CITY OF GALLATIN
COUNCIL MEETING

January 21, 2014 **6:00 pm** **Dr. J. Deotha Malone Council Chambers**

- Call to Order – Mayor Jo Ann Graves
- Invocation
- Pledge of Allegiance – Councilman Hayes
- Roll Call: Vice Mayor Alexander – Brackenbury – Camp – Hayes – Kemp – Mayberry – Overton
- Approval of Minutes: January 7, 2014
- Public Recognition on Agenda Related Items
- Mayor's Comments

AGENDA

1. **Public Hearing-Ordinance No. O1312-69** amending the official zoning map, reaffirming the Planned General Commercial (PGC) and Residential- 6 (R6) District Zoning on four (4) parcels, consisting of 212 (+/-) acres, (comprising S.B.E tax map 124//parcels 046.08, 046.01, 046.02, and 046.03), located east of Lower Station Camp Creek Road, north of Bison Trail and east of Big Station Camp Boulevard, and amending the Preliminary Master Development Plan for the Hidden Creek Development by modifying phase lines for all of the Hidden Creek Development and the Welch College Campus layout and access points. **(Councilman Hayes)**

2. **Second Reading Ordinance No. O13Ø9-45** amending zoning ordinance of the City of Gallatin, Tennessee by amending Multiple Residential and Office (MRO) Zone District to Planned Neighborhood Commercial (PNC) Zone District- Tiger Management Group LLC, Owner(s)-3.00(+/-) acres-S.B.E Tax Map 126I/B/008.00-located on the south side of Nashville Pike, west of Lock 4 Rd at 921 Nashville Pike **(Councilman Overton)**

3. **Second Reading Ordinance No. O1311-68** appropriating donation and grant revenues of 2012/2013 carryover projects **(Councilman Mayberry)**

4. **Second Reading Ordinance No. O1312-7Ø** appropriating funds for completion of infrastructure improvements in Fairvue Plantation and Foxland Subdivisions **(Councilman Hayes)**

5. **Second Reading Ordinance No. O1312-71** appropriating funds from business donations totaling $849.96 **(Councilman Overton)**

6. **Second Reading Ordinance No. O1312-72** to vacate right-of-way on West Jackson Street, between Lot 50 of Lincoln Park Subdivision, 659 North Council Avenue and Lot 51 of Lincoln Park Subdivision, 651 North Council Avenue to Bobby Reed and Cameron Leggo, and Robert Helson and Daniel Hurst **(Councilman Alexander)**

7. **Second Reading Ordinance No. O1312-73** appropriating $5,000 in funds from revenue received by the Gallatin Human Resources Department in the form of a wellness initiative grant from BlueCross BlueShield of Tennessee **(Councilwoman Brackenbury)**

8. **First Reading Ordinance No. O14Ø1-1** appropriating funds for completion of infrastructure improvements in Foxland Subdivision **(Councilman Hayes)**

9. **First Reading Ordinance No. O14Ø1-3** appropriating $150,000 from various sources for rail road crossing signalization on Airport Road at Steam Plant Road **(Councilman Camp)**

10. **First Reading Ordinance No. O14Ø1-4** requiring qualified voters domiciled outside the city limits of Gallatin who hold a bona fide freehold interest in the City, to vote by mail **(Councilman Mayberry)**

11. **Resolution No. R14Ø1-1** appointing _____ Building Official and establishing initial salary **(Councilwoman Brackenbury)**

12. **ABC Rail Spur Agreement**-Ordinance to be provided at meeting by City Attorney

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

City of Gallatin
City Council Meeting

January 7, 2014

The Gallatin City Council met in regular session on Tuesday, January 7, 2014, in the Dr. J. Deotha Malone Council Chambers Gallatin City Hall. Mayor Jo Ann Graves called the meeting to order at 6:00 P.M. Councilman Ed Mayberry led the opening prayer and Councilman Craig Hayes led the Pledge of Allegiance.

City Recorder Connie Kittrell called the roll and the following were present:

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

Others Present

Billy Crook, Fire Chief
Ronnie Stiles, Public Works Director
David Gregory, Public Utilities Director
Debbie Johnson, Human Resource Director
Don Bandy, Police Chief
Connie Kittrell, City Recorder
Rosemary Bates, Special Projects Director
Joe Thompson, City Attorney
David Brown, Leisure Services Dir.
Rachel Nichols, Finance/IT Dir.
Nick Tuttle, City Engineer
Bill McCord, City Planner
News Examiner, Reporter
James Fenton, EDA Director

Approval of Minutes

Mayor Graves presented the minutes of the December 3, 2013 Council Meeting for approval. Councilwoman Kemp made motion to approve; Councilman Overton second. Motion carried with 7 ayes and 0 nays.

Public Recognition on Agenda Related Items

Mayor Graves opened public recognition on agenda related items and with no one wishing to speak, Mayor closed public recognition.

Mayor's Comments

- Mayor Graves reminded elected officials of filing the Statement of Interest to the State of Tennessee by January 31, 2014

- Martin Luther King March will be January 20, 2014 beginning at City Hall and ending at Rucker Stewart School

- Nashville Mayor Karl Dean visited and toured Gallatin today

Agenda

1. Ordinance #O1311-68 First Reading

Councilman Mayberry presented this ordinance appropriating donation and grant revenues of 2012/2013 carryover projects.

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

2. Ordinance #O1312-69 First Reading

Councilman Hayes presented this ordinance amending the official zoning map, reaffirming the Planned General Commercial (PGC) and Residential 6 (R6) District Zoning on four (4) parcels, consisting of 201 (+/-) acres comprising S.B.E Tax Map 124//parcels 046.08, 046.01, 046.02, and 046.03, located east of Lower Station Camp Creek Road, north of Bison Trail and east of Big Station Camp Boulevard, and amending the Preliminary Master Development Plan for the Hidden Creek Development by modifying phase lines for all of the Hidden Creek Development and the Welch College Campus layout and access points.

Councilman Hayes made motion to approve; Councilman Mayberry second.

There was much discussion.

Mayor called for the vote. Motion carried with 7 ayes and 0 nays.

3. Ordinance #O1312-70 First Reading

Councilman Hayes presented this ordinance appropriating funds for completion of infrastructure improvements in Fairvue Plantation and Foxland Subdivision.

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

4. Ordinance #O1312-71 First Reading

Councilman Overton presented this ordinance appropriating funds from business donations totaling $849.96.

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

5. Ordinance #O1312-72 First Reading

Vice Mayor Alexander presented this ordinance to vacate right-of-way on West Jackson Street, between Lot 50 of Lincoln Park Subdivision, 659 North Council Avenue and Lot 51 of Lincoln Park Subdivision, 651 North Council Avenue to Bobby Reed and Cameron Leggo and Robert Helson and Daniel Hurst.

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

6. Ordinance #O1312-73 First Reading

Councilwoman Brackenbury presented this ordinance appropriating $5,000 in funds from revenue received by the Gallatin Human Resources Department in the form of a wellness initiative grant from BlueCross BlueShield of Tennessee.

Councilwoman Brackenbury made motion to approve; Vice Mayor Alexander second. Motion carried with 7 ayes and 0 nays.

Other Business

Mayor Graves called for other business.

Councilman Overton discussed Charles Stewart's withdrawal and reinstatement for the position as the Building Official.

Councilman Overton made motion to reinstate Charles Stewart as the Building Official; Vice Mayor Alexander second.

Councilman Mayberry stated Addam McCormick would also like to be reconsidered for the position of Building Official.

Councilman Mayberry offered Addam McCormick's name as a candidate for the Building Official.

City Attorney Joe Thompson explained the process and stated all previous motions should be withdrawn and nominations accepted.

All previous motions and seconds were withdrawn.

Councilman Overton nominated Charles Stewart for the Building Official position.

Councilman Mayberry nominated Addam McCormick for the Building Official position.

There was much discussion by Council on this position.

Councilwoman Kemp made motion to postpone to next week's Committee Meeting; Councilman Camp second.

Councilwoman Brackenbury motioned to have Charles Stewart present at that meeting to answer any questions of the Council.

Mayor called for the vote on motion to postpone and have both candidates present. Motion carried with 7 ayes and 0 nays.

Finance/IT Director Rachel Nichols provided Council with a copy of the audit. Ms. Nichols stated the auditors will be present at the next Committee Meeting to discuss the audit in detail.

Councilman Overton requested Personnel Rule 4.4 be placed on the agenda for discussion at the next Committee Meeting.

Mayor Graves announced the creation and appointed members of a Downtown Study Committee.

Leisure Services Director David Brown requested Council review the policy on emergency closings of City Hall and Civic Center. Mr. Brown stated he closed the Civic Center on Monday due to weather conditions and he has employees that will have to use vacation or comp time or not get paid.

Councilwoman Brackenbury stated the new Facebook page for the Civic Center has doubled hits in two days. Ms. Brackenbury also reminded everyone that the Historic Palace Theater will start showing movies, beginning with "Saving Mr. Banks".

Public Recognition on Non-Agenda Related Items

Mayor called for public recognition on non-agenda related items and there was none.

Adjourn

With no other business to discuss, the meeting was adjourned.

Mayor Jo Ann Graves	City Recorder Connie Kittrell

PUBLIC HEARING: JANUARY 21, 2014

SECOND READING: FEBRUARY 4, 2014

ORDINANCE NO. O1312-69

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, AMENDING THE OFFICIAL ZONING MAP, REAFFIRMING THE PLANNED GENERAL COMMERCIAL (PGC) AND RESIDENTIAL– 6 (R6) DISTRICT ZONING ON FOUR (4) PARCELS, CONSISTING OF 212 (+/-) ACRES,(COMPRISING S.B.E. TAX MAP 124//PARCELS 046.08, 046.01, 046.02, and 046.03), LOCATED EAST OF LOWER STATION CAMP CREEK ROAD, NORTH OF BISON TRAIL AND EAST OF BIG STATION CAMP BOULEVARD, AND AMENDING THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE HIDDEN CREEK DEVELOPMENT BY MODIFYING PHASE LINES FOR ALL OF THE HIDDEN CREEK DEVELOPMENT AND THE WELCH COLLEGE CAMPUS LAYOUT AND ACCESS POINTS.

WHEREAS, the Gallatin Municipal-Regional Planning Commission considers the proposed change as a major amendment to the Hidden Creek Development Preliminary Master Development Plan and reaffirms the Conditional Use Permit approval consistent with Section 06.08.020 C., Section 03.06.070 B and Section 15.06.050 I. of the Gallatin Zoning Ordinance; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of the Amended Preliminary Master Development Plan in GMRPC Resolution No. 2013-88, 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; and

WHEREAS, upon first reading of the Ordinance the City Council made non-substantial modifications to the conditions of approval of the Planning Commission's recommendation that results in only minor material changes to the Preliminary Master Development Plan which are made a part of this Ordinance.

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

1. The Gallatin City Council hereby concurs with recommendations of the Gallatin Municipal-Regional Planning Commission as described in Exhibit A, and imposes those recommendations as conditions of approval with modifications to this Amended Preliminary Master Development Plan as described in Exhibit B; and
2. That after review of the actions of 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 Amended Preliminary Master Development for Hidden Creek, is hereby approved with the conditions as described in Exhibit B.

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: January 7, 2014

PASSED SECOND READING:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON
CITY ATTORNEY

EXHIBIT B
(As presented at the First Reading)

1. Label the location of the proposed entrance signs on the preliminary master development plan.
2. Provide information sheets, with the Amended Preliminary Master Development Plan, for the proposed light poles and any wall mounted lighting that is being proposed for the buildings.
3. Show and label the R6 zone district yard lines on Sheet 5A.
4. Add a site data table to Sheet 5A of the Preliminary Master Development Plan that includes required yard setback lines (R6 zoning), required minimum building setbacks from Bison Trail, Lower Station Camp Creek road and proposed Jenkins Lane, the existing (Agricultural and Vacant) and proposed use (community education), ground coverage, floor area, and building heights.
5. Provide a separate sheet listing the surrounding property owners. (The list on Sheet 2 is no longer correct.)
6. Label the surrounding zoning on Sheet 5A, on all sides of Welch College, including across Lower Station Camp Creek Road.
7. Clearly show recommendations of traffic impact study and address comments regarding traffic impact study as identified in previously sent emails and meetings of 11-18-13 and 11-19-2013. (Attachment 6-6)
8. Provide 6' wide sidewalks along Bison Trail and along Lower Station Camp Creek Road, unless provided by others per condition #12 below.
9. Label existing and proposed roadway and ROW widths.
10. Provide right-of-way on Bison Trail per *Gallatin on the Move 2020* plan for future improvements. Width of R.O.W. shall be wide enough for the existing median, four (4) roadway travel lanes, 5 foot minimum bicycle lane, 5 foot grass strips, 6 foot sidewalks, and drainage infrastructure.
11. Indicate the location of the proposed Station Camp Greenway along Lower Station Camp Creek Road extending along the westerly boundary of the site from the northwest corner of the property to the southwest corner of the property.
12. Prior to the issuance of building permits for Phase 2 or Phase 3 located west of Big Station Camp Boulevard, the Jenkins Lane extension shall be completed.
13. Submit roadway construction types to determine the ability to support emergency vehicles.

PROPOSED EXHIBIT B

1. Development shall be consistent with the Preliminary Master Development Plan for Welch College - Hidden Creek consisting of a 7 sheet plan, with project No. 13-011-01, dated November 14, 2013 and with revision date of December 3, 2012 (sic), prepared by Civil Design Consultants, LLC of Nashville TN and the 7 sheet architectural rendering plan for Welch College, prepared by Design Development Architects, dated November 13, 2013 and November 14, 2013, with the below listed changes:

    a. Label the location of the proposed entrance signs on the preliminary master development plan.
    b. Provide information sheets for the proposed light poles and any wall mounted lighting that is being proposed for the buildings.
    c. Show and label the R6 zone district yard lines on Sheets 4 and 5.
    d. Add to the site data table on Sheet 5 to include information on the existing use (Agricultural and Vacant) and proposed use (Community Education), ground coverage, floor area, and building heights.
    e. Provide a separate plan sheet listing the surrounding property owners.
    f. Label the surrounding zoning on Sheet 2, on all sides of Welch College, including across Lower Station Camp Creek Road.
    g. Clearly show recommendations of traffic impact study and address comments regarding traffic impact study as identified in previously sent emails and meetings of 11-18-13 and 11-19-2013.
    h. Provide 6' wide sidewalks along Bison Trail and along Lower Station Camp Creek Road, unless provided by others per condition #j below.
    i. Label existing and proposed roadway and ROW widths on Sheets 4 and 5.
    j. Indicate the location of the proposed Station Camp Greenway along Lower Station Camp Creek Road, to be constructed by Sumner County, extending along the westerly boundary of the site from the northwest corner of the property to the southwest corner of the property.

2. Provide right-of-way on Bison Trail per *Gallatin on the Move 2020* plan for future improvements. Width of R.O.W. shall be wide enough for the existing median, four (4) roadway travel lanes, 5 foot minimum bicycle lane, 5 foot grass strips, 6 foot sidewalks, and drainage infrastructure.
3. The owners/developers will dedicate land and construct a 64 foot wide right-of-way for the extension of Jenkins Lane across the subject property as shown on the Preliminary Master Development Plan. Additionally, the owners/developers will reserve to the municipality land that comprises a 25 foot private right-of-way ("POW") that is between the right-of-way for the extension of Jenkins Lane and the southern boundary line of Phase Three of the Stone Creek Subdivision as more particularly described in Plat Book 22, Page 244 R.O.S.C. In the event that the owners/developers are unable to obtain a release and abandonment of the POW from all parties that may have an interest in the POW then the dedication and construction for the extension of Jenkins Lane shall be as provided as follows:

    The developer(s) of Hidden Creek shall record a subdivision plat for the Jenkins Lane extension and post a performance bond for the construction of the roadway from Lower Station Camp Creek Road to Big Station Camp

Boulevard prior to the issuance of building permits for Phase 2 or Phase 3 located west of Big Station Camp Creek Boulevard.

4. Submit information on roadway construction types to determine the ability to support emergency vehicles.

GMRPC Resolution No. 2013-88

A RESOLUTION OF THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION APPROVING A MAJOR AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE HIDDEN CREEK DEVELOPMENT, CONSISTING OF 212 (+/-) ACRES LOCATED BETWEEN LOWER STATION CAMP CREEK ROAD AND BIG STATION CAMP BOULEVARD NORTH OF BISON TRAIL – TO AMEND THE SITE LAYOUT FOR THE WELCH COLLEGE CAMPUS, AND CHANGE THE OVERALL PHASING OF THE DEVELOPMENT — (PC0199-13)

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Amended Preliminary Master Development Plan submitted by the applicant, Civil Design Consultants, at its regular meeting on November 25th, 2013; 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 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 § 13-3-104 and 13-4-103 and 13-4-104:

1. This Amended Preliminary Master Development Plan is in agreement and consistent with the intent and recommendations of the General Development and Transportation Plan for the area, and in particular the College Character Area.

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

3. It has been determined that the zoning amendment will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.

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 a major amendment to the

EXHIBIT A

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

1. Planning Commission consider the proposed changes as a major amendment to the Preliminary Master Development Plan.
2. Planning Commission must reconsider and vote on the conditional use permit with the revised PMDP.
3. Planning Commission shall make a determination if the proposed architectural elevations for the student activities center meet the standards for an alternative architectural plan under Section 13.08.010.D of the Gallatin Zoning Ordinance.
4. Staff, and specifically the zoning administrator, needs the applicant to provide the parking ratios used in determining the proposed number of parking spaces. Staff may require additional parking to be shown on the Preliminary Master Development Plan if the zoning administrator determines additional parking is required.
5. Provide a master sign package, per Section 13.07.085.C as part of the Final Master Development Plan.
6. Label the entrance signs on this plan.
7. A full photometric plan shall be required at the Final Master Development Plan stage for Phase 1 of Welch College.
8. Provide information sheets, with the Amended Preliminary Master Development Plan, for the proposed light poles and any wall mounted lighting that is being proposed for the buildings.
9. Add a site data table to Sheet 5A of the Preliminary Master Development Plan that Includes required yard lines (R6 zoning), required minimum building setback on bison trail, the existing (Agricultural and Vacant) and proposed use (community education), ground coverage, floor area, and building heights.
10. Provide property dimensions for the eastern property boundary of the college, and make the dimensions on the southern property boundary legible.
11. Provide a separate sheet listing the surrounding property owners. (The list on Sheet 2 is no longer correct.)
12. Label the surrounding zoning, on Sheet 5A, on all sides of Welch College, including across Lower Station Camp Creek Road.
13. Provide a label for each of the dumpster locations on Sheet 5A and Sheet 6.
14. Label Sheet 2 and 7 as part of the previously approved Preliminary Master Development Plan.
15. Show and label the R6 zone district yard lines on Sheet 5A.
16. Label a Type 25 Bufferyard along the eastern property boundary of Phase 1 for the college.
17. Show a pair of flowering trees between each canopy tree along the eastern property boundary of Phase 1 of the college in order to meet the requirements of a Type 25 bufferyard.
18. Add a note that all roofs will be architectural dimensional shingles.
19. Label that the baseball and softball fields will be surrounded with fencing.
20. List the size of a standard disabled permit parking spaces on Sheet 5A.

EXHIBIT A

21. The relocation of the floodplain shall be shown, in detail, on the Final Master Development Plan for Welch College Phase 1.
22. Provide sidewalk along Bison Trail. Clearly show and label the 6' sidewalk along Bison Trail extending from the eastern property line to Lower Station Camp Road.
23. Label existing and proposed roadway and ROW widths.
24. Show/label area reserved for stormwater facilities to treat/detain project stormwater.
25. Clearly show recommendations of traffic impact study and address comments regarding traffic impact study as identified in previously sent emails and meeting 11-18 and 11-19-2013. (Attachment 6-6)
26. Provide right-of-way on Bison Trail per *Gallatin on the Move 2020* plan for future improvements. Width of R.O.W. shall be wide enough for the existing median, four (4) roadway travel lanes, 5 foot minimum bicycle lane, 5 foot grass strips, 6 foot sidewalks, and drainage infrastructure.
27. Add note: *Prior to issuance of building permits in Phase 2 or Phase 3 west of Big Station Camp Boulevard, Jenkins Lane extension shall be completed.* (See bottom of Page 5).
28. Show and label the location of the future improvements consistent with the construction plans for the Station Camp Greenway.
29. Submit roadway construction types to determine the ability to support emergency vehicles.
30. All applicable fire codes shall be followed.
31. Submit 14 corrected folded copies of the Amended Preliminary Master Development Plan to the Planning Department for distribution to City Council on Friday, December 6th, 2013.

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: 0

DATED: 11/25/13

Dick Dempsey

Dick Dempsey, Chairman

Johnny Wilson

Johnny Wilson, Secretary

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

ITEM 6

PLANNING DEPARTMENT STAFF REPORT

Amended Preliminary Master Development Plan for Welch College (PC0199-13)
Lower Station Camp Creek Road, Bison Trail and Big Station Camp Boulevard
Date: November 14, 2013

PUBLIC COMMENT

REQUEST: APPLICANT REQUESTS APPROVAL TO AMEND THE HIDDEN CREEK PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) SITE LAYOUT FOR WELCH COLLEGE (FORMALLY FREE WILL BAPTIST BIBLE COLLEGE), AND CHANGE THE PHASING OF THE ENTIRE HIDDEN CREEK DEVELOPMENT.

OWNER:	**WELCH COLLEGE**
APPLICANT:	**CIVIL DESIGN CONSULTANTS (JARED GRAY)**
STAFF RECOMMENDATION:	**RECOMMEND APPROVAL WITH CONDITIONS TO CITY COUNCIL**
STAFF CONTACT:	**KEVIN CHASTINE**
PLANNING COMMISSION DATE:	**NOVEMBER 25, 2013**
CITY COUNCIL DATE:	**DECEMBER 10, 2013**

PROPERTY OVERVIEW: **The owner and applicant are requesting approval of an Amended Preliminary Master Development for the Hidden Creek Development to show the amended site layout for Welch College and change the phasing of the entire Hidden Creek development. The properties contain 212 (+/-) acres and are located between Lower Station Camp Creek Road and Big Station Camp Creek Boulevard, north of Bison Trail and south of the future extension of Jenkins Lane.**

CASE BACKGROUND:

Previous Approvals

The Planning Commission approved a Preliminary Master Development Plan for the property known as Station Camp Area 4 (formerly knows as Franklin Farms) at the September 27, 2004 meeting (PC File #3-20-04). That plan rezoned Tract 1 containing 59.725 (+/-) acres to Residential-15 Planned Residential Development (R15 PRD), Tract 2 containing 213.553 (+/-) acres to Planned General Commercial (PGC), Tract 3 containing 105.546 (+/-) acres to Residential-6 (R6), and Tract 4 containing 29.396 (+/-) acres to Residential-6 (R6) for a total of 408.22 (+/-) acres, located on the northeast side of Big Station Camp Boulevard.

Also, at the September 27, 2004 meeting, the Planning Commission also approved a Plan of Service and an Annexation request for the subject property (PC File #6-4-04 and PC File #6-3-04 respectively).

