

CITY OF GERMANTOWN
PLANNING COMMISSION
COUNCIL CHAMBERS – CITY HALL
Tuesday, December 6, 2022
6:00 p.m.

1. Call to Order: Chairman Mike Harless called the meeting to order at 6:01 p.m.
2. Roll Call and Establishment of a Quorum: Regina Gibson called the roll and established a quorum.

Commissioners Present: Chairman Mike Harless; Vice Chairman Tony Salvaggio; Alderman Jon McCreery; Keith Saunders; Jennifer Sisson; and David Clark

Commissioners Absent: Secretary George Hernandez; Mayor Mike Palazzolo; and Steven Levy

Staff Present: Cameron Ross, Economic and Community Development Director; Sheila Pounder, Assistant Economic and Community Director; Sarah Goralewski, Planning Division Manager; Regina Gibson, Economic and Community Development Office Manager; Ethan Skaggs, City Engineer; Clint Starnes, Fire Marshal; Ethan Skaggs, City Engineer; Josh Whitehead, Assistant City Attorney; Lillian Haddock, Planning Technician and Saba Mortazavi, Planner.

3. Approval of the Minutes

MOTION:

Alderman Jon McCreery moved to approve the Planning Commission minutes of the November 1, 2022 meeting, seconded by Keith Saunders.

ROLL CALL:

Salvaggio – Yes
Sisson – Yes
Saunders – Yes
Clark – Abstain
McCreery – Yes
Harless - Yes

MOTION PASSED 5-0-1

During executive session, the Commission moved the Public Hearings Agenda Item No. 5B to the consent agenda making it Agenda Item No. 4A.

4. Consent Agenda

- A. Case Number & Project Name: (22-029) Poplar Avenue/Johnson Road Commercial Subdivision Lot 5
Location: 9435 Poplar Ave., (Poplar Market Place)
Property Owner/Applicant: Keeneland Downs Properties LLC. – Rik Ditter, Manager
Representative: The Reaves Firm – Greg Marcom, Principal
Existing Zoning: “SC-1” Shopping Center
Area: 1.33 acres
Request: Approval of a Revised Final Site Plan (Drive-Thru Addition)

*Refer to complete application and staff report on file.

MOTION:

Vice Chairman Tony Salvaggio made a motion to approve the Consent Agenda seconded by Alderman Jon McCreery.

ROLL CALL:

Sisson – Yes
Salvaggio – Yes
Clark – Yes
Saunders - Yes
McCreery – Yes
Harless - Yes

MOTION PASSED 6-0-0

5. Public Hearings:

- A. Case Number & Project Name: (18-834A) The Standard Germantown Planned Development (aka: Carrefour at the Gateway Planned Development)
- | | |
|---------------------------|---|
| Location: | Southwest corner of the intersection of Poplar Ave., and Kirby Pkwy |
| Property Owner/Applicant: | CRE DEVCO Germantown, LLC – Billy Orgel, Manager |
| Representative: | MJF consulting – Michael J. Fahy |
| Existing Zoning: | “T5” Urban Center and “T6” Urban Core |
| Area: | 10.11 acres |
| Request: | Approval of an Amended Outline Plan (Master Plan) |

*Refer to complete application and staff report on file.

Cameron Ross made a staff presentation and answered the Commission’s questions.

Mr. Mike Fahy, MFJ Consulting, (2435 West Summit Parkway, Spokane, WA 99201), Mr. Ben Golson, Cooper Carrier Architecture (191 Peachtree St NE Ste 2400, Atlanta, GA 30303), Mr. Mike Cripkey, Kimley-Horn, (6750 Poplar Ave Ste 600, Memphis, TN 38138) answered the Commission’s questions.

Chairman Mike Harless opened the public hearing.

Chairman Mike Harless asked if anyone would like to speak in favor of this item and there were none.

Chairman Mike Harless asked if anyone would like to speak in opposition for this item and there were none.

Chairman Mike Harless closed the public hearing.

MOTION 1:

Vice Chairman Tony Salvaggio moved to approve an Amended Outline Plan (Master Plan) for The Standard of Germantown Planned Development (PD) (aka: Carrefour at the Gateway PD) at the southwest corner of the intersection of Poplar Ave., and Kirby Pkwy. Subject to the conditions, general requirements and TAC comments listed above and the plans and documents submitted with the application; seconded by David Clark.

Chairman Harless led the Commission in a discussion of the item and afterward called for a vote.

ROLL CALL:

Sisson – Yes
Saunders – Yes
Salvaggio – Yes
Clark – Yes
McCreery – Yes
Harless – Yes

MOTION PASSED 6-0-0

WARRANT 1:

Vice Chairman Tony Salvaggio moved to approve a warrant from **Sec. 23-770 (1)(A) Building Height – T5**: “5 stories maximum by right, 6 stories maximum with a warrant.” The request is to allow the proposed 40-unit loft building in phase 3 to be 6 stories. (Approval of the warrant for 6 stories is only for this building.), seconded by Keith Saunders.

Chairman Harless called for a vote.

ROLL CALL:

Sisson – Yes, based on the discussion concerning the topography and it being in the T6 designation
Saunders – Yes
Clark – Yes, as previously stated by other commissioner and the railroad behind there as well
Salvaggio – Yes
McCreery – Yes
Harless - Yes

Alderman Jon McCreery asked for a revised motion to correctly reflect the request.

Vice Chairman Tony Salvaggio moved to approve a warrant from **Sec. 23-770 (1)(A) Building Height – T5**: “5 stories maximum by right, 6 stories maximum with a warrant.” The request is to allow the proposed 300-unit loft building in phase 2 to be 6 stories. (Approval of the warrant for 6 stories is only for this building.), seconded by Alderman Jon McCreery.

Chairman Harless called for a vote.

ROLL CALL:

Sisson – Yes, based on the discussion concerning the topography between Poplar and Poplar Pike and portions zoned for T6 as well as the reasoning for creating this design for the betterment of the residents
Saunders – Yes, as previously stated by the other commissioner and the architectural design rather than just increasing the height
Clark – Yes, as previously stated by other commissioner and the railroad at the rear of the site as well
Salvaggio – Yes, as previously stated by the other commissioners and better architectural design in transitioning from T6 to T5 zoning districts
McCreery – Yes, as previously stated by the other commissioners and it is a viable warrant
Harless – Yes, as previously stated by the other commissioners as well as the design of the building making it more architectural pleasing

MOTION PASSED 6-0-0

WARRANT 2:

Vice Chairman Tony Salvaggio moved to approve a warrant from **Sec. 23-780 (a)(1)** - “The vertical extent of a building is measured by number of stories, not including a raised basement or an inhabited attic. Each story shall be no more than 15 feet clear, with the exception of the ground floor of a commercial or mixed use building, which may be up to 18 feet in height. While the height of each story may vary, the actual height of buildings may not exceed the maximum allowable individual story height multiplied by the maximum number of stories allowed by right (sections 23-768 through 23-771).” The request is to increase the maximum ground level height from 18’ to 20’ for any building within the development, seconded by David Clark.

Chairman Harless called for a vote.

ROLL CALL:

Clark – Yes, for the reasons stated earlier. Higher building and entry ways allow for more possibility of better architectural design.

Sisson – Yes, for the reasons previously stated

Salvaggio – Yes, as previously stated. Architectural integrity for the entry of the building and height.

Saunders – Yes, as previously stated by other commissioners

McCreery – Yes, as previously stated by other commissioners and the architectural value for the warrant

Harless – Yes, going 20 ft high ground floor makes a lot of sense on an architectural and customer service point of view.

John Whitehead, city attorney informed the commission that another error had been found by Asst. Director Sheila Pounder. The 2nd Motion in the Warrant 1 used the number 300 and should have been 320. No need to revote, just make a motion to reconsider to substitute.

MOTION WARRANT 1 CORRECTION:

Keith Saunders made a motion to reconsider the vote changing the units from 300 to 320 units, seconded by Alderman Jon McCreery.

MOTION PASSED 6-0-0

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 7:00 p.m.

Mike Harless, Chairman
Planning Commission

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