



Agenda
Gallatin Municipal Board of Zoning Appeals

Thursday, February 26, 2015
DR. J. DEOTHA MALONE COUNCIL CHAMBERS

Municipal Board of Zoning Appeals - 5:30 p.m.
CITY HALL

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**
- **Approve Prior Minutes: January 29, 2015**

REGULAR AGENDA

- 1. GMBZA Resolution No. 2015-03 B-282-15**
TSI CONSTRUCTION, LLC; VARIANCE
MID-TENN ENGINEERING

PUBLIC HEARING

THE OWNER AND APPLICANT REQUEST APPROVAL OF A VARIANCE OF 10 FEET TO PERMIT CONSTRUCTION OF A BUILDING 45 FEET FROM THE OLD AIRPORT ROAD RIGHT-OF-WAY ON PROPERTY LOCATED AT 326 OLD AIRPORT ROAD. THE TOTAL AREA ENCROACHING OVER THE MINIMUM BUILDING SETBACK LINE IS 113 SQUARE FEET. THE PROPERTY IS CURRENTLY ZONED INDUSTRIAL RESTRICTIVE (IR) AND CONTAINS 1.00 (+/-) ACRES. SECTION 09.02.030 OF THE GALLATIN ZONING ORDINANCE REQUIRES A 55-FOOT MINIMUM BUILDING SETBACK FROM THE PROPERTY LINES ADJACENT TO OLD AIRPORT ROAD.

- 2. GMBZA Resolution No. 2015-04 B-284-15**
COTTON STREET MULTI-FAMILY DWELLINGS; CUP
ROGERS ENGINEERING GROUP

PUBLIC HEARING

OWNER AND APPLICANT REQUEST APPROVAL OF A CONDITIONAL USE PERMIT FOR TWO (2) BUILDINGS CONTAINING THREE (3) MULTI-FAMILY DWELLINGS UNITS EACH FOR A TOTAL OF SIX (6) MULTI-FAMILY DWELLING UNITS, PER SECTION 06.06.020.C. OF THE GALLATIN ZONING ORDINANCE, ON THREE LOTS TOTALING 1.033 (+/-) ACRES, ZONED RESIDENTIAL-10 (R10), LOCATED AT THE SOUTHEAST CORNER OF COTTON STREET AND EAST BROADWAY AVENUE (HIGHWAY 31E) (S.B.E. TAX MAP # 112H/C/014.00, 112H/C/015.00, 112H/C/016.00).

- 3. OTHER BUSINESS**
- 4. MOVE TO ADJOURN**

ITEM 1

GMBZA Resolution No. 2015-03

RESOLUTION OF THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS APPROVING A VARIANCE FROM SECTION 09.02.030 OF THE ZONING ORDINANCE OF GALLATIN, TENNESSEE FOR PROPERTY AT 326 OLD AIRPORT ROAD – (B-282-15)

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS considered the request for a variance of 10-foot variance to permit construction of a building setback 45 feet from Old Airport Road right-of-way at 326 Old Airport Road, at its regular meeting on February 26, 2015; and

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Municipal Board of Zoning Appeals Staff Report, and evidence and testimony presented during the meeting; and

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS is required in its deliberations, pursuant to Gallatin Zoning Ordinance Section 15.04.028.E, to indicate the specific section of the Zoning Ordinance of Gallatin, Tennessee under which the variance is being considered and state specific findings and specifically identified the hardship warranting such action by the Board; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS makes the following findings pursuant to T.C.A. Section 13-7-206; Section 13-7-207(3); and Section 15.05.030 of the Gallatin Zoning Ordinance:

Section 1. The request for a variance of 10-feet from the requirements of Section 09.02.030 of the Gallatin Zoning Ordinance, to allow construction of a building setback 45 feet from the front property line at 326 Old Airport Road, meets all nine (9) of the Standards for Variances as described in the body of the Staff Report and as set forth in Gallatin Zoning Ordinance, Section 15.05.030:

- A. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated;
- B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;
- C. The variance will not authorize activities in a zone district other than those permitted by this Ordinance;
- D. Financial returns only shall not be considered as a basis for granting a variance;

- E. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance;
- F. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts;
- G. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- H. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and
- I. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

Section 2. Action – The Gallatin Municipal Board of Zoning Appeals hereby approves GMBZA Resolution No. 2015-03 granting a variance of 10-feet to allow the construction of a building setback 45 feet from the Old Airport Road right-of-way, as shown on a one (1) sheet plan, for TSI Construction, LLC prepared by Mid-Tenn Engineering Co., dated January 13, 2015 with a revision date of February 12, 2015.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS 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: 02/26/2015

Jimmy Moore, Chair

Jeannie Gregory, Secretary

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY



ITEM 1
PLANNING DEPARTMENT STAFF REPORT
TSI Construction, LLC - Variance Request – B-282-15
326 Old Airport Road
Date: February 26, 2015

REQUEST: THE OWNER AND APPLICANT REQUEST APPROVAL OF A VARIANCE OF 10 FEET TO PERMIT CONSTRUCTION OF A BUILDING 45 FEET FROM THE OLD AIRPORT ROAD RIGHT-OF-WAY ON PROPERTY LOCATED AT 326 OLD AIRPORT ROAD. THE TOTAL AREA ENCROACHING OVER THE MINIMUM BUILDING SETBACK LINE IS 113 SQUARE FEET. THE PROPERTY IS CURRENTLY ZONED INDUSTRIAL RESTRICTIVE (IR) AND CONTAINS 1.00 (+/-) ACRES. SECTION 09.02.030 OF THE GALLATIN ZONING ORDINANCE REQUIRES A 55-FOOT MINIMUM BUILDING SETBACK FROM THE PROPERTY LINES ADJACENT TO OLD AIRPORT ROAD. (B-282-15)

OWNER: TSI CONSTRUCTION, LLC (R T PROPERTIES)

APPLICANT: MID-TENN ENGINEERING CO.

STAFF RECOMMENDATION: APPROVAL OF GMBZA RESOLUTION NO. 2015-03 WITH CONDITIONS

STAFF CONTACT: DENISE BROWN

MBZA MEETING DATE: FEBRUARY 26, 2015

PROPERTY OVERVIEW:

The owner and applicant is requesting approval of a variance of 10 feet to permit construction of a building 45 feet from the Old Airport Road right-of-way on property located at 326 Old Airport Road (Attachment 1-1 & 1-2). The total area of encroachment is 113 square feet located at the northeast corner of the building. The property is currently zoned Industrial Restrictive (IR) and contains 1.00 (+/-) acres. The proposed 5,035 square foot building will be used as Transport and Warehousing, but more specifically as an office and warehouse space for a construction company which is a permitted use in the IR zone district.

Section 09.02.030 of the Gallatin Zoning Ordinance requires a 55-foot Minimum Building Setback from the property lines adjacent to Old Airport Road. The lot is rectangular in shape; however, two (2) large utility easements and a drainage easement and culvert extend through the property. The utility easements and drainage culvert significantly reduce the size of the building envelope making it more difficult to easily situate a building on the property and meet the other requirements of the site plan. (Attachment 1-1)

The distance from the right-of-way to the edge of pavement along the western boundary of Old Airport Road varies from approximately 40 to 60 feet. The area of the variance request is approximately 114 feet from the edge of the pavement.

Due to the encumbrance of the easements and drainage culvert on the property, and the large right-of-way along Old Airport Road, Staff recommends that the Gallatin Municipal Board of Zoning Appeals approve the 10-foot variance request with the conditions listed on page 5 of the Staff Report and in GMBZA Resolution No. 2015-03.

CASE BACKGROUND:

Property History and Previous Approvals

- On January 27, 2014, Planning Commission approved a Final Plat for The Woodlands Business Park, Phase 2, to subdivide the property into four (4) lots. The plat was never recorded.
- On September 16, 2014, the owner and applicant submitted an application for a Minor Subdivision Plat to the Planning Department for review and approval. (PC0341-14) The purpose of the plat was to reduce the previously approved four (4) lots to two (2) lots. The Minor Subdivision Plat was approved administratively and recorded on October 24, 2014, (PB 28, PG 242). (Attachment 1-3)
- On February 23, 2015, Planning Commission was scheduled to consider a request for the site plan for TSI Construction, LLC with the condition that it was subject to approval of the variance request.

ENGINEERING DEPARTMENT COMMENTS

The Engineering Division reviewed and commented on the Variance request. The Engineering Division stated that the site plan shall meet all the Engineering requirements.

OTHER DEPARTMENTAL REVIEW COMMENTS

The variance request was reviewed by other City Departments; none provided any comments.

Applicable definitions and sections from the Gallatin Zoning Ordinance that apply to this case are listed below.

APPLICABLE G.Z.O. DEFINITIONS

02.02 Definitions

Lot Frontage - The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards.

Non-complying

- A. Any lawful building or other structure which does not comply with any one (1) or more of the applicable bulk regulations, or
- B. Any lawful use other than a non-conforming use, which does not comply with any part of any one (1) or more of the applicable regulations pertinent to:
 - 1. Location along district boundary;

2. Signs; or
3. Accessory off-street parking and loading;

either on the effective date of this Ordinance or as a result of any subsequent amendment.

Required Yard - That portion of a zone lot that is required by the specific district regulations to be open from the ground to the sky and may contain only explicitly listed obstructions.

Setback Line - A line running parallel to the street which establishes the minimum distance the principal building must be setback from the street line.

Yard - That part of a zone lot extending open and unobstructed from the lowest level to the sky along the entire length of a lot line, and from a lot line equivalent to a depth or width set forth in the applicable regulations.

Yard, Front - A yard extending along the full length of a front lot line. In the case of a corner lot, a yard of at least full depth required for a front yard in these regulations, and extending along the full length of a street line shall be considered a front yard. At least one such yard shall be designated for each through lot, and each through corner lot.

APPLICABLE G.Z.O. SECTIONS

09.02 Intent and Purpose of IR – Industrial Restrictive District

09.02.020 Bulk Regulations

Maximum Lot Coverage - 50 percent
Maximum Height of Buildings - 80 feet

09.02.030 Area Regulations

Minimum Front Yard - 20 feet
Minimum Side Yard - 15 feet
Minimum Rear Yard - 20 feet
Minimum Building Setback Line – 55 feet

The unusual situation presented by the code establishes two (2) standards for setbacks, one (1) for a required front yard and one (1) for a minimum building setback line (MBSL). Usually a required front yard or required yard establishes the MBSL unless a specific setback is established such as a minimum setback from certain types of street/road rights-of-way or environmental related setbacks. What is unusual about this condition is the more restrictive MBSL is much greater than a required yard, or in this case the front yard. (This will be an issue addressed when code revision are considered.)

15.05 Zoning Variances

The Board of Zoning Appeals may grant variances where it makes findings of fact based upon the standards prescribed in this section.

15.05.030 Standards for Variances

Section 15.05.030 of the Gallatin Zoning Ordinance states the Board of Zoning Appeals shall not grant a variance unless it makes findings based upon evidence presented to it as described in nine (9) specific criteria that are listed below. The applicant responded to these standards in writing (Attachment 1-4). Staff believes that this variance request meets all nine (9) of the following standards for a variance as required by the Gallatin Zoning Ordinance as described below.

- A. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated.
 - The variance request is due to the large easements running through the property making it difficult to place a building on the lot with a feasible layout. The proposed building is consistent in size and shape with the buildings on surrounding properties.
- B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
 - This variance request is based on the two (2) large easements encumbering the property which is a unique circumstance only related to this lot.
- C. The variance will not authorize activities in a zone district other than those permitted by this Ordinance.
 - This variance is related to the structure, not the use. This variance will not authorize uses or activities that are not currently permitted in industrial activities.
- D. Financial returns only shall not be considered as a basis for granting a variance.
 - This variance request is to construct a new building for an existing business in the City; however, the lot is encumbered with two (2) large easements significantly reducing the size of the building envelope making it difficult to situate a building on the property. By granting a variance no financial gain will be realized by the owner.
- E. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance.
 - The requested variance is not a hardship created by the current property owners. The buildable area on the lot is significantly reduced due to the large easements on the property. Due to the easements on the lot it makes it difficult to use the property in a generally practical sense.
- F. That granting the variance requested would not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts.
 - The variance will allow for reasonable use and accommodation of the property and not confer on the property owner any greater uses than other properties in the surrounding area. Other properties in the area are not restrictively situated.
- G. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

- The requested 10-foot variance is the minimum variance needed to meet the requirement of G.Z.O. Section 09.02.030. The owner and applicant have worked with Staff to create a minimal amount of encroachment while maintaining a feasible layout. The total area of encroachment is 113 square feet located at the northwest corner of the building.
- H. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located.
- The variance, if granted, will not be injurious to the area. Allowing the construction of the proposed building is a reasonable use of the portion of the property; therefore, it will not be detrimental to the public health and welfare to the surrounding area. The setback encroachment does not adversely affect other properties or are out of scale with other building setbacks.
- I. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
- Staff does not believe that this variance would affect the items listed above since the proposed building is consistent with the surrounding properties, the total area of encroachment is minimal, and Old Airport Road is not a through street and has a wider than usual right-of-way.

