

**CITY OF GERMANTOWN PLANNING COMMISSION
MINUTES OF MEETING HELD JANUARY 25, 2023**

The City of Germantown Planning Commission met on January 25, 2023 at 7:05 p.m. held via Zoom due to poor weather conditions.

MEMBERS PRESENT:

The following members were present at the call to order: Mrs. Berry, Mr. Herner, Mr. Rettich, and Mrs. Izor.

EXCUSE ABSENT MEMBER:

On a motion by Mrs. Izor, seconded by Mr. Herner, it was moved to excuse Mr. Wisner. On call of the roll: Mrs. Izor, yes; Mr. Herner, yes; Mrs. Berry, yes; and Mr. Rettich, yes. Motion carried.

ALSO PRESENT:

Keith Brane, City Planner; Chip Wirrig, Public Service Operations Manager; Dan Mutzner, Mr. John Burkhardt, Burkhardt Engineering; Mike Hafner, Traffic Engineer; JJ Kallergis, Taco Bell; Ryan Morris, Associate Construction; and Kelli Novak, Clerk of Council.

ORGANIZATION:

On a motion by Mrs. Izor, seconded by Mrs. Berry, it was moved to postpone organization of the meetings until all members are present. On call of the roll: Mrs. Izor, yes; Mrs. Berry, yes; Mr. Herner, yes; and Mr. Rettich, yes. Motion carried.

CONSIDER APPROVAL OF THE MINUTES OF THE SEPTEMBER 28, 2022 PLANNING COMMISSION MEETING:

On a motion by Mr. Rettich, seconded by Mrs. Berry, it was moved to approve the minutes of the September 28, 2022 meeting as written. On call of the roll: Mr. Rettich, yes; Mrs. Berry, yes; Mr. Herner, yes; and Mrs. Izor, abstain. Motion carried.

FINAL PUD PLAN APPROVAL FOR TACO BELL APPLICATION# PP 23-01:

Chairman Izor said we are here to consider a new commercial Taco Bell to be located at 2321 Beechwood Drive. Can we get a presentation from the applicant.

Mr. Kallergis reviewed the final plan and thanked the Planning Commission for their patience while working through the plan.

Mr. Brane said per the submitted documents, we evaluated the materials which you all received. Access to the facility is proposed to be achieved by a 30 foot wide, full access curb cut along Beechwood and a 30 foot wide, right in and right out only curb cut along Dayton Germantown Pike which was approved at the preliminary stage. The back edge of the curbing and paved areas is a minimum of 10 feet at the closest point.

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Mr. Brane asked Mr. Burkhardt if he knew what the exact distance to the property line is behind the dumpster. It is shown to be 2 feet and our regulations call for 3 feet. Mr. Burkhardt said we are at 2.23 feet but we can easily push that another 9 inches west. Mr. Brane thanked Mr. Burkhardt.

Mr. Brane said there are 33 off street parking spaces with 2 spaces for American Disabilities. The structure is proposed to be 35 feet from the property line, a 5 foot sidewalk is proposed along Beechwood Drive, an 8 foot sidewalk on Dayton Germantown Pike, and a 7 foot wide sidewalk is proposed from the 8 foot sidewalk to the restaurant. The elevations propose materials and colors as well as the building mounted identification signs. A detached identification sign was approved by the Board of Zoning Appeals on October 10, 2022 at a maximum height of 15 feet from grade immediately adjacent to Dayton Germantown Pike. The board has seen the landscaping plan and plans dated 11-30-2022 that calculate the footcandle light levels focusing on how light from the fixtures is on the surrounding areas.

Mr. Brane said approval is being requested to create the two new development lots within Hickory Pointe Centre as shown on the record plan and staff recommends approval of Application# PP 23-01.

Chairman Izor opened the public hearing.

Chairman Izor asked if there were any issues with the Dayton Germantown Pike curb cut from the Traffic Engineer or the Fire Department. Mr. Brane said with the solution chosen, there are things to make it safer.

Chairman Izor said she was missing the photometric and asked if there were any concerns. Mr. Brane said it is right after the landscaping plan and what it shows to a generalist is it is focusing the light on the site and the light attenuation drops off at the property line and there is very little if any bleed.

Chairman Izor asked how trash cans were going to be handled on site. Mr. Kallergis said we typically there will be aa enclosure at the main entrance facing Dayton Germantown Pike and a double enclosure at the main site entrance.

Chairman Izor asked what the plan was for breaking ground. Mr. Kallergis said I would assume in the April time frame.

Mrs. Novak added we don't use Montgomery County as our building department, we use National Inspection Corporation. Everything is brought to City Hall and we try to make it as seamless as possible. Your plumbing will go through the county.

Chairman Izor asked for a final statement from Mr. Brane. Mr. Brane said add Mrs. Novak to the list of kudos; she has coordinated the whole thing and made sure everybody has gotten all the information they need. It was a long journey and everything has come to a creative solution. I look forward to Taco Bell coming and I think it is a good project.

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With no further discussion, the public hearing was closed at 7:29.

On a motion by Mr. Rettich, seconded by Chairman Izor, it was moved to approve the plan as submitted with the amendment of the garbage area being a slight distance wider as recommended by staff. On call of the roll: Mr. Rettich, yes; Mrs. Izor, yes; Mrs. Berry, yes; and Mr. Herner, yes. Motion carried.

ADJOURNMENT: With no further business, the meeting was adjourned at 7:31 p.m.

Whitney Izor, Chairman

Keith Brane, City Planner