
**CITY OF GALLATIN
COUNCIL COMMITTEE MEETING**

November 10, 2015

6:00 pm

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

- Call to Order – Vice Mayor Hayes
- Roll Call: Alexander – Brackenbury – Camp – Vice Mayor Hayes – Kemp – Mayberry – Overton – Mayor Brown
- Approval of Minutes: October 27, 2015 Council Committee Meeting
- Public Recognition
- Mayor’s Comments

AGENDA

1. Big Station Camp Corridor Study **(Nick Tuttle, City Engineer)**
2. Ordinance to Vacate and Accept Right-of-Way on Airport Road and Cairo Road for Airport Road SIA Project **(Nick Tuttle, City Engineer)**
3. Ordinance Zoning Two Lots and Two Parcels from Commercial Services to Core Commercial District **(Bill McCord, City Planner)**
4. Ordinance Approving Preliminary Master Development Plan for Sumner Gardens **(Bill McCord, City Planner)**
5. Draft Nashville Area MPO 2040 Regional Transportation Plan **(Bill McCord, City Planner)**
6. Request Approval to Apply for a TDOT Multimodal Access Grant **(Bill McCord, City Planner)**
7. Continued Discussion of 2016 Bond Issue **(Rachel Nichols, Finance Director)**
8. Ordinance to Correct Water Sewer 2016 Budget **(Rachel Nichols, Finance Director)**
9. Proposed Resolution R1511-89 Revising the Adopted Utility Easement Acquisition Procedure **(David Gregory, Public Utilities Superintendent)**
10. Emergency Conditions Policy **(Debbie Johnson, Human Resources Director)**
11. Update on the Fire Chief Search–Feedback from Expert Panel **(Debbie Johnson, Human Resources Director)**
12. Continued Discussion of Workplace Violence Policy **(Debbie Johnson, Human Resources Director & Susan High-McAuley, City Attorney)**

13. Charter Amendment–Term Limits **(Susan High-McAuley, City Attorney)**

14. Charter Amendment–Eligibility of Office and Holding Other Public Office **(Susan High-McAuley, City Attorney)**

- Other Business
- Department Head Reports
- Adjourn

City of Gallatin Council Committee Meeting

Tuesday, October 27, 2015
Dr. J. Deotha Malone Council Chambers

PRESENT:

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

ABSENT:

OTHERS PRESENT:

Nick Tuttle, City Engineer
Bill McCord, City Planner
Gallatin News Reporter
David Gregory, Public Utilities Dir.
Lori Smiley, IT Director
Susan High-McAuley, City Attorney
Tommy Dale, Assistant Fire Chief
Debbie Johnson, Human Resource Dir.

Rachel Nichols, Finance Director
Don Bandy, Police Chief
Zach Wilkinson, Public Works Dir.
Connie Kittrell, City Recorder
David Brown, Leisure Services Dir.
Rosemary Bates, Special Projects
News Examiner Reporter

Vice Mayor Craig Hayes called the meeting to order at 6:00 P.M.

Approval of Minutes

Vice Mayor Hayes presented September 22, 2015 and October 13, 2015 Council Committee Minutes for approval. Councilwoman Kemp made motion to approve; Councilman Mayberry seconded. Motion carried with 7 ayes and 0 nays.

Public Recognition

Vice Mayor Hayes opened public recognition.

Joe Debord of 1007 Hart Street spoke on the following issues:

- Against term limits
- Requested Special Committees for special projects to get more citizens involved
- This month is Blindness Awareness Month and next week he will present a broom to Mayor Brown as a member of the Lions Club
- Donate two (2) hand holds for the restrooms here in City Hall
- Requested a roadside sign listing all the Civic/Service Clubs – use the downtown signs as a model

With no one else wishing to speak Vice Mayor Hayes closed public recognition.

Mayor's Comments

- The Turkey Run Event is November 7th
- "Shop with a Cop and Firefighter" Golf Tournament is also November 7th

Agenda

1. Trash Billing Refunds

Public Works Director Zach Wilkinson gave a report to Council on the trash billing refunds. Mr. Wilkinson stated there were a total of 77 claims; 36 claims were rejected and 41 approved at a cost of \$13,540.

Mayor Brown thanked Mr. Wilkinson for his hard work on this issue.

2. Engineer's Estimate of Probable Costs for Phases of Capps Gap Landfill

Vice Mayor Hayes reported there will be three (3) phases/ payments:

- July 2016 payment of \$790,400
- June 2017 payment of \$1,570,000
- \$300,250 payment date to be determined

Vice Mayor Hayes the city's portion is 2/7th of those payments.

There was much discussion on payment options.

Finance Director Rachel Nichols stated the city's portion of the first payment is \$225,000. She requested the payments are taken from the environmental services fund but that fund does not generate that much excess revenue.

Council continued to discuss payment options.

3. Discussion on 2016 Bond Issue

Finance Director Rachel Nichols provided Council with a handout on the Proposed 2016 G.O. Bond Issue with project description and the proposed bond.

Ms. Nichols suggested conversations begin on the proposed 2016 G.O. Bond.

Council discussed and requested more information for discussion at the next work session.

4. Dewayne Scott Nomination for the Board of Economic Development Agency

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

5. Update on the Fire Chief Search Process

Human Resource Director Debbie Johnson provided Council with a listing of all the applicants for the Fire Chief search. Ms. Johnson stated the search was closed on October 23rd with 130 total applicants; 33 from Tennessee and four (4) internal applicants.

Council discussed.

Ms. Johnson added that the majority of the applicants are new applicants. She suggested giving the expert panel one week to review the resumes and make their recommendations of five (5) to seven (7) candidates for interviews and approval from Council.

6. Continued Discussion Regarding Benefits for City Council Members

Human Resource Director Debbie Johnson provided information from David Coley on the 401K, the significant number of hours required to change the planned document and the substantial cost to revise the planned document. Ms. Johnson said that insurance coverage had been offered earlier to Council members but with no one interesting or using the insurance it was rescinded in 2012.

There was discussion on offering health insurance to part-time/temporary employees, hours worked by Council members, what other cities offer and increasing Council pay.

7. Continued Discussion of Workplace Violence Policy

Councilman Overton requested this be deferred and placed on the next work session for more discussion.

City Attorney Susan High-McAuley passed out information on this topic. Ms. High-McAuley informed Council that MTAS is amending their model policy. She asked Council members to let her know their thoughts concerning the information provided.

8. Charter Amendments

City Attorney Susan High-McAuley said the charter amendments to discuss tonight are term limits, prohibition of Council/Mayor from holding other public office and benefits for Council members.

- Term Limits for Council and Mayor

Ms. High-McAuley explained that other cities and MTAS advised the City to put this to a referendum for a vote by the public.

There was much discussion on term limits. Council proposed a two (2) term limit. Councilwoman Kemp and Councilman Mayberry expressed their opposition to term limits.

- Prohibition of Council and Mayor accepting employment with City or holding other public office

Councilman Overton stated he would like to change this to allow Council members the opportunity to run for another elected office and/or serve on a committee/board, etc.

Council discussed.

Councilman Overton asked if this will be in with term limits and Vice Mayor Hayes agreed.

Other Business

Councilwoman Kemp left the meeting at this time.

Vice Mayor Hayes called for other business.

- City Attorney Susan High-McAuley provided Council with a draft Resolution to approve national purchasing partners as a purchasing cooperative under the City's purchasing procedures.

Councilman Overton made motion to approve; Councilwoman Brackenbury seconded. Motion carried with 6 ayes and 0 nays.

Department Head Reports

Vice Mayor Hayes called for Department Head reports.

- Human Resource Director Debbie Johnson gave an update on the revised job descriptions. She requested Council permission to pass out the new job descriptions to Department Heads and there was no objection.
- IT Director Lori Smiley passed out an ordinance appropriating \$5,880 for payment card industry (PCI) gap analysis and annual cost for quarterly scans. Ms. Smiley explained the requirement for PCI compliance for credit card payments. She said there are four (4) scans required annually.

Councilman Mayberry made motion to approve; Councilwoman Brackenbury seconded. Motion carried with 6 ayes and 0 nays.

Adjourn

With no other business to discuss Vice Mayor Hayes adjourned the meeting at 7:05 P.M.

Mayor Paige Brown

Connie Kittrell, City Recorder

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: **Engineering**

AGENDA # 1

SUBJECT:

Big Station Camp Corridor Study

SUMMARY:

Neel Schaffer will be attending the meeting and will give a brief presentation to update the Council.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: Engineering

AGENDA # 2

SUBJECT:

Ordinance to Vacate and Accept ROW on Airport Road and Cairo RD

SUMMARY:

Attached is the ordinance vacating and accepting right-of-way for the Airport Road SIA Project, PIN # 119592.00.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01511-63

ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE, VACATING AN APPROXIMATE 5000 FOOT LONG SEGMENT OF AIRPORT ROAD RIGHT-OF-WAY LOCATED EAST OF STEAM PLANT ROAD AND SOUTH OF CAIRO ROAD AND VACATING AN APPROXIMATE 1000 FOOT LONG SEGMENT OF CAIRO ROAD RIGHT-OF-WAY FROM THE AIRPORT ROAD/CAIRO ROAD INTERSECTION TO SOUTHEAST OF AIRPORT ROAD AND ACCEPTING RIGHT OF WAY IN FEE SIMPLE FOR THE NEWLY RELOCATED ROADWAY.

WHEREAS, The City of Gallatin is a party to the State of Tennessee Department of Transportation Local Agency Project Agreement, PIN number 112818.00, with the following project description: State Industrial Access Road serving Sumner County Regional Airport in Gallatin, Tennessee and with construction plans PIN number 112818.00 from Station 104+32.78 to Station 177+81.31. As a part of this project, the state industrial access road servicing the Sumner County Regional Airport must be realigned and relocated; and

WHEREAS, the City of Gallatin proposes to relocate a segment of Airport Road located south of Gregory Drive to east of Steam Plant Road and a segment of Cairo Road located southeast of the intersection with Airport Road in the vicinity of the Sumner County Regional Airport; and

WHEREAS, Tennessee Code Annotated Section 54-18-204, authorizes the Planning Commission to make recommendations to the City Council on the vacation of rights-of-way, and pursuant to Chapter 3, Section 3-105 *et seq.* of the Subdivision Regulations of Gallatin, Tennessee, allows acceptance of rights-of-way; and

WHEREAS, Sumner County Airport Authority has secured sufficient right-of-way for the construction of an alternative alignment to serve public transportation needs by platting new right-of-way to replace the subject vacated portions and upon completion of improvements of the new alignment no longer has a public need for the existing roadway; and

WHEREAS, Sumner County Airport Authority will convey in fee simple to the City of Gallatin, Tennessee the proposed right-of-way for the newly relocated sections of Cairo Road, Airport Road and Industrial Boulevard, described herein as **Exhibit A**, such that City of Gallatin can release the Tennessee Department of Transportation to build said infrastructure with State Industrial Access Grant funds. Upon substantial completion of the realignment of Cairo Road, Airport Road and Industrial Boulevard, City of Gallatin shall convey in fee simple all abandoned right-of-way portions to the Sumner County Airport Authority for the portions of Cairo Road and Airport Road that have been relocated; and

WHEREAS, Sumner County, Tennessee will convey in fee simple to the City of Gallatin, Tennessee the proposed right-of-way for the newly relocated portion of Industrial Boulevard, described herein as **Exhibit B**, such that City of Gallatin can release the Tennessee Department of Transportation to build said infrastructure with State Industrial Access Grant funds. Upon substantial completion of the realignment of Industrial Boulevard, City of Gallatin shall convey in fee simple all abandoned right-of-way portions due to relocation of roadway to Sumner County, Tennessee; and

WHEREAS, upon vacating the roadway the Sumner County Regional Airport will be able to expand to better serve the community and reduce potential conflict with surface vehicles and airport operations;

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

Section 1. The City of Gallatin will accept the deeded property from the Sumner County Airport Authority in fee simple described as the realigned segment of Airport Road and Cairo Road, approximately 850 feet east of Steam Plant Road to the south of Gregory Drive, as described in Exhibit A, and the City of Gallatin will accept the deeded property from Sumner County, Tennessee in fee simple the realigned segment of Industrial Boulevard as described in Exhibit B.

Section 2. That, upon completion of the relocated roadways by the Tennessee Department of Transportation, the City of Gallatin shall accept said relocated roadways, including all water, gravity sanitary sewer, sewer force main, natural gas, and overhead or underground electrical line relocations, and that portion of the right-of-way as described on the Plat for Airport Road, Cairo Road and Industrial Boulevard Relocation/Dedication/Vacation identified to be vacated, shall be wholly vacated and shall no longer be a part of the street and alley systems of the City of Gallatin and shall be transferred to the adjacent property owners (Sumner County Regional Airport Authority and Sumner County, Tennessee, respectively) and their successors or assigns.

Section 3. That any portion of right-of-way which forms the boundary of two adjacent parcels shall be approved to convey equally to the centerline of such right-of-way.

Section 4. The City shall retain a public utility easement over any existing right-of-way to be vacated in areas where utility lines are located. Such easement width shall comply with the needs as described in the subdivision regulations and/or as required by Gallatin Public Utilities and Gallatin Department of Electricity. Upon relocation of these utilities within a right-of-way or alternative easement, the public utility easement shall be considered abandoned and vacated.

Section 5. That the Mayor is authorized to execute any and all documents necessary to effectuate the terms of this Ordinance.

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

NOVEMBER 10, 2015

DEPARTMENT: PLANNING DEPARTMENT

AGENDA # 3

SUBJECT:

Ordinance No. O1511-65. An Ordinance of the City of Gallatin, Sumner County, Tennessee, rezoning two lots and two parcels, comprising .98 (+/-) acres from the CS - Commercial Services to CC - Core Commercial District. (File #3-1088-15)

SUMMARY:

An Ordinance of the City of Gallatin, Sumner County, Tennessee, rezoning two lots and two parcels, comprising .98 (+/-) acres, located east of South Water Avenue, west of Woods Ferry Road and north of Coles Ferry Road, from the Commercial Services (CS) Zoning District to the Commercial Core (CC) Zoning District; authorizing the revision to be indicated on the Official Zoning Atlas; repealing conflicting ordinances, providing for severability, and providing for an effective date.

The City Planning Department recommends rezoning the properties to encourage redevelopment and to eliminate a number of non-conformities. The Gallatin Municipal-Regional Planning Commission reviewed the request at the October 26, 2015 meeting and voted unanimously to approve GMRPC Resolution No. 2015-122.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01511-65

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, REZONING TWO LOTS AND TWO PARCELS, COMPRISING APPROXIMATELY .98 ACRES, FROM CS- COMMERCIAL SERVICES DISTRICT TO THE CC – CORE COMMERCIAL DISTRICT, LOCATED EAST OF SOUTH WATER AVENUE, WEST OF WOODS FERRY ROAD AND NORTH OF COLES FERRY ROAD; 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 City of Gallatin Municipal-Regional Planning Commission requested to rezone two lots and two parcels, consisting of .98 (+/-) acres, located in the City of Gallatin, Tennessee; and

WHEREAS, the proposed zoning amendment conforms to the *Gallatin on the Move 2020* Plan general plan of the area including the established Commercial Corridor Revitalization Character Area and that the public necessity, convenience, and the general welfare, will be served by approving the proposed amendment; and

WHEREAS, the properties proposed for rezoning have adequate public utilities, infrastructure and private or municipal services necessary to serve the existing and proposed development and population permitted by the requested zoning or such necessary services and facilities will be provided upon redevelopment of the property; and

WHEREAS, the proposed rezoning will provide opportunities for redevelopment of the properties, reduce existing non-conforming conditions on the properties and provide for in-fill development that will compliment the scale, setbacks and style of existing adjacent structures, and

WHEREAS, the proposed rezoning will be compatible with surrounding community, protect the public health, safety and welfare, and will not be injurious to other property or public improvements in the area in which the property is located.

WHEREAS, the Gallatin Municipal-Regional Planning Commission has reviewed and recommended approval of the proposed rezoning in GMRPC Resolution 2015-122; and

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

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

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

Section 1. The City Council of the City of Gallatin does hereby approve rezoning two lots and two parcels, comprising .98(±) acres, from the CS – Commercial Services District to the CC – Core Commercial District 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 as hereby rezoned.

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

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

Section 5. This ordinance shall become effective immediately upon adoption, 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-MACAULEY
CITY ATTORNEY

Exhibit ‘A’ – Legal Description of the property

EXHIBIT 'A'

Legal Description for South Water Avenue-Woods Ferry Pike Rezoning (Planning File No. 3-1088-15)

Land lying and being situated in the Third Civil District of Sumner County, Tennessee, and described as follows:

Beginning at the point of intersection of the west edge of the old pike (known as Woods Ferry Pike) with the east right-of-way line of the new highway (Highway 109, also known as South Water Avenue), said point being 20 feet from the center line of the old pike; thence with the west right-of-way line of the old pike, South 21 degrees East, 180 feet to a stake 20 feet from the center of said old pike; thence continue along the west right-of-way line of the old pike, South 22 degrees, 46 minutes, 16 seconds East a distance of 169.87 feet to a iron rod; thence continue along the west right-of-way line of the old pike, South 22 degrees, 46 minutes, 16 seconds East a distance of 105 feet to a iron pin; thence South 77 degrees, 15 minutes West to an iron pin located on the east right-of-way line of Highway 109 (also known as South Water Avenue); thence north 11 degrees West, a distance of 454.74 feet to the point of beginning, containing approximately .98 acres located east of South Water Avenue and West of Woods Ferry Pike.

The property includes all of tax parcels:

126N G 001.00 000

126N G 002.00 000

126N G 003.00 000



ITEM _____

PLANNING DEPARTMENT STAFF REPORT TO COUNCIL
Rezoning Two Lots and Two Parcels totaling .98 acres, located east of South Water Avenue, west of Woods Ferry Road and north of Coles Ferry Road (3-1088-15)
Date: November 3, 2015

PUBLIC COMMENT

REQUEST: THE CITY OF GALLATIN PLANNING DEPARTMENT REQUESTS APPROVAL OF AN ORDINANCE TO REZONE TWO (2) LOTS AND TWO (2) PARCELS, FROM THE CS – COMMERCIAL SERVICES DISTRICT TO THE CC – CORE COMMERCIAL DISTRICT, COMPRISING .98 (+/-) ACRES, LOCATED EAST OF SOUTH WATER AVENUE, WEST OF WOODS FERRY ROAD AND NORTH OF COLES FERRY ROAD.

OWNERS: DANIEL HURST, CHARLOTTE ANDERSON & CHARLES EDGAR RAMSEY AND MARGARET FRANCES

APPLICANT: CITY OF GALLATIN PLANNING DEPARTMENT

STAFF RECOMMENDATION: RECOMMEND APPROVAL OF ORDINANCE NO. O1511-65

STAFF CONTACT: WILLIAM D. McCORD, AICP

COUNCIL COMMITTEE DATE: NOVEMBER 10, 2015

PROPERTY OVERVIEW: The City of Gallatin Planning Department requests approval of Resolution No. 2015-122 to rezone two (2) lots and two (2) parcels (Tax Map and Parcels #s 126N G 00100, 126N G 002.00 and 126N G 003.00), from the CS – Commercial Services District to CC – Core Commercial District, comprising .98 (+/-) acres, located on the east side of South Water Avenue, west of Woods Ferry Road and north of Coles Ferry Road (Attachment 1). The Planning Commission and the Municipal Board of Zoning Appeals believe that rezoning the non-conforming properties will encourage redevelopment and eliminate a number of non-conforming conditions. The Planning Commission voted unanimously to approve Gallatin Municipal-Regional Planning Commission Resolution No. 2015-122 recommending approval of the rezoning (Attachment 7).

CASE BACKGROUND:

Previous Submittals/Approvals

The subject properties were developed in 1955, prior to being annexed into the City in 1965. The properties were rezoned to Commercial Services (CS) in 1979 when the new Gallatin Zoning Ordinance was adopted. Under the CS zoning, the parcels and both lots became non-conforming. The properties are considered legal non-conforming parcels or lots and include multiple non-conforming attributes (building setbacks, minimum setback lines, floor area ratio, lot coverage, landscaping, and driveway coverage). Below is a list of zoning related activities that have occurred on the properties.

- The properties were developed in 1955, according to the tax rolls.

- In 1965, the property was annexed by the City.
- In 1969, a new zone “Local Business” was created and assigned to the property. In the early 70’s the property was re-classified as a commercial district.
- In 1979, the property was rezoned to Commercial Services (CS).
- On August 27, 2015, the Municipal Board of Zoning Appeals granted variances from the lot size requirement to permit one of the parcels (parcel 2) to be subdivided
- September 8, 2015, the Charlotte Anderson Subdivision was recorded (P.B. 29, Page 36, ROSCTN)

DISCUSSION:

Proposed Action

The Planning Department proposes to rezone the two (2) lots and two (2) parcels, from the CS – Commercial Services District to the CC – Core Commercial District, containing a .98 (+/-) acres, located on the east side of South Water Avenue, west side of Woods Ferry Road and north of Coles Ferry Road (Attachment 1).

Natural Features

All of the properties are fully developed and contain no natural conditions or features. Based on FEMA FIRM Map 47165C427G the property is not located within any special flood hazard area.

Adjacent or Area Uses

The property is surrounded on two sides by public streets and a developed commercial parcel to the south. To the east across from Woods Ferry Road is property zoned R-6 – (High Density Residential District) and property zoned CS –Commercial Services which is the site of the Sumner County Food Bank. To the south is a quick oil change business zoned CS. To the west, across South Water Avenue is property zoned R15 (Medium Density Residential District) which consists of single family homes and an eight unit apartment complex on platted lots in the Longview Estates, 2nd Addition Subdivision.

Character Area

The *Gallatin on the Move 2020 Plan* Community Vision includes several objectives that support the rezoning including:

Objective: Revitalize Gallatin’s core neighborhoods and corridors.

Objective: Allow, where appropriate, closer proximity of commercial uses to residential uses to reduce travel distance.

Objective: Accommodate continued development in west Gallatin, while providing quality development and redevelopment opportunities along existing corridors, neighborhoods and other specified areas within the UGB.

Objective: Revitalize and redevelop underutilized commercial corridors with walkable mixed use development.

Objective: Establish attractive, walkable neighborhood and commercial/mixed use corridors throughout the City.

The *Gallatin on the Move 2020 Plan* designates the properties and all properties surrounding the site as within the Commercial Corridor Revitalization Character Area (Attachment 2). The existing CS zoning and the requested CC zoning is consistent with the established land use/character area of the Plan and is similar to the Neighborhood Center Character Area (page 3-50). Implementing a consistent zoning could also be achieved by developing and adopting “the Neighborhood Mixed-Use Node Zoning District intended to implement the Neighborhood Center Character Area” (Attachment 2).

The intent of this character area is to develop a “sense of place,” provide a more pedestrian friendly environment” by “placing buildings closer to the street,” and provide “opportunities for mixed-use development.” The intent of the rezoning would be to establish a more intensive commercial node geared towards pedestrian uses serving the immediate neighborhoods similar to Hillsboro Village and the Five Points areas in Nashville.

Development strategies could be better accommodated if the property is rezoned. The plan included a community preference survey. The current development pattern was the least preferred by the survey respondents while a development type allowed under CC zoning with a streetscape was one of the preferred preferences (pg 5-10-5-11). The proposed zoning will also better establish a central commercial node in the corridor which is encouraged by several plan policies/objectives and the recommendation to:

Update Mixed US Zoning Districts to clarify general levels of allowable horizontal mixed use intended to provide alternatives for commercial zoning along established and revitalization corridors.(pg 6-3 #9) (Attachment 2)

The properties are in the center of a commercial corridor near the hub of the South Water Avenue and Coles Ferry Road intersection. Pedestrian access to the property was improved when South Water Avenue was reconstructed several years ago. This makes this property much more conducive for pedestrian oriented businesses. In addition, Coles Ferry Road is slated for sidewalk improvements which will provide greater access to the properties from residential areas to the east. Improved pedestrian access is a primary strategy for the Commercial Corridor Revitalization character area (Attachment 2).

The unusual (trapezoid) shaped properties are located within a narrow strip of land between South Water Avenue and Woods Ferry Road. (Attachment 1) The two (2) lots and two (2) parcels have double street frontage that forms the boundaries on the east and west sides of the properties and limits the size of the lots. The two (2) lots and two (2) parcels range in size between 2,178 square feet and 8,581 square feet.

Parcel 126N G 001.00	= .079 acres (3,466 sq. ft.)
Lot 1, Charlotte Anderson SD	= .108 acres (4,704 sq. ft.) ¹
Lot 2, Charlotte Anderson SD	= .107 acres (4,661 sq. ft.)
Parcel 126N G 003.00	= .197 acres (8,581 sq. ft.)

The CS zoning (Section 08.02.030.A of the Gallatin Zoning Ordinance) requires a 10,000 square foot minimum lot area. None of the properties meets this requirement.

¹ Lots 1 and 2, Charlotte Anderson Subdivision (P.B. 29, Page 36) comprise Tax Parcel 126N G 002.00)

Rezoning Properties on S. Water Ave./Woods Ferry Rd. north of Coles Ferry Rd. November 10, 2015

The buildings cover substantial portions of the properties as indicated in the table below.

PARCEL	PARCEL/LOT SIZE	BUILDING COVERAGE	%
Parcel 126N G 001.00	= .079 acres (3,466 sq. ft.)	2,236 sq. ft.	65%
Lot 1, Charlotte Anderson SD	= .108 acres (4,704 sq. ft.) ²	1,600 sq. ft.	34%
Lot 2, Charlotte Anderson SD	= .107 acres (4,661 sq. ft.)	2,640 sq. ft.	57%
Parcel 126N G 003.00	= .197 acres (8,581 sq. ft.)	2,990 sq. ft.	35%

If the property were rezoned to CC, it would bring these properties into compliance with the zoning ordinance and, therefore, eliminate future hardships. Rezoning the non-conforming properties will encourage redevelopment and eliminate a number of nonconforming conditions. If granted, the rezoning would permit the owners to subdivide the properties to create additional lots since there is no minimum lot size required in the CC district for non-residential uses.

Article 15, Section 15.07.020 permits the Board of Mayor and Alderman, the Planning Commission or an applicant of one or more property owners affected to initiate a change in zoning. The Mayor and Alderman may, from time to time, amend the zoning whenever it is alleged that there was an error in the original Zoning Ordinance or whenever the public necessity, convenience, and general welfare require such amendment. Further, state statutes (Tenn. Annotated Sections 13-3-413, 13-4-310 and 13-7-201 and 13-7-202) authorize the City Council to make amendments to the Zoning ordinance and establish zoning districts.

A proposed amendment shall demonstrate that it “is in conformance with the general plan of the area and that the public necessity, convenience, and general welfare require the adoption of the proposed amendment.”

No preliminary master development plan is required with this amendment since it is proposed for a zoning district that requires no preliminary master development plan.

Tax Parcel 126N G 002.00 000 was recently subdivided after receiving a variance for lot size requirements in the CS zoning district. (*Charlotte Anderson Subdivision*)

It is Staff’s opinion that the CS zoning may not be the appropriate zoning for this property since it creates a variety of non-conforming conditions including lot sizes, yard lines, minimum building setback lines, building setbacks, and parking requirements. Core Commercial (CC) zoning would be more suitable due to the lot size requirement, yard lines, minimum building setback lines and parking requirements. If the property were zoned CC, it would be in compliance with the zoning ordinance and, therefore, no hardship would exist.

The existing CS zoning allows a wide variety of commercial uses, community facility uses and a limited amount of Conditional Uses when approved by the Board of Zoning Appeals. Core Commercial (CC) Zoning also allows a wide variety of commercial, and community facility activities, but also allows residential uses including multi-family dwellings. Community facility activities such as places of worship, community assembly, and utility and vehicular are conditional uses in the CS district; however, these uses do not require a conditional use permit in the CC district. CC allows for small scale convenience sales and services with a two pump maximum as opposed to a larger service station

² Ibid.

allowed in CS. Below is a comparison of the permitted uses in each district. The full description of the CC and CS zoning districts is provided in Attachment 45.

CC Zoning Principal Permitted Uses and Structures: CS Zoning Principal Permitted Uses / Structures

Residential Activities

Single Family Dwelling
Attached Dwelling
Multi-Family Dwellings,
subject to the requirements contained in Articles
12.00 and 13.00.

Community Facility Activities

Place of Worship
Essential Service
Community Assembly
Non-assembly Cultural
Administrative
Utility
Vehicular

Community Facility Activities

Essential Service
Non-assembly Cultural
Administrative

Commercial Activities

Convenience Sales and Service - Two-Pump Maximum
Automotive Parking (Limited Lot)

Transient Habitation
Food Service

General Personal Service
Financial, Consulting and Administrative
Business and Communication Service
General Retail Sales and Service
Consumer Laundry and Repair
Retail Business Supply
Group Assembly – Limited
Medical Services
Undertaking Services

Commercial Activities

Convenience Sales and Service
Automotive Parking
Automotive Servicing
Transient Habitation
Food Service
Food Service - Drive-in
General Personal Services
Financial, Consulting, and Administrative
General Retail Sales and Service
Consumer Laundry and Repair
Retail Business Supply
Group Assembly-Limited
Medical Service
Undertaking Service
Automotive Repair and Cleaning
Animal Care
Vehicular, Craft, and Related Equipment Sales, Retail and
Delivery
Limited Newspaper and Periodical Printing

Conditional Use

Dwelling, Upper Story Residential
Limited Child and Adult Care

Conditional Uses

Community Facility Activities

Limited Child and Adult Care
Place of Worship

Commercial Activities

Group Assembly Extensive
Limited Warehousing

Lot sizes and setbacks are also less restrictive in the CC zoning district and no parking is required. Parking is now very limited on the subject properties. Parking is available on the rights-of-way including marked parallel parking spaces on South Water Avenue adjacent to the properties. When

South Water Avenue was improved on-street parallel parking was constructed on the east side of the street adjacent to the properties.

However, regardless of the zoning category, state Statute (Tenn. Code Ann. Section 13-7-208) prevents more restrictive local zoning regulations when a zoning change occurs that affect uses, bulk, etc.

Specifically, Section 13-7-208 (b)(1),(c) and (d) states:

(b) (1) In the event that a zoning change occurs in any land area where such land area was not previously covered by any zoning restrictions of any governmental agency of this state or its political subdivisions, or where such land area is covered by zoning restrictions of a governmental agency of this state or its political subdivisions, and such zoning restrictions differ from zoning restrictions imposed after the zoning change, then any industrial, commercial or business establishment in operation, permitted to operate under zoning regulations or exceptions thereto prior to the zoning change shall be allowed to continue in operation and be permitted; provided, that no change in the use of the land is undertaken by such industry or business.

(c) Industrial, commercial or other business establishments in operation and permitted to operate under zoning regulations or exceptions thereto in effect immediately preceding a change in zoning shall be allowed to expand operations and construct additional facilities which involve an actual continuance and expansion of the activities of the industry or business which were permitted and being conducted prior to the change in zoning; provided, that there is a reasonable amount of space for such expansion on the property owned by such industry or business situated within the area which is affected by the change in zoning, so as to avoid nuisances to adjoining landowners. No building permit or like permission for construction or landscaping shall be denied to an industry or business seeking to expand and continue activities conducted by that industry or business which were permitted prior to the change in zoning; provided, that there is a reasonable amount of space for such expansion on the property owned by such industry or business situated within the area which is affected by the change in zoning, so as to avoid nuisances to adjoining landowners.

(d) (1) Industrial, commercial, or other business establishments in operation and permitted to operate under zoning regulations or exceptions thereto immediately preceding a change in zoning shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business subsequent to the zoning change; provided, that no destruction and rebuilding shall occur which shall act to change the use classification of the land as classified under any zoning regulations or exceptions thereto in effect immediately prior to or subsequent to a change in the zoning of the land area on which such industry or business is located. No building permit or like permission for demolition, construction or landscaping shall be denied to an industry or business seeking to destroy and reconstruct facilities necessary to the continued conduct of the activities of that industry or business, where such conduct was permitted prior to a change in zoning; provided, that there is a reasonable amount of space for such expansion on the property owned by such industry or business situated within the area which is affected by the change in zoning, so as to avoid nuisances to adjoining landowners.

All existing uses on the property are permitted in the CS and CC district. Should a use be proposed on the property, after the rezoning that is permitted in the CS district, but not permitted in the CC district, then it would not be permitted after the rezoning.

At the August 25, 2015 MBZA, meeting the Board indicated that consideration should be given to changing the zoning on the property to reduce or eliminate the need for future variances (Attachment

5). The Planning Commission also expressed support for the rezoning at the August 8, 2015 work session.

The rezoning will allow for continued reasonable use and accommodation of the properties. Tennessee Code Annotated, Title 13, Section 13-7-201 and 13-7-202 authorizes the City Council to establish zoning regulations on properties. The rezoning, if granted, will not be injurious to the area. Most of the development on the properties located along this section of South Water Avenue have been in existence since the 1950's, and do not conform with many aspects of the CS zoning and other design requirements of the code.

Rights-of-Way/Streets/Roads

The properties front onto both South Water Avenue and Woods Ferry Road and form a triangle shaped area which would make it very difficult or impractical to build on under the existing CS zoning. South Water Avenue is a 100 foot wide City arterial roadway with three lanes of traffic, in-lane bike lanes with parallel parking within a curb and gutter cross section, and sidewalks on both sides of the street. This street was improved approximately five years ago to provide on-street parking, bike lanes and sidewalks and as a result eliminated the pull-in/back out parking. Woods Ferry Road is a 40 foot wide two lane paved local street without curb and gutter or sidewalks and can accommodate on-street parking.

It should not be necessary to widen either of these streets to accommodate future traffic volumes. The Gallatin on the Move 2020 Plan indicates that South Water Avenue will remain a two-lane minor arterial street. (This street is identified for additional upgrades primarily between Maple Street and Smith Street and from Bush Ave. to SR 109 By-pass.)

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

According to a survey provided with the Charlotte Anderson subdivision, there are no utility easements adjacent to the street frontages. There is a 10 foot wide public utility and drainage easement between Lots 1 and 2 of the subdivision. Water and sewer utilities are located in the rights-of-way.

Stormwater Detention

The properties do not include stormwater detention. Upon redevelopment of the properties a stormwater management plan may be developed and constructed as part of any future development, but since the total area of the properties now consist of impervious surfaces (asphalt, concrete and buildings) retention likely would not be required if redeveloped.

Open Space and Bufferyard

No bufferyards exist on the properties and none would be required upon redevelopment except on the south side where parcel 3 abuts a lot zoned CS (Oil Change business). Staff may encourage landscaping adjacent to the rights-of-way.

Public Utilities

The properties are currently served by public utilities including water, sewer, gas and electricity.

Engineering Division Comments

The Engineering Division had no comments.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission initially discussed the proposal at the September 14, 2015 Work Session and generally agreed to consider an administrative zoning action (Attachment 3). The Planning Commission reviews and makes recommendations to the Mayor and Alderman on all proposed amendments to the zoning ordinance. The Planning Commission recommended approval of the rezoning in GMRPC Resolution No 2015-122 (Attachment 6).

FINDINGS:

1. The City Planning Department submitted a completed application, with required attachments, requesting the zoning change, after evaluating the existing uses, and as directed by the Municipal Zoning Board of Appeals and Planning Commission, after reviewing and approving a variance in the area.
2. The proposed zoning amendment conforms with the *Gallatin on the Move 2020* plan and the intent of the Commercial Corridor Revitalization Character Area by providing opportunities to apply the development strategies thereof.
3. The public necessity, convenience, and general welfare will be served by approving the proposed rezoning and the amendment is vital to the health, safety, and welfare of the public utilizing such development and the community as a whole (TCA 13-3-413(a)).
4. The properties proposed for rezoning have adequate public utilities, infrastructure and private or municipal services necessary to serve the existing and proposed development and the population permitted by the requested zoning or such necessary services and facilities will be provided upon redevelopment of the properties.
5. The proposed rezoning will provide opportunities for redevelopment of the properties, reduce existing non-conforming conditions of the property, and provide for in-fill development that will compliment the scale, setbacks and style of existing uses and will significantly reduce the need for variances to redevelop the properties.
6. Due public notice of the proposed zoning change will be provided at least fifteen (15) days but no more than thirty (30) days prior to the public hearing and after public notice signs have been posted on the properties consistent with Section 15.07.060 of the Gallatin Zoning Ordinance.
7. The proposed rezoning will be compatible with surrounding community, will protect the public health, safety and welfare, and will not be injurious to other property or improvements in the area in which the property is located.
8. Tenn. Code Annotated Title 13, Section 13-7-202 allows the City Council to establish zoning regulations including establishing zoning on property.
9. The Gallatin Regional-Municipal Planning Commission held a public meeting and reviewed and recommended to the City Council action on the proposed rezoning request as authorized by Tenn. Code Annotated, Title 13, Section 13-3-413, 13-4-310 and 13-7-202.

RECOMMENDATION:

Rezoning Properties on S. Water Ave./Woods Ferry Rd. north of Coles Ferry Rd. November 10, 2015

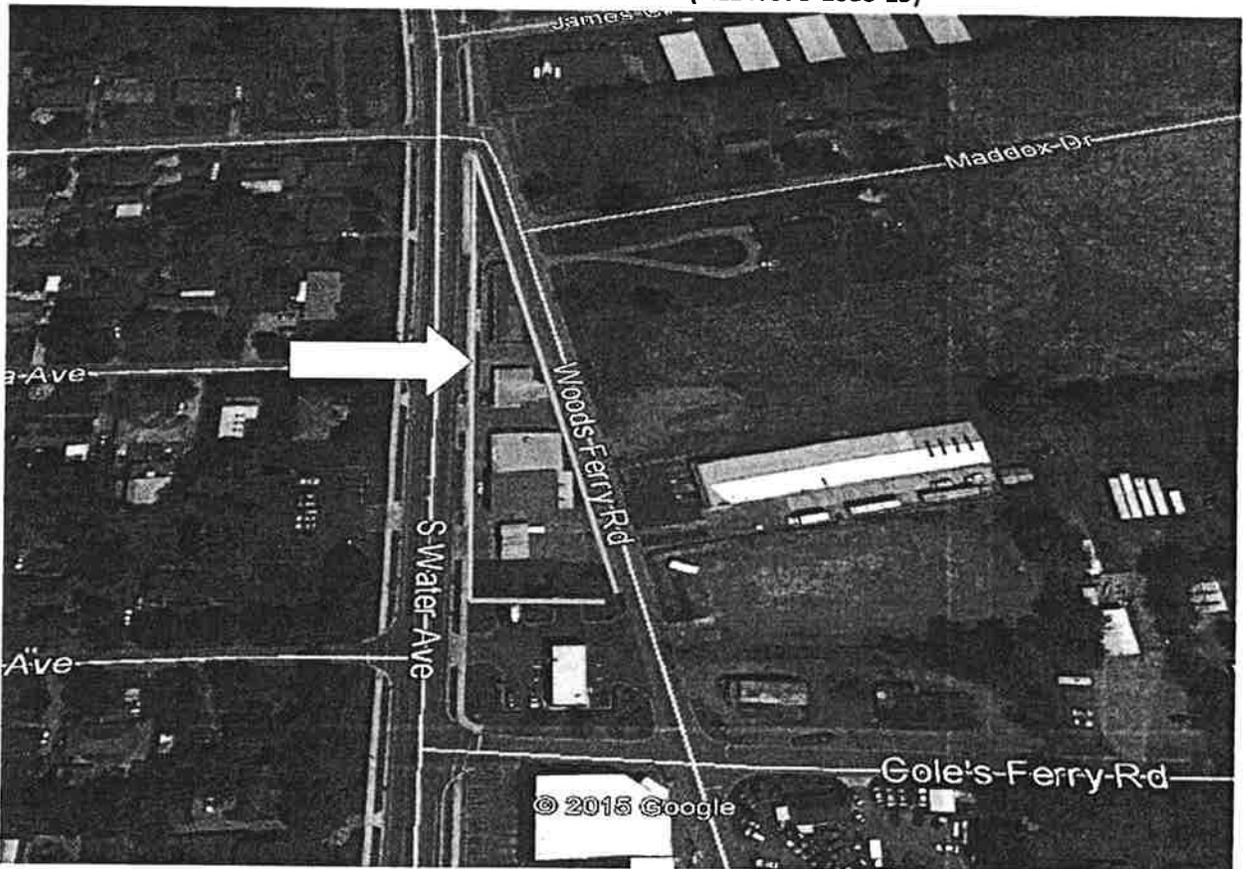
The Planning Commission and the Planning Department recommends approval of Ordinance No. O1511-65.

ATTACHMENTS

- Attachment 1** **Location Map**
- Attachment 2** **Gallatin on the Move 2020 Plan Commercial Corridor Revitalization Section, Preferred Community Character Descriptions, and Community Design Component - Commercial Corridors**
- Attachment 3** **Planning Commission Work Session minutes 9/14/15**
- Attachment 4** **Section 08.01 and 08.02, Gallatin Zoning Ordinance (CC and CS Zoning Districts)**
- Attachment 5** **MBZA Minutes 8/27/15**
- Attachment 6** **Gallatin Municipal-Regional Planning Commission Resolution 2015-122**

LOCATION MAP

SOUTH WATER AVENUE REZONING (FILE NO. 3-1088-15)



ARCHIVED

COMMERCIAL CORRIDOR REVITALIZATION

General Description of Existing Development Patterns

These commercial corridors commonly include strip center development with some larger-scale commercial developments. Characterized by roadside signage, numerous curb cuts and driveways that slow traffic flow, large parking areas void of landscaping, and few, if any, sidewalks. Buildings are typically single-story, single-use and are generally separated from the street and sidewalk, where sidewalks exist, by parking lots without shade trees. Generally there is a high degree of traffic congestion.

The corridors include underused or older commercial strip centers or stand-alone commercial uses provide opportunities to introduce a mix of uses that are easily and safely accessible for pedestrians and autos alike. Mixed use development can incorporate retail, office and residential uses in a single building, accommodate housing options and a mix of local retail and service uses, and maintain the functionality of the corridor by limiting the need to re-enter the roadway to make more than one trip.

Location

Areas within this character area include the following:

- South Water Avenue from the SR-109 Bypass to Downtown near Winchester Street.

Intent

The development pattern for Commercial Corridor Revitalization areas should seek to:

- Provide for revitalization and redevelopment opportunities that result in a distinct sense of place
- Improve the appearance, safety, multi-modal accessibility and services offered along the corridor
- Provide a more pedestrian-friendly environment with sidewalks, landscaping buffers, buildings placed closer to the street and parking to the rear of the building
- Discourage continuous ribbons of automobile-oriented commercial development along major corridors
- Provide opportunities for mixed-use development
- Reflect quality materials and design (related to the building, the site, and signage)

COMMERCIAL CORRIDOR REVITALIZATION

Anticipated level of change:

- Medium

Transportation

- Medium level of service
- High level of connectivity
- Properties accessed by public roads
- Regular-shaped, short-to-medium blocks
- Roads characterized by curb, gutter with sidewalk and high level of pedestrian orientation

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

Appropriate Intensity

- 0.75 FAR

Applicable Zoning Districts

Existing Zoning Districts

- PGC, PNC, MRO, MPO

Proposed Zoning Districts

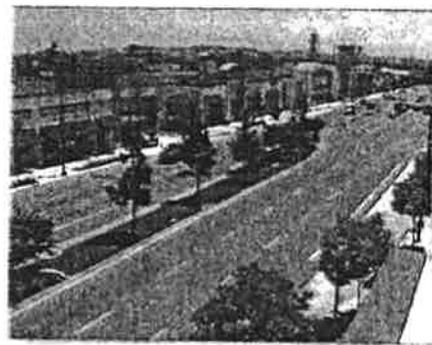
- CS or CG with Commercial Corridor Revitalization Overlay (new)

Development Strategies

- Consolidate driveways and encourage interparcel access
- Limit signs and billboards
- Cluster high-density development at nodes along the corridor, such as 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
- Incorporate streetscape enhancements such as landscaping and decorative streetlights to improve the overall appearance of these corridors
- Define clear physical boundaries and transitions between the corridor and adjacent one-family residential
- Provide sidewalk 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
- Coordinate land use planning with bike, pedestrian and transit opportunities



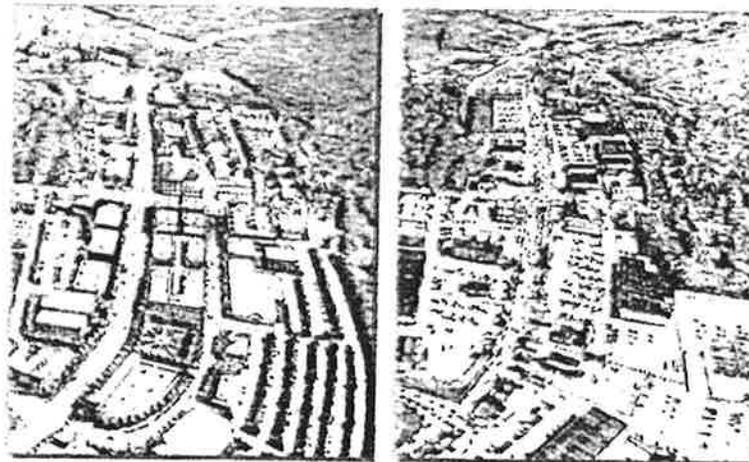
South Water Avenue represents the Commercial Corridor Revitalization character area in south Gallatin



Corridor Commercial Revitalization areas should over time redevelop as mixed-use, pedestrian-friendly communities

Implementation Strategies

- ☞ Master Plan for South Water Avenue
- ☞ Commercial Corridor Revitalization Overlay District



Commercial Corridor Revitalization areas should strive to create the connected, mixed-use corridor shown in the left example and avoid recreating the existing condition shown in the right graphic.

PREFERRED COMMUNITY CHARACTER

A Community Character Survey (also known as Visual Preference Survey) is a means to obtain public opinions about the visual appearance of the built environment. This survey exercise, administered during the Community Character Workshop, produced anecdotal data that was interpreted and incorporated into the planning process. Survey participants rated a series of images organized into four sub-sections: commercial, residential, transportation, parks and greenspace. Results are described on the following pages.

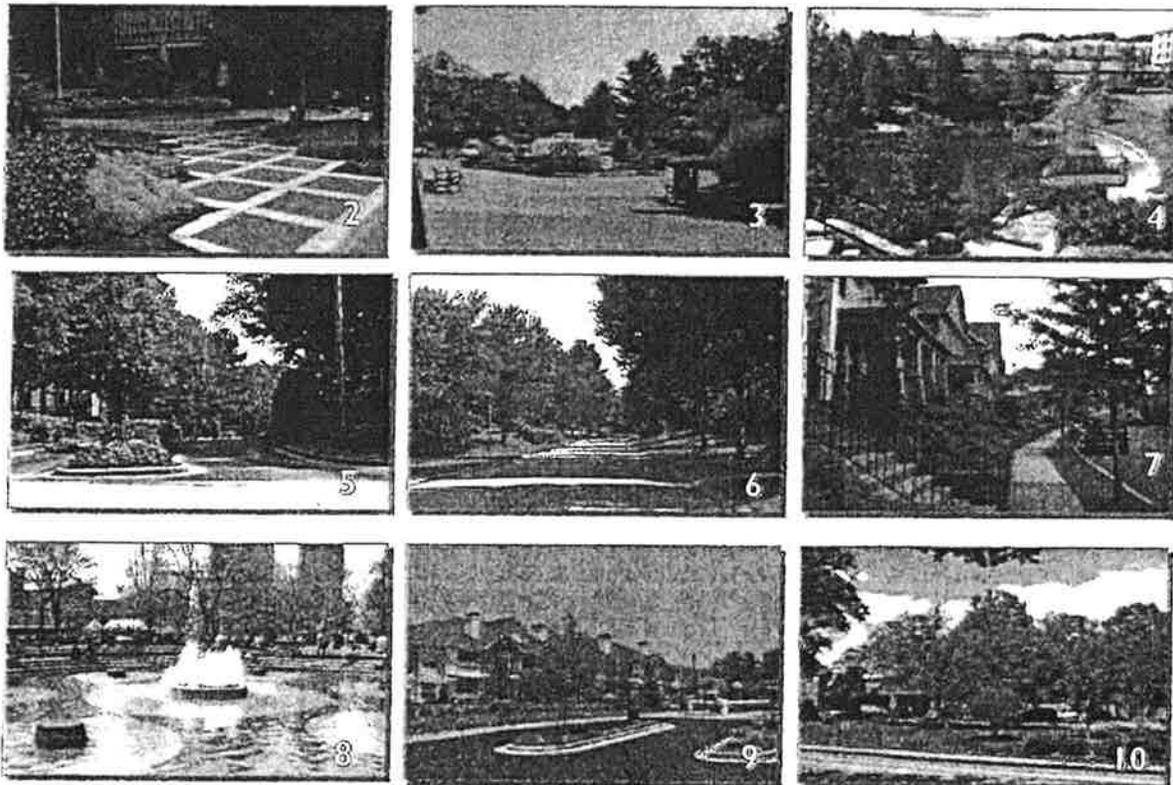
Overall

Most Preferred

Overall, the images depicting areas with extensive landscaping, trees and open space fared best among the 100 images shown. Images with excessive asphalt were overwhelmingly disliked. The participants' most favorable overall image was the "Greenway Trail" image from the Parks and Open Space section that depicts a meandering multi-purpose trail set in a wide open greenspace accompanied by no visible development.



Most preferred overall image from the Community Character Survey (above)

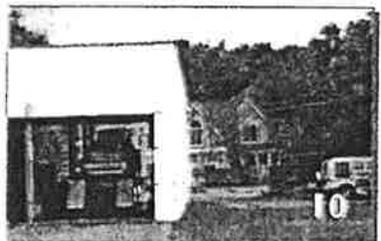


Least Preferred

Least preferred commercial images tended to portray strip commercial shopping centers (many of which have become dated and underutilized), large parking lots void of trees and landscaping, and images of areas with incompatible land uses. The least favorite overall image was the "Sprawl Corridor" image from the Transportation section. This image showed a typical suburban auto-oriented corridor lined with excessive signage, a web of utility wires and poles, and one-story single-use commercial buildings with parking visible.



Least preferred overall image from the Community Character Survey



Commercial

Most Preferred

Participants generally preferred commercial images portraying lush landscaping, mature trees, wide sidewalks, outdoor dining, and hidden or heavily-landscaped parking areas. Preferred commercial images included one-story and multi-story buildings.

1. **Pharmacy** – A well landscaped parking lot with limited parking in front of the building creates a friendlier environment to both drive and walk through
2. **Historic mixed-use pedestrian street** – Small blocks, buildings with a mix of uses, both vertically and horizontally, and inviting pedestrian activity create a lively and usable street environment
3. **Corner mixed use building** – While the building is oriented towards automobile access with a larger parking lot in front, sidewalks and landscaping help to create a more comfortable and visually appealing space
4. **Mid-rise contemporary office building** – The building is situated on a traditional street block with streetscaping elements such as sidewalks and street trees
5. **Office park** – Street trees and sidewalks make this office park more inviting and visually appealing

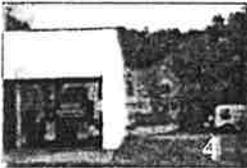
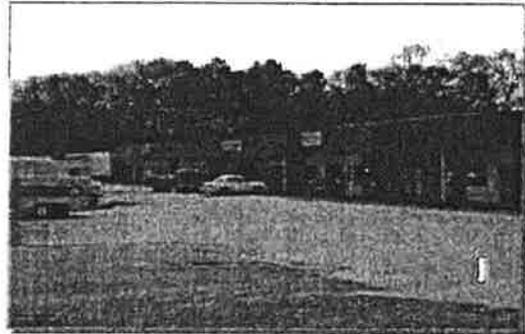


Most preferred commercial images from the Community Character Survey.

Least Preferred

Participants generally did not prefer commercial images portraying lack of landscaping, lack of mature trees, lack of sidewalks and large parking areas.

1. **Small-scale strip commercial center** – Auto-oriented and unattractive parking lot and store fronts
2. **Motel and corner feed store** – Awkward building orientation to the street with no street elements to separate the road from the buildings
3. **Suburban shopping center** – Large parking lot with no landscaping or pedestrian elements
4. **Neighborhood auto repair** – Industrial uses adjacent to residential uses
5. **Small-scale commercial building along arterial** – Isolated building with limited use and activity



Least preferred commercial images from the Community Character Survey.

Community Design Component: Conservation Subdivision Design

Conservation subdivisions (also called cluster subdivisions) are an alternative to conventional residential lot designs. Designers identify land resources (e.g. scenic views, steep slopes, riparian areas, etc.) worthy of conservation, then design development in a way that respects and preserves the resources identified.

Conservation subdivisions make development in Greenfield, or undeveloped, areas much more sustainable since open space is protected. By clustering homes, future households are accommodated more efficiently on less developed land.

A chief component of the conservation subdivision is that the developer can develop the same number of lots with conservation subdivisions as he can with conventional subdivisions. The difference is that conservation subdivisions allow the development to occur with much smaller lots that are clustered in order to preserve the areas for open space. Greenspace areas are typically reserved in their natural state, or cultivated for agricultural use (if that was the previous use).

Conservation subdivisions can be residential or mixed-use developments in which a significant portion of overall acreage is set aside as undivided, permanently protected open space, while houses are clustered on the remainder of the property. They are similar in many respects to golf course communities, but instead of a manicured golf course, they feature natural forests, meadows, wetlands and community gardens or farmland.

Conservation subdivisions contrast with conventional subdivisions in which nearly the entire parcel is subdivided into house lots and streets. Conventional subdivisions provide few green spaces for walking, little habitat for wildlife and few opportunities for residents to interact with their neighbors. Conservation subdivisions, on the other hand, provide all of these things.

Community Design Component: Commercial Corridors

Underused or older commercial strip centers or stand-alone commercial uses provide opportunities to introduce a mix of uses that are easily and safely accessible for pedestrians and autos alike. Mixed use development can incorporate retail, office and residential uses in a single building, accommodate housing options and a mix of local retail and service uses, and maintain the functionality of the corridor by limiting the need to re-enter the roadway to make more than one trip.

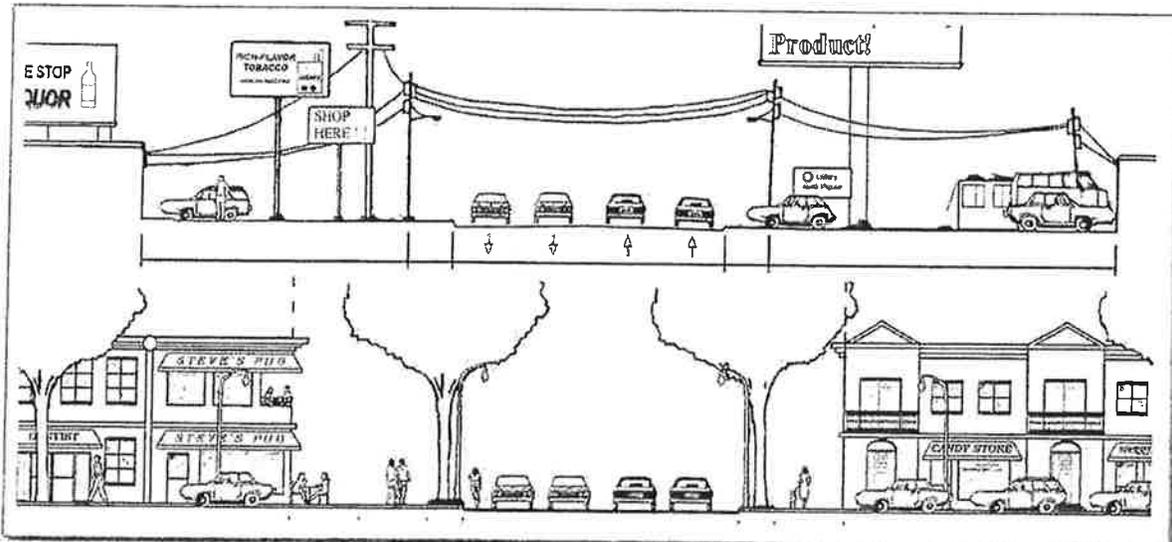
The appearance, safety, multi-modal accessibility and services offered along the corridor should all be enhanced by consolidating driveways and encouraging interparcel access, such as that which is recommended in the Nashville Pike Corridor Plan.

Continuous ribbons of automobile-oriented commercial development along major corridors should be discouraged as much as possible in developing and redeveloping areas. A distinct sense of place should be created with transportation, land use and other



Alternatives for rural area (top) with equal residential and commercial square footage with conventional large-lot rural zoning regulations (center) and with conservation subdivision regulations (bottom).

Source: Center for Rural Mass.



Source: City of Atlanta

physical enhancements so that the corridor does not become just another commercial strip. In addition, corridors should be organized in 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.

Corridors should provide a pedestrian-friendly environment with wide sidewalks and bicycle lanes when possible. In urban areas, landscaping buffers, buildings placed closer to the street and parking to the rear of the building. In suburban areas, sidewalks should be included along all corridors and provided at a safe distance from the edge of pavement.

Increase landscaping is needed along most of the City's corridors, 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.

Community Design Component: Signage

The design and placement of signage graphics on buildings and along the streetscape contributes to the character of the community and influences the public's perception of a community. Standardized design regulations for the types, sizes, lighting and placement of commercial identification signage brings order to commercial and industrial districts, reduces clutter and distracting elements along the streetscape and ensures that signage graphics are appropriate for the surroundings in which they are located. Standardized design regulations should, however, be sensitive to the character of the community. For example, design standards for Downtown should be developed specific to the needs of a walkable, urban center.

Commercial Corridors have over time become more like the top image with deep setbacks to allow for parking in front of the buildings, overhead utilities, limited landscaping and a proliferation of pole-mounted signage and billboards. In contrast, quality commercial corridors should include a mix of uses built to accommodate a variety of transportation options and provide for a pleasant pedestrian experience.

Community Design Recommendations: Illustrative Examples

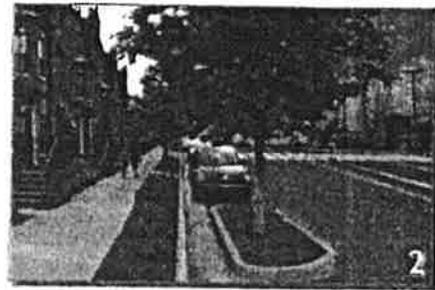
South Water Avenue historically served as the City's major southern gateway into Downtown. The corridor was originally developed with one-family residences. Commercial development followed as the neighborhoods on each side of the corridor developed. Over time, commercial development along the corridor was replaced with commercial development along Nashville Pike, leaving South Water Avenue with a collection of underutilized shopping centers, strip malls and other unattractive commercial development mixed in with a few multi-family residential buildings and one-family residential. Commercial development along South Water Avenue has occurred with gradually extended up and down the corridor.

Dramatic changes such as those recommended for the improvements to South Water Avenue are often difficult to visualize since their impacts are often spread out over a significant period of time. Visualizations for change are shown in the following sections for South Water Avenue near Guild Elementary School and near the intersection with Woods Ferry Road/Juanita Avenue.

Guild Elementary School Area

The area shown is looking south on South Water Avenue near the Guild Elementary School (located on the west side of the street in the photograph) south of Downtown Gallatin. The photo simulations shown to the right on this page, show the before and after that could be anticipated for the corridor by following the recommendations of this report. The bullets shown below describe the changes

1. Current conditions (May 2008) - The base image was taken from the center of South Water Avenue looking south on South Water Avenue near Guild Elementary School.
2. Addition of a landscaped median, on-street parallel parking, pedestrian crossing midblock sign, crosswalk, sidewalks separated from the edge of pavement of the road with a grass strip and redevelopment of the parking areas and underutilized commercial buildings on the east side of the street with a townhome development that fronts the street.



South Water Avenue visualization of recommended incremental change near Guild Elementary School (numbers shown on images correspond to the text on the left)

Woods Ferry Road/Juanita Avenue

The area shown is looking south on South Water Avenue near the intersection with Woods Ferry Road/Juanita Avenue south of Downtown Gallatin. The photo simulations shown to the right on this page, dramatize the incremental change that could be anticipated for the corridor by following the recommendations of this report. The bullets shown below describe the changes

3. Current conditions (May 2008) - The base image was taken from the center of South Water Avenue looking south on South Water Avenue near the intersection with Woods Ferry Road/Juanita Avenue.
4. Addition of a landscaped median, brick crosswalk and additional lanes in each direction (replacing front-yard parking lots that had become one large curb cut).
5. Addition of decorative street lighting, sidewalks separated from the edge of pavement of the road with a grass strip and redevelopment of the underutilized commercial buildings in the background with a mixed use building (ground-floor retail and upper floor residential).
6. Addition of street trees and decorative banners attached to the street light polls and development of more property in the background, all consistent with the idea of a pedestrian-friendly, mixed-use community character.
7. Complete picture – Additional mixed use development along with relocation of utility lines. Redevelopment for this particular concept would require abandonment of a portion of Woods Ferry Road along with the construction of a new intersection with South Water Avenue further south.

Irrespective of the design elements addressed, design guidelines can be a very versatile tool to achieving quality places. Design guidelines have been developed for entire cities and for individual neighborhoods and have incorporated the full range of design elements as well as individual elements such as signage. Regardless of the content of design guidelines, the most important function of design guidelines is to provide a link between general planning policies and specific regulations.



South Water Avenue visualization of recommended incremental change near Woods Ferry Road/Juanita Avenue. (numbers shown on images correspond to the text on the left)

Gallatin Municipal-Regional Planning Commission Work Session
September 14, 2015

Mr. Kalisz suggested ~~that~~ the Building Department review the plan to see if the homes are too close for fire safety.

Item 5: Discuss proposed amendment to the *Gallatin on the Move 2020 General Development and Transportation Plan Update 2008-2020, Chapter 4, Multi-Modal Transportation Plan*, to revise Exhibit 4-8, *Proposed Roadway Projects*, Exhibit 4-9, *Major Thoroughfare Plan*, and Exhibit 4-12, *Proposed Bike/Pedestrian Projects*, by removing the proposed extension of Derby Drive, located in the Greensboro Village Planned Unit Development (P.U.D.), from east of St. Blaise Road through GreenLea Boulevard to west of Volunteer State Community College. Request also includes the addition of a new collector road segment consisting of Enterprise Drive extending from the east terminus west to GreenLea Boulevard and southwest to the intersection of St. Blaise Road and Little Drive, southward along St. Blaise Road to the intersection of Derby Drive (PC File #7-882-15).

Mr. Kalisz said the proposal is to extend Enterprise Drive from the St. Blaise Road / Little Drive intersection through the transit ready development and connect to GreenLea at Enterprise Drive. St. Blaise Road segment from the Derby Drive intersection going north would become a collector road. There are two other proposed project changes; the Bike/Pedestrian Project and the proposed Roadway Project. The project would be development driven.

Item 6: Discuss proposed administrative rezoning of three (3) parcels from Commercial Services (CS) zone district to Core Commercial (CC) zone district located at 899, 909-911, and 913 South Water Avenue (PC File #3-1088-15).

Mr. McCord said the Planning Commission previously discussed rezoning properties on South Water Avenue in the Commercial Services (CS) zone district to the Core Commercial (CC) zone district. One of the property owners received a variance to subdivide the property and would have limited benefit from the zoning change. The other properties may still benefit from a zone change with the exception of one property used as an oil change facility. The proposed change will be on the next Planning Commission regular meeting.

Dr. Orgain asked what justification allowed the Municipal Board of Zoning Appeals to allow a variance. Mr. Puryear said he sits on the board and he was opposed to the variance. He believes that what staff is proposing solves the problem.

Mr. McCord said there may be some uses ~~that~~ the property owners may want to reserve if the zoning is changed.

Mr. Puryear said he believes the other property owners in this area will ask for a variance, if the zoning is not changed soon.

Councilperson Brackenbury asked why the property owner applied for a variance since the City is considering changing the zone. Mr. McCord said there was some urgency for the property owner because he had a buyer for the property. Once the zoning change is approved, the variance will not be necessary.

Ms. Schoch asked if property owner signatures would be required before moving forward. Mr. McCord said signatures are not required; however, property owners would receive notification of a public hearing. Ms. Schoch said letters have gone out to property owners.

Item 7: Discuss status of street improvements and subdivision surety for Branham Corner, Sec. 2 (PC File #1-95-04C/1-36-04C).

Ms. Schoch said this item was added for discussion at the request of Mr. Branham because he would like to extend his letter of credit. A letter was sent by Mr. Branham to Mr. McCord stating the reasons for the extension request. Mr. Reifschneider said the Engineering Division is in agreement with the request except regarding 500 feet of sidewalk along the northern part of Lot 2. There is nothing currently on the lot and engineering asked for a sidewalk to be installed. Mr. Branham does not have a buyer for the lot at this time and would like to wait until building occurs on this lot to install the sidewalks.

Chair Dempsey said this surety has been extended many times; however, he does not feel comfortable asking for sidewalks to be installed at the possibility of the sidewalk being destroyed at development. Mr. Reifschneider said there is a sidewalk on the north side of Pilot View and Mr. Branham could connect to that sidewalk. Two hundred feet of sidewalk variance is being requested for Lot 1 with the extension request. The remaining portion, along the northern side of the property, has already been installed.

Mr. McCord said the Planning Commission must pick a date to extend the surety, preferably by Christmas. Mr. Reifschneider said the surety expires in September.

Chair Dempsey said the surety should be extended to the end of the year at staff's recommendation, with the Nashville Pike sidewalks completed after building takes place. Mr. Reifschneider said the Engineering Division is not asking for sidewalks on Nashville Pike, just Pilot View so that the City can accept the road. The property owner does not want to build sidewalks.

Chair Dempsey said it is reasonable to wait until something is built. He suggested the Planning Commission require a sidewalk on Pilot View but not on the Nashville Pike side until the property is built.

Chair Dempsey said all improvements should be complete by the end of the year at staff's recommendation.

Item 8: Update on TAPA Fall Retreat in Chattanooga scheduled for September 30 – October 2, 2015.

Mr. McCord said the reservations have been made for the TAPA Fall Retreat.

Item 9: Discuss proposed amendments to the Gallatin Zoning Ordinance.

Chair Dempsey moved this item to the regular Planning Commission meeting.

Item 10: Other Business

Chair Dempsey commented that the triplexes on Cotton Drive do not look as nice as he had hoped. The buildings are very tight on the lot and look institutional.

08.01 Intent and Purpose of the CC - Core Commercial District

This district is designed to provide for a wide range of retail, office, amusement, and service uses normally found in a central business district. High intensity of use is permitted in this district, and increased building bulk is provided as a means of encouraging such development. A setting conducive to and safe for a high volume of pedestrian traffic is desired.

08.01.010 Uses and Structures

A. Principal Permitted Uses and Structures - Within the Core Commercial District as shown on the Gallatin Municipal Zoning Map, the following activities are permitted:

Residential Activities

- Single Family Dwelling
- Attached Dwelling
- Multi-Family Dwellings, subject to the requirements contained in Articles 12.00 and 13.00.

Community Facility Activities

- Place of Worship
- Essential Service
- Community Assembly
- Non-assembly Cultural
- Administrative
- Utility
- Vehicular

Commercial Activities

- Convenience Sales and Service - Two-Pump Maximum
- Automotive Parking (Limited Lot)
- Transient Habitation
- Food Service
- General Personal Service
- Financial, Consulting and Administrative
- Business and Communication Service
- General Retail Sales and Service
- Consumer Laundry and Repair
- Retail Business Supply
- Group Assembly – Limited
- Medical Services
- Undertaking Services

B. Permitted Accessory Uses and Structures

1. Signs as permitted in Section 13.07.
2. Accessory off-street parking facilities as required in Article 11.00.
3. Facilities and buildings customarily incidental and appurtenant to a permitted use.

C. Conditional Use

1. Dwelling, Upper Story Residential
2. Limited Child and Adult Care

D. Prohibited Uses and Structures - Any uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in Article 13.00 of this Ordinance are prohibited.

08.01.020 Bulk Regulations

A. Maximum Lot Coverage - 75 percent

B. Height Control - The maximum height of all buildings located within the CC District shall be established as set forth below:

1. The maximum height of a front wall or other portion of a building or other structure at the street line shall be 35 feet above the curb level.
2. For each foot the building is set back from the street line the height of the building may be increased by 1.5 feet.

C. Maximum Floor Area Ratio - 5.0

08.01.030 Area Regulations

A. Minimum Lot Size - Within the CC District, there is no minimum lot size except for residential activities which shall have a minimum lot size of 10,000 square feet. Dwelling, upper story residential, is excluded from this requirement.

B. Required Yards - Within the CC Districts, no yards, as such, are required. However, if an open area extending along a side lot line is provided, it shall be at least ten (10) feet wide, and it shall be unobstructed from the ground to the sky.

C. Minimum Development Area Per Dwelling Unit - Within the CC District, no dwelling unit shall be permitted on a zone lot with a total development area of less than two thousand (2,000) square feet per dwelling unit, with the exception of upper story residential development proposals. However, each upper story residential dwelling unit shall have a minimum floor area of 500 square feet.

08.01.031 Special Conditions for Upper Story Residential Dwelling

- A. All upper story residential development proposals shall require a certified statement demonstrating a firm agreement for parking reserved exclusively for the use of the upper story residential development.
- B. All upper story residential development proposals shall be in compliance with all Building, Utility, and Housing Codes within the Gallatin Municipal Code.

08.01.040 Use of Open Space

The following uses may be made of any open space provided such uses are otherwise permissible in this district.

- A. Landscaping - All open areas not occupied by driveways, sidewalks, and parking and loading areas shall be devoted to landscaping as defined in Article 1.00.
- B. Driveways
- C. Off-street Parking
- D. Sidewalks

08.01.050 Other Requirements

- A. Exterior Storage - Exterior storage of goods and materials of any kind is prohibited. The placement of waste disposal facilities shall be in the rear of buildings only.

08.02 Intent and Purpose of the CS - Commercial Services District

This class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; drive-in stores, eating and drinking places; financial institutions; and offices. The uses in this district service a wide market area and, therefore, ease of automotive access is a requirement. However, it is not intended that this district permit uses which generate large volumes of truck traffic. Appropriate open space between commercial and residential areas is required.

08.02.010 Uses and Structures

- A. Principal Permitted Uses and Structures - Within the Commercial Service Districts as shown on the Gallatin Municipal and Regional Zoning Maps, the following activities, as described in Section 03.07 are permitted:

Community Facility Activities

- Essential Service
- Non-assembly Cultural
- Administrative

Commercial Activities

- Convenience Sales and Service
- Automotive Parking
- Automotive Servicing
- Transient Habitation
- Food Service
- Medical Service
- Financial, Consulting, and Administrative
- Undertaking Service
- General Retail Sales and Service
- Food Service - Drive-in
- Consumer Laundry and Repair
- Retail Business Supply
- Group Assembly-Limited
- Automotive Repair and Cleaning
- Animal Care
- Vehicular, Craft, and Related Equipment Sales,
Retail and Delivery
- Limited Newspaper and Periodical Printing
- General Personal Services

B. Permitted Accessory Uses and Structures

1. Signs in accordance with the regulations contained in Section 13.07.
2. Accessory off-street parking and loading facilities as required in Article 11.00.
3. Accessory facilities and buildings customarily incidental and appurtenant to a permitted use provided that such accessory facilities and buildings are not otherwise prohibited.

C. Prohibited Uses and Structures

Any uses or structures not of a nature specifically permitted herein, and any use not conforming to the performance standards set forth in Article 13.00 of this Ordinance are prohibited.

D. Conditional Uses

Community Facility Activities
Limited Child and Adult Care
Place of Worship

Commercial Activities
Group Assembly Extensive
Limited Warehousing

08.02.020 Bulk Regulations

- A. Maximum Lot Coverage - 40 percent
- B. Maximum Floor Area Ratio - .5
- C. Minimum Setback Line - 50 feet

08.02.030 Area Regulations

- A. Minimum Lot Area - 10,000 square feet
- B. Minimum Front Yard - 10 feet
- C. Minimum Side Yard - 10 feet
- D. Minimum Rear Yard - 20 feet

08.02.031 Height Regulation - Maximum Height 45 feet

08.02.040 Use of Required Yard Areas

- A. Landscaping - All required yard areas not occupied by sidewalks and driveways shall be devoted to landscaping as defined in Sections 13.04 and 13.05.
- B. Driveways - Provided that no driveway shall occupy more than half of any required yard.
- C. Sidewalks - Provided that no sidewalk shall occupy more than half of any required yard.

Attachment

5

ORIGINAL

MINUTES OF THE GALLATIN
MUNICIPAL BOARD OF ZONING APPEALS
MEETING

August 27, 2015

Present

Jimmy Moore, Chair
Eddie Wyatt
Jeannie Gregory
John Puryear
Homer Vaughn

Staff

Bill McCord, Director of Planning
Denise Brown, Planner I
Marianne Mudrak, Board Secretary

Absent

None

Others Present

Applicants

The Gallatin Municipal Board of Zoning Appeals met in a regular meeting on Thursday, August 27, 2015 at 5:30 p.m., in the Dr. J. Deotha Malone Council Chambers of Gallatin City Hall. Mr. Jimmy Moore, Chair, called the meeting to order. A copy of the meeting agenda is attached to these minutes as Exhibit A.

Chair Moore led the opening prayer and Mr. Vaughn led the pledge of allegiance. Ms. Mudrak called roll.

Approve Prior Minutes

Chair Moore presented the minutes of the July 30, 2015 Municipal Board of Zoning Appeals meeting for approval. Mr. Puryear motioned to approve the minutes as corrected. Mr. Vaughn seconded the motion and the motion passed by unanimous vote.

1. GMBZA Resolution No. 2015-11 – (B-962-15) – Public Hearing – The owner and applicant request approval of a variance of 5,289 square feet for Lot 1 and 5,322 square feet for Lot 2, to permit the subdivision of a deeded 9,389 square foot parcel into two (2) lots. Section 08.02.030.A of the Gallatin Zoning Ordinance, requires 10,000 square foot lots in the Commercial Services (CS) district. Property is located at 909 and 911 South Water Avenue (S.B.E. Tax Map 126N/G/002.00) (PC File B-962-15)

Mr. Bill McCord, Director of Planning, received this application for a variance on a small wedged parcel located between the east side of South Water Avenue and the west side of Woods Ferry Road. The applicant is asking for a variance to create two (2) lots from the parcel. Two separate deeds existed before the City annexed this property. One deed encompasses the southern portion of the property and the other the remaining portion of the property. The parcel is considered a “zone lot”+ under the zoning code because the owner holds both parcels of land. The proposal is to allow the applicant to subdivide this parcel, which is less than 10,000 feet (the minimum lot size permitted in the Commercial Services (CS)

zone) into two lots. The parcel is already non-conforming and if the parcel is split, the two parcels would create a greater non-conforming situation. The quit claim deed states the property was purchased in 2014 and has been in the Commercial Services (CS) district since 1979. If the Board of Zoning Appeals determines that this is two (2) separate lots, the building setback along the north property boundary is also non-conforming. These buildings were built before there was zoning. When the City annexed the property and created the Commercial Services (CS) zone all the buildings became non-conforming.

Mr. McCord said the definition of "zone lots", according to the Gallatin Zoning Ordinance, states "a "zone lot" may be divided into two or more zone lots provided all resulting "zone lots" and all buildings shall comply with all applicable provisions of the zone. However, if said lot is occupied by non-complying building such zone lot may be subdivided provided such subdivision does not create a new non-compliance or increase the non-compliance of said building".

Mr. McCord said if the Board of Zoning Appeals determines this to be two separate lots, a variance may reduce the magnitude of an existing non-conforming situation, but increase another non-conforming situation. The board may impose restrictions if this variance is approved. The Planning Commission discussed this property and is considering a zoning change for this area. The item has not been put on a Planning Commission agenda for discussion or vote, which is why the applicant is asking for a variance instead of waiting for a zoning change.

Mr. McCord said staff does not believe the applicant has fully met all standards for a variance as requested by the Ordinance and therefore, recommends the Gallatin Municipal Board of Zoning Appeals deny Resolution No. 2015-11.

Chair Moore opened public hearing.

Ms. Charlotte Anderson, applicant, said her father, Dale Logan, has owned the property for over forty years. It is one lot with two small buildings. She is the trustee for the property and would like to subdivide the property and sell a portion. She has had an offer on the piece of property she would like to sell.

Mr. Bill Anderson said originally this was to be approved in-house. Several weeks later we found out it could not be approved in-house and Mr. McCord suggested we come before the Board of Zoning Appeals to apply for a variance. When the three-lane road came through on South Water Avenue, the property lost parking. (Parking was in the right-of-way.)

Chair Moore asked how much property was taken when South Water Avenue was widened. Mr. Anderson said the property taken was a parking lot belonging to the city. There is no parking now.

Mr. Wyatt asked if this approval is time sensitive. Mr. Anderson said they do have a buyer who is being very patient and will refurbish the property. The potential buyer indicated he will not put a restaurant in the building.

Mr. Puryear said this property was discussed at the Planning Commission meeting for a possible rezoning from Commercial Services (CS) to Core Commercial (CC). He added that in his opinion it is to only

approve a variance that meets the nine standards for a variance. He suggested the applicant withdraw her request and wait for a decision by the Planning Commission to rezone the area. He stated that he believes the Municipal Board of Zoning Appeals should grant a hardship variance if the Planning Commission fails to rezone the property.

Mr. Anderson asked if a variance was given for another piece of property in the city with a similar request. Mr. McCord said a variance was given for another piece of property in the city with similar circumstances.

Mr. Puryear reiterated that a variance was granted because the City placed the greenway on the property causing a hardship.

Mr. McCord said variances do not set precedents and each case is taken separately.

Mr. Puryear said the applicant could be put on the next Municipal Board of Zoning Appeals agenda if the Planning Commission does not recommend a rezoning the property. He asked if Core Commercial would eliminate this problem. Mr. McCord said it would eliminate any lot size or setback issues, as well as parking requirements.

Mr. Puryear said the city cannot impose a rezoning on property owners. Mr. McCord said the affected property owners would have to be notified if the City initiates a zoning change.

Ms. Gregory said most of the other property owners are non-conforming in the Commercial Services zone.

Chair Moore said the Municipal Board of Zoning Appeals can make decisions, even if all the standards are not met, based on common sense.

Ms. Anderson asked if he would guarantee that the property would be compliant under the Core Commercial (CC) zone. Mr. McCord said the property will be in compliance with parking, setbacks, and possibly lot sizes. The existing buildings could also be torn down and rebuilt.

Mr. Wyatt said he is prepared to vote for a variance if the Planning Commission does not rezone the area.

No one else came forward to speak; therefore, Chair Moore closed public hearing.

Ms. Gregory motioned to approve the variance and instructed staff to continue working to change the area zoning from Commercial Services (CS) to Core Commercial (CC). Mr. Vaughn seconded the motion.

Mr. Puryear asked if there is a waiting period for an applicant to resubmit the request. Mr. McCord said there is not a waiting period.

The Municipal Board of Zoning Appeals voted on the motion and the motion passed 4 ayes, 1 nay (Mr. Puryear).

2. Other Business

There was no other business to discuss.

3. Adjourn

There being no further business to discuss, Chair Moore adjourned the meeting at 6:05 p.m.

Respectfully submitted:

Marianne Mudrak, Board Secretary

Approve:

Jimmy Moore, Chair

Jeannie Gregory, Secretary

ATTACHMENT 6

GMRPC Resolution No. 2015-122

A RESOLUTION OF THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION RECOMMENDING APPROVAL TO THE GALLATIN CITY COUNCIL TO REZONE TWO (2) LOTS AND TWO PARCELS, FROM THE CS – COMMERCIAL SERVICES DISTRICT TO THE CC – CORE COMMERCIAL DISTRICT, CONSISTING OF .98 (+/-) ACRES, LOCATED EAST OF SOUTH WATER AVENUE, WEST OF WOODS FERRY ROAD AND NORTH OF COLES FERRY ROAD. (3-1088-15)

WHEREAS, The City of Gallatin Municipal-Regional Planning Commission requested the rezoning consistent with Section 15.07.020 and Section 15.07.030 of the City of Gallatin Zoning Ordinance; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the rezoning request submitted by the applicant, City of Gallatin Planning Commission, at its regular meeting on October 26, 2015; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION reviewed the application materials and supporting documentation submitted by the City, 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 Tenn. Code Annotated, § 13-7-202 and § 13-7-203 and the City of Gallatin Zoning Ordinance:

1. The Planning Commission and City Planning Department staff submitted a completed application with required attachments requesting the zoning change approval.
2. The proposed zoning amendment conforms to the *Gallatin on the Move 2020 Plan* general plan of the area including the established Commercial Corridor-Revitalization Character Area and the public necessity, convenience, and the general welfare, will be served by approving the proposed amendment which is vital to the health, safety and welfare of the public utilizing such development and the community as a whole.
3. The properties proposed for rezoning has adequate public utilities, infrastructure and private or municipal services necessary to serve the existing and proposed development and population permitted by the requested zoning, or such necessary services and facilities, will be provided upon redevelopment of the property.
4. The proposed rezoning will provide opportunities for redevelopment of the properties, reduce existing non-conforming conditions of the properties, provide for in-fill development that

ATTACHMENT 6

will compliment the scale, setbacks and style of existing adjacent structures and will significantly reduce the need for variances to redevelop the properties.

5. Due public notice of the proposed zoning change will be provided at least fifteen (15) days but no more than thirty (30) days prior to the public hearing. Public notice signs have been posted on the property consistent with Section 15.07.060 of the Gallatin Zoning Ordinance.
6. The Gallatin Regional-Municipal Planning Commission held a public meeting and reviewed and recommended to the City Council action on the proposed rezoning request.
7. The proposed rezoning will be compatible with surrounding community, 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.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of rezoning the subject property from the CS – Commercial Services District to the CC- Core Commercial District as described in Exhibit ‘A’.

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

IT IS SO ORDERED.

PRESENT AND VOTING

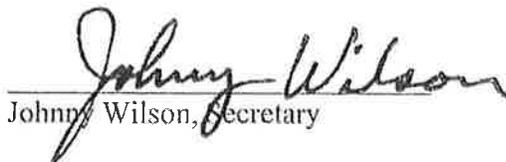
AYE: 7

NAY: 0

DATED: 10/26/15

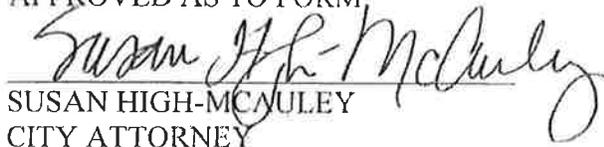


Dick Dempsey, Chairman



Johnny Wilson, Secretary

APPROVED AS TO FORM:



SUSAN HIGH-MCAULEY
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

NOVEMBER 10, 2015

DEPARTMENT: PLANNING Department

AGENDA # 4

SUBJECT:

Ordinance #O1510-59 of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Sumner Gardens and authorizing the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date., (S.B.E. Tax Map #126L Group C Parcel 025.00).
(PC File #3-1067-15)

SUMMARY:

The owner and applicant is requesting approval of the Sumner Gardens Preliminary Master Development Plan, consisting of 148 multi-family dwelling units, in two (2) phases, on a 12.32 (+/-) acre parcel. The parcel is zoned R6 High Density Residential and is located north of Coles Ferry Road and east of South Westland Avenue (146 Coles Ferry Road). The Dwelling Multi-Family use is a permitted use within the R6 High Density Residential zone district.

On September 28, 2015 the Gallatin Municipal-Regional Planning Commission approved GMRPC Resolution 2015-119, recommending approval of Ordinance #O1510-59. (PC File# 3-1067-15) Following the Public Hearing on November 3, 2015, the City Council requested that this item be scheduled for the November 10, 2015 Council Committee meeting for discussion. Attached is the Preliminary Master Development Plan recommended by the Planning Commission and the previously approved, but expired plan for Albion Downs Condominiums (PC File# 3-14-06/8-41-06 on the site.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

ORDINANCE NO. O1510-59

AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR SUMNER GARDENS, AUTHORIZING THE REVISION TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property has submitted a complete application for the Sumner Gardens Preliminary Master Development Plan on one (1) parcel totaling 12.32 (+/-) acres located in the City of Gallatin, Tennessee; and

WHEREAS, the property is located at 146 Coles Ferry Road, north of Coles Ferry Road and east of South Westland Avenue and is zoned Residential-6 High Density Residential; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission has reviewed and recommended approval of the Sumner Gardens Preliminary Master Development Plan in GMRPC Resolution No. 2015-119; 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

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

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

Section 1. The City Council of the City of Gallatin does hereby approve the 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 as hereby rezoned.

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

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

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

PASSED FIRST READING: October 20, 2015.

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

EXHIBIT 'A'

The Preliminary Master Development Plan for Sumner Gardens, consists of a two (2) sheet plan prepared by Rogers Engineering Group of Gallatin, TN with Project Number 15-034, dated August 26, 2015 with a final revision date of September 17, 2015, and Architectural Elevations, consisting of two (2) sheets, prepared by Matchett and Associates Architects of Gallatin, TN with Project Number 1524 dated August 16, 2015, with the following conditions:

1. Planning Commission consider the amendment to the Preliminary Master Development Plan as a minor amendment.
2. Planning Commission approve the proposed architectural elevations.
3. Planning Commission approve the proposed bufferyards and landscaping plan as submitted with the understanding the final landscaping plan will be submitted with the Final Master Development Plan.
4. Provide Plat Book and Page number for each surrounding property that has been platted.
5. Submit a tree survey with the Final Master Development Plan to document the existing trees that will be retained for the bufferyards.
6. Change acreage to 12.32 under Project Description and Site Data Table to match the legal description.
7. Correct eastern yard line to 10 foot side yard, the western yard line to a 20 foot double side yard, and the southern property boundary to a 25 foot rear yard.
8. Provide rood heights for amenity buildings.
9. Provide building material percentages for the amenity buildings.
10. Verify legal description calls for boundary adjacent to Tax Map 126L/C/026.00 and 126M/A/008.00.
11. Show landscaping screening for the HVAC on the Final Master Development Plan.
12. Submit three (3) corrected folded copies of the Amended Preliminary Master Development Plan, including one (1) full size and two (2) half size copies, to the Planning Department.

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

OCTOBER 13, 2015

DEPARTMENT: PLANNING Department

AGENDA # 6

SUBJECT:

Ordinance #O1510-59 of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Sumner Gardens and authorizing the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date., (S.B.E. Tax Map #126L Group C Parcel 025.00). (PC File #3-1067-15)

SUMMARY:

The owner and applicant is requesting approval of the Sumner Gardens Preliminary Master Development Plan, consisting of 148 multi-family dwelling units, in two (2) phases, on a 12.32 (+/-) acre parcel. The parcel is zoned R6 High Density Residential and is located north of Coles Ferry Road and east of South Westland Avenue (146 Coles Ferry Road). The Dwelling Multi-Family use is a permitted use within the R6 High Density Residential zone district.

On September 28,2015 the Gallatin Municipal-Regional Planning Commission approved GMRPC Resolution 2015-119, recommending approval of Ordinance #O1510-59. (PC File# 3-1067-15)

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: Planning

AGENDA # 5

SUBJECT:

Draft Nashville Area MPO 2040 Regional Transportation Plan

SUMMARY:

The Nashville Area Metropolitan Planning Organization prepared the first draft summary of the 2040 Regional Transportation Plan (attached). The plan is updated every five years and is required to obtain Federal funding for transportation improvements. No action is required by the Council on this plan. The Mayor represents the City on the MPO Board which will be considering plan adoption early next year (2016). The plan is a two year long effort to establish goals and objectives and to identify policies and strategies for meeting mobility needs for the next 25 years in the Nashville metropolitan area totalling nearly \$8.5 billion. The plan is financially constrained so not all needs or requests can be satisfied. The multi-modal plan includes a variety of facilities and modes including surface transportation modes such as highways and streets, transit (rail and bus), sidewalks and bicycle facilities. The plan primarily focuses on improving and maintaining the safety and reliability of the existing system. The major project included in the plan affecting Gallatin is the Northeast Transportation (NET) Corridor Multi-modal Capacity Upgrade, Modernization and Extension in Davidson and Sumner Counties.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

Nashville Area Metropolitan Planning Organization

2040 Regional Transportation Plan

FIRST DRAFT

*Scheduled for adoption on February 17, 2016 for the citizens of
Davidson, Maury, Robertson, Rutherford, Sumner, Williamson, and Wilson Counties by the:*

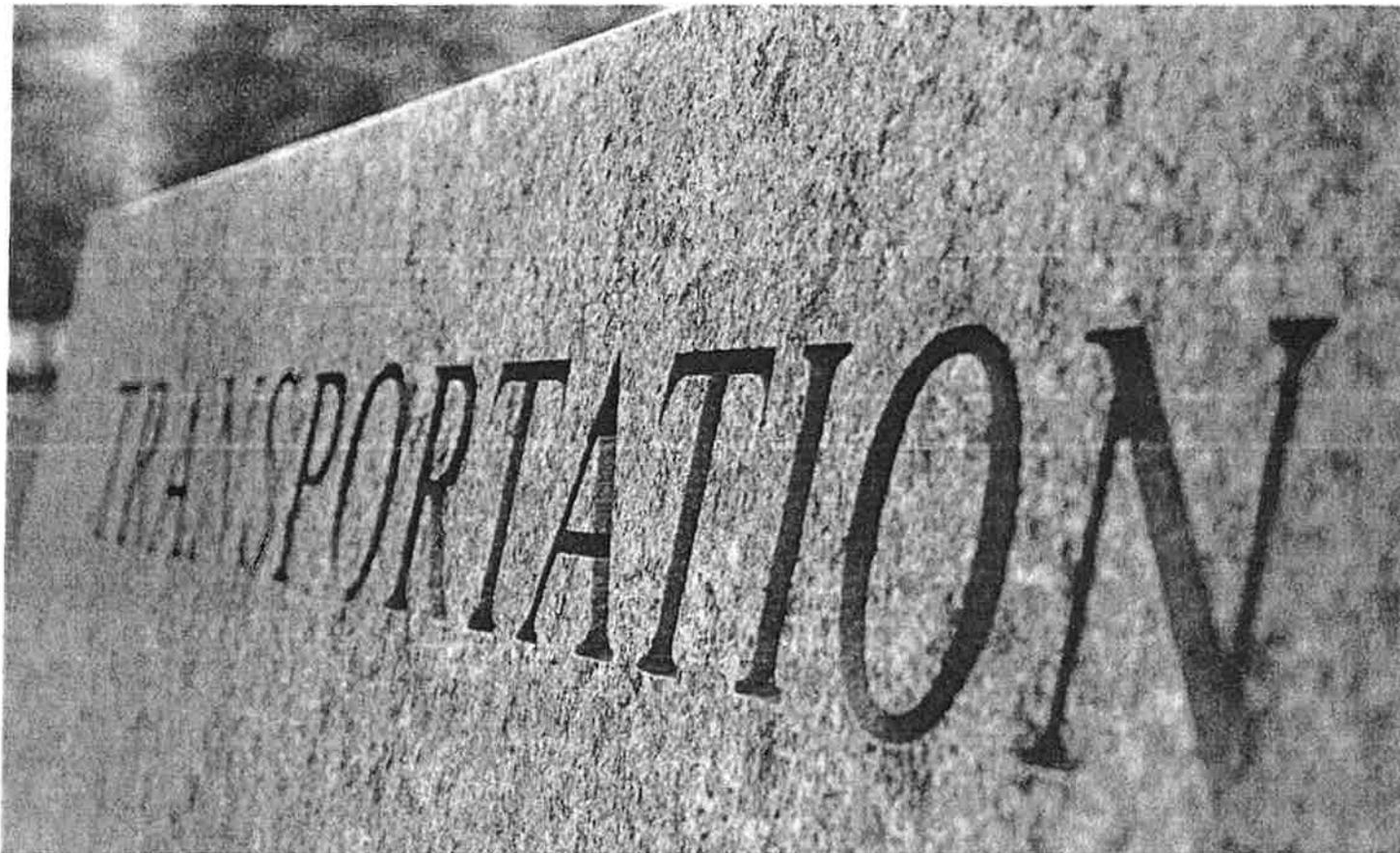
Nashville Area Metropolitan Planning Organization

800 Second Avenue South

Nashville, Tennessee 37201

Phone: (615) 862-7204 Fax: (615) 862-7209

www.NashvilleMPO.org



Funding for this document was provided by the U.S. Department of Transportation Federal Highway Administration and Federal Transit Administration, the Tennessee Department of Transportation, and local government members of the Nashville Area Metropolitan Planning Organization.



Non-Discrimination Policy | Equal Employment Opportunity Employer

The Nashville Area Metropolitan Planning Organization does not discriminate on the basis of race, color, national origin, gender, gender identity, sexual orientation, age, religion, creed or disability in admission to, access to, or operations of its programs, services, or activities. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or any other employment practices because of non-merit factors shall be prohibited.

Americans with Disabilities Act (ADA) and Title VI inquiries should be forwarded to: Michelle Lacewell, Nashville Area MPO, 800 Second Avenue South, Nashville, TN 37201, (615) 880-2152, Lacewell@NashvilleMPO.org.

Inside Cover Photo: Tennessee Bicentennial Mall, Max Baker, Nashville Area MPO

1.1 A Unified Plan for the Next Five to 25 Years

Middle Tennessee is growing, fast. Since 2010, the seven-county Nashville area has welcomed about 200,000 new people, or roughly 40,000 new residents per year. In Metropolitan Nashville-Davidson County alone, 2014 was a record year for building permits issued for new construction. As the region emerges from the great recession in a position of strength, many local conversations have turned to concerns about the rapid pace of development, and specifically, what is being done to alleviate the traffic congestion that has come along with that growth. Few understand the complexities of the transportation planning process and how decisions are made that will have a lasting impact on quality of life in Middle Tennessee. The 2040 Regional Transportation Plan (RTP) is intended not only to help clarify the process, but also to provide transparency on how the State of Tennessee and local agencies intend to invest in the region's roadways, bridges, transit systems, sidewalks, and bicycle routes to meet the increased demands of the rapidly growing metropolitan area.

Prepared by the Nashville Area Metropolitan Planning Organization (MPO) on behalf of its member jurisdictions, the RTP spans the next quarter century and represents the collective transportation goals of city and county governments, transit agencies, and the Tennessee Department of Transportation (TDOT) by identifying how those partners intend to invest anticipated federal transportation dollars across Davidson, Maury, Robertson, Rutherford, Sumner, Williamson, and Wilson counties. The plan rests on the following guiding principles in an effort to balance mobility needs with other community goals and objectives such as social equality, economic prosperity, housing affordability, education, open space preservation and environmental conservation.

- **Livability** - Enhance quality-of-life by prioritizing initiatives that increase opportunities for housing, learning, employment, recreation, and civic involvement while maintaining affordability.
- **Prosperity** - Contribute to the region's economic well-being by targeting solutions that attract talent, connect workforce with jobs, and reduce the cost of doing business and leverage additional investment.
- **Sustainability** - Support growth and prosperity without sacrificing health, the natural environment, historical and cultural assets, or financial stability of this or future generations.
- **Diversity** - Respect the multitude of backgrounds and variety of perspectives of Middle Tennesseans by pursuing an array of strategies that are customized to local community needs and character.

The 2040 RTP contains a transportation vision that rests on three main tenets:

#1: Implement a Bold Vision for Rapid Transit to help guide the expansion and modernization of the region's public transportation system in preparation for the increasing competitive global economy. This vision will proactively address growing concerns about the health of our environment, worsening congestion, and the sprawling land development pattern that has begun to encroach upon the area's cherished rural countryside;

#2: Create Active and Walkable Communities to improve connectivity between people and places within the urbanizing area of the region, foster healthier activity for the region's citizens, and to serve as the backbone of investments in mass transit; and

#3: Reinvest in Strategic Transportation Corridors to maximize the economic impact of limited transportation dollars and to ensure that roadway networks are not overextended beyond the region's ability to maintain their state of good repair and reliability. Emphasis should be placed on the integration of technologies and multi-modal accommodations, to prepare roadways for the needs of future generations.

Priorities of TDOT and Middle Tennessee Cities, Counties, and Transit Agencies

The plan serves as the official gateway for all federal transportation funds that are distributed through the United States Department of Transportation (DOT), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) and represents the region's top priorities for state funding as the Tennessee Governor and TDOT prepare the annual three-year work program for the Tennessee General Assembly. The RTP contains transportation projects that are derived from city and county governments, public transit agencies, and the TDOT who each have submitted their requests for funding through a call-for-projects issued by the MPO in 2014. Collectively, those projects come together to advance the following core strategies:

- Maintain the safety and reliability of the existing system;
- Increase coordination between transportation decisions and economic and community development decisions;
- Focus short- and mid-term investments on "complete streets" and the deployment of new technologies to improve roadway safety, traffic operation, and customer information;

- Pursue a combination of projects, incentives, and regulations to reduce transportation costs for freight carriers, and minimize the impacts of heavy truck and rail operations on the urban core and surrounding communities;
- Establish consensus to fund and implement projects of regional significance including multi-modal upgrades to key corridors and major reconstruction of the aging interstate loop around downtown Nashville; and
- Engage the public in new and innovative ways, including creative placemaking, to enhance buy-in and minimize impacts of construction on neighborhoods.

A Fiscally-Constrained Plan with Illustrative Needs

The 2040 RTP includes a balanced, financially-feasible set of transportation improvements that can be constructed or implemented over the next 25 years with anticipated federal transportation funding based on current annual appropriations. These proposed improvements are intended to help alleviate traffic congestion, provide more transportation choices, improve transportation system operations, and meet the region's air quality goals over the next quarter century.

The RTP presents projects over the span of three planning horizons including the short-term (2016-2020), a mid-term (2021-2030), and a long-term (2031-2040). Projects included in the short-term horizon also comprise the MPO's regional Transportation Improvement Program (TIP), which is presented in more detail in a separate document.

To develop this plan the MPO worked with each community in its planning area to prioritize their needs, as the cost of the full set of transportation needs identified within the metropolitan area far outpaces expected revenue. As such, this document also outlines projects where funding has not yet been identified, as well as other strategies that could be implemented to reduce the gap between what the region can afford and what it really needs.

Supersedes the 2035 Regional Transportation Plan

The MPO is required by federal law to update its regional transportation plan every five years to account for the shifts in transportation needs that result in changes to the regional economy and socioeconomics, real estate development trends, funding availability, and public policies. The 2040 RTP supersedes the 2035 RTP which was adopted in December 2010.

Plan Contents and Organization

The 2040 RTP document is divided into nine separate chapters and accompanied by technical appendices. The following describes the contents as provided through chapters two through nine and the appendices.

- **Chapter 2. Regional Issues and Thinking:** Identifies current issues framing transportation decisions, related planning efforts, and public opinions and attitudes towards transportation.
- **Chapter 3. Trends and Forecasts:** Provides population and employment projections, land development forecasts, and commodity forecasts used in freight planning.
- **Chapter 4. Transportation System:** Describes existing transportation infrastructure including roadways, bridges, intersections, public transit, and walking and bicycling facilities.
- **Chapter 5. Conditions and Performance:** Presents maps and statistical information to illustrate how transportation system performance is expected to change over the next 25 years based on the region's continued growth and development.
- **Chapter 6. Vision, Goals, and Priorities:** Lays out regional goals and objectives, a long-term vision for a multi-modal transportation system, and describes the region's transportation priorities.
- **Chapter 7. Tools and Strategies:** Offers a set of strategies to assist in the implementation of the long-term vision.
- **Chapter 8. Scheduled Investments and Financial Plan:** Presents the MPO's formal revenue forecast, a summary of the cost of all identified transportation needs, an overview of the process to evaluate and select projects for available funding, a list of cost-feasible projects, and a discussion of additional investment options.
- **Chapter 9. Monitoring Impacts:** Describes how proposed transportation projects could potentially impact vulnerable populations and the natural environment along with a discussion of mitigation strategies, and presents a discussion of how the region should track its progress towards implementing the Plan.
- **Technical Appendices:** Provides documentation related to regional planning models, the MPO's call-for-projects and project evaluation process, projects proposed on congested corridors, projects with potential social or environmental impacts, public comments documented during the development of the plan, and key terms and acronyms commonly used in the transportation planning process.

1.2 About the Nashville Area MPO

The Nashville Area MPO, serving as lead author of the 2040 RTP, has respectfully prepared the plan for and on behalf of a broad set of public and private stakeholders with an interest in creating a sustainable future for Middle Tennessee. The MPO is the federally-designated transportation planning agency for over 3,000 square miles and more than 1.6 million people throughout Davidson, Maury, Robertson, Rutherford, Sumner, Williamson, and Wilson counties. The MPO is funded by grants from the U.S. Department of Transportation and the Tennessee Department of Transportation, and by local governments through regional dues.

Governed by an executive board comprised of local city and county mayors and state and federal officials, the MPO serves as a regional partnership among the U.S. DOT, Tennessee DOT, local elected leadership, local planning and public works directors, the business community, and citizens across the seven-county planning area. The MPO leads in the development of the region's long-range transportation plan and short-range transportation improvement program and contributes to ongoing conversations about issues such as land use, economic development, climate change and the environment, safety and security, and public health.

The MPO's *Prospectus & Organizational Bylaws* provides more information about the MPO's organizational structure, decision-making process, and a description of other regional partners who share a role in carrying out those requirements. The organizational bylaws specify the governance structure and responsibilities of the MPO's Executive Board. The document can be found online at About.NashvilleMPO.org.

1.3 Federal Requirements and State Coordination

The Nashville Area MPO serves as the lead transportation planning and programming agency for the seven-county Middle Tennessee region area and conducts its efforts in compliance with federal transportation planning requirements, working closely with TDOT who performs both long and short-term planning across the entire state, taking a lead in rural areas, and working with MPOs in the state's eleven metropolitan areas.

Federal Transportation Planning Requirements

Since the 1960's, the federal government has required that metropolitan areas undertake a continuing, comprehensive, and cooperative planning process. Legislation requires that all modes of surface transportation be considered during the planning process including private automobiles, public transit, walking and bicycling, as well as movements of people and goods.

In 2012, the U.S. Congress passed and the President Obama signed into law the transportation act entitled, *Moving Ahead for Progress in the 21st Century* (MAP-21). This federal legislation defines eight specific planning factors to be considered when developing transportation plans and programs in a metropolitan area to ensure consistency with national goals and objectives:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users
4. Increase the accessibility and mobility options available to people and for freight.
5. Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.

Across the U.S., this federally-required planning process is administered through state departments of transportation and carried out by the appropriate MPO. In Tennessee, TDOT is responsible for ensuring compliance with the federal requirements carried out by eleven MPOs including the Nashville Area MPO. MPOs are responsible for:

- Monitoring the conditions of the existing transportation network;
- Identifying existing capacity or safety problems through detailed planning studies to develop candidate transportation improvements;

- Forecasting future population and employment growth for the region;
- Evaluating the effects that future land use plans will have on transportation infrastructure within major growth corridors throughout the region;
- Developing alternative growth scenarios to evaluate the effects that land use and transportation choices made today will have on the region's future;
- Estimating the impact that an expanding transportation system will have on air quality;
- Developing a financial plan that identifies the costs and revenues associated with the continued operation and maintenance, and future expansion of the region's transportation system; and
- Working with the public and stakeholders to determine the region's priorities for improving the transportation system with the anticipated revenue.

In order to carry out its responsibilities, the MPO produces three major work products: a Regional Transportation Plan (also known as a long range transportation plan), a Transportation Improvement Program, and a Unified Planning Work Program. MPO plans and programs are available to the public and interested parties at the online at NashvilleMPO.org, by calling (615) 862-7204, or by visiting the MPO offices at 800 Second Avenue South, Nashville, Tennessee, 37210.

- **Regional Transportation Plan (RTP):** a long-range, twenty-five year multimodal strategy and capital improvement program developed to guide the effective investment of public funds in transportation facilities to help manage congestion, increase regional mobility options, and conform to national air quality standards. The RTP is updated every four or five years and may be amended as a result of changes in anticipated federal, state, and local funding; as well as major investment studies, congestion management systems plans, interstate interchange justification studies, and environmental impact studies.
- **Transportation Improvement Program (TIP):** a four-year work program that lists all regionally-significant and federally funded transportation projects and services in the MPO planning area. This includes highway and street projects, public transit projects, as well as bicycle and pedestrian projects that are implemented by TDOT or local governments, or transit agencies. All projects included in the TIP must be consistent with, or selected from the adopted regional transportation plan. Additionally, the TIP must be fiscally constrained by federal appropriations or estimated revenues.
- **Unified Planning Work Program (UPWP):** updated annually, the UPWP provides citizens and stakeholders the necessary transparency to understand how federal transportation planning funds are being used by the MPO, local governments, transit agencies, and TDOT in order to meet federal metropolitan planning requirements. The UPWP is developed by MPO staff in consultation with partner agencies and input from local citizens and stakeholders. It may be amended to account for changes in funding or project needs.

Federal regulations require that the FHWA and FTA of the U.S. DOT jointly review and evaluate the transportation planning process carried out by MPOs in areas with an urbanized area population of 200,000 or more people, no less than every four years. The Nashville Area MPO was last reviewed and certified by the FHWA Tennessee Division Office and Region IV Office of the FTA in 2014.

Tennessee Long-Range Transportation Plan

Tennessee's current Long-Range Transportation Plan (LRTP) brings together the needs for all modes of transportation, including rail, transit, ports and waterways, aviation, pedestrians and bicycles in addition to highways. TDOT is currently in the process of updating the LRTP in order to assist with its goal of providing the best multimodal transportation system in the nation over the next 25 years. As part of the effort, the plan will provide a strategic investment program that will identify funding priorities for the next 10 years.

More information is available online at tdot.state.tn.us/transportationplan/.

As part of the federal requirements for transportation planning, TDOT develops a four-year short-term improvement program called the Statewide Transportation Improvement Program (STIP). To develop the STIP, TDOT works directly with the Rural Planning Organizations (RPOs) and MPOs throughout the State to determine project needs. For urban areas, the state participates in the metropolitan planning process to ensure the inclusion of state projects in the appropriate MPO TIP. Upon adoption, each project within the Nashville Area MPO's TIP becomes, without exception, a part of the TDOT's STIP.

The STIP is available online at tdot.state.tn.us/programdev/.

1.4 Public Involvement Opportunities

Public involvement is a critical element of all planning that is done through the Nashville Area MPO. Such involvement ensures the planning process conforms to the vision, goals, and objectives of the region. Over the last three years the MPO has engaged the community through a variety of forums with the strategic objective to engage a broad and diverse audience with specific efforts to target the following:

- General public;
- Traditionally-underserved populations including low-income and minority groups;
- Governmental partners including local, state, and federal agencies;
- Local and regional transit agencies and private transit operators;
- State and local political leadership;
- Business community including area chambers of commerce and economic developers;
- Non-profit community including quality growth advocacy groups; and
- Freight shippers and transportation providers.

In order to engage those audiences in the most effective way, the MPO used a variety of tools and techniques to augment the standard public workshops that are often used in public planning.

- **MPO Website:** The MPO's website provides an overview of the MPO, its responsibilities, staff contacts, executive board leadership, regional planning efforts, regional data and forecasts, meeting information, and items for public review and comment. The website also contains a multi-media section which houses videos, PowerPoint presentations, photo slideshows, and a public involvement section containing access to social media outlets.
- **Print, Radio, and Television Media:** Throughout the past three years, the MPO has used the media to communicate its proposed plans and programs and to encourage public participation at regional events and local workshops. During the development of the 2040 plan, MPO staff and board leadership contributed to numerous newspaper articles and conducted several radio and television interviews.
- **Social Media:** The MPO uses social media platforms to engage community members in the planning process, gather feedback and provide information relevant to the region's economic prosperity. The MPO's twitter account reaches more than 2,600 followers and its Facebook page over 1,000. Since 2010, the reach of the MPO's social presence has expanded significantly making these platforms a vital part of the organization's public engagement.
- **Regional Symposiums and Summits:** Annually, the MPO hosts or sponsors regional events to educate the public and stakeholders about important issues including context sensitive solutions, complete streets, school-siting, regional transit development, and regional growth and development. In 2014, the MPO hosted its first annual meeting to kick-off the planning process for the 2040 RTP and extend the organization's ability to communicate its accomplishments to the public.
- **Speaker's Bureau:** MPO staff members have active over recent years providing presentations aimed at communicating proposed plans and programs as well as soliciting input through facilitated conversations. The MPO continues to receive presentation requests from regional organizations on a regular basis.
- **Survey Research:** In recent years, the MPO has conducted various telephone and web-based surveys to measure attitudes and perceptions towards transportation policy. The largest of the efforts included statistically valid telephone survey of 1,100 residents from across the 10-county Middle Tennessee region.
- **Videos and other Visualizations:** The MPO has invested significantly in recent years to produce visualization tools in order to increase the public's understanding of proposed plans and programs. To kick-off the RTP planning process to the public, the MPO produced an eight minute video which debuted during the MPO's annual meeting and has since been viewed online communicating the purpose and process of the RTP.
- **Related Planning Efforts:** The MPO's process is built upon local planning efforts. As such, public involvement and participation in city and county comprehensive planning efforts and transit agency strategic plans are coordinated with the development of MPO plans and program. In addition, the MPO carries out a variety of regional and corridor technical studies that offer opportunities for public involvement in the formation of recommendations.

Call-for-Projects and County Workshops

The official launch of the plan began with a formal call-for-projects in July 2014 to solicit proposals from MPO member jurisdictions including TDOT, local city and county governments, and public transit agencies. The Call remained open through the end of September. During the Call, MPO members were asked to complete an application and submit a

detailed narrative and budget for each project through online software housed at Apply.NashvilleMPO.org. In all, more than 400 projects were submitted by 25 different agencies totaling more than \$9 billion worth of work.

Following the formal call-for-projects period, MPO staff held three rounds of workshops with MPO members to review the project evaluation process, discuss project proposals, and determine local priorities. For each round, one workshop was held in each of the seven counties of the MPO. All workshops were open to the general public and included mayors, county executives, city managers, and representatives from TDOT, transit agencies, local planning departments, local public works departments, local chambers of commerce and economic and community development officials. The following provides a brief recap of each.

- **Round 1, November through December 2014:** Served to create common understanding of the current and future challenges of the regional transportation system and the projects submitted through the call-for-projects. MPO staff reviewed growth and development forecasts, traffic projections, and other key transportation performance issues. The group discussed the RTP policy framework endorsed by the MPO Executive Board on November 4, 2014, and the anticipated fiscal constraints of the plan. Finally, each member jurisdiction shared brief remarks regarding the purpose and need of each project submitted during the call-for-projects.
- **Round 2, May through June 2015:** Focused on the MPO's project evaluation methodology and initial results. More than 400 projects were evaluated and scored during the process. These included roadway capacity and safety projects as well as transit and non-motorized facility improvements.
- **Round 3, August 2015:** Used to discuss fine details of individual projects and big picture initiatives of the RTP including strategies to communicate transportation priorities. The conversation included general discussion about the need for increased federal, state, and local revenue to fund transportation projects, with a specific emphasis placed on the need for dedicated funding to improve transit and to address the long-term high capacity transit needs along the major corridors.

Formal Interagency Consultation and Public Review

During the 30-day period of public review copies of the 2040 RTP will be made available on the MPO's website and at local branch libraries throughout the MPO region. Several workshops and meetings will be held around the region to provide an opportunity for members of the public and stakeholder groups to evaluate the proposed policies, programs, and projects.

In addition, local, state, and federal agencies involved in natural resources, land use management, environmental protection, conservation, and historic preservation will also be given an opportunity to review the draft plan to ensure adequate interagency consultation has yielded a plan that is consistent with the goals and objectives of other public agencies that are affected by transportation plans, programs, and policies.

Key Dates of the Public Review and Comment Period

- October through January – Draft plan reviewed by state and federal partners.
- December 9, 2015 – Plan highlights endorsed by the MPO Executive Board.
- January 15, 2016: Draft copies of the plan document placed on website and in area libraries.
- January - February 2016: Formal public workshops in counties throughout the MPO region.
- February 3, 2016: First public hearing.
- February 17, 2016: Second public hearing and formal adoption.

Comments received through the public involvement period will be provided to the MPO Executive Board prior to adoption and summarized in the appendix.

Nashville Area MPO
2040 Regional Transportation Plan – Major Capital Investment Priorities
 DRAFT FOR DISCUSSION

Priority Description and Location	Cost Estimate*	Potential Funding*
Reconstruction and Modernization of U.S. Interstate Loop in Downtown Nashville	\$375M to \$650M	NHPP

Planned in the 1950s, the construction of the Interstate highway loop in downtown Nashville began in the mid-1960s. Since then, only modest improvements have been made while the city and region has continued to grow and evolve. The design of the aging structures make for dangerous weaving movements as motorists navigate the maze of interchanges, and the major junctions of I-24, I-40, and I-65 cause major bottlenecks during rush hour periods. The inner-loop should be reconstructed to minimize travel delays due to poor traffic patterns and modernized to include provisions for managed lanes and technology to improve traffic operations. Downtown interchanges, particularly on the East Bank should be redesigned from the current clover-leaf design to a more appropriate, and less land hungry, urban form. Consideration also should be given to the conversion of the East Bank section to an urban boulevard and to the potential for interstate capping on the below grade section that divides Music Row and Midtown areas from the Gulch and Central Business District. Capping would allow for much needed open space and additional economic and community development.

Northeast Transportation (NET) Corridor Multi-Modal Capacity Upgrades, Modernization, and Extension in Davidson and Sumner Counties	\$300M to \$750M	NHPP, STP, FTA New Starts
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Dubbed the "NET" corridor by economic development officials, this high priority project will help implement the regional transit vision's call for rapid transit connecting Davidson and Sumner counties. Based on the 2010 Northeast Corridor Mobility Study, the RTP recommends BRT/managed lanes along Ellington Parkway (SR-6) and Vietnam Veterans Parkway (SR-386) to include direct ramp access to potential TOD sites at Cleveland Park, Trinity lane, Indian Lake Village, and Greensboro North. Other improvements include an interchange modifications along SR-396 at I-65 and Conference Dr and a new interchange at Forest Retreat and the SR-109 Bypass in Gallatin. SR-386 would be extended to the north of Gallatin as a four-lane highway to connect freight movements to US 31 and US 53 in Westmoreland. The entire corridor would be upgraded with technologies aimed at improve traffic operations and real-time traveler information.

*Sumner County
SR 386
SR 396
386*

East Corridor Upgrades for Transit Oriented Development in Davidson and Wilson Counties	\$40M to \$80M	STP, FTA programs
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Local government and economic development officials are optimistic about the future of the east corridor commuter rail service between Nashville and Lebanon. The RTP recommends the completion of the Hamilton Springs station, additional passenger train siding along the route, an upgrades to DMU vehicles, and increased frequencies along the route to support more intense transit-oriented development.

Central Pike Corridor and Mt. Juliet Road Improvements in Davidson and Wilson Counties	\$75M to \$100M	NHPP, STP
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Not long ago, Mt. Juliet became the largest city in Wilson County and growth in its Providence Place community has no signs of slowing down. To accommodate that growth and to provide better connectivity between Davidson and Wilson counties, the RTP recommends a series of improvements to the Central Pike and Mt. Juliet Rd corridors. Proposed improvements include the reconstruction and widening of Central Pike from Old Hickory Blvd in Nashville to Mt. Juliet Rd. in Mt. Juliet, with a new interchange at I-65. Mt. Juliet road will be enhanced to improve traffic operations and roadway safety for all users including a more appropriate bridge design over I-40 and the extension of progressive signalization technology along the corridor.

Southeast Corridor/ I-24 Multi-Modal Capacity Upgrades and Modernization in Davidson and Rutherford Counties

\$350M to \$750M

**NHPP, STP, FTA
New Starts**

Given the continued rapid growth between Nashville and Murfreesboro, and the ongoing interest in rapid transit in the region's urban corridors, the MPO recommends incremental investment in transit improved along the I-24 corridor. Short-term improvements should focus on an increase in frequency of express bus service with consideration for bus on shoulder service to improve travel times. The long-term plan calls for fixed guideway BRT or light rail within the I-24 right-of-way with dedicated access to existing centers and new transit oriented development along the corridor. The use of the CSX corridor should also be re-evaluated as conditions change. Detailed recommendations are forthcoming from the Southeast Area Transportation and Land Use Study, a follow-up to the 2007 Southeast Corridor Transit Alternatives Analysis and the 2015 TDOT I-24 Corridor Study.

South Corridor/ I-65 Multi-Modal Capacity Upgrades and Modernization in Davidson and Williamson Counties

\$350M to \$750M

**NHPP, STP, FTA
New Starts**

The south corridor stretches 15 plus miles between Nashville and Franklin, TN and another 20 miles to Columbia. Currently served by express bus service during peak commuting periods, the corridor is a top candidate for more significant transit investment over the next decade. Williamson County is expected to more than double its population by the year 2040 and high-capacity rapid transit may be one of the most effective ways to keep this part of the region moving efficiently as Cool Springs and the Carothers Parkway corridor builds out. Within a year of the RTP's adoption, the MPO should work with the RTA and local governments in Davidson and Williamson Counties to conduct a major corridor study to evaluate the feasibility of light rail and bus rapid transit investments. The service should be integrated with local transit services in Franklin and Nashville and provide a catalyst for new local circulation in the Brentwood area.

US 31/ SR-6 Improvements between Franklin and Columbia in Williamson and Maury Counties

\$75M to \$100M

NHPP, STP

Spring Hill and northern Maury/ southern Williamson counties has been one of the fastest growing communities in the state for the last decade. That growth has organized largely around a US 31/ SR-6 corridor which has seen little expansion since its construction as a rural two and three-lane cross-section. The RTP recommends reconstruction of several sections of the route to an urban cross-section with progressive signal technologies and bicycle and pedestrian accommodations. Improvements to the mature sections of the route will focus on intersection safety, particularly towards Columbia.

Northwest Corridor Transit Upgrades in Davidson, Cheatham, and Montgomery Counties

\$150M to \$300M

**NHPP, STP, FTA
New Starts**

The regional transit vision calls for commuter rails services between Clarksville and Nashville over the long-term. The Northwest Corridor Transit Study is currently evaluating various transit and highway improvements along the corridor to identify which options are the most viable in the short-term, and to establish a plan of action to implement the preferred vision as opportunities emerge. The RTP recommends that the corridor be developed to include rail service using DMU vehicles which could use the existing freight alignment or operate in new track built along dedicated ROW down the center of the street. While the service would be oriented to commuters along the corridor, it could also provide a rapid transit option to residents within Davidson County with destinations in North Nashville, and could be used to connect TSU, Meharry, Fisk, with the North Gulch and downtown.

I-65 to I-24 Connector in Robertson and Sumner Counties

\$75M to \$150M

NHPP, STP

At one time, SR-840 was planned to be constructed as a complete ring around the region, providing a less congested alternative to heavy trucks and other pass-through traffic and new economic development opportunities for communities in the counties surrounding Nashville. While the southern half has is open to travelers today, the northern half was never constructed as plan. Instead, SR-109 was upgraded to accommodate through-traffic on the northeast side of the region, connecting I-65 to I-40 and SR-840. To compensate for the loss of SR-840 in the northwest quadrant of the region, the RTP recommends the reconstruction and widening of SR-76 between White House and Springfield, tying into the W.A. Batson Parkway to serve existing and future industrial development. The RTP also recommends modest improvements between Springfield and Nashville along US-431 to improve safety along the largely rural route that carries a mix of commuters, trucks, and tractors.

** 2015 dollars. A range is provided to account for the various design/alignment options **Potential Federal grant programs. Additional local and state funding will likely be necessary.*

Nashville Area MPO
2040 Regional Transportation Plan – Revenue Forecast
 DRAFT FOR DISCUSSION

Federal Formula Grant Programs and Annual Apportionments

	U.S.*	Tenn.	MPO**
National Highway Performance Program (NHPP)	\$21.9 B	\$492.9 M	\$109.0 M

The NHPP provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS. (MAP-21 §1106; 23 USC 119)

Surface Transportation Program (STP)**	\$10.1 B	\$226.8 M	\$59.2 M
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The STP provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals. (MAP-21 §1108; 23 USC 133)

Highway Safety Improvement Program (HSIP)	\$2.4 B	\$49.5 M	\$11.8 M
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The HSIP is intended to help achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance. This program includes the Railway-Highway Crossing Program (RCHCP) (MAP-21 §1112; 23 USC 130 and 148)

Congestion Mitigation Air Quality Program (CMAQ)	\$2.2 B	\$37.0 M	\$8.9 M
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The CMAQ program provides a flexible funding source to State and local governments for transportation projects and programs to help meet the requirements of the Clean Air Act. Funding is available to reduce congestion and improve air quality for areas that do not meet the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter (nonattainment areas) and for former nonattainment areas that are now in compliance (maintenance areas). (MAP-21 §1113; 23 USC 149)

Transportation Alternatives Program (TA)**	\$0.8 B	\$18.9 M	\$5.0
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TA provides for a variety of alternative transportation projects, including many that were previously eligible activities under separately funded programs. The TAP replaces the funding from pre-MAP-21 programs including Transportation Enhancements, Recreational Trails, and Safe Routes to School, wrapping them into a single funding source. (MAP-21 §1122; 23 USC 101, 206, 213)

Urbanized Area Transit Program (FTA 5307)**	\$4.5 B	\$492.9 M	\$23.1 M
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The FTA 5307 program provides grants to urbanized areas (UZAs) for public transportation capital, planning, and limited operating assistance. The program serves as the core investment in the enhancement and revitalization of transit systems in the nation's urbanized areas which depend on public transportation to improve mobility and manage congestion. (MAP-21 §20007, 20026; 49 USC 5307, 5336, 5340)

Rural Area Transit Program (FTA 5311)	\$0.6 B	\$226.8 M	\$1.8 M
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The FTA 5311 program provides capital, planning, and operating assistance to support for public transportation in rural areas outside of urbanized areas (UZAs). (MAP-21 §20010; 49 USC 5311)

Enhanced Mobility for Seniors & the Disabled (FTA 5310)	\$0.3 B	\$49.5 M	\$1.2 M
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The FTA 5310 program is intended to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding transportation options. The program provides capital support for transportation services planned, designed, and carried out to meet the special needs of these populations. (MAP-21 §20009; 49 USC 5310)

Transit State of Good Repair Program (FTA 5337)	\$2.1 B	\$37.0 M	\$2.4 M
<i>The FTA 5337 program provided funding to repair and upgrade the nation's rail transit and fixed-guideway (dedicated-lane) bus systems. (MAP-21 §20027; 49 USC 5337)</i>			

Bus and Bus Facilities Program (FTA 5339)	\$0.4 B	\$18.9 M	\$1.6 M
<i>The FTA 5339 program provides capital funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities for customer services, program administration and fleet maintenance. (MAP-21 §20029; 49 USC 5339)</i>			

***A portion or all of this grant program is directly suballocated to the Urbanized Areas (UZAs)*

Federal Competitive Grant Programs and Annual Apportionments

Transportation Investment Generating Economic Recovery Program (TIGER)	U.S.*
	\$600 M

Initially created through the American Recovery and Reinvestment Act of 2009 (ARRA), the TIGER program provides an opportunity for the U.S. DOT to invest in road, rail, transit and port projects that promise to achieve national objectives. Since 2009, Congress has dedicated more than \$4.1 billion for six rounds of TIGER to fund projects that have a significant impact on the Nation, a region or a metropolitan area. (MAP-21 §1106; 23 USC 119)

Fixed Guideway Capital Investment Program "New Starts" (FTA 5309)	\$1.9 B
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The "New Starts" program provides grants for new and expanded rail, bus rapid transit, and ferry systems that reflect local priorities to improve transportation options along key regional corridors. (MAP-21 §20008; 23 USC 5309)

Transportation Infrastructure Finance and Innovation Act (TIFIA)**	\$1.0 B
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The TIFIA program provides Federal credit assistance to eligible surface transportation projects, including highway, transit, intercity passenger rail, some types of freight rail, and intermodal freight transfer facilities. The program is designed to fill market gaps and leverage substantial private co-investment by providing projects with supplemental or subordinate debt. (MAP-21 §2002; 23 USC 601-609)

Type of Grant/ Method of Administration and Allocation

- **Formula Grants:** Funding for these programs are distributed to states according to mathematical formulas at the direction of U.S. Congress via the U.S. DOT FHWA and FTA. The specific formula varies by individual grant program, but generally include factors related to the population and transportation system. Once distributed, states have considerable discretion on how to use the funding so long as they coordinate the project selection process with local communities.
- **Direct Suballocation:** Directly suballocated funds are the share of certain formula grant programs that Congress requires to be distributed to urbanized areas to ensure that a minimum level of investment is made in these areas. The most commonly suballocated grant programs are the FHWA Surface Transportation Program, the FHWA Transportation Alternatives Program, and the FTA 5307 Urban Transit Program. Once suballocated, the MPO for the receiving urbanized area take the lead on selecting projects in coordination with the state and local governments.
- **Discretionary Grants:** Funding for discretionary grant programs is usually retained by the U.S. DOT Office of the Secretary or by FHWA or FTA to be awarded to projects through a nationwide competitive process. These programs are typically aimed at large capital projects of national significance.

Federal Revenue Projections by Grant Program and Horizon, 2016-2040

Horizon Year	2016-20	2021-30	2031-40	2016-40
<i>Annual Growth Rate</i>	2%	4%	6%	4.4%
National Highway Performance Program (NHPP)	\$426.3	\$1,308.6	\$1,436.7	\$3,171.6
Surface Transportation Program (STP)	\$391.2	\$710.9	\$780.5	\$1,882.6
Direct Suballocation to MPO Area	\$117.2	\$270.3	\$296.8	\$684.3
MPO Share of Statewide Program	\$274.0	\$440.6	\$483.7	\$1,198.4
Highway Safety Improvement Program (HSIP)	\$67.7	\$156.3	\$171.6	\$395.6
Congestion Mitigation Air Quality Program (CMAQ)	\$46.1	\$106.3	\$116.7	\$269.2
Transportation Alternatives Program (TA)	\$25.9	\$59.7	\$65.6	\$151.1
Direct Suballocation to MPO Area	\$6.7	\$15.3	\$16.8	\$38.8
MPO Share of Statewide Program	\$19.2	\$44.4	\$48.7	\$112.3
Urbanized Area Transit Program (FTA 5307)	\$120.2	\$277.4	\$304.5	\$702.1
Rural Area Transit Program (FTA 5311)	\$9.6	\$22.2	\$24.3	\$56.1
Enhanced Mobility for Seniors & the Disabled (FTA 5310)	\$6.1	\$14.0	\$15.4	\$35.4
Transit State of Good Repair Program (FTA 5337)	\$12.5	\$28.8	\$31.7	\$73.0
Bus and Bus Facilities Program (FTA 5339)	\$8.5	\$19.6	\$21.5	\$49.6
Total Revenue from Federal Formula Programs	\$1,114.1	\$2,703.8	\$2,968.4	\$6,786.3
State and Local Matching Funds	\$278.5	\$676.0	\$742.1	\$1,696.6
Total Projected Revenue	\$1,392.6	\$3,379.8	\$3,710.5	\$8,482.8

Predicting federal funding levels for the near-term is relatively accurate so long as Congress has recently authorized spending for the corresponding time period. In cases where transportation legislation expires or is extended without significant revision, the MPO assumes that revenue levels will stay relatively static until further Congressional action.

Short-term revenue projections are based on FY 2014 federal appropriation levels with a modest 2 percent per year growth rate through the short-term horizon of the plan (2020). TDOT-managed federal funds from the National Highway Performance Program (NHPP) and Surface Transportation Program (STP) were provided by TDOT and generally equal the programmed expenditures for the same period of time. FY 2016-2020 revenue for MPO-managed federal funding sources (e.g., urban STP, urban Transportation Alternatives, etc.) were added to carry-over balances of unobligated funding from prior years.

Predicting the funding levels for the mid- and long-term horizons is similar to that used for the short-term, but the results come with reduced certainty as laws may change or revenue sources added or deleted. For planning purposes, the mid-term revenues are expected to grow by 4 percent per year; long-term revenues are expected to grow by 6 percent per year.

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: Planning

AGENDA # 6

SUBJECT:

Request approval to apply for a TDOT Multimodal Access Grant

SUMMARY:

The Tennessee Department of Transportation has issued a call for applications for the Multimodal Access Grant. The grant is limited to projects that make improvements to the non-motorized transportation modes on the state system including sidewalks, bikeways or bike lanes, transit amenities, traffic calming and Americans with Disabilities facility improvements to enhance pedestrian or bicycle use and safety. Last year the City applied for this highly competitive grant but was not selected. Staff would like to submit the request again this year to obtain a grant to construct a sidewalk along the south side of Nashville Pike from Lock 4 Road to Green Wave Drive. The grant is a 95% to 5% matching grant with the applicant (City) providing only 5% as a cash match. The maximum award amount for the grant is \$950,000, meaning that the maximum local match would be for \$50,000. A more detailed description of the proposed project and a cost estimate is provided in Attachment 1. The MPO Bicycle-Pedestrian Advisory Committee will first review the abstracts of the projects and rank the projects. Only two grants will be selected from each MPO jurisdiction. If the City's project is selected then Council will need to approve a Resolution, and submit an application to the MPO. This is the same project submitted last year to the MPO but it was not selected.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**Tennessee Department of Transportation
Multimodal Access Grant Application**

Nashville Pike Sidewalk Phase 1

ABSTRACT

Submitted by the City of Gallatin

October 30, 2015

Project Abstract

The Tennessee Department of Transportation has issued a call for applications for the Multimodal Access Grant. The grant is limited to projects that make improvements to the non-motorized transportation modes on the state system including sidewalks, bikeways or bike lanes, transit amenities, traffic calming and Americans with Disabilities facility improvements to enhance pedestrian or bicycle use and safety. The City of Gallatin proposes to apply for the Multimodal Access Grant to address a critically needed pedestrian improvement project along US 31E/SR 6, also known as Nashville Pike, in the western portion of the City of Gallatin. This section of Nashville Pike consists of a five lane arterial roadway with rural cross section design including drainage swales on both sides of the roadway. Utility poles are located along both sides of the roadway, generally on or near the back side of the right-of-way.

The Nashville Pike corridor has developed into a major commercial hub of the City. The corridor is also located in close proximity to Gallatin High School. The project will provide an important pedestrian link between major retail hubs and connect the commercial and residential areas on the west side of SR 109 to the central portion of the City. This project coordinates well with City efforts to connect with proposed pedestrian improvements submitted with the Active Transportation Grant submitted to the MPO last Spring. This important project will provide a viable and safe alternative choice of travel to/from this important commercial activity area and complete a gap in the area pedestrian network.

With the grant funds the City proposes to contract for design and construction services to develop a six foot wide sidewalk on the south side of the Nashville Pike (US 31E) from the east side of Green Wave Drive to the west side of Lock 4 Road, a distance of 0.37 miles, and include pedestrian signal system upgrades at two intersections. Sidewalks exist on the south side of the roadway east and west of the project segment. Constructing the sidewalk may require modification to the swale or piping of the swale in some locations, contouring/grading existing slopes and/or the construction of headwalls and railings to provide for appropriate protection of pedestrians. Some curbing may be required along portions of Nashville Pike to permit the placement of a sidewalk adjacent to the paved shoulder. This is particularly apparent in the area of the SR 109 overpass.

The grant is a 95% to 5% matching grant with the applicant (City) providing 5% as a cash match. The maximum award amount for the grant is \$950,000, meaning that the maximum local match would be \$50,000. At this point, staff estimates that the .37 mile project would cost approximately \$1,000,000 which will require a local match of \$50,000.

The sidewalk would be designed and constructed consistent with the American Association of State Highway and Transportation Officials (AASHTO), the Manual on Uniform Traffic Control Devices (MUTCD), the Americans with Disabilities Act of 1990 (ADA), Public Rights-of-Way Guidelines (PROWAG) and the Tennessee Department of Transportation Design Standards (TDOT).

Exhibit 'A'



**Proposed Nashville Pike (US 31E) Sidewalk
Green Wave Drive to Lock 4 Road**

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

11/10/2015

DEPARTMENT: Finance

AGENDA # 7

SUBJECT:

Continued discussion of 2016 bond issue

SUMMARY:

Continued discussion of upcoming bond issue, projects to include, "bank qualified" or not, etc...

RECOMMENDATION:

discussion only

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:



November 4, 2015

PRELIMINARY INFORMATION FOR 2016 G.O. BOND

Preliminary Costs

Preliminary annual cost estimate	\$80,000/\$1 million issued
\$10,000,000 estimated cost	\$800,000 per year for 20 years
\$12,000,000 estimated cost	\$960,000 per year for 20 years

- These estimates will change – this is for agenda packet only. Updated estimates from Wiley Bros. will be distributed at the meeting

Cost Considerations

The new bond will increase annual operating costs by approximately \$800,000. Additionally, the opening of Fire Hall 5 will increase annual operating costs by approximately \$1,000,000 (salaries, benefits, utilities, etc...)

Preliminary Timeline

Approve bond resolution at December 1, 2015 Council meeting
Required 20-day waiting period after approval
(City audit finalized by December 31, 2015 for use in rating agency call)
Early January 2016 complete rating agency call and receive bond rating
Competitive bond sale January 11 – 16, 2016

PROPOSED 2016 G.O. BOND ISSUE

as of 10/27/2015



PROJECT DESCRIPTION	NOT IN BUDGET - in proposed bond
Hattentrack Rd	6,000,000.00
S Water improvements (Smith - Maple)	1,500,000.00
Airport & Coles Ferry Roads intersection	500,000.00
Belvedere Dr turn lane at long Hollow Pk	150,000.00
matching funds for Sidewalk Grant	140,000.00
Anthony St drainage	500,000.00
Fire Hall #5 construction	2,000,000.00
Golf Course Clubhouse improvements	40,000.00
Capps Gap Post-Closure Expenses	750,000.00
TOTAL	11,580,000.00
Additional Considerations	
Fire Hall #5 engine, equipment & furnishings	750,000.00
Airport Rd (Gregory Dr - Hartsville Pk)	500,000.00

PROPOSED 2016 G.O. BOND ISSUE	
PROJECT DESCRIPTION	NOT IN BUDGET - in proposed bond
Hattentrack Rd	6,000,000.00
S Water improvements (Smith - Maple)	1,500,000.00
Airport & Coles Ferry Roads intersection	500,000.00
Belvedere Dr turn lane at long Hollow Pk	pay cash
matching funds for Sidewalk Grant	pay cash
Anthony St drainage	500,000.00
Fire Hall #5 construction	2,000,000.00
Golf Course Clubhouse improvements	pay cash
Capps Gap Post-Closure Expenses	pay cash
TOTAL	10,500,000.00
Additional Considerations	
Fire Hall #5 engine, equipment & furnishings	750,000.00
Airport Rd (Gregory Dr - Hartsville Pk)	500,000.00

NOT IN BUDGET - appropriate from surplus, lower priority

DESCRIPTION		REQUEST
SHAREPOINT IMPLEMENTATION		147,300.00
NETWORKING EQUIP		59,600.00
ARCHITECT FOR FIRE HALL 5		150,000.00
STREET DEPT 3-TON DUMP TRUCK		89,000.00
CIVIC CTR VACUUM/FLOOR SCRUBBER		10,000.00
FITNESS EQUIPMENT		15,000.00
CIVIC CTR CHAIRS		10,000.00
CIVIC CTR SAUNA		20,000.00
MUNICIPAL PARK MAINT SHED		250,000.00
BALL FIELD DRAG		15,000.00
TOTAL		765,900.00

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

11/10/2015

DEPARTMENT: Finance

AGENDA # 8

SUBJECT:

Ordinance to correct Water Sewer 2016 Budget

SUMMARY:

There was a typographical error on the approved Amended Ordinance #O1505-32, appropriating the 2016 budget. The attached ordinance will correct the typographical error.

RECOMMENDATION:

approval

ATTACHMENT:

<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	Ordinance

<input type="checkbox"/>	Correspondence
<input type="checkbox"/>	Contract

<input type="checkbox"/>	Bid Tabulation
<input checked="" type="checkbox"/>	Other

Approved	<input type="checkbox"/>
Rejected	<input type="checkbox"/>
Deferred	<input type="checkbox"/>

Notes:

ORDINANCE APPROPRIATING FUNDS FOR 2016
WATER/SEWER CAPITAL PROJECTS AND CORRECTING ORIGINAL 2016 BUDGET

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$1,330,000 is hereby appropriated from the water and sewer fund reserve for the following capital projects:

Water/sewer line improvements, 41352114-934, \$1,000,000

Vehicle replacements, 41352114-941, \$90,000

New and miscellaneous equipment replacement, 41352114-942, \$50,000

Dump truck replacement, 41352113-942, \$95,000

WWTP Replacement UV bulbs, 41352213-942, \$30,000

Trailer mounted sewer jetter, 41352211-942, \$65,000;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$91,807 is hereby appropriated from the water and sewer fund reserve to multiple accounts as approved in the original budget document;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$272,280 is unappropriated from account 41341100-939 and returned to the water and sewer fund reserve; and,

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

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

Approved Amended Ordinance # 01505-32

Drug Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Total Revenue	\$ 141,089	\$ 227,323	\$ 190,000
Fund Balance	\$ 73,397	\$ 153,238	\$ 193,238
Total Available Funds	\$ 214,486	\$ 380,561	\$ 383,238

Water/Sewer Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Total Revenue	\$ 14,961,945	\$ 13,700,750	\$ 14,375,750
Fund Balance	\$ 8,704,346	\$ 7,999,599	\$ 7,324,599
Total Available Funds	\$ 23,666,291	\$ 21,700,349	\$ 21,700,349

*

Gas Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Total Revenue	\$ 20,924,512	\$ 19,276,000	\$ 17,608,000
Fund Balance	\$ 10,426,802	\$ 12,168,568	\$ 9,792,958
Total Available Funds	\$ 31,351,314	\$ 31,444,568	\$ 27,400,958

*

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

General Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Government Administration	\$ 6,771,017	\$ 10,068,121	\$ 7,530,754
Public Safety	\$ 11,616,081	\$ 12,523,919	\$ 12,380,911
Public Works	\$ 2,065,029	\$ 2,438,302	\$ 2,119,008
Parks and Recreation	\$ 4,067,413	\$ 4,650,713	\$ 4,357,558
Economic Development	\$ 339,736	\$ 272,536	\$ 350,117
Debt Service	\$ 1,263,564	\$ 1,981,000	\$ 1,777,006
Operating Transfers	\$ 2,183,420	\$ 10,000	\$ 304,431
Total Appropriations	\$ 28,306,258	\$ 31,944,590	\$ 28,819,785

Special Revenue Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Public Safety	\$ 21,919	\$ 22,000	\$ 22,000
Total Appropriations	\$ 21,919	\$ 22,000	\$ 22,000

Environmental Serv Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Environmental Services	\$ 1,781,595	\$ 1,842,824	\$ 2,169,413
Total Appropriations	\$ 1,781,595	\$ 1,842,824	\$ 2,169,413

Drug Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Police	\$ 91,602	\$ 187,323	\$ 190,000
Total Appropriations	\$ 91,602	\$ 187,323	\$ 190,000

Approved Amended Ordinance # 01505-32

Water/Sewer Fund	FY 2014	FY 2015 Estimated	FY 2016
	Actual		Proposed
Utilities	\$ 14,317,295	\$ 16,920,039	\$ 14,375,750 *
Total Appropriations	\$ 14,317,295	\$ 16,920,039	\$ 14,375,750

Gas Fund	FY 2014	FY 2015 Estimated	FY 2016
	Actual		Proposed
Utilities	\$ 18,042,128	\$ 21,651,610	\$ 17,608,000 *
Total Appropriations	\$ 18,042,128	\$ 21,651,610	\$ 17,608,000

SECTION 3. At the end of the next fiscal year the governing body estimates balances/deficits as follows:

General Fund	\$ 8,052,461
Special Revenue Fund	\$ 15,794
Environmental Serv Fund	\$ 79,593
Drug Fund	\$ 193,238
Water/Sewer Fund	\$ 7,324,599
Gas Fund	\$ 9,792,958

SECTION 4. That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Redemption	Interest Requirements	Debt Authorized and Unissued	Condition of Sinking Fund
Bonds - General fund	\$ 805,000	\$ 497,100	\$ -	within
Notes - General fund	\$ 400,000	\$ 73,906	\$ -	General fund
Bonds - Water/Sewer fund	\$ 1,630,000	\$ 1,531,248	\$ -	

SECTION 5. During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Debt
Water/Sewer lines	\$ 1,000,000.00	
Gas lines	\$ 1,000,000.00	
Sidewalk grant	\$ 560,000.00	
Hattentrack/Albert Gallatin extention		\$ 6,000,000.00
S Water Ave rehabilitation, Smith - Maple		\$ 1,500,000.00
Anthony St drainage		\$ 500,000.00
Sidewalk grant match		\$ 140,000.00
Golf clubhouse		\$ 40,000.00
Fire Hall #5		\$ 2,000,000.00
Capps Gap post-closure costs		\$ 750,000.00
Airport Rd/Coles Ferry		\$ 500,000.00
Belvedere Dr @ Long Hollow		\$ 150,000.00

Should have been #01505-32

Drug Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Total Revenue	\$ 141,089	\$ 227,323	\$ 190,000
Fund Balance	\$ 73,397	\$ 153,238	\$ 193,238
Total Available Funds	\$ 214,486	\$ 380,561	\$ 383,238

Water/Sewer Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Total Revenue	\$ 14,961,945	\$ 13,700,750	\$ 14,375,750
Fund Balance	\$ 8,704,346	\$ 7,999,599	\$ 5,630,513
Total Available Funds	\$ 23,666,291	\$ 21,700,349	\$ 20,006,263

Gas Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Total Revenue	\$ 20,924,512	\$ 19,276,000	\$ 17,608,000
Fund Balance	\$ 10,426,802	\$ 12,168,568	\$ 9,792,958
Total Available Funds	\$ 31,351,314	\$ 31,444,568	\$ 27,400,958

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

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Government Administration	\$ 6,771,017	\$ 10,068,121	\$ 7,530,754
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Parks and Recreation	\$ 4,067,413	\$ 4,650,713	\$ 4,357,558
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Debt Service	\$ 1,263,564	\$ 1,981,000	\$ 1,777,006
Operating Transfers	\$ 2,183,420	\$ 10,000	\$ 304,431
Total Appropriations	\$ 28,306,258	\$ 31,944,590	\$ 28,819,785

Special Revenue Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Public Safety	\$ 21,919	\$ 22,000	\$ 22,000
Total Appropriations	\$ 21,919	\$ 22,000	\$ 22,000

Environmental Serv Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Environmental Services	\$ 1,781,595	\$ 1,842,824	\$ 2,169,413
Total Appropriations	\$ 1,781,595	\$ 1,842,824	\$ 2,169,413

Drug Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Police	\$ 91,602	\$ 187,323	\$ 190,000
Total Appropriations	\$ 91,602	\$ 187,323	\$ 190,000

Should have been #01505-32

Pg 3

Water/Sewer Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Utilities	\$ 14,317,295	\$ - 16,920,039	\$ 16,069,836
Total Appropriations	\$ 14,317,295	\$ 16,920,039	\$ 16,069,836

Gas Fund	FY 2014 Actual	FY 2015 Estimated	FY 2016 Proposed
Utilities	\$ 18,042,128	\$ 21,651,610	\$ 17,594,147
Total Appropriations	\$ 18,042,128	\$ 21,651,610	\$ 17,594,147

SECTION 3. At the end of the next fiscal year the governing body estimates balances/deficits as follows:

General Fund	\$ 8,052,461
Special Revenue Fund	\$ 15,794
Environmental Serv Fund	\$ 79,593
Drug Fund	\$ 193,238
Water/Sewer Fund	\$ 3,936,427
Gas Fund	\$ 9,806,811

SECTION 4. That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Redemption	Interest Requirements	Debt Authorized and Unissued	Condition of Sinking Fund
Bonds - General fund	\$ 805,000	\$ 497,100	\$ -	within
Notes - General fund	\$ 400,000	\$ 73,906	\$ -	General fund
Bonds - Water/Sewer fund	\$ 1,630,000	\$ 1,531,248	\$ -	

SECTION 5. During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Debt
Water/Sewer lines	\$ 1,000,000.00	
Gas lines	\$ 1,000,000.00	
Sidewalk grant	\$ 560,000.00	
Hattentrack/Albert Gallatin extention		\$ 6,000,000.00
S Water Ave rehabilitation, Smith - Maple		\$ 1,500,000.00
Anthony St drainage		\$ 500,000.00
Sidewalk grant match		\$ 140,000.00
Golf clubhouse		\$ 40,000.00
Fire Hall #5		\$ 2,000,000.00
Capps Gap post-closure costs		\$ 750,000.00
Airport Rd/Coles Ferry		\$ 500,000.00
Belvedere Dr @ Long Hollow		\$ 150,000.00

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

[November 10, 2015]

DEPARTMENT: Utilities

AGENDA # 9

SUBJECT:

Proposed Resolution R1511-89 revising the adopted utility easement acquisition procedure.

SUMMARY:

Adding natural gas and changing set amount offer for easements from existing amounts to set new amount at \$5.00 per linear foot.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

Attached existing Resolution.

**RESOLUTION REVISING THE ADOPTED UTILITY EASEMENT
ACQUISITION PROCEUDRE**

WHEREAS, it has become increasingly difficult to obtain water, sanitary sewer, and natural gas utility easements; and

WHEREAS, a consistent procedure need to be established to direct the Department of Public Utilities in obtaining new easements for projects;

WHEREAS, a Utility Easement Acquisition procedure was established through Resolution #R9912-032;

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, to adopt the following Utility Easement Acquisition Procedure:

1. Engineer prepares sketch and legal description using standard City easement form.
2. Give to City Attorney to verify property ownership.
3. Contact property owners and provide easement form, sketch, and cover letter.
4. Pre-condemnation evaluation to consider possible alternatives:
 - (a) Abandon the project if easements cannot be obtained.
 - (b) Offer set amount for easement - \$5.00 per linear foot.
 - (c) Consider alternate route for utility line.
 - (d) Obtain appraisals and condemn.
5. Proceed with condemnation with City Attorney.

BE IT FURTHER RESOLVED that any easement fees be paid from water/sewer/natural gas improvement funds.

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 ADOPTING A WATER AND SEWER UTILITY EASEMENT
ACQUISITION PROCEDURE

WHEREAS, it has become increasingly difficult to obtain water and sewer utility easements; and

WHEREAS, a consistent procedure needs to be established to direct the Public Utilities Department in obtaining new easements for future projects;

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, to adopt the following Utility Easement Acquisition Procedure:

1. Engineer prepares sketch and description using standard City easement form.
2. Give to City Attorney to verify property ownership; mail easement form and sketch with cover letter from City to property owners.
3. After 10 days have elapsed, follow up on those easements that have not been received.
4. Pre-condemnation evaluation to consider possible alternatives:

(a) Drop project if easements are not obtained.

(b) Offer set amount for easement.

Water Line Easement - \$415.00 plus \$2.00 per linear foot.

Sewer Line Easement - \$300.00 plus \$3.00 per linear foot.

(c) Consider alternative route with utility line.

(d) Obtain appraisals and condemn.

5. Proceed with condemnation with City Attorney.

BE IT FURTHER RESOLVED, that any easement fees be paid from future water/sewer improvement funds.

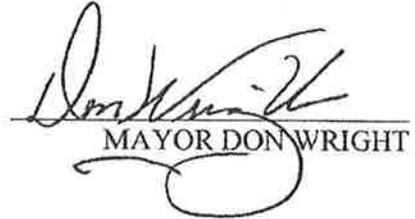
IT IS SO ORDERED.

PRESENT AND VOTING:

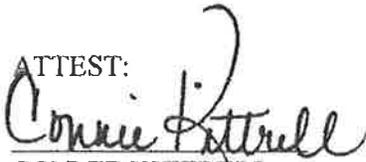
AYE: 6

NAY: 0

DATED: Dec 21, 1999

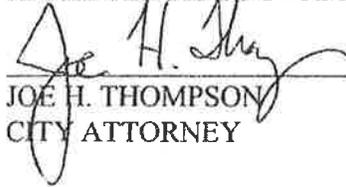

MAYOR DON WRIGHT

ATTEST:



CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: Human Resources

AGENDA # 10

SUBJECT:

Emergency Conditions Policy

SUMMARY:

This revised policy outlines the provisions and procedures to be followed in the event of emergency situations, which may be defined as, but not limited to, such events as: inclement weather, civil disturbances, power outages, or any other emergency condition as determined by the Mayor.

RECOMMENDATION:

Approve

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1511-61

RESOLUTION AMENDING GALLATIN PERSONNEL RULES AND REGULATIONS RELATING TO EMERGENCY CONDITIONS

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 Gallatin Personnel Rules and Regulations, **Rule 17-24, Emergency Conditions** is hereby replaced in its entirety with the following:

Section 17-24. Emergency Conditions

General Provisions and Procedures:

This section outlines the provisions and procedures to be followed in the event of emergency situations, which may be defined as, but not limited to, such events as: inclement weather, civil disturbances, power outages, or any other emergency condition as determined by the Mayor. The decision to close facilities due to emergency conditions shall only be made by the Mayor. Notice will be timely given to the local media and to the general public, forwarded to all authorities, and communicated by other electronic media as appropriate. Should the emergency condition be of a long-term nature (such as severe damage to a City facility), or if the circumstances dictate varying from the above guidelines, the Mayor shall present recommendations to City Council for their approval.

Occasionally, emergency conditions caused by extreme weather may warrant the closing of the City facilities. When such conditions are thought to exist, the Mayor may seek input from designated officials in the departments of emergency management, the Department of Public Works, the Department of Public Utilities, the Department of Human Resources, and the Department of Leisure Services, and any other department which may have necessary information, to determine if facilities should be closed. Decisions regarding declaring single office locations as uninhabitable buildings will be made by the Mayor in consultation with appropriate department heads.

However, it shall be the policy of the City to make every effort to maintain normal working hours during these periods in order to continue to provide necessary services to the citizens of the City. Partial or full-day closings of City owned or leased buildings may be authorized. Prior to making any decision to close offices and release employees, careful consideration is always given in balancing the health, safety and welfare of our employees with the need to continue essential services and operations based on all available information at the time of the incident.

During Periods Where the Decision is to Remain Open:

Emergency conditions require each employee to make a personal decision regarding safety in traveling to and from the workplace. As with any unexpected absence, employees who do not feel it is safe to travel should contact their supervisor using approved methods. Employees who do not report to work during periods of emergency conditions where the Mayor has chosen to remain open and not declare a closing may use accumulated annual

or compensatory time for their absences. If the employee has no annual or compensatory time, then the time absent is charged as leave without pay. Employees who make the effort and report to work within a reasonable period should not be required to use leave for that absence. To be eligible, the employee must leave for work at his normal departure time in anticipation of regular arrival time. Employees who were previously approved for leave for a portion of the emergency closing will be considered not scheduled for work for the portion of time that was approved as leave.

During Periods Where the Decision is to Close:

There are two types of employee designations addressed below: Essential / Emergency Employees and Employees not designated as Essential / Emergency Employees:

The directive defines essential/emergency employees as: Employees who are designated as required to work when an office closing is authorized, usually in operations that must provide services around the clock. The designation of essential can depend upon the employees' duties, as well as the circumstances for the closing. Essential/Emergency full-time employees who are required to work when their offices have been otherwise closed shall be granted one additional day of personal leave per calendar year. If "essential" employees do NOT work in an emergency situation, no additional day of leave is granted. NOTE: Day of leave would not be granted until there is an emergency situation. Employees **required** to work from home, such as IT staff, when office closing is authorized will be granted leave. All leave granted is based on the amount of time the offices are closed. For example, if offices are closed for four hours, then employee will be granted four hours additional time.

The directive defines non-essential/non-emergency employees as: Employees who are not required to work when an office closing is authorized. Occasionally, non-essential employees may be required to work if skeleton crews must be maintained or if specific work must be performed to meet deadlines.

Notification of Essential/Emergency Employees:

Department heads must decide which of their essential/emergency functions must continue and which employees must remain at work, even when closings are announced.

Annual notifications of essential/emergency designations will be provided in writing to those employees who can reasonably be expected to be designated as essential at some point during the year (see attached). Department heads should also remind employees who are designated as "non-essential/emergency" that their status may temporarily change depending on the timing, nature and scope of the disruption.

It is important to point out that the definitions include the words "usually" and "occasionally" (emphasis added in the previous paragraphs). Since every disruption is unique, managers should expect to evaluate each situation as it arises and determine which employees may be essential, given the circumstances. Managers should be trained and prepared to quickly communicate with their agency's HR office and their employees in disruptive circumstances.

Examples of Essential/Emergency Employees:

The designation of essential/emergency depends on an employee's duties as well as the circumstances for the closing. It is important that effective communications occur between supervisors and employees in circumstances where an employee may not always be deemed an essential/emergency employee.

Example 1: A custodial worker assigned to City Hall building.

This employee may be essential to clear snow from sidewalks and steps around City hall buildings. The employee may be required to report on time and may be designated as essential for delayed openings. However, the employee may not be essential if the Mayor declares a state of emergency and offices are closed.

Example 2: A clerical employee with a deadline responsibility

This employee may have the responsibility to perform a certain task on a certain day. On the day this task must be performed, the employee may be essential. However, on any other day, the employee may not be essential.

Example 3: Employee responsible for payroll administration. This employee may be essential in all cases to ensure payroll is processed.

Example 4: Public Safety Positions and Public Works

These employees most likely have job responsibilities to be performed during periods of inclement weather or closure. These positions are typically referred to as emergency types or essential types of positions for the City.

Example 5: Department Heads

These employees are required to be at work during inclement weather or emergency situations. If that is not possible, they must be able to communicate with all employees within their departments to provide updates.

IT Badges for Essential/Emergency Employees:

As a reminder, employees who are expected to be designated as "essential/emergency" at some point during the year must be provided with special access to the buildings if the offices are closed. In the case of City Hall, the Chief Information Officer must be made aware of the employee's need to access the building, if not designated usually as an essential / emergency employee.

All Other Employees not designated as Essential/Emergency Employees:

When the Mayor has decided to declare an emergency closing, employees other than those who work as essential/emergency employees (see below) and are on the active payroll shall be excused from work and granted time off from work with pay for any scheduled work hours.

Employees on previously approved leave during the affected period must continue to charge the appropriate leave and will not be eligible for discretionary leave for this time. Temporary/seasonal part-time employees are paid for hours worked and are not eligible for time off from work with pay.

Regular part time employees will be affected on a pro rata basis in each of the provisions above.

Attachment:

Sample Written Notification for Essential Employees

To: (Employee Name)

From: (Employee Supervisor)

Subject: Essential Function Notification

The City may have to suspend operations due to events like severe weather, natural disaster, fire, or related hazard. When the City suspends operations only employees in positions that have been designated as performing an essential service report to and/or continue working. All other staff stays at or returns home until the operational suspension is lifted.

The position you hold as a (job title) is considered essential (choose one: under all circumstances/under certain conditions) and you are expected to continue to work (choose one: at any time the City suspends operations or under the following circumstances: [explain]). The essential business you perform is (essential service)

(Adding specific information about what the employee should do if there is unusual difficulty getting to work or if the employee's ability to work is affected by emergency childcare responsibilities or ill or injured family members).

Please let me know if you have questions about your responsibilities during suspended operations.

I have reviewed the notification with the employee, explained that their position is considered essential and procedures to follow during an operational suspension.

Supervisor signature: _____ Date: _____

I understand that my position is designated as essential (and under what conditions), and that I am to continue working during operational suspensions.

Employee Signature: _____ Date: _____

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:

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 10, 2015

DEPARTMENT: Human Resources

AGENDA # 11

SUBJECT:

Update on the Fire Chief Search - Feedback from Expert Panel

SUMMARY:

The recommendations from the Expert Panel for the Fire Chief interview pool will be presented.

RECOMMENDATION:

Approve

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: Human Resources & City Attorney

AGENDA # 12

SUBJECT:

Workplace Violence Policy (continued discussion)

SUMMARY:

Due to recent events in our country, we need to incorporate a formal workplace violence policy for the increased safety of our employees. MTAS' model policy language has been used as an example to develop this policy for the City of Gallatin.

RECOMMENDATION:

Approve

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1510-55

RESOLUTION AMENDING GALLATIN PERSONNEL RULES AND REGULATIONS RELATING TO WORKPLACE VIOLENCE

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 Gallatin Personnel Rules and Regulations, **Rule 17, General Policies and Procedures** is hereby amended with the following addition:

Section 17-26. Workplace Violence

The City is committed to preventing workplace violence and to maintaining a safe work environment. It is the policy of the City of Gallatin to promote a productive, safe and healthy work environment for all employees, customers, vendors, contractors and members of the general public and to provide for the efficient and effective operation of the local government's activities. Employees and customers are to be treated with courtesy and respect at all times.

Employees are expected to maintain a productive work environment free from harassing or disruptive activity including threats of physical violence. As set forth in these Personnel Rules on the section dealing with harassment, no form of harassment will be tolerated, including sexual harassment and harassment based on race, national origin, religion, disability, pregnancy, age, military status, sex or other protected category, as provided by law. This policy applies to all City employees, elected officials, appointed officials, part-time/temporary employees, and contractors.

The City of Gallatin will not tolerate verbal or physical conduct by an employee which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile environment.

(a) No employee or non-employee shall be allowed to harass any other employee or non-employee by exhibiting behavior including, but not limited to, the following:

- (1) Verbal harassment – Verbal threats toward persons or property; the use of vulgar or profane language directed towards others; disparaging or derogatory comments or slur; offensive flirtations or propositions; verbal intimidation; exaggerated criticism or name-calling; spreading untrue or malicious gossip about others.
- (2) Physical Harassment – Any physical assault, such as hitting, pushing, kicking, holding, impeding or blocking the movement of another person.
- (3) Visual Harassment – Displaying derogatory or offensive posters, cartoons, publications or drawings.

(b) All employees, except those authorized to carry weapons for official job related purposes, are prohibited from carrying weapons while performing work for the

municipality and at meetings conducted by or on property owned, operated and managed by the municipality. Employees who are legal handgun carry permit holders are allowed to possess or carry a handgun in public parks and other similar public areas owned or operated by the municipality, except when in the immediate vicinity of a school related-activity on an athletic field.

Handgun carry permit holders are allowed to transport and store firearms and firearms ammunition in their vehicles pursuant to the parameters in Tenn. Code Ann. Section 39-17-1313(a), as long as the firearm(s) or ammunition is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to such motor vehicle if the permit holder is not in the motor vehicle.

Under no circumstances are the following items permitted on local government property, including local government-owned parking areas, except when issued or sanctioned by the local government for use in the performance of the employee's job:

- (1) dangerous chemicals;
- (2) explosives or blasting caps;
- (3) chains; or
- (4) other objects carried for the purposes of injury or intimidation.

- (c) Charges of workplace violence and harassment are to be reported to the employee's supervisor, and such supervisor must immediately report the alleged violence or harassment to the Director of Human Resources. If the supervisor is involved in the violent or harassing behavior, the employee shall then report the charge of workplace violence or harassment to the Department Head, Director of Human Resources, City Attorney, or the Mayor. The City will promptly investigate reports of workplace violence including suspicious individuals or activities. The Director of Human Resources is charged with investigating all cases of workplace violence and harassment. Depending on the severity of the charges or whether a crime is committed, the City Attorney may request that the Police Chief provide assistance to the Human Resources Director or assume responsibility for the investigation. All employees are required to assist in the course of the investigation by providing testimony, statements and evidence, as required. Failure to cooperate may result in disciplinary action.
- (d) Copies of the investigative report with recommendations for appropriate action will be turned over to the Mayor as appropriate for further action.
- (e) Anyone determined to be responsible for threats of or actual violence or other conduct that is in violation of this policy will be subject to prompt disciplinary action up to and including termination.
- (f) Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department

before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns. Employees have the right to file a police report at their own discretion.

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:

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 10, 2015

DEPARTMENT: City Attorney

AGENDA # 13

SUBJECT:

Charter Amendment - term limits

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE AMENDING ARTICLE III, SECTION 1 OF THE CITY OF GALLATIN, TENNESSEE CHARTER AS ESTABLISHED IN CHAPTER 67 OF THE PRIVATE ACTS OF 1953 AND AS AMENDED THEREAFTER TO ESTABLISH TERM LIMITS FOR THE OFFICES OF MAYOR, DISTRICT ALDERMAN, AND ALDERMAN-AT-LARGE

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

1. Chapter 67 of the Private Acts of 1953, as subsequently amended, **Article III, Section 1** is amended by adding the following language following the sentence “When two (2) or more persons shall have an equal number of votes for any elective office, the election shall be determined by a majority of the votes of the Council-elect:”

“No person elected and qualified to the office of Mayor, District Alderman, or Alderman-at-Large shall be eligible for the succeeding term in the same office if such person has served more than one-half of a four (4) year term and a consecutive complete four (4) year term in that particular office. For purposes of this section, the office of District Alderman and Alderman-at-Large shall be considered separate elected offices.”

2. This Ordinance shall have no effect unless it shall receive final approval within the time required by law by a majority vote in a referendum held for the purpose of approval of this Ordinance. The approval or nonapproval of this Ordinance by referendum shall be certified by the Mayor of the City of Gallatin to the Tennessee Secretary of State after passage by the Tennessee General Assembly.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

November 10, 2015

DEPARTMENT: City Attorney

AGENDA # 14

SUBJECT:

Charter Amendment - eligibility of office and holding other public office

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE AMENDING ARTICLE III, SECTION 1 OF THE CITY OF GALLATIN, TENNESSEE CHARTER AS ESTABLISHED IN CHAPTER 67 OF THE PRIVATE ACTS OF 1953 AND AS AMENDED THEREAFTER REGARDING ELIGIBILITY OF OFFICE AND HOLDING OTHER PUBLIC OFFICE

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

1. Chapter 67 of the Private Acts of 1953, as subsequently amended, **Article III, Section 1** is amended as follows:
 - a. The sixth sentence in the first paragraph of Section 1 which reads: “No person shall be eligible to the office of the Mayor and Alderman who is employed by the City of Gallatin, or who holds any other public office, except that of Notary Public, and should the Mayor or any Alderman accept employment with the City of Gallatin or accept any other public office, his or her seat on the City Council shall thereafter become vacant” shall be deleted in its entirety.
 - b. The sixth sentence in the first paragraph of Section 1 shall be replaced with the following language: “Neither the Mayor nor members of the City Council shall hold any other elective or appointed public office, except that of Notary Public, or be otherwise employed by the City of Gallatin. If the Mayor or any member of the City Council shall accept employment with the City of Gallatin or any other elective or appointed public office, his or her seat on the City Council shall become vacant and must be filled as set forth in this Charter.”
2. This Ordinance shall have no effect unless it shall receive final approval within the time required by law by a two-thirds (2/3) vote of the Gallatin City Council after passage by the Tennessee General Assembly.

3. This Ordinance shall become effective after final passage thereof, 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