MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
June 20, 2019
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT	MEMBERS ABSENT	OTHERS PRESENT
Robert Maples	Kirby Smith	Gail Catalfo
Larry Claiborne	Charlie Moore	Rod McCarter
Don Smith		Victoria Abrahams
Bud Ogle		Alex Abrahams
Jackie Leatherwood		Bruce Cantrell
		Juli Neil
		Aaron Henry
		Joe Waggoner
		Harold Hobby
		Jill Hobby

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 5:00 P.M. The minutes of the May 16, 2019 meeting were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Don Smith.

STAFF REPORT

Staff reported that the City Commission has reappointed Chairman Robert Maples for a five (5) year term, and Mr. Don Smith to serve as the Commission Representative, and Mrs. Jackie Leatherwood as the Mayor's Designee.

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

OLD BUSINESS

NEW BUSINESS

Review and consideration of a subdivision plat for a right-of-way dedication from "Cherokee Orchard, LLC," being Tax Map 126N, Group H, Parcel 006.00, located at East Holly Ridge Road, C-2 Zone, requested by Cherokee Orchard, LLC.

Staff presented the request for preliminary and final plat approval for the re-platting and dedication of improvements to a portion of East Holly Ridge Road Right-of-way and the adjoining property referenced as Tax Map 126N, Group H, Parcels 6 and 6.01.

Staff stated that the request consists of the re-platting of a portion of the East Holly Ridge Road Right-of-way area that adjoins Tax Map 126N, Group H, Parcels 6 and 6.01, to encompass road improvements to be dedicated to the City as public infrastructure. Staff noted that the request is a result of required improvements associated with the cabin development that has occurred on the adjacent property to accommodate added traffic generated by the development. The request specifically involves the re-platting and dedication of additional right-of-way area and street widening along the boundaries of the adjacent development to provide improved access into the development and adjoining area. Staff noted that the original width of the right-of-way was 20 feet and the proposed dedication will result in a right-of-way width of forty (40) feet. Staff also noted that the improvements have been reviewed by the Public Works Department and are acceptable as installed. Staff noted that the plat lacks the following: Signature of Ownership and Dedication; Utility Department Signature of Approval; E-911 Signature of Approval; Sevier County Electric System Signature of Approval; and Signature of Public Works Department for the improvements. Note, the proposed improvements and right-of-way acceptance will require approval of the City Commission. Following a brief discussion, Mr. Bud Ogle made a motion to approve and was seconded by Mr. Larry Claiborne. The motion was unanimously approved by the Board with all members voting "aye."

Review and consideration of a subdivision plat of the "Kate's Ogle Property," being Tax Map 117, Parcel 66.00, located on Cartertown Road, R-1 Zone, requested by Brennon Garrett.

The applicant requested to be removed from the agenda. Following a brief discussion, Chairman Robert Maples made a motion to approve the removal of the item from the agenda which was seconded by Mr. Don Smith. The motion was unanimously approved by the Board with all members voting "aye."

Review and consideration of a subdivision plat of the "North Mountain Trail-Westgate Resort," being Tax Map116, Parcel 198.00, located at 915 Westgate Resorts Road, R-1 Zone, requested by Westgate Resorts, Ltd.

Staff presented the request noting that the proposal consist of an interior lot line to combine the existing "Westgate Resorts" property with the adjoining property. Staff stated that the properties involved were Tax Map 116, Parcels 195 and 198 to create the single parcel consisting of 181.6 total acres. Staff added that Parcel 195 is currently developed as "Westgate Smoky Mountain Resorts" and Parcel 198 is currently being developed as an additional parking facility for the resort. Staff stated that the survey does depict an undeveloped right-of-way area on Tax Parcel 198, referred to as "Laurel Trail," which is adjoined by the neighboring parcel Tax Map 116N, Group A, Parcel 7 and that the plat does show the center line of the private street to extend through Parcel 198 to Parcel 195. Staff noted that while it appears the private section located on the property that runs through Parcel 198 does not server any adjacent property, the portion adjoining Tax Map 116N, Group A, Parcel 7 may possibly provide access to Parcel 7. Staff added that no documentation has been presented to determine the legal status of the right-of-way so until such time the portion of "Laurel Trial" shown to adjoin the neighboring Parcel 7 must remain intact.

Staff concluded by stating that the properties are served by both public water and sewer and that the plat lacks the following: Signature of Ownership and Dedication; Utility Department Signature of Approval; Electric System Signature of Approval; and E-911 Signature of Approval. Following a brief discussion, Mr. Larry Claiborne made a motion to approve and was seconded by Mr. Don Smith. The motion was unanimously approved by the Board with all members voting "aye."

Review and consideration for a proposed rezoning of 116 Tax Map, Parcel 198.00, from R-1 (Low Density Residential) District to C-4 (Recreation Commercial) District, located off of North Mountain Trail, requested by Westgate Resorts, Ltd.

Staff presented the request stating that the request relates to the previous item and primarily Tax Map 116, Parcel 198 located on North Mountain Trail. Staff noted that the request is to rezone the parcel from R-1 to C-4 Zoning District. Staff added that the parcel adjoins the existing "Westgate Smoky Mountain Resorts" Planned Unit Development which is also located off of North Mountain Trail and was approved for a parking lot to serve the adjoining development at the May Planning Commission Meeting. Staff explained that due to limitations of extending parking into a residential district, the applicants are requesting that the parcel be rezoned to the C-4 District to match the current development zoning classification

Staff noted that the parcel is adjoined by both residentially zoned and commercially zoned properties. The property is adjoined by residential to the north and commercial to the west, east, and south. The applicant has indicated that the reason for the request is to permit the expansion of the parking area for the adjoining development. Staff stated that in review of the request there is a concern regarding access to the property from the north through the residential neighborhood. Staff explained that the properties in this area are residential and the streets are narrow with steep grades which are not very conducive to high density development. Staff recommend that the rezoning area be limited to the lower portion of the property just beyond the boundaries of the parking lot layout where the street is of less grade and wider traffic lanes exists. Staff also noted that this approach would preserve the residential area to the north which is steeper terrain and not conducive to commercial use or access. Staff suggested that the rezoning boundary line could be placed beginning to the north at a common point of Tax Map 116N, Group A, Parcels 7 and 17 and then running south to a point common with the current Westgate Resorts Development just beyond the proposed parking lot boundary. Mr. Aaron Henry was present as a representative if CEC Engineering and Westgate and stated that the applicants were agreeable to limiting the rezoning area to the lower portion of the property. At this time Mr. Henry provided a visual map to indicate where the boundary could be placed for the rezoning.

At this time Chairman Maples recognized property owner of adjoining property located to the north of the development who expressed concerns with rezoning in the upper limits of the property boundary. Mr. Joe Waggoner stated that there was a concern regarding the parking lot traffic that would be entering and exiting from the lot onto North Mountain Trail. Mr. and Mrs. Hobby were present and also voiced concerns about the change in the zoning classification especially in the upper portions of the property but expressed appreciation to the Board for the consideration of limiting the zoning boundary to the lower portion as revised in the meeting.

Following a brief discussion, Mr. Bud Ogle made a motion to approve the proposed zoning change as amended to the lower portion of the property with a recommendation to the City Commission as such. Mr. Larry Claiborne provided a second and the motion was unanimously approved by the Board with all members voting "aye."

Review and consideration for a proposed rezoning of Tax Map 118,Parcel 87.00; Tax Map 118, Parcel 87.02, from R-2 (Medium Density Residential) District to C-2 (General Business) District, located off of Mills Park Road & Jay Bird Drive, requested by Alex and Victoria Abrahams.

Staff presented the rezoning request and noted that the request involves Tax Map 118, Parcels 87 and 87,02 located on Mills Park Road at Jay Bird Drive from R-2 to C-2 Zoning District. Staff noted that the proposed rezoning area of the parcels is approximately 6.7 acres or 291,852 square feet. Staff added that the parcel is adjoined by other C-2 zoned properties on the South and also on the West across Mills Park Road. The property to the North is R-2 which is the current zoning of the property and to the East the property is adjoined by a C-6 District. Staff noted that the zoning differences between the R-2 and the proposed C-2 designation relates to the commercial use of the property. The current zoning relates primarily to residential uses and the proposed zoning allows residential and commercial uses.

Staff noted that the C-2 designation will permit a variety of commercial uses which are not permitted in the R-2 residential district. In addition, the C-2 zone permits increased density, height, and reduced setbacks. The applicant has indicated that the reason for the request is to more density on the property than would be allowed under the current R-2 Zone.

Mr. Bruce Cantrell was present and explained to the Board the need for the rezoning change as it relates to the proposed development of the property. Mr. Cantrell stated that the development will be developed as a small village consisting of small single family and duplex dwellings using the existing graded roadways, building sites and utilities. Mr. Cantrell noted that there would possibly be an additional roadway graded along the upper portion of the property for a few additional units but for the most part the idea was to use the existing roadways and sites from the previous trailer park development with minimal land disturbance.

Chairman Maples then acknowledged Ms. Gail Catalfo who adjoins the property immediately to the east on Jay Bird Lane. Ms. Catalfo stated that she is very concerned about the type of development that will be placed on the property after having conversations with the owner Mr. Alex Abrahams. Ms. Catalfo stated that the information provided to her from Mr. Abrahams indicated that there would be ziplines placed on the property and that she was concerned about the impacts of a commercial development in the neighborhood. Ms. Catalfo presented photos to the Board showing access points to the property as well as excavated areas near her residence. Ms. Catalfo stated that she was also concerned about the excavation being so close to her property boundary and the disruption of the development to the residential neighborhood. Mr. and Mrs. Abrahams addressed the Board and stated that the development was intended to help meet the housing needs of the community. Mr. Abrahams stated that their goal was to continue to provide decent affordable housing to the community workforce as they had done at other properties throughout the City for many years. Chairman Maples inquired about the intended use of the property and the concern of Ms. Catalfo regarding the zipline feature. Mr. Cantrell noted that the plan did not include a zipline that the development would be residential units as indicated. Staff noted that a PUD plan would require a Planning Commission review so that any site issues could be addressed at that time.

Staff then noted that the property is served with both public water and sewer and that the surrounding area has typically been developed with both residential and commercial uses. Staff added that Mills Park Road is a two-land street which is the main access to the property but Jay Bird Drive is very narrow and not very conducive to commercial uses. Staff noted that if the rezoning is approved that no future access to Jay Bird Drive can be approved unless the street is widen to a minimum of two traffic lanes of no less than 24' in width. Further, due to the access limitations of Jay Bird Lane it is Staff's recommendation that Parcel 87.02 be removed from the rezoning because as a freestanding parcel Jay Bird Lane is the only access to the property or as an alternative option for rezoning, the approval for 87.02 could be subject to a minor subdivision combining the two parcels into a single tract prior to the final reading of the rezoning. Mr. Cantrell indicated that there was no intention of using Jay Bird Lane as an access and that it was agreeable to combine the two parcels.

Following a brief discussion, Mr. Bud Ogle made a motion to approve the rezoning subject to the removal of the boundary line between the two parcels to create a single parcel. Mr. Larry Claiborne seconded the motion which was unanimously approved by the Board with all members voting "aye."

Review and consideration of the FY 2020 – FY 2024 Capital Improvements Program.

Staff presented the proposed Capital Improvement Projects for the FY 2020 – 2024 Program. Staff noted that the projects shown were subject to funding which would be determined by the City Commission during their budget reviews and approvals. Staff then briefly explained the program process and noted that the projects are generated by the respective departments and then submitted to the CIP Committee. Staff stated that the CIP is a 5 year program that identifies capital project needs of the City and is funded by four (4) funds which are: Special Revenue; General Fund; Water; and Waste Water. Staff added that 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 quality as a CIP Project.

After a brief discussion of the projects, Mrs. Jackie Leatherwood made a motion to approve the program 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 6:05 p.m. upon a motion by Mr. Don Smith and second by Mrs. Jackie Leatherwood which was unanimously approved by the Board.

Approved:

Jackie Leatherwood

Planning Commission Secretary

7.18.19

Date