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

**BRENTWOOD, TENNESSEE**

The regular meeting of the Brentwood Planning Commission met on Monday, March 7, 2022, at 7:00 p.m. at Brentwood City Hall.

Present at roll call were Chairman Janet Donahue, Commissioner Mark Gorman, Preston Bain, Chris Clark, Carole Crigger, Ryan Crowley, Michael Kaplan, Brandon Oliver, Stevan Pippin, and John Vitucci. Staff present were Jeff Dobson, Kirk Bednar, Jay Evans, Kristen Corn, Lori Lange, Todd Petrowski, and Allison Henry.

Mr. Kaplan moved for approval of the minutes from the February 7, 2022, meeting as written; seconded by Mr. Pippin. Approval was unanimous.

**CONSENT AGENDA**

Item 1:  **BPC2202-001 Revised Hillside Protection Overlay Site Plan Review, Pool – Windstone Subdivision, Section Two, Lot 15, 1105 Sleeping Valley Court, Zoning R-2**

The Addison Group proposed a pool, pool deck, spa and putting green in the rear buildable area of 1105 Sleeping Valley Court. The pool, spa, and pool decking will have an area of 2,061 square feet.

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

1. Removal of established trees outside of the building envelope or the area of disturbance shall be limited, with the exception of diseased or hazardous trees as recommended in writing by a landscape architect, licensed to practice in Tennessee.
2. Existing natural vegetation around a proposed structure in the HP overlay district, particularly if located in areas of potential high visibility from properties and roadways at lower elevations, shall be preserved to the greatest extent feasible and practical. Additional evergreen trees and shrubs may be required to effectively screen the structure.
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 site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-001) 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 2: BPC2202-005 Hillside Protection Site Plan Review – Witherspoon Subdivision, Section 4, Lot 49, 9256 Lehigh Drive, Zoning OSRD

Schuamacher Homes requested approval of a revised Hillside Protection Overlay site plan for Lot 49 located at 9256 Lehigh Drive in Section Four of the Witherspoon 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.

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| **9256 LEHIGH DRIVE – WITHERSPOON** | |
| Lot Area (sf) | 208,481 sf (4.79 Ac.) |
| Total Area of Home (sf) | 8,947.75 sf |
| Heated Area (sf) | 9,556 sf |
| Impervious Area (sf) | 17,105.26 sf |
| Green Space Provided (%) | 91.8 % |
| Green Space Required (%) | 40% |

The revised plat adding 0.79 acres to the area of the lot was recorded on December 22, 2020 (PB P75, PG 29).

Approval of the proposed plan would vacate previous approvals.

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

1. Removal of established trees outside of the building envelope or the limits of disturbance shall be limited, with the exception of diseased or hazardous trees as recommended in writing by a landscape architect, licensed to practice in Tennessee.
2. Existing natural vegetation around a proposed structure in the HP overlay district, particularly if located in areas of potential high visibility from properties and roadways at lower elevations, shall be preserved to the greatest extent feasible and practical. Additional evergreen trees and shrubs may be required to effectively screen the structure.
3. A site plan shall be vested for a period of three years from the date of the original approval.
4. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 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.
6. 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 (BPC2202-005) 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.
7. 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.
8. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
9. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
10. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
11. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 3: BPC2202-006 Minor Site Plan Alteration – Tacos 4 Life, Kroger Executive Center, Lot 3, 7020 Executive Center Drive, Zoning C-2

Springfield Sign requested approval of an exterior site plan alteration that added an orange metal canopy measuring 16 feet by 15 feet 9 inches over a portion of the existing fenced outdoor seating area located on the east side of the building. The proposal also included wall signage.

Tacos 4 Life will lease the entire space, formerly occupied by Newk’s Eatery, which included an area of 4,177 sq. ft., and the 450 sq. ft. patio area.

Tacos 4 Life donates $0.24 for every taco, bowl, salad, quesadilla, or nachos purchased to Feed My Starving Children (FMSC), their non-profit partner.

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

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

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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.

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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 (BPC2202-006) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 4: BPC2202-007 Minor Site Plan Alteration – Beaman Ventures, Maryland Farms / New Alphabet Subdivision, Lot 2, 5341 Virginia Way, Zoning C-1

LINES, Inc. requested approval of a minor site plan alteration, building elevations that proposed the following:

1. Repainting the stucco a dark gray color.
2. Paint the fascia board trim, stone headers and gutters black.
3. Paint the existing fencing around the patio.
4. Install new windows with black frames and mullions, and
5. Remove the blank sign that’s on the front façade of the building

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

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

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-007) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 5: BPC2202-008 Revised Final Plat – Indian Point Subdivision, Section 4, Lot 83, 1200 Chickasaw Drive, Zoning R-2

Mr. Ninoslav Przulj requested approval of a revised final plat that removed the two platted septic drain fields. These drain fields are no longer necessary as the lot has been converted to City sewer.

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

1. Provide all signature blocks shown / required in the Subdivision Regulations.
2. The rear building setback should be 35’ as required from the boundary of the subdivision, per Section 78-164(8) of the zoning ordinance.
3. A final plat shall be vested for a period of five years from the date of the last signature on the plan required for recording.
4. Add the following note to all pages of the final plat:

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

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

1. Provide the Planning staff with a digital copy of the proposed subdivision. This request is consistent with Article 2.3 of the Brentwood Subdivision Regulations. The file should be in AutoCAD .DWG or .DXF compatible format and CD-ROM. The file shall use the Tennessee State Plane coordinate system, FIPS Zone 4100, NAD 83 datum. The digital copies must be received before the plat may be recorded.
2. The property owner is responsible for all development fees including water and sewer service and tap fees, building permit fees and Public Works Project Fees. The required fees shall be used for future infrastructure related improvements required by the proposed development.
3. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
4. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
5. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
6. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 6: BPC2202-009 Minor Site Plan Alteration - Tractor Supply Headquarters, PLC Properties Subdivision, Lot 2, 5401 Virginia Way, Zoning C-1/SR

Ragan Smith Associates requested approval of a revised site plan that proposed the following amenity additions:

1. Multi-sports court
2. Flexible/café seating throughout the design area
3. String lighting
4. Central connector walk
5. Lawn
6. A Shade Sail Structure
7. Flexible seating with firepit
8. Wood cladded seat walls
9. Outdoor ping pong table
10. Yard games (Cornhole, etc.)

A total of 21 parking spaces and 4,770 sq. ft. of asphalt will be removed to accommodate the improvements. No additional light poles were proposed. Two existing light poles will provide light for the basketball court area. The tract included an area of approximately 7.0 acres, building area is 260,000 square foot building, plus a 952 space parking garage. A total of 867 parking spaces were required while 1,424 spaces were provided.

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

1. There are decorative light pole banners on-site that do not meet the requirements of the code. Some of the seasonal banners contain a commercial message such as the company name. These banners must be removed or brought into compliance before a building permit for this work will be issued.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-009) 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 7: BPC2202-010 Minor Site Plan Alteration – Winners Circle, Maryland Farms Section 7, Lot 14, 100 Winners Circle, Zoning C-1

Hastings Architecture requested approval of a minor site plan alteration that included the following:

1. Addition of a new canopy, composed of a dark bronze metal panel fascia and a soffit material resembling a lighter wood to the primary building entrance.
2. The existing columns supporting the canopy will also be wrapped in the same dark bronze metal panel as the fascia.
3. Hardscape and landscape elements at building entries will also be reworked.

There were no modifications to building size, use, or egress.

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

1. All proposed signage including address building identification must meet the requirements of the sign ordinance and the Subdivision Regulations.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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. 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 (BPC2202-010) 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 8: BPC2202-011 Minor Site Plan Alteration – Harpeth on the Green II, Building Elevations, Maryland Farms Section 9, Lot 16-B, 109 Westpark Drive, Zoning C-1

Hastings Architecture requested approval of a minor site plan alteration that included the following:

1. Adding pavers and landscaping to the building entrance area.
2. Painting the exterior of the building a soft grey color – one primary color and one complementary color.
3. Adding a bronze canopy, composed of a dark bronze metal panel facia and a soffit materials resembling lighter wood, above the front entrance.
4. The addition of two benches near the front entrance.
5. Hardscape and landscape elements at building entries will also be reworked.

There were no modifications to building size, use, or egress.

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

1. All proposed signage including address building identification must meet the requirements of the sign ordinance and the Subdivision Regulations.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-011) 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 9: BPC2202-012 Minor Site Plan Alteration – Harpeth on the Green III, Building Elevations, Maryland Farms Section 9, Lot 16-C, 105 Westpark Drive, Zoning C-1

Hastings Architecture requested approval of a minor site plan alteration that included the following:

1. Adding pavers and landscaping to the building entrance area.
2. Painting the exterior of the building a soft grey color – one primary color and one complementary color.
3. Adding a bronze canopy, composed of a dark bronze metal panel facia and a soffit materials resembling lighter wood, above the front entrance.
4. The addition of two benches near the front entrance.
5. Hardscape and landscape elements at building entries will also be reworked.

There were no modifications to building size, use, or egress.

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

1. All proposed signage including address building identification must meet the requirements of the sign ordinance and the Subdivision Regulations.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-012) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 10: BPC2202-013 Minor Site Plan Alteration – Harpeth on the Green IV, Building Elevations, Maryland Farms Section 41, Lot 49, 100 Westwood Place, Zoning C-1

Hastings Architecture requested approval of a minor site plan alteration that included the following:

1. Adding pavers and landscaping to the building entrance area.
2. Painting the exterior of the building a soft grey color – one primary color and one complementary color.
3. Adding a bronze canopy, composed of a dark bronze metal panel facia and a soffit materials resembling lighter wood, above the front entrance.
4. The addition of two benches near the front entrance.
5. Hardscape and landscape elements at building entries will also be reworked.

There were no modifications to building size, use, or egress.

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

1. All proposed signage including address building identification must meet the requirements of the sign ordinance and the Subdivision Regulations.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-013) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 11: BPC2202-014 Minor Site Plan Alteration – Harpeth on the Green V, Building Elevations, Maryland Farms Section 41, Lot 50, 105 Westwood Place, Zoning C-1

Hastings Architecture requested approval of a minor site plan alteration that included the following:

1. Adding pavers and landscaping to the building entrance area.
2. Painting the exterior of the building a soft grey color – one primary color and one complementary color.
3. Adding a bronze canopy, composed of a dark bronze metal panel facia and a soffit materials resembling lighter wood, above the front entrance.
4. The addition of two benches near the front entrance.
5. Hardscape and landscape elements at building entries will also be reworked.

There were no modifications to building size, use, or egress.

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

1. All proposed signage including address building identification must meet the requirements of the sign ordinance and the Subdivision Regulations.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-014) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 12: BPC2202-015 Revised Hillside Protection Site Plan Review, Pool – Taramore Subdivision, Phase 10, Lot 196, 9521 Nottaway Lane, Zoning OSRD

Nashville Design Build, Inc. requested approval of a revised hillside protection site plan that added a swimming pool, spa, and associated decking in the rear buildable area of the lot. The new impervious area would consist of 2,646 square feet.

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

1. Show location of manhole located near southwest corner of property.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-015) 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.
6. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 13: BPC2202-016 Minor Site Plan Alteration – Restoration Hardware Outlet, Brentwood Industrial I-65 Park, Lot Three, 1629 Galleria Boulevard, Zoning C-3

H. Michael Hindman Architects, requested approval of a revised site plan that proposed a new solid waste enclosure located along the south elevation of the existing building. A new door and a new exterior concrete landing would also be included.

The revisions would result in the loss of five parking spaces. A total of 838 spaces for the site were required, while 918 spaces were provided.

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

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

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-016) 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 14: BPC2202-019 Revised Site Plan - Brentwood Baptist Church, 7777 Concord Road, Zoning SI-1

Catalyst Design Group requested a site plan revision for a small building addition that consisted of an entry plaza and gathering area on the west side of the Brentwood Baptist Church.

The proposed revision would provide another entrance into the building along with the entry plaza to create an improved pedestrian entry into the main lobby of the church from the parking areas on the westerly side of the building.

The plaza would consist of a wide sidewalk along with a raised pedestrian driveway crossing. A small vestibule area would also be added on the building along with a covered entry. Some parking would be lost to create the entry, but the parking on site would still exceed the Code requirements.

On each side of the sidewalk there would be areas of artificial grass, which are intended to provide some seating areas and gathering space around the entry. There would be a decrease of impervious area with the proposed project.

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

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

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 15: BPC2202-022 Revised Hillside Protection Site Plan Review, Pool – Morgan Farms Subdivision, Section 5, Lot 97, 1850 Wadebridge Way, Zoning OSRD

Timberstone, LLC, requested approval of a revised hillside protection site plan to add an in-ground spa/hot tub in the rear buildable area of the lot. The area would be excavated and a 7’ x 11’ prefabricated concrete spa and a 3’ x 5’ spa equipment pad would be constructed.

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

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

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-022) 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. 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.
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 March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 16: BPC2201-023 Minor Site Plan Alteration – Mallory Corners Shopping Center, Cool Springs Center, Lot 1, 1701 Mallory Lane, Zoning C-3

Pine Tree Commercial Realty requested approval of a minor site plan alteration that included the following:

1. The exteriors of buildings A, C, and E will be completely repainted a light and contrasting dark gray, white and peppercorn colors. This includes the exterior walls, trim, coping, exit doors, gutters, downspouts, and hand railings.
2. No work on the front of building B (Aldi) is proposed. The gutters, downspouts, exit doors, and hand railings on the back of the building will be painted to match remainder of center.
3. The standing seam metal roof on buildings A & E will be painted a dark gray color.
4. The awnings on building A (Barnes & Noble) will be removed and recovered with new fabric.

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

1. All dumpster enclosures must have a functional opaque screen gates. These improvements must be completed/repaired as part of this proposed renovations to the site.
2. A site plan shall be vested for a period of three years from the date of the original approval.
3. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2201-023) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Item 17: BPC2202-002 Revised Site Plan - Southerland Place, Maryland Farms Section 51, Lot 59, 200 Winners Circle South, Zoning C-1

GoodWorks Unlimited requested approval of a revised site plan that modified the previously Planning Commission approved site plan. The proposed changes included:

1. The secured memory care wing and courtyard have been eliminated.
2. The former memory care wing is being converted to (8) assisted living suites, for a total of 32.
3. Two additional roof overhangs are being added.

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

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

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-002) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

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

# REGULAR AGENDA

**Item 1:** RESOLUTION 2022-08 - A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF BRENTWOOD BY OWNER CONSENT AND THE PLAN OF SERVICES FOR SAID TERRITORY LOCATED EAST OF SPLIT LOG ROAD AND NORTH OF SAM DONALD ROAD, ADJACENT TO THE EXISTING CITY LIMITS

On February 14, 2022, the Board of Commissioners approved Resolution 2022-08, which scheduled a future public hearing to consider the proposed annexation of property into the City as requested by the representative of the current owners. The public hearing on the Plan of Services has been scheduled for the regular meeting of March 28, 2022.

The resolution also directed staff to prepare the required Plan of Services (POS) which detailed the provision of municipal services to the newly annexed areas. The subject properties lie within the City's Urban Growth Boundary (UGB) and was located on the east side of Split Log Road and north of Sam Donald Road.

The subject properties abut a portion of the southerly and easterly boundaries of the Rosebrooke Subdivision, aka Gaw Property, which was annexed into the City pursuant to Resolution 2020-113. The properties also abut the westerly boundary of the Taube Property, which was annexed into the City pursuant to Resolution 2021-56.

The properties for which annexation was requested are detailed in the following table. The total combined area of the subject properties was 112.17 +/- acres.

Table

Description automatically generatedStaff requested that the area proposed for annexation also include a portion of Split Log Road that fronts the subject properties. Some property boundaries in the area extend to the adjacent ROW line while others extend to the centerline of Split Log Road. In this case, the property owned by Adcock extended to the centerline of the existing Split Log Road. The area involved would include the east side of Split Log Road from the centerline, then the entire portion of Split Log Road that bisects Adcock and the westerly portion from the centerline of Split Log Road to the northerly boundary of Adcock.  The proposed concept development plan showed a proposed future alignment of Split Log Road. The developer would be expected to provide the necessary additional right-of-way to accommodate the future roadway improvements.

According to the Property Assessor there was one home and one out building currently located on Parcel Number 055 01200. Additionally, there was one home and several outbuildings located on Parcel Number 056 08410. The other two parcels were vacant.

The property was currently zoned Municipal Growth Area 1 (MGA-1) by Williamson County. The tracts could be developed under the existing zoning classification in the County.  The district standards required a minimum lot area of one acre and a gross density of one dwelling unit per acre. However, there were differences in the technical standards related to accessory uses and structure standards. MGA-1 allowed the following:

1. Accessory dwelling units within an existing dwelling unit (interior apartment) or as a separate 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.

|  |  |
| --- | --- |
| ROSEBROOKE EAST -- OVERALL OSRD CALCULATIONS | |
| |  | | --- | | TOTAL SITE AREA | | 122.16 +/- AC |
| LESS ROW DEDICATION -- SPLIT LOG RD | 3.99 +/- AC |
| LESS ROW DEDICATION -- INTERNAL STREETS | 8.36 +/- AC |
| TOTAL | 109.81 +/- AC |
| LESS AREA -- 25% SLOPES | 0.05 |
| PLUS AREA OF SLOPES > 25% | 0.01 |
| LESS AREA IN FLOODWAY | 0.00 |
| PLUS 25% OF AREAS IN FLOODWAY | 0.00 |
| LESS AREA IN ELECTRICAL, NATURAL GAS EASEMENTS | 0.00 |
| PLUS 25% AREA IN ELECTRICAL, NATURAL GAS EASEMENTS | 0.00 |
| TOTAL USABLE LAND AREA | 109.77 +/- |
| AREA OF LOTS > 1 AC | 1.09 +/- |
| TOTAL LAND AREA AVAILABLE | 108.68 +/- |
| TOTAL LAND AREA REQ. @ 1 DUPA | 74 |
| LAND AREA IN LOTS | 52.17 +/- |
|  |  |
| OS REQUIRED | 21.83 +/- |
| OS PROVIDED | 57.63 +/- |
|  |  |
| EXCESS OS | 35.80 +/- |

Consideration of the assignment of zoning on the property occurs separately and only after annexation of the property, via resolution, was approved. The property owner's representative would request that the Open Space Residential Development District zoning be assigned to the property. Utility service for the properties was provided by the Nolensville/College Grove Utility District (water) and Metro Water Services (sewer). The project would not impact the City's water/sewer infrastructure.

The request would proceed in accordance with the following schedule:

* On March 7, 2022, the Planning Commission will review the proposed annexation and POS and provide a report for consideration by the Board of Commissioners;
* The Board of Commissioners will conduct a public hearing on the proposed POS on March 28, 2022;
* On April 11, 2022, the Board of Commissioners will consider an ordinance establishing the OSRD zoning district for the property on first reading;
* The required community meeting is tentatively scheduled for April 27, 2022, and will be conducted in the Annex Room;
* On May 2, 2022, the Planning Commission will provide its review and recommendation of the proposed ordinance establishing the OSRD zoning for the properties;
* On May 9, 2022, the Board of Commissioners will conduct the required public hearing for the ordinance establishing the OSRD zoning for the properties;
* On May 23, 2022, the Board of Commissioners will consider the ordinance establishing the OSRD zoning for the properties;
* Also, on May 23, 2022, the Board of Commissioners will consider the proposed annexation resolution, which includes the POS.

Mr. Pippin moved to forward an endorsement of the proposed Plan of Services for the property and its annexation to the Board of Commissioners. Mr. Bain seconded; motion was approved unanimously.

**Item 2:** RESOLUTION 2022-09 - A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF BRENTWOOD BY OWNER CONSENT AND THE PLAN OF SERVICES FOR SAID TERRITORY LOCATED WEST OF SPLIT LOG ROAD AND SOUTH OF THE ROSEBROOKE SUBDIVISION, ADJACENT TO THE EXISTING CITY LIMITS

On February 14, 2022, the Board of Commissioners approved Resolution 2022-09, which scheduled a future public hearing to consider the proposed annexation of property into the City as requested by the representative of the current owners. The public hearing on the Plan of Services has been scheduled for the regular meeting of March 28, 2022.

The resolution also directed staff to prepare the required Plan of Services (POS) which detailed the provision of municipal services to the newly annexed areas.

The subject properties lie within the City's Urban Growth Boundary (UGB) and were located on the west side of Split Log Road and abut a portion of the southerly boundary of the Rosebrooke Subdivision, aka Gaw Property, which was annexed into the City pursuant to Resolution 2020-113.

The properties for which annexation was requested are summarized in the table below.

Graphical user interface, table

Description automatically generated

The total combined area of the subject properties is included as part of the development plan was 77.21 +/- acres. The two enclave properties total 9.33 acres, bringing the total land area proposed for annexation to 86.54 acres. Please note that this area does not include the Split Log Road ROW. Staff recommended that the adjacent affected sections of Split Log Road be included as part of the annexation proposal. The originally submitted development plan showed the Culbreth and McArthur properties as an enclave that would remain in the County.  Staff worked with the property owners, and they decided to agree to annexation.  These properties were also currently zoned MGA-1 in the County.  Staff requested that the Culbreth and McArthur properties be assigned the R-2 zoning district because the technical standards of the R-2 district closely resemble those of the MGA-1 district. The highlighted rows in the table below represent the enclave (donut hole) properties. The enclave properties were not included as part of the overall development plan.

Staff also requested that the area proposed for annexation also included a portion of Split Log Road that fronts the subject properties. Some property boundaries in the area extend to the adjacent ROW line while others extend to the centerline of Split Log Road. In this case, the property owned by Split Log Farms LLC extended to the westerly ROW of Split Log Road, while the adjacent Sudano property extended to the centerline of Split Log Road. The Culbreth and McArthur (enclave) properties both extended to the centerline.

According to the Property Assessor there was one home currently located on Parcel Number 055 01401 (Sudano) that included a total area of 13,279 square feet. The house would remain as part of the development plan and was shown on Lot 160.

**SUMMARY OF THE PROPOSED DEVELOPMENT PLAN**

|  |  |
| --- | --- |
| **ROSEBROOKE SOUTH -- OVERALL OSRD CALCULATIONS** | |
| TOTAL SITE AREA | 69.69 +/- AC |
| LESS ROW DEDICATION -- SPLIT LOG RD | 0.47 +/- AC |
| LESS ROW DEDICATION -- INTERNAL STREETS | 5.38 +/- AC |
| TOTAL | 63.84 +/- AC |
| LESS AREA -- 25% SLOPES | 0.90 AC |
| PLUS AREA OF SLOPES > 25% | 0.23 AC |
| LESS AREA IN FLOODWAY | 0.00 |
| PLUS 25% OF AREAS IN FLOODWAY | 0.00 |
| LESS AREA IN ELECTRICAL, NATURAL GAS EASEMENTS | 0.00 |
| PLUS 25% AREA IN ELECTRICAL, NATURAL GAS EASEMENTS | 0.00 |
| TOTAL USABLE LAND AREA | 63.17+/- AC |
| AREA OF LOTS > 1 AC | 2.48 +/- AC |
| TOTAL LAND AREA AVAILABLE | 60.69 +/- AC |
| TOTAL LAND AREA REQ. @ 1 DUPA | 47 |
| LAND AREA IN LOTS | 38.09 +/- AC |
|  |  |
| OS REQUIRED | 8.91 +/- AC |
| OS PROVIDED | 25.75 +/- AC |
|  |  |
| EXCESS OS | 16.84 +/- AC |

A total of 7.52 acres also shown on the development plan fronting Split Log Road were requested to be assigned the R-2 zoning classification. This area was proposed to be divided into three lots having an average area of 2.26 acres. There was also a 0.75 acre ROW dedication.

Consideration of the assignment of zoning on the property occurs separately and only after annexation of the property via resolution was approved.  Utility service for the properties was provided by the Nolensville/College Grove Utility District (water) and Metro Water Services (sewer). The project would not impact the City's water/sewer infrastructure.

Please note that additional detail related to the proposed OSRD Development Plan as required by Section 78-185(a) of the zoning ordinance will be provided as the review process moves into assignment of the zoning district for the properties.

The affected portion of Split Log Road lies within the UGB. The proposed concept development plan showed a proposed future alignment of Split Log Road. The developer would be expected to provide the necessary additional right-of-way to accommodate the future roadway improvements.  
   
As noted above, the subject properties were currently zoned Municipal Growth Area 1 (MGA-1) by Williamson County. The tracts can be developed under the existing zoning classification in the County.  However, it was preferable that the property develop under City standards. The MGA-1 district standards required a minimum lot area of one acre and a gross density of one dwelling unit per acre. However, there were differences in the technical standards related to accessory uses and structure standards. MGA-1 allowed the following:

1. Accessory dwelling units within an existing dwelling unit (interior apartment) or as a separate 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.

Under Tennessee law, a written plan of services (POS) for the annexed area was required, detailing the provision of services to future residents and property owners in the newly incorporated areas. These services included emergency services (Police, Fire and Emergency Communications), street maintenance, water and sewer services, brush pick-up, planning, zoning and codes services, parks and recreation and library services.

The request would proceed in accordance with the following schedule:

* On March 7, 2022, the Planning Commission will review the proposed annexation and POS and provide a report for consideration by the Board of Commissioners;
* The Board of Commissioners will conduct a public hearing on the proposed POS on March 28, 2022;
* On April 11, 2022, the Board of Commissioners will consider an ordinance establishing the OSRD zoning district for the property on first reading;
* The required community meeting is tentatively scheduled for April 27, 2022, and will be conducted in the Annex Room;
* On May 2, 2022, the Planning Commission will provide its review and recommendation of the proposed ordinance establishing the OSRD zoning for the properties;
* On May 9, 2022, the Board of Commissioners will conduct the required public hearing for the ordinance establishing the OSRD zoning for the properties;
* On May 23, 2022, the Board of Commissioners will consider the ordinance establishing the OSRD zoning for the properties;
* Also, on May 23, 2022, the Board of Commissioners will consider the proposed annexation resolution, which includes the POS.

Mr. Kaplan moved to forward an endorsement of the proposed Plan of Services for the property and its annexation to the Board of Commissioners. Mr. Clark seconded; motion was approved unanimously.

**Item 3:** BPC2112-002 Final Plat – Harlan Subdivision, 9230 Old Smyrna Road, Zoning R-2

Ragan Smith Associates requested approval of a final plat that created 21 lots on approximately 71 acres.

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

This item was deferred by the Planning & Codes Director Jeff Dobson.

**Item 4:** BPC2201-006 Revised Master Plan – Brentwood Academy, 219 Granny White Pike, Zoning SI-2

Catalyst Design Group requested approval of a revised master plan for the Brentwood Academy.

The plan proposed all previously approved items (from 2018) plus the following updates / changes:

1. A new driveway connection to Granny White Pike opposite Virginia Way.
2. A more defined shape to the proposed Student Life and Academic Center.
3. A proposal to cover four tennis courts on the north side of the site.
4. The illumination of the other two sets of tennis courts.
5. The illumination of the soccer field and the addition of a small soccer building.
6. The addition of a buffer along the stream and stormwater quality areas, and
7. Expanding the sidewalk along the frontage of Granny White Pike.

Future buildings included a total of 247,689 sq. ft. Existing buildings included a total of 229,420 sq. ft.

A traffic impact study was provided as part of the submittal. The recommendations from the TIS have been incorporated into the plan. The Conclusions and Recommendations from the TIS were attached below.

Enrollment would remain consistent at around 780 students.

The plan proposed the extension of the existing sidewalk, which as five feet wide along Granny White Pike to match existing. No sidewalk was proposed along Maryland Way to preserve the established mature tree line and screening in the area.

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

1. Review and approval of a revised site plan will be required before any permits will be issued for the construction.
2. The site will be required to meet City stormwater detention requirements. The flow for drainage areas of 50 acres or less requires post development, 25-year flow to meet the pre-development 2-year rate.
3. A water and sewer availability request form shall be submitted for any additional drainage fixture units added to the campus.
4. All proposed site lighting must be reviewed and approved as part of a revised site plan submittal.
5. The TIS did not include or account for the idea that existing trips may choose to divert away from their current use of the north or south driveways in favor of using the new middle driveway, with it being relocated to Virginia Way and having more direct access to the traffic signal. Revise the study to address this point.
6. The applicant will pay for the Neel-Shaffer TIS review of the site plan approved as part of the rezoning application per the requirements of Section 50-29(b) of the Municipal Code.  The payment must be made before any permits will be issued for the project.
7. Development of the project shall comply with the conclusions and recommendations contained in the traffic impact study and the recommendations provided as part of the Neel-Shaffer review.
8. A site plan shall be vested for a period of three years from the date of the original approval.
9. Add the following note to the 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 7, 2025, 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. 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 (BPC2201-006) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on May 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Kaplan seconded; motion was approved unanimously.

**Item 5:** BPC2202-004 Revised Final Plat – 9829 Concord Road, Zoning R-2

The Paragon Group requested approval of a revised final plat that subdivided a three-acre parcel into two lots. Lot one would include an area of one acre and the existing house would remain. Lot two would have an area of approximately two acres. Both lots met the requirements of the code.

The applicant was requesting that the Planning Commission approve the proposed flag lot.

Access to the lot would be provided via the existing driveway from Concord Road.

Ms. Donahue moved for approval of the proposed revised final plat to allow one flag lot per the requirements of Article 6.15 of the Subdivision Regulation and to also require a shared maintenance agreement between the homeowners subject to the following conditions being met to the satisfaction of staff:

1. A hydrologic determination report will be required before recording of the final plat.
2. Development of Lot 2 shall comply with all applicable requirements of the Subdivision Regulations.
3. Label the features that run diagonally across the lots and to the rear of the existing structure. Also label the rectangles that are shown.
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 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 the Standard Requirements 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 March 7, 2022. 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 6:** BPC2202-018 Revised Master Plan – Harpeth on the Green Buildings 2-5, Maryland Farms, 100 Winners Circle, 109 Westpark Drive, 105 Westpark Drive, 100 Westwood Drive, 105 Westwood Drive, Zoning C-1

Ragan Smith Associates requested approval of a revised master plan for the Harpeth on the Green Development. The removal and reconfiguration of asphalt parking for added green space. The proposal also provided improvements to the intersection of the existing access from Westpark Drive and the addition of a pedestrian friendly boulevard connecting Westwood Place to Westpark Drive.

Commissioner Gorman moved for approval of the proposed revised master plan subject to the following conditions being met to the satisfaction of staff:

1. Provide hydraulic calculations for pre and post development as part of the submittal of the preliminary plan.
2. Provide engineering site plan, grading and drainage plans as part of the submittal of the preliminary plan.
3. Installation of pervious pavers will comply with Metro Nashville Stormwater Best Management Practices.
4. The development will be required to minimize the impact to stormwater quality by applying structural and/or nonstructural management practices selected to address site-specific conditions.

The goal for water quality treatment shall be 80 percent removal of the average annual total suspended solids (TSS) load. The water quality volume is that volume of stormwater runoff resulting from the first 1.0 inch of rainfall from a site per storm event. Provide documentation/calculations meeting this requirement.

1. In addition to meeting flow reduction requirements at the detention pond outfalls listed, the post-developed discharges for all storm events, including the 1, 2, 5, 10, 25, 50, and 100-year-24-hour design storms, must be reduced to equal to or less than pre-developed discharges at the overall site outfall.
2. The site will be required to meet City stormwater detention requirements. The flow for drainage areas of 50 acres or less requires post development, 25-year flow to meet the pre-development, 2-year rate.
3. Provide a traffic impact study prepared by a TN licensed Professional Engineer as part of the submittal of the preliminary plan.
4. Provide a shared use access agreement for the property adjacent on Winners Circle North.
5. Identify any conflicts with existing water and sewer utilities including manhole covers and meter vaults/boxes.
6. A site plan shall be vested for a period of three years from the date of the original approval.
7. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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 (BPC2202-018) 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. 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.
9. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
10. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
11. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
12. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Bain seconded; motion was approved unanimously.

**Item 7:** BPC2202-021 Revised Site Plan – Brentwood Middle School Replacement, 5324 Murray Lane, Zoning SI-2

Huddleston Steele Engineering requested approval of a revised site plan that proposed the replacement of the Brentwood Middle School. The project would be completed in two phases.

Phase one would include the demolition of the front portion of the existing building, construction of a new building with a 94,738 square foot footprint and include new offices, classrooms, a new gym and a cafeteria.

Phase two would demolish the remaining building and construct a 10,861 square foot footprint and include new classrooms and a multi-purpose sports field consisting of a natural grass surface in the courtyard.

The total square footage of both phases would be 211,136.

The car rider student pick-up / drop-off would be at the new front entry with cars entering on Murray Lane and existing on Granny White Pike. The bus rider area would be on the east side with the route entering and existing on Murray Lane like the current route.

The parking area in front of the building along Granny White would be reconstructed with a drive aisle for car rider pick up and parking. Williamson County Schools was requesting a 50-foot variance to the current 150-foot buffer along Granny White Pike. The existing large trees along Granny White Pike would remain.

The current building had a capacity of 1,250-students. When complete, the new building will have a student capacity of 1,500.

The architecture of the new building complimented the exiting high school campus and the S.T.E.M. building. Complementary materials, colors, and textures would also be included. Sloped roofs and unique entry architecture were designed to provide a distinct character to the school.

As part of this application, WCS was also requesting the temporary approval of eight portable classrooms to be used during construction. The units would not be connected to sewer service.

Finally, WCS was requesting Planning Commission consideration of a reduction in the width of the buffer along Granny White Pike to 100 feet as permitted by Section 78-286(a)1 of the Code.

WCS estimated that construction would be completed within three years.

A traffic impact study was provided as part of the submittal.

Mr. Kaplan moved for approval of the proposed revised site plan to include the requested reduction in the width of the required buffer along Granny White Pike from 150 feet to 100 feet as permitted by Section 78-286(a)1 of the Municipal Code subject to the following conditions being met to the satisfaction of staff:

1. The development will be required to minimize the impact to stormwater quality by applying structural and/or nonstructural management practices selected to address site-specific conditions.

The goal for water quality treatment shall be 80 percent removal of the average annual total suspended solids (TSS) load. The water quality volume is that volume of stormwater runoff resulting from the first 1.0 inch of rainfall from a site per storm event. Please provide documentation/calculations meeting this requirement.

1. The site is required to meet City stormwater detention requirements. The flow for drainage areas of 50 acres or less requires post development, 25-year flow to meet the pre-development, 2-year rate for the turf area. Add a summary table to the plan.
2. Provide a plan and profile sheets and hydraulic grade lines.
3. Provide striping details for each egress/ingress, Granny White Pike, and Murray Lane. Ingress/egress arrows will comply with the standards in the Manual on Uniform Traffic Control Devices (MUTCD).
4. Provide a detail for outlet protection/energy dissipation, including the end wall.
5. Provide drainage spread calculations.
6. In addition to meeting flow reduction requirements at the detention pond outfalls listed, the post-developed discharges for all storm events, including the 1, 2, 5, 10, 25, 50, and 100-year-24-hour design storms, must be reduced to be equal to or less than pre-developed discharges at the overall site outfall.
7. The applicant will pay for the Neel-Shaffer TIS review of the site plan approved as part of the rezoning application per the requirements of Section 50-29(b) of the Municipal Code.  The payment must be made before any permits will be issued for the project.
8. Development of the project shall comply with the conclusions and recommendations contained in the traffic impact study and the recommendations provided as part of the Neel-Shaffer review.
9. WCS shall submit the necessary extension requests for the approval of the portable classrooms for Planning Commission review, if their use is required after completion of Phase One of the project.
10. The portable classrooms shall be secured providing adequate separation between students and construction areas.
11. A site plan shall be vested for a period of three years from the date of the original approval.
12. Add the following note to the site plan;

This site plan is subject to a three-year vesting period, during which the development standards in effect on the date of approval will remain the standards applicable to this plan.  If construction is not completed during the first three years, the original site plan is considered a preliminary site plan and the applicant must obtain approval of a final site plan. Development of the property shown on this plan may be subject to standards other than those that were applicable during the vesting period.  The Initial vesting period for this plan expires on March 7, 2025, 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. All portables shall be anchored in accordance with the applicable requirements of the building code.
6. 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.
7. 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.
8. A Maintenance Agreement and Stormwater System Long-Term Operation and Maintenance Plan for all storm water structures and facilities must be prepared, submitted and approved per Section 56-43 of the Brentwood Code, before issuance of a co
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 (BPC2202-021) 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. 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.
11. Deviations from the approved plan in the development of a project or the failure to satisfy any standard requirements or special conditions of approval imposed by the planning commission will be considered a violation of the provisions of the Zoning Ordinance, which shall be subject to punishment as provided in Section 1-9 of the Brentwood Municipal Code. The City may also require the applicant to appear before the Planning Commission to address any deficiencies or unapproved modifications. The project may also be subject to delays in issuance of permits, certificates of occupancy, recordation of plats or other project approvals.
12. Any changes to plans approved by the Planning Commission will require staff review and re-approval by the Planning Commission.
13. Development of this project shall comply with all applicable codes and ordinances of the City of Brentwood.
14. Approval of the proposed plan shall be limited to the illustrations and plans presented to the Planning Commission for review and approval on March 7, 2022. Any changes to Planning Commission approved plans and specifications will require staff review and re-approval by the Planning Commission.

Mr. Crawley seconded; motion was approved unanimously.

# OTHER BUSINESS

**Monthly Security Report**

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

# ADMINISTRATIVE INFORMATION

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

Being no further business, the meeting adjourned at 8:36 pm.

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APPROVED: April 5, 2022 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Holly Earls, City Recorder