MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

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

Present were Chairman Janet Donahue, Carole Crigger, Sandi Wells, John Magyar, Stevan Pippin, Brandon Oliver, Commissioner Ken Travis, Jack Moriarty and John Church. Staff present were Jeff Dobson, Kirk Bednar, Katie Jardieu, Steve Foster, Mike Harris, Jay Evans, Todd Petrowski and Debbie Hedgepath. Chris Clark was absent.

Mr. Magyar moved for approval of the minutes from the August 7, 2017 meeting as written; seconded by Mr. Oliver. Motion passed 8-0-1 with Commissioner Travis abstaining.

**CONSENT AGENDA**

Item 1: BPC1708-001 - Final Plat - 122 Franklin Road, Zoning C-4

Ragan Smith Associates requested approval of a final plat that created and abandoned easements, established the building envelope and dedicated 437 square feet of right-of-way adjacent to Franklin Road.

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

1. Provide additional information on the power and telephone overhead lines that are to be removed or relocated on the site and show any additional easements that will be required.
2. The City of Brentwood makes no assertion as to the legal right of the applicant to access Pewitt Drive.
3. The existing driveway to Franklin Road shall be closed before any permits are issued. No construction traffic shall enter the site from this driveway.
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. The revised final plat must be recorded before any permits will be issued for the project.
6. 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 owner/developer shall pay for the revised access review completed by the City’s traffic consultant, per the requirements of Section 50-29(b) of the Municipal Code. The payment must be received before any permits will be issued for the project.
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. Construction authorized pursuant to a site plan must be completed on or before February 2, 2018, the date of the 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.
4. Approval of the final plat 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 **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1708-002 - Revised Building Elevations - Chopt, Hill Center Brentwood, 211 Franklin Road, Suite 160, Zoning C-2

Chopt Creative Salad Company, LLC, requested approval of revised building elevations for the proposed tenant space located in Building A, Suite 160 of the Hill Center Brentwood project. The exterior elevations included black framed storefront system and wall signage. The proposal also included 10 patio tables that would accommodate approximately 46 patrons. Teal patio umbrellas were proposed. The patio area was approved as part of the site plan for 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* ***September 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 (BPC1708-002) 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. 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1708-011 - Revised Building Elevations – Manduu, Hill Center Brentwood, 211 Franklin Road, Suite 125, Zoning C-2

Manduu Tennessee, LLC, requested approval of revised building elevations for the tenant space located in Building A, Suite 125. The proposal included adding white stucco accent panels, a black aluminum storefront and wall signage.

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

1. Provide a water and sewer availability request form.
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* ***September 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 (BPC1708-011) 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.
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 **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1708-006 - Hillside Overlay Site Plan Review – Morgan Farms Subdivision, Section Six, Lot 220, 1807 Fordgate Crossing, Zoning OSRD

Drees Premier Homes requested approval of a Hillside Protection Site Plan for Lot 220 located at 1807 Fordgate Crossing within Section Six of the Morgan Farms subdivision.

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| 1807 FORDGATE CROSSING – MORGAN FARMS | |
| Lot Area (sf) | 31,112 |
| Total Area of Home (sf) | 4,542 |
| Heated Area (sf) | 3,054 |
| Impervious Area (sf) | 6,675 |
| Green Space Provided (%) | 78.5 |
| Green Space Required (%) | 40 |

The proposed exterior materials for the home included grey brick, stone, metal accents and a shingled roof. The future home would require a residential sprinkler system per the requirements of the Hillside Protection Overlay.

Staff recommended approval of the proposed hillside protection site plan including the required residential sprinkler system; subject to the following conditions:

1. Show the steps from the covered porch to the rear yard.
2. Verify adequate water pressure and flow for sprinkler system. If the lot contains two meter boxes, one is to be used for fire service only and the other used for irrigation/domestic. Contact water department to determine which meter is to be used for fire service.
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* ***September 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 (BPC1708-006) 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 **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC1708-008 - Hillside Overlay Site Plan Review – Taramore Subdivision, Phase 15, Lot 134, 2007 Ivy Crest Drive, Zoning OSRD

Pulte Homes requested approval of a Hillside Protection Site Plan for Lot 134 located at 2007 Ivy Crest Drive within Section 15 of the Taramore subdivision.

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| Lot 134, 2007 Ivy Crest Drive – TARAMORE | |
| Lot Area (sf) | 32,124 |
| Total Area of Home (sf) | 5,254 |
| Heated Area (sf) | 4,354 |
| Impervious Area (sf) | 5,282 |
| Green Space Provided (%) | 84 |
| Green Space Required (%) | 40 |

The proposed materials used on the exterior of the home included multi-colored brick, stone, horizontal siding and shake siding accents and a 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 proposed hillside protection site plan including the required residential sprinkler system; subject to the following conditions:

1. A residential fire sprinkler system is required for this lot. Verify water pressures before beginning construction.
2. A Hillside Protection 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* ***September 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 (BPC1708-008) 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. 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1708-015 - Hillside Overlay Site Plan Review – Traditions Subdivision, Section One, Lot 4, 9106 Raindrop Circle, Zoning OSRD

Legacy Homes of Tennessee, LLC requested approval of a Hillside Protection Site Plan for Lot 4 located at 9106 Raindrop Circle within Section 1 of the Traditions subdivision.

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| LOT 4, 9106 RAINDROP CIRCLE – TRADITIONS | |
| Lot Area (sf) | 40,951 |
| Total Area of Home (sf) | 5,240 |
| Heated Area (sf) | 5,062 |
| Impervious Area (sf) | 8,021 |
| Green Space Provided (%) | 80.4 |
| Green Space Required (%) | 40 |

The proposed materials used on the building elevations included beige brick, dark metal accents, shake siding and a shingle 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 proposed hillside protection site plan including the required residential sprinkler system; subject to the following conditions:

1. Provide a dimension for the driveway apron. If the apron width is less than 30 feet a dovetail is required for backing out of garage.
2. A Hillside Protection 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* ***September 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 (BPC1708-015) 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. This lot is a Hillside Protection Lot and must meet the requirements in the zoning regulations, Chapter 78, Division 14. Provide additional information on the meter and water line service required for a fire sprinkler system. Verify water pressures before beginning construction.
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. 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC1708-013 - Limited Duration Event – Nashville British Car Show, Tennessee Baptist Children’s Home, 1310 Franklin Road, Zoning SI-2/SR

The Nashville British Car Club (NBCC) requested approval of a limited duration event to be held at the Tennessee Baptist Children’s Home located at 1310 Franklin Road. The event would be on Saturday, October 14, 2017 from 9:00 am to approximately 4:00 pm.

A total of 125 vintage and collectable cars are anticipated to participate in the event with 250-300 attendees expected. There would be 5 – 8 event sponsors that would have canopies and displays. This event would be free to the general public.

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

1. 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.
2. All ingress and egress points must remain clear and accessible at all times during the event.
3. Install temporary barriers as necessary to separate pedestrians from vehicle traffic.
4. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance.
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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
7. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on ***September 5, 2017.*** Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC1708-016 - Limited Duration Event, Food Truck Rally – Brentwood Baptist Church, 7777 Concord Road, Zoning SI-1

Getty Music & Yellow Brick Events in conjunction with Brentwood Baptist Church requested approval of a limited duration event (food truck rally) which would be conducted in the parking lot on September 19th. The proposal included the erection of a 50’ x 150’ tent as well as 14 food trucks on site for the Getty Music Conference. Food trucks would begin to arrive shortly before 5:00 pm and would depart after 7:30 pm daily beginning on September 19th.

The tent would be on site beginning Sunday September 17th at 2:00 pm until September 20th. It is expected that approximately 4,000 people would attend the music conference; however, the food truck rally would have approximately 2,500 attendees. The tent would be set up for people to eat and engage in fellowship. There would be a short program on a small stage during the event.

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

1. The tent shall be tied down in accordance with all applicable requirements. An inspection of the tent shall be conducted each time it is set up by staff before the tent is placed into service.
2. The tent shall comply with flame resistant standards detailed in the National Fire Protection Association (NFPA) 701.
3. Any proposed temporary electric service within the tent shall require applicable permits issued by the State Electrical inspector. All necessary permits shall be obtained before the commencement of any work.
4. No flammable or combustible materials can be stored within the temporary tents.
5. The event shall comply with all applicable requirements as included in Ordinances 2017-01 & 02.
6. 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.
7. All ingress and egress points must remain clear and accessible at all times during the event. Emergency responders shall have access to the site at all times.
8. Install a temporary barrier at key locations to separate pedestrians from vehicle traffic.
9. 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) must be submitted to the Planning Department for review.
10. 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.
11. 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.
12. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
13. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
14. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 5, 2017.** Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 9: BPC1708-003 - Revised Preliminary Plan – Beech Creek Hill Subdivision, 3002 Hillsboro Road, Zoning R-2

T-Square Engineering requested approval of a revised preliminary plan that updated the boundary of the subdivision per the recorded deeds, located the historic stone walls, enlarged the detention pond and placed a portion of existing overhead electrical underground.

The revised plan showed six lots on 10.68 acres. All lots included areas in excess of one-acre with access provided via Beech Creek Road North.

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

1. Label the Brentwood City Limits line along Beech Creek Road.
2. Provide a grading plan for the detention pond. Provide an access easement to the pond for maintenance in the future.
3. Submit the revised plan to the Williamson County Planning Department.
4. A site plan shall be vested for a period of three years from the date of the original approval.
5. 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* ***April 6, 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 **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 10: BPC1708-012 - Revised Preliminary Plan – Witherspoon Subdivision, South Side of Crockett Road, Zoning OSRD

Ragan Smith Associates requested approval of a revised preliminary plan that updated the plan per revisions made during the construction plan design. Changes included the following:

* Reduction in the overall area of the subdivision of 0.17 acres – from 260.72 acres to 260.55 acres;
* Reduction in the excess open space for the project of 0.15 acres – from 90.46 acres to 90.31 acres;
* Revisions to the East and South boundary per field run survey;
* Revise the phase lines between phases 4, 5, and 6;
* Correct the areas of Lots 47-49, and revise OSRD calculations;

Lots affected by the proposed revisions were 47-49, 60-65, and 95.

Staff recommended approval of the revised preliminary plan and to forward a recommendation of approval of the revisions to the OSRD Development Plan to the Board of Commissioners; subject to the following conditions:

1. Since the proposal affects the permanent open space for the project, approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners is required.
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* ***December 7, 2018***, *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 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 **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

# REGULAR AGENDA

**Item 1: Ordinance 2017-17- AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF CONVEYANCE OF PROPERTY FROM TRACE CONSTRUCTION, INC. AND LINDSEY BUTLER TO BE DESIGNATED AS A FUTURE FIRE STATION SITE**

Citizen Comments

Bob Chipkevich, 9608 Ravello Way

Patrick Baker, 54 Tuscany Way

Jason Grant, 1626 Oakhall Drive

Kari Elliott, 1756 Tuscany Way

Michelle Jaeger, 1720 Ravello Way

Mrs. Wells movedto recommend that the Board of Commissioners defer consideration of Ordinance 2017-17 for 30 days to allow the developer of the Tuscany Hills subdivision to conduct a community meeting with the residents of the subdivision; seconded by Mr. Magyar. Approval was unanimous.

Item 2: BPC1705-008 - Revised Preliminary Plan – Tuscany Hills Subdivision, Corner of Ragsdale and Split Log Road, Zoning OSRD

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

Item 3: BPC1708-007 - Revised Building Elevations – IveyCake, Brentwood Village, 117 Franklin Road, Zoning C-4

Ivey Childers requested approval of revised building elevations for the former location of the SkinBar located in the Brentwood Village Shopping Center. The exterior of the existing building was clad in white horizontal siding. The applicant proposed to paint the exterior a light pink color.

The plan proposed changes to the awning on the front and side of the building. The awnings would be brown canvas with pink lettering and design. The new awnings would match the color of the existing awnings on the building. The awnings would be lit from above using gooseneck fixtures.

Staff recommended approval of the revised building elevations subject to the conditions of the staff report.

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

1. The area of the awning signage will be count toward the total number of signs and the overall area of the wall signage. A complete signage package shall be provided for staff review before any signage is installed on the building.
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* ***September 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 (BPC1708-007) 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 5, 2017.**  Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Pippin seconded; motion passed 8-1 with Mrs. Wells voting no.

Item 4: BPC1703-002 - Revised Site Plan – Brentwood Place Shopping Center, 330 Franklin Road, Zoning C-2

H. Michael Hindman Architects, PC requested approval of a revised site plan for the Brentwood Place Shopping Center. The plan proposed the restriping of the angled parking spaces in front of the Stein Mart tenant space and new curbed landscape islands. A total of 42 additional parking spaces were proposed.

|  |  |
| --- | --- |
| OVERALL SITE | |
| Parking Required | 1,521 spaces |
| Parking Provided | 1,557 spaces |
| Pervious Space Required | 20% |
| Pervious Space Provided | 20.31% |

The plan also modified the access drive aisle across from the Chick-Fil-A driveway and added a by-pass lane in the center entrance off of Franklin Road. The addition of the by-pass lane was recommended by the City’s traffic consultant.

The proposed improvements are necessitated by the proposed revisions to the Chick-Fil-A site. The proposed improvements combined with the other improvements proposed with the Chick-Fil-A site should improve the traffic flow and reduce congestion in the area.

Staff recommended approval of the revised site plan subject to the requirements of the staff report.

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

1. The owner/developer shall pay for the revised access review completed by the City’s traffic consultant, per the requirements of Section 50-29(b) of the Municipal Code. The payment must be received before any permits will be issued for the project.
2. The by-pass lane in the main entrance to the shopping center must be completed before a certificate of completion will be issued for the Chick-Fil-A improvements.
3. All manholes in the proposed parking lot and landscaped areas shall be elevated to finished grade.
4. Remove the existing speed hump in the Brentwood Place driveway. Alternative options include partial removal or relocation of the speed hump.
5. A site plan shall be vested for a period of three years from the date of the original approval.
6. 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* ***September 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. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. 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.
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. 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. 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 **September 5, 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.

Item 5: BPC1706-016 - Revised Site Plan – Chick-Fil-A, 330 Franklin Road, Zoning R-2

Interplan, LLC requested approval of a revised site plan for the Chick-Fil-A location on Franklin Road in the Brentwood Place Shopping Center.

The proposed changes included:

* Interior finish work and kitchen upgrades resulting in an addition of 549 square feet to the gross building area;
* Addition of a 25’10” x 36’ metal canopy above the drive through lanes for employees to stand under to take orders;
* Addition of a second drive through lane;
* A new parking configuration for the site;

Staff met with representatives from Chick-Fil-A and Brentwood Place to discuss the access issues. Per the recommendation of the City’s traffic consultant, Brentwood Place has agreed to add a by-pass lane in the middle entrance off of Franklin Road. This improvement combined with the other improvements proposed with this site plan should improve the traffic flow and reduce congestion in the area.

Staff recommended approval of the revised site plan subject to the requirements of the staff report.

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

1. The owner/developer shall pay for the revised access review completed by the City’s traffic consultant, per the requirements of Section 50-29(b) of the Municipal Code. The payment must be received before any permits will be issued for the project.
2. The by-pass lane in the main entrance to the shopping center must be completed before a certificate of completion will be issued for the Chick-fil-a improvements.
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* ***September 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. 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. 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. 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 (BPC1706-016) 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.
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 **September 5, 2017**. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Pippin seconded; motion passed 8-1 with Mr. Oliver voting no.

Item 6: BPC1708-009 - Revised Preliminary Site Plan – Brentwood Country Club, 5123 Country Club Drive, Zoning OSRD

Ingram Civil Engineering requested approval of a revised preliminary plan that proposed modifications to the amenity areas for the project. The changes included renovations to existing building areas and additions to existing buildings. The site has 173 parking spaces. The previously shown hitting pavilion and additional parking were removed from the plans. The tables below outline the proposed improvements:

|  |  |
| --- | --- |
| Pro Shop & Fitness Center | |
| Existing Area / Renovated Area | 3,840 sf |
| Phase 1 addition | 102 sf |
| Phase 2 addition | 937 sf |

|  |  |
| --- | --- |
| Patio Room Renovation | |
| Existing Club House area | 22,785 sf;  3,800 sf renovated |
| New Building Area | 154 sf |

|  |  |
| --- | --- |
| Pool House Renovation | |
| Existing Pool House area | 1,165 sf |
| New Building Area | 1,072 sf |

Because the plan proposed changes to the improvements within the permanent open space, approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners would be required.

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

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

1. Show and label the limits of the floodway fringe & floodway. Specifically, show how it relates to the proposed pavilion. All improvements proposed in the floodplain must comply with Chapter 56 of the Municipal Code.
2. A detailed revised site plan submittal must be presented to the Planning Commission for review and approval.
3. If new water fixtures are to be added, a water and sewer availability form will need to be submitted to the water and sewer department.
4. Since the proposal affects the improvements within the permanent open space for the project, approval of the corresponding changes to the OSRD Development Plan by the Board of Commissioners is required.
5. A preliminary site plan shall be vested for a period of three years from the date of the original approval.
6. 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* ***April 6, 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. 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 (BPC1708-009) 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.
9. 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.
10. 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.
11. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
12. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
13. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
14. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 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. Pippin moved to recommend to the Board of Commissioner approval of the revisions to the OSRD Development Plan; seconded by Commissioner Travis. Approval was unanimous.

Item 7: BPC1704-003 - Revised Final Plat – 412 Wilson Pike, Zoning R-2

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

# OTHER BUSINESS

Item 1: BPC1708-017 - **Limited Duration Event -- Food Truck Rally & Brentwood High School**, 5304 Murray Lane, Zoning SI-2

The Brentwood High School cheerleaders are hosting a food truck rally for 2017 homecoming and requested approval of the limited duration event.  The event would be on September 22nd and would host up to 17 food trucks.  They would be lined up in the drive aisle on the east side of the school. The access would remain open for emergency vehicles.  The event would be for students only and would be closed to the public.

Staff recommended approval of the limited duration event subject to the requirements of the staff report.

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

1. 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.
2. All ingress and egress points must remain clear and accessible at all times during the event. Emergency responders shall have access to the site at all times.
3. Install a temporary barrier at key locations to separate pedestrians from vehicle traffic.
4. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance.
5. All food trucks participating must have the proper permits issued by the City.
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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on ***September 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.

**Vote on the Revised Rules of Procedure**

The Board unanimously approved the adoption of the revised rules of procedure.

**Monthly Security Report**

Mr. Church moved for approval of the monthly security report; seconded by Mrs. Wells. Approval was unanimous.

# ADMINISTRATIVE INFORMATION

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

The September calendar was distributed.

Being no further business, the meeting adjourned at 9:05 pm.

APPROVED October 2, 2017 Deborah Hedgepath Deborah Hedgepath, City Recorder