
CITY OF GALLATIN COUNCIL COMMITTEE MEETING

August 11, 2015

6:00 p.m.

**Dr. J Deotha Malone
Council Chambers**

- Call to Order – Councilwoman Brackenbury
- Roll Call: Brackenbury – Camp – Vice Mayor Hayes – Kemp – Mayberry – Overton – Mayor Brown
- Approval of Minutes: July 14, 2015 Council Committee Meeting
- Public Recognition
- Mayor’s Comments

AGENDA

1. Town Creek Greenway Access at Oaks Drive **(Vice Mayor Craig Hayes)**
2. Stormwater Ordinance **(Nick Tuttle, City Engineer)**
3. Zoning Ordinance No. O15Ø8-50 **(Bill McCord, City Planner)**
4. Ordinance Approving Preliminary Master Development Plan for Dunlap Junction Phase 1 **(Bill McCord, City Planner)**
5. Codes Inspector I/II/III **(Debbie Johnson, Director of Human Resources)**
6. Time & Attendance Program **(Councilman Jimmy Overton)**
7. Holiday Leave **(Councilman Jimmy Overton)**

- Other Business
- Department Head Reports
- Adjourn

City of Gallatin Council Committee Meeting

Tuesday, July 14, 2015
Dr. J. Deotha Malone Council Chambers

PRESENT:

Mayor Paige Brown
Councilman John D. Alexander
Councilwoman Julie Brackenbury
Councilman Steve Camp
Vice Mayor Craig Hayes
Councilman Ed Mayberry
Councilman Jimmy Overton

ABSENT:

Councilwoman Anne Kemp

OTHERS PRESENT:

Bill McCord, City Planner
Rachel Nichols, Finance Director
Don Bandy, Police Chief
David Gregory, Public Utilities Dir.
David Brown, Leisure Services Director
Susan High-McAuley, City Attorney
James Fenton, EDA
Debbie Johnson, Human Resource Dir.

Nick Tuttle, City Engineer
Zach Wilkinson, Public Works Director
Gallatin News Reporter
Connie Kittrell, City Recorder
News Examiner Reporter
Chuck Stuart, Building Official
Rosemary Bates, Special Projects
Todd Wagoner, Fire Department

Councilman John Alexander called the meeting to order at 6:00 P.M.

Approval of Minutes

Councilman Alexander presented the June 9, 2015 Council Committee Meeting minutes for approval. Councilman Overton made motion to approve; Councilwoman Brackenbury seconded. Motion carried with 6 ayes and 0 nays.

Public Recognition

Councilman Alexander called for public recognition.

- Tom Garrott spoke about the pool expansion and issues concerning the cost. He stated that he hopes Council will reconsider.
- Joe Debord of 1007 Hart Street stated he echoed former Mayor Garrott's comments about the Civic Center. He stated the project at Green Acres II has begun. He said that he and his neighbors, along with the City, provided a better run off area and thanked Mr. Stiles and Mr. Wilkinson for their assistance.
- Patrick Reeners of 317 Malone Drive stated he received a notice from the City Water Department that said the water wasn't safe. Mr. Reeners continued to comment on his concerns of the city water.
- Neil Laffely of 963 Aqua Drive stated that since 2006 he has been billed for two trash cans. Mr. Laffely provided council with an invoice for his overpayment. He attempted to share a recording of the music from the Gallatin Marina at 75 decibels recorded from his home but was not able to get the recorder to work at this time.

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

Mayor's Comments

Mayor Brown had no comments.

Agenda

1. Department Head Recruitment Process

Director of Human Resources Debbie Johnson spoke about providing a consistent process for Department Head hiring and recruitment.

2. Planning Department Cost Recovery review and Analysis Report

City Planner Bill McCord presented the cost to provide services based on time frame and types of applications. Mr. McCord requested Council consider changing the fees for better cost recovery. He stated 2011 was the last time the fees were raised

Council discussed.

Councilman Mayberry requested Mr. McCord present a fee adjustments schedule at the next work session.

3. Ordinance Amending Zoning on a 3.01 (+/-) Acre Lot on Saint Blaise Road from Agricultural-Residential to R40 Low Density Residential District

City Planner Bill McCord asked Council for approval on the rezoning of a corner lot on Saint Blaise Road and Little Drive to provide a home site for a family member.

Vice Mayor Hayes made motion to approve; Councilwoman Brackenbury seconded. Motion carried with 6 ayes and 0 nays.

4. Ordinance Appropriating Proceeds from 2015 Water/Sewer Bond

Director of Finance Rachel Nichols presented this ordinance.

Councilman Mayberry made motion to approve; Vice Mayor Hayes seconded. Motion carried with 6 ayes and 0 nays.

5. Ordinance Appropriating 2014/2015 Carry-Over Projects

Director of Finance Rachel Nichols provided Council with an updated list of carry-over projects.

Vice Mayor Hayes made motion to approve; Councilman Overton seconded. Motion carried with 6 ayes and 0 nays.

6. Update on Time and Attendance Software Implementation

Director of Finance Rachel Nichols provided information to Council in their packets.

Councilman Overton asked if the system will ever work without requiring so much time.

Ms. Nichols stated this is a learning curve. Not all the problems are software related; there are also user related problems. She said there have also been phone issues.

Councilman Overton stated that this system is not working and a decision needed to be made whether to continue with this software.

Mayor Brown stated that any new software is painful. She stated the City has spent a lot of money on this and if we go a different route we are starting from square one again both financially and time wise.

Councilwoman Brackenbury spoke about spending time with civic center and police department staff in regards to time and attendance.

Police Officer Jeff Wright provided a power point presentation on the Gallatin Police Departments present time/attendance software and the new software.

Lt. Ricky Troup presented an example of the two systems.

Much discussion continued.

City Attorney Susan High-McAuley stated that the clock in/clock out times should display exact actual times.

Council discussed.

Leisure Services Director David Brown stated the new system is getting easier.

7. Noise Ordinance

Councilwoman Brackenbury stated there were some concerns about the 65 decibel levels and changing the late night hours to 50 decibels. She asked Council to consider changing the 65 decibels to 60 and the 55 decibels to 50.

Councilwoman Brackenbury made motion to approve; Vice Mayor Hayes seconded.

Council discussed.

Mayor Brown stated she had concerns about the enforcement issue.

Councilman Camp stated he would like to table this item to the next meeting. He would like for the Gallatin Police Department to gather readings over the next two weekends and report back in two weeks.

Neil Laffely of Aqua Drive played his recording of the music from the Gallatin Marina at 59 to 65 decibels for Council to hear.

Councilman Camp made motion to table; Councilman Overton seconded.
Motion carried with 6 ayes and 0 nays.