EXHIBIT A

Since that project was over 100 acres, the applicant was exempt from the requirements of a detailed Preliminary Master Development Plan. The Preliminary Master Development Plan for the Station Camp Area 4 project was approved at Second Reading at November 5, 2004 City Council meeting. The Plan of Service and Annexation Second Reading was approved at the November 5, 2004 City Council meeting.

The Planning Commission recommended approval of the Preliminary Master Development Plan for The Groves at the July 25, 2005 meeting (PC File #3-7-05). The Groves Preliminary Master Development Plan called for 412 townhomes, 84 brownstones, 74 cottage homes, and 410 apartments on Tract 3 containing 105.546 (+/-) acres and Tract 4 containing 29.396 (+/-) acres located on Big Station Camp Boulevard. The Preliminary Master Development Plan for that project was approved at Second Reading at the September 6, 2005 City Council meeting.

At the June 26, 2006 meeting, the Planning Commission approved a Final Master Development Plan for Phase 1 of The Groves (PC File #8-33-06). The Final Master Development Plan for The Groves, Phase 1, called for 144 townhomes on 20.49 (+/-) acres located on Big Station Camp Boulevard. The Planning Commission also approved a major subdivision preliminary plat for The Groves, Phase 1 at the same meeting (PC File #1-30-06B). The preliminary plat for The Groves, Phase 1 contained 144 lots on 20.487 (+/-) acres on Big Station Camp Boulevard. Since a final plat was never submitted, the preliminary plat expired.

The Planning Commission discussed the Hidden Creek Subdivision project at the March 10, 2008 Work Session and was presented with a project update at the April 28, 2008 meeting. The Hidden Creek Rezoning with a Preliminary Master Development Plan was recommended for approval at the May 16, 2008 Planning Commission meeting. The rezoning with Preliminary Master Development Plan was approved on 2nd Reading at the July 15, 2008 Gallatin City Council meeting.

The Planning Commission recommended approval of an Amended Preliminary Master Development Plan for Hidden Creek, to include the Gallatin Public Safety Building, to the Gallatin City Council at the May 18, 2009 Planning Commission meeting. The Amended Preliminary Master Development Plan passed Second Reading at the July 7, 2009 City Council meeting. A Final Master Development Plan for the Gallatin Public Safety Building was approved at the August 24, 2009 Planning Commission meeting.

Finally, an Amended Preliminary Master Development Plan and Final Master Development Plan, for a Publix grocery store and retail center, was approved at the November 11, 2009 Planning Commission meeting.

<u>DISCUSSION:</u>

Major or Minor Amendment

Per Section 12.02.050 of the Gallatin Zoning Ordinance, the Planning Commission must make a determination if the changes to the Hidden Creek Preliminary Master Development Plan are considered a major or minor amendment. The applicant has changed the phasing for the entirety of the Hidden Creek development and has reoriented the Welch College campus so that the Phase 1 entrance is now proposed to be located on Bison Trail and not

EXHIBIT A

the proposed extension of Jenkins Lane. Phase 2 of Welch College would have access to/from Jenkins Lane. In addition, other improvements in Phase 2, including buildings, would be repositioned. Due to these proposed changes; staff recommends that the Planning Commission consider the proposed changes as a major amendment to the Preliminary Master Development Plan.

Proposed Development

The applicant is requesting approval of an Amended Preliminary Master Development Plan (PMDP) for the Hidden Creek development located on both sides of Big Station Camp Boulevard just north of Bison Trail. The project is located north of Bison Trail and south of the existing Stone Creek residential subdivision. The property associated with the Hidden Creek is zoned Planed General Commercial (PGC) and Residential-6 (R6). The applicant is requesting to amend the site layout of Welch College by reorienting the college's primary access to Bison Trail from the proposed Jenkins Lane extension, and change the phasing for the entire Hidden Creek development. The entire 212 (+/-) acres of the Hidden Creek development encompasses all three (3) phases. Phase 1 and 2 of Hidden Creek comprises 66.53 (+/-) acres and is the site of Welch College.

The majority of the Hidden Creek development, Phase 1, 2, and most of Phase 3, is located west of Big Station Camp Boulevard, with the remainder of Phase 3 located east of Big Station Camp Boulevard directly across from Bison Trail. Proposed Phase 1 contains Welch College, a private four-year college. Phase 2 consists of the remainder of Welch College and Phase 3 consists of approximately 385,500 square feet of retail in addition to six (6) outparcels on the west side of Big Station Camp Boulevard and approximately 123,500 square feet of retail and two (2) outparcels on the east side of Big Station Camp Boulevard. The General Retail use is a permitted use in the Planned General Commercial (PGC) zone district and the Community Education use is a conditional use within the Residential-6 (R6) zone district. The Community Education conditional use was approved as part of the original Hidden Creek PMDP (PC File #3-2-08). Planning Commission must reconsider and vote on the conditional use permit with the revised PMDP. A large portion of the Welch College is located within both the floodway and floodplain.

The applicant shall address the following items as part of the corrected PMDP. Provide a site data table to Sheet 5A of the Preliminary Master Development Plan that Includes required yard lines (R6 zoning), required minimum building setback on bison trail, the existing (Agricultural and Vacant) and proposed use (community education), ground coverage, floor area, and building heights. Provide property dimensions for the eastern property boundary of the college, and make the dimensions on the southern property boundary legible. Provide a separate sheet listing the surrounding property owners. (The list on Sheet 2 is no longer correct.) Label the surrounding zoning, on Sheet 5A, on all sides of Welch College, including across Lower Station Camp Creek Road. Provide a label for each of the dumpster locations on Sheet 5A and Sheet 6. Label Sheet 2 and 7 as part of the previously approved Preliminary Master Development Plan. Show and label the R6 zone district yard lines on Sheet 5A.

EXHIBIT A

Floodplain and Floodway

Nearly half of the project site for Phase 1 of Welch College is covered by either floodway or the 100 year floodplain. Although the campus site layout removes the vast majority of buildings and parking lots from the floodplain, a few parking areas remain within the floodplain as well as the proposed baseball and softball fields. Finally, a proposed soccer field, at the southwestern corner of the property, is located within the floodway. The applicant has stated, in note 11 on Sheet 3 of the Preliminary Master Development Plan, that any construction in the floodplain will require an elevation certificate and development permit. Also, any construction in the floodway will require a no-rise certification. Finally, the applicant has indicated on the plan and in conversation with staff that the property owner is considering using offset compensation to relocate the floodplain in order to remove all the buildings and parking areas from the floodplain. The relocation of the floodplain shall be shown, in detail, on the Final Master Development Plan for Welch College Phase 1. The Engineering Division and the Tennessee Department of Environment and Conservation may be required to approve and permit the reconfiguration of the floodplain.

Buildings and Architectural Elevations

The applicant has provided architectural elevations for all five (5) of the proposed buildings in Phase 1 of Welch College. Also, the applicant has provided the currently approved conceptual architecture elevations for the retail and grocery store development in Phase 3 of the project. The five (5) proposed college buildings are an administration/academics building, a men's dormitory, a women's dormitory, a dining hall, and a student activities center. The administration building, both dormitories, and dining hall will be located around a quad that forms the majority of the campus, while the student activities center will be located to the southwest of the administration building and closer to the proposed athletic fields.

All of the proposed college buildings are two (2) stories in height and have symmetrical elevations designed in a neoclassical style, with a primary hipped roof with several smaller projecting gable roofs over entrances and wall projections. The projecting gables over the main entrances are supported by full height (two-story) white Doric columns to provide greater emphasis to the main entrance of each building. The shortest building is the student activities center at a height of 30 feet and the tallest building is the administration and academics building which has a ridgeline height of 44 feet. The administration and academics building does have a cupola that has a height of 77 feet. The cupola height above the ridgeline is exempt from height requirements ~~of the zoning ordinance~~ per Section 12.06 of the zoning ordinance because the cupola is not habitable space.

All of the buildings, except the activities center, are 100 percent brick when excluding the windows, trim work, and the EIFS used on the roof cornices and gables ends of the projecting roofs. Even when including the trim work and EIFS every building except the activities center meets or exceeds the requirement for 70 percent brick and/or stone found in Section 13.08 of the Gallatin Zoning Ordinance. The student activities center is the only building that is proposed with an additional building material for the exterior. The front elevation of the student activities center does meet the 70 percent brick or stone requirement, however the side and rear elevations are a combination of brick and metal panels. The side and rear elevations consists of 20 to 24 percent brick, while the metal panels constitute between 54 and 59 percent of those same elevations. The Planning

EXHIBIT A

Commission will need to determine if the proposed architectural elevations for the student activities center meet the standards for an alternative architectural plan under Section 13.08.010.D of the Gallatin Zoning Ordinance, which is provided as Attachment 6-7. The architectural elevations are contained within Attachment 6-1, for your review.

Buffering/Landscaping/Screening

The preliminary landscaping plan for the college campus provides a total of 200 canopy, ornamental, and evergreen trees. In addition to the 200 trees, there are over 18,000 square feet of foundation plantings located around each of the proposed buildings and in the quad area of the campus.

The only Bufferyard that is required for Welch College is a Type 25 Bufferyard along the eastern property boundary of the campus. The applicant has shown eight (8) canopy trees along this property line, but the Type 25 Bufferyard requires two (2) small ornamental trees to be located between large deciduous trees. So the applicant shall show eight (8) pairs of small ornamental trees located between each of the proposed canopy trees along the eastern property boundary of Phase 1.

The 36 evergreen screening trees are being used to screen the three (3) dumpster locations that are shown on this plan. This plan also provides details for the brick dumpster screening walls and metal gates.

Access and Transportation

The Amended Preliminary Master Development Plan proposes to reorient the Welch College campus so that the primary and only access point at this time will be located on Bison Trail. The previously approved PMDP showed the primary access for the college to be on the proposed Jenkins Lane extension and a secondary access point to be located on Bison Trail. The previously approved PMDP stated, *"The developer of Hidden Creek shall record a subdivision plat for the roadway and post a performance bond for the construction of Jenkins Lane from Lower Station Camp Creek Road to Big Station Camp Boulevard prior to the issuance of any building permits for either the College or Commercial Lot A".* The previously approved PMDP also showed a 15 foot right-of-way dedication along Bison Trail and the location of a public greenway along Lower Station Camp Creek Road. How the amendments to the Hidden Creek development affect Bison Trail, the public Greenway, and the extension of Jenkins Lane are discussed in more detail below.

Bison Trail

After reviewing the PMDP the Engineering Division maintained the request for right-of-way dedication along the portion of Bison Trail that is on the Welch College property in Phase 1. The owner is requested to provide right-of-way for a sidewalk, a future in-lane bike lane and an additional vehicular lane on Bison Trail per *Gallatin on the Move 2020* plan. This can be achieved by showing right-of-way to be reserved for the future improvements. The width of the right-of-way shall be wide enough for the existing median, four (4) roadway travel lanes, five (5) foot minimum bicycle lane, five (5) foot grass strips, six (6) foot sidewalks, and drainage infrastructure. The PMDP is also conditioned on providing a sidewalk along Bison Trail by clearly showing and labeling the six (6) foot sidewalk along Bison Trail extending from the eastern property line of Welch College to Lower Station Camp Creek Road.

EXHIBIT A

Greenway

The previously approved PMDP indicated Lower Station Camp Creek Road could possibly become a future greenway, but this has not occurred at this time and there is no certainty the road will be closed and utilized as a greenway. An indication of this is Sumner County's creation of a Greenway Plan showing the need to obtain right-of-way outside of Lower Station Camp Creek Road right-of-way. Also, the Station Camp Creek Greenway is shown on Exhibit 4-12 of the *Gallatin on the Move 2020* plan as a future pedestrian facility. Staff recommends the applicant provide for the Sumner County public greenway along Lower Station Camp Creek Road per *Gallatin on the Move 2020* plan. This can be achieved by the applicant showing a dedicated right-of-way along the western boundary of their property to be reserved for the future expansion of the greenway consistent with the construction plans of this project. The Station Camp Greenway construction plans for this project are provided in Attachments 6-5 and 6-6.

Jenkins Lane

The previously approved PMDP stated, *"The developer of Hidden Creek shall record a subdivision plat for the roadway and post a performance bond for the construction of Jenkins Lane from Lower Station Camp Creek Road to Big Station Camp Boulevard prior to the issuance of any building permits for either the College or Commercial Lot A".* After reviewing the newly proposed phasing and the reorientation of the Welch College campus, staff has changed the condition of approval for Jenkins Lane to read, "Prior to issuance of building permits in Phase 2, Jenkins Lane extension shall be completed". The applicant shall add this note: *Prior to issuance of building permits in Phase 2, Jenkins Lane extension shall be completed.*

Parking

The Gallatin Zoning Ordinance does not provide a specific parking ratio for a college/university, but provides Schedule B for determining the parking necessary for a college/university. Schedule B is found within Table 11-01 of the Gallatin Zoning Ordinance and states the following:

> *Specific requirements shall be determined by the Zoning Administrator. Requirements shall be based on requirements for similar uses, location of proposed use, expected demand and traffic generated by the proposed use, and appropriate traffic engineering and planning criteria and information. Determination of requirements may be appealed to the zoning board of appeals.*

The applicant is proposing a total of 276 parking spaces for Welch College, but has not provided ratios on how they determined that number of parking spaces. The parking spaces are divided into 260 regular, 9 foot by 20 foot, parking spaces and 16 disabled person spaces. The two (2) proposed dormitories provided 202 beds, which could potentially occupy that number of parking spaces and leave only 74 spaces for all staff, faculty, and commuter and nighttime students. Without a specific number of faculty, staff, support staff, and commuter and nighttime students it is difficult to determine if the proposed 276 parking spaces are adequate for Phase 1 of the college. Staff, and

EXHIBIT A

specifically the zoning administrator, needs the applicant to provide the parking ratios used in determining the proposed number of parking spaces. Staff may require additional parking to be shown on the Preliminary Master Development Plan if the zoning administrator determines additional parking is required.

Signing

There are two (2) signs shown in Phase 1 of Welch College. The signs flank the college entrance off of Bison Trail. No preliminary drawings of the proposed signs have been included with this Amended Preliminary Master Development Plan. The applicant shall label the entrance signs on this plan. Also, the applicant shall provide a master signage package of the proposed entrance signs and any wayfinding signs for the campus as part of the Final Master Development Plan. The Gallatin Zoning Ordinance Section 13.07.085.C provides a developer of an educational campus to submit a master signage package and for it to be approved by the Planning Commission. Staff suggests the applicant review Section 13.07.070.B.3, 4, and 5 as potential design parameters for any type of flared entrance walls/signs for the college's entrance off of Bison Trail.

This plan indicates Phase 2 of Welch College could be constructed between 2015 and 2020. The applicant may be permitted additional entrance signs for Phase 2 where the college connects to the future extension of Jenkins Lane, but these signs will also require approval by the Planning Commission.

Photometric Plan

This plan does not provide a full photometric plan, but the applicant has shown the location of all parking lot light poles that are proposed in Phase 1 of Welch College. A full photometric plan shall be required at the Final Master Development Plan stage for Phases 1 and 2 of Welch College. Also, the applicant shall provide information sheets, with the Amended Preliminary Master Development Plan, for the proposed light poles in the parking lots and any wall mounted lighting that is being proposed for the buildings.

Drainage and Retention

Location of SW ponds shown on 12-3-12 (Revised) plans.

The applicant has not shown the stormwater facilities and infrastructure on the PMDP, but has noted on the cover sheet that this PMDP is conditioned upon approval of appropriate stormwater facilities to address water quantity and quality as required by the stormwater ordinance at the time of approval of the Final Master Development Plan. The Engineering Division has made a condition of approval, on this PMDP, for the applicant to show and label the area(s) reserved for stormwater facilities to treat/detain project stormwater.

Engineering Division Comments

The Engineering Division reviewed and commented on the Amended Preliminary Master Development Plan. Most of the Engineering Division comments have been satisfied; however the applicant shall amend the Amended Preliminary Master Development Plan and provide documents as indicated below:

1. Provide sidewalk along Bison Trail. Clearly show and label the 6' sidewalk along Bison Trail extending from the eastern property line to Lower Station Camp Road.
2. Label existing and proposed roadway and row widths.
3. Show/label area reserved for stormwater facilities to treat/detain project stormwater.

on 12-3-12 plans

EXHIBIT A

4. Clearly show recommendations of traffic impact study and address comments regarding traffic impact study as identified in previously sent emails and meeting 11-18 and 11-19-2013 (Attachment 6-6).
5. Provide for future bike lane and additional vehicular lane on Bison Trail per *Gallatin on the Move 2020* plan. This can be done by showing R.O.W. to be reserved for the future improvements. Width of R.O.W. shall be wide enough for the existing median, four (4) roadway travel lanes, 5 foot minimum bicycle lane, 5 foot grass strips, 6 foot sidewalks, and drainage infrastructure.
6. Add note: Prior to issuance of building permits in Phase 2, Jenkins Lane extension shall be completed. (See bottom of Page 5)
7. Provide for greenway along Lower Station Camp Creek Road per Gallatin on the Move 2020 plan and the construction plans provided in Attachment 6-5). This can be done by showing R.O.W. to be reserved for the future improvements.

Other Departmental Comments

Other City Departments reviewed and commented on the Amended Preliminary Master Development Plan. Most of the Other Departmental Comments have been satisfied; however the applicant shall amend the Amended Preliminary Master Development Plan and provide documents as indicated below:

1. Submit roadway construction types to determine the ability to support emergency vehicles.
2. All applicable fire codes shall be followed.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of Resolution 2013-88, a Major Amendment to the Preliminary Master Development Plan for the Hidden Creek development, located between Lower Station Camp Creek Road and Big Station Camp Boulevard, north of Bison Trail and south of the future Jenkins Lane extension, consisting of a 18 sheet plan, dated November 14, 2013, with project No. 13-011-01 and prepared by Civil Design Consultants, LLC of Nashville TN. The applicant shall correct the Amended Preliminary Master Development Plan and provide documents that address the following conditions:

Now Revised (13) w/ 12-3-13 ck?

1. Planning Commission consider the proposed changes as a major amendment to the Preliminary Master Development Plan.
2. Planning Commission must reconsider and vote on the conditional use permit with the revised PMDP.
3. Planning Commission shall make a determination if the proposed architectural elevations for the student activities center meet the standards for an alternative architectural plan under Section 13.08.010.D of the Gallatin Zoning Ordinance.
4. Provide a master sign package, per Section 13.07.085.C as part of the Final Master Development Plan.
5. Label the entrance signs on this plan.
6. A full photometric plan shall be required at the Final Master Development Plan stage for Phase 1 of Welch College.

EXHIBIT A

7. Provide information sheets, with the Amended Preliminary Master Development Plan, for the proposed light poles and any wall mounted lighting that is being proposed for the buildings.
8. Add a site data table to Sheet 5A of the Preliminary Master Development Plan that Includes required yard lines (R6 zoning), required minimum building setback on bison trail, the existing (Agricultural and Vacant) and proposed use (community education), ground coverage, floor area, and building heights.
9. Provide a separate sheet listing the surrounding property owners. (The list on Sheet 2 is no longer correct.)
10. Label the surrounding zoning, on Sheet 5A, on all sides of Welch College, including across Lower Station Camp Creek Road.
11. Show and label the R6 zone district yard lines on Sheet 5A.
12. The relocation of the floodplain shall be shown, in detail, on the Final Master Development Plan for Welch College Phase 1.
13. Provide sidewalk along Bison Trail. Clearly show and label the 6' sidewalk along Bison Trail extending from the eastern property line to Lower Station Camp Road.
14. Label existing and proposed roadway and ROW widths.
15. Clearly show recommendations of traffic impact study and address comments regarding traffic impact study as identified in previously sent emails and meeting 11-18 and 11-19-2013. (Attachment 6-6)
16. Provide right-of-way on Bison Trail per *Gallatin on the Move 2020* plan for future improvements. Width of R.O.W. shall be wide enough for the existing median, four (4) roadway travel lanes, 5 foot minimum bicycle lane, 5 foot grass strips, 6 foot sidewalks, and drainage infrastructure.
17. Show and label the location of the future improvements consistent with the construction plans for the Station Camp Greenway.
18. Submit roadway construction types to determine the ability to support emergency vehicles.
19. All applicable fire codes shall be followed.

(The plans shall be amended to comply with the conditions of approval prior to the final staff approval by the City and prior to inclusion in the City Council agenda package.)

ATTACHMENTS

Attachment 6-1	**Preliminary Master Development Plan**
Attachment 6-2	**Response Letter from Jared Gray, P.E., dated 11/14/2013.**
Attachment 6-3	**Architectural Elevations**
Attachment 6-4	**College Character Area**
Attachment 6-5	***Gallatin on the Move 2020* – Greenway Information**
Attachment 6-5	**Legal Description and Construction Plans for the Station Camp Greenway, Phase 1.**
Attachment 6-6	**Email from 11-18 and 11-19-2013 Regarding Traffic Study**
Attachment 6-7	**Gallatin Zoning Ordinance 13.08.010.D**
Attachment 6-8	**Letter from George Phillips, Attorney for Welch College, Regarding Jenkins Lane Construction.**

EXHIBIT A

CITY OF GALLATIN

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PLANNING DEPARTMENT

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EXHIBIT A

Project Comments

Meeting Date: 11/25/2013
RE: WELCH COLLEGE, Preliminary Master Development Plan
Reference #: PC0199-13

Department of Public Utilities
Review Date: 10/25/2013

1. WATER & SANITARY SEWER SERVICE PROVIDED BY WHITE HOUSE UTILITY DISTRICT.

WHUD COMMENTS:
1. HIDDEN CREEK NEEDS TO CONTACT WHUD FOR AVAILABILITY.
   Thank you, Tina Richmond Engineering Department White House Utility District
   PH: 615-672-4110 ext 257

Planning Department
PLANNING DEPARTMENT PROJECT MANAGER:KATHERINE SCHOCH AND KEVIN CHASTINE
REVIEW DATE:11/6/2013

1. CORRECT TITLE OF PLAN AND TITLE BLOCK TO READ 'AMENDED PRELIMINARY MASTER DEVELOPMENT PLAN - MAJOR AMENDMENT'.
2. ADD A SITE DATA TABLE TO SHEET 5 THAT INCLUDES THE FOLLOWING INFORMATION: - PROPERTY OWNER'S NAME - PROPERTY OWNER'S ADDRESS - REQUIRED YARD LINES - REQUIRED MINIMUM BUILDING SETBACK FROM BISON TRAIL - EXISTING (VACANT) AND PROPOSED USE (COMMUNITY EDUCATION). - GROUND GOVERAGE - FLOOR AREA - BUILDING HEIGHTS
3. UPDATE PROJECT DESCRIPTION ON SHEET 1 WITH THE WELCH COLLEGE NAME CHANGE.
4. SHOW PROPERTY BOUNDARIES AND PROVIDE DIMENSIONS WITH CALLS.
5. IDENTIFY SURROUNDING PROPERTY OWNERS ON THE PMDP AND PROVIDE IN A LIST ON A SEPARATE SHEET.
6. INDICATE THE LOCATION OF THE SUMNER COUNTY GREENWAY ALONG THE WESTERN EDGE OF THE COLLEGE PROPERTY.
7. STAFF RECOMMENDS DEDICATION OF LAND FOR SUMNER COUNTY GREENWAY ALONG THE WESTERN EDGE OF THE COLLEGE PROPERTY.
8. UPDATE NOTE 5, ON SHEET 3, TO LIST SPECIFIC USES FOR THE PROJECT.
9. UPDATE THE LOCATION MAP ON THE COVER SHEET WITH THE CURRENT CITY LIMIT LINES.
10. VERIFY THAT ALL UTILITY AND P.U.D.E. EASEMENTS HAVE BEEN LABELED.
11. SHOW AND LABEL LOCATIONS OF STORM WATER FACILITIES.

CITY OF GALLATIN

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EXHIBIT A

PLANNING DEPARTMENT

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12. PROVIDE BUILDING HEIGHTS AND PERCENTAGE OF MATERIALS ON THE ARCHITECTURAL PLANS FOR THE COLLEGE.
13. REMOVE THE INTERIOR FLOOR PLANS FOR THE COLLEGE BUILDINGS.
14. UPDATE THE NOTE REGARDING COMMON OPEN SPACE AND WHO WILL OWN AND MAINTAIN AREAS IN EACH PHASE OF PLAN.
15. PROVIDE A 'STATEMENT OF FINANCIAL RESPONSIBILITY' TO STATE WHO HAS FINANCIAL RESPONSIBILITY FOR CONSTRUCTION OF THIS PROJECT.
16. LABEL THE SURROUNDING PROPERTY OWNERS ON THE PLAN, EVEN ACROSS RIGHT-OF-WAYS.
17. LABEL SURROUNDING ZONING, EVEN FOR PROPERTIES ACROSS RIGHT-OF-WAYS.
18. LABEL DUMPSTER LOCATIONS ON SHEET 5 AND LANDSCAPE PLAN.
19. PROVIDE A DETAIL OF THE DUMPSTER SCREENING.
20. PROVIDE A NOTE INDICATING THE LOCATION OF HVAC UNITS - WHETHER ON ROOF TOPS OR ON THE GROUND.
21. IF HVAC UNITS ARE ON THE GROUND PROVIDE A DETAIL OF THE PROPOSED SCREENING.
22. SHOW AND LABEL THE LOCATION OF ANY PROPOSED SIGNAGE.
23. PROVIDE A PRELIMINARY SIGN DESIGN PACKAGE.
24. ADD A PERFORMANCE STANDARD NOTE TO SHEET 5.
25. LIST PARKING RATIOS AND TOTAL PARKING REQUIRED FOR THE SPECIFIC COLLEGE USE ALONG WITH THE LISTED TOTAL PROVIDED.
26. IN NOTE 13, ON SHEET 3, CHANGE 'SITE PLAN' TO FINAL MASTER DEVELOPMENT PLAN.
27. SHOULD THERE BE A PHASE LINE BETWEEN THE NORTHERN PORTION OF THE COLLEGE AND THE COMMERICAL PORTION OF THE DEVELOPMENT ALONG BIG STATION CAMP BLVD? BOTH ARE LISTED AS PHASE 2.
28. APPLICANT HAS DISCUSSED RELOCATING THE FLOODPLAIN - IS THIS STILL A POSSIBILITY?
29. SHOW PROPOSED LOCATION OF SOCCER FIELD. SOCCER FIELD IN THE FLOODWAY WILL REQUIRE AN ELEVATION CERTIFICATE, DEVELOPMENT PERMIT, AND A NO RISE CERTIFICATION.
30. STAFF DOES RECOMMEND A SUBDIVISION PLAT TO DIVIDE OFF THE COLLEGE PROPERTY.
31. ADD A NOTE THAT THE USES AND ARCHITECTURE FOR PHASES 2 AND 3 ARE NOT CHANGING.
32. IDENTIFY THE PAGES THAT ARE FROM THE CURRENTLY APPROVED PMDP.
33. LABEL THE YARD LINES, MINIMUM BUILDING SETBACKS AND BUFFERYARDS ON THE PLAN.
34. ADD A NOTE OR PROVIDE A TYPICAL PARKING SPACE SHOWING THE SIZE (9 X 20).
35. STAFF SUGGESTS MAKING A SHEET LIKE SHEET 5, BUT WITHOUT THE TOPO TO PROVIDE THESE CORRECTIONS AND MINIMIZE THE AMOUNT OF INFORMATION ON ONE SHEET.
36. SUBMIT INFORMATION ON THE CONSTRUCTION OF JENKINS LANE AND PROVIDE A PRELIMINARY SCHEDULE OF CONSTRUCTION FOR JENKINS LANE.
37. INDICATE THE LOCATION OF LIGHTING FIXTURES WITHIN THE PARKING AREAS OF THE COLLEGE.
38. SHOW AND LABEL ANY FENCES THAT MAY BE CONSTRUCTED ON THE CAMPUS.
39. UNDERSTAND THE SOCCER FIELD MAY HAVE TO BE RELOCATED TO ACCOMODATE THE GREENWAY TRAIL. REFER TO PROVIDED DOCUMENTS.

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40. **SUBMIT SIXTEEN (16) HALF SIZED CORRECTED, FOLDED COPIES OF THE RESUBMITTAL DOCUMENTS (16 HALF SIZE IF ORIGINAL PLANS ARE GREATER THAN 18 X 24), AND 16 ARCHITECTURAL ELEVATIONS IF NEEDED.**
41. 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.
42. SUBMIT A DETAILED RESPONSE LETTER ADDRESSING ALL DEPARTMENTAL REVIEW COMMENTS.
43. RETURN CHECKPRINT & CHECKLIST
44. RESUBMITTAL DOCUMENTS MUST BE TURNED IN TO THE CODES/PLANNING DEPARTMENT **BY 4:30 PM ON 11/14/2013.**
45. **RESUBMITTALS MUST INCLUDE THE ABOVE INFORMATION IN ORDER TO BE CONSIDERED A COMPLETE RESUBMITTAL.**

Codes Department
Review Date: 11/07/2013
NO COMMENTS

Engineering Division
11-19-2013 JZW RESUBMITTAL:
PMDP
1. PROVIDE SIDEWALK ALONG BISON TRAIL. CLEARLY SHOW AND LABEL THE 6' SIDEWALK ALONG BISON TRAIL EXTENDING FROM THE EASTERN PROPERTY LINE TO LOWER STATION CAMP RD.
2. LABEL EXISTING AND PROPOSED ROADWAY AND ROW WIDTHS.
3. SHOW/LABEL AREA RESERVED FOR STORMWATER FACILITIES TO TREAT/DETAIN PROJECT STORMWATER.
4. CLEARLY SHOW RECOMMENDATIONS OF TRAFFIC IMPACT STUDY.
5. PROVIDE FOR FUTURE BIKE LANE AND ADDITIONAL VEHICULAR LANE ON BISON TRAIL PER GALLATIN ON THE MOVE 2020 PLAN. THIS CAN BE DONE BY SHOWING ROW TO BE RESERVED FOR THE FUTURE IMPROVEMENTS. WIDTH OF ROW SHALL BE WIDE ENOUGH FOR THE EXISTING MEDIAN, 4 ROADWAY TRAVEL LANES, 5' MIN BICYCLE LANE, 5' GRASS STRIPS, 6' SIDEWALKS, AND DRAINAGE INFRASTRUCTURE.
6. ADD NOTE: PRIOR TO ISSUANCE OF BUILDING PERMITS IN PHASE 2, JENKINS LANE EXTENSION SHALL BE COMPLETED.
7. PROVIDE FOR GREENWAY ALONG LOWER STATION CAMP CREEK RD PER GALLATIN ON THE MOVE 2020 PLAN. THIS CAN BE DONE BY SHOWING ROW TO BE RESERVED FOR THE FUTURE IMPROVEMENTS.
8. ADDRESS COMMENTS REGARDING TRAFFIC IMPACT STUDY AS IDENTIFIED IN PREVIOUSLY SENT EMAILS AND MEETING 11-18-2013.

CITY OF GALLATIN

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EXHIBIT A

PLANNING DEPARTMENT

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Review Date: 11-5-2013 JZW: PMDP

1. SHOW AND LABEL A STREAM BUFFER (15' FROM TOP OF BANK) ALONG TRIBUTARY THAT ENTRANCE CROSSES.
2. LABEL FLOODWAY AS STREAM BUFFER AS WELL.
3. PROVIDE SIDEWALK ALONG BISON TRAIL.
4. LABEL EXISTING AND PROPOSED ROADWAY AND ROW WIDTHS.
5. THE WETLANDS DATABASE SHOWS 3 WETLANDS ON THE SUBJECT PROPERTY. IDENTIFY AND LABEL THE LOCATION OF THESE WETLANDS. ADD NOTE: WETLANDS AREAS IDENTIFIED HAVE THE POTENTIAL OF BEING JURISDICTIONAL WETLANDS OF THE STATE. PROPER EVALUATION, PERMITTING, AND MITIGATION PROCEDURES SHALL BE FOLLOWED. NO DISTURBANCE SHALL OCCUR PRIOR TO EVALUATION AND PERMITTING OF SUBJECT AREAS.
6. SHOW/LABEL STORMWATER FACILITIES.
7. ADD NOTE: APPROVAL OF PLAN IS CONDITIONED UPON APPROVAL OF APPROPRIATE STORMWATER FACILITIES TO ADDRESS WATER QUANTITY AND QUALITY AS REQUIRED BY THE STORMWATER ORDINANCE AT THE TIME OF APPROVAL OF THE FMDP.
8. ENGINEERING RECOMMENDS TO PROVIDE CONNECTION TO THE FUTURE STATION CAMP GREENWAY ALONG LOWER STATION CAMP CREEK ROAD AS SHOWN IN THE GALLATIN ON THE MOVE 2020 PLAN.
9. SHOW RECOMMENDATIONS OF THE TRAFFIC IMPACT STUDY.
10. ADD NOTE: APPROVAL OF PLAN IS CONDITIONED UPON APPROVAL OF AN 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.
11. PROVIDE FOR FUTURE BIKE LANE AND ADDITIONAL VEHICULAR LANE ON BISON TRAIL PER GALLATIN ON THE MOVE 2020 PLAN. THIS CAN BE DONE BY SHOWING ROW TO BE DEDICATED FOR THE FUTURE IMPROVEMENTS.
12. SEE E-MAIL SENT TO AMY BURCH ON 11-7-2013 REGARDING TRAFFIC IMPACT STUDY COMMENTS.
13. MAKE ACCOMMODATIONS FOR CONNECTION TO THE 6' PEDESTRIAN COMING FROM THE PROPOSED PHASE 2.
14. REMOVE LABEL OF "COLLEGE SECONDARY ENTRANCE" FROM SHEET 5.
15. ADD NOTE: PRIOR TO ISSUANCE OF BUILDING PERMITS IN PHASE 2, JENKINS LANE EXTENSION SHALL BE COMPLETED.

Fire Department
Review Date: 10/31/2013

1. FIRE HYDRANT LAYOUT OF ALL AREAS NEEDS TO BE SUBMITTED.
2. ROADWAY CONSTRUCTION TYPE NEEDS TO BE SUBMITTED. ANY QUESTIONS, PLEASE CONTACT THIS OFFICE.
3. ALL APPLICABLE FIRE CODES SHALL BE FOLLOWED.

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EXHIBIT A

PLANNING DEPARTMENT

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Police Department
Review Date: 10/25/2013
REVIEWED: NO COMMENTS

Gallatin Department of Electricity
Review Date: 10/29/2013
O.K.

Sumner County, E-911
Review Date: 10/28/2013
NO COMMENTS

Industrial Pre-treatment Department
Review Date:
N/A

ATTACHMENT 6-2

CIVIL DESIGN CONSULTANTS, LLC

8170 Coley Davis Rd.
Nashville, TN 37221
Phone: 615-638-8207

RECEIVED
NOV. 15 2013
GALLATIN PLANNING & ZONING

November 14, 2013

HAND DELIVERED

RE: Proposed Welch College PMDP Comments
City of Gallatin

Below please find the responses to comments delivered by staff on the initial submittal of the PMDP for Hidden Creek major amendment.

Department of Public Utilities
Review Date: 10/25/2013

1. WATER & SANITARY SEWER SERVICE PROVIDED BY WHITE HOUSE UTILITY DISTRICT.

WHUD COMMENTS:
1. HIDDEN CREEK NEEDS TO CONTACT WHUD FOR AVAILABILITY.
   Thank you, Tina Richmond Engineering Department White House Utility District
   PH: 615-672-4110 ext 257 *Response: WHUD has provided a letter of availability for service for the overall development*

Planning Department
PLANNING DEPARTMENT PROJECT MANAGER:KATHERINE SCHOCH AND KEVIN CHASTINE
REVIEW DATE:11/6/2013

1. CORRECT TITLE OF PLAN AND TITLE BLOCK TO READ 'AMENDED PRELIMINARY MASTER DEVELOPMENT PLAN - MAJOR AMENDMENT'. *Response: Title changed*
2. ADD A SITE DATA TABLE TO SHEET 5 THAT INCLUDES THE FOLLOWING INFORMATION: - PROPERTY OWNER'S NAME - PROPERTY OWNER'S ADDRESS - REQUIRED YARD LINES - REQUIRED MINIMUM BUILDING SETBACK FROM BISON TRAIL - EXISTING (VACANT) AND PROPOSED USE (COMMUNITY EDUCATION). - GROUND GOVERAGE - FLOOR AREA - BUILDING HEIGHTS *Response: Site data table added on sheet 5A to the extent possible. Agree to fully address comment on FMDP*
3. UPDATE PROJECT DESCRIPTION ON SHEET 1 WITH THE WELCH COLLEGE NAME CHANGE. *Response: Agreed and plan changed*

PC0199-13

ATTACHMENT 6-2

4. SHOW PROPERTY BOUNDARIES AND PROVIDE DIMENSIONS WITH CALLS. *Response: Boundary calls and boundaries added to drawing*
5. IDENTIFY SURROUNDING PROPERTY OWNERS ON THE PMDP AND PROVIDE IN A LIST ON A SEPARATE SHEET. *Response: sheet c2 includes this information*
6. INDICATE THE LOCATION OF THE SUMNER COUNTY GREENWAY ALONG THE WESTERN EDGE OF THE COLLEGE PROPERTY. *Response: Exception taken to the greenway placement along the western edge of the college campus. Thus the greenway location is not shown.*
7. STAFF RECOMMENDS DEDICATION OF LAND FOR SUMNER COUNTY GREENWAY ALONG THE WESTERN EDGE OF THE COLLEGE PROPERTY. *Response: Exception taken with additional justification to be provided by the Welch college attorney.*
8. UPDATE NOTE 5, ON SHEET 3, TO LIST SPECIFIC USES FOR THE PROJECT. *Response: Note changed*
9. UPDATE THE LOCATION MAP ON THE COVER SHEET WITH THE CURRENT CITY LIMIT LINES. *Response: Location Map changed*
10. VERIFY THAT ALL UTILITY AND P.U.D.E. EASEMENTS HAVE BEEN LABELED. *Response: Agreed. Known easements are labeled and additional easement for utilities has been shown and provided on the plan.*
11. SHOW AND LABEL LOCATIONS OF STORM WATER FACILITIES. *Response: Stormwater facilities will be fully designed at FMDP and it is the intent to attempt to surface drain the college site.*
12. PROVIDE BUILDING HEIGHTS AND PERCENTAGE OF MATERIALS ON THE ARCHITECTURAL PLANS FOR THE COLLEGE. *Response: Agree information added*
13. REMOVE THE INTERIOR FLOOR PLANS FOR THE COLLEGE BUILDINGS. *Response: Floor plans removed*
14. UPDATE THE NOTE REGARDING COMMON OPEN SPACE AND WHO WILL OWN AND MAINTAIN AREAS IN EACH PHASE OF PLAN. *Response: Note has been adjusted*
15. PROVIDE A 'STATEMENT OF FINANCIAL RESPONSIBILITY' TO STATE WHO HAS FINANCIAL RESPONSIBILITY FOR CONSTRUCTION OF THIS PROJECT. *Response: Statement has been added*
16. LABEL THE SURROUNDING PROPERTY OWNERS ON THE PLAN, EVEN ACROSS RIGHT-OF-WAYS. *Response: Owners known have been shown. Property owner research is ongoing and will be shown on FMDP*
17. LABEL SURROUNDING ZONING, EVEN FOR PROPERTIES ACROSS RIGHT-OF-WAYS. *Response: Zoning has been labeled*
18. LABEL DUMPSTER LOCATIONS ON SHEET 5 AND LANDSCAPE PLAN. *Response: Dumpster locations are shown*
19. PROVIDE A DETAIL OF THE DUMPSTER SCREENING. *Response: Details added.*
20. PROVIDE A NOTE INDICATING THE LOCATION OF HVAC UNITS - WHETHER ON ROOF TOPS OR ON THE GROUND. *Response: Note added.*
21. IF HVAC UNITS ARE ON THE GROUND PROVIDE A DETAIL OF THE PROPOSED SCREENING. *Response: See note above*
22. SHOW AND LABEL THE LOCATION OF ANY PROPOSED SIGNAGE. *Response:General location of proposed signs are shown... Package will be provided at FMDP*
23. PROVIDE A PRELIMINARY SIGN DESIGN PACKAGE. *Response: See above response*
24. ADD A PERFORMANCE STANDARD NOTE TO SHEET 5. *Response: Note added*
25. LIST PARKING RATIOS AND TOTAL PARKING REQUIRED FOR THE SPECIFIC COLLEGE USE ALONG WITH THE LISTED TOTAL PROVIDED. *Response: Note regarding schedule B has been added*
26. IN NOTE 13, ON SHEET 3, CHANGE 'SITE PLAN' TO FINAL MASTER DEVELOPMENT PLAN. *Response: Note added.*
27. SHOULD THERE BE A PHASE LINE BETWEEN THE NORTHERN PORTION OF THE COLLEGE AND THE COMMERICAL PORTION OF THE DEVELOPMENT ALONG BIG STATION CAMP BLVD? BOTH ARE LISTED AS PHASE 2. *Response:Phase line has been adjusted.*
28. APPLICANT HAS DISCUSSED RELOCATING THE FLOODPLAIN - IS THIS STILL A POSSIBILITY? *Response: offset compensation will be provided for the structures some parking may be in floodplain areas. This item will be addressed in FMDP*

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CIVIL DESIGN CONSULTANTS, LLC
CIVIL ENGINEERS - LAND PLANNERS

EXHIBIT A

PC 0199-13

ATTACHMENT 6-2

29. SHOW PROPOSED LOCATION OF SOCCER FIELD. SOCCER FIELD IN THE FLOODWAY WILL REQUIRE AN ELEVATION CERTIFICATE, DEVELOPMENT PERMIT, AND A NO RISE CERTIFICATION. *Response: Soccer field has been shown..... note added.*
30. STAFF DOES RECOMMEND A SUBDIVISION PLAT TO DIVIDE OFF THE COLLEGE PROPERTY . *Response: Understand the recommendation. College will consider after approval of FMDP*
31. ADD A NOTE THAT THE USES AND ARCHITECTURE FOR PHASES 2 AND 3 ARE NOT CHANGING. *Response: Note added*
32. IDENTIFY THE PAGES THAT ARE FROM THE CURRENTLY APPROVED PMDP. *Response: Identification added*
33. LABEL THE YARD LINES, MINIMUM BUILDING SETBACKS AND BUFFERYARDS ON THE PLAN. *Response: Agree some setbacks are being confirmed and will be shown on FMDP*
34. ADD A NOTE OR PROVIDE A TYPICAL PARKING SPACE SHOWING THE SIZE (9 X 20). *Response: Note added.*
35. STAFF SUGGESTS MAKING A SHEET LIKE SHEET 5, BUT WITHOUT THE TOPO TO PROVIDE THESE CORRECTIONS AND MINIMIZE THE AMOUNT OF INFORMATION ON ONE SHEET. *Response: Sheet added*
36. SUBMIT INFORMATION ON THE CONSTRUCTION OF JENKINS LANE AND PROVIDE A PRELIMINARY SCHEDULE OF CONSTRUCTION FOR JENKINS LANE. *Response: Exception taken. Additional information will be forthcoming from the College Attorney discussing the reason for the exception*
37. INDICATE THE LOCATION OF LIGHTING FIXTURES WITHIN THE PARKING AREAS OF THE COLLEGE. *Response: Preliminary lighting locations shown.*
38. SHOW AND LABEL ANY FENCES THAT MAY BE CONSTRUCTED ON THE CAMPUS. *Response: Baseball/softball diamonds are shown to have fences.that is the only location known at this time.*
39. UNDERSTAND THE SOCCER FIELD MAY HAVE TO BE RELOCATED TO ACCOMODATE THE GREENWAY TRAIL. REFER TO PROVIDED DOCUMENTS. *Response:See response to the greenway trail*
40. **SUBMIT SIXTEEN (16)HALF SIZED CORRECTED, FOLDED COPIES OF THE RESUBMITTAL DOCUMENTS (16 HALF SIZE IF ORIGINAL PLANS ARE GREATER THAN 18 X 24), AND 16 ARCHITECTURAL ELEVATIONS IF NEEDED.** *Response: Provided and much appreciated*
41. 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.
42. SUBMIT A DETAILED RESPONSE LETTER ADDRESSING ALL DEPARTMENTAL REVIEW COMMENTS. *Response: Agree and CD included in the resubmittal*
43. **RETURN CHECKPRINT & CHECKLIST** *Response: Returned*
44. RESUBMITTAL DOCUMENTS MUST BE TURNED IN TO THE CODES/PLANNING DEPARTMENT **BY 4:30 PM ON 11/14/2013.**
45. **RESUBMITTALS MUST INCLUDE THE ABOVE INFORMATION IN ORDER TO BE CONSIDERED A COMPLETE RESUBMITTAL.**

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Codes Department
Review Date: 11/07/2013
NO COMMENTS

Engineering Division
Review Date: 11-5-2013 JZW: PMDP

1. SHOW AND LABEL A STREAM BUFFER (15' FROM TOP OF BANK) ALONG TRIBUTARY THAT ENTRANCE CROSSES. *Response: Buffer areas shown and Labeled*

EXHIBIT A
PC0199-13

ATTACHMENT 6-2

2. LABEL FLOODWAY AS STREAM BUFFER AS WELL. *Response: Buffer areas shown and labeled*
3. PROVIDE SIDEWALK ALONG BISON TRAIL. *Response: Sidewalk has been shown*
4. LABEL EXISTING AND PROPOSED ROADWAY AND ROW WIDTHS. *Response: Known widths are shown. Bison is being reviewed to determine ROW*
5. THE WETLANDS DATABASE SHOWS 3 WETLANDS ON THE SUBJECT PROPERTY. IDENTIFY AND LABEL THE LOCATION OF THESE WETLANDS. ADD NOTE: WETLANDS AREAS IDENTIFIED HAVE THE POTENTIAL OF BEING JURISDICTIONAL WETLANDS OF THE STATE. PROPER EVALUATION, PERMITTING, AND MITIGATION PROCEDURES SHALL BE FOLLOWED. NO DISTURBANCE SHALL OCCUR PRIOR TO EVALUATION AND PERMITTING OF SUBJECT AREAS. *Response: Wetlands shown and note has been added.*
6. SHOW/LABEL STORMWATER FACILITIES. *Response: See response from Planning comment above*
7. ADD NOTE: APPROVAL OF PLAN IS CONDITIONED UPON APPROVAL OF APPROPRIATE STORMWATER FACILITIES TO ADDRESS WATER QUANTITY AND QUALITY AS REQUIRED BY THE STORMWATER ORDINANCE AT THE TIME OF APPROVAL OF THE FMDP. *Response: Note added*
8. ENGINEERING RECOMMENDS TO PROVIDE CONNECTION TO THE FUTURE STATION CAMP GREENWAY ALONG LOWER STATION CAMP CREEK ROAD AS SHOWN IN THE GALLATIN ON THE MOVE 2020 PLAN. *Response: Exception taken. Additional information will be forthecoming from the college attorney*
9. SHOW RECOMMENDATIONS OF THE TRAFFIC IMPACT STUDY. *Response: All recommendations of the traffic study will be provided for, known recommendations are shown and additional recommendations will be shown on FMDP*
10. ADD NOTE: APPROVAL OF PLAN IS CONDITIONED UPON APPROVAL OF AN 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: Note added*
11. PROVIDE FOR FUTURE BIKE LANE AND ADDITIONAL VEHICULAR LANE ON BISON TRAIL PER GALLATIN ON THE MOVE 2020 PLAN. THIS CAN BE DONE BY SHOWING ROW TO BE DEDICATED FOR THE FUTURE IMPROVEMENTS. *Response: Once ROW is known we agree to address comment if needed.*
12. SEE E-MAIL SENT TO AMY BURCH ON 11-7-2013 REGARDING TRAFFIC IMPACT STUDY COMMENTS.
13. MAKE ACCOMMODATIONS FOR CONNECTION TO THE 6' PEDESTRIAN COMING FROM THE PROPOSED PHASE 2. *Response: See above response regarding greenway trail*
14. REMOVE LABEL OF "COLLEGE SECONDARY ENTRANCE" FROM SHEET 5. *Response: Label removed*
15. ADD NOTE: PRIOR TO ISSUANCE OF BUILDING PERMITS IN PHASE 2, JENKINS LANE EXTENSION SHALL BE COMPLETED. *Response: Exception taken please see response to Jenkins Lane extension from planning.*

RESUBMITTAL

Fire Department
Review Date: 10/31/2013

1. FIRE HYDRANT LAYOUT OF ALL AREAS NEEDS TO BE SUBMITTED.
2. ROADWAY CONSTRUCTION TYPE NEEDS TO BE SUBMITTED. ANY QUESTIONS, PLEASE CONTACT THIS OFFICE.
3. ALL APPLICABLE FIRE CODES SHALL BE FOLLOWED.

