidewalks and public utilities improvements, in Clear Lake Meadows, Section Seven, Phase Two to the Gallatin City Council.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

NAY: 0

DATED: 08/27/2012

Dick Dempsey

Dick Dempsey, Chairman

Johnny Wilson

Johnny Wilson, Secretary

APPROVED AS TO FORM:

Joe H. T

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

ITEM 2
08/27/12 GMRPC MEETING

Applicant requests acceptance of the public improvements excluding sidewalks and public utilities improvements for Clear Lake Meadows Boulevard containing 1.629 (+/-) acres located in Clear Lake Meadows, Section Seven, Phase Two. (PC0019-12)

Attachment 2-1 Clear Lake Meadows, Section Seven, Phase Two Final Plat
Attachment 2-2 Agreement for Street Completion dated January 24, 2012
Attachment 2-3 City Council Resolution No. R12Ø8-37

ANALYSIS
The applicant is requesting acceptance of the public improvements excluding sidewalks and public utilities improvements for Clear Lake Meadows Boulevard containing 1.629 (+/-) acres located in Clear Lake Meadows, Section Seven, Phase Two. This property is located in several zones, Residential 10 (R10), Residential 15 (R15), Residential 20 (R20), and Residential 40 (R40) and no portion of this property is located in a special flood hazard area.

Project History

- The northern section of Clear Lake Meadows Boulevard and right-of-way was part of Clear Lake Meadows, Section Three which was recorded on October 25, 2004 and had a subdivision performance surety in place.
- The southern section of Clear Lake Meadows Boulevard and right-of-way was part of the original final plat for Clear Lake Meadows, Section Seven, Phase Two which was never recorded after approval from Planning Commission and never had a subdivision performance surety in place prior to construction or recording of the final plat.
- The owner/developer of Clear Lake Meadows Subdivision started construction of the roadway for the southern section of Clear Lake Meadows Boulevard and completed the roadway up to the binder coat including curbs and public drainage infrastructure, but never installed the final top coat, sidewalks or public utilities improvements.
- The Engineering Division decided for the sections of Clear Lake Meadows public roadways that were in poor conditions or were in disrepair, the subdivision performance sureties needed to be called. Since the southern section of Clear Lake Meadows Boulevard never had a subdivision performance surety in place and the City of Gallatin was in the process of repairing or completing the sections of the public roadways, City Council appropriated funds to complete the roadway for the southern section of Clear Lake Meadows Boulevard.
- Capital Bank N.A. (formerly Green Bank) has foreclosed on the owner/developer and has taken ownership of the property.
- Capital Bank, N.A. and the City of Gallatin entered into an Agreement for Street Completion which requires the City of Gallatin at its own expense to complete the installation of the portion of Clear Lake Meadows Boulevard ("Roadway") prior to the sale of any lots adjacent to the Roadway. Please refer to Attachment 2-2 for additional information.

EXHIBIT A

Previous Approvals

- The original preliminary plat for Clear Lake Meadows, Section Seven, Phase Two was approved by Planning Commission at the November 28, 2005 meeting.
- The original final plat for Clear Lake Meadows, Section Seven, Phase Two was approved by Planning Commission at the April 23, 2007 meeting which was never recorded after approval by Planning Commission.
- The updated and current preliminary plat and final plat for Clear Lake Meadows, Section Seven, Phase Two was approved by Planning Commission at the June 25, 2012 meeting.
- The updated and current final plat for Clear Lake Meadows, Section Seven, Phase Two was recorded at Sumner County Register of Deeds Office on August 10, 2012; please refer to Attachment 2-1.

Public Utilities Department

The Gallatin Public Utilities Department has stated that a ten (10) inch sanitary sewer line is installed under Clear Lake Meadows Boulevard, which has been indicated on the final plat for Clear Lake Meadows, Section Seven, Phase Two. The sanitary sewer line is located approximately 250 feet north of Nichols Lane and runs perpendicular to the boulevard. The ten (10) inch sanitary sewer line is part of Clear Lake Meadows, Section Seven, Phase One subdivision and shall be brought forth to the City of Gallatin for acceptance when fully completed.

