
**CITY OF GALLATIN
COUNCIL MEETING**

April 15, 2014

6:00 pm

**Dr. J. Deotha Malone
Council Chambers**

- Call to Order – Mayor Jo Ann Graves
- Invocation
- Pledge of Allegiance – Councilman Overton
- Roll Call: Vice Mayor Alexander – Brackenbury – Camp – Hayes – Kemp – Mayberry – Overton
- Approval of Minutes: Council Meeting April 1, 2014
- Public Recognition on Agenda-Related Items
- Mayor’s Comments

AGENDA

1. **Second Reading Ordinance No. O1403-15** Ordinance awarding bid and authorizing funds for Industrial Park Water and Sewer System Improvements Contract “209” **(Councilman Mayberry)**
2. **First Reading Ordinance No. O1403-10** Ordinance appropriating funds from Sale of Equipment for the Public Works Department in the amount of \$3,484.65 **(Councilman Mayberry)**
3. **First Reading Ordinance No. O1403-14** Ordinance appropriating \$1,270.00 from revenue received by Sign Shop Sale of Materials **(Councilman Hayes)**
4. **First Reading Ordinance No. O1403-13** An ordinance of the City of Gallatin, Sumner County, Tennessee, annexing three (3) parcels comprising approximately 20.84 (+/-) acres into the City of Gallatin, located east of Airport Road and north of Cairo Road, authorizing the annexed parcel(s) to be indicated on the Official Zoning Map; authorizing assigning annexed area to a Council District; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilwoman Kemp)**
5. **First Reading Ordinance No. O1404-19** Ordinance adopting a Plan of Service for the annexation of three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08) containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. **(Councilwoman Kemp)**
6. **First Reading Ordinance No. O1403-12** An ordinance of the City of Gallatin, Sumner County, Tennessee, rezoning an approximate 20.84 acre parcel, located east of Airport Road and north of Cairo Road from Low Density Residential-40 (R40) Zoning District to the Multiple Residential and Office (MRO) Zoning District and approving a Preliminary Master Development Plan for Cairo Estates, authorizing the revision to be indicated on the Official Zoning Atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilwoman Kemp)**

7. **First Reading Ordinance No. O1404-18** An ordinance of the City of Gallatin, Sumner County, Tennessee reaffirming the Mixed Use (MU) District zoning on a 30.84 (+/-) acre parcel (S.B.E. 126//001.00), located at the southeastern corner of the intersection of Long Hollow Pike and State Route 109 North and approving a Preliminary Master Development Plan for the Long Hollow Pike Mixed Use Development, authorizing the revision to be indicated on the Official Zoning Atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilman Hayes)**
8. **First Reading Ordinance No. O1404-20** Ordinance appropriating \$100,000 for paving and repairs to the parking area at the Gallatin Civic Center **(Councilwoman Kemp)**
9. **First Reading Ordinance No. O1404-21** An ordinance amending Gallatin Municipal Code, Chapter 11, Licenses and Business Regulations, Sec. 11-135. Exemptions, relative to Agricultural Sales **(Councilwoman Brackenbury)**
10. **Resolution No. R1403-10** Resolution establishing Social Media Policy **(Councilman Overton)**
11. **Resolution No. R1403-11** Resolution approving revised job description of Assistant Building Official for the Codes Department **(Vice Mayor Alexander)**
12. **Resolution No. R1404-13** Resolution to reappoint Michelle Haynes to Sumner County Board of Equalization **(Councilman Camp)**
13. **Resolution No. R1404-14** Resolution in support of FastTrack Infrastructure Development Program (FIDP) Application to serve ABC Technologies **(Councilman Camp)**
14. **Resolution No. R1404-15** A resolution of the City of Gallatin, Tennessee endorsing and supporting an application for an Active Transportation Grant from the Nashville Area Metropolitan Planning Organization for the development of various sidewalk improvements in the City of Gallatin **(Councilwoman Brackenbury)**

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

City of Gallatin City Council Meeting

April 1, 2014

The Gallatin City Council met in regular session on Tuesday, April 1, 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 Jimmy Overton led the Pledge of Allegiance.

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

Present:

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

Absent:

Councilman Craig Hayes

Others Present

Ronnie Stiles, Public Works Director
David Gregory, Public Utilities Director
Debbie Johnson, Human Resource Director
Bill McCord, City Planner
News Examiner, Reporter
Rosemary Bates, Special Projects Director
Chuck Stuart, Building Official

David Brown, Leisure Services Dir.
Rachel Nichols, Finance/IT Dir.
Don Bandy, Police Chief
Connie Kittrell, City Recorder
Joe Thompson, City Attorney
Gallatin Newspaper, Reporter
Billy Crook, Fire Chief

Approval of Minutes

Mayor Graves presented the minutes of the March 18, 2014 City Council Meeting for approval. Councilman Overton made motion to approve; Councilwoman Brackenbury second. Motion carried with 6 ayes and 0 nays.

Public Recognition on Agenda Related Items

Mayor Graves opened public recognition on agenda related items.

With no one wishing to speak, Mayor closed public recognition.

Mayor's Comments

Mayor Graves announced the following upcoming events:

- Friday, April 4th is the Senior Woman's Softball Spaghetti Supper Fundraiser at Morningside beginning at 5:30 PM
- Friday, April 4th the Nashville Ballet having Fernand the Bull at the Palace Theatre at 6:30 PM
- Saturday, April 5th is the Sertoma Club Pancake Breakfast at the Ice House beginning at 6:00 AM until 10:00 AM
- Saturday, April 5th St. John Vianney is having a 5K run at Triple Creek Park at 8:00 AM
- Saturday, April 5th Farmers Market opens for the season and will be open on Saturday mornings and Wednesday afternoons
- Saturday, April 5th Station Camp Creek Clean Up
- Monday, April 7th playing of the Independent Film, The Winding Stream at the Palace Theatre at 7:00 PM
- Thursday, April 10th the United Chamber Luncheon is at 11:00 AM at Bluegrass Country Club in Hendersonville with TDOT Commissioner John Schroer speaking
- Thursday, April 10th is Mayor's Night Out at the Shalom Zone from 5:30 - 6:30 PM
- Friday, April 11th is the Gallatin Chamber Roaring 20's Gala at the Epic Event Center at 6:30 PM
- Saturday, April 12th the Sumner County NAACP Pancake Breakfast at the Ice House beginning at 7:00 AM
- Saturday, April 12th Peddle for Paws bike ride beginning at 8:00 AM at the Gallatin Country Club and is a fundraiser for the Sumner Spay and Neuter Alliance

Gallatin City Council Minutes
April 1, 2014

- Saturday, April 19th Gallatin Jr. Service League having 5K Hop Into Spring Fun Run beginning at 7:00 AM at the Civic Center
- Thursday, April 24th the Sumner County Historic Society annual dinner at 6:30 PM at the First Baptist Church on Winchester Street
- Friday, April 25th Government Relations Committee Meeting at 7:00 AM at Sumner Regional
- Friday, April 25th Educate A Woman luncheon at Volunteer State College
- Friday, April 25th Gallatin Day Care Auction and Spaghetti Supper at 6:00 PM at the Civic Center
- Friday, April 25th Shalom Zone having their Tribute Dinner at the First United Methodist Church at 6:30 PM honoring Dr. Brenda Valentine and Charles Bone
- Saturday, April 26th is the Downtown SquareFest from 10:00 AM until 5:00 PM
- Saturday, April 26th is the 62nd annual Pilgrimage of Homes Show from 10:00 AM until 5:00 PM
- Thursday, April 16th begins early voting

Agenda

1. Ordinance #O1403-9 - Second Reading

Councilwoman Kemp presented this ordinance appropriating #380,363 federal grant for Gateway Drive Utility Expansion.

Councilwoman Kemp made motion to approve; Vice Mayor Alexander second. Motion carried with 6 ayes and 0 nays.