15.05.060 Conditions and Restrictions by the Board

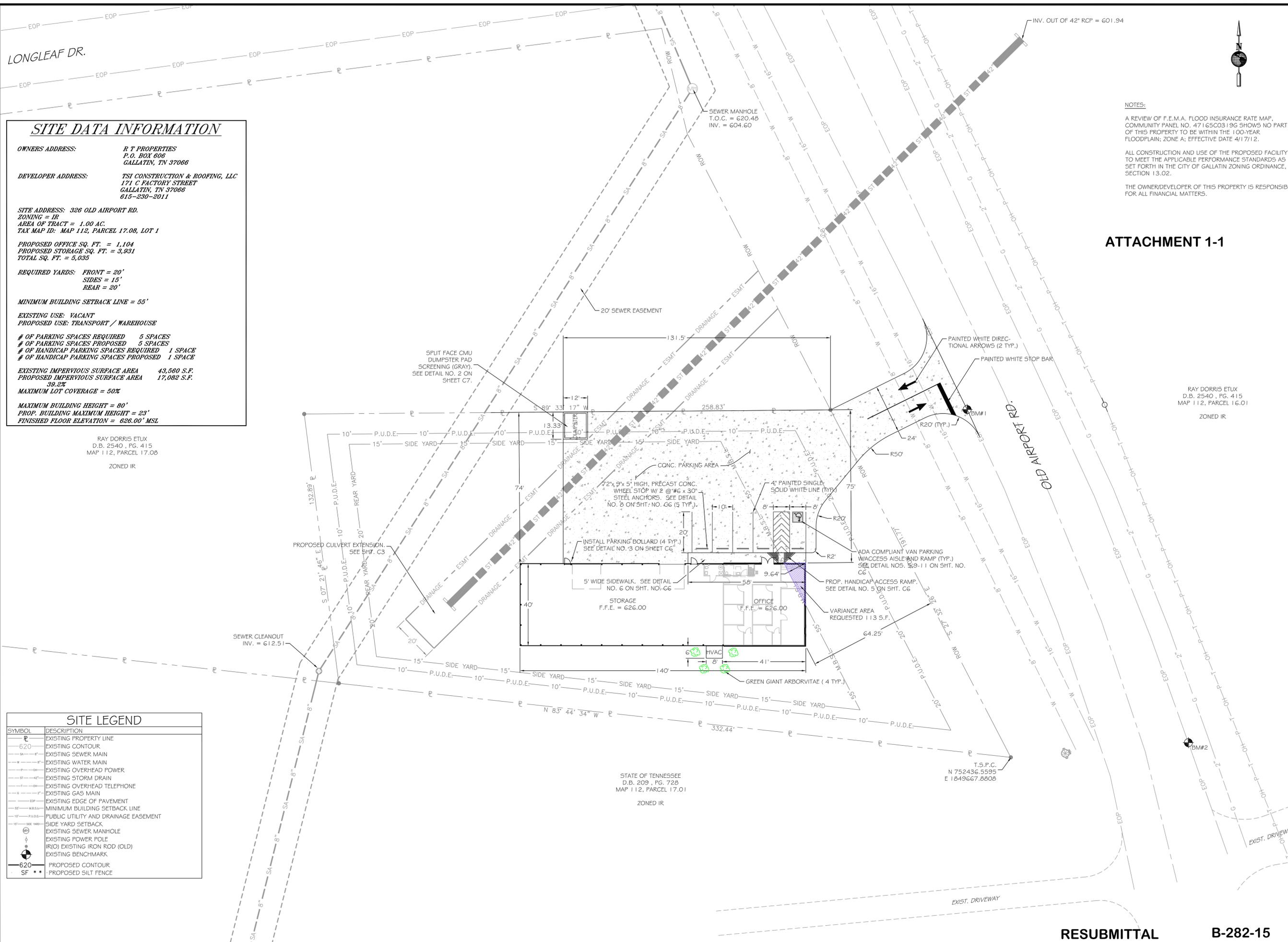
The Board may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in Section 15.05.030 to reduce or minimize the injurious effect to such variation; upon surrounding property and better carry out the general intent of this Ordinance. The Board may establish expiration dates as a condition or as a part of the variances.

RECOMMENDATION

Due to the two (2) large easements and drainage culvert significantly reducing the size of the building envelope and preventing a feasible placement of a building on the lot, Staff recommends that the Gallatin Municipal Board of Zoning Appeals approve GMBZA Resolution No. 2015-03 granting a 10-foot variance from G.Z.O. Section 09.02.030 to allow the construction of the proposed building 45 feet from the Old Airport Road right-of-way, as shown on a one (1) sheet plan, prepared Mid-Tenn Engineering Company of Lafayette, TN, dated January 13, 2015 with a revision date of February 12, 2015.

ATTACHMENTS

- Attachment 1-1 TSI Construction, LLC Site Plan
- Attachment 1-2 Location Map
- Attachment 1-3 Minor Subdivision Plat (PC0341-14)
- Attachment 1-4 Applicant’s Written Responses to Standards for Variances



SITE DATA INFORMATION

OWNERS ADDRESS: R T PROPERTIES
P.O. BOX 606
GALLATIN, TN 37066

DEVELOPER ADDRESS: TSI CONSTRUCTION & ROOFING, LLC
171 C FACTORY STREET
GALLATIN, TN 37066
615-230-2011

SITE ADDRESS: 326 OLD AIRPORT RD.
ZONING = IR
AREA OF TRACT = 1.00 AC.
TAX MAP ID: MAP 112, PARCEL 17.08, LOT 1

PROPOSED OFFICE SQ. FT. = 1,104
PROPOSED STORAGE SQ. FT. = 3,931
TOTAL SQ. FT. = 5,035

REQUIRED YARDS: FRONT = 20'
SIDES = 15'
REAR = 20'

MINIMUM BUILDING SETBACK LINE = 55'

EXISTING USE: VACANT
PROPOSED USE: TRANSPORT / WAREHOUSE

OF PARKING SPACES REQUIRED 5 SPACES
OF PARKING SPACES PROPOSED 5 SPACES
OF HANDICAP PARKING SPACES REQUIRED 1 SPACE
OF HANDICAP PARKING SPACES PROPOSED 1 SPACE

EXISTING IMPERVIOUS SURFACE AREA 43,560 S.F.
PROPOSED IMPERVIOUS SURFACE AREA 17,082 S.F.
39.2%
MAXIMUM LOT COVERAGE = 50%

MAXIMUM BUILDING HEIGHT = 80'
PROP. BUILDING MAXIMUM HEIGHT = 23'
FINISHED FLOOR ELEVATION = 626.00' MSL

RAY DORRIS ETUX
D.B. 2540, PG. 415
MAP 112, PARCEL 17.08
ZONED IR

SITE LEGEND

SYMBOL	DESCRIPTION
—P—	EXISTING PROPERTY LINE
—620—	EXISTING CONTOUR
—SA—	EXISTING SEWER MAIN
—W—	EXISTING WATER MAIN
—OP—	EXISTING OVERHEAD POWER
—SD—	EXISTING STORM DRAIN
—OT—	EXISTING OVERHEAD TELEPHONE
—G—	EXISTING GAS MAIN
—EOP—	EXISTING EDGE OF PAVEMENT
—M.B.L.—	MINIMUM BUILDING SETBACK LINE
—P.U.D.E.—	PUBLIC UTILITY AND DRAINAGE EASEMENT
—SY—	SIDE YARD SETBACK
⊕	EXISTING SEWER MANHOLE
⊕	EXISTING POWER POLE
⊕	(R/O) EXISTING IRON ROD (OLD)
⊕	EXISTING BENCHMARK
—620—	PROPOSED CONTOUR
SF	PROPOSED SILT FENCE

STATE OF TENNESSEE
D.B. 209, PG. 728
MAP 112, PARCEL 17.01
ZONED IR

NOTES:

A REVIEW OF F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 47165C0319G SHOWS NO PART OF THIS PROPERTY TO BE WITHIN THE 100-YEAR FLOODPLAIN; ZONE A; EFFECTIVE DATE 4/17/12.

ALL CONSTRUCTION AND USE OF THE PROPOSED FACILITY TO MEET THE APPLICABLE PERFORMANCE STANDARDS AS SET FORTH IN THE CITY OF GALLATIN ZONING ORDINANCE, SECTION 13.02.

THE OWNER/DEVELOPER OF THIS PROPERTY IS RESPONSIBLE FOR ALL FINANCIAL MATTERS.

ATTACHMENT 1-1

RAY DORRIS ETUX
D.B. 2540, PG. 415
MAP 112, PARCEL 16.01
ZONED IR

MID - TENN ENGINEERING CO. 648 HIGHWAY 52 BYPASS W. LAFAYETTE, TN (615) 669-5385				
TSI CONSTRUCTION & ROOFING, LLC GALLATIN, TENNESSEE				
PROPOSED SITE PLAN				
CREATED BY: E.J.W.	DATE: 1-26-15			
DRAWN BY: E.J.W.	SCALE: 1" = 20'			
SHEET C2				
REVISIONS				
NO.	DATE	DESCRIPTION	BY	CHK
1	2-11-15	REVISED PER PLANNING COMMENTS	E.J.W.	E.J.W.

TSI Construction, LLC
326 Old Airport Road, 112//017.08
Zoned Industrial Restrictive (IR)
PC File # B-284-15



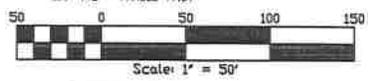
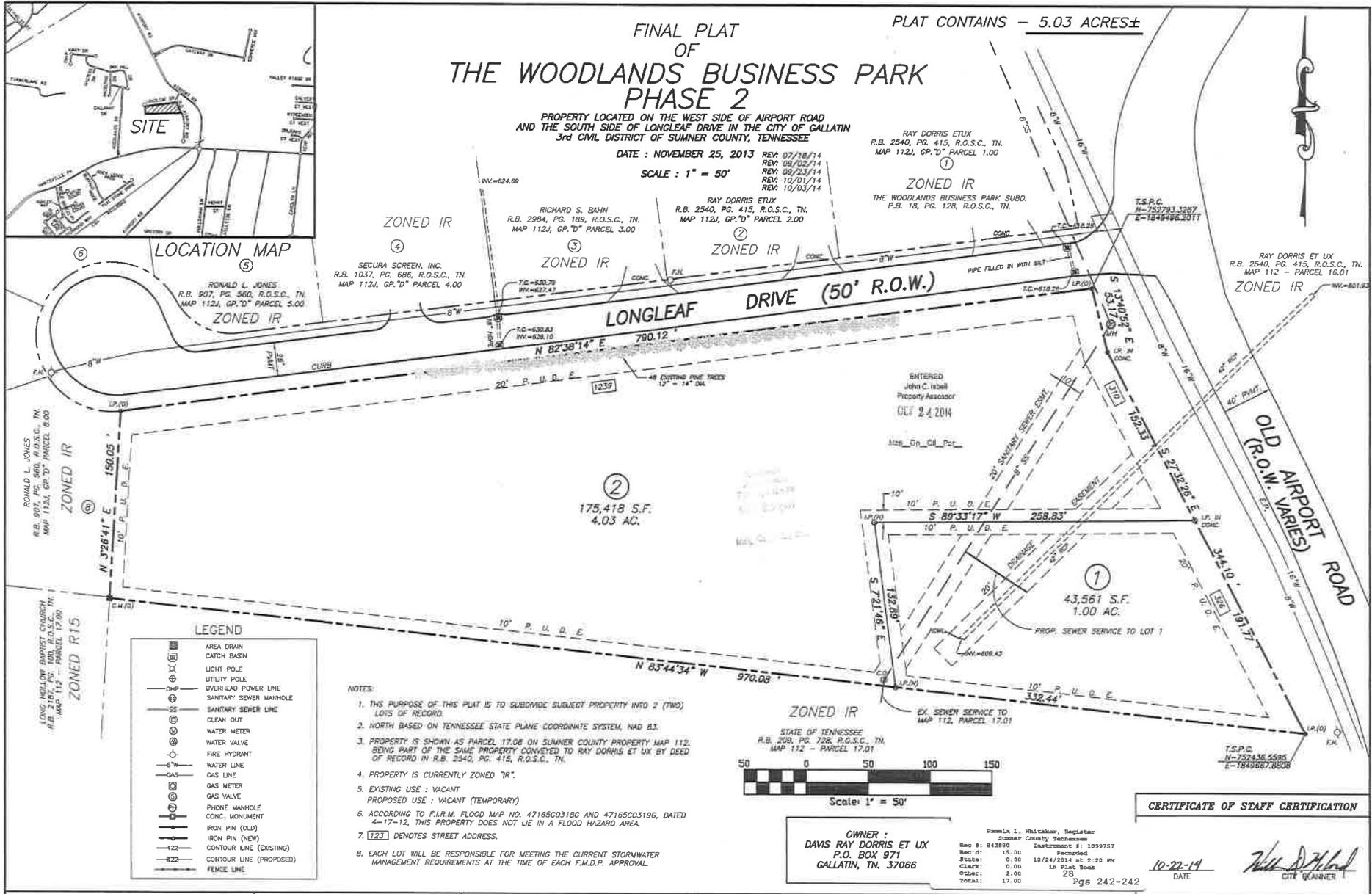
ATTACHMENT 1-2

FINAL PLAT OF THE WOODLANDS BUSINESS PARK PHASE 2

PROPERTY LOCATED ON THE WEST SIDE OF AIRPORT ROAD
AND THE SOUTH SIDE OF LONGLEAF DRIVE IN THE CITY OF GALLATIN
3rd CIVIL DISTRICT OF SUMNER COUNTY, TENNESSEE

PLAT CONTAINS - 5.03 ACRES±

DATE : NOVEMBER 25, 2013
SCALE : 1" = 50'



CERTIFICATE OF STAFF CERTIFICATION

OWNER :
DAVIS RAY DORRIS ET UX
P.O. BOX 971
GALLATIN, TN. 37066

Patricia L. Whitaker, Registrar
Sumner County Tennessee
Rec #: 842890 Instrument #: 1099757
Rec dt: 15.00
State: 0.00 10/24/2014 at 2:20 PM
Class: 0.00 in Plat Book
Other: 2.00
Total: 17.00 Pgs 242-242

10-22-14 DATE
W. D. H. H. H. CITY CLERK

CERTIFICATE OF OWNERSHIP & DEDICATION	CERTIFICATE OF SURVEY ACCURACY	CERTIFICATE OF APPROVAL OF UTILITY SYSTEMS	CERTIFICATE OF THE APPROVAL OR SURETY FOR COMPLETION OF ROADS	CERTIFICATE OF APPROVAL FOR RECORDING	RECORD
<p>I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon as evidenced in book number 2540, page 415, R.O.S.C., TN., and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and that offers of irrevocable dedication for all public roads, utilities, and other facilities have been filed as required by the Gallatin Municipal-Regional Subdivision Regulations.</p> <p>DATE: 10/21/2014 OWNER: Davis Ray Dorris et ux 10/06/2014 TITLE: Owner</p>	<p>I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Gallatin Municipal-Regional Subdivision Regulations and that the same has been approved by the Commission of the Gallatin Municipal-Regional Subdivision Regulations.</p> <p>I hereby certify that this is a preliminary 1 survey & the reason therefor is: [] unadjusted survey is 1:1</p> <p>REGISTERED: [Signature] DATE: 10-6-14</p>	<p>I hereby certify that the utility systems outlined or indicated on the final subdivision plat entitled <u>The Woodlands Business Park Phase 2</u> have been installed in accordance with current local and state government requirements, or a sufficient surety or cash has been filed which will guarantee said installation.</p> <p>WATER SYSTEM: 10/16/14 Date: [Signature] Superintendent of Public Utilities, Gallatin, Tennessee</p> <p>SEWER SYSTEM: 10/16/14 Date: [Signature] Superintendent of Public Utilities, Gallatin, Tennessee</p>	<p>I hereby certify: (1) that all designated roads on this final subdivision plat have been installed in an acceptable manner and according to the specifications of the Gallatin Municipal-Regional Subdivision Regulations, or (2) that a performance surety has been posted with the Planning Commission to assure completion of all required improvements in case of default.</p> <p>DATE: 10/14/14 [Signature] CITY ENGINEER</p>	<p>I hereby certify that the subdivision plat shown hereon has been found to comply with the Gallatin Municipal-Regional Subdivision Regulations with the exception of such variances, if any as are noted in the minutes of the Planning Commission, and that it has been approved for recording in the office of the County Registrar.</p> <p>DATE: 10-21-14 [Signature] Secretary, Planning Commission 10-21-14 [Signature] Chairman's Initials</p>	<p>Recorded _____, 2014 in Book _____, Page _____ of the Registrar's Office, Sumner Co., TN.</p> <p>PREPARED BY: Bruce Rainey LAND DEVELOPMENT CONSULTANTS 116 MAPLE ROW BLVD. HENDERSONVILLE, TN. 37075 Phone 615-822-0032 Fax 615-824-1867</p> <p style="text-align: right;">JOB NO. 090099</p>

ATTACHMENT 1-3 PC0341-14

ATTACHMENT 1-4

17.08

VARIANCE CHECKLIST	
Project Name: TSI Construction & Roofing LLC Office Building	Map #:112 Group: Parcel #: 17.01 ?
Contact Person: Evan White	PC File Number: B-282-15

The Variance checklist is designed to assist applicants with identifying the information that must be included on all Boards of Zoning Appeals (BZA) applications. Initial submittals must include a completed BZA Application Form, a completed Variance checklist, and nine (9) folded copies of the Variance documents by 4:30 PM on the submittal deadline.

The Municipal and Regional Boards of Zoning Appeals may grant variances where it makes findings of fact based upon the standards outlined below. Please provide a written description that explains how the variance being requested addresses the following nine standards for variances:

- The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated;**

Due to the easements running through the property; a variance is request in order to be able to place a building on the lot, and make a feasible layout possible.

- The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;**

This variance would not be applicable to other properties within the same district.

- The variance will not authorize activities in a zone district other than those permitted by this Ordinance;**

This variance will not authorize activities in a other zone districts.

- Financial returns only shall not be considered as a basis for granting a variance;**

Financial return is not the only consideration for this variance, as mentioned above this lot has several easements running though it, making it very difficult to place a building on.

- The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance;**

The alleged difficulty was not created by any person having an interest in the property.



ITEM 2

GMBZA Resolution No. 2015-04

RESOLUTION OF THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS APPROVING A CONDITIONAL USE PERMIT FOR TWO (2) BUILDINGS CONTAINING THREE (3) MULTI-FAMILY DWELLINGS UNITS EACH FOR A TOTAL OF SIX (6) MULTI-FAMILY DWELLING UNITS, PER SECTION 06.06.020.C. OF THE GALLATIN ZONING ORDINANCE, ON THREE (3) LOTS TOTALING 1.033 (+/-) ACRES, ZONED RESIDENTIAL-10 (R10), LOCATED AT THE SOUTHEAST CORNER OF COTTON STREET AND EAST BROADWAY AVENUE (HIGHWAY 31E) (S.B.E. TAX MAP # 112H/C/014.00, 112H/C/015.00, 112H/C/016.00) (PC FILE #B-284-15)

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS considered the request for a Conditional Use Permit for the Multi-family Dwelling residential use for property located at 125 Cotton Street, per Section 06.06.020.C. and Section 15.06 of the Gallatin Zoning Ordinance, submitted by the applicant, Rogers Engineering Group, at its regular meeting on February 26, 2015; and

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Municipal Board of Zoning Appeals Staff Report, and evidence and testimony presented during the meeting; and

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS is required in its deliberations, pursuant to Gallatin Zoning Ordinance Section 15.04.028.F, to indicate the specific section of the Zoning Ordinance of Gallatin, Tennessee under which the Conditional Use Permit is being considered and state specific findings and specifically identified the general requirements and specific conditions for Multi-family Dwelling residential used for such action by the Board; and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS makes the following findings pursuant to TCA Section 13-7-206; 13-7-207(2); and Section 15.06 of the Gallatin Zoning Ordinance:

Section 1. The request for approval of a Conditional Use Permit for the Multi-Family Dwelling Residential Use for property located at 125 Cotton Street, per Section 06.06.020.C of the Gallatin Zoning Ordinance, meets all four (4) General Requirements for a Conditional Use Permit use as described in the body of the Staff Report and as set forth in Gallatin Zoning Ordinance, Section 15.06.040.

Section 2. The request for approval of a Conditional Use Permit for the Multi-Family Residential Use for property located at 123 Cotton Street, per Section 06.06.020.C of the Gallatin Zoning Ordinance, meets all four (4) of the following Special Conditions for Multi-

Family Residential use as described in the body of the Staff Report and as set forth in Gallatin Zoning Ordinance, Section 15.06.080.A; including creating no adverse effects on adjoining properties in the neighborhood or:

1. Effect upon traffic congestion
2. Overcrowding of schools
3. Availability of necessary public utilities
4. Suitability of the site for the use

Section 3. Action – The Gallatin Municipal Board of Zoning Appeals hereby approves GMBZA Resolution 2015-04, Conditional Use Permit for Cotton Street Multi-Family Development on lots 11, 12, and 13 Country Club Mall Subdivision as recorded in Plat Book 7, Page 3 R.O.S.C, with the following conditions:

1. The proposed Conditional Use Permit shall be consistent with the two (2) sheet plan, prepared by Rogers Engineering Group, of Gallatin, Tennessee, with project number 15-010, dated January 28, 2015, with a revision date of February 5, 2015, and the two (2) sheet architectural elevations, prepared by Walker Design Services, of Nashville, Tennessee, with project number 1501, dated February 14, 2015.
2. Contingent upon approval of the Conditional Use Permit request, the owner and applicant shall submit a Site Plan application, including architectural elevations and detailed landscaping plan, for approval by the Planning Commission, review fee, and nine (9) copies of Site Plan.
3. A Type 15 Bufferyard shall be installed along the northern, southern, and eastern property boundaries since the adjacent lot to the east contains an existing residential structure. A final landscaping plan shall be approved at the Site Plan stage.
4. Submit detailed plans and specifications to the Public Utilities Department and Industrial Pre-treatment Department for water and sanitary sewer installation for review and approval at the Site Plan stage.
5. Modify Site Plan to provide a 20-foot double side yard adjacent to East Broadway Avenue per G.Z.O. definition of Yard, side.
6. Building construction plans shall be submitted for review and approval at the Site Plan stage.
7. Buildings shall meet the 20-foot separation requirement of the Gallatin Zoning Ordinance, Section 12.05.010, Minimum Distance Between Buildings.
8. Label adjoining property to the east as split-zoned R10 and R15 and identify zoning line on plan.
9. Indicate a five (5) foot wide sidewalk along Cotton Street right-of-way.
10. Stormwater Ordinance requirements shall be addressed at the Site Plan stage. In lieu of detentioning, Low Impact Development (LID) techniques encourage infiltration may be considered for the project.
11. Submit three (3) corrected, folded copies of the Conditional Use Permit plan to the Planning Department prior to submitting the Site Plan for review and approval.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS 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: 2/26/15

Jimmy Moore, Chair

Jeannie Gregory, Secretary

APPROVED AS TO FORM:

Susan High-McAuley
City Attorney



ITEM 2

PLANNING DEPARTMENT STAFF REPORT

Cotton Street Multi-family Dwellings Conditional Use Permit Request

125 Cotton Street

(PC File #B-284-15)

Date: February 20, 2015

PUBLIC HEARING

REQUEST: OWNER AND APPLICANT REQUEST APPROVAL OF A CONDITIONAL USE PERMIT FOR TWO (2) BUILDINGS CONTAINING THREE (3) MULTI-FAMILY DWELLINGS UNITS EACH FOR A TOTAL OF SIX (6) MULTI-FAMILY DWELLING UNITS, PER SECTION 06.06.020.C. OF THE GALLATIN ZONING ORDINANCE, ON THREE LOTS TOTALING 1.033 (+/-) ACRES, ZONED RESIDENTIAL-10 (R10), LOCATED AT THE SOUTHEAST CORNER OF COTTON STREET AND EAST BROADWAY AVENUE (HIGHWAY 31E) (S.B.E. TAX MAP # 112H/C/014.00, 112H/C/015.00, 112H/C/016.00) (PC FILE #B-284-15).

OWNER: ROBERT C. HELSON

APPLICANT: ROGERS ENGINEERING GROUP

STAFF RECOMMENDATION: APPROVAL OF GMBZA RESOLUTION 2015-04 WITH CONDITIONS

STAFF CONTACT: KATHERINE SCHOCH, AICP

MBZA MEETING DATE: FEBRUARY 26, 2015

PROJECT OVERVIEW:

The owner and applicant request approval of a Conditional Use Permit for two (2) buildings containing three (3) Multi-Family Dwelling units each for a total of six (6) Multi-Family Dwelling units, per Section 06.06.020.C. of the Gallatin Zoning Ordinance, on three (3) lots totaling 1.033 (+/-) acres, zoned Residential-10 (R10), located at the southeast corner of Cotton Street and East Broadway Avenue (Highway 31E) (S.B.E. Tax Map #112H/C/014.00, 112H/C/015.00, 112H/C/016.00) (Attachment 2-1, Attachment 2-2, and Attachment 2-3). Each building will contain three (3), 1,400 square foot, two (2) bedroom units.

The property is zoned Residential-10 (R10), Medium Density Residential District, which requires 10,000 square foot minimum lots (Attachment 2-4). Multi-family Dwelling is a conditional use in the R10 zone district. The surrounding property owners were notified by mail about the Conditional Use Permit request and a notice of the Public Hearing to be held about the project was run in the *Gallatin News* on February 12, 2015. Staff recommends that the Municipal Board of Zoning Appeals approve the Conditional Use Permit request with the conditions listed on pages 6 and 7 of the staff report and in GMBZA Resolution No. 2015-04.

CASE BACKGROUND:

Previous Approvals

Staff found no previous project approvals on file for the subject property. According to the Sumner County Tax Assessor's Office, the Country Club Mall Final Plat, including lots 11, 12, and 13 of the project site, was recorded on December 16, 1970, Plat Book 7; Page 3 (Attachment 2-4). This property is considered a zone lot by the definition of the Gallatin Zoning Ordinance since the three (3) parcels are under single ownership. Buildings may be constructed over property boundaries on a zone lot.

DISCUSSION:

Analysis

The owner and applicant request approval of a Conditional Use Permit for two (2) buildings containing three (3) Multi-Family Dwelling units each for a total of six (6) Multi-Family Dwelling units located at the southeast corner of Cotton Street and East Broadway Avenue (Highway 31E). The subject property is currently unimproved and vacant. A note on the plan indicates that no portion of this property is located within a special flood hazard area according to FEMA FIRM map panel #47165C0316G and #47165C0318G, dated April 17, 2012; zone X (Attachment 2-1). This site contains five (5) mature trees along the southern property boundary that will be preserved and counted toward the bufferyard requirement. The property contains no recorded easements and no utility lines are located on site. The R10 zone district requires 7,500 square feet of development area per dwelling unit. The zone lot contains a total of 1.033 (+/-) acres so the property may contain a total of six (6) dwelling units (44,997 s.f./7,500 s.f. = 5.9996 units). The project meets all other Bulk Requirements of the R10 zone district; however, the plan shall be revised to show a double side yard along East Broadway Avenue (Highway 31E) since the side yard is adjacent to a street.

A Site Plan, including full architectural elevations and a detailed landscaping plan, shall be required contingent upon approval of the Conditional Use Permit by the Gallatin Municipal Board of Zoning Appeals.

Architectural Elevations

The applicant submitted architectural renderings of the proposed one-story, Multi-family Dwelling buildings (Attachment 2-2), each containing three (3), 1,400 square foot units each with two (2) bedrooms. Both rectangular buildings are identical in design and will contain 100 percent brick on all building façades. The front façade of both buildings will contain one (1) door, three (3) windows and a decorative wooden column at the front entrance of each unit. A 6:12 pitched roof will be installed on both buildings with architectural dimensional shingles. The final color scheme for the brick, trim, shutters and shingles will be determined at the Site Plan stage. The front façade of the buildings will face Cotton Street (west) and the site will be accessed from a shared driveway off Cotton Street. The rear façades of both buildings will face the eastern property line and are shown with three (3) back doors and three (3) small windows. Buildings shall meet the 20-foot separation requirement of the Gallatin Zoning Ordinance, Section 12.05.010, Minimum Distance Between Buildings.

G.Z.O., Section 13.08.010. A, Basic Design Criteria, A. Materials, states that any use and building, other than single family detached residential units, shall use brick and/or stone materials as the predominant (minimum 65%) exterior facade materials in the A, R40, R20, R15, R10, R8, zone districts. Since the proposed buildings will contain 100 percent brick on all four (4) facades, the project exceeds the design requirement of the G.Z.O. In addition, the proposed architecture meets the

requirements of G.Z.O. Section 13.08.010.B, Compatibility with Adjacent Buildings since the surrounding structures also contain brick, vinyl siding, and Hardie Board siding (Attachment 2-4).

Landscaping and Bufferyards

Bufferyards are intended to minimize the potential impacts of proposed developments on the adjacent properties as outlined in the Gallatin Zoning Ordinance and the *Gallatin on the Move 2020 General Development and Transportation Plan*. A Type 15 Bufferyard is required along the southern property boundary, adjacent to the Residential-15 (R15) zoned property. A Type 15 Bufferyard is also required along the northern boundary line adjacent to Nashville Pike since East Broadway Avenue (a major arterial street) separates the R10 property from the CS property to the north. Table 13-05 of the G.Z.O. indicates a Type 20 Bufferyard requirement between R10 and CS property without an intervening major street. The property contains five (5) mature trees along the southern property boundary that will be preserved and counted towards the bufferyard requirement. According to the planting detail, a total 12 trees and 24 shrubs will be installed on site. Details of the proposed bufferyards have been shown on the landscaping plan (Attachment 2-2). The interior plantings also meet the requirements of the Gallatin Zoning Ordinance. A final landscaping plan shall be required at the Site Plan stage.