The Gallatin Public Utilities Department has certified that the public utilities improvements have not been installed and no construction plans and/or specifications has been submitted or approved by the Gallatin Public Utilities Department for Clear Lake Meadows, Section Seven, Phase Two.

Engineering Division

The Engineering Division has certified that the public drainage infrastructure, rights-of-way and public easements, excluding sidewalks, described above have been satisfactorily completed and have been installed in accordance with the approved plans and specifications and that there has been full compliance with the City of Gallatin Subdivision Regulations.

The Engineering Division Staff completed a final inspection and reported that there are no major engineering concerns. All future sidewalks located in the development Clear Lake Meadows, Section Seven, Phase Two shall be installed by future owner/developer of adjacent lots and brought forth to the City of Gallatin for acceptance when the sidewalks are fully completed.

Section 3-102 of the City of Gallatin Subdivision Regulations, *Maintenance Surety*, requires that the applicant post a maintenance surety set at 10 percent of the completed roadway and drainage costs. Engineering Division Staff has determined that no maintenance sureties will be required since the applicant is the City of Gallatin.

RECOMMENDATION

Staff recommends the Planning Commission recommend acceptance of the public improvements, excluding sidewalks and public utilities improvements, in Clear Lake Meadows, Section Seven, Phase Two to the City Council.

EXHIBIT A

ATTACHMENT 2-2

AGREEMENT FOR STREET COMPLETION

THIS AGREEMENT, dated and effective this 24th day of January, 2012, by and between Capital Bank, N.A., successor by merger to GreenBank, a Tennessee chartered commercial bank, party of the first part, hereinafter referred to as the "Owner," and the City of Gallatin, Tennessee, a municipal corporation, party of the second part, hereinafter referred to as "the City."

WHEREAS, as evidenced by those certain Amended Trustee's Deeds, dated August 12, 2010, of record in Record Book 3316, page 686 and Record Book 3316, page 622, Register's Office for Sumner County, Tennessee, Owner obtained title to certain lots and land located in Clear Lake Meadows Subdivision (the "Property") and as further stated on the attached preliminary plats and plan as **Exhibit A** (hereinafter "the Plan"); and

WHEREAS, pursuant to Section 3-101 of the Subdivision Regulations for the City of Gallatin, Tennessee, and to regulate and insure the orderly subdivision and development of land in the City, it is provided that before a final plat of the subdivision is approved for recordation, all physical improvements required by said regulations for the land so subdivided shall have been installed therein, except that in lieu of actual installation of said physical improvements, the sub-divider shall enter into an agreement with bond or other security in an amount equal to the total cost of such improvements guaranteeing that the improvements will be installed within a designated length of time; and

WHEREAS, a portion of Clear Lake Meadows Boulevard located upon the Plan (collectively the "Roadway"), and further described as a proposed public street appearing on the Plan was begun by Owner's predecessor in interest, but was never adequately bonded and never completed; and

WHEREAS, City and Owner agree that it is in the best interest of both parties to complete the installation of said Roadway prior to any additional subdivision of the land adjacent to the proposed Roadway and that City proposes to finish said Roadway at public expense; and

WHEREAS, but for City's current installation of the street at public expense, Owner would be required to install said Roadway prior to the sale of any lots adjacent to the Roadway as further shown on the Plan.

NOW THEREFORE, THIS AGREEMENT WITNESSETH: That for and in consideration of the premises and the covenants and agreements herein contained, the parties hereto agree as follows:

1. The City does agree to complete the remaining portion of the Roadway as indicated on the Plan and agrees to accept said Roadway as part of the City's street system and thereafter maintain said street at the City's expense.

