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

**BRENTWOOD, TENNESSEE**

The regular meeting of the Brentwood Planning Commission met on Monday, May 3, 2021 at 7:00 p.m. at Brentwood City Hall.

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

Commissioner Travis moved for approval of the minutes from the April 6, 2021 meeting as written; seconded by Mr. Kaplan. Motion was approved unanimously.

**CONSENT AGENDA**

Item 1:  **BPC2103-001 Revised Final Plat – Gene Sacks Property, Lot One, 1588 Ragsdale Road, Zoning R-2**

Mr. James Terry requested approval of a revised final plat that created another driveway connection to the private drive from the property to the access drive south of Ragsdale Road.

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

1. 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.
2. 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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
5. Approval of the proposed plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021 . Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC2103-002 Hillside Protection Overlay Site Plan – Traditions Lot 93, 1925 Parade Drive, Zoning OSRD

Drees Premier Homes, Inc., requested approval of a Hillside Protection Overlay site plan for Lot 93 located at 1925 Parade Drive in the Traditions Subdivision.

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

|  |  |
| --- | --- |
| **1925 PARADE DRIVE – TRADITIONS** | |
| Lot Area (sf) | 24,833 |
| Total Area of Home (sf) | 6,973 |
| Heated Area (sf) | 5,576 |
| Impervious Area (sf) | 6,378 |
| Green Space Provided (%) | 74.3% |
| Green Space Required (%) | 40% |

The exterior of the home will be constructed of brick, cinder colored shutters, white trim and doors and a black asphalt shingle roof.

Staff recommended approval of the proposed hillside protection overlay site plan, to include the required residential sprinkler system, subject to the following conditions:

1. A revised plat for this lot will be required prior to issuance of a Certificate of Occupancy adding an access easement (PUDAE) for the sidewalk along Parade Drive.
2. A Hillside Protection Overlay 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 Hillside Protection Overlay site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on May 3, 2024, 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 standard City of Brentwood general notes should be:
   * + The builder shall call Brentwood Engineering Department for initial erosion control inspection prior to issuance of a permit;
     + All retaining walls greater than 4’ will be designed and inspected by a licensed professional engineer and certified in writing prior to issuance of a Certificate of Occupancy;
     + Retaining walls in excess of 30" in height require safety a rail or barrier, per Brentwood Code;
     + All retaining walls over 4 feet in height require design and details by a licensed TN professional engineer. The designs will be required prior to building and grading permit release. The designs should use as a basis, the geotechnical report generated for this site.
     + All driveways with 15% or greater longitudinal slopes and/or 5% or greater cross-slopes shall be profiled and sectioned by a TN R.L.S. and approved by the City Engineer prior to issuance of a certificate of occupancy.
5. The property owner or fire sprinkler contractor should field verify pressure and flows before design/construction of sprinkler system.
6. Add the following note to the plan -- “All structures designed for human use and occupancy, including residential dwelling units and garages, shall be protected through an automatic sprinkler system installed in accordance with National Fire Protection Association (NFPA) standards and requirements and approved by the fire chief or his designee.
7. Per Section 78-343(7) of the Municipal Code, submit a geotechnical study completed for the lot’s specific site plan.
8. Per Section 78-343(5) of the Municipal Code, add a note stating the concrete drive should “be constructed of materials and colors that blend into the natural terrain…”.
9. Note that pending HP approval by Planning Commission, a Grading Permit, Building Permit, and a Swimming Pool Permit will be required prior to construction. An NOI and SWPPP will be required prior to these permit approvals.
10. From TDEC Guidelines regarding who needs an NPDES Stormwater Construction Permit:

“Operators of construction sites involving clearing, grading or excavation that result in an area of disturbance of one or more acres, and activities that result in the disturbance of less than one acre if it is part of a larger common plan of development or sale."