11. Kitchen/Dining Room Income Compared to Expenses

Item #11. was moved up on the agenda at this time without objection.

Vice Mayor Hayes requested comparing the cost vs. the expenses of the City Hall kitchen. He added that the city is actually competing with private entities.

8. Roadside Produce Vendors

Councilwoman Brackenbury stated there are many produce vendors around town and they are becoming safety issues. She would like to see them use the Farmer's Market.

Council discussed

Vice Mayor Hayes stated that he would like to bring this back at the meeting in two weeks.

12. Town Creek Greenway Access at Oaks Drive

Item #12. was moved up on the agenda at this time without objection.

Vice Mayor Hayes stated the residents at Oaks Drive are requesting steps to the Greenway.

Projects Director Rosemary Bates stated that the steps were designed to go through the creek. Ms. Bates added that any access has to be ADA accessible and no parking areas will be provided.

Council discussed.

Vice Mayor Hayes asked that Council reconsider adding an access.

Public Works Director Zach Wilkinson stated they have the money for the sidewalk.

9. Solid Waste, Garbage, or Refuse Services Refund Policy

Vice Mayor Hayes left meeting at this time.

Mayor Brown informed Council that more people are coming forward requesting a refund on their overpayment of trash cans. Mayor asked Council to reconsider their decision.

Councilwoman Brackenbury made motion to refund back three (3) years; Councilman Camp seconded.

There was much discussion.

City Attorney Susan High-McAuley stated the state statute states you can only refund back three (3) years.

Council discussed.

City Attorney Susan High-McAuley asked for clarification on the policy that was recently passed that stated 30 days. Ms. High-McAuley asked if this was an exception to the policy.

There was much discussion.

City Attorney Susan High-McAuley suggested that she work with Public Works Director Zach Wilkinson and others in the City and report back in two weeks.

Councilwoman Brackenbury withdrew her motion; Councilman Camp withdrew his second.

10. Special Census

Mayor Brown stated that it was suggested by Economic Development Director James Fenton to investigate the idea of conducting a special census for the City of Gallatin.

There was much discussion on the cost of the census and the revenue benefits to the City.

Mayor Brown suggested getting more information and reporting back to Council in two weeks.

13. Update on the Pool Expansion

Leisure Services Director David Brown stated that the committee met and they are moving forward on construction of the outdoor pool. Mr. Brown said he was getting an estimate from Nashville companies because local companies are not bonded enough for this big job.

Other Business

Councilman Alexander called for other business.

- Councilman Overton asked for an update on the Fire Department Audit.

Mayor Brown stated that they are gathering information.

Todd Wagoner with the Gallatin Fire Department stated they are still waiting on maps and information from other departments but 85 percent of the paperwork is complete.

Council discussed

City Attorney Susan High-McAuley stated this was not an audit but a Comprehensive Review.

- Councilman Overton requested the issues with the Assistant Fire Chief be placed on the agenda in two weeks.
- Councilwoman Brackenbury asked about the placement of signage on the Greenway.

There was discussion on the sign placement in front of the Palace Theatre.

Councilman Mayberry asked if the Greenway project will be done by the end of this year and Ms. Bates responded yes.

Department Head Reports

Councilman Alexander called for Department Head reports.

- Finance Director Rachel Nichols informed Council that Greater Gallatin, a non-profit organization, requested funding but has not provided the required paperwork. Ms. Nichols informed them their funds would not be released until Council approved.

Council discussed.

- Building Official Chuck Stuart provided an annual permitting report to Council. Mr. Stuart informed Council of the upcoming contractors meeting on August 21st at 3:00 PM.

Adjourn

Councilman Alexander informed Council they needed to meet in executive session immediately following this meeting.

Council Committee Minutes
July 14, 2015

With no other business to discuss Councilman Alexander adjourned the meeting at 8:16 P.M.

Mayor Paige Brown

Connie Kittrell, City Recorder

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: Vice Mayor Craig Hayes

AGENDA # |

SUBJECT:

Town Creek Greenway Access at Oaks Drive

SUMMARY:

This item was discussed at the July 14 Council Committee Meeting at which time Council deferred action to allow Council Members time to look at the Oaks Drive area.

At the July 28 Council Committee Meeting, Council again deferred the item to allow Public Works time to investigate a less expensive option.

Residents from the area have asked that an access be built for them onto the greenway.

Attached is a list of three options provided by Zach Wilkinson, Superintendent of Public Works.

Costs are for materials. Public Works would install the access. The current Public Works budget for sidewalks would fund this work.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

Town Creek Greenway Conneciton Materials cost estimate

8' Walkway (220 lf from Oaks Drive to Greenway Bridge)

Material	Unit	Quantity	Unit Price	Cost
Concrete	CY	40	\$92	\$3,680
Stone	TONS	60	\$15	\$900
Seeding	SF	4500	\$0.10	\$450
Grass Matting	SF	900	\$1.50	\$1,350
Bollards	EA	3	\$500	\$1,500
Caution Signs	EA	2	\$150	\$300
Warning System	EA	1	\$500	\$500
				\$9,500

6' Walkway (220 lf from Oaks Drive to Greenway Bridge)

Material	Unit	Quantity	Unit Price	Cost
Concrete	CY	30	\$92	\$2,760
Stone	TONS	45	\$15	\$675
Seeding	SF	4500	\$0.10	\$450
Grass Matting	SF	900	\$1.50	\$1,350
Bollards	EA	2	\$500	\$1,000
Caution Signs	EA	2	\$150	\$300
Warning System	EA	1	\$500	\$500
				\$7,700

5' Walkway (220 lf from Oaks Drive to Greenway Bridge)

Material	Unit	Quantity	Unit Price	Cost
Concrete	CY	25	\$92	\$2,300
Stone	TONS	40	\$15	\$600
Seeding	SF	4500	\$0.10	\$450
Grass Matting	SF	900	\$1.50	\$1,350
Bollards	EA	1	\$500	\$500
Caution Signs	EA	2	\$150	\$300
Warning System	EA	1	\$500	\$500
				\$6,600



**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: Engineering

AGENDA # 2

SUBJECT:

Stormwater Ordinance

SUMMARY:

Ordinance O1508-49 Amending Chapter 18 of the Municipal Code was approved on July 28th and passed 1st Reading on August 4th. Councilman Mayberry asked that it be placed on the next Committee Meeting for discussion before going to 2nd Reading.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: Planning

AGENDA # 3

SUBJECT:

Zoning Ordinance No. O1508-50

SUMMARY:

The Planning Department Staff, with approval of the Planning Commission, is recommending that the City's Zoning Ordinance regulating noise simply refer to the Municipal Code for establishment of decibel limits instead of attempting to establish limits within the Zoning Ordinance. This provides consistency between the two sets of City laws and regulations.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING ARTICLE 13.00 PERFORMANCE AND DESIGN STANDARDS, SECTION 13.02.020, PERFORMANCE STANDARDS REGULATING NOISE.