Staff recommends that a Type 15 Bufferyard also be installed along the eastern property boundary, adjacent to Lot 14, which is split-zoned R10 and R15, since it contains an existing residential structure. The building locations may need to be shift slightly to the west to allow for the installation of the Type 15 Bufferyard.

Parking

The Gallatin Zoning Ordinance requires two (2) parking spaces per dwelling unit. A parking lot will be constructed directly in front of the buildings off the shared driveway from Cotton Street. The parking lot contains a total of 12 regular parking spaces and two (2) handicapped parking spaces, meeting the parking requirements of the Gallatin Zoning Ordinance. A row of evergreen shrubs are shown to be installed along the parking spaces adjacent to East Broadway Avenue for additional screening of the parking lot (Attachment 2-1; sheet C.2).

Other Departmental Comments

- ***Engineering Division***

The Engineering Division noted that the Gallatin Subdivision Regulations require construction of a five (5) foot wide sidewalk along Cotton Street. In addition, the Engineering Division stated that the owner and applicant shall be aware of the City of Gallatin's Stormwater Ordinance requirements to be addressed at the Site Plan stage. In lieu of detentioning, Low Impact Development (LID) techniques encouraging infiltration should be considered for the project.

- ***Public Utilities Department and Industrial Pre-treatment Department***

Plan and specifications shall be submitted to the Public Utilities Department and Industrial Pre-treatment Department for water and sanitary sewer installation for review and approval at the Site Plan stage.

- ***Public Works Department***

The Public Works Department did not review the Conditional Use Permit application; however, the Site Plan shall be reviewed by the Public Works Department.

- **Building Codes Department**
 - Building construction plans shall be submitted for review and approval at the Site Plan stage. Following Site Plan approval, building permits shall be obtained prior to construction. Life Safety inspections are required prior to the issuance of Certificates of Occupancy.
- **Department of Electricity**
 - The Department of Electricity provided no review comments on the Conditional Use Permit application.
- **Fire Department**
 - The Fire Department provided no review comments on the Conditional Use Permit application.
- **Police Department**
 - The Police Department provided no review comments on the Conditional Use Permit application.
- **Sumner County E-911**
 - Sumner County E-911 did not review the Conditional Use Permit application; however, the department shall review the Site Plan application for this project.

General Requirements for Conditional Use Permit

Gallatin Zoning Ordinance, Section 15.06.030, lists general requirements for Conditional Use Permits (Attachment 2-5). The Board may also impose other conditions and restrictions upon the premises benefited by a Conditional Use Permit to reduce or minimize effects upon surrounding property owners and to ensure compatibility with the surrounding property including establishing expiration dates for any conditional use permit as a condition of approval (Attachment 2-5). The applicant provided a written description of how the proposal meets the general requirements as listed below (Attachment 2-6). A Conditional Use Permit shall be granted provided that the Board finds that it:

- A. Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;
 - The proposed Multi-family Dwelling development will not significantly impact the public health, safety or welfare of the area. Adequate parking will be provided for residents and guests on site. Since the project only contains a total of six (6) units with two (2) bedrooms each, the development will not generate traffic volumes that will overwhelm the transportation system (approximately 50 trips per day). Bufferyards will be installed to limit the visual impact of the development from the street and adjacent residential structures (Attachment 2-6).
- B. Will not adversely affect other property in the area in which it is located;
 - Existing commercial uses and buildings are located directly to the north of the subject property, across East Broadway Avenue. Bufferyards will be installed on three (3) sides of the property to screen the proposed Multi-family Dwelling development from the adjacent residential uses and commercial development on East Broadway Avenue (Highway 31E). A

note has been added to the plan that the project shall meet the Performance Standards Regulations of the Gallatin Zoning Ordinance, Section 13.02 (Attachment 2-1).

- C. Is within the provisions of "Conditional Uses" as set forth in this Ordinance;
- Multi-family Dwelling is a permitted conditional use in the Residential-10 (R10) zone district per Section 06.06.020.C of the Gallatin Zoning Ordinance (Attachment 2-4). The project has been reviewed for consistency with the standards of Section 15.06.080.A. of the Gallatin Zoning Ordinance.
- D. Conforms to all applicable provisions of this Ordinance for the district in which it is to be located and is necessary for public convenience in that location.
- This property complies with all applicable provisions of the Gallatin Zoning Ordinance. A five (5) foot sidewalk shall be installed along Cotton Street from the East Broadway Avenue (Highway 31E) right-of-way to the southern property boundary and from the public sidewalk to the buildings to provide for pedestrian access to the site. The sidewalk shall be identified on the Site Plan.

Special Conditions for Multi-Family Dwelling

Section 15.06.080, Specific Standards for Residential Activities, A. Special Conditions of Multi-family Dwelling, and Mobile Home Park Activities, of the Gallatin Zoning Ordinance outlines special conditions for residential activities that apply to this development. The applicant's request meets the special conditions as listed below and detailed in Attachment 2-6. A Conditional Use Permit shall be granted provided that the Board finds that:

- A. In addition to the standards contained in this Ordinance, for these type developments, the Board of Appeals shall specifically find that there will be no adverse impact upon adjoining properties or the neighborhood in which such use is proposed. In making this finding, the Board shall consider the effect upon traffic congestion, overcrowding of schools, availability of necessary public utilities, and suitability of the site for the use, and such other factors as the Board may deem necessary.
- The two (2) Multi-family Dwelling unit buildings will contain 100 percent brick on all (4) four building façades to be compatible with the surrounding single-family and Attached Dwelling units in the neighborhood. Similar residential units existing in the neighborhood on the west side of Cotton Street. The proposed buildings will feature 100 percent brick on all (4) sides and match the building materials of the existing homes on Cotton Street and Club Circle (Attachment 2-2). The project has been designed to comply with the Performance Standards Regulations of the Gallatin Zoning Ordinance, Section 13.02 and will not create an adverse impact on the surrounding area.
 - Impacts on area infrastructure will be negligible. Due to the size of the project, a traffic study is not required. The development will generate some traffic in the area (approximately 50 daily trips), but the traffic should not increase significantly more than if single-family homes were constructed on the lots. Bufferyards will be installed on the property boundaries adjacent to existing residential structures on Club Circle including the property to the east. Bufferyards will be installed on three (3) side of the property to mitigate the development's impact on the surrounding property owners. Since the project has been limited to six (6)

units, with two (2) bedrooms each, the project will have little impact on the Sumner County school system.

Findings

The project was designed to be consistent with the intent and purpose of the Gallatin Zoning Ordinance. Staff, therefore, makes the following findings:

1. The request for approval of a Conditional Use Permit for the Multi-Family Dwelling Residential Use for property located at 125 Cotton Street, per Section 06.06.020.C of the Gallatin Zoning Ordinance, meets all four (4) General Requirements for a Conditional Use Permit use as described in the body of the Staff Report and as set forth in Gallatin Zoning Ordinance, Section 15.06.040.
2. The request for approval of a Conditional Use Permit for the Multi-Family Residential Use for property located at 123 Cotton Street, per Section 06.06.020.C of the Gallatin Zoning Ordinance, meets all four (4) of the following Special Conditions for Multi-Family Residential use as described in the body of the Staff Report and as set forth in Gallatin Zoning Ordinance, Section 15.06.080.A; including creating no adverse effects on adjoining properties in the neighborhood or:
 1. Effect upon traffic congestion
 2. Overcrowding of schools
 3. Availability of necessary public utilities
 4. Suitability of the site for the use

RECOMMENDATION

Based on findings in the Staff Report, Staff recommends that the Gallatin Municipal Board of Zoning Appeals approve GMBZA Resolution 2015-04, Conditional Use Permit for Cotton Street Multi-Family Development on lots 11, 12, and 13 Country Club Mall Subdivision as recorded in Plat Book 7, Page 3 R.O.S.C, with the following conditions:

1. The proposed Conditional Use Permit shall be consistent with the two (2) sheet plan, prepared by Rogers Engineering Group, of Gallatin, Tennessee, with project number 15-010, dated January 28, 2015, with a revision date of February 5, 2015, and the two (2) sheet architectural elevations, prepared by Walker Design Services, of Nashville, Tennessee, with project number 1501, dated February 14, 2015.
2. Contingent upon approval of the Conditional Use Permit request, the owner and applicant shall submit a Site Plan application, including architectural elevations and detailed landscaping plan, for approval by the Planning Commission, review fee, and nine (9) copies of Site Plan.
3. A Type 15 Bufferyard shall be installed along the northern, southern, and eastern property boundaries since the adjacent lot to the east contains an existing residential structure. A final landscaping plan shall be approved at the Site Plan stage.
4. Submit detailed plans and specifications to the Public Utilities Department and Industrial Pre-treatment Department for water and sanitary sewer installation for review and approval at the Site Plan stage.
5. Modify Site Plan to provide a 20-foot double side yard adjacent to East Broadway Avenue per G.Z.O. definition of Yard, side.
6. Building construction plans shall be submitted for review and approval at the Site Plan stage.

7. Buildings shall meet the 20-foot separation requirement of the Gallatin Zoning Ordinance, Section 12.05.010, Minimum Distance Between Buildings.
- 8.
9. Label adjoining property to the east as split-zoned R10 and R15 and identify zoning line on plan.
10. Indicate a five (5) foot wide sidewalk along Cotton Street right-of-way.
11. Stormwater Ordinance requirements shall be addressed at the Site Plan stage. In lieu of detentioning, Low Impact Development (LID) techniques encourage infiltration may be considered for the project.
12. Submit three (3) corrected, folded copies of the Conditional Use Permit plan to the Planning Department prior to submitting the Site Plan for review and approval.

ATTACHMENTS:

- | | | |
|-------------------|------------|---|
| Attachment | 2-1 | Conditional Use Permit plan |
| Attachment | 2-2 | Architectural Elevations |
| Attachment | 2-3 | Location Map |
| Attachment | 2-4 | Country Club Mall Final Plat PB 7; PG 3 |
| Attachment | 2-5 | Applicable Sections of the Gallatin Zoning Ordinance |
| Attachment | 2-6 | Applicant's letter dated February 12, 2015 |

GENERAL NOTES:

- THIS CONSTRUCTION PROJECT SHALL AT ALL TIMES AND IN ALL SITUATIONS PROCEED IN A MANNER CONSISTENT WITH THE CITY OF GALLATIN SUBDIVISION REGULATIONS, AND ALL OTHER APPLICABLE RULES, REGULATIONS AND LAWS OF ANY OTHER AUTHORITY WITH JURISDICTION TO GOVERN SUCH CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR UNDERTAKING SUCH CONSTRUCTION ACTIVITIES TO INSURE FULL COMPLIANCE AT ALL TIMES.
- THE CONTRACTOR SHALL KEEP A COPY OF THE CURRENT CITY OF GALLATIN SUBDIVISION REGULATIONS (INCLUDING SPECIFICATIONS FOR PUBLIC WORKS PROJECTS) ON THE CONSTRUCTION PROJECT AT ALL TIMES, AND REFERENCE SHALL BE MADE TO THEM FOR PROPER MATERIALS, METHODS, ETC. REGARDING CONSTRUCTION IMPROVEMENTS.
- THE CONTRACTOR SHALL CHECK AND VERIFY ALL ELEVATIONS, DISTANCES, AND DIRECTIONS BEFORE STARTING WORK ON ANY SEGMENT OF THE PROJECT. IF THE CONTRACTOR HAS ANY QUESTIONS OR SUSPECTS THERE IS AN ERROR OR OMISSION WITHIN THE PLANS OR CONSTRUCTION STAKES, HE SHALL NOT PROCEED UNTIL THE ENGINEER OR HIS REPRESENTATIVE HAS BEEN FULLY NOTIFIED, HAS RESPONDED, AND HAS SPECIFICALLY STATED THE CONTRACTOR MAY PROCEED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL SURVEYING REFERENCE POINTS, HUBS, AND LOT CORNERS DURING THE CONSTRUCTION PROCESS AND SHALL BEAR THE EXPENSE FOR REPLACING ANY SUCH OBJECTS DAMAGED DURING CONSTRUCTION.
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY NOTICES, OBTAIN ALL REQUIRED PERMITS AND PAY ALL FEES ASSOCIATED WITH SUCCESSFULLY COMPLETING THE CONSTRUCTION PROCESS, INCLUDING ALL PUBLIC INSPECTION FEES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO THIS OR ADJACENT PROPERTY, AND FOR INJURY TO ANY PERSON OCCURRING DURING OR AS A RESULT OF THE CONSTRUCTION PROCESS, WHETHER SUCH DAMAGE OR INJURY RESULTS FROM ANY ACTION OR LACK OF ACTION BY PRINCIPALS OF THE COMPANY, EMPLOYEES, SUBCONTRACTORS, OR SUPPLIERS. THE CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY TEMPORARY SAFETY DEVICES AND FOLLOW ALL ADVISABLE SAFETY PRACTICES NECESSARY TO INSURE THE SAFETY OF ALL PERSONS DURING THE CONSTRUCTION PROCESS. NEITHER THE OWNER NOR THE ENGINEER ASSUME ANY LIABILITY FOR MATTERS RELATING TO SAFETY AT THE CONSTRUCTION SITE.
- ANY DAMAGE TO IMPROVEMENTS PRIOR TO FINAL PROJECT ACCEPTANCE BY THE CITY OF GALLATIN OR THE OWNER SHALL BE REPAIRED OR REPLACED AS NECESSARY TO MEET CURRENT SPECIFICATIONS. ALL EXPENSES ASSOCIATED WITH SUCH REPAIR OR REPLACEMENT SHALL BE PAID BY THE APPROPRIATE CONTRACTOR.
- LOCATION OF EXISTING UTILITIES INDICATED ON THESE PLANS MUST BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION IN THE VICINITY OF ANY SUCH UTILITIES. THE CONTRACTOR IS FURTHER RESPONSIBLE FOR LOCATING ALL UTILITIES THAT MAY BE IN EXISTENCE ON THE PROJECT SITE BUT WHICH ARE UNKNOWN TO THE ENGINEER. ALL UTILITY LOCATION ACTIVITIES SHALL BE AT THE EXPENSE OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND REPLACEMENT (AS DIRECTED) TO ANY UTILITIES DAMAGED DURING CONSTRUCTION, BEFORE ANY EXCAVATION HAS BEGUN ON THIS SITE CALL 1-800-351-1111 FOR UNDERGROUND UTILITY LOCATIONS.
- EROSION CONTROL SHALL BE MAINTAINED THROUGHOUT THE PROJECT IN ACCORDANCE WITH THE TENNESSEE GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES STORM WATER DISCHARGE. INSPECTION AND MAINTENANCE SHALL BE PERFORMED BY THE CONTRACTOR ON A REGULAR BASIS IN ACCORDANCE WITH THE STORM WATER POLLUTION PREVENTION PLAN.
- BOUNDARY INFORMATION PROVIDED BY RICHARD D. GRAVES LAND SURVEYING, DRAWING DATED 2-10-2015. TOPOGRAPHIC INFORMATION PROVIDED BY CARROLL CARMAN SURVEYING, DRAWING DATED 6-27-2012.
- A TITLE SEARCH NOR TITLE POLICY WAS PROVIDED. THEREFORE, THIS SURVEY IS SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE SEARCH. ONLY DOCUMENTS NOTED HEREON WERE SUPPLIED TO THIS SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS THAT WOULD AFFECT THE SUBJECT PROPERTY. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH.
- ELEVATIONS AND CONTOURS WERE DERIVED USING DIGITAL TERRAIN MODELING.
- BEARINGS SHOWN ARE BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD 1983).
- A REVIEW OF THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANELS NO. 47165C0316G & 47165C0318G, EFFECTIVE DATE APRIL 17, 2012, SHOWS THIS PROPERTY TO BE IN ZONE X AND NOT IN A SPECIAL FLOOD HAZARD AREA.
- SUBSURFACE AND/OR ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SITE PLAN.
- ALL BUILDINGS, SURFACE IMPROVEMENTS, AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THIS SITE ARE NOT NECESSARILY SHOWN HEREON.
- NO GEOTECHNICAL ENGINEERING REPORT WAS PROVIDED FOR THE PREPARATION OF THIS SITE PLAN.
- PERFORMANCE STANDARD COMPLIANCE
ALL CONSTRUCTION AND USE OF THE PROPOSED FACILITY TO MEET THE APPLICABLE PERFORMANCE STANDARDS AS SET FORTH IN THE CITY OF GALLATIN ZONING ORDINANCE, SECTION 13.02.
- INDUSTRIAL PRETREATMENT
THE PROPOSED PROJECT SHALL COMPLY WITH ALL APPLICABLE CROSS-CONNECTION CONTROL AND SEWER USE REGULATIONS.
- SIGNAGE
NO SIGNAGE IS BEING PROPOSED AT THIS TIME. ANY FUTURE SIGNAGE MUST BE SUBMITTED, REVIEWED, AND APPROVED PRIOR TO INSTALLATION.
- PHOTOMETRIC PLAN
NO OUTDOOR LIGHTING IS BEING PROPOSED. OUTDOOR LIGHTING SHALL COMPLY WITH THE CITY OF GALLATIN ZONING ORDINANCE SECTION 13.02.B.
- TRASH COLLECTION
THIS DEVELOPMENT WILL UTILIZE THE CITY OF GALLATIN CURB SIDE TRASH SERVICE.
- HVAC UNITS
HVAC UNIT LOCATIONS WILL BE TYPICAL FOR RESIDENTIAL CONSTRUCTION. HVAC UNITS TO BE SCREENED FROM THE STREET VIEW.
- BUILDING MATERIALS
BUILDINGS SHALL BE COMPRISED A MINIMUM OF 65% BRICK ON ALL FACADES, REMAINDER TO BE VINYL SIDING. ROOFING MATERIAL TO BE ARCHITECTURAL ASPHALT SHINGLES.

ESTIMATED CONSTRUCTION SCHEDULE:

BEGIN 1 APRIL 2015
END 1 OCTOBER 2015

TEMPORARY BENCHMARK:

TOP OF EXISTING FIRE HYDRANT AT THE CORNER OF COTTON STREET AND EAST BROADWAY.
ELEVATION 585.00 (ASSUMED)

STATEMENT OF FINANCIAL RESPONSIBILITY:

JOHN PARK AND MORRIS HOLLEMAN WILL BE FINANCIALLY RESPONSIBLE FOR ALL IMPROVEMENTS SHOWN ON THIS PLAN.

PROJECT DESCRIPTION:

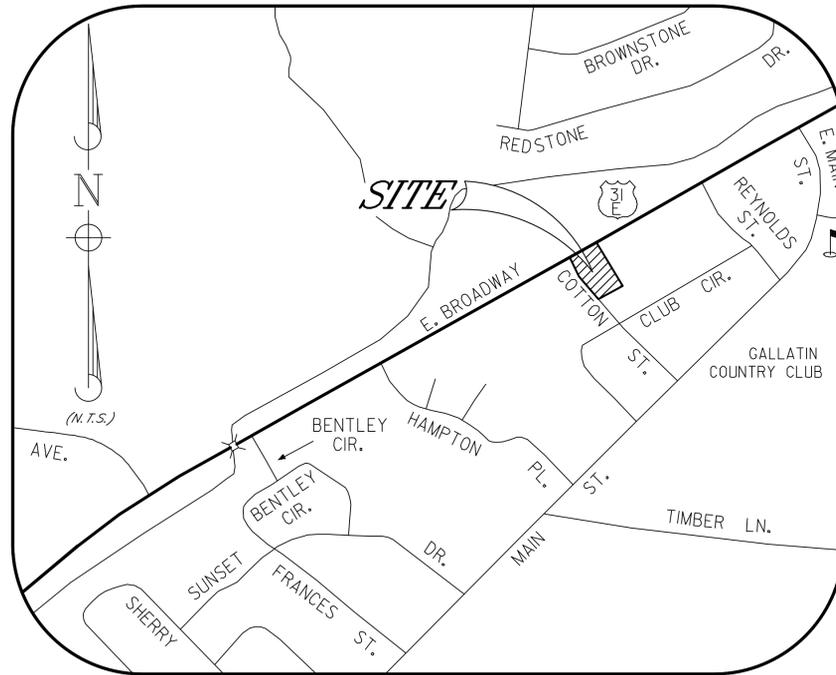
THIS PROJECT PROPOSES THE DEVELOPMENT OF APPROXIMATELY 1,033 ± ACRES INTO A SINGLE LOT MULTIFAMILY RESIDENTIAL DEVELOPMENT (2 TRIPLEXES) WITH ALL REQUIRED APURTENANCES.

PAVING AND DRAINAGE NOTES:

- DRAINAGE SYSTEM RIP-RAP SHALL BE PLACED IN SUCH A MANNER AS TO ACHIEVE MAXIMUM INTERLOCKING TIGHTNESS.
- DURING CONSTRUCTION EXPOSE THE MINIMUM AREA OF SOIL FOR THE MINIMUM TIME POSSIBLE. CONTROL DUST BY WATERING OR OTHER METHOD APPROVED BY THE CITY OF GALLATIN.
- EROSION SHALL BE CONTROLLED IN ACCORDANCE WITH THE GENERAL NOTES. PERMITS FOR DISCHARGES OF STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES (PERMIT NO. TN100000), IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONTROL EROSION FROM STORM WATER RUNOFF.
- ALL STUMPS, LARGE ROCK, CONCRETE, SCRAP MATERIALS, TRASH AND OTHER DELETERIOUS MATERIAL SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER.
- COMPACTION REQUIREMENTS FOR ROADWAYS AND PAVEMENT - ALL FILL MATERIAL TO BE PLACED EVENLY AND IN A UNIFORM MANNER AT A MAXIMUM OF 8" LIFTS AND COMPACTED TO 98% STD PROCTOR ON ALL LIFTS. MOISTURE TO BE WITHIN 2% OF OPTIMUM DURING COMPACTION. COMPACTION REQUIREMENTS FOR BUILDING PADS - ALL FILL MATERIAL TO BE PLACED EVENLY AND IN A UNIFORM MANNER AT A MAXIMUM OF 8" LIFTS AND COMPACTED WITH SHEEPSFOOT VIBRATORY COMPACTOR TO 98% STD PROCTOR ON ALL LIFTS. MOISTURE TO BE WITHIN 2% OF OPTIMUM DURING COMPACTION.
- PROJECT BENCHMARK, AS SHOWN ON PLANS
- ALL DRAINAGE PIPE BELOW ROADWAYS TO BE:
(1) CLASS III RCP (REINFORCED CONCRETE PIPE) WITH CLASS "B" BEDDING (COMPACTED PUG TO SPRINGLINE). TRENCH FILL TO BE PUG.
DRAINAGE PIPE BELOW PAVE AREAS TO BE:
(1) CLASS III RCP (REINFORCED CONCRETE PIPE) WITH CLASS "B" BEDDING (COMPACTED PUG TO SPRINGLINE). TRENCH FILL TO BE PUG.
(2) CMP (CORRUGATED METAL PIPE) WITH CLASS "B" BEDDING (COMPACTED PUG TO SPRINGLINE). TRENCH FILL TO BE PUG.
DRAINAGE PIPE OUTSIDE OF ROADWAY TO BE:
(1) CLASS I OR CLASS III RCP WITH CLASS "B" BEDDING (COMPACTED PUG TO SPRINGLINE). TRENCH FILL TO BE NATIVE SOIL COMPACTED.
(2) OR HDPE (SMOOTH INSIDE BORE) WITH 6" STONE BEDDING AND BACKFILLED TO THE SPRINGLINE WITH PUG IN 4" LIFTS COMPACTED TO 98% STD PROCTOR. PUG THEN TO BE PLACED IN 6" LAYERS AND LIGHTLY TAMPED TO 12" ABOVE THE TOP OF THE PIPE CORRUGATION. REMAINDER OF BACKFILL TO BE NATIVE SOIL COMPACTED.
(3) CMP WITH CLASS "B" BEDDING (COMPACTED PUG TO SPRINGLINE). TRENCH FILL TO BE PUG TO ONE FOOT ABOVE PIPE THE REMAINDER TO BE NATIVE SOIL COMPACTED.
- ALL DITCHES TO RECEIVE COVER TREATMENT AS SHOWN ON PLANS.
- THE PAVING TRANSITION AT EXISTING STREETS SHALL BE SMOOTH IN BOTH HORIZONTAL AND VERTICAL ALIGNMENT; FIELD ADJUST AS NECESSARY.
- REFER TO "GENERAL NOTES" FOR ADDITIONAL INFORMATION RELATING TO THIS CONSTRUCTION PROJECT.

PLAN SHEET INDEX:

DESCRIPTION	SHEET
COVER SHEET	C 1.0
CONDITIONAL USE EXHIBIT	C 2.0



PLAN APPROVAL

THESE CONSTRUCTION PLANS HAVE BEEN REVIEWED BY ME AND ARE APPROVED WITH THE EXCEPTION OF SUCH MODIFICATIONS INDICATED BY ME ON THE PLANS.

ENGINEERING DEPARTMENT	DATE
CITY ENGINEER	DATE

PARKING REQUIREMENTS				
TYPE	REQUIRED SPACES	EXISTING	PROPOSED	TOTAL
DWELLING UNITS (6 UNITS)	(2 SPC / UNIT) x 6 UNITS = 12 SPCS	0	14	14*
TOTAL	12	0	14	14*

* 1 ACCESSIBLE SPACE REQUIRED AND 2 PROVIDED

BUFFER YARD REQUIREMENTS		
R10 TO R10 (W/ LOCAL STREET)	ORDINANCE	PROPOSED
R10 TO R10 (W/ LOCAL STREET)	NONE REQUIRED	-
R10 TO R15	TYPE 15	TYPE 15
R10 TO R10	NONE REQUIRED	-
R10 TO CS (W/ MAJOR STREET)	TYPE 15*	TYPE 15

* PER GALLATIN ZONING ORDINANCE SECTION 13.04.06D.F

R-10 BULK AND AREA REGULATIONS

	ORDINANCE	PROVIDED
MINIMUM LOT AREA	10,000 SF	45,017 SF
MAXIMUM LOT COVERAGE	40 %	18.66%
MIN. DEV. AREA PER UNIT	7,500 SF	7,502.8 SF
MAXIMUM FLOOR AREA RATIO	0.32	0.19
MAXIMUM BUILDING HEIGHT	20.0'	20.0'
FRONT YARD	25 FEET	>25 FEET
SIDE YARD	10 FEET	10 FEET
REAR YARD	15 FEET	>15 FEET
MINIMUM LOT WIDTH	60 FEET	250 FEET

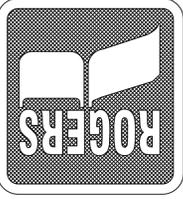
SITE DATA TABLE

OWNER	ROBERT C. HELSON P.O. BOX 1372 GALLATIN, TN 37066 615-804-5900
DEVELOPER	JOHN PARK AND MORRIS HOLLEMAN P.O. BOX 574 GALLATIN, TN 37066 615-566-3530
SITE LOCATION	125 COTTON STREET
TAX MAP	112H GROUP C
PARCELS	014.03, 015.03, & 016.03; RB 3590, PG. 780 R.O.S.C.TN
PLAT REFERENCE	COUNTRY CLUB MALL LOT 11, 12, 13, PG. 7, PG. 3 R.O.S.C.TN
ACREAGE	45,017 SF, 1.033 ± AC
CURRENT ZONE	R-10
REQUESTED ZONE	
EXISTING USE	VACANT
PROPOSED USE	DWELLING MULTI-FAMILY

UTILITY OWNERS			
WATER	GALLATIN PUBLIC UTILITIES 239 HANCOCK STREET GALLATIN, TN 37066 CONTACT: DAVID GREGORY (615) 451-5922	TELEPHONE	AT&T 2501 PARK PLACE NASHVILLE, TN 37203 CONTACT: (615) 344-5288
SEWER			
GAS			
ELECTRIC	GALLATIN DEPARTMENT OF ELECTRICITY 135 JONES STREET GALLATIN, TN 37066 CONTACT: MIKE TAYLOR (615) 452-5152	CABLE	COMCAST 840 SOUTH WESTLAND AVENUE GALLATIN, TN 37066 CONTACT: (615) 244-5900

**COTTON STREET
MULTIFAMILY DEVELOPMENT
CONDITIONAL USE PERMIT REQUEST
125 COTTON STREET
CITY OF GALLATIN, 3RD CIVIL DISTRICT,
SUMNER COUNTY, TENNESSEE**

ROGERS ENGINEERING GROUP
114B WEST MAIN STREET
Gallatin, Tennessee 37066
TEL: 615-230-7269 FAX: 615-230-7271
richard.jones@rogersengr.com