2. Owner covenants and agrees that it will convey to the City the necessary land to complete said street, said land being more particularly described in **Exhibit B** to this

EXHIBIT A

ATTACHMENT 2-2

Agreement. Owner further covenants that it will agree to repay the City for the actual cost of the completion of Clear Lake Meadows Boulevard upon the transfer of any of Owner's property which is depicted on the Plan. In no event shall the amount paid by Owner to the City exceed Seventy-Five Thousand and no/100 Dollars ($75,000.00).

3. It is mutually understood and agreed by the parties that in the event the Owner defaults in any terms of this Agreement, that no subdivision approvals for the remaining Property be granted by City.

4. In the event that the Owner defaults in any of the terms of this Agreement, the City shall have the right to refuse the issuance of building permits and/or to withhold all City services in Clear Lake Meadows Subdivision.

5. This Agreement does not relieve the Owner of any responsibilities or requirements placed upon it by the various ordinances of the City applicable to the subdivision and development of the Property including all conditions imposed by or proffered in connection with any ordinance zoning or rezoning of the Property. Owner agrees that the subdivision and development of the Property shall be done in strict conformity with such ordinances and conditions and all requirements and conditions of preliminary subdivision approval.

6. In the event the City's ordinances, rules, regulations, and/or procedures are changed, the parties hereto will be bound by such changes that may affect this subdivision and shall comply with same prior to any final subdivision approval.

7. This Agreement shall be construed, interpreted, and applied according to the laws of the State of Tennessee and shall be binding upon the heirs, personal representatives, executors, devisees, administrators, successors, grantees and assigns of the parties hereto.

IN WITNESS WHEREOF, Owner and City have executed this Agreement the day and year first written above.

CITY OF GALLATIN, TENNESSEE

By: _____
Jo Ann Graves, Mayor

CAPITAL BANK, N.A.

By: _____
Title: AVP

APPROVED AS TO FORM:

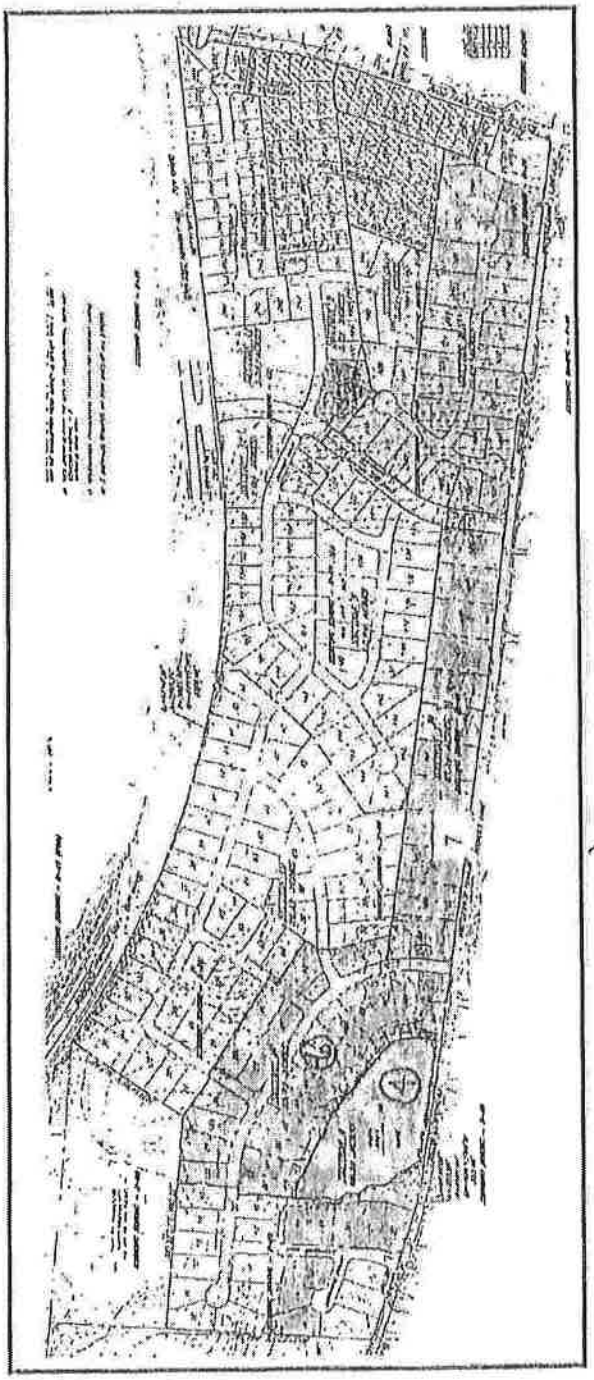
_____
Joe H. Thompson,
City Attorney for Gallatin, Tennessee

{00702650.2}

EXHIBIT A

ATTACHMENT 2-2

Plat of Entire Subdivision



Remaining Section 4 Lots (4-6 & 18-22) and the Park and Retention Pond (.682 acres) (5.526 acres)

All of Section 7 Lots 92-104

15.7 Acres of Unplatted Section 6

19.4 acres of Unplatted Section 8

Trustee's Deed Book 3277/25

Deed of Trust Book 2142/501

Affidavit 2713/151

Trustee's Deed

Guigan & Associates, LLC

EXHIBIT

A

89

EXHIBIT A

ATTACHMENT 2-2

Plat – Excess Land – Section 8 – 19.4 Acres

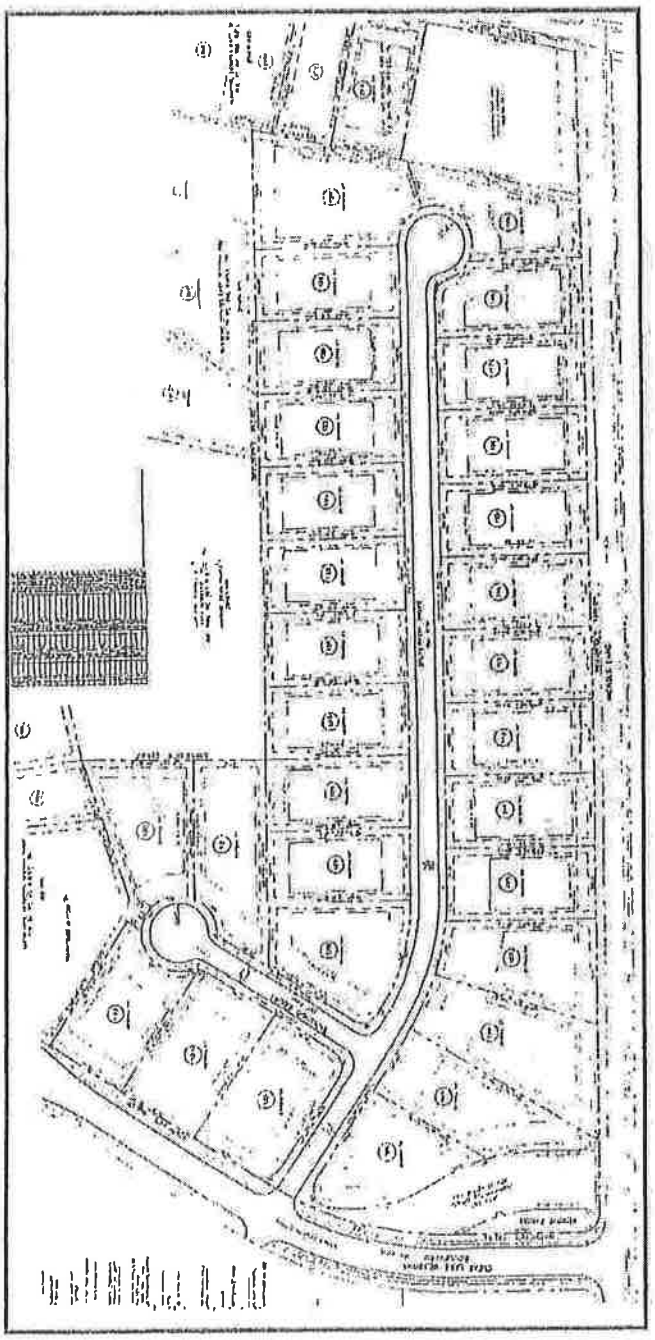


EXHIBIT A ATTACHMENT 2-2

Plat – Section 7 – 13 Remaining Lots

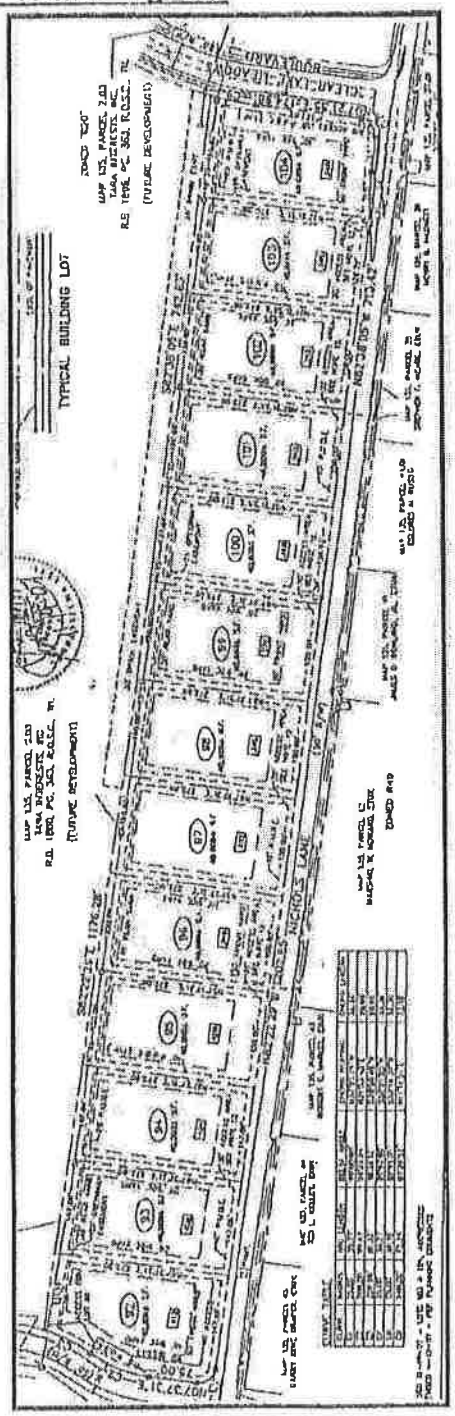


EXHIBIT A

ATTACHMENT 2-2

Land Services of Tennessee

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

METES AND BOUNDS DESCRIPTION
CLEAR LAKE MEADOWS, SECTION 7A,
CLEAR LAKE MEADOWS BOULEVARD

Land lying on the north side of Nichols Lane and at the south end of Clear Lake Meadows Boulevard in the City of Gallatin, Third Civil District, Sumner County, Tennessee. Being part of the land deeded to Tara Interests, Inc. by deed recorded in Record book 1806, page 363, Register's Office of Sumner County (R.O.S.C.), Tennessee and more particularly described as follows:
BEGINNING at a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" at the southwest corner of the Clubhouse & Pool Area shown on the Final Plat of Clear Lake Meadows, Section Three as recorded in Plat book 22, page 45, R.O.S.C., Tennessee; thence,
with the west line of land deeded to GreenBank by deed recorded in Record book 3277, page 57 – 64, R.O.S.C., Tennessee, the following 4 calls (1 through 4):

1. S39°11'49"W, a distance of 366.66 feet to a concrete monument (new) at the point of curvature of the following tangent curve; thence,
2. with said curve to the left, southwesterly an arc distance of 255.56 feet, said curve having a radius of 460.00 feet, a delta angle of 31°49'54", and a chord of S23°16'52"W, 252.29 feet to a concrete monument (new) at the point of tangency; thence,
3. S07°21'55"W, a distance of 174.98 feet to a concrete monument (new) at the point of curvature of the following curve; thence,
4. with said curve to the left, southeasterly an arc distance of 39.27 feet, said curve having a radius of 25.00 feet, a delta angle of 90°00'00", and a chord of S37°38'05"E, 35.36 feet to a concrete monument (new) on the north right of way line of said Nichols Lane; thence,
5. with said north right of way line, N82°38'05"W, a distance of 130.00 feet to a point; thence,
6. with the east line of Clear Lake Meadows, Section Seven, Phase One as recorded in Plat book 25, page 300, R.O.S.C., Tennessee and with a curve to the left, northeasterly an arc distance of 39.27 feet, said curve having a radius of 25.00 feet, a delta angle of 90°00'00", and a chord of N52°21'55"E, 35.36 feet to a concrete monument (old) at the point of tangency; thence,
7. continuing with the east line of said Clear Lake Meadows, Section Seven, Phase One, N07°21'55"E, a distance of 174.98 feet to a concrete monument (old); thence,
8. continuing with the east line of said Clear Lake Meadows, Section Seven, Phase One, with the east line of the land deeded to James M. Patterson, etux by deed recorded in Record book 3275, page 105 – 119, R.O.S.C., Tennessee and with a curve to the right, northeasterly an arc distance of 300.01 feet, said curve having a radius of 540.00 feet, a delta angle of 31°49'54", and a chord of N23°16'52"E, 296.16 feet to a concrete monument (new) at the point of tangency; thence,
9. continuing with the east line of said Patterson land and the with the east line of other land deeded to GreenBank by deed recorded in Record book 3316, page 686, R.O.S.C., Tennessee, N39°11'49"E, a distance of 405.74 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" at the south end of said Clear Lake Meadows Boulevard; thence,
10. with the south end of said Clear Lake Meadows Boulevard, S50°48'11"E , a distance of 80.00 feet to a 1/2" iron rod (old) with a cap stamped "TN1571" and "KY3050" on the west line of said Clubhouse & Pool Area; thence,
11. with the west line of said Clubhouse & Pool Area, S39°11'49"W, a distance of 39.08 feet to the POINT OF BEGINNING;

CONTAINING 1.633 acres, more or less.

1131 Pine Hurst Drive, Gallatin, Tennessee 37066 • 615-206-6942 • landservicesoftn@co
We can't measure the vastness of Jesus but we can reach Him - all the same all over th

EXHIBIT
B

EXHIBIT A

ATTACHMENT 2-2

This description was prepared from information on the Preliminary Plat of "Clear Lake Meadows, Section Seven" prepared by Darnall & Associates, LLC, dated September, 2004 and certified by John T. Darnall, Tennessee RLS #1571.

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EXHIBIT A

City of Gallatin, Tennessee *Codes/Planning Department*

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: August 28, 2012

TO: Zach Wilkinson, P.E.
Engineering Division
City of Gallatin
132 W. Main St.
Gallatin, TN 37066

FROM: Gallatin Codes/Planning Department

RE: August 27, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Clear Lake Meadows, Section Seven, Phase Two: PC File #0019-12

At the above referenced meeting, the request for acceptance of public improvements was:

☒ RECOMMENDED
☐ RECOMMENDED WITH CONDITIONS
☐ NOT RECOMMENDED
☐ DEFERRED

Approval contains the following requirements:

☒ CITY COUNCIL APPROVAL
- Council Committee: 9/11/12
- 1st Reading at City Council: 9/18/12

cc: Capital Bank
Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #0019-12

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

SEPTEMBER 11, 2012

DEPARTMENT: **Engineering** **AGENDA # 5**

SUBJECT:
Resolution Accepting Public Improvements Excluding Sidewalks and Public Utilities for Clear Lake Meadows Boulevard Located in Clear Lake Meadows, Phase 2, Section 7