WHEREAS, THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of these amendments in GMRPC Resolution 2015-83 attached hereto as Exhibit A; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of these amendments pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance and Tennessee Code Annotated Section 13-7-203;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that Article 13.00, Performance and Design Standards, of the Zoning Ordinance of Gallatin, Tennessee is hereby amended by deleting Section 13.02.020 Performance Standards Regulating Noise in its entirety and replacing it with the following:

Section 13.02.020 Performance Standards Regulating Noise

A. *Refer to Chapter 10, Article IV, Noise*, Gallatin Municipal Code*

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE that the Gallatin City Council hereby concurs with the recommendation of the Gallatin Municipal-Regional Planning Commission as described in Exhibit A; and

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY



ITEM
**PLANNING DEPARTMENT STAFF REPORT TO
CITY COUNCIL**

**Text Amendment - G.Z.O. Article 13, Section 13.02.020
(PC #3-720-15)
Date: August 5, 2015**

REQUEST: CITY OF GALLATIN REQUEST TO AMEND THE GALLATIN ZONING ORDINANCE, ARTICLE 13.00 PERFORMANCE AND DESIGN STANDARDS, SECTION 13.02.020 PERFORMANCE STANDARDS REGULATING NOISE.

OWNER: CITY OF GALLATIN
APPLICANT: CITY OF GALLATIN
STAFF RECOMMENDATION: RECOMMEND APPROVAL OF ORDINANCE NO. O1508-50
STAFF CONTACT: ROBERT J. KALISZ
PLANNING COMMISSION DATE: JULY 27, 2015
COUNCIL COMMITTEE DATE: AUGUST 11, 2015

PROPERTY OVERVIEW: The City of Gallatin is requesting approval of an amendment to the Gallatin Zoning Ordinance, Article 13.00, Performance and Design Standards, Section 13.02.020 Performance Standards Regulating Noise to establish new standards regulating the decibel levels permitted throughout the days of the week and establishing a standard for how sound levels are measured.

CASE BACKGROUND:

Analysis

The City of Gallatin requests approval of an amendment to Article 13, Section 13.02.020 of the Gallatin Zoning Ordinance pertaining to the performance standards regulating noise. The purpose of the proposed amendment is to eliminate the text in this section and add text which refers to City of Gallatin Municipal Codes for the regulation of noise. This will provide internal consistency between the Municipal Code of Ordinance and the Zoning Ordinance and ensure the same standards are applied throughout the city.

DISCUSSION:

History

Since early 2013, there have been discussions about the noise regulations in the Gallatin Zoning Ordinance and the City of Gallatin Municipal Code. On June 25, 2013, Council Committee received complaints from citizens about the noise level from Awedaddy's Restaurant. Katherine Schoch, Assistant City Planner, provided a

PowerPoint presentation to the Council Committee on noise regulations from surrounding communities and recommended to increase the maximum noise levels permitted by the City of Gallatin Zoning Ordinance. From these discussions it was recommended that a Noise Ordinance Committee to be formed.

On February 10, 2014, the City of Gallatin Noise Ordinance Committee met to discuss options on amending the ordinance and to recommend a revision to the ordinance to the City Council. At this time Mayor Graves asked City Attorney, Joe Thompson, to draft an ordinance for the discussion. On February 24, 2014, the City of Gallatin Noise Ordinance Committee meeting the City Attorney distributed a draft of a noise ordinance.

On April 28, 2015, Council Committee discussed changes to the noise ordinance, Councilman Overton asked that this item be placed on the City Council agenda.

On June 16, 2015, City Council passed on 2nd reading Amended Ordinance No. O1506-39 amending the City of Gallatin, Tennessee Municipal Code, Chapter 10, Article IV, Noise* by adding Section 10-100 Supplemental Excessive Noise Regulations. (Attachment _-1)

On July 13, 2015 Work Session, the Planning Commission reviewed and discussed the current Gallatin Zoning Ordinance, Article 13.00 Performance and Design Standards, Section 13.02.020 on regulating noise. Staff presented three (3) options for amending the zoning ordinance for discussion which included:

- Option 1
 - Remove, in its entirety, the language for Section 13.02.020 and replace with reference to Chapter 10, Article IV, Noise*, Gallatin Municipal Code.
- Option 2
 - Revise and add language to Section 13.02.020.C. establishing separate standards within the city, consistent with Amended Ordinance No. O1506-39, and outside the City affecting only areas within the Planning Region.

TABLE 13-01

MAXIMUM PERMITTED SOUND LEVELS (dBA)

<u>RECEIVING LAND USE CATEGORY*</u>	<u>SOUND LEVEL LIMIT</u>	<u>TIME PERIOD</u>
Residential	75 dBA	7:00am-6:00pm, Everyday
	65 dBA	6:00pm-9:00pm, Sunday thru Thursday
	65 dBA	6:00pm-10:00pm, Friday thru Saturday
	55 dBA	9:00pm-7:00am, Sunday thru Thursday
	55 dBA	10:00pm-7:00am, Friday thru Saturday

- Option 3
 - Remove, in its entirety, the language for Section 13.02.020 and replace with reference to Chapter 10, Article IV, Noise*, Gallatin Municipal Code which will establish the same noise standard inside and outside the City within the Planning Region.

The current standard in the Zoning Ordinance is indicated in Attachment _-2.

Planning Department Comments

Staff recommended Option 1 to the Planning Commission.

Section 13.02.020, Performance Standards Regulating Noise

A. *Reference to Chapter 10, Article IV, Noise*, Gallatin Municipal Code*

Police Department Comments

The Police Department reviewed and had no comments on the text amendment.

Planning Commission Recommendation

At the July 27, 2015 meeting, the Planning Commission after discussion and clarification from the City Attorney and public comment voted 7 to 0 to recommend approval of the ordinance in GMRPC Resolution No. 2015-83. (Attachment _-3)

Since Planning Commission Action, City Council considered amendments to Amended Ordinance No. O1506-39 adopted in June. On August 4, 2015 City Council voted to again to adjust the decibel levels and time period of the ordinance. This latest amendment establishes a 75 dBA level from 7:00am to 6:00pm each day and a 55 dBA level from 6:00pm to 7:00am each day.

FINDINGS:

1. The text amendment is in agreement and consistent with the recommendations of the General Development and Transportation Plan.
2. The proposed text zoning code amendments are necessary to provide consistency with the Gallatin Municipal Code, Chapter 10, Article IV, Sections 10-86 thru 10-100.
3. It has been determined that the legal purposes for which zoning regulations exists are not contravened.
4. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can be justified by the public good or welfare.
5. 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.