1. 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.
2. 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.
3. 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.
4. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
5. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC2104-007 Minor Site Plan Alteration, Bike Share – Virginia Springs Phases One & Two, 5501 & 5511 Virginia Way, Zoning C-1/SR

Ragan Smith Associates requested approval of a revised site plan that proposed the addition of a bike share component station and a small workout bench to the campus. The bike share included five rental bikes stored under a shelter measuring 13’ x 7’. The bikes are not motorized. The shelter will be centrally between the building in the central plaza. The material and colors for the bike shelter will complement the architecture.

The improvements will be an added amenity for the campus/guests by providing an alternate mode of transportation.

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 May 3, 2024, 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. 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 (BPC2104-007) 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.
6. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning & Codes Department for review. Submit a signage package for review and approval. Banners and off site signage are not allowed per the sign ordinance.
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. 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 May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC2104-009 Revised Final Plat – The Preserve at Arden Woods Subdivision, Zoning R-2

Ragan-Smith Associates requested approval of a revised final plat that proposed to add a Public Access Easement along the outside of the right-of-way of Arden Wood Place and Fischer Court and to amend the driveway access easement to envelope the constructed driveway location.

The cul-de-sac and the shared use access were not built per the approved plan causing the sidewalk and driveway to be outside of the right-of-way and easement. A Public Utility Drainage and Access Easement (PUDAE) had to be added to address the sidewalk issue. The shared use access easement was revised.

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

1. 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.
2. 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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
5. Approval of the proposed plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC2104-015 Minor Site Plan Alteration, Monument Sign – Brentwood Middle School, 5324 Murray Lane, Zoning SI-2

Williamson County Schools requested approval of a revised site plan that proposed modifications to the existing monument sign located at the corner of Granny White Pike and Murray Lane.

The proposed changes included the following:

1. Reduce the height of the existing sign by 1-foot to comply with the sign ordinance.
2. Refurbish the cabinet and sign face.
3. Add a stone base to the sign.

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 May 3, 2024, 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. 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 (BPC2104-015) 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.

1. 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.
2. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
3. 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 May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC2104-005 Revised Final Plat – Kimberly Vella Property Lot One, 9626 Stanfield Road, Zoning R-2

Brotherton Land Surveying requested approval of a revised final plat that combined two parcels (034 01001 & 034 01002) to create a single lot having an area of approximately 2.30 acres.

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

1. Sewer service shall be installed to the lot before the final plat may be signed by Brentwood Water Services Department.
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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
5. Approval of the proposed plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC2104-008 Final Plat – Rosebrooke Subdivision Section One, AKA Gaw Property, 9828 Split Log Road, Zoning R-2

Ragan Smith Associates requested approval of a final plat for Section One of the Rosebrooke Subdivision. The plat showed eight single-family lots on approximately 19 acres of land. Access to Sunset Road was provided by four shared use driveways.

A total of 38 feet (2.16 acres) of right-of-way will be dedicated along Sunset and Split Log Roads. All lots exceeded two acres in area and complied with the technical requirements of the R-2 zoning district.

Finally, a ten-foot-wide multi-purpose trail was shown along the south side of Sunset Road. A five-foot-wide sidewalk was shown along the projects’ frontage with Split Log Road.

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

1. Correct the flood note to reference the most current flood map.
2. The applicant will pay for the Neel-Shaffer TIS review per the requirements of Section 50-29(b) of the Municipal Code.
3. Construction of the of the multi-purpose trail along Sunset Road (entirety) shall be installed before the first certificate of occupancy will be issued. Adequate security must be provided per Article Eight of the subdivision regulations.
4. Provisions should be made to provide temporary mail delivery to the homes within the section until the central delivery box location within the subdivision is completed.
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 a period of 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. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
4. Proof of USPS approval of the proposed method of mail delivery shall be provided as part of the submittal of the final plat for review by the Planning Commission. Please contact the USPS for approval of the proposed location and design of the CBU delivery/pick-up location. The proposed location must be shown on the final plat.
5. As part of the submission of the final plat, provided a copy of the “Mode of Delivery Agreement” indicating approval of the locations of the CBU’s by the USPS. Contact Ms. Sandy Alsman -- [sandy.l.alsman@usps.gov](mailto:sandy.l.alsman@usps.gov).
6. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review. Please submit a comprehensive sign package to Allison Henry at allison.henry@brentwoodtn.gov.
7. Per the requirements of Appendix Seven of the Subdivision Regulations, in lieu of individual mailboxes an address post shall be permanently placed in concrete at the end of each driveway, within the street right-of-way, or private ingress/egress easement displaying the assigned address for the structure. The address post must be installed before a Certificate of occupancy will be issued for the future structure. Refer to this Article for additional information.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
9. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
10. Approval of the proposed plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC2104-013 Final Plat – Allen’s Green, AKA Allen Property, 9520 Split Log Road, Zoning OSRD

Delta Associates, Inc., requested approval of final plat that showed 18 lots on approximately 28 acres. The plat showed the existing improvements on a 6.28 acre lot (Lot 18) that will remain and be incorporated into the subdivision.

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

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

1. The proposed deed restriction for Lot 18 must be recorded as part of the recording of the plat. Add a note to the plat showing the deed book and page where the restriction is recorded.
2. The existing trees between Lots 1 and 2 are to remain, subject to the Planning Commission approval of the preliminary plan.
3. Add the existing PUDE to Lot 1 of the Glen Abbey Subdivision.
4. Add the existing culvert to the driveway for Lot 18.
5. Show the locations of the water and sewer connections.
6. Remove entrance island from the final plat. The location / size of this island makes the drive too narrow.
7. Change all side yard PUDEs to 10 feet wide instead of 5 feet wide.
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. 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. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
3. Proof of USPS approval of the proposed method of mail delivery shall be provided as part of the re-submittal of the revised preliminary plan for review by the Planning Commission. Contact the Growth Management USPS – Ms. Sandy Alsman, [sandy.l.alsman@usps.gov](mailto:sandy.l.alsman@usps.gov) – 423.562.3243.
4. The homes in the subdivision shall use U.S. Postal Service approved Cluster Box Units for Mail Delivery. Each home builder shall install permanent address posts, in lieu of mailboxes at the end of each driveway to facilitate emergency response. The address posts must be installed before a certificate of occupancy will be issue for the home.
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. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
8. Approval of the proposed plat shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

# REGULAR AGENDA

**Item 1:** **ORDINANCE 2021-09 - AN ORDINANCE ESTABLISHING THE R-1 (LARGE LOT RESIDENTIAL) ZONING DISTRICT ON CERTAIN PROPERTY LOCATED AT 715 VERNON ROAD**

Ordinance 2021-09 requested assignment of the R-1 zoning classification for the property located at 715 Vernon Road. The property included a total of 25.26 +/- acres, was proposed for annexation and is located south of Nottaway Lane.  Access will be provided via New Bristol Lane, which is a temporary dead-end street in the Taramore Subdivision.

The concept plan, which is not binding (like OSRD) shows five lots, all in excess of two-acres in area.  According to the Williamson County Property Assessor, there was one barn, having an approximate area of 1,728 sq. ft. currently located on the property.

The proposed alignment of the future right-of-way of McEwen Drive diagonally crossed the southeast corner of the property.  Individual lots within the project will not have direct access to McEwen Drive

The property proposed for annexation abutted the current City limits and was located within the City's Urban Growth Boundary (UGB), not within the City of Franklin. Urban Growth Boundaries were created by the Tennessee General Assembly in 1998 as part of Public Chapter 1101.  The UGB’s were created with the intention to help contain urban sprawl. They are areas where managed development was encouraged, and cities could grow and reasonably extend public infrastructure to serve future expansion.

The tract was currently zoned Municipal Growth Area District 1 (MGA-1) by Williamson County and could be developed under the existing zoning standards. The MGA-1 district was established in 2013 and assigned to all properties within the various UGBs around the County. The MGA-1 district standards required a minimum lot area of one-acre and a gross density of one dwelling unit per acre. Similar to the City's Suburban Residential (R-2) district.  However, there were differences in the technical standards related to accessory uses and structure standards. MGA-1 allowed the following accessory uses/structure standards:

1. Accessory dwelling units within an existing dwelling unit (interior apartment) or as a separate or converted structure (converted garage, carriage house or stable);
2. Only one accessory dwelling unit, regardless of the number of principle dwellings located on a single parcel are permitted;
3. Accessory dwellings shall be limited to 750 sq. ft. or 25% of the square footage of the principal structure, whichever is greater. In no case shall the accessory dwelling be more that 75% of the square footage of the principle dwelling; and
4. Interior apartments may be contained within the existing house or attached onto the exterior. They must be constructed so that the exterior appearance of the home is maintained. A second front door is not permitted.

Water and sewer service for the property was provided by the City via existing infrastructure that stubbed to the property from Taramore. The water service area was transferred to the City from the Nolensville College Grove Utility District in 2006.

The project will have minimal impact on the schools that served the area.  Based upon the WCS review, the approximate student enrollment projections at build-out for this property were as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **SCHOOL** | **ENROLLMENT PROJECTIONS** | **CAPACITY 10/21/2020** | **ENROLLMENT** **10/21/2020** |
| Jordan Elementary | 2 | 890 | 483 |
| Sunset Middle | 1 | 612 | 869 |
| Ravenwood High | 1 | 1,649 | 1,740 |

Enrollment for Ravenwood High currently exceeded its capacity, but expansion plans were underway.

Consideration of the zoning for the property occurred separately and was proposed to occur before final consideration of the annexation resolution.

|  |  |
| --- | --- |
| **PROPOSED HEARING SCHEDULE -- MCADAMS PROPERTY** | |
| **March 1, 2021** | Planning Commission Review and Endorsement of the Proposed POS & Annexation |
| **March 22, 2021** | Board of Commissioners -- Public Hearing on the Proposed Plan of Services |
|  | |
| **April 12, 2021** | Board of Commissioners -- First Reading of the Ordinance Assigning R-1 zoning to the Property |
| **April 27, 2021** | Required Community Meeting |
| **May 3, 2021** | Planning Commission -- Review & Recommendation of the Ordinance Assigning R-1 zoning to the Property |
| **May 10, 2021** | Board of Commissioners -- Public Hearing on the Ordinance Assigning R-1 zoning to the Property |
| **May 24, 2021** | Board of Commissioners -- Second and Final Reading of the Ordinance Assigning R-1 zoning to the Property |
|  | |
| **May 24, 2021** | Board of Commissioners – Review of Resolution 2021-29 Annexing the McAdams Property into the City of Brentwood |

The applicant was required to conduct a community meeting to explain the particulars of the request and to answer questions from citizens. Property owners within a 1,000-foot radius will be invited to attend. The community meeting was tentatively scheduled for Thursday, April 27, 2021, beginning at 6:00 p.m. in the Annex Room located at City Hall.

At its March 1, 2021 regular meeting, the Planning Commission reviewed the proposed Plan of Services and the annexation of the McAdams Property. The vote was unanimous, ten for and zero against (10-0), to forward their endorsement of the Plan of Services and the annexation to the Board of Commissioners.

The community meeting was conducted on Thursday, April 27, 2021. No residents attended the meeting.

The ordinance was approved on first reading on April 12th. The public hearing is scheduled for May 10, 2021, with second and final reading scheduled for May 24, 2021.

Mr. Oliver moved to forward a recommendation of approval of Ordinance 2021-09 to the Board of Commissioners. Ms. Crigger seconded; motion was approved unanimously.

**Item 2:** **BPC2104-006 Preliminary Plan – Harlan Subdivision AKA Mick Property, 9230 Old Smyrna Road, Zoning R-2**

Ragan Smith Associates requested approval of a preliminary plan that showed 21 lots on approximately 71 acres.

The project is proposed as a gated private street subdivision. Access to the project was provided at one location on Old Smyrna Road.

A 100-foot-wide right-of-way dedication was provided along the project’s frontage with Old Smyrna Road. The lots abutting the right-of-way dedication will provide a 150-foot wide rear yard setback as required by Section 78-165(b)3 of the Code. A screening easement located on private property and not required by the zoning ordinance was also provided along the rear of the lots.

The existing Mick home will be retained and will be situated on Lot 10 within the proposed subdivision.  According to the Williamson County Property Assessor, the home included an area of 12,168 sq. ft. and was constructed in 1994. Several accessory structures/improvements were also located on the property.

The plan showed the proposed location of the CBU’s, which have been approved by the Post Office.

Citizen Comments:

Deborah Fisher, 6575 Cloverbrook Drive

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

1. A geotechnical report for the subdivision will be required with the construction plan submittal.
2. Extend the outlet of the pond to the open space adjacent to Lot 1.
3. The 50' PUDE and landscape easement area includes a drainage system for the detention ponds. This area should be noted as maintained by the HOA.
4. The tree survey, exhibit must be stamped / signed by a TN licensed landscape architect.
5. The applicant will pay for the Neel-Shaffer review per the requirements of Section 50-29(b) of the Municipal Code. The amount shall be forwarded to City staff before any permits can be issued for the project.
6. The TIS recommended that several existing trees be removed to provide adequate sight distance at the entrance Drive. The plan shall show the affected trees to be removed per the traffic impact study review.
7. The TIS review, conducted by the City's consultant also recommended additional traffic signage be placed along Old Smyrna Road. The construction plans shall also show the location of the requested signage pre the traffic impact study review.
8. Show location of water main along Old Smyrna Road.
9. Remove the islands from the cul-de-sac islands from the plans.
10. The setbacks for Lots 3 and 4 cannot encroach over the PUDEs. Adjust the setbacks accordingly.
11. Correct the LFE on Lot 1 and provide LFEs on Lots 2 & 3, which are two feet above the 100-year spill-way elevation.
12. Extend the 30-foot PUDE across the entire right-of-way frontage.
13. Extend all proposed storm drainage on Lot 1 to the open space.
14. If the private water line located within the development that serves Sneed Acres is not abandoned prior to construction, the developer will be responsible to place the service inside a private easement and relocate the service line as needed to avoid potential development conflicts as determined by City staff. Metro Water Services is the current provider. There are discussions to convert the water service from Metro to Brentwood Water Services.
15. A preliminary plan shall be vested for a period of three years from the date of the original approval.
16. Add the following note to the preliminary plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on May 3, 2024, 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. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
5. The homes in the subdivision shall use U.S. Postal Service approved Cluster Box Units for Mail Delivery. Each home builder shall install permanent address posts, in lieu of mailboxes at the end of each driveway to facilitate emergency response. The address posts must be installed before a certificate of occupancy will be issue for the home.
6. Sidewalks shall be provided along both sides of the interior streets, per the requirements of Article 6.7 of the Subdivision Regulations. Label the sidewalks, their surface and shade them for better visibility on the plan.
7. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review. Please submit a comprehensive sign package to Allison Henry at allison.henry@brentwoodtn.gov.
8. Show the location of any sinkholes on the subject property as identified by a qualified geo-technical Engineer shall be located and appropriately labeled on the preliminary plan. The plan shall be configured to locate all sinkholes in permanent open space only and not within any buildable lots. Sinkholes in the permanent open space shall be protected from natural and/or man-made debris.
9. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
10. Applicable security for all required roadway, drainage, utilities, water, sewer, landscaping and amenity improvements in accordance with the requirements of Article Eight of the Brentwood Subdivision Regulations shall be provided before the final plat may be recorded.
11. 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.
12. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
13. 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 May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Oliver seconded; motion was approved unanimously.

**Item 3:** **BPC2104-011 Site Plan – Brentwood Fire Station Five, 9551 Split Log Road, Zoning SI-3**

Barge Cauthen Associates requested approval of a site plan that proposed the construction of Brentwood's fifth fire station.  The plan proposed the construction of a two-story building having an area of 7,182 sq. ft. on a two-acre lot.

The building will be constructed of charcoal and tan colored brick, aluminum storefront windows, cast stone fiber cement lap siding, red four-fold metal garage doors and a pitched standing seam metal roof.

The plan proposed a reduction in the arterial road buffer from 150 feet to 80 feet.    
  
Due to the exceptional narrowness, shallowness, shape and topographic conditions of the lot, approval of certain aspects of the plan will require BZA review and approval.  Please note that there was 40 feet of fall from the front of the lot to the rear. The geography of the site dictated the necessity for the BZA variance.

Those included:

* A reduction of the width of the arterial road buffer from 150 feet to 80 feet.  The Planning Commission had authority to reduce the buffer from 150 feet to 100 feet per Sec. 78-306(a)1, if they determine that the "natural topographic features and/or proposed plantings and physical features are sufficient to minimize direct view from the arterial road."
* A reduction in the front yard setback from 150 feet to 80 feet. Dictated by the topography of the lot.
* Additionally, SI-3 required a 50-foot wide buffer on the "outer perimeter of the lot abutting property zoned for residential use or development," In order to accommodate the necessary drive aisle and the detention pond/bio-retention area, the buffer on the eastern side the property was proposed to be reduced from 50 feet to approximately 27.7 feet at its widest point.
* The modular wall for the detention pond/bio-retention area was located approximately five feet from the easterly property line. No reduction in the width of the buffer along the westerly property boundary was proposed.

* The extension of the modular retaining wall also encroached into the required rear buffer by approximately 19 feet also on the eastern side of the property. Note that the eastern side and rear buffer areas are heavily wooded.

Section 78-306(a)3 of the Code allowed the Planning Commission to vary or reduce just the landscaping provisions, not the width of the buffer itself "for unique and innovative landscaping treatment or physical features."

The proposal also increased the required side setbacks from 50 feet to 75 feet.

Finally, construction was set to begin in the fall of 2021, with completion of the building in the fall of 2022.

Mr. Pippin moved for approval of the proposed site plan and to forward a recommendation of approval of the proposed variances to the Board of Zoning Appeals subject to the following conditions being met to the satisfaction of staff:

1. A stormwater long term maintenance plan will be required to be recorded for the proposed system.
2. Provide a turning movement diagram for the emergency vehicle use at the fire station. Please coordinate with the Fire Marshal.
3. Grinder pump will require an electrical disconnect and mounting of control panel within 20 feet and grinder wet well.
4. New public force main will require TDEC approval.
5. Low pressure force main calculations shall be provided to confirm new system will work with existing low-pressure force main system.
6. Water meters shall be located in an area accessible by vehicle.
7. The recommendation from the Planning Commission will include a recommendation that the BZA approve the reduced width of the side and rear buffers and setbacks, Please provide justifications for the possible reductions.
8. Correct the tree protection detail to meet City of Brentwood requirements.
9. A site plan shall be vested for a period of three years from the date of the original approval.
10. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on May 3, 2024, 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. 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.
6. 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.
7. 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 (BPC2104-007) 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.
8. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning & Codes Department for review. Submit a signage package for review and approval. Banners and off site signage are not allowed per the sign ordinance.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Ms. Robinson seconded; motion was approved unanimously.

**Item 4:** **BPC2104-012 Preliminary Plan – Rosebrooke Subdivision AKA Gaw Property, 9828 Split Log Road, Zoning R-2 / OSRD**

Ragan Smith Associates requested approval of a preliminary plan that proposed 124 single family lots on approximately 175 acres. Lots 1-8 are zoned R-2 and will front Sunset Road. Lots 9-124 were zoned OSRD. The proposed subdivision amenities included:

* An asphalt multi-purpose trail along Sunset Road, and through the development,
* A clubhouse, (2,400 sf),
* A covered area (700 sf),
* A pool, a Children’s pool
* An Overflow Parking area (40 spaces), and
* A playground area.

Because the area of the open space was decreased from 24.55 acres to 24.52 acres, review, and approval of the proposed revisions to the OSRD Development Plan by the Board of Commissioners was required, per Section 78-185(b) of the Code.

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

1. The proposed amenities plan must be presented to the Planning Commission for review and approval.
2. The applicant will pay for the Neel-Shaffer TIS review per the requirements of Section 50-29(b) of the Municipal Code.
3. The overall open space calculations have decreased from the development plan approval from 24.55 to 24.52 acres. Approval of the revised development plan is required by the City Commission.
4. All recommendations from the City’s review of the traffic impact study related to signage and pavement markings, shall be shown on the submitted construction plans.
5. Lot line swales within the PUDE should be shown for all natural watercourses that are altered with the Development and all lot boundaries that receive natural drainage from surrounding lots and parcels. The swale design will be verified as part of the hydraulic review.
6. Provide the hydraulic and floodplain reports with the construction plan submittal. Pre- and post- flow at the studies stream stormwater outlet point of the site should be equivalent.
7. An archaeological report due to the cemetery being located on the development should be provided per sub reg’s (3.5 (6)) include an Archeological Report containing, as required, “The location of all significant historic and archeological features and structures located on the affected property or within 500 feet of the boundary of the affected property. Any proposed development plan for the affected tract shall also be guided by the principles and standards contained within the publication, "Saving the Farmstead" (a publication of the Heritage Foundation of Franklin and Williamson County dated December 1996.) Refer to Section 78-15 of the zoning ordinance.” The report must be provided before a grading permit for Section 5 will be issued.
8. A geotechnical report for the entire development will be required as part of the construction plan submittal. Per SR 3.5 (18 & 23) include a report of “Subsurface conditions on the tract...” and be produced by a qualified geotechnical engineer licensed to practice in the State of Tennessee.
9. A preliminary plan shall be vested for a period of three years from the date of the original approval.
10. 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 April 5, 2024, 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. It is the policy of the U. S. Postal Service that mail delivery to all new and extended developments use centralized delivery, via cluster box units (CBU). It is the responsibility of the customer (developers and builders) to provide the necessary mail receptacle equipment. Show/label an area on the plan to accommodate the cluster box units. Developers must receive approval from the USPS before mail service can begin.
5. Proof of USPS approval of the proposed method of mail delivery shall be provided as part of the re-submittal of the revised preliminary plan for review by the Planning Commission. Contact the Growth Management USPS – Ms. Sandy Alsman, [sandy.l.alsman@usps.gov](mailto:sandy.l.alsman@usps.gov) – 423.562.3243.
6. The homes in the subdivision shall use U.S. Postal Service approved Cluster Box Units for Mail Delivery. Each home builder shall install permanent address posts, in lieu of mailboxes at the end of each driveway to facilitate emergency response. The address posts must be installed before a certificate of occupancy will be issue for the home.
7. Sidewalks shall be provided along both sides of the interior streets, and the development side of Split Log Road, per the requirements of Article 6.7 of the Subdivision Regulations. Label the sidewalks, their surface and shade them for better visibility on the plan.
8. Approval of the site plan does not constitute approval of the signage plan. All signs must comply with the Brentwood Sign Ordinance. A comprehensive sign package including all signs (temporary or permanent, wall or ground) shall be submitted to the Planning Department for a compliance review. Please submit a comprehensive sign package to Allison Henry at allison.henry@brentwoodtn.gov.
9. Show the location of any sinkholes on the property as identified by a qualified geo-technical Engineer. The locations shall be appropriately labeled on the preliminary plan. The plan shall be configured to locate all sinkholes in permanent open space only and not within any buildable lots. Sinkholes in the permanent open space shall be protected from natural and/or man-made debris.
10. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
11. 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.
12. 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.
13. 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.
14. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
15. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 3, 2021. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Pippin seconded; motion was approved unanimously.

# OTHER BUSINESS

**Monthly Security Report**

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

# ADMINISTRATIVE INFORMATION

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

Being no further business, the meeting adjourned at 7:56 pm.

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APPROVED: June 7, 2021 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Holly Earls, City Recorder