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

**BRENTWOOD, TENNESSEE**

The regular meeting of the Brentwood Planning Commission met on Monday, August 3, 2020 at 7:00 p.m. at Brentwood City Hall.

Electronically present at roll call were Chairman Janet Donahue, Commissioner Ken Travis, Preston Bain, Chris Clark, Carol Crigger, Michael Kaplan, Brandon Oliver, Stevan Pippin, Sonna Robinson and John Vitucci. Staff present electronically were Jeff Dobson, Kirk Bednar, Jay Evans, Kristen Corn, Holly Earls, 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, 34 & 51. 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 July 6, 2020 meeting as written; seconded by Mr. Bain. Motion was approved unanimously.

**CONSENT AGENDA**

Item 1: **BPC2007-001 Minor Site Plan Alteration – Virginia Springs Office Building, Phase II, 5511 Virginia Springs, Zoning C-1/SR**

Ragan Smith Associates requested approval to add two shade sails behind the building, which is under construction. The sails are made of commercial grade materials in a “Sky Blue” color and suspended from metal poles painted to match the darker colors on the building. Tables and chairs were also proposed as part of the improvements.

The sails are installed so that one side is approximately 12’ above the patio surface and the other side approximately 7’10” above the patio.

The proposal was similar to one approved by the Planning Commission in June 2019 for Building One.

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

1. Development of the project shall comply with all Special Restrictions included as part of Ordinance 2007-26 and Ordinance 2007-27.
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 January 8, 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. The appropriate permits shall be obtained before the start of construction.
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 August 3, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC2007-002 Minor Site Plan Alteration, Canopy and Drive addition – Tennessee Baptist Children’s Home, 1310 Franklin Road, Zoning SI-2/SR

Catalyst Design Group requested approval to add a canopy over the entrance to the existing activities building. The proposal also included a new circular drive and drop-off area, a sidewalk, two ADA parking spaces and reconfiguration the parking spaces at front of the building. No parking spaces will be lost due to the improvements.

Staff recommended approval of the proposed minor site plan revisions 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 August 3, 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 August 3, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC2007-003 Revised Final Plat – Cromwell Subdivision, Section One, Lot 37, 1876 Burland Crescent, Zoning OSRD

CESO, Inc. requested approval of a revised final plat that adjusted the side setback line from 50 feet to 30 feet. The reduction was consistent with the OSRD technical standards.

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

1. Add a star indicating that the lot is transitional to the legend.
2. Show the location of the water meter on the lot.
3. Show the location of existing sewer stub.
4. Add the label “To be Removed” to the 50’ setback to be abandoned.
5. Approval of a final plat by the Planning Commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for five years after approval.
6. Add the following note to all pages of the final plat:

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

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

1. Provide the Planning staff with a digital copy of the proposed subdivision. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
2. 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.
3. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
4. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
5. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
6. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on August 3, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC2007-008 Minor Site Plan Alteration – Bell Self Storage, 263 Wilson Pike Circle, Zoning C-3

BBDB Investments, LLC requested approval to add a generator, generator enclosure, a backup pump and a backup pump enclosure off of the SW corner of the building. The enclosures will be faced with brick veneer to match the exterior of the building. The access gates will be constructed of wood slats affixed to a steel frame.

|  |  |
| --- | --- |
| **ENCLOSURE DETAILS** | |
| Generator Enclosure | 12’2” x 17’ 7” x 8’ |
| Backup Pump Enclosure | 15’ x 15’ x 8’ |

* 4-Cylinder Diesel engine;
* Measures 93.8” x 34” x 45.5” (L, W, H);
* Noise Level ranges from 52.8 to 92.7 dB(A);
* Fuel tank volume 276 gallons, and
* Fuel tank height 42”

The building was currently under construction and included an area of 100,632 sq. ft.

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

1. A revised final plat showing all improvements on the lot is required that includes the sump pump storm system shown on the plan. Add a note to the plat stating that the sump pump storm system is privately maintained. The plat must be reviewed, approved, and recorded before a final certificate of occupancy will be issued for the building.
2. An updated drainage analysis/pond calculations shall be required based on the revised layout / construction.
3. The generator screen walls and gates must be tall enough to completely screen the generator.
4. A site plan shall be vested for a period of three years from the date of the original approval.
5. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on January 2, 2021, unless extended by the City of Brentwood.  Persons relying on this plan after said date should contact the City of Brentwood to determine if development may continue as depicted on the plan.

1. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
2. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
3. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
4. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
5. A Maintenance Agreement and Stormwater System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
6. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
7. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
8. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
9. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on August 3, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC2007-005 Revised Preliminary Plan – Brentwood Country Club, Zoning OSRD

Ragan Smith Associates requested approval of a revised preliminary plan that reduced the area of the golfer’s easement on Lot 116. The preliminary plan updated the site data to reflect the proposed easement reduction.

Because the golfer’s easement is considered as part of the open space for the project, approval by the Board of Commissioners is required for the proposed revisions to the OSRD Development Plan.

Staff recommended approval of the proposed minor revisions to the preliminary plan and recommended forwarding a recommendation of approval of the corresponding minor revisions to the OSRD Development Plan to the Board of Commissioners subject to the following conditions:

1. Verify all open space calculations.
2. Since the proposal is a change to the area of the open space, the revised OSRD Development Plan will also require review and approval by the Board of Commissioners.
3. Approval of the preliminary plan shall be contingent upon the approval of the corresponding modifications to the OSRD Development Plan by the Board of Commissioners.
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 August 3, 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 August 3, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC2007-004 Revised Final Plat – Brentwood Country Club, Lot 116, 5101 Country Club Drive, Zoning OSRD

Ragan Smith Associates requested approval of a revised final plat that reduced the golfer’s easement by 383 square feet or 0.01 acres.

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

1. The revised final plat cannot be recorded until the Board of Commissioners approves the revised OSRD Development Plan showing the corresponding changes to the open space area.
2. The property owner is responsible for any required building permits.
3. Approval of a final plat by the Planning Commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
4. Add the following note to all pages of the final plat:

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

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

1. Provide the Planning staff with a digital copy of the proposed subdivision. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
2. 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.
3. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
4. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
5. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
6. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on August 3, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Consent agenda was approved unanimously.

# REGULAR AGENDA

**Item 1:** **Ordinance 2020-08 - An Ordinance Rezoning Property Located in the Southeast Quadrant of the Intersection of Wilson Pike and Old Smyrna Road from SI-3 to R-2**

Ordinance 2020-08 requested the rezoning of approximately 10.27 acres located in the southeast quadrant of the intersection of Wilson Pike and Old Smyrna Road. The requested change was from the SI-3 (Service Institution -- Cultural, Recreational and Governmental) zoning district to the R-2 (Suburban Residential) zoning district. The subject property is commonly referred to as the "Dolphin Club" property and is located at 502 Wilson Pike.

While not legally binding like an OSRD Development Plan, the applicant provided a preliminary concept site plan for an R-2 development. The plan showed a total of five residential lots on the tract. All proposed lots appeared to meet the minimum lot area requirements of the R-2 zoning district. The submitted plan showed one cul-de-sac from Old Smyrna Road that will provide access to all lots. The existing driveway to Wilson Pike would be removed under this plan. There shall be no access for individual lots to either adjacent arterial street. The NW corner of the property is encumbered by 100-year floodplain. None of the proposed lots encroached into the floodplain area. All existing structures would be removed from the property as part of the development plan.

The applicant was in the process of performing a final survey for the property. A survey is usually not completed until the preliminary plan or final plat stage of the review process. All lots will be developed in accordance with the technical standards of Article III, Division 4 (R-2) of the zoning ordinance and the requirements of the Subdivision Regulations. All of the surrounding properties, including those across Wilson Pike and Old Smyrna Road are also zoned R-2.

The tract is located within the Little Harpeth River Drainage Basin. Based upon the number of lots (five) the development is proposing water and sewer service for up to 1,550 gpd each. The tract was included in the City's Sewer Master Plan and was projected to have a peak sewer flow of 7,000 gpd. Based upon the information provided and the review of the impacted water and sewer collection system, staff with the Water Services Department have approved water and sanitary sewer service to the property for the proposed R-2 zoning. The developer will be responsible for any water and/or sewer main extensions that may be required to connect to the public water and sewer system.

Hidden Valley Homes has built homes in the Avery, Annandale, Brass Lantern Farms, Morgan Farms, and Oman subdivisions to name a few.

The proposed ordinance was approved on first reading by the Board of Commissioners on July 13th. The community meeting was conducted at the Brentwood Library on July 30th. A total of ten citizens attended the meeting. There were no major concerns raised. The public hearing is scheduled for August 10th, with second and final reading scheduled for August 24, 2020.

Mr. Pippin moved to forward a recommendation to of approval of Ordinance 2020-08 to the Board of Commissioners. Mr. Bain seconded; motion was approved unanimously.

**Item 2:** **BPC2007-011 Preliminary Plan, Allen Property, 9520 Split Log Road, Zoning OSRD**

Turnberry Homes, LLC requested approval of a preliminary plan showing 18 lots on approximately 28 acres. The plan included a 6.28 acre lot (Lot 18) that will remain.

The proposed subdivision restrictive covenants will require that lot 18 on which the Allen residence is located shall not be further subdivided but shall remain as currently configured. The restrictive covenants will be recorded at the Williamson County Register of Deeds Office along with the final plat and will run with the land. A copy of the proposed Restrictive Covenant is attached below. The restriction would also be added as a note to the final plat.

The plan provides the required arterial road buffer, which is 150 feet wide as measured from the right-of-way of Split Log Road. The buffer extends to the east across Lot 18. Plantings, which will meet Code requirements will be added within the buffer consistent with those existing in the Glen Abbey, arterial road buffer. The developer was requesting that 70 trees be permitted to relocated from the buffer to a planting strip between the sidewalk and the back of the curb to serve as street trees. The reason for this request was related to the encumbrance of a jurisdictional wetland area and overhead utility lines along Split Log Road in the buffer. This request was consistent with Section 78-512(b)5c of the Municipal Code.

Finally, the plan showed a perpetual scenic easement, as permitted by Section 78-186(c)2 of the Municipal Code, around a jurisdictional wetland and a stream at the front of the subdivision. The perpetual scenic easement will be left undisturbed and in its natural state. The City becomes a party to the easement once it is recorded.

Mr. Pippin moved for approval of the proposed preliminary plan, to include the relocation of 70 trees from the arterial road buffer to serve as street trees, subject to the following conditions being met to the satisfaction of staff:

1. Label lots 1-3, 15, 16 & 17 as transitional. Add an asterisk (\*) to each lot, and to the legend. Add the transitional lot note to the plat.
2. Identify the Lowest Floor Elevation (LFE) for lots 1, 2, 3, 15, 16 and 17 on each lot, not in a table.
3. Add a label to the plan indicating that the existing trees behind Lots 1 & 2 are to remain.
4. Revise the PUDE at the front of all lots to be 20 feet wide. Add side and rear PUDE’s to each lot.
5. The three utility poles along Split Log Road must be relocated in order to keep the sidewalk straight and to improve sight visibility.
6. The water line connection along Split Log Road shall be located outside of the intersection of Ivy Crest Drive.
7. A preliminary plan shall be vested for a period of three years from the date of the original approval.
8. Add the following note to the preliminary plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on August 3, 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 homes within the project shall use U.S. Postal Service approved Cluster Box Units for mail delivery. The home builder shall install permanent address posts, in lieu of mailboxes at the end of each driveway to facilitate emergency response, per the requirements of the Brentwood Subdivision Regulations. The address posts must be installed before a certificate of occupancy will be issued for the home. As part of the submittal of the final plat, provide evidence of approval of the location of the CBU’s by the Post Office.
5. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. A Maintenance Agreement and Stormwater System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
7. A geotechnical report will be required as part of the submittal of the construction plans.
8. Agency permits from TDEC and a no conflict letter from Columbia Gulf will be required as part of the submittal of the construction plans.
9. An overall drainage map is required in addition to drainage areas to each inlet with proposed grading and off-site existing contours shown a minimum of 100’ outside of the project.
10. Adequate security that meets the requirements of Article VIII of the Brentwood Subdivision Regulations must be provided for all improvements – roadway, drainage, utilities, water, sewer, landscaping, street trees, and signage improvements must be provided for staff review before the plat may be released for recording. The landscaping amount shall be provided at 110% of the total amount of all materials, installation and irrigation improvements.
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. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
13. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
14. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on August 3, 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 3:** **BPC2007-009 Revised Final Plat, Mockingbird Hill Subdivision, Section 1-A, Lot Three 5018 Mountview Place and Section 1-B, Lots Four and Five, 5014 and 5019 Mountview Place, and, Zoning R-2**

Wilson & Associates, P.C. requested approval of a revised final plat that created a joint-user access easement for a shared driveway for Lots 4, 5 and 12 in the Mockingbird Hills Subdivision.

Mr. Pippin moved to defer this item to the September 8, 2020 meeting. Mr. Bain seconded; motion was approved unanimously.

# OTHER BUSINESS

**Monthly Security Report**

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

# ADMINISTRATIVE INFORMATION

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

Being no further business, the meeting adjourned at 7:59 pm.

APPROVED: September 8, 2020 Holly Earls \_ Holly Earls, City Recorder