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1-615-366-1987
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**COTTON STREET
MULTIFAMILY DEVELOPMENT
CONDITIONAL USE PERMIT REQUEST
125 COTTON STREET
CITY OF GALLATIN, 3RD CIVIL DISTRICT,
SUMNER COUNTY, TENNESSEE**



SHEET NO.
C 1.0

REVISIONS	
REVISION 1: 12 FEBRUARY 2015 PER PROJECT COMMENTS DATED 2-6-2015	
PROJECT #	15-010
DATE	28 JANUARY 2015

TAX MAP 112H GROUP A
(016.00 & 017.00)
GEORGE COLES
D.B. 534, PAGE 422 R.O.S.C., TN
1386 EAST BROADWAY
ZONED CS

TAX MAP 112H GROUP A
(015.00)
EDDIE AND PATRICIA KINGREY
R.B. 3840, PAGE 825 R.O.S.C., TN
1384 EAST BROADWAY
ZONED CS

TAX MAP 112H GROUP C
(018.00)
DANA FAYE ADAMS
D.B. 354, PAGE 233 R.O.S.C., TN
1438 CLUB CIRCLE
ZONED R-10

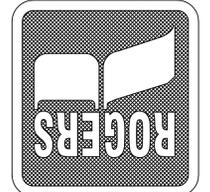
TAX MAP 112H GROUP C
(017.00)
TYLER GWALTNEY FORD III
D.B. 709, PAGE 244 R.O.S.C., TN
1430 CLUB CIRCLE
ZONED R-15

TAX MAP 112H GROUP B
(032.00)
SHAWN AND VICKIE FENNEL
R.B. 1637, PAGE 4 R.O.S.C., TN
124-126 COTTON STREET
ZONED R-10

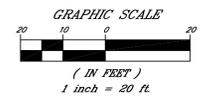
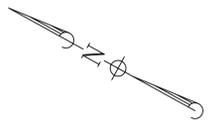
TAX MAP 112H GROUP B
(031.00)
SHAWN AND VICKIE FENNEL
D.B. 578, PAGE 802 R.O.S.C., TN
120-122 COTTON STREET
ZONED R-10

LEGEND

- CONCRETE MONUMENT (OLD)
- CONCRETE MONUMENT (NEW)
- IRON ROD (OLD)
- IRON ROD (NEW)
- ⊕ BENCHMARK
- BOUNDARY LINE
- - - - - BUFFER
- - - - - SETBACK / YARD
- PAVED
- EXTRUDED CURB
- SS — SANITARY SEWER LINE
- W — WATER LINE
- - - - - STORM SEWER
- - - - - GAS LINE
- OHE — OVERHEAD UTILITY LINE
- UGT — UNDERGROUND UTILITY LINE
- X — X — FENCE
- ~ ~ ~ TREE LINE
- ⊕ UTILITY POLE
- UTILITY POLE W/ LIGHT
- ⊕ GUY ANCHOR
- ⊕ TELEPHONE MANHOLE
- ⊕ ELECTRIC JUNCTION BOX
- ⊕ CABLE PEDESTAL
- ⊕ SANITARY SEWER MANHOLE
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ BLOW OFF VALVE
- ⊕ AIR RELEASE ASSEMBLY
- ⊕ FIRE HYDRANT
- ⊕ GAS METER
- ⊕ GAS VALVE
- ⊕ A/C PAD



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**COTTON STREET
MULTIFAMILY DEVELOPMENT**
CONDITIONAL USE PERMIT REQUEST
125 COTTON STREET
CITY OF GALLATIN, 3RD CIVIL DISTRICT
SUMNER COUNTY, TENNESSEE
2-12-15

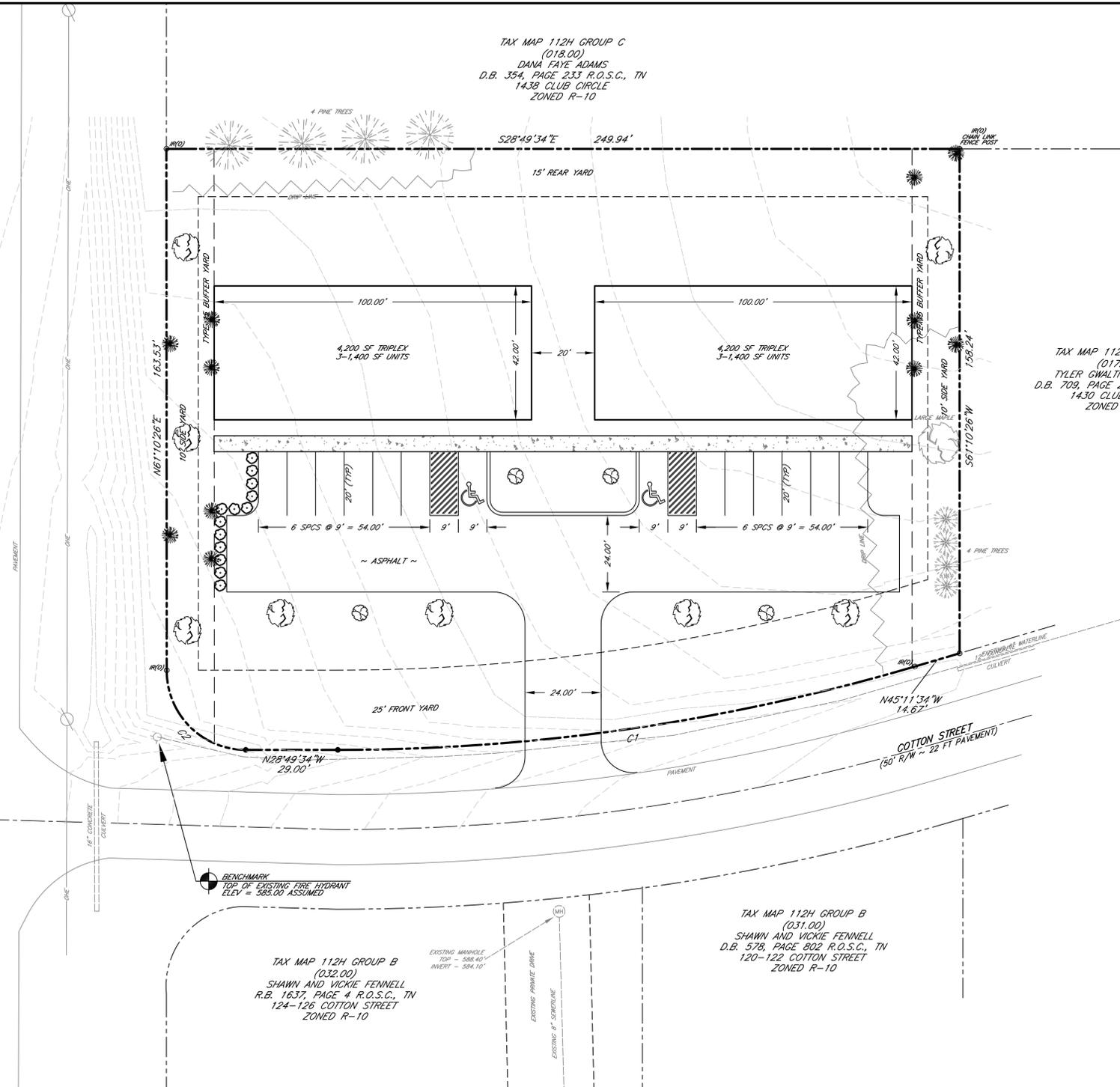


SHEET NO.
C 2.0

REVISIONS
REVISION 1: 12 FEBRUARY 2015 PER
PROJECT COMMENTS DATED 2-6-2015

PROJECT # 15-010
DATE 28 JANUARY 2015

US HIGHWAY 31E (EAST BROADWAY)
(140' R/W ~ 45' FT PAVEMENT)



LANDSCAPE DESIGN CRITERIA

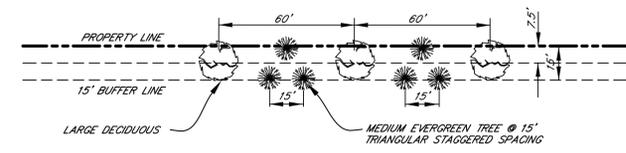
- FRONT PARKING PERIMETER TREE RATIO:**
TOTAL DISTANCE: 212 LF
1 TREE / 50 LF: 4.24 TREES
TOTAL REQUIRED: 5 TREES
- INTERIOR TREE RATIO:**
TOTAL PARKING: 14 SPACES
1 TREE / 10 SPACES: 1.4 TREE
TOTAL REQUIRED: 2 TREES
- INTERIOR PLANTING AREA:**
GROSS PARKING AREA: 7,980 SF
6% OF GROSS PARKING AREA: 479 SF
PROVIDED AREA: 867 SF
- EXISTING TREE REMOVAL / REPLACEMENT:**
NO TREE REMOVAL / REPLACEMENT REQUIRED.

PLANT LIST

LEGEND	QUANTITY	SPECIES
⊕	4	ORNAMENTAL FLOWERING TREE RED BUD, DOGWOOD, CHERRY
⊕	8	LARGE DECIDUOUS MAPLE, OAK, SWEET GUM
⊕	11	MEDIUM EVERGREEN HOLLY
⊕	13	EVERGREEN SHRUB DWARF BURFORD HOLLY
-	-	MULCH HARDWOOD BARK
-	-	SEEDING KY-31 FESCUE

LANDSCAPE NOTES:

- BUFFER AND SCREENING LANDSCAPING SHOWN TO MEET THE CITY OF GALLATIN MINIMUM REQUIREMENTS. ADDITIONAL LANDSCAPING AROUND FRONT OF BUILDING CAN BE ADDED AT OWNERS DISCRETION.
- TIME OF COMPLETION OF LANDSCAPING PER SECTION 13.04.110 AND MAINTENANCE OF REQUIRED LANDSCAPING IMPROVEMENTS PER SECTION 13.04.120 OF THE GALLATIN ZONING ORDINANCE.
- TREE, BUSHES AND SHRUBS SHOWN ARE TYPICAL AND CAN BE MODIFIED WITH THE APPROVAL OF THE PLANNING DEPARTMENT.
- LANDSCAPING SHOWN ON THIS PLAN WAS NOT PREPARED UNDER THE SUPERVISION OF A LICENSED LANDSCAPE ARCHITECT.



TYPE 15 BUFFER
NOT TO SCALE

CURVE TABLE

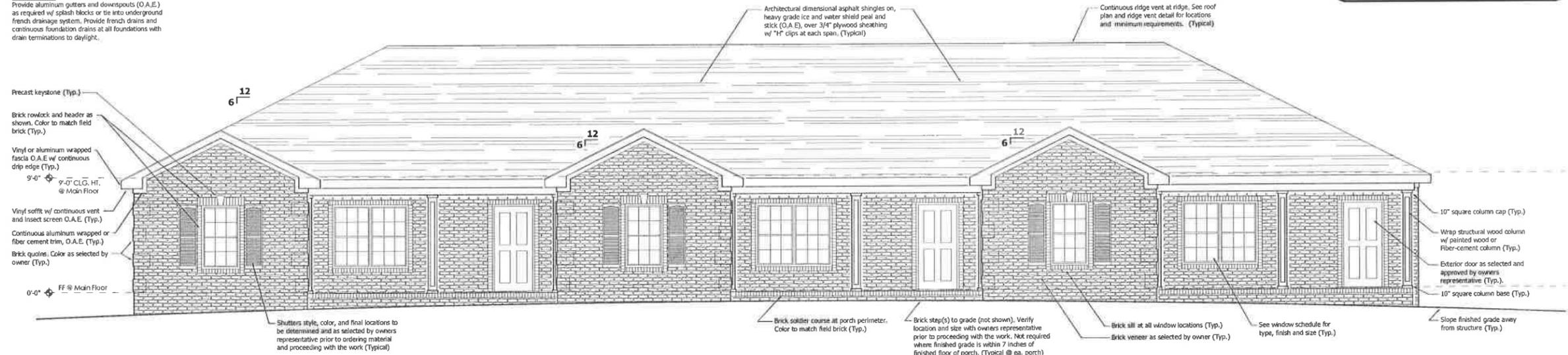
CURVE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	645.39'	92.81'	184.36'	183.73'	N 37°00'34" W	162°2'00"
C2	25.00'	25.00'	39.27'	35.36'	N 167°0'26" E	90°00'27"

ATTACHMENT 2-2

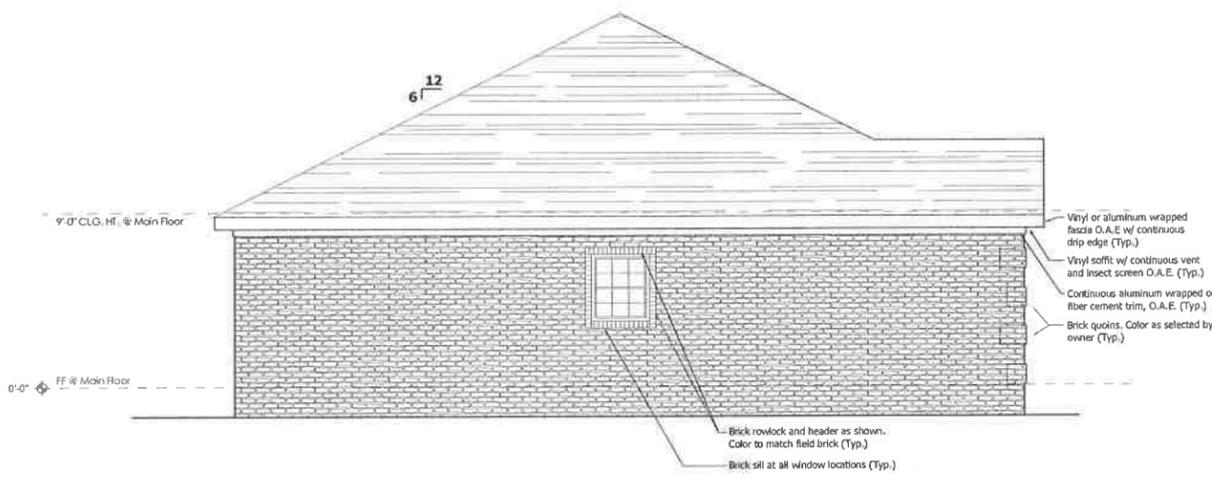
EXTERIOR ELEVATION NOTES:

- EXTERIOR ELEVATIONS ARE PROVIDED FOR VISUAL REFERENCE TO THE LOCATIONS AND TYPES OF FINISHES USED ON EXTERIOR ELEVATIONS SHALL NOT BE SCALED OR USED FOR ACTUAL FRAMING DIMENSIONS (Unless Specifically Noted Otherwise). REFER TO CONSTRUCTION PLANS FOR DIMENSIONS.
- GUTTERS AND D.S. MAY NOT BE SHOWN ON EXTERIOR ELEVATIONS. ALTHOUGH BOTH GUTTERS & D.S. ARE TO BE PROVIDED, ALUM. TYPE O.E. AND PROVIDE SPLASH BLOCS @ ALL D.S. OR PIPE TO DAYLIGHT w/ AN APPROVED UNDERGROUND STORM-WATER SYSTEM.
- PROVIDE STEPS TO GRADE AT ALL EXTERIOR EXITS IF NOT AT GRADE LEVEL. U.N.D. SEE PLANS AND ELEVATIONS FOR LOCATIONS AND TYPES OF CONSTRUCTION FOR EXTERIOR STEPS.
- SLOPE FINISHED GRADE AWAY FROM HOUSE WITH A POSITIVE SLOPE OF NOT LESS THAN 6 Inches IN 10 Feet AND PROVIDE AN APPROVED FRENCH DRAIN SYSTEM AS REQUIRED. PIPE TO DAYLIGHT.
- WINDOW / DOOR STYLES AND HARDWARE TO BE SELECTED BY OWNERS OR THEIR REPRESENTATIVE. SIZES FOR WINDOWS AND DOORS ARE SHOWN ON FLOOR PLANS AND/OR IN WINDOW AND DOOR SCHEDULES.
- WHERE HORIZONTAL AND VERTICAL CONDITIONS OCCUR, PERMANENTLY AND CONTINUOUSLY INSTALL FLASHING AND COUNTER FLASHING.
- WHERE "hard-board" and/or "James Hard" BRAND MATERIALS ARE NOTED, AN APPROVED EQUAL FIBER CEMENT PRODUCT MAY BE USED. COLOR AND FINISH OF FIBER CEMENT MATERIALS SHALL BE AS SELECTED AND APPROVED BY OWNER PRIOR TO ORDERING MATERIALS AND PROCEEDING WITH THE WORK.

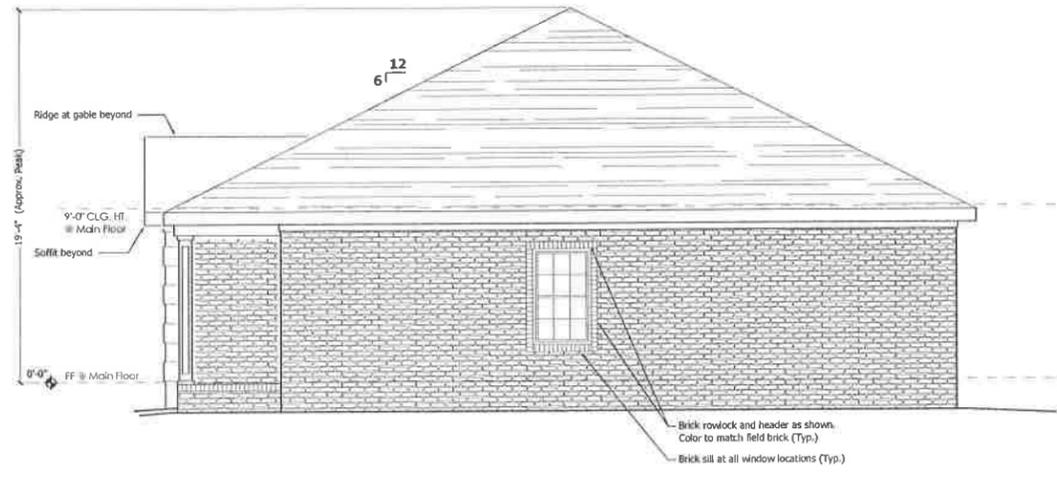
Typical Note:
Provide aluminum gutters and downspouts (O.A.E.) as required w/ splash blocks or tie into underground french drainage system. Provide french drains and continuous foundation drains at all foundations with drain terminations to daylight.



1 Front Elevation
SCALE: 1/4" = 1'-0"



2 Left Side Elevation
SCALE: 1/4" = 1'-0"



3 Right Side Elevation
SCALE: 1/4" = 1'-0"

WALKER
DESIGN SERVICES

Walker Design Services
dustin.walker@comcast.net
Dustin Walker
615.330.4482

A New Multi-Family Residential Project For:
Triplex At Cotton Street
Cotton St. - Lot No.:
Gallatin, TN 37066
Sumner County

*** DISCLAIMER ***
THE PURPOSE OF THESE DRAWINGS AND SPECIFICATIONS IS TO SHOW "CONCEPT" ONLY. ALL DIMENSIONS AND SPECIFICATIONS NOTED HEREIN ARE NOT TO BE USED AS A SUBSTITUTE OR IN LIEU OF STRUCTURAL ENGINEERING, ELECTRICAL OR MECHANICAL ENGINEERING PLANS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ANY REQUIRED PROFESSIONAL AND/OR LICENSED RESPONSES FOR EACH TRADE AS NECESSARY TO ACCORD WITH A PROPERLY CONSTRUCTED PROJECT, PER LOCAL AND STATE CODES.

NO.	REVISION / DISCUSSION	DATE

PROJ. NO.:	1501
DATE:	Feb. 14, 2015
ISSUE PURPOSE:	CONSTRUCTION
SHEET TITLE:	EXTERIOR ELEVATIONS
A 3.0	

B-284-15

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ATTACHMENT 2-2

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- PROVIDE STEPS TO GRADE AT ALL EXTERIOR EXITS IF NOT AT GRADE LEVEL. U.N.O. SEE PLANS AND ELEVATIONS FOR LOCATIONS AND TYPES OF CONSTRUCTION FOR EXTERIOR STEPS.
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- WINDOW / DOOR STYLES AND HARDWARE TO BE SELECTED BY OWNERS OR THEIR REPRESENTATIVE. SIZES FOR WINDOWS AND DOORS ARE SHOWN ON FLOOR PLANS AND/OR IN WINDOW AND DOOR SCHEDULES.
- WHERE HORIZONTAL AND VERTICAL CONDITIONS OCCUR, PERMANENTLY AND CONTINUOUSLY INSTALL FLASHING AND COUNTER-FLASHING.
- WHERE "Hard board" and/or "James Hard" BRAND MATERIALS ARE NOTED, AN APPROVED EQUAL FIBER CEMENT PRODUCT MAY BE USED. COLOR AND FINISH OF FIBER CEMENT MATERIALS SHALL BE AS SELECTED AND APPROVED BY OWNER PRIOR TO ORDERING MATERIALS AND PROCEEDING WITH THE WORK.

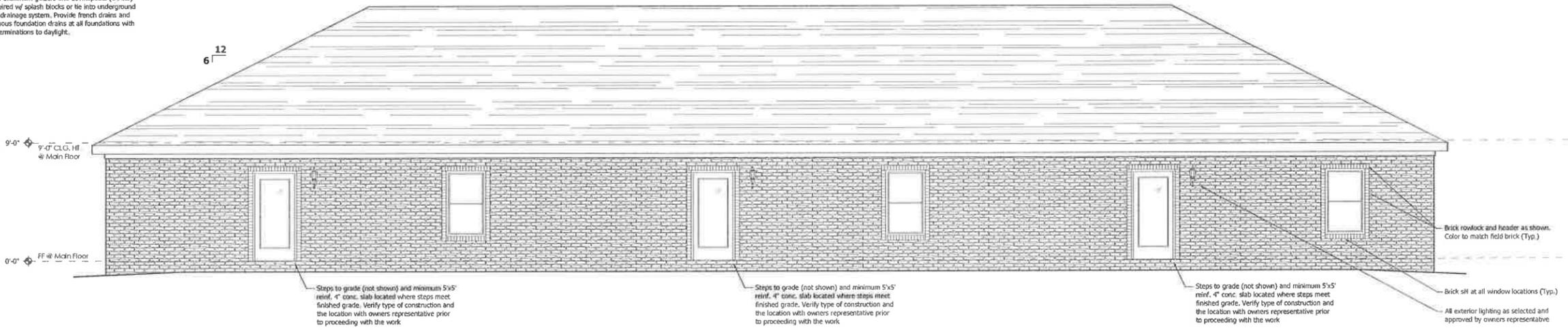


Walker Design Services
 dustin.walker@comcast.net
 Dustin Walker
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A New Multi-Family Residential Project For:
 Triplex At Cotton Street
 Cotton St. - Lot No.:
 Gallatin, TN 37066
 Sumner County

Typical Note:

Provide aluminum gutters and downspouts (D.A.E.) as required w/ splash blocks or tie into underground french drainage system. Provide french drains and continuous foundation drains at all foundations with drain terminations to daylight.



4 Rear Elevation
 SCALE: 1/4" = 1'-0"

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NO.	REVISION	DESCRIPTION	DATE

PROJ. NO.:	1501
DATE:	Feb. 14, 2015
ISSUE PURPOSE:	CONSTRUCTION
SHEET TITLE:	EXTERIOR ELEVATIONS
A 3.1	



B-284-15

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COTTON STREET MULTIFAMILY DEVELOPMENT
CONDITIONAL USE PERMIT REQUEST
LOCATION MAP



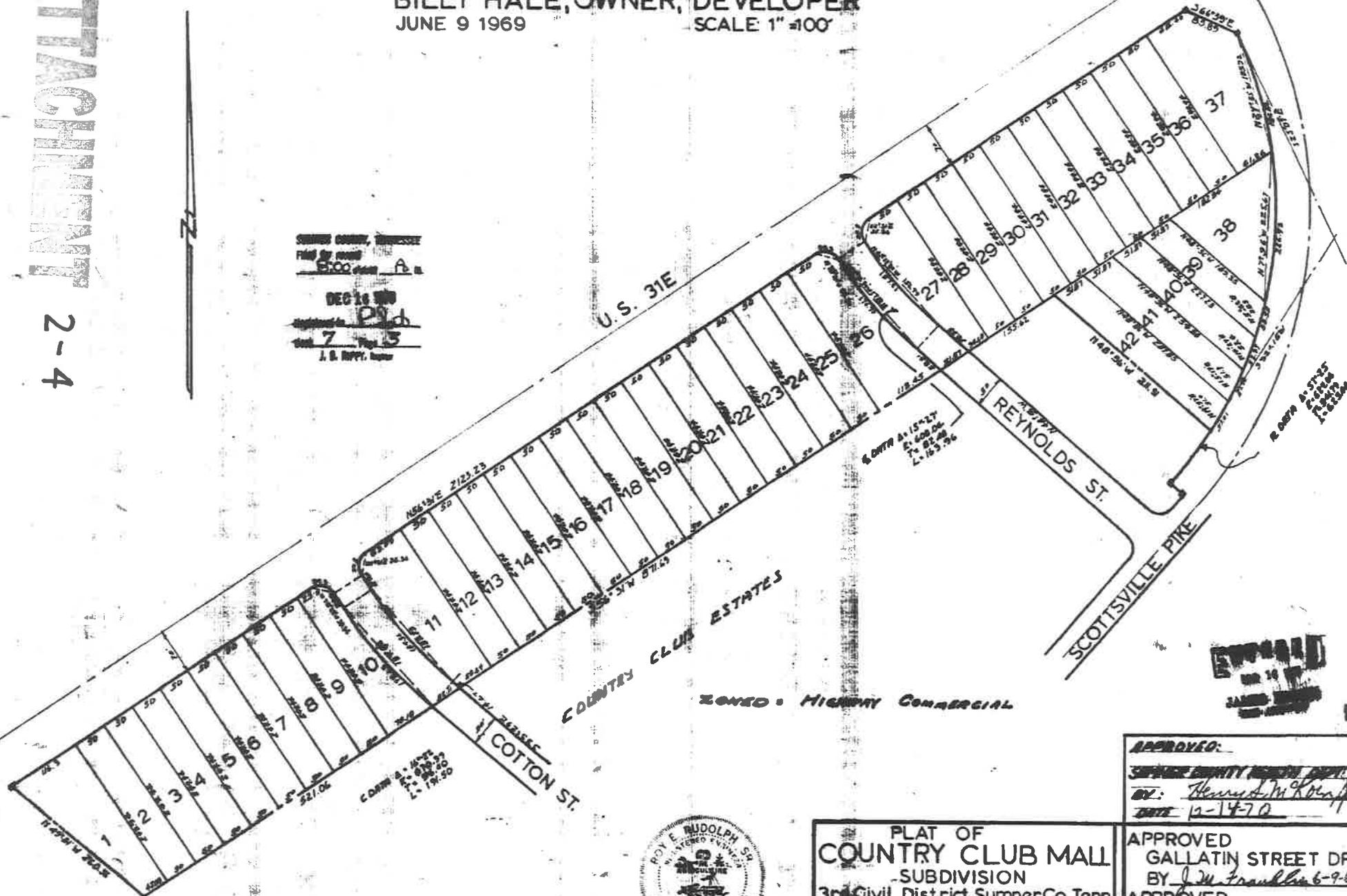
COUNTRY CLUB MALL

U. S. 31E NORTH
GALLATIN, SUMNER COUNTY, TENN.
BILLY HALE, OWNER, DEVELOPER
JUNE 9 1969
SCALE 1" = 100'

ATTACHMENT

2-4

SUMNER COUNTY, TENNESSEE
Filed for record
\$500.00 Fee A
DEC 16 1969
J. B. HOFF, Surveyor



PLAT OF
COUNTRY CLUB MALL
-SUBDIVISION
3rd Civil District, Sumner Co, Tenn
William K. Hale Owner
William K. Hale Developer
Paul R. Hall Surveyor

APPROVED:
SUMNER COUNTY HEALTH DEPT.
BY: Henry M. Koenig
DATE: 12-14-70

APPROVED
GALLATIN STREET DPT
BY: J. M. Traublich 6-9-69
APPROVED
Gallatin Sewer & Water Dept
BY: J. M. Traublich 6-9-69
APPROVED



**COTTON STREET MULTIFAMILY CONDITIONAL USE PERMIT REQUEST
APPLICABLE SECTIONS OF THE GALLATIN ZONING ORDINANCE**

02.02 Definitions

Bufferyard - A designated unit of yard or open area together with any plant materials, barriers, or berms required thereon.

Bulk - Describes the size of buildings or other structures, and their relationship to each other and to open areas and lot lines, and therefore includes:

- A. The size (including height and floor area) or other structures,
- B. The area of the zoning lot upon which a residential building is located, and the number of dwelling units within such buildings in relation to the area of the zoning lot,
- C. The location of exterior walls of buildings or structures in relation to lot lines, to other walls of the same building, to legally required windows, or to other structures, and
- D. All open areas relating to buildings or other structures and their relationship thereto.

Conditional Use - A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning division or districts but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as conditional uses, if specific provisions for such use are made in this Ordinance.

Development Area Per Dwelling Unit - The net amount of lot area of a single zone lot required for each dwelling unit to be placed on the zone lot.

Dwelling, Attached - A building containing not more than two dwelling units, attached at the side or sides in a series of three or more principal buildings each containing not more than two dwelling units. At points of attachment, such buildings shall be separated from each other by fire walls extending from footings through roofs without openings which would permit the spread of fire from one building to another.

Such buildings shall each have a separate lot with dimensions meeting regulations for the district, or be so located on land in the same ownership that individual lots meeting district requirements could be provided, in which case dimensions of such land shall not be reduced below those required for provisions of separate lots. The term attached dwelling is intended to apply to townhouses, patio or atrium houses, or any form however termed which conforms to this definition.

Dwelling, Multi-Family - A building containing three or more dwelling units. The term includes cooperative apartments, condominiums and the like. For the purposes of these regulations, regardless of how rental units are equipped, any multi-family dwelling in which units are available for rental partly on a monthly basis and partly for a shorter time period, but with less

**COTTON STREET MULTIFAMILY CONDITIONAL USE PERMIT REQUEST
APPLICABLE SECTIONS OF THE GALLATIN ZONING ORDINANCE**

than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis, shall be considered a semi-transient residential activity.

Lot Area Per Dwelling Unit - That portion of the lot area required for each dwelling unit located on a zone lot. This may also be known as the development-area per dwelling unit.

Single Ownership - Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Zone or Zoning Lot - Is either:

- A. A lot of record existing on the effective date of this Ordinance or any subsequent amendment, or
- B. A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single block, which on the effective date of this Ordinance or any subsequent amendment was in single ownership, or
- C. A tract of land within a single block, which at the time of filing for a zoning permit (or, if no zoning permit is required, at the time of filing for a use and occupancy permit) is designated by its owner or developer as a tract all of which is to be used, developed, or built upon as a unit under single ownership.

A zone lot, therefore, may not coincide with a lot of record as defined herein.

For the purpose of this definition, the ownership of a zone lot shall be deemed to include a lease of not less than fifty (50) years duration as defined under "landowner".

A zone lot may be divided into two or more zone lots, provided that all resulting zone lots and all buildings thereon shall comply with all of the applicable provisions of the Ordinance. If such lot, however, is occupied by a non-complying building, such zone lot may be subdivided provided such subdivision does not create a new non-compliance or increase the degree of non-compliance of such building.

**COTTON STREET MULTIFAMILY CONDITIONAL USE PERMIT REQUEST
APPLICABLE SECTIONS OF THE GALLATIN ZONING ORDINANCE**

06.06 R10 Medium Density Residential Districts

06.06.010 Purpose and Intent of R10 Medium Density Residential Districts

This class of district is designed to provide suitable areas for medium density residential development where sufficient urban services and facilities are provided or where the extension of such services can be physically and economically facilitated prior to development. All types of residential activities are permitted. It is the intent of this district to not restrict in number the dwelling units contained in a building provided there is sufficient area of zone lot and open space on such lot relative to the number of dwelling units thereon. This class of district is intended also to permit community facility and public utility installations which are necessary to service and do serve specifically the residents of these districts, or which installations are benefited by and compatible with a residential environment. It is the express purpose of this Ordinance to exclude from this class of district all buildings or other structure and uses having commercial characteristics and not planned as an integral part of a total residential development, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for this class of district shall be considered as not having such characteristics if they otherwise conform to the provision of this Ordinance.

06.06.020 Uses and Structures

A. Principal Permitted Uses and Structures - Within the R10 Medium Density Residential Districts as shown on the Gallatin Municipal Zoning Map, the following activities as described in Section 03.05 are permitted:

Residential Activities

Dwelling One-Family Detached

Dwelling Attached

Community Facility Activities

Essential Services

B. Permitted Accessory Uses and Structures

1. Private garages and parking areas;

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2. Private swimming pools, tennis courts, and other outdoor recreation facilities exclusively for use of the residents;
 3. Signs complying with applicable regulations set forth in Section 13.07;
 4. Home occupations as defined and subject to the provisions of this Ordinance;
 5. Accessory uses or structures customarily incidental to the above permitted uses.
- C. Conditional Uses - The Following activities may be permitted only as conditional uses in accordance with Section 15.06:

Residential Activities

- Dwelling Multi-Family
- Dwelling Two Family - Duplex
- Bed and Breakfast Home

Community Facility Activities

- Place of Worship
- Community Education
- Utility and Vehicular
- Intermediate Impact
- Community Assembly
- Limited Child and Adult Care

- D. Prohibited uses - Any use not permitted by right, by accessory use, or conditional use is prohibited in the R10 Medium Density Residential Districts.

06.06.030 Bulk Regulations

The bulk regulations appearing below apply to buildings or other structures located on any zone lot or portion of a zone lot, including all new developments, enlargements, extensions or conversions located in any R10 District.

- A. Minimum Required Lot Area - Within the R10 Districts, the minimum required lot area shall be 10,000 square feet.

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- B. Maximum Lot Coverage - Within R10 Districts, the maximum zone lot coverage for all building, structures, including accessory structures, shall not exceed forty (40) percent of the total lot area.
- C. Minimum Development Area Per Dwelling Unit - Within R10 Districts, no dwelling unit shall be permitted on a zone lot with a total development area of less than seven thousand five hundred (7,500) square feet per dwelling unit.
- D. Maximum Floor Area Ratio - Within R10 Districts, the maximum floor area ratio shall be .32.

06.06.040 Yard Requirements

- A. General Provisions - General provisions applicable to all residential districts concerning visibility at intersections, permitted obstructions in required yards, obstructions prohibited at street intersections, adjustments for lot area remainder, exceptions to these provisions, and other regulations are contained in Articles 12.00 and 13.00 of this Ordinance.
- B. Basic Provisions - The basic yard regulations appearing below apply to all zone lots located within R10 Districts, except as provided in Section 12.12.
 - 1. Front Yards - In all R10 Districts, front yards shall be a minimum of twenty-five (25) feet.
 - 2. Side Yards - In all R10 Districts, side yards shall be a minimum of ten (10) feet, except as provided in Section 12.05.
 - 3. Rear Yards - In all R10 Districts, rear yards shall be a minimum of fifteen (15) feet.
 - 4. Minimum Lot Width - In all R10 Districts, the minimum lot width at the building line shall be sixty (60) feet.

12.05.010 Minimum Distance Between Buildings

Notwithstanding any other provisions of this Ordinance, two or more buildings may be constructed on a single zone lot if parking spaces and usable open space are and will continue to be available in the same proportion to all occupants of the buildings on the lot. The minimum distance between buildings shall be twenty (20) feet.

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13.04.090 Description and Standards of Transitional Bufferyard Design Types

A. Bufferyard Type "10": Transitional bufferyard Type 10 shall consist of a strip of landscaped area, a minimum of ten (10) feet wide, landscaped as follows:

1. Residential Bufferyards: One medium evergreen tree (ultimate height 20-40') for every fifteen (15) feet planted on triangular staggered spacing, PLUS one large deciduous tree (ultimate height 50± feet) for every sixty (60) linear feet measured along the common property line.

B. Bufferyard Type "15": Transitional bufferyard Type 15 shall consist of a strip of landscaped area, a minimum of fifteen (15) feet wide, landscaped as follows:

1. Residential Bufferyards: One medium evergreen tree (ultimate height 20-40') for every fifteen (15) feet planted on triangular staggered spacing, PLUS one large deciduous tree (ultimate height 50± feet) for every sixty (60) linear feet measured along the common property line.

13.08 Architectural Character and Compatibility Standards

13.08.010 Basic Design Criteria

A. Materials – To ensure a consistent and high quality design standard throughout the City, in all districts with the exception of A, R-40, R-20, R-15, R-10, R-8, and IG, stone and/or brick materials shall be used as the predominant (minimum 70%) exterior facade materials in all developments. Concrete block, split face block, other related concrete-masonry block materials, and/or manufactured/pre-cast panels are not considered stone or brick materials, but may be approved as an alternative material under Section 13.08.010.D.

In the A, R-40, R-20, R-15, R-10, R-8, districts, any use and building, other than single family detached residential units, shall use brick and/or stone materials as the predominant (minimum 65%) exterior facade materials. One-family detached dwelling units shall be exempt from this requirement unless otherwise specified in Section 13.08.010.E.

B. Compatibility with Adjacent Buildings - In most cases, buildings are not viewed in isolation, but rather in the context of other buildings. To this end, the following criteria are required:

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1. Building forms shall be tailored to fit within the existing topography and site features as much as possible.
2. While architectural styles may vary, buildings of a proposed development shall be compatible with surrounding buildings (within the site and with adjacent properties) with regard to massing, scale, proportion of openings, roof types, types of glazed openings, and degree of detail.
3. The use of materials and colors compatible with buildings adjacent to a site is required.

15.06 Conditional Use Permits

15.06.010 Conditional Uses

The Board of Appeals may hear and decide, in accordance with the provisions of this Ordinance, requests for conditional use permits. For the purposes of administration of this Ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by Sections 13-706, Tennessee Code Annotated.

15.06.020 Application for Conditional Use Permit, Notice of Public Hearing

The application for a conditional use permit shall be made by the property owner or his designated agent and filed in writing with the Board on forms provided by the Board, and shall contain information and exhibits as may be required under Section 15.03.020 or in the case of buildings or other structures or uses to be located within floodplain districts, as may be required by Section 10.03. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant. Notice of hearing shall be held in accordance with Section 15.04.080 B. A fee of \$50.00 payable to the City of Gallatin shall be charged to partially defray cost of review and processing for each application for a conditional use permit, except that the fee may be waived for any government agency.

15.06.030 Requirements for Conditional Use Permit

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General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. The Board may impose such other conditions and restrictions upon the premises benefited by a conditional use permit as may be necessary to comply with the provisions set out in Section 15.06.040 through 15.06.070 C in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this Ordinance. The Board may establish expiration dates for the expiration of any conditional use permit as a condition of approval.

15.06.040 General Requirements

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

- A. Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;
- B. Will not adversely affect other property in the area in which it is located;
- C. Is within the provisions of "Conditional Uses" as set forth in this Ordinance; and
- D. Conforms to all applicable provisions-of this Ordinance for the district in which it is to be located and is necessary for public convenience in that location.

15.06.080 Specific Standards for Residential Activities

A conditional use permit shall not be granted for the residential activities specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

- A. Special Conditions for Multi-family Dwelling and Mobile Home Park Activities - In addition to the standards contained in this Ordinance, for these type developments, the Board of Appeals shall specifically find that there will be no adverse impact upon adjoining properties or the neighborhood in which such use is proposed. In making this finding, the Board shall consider the effect upon traffic congestion, overcrowding of schools, availability of necessary public utilities, and suitability of the site for the use, and such other factors as the Board may deem necessary.



ROGERS ENGINEERING GROUP

114B West Main Street
Gallatin, TN 37066
Tele: (615) 230-7269
Fax: (615) 230-7271

February 12, 2015

City of Gallatin
Planning and Zoning
132 West Main Street
Gallatin, Tennessee 37066



**Re: Resubmittal of Cotton Street Multifamily Development
Conditional Use Permit Request
Cotton Street at Hwy 31E
Gallatin, Tennessee 37066**

Mr. Chastine:

We are submitting one (1) full size and eight (8) half-size plans of the above-mentioned project along with digital files which include plans in .pdf and .dwg format. Addressed below are the project comments dated 2-6-15.

Planning Department

1. Written response provided here.
 - a. This project will not endanger the public health, safety, or welfare.
 - b. Adjoining properties will not be adversely affected. Buffer yards will screen adjacent zones. Multi-Family is located across Cotton Street.
 - c. All "Conditional Use" provisions will be met.
 - d. All provisions of the Zoning Ordinance as it applies to R-10 will be met.
2. The site will be entered from Cotton Street not creating any additional entrances off Hwy 31E. The small number of units added will have minimal to no impact on the school population. Utilities are within the vicinity of this property. Minimal grading will be required to develop this site.
3. Changed Title.
4. Changed Owner name in Site Data Table.
5. Added Plat references to Site Data Table.
6. Agreed.
7. Building dimensions, number of units, and unit square footages labeled.
8. Driveway dimension shown on Plan sheet.
9. Parking Requirements table added to Cover Sheet.
10. Parking space dimensions shown on Plan sheet.

RESUBMITTAL

B-284-15

- 11. This site has been discussed with Engineering and LID practices will be utilized to manage storm water runoff. Design of such measures to be submitted with the site plan.
- 12. Boundary survey does not have any PUDE shown. A plat combining these lots will be submitted this month.
- 13. FEMA note added to Cover sheet (General Note #14).
- 14. Added Legend.
- 15. Proposed Building heights labeled.
- 16. Added Statement of Financial Responsibility to Cover sheet.
- 17. Corrected spelling of adjacent property owner's name.
- 18. Added "East Broadway" to Street label.
- 19. Added Performance Standards Note to Cover sheet (General Note #18).
- 20. Agreed.
- 21. Added note about proposed building materials (General Note #27).
- 22. Architectural elevations will be submitted.
- 23. Conceptual landscape plan provided.
- 24. Existing trees have been labeled.
- 25. Evergreen shrubs have been provided.
- 26. Labeled driveway across street as "Private Drive".
- 27. No signage is proposed on this site.

Engineering Division

- 1. Agreed.
- 2. Agreed.

Building Department

- 1. Agreed.

Dept. of Public Utilities

- 1. Agreed.

Industrial Pretreatment Department

- 1. Agreed.

Police Department, Fire Department, Gallatin Department of Electricity, Public Works Department, Sumner County E-911

No Comments

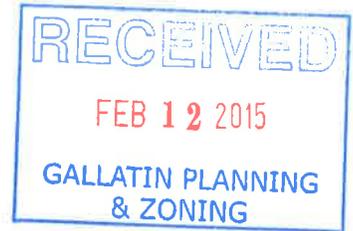
If our office may be of further assistance to you on this project please contact us at your convenience.

Sincerely,



John A. Leath, P.E.

Rogers Engineering Group



RESUBMITTAL

B-284-15