2. Ordinance #O1403-11 - Second Reading

Councilman Mayberry presented this ordinance to amend the City of Gallatin, Tennessee Municipal Code, Chapter 3, Article II, Division 2, Sec. 3-62 relative to limitation on the number of retail liquor store licenses.

Councilman Mayberry made motion to approve; Councilman Overton second. Motion carried with 6 ayes and 0 nays.

3. Ordinance #O1403-15 - First Reading

Councilwoman Kemp presented this ordinance awarding bid and authorizing funds for Industrial Park Water and Sewer System Improvements Contract "209".

Councilwoman Kemp made motion to approve; Councilman Camp second. Motion carried with 6 ayes and 0 nays.

4. Resolution #R1403-11

Councilwoman Brackenbury presented this resolution approving revised job description of Assistant Building Official for the Codes Department.

Councilwoman Brackenbury made motion to approve; Vice Mayor Alexander second.

Councilman Camp made motion to send this item back to committee for more discussion. There was no objection.

5. Resolution #R1404-12

Councilwoman Kemp presented this resolution in support of FastTrack Infrastructure Development Program (FDIP) application to serve Project Buckeye.

Councilwoman Kemp made motion to approve; Councilman Overton second.

City Attorney Joe Thompson stated this is approving the city to apply for the grant only with no funding requested at this time.

Mayor called for the vote. Motion carried with 6 ayes and 0 nays.

Other Business

Mayor Graves called for other business.

Mayor Graves asked for the top three priorities lists from the council members that had not turned in their lists.

Leisure Services Director David Brown introduced Danielle Eldridge, new Marketing Manager for Leisure Services. Ms. Eldridge thanked everyone and said she was excited about the new job and opportunities.

Public Recognition on Non-Agenda Related Items

Mayor called for public recognition on non-agenda related items.

- Bob Thomas of 166 Grandview Circle handed out a petition from residents in his neighborhood. Mr. Thomas spoke about limiting the time for events at the pavilion to stop at 9:00 PM.
- Mayor Graves said the Civic Center is in the process of refinishing the gym floors and the racket ball floors and they look great.
- Ron Morrow of 105 Beth Court asked why and how the pavilion was approved to be placed next to the Grandview subdivision.

Councilman Overton stated this is a public park with events held there and many families are served and benefit from the park and pavilion.

There was discussion on the approval of the pavilion, planned events at the pavilion and the location of the pavilion.

- City Attorney Joe Thompson stated he needed to meet with council after this meeting.

Budget Presentations

There were no budget presentations.

Adjourn

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

Mayor Jo Ann Graves

City Recorder Connie Kittrell

ORDINANCE AWARDING BID AND AUTHORIZING FUNDS
FOR INDUSTRIAL PARK WATER AND SEWER SYSTEM IMPROVEMENTS
CONTRACT "209"

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the bid for the Industrial Park Water and Sewer System Improvements pursuant to plans and specifications under Contract "209", 2014, submitted by Parchman Construction Company in the amount of \$872,007.75 is hereby accepted and awarded.

BE IT FURTHER ORDAINED, BY THE CITY OF GALLATIN, TENNESSEE, that the total funds in the amount of \$ 1,029,000.00 for said water and sewer improvements are authorized and appropriated from water/sewer reserves.

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

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

PASSED FIRST READING: April 1, 2014.

PASSED SECOND READING: _____, 2014.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON, CITY ATTORNEY

JAMES C. HAILEY & COMPANY

Consulting Engineers

7518 Highway 70 South
Suite 100

Nashville, Tennessee 37221-1849

Telephone: 615-883-4933

Fax: 615-883-4937

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

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

March 14, 2014

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

**RE: Contract 209
Industrial Park Water & Sewer Additions**

Dear Mr. Gregory:

On March 13, 2014, bids were received for the above-referenced project. A tabulation of bids is attached displaying the bids for each contractor for Contract 209.

All bids were sealed with proper documentation, and no irregularities were apparent at the bid opening. Based on our evaluation, we recommend that the City of Gallatin award the **Contract 209** - to **Parchman Construction Co., Inc.** in the amount of **\$872,007.75**.

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

Sincerely,

JAMES C. HAILEY & COMPANY
Consulting Engineers



James C. Hailey

Enclosures

**CITY OF GALLATION
INDUSTRIAL PARK
WATER & SEWER ADDITIONS
PROJECT BUDGET**

CONSTRUCTION	\$ 872,007.75
CONSTRUCTION ENGINEERING	43,800.00
PERMITS, TDEC FEES, ETC.	7,800.00
INSPECTION	56,000.00
PROJECT CONTINGENCY	<u>49,392.25</u>
TOTAL ESTIMATED PROJECT COST	<u><u>\$ 1,029,000.00</u></u>

