

**MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
February 20, 2020
THURSDAY, 5:00 P.M., CITY HALL**

MEMBERS PRESENT

Robert Maples
Bud Ogle
Larry Claiborne
Don Smith
Jackie Leatherwood

MEMBERS ABSENT

Kirby Smith
Charlie Moore

OTHERS PRESENT

Jeremy Puckett
Luke Laney
Chuck Laney
Mike Walshton
Randy Watson
Jerry Muszik
Carol Muszik
Gus Floodquist
Bruce Cantrell
Sherily Hammonds
Gary Rae

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

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Robert Maples called the meeting to order at 5:00 P.M. The minutes of the January 16, 2020 meeting were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Bud Ogle.

STAFF REPORT

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

OLD BUSINESS

NEW BUSINESS

Review and consideration for a plat approval of a minor subdivision of the "Webb Property," being Tax Map 118, Parcel 116, 117.02 & 117.12, located at 103 Branam Hollow Lane, R-1 Zone, requested by Cantrell Engineering & Surveying, PLLC.

Staff presented the request for a final plat approval of a minor subdivision of the "Webb Property," located at 103 Branam Hollow Lane and being Tax Map 118, Parcel 116, 117.02 & 117.12, to relocate interior property lines and to divide the three parcels into two parcels. Staff explained that the request specifically includes the relocation of an interior lot line between Parcel 116 and 117.02 to increase Parcel 116 to 1.06 acres and also combines Parcels 117.02 and 117.12 through the deletion of the interior lot line to create a single parcel consisting of 1.55 acres. Staff noted that Parcel 116 fronts on East Parkway but that the remaining parcels 117.02 and 117.12 do not have public street frontage but are served with an ingress and egress easement. Staff explained

that apparently these lots were created by deeds dating back to the late 60's and 70's and that this area would have not been annexed into the City until the late 80's. The plat also references a 15' joint use easement that was dated as early as 1947. As such, while the new "Lot 2" does not meet public street frontage the number of lots have been reduced and the lot area increased in size. Also, the consolidation of the properties does reduce the number of properties that will be served with the easement. Mr. Bruce Cantrell stated there were no utilities on the property. Mr. Joe Barrett stated that was house on the property.

Staff stated that the plat lacked the certifications and signatures of Owners; Utilities; E-911 and Sevier County Electric System and Sevier County Health Department. Staff further noted that because the property is not served with public water and sewer, the Sevier County Health Department Signature of Approval will be required prior to recordation. After a brief discussion, Mr. Larry Claiborne made a motion to approve the request and Mrs. Jackie Leatherwood 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 "Skylift/Sky Park," being Tax Map 126K, Group D, Parcel 22.01, located at 541 Campbell Lead Road, C-2 Zone, requested by Civil & Environmental Consultants, Inc.

Staff presented the request for a commercial PUD site plan approval for "Sky Lift Gatlinburg," for site additions to the existing PUD that is located at 541 Campbell Lead Road, and further being Tax Map 126K, Group G, Parcel 21.01. A revised map was given to the Board members by Mr. Jeremy Puckett.

Staff stated that the request consists of additions to the "Skylift Sky Park," a commercial Planned Unit Development to add a restroom facility, observation decks, and shelter structure on the west end of the property at the existing "Sky Bridge" structure terminus. Staff noted that the plan depicts a proposed 12'x 65' restroom facility equaling approximately 780 square feet to be provided for patrons to the site. The plan also shows additions to expand the observation areas at the end of the bridge and an addition observation deck to be located to the south of the bridge terminus. The plan indicates that stone trails will be used for pedestrian access to and from the new facilities to the existing bridge. Staff further noted that the plan shows that water and sewer will be provided to the restroom facility via connection along Campbell Lead Road. The utility plan indicates that sewer will be obtained through a force main system up to the existing public sewer line in Campbell Lead Road. The site plan also shows the addition of proposed infiltration trenches located on the downside of the observation decks to capture and filter storm water runoff from the site improvements. Mr. Puckett advised that the stormwater calculation plan has been updated to indicate that post construction run off numbers do not increase over pre-construction run off rates and volumes. Staff advised that a maintenance plan for the permanent storm water controls is needed for the site for recording purposes to ensure continued maintenance responsibilities with the system.

