

ORDINANCE OF ANNEXATION BY THE CITY OF GALLATIN, TENNESSEE  
ANNEXATION OF PROPERTY LOCATED OFF HOPE COURT, SOUTH OF GREGORY  
DRIVE, AND EAST OF AIRPORT ROAD – GREGORY REAL ESTATE, LLC, OWNER(S) –  
2.69 (+/-) ACRES – S.B.E. TAX MAP #127//PART OF 005.00

WHEREAS, the property owners of the affected area have petitioned the City of Gallatin for annexation; and,

WHEREAS, it appears that the prosperity of the City of Gallatin of the territory herein described may be materially retarded and the safety and welfare of the inhabitants and property thereof endangered if such territory is not annexed; and,

WHEREAS, the annexation of such territory may be deemed necessary for the welfare of the residents and/or property owners of the said affected territory and the City of Gallatin as a whole; and,

WHEREAS, a plan of service for this area will be adopted concurrently by ordinance on as required by Tennessee Code Annotated Section 6-51-102; and,

WHEREAS, the proper notice and public hearing will have been accomplished prior to final passage;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the territory described in the attached Exhibit A and Exhibit B is hereby annexed and incorporated within the corporate boundaries of the City of Gallatin, Tennessee.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE that the territory described in the attached Exhibit A and Exhibit B shall become part of City Council District 1.

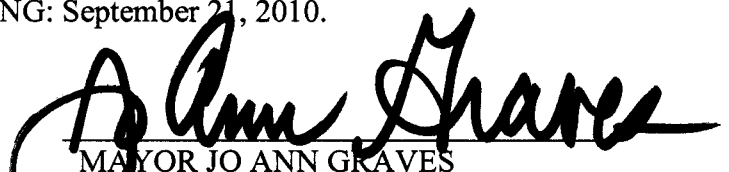
BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this ordinance shall take effect thirty (30) days after final passage, the public welfare requiring such.

PASSED FIRST READING: August 17, 2010.


PASSED SECOND READING: September 21, 2010.

ATTEST:

  
CONNIE KITTRELL  
CITY RECORDER

  
MAYOR JO ANN GRAVES

APPROVED AS TO FORM:

  
JOE H. THOMPSON  
CITY ATTORNEY

RECEIVED  
JUN 24 2010  
GALLATIN PLANNING  
& ZONING

2.69 ACRES

BEING located in the 2<sup>nd</sup> Civil District, Sumner County, Tennessee, north of Cairo Road, and being a portion of the property of record in Deed Book 164, Page 264, Register's Office, Sumner County, Tennessee. See Tax Map 127, Parcel 5.00, Tax Assessor's Office, Sumner County, Tennessee, and more particularly described as follows:

BEGINNING at a pipe at a post in the south boundary of Gregory Real Estate, LLC (RB 3203, PG 50, ROSCT), same being the northeast corner of this tract and the northwest corner of Betty Strong Etal (RB 2030, PG 283, ROSCT); thence with line of Strong Etal South 11 degrees 55 minutes 15 seconds West 373.74 feet to an iron rod; thence severing the Roy H. Brown property North 82 degrees 42 minutes 01 second West 298.43 feet to an iron rod; thence with line of Gregory Real Estate, LLC property North 05 degrees 26 minutes 28 seconds East 362.62 feet to an iron rod at a post; thence South 84 degrees 23 minutes 57 seconds East 340.45 feet to the point of beginning containing 2.69 acres more or less by survey by Carroll Carman, Registered Land Surveyor, Tennessee Number 910, address 150 Middle Fork Road, Hartsville, Tennessee, 37074, dated May 14, 2010.

THIS IS NOT a separate tract and is to be combined with the adjoining Gregory Real Estate LLC property to the north.

NO ACCESS is being provided to this tract.

Being a part of the same property conveyed to Roy H. Brown by deed from D. M. Brown and wife, Birtie Brown, subject to a life estate retained by D. M. Brown. of record in Deed Book 164, page 264, Register's Office of Sumner County, Tennessee. The said D. M. Brown is now deceased.

**EXHIBIT A**

6-3-10

**ITEM 4**  
**7/26/10 GMRPC MEETING**

**Applicant requests the Planning Commission provide a recommendation to the Gallatin City Council on the Ordinance adopting a Plan of Service for the annexation of 2.69 (+/-) acres located off Hope Court, south of Gregory Drive, and east of Airport Road (6-3-10).**

**Attachment 4-1    Annexation Exhibit**  
**Attachment 4-2    POS Ordinance O1007-50**  
**Attachment 4-3    Annexation Ordinance O1007-51**  
**Attachment 4-4    GMRPC Resolution #2010-18**

**ANALYSIS**

The applicant is requesting the Planning Commission provide a recommendation to the Gallatin City Council on the Ordinance adopting a Plan of Service for the annexation of 2.69 (+/-) acres located off Hope Court, south of Gregory Drive, and east of Airport Road.

This property is located within the Gallatin Planning Region and the City must annex this property in order to bring it into the Gallatin City limits. The subject property is located within the City of Gallatin's Urban Growth Boundary and is contiguous to the existing City limits.

The rezoning request for this property is the next item on the agenda. The Planning Commission is required to review the Plan of Service Ordinance and provide a recommendation to the Gallatin City Council. Please refer to Attachment 4-2 for a detailed description of the proposed Plan of Service for this property.

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend approval of the annexation Plan of Service request to the Gallatin City Council with the following conditions:

1. The applicant shall add the proposed uses (Transport and Warehousing and Limited Manufacturing) to the rezoning exhibit.
2. The applicant shall submit three (3) corrected copies of the annexation exhibit to the Codes/Planning Department.

**EXHIBIT C**

STAFF REPORT

Printed: 20-Jul-2010

@ 9:00 am

File No:

6-3-10

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Meeting Date: 07/26/2010  
Project: GREGORY, ODRIC - POS/ANNEXATION  
Applicant: ROGERS ENGINEERING GROUP  
Requested Action: ANNEXATION

Purpose:

GMRPC RESOLUTION NO. 2010-18

Applicant requests the Planning Commission provide a recommendation to the Gallatin City Council on the Ordinance adopting a Plan of Service for the annexation of 2.69 (+/-) acres located off Hope Court, south of Gregory Drive, and east of Airport Road.

TaxMap # 127 / /005.00

Additional Parcels:

None

Use Classification: COMMERCIAL  
TRANSPORT AND WAREHOUSING  
Existing Zoning: R40  
Location: HOPE COURT  
Parcel Size: 2.69 (+/-) ACRES  
Existing Use: VACANT  
PUD: No

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Surrounding Land Use & Zoning:

North: IR  
South: R40  
East: R40  
West: IR

**Departmental Comments & Other Special Information:****Dept of Public Utilities**

6/28/10: No problems

**Planning Office**

Planning Division Project Manager: Katherine Schoch/Kevin Chastine

Review Date: 7/9/10

1. Add title to plan (ex: Gregory Annexation Request")
2. List current owner's name and address.
3. List current zoning and proposed zoning.
4. Add location/address of property to plan.
5. Add note regarding existing and proposed use of property.
6. Add note about location of proposed access easement.
7. Note on deed states that this property will be combined with property to the North. A minor subdivision plat shall be required to combine properties in the future.

Resubmittal documents must be turned in to the Planning Division by 4:30 PM on Friday, 7/16/10. Resubmittals must include the following information in order to be considered a complete resubmittal:

\* Twenty seven (27) corrected, folded copies of the resubmittal documents (1 full size and 26 half size if original plans are greater than 18 x 24, and architectural drawings if needed.

\* Digital copies of plans and supporting information/correspondence pertaining to this project in the following formats:

- DGN or DWG file of subdivision plats, site plans, PMDP, and FMDDP
- PDF files of all pages of subdivision plats, site plans, PMDP, and FMDDP
- PDF of all supporting documents and correspondence.
- Label file formats on CD

\* Detailed response letter addressing all departmental review comments.

\* RETURN CHECKPRINT & CHECKLIST

This project will be considered at the following City Council Meetings:

- 
- Council Committee: August 10, 2010
- 1st Reading at City Council: August 17, 2010

Ad run for Public Hearing on Thursday, August 19, 2010 (15 days before PH) by Codes/Planning Department.

Public Hearing at City Council: September 7, 2010

2nd Reading at City Council: September 21, 2010

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CODES: 6/25/10

No comments

**Engineering**

7/1/10: no comments

**Engineering**

**Fire Dept**

6/29/10: No comments

**Police Dept**

6/29/10: Reviewed: no comments

**Gallatin Dept of Electricity**

6/29/10: O.K.

**Sumner County, E-911**

6/28/10: No comments

**Analysis**

See separate staff analysis

**Recommendations**

See separate staff recommendation

ORDINANCE ADOPTING A PLAN OF SERVICE FOR THE  
ANNEXATION OF PROPERTY LOCATED OFF HOPE COURT, SOUTH OF GREGORY  
DRIVE, AND EAST OF AIRPORT ROAD – GREGORY REAL ESTATE, LLC, OWNER(S) – 2.69  
(+/-) ACRES – S.B.E. TAX MAP #127//PART OF 005.00

WHEREAS, Tennessee Code Annotated Section 6-51-102 as amended requires that a Plan of Service be adopted by the governing body of a city prior to the passage of an annexation ordinance; and,

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 plan of service in GMRPC Resolution No. 2010-18, attached hereto as Exhibit D; and

WHEREAS, the Gallatin Municipal-Regional Planning Commission has adopted a written Staff Report with respect to this plan of service as required by Tennessee Code Annotated Section 6-51-102(b)(4), a copy of which is attached to this Ordinance as Exhibit C; and,

WHEREAS, the area proposed for annexation to the City of Gallatin is within the City's Urban Growth Boundary, as required by law, and is described as follows in Exhibit A and Exhibit B, attached hereto;

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

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following Plan of Service:

**A. Water**

The extension of new water lines into the annexed property shall be installed by the developer. Connections to existing City of Gallatin water lines shall be installed in accordance with the policies outlined in the Gallatin Municipal Code.

**B. Sanitary Sewer**

The extension of new sanitary sewer lines into the annexed property shall be installed by the developer. Connections to existing City of Gallatin sanitary sewer lines shall be installed in accordance with the policies outlined in the Gallatin Municipal Code.

**C. Street Construction and Maintenance**

No new streets are proposed in this area.

**D. Refuse Collection**

Upon annexation, the City of Gallatin will begin the collection of solid waste in the annexation area based on the provisions set forth in the Gallatin Municipal Code.

**E. Planning and Zoning Services**

This area is located inside the City of Gallatin Planning Region. Existing planning and zoning services of the City of Gallatin will continue to be provided in the annexation area.

## ATTACHMENT 4-2

### **F. Building Inspections and Code Enforcement Services**

Building inspection services are currently being provided to this area. Upon annexation, code enforcement services will also be provided by the City of Gallatin in the annexation area.

### **G. Fire Protection**

Present personnel and equipment of the fire fighting force will provide fire protection on and after the effective date of the annexation.

### **H. Police Protection**

Police patrol and response to calls by the Gallatin Police Department will be provided with existing personnel on and after the effective date of the annexation.

### **I. Animal Control**

The Gallatin Public Works Department provides the services of animal control and enforces the City's animal control ordinances. This service will be available in the annexation area once the annexation becomes effective.

### **J. Recreational Facilities and Programs**

The benefit and use of all recreational facilities and programs provided by the Gallatin Leisure Services Department will be available on and after the effective date of the annexation.

Recreational Facilities and Programs will be provided with existing personnel, facilities, and resources.

### **K. Street Lighting and Electric Service**

Street lighting will be extended into the annexed area in accordance with existing City policy along with the extension of City electric facilities as provided in T.C.A. Section 6-51-112.

### **L. Gas**

The Gallatin Public Utilities Department provides natural gas services to residential, business, and industrial customers in the City of Gallatin and outside the City's corporate limits. The Gallatin Public Utilities Department will provide natural gas service in the annexation area.

SECTION 2. This ordinance shall be effective from and after its final passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

ATTEST:

\_\_\_\_\_  
MAYOR JO ANN GRAVES

\_\_\_\_\_  
CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

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



RECEIVED  
JUN 24 2010

GALLATIN PLANNING  
& ZONING

2.69 ACRES

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EXHIBIT A

6-3-10

RESOLUTION RECOMMENDING APPROVAL OF ORDINANCE NO. 01007-50  
TO THE GALLATIN CITY COUNCIL – PC File #6-3-10

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the zoning amendment request submitted by the applicant, Rogers Engineering Group, at its regular meeting on July 26, 2010; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report, and 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 Plan of Service is 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 can 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 recommends approval of the Plan of Service to the Gallatin City Council with the following conditions:

1. The applicant shall add the proposed uses (Transport and Warehousing and Limited Manufacturing) to the rezoning exhibit.
2. The applicant shall submit three (3) corrected copies of the annexation exhibit 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.

**EXHIBIT D**

PRESENT AND VOTING

AYE:

NAY:

DATED: July 26, 2010

---

Dick Dempsey, Chairman

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY

ORDINANCE OF ANNEXATION BY THE CITY OF GALLATIN, TENNESSEE  
ANNEXATION OF PROPERTY LOCATED OFF HOPE COURT, SOUTH OF GREGORY  
DRIVE, AND EAST OF AIRPORT ROAD – GREGORY REAL ESTATE, LLC, OWNER(S) –  
2.69 (+/-) ACRES – S.B.E. TAX MAP #127//PART OF 005.00

WHEREAS, the property owners of the affected area have petitioned the City of Gallatin for annexation; and,

WHEREAS, it appears that the prosperity of the City of Gallatin of the territory herein described may be materially retarded and the safety and welfare of the inhabitants and property thereof endangered if such territory is not annexed; and,

WHEREAS, the annexation of such territory may be deemed necessary for the welfare of the residents and/or property owners of the said affected territory and the City of Gallatin as a whole; and,

WHEREAS, a plan of service for this area will be adopted concurrently by ordinance on as required by Tennessee Code Annotated Section 6-51-102; and,

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the territory described in the attached Exhibit A and Exhibit B is hereby annexed and incorporated within the corporate boundaries of the City of Gallatin, Tennessee.

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BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this ordinance shall take effect thirty (30) days after final passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

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MAYOR JO ANN GRAVES

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

**ATTACHMENT 4-3**

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JOE H. THOMPSON  
CITY ATTORNEY

RECEIVED  
JUN 24 2010  
GALLATIN PLANNING  
& ZONING

2.69 ACRES

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**EXHIBIT A**

6-3-10

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WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report, and 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 Plan of Service is 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 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 Plan of Service to the Gallatin City Council with the following conditions:

1. The applicant shall add the proposed uses (Transport and Warehousing and Limited Manufacturing) to the rezoning exhibit.
2. The applicant shall submit three (3) corrected copies of the annexation exhibit 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.

**ATTACHMENT 4-4**

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: July 26, 2010

---

Dick Dempsey, Chairman

---

Johnny Wilson, Secretary

APPROVED AS TO FORM:

---

JOE H. THOMPSON  
CITY ATTORNEY





*City of Gallatin, Tennessee*

*Codes/Planning Department*

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

DATE: July 27, 2010

TO: Mr. Richard Jones  
Rogers Engineering Services, Inc.  
312 Durham Ave.  
Gallatin, TN 37066

FROM: Gallatin Codes/Planning Department

RE: July 26, 2010: Gallatin Municipal-Regional Planning Commission Meeting  
**Odric Gregory POS and Annexation: PC File #6-3-10**

At the above referenced meeting, your Plan of Service and Annexation request was:

- ☐ RECOMMENDED  
☒ RECOMMENDED WITH CONDITIONS  
☐ NOT RECOMMENDED  
☐ DEFERRED

Conditions of Approval:

1. The applicant shall add the proposed uses (Transport and Warehousing and Limited Manufacturing) to the rezoning exhibit.
2. The applicant shall submit three (3) corrected copies of the annexation exhibit to the Codes/Planning Department.

Approval contains the following requirements:

- ☒ CITY COUNCIL APPROVAL
- Council Committee: 8/10/10
  - 1st Reading at City Council: 8/17/10
  - Ad run for Public Hearing by Codes/Planning Department: 8/19/10
  - Public Hearing at City Council: 9/7/10
  - 2nd Reading at City Council: 9/21/10

cc: Mayor Jo Ann Graves  
Mr. Joe H. Thompson, City Attorney  
PC File #6-3-10

**EXHIBIT C**

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

AUGUST 10, 2010

**DEPARTMENT: CODES/PLANNING**

**AGENDA # 4**

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**SUBJECT:**

Ordinances #O1007-50, O1007-51, and O1007-49, the Plan of Services, Annexation and rezoning of property containing 2.69 (+/-) acres located off Hope Court, south of Gregory Drive, and east of Airport Road. PC Files 6-3-10 and 3-15-10

**SUMMARY:**

The property owner is requesting the annexation and rezoning of 2.69 (+/-) acres located in the Gallatin Planning Region, off Hope Court, south of Gregory Drive, and east of Airport Road.. Property to be rezoned from Residential-40 (R40) to Industrial Restrictive (IR).

**RECOMMENDATION:**

After discussion, forward to City Council

**ATTACHMENT:**

☐ Resolution  
☒ Ordinance

☐ Correspondence  
☐ Contract

☐ Bid Tabulation  
☒ Other

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Approved ☒  
Rejected ☐  
Deferred ☐

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




**Notes:**

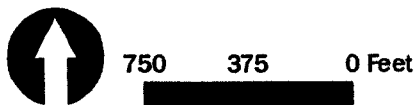
**EXHIBIT C**

# Odric Gregory

## Annexation & Rezoning Request

### Legend

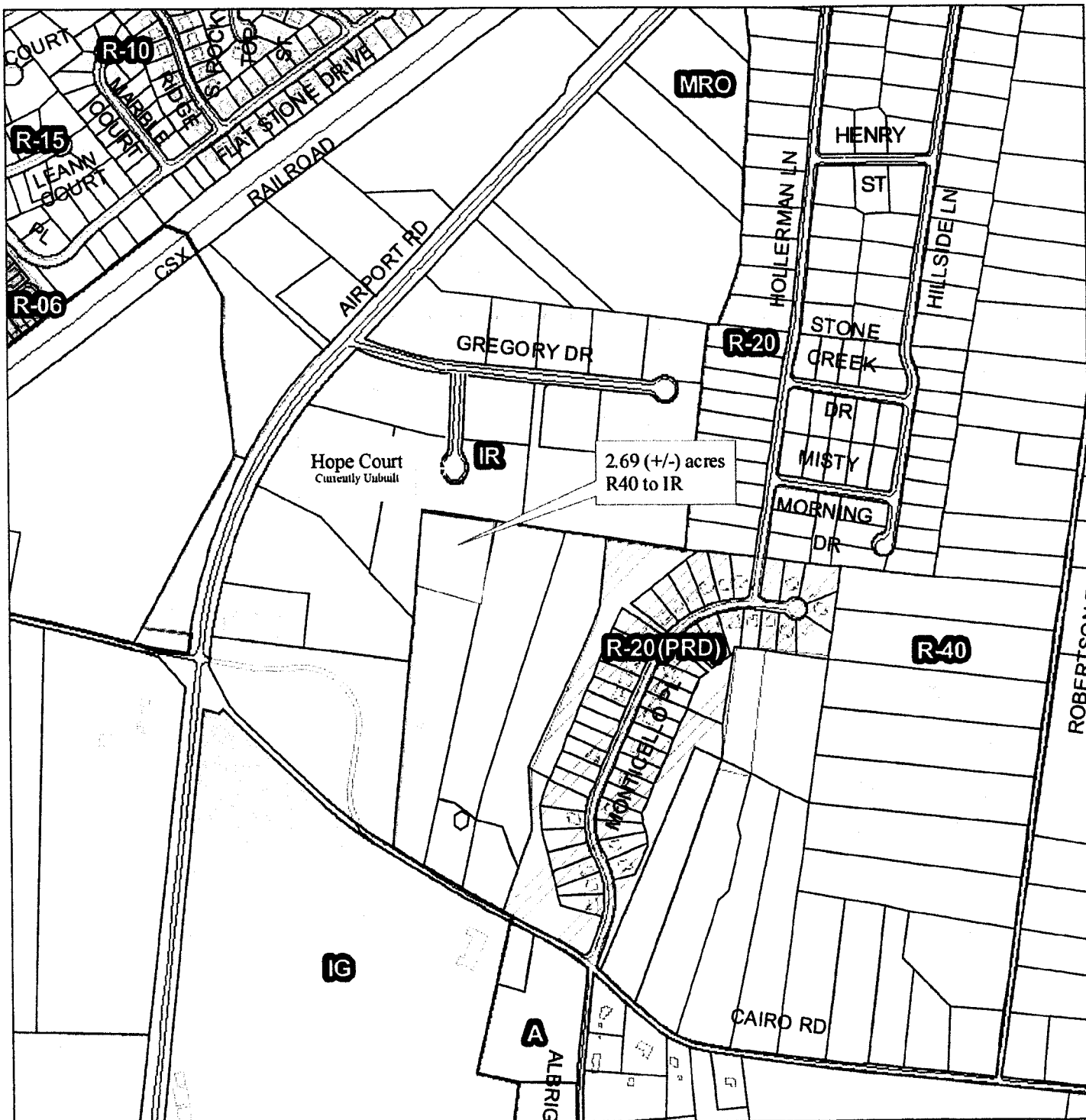
-  parcels
-  Streets.dgn Polyline
-  ugb
-  corp limits
-  planregion
-  majorstructpoly



PC File # 6-3-10

EXHIBIT B

Prepared By: Codes/Planning Dept.



RECEIVED  
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





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**EXHIBIT A**

6-3-10

# Odric Gregory Annexation & Rezoning Request

## Legend

-  parcels
-  Streets.dgn Polyline
-  ugb
-  corp limits
-  planregion
-  majorstructpoly



750 375 0 Feet

**EXHIBIT B**

Prepared By: Codes/Planning Dept.



**6-3-10**