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

**BRENTWOOD, TENNESSEE**

The regular meeting of the Brentwood Planning Commission met on Tuesday, September 8, 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, and 60. 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 August 3, 2020 meeting as written; seconded by Mr. Travis. Motion was approved unanimously.

**CONSENT AGENDA**

Item 1: **BPC2008-002 Revised Building Elevations, 136 Frierson Street, Zoning C-4**

Ms. Sarina Walker requested approval to paint the red brick exterior of the former Town Center Theater a gray color. The building has a new owner and is currently being converted to an office use. The color currently on the building is a primer.

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

1. The appropriate permits shall be obtained before the start of construction.
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 September 8, 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. 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.
5. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
6. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
7. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC2008-008 Minor Site Plan Alteration – 5100 Maryland Way, Zoning C-1

Armstrong Building Group Corp., requested approval of a revised plan that proposed to paint the exterior of the existing red brick building a gray color.

The proposed color is called “Iron Ore”.

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

1. Provide written authorization from the Maryland Farms POA authorizing the proposed color 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 September 8, 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. The existing monument sign structure cannot be demolished and replaced under the current zoning standards. Only the sign face can be changed. Remove any references to the demolition of the monument sign from the plans.
2. When the construction authorized pursuant to a site plan is not completed within three years from the date of initial approval, but the applicant desires to complete the project proposed for the site, the plan as initially approved for the project or as amended shall be considered a preliminary site plan. If the applicant secures all necessary permits, commences site preparation and obtains approval of a final site plan within the three-year vesting period following approval of the preliminary site plan, then the vesting period shall be extended an additional two years beyond the expiration of the initial three-year vesting period. During the two-year extension, the applicant must commence construction and maintain any necessary permits to remain vested.
3. If necessary permits are maintained and construction, as defined by Section 78-43, has commenced by the end of the two-year extension, then the vesting period shall remain in effect until the Planning and Codes Department has certified final completion of the project, provided the total vesting period shall not exceed ten years from the date of approval of the preliminary site plan.
4. If the construction authorized pursuant to a site plan is completed within three years from the date of approval, the site plan shall then be considered the final site plan for the project.
5. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
6. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
7. 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 September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC2008-009 Hillside Overlay Site Plan Review, Taramore Subdivision, Lot 204, 9526 Nottaway Lane, Zoning OSRD

Wilson & Associates, PC requested approval of a Hillside Protection Overlay Site plan for Lot 204 of the Taramore Subdivision.

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| TARAMORE SUBDIVISION, LOT 204 | |
| Lot Area (sf) | 43,320 |
| Total Area of Home (sf) | 7,269 |
| Heated Area (sf) | 4,023 |
| Impervious Area (sf) | 5,229 |
| Green Space Provided (%) | 87.9 |
| Green Space Required (%) | 40% |

The exterior elevations included blond brick, dark shingles shutters and doors, and beige trim.

Staff recommended approval of the proposed hillside protection overlay site plan subject to the following conditions:

1. A Hillside Protection 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 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 September 8, 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.
5. 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.
6. 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.
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 September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC2008-010 Revised Final Plat – Bell Self Storage, 263 Wilson Pike Circle, Zoning C3/SR

Young Hobbs & Associates requested approval of a revised final plat that showed the previously approved generator and a backup pump enclosure off of the SW corner of the existing building, which is currently under construction.

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

1. Record the Stormwater Long Term Maintenance Plan with the Final Plat. The plat in the plan should be replaced prior to recording with new final plat.
2. Approval of a final plat by the Planning Commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
3. Add the following note to 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 September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC2008-012 Hillside Overlay Site Plan Review, Taramore Subdivision, Lot 205, 1917 New Bristol Lane, Zoning OSRD

Wilson & Associates, PC requested approval of a Hillside Protection Overlay Site plan for Lot 205 of the Taramore Subdivision.

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| TARAMORE SUBDIVISION, LOT 205 | |
| Lot Area (sf) | 32,942 |
| Total Area of Home (sf) | 7,305 |
| Heated Area (sf) | 3,786 |
| Impervious Area (sf) | 5,694 |
| Green Space Provided (%) | 82.7% |
| Green Space Required (%) | 40% |

The exterior elevations included beige brick, dark shingles, horizontal siding, shutters, and doors and beige trim.

Staff recommended approval of the proposed hillside protection overlay site plan subject to the following conditions:

1. A Hillside Protection 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 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 September 8, 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.
5. 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.
6. 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.
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 September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC2006-008 Minor Site Plan Alteration, Revised Signage – Bank of America, 133 Franklin Road, Zoning C-4

Jarvis Sign Company requested approval of a revised plan that proposed modifications to the exterior of the existing building, and signage.

Modifications to the building included painting the trim band, which is currently a beige color, white. The building signage would be updated but will remain the same size and will not be illuminated.

The proposal also included a new face for the existing monument sign. The sign face may be changed, but the sign structure itself cannot be demolished and rebuilt. Demolition of the monument sign will require that the site be brought into conformance with the current zoning standards.

Monument signs are not permitted in the C-4 district, per the requirements of Section 78-420(f) of the Municipal Code.

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

1. The existing monument sign structure cannot be demolished and replaced under the current zoning standards. Only the sign face can be changed. Remove any references to the demolition of the monument sign from the plans.
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 September 8, 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 September 8, 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 Commissioner Travis; motion was approved unanimously.

# REGULAR AGENDA

**Item 1:** **BPC2007-007 Site Plan – Gary Force Acura, Mallory Park Subdivision, Lot 13, 1598 Mallory Lane, Zoning C-3**

Barge Cauthen Associates requested approval of a 51,307 square foot automobile dealership to be located on Lot 13 of the Mallory Park Subdivision. The building area included a main level having an area of 47,135 sf and a mezzanine level having an area of 4,172 sf.

A total of 401 parking spaces were proposed, most of which will be used for display and storage of new vehicles.

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

1. Approval/permit issued by TVA staff for the proposed work within their transmission line easement line shall be provided as part of the request for a building permit. A copy of the submittal that includes the lighting plan will be required when applying for a grading permit.
2. Agency permits from TDEC will be required.
3. Verify the number of accessible spaces provided. For a total of 401 parking spaces, nine accessible spaces must be provided, per Section 78-457 of the Municipal Code.
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 September 8, 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. A geotechnical report will be required as part of the submittal of the construction plans.
5. Before a building permit can be issued, acceptable security shall be required to cover the cost of landscaping. The security shall be posted in an amount equal to one hundred ten percent (110%) of the total cost of the materials and installation of the landscaping improvements. Upon the issuance of the Certificate of Occupancy the amount may be reduced to ten percent (10%) and converted to a maintenance bond for a period of one year to ensure that the vegetation remains as a living and viable screen.
6. 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 Municipal Code.
7. Ground and roof level electrical transformers, heat and air conditioning equipment and similar facilities shall be screened from public view per the requirements of Section 78-246 (l) of the zoning ordinance.
8. Unenclosed guarded service equipment on the exterior of building in commercial and service institution districts shall be limited to mandatory disconnects and metering equipment. All other service equipment shall be placed in an enclosed area of a structure.
9. Add the following note to the plans that are to be submitted for building permit review: “This document certifies that the building materials specified in the Planning Commission approval of this project (BPC2007-007) are likewise provided for in the plans submitted. Any deviation from the approved building materials will negate any staff approval of said plans. Proposed changes to project specifications will be submitted to the Planning Commission for further consideration.
10. 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 & Codes Department for review. Submit a signage package for review and approval. Banners and off site signage are not allowed per the sign ordinance.
11. 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.
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. The required fees shall be used for future infrastructure related improvements required by the proposed development.
13. Coordinate the following requirements with the Fire Marshal:

* A supra lock box with a master key is required at the entrance of the building.
* Landscaping or other site improvements shall not obstruct any fire protection equipment.
* The Fire Department connection shall be no more than 100 feet from any fire hydrant.
* The building shall have approved address numbers in a location that is plainly visible and legible from the streets on which the building fronts. The numbers shall contrast with the background of the building.
* Fire lanes shall be established around the fire hydrant and fire department connection and marked with free standing signs with the words “FIRE LANE - NO PARKING OR STANDING.”
* The post indicator valve must be located a minimum of 40 feet from the building;
* The pavement directly adjacent to the building should be capable of supporting the imposed load of fire apparatus (approximately 60,000 lbs.).

1. 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.
2. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
3. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
4. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Commissioner Travis seconded; motion was approved unanimously.

**Item 2:** **BPC2008-003 Revised Hillside Overlay Site Plan Review, Mockingbird Hill Subdivision, Lot 4, 5014 Mountview Place, Zoning R-2**

Gamble Design Collaborative requested approval of a Hillside Protection Overlay Site plan that proposed the following:

1. A revised driveway location, connecting to the joint access located northeasterly of the lot;
2. A new driveway has been designed to connect to an existing driveway shared by the northern adjoining neighbors in order to achieve a flatter slope;
3. Removal the curved driveway connecting to Mountview Place;
4. Removal of the retaining walls associated with the curved driveway in the front of the house;
5. A parking area has been added as part of the new driveway design, and
6. A new stacked wall will replace the failing stacked stone wall along the southern property line.

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| **MOCKINGBIRD HILL, LOT 4 – 5014 MOUNTVIEW PL** | |
| Lot Area (ac) | 1.28 |
| Total Area of Home (sf) | 7,364 |
| Heated Area (sf) | 6,553 |
| Impervious Area (sf) | 1,840 |
| Green Space Provided (%) | 80% |
| Green Space Required (%) | 40% |

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

1. This property needs to have the residential sprinkler system finaled out. It has been installed, but not tested for a final. This must be done before a Certificate of Completion will be issued for the house.
2. The revised final plat must be recorded before a certificate of completion will be issued for the house.
3. A Hillside Protection Overlay site plan shall be vested for a period of three years from the date of the original approval.
4. Add the following note to the 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 August 6, 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.
5. 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.
6. 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.
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 September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Commissioner Travis 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, 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 for approval of the proposed revised final plat subject to the following conditions being met to the satisfaction of staff:

1. The revised Hillside Protection Overlay Site Plan must be approved before the revised plat will be signed for recording.
2. Approval of a final plat by the Planning Commission shall become effective upon the date of the last signature required on the plat for recording. The initial vesting period shall be for a period of five years after approval.
3. Add the following note to 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 September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Commissioner Travis seconded; motion was approved unanimously.

**Item 4:** **BPC2008-004 Preliminary Plan, 919 Edmondson Pike, Zoning R-1 - Applicant: Mr. Matt Bryant, M2 Group, LLC, P.O. Box 848, Franklin, TN 37065**

M2 Group, LLC, requested approval of a preliminary plan that shown two lots on approximately 7.42 acres of land.

The existing home on the newly configured Lot One will remain. According to the Property Assessor the home included an area of 2,442 sq., ft.

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

1. Show those tree masses that are proposed to be saved as part of the development of the project on the plan.
2. Any new dwelling constructed more than 500 feet from a public roadway or authorized private roadway providing vehicle access to the dwelling shall be protected through an automatic residential fire sprinkler system installed in accordance with NFPA standards and requirements and approved by the fire chief or his designee.
3. The existing barn on the property must be removed or relocated to an approved location before the final plat will be signed for recording.
4. The existing pipes along Edmonson Pike must be designed and replaced before the plat will be signed for recording.
5. Remove the existing driveway encroachment onto Lot 2 by removing the surface and adding seeding / straw. This must be completed before the final plat will be signed for recording.
6. A geotechnical report will be required with the submittal with each Transitional Lot plan for review. A construction plan submittal will not be required as the two lots can be submitted separately for grading permit.
7. Location of grinder pump service connection assembly shall be located at the property line.
8. A preliminary plan shall be vested for a period of three years from the date of the original approval.
9. 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 September 8, 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. Add the following Grinder Pump note to the plat:

The developer/owner shall furnish the City, for all designated lots with pressurized grinder pump sewer the cash equivalent of $1,900 per pump for each lot subject to the determination of the Water Services Director. The cash equivalent is required to minimize the replacement expenses in the future (7-10 years). Payment for replacement of the grinder pumps must be made at the time of the signing of the final mylar. This requirement is consistent with Section 70-132 of the Municipal Code.

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. Applicable security for all required roadway, drainage, utilities, water, sewer, improvements and landscaping in accordance with the requirements of Article Eight of the Brentwood Subdivision Regulations shall be provided before the final plat may be recorded.
5. A Maintenance Agreement and Storm Water System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code.
6. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
7. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
8. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
9. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
10. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on September 8, 2020. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Commissioner Travis seconded; motion was approved unanimously.

**Item 5:** **BPC2008-005 Final Plat, 919 Edmondson Pike, Zoning R-1**

M2 Group, LLC, requested approval of a final plat that shown two lots on approximately 7.42 acres.

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

1. The existing barn must be removed or relocated to an approved location on the property before the final plat will be signed for recording.
2. The existing pipes along Edmonson Pike must be designed and replaced before the plat will be signed for recording.
3. Remove the existing driveway encroachment onto Lot 2 by removing the top of the road and seed/straw. This must be completed before the final plat will be signed for recording.
4. The grinder pump service connection assembly shall be located at the property line.
5. Change the 20’ MBSL to a PUDE on the rear of Lot 2.
6. Prior to signing of plat, low pressure sewer service connection shall be installed by the owner.
7. Public sewer service lines and connection boxes shall be installed prior to signing of the plat. The plat shall show actual surveyed locations of service line and connection boxes. Any references to “proposed” shall be removed from plat before signing.
8. 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.
9. 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. Add the following Grinder Pump note to the plat:

The developer/owner shall furnish the City, for all designated lots with pressurized grinder pump sewer the cash equivalent of $1,900 per pump for each lot subject to the determination of the Water Services Director. The cash equivalent is required to minimize the replacement expenses in the future (7-10 years). Payment for replacement of the grinder pumps must be made at the time of the signing of the final mylar. This requirement is consistent with Section 70-132 of the Municipal Code.

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. Any new dwelling constructed more than 500 feet from a public roadway or authorized private roadway providing vehicle access to the dwelling shall be protected through an automatic residential fire sprinkler system installed in accordance with NFPA standards and requirements and approved by the fire chief or a designee.
4. 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.
5. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
6. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
7. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on September 8, 2020 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Commissioner Travis seconded; motion was approved unanimously.

# OTHER BUSINESS

**Monthly Security Report**

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

**Appointment of replacement for John Magyar as the Planning Commission’s representative to the Tree Board**

John Vitucci was appointed as the Planning Commission representative to the Tree Board.

# ADMINISTRATIVE INFORMATION

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

Being no further business, the meeting adjourned at 7:50 pm.

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APPROVED: OCTOBER 5, 2020 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Holly Earls, City Recorder