MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

The regular meeting of the Brentwood Planning Commission met on Tuesday, September 4, 2018 at 7:00 p.m. at Brentwood City Hall.

Present at roll call were Chairman Janet Donahue, Commissioner Ken Travis, John Church, Carole Crigger, John Magyar, Brandon Oliver, Stevan Pippin, Sonna Robinson and Sandi Wells. Chris Clark arrived at 7:13 pm. Staff present were Jeff Dobson, Kirk Bednar, Jay Evans, Kristen Corn, Steve Foster, Todd Petrowski, Katie Jardieu, Mike Harris, Darek Baskin and Holly Earls.

Commissioner Travis moved for approval of the minutes from the August 6, 2018 meeting as written; seconded by Mr. Pippen. Motion passed 9-0.

**CONSENT AGENDA**

Item 1: **BPC1808-005 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 their annual limited duration event to be held at the Tennessee Baptist Children’s Home located at 1310 Franklin Road. The event will be conducted on Saturday October 13, 2018 from 9:00 to approximately 4:00 p.m.

Approximately 125 vintage and collectable cars are expected to participate, with 250-300 attendees are expected. There will be 5 – 8 event sponsors who will set-up canopies and displays. There is no admission charge.

All traffic will, enter from Franklin Road through the main entrance where club volunteers will be positioned to provide assistance. Vehicles will not be stopped on Franklin Road. Volunteers will assist attendees to ensure that they get onto the TBCH campus as quickly as possible. Once vehicles enter the campus they will be directed to parking or the show field.

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 for emergency response 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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on **September 4, 2018*.*** Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1808-009 Minor Revisions to Previously Approved Building Elevations – Kirkland’s, Cool Springs Pointe, 1624 Galleria Boulevard

BluArc Design requested approval of minor exterior building elevation to the Kirkland’s tenant space located in the Cool Springs Point Shopping Center. The proposed changes included:

1. Removal of the nine gooseneck lights, that light the wall sign on the front and rear of the tenant space.
2. The addition of two sconce lights on the existing storefront columns;
3. Replacement of the wall signage with flush-mount individual letters that are internally illuminated;
4. Replacement of the existing fabric awning with one being a charcoal grey color;
5. Reskinning and repainting of the EIFS storefront – match existing color

Staff recommended approval of the minor revisions to the existing 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 4, 2021, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review before the signs are installed.
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. 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 (BPC1808-009) 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.
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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1808-002 Revised Hillside Protection Overlay Site Plan Review, Brentwood Hills, Section Three, Lot 95, 1118 Longstreet Circle, Zoning R-2

101 Construction Management requested approval of a revised Hillside Protection Overlay site plan for Lot 95 of the Brentwood Hills Subdivision. The lot is currently vacant; the new home will include an area of approximately 6,900 sq. ft. Its exterior finishes include a combination of Dryvit, stone veneer, and glass.

The vesting period for the previously approved plan expired on July 6, 2018, requiring re-approval of the plan by the Planning Commission. The plan has changed only slightly since its last approval in April 2018. The Code requirements have not changed (R-2 of HP) since the original approval of the plan.

The proposed building is constructed using concrete and steel and a pier footings foundation design. The pier footings provide the means to cantilever a portion of the house over the ground line without the construction of retaining wall as was proposed as part of previous submittals.

There are some retaining walls proposed along the basement walls to provide the required 50% coverage requirement. The maximum height of the structure is 52 feet. This height is measured from the highest point on the roof to the lowest ground elevation of the foundation.

The maximum height of the retaining walls along the perimeter of the basement floor are less than 14 feet tall. All of the retaining walls will be poured in-place concrete.

The main level contains 3,785 of living and garage area. The main level includes four open-air terraces located at the rear of the house. The driveway is connected to the house by a bridge that is 17’-4” long and 49’-4” wide.

The lower area contains 2,786 sf. of living space including four terraces along the rear and the side.

The basement level contains 318 S.F. of enclosed space while the remaining area includes a swimming pool and open air terraces.

The revised final plat was recorded in March 2015. That plat voided the previous plat that was recorded in July 2005. The original plat was recorded in March 1965.

The original proposal, approved in July 2015 included the construction of a new home, retaining walls, and the creation of a joint user access easement between lots 93, 94, and 95. The previously approved home on Lot 95 included an area of approximately 5,500 square feet on the 1.39-acre lot.

A residential sprinkler system will be required as part of the construction of the new home.

Staff recommended approval of the revised Hillside Protection Overlay Site Plan subject to the following conditions:

1. Section 78-343(8) of the Code requires that new homes in the Hillside Protection Overlay district be built of materials and colors that blend into the natural tree line. Select a different earth tone color for the home that addresses this requirement. The revised exterior colors shall be provided for staff review before a permit will be issued for the project.
2. All existing trees on the lot shall be preserved to the greatest extent possible. A tree survey prepared by a landscape architect, licensed to practice in Tennessee shall be required as part of the plans submitted for permit review. The survey shall identify existing tree masses, protected trees and all existing trees over four caliper inches in size that are proposed to be destroyed during the course of development. Additional evergreen trees and shrubs may be required to help screen the structure from view from lower elevations.
3. All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements. A residential sprinkler system will be required for the addition. Add the appropriate notes on the plan – 78-344. Verify the area of the existing home.
4. A Hillside Protection Overlay 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 Hillside Protection Overlay 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 4, 2021, 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. 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.
6. Add the standard [GP] for a grinder pump lot for the lot and add the following note: Grinder Pumps and associated sewer lines shall be installed in accordance with plans approved by the Brentwood Water Services Department. Force mains or grinder pumps shall not be located under structures, driveways, or concrete slabs unless specifically approved by the Water Services Department. The developer shall furnish the City, for all designated lots with pressurized grinder pump sewer the cash equivalent of $1900 per pump for each lot subject to the determination of the Water Services Director. The cash equivalent is required to minimize the replacement expenses in the future (7-10 years). Payment for replacement of the grinder pumps must be made at the time of the signing of the final mylar.
7. Deviations from the approved plan/plat 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. 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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1807-011 Revised Hillside Protection Overlay Site Plan – Jarvis Property, 5117 Victoria Cove, Zoning OSRD

Heibert & Ball Land Design requested approval of a 653 sf residential addition with a two-car garage below having a total area of 1,306 sf. The additions are located at the rear of the existing home at 5117 Victoria Cove in the Stonehenge Subdivision. The existing home includes an area of 3,521 sf built on a 0.41 acre lot. The exterior of the addition will be clad with Hardie-Lap siding.

A portion of the existing fence, concrete sidewalk and edge of the existing patio will be removed to accommodate the addition. A new concrete walkway will be constructed to connect the addition to the patio. Three trees are also proposed to be removed and replaced.

Staff recommended approval of the revised Hillside Protection Overlay Site Plan subject to the following conditions:

1. The fence encroachment must be removed before any building permits will be issued for the project.
2. A Hillside Protection Overlay 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 Hillside Protection Overlay 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 4, 2021, 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. All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements. A residential sprinkler system will be required for the addition. Add the appropriate notes on the plan – 78-344. Verify the area of the existing home.
5. Add/correct 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 (BPC1807-011) 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.
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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC1808-011 Minor Revisions to Previously Approved Final Plat - Belle Terra Subdivision, Lot 1, 1035 Concord Road, Zoning R-1/R-2

Harrah and Associates requested approval of a revised final plat that creates a 10’ x 10.5’ subdivision signage easement on Lot One of the Belle Terra Subdivision.

The proposed easement is located outside of the existing PUDE on private property.

The proposed sign structure design included a 10” x 10” aged oak beam and fieldstone veneer. The sign itself measures 36” square. The sign will not be illuminated.

As part of the approval of the plat the applicant is also requesting approval of the proposed entrance signage design.

Staff recommended approval of the revised final plat and the proposed entrance signage design subject to the following conditions:

1. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
2. Revise the name/purpose of the sign easement to show a “Signage and Landscaping easement”.
3. Approval of the signage plan shall be vested for a period of three years from the date of the original approval.
4. Add the following note to the final plat:

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

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

1. Add the following note to the signage 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 4, 2021, 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/developer is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
5. Provide the Planning staff with a digital copy of the proposed subdivision. 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. 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) must be submitted to the Planning Department for review before the signage is installed.
7. Complete plans for the sign structure shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun.
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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1808-015 Minor Revisions To Previously Approved Site Plan - Brentwood High School, Soccer Dugout improvements, Zoning SI-2

SBR Construction, LLC requested approval to replace the existing soccer dugouts at the Brentwood High School. The new dugouts will be in the same locations and measure approximately 7’ x 28’. They will be faced with brick to match the main building and have blue metal standing seam roofs.

The existing dugouts are constructed of pressure treated lumber and siding and are in need of replacement.

The existing shrubbery at the rear of the dugouts will be removed as part of the construction.

WCS has approved the proposed design.

Staff recommended approval of the minor revisions to the previously approved site plan, 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 4, 2021, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
6. 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.
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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC1808-014 Minor Revisions To Previously Approved Site Plan - Ravenwood High School, Stadium Entrance Features, Zoning SI-2

The Ravenwood Athletic Club requested approval to expand the existing entryway located on the south side of the football stadium.

The proposal included the construction of four additional brick/stone columns, being 8’ 8” tall two on each side of the existing columns. The columns would be connected with black fencing, two sections would be approximately 20’ wide while the other two would be approximately 10’ wide and tied into the existing gate and columns. The intent is to better secure the football field.

No signs are proposed as part of the project.

WCS has approved the proposed design.

Staff recommended approval of the minor revisions to the previously approved site plan, 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 4, 2021, 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.
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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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC1808-008 Minor Revisions to Previously Approved Site Plan – Capstar Bank, 5120 Maryland Way, Zoning C-2

H. Michael Hindman architects requested approval of a revised site plan that proposed minor changes to the bank building located at 5120 Maryland Way.

The proposal included replacing the front door, adding a glass guardrail on the second story, and adding black awnings to the front façade at the main entry. The awning will be mounted on the outside of the existing columns. The parking lot will also be sealed and restriped, the sidewalk at the front entrance will be raised to match the existing.

No changes were proposed to the existing landscaping for the site.

Staff recommended approval of the minor revisions to the previously approved site plan, 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 4, 2021, 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. 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.
5. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
7. 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 September 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 9: BPC1808-016 Small Cell Wireless Facility, AT&T, 7101B Crossroads Boulevard, Zoning C-3

MasTec Network Solutions requested approval to place a single Small Cell Wireless Node located in the public street right-of-way of Crossroads Boulevard north of Moody’s Tire.

The stealth pole measured eight inches in diameter, is black in color and includes and overall height of 32’ 6” as measured to the top of the antenna. A single multiband antenna is mounted at the top of the pole. The pole itself is 27’ tall, while the antenna is 5’ 6” tall. All antennas are concealed within the mount.

The pole is one of three that are to be installed in the area. The other two will be installed in Franklin.

The pole is designed to allow the attachment of a street light in the future.

The installation is considered a Tier One request, per Section 788-536(2)a of the Municipal Code, which have the least impact on surrounding properties.

The application is consistent with Public Chapter 819 – “Competitive Wireless Broadband Investment, Deployment and Safety Act of 2018”, enacted by the Tennessee Legislature earlier this year.

Staff recommended approval of the PWSF site plan for the installation of one small cell wireless node, subject to the following conditions:

1. Indicate as part of the plans if any additional equipment cabinets are required as part of the installation.
2. Location of the node shall not block the sight of drivers turning onto Crossroads Boulevard.
3. Remove the meter and conduit detail for a wood pole on Page E-1 if they are not to be used.
4. In accordance with State Law, the provider shall have up to nine months to complete deployment of the proposed small cell installation.
5. The property owner/applicant is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. A security acceptable to the city shall be required prior to the issuance of a permit for any PWSF. The purpose of the security is to ensure proper construction according to approved plans and ongoing compliance with the general development provisions of this article. In addition, a security shall be required to ensure the removal of the mount and related equipment in the event PWSF use is abandoned.
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.
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 damage to the adjacent right-of-way or street shall be repaired at the providers expense.
10. All utility facilities to the node shall be installed underground per Section 70-1 of the Municipal Code.
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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on September 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 10: BPC1808-006 Minor Revisions to Previously Approved Site Plan – Fellowship Bible Church, Relocation of Existing Driveway Access, 1210 Franklin Road, Zoning SI-1

Barge Cauthen & Associates requested approval to relocate an existing driveway ramp on the south side of the property’s frontage along Franklin Road.

This effort was originally intended to keep TDOT from rebuilding an existing ramp in the wrong place (the original drive to the Jeff King residence) and request that the State place the necessary infrastructure, which is part of the Franklin Road widening to accommodate a new ramp to the south, approximately 185 feet from the existing drive to allow a southerly access the site. The Church has no immediate plans to construct the driveway. Should the future driveway be proposed, the plans must return to the Planning Commission for review and approval.

No new parking spaces are being added to the site, the request is intended to gain more separation for cars currently turning south exiting the FBC lot onto Franklin Road close to Concord Road, by relocating the unused southern ramp down closer to FBC’s south property line.

Staff recommended approval of the minor revisions to the previously approved site plan, subject to the following conditions:

1. This review applies to the relocation of the driveway ramp only. Any future driveway requests must be reviewed and approved by TDOT and the Planning Commission.
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 4, 2021, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
6. 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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

Ms. Donahue abstained from voting on Item 8 of the Consent Agenda due to a conflict of interest.

Mr. Clark arrived at 7:13 pm.

# REGULAR AGENDA

**Item 1:** **ORDINANCE 2018-11 - AN ORDINANCE REZONING PROPERTY LOCATED AT 8318 MOORES LANE FROM R-1 (LARGE LOT RESIDENTIAL) AND R-2 (SUBURBAN RESIDENTIAL) TO OSRD (OPEN SPACE RESIDENTIAL DEVELOPMENT**

Citizen Comments:

Bill Mackay, 8307 Alamo Road

Mr. Oliver moved to recommend to the Board of Commissioners approval of Ordinance 2018-11; seconded by Ms. Wells. Motion failed 5-5 with Commissioner Travis, Mr. Church, Ms. Donahue, Mr. Pippen and Ms. Wells voting no.

Mr. Church moved to recommend to the Board of Commissioners disapproval of Ordinance 2018-11; seconded by Ms. Wells. Motion passed 6-4 with Ms. Crigger, Mr. Clark, Ms. Robinson and Mr. Oliver voting no.

**Item 2:** **ORDINANCE 2018-15 - AN ORDINANCE REZONING 23.96 ACRES OF LAND ON THE EAST SIDE OF WILSON PIKE, APPROXIMATELY 0.35 MILES SOUTH OF ITS INTERSECTION WITH CONCORD ROAD FROM AR (AGRICULTURAL RESIDENTIAL) AND R-1 (LARGE LOT RESIDENTIAL) TO R-2 (SUBURBAN RESIDENTIAL)**

Commissioner Travis moved to recommend to the Board of Commissioners approval of Ordinance 2018-15 to include the alternate cul-de-sac/access configuration; seconded by Mr. Church. Approval was unanimous.

**Item 3:** **BPC1808-001 Revised Site Plan -- Journey Church, 1600 Wilson Pike, Zoning SI-1**

Thomas & Hutton Engineering requested approval of a revised site plan that proposed the addition of 7,106 square feet to the existing church building. With the addition, the building will include a total area of 15,380 square feet. The proposal would increase classroom and internal office space. No seats are being added to the sanctuary. Buildout is expected in 2020.

The parking lot will be reconfigured adding 51 parking spaces. The total number of spaces provided is 192. The parking at the rear of the site and adjacent to the CSX right-of-way will be approximately 7 feet from the property line. This matches the buffer encroachment allowed as part of the original site plan, approved by the Planning Commission at their August, 2000 meeting.

Two new access drives to Wilson Pike are also being proposed. One located north and one south of the existing drive.

A Traffic Impact Study was included as part of the submittal.

1. The TIS reviewed the need for auxiliary turn lanes at both proposed driveways: The study found that right-turn lanes are not required at either driveway.
2. The TIS concluded that there is a lack of justification for providing separate left and right turn lanes at the new driveway locations

1. The TIS also determined that only the north access driveway warranted consideration for a southbound exclusive left-turn lane on Wilson Pike.
2. Finally, the TIS presented support and explanation for providing a new southbound left-turn lane at the existing signalized intersection of Wilson Pike and Moores Lane in lieu of a southbound left-turn lane at the new north site access.

Neel Shaffer TIS Review:

1. Recommend that the new north driveway be aligned with the existing private driveway on the west side of Wilson Pike (1575 Wilson Pk.).
2. Recommend that the existing traffic signal timings and signal controller settings be optimized and adjusted as part of the project.
3. Agreed with applicants TIS that a southbound left turn lane should be installed at the existing signalized intersection. With this improvement, the need for a separate left-turn lane at the new northern access has less significance.
4. Recommend that the northern access driveway function and be constructed as a right-in/right-out driveway, controlled with a raised concrete island that would prevent entering and exiting left-turn movements, “Do Not Enter” signs appropriately installed advising southbound drivers that left-turns into the driveway are prohibited and optionally install post-mounted “Left-Turn Prohibited” signs.

The storage shed approved in February 2017 will be removed from the property as part of the improvements

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

1. The temporary classrooms, playground, and playground fencing are not included as part of this site plan approval. Requests for temporary classrooms and/or playgrounds and fencing must return to the planning commission for a separate review and approval.
2. The site shall include the recommendations form the applicant’s traffic impact study and the recommendations provided by Neel-Shaffer as part of their review, including the recommended southbound left-turn lane at the signalized intersection. Revise the plan accordingly.
3. The right-in/right-out design of the northerly access shall be reviewed by the City’s Transportation consultant as part of the review of the building plans. Any recommended changes to the raised island shall be incorporated into the plan before a building permit will be issued for the project.
4. The applicant will pay for the Neel-Shaffer review per the requirements of Section 50-29(b) of the Municipal Code.
5. Because Wilson Pike is a state route, all improvements and drive connections are subject to review and approval by TDOT. Any bonding of the improvements within Wilson Pike shall be coordinated with TDOT.
6. T.V.A. must approve the proposed driveway crossing of their easement.
7. Review the cover at the following structures A2 to A1, B3, B4, B5, B6 and C2 to C1.
8. In the pipe table, the invert elevation for pipe C2 should be 732.54’ and the invert elevation for pipe C1 should be 730.50’. The slope should be corrected to 6.0% instead of 0.50%.
9. A site plan shall be vested for a period of three years from the date of the original approval.
10. 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 February 6, 2020, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
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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 4, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Magyar seconded; approval was unanimous.

# OTHER BUSINESS

**Monthly Security Report**

Mr. Church moved for approval of the monthly security report; seconded by Mr. Oliver. 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 8:58 pm.

APPROVED: October 1, 2018 Holly Earls Holly Earls, City Recorder