MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION

BRENTWOOD, TENNESSEE

The regular meeting of the Brentwood Planning Commission met on Monday, July 1, 2019 at 7:00 p.m. at Brentwood City Hall.

Present at roll call were Chairman Janet Donahue, Commissioner Ken Travis, Preston Bain, Chris Clark, Carol Crigger, John Magyar, Michael Kaplan, Brandon Oliver, Stevan Pippin, and Sonna Robinson. Staff present were Jeff Dobson, Kirk Bednar, Jay Evans, Kristen Corn, Mike Harris, and Steve Foster.

Mr. Pippin moved for approval of the minutes from the June 3, 2019 meeting as written; seconded by Mr. Oliver. Motion passed 8-0 with Mr. Bain and Mr. Kaplan abstaining.

Commissioner Travis moved to appoint Janet Donahue as Chairman; seconded by Mr. Clark. Approval was unanimous. Ms. Robinson moved to appoint Stevan Pippin as Vice Chairman; seconded by Commissioner Travis. Approval was unanimous.

**CONSENT AGENDA**

Item 1: **BPC1906-006 Limited Duration Event – East Brentwood Presbyterian Church, 5th Annual Music in the Grove, Zoning SI-1**

The East Brentwood Presbyterian Church requested approval of “Music in the Grove”, a limited duration event to be held on church property from 2:00 pm to 6:00 pm on Saturday September 7, 2019. The rain date would be Saturday, September 14th. The event will be free and open to the public and serves to promote community outreach and attract potential new members. Anticipated attendance is approximately 450-550 people. Parking will be provided on-site.

A portable stage will be erected, it is possible that a flatbed truck may be used in place of the stage. Additionally, two to four food trucks serving food and non-alcoholic beverages will be on-site. The plans included an area for children’s activities.

The church will communicate with neighbors about the event.

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

1. All food trucks that might participate in the event must be permitted to operate in the City of Brentwood.
2. The event organizers shall coordinate the event with Planning and Codes, and Police Department personnel.
3. Future events must be submitted for review by staff and approved by the Planning Commission annually.
4. All ingress and egress points must remain clear and accessible for emergency services at all times during the event.
5. The event shall comply with applicable sections of the Municipal Code. The levels of music amplification and public address activity will be governed by the requirements of the noise ordinance. Every effort will be made to mitigate the noise generated by the site.
6. All tents used must be flame resistant in accordance with NFPA 701, and have a label permanently attached indicating such compliance. Each tent shall have at least a “2A” rated fire extinguisher, unobstructed and easily accessible in the event of a fire emergency.
7. All necessary permits shall be obtained from the City or the State (Electrical) before any work is begun.
8. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
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. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC1906-003 Revised Building Elevations – Dry Bar, Hill Center Brentwood, 213 Franklin Road, Suite 100, Zoning C-2

B3 Studio, Inc., requested approval of revised building elevations for Building E1 which is the retail liner located on the south side of the access road in the Hill Center Brentwood.

The elevations will be red brick to match the rest of the center with a white sign panel above the white storefront.

Drybar is a hair salon specializing in “blowouts”. A blowout is a service designed to maintain healthy and styled hair in between haircuts and colors. There is currently one other location in Nashville.

Staff recommended approval of the proposed revised site plan/building elevations subject to the following conditions:

1. Approval of a site plan by the planning commission shall remain valid for a period of three years for the original date of approval.
2. 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.
3. 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.
4. 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.
5. The property owner/applicant is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. 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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC1906-004 Final Plat – Taramore Subdivision, Phase 12, South Side of Split Log Road, Zoning OSRD

Ragan Smith Associates requested approval of a final plat for Phase 12 of the project. The plat showed 23 lots on 34.08 acres. The layout of the plat matched that of the OSRD Development Plan, approved by the Board of Commissioners in May 2018.

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

1. Correct location of fire hydrant between lots 190 & 191. Move the hydrant to same distance from the road as all other hydrants.
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. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
2. Proof of USPS approval of the proposed method of mail delivery shall be provided before the final plat may be recorded.
3. 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.
4. 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.
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. Applicable security for all required roadway, drainage, utilities, water, sewer, 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.
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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
9. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
10. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC1906-007 Limited Duration Event – Food Truck Rally – Crockett Park, 1500 Volunteer Pkwy., City of Brentwood July 4th Celebration, Zoning SI-3

The City of Brentwood requested approval of a Food Truck Rally to be held at Crockett Park as part of the Red, White and Boom Celebration event. A total of 15 food trucks are expected to participate. The event begins at 5:00 p.m. with a concert by the Kadillacs at 7:00 p.m. with a fireworks display after sunset. The Kadillacs will return for more music after the fireworks. It is expected that approximately 10,000 people will be in attendance.

The Park Board has previously approved the food truck rally for the celebration.

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

1. All food trucks that participate in the event must be permitted to operate in the City of Brentwood.
2. 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.
3. All ingress and egress points must remain clear and accessible for emergency services at all times during the event.
4. The event shall comply with applicable sections of the Municipal Code. The levels of music amplification and public address activity will be governed by the requirements of the noise ordinance. Every effort will be made to mitigate the noise generated by the site.
5. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
6. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC1905-003 Revised Site Plan – Highwoods Plaza I, 5410 Maryland Way, Zoning C-1

ASD | SKY requested approval of a revised site plan/building elevations that proposed the following:

1. Demolition of the existing brick inlay and concrete planter on the west entrance to the building;
2. Infill the demolition with new stamped patterned and stained concrete; and
3. The addition of two benches.

The existing entryway is comprised of concrete and inlaid brick pavers. The pavers are a maintenance issue and present on-going trip hazard.

The brick planter is over 20 years old and is deteriorating. The applicant proposed to replace the planter and add two metal benches in the area.

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

1. Approval of a site plan by the planning commission shall remain valid for a period of three years for the original date of approval.
2. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on July 1, 2022, 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/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.
5. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
6. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
7. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC1906-001 Revised Final Plat – Cannon Subdivision, 6033 Murray Lane, Zoning R-1 & R-2

JTA Land Surveying, Inc., requested approval of a revised final plat for the Cannon Subdivision. The plat showed two lots on approximately 9.24 acres.

|  |  |
| --- | --- |
| **LOT #** | **AREA (AC)** |
| 1 | 8.24 |
| 1-A | 1.00 |

There is currently one residence, two sheds and a barn on Lot One

The subject property is located along the south side of Murray Lane, approximately 0.4 miles west of its intersection with Granny White Pike.

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

1. Electrical service for Lot 1A must be installed underground, per Code.
2. Add a note the house on Lot 1A is required to install a residential sprinkler system because the house is over 500 feet from the road, per Code.
3. The water and sewer service connections shall be installed by the owner prior to signing of plat.
4. Approval of a final plat by the planning commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
5. 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. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
2. Proof of USPS approval of the proposed method of mail delivery shall be provided before the final plat may be recorded.
3. 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.
4. 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.
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. 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). This requirement is consistent with Section 70-132 of the Municipal 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 July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Clark moved for approval of the items on the Consent Agenda. Seconded by Mr. Pippin; motion was approved unanimously.

# REGULAR AGENDA

**Item 1:** **BPC1903-003 Revised Building Elevations - Stock & Trade Design Company, Brentwood Place Shopping Center, Part of Former Kroger Tenant Space, Zoning C-2**

H. Michael Hindman Architects requested approval of revised building elevations for the easterly portion of the former Kroger tenant space in the Brentwood Place Shopping Center. The tenant space included a total of 29,857 square feet -- 26,393 sf on the main floor and 3,464 sf on a mezzanine level.

Stock & Trade offers custom upholstery, furniture, lighting accessories as well as antiques and custom pieces form local artisans. This would be the first location in Tennessee. Other locations are in Alabama, Florida and Georgia.

The Brentwood Place Shopping Center is built on approximately 29.9 acres and includes a total of 318,220 square feet of building area.

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

1. Approval of a site plan by the planning commission shall remain valid for a period of three years for the original date of approval.
2. Add the following note to the site plan;

This site plan is subject to a three year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on July 1, 2022, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner/developer is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
5. 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. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
7. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
8. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
9. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
10. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. 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 unanimously.

**Item 2:** **BPC1906-005 Revised OSRD Development Plan – Oman Subdivision, 900 Franklin Road, Zoning OSRD**

Ragan Smith Associates requested approval of a revised preliminary plan for the Oman Property Subdivision. The plan proposed an increase in the area of the excess open space of 0.12 acres or from 5.37 acres to 5.49 acres.

Due to the increase in the area of the excess open space, the revised OSRD Development Plan must be approved by the Board of Commissioners.

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

|  |  |  |
| --- | --- | --- |
| **FEATURE** | **AREA (SF)** | **AREA (AC)** |
| Project Area  | 33.66 | 33.66  |
| Average Lot Area  | 53,969.24 | 1.24 |
| Smallest Lot area  | 43,579 | 1.0004 |
| Largest Lot area  | 111,559 | 2.56 |
| Open Space Required  | 0 | 0 |
| Open Space Provided | 239,144 | **5.49** |
| **PROPOSED DENSITY -- Dwelling Units per Acre** | **0.62** |

The density remains unchanged. Lot 16 is the only lot whose area is below one-acre at 42,314 sf (-1,344 sf).

The changes to the open space calculations can be attributed to slight modifications to the areas of seven lots, (-0.09 ac.), a reduction in the area of the right-of-way dedication (-0.03 ac.) and the addition of a ten-foot-wide open space strip between Lots 15 and 16 in which a sewer line will be installed.

The applicant is also requested that the Planning Commission approve the relocation of some of the buffer plantings to be used as street trees. This request was consistent with Section 78-512(b)5.

Commissioner Travis moved for approval of the proposed preliminary plan, to include the proposed relocations of a portion of the required buffer plantings, subject to the following conditions being met to the satisfaction of staff:

1. Provide the dimension of the west property line of lot number 20.
2. Provide the locations of the detention ponds in open space B.
3. Verify all OSRD calculations.
4. The entry gates shall operate with Fire Department radios.
5. A preliminary plan shall be vested for a period of three years from the date of the original approval.
6. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on 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 proper permits must be secured before construction on the entry features (walls, gates, gate house, etc.) can begin.
5. Coordinate with the Fire Marshall regarding the location of the entrance islands related to turning movements for emergency response vehicles.
6. The construction of the homes on lots 20 & 21 shall comply with the standards of Section 78-486(14) of the zoning ordinance.
7. 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.
8. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
9. Proof of USPS approval of the proposed method of mail delivery shall be provided as part of the submittal of the final plat for review by the Planning Commission.
10. 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.
11. 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.
12. Applicable security for all required roadway, drainage, utilities, water, sewer, entrance feature/amenity improvements and landscaping in accordance with the requirements of Article Eight of the Brentwood Subdivision Regulations shall be provided before the final plat may be recorded.
13. 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.
14. 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.
15. 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.
16. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
17. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Pippin seconded; motion was approved unanimously. Mr. Clark moved to recommend approval of the corresponding changes to the OSRD Development Plan to the Board of Commissioners. Mr. Kaplan seconded; motion was approved unanimously.

**Item 3:** **BPC1906-008 Revised Site Plan Brentwood High School – Administrative Wing Addition, Zoning SI-2**

Goodwyn, Mills & Cawood, Inc., requested approval of a 12,195 square foot addition to the Administrative Building at the Brentwood High School. The total building area for the campus will be 251,195 square feet. The proposal also included modifying the parking area in front of the administrative wing. The proposed building materials included three colors of brick. The addition will also incorporate steel canopies.

The addition was originally included as part of the overall upgrade and expansion of the campus.

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

1. The signage on the elevations appears to be placed above the apparent roofline of the coping. Lower the signage so that it is below the apparent roofline.
2. Identify the accesses into the building that are to be blocked during construction.
3. Review the slope of the driveway adjacent to the front sidewalk. The slope as shown is 0.5% which is too flat. Minimum slope should be 1.0% on pavement.
4. Adds a construction schedule to the plans.
5. A preliminary plan shall be vested for a period of three years from the date of the original approval.
6. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on 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/developer is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees.
5. Complete plans shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun. Additionally, all required electrical permits, issued by the State of Tennessee must be received before any work is begun.
6. 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.
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 July 1, 2019. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Pippin seconded; motion was approved unanimously.

# OTHER BUSINESS

**Monthly Security Report**

Mr. Kaplan moved for approval of the monthly security report; seconded by Mr. Magyar. Approval was unanimous.

# ADMINISTRATIVE INFORMATION

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

The July calendar was distributed.

Being no further business, the meeting adjourned at 7:32 pm.

APPROVED: August 5, 2019 Holly Earls \_ Holly Earls, City Recorder