RECOMMENDATION:

The Planning Commission recommends approval of Ordinance No. O1508-50

ATTACHMENTS

Attachment _-1 Amended Ordinance No. O1506-39

Attachment _-2 Current G.Z.O. Article 13, Section 13.02.020

Attachment _-3 GMRPC Resolution No. 2015-83

ATTACHMENT - 1

AMENDED ORDINANCE NO. O1506-39

ORDINANCE TO AMEND THE CITY OF GALLATIN, TENNESSEE MUNICIPAL CODE, CHAPTER 10, ARTICLE IV, RELATIVE TO NOISE

WHEREAS, it has come to the attention of the Mayor and City Council that the City of Gallatin Municipal Code regarding noise violations should be amended; and

WHEREAS, the Mayor and City Council of the City of Gallatin, Tennessee, believe it is in the best interests of the citizens of the City to update the existing noise ordinance to bring it in line with current technology and to make it more enforceable;

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that Article IV of Chapter 10 of the Gallatin Municipal Code is hereby amended by adding the following Section 10-100 as follows:

10-100 Supplemental excessive noise regulations.

- (1) No person or persons owning, employing or having the care, custody or possession of any musical instrument, radio set, television set, phonograph, or other instrument, machine or device for amplifying, producing or reproducing sound, shall operate, use or permit to be operated or used such instrument, machine or device in such a manner as to disturb the peace and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing of the persons who are in the room or chamber in which or who are on the premises from which such instrument, machine or device is operated and who are voluntary listeners thereto.
- (2) No person operating or occupying a motor vehicle on any street, highway, alley, parking lot or driveway, either public or private property, shall operate or permit the operation of any sound amplification system, including, but not limited to, any radio, tape player, compact disc player, loud speaker or any other electrical device used for the amplification of sound from within the motor vehicle so that the sound is plainly audible at a distance of fifty or more feet from the vehicle or, in the case of a motor vehicle on private property, beyond the property line. For the purpose of this subsection, "plainly audible" means any sound which clearly can be heard, by unimpaired auditory senses based on a direct line of sight of fifty or more feet, however, words or phrases need not be discernible and said sound shall include bass reverberation.

Prohibitions contained in this section shall not be applicable to emergency or public safety vehicles, vehicles owned and operated by the City, Sumner County, Tennessee, or any utility company, for sound emitted unavoidably during job-related operation, or any motor vehicle used in an authorized public activity for which a permit has been granted by the appropriate governmental agency.

- (3) No person or persons, group, entity or organization shall operate or permit to be operated any musical instrument or other entertainment device using amplification, within fifty feet of a residence or of a natural conservation area unless such music or other entertainment is provided within a totally enclosed structure, except as set forth herein. In no event may such music or other entertainment be provided outside of a structure except between the hours of 7:00 a.m. and 11:00 p.m.

ATTACHMENT - 1

Unless exempted under provisions of the code as a special event, mass gathering or other permitted activity by the City or its boards or commissions. The provisions of this section shall not apply to outdoor entertainment or activities on property owned by the City or its agencies and parks under the control of the Department of Leisure Services.

- (4) No person or persons owning, operating, or having the care, custody, or control of any business or commercial facility shall be permitted to operate any equipment (musical or otherwise), vehicles, or heavy machinery incident to performing business or commercial functions, or engage in any other business or commercial activity which would emit, cause to be emitted, or permit the emission of any noise in excess of the decibel dB(A) levels set forth in Table A, as measured from a point as close as possible to the outside walls of a residential structure located within a residential zoning district adversely affected by the noise at a height of four feet above the immediate surrounding surface.

Table A Noise Standards

<u>Noise Level</u>	<u>Time Period</u>
75 dB(A)	7:00am – 6:00pm, everyday
65 dB(A)	6:00pm – 9:00pm, Sun. – Thurs.
65 dB(A)	6:00pm – 10:00pm, Fri. – Sat.
55 dB(A)	9:00pm - 7:00am, Sun. night –Thurs. night
55 dB(A)	10:00pm – 7:00am, Fri. night- Sat. night

- (5) The Gallatin Zoning Ordinance shall control noise standards not specifically addressed in this section.

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

PASSED FIRST READING: June 2, 2015.

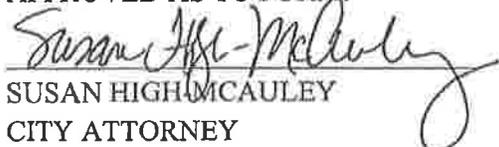
PASSED SECOND READING: June 16, 2015.

ATTEST.


CONNIE KITTRELL
CITY RECORDER


PAIGE BROWN, MAYOR

APPROVED AS TO FORM:


SUSAN HIGH MCAULEY
CITY ATTORNEY

ATTACHMENT - 2

13.02 Performance Standards Regulations

The following performance standard regulations shall apply to all uses of property as indicated in each respective district:

13.02.010 Prohibition of Dangerous or Objectionable Elements

No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition, or element in such a manner or in such amount as to adversely effect the surrounding area of adjoining premises (referred to herein as "dangerous or objectionable elements"); provided, that any use permitted or not expressly prohibited by this Ordinance may be undertaken and maintained if it conforms to the regulation of this Article limiting dangerous and objectionable elements at the point of the determination of their existence.

13.02.020 Performance Standards Regulating Noise

A. Definitions - For the purpose of this Article, the following terms shall apply:

1. **Decibel:** a unit of intensity of sound pressure. The decibel scale is a logarithmic scale of ratios of pressure with respect to a reference pressure of 0.00002 microbars. It is abbreviated as DB.
2. **Frequency:** the number of times that a sound pressure fluctuation completely repeats itself in one second of time. Frequency is designated in cycles per second and is abbreviated c.p.s.
3. **Impact Noise Analyzer:** an instrument to measure the peak sound pressure of an impact sound.
4. **Impact Sound:** a sound produced by two or more objects (or parts of a machine) striking each other, so as to be heard as separate distinct noises.
5. **Noise:** a subjective description of an undesirable or unwanted sound.
6. **Octave Band:** a band of frequencies in which the upper limit of the band is twice the lower limit.

Preferred Frequency Octave Band: these octave bands are replacing the pre-1960 octave bands. The Preferred Frequency Bands are designated by a single number which corresponds to their geometric center frequency. Nine octave bands cover the entire range of frequencies of interest of industrial noise and are described in United States America Standard Institute (USASI) Standard Number SI.6-1960.

7. **Octave Band Analyzer:** an instrument to measure octave band composition of a noise by means of bandpass filters. It shall meet all requirements of the USASI and shall be calibrated for use with Preferred Frequencies.

ATTACHMENT - 2

8. Overall Sound Level: total sound pressure level in the entire frequency spectrum between 20 and 20,000 c.p.s.
 9. Sound: rapid fluctuations of atmospheric pressure which are audible to persons.
 10. Sound Level Meter: an instrument to measure the overall sound level. It shall comply with applicable specifications of the USASI.
 11. Steady State: a noise or vibration which is continuous such as from a fan or compressor.
- B. Method of Measurement - For the purpose of measuring the intensity or frequency of sound, the sound level meter, octave band analyzer, and the impact analyzer shall be employed. The instruments to be used for these noise measurements shall conform to all current applicable USASI standards. During these measurements, the instruments shall be set on the "A" - weighted sound pressure level with the meter set for slow response.
- Impact noises shall be measured on a commercially available impact noise analyzer.
- C. Maximum Permitted Sound Levels - The maximum permitted sound pressure levels in decibels across lot lines or district boundaries shall be in accordance with the Table 13-01. This table shall be used to determine the maximum noise level, measured in A-weighted decibels, which shall be permitted at the property line of the closest use in each of the following categories.

TABLE 13-01

MAXIMUM PERMITTED SOUND LEVELS (dBA)

<u>RECEIVING LAND USE CATEGORY</u>	<u>SOUND LEVEL LIMIT</u>	
	7 p.m. - 7 a.m.	(dBA) 7 a.m. - 7 p.m.
Industrial and Agricultural	55	75
All Others	45	65

RESOLUTION RECOMMENDING APPROVAL OF ORDINANCE NO. 015XX-XX TO THE GALLATIN CITY COUNCIL AMENDING THE ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE ARTICLE 13.00 PERFORMANCE AND DESIGN STANDARDS, SECTION 13.02.020 PERFORMANCE STANDARDS REGULATING NOISE – (PC 3-720-15)

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the text amendments request submitted by the applicant, City of Gallatin Planning Department, at its regular meeting on July 27, 2015; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report, and evidence and testimony presented during 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 text amendments are in agreement and consistent with the recommendations of the General Development and Transportation Plan.
2. The proposed text zoning code amendments are necessary to provide consistency with the City Code of Ordinances, Chapter 10, Article IV, Section 10-86 thru 10-100.
3. It has been determined that the legal purposes for which zoning regulations exists are not contravened.
4. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can be justified by the public good or welfare.
5. 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 text amendment to Article 13, Section 13.02.020 to the Gallatin City Council as indicated in Exhibit ‘A’.

ATTACHMENT -3

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: 07/27/2015

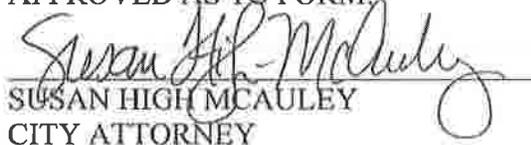


Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



SUSAN HIGH MCAULEY
CITY ATTORNEY

ATTACHMENT -3 Exhibit 'A'

ORDINANCE NO. 015XX-XX

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING ARTICLE 13.00 PERFORMANCE AND DESIGN STANDARDS, SECTION 13.02.020, PERFORMANCE STANDARDS REGULATING NOISE.

WHEREAS, THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of these amendments in GMRPC Resolution 2015-83 attached hereto as Exhibit A; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of these amendment pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance and Tennessee Code Annotated Section 13-7-203;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that Article 13.00, Performance and Design Standards, of the Zoning Ordinance of Gallatin, Tennessee is hereby amended by deleting Section 13.02.020 Performance Standards Regulating Noise in its entirety and replacing it with the following:

Section 13.02.020 Performance Standards Regulating Noise

A. *Refer to Chapter 10, Article IV, Noise*, Gallatin Municipal Code*

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE that the Gallatin City Council hereby concurs with the recommendation of the Gallatin Municipal-Regional Planning Commission as described in Exhibit A; and

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 4

SUBJECT:

Ordinance #O1508-53 of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Dunlap Junction Phase 1 and authorizing the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date., (S.B.E. Tax Map #126/ Group B/Parcels 011.00).
(PC File #3-793-15)

SUMMARY:

The owner and applicant is requesting approval of a Preliminary Master Development Plan for Dunlap Junction Phase 1 to construct a 1,921 square foot restauraunt on a 1.42 (+/-) acre parcel Planned Neighborhood Commerical (PNC). The property is located a 604 Long Hollow Pike. between Long Hollow Pike and Red River Road. Food Service is a permitted uses in the Planned Neighborhood Commercial (PNC) zone district.

On July 27, 2015 the Gallatin Municipal-Regional Planning Commission recommended approval of GMRPC Resolution 2015-99. (PC File# 3-793-15)

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR DUNLAP JUNCTION PHASE 1, AUTHORIZING THE REVISION TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property submitted a complete application for the Dunlap Junction Phase 1 Preliminary Master Development Plan on one (1) parcel, totaling 1.42 (+/-) acres, located in the City of Gallatin, Tennessee; and

WHEREAS, the property is located at 604 Long Hollow Pike, between Long Hollow Pike and Red River Road and is zoned Planned Neighborhood Commercial (PNC); and

WHEREAS, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the Dunlap Junction Phase 1 Preliminary Master Development Plan in GMRPC Resolution No. 2015-99; and

WHEREAS, a public hearing was held following public notice as prescribed by the Gallatin Zoning Ordinance and Tenn. Code Ann. Section 13-7-203; and

WHEREAS, The City Council has approved by majority vote of the members present preliminary master development plan request of the described property.

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

Section 1. The City Council of the City of Gallatin does hereby approve the Preliminary Master Development Plan as described in Exhibit 'A'.

Section 2. The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification indicating the approved preliminary master development plan.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

EXHIBIT 'A'

The Preliminary Master Development Plan for Dunlap Junction Phase 1, consists of a one (1) sheet plan prepared by Bruce Rainey and Associates of Hendersonville, TN with Project Number 150061, dated June 22, 2015 with a final revision date of July 16, 2015, and Architectural Elevations, consisting of one (1) sheet, prepared by Matchett and Associates Architects of Gallatin, TN with Project Number 1524, dated July 15, 2015, with the following conditions:

1. Remove 'Amended' from Title of Plan.
2. Provide a fire hydrant at this location.
3. Submit three (3) corrected folded copies of the Amended Preliminary Master Development Plan, including one (1) full size and two (2) half size copies, to the Planning Department.



