

CITY OF GERMANTOWN  
PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
Tuesday, September 3, 2019  
6:00 p.m.

1. Call to Order: Chairman Mike Harless called the meeting to order at 6:05 p.m.
2. Roll Call and Establishment of a Quorum: Pam Rush called the roll and established a quorum.

Commissioners Present: Mike Harless (Chairman), Dike Bacon (Vice Chairman), Richard Marsh, Mayor Mike Palazzolo, Sherrie Hicks, Alderman Forrest Owens, George Hernandez (Secretary), and Keith Saunders

Commissioners Absent: George Hernandez (Secretary), and David Clark

Staff Present: Cameron Ross, Economic and Community Development Director; Sheila Pounder, Planning Division Manager; Sarah Goralewski, Senior Planner; Tim Gwaltney, City Engineer; Jody Dwyer, Fire Marshall; Pam Rush, Administrative Secretary; David Harris, Assistant City Attorney.

3. Approval of the Minutes

Chairman Harless moved to approve the Planning Commission minutes of the August 6, 2019 meeting, seconded by Ms. Hicks and Mr. Marsh.

ROLL CALL:  
Palazzolo – Yes  
Hicks – Yes  
Owens – Yes  
Saunders – Yes  
Harless – Yes  
Marsh – Yes  
Bacon – Yes

**MOTION PASSED 7-0-0**

4. Consent Agenda

There were no items on the consent agenda.

5. \* Public Hearings:

5A. Case Number & Project Name: (19-928) Bank of America

Location:	7665 Poplar Ave.
Property Owners:	Thomas Andrews, LLC – Bart Thomas
Applicant/Tenant:	Bank of America – Germantown IFO – Alan Duryea, Authorized Agent
Representative:	Infinity Engineering Group, LLC – Richard Hernandez
Existing Zoning:	“T5” Urban Center
Area:	1.0510 acres
Request:	Approval of a revised final site plan (bank with drive through) utilizing the overlying “T5” Smart Code zoning regulations

\*Refer to complete application, staff report, and letters of concern on file.

Sarah Goralewski made a staff presentation.

The applicant's representative from Infinity Engineering Group made a presentation. The applicant agreed to work with city staff for an administrative approval on the proposed lighting plan to comply with city standards.

Chairman Harless requested anyone wishing to speak in favor of this project, to come forward to the podium and state their name and address. There were none.

Chairman Harless requested anyone wishing to speak against this project, to come forward to the podium and state their name and address. There were none.

Vice Chairman Bacon gave a report from the August 21, 2019 Planning Commission Subcommittee meeting.

MAIN MOTION: Mr. Bacon moved to approve a revised final site plan (bank with drive-through) at 7665 Poplar Ave., utilizing the overlying "T5" Smart Code zoning regulations, subject to the comments and conditions listed above and the plans and documents submitted with the application, seconded by Mr. Saunders.

ROLL CALL:  
Bacon – Yes  
Marsh - Yes  
Hicks – Yes  
Owens – Yes  
Saunders – Yes  
Harless – Yes  
Palazzolo - Yes

**MOTION PASSED 7-0-0**

WARRANT #1 MOTION: Mr. Bacon moved to approve a warrant from to Sec. 23-763(A) – Permitted Uses. The T-5 district allows Vehicle-Related Drive-Through Facility as a permitted use by warrant; the warrant request is to allow a bank with a drive-through facility at the existing building on the subject property, seconded by Ms. Hicks.

ROLL CALL:  
Bacon – Yes  
Marsh – Yes  
Hicks – Yes, as the site is challenged and needs a tenant with a low traffic count, such as the proposed bank with a drive-through facility.  
Owens – Yes, for reasons previously stated, and as there is a bank next door that has a drive-through.  
Saunders – Yes  
Harless – Yes  
Palazzolo – Yes

**MOTION PASSED 7-0-0**

5.B. Case Number & Project Name: (18-845) Houston High School

Location: 9755 Wolf River Blvd.  
Property Owners: Germantown Municipal School District (GMSD) – Jason Manuel,  
Superintendent  
Representative: Fleming Architects – Steve Landwehr

Existing Zoning: "R" Single-Family Residential  
Area: 44.94 acres  
Request: Approval of a revised final site plan to allow a building addition (band room addition) and site plan modification

\*Refer to complete application, staff report, and letters of concern on file.

Sarah Goralewski made a staff presentation.

The applicant's representative, Steve Landwehr with Fleming Architects, made a presentation.

Chairman Harless requested anyone wishing to speak in favor of this project, to come forward to the podium and state their name and address. There were none.

Chairman Harless requested anyone wishing to speak against this project, to come forward to the podium and state their name and address. There were none.

Vice Chairman Bacon gave a report from the August 21, 2019 Planning Commission Subcommittee meeting.

MAIN MOTION: Mr. Bacon moved to approve a revised final site plan to allow a building addition (band room addition) and site plan modifications, at Houston High School (9755 Wolf River Blvd.), subject to the comments and conditions listed above and the plans and documents submitted with the application, seconded by Mr. Saunders.

ROLL CALL:  
Bacon – Yes  
Marsh - Yes  
Hicks – Yes  
Owens – Yes  
Saunders – Yes  
Harless – Yes  
Palazzolo - Yes

**MOTION PASSED 7-0-0**

5.C. Case Number & Project Name: (19-935) (Poplar Street Grove Subdivision, Re-Subdivision of Pt. of Lots 19-21 (formerly Braddock Subdivision))

Location: 7003 Eastern Avenue  
Property Owners: Joel Braddock  
Representative: Andrews Investments, LLC - Mack Andrews, Principal  
Existing Zoning: "R" Single-Family Residential  
Area: 2.61 acres  
Request: Approval of a Preliminary and Final Subdivision Plat (2 lots)

\*Refer to complete application, staff report, and letters of concern on file.

Sheila Pounder made a staff presentation.

The applicant's representative, Mack Andrews (Principal) from Andrews Investments, LLC, made a presentation.

Chairman Harless requested anyone wishing to speak in favor of this project, to come forward to the podium and state their name and address. There were none.

Chairman Harless requested anyone wishing to speak against this project, to come forward to the podium and state their name and address. There were none.

Vice Chairman Bacon gave a report from the August 21, 2019 Planning Commission Subcommittee meeting.

MAIN MOTION: Mr. Bacon moved to approve the Preliminary and Final Subdivision Plat (2 lots) for the Poplar Street Grove Subdivision, Re-Subdivision of Pt. of Lots 19-21, subject to the comments and conditions listed above and the plans and documents submitted with the application, seconded by Mr. Saunders.

ROLL CALL:  
Bacon – Yes  
Marsh – Yes  
Hicks – Yes  
Owens – Yes  
Saunders – Yes  
Harless – Yes  
Palazzolo - Recuse

**MOTION PASSED 7-0-1**

VARIANCE MOTION: Mr. Bacon moved to approve a variance to the required road improvements to Eastern Avenue in accordance with Article IV., Sec. 17-91 of the Subdivision Regulations, subject to the final plat providing a 10 ft. right-of-way dedication along the site frontage (25 ft. total from the centerline) for this subdivision, seconded by Ms. Hicks.

ROLL CALL:  
Bacon – Yes. He concurs with the City Engineer about the roadway improvements not being required for this section of the street.  
Marsh – Yes, in order to preserve the mature tree in the undeveloped right-of-way, and the current character of the street.  
Hicks – Yes  
Owens – Yes, I agree with my commissioners. There are so few areas within the City where we have this sort of charm and character.  
Saunders – Yes, for reasons previously stated.  
Harless – Yes  
Palazzolo – Recuse

**MOTION PASSED 7-0-1**

5.D. Case Number & Project Name: (19-936) Approval to Amend Planning Commission By-Laws (Public Notification Sign Requirement)

Property Owners/Representative: City of Germantown  
Request: Approval to Amend Planning Commission By-Laws (Public Notification Sign Requirement)

\*Refer to staff report on file.

Sarah Goralewski made a staff presentation.

The Commission discussed the request.

Chairman Harless requested anyone wishing to speak in favor of this project, to come forward to the podium and state their name and address. There were none.

Chairman Harless requested anyone wishing to speak against this project, to come forward to the podium and state their name and address. There were none.

Vice Chairman Bacon gave a report from the August 21, 2019 Planning Commission Subcommittee meeting.

**MAIN MOTION:** Mr. Bacon moved to approve the amendment of Articles IV and X of the Planning Commission By-Laws to include a public notification signs policy, subject to the Commission's discussion and staff comments in the staff report, seconded by Mr. Marsh.

**ROLL CALL:**

Bacon – Yes

Marsh - Yes

Hicks – Yes

Owens – Yes

Saunders – Yes

Harless – Yes

Palazzolo - Yes

**MOTION PASSED 7-0-0**

6. Commission Liaison Reports

Chairman Harless asks if there were any liaison reports and there were none.

7. Old Business

Chairman Harless asks if there was any old business and there was none.

8. New Business

Chairman Harless asks if there was any new business and there was none.

9. Adjournment

There being no further business, comments, or questions by the Commission, Chairman Harless adjourned the meeting at 6:50 p.m.