
**CITY OF GALLATIN
COUNCIL MEETING**

March 04, 2014

6:00 pm

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

- Call to Order – Mayor Jo Ann Graves
- Invocation
- Pledge of Allegiance – Councilman Mayberry
- Roll Call: Vice Mayor Alexander – Brackenbury – Camp – Hayes – Kemp – Mayberry – Overton
- Approval of Minutes: Council Meeting February 18, 2014
- Public Recognition on Agenda-Related Items
- Mayor's Comments

AGENDA

1. **Public Hearing Ordinance No. O1309-45** reaffirming the Planned Neighborhood Commercial (PNC) District zoning on a 0.48 (+/-) acre portion of a parcel (S.B.E. Tax Map 126l/B/part of parcel 015.00), located on the south side of Nashville Pike, west of Lock 4 Road at 923 Nashville Pike, amending the zoning designation on a 3.00 (+/-) acre parcel (S.B.E. Tax Map 126l/B/008.00) from the Multiple Residential and Office (MRO) Zone District to Planned Neighborhood Commercial (PNC) Zone District located on the south side of Nashville Pike, west of Lock 4 Road at 921 Nashville Pike and approving Preliminary Master Development Plan for the combined 3.48 (+/-) acres. **(Councilman Overton)**
2. **Public Hearing Ordinance No. O1312-74** amending the official zoning map by reaffirming the Residential 8- Planned Residential Development (R8-PRD) zoning and approving the amended Preliminary Master Development Plan for the Carellton Development on 417.2 (+/-) acres (comprising S.B.E. Tax Map 124//Parcels 007.00, 007.01, and 007.02 and including Phases IA and IB of the Carellton Subdivision), located north of Long Hollow Pike at Big Station Camp Boulevard and east of Liberty Lane. **(Councilman Hayes)**
3. **Second Reading Ordinance No. O1308-43** to vacate right-of-way to ABC Group Properties Inc. **(Councilman Camp)**
4. **First Reading Ordinance No. O1402-7** appropriating funds for completion of infrastructure improvements in Cypress Gardens **(Councilman Overton)**
5. **First Reading Ordinance No. O1402-8** appropriating funds for completion of infrastructure improvements in Foxland Subdivision **(Councilman Hayes)**
6. **Resolution No. R1402-5** appointing Stan Carver as a member of the Gallatin Electric Board **(Councilman Mayberry)**

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

City of Gallatin City Council Meeting

February 18, 2014

The Gallatin City Council met in regular session on Tuesday, February 18, 2014, in the Dr. J. Deotha Malone Council Chambers Gallatin City Hall. Mayor Jo Ann Graves called the meeting to order at 6:00 P.M. Councilwoman Julie Brackenbury led the opening prayer and Councilman Craig Hayes led the Pledge of Allegiance.

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

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

Others Present

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

Approval of Minutes

Mayor Graves presented the minutes of the Special-Called February 3, 2014 Council Meeting and February 4, 2014 City Council Meeting for approval. Councilman Overton made motion to approve; Councilwoman Brackenbury second. Motion carried with 6 ayes and 0 nays. Councilwoman Kemp abstained.

Public Recognition on Agenda Related Items

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

Mayor's Comments

Mayor stated that News Channel 5 reported a great story on Gallatin last night during their 6:00 o'clock news. Mayor stated the story gave a positive look for the City and the video is available on their website.

Agenda

1. Ordinance #O1401-5 - Second Reading

Councilman Mayberry presented this ordinance appropriating federal grant for Industrial Center signage.

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

2. Ordinance #O1312-74 - First Reading

Councilman Hayes presented this ordinance amending the official zoning map by reaffirming the Residential 8 - Planned Residential Development (R8-PRD) zoning and approving the amended Preliminary Master Development Plan for the Carellton Development on 417.2 (+/-) acres (comprising S.B.E. Tax Map 124/ /Parcels 007.00, 007.01, and 007.02 and including Phases IA and IB of the Carellton Subdivision), located north of Long Hollow Pike at Big Station Camp Boulevard and east of Liberty Lane.

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

3. Resolution #R1312-53

Councilman Overton presented this resolution accepting public improvements by the City of Gallatin Twin Eagles, Phase Seven, Section Two.

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

4. Resolution #R1402-3

Councilwoman Brackenbury presenting this resolution approving 1% cost of living increase (COLA) for Charles E. Stuart, Building Official.

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

Other Business

Mayor Graves called for other business.

- City Recorder Connie Kittrell presented a Certificate of Compliance for Liquor World located at 136 North Belvedere Drive. Ms. Kittrell stated this license was in compliance and she needed confirmation from this board.

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

- Mayor Graves reminded everyone to watch American Idol this week and vote for Ben Briley, son of Tribby and John Briley, all from Gallatin. She also stated this is Gallatin's second contestant to make the top cut; Kimberly Locke was also on American Idol several years ago.

Public Recognition on Non-Agenda Related Items

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

- Joe Debord of 1007 Hart Street thanked Mayor Graves for her good work on the city finances for the last three years. Mr. Debord stating it's now time to look to the future.

Mr. Debord spoke about several projects; Blakemore, Council, Pace, Perdue and the Lock 4 Bridge and the liability those projects bring to the city.

- Vice Mayor Alexander invited everyone to the St. Luke Church big fund raiser event this Saturday at City Hall to raise money for a new building.

Adjourn

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

Mayor Jo Ann Graves

City Recorder Connie Kittrell

City Council Minutes
February 18, 2014

PUBLIC HEARING: MARCH 4, 2014

2ND READING: MARCH 18, 2014

ORDINANCE NO. 01309-45

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, REAFFIRMING THE PLANNED NEIGHBORHOOD COMMERCIAL (PNC) DISTRICT ZONING ON A 0.48 (+/-) ACRE PORTION OF A PARCEL (S.B.E. TAX MAP 126I/B/PART OF PARCEL 015.00), LOCATED ON THE SOUTH SIDE OF NASHVILLE PIKE, WEST OF LOCK 4 ROAD AT 923 NASHVILLE PIKE, AMENDING THE ZONING DESIGNATION ON A 3.00 (+/-) ACRE PARCEL (S.B.E. TAX MAP 126I/B/008.00) FROM THE MULTIPLE RESIDENTIAL AND OFFICE (MRO) ZONE DISTRICT TO PLANNED NEIGHBORHOOD COMMERCIAL (PNC) ZONE DISTRICT LOCATED ON THE SOUTH SIDE OF NASHVILLE PIKE, WEST OF LOCK 4 ROAD AT 921 NASHVILLE PIKE AND APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE COMBINED 3.48 (+/-) ACRES.

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of this amendment in GMRPC Resolution No. 2014-12; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of this amendment pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance.

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

1. The Gallatin City Council hereby concurs with the recommendations of the Gallatin Municipal-Regional Planning Commission and hereby imposes those recommendations as conditions to this zoning amendment and the Preliminary Master Development Plan as described in Exhibit B; and
2. That based upon the recommendation of approval by the Gallatin Municipal-Regional Planning Commission, public notice, and after public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the zoning of the property shall be amended from the Multiple, Residential and Office (MRO) zoning district to the Planned Neighborhood Commercial (PNC) zoning district, with the Preliminary Master Development Plan and conditions as described in Exhibit A.
3. In accordance with Section 15.07.080 of the Gallatin Zoning Ordinance, the official zoning map of the City of Gallatin, Tennessee, shall, upon the effective date of this ordinance, be amended to reflect the zoning changes herein made.

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

PASSED FIRST READING: September 17, 2013.

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

ORDINANCE NO. O1309-45
EXHIBIT A

The development shall be consistent with the Preliminary Master Development Plan for the Restaurant/Retail Development 921 Nashville Pike, consisting of a seven (7) sheet plan, prepared by Perry Engineering, Inc. of Goodlettsville, Tennessee, with project No. 108-048 dated February 17, 2014 and architectural elevations consisting of one (1) sheet prepared by MJM Architects, of Nashville, Tennessee, dated February 7, 2014 located at 921 and 923 Nashville Pike (attached), with the following conditions:

1. The architectural elevations for both buildings are approved provided that the back of the large walls shall be finished and painted to match the buildings. Inspection of the exterior building façade materials is required by the Planning Department prior to the installation of the exterior building façade materials for both buildings. Final architectural elevations shall be approved as part of the Final Master Development Plan.
2. The Planning Commission determined that the alternative bufferyards and proposed landscaping plan are acceptable and meet the intent of the Gallatin Zoning Ordinance, Section 13.04.100.C, *Alternative Plan Approval*.
3. After the minor subdivision plat is recorded, the existing Wendy's monument sign shall be removed; however, it may be relocated to the Wendy's property at 927 Nashville Pike after the approval of a sign permit from the Planning Department. The Wendy's sign shall comply with the G.Z.O., Section 13.07, *Sign Regulations*. (Or approved with northern property to permit sign to remain as is.)
4. A Master Signage Package shall be submitted and approved for both buildings as part of the Final Master Development Plan. The monument signs shall be limited to a maximum height of six (6) feet and the leading edge of the monument signs shall be setback a minimum of five (5) feet from the rights-of-way. All signs for the restaurant and retail center shall comply with the G.Z.O., Section 13.07, *Sign Regulations*. Sign permits shall be obtained from the Planning Department prior to the construction or installation of any signage on site.
5. Provide architectural elevations, building materials, and colors for the dumpster enclosures as part of the Final Master Development Plan.
6. Provide details of the proposed wall mounted lighting fixtures at the Final Master Development Plan stage.
7. Make the sidewalk connection to the intersection of Lock 4 Road and Nashville Pike and adjust the sidewalk alignment and/or grading along the eastern property line to match. The applicant shall correct the sidewalk plan as some sheets show an inconsistent layout.
8. Provide sidewalk easements as necessary to construct the six (6) foot sidewalks as required by the Gallatin Zoning Ordinance, Section 13.09.030, *Sidewalks*.
9. Label the retail building as 923 Nashville Pike and the restaurant as 921 Nashville Pike on the new Preliminary Master Development Plan.
10. Submit a revised minor subdivision plat to change the property owner information and to add the 0.48 (+/-) acres to the Exxon property. The minor subdivision plat shall be recorded prior to the issuance of a building permit for this project.



City of Gallatin, Tennessee

Planning Department

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

DATE: February 26, 2014

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

FROM: Gallatin Planning Department

RE: February 24, 2014 Gallatin Municipal-Regional Planning Commission Meeting
Restaurant/Retail Center Preliminary Master Development Plan: PC0161-13

The request for approval of a Preliminary Master Development Plan was:

- RECOMMENDED
 RECOMMENDED WITH CONDITIONS
 NOT RECOMMENDED
 DEFERRED

Conditions of Approval:

1. The architectural elevations for both buildings are approved provided that the back of the large walls shall be finished and painted to match the buildings. Inspection of the exterior building façade materials is required by the Planning Department prior to the installation of the exterior building façade materials for both buildings. Final architectural elevations shall be approved as part of the Final Master Development Plan.
2. The Planning Commission determined that the alternative bufferyards and proposed landscaping plan are acceptable and meet the intent of the Gallatin Zoning Ordinance, Section 13.04.100.C, *Alternative Plan Approval*.
3. After the minor subdivision plat is recorded, the existing Wendy's monument sign shall be removed; however, it may be relocated to the Wendy's property at 927 Nashville Pike after the approval of a sign permit from the Planning Department. The Wendy's sign shall comply with the G.Z.O., Section 13.07, *Sign Regulations*.
4. A Master Signage Package shall be submitted and approved for both buildings as part of the Final Master Development Plan. The monument signs shall be limited to a maximum height of six (6) feet and the leading edge of the monument signs shall be setback a minimum of five (5) feet from the rights-of-way. All signs for the restaurant and retail center shall comply with the G.Z.O., Section 13.07, *Sign Regulations*. Sign permits shall be obtained from the Planning Department prior to the construction or installation of any signage on site.



City of Gallatin, Tennessee

Planning Department

5. Provide architectural elevations, building materials, and colors for the dumpster enclosures as part of the Final Master Development Plan.
6. Provide details of the proposed wall mounted lighting fixtures at the Final Master Development Plan stage.
7. Make the sidewalk connection to the intersection of Lock 4 Road and Nashville Pike and adjust the sidewalk alignment and/or grading along the eastern property line to match. The applicant shall correct the sidewalk plan as some sheets show an inconsistent layout.
8. Provide sidewalk easements as necessary to construct the six (6) foot sidewalks as required by the Gallatin Zoning Ordinance, Section 13.09.030, *Sidewalks*.
9. Label the retail building as 923 Nashville Pike and the restaurant as 921 Nashville Pike on the new Preliminary Master Development Plan.
10. Submit a revised minor subdivision plat to change the property owner information and to add the 0.48 (+/-) acres to the Exxon property. The minor subdivision plat shall be recorded prior to the issuance of a building permit for this project.
11. Submit 13 corrected and folded copies of the New Preliminary Master Development Plan and color architectural elevations to the Planning Department by 12 noon on Wednesday, February 26, 2014 in order to place this item on March 4, 2014 Gallatin City Council meeting agenda.

Approval contains the following requirements:

BUILDING PERMIT/USE AND OCCUPANCY PERMIT

- ZONING PERMIT
- SIGN PACKAGE/PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK
- UTILITY SURETY
- MAINTENANCE SURETY
- SIDEWALK SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT 13 CORRECTED, FOLDED COPIES (1 FULL SIZE AND 2 HALF SIZE IF ORIGINAL PLANS ARE LARGER THAN 18 x 24) AND 13 COPIES OF THE COLOR ARCHITECTURAL ELEVATIONS
- OTHER



City of Gallatin, Tennessee

Planning Department

- CITY COUNCIL APPROVAL
 - Public Hearing 3/4/14
 - 2nd Reading at City Council: 3/18/14

cc: Mr. Steve Rudd
PC File PC0161-13

EXHIBIT A

ITEM 11

PLANNING DEPARTMENT STAFF REPORT

New PMDP for Restaurant and Retail Center at 921 & 923 Nashville Pike
(PC0161-13)

Date: February 19, 2014



REQUEST: APPLICANT AND OWNERS REQUEST APPROVAL TO REZONE 3.00 (+/-) ACRES FROM MULTIPLE RESIDENTIAL AND OFFICE (MRO) TO PLANNED NEIGHBORHOOD COMMERCIAL (PNC) AND APPROVAL OF A NEW PRELIMINARY MASTER DEVELOPMENT PLAN FOR 3.48 (+/-) ACRES IN ORDER TO CONSTRUCT A 4,200 SQUARE FOOT RESTAURANT AND AN 8,800 SQUARE FOOT MULTI-TENANT RETAIL AND OFFICE BUILDING ON PROPERTY LOCATED AT 921 AND 923 NASHVILLE PIKE RESPECTIVELY. APPLICANT AND OWNERS ARE ADDING 0.48 (+/-) ACRES OF AN ADJACENT PARCEL, ZONED PLANNED NEIGHBORHOOD COMMERCIAL (PNC), TO THE NEW PRELIMINARY MASTER DEVELOPMENT PLAN FOR A PROJECT TOTAL OF 3.48 (+/-) ACRES. (PC0161-13)

OWNERS: TIGER MANAGEMENT GROUP, LLC & B.F. NASHVILLE, INC.