BID TABULATION
CITY OF GALLATIN
CONTRACT 209- INDUSTRIAL PARK WATER SYSTEM IMPROVEMENTS

CITY OF GALLATIN
 239 Hancock Street
 Gallatin, TN 37066

BID DATE: 01/13/2014

BASE BID ITEM	QUAN.	UNIT	DESCRIPTION	PAUCHIAN CONST. CO			MOORE CONSTRUCTION			HOLZEAN DRUCKING & EXCAVATIONS, INC			WILLIAMSON CONSTR.			NOHRIN BROS EXCAVATING		
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	
1	70	L.F.	F&I 8" PVC SEWER PIPE 66' 0" DEEP	41.00	2,870.00	50.00	3,500.00	14.00	980.00	13.61	952.70	54.00	3,780.00	52.00	3,640.00			
2	340	L.F.	F&I 8" PVC SEWER PIPE 66' 0" DEEP	47.00	16,038.00	62.00	21,080.00	62.00	21,080.00	79.00	27,058.00	60.00	20,520.00	59.00	20,060.00			
3	792	L.F.	F&I 8" PVC SEWER PIPE 66' 0" DEEP	51.25	40,794.00	65.00	51,480.00	65.00	51,480.00	47.00	37,416.00	60.00	47,520.00	64.00	50,688.00			
4	113	C.F.	F&I 8" PVC SEWER PIPE 66' 10' 12" DEEP	55.25	6,243.25	67.00	7,571.00	67.00	7,571.00	53.11	6,001.43	70.00	7,910.00	64.00	7,232.00			
5	60	L.F.	F&I 8" PVC SEWER PIPE 66' 10' 12" DEEP	61.25	3,675.00	69.00	4,140.00	69.00	4,140.00	50.00	3,000.00	75.00	4,500.00	100.00	6,000.00			
6	67	L.F.	F&I 8" PVC SEWER PIPE 66' 10' 12" DEEP	61.25	4,091.25	69.00	4,623.00	69.00	4,623.00	50.00	3,325.00	75.00	5,025.00	100.00	6,700.00			
7	223	L.F.	F&I 8" PVC SEWER PIPE 66' 10' 12" DEEP	61.25	13,648.75	69.00	15,387.00	69.00	15,387.00	50.00	11,150.00	75.00	16,725.00	100.00	22,100.00			
8	25	L.F.	F&I 8" PVC SEWER PIPE 66' 10' 12" DEEP	72.00	1,800.00	78.00	1,950.00	78.00	1,950.00	61.00	4,872.00	85.00	21,225.00	120.00	30,000.00			
9	1,089	L.F.	F&I 8" PVC SEWER PIPE 66' 10' 12" DEEP	45.25	49,252.50	55.00	59,400.00	55.00	59,400.00	49.00	52,755.00	55.00	58,925.00	55.00	58,925.00			
10	167	L.F.	F&I 10" PVC SEWER PIPE 66' 8" DEEP	49.25	8,314.75	59.00	9,873.00	59.00	9,873.00	54.00	9,108.00	60.00	10,080.00	64.00	10,752.00			
11	160	L.F.	F&I 10" PVC SEWER PIPE 66' 8" DEEP	53.50	8,560.00	61.00	9,760.00	61.00	9,760.00	54.00	8,640.00	65.00	10,410.00	68.00	10,896.00			
12	340	L.F.	F&I 10" PVC SEWER PIPE 66' 10' 12" DEEP	57.50	19,550.00	65.00	22,100.00	65.00	22,100.00	59.00	20,520.00	75.00	25,500.00	100.00	34,000.00			
13	8	L.F.	F&I 10" PVC SEWER PIPE 66' 14' 6" DEEP	62.00	500.00	67.00	536.00	67.00	536.00	60.00	480.00	75.00	600.00	100.00	800.00			
14	18	L.F.	F&I 10" PVC SEWER PIPE 66' 10' 12" DEEP	64.00	1,152.00	70.00	1,260.00	70.00	1,260.00	60.00	3,960.00	75.00	13,500.00	100.00	18,000.00			
15	3,850	L.F.	F&I 10" PVC SPR 21 FORCE MAIN	23.24	89,473.20	26.00	100,100.00	26.00	100,100.00	25.00	96,250.00	25.00	96,250.00	21.00	80,850.00			
16	3	EA.	F&I 10" SERVICE TEE	186.00	558.00	75.00	225.00	75.00	225.00	250.00	750.00	100.00	300.00	100.00	300.00			
17	3	EA.	F&I 10" SERVICE TEE	69.00	207.00	75.00	225.00	75.00	225.00	250.00	750.00	100.00	300.00	100.00	300.00			
18	3	EA.	F&I 10" SERVICE TEE	25.75	77.25	35.00	105.00	35.00	105.00	287.00	861.00	148.00	444.00	150.00	450.00			
19	50	L.F.	F&I 6" SERVICE LINE	18.65	932.50	40.00	2,000.00	40.00	2,000.00	24.00	1,200.00	20.00	1,000.00	27.00	1,350.00			
20	12	EA.	F&I STD. 4" DIA. MANHOLES	2,020.00	24,240.00	1,500.00	18,000.00	1,500.00	18,000.00	1,235.00	14,820.00	1,235.00	14,820.00	1,235.00	14,820.00			
21	40	V.F.	F&I EXTRA MANHOLE DEPTH (OVER 6')	168.00	6,720.00	165.00	6,600.00	165.00	6,600.00	135.00	5,400.00	135.00	5,400.00	135.00	5,400.00			
22	7	EA.	F&I MANHOLE WATER TIGHT FRAME & COVER	430.00	3,010.00	350.00	2,450.00	350.00	2,450.00	792.00	3,046.40	300.00	2,100.00	300.00	2,100.00			
23	1	EA.	F&I CONNECTION TO EXISTING MANHOLE	1,280.00	1,280.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00				
24	3	EA.	F&I COMBINATION AIR VALVE	4,450.00	13,350.00	4,800.00	14,400.00	4,800.00	14,400.00	3,800.00	11,400.00	4,000.00	12,000.00	4,500.00	13,500.00			
25	600	L.F.	F&I DUCTILE IRON FULL BODY FITTINGS	0.01	6.00	0.20	120.00	0.20	120.00	12.00	7,200.00	7.00	4,200.00	4.00	2,400.00			
26	100	TN.	F&I CRUSHED STONE	22.50	2,250.00	22.00	2,200.00	22.00	2,200.00	20.00	2,000.00	20.00	2,000.00	18.00	1,800.00			
27	5	S.V.	F&I CLASS "A" CONCRETE SURFACE REPLACEMENT	56.00	280.00	75.00	375.00	75.00	375.00	120.00	600.00	150.00	750.00	150.00	750.00			
28	20	C.Y.	F&I CLASS "B" CONCRETE	112.00	2,240.00	125.00	2,500.00	125.00	2,500.00	175.00	3,500.00	150.00	3,000.00	135.00	2,700.00			
29	30	C.Y.	F&I EXTRA DEPTH EXCAVATION WHERE ORDERED	22.50	675.00	10.00	300.00	10.00	300.00	600.00	600.00	80.00	2,400.00	30.00	900.00			
30	1	L.S.	F&I PUMP STATION COMPLETE AS SHOWN ON PLANS	241,500.00	241,500.00	246,000.00	246,000.00	246,000.00	246,000.00	278,500.00	278,500.00	280,000.00	280,000.00	288,000.00				
TOTAL BID SEWER SYSTEM				\$51,252.25	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60	\$89,928.60			
TOTAL BID WATER SYSTEM				\$30,355.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00	\$38,910.00			
TOTAL BID WATER & SEWER SYSTEM ADDITIONS				\$72,807.25	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60	\$92,838.60			

I, James C. Haisky, certify that the above Bid Tabulation reflects the actual Bids submitted with errors corrected for Contract 209 - Industrial Park Water System Improvements



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

Project No. 0011B

BID BOND			BID BOND			BID BOND			BID BOND			BID BOND			BID BOND			BID BOND			
HAWKINS & PRICE, LLC 5006 DINY GLE WARRICK, TN 37187			CIVIL CONSTRUCTORS PO BOX 68 FRANKLIN, TN 37064			UNION PIPELINE, INC 1640 CARL LANE HOWLING CREEK, KY 40351			BYWARD CONCRETE LLC 308 S WINGO ROAD CLARKSVILLE, TN 37041			SCOTT & RIFTER 2885 BARREN RIVER ROAD BOWLING GREEN, KY 42301			FUNKS STEVEN'S UTILITIES & EXCAVATION, INC PO BOX 14 MT. CLEMENS, KY 41027			CLEARLY CONSTR 2006 EMINENT ROAD TOSHOMONVILLE, KY 42204			
UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	UNIT	PRICE	TOTAL	
37.00	2,590.00	4,200.00	80.00	5,600.00	450.00	2,520.00	36.00	2,520.00	52.00	2,540.00	100.00	7,100.00	100.00	7,100.00	93.00	6,510.00	6,510.00	93.00	6,510.00	6,510.00	
41.00	15,356.00	21,920.00	80.00	21,920.00	45.00	15,705.00	56.00	14,600.00	56.00	19,270.00	100.00	29,200.00	100.00	29,200.00	93.00	27,136.00	27,136.00	93.00	27,136.00	27,136.00	
42.00	13,252.00	19,564.00	80.00	23,360.00	56.00	6,238.00	60.00	4,800.00	90.00	4,800.00	100.00	11,300.00	100.00	11,300.00	93.00	10,509.00	10,509.00	93.00	10,509.00	10,509.00	
45.00	5,650.00	8,475.00	80.00	6,400.00	60.00	4,800.00	68.00	5,916.00	82.00	7,368.00	100.00	8,200.00	100.00	8,200.00	93.00	7,440.00	7,440.00	93.00	7,440.00	7,440.00	
46.00	1,200.00	7,310.00	80.00	6,400.00	60.00	4,800.00	68.00	5,916.00	82.00	7,368.00	100.00	8,200.00	100.00	8,200.00	93.00	7,440.00	7,440.00	93.00	7,440.00	7,440.00	
48.00	5,655.00	21,185.00	80.00	17,840.00	80.00	18,286.00	82.00	18,286.00	82.00	18,286.00	100.00	10,000.00	100.00	10,000.00	93.00	8,091.00	8,091.00	93.00	8,091.00	8,091.00	
49.00	16,918.00	21,185.00	80.00	17,840.00	80.00	18,286.00	82.00	18,286.00	82.00	18,286.00	100.00	10,000.00	100.00	10,000.00	93.00	8,091.00	8,091.00	93.00	8,091.00	8,091.00	
50.00	4,300.00	1,625.00	85.00	2,125.00	80.00	950.00	80.00	950.00	80.00	950.00	100.00	1,700.00	100.00	1,700.00	93.00	20,739.00	20,739.00	93.00	20,739.00	20,739.00	
51.00	8,715.00	75,814.00	85.00	92,058.00	80.00	48.00	81,984.00	80.00	81,984.00	80.00	81,984.00	100.00	11,215.00	100.00	11,215.00	93.00	102,805.00	102,805.00	93.00	102,805.00	102,805.00
52.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
53.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
54.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
55.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
56.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
57.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
58.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
59.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
60.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
61.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
62.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
63.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
64.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
65.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
66.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
67.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
68.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
69.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
70.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
71.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
72.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
73.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
74.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
75.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
76.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
77.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
78.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
79.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
80.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
81.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
82.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
83.00	9,120.00	12,024.00	85.00	14,195.00	80.00	9,608.00	80.00	9,608.00	80.00	9,608.00	100.00	12,024.00	100.00	12,024.00	93.00	15,200.00	15,200.00	93.00	15,200.00	15,200.00	
84.00	9,120.00																				

NOTICE OF AWARD

TO: **Parchman Construction Co., Inc.**
695 Highway 149E
Cumberland City, TN 37050

PROJECT DESCRIPTION: CONTRACT 209 -INDUSTRIAL PARK WATER AND SEWER
SYSTEM ADDITIONS

The **OWNER** has considered the **BID** submitted by you for the above-described **WORK** in response to its Advertisement to Bid dated February 2014, and Information for Bidders.