Police Department
Review Date: 10/25/2013
REVIEWED: NO COMMENTS

EXHIBIT A

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Gallatin Department of Electricity
Review Date: 10/29/2013

PC 0199-13

ATTACHMENT 6-2

O.K.

Sumner County, E-911
Review Date: 10/28/2013
NO COMMENTS

Industrial Pre-treatment Department
Review Date:
N/A

We appreciate your comments. If you have any questions or need additional information please call.

Sincerely,
Civil Design Consultants LLC

Jared R. Gray, PE
President

RESUBMITTAL

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& ZONING

EXHIBIT A

PC0199-13

COLLEGE

General Description of Existing Development Patterns

The College special area represents the Volunteer State Community College and the future Free Will Baptist Bible College site along with related college uses that are found on-site in a campus-type development or within close distance to the college. Examples include park and recreation facilities, dormitory or multi-family residential uses and supporting commercial. Supporting uses are intended to provide easily accessible services for college employees, students and visitors.

Location

Areas within this character area include the following:

- Volunteer State Community College
- Free Will Baptist Bible College (Future Site)

Intent

- Provide for the location of institutions of higher learning allowing for the full list of ancillary uses
- Highlight the areas in order to focus efforts to provide appropriate transition from adjacent uses as well as provide for opportunities for housing and services nearby

Development Strategies

- Promote a pedestrian-scale "college community" where college uses and support services (college, apartments, restaurants, etc.) are connected by a network of sidewalks
- Reduce on-site vehicular use and off-site vehicular trips by providing a mix of compatible services for students, employees and visitors
- Depict clear physical boundaries and transitions between the edge of the character area and the surrounding residential areas
- Prohibit encroachment (including parking and light trespass) into the adjacent residential areas
- Retain open space and incorporate landscaping into site design and parking areas
- Encourage shared parking among uses

Implementation Measures

☞ *Encourage the development of additional housing opportunities for students, faculty and staff of the college*

COLLEGE

Anticipated level of change:

- Medium

Transportation

- Medium level of service
- Medium level of connectivity
- Properties accessed by public roads and campus sidewalks
- Campus-style transportation system
- Roads characterized by curb, gutter with wide-sidewalks and pedestrian orientation

Infrastructure

- Public water and sewer available
- Civic spaces such as greenways, parks, common areas

Greenspace

- Common areas located throughout the campus

Primary Land Uses

- College
- Campus-supporting retail uses
- Campus housing

Appropriate Intensity

- 0.5 FAR

Applicable Zoning Districts

Existing Zoning Districts

- R-6, R-8, PNC

Proposed Zoning Districts

- No proposed new districts

EXHIBIT A

5. Station Camp Creek Trail; A multi-use path approximately 3.3 miles long that generally follows Lower Station Camp Creek and/or Lower Station Camp Creek Road. This trail would connect several trailheads along the creek and could possibly connect to Station Camp Elementary, Station Camp High School and Knox Doss Middle School. Ultimately, it is recommended that this trail be continuous between Nashville Pike and Long Hollow Pike.

6. Baypoint Trail; A multi-use trail approximately 1.0 mile long which connects Nashville Pike near Volunteer State Community College and residential uses to East Camp Creek. The trail may follow an existing utility corridor north of GreenLea Boulevard/Bay Point Drive.

7. Lock 4 Trail; A trail approximately 4.0 miles long that would connect the Town Creek Trail system (described above) to Lock 4 Park, which also contains existing bike trails and paths. This trail would generally traverse through residential areas, as well as Sumner Academy plus provides multiple connections to other land uses to the north.

8. Bledsoe Creek Trail; A trail approximately 2.5 miles long that would connect near the medical center to the north around Vena Stuart Elementary School and end at a trail head east of Airport Road and north of Hartsville Pike. Future minor collectors (branch greenway corridors) are expected to connect this trail to the future rails to trails collectors.

9. East Camp Creek Trail; A trail approximately 4.7 miles long that would connect Camp Creek just south of Nashville Pike in the northeasterly direction along Camp Creek. Several trail heads would be connected as well as the residential area between the CSX Railroad and Dobbins Pike.

10. Volunteer State / GAP Trail; A trail approximately 4.5 miles long that would connect Station Camp to the East Camp Creek Trail near Harris Lane. The trail is expected to be on the north side of Old Hickory Lake, run generally parallel to Nashville Pike on the north side, through Volunteer State Community College, traverse the industrial park along Gap Boulevard and connect to the East Camp Creek Trail. This trail could help to connect several proposed bicycle/pedestrian projects near the Volunteer State Community College.

11. Bulls Creek Trail; A trail approximately 1.0 mile long that would connect two trailheads just north of Peach Valley Road. Future minor collectors (branch greenway corridors) are expected to connect this trail to multiple other recreational and residential areas.

Greenway Spurs have been recommended and/or identified to promote further connectivity between the greenway and bicycle and pedestrian facilities.

12. *East Camp Creek Spur* – Provide a trail spur extending up Camp Creek towards SR-386 to provide bicycle and pedestrian access into this future development area.

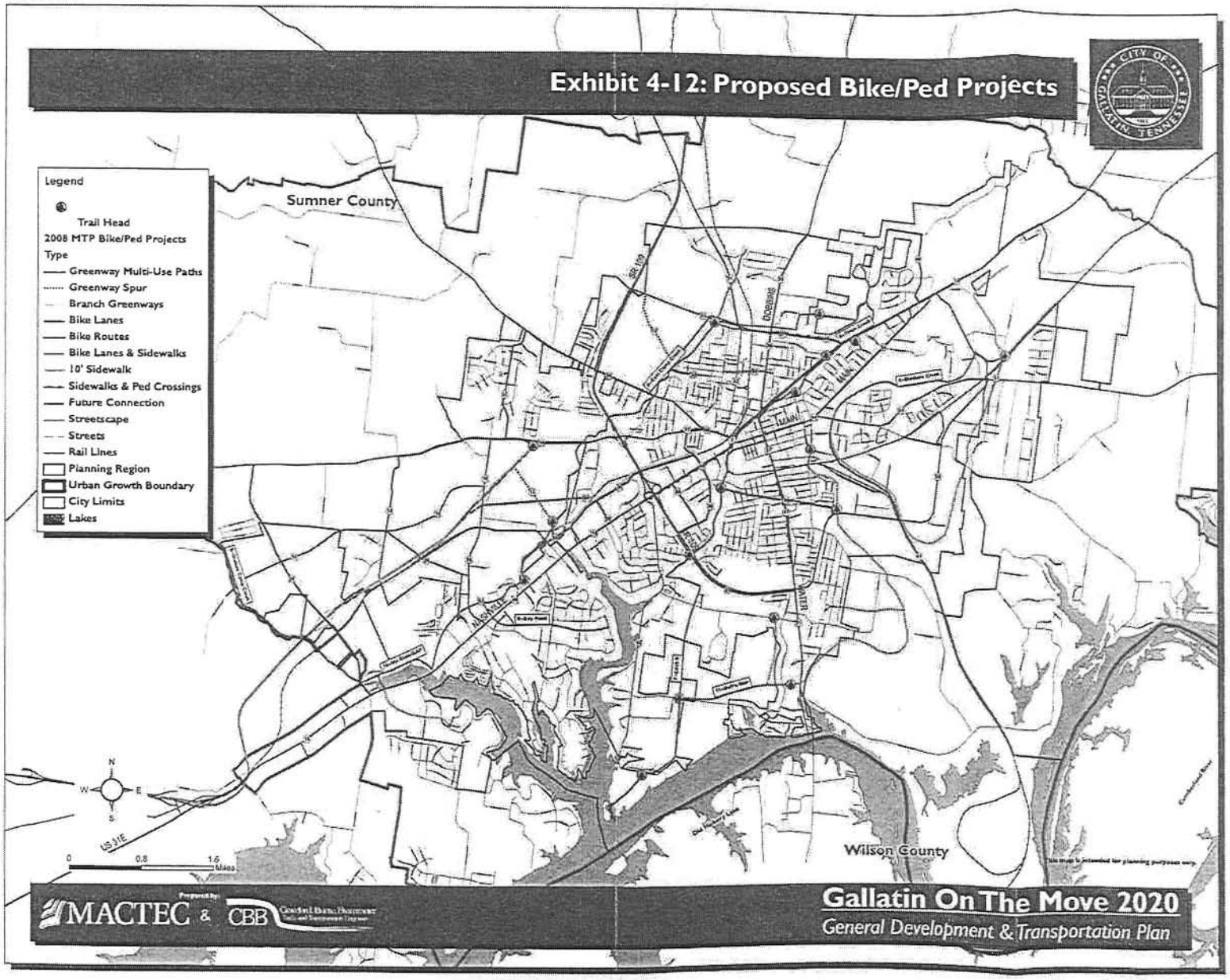
13. *Hatten Track Trail Spur* - Provide a trail spur extending into the Hatten Track from the E. Camp Creek Trail to provide bicycle and pedestrian access into this development area.

Branch Greenway Corridors (minor collectors) should be identified to promote further connectivity between the trunkline corridors after the trunkline corridors are developed. Preliminary branch greenway corridors are generally illustrated in Exhibit 4-12 as the dashed blue lines.

10-foot Sidewalks are included in many areas in the Greenway Master Plan Map. Those 10 foot sidewalk locations are illustrated as pink in Exhibit 4-12. Sidewalks should follow Tulip Poplar from the East Camp Greenway to Maple Street, Maple Street from Long Hollow Pike to the trailhead along Lock 4 Greenway, North Hume Avenue from Trailhead on Town Creek Greenway to Main, South Pardue Avenue from Main Street to Bledsoe Street, and Bledsoe Street from South Pardue Avenue to Bledsoe Creek Greenway.

ATTACHMENT 6-5

EXHIBIT A



ATTACHMENT 6-5

Federal Construction No.: HPP-8300 (99)
State P.E. No.: 83LPLM-F1-008
State R.O.W.: 83LPLM-F2-009
State Construction No.: 83-LPLM-F3-010
P.I.N.: 110618.00
County: Sumner
"Locally Managed Project"

STATION CAMP GREENWAY
PHASE I
SUMNER COUNTY, TENNESSEE

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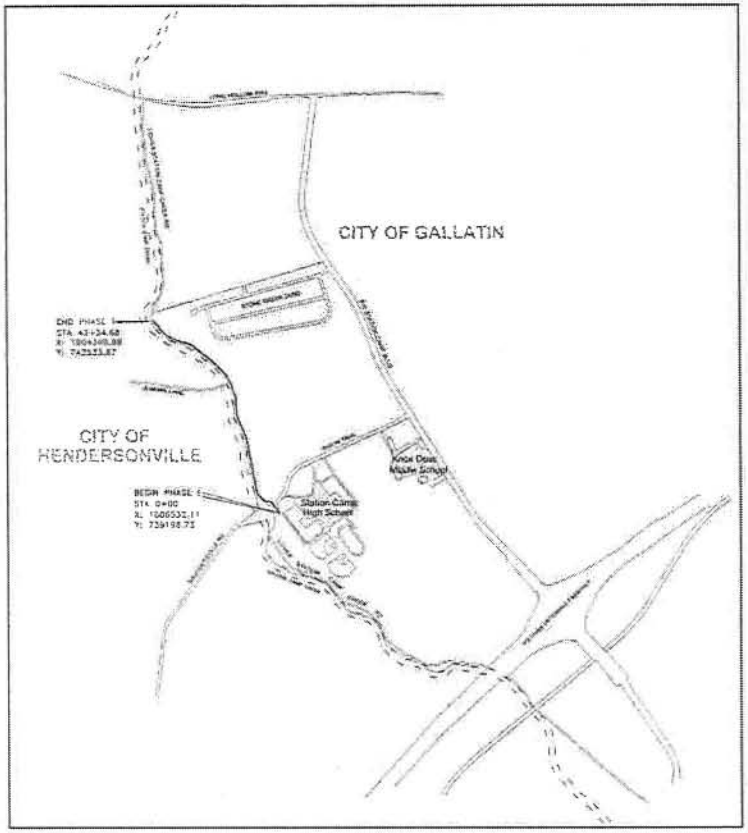
INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GENERAL NOTES
3	PLAN & PROFILE
4	PLAN & PROFILE
5	PLAN & PROFILE
6	PLAN & PROFILE
7	PARKING LOT LAYOUTS/ GRADING PLAN @ BOX CULVERT
8	DETAILS
9	DETAILS
10	DETAILS



LOCATION MAP
1"=1000'

SUMNER COUNTY TENNESSEE 1786

Sumner County Greenway Committee

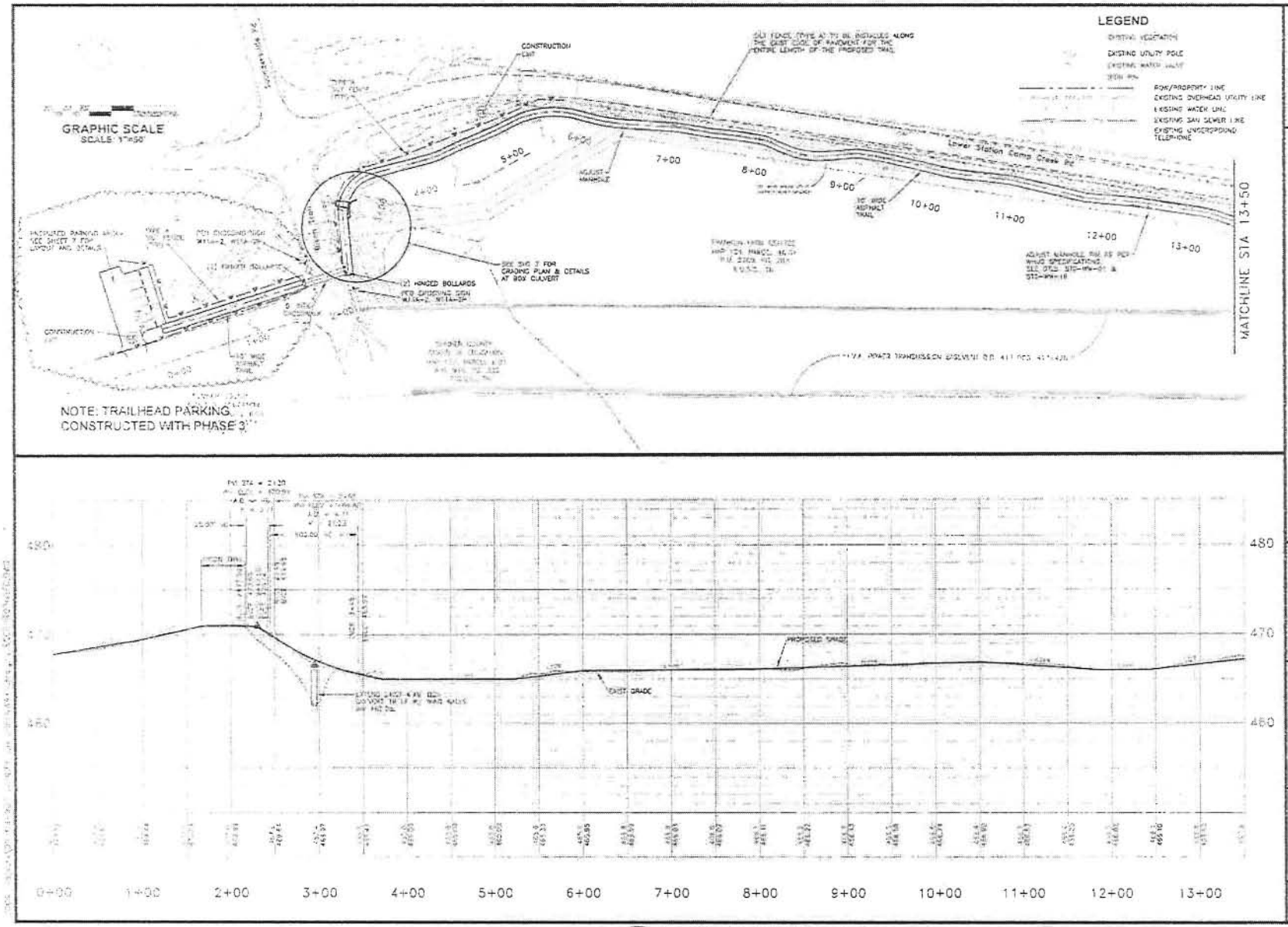
Anthony Holt, County Executive
Maria Mosher
Glen Young
Jeff Hollis
Mike Golf
Harley Scott

Wiser COMPANY

RESUBMITTAL

PC 0199-13

ATTACHMENT 6-5



REVISIONS

STATION CAMP GREENWAY
PHASE ONE
TRAIL PLAN AND PROFILE
SUMNER COUNTY, TENNESSEE

Wiser

SHEET NO.
3 OF 10

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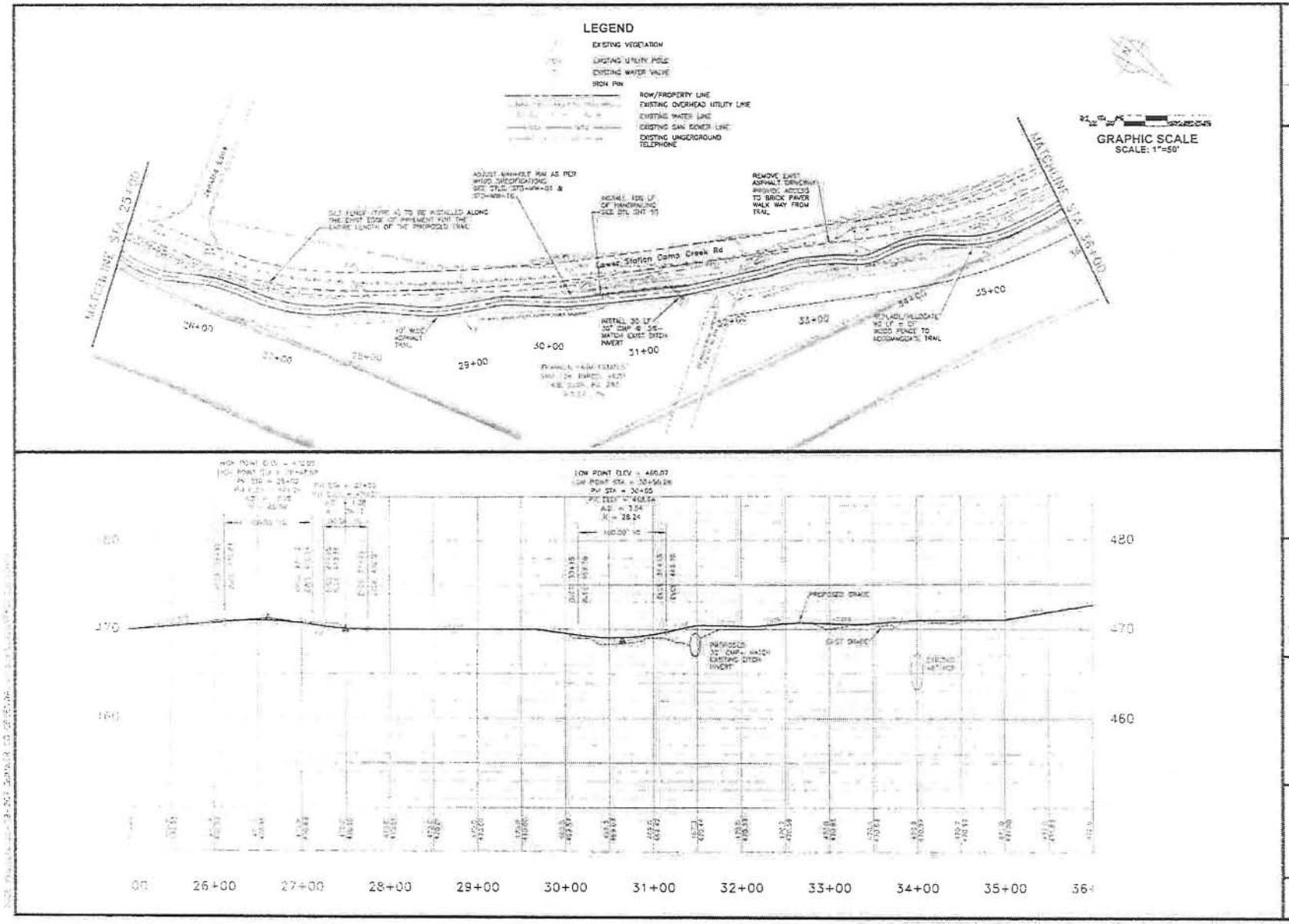
ATTACHMENT 6-5



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STATION CAMP GREENWAY
PHASE ONE
TRAIL PLAN AND PROFILE
SUMNER COUNTY, TENNESSEE

SHEET NO.
5 OF 10

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CITY ENGINEER

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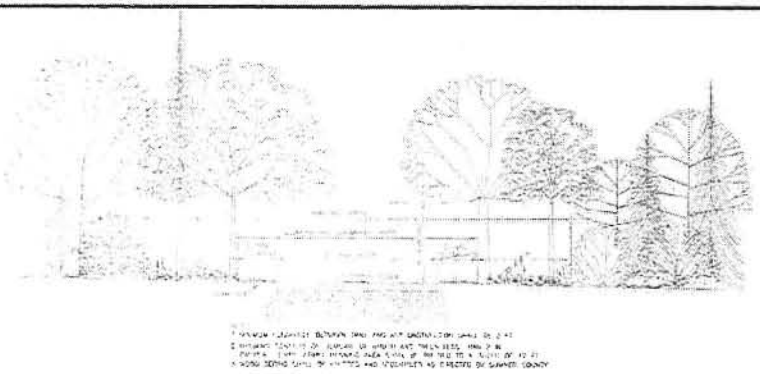
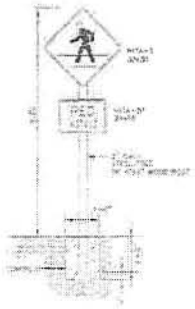
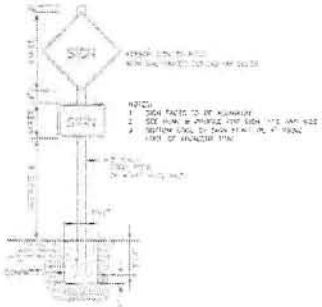


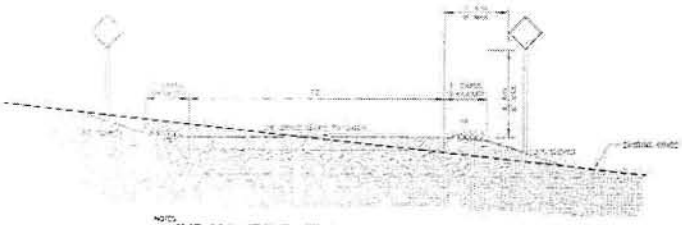
CLEARING AND THINNING LIMITS
SECTION A-A



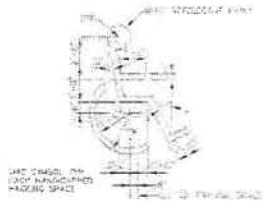
PEDESTRIAN CROSSING SIGN



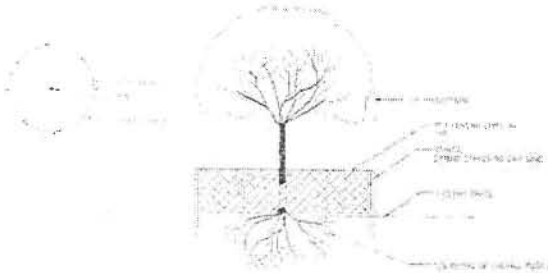
REGULATORY SIGNS



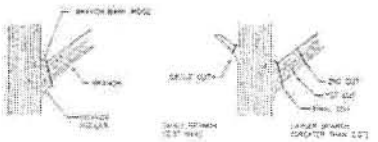
TYPICAL TRAIL DIMENSIONS



INTERNATIONAL HANDICAP SYMBOL



TYPICAL TREE PROTECTION DETAIL



TYPICAL TREE PRUNING DETAIL

REVISIONS

DETAILS
PHASE ONE
STATION CAMP GREENWAY
SUMNER COUNTY, TENNESSEE

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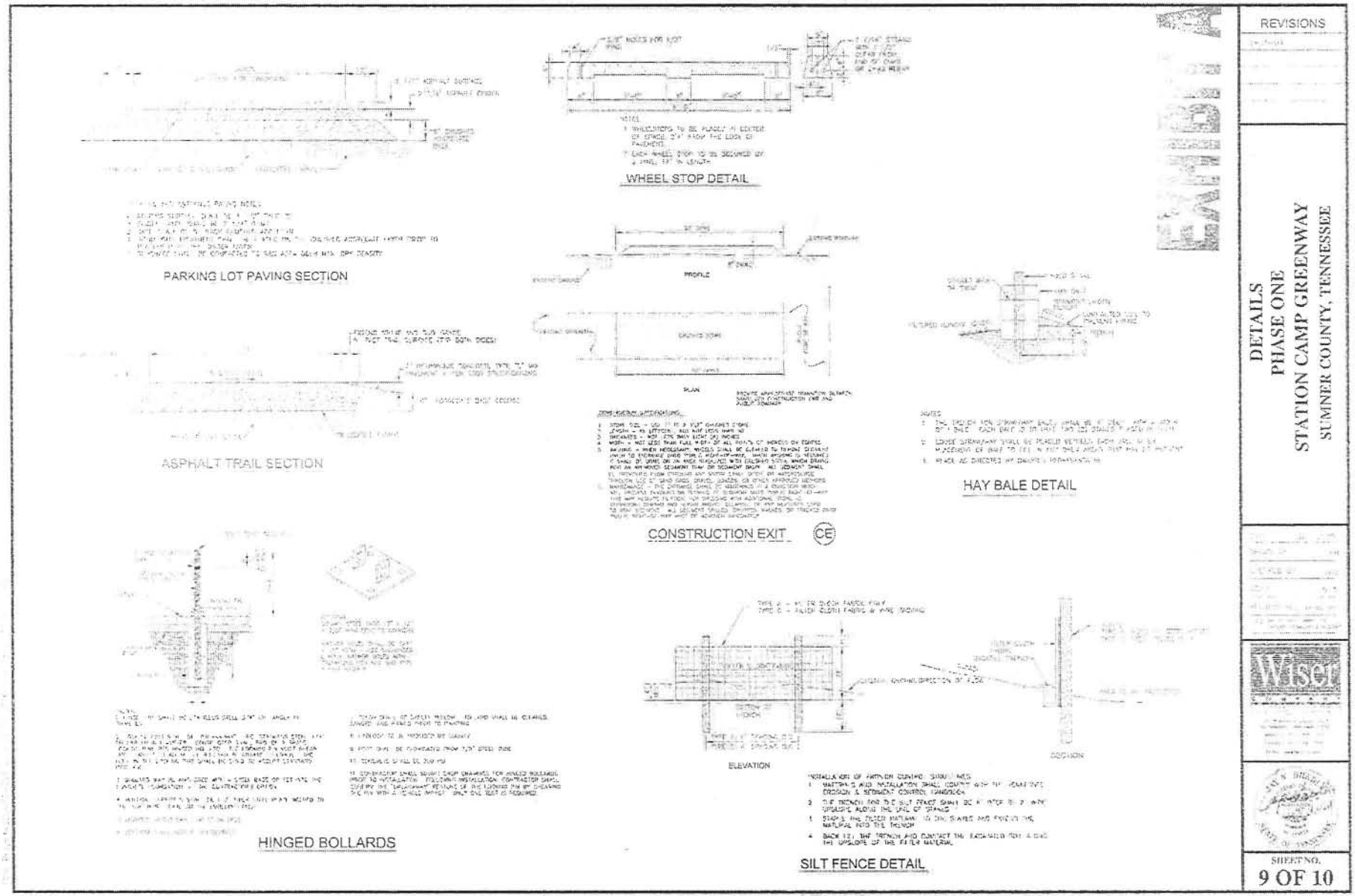
SHEET NO.
8 OF 10

ATTACHMENT 6-5



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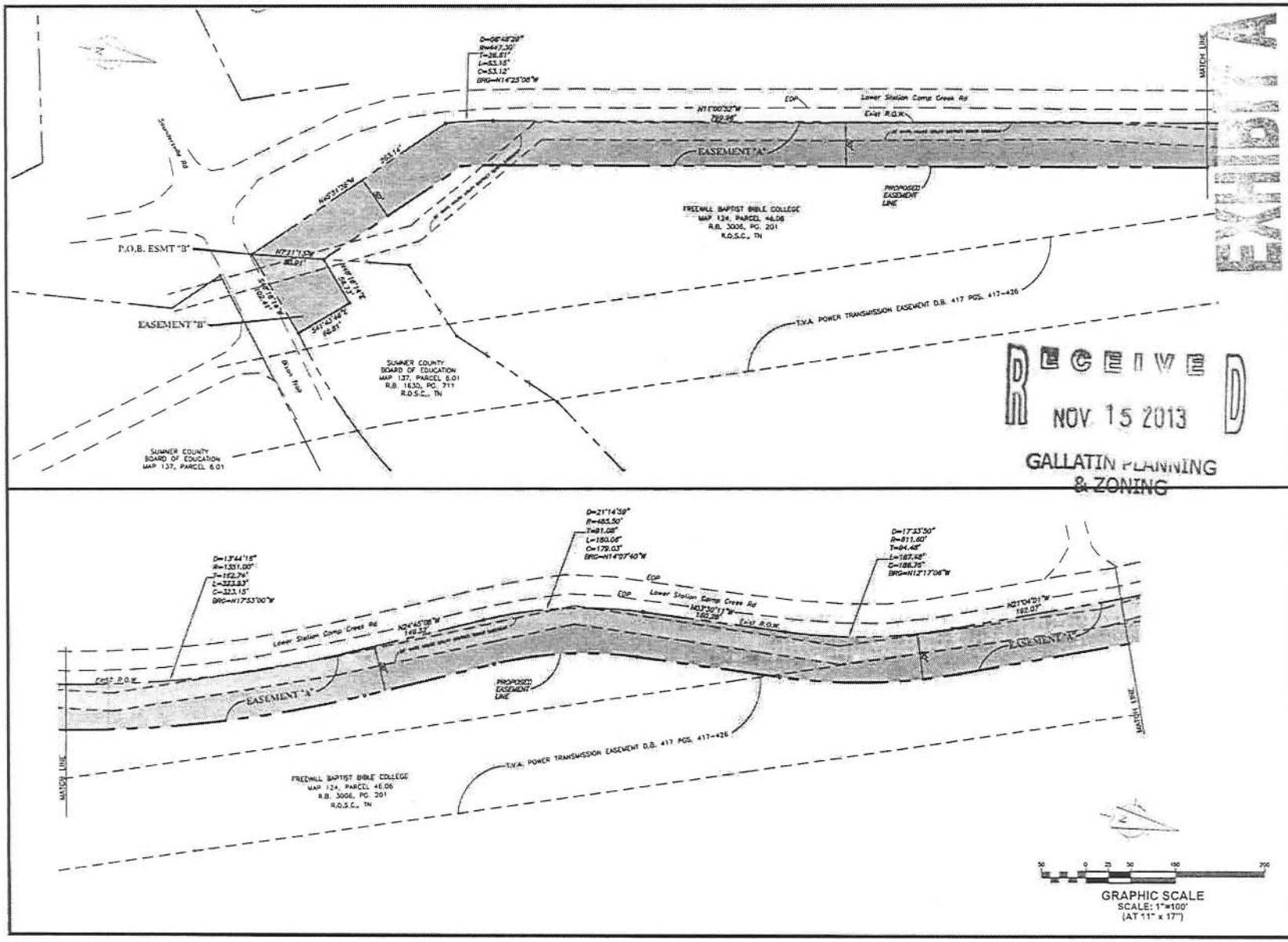
PC 0199-13

ATTACHMENT 6-5



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GALLATIN PLANNING & ZONING

REVISIONS

GREENWAY EASEMENT EXHIBIT
STATION CAMP GREENWAY
PHASE ONE
SUMNER COUNTY, TENNESSEE

DATE	11-07-13
DRAWN BY	DKH
CHECKED BY	JWB
SCALE	1"=100'
PROJECT NO.	06-09-207
FILE	

wiser

Preliminary for Review and Comments

SHEET NO.
1 OF 2

RESUBMITTAL

PC 0199-13

ATTACHMENT 6-6

Kevin Chastine

From: Zach Wilkinson
Sent: Tuesday, November 19, 2013 11:10 AM
To: 'Jared R. Gray, PE'
Cc: 'Amy Burch'; Nick Tuttle; William McCord; Kevin Chastine
Subject: RE: Welch College - background traffic
Attachments: 20131119103910.pdf

Amy, attached are the most recent numbers for the Carelleton development, as we discussed. Also add the 0.91 acre commercial parcel which is not shown on the attachment.

Jared, below are highlights of what we discussed. Everyone else, if I left anything important out, please chime in.

-Clarifying/confirming phasing shown on PMDP matches that in TIS -Confirming/clarifying traffic generation numbers for college and relation to phasing -Consideration of Lower Station Camp closure -Discussion of 34% internal capture rate -Jenkins Lane "trigger" and reservation -Accommodations for the MTP regarding 4 lanes on Bison Trail. Need 100' total width in ROW reservation.

Zach Wilkinson, PE, RLS, CPESC
Project Engineer

-----Original Message-----
From: Jared R. Gray, PE [mailto:jared@civilconsultants.net]
Sent: Monday, November 18, 2013 10:13 AM
To: 'Amy Burch'; Nick Tuttle; Zach Wilkinson
Cc: William McCord; 'Bob Murphy'
Subject: RE: Welch College - background traffic

I will be unable to attend this meeting please keep me in the loop.

Regards,
Civil Design Consultants, LLC
Jared R. Gray
Jared R. Gray, PE
615-638-8207 office
615-319-2734 cell
http://www.civilconsultants.net

-----Original Message-----
From: Amy Burch [mailto:AmyBurch@rpmtraffic.net]
Sent: Monday, November 18, 2013 8:52 AM
To: Nick Tuttle; Zach Wilkinson
Cc: William McCord; Bob Murphy; Jared R. Gray, PE
Subject: RE: Welch College - background traffic

Sounds good. I'll see you at 11am at your office. Thanks!

Amy L. Burch, P.E.
RPM Transportation Consultants, LLC
615.370.8410 office

EXHIBIT A

917.420.0696 cell

ATTACHMENT 6-6

-----Original Message-----
From: Nick Tuttle [mailto:nick.tuttle@gallatin-tn.gov]
Sent: Monday, November 18, 2013 8:27 AM
To: Amy Burch; Zach Wilkinson
Cc: William McCord; Bob Murphy; Jared R. Gray, PE
Subject: RE: Welch College - background traffic

Sorry for the late response, I can meet at meet at either time today.

Nick Tuttle, PE
City of Gallatin, City Engineer

-----Original Message-----
From: Amy Burch [mailto:AmyBurch@rpmtraffic.net]
Sent: Thursday, November 14, 2013 3:04 PM
To: Nick Tuttle; Zach Wilkinson
Cc: William McCord; Bob Murphy; Jared R. Gray, PE
Subject: RE: Welch College - background traffic

Nick,
I received the other comments from Zach. Thank you for sending. I can meet with you on Monday. My plans changed, and now I will be available Mon/Tues.
I am available at 11am or 3pm on Monday.

Amy

Amy L. Burch, P.E.
RPM Transportation Consultants, LLC
615.370.8410 office
917.420.0696 cell

-----Original Message-----
From: Nick Tuttle [mailto:nick.tuttle@gallatin-tn.gov]
Sent: Thursday, November 14, 2013 11:39 AM
To: Amy Burch; Zach Wilkinson
Cc: William McCord; Bob Murphy
Subject: RE: Welch College - background traffic

Amy,

I have been in/out of the office again this week. I know that Bill McCord has spoken with Zach about a number of questions regarding the TIS. I think that it would be good to try to sit down with you (or someone else because I think that you said you would be out on Monday and Tuesday next week) and Jared on Monday. Would this be possible? If necessary, I can make it Friday afternoon.

Let me know what works...

Nick

From: Amy Burch [AmyBurch@rpmtraffic.net]
Sent: Wednesday, November 13, 2013 6:58 PM
To: Zach Wilkinson
Cc: Nick Tuttle; William McCord; Bob Murphy
Subject: RE: Welch College - background traffic

EXHIBIT A

ATTACHMENT 6-6

Nick & Zach,
As you know we're working to revise the traffic study to address your comments below regarding the background traffic. I haven't received any other comments from the City. If there are other comments, please try to get them to me tomorrow so that I can incorporate them into the revised traffic study.

As Nick and I discussed on Monday, including this additional traffic in the background analyses is quite a bit of work. We are trying to get the revised study resubmitted to the City next Wednesday.

Thanks!
Amy

Amy L. Burch, P.E.
RPM Transportation Consultants, LLC
615.370.8410 office
917.420.0696 cell

From: Zach Wilkinson [mailto:zach.wilkinson@gallatin-tn.gov]
Sent: Thursday, November 07, 2013 12:37 PM
To: Amy Burch
Cc: Nick Tuttle; William McCord
Subject: RE: Welch College - background traffic

Hi Amy,

Below are comments regarding the Traffic Impact Study for Welch College.
Nick has not finished reviewing at this time, but will send any additional comments asap.
Give me a call if you would like to discuss.

1. See comments below regarding the non-site developments.

2. See attached email regarding proposed development on Jenkins lane.
Include this in your background traffic.

Zach Wilkinson, PE, RLS, CPESC
Project Engineer

From: Nick Tuttle
Sent: Wednesday, October 30, 2013 4:29 PM
To: Zach Wilkinson
Subject: FW: Welch College - background traffic

Nick Tuttle, PE
City of Gallatin, City Engineer

From: Amy Burch [mailto:AmyBurch@rpmtraffic.net]
Sent: Monday, October 21, 2013 10:36 AM
To: Nick Tuttle
Subject: Welch College - background traffic

Nick,

EXHIBIT A

Thanks again for letting us make a copy of the original Hidden Creek traffic study. I had to take it apart in order to copy it, but we rebound it. I'll try to get it returned to you today or tomorrow.

The original study included the following four specific non-site developments that were approved but not completed in 2008:

* The Paddock (Now Carolton?) - located north of Long Hollow Pike.
275 dwelling units were included, however you indicated it was more in the 900 unit range.
Below are the site traffic numbers from the Carellton TIS to include in the background traffic.
[cid:image001.png@01CEE09F.C82828A0]

* Sumner Station - athletic/fitness club and medical offices appears to be complete.
Complete but not used to capacity. The building is largely unused at this point, so projected traffic should be incorporated into the background traffic numbers.

* Wellington Farms - located on Big Station Camp Boulevard south of the middle school. Included 410 apartment units, which appears to be complete.
Yes, recent meetings have indicated they hope to expand to across Big Station Camp as well.

* Station Camp Elementary School - maximum of 1,000 students appears to be complete.

Based on this evaluation, we planning to only include site-specific background traffic for the Paddock (Carolton?). Can you provide me with the approximate number of dwelling units that are remaining to be built for that development? We are also looking at the TDOT count stations to establish annual growth trends for the study area. Let me know if you have any questions regarding these assumptions.

Thanks for your assistance.
-Amy

Amy L. Burch, P.E.
RPM Transportation Consultants, LLC
1101 17th Avenue South
Nashville, TN 37212
615.370.8410 office
917.420.0696 cell
amyburch@rpmtraffic.net<mailto:amyburch@rpmtraffic.net>

EXHIBIT A

ATTACHMENT 6-6

ATTACHMENT 6-8

BONE
MCALLESTER
NORTON PLLC

George J. Phillips
615-780-7988 Phone
615-780-7979 Fax
gphillips@bonelaw.com

November 20, 2013

VIA ELECTRONIC MAIL: sbaker@wallerlaw.com

Stephen C. Baker, Esq.
Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700,
Nashville City Center
Nashville, TN 37219

Re: Welch College
Fifth Third Bank
Hidden Creek - Preliminary Master Development Plan

Dear Steve:

I wanted to send this letter confirming Fifth Third Bank's position that it does not have any obligation to bond the costs of the Jenkins Lane Extension over a parcel of the property that Fifth Third Bank ("Fifth Third") foreclosed on as identified on the approved Preliminary Master Development Plan approved by the City of Gallatin on October 1, 1998 ("PMDP") if Welch College was to apply for a building permit. The parcel now owned by Fifth Third separates the property owned by Welch College ("College") from Big Station Camp Boulevard ("Fifth Third Property").

As background, Welch College contacted Fifth Third to advise that it intended to proceed to build its campus as set out on the PMDP and wanted to confirm that Fifth Third Bank, as the owner of the parcels encompassed within the PMDP through foreclosure from Franklin Farms Estates, LLC and/or Hidden Creek, LLC, would bond the road from Lower Station Camp Creek Road to Big Station Camp Boulevard. Fifth Third said it would not.

The language on the PMDP is as follows:

EXHIBIT A

{00999295.1 }

ATTACHMENT 6-8

JENKINS LANE EXTENSION OBLIGATIONS

SCENARIO 1. THE EXTENSION OF JENKINS LANE FROM LOWER STATION CAMP CREEK ROAD TO BIG STATION CAMP CREEK BOULEVARD WILL BE DEDICATED, BUILT, AND CONSTRUCTED UPON THE CLOSURE AND ABANDONMENT OF LOWER STATION CAMP CREEK ROAD FOR UTILIZATION AS A GREENWAY.

SCENARIO 2. THE DEVELOPER OF HIDDEN CREEK SHALL RECORD A SUBDIVISION PLAT FOR THE ROADWAY AND POST A PERFORMANCE BOND FOR THE CONSTRUCTION OF JENKINS LANE FROM LOWER STATION CAMP CREEK ROAD TO BIG STATION CAMP BOULEVARD PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR EITHER THE COLLEGE OR COMMERCIAL LOT A — A?

It was our belief that this, not the Reciprocal Easement Agreement, is what bound the successor to this Bank Property now owned by Fifth Third to bond the Jenkins Lane Extension (with Welch College having to pay for the ½ over its land) if Welch College requested a building permit. Welch College was excited when it learned that Fifth Third had foreclosed on the Property because it believed it now had a party that could financially live-up to the obligation to bond the entire Jenkins Lane Extension when it was ready to proceed with the construction of its campus.

Welch College has always planned and preferred to build the campus on the northern end of its property with access to be provided off the Jenkins Lane Extension. This road connecting Big Station Camp Boulevard and Lower Station Camp Creek would undoubtedly increase the value of Welch College's campus because otherwise there is no access from Welch College's campus to Big Station Camp Boulevard.

The Developer submitted an application to revise a previously submitted Preliminary Master Development Plan requesting a change in zoning to PGC (planned general commercial), known as planned unit development (PUD). After review the plan was approved by the Commission and the City Council, including the specific requirement that the Developer bond the Jenkins Lane Extension prior to the issuance of any building permit for either Welch College or the commercial property referenced on the plan. We believe Fifth Third is the Developer's successor by virtue of having foreclosed on all the property owned by the Developer within the area encompassed by the PMDP. Fifth Third has benefitted by having its property in the PMDP changed to commercial and as such, should have assumed the corresponding obligation to bond the Jenkins Lane Extension upon Welch College applying for a building permit. That was a clear condition to the zoning change.

The property retained by Franklin Farm Estates, LLC that separates Welch College's property from Big Station Camp Boulevard has now been foreclosed upon by Fifth Third. The foreclosed property retains the PGC zoning designation. We believe that Fifth Third as the successor in interest to the property is also bound by the obligations taken on at the time of submission of the PMDP for approval, specifically bonding the Jenkins Lane Extension. But in

EXHIBIT A

ATTACHMENT 6-8

our conversations with Fifth Third, Fifth Third has made it plain that it will not fulfill those obligations and does not believe that it is required to do so in spite of case authority to the contrary that I previously shared with you.

The Tennessee Court of Appeals decided a similar case in *Metro Nashville v. Barry Construction*, 240 S.W. 3d 840 (Tenn. App. 2007), involving a planned unit development approved by the Metro Planning Commission and Metro Council. As the project progressed, the original developer sold a portion of the development to Barry Construction. While wanting to develop the lots, Barry Construction submitted its plans in a manner which omitted the construction of a roadway required pursuant to the terms of the preliminary master development plan. It was several years before Metro employees noted the omission and ultimately suit was filed by Metro to require either or both of the developers to construct the highway. The trial court dismissed the case as against Barry Construction, but the Court of Appeals reversed, holding significantly:

> The ordinance and the attached preliminary master plan show inescapably that [the original developer] agreed to build and pave to a width of thirty feet the entire length of Smith Springs Parkway in return for the Council's rezoning of the property and application of the PUD district overlay. The comprehensive zoning ordinance specifically contemplated this type of exchange. Moreover, binding legal agreements regarding the specific elements of a development are characteristic of PUDs generally. When the Council accepted JCH's offer by adopting the ordinance applying the PUD district overlay, JCH incurred a legally enforceable obligation to ensure that Smith Springs Parkway was built and paved during the course of the development of the project.

Id. at 849-50.

Similarly in this case, the Gallatin Planning Commission and the Gallatin City Council approved the PMDP. When the plan was accepted by adopting the ordinance applying the new zoning, a legally enforceable obligation arose to ensure that the roadway was constructed as required.

The Court of Appeals in *Barry* also made clear that the original obligations are binding on successor developers and owners of the property:

> Because they are the equivalent of zoning restrictions, we agree with the weight of authority from other jurisdictions that the conditions and requirements of the preliminary master plan are binding not only on the original developer, but also on subsequent developers and owners of property within the PUD.

Id at 851.

EXHIBIT A

ATTACHMENT 6-8

Thus, in a similar manner, Fifth Third as a successor to the developmental interests, or even as only a property owner, is bound by the requirements of the PMDP. The doctrine announced by the Tennessee Court of Appeals in *Barry* would seem to require that Fifth Third as the owner of the property, abide by the dictates of the new zoning regulations. The zoning was changed with regard to this property, and in return, the construction of the extension of Jenkins Lane was promised. I would not think Fifth Third would want to renounce the zoning change, but in disclaiming the Jenkins Lane Extension obligations that is what Fifth Third appears to be doing on its behalf and on behalf of the future purchasers of the property covered by the PMDP. This is why we think the burden of the Road runs with the benefit of the zoning change to Fifth Third as the successor owner of the property.

In response to Fifth Third's steadfast position that it is not bound to bond the Jenkins Land Extension by the PMDP or otherwise, Welch College was faced with a situation of potentially losing a purchaser for its West End Campus in Nashville while it litigated Fifth Third's obligation to bond the Jenkins Lane Extension. In this situation with the Fifth Third having renounced its obligation to bond the Jenkins Lane Extension, Welch College facing the prospect of having to build the entire Jenkins Lane Extension over its property and over the Fifth Third Property, really had no choice but to look to relocate its campus to the southern end of its property where road access could be achieved off Bison Trial and ask the City of Gallatin to relieve it of the obligation to bond the Jenkins Lane Extension when it applies for a building permit.

The southern option with Bison Trail access is much more expensive to the College than the original northern campus (paying for ½ of the Jenkins Lane Extension over the College property) with Jenkins Lane access because that option will entail widening Bison Trial and building a bridge over the creek for the main entrance from Bison Trail onto the College property. Also, because of the widening flood plain on the southern end of the property, the College will have less land to build its campus there. But this southern option is less expensive than the prohibitive costs of having to build the entire Jenkins Lane Extension on the northern property.

The purpose of this letter is to make clear to Fifth Third and to any successor owner of Fifth Third Property, that given Fifth Third's refusal to live up to the obligations imposed by the PMPD, it would be inequitable for Fifth Third or any successor to Fifth Third property to later try to enforce the terms of the Reciprocal Easement Agreement that required Welch College to pay for one-half of the costs of the Jenkins Lane Extension over its property when the owner of the Fifth Third Property is ready to apply for a building permit. The Reciprocal Easement Agreement was entered into part and parcel with the PMDP, and having refused to agree to bond the Jenkins Lane Extension over Fifth Third's Property when Welch College was ready to move forward to build its campus, it would be inequitable for Fifth Third or the successor owner of

EXHIBIT A

ATTACHMENT 6-8

Fifth Third Property to later take the benefit of the Joint Reciprocal Easement Agreement having shirked its obligations under the PMDP.

We trust that Fifth Third will make a copy of this letter available to the realtor retained to sell the Fifth Third Property so that it can share the College's position about the Jenkins Lane Extension with any prospective buyer. The College believes such buyer should be informed of the College's position on the front end.

Sincerely,

George J. Phillips

cc: Dr. Robert Pinson
President, Welch College

Mr. William McCord
Director of Planning, City of Gallatin

{00999295.1 }

EXHIBIT A

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

DECEMBER 10, 2013

DEPARTMENT: **CODES/PLANNING** **AGENDA # 1**

SUBJECT:
Ordinance #01312-69 Concurring and Approving Amendment to the Preliminary Master Development Plan for the Hidden Creek/Welch College development located north of Bison Trail and west of Big Station Camp Boulevard.

SUMMARY:
Applicant requests approval of an amendment to the Preliminary Master Development Plan for Hidden Creek/Welch College, in order to reorient the Welch College access, establish the campus layout, and establish phase lines for all of the Hidden Creek development. The property contains three (3) phases on 212 (+/-) acres. The Planning Commission recommended approval of the Amended Preliminary Master Development Plan at the November 25th, 2013 meeting with 31 conditions of approval.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

EXHIBIT A

AMENDED ORDINANCE NO. O13Ø9-45

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING MULTIPLE RESIDENTIAL AND OFFICE (MRO) ZONE DISTRICT TO PLANNED NEIGHBORHOOD COMMERCIAL (PNC) ZONE DISTRICT – TIGER MANAGEMENT GROUP LLC, OWNER(S) – 3.00 (+/-) ACRES – S.B.E. TAX MAP 126I/B/008.00 – LOCATED ON THE SOUTH SIDE OF NASHVILLE PIKE, WEST OF LOCK 4 RD AT 921 NASHVILLE 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 in GMRPC Resolution No. 2013-68 and GMRPC Resolution No. 2013-82, 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 hereby imposes those recommendations as conditions to this zoning amendment; and
2. That based upon the 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 defined and described in Exhibit B, Restaurant / Retail Development Lock 4 Road Preliminary Master Development Plan, attached hereto, shall be amended from the regular zoning district of Multiple, Residential and Office (MRO) zone district to the regular zoning district of Planned Neighborhood Commercial (PNC) zone district, and the Restaurant / Retail Development Lock 4 Road Preliminary Master Development Plan is hereby approved.
3. In accordance with Section 15.07.080 of the Gallatin Zoning Ordinance, the official zoning map of the City of Gallatin, Tennessee, shall, upon the effective date of this ordinance, be amended to reflect the zoning changes herein made.

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

PASSED FIRST READING: September 17, 2013.

PASSED SECOND READING:

_____

MAYOR JO ANN GRAVES

ATTEST:

_____

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____

JOE H. THOMPSON
CITY ATTORNEY

RESOLUTION APPROVING OTHER BUSINESS ITEM #9.2 - A REVISION TO THE CONCEPTUAL LANSCPAING PLAN FOR A RESTAURANT AND RETAIL CENTER LOCATED AT 921 NASHVILLE PIKE - PC0161-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the revision to the conceptual landscaping plan submitted by the applicant, Perry Engineering, LLC, at its regular meeting on September 23, 2013; 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 revised conceptual landscaping 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 have an adverse effect upon adjoining property owners or any such adverse effect can be 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 approves the revised conceptual landscaping plan with the following condition:

1. Planning Commission approved the applicant's request to install an eight (8) foot tall SimTek fence along the rear property line as part of the Type 40 Bufferyard.

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.

EXHIBIT A

PRESENT AND VOTING

AYE: 6

NAY: 0

DATED: 9/23/13

Dick Dempsey, Chairman

Johnny Wilson, Secretary

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

EXHIBIT A

GMRPC Resolution No. 2013-68

RESOLUTION RECOMMENDING APPROVAL OF PRELIMINARY MASTER DEVELOPMENT PLAN TO REZONE 3.00 (+/-) ACRES FROM MULTIPLE RESIDENTIAL AND OFFICE (MRO) TO PLANNED NEIGHBORHOOD COMMERCIAL (PNC) IN ORDER TO BUILD A RESTAURANT AND RETAIL CENTER AT 921 NASHVILLE PIKE (PC0161-13)

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Master Development Plan submitted by the applicant, Perry Engineering, LLC, at its regular meeting on August 26, 2013; 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 have an adverse effect upon adjoining property owners or any such adverse effect can be 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. Planning Commission approve the conceptual architectural elevations as submitted. The Planning Commission shall approve the final architectural plans as part of the approval of the Final Master Development Plan.
2. The applicant shall revise the landscape plan to provide both the required parking lot screening and Type 12 bufferyard around the detention pond located adjacent to Lock 4 Road.
3. The applicant shall submit clarification for approval by the Codes/Planning Department that the calculations used to determine that the additional site trees and shrubs required in Section 08.05.050 B of the Gallatin Zoning Ordinance have been

satisfactorily addressed. The applicant shall revise the landscaping plan as necessary in order to meet the additional site landscaping requirements.

4. Planning Commission shall make a decision on whether or not the proposed alternative Landscaping Plan for the Type 40 buffer yard meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance or whether the applicant shall revise the landscape plan to provide another alternative or whether the plan must be revised to meet the bufferyard requirements as specified by the Gallatin Zoning Ordinance.
5. The applicant shall add a note to the Preliminary Master Development Plan stating that freestanding signs shall be limited to 6-foot tall monument signs. The note must also state that the applicant will provide a detailed sign package as part of the approval of the Final Master Development Plan by the Planning Commission and that the applicant will submit all signage to the Codes/Planning Department for approval and issuance of a sign permit prior to the installation of any signage.
6. The applicant shall revise the Preliminary Master Development Plan to correct the use classifications as described in the staff report and clarify the specific uses in the PNC zone district that are being requested for the 6,400 square foot multi-tenant building rather than listing all of the uses in the PNC zone district.
7. The applicant shall submit for approval by the Engineering Division information showing that the proposed drive-through aisle has sufficient length to store, at minimum, the average traffic volume.
8. The applicant shall revise the PMDP to show the location of the sidewalks adjacent to the right-of-way as required by the Engineering Division.
9. The applicant shall submit three (3) corrected and folded copies of the Preliminary Master Development Plan 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: 8/26/13

Dick Dempsey, Chairman

Johnny Wilson, Secretary

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

ITEM 10
8/26/13 GMRPC MEETING

Public Comment

Applicant requests approval of a Preliminary Master Development Plan to rezone 3.00 (+/-) acres from Multiple Residential and Office (MRO) to Planned Neighborhood Commercial (PNC) in order to build a restaurant and retail center at 921 Nashville Pike. (PC0161-13)

Attachment 10-1	**Preliminary Master Development Plan**
Attachment 10-2	**Response Letter from Randy Perry, P.E. dated August 15, 2013**
Attachment 10-3	**Letter, Richard G. Phillips, P.E. dated August 15, 2013**

ANALYSIS
The applicant is requesting approval of a Preliminary Master Development Plan (PMDP) to rezone 3.00 (+/-) acres from Multiple Residential and Office (MRO) to Planned Neighborhood Commercial (PNC) in order to build a restaurant and retail center at 921 Nashville Pike. No portion of this property is located in a special flood hazard area.

Gallatin Zoning Ordinance Section 08.05.010 – General Standards for Making Determinations
Prior to the establishment of a new Planned Neighborhood Commercial District, the Planning Commission is required to review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

A. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
B. Will not be hazardous or disturbing to existing or future neighboring uses;
C. Will be a substantial improvement to property in the immediate vicinity and to the community as a whole;
D. Will be served adequately by essential public facilities and services, such as highways, streets, police, and fire protection; drainage structures; refuse disposal; or schools; or that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such service;
E. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
F. Will not involve uses, activities, processes, materials and equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
G. Will be consistent with the intent and purposes of this Ordinance.

The information and analysis contained in this staff report is intended to serve as the required review of the facts and circumstances of the proposed PMDP and rezoning request to ensure that the proposed development will meet the Zoning Ordinance and standards outlined in Section 08.05.010.

Rezoning History
A (PMDP) to rezone this property from Residential-20 (R20) to Multiple Residential and Office (MRO) for a convenience store was recommended by the Planning Commission at the March 27, 2006 meeting and approved by the Gallatin City Council on 2nd reading on April 18, 2006. The

Planning Commission approved a Final Master Development Plan with conditions for the convenience store at the April 24, 2006 meeting. The convenience sales and service project was not developed and the applicant is looking to purchase and rezone the property in order to develop a 6,400 square foot multi-tenant retail building and 4,200 square foot restaurant building on the property.

General Development and Transportation Plan

The PMDP is consistent with the recommendations outlined in the General Development and Transportation Plan Amendment for the Nashville Pike Corridor that was approved by the Planning Commission in 2001 and reaffirmed in the Gallatin on the Move 2020 Plan adopted in 2009. The General Development and Transportation Plan supports the requested PNC zone district.

The applicant has provided the required access management improvements and designed the site layout and architectural plans to be consistent with the standards recommended in Plan. In addition, the applicant has submitted alternative landscape and buffering plans for the rear bufferyard located adjacent to the existing residential uses for the Planning Commission to consider. The access management, landscaping and buffering, and architectural design elements are intended to minimize the potential impacts of the proposed development on the adjacent residential properties.

Proposed Uses

Staff commented during the initial review of the PMDP that the applicant needed to identify the specific use classifications that were being requested as part of the rezoning request and not just label the use as commercial development. The applicant resubmitted the PMDP and labeled the 6,400 square foot building for retail uses and the 4,200 square foot building as a restaurant use. The use classifications need to be corrected to match the use classifications from the Zoning Ordinance and be labeled as General Retail Sales and Services and Food Service.

In addition, the applicant responded by adding a use table to the PMDP that simply lists all of the permitted and conditional uses in the PNC zone district. As presented, General Retail Sales and Service is the only use that would be permitted in the multi-tenant building. The applicant needs to clarify which of the specific uses in the PNC zone district are being requested for the 6,400 square foot multi-tenant building rather than listing all of the uses in the PNC zone district.

Parking

The parking requirements for the site were based on the General Retail Sales and Services [1 parking space for every 250 square feet] and Food Service [1 parking space for every four (4) person seating capacity] use classifications. As proposed, the development is required to provide a total of 54 parking spaces. The applicant has shown a total of 87 parking spaces, which exceeds the number of required parking spaces by 33 parking spaces. The 87 parking spaces are broken down as 83 regular spaces, and 4 handicapped spaces. The applicant has removed the parking that was originally shown behind the 6,400 square foot building and has shown the area as loading zone. The landscaping plans need to be corrected to show the area as a loading zone instead of parking.

Access

The applicant has provided the access management recommendations contained in the General Development Plan Amendment for the Nashville Pike Corridor. The existing backage road will be extended from the adjoining Wendy's development to Lock 4 Road. The applicant will also provide the required cross access easements and shared driveway connection onto Nashville Pike. The

applicant has revised the site layout to remove the parking spaces shown behind the 6,400 square foot building and has angled the dumpster accesses to provide additional room for loading and unloading.

Landscaping and Bufferyards

Type 12, 15, and 40 bufferyards are required on this site. The applicant has shown the required Type 15 bufferyard along the northern property boundary along Nashville Pike. The Type 12 bufferyard along the east property boundaries along Lock 4 Road is shown as an alternative bufferyard due to the location of the proposed plant material. The Type 40 bufferyard located along southern property boundary is also shown as an alternative bufferyard and the applicant has submitted two (2) alternatives for the Planning Commission to consider for this bufferyard.

The Alternative Type 12 bufferyard along the eastern property boundary shows the required trees being planted in the bufferyard. However, the applicant is requesting an alternative plan to permit the bufferyard landscaping near the detention pond to be installed up adjacent to the parking area rather than in the 12-foot bufferyard along Lock 4 Road. Staff is concerned that no landscaping is being proposed to screen the proposed detention pond from Lock 4 Road. The applicant needs to revise the plans to provide both the required parking lot screening and Type 12 bufferyard around the detention pond adjacent to Lock 4 Road.

The Type 40 bufferyard located along southern property boundary is shown as an alternative bufferyard and the applicant has submitted two (2) alternatives for the Planning Commission to consider. The Zoning Ordinance requires Type 40 bufferyards to consist of a strip of landscaped area, a minimum of forty (40) feet wide, landscaped as follows: an opaque barrier shall be installed within the bufferyard, in accordance with Section 13.04.080, to a minimum height of 10 feet, plus one medium evergreen tree (ultimate height 20-40 feet) for every 15 feet planted on triangular staggered spacing, plus one small deciduous or ornamental tree for every 80 linear feet, plus one large deciduous tree (ultimate height 50+ feet) for every eighty 80 linear feet measured along the opaque barrier. The landscape materials are required to be planted on the side of the opaque barrier that abuts the less intense zoning district or development.

The Zoning Ordinance states that the opaque barrier may be achieved with either:

- A masonry wall, a minimum of three (3) feet in height, of a design approved by the City Planner.
- A hedge-like screen or a random or informal screen plantings of broadleaf evergreen shrubs or approved deciduous plant material, capable of providing a substantially opaque barrier and attaining a minimum height of four (4) feet within three (3) years of planting. Hedges shall be planted initially at minimum spacings and sizes to adequately provide a substantially opaque barrier within two years of planting.
- A landscaped earth berm with a maximum slope of 3:1, rising no less than two and one-half (2.5) feet above the existing grade at the lot line separating the development parcel from adjacent properties, or
- Any combination of these methods that achieves the cumulative minimum height prescribed in each bufferyard type.

In addition, the General Development and Transportation Plan and Zoning Ordinance encourage the preservation of healthy existing tree vegetation within a required bufferyard. The preservation of each healthy existing tree (at least four and one-half inches caliper) may be counted as one tree towards the fulfillment of the landscape requirements.

EXHIBIT A

The General Development Plan Amendment recommended that the bufferyard types recommended in the access management portion of the plan be provided between the existing residential neighborhood and the developing property and that a minimum of a 10-foot tall opaque barrier be provided in this area. The Plan recommended that the opaque barrier could be obtained through a combination of a landscaped earth berm and masonry wall or an acceptable alternative fence design (such as pressure treated shadow box fence). The landscaping must be designed to achieve the required height within three years as specified by the Zoning Ordinance.

The Zoning Ordinance permits the Planning Commission to approve an Alternative Plan which is not in strict compliance with the requirements of this Section, if the Commission finds that such alternative plan meets the purpose and intent of the requirements and the alternative buffer yard plan is clearly superior to a plan that would be in strict compliance with this Ordinance. In making the determination, the Commission may consider the topography, shape, size, or other natural features of the property; the suitability of any alternative screening or buffering proposals; and other similar factors.

Alternative 1 for Type 40 bufferyard

The first alternative shows a heavily landscaped bufferyard that includes the preservation of 30 existing large canopy trees and the installation of 63 medium evergreens, 12 small understory trees and 24 large evergreen shrubs. The proposed landscaping exceeds the required plant material and proposes to achieve the opaque barrier through the installation of the additional plant material. A 15-foot drainage easement is located in the bufferyard and limits the installation of a berm in this area. In addition, in order to install a landscaped earth berm or brick screen wall in this area would require that most of the existing trees to be removed to install the opaque barrier. Staff believes that that the proposed bufferyard landscaping can meet the intent of the Type 40 bufferyard requirements along most of the bufferyard. However, staff is concerned about how well the proposed buffer will screen the area that is adjacent to the existing single family residence near to Lock 4 Road. The Planning Commission should review additional options for a combination of additional landscape materials and an alternative fence design in this area.

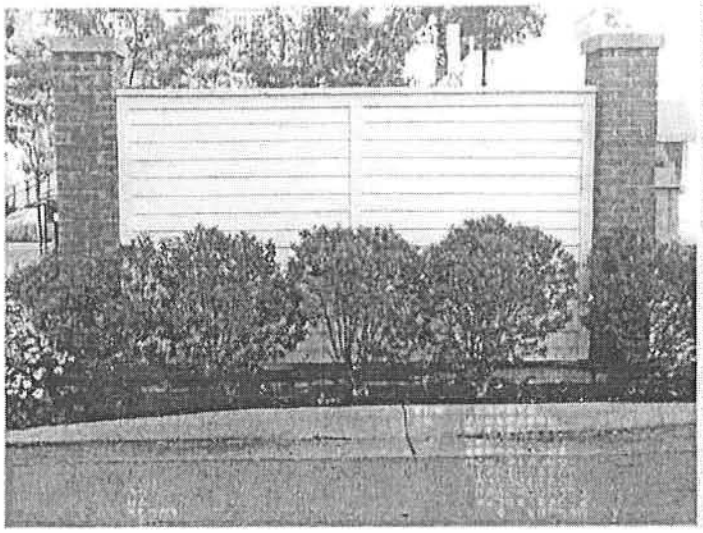
Alternative 2 for Type 40 bufferyard

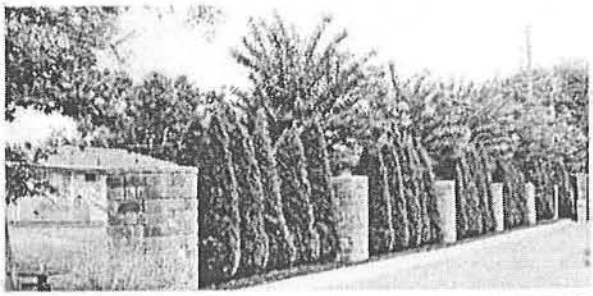
The second alternative for the Type 40 bufferyard that the applicant submitted calls for the installation of a 10-foot tall fence, the preservation of the existing trees and the installation of the minimum required plant material. The applicant has not provided any details about the proposed design or materials for the 10-foot tall fence. Two developments in the Nashville Pike corridor were previously approved and developed with 10-foot tall wood fences. These fences have not aged well and have proven to be a continuous maintenance issue and have not achieved the desired aesthetically pleasing opaque barrier requirement. Staff does not recommend this alternative.

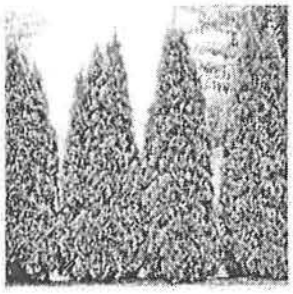
Other Examples of Alternative Designs for Opaque Barrier

The Planning Commission may want to consider additional options for achieving the opaque barrier requirement, including brick or stone columns with composite fence materials or landscaping located between the columns. The required plant material for the Type 40 bufferyard would still be required.

EXHIBIT A







Additional Landscaping Requirements

The PNC zone district also has additional landscaping requirements, which are in outlined in Section 08.05.050.B of the Gallatin Zoning Ordinance. The applicant needs to clarify the calculations that were used to show that the required additional site trees and shrubs that have been provided to meet these requirements. The additional site trees (minimum of 2-inch caliper) shall be provided exclusive of the required landscape bufferyard requirements and the additional required shrubs (minimum 18-inch high) may be counted towards the required bufferyard and site landscaping requirements but shall be exclusive of the required continuous parking lot screening required in Section 13.05 of the Zoning Ordinance.

The Planning Commission shall make a decision on whether or not the proposed alternative bufferyard plan meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance (GZO) or if the applicant shall meet the bufferyard requirements of the GZO.

Signage

The General Development Plan Amendment for the Nashville Pike Corridor noted that signage plays an important role in the visual appearance and character of the Corridor and that signage should not detract from the continuity or identity of the streetscape. The Plan recommended that freestanding signage in this area be limited to monument style signage with a maximum height of six (6) feet. All of the developments that have been approved in this corridor since the Plan was adopted in 2001 have complied with the signage requirement.

Staff recommends that the applicant add a note to the plan stating that freestanding signs are to be 6-foot tall monument signs. The note must also state that the applicant will provide a detailed sign package as part of the approval of the Final Master Development Plan by the Planning Commission and that the applicant will also submit all signage to the Codes/Planning Department for approval and issuance of a sign permit prior to the installation of any signage.

Architectural Elevations

The applicant submitted conceptual architectural plans that meet or exceed the architectural standards required by the Zoning Ordinance. The proposed buildings meets the 70 percent masonry requirement in Section 13.08 of the Gallatin Zoning Ordinance with a mixture of brick and EIFS on

all four (4) elevations. The rooftop mechanical equipment will also be screened from view as required by the Zoning Ordinance.

Photometric Plan
The applicant has submitted a photometric plan that meets the Zoning Ordinance requirements for maximum height of light fixtures and levels along the property boundaries. The applicant has not provided details of the proposed 30'foot tall poles or light fixtures. All fixtures must be of a shoe box design with a 90 degree cutoff fixture to minimize glare and shield and contain light on the property. A detailed photometric plan must be submitted and approved by the Planning Commission as part of the approval of the Final Master Development Plan.

Engineering Division Comments
The applicant has addressed the majority of the Engineering Division comments with the exception of the following items:

- Indicate that the drive-through aisle has sufficient length to store, at minimum, the average volume.
- Place sidewalks adjacent to the right-of-way for greater aesthetics and public use.

The applicant shall submit the required information about the drive-through aisle and revise the PMDP to show the location of the sidewalks adjacent to the right-of-way as required by the Engineering Division.

Departmental Comments
The applicant has satisfactorily completed all other departmental comments.

Findings
Based on the review and analysis of the PMDP and rezoning request described in the staff report above, the proposed project will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area. The proposed project will be designed to be consistent with the recommendations of the General Development Plan and consistent with the intent and purpose of the Zoning Ordinance.

The proposed use will not be hazardous or disturbing to existing or future neighboring uses. The Gallatin Zoning Ordinance contains performance and design standards that the use must meet in order to ensure the compatibility of the proposed use. The property has been vacant for the past several years since the property was purchased by the current owner for the development of a gas station and convenience store and the single family house on the property were demolished.

The City Departments that provide services to this property have reviewed the plan and have indicated that the essential public facilities and services are available and can be provided to the property in accordance with established city requirements for the provision of such services.

The proposed use of the property for a restaurant and general retail sales and services is less intensive than the currently approved convenience sales and service use. The proposed use will be designed and operated in accordance with adopted city codes and will be required to meet Zoning Ordinance design and performance standard requirements.

EXHIBIT A

RECOMMENDATION

Based on the findings presented in staff report, Staff recommends that the Planning Commission recommend approval of the Preliminary Master Development Plan to the Gallatin City Council with the following conditions:

1. Planning Commission approve the conceptual architectural elevations as submitted. The Planning Commission shall approve the final architectural plans as part of the approval of the Final Master Development Plan.
2. The applicant shall revise the landscape plan to provide both the required parking lot screening and Type 12 bufferyard around the detention pond located adjacent to Lock 4 Road.
3. The applicant shall submit clarification for approval by the Codes/Planning Department that the calculations used to determine that the additional site trees and shrubs required in Section 08.05.050.B of the Gallatin Zoning Ordinance have been satisfactorily addressed. The applicant shall revise the landscaping plan as necessary in order to meet the additional site landscaping requirements.
4. Planning Commission shall make a decision on whether or not the proposed alternative Landscaping Plan for the Type 40 buffer yard meets the requirements in Section 13.04.100.C of the Gallatin Zoning Ordinance or whether the applicant shall revise the landscape plan to provide another alternative or whether the plan must be revised to meet the bufferyard requirements as specified by the Gallatin Zoning Ordinance.
5. The applicant shall add a note to the Preliminary Master Development Plan stating that freestanding signs shall be limited to 6-foot tall monument signs. The note must also state that the applicant will provide a detailed sign package as part of the approval of the Final Master Development Plan by the Planning Commission and that the applicant will submit all signage to the Codes/Planning Department for approval and issuance of a sign permit prior to the installation of any signage.
6. The applicant shall revise the Preliminary Master Development Plan to correct the use classifications as described in the staff report and clarify the specific uses in the PNC zone district that are being requested for the 6,400 square foot multi-tenant building rather than listing all of the uses in the PNC zone district.
7. The applicant shall submit for approval by the Engineering Division information showing that the proposed drive-through aisle has sufficient length to store, at minimum, the average traffic volume.
8. The applicant shall revise the PMDP to show the location of the sidewalks adjacent to the right-of-way as required by the Engineering Division.
9. The applicant shall submit three (3) corrected and folded copies of the Preliminary Master Development Plan to the Codes/Planning Department.

EXHIBIT A

CITY OF GALLATIN

KATHERINE SCHOCH, AICP
INTERIM ZONING ADMIN. /ASSIST. DIRECTOR
KATHERINE.SCHOCH@GALLATIN-TN.GOV

CODES/PLANNING DEPARTMENT

ADDAM MCCORMICK, AICP
INTERIM BUILDING OFFICIAL
ADDAM.MCCORMICK@GALLATIN-TN.GOV

Project Comments

Meeting Date: 08/26/2013
RE: PANERA BREAD RESTAURANT, Preliminary Master Development Plan
Reference #: PC0161-13

Department of Public Utilities
Review Date: 07/26/2013
1. NO PROBLEM WITH WATER, SANITARY SEWER, OR NATURAL GAS UTILITIES.

Planning Department
CODES/PLANNING DEPARTMENT PROJECT MANAGER: JIM SVOBODA
REVIEW DATE: 8/7/2013

1. CORRECT YARDS ALONG LOCK 4 RD AND REAR PROPERTY LINE. LOCK 4 RD SHOULD BE A 20-FOOT SIDE YARD A 40-FOOT REAR YARD ADJACENT TO THE RESIDENTIAL PROPERTY.
2. WHAT EXCEPTIONS (RELIEF) ARE BEING REQUESTED FROM BULK REGULATIONS FOR INDIVIDUAL LOTS. THE PROPOSED LOTS APPEAR TO MEET YARD AND SETBACK REQUIREMENTS AS SPECIFIED IN THE PNC ZONE DISTRICT.
3. PROPOSED USE NEEDS TO IDENTIFY SPECIFIC USE CLASSIFICATIONS IN PNC THAT ARE BEING REQUESTED AS PART OF THE REZONING REQUEST NOT JUST AS "COMMERCIAL DEVELOPMENT".
4. RECOMMEND PROVIDING PRELIMINARY INFORMATION ABOUT PROPOSED FREESTANDING SIGNAGE. OTHERWISE CORRECT SIGNAGE NOTE TO ALSO INCLUDE LIMIT TO MAXIMUM HEIGHT OF FREESTANDING SIGN TO BE 6-FEET TALL AND INDICATE THAT SIGNAGE TO BE APPROVED BY PLANNING COMMISSION AS PART OF THE FMDP.
5. LANDSCAPE DATA – BUFFER ALONG LOCK 4 RD SHOULD BE 12-FEET FOR SIDE YARD ABUTTING PUBLIC RIGHT-OF-WAY.
6. PROVIDE REQUIRED PRELIMINARY LANDSCAPING PLAN SHOWING REQUIRED PLANTINGS IN ALL BUFFERS AND SITE LANDSCAPING TO SHOW HOW THE SITE WILL BE DEVELOPED AND SCREENED TO FIT INTO SURROUNDING AREA.
7. SECTION 8.05.050.B REQUIRES ADDITIONAL SITE LANDSCAPING AND SCREENING. PROVIDE AS PART OF LANDSCAPE PLAN AND SHOW CALCULATIONS AND NOTES TO DEMONSTRATE HOW THE REQUIREMENTS ARE BEING MET.
8. TYPE 40 BUFFER ADJACENT TO RESIDENTIAL AREA. NEED TO DEMONSTRATE HOW THE PROPOSED PLAN WILL MEET THE TYPE 40 BUFFER REQUIREMENTS.

CITY OF GALLATIN

KATHERINE SCHOCH, AICP
INTERIM ZONING ADMIN. /ASSIST. DIRECTOR
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EXHIBIT A

CODES/PLANNING DEPARTMENT

ADDAM MCCORMICK, AICP
INTERIM BUILDING OFFICIAL
ADDAM.MCCORMICK@GALLATIN-TN.GOV

9. ADDRESS ENGINEERING COMMENTS CONCERNING DUMPSTER, PARKING, TRAFFIC CALMING AND DRIVEWAY ACCESSES ALONG BACKAGE ROAD.
10. PROVIDE PRELIMINARY SITE LIGHTING AND PHOTOMETRIC PLAN AS REQUIRED BY ZONING ORDINANCE.
11. PROVIDE PRELIMINARY ESTIMATES OF TRAFFIC VOLUMES AND MOVEMENTS GENERATED BY THE DEVELOPMENT AS REQUIRED BY THE ZONING ORDINANCE AND CITY ENGINEER.
12. 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 IF NEEDED.**
13. 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.
14. SUBMIT A DETAILED RESPONSE LETTER ADDRESSING ALL DEPARTMENTAL REVIEW COMMENTS.
15. **NO CHECKPRINT OR CHECKLIST TO RETURN**
16. RESUBMITTAL DOCUMENTS MUST BE TURNED IN TO THE CODES/PLANNING DEPARTMENT BY 4:30 PM ON 8/15/2013.
17. RESUBMITTALS MUST INCLUDE THE ABOVE INFORMATION IN ORDER TO BE CONSIDERED A COMPLETE RESUBMITTAL.

Codes Department
Review Date: 07/31/2013
NO COMMENTS

Engineering Division
ENGINEERING DIVISION COMMENTS REGARDING PRELIMINARY MASTER DEVELOPMENT PLAN FOR PANERA BREAD RESTAURANT (PC0161-13)

8/21/13 – BDS
ENGINEERING COMMENTS:
1.) INDICATE DRIVE-THROUGH AISLE HAS SUFFICIENT LENGTH TO STORE, AT MINIMUM, THE AVERAGE VOLUME.
2.) PLACE SIDEWALKS ADJACENT TO ROW FOR GREATER AESTHETICS AND PUBLIC USE.

EXHIBIT A

CITY OF GALLATIN

KATHERINE SCHOCH, AICP
INTERIM ZONING ADMIN. /ASSIST. DIRECTOR
KATHERINE.SCHOCH@GALLATIN-TN.GOV

CODES/PLANNING DEPARTMENT

ADDAM MCCORMICK, AICP
INTERIM BUILDING OFFICIAL
ADDAM.MCCORMICK@GALLATIN-TN.GOV

ENGINEERING DIVISION COMMENTS REGARDING PRELIMINARY MASTER DEVELOPMENT PLAN FOR PANERA BREAD RESTAURANT (PC0161-13)
REVIEW DATE: 7/29/13 – BDS

GENERAL COMMENTS:
1.) SHOW EXISTING CONTOURS

TRANSPORTATION COMMENTS:

1.) LABEL WIDTHS OF ACCESS ROADS, DRIVE AISLES, SIDEWALKS, ETC.
2.) PER ZONING ORDINANCE SECTION 13.06.010, PROVIDE A TRAFFIC IMPACT STUDY.
3.) REMOVE EXISTING ACCESS DRIVE NOT TO BE USED IN FUTURE DEVELOPMENT?
4.) IN LIEU OF SPEED HUMP, CONSIDER OTHER TRAFFIC CALMING MEASURES (I.E. INTERSECTION HUMP, NECKDOWNS, ETC.)
5.) DUMPSTERS NOT TO BE ACCESSED FROM JOINT ACCESS EASEMENT.
6.) REROUTE DRIVE-THROUGH TO ALLOW FOR GREATER QUEUE TO PREVENT INTERFERENCE WITH ACCESS EASEMENT.
7.) SIDEWALKS ARE NOT PERMITTED ADJACENT TO STREETS WITHOUT CURBS. SIDEWALK MAY BE MOVED FURTHER FROM STREET.

STORMWATER COMMENTS:

1.) EXTEND HEADWALL ADJACENT TO LOCK 4 RD FOR STORMWATER.

Fire Department
Review Date: 07/26/2013

1. SHOW ALL FIRE HYDRANTS OR PROPOSED FIRE HYDRANTS.

Police Department
Review Date: 07/26/2013

REVIEWED: NO COMMENTS

Gallatin Department of Electricity
Review Date: 07/30/2013
O.K.

Sumner County, E-911
Review Date: 07/26/2013

1. RETAIL BUILDING WILL BE ADDRESSED 923 NASHVILLE PIKE.

CITY OF GALLATIN

KATHERINE SCHOCH, AICP
INTERIM ZONING ADMIN. /ASSIST. DIRECTOR
KATHERINE.SCHOCH@GALLATIN-TN.GOV

EXHIBIT A

CODES/PLANNING DEPARTMENT

ADDAM MCCORMICK, AICP
INTERIM BUILDING OFFICIAL
ADDAM.MCCORMICK@GALLATIN-TN.GOV

2. RESTAURANT BUILDING WILL BE ADDRESSED 921 NASHVILLE PIKE.

Industrial Pre-treatment Department
Review Date:
N/A

EXHIBIT A

PERRY ENGINEERING, LLC

ATTACHMENT 10-2

August 15, 2013

Ms. Katherine Schoch, AICP
Gallatin Codes / Planning Department
132 W. Main Street, Room 201
Gallatin, Tennessee 37066

RECEIVED
AUG 15 2013
GALLATIN PLANNING & ZONING

Re: Restaurant / Retail – Lock 4 Road
Tax Map 126I, Group B, Parcel 8.00
PMDP / Rezoning Re-Submittal

Dear Katherine:

Perry Engineering, LLC respectfully submits the following submittal documentation for the above-referenced project.

- One (1) Copy of Preliminary Master Development Plans (24x36 - folded)
- Fifteen (15) Copies of Preliminary Master Development Plans (12x18 - folded)
  PMDPs include (Site, Grading, Landscaping, Photometrics)

- One (1) Copy of Color Building Elevations (24x36 – folded)
- Fifteen (15) Copies of Color Building Elevations (12x18 – folded)
- CD with PMDP in .pdf and .dgn format

Landscaping Plans Provided: Sheet L-1.2A – Landscape only rear buffer (double the requirements)
Sheet L-1.2B – Rear buffer with fence (meets Type 40 requirements)
Sheet L-1.3 – Full landscape plan with landscape only rear buffer

Responses to Comments:

Planning:

1. Addressed on plans.
2. No relief is being requested other than approval for an alternate buffer along the rear prop line.
3. Addressed on plans.
4. Signage note added to plans indicating signage to be approved by Planning Commission as a part of the FMDP. After reviewing the Zoning Ordinance, we could not locate a maximum height requirement of 6' for freestanding signs in PNC. We request further discussion prior to limiting the height of freestanding signs.
5. Addressed on plans.
6. Landscape Plan provided with resubmittal.
7. Landscape Plan provided with resubmittal.
8. Landscape Plan provided with resubmittal. A Rear Bufferyard Plan also provided.
9. Addressed on plans.
10. Photometric Plan provided with resubmittal.
11. Traffic counts provided with resubmittal.

12 – 17. Acknowledged.

RESUBMITTAL

100 North Main Street, Suite F – Goodlettsville, TN 37072
Phone: 615-855-2220 – Fax: 615-855-2221 – Email: perryengineering@comcast.net

ATTACHMENT 10-2 EXHIBIT A

Engineering:

1. Addressed on plans.
2. Traffic counts provided with resubmittal.
3. Addressed on plans.
4. Speed hump removed from plans. 5 employee parking spaces behind retail building removed and replaced with a loading area for the retail building.
5. Dumpsters have been rotated to allow for easier access from private drive behind buildings. Dumpster servicing is infrequent and off-hours.
6. Drive-thru has been designed to maximize the number of cars that can stack in the queue. Panera has stated their total sales estimate for this drive thru is only 30%, which is much less than other fast food restaurants with drive thru lanes.
7. Sidewalk has been re-routed to avoid roadside ditches as well as the headwall along Lock 4 Road. A public access easement will be applied to the 6' wide sidewalk.

Stormwater:

1. Sidewalk has been re-routed to avoid headwall along Lock 4 Road.

Fire Department:

1. Addressed on plans.

The applicant asks that this request be added to the Planning Commission meeting agenda scheduled for August 26, 2013.

Please advise if you require any additional information.

Sincerely,

Randy Perry

Randy Perry, P.E.
Perry Engineering, LLC

cc: Mr. Steve Rudd - Rudd, Seeley, Wallis, LLC

RECEIVED
AUG 15 2013
GALLATIN PLANNING & ZONING

RESUBMITTAL

PR 0161-13

ATTACHMENT 10-3

EXHIBIT A

RGPHILLIPS CONSULTING
TRAFFIC ENGINEERING & TRANSPORTATION PLANNING

RG Phillips Consulting, LLC
106 Mission Court, Suite 301
Franklin, Tennessee 37067
Office: (615) 719-7826
Direct: (615) 268-5879
Fax: (866) 390-4142
richphillips@rgphillips.net

August 15, 2013

Mr. Randy Perry, P.E.
Perry Engineering
100 North Main Street, Suite F
Goodlettsville, TN 37072

Project:
Restaurant / Retail Development for Lock 4 Road, Gallatin, TN

Randy,

As requested we have collected traffic queuing data for a Panera site in regards to its drive-thru service operations. The site selected is located in Hendersonville and is part of the Glenbrook Shopping Center development.

Observations were conducted at the Glenbrook Panera site on Wednesday, August 14th during the breakfast and lunch time periods. Based on information provided by the developer, operations of the drive-thru were monitored in the morning from 7 AM to 8 AM and during the lunch from 12 PM to 1 PM. The number of the vehicles waiting in the drive-thru line was recorded each minute. In addition, a tally of the total number of vehicles using the drive-thru during the hour was also recorded.

The results indicated that during the AM time period a total of 23 vehicles utilized the drive-thru service during the hour observed. On the average 2 vehicles were in line for service at any given time, and the maximum queue observed during the AM was 5 vehicles.

The lunch time was busier than breakfast, with a total of 47 vehicles using the drive-thru service during the hour observed. On the average 4 vehicles were in line for service and the maximum queue observed during the hour was 7 vehicles.

From the data collected, 6 or fewer vehicles were observed 100% of the time during the AM time period and 92% of the time during the Noon time period. The data collected is presented in tabular form as an attachment.

Hopefully this information will be useful in helping the City of Gallatin staff in their review of the proposed site plan.

Sincerely,

Richard G. Phillips, P.E.

RECEIVED
AUG 20 2013
GALLATIN PLANNING & ZONING

PC 0161-13

ATTACHMENT 10-3

EXHIBIT A

Glenbrook Panera
Drive-Thru Vehicle Queue
August 14, 2013 (7 AM - 8 AM)

7:00 AM	3	7:15 AM	0	7:30 AM	4	7:45 AM	2
7:01 AM	4	7:16 AM	0	7:31 AM	3	7:46 AM	2
7:02 AM	4	7:17 AM	0	7:32 AM	3	7:47 AM	2
7:03 AM	5	7:18 AM	0	7:33 AM	3	7:48 AM	2
7:04 AM	5	7:19 AM	0	7:34 AM	3	7:49 AM	1
7:05 AM	3	7:20 AM	1	7:35 AM	3	7:50 AM	1
7:06 AM	3	7:21 AM	2	7:36 AM	2	7:51 AM	1
7:07 AM	3	7:22 AM	2	7:37 AM	1	7:52 AM	1
7:08 AM	3	7:23 AM	2	7:38 AM	1	7:53 AM	1
7:09 AM	2	7:24 AM	3	7:39 AM	1	7:54 AM	1
7:10 AM	1	7:25 AM	2	7:40 AM	1	7:55 AM	1
7:11 AM	0	7:26 AM	3	7:41 AM	0	7:56 AM	0
7:12 AM	0	7:27 AM	4	7:42 AM	0	7:57 AM	2
7:13 AM	0	7:28 AM	3	7:43 AM	2	7:58 AM	2
7:14 AM	0	7:29 AM	3	7:44 AM	2	7:59 AM	3

PC 0161-13

ATTACHMENT 10-3

EXHIBIT A

Glenbrook Panera
Drive-Thru Vehicle Queue
August 14, 2013 (12 PM - 1 PM)

12:00 PM	7	12:15 PM	7	12:30 PM	4	12:45 PM	3
12:01 PM	6	12:16 PM	7	12:31 PM	3	12:46 PM	3
12:02 PM	5	12:17 PM	6	12:32 PM	2	12:47 PM	3
12:03 PM	4	12:18 PM	5	12:33 PM	5	12:48 PM	2
12:04 PM	4	12:19 PM	5	12:34 PM	4	12:49 PM	1
12:05 PM	5	12:20 PM	3	12:35 PM	4	12:50 PM	3
12:06 PM	5	12:21 PM	2	12:36 PM	3	12:51 PM	4
12:07 PM	6	12:22 PM	0	12:37 PM	3	12:52 PM	3
12:08 PM	6	12:23 PM	2	12:38 PM	4	12:53 PM	4
12:09 PM	5	12:24 PM	5	12:39 PM	4	12:54 PM	4
12:10 PM	6	12:25 PM	6	12:40 PM	4	12:55 PM	4
12:11 PM	5	12:26 PM	6	12:41 PM	3	12:56 PM	4
12:12 PM	7	12:27 PM	6	12:42 PM	2	12:57 PM	3
12:13 PM	6	12:28 PM	6	12:43 PM	1	12:58 PM	2
12:14 PM	7	12:29 PM	4	12:44 PM	4	12:59 PM	1

PC 0161-13

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: August 27, 2013

TO: Mr. Randy Perry
Perry Engineering
100 North Main Street
Goodlettsville, TN 37072

FROM: Gallatin Codes/Planning Department

RE: August 26, 2013, Gallatin Municipal-Regional Planning Commission Meeting
Restaurant/Retail – Lock 4 Road File: PC0161-13

At the above referenced meeting, the request for approval of a preliminary master development plan:

☐ RECOMMENDED
☒ RECOMMENDED WITH CONDITIONS
☐ NOT RECOMMENDED
☐ DEFERRED

Conditions of Approval:

1. Planning Commission approve the conceptual architectural elevations as submitted. The Planning Commission shall approve the final architectural plans as part of the approval of the Final Master Development Plan.
2. The applicant shall revise the landscape plan to provide both the required parking lot screening and Type 12 buffer yard around the detention pond located adjacent to Lock 4 Road.
3. The applicant shall submit clarification for approval by the Codes/Planning Department that the calculations used to determine that the additional site trees and shrubs required in Section 08.05.050.B of the Gallatin Zoning Ordinance have been satisfactorily addressed. The applicant shall revise the landscaping plan as necessary in order to meet the additional site landscaping requirements.
4. The applicant shall work with the Codes/Planning Department to revise the Type 40 Buffer yard to include a fence with brick columns and composite or concrete based materials between the columns. The landscaping in the Type 40 Buffer yard and location of the fence and choice of materials between the columns shall be approved by Planning Commission as part of the Final Master Development Plan.