STAFF REPORT FOR CITY COUNCIL

**Amended Preliminary Master Development Plan – Dunlap Junction
Phase 1 (Whitt's BBQ)**

(3-793-15)

604 Long Hollow Pike

Date: July 30, 2015

REQUEST: OWNER AND APPLICANT REQUEST APPROVAL OF THE PRELIMINARY MASTER DEVELOPMENT FOR DUNLAP JUNCTION PHASE 1 AND APPROVING CONSTRUCTION OF A 1,921 SQUARE FOOT RESTAURANT ON A 1.42 (+/-) ACRE PARCEL ZONED PLANNED NEIGHBORHOOD COMMERCIAL (PNC), LOCATED AT 604 LONG HOLLOW PIKE.

OWNER: STEVEN DUNLAP

APPLICANT: BRUCE RAINEY AND ASSOCIATES

STAFF RECOMMENDATION: RECOMMEND APPROVAL OF ORDINANCE NO. Ø1508-53

STAFF CONTACT: KEVIN CHASTINE, AICP

PLANNING COMMISSION DATE: JULY 27, 2015

COUNCIL COMMITTEE DATE: AUGUST 11, 2015

PROPERTY OVERVIEW: The owner and applicant request approval of a Preliminary Master Development Plan for Phase 1 of Dunlap Junction to provide for the construction of a 1,921 square foot restaurant on the 1.42 (+/-) acre parcel. The parcel is zoned Planned Neighborhood Commercial (PNC) and is located at 604 Long Hollow Pike. (Attachment 1) The applicant is requesting multiple uses that may be used for Phase 2 of Dunlap Junction. The uses are Business and Communication Service, Financial, Administrative and Consulting, Food Service, General Personal Services, General Retail Sales and Services, Automotive Parking, and Limited Retail Sales. All of these uses are permitted within the PNC zone district. The Planning Commission recommended approval of the request as indicated in GMRPC Resolution No. 2015-99. (Attachment 6)

CASE BACKGROUND:

Previous Approvals

On May 18, 2009, the Planning Commission recommended approval of a rezoning with preliminary master development plan for Carter's Junction (PC File# 3-29-08) (Attachment 3). On July 7, 2009, City Council passed Ordinance No. Ø0905-39, which rezoned the property from Commercial Services-Limited (CSL) to Planned Neighborhood Commercial (PNC) and approved the PMDP for Carter's Junction. The PMDP included a 11,200 square foot building with an accessory 2,400 square foot private garage on 1.42 (+/-) acre parcel.

Prior to approval of the Carter's Junction rezoning and PMDP, a deed for this property indicated that it was previously the site of a "dwelling house and outbuildings [were] located on said lot". (Recorded on January 14, 1942 in Deed Book 120 Page 445)

DISCUSSION:

Proposed Development

The owner and applicant are requesting approval of a Preliminary Master Development Plan for Dunlap Junction Phase 1 to construct a 1,921 square foot restaurant. (Attachment 4)

The PMDP covers the entire 1.42 (+/-) acres; however the parcel is divided into two (2) phases with the first phase (Whitt's BBQ) including the easterly half of the parcel. Phase 2 shows no site design. Phase 2 will be required to submit a separate PMDP or an amendment to the proposed plan with review by the Planning Commission and City Council.

The property is identified as a Neighborhood Center Character Area on the Gallatin on the Move 2020 Community Character Map. The existing Planned Neighborhood Commercial (PNC) zoning is consistent with the Plan.

Proposed Uses

Phase 1 will include a Whitt's BBQ restaurant; therefore, the Food Service is requested for Phase 1. The applicant requests the following uses for Phase 2: Business and Communication Service, Financial, Administrative and Consulting, Food Service, General Personal Services, General Retail Sales and Services, Automotive Parking, and Limited Retail Sales. All of these proposed uses are permitted uses within the Planned Neighborhood Commercial (PNC) zone district.

PMDP Amendment - Major

The previously approved Preliminary Master Development Plan expired in 2012 and is no longer active. Therefore, Gallatin Zoning Ordinance Section 12.02.040.A requires the Planning Commission review the new Preliminary Master Development Plan and provide a recommendation to the Mayor and Alderman.

The new PMDP differs significantly from the previously approved PMDP, since the layout of the site, including building size and location and driveway location have changed, and the property does not have an approved plan tied to the zoning. The Planning Commission considered the new PMDP for this property and recommended approval as a major amendment (See Attachment 2).

Floodplain and Floodway

No portion of this property is located within a special flood hazard area according to FIRM Panel Numbers #47165C0314G.

Buildings and Architectural Elevations

The proposed architectural elevations for Phase 1 show a one-story gable front asymmetrical building. The rectangular building plan is sheathed in 100 percent brick with a gable roof and an eave height of eight (8) feet and eight (8) inches.

The front elevation (Long Hollow Pike) contains the gable roof above a wall that contains a single entrance door to the left of the elevation and three (3) double paned fixed windows distributed evenly through the remainder of the elevation. The gable roof end is sheathed with vinyl siding. Also, slightly visible from the front location is the large rectangular brick chimney that is on the rear elevation.

The rear elevation (Red River Road) contains the gable roof above a wall that contains a centrally located exterior chimney and two (2) double fixed paned windows located on either side of the central chimney. The gable roof end is sheathed with vinyl siding.

The side elevation (Facing Phase 2) is 100 percent brick and contains a drive-thru window that is covered by a gable roof also sheathed in vinyl siding. The drive-thru window and gable roof project outward from the wall to break up the long flat expanse of brick on this elevation.

The side elevation (Facing Keystop Gas Station) is also 100 percent brick and contains a single double fixed pane window at the left of the elevation directly adjacent to a single entrance door. A double door is placed just right of center along this elevation to permit deliveries to the rear of the restaurant.

As submitted these architectural elevations exceed the masonry requirement in Section 13.08.010.A of the Gallatin Zoning Ordinance. The Planning Commission approved the proposed architectural elevations. Final architectural elevations will be provided with the Final Master Development Plan. (Attachment 5)

Waste Disposal

The PMDP indicates a dumpster enclosure to be located at the northeast corner of Phase 1, approximately 30 feet from Red River Road right-o-way. The dumpster enclosure is screened with a heavily landscaped buffer of 12 evergreen shrubs and an enclosure. The applicant has not provided any details or architectural elevations of the dumpster enclosure. This will be provided with the Final Master Development Plan. The dumpster enclosure shall comply with Municipal Code Section 14-14.a.

Bufferyard and Landscaping

Type 15, 20, and 30 bufferyards are required on this site. The applicant has shown the required Type 15 bufferyard along the eastern and northern property boundaries (adjacent to Red River Road) and the Type 20 bufferyard along the southern property boundary. The applicant is requesting an alternative Type 30 bufferyard on the west and northwest property boundary.

