MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

The regular meeting of the Brentwood Planning Commission met on Monday, November 5, 2018 at 7:00 p.m. at Brentwood City Hall.

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

Commissioner Travis moved for approval of the minutes from the October 1, 2018 meeting as written; seconded by Ms. Robinson. Motion passed 10-0.

**CONSENT AGENDA**

Item 1: **BPC1807-002 Revised Preliminary Plan & Entrance Features – Marshall Place Subdivision, Zoning R-2**

Dewey Engineering requested approval of a revised preliminary plan including additional details on the entrance features for the subdivision. Those features included:

1. A five-foot tall aluminum fence;
2. Two pedestrian access gates aligning with the sidewalk;
3. Two vehicle access gates, and
4. Three 24’ x 5’6” gate columns
5. Entrance signage, and
6. Three entrance feature columns measuring 12’ x 4’3”, with a cast stone planter atop each column.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Lot | Acres |  | Open Space | Area (acres) |
| 1 | 1.12 | A | 0.27 |
| 2 | 1.00 |
| 3 | 1.00 |
| 4 | 1.00 | B | 0.31 |
| 5 | 1.00 |
| 6 | 1.00 |
| 7 | 1.00 | C | 1.77 |
| 8 | 1.00 |
| 9 | 1.00 |
| 10 | 1.06 | Total | 2.35 |
| Total | 10.18 |

The revised plans also included landscaping for the 50 foot arterial road buffer. The length of the road frontage is 534 feet along Wilson Pike. A street tree plan for the interior subdivision road is also included. The plan proposed the installation of 151 trees and additional shrubs along the entire frontage.

The plan, approved in September 2016 did not show the details of the entrance features.

Staff recommended approval of the revised Preliminary Plan and Entrance Features, subject to the following conditions:

1. The proposed monument sign is partially located in an area that is shown on the proposed plan as right-of-way. Move the sign from of the public ROW, or revise the plan to show the curbed island as open space.
2. Provide additional detail on the entrance features and signage. Specifically, provide complete dimensioned sign plans including the logos. Indicate if the logos are to be placed on every pillar.
3. A Preliminary Plan shall be vested for a period of three years from the date of the original approval.
4. Add the following note to the Preliminary Plan:

This preliminary plan 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 plan may be subject to standards other than those that were applicable during the vesting period.  The vesting period for this plan expires on July 5, 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. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final plat within the three-year vesting period following approval of the preliminary plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. Approval of a final plat by the planning commission shall become effective upon the date of the last signature of approval required on the plat for recording. 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 subdivision, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary 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. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
5. Approval of the preliminary 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.
6. The private streets shall meet the requirements of Section 78-12 of the zoning ordinance and Article 6.9 of the Subdivision Regulations.
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 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 its development.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1810-007 Revised Final Plat – Marshall Place Subdivision, Zoning R-2

Dewey Engineering requested approval of a revised final plat for the Marshall Place subdivision. The request added an island for the entrance sign. The island is located 34 feet from the Wilson Pike right of way line.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Lot | Acres |  | Open Space | Area (acres) |
| 1 | 1.12 | A | 0.27 |
| 2 | 1.00 |
| 3 | 1.00 |
| 4 | 1.00 | B | 0.31 |
| 5 | 1.00 |
| 6 | 1.00 |
| 7 | 1.00 | C | 1.77 |
| 8 | 1.00 |
| 9 | 1.00 |
| 10 | 1.06 | Total | 2.35 |
| Total | 10.18 |

The original plat has been recorded in PB P68, PG 38.

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

1. The proposed monument sign is partially located in an area that is shown on the proposed plat as being right-of-way. Move the sign from of the public ROW or revise the plan to show the curbed island as open space.
2. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
3. Add the following note to the final plat:

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

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

1. The property owner/developer is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
2. 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.
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) must be submitted to the Planning Department for review.
4. The private streets shall meet the requirements of Section 78-12 of the zoning ordinance and Article 6.9 of the Subdivision Regulations.
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. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
7. 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 its development.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1809-006 Hillside Protection Overlay Site Plan Review – Berryman Property, Lot 1, 6211 Murray Lane, Zoning R-2

Ragan Smith Associates requested approval of a Hillside Protection Overlay site plan for the property located at 6211 Murray Lane. The site calculations are shown in the following table.

|  |  |
| --- | --- |
| **BERRYMAN RESIDENCE** | |
| Lot Area (ac) | 38.14 |
| Total Area of Home (sf) | 19,915 |
| Heated Area (sf) | 9,006 |
| Impervious Area (sf) | 5.38 |
| Green Space Provided (%) | 94.62 |
| Green Space Required (%) | 40% |

The plan proposed the construction of a two-story home having an overall height of 33’ 6.5”. Additionally, several outbuildings were included:

* Horse Barn
* Pool House
* Pool Pavilion
* Equipment Barn

The final plat for the property has been recorded in PB P68, PG 146.

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

Staff recommended approval of the hillside protection overlay site plan including a residential sprinkler system subject to the following conditions:

1. Development of Lot One shall comply with Section 78-486(14) of the Municipal Code regarding Residential Driveway Standards.
2. All detached structures will also require BZA review and approval.
3. All detached accessory structures shall be a maximum of 25 feet tall, unless they are used for agricultural purposes.
4. If any of the detached structures will house livestock, they must be at least 150’ from any adjoining residences (off-site).
5. Show the location of the gas line along Murray Lane.
6. An HP site plan shall be vested for a period of three years from the date of the original approval.
7. 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 and approved by the fire chief or his designee. The home is required to have an automatic residential sprinkler system as it is located greater than 500' from the roadway.
8. If a gate is to be installed it must operate with FD siren. The Fire Chief or his designee shall approve the open mechanism for the gate.
9. Add the following note to the site plan;

This Hillside Protection site plan is subject to a three year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 5, 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. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1810-001 Revised Final Plat – Taramore Subdivision, Phase 13, Conversion of Lots 61 & 62 to Permanent Open Space III, Whitby Crest Drive, Zoning OSRD

Ragan Smith Associates requested approval of a revised final plat that proposes the completion of the conversion of former Lots 61 & 62 in the Taramore Subdivision to permanent open space.

On May 15, 2018, the Planning Commission approved a revised preliminary plan for the subdivision that in part authorized the combination of lots 61 and 62 to permanent open space.

The Board of Commissioners approved the revisions to the OSRD Development Plan on May 29, 2018.

Staff recommended approval of the revised Final Plat subject to the following conditions:

1. Revise the area of excess open space to show 9.12 acres instead of 11.69 acres.
2. Water and sewer services to Lots 61 & 62 shall be abandoned before the plat can be signed for recording.
3. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
4. Add the following note to the final plat:

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

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

1. The property owner/developer is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
2. 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.
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) must be submitted to the Planning Department for 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.
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. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC1810-002 Final Plat – Reserve at Raintree Subdivision, Section Four, South side of Crockett Road, Zoning OSRD

Ragan Smith Associates requested approval of a final plat showing 27 lots on approximately 45 acres.

The proposed plat slightly adjusted some of the lot areas from the previously approved preliminary plan. However, the overall area of the lots remained unchanged at 13.66 acres.

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

1. Review the lot areas and open space calculations as shown in the open space table, specifically the totals (13.64 vs. 13.66) and revise as necessary. A revised preliminary plan that reflects the minor changes in the lot areas shall be submitted for staff review before the final plat for Section Four may be recorded.
2. The Excess Open Space carried forward to Section Five should be 38.93 acres. Review and revise the calculations as required.
3. Approval of a final plat by the Planning Commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
4. Add the following note to the final plat:

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

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

1. 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 payment shall be provided before the plat may be recorded. The cash equivalent is required to minimize the replacement expenses in the future (7-10 years).
2. The recommendations included as part of the traffic impact study, dated August 31, 2016 shall be incorporated into the development of the project.
3. Speed humps shall be added at appropriate locations along Eastwood Drive. Installation of the traffic calming measures shall comply with the requirements of Resolution 97-14.
4. The proposed scenic easement documents shall be reviewed by City staff and recorded documents along with the final plat for the section.
5. Applicable security for all required roadway, drainage, utilities, water, sewer and amenity improvements, in accordance with the requirements of Article Eight of the Brentwood Subdivision Regulations shall be provided before the final plat may be recorded.
6. 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.
7. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
8. 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.
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 the 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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1810-006 Preliminary Plan – Lawson Subdivision, East side of Wilson Pike, Zoning R-2

Ragan Smith Associates requested approval of a preliminary plan for the Lawson Property, showing eight lots on approximately 24 acres.

As part of the request, the Planning Commission was asked to approve the additional length of the cul-de-sac (1,460 lf), per Articles 6.3 and 9.7 of the Subdivision Regulations. The maximum length of a cul-de-sac is 1,000 feet, per the Subdivision Regulations.

Each lot shall be labeled “Transitional” and, as part of the plan submitted for building permit review, a licensed geotechnical engineer shall complete an inspection and prepare a report, which will be provided with each submittal.

The proposed lot areas have been modified slightly. All measure at least 2.0 acres in area and exceed the lot area requirements for the R-2 zoning district.

Staff recommended approval of the preliminary planning including the additional cul-de-sac length of 1,460 feet subject to the following conditions:

1. Indicate to where the detention pond at the southeast corner of the development will discharge.
2. Label the length of the cul-de-sac on the plan.
3. A Preliminary 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 preliminary plan is subject to a three year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on November 5, 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. Entrance feature improvements at the subdivision entrance must be approved by the Planning Commission under a separate submittal.
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. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
7. 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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC1809-009 Small Cell Wireless Facilities, AT&T, Various Locations

MasTec Network Solutions requested approval to place nine Small Cell Wireless Nodes located in the public street right-of-way at various locations along Brentwood Boulevard, and Murray Lane.

The proposal included six black metal stealth poles, identical to that approved in September, measuring eight inches in diameter, and having an overall height of 32’ 6”. A single multiband antenna is mounted at the top of each pole. The pole itself is 27’ tall, while the antenna is 5’ 6” tall. All antennas are concealed within the mount.

Additionally, the request included the location of three wooden poles along Murray Lane. The poles vary in height from 43 feet to 46 feet. A Radio Remote Unit (RRU) will be mounted on each pole a maximum of ten feet below the antenna.

The metal poles are designed to allow the attachment of a street light fixture in the future.

The installation is considered a Tier One request, per Section 788-536(2)a of the Municipal Code. Tier One requests 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 nine small cell wireless nodes subject to the following conditions:

1. Location of the node shall not obstruct pedestrian movement or the line of sight of drivers traveling along the adjacent streets.
2. In accordance with State Law, the provider shall have up to nine months to complete deployment of the proposed small cell installations.
3. Provide an installation schedule as part of the plans.
4. The design of the new poles will match that of the existing poles in the area.
5. 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.
6. The provider shall be responsible for the repair of any damage caused to public roadways or other utilities placed in City maintained ROW.
7. The provider shall obtain a Right-of-Way use permit and pay the applicable fees before any work is begun.
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.
9. 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.
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. All utility facilities to the node shall be installed underground per Section 70-1 of the Municipal Code.
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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC1810-010 Preliminary Master Site Grading Plan – 1617 Franklin Road, Zoning C-2/R-2

Ragan Smith Associates requested approval to complete preliminary grading of the property located at 1617 Franklin Road.

The material removed will be used to fill the previously approved office building site located at 1537 Franklin Road.

The applicant was seeking approval of the grading plan only, which is limited to clearing and grubbing, grading, excavating and demolition. Approval of a site plan for the lot was not included as part of the application.

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

1. TDOT must approve the construction access before any permits will issued.
2. Upon completion of the grading the site shall be stabilized in accordance with Code requirements.
3. A grading permit will also be required for the 1537 Franklin Road, before any work can begin.
4. A master grading plan shall be vested for a period of three years from the date of the original approval.
5. Add the following note to the site plan;

This Mater Grading 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 November 5, 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. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

# REGULAR AGENDA

**Item 1:** **BPC1807-007 Revised Master Plan – Brentwood United Methodist Church, 309 Franklin Road, Zoning SI-1**

Ragan Smith Associates requested approval of a revised Master Plan for Brentwood United Methodist Church. The master plan included:

1. Removal of one entrance on the north side to accommodate 11 parking spaces;
2. 29,864 square foot building addition;
3. Relocate the playground to the west side of the building (4,450 square feet) and to the north side (3,060 square feet);
4. An additional 282 parking spaces to the west of the building;
5. An additional 248 parking spaces, in reserve to the south of Brentwood Medical Center.

The proposal is a Preliminary Master Plan and complete engineering has not yet been completed for the project. Upon submittal of the detailed site plan, complete engineering is required. Development of the project will comply with City of Brentwood drainage standards, TDEC and Corps of Engineers requirements before a permit will be issued for any portion of the project.

The five acre tract located at the corner of Meadowlake Road and Franklin Road was rezoned per Ordinance 2002-02 to SI-1/SR in June 2002.

Staff has drafted two amendments to the zoning ordinance that will affect the development of the property. The amendments will be considered, on first reading by the Board of Commissioners on November 12th.

One amendment would allow the Planning Commission to consider a reduction in the width of the arterial road buffer along Franklin Road in SI districts to no less than 100 feet. Currently, the Code requires a 150 foot wide arterial road buffer for all SI uses. However, while the Planning Commission may reduce this buffer width on all other arterial streets, they do not have the same authority for projects along Franklin Road.

The second amendment relates to the ratio of parking spaces provided for SI districts. The proposal would allow 50% of the parking on-site, 30% shared, offsite and 20% reserve. Currently the Code requires parking ratios of 60%/20%/20%.

The Board of Commissioners will not consider the proposed code amendments until after the November Planning Commission meeting.

Staff requested that the Planning Commission vote to defer consideration of the Master Plan for an additional 30-days. Please note that this request is with the Church’s agreement.

Ms. Robinson stated she would be abstaining from any vote due to conflict of interest.

Mr. Pippen moved to defer to the December 3, 2018 meeting, seconded by Commissioner Travis. Motion was approved 9-0 with Ms. Robinson abstaining.

**Item 2:** **BPC1810-005 Preliminary Plan – Oman Subdivision, 900 Franklin Road, Zoning OSRD**

Ragan Smith Associates requested approval of a preliminary plan for the Oman Tract. The property was rezoned via Ordinance 2018-12, which was approved by the Board of Commissioners on September 27, 2017.

The specifics of the plan are shown in the following table:

|  |  |  |
| --- | --- | --- |
| ***FEATURE*** | ***AREA (SF)*** | ***AREA (AC)*** |
| Project Area | -- | 34.00 |
| Average Lot Area | 54,161 | 1.24 |
| Smallest Lot area | 43,579 | 1.0004 |
| Largest Lot area | 111,009 | 2.55 |
| Open Space Required | 0 | 0 |
| Open Space Provided | 232,175 | 5.37 |
| ***PROPOSED DENSITY  --  Dwelling Units per Acre*** | | ***0.62*** |

The preliminary plan showed an excess open space of 5.37 acres. The approved OSRD Development Plan showed 5.33 acres. Because the permanent open space is affected, the Board of Commissioner must approve, via resolution the revised OSRD Development Plan.

The developer has agreed to contribute $75,000 as his share of the cost of the materials and installation of the traffic signal at the intersection of Franklin Road, Fountainhead Drive and the new street in the subdivision.

Neel-Shaffer completed a traffic signal study for the property in September 2018. Mr. Judy’s recommendation follows:

“If solely based on traffic volume demand or safety considerations, it would be difficult to conclude that the intersection of Franklin Rd. and Fountainhead Dr. justifies implementation of traffic signal control. However, we find compelling evidence that the combination of the intersection’s marginal vehicle demand, satisfaction of requirements under the Four-Hour MUTCD warrant and the significant lack of acceptable gaps during the AM and PM peak periods fulfills the need for signalization. For these reasons, after considering all identified factors and based on our engineering judgment, we find that conversion to traffic signal control has merit and would be an acceptable action.”

The engineering report will be submitted to TDOT for their staff review with notice that the City plans to proceed with engineering design for the signal. The engineering design proposal will require City Commission approval before any design work can begin. Once design is complete, the construction will have to be competitively bid, it will take several months to order the mast arm poles based on prior project experience.

Mr. Clark moved for approval of the proposed revisions to the Preliminary Plan subject to the following conditions being met to the satisfaction of staff:

1. Coordinate with the Fire Marshall regarding the location of the entrance islands related to turning movements for emergency response vehicles.
2. The developer shall coordinate with City staff related to the installation new traffic signal infrastructure at the entrance to the subdivision. Once a design is established the entrance features may require modification to accommodate the signal poles.
3. Verify that left turning movements onto Franklin Road can be made concurrently.
4. The applicant will pay for the Neel-Shaffer TIS review (not the Traffic Signalization Assessment) of the site plan approved as part of the rezoning per the requirements of Section 50-29(b) of the Municipal Code. The total cost of the review was $1,291.60. The payment must be made before any permits will be issued for the project.
5. The developer’s share of the cost of the traffic signal of $75,000 shall be provided to the City before any permits will be issued for the project.
6. The existing structure on future Lot 7 must be removed before the plat will be signed for recording.
7. Label the 20' wide water and sewer easement along the backside of arterial road buffer area.
8. A preliminary plan shall be vested for a period of three years from the date of the original approval.
9. 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 September 27, 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 developer will be required to prepare a description for the multi-purpose trail easement and present it to the Board of Commissioners for acceptance, via resolution, before the final plat for the project may be recorded.
5. Add the following note to the plan, per the requirements of Section 78-486(8) of the Code:

“The transfer of lots shall be subject to the provision of such easements which shall provide for a guaranteed unrestricted right of access to all other owners providing such easements. All owners of lots subject to shared access easements shall be required to execute an agreement specifying responsibility for construction and perpetual maintenance of such easements in accordance with the approved access plan. The agreement shall specify that the parties thereto shall hold the city harmless from any and all liabilities resulting from unsafe conditions on the shared access easement. Copies of such agreements from the current owners of all lots through which shared access easements are to run shall be filed with the city manager or his designee. Construction on the shared access easement shall not be commenced until all such agreements are thus filed.”

1. The construction of the homes on lots 20 & 21 shall comply with the standards of Section 78-486(14) of the zoning ordinance.
2. The construction of the future home on Lot 21 shall include a residential sprinkler system per the requirements of Section 26-68 of the Code. Depending on the placement of the future home on Lot 20 a sprinkler system may also be required for this lot.
3. TDOT shall approve the new street access to Franklin Road before a grading permit will be issued for the site.
4. The proposed entrance feature design, walls & gate shall be approved by the Planning Commission as part of future submittal.
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. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
7. 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.
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.
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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Oliver seconded; approval was unanimous.

Mr. Oliver moved to forward a recommendation of approval of the corresponding revisions to the OSRD Development Plan to the Board of Commissioners. Commissioner Travis seconded; approval was unanimous.

**Item 3:** **BPC1808-013 Revised Site Plan – Costco Wholesale Fuel Expansion, 98 Seaboard Lane, Zoning C-3**

Barghausen Consulting Engineers requested approval of a proposed expansion of the existing fuel facility at the Costco location on Seaboard Lane. Two gas dispensers having two nozzles each will be added on the south side of the six existing pumps.

The existing canopy will also be enlarged 1,184 square feet to cover the new dispensers. The project meets the requirements for green space providing a new total of 23% of the entire site area.

The intent of the proposal is to mitigate the existing issue of excessive queuing at the fuel facility. Costco provided a Trip Generation and Queueing study as part of the original submittal. The study was forwarded to Neel-Shaffer for review.

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

1. Review the need for additional directional, other signage, and pavement markings indicating desired traffic flow and circulation through the site. Control measures should include installation, as appropriate of “Do Not Enter” signs at exit only points. These conclusions shall be included as part of the submitted plan for permit review.
2. The applicant will pay for the Neel-Shaffer review of the Trip Generation and Queueing Study per the requirements of Section 50-29(b) of the Municipal Code. The amount of the review fees is $1,700. Payment must be made before any permits will be issued for the project.
3. Should the request be approved by the Planning Commission, one-year after the improvements have been completed (Certificate of Completion issued) the applicant shall revisit the conclusions of the original Trip Generation and Queueing study and provide supplemental data for review by staff as to the effect of the improvements on the queuing and traffic circulation through the area.
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 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 June 6, 2020, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. Applicable security as defined by Article Eight of the Brentwood Subdivision Regulations shall be provided in an amount of 110% to cover the cost of materials and installation of all new landscaping improvements. The security shall be provided before any permits will be issued for the project.
6. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
7. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
8. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
9. All previous conditions placed on the overall 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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Ms. Crigger seconded; motion was approved 9-1 with Commissioner Travis voting no. Mr. Oliver moved to reconsider; seconded by Mr. Pippen. Approval was unanimous.

Mr. Oliver moved for approval of the revised site plan as amended to have a traffic study completed within ninety (90) days following completion of the project subject to the following conditions being met to the satisfaction of staff:

1. Review the need for additional directional, other signage, and pavement markings indicating desired traffic flow and circulation through the site. Control measures should include installation, as appropriate of “Do Not Enter” signs at exit only points. These conclusions shall be included as part of the submitted plan for permit review.
2. The applicant will pay for the Neel-Shaffer review of the Trip Generation and Queueing Study per the requirements of Section 50-29(b) of the Municipal Code. The amount of the review fees is $1,700. Payment must be made before any permits will be issued for the project.
3. Should the request be approved by the Planning Commission, one-year after the improvements have been completed (Certificate of Completion issued) the applicant shall revisit the conclusions of the original Trip Generation and Queueing study and provide supplemental data for review by staff as to the effect of the improvements on the queuing and traffic circulation through the area.
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 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 June 6, 2020, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. Applicable security as defined by Article Eight of the Brentwood Subdivision Regulations shall be provided in an amount of 110% to cover the cost of materials and installation of all new landscaping improvements. The security shall be provided before any permits will be issued for the project.
6. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
7. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
8. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
9. All previous conditions placed on the overall 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 November 5, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Magyar seconded; motion was approved 9-1 with Commissioner Travis voting no.

**Item 4:** **BPC1810-009 Revised Preliminary Master Site Plan – Additions to the Williamson County Indoor Sports Complex, 920 Heritage Way, Zoning SI-3**

C & I Design, Inc., requested approval of a revised Master Plan that proposed several new improvements to the existing Williamson County Indoor Sports Complex, located on Heritage Way. The City has entered into a partnership with the County and partially funded the renovations.

The improvements included:

1. Construction of a new Splash Pad, southerly of the existing building;
2. Four outdoor Pickleball Courts located on the east side of the existing building;
3. A new Group Fitness Room south of the existing building;
4. New HVAC equipment;
5. Indoor pool renovations;
6. Restroom Additions;
7. A Gymnasium addition with two-story Storage area (alternate), and
8. Additional parking – 197 spaces.

The total building area proposed is 82,666 square feet.

On September 10, 2018 the Board of Commissioners approved a Memorandum of Understanding with Williamson County to provide for a financial contribution in the amount of $1.5 million to provide for the addition of a splash pad to the County's existing upgrades planned for the ISC. The contribution included the water play equipment, the associated decking, fencing, utility extensions, and construction of outdoor bathroom facilities to serve splash pad users.

Mr. Pippen moved to defer to the December 3, 2018 meeting; seconded by Mr. Magyar. Approval was unanimous.

# OTHER BUSINESS

**2019 Planning Commission Meeting Schedule**

Ms. Donahue moved for approval of the 2019 Planning Commission meeting schedule with the modification of changing the October 31st briefing to October 30th; seconded by Mr. Oliver. Approval was unanimous.

**Monthly Security Report**

Mr. Pippen moved for approval of the monthly security report; seconded by Ms. Crigger. Approval was unanimous.

# ADMINISTRATIVE INFORMATION

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

The November calendar was distributed.

Being no further business, the meeting adjourned at 8:04 pm.

APPROVED: December 3, 2018 Holly Earls \_ Holly Earls, City Recorder