
**CITY OF GALLATIN
COUNCIL COMMITTEE MEETING**

November 08, 2016

6:00 pm

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

- Call to Order – Councilman Camp
- Roll Call: Alexander – Brackenbury – Camp – Vice Mayor Hayes– Mayberry – Overton – Mayor Brown
- Approval of Minutes: None Provided
- Public Recognition
- Mayor’s Comments

AGENDA

1. Resolution Reclassifying and Setting the Salary for Building Official, Chuck Stuart, as the Building and Electrical Codes Official **(Debbie Johnson, HR Director)**
2. Parking Garage Study **(James Fenton, Executive Director of EDA)**
3. Ordinance Appropriating \$21,000 for Completion of Infrastructure Improvements in Albion Downs Phases 1 and 3 **(Nick Tuttle, City Engineer)**
4. Discussion of Items Council Agreed to Reconsider Mid-Year After the Items Were Cut During the 2016/2017 Budget **(Rachel Nichols, Finance Director)**
5. Revision of Personnel Rule – Nepotism **(John D. Alexander, Councilman)**
6. First Amendment to Lease Agreement Between Fairway Outdoor Advertising and City of Gallatin **(Susan High-McAuley, City Attorney)**
7. Ordinance Rezoning a 4.74 (+/-) Portion of a Parcel from PBP-Planned Business Park to MU-Mixed Use and Approving a Preliminary Master Development Plan for Chandler Park Gallatin Phases I and II **(Bill McCord, City Planner)**
8. Ordinance Amending the Preliminary Master Development Plan for Savannah Marketplace **(Bill McCord, City Planner)**

- Other Business
- Department Head Reports
- Adjourn

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 8, 2016

DEPARTMENT: **Human Resources**

AGENDA # 1

SUBJECT:

Resolution reclassifying and setting the salary for the Building Official, Chuck Stuart, as the Building and Electrical Codes Official

SUMMARY:

Per Ordinance O1608-47 and R1610-52, Council approved upgrading the status of the Building Official to include Electrical Code Official responsibilities. Dr. McGrath has reviewed and approved the placement of the department head position within our classification system.

RECOMMENDATION:

Approve

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1611-56

**RESOLUTION SETTING SALARY OF THE BUILDING AND ELECTRICAL CODES
OFFICIAL**

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE that upon the approval of Council, that Building Official, Charles Stuart, will be reclassified to the position of Building and Electrical Codes Official with the new pay grade of GBB approved in Resolution R1610-52 and his new annual salary will be \$89,830 (Grade GBB 5).

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 8, 2016

DEPARTMENT: Economic Development Agency

AGENDA #2

SUBJECT:
Parking Garage Study

SUMMARY:
Update on the Request for Qualifications from engineering firms for a parking garage study.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 8, 2016

DEPARTMENT: Engineering

AGENDA #3

SUBJECT:

Ordinance Appropriating \$21,000 for Completion of Infrastructure Improvements in Albion Downs Phases 1 and 3

SUMMARY:

City Council passed Resolution R1601-5 on February 2, 2016 to accept \$21,000 from Haynes Realtors for the completion of Albion Downs Phase 1 and 3. Haynes Realtors submitted a check to the City of Gallatin on June 24, 2016. The City Council passed Resolution R1607-36 on July 19, 2016 to accept those public improvements and now the Engineering Division is requesting to appropriate the money received to be used for the completion of infrastructure in these subdivisions.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE APPROPRIATING FUNDS FOR COMPLETION OF
INFRASTRUCTURE IMPROVEMENTS IN ALBION DOWNS PHASE 1 AND
PHASE 3

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$21,000 is hereby appropriated from proceeds received from Haynes Realtors for completion of infrastructure in the Albion Downs Phase 1 and Phase 3 subdivisions;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$21,000 be appropriated from account number 122-21550, Performance Deposit, to account number 11041670-931-188, Albion Downs Ph 1 & 3;

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

PASSED FIRST READING:

PASSED SECOND READING:

PAIGE BROWN, MAYOR

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY



CASHIER'S CHECK CUSTOMER COPY

July 20 2016

REMITTER: HAYNES REALTORS DATE: 06/02/2016

PAYEE: CITY OF GALLATIN - ALBION DOWNS, LOC TIME: 2:24 PM

AMOUNT: 21000.00 CENTER: 8531

FEE: 0.00 OPER ID: 09933

SERIAL NUMBER: 853108427 CASHBOX: 2651

CASHIER'S CHECK

853108427

DATE: 06/02/2016



Remitter: HAYNES REALTORS

Pay to the Order of: CITY OF GALLATIN - ALBION DOWNS, LOC

\$21000.00

Twenty One Thousand Dollars/And 00/100 ¢

David J. Stearns

Corporate Controller

⑈853108427⑈ ⑆064201324⑆ 9740007⑈

City of Gallatin
MISCELLANEOUS PAYMENT

RECEIPT# 129968
COMMENT:
DATE: 06/24/16
TIME: 14:49

CHARGES:
21550 PERFORMANCE DEPOSIT PERFORMANCE DEPOSIT 21000.00

AMOUNT PAID: 21000.00
PAID BY: HAYNES REALTORS
PAYMENT METHOD: CHECK 853108427

REFERENCE:

CLERK:
jennifer.m

AMT TENDERED: 21000.00
AMT APPLIED: 21000.00
CHANGE: .00

City of Gallatin
MISCELLANEOUS PAYMENT

RECEIPT# 129968
DATE: 06/24/16
TIME: 14:49

CHARGES:
21550 PERFORMANCE DEPOSIT PERFORMANCE DEPOSIT 21000.00

AMOUNT PAID: 21000.00
PAID BY: HAYNES REALTORS
PAYMENT METHOD: CHECK 853108427

CLERK:
jennifer.m

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

11/8/2016

DEPARTMENT: Finance

AGENDA #4

SUBJECT:

Discussion of items Council agreed to reconsider mid-year after the items were cut during the 2016/2017 budget.

SUMMARY:

At the October 25, 2016 work session, it was requested that a list of items be brought back for reconsideration as discussed during the 2016/2017 budget preparation/negotiation. The only two items discussed for reconsideration were the new I.T. position and the restructuring of the Fire department. Other items were cut from requested department budgets but these were the only items that Council committed to reconsider mid-year.

I.T. wants an Information Systems Specialists III position. Salary and benefits for 6 months total \$30,000.

The Fire department wants to change the grade of the Training Officer position and wants to add an Assistant Fire Chief of Administration. Someone within the department would be promoted to the assistant chief position creating a vacancy at a lower level. The created vacancies would trickle down and be filled within, ultimately resulting in the new hire of an entry level firefighter. The total for all salaries and benefits involved for 6 months is \$36,000.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 8, 2016

DEPARTMENT: Councilman Alexander

AGENDA #5

SUBJECT:

Revision of Personnel Rule - Nepotism

SUMMARY:

Perception is reality. In this day and time of lots of scrutiny, Gallatin is still the type of town that people notice who is hired, and actions speak louder than words. Times have changed, and our culture is growing and changing. We should try to avoid any additional liability for the City by eliminating any perception that our culture limits opportunities for all.

Support for a stricter approach and change in the nepotism policy is based on the following:

1. Nepotism includes many of the basic government ethics issues: conflict of interest, misuse of office, preferential treatment, and patronage.
2. Nepotism undermines public trust by making government look like a family business run not for the community, but for the families in power.
3. Nepotism is bad for morale within the government organization. It goes far beyond hiring. It remains a problem every time raises and promotions occur.
4. Nepotism and its cousin, hiring friends, are the leading methods of keeping other ethnic and racial groups out of local government.
5. Nepotism puts officials in an awkward position when they don't want to hire a relative, but feel it's expected of them. Nepotism laws protect officials as well as the public.
6. Unsatisfactory performance issues and disciplinary issues documented for an employee who has another family member in the department may affect morale as other family members show support for the family within the department or other departments within the City.
7. The employment of relatives can cause various problems including but not limited to charges of favoritism, conflicts of interest, family discord and scheduling conflicts that may work to the disadvantage of both the City and its employees.
8. Confidentiality in the Department of Human Resources, the Office of the Mayor, and the Office of the City Attorney must be preserved and protected. Any perceived conflict of interest or sharing of information due to relatives employed within the City has the potential to damage relationships in the community and within the City departments.

RECOMMENDATION:

Approve

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION AMENDING GALLATIN PERSONNEL RULES AND REGULATIONS RELATING TO NEPOTISM

WHEREAS, Section 13-104 of the Gallatin Municipal Code provides for amendment of the Personnel Rules;

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that Rule 17 of the Gallatin Personnel Rules and Regulations is hereby amended by deleting Section 17-16 in its entirety and replacing it with the following:

Section 17-16. Nepotism

- (a) It is the policy of the City of Gallatin not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or familial status. Notwithstanding this policy, the City of Gallatin retains the right to refuse to appoint a person to a position wherein their relationship to another employee has the potential for creating adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest. The City of Gallatin desires to avoid “conflicts of interest” in hiring and employment or the appearance of such conflicts. The relationship may not create an actual or perceived conflict-of-interest. The Mayor and other administrators who are responsible for recruiting and interviewing potential employees shall seek the best person available for the position. Nepotism is defined as the employment of a relative which would create a direct supervisor/subordinate relationship with a family member or create an actual conflict of interest or the appearance of a conflict of interest.
- (b) This policy applies to all individuals employed and seeking employment with the City of Gallatin.
- (c) For purposes of this policy, relative includes spouse, parent, sibling, child, step-parent, step-sibling, step-child, foster child, mother or father-in-law, sister or brother-in-law, daughter or son-in-law, grandparent, grandchild, aunt or uncle, niece or nephew and first cousin.
- (d) Generally, it is the City’s policy that relatives of City employees will not be hired into departments and current employees will not be allowed to transfer to departments where a relative is already employed.

Additionally, relatives of City employees will not be hired and current employees will not be allowed to transfer if the situation would be created wherein:

- (1) One relative would have the authority or be in position to supervise, hire, remove or discipline the other; or
- (2) One relative would be responsible for auditing or evaluating the work of the other; or

(3) Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

(e) Specifically, it is the City's policy that relatives of any member of the City Council, Mayor, finance director, human resources director, city attorney, and city judge/city recorder not employed by the City at the time of election or appointment to any of the aforementioned positions will not be approved for any regular full-time position.

At all times, all individuals involved in the hiring process should be sensitive to the possibility of the perception of favoritism in hiring due to relationships between a Council member, the Mayor, and any employee of the Department of Human Resources, any employee of the City Attorney's office, and any employee of the Mayor's office. Employees in these departments may not have a relative employed in any City department based upon political considerations or family relationships since all of the above named offices must participate in personnel actions in the case of termination or disciplinary proceedings.

(f) If a relationship described in Section 3 occurs among employees in the same department during employment, the department head, Director for Human Resources, will meet with the employees. The employees will be asked to determine which of the two employees will leave City employment if a transfer cannot be arranged within thirty (30) calendar days to another City department for either of the employees. An employee who is allowed to transfer must meet the minimum qualifications of a vacant, budgeted position. In the event the two employees cannot decide between them who will leave, or if a transfer cannot be arranged, the employee with the greatest cumulative employment service to the City will be retained. The departing employee is considered to be voluntarily terminated.

(g) Withholding of information pursuant to this section shall render the employee subject to disciplinary action.

(h) Applicants for temporary or volunteer positions may be approved for employment in any department (except Human Resources, the Mayor's office and the City Attorney's office), except those in which close relatives are already employed.

(i) The Mayor may exercise discretion in waiving requirements of this policy when doing so accommodates the best interests and well-being of the City.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

RESOLUTION AMENDING GALLATIN PERSONNEL RULES AND REGULATIONS
RELATING TO NEPOTISM

WHEREAS, Section 13-104 of the Gallatin Municipal Code provides for amendment of the Personnel Rules;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the Rule XVII of the Gallatin Personnel Rules and Regulations is hereby amended by deleting Section 18 in its entirety and replacing it with the following:

Section 18. Nepotism

Being aware that values do accrue from traditions identifying certain families with branches of the municipal government yet also recognizing the inadvisability of creating an imbalance on municipal payrolls and jeopardizing the capacity to provide service in certain areas of emergency by the employment of a disproportionate number of persons from the same family, caution must be exercised in the consideration of applicants who have relatives already in the employment of the Government. Therefore, the following relationships are considered to be close relatives for purposes of Section 18: spouse, parents, children, and siblings.

18.1 Employees' close relatives will not be employed by the city under any of the following circumstances:

- Where one of the parties would have authority to supervise, appoint, remove, or discipline the other;
- Where one party would be responsible for auditing the work of the other;
- Where both parties would report to the same immediate supervisor.
- Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the City as determined by the department head; or
- Where one of the parties is a department head of the City, unless the other employee works in a different department and the Mayor determines in writing that employment will not be detrimental to the City.

18.2 Applicants for Temporary or Volunteer positions may be approved for employment in any department, including those in which close relatives are already employed.

18.3 Where two or more Classified employees already in the employ of the municipal government in the same department become close relatives by marriage and become subject to the provisions of Section 18.1, they may decide between themselves who shall leave the department and who shall stay. Should they be unable to reach an agreement within 15

calendar days, the rule of seniority shall apply and a termination shall be affected immediately.

18.4 Withholding of information pursuant to this entire Section shall render the employees subject to disciplinary action.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

NAY: 0

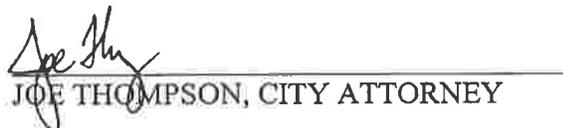
DATED: May 6, 2008.


MAYOR JO ANN GRAVES

ATTEST:


CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:


JOE THOMPSON, CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

April 22, 2008

DEPARTMENT: City Attorney

AGENDA #

SUBJECT:

Resolution Amending Gallatin Personnel Rules & Regulations, Section 18.1 relative to Nepotism

SUMMARY:

See Attached

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 8, 2016

DEPARTMENT: City Attorney

AGENDA # 6

SUBJECT:

First Amendment to lease agreement between Fairway Outdoor Advertising and City of Gallatin

SUMMARY:

In 1998 Terry Weyman and Young Outdoor Services entered into a standard lease agreement for the lease of a billboard on Mr. Weyman's property, at the corner of Old Highway 109 and Blythe St. During the eminent domain process of acquiring right of way for the Albert Gallatin Extension, the City was required to acquire the property on which the billboard is housed. As a result, the City acquired the lease. Fairway Outdoor Advertising is the successor in interest to Young Outdoor Services. The City has been advised by its TDOT certification/right of way consultants that it must allow Fairway to remain in the City. Due to the grandfathering provision of Tenn. Code Ann. Sec. 13-7-208, the billboard at this site is considered grandfathered into the City's current sign ordinance, if the billboard remains on the same property. During the negotiations, the City has agreed, with Council approval, to amend the current lease for one additional term. This approval is necessary for TDOT certification for the Albert Gallatin Extension project.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

This amendment to the Lease is necessary for the Albert Gallatin/Hatten Track extension.

RESOLUTION NO. R1611-59

**RESOLUTION AUTHORIZING MAYOR TO EXECUTE FIRST AMENDMENT TO
LEASE AGREEMENT WITH FAIRWAY OUTDOOR ADVERTISING**

WHEREAS, Terry Weyman and Young Outdoor Services entered into a Standard Lease Agreement on March 26, 1998 for the purpose of erecting and maintain advertising displays, including all necessary structures, devices, power poles, and connections. The term of the Lease was for an initial term of ten years, with a second term of ten years, at the option of Young Outdoor Services, and continuing year after year thereafter;

WHEREAS, during the eminent domain process of acquiring right of way for the Albert Gallatin Extension project, the City of Gallatin ("City") acquired Mr. Weyman's property and as a result acquired the underlying lease; and

WHEREAS, the City is the successor in interest to Terry Weyman and Fairway Outdoor Advertising ("Fairway") is a successor-in-interest in the Agreement to Young Outdoor Services; and

WHEREAS, in order to proceed with the Albert Gallatin Extension project, it is necessary for Fairway to move the advertising display onto the same property to a site approved by the City Engineer; and

WHEREAS, the term of the Agreement is set to expire on March 26, 2018, and in order to proceed with the Albert Gallatin Extension project, it is necessary to extend the term of the Lease for one additional ten year term, and the City and Fairway now desire to amend the terms of the Lease to provide for an additional Renewal Term of ten years.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, the Mayor is authorized to execute a First Amendment to Standard Lease with Fairway Outdoor Advertising which extends the term of the Lease to March 26, 2028, said amendment attached hereto as Exhibit A;

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

IT IS SO ORDERED.

PRESENT AND VOTING:

AYE:

NAY:

DATED:

MAYOR PAIGE BROWN

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL
CITY RECORDER

SUSAN HIGH-MCAULEY
CITY ATTORNEY

Young Outdoor Services

3009 Alabama Ave. S.W.
Ft. Payne, AL 35967

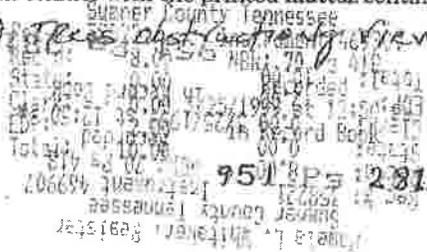
THIS AGREEMENT, made this 26th day of MARCH, 19 98, by and between Weyman Terry of P.O. Box 598 GALLATIN, TN 37066 hereinafter called the Lessor, and Young Outdoor Services of Ft. Payne, Alabama, hereinafter called the Lessee.

Witnesseth:

- 1. AGREEMENT TO LEASE. The Lessor hereby leases unto the Lessee, and the Lessee hereby leases from the Lessor, the use and the possession of the portion to be occupied of the following described premises, for the purpose of erecting and maintaining advertising displays (painted, reflectorized, printed, illuminated or otherwise), including necessary structures, devices, power poles and connections.
- 2. PROPERTY LOCATION. The Property herein demised is located on the N-E-Side of Route No. 109 about 300 Ft miles N E-S-W of Blythe St., for display (s) facing approximately NE-SW, such leased property being part of the Lessor's property situated in the City of GALLATIN County of SUMNER and State of Tennessee (see area sketch of premises below).
- 3. TERM. The term of this lease shall commence on date of beginning of construction (hereinafter called "the effective date"), and unless terminated earlier in the manner hereinafter set forth, shall continue for an initial term of ten years, and shall continue thereafter, at the option of the Lessee, for a second term of ten years, and thereafter from year to year, on the same terms, until terminated as of any subsequent anniversary of the effective date by written notice of termination given not less than sixty days prior to such anniversary date by either the Lessor or Lessee.
- 4. RATE. In consideration of the foregoing and the mutual promises herein contained, and other good and valuable consideration, the Lessee agrees to pay the Lessor at the rate of \$ 1,500⁰⁰ per year for such periods of time as the display (s) contemplated hereunder is (are) in position. Such yearly payment is to be paid in advance (subject to a 30 day delay for processing) with supplementary adjustments to be made promptly when the advertising status of the display (s) is changed. When feasible the payment date will be adjusted to coincide with an anniversary of the effective date.
- 5. ADDITIONAL PROVISIONS. The provisions printed on the reverse hereof are hereby incorporated herein by specific reference thereto and constitute a part of this agreement.
- 6. SPECIAL PROVISIONS. The following special stipulations if in conflict with the printed matter contained herein, shall control:

AREA SKETCH OF LEASED PREMISES

6A. Trees east of property view of sign can be removed.



Charles Hunt

P.O. Box 72563
Chatt., TN 37407



Size Ft
 HAGL Ft
 Power Ft
 Mileage Panel
 Location Staked DB 254 - 419
 Tax Map # MAP 113 E - A - 9.00

Location - 1044 Hwy 109 N, Gallatin, TN 37066

EXECUTED BY LESSOR IN THE PRESENCE OF:

 Notary Public
 County, (State) Tennessee

My commission expires 3-12-2002

EXECUTED BY LESSEE IN THE PRESENCE OF:

 Notary Public
 County, (State) Tennessee

My commission expires 3-12-2002

Weyman Terry
 LESSOR'S NAME
 By: [Signature]
 LESSOR'S SIGNATURE

P.O. Box 598
 LESSOR'S SIGNATURE
 MAILING ADDRESS
GALLATIN, SUMNER, TN 37066
 (CITY, COUNTY, STATE, ZIP)

Young Outdoor Services, Lessee
 By: [Signature]
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7. NOTICE TO NEW OWNER. In the event of any change of ownership of the property hereinafter demised, the Lessor agrees to notify the Lessee promptly of such change, and the Lessee also agrees to give the new owner formal written notice of the existence of this lease and to deliver a copy thereof to such new owner.

8. LEGAL OWNER. Unless specifically stated otherwise herein, the Lessor represents warrants that he is either the Owner or the Agent of the Owner of the property herein demised and that he has full authority to enter into this lease, The Lessor covenants and warrants that if the Lessee shall pay the rental as herein provided and shall keep and perform the other covenants herein stated, the Lessee shall and may, peaceably and quietly have, hold and enjoy the use of the premises herein demised for the term of this lease, such use to include access to the site over any lands under the control of the Lessor.

9. ENTIRE AGREEMENT. Neither the Lessor nor the Lessee shall be bound by any agreement or representation, expressed or implied, not contained herein. This lease shall be deemed to have been accepted and its terms enforceable only when executed by the Lessee in the space provided.

10. TERMINATION BY LESSEE. If at any time the highway view of the Lessee's display is obstructed or obscured; or the advertising value of the display is impaired or diminished, or the use or installation of such displays is prevented by law or the Lessee's inability to obtain any necessary permits or licenses, or if the Lessee is unable for any period of ninety (90) consecutive days of more to secure and maintain a suitable advertising contract for the displays, or if there occurs a diversion of traffic from or a change in the direction of traffic on highways leading past the Lessee's displays, the Lessee may, at its option, terminate this lease by giving the Lessor fifteen (15) days written notice, and the Lessor agrees to refund the Lessee the rent previously paid for the unexpired portion of this lease. If any of the conditions described in this paragraph shall at any time temporarily exist, then the Lessee may, at its option, instead of terminating the lease, be entitled to an abatement of rent payable hereunder during the period such conditions or any of them exist, and to the refund of any rent paid in advance for the period of such abatement.

11. LESSEE'S PROPERTY. All structures, displays, and materials placed upon the said property by the Lessee are the lessee's trade fixtures and equipment, and shall be and remain the Lessee's property, and may be removed by the Lessee at any time prior to or within a reasonable time after the termination of this lease or any extension thereof. The Lessor shall allow the Lessee full access to the property occupied by the displays for the purpose of erecting, maintaining, changing or removing the displays at any time.

12. OBSTRUCTIONS TO VIEW. The Lessor shall not erect or permit any other party to erect any advertising displays or any other advertising matter on any property owned or controlled by the lessor within a radius of six hundred (600') feet of Lessee's displays, or to permit any other obstruction to partially or completely obscure the normal highway view of said displays and the Lessee is hereby authorized to remove any such other advertising display or other obstruction, including trees, at its option.

13. UTILITY EASEMENT The Lessor shall execute and deliver to the utility company serving the property a permit to go upon the property to provide electric service to the sign of Lessee which service shall be supplied at Lessee's expense.

14. HOLD HARMLESS. The Lessee shall save the Lessor harmless from any and all claims or demands on account of bodily injury or physical property damage caused by or resulting from any negligent or willful act of the Lessee's agents or employees in the construction, maintenance, repair, change or removal of the Lessee's displays on the property, and agrees to carry, at its own expense, adequate public liability insurance covering any such contingency so long as this lease shall remain in effect. The Lessor agrees to save the Lessee harmless from any claims or demands on account of bodily injury or physical property damage caused by or resulting from any negligent or willful act of the Lessor.

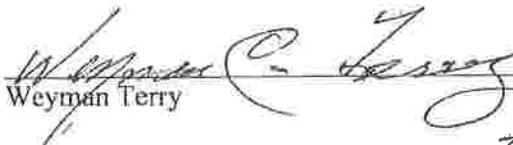
15. ASSIGNABLE LEASE. This lease is assignable by Lessor or Lessee and shall be binding upon heirs, successors and assigns of both Lessor and Lessee.

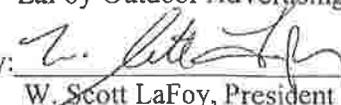
Patsie L. Whitaker - Register
Sumner County Tennessee
Rec # 358221 Instrument # 69907
Rec # 8.00 3/25/1997 at 12:50 pm
State: 9.00
City: 2.00
Total: 19.00
in record book

ADDENDUM

In addition to the terms and conditions set forth in a lease agreement for a sign located at 1044 Hwy 109 N, Gallatin, TN 37066, dated March 26, 1998 between Weyman Terry (Lessor) and Young Outdoor Services as lessee, as later assigned to LaFoy Outdoor Advertising, LLC (Lessee), the parties further agree to the following which shall be attached unto said agreement and incorporated therein:

1. The Effective Date shall be January 1, 1999 and the Anniversary Date each year for the remainder of the lease shall be January 1.
2. The annual rental amount is \$1,500.00, and payments may be made on a monthly basis until the parties agree otherwise.


Weyman Terry _____ Date
3-4-09

LaFoy Outdoor Advertising, LLC
By:  _____ 3/11/09
W. Scott LaFoy, President _____ Date

LEASE AGREEMENT

11.5 11/11/98

BY Charlet Hunt

DATE: 9/11/98

P.O. Box 72563
Chatt, TN 37407

The purpose of this lease agreement is to assign the lease between
WEYMAN TERRY of GALLATIN, TENNESSEE
HEREIN called the LESSOR and YOUNG OUTDOOR SERVICES
of FT. PAYNE, ALABAMA HEREIN call LESSEE, dated MARCH 26, 1998

IT IS HEREBY mutually understood and agreed as follows:

That Lessee transfers, conveys, assigns, its lease with the LESSOR
as noted above to SCENIC OUTDOOR SIGNS, LLC. of
CHATTANOOGA, TENNESSEE HEREIN called the assignee.

Assignee agrees to assume any and all liabilities attached here-
with and to abide by all terms and conditions set forth in the lease;
a copy of which is attached. Agreed to by both parties as witnessed
by their signatures below.

LESSEE

By: Jerry D. Young
Signature

JERRY YOUNG, OWNER
Typed Name Title

YOUNG OUTDOOR SERVICES
Company Name

3009 ALABAMA AVE. S.W.
Address

FT. PAYNE, AL 35967

SEPTEMBER 11, 1998
Date

ASSIGNEE

By: Jay B. Tagner
Signature

TAGNER H. BATHLEY, CHIEF MANAGER
Typed Name Title

SCENIC OUTDOOR SIGNS, LLC.
Company Name

P.O. BOX 72563
Address

CHATT., TN 37407

SEPTEMBER 11, 1998
Date

Panel L. Whitaker, Register
Sumner County Tennessee
Rec. # 98226 Instrument 469912
Sec. # 0.00 Book 70, Pg 419
State: 0.00 Recorded
Clerk: 0.00 3/25/1999 at 12:50 PM
Total: 10.00 Record Book
951 Pg 298

Sworn to and subscribed to me
This 25th day of September
My Commission expires 6/5/2002

[Signature]
Notary Public

Sworn to and subscribed to me
This 25th day of September
My Commission expires 6/5/2002

[Signature]
Notary Public

Lease recorded Rec 812 951 P. 281
3/25/99

Exhibit D

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (this "Agreement"), dated as of October __, 2015, by and between LaFoy Outdoor Advertising, LLC ("Seller") and FMO Real Estate, LLC, having an address of 814 Duncan Reidville Rd, Duncan, SC 29334 ("Buyer").

BACKGROUND

Buyer and Seller are parties to an Asset Purchase Agreement dated September 10, 2015 (the "Purchase Agreement"), pursuant to which, among other things, Seller has agreed to assign all of its rights, title and interests in, and Buyer has agreed to assume all of Seller's duties and obligations under the Assumed Contracts and Third-Party Leases. Capitalized terms used but not defined herein shall have the meanings for such terms that are set forth in the Purchase Agreement.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants contained herein, and for other good and valuable consideration, the receipt, adequacy and legal sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. Assignment. Seller hereby assigns, sells and transfers to Buyer all of Seller's right, title and interest in, under and to the Assumed Contracts and the Third-Party Leases for the Closing.
2. Assumption. Buyer hereby assumes all obligations of Seller accruing and arising from facts or circumstances that occur from and after the Closing Date under the Third-Party Leases and liabilities that arise from facts or circumstances that occur from and after the Closing Date under the Assumed Contracts.
3. Terms of the Purchase Agreement. This Agreement is subject in all respects to the terms and conditions of the Purchase Agreement, including, without limitation, the representations, warranties, covenants and agreements contained in Article IV. If any conflict exists between the terms of this Agreement and the Purchase Agreement, the terms of the Purchase Agreement shall govern and control. This Agreement is not intended to enlarge or reduce the rights of the parties under the Purchase Agreement, but is intended to carry out the terms therein.

[signature page follows]

9556828.1



IN WITNESS WHEREOF, the parties hereto have duly executed and delivered this Assignment and Assumption Agreement for the Closing as of the date first written above.

SELLER:

By: 
Name: W. Scott LaFoy
Its: President / Chief Manager

BUYER:

By: 
Name: RICHARD S. ZECCHINO
Its: VICE-PRESIDENT / GENERAL COUNSEL

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

NOVEMBER 8, 2016

DEPARTMENT: PLANNING DEPARTMENT

AGENDA #7

SUBJECT:

Ordinance No. O1611-59 of the City of Gallatin, Sumner County, Tennessee, rezoning a 4.74 (+/-) acre portion of a parcel (Tax Map 125 portion of Parcel 034.00) from PBP - Planned Business Park to MU - Mixed Use and approving with a Preliminary Master Development Plan for Chandler Park Gallatin Phases I & II.

SUMMARY:

An Ordinance of the City of Gallatin, Sumner County, Tennessee, rezoning 4.74 (+/-) acre portion of a parcel (Tax Map 125 and portion of Parcel 034.00) from PBP - Planned Business Park to MU - Mixed Use and approving of a Preliminary Master Development Plan for Chandler Park Gallatin Phases I & II permitting a 492 unit multi-family dwelling complex and a retail parcel, located north and south of Harris Lane and east of GreenLea Boulevard; authorizing the revision to be indicated on the official Zoning Atlas; repealing conflicting ordinances; providing for severability; and providing an effective date.

On October 24, 2016 the Gallatin Municipal-Regional Planning Commission recommended approval of the rezoning and a preliminary master development plan with conditions as described in GMRPC Resolution 2016-122. (PC File# 3-2443-16)

The Planning Department recommends approval of the rezoning and a preliminary master development plan with an exception for building height with conditions.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. O1611-59

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, REZONING A 4.74± ACRE PORTION OF A PARCEL (S.B.E. TAX MAP 125, PARCEL 034.00) FROM THE PBP - PLANNED BUSINESS PARK ZONING DISTRICT TO THE MU - MIXED USE ZONING DISTRICT AND APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR CHANDLER PARK GALLATIN PHASES I & II; 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 submitted a complete application to rezone a 4.74 ± acre portion of Tax Map 125 Parcel 34.00 and a Preliminary Master Development Plan for property located north and south of Harris Lane, east of GreenLea Boulevard and north of the CSX Railroad; and

WHEREAS, the property to be rezoned is currently zoned PBP – Planned Business Park; and the balance of the property proposed for development is zoned MU –Mixed Use; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the proposed rezoning ordinance and a Preliminary Master Development Plan for Chandler Park Gallatin Phases I and II in GMRPC Resolution No. 2016-122 consistent with Tennessee Code Annotated, Section 13-7-203; and

WHEREAS, a public hearing was held following public notice as prescribed by the Gallatin Zoning Ordinance and Tennessee Code Annotated Section 13-7-203; and

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

Section 1. The City Council of the City of Gallatin does hereby approve the rezoning of a 4.74 ± acre portion of a parcel from the PBP – Planned Business Park zoning district to the MU – Mixed Use zoning district as described in Exhibit ‘A’ and approves a Preliminary Master Development Plan for Chandler Park Gallatin Phases I and II 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 provisions 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 take effect upon final passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

Exhibit 'A'

Legal description – Tax Map 125 portion of Parcel 35.00, 4.74 ± acres

A tract of land in the 4th civil district, Sumner County, Tennessee. Tract being a portion of Chandler Residential, LLC tract, as recorded in Record Book 4348, page 429, Registers Office Sumner County, Tennessee (ROSC). Tract being bounded on the east by the Donald and Vickie Wilson tract as recorded in Record Book 888, page 116, ROSC and on the south, west and north by the remainder of the said Chandler Residential LLC tract. Tract being described as follows:

Point of commencement being at the southwestern corner of the said Donald and Vickie Wilson tract and being on the northern right of way row of Harris Lane; thence leaving said ROW with the common line of the Donald and Vickie Wilson tract north 06°27'11" east 300.00 feet to the point of beginning; thence with a new line north 83°36'38" west 452.02 feet to a point; thence north 06°21'11" east 456.39 feet to a point; thence south 83°38'49" east 452.02 feet to a point on the common line of the said Donald and Vickie Wilson tract; thence with said common line south 06°21'11" west 456.67 feet to the point of beginning.

Containing 206,362 square feet or 4.74 acres.

Exhibit 'B'

The rezoning shall be substantially consistent with the Preliminary Master Development Plan for Chandler Park Gallatin Phases I and II, consisting of a seven (7) sheet plan, prepared by Rogers Engineering Group of Gallatin, TN, with project #16-048, dated October 11, 2016, a one (1) sheet architecture plan, prepared by Niles Bolton Associates of Atlanta, GA, with job no. 116045.00, dated October 11, 2016, and a four (4) sheet architecture plan, prepared by Humphreys & Partners architects, L.P., of Dallas, TX, with job no. HPA 16401, dated August 19, 2016, with a final revision date of October 11, 2016, with the following conditions:

1. Reduce the total number of units on the 30.46 acre properties from 492 units to a maximum of 442 units (representing no greater density than one unit per 3000 square feet of gross acreage) or include the designated 2.5 acre retail portion of the PMDP as part of the multi-family development whereby the maximum number of units permitted could be 478 units.
2. Add a note to the plan stating a separate preliminary master development plan is required for the retail lot unless the retail lot is used for multi-family use.
3. Add a note to the plan stating all Gallatin zoning ordinance landscape requirements shall be met.
4. Dimension several parking spaces in each phase or provide a typical parking space dimension for each phase and parking space type.
5. Dimension and label drive aisle widths within each phase.
6. Show and label the location of the proposed signs, including the setback from the right-of-way.
7. Verify the parking numbers for both phases to ensure consistency with the site data table on the cover sheet (Sheet C1.0).
8. Dimension and label the roofline heights on all elevation sheets.
9. Provide architectural elevations and/or photographs of the proposed garages.
10. Widen and improve Harris Lane on the south side of the roadway from GreenLea Boulevard to the CSX Railroad and on the north side of the roadway from GreenLea Boulevard to the east boundary of the northerly parcel to minimum collector road standards.
11. Graphically and/or by plan note indicate a driveway to/from Harris Lane to the 2.5± acre retail portion of the site if the retail section is retained.
12. Modify the plan to show sidewalk connections for the apartment site to the public sidewalks along Harris Lane and add a sidewalk on Harris Lane adjacent to Phase 2. Sidewalks for the retail lot may be shown upon submittal of a FMDP for this site.
13. Submit one (1) full-sized and two (2) half-sized, corrected folded copies of the preliminary master development plan.



STAFF REPORT for CITY COUNCIL

Rezoning with Preliminary Master Development Plan for Chandler Park Gallatin Phase I and II (3-2443-16)

Located north and south of Harris Lane Pike and east of GreenLea Boulevard

Date: November 8, 2016

REQUEST: OWNER AND APPLICANT REQUESTS REZONING 4.74± ACRES (A PORTION OF TAX MAP 125 AND PARCEL 034.00) FROM PBP - PLANNED BUSINESS PARK TO MU – MIXED USE AND APPROVAL OF A PRELIMINARY MASTER DEVELOPMENT PLAN FOR CHANDLER PARK GALLATIN PHASE I AND II ON 32.96 ± ACRES, TO CONSTRUCT 492 MULTI-FAMILY DWELLING UNITS (PHASE 1 – 384 UNITS AND PHASE 2 – 108 UNITS), LOCATED NORTH AND SOUTH OF HARRIS LANE AND EAST OF GREENLEA BOULEVARD.

OWNER: CHANDLER RESIDENTIAL, LLC (PORTION OF PARCEL 34.00)
GREENLEA PROPERTIES AND HARRIS LANE PROPERTIES,
LLC (PARCEL 36.00)

APPLICANT: ROGERS ENGINEERING GROUP (RICHARD JONES, P.E.)

STAFF RECOMMENDATION: RECOMMEND APPROVAL OF ORDINANCE NO. O1611-59

STAFF CONTACT: KEVIN CHASTINE

PLANNING COMMISSION DATE: OCTOBER 24, 2016

CITY COUNCIL COMMITTEE DATE: NOVEMBER 8, 2016

PROPERTY OVERVIEW: The owner and applicant requests rezoning 4.74± acres (A Portion of Tax Map 125 and Parcel 034.00) from PBP - Planned Business Park to MU – Mixed Use and approval of a Preliminary Master Development Plan for Chandler Park Gallatin Phases I and II on 32.96± acres, to construct 492 Multi-Family dwelling units (Phase 1 – 384 Units and Phase 2 – 108 units), located north and south of Harris Lane and east of GreenLea Boulevard. The Dwelling, Multi-Family use is a permitted use within the Mixed Use (MU) zone district. (Attachment 1)

The Planning Department staff recommends approval of Ordinance O1611-59.

Planning Commission Action

On October 24, 2016, the Planning Commission recommended approval of the rezoning from PBP – Planned Business Park Zoning District to MU – Mixed Use Zoning District and the Preliminary Master Development Plan for Chandler Park Gallatin Phases I & II with conditions as described in GMRPC Resolution 2016-122. (Attachment 9). The Planning Commission approved of the rezoning but denied the requests for the two exceptions that would permit buildings greater than 35 feet in height and permit a density of greater than one unit per 3000 square feet per unit (or one unit per 2696 square feet per unit.)

CASE BACKGROUND:

Previous Approvals

On September 27, 2010, the Planning Commission recommended approval of a rezoning without a Preliminary Master Development Plan for the Heights at GreenLea (File# 3-11-10) (Attachment 2). The 312.45 (+/-) acre rezoning was approved by City Council on November 1, 2010 (Ordinance No. O1010-63). As part of this Ordinance, Tax Map 125 Parcel 34.00 was rezoned from A-Agricultural Residential to PBP – Planned Business Park (Tract H-1), MU-Mixed Use (Tract I) and PGC-Planned General Commercial (Tract J). (Attachment 3) (This included that portion of the project north of Harris Lane.)

On October 11, 2010, the Planning Commission, at a special called meeting, recommended approval of a rezoning without a Preliminary Master Development Plan for the Cantrill Farm (File# 3-7-10) (Attachment 4). The 228.74 (+/-) acre rezoning was approved by City Council on December 7, 2010 (Ordinance No. O1010-67). As part of this ordinance, Tax Map 125 Parcel 36.00 was rezoned from A-Agricultural Residential to MU-Mixed Use (Tract E) (Attachment 5).

Natural Features

The natural topography of Parcel 36.00 (Phase 1 of the PMDP), slopes from the highest point of elevation (547') located at the northwest corner of the project site sloping towards the lowest point of elevation (475') located near the northeast corner of the property, adjacent to Harris Lane and the CSX railroad crossing. The natural topography of the subject portion of Parcel 34.00, (Phase 2 of the PMDP), slopes from the highest point of elevation (534') located at the southwest corner of the project site towards the lowest point of elevation (502') located near the center of the eastern property boundary. Based on FEMA FIRM Map 47165C0313G, 47165C0407G and 47165C0426G, no portion of the site is located within a special flood hazard area. The property was most recently used for agricultural purposes. Parcel 36.00 contains a barn.

Adjacent or Area Uses

To the north, are 11 parcels that are mixture of agricultural uses and single family detached residences, zoned Planned General Commercial (PGC), Mixed Use (MU), Planned Business Park (PBP) and one (1) parcel zoned Agricultural Residential (A); to the south, across the CSX railroad tracks, are two (2) parcels – one that is vacant (Tax Map 136 Parcel 4.08), zoned Specific Plan (SP) and the other, which is the GAP Distribution Center (Tax Map 125 Parcel 39.00), zoned Commercial General (CG); to the east are three (3) parcels each containing a single family residence, split-zoned Mixed Use (MU) and Planned Business Park (PBP); and to the west, across is GreenLea Boulevard, is a vacant parcel, zoned Planned General Commercial (PGC).

DISCUSSION:

Proposed Development

The owner and applicant requests to rezone 4.74± acres (A Portion of Tax Map 125 and Parcel 034.00) from PBP - Planned Business Park to MU – Mixed Use and approval of a Preliminary Master Development Plan for Chandler Park Gallatin Phase I and II, to construct 492 Multi-Family dwelling units (Phase 1 – 384 Units and Phase 2 – 108 units), located north and south of Harris Lane, east of GreenLea Boulevard. The Dwelling, Multi-Family use is a permitted use within the Mixed Use (MU) zone district (Attachment 8).

The project will be constructed on two phases on two separate parcels. Parcel 36 consist of 25.11 acres on the south side of Harris Lane and is the site of the proposed 384 unit, 3-story complex and a future 2.5 acre retail site and parcel (portion of) 34 will contain the second phase of the complex with 108 units. The density proposed for parcel 36 is 16.98 units per acre and the density proposed for the portion of parcel 34 is 13.75 units per acre. The overall proposed density is 16.15 units per acre for the residential portions of the site, but represents a proposed density of one unit per 2696 square feet of area designated to residential use which exceeds the density permitted by code.

The owner and applicant requests two (2) exceptions to the MU zone district bulk regulations for Chandler Park Gallatin Phase 1 portion of the PMDP. This includes:

- an exception to the Maximum Building Height of 35 feet (G.Z.O. Section 07.03.020.A(6)) to permit a maximum building height of 45 feet to accommodate three story buildings, and
- to permit a reduction in the required site area per unit (G.Z.O. Section 07.03.020.A(5)) from 3,000 square feet per unit to 2,696 square feet per unit for the total 30.4 acres and only 2564 units acre for the 22.61 acres of Phase I multi-family use.

The exceptions would permit the construction of the proposed three (3) story apartment buildings and would permit 384 dwelling units in Phase 1. A comparison of permitted number of units and requested number of units is provided in the table below.

CHANDLER PARK PMDP - DENSITY COMPARISON								
	Site Area Per Unit (Square Feet) 3000sf/unit permitted		Density (Units per Acre) 30.46 acres (1326837.6 sf)		Maximum Permitted Units (Per Phase)		Total Potential Units For Project	Compliance with required density in the MU District
	Phase 1	Phase 2	Phase 1 (22.61 acres)	Phase 2 (7.85 acres)	Phase 1	Phase 2	Phases 1 & 2	Phases 1 & 2
Permitted (G Z O 07 03 020.A)	3,000	3,000	14.5	14.39	328	113	441*	442
Requested (G Z O 12 02.020 F)	2,564	3,116	16.98	13.75	384	108	492	492
Potential with all of Parcel 36 as multi- family	2,848	3,116	(25.11 acres) 15.29	13.75	370^	108^	478	478
Potential with all of the property as multi-family	3,003		(32.96 acres) 478		478		478	478 Maximum

* Rounding on the gross residential acreage would permit 442 units

^ This assumes that only 108 units will be constructed on 7.85 acre portion of parcel 34

Article 12, Section 12.02.020. F. allows for the city to consider exceptions to the bulk regulations but specifically prohibits an increase in density greater than one unit per 3000 square feet (Attachment 6). Specifically, the code reads as follows:

“...exceptions to bulk regulations for development area per dwelling unit or site area per units shall not result in an increase in the total number of dwelling units or density permitted by district regulations for the overall development approved as part of the Preliminary Master Development Plan.”

Therefore, the applicant cannot be approved for more than 442 units on the total 30.46 acres of the PMDP designated for multi-family residential use. If the applicant wishes to apply the 2.5 acre retail section of the PMDP for the multi-family use then up to 472 total units would be permitted on the 32.96 acre property.

The applicant did not request exceptions for Phase 2.

The Planning Commission determined the requested exceptions did not meet the standards for granting the exceptions and the building heights did not match the character of the area. The Planning Commission recommended the Preliminary Master Development Plan without the two (2) requested exceptions.

However, staff believes that the request for an exception to building height is reasonable and provides greater flexibility due to other development requirements and constraints (buffer yards and setbacks, open space, parking, retention areas, etc.) providing only two story or limited building heights hinders the ability to obtain density entitlements afforded by the zoning. In addition, the areas surrounding the site are largely undeveloped and building heights would not create conditions to block light, air and sight from other area properties which are also on large parcels. The larger parcel is a relatively narrow and extended shape which provides less flexibility to achieve a more symmetrical and dispersed building placement arrangement. The height exception is similar to the request and area conditions of other recently approved apartment complexes

Gallatin on the Move 2020 General Development Plan

The Gallatin on the Move 2020 General Development Plan designates this parcel as part of the GreenLea Business Center Special Area Category. The Mixed Use (MU) zoning district is a consistent and recommended zone within this character area. The Character Area also lists multi-family residential uses as a primary land use. Therefore, the proposed multi-family development use complies with the GreenLea Business Center Special Area Category designation. (Attachment 7)

Access Management/Trip Generation

The project includes three (3) driveway accesses along Harris Lane. Phase 1, on the south side of Harris Lane, has two (2) driveway accesses and Phase 2 has one (1) driveway access. The primary access for Phase 1 is approximately 1000 feet east of GreenLea Boulevard and aligns with the access for Phase 2. The secondary access for Phase 1 is located approximately 1000 feet east of the primary access. An access shall be indicated graphically and/or through a plan note for the proposed retail site.

The PMDP states a traffic study will be submitted as part of the Final Master Development Plan, but trip generation information was provided with the PMDP. The Traffic Volume Estimates Table is located on Sheet C1.0 and states a total of 3,829 daily trips will be

generated by Phase 1 and 2 and the commercial lot, if built out as a restaurant. Phase 1 (384 units) is estimated to generate 2,451 daily trips, Phase 2 (108 units) is estimated to generate 742 daily trips, and the commercial lot (restaurant) is estimated to generate 636 daily trips.

Due to the increase in traffic the applicant proposes to make improvements to Harris Lane. The roadway will be widened to 24 feet of pavement with mountable curbs from GreenLea Boulevard to the east property boundary of Phase 2. The Engineering Division requires that Harris Lane be widened and improved from GreenLea Boulevard to the CSX Railroad crossing the south side of the road and from GreenLea Boulevard to the east boundary of the development site on the north side of the road. The Planning Commission agreed with this and made it a condition of their approval. Also, sidewalk connections from the apartment complex sidewalks to the public sidewalks shall be indicated on the plans.

Architectural Designs

The multi-family development includes of 492 units in two (2) phases. Phase 1 contains 384 units within 16 buildings and has one (1) building type. Phase 2 contains 108 units within 10 buildings and has two (2) building types. The plan includes representative photographs and architectural elevations of the proposed buildings. The plans do not indicate buildings with the required 70 percent masonry requirement and the percentage of materials per elevation, but Note 2 on Sheet C3.0 and C4.0 states that the final architectural plans will meeting the 70 percent masonry requirement of the Gallatin Zoning Ordinance.

Phase 1 – Building Type 1

Phase 1 is located south of Harris Lane and contains 384 units within 16 buildings. These buildings are three (3) stories in height with a ridgeline height of approximately 43 feet and indicate a greater coverage of masonry (brick or stone) than Sheet A1.0 and A2.0. (See Plan Sheets A3.0) A roofline height of 43 feet exceeds the maximum permitted building height of 35 feet. The applicant is requesting an exception to the maximum building height to permit a maximum building height of 45 feet.

The buildings are symmetrical in design with a hipped roof structure with multiple projecting gable roofs located atop different bays of the elevation. The buildings also have two (2) breezeways. The bottom two and half floors of all four (4) elevations are sheathed with stacked stone while the remaining portions of the elevations are sheathed with fiber cement lap siding of fiber cement board and batten siding.

Phase 2 – Building Type 1 and 2

Phase 2 is located north of Harris Lane on a 7.84 (+/-) acre portion of Tax Map 125 Parcel 34.00. This Phase contains 108 units within 10 buildings (8 of Building Type 1 and 2 of Building Type 2)(See Plan Sheet A4.0 – A7.0). The buildings are two (2) stories or approximately 32 feet in height. There are two (2) building types in Phase 2, with the primary difference being Building Type 1 contains ground level parking garages and Building Type 2 does not have garages.

Both building types are symmetrical in design with a cross gable roof structure with multiple projecting gable roofs located atop different bays of the elevation. All Phase 2 buildings

provide entrances on the ground level and do not have breezeways like the Phase 1 buildings.

Building Type 1 and 2 – Front Elevation

The Building Type 1 front elevation is comprised of six (6) garage doors and five (5) apartment entrances on the ground floor. The apartment entrances are located in the center and the edge of the elevation with the garage doors located between the apartment entrances. The ground level is sheathed in stacked stone. The second floor is sheathed in fiber cement lap siding in the center bay of the elevation and fiber cement board and batten siding on the remaining portions of the second floor.

The Building Type 2 front elevation is identical to Building Type 1, except the six (6) garage doors are replaced with two (2) additional apartment entrances and additional windows.

Building Type 1 and 2 – Rear Elevation

The rear elevations for both building types are identical. The cross gabled roof is visually divided by a shed dormer centered in the roof. There are two (2) apartment entrances located at the edges of the elevation. The primary building material is fiber cement board lap siding with stacked stone used on all chimneys, piers, and the projecting bays adjacent to the entrances. Also, fiber cement board and batten siding is used as an accent material within the gable roof ends that project outward from the primary cross gable roof.

Building Type 1 and 2 – Side Elevations

The side elevations for Building Type 1 are mirror images. The ground level of the right elevation is comprised of a centrally located apartment entrance flanked by two (2) garage doors to the left and ground level windows to the right. The left elevation has the two (2) garages located to the right of the centrally located apartment entrance and the windows located to the left. The building materials and design are consistent with the front and rear elevations with the use of stacked stone on chimneys and piers with fiber cement board lap siding and board and batten siding comprising the remaining portions of the elevations.

The side elevations for Building Type 2 are mirror images. The ground level of the right elevation is comprised of a centrally located apartment entrance flanked by a projecting bay with chimney to the left and ground level windows to the right. The left elevation has the projecting bay with chimney located to the right of the centrally located apartment entrance and the windows located to the left. There are ground level windows across the entire elevation, but the windows opposite the chimney are covered by the shed roof porch. The building materials and design are consistent with the front and rear elevations with the use of stacked stone on chimneys and piers with fiber cement lap board siding and board and batten siding comprising the remaining portions of the elevations.

Planning Commission approved the architectural elevations as submitted for Phase 2. The Planning Commission did not approve the architectural elevations for Phase 1 as shown on Sheet A3.0, unless building heights are restricted to 35 feet in height.

Open Space/Bufferyards/Landscaping

Phase 1 of the development is zoned Mixed Use and bordered to the north by Planned General Commercial (PGC) and Mixed Use (MU) zoned property. To the south, Phase 1 is

bordered by the CSX railroad and beyond the railroad tracks by Specific Plan (SP) and Commercial General (CG) zoned property. To the east, Phase 1 is bordered by Mixed Use (MU) zoned property and to the west by Planned General Commercial Property (PGC) zoned property.

Phase 2 of the development is bordered to the north by Planned Business Park (PBP) zoned property, which requires a Type 25 Bufferyard. To the south, Phase 2 is bordered by Mixed Use (MU) zoned property (Phase 1). To the east and west, Phase 2 is bordered by Mixed use (MU) and Planned Business Park (PBP) zoned property. Each of these adjacent zoning requires different bufferyard types.

The PMDP provides details of the proposed bufferyards and a table on Sheet C1.0 and Sheet C2.0 indicates what bufferyard is proposed adjacent to each zone district. The table is provided below.

BUFFERYARD REQUIREMENTS		
	REQUIRED	PROPOSED
MU to MU	Type 10	Type 10
MU to PBP	Type 25	Type 25 Alternative
MU to CG (Residential)	Type 30	Railroad R.O.W. Alternative
MU to CG (Intervening Railroad)	Not Required (G.Z.O. Section 13.04.060.F(3))	N/A
MU to SP (Residential)	NOT SPECIFIED IN G.Z.O.	Railroad R.O.W. Alternative
MU to A (Intervening Collector Road)	Type 25	Type 25 Alternative
MU to PGC (Intervening Arterial Road)	Type 12 (12.5 feet)	Type 15 Alternative

The Type 15 and Type 25 Alternative Bufferyards provide all required landscape material, but within a reduced width of 10 feet. The Railroad R.O.W. alternative bufferyard is a requested to not provide any landscape material due to the railroad right-of-way being 200 feet in width and there are existing tree lines to the north and south of the railroad tracks in the railroad right-of-way. The tree lines are not located on the Chandler Park property. The Gallatin Zoning Ordinance does not provide a required bufferyard between Mixed Use and Specific Plan zone districts, so the owner is requesting to extend the Railroad R.O.W. Alternative Bufferyard along the southern property boundary of Phase 1 that is adjacent to SP zoned property. The applicant should consider a hedge row planting adjacent to the railroad right-of-way or consider installing a fence to discourage trespassing on the railroad right-of-way.

Planning Commission approved the alternative bufferyards and landscape plan as submitted.

Signage

The applicant provided a photograph of the proposed signage for both Phase 1 and 2. The signage is a large stone with the development name engraved within the stone. (See Sheet A1.0) The size or locations of the monument signs were not provided. The applicant shall show and label the location of the proposed signs, including the setback from the right-of-way on the appropriate plan sheets. A sign package including conceptual elevations also shall be included with the Final Master Development Plan.

Parking

The Dwelling, Multi-Family use requires two (2) parking spaces per dwelling unit. Phase 1 includes 384 units, which requires 768 parking spaces with at least 16 handicapped parking spaces. Phase 2 includes 108 units, which requires 216 parking spaces with at least seven (7) handicapped parking spaces. The plan provides a total of 1,008 parking spaces, which exceeds the required number of parking spaces of 984. A breakdown of parking space types per phase is in the table below.

CHANDLER PARK – PARKING PLAN					
	REQUIRED PARKING	PROPOSED PARKING			TOTAL
		SURFACE PARKING	GARAGE	HANDICAPPED	
PHASE 1	768 (16 ADA)	691	71	16	778
PHASE 2	216 (7 ADA)	127	96	7	230
TOTAL	984 (23 ADA)	818	167	23	1008 (23 ADA)

Photometric Plan

No Photometric Plan was submitted with the PMDP, but Note 21 on Sheet C1.0 states “Outdoor lighting shall comply with the City of Gallatin Zoning Ordinance Section 13.02.080.” The PMDP does include the type and number of lighting fixtures proposed. (Sheet C2.0 – detail) There are eight (8) pole lights proposed at 20 feet in height and 11 wall pack lights mounted 10 feet above finished floor. All proposed lighting is L.E.D. technology. A code compliant Photometric Plan shall be provided as part of the Final Master Development Plan.

As described herein, the proposed apartment complex is adjacent to the CSX railroad. A marked and signed railroad crossing with warnings lights and gates is located at the east end of the project on Harris Lane. The tracks extend along the south edge of the site. Trains travel at high speeds through this corridor at this location and sound the horn when approaching the crossing. Train horns are exempt from the City of Gallatin Noise Ordinance and Zoning Code. In most cases housing is discouraged adjacent to a railroad. Many areas of the City are adjacent to the railroad, including the mainline, and are zoned and/or developed for residential uses. This project will be setback approximately 120 feet from the railroad tracks and include a Type 30 Alternative and a 20 foot wide rear yard adjacent to the railroad right-of-way.

Planning Department Comments

The Planning Department reviewed and commented on the Preliminary Master Development Plan. The applicant satisfactorily addressed the Planning Department comments, except those listed as conditions of approval. Based on Section 12.02.020 F.1.b., density can not exceed one unit per 3000 square feet of lot/development area. This will limit the number of units permitted on the property to no more than 442 units or no more than 478 units if the 2.5 acre commercial portion used for multi-family uses.

Engineering Division Comments

The Engineering Division reviewed and commented on the Preliminary Master Development Plan. The applicant satisfactorily addressed the Engineering Division comments, except those listed as conditions of approval.

FINDINGS:

1. The owner and applicant submitted a completed application with required attachments to the City requesting the zoning change and Preliminary Master Development Plan approval.
2. 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 except the requested number of units exceeds the density permitted by the Zoning Ordinance.
3. The rezoning and Preliminary Master Development Plan is in agreement and consistent with the intent and land use recommendations of the Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020 for the area, and in particular, the GreenLea Business Center Special Area Character Category.
4. The Preliminary Master Development Plan is consistent with the purpose and intent of the Mixed Use (MU) zone district and complies with the use restrictions, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zone district, and with requested exceptions from the minimum height regulations, except for the requested density.
5. The property proposed for rezoning and the PMDP site has adequate public utilities, infrastructure and private or municipal services necessary to serve the proposed development and population permitted by the requested zoning and the PMDP or such necessary services and facilities will be provided upon development of the property.
6. The Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
7. The Gallatin Regional-Municipal Planning Commission received public comment and reviewed and recommended to the City Council action on the proposed rezoning request and PMDP.
8. The Preliminary Master Development Plan submitted to the City complies with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.
9. The 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.
10. The legal purposes for which zoning regulations exist have not been contravened.
11. No one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.

RECOMMENDATION:

Planning Commission Recommendation

After discussion and public comment the Planning Commission recommended approval as indicated in GMRPC Resolution No. 2016-122 (Attachment 9). However, this does not include the exceptions for building height and excess density requested by the applicant.

Planning Staff Recommendation

The staff recommends approval of Ordinance #O1611-59, rezoning 4.74 (+/-) acres (Tax Map 125 a portion of Parcel 034.00) from PBP – Planned Business Park zoning district to

MU – Mixed Use zoning district and the Preliminary Master Development Plan for Chandler Park Gallatin Phases I and II, consisting of a seven (7) sheet plan, prepared by Rogers Engineering Group of Gallatin, TN, with Project #16-048, dated October 11, 2016, a one (1) sheet architecture plan, prepared by Niles Bolton Associates of Atlanta, GA, with Job No. 116045.00, dated October 11, 2016, and a four (4) sheet architecture plan, prepared by Humphreys & Partners Architects, L.P., of Dallas, TX, with Job No. HPA 16401, dated August 19, 2016, with a final revision date of October 11, 2016, with the following conditions:

1. Reduce the total number of units on the 30.96 acre properties from 492 units to a maximum of 442 units (representing no greater density than one unit per 3000 square feet of gross acreage) or include the designated 2.5 acre retail portion of the PMDP as part of the multi-family development whereby the maximum number of units permitted could be 478 units.
2. Add a note to the plan stating a separate Preliminary Master Development Plan is required for the retail lot unless the retail lot is used for multi-family use.
3. Add a note to the plan stating all Gallatin Zoning Ordinance landscape requirements shall be met.
4. Dimension several parking spaces in each phase or provide a typical parking space dimension for each phase and parking space type.
5. Dimension and label drive aisle widths within each phase.
6. Show and label the location of the proposed signs, including the setback from the right-of-way.
7. Verify the parking numbers for both phases to ensure consistency with the Site Data Table on the Cover Sheet (Sheet C1.0).
8. Dimension and label the roofline heights on all elevation sheets.
9. Provide architectural elevations and/or photographs of the proposed garages.
10. Widen and improve Harris Lane on the south side of the roadway from GreenLea Boulevard to the CSX Railroad and on the north side of the roadway from GreenLea Boulevard to the east boundary of the northerly parcel to minimum collector road standards.
11. Graphically and/or by plan note indicate a driveway to/from Harris Lane to the 2.5± acre retail portion of the site if the retail section is retained.
12. Modify the plan to show sidewalk connections for the apartment site to the public sidewalks along Harris Lane and add a sidewalk on Harris Lane adjacent to Phase 2. Sidewalks for the retail lot may be shown upon submittal of a FMDP for this site.
13. Submit one (1) full-sized and two (2) half-sized, corrected folded copies of the Preliminary Master Development Plan.

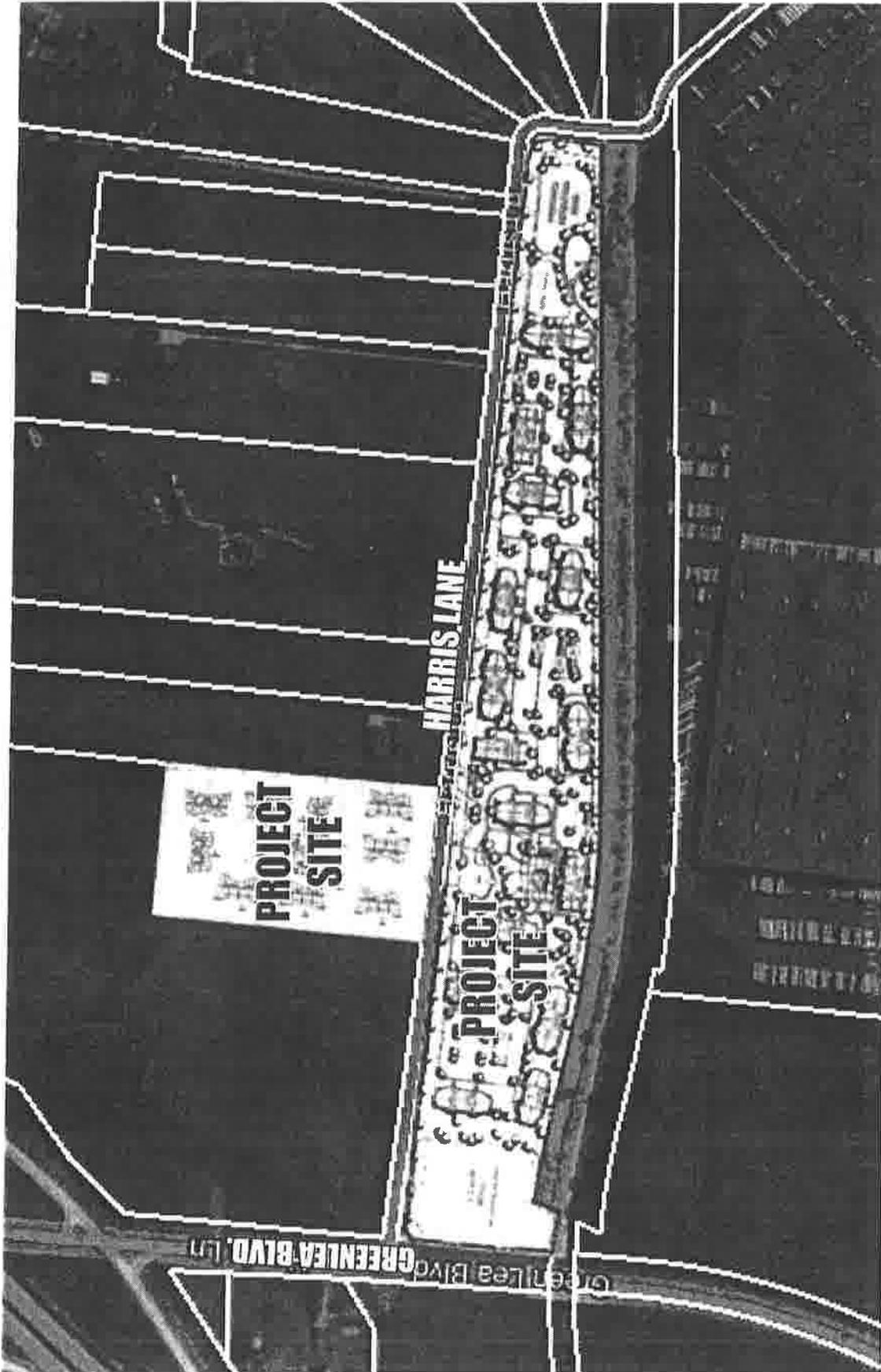
(The plans shall be amended to comply with the conditions of approval prior to the final staff approval by the City)

ATTACHMENTS

- | | |
|---------------------|--|
| Attachment 1 | Location Map of Chandler Park |
| Attachment 2 | Heights of GreenLea Rezoning and PMDP (File# 3-11-10) |
| Attachment 3 | Heights of GreenLea – Legal Descriptions for Tract H-1, Tract I, and Tract J. |

- Attachment 4** **Cantrill Farm Rezoning and PMDP (File# 3-17-10)**
- Attachment 5** **Cantrill Farm – Ordinance #O1010-67 with Legal Description for Tract ‘E’**
- Attachment 6** **G.Z.O. Section 12.02.020.F**
- Attachment 7** **Gallatin on the Move – GreenLea Business Park Character Area Information**
- Attachment 8** **Chandler Park PMDP (File# 3-2443-16)**
- Attachment 9** **GMRPC Resolution No. 2016-122**

ATTACHMENT 1



Location Map Chandler Park Rezoning and PMDP PC File# 3-2443-16

Prepared By: Kevin Chastine, AICP
Prepared On: October 19, 2016

Legal Description
For
Green Lea – Long Hollow Pike
Land Owners Group
A to PBP Zoning
(Part of Property 17 on Exhibit "C")
Tract "H-1"

ATTACHMENT 3

Property located on the south side of Vietnam Veterans Blvd. (S.R. 386), and the east side of Green Lea Blvd. Being shown as part of parcel 34.00 on Sumner County Property Map 125. Being more particularly described as follows:

BEGINNING at a point in the southeasterly right of way of Vietnam Veterans Boulevard (S.R. 386), at the Northwest corner of the herein-described tract and the Southwest corner of the John R. Griffin, Jr. property of record in D.B. 169, Pg. 429, R.O.S.C., TN; Thence from said POINT OF BEGINNING, leaving Vietnam Veterans Boulevard, with the southerly line of Griffin, S 84°17'49" E – 329.61' to a point at the Northwest corner of the Maxey Family LP property of record in R.B. 1294, Pg. 522, Thence with said line, S 05°20'20" W – 471.02' to a point at the Northwest corner of the RAI 4 Family LLC property of record in R.B. 3179, Pg. 619, Thence with the easterly line of said property, S 05°20'20" W – 318.08' to a point at the Northwest corner of the Donald R. Wilson property of record in R.B. 888, Pg. 116, Thence with the easterly line of Wilson, S 05°20'20" W – 1167.90' to a point; Thence leaving Wilson's line, with a new line N 84°04'15" W – 1057.05' to a point; Thence N 05°38'22" E – 666.08' to a point in the southeasterly right-of-way of Vietnam Veterans Blvd. Thence with said right-of-way, Thence N 54°53'05" E – 63.02' to a point; Thence N 31°46'51" E - 143.38' to point; Thence N 21°47'27" E – 212.25' to a point; Thence N 18°16'37" E – 22.15' to a point; Thence N 14°31'17" E – 225.49' to a point; Thence with a curve left having a radius of 668.94', a chord length of 76.19', said chord having a bearing of N 30°44'19" E and an arc length along said curve of 76.23' to a point; Thence N 43°21'50" E – 222.92' to a point; Thence N 45°16'59" E – 337.64' to a point; Thence N 42°51'40" E – 203.97' to the POINT OF BEGINNING, containing 38.96 acres,

Being a portion of the same property conveyed to Mary Anne Huggins and Betty Wright Poindexter et vir by deed of record in R.B. 2183, Pg 217, R.O.S.C., TN.

RESUBMITTAL

RECEIVED
SEP 20 2010

GALLATHEE PLANNING
& ZONING

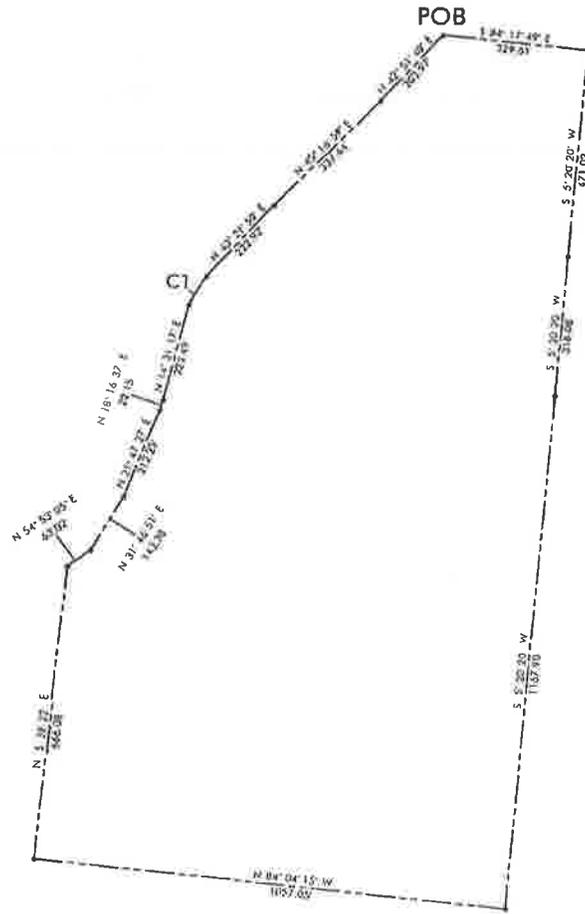
PC file 3-11-10

ATTACHMENT 2-4

ATTACHMENT 3

Curve Table				
Curve	Chord Length	Radius	Bearing	Arc Length
C1	76.19'	668.94'	N30°44'19"E	76.23'

EXHIBIT D



REVISED

RESUBMITTAL

Tract H-1

Scale 1"=400' 0 400 800



The Heights at GreenLea
 GreenLea Rezoning Application
 05/18/10

RECEIVED
 SEP 20 2010

GALLATIN PLANNING
 & ZONING

ATTACHMENT 2-4

EXHIBIT D

Legal Description
For
Green Lea – Long Hollow Pike
Land Owners Group
A to MU Zoning
(Part of property 17 on Exhibit “C”)
Tract “I”

ATTACHMENT 3

Property located on the north side of Harris Lane and the east side of Green Lea Blvd.
Being shown as part of parcel 34.00 on Sumner County Property Map 125. Being more particularly described as follows:

BEGINNING at a point in the northerly right-of-way of Harris Lane at the Southeast corner of the herein-described tract and Southwest corner of the Donald R. Wilson et ux property of record in R.B. 888, Pg. 116, Thence from said POINT OF BEGINNING, along the right-of-way of Harris Lane, N 84°04'15" W – 1004.67' to a point; Thence N 82°55'51" W – 53.98' to a point; Thence leaving Harris Lane with a new line, N 05°38'22" E - 298.93' to a point; Thence S 84°04'15" E – 1057.05' to a point in the westerly line of the Donald R. Wilson property, Thence with said line, S 05°20'20" W – 300.02' to the POINT OF BEGINNING, containing 7.28 acres, more or less.

Being a portion of the same property conveyed to Mary Anne Huggins and Betty Wright Poindexter et vir by deed of record in Record Book 2183, Page 217, R.O.S.C., TN.

RESUBMITTAL

RECEIVED
SEP 20 2010

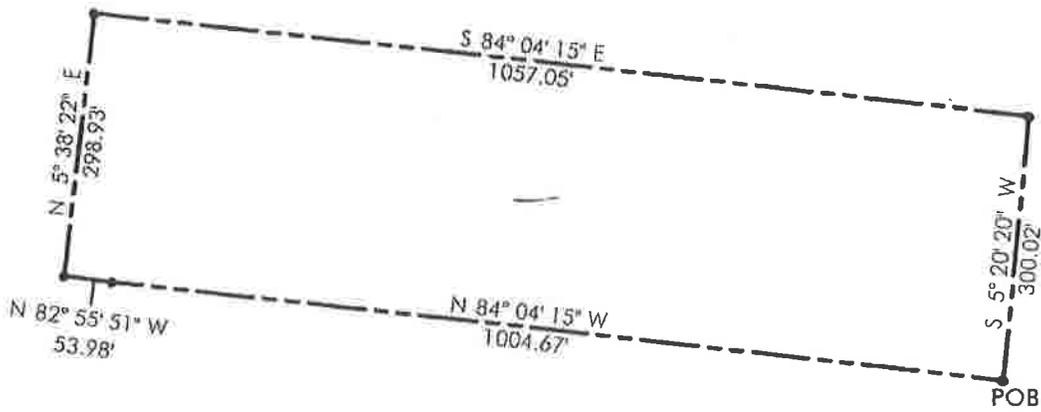
GALLATIN PLANNING
& ZONING

PC # 3-11-10

ATTACHMENT 2-4

EXHIBIT D

ATTACHMENT 3



REVISED RESUBMITTAL

Tract I

Scale 1"=200'



The Heights at GreenLea
 GreenLea Rezoning Application
 05/18/10

RECEIVED
 SEP 20 2010

GALLATIN PLANNING
 & ZONING

Legal Description
For
Green Lea – Long Hollow Pike
Land Owners Group
A to PGC Zoning
(Part of property 17 on Exhibit "C")
Tract "J"

ATTACHMENT 3

Property located on the north side of Harris Lane and the east side of Green Lea Blvd.
Being shown as part of parcel 34.00 on Sumner County Property Map 125. Being more
particularly described as follows:

BEGINNING at a point at the intersection of the easterly right-of-way of Green Lea Blvd. and the northerly right-of-way of Harris Lane, at the Southwest corner of the herein-described tract. Thence from said POINT OF BEGINNING, along the easterly right-of-way of Green Lea Blvd., N 04°43'46" E – 117.17' to a point; Thence N 04°20'50" E – 100.02' to a point; Thence N 05°29'34" E – 100.00' to a point; Thence N 05°38'22" E – 201.69' to a point; Thence N 05°29'44" E – 135.70' to a point in the southeasterly right-of-way of Vietnam Veterans Boulevard (S.R. 386) Thence with said right-of-way, N 39°40'14" E – 117.16' to a point; Thence N 44°25'18" E – 110.34' to a point; Thence N 54°53'05" E – 152.68' to a point; Thence leaving the right-of-way of Vietnam Veterans Boulevard with a new line, S 05°38'22" W – 965.01 to a point in the northerly right-of-way of Harris Lane; Thence with said right-of-way, N 82°55'51" W – 223.58' to a point; Thence N 39°21'46" W – 31.27' to the POINT OF BEGINNING, containing 4.79 acres, more or less.

Being a portion of the same property conveyed to Mary Anne Huggins and Betty Wright Poindexter et vir by deed of record in Record Book 2183, Page 217, R.O.S.C., TN.

REVISED

RESUBMITTAL

RECEIVED
SEP 20 2010

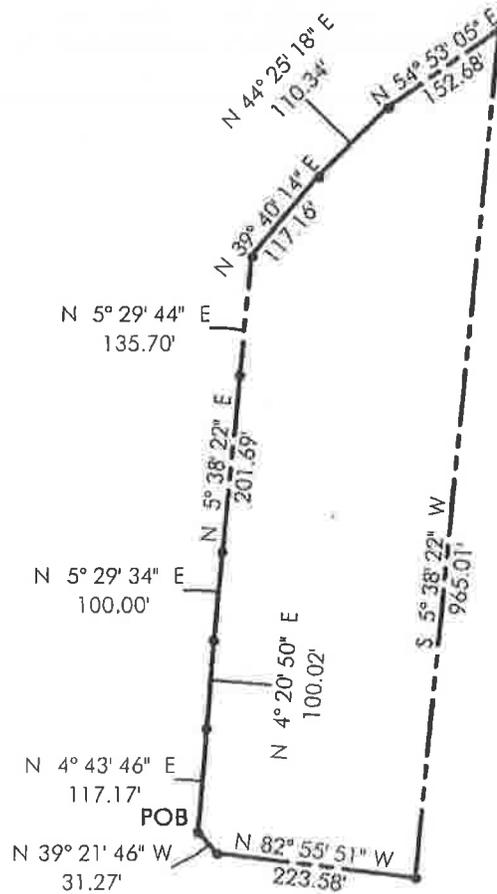
GALLATI PLANNING
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ATTACHMENT 2-4

EXHIBIT D

ATTACHMENT 3



REVISED

RESUBMITTAL

Tract J

Scale 1"=200' 0 200 400



The Heights at GreenLea
GreenLea Rezoning Application
05/18/10

RECEIVED
SEP 20 2010

GALLATIN PLANNING
& ZONING

ATTACHMENT 5

AMENDED ORDINANCE NO. 01010-67

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING

AGRICULTURAL (A) RESIDENTIAL ZONE DISTRICT TO PLANNED GENERAL COMMERCIAL (PGC) ZONE DISTRICT, JONES, HERMAN GLENN, OWNER(S) – 7.52 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 016.00; TERRANOVA, LLC, OWNER(S) – 11.94 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 017.00;

AGRICULTURAL (A) RESIDENTIAL ZONE DISTRICT TO PLANNED BUSINESS PARK (PBP) ZONE DISTRICT, JONES, HERMAN GLENN, OWNER(S) – 11.56 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 016.00; TERRANOVA, LLC, OWNER(S) – 10.69 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 017.00; WILSON, DONALD R. ETUX, OWNER(S) – 5.36 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 035.00; RAI 4 FAMILY, LLC, OWNER(S) – 8.29 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 046.00; MAXEY FAMILY, LP, OWNER(S) – 26.68 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 047.00; MAXEY PARTNERS, LP, OWNER(S) – 8.31 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 048.01; HUDSON, DAWN RENEE, OWNER(S) – 5.39 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 048.00; LOVETT, THOMAS W., OWNER(S) – 20.95 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 052.00; LOVETT, THOMAS W., OWNER(S) – 86.45 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 053.00; MCGHEE, KEITH A. ETUX, OWNER(S) – 4.26 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 054.00; DEVOS, SCOTT ETUX, OWNER(S) – 4.02 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 055.00; JOHNSON, ARLYN GENE ETUX, OWNER(S) – 4.19 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 056.00; HAMBLEM, HENRY P. JR. ETUX, OWNER(S) – 4.12 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 057.00;

AGRICULTURAL (A) RESIDENTIAL ZONE DISTRICT TO MIXED USE (MU) ZONE DISTRICT, WILSON, DONALD R. ETUX, OWNER(S) – 1.38 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 035.00; RAI 4 FAMILY, LLC, OWNER(S) – 1.38 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 046.00; MAXEY FAMILY, LP, OWNER(S) – 2.75 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 047.00; MAXEY PARTNERS, LP, OWNER(S) – 1.38 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 048.01; HUDSON, DAWN RENEE, OWNER(S) – 1.38 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 048.00; LOVETT, THOMAS W., OWNER(S) – 0.39 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 052.00; LOVETT, THOMAS W., OWNER(S) – 1.17 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 053.00; MCGHEE, KEITH A. ETUX, OWNER(S) – 0.75 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 054.00; DEVOS, SCOTT ETUX, OWNER(S) – 0.99 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 055.00; JOHNSON, ARLYN GENE ETUX, OWNER(S) – 0.83 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 056.00; HAMBLEM, HENRY P. JR. ETUX, OWNER(S) – 0.90 (+/-) ACRES, S.B.E. TAX MAP #125//PART OF 057.00; OMEGA PARTNERS, OWNER(S) – 25.71 (+/-) ACRES, S.B.E. TAX MAP #125//036.00; LOCATED BETWEEN THE CSX RAILROAD AND STATE ROUTE 386, EAST OF GREENLEA BOULEVARD

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of this amendment in GMRPC Resolution No. 2010-28, attached hereto as Exhibit A; and

ATTACHMENT 5

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

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

1. The Gallatin City Council hereby concurs with recommendations two (2) through five (5) of the Gallatin Municipal-Regional Planning Commission as described in Exhibit A and further described in the Staff Report and Action Form, attached hereto as Exhibit B and imposes those recommendations as conditions to this rezoning; and
2. That based upon recommendation of approval by the Gallatin Municipal-Regional Planning Commission, public notice, and after public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the zone of the real property defined in Exhibit C, attached hereto, and illustrated in Exhibit D, Cantrill Farm Rezoning Request, shall be amended from the regular zoning district of Agricultural (A) Residential Zone District to the regular zone district of Planned General Commercial (PGC); Planned Business Park (PBP); and Mixed Use (MU), and the Cantrill Farm Rezoning Request is approved.
3. In accordance with Section 15.07.080 of the Gallatin Zoning Ordinance, the official zoning map of the City of Gallatin, Tennessee, shall, upon the effective date of this ordinance, be amended to reflect the zoning changes herein made.

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

PASSED FIRST READING: November 1, 2010.

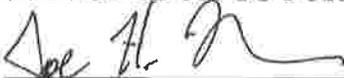
PASSED SECOND READING: December 7, 2010.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

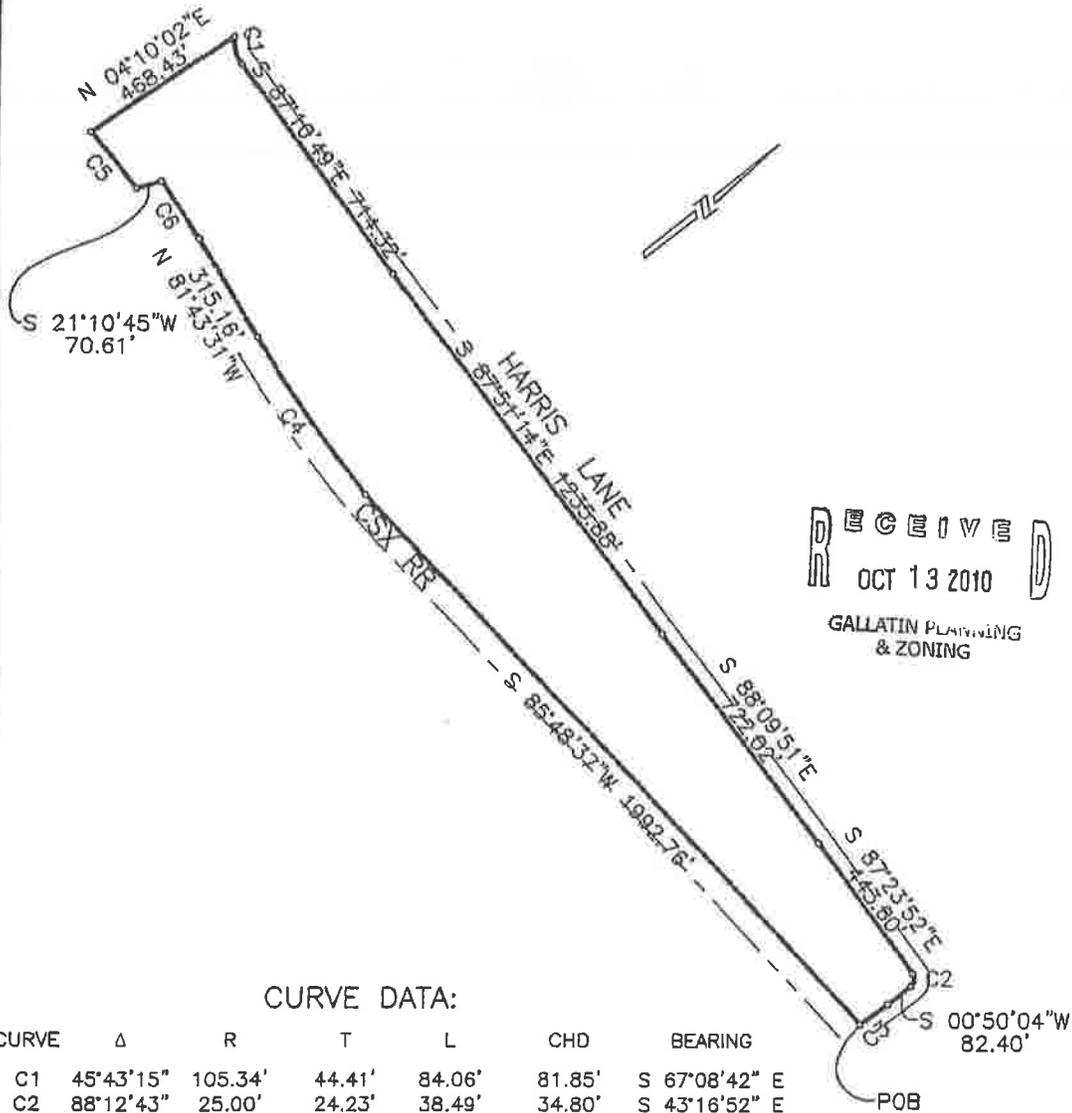
APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY

CANTRILL FARM REZONING REQUEST

GALLATIN, TENNESSEE TRACT "E"



CURVE DATA:

CURVE	Δ	R	T	L	CHD	BEARING
C1	45°43'15"	105.34'	44.41'	84.06'	81.85'	S 67°08'42" E
C2	88°12'43"	25.00'	24.23'	38.49'	34.80'	S 43°16'52" E
C3	04°53'23"	1094.42'	46.73'	93.40'	93.37'	S 02°00'54" W
C4	10°20'33"	2927.32'	264.93'	528.42'	527.70'	N 85°48'18" W
C5	05°52'34"	1950.99'	100.13'	200.09'	200.00'	S 89°30'55" W
C6	05°27'12"	2017.99'	96.11'	192.07'	192.00'	N 84°10'35" W



CALDWELL ENGINEERING & SURVEYING

POST OFFICE BOX 323 HENDERSONVILLE, TENNESSEE 37077 (615)824-4747

JOB # 10-14 (E)

EXHIBIT E

DATE: 9-15-10

SCALE: 1"=400'

SHEET 1 OF 2

ATTACHMENT 5

CANTRILL FARM REZONING REQUEST GALLATIN, TENNESSEE TRACT "E"

Rezoning Request Legal Description #5

A tract of land in Sumner County, Tennessee being the Omega Partners property as of record in book 2528, page 357, as shown on County Tax Map 125, Parcel 36.00, and being more particularly described as follows based upon information taken from a Survey By William E Crenshaw, TN RLS # 2395, dated June 13, 2006

Beginning at a iron pin in the westerly right-of-way of Harris Lane being the southeast corner of the herein described property and in the northerly right-of-way of CSX Railroad, thence with CSX Railroad S 85°48'37" W 1992.76 feet to an iron pin, thence with a curve to the right having a delta of 10°20'33", a radius 2927.32 feet, a tangent of 264.93 feet, a chord of 527.70 feet, bearing N 85°48'18" W, a distance of 528.42 feet to an iron pin, thence N 81°43'31" W 315.16 feet to a curve to the left having a delta of 5°27'12", a radius 2017.99 feet, a tangent of 98.11 feet, a chord of 192.00 feet, bearing N 84°10'35" W, a distance of 192.07 feet to an iron pin, thence S 21°10'45" W 70.61 feet to an iron pin, thence with a curve to the left having a delta of 5°52'34", a radius 1950.99 feet, a tangent of 100.13 feet, a chord of 200.00 feet, bearing S 89°30'55" W, a distance of 200.09 feet to an iron pin in the boundary of Maddox Investments Partners, as of record in book 2311, page 242-244, RO SC, TN, thence with Maddox N 4°10'02" E 468.43 feet to an iron pin in the southerly right-of-way of Harris Lane, thence with a curve to the left having a delta of 45°43'15", a radius 105.34 feet, a tangent of 44.41 feet, a chord of 81.85 feet, bearing S 67°08'42" E, a distance of 84.06 feet to an iron pin, thence with Harris Lane S 87°10'49" E 714.32 feet to an iron pin, thence S 87°51'14" E 1235.88 feet to an iron pin, thence S 88°09'51" E 722.02 feet to an iron pin, thence S 87°23'52" E 443.60 feet to an iron pin, thence with a curve to the right having a delta of 88°12'43", a radius of 25.00 feet, a tangent of 24.23 feet, a chord of 34.80 feet, bearing S 43°16'52" E, a distance of 38.49 feet to an iron pin, thence S 0°50'04" W 82.40 feet to an iron pin, thence with a curve to the left having a delta of 4°53'23", a radius 1094.42 feet, a tangent of 46.73 feet, a chord of 93.37 feet, bearing S 02°00'54" W, a distance of 93.40 feet to the point of beginning and containing 25.71 acres more or less

It is requested that the above described property be rezoned from A to MU

R E C E I V E D
OCT 13 2010

GALLATIN PLANNING
& ZONING



CALDWELL ENGINEERING & SURVEYING

POST OFFICE BOX 323 HENDERSONVILLE, TENNESSEE 37077 (615)824-4747

JOB # 10-14 (E)

EXIST

DATE: 9-15-10

SCALE: 1"=400'

SHEET 2 OF 2

12.02.020 Adoption of a Preliminary Master Development Plan

F. Master Development Plan – Granting of Exceptions to Bulk Regulations and Waiver of Board of Zoning Appeal Approval of Conditional Use Permits

1. Granting of Exceptions to Bulk Regulations: An applicant requesting approval of a Preliminary Master Development Plan or Final Master Development Plan may request exceptions from the zoning district bulk regulations governing development area per dwelling unit, site area per unit, yards, minimum building setback, minimum lot size, minimum lot width, and maximum building height as may be necessary or desirable to achieve the objectives of the proposed planned development. Exceptions may be granted in accordance with the following provisions in order to achieve a more desirable site development than would result if the requirements of this ordinance were strictly adhered to:

a. **Request for Granting of Exceptions:** Exceptions must be specifically requested in writing on the Planning Commission Application Form submitted for a planned development and must also be clearly noted on the Preliminary Master Development Plan and Final Master Development.

b. **Granting of Exceptions – Preliminary Master Development Plan:** Exceptions to the zoning district bulk regulations governing development area per dwelling unit, site area per unit, yards, minimum building setback, minimum lot size, minimum lot width, and maximum building height may be granted as part of the approval of a Preliminary Master Development Plan and shall be based upon the recommendation of the Planning Commission, and determination by the Board of Mayor and Alderman, that the exceptions will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located. In approving exceptions, the Board of Mayor and Alderman may impose conditions which will secure substantially the objectives, standards, and requirements of this Ordinance. Exceptions to the development area per dwelling unit or site area per unit requirement may be granted in order to permit greater development flexibility in order to permit the increased density or number of units permitted on individual zone lots when approved by the Board of Mayor and Alderman as a part of the approval of an overall Preliminary Master Development Plan. However, exceptions to bulk regulations for development area per dwelling unit or site area per unit shall not result in an increase in the total number of dwelling units or density permitted by district regulations for the overall development approved as part of a Preliminary Master Development Plan.

c. **Granting of Exceptions – Final Master Development Plan:** The Planning Commission may grant exceptions to the zoning district bulk regulations governing yards, minimum building setback, minimum lot size, minimum lot width, and maximum building height may be granted as part of their approval of a Final Master Development Plan as may be necessary or desirable to achieve the objectives of the overall planned development. Exceptions may be granted in order to achieve a more desirable site development than would result if the requirements of this ordinance were strictly adhered to. In granting exceptions, the Planning Commission shall determine that the exceptions will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located. The Planning Commission may impose conditions which will secure substantially the objectives, standards, and requirements of this Ordinance.

GREENLEA BUSINESS CENTER

General Description of Existing Development Patterns

The GreenLea Business Center is an emerging employment and residential special area that includes a mix of industrial, office, residential and commercial uses that take advantage of the areas' location adjacent to SR-386 and the CSX Railroad. Much of this area is currently undeveloped and presents an opportunity for commercial, industrial and office growth adjacent to existing and emerging residential and commercial areas. A significant portion of the special area has been approved for retail, office, and residential uses within the Greensboro PUD. A detailed study should evaluate the areas south of SR 386 and north of the railroad for future mixed use developments.

Location

Areas within this character area include the following:

- Portions of Belvedere Drive/Harris Lane and GreenLea Boulevard, west of SR-109 Bypass and south of SR-386/Vietnam Veterans Boulevard

Intent

- Accommodate a mix of industrial and commercial/office uses to diversify the City's economic base
- Provide housing choices in close proximity to jobs/services
- Depict clear boundaries and transitions between the edge of the area and adjacent areas, particularly existing or emerging residential areas, to prevent visual and physical encroachment
- Prevent adverse impacts to natural resources and surrounding population
- Address traffic impacts and circulation in site design, resulting in ease of movement throughout the area
- Provide adequate buffers and limit visibility of industrial operations/parking from the public right of way
- Limit grading and clearing

Development Strategies

- Encourage a relatively high-density mix of residential, commercial, office and industry uses
- Require connectivity between uses

Implementation Strategies

- ☞ Market available Belvedere Drive/Harris Lane Industrial properties
- ☞ Maintain the Greensboro PUD zoning
- ☞ Prepare a detailed plan to address the large developable tracts north of the railroad and east of East Camp Creek

GREENLEA BUSINESS CENTER

Anticipated level of change:

- High

Transportation

- Medium level of service
- Medium level of connectivity
- Properties accessed by public roads, railroad
- Regular-shaped, long blocks
- Roads characterized by curb, gutter and open grassy swale

Infrastructure

- Full urban facilities and services

Greenspace

- Adjacent Preserve areas

Primary Land Uses

- Light Industry
- Business Parks
- Warehouse
- Commercial
- Hospitality
- Transportation/Comm./Utilities
- Single- and Multi-family Residential (when part of an approved master plan)

Appropriate Intensity

- 0.5 FAR

Applicable Zoning Districts

Existing Zoning Districts

- IR, PBP, MRO PUD, R15 PUD

Proposed Zoning Districts

- GO and ~~IR~~ (if a detailed study proceeds the zoning change) for areas south of SR-386 and north of the railroad

ATTACHMENT 9

GMRPC Resolution No. 2016-122

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL TO GALLATIN CITY COUNCIL OF A REQUEST TO REZONE A 4.74 (+/-) ACRE PORTION OF TAX MAP 125, PARCEL 043.00, FROM PLANNED BUSINESS PARK (PBP) TO MIXED USE (MU) AND APPROVAL OF A PRELIMINARY MASTER DEVELOPMENT PLAN FOR CHANDLER PARK PHASES I AND II ON 32.39 (+/-) ACRES, LOCATED NORTH AND SOUTH OF HARRIS LANE AND EAST OF GREENLEA BOULEVARD. (3-2443-16)

WHEREAS, the applicant submitted an application for the rezoning and Chandler Park Preliminary Master Development Plan consistent with Sections 12.02.010 and 15.07.030 of the City of Gallatin Zoning Ordinance, and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the rezoning and Preliminary Master Development Plan submitted by the applicant, Rogers Engineering Group, at its regular meeting on October 24, 2016; and

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

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 Tennessee Code Annotated §13-3-413, §13-4-310, §13-7-201, and §13-7-202:

1. The owner and applicant submitted a completed application with required attachments to the City requesting the zoning change and Preliminary Master Development Plan approval.
2. 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.
3. The proposed rezoning and Preliminary Master Development Plan is in agreement and consistent with the intent and land use recommendations of the Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020 for the area, and in particular, the GreenLea Business Center Special Area Character Category.
4. The proposed Preliminary Master Development Plan is consistent with the purpose and intent of the Mixed Use (MU) zone district and complies with the use restrictions, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zone district, and with requested exceptions from the minimum site area per unit and height regulations.

5. The property proposed for rezoning and the PMDP site has adequate public utilities, infrastructure and private or municipal services necessary to serve the proposed development and population permitted by the requested zoning and the PMDP or such necessary services and facilities will be provided upon development of the property.
6. The Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
7. The Gallatin Regional-Municipal Planning Commission received public comment and reviewed and recommended to the City Council action on the proposed rezoning request and PMDP.
8. The Preliminary Master Development Plan submitted to the City complies with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.
9. 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.
10. The legal purposes for which zoning regulations exist have not been contravened.
11. No one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval to City Council of the rezoning a 4.74 (+/-) acre portion of Tax Map 125, Parcel 34.00, located north of Harris Lane and east of GreenLea Boulevard, from Planned Business Part (PBP) to the Mixed Use (MU) District and the Preliminary Master Development Plan for Chandler Park Gallatin Phase I and II, consisting of a seven (7) sheet plan, prepared by Rogers Engineering Group of Gallatin, TN, with Project #16-048, dated October 11, 2016, a one (1) sheet architecture plan, prepared by Niles Bolton Associates of Atlanta, GA, with Job No. 116045.00, dated October 11, 2016, and an four (4) sheet architecture plan, prepared by Humphreys & Partners Architects, L.P., of Dallas, TX, with Job No. HPA 16401, dated August 19, 2016, with a final revision date of October 11, 2016, with the following conditions:

1. Reduce the total number of units on the 30.46 acre properties from 492 units to a maximum of 442 units (representing no greater density than one unit per 3000 square feet of gross acreage).
2. Add a note to the plan stating a separate Preliminary Master Development Plan is required for the retail lot.
3. Add a note to the plan stating all Gallatin Zoning Ordinance landscape requirements shall be met.
4. Dimension several parking spaces in each phase or provide a typical parking space for each phase and parking space type.
5. Dimension and label drive aisle widths within each phase.
6. Show and label the location of the proposed signs, including the setback from the right-of-way.

ATTACHMENT 9

7. Verify the parking numbers for both phases to ensure consistency with the Site Data Table on the Cover Sheet (Sheet C1.0).
8. Dimension and label the roofline heights on all elevation sheets. All buildings shall be limited to no more than 35 feet in height.
9. Provide architectural elevations and/or photographs of the proposed garages.
10. Widen and improve Harris Lane on the south side of the roadway from GreenLea Boulevard to the CSX Railroad crossing and on the north side of the roadway from GreenLea Boulevard to the east boundary of the northerly parcel to minimum collector road standards.
11. Graphically and/or by plan note indicate a driveway to Harris Lane to/from the 2.5± acre retail portion of the site.
12. Modify the plan to show sidewalk connections for the apartment site to the public sidewalks along Harris Lane and add a sidewalk on Harris Lane adjacent to Phase 2. Sidewalks for the retail lot may be shown upon submittal of a PMDP for this site.
13. Submit one (1) full-sized and two (2) half-sized, corrected folded copies of the Preliminary Master Development Plan.

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: 5

NAY: 1

DATED: 10/24/16


Dick Dempsey, Chairman


Johnny Wilson, Secretary

APPROVED AS TO FORM:


SUSAN HIGH-MCAULEY
CITY ATTORNEY

ATTACHMENT 9

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

NOVEMBER 8, 2016

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 8

SUBJECT:

Ordinance No. O1611-60 of the City of Gallatin, Sumner County, Tennessee, amending the Preliminary Master Development Plan for Savannah Marketplace.

SUMMARY:

An Ordinance of the City of Gallatin, Sumner County, Tennessee, amending the Preliminary Master Development Plan for Savannah Marketplace in order to add the vehicular, craft & related equipment sales use, amend the size (acreage) of Phases 3 and 4, amend the total building square footage of Phase 3 and 4, and amend the architecture of Phase 3, consisting of a 9.27 (+/-) acre portion of a parcel (S.B.E. tax map 146, Parcel 037.01), located south of Nashville Pike and west of Gorden Crossing; authorizing the revision to be indicated on the official Zoning Atlas; repealing conflicting ordinances; providing for severability; and providing an effective date.

On October 24, 2016 the Gallatin Municipal-Regional Planning Commission recommended approval of the amendment to Savannah Marketplace Preliminary Master Development Plan with conditions as described in GMRPC Resolution 2016-123. (PC File 3-2587-16)

The Planning Department recommends approval of Ordinance O1611-60 amending the Savannah Marketplace Preliminary Master Development Plan with conditions.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING AN AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR SAVANNAH MARKETPLACE, 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 submitted a complete application for an amendment to the Savannah Marketplace Preliminary Master Development Plan on a 9.27 (+/-) acre portion of a parcel (S.B.E. Tax Map 146, Parcel 037.01), located in the City of Gallatin, Tennessee; and

WHEREAS, the property is located south of Nashville Pike and west of Gorden Crossing and is zoned Planned General Commercial (PGC); and

WHEREAS, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the amendment to the Savannah Marketplace Preliminary Master Development Plan, in GMRPC Resolution No. 2016-123; and

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

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

Section 1. The City Council of the City of Gallatin does hereby approve the Amended Preliminary Master Development Plan as described in Exhibit 'A';

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 indicating the amended Preliminary Master Development Plan.

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, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

EXHIBIT 'A'

The Amended Preliminary Master Development Plan for Savannah Marketplace includes:

- Savannah Marketplace Amended Preliminary Master Development Plan, consisting of a one (1) sheet plan, prepared by Doulgerakis Consulting Engineers, Inc., of Alpharetta, Georgia, with job number 1608, with a revision date of October 12, 2016
- Fifth Third Bank Property, Land Title Survey, consisting of a one (1) sheet plan, prepared by Ragan-Smith, of Nashville, Tennessee, with job number 03-143, dated September 23, 2016
- Gallatin Honda/Savannah Marketplace, Phase 3 Amended Preliminary Master Development Plan, consisting of one (1) sheet plan, prepared by Doulgerakis Consulting Engineers, Inc., of Alpharetta, Georgia, with job number 1608, dated September 23, 2016, with a revision date of October 12, 2016, and
- Architectural Elevations for Gallatin Honda, consisting of a two (2) sheet plan, prepared by Zenner Group, of Atlanta, Georgia, with project number 329002, dated October 12, 2016

The Amended Preliminary Master Development Plan for Savannah Marketplace is approved with the following conditions:

1. Provide and identify “future development” area for the office building and parking area.
2. Add note to the Amended Preliminary Master Development Plan stating that “Properties developed within the Savannah Marketplace will be subject to pro rata contributions for the installation of the traffic signal at Gorden Crossing and Nashville Pike. The amount of the pro rata contributions will be set by the Engineering Division at the Final Master Development Plan stage for Phase 3.
3. As an alternative to install interior parking lot landscaping in the inventory parking area the applicant shall provide an equal amount of landscaping and landscape materials along the perimeter of the site including, if authorized by agreement with the owner, within the offsite drainage detention tract. All alternative landscaping shall be indicated on the Final Master Development Plan.
4. All site signs shall be reviewed and approved at the Final Master Development Plan stage by the Planning Commission.
5. Submit five (5) corrected, folded copies of the Amended Preliminary Master Development to the Planning Department prior to Planning Commission’s consideration of any Final Master Development Plan for Phase 3.



STAFF REPORT for CITY COUNCIL
Savannah Marketplace Amended PMDP (3-2587-16)
2109 Nashville Pike
Date: November 3, 2016

REQUEST: OWNER AND APPLICANT REQUEST APPROVAL OF AN AMENDMENT TO THE AMENDED PRELIMINARY MASTER DEVELOPMENT PLAN FOR SAVANNAH MARKETPLACE TO ADD THE VEHICULAR, CRAFT & RELATED EQUIPMENT SALES USE, AMEND THE SIZE (ACREAGE) OF PHASES 3 AND 4, AMEND THE TOTAL BUILDING SQUARE FOOTAGE OF PHASES 3 AND 4, AMEND THE ARCHITECTURE OF PHASE 3, CONTAINING 9.27 (+/-) ACRES, LOCATED AT 2109 NASHVILLE PIKE. (3-2587-16)

Owner: FIFTH THIRD BANK

Applicant: JACKSON – HON GALLATIN, LLC.

Staff Recommendation: APPROVAL OF ORDINANCE NO. O1611-60

Staff Contact: ROBERT J. KALISZ

PC Meeting Date: OCTOBER 24, 2016

Council Committee Date: NOVEMBER 8, 2016

PROPERTY OVERVIEW:

The owner and applicant request approval of an amendment to the approved Amended Preliminary Master Development Plan for the Savannah Marketplace in order to add the vehicular, craft & related equipment sales use, amend the size (acreage) of Phases 3 and 4, amend the total building square footage of Phase 3 and 4, and amend the architecture of Phase 3, consisting of a 9.27 (+/-) acre portion of a parcel (S.B.E. Tax Map 146, Parcel 037.01) (Attachment 1 and Attachment 2). The ownership has changed since the property was first rezoned in 2004 and the current owner would like to amend the plan to add a specific permitted use, amend the architecture for Phase 3 and amend the phase line and total building square footage for Phases 3 and 4.

The subject property is currently zoned Planned General Commercial (PGC). The uses specified on the Amended Preliminary Master Development Plan are permitted in the PGC zone district. Separate Final Master Development Plans, including final architectural elevations, sign plans and detailed landscaping plans, shall be approved for the automotive sales and service site and the future two (2) story office site prior to construction.

PLANNING COMMISSION ACTION:

On October 24, 2016, the Planning Commission recommended approval of the amendment to the Amended Preliminary Master Development Plan for Savannah Marketplace with conditions as described in GMRPC Resolution 2016-123 (Attachment 3).

CASE BACKGROUND:

Previous Approvals and Property History

On March 22, 2004, the Planning Commission approved a request to amend the land use designation for this property consisting of 65.10 (+/-) acres, located along Nashville Pike, from Low Density Residential to Commercial (7-1-04). At the same meeting, the Planning Commission recommended approval with conditions of the rezoning request from Residential-20 (R20) to Planned General Commercial (PGC) for 65.10 (+/-) acres known as the Savannah Marketplace located at 2041 Nashville Pike (3-1-04) (Attachment 4). The Preliminary Master Development Plan called for 436,400 square feet of retail and 152,850 square feet of office for a total of 589,250 square feet of commercial development. On May 18, 2004 the Gallatin City Council approved the rezoning request and Preliminary Master Development Plan for the Savannah Marketplace on Second Reading (Ordinance #00404-16).

On October 24, 2005, Planning Commission approved a Final Master Development Plan for the Savannah Marketplace for construction of 93 linear feet of roadway and a ten (10) by four (4) linear foot box bridge for property located at 2041 Nashville Pike (PC File #8-60-05).

On July 28, 2008, the Planning Commission considered a request to amend the Savannah Marketplace Preliminary Master Development Plan to add the Convenience Sales and Services use and to change the layout and size of the buildings within the 65.10 (+/-) acre site (3-1-04). At that meeting, the Planning Commission declared the proposed modifications to the approved Preliminary Master Development Plan as a major amendment and recommended approval of the Amended Preliminary Master Development Plan, with conditions, to City Council. On September 16, 2008, the City Council approved the Amended Preliminary Master Development Plan for the Savannah Marketplace at Second Reading (Ordinance # 00808-55).

On October 29, 2008, Planning Commission approved a Final Master Development Plan, with conditions, for the Savannah Marketplace for construction of a 123,426 square foot building for the Kroger Marketplace and Kroger Fuel Center (Phase 1), on 18.222 (+/-) acres located at the intersection of Cages Bend Road and Nashville Pike (8-42-08).

On March 23, 2009, Planning Commission approved with conditions the Preliminary Plat for the Savannah Marketplace, Phase 1, including the Gorden Crossing right-of-way, containing 1.693 (+/-) acres (1-2-09B). The Preliminary Plat included Gorden Crossing, the main entrance road into the Savannah Marketplace from Nashville Pike. This road extends through the commercial portion of the Savannah Marketplace development into the residential portion of the Savannah Phase 4 Subdivision located in the City of Hendersonville. Please refer to the location map for the exact location of the Gallatin City limit line (Attachment 1). The Savannah Marketplace, Phase 1 (Gorden Crossing) Preliminary Plat expired prior to Planning Commission's consideration of a Final Plat; therefore, the owner and applicant requested re-approval of the Preliminary Plat at the October 24, 2005 Planning Commission meeting (1-38-05B) where the Planning Commission re-approved the Preliminary Plat with conditions.

A Final Plat for the Savannah Marketplace, Phase 1, dedicating the right-of-way for Gorden Crossing containing 1.693 (+/-) acres, was submitted to the Planning Department, but was withdrawn by the applicant prior to consideration by Planning Commission at the April 24, 2009 meeting (1-3-09C). Although the Gorden Crossing final plat has not been recorded and the right-of-way has not been

accepted by the City of Gallatin, the City of Hendersonville paved the street from Nashville Pike through the Savannah Marketplace development to provide improved access into the residential portion of the Savannah Phase 4 Subdivision located in Hendersonville.

On April 27, 2015, Planning Commission approved with conditions an amendment to the Preliminary Master Development Plan for Savannah Marketplace to add food service drive-in, medical services and automotive servicing uses to Savannah Marketplace, Phase 2, Lots 5-7 (Outparcels), containing 3.81 (+/-) acres (3-459-15).

On June 22, 2015, Planning Commission approved with conditions the Final Plat for Savannah Marketplace-Gorden Crossing right-of-way, containing 1.69 (+/-) acres (1-717-15C). The conditions of approval have been met by the owner and applicant; however, the final plat has not been recorded with the Sumner County Register of Deeds office. The Gorden Crossing right-of-way final plat shall be recorded with Sumner County Register of Deeds office prior to the issuance of any building permits for Phases 2 or 3.

On August 24, 2015, Planning Commission approved with conditions a minor amendment to the Preliminary Master Development Plan for Savannah Marketplace, Phase 2, Lots 5-7 changing the approved use on Lot 6 (Outparcel) from automotive servicing to general retail sales and service, financial, consulting, and administrative services, food service drive-in, and medical services and changing the approved uses on Lot 7 (Outparcel) from general retail sales and service, financial, consulting, and administrative services, food service drive-in, and medical services to automotive servicing.

Proposed Project

The existing Savannah Marketplace, Phase 3, located at the southwest corner of Nashville Pike and Gorden Crossing, comprises 6.82 (+/-) acres. The owner and applicant proposes to increase the site to 9.27 (+/-) acres by reducing the size of Phase 4 by 2.45 (+/-) acres. The proposed Phase 3 site will extend from Gorden Crossing west to a proposed full entrance drive on Nashville Pike within Phase 4. The amendment will also relocate the existing detention pond from Phase 3 to the proposed Phase 4; increase the total building square footage for Phase 3 from 47,776 (+/-) square feet to 59,000 (+/-) square feet and increase floor area ratio from 0.15 to 0.16. The proposed automotive sales and service building, including an accessory car wash and fuel pumps, will contain 35,000 (+/-) square feet and the proposed future two (2) story building will contain 24,000 (+/-) square feet of office space. The proposed architecture and building materials of the automotive sales and service building (Gallatin Honda) will match the standard commercial prototype established by Honda corporate as shown on the attached preliminary building elevations (Attachment 2). The proposed architecture for the two (2) story office building will follow the approved development standards of the Savannah Marketplace.

The existing Savannah Marketplace, Phase 4, located west and south of Phase 3, is 14.09 (+/-) acres. The owner and applicant proposes to decrease the site to 11.64 (+/-) acres. The proposed Phase 4 site, will extend from Gorden Crossing, south of Phase 3, westward to Phase 5 and includes frontage on Nashville Pike and proposed access driveway to Gorden Crossing. Phase 4 will also include the existing detention pond. This amendment will decrease the total building square footage for Phase 4 from 175,400 (+/-) square feet to 89,400 (+/-) square feet and decrease the floor area ratio from 0.26 to 0.17. The Phase 4 site will contain 82,400 (+/-) square feet of general retail sales and service space and 7,000

(+/-) square feet for Outparcel 3. The Phase 4 proposed architecture for the general retail sales and service buildings and outparcel will follow the approved development standards of the Savannah Marketplace.

With these proposed modifications the overall Savannah Marketplace Development will provide 69,000 (+/-) square feet of office space; 346,221 (+/-) square feet of retail; 168 (+/-) square feet of convenience sales and services (Kroger Gas Station); 35,000 (+/-) square feet of automotive sales and service; and 42,000 (+/-) square feet for the six (6) outparcels for a total of 492,389 (+/-) square feet which is a 96,861 square foot reduction from the currently approved plan. The proposed density changes only affect Phases 3 and 4. No changes are proposed to the remaining Savannah Marketplace Development (Attachment 2).

Project Phasing and Construction Schedule

According to the proposed Amended Preliminary Master Development Plan, the Savannah Marketplace development will be constructed in five (5) phases. Phase 1 contains the Kroger Marketplace and Kroger Fuel Center. Phase 2 consists of three (3), one-story buildings and three (3) outparcels along Nashville Pike (Lots 5-7). Phase 3 consists of one (1) story automotive sales and service and one (2), two-story office building. Phase 4 consists of one (1), one-story, three (3) tenant retail buildings and one (1) outparcel. Phase 5, consists of one (1) retail building, eight (8), two-story, mixed use buildings, and two (2) outparcels. The automotive sales and service building in Phase 3 is scheduled to be constructed in 2017 and no date is proposed for the construction of the office building. Phases 2, 4 and 5 are scheduled for 2017, 2019 and 2021 respectively. The schedule and build-out of the development is contingent upon the availability of future tenants.

Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020

The subject property is located within the Commercial Corridor Community Character Area as shown on the Community Character Area Map in the *Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020 (2020 Plan)* (Attachment 5). The *2020 Plan* encourages developers in the Commercial Corridor Community Character Area to provide physical enhancements to the environment that create a distinct sense of place, and not a standard commercial strip (Attachment 6). The *2020 Plan* calls for commercial development that improves traffic flow by consolidating driveways and encouraging interparcel access through the use of shared driveways. Planned General Commercial (PGC) is listed as an applicable zoning district for the Commercial Corridor Community Character Area. The original Preliminary Master Development Plan for the Savannah Marketplace was approved prior to Planning Commission adoption of the *2020 Plan* in 2009.

The subject property also falls within a Gateway Corridor Overlay since it is located along Nashville Pike, a main entrance into the City. The *2020 Plan* stresses the importance of high quality design and appearances of future development along the corridors that reflect Gallatin's unique history and character (Attachment 7). Please refer to the development strategies for the Commercial Community Character Area and Gateway Corridor Overlay included with this staff report as Attachment 6 and Attachment 7 respectively.

The design of this project reflects the majority of the overall development strategies outlined in the *2020 Plan* for the Commercial Corridor Character Area and Gateway Corridor overlay, which allow for a variety of commercial uses, while preserving green space; however, it does not meet the residential

character of a major gateway into Gallatin (Attachment 6 and Attachment 7). The access management, landscaping and buffering, and architectural design elements shall minimize the potential impacts of the proposed development on the adjacent residential properties to the south located in the City of Hendersonville.

Surrounding Zoning

Savannah Marketplace, Phase 3, is adjacent to Residential-20 (R20) zoned properties to the north, across Nashville Pike. However, this area is designated for Commercial Corridor uses in the 2020 plan. The remainder of the Savannah Marketplace property surrounds Phase 3 to the east, west, and south (detention pond in Phase 4) (Attachment 2). Adjacent to Savannah Marketplace to the south, located in Hendersonville, is Savannah Subdivision zoned Hendersonville Low Density Residential-40 (R40). Savannah Marketplace, Phase 1 is the only phase completed and contains the existing Kroger Marketplace and Kroger Fuel Center.

Natural Features

The subject property is currently unimproved and vacant. A note on the plan indicates that no portion of the Savannah Marketplace, Phase 3 property is located within a special flood hazard area according to FEMA FIRM map panels #47165C0407G and 47165C0409G, dated April 17, 2012; zone X (Note #9 on Attachment 2). There are no unusual topographical features that would prevent development of Phase 3. The property slopes from Nashville Pike (550') to the south to an existing detention pond (495'). An existing detention pond is located directly south of Phase 3 will be used to handle stormwater runoff for Phase 3.

Drainage/Detentioning/Utilities

The plan indicates three (3) catch basins located along the south side of Nashville Pike conveying stormwater into a drainage system located throughout the proposed site, consisting of drop inlets, junction boxes and drainage pipes, and which will eventually discharge the stormwater into an existing detention pond located south of Phase 3. Some detentioning and/or water quality measures in Phase 3 may be required as part of the Final Master Development Plans. Stormwater and construction plans will be addressed with each Final Master Development Plan. A Stormwater Maintenance Agreement shall be provided prior to the issuance of any building permits. The Amended Preliminary Master Development Plan shows the location of the sanitary sewer line and water line connections. No vertical construction is allowed in any easements.

The site will be serviced primarily by the White House Utility District. The owner and applicant shall coordinate all development with the White House Utility District to ensure future utility infrastructure is installed to their satisfaction. The Gallatin Department of Public Utilities only provides gas service in this area; therefore, the Public Utilities and Industrial Pre-treatment Departments provided no comments on the plan.

Access and Sidewalks

According to the Savannah Marketplace Design Guidelines, all public streets will be lined with street trees and accented with flowering and evergreen shrubs up to the entrance driveways. The main access to Savannah Marketplace is provided to/from Gordon Crossing, which was previously constructed to provide access from Nashville Pike to the Savannah residential development located in the City of

Hendersonville. Gorden Crossing was designed as the main boulevard through the development as shown on the approved Preliminary Master Development Plan (Attachment 4).

The intersection of Nashville Pike and Gorden Crossing will require the installation of a traffic signal once warrants are met by the development. According to the Engineering Division, properties developed within the Savannah Marketplace will be subject to pro rata contributions for the installation of the traffic signal at Gorden Crossing and Nashville Pike. The amount of the pro rata contribution will be set by the Engineering Division at the Final Master Development Plan stages.

Proposed Phase 3 fronts Nashville Pike and Gorden Crossing; however, no direct access is permitted to this phase from Nashville Pike (Attachment 2). Access to Phase 3 will be provided from two (2) private driveways from Gorden Crossing. A proposed 40-foot wide-tapering down to a 30-foot wide-private access drive will run along the western boundary of the proposed Phase 3 site and will be constructed as part of Phase 4. Once the private access drive, located to the west, is completed it will provide access to the future office site and to another proposed 30-foot wide private access drive located adjacent to the southern boundary of Phase 3. In addition, once the future office site is completed it will provide a driveway connection from the office site to the automotive sales and service site.

A notarized, cross access easement document shall be prepared and recorded with the Sumner County Register of Deeds Office at the Final Master Development Plan or Final Plat stages to provide cross access between the future office site and the automotive sales and service site and to the access easement adjacent to the detention pond. All areas of the development are designed to be accessible from any other area through cross connectivity between parking areas and well defined intersections at all street crossings as recommended in the *2020 Plan*. Construction of the access easement driveways are slated during the development of Phase 4.

According to the Design Guidelines, a connective sidewalk system is proposed throughout the development to allow for safe and easy access to all properties. The Preliminary Master Development Plan shows the location of six foot (6) wide sidewalks along the Nashville Pike right-of-way and along a portion of Gorden Crossing. The plan shows a curb and gutter street with a five-foot wide grass strip along the Nashville Pike right-of-way connecting to the existing curb and cutter roadway near the intersection of Nashville Pike and Gorden Crossing. Sidewalks and crosswalks within the Nashville Pike right-of-way shall be approved by the Tennessee Department of Transportation (TDOT). Sidewalks are not required along the private access easements; however, the applicant should consider providing sidewalks for better pedestrian access throughout the site as described in the Design Guidelines. The applicant shall provide sidewalk easements as necessary to construct the six (6) foot sidewalks as required by the Gallatin Zoning Ordinance, Section 13.09.030, *Sidewalks*.

The Gorden Crossing right-of-way final plat shall be recorded with Sumner County Register of Deeds office prior to the issuance of any building permits for Phase 3.

Savannah Marketplace Design Guidelines

Design Guidelines for the Savannah Marketplace Development were approved as part of the original Preliminary Master Development Plan in 2004 and describe the overall design scheme for the project, appropriate architecture, building materials, color palettes, signage, and landscaping for the development. The applicant submitted an update to the Design Guidelines with information about the

use changes shown for Phase 3 (Attachment 2). The addendum will be added to the approved copy of the Savannah Marketplace Design Guidelines and filed with the City Recorder's Office. According to the Design Guidelines, approval of all final building designs and architectural elevations require approval by the Architectural Review Committee (ARC) prior to construction. The City does not enforce private restrictive covenants; however, final architectural elevations shall be submitted to the ARC for approval prior to submittal of each Final Master Development Plan for Planning Commission review and approval to expedite the construction process. All other sections of the approved Design Guidelines for the Savannah Marketplace shall remain in place.

Conceptual Architectural Elevations/Automotive Sales and Service Building (Gallatin Honda)

The owner and applicant submitted conceptual architectural elevations and existing photographs of the corporate design for the proposed automotive sales and service building (Gallatin Honda) (Attachment 2 and Attachment 8). The plan shows a basically square building with the showroom and offices located in the front with the drive-in customer service area located on the side and the automotive servicing area located in the rear. A car wash is located behind the automotive servicing area to prepare the customer's car for delivery. The applicant submitted conceptual architecture representing the overall design and style of the building anticipated for construction on this site. This is a typical corporate building design for the Honda Corporation. The sample architectural elevations call for the majority of the building to be Exterior Insulation Finishing System (E.I.F.S.) material, china white, with storefront glass located primarily along the front of the building. An icon tower front entrance, with the Honda symbol, will be located in front to be constructed of Honda blue metal panels to provide a distinctive look to the front. In addition, a blue metal canopy will be located on front and sides of the building to provide that additional distinctive appearance.

The owner and applicant did not submit conceptual elevations or renderings of the future office building. The owner and applicant indicated that the proposed architecture for the future office building will follow the previously approved development standards of Savannah Marketplace. The final architectural elevations shall be submitted at each individual Final Master Development Plan.

Staff reviewed the architectural design and materials and determined that the design of the building and materials does not meet the requirements as set forth in Section 13.08.010, Basic Design Criteria of the Gallatin Zoning Ordinance.

The owner and applicant requests approval of an Alternative Architectural Plan. The Planning Commission recommended approval of the alternative architecture plan. The final architectural elevations will be submitted and reviewed as part of the Final Master Development Plan.

Dumpster Enclosure

The plan indicates a dumpster enclosure to be located in the rear of the automotive sales and service building. Details of dumpster screening indicates the materials of the dumpster enclosure to be split face concrete masonry block (C.M.U.) painted to match the exterior color (natural white) of the proposed building. The plan does not indicate a dumpster enclosure for the future office building site. Details of dumpster screening, location and landscaping will be reviewed as part of each individual Final Master Development Plan.

Parking Calculations

Parking requirements are based on the use of the property. The office use requires one (1) space per 300 square feet, the service center requires three (3) spaces per service bay, and the indoor sales display or service area requires one (1) space per 500 square feet. Based on the Phase 3 plan for the automotive sales and service site, 79 parking spaces, including four (4) handicapped accessible spaces, are required. The plan indicates 147 parking spaces, including eight (8) accessible handicapped spaces, which complies with the minimum number of parking spaces required by G.Z.O., Section 11.03, *Schedule of Off-Street Parking Requirements* and Section 11.07, *Handicapped Parking* for the automotive sales and service site. In addition to the automotive sales and service site, 274 parking spaces will be used for inventory parking located on the west side of the site for a total of 421 parking spaces. Based on the plan for the future office site, the 80 parking spaces, including four (4) handicapped accessible spaces, complies with the minimum number of parking spaces required by G.Z.O., Section 11.03, *Schedule of Off-Street Parking Requirements* and Section 11.07, *Handicapped Parking* for the future office site. The overall development parking complies with the minimum number of parking spaces required by G.Z.O., Section 11.03, *Schedule of Off-Street Parking Requirements* and Section 11.07, *Handicapped Parking*. Final parking calculations shall be reviewed with each individual Final Master Development Plan.

Landscaping and Bufferyards

Bufferyards are required to be shown on Preliminary Master Development Plans and are intended to minimize the potential impacts of proposed developments on adjacent properties as outlined in the Gallatin Zoning Ordinance and the *2020 Plan*. The original Preliminary Master Development Plan included a Type 20 Bufferyard along the entire road frontage of Nashville Pike and a Type 12 Bufferyard along the eastern boundary along Gordon Crossing, (Attachment 2). The Amended Preliminary Master Development Plan also identifies these required bufferyards in addition to the required Type 15 Bufferyards along the southern and western boundaries. The owner and applicant request that the required amount of trees required to be located in the inventory parking area, per Section 13.05.020.B.1 of the G.Z.O., be located around the perimeter of the parking areas. The Planning Commission approved the alternative landscaping plan.

G.Z.O. Section 08.04.050, Additional Site Development Regulations, requires additional landscaping and screening requirements for the PGC zone district, including a minimum of seven and one-half (7.5) percent of the lot area to be a permanently maintained landscape area, exclusive of the required bufferyards. The conceptual landscaping plan did not identify the additional planting requirements; therefore, the Planning Commission approved the conceptual landscaping plan as submitted with the condition that final detailed landscaping plans shall meet all requirements of the G.Z.O., and shall be approved as part of each Final Master Development Plan. This alternative landscape plan permits the developer to place trees and landscaping on other portions of the site or off-site. Landscaping required in the inventory parking area shall be provided along the perimeter of the site, including if authorized by agreement with the owner, within the offsite drainage detention tract.

Street Trees along Gordon Crossing were approved as part of the original Preliminary Master Development Plan (Attachment 4). Street tree installation within the Gordon Crossing right-of-way shall be addressed at the Final Master Development Plan stages and may require additional approval from City Council.

Photometric Plan and Lighting Fixtures

The plan indicates the location of the lighting fixtures throughout the site (Attachment 2). The owner and applicant did not submit a lighting plan but it does show the proposed location of the lighting fixtures. The owner and applicant shall submit a photometric plan with details of the lighting fixtures with the Final Master Development Plan. The photometric plan shall comply with the City of Gallatin Zoning Ordinance, Section 13.02.08.

Site Surety

The applicant is required to submit a site surety for site improvements per Article 15.00 Administration and Enforcement; Section 15.03.080, Surety Required, of the Gallatin Zoning Ordinance, in an amount to be determined by the applicant and approved by the Planning Department. Site sureties, in the form of cash, certified check, or Irrevocable Letter of Credit, shall be submitted prior to issuance of any building permits. The site surety requirement shall be added to the conditions of approval for each Final Master Development Plan.

Master Signage Plan

The owner and applicant included conceptual designs of a monument sign, located at the corner of Nashville Pike and Gorden Crossing, and wall mounted signs (Attachment 2). The conceptual design for the monument sign does not meet the height requirement per Section 13.07.065.B.1 of the Gallatin Zoning Ordinance. The proposed freestanding (monument) sign is 30' tall which is excessive for this Gateway Corridor and the Master Development Plan concept. Staff does not recommend the proposed freestanding sign size and height. The owner and applicant shall submit a Master Signage Plan in accordance with G.Z.O. Section 13.07.065.E including details of all permanent signs to be installed on site at the Final Master Development Plan stage. The proposed signs shall meet the size and illumination requirements of the Gallatin Zoning Ordinance, Section 13.07. The applicant shall obtain sign permits from the Planning Department prior to the installation of any signage on site.

Design Review Committee Approval

The project is located within the Savannah Marketplace. All site design changes require approval from the private design review committee. The Real Estate Department of the Kroger Company, Architectural Review Committee (ARC), approved the proposed Gallatin Honda Dealership to be located in Savannah Marketplace, Phase 3 (Attachment 9).

Major/Minor Amendment

G.Z.O., Section 12.02.050, Procedures to Amend a Preliminary Master Development Plan or Final Master Development Plan, lists specific items that would constitute a major amendment to an approved Preliminary Master Development Plan including a substantial change in the mixture of land uses, substantial changes to access or site circulation, or substantial changes to approved architecture or site design features of the development. Staff reviewed the approved Savannah Marketplace Preliminary Master Development Plan in detail and found the proposed plan includes significant changes that constitute a major amendment. Planning Commission determined that the proposed changes to the Savannah Marketplace Amended PMDP are considered a major amendment to the approved Savannah Marketplace Preliminary Master Development Plan. For major amendments to a PMDP, a time for public comment was held at the Planning Commission meeting.

Planning Department Comments

The Planning Department reviewed and commented on the Amended PMDP for Savannah Marketplace, Phase 3. The majority of the Planning Department comments have been satisfied; however, the owner and applicant shall correct the proposed PMDP and provide documents as indicated below:

1. Provide and identify “future development” area for the office building and parking area.
2. Add note to Preliminary Master Development Plan stating that “Properties developed within the Savannah Marketplace will be subject to pro rata contributions for the installation of the traffic signal at Gorden Crossing and Nashville Pike. The amount of the pro rata contributions will be set by the Engineering Division at the Final Master Development Plan stage for Phase 3.

Engineering Division Comments

The Engineering Division reviewed and commented on the Amended PMDP for Savannah Marketplace, Phase 3. The Engineering Division comments have been satisfied.

Other Departmental Comments

Other City Departments reviewed and had no comments on the Amended PMDP for Savannah Marketplace, Phase 3.

FINDINGS:

The Amended PMDP for Savannah Marketplace is designed to reflect the recommendations of the 2020 Plan and is consistent with the intent and purpose of the Gallatin Zoning Ordinance and the Savannah Marketplace Design Guidelines. Staff, therefore, makes the following findings:

1. The Amended Preliminary Master Development Plan is in agreement and consistent with the intent and land use recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020* for the area, and in particular, the Commercial Corridor Community Character Area and Gateway Corridor Overlay.
2. The Amended Preliminary Master Development Plan is consistent with the purpose and intent of the Planned General Commercial (PGC) zone district, the approved Preliminary Master Development Plan for Savannah Marketplace, and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zone district with minor corrections.
3. The proposed changes shown on the Amended Preliminary Master Development Plan constitutes a major amendment to the approved Preliminary Master Development Plan as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.
4. The proposed project will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing use or intended character of the general vicinity. As designed, the proposed use addition to the Savannah Marketplace Preliminary Master Development Plan will not change the essential character of Nashville Pike and the proposed conceptual architecture will complement the existing commercial structures along Nashville Pike.
5. The legal purposes for which zoning regulations exist have not been contravened.
6. The Amended Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.

7. No one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
8. The Amended Preliminary Master Development Plan submitted to the City complies with the Design and Performance Standards of the Gallatin Zoning Ordinance as described in Section 13.02.

RECOMMENDATION:

Planning Commission Recommendation

After discussion and public comment, the Planning Commission recommended approval as indicated in GMRPC Resolution No. 2016-123 (Attachment 3).

The Planning Commission and Staff recommends approval of Ordinance No. O1611-60.

ATTACHMENTS:

- | | |
|---------------------|---|
| Attachment 1 | Location Map |
| Attachment 2 | Savannah Marketplace Amended PMDP, Boundary Survey, Savannah Marketplace, Phase 3 Amended PMDP, Dumpster Elevations, Architectural Elevations, Addendum to the Amended Preliminary Master Development Plan Book, revised October 12, 2016, Monument Sign Elevation (3-2587-16) |
| Attachment 3 | GMRPC Resolution 2016-123 |
| Attachment 4 | Savannah Marketplace Amended PMDP (3-1-04) |
| Attachment 5 | 2020 Plan Community Character Area Map – West Gallatin |
| Attachment 6 | 2020 Plan Commercial Corridor Description |
| Attachment 7 | 2020 Plan Gateway Corridor Overlay Description |
| Attachment 8 | Photographs of Crest Honda |
| Attachment 9 | Architectural Review Committee letter dated October 6, 2016 |

LOCATION MAP
SAVANNAH MARKETPLACE, PHASE 3 (3-2587-16)



TAX MAP #147//PART OF PARCEL 037.01
NASHVILLE PIKE AND GORDEN CROSSING
ZONED PGC

ATTACHMENT 1

ATTACHMENT 3

GMRPC Resolution No. 2016-123

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL OF A MAJOR AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR SAVANNAH MARKETPLACE TO ADD THE VEHICULAR, CRAFT & RELATED EQUIPMENT SALES USE, AMEND THE SIZE (ACREAGE) OF PHASE 3 AND 4, AMEND THE TOTAL BUILDING SQUARE FOOTAGE OF PHASES 3 AND 4, AMEND THE ARCHITECTURE OF PHASE 3, CONTAINING 9.27 (+/-) ACRES, LOCATED AT 2109 NASHVILLE PIKE (3-2587-16)

WHEREAS, the applicant submitted an Amended 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 Amended Preliminary Master Development Plan submitted by the applicant, Jackson – HON Gallatin, LLC., at its regular meeting on October 24, 2016; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION 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 T.C.A. § 13-3-413, § 13-4-310, §13-7-201, and §13-7-202, and §12.02 and §15.07 of the City of Gallatin Zoning Ordinance:

1. The Amended Preliminary Master Development Plan is in agreement and consistent with the intent and land use recommendations of the *Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020* for the area, and in particular, the Commercial Corridor Community Character Area and Gateway Corridor Overlay.
2. The Amended Preliminary Master Development Plan is consistent with the purpose and intent of the Planned General Commercial (PGC) zone district, the approved Preliminary Master Development Plan for Savannah Marketplace, and complies with the use restrictions, minimum bulk and height regulations, minimum lot dimensions, yard lines, and minimum building setback line requirements established in said zone district with minor corrections.
3. The proposed changes shown on the Amended Preliminary Master Development Plan constitutes a major amendment to the approved Preliminary Master Development Plan as outlined in Section 12.02.050 of the Gallatin Zoning Ordinance.

ATTACHMENT 3

4. The proposed project will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing use or intended character of the general vicinity. As designed, the proposed use additions to the Savannah Marketplace Preliminary Master Development Plan will not change the essential character of Nashville Pike and the proposed conceptual architecture will complement the existing commercial structures along Nashville Pike.
5. The legal purposes for which zoning regulations exist have not been contravened.
6. The Amended Preliminary Master Development Plan will not create adverse effects upon adjoining property owners or any such adverse effect can be mitigated by applying design and performance standards or is justified by the public good or welfare.
7. No one property owner or small group of property owners will benefit materially from the approval to the detriment of the general public.
8. The Amended Preliminary Master Development Plan submitted to the City 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 major amendment to the Savannah Marketplace Amended Preliminary Master Development Plan including the;

- Savannah Marketplace Amended Preliminary Master Development Plan, consisting of a one (1) sheet plan, prepared by Doulgerakis Consulting Engineers, Inc., of Alpharetta, Georgia, with job number 1608, with a revision date of October 12, 2016
- Fifth Third Bank Property, Land Title Survey, consisting of a one (1) sheet plan, prepared by Ragan-Smith, of Nashville, Tennessee, with job number 03-143, dated September 23, 2016
- Gallatin Honda/Savannah Marketplace, Phase 3 Amended Preliminary Master Development Plan, consisting of one (1) sheet plan, prepared by Doulgerakis Consulting Engineers, Inc., of Alpharetta, Georgia, with job number 1608, dated September 23, 2016, with a revision date of October 12, 2016, and
- Architectural Elevations for Gallatin Honda, consisting of a two (2) sheet plan, prepared by Zenner Group, of Atlanta, Georgia, with project number 329002, dated October 12, 2016 with the following conditions:
 1. Provide and identify “future development” area for the office building and parking area.
 2. Add note to the Amended Preliminary Master Development Plan stating that “Properties developed within the Savannah Marketplace will be subject to pro rata contributions for the installation of the traffic signal at Gorden Crossing and Nashville Pike. The amount of the pro rata contributions will be set by the Engineering Division at the Final Master Development Plan stage for Phase 3.

ATTACHMENT 3

3. As an alternative to install interior parking lot landscaping in the inventory parking area the applicant shall provide an equal amount of landscaping and landscape materials along the perimeter of the site including if authorized by agreement with the owner, within the offsite drainage detention tract. All alternative landscaping shall be indicated on the Final Master Development Plan.
4. All site signs shall be reviewed and approved at the Final Master Development Plan stage by the Planning Commission.
5. Submit five (5) corrected, folded copies of the Amended Preliminary Master Development to the Planning Department prior to Planning Commission's consideration of any Final Master Development Plan for Phase 3.

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.

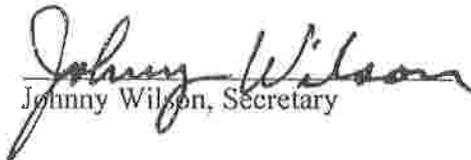
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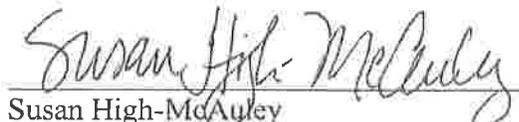
NAY: 1

DATED: 10/24/2016


Dick Dempsey, Chairman


Johnny Wilson, Secretary

APPROVED AS TO FORM:


Susan High-McAuley
City Attorney

ATTACHMENT 4

QUANTITY AND MEASUREMENTS FOR P&C

NO.	DESCRIPTION	QUANTITY	UNIT	MEASUREMENT
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LANDSCAPE REQUIREMENTS

1. ALL TREES TO BE MAINTAINED AND PROTECTED TO REMAIN ON SITE.

2. ALL TREES TO BE REMOVED TO BE REPLACED WITH EQUIVALENT SPECIES AND SIZE.

3. ALL TREES TO BE REMOVED TO BE REPLACED WITH EQUIVALENT SPECIES AND SIZE.

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50. ALL TREES TO BE REMOVED TO BE REPLACED WITH EQUIVALENT SPECIES AND SIZE.

APPROVED
CITY OF GALLATIN
PLANNING STAFF

DATE: 10/1/18

EXHIBIT A

SAVANNAH
LANDMARKS LISTING

Savannah Marketplace
Gallatin, Tennessee

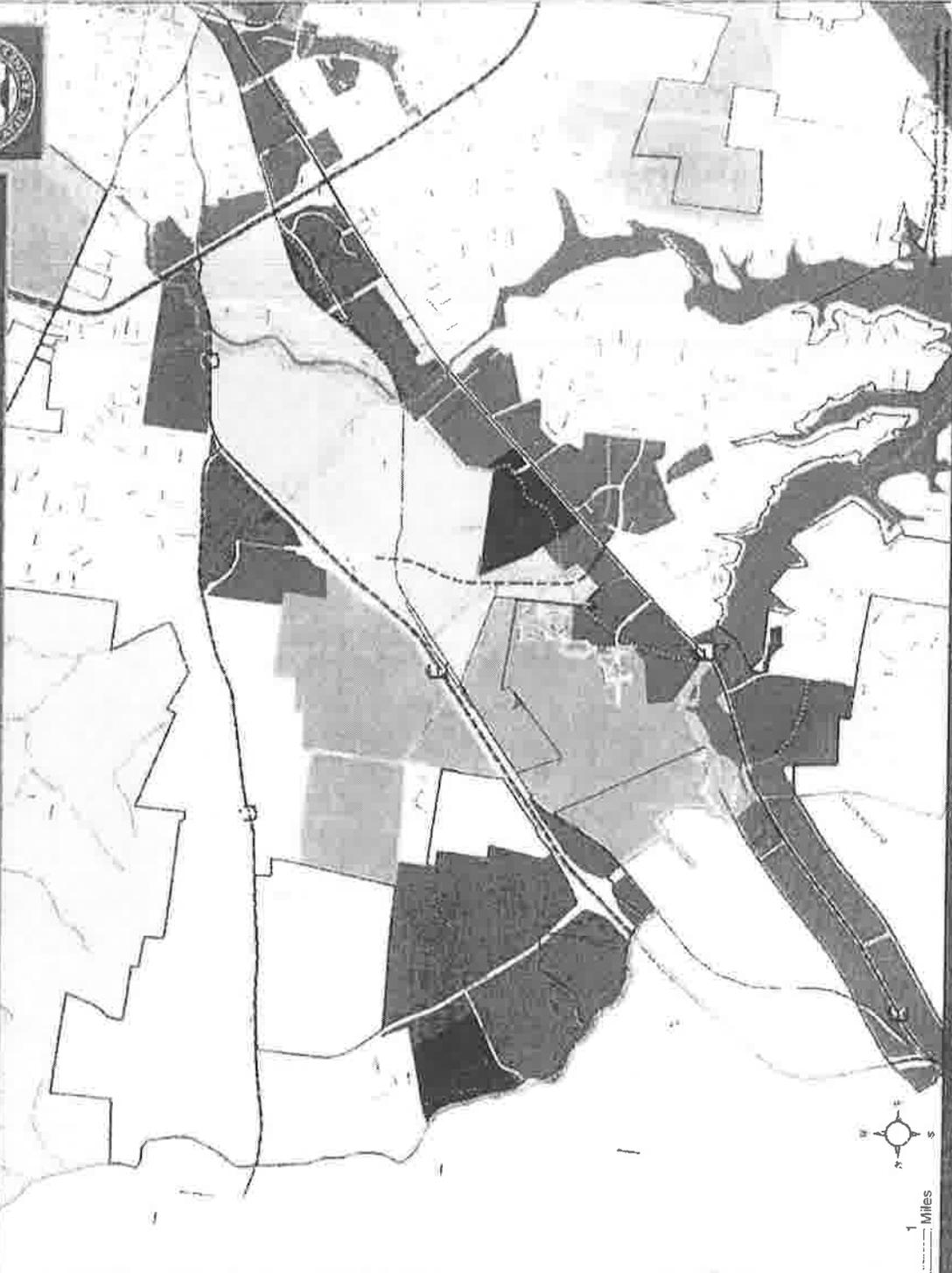
Amended Preliminary Master Development Plan

H. Michael Hindman
Architect, P.C.
1800 HARRISON, SUITE 400
GALLATIN, TN 37046
615.253.1000

2ND REVISED RESUBMITTAL

3-104

Exhibit 3.2: Community Character Map - West Gallatin



Legend

State Route	County Road	Local Road	Water	Wetland	Forest	Open Space	Residential	Commercial	Industrial	Public Use	Unimproved Land	Other
State Route	County Road	Local Road	Water	Wetland	Forest	Open Space	Residential	Commercial	Industrial	Public Use	Unimproved Land	Other



0 0.5 1 Miles



Gallatin On The Move 2020
General Development & Transportation Plan

5 ATTACHMENT

COMMERCIAL CORRIDOR

General Description of Existing Development Patterns

These Commercial Corridors include a mix of larger-scale commercial development that fronts the corridor, with undeveloped farmland and rapidly-developing residential areas located behind commercial frontage. Buildings are typically single-story, single-use and are generally separated from the street and sidewalk by parking lots.

Location

Areas within this character area include the following:

- US-31E/Nashville Pike from SR-25 to SR-109 Bypass
- US-31E/Nashville Pike from the west city limits (City of Hendersonville border) to SR-109 Bypass
- US-31E/East Broadway between Triple Creek Park and Reynolds Street (north side of the street)
- Hancock Street south of US-31E/Nashville Pike to SR-109 Bypass

Intent

The development pattern for established and emerging corridors should seek to:

- Provide through transportation, land use and other physical enhancements an environment that provides a distinct sense of place, not just another commercial strip
- Discourage continuous ribbons of automobile-oriented commercial development along major corridors
- Organize nodal commercial development opportunities at intersections with major streets and new secondary roads
- Permit development of suburban commercial and residential development along arterial roadways with master planning to address access management and design that is consistent with community character
- Improve traffic flow by consolidating driveways and encouraging interparcel access
- Provide sidewalks and a more pedestrian-friendly environment by incorporating landscaped buffers between the roadway and sidewalks, placing buildings closer to the street, and locating parking to the rear of buildings
- Encourage mixed use development
- Reflect quality materials and design (related to the building, the site, and signage)

COMMERCIAL CORRIDOR

- Medium to High

Transportation

- Medium level of service
- Medium level of connectivity
- Properties accessed by public roads
- Regular-shaped, medium-to-long blocks
- Roads characterized by a mix of curb, gutter with sidewalk and grassy swales all with a low-to-medium level of pedestrian orientation
- Bike lanes/routes

Infrastructure

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

Greenspace

- Adjacent Preserve areas
- Neighborhood and pocket parks
- Community gardens

Primary Land Uses

- Small and large-scale apartments and townhomes
- Office
- Vertical Mixed Use
- Commercial/Retail (including grocery stores, home improvement stores, restaurants, hotels)

Appropriate Intensity

- 0.75 FAR

Applicable Zoning Districts

Existing Zoning Districts

- PGC, MU, MRO, GO

Proposed Zoning Districts

- Mixed-Use Node (new)
- CS, CG with Corridor Overlay (new)

- Provide shade, reduce impervious surfaces, shield parking areas, and improve the appearance of individual sites and the entire corridor with quality landscaping

Development Strategies

- Encourage retrofitting of existing strip development into pedestrian-scale interconnected nodes
- Limit signs and billboards
- Cluster high-density development at nodes along the corridor, such as major intersections
- Depict clear physical boundaries and transitions between the edge of the character area and adjacent character areas, in particularly those that include residential uses
- Strengthen pedestrian connections to adjacent residential areas
- Increase landscaping along the corridor, including in and along parking lots to provide shade, reduce impervious surfaces, shield parking areas, and improve the appearance of individual sites and the entire corridor
- Plan for community street network that creates rather than hinders opportunities for walking, biking and providing future public transit
- Establish pedestrian-oriented building setbacks
- Guide building and site design, including parking lot configuration and streetscape features
- Find an appropriate balance between residential and commercial uses within mixed use developments
- Organize new development a nodal fashion with nodal commercial/mixed use development opportunities at intersections with major streets and new secondary roads. Areas between these development nodes along the corridor provide opportunities for development of higher intensity residential uses that would create more housing choices for the City that are in proximity to commercial areas and major transportation arteries.

Implementation Measures

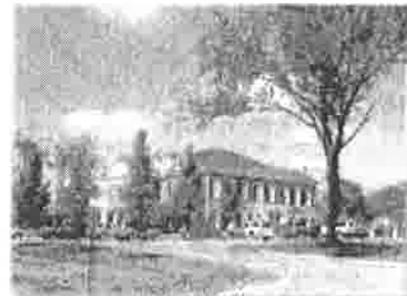
- ☞ Amend Mixed-Use districts
- ☞ Mixed-Use Node zoning district (new)
- ☞ Corridor Overlay District



Existing commercial corridor area along Nashville Pike near Vol State



Emerging commercial corridor along Nashville Pike west of Gallatin



Quality office development along the Commercial Corridor on Nashville Pike includes quality building materials, landscaping and preservation of mature trees

GATEWAY CORRIDOR

General Description of Existing Development Patterns

Gateway Corridor is an **overlay character area** representing developed or undeveloped land paralleling the route of a major thoroughfare that serves as an important entrance or means of access to the community. In addition to meeting area residents' shopping needs, the corridor acts as a gateway to the City. Community recognizes that these corridors should provide a more pleasant appearance to those entering the City than currently presented.

Gateway Corridors are developed as a continuous system along a highway, street, or greenway. The appearance of these visual corridors is an important first impression of the Gallatin's character. The major gateways into Gallatin along main travel corridors can convey the City's identity by utilizing characteristic design elements that reflect Gallatin's character. Defining elements of Gateway Corridors may include landscaping, unique signage, banners, lighting and other streetscape elements in addition to landmark elements. This gateway is often developed to signify a high-profile corridor or district.

Through proper design, the entrances or gateway treatments should provide a strong sense of identity and arrival to the City.

Locations

Several main entrance corridors warrant consideration. These include:

- SR-109 Bypass and portions of the corridor north of the intersection with North Water Avenue in North Gallatin and south of the intersection with Airport Road in South Gallatin.
- North Water Avenue from SR-109 to Hatten Track Road
- US-31E/Nashville Pike from the west city limits to Station Camp Creek
- US-31E/East Broadway East Jackson Street
- SR-25/Hartsville Pike from Cairo Road to the east city limits
- SR-25/Red River Road from Bradford Drive to East Camp Creek
- SR-174/Long Hollow Pike from Station Camp Creek to SR-109 Bypass
- SR-386/Vietnam Veterans Boulevard
- Airport Road (US-31E to Bypass)
- GreenLea Boulevard from SR-386 interchange to US-31E/Nashville Pike

GATEWAY CORRIDOR

Anticipated level of change:

- Low

Transportation

- High level of service
- High level of connectivity
- Properties accessed by individual easements, private driveways, public roads
- Shared driveways/access management
- Roads characterized by combination of grassy swales and curb-and-gutter cross sections

Infrastructure

- Public water available
- Public sewer available or planned

Greenspace

- Adjacent Preserve areas
- Provided typically via large-scale private properties

Primary Land Uses

- Not applicable

Appropriate Intensity

- 0.75 FAR

Applicable Zoning Districts

Existing Zoning Districts

- Not applicable

Proposed Zoning Districts

- Gateway Corridor Overlay (new)

Intent

- Provide for interesting, attractive entrances into the City that set Gallatin apart and provide a quality sense of place

Development Strategies

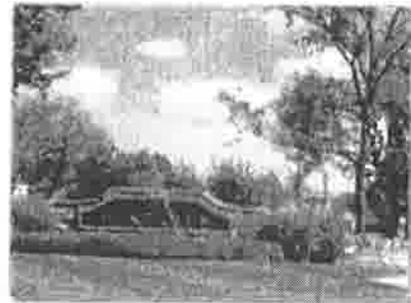
- Incorporate streetscape enhancements such as landscaping and decorative streetlights to improve the overall appearance of the corridors
- Focus on appearance with appropriate signage, landscaping and other beautification measures
- Manage access to keep traffic flowing using wayfinding signage to clustered developments
- Retrofit or mask existing strip development or other unsightly features as necessary

Implementation Strategies

- Gateway Corridor Overlay District

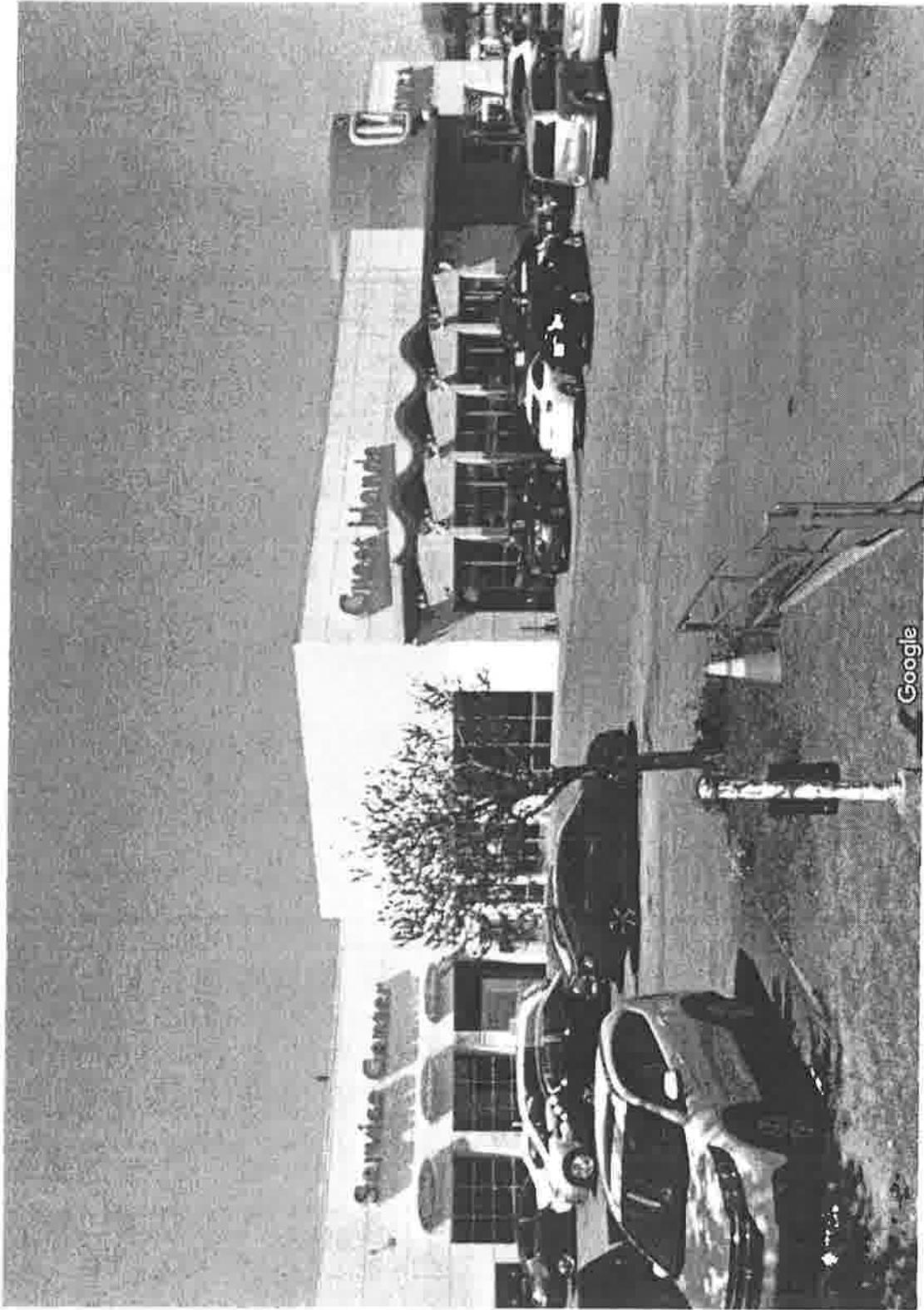


Kennesaw Farms development located on Nashville Pike in west Gallatin

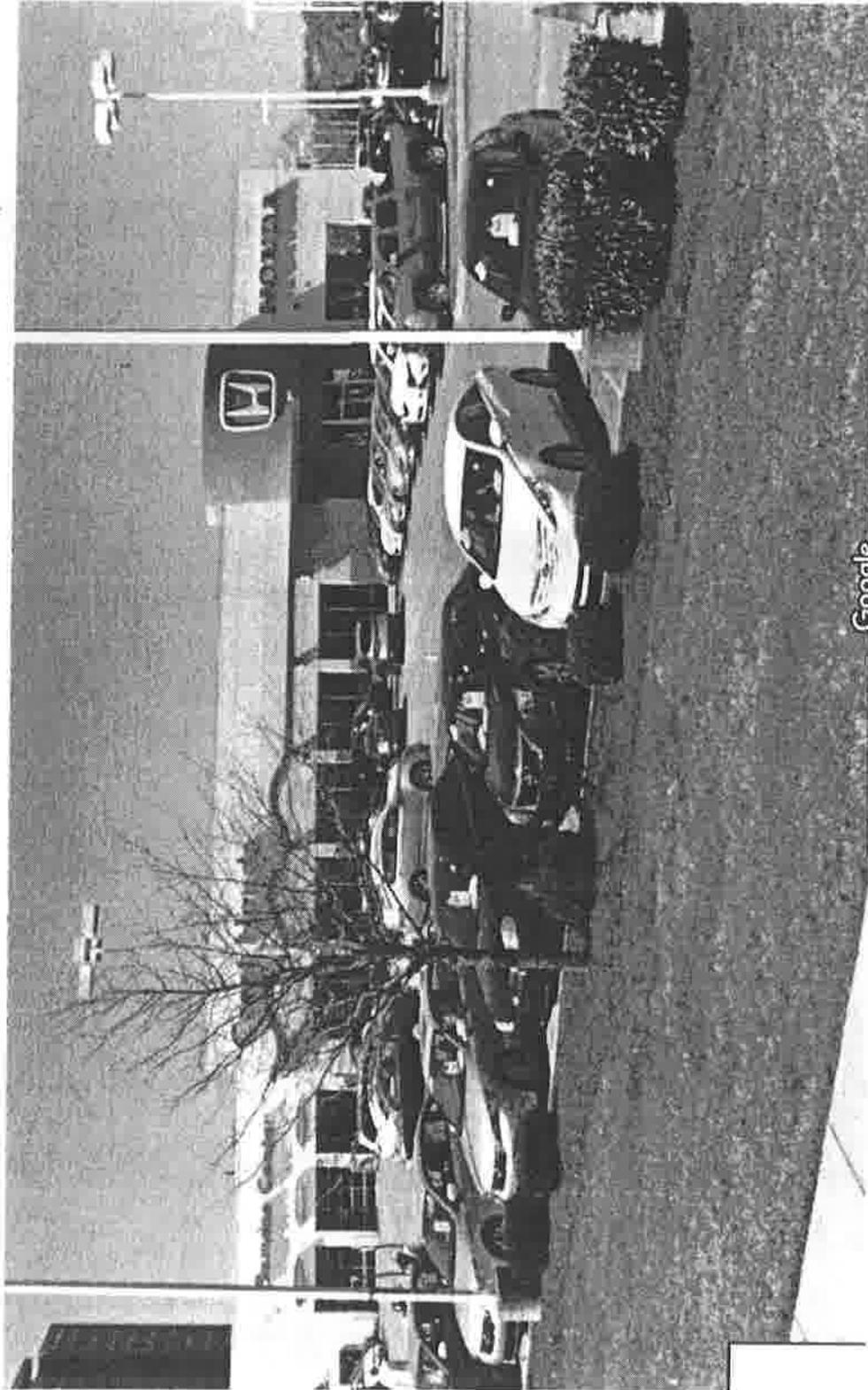


Entrance to the Hunt Club office development on Nashville Pike provides a good example of quality development along the Gateway Corridor

ATTACHMENT 8

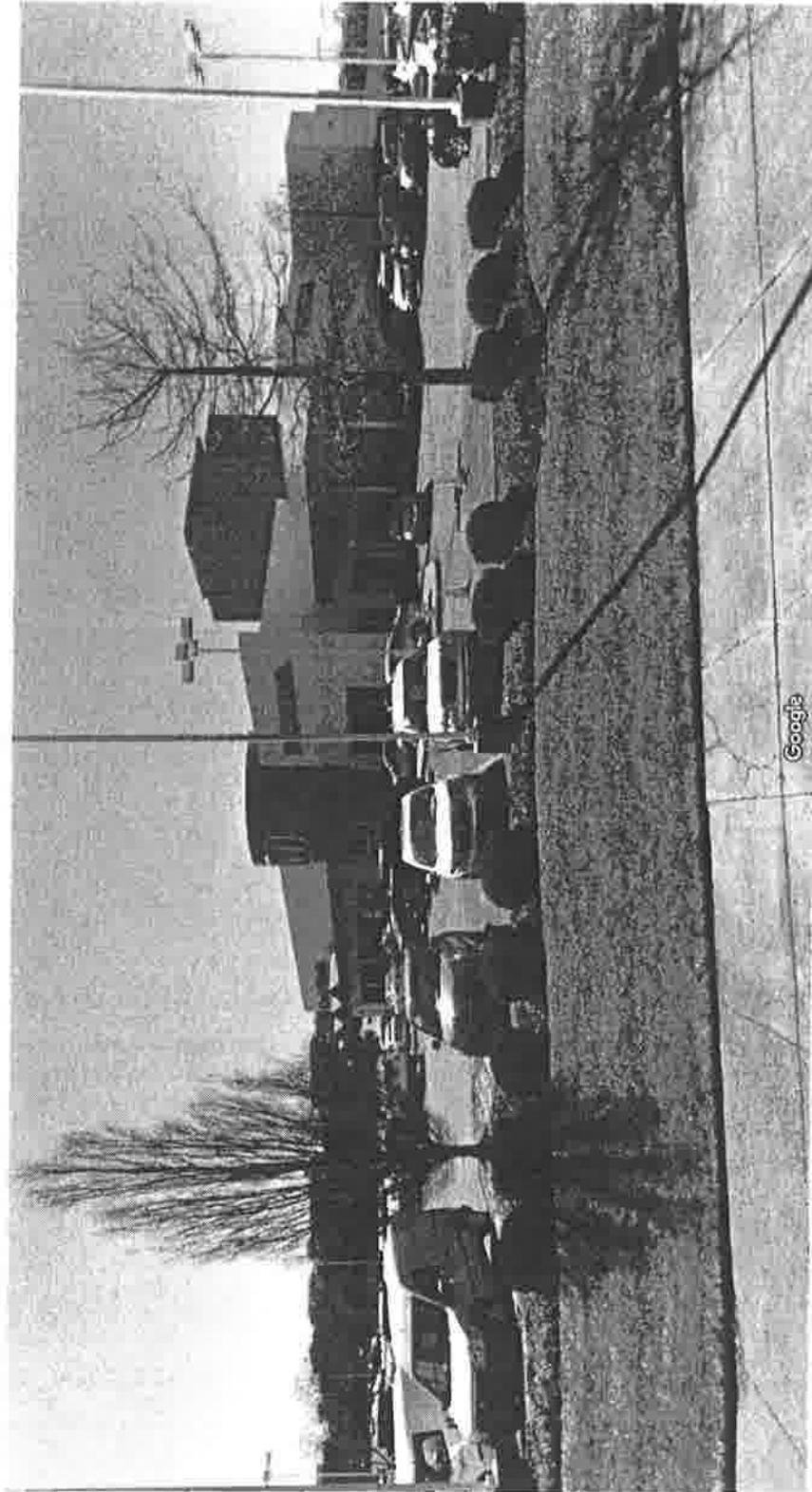


ATTACHMENT 8



ATTACHMENT 8

Crest Honda
2215 Rosa L Parks Blvd
Nashville, TN 37228





ATTACHMENT 9

REAL ESTATE DEPARTMENT
FAX (615) 871-2409 □ 2620 ELM HILL PIKE □ NASHVILLE, TN 37214 □ PHONE (615) 871-2540

October 6, 2016

BY HAND DELIVERY

OCT 13 2016

Planning Department
City of Gallatin
132 W. Main Street
Gallatin, Tennessee 37066

Re: Savannah Marketplace Preliminary Master Plan Amendment—
9.3-acre portion of Parcel No. 146-037-01 (known as 2109 Nashville Pike)
(the "Property")

Ladies and Gentlemen:

We understand that Jackson-HON Gallatin, LLC is under contract with Fifth Third Bank to purchase the Property, and we are aware of the request by Jackson-HON, with the approval of Fifth Third Bank, to add the Vehicular, Craft and Related Equipment Sales and Automotive Servicing uses to the Preliminary Master Development Plan governing the Property.

The Savannah Marketplace Architectural Review Committee is in agreement with and approves Jackson-HON's amendment request and Jackson-HON's preliminary building elevations. We ask that you favorably consider Jackson-HON's request and make the appropriate amendments or revisions to the Preliminary Master Development Plan.

The ARC reserves the right to approve Jackson-HON's final building elevations and/or building design. Thank you, and please do not hesitate to contact me if you have any questions.

Very truly yours,


The Kroger Co.

cc: Jackson-HON Gallatin, LLC (via email)

RESUBMITTAL

3-2587-16