

**CITY OF GERMANTOWN PLANNING COMMISSION
MINUTES OF MEETING HELD APRIL 24, 2024**

The City of Germantown Planning Commission met on April 24, 2024 at 7:00 p.m. in the City of Germantown Council Chambers.

MEMBERS PRESENT:

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

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

ALSO PRESENT:

Bryce and Sheree Henson, owners/applicants representing the Florentine; Chip Wirrig, Public Administrative Services Director; and Keith Brane, City Planner.

CONSIDER APPROVAL OF THE MINUTES OF THE MARCH 27, 2024 PLANNING COMMISSION MEETING: Mr. Wisner said on page 2, 4th paragraph, at end of first sentence you have Mr. Bryce instead of Mr. Henson. Mr. Rettich said when Mrs. Izor was nominated for Chair, the minutes say she seconded herself, but I thought it was Mrs. Berry.

On a motion by Mrs. Izor, seconded by Mr. Wisner, it was moved to approve the minutes of the March 27, 2024 meeting as corrected. On call of the roll: Mrs. Izor, yes; Mr. Wisner, yes; Mr. Herner, yes; and Mr. Rettich, yes. Motion carried.

APPLICATION A 24-01: ALLEY VACATION REQUEST: Chairman Izor said we have a point of business this evening, discussion and recommendation for Application A 24-01 which is for partial vacation of the alleyway located at 21 W, Market Street.

Mr. Brane said you folks are here because you are the Planning Commission, and you issue recommendations for the growth and development of the City. The request before is vacating a portion of the northern terminus of a platted alleyway located north of West Gunckle Street, west of Plum Street, east of South Main Street and immediately south of State Route 725-West Market Street within a C-2 Downtown Business District at 21 West Market Street. The attached narrative, documentation, graphics and property records were submitted by the current owner of the Florentine, Bryce Henson. He has approached the Germantown City Council respectfully requesting the vacation of the north portion of the alley located to the east of the existing historic structure. Mr. Henson indicates he owns the parcel to the immediate west of the alley and the five parcels to the immediate east.

Mr. Brane said these folks came in for a pre-submittal to explain their position and what they would like to do. We went through some of the procedures which actually requires City Council approval and the Planning Commission is expected to make your recommendation to City Council.

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Some of the unknowns from last time are still unknowns: do we have utilities running through the alleyway; we are 96 to 97% sure we do not. We have not heard back from AES. Mr. Wirrig said confirmation from the engineering department is the initial review was they do not have any utilities in the alleyway. Mr. Brane said and if they do, just because we are good planners, we have a condition that says reasonable right of access shall be provided if required and noted on the record plan prior to recording. We also have a legal description this time.

Mr. Henson said he and his wife Sheree, after speaking with the City and the Community, it looks like the best use of that alleyway may be a patio for outdoor entertainment for the residents and also to draw people into our City. It's exciting to think about what a nice outdoor patio could do for Germantown.

Mrs. Izor asked if we got any feedback from Fire and Safety; any concerns there. Mr. Brane said the form you saw last time has been filled out and needs the City Manager's signature, it is in flux, and I didn't mention it because it is City Council's document.

Mr. Rettich said the Chief signed off on the attachment that goes in our packet. There is also a note from the Fire Chief that says "after a discussion with the owner, Mr. Henson, regarding the proposed alley vacation east of the building located at 21 West Market Street, I would recommend any and all additions stop at the south side of the building and to vacate the alleyway. This will allow any fire apparatus to maneuver near the structure if an emergency were to occur".

Mrs. Izor asked if the building is on the National Register. Mr. Henson said yes; and we have a firm understanding of what we can and cannot do.

Mr. Izor asked how this aligned with the downtown plan. Mr. Henson said I am a member of that committee and outdoor dining is one of the largest things recommended that we do to create that downtown walkable feel.

Mrs. Izor said there was discussion last time about a municipal clock on a little patch of land and who owns that land. Did that get ironed out? Mr. Brane said it's a monument to the history of the alleyway and it is my understanding that is something that will be worked out at the Council level.

Mr. Brane said materials indicate the primary intent appears to vacate the alleyway in preparation for the outdoor seating area. It will require legislation in the form of an ordinance be approved by Council. Staff recommends approval subject to the one condition of providing access to and providing maintenance of any existing public utilities remaining in the vacated portion of the platted alleyway and if required, that be noted on the record plan prior to its recording.

Chairman Izor opened the floor to any proponents or opponents wishing to speak on the proposed project. Seeing none, the hearing was closed.

On a motion a motion by Mrs. Izor, seconded by Mr. Wiser, it was moved to approve with the conditions discussed earlier. On call of the roll: Mrs. Izor, yes; Mr. Wiser, yes; Mr. Herner, yes, and Mr. Rettich, yes. Motion carried.

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ADJOURNMENT: With no further business, the meeting was adjourned at 7:15 p.m.

Whitney Izor, Chairman

Keith Brane, City Planner

