MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

The regular meeting of the Brentwood Planning Commission met on Wednesday, July 5, 2017 at 7:00 p.m. at Brentwood City Hall.

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

The Pledge of Allegiance was led by a scout from Troop 1.

Chairman Donahue welcomed new Planning Commissioner Brandon Oliver.

Mr. Magyar moved for approval of the minutes from the June 6, 2017 meeting as written; seconded by Commissioner Travis. Motion passed 9-0-1 with Mr. Pippin abstaining.

Janet Donahue was elected as Chairman; approval was unanimous. Stevan Pippin was elected as Vice Chairman; approval was unanimous.

**CONSENT AGENDA**

Item 1: BPC1705-018 - Revised Building Elevations – Elements Salon, Hill Center Brentwood, 201 Franklin Road, Suite 110, Zoning C-2

Kennon Calhoun Workshop requested approval of revised building elevations for Elements Salon located in Building B, Suite 110 of the Hill Center Brentwood. The proposed exterior elevation changes included:

* White, Zinc, Grey and Yellow colored aluminum composite panels;
* A wall sign and one projecting (blade) sign

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

1. Provide total dimensions for the storefront sign (only individual components have been dimensioned). A maximum of 29.5 square feet of sign area is allowed.
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* ***July 5, 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. 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.
2. 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 (BPC1705-018) 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.
3. 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.
4. Complete 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1706-008 - Revised Building Elevations – Nashville Dental Company, 211 Franklin Road, Suite 180, Building A, Hill Center Brentwood, Zoning C-2

B3 Studio, Inc. requested approval of revised building elevations for the tenant space located in Suite 180 of the Hill Center Brentwood.

This request was to change the previously approved red EIFS to white.

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* ***May 1, 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. 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.
2. 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 (BPC1706-008) 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.
3. 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.
4. Complete 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1706-002 - Revised Site Plan – Bledsoe Agency, 1614 Franklin Road, Zoning C- 2

Deus Ex Design requested approval of a revised site plan for 1614 Franklin Road, the former location of Jim Kennedy Auto Sales. The Bledsoe Agency is a sports consulting firm. The proposed changes to the site included:

* A 1,250 square foot addition for a total proposed building area of 6,600 square feet;
* A 5-foot-wide grass strip along the north side of the building;
* Elimination of 3 parking spaces;
* Three new windows (North side);
* New entry doors.

The applicant requested consideration from the Planning Commission, as permitted by Section 78-226 of the zoning ordinance. The section allows the Planning Commission to reduce the distance between the building and or parking spaces to not less than five feet, provided the site does not have a through traffic movement from adjoining or nearby land uses.

The proposed changes complied with the technical requirements of the code.

Staff recommended approval of the revised site plan subject to the following conditions:

1. Sheet G1.0 shows two encroachments along the south property line. Identify the encroachments.
2. Show any easements for the overhead electrical lines shown along the front and side property lines.
3. Provide the existing finished floor elevation of the building.
4. Show the location and elevations of the block wall along the north property line.
5. Provide the location of the creek behind the building and establish a drainage easement.
6. There is a 15-foot water line easement along the east side of the building. Provide the location of the waterline and the water provider.
7. Verify exact location of sewer main and manholes. It appears that manhole and main locations on plans do not match with actual locations on site.
8. A site plan shall be vested for a period of three years from the date of the original approval.
9. 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* ***July 5, 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. 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.
2. 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 (BPC1706-002) 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.
3. 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.
4. Complete 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1706-005 - Revised Preliminary Plan – Brentwood County Club, Zoning OSRD

Ragan Smith Associates requested approval of a revised preliminary plan for the Brentwood Country Club project. The plan proposed a reduction in the amount of open space for the project by reducing the area of the Golfer’s Easement to allow for an existing patio on Lot 32 located at 501 Midway Circle. The patio encroachment was built by the previous property owner.

The Golfer’s Easement is calculated as part of the open space for the project. The reduction in the area of the Golfer’s Easement is 1,445 square feet or 0.03 acres. The Golfer’s Easement includes 14.02 acres. The subdivision provides a total of 16.75 acres of excess open space.

Because the proposal affects the open space for the project, approval of the revised OSRD Development Plan is required by the Board of Commissioners. The homeowner’s association and the golf club approved the proposed modifications.

Staff recommended approval of the proposed revised preliminary plan and to forward a recommendation of approval of the corresponding changes to the OSRD Development Plan for the project; subject to the following conditions:

1. Approval of the proposed preliminary plan shall be contingent upon approval by the Board of Commissioners of the corresponding changes to the OSRD Development Plan.
2. A preliminary 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* ***July 5, 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.
5. 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 (BPC1705-018) 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.
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. 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. Complete 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC1706-006 - Revised Final Plat – Brentwood Country Club, Lot 32 – 501 Midway Circle, Zoning OSRD

Ragan Smith Associates requested approval of a revision of the existing golfer’s easement located at the rear of the existing home on Lot 32 of the Brentwood Country Club. The proposed revisions would correct an existing patio encroachment constructed by the previous owner. The plat proposed the reduction in the area of the golfer’s Easement of 1,445 square feet (0.03 acres).

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

1. Approval of the proposed final plat shall be contingent upon the approval of the revised OSRD Development Plan by the Board of Commissioners.
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 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 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1706-004 - Final Plat – Sneed Manor Subdivision, South Side of Old Smyrna Road, Zoning AR

Sneed Manor Development Company, Inc. requested approval of a final plat for the project. Lots 3 & 4 and Lots 5 & 6 have been combined. There are six total lots in this subdivision instead of eight. The area of the cemetery was separated into a separate parcel defined by the proposed fencing. The cemetery area is 0.5 of an acre and includes the limits of the archeological study and the expanded area. The separation was done to better define the maintenance responsibilities for the family and the Sneed Manor HOA. The family will continue to maintain the cemetery while the HOA will maintain the open space surrounding it.

As part of the final plat approval, the applicant requested that the preliminary plan be revised showing the proposed combination of Lots 3 and 4 and 5 and 6 for the project reducing the number of lots from eight to six.

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| --- |
| SNEED MANOR LOT SUMMARY |
| LOT # | ORIGINAL (ac) | PROPOSED (ac) |
| 1 | 3.01 | 3.01 |
| 2 | 3.00 | 3.00 |
| 3 | 3.00 | 6.71 |
| 4 | 3.70 | 6.15 |
| 5 | 3.02 | 3.00 |
| 6 | 3.01 | 3.15 |
| 7 | 3.00 |  |
| 8 | 3.15 |  |

The streets within the subdivision would be privately maintained.

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

1. The area of the cemetery on the preliminary plan is 1.35 acres the plat only shows 0.50 of an acre. Revised the documents as required.
2. The sewer line serving Sneed Acres shall be in a 20’ wide private sewer easement. Add this easement to the plat.
3. Show the locations of all fire hydrants within the project.
4. Better identify the boundaries of sewer easement along Lot 1 and around the lift station.
5. If the cemetery is expanded, the fence will need to be extended and installed prior to any permits being issued.
6. 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.
7. 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. City public safety officials shall approve the proposed means of gate access. The police, fire and codes departments shall have unrestricted access to the subdivision.
2. 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.
3. 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.
4. 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.
5. Complete 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.
6. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC1706-012 - Hillside Overlay Site Plan Review – Taramore Subdivision, Lot 129 – 9489 Stillbrook Terrace, Zoning OSRD

ESP Associates requested approval of a Hillside Protection Site Plan for Lot 129 located at 9489 Stillbrook Terrace within Phase 15 of the Taramore subdivision.

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| --- |
| Lot 129, 9489 Stillbrook Terrace -- TARAMORE |
| Lot Area (sf) | 33,284 |
| Total Area of Home (sf) | 7,517 |
| Heated Area (sf) | 5,490 |
| Impervious Area (sf) | 5,633 |
| Green Space Provided (%) | 83 |
| Green Space Required (%) | 40% |

The proposed building elevations included beige brick, brown stone veneer, green horizontal siding, beige trim and brown shingled roof. The future home on the site would require a residential sprinkler system per the requirements of the Hillside Protection Overlay.

Staff recommended approval of the hillside protection site plan subject to the following conditions:

1. The final plat for Phase 15 of the project must be recorded before any permits will be issued for the project.
2. A residential fire sprinkler system is required for the future structure on the lot. Applicable plans shall be included in the plan set submitted for permit review. Verify water pressures before beginning construction.
3. A Hillside Protection site plan shall be vested for a period of three years from the date of the original approval.
4. 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* ***July 5, 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.
5. 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 (BPC1706-012) 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.
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. Complete 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.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC1706-017 - Townhome Building Elevations – Taramore Subdivision, Lots 232- 235, 9544 – 9550 Faulkner Square, Zoning OSRD-IP

ESP Associates requested approval of building elevations for Lots 232 through 235 that included one building containing four units. The lots are located in Phase 11 of the Taramore subdivision.

The proposed exterior materials included horizontal Hardi-siding, brick veneer and dimensional shingles.

Section 78-198(1)b of the Code requires that the Planning Commission review and approve all townhome elevations in OSRD-IP developments.

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

1. A residential fire sprinkler system is required for all structures. Applicable plans shall be included in the plan set submitted for permit review.
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* ***July 5, 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.
5. 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 (BPC1706-017) 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.
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. Complete 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.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 9: BPC1706-018 - Townhome Building Elevations – Taramore Subdivision, Lots 246- 249, 9547 – 9549 Dresden Square, Zoning OSRD-IP

ESP Associates requested approval of building elevations for Lots 246 through 249 (one building containing four units) located in Phase 11 of the Taramore subdivision. The proposed units are clustered in four unit structures.

The proposed exterior materials included horizontal Hardi siding, brick veneer and dimensional shingles.

Section 78-198(1)b of the Code requires that the Planning Commission review and approve all townhome elevations in OSRD-IP developments.

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

1. A residential fire sprinkler system is required for all structures. Applicable plans shall be included in the plan set submitted for permit review.
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* ***July 5, 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.
5. 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 (BPC1706-018) 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.
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. Complete 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.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 10: BPC1706-009 - Revised Preliminary Plan – Traditions Subdivision, East Side of Wilson Pike, Zoning OSRD

Ragan Smith Associates requested approval of a revised preliminary plan that revised Lots 1 & 10 in Phase One by increasing the width of the lots. Both lots abut open space.

|  |  |  |  |
| --- | --- | --- | --- |
|  | AREA OF LOT ONE | AREA OF LOT TEN | OPEN SPACE |
| ORIGINAL PLAN  | 21,528 | 25,213 | 7.56 |
| PROPOSED PLAN | 25,213 | 25,570 | 7.55 |

Because the proposed plan modified the area of the permanent open space, the corresponding changes to the OSRD Development plan by the Board of Commissioners was required.

Staff recommended approval of the proposed revised preliminary plan and to forward a recommendation of approval to the Board of Commissioners of the corresponding changes to the OSRD Development Plan for the project; subject to the following conditions:

1. Revise the plans to show the correct configuration of the entrance signage. These revisions must be completed and resubmitted for staff review before the revised OSRD Development Plan will be presented to the Board of Commissioners.
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 preliminary 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 7, 2019***, *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.
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. 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.
7. Complete 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.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 11: BPC1706-011 - Entrance Features – Traditions Subdivision, East Side of Wilson Pike, Zoning OSRD

Ragan Smith Associates requested approval of an entrance feature design and the associated landscaping for the Traditions subdivision. The improvements would be located in a platted sign easement in the common open space on either side of the main entrance off of Wilson Pike.

Stone columns, walls, landscaping and subdivision signage was proposed.

Approval of the proposed final plat would be contingent upon approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners.

Staff recommended approval of the proposed revised preliminary plan and to forward a recommendation of approval to the Board of Commissioners of the corresponding changes to the OSRD Development Plan for the project; subject to the following conditions:

1. Provide a grading plan for the area.
2. Approval of the proposed revised site plan shall be contingent upon approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners.
3. A site plan shall be vested for a period of three years from the date of the original approval.
4. 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* ***July 5, 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.
5. 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 (BPC1706-011) 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.
6. Complete 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.
7. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 12: BPC1706-010 - Revised Final Plat – Traditions Subdivision, Section One, East Side of Wilson Pike, Zoning OSRD

Ragan Smith Associates requested approval of a revised final plat that adjusted the width of Lots 1 & 10 in Section One of the project.

|  |  |  |  |
| --- | --- | --- | --- |
|  | AREA OF LOT ONE | AREA OF LOT TEN | OPEN SPACE |
| ORIGINAL PLAN  | 21,528 | 25,213 | 7.56 |
| PROPOSED PLAN | 25,213 | 25,570 | 7.55 |

Approval of the proposed final plat would be contingent upon approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners.

Staff recommended approval of the proposed revised final plat and to forward a recommendation of approval to the Board of Commissioners of the corresponding changes to the OSRD Development Plan for the project; subject to the following conditions:

1. Approval of the proposed revised final plat shall be contingent upon approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners.
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 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 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Clark moved for approval of the items on the Consent Agenda; seconded by Mr. Pippin. Approval was unanimous.

# REGULAR AGENDA

Item 1: BPC1706-003 - Revised Preliminary Plan – Brentwood Farms Subdivision, 1296 Red Oak Drive, Zoning R-2

Cates Builders requested approval of a revised preliminary plan that requested a three percent variance to the previously approved road grades. This proposal would increase the road grades from 14.9% to 17.96%. The subdivision regulations require a maximum road grade of 15%.

The Subdivision Regulations allows the Planning Commission to grant variances up to 15% for local streets which occurred as part of the review and approval of the proposed plan in May 2017.

The developer stated that the additional grade would allow him to preserve more trees on the property.

At the request of the applicant, this item was deferred for 30 days.

Item 2: BPC1706-015 - Revised Hillside Overlay Site Plan Review, Heathrow Hills Subdivision, Lot 57 – 1001 Lookout Ridge Drive, Zoning R-2

At the request of the applicant, this item was deferred from the agenda.

Item 3: BPC1706-007 - Minor Revisions to Previously Approved Preliminary Plan – Owl Creek Subdivision, Corner of Concord & Waller Roads, Zoning OSRD-IP

Land Solutions Company requested approval of a revised preliminary plan for the Owl Creek subdivision. The proposal showed a revised location for a Cabana on the pond within open space 1-A adjacent to the main entrance off of Concord Road.

The original location for the Cabana was on the west side of the pond within the same open space. The existing slopes in the originally proposed location required that the developer move the Cabana to the new location. The cabana had already been constructed at its new location.

Staff recommended approval of the revised preliminary plan and to forward a recommendation of approval of the corresponding changes to the OSRD Development Plan to the Board of Commissioners; subject to the requirements of the staff report.

Mr. Clark moved for approval of the revised preliminary plan subject to the following conditions being met to the satisfaction of staff:

1. A preliminary 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 7, 2019***, *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. 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.
5. 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.
6. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project 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 **July 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Church seconded; approval was unanimous.

Mr. Clark moved to recommend approval of the corresponding changes to the OSRD Development Plan to the Board of Commissioners; seconded by Mr. Church. Approval was unanimous.

Item 4: BPC1706-013 - Revised Building Elevations & Signage – Cool Springs Commons, 7100 Commerce Way, Zoning C-3

No one was present to represent this request; therefore, the item was deferred from the agenda.

Item 5: BPC1706-014 - Revised Site Plan – 122 Franklin Road, Zoning C-4

At the request of the applicant, this item was deferred from the agenda.

# OTHER BUSINESS

**Monthly Security Report**

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

# ADMINISTRATIVE INFORMATION

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

The July calendar was distributed.

Being no further business, the meeting adjourned at 8:10 pm.

APPROVED August 7, 2017 Deborah Hedgepath Deborah Hedgepath, City Recorder