

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

## **BRENTWOOD, TENNESSEE**

The regular meeting of the Brentwood Planning Commission met on Monday, May 4, 2020 at 7:00 p.m. at Brentwood City Hall.

Electronically present at roll call were Chairman Janet Donahue, Commissioner Ken Travis, Chris Clark, Carol Crigger, Michael Kaplan, John Magyar, Brandon Oliver, Stevan Pippin and Sonna Robinson. Preston Bain 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).

Commissioner Travis moved for approval of the minutes from the April 7, 2020 meeting as written; seconded by Ms. Donahue. Motion passed 8-0 with Mr. Clark abstaining.

### **CONSENT AGENDA**

#### **Item 1: BPC2004-003 Revised Building Elevations – 1537 Franklin Road, Zoning C-2**

Grove Park Commercial Builders, LLC, requested approval of revised building elevations for the office building that is currently under construction at 1537 Franklin Road.

The changes included:

1. Added vertical and horizontal accents, to the building, which was originally painted gray brick,
2. Changed the color of the exterior siding elements to a dark bronze color;
3. The design of windows on the first floor has also been changed.
4. Added detail to the brick wall on the south elevation;
5. Added wood stain for the ceiling above the entrance canopy and overhangs;
6. Added 4" wide coping to the roof;
7. Added black brick with charcoal mortar to the south elevation;

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 June 6, 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.

3. Water and Sewer availability is currently approved for a retail use. Provide an updated water and sewer availability request form.
4. Add the following note to the plan: Middle Tennessee Electric Membership Corporation (MTEMC) shall have access to install, construct, reconstruct, rephase, operate and maintain its electric facilities located within the subject property. MTEMC has the right to cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery located within 20 feet of the center line (a total of 40') of its facilities, or any vegetation that may interfere with or threaten to endanger the operation and maintenance of its facilities.
5. Add the following note to the plan: MTEMC will provide electric service to the subject property according to the normal operating practices of MTEMC as defined in its Rules and Regulations, Bylaws, and policies, and in accordance with the plat approval checklist, tree planting guidelines and other requirements contained on the MTEMC website at [www.mtemc.com](http://www.mtemc.com) (collectively the "Requirements"). No electric service will be provided until MTEMC's Requirements have been met and approved in writing by an authorized representative of MTEMC. Any approval is, at all times, contingent upon continuing compliance with MTEMC's Requirements.
6. 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.
7. 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.

8. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 2: BPC2004-005 Revised Building Elevations – Brentwood Church of Christ, 208 Granny White Pike, Zoning SI-1**

Harber Architecture requested approval of revised exterior elevations for the Brentwood Church of Christ, located at 208 Granny White Pike. The proposed changes included the following:

1. All existing “mansard” roof elements will remain, the shingles will be replaced,
2. All existing brick will be painted a gray color;
3. A stone veneer shall be added at the base of the wall, and
4. All the metal panels as proposed on the upper portions of the elevations as part of the previous Planning Commission approval have been eliminated.

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 March 4, 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.

3. 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.
4. 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.
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. 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.
8. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning

Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.

10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 3: BPC2004-009 Hillside Overlay Site Plan Review – Witherspoon Subdivision, Section Four, Lot 46, 9250 Lehigh Drive, Zoning OSRD**

Castle Contractors, LLC, requested approval of a Hillside Protection Overlay site plan for Lot 46 located at 9250 Lehigh Drive.

<b>9250 LEHIGH DRIVE – WITHERSPOON</b>	
Lot Area (sf)	133,493 sf
Total Area of Home (sf)	7,849sf
Heated Area (sf)	6,137sf
Impervious Area (sf)	25,281sf or 18.9%
Green Space Provided (%)	81%
Green Space Required (%)	40%

The builder of the home will be required to install a residential sprinkler system in accordance with the technical requirements of the HP Overlay.

The proposed elevations included brick, stone veneer, composite shingles. metal accent roof, composite siding on the sides and rear.

Staff recommended approval of the proposed Hillside Protection Overlay site plan to include the residential sprinkler system subject to the following conditions:

1. BZA approval is required for the proposed detached structure. The approval must be secured before a permit will be issued for the detached structure.
2. The layer showing the Landscape details should be turned off.
3. Label the size of the water meter.
4. The 5' wide sidewalk along Lehigh Drive within the limits of lot 46 shall be installed with construction of this home. Verify by survey and show on the plan.

5. The property owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
6. Show drainage and utility infrastructure along Lehigh Drive.
7. Add a note stating, "Retaining walls shall be constructed of structurally sound and durable materials in colors that blend into the natural terrain."
8. A Hillside Protection Overlay site plan shall be vested for a period of three years from the date of the original approval.
9. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on May 4, 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.

10. 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.
11. 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.
12. 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.
13. Add the following note stating that a residential fire protection sprinkler system is required. "All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system

installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.

14. From TDEC Guidelines regarding who needs an NPDES Stormwater Construction Permit:  
"Operators of construction sites involving clearing, grading or excavation that result in an area of disturbance of one or more acres, and activities that result in the disturbance of less than one acre if it is part of a larger common plan of development or sale."
15. 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.
16. Also, all retaining walls over 4' require design and details by a licensed TN professional engineer. The designs will be required prior to building and grading permit release. The designs should use as a basis, the geotechnical report generated for this site.
17. Note that pending HP approval by Planning Commission, a Grading Permit, Building Permit, and a Swimming Pool Permit will be required prior to construction. An NOI and SWPPP will be required prior to these permit approvals.
18. 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.
19. Add the following note stating that a residential fire protection sprinkler system is required. "All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.
20. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
21. 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.
22. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.

23. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 4: BPC2004-018 Revised Hillside Site Plan Overlay Review – Witherspoon Subdivision, Section Four, Lot 45, 9248 Lehigh Drive, Zoning OSRD**

Ford Custom Classic Homes requested approval of a revised Hillside Protection Overlay site plan for Lot 45 located at 9248 Lehigh Drive. At its November 2019 meeting the Planning Commission approved a 6,796 square foot home for this lot. This proposal was for a different, slightly larger home.

<b>9248 LEHIGH DRIVE – WITHERSPOON</b>	
Lot Area (sf)	144,272 sf
Total Area of Home (sf)	8,667 sf
Heated Area (sf)	7,100 sf
Impervious Area (sf)	22,119 sf
Green Space Provided (%)	84.67 %
Green Space Required (%)	40%

The builder of the home will be required to install a residential sprinkler system in accordance with the technical requirements of the HP Overlay.

Besides the drive, the building footprint and elevations, little has changed from the prior approved HP site plan.

A grading permit application has been submitted for the lot. No permits have been issued.

Staff recommended approval of the proposed revised Hillside Protection Overlay Site Plan, to include the residential sprinkler system subject to the following conditions:

1. Verify that the previously approved SWPPP/NOC for the prior plan remains valid for the new design.
2. Since the prior Geotechnical report included a site-specific plan, provide verification from the engineer that the report is not affected by the change of footprint and building design.
3. Drainage swales route toward the entrance walls. Either the distance between the walls should be widened to allow room for the swales, or the drainage should be routed around the walls.
4. The “maximum building height from lowest [adjacent] grade” should also indicate the lowest grade from which the height is measured.



5. The vertical clearance for the port-cochere should be checked for emergency access compliance.
6. The property owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
7. A Hillside Protection Overlay site plan shall be vested for a period of three years from the date of the original approval.
8. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on November 4, 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. Add the following note stating that a residential fire protection sprinkler system is required. "All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system

installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.

14. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
15. 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.
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 May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 5: BPC2004-011 Revised Building Elevations - Scissors & Scotch, Hill Center Brentwood, 205 Franklin Road, Suite 120, Zoning C-2**

Slaggie Architects, Inc., requested approval of revised building elevations for Scissors & Scotch located in Hill Center Brentwood. The revision included changing the top four-foot wide exterior material from a black aluminum composite material to a black composite exterior siding material, which is low maintenance.

Permits have been issued for the tenant finish.

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

1. Blade signs cannot be internally illuminated.
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 March 2, 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.

4. 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.
5. 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.
6. 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.
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. The required fees shall be used for future infrastructure related improvements required by the proposed development.
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. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 6: BPC2004-012 Revised Hillside Overlay Site Plan Review - Taramore Subdivision, Phase 15, Lot 129, 9489 Stillbrook Trace, Zoning OSRD**

CSDG requested approval of a Revised Hillside Protection Overlay site plan for Lot 129 located at 9489 Stillbrook Trace. The revisions included the addition of a 15.5' x 35' swimming pool, plus approximately 2,320 square feet of impervious pool deck and sidewalk. A 500 square foot covered porch was also proposed.

Staff recommended approval of the proposed revised Hillside Protection Overlay Site Plan, to include the required residential sprinkler system, subject to the following conditions:

1. A revised final plat is required for this lot. The platted front setback of 60' does not match what has been built. The revised plat must be reviewed, approved and recorded before any additional permits will be issued for the lot.
2. Add a vicinity map to the plan.
3. Show the adjacent property data on the plan.
4. The property owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
5. A Hillside Protection site plan shall be vested for a period of three years from the date of the original approval.
6. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on July 5, 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.

7. 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.
8. 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.
9. 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.
10. 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.
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. Add the following note stating that a residential fire protection sprinkler system is required. "All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.
13. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
14. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.

15. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 7: BPC2004-013 Hillside Overlay Site Plan Review – Taramore Subdivision, Phase 12, Lot 188, 1916 New Bristol Lane, Zoning OSRD**

Wilson & Associates requested approval of a Hillside Protection Overlay site plan for Lot 188 located at 1916 New Bristol Lane in the Taramore Subdivision.

<b>1916 NEW BRISTOL LANE – TARAMORE</b>	
Lot Area (sf)	43,508 sf
Total Area of Home (sf)	3,691 sf
Heated Area (sf)	3,296 sf
Impervious Area (sf)	5,417 sf
Green Space Provided (%)	87.5 %
Green Space Required (%)	40%

The builder of the home will be required to install a residential sprinkler system in accordance with the technical requirements of the HP Overlay.

Staff recommended approval of the proposed Hillside Protection Overlay Site Plan, to include the residential sprinkler system, subject to the following conditions:

1. The front porch on the site plan is not included in the architectural plans. The rear porch on the site plan is shown as a patio on the architectural plans. Verify if these differences effect the site data information. Verify complete agreement of the civil site plan and architectural plans prior to resubmittal.
2. The diameter of the meter piping should be labeled, such as, “ $\frac{3}{4}$ ” diameter water meter.” The size of the meter box is not necessary.
3. Correct the limits of disturbance or area proposed to be graded.
4. The letter certifying only the proof-roll of the lot is not acceptable for a geotechnical study. Provide a code compliant geotechnical study. The study shall be provided before permits will be issued for the lot.
5. The property owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
6. A Hillside Protection site plan shall be vested for a period of three years from the date of the original approval.
7. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on May 4, 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.

8. 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.
9. 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.
10. A Grading Permit and Building Permit will be required prior to construction. An NOI and SWPPP will be required prior to these permit approvals.
11. 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.
12. 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.
13. 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.
14. Add the following note stating that a residential fire protection sprinkler system is required. "All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.

15. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
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 May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 8: BPC2004-014 Hillside Overlay Site Plan Review -- Taramore Subdivision, Phase 12, Lot 190, 1920 New Bristol Lane, Zoning OSD**

Wilson & Associates requested approval of a Hillside Protection Overlay site plan for Lot 190 located at 1920 New Bristol Lane.

<b>1920 NEW BRISTOL LANE – TARAMORE</b>	
Lot Area (sf)	43,500 sf
Total Area of Home (sf)	3,361sf
Heated Area (sf)	3,188sf
Impervious Area (sf)	5,013sf
Green Space Provided (%)	88.5%
Green Space Required (%)	40%

The builder of the home will be required to install a residential sprinkler system in accordance with the technical requirements of the HP Overlay.

Staff recommended approval of the proposed Hillside Protection Overlay Site Plan, to include the required residential sprinkler system, subject to the following conditions:

1. Verify complete agreement of the civil site plan and the architectural plans prior to submittal of the building plans.
2. The diameter of the meter piping should be labeled, such as, ¾” diameter water meter. The size of the meter box is not necessary.
3. The limits of disturbance – or area proposed to be graded – should be less than the total area of the lot per the proposed contours.



4. The letter certifying only the proof-roll of the lot is not acceptable for a geotechnical study. Provide a code compliant geotechnical study. The study shall be provided before permits will be issued for the lot.
5. The owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
6. A Hillside Protection site plan shall be vested for a period of three years from the date of the original approval.
7. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on May 4, 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.

8. 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.
9. 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.
10. Note that pending HP approval by Planning Commission, a Grading Permit and Building Permit will be required prior to construction. An NOI and SWPPP will be required prior to these permit approvals.
11. 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.

12. 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.
13. 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.
14. Add the following note stating that a residential fire protection sprinkler is required. "All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.
15. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
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 May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 9: BPC2004-015 Hillside Overlay Site Plan Review – Taramore Subdivision, Phase 12, Lot 192, 1924 New Bristol Lane, Zoning OSRD**

Wilson & Associates requested approval of a Hillside Protection Overlay site plan for Lot 192 located at 1924 New Bristol Lane.

<b>1924 NEW BRISTOL LANE – TARAMORE</b>	
Lot Area (sf)	42,585sf
Total Area of Home (sf)	3,786sf
Heated Area (sf)	3,663sf
Impervious Area (sf)	5,660sf
Green Space Provided (%)	86.7%
Green Space Required (%)	40%

The builder of the home will be required to install a residential sprinkler system in accordance with the technical requirements of the HP Overlay.

Staff recommended approval of the proposed Hillside Protection Overlay Site Plan, to include the residential sprinkler system, subject to the following conditions:

1. Verify complete agreement of the civil site plan and the architectural plans prior to submittal of the building plans.
2. The diameter of the meter piping should be labeled, such as,  $\frac{3}{4}$ " diameter water meter. The size of the meter box is not necessary.
3. The limits of disturbance – or area proposed to be graded – should be less than the total area of the lot per the proposed contours.
4. The letter certifying only the proof-roll of the lot is not acceptable for a geotechnical study. Provide a code compliant geotechnical study. The study shall be provided before permits will be issued for the lot.
5. The property owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
6. A Hillside Protection site plan shall be vested for a period of three years from the date of the original approval.
7. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on May 4, 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.

8. 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.
9. 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.

10. 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.
11. Note that pending HP approval by Planning Commission, a Grading Permit and Building Permit will be required prior to construction. An NOI and SWPPP will be required prior to these permit approvals.
12. 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.
13. 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.
14. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
15. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
16. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 10: BPC2004-016 Hillside Overlay Site Plan Review – Taramore Subdivision, Phase 12, Lot 193, 9527 Nottaway Lane, Zoning OSRD**

Wilson & Associates requested approval of a Hillside Protection Overlay site plan for Lot 193 located at 9527 Nottaway Lane.

9527 NOTTAWAY LANE – TARAMORE	
Lot Area (sf)	43,075 sf
Total Area of Home (sf)	3,468sf
Heated Area (sf)	2,527sf

Impervious Area (sf)	5,348sf
Green Space Provided (%)	87.6%
Green Space Required (%)	40%

The builder of the home will be required to install a residential sprinkler system in accordance with the technical requirements of the HP Overlay.

Staff recommended approval of the proposed Hillside Protection Overlay Site Plan, to include the required residential sprinkler system, subject to the following conditions:

1. Verify complete agreement of the civil site plan and the architectural plans prior to submittal of the building plans.
2. The diameter of the meter piping should be labeled, such as, ¾" diameter water meter. The size of the meter box is not necessary.
3. The limits of disturbance – or area proposed to be graded – should be less than the total area of the lot per the proposed contours.
4. The letter certifying only the proof-roll of the lot is not acceptable for a geotechnical study. Provide a code compliant geotechnical study. The study shall be provided before permits will be issued for the lot.
5. The property owner/Fire Sprinkler Contractor should field verify pressure and flows before design/construction of sprinkler system.
6. A Hillside Protection site plan shall be vested for a period of three years from the date of the original approval.
7. Add the following note to the Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan. If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period. The Initial vesting period for this plan expires on May 4, 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.

8. 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.

9. 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.
10. Note that pending HP approval by Planning Commission, a Grading Permit and Building Permit will be required prior to construction. An NOI and SWPPP will be required prior to these permit approvals.
11. 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.
12. 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.
13. 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.
14. Deviations from the approved plan/plat in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
15. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
16. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

**Item 11: BPC2004-017 Hillside Overlay Site Plan Review – Taramore Subdivision, Phase 12 Lot 204, 9526 Nottaway Lane, Zoning OSRD**

Item 11 was withdrawn by the applicant

**Item 12: BPC2004-008 Revised Preliminary Plan – Broad Oaks Subdivision (FKA Lawson Property), Wilson Pike, Zoning R-2**

Ragan Smith Associates requested approval of a revised preliminary plan for the Broad Oaks Subdivision. The proposed changes included:

- I. Added entrance signage / features to consist of:
  - a. A freestanding wall flanked by two columns with planters on top. An oak tree design cut into Corten steel (*a material that weathers to a rust like finish*);
  - b. Three additional columns with planters on the other side of the street, for a total of five.
  - c. Installation of a connecting sidewalk;
2. A slight lot re-configuration of Lots 5, 6, & 8, and
3. A slight realignment of Lawson Way.

The project is currently under construction.

<b>BROAD OAKS (LAWSON)</b>			
<b>LOT NUMBER</b>	<b>11/1/2018 SQ. FT.</b>	<b>5/1/2020 SQ. FT.</b>	<b>DIFFERENCE SQ. FT.</b>
1	87,264	87,264	0
2	94,172	93,705	-467
3	88,505	87,519	-986
4	87,221	86,986	-235
5	88,166	87,116	-1,050
6	105,555	105,555	0
7	87,368	87,368	0
8	113,084	108,146	-4,938
<b>TOTAL</b>	<b>751,335</b>	<b>743,659</b>	<b>-7,676</b>

<b>OPEN SPACE</b>		
A/1	51,519	41,684
B/3	170,496	142,200
C/5	3,392	3,387
D/2	2,010	970
4		33,478
TOTAL	227,417	221,719
ROW	74,963	78,503

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

- I. Highlight or cloud all changes that have been made to the plan since the last approval and add a note that details the changes.

2. Verify all site calculations.
3. The existing vegetation on the north side of the entrance shall be thinned to increase sight distance to the north.
4. A preliminary plan shall be vested for a period of three years from the date of the original approval.
5. 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 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.

6. 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.
7. 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.
8. 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.
9. 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.



10. 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.
11. The appropriate permits must be obtained prior to the construction of the sign and columns.
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. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
14. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
15. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 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 Ms. Robinson; motion was approved unanimously.

## **REGULAR AGENDA**

### **Item 1: BPC2004-004 Site Plan – Sullivan Dental Partners Medical Office Building, 5015 Harpeth Drive, Zoning C-4**

Smallwood Nickle Architects requested approval of a new two-story medical office building having an area of 11,000 square feet.

The parking areas on the south and east side of the site will be constructed using pervious pavers. Development of the site also included five off-site parallel parking spaces along Harpeth Drive. A total of 47 parking space are provided for the project.

The architectural design included a tower element being approximately 38 feet tall.

The site is the former location of Phillips Delicatessen and Murff's Craft Brews and Burgers.

Preston Bain joined the meeting at 7:11 pm.

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

1. The street furniture must also include a bike rack. All street furniture must match the color and design specifications listed in the Pattern Book.
2. The roof of the proposed dumpster enclosure must be of a color that matches the building.
3. The proposed wall signage is too high and above the apparent roof line. All proposed signage must return to the Planning Commission for review and approval. All signs must comply with the requirements of the Brentwood sign ordinance.
4. Install ADA compliant ramps on either side of the driveway
5. Per Section 78-256(5) and the Pattern Book, there are specific planning / soil requirements for the street trees. Add these requirements and details to the landscaping plan.
6. Locate water meters in parking entrance island just behind decorative wall. Remove one parking space to accommodate water meters.
7. A revised final plat will be required to dedicate the permanent easement. The plat must be submitted for review / approval and recorded before any permits will be issued for the lot.
8. Porous pavements should only receive runoff from impervious areas. Runoff containing sediment will clog the porous paver surface.
9. After the porous pavement has been installed, an as-built inspection and certification must be performed by a Professional Engineer. A long-term Owner maintenance plan shall be provided to staff. The as-built certification must include verification of the infiltration rates of the porous pavement in addition to other design components that ensure the proper performance of the BMPs.
10. The proposed cleanout design should be part of the manufacture's recommendations.
11. Verify location of FDC with Fire Marshal.
12. A site plan shall be vested for a period of three years from the date of the original approval.
13. 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 May 4, 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.

14. 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.
15. 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.
16. 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.
17. Awnings may not be back lit. Awnings should be made of fabric and may project up to three feet into the public right-of-way with the bottom of the canopy at least nine feet above the sidewalk.
18. 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.
19. 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.
20. Adequate security in an amount equal to 110% of all proposed landscaping, street trees and street furniture improvements, and any off-site infrastructure and utility improvements shall be provided to the Planning and Codes Department staff before any permits are issued for the project. The security shall comply in form, with the requirements of Article Eight of the Brentwood Subdivision Regulations.

21. 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.
22. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
23. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
24. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Ms. Robinson seconded; motion was approved unanimously.

**Item 2: BPC2001-001 Revised Site Plan – Fountainbrooke Subdivision, Community Pool Improvements, Section 12, Open Space One, Hillwood Drive, Zoning OSRD**

True Blue Pools, LLC requested approval of modifications to the amenity area at the Fountainbrooke Subdivision. The proposed changes included:

1. Removal of the existing circular wading pool, requiring filling the area and installation of new decking;
2. Construction of a new wading pool having a surface area of 405 sf, and being 18" deep;
3. Installation of a "bubble geyser", and
4. Extension of the pool deck, north of the existing gazebo to accommodate the construction of the new wading pool.

Because the proposal involved changes to the improvements within the permanent open space, the corresponding changes to the OSRD Development Plan must be approved by the Board of Commissioners.

Mr. Oliver moved for approval of the proposed minor revisions to the preliminary plan and to forward a recommendation of approval of the corresponding minor revisions of the OSRD Development Plan to the Board of Commissioners subject to the following conditions being met to the satisfaction of staff:

1. Remove the "probable" flood line from all sheets.

2. Compensating cut / fill will be required for the wall encroachment. A grading plan must be submitted for staff review and approval as part of the submittal of the building plans, before the building permit will be issued.
3. An as-built survey will be required before a certificate of completion will be issued.
4. Permits cannot be issued for the improvements until the Board of Commissioners approves the revised OSRD Development Plan.
5. Correct all elevations to two decimal places.
6. Walls over 4' tall must be designed and stamped by a Professional Engineer.
7. Walls over 30" require a guardrail.
8. Provide the location and height of the existing fence around the pool. Provide a standard detail if any portion of the fence is to be replaced.
9. A site plan shall be vested for a period of three years from the date of the original approval.
10. Approval of the preliminary / site plan shall be contingent upon the approval of the corresponding modifications to the OSRD Development Plan by the Board of Commissioners.
11. 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 May 4, 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.

12. 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.

13. 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.
14. 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.
15. Complete building 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.
16. 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.
17. 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.
18. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
19. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
20. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Ms. Robinson seconded; motion was approved unanimously.

**Item 3: BPC2004-010 Revised Site Plan - Harpeth Valley Water Tank Replacement, 6404 Johnson Chapel Road West, Zoning R-2**

The Harpeth Valley Utility District requested approval to replace the existing water tank located at 6404 Johnson Chapel Road West.

Area of tract is 1.36 acres. The area of disturbance area is about one acre.

A 4-million-gallon elevated tank constructed on a composite pedestal is proposed. The pedestal will be 20 feet tall with the overall height of the tank being 77 feet tall. The new tank will be painted white in color, which is the same color as the existing tank. The new tank will be located SW of the existing tank. The top of the new tank should not be any taller than the existing tank.

The existing tank has a capacity of 3 million gallons.

The new tank should sit at the existing tree line.

The existing tank will be removed once the new tank is operational.

Some trees will be removed to accommodate the improvement.

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

1. The appropriate permits shall be required for the proposed change.
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 May 4, 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.

4. 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.

5. 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.
6. 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.
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. The required fees shall be used for future infrastructure related improvements required by the proposed development.
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 May 4, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Ms. Robinson seconded; motion was approved unanimously.

## **OTHER BUSINESS**

### **Monthly Security Report**

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

## **ADMINISTRATIVE INFORMATION**

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



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

APPROVED: June 1, 2020

Holly Earls  
Holly Earls, City Recorder