

CITY OF GERMANTOWN  
PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
Tuesday, November 5, 2019  
6:00 p.m.

1. Call to Order: Chairman Harless called the meeting to order at 6:10 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), George Hernandez (Secretary), Richard Marsh, Alderman Forrest Owens, David Clark, Keith Saunders, and Mayor Mike Palazzolo

Commissioners Absent: Sherrie Hicks

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

3. Approval of the Minutes

Mr. Marsh moved to approve the Planning Commission minutes of the October 1, 2019 meeting, seconded by Mr. Saunders.

**ROLL CALL:**

Clark– Yes  
Owens – Yes  
Saunders – Yes  
Hernandez– Yes  
Marsh – Yes  
Bacon – Yes  
Harless – Abstain  
Palazzolo - Abstain

**MOTION PASSED 6-0-2**

- 4.\* Consent Agenda:

During Executive Session the following items were placed on the Consent Agenda:

4.A. Case Number & Project Name: (19-941) Westmeade P.D. – Final Plan Revision

Development Case Number: 19-941  
Location: 2065 Flowers Oak Cove  
Property Owners: Matthew Gill  
Representative Name: Solomito Land Planning – Brenda Solomito  
Existing Zoning & Land Use: “R” Low-Density Single-Family Residential District  
Area: 0.95 acres  
Request: Approval of a Revised Final Plan (Tree Preservation Encroachment for Lot 9)

4.B. Case Number & Project Name: (19-933) New Wireless Transmission Facility (Cell Tower)

Development Case Number: 19-933  
Location: 7254 Neshoba Road  
Property Owners: David Smith  
Representative Name: Law Offices of Baker Donelson for Verizon Wireless – C.C. Drayton  
Existing Zoning & Land Use: “R” Low-Density Residential District (MLGW easement)  
Area: 2.356 acres

Request: Approval of a wireless transmission facility (cell tower) located within an  
MLGW transmission tower

\* Refer to complete applications, staff reports and attachments on file.

A member of the public requested that item 4B. be pulled from the consent agenda and placed on the regular agenda for public hearing.

Mr. Bacon moved to approve the revised Consent Agenda (item 4A. only), seconded by Mr. Clark.

**ROLL CALL:**

Clark– Yes  
Owens – Yes  
Saunders – Yes  
Hernandez– Yes  
Marsh – Yes  
Bacon – Yes  
Harless – Yes  
Palazzolo - Yes

**MOTION PASSED 8-0-0**

5.\* Public Hearings:

During Executive Session, the Commission re-ordered the items on the agenda as detailed below:

5.A. Case Number & Project Name: (19-933) New Wireless Transmission Facility (Cell Tower)

Development Case Number: 19-933  
Location: 7254 Neshoba Road  
Property Owners: David Smith  
Representative Name: Law Offices of Baker Donelson for Verizon Wireless – C.C. Drayton  
Existing Zoning & Land Use: “R” Low-Density Residential District (MLGW easement)  
Area: 2.356 acres  
Request: Approval of a wireless transmission facility (cell tower) located within an  
MLGW transmission tower

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

Sarah Goralewski made a staff presentation.

The applicant’s representative, C.C. Drayton with Law Offices of Baker Donelson on behalf of Verizon Wireless, 165 Madison Avenue, Memphis, TN 38103, made a presentation.

ECD staff Sheila Pounder, Sarah Goralewski and Cameron Ross, and the applicant’s representative, addressed the Planning Commission’s questions.

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:

Allen Webb, 1619 Fireside Cove

MAIN MOTION: Mr. Bacon moved to approve a 127 ft. tall wireless transmission facility (cell tower) located within an MLGW transmission tower at 7254 Neshoba Road, subject to the comments and conditions listed above and the plans and documents submitted with the application, seconded by Mayor Palazzolo.

ROLL CALL:  
Clark– Yes  
Owens – Yes  
Saunders – Yes  
Hernandez– Yes  
Marsh – Yes  
Bacon – Yes  
Harless – Yes  
Palazzolo – Yes

**MOTION PASSED 8-0-0**

5.B. Case Number & Project Name: (19-937) Baptist Specialty Hospital Renovation

Location:	2100 & 2120 Exeter Road
Property Owners:	Baptist Rehabilitation Services – Gregory M. Duckett, Secretary
Applicant/Agent:	Healthcare Realty – Joe Fogarty, Vice President – Investments
Representative:	A2H – David Smith
Existing Zoning:	“T5” Urban Center Zoning District (Currently Developed Under the Pre-existing “C-2” General Commercial & “SC-1” Shopping Center Zoning Regulations)
Area:	10.96 acres
Request:	Approval of a Revised Final Site Plan for Medical Offices in a Building Previously Used as a Hospital

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

Mr. Hernandez recused himself from this project.

Sarah Goralewski made a staff presentation.

The applicant, Joe Fogarty, Vice President-Investments with Healthcare Realty, 3310 West End Ave. #700, Nashville, TN, 37203, and the applicant’s representative, David Smith with A2H, 3009 Davies Plantation Rd., Lakeland, TN 38002, 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:

Ronald Boyd, 2105 Sonning Drive  
Barry Wall, 2075 Sonning Drive

ECD staff Sheila Pounder, Sarah Goralewski and Cameron Ross, and the applicant, addressed the Planning Commission’s questions.

MAIN MOTION: Mr. Bacon moved to approve a revised final site plan for medical offices in a building previously used as a hospital at Baptist Specialty Hospital (2100 & 2120 Exeter Rd.), resulting in a 118,383

sq.ft. medical facility with 481 parking spaces, subject to the comments and conditions listed above and the plans and documents submitted with the application, seconded by Mr. Clark.

**ROLL CALL:**

Clark– Yes  
Owens – Yes  
Saunders – Yes  
Hernandez– Recuse  
Marsh – Yes  
Bacon – Yes  
Harless – Yes.  
Palazzolo – Yes

**MOTION PASSED 7-0-0**

5.C. Case Number & Project Name: (19-940) Amendments to Chapter 23, Smart Code

Applicant Name: City of Germantown Planning Commission  
Request: Approval of Amendments to the Smart Code Section (Sections 23-763.A. and B., 23-745 and 23-819) of the Zoning Ordinance

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

Cameron Ross made a staff 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.

MAIN MOTION: Mr. Bacon moved to approve Amendments to the Smart Code Section (Sections 23-763.A. and B., 23-745 and 23-819) of the Zoning Ordinance, as well as from the Executive session discussion, the underlined addition to the definition of Multi-Family development (Stand-Alone Single Use): a building or a group of buildings with three or more housing units that share one or more common walls and that is built solely for residential purposes and not built as a component of an integrated mixed use development, seconded by Mr. Saunders.

**ROLL CALL:**

Clark– Yes  
Owens – Yes  
Saunders – Yes  
Hernandez– Yes  
Marsh – Yes  
Bacon – Yes  
Harless – Yes  
Palazzolo – Abstain

**MOTION PASSED 7-0-1**

5.D. Case Number & Project Name: (18-834) Carrefour at the Gateway

Location:	6685 Poplar Avenue
Property Owners:	Sheriff, LLC
Applicant/Agent:	Cannon Austin Cannon, Inc. – Henry Cannon, Agent
Representative:	Allen & Hoshall – Robert Cochran
Existing Zoning:	“T5” Urban Center & “T6” Urban Core Zoning Districts (Currently Developed Under the Pre-existing “C-2” General Commercial & “SC-1” Shopping Center Zoning Regulations)Area: 9.06 acres
Request:	Approval of a Revised Outline Plan (Mixed Use Development) to add Residential Use

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

Cameron Ross made a staff presentation.

The applicant, Nelson Cannon, Vice President with Cannon Austin Cannon, Inc., 6685 Poplar Avenue, Germantown, TN 38138, and the applicant’s engineer, Doug Swett, Traffic Engineer, Kimley-Horn, 6750 Poplar Avenue, Suite 600, Memphis, TN 38138, 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.

MAIN MOTION: Mr. Bacon moved to approve a revised Outline Plan for the Carrefour at the Gateway P.D., subject to the outline plan conditions, general requirements and TAC comments listed above and the plans and documents submitted with the application, in addition to the following language to be added under staff comments of the staff report – Outline Plan Conditions #2A Bulk Regulations: Approval of the revised Outline Plan establishes the maximum building square footage and number of residential units but does not assure approval of the entire maximums in the Final Plan, seconded by Mr. Hernandez.

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

**MOTION PASSED 8-0-0**

6. Commission Liaison Reports

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

7. Old Business

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

8. New Business

Chairman Harless asked 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 7:45 p.m.

---

Mr. Mike Harless, Chairman  
Planning Commission

---