The Alternative Type 15 Bufferyard is 15 feet in width with only one (1) ornamental tree planted every 60 feet instead of two (2) ornamental trees. The request is being made due to an existing fence along the property boundary.

The Alternative Type 30 bufferyard contains all required landscape material, but does not contain an opaque barrier as required by Section 13.04.090.E. The Type 30 bufferyard is required because the adjacent property is zoned Residential-15, but is used as a Place of

Worship. This bufferyard is part of Phase 2 of Dunlap Junction; therefore this bufferyard will be part of the PMDP and FMDP for Phase 2, which will be reviewed in the future.

The plan also meets or exceeds all interior parking landscape requirements and parking lot screening requirements and provides additional landscape screening around the HVAC unit and dumpster enclosure.

The Planning Commission approved the proposed bufferyards and landscaping plan as submitted. The final landscaping plan will be submitted with the Final Master Development Plan.

Mechanical Equipment Screening

The HVAC units are proposed to be located on the ground along the rear (north) elevation of the restaurant. The applicant has shown landscape screening to buffer the view of the HVAC units from the adjacent drive-thru lane and Red River Road.

Parking

Parking requirements are based on the use of the property. Phase 1 of Dunlap Junction, only has one (1) use, which is Food Service. The Food Service use requires one (1) parking space for every four (4) seats within the restaurant. The PMDP indicates the proposed restaurant has a seating capacity of 25, which would require seven (7) parking spaces. The plan indicates 14 parking spaces, including one (1) handicapped parking space.

The PMDP exceeds the required number of parking spaces as required in Gallatin Zoning Ordinance Section 11.03 and meets the required handicap accessible parking space as required in Gallatin Zoning Ordinance Section 11.07.

Access and Right-of-Way

The parcel has road frontage on both Long Hollow Pike and Red River Road. Due to this, the applicant is requesting two (2) full access points – one on Long Hollow Pike and one on Red River Road. Both access points are proposed as 24 foot wide full access driveways. The Long Hollow Pike driveway is located to align with South Maple Avenue and the Red River Road access is placed to meet driveway access separation requirements from the adjacent gas station to the southeast.

Signage

A monument sign, with the required five (5) foot setback, is proposed next to the Long Hollow Pike driveway. No sign details or proposed designs are provided with the PMDP. Sign plans will be provided with the Final Master Development Plan. A sign permit shall be required prior to the construction of any signage on site.

Planning Department Comments

The Planning Department reviewed and commented on the Site Plan. The applicant satisfactorily addressed most of the Planning Department comments. Other minor conditions are included in the draft Ordinance (Attachment 6).

Engineering Division Comments

The Engineering Division reviewed and commented on the Site Plan. The applicant satisfactorily addressed the Engineering Division comments.

Other Departmental Comments

Other City Departments reviewed and commented on the Site Plan. The applicant satisfactorily addressed most of the Other Departmental comments. On (1) condition requiring a fire hydrant is included in the draft Ordinance (Attachment 6).

Findings:

1. The Preliminary Master Development Plan, with conditions of approval, is consistent with the Gallatin on the Move 2020 Plan and the Neighborhood Center Character Area designation of the property.
2. The owner/applicant submitted a completed application with required attachments to the City requesting approval of the Preliminary Master Development Plan as required by Sections 12.02.010 B. and 15.07.030 of the Gallatin Zoning Ordinance.
3. The Preliminary Master Development Plan is consistent with the purpose and intent of the Planned Neighborhood Commercial (PNC) zoning district and complies with the use, restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zoning district. The proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance.
4. The property has adequate public utilities, infrastructure and private or municipal services necessary to serve the preliminary master development plan or such necessary services and facilities will be provided upon development of the property.
5. The Preliminary Master Development Plan will be compatible with surrounding uses and will protect the public health, safety and welfare and will not be injurious to other property or improvements in the area in which the property is located. The proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance.

RECOMMENDATION:

The Planning Commission and staff recommend approval of Ordinance O15Ø8-53.

ATTACHMENTS

- Attachment 1 Location Map**
- Attachment 2 Ordinance O1508-53**
- Attachment 3 PMDP for Carter’s Junction (PC File# 3-29-08)**
- Attachment 4 Dunlap Junction - Preliminary Master Development Plan**
- Attachment 5 Architectural Elevations**
- Attachment 6 GMRPC Resolution No. 2015-99**



Location Map
Dunlap Junction (Formerly Carter's Junction)
Preliminary Master Development Plan
PC File# 3-793-15

Prepared By: Kevin Chastine, AICP
Prepared On: July 20, 2015

ATTACHMENT 6

GMRPC Resolution No. 2015-99

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR DUNLAP JUNCTION, APPROVING CONSTRUCTION OF A 1,921 SQUARE FOOT RESTAURANT, ON A 1.42 (+/-) ACRE PARCEL, LOCATED BETWEEN LONG HOLLOW PICK AND RED RIVER ROAD AT 604 LONG HOLLOW PIKE. (3-793-15)

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

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Master Development Plan submitted by the applicant, Bruce Rainey and Associates, at its regular meeting on July 27, 2015, and

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

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

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to Tennessee Code Annotated §13-3-310, §13-4-310, §13-7-201, and §13-7-202:

1. The Preliminary Master Development Plan is consistent with the Gallatin on the Move 2020 Plan and the Neighborhood Center Character Area designation of the property.
2. The owner/applicant has submitted a completed application with required attachments to the City requesting approval of the Preliminary Master Development Plan as required by Sections 12.02.010 B. and 15.07.030 of the Gallatin Zoning Ordinance.
3. The Preliminary Master Development Plan is consistent with the purpose and intent of the Planned Neighborhood Commercial (PNC) zoning district and complies with the use, restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zoning district.
4. The property has adequate public utilities, infrastructure and private or municipal services necessary to serve the preliminary master development plan or such necessary services and facilities will be provided upon development of the property.

5. The Preliminary Master Development Plan will be compatible with surrounding uses and will protect the public health, safety and welfare and will not be injurious to other property or improvements in the area in which the property is located. The proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby approves the Preliminary Master Development Plan for Dunlap Junction Phase 1, consisting of a one (1) sheet plan prepared by Bruce Rainey and Associates of Hendersonville, TN with Project No. 150061, dated June 22, 2015 with a final revision date of July 16, 2016, and Architectural Elevations, consisting of one (1) sheet for Whitt’s BBQ, prepared by Matchett and Associates Architects of Gallatin, TN with Project No. 1524 and Job No. 150061, dated July 15, 2015, with the following conditions of approval:

1. Remove ‘Amended’ from Title of Plan.
2. Provide a fire hydrant at this location.
3. Submit three (3) corrected folded copies of the Amended Preliminary Master Development Plan, including one (1) full size and two (2) half size copies, to the Planning Department.

