

## Table of Contents

Agenda . . . . .	2
FOXLAND, PHASE 7, SECTIONS 1-4	
Item 3 Foxland Ph. 7, Sec. 1-4 . . . . .	5
FOXLAND, PHASE 7, SECTION 2	
Item 4 Foxland Ph. 7, Sec. 2 . . . . .	20
FOXLAND, PHASE 9, SECTION 3	
Item 5 Foxland, Ph. 9, Sec. 3 . . . . .	31
FOXLAND, PHASE 9, SECTION 4B	
Foxland, Ph. 9, Sec. 4B. . . . .	43
MINUTES	
June 10, 2013 Minutes . . . . .	54
June 24, 2013 Minutes . . . . .	58
ZONING TEXT AMENDMENT GZO ARTICLE 14.00 PROVISIONS GOVERNING NON-CONFORMING USES AND NON-COMPLYING BUILDINGS OR OTHER STRUCTURES	
Item 2 Text Amendt. GZO Art. 14. . . . .	64
FAR AWAY HILLS	
Item 7 Far Away Hills . . . . .	73
OTHER BUSINESS	
Sureties & Renewals . . . . .	124
GALLATIN CREATIVE ARTS CENTER	
Item 8.2 Gallatin Creative Arts Center . . . . .	126



**Agenda**  
**Gallatin Municipal-Regional Planning Commission Meeting**

**Monday, July 22, 2013**

**5:00 PM**

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

**City Hall**

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Items listed on the Consent Agenda are considered routine or non-controversial and will be approved by one motion and will not be discussed. Any member of the Planning Commission or the agenda applicant for that time that wishes to discuss an item listed on the Consent Agenda may request an item to be removed from the Consent Agenda and placed on the Regular Agenda for discussion. The item will then be considered according to its printed order listed on the Regular Agenda.

**CONSENT AGENDA**

- 3. GMRPC Resolution No. 2013-58 PC0152-13**  
**FOXLAND, PHASE 7, SECTIONS 1-4**  
**DEWEY-ESTES ENGINEERING**

Applicant requests approval of an amended Preliminary Master Development Plan and a revised Final Master Development Plan for Foxland, Phase 7, Sections 1-4, a major subdivision, containing 62 single family lots and open space on 18.05 (+/-) acres. Property is located on Vinings Boulevard between Douglas Bend Road and Foxland Boulevard .

[Foxland Ph. 7, Sec. 1-4](#)

- 4. GMRPC Resolution No. 2013-55 PC0151-13**  
**FOXLAND, PHASE 7, SECTION 2**  
**DEWEY-ESTES ENGINEERING**

Applicant requests approval of a preliminary plat for Foxland, Phase 7, Section 2, a major subdivision containing 19 lots on 5.59 (+/-) acres, located on the east side of Foxland Boulevard approximately 500 linear feet north of Lori Lee Drive.

[Foxland Ph. 7, Sec. 2](#)

- 5. GMRPC Resolution No. 2013-56 PC0149-13**  
**FOXLAND, PHASE 9, SECTION 3**  
**DEWEY-ESTES ENGINEERING**

Applicant requests approval of a preliminary plat for Foxland, Phase 9, Section 3, a major subdivision containing 24 lots on 5.56 (+/-) acres for 12 Attached Dwellings, located on Albatross Way between Foxland Boulevard and Reynard Drive.

[Foxland, Ph. 9, Sec. 3](#)

**6. GMRPC Resolution No. 2013-57  
FOXLAND, PHASE 9, SECTION 4B  
DEWEY-ESTES ENGINEERING**

**PC0150-13**

Applicant requests approval of a preliminary plat for Foxland, Phase 9, Section 4B, a major subdivision containing 6 lots, (3 Attached Dwelling Units), on property containing 1.46 (+/-) acres. Property is located on the east side of Foxland Boulevard approximately 1500 lf from Douglas Bend Road.

[Foxland, Ph. 9, Sec. 4B](#)

**REGULAR AGENDA**

**1. APPROVE PRIOR MINUTES**

**MINUTES**

[June 10, 2013 Minutes](#)

[June 24, 2013 Minutes](#)

**2. GMRPC Resolution No. 2013-24  
ZONING TEXT AMENDMENT GZO ARTICLE 14.00 PROVISIONS GOVERNING NON-  
CONFORMING USES AND NON-COMPLYING BUILDINGS OR OTHER STRUCTURES  
CITY OF GALLATIN**

**PC0109-13**

**Public Comment**

The City of Gallatin requests approval to amend the Gallatin Zoning Ordinance, Article 14.00, Provisions Governing Non-conforming Uses and Non-complying Buildings or Other Structures."

[Text Amendt. GZO Art. 14](#)

**7. GMRPC Resolution No. 2013-59  
FAR AWAY HILLS  
STEVE SUDBURY**

**PC0155-13**

Applicant requests approval of an amended Preliminary Master Development Plan and a revised Final Master Development Plan for Far Away Hills, a major subdivision, in order to change the approved architectural elevations. Property contains 22 lots of 14.292 (+/-) acres and is located at 1325 East Main Street.

[Far Away Hills](#)

**8.1. GMRPC Resolution No. 2013-60  
OTHER BUSINESS  
SURETY RENEWALS & EXTENSIONS**

- The Reserve, Ph. 1, Sec. 2; PC9907-11 site surety one year renewal and extension for \$12,000.
- Lenox Place, Ph. 5; PC9988-12 site surety one year renewal and extension for \$61,425.
- Home Depot (Subdivision); PC File #1-7-04C subdivision surety one year renewal and extension for \$110,000.
- Home Depot (Utility); PC File #1-7-04C utility surety one year renewal and extension for \$343,000.
- Kennesaw Farms, Ph. 5, Sec. 1 (NHC); PC9912-11 subdivision surety one year renewal and extension for \$205,000.
- Fairway Farms, Ph. 1, Sec. 1B & Ph. 1, Sec. 2-4; PC File #1-10-06C subdivision surety one year renewal and extension for \$443,000.
- Fairway Farms, Ph. 1, Sec. 1A & Ph. 3, Sec. 1B; PC File #1-19-05C subdivision surety one year renewal and extension for \$399,000.

[Sureties & Renewals](#)

**8.2 GMRPC Resolution No. 2013-61  
GALLATIN CREATIVE ARTS CENTER  
FIRST PRESBYTERIAN CHURCH OF GALLATIN**

**PC0157-13**

The applicant is requesting an Alternative Sign Plan Approval under Gallatin Zoning Ordinance Section 13.07.110.H, in order to construct a monument sign for the First Presbyterian Church's Creative Arts Center located at 114 South Locust Avenue.

[Gallatin Creative Arts Center](#)

- **MOVE TO ADJOURN**

# ITEM 3

GMRPC Resolution No. 2013-58

RESOLUTION APPROVING AN AMENDMED PRELIMINARY MASTER DEVELOPMENT PLAN AND REVISED FINAL MASTER DEVELOPMENT PLAN FOR FOXLAND PHASE 7, SECTIONS 1- 4 CONSISTING OF 62 LOTS AND OPEN SPACE – PC0152-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the application to amend the Preliminary Master Development Plan and revise the Final Master Development Plan for Foxland Phase 7, Sections 1-4 submitted by the applicant, Dale and Associates, at its regular meeting on July 22, 2013; and

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

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

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

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

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby approves a minor amendment to the Preliminary Master Development Plan and approves the revised Final Master Development Plan with the following conditions:

1. The applicant shall correct the cover sheet title to ‘Amended Preliminary and Revised Final Master Development Plan for Foxland Phase 7, Sections 1-4’.

# ITEM 3

2. The applicant shall correct the purpose in the Project Notes to 'The purpose of this submittal is to amend the previously approved Preliminary Master Development Plan and revise the previously approved Final Master Development Plan for Phase 7, Sections 1-4 of this development, consisting of 62 single-family lots and open space'.
3. The applicant shall correct the Project Schedule on sheet C1.0 to reflect the correct amount of lots for Section 2.
4. The applicant shall show and label the stream buffer on sheet C1.0 and traffic calming measures on the Amended Preliminary and Revised Final Master Development Plan.
5. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.
6. The applicant shall submit a site surety, in an amount to be determined by the applicant and approved by Codes/Planning Department, to the Codes/Planning Department prior to the issuance of any building permits for Foxland Phase 7, Sections 1-4.
7. The applicant shall submit a subdivision surety, in an amount to be determined by the Engineering Division, to the Codes/Planning Department prior to recording of the final plats for Foxland Phase 7, Sections 1-4.
8. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, to the White House Utility District prior to the recording of the final plats for Foxland Phase 7, Sections 1-4.
9. The applicant shall submit three (3) corrected, folded copies of the Amended Preliminary Master Development Plan/Revised Final Master Development Plan to the Codes/Planning Department prior to submitting the final plat for Planning Commission approval. Please submit one (1) full size plan and two (2) half size plans to the Codes/Planning Department.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/2013

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Dick Dempsey, Chairman

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Johnny Wilson, Secretary

# ITEM 3

APPROVED AS TO FORM:

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JOE H. THOMPSON  
CITY ATTORNEY

# EXHIBIT A

## ITEM 3 7/22/13 GMRPC MEETING

**Applicant request approval of a an amended Preliminary Master Development Plan and a revised Final Master Development Plan for Foxland Phase 7, Sections 1-4, a major subdivision, containing 62 lots and open space on 18.05 (+/-) acres. Property is located on Vinings Boulevard between Douglas Bend Road and Foxland Boulevard. (PC0152-13)**

**Attachment 3-1 Amended PMDP and Revised FMDP**

**Attachment 3-2 Response Letter from Michael Dewey, P.E. dated July 12, 2013**

### ANALYSIS

The applicant is requesting approval of an amended Preliminary Master Development Plan and a revised Final Master Development Plan for Foxland Phase 7, Sections 1-4. The property contains 62 lots and open space on 18.05 (+/-) acres and is located on Vinings Boulevard between Douglas Bend Road and Foxland Boulevard. This property is currently zoned Multiple Residential and Office (MRO). One-family Detached Dwelling is a permitted use in the MRO zone district. Sections 1-3 will be developed by Green Trails, LLC; however, Section 4, containing five (5) lots at the entrance of Douglas Bend Road and Vinings Boulevard will be developed by a different group. No portion of this property is located in a special flood hazard area.

The applicant would like to amend the approved Preliminary Master Development Plan and revise the Final Master Development Plan for Foxland Phase 7, Sections 1-4 (PC9959-12) in order to convert three (3) buildable lots into two (2) open spaces to allow for a blue line stream that flows from the adjacent subdivision into the Foxland development and relocate the section line between Section 2 and Section 3.

### *Previous Approvals*

At the November 28, 2005 meeting, the Planning Commission recommended approval of a Preliminary Master Development Plan to rezone 416.87 (+/-) acres, known as the Foxland property, from Residential-15 Planned Unit Development (R15 PUD) and Multiple Residential and Office Planned Unit Development (MRO PUD) to Mixed Use (MU) and Multiple Residential and Office (MRO) (PC File #3-16-05). The plan called for 81.37 (+/-) acres to be rezoned to MU and 335.50 (+/-) acres to be rezoned to MRO. At that time the applicant labeled the proposed MU portion of the property as future development and did not submitted any details or plans for that property. The Preliminary Master Development Plan and rezoning request passed Second Reading at the February 7, 2006 City Council meeting.

At the May 23, 2011 meeting, the Planning Commission recommended that the proposed changes to the Foxland, Phase 3, Section 1, Phase 7, and Phase 9 Preliminary Master Development Plan be considered as a major amendment. The Planning Commission also discussed the conceptual architecture for Phase 9 at the June 13, 2011 Work Session. The amended Preliminary Master Development Plan for Foxland, Phase 3, Section 1, Phase 7, and Phase 9 was approved by City Council at the August 16, 2011 meeting.

At the February 27, 2012 Planning Commission meeting, the applicant received approval of a minor amendment to the Preliminary Master Development Plan for Foxland, Phase 3, Section 1, Phase 7

# EXHIBIT A

and Phase 9 and received approval of a Final Master Development Plan for Foxland, Phase 9, Sections 2-5 (PC9933-11) in order to designate section lines and remove existing alley stubs along Foxland Boulevard.

At the March 26, 2012 Planning Commission meeting, the applicant received approval of a minor amendment to the Preliminary Master Development Plan and approval of a Final Master Development Plan for Foxland 7, Sections 1-4 (PC9959-12) containing 63 lots and open space.

At the August 27, 2012 Planning Commission meeting, the applicant received approval of a final plat for Foxland Phase 7, Section 1 containing 21 lots and recorded on December 26, 2012.

## ***Architecture and Landscaping***

The applicant submitted renderings of the proposed One-family Detached Dwellings proposed for construction in Phase 7, Sections 1-4 and landscaping plans including a detailed tree survey as required by Gallatin Zoning Ordinance. Staff has reviewed the submitted renderings and landscaping plans and no changes are being proposed from the previously approved architecture and landscaping.

A site surety for the bufferyard and the entry feature landscaping, in an amount to be determined by the applicant and approved by Codes/Planning Department, shall be submitted to the Codes/Planning Department prior the issuance of any building permits for Foxland Phase 7, Sections 1-4.

## ***Lot Numbers and Sizes***

The overall total number of lots has decreased from 63 buildable lots to 62 buildable lots along with the overall density decreased from 3.49 units per acre to 3.43 units per acre from the previously approved amended PMDP/FMDP for Foxland Phase 7, Sections 1-4 (PC9959-12).

- Section 1 total number and sizes of buildable lots remained the same as approved.
- Section 2 total number of buildable lots decreased from 20 to 19 lots including converting three (3) buildable lots to two (2) open spaces. The majority of the buildable lots decreased in width from 62.50' to 62.00' while four (4) out of the six (6) remaining buildable lots increased from 62.50' to 65.00' and one (1) increased to 70.00' and the last one to 75.00'. The depths and the square footages of the buildable lots relatively remained the same.
- Section 3 total number of buildable lots decreased from 19 to 17 lots due to the re-location of the section line between Section 2 and Section 3. The majority of the buildable lots decreased in width 62.50' to 62.00' while the remaining two (2) buildable lots decreased approximately one (1) and a half foot in width. The depths and square footages of the buildable lots relatively remained the same.
- Section 4 total number of buildable lots increased from three (3) to five (5) lots. The four (4) out of the five (5) buildable lots decreased approximately 33 feet in width and the remaining irregular shape lot decreased approximately 68 feet in width at the street. The depths of the buildable lots relatively remained the same, but the square footage of the buildable lots decreased from an average of 20,300 square feet to an average of 13,230 square feet per

# EXHIBIT A

buildable lot. The average square footage of buildable lots for Sections 1, Section 2, and Section 3 is 9,300 square feet.

## ***Lot 1286***

The applicant has noted on the drawing that Lot 1286 located in Section 4 is an irregular shaped lot. Since the applicant is creating an irregular shaped lot, Staff would not recommend any type of variance from the required yard lines.

## ***White House Utility District Comments***

This area is serviced by the White House Utility District. The applicant has stated that Preliminary Construction Plans have been submitted to White House Utility District. The amended Preliminary Master Development Plan and revised Final Master Development Plan are currently under review by White House Utility District; therefore, the Codes/Planning Department has not received any review comments. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plats for Foxland Phase 7, Sections 1-4.

## ***Engineering Division Comments***

The Engineering Division made comments during the initial review of this plan and the applicant has met majority of the comments with the exceptions that the applicant shall show and label the stream buffer on sheet C1.0 and traffic calming measures on the Amended Preliminary and Revised Final Master Development Plan. The applicant shall submit a subdivision surety, in an amount to be determined by the Engineering Division, prior to recording of the final plats for Foxland Phase 7, Sections 1-4. 1.

## ***Other Departmental Comments***

The other departments had no comments with the exception of the Gallatin Public Utilities Department stating that they service natural gas only to this area.

## ***Major/Minor Amendment***

Gallatin Zoning Ordinance Section 12.02.050, *Procedures to Amend a Preliminary Master Development Plan or Final Master Development Plan*, lists certain criteria that would constitute a major amendment. There are no items that apply to this amended Preliminary Master Development Plan that would qualify for a major amendment. Staff recommends that the Planning Commission consider the proposed revisions as a minor amendment to the Preliminary Master Development Plan.

## **RECOMMENDATION**

Staff recommends that the Planning Commission consider the proposed changes to the Preliminary Master Development Plan as a minor amendment.

Staff recommends that the Planning Commission approve the Final Master Development Plan with the following conditions:

1. The applicant shall correct the cover sheet title to 'Amended Preliminary and Revised Final Master Development Plan for Foxland Phase 7, Sections 1-4'.

# EXHIBIT A

2. The applicant shall correct the purpose in the Project Notes to 'The purpose of this submittal is to amend the previously approved Preliminary Master Development Plan and revise the previously approved Final Master Development Plan for Phase 7, Sections 1-4 of this development, consisting of 62 single-family lots and open space'.
3. The applicant shall correct the Project Schedule on sheet C1.0 to reflect the correct amount of lots for Section 2.
4. The applicant shall show and label the stream buffer on sheet C1.0 and traffic calming measures on the Amended Preliminary and Revised Final Master Development Plan.
5. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.
6. The applicant shall submit a site surety, in an amount to be determined by the applicant and approved by Codes/Planning Department, to the Codes/Planning Department prior to the issuance of any building permits for Foxland Phase 7, Sections 1-4.
7. The applicant shall submit a subdivision surety, in an amount to be determined by the Engineering Division, to the Codes/Planning Department prior to recording of the final plats for Foxland Phase 7, Sections 1-4.
8. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, to the White House Utility District prior to the recording of the final plats for Foxland Phase 7, Sections 1-4.
9. The applicant shall submit three (3) corrected, folded copies of the Amended Preliminary Master Development Plan/Revised Final Master Development Plan to the Codes/Planning Department prior to submitting the final plat for Planning Commission approval. Please submit one (1) full size plan and two (2) half size plans to the Codes/Planning Department.



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
[KATHERINE.SCHOCH@GALLATIN-TN.GOV](mailto:KATHERINE.SCHOCH@GALLATIN-TN.GOV)

ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL

### Project Comments

**Meeting Date: 07/22/2013**

**RE: FOXLAND, PHASE 7, SECTIONS 1-4, Final Master Development Plan**

**Reference #: PC0152-13**

#### Department of Public Utilities

Review Date: 06/28/2013

1. Water & sewer served by W.H.U.D.

W.H.U.D.

Review dated: 7/3/13

1. Please contact W.H.U.D.
2. They need to show all meters on the plat.
3. They need to show valves at beginning and end of the water line.

#### Planning Department

Codes/Planning Department Project Manager: Robert Kalisz

Review Date: 07/01/2013

1. Correct the flood note to match the project notes about flood hazard area.
2. Show and label dimensions and callings for boundary located between Section 3 and Section 4.
3. Show and dimensions for all lots.
4. Entrance features shall be 15' setback from R.O.W. (property Line) and located in open spaces, not in public R.O.W.
5. Add note that H.O.A. will be responsible for maintaining all landscaping especially in street medians located near Douglas Bend Road.
6. The shape of Lot 1286 will dictate the location of the house to be located near the road. The shape of the lot in the rear will limit any additional structures to be constructed. Can Lot 1286 be re-designed? Not a good buildable lot, could cause issues in the future.
7. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.
8. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP and submit PDF files of all supporting documents and correspondence. Label file formats on CD.
9. Submit a detailed response letter addressing all departmental review comments.
10. RETURN CHECKPRINT & CHECKLIST
11. Resubmittal documents must be turned in to the Codes/Planning Department



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
KATHERINE.SCHOCH@GALLATIN-TN.GOV

ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL

by 4:30 PM on 7/11/2013.

12. Resubmittals must include the above information in order to be considered a complete resubmittal.

**Codes Department**

Review Date: 07/05/2013

No comments

**Engineering Division**

7-17-2013 RESUBMITTAL JZW:

- 1. SHOW STREAM BUFFER ON LAYOUT PLAN.
- 2. TRAFFIC CALMING MEASURES SHALL BE SHOWN ON FMDP. APPROVAL OF THESE MEASURES IS A CONDITION OF APPROVAL.
- \*5' PUDE'S ARE VARIANCE FROM SUB-REGS.

Review Date: 7-3-2013 JZW:

- 1. Provide stream buffer (25' from top of bank) for "stream" running through Open Spaces.
- 2. Provide traffic calming measures. One suggestion is the use of chicanes at the Open Space areas.
- 3. Drainage infrastructure for the "stream" is different than that shown on the preliminary plat. Please correct/clarify. \*5' PUDE's are variance from sub-regs.

**Fire Department**

Review Date: 07/05/2013

No comments

**Police Department**

Review Date: 06/28/2013

Reviewed: No comments

**Gallatin Department of Electricity**

Review Date: 07/01/2013

O.K.

**Sumner County, E-911**

Review Date:

N/A

**Industrial Pre-treatment Department**

Review Date: 06/28/2013

No comments: Natural Gas only.



July 12, 2013

Katherine Schoch, AICP  
Assistant Director  
Gallatin Codes/Planning Department  
132 West Main Street, Room 201  
Gallatin, TN 37066

RECEIVED  
JUL 12 2013

GALLATIN PLANNING  
& ZONING

**RE: Foxland, Phase 7, Sections 1-4  
Final Master Development Plan**

Dear Katherine,

In response to the review comments received on July 5, 2013, we have revised the plans for the Final Master Development Plan for Foxland, Phase 7 Sections 1-4. Below is an itemized response to each comment as they appeared in the original comments letter:

#### Department of Public Utilities

1. Water and sewer served by W.H.U.D. Please Contact W.H.U.D  
*We have contacted W.H.U.D., as requested we have submitted Preliminary Construction Plans.*

#### Planning Department Comments

1. Correct the flood note to match the project notes about flood hazard area.  
*We have corrected all flood notes to match the project notes pertaining to the flood hazard area.*
2. Show and label dimensions and callings for boundary located between Section 3 and Section 4.  
*We have shown and labeled dimensions and callings for the boundary located between Section 3 and Section 4.*
3. Show and dimensions for all lots.  
*We have provided dimensions for all lots.*
4. Entrance features shall be 15' setback from R.O.W. (property Line) and located in open spaces, not in public R.O.W.  
*A 15' setback line from the Public ROW has been shown and labeled on sheet C1.0.*
5. Add note that H.O.A will be responsible for maintaining all landscaping especially in street medians located near Douglas Bend Road.  
*Note 8 in the Project Notes on the Cover Sheet has been added clarifying that the H.O.A. shall be responsible for maintaining landscaping within open space as well as landscaping within medians near Douglas Bend Road.*
6. The shape of Lot 1286 will dictate the location of the house to be located near the road. The shape of the lot in the rear will limit any additional structures to be constructed. Can Lot 1286 be re-designed? Not a good buildable lot, could cause issues in the future.  
*Per discussions with staff, a note has been added to sheet C1.0 stating lot 1286 is an irregularly shaped lot.*

# RESUBMITTAL

PC0152-13

# ATTACHMENT 3-2

- 2 -

July 11, 2013

7. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.  
*We have included 1 full-size and 15 half-size sets of plans with this submittal.*
8. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP and submit PDF files of all supporting documents and correspondence. Label file formats on CD.  
*We have included a CD with all digital copies of plans and correspondence, including a DWG file and PDF files of the submittal plans.*
9. Submit a detailed response letter addressing all departmental review comments.  
*We believe the attached submittal package has addressed all of the comments and believe this submittal is complete.*
10. RETURN CHECKPRINT & CHECKLIST  
*The Checkprint & Checklist have been returned with this submittal package.*
11. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 pm on 7/11/2013.  
*Per discussions with staff, a grace period of one day has been given for the submittal deadline due to receiving WHUD comments on 7/11/13. We wanted to ensure all comments were addressed with this submittal.*
12. Resubmittals must include the above information in order to be considered a complete resubmittal.  
*We believe all staff comments have been addressed and this submittal is complete.*

## Engineering Division Comments

1. Provide stream buffer (25' from top of bank) for "stream" running through Open Spaces.  
*A buffer has been provided for the "stream" running through the Open Space near lots 1270 & 1489.*
2. Provide traffic calming measures. One suggestion is the use of chicanes at the Open Space areas.  
*Per discussion with staff, a note has been added to sheet C1.0 identifying the location of the traffic calming measure.*
3. Drainage infrastructure for the "stream" is different than that shown on the preliminary plat. Please correct/clarify. \*PUDE's are variance from sub-reg.  
*We have updated the storm infrastructure with this submittal to be consistent with the Preliminary Plat. We understand a variance must be obtained for the PUDE's shown.*

Other departments (Codes Department, Fire Department, Police Department, Gallatin Department of Electricity, and Industrial Pre-treatment Department) did not have any comments at this time. I hope this appropriately addresses the comments generated during review. Please feel free to call if you need anything further from our office or if you have any questions.

Sincerely,

  
Michael Dewey, PE

RECEIVED  
JUL 12 2013

GALLATIN PLANNING  
& ZONING

RESUBMITTAL 15

PC0152-13

# An Amended Preliminary & Final Master Development Plan

for

# Foxland

## Phase 7, Sections 1-4

Being Portion of Parcel 10.03 on Tax Map 147  
Gallatin, Sumner County, Tennessee  
Vinings Boulevard

Revisions:  
7/12/13; Revised per Staff  
Comments. Added 25' Buffer  
Removed Lot East of Buffer  
North of Vinings Blvd.

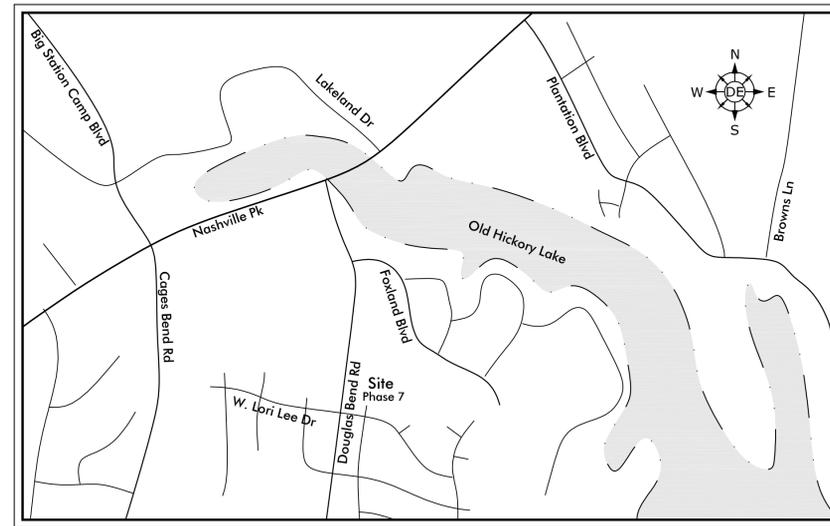
Drawing Notes:

Date: June 2013

**Foxland**  
**Phase 7, Sections 1-4**  
 Being Portion of Parcel 10.03 on Tax Map 147  
 Gallatin, Sumner County, Tennessee

### Project Notes

- The purpose of this submittal is to amend the previously approved Preliminary Master Development Plan and provide a Final Master Development Plan to obtain approval for Phase 7, Sections 1-4 of this development, consisting of 62 single-family lots.
- Any excavation, fill or disturbance of the existing ground must be done in accordance with the standards of the City of Gallatin.
- This Property is Not Located Within a Flood Hazard Area as Indicated by Zone 'X' on FEMA Map Number 47165C0409G. Dated: April 17, 2012. Floodplain Development Permits and Elevation Certificates are Required if Property is Located within 100 Year Floodplain.
- All public streets, curbs, and sidewalks are to be constructed in conformance with the City of Gallatin design standards.
- Wheelchair accessible curbs ramps, complying with applicable City of Gallatin standards, shall be constructed at all street crossings.
- Individual water and/or sanitary sewer service lines are required for each lot.
- The final Construction Documents shall indicate the proposed method to deal with stormwater runoff for this project.
- Homeowners' Association shall be responsible for maintaining all landscaping located within open space as well as landscaping within medians near the intersection of Douglas Bend Rd.
- All areas designated as Open Space will be owned and maintained by the Homeowners' Association.
- All Construction and Use of the Proposed Facility to Meet the Applicable Performance Standards as Set Forth in the City of Gallatin Zoning Ordinance, Section 13.02.
- The owner/developer of this property is responsible for all financial matters.



Vicinity Map  
NTS

### Project Summary

#### Site Data

Councilmatic District #4  
Council Person Craig Hayes

Property Location/Address:  
Located on the East Side of Foxland Blvd  
Approx. 500 ft North of Lori Lee Dr  
Address (GIS): 0 Douglas Bend Rd  
Gallatin, TN 37066

Property Owner: Oakbrook Realty & Investments, LLC and Royce Realty  
Address: 1000 Royce Blvd  
Oakbrook Terrace, IL 60181  
Phone: (630) 268-4000

Developer: Green Trails, LLC  
Contact: Rick Deckbar  
Address: 2925 Berry Hill Drive  
Nashville, TN 37204  
Phone: (615) 397-4513

Engineer: Dewey-Estes Engineering  
Contact: Michael Dewey, PE  
Address: 2925 Berry Hill Drive  
Nashville, TN 37204  
Phone: (615) 401-9956  
Fax: (615) 401-9956  
Email: mdewey@dewey-estes.com

#### Site Information

Tax Map 147, Portion of Parcel 10.03

Zoning - MRO

Phase 7, Sections 1-4 Area - 18.05 Acres

Current Use: Vacant  
Proposed Use: One-Family Detached Dwelling

Plan Preparation Date: June 26, 2013

Lot Breakdown:  
Total Lots - 62  
Phase 7, Section 1 - 21 Lots  
Phase 7, Section 2 - 19 Lots  
Phase 7, Section 3 - 17 Lots  
Phase 7, Section 4 - 5 Lots

Open Space Area - 0.96 Acres  
ROW Area - 3.00 Acres  
Lot Area - 14.09 Acres

Minimum Front Yard: 20 Ft  
Minimum Rear Yard: 15 Ft  
Minimum Side Yard: 5 Ft

Maximum Height: 3 Stories (35 Feet Building Height)

### Sheet Schedule

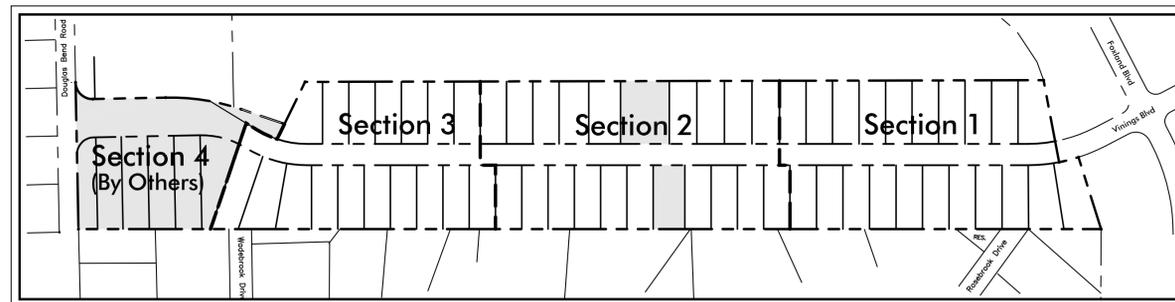
- C0.0** Cover Sheet
- C1.0** Overall Layout Plan
- C2.0** Overall Grading & Utilities Plan
- C3.0** Overall Landscape Plan

#### SITE BENCHMARK

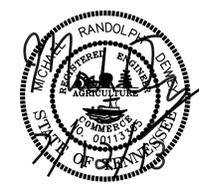
Fire Hydrant Tag Bolt Located on the  
Northerly Margin of Vinings Blvd Approx.  
200 ft West of Foxland Blvd  
NAVD 88 Elevation = 517.36

#### FLOOD NOTE

This Property is Not Located Within a  
Flood Hazard Area as Indicated by Zone 'X'  
on FEMA Map Number 47165C0409G.  
Dated: April 17, 2012.



Phase 7 Section Map  
Scale: 1"=200'



**DE**  
 DEWEY/ESTES  
 ENGINEERING

Cover Sheet

Job No. 12010

**C0.0**

1 of 4

Revisions:

Drawing Notes:

Date: June 2013

# Foxland Phase 7, Sections 1-4 Being Portion of Parcel 10.03 on Tax Map 147 Gallatin, Sumner County, Tennessee

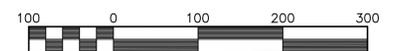
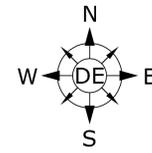
## DEWEY/ESTES ENGINEERING

Overall  
Layout Plan

Job No. 12010

# C1.0

2 of 4



Scale 1" = 100'

### Phase 7 Area = 18.05 Acres

**ENGINEER**  
Dewey-Estes Engineering  
Contact: Michael Dewey, PE  
2925 Berry Hill Drive  
Nashville, TN 37204  
Ph: (615) 401-9956  
Fax: (615) 401-9956  
Email: mdewey@dewey-estes.com

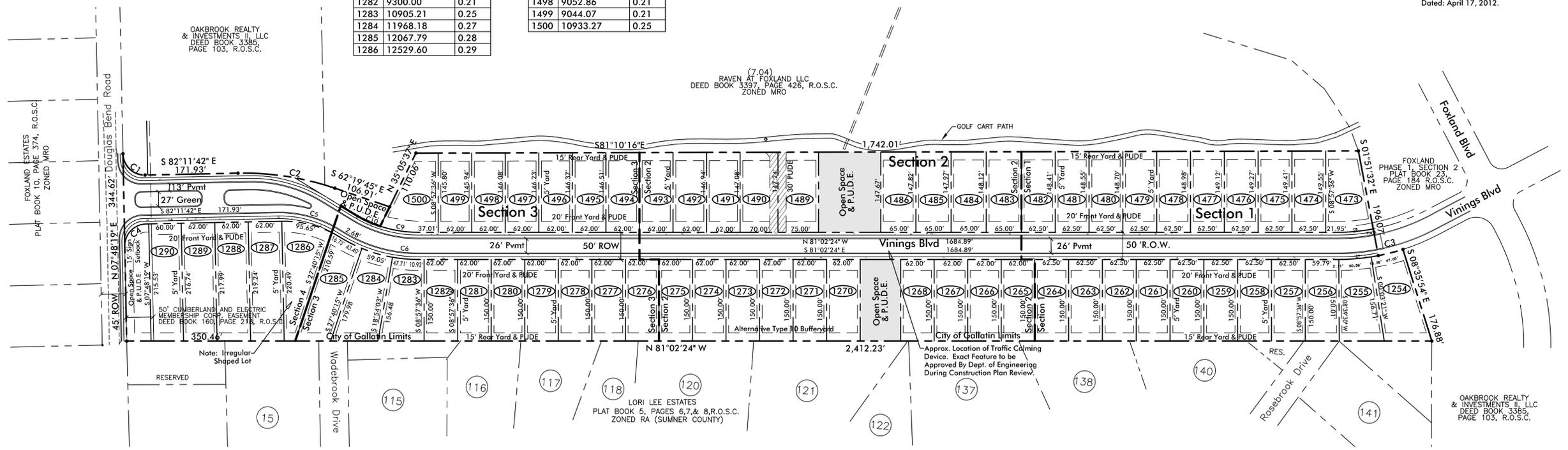
**DEVELOPER**  
Green Trails, LLC  
Contact: Rick Deckbar  
2925 Berry Hill Drive  
Nashville, TN 37204  
Ph: (615) 397-4513

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Dated: April 17, 2012.

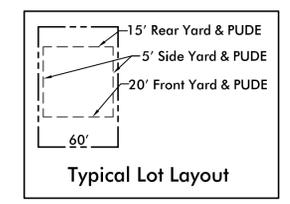
### LOT TABLE

NAME	SQUARE FEET	ACRES	NAME	SQUARE FEET	ACRES
1254	12077.82	0.28	1287	13631.67	0.31
1255	10888.61	0.25	1288	13554.16	0.31
1256	9343.44	0.21	1289	13476.65	0.31
1257	9375.00	0.22	1290	12968.12	0.30
1258	9375.00	0.22	1473	11012.79	0.25
1259	9375.00	0.22	1474	9342.59	0.21
1260	9375.00	0.22	1475	9333.66	0.21
1261	9375.00	0.22	1476	9324.72	0.21
1262	9375.00	0.22	1477	9315.79	0.21
1263	9375.00	0.22	1478	9306.86	0.21
1264	9375.00	0.22	1479	9297.92	0.21
1265	9300.00	0.21	1480	9288.99	0.21
1266	9300.00	0.21	1481	9280.06	0.21
1267	9300.00	0.21	1482	9271.12	0.21
1268	9300.00	0.21	1483	9632.49	0.22
1270	9300.00	0.21	1484	9622.83	0.22
1271	9300.00	0.21	1485	9613.17	0.22
1272	9300.00	0.21	1486	9603.51	0.22
1273	9300.00	0.21	1489	11049.24	0.25
1274	9300.00	0.21	1490	10301.01	0.24
1275	9300.00	0.21	1491	9114.40	0.21
1276	9300.00	0.21	1492	9105.61	0.21
1277	9300.00	0.21	1493	9096.81	0.21
1278	9300.00	0.21	1494	9088.02	0.21
1279	9300.00	0.21	1495	9079.23	0.21
1280	9300.00	0.21	1496	9070.44	0.21
1281	9300.00	0.21	1497	9061.65	0.21
1282	9300.00	0.21	1498	9052.86	0.21
1283	10905.21	0.25	1499	9044.07	0.21
1284	11968.18	0.27	1500	10933.27	0.25
1285	12067.79	0.28			
1286	12529.60	0.29			



**CURVE TABLE**

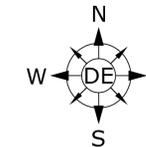
NUMBER	DELTA	RADIUS	TANGENT	ARC	CHORD BEARING	CHORD LENGTH
C1	90°00'00"	40.00	40.00	62.83	N 37°11'41" W	56.57
C2	19°51'55"	525.00	91.94	182.03	S 72°15'43" E	181.12
C3	06°44'22"	400.00	23.55	47.05	S 84°46'17" W	47.02
C4	89°59'58"	40.00	40.00	62.83	S 52°48'19" W	56.57
C5	19°51'55"	200.00	76.18	103.93	S 67°25'29" E	102.82
C6	18°42'38"	275.00	61.78	150.17	N 65°23'46" W	148.51
C7	10°49'06"	400.00	37.88	75.53	N 86°26'57" W	75.41
C8	10°49'06"	350.00	33.14	66.08	N 86°26'57" W	65.99
C9	15°07'32"	225.00	43.15	71.43	S 71°56'43" E	71.13
C10	03°35'06"	225.00	10.17	51.44	S 56°18'04" E	51.32



### Project Schedule

- 1) Phase 7, Section 1 (21 Lots) July 2012-June 2013
- 2) Phase 7, Section 2 (20 Lots) July 2013-June 2014
- 3) Phase 7, Section 3 (17 Lots) July 2014-June 2015
- 4) Phase 7, Section 4 (5 Lots) TBD (By Others)





Scale 1" = 100'

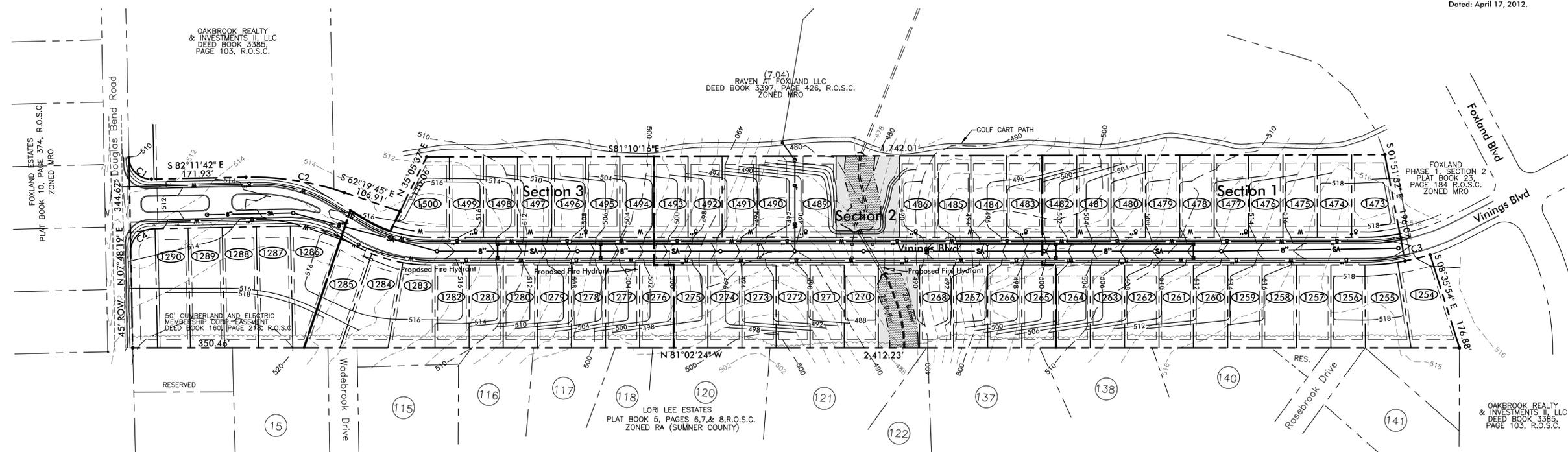
Phase 7 Area = 18.05 Acres

<b>ENGINEER</b> Dewey-Estes Engineering Contact: Michael Dewey, PE 2925 Berry Hill Drive Nashville, TN 37204 Ph: (615) 401-9956 Fax: (615) 401-9956 Email: mdewey@dewey-estes.com	<b>DEVELOPER</b> Green Trails, LLC Contact: Rick Deckbar 2925 Berry Hill Drive Nashville, TN 37204 Ph: (615) 397-4513
--	--

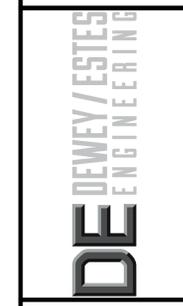
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FEMA Map Number 47165C0409G.  
Dated: April 17, 2012.

Revisions:  
  
Drawing Notes:  
  
Date: June 2013



**Foxland**  
**Phase 7, Sections 1-4**  
Being Portion of Parcel 10.03 on Tax Map 147  
Gallatin, Sumner County, Tennessee

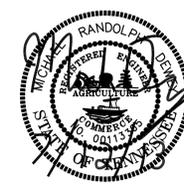


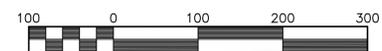
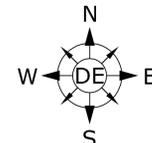
Overall Grading & Utilities Plan

Job No. 12010

**C2.0**

3 of 4





Scale 1" = 100'

Phase 7 Area = 18.05 Acres

**ENGINEER**  
Dewey-Estes Engineering  
Contact: Michael Dewey, PE  
2925 Berry Hill Drive  
Nashville, TN 37204  
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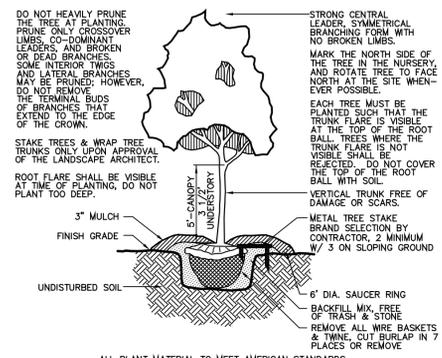
Drawing Notes:

Date: June 2013

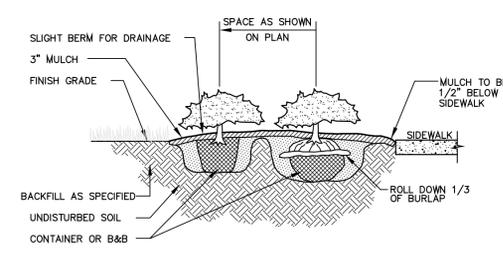
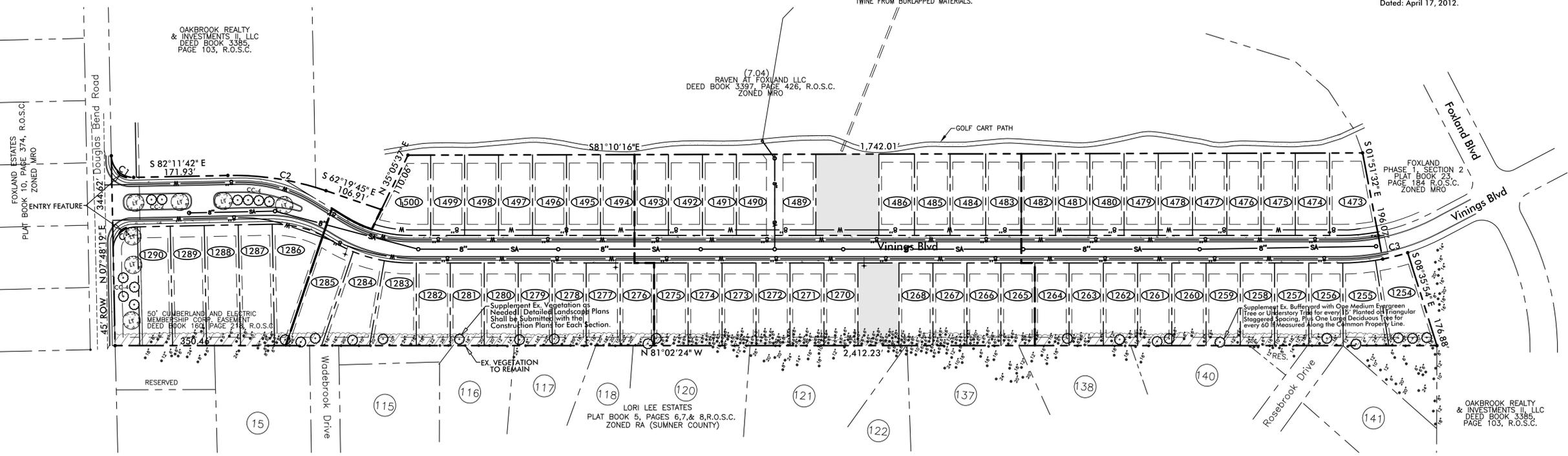
**Foxland**  
**Phase 7, Sections 1-4**  
Being Portion of Parcel 10.03 on Tax Map 147  
Gallatin, Sumner County, Tennessee

LANDSCAPE NOTES

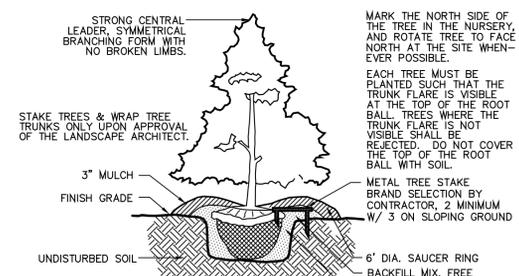
1. THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL UTILITIES AND TAKE PRECAUTIONS TO PREVENT DAMAGE TO THE UTILITIES.
2. ALL PLANTING AND MULCH BEDS SHALL BE HAND WEEDED OR SPRAYED WITH ROUND-UP (CONTRACTOR'S OPTION) PRIOR TO THE INSTALLATION OF MULCH.
3. PLANT MATERIALS AND STUMPS INDICATED FOR REMOVAL SHALL BE REMOVED AND DISPOSED OFF-SITE BY THE CONTRACTOR. BACKFILL HOLES WITH TOPSOIL FREE OF ROOTS AND ROCKS.
4. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINE GRADING OF ALL PLANTING AREAS.
5. ALL PLANTING AREAS SHALL BE FERTILIZED WITH 12#/1000 S.F. OF 10-10-10 FERTILIZER.
6. ALL PLANTING BEDS SHALL HAVE A MINIMUM OF 3" DEPTH OF SHREDDED HARDWOOD BARK MULCH.
7. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL MATERIAL QUANTITIES. IN THE EVENT OF A DISCREPANCY, THE QUANTITIES SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
8. THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH WRITTEN INSTRUCTIONS ON THE PROPER CARE OF ALL SPECIFIED PLANT MATERIALS PRIOR TO FINAL PAYMENT.
9. ALL DISTURBED AREAS SHALL BE PLANTED WITH TURF AS INDICATED ON THE MATERIALS SCHEDULE.
10. ALL DECIDUOUS TREES, EXISTING AND PROPOSED SHALL BE PRUNED TO PROVIDE 4' MINIMUM CLEAR TRUNK UNLESS OTHERWISE NOTED.
11. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A ONE YEAR WARRANTY ON ALL PLANT MATERIALS AND REPLACE ANY DEAD OR DYING MATERIAL WITHIN THAT TIME PERIOD.
12. NO PLANT MATERIALS SHOULD BE SUBSTITUTED WITHOUT AUTHORIZATION BY THE DESIGN PROFESSIONAL. PLANT SIZES SHOWN ARE MINIMUMS REQUIRED BY THE LOCAL MUNICIPALITY AND MATERIALS SHOWN HAVE BEEN SELECTED SPECIFICALLY FOR THIS PROJECT.
13. ALL WIRE BASKETS SHALL BE COMPLETELY REMOVED AND DISPOSED OF. BURLAP SHOULD BE REMOVED OR PUNCTURED IN AT LEAST 5 PLACES. REMOVE ALL TWINE FROM BURLAPPED MATERIALS.



DECIDUOUS TREE PLANTING DETAIL



SHRUB / GROUND COVER PLANTING DETAIL



EVERGREEN TREE PLANTING DETAIL

MATERIALS SCHEDULE

KEY	QTY	SCIENTIFIC NAME/ COMMON NAME	HEIGHT	SPREAD	TRUNK	REMARKS
<b>TREES</b>						
CC	13	Cercis canadensis 'Forest Pansy' / Forest Pansy Redbud	8'-10'	4'-5'	2"	4' Clear Trunk
LT	5	Liriodendron tulipifera / Tulip Poplar	12'-14'	6'-7'	2-1/2"	5' Clear Trunk
ZS	3	Acer rubrum 'Bowhall' / Bowhall Red Maple	12'-14'	3'-4'	2"	3' Clear Trunk
<b>SHRUBS</b>						
RR	12	Rosa x 'Radtko' / Red Knockout Rose	18"-24"	18"-24"	F.T.B.	Matched
<b>TURF</b>						
SEED		Turf Mixture				80% Rebel Supreme, 20% Merion Bluegrass. Seed all disturbed areas @ 5#/1,000 sf.
<b>MISCELLANEOUS</b>						
MULCH		Shredded Hardwood Bark Mulch				Minimum 3" depth throughout. Min. 4" deep on slopes greater than 3:1.
<b>NOTES</b>						
F.T.B. = Full To Bottom Site Surety Required for Required Landscaping.						

NOTE: HOSE BIBBS SHALL BE PROVIDED TO WITHIN 100 FT OF ALL PLANTED MATERIAL OR INSTALL IRRIGATION SYSTEM TO ALL PLANTED MATERIAL. IRRIGATION SYSTEM TO BE DESIGNED BY QUALIFIED INSTALLER (DESIGN/BUILD), AND BE INSTALLED AND OPERATIONAL BEFORE COMPLIANCE INSPECTION.

PLANT MATERIAL SHALL NOT BE SUBSTITUTED WITHOUT COORDINATION WITH THE DESIGN PROFESSIONAL. MATERIAL AND QUANTITIES SHOWN ARE REQUIRED BY THE CODES DEPARTMENT.

IT IS THE LANDSCAPE CONTRACTORS RESPONSIBILITY TO IDENTIFY ALL UTILITIES AND EASEMENTS & TO NOTIFY DESIGN PROFESSIONAL OF DISCREPANCIES AND CONFLICTS.

ALL PLANT MATERIAL TO MEET THE AMERICAN STANDARDS FOR NURSERY STOCK MINIMUM PLANT MATERIAL REQUIREMENTS. MATERIALS NOT MEETING THESE STANDARDS WILL BE REJECTED.



Overall Landscape Plan

Job No. 12010

C3.0

4 of 4

# ITEM 4

GMRPC Resolution No. 2013-55

## RESOLUTION APPROVING A PRELIMINARY PLAT FOR FOXLAND, PHASE 7, SECTION 2 IN ORDER TO CREATE 19 DWELLING: ONE-FAMILY DETACHED LOTS– PC0151-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Plat submitted by the applicant, Dewey-Estes Engineering, at its regular meeting on July 22<sup>nd</sup>, 2013; and

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

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

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

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

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

1. The Planning Commission approve the side yard exception at five (5) feet as shown.
2. The applicant shall submit a site surety, in an amount to be determined by the applicant, prior to the issuance of any building permits for Foxland Phase 7, Sections 1-4.

3. The applicant shall submit a subdivision surety, in an amount to be determined by the Engineering Division, prior to recording of the final plats for Foxland Phase 7, Sections 1-4.
4. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plats for Foxland Phase 7, Sections 1-4.
5. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

\_\_\_\_\_  
Dick Dempsey, Chairman

\_\_\_\_\_  
Johnny Wilson, Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
JOE H. THOMPSON  
CITY ATTORNEY

# EXHIBIT A

## ITEM 4

### 7/22/13 GMRPC MEETING

**Applicant requests approval of a preliminary plat for Foxland, Phase 7, Section 2, a major subdivision containing 19 lots on 5.59 (+/-) acres, located on the east side of Foxland Boulevard, approximately 500 linear feet north of Lori Lee Drive. (PC0151-13)**

**Attachment 4-1 Preliminary Plat**

**Attachment 4-2 Response Letter from Michael Dewey, P.E. dated 7/12/13**

#### **ANALYSIS**

The applicant is requesting approval of a preliminary plat for Foxland, Phase 7, Section 2, a major subdivision containing 19 lots. The lots and right-of-way cover 5.59 (+/-) acres and are located on the east side of Foxland Boulevard, approximately 500 linear feet north of Lori Lee Drive. The property is currently zoned Multiple Residential and Office (MRO) and Dwelling: One Family Detached is a permitted use in the MRO zone district. No portion of the property is located in a special flood hazard area.

#### ***Previous Approvals***

At the November 28, 2005 meeting, the Planning Commission recommended approval of a Preliminary Master Development Plan to rezone 416.87 (+/-) acres, known as the Foxland property, from Residential-15 Planned Unit Development (R15 PUD) and Multiple Residential and Office Planned Unit Development (MRO PUD) to Mixed Use (MU) and Multiple Residential and Office (MRO) (PC File #3-16-05). The plan called for 81.37 (+/-) acres to be rezoned to MU and 335.50 (+/-) acres to be rezoned to MRO. At that time the applicant labeled the proposed MU portion of the property as future development and did not submitted any details or plans for that property. The Preliminary Master Development Plan and rezoning request passed Second Reading at the February 7, 2006 City Council meeting.

At the May 23, 2011 meeting, the Planning Commission recommended that the proposed changes to the Foxland, Ph. 3, Section 1, Ph. 7, and Ph. 9 Preliminary Master Development Plan (PC9814-11) be considered as a major amendment. The amended Preliminary Master Development Plan for Foxland, Ph. 3, Sec. 1, Ph. 7 and Ph. 9 was approved by City Council at the August 16, 2011 meeting.

At the February 27, 2012 Planning Commission meeting, the applicant received approval of a minor amendment to the Preliminary Master Development Plan for Foxland, Phase 3, Section 1, Phase 7 and Phase 9.

At the March 26, 2013 Planning Commission meeting, the applicant received approval of a minor amendment to the Preliminary Master Development Plan and approval of a Final Master Development Plan for Foxland 7, Sections 1-4 (PC9959-12) containing 63 lots and open space.

An Amended Preliminary Master Development Plan and a Revised Final Master Development Plan (PC0152-13) was approved as the previous item on this agenda.

# EXHIBIT A

## ***Side Yard Exception***

With the Amended Preliminary Master Development Plan and Revised Final Master Development Plan (PC0152-13), that was the previous item on the agenda, the applicant requested approval of an exception to the 10-foot side yard requirement in order to allow five (5) foot side yards. This same request was approved by the Planning Commission as part of the previous approved Preliminary Master Development Plan. Staff is comfortable with the side yard exception and recommends approval as shown on the Revised Final Master Development Plan (PC0152-13). The Engineering Division wanted to note that the five (5) foot P.U.D.E.s are less than the required ten (10) foot P.U.D.E. required by the Subdivision Regulations.

## ***Lot Layout***

This Preliminary Plat shows 19 total lots that will contain single family homes and two (2) open space and Public Utility and Drainage Easements areas. These two (2) open space areas are located between Lots 1489 and 1486 as well as between Lots 1270 and 1268.

## ***White House Utility District Comments***

This area is serviced by the White House Utility District. This plan is currently under review by White House Utility District; therefore, the Codes/Planning Department has not received any review comments. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.

## ***Engineering Division Comments***

The applicant has satisfied all Engineering Division review comments.

## ***Other Departmental Comments***

The applicant has satisfied all other departmental review comments.

## **RECOMMENDATION**

Staff recommends approval of the Preliminary Plat with the following conditions:

1. The Planning Commission approve the side yard exception at five (5) feet as shown.
2. The applicant shall submit a site surety, in an amount to be determined by the applicant, prior to the issuance of any building permits for Foxland Phase 7, Sections 1-4.
3. The applicant shall submit a subdivision surety, in an amount to be determined by the Engineering Division, prior to recording of the final plats for Foxland Phase 7, Sections 1-4.
4. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plats for Foxland Phase 7, Sections 1-4.
5. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. /ASSIST. DIRECTOR  
[KATHERINE.SCHOCH@GALLATIN-TN.GOV](mailto:KATHERINE.SCHOCH@GALLATIN-TN.GOV)

ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL

# EXHIBIT A

**Meeting Date: 07/22/2013**  
**RE: FOXLAND, PHASE 7, SECTION 2, Preliminary Plat**  
**Reference #: PC0151-13**

## Department of Public Utilities

Review Date: 06/28/2013

1. Water & sewer served by W.H.U.D.

W.H.U.D.

Review dated: 7/3/13

1. Please contact W.H.U.D.

## Planning Department

Codes/Planning Department Project Manager: Kevin Chastine

Review Date: 7/03/2013

1. Updated both FEMA notes with the 2012 FIRM Panel information.
2. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.
3. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP and submit PDF files of all supporting documents and correspondence. Label file formats on CD.
4. Submit a detailed response letter addressing all departmental review comments.
5. RETURN CHECKPRINT & CHECKLIST
6. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 7/11/2013.
7. Resubmittals must include the above information in order to be considered a complete resubmittal.

## Codes Department

Review Date: 07/05/2013

No comments



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. /ASSIST. DIRECTOR  
KATHERINE.SCHOCH@GALLATIN-TN.GOV

ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL



**Engineering Division**

7-17-2013 RESUBMITTAL JZW:

- 1. TRAFFIC CALMING MEASURES SHALL BE SHOWN ON FMDP. APPROVAL OF THESE MEASURES IS A CONDITION OF APPROVAL.
- 2. CONSTRUCTION PLANS MUST BE SUBMITTED PRIOR TO PLANNING COMMISSION APPROVAL OF PREL. PLAT.
- \*5' PUDE'S ARE VARIANCE FROM SUB-REGS.

Review Date: 7-3-2013 JZW:

- 1. Provide stream buffer (25' from top of bank) for "stream" running through Open Spaces. No development or construction is allowed within this buffer.
- 2. Provide traffic calming measures. One suggestion is the use of chicanes at the Open Space areas.
- 3. Drainage infrastructure for the "stream" is different than that shown on the FMDP. Please correct/clarify.
- 4. Construction plans must be submitted prior to approval of Preliminary Plat. \*5' PUDE's are variance from sub-reg.

**Fire Department**

Review Date: 07/05/2013

No comments

**Police Department**

Review Date: 06/28/2013

Reviewed: no comments

**Gallatin Department of Electricity**

Review Date: 07/01/2013

O.K.

**Sumner County, E-911**

Review Date: 06/28/2013

Lot 1265 - 1049 Vinings Boulevard

Lot 1266 - 1053

Lot 1267 - 1057

Lot 1268 - 1061

Lot 1270 - 1069

Lot 1271 - 1073

Lot 1272 - 1077

Lot 1273 - 1081

Lot 1274 - 1083

Lot 1275 - 1087

Lot 1483 - 1048

Lot 1484 - 1052



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INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
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ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL

EXHIBIT A

Lot 1485 - 1056  
Lot 1486 - 1060  
Lot 1487 - 1064  
Lot 1089 - 1072  
Lot 1490 - 1076  
Lot 1491 - 1080

Lot 1492 - 1084  
Lot 1493 - 1088 Vinings Boulevard

**Industrial Pre-treatment Department**  
Review Date:  
N/A

# EXHIBIT A ATTACHMENT 4-2



July 12, 2013

Katherine Schoch, AICP  
Assistant Director  
Gallatin Codes/Planning Department  
132 West Main Street, Room 201  
Gallatin, TN 37066

RECEIVED  
JUL 12 2013

GALLATIN PLANNING  
& ZONING

**RE: Foxland, Phase 7, Section 2  
Preliminary Plat**

Dear Katherine,

In response to the review comments received on July 5, 2013, we have revised the plans for the Preliminary Plat for Foxland, Phase 7 Section 2. Below is an itemized response to each comment as they appeared in the original comments letter:

## Department of Public Utilities

1. Water and sewer served by W.H.U.D. Please Contact W.H.U.D  
*We have contacted W.H.U.D., as requested we have submitted Preliminary Construction Plans.*

## Planning Department Comments

1. Updated both FEMA notes with the 2012 FIRM Panel information.  
*We have updated all FEMA notes in accordance with the 2012 FIRM Panel.*
2. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.  
*We have included 1 full-size and 15 half-size sets of plans with this submittal.*
3. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP and submit PDF files of all supporting documents and correspondence. Label file formats on CD.  
*We have included a CD with all digital copies of plans and correspondence, including a DWG file and PDF files of the submittal plans.*
4. Submit a detailed response letter addressing all departmental review comments.  
*We believe the attached submittal package has addressed all of the comments and believe this submittal is complete.*
5. RETURN CHECKPRINT & CHECKLIST  
*The Checkprint & Checklist have been returned with this submittal package.*
6. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 pm on 7/11/2013.

RESUBMITTAL

PC0151-13

July 11, 2013

Per discussions with staff, a grace period of one day has been given for the submittal deadline due to receiving WHUD comments on 7/11/13. We wanted to ensure all comments were addressed with this submittal.

7. Resubmittals must include the above information in order to be considered a complete resubmittal.

We believe all staff comments have been addressed and this submittal is complete.

### Engineering Division Comments

1. Provide stream buffer (25' from top of bank) for "stream" running through Open Spaces. No development or construction is allowed within this buffer.  
A buffer has been provided for the "stream" running through the Open Space near lots 1270 & 1489.
2. Provide traffic calming measures. One suggestion is the use of chicanes at the Open Space areas.  
Per discussion with staff, a note has been added to sheet C1.0 identifying the location of the traffic calming measure.
3. Drainage infrastructure for the "stream" is different than that shown on the FMDP. Please correct/clarify.  
We have corrected the FMDP submittal to match the infrastructure for the stream as shown on the Preliminary Plat.
4. Construction plans must be submitted prior to approval of Preliminary Plat. \*PUDE's are variance from sub-regs.  
We understand that a variance must be obtained for the PUDE's shown.

Other departments (Codes Department, Fire Department, Police Department, Gallatin Department of Electricity, and Industrial Pre-treatment Department) did not have any comments at this time. I hope this appropriately addresses the comments generated during review. Please feel free to call if you need anything further from our office or if you have any questions.

Sincerely,



Michael Dewey, PE

RECEIVED  
JUL 12 2013

GALLATIN PLANNING  
& ZONING

# RESUBMITTAL

PC0151-13

# A Preliminary Plat for Foxland Phase 7, Section 2

Being Portion of Parcel 10.03 on Tax Map 147  
Gallatin, Sumner County, Tennessee  
Vinings Boulevard

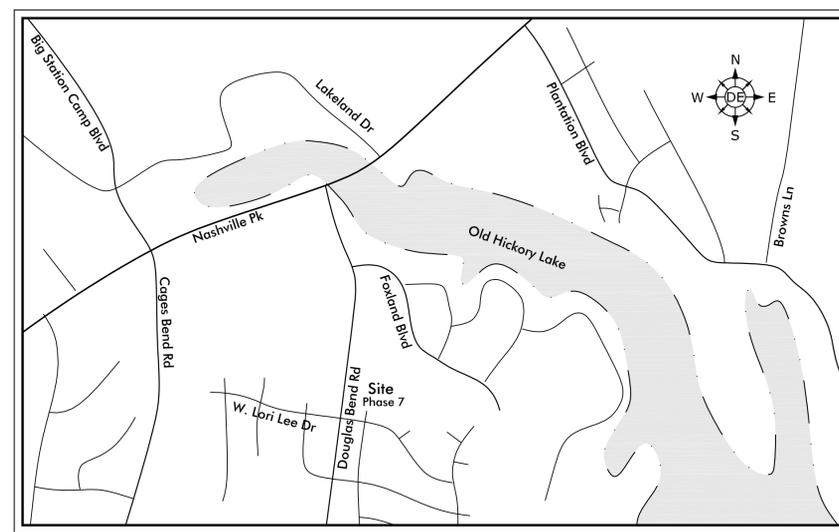
Revisions:  
7/12/13: Revised per Staff  
Comments. Added 25' Buffer  
Removed Lot East of Buffer  
North of Vinings Blvd.

Drawing Notes:

Date: June 2013

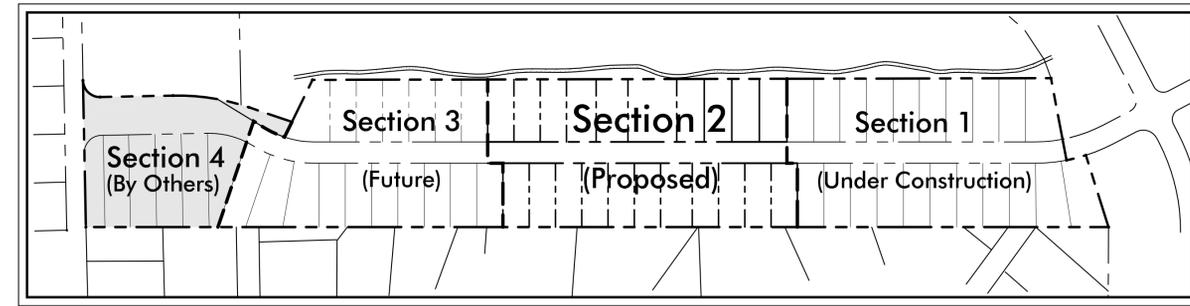
**Foxland**  
**Phase 7, Section 2**  
Being Portion of Parcel 10.03 on Tax Map 147  
Gallatin, Sumner County, Tennessee

- ### Project Notes
- The purpose of this submittal is to obtain approval of a Preliminary Plat for Phase 7, Section 2 of this development, consisting of 19 single-family lots.
  - Any excavation, fill or disturbance of the existing ground must be done in accordance with the standards of the City of Gallatin.
  - This Property is Not Located Within a Flood Hazard Area as Indicated by Zone 'X' on FEMA Map Number 47165C0409G. Dated: April 17, 2012. Floodplain Development Permits and Elevation Certificates are Required if Property is Located within 100 Year Floodplain.
  - All public streets, curbs, and sidewalks are to be constructed in conformance with the City of Gallatin design standards.
  - Wheelchair accessible curbs ramps, complying with applicable City of Gallatin standards, shall be constructed at all street crossings.
  - Individual water and/or sanitary sewer service lines are required for each lot.
  - The final Construction Documents shall indicate the proposed method to deal with stormwater runoff for this project.
  - All areas designated as Open Space will be owned and maintained by the Homeowners' Association.
  - All Construction and Use of the Proposed Facility to Meet the Applicable Performance Standards as Set Forth in the City of Gallatin Zoning Ordinance, Section 13.02.
  - The owner/developer of this property is responsible for all financial matters.



### Project Summary

Site Data	Site Information
Councilmatic District #4 Council Person Craig Hayes	Tax Map 147, Portion of Parcel 10.03
Property Location/Address: Located on the East Side of Foxland Blvd Approx. 500 ft North of Lori Lee Dr Address (GIS): 0 Douglas Bend Rd Gallatin, TN 37066	Zoning - MRO  Phase 7, Section 2 Area - 5.59 Acres  Current Use: Vacant Proposed Use: One-Family Detached Dwelling
Property Owner: Oakbrook Realty & Investments, LLC and Royce Realty Address: 1000 Royce Blvd Oakbrook Terrace, IL 60181 Phone: (630) 268-4000	Plan Preparation Date: June 26, 2013
Developer: Green Trails, LLC Contact: Rick Deckbar Address: 2925 Berry Hill Drive Nashville, TN 37204 Phone: (615) 397-4513	Total Lots - 19  Open Space Area - 0.65 Acres ROW Area - 0.81 Acres Lot Area - 4.13 Acres
Engineer: Dewey-Estes Engineering Contact: Michael Dewey, PE Address: 2925 Berry Hill Drive Nashville, TN 37204 Phone: (615) 401-9956 Fax: (615) 401-9956 Email: mdewey@dewey-estes.com	Minimum Front Yard: 20 Ft Minimum Rear Yard: 15 Ft Minimum Side Yard: 5 Ft  Maximum Height: 3 Stories (35 Feet Building Height)



### Sheet Schedule

<b>C0.0</b>	Cover Sheet
<b>C1.0</b>	Overall Layout & Utilities Plan

**SITE BENCHMARK**  
Fire Hydrant Tag Bolt Located on the  
Northerly Margin of Vinings Blvd Approx.  
200 ft West of Foxland Blvd  
NAVD 88 Elevation = 517.36

**FLOOD NOTE**  
A Portion of this property is located within a  
Zone 'AE' Flood Hazard Area, as indicated  
on FEMA Map Number 47165C0409G.  
100 Yr Elev: 452.0  
Dated April 17, 2012. All pad elevations  
shall be filled, if necessary, at least 1 foot  
above the base flood elevation.



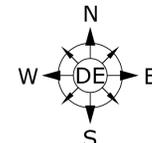
**DE**  
DEWEY/ESTES  
ENGINEERING

Cover Sheet

Job No. 12010

**C0.0**

1 of 2



Scale 1" = 50'

**Phase 7, Section 2 = 5.59 ac**

**ENGINEER**  
 Dewey-Estes Engineering  
 Contact: Michael Dewey, PE  
 2925 Berry Hill Drive  
 Nashville, TN 37204  
 Ph: (615) 401-9956  
 Fax: (615) 401-9956  
 Email: mdewey@dewey-estes.com

**DEVELOPER**  
 Green Trails, LLC  
 Contact: Rick Deckbar  
 2925 Berry Hill Drive  
 Nashville, TN 37204  
 Ph: (615) 397-4513

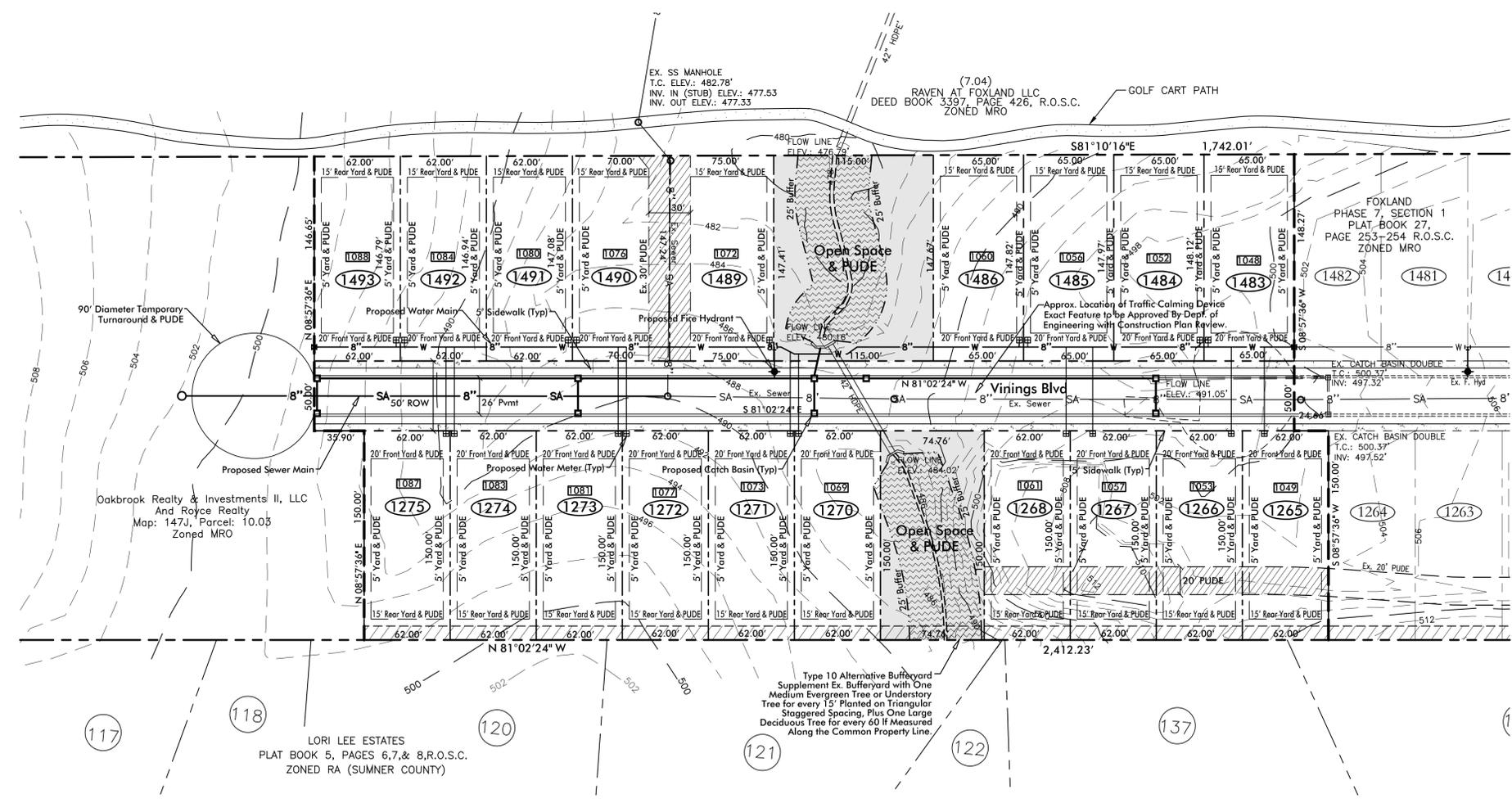
**SITE BENCHMARK**  
 Fire Hydrant Tag Bolt Located on the Northernly Margin of Vinings Blvd Approx. 200' W of Foxland Blvd  
 NAVD 88 Elevation = 517.36

**FLOOD NOTE**  
 This Property is Not Located Within a Flood Hazard Area as Indicated by Zone 'X' on FEMA Map Number 47165C0409G.  
 Dated: April 17, 2012.

Revisions:  
 7/12/13: Revised per Staff Comments. Added 25' Buffer Removed Lot East of Buffer North of Vinings Blvd.

Drawing Notes:

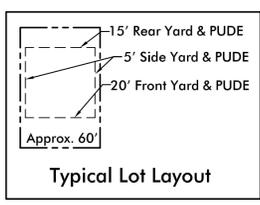
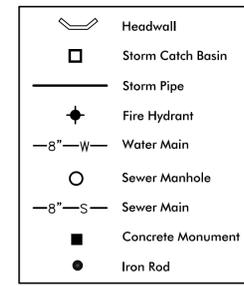
Date: June 2013



**LOT TABLE**

LOT	SQUARE FEET	ACRES
1265	9300.00	0.21
1266	9300.00	0.21
1267	9300.00	0.21
1268	9300.00	0.21
1270	9300.00	0.21
1271	9300.00	0.21
1272	9300.00	0.21
1273	9300.00	0.21
1274	9300.00	0.21
1275	9300.00	0.21
1483	9632.49	0.22
1484	9622.83	0.22
1485	9613.17	0.22
1486	9603.51	0.22
1489	11049.24	0.25
1490	10301.01	0.24
1491	9114.40	0.21
1492	9105.61	0.21
1493	9096.81	0.21

**Foxland**  
**Phase 7, Section 2**  
 Being Portion of Parcel 10.03 on Tax Map 147  
 Gallatin, Sumner County, Tennessee



**Project Schedule**

1. Phase 7, Section 1 (21 Lots)	Under Construction
2. Phase 7, Section 2 (20 Lots)	July 2013-June 2014
3. Phase 7, Section 3 (17 Lots)	July 2014-June 2015
4. Phase 7, Section 4 (5 Lots)	TBD (By Others)

**Certificate of Planning Commission Preliminary Approval Note:**  
 After the Planning Commission has reviewed the Preliminary Plat, exhibits, and the results of administrative reviews, the City Planner shall provide the applicant with an Action Form stating any required changes or additions. The Planning Commission shall approve, conditionally approve, or disapprove the Preliminary Plat within thirty (30) days after the date of the regular meeting of the Planning Commission at which the hearing on preliminary approval, including adjourned date thereof, is closed. The failure of the Planning Commission to act upon a Preliminary Plat within the prescribed time shall be deemed preliminary approval of the plat and, in such event, a Certificate of Preliminary Approval shall be issued by the Chairman and Secretary of the Planning Commission upon demand, and the applicant may proceed to apply for Final Plat approval in the manner prescribed by Section 2-105 of these Regulations.



Overall Layout & Utilities Plan

Job No. 12010

**C1.0**

2 of 2

RESOLUTION APPROVING A PRELIMINARY PLAT FOR FOXLAND, PHASE 9, SECTION 3  
IN ORDER TO CREATE 24 ATTACHED DWELLING LOTS– PC0149-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Plat submitted by the applicant, Dewey-Estes Engineering, at its regular meeting on July 22<sup>nd</sup>, 2013; and

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

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

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

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

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

1. The Planning Commission approve the side yard exception at five (5) feet as shown.
2. The applicant shall submit a site surety, in an amount to be determined by the applicant, and approved by the Codes/Planning Department prior to the issuance of building permits for Foxland, Phase 9, Sections 4B.

3. The applicant is aware that any electrical facilities required to be relocated would be at the developer's expense.
4. The applicant shall submit a subdivision surety, in an amount to be determined by the Gallatin Engineering Division, to the Codes/Planning Department prior to recording of the final plat for Foxland, Phase 9, Section 4B.
5. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plats for Foxland, Phase 9, Section 4B.
6. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District including legal agreements and payment of all applicable fees.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

---

Dick Dempsey, Chairman

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

# EXHIBIT A

## ITEM 5 7/22/13 GMRPC MEETING

**Applicant requests approval of a Preliminary Plat for Foxland, Phase 9, Section 3, a major subdivision containing 24 lots on 5.56 (+/-) acres for 12 Attached Dwellings, located on Albatross Way between Foxland Boulevard and Reynard Drive. (PC0149-13)**

**Attachment 5-1 Preliminary Plat**

**Attachment 5-2 Response Letter from Michael Dewey, P.E. dated 7/12/13**

### **ANALYSIS**

The applicant is requesting approval of a Preliminary Plat for Foxland, Phase 9, Section 3, a major subdivision containing 24 lots for 12 Attached Dwellings. The property is located on Albatross Way between Foxland Boulevard and Reynard Drive and contains 5.56 (+/-) acres. The property is currently zoned Multiple Residential and Office (MRO) and Attached Dwelling is a permitted use in the MRO zone district. No portion of the property is located in a special flood hazard area.

### ***Previous Approvals***

At the November 28, 2005 meeting, the Planning Commission recommended approval of a Preliminary Master Development Plan to rezone 416.87 (+/-) acres, known as the Foxland property, from Residential-15 Planned Unit Development (R15 PUD) and Multiple Residential and Office Planned Unit Development (MRO PUD) to Mixed Use (MU) and Multiple Residential and Office (MRO) (PC File #3-16-05). The plan called for 81.37 (+/-) acres to be rezoned to MU and 335.50 (+/-) acres to be rezoned to MRO. At that time the applicant labeled the proposed MU portion of the property as future development and did not submitted any details or plans for that property. The Preliminary Master Development Plan and rezoning request passed Second Reading at the February 7, 2006 City Council meeting.

At the November 26, 2006 meeting, the Planning Commission approved with conditions a Final Master Development Plan for the Foxland Clubhouse (PC File #8-60-06). The plan included a 6,750 square feet addition to the Foxland Mansion, cart and bag storage areas, and the future pool area. The Final Master Development Plan for the Foxland Clubhouse did not include the open space and ten (10) Attached Dwellings lots along Club View Drive. Since approval of the Final Master Development Plan for the Foxland Clubhouse, the property was sold and the new owners proposed an overall concept change for the entire Foxland project. Revisions to the Preliminary Master Development Plan involved changes to density, lot sizes, uses, street design, and architecture for Phase 9.

At the May 23, 2011 meeting, the Planning Commission recommended that the proposed changes to the Foxland, Ph. 3, Section 1, Ph. 7, and Ph. 9 Preliminary Master Development Plan (PC9814-11) be considered as a major amendment. The Planning Commission also discussed the conceptual architecture for Phase 9 at the June 13, 2011 Work Session. The amended Preliminary Master Development Plan for Foxland, Ph. 3, Sec. 1, Ph. 7 and Ph. 9 was approved by City Council at the August 16, 2011 meeting.

The Planning Commission approved the Final Master Development Plan for the Clubhouse and Phase 9 at the August 22, 2011 meeting (PC9861-11). Preliminary and final plats for Phase 9,

# EXHIBIT A

Section 1 were approved at the Planning Commission meeting. The final plat for Phase 9, Section 1 (PC9855-11) was recorded on December 1, 2011.

At the February 27, 2012 meeting, Planning Commission approved the amended PMDP and Final Master Development Plan for Foxland, Phase 9, Sections 2 – 5 as a minor amendment to the approved PMDP (PC9933-11). The plan included section line designations for the development and removed existing alley stubs along Foxland Boulevard. The preliminary plats for Foxland, Phase 9, Section 2 and Foxland, Phase 9, Section 5 were also approved at the February 27, 2012 Planning Commission meeting.

The Planning Commission approved an amended Preliminary Master Development Plan as well as a revision to the approved Final Master Development Plan (PC0036-12) for Foxland, Phase 9, Sections 2-5 at the September 24, 2012 Planning Commission meeting.

### ***Lot Layout***

The Preliminary Plat for Foxland Phase 9, Section 3 is creating 24 total lots on which 12 Attached Dwellings will be built. Each Attached Dwelling will contain two (2) units each for a total of 24 units. These lots are being created along Albatross Way between Foxland Boulevard and the future Reynard Drive. The lot sizes and layout match the currently approved Final Master Development Plan.

### ***Side Yard Exception***

The MRO zone district regulations require 10-foot side yards for the yard opposite the common wall for Attached Dwellings. Five (5) foot side yards and zero lot lines were approved as part of the amended PMDP/FMDP for this phase. The lots shown in Sections 3 are shown with five (5) foot side yards. Staff is comfortable with the side yard exception since the yard lines match the approved plan and recommends approval of the exception as shown. The Engineering Division wanted to note that the five (5) foot P.U.D.E.s are less than the required ten (10) foot P.U.D.E. required by the Subdivision Regulations.

### ***White House Utility District Comments***

This area is serviced by the White House Utility District. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.

### ***Engineering Division Comments***

The applicant has satisfied all of the Engineering Division review comments.

### ***Other Departmental Comments***

The applicant has satisfied all other departmental review comments.

## **RECOMMENDATION**

Staff recommends approval of the Preliminary Plat with the following conditions:

1. The Planning Commission approve the side yard exception at five (5) feet as shown.
2. The applicant shall submit a site surety, in an amount to be determined by the applicant, and approved by the Codes/Planning Department prior to the issuance of building permits for Foxland, Phase 9, Sections 3.

# EXHIBIT A

3. The applicant is aware that any electrical facilities required to be relocated would be at the developer's expense.
4. The applicant shall submit a subdivision surety, in an amount to be determined by the Gallatin Engineering Division, to the Codes/Planning Department prior to recording of the final plat for Foxland, Phase 9, Section 3.
5. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District prior to the recording of the final plats for Foxland, Phase 9, Section 3.
6. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District including legal agreements and payment of all applicable fees.



KATHERINE SCHOCH, AICP  
 INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
 KATHERINE.SCHOCH@GALLATIN-TN.GOV

ADDAM MCCORMICK, AICP  
 INTERIM BUILDING OFFICIAL

## Project Comments

**Meeting Date: 07/22/2013**

**RE: FOXLAND, PHASE 9, SECTION 3, Preliminary Plat**

**Reference #: PC0149-13**

### Department of Public Utilities

Review Date: 06/28/2013

1. Water & sewer served by W.H.U.D.
- W.H.U.D. Review dated: 7/3/13
1. Please contact W.H.U.D.

### Planning Department

Codes/Planning Department Project Manager: Kevin Chastine

Review Date: 7/01/2013

1. Remove Section 4B from the vicinity map.
2. Add 'Zoned: MRO' to Section 4B.
3. Remove 4B from the Project Schedule on C1.0 or at least separate it out from Section 3.
4. Provide addresses for all lots in Section 3.
5. Provide a copy of the restrictive covenants.
6. Update the two (2) FEMA notes to state map '409G' instead of '407G'.
7. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.
8. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP
9. Submit a detailed response letter addressing all departmental review comments.
10. RETURN CHECKPRINT & CHECKLIST
11. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 7/11/2013.
12. Resubmittals must include the above information in order to be considered a complete resubmittal.

### Codes Department

Review Date: 07/05/2013

No comments

# EXHIBIT A



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
KATHERINE.SCHOCH@GALLATIN-TN.GOV

ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL

**Engineering Division**

7-17-2013 RESUBMITTAL JZW:

1. PROVIDE TEMPORARY TURNAROUND AT END OF ALBATROSS WAY.

\* PUDES'S SHOWN ARE VARIANCE FROM SUB-REGS.

Review Date: 7-3-2013 JZW:

\* PUDE's shown are variance from sub-reg's.

**Fire Department**

Review Date: 07/05/2013

No comments

**Police Department**

Review Date: 06/28/2013

Reviewed: no comments

**Gallatin Department of Electricity**

Review Date: 07/01/2013

O.K.

**Sumner County, E-911**

Review Date: 06/26/2013

Lot 1009 – 2079 Albatross Way

Lot 1010 – 2083

Lot 1011 – 2087

Lot 1012 – 2091

Lot 1013 – 2095

Lot 1014 – 2099

Lot 1015 – 2103

Lot 1016 – 2107

Lot 1017 - 2111

Lot 1018 – 2115

Lot 1019 – 2119

Lot 1020 – 2123

Lot 1021 – 2124

Lot 1022 – 2120

Lot 1023 – 2116

Lot 1024 – 2112

Lot 1025 – 2108

Lot 1026 – 2104

Lot 1027 - 2100

Lot 1028 – 2096

Lot 1029 - 2092

Lot 1030 – 2088

**EXHIBIT A**



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
[KATHERINE.SCHOCH@GALLATIN-TN.GOV](mailto:KATHERINE.SCHOCH@GALLATIN-TN.GOV)

ADDAM McCORMICK, AICP  
INTERIM BUILDING OFFICIAL

Lot 1031 – 2084

Lot 1032 – 2080 Albatross Way

**Industrial Pre-treatment Department**

Review Date:

N/A

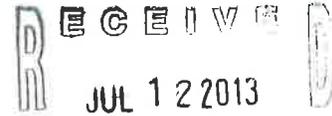
**EXHIBIT A**

# EXHIBIT A ATTACHMENT 5-2



July 12, 2013

Katherine Schoch, AICP  
Assistant Director  
Gallatin Codes/Planning Department  
132 West Main Street, Room 201  
Gallatin, TN 37066



GALLATIN PLANNING  
& ZONING

**RE: Foxland, Phase 9, Section 3  
Preliminary Plat**

Dear Katherine,

In response to the review comments received on July 5, 2013, we have revised the plans for the Preliminary Plat for Foxland, Phase 3 Section 3. Below is an itemized response to each comment as they appeared in the original comments letter:

## Department of Public Utilities

1. Water and sewer served by W.H.U.D. Please Contact W.H.U.D  
*We have contacted W.H.U.D. as requested, and we have submitted Preliminary Construction Plans.*

## Planning Department Comments

1. Remove Section 4B from the vicinity map.  
*The hatched area on the Vicinity Map has been removed for Section 4B.*
2. Add 'Zoned: MRO' to Section 4B.  
*'Zoned MRO' has been added to Section 4B*
3. Remove 4B from the Project Schedule on C1.0 or at least separate it out from Section 3.  
*Section 4B has been separated from Section 3 on the Project Schedule on page C1.0*
4. Provide addresses for all lots in Section 3.  
*We have added the address for all lots in Section 3, as provided by E-911.*
5. Provide a copy of the restrictive covenants.  
*A copy of the restrictive covenants has been provided with this submittal.*
6. Update the two (2) FEMA notes to state map '409G' instead of '407G'.  
*The FEMA notes have been updated throughout the plans from '407G' to '409G'.*
7. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.  
*We have included 1 full-size and 15 half-size sets of plans with this submittal. Architectural Elevations were submitted with the FMDP for this phase.*
8. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J")

# RESUBMITTAL

39

PC 0149-13

July 11, 2013

software) of subdivision plats, site plans, PMDP, and FMDP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FMDP.

We have included a CD with all digital copies of plans, including a DWG file and PDF files of the submittal plans.

- 9. Submit a detailed response letter addressing all departmental review comments.

We believe the attached submittal package has addressed all of the comments and believe this submittal is complete.

**Engineering Division Comments**

- 1. PUDE's shown are variance from sub-regs.

We understand that a variance must be obtained for the P.U.D.E.'s shown.

Other departments (Fire Department, Police Department, Gallatin Department of Electricity, and Industrial Pre-treatment Department) did not have any comments at this time. I hope this appropriately addresses the comments generated during review. Please feel free to call if you need anything further from our office or if you have any questions.

Sincerely,

Michael Dewey, PE

RECEIVED  
JUL 12 2013

GALLATIN PLANNING  
& ZONING

RESUBMITTAL

PC0149-13

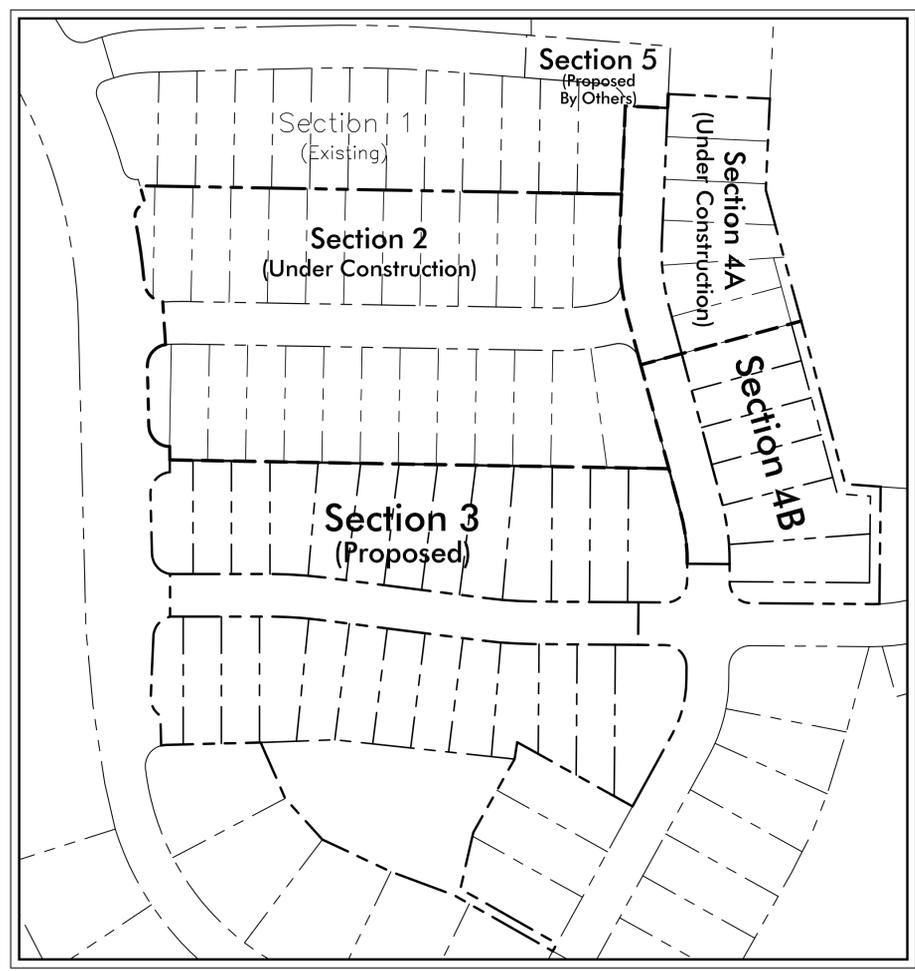
# A Preliminary Plat for Foxland Phase 9, Section 3 Being Parcel 7.06 on Tax Map 147 Gallatin, Sumner County, Tennessee

Revisions:  
7/11/13 - Revised per  
staff comments.

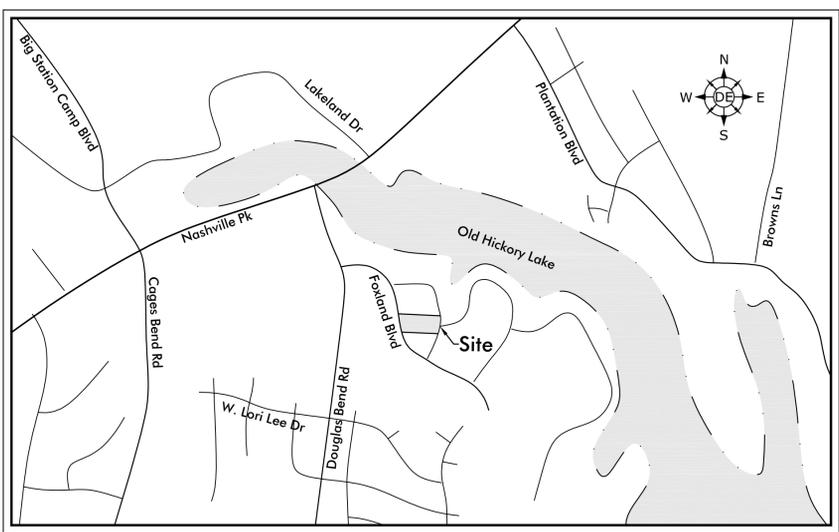
Drawing Notes:

Date: June, 2013

**Foxland**  
**Phase 9, Section 3**  
 Being Parcel 7.06 on Tax Map 147  
 Gallatin, Sumner County, Tennessee



**Phase 9 Section Map**  
Scale: 1"=100'



**Vicinity Map**  
NTS

### Project Summary

Site Data	Site Information
Councilmatic District #4 Council Person Craig Hayes	Tax Map 147, Parcel 7.06
Property Location/Address: Located on the East Side of Foxland Blvd Approx. 1500' from Douglas Bend Rd Address (GIS): 0 Douglas Bend Rd Gallatin, TN 37066	Zoning - MRO Phase 9, Section 3 Area - 5.56 Acres
Property Owner: Oakbrook Realty & Investments, LLC and Royce Realty Address: 1000 Royce Blvd Oakbrook Terrace, IL 60181 Phone: (630) 268-4000	Current Use: Vacant Proposed Use: Attached Dwellings Plan Preparation Date: June 26, 2013
Developer: Green Trails, LLC Contact: Rick Deckbar Address: 2925 Berry Hill Drive Nashville, TN 37204 Phone: (615) 397-4513	Total Lots - 24 (12 Buildings) Open Space Area - 1.04 Acres ROW Area - 0.64 Acres Lot Area - 3.88 Acres
Engineer: Dewey-Estes Engineering Contact: Michael Dewey, PE Address: 2925 Berry Hill Drive Nashville, TN 37204 Phone: (615) 401-9956 Fax: (615) 401-9956 Email: mdewey@dewey-estes.com	Minimum Front Yard: 20 Ft Minimum Rear Yard: 15 Ft Minimum Side Yard: 5 Ft (Detached Side Only) Maximum Height: 3 Stories (35 Feet Building Height)

### Project Notes

- The purpose of this submittal is to obtain approval of a Preliminary Plat for Phase 9, Section 3 of Foxland, consisting of 24 single-family lots (12 Attached Dwellings).
- Any excavation, fill or disturbance of the existing ground must be done in accordance with the standards of the City of Gallatin.
- A Portion of this property is located within a Zone 'AE' Flood Hazard Area, as indicated on FEMA Map Number 47165C0409G. 100 Yr Elev: 452.0 Dated April 17, 2012. All pad elevations shall be filled, if necessary, at least 1 foot above the base flood elevation. Floodplain Development Permits and Elevation Certificates are Required if Property is Located within 100 Year Floodplain.
- All public streets, curbs, and sidewalks are to be constructed in conformance with the City of Gallatin design standards.
- Wheelchair accessible curbs ramps, complying with applicable City of Gallatin standards, shall be constructed at all street crossings.
- Individual water and/or sanitary sewer service lines are required for each lot.
- The final Construction Documents shall indicate the proposed method to deal with stormwater runoff for this project.
- All areas designated as Open Space will be owned and maintained by the Homeowners' Association.
- All Construction and Use of the Proposed Facility to Meet the Applicable Performance Standards as Set Forth in the City of Gallatin Zoning Ordinance, Section 13.02.
- The owner/developer of this property is responsible for all financial matters.

### Sheet Schedule

<b>C0.0</b>	Cover Sheet
<b>C1.0</b>	Overall Layout & Utilities Plan

Site Benchmark  
Bolt on Fire Hydrant Located on the North Side of Club View Drive.  
Approx. 230' East of Foxland Blvd.  
NAVD 88 Elevation = 489.88

Flood Note  
A Portion of this property is located within a Zone 'AE' Flood Hazard Area, as indicated on FEMA Map Number 47165C0409G. 100 Yr Elev: 452.0 Dated April 17, 2012. All pad elevations shall be filled, if necessary, at least 1 foot above the base flood elevation.



Cover Sheet

Job No. 12010

**C0.0**

1 of 2

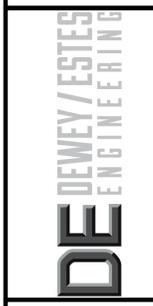
Revisions:  
7/11/13 - Revised per staff comments.

Drawing Notes:

Date: June 2013

# Foxland Phase 9, Section 3

Being Parcel 7.06 on Tax Map 147 Gallatin, Sumner County, Tennessee

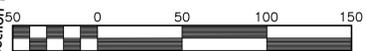
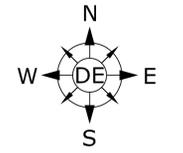


Overall Layout & Utilities Plan

Job No. 12010

## C1.0

2 of 2



Scale 1" = 50'

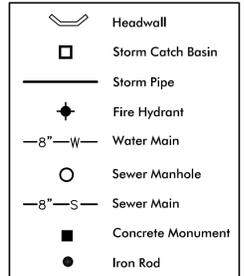
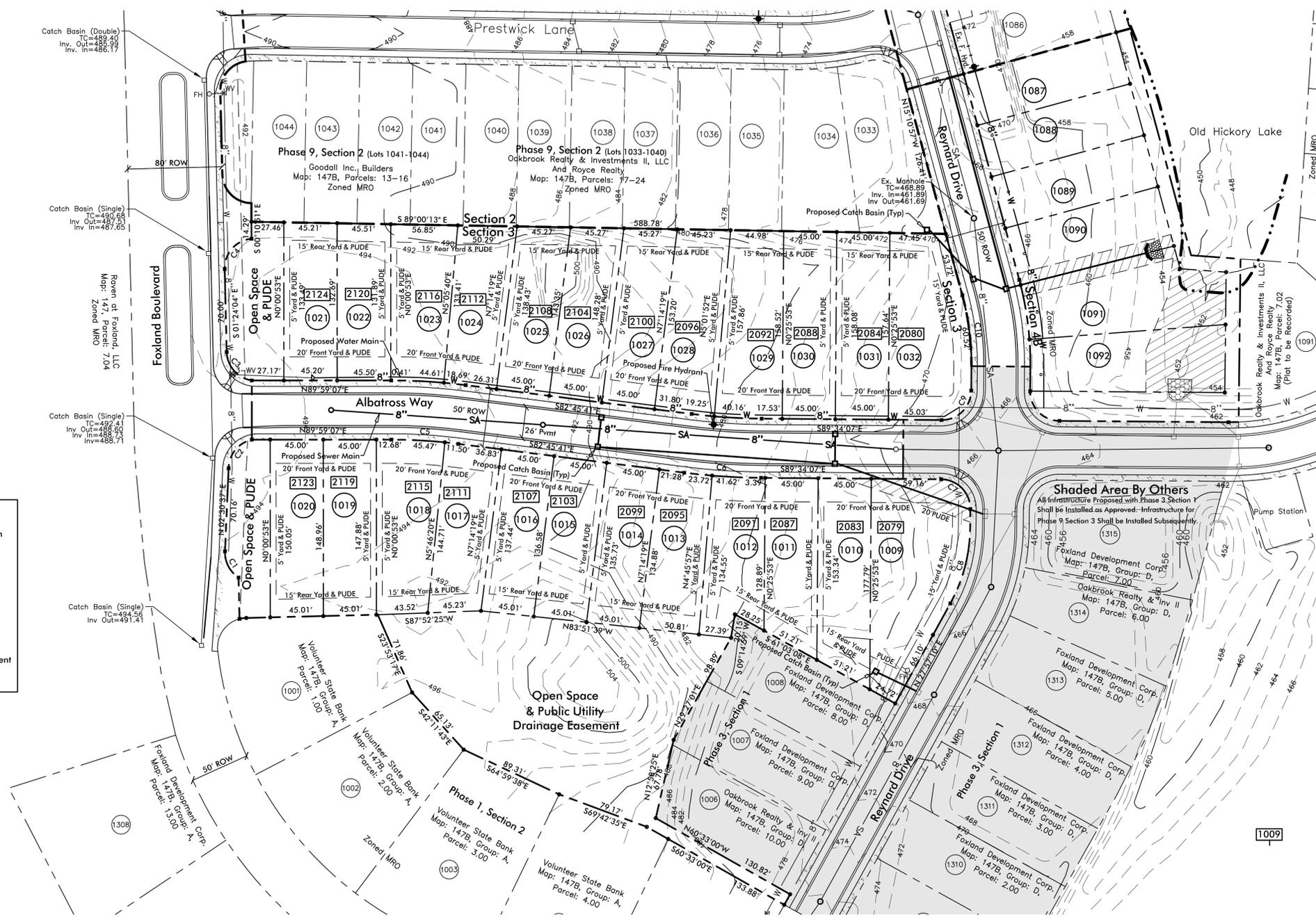
### Phase 9, Section 3 = 5.56 ac

**ENGINEER**  
Dewey-Estes Engineering  
Contact: Michael Dewey, PE  
2925 Berry Hill Drive  
Nashville, TN 37204  
Ph: (615) 401-9956  
Fax: (615) 401-9956  
Email: mdewey@dewey-estes.com

**DEVELOPER**  
Green Trails, LLC  
Contact: Rick Deckbar  
2925 Berry Hill Drive  
Nashville, TN 37204  
Ph: (615) 397-4513

**SITE BENCHMARK**  
Bolt on Fire Hydrant Located on the North Side of Club View Drive. Approx. 230' East of Foxland Blvd. NAVD 88 Elevation = 489.88

**FLOOD NOTE**  
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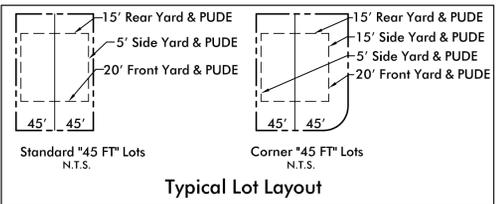


#### LOT TABLE

LOT	SQUARE FEET	ACRES
1009	12011.42	0.28
1010	7450.54	0.17
1011	6350.30	0.15
1012	6421.36	0.15
1013	6442.59	0.15
1014	6087.54	0.14
1015	6126.40	0.14
1016	6165.27	0.14
1017	6565.34	0.15
1018	7445.27	0.17
1019	6678.22	0.15
1020	6727.43	0.15
1021	6015.82	0.14
1022	6019.33	0.14
1023	6731.55	0.15
1024	6454.77	0.15
1025	6340.19	0.15
1026	6561.68	0.15
1027	6783.18	0.16
1028	7478.87	0.17
1029	8135.30	0.19
1030	7123.55	0.16
1031	7103.58	0.16
1032	9929.51	0.23

#### CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	59°49'34"	25.00	14.38	26.10	N 27°23'50" W	24.93
C2	77°06'01"	25.00	19.92	33.64	N 39°08'07" E	31.16
C3	80°09'40"	25.00	21.04	34.98	S 41°28'37" E	32.19
C4	86°28'16"	25.00	23.51	37.73	S 41°39'26" W	34.25
C5	07°15'12"	450.00	28.52	56.97	S 86°23'17" E	56.93
C6	06°48'26"	550.00	32.71	65.34	S 86°09'54" E	65.31
C7	90°00'00"	25.00	25.00	39.27	S 44°34'07" E	35.36
C8	28°31'05"	135.00	34.31	67.19	N 14°41'26" E	66.50
C9	90°00'00"	25.00	25.00	39.27	N 45°25'53" E	35.36
C10	15°36'50"	220.00	30.16	59.95	N 07°22'32" W	59.77



#### Project Schedule

- |                                  |                    |
|----------------------------------|--------------------|
| 1. Phase 9, Section 2 (24 Units) | Recorded           |
| 2. Phase 9, Section 4A (6 Units) | Under Construction |
| 3. Phase 9, Section 3 (24 Units) | Jul 2013-May 2014  |
| 4. Phase 9, Section 4B (6 Units) | Jul 2013-May 2014  |

**Certificate of Planning Commission Preliminary Approval Note:**  
After the Planning Commission has reviewed the Preliminary Plat, exhibits, and the results of administrative reviews, the City Planner shall provide the applicant with an Action Form stating any required changes or additions. The Planning Commission shall approve, conditionally approve, or disapprove the Preliminary Plat within thirty (30) days after the date of the regular meeting of the Planning Commission at which the hearing on preliminary approval, including adjourned date thereof, is closed. The failure of the Planning Commission to act upon a Preliminary Plat within the prescribed time shall be deemed preliminary approval of the plat and, in such event, a Certificate of Preliminary Approval shall be issued by the Chairman and Secretary of the Planning Commission upon demand, and the applicant may proceed to apply for Final Plat approval in the manner prescribed by Section 2-105 of these Regulations.



RESOLUTION APPROVING A PRELIMINARY PLAT FOR FOXLAND, PHASE 9, SECTION 4B IN ORDER TO CREATE SIX (6) ATTACHED DWELLING LOTS– PC0150-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Preliminary Plat submitted by the applicant, Dewey-Estes Engineering, at its regular meeting on July 22nd, 2013; and

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

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

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

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

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

1. The Planning Commission approve the side yard exception at five (5) feet as shown.
2. The applicant shall submit a site surety, in an amount to be determined by the applicant, and approved by the Codes/Planning Department prior to the issuance of building permits for Foxland, Phase 9, Sections 4B.
3. The applicant is aware that any electrical facilities required to be relocated would be at the developer's expense.

4. The applicant shall submit a subdivision surety, in an amount to be determined by the Gallatin Engineering Division, to the Codes/Planning Department prior to recording of the final plat for Foxland, Phase 9, Section 4B.
5. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plats for Foxland, Phase 9, Section 4B.
6. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District including legal agreements and payment of all applicable fees.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

---

Dick Dempsey, Chairman

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

# EXHIBIT A

## ITEM 6 7/22/13 GMRPC MEETING

**Applicant requests approval of a Preliminary Plat for Foxland, Phase 9, Section 4B, a major subdivision containing six (6) lots, (3 Attached Dwelling Units), on property containing 1.46 (+/-) acres. Property is located on the east side of Foxland Boulevard, approximately 1500 linear feet from Douglas Bend Road. (PC0150-13)**

**Attachment 6-1 Preliminary Plat**

**Attachment 6-2 Response Letter from Michael Dewey, P.E. dated 7/12/13**

### **ANALYSIS**

The applicant is requesting approval of a Preliminary Plat for Foxland, Phase 9, Section 4B, a major subdivision containing six (6) lots, (3 Attached Dwelling Units). The property contains 1.46 (+/-) acres. The property is located on the east side of Foxland Boulevard, approximately 1500 linear feet from Douglas Bend Road. The property is currently zoned Multiple Residential and Office (MRO) and Attached Dwelling is a permitted use in the MRO zone district. A portion of the property is located in a special flood hazard area. The 100-year floodplain line runs along the back of Lot 1091. A Floodplain Development Permit and an Elevation Certificate shall be required for construction on Lot 1091. The applicant has added that note to the Final Master Development Plan.

### ***Previous Approvals***

At the November 28, 2005 meeting, the Planning Commission recommended approval of a Preliminary Master Development Plan to rezone 416.87 (+/-) acres, known as the Foxland property, from Residential-15 Planned Unit Development (R15 PUD) and Multiple Residential and Office Planned Unit Development (MRO PUD) to Mixed Use (MU) and Multiple Residential and Office (MRO) (PC File #3-16-05). The plan called for 81.37 (+/-) acres to be rezoned to MU and 335.50 (+/-) acres to be rezoned to MRO. At that time the applicant labeled the proposed MU portion of the property as future development and did not submitted any details or plans for that property. The Preliminary Master Development Plan and rezoning request passed Second Reading at the February 7, 2006 City Council meeting.

At the November 26, 2006 meeting, the Planning Commission approved with conditions a Final Master Development Plan for the Foxland Clubhouse (PC File #8-60-06). The plan included a 6,750 square feet addition to the Foxland Mansion, cart and bag storage areas, and the future pool area. The Final Master Development Plan for the Foxland Clubhouse did not include the open space and ten (10) Attached Dwellings lots along Club View Drive. Since approval of the Final Master Development Plan for the Foxland Clubhouse, the property was sold and the new owners proposed an overall concept change for the entire Foxland project. Revisions to the Preliminary Master Development Plan involved changes to density, lot sizes, uses, street design, and architecture for Phase 9.

At the May 23, 2011 meeting, the Planning Commission recommended that the proposed changes to the Foxland, Ph. 3, Section 1, Ph. 7, and Ph. 9 Preliminary Master Development Plan (PC9814-11) be considered as a major amendment. The Planning Commission also discussed the conceptual architecture for Phase 9 at the June 13, 2011 Work Session. The amended Preliminary Master Development Plan for Foxland, Ph. 3, Sec. 1, Ph. 7 and Ph. 9 was approved by City Council at the August 16, 2011 meeting. The Planning Commission approved the Final Master Development Plan

# EXHIBIT A

for the Clubhouse and Phase 9 at the August 22, 2011 meeting (PC9861-11). Preliminary and final plats for Phase 9, Section 1 were approved at the Planning Commission meeting.

At the February 27, 2012 meeting, Planning Commission approved the amended PMDP and Final Master Development Plan for Foxland, Phase 9, Sections 2 – 5 as a minor amendment to the approved PMDP (PC9933-11). The plan included section line designations for the development and removed existing alley stubs along Foxland Boulevard.

The Planning Commission approved an amended Preliminary Master Development Plan and as well as a revision to the approved Final Master Development Plan (PC0036-12) for Foxland, Phase 9, Sections 2-5 at the September 24, 2012 Planning Commission meeting. This Amended PMDP and Revised FMDP included Section 4A and Section 4B, for a total of 12 additional lots.

### ***Side Yard Exception***

The MRO zone district regulations require 10-foot side yards for the yard opposite the common wall for Attached Dwellings. Five (5) foot side yards and zero lot lines were approved as part of the amended PMDP/FMDP for this phase. The lots shown in Sections 4A and 4B are shown with five (5) foot side yards. Staff is comfortable with the side yard exception since the yard lines match the approved plan and recommends approval of the exception as shown. The Engineering Division wanted to note that the five (5) foot P.U.D.E.s are less than the required ten (10) foot P.U.D.E. required by the Subdivision Regulations.

### ***White House Utility District Comments***

This area is serviced by the White House Utility District. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District.

### ***Engineering Division Comments***

The applicant has satisfied all Engineering Division review comments.

### ***Other Departmental Comments***

The applicant has satisfied all other departmental review comments.

## **RECOMMENDATION**

Staff recommends approval of the Preliminary Plat with the following conditions:

1. The Planning Commission approve the side yard exception at five (5) feet as shown.
2. The applicant shall submit a site surety, in an amount to be determined by the applicant, and approved by the Codes/Planning Department prior to the issuance of building permits for Foxland, Phase 9, Sections 4B.
3. The applicant is aware that any electrical facilities required to be relocated would be at the developer's expense.
4. The applicant shall submit a subdivision surety, in an amount to be determined by the Gallatin Engineering Division, to the Codes/Planning Department prior to recording of the final plat for Foxland, Phase 9, Section 4B.
5. The applicant shall submit a utility surety, in an amount to be determined by White House Utility District, prior to the recording of the final plats for Foxland, Phase 9, Section 4B.

# EXHIBIT A

6. The applicant shall address all water and sewer infrastructure issues to the satisfaction of the White House Utility District including legal agreements and payment of all applicable fees.



KATHERINE SCHOCH, AICP  
 INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
 KATHERINE.SCHOCH@GALLATIN-TN.GOV

ADDAM MCCORMICK, AICP  
 INTERIM BUILDING OFFICIAL

## Project Comments

**Meeting Date: 07/22/2013**

**RE: FOXLAND, PHASE 9, SECTION 4B, Preliminary Plat**

**Reference #: PC0150-13**

### Department of Public Utilities

Review Date: 06/28/2013

1. Water & sewer served by W.H.U.D.

W.H.U.D. Review dated: 7/3/13

1. Please contact W.H.U.D.

### Planning Department

Codes/Planning Department Project Manager: Kevin Chastine

Review Date: 7/01/2013

1. Remove Section 3 from the Vicinity Map since this plat is only for Section 4B.
2. Provide Property Owner information to the north (Section 4A) and to the south (Albatross).
3. Provide Zoning Information to the north (Section 4A) and to the south (Albatross).
4. Dimension 10 feet on each side of Lot 1090 and Lot 1091 for the 20 foot P.U.D.E.
5. Dimension (25 feet) open space and P.U.D.E. to the south of Lot 1092.
6. Provide addresses for all Section 4B lots.
7. Correct 'Project Schedule' on Sheet C1.0 as shown.
8. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.
9. Submit digital copies of plans and supporting information/correspondence pertaining to this project in the following formats: DGN or DWG file (MicroStation version "J" software) of subdivision plats, site plans, PMDP, and FM DP. Submit PDF files of all pages of subdivision plats, site plans, PMDP, and FM DP and submit PDF files of all supporting documents and correspondence. Label file formats on CD.
10. Submit a detailed response letter addressing all departmental review comments.
11. RETURN CHECKPRINT & CHECKLIST
12. Resubmittal documents must be turned in to the Codes/Planning Department by 4:30 PM on 7/11/2013.
13. Resubmittals must include the above information in order to be considered a complete resubmittal.



KATHERINE SCHOCH, AICP  
INTERIM ZONING ADMIN. / ASSIST. DIRECTOR  
KATHERINE.SCHOCH@GALLATIN-TN.GOV

ADDAM MCCORMICK, AICP  
INTERIM BUILDING OFFICIAL

**Codes Department**

Review Date: 07/05/2013

No comments

**Engineering Division**

REVIEW DATE: 7/17/2013: JZW RESUBMITTAL;

NO COMMENTS

Review Date: 7-3-2013 JZW:

\* PUDE's shown are variance from sub-regs.

**Fire Department**

Review Date: 07/05/2013

No comments

**Police Department**

Review Date: 06/28/2013

Reviewed: no comments

**Gallatin Department of Electricity**

Review Date: 07/01/2013

O.K.

**Sumner County, E-911**

Review Date: 06/28/2013

Lot 1087 - 1344 Reynard Drive

Lot 1088 - 1340

Lot 1089 - 1336

Lot 1090 - 1332 Reynard Drive

**Industrial Pre-treatment Department**

Review Date:

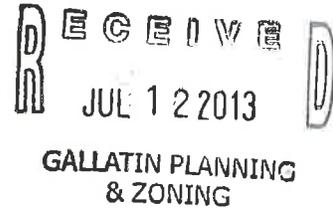
N/A

# EXHIBIT A ATTACHMENT 6-2



July 12, 2013

Katherine Schoch, AICP  
Assistant Director  
Gallatin Codes/Planning Department  
132 West Main Street, Room 201  
Gallatin, TN 37066



**RE: Foxland, Phase 9, Section 4B  
Preliminary Plat**

Dear Katherine,

In response to the review comments received on July 5, 2013, we have revised the plans for the Preliminary Plat for Foxland, Phase 9 Section 4B. Below is an itemized response to each comment as they appeared in the original comments letter:

## Department of Public Utilities

1. Water and sewer served by W.H.U.D. Please Contact W.H.U.D  
*We have contacted W.H.U.D. as requested, and we have submitted Preliminary Construction Plans.*

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*We have added 10 foot dimensions on each side of Lots 1090 and 1091 to specify the 20 foot P.U.D.E.*
5. Dimension (25 feet) open space and P.U.D.E. to the south of Lot 1092.  
*We have added a 25 foot dimension to designate the open space and P.U.D.E. to the south of Lot 1092.*
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# RESUBMITTAL

PC0150-13

July 11, 2013

8. Submit sixteen (16) corrected, folded copies of the resubmittal documents (1 full size and 15 half size if original plans are greater than 18 x 24), and 16 architectural elevations if needed.

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10. Submit a detailed response letter addressing all departmental review comments.

We believe the attached submittal package has addressed all of the comments and believe this submittal is complete.

### Engineering Division Comments

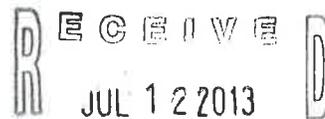
1. PUDE's shown are variance from sub-regs.

We understand that a variance exists for the PUDE's shown.

Other departments (Codes Department, Fire Department, Police Department, Gallatin Department of Electricity, and Industrial Pre-treatment Department) did not have any comments at this time. I hope this appropriately addresses the comments generated during review. Please feel free to call if you need anything further from our office or if you have any questions.

Sincerely,

Michael Dewey, PE



GALLATIN PLANNING  
& ZONING

# RESUBMITTAL

# A Preliminary Plat for Foxland Phase 9, Section 4-B

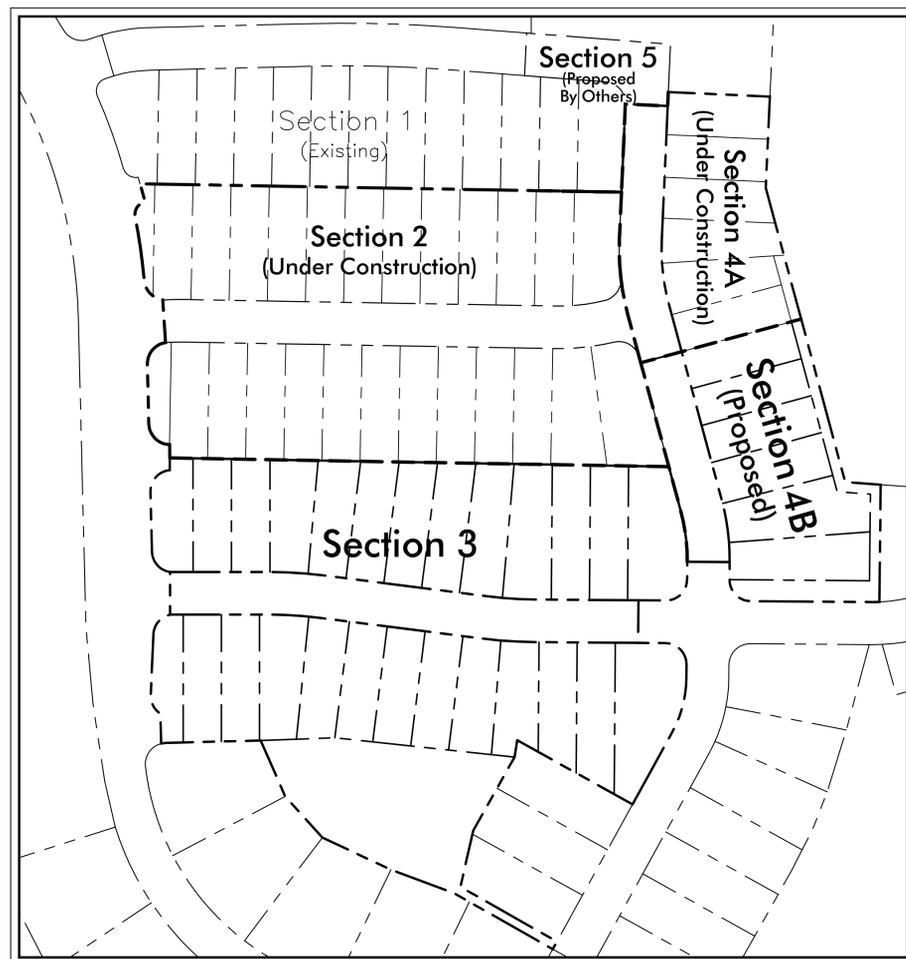
Being Portion of Parcel 7.02 on Tax Map 147  
Gallatin, Sumner County, Tennessee

Revisions:  
7/11/13 - Revised per  
staff comments.

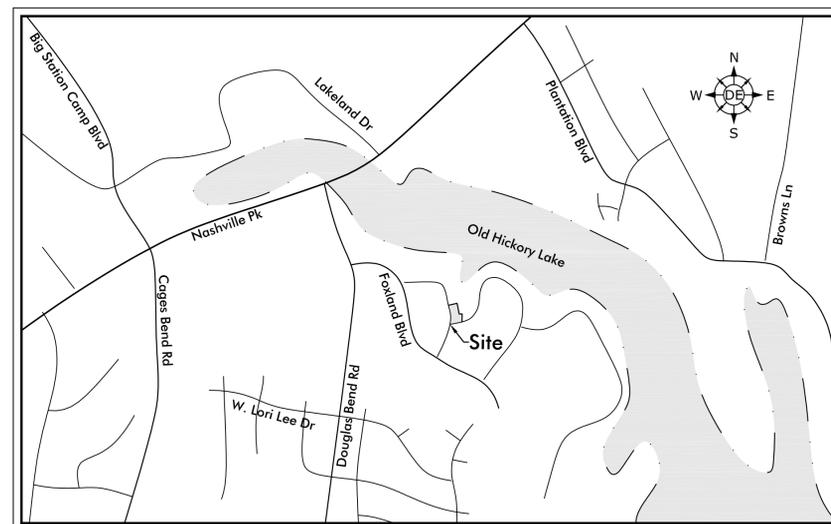
Drawing Notes:

Date: June 2013

**Foxland**  
**Phase 9, Section 4-B**  
Being Portion of Parcel 7.02 on Tax Map 147  
Gallatin, Sumner County, Tennessee



**Phase 9 Section Map**  
Scale: 1"=100'



**Vicinity Map**  
NTS

### Project Summary

#### Site Data

Councilmatic District #4  
Council Person Craig Hayes

Property Location/Address:  
Located on the East Side of Foxland Blvd  
Approx. 1500' from Douglas Bend Rd  
Address (GIS): 0 Douglas Bend Rd  
Gallatin, TN 37066

Property Owner: Oakbrook Realty &  
Investments, LLC and Royce Realty  
Address: 1000 Royce Blvd  
Oakbrook Terrace, IL 60181  
Phone: (630) 268-4000

Developer: Green Trails, LLC  
Contact: Rick Deckbar  
Address: 2925 Berry Hill Drive  
Nashville, TN 37204  
Phone: (615) 397-4513

Engineer: Dewey-Estes Engineering  
Contact: Michael Dewey, PE  
Address: 2925 Berry Hill Drive  
Nashville, TN 37204  
Phone: (615) 401-9956  
Fax: (615) 401-9956  
Email: mdewey@dewey-estes.com

#### Site Information

Tax Map 147, Portion of Parcel 7.02

Zoning - MRO

Phase 9, Section 4-B Area - 1.46 Acres

Current Use: Vacant  
Proposed Use: Attached Dwellings

Plan Preparation Date: June 26, 2013

Total Lots - 6 (3 Buildings)

Open Space Area - 0.20 Acres  
ROW Area - 0.28 Acres  
Lot Area - 0.98 Acres

Minimum Front Yard: 20 Ft  
Minimum Rear Yard: 15 Ft  
Minimum Side Yard: 5 Ft (Detached Side Only)

Maximum Height: 3 Stories (35 Feet Building Height)

### Project Notes

1. The purpose of this submittal is to obtain approval of a Preliminary Plat for Phase 9, Section 4-B of Foxland, consisting of 6 single-family lots (3 Attached Dwellings).
2. Any excavation, fill or disturbance of the existing ground must be done in accordance with the standards of the City of Gallatin.
3. A Portion of this property is located within a Zone 'AE' Flood Hazard Area, as indicated on FEMA Map Number 47165C0409G. 100 Yr Elev: 452.0 Dated April 17, 2012. All pad elevations shall be filled, if necessary, at least 1 foot above the base flood elevation. Floodplain Development Permits and Elevation Certificates are Required if Property is Located within 100 Year Floodplain.
4. All public streets, curbs, and sidewalks are to be constructed in conformance with the City of Gallatin design standards.
5. Wheelchair accessible curbs ramps, complying with applicable City of Gallatin standards, shall be constructed at all street crossings.
6. Individual water and/or sanitary sewer service lines are required for each lot.
7. The final Construction Documents shall indicate the proposed method to deal with stormwater runoff for this project.
8. All areas designated as Open Space will be owned and maintained by the Homeowners' Association.
9. All Construction and Use of the Proposed Facility to Meet the Applicable Performance Standards as Set Forth in the City of Gallatin Zoning Ordinance, Section 13.02.
10. The owner/developer of this property is responsible for all financial matters.

### Sheet Schedule

<b>C0.0</b>	Cover Sheet
<b>C1.0</b>	Overall Layout & Utilities Plan

Site Benchmark  
Bolt on Fire Hydrant Located on the  
North Side of Club View Drive.  
Approx. 230' East of Foxland Blvd.  
NAVD 88 Elevation = 489.88

Flood Note  
A Portion of this property is located within  
a Zone 'AE' Flood Hazard Area, as  
indicated on FEMA Map Number  
47165C0409G. 100 Yr Elev: 452.0  
Dated April 17, 2012. All pad elevations  
shall be filled, if necessary, at least 1 foot  
above the base flood elevation.



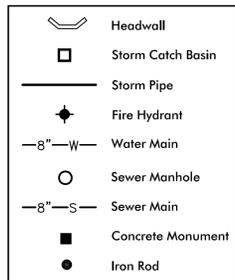
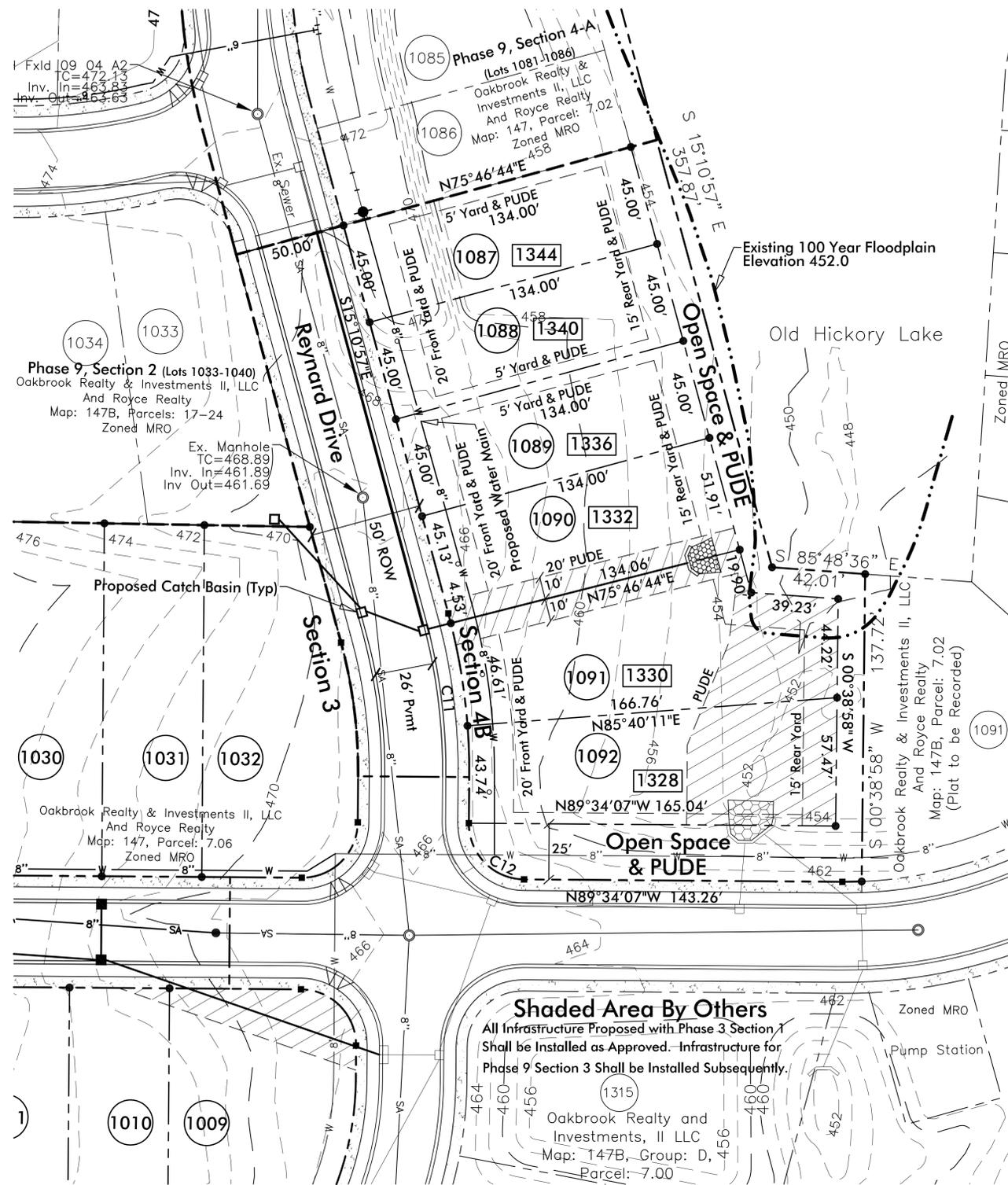
**DE**  
DEWEY/ESTES  
ENGINEERING

Cover Sheet

Job No. 12010

**C0.0**

1 of 2



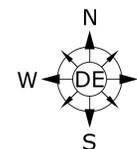
CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C11	15°36'50"	270.00	37.02	73.58	S 07°22'32" E	73.35
C12	90°00'00"	25.00	25.00	39.27	N 44°34'07" W	35.36

LOT TABLE

LOT	SQUARE FEET	ACRES
1087	6030.10	0.14
1088	6030.09	0.14
1089	6030.09	0.14
1090	6805.94	0.16
1091	9482.10	0.22
1092	8360.34	0.19

**Certificate of Planning Commission Preliminary Approval Note:**  
 After the Planning Commission has reviewed the Preliminary Plat, exhibits, and the results of administrative reviews, the City Planner shall provide the applicant with an Action Form stating any required changes or additions. The Planning Commission shall approve, conditionally approve, or disapprove the Preliminary Plat within thirty (30) days after the date of the regular meeting of the Planning Commission at which the hearing on preliminary approval, including adjourned date thereof, is closed. The failure of the Planning Commission to act upon a Preliminary Plat within the prescribed time shall be deemed preliminary approval of the plat and, in such event, a Certificate of Preliminary Approval shall be issued by the Chairman and Secretary of the Planning Commission upon demand, and the applicant may proceed to apply for Final Plat approval in the manner prescribed by Section 2-105 of these Regulations.



Scale 1" = 30'

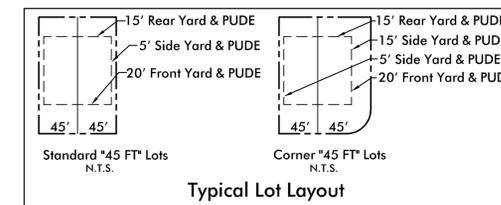
Phase 9, Section 4-B = 1.46 ac

**ENGINEER**  
 Dewey-Estes Engineering  
 Contact: Michael Dewey, PE  
 2925 Berry Hill Drive  
 Nashville, TN 37204  
 Ph: (615) 401-9956  
 Fax: (615) 401-9956  
 Email: mdewey@dewey-estes.com

**DEVELOPER**  
 Green Trails, LLC  
 Contact: Rick Deckbar  
 2925 Berry Hill Drive  
 Nashville, TN 37204  
 Ph: (615) 397-4513

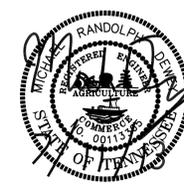
**SITE BENCHMARK**  
 Bolt on Fire Hydrant Located on the North Side of Club View Drive. Approx. 230' East of Foxland Blvd. NAVD 88 Elevation = 489.88

**FLOOD NOTE**  
 A Portion of this property is located within a Zone 'AE' Flood Hazard Area, as indicated on FEMA Map Number 47165C0409G. 100 Yr Elev: 452.0  
 Dated April 17, 2012. All pad elevations shall be filled, if necessary, at least 1 foot above the base flood elevation.



**Project Schedule**

- |                                   |                    |
|-----------------------------------|--------------------|
| 1). Phase 9, Section 2 (24 Units) | Recorded           |
| 2). Phase 9, Section 4A (6 Units) | Under Construction |
| 3). Phase 9, Section 3 (24 Units) | Jul 2013-May 2014  |
| 4). Phase 9, Section 4B (6 Units) | Jul 2013-May 2014  |



Revisions:  
 7/11/13 - Revised per staff comments.

Drawing Notes:

Date: June 2013

**Foxland Phase 9, Section 4-B**  
 Being Portion of Parcel 7.02 on Tax Map 147  
 Gallatin, Sumner County, Tennessee



Overall Layout & Utilities Plan

Job No. 12010

**C1.0**

MINUTES OF THE GALLATIN  
MUNICIPAL-REGIONAL PLANNING COMMISSION  
WORK SESSION

June 10, 2013

MEMBERS PRESENT

Dick Dempsey, Chair  
James Robert Ramsey, Vice Chair  
Mayor Jo Ann Graves  
Dr. Rick Orgain  
John Puryear

STAFF PRESENT

Katherine Schoch, Interim Zoning Admin./Assist. Director  
Jim Svoboda, Community Development Coordinator  
Nick Tuttle, City Engineer  
Marianne Mudrak, Board Secretary

MEMBERS ABSENT

Johnny Wilson, Secretary  
Vice Mayor John D. Alexander

OTHERS

Applicants  
Josh Cross, *The News Examiner*

The Gallatin Municipal-Regional Planning Commission met in a regular work session on Monday, June 10, 2013, at 5:00 p.m., in the Dr. J. Deotha Malone Council Chambers of Gallatin City Hall. Mr. Dick Dempsey, Chair, called the meeting to order. A copy of the meeting agenda is attached to these minutes as Exhibit A.

**Item 1: Discuss proposed amendments to the Preliminary Master Development Plan for Carter's Junction located at 604 Long Hollow Pike (PC0142-13).**

Mr. Bruce Rainey, with Bruce Rainey and Associates, presented the proposed amendments to the Preliminary Master Development Plan for Carter's Junction. Mr. Rainey said he would like to discuss the architectural details of the project, in the absence of the architect on the project.

Mr. Rainey reviewed the changes from the original approved plan. Mr. Rainey said the size of the project has been decreased by eliminating a large storage building. Mr. Rainey said the project has been divided into two phases. Mr. Rainey said the proposed project will be painted, split-faced block, with improved accents from the original approval. A materials board was distributed to the Planning Commission for review.

Mr. Rainey said the landscape has been increased to break up the rear façade of the building. Mr. Rainey said the rest of the landscape would be dictated by stormwater requirements. Mr. Rainey said the existing church to the west of the property has asked that the trees on their side be minimized so that they do not block the view of the church, particularly in the front part of their property.

Chair Dempsey asked if the landscape plan was altered at the request of the church. Mr. Rainey said the plan was altered. Chair Dempsey said the plan should have been submitted without changes requested by neighboring property owners.

Ms. Schoch said a new Preliminary Master Development Plan must be submitted for recommendation to City Council. Ms. Schoch said the City Council has three options. Ms. Schoch said the Preliminary Master Development Plan can be extended for two years, changes can be made, or a new zone district can be imposed.

Ms. Schoch said the applicant is decreasing the amount of brick. Mr. Ramsey asked if split face block is prohibited. Ms. Schoch said split face block is not prohibited; however, 70 percent brick or stone is still required. Mr. Ramsey said he would prefer that the split face block be used on the back of the building. Mr. Ramsey said he is not concerned with the landscape at the church property; however, he would like to see more landscape at Red River Road. Mr. Ramsey commented that the proposed Burning Bushes are not enough to screen the dumpster. Mr. Puryear said the screening must be evergreen and Burning Bushes are a deciduous plant.

Ms. Schoch said the end of the first phase building would be metal. Mr. Ramsey said he is concerned that if phase two is never built the side of the building will be a permanent metal wall facing Long Hollow Pike. Mr. Ramsey said he would like to see the building at 70 percent brick or stone.

Dr. Orgain asked about employee parking. Mr. Rainey said employee parking would be in the back of the building.

Mr. Rainey said he would have a conversation with the property owner to suggest that the exterior of the second phase be built out and the interior be completed at a later date. Chair Dempsey said he would consider the applicant requesting a two year timeline and if phase two is not completed in two years, the metal wall must be taken down and the final wall must be installed.

Chair Dempsey asked for clarification on the brick or stone requirement. Ms. Schoch said Staff would recommend the strict interpretation of 70 per cent brick or stone on all four sides. Chair Dempsey said the Planning Commission might consider split-face block in the back with an upgrade to the two sides and the front. Mr. Rainey said he has only discussed split-face block on the back with the architect.

Ms. Schoch said Staff must determine if the landscape meets the requirements. Mr. Puryear said the City code requires evergreen shrubs in the front of the property. Ms. Schoch confirmed the requirement of evergreen shrubs.

Mr. Ramsey reiterated that he would like to see more landscape at Red River Road. Ms. Schoch said there was a comment from the Police Department regarding the access from Red River Road. Mr. Nick Tuttle, City Engineer, said he would look at the access to be sure there is not a site distance issue.

## **Item 2: Discussion regarding use of CSX Charter Right-of-Way.**

Mr. Tuttle, said he has had discussions with Mr. Joe Thompson, City Attorney; however, he still does not have a good description of what can and cannot be done in charter right-of-way.

Chair Dempsey requested that the information be brought back to the Planning Commission for further discussion.

June 10, 2013

**Item 3: Discuss proposed amendments to Article 14 of the Gallatin Zoning Ordinance regarding non-conforming uses and structures (PC0109-13).**

Mr. Jim Svoboda, Community Development Coordinator, said Staff has met with the City Attorney to review the draft to be presented to the Planning Commission at the regular meeting. Mr. Svoboda reviewed some of the proposed changes. Mr. Svoboda said the changes will bring the Non-Conforming Use section in compliance with State law.

Mr. Svoboda said both residential and commercial non-conforming uses are being addressed.

Mr. Svoboda said non-conforming signs are also being reviewed including billboards. Mr. Svoboda said for on-premise, non-conforming signs they could continue to be used by the business, but when the use of the property changes, the non-conforming sign on that property would have to be brought into compliance with the zoning ordinance. Mr. Svoboda said the business owner still has the opportunity to come before the Planning Commission to ask for an alternative sign plan.

Mr. Svoboda said any substantial changes, other than routine repairs, would make the sign illegal. Mr. Ramsey asked if the City had an inventory on non-conforming signs. Mr. Svoboda said there is a not a complete inventory of non-conforming signs.

Mr. Svoboda said the goal is to bring the final draft to this month's Planning Commission regular meeting.

Mr. Puryear asked if businesses and billboards, etc., that are non-conforming, could be re-built due to a natural disaster. Mr. Svoboda said TCA does not specify natural disaster. Mr. Svoboda said if the building or billboard is torn down, the new facility would have to follow the zoning ordinance.

**Item 7: Other Business**

Mr. Tuttle said Walmart is redoing the detention area. Mr. Tuttle said the new area would be bigger and would improve the drainage. Mr. Svoboda said the chain link fence surrounding the project is just temporary and will be removed when the project is complete.

Chair Dempsey asked if there was any decision on the Codes/Planning Director position. Mayor Graves said the City Council voted to separate the departments and have two department heads.

**Item 8: Adjourn**

There being no further business, Chair Dempsey adjourned the meeting at 5:45 p.m.

Respectfully submitted:

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Marianne Mudrak, Board Secretary

Approve:

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Chair Dick Dempsey

---

Johnny Wilson, Secretary

MINUTES OF THE GALLATIN  
MUNICIPAL-REGIONAL PLANNING COMMISSION  
MEETING

June 24, 2013

MEMBERS PRESENT

Dick Dempsey, Chair  
James Robert Ramsey, Vice Chair  
Johnny Wilson, Secretary  
Mayor Jo Ann Graves  
Vice Mayor John D. Alexander  
John Puryear

STAFF PRESENT

Katherine Schoch, Interim Director Codes/Planning  
Jim Svoboda, Community Development Coord.  
Kevin Chastine, Planner II  
Nick Tuttle, City Engineer  
Marianne Mudrak, Board Secretary

MEMBERS ABSENT

Dr. Rick Orgain

OTHERS

Applicants  
Josh Cross, *The News Examiner*

The Gallatin Municipal-Regional Planning Commission met in a regular meeting on Monday, June 24, 2013, at 5:00 p.m., in the Dr. J. Deotha Malone Council Chambers of Gallatin City Hall. Mr. Dick Dempsey, Chair, called the meeting to order. A copy of the meeting agenda is attached to these minutes as Exhibit A.

Chair Dempsey asked if any representative in the audience requested to remove any item from the Consent Agenda. No one in the audience requested to remove any item from the Consent Agenda. Chair Dempsey asked if any member of the Planning Commission requested to remove any item from the Consent Agenda. No member of the Planning Commission requested to remove any item from the Consent Agenda.

Chair Dempsey motioned to approve the Consent Agenda. Mr. Wilson seconded the motion and the motion passed by unanimous vote.

Item 1  
Approve Prior Minutes

Mr. Wilson motioned to approve the minutes from the May 20, 2013 Gallatin Municipal-Regional Planning Commission regular meeting. Chair Dempsey seconded the motion and the motion passed by unanimous vote.

Item 2  
GMRPC Resolution No. 2013-51 – PC0144-13 – Stratford Park, Phase 2, Section 1 – Barge Waggoner Sumner Cannon – Applicant requests approval of a final plat for Stratford Park, Phase 2, Section 1, a major subdivision containing 32 lots on 15.38 (+/-) acres located at Long Hollow Pike and Stratford Park Boulevard

This item was approved by consent agenda with the following conditions:

1. The applicant shall submit a copy of the Restrictive Covenants prior to recording of final plat.
2. The applicant shall provide a copy of a signed and recorded Stormwater Inspection and Maintenance Agreement for the detention pond located in the "Common Open Space 1/Detention Area/Drainage Easement" servicing Phase 2 to the Engineering Division prior to the recording of the final plat.
3. The applicant shall provide a copy of a signed Developer Agreement for contribution to the TDOT GreenLea Boulevard Extension project to the Engineering Division, in the amount of \$25,500 for Phase 2 prior to the recording of the final plat.
4. The applicant shall be aware that the roadway widths and turns shall be able to support all fire equipment.
5. The applicant shall have the water/sanitary sewer installations accepted by the Gallatin Public Utilities Department prior to the recording of the final plat.
6. The applicant shall submit one (1) mylar and two (2) vellum copies of the final plat, including all original signatures, along with the recording fee to the Codes/Planning Department for recording.

### Item 3

GMRPC Resolution No. 2013-50 – PC0142-13 – Carter’s Junction – Phase 1 – Bruce Rainey & Associates – Applicant requests approval of a Preliminary Master Development Plan for Carter’s Junction, a 9,662 square foot multi-tenant commercial building on 1.42 (+/-) acres located at 604 Long Hollow Pike.

Mr. Kevin Chastine, Planner II, presented the staff report and stated the applicant is requesting approval of a Preliminary Master Development Plan for Carter’s Junction. Mr. Chastine said a request for rezoning this property from Commercial Services Limited (CSL) to Planned Neighborhood Commercial (PNC) was recommended for approval by the Planning Commission at the May 18, 2009 meeting. Mr. Chastine said the Preliminary Master Development Plan was approved on second reading at the July 7, 2009 City Council Meeting. Mr. Chastine said, since it has been more than two years, the Gallatin Zoning Ordinance requires that the Preliminary Master Development Plan become void.

Mr. Chastine said the proposed building is smaller than the original approval and the architecture has changed. Mr. Chastine said the project would be in two phases. Mr. Chastine said the applicant is requesting an alternative architectural plan approval. Mr. Chastine said the landscape has been reduced after discussion with the adjacent church, at the request of the church.

Mr. Chastine said Staff recommends the Planning Commission recommend approval of the Preliminary Master Development Plan with the conditions listed in the staff report.

Chair Dempsey asked Mr. Nick Tuttle, City Engineer, if he had any concerns with the request. Mr. Tuttle said the Planning Commission asked that the Engineering Division look at site distance on Red River Road. Mr. Tuttle said he does not see a problem with the site distance on Red River Road.

Mr. Bruce Rainey, with Bruce Rainey & Associates, represented the applicant and said the Phase 1 wall was changed to a masonry wall at the request of the Planning Commission.

Chair Dempsey asked for verification that the only change is the left elevation wall. Mr. Chastine said the plan is the same except for the left elevation wall.

Mr. Puryear said he is concerned that the proposed wall between the phases may become permanent if Phase 2 is never constructed.

Vice Mayor Alexander said this project is in his district; however, he has not had a chance to look at the proposed plan.

Mr. Ramsey said he is opposed to the severe variance to the 70 percent brick or stone requirement. Mr. Ramsey said this project is visible from two state highways.

Mayor Graves said the roof does not have a back section, which is required.

Mr. Puryear asked if the landscape has been changed around the dumpster pad. Mr. Rainey said the Burning Bush shrubs have been replaced by Stephens Holly.

Chair Dempsey motioned to recommend the Preliminary Master Development Plan with the conditions listed in the staff report and the addition of condition 17 to add the back wall, raised approximately five feet.

Mr. Ramsey seconded the motion.

Mayor Graves said Long Hollow Pike is now a gateway to the City and whatever is built here would set a precedent for the area.

Mayor Graves said it might be appropriate to defer this item for further study, since Vice Mayor Alexander has not had a chance to review the project.

Mr. Puryear asked if the front parking lot screening is required to be evergreen. Ms. Schoch said the front parking is required to be evergreen. Mr. Puryear said the submittal shows Burning Bush shrubs, which are not evergreen.

Chair Dempsey suggested the left wall may be bonded for a period of approximately three years and if Phase 2 is not built, at that time, the bond would be called.

Chair Dempsey motioned to defer this item to the next Planning Commission Work Session meeting. Mr. Ramsey seconded the motion and the motion passed by unanimous vote.

#### Item 4

GMRPC Resolution No. 2013-54 – PC0146-13 – Fairway Farms – Phase 2 & Phase 3 – Bruce Rainey & Associates – Applicant requests approval of a Final Master Development Plan for Fairway Farms, Phase 2 and Phase 3, a major subdivision containing 154 lots on 82.83 (+/-) acres located on Long Hollow Pike and Wendling Boulevard.

Mr. Jim Svoboda, Community Development Coordinator, presented the staff report and stated the applicant is requesting approval of a Final Master Development Plan for Fairway Farms, Phase 2 and Phase 3 on property containing 154 lots. Mr. Svoboda said an amended Preliminary Master Development Plan was approved by City Council in May, 2013.

Mr. Svoboda said the Final Master Development Plan is in conformance with what was submitted. Mr. Svoboda said the Engineering Division had some comments.

Mr. Svoboda said Staff recommends the Planning Commission approve the Final Master Development Plan for Fairway Farms, Phases 2 and 3 with the conditions listed in the staff report.

Chair Dempsey asked Mr. Tuttle if he had any engineering concerns with the project. Mr. Tuttle said the engineering comment regarded traffic calming measures. Mr. Tuttle said the Engineering Division would like to have an idea of what the traffic calming measures would be for the area.

Mr. Bruce Rainey, with Bruce Rainey & Associates, represented the applicant and said he would review traffic calming measures with Mr. Tuttle. Mr. Rainey said there are areas in the next two intersections that could hold traffic calming measures.

Mr. Rainey said all concerns of the existing residents have been addressed.

Mr. Ramsey motioned to approve the Final Master Development Plan with the following conditions:

1. The Planning Commission approved the architectural elevations and photographs as submitted.
2. The Planning Commission approved the landscaping plan as submitted.
3. The applicant shall submit detailed plans and specifications for the installation of the water and sanitary sewer infrastructure for approval by the Gallatin Public Utilities Department.
4. The applicant shall satisfactorily address the Engineering Division review comments as part of the approval of the Final Master Development Plan and Construction Plans for Phases 2 and 3.
5. The applicant shall submit three (3) corrected, folded copies of the Final Master Development Plan to the Codes/Planning Department.

Mr. Wilson seconded the motion and the motion passed by unanimous vote.

Item 5

GMRPC Resolution No. 2013-52 – PC0143-13 – Fairway Farms – Phase 3, Section 1C – Bruce Rainey & Associates – Applicant requests approval of a preliminary plat for Fairway Farms, Phase 3, Section 1C, a major subdivision containing 27 lots on 13.26 (+/-) acres located north of Long Hollow Pike and west of Wendling Boulevard.

This item was approved by consent agenda with the following conditions:

1. The applicant shall submit detailed plans and specifications for the installation of the water and sanitary sewer infrastructure for approval by the Gallatin Public Utilities Department.
2. The applicant shall satisfactorily address the Engineering Division review comments as part of the approval of the Preliminary Plat and Construction Plans for Fairway Farms, Phase 3, Section 1C.
3. The applicant shall submit a subdivision surety, in an amount to be determined by the Gallatin Engineering Division, to the Codes/Planning Department prior to recording of the final plat for Fairway Farms, Phase 3, Section 1C.

4. The applicant shall submit a utility surety, in an amount to be determined by the Public Utilities Department, to the Codes/Planning Department prior to the recording of the final plats for Fairway Farms, Phase 3, Section 1C.
5. The applicant shall submit three (3) corrected, folded copies of the Preliminary Plat to the Codes/Planning Department.

Item 6

GMRPC Resolution No. 2013-53 – Other Business – Surety and Renewal Extensions

Ms. Katherine Schoch, Interim Director Codes/Planning, said Staff recommends approval of the one-year renewal and extensions for the following sureties:

- Kennesaw Farms, Phase 2; PC File #8-63-04 site surety one year renewal and extension for \$37,400.
- Cypress Gardens Subdivision; PC File#1-40-05C subdivision surety one year renewal and extension for \$36,000.
- Lenox Place, Phase 13 & 14; PC File #2-10-09S utility surety one year renewal and extension for \$10,000.
- Fairvue plantation, Phase 19, Section 1 & Phase 20; PC File 2-6-09S utility surety one year renewal and extension for \$24,000.

Mr. Ramsey motioned to approve the one-year surety renewals and extensions. Mr. Wilson seconded the motion and the motion passed by unanimous vote.

Mr. Ramsey asked who should be contacted on trees and shrubs that have died in the landscape of commercial buildings. Ms. Schoch said trees and shrubs are required to be replaced for the life of the project. Ms. Schoch said Mr. Robert Kalisz, Planner I, should be contacted to do a landscaping inspection.

Chair Dempsey asked what the project was on GreenLea Boulevard. Mr. Tuttle said it is the Ranken Branch sewer interceptor project.

Mayor Graves asked for reassurance that the fence around the Walmart drainage project would be removed at the end of the project. Mr. Tuttle said the fence is temporary. Mr. Tuttle said this is a big project because they are building a wetland and a retention pond in the back.

Item 7

Move to Adjourn

There being no further business, Chair Dempsey adjourned the meeting at 5:50 p.m.

Respectfully submitted:

---

Marianne Mudrak, Board Secretary

Approve:

---

James Robert Ramsey, Vice Chair

---

Johnny Wilson, Secretary

# ITEM 2

GMRPC Resolution No. 2013-24

## RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING ARTICLE 14.00, PROVISIONS GOVERNING NON-CONFORMING USES AND NON-COMPLYING BUILDINGS OR OTHER STRUCTURES, OF THE ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE – PC0109-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the zoning amendment submitted by the applicant, City of Gallatin, at its regular meeting on July 22, 2013; and

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

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

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

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

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the zoning amendment to the Gallatin City Council.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

---

Dick Dempsey, Chairman

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

# EXHIBIT A

## ITEM 2 7/22/13 GMRPC MEETING

### **Public Comment**

**The City of Gallatin requests approval to amend the Gallatin Zoning Ordinance, Article 14.00, Provisions Governing Non-conforming Uses and Non-complying Buildings or Other Structures. (PC0109-13)**

### **Attachment 2-1 Ordinance O1307-40**

### **ANAYLSIS**

The City of Gallatin requests approval of a text amendment to Article 14.00 of the Gallatin Zoning Ordinance pertaining to the provisions governing non-conforming uses and non-complying buildings or Other Structures.

The current Gallatin Zoning Ordinance was adopted in July 1998 and amended in April 2009 to add a new section establishing provisions for non-conforming residential uses and buildings located in commercial zone districts. The State of Tennessee zoning enabling legislation pertaining to non-conforming uses is outlined in Tennessee Code Annotated (TCA) Section 13-7-208; however, state law has been amended several times since the Zoning Ordinance was adopted in 1998. The proposed amendment to Article 14.00 is intended to provide a comprehensive update to the non-conforming use requirements in the Zoning Ordinance in order to make them consistent with the provisions of TCA Section 13-7-208.

In drafting the proposed amendment, Staff researched non-conforming use requirements in comparable communities in Tennessee. The proposed amendment includes deleting Article 14.00 in its entirety and replacing it with a new Article 14.00 that includes updates to the provisions for the continuation, expansion and discontinuance of non-conforming uses as well as amendments to the requirements for non-conforming signs, billboards and multifamily uses. Refer to Attachment 2-1 for additional information about the proposed amendment to Article 14.00.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend approval of the proposed Amendment to Article 14.00 to City Council.

# EXHIBIT A

ORDINANCE NO. 01307-40

## ORDINANCE AMENDING ARTICLE 14.00, PROVISIONS GOVERNING NON-CONFORMING USES AND NON-COMPLYING BUILDINGS OR OTHER STRUCTURES, OF THE ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of this amendment in GMRPC Resolution No. 2013-24, attached hereto as Exhibit A; and

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

NOW THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE that Article 14.00, Provisions Governing Non-Conforming Uses and Non-Complying Buildings or Other Structures, shall be amended by deleting the Article in its entirety and replacing it with a new Article 14.00, Provisions Governing Non-Conforming Uses and Non-Complying Buildings or Other Structures, attached hereto as Exhibit B; and

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

PASSED FIRST READING:

PASSED SECOND READING:

---

MAYOR JO ANN GRAVES

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

**ATTACHMENT 2-1**

# EXHIBIT A

# EXHIBIT B

## ARTICLE 14.00 PROVISIONS GOVERNING NON-CONFORMING USES AND NON-COMPLYING BUILDINGS OR OTHER STRUCTURES

### 14.01 Statement of Purpose

The districts established in this Ordinance (as set forth in district regulations in Articles 4.00 through 10.00) are designed to guide the future use of land within the corporate limits and planning region of the City of Gallatin, Tennessee, by encouraging the development of desirable residential, commercial, and industrial areas with appropriate groupings of compatible and related uses, thereby promoting and protecting the public health, safety, and general welfare of the community.

In order to protect the health, safety and general welfare of the community, land uses or structures which existed legally upon the commencement of the land use or the construction of the structure, but no longer conform to all the applicable provisions of this Ordinance, shall be restricted by the provisions of this Article to the fullest extent permitted by Tennessee law, including but not limited to the provisions of T.C.A. § 13-7-208, as amended.

Non-conforming uses and structures shall be subject to the following limitations and controls in order to protect and preserve the full use and enjoyment of nearby properties. While legally non-conforming uses are generally permitted to continue by this Article, further investment in such uses may be limited so as to encourage a relocation of the use to an appropriately zoned area.

The following provisions apply to legally non-conforming uses of land, non-conforming improvements to the land, pre-existing lots or parcels of substandard size, and non-conforming signs. These provisions shall be applied in a manner consistent with Tennessee Code Annotated § 13-7-208, as amended.

#### 14.01.010 Conflicts with State or Federal Law

The provisions and requirements of this Article shall be interpreted as necessary by the Zoning Administrator to maintain consistency with applicable State or Federal law.

### 14.02 Non-Conforming Commercial, Industrial and Business Establishments/Uses

#### 14.02.010 Applicability

For any manner of non-conformity, whether by (1) use, (2) structure, or (3) combination of non-conforming use and non-conforming structure, the following provisions shall apply:

## 14.02.020 General Provisions

### A. Continuation of Non-conforming Uses

Any non-conforming use which existed lawfully at the time of enactment of this Ordinance and which remains non-conforming under the provisions contained herein or any use which shall become non-conforming upon enactment of this Ordinance, or any subsequent amendments thereto, may be continued subject to the provisions of this Article.

### B. Change of Non-conforming Uses

For the purpose of this Section, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use.

A non-conforming use may be changed to any conforming use, and the applicable bulk regulations and accessory off-street parking requirements shall apply to such change of use or to alterations made in order to accommodate such conforming use.

Whenever an owner changes or permits a change from a non-conforming use to a conforming use, such use cannot thereafter be changed back to a non-conforming use.

### C. Discontinuance of Non-conforming Industrial, Commercial or Business Establishment Uses

When a non-conforming industrial, commercial or business use of land or a non-conforming use of part or all of a structure is discontinued or abandoned for a period of thirty (30) months, as specified by Tennessee Code Annotated § 13-7-208, as amended, such use shall not thereafter be re-established or resumed. Any subsequent use or occupancy of such land or structure shall comply with the regulations of the zoning district in which such land or structure is located.

### D. Repair and Maintenance of Non-conforming Uses and Structures

Nothing in this Section shall prevent the routine maintenance, strengthening or restoring to a safe condition of any part of any non-conforming building or structure declared unsafe by proper authority.

### E. Expansion of Non-conforming Uses and Structures

Subject to the provisions of Tennessee Code Annotated § 13-7-208, as amended, non-conforming industrial, commercial, or business establishment uses may be expanded and additional facilities may be constructed which involve an actual continuation and expansion of the non-conforming use, provided there is a reasonable amount of space on the property so as to avoid nuisances to adjacent landowners.

## F. Destroy Present Facilities and Reconstruct New Facilities

Subject to the provisions of Tennessee Code Annotated § 13-7-208, as amended, non-conforming industrial, commercial, or business establishments uses may destroy present facilities and reconstruct new facilities necessary to the conduct of the business, provided there is a reasonable amount of space on the property so as to avoid nuisances to adjacent landowners. Any structure rebuilt on the site must conform to the provisions of the existing zoning regulations as to setbacks, height, bulk, or requirements as to the physical location of a structure upon the site.

### 14.03 Non-Conforming Residential Uses

#### 14.03.010 Applicability

For any manner of non-conformity, whether by (1) use, (2) structure, or (3) combination of non-conforming use and non-conforming structure, the following provisions shall apply:

#### 14.03.020 General Provisions

##### A. Continuation of Non-conforming Uses

Any non-conforming residential use which existed lawfully at the time of enactment of this Ordinance and which remains non-conforming under the provisions contained herein or any use which shall become non-conforming upon enactment of this Ordinance, or any subsequent amendments thereto, may be continued subject to the provisions of this Article.

##### B. Change of Non-conforming Uses

For the purpose of this Section, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use.

Unless otherwise provided for in this Article, a non-conforming residential use may be changed to any conforming use, and the applicable bulk regulations shall apply to such change of use or to alterations made in order to accommodate such conforming use.

Whenever an owner changes or permits a change from a non-conforming residential use to a conforming use, such use cannot thereafter be changed back to a non-conforming use.

##### C. Discontinuance of Residential Use

Any non-conforming residential use legally established upon the enactment of this Ordinance, or any subsequent amendments thereto, may be continued unless they are discontinued for a period of one (1) year.

# EXHIBIT A

## EXHIBIT B

### D. Repair and Maintenance of Non-conforming Residential Uses and Structures

Nothing in this Section shall prevent the routine maintenance, strengthening or restoring to a safe condition of any part of any non-conforming residential building or structure declared unsafe by proper authority.

### E. Expansion of Non-conforming Residential Structures

Unless otherwise provided for in this Article, a non-conforming residential building or structure may be altered, expanded or converted to another permitted use, provided that the alteration, expansion or conversion does not create an increase in the degree of non-conformity.

### 14.03.030 Non-conforming Residential Uses and Buildings in Commercial Zone Districts

#### A. Continuation Permitted

Any non-conforming residential use legally established on or before July 8, 1998 that is located in any commercial zone district may be continued unless it is discontinued for a period of one (1) year. Such use may be expanded and its buildings structurally altered or replaced provided that the expansion, alteration or replacement complies with the yard requirements of the residential zone district which most closely matches the lot size containing the non-conforming use as determined by the Zoning Administrator and all applicable development standards in this Ordinance.

#### B. Change in Residential Use

Changes of use from a non-conforming Single-wide Mobile Home residential use to a non-conforming One-Family Detached Dwelling residential use may be made provided that the change of use complies with the yard requirements of the residential zone district which most closely matches the lot size containing the non-conforming use as determined by the Zoning Administrator and all applicable development standards in this Ordinance.

### 14.04 Non-Conforming Multifamily Residential Establishments

Non-conforming multifamily residential establishments shall be allowed to reconstruct new facilities necessary to the conduct of such multifamily residential establishment in the event of damage, whether partial or complete, by involuntary fire or wind damage or other natural disaster in accordance with the provisions of Tennessee Code Annotated § 13-7-208, as amended.

## 14.05 Non-Conforming On-Premises Signs

### 14.05.010 Applicability

The following provisions shall apply to legally permitted on-premises signs that were in compliance with all applicable regulations in effect at the time of installation, but were made non-conforming by the adoption of this Ordinance, or subsequent amendments hereto. For the purpose of this Article, a non-conforming on-premises sign or sign structure means any existing permanent on-premises sign or sign structure which does not conform to the provisions of this Ordinance, but was lawfully erected under the sign regulations in effect at the time it was erected. For the purposes of regulating non-conforming signs, the definitions contained in Section 13.07 shall apply.

### 14.05.020 General Provisions

The utilization of a non-conforming on-premises sign or sign structure may continue subject to the conditions and requirements noted below. When the use of a property changes [including but not limited to the redevelopment of the site or a change in the use of the business(es)], the signs on that property must be brought into compliance with the provisions of this Ordinance.

With the exception of minor repairs and maintenance, which shall include and not be limited to printing, painting, re-facing or refinishing the surface of the existing sign face or sign structure so as to maintain the appearance, no substantial improvements to a non-conforming sign or sign structure shall be allowed. Any structural or other substantial improvement to a non-conforming sign shall be deemed an abandonment of the non-conforming status and shall result in the reclassification of such sign as an illegal sign.

## 14.06 Non-Conforming Billboards

Non-conforming Billboards may be continued and permitted to expand in accordance with the provisions of Tennessee Code Annotated § 13-7-208, as amended.

## 14.07 Non-Conforming Uses, Buildings Or Structures Located In Special Flood Hazard Areas

The provisions of Article 10.00 shall apply to the continuation, expansion or reconstruction of any non-conforming uses, buildings or structures located within a special flood hazard area.

RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN AND A REVISION TO THE FINAL MASTER DEVELOPMENT PLAN FOR FAR AWAY HILLS IN ORDER TO AMEND ARCHITECTURAL ELEVATIONS - PROPERTY CONTAINS 22 ONE-FAMILY DETACHED DWELLING LOTS ON 14.292 (+/-) ACRES LOCATED AT 1325 EAST MAIN STREET - PC0155-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the Amended Preliminary Master Development Plan/Revised Final Master Development Plan submitted by the applicant, Mr. Steve Sudbury, at its regular meeting on July 22, 2013; and

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

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

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

1. The minor amendment to the Preliminary Master Development Plan and the Revised Final Master Development Plan are in agreement and consistent with the recommendations of the General Development and Transportation Plan for the area.
2. It has been determined that the legal purposes for which zoning regulations exists are not contravened.
3. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect is justified by the public good or welfare.
4. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby approves a minor amendment to the Preliminary Master Development Plan and approves a Revised Final Master Development Plan with the following conditions:

1. Planning Commission approve the revised architectural elevations as submitted including 70% brick/stone with Hardie Board and vinyl siding accents or three (3) sides brick/stone with Hardie Board and vinyl siding accents and rear façades depending on the particular house design.

2. The applicant is aware that all previous conditions of approval shall be addressed to the satisfaction of the City Engineer.
3. The applicant shall submit a copy of the revised restrictive covenants to the Codes/Planning Department prior to recording.
4. The applicant shall submit details of the proposed signage for the development to the Codes/Planning Department for review and approval. The applicant shall obtain a sign permit prior to the installation of any signage.
5. The applicant shall submit an updated subdivision surety, in the amount of \$124,000, prior to the issuance of any building permits.
6. The applicant shall submit an updated site surety, in the amount of \$32,700, to the Codes/Planning Department prior to the issuance of any building permits.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

---

Dick Dempsey, Chair

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

**ITEM 7**  
**7/22/13 GMRPC MEETING**

**Applicant requests approval of an amended Preliminary Master Development Plan and a revised Final Master Development Plan for Far Away Hills, a major subdivision, in order to change the approved architectural elevations. Property contains 22 lots on 14.292 (+/-) acres and is located at 1325 East Main Street. (PC0155-13)**

<b>Attachment</b>	<b>7-1</b>	<b>Approved Final Plat</b>
<b>Attachment</b>	<b>7-2</b>	<b>Property Owner Letter</b>
<b>Attachment</b>	<b>7-3</b>	<b>Revised Sample Architectural Elevations</b>
<b>Attachment</b>	<b>7-4</b>	<b>Approved Sample Architectural Elevations</b>
<b>Attachment</b>	<b>7-5</b>	<b>Approved Restrictive Covenants</b>
<b>Attachment</b>	<b>7-6</b>	<b>Site Inspection Report</b>
<b>Attachment</b>	<b>7-7</b>	<b>Site Surety Calculation Sheet</b>

**ANALYSIS**

The applicant is requesting approval of an amended Preliminary Master Development Plan and a revised Final Master Development Plan for Far Away Hills, a major subdivision, in order to change the approved architectural elevations. The property contains 22 lots on 14.292 (+/-) acres and is located at 1325 East Main Street.

***Approval History***

The Planning Commission recommended approval with conditions of the Preliminary Master Development Plan and rezoning request from Residential-20 (R20) to Residential-20 Planned Residential Development (R20 PRD) at the February 23, 2004 meeting (PC File #3-3-04). Gallatin City Council approved the Preliminary Master Development Plan and rezoning request on Second Reading at the April 6, 2004 meeting. The Planning Commission approved the Final Master Development Plan for Far Away Hills with conditions at the April 26, 2004 meeting (PC File #8-13-04).

According to G.Z.O. Section 12.02.040.B. Final Master Development Plan, if within three (3) years after the date of Planning Commission approval work has not been performed, pursuant to a validly issued building permit, the approval of a Final Master Development Plan shall become void. Since no building permits were issued within the three (3) year approval time period, the Final Master Development Plan has expired and shall be reapproved by Planning Commission.

Since the time of this approval in 2004, there have been many changes in the housing market. The applicant is requesting minor revisions to the approved architecture and square footages of the proposed units in the subdivision to address market demands. Please refer to the owner's written request included with this staff report as Attachment 7-2.

***Final Plat and Subdivision Surety Requirement***

A major subdivision final plat was also approved at the April 26, 2004 Planning Commission meeting and the plat was recorded on May 20, 2008 (PC File #1-9-04C). A revised final plat was also recorded on July 3, 2008. Please refer to the Final Plat included with this staff report as Attachment 7-1. A subdivision surety was submitted to cover roadway improvements; however, since there is no active building in the subdivision, the surety has not been updated by the owner.

An updated subdivision surety, in the amount of \$124,000, shall be submitted to the Codes/Planning Department prior to the issuance of any building permits.

***Approved Architectural Elevations and Restrictive Covenants***

Sample architectural elevations were submitted and approved as part of the Final Master Development Plan. The sample renderings called for one (1) and two (2) story homes, with 100 percent brick or stone on all four (4) building facades. Hardie Board and vinyl siding were approved for use on the eaves and soffits.

***Proposed Revisions***

The applicant is requesting the following amendments to the approved architecture elevations and restrictions:

	<b>APPROVED FMDP</b>	<b>REVISED FMPD</b>
<b>LOT NUMBER</b>	22 SINGLE-FAMILY LOTS	22 SINGLE-FAMILY LOTS
<b>LOT SIZES</b>	15,000 S.F.	15,000 S.F.
<b>DENSITY</b>	1.9 UNITS PER ACRE	1.9 UNITS PER ACRE
<b>S. F.</b>	2,200 S.F. MINIMUM	1,800 S.F. MINIMUM
<b>MATERIALS</b>	BRICK/STONE W/HARDIE BOARD & VINYL DETAILS	BRICK/STONE W/HARDIE BOARD & VINYL DETAILS
<b>MASONRY %</b>	100% BRICK OR STONE	70% BRICK/STONE OR 3 SIDES DEPENDING ON DESIGN
<b>GARAGES</b>	SIDE OR REAR LOADING	FRONT, SIDE, OR REAR LOADING
<b>OPEN SPACE</b>	18%	18%

It is important to note that the revisions to this plan only apply to architecture and percentages of previously approved building materials. The PRD zone district overlay requires

There are no proposed changes to the layout, lot size, number, density, landscaping, zoning, sidewalk network, designated open space, or amenity features. The applicant shall submit a copy of the revised restrictive covenants to the Codes/Planning Department prior to recording.

***Site Surety Requirement***

The City currently holds a \$26,000 Letter of Credit to cover all unfinished site improvements; however, it is based on 2004 construction cost estimates. An updated site surety, in the amount of \$32,700, shall be submitted to the Codes/Planning Department prior to the issuance of any building permits. Please refer to the latest site inspection report and site surety calculation sheet included with this staff report as Attachment 7-6 and 7-7 respectively.

***Infrastructure Improvements***

All gas, water, and sanitary sewer lines have been installed. All streets have been paved except for the top layer of asphalt. In addition, the five (5) foot sidewalks shall be installed as approved on the FMDP. The final layer of asphalt and the sidewalks shall be installed and approved prior to acceptance by the City of Gallatin.

***Departmental Comments***

Since this item only involves architectural amendments, the project was not sent to the other City Departments for review. Since there were several Engineering-related conditions of approval

placed on the Final Master Development Plan initially, the Engineering Division will be given an opportunity to review the project file and see that all previous conditions of approval have been addressed. The applicant is aware that all previous conditions of approval shall be addressed to the satisfaction of the City Engineer.

### ***Major/Minor Amendment***

Recently the Planning Commission has reviewed requests to approve revisions to previously approved residential developments. Many of these projects included changes to the approved architecture in terms of permitted materials and masonry percentages.

Many changes also called for increases in overall density often allowing smaller houses on smaller lots. The proposed revisions to the approved plan for Far Away Hills are different from ones recently reviewed by the Planning Commission because the property is still under single ownership and no houses have been constructed. In addition, the lot sizes and number will remain the same and the density has not increased.

Since there are only minor changes to the approved architectural elevations, size, and design of the proposed homes, Staff recommends that the Planning Commission consider the proposed changes as a minor amendment to the approved Preliminary Master Development Plan.

### **RECOMMENDATION**

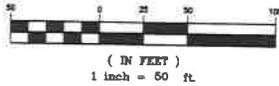
Staff recommends approval of the revised Final Master Development Plan with the following conditions:

1. Planning Commission approve the revised architectural elevations as submitted including 70% brick/stone with Hardie Board and vinyl siding accents or three (3) sides brick/stone with Hardie Board and vinyl siding accents and rear façades depending on the particular house design.
2. The applicant is aware that all previous conditions of approval shall be addressed to the satisfaction of the City Engineer.
3. The applicant shall submit a copy of the revised restrictive covenants to the Codes/Planning Department prior to recording.
4. The applicant shall submit details of the proposed signage for the development to the Codes/Planning Department for review and approval. The applicant shall obtain a sign permit prior to the installation of any signage.
5. The applicant shall submit an updated subdivision surety, in the amount of \$124,000, prior to the issuance of any building permits.
6. The applicant shall submit an updated site surety, in the amount of \$32,700, to the Codes/Planning Department prior to the issuance of any building permits.





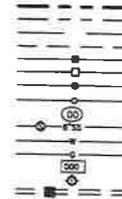
**GRAPHIC SCALE**



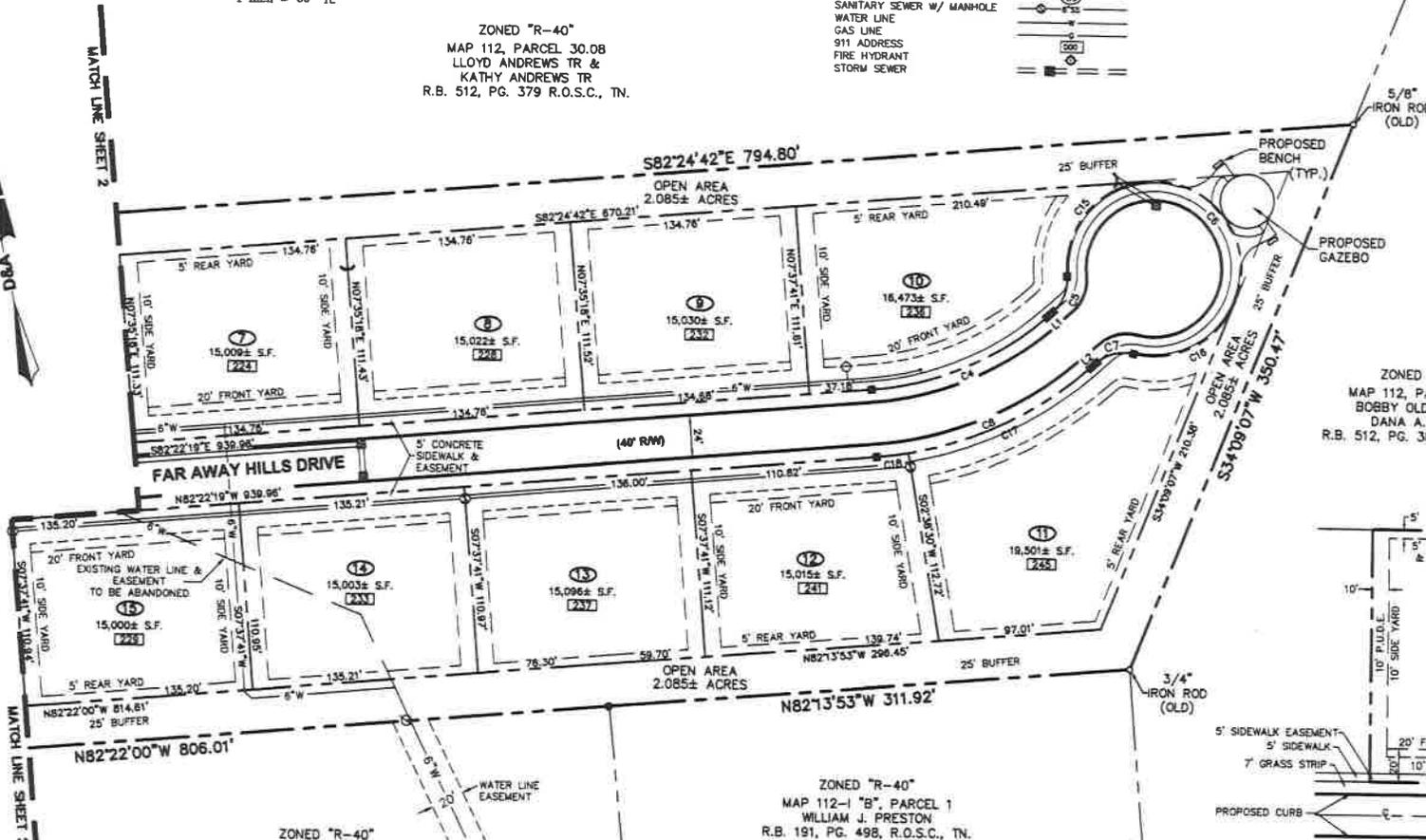
ZONED "R-40"  
 MAP 112, PARCEL 30.08  
 LLOYD ANDREWS TR &  
 KATHY ANDREWS TR  
 R.B. 512, PG. 379 R.O.S.C., TN.

**LEGEND**

- PROPERTY BOUNDARY
- LOT LINE
- EASEMENT
- CONCRETE MONUMENT (NEW)
- CONCRETE MONUMENT (OLD)
- CAPPED 1/2" IRON ROD (NEW)
- IRON ROD (OLD)
- LOT NUMBER
- SANITARY SEWER W/ MANHOLE
- WATER LINE
- GAS LINE
- 911 ADDRESS
- FIRE HYDRANT
- STORM SEWER

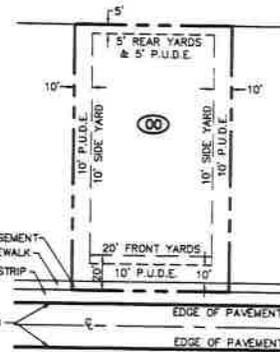


Patricia L. Whitaker, Registrar  
 Sumner County Tennessee  
 Rec'd: 7/2/08  
 Status: 0:00  
 Clock: 0:00  
 Day: 2:00  
 Total: 02:00  
 Enclosure #: 887146  
 Recorded: 7/3/2008 at 10:20 AM  
 PLAT Book 25 Pgs 384-389



ZONED "R-40"  
 MAP 112, PARCEL 30.03  
 BOBBY OLDHAM, ETUX  
 DANA A. OLDHAM  
 R.B. 512, PG. 382, R.O.S.C., TN.

ZONED "R-40"  
 MAP 112-1 "B", PARCEL 1  
 WILLIAM J. PRESTON  
 R.B. 191, PG. 498, R.O.S.C., TN.



**TYPICAL BUILDING LOT**  
 (SCALE 1"=50')

FOR NOTES, LINE TABLE AND CURVE TABLE, SEE SHEET PROPERTY ADDRESS

ZONED "R-20 P.R.D."

JUL 3 - 2008

MAP OF CT. MAP



**Darnall & Associates, LLC**  
 LAND SURVEYING - LAND DEVELOPMENT SERVICES & CONSTRUCTION STAKING - DESIGN  
 106 Joslin Avenue Gallatin, Tennessee 37066  
 Ph. 615-206-6942 Fax 615-206-6943 darnallandassoc@comcast.net

**CERTIFICATE OF APPROVAL FOR RECORDING**  
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE GALLATIN MUNICIPAL - REGIONAL SUBDIVISION REGULATIONS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTER.  
 DATE: 7-2-08  
 DATE: 7-1-08  
 SECRETARY PLANNING COMMISSION  
 CHAIRMAN'S INITIALS

FAR AWAY HILLS REVISED FINAL PLAT	
EAST MAIN STREET, CITY OF GALLATIN, 3RD CIVIL DISTRICT, SUMNER COUNTY, TENNESSEE	
TOTAL ACRES = 14.292±	TOTAL LOTS = 24
ACRES OF NEW ROAD = 1.535±	FEET OF NEW ROAD = 1526±
OWNER: AS SHOWN	CIVIL DISTRICT: 3RD
SCALE: 1"=50'	CITY OF GALLATIN
SURVEYOR: DARNALL & ASSOC.	SUMNER COUNTY
JOB #03-090	STATE OF TENNESSEE
DATE: JUNE 3, 2008	SHEET NO. 3 OF 4

**CERTIFICATION OF COMMON AREAS DEDICATION**  
 CHARLES S. SUBOURT, ETUX IN RECORDING THIS PLAT HAS DESIGNATED CERTAIN AREAS OF LAND SHOWN HEREON AS COMMON AREA INTENDED FOR USE BY THE HOMEOWNERS IN FAR AWAY HILLS FOR RECREATION AND RELATED ACTIVITIES. THE ABOVE DESCRIBED AREAS ARE NOT DEDICATED HEREBY FOR USE BY THE GENERAL PUBLIC, BUT ARE DEDICATED TO THE COMMON USE AND ENJOYMENT OF THE HOMEOWNERS IN FAR AWAY HILLS AS MORE FULLY PROVIDED IN ARTICLE 1 OF THE DECLARATION OF COVENANTS AND RESTRICTIONS, APPLICABLE TO FAR AWAY HILLS, DATED AND RECORDED WITH THIS PLAT. SAID ARTICLE IS HEREBY INCORPORATED AND MADE PART OF THIS PLAT.  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

**CERTIFICATE OF APPROVAL FOR UTILITY SYSTEMS**  
 I HEREBY CERTIFY THAT THE WATER AND SEWER SYSTEMS OUTLINED OR INDICATED ON THE FINAL SUBDIVISION PLAT ENTITLED "FAR AWAY HILLS" HAVE BEEN INSTALLED IN ACCORDANCE WITH CURRENT LOCAL AND STATE GOVERNMENT REQUIREMENTS OR A SUFFICIENT BOND OR CASH HAS BEEN FILED WHICH WILL GUARANTEE SAID INSTALLATION.  
 WATER SYSTEM 6-30-08  
 SEWER SYSTEM 6-30-08  
 SUPERINTENDENT OF PUBLIC UTILITIES, GALLATIN, TENNESSEE

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 I (WE) HEREBY CERTIFY THAT I (AM WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AS EVIDENCED IN R.B. 1864, PG. 860, R.O.S.C., TN. AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND THAT OFFERS OF IRREVOCABLE DEDICATION FOR ALL PUBLIC ROADS, UTILITIES AND OTHER FACILITIES HAVE BEEN FILED AS REQUIRED BY THE GALLATIN MUNICIPAL - REGIONAL SUBDIVISION REGULATIONS.  
 DATE: 6-30-08  
 DATE: 6-30-08

**CERTIFICATE OF ACCURACY**  
 I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE GALLATIN MUNICIPAL - REGIONAL PLANNING COMMISSION, AND THAT THE MEASUREMENTS HAVE BEEN OR WILL BE PLACED, AS SHOWN HEREON, TO THE SPECIFICATIONS IN THESE REGULATIONS.  
 DATE: 6-19-08  
 REGISTERED LAND SURVEYOR

**CERTIFICATE OF APPROVAL OR BONDING OF ROADS**  
 I HEREBY CERTIFY: (1) THAT ALL DESIGNATED ROADS ON THIS FINAL SUBDIVISION PLAT HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO SPECIFICATIONS OF THE GALLATIN MUNICIPAL - REGIONAL SUBDIVISION REGULATIONS, OR (2) THAT A PERFORMANCE BOND HAS BEEN POSTED WITH THE PLANNING COMMISSION TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.  
 DATE: 07/01/08  
 DTY ENGINEER

ATTACHMENT 7-1

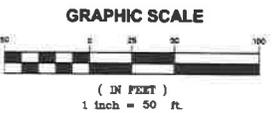
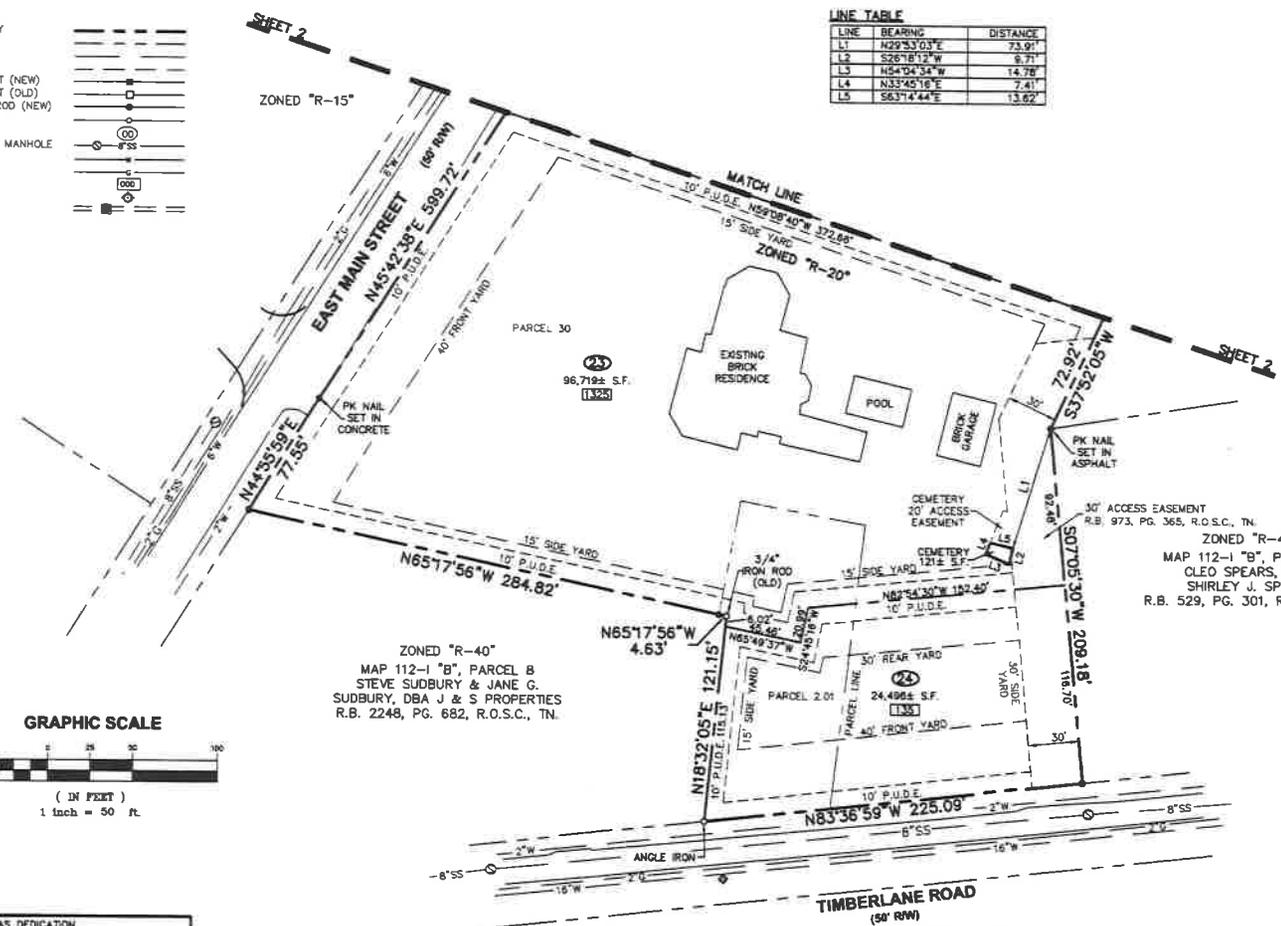
PC0155-13

Form 16-1, Submitter, Register  
 Date: County Tennessee  
 Rec ID: 40 00 Instrument #: 887145  
 7/2/2008  
 Scale: 0.00  
 Clerk: 0.00  
 RDP: 2.00 7/3/2008 at 10:20 AM  
 Total: 62.00  
 Flat Book 28 Pgs 384-385

- LEGEND**
- PROPERTY BOUNDARY
  - YARD LINE
  - LOT LINE
  - EASEMENT
  - CONCRETE MONUMENT (NEW)
  - CONCRETE MONUMENT (OLD)
  - CAPPED 1/2" IRON ROD (NEW)
  - IRON ROD (OLD)
  - LOT NUMBER
  - SANITARY SEWER W/ MANHOLE
  - WATER LINE
  - GAS LINE
  - 911 ADDRESS
  - FIRE HYDRANT
  - STORM SEWER

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N29°33'03"E	73.91'
L2	S26°18'12"W	9.71'
L3	N54°04'34"W	14.78'
L4	N33°45'10"E	7.41'
L5	S63°14'44"E	13.62'



ATTACHMENT 7-1

**CERTIFICATION OF COMMON AREAS DEDICATION**  
 CHARLES S. SUDBURY, ETUX IN RECORDING THIS PLAT HAS DESIGNATED CERTAIN AREAS OF LAND SHOWN HEREON AS COMMON AREA INTENDED FOR USE BY THE HOMEOWNERS IN FAR AWAY HILLS FOR RECREATION AND RELATED ACTIVITIES. THE ABOVE DESCRIBED AREAS ARE NOT DEDICATED HEREBY FOR USE BY THE GENERAL PUBLIC, BUT ARE DEDICATED TO THE COMMON USE AND ENJOYMENT OF THE HOMEOWNERS IN FAR AWAY HILLS AS MORE FULLY PROVIDED IN ARTICLE 1. DECLARATION OF COVENANTS AND RESTRICTIONS, APPLICABLE TO FAR AWAY HILLS, DATED AND RECORDED WITH THIS PLAT. SAID ARTICLE 1 IS HEREBY INCORPORATED AND MADE PART OF THIS PLAT.  
 DATE: 6-30-08  
 DATE: 6-30-08  
 CHARLES S. SUDBURY  
 OWNER

**CERTIFICATE OF APPROVAL FOR UTILITY SYSTEMS**  
 I HEREBY CERTIFY THAT THE WATER AND SEWER SYSTEMS OUTLINED OR INDICATED ON THE FINAL SUBDIVISION PLAT ENTITLED "FAR AWAY HILLS" HAVE BEEN INSTALLED IN ACCORDANCE WITH CURRENT LOCAL AND STATE GOVERNMENT REQUIREMENTS OR A SUFFICIENT BOND OR CASH HAS BEEN FILED WHICH WILL GUARANTEE SAID INSTALLATION.  
 WATER SYSTEM 6-30-08  
 SEWER SYSTEM 6-30-08  
 SUPERINTENDENT OF PUBLIC UTILITIES, GALLATIN, TENNESSEE

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 I HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AS EXEMPTED R.B. 284, PG. 880, R.O.S.C., TN, AND THAT (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LIMITS, AND THAT OTHERS OF IRREVOCABLE DEDICATION FOR ALL PUBLIC ROADS, UTILITIES AND OTHER FACILITIES HAVE BEEN FILED AS REQUIRED BY THE GALLATIN MUNICIPAL - REGIONAL SUBDIVISION REGULATIONS.  
 DATE: 6-30-08  
 DATE: 6-30-08  
 CHARLES S. SUDBURY  
 OWNER

**CERTIFICATE OF ACCURACY**  
 I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE GALLATIN MUNICIPAL - REGIONAL PLANNING COMMISSION, AND THAT THE MONUMENTS HAVE BEEN OR WILL BE PLACED, AS SHOWN HEREON TO THE SPECIFICATIONS IN THOSE REGULATIONS.  
 DATE: 6-19-08  
 REGISTERED LAND SURVEYOR

**CERTIFICATE OF APPROVAL OF BONDING OF ROADS**  
 I HEREBY CERTIFY: (1) THAT ALL DESIGNATED ROADS ON THIS FINAL SUBDIVISION PLAT HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO SPECIFICATIONS OF THE GALLATIN MUNICIPAL - REGIONAL PLANNING COMMISSION, AND THAT A PERFORMANCE BOND HAS BEEN POSTED WITH THE PLANNING COMMISSION TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.  
 DATE: 07/01/08  
 DATE: 7-1-08  
 CITY ENGINEER

**Darnall & Associates, LLC**  
 LAND SURVEYING - LAND DEVELOPMENT SERVICES - CONSTRUCTION STAKING - DESIGN  
 106 Joelin Avenue Gallatin Tennessee 37066  
 Ph 615-206-6942 Fax 615-206-6943 darnallandassocs@comcast.net

**CERTIFICATE OF APPROVAL FOR RECORDING**  
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE GALLATIN MUNICIPAL - REGIONAL SUBDIVISION REGULATIONS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTER.  
 DATE: 7-2-08  
 DATE: 7-1-08  
 COUNTY CLERK

FAR AWAY HILLS	
REVISED FINAL PLAT	
EAST MAIN STREET, CITY OF GALLATIN,	
3RD CIVIL DISTRICT, SUMNER COUNTY, TENNESSEE	
TOTAL ACRES = 14.292±	TOTAL LOTS = 24
ACRES OF NEW ROAD = 1.535±	FEET OF NEW ROAD = 1526±
OWNER: AS SHOWN	CIVIL DISTRICT: 3RD
SCALE: 1"=50'	CITY OF GALLATIN
SURVEYOR: DARNALL & ASSOC.	SUMNER COUNTY
JOB #03-090	STATE OF TENNESSEE
DATE: JUNE 3, 2008	SHEET NO. 4 OF 4

FOR NOTES AND CURVE TABLE, SEE SHEET 1.

ZONED "R-20"  
 MAP\_GP\_CTL\_PAR  
 JUL 3 - 2008

PC0155-13



## J & S PROPERTIES

REC'D JUL 11 2013

7/10/13

City of Gallatin  
Planning and Zoning  
132 West Main  
Gallatin TN. 37066

We are requesting a minor amendment to our subdivision Far Away Hills located on East Main St Gallatin, Tn. Due to the economy over the last five years we have been unable to sell any lots at any price due to the restrictions we first agreed to. They were 2200 sq ft, all brick and either side loaded or back loaded garages. At that time we felt that house would sell in the middle of town.

We would like to amend those restrictions to read as follows:

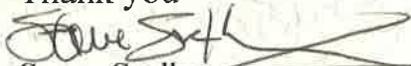
- 1<sup>st</sup>- 1800 sq feet of heated space plus garage
- 2<sup>nd</sup>-Three (3) sides brick or stone
- 3<sup>rd</sup>- Allow for front entrance garage if desired

I currently have a contract on 14 lots to be sold if these amendments are approved to be changed and for construction to start almost immediately there after. All other restrictions in the covenants would remain the same.

These homes would be equal to or greater than the homes in the area and would be a minimum of 3 bedrooms and 2 bath homes. The estimated price range will be 195,000 to 225,000. I believe this is the best for the area and for the city of Gallatin at this time.

I would be glad to answer any questions you might have and look forward to finally getting homes in this area.

Thank you

  
Steve Sudbury

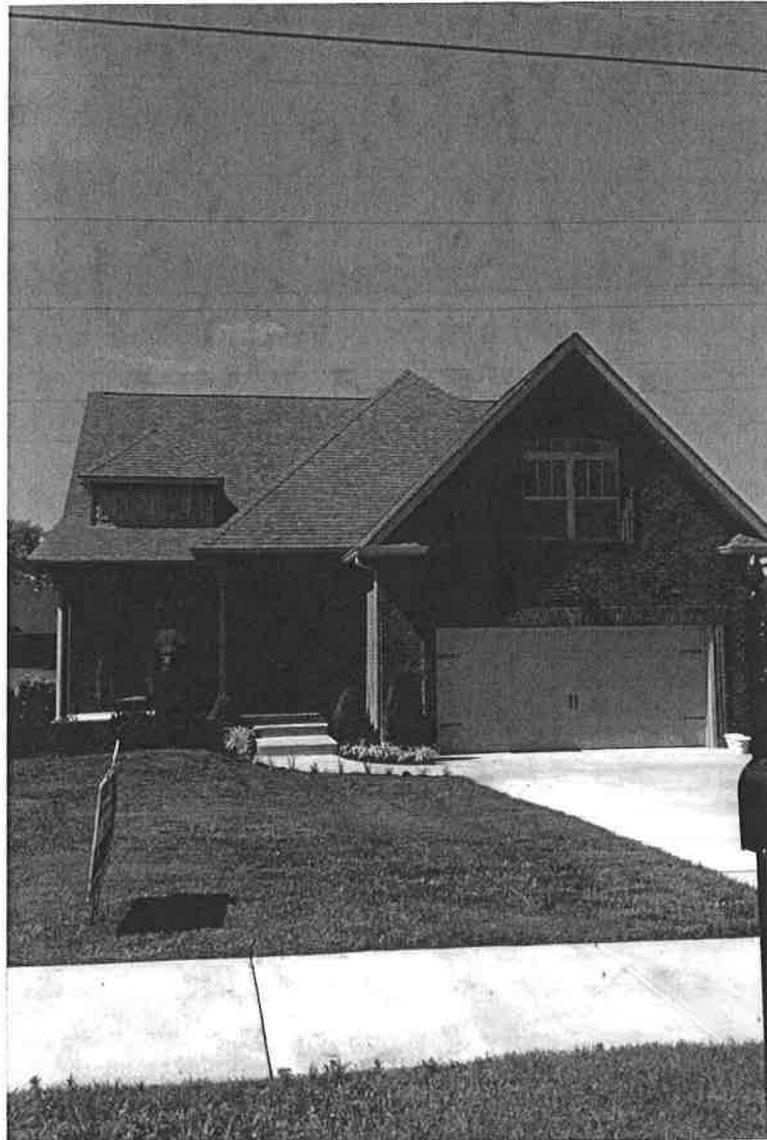
**ITEM 7**

**PC 0155-13**

# ATTACHMENT 7-3

FAR AWAY HILLS REVISED ARCHITECTURAL ELEVATIONS

SAMPLE SINGLE FAMILY RESIDENCE



KENNY LOUALLEN BUILDERS, INC.

FAIRWAY HEIGHTS SUBDIVISION

APPROXIMATELY 1,800 S.F. INCLUDING ADDITIONAL SQAURE FOOTAGE OPTION

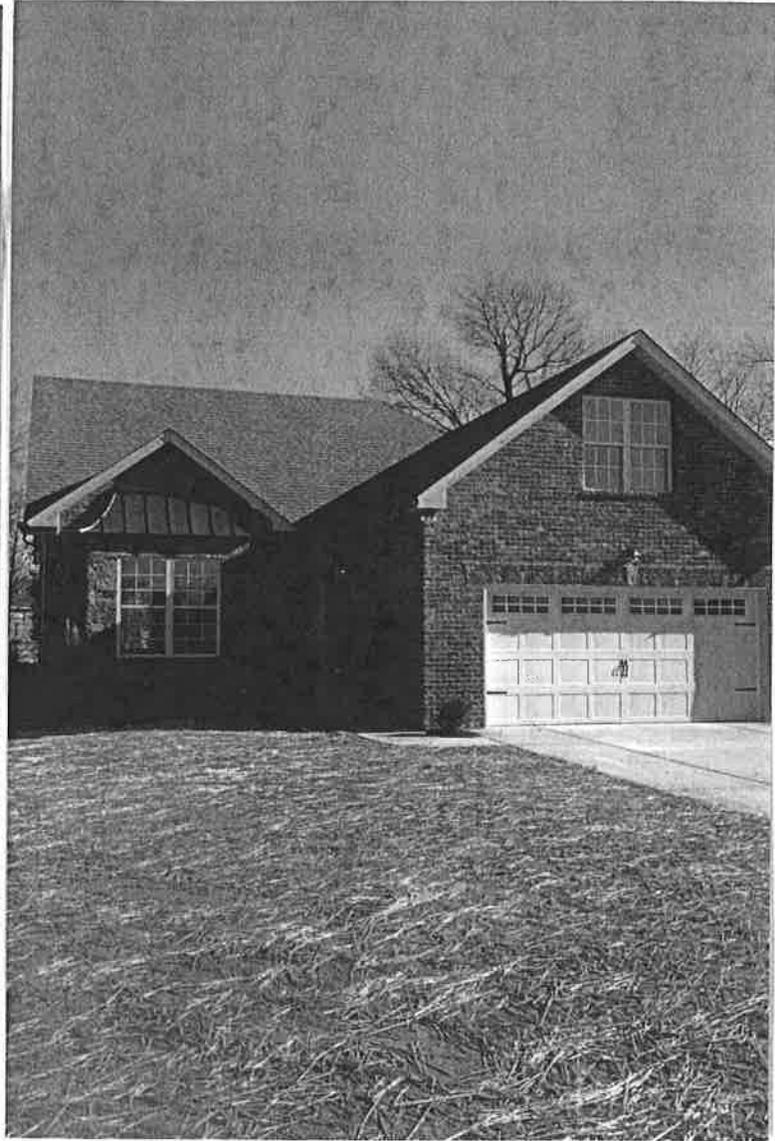
BRICK/STONE ON 3 SIDES WITH HARDY BOARD DETAILS & REAR FAÇADE

FRONT LOADING GARAGE

# ATTACHMENT 7-3

## FAR AWAY HILLS REVISED ARCHITECTURAL ELEVATIONS

### SAMPLE SINGLE FAMILY RESIDENCE



KENNY LOUALLEN BUILDERS, INC.

FAIRWAY HEIGHTS SUBDIVISION

APPROXIMATELY 1,800 S.F. INCLUDING ADDITIONAL SQUARE FOOTAGE OPTION

BRICK/STONE ON 3 SIDES WITH HARDY BOARD DETAILS & REAR FAÇADE

FRONT LOADING GARAGE



**ATTACHMENT 1-3**  
 CALL 1-800-373-2646  
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- CONTACT

Search By Plan Number

**Audrey Traditional Ranch Home**

[home](#) | [search results](#) | [house plan detail](#)



Copyright by designer/architect Drawings and photos may vary slightly Refer to the floor plan for accurate layout.

**Multiple Gables Offer Great Curb Appeal**

The Audrey Traditional Ranch Home has 3 bedrooms and 2 full baths. This stylish ranch home offers an amazing open floor plan that makes the interior spaces of this home feel larger than their true size. The formal dining room is only separated from the vaulted great room by decorative columns. The kitchen enjoys a wrap-around style counter that overlooks the great room and breakfast area. The rear covered porch is the perfect spot for outdoor dining or

[see more...](#)



Need to flip the floor plan?  
**VIEWMIRRORREVERSE**

**FIRST FLOOR**

**HOUSE PLAN #592-121D-0035**

buy this plan

Like Be the first of your friends to like this.

**PLAN DETAILS**

- 1759 Total Square Feet
- 1st Floor 1759
- Width: 45'-8" Depth: 72'-4"
- 3 Bedrooms
- 2 Full Baths
- 2-Car Garage
- 2-Car Attached, Front Entry
  - Size: 22'-4" x 21'-8"
  - Door 1: 9x8
  - Door 2: 9x8
- Standard Foundation - Basement

**MAKING CHANGES TO YOUR PLANS**

- FAQ's and easy customizing - [click here!](#)

**ESTIMATED COST TO BUILD THIS HOME**

The estimated cost to build is an average price per square foot for finished living square footage for a home built in your area, with typical contractor-grade **see more...**

Postal Code  go!  
Estimated Cost

**HELPFUL OPTIONS**

1-800-373-2646

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- Share
- Add To Favorites
- Ask The Professional

**PLAN FEATURES**

- CAD File
- Right Reading Reverse
- Eating Bar
- Laundry and/or Utility Room
- Open Floor Plans
- One-Story
- PDF File
- Main Level Master Bedroom
- Breakfast Bar
- Covered Front Porch
- Mud Room
- Vaulted and/or Volume Ceiling
- Fireplace

**SIMILAR PLAN STYLES**

- CRAFTSMAN HOUSE PLANS
- RANCH HOUSE PLANS
- TRADITIONAL HOUSE PLANS

OTHER PLANS BY THIS DESIGNER

**PC0155-13**

**ATTACHMENT 7-3**  
 CALL 1-800-373-2646  
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- HOME    FIND HOME PLANS    PROJECTS    PHOTO & VIDEO GALLERY    RESOURCES    CONTACT

**Fieldsboro Ranch Home**

[home](#) | [search results](#) | [house plan detail](#)

**HOUSE PLAN #592-030D-0004**

buy this plan

Be the first of your friends to like this.

**PLAN DETAILS**

- 1791 Total Square Feet
- 1st Floor 1791
- Width: 58'-4" Depth: 49'-6"
- 3 Bedrooms
- 2 Full Baths
- 2-Car Garage
  - 2-Car Attached, Front Entry
  - Size: 20'-0" x 20'-6"
- Standard Foundation - Slab
- Optional Foundations - Crawl Space, Basement

**MAKING CHANGES TO YOUR PLANS**

- [FAQ's and easy customizing - click here!](#)

**ESTIMATED COST TO BUILD THIS HOME**

The estimated cost to build is an average price per square foot for finished living square footage for a home built in your area, with typical contractor-grade **see more...**

Postal Code  go!  
 Estimated Cost

**HELPFUL OPTIONS**

1-800-373-2646

- [Print this Plan](#)
- [Add To Favorites](#)
- [FAQs](#)
- [Ask The Professional](#)
- [Share](#)

**PLAN FEATURES**

- Slab
- Small
- Open Floor Plans
- Laundry and/or Utility Room
- Split Bedrooms
- Fireplace
- Covered Front Porch
- PDF File
- Vaulted and/or Volume Ceiling
- Eating Bar
- Breakfast Nook
- Crawl Space
- Breakfast Bar
- One-Story
- Main Level Master Bedroom

**SIMILAR PLAN STYLES**

- MODERN HOUSE PLANS
- RANCH HOUSE PLANS
- TRADITIONAL HOUSE PLANS

OTHER PLANS BY THIS DESIGNER

Live Chat



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**Attractive Styling**

The Fieldsboro Ranch Home has 3 bedrooms and 2 full baths. Dining area has 10' high sloped ceiling. Kitchen opens to large living room with fireplace and has access to a covered porch. Master suite features private bath, double walk-in closets and whirlpool tub. The Fieldsboro home plan can be many styles including Modern House Plans, Ranch House Plans and Traditional House Plans.

**First Floor Plan**

Need to flip the floor plan?  
[VIEWMIRRORREVERSE](#)

**FIRST FLOOR**

PC0155-13

or



- HOME
- FIND HOME PLANS
- PROJECTS
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- RESOURCES
- CONTACT

## Bolsa Knoll Ranch Home

[home](#) | [search results](#) | [house plan detail](#)

Live Chat



© Copyright by designer/architect Drawings and photos may vary slightly Refer to the floor plan for accurate layout

### Vaulted Rear Porch

The Bolsa Knoll Ranch Home has 3 bedrooms and 2 full baths. This home enjoys open living areas that create an airy feeling. The kitchen and breakfast area include a center island with breakfast bar, pantry and built-in desk as well as sliding door access to the rear vaulted porch. The master bedroom has a private entrance off breakfast area, a lovely view of vaulted porch and a private bath with double-bowl vanity. The Bolsa Knoll home plan can be many

[see more...](#)



Need to flip the floor plan?  
**VIEWMIRRORREVERSE**

## FIRST FLOOR

## HOUSE PLAN #592-039D-0014

buy this plan

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### PLAN DETAILS

- 1849 Total Square Feet
- 1st Floor 1849
- Width: 65'-11" Depth: 59'-5"
- 3 Bedrooms
- 2 Full Baths
- 2-Car Garage
  - 2-Car Attached, Front Entry
  - Size: 23'-4" x 23'-7"
- Standard Foundation - Crawl Space
- Optional Foundation - Slab

### MAKING CHANGES TO YOUR PLANS

- [FAQ's and easy customizing - click here!](#)

### ESTIMATED COST TO BUILD THIS HOME

The estimated cost to build is an average price per square foot for finished living square footage for a home built in your area, with typical contractor-grade [see more...](#)

Postal Code  go!  
Estimated Cost

### HELPFUL OPTIONS

1-800-373-2646

- [Print this Plan](#)
- [Add To Favorites](#)
- [FAQs](#)
- [Ask The Professional](#)
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### PLAN FEATURES

- Vaulted and/or Volume Ceiling
- Crawl Space
- Fireplace
- One-Story
- Deep Lot
- Slab
- Split Bedrooms
- Ultimate Kitchen Floor Plan
- Mud Room
- Computer Area
- Breakfast Nook
- Island
- Eating Bar
- Covered Front Porch
- Main Level Master Bedroom
- Wide Lot
- Laundry and/or Utility Room
- Family Room
- Breakfast Bar
- Small
- CAD File
- PDF File

### SIMILAR PLAN STYLES

- COUNTRY HOUSE PLANS
- FLORIDA HOUSE PLANS
- MODERN HOUSE PLANS
- NEOCLASSICAL HOME PLANS
- RANCH HOUSE PLANS
- SOUTHERN HOUSE PLANS
- SOUTHWESTERN HOUSE PLANS
- SUNBELT HOME PLANS
- TRADITIONAL HOUSE PLANS
- OTHER PLANS BY THIS DESIGNER

PC0155-13

**H HOUSEPLANS**

**ATTACHMENT 7-3**

Visit Houseplans.com today or call 1-800-913-2350



**Plan 34-108**

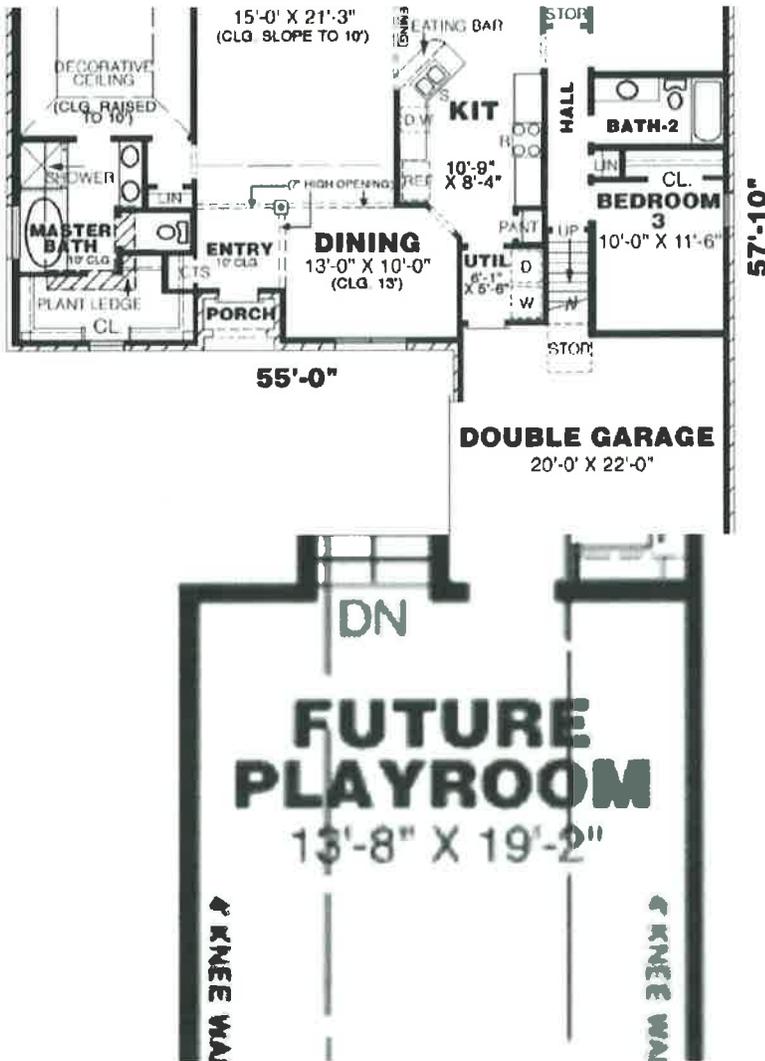
Stories	1
Bedrooms	3
Potential Bedrooms	0
Garage Stalls	2
Baths	2.00
Total Sq Ft	1795 sq ft
Main Floor Sq Ft	1795 sq ft
Upper Floor Sq Ft	339 sq ft
Depth	58 ft
Height	24 ft
Width	55 ft
Secondary Pitch	12:12
Primary Pitch	8:12
Main Ceiling Ft	8 ft

**Additional House Features**

- Walk In Closet
- Split Bedrooms
- Peninsula Eating Bar
- Nook Breakfast Area Dining
- Unfinished Future Space
- Great Room Living Room
- Bonus Play Flex Room
- Side Entry Garage
- Suited For Corner Lot
- Unfinished Future Space
- Great Room Living Room
- Bonus Play Flex Room

**Additional Styles Classifications**

European



PC0155-13

# ATTACHMENT 7-3

## Home Features

### Architectural Styles

Country  
Southern  
Traditional

### Ceiling Height

9 Foot Ceiling

### Garage Type

Attached Garage

### Porches and Exterior Features

Covered Front Porch

### Roofing Type

Gable

### Special Feature

Dining Room  
Guest Room

## House Plan : 153-1582 Images

House Plan #153-1582



Home Plan: 153-1582 First Story

PC0155-13



# ATTACHMENT 7-3

Toll Free: 1-888-501-PLAN (7526)  
(678) 224-5155

## HOUSE PLAN 036-00045



If a real photograph is available please note that it may reflect the homeowner's modifications to the plan and that you should always reference the floor plans and renderings.

### PLAN DETAILS

Square Footage:	1,774 sq. ft.
First Floor:	1,334 sq. ft.
Second Floor:	440 sq. ft.
Floors:	1.5
Bedrooms:	3
Bathrooms:	2
Half Baths:	1
Garages:	2 car
Width:	53ft -8in.
Depth:	40ft -6in.
Height:	34ft
Foundation:	Unfinished Basement
Main Roof Pitch:	12:12
Additional Specs:	<a href="#">Show Room Dimensions</a>

### PLAN FEATURES

#### Additional Rooms

- Laundry On Main Floor
- Master On Main Floor
- Split Bedrooms

#### Garage Type

- Front Entry

#### Porch Type

- Rear

### PLAN PRICING

1 Set:	\$ 550.00
5 Sets:	\$ 650.00
8 Sets:	\$ 750.00
Reproducible:	\$ 825.00
CAD Files:	\$ 1,200.00
<b>Additional Options</b>	
Additional Construction Sets:	\$ 40.00
Slab Foundation:	\$ 150.00
Crawlspace Foundation:	\$ 150.00

### FLOORPLANS

PC0155-13

# ATTACHMENT 7-3

Toll Free: 1-888-501-PLAN (7526)  
(678) 224-5155



## HOUSE PLAN 032-00090



If a real photograph is available please note that it may reflect the homeowner's modifications to the plan and that you should always reference the floor plans and renderings.

### PLAN DETAILS

Square Footage:	1,806 sq. ft.
First Floor:	1,256 sq. ft.
Second Floor:	550 sq. ft.
Basement:	1,256 sq. ft.
Floors:	2
Bedrooms:	3
Bathrooms:	2
Half Baths:	1
Garages:	2 car
Width:	50ft
Depth:	47ft
Height:	24ft
Foundation:	Unfinished Basement
Additional Specs:	<a href="#">Show Room Dimensions</a>

### PLAN FEATURES

#### Additional Rooms

- Laundry On Main Floor
- Loft
- Master On Main Floor

#### Garage Type

- Front Entry

#### Porch Type

- Rear

### PLAN PRICING

5 Sets:	\$ 604.00
9 Sets:	\$ 692.00
Reproducible:	\$ 851.00
CAD Files:	\$ 1,375.00
<b>Additional Options</b>	
Additional Construction Sets:	\$ 40.00
Mirrored Reverse:	\$ 50.00

### FLOORPLANS

PC0155-13



# ATTACHMENT 7-3

Toll Free: 1-888-501-PLAN (7526)  
(678) 224-5155

## HOUSE PLAN 402-00331



If a real photograph is available please note that it may reflect the homeowner's modifications to the plan and that you should always reference the floor plans and renderings.

### PLAN DETAILS

Square Footage:	1,806 sq. ft.
First Floor:	1,806 sq. ft.
Floors:	1
Bedrooms:	3
Bathrooms:	2
Garages:	2 car
Width:	55ft -4in.
Depth:	56ft
Height:	22ft
Foundation:	Unfinished Basement
Ceiling Height	
Basement:	8 feet
First Floor:	8 feet

### PLAN FEATURES

#### Additional Rooms

- Laundry On Main Floor
- Master On Main Floor

#### Garage Type

Front Entry

#### Porch Type

Front

### PLAN PRICING

5 Sets:	\$ 765.00
Reproducible:	\$ 840.00
PDF:	\$ 765.00
<b>Additional Options</b>	
Additional Construction Sets:	\$ 45.00
Mirrored Reverse:	\$ 45.00
Material List:	\$ 50.00
Slab Foundation:	\$ 150.00
Crawlspace Foundation:	\$ 150.00

### FLOORPLANS

PC0155-13

Plan W15884GE: Gabled 3 Bedroom Ranch Home Plan



## ATTACHMENT 7-3

House plans are Copyright © 2013 by our architects and designers.

- This gable roofed rustic house plan promotes open spaces and spectacular outdoor views. Vaulted ceilings in the foyer and lodge room allow for ample amounts of natural light. This was inspired by our best-selling Craftsman Mountain Home Plan with the intention of bringing it to a broader range of pocketbook, and we think we've succeeded.
- The open kitchen/breakfast area in this rustic home plan is perfect for casual dining or entertaining. From the breakfast area, walk out onto the patio which can be covered or screened.
- The resort-style master suite includes a luxurious bath and large walk-in closet. Two additional bedrooms with shared bath complete this cozy ranch floor plan.
- The bonus room option over the garage gives you 428 square feet of expansion space.
- Related Plans: Get an attractive hip roof with house plan 15887GE.
- Downsize with house plan 15883GE (1,729 sq. ft.; in reverse) and get more room with house plan 15885GE (2,090 sq. ft.).
- See what started it all, and photos and links to even more versions, with house plan 15651GE (2,611 sq. ft.).
- See a list of all the plans in this series in our Facebook Craftsman Mountain Series summary.

Style: Craftsman, Ranch, Mountain

Total Living Area: 1873

Main Flr.: 1873

Bonus: 428 sq. ft.

Attached Garage: 2 Car, 550 sq. ft.

Bedrooms: 3

Full Bathrooms: 2

Half Bathrooms: 1

Width: 77'3"

Depth: 66'

Exterior Walls: 2x4

Ceiling Height:

Other: Vaulted Foyer & Lodge Room

Standard Foundations: Basement

## PC0155-13

Rear View



**ATTACHMENT** 7-3

PC0155-13

ATTACHMENT 7-4

# Far Away Hills Planned Residential Development

## CONTENTS

LAND USE PLAN

ARCHITECTURAL SCHEMATICS

GAZEBOS & BENCHES

COVENANTS, CONDITIONS & RESTRICTIONS

REVISED  
2ND  
RESUBMITTAL

RECEIVED  
JUN 25 2004

GALLATIN PLANNING  
& ZONING

## Darnall & Associates, LLC

- Land Development Services
- Construction Staking
- Land Surveying
- Design

106 Joslin Avenue, Gallatin, Tennessee 37066  
Ph. 615-206-6942 Fax 615-206-6943 darnallandassoc@comcast.net

ATTACHMENT 7-4

# Far Away Hills

## Planned Residential Development

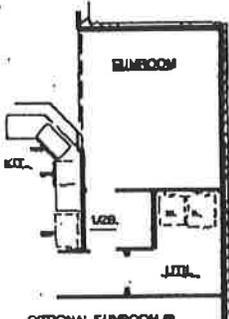
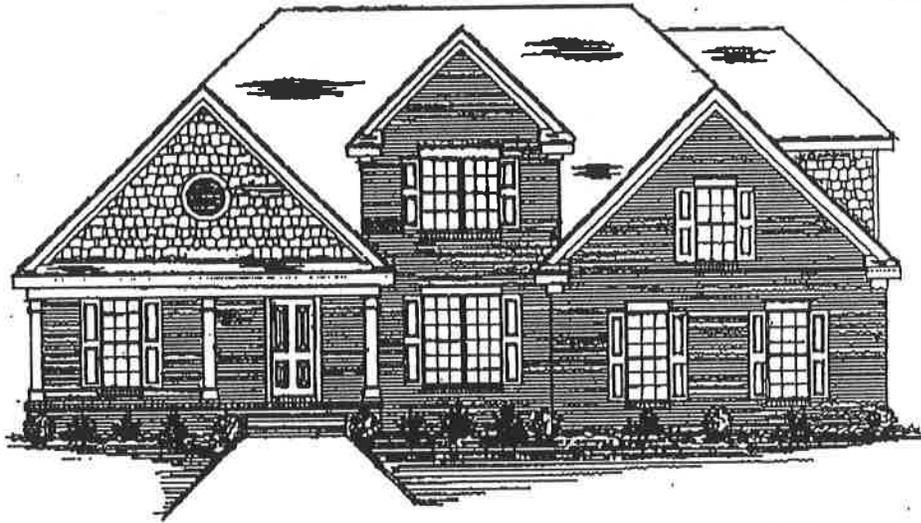
### LAND USE PLAN

Proposed principal use	single-family residential	
Total project area	11.509 ± acres	
Street right of way area	1.535 ± acres	
Open space	2.085 ± acres (18.1%)	
Total lots	22	
Proposed density	1.9	units / acres
Minimum lot size	15,000	square feet
Maximum lot coverage area ratio	0.30	
Setbacks -		
	Front yard	20 feet
	Side yard (single story residence)	10 feet
	(two story residence)	10 feet
	Rear yard	5 feet
Minimum lot width at front setback	75 feet	

PLAN # 26-45 B

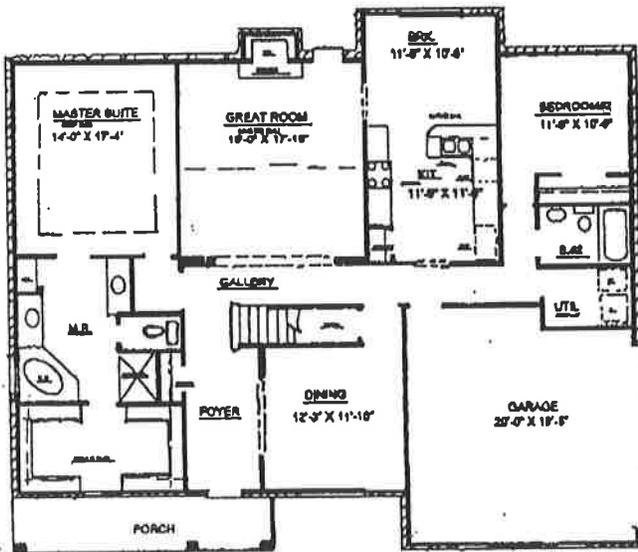
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ATTACHMENT 7-4

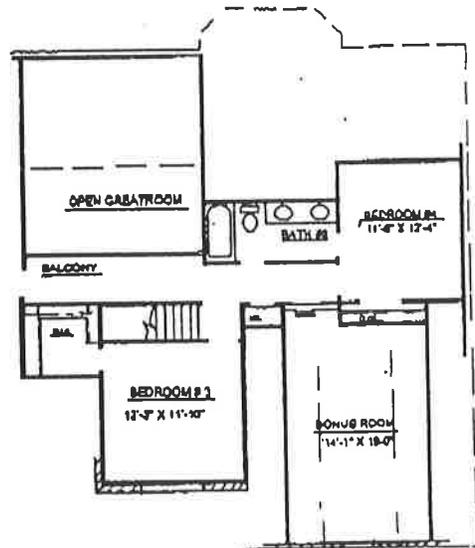


OPTIONAL SUNROOM @  
BEDROOM 1'S

LIVING AREA — 1921  
LIVING AREA — 898  
TOTAL LIVING — 2819



FIRST FLOOR PLAN



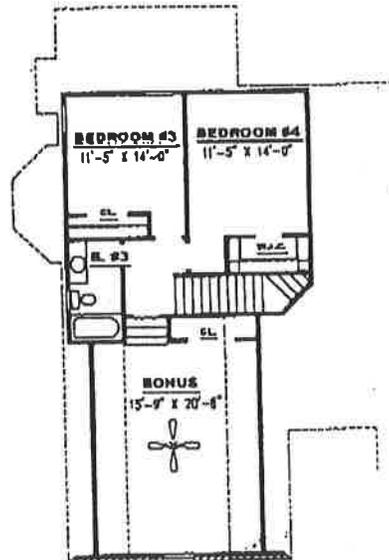
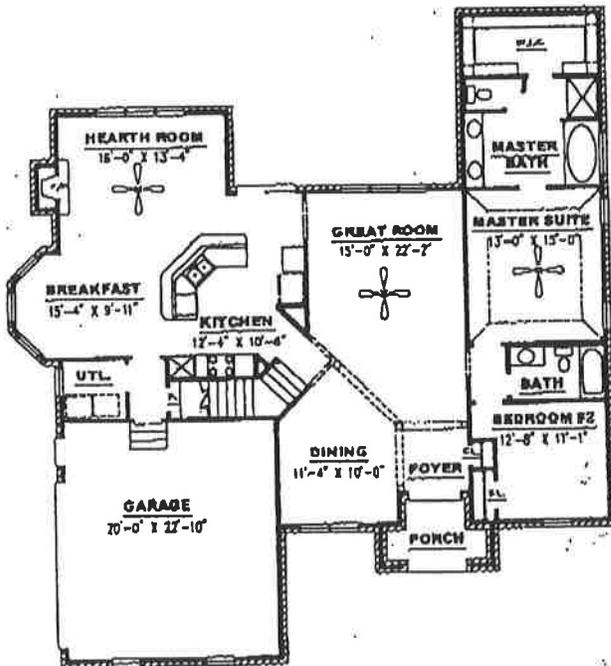
SECOND FLOOR PLAN

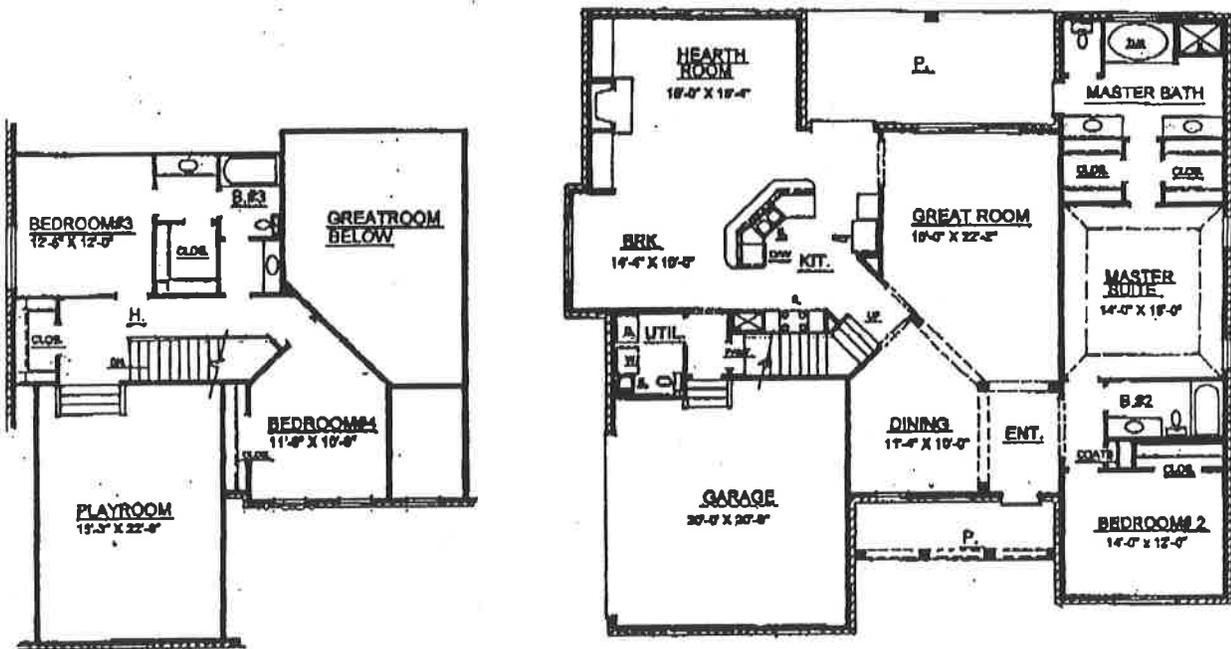
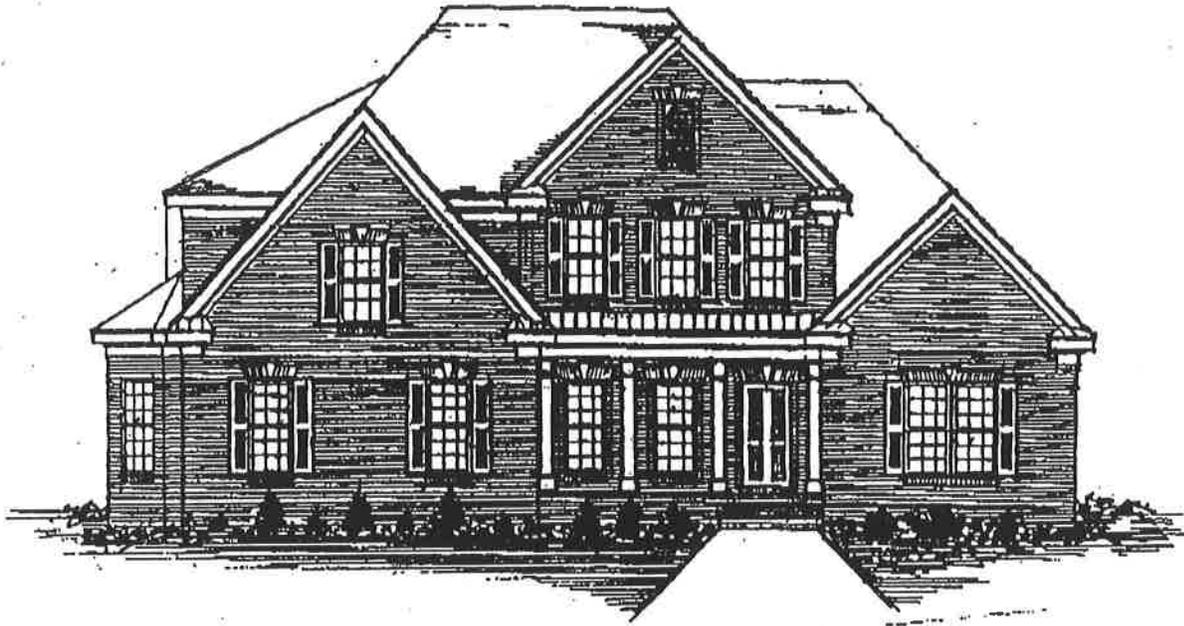
481  
496  
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027  
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# PLAN # 21-59 "A"



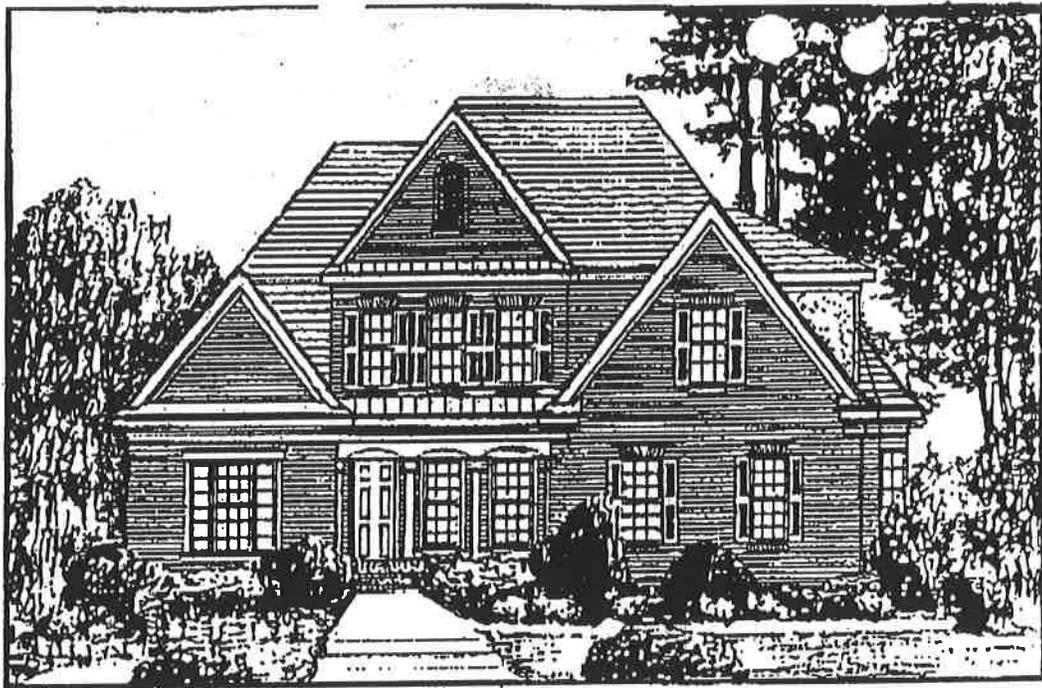
FIRST FLOOR LIVING	1977
SECOND FLOOR LIVING	872
TOTAL LIVING	2849





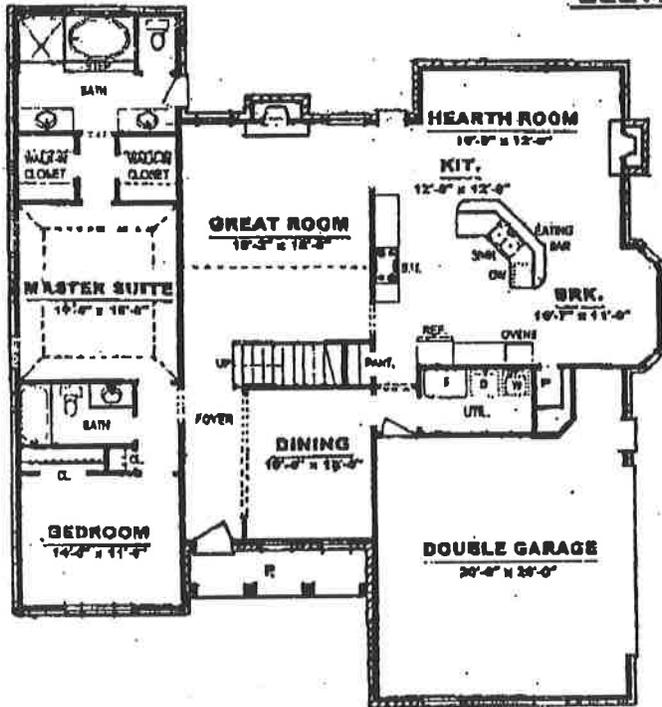
LIVING DN — 2166  
 LIVING UP — 1013  
 TOTAL LIVING — 3179

PLAN # 21-59"H"



ELEV. B

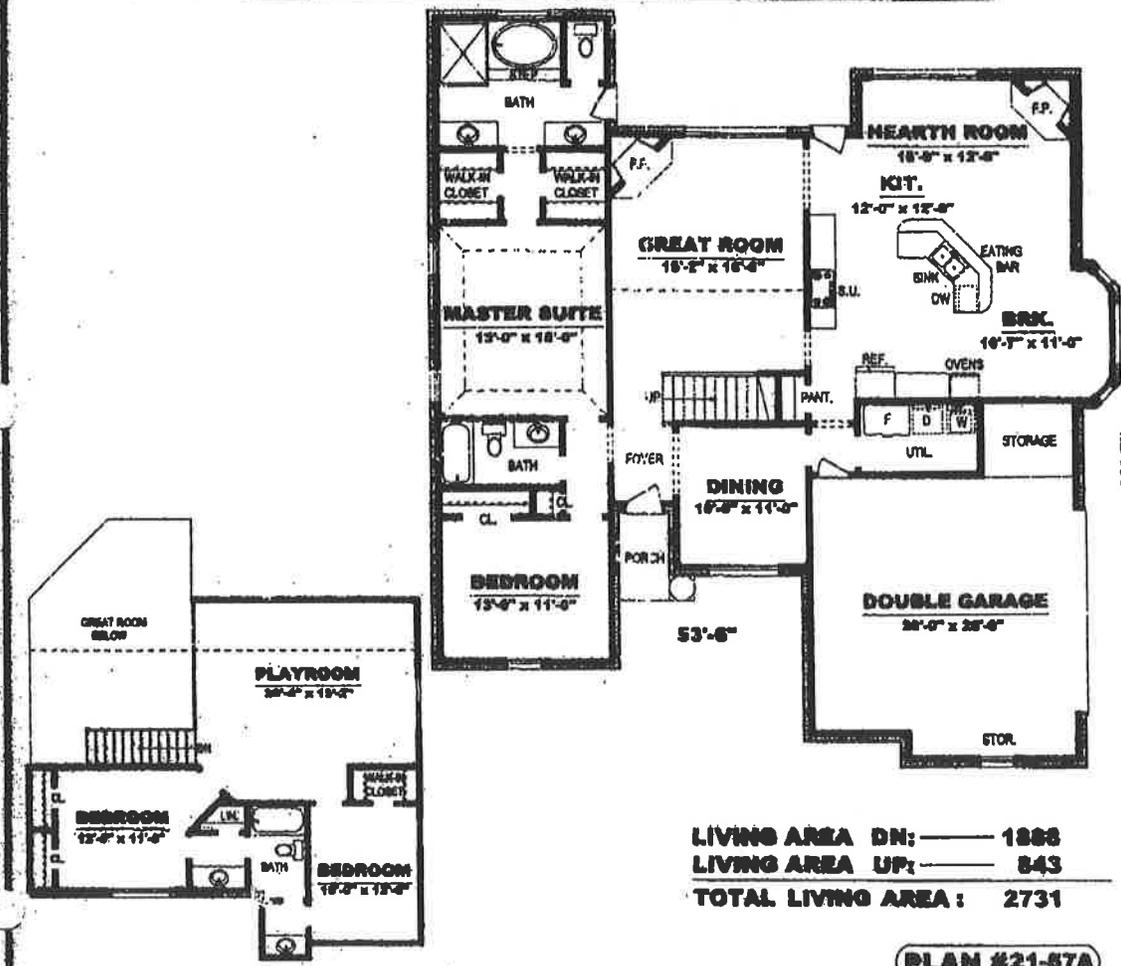
1ST FLOOR LIVING 2009  
 2ND FLOOR 841  
 TOTAL HEATED 2850



PLAN # 21-57 "K"

**ATTACHMENT 7-4**

# ATTACHMENT 7-4



**LIVING AREA DN: 1888**  
**LIVING AREA UP: 843**  
**TOTAL LIVING AREA: 2731**

**PLAN #21-67A**

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# ATTACHMENT 7-4





# ATTACHMENT 7-4



# ATTACHMENT 7-4





# ATTACHMENT 7-4



**THIS DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS** (hereinafter sometimes referred to as "Declaration") executed this 27<sup>th</sup> day of February, 2004, Jane G. Sudbury and C. Steven Sudbury (hereinafter collectively referred to as Declarant).

**WITNESSETH:**

**WHEREAS**, Declarant is the owner of certain real estate in Sumner County, State of Tennessee, as described as

**WHEREAS**, Declarant desires to provide for the protection and preservation of the value, amenities, desirability and attractiveness of **Faraway Hills**, and

**WHEREAS**, the Declarant desires to establish and provide for a system of administration and continual operation and maintenance of the Common areas of **Faraway Hills**, and as hereinafter described; and

**WHEREAS**, Declarant further desires to establish for Declarant's benefit and for the mutual benefit and advantage of all future owners and occupants of **Faraway Hills** or any portion thereof, certain rights, easements, privileges, obligations, restrictions, liens, assessments and regulations governing the use and occupancy of **Faraway Hills**, and the maintenance, protection and administration of the Common Areas to promote and protect the operative aspects of residency or occupancy in **Faraway Hills** and on all portions thereof, and are intended to be construed as covenants running with the land which shall be binding on all parties having or acquiring any right, title or interest in all or any portion of the Properties and which shall inure to the benefit of each owner thereof; and

**WHEREAS**, Declarant is the sole owner of the Properties. NOW, THEREFORE, Declarant, as legal title holder of the Properties and for the purpose set forth above and further hereinafter set forth, declares as follows:

**ARTICLE I  
DEFINITIONS**

The following words when used in the Declaration or any supplemental declaration hereto (unless the context shall prohibit), shall have the following meanings:

- (a) "**Association**" shall mean and refer to **Faraway Hills Homeowner's Association, Inc.**, a nonprofit corporation to be organized and to exist under the laws of the State of Tennessee, its successors and assigns.
- (b) "**Board**" shall mean and refer to the board of directors of the Association.
- (c) "**Building**" shall mean and refer to a single-family residential building which may be built on each Lot. 108

- (e) "**Common Area**" shall mean all real property (including the improvements thereto) owned by the Association for the common use and enjoyment for the owners. The common Area to first Lot is described as follows:

All plots of land designated on the Plat as Open Space and/or Common Area and generally all of the Property so designated on the Plat.

- (f) "**Declarant**" shall mean and refer to Jane G. Sudbury and C. Steven Sudbury, principal place of business in Gallatin, Tennessee, their successors and assigns.
- (g) "**Declaration**" shall mean and refer to the Declaration of Protective Covenants, Conditions and Restrictions applicable to the Properties and which shall be recorded in the Office of the "Register of Deeds for Sumner County, Tennessee.
- (h) "**Lot**" shall mean and refer to any plot of land to be used for single-family residential purposes and so designated on the Plat as the same may be amended or revised.
- (i) "**Majority of Owners**" shall mean and refer to the holders of more than fifty percent (50%) of the total votes of the Members.
- (j) "**Member**" shall mean and refer to any person or persons who shall be an Owner and, as such, shall be a Member of the Association.
- (k) "**Mortgagee**" shall mean and refer to the holder of an institutional first lien deed of trust encumbering a Lot.
- (l) "**Owner**" shall mean and refer to the record owner, whether one or more persons or entities, of the fee interest in any Lot which is a part of **Faraway Hills**, excluding, however, those parties having such interest merely as a security interest for the performance of an obligation.
- (m) "**Plat**" shall mean and refer to the plan of **Faraway Hills** Register's Office, Sumner County, Tennessee, and any amendments or revisions thereto which may be adopted and duly recorded.
- (n) "**Person**" shall mean and refer to a natural person, as well as a corporation, partnership, firm, association, trust or other legal entity. The use of the masculine pronoun shall include the neuter and feminine, and the use of the singular shall include the plural where the context so requires.
- (o) "**Properties**" shall mean and refer to any and all of that certain real estate heretofore described or which may be submitted to the Declaration by future development of additional sections of **Faraway Hills**.
- (p) "**Faraway Hills**" shall mean and refer to that certain residential community known as "**Faraway Hills**" which is being developed on real property now owned by Declarant in Sumner County, Tennessee, and any other property now owned by Declaration by future development of additional sections of **Faraway Hills**.

## ARTICLE II PROPERTIES SUBJECT TO THIS DECLARATION AND USE OF COMMON AREA

**Section 1. Submission of the Properties to Declaration and Bylaws.** The Declarant, as legal titleholder in fee of the Properties, hereby submits and subjects the Properties to the provisions of this Declaration and Bylaws. This Declaration shall constitute covenants running with the land and binding upon all parties now owning or hereafter having or acquiring a Lot or any portion of the Properties by acceptance of a deed to any interest in a Lot or any portion of the

**Section 2. Owner's Easements of Enjoyment.** Every Owner shall have a right and easement of enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

- (a) The right of the association to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Area.
- (b) The right of the Association to suspend the voting rights and right to use of the recreational facilities by an Owner for any period during which any assessment against his Lot remains unpaid: and for a period not to exceed sixty (60) days for any infraction of its published rules and regulations;
- (c) The right of the association to dedicate or transfer all or any part of the Common area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Members. No such dedication or transfer shall be effective until any instrument agreeing to such dedication or transfer signed by two-thirds (2/3) of each class of Members has been recorded in the Register's Office, Sumner County, Tennessee.

**Section 3. Delegation of Use.** Any Owner may delegate, in accordance with the Bylaws, his rights of employment to the Common Area and facilities to the members of this family, his tenants, or contract purchasers who reside on a Lot.

### **ARTICLE III MEMBERSHIP**

**Section 1. Members.** Every person or entity who is an owner of any Lot which is included in the Properties shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot.

**Section 2. Classes of Membership.** The Association shall have two (2) classes of membership:

- (a) **Class A.** Class A Membership shall be all Owners, except for Declarant Prior to termination of Class B Membership. If, however, Declarant owns one or more Lots after the termination of Class B Membership, then Declarant shall become a Class A Member.
- (b) **Class B.** Class B Membership shall be the Declarant, its successors or Assigns. The Class B Membership shall terminate and cease upon the first to occur of (i) the specific written termination by Declarant, (ii) when seventy-five percent (75%) of the Lots have been sold from the builders thereof to ultimate homeowners in all future sections/phases of **Faraway Hills** (iii) January 1, 2018.

**Section 3. Class A Voting.** Class A Members shall be entitled to one vote for each Lot owned. The vote for any one Lot owned by more than one person or entity shall be exercised as they among themselves shall determine, but in no event shall the vote or votes with respect to any jointly owned Lot be cast separately.

**Section 4. Class B Voting.** Until the termination of class B Membership, the Class B Member shall have three (3) votes for each Lot owned.

**Section 1. Creation of Lien and Personal Obligation for Assessments.**

Each Owner of any Lot shall, by acceptance of a deed therefore, whether or not it shall be so expressed in any deed or other conveyance, be deemed to covenant and agree to all the terms and provisions of these restrictions and promised to pay to the Association both annual assessments and charges and special assessments, such assessments to be established and collected from time to time as hereinafter provided. The annual and special assessments, together with such interest thereon shall be a charge and continuing lien upon the Lot against which such assessment is made as of the effective date of each assessment. Each such assessment, together, with such interest thereon and costs of collection therefore as are hereinafter provided, shall also be the personal obligation of the person or entity who was Owner of such Lot at the time when the assessment fell due. In the case of co-ownership of a Lot, all of such co-owners shall be jointly and severally liable for the entire amount of the assessment. For the improvement, maintenance, operation and security of the Common Area, including, but not limited to, replacement and additions thereto, and for the cost of labor, equipment, materials, management and supervision thereof. At the option of the Association, annual assessments may be used to provide supplemental landscaping maintenance within Lots and to provide garbage and trash collection and disposal if needed to supplement that provided by public authority. Further, the Association may require annual assessments to be paid in equal monthly, quarterly or annual installments.

**Section 2. Maximum Annual Assessments.** The maximum annual assessment for calendar year 2009 shall be set by the Board for each Lot, fractions of calendar years to be computed and prorated equitably, at the same uniform rate for the calendar year 2009. thereafter, maximum annual assessments will be determined by the Association as follows:

- (a) From and after January 1, 2010, the maximum annual assessment may Be increased each year not more than five percent (5%) above the maximum assessment for the previous year without the vote of the membership.
- (b) From and after January 1, 2009, the maximum annual assessment may be increased above five percent (5%) by a vote of two-thirds (2/3) of each class of members who are voting in person or by proxy, at the annual meeting or a special meeting duly called for this purpose.
- (c) The Board of Directors may fix the annual assessment at an amount not in excess of the maximum.

**Section 3. Special Assessments.** In addition to the special assessments hereinabove authorized, the Association will levy special assessments for the purpose of defraying, in sole or in part, the cost of any construction or reconstruction, improvements: provided, however, that any such special assessment members present and voting in person or by proxy in each class of membership at the annual meeting or a special meeting duly called for this purpose. Special assessments shall be due and payable on the date(s) which are fixed by the resolution authorizing such assessment.

**Section 4. Notice and Quorum for Any Action Authorized under section 2 and 3.** Written notice of any meeting called for the purpose of taking any action authorized under Section 2 or 3 or at which such action may be taken shall be sent to all Members not less than thirty (30) days nor more than sixty (60) days in advance of the meeting. At the first such meeting, ten percent (10%) of all the votes of each class of membership shall constitute a quorum. If the required quorum is not present. another meeting may be called subject to

**Section 5. Uniform Rate of Assessment.** Both annual and special assessments must be fixed at a uniform rate for all occupied Lots. All initially unoccupied developed Lots shall be assessed at twenty-five (25%) of the assessment for occupied Lots. The full assessment for occupied Lots shall be prorated and due on the first day of the month following the first occupancy of a residence on any Lot and thereafter at the full assessment rate regardless of occupancy.

**Section 6. Date Commencement of Annual Assessments: Due Dates.** The annual assessments provided for herein shall commence as to all Lots in the first day of the first month following the conveyance of the Common Area. The first annual assessment shall be adjusted according to the number of months the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period. Written notice of the annual assessment shall be established by the Board of Directors.

**Section 7. Records of Assessment.** The Association shall cause to be maintained in the office of the association, a record of all Lots and assessments applicable thereto, which shall be open to inspection by an Owner. Written notice of each assessment shall be mailed to every owner of the Lot subject to assessment. The Association shall, upon demand and payment of a reasonable charge, furnished to any owner, a certificate in writing signed by an officer of the Association setting forth whether the assessments against the Owner's Lot have been paid and, if not, the amount due and owing. Absent manifest error, such certificates shall be conclusive as evidence for the third parties as to the status of assessments against such Lot.

**Section 8. Effect of Non-Payment of Assessment or Other Charges.** If any annual, quarterly or monthly assessment or any special assessment is not paid on the date when due, or if any sum or charge agreed to be paid by Owners in this Declaration is not paid when due, then such assessment, sum or charge shall be delinquent and shall accrue interest thereon at the highest rate permissible under the laws of the State of Tennessee, after the date due. If such assessment, sum or charge is not paid within thirty (30) days after the due date, then the Association may bring an action at law against the Owner, and there shall be added to the amount of such assessment, sum or charge, all reasonable attorney's fees and costs incurred by the Association in such action, and in the event a judgment is obtained, such judgment shall include interest on the assessments as indicated above. Notice of Lien will be recorded in the Register's Office, Sumner County, Tennessee, which shall be a perfected lien for unpaid assessments prior and superior to all other liens except taxes and other assessments by governmental entities that have priority under law, and the lien of an institutional first mortgage on the property. The Association shall have the power, acting on behalf of the owners, to bid at foreclosure sale and acquire, hold, lease or sell the property so purchased. In the event and during the ownership of such property, the property is exempt from payment of assessments and has no voting rights.

**Section 9. Subordination of the Lien to Institutional First Mortgages.** The lien of assessments, including interest, late charges (subject to the limitations of Tennessee law), and costs (including attorney's fees) provided for herein, shall be subordinate to the lien of any institutional first Mortgage upon any Unit. The sale or transfer of any Unit shall not affect the assessment lien. However, the sale or transfer of any Unit pursuant to foreclosure of an institutional First Mortgage or transfer to an institutional First Mortgagee or third

thereafter become due. Where the Mortgagee holding an institutional first Mortgage of record or other purchaser of a unit obtains title pursuant to remedies under the Mortgage, its successors and assigns shall not be liable for the share of the common expenses or assessments by the Association chargeable to such Unit which became due prior to the acquisition of title to such Unit by such acquirer. Such unpaid share of Common Expenses or assessments shall be deemed to be Common Expenses collectible from Owners of all Units, including such acquirer, its successors and assigns.

## **ARTICLE V ARCHITECTURAL AND BUILDING RESTRICTIONS**

The Architectural Committee shall have the responsibility of enforcement of these restrictions until all the Lots have been sold by the builders to ultimate homeowners. The Board of Directors of the association shall assume responsibility for enforcement of the restrictions after that time.

**Section 1. Approval of Development.** Before commencing the construction, reconstruction, remodeling, alteration or addition of any building or structure, fence, wall, driveway, path or other improvement of any nature, the Owner shall first submit its building plans, specifications, site and landscaping plans, drainage plans, and an elevation sketch (collectively the "Plans") of all improvements, to the Architectural Committee, as hereinafter described, for its written approval. Any changes in the Plans from those submitted for approval must be resubmitted for approval by the Architectural Committee pursuant to this Section as if an original submission. The Plans shall include all materials for driveways, walls, fences, swimming pools, antenna, and courts. In the event the Architectural Committee shall fail to approve or disapprove the Plans in writing within thirty (30) days after they have been received by the Architectural Committee, such approval will not be required and this covenant shall be deemed to have been complied with. The Plans shall be delivered to the Architectural Committee in person or by certified mail at the address to be designated from time to time by Declarant or the Association.

Plans for any improvements must conform to certain restrictions as set forth in Section Two hereof, and further conform to the other requirements of this Declaration. The Architectural Committee shall be the sole judge or arbiter of such conformance or non-conformance. Further, the Architectural Committee may approve or disapprove plans when the Architectural Committee, in its sole discretion, determines that the proposed improvements or any feature of the Plans are not architecturally or esthetically compatible with **Faraway Hills**.

If the Architectural Committee approves the Plans, the actual construction in accordance with the Plans shall be the responsibility of the Owner; provided, however, upon the completion of the improvements and prior to occupancy, the Owner shall notify Declarant, who shall have ten (10) days thereafter in which to have the improvements inspected by the architectural committee to insure that the construction was completed in accordance with the Plans approved by the Architectural Committee prior to construction. In the event that the Architectural Committee shall fail to approve or disapprove the completed improvements in writing within ten (10) days after receipt of notice from the Owner that the improvements are completed, such approval shall not be required and these covenants will be deemed to have been complied with. In the event an Owner has made changes from the original Plans approved by the Architectural

In the event any Owner shall fail to complete his residence according to the approved plans or to maintain the improvements situated upon his or her Lot in a manner satisfactory to the Association, the Association may, upon the vote of two-thirds (2/3) of the Association's Directors, and after ten (10) days notice in writing to the Lot Owner, in the event of his continued failure to commence the correction of the matter in issue, enter upon said Lot and complete, repair, maintain or restore the exterior repair and maintenance shall be added to and become a part of the assessment to which such Lot is subject and the Owner shall be personally liable for the cost of such maintenance so incurred.

In addition to the approval of Plans and other matters herein set forth, the Architectural Committee shall have the right to waive minor violations and allow minor variances where the same resulted unintentionally or without gross carelessness on the part of any Owner and are not materially harmful to the Properties. If such waiver is granted in writing, then thereafter such matters so waived shall no longer be deemed a violation of these restrictions.

The approval by the Architectural Committee of the Plans and completed improvements as required above is not intended to be an approval of the structural stability, integrity or design of a completed improvement or of the safety of any component compliance with the covenants contained in this Declaration, and further, to insure the harmonious and orderly architectural development and improvement of the Properties. Notice if hereby given to any future occupant of any such completed improvement and all invites, business guests and other persons who may from time to time enter or go on or about such completed improvements that no permission or approval granted by the Architectural committee with respect to construction pursuant to the Declaration shall constitute or be construed as an approval by them of the structural stability or design of any building, structure or other improvement and no liability shall accrue to the Architectural Committee in the event that any such construction shall subsequently prove to be defective. No structure of a temporary nature shall be allowed on any Lot at any time except that of an Owner's contractors and subcontractors during the period of construction of improvements.

The Architectural Committee shall consist of three (3) members with one (1) vote each, as follows:

C. Steven Sudbury (as one member)  
Jane G. Sudbury (as one member)  
Joshua Sudbury (as one member)

Said members shall be empower to appoint a successor should a vacancy occur. Two (2) votes shall be required for a quorum at any meeting of the Architectural Committee. A majority of those votes present at a meeting at which a quorum is present shall constitute the action of the Architectural Committee. By supplemental declaration, the members of the Architectural Committee may delegate to the Association, the authority and duty to appoint the Architectural Committee.

## **Section 2. Improvement, Setback and Use Restrictions.**

(a) All number Lots in said subdivision shall be used for single-family residential

street than building setback lines shown on the Plat, except with the written consent of the Declarant and the approval of the necessary governing body. To determine compliance with this provision, measurements shall be taken in the manner then required by the applicable zoning laws and regulations of the governing body having jurisdiction.

- (c) To ensure a standard of improvements satisfactory to purchasers of adjacent property, no Building or other structure shall be constructed, altered, improved or used without the written approval of the Architectural Committee of completed working drawings, plans, specifications, site plans and uses of such structures and buildings, provided that said approval shall not be unreasonably withheld. In like manner, all subsequent alterations, improvements, additions or uses must be approved in writing as set forth hereinabove, provided that said approval shall not be unreasonably withheld. Any Buildings or structures on the property must be placed, constructed, altered, improved or used according to the working drawings, plans, specifications, site plans and uses approved in writing as hereinabove provided. Once construction has commenced on a structure approved in writing as hereinabove provided, said construction shall proceed as soon as practicable to completion in accordance with the plans and specifications approved. A failure to exercise the right of approval in any one or more instance shall not be a waiver of the right of exercise such right of approval in construction and to such structures as fencing, antennas, animal enclosures, clothes lines, and other buildings and structures.
- (d) It shall be obligatory upon all Owners of Lots to consult with authorities of the governing body having jurisdiction before any driveways, culverts, and other structures or grading are constructed within the limits of any dedicated roadways, and such placements or construction shall be done in accordance with the requirements of the governing body having jurisdiction in order that the roads or streets within **Faraway Hills** which shall be affected by such placement of construction may not be disqualified for acceptance in the road system of the governing body having jurisdiction.
- (e) A perpetual easement is reserved on each Lot as shown on the Plat for construction and maintenance of utilities and for drainage purposes. No structure shall be erected or maintained upon said easements, except such as are constructed for public utilities purpose.
- (f) No Lot shall be re-subdivided.
- (g) Prior to the termination of Class B Membership, the restrictions and provisions hereinabove set forth may be amended at any time and from time to time by Declarant, without the joinder of any Lot Owner. The restrictive covenants as amended from time to time may be enforced by the Declarant, or any one or more of the Owners of Lots. Any failure to enforce these restrictions because of any violations shall not be deemed a waiver of such right as to any subsequent or other violation, said right being a continuing one.
- (h) No portable, mobile, modular or temporary structure shall be allowed on any Lot of **Faraway Hills** where a permanent structure is under construction except for use by the exclusive real estate listing agent or construction staff for the development of **Faraway Hills**.
- (i) No buildings shall be unattached to the primary structure on the Lot either by builders or homeowners to ensure the beauty and conformity of the subdivision except by written approval of the architectural Committee, as provided in paragraph (d) hereof.
- (j) To ensure a standard satisfactory to other surrounding homeowners, all builders must be approved in writing by the Declarant. A failure to exercise a right of approval in any one or more instances shall not be a waiver of the right to exercise such right of approval in other instances.

full force and effect.

- (l) No structures such as fencing, antennas (including dish antennas and radio towers), animal enclosures, clothes lines or any other buildings or structures shall be permitted, except by written approval from the Architectural Committee, as provided in paragraph (d) herein.
- (m) Swimming pools will be permitted only if located in the rear or enclosed within the dwelling and only if built no nearer than five (5) feet to any Lot line. All swimming pools must be fenced for safety.
- (n) Inoperable vehicles (boats, etc.) may not be kept on any Lot. Moreover, no Owner shall permit any motor vehicles (operable or inoperable) owned by such Owner or by any person occupying his dwelling or by any person on his premises as guest or invitee to remain parked on the public streets or parking areas which are part of the Common Area for more than forty-eight (48) hours.
- (o) No pre-existing structure may be brought into the subdivision and placed or erected on any Lot unless approved by the architectural Committee.
- (p) Automobiles may not be assembled, disassembled or serviced in plain view on any Lot.
- (q) No mobile home, house trailer, camper, boat, bicycles, lawnmowers or other like vehicle may be stored on any Lot unless screened from view of adjoining Lots, streets and Common Area.
- (r) The restrictions contained in Article V, Sections 2, 5 & 6 are covenants running with the land and shall be binding and obligatory upon all persons who now own, or may hereafter own, possess or occupy any Lot for a period of thirty (30) years from the date of recording of the Declaration, and thereafter until terminated by two-thirds (2/3) of the votes of the Owners at the time such termination is approved. Any or all of the restrictions and covenants herein contained may be amended prior to said expiration date as provided in paragraph (h) hereof, and thereafter by the approval of two-thirds (2/3) of the votes of the Owners at the time the amendment is made, duly executed and recorded pursuant to law.
- (s) The finished living area of any residential building, exclusive of garages, porches, or carports, shall not be less than 2200 square feet on a one level, 1800 square feet on first level and 800 square feet on second level of any one and one half level and 1800 square feet on the first level and 1000 square feet on the second level of any two level.
- (t) Each residence shall have at least a one and one half garage
- (u) Each residence shall have a concrete driveway.
- (v) All fencing shall be brick, wrought iron, rock, stone or alternate approved by the Architectural Committee.
- (w) All structures shall be one hundred (100) percent brick, rock or other approved materials. No vinyl except soffits and eaves shall be allowed.
- (x) Each Lot owner shall be responsible for the maintenance of the 25 feet rear buffer

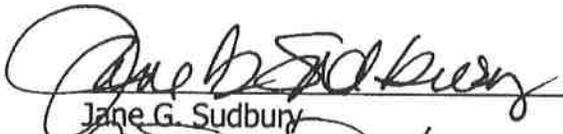
#### **Maintenance of Required Landscaping Improvements in buffer yards or Rows.**

1. Property owners shall be responsible for regular weeding, irrigating, fertilizing, pruning or other maintenance of all plantings as needed

3. The property owner or land abutting a constructed public right-of-way is responsible for landscaping and maintenance of any right-of-way between his property line and curb line.
4. All plantings will be subject to periodic inspections by officials of the City of Gallatin.
5. In the event the required maintenance is not being performed, the property owner shall be subject to a fine not to exceed \$400. Each day of such an infraction shall be deemed a separate offense.
6. Each property shall in addition to #3 also be responsible for the buffer yard in rear of property.
7. Homeowner Association shall maintain the Common Gazebo Area.

**Section 3. Maintenance.** All Lots, together with the exterior of all improvements located thereon, shall be maintained in a neat and attractive condition by their respective Owners. To provide uniformity in the maintenance of the landscaping, the Association may contract with one or more landscaping services to provide maintenance services for all Lots within the development excepting only enclosed courts. Dead or diseased trees, shrubs, bushes or other vegetation shall be cut and removed promptly from any Lot by the Owner thereof. Upon the failure of any Owner to maintain his Lot, whether vacant or occupied, in a neat, clean, sanitary, safe and attractive condition, the Association, or the authorized agents or employees of the Association may, after thirty (30) days give notice to such Owner, enter upon such Lot and have the grass, weed and other vegetation cut when and as often as the same is necessary in its judgment and may have dead or diseased trees, shrubs, and other plants or items if necessary cleaned or removed. The Association then may file a Lien on said Lot to procure payment for reimbursement.

**In Witness Whereof, The Undersigned,** Jane G. Sudbury and C. Steven Sudbury, Declarant by virtue of the provisions of Article I Section F of the aforesaid Declaration of Covenants, Conditions and Restrictions, has caused instrument to be executed the day and year first above written.

  
Jane G. Sudbury

  
C. Steven Sudbury

7-3-08  
Date

for said County and State, the within named Jane G. Sudbury and C. Steven Sudbury, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon his oath, acknowledged themselves to be the owners and developers of Faraway Hills.

WITNESS my hand and official seal at Gallatin, Tennessee, on the 3<sup>rd</sup> day of July, 2008.

Toni E. Speer

NOTARY PUBLIC

MY COMMISSION EXPIRES: 5/24/2010



Those conditions and restrictions named below are unique to this development of Faraway Hills.

### **SQUARE FOOTAGE REQUIREMENTS**

Square footage requirements are as follows: 2200 sq. ft. minimum plus garage when building a one story house, 1800 sq. ft. on ground floor and 800 sq. ft. second level minimum plus garage when building a one and one-half story house and 1800 sq. ft. on ground level and 1000 sq. ft. second level minimum plus garage when building a full two story house. All square footage requirements are exclusive of garages, porches and or carports.

All garages must open to the rear or side of house. NO garage may enter directly from the front.

All fencing shall be brick, wrought iron, rock or an alternate approved by the architectural committee.

### **MAINTENANCE OF REQUIRED LANDSCAPING IMPROVEMENTS IN BUFFER YARDS OR ROWS**

#### **ADDITIONS TO THOSE IN SAMPLE COVENANTS**

Each property owner shall in addition to #3 be responsible for the buffer yard in rear of his/her property.

The homeowner's association shall maintain shared gazebo area.



ATTACHMENT 7-6

**City of Gallatin**  
**Planning Division**  
**Inspection Report**

**SITE/DEVELOPMENT** Far Away Hills **FILE #** 8-13-04  
**PHASE/SECTION** Overall Site **BUILDING/UNIT**

BUILDING FACADE/ELEVATIONS		
Date of Inspection: 02/28/2012	Type of Inspections: Bond	Passed: No
Observations: 03/25/09: Failed-No houses built or under construction. 01/25/11 and 02/28/12: Failed-Same conditions exist.		
LANDSCAPING/STABILIZATION		
Date of Inspection: 02/28/2012	Type of Inspections: Bond	Passed: No
Observations: 03/25/09: Failed-Landscaping not installed. 01/25/11: Substantial Incomplete-seed stabilization installed, landscaping not installed. 02/28/12: Substantial Incomplete-landscaping not installed.		
PARKING SPACES/STRIPING/PAVING		
Date of Inspection: N/A	Type of Inspections:	Passed:
Observations: Refer to Engineering's Inspection Reports.		
SIDEWALK AROUND GAZEBO/BENCH AREA		
Date of Inspection: 02/28/2012	Type of Inspections: Bond	Passed: No
Observations: 03/25/09: Failed- Sidewalks not installed. 01/25/11 and 02/28/12: Failed- Same conditions exist.		
GAZEBO/BENCH AREA		
Date of Inspection: 02/28/2012	Type of Inspections: Bond	Passed: No
Observations: 03/25/09: Failed-Gazebo/Bench area not installed. 01/25/11 and 02/28/12: Failed-Same conditions exist.		
LIGHTING PLAN		
Date of Inspection: N/A	Type of Inspections:	Passed:
Observations:		
DRAINAGE/BASINS/STORMWATER		
Date of Inspection: N/A	Type of Inspections:	Passed:
Observations: Refer to Engineering's Inspection Reports.		
FIRE HYDRANTS		
Date of Inspection: 03/25/2009	Type of Inspections: Bond	Passed: Yes
Observations: 03/25/09: Substantial Completed. Installed three (3) Fire Hydrants		
ACTION		

Inspected by	Robert Kalisz, Planner I	Office #	615-451-5796
		Cell #	615-815-9708

PC0155-13

ITEM	UNIT	QTY.	\$/UNIT	TOTAL
<b>UTILITIES (from connection to building)</b>				
GAS SERVICE (GPU)	LF	0	15.00	0.00
WATER SERVICE (Per GPU)	LF	0	30.00	0.00
SEWER SERVICE (Per GPU)	LF	0	45.00	0.00
<b>PAVING</b>				
GRAVEL BASE COURSE (6 inch deep) p.366 (#0100)	SY	0	7.19	0.00
RIP RAP (3" to 6") (Per TDOT/Eng.)	TON	0	24.18	0.00
BINDER COURSE - 1.5 inch p.368 (#0080)	SY	0	5.82	0.00
BINDER COURSE - 2 inch p.368 (#0120)	SY	0	7.68	0.00
BINDER COURSE - 2.5 inch p.368 (#0130)	SY	0	9.50	0.00
WEAR COURSE - 1 inch p.368 (#0300)	SY	0	3.95	0.00
WEAR COURSE - 1.5 inch p.368 (#0340)	SY	0	6.45	0.00
WEAR COURSE - 2 inch p.368 (#0380)	SY	0	8.58	0.00
<b>CONCRETE</b>				
CONCRETE PADS (6" thick + 4" base) p.365 (#0400)	SF	0	5.44	0.00
CONCRETE WALKS (4" thick sidewalk system) p.611(#1620)	SF	625	5.46	3412.50
CURB & GUTTER - (24" wide) p.374 (#0430)	LF	0	18.80	0.00
MOUNTABLE CONCRETE CURBS p.374 (#0415)	LF	0	7.46	0.00
PRECAST CONCRETE BUMPERS p.375 (#1100)	EA	0	99.35	0.00
CONCRETE STEPS (5' length) p.73 (#6800)	LF	0	30.43	0.00
<b>DRAINAGE</b>				
DRAINAGE PIPE - 12" p.484 (#2080)	LF	0	24.04	0.00
DRAINAGE PIPE - 15" p.484 (#2100)	LF	0	30.02	0.00
DRAINAGE PIPE - 18" p.484 (#2120)	LF	0	32.11	0.00
DRAINAGE PIPE - 24" p.484 (#2140)	LF	0	38.19	0.00
DRAINAGE PIPE - 30" p.484 (#2160)	LF	0	51.55	0.00
DRAINAGE PIPE - 36" p.484 (#2180)	LF	0	58.55	0.00
DRAINAGE PIPE - 48" p.484 (#2200)	LF	0	83.45	0.00
DRAINAGE PIPE - 60" p.484 (#2220)	LF	0	128.15	0.00
TRENCH DRAIN/GRATE (medium) p.243 (#6670)	LF	0	49.35	0.00
HEADWALLS (Per Eng.)	EA	0	1000.00	0.00
INLETS/CATCH BASINS (Per Eng.)	EA	0	2000.00	0.00
MANHOLES (Per Eng.)	EA	0	2000.00	0.00
RETAINING WALL (w/reinforcement) p.387 (#7140 + #7260)	SF	0	20.50	0.00
<b>PARKING</b>				
STRIPING p.376 (#0020)	LF	0	0.23	0.00
HC SIGNS p.182 (#4800)	EA	0	167.50	0.00
HC SYMBOLS p.377 (#1200)	EA	0	34.30	0.00
DIRECTIONAL ARROWS p.376 (#0760)	SF	0	4.67	0.00
STOP - BARS (12" wide) p.376 (#0750)	LF	0	1.29	0.00
STOP - LETTERS (24" high) p.377 (#1120)	EA	0	12.83	0.00
<b>LIGHTING</b>				
LIGHT/POLE/BASE - SINGLE (35' high) p.277 (#5000 + #5400)	EA	0	2123.50	0.00
LIGHT/POLE/BASE - DOUBLE (35' high) p.277 (#5000 + #5600)	EA	0	2218.50	0.00
LIGHT/POLE/BASE - QUAD. (35' high) p.277 (#5000 + #6000)	EA	0	2378.00	0.00
<b>FENCES</b>				
CHAIN LINK FENCE VINYL COATED (6' high) p.381 (#0660)	LF	0	14.57	0.00
<b>LANDSCAPING</b>				
LARGE DECIDUOUS TREES (Per estimates)	EA	53	200.00	10600.00
FLOWERING/PINE TREES (Per estimates)	EA	48	150.00	7200.00
SHRUBS (Per estimates)	EA	9	60.00	540.00
PLANTINGS, POTTED (Per estimates)	EA	0	25.00	0.00
SOD (1 inch deep) p. 396 (#0020)	SF	0	0.25	0.00
FINAL STABILIZATION (Seed & Straw) (Per Eng.)	SF	0	0.03	0.00
<b>MISC.</b>				
GAZEBO (supplier pricing-average)	EA	1	8000.00	8000.00
FIRE HYDRANT (Per GFD)	EA	0	2500.00	0.00
PARK BENCH (4' long) p.201 (#0012)	EA	4	647.00	2588.00
			<b>SUBTOTAL</b>	<b>\$ 29,752.50</b>
			<b>OH&amp;P@10%</b>	<b>\$ 2,975.25</b>
			<b>GRAND TOTAL</b>	<b>\$ 32,727.75</b>
Page and item numbers refer to 2012 RSMeans Site Work and Landscape Cost Data				

PC0155-13

**ATTACHMENT 7-7**

# ITEM 7

## FAR AWAY HILLS REVISED ARCHITECTURAL ELEVATIONS SAMPLE SINGLE FAMILY RESIDENCE



KENNY LOUALLEN BUILDERS, INC.

FAIRWAY HEIGHTS SUBDIVISION

APPROXIMATELY 1,800 S.F. INCLUDING ADDITIONAL SQUARE FOOTAGE OPTION

BRICK/STONE ON 3 SIDES WITH HARDY BOARD DETAILS & REAR FAÇADE

FRONT LOADING GARAGE

PC0155-13

# ITEM 7

## FAR AWAY HILLS REVISED ARCHITECTURAL ELEVATIONS SAMPLE SINGLE FAMILY RESIDENCE



KENNY LOUALLEN BUILDERS, INC.

FAIRWAY HEIGHTS SUBDIVISION

APPROXIMATELY 1,800 S.F. INCLUDING ADDITIONAL SQUARE FOOTAGE OPTION

BRICK/STONE ON 3 SIDES WITH HARDY BOARD DETAILS & REAR FAÇADE

FRONT LOADING GARAGE

PC0155-13

# ITEM 8.1

GMRPC Resolution No. 2013-60

RESOLUTION APPROVING OTHER BUSINESS ITEM #8.1 – ONE-YEAR RENEWAL AND EXTENSION OF THE PERFORMANCE SURETIES FOR THE RESERVE, PH. 1, SEC. 2; PC9907-11 – LENOX PLACE, PH. 5; PC9988-12 – HOME DEPOT (SUBDIVISION); PC FILE #1-7-04C – HOME DEPOT (UTILITY); PC FILE #1-7-04C – KENNESAW FARMS, PH. 5, SEC. 1 (NHC); PC9912-11 – FAIRWAY FARMS, PH. 1, SEC. 1B & PH. 1, SEC. 2-4; PC FILE #1-10-06C – FAIRWAY FARMS, PH. 1, SEC. 1A & PH. 3, SEC. 1B; PC FILE #1-19-05C

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the one-year renewal and extension of the performance sureties for The Reserve, Ph. 1, Sec. 2; PC9907-11 – Lenox Place, Ph. 5; PC9988-12 – Home Depot (Subdivision); PC File #1-7-04C – Home Depot (Utility); PC File #1-7-04C – Kennesaw Farms, Ph. 5, Sec. 1 (NHC); PC9912-11 – Fairway Farms, Ph. 1, Sec. 1B & Ph. 1, Sec. 2-4; PC File #1-10-06C – Fairway Farms, Ph. 1, Sec. 1A & Ph. 3, Sec. 1B; PC File #1-19-05C submitted by the applicant, City of Gallatin, under Other Business at its regular meeting on July 22, 2013; and;

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the information presented by City Staff and evidence and testimony presented during the meeting.

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

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

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

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby approves a one-year renewal and extension of the performance sureties as follows:

- The Reserve, Ph. 1, Sec. 2; PC9907-11 site surety one year renewal and extension for \$12,000.
- Lenox Place, Ph. 5; PC9988-12 site surety one year renewal and extension for \$61,425.
- Home Depot (Subdivision); PC File #1-7-04C subdivision surety one year renewal and extension for \$110,000.
- Home Depot (Utility); PC File #1-7-04C utility surety one year renewal and extension for \$343,000.
- Kennesaw Farms, Ph. 5, Sec. 1 (NHC); PC9912-11 subdivision surety one year renewal and extension for \$205,000.
- Fairway Farms, Ph. 1, Sec. 1B & Ph. 1, Sec. 2-4; PC File #1-10-06C subdivision surety one year renewal and extension for \$443,000.
- Fairway Farms, Ph. 1, Sec. 1A & Ph. 3, Sec. 1B; PC File #1-19-05C subdivision surety one year renewal and extension for \$399,000.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

\_\_\_\_\_  
Dick Dempsey, Chair

\_\_\_\_\_  
Johnny Wilson, Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
JOE H. THOMPSON  
CITY ATTORNEY

# ITEM 8.2 OB

GMRPC Resolution No. 2013-61

RESOLUTION APPROVING OTHER BUSINESS ITEM #2 - AN ALTERNATIVE SIGN DESIGN REQUEST UNDER GZO SECTION 13.07.110.H FOR FIRST PRESBYTERIAN CHURCH OF GALLATIN- LOCATED AT 114 A&B SOUTH LOCUST STREET -PC0157-13

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the alternative sign request, submitted by the applicant, First Presbyterian church of Gallatin, under Other Business at its regular meeting on July 22, 2013; and;

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the information presented by City Staff and evidence and testimony presented during the meeting.

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

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

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

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby approves the alternative sign request with the following condition of approval:

1. The applicant shall obtain a sign permit from the Codes/Planning Department prior to the construction of the sign.

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

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 7/22/13

---

Dick Dempsey, Chairman

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

# EXHIBIT A

## ITEM 8.2

### 7/22/13 GMRPC MEETING

The applicant is requesting an Alternative Sign Plan Approval under Gallatin Zoning Ordinance Section 13.07.110.H, in order to construct a monument sign for the First Presbyterian Church's Creative Arts Center located at 114 South Locust Avenue. (PC0157-13)

Attachment 8.2-1      Illustration of Proposed Sign  
Attachment 8.2-2      Pictures of Property

#### ANALYSIS

The applicant is requesting approval to construct a monument sign in the front of First Presbyterian Church's Creative Arts Center located at 114 South Locust Avenue. This project is being submitted under Gallatin Zoning Ordinance Section 13.07.110.H, which allows for an alternative sign design to be approved by the Planning Commission for projects located within the Core Commercial (CC) zone district. The applicant is requesting to install a freestanding sign that will have a sign face that measures four (4) feet wide by two (2) feet four (4) inches high, and is supported by two (2), six (6) foot tall 4x4 white PVC fence posts. The front portion of the property is reserved for parking and is completely paved; the only area to install a sign is in a narrow grassy strip between the church's property and the adjoining property owner as shown in Attachment 8.2-2. Installing the sign with a fifteen (15) foot setback as required in all other zone districts would limit the visibility of the sign due to the parked cars. The applicant is requesting a setback from South Locust Avenue of five (5) feet. A five (5) foot setback would also put the sign in line with the adjacent property owner's sign.

#### RECOMMENDATION

Staff recommends that the Planning Commission approve the alternative sign design/location with the following condition:

1. The applicant shall obtain a sign permit from the Codes/Planning Department prior to construction of the sign.









# METAL QUEST INC.

"Tooling For Tomorrow's Needs Today"

103 Legion Dr. • Portland, TN 37148

ISO

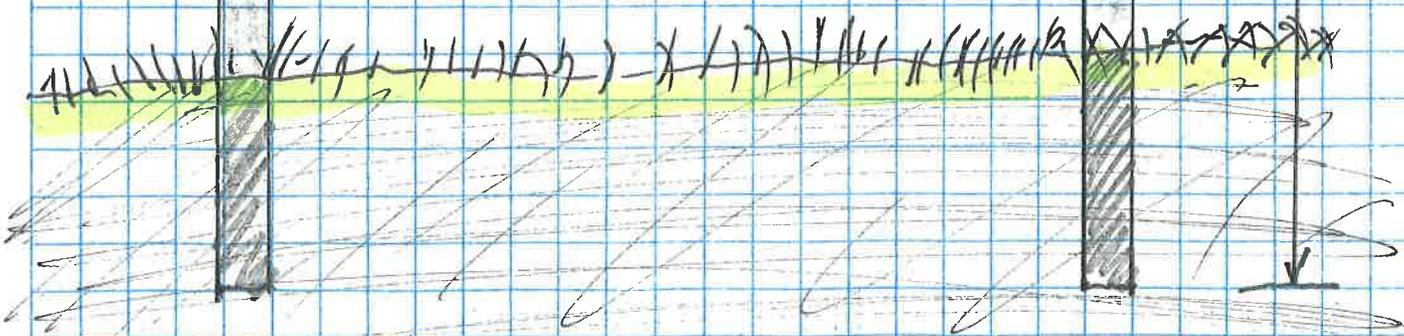
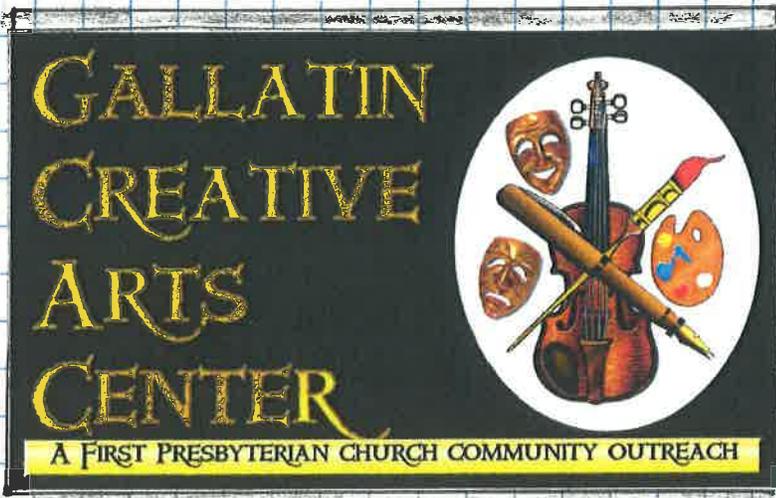
PROPOSAL & DIMENSIONS FOR "GALLATIN CREATIVE ART CENTER"

SIGN IS 48" WIDE X 28.8" HIGH

ADD WHITE FRAME 2" AROUND SIGN AND

6 FT (OR 8?)

4x4 WHITE  
PVC FENCE-  
POST  
BURIED IN  
GROUND.



SIGN CONSTRUCTION QUESTIONS ON BACK

**ITEM 8.2**

BOB DELGRAFF

PC0157-13

GALLATIN  
CREATIVE  
ARTS  
CENTER



A FIRST PRESBYTERIAN CHURCH COMMUNITY OUTREACH