MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

The regular meeting of the Brentwood Planning Commission met on Monday, December 3, 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, John Magyar, Brandon Oliver, Stevan Pippin, Sonna Robinson and Sandi Wells. Carole Crigger was absent. Staff present were Jeff Dobson, Kirk Bednar, Jay Evans, Kristen Corn, Mike Harris, Steve Foster, Todd Petrowski, Katie Jardieu, Holly Earls, and Darek Baskin.

Mr. Pippin moved for approval of the minutes from the November 5, 2018 meeting as written; seconded by Ms. Wells. Motion passed 9-0.

**CONSENT AGENDA**

Item 1: **BPC1810-003 Final Plat – Tuscany Hills Subdivision, Section Seven, Northeast Quadrant of Split Log and Ragsdale Roads, Zoning OSRD**

Ragan Smith Associates requested approval of a final plat for the final section of the Tuscany Hills Subdivision. The proposed plat showed ten lots on approximately 15 acres.

The open space calculations as shown on the proposed final plat match those shown on the OSRD Development Plan, which was approved by the Board of Commissioners in May 2018.

According to the applicant the sidewalk from Tuscany Way, east to the recently completed section connecting to the Jordan Elementary School should be completed by the end of the year, weather and scheduled permitting.

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

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

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

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

1. The property 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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. Approval of the proposed plan/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1811-001 Small Cell Wireless Facilities, Crown Castle, Verizon, Various Locations

Crown Castle requested approval to replace three existing street light poles located in the public right-of-way with new poles to serve as small cell wireless nodes. The new poles would match those existing and would include their existing light fixture styles, an antenna will be installed at the top of each pole. The overall height of the installations range from approximately 34 feet to 43 feet.

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.

All antenna attachments will be painted to match the color of the existing pole. The existing poles include either an attached shoebox or cobra head light fixture. An equipment shroud, measuring 60” x 28 5/8” x 21 1/8” will be attached to the poles at a height of 11’ 6” above the ground. Each node will also employ a free-standing meter/disconnect located in the vicinity of the pole.

Each node will support a total of three co-locations.

Staff recommended approval of the three Small Cell Wireless nodes subject to the following conditions:

1. Indicate if any additional ground mounted equipment cabinets are required as part of the installation.
2. Location of the node shall not obstruct pedestrian movement or the line of sight of drivers traveling along the adjacent streets.
3. In accordance with State Law, the provider shall have up to nine months to complete deployment of the proposed small cell installations.
4. Revise the plans to include an installation schedule.
5. Indicate on each plan if the free standing meter center is located in a utility easement. Show the easement on the plans.

1. The submittal/review fees and the application must be adjusted. The review fee is $500 for the first 5 requests / locations.
2. On the plans, provide the height of the existing poles within a radius of 500 feet of each of the proposed new nodes.
3. An as-built survey will be required, within 30-days of completion of the work verifying that the pole location is located within the right-of-way and at the location as approved.
4. 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.
5. The provider shall be responsible for the repair of any damage caused to public roadways or other utilities placed in City maintained ROW.
6. The provider shall obtain a Right-of-Way use permit and pay the applicable fees before any work is begun.
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. 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.
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 damage to the adjacent right-of-way or street shall be repaired at the providers expense.
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/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1811-004 Final Plat – Witherspoon Subdivision, Section 5, South Side of Crockett Road, Zoning OSRD

Ragan Smith Associates requested approval of a final plat for Section Five of the Witherspoon Subdivision. The plat showed 17 lots on approximately 47 acres.

A total of 91 Lots have been recorded within the subdivision to date.

|  |  |  |
| --- | --- | --- |
| Section # | # Lots | Recorded |
| One | 13 | PB P65 PG 43 |
| Two | 35 | PB P65 PG 125 |
| Three | 11 | PB P67 PG 110 |
| Four | 32 | PB P68 PG 56 |
|  |  |  |
|  | 91 |  |

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

1. On sheet 1 of 3, in the lot area table correct the total lot areas to 889,150 square feet and 20.41 acres.
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. 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.
4. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
5. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
6. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
7. Approval of the proposed plan/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1811-002 Revised Preliminary Plan – Avery Subdivision, East Side of Murray Lane, Zoning OSRD

Ragan Smith Associates requested approval of a revised preliminary plan that converted open space areas “B” and “E” to public street right-of-way. The areas of OS “B” and “E” are 616 sf each for a total of 1,232 sf.

Because the area of the permanent excess open space changes from 6.85 acres to 6.83 acres (0.02 acres decrease), approval of the corresponding changes to the OSRD Development Plan for the project is required, per Section 78-185 of the Municipal Code.

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

1. Approval of the proposed revised preliminary plan shall be contingent upon approval of the revised OSRD Development Plan by the Board of Commissioners.
2. A Preliminary Plan shall be vested for a period of three years from the date of the original approval.
3. 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 May 2, 2019, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

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

Item 5: BPC1811-003 Revised Final Plat – Avery Subdivision, East Side of Murray Lane, Zoning OSRD

Ragan Smith Associates requested approval of a revised final plat that corresponded with the proposed changes to the preliminary plan, reducing the area of the excess permanent open space by 0.02 acres from 6.85 acres to 6.83 acres.

The proposed improvements match those shown on the proposed preliminary plan, included as part of the December agenda.

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

1. Approval of the proposed revised final plat shall be contingent upon approval of the revised OSRD Development Plan by the Board of Commissioners. The proposed plat cannot be recorded until the revised OSRD Development plan has been approved.
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. 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.
4. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
5. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
6. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
7. Approval of the proposed plan/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1811-005 Minor Revisions to Previously Approved Site Plan – Cool Springs Allergy, 1623 Galleria Blvd., Zoning C-3

Dr. Joe Belleau requested approval of a revised site plan that proposed minor revisions to the previously approved site plan for the medical office located at 1623 Galleria Boulevard.

Specifically, the plan proposed reconfiguration of the rear parking area, adding seven additional parking spaces. The previously approved plan showed 17 spaces and the new proposed plan showed 24 spaces. The green space still met the requirements of the C-3 zone with 32.61% provided. The previously approved plan provided 47.3%.

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

1. A revised permit application shall be submitted for staff review and issuance of a modified permit.
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 April 3, 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. Approval of the revised site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
5. Landscaping security must be submitted to the City before any permits will be issued.
6. 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.
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/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC1810-009 Revised Master Plan / 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 / Site 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 include:

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 includes the water play equipment, the associated decking, fencing, utility extensions, and construction of outdoor bathroom facilities to serve splash pad users.

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

1. Revise all plans to match and show all parking and proposed improvements.
2. Provide a completed Water and Sewer Availability Application.
3. A preliminary master plan shall be vested for a period of three years from the date of the original approval.
4. Add the following note to the site plan;

This site plan is subject to a three year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on December 3, 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. All previous conditions placed on the project by the Planning Commission shall remain applicable to the project.
10. Approval of the proposed master plan /site plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

# REGULAR AGENDA

**Item 1:** **BPC1811-008 Minor Revisions to Building Elevations – Triumph Bank, CityPark Brentwood, 278 Franklin Road, Building 4, Suite 100, Zoning C-2**

STG Design requested approval to add a walk-up ATM on the exterior of the tenant space located at 278 Franklin Road. The tenant space included approximately 2,700 sf and is located on the north side of the building.

The work would involve removal of one panel of the glazing, infilling the space with a metal panel in a color to match the existing mullions.

Staff commented on the lighting in the area as part of the initial review. In response to the comment, the applicant stated that lighting was provided at the building entrance. There will be a light provided as part of the installation of the ATM.

A tenant finish permit was issued on November 1, 2018. According to the applicant, all tenant finish work should be completed by mid-December.

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

1. If fire sprinkler heads are to be relocated, submit plan to the Fire Marshal for review.
2. A revised permit application shall be submitted for staff review and issuance of a modified permit.
3. Provide a lighting plan as part of the revised plans submitted for building permit review. Additional light fixtures may be required to light the ATM location
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 December 3, 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
6. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
7. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. Approval of the proposed plan/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Church seconded.

After discussion, Commissioner Travis moved to amend the motion by requiring additional lighting added to the plan.

Mr. Magyar seconded the amendment; the amendment was approved unanimously. The motion to approve as amended was approved 8-1 with Mr. Oliver voting no.

**Item 2:** **BPC1807-007 Revised Preliminary 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.

On November 12, 2018 the Board of Commissioners approved Ordinance 2018-18 on first reading.

The ordinance amendment relates to parking space ratios 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%.

Staff will request that the Planning Commission vote to defer consideration of the Master Plan for consideration as part of the February 4, 2019 regular agenda. Please note that this request is with the consent of the Church.

The hearing schedule is as follows:

November 12, 2018 First Reading -- Approved

January 8, 2019 Planning Commission – Review & Recommendation

January 14, 2019 Public Hearing

January 28, 2019 Second & Final Reading

Mr. Oliver moved to defer to the February 4, 2019 meeting, seconded by Mr. Pippin. Motion was approved 8-0 with Ms. Robinson abstaining.

**Item 3:** **BPC1707-005 Revised Building Elevations – Brentwood House, 127 Franklin Road, Zoning C-4**

EOA Architects requested approval of revised building elevations for The Brentwood House Shopping Center located at 127 Franklin Road. The proposed changes included:

1. Stain the existing brick a brown color;
2. Replace windows;
3. New signage;
4. Replace light fixtures with LED fixtures;
5. Elimination of mansard roof. New façade will be clad in a composite panel system;
6. New gutters and downspouts on rear of building.

The plans for the common bathroom facilities for the center was issued on October 15, 2018. The “rough in final” inspection was completed on November 13th and approved. Work is on-going.

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

1. If any water fixture units are to be added, a water and sewer availability application should be submitted to the water services department for review.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on December 3, 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. 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 (BPC1707-005) 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. 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/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 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 unanimously.

**Item 4:** **BPC1811-006 Revised Site Plan – Recovery Unplugged, 255 Wilson Pike Circle, Zoning C-2**

Kimley-Horn Associates requested approval of a revised site plan for the property located at 255 Wilson Pike Circle. The site will be used for the Recovery Unplugged drug and alcohol addiction facility. Proposed exterior changes to the site included:

1. Construction of a concrete seating area;
2. Update ADA parking & access;
3. Installation of monument signage, and
4. Installation of a wooden privacy fence on the north side of property.

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

1. Adequate security for all required landscaping improvements, in accordance with the requirements of Article Eight of the Brentwood Subdivision Regulations shall be provided before a permit can be issued.
2. Approval of a site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on December 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 revised 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/plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Ms. Wells seconded; motion was approved unanimously.

**Item 5:** **BPC1811-007 Preliminary Plan – Primm Farm, North Side of Moores Lane, Zoning OSRD**

M2 Group, LLC requested approval of a preliminary plan for the Primm Farm project, located on the north side of Moores Lane. The proposed plan showed 24 lots on approximately 29 acres.

The open space calculations match those shown on the OSRD Development Plan, approved by the Board of Commissioners on October 8, 2018.

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

1. Provide the recording information for the waterline easement along the westerly boundary of this tract.
2. On sheet C5.0, provide invert elevations for the existing sewer manholes that the proposed lines are connecting to.
3. On sheet L1.2, provide the locations of the utilities and easements and remove plantings in the proposed easements.
4. All water or sewer lines between lots shall be within an open space area a minimum 10 feet wide.
5. All or part of the project is located within the MVUD service boundaries. The City will require that the MVUD board approve the release of a portion of their water service territory for this development.
6. The applicant will pay for the Neel-Shaffer TIS review of the site plan approved as part of the rezoning application 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.
7. A Preliminary Plan shall be vested for a period of three years from the date of the original approval.
8. 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 October 8, 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. Per NFPA 1, Fire Hydrants are to be no greater than 500' apart.
5. Adequate security for all required roadway, drainage, utilities, water, sewer, amenity and landscaping 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 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.
7. 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.
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 preliminary plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on December 3, 2018. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Clark seconded. Janet Donahue left the Chambers at 7:45 pm. Motion was approved 6-2 with Mr. Church and Mr. Pippin voting no.

# OTHER BUSINESS

**Monthly Security Report**

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

# ADMINISTRATIVE INFORMATION

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

The December calendar was distributed.

Being no further business, the meeting adjourned at 7:52 pm.

APPROVED: January 8, 2019 Holly Earls \_ Holly Earls, City Recorder