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

IT IS SO ORDERED.
PRESENT AND VOTING

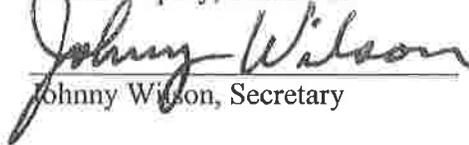
AYE: 7

NAY: 0

DATED: 7/27/15

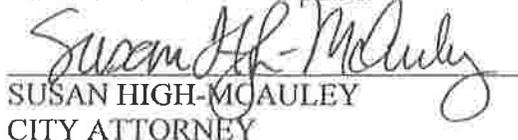


Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



SUSAN HIGH-MCAULEY
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: Human Resources

AGENDA # 5

SUBJECT:

Codes Inspector I/II/III

SUMMARY:

Council approval is requested for this job description.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION APPROVING NEW JOB DESCRIPTION FOR CODES INSPECTOR I, II, and III FOR BUILDING CODES DEPARTMENT

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the new consolidated job description attached hereto be approved and ordered implemented into the City of Gallatin Personnel Classification System.

Codes Inspector I	Pay Grade GM
Codes Inspector II	Pay Grade GO
Codes Inspector III	Pay Grade GR

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY, CITY ATTORNEY

TITLE: Codes Inspector I/II/III
PG: GM/GO/GR (depending on minimum qualifications)
DEPARTMENT: Codes
REPORTS TO: Codes Administration Director

PURPOSE OF POSITION:

The purpose of this position is to perform intermediate technical work in the inspection of residential, commercial, industrial, and public facilities for compliance with mechanical codes, and other ordinances. May be assigned specific inspection areas, and other duties per position.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

1. Performs field inspections of residential, commercial, industrial, and public facilities for compliance with plumbing and mechanical codes, and other ordinances.
2. Conducts building, health code and related inspections.
3. Prepares and maintains inspection records and files.
4. Receives and investigates complaints regarding non-compliant construction and inspects existing buildings for hazardous conditions or systems failure.
5. Receives and resolves complaints regarding defective construction and handles enforcement issues.
6. Researches manufacturing specs for compliance with standards. Communicates findings.
7. Inspects existing buildings for hazardous conditions, structural failure.
8. Reports hazardous or life threatening conditions to the Building Official and assists with the complaint as assigned.
9. Receives applications, issues and maintains file of various permits and maintains appropriate records.
10. Where construction is not in compliance with regulations as to methods and/or materials, works with the builder to bring the construction into compliance, and issues warnings and stop-work orders if necessary.
11. Answers questions and provides assistance to private citizens, contractors, and builders. Provides code interpretations.
12. Checks plans to verify code compliance.
13. Prepares cases for the Board of Adjustments and Appeals.
14. Testifies in court on code violation cases or before the Construction Board of Adjustments and Appeals.
15. Compiles reports, prepares and maintains records regarding inspections.
16. Assists with plan reviews for determining codes, standards, and life safety standard compliance.
17. Compiles reports, data, and photographic evidence as required for meetings of the Board of Adjustments and Appeals.
18. Assists with various other types of inspections where required.
19. Performs related tasks as required.

MINIMUM QUALIFICATIONS:

Codes Inspector I

High School Diploma/Equivalent. Must have 5 years recent construction related experience. Must obtain two (2) building/commercial certifications as identified by the City.

Valid driver's license.

Codes Inspector II

Must meet all qualifications of Code Inspector I

Must have three (3) or more building/commercial certifications as identified by and beneficial to the City.

Codes Inspector III

Must meet all qualifications of Code Inspector II.

Must also be a master plumber and/or master electrician. Must meet TN requirements for plumbing, mechanical, and/or electrical.

KNOWLEDGE, SKILLS AND ABILITIES:

- Based on certifications, knowledge of mechanical installations, materials and methods and stages of construction when possible violations and defects may be most easily observed and corrected.
- Based on certifications, knowledge of building construction materials and methods and stages of construction when possible violations and defects may be most easily observed and corrected.
- Based on certifications, knowledge of plumbing & mechanical materials and methods and stages of construction when possible violations and defects may be most easily observed and corrected.
- Ability to detect poor workmanship, inferior materials, and hazards of fire and collapse, plumbing, and mechanical systems.
- General knowledge with State and City building and related codes, laws and ordinances.
- Ability to read and interpret plans, specifications and blueprints accurately and to compare them with construction in process.
- Ability to contact building owners, contractors and the public and effect satisfactory working relationships.
- Firmness and tact in enforcing mechanical ordinances and codes.
- Ability to establish and maintain effective and professional working relationships with vendors, finance staff, other department heads and governmental officials.
- General knowledge of current office practices and procedures and knowledge of the operation of standard office equipment and softwares.
- Ability to prepare and maintain accurate and concise records and reports.
- Ability to understand and effectively carry out verbal and written instructions.
- Ability to communicate effectively with other members of the staff, supervisor, and the public.
- Ability to communicate in both written and verbal form.
- Ability to develop, interpret and implement local policies and procedures; written instruction; general correspondence; Federal, State, and local regulations.
- Ability to define problems and deal with a variety of situations.
- Ability to think quickly, maintain self-control, and adapt to stressful situations.
- Ability to maintain discretion regarding business-related files, reports and conversations, within the provision of open records law and other applicable State and Federal statutes and regulations.
- Organizational and time management skills needed to meet deadlines.
- Must have ability to work accurately with attention to detail.
- Ability to maintain confidentiality.
- Ability to work the allocated hours of the position.

PHYSICAL REQUIREMENTS

This is medium work requiring the exertion of 50 pounds of force occasionally, up to 20 pounds of force frequently, and up to 10 pounds of force constantly to move objects; work requires climbing, balancing, stooping, reaching, standing, walking, fingering, grasping, and feeling; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, use of measuring devices, operation of motor vehicles or equipment, determining the accuracy and thoroughness of work, and observing general surroundings and activities.

WORK ENVIRONMENT

Work is often in an office setting. However, the employee is subject to outside environmental conditions including, extreme cold, extreme heat, noise, vibration, hazards, atmospheric conditions, dust/dirt, grease/oils, paint fumes, moving parts of machinery and extreme weather conditions both hot and cold.

In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: Councilman Overton

AGENDA # 4

SUBJECT:
Time & Attendance Program

SUMMARY:
Councilman Overton asked that an update on the time & attendance program be provided at this meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 11, 2015

DEPARTMENT: Councilman Overton

AGENDA # 7

SUBJECT:
Holiday Leave

SUMMARY:
Discussion regarding the use of Holiday Leave.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes: