MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

The regular meeting of the Brentwood Planning Commission met on Monday, March 6, 2017 at 7:00 p.m. at the Brentwood Municipal Center.

Present were Chairman Janet Donahue, Stevan Pippin, Commissioner Ken Travis, Carole Crigger, Jack Moriarty, Jack Fletcher, John Magyar, Sandi Wells and Chris Clark. John Church was absent.

The Pledge of Allegiance was led by Mr. Clark.

Commissioner Travis moved for approval of the minutes from the February 6, 2017 meeting as written; seconded by Mr. Moriarty. Approval was unanimous.

**CONSENT AGENDA**

Mr. Magyar recused himself on Item #3 - BPC1702-007 - Revised Final Plat – Waterford Subdivision, Lot 1, 6417 Waterford Drive, Zoning R-2.

Item 1: BPC1702-001 - Limited Duration Event - Kars4kids, Tennessee Baptist Children’s Home, 1310 Franklin Road, Zoning SI-2/SR

Paul Collins requested approval of a limited duration event to be conducted on Saturday, April 15th from 8:00 am to 3:00 pm. The car show would be conducted on the lawn at the Tennessee Baptist Children’s Home located at 1310 Franklin Road. It was estimated that 4,000 to 5,000 could attend the event.

All traffic would enter through the site at the stone columns and would be directed to parking, show field, etc. Show registration would be from 8:00 to noon. Show vehicles would begin to arrive around 7:00 am with spectators arriving from 10:00 am to 3:00 pm.  Trophy presentation would be at 3:30 pm. A few venders may be on-site arriving before 8:00 am.

Staff recommended approval of the limited duration event subject to the following conditions:

1. The event organizers shall coordinate the event with Planning and Codes, and Police Department personnel.
2. All ingress and egress points must remain clear and accessible for emergency services at all times during the event.
3. Future events must be submitted for review by staff and approved by the Planning Commission annually.
4. Any food trucks on the site shall comply with the requirements of Article VI of the Municipal Code.
5. The event shall comply with applicable sections of the Municipal Code. The levels of music amplification and public address activity will be governed by the requirements of the noise ordinance. Every effort will be made to mitigate the noise generated by the site.
6. All tents used must be flame resistant in accordance with NFPA 701, and have a label permanently attached indicating such compliance. Each tent shall have at least a “2A” rated fire extinguisher, unobstructed and easily accessible in the event of a fire emergency.
7. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
8. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
9. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
10. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
11. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1702-005 - Revised Final Plat – Pena Estates, 9749 Concord Pass, south side of Concord Pass, Zoning R-2

ACE Consulting requested approval of a final plat for the Pena Estates subdivision located at 9749 Concord Pass. The plat proposed the subdivision of a 5.19-acre tract into two 2.46 acre lots.

A similar request was presented to the Planning Commission and approved in September 2014. That plat was never recorded and the approval has expired.

Staff recommended approval of the revised final plat subject to the following conditions:

1. The sanitary sewer line will be extended to serve lot 1 per the review and approval of Metro Water Services. Provide a copy of the plan and the bond information as part of the submittal of the plat for recording.
2. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
3. Add the following note to the final plat:

*This final plat is subject to a vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  Upon expiration of the vesting period, development of the property shown on this plat may be subject to standards other than those that were applicable during the vesting period.  The vesting period for this plat expires on*  *, unless extended by the City of Brentwood.  Persons relying on this plat after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

(Planning and Codes Department staff will insert the expiration year for the plat at the time the plat is ready for recording and may also make changes to the wording of the above note as necessary to carry out the intent of Standard Requirements 1, 2 and 3 below.)

1. The property developer/owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
2. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
3. Provide the Planning staff with a digital copy of the proposed subdivision section and the entire project. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, Zone 5301, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
4. Complete building plans shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun. Additionally, all required electrical permits, issued by the State of Tennessee must be received before any work is begun. The required inspections must also be completed before a certificate of completion is issued for the project.
5. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
6. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
7. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
9. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1702-007 - Revised Final Plat – Waterford Subdivision, Lot 1, 6417 Waterford Drive, Zoning R-2

Starla Weatherell requested approval of a revised final plat for the lot located at 6417 Waterford Drive. The plat proposed a reduction to the 100-foot-wide front yard setback reducing it to the standard R-2 setback of 75 feet. The proposed reduction was requested to accommodate an addition to the home. The home was recently damaged by fire.  The owner is in the process of rebuilding.    
  
The lot was originally recorded as part of the Waterford subdivision in PB 11, PG 71.

Staff recommended approval of the revised final plat subject to the following conditions:

1. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
2. Add the following note to the final plat:

*This final plat is subject to a vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  Upon expiration of the vesting period, development of the property shown on this plat may be subject to standards other than those that were applicable during the vesting period.  The vesting period for this plat expires on*  *, unless extended by the City of Brentwood.  Persons relying on this plat after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

(Planning and Codes Department staff will insert the expiration year for the plat at the time the plat is ready for recording and may also make changes to the wording of the above note as necessary to carry out the intent of Standard Requirements 1, 2 and 3 below.)

1. The property developer/owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
2. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
3. Provide the Planning staff with a digital copy of the proposed subdivision section and the entire project. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, Zone 5301, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
4. Complete building plans shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun. Additionally, all required electrical permits, issued by the State of Tennessee must be received before any work is begun. The required inspections must also be completed before a certificate of completion is issued for the project.
5. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
6. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
7. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
9. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1702-008 - Revised Building Elevations – Francesca’s, Hill Center Brentwood, 211 Franklin Road, Building A, Suite 140, Zoning C-2

Chase Bacon requested approval of revised building elevations for the tenant space located at 211 Franklin Road, Suite 140. The proposal included brick veneer shell and clear matte finish metal panel, aluminum storefront and door. No changes were proposed to the remaining existing brick fascia on Building A.

Staff recommended approval of the revised building elevations subject to the following conditions:

1. A site plan shall be vested for a period of three years from the date of the original approval.
2. Add the following note to the site plan;

*This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on* ***March 6, 2020***, *unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. Add the following note to the plans that are to be submitted for building permit review: “This document certifies that the building materials specified in the Planning Commission approval of this project (BPC1702-008) are likewise provided for in the plans submitted. Any deviation from the approved building materials will negate any staff approval of said plans. Proposed changes to project specifications will be submitted to the Planning Commission for further consideration.
5. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
7. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
8. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
9. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
10. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC1702-012 - Revised Building Elevations – Jeni’s Ice Cream, Hill Center Brentwood, 211 Franklin Road, Building A, Suite 100, Zoning C-2

James Kratochuk requested approval of revised building elevations for the tenant space located at 211 Franklin Road, Suite 100. The proposal included:

* Brick veneer shell;
* Vertical reclaimed wood slats;
* Black aluminum storefront system.

No changes were proposed to the remaining existing brick fascia on Building A.

Staff recommended approval of the revised building elevations subject to the following conditions:

1. A site plan shall be vested for a period of three years from the date of the original approval.
2. Add the following note to the site plan;

*This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on* ***March 6, 2020***, *unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. Add the following note to the plans that are to be submitted for building permit review: “This document certifies that the building materials specified in the Planning Commission approval of this project (BPC1702-012) are likewise provided for in the plans submitted. Any deviation from the approved building materials will negate any staff approval of said plans. Proposed changes to project specifications will be submitted to the Planning Commission for further consideration.
5. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
7. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
8. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
9. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
10. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1702-013 - Reinstatement of Preliminary Plan – Whetstone Subdivision, West Side of Edmondson Pike, Zoning OSRD

Ragan Smith Associates requested reinstatement of a previously approved preliminary plan for the Whetstone subdivision. The plan showed the previously approved configuration of the project. The previous preliminary plan was approved by the Planning Commission on July 7, 2014 and subsequently expired on July 7, 2016. The plan showed the previously approved layout of the project. The number of lots remained unchanged at 141.

Approval of the OSRD Development Plan by the Board of Commissioners would not be necessary because the layout of the plan, the access to the development, the open space improvements and the number of lots was unchanged.

Staff recommended approval of the reinstatement of the preliminary plan subject to the following conditions:

1. A preliminary plan shall be vested for a period of three years from the date of the original approval.
2. Add the following note to the preliminary plan;

*This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on* ***March 6, 2020***, *unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property developer/owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
5. Show the locations of all perpetual scenic easements for all open space areas that are designated to remain undisturbed. Designate which open space areas are to remain undisturbed on the plan. Add the following note to the plan, “All open space areas designated as scenic easements shall remain undisturbed.” The document shall meet the requirements of the City of Brentwood and shall be submitted for staff review and approval before recording.
6. Temporary street signs having a sign face width of 6", a letter height of 4", and that meet the height standards of TDOT, must be installed before a final plat for a future phase can be recorded.
7. Provide the Planning staff with a digital copy of the proposed subdivision section and the entire project. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, Zone 5301, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
8. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
9. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
10. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
11. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC1702-009 - Final Plat - Whetstone Subdivision, Section Seven, South Side of Whetstone Boulevard, Zoning OSRD

Ragan Smith Associates requested approval of a final plat for the final section of the Whetstone subdivision which showed four lots on approximately 8 acres. The section is located on the south side of Whetstone Boulevard slightly west of its intersection with Edmondson Pike.

Staff recommended approval of the final plat subject to the following conditions:

1. The Open Space in Section 7 must be conveyed to the HOA with the recording of the final plat.
2. The barn must be removed before the final plat will be signed for recording.
3. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
4. Add the following note to the final plat:

*This final plat is subject to a vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  Upon expiration of the vesting period, development of the property shown on this plat may be subject to standards other than those that were applicable during the vesting period.  The vesting period for this plat expires on*  *, unless extended by the City of Brentwood.  Persons relying on this plat after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

(Planning and Codes Department staff will insert the expiration year for the plat at the time the plat is ready for recording and may also make changes to the wording of the above note as necessary to carry out the intent of Standard Requirements 1, 2 and 3 below.)

1. The property developer/owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
2. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
3. Provide the Planning staff with a digital copy of the proposed subdivision section and the entire project. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, Zone 5301, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
4. Complete building plans shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun. Additionally, all required electrical permits, issued by the State of Tennessee must be received before any work is begun. The required inspections must also be completed before a certificate of completion is issued for the project.
5. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
6. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
7. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
9. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC1610-002 - Final Plat - Belle Terra Subdivision, 9210 Concord Road, Zoning R-2

Harrah & Associates requested approval of a final plat that showed five lots on approximately 8.43 acres. The project is currently under construction and is located on the north side of Concord Road east of the Lansdowne subdivision.

A total of 0.23 acres across the front of the property was dedicated as right-of-way for the recently completed improvements to Concord Road (Book 5895, PG. 118).

No individual lot access would be proposed to Concord Road. The proposed lot sizes and technical aspects of the design met the requirements of the Code. The lot sizes are detailed in the following table.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | PRELIMINARY PLAN | | FINAL PLAT | |
| LOT | AREA (SF) | AREA (AC) | AREA (SF) | AREA (AC) |
| 1 | 87,713 | 2.01 | 87,835 | 2.02 |
| 2 | 49,643 | 1.14 | 49,642 | 1.14 |
| 3 | 53,306 | 1.22 | 53,306 | 1.22 |
| 4 | 49,819 | 1.14 | 49,819 | 1.14 |
| 5 | 87,497 | 2.01 | 87,646 | 2.01 |
| OS | 11,587 | 0.27 | 11,594 | 0.26 |

Staff recommended approval of the final plat subject to the following conditions:

1. Correct the rear yard setbacks on lots 1 & 5. Verify the width of all setbacks shown on the plat.
2. The required security for the extension of the sewer line under Concord Road shall be provided before the plat can be recorded.
3. Building permits will not be issued until sewer service is provided to each lot.
4. Approval of a final plat by the Planning Commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
5. Add the following note to the final plat:

*This final plat is subject to a vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  Upon expiration of the vesting period, development of the property shown on this plat may be subject to standards other than those that were applicable during the vesting period.  The vesting period for this plat expires on*  *, unless extended by the City of Brentwood.  Persons relying on this plat after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

(Planning and Codes Department staff will insert the expiration year for the plat at the time the plat is ready for recording and may also make changes to the wording of the above note as necessary to carry out the intent of Standard Requirements 1, 2 and 3 below.)

1. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
2. Complete building plans shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun. Additionally, all required electrical permits, issued by the State of Tennessee must be received before any work is begun.
3. All applicable security, that meets the requirements of Article Eight of the Brentwood Subdivision Regulations must be received by staff for all required roadway, drainage, street lighting, water, sewer, buffer landscaping, signage and amenity improvements before the plat for the first phase of the project can be signed by the Planning Commission Secretary for recording. The landscaping security shall be posted in an amount equal to one hundred ten percent (110%) of the total cost of the materials and installation of the improvements.
4. Add the following REVISED note to the plat: Per the requirements of Section 70-132(d) of the Municipal Code -- Grinder pumps and associated sewer lines shall be installed in accordance with plans approved by the Brentwood Water and Sewer Department. Force mains for grinder pumps shall not be located under structures, driveways, or concrete slabs unless specifically approved by the water and sewer department. The developer shall furnish the City, for all designated lots with pressurized grinder pump sewer, the cash equivalent of $1,900 per pump for each lot subject to the determination of the water/sewer director. The cash replacement expenses in the future (7-10 years). Payment for replacement of the grinder pumps must be made at the time of the signing of the final mylar.
5. The proposed entrance signage and features must be presented to the Planning Commission for review and approval before any work is begun. All improvements must comply meet the requirements of the Sign ordinance
6. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
7. The minimum fire flow requirements for Brentwood are 1,000 gpm @ 20 psi. This requirement can be reduced if every structure within the subdivision is required to have an automatic fire sprinkler system installed in accordance with NFPA standards and requirements.
8. Provide the Planning staff with a digital copy of the entire project. This request is consistent with Section 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, Zone 5301, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
9. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
13. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 9: BPC1612-005 - Revised Site Plan – Costco Wholesale, 98 Seaboard Lane, Zoning C- 3**

Miller Construction Services requested approval of a revised site plan for the existing Costco Wholesale warehouse store located at 98 Seaboard Lane.

The proposed modifications included an addition of a seasonal garden center on the north side of the building. A 6-foot black vinyl coated fenced area would be installed from March until May. To improve emergency egress, a small sidewalk would be added. This would require the removal of 8 Azalea plants and 10 Creeping Lilyturf. The site complied with minimum green space and planting requirements.

Staff recommended approval of the revised site plan from March 7, 2017 through June 1, 2017; subject to the following conditions:

1. Requests for approval of the temporary garden center shall be submitted to staff for Planning Commission review on an annual basis.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

*This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 6, 2020*, *unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.*

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
6. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
7. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
8. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
9. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
10. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on January 3, 2017. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mrs. Crigger moved for approval of the items on the Consent Agenda; seconded by Mr. Magyar. Approval was unanimous.

# REGULAR AGENDA

**Item 1: ORDINANCE 2017-04 - AN ORDINANCE AMENDING MUNICIPAL CODE REGARDING THE REQUIRED FRONT YARD SETBACKS WITHIN AR (AGRICULTURAL/RESIDENTIAL) ZONING DISTRICTS**

Mr. Clark moved to recommend approval of Ordinance 2017-04 to the Board of Commissioners; seconded by Mr. Pippin. Motion passed 8-0-1 with Chairman Donahue abstaining.

Item 2: BPC1702-002 - Revised Site Plan – Gary Force Acura, 1634 Westgate Circle, Zoning C-2/SR

Heibert & Ball Land Design requested approval of a revised site plan for the Gary Force Acura dealership located at 1634 Westgate Circle. The Planning Commission approved an extension to the original approval in November 2016. The plan proposed expansion of the existing parking area by adding 34 new vehicle storage spaces along the north side of the site.

The plan showed a reduction in the width of the existing 75-foot wide buffer along the northern side of the property to a total of 35 feet. A 10-foot wide strip of land owned by the City separates the dealership property from the residentially zoned property to the north.

There is a 20-foot difference in elevation between the finished grade of the parking lot and the northern property boundary. A segmented stone retaining wall with a maximum height of 6.5’ was proposed. Existing trees currently planted low on the slope would be removed and replaced with an equal number of caliper inches higher on the slope.

An original buffer area of 75 feet was shown on the rezoning plan for Westgate as approved pursuant to Ordinance 94-12. In addition, Section 78-226(1) of the Municipal Code requires “a minimum 75-foot buffer strip on the outer perimeter of the commercial building lot abutting the property currently zoned for residential use or development.”

Section 78-226(3) allows the Planning Commission to reduce the buffer requirement where significant physical features exist such as railroads, interstate and other major highways, hillsides, preserved wooded areas, etc.

In 2008, the Planning Commission approved a reduction to 55 feet. Since the current request appears to be consistent with the reduction approved in 2008, staff believed the 10-foot wide City owned strip zoned SI-3/SR should not negate the buffer strip requirement.

Staff requested that the applicant contact the adjacent property owners and review the plan with them. Two lots in the Brenthaven Place subdivision abut the Acura location.

Staff believed that a further reduction in the width of the northern buffer area did not meet the intent of the plan included as part of the approval of Ordinance 94-12 which rezoned the Westgate Commons property; therefore, staff recommended denial of the request.

Mrs. Wells moved to deny the request of the revised site plan; seconded by Mr. Clark. Motion to deny the request was unanimous.

Item 3: BPC1702-003 - Limited Duration Event - Nashville Golf Open, Nashville Golf & Athletic Club, south side of Moores Lane, Zoning OSRD

Tour Vision Promotions requested approval of the second in a series of the Nashville Golf Open to be played at the Nashville Golf and Athletic Club (NGAC). This event is scheduled from June 26 through July 2,2017. Tour Vision Promotions previously negotiated a five-year agreement with the Club running through 2020.

The event operates under a 501c3 non-profit organization with the PGA tour acting as the title sponsor for the event. Net proceeds from the tournament would benefit The First Tee of Middle Tennessee, a regional youth life skills program operated by the Tennessee Golf Foundation, a charitable organization.

There would be Pro-Am play on Monday and Wednesday. A professional practice day is scheduled on June 26th. and part of June 27th. The tournament begins on June 29th and continues through July 2nd. Transportation to the events from the off-site parking lots would begin at 6:00 am.

Off-site parking would be provided via an agreement with Williamson County Schools at Ravenwood High School which included 1,251 spaces.

Each resident living on Andrew Crockett Court would receive a packet offering a schedule of activities and times, passes to the event, and a car lanyard for their vehicles to make sure they would have quick and easy access to their homes.

A number of temporary structures including tents, equipment and vender trucks would be set up around the course to support the event. Most of the temporary structures would be located in the area around the existing clubhouse. Traffic Control would be coordinated with the Brentwood Police Department.

Staff recommended approval of the proposed limited duration event to be conducted beginning on June 22 through July 2, 2017; subject to the requirements of the staff report.

Mr. Fletcher moved for approval of the request subject to the following conditions being met to the satisfaction of staff:

1. Appropriate off-site directional signage, on behalf of the City, per Sec. 78-419(e), to be funded by the tournament, may be permitted to assist spectators in locating the off-site parking lots. The wording used on the signs shall be approved in advance by City staff.
2. A representative from the event shall coordinate with the residents who live within the subdivision.
3. The applicant shall submit plans for the event to staff from review and approval by the Planning Commission annually.
4. The event organizers shall coordinate the event with Planning and Codes, Police and Fire Department personnel.
5. Provide a schedule of the setup of the temporary structures. Planning and Codes Department staff must inspect all temporary structures, especially those that will be provided electricity before the event begins. Staff shall also be provided access to the site before and during the event.
6. All ingress and egress points must remain clear and accessible for emergency services at all times during the event.
7. Generators and lights shall be placed to lessen their impact on adjacent neighbors.
8. Provide specifications for the generators that are to be used. Include operating noise levels. Indicate if they are gas or diesel fueled. Also, include the noise levels for the refrigeration units that may be mounted on vender trailers.
9. Crockett Springs Trail and Andrew Crockett Court are publicly maintained streets. There shall be no temporary improvements located with the right-of-way of these streets.
10. If access/use of Rue de Grande, a private street is proposed, permission must be granted in advance by the Crockett Springs, Phase I Homeowners Association.
11. The property developer/owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
12. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
13. Failure to comply with any condition of approval as required may result in re-appearance before the Planning Commission to address any deficiencies. Delays of project actions may also occur, such as issuance of permits recordation of the final plat and extensions to approvals.
14. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
15. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
16. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
17. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **March 6, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Magyar seconded; approval was unanimous.

# OTHER BUSINESS

**Monthly Security Report**

Mr. Pippin moved for approval of the monthly security report; seconded by Commissioner Travis. Approval was unanimous.

# ADMINISTRATIVE INFORMATION

The Planning and Codes monthly report was distributed to the Commissioners.

The March calendar was distributed.

Being no further business, the meeting adjourned at 8:00 pm.

APPROVED April 4, 2017 Deborah Hedgepath Deborah Hedgepath, City Recorder