SUMMARY:
The Planning Commission passed Resolution 2012-75 August 27, 2012, to accept these public improvements excluding sidewalks and public utilities.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

RESOLUTION NO. R12Ø9-41

RESOLUTION REAPPOINTING GARY TIDBALL AND JEFF DERRYBERRY TO GALLATIN CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

WHEREAS, Section 5-26 of the Gallatin Municipal Code provides for the creation of a Construction Board of Adjustments and Appeals with members appointed by the Mayor and confirmed by the City Council;

NOW, THEREFORE BE IT RESOLVED by the City of Gallatin, Tennessee that Gary Tidball is hereby reappointed and confirmed as a member of the Gallatin Construction Board of Adjustments and Appeals with a term expiring on 6/30/2016.

BE IT FURTHER RESOLVED by the City of Gallatin, Tennessee that Jeff Derryberry is hereby reappointed and confirmed as a member of the Gallatin Construction Board of Adjustments and Appeals with a term expiring on 6/30/2016.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

	Term Expiration
Ron Jones 107 Bluewater Drive Gallatin, TN 37066 H. 452-2082 W. 452-7731 rjonesco@bellsouth.net	6/30/2015
Gary Tidball 111 Bonita Avenue Gallatin, TN 37066 H. 230-0436	6/30/2012
Jeff Derryberry 313 Walnut Court White House, TN 37188 W. 452-8121 jeff@derryberryac.com	6/30/2012
Oscar Moore 1008 Dobbins Pike Gallatin, TN 37066 H. 230-6260	6/30/2013
Emmitt Royce Hamilton 845 Craig Street Gallatin, TN 37066 H. 206-9494	6/30/2013
Craig Adams 531 Redstone Drive Gallatin, TN 37066 H. 452-8788	6/30/2014

4 Year Term (Staggered)
Appointed by Mayor and Confirmed by Council
7 Members
No Compensation
Qualifications: Members with knowledge and experience in the technical codes

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

September 11, 2012

DEPARTMENT: **Mayor Graves** **AGENDA #** 8

SUBJECT:
Reappointment of Gary Tidball and Jeff Derryberry to the Construction Board of Adjustment and Appeals

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

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

Approved [x]
Rejected [ ]
Deferred [ ]

Notes:

RESOLUTION NO. R12Ø9-42

RESOLUTION CONFIRMING REAPPOINTMENT OF JOHN PURYEAR TO GALLATIN MUNICIPAL BOARD OF ZONING APPEALS

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that,

WHEREAS, Section 15.04.020(c) of the Gallatin Zoning Ordinance authorizes the Mayor to appoint members to the Gallatin Board of Zoning Appeals; and

WHEREAS, the Mayor has forwarded the reappointment of John Puryear as the Planning Commission representative until May 2017 to the City Council for confirmation; and

WHEREAS, Section 15.04.020 (c) requires that the City Council confirm the reappointment by resolution;

THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that John Puryear is confirmed as appointee to the Gallatin Municipal Board of Zoning Appeals.

IT IS SO ORDERED.

AYE:

NAY:

DATE:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON
CITY ATTORNEY

MUNICIPAL BOARD OF ZONING APPEALS

	Term Expires
John Puryear 1490 Cherokee Road Gallatin, TN 37066 Home: 452-6459	5-2012
Ed Wyatt 986 Blue Jay Way Gallatin, TN 37066 Home: 452-2585	5-2014
Jeannie Gregory 180 N. Belvedere Gallatin, TN 37066 Home 452-7113	5-2015
Jimmy Moore–Chairman 936 Johnson Street Gallatin, TN 37066 Home: 452-8005 Work: 452-6099	5-2016
James Pope 650 Long Hollow Pike Gallatin, TN 37066 Home: 452-0577	5-2013

5 Year Term (staggered)
5 Members Appointed by Mayor and Confirmed by Resolution

Compensation

Qualifications: Resident of City of Gallatin; 1 Member from Planning Commission

Revised September 23, 2011

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

September 11, 2012

DEPARTMENT: **Mayor Graves** **AGENDA #** 9

SUBJECT:
Reappointment of John Puryear to the Municipal Board of Zoning Appeals

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

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

Approved [x]
Rejected [ ]
Deferred [ ]

Notes:

RESOLUTION NO. R12Ø9-43

RESOLUTION REAPPOINTING L.K. LANNOM TO GALLATIN REGIONAL BOARD OF ZONING APPEALS

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that,

WHEREAS, Section 15.04.020 (c) of the Gallatin Zoning Ordinance authorizes the Mayor to appoint members to the Gallatin Regional Board of Zoning Appeals with confirmation by the City Council; and

WHEREAS, the Mayor has forwarded the reappointment of L.K. Lannom to serve a five-year term through September, 2017; and

WHEREAS, Section 15.04.020 (c) requires that the City Council confirm the reappointment by resolution;

THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that L.K. Lannom is confirmed as an appointee to the Gallatin Regional Board of Zoning Appeals.

IT IS SO ORDERED.

AYE:

NAY:

DATE:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

REGIONAL BOARD OF ZONING APPEALS

	Term Expires
L. K. Lannom 665 Northridge Drive Gallatin, TN 37066 Home 452-1261	9-2012
Larry Maynard 1016 Odoms Pvt. Ct. Gallatin, TN 37066 206-9322	9-2014
James Robert Ramsey 1388 Hwy 25 W Gallatin, TN 37066 Home 452-7229	9-2013
Rick Orgain 1277 Hwy 25 Gallatin, TN 37066 Home 452-6396	9-2015
Betsy Hawkins 475 Bay Point Drive Gallatin, TN 37066 268-8444 (Cell)	9-2016

5 Year Term (staggered)
5 Members Appointed by Mayor and Confirmed by Resolution
Compensation
Qualifications: 3 Residents of Gallatin Planning Region Living Outside City of Gallatin; 2 Residents of the City of Gallatin; 1 Member from Planning Commission

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

September 11, 2012

DEPARTMENT: **Mayor Graves** **AGENDA #** 10

SUBJECT:
Reappointment of L.K. Lannom to the Regional Board of Zoning Appeals

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

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

Approved [x]
Rejected [ ]
Deferred [ ]

Notes:

RESOLUTION NO. R12Ø9-44

RESOLUTION AUTHORIZING PUBLIC WORKS DEPARTMENT TO SUBMIT APPLICATION FOR TDEC RECYCLING EQUIPMENT GRANT

WHEREAS, TDEC has established a grant to assist local governments in acquiring recycling equipment; and

WHEREAS, the City of Gallatin acting by and through its Mayor and Board of Alderman proposes to apply for the TDEC Fiscal Year 2013 Recycling Equipment Grant) funds for the purpose of aquiring equipment for the extension of recycling activities that will benefit the majority of the residents in the City of Gallatin and have a direct impact on the environment.

WHEREAS, the City of Gallatin will provide matching dollars not to exceed $25,000.00 as the guildlines of said grant stipulate; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Alderman of the City of Gallatin as follows:

THAT, Jo Ann Graves, Mayor, is hereby authorized to execute and submit an application with appropriate assurances to the State of Tennessee, Department of Economic and Community Development, requesting Fiscal Year 2013 Recycling Equipment Grant funds in the amount not to exceed $25,000.00 for acquisition of a skid steer loader; and

THAT, the City of Gallatin will be responsible for the local cash/match to be provided in full by the general fund; and

THAT, Jo Ann Graves, Mayor, be and is hereby designated and appointed as Authorized Representative, and to perform on behalf of the City of Gallatin, Tennessee, those acts and assume such duties as are consistent with said position.

BE IT FURTHER RESOLVED that this resolution shall take effect on 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