**MINUTES OF MEETING OF THE BRENTWOOD PLANNING COMMISSION**

**BRENTWOOD, TENNESSEE**

The regular meeting of the Brentwood Planning Commission met on Tuesday, April 7, 2020 at 7:00 p.m. at Brentwood City Hall.

Electronically present at roll call were Chairman Janet Donahue, Commissioner Ken Travis, Preston Bain, Carol Crigger, Michael Kaplan, John Magyar, Brandon Oliver, Stevan Pippin and Sonna Robinson. Chris Clark was absent. Staff present electronically were Jeff Dobson, Kirk Bednar, Jay Evans, Kristen Corn, Mike Harris, Darek Baskin, Lori Lange, Todd Petrowski and Allison Henry.

In the interest of the health, safety, and welfare of the public, this meeting was held electronically pursuant to Governor Lee’s Executive Order No. 16. Physical presence of the public was limited, but the meeting was able to be viewed online at [www.brentwoodtn.gov/livestream](http://www.brentwoodtn.gov/livestream).

Mr. Pippin moved for approval of the minutes from the March 2, 2020 meeting as written; seconded by Mr. Magyar. Motion passed unanimously.

**CONSENT AGENDA**

Item 1: **BPC2003-003 Temporary Model Home - Traditions Subdivision, Lot 20, 1924 Parade Drive, Zoning OSRD**

Drees Premier Homes requested approval of a temporary model home on Lot 20 in the Traditions Subdivision. The hours of operation would be from 11:00 a.m. to 6:00 p.m. Sunday thru Saturday. The home is currently under construction and at the rough-in final stage.

The proposed sign plan included two options for the signage. One that is internally illuminated one that is not. Internally illuminated signs are prohibited by Code in residential districts.

Staff recommended approval of the proposed temporary model home for a period of 12 months until April 7, 2021, to include a sign that is not internally illuminated subject to the following conditions:

1. Section 78-419 prohibits internally illuminated signs within residential districts. Revise the signage proposal as required.
2. In accordance with Section 78-16(2) of the Municipal Code, the initial permit shall be issued for a period of not more than 12 months, renewable by the Planning and Codes director for periods of not more than six months each.
3. It shall be the applicant’s/developer’s responsibility to request extensions to the approval in a timely manner.
4. Upon completion of the building and the necessary inspections, a temporary certificate of occupancy will be used for the temporary model home.
5. Accommodations shall be incorporated into the design of the sales center to allow handicap access.
6. The area adjacent to the proposed sales center shall not be used as a storage area for building materials, construction vehicles, or heavy equipment.
7. 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.
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. 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on April 7, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC2003-004 Temporary Model Home – Traditions Subdivision, Lot 106, 1853 Pageantry Circle, Zoning OSRD

Drees Premier Homes requested approval of a temporary model home on Lot 106 in the Traditions Subdivision. This temporary model would only be used for 4 or 5 months until the home on Lot 20 is completed. The hours of operation would be from 11:00 a.m. to 6:00 p.m. Sunday thru Saturday. The house is under construction and is nearing completion.

The proposed sign plan included two options for the signage. One that is internally illuminated one that is not. Internally illuminated signs are prohibited by Code in residential districts.

Staff recommended approval of the proposed temporary model home for a period of 12 months until April 7, 2021 to include a sign that is not internally illuminated subject to the following conditions:

1. Section 78-419 prohibits internally illuminated signs within residential districts. Revise the signage proposal as required.
2. In accordance with Section 78-16(2) of the Municipal Code, the initial permit shall be issued for a period of not more than 12 months, renewable by the Planning and Codes director for periods of not more than six months each.
3. Verify that the homeowners Covenants, Conditions and Restrictions that signage is permitted as part of those rules.
4. It shall be the applicant’s/developer’s responsibility to request extensions to the approval in a timely manner.
5. Upon completion of the building and the necessary inspections, a temporary certificate of occupancy will be used for the temporary model home.
6. Accommodations shall be incorporated into the design of the sales center to allow handicap access.
7. The area adjacent to the proposed sales center shall not be used as a storage area for building materials, construction vehicles, or heavy equipment.
8. 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.
9. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
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. 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.
13. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on April 7, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC2003-007 Revised Site Plan, Dock Ramp Addition – NDM Floors, 7104 Crossroads Boulevard, Zoning C-3

Duke Realty Limited Partnership requested approval of revised site plan that added a loading ramp to an existing dock door located at the rear of Suite 128. Two parking spaces will be relocated to the area behind Suite 102 to accommodate the new ramp.

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

1. The necessary permits will be issued for the proposed improvement, including the relocation of the parking spaces, before any work is begun. A Certificate of Completion will not be issued until the ramp and the parking spaces have been completed.
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 7, 2023, 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 shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on April 7, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC2003-005 Revised Building Elevations – Mallory Corners Shopping Center, Mallory Lane & Moores Lane, Zoning C-2

H. Michael Hindman Architects requested approval of revised building elevations for the two buildings located at the corner of Mallory and Moores Lanes.

1. Remove the two large E.I.F.S. pop-out structures at the big-box tenant entrances;
2. Replace with a combination of shallow cantilevered steel canopies and fabric awning;
3. Addition of Aluminum Composite panels;
4. Addition of awnings in a rust color;
5. Addition of composite panels in walnut and white colors;
6. Addition of, brick, painted brick (grey in color), cast stone (white in color) and E.I.F.S. used throughout the project;
7. Replace the storefront in a clear anodized finish, and
8. Replace the existing parking lot lights with LED fixtures;

The project included two buildings having a total area of 70,000 sq. ft. on approximately 7.3 acres. Access to the project from adjacent streets will not change.

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

1. A site plan shall be vested for a period of three years from the date of the original approval.
2. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on April 7, 2023, 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. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review.
4. Permanent window signs shall not exceed ten percent of the area of the window or glass door to which they are attached. All window signs shall be in conformance with all applicable safety and electrical codes. Provide dimensions of the window graphics and the windows/doors to which they will be affixed.
5. 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.
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. Complete plans shall be submitted to the Planning and Codes Department for review, approval and issuance of the required permits before any work is begun. Additionally, all required electrical permits, issued by the State of Tennessee must be received before any work is begun.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
9. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
10. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on APRIL 7, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

# REGULAR AGENDA

**Item 1:** **BPC2003-002 Revised Site Plan, Administrative Addition – Brentwood High School, 5304 Murray Lane, Zoning SI-2**

GMC, Inc. requested approval of a revised site plan for Brentwood High School. This request reduced the previously approved administrative wing expansion from 12,539 sq. ft. to 3,354 sq. ft. The proposal also reduced the scope of the interior remodel. The proposed parking area is essentially unchanged from the previously approved plan.

The reason for the proposed changes considers budget constraints and the fact that several aspects of the original design were deemed not necessary. The new proposal included the following:

1. A main entry vestibule;
2. Secure entrance/reception area;
3. Addition of four small offices;
4. A new principal’s office, and
5. A new mechanical room and corridor.

The plan also proposed a renovation of approximately 4,100 square feet of existing interior area. To include a smaller common space/gathering area inside the main entry vestibule. Also included are a teacher workroom, records room, mail room, electrical/utility room(s), a small data room, and an office for the SRO (School Resource Officer) and a waiting/attendance area.

The new proposal reduced the originally approved area of the addition by 9,185 square feet.

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

1. Any parking spaces that are smaller than 9’ x 18’ must be labeled as compact parking spaces (8.5’ x 16’). Only 20% of the required spaces can be compact, per the requirements of Section 78-456 of the Code.
2. Provide a water and sewer availability request.
3. A site plan shall be vested for a period of three years from the date of the original approval.
4. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on 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 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. 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. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
7. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
8. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
9. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on April 7, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Bain seconded; motion was approved unanimously.

**Item 2:** **BPC2003-006 Revised Site Plan – Mallory Corners Shopping Center, Mallory Lane & Moores Lane, Zoning C-2**

CESO, Inc. requested approval of a revised site plan that added accessible ramps, a shopping cart wall/storage area, and additional accessible parking spaces.

Previously, a Traffic Impact Study (TIS) was provided for anticipated future development. Mr. Greg Judy with Neel-Shaffer the City’s Traffic Consultant has conducted a complete review of the report prepared by KCI Technologies and dated December 2018.

The project included two buildings. Separated into five tenant spaces having a total area of 70,000 sq. ft. on approximately 7.3 acres. Access to the project from adjacent streets will not change.

The plan proposed no vehicle parking at the front of the main building, along the main accessway.

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

1. A copy of the proposed plan shall be provided to City of Franklin Planning Department staff for their review. The Franklin review shall be provided to Brentwood staff before a permit will be issued for the project.
2. Revise the dimensions of the handicap parking spaces. They should be 11’ x 18’ with a 5’ access aisle between, per Section 78-457 of the Code.
3. The Traffic Impact Study, dated December 2018 shall be updated and revised, accordingly using the following parameters;
   1. Using the existing intersection counts from 2018;
   2. Update the background analysis based on the plan build-out year;
   3. Update the trip generation calculations based upon the revised store area, and other proposed tenant changes to the intersection counts;
   4. Update the trip generation model and,
   5. Prepare new proposed conditions analysis and conclusions/recommendations sections.
4. Any changes to the site improvements as recommended by the revised traffic impact study will require staff and Planning Commission review/approval, before any permits are issued for the project.
5. The applicant shall pay for the traffic impact study review, completed by the City’s transportation consultant to include the reviews of both the initial and the revised reports, per the requirements of Section 50-29(b) of the Code. Payment must be made before any permits will be issued for the project.
6. The area of the window signs is calculated incorrectly. Consult with planning staff regarding the proper method of calculation.
7. Add a detail of the grocery pick-up signage.  No commercial name or logo is allowed on incidental signage.
8. As part of the plan the rear access drive shall be repaired. Consider installation of additional traffic calming measures along the rear drive.
9. A site plan shall be vested for a period of three years from the date of the original approval.
10. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on April 7, 2023, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. All mechanical equipment on the ground and atop the building must be screened from public view.
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. Permanent window signs shall not exceed ten percent of the area of the window or glass door to which they are attached. All window signs shall be in conformance with all applicable safety and electrical codes. Provide dimensions of the window graphics and the windows/doors to which they will be affixed.
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 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. Applicable security, if necessary, for all required landscaping improvements in accordance with the requirements of Article Eight of the Brentwood Subdivision Regulations shall be provided before the permit will be issued for the project.
10. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
11. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
12. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
13. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on April 7, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Bain seconded; motion was approved unanimously.

# OTHER BUSINESS

**Monthly Security Report**

Approval of the monthly security report was unanimous.

# ADMINISTRATIVE INFORMATION

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

Being no further business, the meeting adjourned at 7:35 pm.

APPROVED: May 4, 2020 Holly Earls \_ Holly Earls, City Recorder