Staff noted that the plan lacks the following information: zoning district information; survey with dimensions and calls of all property lines; total acreage of property; density of property; landscape plan; solid waste collection plan; setback information; revised storm water plan and calculations; and building elevations. Also, if a road access is to be provided to the structure, a road profile is needed to determine if the road is acceptable for emergency access. Mr. Puckett noted that the plan update does include the lacking items noted by Staff and that the Fire Department has

reviewed the proposed layout and is satisfied with the design. The Fire Department did mention that consideration should be given to locating a hydrant on Campbell Lead in close proximity to this side of the property. Note, the property is located in a Hillside Overlay District and Critical Slope Floating Zone so all buildings and site work must comply with the adopted provisions of each of the overlay districts and a geotechnical soils report is needed for the site. Staff requested that a darker color be used on the exterior of the proposed building and that additional landscaping be incorporated to screen the building. Mr. Puckett stated that would not be problem and a landscape design was in place.

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

Review and consideration for a revised PUD site plan approval for "Highgate Subdivision," being Tax Map 126J, Group C, Parcel 36.04, located at 935 Campbell Lead Road & Highgate Way, R-2 Zone, requested by Jerry & Carol Muszik.

Staff presented the request for a revised PUD site plan approval for "Highgate Subdivision," being Tax Map 126J, Group C, Parcel 36.04, located at 935 Campbell Lead Road. Staff noted that the request consists of a final PUD site plan approval for the "Highgate Planned Unit Development" which involves the subdivision of property. The plan consists of a six (6) lot subdivision that will be accessed from Campbell Lead Road and served with a private gated street. Staff noted that the property was originally developed as a subdivision and Highgate Lane was a City owned and maintained street. However, the previous developer had the property converted back to a PUD and the street was deeded back to the developer as a private drive to the development. Further, the previous developer failed to have the subdivision plat revoked so the subdivision as depicted exists of record. Staff stated that utilities were available and had been tested and approved by the utilities department. Staff stated that the combining of lots 4 & 5 creates a 6 lot development as opposed to the original seven lots.

The current developer is requesting to maintain the property as a PUD and keep the street within the development as a private gated street. As such, a revised PUD plan has been submitted to show the lot and private street layouts as well as existing and proposed utility locations. When the street was originally constructed, the City's Public Works Department inspected and approved the street construction for acceptance by the City. The street has not been modified from the original layout and construction and therefore presumed acceptable as adequate access to the lots. The private street name proposed is Highgate Way. This name will have to be approved by the Sevier County E-911 Office.

Staff explained that the property was developed with a 6" water main for domestic and fire protection and has been tested and flowed to confirm that the line is still in good working order to serve the development. The water line is connected to the public water line in Campbell Lead Road and is metered by a private master meter to serve the development. Mrs. Carol Muszik stated that there was a master meter on site but was checking to see if everyone could have their own meter. Staff noted that public sewer is also available to the properties but will require individual force main sewer lines to pump the sewer to the public line in Campbell Lead Road from each individual lot. The plan depicts a 15' utility easement area that with in the private street to locate

the individual sewer lines. The developer has provided an unsigned copy of the Home Owners Association Documents for the development.

After a brief discussion, Mr. Bud Ogle made a motion to approve the request and Mrs. Jackie Leatherwood provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a plat approval of a revised subdivision plat for "Highgate Subdivision," being Tax Map 126J, Group C, Parcel 36.04, located at 935 Campbell Lead Road & Highgate Way, R-2 Zone, requested by Jerry & Carol Muszik.

Staff presented the request for an approval for a revised subdivision plat for "Highgate Subdivision," being Tax Map 126J, Group C, Parcel 36.04, located at 935 Campbell Lead Road. Staff stated that leaving it as a PUD would be the only way to keep it a private and gated community.

Staff explained that the request consists of a final subdivision plat for a six (6) lot subdivision with a PUD being the "Highgate Planned Unit Development." The request is for a final plat approval for the six (6) lots that are located within the PUD. The plat depicts six (6) lots subdivision that will be accessed from Campbell Lead Road and served with a private gated street. The property was originally developed as a seven (7) lot subdivision however, Lots 4 and 5 were consolidated to create "Lot 4R" as shown on the plat. Originally, Highgate Lane was a City owned and maintained street. However, the previous developer had the property converted back to a PUD and the street was deeded back to the developer as a private drive to the development. As noted in the previous item, the current developer wishes to keep the street private and gated. The Home Owner's Association restrictions will govern the maintenance of the street as a private street. The private street name proposed is Highgate Way. This name will have to be approved by the Sevier County E-911 Office.

The subdivision will be served with a 6" water main for domestic and fire protection and has been tested and flowed to confirm that the line is still in good working order to serve the development. The water line is connected to the public water line in Campbell Lead Road and is metered by a private master meter to serve the development. Public sewer is also available to the properties but will require individual force main sewer lines to pump the sewer to the public line in Campbell Lead Road from each individual lot. The plat depicts a 15' utility easement area that within the private street to locate the individual sewer lines. The developer has provided an unsigned copy of the Home Owner's Association Documents for the development.

The plat lacks the following: corner monuments; the property calls and dimensions for the southernmost common line between "Lots 6 & 7;" Signature of Ownership and Dedication; Utility Department Signature of Approval; E-911 Signature of Approval for Street Name; Sevier County Electric System Signature of Approval; The plat should also indicate the current hydrant location located in the cul-de-sac area.

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

Review and consideration for a revised PUD site plan approval for “Deer View Trail,” being Tax Map 126P, Group E, Parcel 012.00, located at 1247 Wiley Oakley Drive, R-1 Zone, requested by Civil & Environmental Consultants, Inc.

Staff presented the request for a revised PUD site plan approval for “Deer View Trail,” being Tax Map 126P, Group E, Parcel 012.00, located at 1247 Wiley Oakley Drive and noted that the request consists of a revision to the “Deer View Trail,” Planned Unit Development plan. Staff stated that the original number of units proposed have not changed but the revised PUD plan now depicts two (2) phases of development with Phase I consisting of four (4) dwelling units and a pool and Phase 2 which consists of two (2) proposed dwelling units. Staff also added that the plan shows a significant reduction in the building footprints from the original PUD plan for Units 2 – 6. There is also a change to the access configuration to Unit 3 from the original layout.

Staff stated that the fire department has ask that the turn around to be changed back to the original layout to provide for a better turning area and radius for emergency equipment. Mr. Jeremy Puckett stated that the turnaround will be revised to the original layout as requested by the Fire Department. Mr. Bud Ogle ask if the pool area had been changed. Mr. Jeremy Puckett stated all the buildings are now smaller than the originally plans.

Staff noted that the revised plan also alleviates the retaining wall structures between Units 4, 5, and 6. Staff explained that this area also depicts fewer parking spaces than the previous PUD plan and that most all other elements of the development do not change from the original. Also, staff will need the geotechnical soils report for the development per the Critical Slope Floating Zone Requirements. After a brief discussion, Mr. Larry Claiborne made a motion to approve the request and Mrs. Jackie Leatherwood provided a second which was unanimously approved by the Board with all members voting “aye.”

Review and consideration for a plat approval of minor subdivision for “Anakeesta Mountain Tract 1-R2,” being Tax Map 126M, Group A, Parcel 33.03, located at 147 Baskins Creek Bypass, C-1 Zone, requested by Cantrell Engineering & Surveying, PLLC.

Staff presented the request for a final plat approval for a proposed minor subdivision for the “Anakeesta Mountain Tract 1-R2,” located at 147 Baskins Creek Bypass and further being Tax Map 126M, Group A, Parcel 33.03 and Tax Map 126M, Group A, Parcel 32.01. Staff noted that the request consists of a minor re-subdivision of Tax Map 126M, Group A, Parcel 33.03, and Tax Map 126M, Group A, Parcel 32.01, to add approximately .56 acres of Parcel 32.01 to the existing 69.25 to create a new “Tract 1-R1” totaling 69.81 acres. Staff explained that the property associated with 32.01 is apparently a deeded tract of land that was acquired from Tax Map 126M, Group A, Parcel 32 which is located south of the subject property. Staff further noted that the remaining property of Parcel 32.01 that the .56 acres is being removed from is the next agenda item and is being consolidated with an adjoining parcel. As such, a full boundary survey of both properties involved in the property exchange will ultimately be recorded depicting new boundary information.

Staff stated that the minor subdivision plat lacks the following information: Signature of Ownership and Dedication; Utility Department Signature of Approval; E-911 Signature of Approval; and the Sevier County Electric System Signature of Approval. Staff stated the plat was only lacking the signatures for the recording. After a brief discussion, Mr. Bud Ogle made the

motion to approve the request and Mr. Don Smith provided a second which was unanimously approved by the Board with all members voting "aye."

Review and consideration for a plat approval of a minor subdivision for "Anakeesta Mountain Tract 1-R1," being Tax Map 126M, Group D, Parcel 19.00, located at Silverbell Heights Lane, R-1 Zone, requested by Cantrell Engineering & Surveying, PLLC.

Staff presented the request for a final plat approval for a proposed minor subdivision for the "Anakeesta Mountain Tract 1-R1," located at 147 Baskins Creek Bypass and further being Tax Map 126M, Group D, Parcel 19.00 and Tax Map 126M, Group A, Parcel 32.01. Staff explained that the request consists of a minor re-subdivision to add the remaining portion of Parcel 32.01 to Parcel 19 for a total combined acreage of 8.11. Staff stated that the property associated with 32.01 is apparently a deeded tract of land that was acquired from Tax Map 126M, Group A, Parcel 32 which is located south of the subject property. Staff explained that the resulting property fronts on both Silverbell Heights Lane and Little Fox Road. The property is zoned both commercial and residential with the commercial portion being the upper portion of the property that adjoins the "Anakeesta" development.

Staff noted that the minor subdivision plat lacks the following information: Signature of Ownership and Dedication; Utility Department Signature of Approval and/or Sevier County Health Department; E-911 Signature of Approval; and the Sevier County Electric System Signature of Approval. After a brief discussion, Mr. Bud Ogle made a motion to approve the request and Mr. Larry Claiborne 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 "Anakeesta," being Tax Map 126M, Group A, Parcel 033.03, located at 147 Baskins Creek By-Pass, C-1 Zone, requested by Cantrell Engineering & Surveying, PLLC.

Staff presented the request for a commercial PUD site plan approval for "Anakeesta," for site additions to the existing PUD that is located at 147 Baskins Creek Bypass, and further being Tax Map 126M, Group A, Parcel 33.03. Staff noted that the request consists of minor additions to the "Anakeesta," a commercial Planned Unit Development including a retail building, sunshade structures in the plaza, band stand area, a boardwalk and treehouses. Staff stated that the plan depicts a proposed 15' x 25' retail building to be added on the property near the location of the observation tower that was previously approved. The plan also shows that a boardwalk with additional treehouses will be constructed on the east portion of the property just between the access road and observation tower. In addition, a stage area (band stand) and shade system is depicted just west of the restaurant addition that is currently under construction.

Staff explained that the proposed elements are mostly minor additions not requiring utilities with the exception of the retail building which is depicted to have a 6" water line extension and 6" sewer line to provide for water and sewer service. The plan also shows an underground electric utility extension to the building. All utilities will be extended from the existing onsite utilities. Note, the property is located within a Hillside Overlay District and Critical Slope Floating Zone and verification that all new additions comply with those provisions will be required prior to issuance of a building permit.

Mr. Bud Ogle ask how the Emergency Department was going to be able to access the property. Staff stated he had visited the site to see where the fire department would have access. Staff stated that the Emergency Department would access off Baskins Creek By-Pass for more than one way in and out. Mr. Bruce Cantrell stated that there was a paved road to help get access. Mr. Bruce Cantrell stated that the new Retail Store would be about 1,200 square feet and there would be ADA ramps available. Staff stated that the plan lacks the following information: grading plan of existing and proposed finished grades; revised storm water plan and calculations; building elevations; landscape plan; and solid waste collection plan. Also, if a road access is to be provided to the structure, a road profile is needed to determine if the road is acceptable for emergency access. The Fire Department has reviewed the proposed additions and is okay with the design and layout.

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

Review and consideration of proposed amendments to Article VII, Sections 714 & 715 being the Critical Slope Floating Zone and Hillside Overlay District Provisions requested by Staff.

Staff presented the request for a review and consideration of amendments to Article VII, Sections 714 and 715 being the Critical Slope Floating Zone and Hillside Overlay District Provisions. Staff noted that these are overlay district provisions which overlay the various underlying zoning districts where applicable. Staff explained that the HOD District are being proposed to address the issues related to the difficulty in applying the regulations since the 2016 Wild Fires, due to the heavy loss of the existing natural vegetation. The original regulations were written to promote and protect the existing vegetation so that the existing vegetation would be utilized to screen structures from view along specified corridors within the City.

Staff explained that the main factors which have impacted the implementation of the provisions to construction activity within the City relate to the lack of existing vegetation to achieve screening as the current ordinance emphasizes; the slope of properties, and the inability to reproduce screening to the extent that is required; and the fact that in the Spring of 2018, the City received the designation as a Firewise Community and have been promoting the use of firewise techniques with a desire to reduce wildfire threats to structures. Staff discussed that areas consisting of 30% and greater slope are highly visible from most all of the identified public Scenic and Landscape Resources of Significance. Further, because the area vegetation was mostly destroyed by the fires, the buildings have little or no vegetative coverage for screening the current Hillside Overlay Provisions require property owners who wish to build to manufacture vegetative screening to cover 75% of the building façade. With the steeper terrain of the area, to achieve screening of 75% within a two (2) year growth cycle of planting would require property owners to plant mature trees in excess of 50 – 70 feet in height. In addition, the new plantings would be required to be placed within the Firewise recommended "defensible space zone." As such, Staff has conducted a review of the current regulations to develop alternatives to the required plantings as currently adopted in the Zoning Ordinance. Staff noted that based on the discussions at the January 16th meeting, the proposed amendments have been developed with an approach to achieve a visually subordinate built environment through the use of building colors and materials that promote blending structures with the surrounding natural environment. The primary recommendations will be offered as

options to the property owner upon application of a building permit when existing vegetation does not provide 75% screening of the structure and/or building:

Option #1

- Require the use of dark, earth-tone colors on the exterior of the buildings that will obscure the buildings that are visible from the identified SLRS's.
- Require that non-reflective glass and roof systems be used on the building.
- Recommend that new vegetation be planted in areas that will eventually provide screening from the SLRS's if the plantings can be done without conflict with "Firewise" recommendations. Note, all planting must be native species matching the kinds and density of vegetation that is indigenous to the area and acceptable under the "Firewise" standards.

Option#2

- Plant new vegetation that will achieve 75% screening within a two (2) year growth cycle of the initial planting. Note, all planting must be native species matching the kinds and density of vegetation that is indigenous to the area and acceptable under the "Firewise" standards.
- Submittal of a stamped and certified landscape plan by a Tennessee Licensed Landscape Architect showing the proposed location, type, and size of replanting materials accompanied with the visual documentation depicting the how the 75% screening will be achieved.
- Submittal of a bond or letter of credit sufficient for the proposed replanting material and labor costs for the replanting of the required screening. The surety must be valid for 2 ½ years to ensure the placement and survival of the new plantings.

Staff's stated that the proposed options, especially Option #1, provides a reasonable option to property owners and achieves the visually subordinate built environment as desired. Staff explained that there are other minor revisions recommended throughout the Critical Slope Floating Zone and Hillside Overlay District that are of less significance and are mostly deletions due to duplications or conflicts with other adopted ordinances. The most significant proposed change to the Critical Slope Floating Zone relates to the exemption of single-family dwellings on existing lots of record from the requirements of geotechnical reports. The original regulations were intended to be applied to new developments such as subdivisions, PUD's, and commercial developments which require Planning Commission approval processes in an effort to identify problem areas that may need to be avoided in the inception of the design

Mrs. Carol Muszik ask if the city would be providing a color pallet. Staff stated that there would a recommendation of a color palette that property owners could choose from that would meet the criteria of the City. Mr. Bud Ogle stated he felt like this was on the right track to finding solutions and stated that the color palette should be available for both options 1 & 2. Mr. Ogle stated the roofing should also be included in the color requirement. Staff stated of non-reflecting materials was being recommended and that roofing color could also be included.

PC Minutes

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After a brief discussion, Mr. Bud Ogle made a motion to approve the request and Mrs. Jackie Leatherwood provided a second which was unanimously approved by the Board with all members voting "aye."

Adjournment

The meeting was adjourned at 6:05 p.m. upon a motion by Mrs. Jackie Leatherwood and second by Mr. Larry Claiborne which was unanimously approved by the Board.

Approved:

Jackie Leatherwood
Planning Commission Secretary

2.19.2020
Date