APPLICANT: PERRY ENGINEERING, LLC

STAFF RECOMMENDATION: RECOMMEND APPROVAL OF GMRPC RESOLUTION 2014-12 (ATTACHMENT 11-3) WITH CONDITIONS

STAFF CONTACT: KATHERINE SCHOCH, AICP

PC MEETING DATE: FEBRUARY 24, 2014

PROPERTY OVERVIEW:

The applicant and owners are requesting approval to rezone 3.00 (+/-) acres from Multiple Residential and Office (MRO) to Planned Neighborhood Commercial (PNC) and approval of a new Preliminary Master Development Plan containing 3.48 (+/-) acres in order to construct a 4,200 square foot restaurant and an 8,800 square foot multi-tenant retail and office building on property located at 921 and 923 Nashville Pike respectively. The applicant and owners are adding 0.48 (+/-) acres of an adjacent parcel (Wendy's property) zoned Planned Neighborhood Commercial (PNC), to the new Preliminary Master Development Plan for a project total of 3.48 (+/-) acres. Consideration of this project requires a time for Public Comment at the Planning Commission meeting.

The only changes to the project include the addition of a small portion of the adjacent Wendy's property, minor changes to the architectural elevations, and an increase in the size of the retail center and office building from 6,200 square feet to 8,800 square feet. The applicant has also listed Medical Services a permitted use for the retail center and office building.

The proposed 4,200 square foot restaurant (Food Service) is shown to be a Panera Bread Restaurant and will be the building constructed on the eastern side of the property, closest to Lock 4 Road. The 8,800 square foot retail center [General Retail Sales and Services (Excluding Manufactured Home Sales Facilities) and Medical Services] is described as a multi-tenant building with space for four (4) individual units. The end users for the retail and office building are unknown at this time and will be market driven. These proposed uses are permitted in the PNC zone district. The use of the additional property being added to the Preliminary Master Development is currently Food Service. Pending approval of the new Preliminary Master Development Plan by the Gallatin City Council, the use on the additional property will be changed from Food Service to General Retail Sales and Services (Excluding Manufactured Home Sales Facilities) and Medical Services. Construction is scheduled to begin in May, 2014 and is expected to be complete by August, 2014.

The proposed architecture for both buildings meets the Basic Design Criteria of the Gallatin Zoning Ordinance, Section 13.08.010.A. *Materials* (Attachment 11-2). The applicant and owners are requesting approval of an alternative bufferyard plan, per G.Z.O. Section 13.04.100.C, *Alternative Plan Approval*, along the western side property line since a joint access easement is shown in that location. An alternative bufferyard is also being requested along the southern property line due to the size and design of the opaque barrier. The other portions of the proposed landscaping plan meet the requirements of the Gallatin Zoning Ordinance, including the additional plantings required for the PNC zone district pursuant to G.Z.O., Section 08.05.050.B (Attachment 11-1; page L-1.3).

CASE BACKGROUND:

Previous Approvals and Property History

Tax Map and Part of Parcel #126I/B/015.00; Wendy's Property

At the December 17, 2001 meeting, Planning Commission recommended approval of a rezoning request for 1.84 (+/-) acres from Residential-20 (R20) to Planned Neighborhood Commercial (PNC) for property located at 927 Nashville Pike (PC File #3-9-01). The Gallatin City Council approved Ordinance #O0201-002 on Second Reading at the February 19, 2002 meeting.

The Planning Commission approved a Final Site Development Plan, now called a Final Master Development Plan, for a 3,261 square foot Wendy's Restaurant to be constructed at 927 Nashville Pike (PC File #8-4-02).

Tax Map and Parcel #126I/B/008.00; Vacant Property

At the February 27, 2006 meeting, the Planning Commission recommended approval of a rezoning request for the property at the corner of Nashville Pike and Lock 4 Road from Residential-20 (R20) to Multiple Residential and Office (MRO) (PC File #3-18-05). The Gallatin City Council approved Ordinance #O0603-024 on Second Reading at the April 18, 2006 meeting.

The Municipal Board of Zoning Appeals approved a Conditional Use Permit request per G.Z.O. Section 07.02.010.C for the Convenience Sales and Service use at the April 24, 2006 meeting (PC File #B-4-06).

A Final Site Development Plan (Final Master Development Plan) for an Exxon Mobile On the Run Gas Station and Convenience Store was approved by Planning Commission at the April 24, 2006

meeting (PC File #8-25-06). Since no building permits were ever issued for the gas station within the three (3) year timeframe, the Final Site Development Plan expired according to G.Z.O., Section 12.02.040, *Lapse of Approval, B, Final Master Development Plan*.

On April 28, 2006, a minor subdivision plat was approved by the Planning Division to create two (2) lots for the Exxon Mobile Gas Station (PC File #2-7-06). Two (2) years later, a revision to the Exxon Mobile Subdivision, Lot 1 was approved in order to remove the existing easements and create new easements on the property (PC File #2-21-08S). That plat was recorded in October, 2008 (Attachment 11-4).

Revised Minor Subdivision Plat

A revised minor subdivision plat is required in order to change the property owner information and to add the 0.48 (+/-) acres to the Exxon property. The minor subdivision plat may be approved in house by the Planning Department since it only involves one (1) lot. The minor subdivision plat shall be recorded prior to the issuance of a building permit for this project.

Restaurant and Retail Center Project History

At the August 26, 2013 meeting, the Planning Commission recommended approval of a Preliminary Master Development Plan and request to rezone 3.00 (+/-) acres from Multiple Residential and Office (MRO) to Planned Neighborhood Commercial (PNC) to the Gallatin City Council with conditions.

At that meeting, the Planning Commission approved a conceptual architectural plan and conceptual landscaping plan including a fence to be constructed at the back of the property with brick columns and composite or concrete based materials to be used between the columns. The Planning Commission also directed the applicant to work with the Planning Department Staff on the height and exact location of the fence (opaque barrier) within the Type 40 Bufferyard along the rear property line. The exact details of the fence and rear bufferyard were to be approved at the Final Master Development Plan stage of the project. Please refer to the Action Form from the August 26, 2013 Planning Commission meeting included with this staff report as Attachment 11-5.

The Preliminary Master Development Plan and rezoning request proceeded to the Gallatin City Council for consideration at the September 10, 2013 meeting and the request passed First Reading on September 17, 2013.

Prior to Public Hearing at City Council, the applicant returned to the Planning Commission on September 23, 2013 and requested an amendment to the conceptual landscaping plan to allow for the installation of a 10-foot tall, SimTek fence along the rear property line. SimTek is a molded, plastic material with the appearance of stone. The product is also said to be noise reducing.

At that meeting, the applicant indicated that they met with the adjoining property owners to discuss the best design for the rear fence/opaque barrier. After discussing the issue, the applicant indicated that the 10-foot tall fence would be the best way to reduce the noise from the commercial areas and screen the back of the buildings from view. The SimTek fence fulfills the opaque barrier requirement of the Type 40 Bufferyard along the rear property line. A detail of the SimTek fence has been included with this New Preliminary Master Development Plan (Attachment 11-1; page L-1.4).

Planning Commission discussed the applicant's request and found that an eight (8) foot tall fence would be more appropriate in the Type 40 Bufferyard along the back of the property. The Planning Commission approved the request to install an eight (8) foot tall SimTek fence as a minor amendment to the conceptual landscaping plan of the Preliminary Master Development Plan. Please refer to the Action Form from the September 23, 2013 Planning Commission meeting included with this staff report as Attachment 11-6.

The Public Hearing on the rezoning request was held at the October 1, 2013 Gallatin City Council meeting. Since that time, the applicant and owners decided to purchase 0.48 (+/-) acres of the adjacent Wendy's Restaurant property and add it to the new Preliminary Master Development Plan for this project. The property is already zoned PNC and the approved use of the property is Food Service. This additional property will also allow the applicant to increase the size of the proposed multi-tenant retail center from 6,200 square feet to 8,800 square feet. In addition, the joint access easement on the property will be shifted west. Since the project has changed from the original submittal, the Planning Commission shall review the new Preliminary Master Development Plan and provide a recommendation to the Gallatin City Council. A new Public Hearing on the new Preliminary Master Development Plan has been properly advertised and is scheduled for the March 4, 2014 Gallatin City Council meeting. The applicant has also notified the adjoining property owners about the Public Hearing on the new Preliminary Master Development Plan by mail. Second Reading on Ordinance #O1309-45 is scheduled for March 18, 2014.

Nashville Pike Corridor General Development and Transportation Plan Amendment

The subject property fronts Nashville Pike, the main commercial corridor in the City, and was included in the study area for the *Nashville Pike Corridor General Development and Transportation Plan Amendment*, approved by the Planning Commission on November 5, 2001 (PC File #7-9-01). The boundaries of the study area began at State Route 109 and extended westerly to East Camp Creek. The *Nashville Pike Corridor General Development and Transportation Plan Amendment* established land uses, design, signage, and access management recommendations for property along both sides of Nashville Pike. That study encourages the use of high quality construction materials and design to maintain the unique character of the gateway property. Please refer to the information about the *Key Issues/Goals* of the Nashville Pike Corridor and the *Architectural Standards* described in the *Nashville Pike Corridor General Development and Transportation Plan Amendment* included as Attachment 11-7 (page 6) and Attachment 11-8 (page 13).

Gallatin on the Move 2020 General Development and Transportation Plan

The *Nashville Pike Corridor General Development and Transportation Plan Amendment* is also referenced as a supporting document in the *Gallatin on the Move 2020 General Development and Transportation Plan* adopted by the Planning Commission in 2009. The subject property is identified on the Community Character Area Map as being part of the Nashville Pike Office Corridor Character Area, one (1) of six (6) Corridor Character Areas in the *2020 Plan* (Attachment 11-9). This area is defined by former suburban residential structures that have been converted over the years to office uses. These adapted reuses have preserved the residential character of Nashville Pike while accommodating new businesses. Please refer to Attachment 11-10; page 3-27.

One (1) of the intentions of the Nashville Pike Office Corridor Character Area is to provide for pedestrian-friendly areas with public spaces, that offer a high intensity mixture of uses including businesses, retail and office, employment, education, hospitality, and entertainment facilities. Please refer to the description of the Nashville Pike Office Corridor Character Area included with this staff

EXHIBIT A

Restaurant/Retail Center

February 24, 2014

report as Attachment 11-11; pages 3-40 and 3-41. The design of this project reflects the overall development strategies outlined in the *2020 Plan* for the Nashville Pike Office Corridor Character Area, which allows for office uses in a residential setting, while preserving the residential character of the major gateway into Gallatin (Attachment 11-10; page 3-40). Other similar commercial uses are also appropriate in this area. The access management, landscaping and buffering, and architectural design elements shall minimize the potential impacts of the proposed development on the adjacent residential properties to the south.

Natural Features

The lot on the corner of Nashville Pike and Lock 4 Road is currently vacant and no portion of this property is located within a special flood hazard area (Attachment 11-1). According to the applicant's tree survey, the property currently contains over 468 caliper inches of healthy mature trees with an additional 186 caliper inches of existing trees just off the southern property line. Many of the large mature trees on the property will be maintained to help screen the proposed development from the adjoining residential neighborhood (Attachment 11-1; page L-1.3).

Surrounding Zoning

Although this property adjoins other commercially developed property, including MRO PUD zoning to the north, MRO zoning to the east, and PNC zoning to the west, it is important to recognize that there is Residential-20 (R20) zoned property and residential uses that adjoin this property to the south, and a small portion to the north east. A large bufferyard, including an opaque barrier, will be installed to screen the developing property from the neighboring single-family homes along the southern property line. The bufferyards will help limit the impact of the commercial uses on the adjacent neighborhood. Please note that this property was previously approved for a convenience store and gas station, so the newly proposed uses of the property are far less intense than what was previously approved and envisioned for this corner property.

Access

The applicant has provided the required access management improvements contained in the *Nashville Pike Corridor General Development and Transportation Plan Amendment* and the *Gallatin on the Move 2020 General Development and Transportation Plan* for this property.

The main northerly entrance to the property off Nashville Pike connects to the joint driveway at the front of the site. This is an existing access point, now serving Wendy's and the other commercial uses in the Dover Cliff Development, functions as a right-in, right-out onto Nashville Pike due to the location of a concrete median that precludes left hand turns. One (1) full access point on the eastern side of the property off Lock 4 Road leads to the backage road/cross access easement behind the two (2) proposed buildings and will connect behind Wendy's, extending onto Kathy Circle.

Customers will also be able to access the site through the intersection of Kathy Circle and Nashville Pike. The backage road/cross access easement concept was a recommendation of the *Nashville Pike Corridor General Development and Transportation Plan Amendment* and has functioned well in areas where it has already been constructed along the back of lots fronting Nashville Pike. It allows customers to easily move from one (1) commercial property to the next without having to re-enter Nashville Pike and allows motorists to access Nashville Pike at a signalized intersection. This backage road will remain private and will not be accepted or maintained by the City of Gallatin. Shared driveways also limit the drive way cuts onto Nashville Pike, a specific development strategy for the Nashville Pike Office Corridor Character Area (Attachment 11-11; pages 3-40 and 3-41). The

EXHIBIT A

Restaurant/Retail Center

February 24, 2014

restaurant site will have a drive-thru queuing area located along the eastern portion of the property and along the rear and west side of the restaurant building (Attachment 11-1).

Sidewalks

Six (6) foot sidewalks are shown along the front perimeter of the property along Nashville Pike, (at the back of the 20-foot Bufferyard) and Lock 4 Road (at the back of the 12-foot Bufferyard). A sidewalk is also shown along a portion of the backage road and parking lot for the restaurant and along some portions of the front parking area for the retail building. Some internal sidewalks are also shown on the plan to allow for pedestrian access between the two (2) buildings. The Engineering Division asked the applicant to make the sidewalk connection to the intersection of Lock 4 Road and Nashville Pike and to adjust the sidewalk alignment and/or grading along the eastern property line to match. The Engineering Division found some inconsistencies for the layout of the sidewalks and asked the applicant to correct the sidewalk plan to address those errors. The applicant shall provide sidewalk easements as necessary to construct the six (6) foot sidewalks as required by the Gallatin Zoning Ordinance, Section 13.09.030, *Sidewalks*.

Architectural Elevations

The architectural elevations for both buildings submitted as part of the new Preliminary Master Development Plan are very similar in design to the elevations approved as part of the original Preliminary Master Development Plan (Attachment 11-2).

Restaurant

The proposed building appears to be a prototypical design for Panera Bread and is very similar to the freestanding building already constructed in the Glenbrook Development in Hendersonville, Tennessee. The restaurant consists of a 4,200 square foot, rectangular shaped structure with brick and Exterior Insulation and Finishing System (E.I.F.S.) as the two (2) main building materials. (Attachment 11-2)

Restaurant Front Façade (North-Nashville Pike)

The front façade of the restaurant is mostly brick with a green E.I.F.S. offset that identifies the main entrance to the building at the far western end of the front façade. The architect has used a mixture of dark and light color brick to add visual interest to the front the building. The front façade also features the signature Panera Bread awnings (plum, green, and gold with a wheat design), over the large windows. A metal canopy is also shown above the main entrance double glass doors and four (4) windows. A mixture of dark and light color brick and two (2) different colors of tan E.F.I.S. have been used to enhance the appearance of the other sides of the building. Although the roof is flat, the different level offsets seem to give the building some dimension. In addition, parapet walls are shown on a portion of the building to screen the roof top mechanical equipment in accordance with G.Z.O., Section 13.08.010.F, *Screening*. Many buildings in this area of Nashville Pike have also been approved with similar roof designs. The height of the tallest portion of the roof system of the building is 29 feet, four (4) inches, which complies with the bulk regulations of the PNC zone district.

Restaurant Rear Façade (South-adjacent to residential property)

The rear elevation, facing the residential zone district, is shown with dark brick along the entire bottom portion of the building and on two (2) small vertical sections of the rear façade. Lighter tan brick is shown along the majority of the rear façade and medium and light color E.I.F.S. is shown

towards the top of the building. A small portion of E.I.F.S. can also be seen at the top along the western side of the building.

Restaurant Interior Side Façade (West-adjacent to retail building)

The interior side elevation will face the retail building and is very similar in design to the front façade. It includes a large area of green E.I.F.S. and awnings above the windows. In addition, a metal canopy is also shown that mirrors the canopy on the front façade.

Restaurant Street Side Façade (East-Lock 4 Road)

The exterior side elevation will face Lock 4 Road and features the drive-thru pick up window in the middle of the façade. It also features the same awnings shown in the front of the building and includes a large area of light tan E.I.F.S.

Retail Building

The retail building consists of an 8,800 square foot, rectangular shaped structure that is very similar in design to the neighboring Panera Bread building. The two (2) main building materials are brick and E.I.F.S. and both buildings will use the same earth-tone color scheme as recommended by the Gallatin Zoning Ordinance for the PNC zone district. The building will be divided into four (4) separate tenant spaces with separate front entrances (Attachment 11-2).

Retail Building Front Façade (North-Nashville Pike)

The front façade of the retail building is mostly a mixture of dark and light colored brick with the same medium and light colored E.I.F.S. at the top of the building to match Panera Bread. The E.I.F.S. offset helps blend the building design with other adjacent retail centers in the Dover Cliff Development. The architect has used a mixture of dark and light color brick to add visual interest to the front of the building. Similar to the Panera Bread building, parapet walls are shown on a portion of the building to screen the roof top mechanical equipment. A metal canopy is also shown above the main entrances to the two (2) end units.

Retail Building Rear Façade (South-adjacent to residential property)

The rear elevation, facing the residential zone district, is shown with dark brick along the entire bottom portion of the building and on five (5) vertical sections of the rear façade. Lighter tan brick is shown along the majority of the rear façade and light color E.I.F.S. is shown towards the top of the building. The rear façade also features four (4) rear entrances into each of the separate tenant spaces.

Retail Building Interior Side Façade (East-adjacent to Panera Bread)

The interior side elevation will face the Panera Bread and is very similar in design to the front façade. A metal canopy is also shown that mirrors the canopy on the front façade.

Retail Building Exterior Side Façade (West-adjacent to Wendy's)

The exterior side elevation will face the adjacent Wendy's Restaurant. It features an awning on the front of the building and is a mirror image of the interior side façade.

In keeping with the *2020 Plan*, the proposed project will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity. As designed, the proposed restaurant and retail center buildings will not change the essential character of this area of Nashville Pike. The project has also been designed

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to reflect the recommendations of the *2020 Plan* and be consistent with the intent and purpose of the Gallatin Zoning Ordinance.

The two (2) main building materials for both buildings are brick and E.I.F.S. and both buildings will use the same earth-tone color scheme as recommended by the Gallatin Zoning Ordinance for the PNC zone district. The proposed architectural elevations for both buildings exceed the architectural standards and 70 percent masonry requirement in Section 13.08 of the Gallatin Zoning Ordinance. According to the applicant, there is a total of 71 percent brick and 29 percent E.I.F.S. for the restaurant building. The retail center building has a total of 73 percent brick and 27 percent E.I.F.S. (Attachment 11-2).

Staff recommends approval of the architectural elevations for both buildings with the condition that the back of the large walls shall be finished and painted to match the buildings. Final architectural elevations shall be approved as part of the Final Master Development Plan. Inspection of the exterior building façade materials is required by the Planning Department prior to the installation of the exterior building façade materials for both buildings.

Parking

The parking requirements for the site were based on the following ratios for the proposed use classifications: General Retail Sales and Services (Excluding Manufactured Home Sales Facilities) [one (1) parking space per 250 square feet] and Food Service [one (1) parking space per 150 square feet].

Based on these ratios, the proposed development is required to provide a total of 40 parking spaces for the retail center and 31 parking spaces for the restaurant. The applicant has shown a total of 104 parking spaces including five (5) handicapped parking spaces. The parking calculation for Food Service should have been shown as one (1) parking space for every four (4) person seating capacity of the restaurant. Seating capacity is set by the Gallatin Fire Department. Since so many additional spaces are provided, Staff is comfortable that the number of parking spaces shown will be adequate for the restaurant customers; however, the applicant shall provide the correct parking ratio for the Food Service use at the Final Master Development Plan stage.

The additional parking spaces may also be used toward the Medical Services use, which requires one (1) space per 150 square feet of building area. Staff will review the parking requirements based on the final tenants of the retail center at the Final Master Development Plan stage to ensure adequate parking is provided and that the plan complies with the minimum number of required regular parking spaces and meets the handicapped parking requirements for each building per G.Z.O., Section 11.03, *Schedule of Off-Street Parking Requirements* and Section 11.07, *Handicapped Parking*.

Landscaping and Bufferyards

Bufferyards are required to be shown as part of the Preliminary Master Development Plan and are intended to minimize the potential impacts of the proposed development on the adjacent properties as outlined in the *2020 Plan*. The applicant has submitted a detailed landscaping and bufferyard plan, which includes some alternatives to the requirements of the Gallatin Zoning Ordinance. The landscaping and bufferyard plan submitted as part of the new Preliminary Master Development Plan generally matches the plan approved as part of the revised landscaping plan approved by Planning Commission at the September 23, 2013 meeting.

The applicant has shown a Type 20 Bufferyard along the northern property boundary along Nashville Pike and required parking lot screening. In place of a Type 15 Bufferyard, the applicant is requesting approval of an alternative bufferyard along the western side property line. Planting areas are limited due to the location of a joint access easement. Landscaping is proposed along the eastern side of the concrete parking island. A similar alternative plan was recently approved by Planning Commission for the Kennesaw Farms Medical Plaza on Nashville Pike (PC0231-11) and Dollar General Store on the corner of Airport Road and South Water Avenue where alternative bufferyards were shown in areas with shared driveways (PC0178-13).

The Type 12 Bufferyard along the eastern property boundaries along Lock 4 Road was previously approved by the Planning Commission as an alternative bufferyard due to the location of the proposed plant material. The Type 12 Bufferyard along the eastern property boundary shows the required trees being planted in the bufferyard; however, the applicant previously requested an alternative design to allow the bufferyard landscaping near the detention pond to be installed adjacent to the parking area rather than in a small portion of a 12-foot landscape strip along Lock 4 Road. With this new plan, the applicant has shown landscaping around all four (4) sides of the detention pond located on the eastern side of the property as requested by the Planning Department (Attachment 11-1; page L-1.3).

The Type 40 Bufferyard located along the southern property boundary is also shown as an alternative bufferyard due to the use of existing mature trees towards the bufferyard requirement. The Gallatin Zoning Ordinance requires Type 40 Bufferyards to consist of a strip of landscaped area, a minimum of forty (40) feet wide, landscaped as follows: an opaque barrier shall be installed within the bufferyard, in accordance with Section 13.04.080, to a minimum height of 10 feet, plus one (1) medium evergreen tree (ultimate height 20-40 feet) for every 15 feet planted on triangular staggered spacing, plus one (1) small deciduous or ornamental tree for every 80 linear feet, plus one (1) large deciduous tree (ultimate height 50+ feet) for every eighty 80 linear feet measured along the opaque barrier. The landscape materials are required to be planted on the side of the opaque barrier that abuts the less intense zoning district or development. In addition, the *2020 Plan* and the Gallatin Zoning Ordinance encourage the preservation of healthy existing trees within a required bufferyard. The preservation of each healthy existing tree (at least 4.5-inch caliper) may be counted as one (1) tree towards the fulfillment of the landscape requirements. The applicant has property identified the mature trees that will be maintained on site.

The applicant plans to install the eight (8) foot tall SimTek fence along the rear property line as approved by Planning Commission at the September 23, 2013 meeting. Planning Commission determined that the eight (8) foot tall SimTek fence fulfills the opaque barrier requirement of the Type 40 Bufferyard along the rear property line. A detail of the SimTek fence has been included as part of the new Preliminary Master Development (Attachment 11-1, page L-1.4). The SimTek fence will connect to the existing wooden fence behind Wendy's so there are no gaps in the fence as requested by the adjacent property owners.

The PNC zone district has additional landscaping requirements, which are outlined in Section 08.05.050.B of the Gallatin Zoning Ordinance. The applicant has noted the calculations that were used to show that the required additional site trees and shrubs that have been provided to meet these requirements. The additional site trees [minimum of two (2) inch caliper] shall be provided exclusive of the required landscape bufferyard requirements and the additional required shrubs (minimum 18-

inches high) may be counted towards the required bufferyard and site landscaping requirements, but shall be exclusive of the required continuous parking lot screening required in Section 13.05 of the Gallatin Zoning Ordinance. The landscaping plan meets the additional planting requirements of the G.Z.O. for the PNC zone district.

The Planning Commission should determine if the alternative bufferyards and landscaping plan are acceptable and meet the intent of the Gallatin Zoning Ordinance, Section 13.04.100.C. *Alternative Plan Approval.*

Dumpster Enclosures

Two (2) dumpster areas are shown; one (1) off the back of the retail building and one (1) for the restaurant located between the drive thru queuing area and the rear parking lot. The opaque dumpster enclosures shall completely screen the dumpsters on all sides and shall meet the requirements of Gallatin Municipal Code, Section 14-14, *Nonresidential Establishment Containers, Storage, and Requirements*. The applicant shall provide architectural elevations, building materials, and colors for the dumpster enclosures as part of the Final Master Development Plan.

Signs

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

Restaurant

The applicant is proposing two (2) wall mounted signs on the front façade of the restaurant and one (1) wall mounted sign on the eastern side façade. The sign package does not include the dimensions of the proposed signs or the other permanent signs on the property including directional signs, menu boards, or clearance bar. One (1) monument sign is also shown for Panera Bread at the access point on Lock 4 Road. The monument sign shall be limited to a maximum height of six (6) feet. In addition, the leading edge of the monument sign shall be setback a minimum of five (5) feet from the right-of-way.

Retail Center

The applicant is proposing four (4) wall mounted signs on the front façade of the retail center to identify the individual tenant spaces. Since the final tenants are unknown at this time, only sample wall mounted signs are shown on the architectural elevations. No dimensions or any other details were provided. No signage is shown on the rear façade of the retail building. One (1) monument sign is also proposed along Nashville Pike. The monument signs shall be limited to a maximum height of six (6) feet. In addition, the leading edge of the monument sign shall be setback a minimum of five (5) feet from the right-of-way.

A Master Signage Plan for both builds shall be submitted as part of the Final Master Development Plan as required by Section 13.07.065.E, *Master Signage Plan*. Sign permits shall be obtained from the Planning Department prior to the construction or installation of any signage on site. All signs for the restaurant and retail center shall comply with the G.Z.O., Section 13.07, *Sign Regulations*.

Wendy's Monument Sign

Once a minor subdivision plat is approved and recorded for this property, the existing monument sign for Wendy's will be considered "off premises" and not permitted by G.Z.O., Section 13.07.050, *Prohibited Signs*, U.3, Off-premises Signs. After the minor subdivision plat is recorded, the existing Wendy's monument sign shall be removed; however, it may be relocated to the Wendy's property at 927 Nashville Pike after the approval of a sign permit from the Planning Department. The Wendy's sign shall comply with the G.Z.O., Section 13.07, *Sign Regulations*.

Photometric Plan

The applicant has submitted a photometric plan that meets the Gallatin Zoning Ordinance requirements for maximum height of light fixtures and light levels along the property boundaries according to G.Z.O., Section 13.02.080, *Performance Standards Regulating Glare and Electromagnetic Interference*. The applicant provided a detail of the proposed 30-foot tall light poles that feature a shoe box design (Attachment 11-1; page 7; sheet 1 of 1). The applicant shall provide details of the proposed wall mounted lighting fixtures at the Final Master Development Plan stage.

Other Departmental Comments

- ***Engineering Division***

The applicant has addressed the majority of the Engineering Division comments. Following the latest review of the new Preliminary Master Development Plan, the Engineering Division asked the applicant to make the sidewalk connection to the intersection of Lock 4 Road and Nashville Pike and adjust the sidewalk alignment and/or grading along the eastern property line to match. The applicant shall correct the sidewalk plan as some sheets show an inconsistent layout.

- ***Police Department***

The Police Department indicated that they had reviewed the plan, but provided no other review comments.

- ***Department of Public Utilities***

The Department of Public Utilities noted that they have no issues with the proposed rezoning and have no problem with the proposed water, sanitary sewer, or natural gas utilities for the proposed project.

- ***Fire Department***

The Fire Department asked the applicant to show all existing and proposed fire hydrants. That review comment was satisfactorily addressed by the applicant.

- ***Sumner County E-911***

The Sumner County E-911 Office indicated that the retail building would be addressed as 923 Nashville Pike and the restaurant would be addressed as 921 Nashville Pike. These addresses shall be noted on the new Preliminary Master Development Plan.

- ***Codes Department***

The Codes Department provided no review comments on the plan.

- ***Department of Electricity***

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The Department of Electricity indicated that they were "O.K." with the project and did not provide any other review comments.

Departmental Comments not addressed by the resubmittal have been added to the conditions of approval.

Findings

1. The new Preliminary Master Development Plan is consistent with the purpose and intent of the Planned Neighborhood Commercial (PNC) zone district and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zone district.
2. The proposed changes shown in the new Preliminary Master Development Plan constitute a major amendment to the approved Preliminary Master Development Plan as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.
3. The new Preliminary Master Development Plan is in agreement and consistent with the intent and recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan* for the Nashville Pike Office Corridor Character Area.
4. The proposed project will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity. As designed, the proposed General Retail Sales and Services (Excluding Manufactured Home Sales Facilities), Medical Services, and Food Service uses will not change the essential character of this area of Nashville Pike. The project has also been designed to reflect the recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan*, the *Nashville Pike Corridor General Development and Transportation Plan Amendment*, and be consistent with the intent and purpose of the Gallatin Zoning Ordinance.
5. It has been determined that the legal purposes for which zoning regulations exist have not been contravened.
6. It has been determined that the new Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
7. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
8. The new Preliminary Master Development Plan has been submitted to the City complying with the Performance Standards Regulations and the Architectural Character and Compatibility Standards of the Gallatin Zoning Ordinance as described in Section 13.02 and 13.08.

RECOMMENDATION:

Based on the findings presented in the staff report, Staff recommends that the Planning Commission approve GMRPC Resolution 2014-12 to recommend approval of a new Preliminary Master Development Plan and recommend approval to the Gallatin City Council of the rezoning request on 3.00 (+/-) acres for the construction of a restaurant and retail center plan, consisting of seven (7)

sheets, prepared by Perry Engineering, LLC, of Goodlettsville, Tennessee, with project number 108-048, dated February 17, 2014, and architectural elevations consisting of one (1) sheet prepared by MJM Architects, of Nashville, Tennessee, dated February 7, 2014 located at 921 and 923 Nashville Pike, with the following conditions:

1. The architectural elevations for both buildings are approved provided that the back of the large walls shall be finished and painted to match the buildings. Inspection of the exterior building façade materials is required by the Planning Department prior to the installation of the exterior building façade materials for both buildings. Final architectural elevations shall be approved as part of the Final Master Development Plan.
2. The Planning Commission should determine if the alternative bufferyards and proposed landscaping plan are acceptable and meet the intent of the Gallatin Zoning Ordinance, Section 13.04.100.C, *Alternative Plan Approval*.
3. After the minor subdivision plat is recorded, the existing Wendy's monument sign shall be removed; however, it may be relocated to the Wendy's property at 927 Nashville Pike after the approval of a sign permit from the Planning Department. The Wendy's sign shall comply with the G.Z.O., Section 13.07, *Sign Regulations*.
4. A Master Signage Package shall be submitted and approved for both buildings as part of the Final Master Development Plan. The monument signs shall be limited to a maximum height of six (6) feet and the leading edge of the monument signs shall be setback a minimum of five (5) feet from the rights-of-way. All signs for the restaurant and retail center shall comply with the G.Z.O., Section 13.07, *Sign Regulations*. Sign permits shall be obtained from the Planning Department prior to the construction or installation of any signage on site.
5. Provide architectural elevations, building materials, and colors for the dumpster enclosures as part of the Final Master Development Plan.
6. Provide details of the proposed wall mounted lighting fixtures at the Final Master Development Plan stage.
7. Make the sidewalk connection to the intersection of Lock 4 Road and Nashville Pike and adjust the sidewalk alignment and/or grading along the eastern property line to match. The applicant shall correct the sidewalk plan as some sheets show an inconsistent layout.
8. Provide sidewalk easements as necessary to construct the six (6) foot sidewalks as required by the Gallatin Zoning Ordinance, Section 13.09.030, *Sidewalks*.
9. Label the retail building as 923 Nashville Pike and the restaurant as 921 Nashville Pike on the new Preliminary Master Development Plan.
10. Submit a revised minor subdivision plat to change the property owner information and to add the 0.48 (+/-) acres to the Exxon property. The minor subdivision plat shall be recorded prior to the issuance of a building permit for this project.
11. Submit 13 corrected and folded copies of the New Preliminary Master Development Plan and color architectural elevations to the Planning Department by 12 noon on Wednesday, February 26, 2014 in order to place this item on March 4, 2014 Gallatin City Council meeting agenda.

(The new Preliminary Master Development Plan shall be corrected to comply with the conditions of approval prior to the final Staff approval by the Planning Department.)

ATTACHMENTS:

Attachment 11-1 New PMDP including Color Elevations

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- Attachment 11-2 Architectural Elevations for Restaurant and Retail Center**
- Attachment 11-3 GMRPC Resolution No. 2014-12**
- Attachment 11-4 Exxon Mobile Subdivision, Lot 1 Revision 1, Final Plat**
- Attachment 11-5 PMDP Action Form 8/26/13 GMRPC Meeting**
- Attachment 11-6 New Landscaping Plan Action Form 9/23/13 GMRPC Meeting**
- Attachment 11-7 Key Issues/Goals Nashville Pike Corridor GDP Amendment; page 6**
- Attachment 11-8 Arch. Standards Nashville Pike Corridor GDP Amendment; page 13**
- Attachment 11-9 Community Character Map – Central Gallatin**
- Attachment 11-10 Corridor Character Category information; page 3-27**
- Attachment 11-11 Nashville Pike Corridor Character Area information; pages 3-40 & 3-41**

ITEM 11

EXHIBIT A

GMRPC Resolution No. 2014-12

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL OF THE REQUEST TO REZONE 3.00 (+/-) ACRES FROM MULTIPLE RESIDENTIAL AND OFFICE (MRO) TO PLANNED NEIGHBORHOOD COMMERCIAL (PNC) AND APPROVAL OF A NEW PRELIMINARY MASTER DEVELOPMENT PLAN FOR 3.48 (+/-) ACRES FOR A 4,200 SQUARE FOOT RESTAURANT AND AN 8,800 SQUARE FOOT MULTI-TENANT RETAIL AND OFFICE BUILDING ON PROPERTY LOCATED AT 921 AND 923 NASHVILLE PIKE RESPECTIVELY- (PC0161-13)

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

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

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

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

1. The new Preliminary Master Development Plan is consistent with the purpose and intent of the Planned Neighborhood Commercial (PNC) zone district and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zone district.
2. The proposed changes shown in the new Preliminary Master Development Plan constitute a major amendment to the approved Preliminary Master Development Plan as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.
3. The new Preliminary Master Development Plan is in agreement and consistent with the intent and recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan* for the Nashville Pike Office Corridor Character Area.
4. The proposed project will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity. As designed, the proposed General Retail Sales and Services (Excluding Manufactured Home Sales Facilities), Medical Services, and Food

Service uses will not change the essential character of this area of Nashville Pike. The project has also been designed to reflect the recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan*, the *Nashville Pike Corridor General Development and Transportation Plan Amendment*, and be consistent with the intent and purpose of the Gallatin Zoning Ordinance:

5. It has been determined that the legal purposes for which zoning regulations exist have not been contravened.
6. It has been determined that the new Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
7. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
8. The new Preliminary Master Development Plan has been submitted to the City complying with the Performance Standards Regulations and the Architectural Character and Compatibility Standards of the Gallatin Zoning Ordinance as described in Section 13.02 and 13.08.

Section 2. **Action** – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the new Preliminary Master Development Plan and rezoning request to the Gallatin City Council with the following conditions:

1. The architectural elevations for both buildings are approved provided that the back of the large walls shall be finished and painted to match the buildings. Inspection of the exterior building façade materials is required by the Planning Department prior to the installation of the exterior building façade materials for both buildings. Final architectural elevations shall be approved as part of the Final Master Development Plan.
2. The Planning Commission should determine if the alternative bufferyards and proposed landscaping plan are acceptable and meet the intent of the Gallatin Zoning Ordinance, Section 13.04.100.C, *Alternative Plan Approval*.
3. After the minor subdivision plat is recorded, the existing Wendy's monument sign shall be removed; however, it may be relocated to the Wendy's property at 927 Nashville Pike after the approval of a sign permit from the Planning Department. The Wendy's sign shall comply with the G.Z.O., Section 13.07, *Sign Regulations*.
4. A Master Signage Package shall be submitted and approved for both buildings as part of the Final Master Development Plan. The monument signs shall be limited to a maximum height of six (6) feet and the leading edge of the monument signs shall be setback a minimum of five (5) feet from the rights-of-way. All signs for the restaurant and retail center shall comply with the G.Z.O., Section 13.07, *Sign Regulations*. Sign

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- permits shall be obtained from the Planning Department prior to the construction or installation of any signage on site.
5. Provide architectural elevations, building materials, and colors for the dumpster enclosures as part of the Final Master Development Plan.
 6. Provide details of the proposed wall mounted lighting fixtures at the Final Master Development Plan stage.
 7. Make the sidewalk connection to the intersection of Lock 4 Road and Nashville Pike and adjust the sidewalk alignment and/or grading along the eastern property line to match. The applicant shall correct the sidewalk plan as some sheets show an inconsistent layout.
 8. Provide sidewalk easements as necessary to construct the six (6) foot sidewalks as required by the Gallatin Zoning Ordinance, Section 13.09.030, *Sidewalks*.
 9. Label the retail building as 923 Nashville Pike and the restaurant as 921 Nashville Pike on the new Preliminary Master Development Plan.
 10. Submit a revised minor subdivision plat to change the property owner information and to add the 0.48 (+/-) acres to the Exxon property. The minor subdivision plat shall be recorded prior to the issuance of a building permit for this project.
 11. Submit 13 corrected and folded copies of the New Preliminary Master Development Plan and color architectural elevations to the Planning Department by 12 noon on Wednesday, February 26, 2014 in order to place this item on March 4, 2014 Gallatin City Council meeting agenda.

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

IT IS SO ORDERED.
PRESENT AND VOTING

AYE:

NAY:

DATED: 2/24/14

Dick Dempsey, Chairman

Johnny Wilson, Secretary

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 11-3



ATTACHMENT 11-5

City of Gallatin, Tennessee

Codes/Planning Department

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

DATE: August 27, 2013

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

FROM: Gallatin Codes/Planning Department

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

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

- RECOMMENDED
 RECOMMENDED WITH CONDITIONS
 NOT RECOMMENDED
 DEFERRED

Conditions of Approval:

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

EXHIBIT A



ATTACHMENT

11-5

City of Gallatin, Tennessee

Codes/Planning Department

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

Approval contains the following requirements:

BUILDING PERMIT/USE AND OCCUPANCY PERMIT

- ZONING PERMIT
- SIGN PACKAGE/PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK
- UTILITY SURETY
- MAINTENANCE SURETY
- SIDEWALK SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT 3 CORRECTED, FOLDED COPIES (1 FULL SIZE AND 2 HALF SIZE IF ORIGINAL PLANS ARE LARGER THAN 18 x 24)
- OTHER

EXHIBIT A

ATTACHMENT 11-5



City of Gallatin, Tennessee

Codes/Planning Department

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

cc: Mr. Steve Rudd
PC File PC0161-13

EXHIBIT A



City of Gallatin, Tennessee

Codes/Planning Department

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

DATE: September 24, 2013

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

FROM: Gallatin Codes/Planning Department

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

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

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Conditions of Approval:

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

Approval contains the following requirements:

BUILDING PERMIT/USE AND OCCUPANCY PERMIT

- ZONING PERMIT
- SIGN PACKAGE/PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK
- UTILITY SURETY
- MAINTENANCE SURETY
- SIDEWALK SURETY
- SUBDIVISION SURETY

EXHIBIT A



ATTACHMENT 11-6

City of Gallatin, Tennessee

Codes/Planning Department

- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT 3 CORRECTED, FOLDED COPIES (1 FULL SIZE AND 2 HALF SIZE IF ORIGINAL PLANS ARE LARGER THAN 18 x 24)
- OTHER

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

cc: Mr. Steve Rudd
PC File PC0161-13

EXHIBIT A

ATTACHMENT

11-7

areas have been designated to provide land area for new services in convenient, accessible locations. The Plan discourages the widespread commercialization of City roadways due to its negative effect on the character of surrounding residences.

- A principle aspect of the commercial concept for the planning area is the strong support for "nodal" commercial development patterns centered on major street intersections and freeway interchange areas. Limiting commercial development where it already exists is strongly encouraged. The principle implementation tool to carry out "nodal" development is a set of design guidelines for commercial development. These guidelines are proposed to permit the commercialization of existing and emerging arterial roadways, but with effective access control and design standards to shape this growth.

Land Use Map Notes

The City of Gallatin General Development Plan, Future Land Use Map, stipulates the following policy statements that are applicable to the study area:

- Mixed Use areas along Nashville Pike provide for non-residential office development or higher density residential. Preserves gateway effect but also provides for reasonable use of property. Commercial uses are not permitted.
- Commercial development at this location to be designed to buffer existing residential areas with limited highway access; landscaping, screening, architectural compatibility and other bulk/density and site development measures.

KEY ISSUES/GOALS

The majority of the existing land use goals are still applicable to the Nashville Pike General Development Plan Amendment study area. In addition, the Planning Commission identified the following key issues/goals that the Nashville Pike Corridor General Development Plan Amendment should address:

1. The City should take a proactive approach to responding to development requests in the Nashville Pike Corridor.
2. The City should promote the orderly growth and development of the Nashville Pike Corridor by providing development standards and regulations that reflect the importance of this area as a gateway into Gallatin.
3. The City should develop a comprehensive access management plan in the Nashville Pike Corridor in order to minimize negative impacts on the existing transportation network.
4. New development should be sensitive to the surrounding neighborhoods and reflect the importance of this area as a major gateway into Gallatin.
5. New development should be required to provide a high quality of site design through effective architectural design, landscaping, screening and buffering, signage standards, and lighting standards.
6. Existing trees should be preserved whenever possible.

EXHIBIT A

ATTACHMENT

11-8

Recommended Changes to the Zoning Ordinance

The Planning Commission discussed various changes to the Planned Neighborhood Commercial (PNC) and Planned General Commercial (PGC) zoning districts during the review of this amendment to the General Development Plan. It is recommended that both districts be revised to provide planned commercial zoning districts that are more flexible and user friendly than the existing planned commercial districts. The proposed revisions will make the planned commercial districts more attractive to potential developers and provide the City with additional land use and design control than conventional commercial zoning districts.

Architectural Standards

The existing residential character of the Nashville Pike Corridor is one of the greatest assets of this area. This corridor serves as an impressive gateway into the heart of Gallatin. New development should be compatible in form with this character as well as with the character of the surrounding residential neighborhoods.

Peninsula Drive to East Camp Creek

- The Plan envisions that the area from Peninsula Drive to East Camp Creek will develop through the adaptive reuse of the existing residential structures. The Plan supports the conversion of the existing residences into non-residential uses. This will permit the development of the property while maintaining the unique character of this area. The Plan does not support the demolition of the existing structures. However, any new construction in this area should be designed to match the established residential character.

State Route 109 to Peninsula Drive

- The Plan envisions that the area from State Route 109 to Peninsula Drive will redevelop through both the adaptive reuse of existing residential structures and new construction. New construction should be designed to be compatible with the surrounding residential areas.

General Architectural Policies and Standards

- Building forms should be tailored to be compatible with surrounding residential buildings with regard to massing, scale, proportion of openings, roof types and degree of detail.
- The use of bright colors is discouraged. In addition, it is recommended that the Architectural Character and Compatibility Standards in the Zoning Ordinance be strictly followed. The use of alternative materials should be closely scrutinized for compatibility with surrounding buildings.
- Prototypical designs should be adapted to reflect the character of Nashville Pike by the use of compatible materials and designs so that they blend in with the surrounding area.
- Facades should be treated in a manner that enhances interests. Particular attention should be paid to facades that face streets and adjoining residential properties.
- Building service areas or loading areas shall not be visible from public streets or from adjacent residential areas; they should be located away from streets and/or adequately screened.

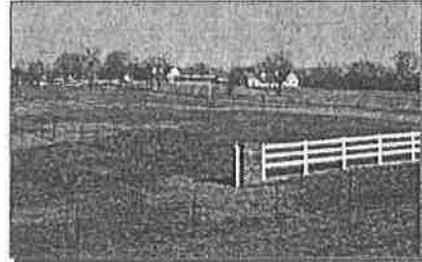
EXHIBIT A

*Approved
Dec.
plan*

CORRIDOR CHARACTER CATEGORY

Corridors form the boundaries between neighborhoods and districts in the City, both connecting and defining them. Six Corridor Character Category character areas are described in the following pages as follows:

- **Rural Corridor** – Scenic, relatively undeveloped, rural high-capacity corridors where character preservation is recommended
- **Gateway Corridor** – Major entryways into the City where quality development is encouraged
- **Neighborhood Transition Corridor** – Important connector corridors where revitalization and neighborhood conservation is recommended
- **East Main Street Corridor** – Important corridor that connects Downtown to the Medical District where revitalization is recommended that would create a mixed-use, pedestrian friendly corridor
- **Commercial Corridor Revitalization** – Commercial corridors where revitalization is recommended that includes a mix of uses
- **Commercial Corridor Established and Emerging** – Stable commercial corridors where development is encouraged.
- **Nashville Pike Office Corridor** – Emerging office corridor defined by former suburban residential structures that have converted to office uses that has preserved the residential character while accommodating new business.



Rural Corridor along Hartsville Pike



Residential structure converted to a medical office use located in the Nashville Pike Office Corridor character area

NASHVILLE PIKE OFFICE CORRIDOR

General Description of Existing Development Patterns

The Nashville Pike Office Corridor is made up of former residences between Belvedere Drive and East Branch Creek, most of which have converted to office uses during the last 10 years. The City has required maintenance of the existing structures, for the most part, as well as protection of a majority of the mature trees that give this area its character. While predominantly office/professional now, the area retains a residential feel and provides an attractive entry gateway into the Village Green/Belvedere Drive Center and the more mature areas of the City located east of SR-109 Bypass. This area was further studied in the *Nashville Pike Corridor – SR-109 to East Camp Creek – General Development Plan Amendment* adopted in 2000 by the Planning Commission.

Location

Areas within this character area include the following:

- Parcels fronting US-31E/Nashville Pike on the north side of the road between Belvedere Drive and East Camp Creek and on the south side of the road between SR-109 Bypass and East Camp Creek

Intent

- Provide for office uses in a residential setting, while preserving the residential character of this gateway to Gallatin.
- Protect mature tree canopy
- Protect large front yards from excessive parking
- Provide connected system of local streets that limit the impact office uses might create on Nashville Pike (e.g. access roads, etc.)
- Provide for pedestrian friendly areas with public spaces, relatively high intensity mix of businesses, retail and office, employment, education, hospitality and entertainment facilities
- Provide opportunities for new centers that complement existing centers within the City

NASHVILLE PIKE OFFICE CORRIDOR

Anticipated level of change:

- Low

Transportation

- Medium level of service
- High level of connectivity
- Properties accessed by public roads (primarily access roads, rather than Nashville Pike)
- Regular-shaped, long blocks
- Roads characterized by open swale drainage, sidewalks containing a medium level of pedestrian orientation

Infrastructure

- Full urban facilities and services

Greenspace

- Adjacent Preserve areas
- Reliant on common-owned squares within new or existing development

Primary Land Uses

- Office
- One-family Residential
- Public/Institutional

Appropriate Intensity

- 0.2 FAR

Applicable Zoning Districts

Existing Zoning Districts

- OR or GO

Proposed Zoning Districts

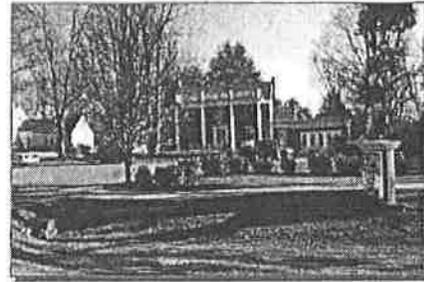
- Not applicable

Development Strategies

- Connect residential areas to other areas with wide, pedestrian-friendly sidewalks and paths
- Address design factors, including the size of new buildings, design parameters for parking and internal circulation, signage, architectural treatments, building setbacks, siting and orientation, and adequate buffers to ensure compatibility with adjacent uses
- Provide interconnectivity between parcels
- Construct wide sidewalks with street trees, landscaping and traditional lighting
- Encourage placement of parking in side and rear yards in order to maintain the residential character of front yards with trees and grassy areas

Implementation Measures

- ☞ Continue implementation of the recommendations of the Nashville Pike Corridor-SR-109 to East Camp Creek – General Development Plan Amendment



Residential structure converted to office use and located in the Nashville Pike Office Corridor character area



Aerial view of the Nashville Pike Office Corridor character area looking northeast

PUBLIC HEARING: MARCH 4, 2014

SECOND READING: MARCH 18, 2014

ORDINANCE NO. 01312-74

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, AMENDING THE OFFICIAL ZONING MAP BY REAFFIRMING THE RESIDENTIAL 8-PLANNED RESIDENTIAL DEVELOPMENT (R8-PRD) ZONING AND APPROVING THE AMENDED PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE CARELLTON DEVELOPMENT ON 417.2 (+/-) ACRES (COMPRISING S.B.E. TAX MAP 124//PARCELS 007.00, 007.01, AND 007.02 AND INCLUDING PHASES IA AND IB OF THE CARELLTON SUBDIVISION), LOCATED NORTH OF LONG HOLLOW PIKE AT BIG STATION CAMP BOULEVARD AND EAST OF LIBERTY LANE.

WHEREAS, the Gallatin Municipal-Regional Planning Commission considered the proposed change as a major amendment to the Carellton Preliminary Master Development Plan pursuant to Article 15, Section 15.07.040 and Article 12, Section 12.02.020 and Section 12.02.050 of the Gallatin Zoning Ordinance; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance reaffirmed the zoning of the property and reviewed and recommended approval of this Amended Preliminary Master Development Plan for Carellton pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance as described in GMRPC Resolution No. 2013-96, attached hereto as Exhibit A; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of this amendment pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance.

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

1. The Gallatin City Council hereby concurs with recommendations of the Gallatin Municipal-Regional Planning Commission as described in Exhibit A, and imposes those recommendations as conditions of approval to this Amended Preliminary Master Development Plan as described in Exhibit B; and
2. That after review of the actions of the Gallatin Municipal-Regional Planning Commission, public notice, and after public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the Zoning and Amended Preliminary Master Development for Carellton, is hereby approved with conditions as described in Exhibit B.

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

PASSED FIRST READING: February 18, 2014

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON
CITY ATTORNEY

Legal Description

The following legal description is for property in the Eleventh Civil District of Sumner County, City of Gallatin, Tennessee, located on the lands of Northern Property, LLC, of record in Deed Book 3559, Page 789, R.O.S.C., TN and in Deed Book 3550, Page 307, R.O.S.C., TN.. And being more particularly described per a survey provided by Bruce Rainey & Associates, Job # 06-0186, dated January 3, 2007.

Beginning at a Point located approximately 641 feet West of the intersection of Long Hollow Pike and Big Station Camp Boulevard, along the North margin of Long Hollow Pike right of way, said Point being the southwestern corner of said Northern Property, LLC and the southeastern corner of Kenneth and Pamela Cobb, of record in Deed Book 48, Page 62, R.O.S.C., TN. Thence with the east line of said Cobb, North 05 degrees 48 minutes 40 seconds East, a distance of 1210.66 feet to a Point, said Point being the northeastern corner of said Cobb;

Thence, with the north line of said Cobb, North 85 degrees 37 minutes 27 seconds West, a distance of 205.36 feet, passing the northwest corner of said Cobb along the way and from there following the east line of Elizabeth Wiggins, of record in Deed Book 2579, Page 239, R.O.S.C, TN to a Point;

Thence, continuing with the east line of said Wiggins, North 05 degrees 20 minutes 13 seconds East, a distance of 612.95 feet to a Point, said Point being the northeast corner of said Wiggins;

Thence, with the north line of said Wiggins, North 81 degrees 37 minutes 52 seconds West, a distance of 210.97 feet to a point;

Thence North 82 degrees 20 minutes 03 seconds West, a distance of 208.40 feet to a point;

Thence North 81 degrees 57 minutes 35 seconds West, a distance of 884.74 feet to a point;

Thence North 81 degrees 10 minutes 50 seconds West, a distance of 390.00 feet to a point;

Thence North 05 degrees 44 minutes 13 seconds West, a distance of 86.95 feet to a point;

Thence North 77 degrees 01 minutes 44 seconds West, a distance of 1448.07 feet, passing the northwest corner of said Wiggins along the way and from there following the north line of Kelly Hibbs, of record in Deed Book 713, Page 37, R.O.S.C., TN, to a point, said point being in the east margin of Upper Station Camp Creek Road right of way and the northwest corner of said Hibbs;

Thence, with the east margin of said Upper Station Camp Creek Road right of way, North 06 degrees 40 minutes 40 seconds East, a distance of 312.50 feet to a point;

Thence North 06 degrees 22 minutes 00 seconds East, a distance of 309.56 feet to a point;

Thence North 03 degrees 16 minutes 06 seconds East, a distance of 36.74 feet to a point;

Thence, leaving the east margin of said Upper Station Camp Creek Road right of way and following the south margin of Liberty Lane right of way, along a curve to the right having a delta of 94 degrees 58 minutes 00 seconds, a radius of 25.00 feet, a tangent of 27.27 feet, an arc of 41.44 feet, a chord bearing of North 50 degrees 45 minutes 06 seconds East, and a chord length of 36.85 feet to a point;

Thence South 81 degrees 45 minutes 54 seconds East, a distance of 220.08 feet to a point;

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PC0214-13

EXHIBIT A

ATTACHMENT 4-5

Thence along a curve to the left having a delta of 13 degrees 45 minutes 32 seconds, a radius of 340.00 feet, a tangent of 41.02 feet, an arc of 81.65 feet, a chord bearing of South 88 degrees 38 minutes 40 seconds East, and a chord length of 81.45 feet to a point;

Thence South 83 degrees 37 minutes 59 seconds East, a distance of 154.43 feet to a point;

Thence North 10 degrees 24 minutes 06 seconds East, a distance of 65.31 feet to a point;

Thence North 71 degrees 27 minutes 29 seconds East, a distance of 64.05 feet to a point;

Thence along a curve to the left, having a delta of 55 degrees 15 minutes 31 seconds, a radius of 150.00 feet, a tangent of 78.52 feet, an arc of 144.67 feet, a chord bearing of North 43 degrees 49 minutes 43 seconds East, and a chord length of 139.13 feet to a point;

Thence North 16 degrees 11 minutes 58 seconds East, a distance of 166.07 feet to a point;

Thence along a curve to the left, having a delta of 17 degrees 15 minutes 38 seconds, a radius of 1000.00 feet, a tangent of 151.78 feet, an arc of 301.25 feet, a chord bearing of North 07 degrees 34 minutes 08 seconds East, and a chord length of 300.12 feet to a point;

Thence North 01 degrees 03 minutes 41 seconds West, a distance of 84.67 feet to a point;

Thence along a curve to the left, having a delta of 09 degrees 05 minutes 09 seconds, a radius of 325.21 feet, a tangent of 25.84 feet, an arc of 51.57 feet, a chord bearing of North 04 degrees 39 minutes 01 seconds West, and a chord length of 51.52 feet to a point, said point being the southwest corner of Charles Lee, of record in Deed Book 356, Page 656, R.O.S.C., TN;

Thence, leaving the margin of said Liberty Lane right of way and following the south line of said Lee, South 89 degrees 29 minutes 30 seconds East, a distance of 825.82 feet to a point;

Thence South 89 degrees 10 minutes 20 seconds East, a distance of 818.52 feet to a point, said point being the southeast corner of said Lee;

Thence, with the east line of said Lee, North 05 degrees 53 minutes 25 seconds East, a distance of 797.46 feet, passing the northeast corner of said Lee along the way and from there following the east line of David Allen, of record in Deed Book 2209, Page 274, R.O.S.C, TN, to a point;

Thence, continuing with the east line of said Allen, North 05 degrees 53 minutes 02 seconds East, a distance of 380.36 feet, passing the northeast corner of said Allen along the way and from there following the east line of Sandra McDonald, of record in Deed Book 608, Page 148, R.O.S.C, TN, to a point;

Thence, continuing with the east line of said McDonald, North 06 degrees 18 minutes 55 seconds East, a distance of 238.69 feet to a point;

Thence North 06 degrees 16 minutes 30 seconds East, a distance of 241.68 feet, passing the northeast corner of said McDonald along the way and from there following the south line of Arthur Rawls, of record in Deed Book 3355, Page 856, R.O.S.C, TN, to a point;

Thence, continuing with the south line of said Rawls, South 82 degrees 51 minutes 20 seconds East, a distance of 271.38 feet to a point, said point being the southeast corner of said Rawls and the southwest corner of William Angell, of record in Deed Book 816, Page 117, R.O.S.C, TN;

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PC0214-13

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Thence, with the south line of said Angell, South 81 degrees 43 minutes 32 seconds East, a distance of 89.85 feet to a point;

Thence South 80 degrees 35 minutes 46 seconds East, a distance of 171.75 feet to a point;

Thence South 83 degrees 08 minutes 41 seconds East, a distance of 246.64 feet to a point;

Thence South 81 degrees 15 minutes 29 seconds East, a distance of 152.20 feet to a point;

Thence South 80 degrees 57 minutes 29 seconds East, a distance of 252.23 feet to a point;

Thence South 81 degrees 49 minutes 34 seconds East, a distance of 296.82 feet to a point, said point being the southwest corner of said Angell and the southwest corner of Gary Dorris, of record in Deed Book 521, Page 753, R.O.S.C, TN;

Thence, with the south line of said Dorris, South 81 degrees 04 minutes 40 seconds East, a distance of 1256.76 feet to a point being in the west line of Lawrence McMurtry, of record in Deed Book 163, Page 228, R.O.S.C, TN;

Thence, leaving the south line of said Dorris and following the west line of said McMurtry, South 24 degrees 50 minutes 34 seconds West, a distance of 1706.59 feet to a point, said point being the southwest corner of said McMurtry;

Thence, with the south line of said McMurtry, South 82 degrees 28 minutes 47 seconds East, a distance of 86.73 feet to a point;

Thence South 81 degrees 06 minutes 34 seconds East, a distance of 1397.13 feet to a point;

Thence South 05 degrees 49 minutes 12 seconds West, a distance of 145.15 feet to a point;

Thence South 79 degrees 24 minutes 54 seconds East, a distance of 826.23 feet to a point;

Thence South 06 degrees 48 minutes 03 seconds West, a distance of 538.74 feet to a point, said point being the northwest corner of V.L. and Carolyn Ivy, of record in Deed Book 1946, Page 840, R.O.S.C, TN;

Thence, leaving the south line of said McMurtry and following the west line of said Ivy, South 06 degrees 14 minutes 38 seconds West, a distance of 298.69 feet to a point, said Point being the northeast corner of Joseph Hufstedler, of record in Deed Book 1238, Page 1, R.O.S.C, TN;

Thence, leaving the west line of said Ivy and following the north line of said Hufstedler, North 82 degrees 39 minutes 59 seconds West, a distance of 720.58 feet, passing the northwest corner of said Hufstedler along the way and from there following the north line of Elizabeth Griffith, of record in Deed Book 3070, Page 607, R.O.S.C, TN, to a Point;

Thence, continuing with the north line of said Griffith, North 82 degrees 11 minutes 30 seconds West, a distance of 198.82 feet, passing the northwest corner of said Griffith along the way and from there following the north line of James Ray Mathis, of record in Book 277, Page 501, R.O.S.C, TN, to a Point;

Thence, continuing with the north line of said Mathis, North 75 degrees 43 minutes 34 seconds West, a distance of 61.68 feet to a Point;

Thence North 75 degrees 11 minutes 57 seconds West, a distance of 99.73 feet to a point;

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& ZONING

PC0214-19

EXHIBIT A ATTACHMENT

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Thence North 77 degrees 14 minutes 05 seconds West, a distance of 104.48 feet to a point;
Thence North 78 degrees 17 minutes 24 seconds West, a distance of 60.80 feet to a point;
Thence North 73 degrees 06 minutes 11 seconds West, a distance of 49.51 feet to a point;
Thence North 55 degrees 33 minutes 02 seconds West, a distance of 30.87 feet to a point;
Thence North 63 degrees 02 minutes 17 seconds West, a distance of 43.84 feet to a point;
Thence North 51 degrees 45 minutes 36 seconds West, a distance of 18.74 feet to a point;
Thence North 71 degrees 30 minutes 43 seconds West, a distance of 37.61 feet to a point;
Thence North 59 degrees 36 minutes 34 seconds West, a distance of 41.52 feet to a Point, said Point being the northwest corner of said Mathis;
Thence, with the west line of said Mathis, South 05 degrees 08 minutes 15 seconds East, a distance of 689.03 feet to a Point;
Thence South 00 degrees 06 minutes 49 seconds East, a distance of 104.03 feet to a point;
Thence South 09 degrees 35 minutes 23 seconds West, a distance of 525.47 feet to a point;
Thence South 09 degrees 27 minutes 10 seconds West, a distance of 833.56 feet to a point;
Thence South 09 degrees 07 minutes 28 seconds West, a distance of 310.71 feet to a point, said point being in the north margin of said Long Hollow Pike right of way;
Thence with the north margin of said Long Hollow Pike right of way South 88 degrees 39 minutes 29 seconds West, a distance of 567.11 feet to a point;
Thence South 88 degrees 42 minutes 33 seconds West, a distance of 100.95 feet to a point;
Thence South 88 degrees 36 minutes 47 seconds West, a distance of 83.10 feet to a point;
Thence South 88 degrees 37 minutes 55 seconds West, a distance of 872.36 feet to a point;
Thence South 86 degrees 15 minutes 50 seconds West, a distance of 396.30 feet to the Point of Beginning and containing 18,173,230.43 square feet or 417.20 acres more or less.

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PC0214-13

A RESOLUTION OF THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION APPROVING A MAJOR AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR THE CARELLTON SUBDIVISION, CONSISTING OF 417.2 (+/-) ACRES LOCATED NORTH OF WHITESTONE LANE NORTH OF LONG HOLLOW PIKE AT BIG STATION CAMP BOULEVARD – TO AMEND THE SITE LAYOUT, LOT SIZES, AND CHANGE THE OVERALL PHASING OF THE DEVELOPMENT — (PC0214-13)

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Amended Preliminary Master Development Plan submitted by the applicant, Dewey/Estes Engineering, at its regular meeting on January 27th, 2014; and

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

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

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to TCA § 13-3-104 and 13-4-103 and 13-4-104:

1. The proposed Amended Preliminary Master Development Plan is consistent with the purpose and intent of the Residential 8-Planned Residential Development (R-8PRD) zone district and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines and minimum building setback line requirements established in said zone district.
2. The proposed changes shown in the Amended Preliminary Master Development Plan do constitute a major amendment to the approved PMDP as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.
3. The amended PMDP is in agreement and consistent with the intent and recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan* for the area, and in particular, the Suburban Neighborhood Emerging.
4. It has been determined that the legal purposes for which zoning regulations exists have not been contravened.
5. It has been determined that the Amended PMDP will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.

EXHIBIT A

6. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
7. The Amended PMDP has been submitted to the City complying with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of a major amendment to the Preliminary Master Development Plan to Gallatin City Council with the following conditions:

1. Label the traffic circle landscape areas as an open space tract.
2. A separate rezoning Preliminary Master Development Plan application will be required to rezone this area (the proposed commercial outparcel). All rezoning requests will require approval from the Gallatin City Council.
3. Remove “Agricultural” uses in the Site Breakdown Table on Sheets C1.0, C1.1, and C1.2.
4. The PMDP will require amendment to show the lot layout and street connectivity when Tracts 2 and 3 develop.
5. Indicate by a plan note how lots (492, 493, 494, 495, 694, and 695), will be arranged to provide a building envelope that meets the typical lot layouts. (Staff will not support variances for these six (6) lots (492, 493, 494, 495, 694, and 695)
6. Show location of existing detention pond in open space "C".
7. Revise note 17 (sheet C0.0) addressing traffic signal to read:

Developers of the Carellton are responsible for the installation of a traffic signal at the intersection of Big Station Camp Boulevard/Long Hollow Pike/Carellton Drive per conditions of previous approval outlined in 6-28-2005 Sumner County Planning Commission minutes. A signal warrant study shall be performed by the developer(s) upon request by the City of Gallatin Engineering Division. Upon meeting signal warrants, the developer(s) shall install a signal to City standards. To ensure completion of the signal, a pro-rata surety shall be posted prior to recording of each plat in the Carellton development. The surety amount will be based upon the amount of traffic generated by the Carellton development to warrant a traffic signal as indicated in the approved traffic impact study.
8. Revise Phase lines to include the length of Bedford Way from the northern most roundabout to Liberty Lane, including the Liberty Lane re-alignment in Phase 4. A reduction in the number of lots shall not be considered a major amendment to this PMDP.
9. Add the following note to the PMDP:

The Preliminary Master Development Plan approval is conditioned with the understanding that upon completion of the Station Camp Corridor Traffic Study by the City of Gallatin, Final Master Development Plans, including final plats and site plans, will be subject to the findings and recommendations of said study. Pro-rata contributions toward traffic

EXHIBIT A

infrastructure improvements, as recommended in the study or subsequent traffic studies submitted for development review and approval may be required of development impacting select needed infrastructure improvements.

10. Submit 14 corrected folded copies of the Amended Preliminary Master Development.

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

IT IS SO ORDERED.

PRESENT AND VOTING

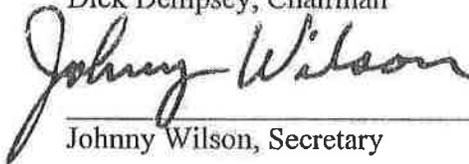
AYE: 6

NAY: 0

DATED: 1/27/14

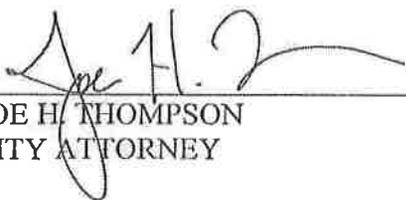


Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

ITEM 7



PLANNING DEPARTMENT STAFF REPORT

Amended Preliminary Master Development Plan for Carellton Subdivision

(PC0214-13)

North of Whitestone Lane, East of Liberty Lane – North of Long Hollow Pike at Big Station Camp Boulevard

Date: January 15, 2014

PUBLIC COMMENT

REQUEST: OWNER/APPLICANT REQUESTS APPROVAL TO AMEND THE CARELLTON PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) SITE LAYOUT, LOT SIZES, AND PHASING BY CHANGING THE ENTIRE CARELLTON SUBDIVISION EXCEPT PHASE 1-A AND 1-B.

OWNER: GREEN TRAILS, LLC (RICK DECKBAR)
APPLICANT: DEWEY/ESTES ENGINEERING (MICHAEL DEWEY)
STAFF RECOMMENDATION: RECOMMEND APPROVAL WITH CONDITIONS TO CITY COUNCIL
STAFF CONTACT: KEVIN CHASTINE
PLANNING COMMISSION DATE: JANUARY 27, 2014
CITY COUNCIL DATE: FEBRUARY 4, 2014

PROPERTY OVERVIEW: The owner and applicant are requesting approval of an Amended Preliminary Master Development Plan (PMDP) for the Carellton Subdivision (formerly known as the Paddock), zoned Residential-8 Planned Residential Development (R8-PRD). The amended PMDP will change the site layout, number of lots, lot sizes, and phasing for the entire Carellton subdivision, except Phase 1-A and 1-B. The development contains 719 residential lots, three (3) tracts for future large lot residential development, and 21 open space tracts on 417.2 (+/-) acres located north of Whitestone Lane, east of Liberty Lane north of Long Hollow Pike at Big Station Camp Boulevard. (Attachment 7-1)

CASE BACKGROUND:

Previous Approvals

Prior to annexation approved the Sumner County Planning Commission approved the Amended Preliminary Master Development Plan for The Paddock at the December 19, 2006 meeting, since it was located outside the Gallatin City Limits and the Gallatin Planning Region. The Final Master Development Plan for The Paddock was approved with conditions by the Sumner County Planning Commission at the January 23, 2007 meeting.

Carellton Subdivision – Amended PMDP (PC0214-13)

The City of Gallatin annexed this property on May 2, 2008 and established the Residential-8 Planned Residential Development (R8-PRD) zoning and Preliminary Master Development Plan for The Paddock on April 15, 2008, affective upon annexation. One-family attached and detached dwellings are permitted uses in the R8-PRD zone district.

The Gallatin Planning Commission approved, with conditions, an extension of the Sumner County approval for the Paddock Final Master Development Plan (PC9803-11) at the May 23, 2011 commission meeting. The Final Plat for Phase 1-A (PC File #1-15-08C) of The Paddock was approved, with conditions, at the June 23, 2008 Gallatin Planning Commission meeting. The Final Plat for Phase 1-A was recorded on July 25, 2013. The Preliminary Plat for Carellton Phase 1-B was approved, with conditions, August 26, 2013 Planning Commission meeting.

DISCUSSION:

Proposed Development

The owner/applicant requests approval of an Amended Preliminary Master Development Plan (PMDP) for the Carellton Subdivision located north of Long Hollow Pike at the intersection with Big Station Camp Boulevard. (Attachment 7-1) Per Section 12.02.050 of the Gallatin Zoning Ordinance, the Planning Commission must make a determination if the changes to the Carellton Preliminary Master Development Plan are considered a major or minor amendment. The applicant proposes changing the phasing for most of the Carellton subdivision, reducing the overall number of lots, reconfiguring the roadways, and creating eight (8) different lot sizes with a variety of architecture types for each area and lot type north of the existing Phase 1-A and 1-B. The amended PMDP will provide seven (7) phases north and northwest of the existing Phase 1-A and 1-B. Finally, the applicant is showing .91 (+/-) acres commercial outparcel along Long Hollow Pike, west of Carellton Drive. Commercial uses are not permitted or conditional in the R-8PRD zone district and shall be removed from the Amended PMDP. If the applicant is would like to consider a rezoning of this parcel in the future, they will be required to submit a separate Preliminary Master Development application to request rezoning of this outparcel.

Due to these proposed changes, staff requests that the Planning Commission consider the proposed changes as a major amendment to the Preliminary Master Development Plan.

Traffic Generation

With a reduction of up to 51 dwelling units with the amended PMDP, a projected 486 less vehicle trips could be generated by this development. Of these 486 trips, a 52 trip reduction would occur during the P.M. peak hour on area roadways.

Lot Types

The original Preliminary and Final master plans approved for Carellton included 773 single-family detached dwelling units lots that were divided among three (3) different lot types. (Attachment 7-2)

- 244 Estate Lots (15,000 square feet)
- 310 Manor Lots (10,000 square feet)
- 219 Cottage Lots (6,500 square feet)

The proposed amendments to the Carellton Subdivision PMDP will reduce the overall number of lots from 773 to 719, with the potential for 730 lots if Tract A, B, and C are utilized as large lot residential development. Although the overall number of lots is reduced, the variety of lot types will increase to eight (8) different lot types, including townhouse lots. Townhouse lots will be a new type of residential product not previously approved for this development. The new lot types and number of lots are as follows:

- 65 Estate Lots (12,000 square feet)
- 67 Manor Lots (9,600 square feet)
- 61 Classic Lots (10,200 square feet)
- 169 Prestige Lots (7,200 square feet)
- 118 Signature Lots (6,000 square feet)
- 90 Main Street Home Lots (4,000 square feet)
- 56 Villa Lots – Townhome (9,240 square feet for two (2) units)
- 93 Cottage Grove Lots – Townhome (10,340 square feet for three (3) units)
- Three (3) tracts for ~~agricultural~~ or large lot (greater than 10 acres) residential lots (up to 11 one-family detached dwelling units).

A table with the breakdown of the number of each lot type is provided Sheet C1.0 of the PMDP, and the typical lots for each lot type are provided on Sheet C4.0 of the PMDP.

Phasing

The applicant is also changing the overall phasing of the Carellton Subdivision north of the existing Phase 1-A and 1-B. As currently approved, there are now three (3) phases for the entire Carellton Subdivision; however the applicant is proposing eight (8) smaller phases, in addition to Phases 1-A and 1-B. The proposed phasing begins just north of Phase 1-B and moves north and west to phases 2 through 8. Part of phase 4 and all of phase 5 corresponds to the previous Phase 3, which had no site layout shown previous to this PMDP. The final phases (Phases 6-8) of Carellton begin are located to the west toward Liberty Lane. A phasing schedule is indicated on the PMDP Coversheet (C0.0) that shows the overall site map and distribution of the lot types and the location of each phase.

Proposed Commercial Outparcel

The applicant has also shown one (1) commercial outparcel (.91 (+/-) acres), which is located along Long Hollow Pike just west of Carellton Drive. The property is currently zoned R8-PRD, just like the remainder of the Carellton subdivision. The applicant desires to rezone that parcel to a commercial zone district, but will submit that rezoning at a different time.

Open Space/Tracts/Landscaping

The PMDP shows 21 different open space tracts (A – U) totaling 71.1 (+/-) acres that are located throughout the subdivision. Open Space A, G, H, I, and P relate to the existing streams flowing through the center of the property, while Open Space N and parts of Open Space A will be used for stormwater detention. Open Space G will include an Amenity Center with Clubhouse pool and small playground and function as a private neighborhood park. The traffic circle open space/landscape area should also be labeled as an open

space tract. All other open space areas have not been shown to have any use other than an open green space.

The subdivision also has three (3) tracts for future development, which are outside of the 21 open spaces. Tracts 1, 2, and 3 total 144.9 (+/-) acres and are located to the very north, east and west of the proposed residential development. The PMDP indicates that Tract 1 (near Liberty Lane) shall consist of one (1) residential unit ~~and have agricultural uses~~. No agricultural uses are permitted in the R8-PRD zoning district, so the Agricultural use will need to be removed from the Site Breakdown Table on Sheets C1.0, C1.1, and C1.2. Tract 2 and 3 is indicated for development of single family detached dwellings on minimum 10 acre lots. This would permit a maximum of 11 additional single family detached dwelling lots. Portions of these tracts contain steep slopes of greater than 20 percent, which may prevent development on these tracts. Since no potential lot layout or street connectivity has been shown in any of the tracts, the PMDP amendment will be required to show the lot layout as well as the street connectivity when Tracts 1, 2 and 3 develop.

The PMDP includes a preliminary landscaping plan that is similar to the previously approved PMDP and FMDP (Plan Sheets C3.1-3.3). The landscaping plan shows 133 additional large deciduous trees within many of the open space areas, around the proposed clubhouse, and detention areas. The landscaping plan also calls out several areas both inside of the development and along the property lines where existing vegetation will be utilized. A plan note indicates areas where existing vegetation to be preserved, that the existing vegetation will be supplemented with additional vegetation where needed. Detailed landscaping plans and a tree survey will be submitted with each Final Master Development Plan and construction plans.

Streets/Access

Since the proposed changes to the Carellton PMDP are north of Phase 1-A and 1-B the access points through these phases have not changed. An additional access point will be located on the western portion of the subdivision intersecting with the existing Liberty Lane. Liberty Lane will be realigned at the Bedford Way intersection to create a stop condition. This access has not changed from the previously approved plans for Carellton.

Notable changes in the street system include splitting Carellton Drive into a one-way pair north of Phase 1-B. The one-way pair will be divided by an existing stream that runs between the travel lanes of the street. The one-way pairs will have 30 foot rights-of-way and lots along the bifurcated section will gain vehicle access in the rear from 20 foot wide alleys. The other significant change to the street system is the creation of townhouse lots with rear alleys and a series of cul-de-sacs in Phase 4 and 5, east of Tract 2. All other roadways are generally in similar alignment with the previous plan and will consist of 50 or 60 foot wide rights-of-way. All proposed streets will be public streets. An amended PMDP will be required if additional streets are proposed in Tracts 1, 2, and 3.

The City of Gallatin will be undertaking a traffic study that will encompass the entire corridor of Big Station Camp Boulevard and adjacent roadways. This study will focus on traffic generation from the currently approved developments, extant development, and potential build out under the current zoning of undeveloped property. The results of this study will identify the need for transportation infrastructure improvements throughout the Station

Carellton Subdivision - Amended PMDP (PC0214-13)

Camp corridor, the projects costs of the improvements, and how the cost of the improvements can be financed by developments within the Station Camp Corridor.

Carellton will be one of many properties to contribute to the future transportation needs in the area. The applicant shall revise note 17, on Sheet C0.0, to address transportation improvements.

Developers of the Carellton are responsible for the installation of a traffic signal at the intersection of Big Station Camp Boulevard/Long Hollow Pike/Carellton Drive per conditions of previous approval outlined in 6-28-2005 Sumner County Planning Commission minutes. A signal warrant study shall be performed by the developer(s) upon request by the City of Gallatin Engineering Division. Upon meeting signal warrants, the developer(s) shall install a signal to City standards. To ensure completion of the signal, a pro-rata surety shall be posted prior to recording of each plat in the Carellton development. The surety amount will be based upon the amount of traffic generated by the Carellton development to warrant a traffic signal as indicated in the approved traffic impact study.

Floodplain and Floodway

Station Camp Creek flows along the western edge of the Carellton PMDP property. Portions of Tract 1 and 2, and Open Space Tract A are located within the floodway and floodplain (Zone AE) of Station Camp Creek. All lots, and/or detention ponds will be located outside of any floodway and/or floodplain. Only the extremely westerly portion of Bedford Way, near the intersection with Liberty Lane, will be located in the floodplain. All other streets are outside of the floodplain. Also, a floodplain (Zone A), located in Open Space B and C, exists parallel to Long Hollow Pike and was partially included in Phase 1-A.

Steep Slopes

Per Section 12.13 of the Gallatin Zoning Ordinance, the applicant has shown the areas that have slopes of 20 percent or greater. For the most part the development stays out of these areas, but there are six (6) lots that encompass small areas of 20 percent or greater slopes. This includes lots are 492, 493, 494, 495, 694, and 695. The applicant shall note on the plan how these lots (492, 493, 494, 495, 694, and 695) will be arranged to provide a building envelope that meets the typical lot layouts. Also, staff will not support variances for these six (6) lots because the applicant is creating the potential need of a variance due to building lots on excessively steep slopes. Relocating or reconfiguring these lots should be considered a minor amendment to the PMDP so long as no increase in the number of lots occurs.

Parking

The parking ratio for any residential use is two (2) parking spaces per unit. With 719 lots shown on the PMDP, the Carellton Subdivision is required 1,438 total parking spaces. If future residential development is proposed on Tracts 1, 2, and/or 3 these developments will be required to provide additional parking above what is indicated on this amended PMDP. The PMDP indicates the 1,438 parking spaces will be provided within garages and driveways. The PMDP also includes 120 guest parking spaces and an additional 27 parking spaces provided at the proposed Clubhouse and Pool. All total the development is

providing 1,585 total parking spaces, which exceeds the spaces required by the Gallatin Zoning Ordinance.

Signing

The entrance signs for the Carellton Subdivision were approved as part of Phase 1-A, and are currently being installed. However, the applicant has shown three (3) additional signs in Phases 1-B, 2 and 4. The applicant has noted these signs could be either small monument signs or columns to denote different sections of the subdivision. The applicant has not provided a preliminary design for these additional signs with this PMDP, but will be required to submit a detailed sign package as part of the Final Master Development Plan for the future phases that contain additional signs.

Drainage and Retention

The applicant has shown the stormwater infrastructure and detention ponds on the PMDP. There are two (2) existing detention ponds in Open Space 'A' west of Carellton Drive in the existing Phase 1-A, and in Open Space 'C' east of Arlington Park (not shown on this plan). There are three (3) additional detention pond areas totaling 3.1 acres within Open Space Tracts 'A' and 'N'. The new site layout funnels stormwater runoff into the existing stream that divides the site. The applicant shall provide more detailed information for the detention ponds and stormwater infrastructure on the Final Master Development Plan for each of the future phases.

Buildings and Architectural Elevations

The applicant has provided architectural elevations for all of the proposed lot types except the Estate and Manor lot types, which were approved as part of the existing Phase 1-A and 1-B. (Attachment 7-3)

The architecture for the Classic and Prestige Lot types (Areas C & D) provide 29 samples of two (2) story residences and 15 samples of one (1) story, and one and a half (1½) story elevations. The building materials are primarily brick and/or stone with siding located on the second story or as accent materials on roof dormers or in the gable ends of the roof.

The architecture for the Signature Lot type (Area E) provides three (3) samples of one (1), and one and a half (1½) story residences. Two (2) of the elevations utilize brick and stone on the front elevation and siding on the side and rear elevations, while the third sample utilizes siding on all four (4) elevations with brick column bases on the front porch.

The architecture for the Mainstreet Lot type (Area F) provides two (2) samples of two (2) story residences. The first sample utilizes siding on all four (4) elevations while the second sample utilizes brick on the first floor and half-timbering on the second floor.

The architecture for the Villa and Cottage Grove Lot types (Areas G & H) provides two (2) samples of one (1), and one and a half (1½) story attached residences. Both samples utilize brick and/or stone on the first floor with siding or half-timbering utilized in the gable ends of roofs or on roof dormers.

Carellton Subdivision – Amended PMDP (PC0214-13)

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

Engineering Division Comments

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

1. Show location of existing detention pond in open space "C".
2. Revise note 17 (sheet C0.0) addressing traffic signal to read:
Developers of the Carellton are responsible for the installation of a traffic signal at the intersection of Big Station Camp Boulevard/Long Hollow Pike/Carellton Drive per conditions of previous approval outlined in 6-28-2005 Sumner County Planning Commission minutes. A signal warrant study shall be performed by the developer(s) upon request by the City of Gallatin Engineering Division. Upon meeting signal warrants, the developer(s) shall install a signal to City standards. To ensure completion of the signal, a pro-rata surety shall be posted prior to recording of each plat in the Carellton development. The surety amount will be based upon the amount of traffic generated by the Carellton development to warrant a traffic signal as indicated in the approved traffic impact study.
3. Revise Phase lines to include the length of Bedford Way from the northern most roundabout (at Carellton Drive) to Liberty Lane, including the Liberty Lane re-alignment in Phase 4.
4. Add the following note to the PMDP:
The Preliminary Master Development Plan approval is conditioned with the understanding that upon completion of the Station Camp Corridor Traffic Study by the City of Gallatin, Final Master Development Plans, including final plats and site plans, will be subject to the findings and recommendations of said study. Pro-rata contributions toward traffic infrastructure improvements, as recommended in the study or subsequent traffic studies submitted for development review and approval may be required of development impacting select needed infrastructure improvements.

Other Departmental Comments

Other City Departments reviewed and commented on the Amended Preliminary Master Development Plan. All of the Other Departmental Comments have been satisfied.

FINDINGS OF FACT PER T.C.A. §13-3-104, §13-4-103, §13-4-104:

1. The proposed Amended Preliminary Master Development Plan is consistent with the purpose and intent of the Residential 8-Planned Residential Development (R-8PRD) zone district and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines and minimum building setback line requirements established in said zone district.

2. The proposed changes shown in the Amended Preliminary Master Development Plan do constitute a major amendment to the approved PMDP as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.
3. The amended PMDP is in agreement and consistent with the intent and recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan* for the area, and in particular, the Suburban Neighborhood Emerging.
4. It has been determined that the legal purposes for which zoning regulations exists have not been contravened.
5. It has been determined that the Amended PMDP will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
6. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
7. The Amended PMDP has been submitted to the City complying with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of Resolution 2013-96, a Major Amendment to the Preliminary Master Development Plan for the Carellton development consisting of a 14 sheet plan, prepared by Dewey/Estes Engineering of Nashville TN, with project No. 12017 and dated November 12, 2013, located north of Whitestone Lane east of Liberty Lane, and north of Long Hollow Pike at Big Station Camp Boulevard, with the following conditions:

1. Label the traffic circle landscape areas as an open space tract.
2. A separate rezoning Preliminary Master Development Plan application will be required to rezone this area (the proposed commercial outparcel). All rezoning requests will require approval from the Gallatin City Council.
3. Remove "Agricultural" uses in the Site Breakdown Table on Sheets C1.0, C1.1, and C1.2.
4. The PMDP will require amendment to show the lot layout and street connectivity when Tracts 2 and 3 develop.
5. Indicate by a plan note how lots (492, 493, 494, 495, 694, and 695), will be arranged to provide a building envelope that meets the typical lot layouts. (Staff will not support variances for these six (6) lots (492, 493, 494, 495, 694, and 695)
6. Show location of existing detention pond in open space "C".
7. Revise note 17 (sheet C0.0) addressing traffic signal to read:

Developers of the Carellton are responsible for the installation of a traffic signal at the intersection of Big Station Camp Boulevard/Long Hollow Pike/Carellton Drive per conditions of previous approval outlined in 6-28-2005 Sumner County Planning Commission minutes. A signal warrant study shall be performed by the developer(s) upon request by the City of Gallatin Engineering Division. Upon meeting signal warrants, the developer(s) shall install a signal to City standards. To ensure completion of the signal, a pro-rata surety shall be

posted prior to recording of each plat in the Carellton development. The surety amount will be based upon the amount of traffic generated by the Carellton development to warrant a traffic signal as indicated in the approved traffic impact study.

8. Revise Phase lines to include the length of Bedford Way from the northern most roundabout to Liberty Lane, including the Liberty Lane re-alignment in Phase 4. A reduction in the number of lots shall not be considered a major amendment to this PMDP.
9. Add the following note to the PMDP:
The Preliminary Master Development Plan approval is conditioned with the understanding that upon completion of the Station Camp Corridor Traffic Study by the City of Gallatin, Final Master Development Plans, including final plats and site plans, will be subject to the findings and recommendations of said study. Pro-rata contributions toward traffic infrastructure improvements, as recommended in the study or subsequent traffic studies submitted for development review and approval may be required of development impacting select needed infrastructure improvements.
10. Submit 14 corrected folded copies of the Amended Preliminary Master Development.

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

(A draft City Council Ordinance to amend the zoning/PMDP is provided in Attachment 7-5)

ATTACHMENTS

Attachment 7-1	Preliminary Master Development Plan
Attachment 7-2	Existing PMDP/FMDP
Attachment 7-3	Architectural Elevations
Attachment 7-4	Gallatin on the Move 2020 - Character Area Information
Attachment 7-5	Draft City Council Ordinance

SUBURBAN NEIGHBORHOOD EMERGING

General Description of Existing Development Patterns

Suburban Neighborhood Emerging areas are where pressure for conventional suburban residential subdivision development and associated commercial development along arterials and major roads is greatest. These areas are expected to accommodate a vast majority of the City's projected residential growth.

Location

Areas within this character area include the following:

- Undeveloped and rapidly-developing areas of West Gallatin north of Long Hollow Pike including Cottonwood/Upper Station Camp area, Twin Eagles
- Developing areas of East Gallatin along Hartsville Pike, Broadway
- Undeveloped areas of Southeast Gallatin near Drivers Lane and Coles Ferry Road
- West Gallatin undeveloped and developing portions of the Douglass Bend area

Intent

The development pattern should seek to:

- Provide for development of conventional suburban low-to-medium residential densities with scattered civic buildings, and varied street patterns (curvilinear), but limited the use of cul-de-sacs.
- Allow for master-planned development that blends residential development with schools, parks and recreation, linked in a compact pattern that encourages walking and minimizes the need for short auto trips
- Provide street design that fosters traffic calming such as narrower residential streets, on-street parking and street trees
- Provide connected systems of streets within new subdivisions and connect to existing subdivisions
- Provide adequate open space with active and passive recreation opportunities for area residents
- Maintain the natural tree canopy as much as possible
- Provide safe facilities for pedestrians, schools buses, and bicyclists using the road right-of-way including sidewalks and street trees

EMERGING SUBURBAN

Anticipated level of change:

- High

Transportation

- Low level of service
- Medium level of connectivity
- Properties accessed by public roads
- Regular-shaped, medium-to-long blocks
- Roads characterized by curb, gutter with sidewalk

Infrastructure

- Public water and sewer available (or planned)
- Civic spaces such as greenways, parks, common areas

Greenspace

- Adjacent Preserve areas
- Neighborhood parks
- Community gardens

Primary Land Uses

- Single family residential
- Small and large-scale apartments and townhomes
- Public/Institutional

Appropriate Residential Net Density

- 1-3 units per acre

Applicable Zoning Districts

Existing Zoning Districts

- R-15, R-20, R-40, MRO

Proposed Zoning Districts

- No proposed new districts

- Allow for connection to a network of greenways/trails wherever possible
- Accommodate a variety of housing choices

Development Strategies

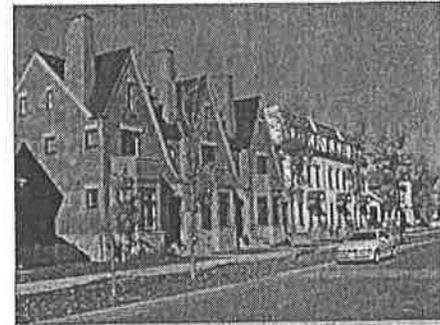
- Connect new development to Suburban Neighborhood areas where possible in order to provide residents and visitors with more choices for moving through the neighborhoods
- Require multiple stub out streets to allow for future connectivity when adjacent properties develop, and post signage to state the future intention of the City to connect

Implementation Measures

- ☞ Update street connectivity requirements/exception criteria
- ☞ Add tree protection requirements



Suburban Neighborhood Emerging areas will include pedestrian friendly one-family uses



Attached housing provides housing choice and is encouraged in Suburban Neighborhood Emerging areas



City of Gallatin, Tennessee

Planning Department

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

DATE: January 28th, 2014

TO: Mr. Michael Dewey
Dewey – Estes Engineering
2925 Berry Hill Drive
Nashville, TN 37204

FROM: Gallatin Planning Department

RE: January 27th, 2014, Gallatin Municipal-Regional Planning Commission Meeting
Carellton Subdivision, Amended PMDP, File: PC0214-13

At the above referenced meeting, the Planning Commission considered the proposed amendment to the Preliminary Master Development Plan as a Major Amendment pursuant to Gallatin Zoning Ordinance Section 12.02.050 A and H.

- RECOMMENDED
 RECOMMENDED WITH CONDITIONS
 NOT RECOMMENDED
 DEFERRED

Planning Commission recommend approval of the Amended Preliminary Master Development Plan for Carellton Subdivision to City Council with the following conditions of approval:

1. Label the traffic circle landscape areas as an open space tract.
2. A separate rezoning Preliminary Master Development Plan application will be required to rezone this area (the proposed commercial outparcel). All rezoning requests will require approval from the Gallatin City Council.
3. Remove "Agricultural" uses in the Site Breakdown Table on Sheets C1.0, C1.1, and C1.2.
4. The PMDP will require amendment to show the lot layout and street connectivity when Tracts 2 and 3 develop.
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EXHIBIT A



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8. Revise Phase lines to include the length of Bedford Way from the northern most roundabout to Liberty Lane, including the Liberty Lane re-alignment in Phase 4. A reduction in the number of lots shall not be considered a major amendment to this PMDP.
9. Add the following note to the PMDP:
The Preliminary Master Development Plan approval is conditioned with the understanding that upon completion of the Station Camp Corridor Traffic Study by the City of Gallatin, Final Master Development Plans, including final plats and site plans, will be subject to the findings and recommendations of said study. Pro-rata contributions toward traffic infrastructure improvements, as recommended in the study or subsequent traffic studies submitted for development review and approval may be required of development impacting select needed infrastructure improvements.
10. Submit 14 corrected folded copies of the Amended Preliminary Master Development.

Approval contains the following requirements:

BUILDING PERMIT/USE AND OCCUPANCY PERMIT

ZONING PERMIT

SIGN PACKAGE/PERMIT

LAND DISTURBANCE PERMIT

SIGNAGE CHECK



City of Gallatin, Tennessee

Planning Department

- UTILITY SURETY
- MAINTENANCE SURETY
- SIDEWALK SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT 14 CORRECTED, FOLDED COPIES (ALL HALF SIZE IF ORIGINAL PLANS ARE LARGER THAN 18 x 24) FOR INCLUSION IN CITY COUNCIL PACKETS.
- OTHER

- CITY COUNCIL APPROVAL
 - Council Committee: 2/11/14
 - 1st Reading at City Council: 2/18/14
 - Ad runs for Public Hearing by Codes/Planning Department: 2/13/14
 - Public Hearing 3/04/14
 - 2nd Reading at City Council: 3/18/14

cc: PC File PC0214-13

EXHIBIT A

EXHIBIT B

Development shall be consistent with the Amended Preliminary Master Development Plan for Carellton, consisting of a 14 sheet plan, prepared by Dewey/Estes Engineering of Nashville, Tennessee, with project No. 12017, dated November 27, 2013, with a received stamp dated January 21, 2014, and a 21 sheet architectural elevation rendering package for Areas C through H, prepared by the ML Group of Flower Mound, Texas, stamp dated November 27, 2013 with the following conditions:

1. Remove "Commercial" uses designation in the Project Summary on Plan Sheets C0.0, and remove the "Commercial Outparcel 0.91 acres" designation on Plan Sheet C1.0 and label the area as a tract for future development.
2. The PMDP will require amendment to show the lot layout and street connectivity when Tracts 2 and 3 develop.

EXHIBIT B

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

FEBRUARY 11, 2014

DEPARTMENT: CODES/PLANNING

AGENDA # 10

SUBJECT:

Ordinance O1312-74 amending and reaffirming the Residential 8 Planned Residential Development Plan (R8-PRD) and amending the Preliminary Master Development Plan.

SUMMARY:

Applicant requests approval to amend the Gallatin Zoning Ordinance for property containing 417.2 (+/-) acres located north of Long Hollow Pike at Big Station Camp Boulevard and East of Liberty Lane. The Gallatin Municipal-Regional Planning Commission recommended approval at the January 27, 2014 Planning Commission meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

EXHIBIT A

ORDINANCE TO VACATE RIGHT-OF-WAY TO ABC GROUP PROPERTIES INC.

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

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

Section 1. That, upon completion by ABC Group Properties Inc. of constructing a cul-de-sac at the end of ABC Boulevard and all water, gravity sanitary sewer, sewer force main, and natural gas relocations and dedication of such improvements to the appropriate governmental authority, all that portion of the right-of-way as described on ABC Technologies Expansion Site Plan, reference number PC0164-13, is wholly vacated and shall no longer be a part of the street and alley systems of the City of Gallatin and is hereby transferred to ABC Group Properties Inc..

Section 2. That the Mayor is authorized to execute any and all documents necessary to effectuate the terms of this agreement.

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

Passed first reading: September 3, 2013.

Passed second reading: _____

JO ANN GRAVES, MAYOR

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON, CITY ATTORNEY

RESOLUTION APPROVING A SITE PLAN FOR ABC TECHNOLOGIES IN ORDER TO CONSTRUCT AN 181,620 SQUARE FOOT BUILDING AND THE ABANDONMENT OF A PORTION OF ABC BOULEVARD RIGHT-OF-WAY AND DEDICATION OF RIGHT-OF-WAY- PC0164-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Site Plan submitted by the applicant, Denham Blythe Company, at its regular meeting on August 26, 2013; and

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

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

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

1. The site plan is in agreement and consistent with the policies and recommendations in the General Development and Transportation Plan.
2. It has been determined that the legal purposes for which zoning and subdivision regulations exists have not been contravened.
3. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can be justified by the public good or welfare.
4. It has been determined that no one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby approves the site plan with the following conditions of approval:

1. The Planning Commission approve the architectural elevations as submitted.
2. The Planning Commission approve the landscaping plan as submitted.

3. The applicant shall show and label parcel 63.04 (adjacent to proposed property) to be 'Zoned IG'.
4. The applicant shall correct the location of the proposed monument sign to be 15 feet set back from the property line.
5. The applicant shall submit a detailed sign package to the Codes/Planning Department for review and approval prior to issuance of a sign permit. The applicant shall obtain a sign permit prior to the installation of any signage.
6. The applicant shall understand that if Planning Commission approves this site plan and recommends the abandonment of the right-of-way to City Council, the abandonment request will be placed on the next available City Council agenda for first reading of the ordinance.
7. The applicant shall be aware that the approval of this site plan is dependent upon recommendation and approval of the shown right-of-way abandonment, and dedication and acceptance of the shown right-of-way dedication by Planning Commission and City Council.
8. The applicant shall provide a traffic impact study per Section 13.06 of Gallatin Zoning Ordinance. The city is still exploring a TDOT SIA grant that would possibly satisfy this condition.
9. The applicant shall be aware that the approval of this site plan is conditioned upon approval of an appropriate traffic impact study and construction and implementation of those improvements and policies identified in the study which the City Engineer determines are necessary to implement the purposes of the Gallatin Zoning Ordinance.
10. The applicant shall provide a legal description and exhibit for the right-of-way abandonment prior to the abandonment of the right-of-way by City Council.
11. The applicant shall provide a legal description, an exhibit, Irrevocable Offer of Dedication, and subdivision performance surety for the improvements within the right-of-way dedication prior to the acceptance of the right-of-way abandonment by City Council.
12. The applicant shall provide a copy of TDEC Notice of Coverage to the Engineering Division prior to issuance of the Land Disturbance Permit.
13. The applicant shall provide an executed and recorded Stormwater Inspection and Maintenance Agreement to the Engineering Division prior to any issuance of any permits.
14. The applicant should evaluate providing an access to Steam Plant Road across the railroad right-of-way.
15. The applicant shall submit detailed plans and specifications for water and sanitary sewer installation to the Gallatin Public Utilities Department for review and approval.
16. The applicant is responsible for all costs associated with the relocation of the public utilities.
17. The applicant shall comply with all proposed natural gas relocation work shall be performed by Gallatin Public Utilities' authorized contractor.
18. The applicant shall comply with all applicable cross-connection control and sewer use regulations.

19. The applicant shall submit a minor subdivision plat and it shall be recorded prior to the issuance of any permits.
20. The applicant shall submit a utility surety, in the amount of \$190,000, to the Codes/Planning Department prior to the recording of the minor subdivision plat.
21. The applicant shall submit a site surety, in an amount to be determined by the applicant and approved by Codes/Planning Department, to the Codes/Planning Department prior to the issuance of any permits.
22. The applicant shall submit a subdivision surety, to be determined by the Engineering Division, to the Codes/Planning Department prior to the recording of the minor subdivision plat.
23. The applicant shall submit three (3) corrected, folded copies of the site plan to the Codes/Planning Department prior to issuance of any permits. Please submit one (1) full size plan and two (2) half size plans to the Codes/Planning Department.

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

PRESENT AND VOTING

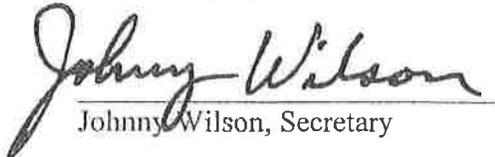
AYE: 7

NAY: 0

DATED: 8/26/2013



Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY



City of Gallatin, Tennessee

Codes/Planning Department

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

DATE: August 27, 2013

TO: Mr. Joshua M. Lyon
Klober Engineering Services
3556 Tom Austin Highway, Suite 7
Springfield, TN 37072

FROM: Gallatin Codes/Planning Department

RE: August 26, 2013, Gallatin Municipal-Regional Planning Commission Meeting
ABC Technologies Expansion, Site Plan File: PC0164-13

At the above referenced meeting, the request for approval of a Site Plan was:

- APPROVED
- APPROVED WITH CONDITIONS
- DENIED
- DEFERRED

Conditions of Approval:

1. The Planning Commission approves the architectural elevations as submitted.
2. The Planning Commission approves the landscaping plan as submitted.
3. The applicant shall show and label parcel 63.04 (adjacent to proposed property) to be 'Zoned IG'.
4. The applicant shall correct the location of the proposed monument sign to be 15 feet set back from the property line.
5. The applicant shall submit a detailed sign package to the Codes/Planning Department for review and approval prior to issuance of a sign permit. The applicant shall obtain a sign permit prior to the installation of any signage.
6. The applicant shall understand that if Planning Commission approves this site plan and recommends the abandonment of the right-of-way to City Council, the abandonment request will be placed on the next available City Council agenda for first reading of the ordinance.
7. The applicant shall be aware that the approval of this site plan is dependent upon recommendation and approval of the shown right-of-way abandonment, and dedication and acceptance of the shown right-of-way dedication by Planning Commission and City Council.



8. The applicant shall provide a traffic impact study per Section 13.06 of Gallatin Zoning Ordinance. The city is still exploring a TDOT SIA grant that would possibly satisfy this condition.
9. The applicant shall be aware that the approval of this site plan is conditioned upon approval of an appropriate traffic impact study and construction and implementation of those improvements and policies identified in the study which the City Engineer determines are necessary to implement the purposes of the Gallatin Zoning Ordinance.
10. The applicant shall provide a legal description and exhibit for the right-of-way abandonment prior to the abandonment of the right-of-way by City Council.
11. The applicant shall provide a legal description, an exhibit, Irrevocable Offer of Dedication, and subdivision performance surety for the improvements within the right-of-way dedication prior to the acceptance of the right-of-way abandonment by City Council.
12. The applicant shall provide a copy of TDEC Notice of Coverage to the Engineering Division prior to issuance of the Land Disturbance Permit.
13. The applicant shall provide an executed and recorded Stormwater Inspection and Maintenance Agreement to the Engineering Division prior to any issuance of any permits.
14. The applicant should evaluate providing an access to Steam Plant Road across the railroad right-of-way.
15. The applicant shall submit detailed plans and specifications for water and sanitary sewer installation to the Gallatin Public Utilities Department for review and approval.
16. The applicant is responsible for all costs associated with the relocation of the public utilities.
17. The applicant shall comply with all proposed natural gas relocation work shall be performed by Gallatin Public Utilities' authorized contractor.
18. The applicant shall comply with all applicable cross-connection control and sewer use regulations.
19. The applicant shall submit a minor subdivision plat and it shall be recorded prior to the issuance of any permits.
20. The applicant shall submit a utility surety, in the amount of \$190,000, to the Codes/Planning Department prior to the recording of the minor subdivision plat.
21. The applicant shall submit a site surety, in an amount to be determined by the applicant and approved by Codes/Planning Department, to the Codes/Planning Department prior to the issuance of any permits.
22. The applicant shall submit a subdivision surety, to be determined by the Engineering Division, to the Codes/Planning Department prior to the recording of the minor subdivision plat.



City of Gallatin, Tennessee

Codes/Planning Department

23. The applicant shall submit three (3) corrected, folded copies of the site plan to the Codes/Planning Department prior to issuance of any permits. Please submit one (1) full size plan and two (2) half size plans to the Codes/Planning Department.

Approval contains the following requirements:

- NONE
- BUILDING PERMIT/USE AND OCCUPANCY PERMIT
- ZONING PERMIT
- SIGN PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK
- UTILITY SURETY
- SITE SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL: The abandonment and dedication of the right-of-way was discussed at the August 27, 2013 Council Committee meeting. It is also on the September 3, 2013 City Council agenda for First Reading.

Please contact the Engineering Division for details.

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

cc: Mr. Iggy Musaji, ABC Properties, Toronto, Ontario Canada
PC File PC0164-13

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 27, 2013

DEPARTMENT: **Engineering**

AGENDA # 3

SUBJECT:

Right of Way Abandonment on ABC Blvd

SUMMARY:

ABC Technologies has requested that the right of way, shown on the attached drawing, be abandoned. Abandonment is recommended with conditions that the cul-de-sac on ABC Boulevard must be constructed and all utility relocations must be completed by ABC Properties Group Inc. prior to the deed being recorded.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. O14Ø2-7

ORDINANCE APPROPRIATING FUNDS FOR COMPLETION OF
INFRASTRUCTURE IMPROVEMENTS IN CYPRESS GARDENS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$36,000 is hereby appropriated from surety proceeds received from Capstar Bank for completion of infrastructure in the Cypress Gardens subdivision;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$36,000 be appropriated from account number 110-35200, Forfeitures, to account number 311-41670-931-71, Cypress Gardens Subdivision;

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON, CITY ATTORNEY

0458973

CASHIER'S CHECK

NOTICE TO CUSTOMERS

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE THIS CHECK WILL BE REPLACED OR REFUNDED IN THE EVENT IT IS LOST, MISPLACED OR STOLEN.

003715

87.93A/B4D

REMITTER
CapStar Bank

DATE August 05, 2013

PAY TO THE ORDER OF
City Of Gallatin
***ref: Cypress Gardens Letter of Credit**
*Renewal***

\$ 36,000.00

THIRTY SIX THOUSAND DOLLARS AND ZERO CENTS

DOLLARS



CAPSTAR BANK



Jakiela Jenkins

PC File # 1-40 003715 -05C

SECURITY FEATURES INCLUDED. DETAILS ON BACK

Cypress gardens
subdivision

31141670-931-71

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

FEBRUARY 25, 2014

DEPARTMENT: Engineering

AGENDA # 2

SUBJECT:

ORDINANCE APPROPRIATING FUNDS RECEIVED FOR COMPLETION OF
INFRASTRUCTURE IMPROVEMENTS IN CYPRESS GARDENS SUBDIVISION

SUMMARY:

The City has received \$36,000 from surety proceeds for the completion of infrastructure in Cypress Gardens subdivision. The attached ordinance is to appropriate this money to a capital outlay line item.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE APPROPRIATING FUNDS FOR COMPLETION OF
INFRASTRUCTURE IMPROVEMENTS IN FOXLAND SUBDIVISION

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$76,400 is hereby appropriated from surety proceeds received in 2011 from Capitol Indemnity Corporation for completion of infrastructure in Phase 1, Section 1 of Foxland Subdivision;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$76,400 be appropriated from the undesignated balance of the General Fund to account number 311-41670-931-17, Foxland;

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

FEBRUARY 25, 2014

DEPARTMENT: **Engineering**

AGENDA # 1

SUBJECT:

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

SUMMARY:

In 2011, the City received \$76,400 from surety proceeds for the completion of infrastructure in Phase 1, Section 1 of Foxland subdivision. The attached ordinance is to appropriate this money to a capital outlay line item.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION APPOINTING STAN CARVER AS A MEMBER OF THE GALLATIN
ELECTRIC BOARD

WHEREAS, T.C.A. § 7-52-108 provides that directors of a municipal electric board shall be appointed by the chief executive with confirmation by the governing body of the municipality; and

WHEREAS, the Mayor has nominated Stan Carver to replace L.A. Green to serve the remaining (4) year term that expires on July 1, 2015.

NOW THEREFORE BE IT RESOLVED, that Stan Carver is hereby appointed to the Gallatin Electric Power Board.

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED: March 4, 2014.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

February 25 2014

DEPARTMENT: Mayor Graves

AGENDA #

SUBJECT:

Power Board Appointment

SUMMARY:

Mayor Graves will present a resolution at the meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

Mayor nominated Stan Carver at the February 25, 2014 meeting and Council unanimously endorsed the nomination.