
CITY OF GALLATIN COUNCIL COMMITTEE MEETING

May 13, 2014

6:00 p.m.

**Dr. J Deotha Malone
Council Chambers**

- Call to Order – Vice Mayor Alexander
- Roll Call: Brackenbury – Camp – Kemp – Hayes – Mayberry – Overton – Mayor Graves
- Approval of Minutes: April 22, 2014 Council Committee Meeting
- Public Recognition
- Mayor's Comments

AGENDA

1. Appropriate Funds to Cover Increased Red Light Camera Activity (**Rachel Nichols, Finance Director**)
2. Appropriate Funds Received from Insurance Payments (**Rachel Nichols, Finance Director**)
3. Appropriate Funds to Cover Payout of Retired Employee (**Rachel Nichols, Finance Director**)
4. 511 Randolph Circle/Vertrees Subdivision Easement (**Vice Mayor Alexander**)
5. 2014-2015 Paving List (**Nick Tuttle, City Engineer**)
6. Ordinance No. O14Ø3-12 - Cairo Road Development Rezoning (**Bill McCord, City Planner**)
7. Resolution No. R14Ø5-19 Approving Use of City Owned Right-of-Way for Installation of Identification Markers, Trees, and Landscaping for Fairvue Plantation Homeowner's Association (**Bill McCord, City Planner**)
8. Bulletproof Vest Partnership Application (**Don Bandy, Police Chief**)
9. Appropriation of Funds From Revenue Received by Sale of Surplus Property (**Don Bandy, Police Chief**)
10. Tax Rate Ordinance for Fiscal Year 2015 and Tax Year 2014 (**Rachel Nichols, Finance Director**)
11. 2014/2015 Budget (**Mayor Graves**)

- Other Business
- Department Head Reports
- Adjourn

City of Gallatin Council Committee Meeting

Tuesday, April 22, 2014
Dr. J. Deotha Malone Council Chambers

PRESENT:

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

ABSENT:

None

OTHERS PRESENT:

Rosemary Bates, Special Projects Director
Rachael Nichols, Finance Director
Ronnie Stiles, Public Works Director
Don Bandy, Police Chief
David Brown, Leisure Services Director
Chuck Stuart, Codes Director
News Examiner, Reporter

Billy Crook, Fire Chief
Nick Tuttle, City Engineer
Debbie Johnson, Personnel Director
David Kellog, Public Utilities Dept.
James Fenton, EDA Director
Vickie Willoughby, Finance Department
Gallatin Newspaper, Reporter

Councilman Overton called the meeting to order.

Approval of Minutes

Councilman Overton presented the minutes of the April 8, 2014 Committee Meeting for approval.

Councilwoman Kemp made motion to approve; Councilman Hayes seconded. Motion carried with 7 ayes and 0 nays.

Public Recognition

Councilman Overton opened public recognition.

Mr. Steve Christopher, Lead Attorney for the Legal Aid Society, and Mr. Walter Stubbs, Member of the Legal Aid Society Board of Directors, requested consideration for a Community Enhancement Grant for the Gallatin based Legal Aid Society. This is a non-profit law firm working for indigent residents on civil issues without charge.

Mr. Ronald Morrow, 105 Beth Court spoke on the concerned residents living near Triple Creek Park and the noise from events held at the park. Mr. Morrow said the park was designed as an athletic park and events such as the tractor pull should be held at other venues such as the Fairgrounds. Mr. Morrow asked how a State funded park could be used for anything but its original purpose as an athletic park.

Ms. Katherine Devereux, 102 Beth Court, said the vibration in her home during the tractor pull moved glassware and dishes on the shelves.

Mr. Bob Thomas of 166 Grandview Circle said he is concerned with the agenda item titled "exceptions to the noise ordinance". Mr. Thomas read from a newspaper article written when the park was first built. Mr. Thomas said he looked up government park grants and there may be restrictions that were put on the park.

No one else came forward to speak; therefore, Councilman Overton closed public recognition.

Mayor's Comments

Mayor Graves announced the following upcoming events:

- Thursday night Ben Briley will be performing on the square beginning at 6:30 p.m.
- Friday night is Gallatin Daycare Spaghetti Supper at the Civic Center
- Friday night Shalom Zone will hold their annual Tribute Dinner at First Methodist Church
- Saturday is SquareFest from 10:00 a.m. until 5:00 p.m.
- Saturday is the Pilgrimage

These events and others are on the City of Gallatin and the Gallatin Chamber of Commerce web sites.

Agenda

Without objection, Councilman Overton moved item six (6) to the next item on the agenda.

6. Rezoning a New Subdivision near the Sumner County Regional Airport

Mr. Jim Eagan, Chairman of the Airport Authority, said the Airport Authority is opposed to the rezoning and character area change from Airport Industrial to Residential. Representatives of the airport owners and Pilots Association are concerned with the future noise complaints that may affect the relationship between the airport and the City of Gallatin. Experience shows residential areas adjacent to airport properties almost always result in noise issues. Mr. Eagan said a solution may be that the City require the developer to inform buyers of the closeness of the airport in homeowner association covenants. Another suggestion is for the City to acknowledge the probability of such issues in a resolution of support for the development of the airport. Such a resolution should recognize the airport as an asset to the area.

Mr. Andy Leath, with Rogers Engineering Group, represented the property owner. Mr. Leath said he and the property owner respect the concerns of the Airport Authority and support a statement into the codes and covenants that states the airport is close to the subdivision. It has been the property owner's plan to develop this property for a long time. The property owner, Mr. Holleman, is committed to building a nice development for the City.

Mr. Richard Graves, Engineer on the project, said the buyers of the lots in the subdivision would be made aware of the situation and a note would be put into the plat notifying potential buyers of the closeness of the airport.

Councilman Camp said he would like to see the City pass a resolution stating the City supports the airport and its future growth. Councilman Overton suggested that the advice of the City Attorney is needed in this process. Councilwoman Brackenbury asked that this discussion be brought back to the Council Committee meeting in three weeks.

1. Reappoint Roger Matchett to Historic District Commission

Councilwoman Kemp motioned to approve; Councilman Hayes seconded. Motion carried 7 ayes, 0 nays.

2. Reappoint James Robert Ramsey to the Regional Board of Zoning Appeals

Councilwoman Kemp motioned to approve; Councilman Hayes seconded. Motion carried 7 ayes, 0 nays.

3. Exceptions to Noise Ordinance for Triple Creek Park Events

Councilman Mayberry read a letter from City Attorney Mr. Joe Thompson stating his findings. The Gallatin Municipal Code already exempts use of loudspeakers or amplifiers at non-profit events. Mr. Thompson's letter suggests a revision be made if the Council wanted to amend the Municipal Code which restricts the hours of use and requires a permit from the City Recorder's office.

Without objection the item was moved to the next City Council meeting agenda.

4. Resolution No. R1402-4 Concurring and Approving Local Historic Landmark

City Planner Bill McCord said local historic design guidelines have been created between staff and the property owner for improvements of 126 Main Street. These improvements were approved by the Historic District Commission.

Vice Mayor Alexander motioned to move to Council for approval; Councilman Hayes seconded. Motion carried 7 ayes; 0 nays.

5. Request to Grant a Right-of-Way Use Agreement or License Agreement

City Planner Bill McCord explained that a site plan was approved by the Planning Commission for expansion of an existing car lot. This request is for Council to issue a "hold harmless" or indemnity agreement for a fence that exists in the right-of-way. Gallatin Municipal Code states that nothing is to be erected in the right-of-way.

Mr. Dwayne Caldwell, with Caldwell Engineering, represented the property owner and said the fence existed before the property owner purchased the property. The property owner expressed that she would move the fence at her expense if it becomes necessary in the future.

Councilman Overton motioned for the City Attorney to create an indemnity agreement for Council vote that the fence would be moved at the owner's expense if it becomes necessary in the future; Councilman Camp seconded. Motion carried 7 ayes; 0 nays.

7. Rainy Day Fund

Councilman Mayberry read a letter from City Attorney Joe Thompson regarding the requirement of a 2/3 vote majority to withdraw funds which was inadvertently omitted from the 2013 Tennessee General Assembly docket.

Without objection the item was moved to the next Council meeting.

Other Business

Councilman Hayes motioned to approve the appropriation of \$2,338.27 for damage to a decorative pole and lamp at West Main Street payable to Gallatin Electric Department. Councilwoman Kemp seconded. Motion carried 7 ayes, 0 nays.

Councilman Camp asked when the entrance to Rosemont would be paved. City Engineer Nick Tuttle said he had not heard of the request; however, if it is the will of the Council this could be added to the paving program and Public Works Director Ronnie Stiles agreed. This item was moved to the next Council Committee meeting agenda without objection.

Adjourn

With no other business to discuss Councilman Overton adjourned the meeting.

Mayor Jo Ann Graves

Connie Kittrell, City Recorder

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

5/13/2014

DEPARTMENT: Finance/I. T.

AGENDA # /

SUBJECT:

appropriate funds to cover increased red light camera activity

SUMMARY:

Due to increased activity over and above the amount budgeted for red light camera tickets, the City needs to appropriate an additional \$70,000 for contractual obligations related to the camera ticket system. The increased activity also results in additional revenues collected over and above the original budget, as well.

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01404-22

ORDINANCE APPROPRIATING \$70,000 FOR
A.C.E.S. REDLIGHT CAMERA SYSTEM

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$70,000 is hereby appropriated from account 110-34800, Red Light Ticket revenue to 11042124-259, Other Professional Services, for additional expenses due to increased activity, and

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

5/13/2014

DEPARTMENT: Finance/I. T.

AGENDA # 2

SUBJECT:

appropriate funds received from insurance payments

SUMMARY:

appropriate funds received from various insurance companies for damages to city properties

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01404-23

ORDINANCE APPROPRIATING \$3,606.70 FROM REVENUE RECEIVED FOR
INSURANCE RECOVERIES

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$3,606.70 is hereby appropriated from revenue received from Insurance Recoveries, account #110-36350, to Police Maintenance & Repairs Vehicles, account #11042110-261, to repair damaged patrol cars, and,

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

PASSED FIRST READING:.

PASSED SECOND READING:.

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL
CITY RECORDER

JOE THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

5/13/2014

DEPARTMENT: Finance/I. T.

AGENDA # 3

SUBJECT:

appropriate funds to cover payout of retired employee

SUMMARY:

The I.T. division needs additional funds appropriated to cover the expense of a retiring employee. A long-time, healthy employee retired in January 2014. Between his accumulated vacation and sick leave payout, he was paid over \$15,000 on his final check. This was an unbudgeted expense. And due to the small size of the department, there are not funds available to absorb the expense within the current budget.

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01404-21

ORDINANCE APPROPRIATING \$14,600 TO INFORMATION TECHNOLOGY
DIVISION FOR SALARY AND BENEFITS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$14,600 is hereby appropriated from the General Fund Undesignated Fund Balance to Information Technology division, account 11041640, for the following expenses related to leave payout of a retiring employee:

| | | |
|-----|--------|----------|
| 111 | Salary | \$13,909 |
| 141 | FICA | \$691 |

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

May 13, 2014

DEPARTMENT: Vice Mayor Alexander

AGENDA # 4

SUBJECT:

511 Randolph Circle/Vertrees Subdivision Easement

SUMMARY:

Vice Mayor Alexander asked that this item be placed on the agenda.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

May 13, 2014

DEPARTMENT: **Engineering**

AGENDA # 5

SUBJECT:
2014-2015 Paving List

SUMMARY:
2014-2015 Paving List recommendations will be passed out at the meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

MAY 13, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 6

SUBJECT:

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

SUMMARY:

Applicant requests approval to amend the Gallatin Zoning Ordinance to rezone three (3) parcels (Tax Map 127 and Parcels 005.00, 005.07, and 005.08) and approval of a Preliminary Master Development Plan for Cairo Estates, containing 20.84 (+/-) acres, located east of Airport Road and north of Cairo Road. The Gallatin Municipal-Regional Planning Commission recommended approval at the March 24, 2014 Planning Commission Meeting. (PC0260-14)
At the April 22, 2014 Council Committee meeting, Councilwoman Brackenbury requested that Ordinance No. O1403-12 be brought back to the May 13, 2014 Council Committee meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**Statement at Public Hearing on Rezoning for Cairo Estates
May 6, 2014**

Good evening, Mayor and Council Members. Thank you for the opportunity to speak today on this rezoning ordinance.

As you know, the Sumner County Regional Airport Authority is opposed to this rezoning Ordinance, as well as the approval of the final plat for the development of the Cairo Estates development due to the close proximity of the proposed development to the Sumner County Regional Airport at a time when the airport is poised to greatly expand the scope of its operations. The certainty of future noise issues and complaints is obvious to the aviation community, based on historical experience with residential encroachment on airport facilities. Still, we realize that much planning and expense on the part of the developer and the city planning department, as well as other considerations, may make the rejection of this rezoning ordinance both economically and politically unfeasible.

At the last meeting of this body, in a working session, a representative of the developer indicated that he, the developer, was open to including in the Master Development Plan and final plat documents, a statement advising prospective builders and buyers of homes in this development, of the close proximity to the airport, and that the airport is expected to increase the scope of its activity in the near term. I would, therefore, urge this body to make such a statement a stipulation of this rezoning ordinance and the final approval of the plat. I would also urge this body to pursue a resolution of support for the development and growth of the Sumner County Regional Airport as an economic asset, the development of which is vital to not just the City of Gallatin, but to the entire County, as I suggested at the previous meeting, and which seemed to be of interest to at least some of this body's members.

I respectfully thank you for your time, and your consideration of these requests.

Jim Egan, Chairman
Sumner County Regional Airport Authority

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6. Rezoning a New Subdivision near the Sumner County Regional Airport

Mr. Jim Eagan, Chairman of the Airport Authority, said the Airport Authority is opposed to the rezoning and character area change from Airport Industrial to Residential. Representatives of the airport owners and Pilots Association are concerned with the future noise complaints that may affect the relationship between the airport and the City of Gallatin. Experience shows residential areas adjacent to airport properties almost always results in noise issues. Mr. Eagan said a solution may be that the City require the developer to inform buyers of the closeness of the airport in homeowner association covenants. Another suggestion is for the City to acknowledge the probability of such issues in a resolution of support for the development of the airport. Such a resolution should recognize the airport as an asset to the area.

Mr. Andy Leath, with Rogers Engineering Group, represented the property owner. Mr. Leath said he and the property owner respect the concerns of the Airport Authority and support a statement into the codes and covenants that states the airport is close to the subdivision. It has been the property owner's plan to develop this property for a long time. The property owner, Mr. Holleman, is committed to building a nice development for the City.

Mr. Richard Graves, Engineer on the project, said the buyers of the lots in the subdivision would be made aware of the situation, and a note would be put into the plat notifying potential buyers of the closeness of the airport.

Councilman Camp said he would like to see the City pass a resolution stating the City supports the airport and its future growth. Councilman Overton suggested that the advice of the City Attorney is needed in this process. Councilwoman Brackenbury asked that this discussion be brought back to the Council Committee meeting in three weeks.

1. Reappoint Roger Matchett to Historic District Commission

Councilwoman Kemp motioned to approve; Councilman Hayes seconded. Motion carried 7 ayes, 0 nays.

2. Reappoint James Robert Ramsey to the Regional Board of Zoning Appeals

Councilwoman Kemp motioned to approve; Councilman Hayes seconded. Motion carried 7 ayes, 0 nays.

ORDINANCE NO. 01403-12

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

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

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

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

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

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

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

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

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

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

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

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

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

PASSED FIRST READING: April 15, 2014

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Exhibit 'A' – Legal Description of the property
Exhibit 'B' - Preliminary Master Development Plan for Cairo Estates with conditions

EXHIBIT 'A'

[ATTACH LEGAL DESCRIPTION and MAP]

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

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

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

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MAR 13 2014

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EXHIBIT A

PC 0260-14

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

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

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

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

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Page 2 of 2

EXHIBIT A

Richard A. Bennett
1/27/2014

PC0260-14

EXHIBIT 'B'

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

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



ITEM 5

STAFF REPORT to CITY COUNCIL

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

Located East of Airport Road and North of Cairo Road

Date: March 28, 2014

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

OWNER: HENRY HOLLEMAN

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

STAFF RECOMMENDATION: RECOMMEND APPROVAL WITH CONDITIONS

STAFF CONTACT: KEVIN CHASTINE

PLANNING COMMISSION DATE: MARCH 24, 2014

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

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

CASE BACKGROUND:

Previous Submittals

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

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

DISCUSSION:

Proposed Development

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

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

Natural Features

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

Adjacent or Area Uses

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

Character Area Change Request

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

Sumner County Regional Airport

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

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

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

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

Architectural Designs

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

Lot Layout

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

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

Rights-of-Way/Streets/Roads

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

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

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

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

Stormwater Detention

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

Open Space and Bufferyard

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

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

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

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

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

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

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

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

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

Department of Electricity

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

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

Gallatin Public Utilities Department Comments

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

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

Planning Department Comments

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

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

Engineering Division Comments

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

FINDINGS:

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

PLANNING COMMISSION RECOMMENDATION:

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

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

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

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

ATTACHMENTS

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

dining with a view



LOWE'S
LEGACY
SERIES

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

Price Code B

plan highlights

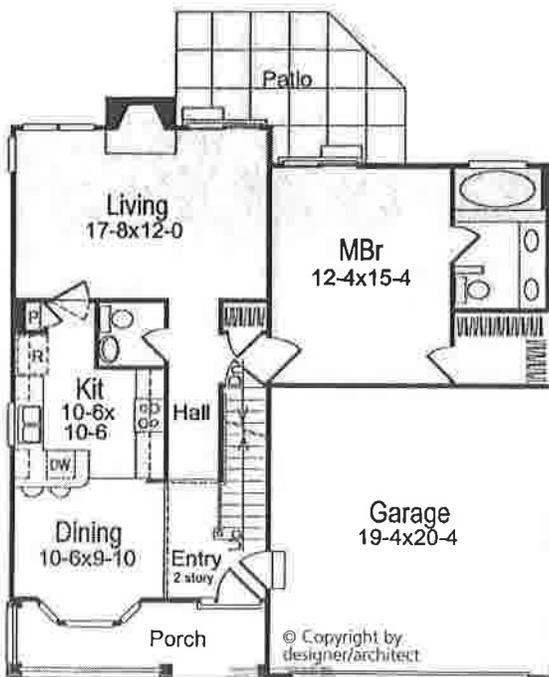
The delightful balcony
overlooks the two-story
entry illuminated by an oval
window

The roomy first floor master
bedroom offers quiet and
privacy

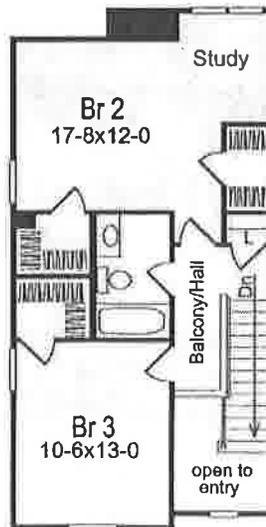
All of the bedrooms feature
one or more walk-in closets

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

LEGACY
5-2



First Floor
951 sq. ft.



Second Floor
573 sq. ft.

RECEIVED
FEB 26 2014

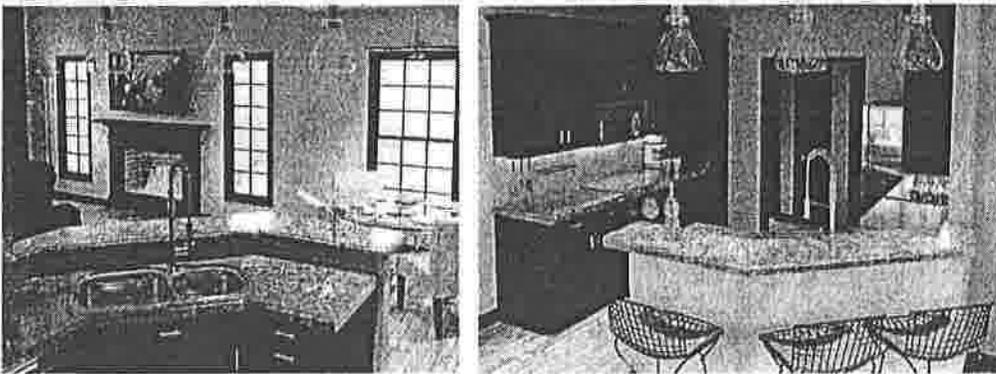
GALLATI PLUMBING
& ELECTRIC

design lesson

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

PC 0260-14

small home packed with big style



LOWE'S
LEGACY
SERIES

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

Price Code AA

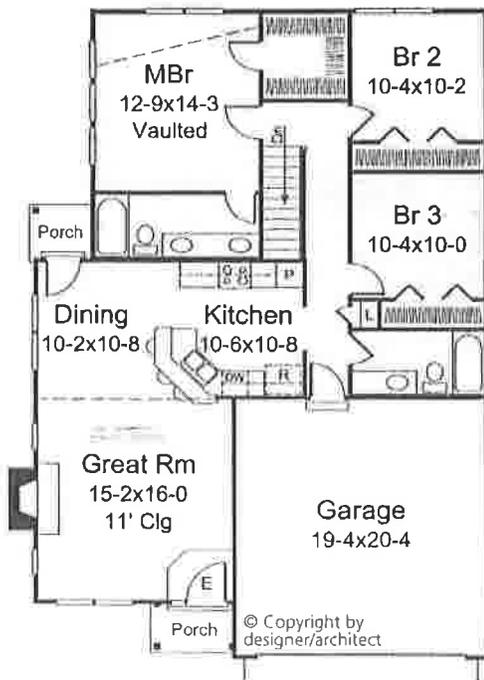
plan highlights
The well-appointed kitchen enjoys an angled raised counter perfect for casual dining

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

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

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

ATTACHED 5-2



RECEIVED
FEB 26 2014

GALLATIN PLANNING
& DESIGN

design lesson

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

PC0260-14

ATTACHMENT 5-2

distinguished styling for a small lot

LOWE'S LEGACY SERIES

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

Price Code B

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

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

The secondary bedrooms
 have a private hall with a
 bath

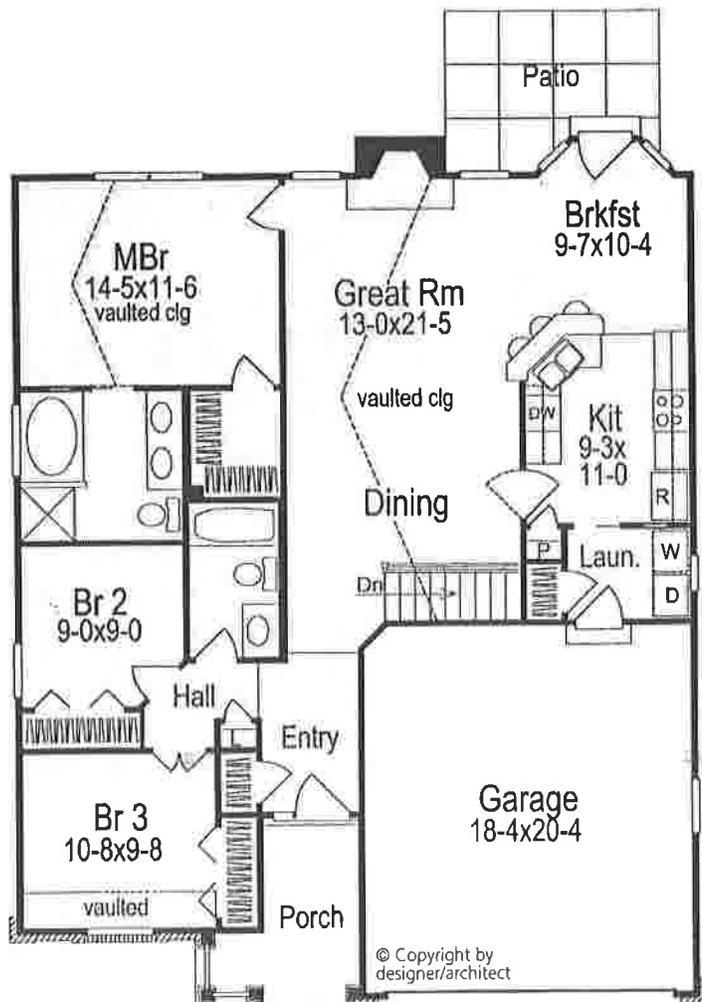
2" x 6" exterior walls
 available, please order
 plan #544-007E-0060

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

RECEIVED
 FEB 26 2014
 GALLATIN PLANNING
 & ZONING

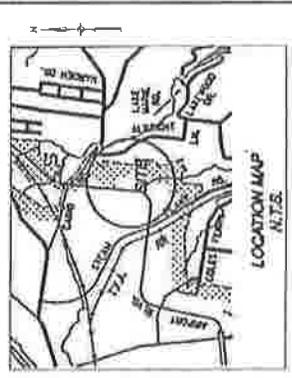
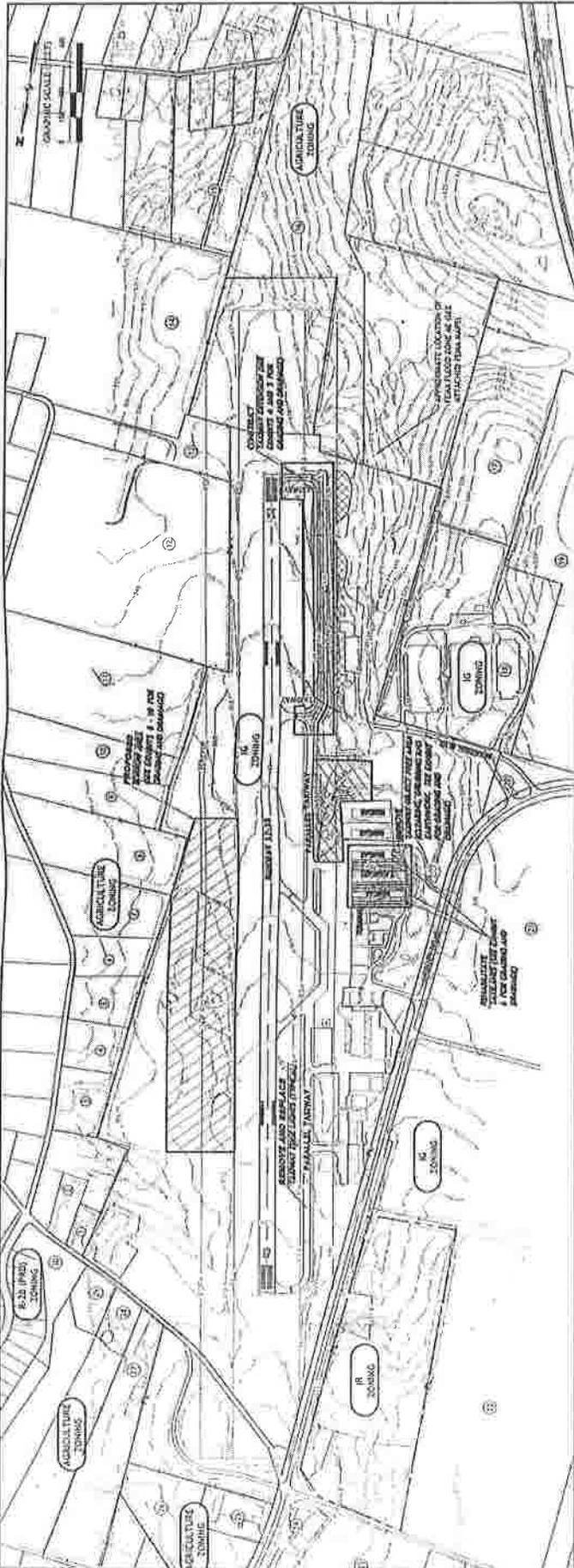
design lesson

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



© Copyright by
 designer/architect

PC 0260-14



LEGEND

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|----------|--------------------------------|
| [Symbol] | EXISTING AND PROPOSED AIRWAY |
| [Symbol] | EXISTING AND PROPOSED TAXIWAY |
| [Symbol] | EXISTING AND PROPOSED RUNWAY |
| [Symbol] | EXISTING AND PROPOSED AIRFIELD |
| [Symbol] | EXISTING AND PROPOSED AIRPORT |
| [Symbol] | EXISTING AND PROPOSED AIRWAY |
| [Symbol] | EXISTING AND PROPOSED TAXIWAY |
| [Symbol] | EXISTING AND PROPOSED RUNWAY |
| [Symbol] | EXISTING AND PROPOSED AIRFIELD |
| [Symbol] | EXISTING AND PROPOSED AIRPORT |

NO. OWNER

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- SITE PLAN NOTES**
1. THE PROPOSED AIRWAY AND TAXIWAY ARE LOCATED WITHIN THE AIRWAY AND TAXIWAY ZONING DISTRICTS AS SHOWN ON THE ATTACHED ZONING MAP.
 2. THE PROPOSED AIRWAY AND TAXIWAY ARE LOCATED WITHIN THE AIRWAY AND TAXIWAY ZONING DISTRICTS AS SHOWN ON THE ATTACHED ZONING MAP.
 3. PLEASE REFER TO THE ATTACHED ZONING MAP FOR THE LOCATION OF THE AIRWAY AND TAXIWAY ZONING DISTRICTS.
 4. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF GALLATIN FOR THE PROPOSED AIRWAY AND TAXIWAY.

SITE DATA TABLE

| | |
|---------------------------|---|
| OWNER | SUMNER COUNTY AIRPORT AUTHORITY |
| ADDRESS | 1000 AIRPORT BLVD GALLATIN, TN 37066 |
| PROJECT ZONING | IC (INDUSTRIAL) |
| TAX MAP AND PARCEL NUMBER | 127.72 |
| SITE ADDRESS | 1000 AIRPORT BLVD GALLATIN, TN 37066 |
| EXISTING AND PROPOSED USE | STORAGE AND MAINTENANCE FACILITY |

SUMNER COUNTY REGIONAL AIRPORT
PARALLEL TAXIWAY EXTENSION AND REHABILITATE TAXILANES
EXHIBIT 1
SITE PLAN
04/14/2011

ARMSTRONG.
9019 Overlook Blvd., / Suite 0-1
Brentwood, TN 37027
615.377.1222 // 615.377.3000
rwarmstrong.com

DRAFT

ATTACHMENT 5-4

ORDINANCE NO. 01403-12

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

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

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

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

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

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

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

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

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

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

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

DRAFT

ATTACHMENT 5-4

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

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

PASSED FIRST READING: [DATE]

PASSED SECOND READING: [DATE]

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 5-5

GMRPC Resolution No. 2014-25

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

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

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

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

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

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

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

ATTACHMENT 5-5

Character Area and that the public necessity, convenience, and the general welfare, require the adoption of the proposed amendment.

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

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

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

- constructed one (1) foot above the Base Flood Elevation (BFE) for floodplain areas with established BFEs or three (3) foot above the highest adjacent grade for floodplain areas without an established BFE, as required in Section 10.03.070.B.
4. Provide Gallatin Public Utilities with detailed plans, specifications and hydraulic calculations for water and sanitary sewer installations.
 5. Establish and label all portions of the development not including lots or proposed right-of-way as open space tract(s) to be owned and maintained by the homeowner's association.
 6. The applicant shall work with staff to identify and reserve a corridor for the location of the proposed greenway along Albright Creek as indicated in the Gallatin on the Move 2020 Plan: The General Development and Transportation Plan 2008-2020.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

NAY: 0

DATED: 03/24/2014



Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY



City of Gallatin, Tennessee

Planning Department

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

DATE: March 25, 2014

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

FROM: Planning Department

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

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

- RECOMMENDED
 RECOMMENDED WITH CONDITIONS
 NOT RECOMMENDED
 DEFERRED

Conditions of Approval:

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



City of Gallatin, Tennessee

Planning Department

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

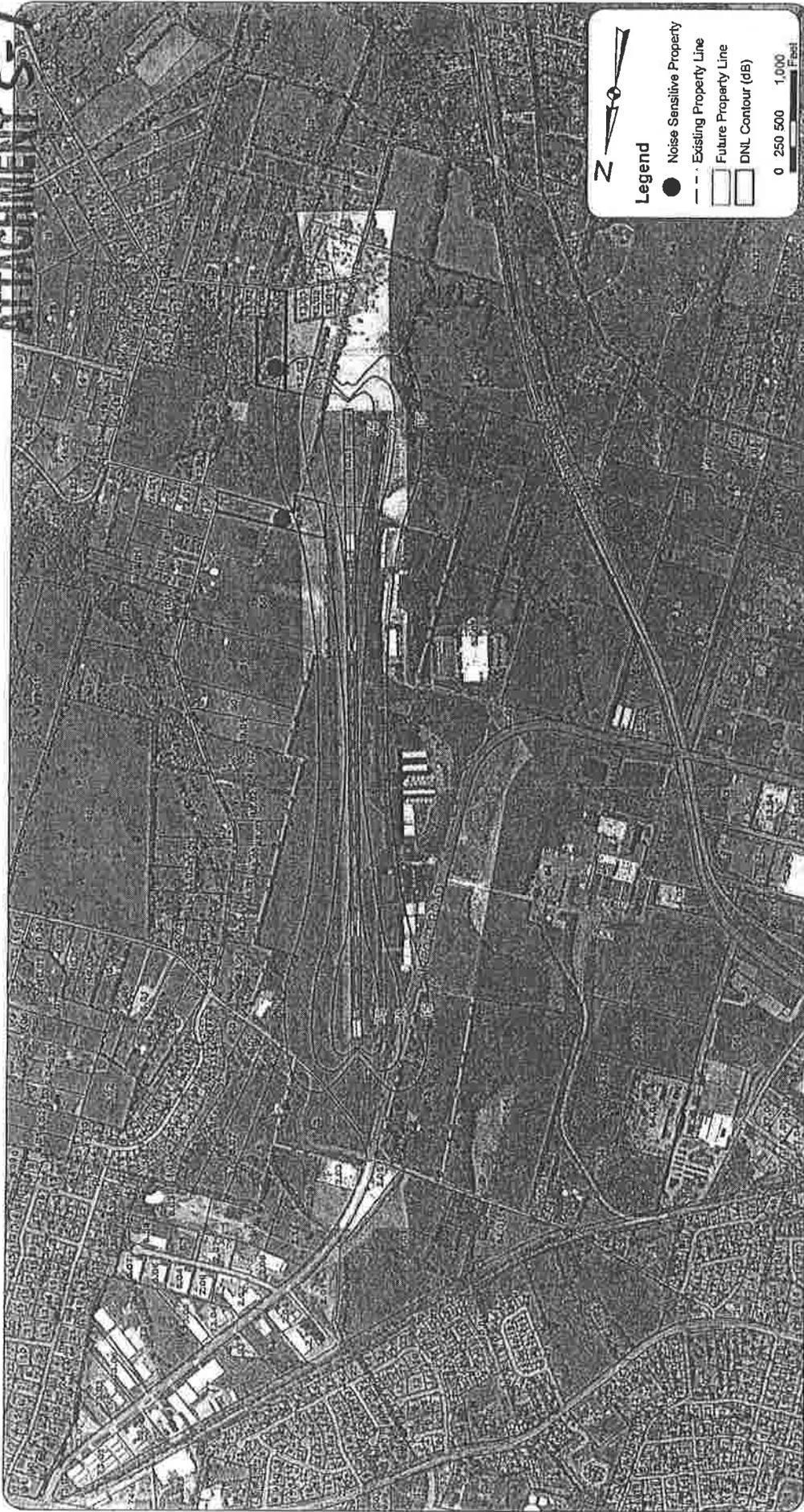
Approval contains the following requirements:

COUNCIL SUBMITTAL

CITY COUNCIL APPROVAL

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

cc: PC File PC0260-14
Mr. Henry Holleman



SUMMER COUNTY REGIONAL AIRPORT

ENVIRONMENTAL ASSESSMENT

EXHIBIT 4-4: 2016 BUILD NOISE EXPOSURE

SUMMER COUNTY REGIONAL AIRPORT
1475 AIRPORT ROAD
GALLATIN, TENNESSEE



9019 Overlook Blvd., Suite D-4
Brentwood, TN 37027
ph 615.377.3320 // fx 615.377.3630
rv@armstrong.com

PC-0250-14

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

APRIL 8, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 8

SUBJECT:

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

SUMMARY:

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

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

MAY 13, 2014

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 7

SUBJECT:

Resolution #R1405-19 approving the use of City owned right-of-way located along Noah Lane, Chloe Drive and Browns Lane for the installation of community identification markers, street trees and landscaping for the Fairvue Plantation Homeowner's Association.

SUMMARY:

Applicant requests approval of an Indemnity and Hold Harmless Agreement, to install community identification markers, street trees and landscaping in the City owned right-of-way, at three (3) subdivision entry points, along Noah Lane, Chloe Drive and Browns Lane in Fairvue Plantation, Phases 11 and 14, and The Last Plantation at Fairvue Mansion, Phase 2. The Gallatin Municipal-Regional Planning Commission recommended approval at the April 28, 2014 Planning Commission meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R14Ø5-19

RESOLUTION APPROVING THE USE OF CITY-OWNED RIGHT-OF-WAY LOCATED ALONG NOAH LANE, CHLOE DRIVE AND BROWNS LANE FOR THE INSTALLATION OF COMMUNITY IDENTIFICATION MARKERS, STREET TREES AND LANDSCAPING FOR THE FAIRVUE PLANTATION HOMEOWNERS ASSOCIATION

WHEREAS, the Fairvue Plantation Homeowners Association seeks approval from the Gallatin City Council to install community identification markers and landscaping in City-owned right-of-way located along Noah Lane, Chloe Drive and Browns Lane;

WHEREAS, the Fairvue Plantation Homeowners Association seeks approval from the Gallatin City Council to install street trees in city-owned right-of-way located along Noah Lane from south of the intersection of Potters Lane to south of the intersection of Plantation Boulevard;

WHEREAS, the Gallatin Municipal-Regional Planning Commission has reviewed and approved the Revised Final Master Development Plan at its April 28, 2014 meeting;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the Gallatin City Council approves the use of City-owned right-of-way located along Noah Lane, Chloe Drive and Browns Lane for the installation of community identification markers, street trees and landscaping by the Fairvue Plantation Homeowners Association as approved by the City of Gallatin Planning Commission Resolution No. 2014-29. Said markers, trees and landscaping shall be maintained by the Fairvue Homeowners Association and all other city ordinances, rules and regulations shall be followed with respect to the installation and maintenance of the markers, trees and landscaping. Said markers, trees and landscaping shall also be subject to the terms of an Indemnity and Hold Harmless Agreement between the City and Fairvue Plantation Homeowners Association.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage, the public welfare requiring it.

IT IS SO ORDERED.

AYE:

NAY:

DATE: _____ 2014.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Item 2

STAFF REPORT TO COUNCIL



Indemnity and Hold Harmless Agreement for Fairvue Plantation, Phases 11 and 14, and The Last Plantation at Fairvue Mansion, Phase 2 – Community Identification Markers, Street Trees and Landscaping on Noah Lane, Chloe Drive and Browns Lane (PC0266-14)

Date: May 1, 2014

REQUEST: APPLICANT REQUESTS APPROVAL OF AN INDEMNITY AND HOLD HARMLESS AGREEMENT, TO INSTALL COMMUNITY IDENTIFICATION MARKERS, STREET TREES AND LANDSCAPING IN THE CITY OWNED RIGHT-OF-WAY, AT THREE (3) SUBDIVISION ENTRY POINTS, ALONG NOAH LANE, CHLOE DRIVE AND BROWNS LANE IN THE FAIRVUE PLANTATION, PHASES 11 AND 14, AND LAST PLANTATION AT FAIRVUE MANSION, PHASE 2, SUBDIVISIONS.

OWNER: CITY OF GALLATIN
APPLICANT: FAIRVUE PLANTATION HOA, JAMES CORBETT
STAFF RECOMMENDATION: APPROVAL
STAFF CONTACT: DENISE KNIGHT
PLANNING COMMISSION DATE: APRIL 28, 2014
CITY COUNCIL DATE: May 13, 2014

PROPERTY OVERVIEW: Applicant requests approval of an Indemnity and Hold Harmless Agreement, to install community identification markers, street trees and landscaping in the City owned right-of-way, at three (3) subdivision entry points, along Noah Lane, Chloe Drive and Browns Lane in the Fairvue Plantation, Phases 11 and 14, and Last Plantation at Fairvue Mansion, Phase 2, Subdivisions. The Planning Commission approved an amended PDMP and an Amended FMDP Revision allowing for the improvements at their April 28, 2014 meeting. The property is currently zoned Multiple Residential and Office (MRO). No portion of the property where the identification markers, street trees and landscaping will be planted is located within a special flood hazard area. (Attachment 2-1)

CASE BACKGROUND:

Previous Approvals

On November 28, 2011, the Planning Commission approved a revision to the FMDP (PC9901-11) to install street trees along Plantation Boulevard. On December 6, 2011, City Council approved Resolution No. R1112-58 for the installation of trees in the right-of-way, according to the FMDP.

On April 9, 2012, the Planning Commission recommended approval of the PMDP (PC9957-12) for Green Farms, Phase 1. The PMDP included the proposal for a seven (7) foot tall neighborhood entry sign for the portion of the subdivision currently known as, "The Enclave", to be constructed in the right-of-way along Noah Lane. On May 15, 2012, City Council approved Ordinance No. O12Ø3-27 for the PMDP, including the construction of the sign in the right-of-way.

On December 10, 2012, the Planning Commission approved a revision to the FMDP (PC0058-12) to install street trees along Plantation Boulevard, from Jacobs Landing to the end of the median. On January 15, 2013, City Council approved Resolution No. R13Ø1-1 for the installation of trees in the right-of-way according to the FMDP.

DISCUSSION:

Typically street trees, landscaping and signs are approved as part of the Preliminary and Final Master Development Plans for a development when it is originally approved by the Planning Commission and City Council. The Preliminary and Final Master Development Plans for Fairvue Plantation, Phases 11 and 14 and The Last Plantation at Fairvue Mansion, Phase 2 did not originally show street trees, landscaping or signs being installed within the public right-of-way along Noah Lane, Chloe Drive and Browns Lane. Noah Lane, Chloe Drive and Browns Lane have already been accepted by the City of Gallatin. Therefore, in addition to amending the PMDP and revising the FMDP, the applicant is required to obtain approval of the City Council to install the trees, landscape and signs within the public right-of-way.

Summary of Proposed Community Identification Markers, Landscaping and Street Trees

Several community identification markers and street trees have been approved for installation in the right-of-way within the Fairvue Plantation development. The proposed trees and landscaping included in this request are similar to previous approved plans and the identification markers will match existing entrance columns throughout the Fairvue Plantation community.

Location #1 - The applicant is proposing to install the following in the right-of-way along Noah Lane in Fairvue Plantation, Phase 11:

Community Identification Marker

- Two (2) – three (3) foot wide by seven (7) feet tall faux-stone columns with one (1) 24" x 24" bronze sign panel each; the maximum height of the columns will be eight (8) feet tall if the optional ornament is installed on the top; the columns will be located opposite of each other on both sides of Noah Lane, near the intersection of Potters Lane, adjacent to lots 507 and 508.

Street Trees

- Fourteen (14) - 3-inch caliper, 10'-12' tall trees; the type of tree will be selected by the Fairvue Plantation Homeowner's Association; current street trees used in Fairvue Plantation are "October Glory" Red Maple trees.
- The street trees will be placed along Noah Lane beginning south of Potter Lane and will extend to south of Plantation Boulevard.
- Street trees are to be installed in the grass strip between the sidewalk and the back of curb, approximately two (2) feet from back of curb. The exact location will be field adjusted to minimize utility and intersection sign conflicts.

Landscaping

- The proposed landscaping will include a mixture of seven (7) evergreen bushes, and 141 ornamental and ground cover plants as shown on sheet L2.1 on Attachment 2-1.

Location #2 - The applicant is proposing to install the following in the right-of-way along Chloe Drive in Fairvue Plantation, Phase 14:

Community Identification Marker

- Two (2) – three (3) feet wide by seven (7) feet tall faux-stone columns with one (1) 24" x 24" bronze sign panel each; the maximum height of the columns will be eight (8) feet tall if the optional ornament is installed on the top; the columns will be located opposite of each other on both sides of Chloe Drive adjacent to lots 557 and 588.
- In addition to the identification markers, four (4) - three (3) feet wide by six (6) feet tall columns will be installed in the open space located along the northwest boundaries of lots 557 and 588.

Landscaping

- The proposed landscaping will include 75 evergreen bushes that will create a hedge between the columns, and a mixture of 101 ornamental and ground cover plants as shown on sheet L3.1 on Attachment 2-1.

Location #3 - The applicant is proposing to install the following in the right-of-way on Browns Lane along the Golf Course Lot in The Last Plantation of Fairvue Mansion, Phase 2:

Community Identification Marker

- One (1) – three and one half (3.5) feet wide by seven (7) feet tall faux-stone column with one (1) 24" x 24" bronze sign panel; the maximum height of the column will be eight (8) feet tall if the optional ornament is installed on the top; the column will be located on the opposite side of the road from an existing identification marker on Browns Lane.

Landscaping

- The proposed landscaping will include a mixture of nine (9) evergreen bushes, and 294 ornamental and ground cover plants as shown on sheet L4.1 on Attachment 2-1.

Future modifications of the landscaping on the east side of Browns Lane may be necessary to accommodate a sidewalk between the stone sign column and the right-of-way line. (Sheets L4.0 and L4.1)

The applicant has added a note to the revised FMDP that indicates that the Fairvue Plantation Homeowners Association (HOA) will assume full responsibility for the long term care and maintenance of the trees planted within the city owned right-of-way. The replacement of plant material lost through normal attrition, or any other cause, will be made at the expense of the HOA. The note also states that the trees will be pruned on an annual basis to insure that branches do not pose any problem to the flow of traffic on the roadway consistent with Chapter 15, Article I, Sec. 15-4.

An adequate Certificate of Liability Insurance and a Hold Harmless Agreement, for the protection of the general public and to hold the City harmless from any damages resulting from the placement of signs and landscaping in the right-of-way, are currently on file in the City Attorney's office for the existing improvements. The applicant has also provided an agreement to cover the improvements for Fairvue Plantation Development. (Attachment 2-4)

The applicant has provided a drawing of water, sanitary sewer and natural gas lines in the areas affected by the plan.

Gallatin Public Utilities Comments

The Gallatin Public Utilities reviewed and commented on the revised FMDP. Most of the comments have been satisfied; however the applicant shall be aware of the comment indicated below:

No signs shall interfere with the ability to maintain utilities.

Engineering Division

The Engineering Division reviewed and commented on the revised FMDP. All of the comments have been satisfied.

Other Departmental Comments

Other departments reviewed the plans but did not have any comments.

Planning Department Comments

The Planning Department reviewed and commented on the revised FMDP. All of the comments have been satisfied.

PLANNING COMMISSION RECOMMENDATION:

After discussion, the Planning Commission recommended approval as indicated in GMRPC Resolution No. 2014-29 (Attachment 2-2) and the Action Notice (Attachment 2-3) as required by Article 12, Section 12.02.020, Gallatin Zoning Ordinance.

RECOMMENDATION:

The Planning Commission and staff recommend approval for acceptance of the Indemnity and Hold Harmless Agreement provided by the Fairvue Plantation Homeowner's Association dated April 11, 2014 with the following condition of approval:

1. No signs shall interfere with the ability to maintain utilities

- ATTACHMENTS**
- 2-1 Fairvue Plantation Revised FMDP, Community Identification Marker, Street Trees, Landscaping**
 - 2-2 GMRPC Resolution No. 2014-29**
 - 2-3 Planning Commission Action Notice**
 - 2-4 Signed Indemnity and Hold Harmless Agreement for Fairvue Plantation Homeowner's Association**

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION APPROVING A MINOR AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN AND MINOR AMENDMENT TO THE FINAL MASTER DEVELOPMENT PLAN REVISION FOR FAIRVUE PLANTATION, PHASES 11 AND 14, AND LAST PLANTATION AT FAIRVUE MANSION, PHASE 2, FOR THE INSTALLATION OF COMMUNITY IDENTIFICATION MARKERS, STREET TREES AND LANDSCAPING IN THE CITY OWNED RIGHT-OF-WAY, ALONG NOAH LANE, CHLOE DRIVE AND BROWNS LANE. (PC0266-14)

WHEREAS, The applicant has submitted an application for a minor amendment to the previously approved Fairvue Plantation, Phase 11 and Phase 14, and Last Plantation of Fairvue Mansion, Phase 2 Preliminary Master Development Plans consistent with Section 12.02.050 of the City of Gallatin Zoning Ordinance, and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the amended Preliminary Master Development Plan and the amended Final Master Development Plan revision submitted by the applicant, Fairvue Plantation Homeowner's Association, at its regular meeting on April 28, 2014; and

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

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

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

1. The amended Preliminary Master Development Plan/amended Final Master Development Plan revision is 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 Established Character Area. 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 community identification markers, street trees and landscaping will not change the essential character of this area of Fairvue Plantation.

2. The amended Preliminary Master Development Plan/amended Final Master Development Plan revision for Fairvue Plantation is consistent with the purpose and intent of the Multiple Residential and Office (MRO) zoning district and the Preliminary Master Development Plan for Fairvue Plantation and will continue the existing design motif provided for in other phases of the subdivision.
3. The proposed changes shown in the amended Preliminary Master Development Plan/amended Final Master Development Plan revision do not constitute a major amendment to the approved Preliminary Master Development Plan as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.
4. The legal purposes for which zoning regulations exists have not been contravened.
5. The amended Preliminary Master Development Plan/amended Final Master Development Plan revision 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. No one (1) property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
7. The amended Preliminary Master Development Plan/amended Final Master Development Plan revision complies 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 approves a minor amendment to the Preliminary Master Development Plan and the revised Final Master Development Plan for Fairvue Plantation Final Master Development Plan revision consisting of an eight (8) sheet plan, prepared by Gamble Design Collaborative, of Franklin, Tennessee, dated April 14, 2014 (Exhibit A), with the following conditions:

1. Correct “Golf” in Location #3 on Sheet L1.0
2. Correct “cause” in Note 5
3. Correct “the” and change to “Engineering Division” in Note 6
4. No signs shall interfere with the ability to maintain utilities
5. Submit three (3) corrected copies of the revised FMDP to the Planning Department

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

IT IS SO ORDERED.
PRESENT AND VOTING

AYE: 6

NAY: 0

DATED: 4/28/14


Dick Dempsey, Chairman


Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY



City of Gallatin, Tennessee

Planning Department

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

DATE: April 29, 2014

TO: Mr. James Corbett
Fairvue Plantation HOA
1167 Chloe Drive
Gallatin, TN 37066

FROM: Planning Department

RE: April 28, 2014, Gallatin Municipal-Regional Planning Commission Meeting
Fairvue Plantation Signs and Street Trees, Revised FMDP File: PC0266-14

At the above referenced meeting, the request for approval of a revised FMDP was:

- APPROVED
- APPROVED WITH CONDITIONS
- DENIED
- DEFERRED

Conditions of Approval:

1. Correct "Golf" in Location #3 on Sheet L1.0
2. Correct "cause" in Note 5
3. Correct "the" and change to "Engineering Division" in Note 6
4. No signs shall interfere with the ability to maintain utilities
5. Submit three (3) corrected copies of the revised FMDP to the Planning Department

Approval contains the following requirements:

- NONE
- BUILDING PERMIT/USE AND OCCUPANCY PERMIT
- ZONING PERMIT
- SIGN PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK



City of Gallatin, Tennessee

Planning Department

- SITE SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT 3 CORRECTED COPIES
- OTHER:

cc: PC File PC0266-14
Mr. Gregory Gamble

For use with applications made pursuant to Gallatin Municipal Code § 15-3 & GMC § 15-6

INDEMNITY AND HOLD HARMLESS AGREEMENT

The undersigned property owner/s Fairvue Plantation Homeowner's Association hereinafter "Indemnitor" does hereby grant to the City of Gallatin, a Tennessee municipal corporation, hereinafter called the "City" on this 11th day of April, 2014, the following:

WHEREAS, Indemnitor desires to locate a/an signs, street trees and landscaping (hereinafter "structure") on or over the City right-of-way in accordance with the Municipal Code and/or Zoning Ordinance on property located at Fairvue Plantation Development, Gallatin, Tennessee and;

WHEREAS, Indemnitor agrees to indemnify and hold harmless the City, its agents, servants, and employees from any claims and liability which may be made against the City for permitting the structure to be located on or over the City right-of-way.

NOW THEREFORE, in consideration of the City permitting the Indemnitor to locate the structure on or over the City right-of-way, the Indemnitor hereby agrees:

Indemnitor undertakes to indemnify the City from any and all liability, loss, or damage the City may suffer as a result of the claims, demands, costs or judgments against and arising from the location of the Indemnitor's structure being on or over the City's right-of-way.

Indemnitor agrees to defend, at its own expense against any claims brought or actions filed against the City with respect to the subject of the indemnity contained herein, whether such claims or actions are rightfully or wrongfully brought or filed.

Indemnitor agrees to reimburse the City for any necessary expenses, attorney fees, or costs incurred in the enforcement of this Indemnity Agreement.

Indemnitor agrees to maintain in full force and effect a policy of comprehensive liability insurance in a minimum amount of one million dollars (\$1,000,000), said policy to name the City as an additional insured. A copy of the initial certificate of insurance shall be provided by the Indemnitor within ten (10) days of execution of this Agreement, and prior to placement of the structure on or over the City's right-of-way.

Indemnitor hereby agrees to abide by any local, state or federal law regulating the placement of the structure on or over the City's right-of-way. By signing this Agreement, Indemnitor acknowledges that the permission granted by the City herein may be revoked: 1) at any time in the interests of public health, safety & welfare; 2) in the event that it becomes necessary for the City to perform maintenance of any sort on the City's right-of-way; or 3) if the Indemnitor fails to perform any of its obligations under this Agreement. Said removal will be at the sole expense of the Indemnitor.

If after notice to remove given by the City pursuant to the paragraph above, the Indemnitor fails to remove the structure as requested by the City, the Indemnitor agrees and understands that the City will remove the structure and assess the costs of removal to the Indemnitor.

In witness hereof, the Indemnitor has/have executed this agreement on the date first written above.

Dawn M. Ingram

Agent Fairvue Plantation
PROPERTY OWNERS

STATE OF TENNESSEE

COUNTY OF SUMNER

I, Donna G. Thienel, Notary Public in and for said county in said state, hereby certify that Dawn M. Ingram, whose name(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me on this day that being informed of the contents of this Agreement, have executed the same on the date first written above.

Given under my hand and official seal on this the 11th day of April, 2014.

Donna G. Thienel
[Notary information per statute]



My Commission Expires JULY 6, 2015

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

May 13, 2014

DEPARTMENT: POLICE

AGENDA # 8

SUBJECT:

Bulletproof Vest Partnership Application

SUMMARY:

Discussion of 50 % grant for body armor through United States Department of Justice, Office of Bulletproof Vest Partnership (BVP). Approximately 21 sets of armor totaling \$16,422.00.

RECOMMENDATION:

Proceed with grant application process.

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

May 13, 2014

DEPARTMENT: POLICE

AGENDA # 9

SUBJECT:

Appropriation of Funds from Revenue Received by Sale of Surplus Property

SUMMARY:

The Gallatin Police Department is requesting use of \$9,392.50 from sale of surplus police vehicles and miscellaneous property to be used to purchase a vehicle(s). From 110-36330 to 110-42110-888.

RECOMMENDATION:

Approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes: Chief Bandy will bring approved Ordinance to council

ORDINANCE APPROPRIATING FUNDS FROM REVENUE RECEIVED
BY SALE OF SURPLUS PROPERTY

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$9,392.50 is hereby appropriated from the revenue received by the sale of surplus property and vehicles, from the general fund 110-36330 to account 110-42110-888, Vehicles, for the specific purpose of purchasing replacement vehicle(s), and

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

PASSED FIRST READING: _____, 2014

PASSED SECOND READING: _____, 2014.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

Sold Asset Report

04/24/14

Reference: From Beginning

| Inventory ID | Description | Original | Buyer | Net Results | Department | Stock # | Book Date | Make | Year |
|--------------|---|-------------------|--------------|-------------|--------------------|---------|-----------|-------------|------|
| 313 | PWK Truck Excavator 7150 Hours | 1105-9882944-0002 | Vehicle Mktg | \$2,569.00 | GPD | 36528 | 1/23/14 | Ford | 1998 |
| 311 | Office Chair | | City Hall | \$121.99 | PWK - Streets | 36496 | 1/22/14 | | |
| 314 | Auto Exhaust | | WALNUT PARK | \$758.00 | City Hall Admin | 36520 | 1/22/14 | | |
| 316 | POLICE LIGHT BARS | | Police | \$238.00 | PWK - Vehicle Mktg | 36528 | 1/23/14 | | |
| 317 | 2001 Excavator 15000hrs, Caterpillar 314.3000 | 1100-1618855-0000 | Excavators | \$718.00 | PWK - Streets | 36498 | 1/24/14 | Caterpillar | 2001 |
| | | | | \$5,798.97 | | | | | |

36528

GOVDEALS INC. A SUBSIDIARY OF LIQUIDITY SERVICES, INC.

Vendor

City of Gallatin

1/22/2014

| Invoice Number | Invoice Date | Invoice Amount | Amount Due | Balance | How | Net |
|------------------------------------|------------------------------------|----------------|------------|---------|-----|------------|
| 112-010314-2621 GPD | 1/17/2014 1105-9882944-0002 | \$2,569.00 | \$2,569.00 | \$0.00 | 312 | \$2,569.00 |
| 314-010314-2621 PWK Streets | 1/17/2014 | \$121.99 | \$121.99 | \$0.00 | 313 | \$121.99 |
| 314-010314-2621 City Hall | 1/17/2014 | \$758.00 | \$758.00 | \$0.00 | 314 | \$758.00 |
| 316-010314-2621 Police | 1/17/2014 2001-1618855-0000 | \$238.00 | \$238.00 | \$0.00 | 314 | \$238.00 |
| 317-010314-2621 PWK Streets | 1/17/2014 1100-1618855-0000 | \$718.00 | \$718.00 | \$0.00 | 317 | \$718.00 |

| Bill No | Amount | Comments | Net |
|---------|------------|-----------------|------------|
| -36330 | 2,569.00 | GPD | \$2,569.00 |
| -36350 | 831.99 | PWK Streets | 831.99 |
| -36350 | 758.00 | City Hall Admin | 758.00 |
| -36350 | 238.00 | PWK Streets | 238.00 |
| | \$3,196.97 | | \$3,196.97 |

Handwritten notes: +13 GPD

36528

GovDeals

GOVDEALS INC.
A SUBSIDIARY OF LIQUIDITY SERVICES, INC.
1500 K STREET, N.W., 6TH FLOOR
WASHINGTON, DC 20005
USD 813-6166 OPT 4 2025 417-4809

Bank of America

ACCOUNT NUMBER
15-1806480
304

1/22/2014

\$5,798.97

Three Thousand Seven Hundred Ninety Eight Dollars and 00 Cents

DATE

AMOUNT

City of Gallatin
132 N. Main St.

Gallatin, MT 59914-1700
United States of Am

James E. Smith
ATTORNEY AT LAW

Bank of America

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Gallatin, TN
132 W Main St
Gallatin, TN 37066-3232

Bill of Sale Date: 04/01/2014
Asset ID: 327

Bill of Sale Number: 412014
Inventory ID: 327

Description of Property
VARIOUS CELL PHONES
Award Amount
716.00

Asset Information



Year: Make/Brand: Model: VIN/Serial:
Meter: Title Restriction: N

Sale Information

| | | |
|---------------------|----------|-------------------------------|
| Actual Sold Amount: | \$716.00 | Paid On: 04/02/2014 by PayPal |
| Other Amount: | \$0.00 | Other Amount Description: |
| Buyer's Premium: | \$89.50 | Tax Rate: 0.0000% |
| Tax Amount: | \$0.00 | |
| Total Amount: | \$805.50 | * Taxable Items |

Raymond Scott
406 Suburban Dr 181
Newark, DE 19711
USA
rs12800@yahoo.com
4106131280

Asset is sold as is, where is and without warranty. Once the asset is removed from the seller's premises there is no refund of monies previously paid.

Buyer Agent Signature: _____
Print Name: _____
Date: _____

Gallatin, TN
132 W Main St
Gallatin, TN 37066-3232

Bill of Sale Date: 04/18/2014
Asset ID: 330

Bill of Sale Number: 4182014
Inventory ID: 330

| Description of Property | Award Amount |
|-------------------------|--------------|
| 2006 Dodge Charger Base | 5225.00 |

Asset Information



Year: 2006 Make/Brand: Dodge Model: Charger VIN/Serial: 2B3KA41G66H35094
Miles: 109568 Title Restrictions: N

Sale Information

| | | |
|---------------------|------------|--------------------------------------|
| Actual Sold Amount: | \$5,225.00 | Paid On: 04/21/2014 by Wire Transfer |
| Other Amount: | \$0.00 | Other Amount Description: |
| Buyer's Premium: | \$653.12 | Tax Rate: 0.0000% |
| Tax Amount: | \$0.00 | |
| Total Amount: | \$5,878.12 | * Taxable Items |

Cindy Heam
352 Bolview Dr
Kellen, AL 35645 USA
cindyheam2000@yahoo.com
256-9445927

Asset is sold as is, where is and without warranty. Once the asset is removed from the seller's premises there is no refund of monies previously paid

Buyer/Agent Signature _____
Print Name _____
Date _____

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

5/13/2014

DEPARTMENT: Finance/I. T.

AGENDA # 10

SUBJECT:

tax rate ordinance for fiscal year 2015 and tax year 2014

SUMMARY:

Revenue and tax rate ordinance for fiscal year 2015 and tax year 2014

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**ORDINANCE TO PROVIDE REVENUE FOR THE CITY OF GALLATIN
TENNESSEE FOR MUNICIPAL PURPOSES FOR THE 2014 TAX YEAR AND THE
2015 FISCAL YEAR**

BE IT ORDAINED by the City of Gallatin, Tennessee, that:

SECTION I. PROPERTY TAX:

A. All property, real, personal or mixed within the corporate limits of said City shall be and is hereby assessed for taxation for municipal purposes for the tax year 2014, except as is exempt from taxation by the Constitution and the laws of the State of Tennessee.

B. The levy be and is hereby made:

(1) to contribute to the general current expenses of said municipality that are paid from the General Fund; and

(2) to provide an amount, totaling \$1,981,000, to contribute to the retiring of the current year's principal and interest obligations;
a tax of ninety-nine cents (\$0.99) per every one hundred dollars (\$100.00) of taxable property.

C. All collections of property taxes from levies of past years be collected entirely in, and become revenue of the General Fund and that any expenses incurred in collecting such delinquent taxes be entirely expenses of the General Fund.

D. The Tax Assessor for Sumner County, Tennessee, is hereby authorized to assess all the property lying within the Corporate Limits of the City of Gallatin, Tennessee, and the assessment is hereby adopted as the assessed or taxable value of said property for municipal purposes for the City of Gallatin, Tennessee, upon which shall be levied the tax rate as provided in this ordinance.

SECTION II. BUSINESS TAX: The privilege tax levied by the General Assembly of the State of Tennessee known as the "Business Tax Act" and as amended, be and the same is hereby levied for municipal purposes for the City of Gallatin, Tennessee, for the year 2014 and all arts, trades, callings, or occupations created and declared to be a privilege within the City of Gallatin, and for their exercises within the City of Gallatin, the same taxes are hereby levied and shall be collected for the municipal purposes as are now levied and collected for State purposes under and by virtue of said Act of the General Assembly of the State of Tennessee, as amended.

SECTION III. IN-LIEU TAX: Pursuant to, T.C.A. § 7-34-115, payments in lieu of *ad valorem* taxes shall be paid by municipal utility systems to the municipality in an amount not to exceed the amount of taxes payable on privately owned property of similar nature.

SECTION IV. EFFECTIVE DATE: All laws and ordinances in conflict with this ordinance, be and the same are repealed, and this ordinance shall be effective from and after its passage, the public welfare requiring it.

Passed first reading:

Passed second reading:

Passed third reading:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

May 13, 2014

DEPARTMENT: Mayor Graves

AGENDA # 11

SUBJECT:
2014-15 Budget

SUMMARY:
The Mayor will present her proposed budget.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes: