

**MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
September 19, 2019
THURSDAY, 5:00 P.M., CITY HALL**

MEMBERS PRESENT

Robert Maples
Larry Claiborne
Don Smith
Charlie Moore

MEMBERS ABSENT

Kirby Smith
Charlie Moore
Jackie Leatherwood

OTHERS PRESENT

Gary Best
Jim Arwood
Carroll McKinney
Robert Campbell
Bruce Cantrell
Kacie Huffaker
Robert Bentz
Bryce Bentz
Alex Abrahams

Staff Representatives: David Ball, Building & Planning Director
 Penny Douglas, Executive Secretary
 Joe Barrett, ETDD

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Robert Maples called the meeting to order at 5:25 P.M. The minutes of the August 15, 2019 meeting were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Don Smith.

STAFF REPORT

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

OLD BUSINESS

NEW BUSINESS

Review and consideration for a minor subdivision of the "Gatlinburg Apartments, LLC," being Tax Map 126N, Group K, Parcels 010.00-013.00, 018.00, 020.00-022.00 & 036.00-037.00 located at Hughes Road, C-2 Zone, requested by Robert Campbell & Assoc., LP.

Staff presented the request for a proposed minor subdivision of Tax Map 126N, Group K, Parcels 10, 11, 12, 13, 20, 21, 22, 36, and 37 to create a single parcel located on Circle Drive and Hughes Road. Staff explained that the request consist of the re-platting of the interior lot line boundaries that currently exists between the properties to create a single lot. Further, the plat proposes to absorb the right-of-way area of "Hughes Road" into the parcel. The right-of-way area is approximately .22 acres of area. The total area including the right-of-way is 4.16 acres or 181,209.6 square feet. Staff further noted that the consolidation does require a revised utility easement area for the relocation of the public utilities that are currently located on the property. The Utility Department has reviewed the proposed easement area and are satisfied with the areas as depicted. The properties are served with both public water and sewer.

Staff stated that parcel 18 is currently owned by the City of Gatlinburg and currently occupied with storage buildings. As such, until the property ownership has been finalized it is

recommended that the plat be revised to exclude Parcel 18. The plat lacks the following information: Revised lot numbers; Owners Signatures, Signatures of approvals for Utilities, Sevier County Electric System, and Signatures for Recording.

After a brief discussion, Mr. Larry Claiborne made a motion to approve the request with the Staff recommendations. Mr. Don Smith provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a preliminary and final PUD site plan for "Gatlinburg Apartments, LLC," Tax Map 126N, Group K, Parcel 010.00-013.00, 018.00, 020.00-022.00 & 036.00-037.00 located at Hughes Road, C-2 Zone, requested by Gatlinburg Apartments, LLC.

Staff presented the request consisting of a preliminary and final PUD site plan approval for a 120 unit apartment complex. Mr. Bob Bents was present and gave a brief overview of the project and explained that the development was not low income housing but market rate housing. Staff stated that the proposed development consists of four (4) buildings at 3-stories each containing 120 total units to be constructed on approximately 4.15 acres. The proposed buildings consists of 78 one bedroom units and 42 two bedroom units with parking for 160 automobiles. Staff noted that the property is accessed from Circle Drive and includes access to Benson Lane and to Cherokee Orchard Road via a private drive. Staff stated that the primary access will be from Circle Drive. The plan depicts perpendicular parking for "Building C" that immediately adjoins Circle Drive and the developers have made application to the Board of Zoning Appeals to permit backing into the public right-of-way as well as a variance to permit the access point to exceed 26' along the right-of-way. Staff noted that the MBZA will be meeting later this month to hear the variance requests.

Staff added that the development is located along a small unmapped stream which flows through the property in both an open channel and an encapsulated section. The developers have applied and received variances from the Storm Water Ordinance as it pertains to during and post construction buffers from the stream. Staff further noted that a storm water design has been submitted for the site including the drainage calculations. The plan proposes a series of oversized underground piping to achieve the necessary retention to control the site runoff. Staff noted that the storm water calculations indicate that the post construction run off will be improved over the pre-construction conditions. Also, the engineers have conducted a Hydrologic and Hydraulic Impact Study to determine the effects of the proposed development on the flood dynamics of the stream channel. Staff explained that the current Flood Damage Prevention Ordinance requires a minimum setback or a study if encroaching within the setback area of the stream where no flood data is available. Mr. Robert Campbell, project engineer was present and verified that the results of the study show that the proposed development will have no affect either up or down stream of the development and the proposed buildings will be elevated to meet the minimum standard of 1 foot above the 500 year flood elevation.

Note, the property where "Building C" is depicted is currently property owned by the City of Gatlinburg. The developer has not completed the property purchase and therefore will not be able to obtain development permits for this building. As such, Staff recommended that this area of the PUD site plan be labeled as Phase 2 of the development with the understanding that the property acquisition will be required prior to alteration of the property and prior to receiving development permits for any construction activity on this parcel. Note however, because the apartment complex's primary access is from Circle Drive the road widening improvements to the minimum

of 24' is recommended regardless if this portion of the complex is purchased and developed. Should the property purchase not be completed, a request will be required to be submitted to the City Commission to make the right-of-way improvements and street widening.

Staff noted that the Fire Department has reviewed the plan and is satisfied with the proposed access and turnaround areas being provided for emergency access to the buildings and the additional fire hydrant locations. Also, the Utility Department has reviewed the plan and is agreeable to the proposed utility relocations and connections to the public water and sewer systems. The solid waste collection area is accessible with garbage vehicles with ample turnaround areas. A landscape plan has been submitted showing new plantings and landscaping in the parking areas as well as areas surrounding the proposed buildings. The site plan appears to meet the minimum design requirements of the PUD regulations.

After a brief discussion, Mr. Don Smith made a motion to approve subject to variance approval with the Board of Zoning Appeals. Mr. Charlie Moore provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a minor subdivision of the "Westgate, LLC," being Tax Map 116N, Group A, Parcels 1.00 located at North Mountain Trail, C-2 Zone, Requested by Cory Jennings, CEC, Inc.

Staff presented the request consisting of a minor subdivision of Tax Map 116N, Group A, Parcel 1 and Tax Map 116, Parcel 195, to consolidate the two tracts into a single parcel. Staff added that Tax Map 116, Parcel 195 is large tract that is currently under development by Westgate Smoky Mountain Resorts. Staff noted that Tax Map 116N, Group A, Parcel 1, is a vacant tract of land located to the north of Westgate Resorts across North Mountain Trail which the applicants wish to add to the larger Parcel 195. Staff noted that it appears that the vacant tract was part of the larger tract at some point but due to road development etc. the smaller parcel was disconnected from Parcel 195. Staff noted that the developer has indicated that the parcel would be used for business signage.

Staff noted that the plat lacks the following: Signatures of Ownership and Dedication; Utility Department Signature of Approval; Sevier County Electric System Approval and Sevier County E-911 Signature of Approval. After a brief discussion, Mr. Larry Claiborne made a motion to approve the request as presented. Mr. Don Smith provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a commercial site plan approval for "NAPA Auto Parts," being Tax Map 127A, Group B, Parcel 18, located at 116 Hickam Hollow Road, C-2 Zone, requested by Carroll McKinney.

Staff presented the request for a proposed site plan approval for "NAPA Auto Parts," store to be located at 116 Hickam Hollow Road. Staff explained that the request consist of a proposed 2,400 square feet retail building to be constructed on a .37 acre (16,117.2 sq. ft.) lot. Staff noted that the site plan depicts a 2,400 square foot building footprint and an 8 space parking area for a single story metal building. The plan proposes access to the site from Hickam Hollow Road a 30' right-of-way. The ingress and egress point is located approximately 275' from East Parkway up Hickam Hollow Road. Staff stated that while Hickam Hollow Road width is adequate at its connection to East Parkway consisting of approximately 20' of width for approximately 150' length, the road begins to quickly narrow as it extends northward and eventually is a single lane road serving the single family residences in the area. Staff added that the Board should consider requiring roadway

improvements to widen the road to ensure a minimum of two (2), ten foot traffic lanes at least to the point of entrance for the site. Staff noted that this would provide adequate access for customers and for delivery vehicles to the property. Staff added that Mr. McKinney has agreed to work with the City to improve the street to accommodate the retail business.

The site plan shows eight (8) parking spaces to service the 2,400 square foot building which meets the minimum requirements of the zoning ordinance. The spaces will utilize the drive aisle for turnaround areas for the vehicles. The plan show connections to the public water and sewer utilities on the southwest corner of the property in Hickam Hollow Road. There will need to be a verification of the nearest hydrant location to ensure the structure is located within a minimum distance of 500'. The plan depicts a new overhead electrical service to the building. The electrical service will need to be underground unless the Sevier County Electric System determines that underground cannot be installed to the building.

The plan depicts a solid waste collection area on the north side of the entry drive to the site. Staff added that the Sanitation Department will need to approve the location for access. The plan indicates that the site runoff will be directed to a catch basin located in Hickam Hollow Road with no retention or detention to be constructed on the site. Based on the current undeveloped conditions of the site, it would appear that some means of retention/detention will be required to control the rate of runoff from the pre to post conditions of the site. As such, a revised storm water plan is needed with the calculations to determine what storm water system is needed to address the site runoff. A landscape plan has been submitted depicting a planting schedule and location for the landscaping. A proposed grading plan has been submitted but the plan indicates that the northeastern portion of the building will encroach into the cut slope. A revised plan will be needed to show additional grading or a retaining wall to provide access around the building to meet minimum building code requirements. Also, the cut and fill slopes must be finished and stabilized in accordance with the recommendations of the geotechnical engineer due to the excess of the slopes above the maximum slope of 2H:1V ratio. The slopes will need to be stabilized prior to placement of the building and site improvements to ensure stable site conditions.

Staff noted that the plan lacks the following information: storm water plan with calculations; a road improvement plan to increase Hickam Hollow Road width to the entrance to the development with two (2) 10' wide traffic lanes to accommodate the additional commercial traffic to the proposed development. Grant site plan approval for the proposed retail development subject to the lacking items and with a recommendation that the developer work with the City to improve Hickam Hollow Road to adequate widths to the entrance of the development. After a brief discussion, Mr. Larry Claiborne made a motion to approve the request as presented. Mr. Charlie Moore provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a commercial PUD site plan approval for "Silverbell Investments, LLC," being Tax Map 126M, Group A, Parcel 033.03, located at 147 Baskins Creek By-Pass, C-1 Zone, requested by Bob Bentz.

Staff presented the request for a PUD site plan approval for a proposed restaurant and observation tower addition to the "Anakeesta" development located at 147 Baskins Creek Road By-pass. Staff noted that the request consists of a proposed 5,800 square foot restaurant and a 56' observation tower addition to the "Anakeesta" Development. Mr. Bob Bentz was present and gave a brief overview of the development noting that the observation tower had previously been reviewed by the Board earlier in the year. Mr. Bentz added that the restaurant would include additional public

restroom facilities to serve not only the restaurant but the remaining Anakeeta Village Development. Mr. Bentz noted the locations of the restaurant and the tower noting that the restaurant would be placed in the location of the previous Fire Department turnaround area and the Tower will be located in the former memorial walk garden. Mr. Bentz stated that the restaurant will be fully sprinklered and a dry standpipe system will be installed in the tower for Fire Department use. Mr. Bentz explained that an alternative turnaround area will be provided for the Fire Department to allow for the emergency vehicles to circle through the development or turnaround.

Staff noted that the proposed restaurant addition is located at an elevation of approximately 1,846.2' on the property and in a location east of the Chondola terminal. The proposed restaurant will be a single story building and will include additional public restroom facilities for the development. The location of the restaurant will displace the previous turnaround area for emergency vehicles. The Fire Department has conducted a preliminary review of the request and is agreeable to the relocation of the turnaround area provided road profiles of the new road can be provided along with curvatures and widths to determine adequate emergency access has been provided to the property and structures. The proposed restaurant will be a fully sprinklered building and the tower structure will be equipped with a standpipe system. The plan indicates that a new gravity sewer line and greece trap will be installed to service the building. The Utility Department has requested that a sewer line profile be provided due to the line being a gravity line. The restaurant facility will connect to existing water lines located in the existing street serving the development.

Staff explained that the observation tower was previously reviewed and approved by the Board in March of this year. There are slight modifications to the tower structure but the tower is located in the general location as previously approved. The developer has indicated that neither the restaurant nor the tower will be visible from a Hillside Overlay District view shed requirement due to the proposed locations and the existing vegetation surrounding the project. The proposed tower site plan depicts a 32' x 32' tower base with a proposed tower height of 56' from finished grade. The tower will be a stone and wood construction structure and will consist of two (2) observation areas. The plan also depicts the addition of a proposed storm water detention area south of the tower location and a detention area southeast of the restaurant. However, no storm water drainage calculations have been provided at this time nor has any design information been provided for the storm water structures. Note, the storm water will also need to incorporate the additional access road improvements to ensure site runoff is being addressed with the overall storm water plan.

Staff stated that the site plan lacks the following information: revised density information for the overall development; building dimensions; landscaping plan; fire department access; Hillside Overlay District screening information (if needed); utility plan with sewer profile; road design and profile information for new access road and emergency turnaround area; building elevations for the restaurant.

After a brief discussion, Mr. Don Smith made a motion to approve with the recommendations of Staff. Mr. Larry Claiborne provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration of a preliminary PUD site plan approval for the "Mills Park Village," being of Tax Map 118, Parcel 87.00 & 87.02, located at 239 Proffitt Road, C-2 Zone, requested by Cantrell Engineering & Surveying, LLC.

Staff presented a request for a Preliminary PUD site plan approval for "Mills Park Village," a 42 unit residential development with club house and pool amenities. Staff stated that the site plan depicts 42 units with varying sizes to be located throughout the property. The plan shows that new water and sewer lines will be install in the development. The utility plans depicts both 6" and 2" water lines to serve as domestic and fire protection for the development. Note, the units located to the north are shown to have access to a 2" water line. The 2" line is not sufficient to provide fire protection so a revision will be needed for the final PUD site plan to ensure adequate fire protection. Mr. Bruce Cantrell, the project engineer, was available to give a brief overview of the proposed project noting that the plan was to utilize the previous mobile home park sites for new single and duplex residential units. Mr. Cantrell also noted that the water distribution lines have been revised to create fire protection coverage for all the proposed units. Mr. Cantrell noted that the upper portion of the development is a second phase which will most likely be undertaken later. Mr. Cantrell stated that road profiles have been created and the road grades will be regraded to less than 15%. Mr. Cantrell stated that one of the private streets is proposed at 14' in width and will be a loop street with the remaining two-way streets to be a minimum of 20' in width.

Mr. Cantrell noted that there will be two (2) detention ponds constructed on the property for the storm water. Staff noted that drainage calculations will need to be provided for the project to determine the needed size of detention. The grading plan does not depict final grading for the entire site however, the design engineer has indicated that there will be minimal grading on the lower portions of the property. The majority of grading will occur on the upper portion of the property which is fairly steep. The units are depicted as various sizes however no decks or outer projections are shown which creates difficulty in determining setback compliance. No building elevations have been provided so no determination can be made as to whether the units meet height requirements. Also, no parking areas have been depicted on the site plan to determine is adequate parking will be available for the units. Staff noted that the plan also shows a master meter to be located on the southeast portion of the property near Jay Bird Land.

The following are the lacking site plan items needed for the preliminary PUD plan: street design and profiles; building dimension including decks and porches; number and location of parking spaces; revised street widths or variances for street widths of less than 20' width; general landscape concepts; storm water calculations and design of detention elements; and information related to the Hillside Overlay District provisions. After a brief discussion, Mr. Larry Claiborne made a motion to approve the request as presented. Mr. Don Smith provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration of a preliminary PUD site plan for approval for the "Mountain Shadows Resort-Phase 3," being of Tax Map 117, Parcel 236.02, located at Hidden Hills Road, C-2 Zone, requested by the Cantrell Engineering & Surveying, LLC.

Staff presented the request for a preliminary PUD site plan approval for a proposed 10 unit residential development with pool amenity. Staff noted that the proposed site plan depicts 10 dwelling units to be located on a 3.72 acre tract. The plan shows that an access road will be constructed from Hidden Hills Road and connected to the existing Phase 1 of Mountain Shadows Resort Development. The road profile for the project depicts a road length of approximately 1,072 feet with road grades up to 19.75% grade. Staff explained that the subdivision regulations establish a maximum grade of 15% with the ability to vary the grade up to a maximum of 18% grade for short sections. Staff noted that the proposed 19.75% grade is for a length of approximately 200' and begins shortly after entering from Hidden Hills Road. The road width is depicted at 20' wide

for the length of the road. Staff stated that the Fire Department has reviewed the plan and is not in favor of variances above what the Subdivision Regulations permit.

Mr. Bruce Cantrell, project engineer was present and gave an overview of the road grade variance stating that the terrain of the property creates difficulty in maintaining a 15% road grade. Mr. Cantrell noted that in order to achieve road grades of less than presented would require massive retaining walls and land disturbances. Mr. Cantrell further noted that the objective is to tie the road back to Phase I road to create a loop road system for the development. Mr. Cantrell also stated that while the standards to establish maximum grades and the Fire Department prefers to maintain those standards, that there are areas throughout the City with steeper road grades that are accessible by the Fire Department. Mr. Cantrell noted that the grades in Phase I of the development exceed the standards in the Subdivision Regulations. Chairman Maples stated that the Board had invested a lot of time and research in establishing the maximum grade variances and did not feel that the Board should allow deviations beyond the established limits especially when the Fire Department is objected to the request. Mr. Cantrell expressed that he felt that a variance was the only viable option available at this time that would make the project work. Mr. Cantrell stated that he has looked at the road grade at a 15% grade and the plan just doesn't work without enormous retaining walls and massive excavation of the entire site. Chairman Maples reiterated that the standards have been set and unless the variance complies with those established standards that he was of the opinion that the variance should not be granted.

Staff noted that the PUD grading plan depicts significant areas of grading and multiple retaining walls along the road and parking areas for the units. No storm water plan nor drainage calculations have been provided for the development and therefore the detention elements required have not been determined at this time. Staff added that the following lacking items are needed for the preliminary PUD plan: revised road grades to meet the subdivision regulations and/or a variance for the grades; landscape concepts; building elevations; storm water calculations and plan.

After a brief discussion, Mr. Larry Claiborne made a motion for a preliminary PUD site plan approval subject to the lacking information and subject to a revised road grade plan in compliance with the established variance standards as currently adopted in the Subdivision Standards. Mr. Don Smith provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a proposed rezoning of Tax Map 117, Parcel 133.07, located at Glades Road and Cashmere Way, from C-3 (Neighborhood Commercial District) to R-2 (Medium Density Residential) District, requested by Collective Holdings, LLC.

Staff presented the request for a proposed rezoning of a portion of Tax Map 117, Parcel 133.07 from C-3 Neighborhood Commercial to R-2 Medium Density Residential for a proposed apartment complex to be located off Glades Road. Staff added that the property is currently zoned C-3 and R-2 but the property owner wishes to reclassify a front portion of the property to R-2 for the purposes of constructing apartment buildings. Staff noted that the property fronts on Glades Road and West Highland Drive with the portion of the property along Glades Road being designated as C-3 and the rear portion as R-2 zoning. Staff stated that the developer wishes to rezone the front portion of property to R-2 to accommodate the additional building height that is permitted under the R-2 Zoning District. Staff explained that there is a small portion of the property along Glades Road that will remain as a C-3 designation. Staff further noted that the back portion of the property is surrounded by R-2 and therefore the proposed reclassification of the property to R-2 will not create any inconsistencies to the surrounding properties and uses.

Staff noted that the primary difference between the R-2 District and the C-3 District are the permitted uses. However, the C-3 District does allow for the residential uses but has a more restricted building height limitation on the buildings. The C-3 District allows heights of 24' average and a maximum of 36'. The R-2 District does allow for an average of 48' with a maximum height of 60 feet. Because the property is partially zoned R-2 and surrounded on three sides by R-2 zoning, the request appears to be a reasonable request and does not create a spot zoning issue.

After a brief discussion, Mr. Larry Claiborne made a motion to approve the request as presented. Mr. Don Smith provided a second which was unanimously approved by the Board with all members voting "aye."

Adjournment

The meeting was adjourned at 6:35 p.m. upon a motion by Mr. Larry Claiborne and second by Mr. Don Smith which was unanimously approved by the Board.

Approved:

Gackie Leatherwood
Planning Commission Secretary

11.14.19
Date