EXHIBIT A

5. The applicant shall add a note to the Preliminary Master Development Plan stating that freestanding signs shall be limited to 6-foot tall monument signs. The note must also state that the applicant will provide a detailed sign package as part of the approval of the Final Master Development Plan by the Planning Commission and that the applicant will submit all signage to the Codes/Planning Department for approval and issuance of a sign permit prior to the installation of any signage.
6. The applicant shall revise the Preliminary Master Development Plan to correct the use classifications as described in the staff report and clarify the specific uses in the PNC zone district that are being requested for the 6,400 square foot multi-tenant building rather than listing all of the uses in the PNC zone district.
7. The applicant shall submit for approval by the Engineering Division information showing that the proposed drive-through aisle has sufficient length to store, at minimum, the average traffic volume.
8. The applicant shall work with the Engineering Division on a satisfactory agreement for the placement of the sidewalks.
9. The applicant shall submit three (3) corrected and folded copies of the Preliminary Master Development Plan to the Codes/Planning Department.

Approval contains the following requirements:

BUILDING PERMIT/USE AND OCCUPANCY PERMIT

☐ ZONING PERMIT

☐ SIGN PACKAGE/PERMIT

☐ LAND DISTURBANCE PERMIT

☐ SIGNAGE CHECK

☐ UTILITY SURETY

☐ MAINTENANCE SURETY

☐ SIDEWALK SURETY

☐ SUBDIVISION SURETY

☒ LIST CONDITIONS OF APPROVAL ON RESUBMITTAL

☒ COUNCIL SUBMITTAL

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

☐ OTHER

☒ CITY COUNCIL APPROVAL

- Council Committee: 9/10/13
- 1st Reading at City Council: 9/17/13
- Ad runs for Public Hearing by Codes/Planning Department: 9/12/13
- Public Hearing 10/1/13
- 2nd Reading at City Council: 10/15/13

cc: Mr. Steve Rudd
PC File PC0161-13

EXHIBIT A

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

SEPTEMBER 10, 2013

DEPARTMENT: **CODES/PLANNING** **AGENDA # 4**

SUBJECT:
Ordinance O1309-45 amending Multiple Residential and Office (MRO) zone district to Planned Neighborhood Commercial (PNC) zone district.

SUMMARY:
Applicant requests approval to amend the Gallatin Zoning Ordinance to rezone property containing 3.00 (+/-) acres, S.B.E. Tax Map #126I/B/008.00 located on the south side of Nashville Pike, west of Lock 4 Road at 921 Nashville Pike. The Gallatin Municipal-Regional Planning Commission recommended approval at the August 26, 2013 Planning Commission meeting.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

EXHIBIT A

Gallatin Municipal-Regional Planning Commission
ACTION FORM

DATE: September 24, 2013

TO: Mr. Randy Perry
Perry Engineering
100 North Main Street
Goodlettsville, TN 37072

FROM: Gallatin Codes/Planning Department

RE: September 23, 2013, Gallatin Municipal-Regional Planning Commission Meeting
Restaurant/Retail Center Revised Landscaping Plan: PC0161-13

Under Other Business at the above referenced meeting, the request for approval a revised conceptual landscaping plan was:

☐ RECOMMENDED
☒ RECOMMENDED WITH CONDITIONS
☐ NOT RECOMMENDED
☐ DEFERRED

Conditions of Approval:

1. Planning Commission approved the applicant's request to install an eight (8) foot tall SimTek fence along the rear property line as part of the Type 40 Bufferyard.

Approval contains the following requirements:

BUILDING PERMIT/USE AND OCCUPANCY PERMIT

☐ ZONING PERMIT

☐ SIGN PACKAGE/PERMIT

☐ LAND DISTURBANCE PERMIT

☐ SIGNAGE CHECK

☐ UTILITY SURETY

☐ MAINTENANCE SURETY

☐ SIDEWALK SURETY

☐ SUBDIVISION SURETY

EXHIBIT A

☐ LIST CONDITIONS OF APPROVAL ON RESUBMITTAL

☒ COUNCIL SUBMITTAL

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

☐ OTHER

☒ CITY COUNCIL APPROVAL
- Council Committee: 9/10/13
- 1st Reading at City Council: 9/17/13
- Ad runs for Public Hearing by Codes/Planning Department: 9/12/13
- Public Hearing 10/1/13
- 2nd Reading at City Council: 10/15/13

cc: Mr. Steve Rudd
PC File PC0161-13

EXHIBIT A

MEMORANDUM

TO: Gallatin City Council
FROM: Katherine Schoch, AICP, Interim Zoning Admin.
DATE: October 3, 2013
SUBJ: Amended Ordinance No. O13Ø9-45 for Proposed Restaurant and Retail Center

Attached is the amended ordinance for the rezoning request for the proposed restaurant and retail center to be constructed at the corner of Nashville Pike and Lock 4 Road.

As discussed at the September 10, 2013 City Council Committee meeting, the applicant has requested approval to install an eight (8) foot tall SimTek fence as part of the required Type 40 Bufferyard behind the buildings.

At the September 23, 2013 meeting, Planning Commission approved the applicant's request to amend the conceptual landscaping plan to show the eight (8) foot tall SimTek fence along the rear property line. Planning Commission's approval action is reflected in GMRPC Resolution No. 2013-82.

The original ordinance was only amended to include both GMRPC Resolution No. 2013-68 and GMRPC Resolution No. 2013-82.

If City Council agrees with this change to allow the fence, a motion to amend the ordinance will be required since the ordinance already passed First Reading on September 17, 2013.

Thanks.

EXHIBIT A

ORDINANCE NO. O1311-68

ORDINANCE APPROPRIATING DONATION AND GRANT REVENUES
OF 2012/2013 CARRY-OVER PROJECTS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $1,266,827 is hereby appropriated to the general fund reserve for donations and grant revenues associated with the following projects which were not yet complete at the end of 2013:

Gateway Drive grant, 110-33490-1: $1,197,538

Rail Spur Improvement grant, 110-33490-54: $53,058

Donations from Businesses (for rail spur) 110-36710: $16,231, and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $386,000 is hereby appropriated from account #110-33490-61, Streetscape Grant, to account #31141100-812, Downtown Streetscape Project, to appropriate grant funding of Phase 3, and

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

PASSED FIRST READING: January 7, 2014

PASSED SECOND READING:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON
CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

12/10/2013

DEPARTMENT: **Finance/I.T.** **AGENDA #**

SUBJECT:
Ordinance Appropriating Donation and Grant Revenues of 2012/2013 Carry-Over Projects

SUMMARY:
Ordinance Appropriating Donation and Grant Revenues of 2012/2013 Carry-Over Projects Totaling $1,266,827

RECOMMENDATION:
Approval

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O1312-70

ORDINANCE APPROPRIATING FUNDS FOR COMPLETION OF INFRASTRUCTURE IMPROVEMENTS IN FAIRVUE PLANTATION AND FOXLAND SUBDIVISIONS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $1,419,000 is hereby appropriated from surety proceeds received from Lexon Insurance Company for completion of infrastructure in the Fairvue Plantation and Foxland Subdivisions;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $1,419,000 be appropriated from account number 110-35200, Forfeitures, to account number 311-41670-931-66, Fairvue/Foxland Infrastructure;

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: January 7, 2014.

PASSED SECOND READING:

_____
JO ANN GRAVES, MAYOR

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

LEXON INSURNACE COMPANY
CLAIM ACCOUNT

005122

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
11/20/2013	3314	CLAIM #3314 BOND #1022926	317,000.00	0.00	317,000.00
11/20/2013	584	CLAIM #584 BOND #1022905	434,000.00	0.00	434,000.00
11/20/2013	585	CLAIM #585 BOND #1022907	321,000.00	0.00	321,000.00
11/20/2013	686	CLAIM #686 BOND #1027212	347,000.00	0.00	347,000.00

G/L Performance Deposit
122-21550

704 Check: 005122 11/20/2013 CITY OF GALLATIN 1,419,000.00

PRINT SOURCE CONSULTING 502-438-3118 PRINTED IN U.S.A.

THIS CHECK IS PROTECTED BY A VOID PANTOGRAPH, MICROPRINT SIGNATURE LINE AND A HEAT SENSITIVE PADLOCK ICON. ADDITIONAL SECURITY FEATURES ARE LISTED ON BACK.

LEXON INSURANCE COMPANY
CLAIM ACCOUNT
10002 SHELBYVILLE ROAD, SUITE 100
LOUISVILLE, KY 40223-2979
502-253-6500

OLD NATIONAL BANK
71-1/863

005122

*ONE MILLION FOUR HUNDRED NINETEEN THOUSAND AND XX / 100

DATE	CHECK NO.	AMOUNT
11/20/2013	005122	*****1,419,000.00*

City of Gallatin L: Database
MISCELLANEOUS PAYMENT

RECEIPT# 65648
COMMENT:
DATE: 11/21/13
TIME: 15:26

CHARGES:

21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	317000.00
21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	434000.00
21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	321000.00
21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	347000.00

AMOUNT PAID: 1419000.00
PAID BY: LEXON INSURANCE COMPANY
PAYMENT METHOD: CHECK 005122

CLERK:
connie.kit

REFERENCE:

AMT TENDERED: 1419000.00
AMT APPLIED: 1419000.00
CHANGE: .00

City of Gallatin Live Database
MISCELLANEOUS PAYMENT

RECEIPT# 65648

DATE: 11/21/13
TIME: 15:26

CHARGES:

21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	317000.00
21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	434000.00
21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	321000.00
21550	PERFORMANCE DEPOSIT	PERFORMANCE DEPOSIT	347000.00

AMOUNT PAID: 1419000.00
PAID BY: LEXON INSURANCE COMPANY
PAYMENT METHOD: CHECK 005122

CLERK:
connie.kit

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

DECEMBER 10, 2013

DEPARTMENT: **Engineering** **AGENDA # 2**

SUBJECT:
ORDINANCE APPROPRIATING FUNDS RECEIVED FOR COMPLETION OF INFRASTRUCTURE IMPROVEMENTS IN FAIRVUE PLANTATION AND FOXLAND SUBDIVISIONS

SUMMARY:
The City has received $1,419,000 from surety proceeds for the completion of infrastructure in Fairvue Plantation and Foxland subdivisions. The attached ordinance is to appropriate this money to a capital outlay line item.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O1312-71

ORDINANCE APPROPRIATING FUNDS FROM BUSINESS DONATIONS
TOTALING $849.96

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $849.96 is hereby appropriated from account 110-36710, Donations From Businesses, as follows:

$474.98 to the Gallatin Fire Department Fire Prevention Supplies, 11042220-328,

$374.98 to the Gallatin Police Department Public Relations, 11042110-236, and

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

PASSED FIRST READING:. January 7, 2014

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON
CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

12/10/2013

DEPARTMENT: **Finance/I.T.** **AGENDA #**

SUBJECT:
ORDINANCE APPROPRIATING FUNDS FROM BUSINESS DONATIONS TOTALING $849.96

SUMMARY:
ORDINANCE APPROPRIATING FUNDS FROM BUSINESS DONATIONS TOTALING $849.96

RECOMMENDATION:
Approval

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O1312-72

ORDINANCE TO VACATE RIGHT-OF-WAY ON WEST JACKSON STREET, BETWEEN LOT 50 OF LINCOLN PARK SUBDIVISION, 659 NORTH COUNCIL AVENUE AND LOT 51 OF LINCOLN PARK SUBDIVISION, 651 NORTH COUNCIL AVENUE TO BOBBY REED AND CAMERON LEGGO, AND ROBERT HELSON AND DANIEL HURST.

WHEREAS, THE CITY OF GALLATIN has determined that it no longer needs and proposes to vacate certain right-of-way; and

WHEREAS, THE CITY OF GALLATIN has determined that Ordinance O13Ø9-46 did not include all property owners and did not determine what portion of vacated right-of-way be bestowed to each lot;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that Ordinance O13Ø9-46, is hereby repealed in its entirety; and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that all that portion of the right-of-way described in attached Legal Description to be conveyed to Reed and Leggo and as shown on Exhibit "A", having an area of 6,170 square feet, 0.14 acres more or less, is wholly vacated and shall no longer be a part of the street and alley systems of the City of Gallatin and is hereby transferred to Lot 50 of Lincoln Park Subdivision as recorded as Deed Book 108, page 507, 659 North Council Avenue, BOBBY REED and CAMERON LEGGO; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that all that portion of the right-of-way as described in attached Legal Description to be conveyed to Helson and Hurst and as shown on Exhibit "B", having an area of 6,198 square feet, 0.14 acres more or less, is wholly vacated and shall no longer be a part of the street and alley systems of the City of Gallatin and is hereby transferred to Lot 51 of Lincoln Park Subdivision as recorded as Deed Book 108, page 507, 651 North Council Avenue, ROBERT HELSON and DANIEL HURST.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this right-of-way be vacated in favor of Bobby Reed and Cameron Leggo, and Robert Helson and Daniel Hurst with a reservation by the City of a 20 foot public use easement located along its centerline and the centerline of the vacated right-of-way.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the Mayor is authorized to execute any and all documents necessary to effectuate the terms of this agreement.

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: January 7, 2014.

Passed second reading: _____

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

Legal Description
To be conveyed to Reed and Leggo

BEING located in the 3rd Civil District of Sumner County, Tennessee, being a portion of West Jackson Street located to the east of North Council Avenue and west of the CSX Transportation railroad right-of-way and being bounded both on the north by Lot 50 and by the south by Lot 51 of Lincoln Park Subdivision as recorded as Deed Book 108, Page 507, in the Register's Office of Sumner County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the northeasterly intersection of North Council Avenue and West Jackson Street, said point being the southwesterly corner common to Lot 50 of Lincoln Park Subdivision;

Thence leaving said easterly right-of-way of North Council Avenue and continuing along with the southerly property line of Lot 50 of Lincoln Park Subdivision S 82°56'32" E a distance of 307.85' to a point in the westerly right-of-way of CSX Transportation railroad;

Thence leaving Lot 50 of Lincoln Park Subdivision and continuing along with the westerly right-of-way of CSX Transportation railroad, S 03°55'37" W a distance of 20.03' to a point, said point being the centerline of West Jackson Street;

Thence leaving said westerly right-of-way of CSX Transportation railroad and continuing along with the centerline of West Jackson Street, N 82°56'32" W a distance of 309.23' to a point, said point being the southeasterly intersection of North Council Avenue and West Jackson Street;

Thence with a new severance line across West Jackson Street, N 07°51'59" E a distance of 20.00' to a point, which is the point of beginning, having an area of 6,170 square feet, 0.14 acres more or less.

All bearings based on Tennessee State Plane (NAD 83)

This description was prepared by Blue Ridge Surveying, Inc., certified by Brian M. Reifschneider RLS #2487, and dated November 14, 2013.

Legal Description
To be conveyed to Helson and Hurst

BEING located in the 3rd Civil District of Sumner County, Tennessee, being a portion of West Jackson Street located to the east of North Council Avenue and west of the CSX Transportation railroad right-of-way and being bounded both on the north by Lot 50 and by the south by Lot 51 of Lincoln Park Subdivision as recorded as Deed Book 108, Page 507, in the Register's Office of Sumner County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the northeasterly intersection of North Council Avenue and West Jackson Street, said point being the northwesterly corner common to Lot 51 of Lincoln Park Subdivision;

Thence leaving said easterly right-of-way of North Council Avenue and continuing along with a new severance line across West Jackson Street, N 07°51'59" E a distance of 20.00' to a point, said point being the centerline of West Jackson Street;

Thence continuing along with the centerline of West Jackson Street, S 82°56'32" E a distance of 309.23' to a point in the westerly right-of-way of CSX Transportation railroad;

Thence leaving said centerline West Jackson Street and continuing along with the westerly right-of-way of CSX Transportation railroad, S 03°55'37" W a distance of 20.03' to a point, said point being the northwesterly corner common to Lot 51 of Lincoln Park Subdivision;

Thence leaving said westerly right-of-way of CSX Transportation railroad and continuing along with the northerly line of Lot 51 of Lincoln Park Subdivision, N 82°56'32" W a distance of 310.61' to a point, which is the point of beginning, having an area of 6,198 square feet, 0.14 acres more or less.

All bearings based on Tennessee State Plane (NAD 83)

This description was prepared by Blue Ridge Surveying, Inc., certified by Brian M. Reifschneider RLS #2487, and dated November 14, 2013.

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

December 10, 2013

DEPARTMENT: **Engineering** **AGENDA # 3**

SUBJECT:
Right of Way Abandonment on West Jackson Street

SUMMARY:
The attached ordinance will void in its entirety and replace Ordinance No. O1309-46 due to the fact it did not include all property owners and did not determine what portion of vacated right-of-way be bestowed to each lot.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O1312-73

ORDINANCE APPROPRIATING $5,000.00 IN FUNDS FROM REVENUE RECEIVED BY THE GALLATIN HUMAN RESOURCES DEPARTMENT IN THE FORM OF A WELLNESS INITIATIVE GRANT FROM BLUECROSS BLUESHIELD OF TENNESSEE

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $ 5,000.00 is hereby appropriated from account 110-36710, Donations from Business, BlueCross BlueShield of Tennessee, received by the Gallatin Human Resources Department for the purpose of wellness initiatives, and appropriated to account 110-41650-320, Operating Supplies;

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

PASSED FIRST READING: January 7, 2014

PASSED SECOND READING:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON
CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

December 10, 2013

DEPARTMENT: **Human Resources** **AGENDA #** 7

SUBJECT:
Appropriating grant money received from BlueCross BlueShield of Tennesse for wellness initiatives.

SUMMARY:
The City of Gallatin was awarded a $5,000 Wellness Initiative Grant through BlueCross BlueShield of Tennessee. This ordinance is to appropriate the funds to the proper account.

RECOMMENDATION:
Approve

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O14Ø1-1

ORDINANCE APPROPRIATING FUNDS FOR COMPLETION OF INFRASTRUCTURE IMPROVEMENTS IN FOXLAND SUBDIVISION

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $120,000 is hereby appropriated from surety proceeds received from Capitol Indemnity Corporation for completion of infrastructure in the Foxland Subdivision;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $120,000 be appropriated from account number 110-35200, Forfeitures, to account number 311-41670-931-66, Fairvue/Foxland Infrastructure;

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:

_____
JO ANN GRAVES, MAYOR

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

JANUARY 14, 2014

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

SUBJECT:
ORDINANCE APPROPRIATING FUNDS RECEIVED FOR COMPLETION OF INFRASTRUCTURE IMPROVEMENTS IN FOXLAND SUBDIVISION

SUMMARY:
The City has received $120,000 from surety proceeds for the completion of infrastructure in Foxland subdivision. The attached ordinance is to appropriate this money to a capital outlay line item.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. O14Ø1-3

ORDINANCE APPROPRIATING $150,000 FROM VARIOUS SOURCES FOR RAIL ROAD CROSSING SIGNALIZATION ON AIRPORT ROAD AT STEAM PLANT ROAD

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of $150,000 is hereby appropriated to EDA Rail Crossing Signalization, account #11047100-730-69, from the following sources:

$75,000 Donation from Businesses, account 110-36710,

$44,200 Railroad Crossing at Steam Plant and Airport Rd, 11041670-931-22,

$10,000 EDA Grants, 11047100-730,

$20,800 General Fund Undesignated Fund Balance, and

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

PASSED FIRST READING:_____.

PASSED SECOND READING:_____.

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON
CITY ATTORNEY

ORDINANCE NO. O14Ø1-4

ORDINANCE REQUIRING QUALIFIED VOTERS DOMICILED OUTSIDE THE CITY LIMITS OF GALLATIN WHO HOLD A BONA FIDE FREEHOLD INTEREST IN THE CITY, TO VOTE BY MAIL

WHEREAS, Tennessee Code Annotated Section 2-6-205, empowers the Municipality to direct nonresident property owners to cast municipal ballots as absentee by mail ballots; and

WHEREAS, the City of Gallatin, Tennessee, has determined that the use of absentee by mail ballots for nonresident property owners would be beneficial to both the voters and the city; and

WHEREAS, the Sumner County Election Office will contact all non-residential property owners to inform them of the process required to vote absentee by mail;

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, non-resident property owners of the municipality shall cast absentee ballots by mail in all future city elections.

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

PASSED FIRST READING:

PASSED SECOND READING:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

_____
JOE THOMPSON, CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

January 14, 2014

DEPARTMENT: **Mayor's Office** **AGENDA #**

SUBJECT:
Voting for Non-Resident Property Owners

SUMMARY:
Lori Atchley, Sumner County Adminstrator of Elections, requested an opportunity to address Council about the voting of non-resident property owners in the City of Gallatin.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☒
Rejected ☐
Deferred ☐

Notes:
Council approved Lori Atchley's request regarding voting for Non-Resident Property Owners.

RESOLUTION NO. R14Ø1-1

RESOLUTION APPOINTING _____ BUILDING OFFICIAL AND ESTABLISHING INITIAL SALARY

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE as follows:

1. Pursuant to Gallatin Municipal Code Sec. 2-178, _____ is hereby appointed to the position of Building Official for the City of Gallatin, Tennessee effective upon passage of this ordinance and the commencement of employment by _____.

2. The initial annual salary appropriated for the Building Official shall be the sum of $_____, and shall be effective immediately.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE: ___

NAY: ___

DATED:

_____
MAYOR JO ANN GRAVES

ATTEST:

_____
CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

_____
JOE H. THOMPSON
CITY ATTORNEY

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

January 14, 2014

DEPARTMENT: **Human Resources** **AGENDA # 4**

SUBJECT:
Building Official

SUMMARY:
At the request of Council, candidates Chuck Stuart and Addam McCormick have been asked to be present at the meeting for further interviews for the position of Building Official.

RECOMMENDATION:

ATTACHMENT:

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

Approved ☐
Rejected ☐
Deferred ☐

Notes:
At the January 14, 2013 Council Committee Meeting, both Chuch Stuart and Addam McCormick made brief statements to the Council. Council asked that the resolution appointing a new Building Official be placed on the January 21, 2013 Council Agenda.