

**MINUTES OF THE
GATLINBURG MUNICIPAL PLANNING COMMISSION
MAY 19, 2022
THURSDAY, 5:00 P.M., CITY HALL**

MEMBERS PRESENT

Robert Maples
Kirby Smith
Cam Caton
Candace Ogle Morton

MEMBERS ABSENT

Jackie Leatherwood
Larry Claiborne

OTHERS PRESENT

Bob Bentz
Rod McCarter
Alan Hill + AT&T
Hank Byma
Randy Watson
Seth Butler

Staff Representatives: David Ball, Building & Planning Director
Gary Brackins, Assistant City Planner
Joe Barrett, ETDD
Jodi Bible, 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 April 21, 2022, meeting, were unanimously approved following a motion by Mr. Cam Caton and a second provided by Mr. Kirby Smith.

STAFF REPORT

The Building and Planning Director made an introduction of the Planning Commission's newest member, Candace Ogle Morton, and welcomed her to the Board.

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

OLD BUSINESS

NEW BUSINESS

Review and consideration of a commercial site plan approval for "Bigfoot Coffee Shop," being Tax Map 117 Parcel 234.04 located at 1619 East Parkway, C-2 Zone, requested by Cantrell Engineering & Surveying, PLLC.

The request consists of a proposed 14' x 34' retail building to be located on Parcel 236.04 which is a .34-acre (14,680 sq. ft.) parcel located on East Parkway. The plan depicts the location of the proposed building on Parcel 236.04 in the southeast corner of the property. The building elevations indicate that the structure will be a single-story structure. The retail business is primarily a drive-thru business with apparent interior customer seating accommodations. Generally, seating for restaurants require a minimum of one space parking for each 4-customer seating. With the lack of seating, a calculation of one space for each 300 square feet of retail building was used to determine the minimum parking requirements. Based on the size of the retail building, a minimum of 2 parking spaces will be required for the development. The plan shows one space on the property

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and additional parking area on “Lot 1” to be used in joint use with Lots 1, 2, and 3. A legal document will be required for the second space to remain in perpetuity for the use of the business located on Lot 3 to ensure adequate parking for the business.

The site plan depicts access to the business to be provided via two (2) different locations. The main entrance from East Parkway is shown through a joint use access through the adjoining “Lot 2.” A 12’ drive aisle will then be utilized to enter the subject property for drive through customers and then exit “Lot 3” on the southeast portion of the property. A second access is depicted from Hidden Hills Road that will extend through “Lot 1” and “Lot 2” to the subject property “Lot 3.” The joint use access drive runs parallel with East Parkway and consists of a 24’ wide, two-lane drive. The plan indicates that this drive aisle will serve all three (3) lots for access however the plan indicates that the improvements for the drive and parking area shown on “Lot 1” as a future improvement. Staff would recommend that the drive aisle be improved from Lot 3 down to Lot 1 and that the one required parking space also be improved and legally recorded for the approval of the site plan. The access point along East Parkway will require final approval and permits from the Tennessee Department of Transportation (TDOT).

The site plan indicates that site drainage and stormwater will be controlled using an onsite piping and collection system. The plan indicates that the piping will be connected to a 30” pipe system within the right-of-way area of East Parkway. The Tennessee Department of Transportation will need to approve the stormwater connections. The plan shows a retaining wall is located on the north side of the building to retain the steep embankment. The survey indicates that the wall does extend beyond property boundaries which will require adequate easement agreements. The portion of the retaining wall located on the State Right-of-way will require TDOT approval. The solid waste collection area is depicted on “Lot 2” and would appear to be a future joint use of the three lots. A detailed utility plan will be needed to verify utility connections and locations. These connections will need to be reviewed and approved by the Gatlinburg Utility Department.

The site plan lacks the following information: site density information, detailed storm water plan and storm water calculations, grading and drainage plan with finished grades, detailed utilities plan, and detailed landscape plan. Also, the legal documentation for the joint use access, parking and solid waste area will need to be provided to ensure adequate access, parking, and solid waste disposal for the properties. Further, all proposed right-of-way encroachments and improvements will require approval and permitting with Tennessee Department of Transportation.

After a discussion, Mr. Kirby Smith made a motion to approve the request subject to all lacking items. Mr. Cam Caton provided a second with all members unanimously voting, “aye.”

Review and consideration for a preliminary PUD commercial site plan approval for “Gatlinburg Skyline Park – River Parcels & Ridge 2 Development,” located at 510 River Road, C-2 Zone, requested by Boyne Resorts.

The request consists of a preliminary PUD site plan approval for the proposed site improvements to the former “Christus Gardens” and “River House Motel” property located at 510 and 610 River Road and the adjoining Tax Map 126, Parcel 1, located just north of 510 and 610 River Road. The project is basically a two (2) part development that is being connected with a proposed “gondola” transportation lift that ascends up the mountain side from River Road property to the development

referred to as “Ridge 2” development. As such, the review will be broken into two reviews as follows:

River Road Parcels: The “River Road Parcel” development consists of the redevelopment of the former Christus Gardens and River House Motel properties. Note, the current zoning classification of the property is C-2 (General Business) District. The applicants have indicated that a request to rezone the property to C-1 (Tourist Commercial) District will be presented at the June meeting. The C-2 District requires a minimum of 15 feet of front yard setback along all front yard areas. The plans have been presented under the setback requirements of the C-1 which is a 10’ front yard setback. As such, all approvals granted must be subject to a rezoning of the property and/or revisions to change the setback to 15 feet. The site plan depicts a “Gondola” base building and retail use, an outdoor food and beverage court, ADA access to the W. Prong Little Pigeon River, a river walk and elevated board walk, and an expanded parking lot area on the former Christus Gardens property. The site plan also includes a proposed trolley stop and pedestrian bridge from River Road over to the property. The proposed trolley stop encroaches into the River Road right-of-way area upon the on street parking. It appears that the trolley stop will require removal of on street parking immediately adjacent the trolley stop and therefore reduces south bound traffic to a single lane within the right-of-way area. The proposed right-of-way improvements will require the Board of Commission approval and the pedestrian bridge improvements will require a flood study to ensure there is no impact to the West Prong Little Pigeon River.

The site plan depicts a 60’ clearing below the route of the gondola lift from the lower property to the upper property. A proposed landscape plan is needed to show how the area will be revegetated and stabilized for the disturbance. A site utility plan has been provided to show that utilities will be obtained from the public utilities located within River Road. The Fire Department has requested that the utility plan show the nearest hydrant location to determine if an additional hydrant is required on the property. The plan indicates that the post construction runoff will be less than the pre-construction conditions and thus, not requiring any onsite detention. The plan shows various catch basins and drainage piping to capture and discharge the site drainage. The plan does not include the 60’ storm water buffer area which will need to be added to the site plan. There are areas that are currently developed but there are also areas of proposed improvements that will encroach into the buffer area. The plan also shows various retaining walls along the tow slope of the mountain adjoining the new development areas. The walls range in height but none are depicted to exceed 15 feet. The grading plan shows extensive grading within the area of the proposed ADA access to W. Prong Little Pigeon River. The grading will have to be analyzed for impacts to the flood hazard area to determine no impact/no rise.

The preliminary plan shows emergency ingress and egress to the property. The Fire Department has reviewed the proposed access route and determined that the proposed plan is an acceptable access to the facilities. The preliminary plan shows the base building at a height of 49’-6” from the lowest finished grade which is well below the maximum heights of either the C-1 or C-2 Districts. The open food court structure is shown at 26’-9”. The preliminary site plan lacks the following: utility demands and calculations; storm water buffer delineation; utility plan with hydrant locations; landscape plan for the gondola lift clearing area; 100-year base flood elevations for each building; revision of stream name from “Cliff Branch” to “W. Prong Little Pigeon River. Also, the floodway and floodplain boundaries need to be more clearly shown on the site plan. It

may require a sheet specifically dedicated to show the boundaries and buildings due to the enormous amount of information that is currently shown on the site plan.

Ridge 2 Development:

The preliminary plan shows that the Ridge 2 development area will include the Gondola lift upper terminal, a three-story structure that includes two (2) restaurants, retail space, bathroom facilities, and a refuse and commissary area on the lower level of the building. The plan also includes three (3) levels of terrace areas that include a play area, water feature, and a new pedestrian ADA accessible bridge with an observation area, that extends eastward to connect to the Ridge 1 development where the Skybridge terminates. The plan also depicts a hiking trail feature that extends from the lower plaza level down the mountain to the River Road development and over to the Ridge 1 development area.

The preliminary plan shows that the upper buildings will be connected to the public utilities located within Campbell Lead Road. The plan also depicts emergency access to the building from Campbell Lead Road. The Fire Department has requested confirmation that the access through the building provide a minimum height clearance of 13'-6" if the emergency vehicles are required to drive under the building as indicated. In addition, a road profile of the drive is requested to verify grades and a width of a minimum of 20' with two-foot shoulders will be required for the access road. The grading plan indicates a significant amount of grading north side of the building, between the building and Campbell Lead Road. The plan shows that retaining walls will be used in and around the building and terrace areas, but no wall height information has been provided for the walls. There will need to be a Geotechnical Report provided on the upper portion of the property as required in the Critical Slope Floating Zone provisions. The storm water drainage plan information does appear to be duplicated from the lower section of the development. A specific analysis of the upper-level storm water runoff with calculation will need to be provided to determine if detention is required for the property.

As it relates to the Ridge 2 development, there are concerns related to the height of the "Falcon's Bridge and Nest" element and the viewshed information that has been provided for the project. The proposed bridge and observation areas conflict with the Hillside Overlay District provisions. Specifically, the Hillside Overlay District provisions prohibit the extension of structures above the ridgeline associated with the development. The viewshed information indicates that the proposed "Falcon's Bridge and Nest" will extend above the ridge line to the north of the element. Further, the height of the bridge and observation area are well above the maximum allowed height of 84' as permitted in the C-2 District. The preliminary plan indicates that the height of the bridge element from the finished grade is approximately 150'. The ridgeline is represented by the top of the tree canopy. However, in this location the trees were destroyed in the 2016 Wildfires and therefore the natural ridgeline no longer exists. The viewshed plans show that Campbell Lead Road in the backdrop of the bridge but at an elevation of approximately 20' below the bridge element. There has been no plan provided to show the reestablishment of the ridgeline with any new vegetation or plantings to mitigate the ordinance conflict. The only options available are to replant vegetation between the bridge element along Campbell Lead Road to create a ridgeline and to lower the bridge below Campbell Lead Road. Further, the bridge element and observation nest will need to be lowered to the allowed height limitation of 84' and or a variance will be required

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before the structures can be permitted by the Building and Planning Departments. Note, a variance request has been submitted to the Board of Zoning Appeals for the height variance.

The same issue also exists with the 3-story building located on the ridge to the west of the new bridge. The vegetation was lost in the wildfires and with the new grading planned for north of the building, there is no existing vegetation to create a ridgeline. As such, the applicant will need to revise the request to adjust the structure below Campbell Lead Road elevations in addition to providing a proposed landscape plan of mature trees to recreate the ridgeline to the north of the structures. In addition, the materials and colors for the proposed buildings and bridge elements will need to be revised to comply with the Hillside Overlay District requirements. The colors must be non-reflective and must have a light reflective value of less than 40. Many of the materials and colors depicted in the preliminary plan indicate potential for high visibility from the identified Scenic and Landscape Resources of Significance (i.e. public streets). Also, the site plan shows a fence along Campbell Lead Road within the public right-of-way area. The fence will need to be relocated or approved by the Board of Commission to be installed on the right-of-way.

The site plan lacks the following information: a geotechnical report on the property per the Critical Slope Floating Zone requirements; revised elevation of the “Falcon’s “Bridge and Nest” to meet zoning maximum height limitations; revised location of the bridge and nest structure to lower the element below the ridgeline; revised setback information to show C-2 setbacks and/or a rezoning to C-1, emergency drive profile information; density information, stormwater information and calculations, landscape plan for Campbell Lead Road, revised utility plan to show hydrant locations; retaining wall height information; and a subdivision plat to consolidate the properties into a single development parcel.

Following an involved conversation between Mr. Hank Byma, the Board, and Staff, Mr. Kirby Smith made a motion to grant preliminary PUD approval for the River Parcel portion of the proposal and deny the Ridge 2 Development. Mr. Cam Caton provided a second with all members voting, “aye.”

Review and consideration for a re-subdivision of “Fox Partner Property,” Tax Map 126L Group C, Parcels 29, 30, 31, 33, and 34, located at 362 East Parkway, C-2 Zone, requested by Rod McCarter.

Staff presented a request that consists of a subdivision to parcels 29, 30, 31, 33 and part of 34 to create two (2) parcels consisting of 1.146 acres and .35 acres. The properties are currently developed with existing hotel structures and detached dwelling. The request is to primarily to consolidate a portion of Parcel 34 being 13,673 with the adjoining parcels 29, 30, 31 and 33 to create the larger parcel of 1.146 acres. The remnant parcel 34 will contain approximately 15,126 square feet or .35 acres. The interior lot lines will be deleted, and a new interior lot line will be established on the south boundary of Parcel 34.

The property is served with public water and public sewer from East Parkway and both parcels are accessed from East Parkway. The minor subdivision lacks the following information: Signatures of Ownership and Dedication, Signatures of approval from the Utility, E-911, and Sevier County Electrical System.

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After a brief discussion, Mr. Kirby Smith made a motion to approve the request subject to lacking items. Mr. Cam Caton provided a second, which passed unanimously with all members voting, "aye."

Review and consideration for a final PUD commercial site plan approval for "Lumina Walk & Kiosk," being Tax Map 126M, Group A, Parcel 33.03, C-1 Zone, requested by Silverbell Investments, LLC.

The request consists of a PUD site plan approval for a proposed "Lumina Trail" addition to the Anakeesta Development. The walking trail was previously approved by the Board but did not include the utility plans and drainage information associated with the development. The plan also did not include the lighting plan for the trail. The site plan depicts a proposed 3,834' long pedestrian walking trail to be located on the northeastern portion of the property. The plan depicts a proposed 6' wide by 3,834.89' walking trail to be constructed along the contours of the property to create a looped walking trail system beginning at an elevation of 1816' and descending to an approximate elevation of 1690'. The elevation change proposed for the walking trail from its highest point to the lowest point on the property is 126' in elevation. The plan also includes a kiosk building to be located at the entrance to the Lumina Trail feature. The plan includes eight (8) different zones along the walking trail where a lighting element/show will occur for the walking trail pedestrians. The plan indicates that the installation will consist of light, both moving and static, sound, music, fog, and other multimedia elements that will create an immersive experience with the forest and intended to be seen and experienced from only the various zones located within the Lumina Trail. Mr. Bob Bentz was present to discuss specific details pertaining to the proposal.

The design engineer has provided topography of the property that depicts the existing slopes of the property in the location of the trail. Also, the storm water calculations and drainage areas have been provided by the civil engineer indicating that the existing drainage facilities and runoff collection areas will accommodate the proposed site drainage. The plans also indicate that some areas may require the installation of small (less than 4 feet), short retaining walls either above or below the trail. The plan also depicts a retaining wall at the kiosk ticketing location. The plan shows wall heights up to 15' to create a slightly sloping area around the kiosk. The plan does include the utility plan for the electrical installations and sources for the lighting of the walkway at the various zones. Note, if the existing SWPPP plan does not include the walking trail improvements, the plan will need to be update and submitted to TDEC for review and approval. The plan includes a landscape plan that indicates a planting schedule of approximately 260 trees and 110 shrubs throughout the trail area. The trees are proposed in heights of 6 to 12 which should provide additional coverage of the proposed lighting features.

Following a brief discussion, Mr. Cam Caton made a motion to approve the request subject to lacking revisions. Mr. Kirby Smith provided a second, with all members voting, "aye."

Review and consideration for a final PUD commercial site plan for "Stone Village," being Tax Map 126M, Group A, Parcel 33.03, C-1 Zone, located at 147 Baskins Creek Bypass, requested by Silverbell Investments, LLC.

The request consists of a final PUD site plan approval for a proposed "Stone Village" addition to the Anakeesta Development. The proposed PUD plan depicts additions to the upper portion of the

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development just northeast of the existing tower element. The site plan depicts several new buildings to be located on the property including a three (3) story brewery/retail building, a single-story bakery, a single-story retail structure, and a 2-story, retail/coaster building. Note, the proposed layout results in various locations where the proposed buildings cross interior property lines. Staff recommends that the interior lot lines be removed, and the property be consolidated into a single parcel to alleviate the boundary line issue.

The site layout plan also proposes a new wooden pedestrian walkway to cross over the emergency access road from the plaza area to the coaster element located on the south portion of the property. The engineer has provided road and driveway profiles for the access roads and all grades appear to be less than 15% grade. Note, the Fire Department has reviewed the plan for proposed access to the plaza area with emergency vehicles especially to the 3-story building. Generally, with multiple story structures a ladder truck will be the emergency response vehicle which requires a minimum of a 26' fire lane and a 3% grade or less staging area that would place the ladder truck within adequate range to reach the building for fire suppression and rescue. The Fire Department is satisfied with the proposed layout of the plaza area and the proposed access to the structures. With limited vehicle access, the utilization of sprinkler systems for the building will be needed for fire suppression. Also note, the developer will need to provide an updated emergency evacuation plan to the Fire Department indicating the means for evacuation in the event of a disaster or inclement weather which would prevent normal day to day operations in removal of the visitors to the property. Also, verification that the elevated walkway will be elevated for a minimum clearance of 13'-8" above the road to ensure emergency vehicle accesses are maintained to the site. The plan also includes several retaining walls and new concrete pedestrian walkway areas. In review of the plan of the proposed wall sections, there appear to be wall heights above the maximum heights of 15 feet. As such, the Critical Slope Floating Zone requirements require that the height be less than 15 feet or terraced to avoid large wall masses. Note, a geotechnical report is currently being prepared for the new phase of development will be required prior to issuance of building plans for the development.

The design engineer has provided topography of the property that depicts the existing and new grading of the "Stone Village" area of development. The plan does include a storm water pollution prevention plan with designed erosion controls for the construction of the site. The plan also includes a stormwater detention plan with a proposed detention storage area consisting of two (2) storm vault/trap systems to create a storage capacity. The drainage plan includes additional 12" and 15" drainage piping to extend from the plaza to the north side of the property where it will be discharged into a drainage area with several check dam structures. A stormwater report with calculations have been provided regarding the pre and post construction rate of runoff conditions for the property and the design engineer concludes that the proposed stormwater plan meets the City's adopted stormwater ordinance.

The plan includes a utility plan showing both water and sewer extensions into the new development area. The site usage and demand information has not been provided to the Utility Department at this time and will be required before permitting of the buildings. The plan does depict an additional fire hydrant in the plaza area to serve the buildings along with the existing hydrant located in Silverbell Heights Road at the east entrance into the property. All proposed utility plans will need to be approved and reviewed by the Gatlinburg Utility Department and Fire Department.

The following items are needed: property density calculations; final landscaping plan, geotechnical report for the new development area, revised retaining wall heights to a maximum of 15 feet, utility calculations and demands information, and a final plat for the consolidation of the property to resolve property line boundary encroachments within the property. The building elevations have been provided but the plans are not stamped and signed by the architect. Based on the preliminary elevations, it does appear that the buildings are within the permitted C-1 District height limitations. A building elevation for the three-story retail building has not been provided at this time. Also, a viewshed analysis will be needed to verify all new buildings and development elements are not visible from the identified Scenic and Landscape Resources of Significance or are properly mitigated with building colors not to exceed a light reflective value of 40.

Following a discussion, Mr. Kirby Smith made a motion to approve the request. Mr. Cam Caton provided a second with all members voting, “aye.”

Review and consideration for a final PUD commercial site plan for “Birdventure,” being Tax Map 126M, Group A, Parcel 33.03, C-1 Zone, requested by Silverbell Investments, LLC.

The request consists of a PUD site plan approval for a proposed “Birdventure” playground addition to the Anakeesta Development. The proposed “Birdventure” feature is located on the upper portion of the development just northeast of the existing tower element. The site plan depicts a series of elevated platforms and slides with connecting walkways and stairways. The plan also includes rock climb element as well as a netted element that connects the platform areas.

The design engineer has provided topography of the property that depicts the existing and proposed slopes of the property in the location of the “Birdventure” feature. The developer has indicated that the slopes will need to be regraded at a steeper than a 2:1 in order for the slide features to properly function. The plan includes the finished grading of the site that consists of a 31’ elevation drop from the slide entry deck area to the bottom of the slope. The slope drops from 1840’ to an elevation of 1809’ for a total of 31 feet of elevation change. The plan indicates that a geotechnical engineer will oversee the grading to ensure the slope’s stability. A geotechnical report and design will be required for permitting purposes to verify design and stability of all slopes in excess of 2:1 slope. The design engineer’s plan does not address site drainage. However, the existing SWPPP plan does include the “Birdventure” improvement area within the disturbance areas. The plan will need to be updated and submitted to TDEC for review and approval.

The following items are needed: drainage plan, storm water plan and calculations, elevations of the proposed platform elements (to determine height), geotechnical report for critical slope, a landscape plan, viewshed plan to verify visibility of the site feature and whether screening and/or color achieve adequate screening of the elements.

Following a brief discussion, Mr. Cam Caton made a motion to approve the request subject to lacking items. Mr. Kirby Smith provided a second with all members voting, “aye.”

Site plan reviews of proposed “small cell” infrastructure improvements throughout various public right-of-way areas of the city, requested by AT&T Kentucky.

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The request consists of the review of the proposed small cell infrastructure improvements in the downtown area. The request consists of 14 specific locations in the downtown area involving the placement of equipment on existing utility poles, new pole installations, and on the decorative light pole fixtures in the undergrounding phases of development. The applicants have indicated that the infrastructure improvements are needed to improve cell service in the high-volume usage area of downtown. Further, the applicants have indicated that colocation on other cell service facilities is not an option and therefore the additional 14 locations are needed to meet service needs. Mr. Allen Hill of AT&T was present to discuss the site plan proposed, as well as provide addition comments and insight to the benefits of this infrastructure improvement proposal. Of the fourteen (14) cell towers, only seven (7) will have lights included. The Board did recommend adding lights to all the cell towers. A representative of AT&T did mention that if they did include the lights on the cell towers that the City would be responsible for the maintenance and upkeep of those lights.

The Staff presented information that provides the general location of the cell service infrastructure and visuals of what the equipment will look like. In addition, the city has requested complete boundary survey information to ensure the infrastructures location. Note, any new facilities that will be placed on private property will require a utility easement from the private property owner prior to the issuance of a building permit for the infrastructure. This infrastructure is considered a public utility and therefore is permitted per state and federal regulations.

The Board made a recommendation to add lights to the fourteen (14) towers. Mr. Cam Caton made a motion to approve the request with the recommendation. Mr. Kirby Smith provided a second with all members voting, “aye.”

Review and consideration of the “FY 2023-2027 Capital Improvements Program.”

Staff presented the proposed Capital Improvement Projects for the FY 2023 – 2027 Program as submitted by their respective departments. The CIP is a 5-year program that identifies capital project needs of the city. The CIP is divided into four (4) funds which are: Special Revenue; General Fund; Water; and Wastewater. Each project submitted in the CIP must meet a minimum cost of \$10,000 and have an anticipated life expectancy of at least 10 years to qualify as a CIP Project.

After a brief discussion, Mr. Cam Caton made a motion to approve the request. Mr. Kirby Smith provided a second with all members voting, “aye.”

Adjournment

The meeting was adjourned at 6:30 p.m. upon a motion by Mr. Kirby Smith and second by Mr. Cam Caton which was unanimously approved by the Board.

Approved:

Gacmie Leatherwood
Planning Commission Secretary

6/16/22
Date