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

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

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

Dated this ____ day of _____, 2014.

City of Gallatin
OWNER
BY _____
Title _____ Mayor

ACCEPTANCE OF NOTICE

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

By Parchman Construction Co., Inc.

this the ____ day of _____, 2014

By _____

Title _____

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

March 25, 2014

DEPARTMENT: Utilities

AGENDA # 3

SUBJECT:

Ordinance #O1403-15 Industrial Park Water and Sewer Improvements. Authorize funds from water and sewer reserves in the total amount of \$1,029,000.00 and award bid to Parchman Construction Co., Inc., Contract "209"

SUMMARY:

New water and sewer lines for the Industrial Park.

RECOMMENDATION:

Authorize funds and award bid.

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

Project cost summary

ORDINANCE NO. O1403-10

ORDINANCE APPROPRIATING FUNDS FROM SALE OF EQUIPMENT FOR THE
PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$3,484.65

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum
of \$3,484.65 is hereby appropriated from account # 110-36330, Sale of Equipment to
110-43170-266 Vehicle Maintenance Repair and Maintenance of Buildings.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE
that this ordinance shall take effect on 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



03/11/2014 14:30
annette.bailey

City of Gallatin Live Database
G/L ACCOUNT DETAIL

PG 1
glactinq

Org: 110 Object: 36330
SALE OF EQUIPMENT 110-36330

YEAR	PER	JOURNAL	EFF	DATE	SRC	T	PO/REF2	REFERENCE	AMOUNT	P	CHECK	NO	WARRANT	VDR	NAME/ITEM	DESC	COMMENTS
2014	08	000169	02/20/2014	CRP	1	77163			-16.00	N				GOVDEALS		GOVDEALS	
2014	08	000169	02/20/2014	CRP	1	77163			-177.00	N				GOVDEALS		GOVDEALS	
2014	08	000169	02/20/2014	CRP	1	77163			-48.77	N				GOVDEALS		GOVDEALS	
2014	08	000009	02/03/2014	CRP	1	75219			-664.00	N				GOVDEALS		GOVDEALS	
2014	07	000354	01/22/2014	GEN	1		GOVDEALS		139.00	N				GOVDEALS		GOVDEALS	
2014	07	000354	01/22/2014	GEN	1		GOVDEALS		-139.00	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74823			-2,569.88	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74823			-831.99	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74823			-258.00	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74823			-710.00	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74826			2,569.88	N				Reversal / 74823		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74826			831.99	N				Reversal / 74823		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74826			258.00	N				Reversal / 74823		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74826			710.00	N				Reversal / 74823		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74827			-2,569.88	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74827			-831.99	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74827			-258.00	N				GOVDEALS		GOVDEALS	
2014	07	000341	01/27/2014	CRP	1	74827			-139.00	N				GOVDEALS		GOVDEALS	
2014	06	000271	01/02/2014	CRP	1	72315			-5,201.00	N				GOV DEALS		GOV DEALS	
2014	05	000027	11/05/2013	CRP	1	64432			-1,775.00	N				GOV DEALS		GOV DEALS	
2014	04	000132	10/16/2013	CRP	1	63841			-925.00	N				GOV DEALS		GOV DEALS	
2014	04	000132	10/16/2013	CRP	1	63841			-1,175.00	N				GOV DEALS		GOV DEALS	
2014	03	000432	09/30/2013	CRP	1	63345			-54.00	Y				GOVDEALS		GOVDEALS	
2014	03	000168	09/23/2013	CRP	1	63079			-51.00	Y				GOVDEALS		GOVDEALS	
2014	03	000121	09/17/2013	CRP	1	62962			-158.66	Y				GOV DEALS		GOV DEALS	
2014	03	000121	09/17/2013	CRP	1	62962			-26.00	Y				GOV DEALS		GOV DEALS	
2014	03	000058	09/09/2013	CRP	1	62821			-154.00	Y				GOV DEALS		GOV DEALS	
2014	02	000089	08/13/2013	CRP	1	62381			-122.00	Y				GOVDEALS		GOVDEALS	
2014	02	000042	08/06/2013	CRP	1	62273			-1,415.00	Y				GOVDEALS		GOVDEALS	
2014	01	000175	07/22/2013	CRP	1	61988			-2,140.00	Y				GOVDEALS		GOVDEALS	
2014	01	000123	07/15/2013	CRP	1	61837			-1,135.00	Y				GOV DEALS		GOV DEALS	
2014	01	000048	07/08/2013	CRP	1	61689			-1,245.00	Y				GOVDEALS		GOVDEALS	

Total Amount: -20,281.30

** END OF REPORT - Generated by Annette Bailey **

CITY OF GALLATIN
THE COUNCIL COMMITTEE
AGENDA SUMMARY
March 25, 2014

AGENDA # _____

DEPARTMENT: Public Works

SUBJECT: APPROPRIATION OF FUNDS-SALE OF EQUIPMENT

SUMMARY: Ordinance in the amount of \$3,484.65 attached

RECOMMENDATION:

ATTACHMENT:

Resolution

Correspondence

Bid Tabulation

Ordinance

Contract

Other Account detail

Approved _____
Rejected _____
Deferred _____

Notes:

ORDINANCE NO. 01403-14

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

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

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

PASSED FIRST READING:.

PASSED SECOND READING:.

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL
CITY RECORDER

JOE THOMPSON
CITY ATTORNEY

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

AGENDA # _____

DEPARTMENT: Public Works

SUBJECT: Ordinance to make appropriation for signs and sign installation

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

RECOMMENDATION:

ATTACHMENT:

Resolution

Correspondence

Bid Tabulation

Ordinance

Contract

Other

Approved
Rejected _____
Deferred _____

Notes:

ORDINANCE NO. O1403-13

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

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

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

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

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

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

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

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

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

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

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

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

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

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Plan of Services for the annexation property (Ordinance O14Ø4-19)

Exhibit 'B' – Legal Description of annexation territory

Exhibit 'C' – Map of the annexation territory

EXHIBIT A

ORDINANCE NO. 01404-19

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

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

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

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

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

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

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

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

EXHIBIT A

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

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

EXHIBIT A

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

A. Water

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

Gallatin Public Utilities has indicated that:

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

B. Sanitary Sewer

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

Gallatin Public Utilities has indicated that:

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

C. Street Construction and Maintenance

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

EXHIBIT A

D. Solid Waste and Refuse Collection

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

E. Planning and Zoning Services

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

F. Building Inspections and Code Enforcement Services

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

G. Fire Protection

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

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

H. Police Protection

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

Gallatin Police Department has indicated that:

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

I. Animal Control

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

J. Recreational Facilities and Programs

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

EXHIBIT A

K. Street Lighting and Electric Service

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

Gallatin Department of Electricity has indicated that:

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

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

L. Gas

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

EXHIBIT B

ATTACHMENT 3-2

DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY: 20.84 ACRE TRACT.

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

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

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GALLATIN PLANNING
& ZONING

PC 0260-14

EXHIBIT B

ATTACHMENT 3-2

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

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

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

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GALLATIN PLANNING
& ZONING

Richard J. Jones
1/22/2014

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

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

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

WHEREAS, the Planning Commission, acting as the Planning agency for the municipality, has made study of and a report on a Plan of Service for 20.84 (+/-) acres proposed for annexation to the City Council as authorized under Title 6, Sec. 6-51-107, T.C.A.,

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

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

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

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

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

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

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

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

NAY: 0

DATED: 3/24/2014


Dick Dempsey, Chairman


Johnny Wilson, Secretary

APPROVED AS TO FORM:


JOE H. THOMPSON
CITY ATTORNEY

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



City of Gallatin, Tennessee

Planning Department

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

DATE: March 25, 2014

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

FROM: Planning Department

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

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

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Approval contains the following requirements:

- COUNCIL SUBMITTAL

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

cc: PC File PC0259-14
Mr. Henry Holleman

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 6

SUBJECT:

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

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

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

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

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

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

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

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

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

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

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

EXHIBIT A ATTACHMENT 3-2

DESCRIPTION OF THE HENRY HOLLEMAN PROPERTY: 20.84 ACRE TRACT

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

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

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GALLATIN PLANNING
COMMISSION

PC0260-14

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

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

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GALLATIN PLANNING
& ZONING

Page 2 of 2

Robert A. Powell
2/27/2014

PA0260-14

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

A. Water

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

Gallatin Public Utilities has indicated that:

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

B. Sanitary Sewer

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

Gallatin Public Utilities has indicated that:

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

C. Street Construction and Maintenance

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EXHIBIT B

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

E. Planning and Zoning Services

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

F. Building Inspections and Code Enforcement Services

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

G. Fire Protection

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

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

H. Police Protection

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

Gallatin Police Department has indicated that:

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

I. Animal Control

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

J. Recreational Facilities and Programs

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

EXHIBIT B

K. Street Lighting and Electric Service

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

Gallatin Department of Electricity has indicated that:

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

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

L. Gas

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



ITEM 3

STAFF REPORT to CITY COUNCIL

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

Located East of Airport Road and North of Cairo Road

Date: March 28, 2014

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

OWNER: HENRY HOLLEMAN

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

STAFF RECOMMENDATION: RECOMMEND APPROVAL

STAFF CONTACT: KEVIN CHASTINE

PLANNING COMMISSION DATE: MARCH 24, 2014

CITY COUNCIL DATE: APRIL 8, 2014

PROPERTY OVERVIEW:

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

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

Proposed Development

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

Department of Electricity

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

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

Engineering Division Comments

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

Other Departmental Comments

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

PLANNING COMMISSION RECOMMENDATION:

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

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

ATTACHMENTS

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

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

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

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

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& ARCHITECTS

PC0260-14

ATTACHMENT 3-2

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

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

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

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

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& SURVEYING

Page 2 of 2

Richard A. Bowers
1/27/2014

PC0260-14

ATTACHMENT 3-3

ORDINANCE NO.

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

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

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

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

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

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

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

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

ATTACHMENT 3-3

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

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

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

A. Water

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

Gallatin Public Utilities has indicated that:

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

B. Sanitary Sewer

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

Gallatin Public Utilities has indicated that:

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

C. Street Construction and Maintenance

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

ATTACHMENT 3-3

D. Solid Waste and Refuse Collection

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

E. Planning and Zoning Services

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

F. Building Inspections and Code Enforcement Services

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

G. Fire Protection

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

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

H. Police Protection

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

Gallatin Police Department has indicated that:

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

I. Animal Control

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

J. Recreational Facilities and Programs

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

K. Street Lighting and Electric Service

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

Gallatin Department of Electricity has indicated that:

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

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

L. Gas

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

ATTACHMENT 3-4

Tenn. Code Ann. § 6-51-111

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

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

Tenn. Code Ann. § 6-51-111 (2013)

6-51-111. Municipal property and services.

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

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

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

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

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

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

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

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

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

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

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



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Tenn. Code Ann. § 6-51-112

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

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

Tenn. Code Ann. § 6-51-112 (2013)

6-51-112. Electric cooperatives.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 7

SUBJECT:

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

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01403-12

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

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

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

WHEREAS, the Gallatin Municipal-Regional Planning Commission has reviewed and recommended approval of the proposed rezoning in GMRPC Resolution 2014-25; and

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

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

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

Section 1. The City Council of the City of Gallatin does hereby approve rezoning a 20.84(±) acre parcel from the Low Density Residential 40 (R40) Zoning District to the Multiple Residential and Office (MRO) District as described in Exhibit 'A' and approves the Preliminary Master Development Plan as described in Exhibit 'B'.

Section 2. The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area as hereby rezoned.

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

Section 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this

ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. This ordinance shall become effective immediately upon adoption.

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal Description of the property

Exhibit 'B' - Preliminary Master Development Plan for Cairo Estates with conditions

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

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

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

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ENGINEERING

EXHIBIT A

PC0260-14

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

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

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

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

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Page 2 of 2

EXHIBIT A

Richard A. Barnes
1/27/2014

PC0260-14

EXHIBIT 'B'

The Preliminary Master Development Plan for Cairo Estates consists of a four (4) sheet plan, prepared by Rogers Engineering Group of Gallatin TN, with project No. #14-005, dated February 26, 2014, with a revised date of March 13, 2014, and the architectural renderings for housing types consisting of photographs labeled PC0260-14, dated February 26, 2014. The Plan is approved with the following conditions:

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



ITEM 5

STAFF REPORT to CITY COUNCIL

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

Located East of Airport Road and North of Cairo Road

Date: March 28, 2014

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

OWNER: HENRY HOLLEMAN

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

STAFF RECOMMENDATION: RECOMMEND APPROVAL WITH CONDITIONS

STAFF CONTACT: KEVIN CHASTINE

PLANNING COMMISSION DATE: MARCH 24, 2014

CITY COUNCIL DATE: APRIL 8, 2014 (COUNCIL COMMITTEE)

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

CASE BACKGROUND:

Previous Submittals

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

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

DISCUSSION:

Proposed Development

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

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

Natural Features

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

Adjacent or Area Uses

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

Character Area Change Request

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

Sumner County Regional Airport

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

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

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

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

Architectural Designs

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

Lot Layout

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

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

Rights-of-Way/Streets/Roads

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

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

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

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

Stormwater Detention

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

Open Space and Bufferyard

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

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

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

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

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

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

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

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

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

Department of Electricity

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

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

Gallatin Public Utilities Department Comments

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

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

Planning Department Comments

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

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

Engineering Division Comments

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

FINDINGS:

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

PLANNING COMMISSION RECOMMENDATION:

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

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

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

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

ATTACHMENTS

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

dining with a view



LOWE'S
LEGACY
SERIES

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

Price Code B

plan highlights

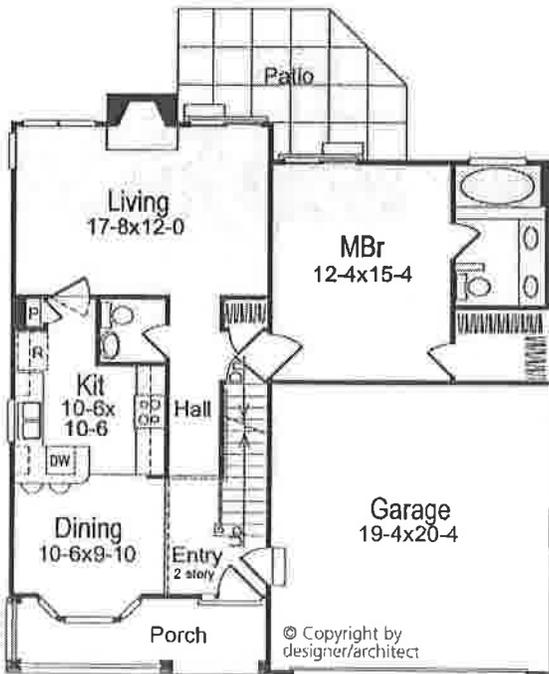
The delightful balcony
overlooks the two-story
entry illuminated by an oval
window

The roomy first floor master
bedroom offers quiet and
privacy

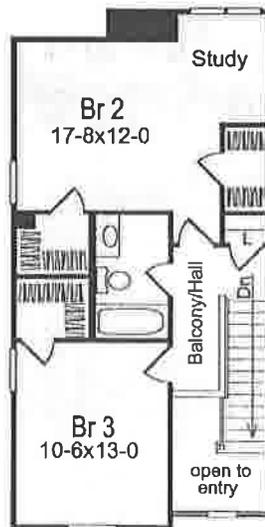
All of the bedrooms feature
one or more walk-in closets

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

ARCHITECT 5-2



First Floor
951 sq. ft.



Second Floor
573 sq. ft.

RECEIVED
FEB 26 2014

CALL TO ORDER
800-445-5555

design lesson

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

PC 0260-14

small home packed with big style



LOWE'S
LEGACY
SERIES

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

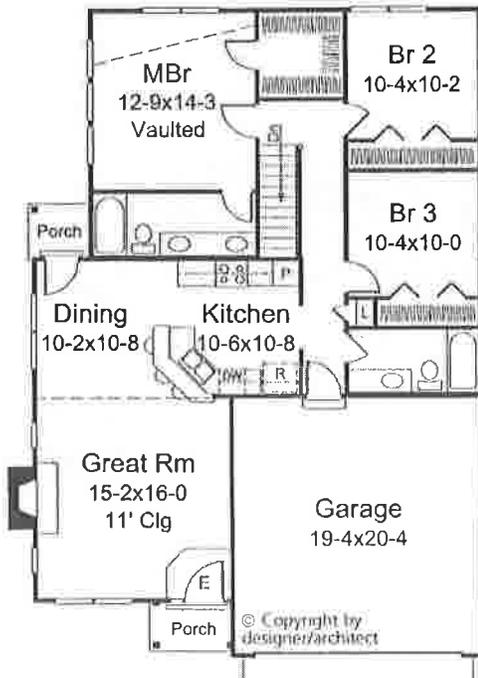
Price Code AA

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

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

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

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



RECEIVED
FEB 26 2014

GALLATIN PLANNING
& DESIGN

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

PC0260-14

ATTACHMENT 5-2

ATTACHMENT 5-2

distinguished styling for a small lot



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

Price Code B

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

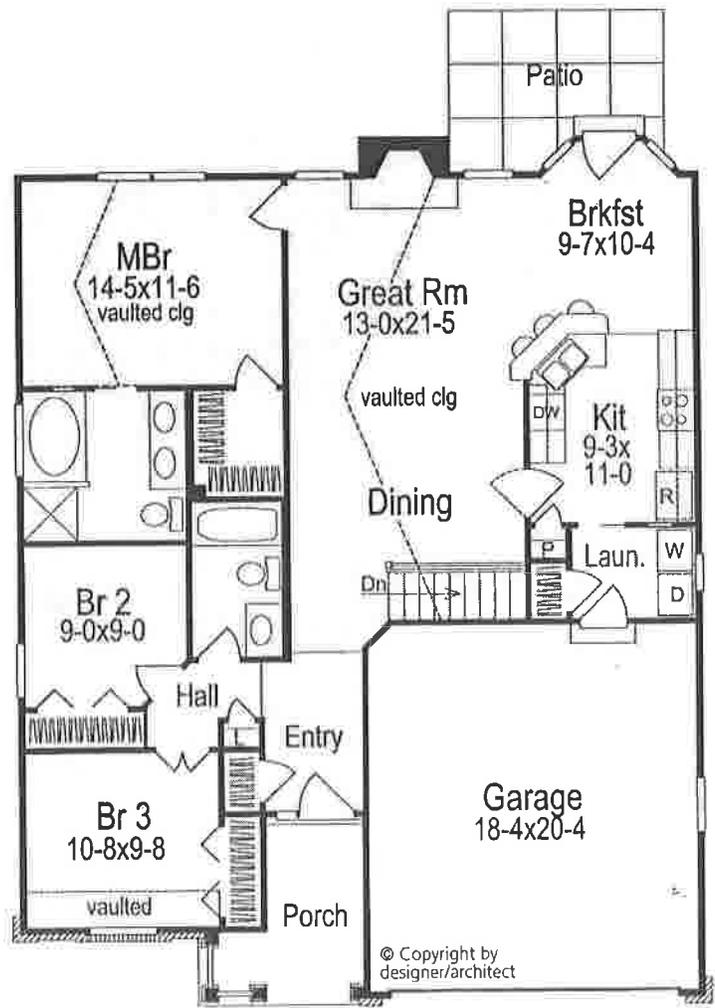
This innovative design
 provides openness in the
 great room, kitchen and the
 breakfast area

The secondary bedrooms
 have a private hall with a
 bath

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

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

RECEIVED
 FEB 26 2014
 GALLATIN PLANNING
 & ZONING



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

© Copyright by
 designer/architect

PC 0260-14

DRAFT

ATTACHMENT 5-4

ORDINANCE NO. 01403-12

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

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

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

WHEREAS, the Gallatin Municipal-Regional Planning Commission has reviewed and recommended approval of the proposed rezoning in GMRPC Resolution 2014-25; and

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

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

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

Section 1. The City Council of the City of Gallatin does hereby approve rezoning a 20.84(±) acre parcel from the Low Density Residential 40 (R40) Zoning District to the Multiple Residential and Office (MRO) District as described in Exhibit 'A' and approves the Preliminary Master Development Plan as described in Exhibit 'B'.

Section 2. The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area as hereby rezoned.

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

Section 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this

DRAFT

ATTACHMENT 5-4

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

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

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 5-5

GMRPC Resolution No. 2014-25

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

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

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

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

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

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

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

ATTACHMENT 5-5

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

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

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

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

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

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: 03/24/2014



Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



 JOE H. THOMPSON
 CITY ATTORNEY



City of Gallatin, Tennessee

Planning Department

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

DATE: March 25, 2014

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

FROM: Planning Department

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

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

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Conditions of Approval:

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



City of Gallatin, Tennessee

Planning Department

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

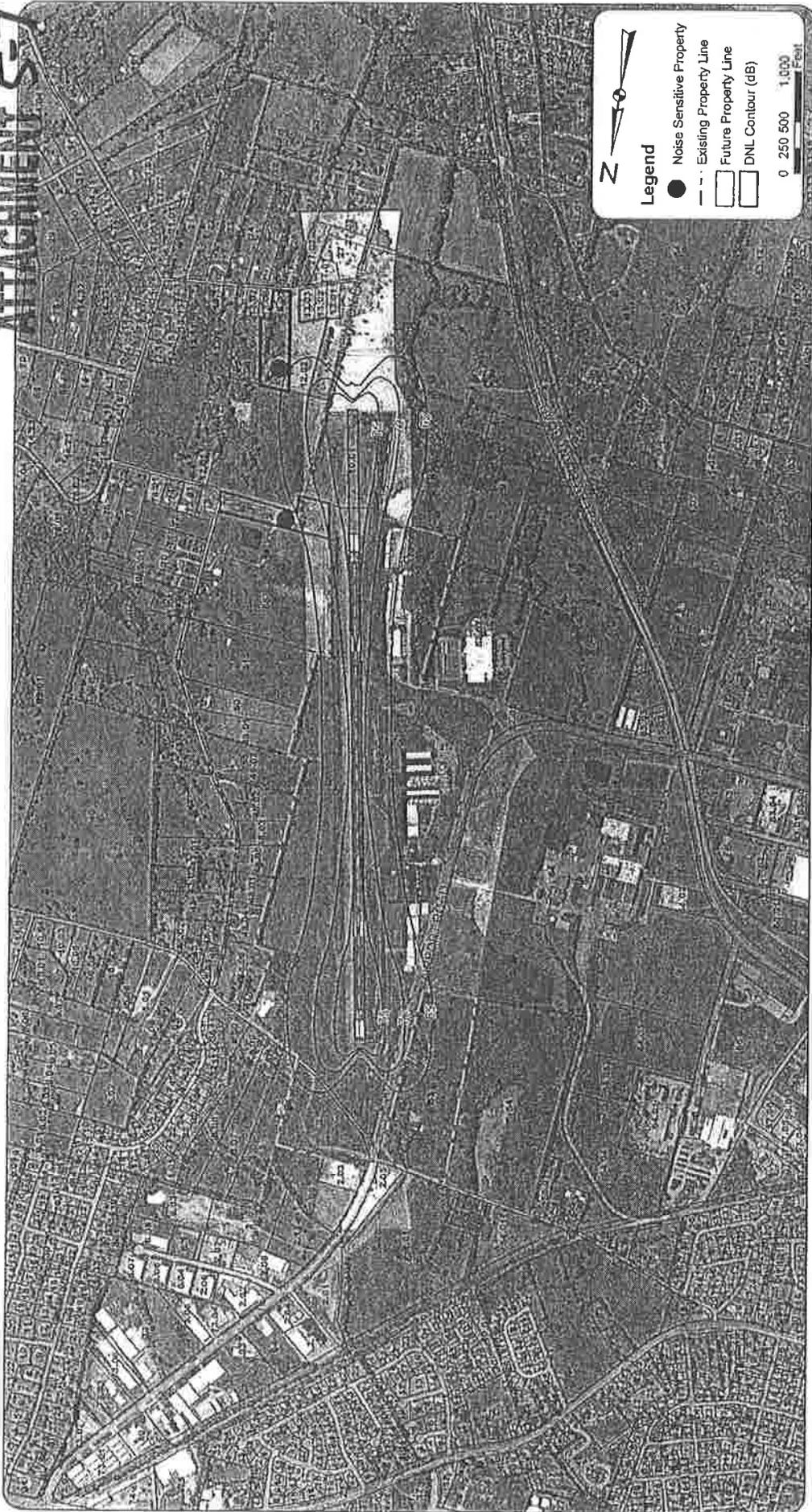
Approval contains the following requirements:

COUNCIL SUBMITTAL

CITY COUNCIL APPROVAL

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

cc: PC File PC0260-14
Mr. Henry Holleman



SUMMER COUNTY REGIONAL AIRPORT

ENVIRONMENTAL ASSESSMENT

EXHIBIT 4-4: 2016 BUILD NOISE EXPOSURE

SUMMER COUNTY REGIONAL AIRPORT
1475 AIRPORT ROAD
GALLATIN, TENNESSEE



9019 Overbrook Blvd., Suite D-4
Brentwood, TN 37027
ph 615-377-1320 // fx 615-377-3830
fwa@armstrong.com

PC0210-14

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 8

SUBJECT:

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

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01404-18

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

WHEREAS, the owner of property has submitted a complete application to reaffirm the zoning and for approval of a preliminary master development plan on a 30.84 acre parcel located in the City of Gallatin, Tennessee; and

WHEREAS, the property is located at the southeast corner of the intersection of Long Hollow Pike and State Route 109 and is zoned Mixed Use (MU); and

WHEREAS, the Gallatin Municipal-Regional Planning Commission has reviewed and recommended approval of the proposed rezoning in GMRPC Resolution No. 2014-22; and

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

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

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

Section 1. The Gallatin City Council hereby reaffirms the Mixed Use (MU District Zoning on the property described in Exhibit 'A' and approves the Preliminary Master Development Plan as described in Exhibit 'B'.

Section 2. The Gallatin City Council does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to reflect the reaffirmed zoning and approved Preliminary Master Development Plan herein made,

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

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

Section 5. This Ordinance shall become effective immediately upon adoption.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal description

Exhibit 'B' – Preliminary Master Development Plan for Long Hollow Pike Mixed Use
Development

EXHIBIT-A

Darnall & Associates, LLC

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

METES AND BOUNDS DESCRIPTION

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

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

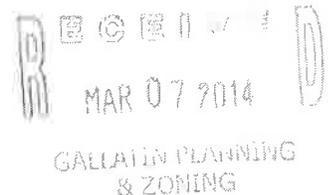
BEGINNING at a concrete right of way monument (old) at the intersection of the east right of way line of said Highway 109 and the south right of way line of said Long Hollow Pike; thence,

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

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

106 Joslin Avenue, Gallatin, Tennessee 37066
Ph. 615-206-6942 Fax 615-206-6943 darnallandassoc@comcast.net

PC0189-13



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

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

EXHIBIT A

ORDINANCE NO. O1404-18
EXHIBIT B

EXHIBIT B

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

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



ITEM 6

STAFF REPORT TO CITY COUNCIL

Preliminary Master Development Plan for Long Hollow Pike Mixed Use Development

(PC0189-13)

Long Hollow Pike and State Route Highway 109

Date: April 1, 2014

PUBLIC COMMENT

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

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

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

CASE BACKGROUND:

Previous Approvals

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

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

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

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

DISCUSSION:

Lapse of Approval

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

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

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

Natural Features of the Site

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

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

Adjacent Development and Zoning

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

Comprehensive Plan Land Use and Policies

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

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

Proposed Development

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

Access and Traffic Generation

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

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

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

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

Future Parcel Types

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

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

Buildings and Architectural Elevations

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

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

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

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

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

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

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

Open Space and Landscaping

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

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

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

Parking

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

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

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

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

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

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

Drainage and Retention

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

Signing

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

Subdivision Plat

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

Planning Department Comments

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

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

Engineering Division Comments

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

Gallatin Public Utilities Department Comments

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

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

Other Departmental Comments

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

FINDINGS:

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

RECOMMENDATION:

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

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

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

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

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

ATTACHMENTS

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

Attachment 6-2 Preliminary Master Development Plan with Architectural Elevations

Attachment 6-3 GMRPC Resolution No. 2014-22

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

ATTACHMENT 6-3

GMRPC Resolution No. 2014-22

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

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

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

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

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

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

ATTACHMENT 6-3

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

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

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

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

ATTACHMENT 6-3

IT IS SO ORDERED.

PRESENT AND VOTING

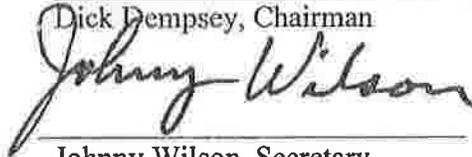
AYE: 7

NAY: 0

DATED: 3/24/14



Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY



ATTACHMENT 6-4

City of Gallatin, Tennessee

Planning Department

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

DATE: March 25, 2014

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

FROM: Planning Department

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

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

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Conditions of Approval:

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



ATTACHMENT 6-4

City of Gallatin, Tennessee

Planning Department

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

Approval contains the following requirements:

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

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

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 9

SUBJECT:

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

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01404-20

ORDINANCE APPROPRIATING \$100,000.00 FOR PAVING AND REPAIRS
TO THE PARKING AREA AT THE GALLATIN CIVIC CENTER

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$100,000.00 is hereby appropriated from the General Fund Undesignated Fund Balance to the Leisure Services Department, account 110-44420, for paving and repairs to the parking area at the Gallatin Civic Center, and

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

PASSED FIRST READING: _____

PASSED SECOND READING: _____

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL, CITY RECORDER

JOE THOMPSON, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Leisure Services

AGENDA #

SUBJECT:

Noise Ordinance for Parks

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

AN ORDINANCE AMENDING GALLATIN MUNICIPAL CODE, CHAPTER 11,
LICENSES AND BUSINESS REGULATIONS, SEC. 11-135. EXEMPTIONS, RELATIVE
TO AGRICULTURAL SALES

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that, Gallatin
Municipal Code Sec. 11-135 is hereby amended by deleting said section in its entirety and
replacing it with the following:

Sec. 11-135. Exemptions.

The terms of this chapter shall neither apply to persons selling at wholesale to
dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods
in the regular course of business. In addition the terms of this chapter shall not
apply to persons selling agricultural products when the person is selling the
agricultural product from premises which are 1) the premises from which the
product was grown or produced, and 2) owned by the seller.

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

PASSED FIRST READING: _____, 2014.

PASSED SECOND READING: _____, 2014.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Councilwoman Brackenbury

AGENDA #

SUBJECT:

Roadside Produce Vendors

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION ESTABLISHING SOCIAL MEDIA POLICY

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

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

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

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

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

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON, CITY ATTORNEY

SOCIAL MEDIA USE AND INTERNET POSTING POLICY

SECTION 1: APPLICABILITY

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

SECTION 2: CITY-OWNED OR CREATED SOCIAL MEDIA

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

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

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

- Comments not related to the particular social medium article being commented upon;
- Comments in support of or in opposition to political campaigns or ballot measures;
- Profane language or content;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Solicitations of commerce;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems;
- Content that violates a legal ownership interest of any other party
- Content that violates a social media sites respective policy or terms

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

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

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

Operational and usage guidelines

Standards and processes for managing accounts on social media sites

City and departmental branding standards

Enterprise-wide design standards

Standards for the administration of social media sites

SECTION 3. NON-CITY SOCIAL MEDIA SITES

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

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

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

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

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

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

CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA

3/11/2014

DEPARTMENT: Finance/I. T.

AGENDA #

SUBJECT:

Social Media policy, continued discussion

SUMMARY:

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

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

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

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

3/25/2014

DEPARTMENT: Finance/I. T.

AGENDA #

SUBJECT:

Social Media policy, continued discussion

SUMMARY:

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

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

04/08/2014

DEPARTMENT: Finance/I.T.

AGENDA #

SUBJECT:

Social Media policy, continued discussion

SUMMARY:

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

RECOMMENDATION:

Approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1403-11

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

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

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON, CITY ATTORNEY

CHIEF INSPECTOR/PLANS EXAMINER

ASSISTANT BUILDING OFFICIAL

GENERAL DEFINITION AND CONDITIONS OF WORK:

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

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

ESSENTIAL FUNCTIONS/TYPICAL TASKS:

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

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

KNOWLEDGE, SKILLS AND ABILITIES:

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

EDUCATION AND EXPERIENCE:

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

SPECIAL REQUIREMENTS:

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

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

March 25, 2014

DEPARTMENT: Codes

AGENDA # 7

SUBJECT:

Job Description of Assistant Building Official

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Codes

AGENDA # 5

SUBJECT:

Job Description of Assistant Building Official

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION TO REAPPOINT MICHELLE HAYNES TO SUMNER COUNTY BOARD
OF EQUALIZATION

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

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 8, 2014

DEPARTMENT: Mayor Graves

AGENDA #

SUBJECT:

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

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1404-14

**RESOLUTION IN SUPPORT OF FASTTRACK INFRASTRUCTURE
DEVELOPMENT PROGRAM (FIDP) APPLICATION TO SERVE ABC
TECHNOLOGIES**

WHEREAS, funds are available from the Tennessee Department of Economic and Community Development (ECD), FastTrack Infrastructure Development Program to provide matching grants to local governments for infrastructure improvements which will support the location and expansion of industry and the creation of new jobs; and

WHEREAS, City of Gallatin wishes to provide infrastructure improvements to serve ABC Technologies;

WHEREAS, City of Gallatin may apply for FIDP funds and will provide local match funds available from the company:

NOW, THEREFORE, BE IT RESOLVED by the City Council that application be made for FIDP funds for infrastructure to serve ABC Technologies, and that Jo Ann Graves, Mayor, be authorized to sign the application and all assurance necessary to filing said application.

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

RESOLUTION NO. R1404-15

A RESOLUTION OF THE CITY OF GALLATIN, TENNESSEE ENDORSING AND SUPPORTING AN APPLICATION FOR AN ACTIVE TRANSPORTATION GRANT FROM THE NASHVILLE AREA METROPOLITAN PLANNING ORGANIZATION FOR THE DEVELOPMENT OF VARIOUS SIDEWALK IMPROVEMENTS IN THE CITY OF GALLATIN

WHEREAS, the provision of continuous and well placed pedestrian facilities provide safe alternative transportation options to the public to access necessary community activity centers and reduce reliance on automotive trips, which promotes environmental sustainability by reducing air and water pollution, offering substantial energy savings, improving public health, and supporting quality growth principles aimed at conserving land and other natural resources; and

WHEREAS, the Nashville Area Metropolitan Planning Organization (MPO) promotes and offers funding assistance to communities in the region to improve accessibility and mobility options through the development of coordinated transportation and land use policies and sound financial investment in a multi-modal transportation network; and

WHEREAS, the Nashville Area Metropolitan Planning Organization has issued a call for projects for 2014 for Active Transportation projects; and

WHEREAS, The Gallatin On the Move 2020 General Development and Transportation Plan Update 2008-2020 promotes the development of a comprehensive pedestrian transportation system that includes a sidewalk network to connect established and new neighborhoods to green space, commercial and recreational areas; and

WHEREAS, the Gallatin on the Move 2020 Plan also promotes implementation of a sidewalk master plan that identifies gaps in the existing sidewalk system and includes a list of prioritized sidewalk projects including new projects and maintenance/repairs; and

WHEREAS, there are significant sidewalk deficiencies and gaps in the city sidewalk network resulting from development that occurred before the adoption of the comprehensive sidewalk construction ordinance; and

WHEREAS, the City has developed a preliminary sidewalk improvement list and proposes to direct public improvement funding to implement pedestrian improvement program in the City; and

WHEREAS, the City Council has recognized the need to improve pedestrian and other multi-modal facilities within the City by allocating and seeking funds to develop a comprehensive pedestrian system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the City Council of the City of Gallatin endorses and supports the City's application for an Active Transportation Grant from the Nashville Area Metropolitan Planning Organization to plan and construct various sidewalk improvements within the City as identified in Exhibit 'A' and to provide local matching funds in the amount of \$ _____ for the planning, design and construction of these sidewalk improvements.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: Planning Department

AGENDA # 13

SUBJECT:

The Planning Department requests Council approval of Resolution Rxxx-xx authorizing staff to apply for an Active Transportation Grant from the Nashville Area Metropolitan Transportation Planning Organization's (MPO) Call for Projects 2014-2017 Application Cycle for sidewalk improvements projects.

SUMMARY:

The MPO has issued a Call for Projects for the Active Transportation Program. This program provides Federal funding assistance to develop transportation projects primarily to benefit pedestrian and bicycle modes. The required local match is 20% of project cost and the Federal Match is 80% of project costs. More detailed information on the grant program is provided in Attachment 1. This program is a competitive grant program competing with other MPO member local governments for the funds. Application abstracts are due to the MPO by April 18, 2014 and the final applications are due by May 30, 2014. If Council authorizes applying for the grant, staff will prepare the application and supporting documents and submit to the MPO for review and ranking. Submitting an application indicates to the MPO that the City is committing to provide the local match. A request to obligate funds will occur after the projects are ranked and are scheduled for funding. Staff has identified a list of priority projects with a generalized estimate of costs. This list includes over 18 miles of sidewalks in the City (Attachment 2). The Public Works Department now receives a budget of \$50,000 yearly for sidewalk projects which could be used to provide the local match or to supplement the local match. Providing a greater local match will result in additional Federal matching funds at a 1:4 ratio. Staff suggests that the Council select only a few of the projects for this round of funding to meet the City's desired level of commitment for this grant request.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred