

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
January 19, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Don Smith
Larry Claiborne
Dana Soehn

MEMBERS ABSENT

Charlie Moore
Bud Ogle
Kirby Smith

OTHERS PRESENT

Mike May
Brett Whaley

Staff Representatives: David Ball, City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, December 15, 2011, meeting, were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Don Smith.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) **Preliminary and final plat approval for a minor subdivision of Lot 15 of the “J.T. Reagan Addition Subdivision” and Lot 19 of the “Hollyridge Subdivision,” located on Stuart Lane and Holly Ridge Road West, C-2 Zone, requested by Michael E. May, Sr.**

Staff presented the request for preliminary and final subdivision plat approval for a minor subdivision of Lot 15 of the “J.T. Reagan Addition Subdivision” and Lot 19 of the “Hollyridge Subdivision” to relocate the interior lot line to create revised lots “15R” and “19R.” Staff stated that the minor subdivision consists of an interior lot line relocation between Lots 15 and 19 to create two (2) revised lots being Lots 15R and 19R. Staff noted that the survey map depicts the relocation of the interior lot line and the reestablishment of a common boundary line to create the two lots. Staff also stated that the revised lots consists of 15R being .12 acres (5,213.5 sq. ft.) and Lot 19R .57 acres (24,909 sq. ft.). Staff added that the plat also depicts an existing wall that runs from the Lot 15R onto Lot 19R. Staff finally stated that it’s recommended that an easement be established between the two properties for the wall and the future maintenance. Mr. May was present and noted that the wall is more of a landscape wall not being more than three to four feet high and does not serve as a retaining wall.

Staff stated that the plat shows the two (2) adjoining public right-of-way areas for Stuart Lane and Holly Ridge Road West to terminate at Lot 19R. Staff also stated that the right-of-way notes indicate that the right-of-way area is depicted based on original plats of record. Staff added that the two streets have been physically connected with paved street surfaces which have been installed and maintained by the City. Staff noted that the plat notes indicate that this area is considered a right-of-way easement area for the City Streets. Staff explained that typically this area would need to be re-platted and reflected as right-of-way area but this would involve Lot 18 of the "Hollyridge Subdivision" which is not part of this proposal. Staff further stated at some time in the future, it is recommended that this area be re-platted and right-of-way area be established for the improvements. Mr. May stated that he is currently trying to work out a boundary line agreement with the adjoining property owner and could replat the right-of-way boundary at that time.

Staff stated that the plat lacks the signatures of approval for Sevier County Electric System and the Utility Department and/or Health Department. Staff finally stated that in addition, an easement area should be platted with regard to the existing wall that extends from Lot 15R to 19R.

After further discussion, Mrs. Teresa Cantrell made a motion to grant plat approval subject to the submission of the revisions and signatures to Planning Staff prior to recordation. Mr. Don Smith seconded the motion, which passed with all members voting aye.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:30 P.M., after a motion by Mr. Don Smith and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
February 16, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Larry Claiborne
Dana Soehn
Bud Ogle
Kirby Smith
Jackie Leatherwood

MEMBERS ABSENT

Don Smith
Charlie Moore

OTHERS PRESENT

Ned Vickers
Adam McCoy
Julie Bradley
Randy Watson
Robert Harrison
Chad Will
Donna Cantrell
Russell Brien
Pat Brien

Staff Representatives: David Ball, City Planner
Ashley Miller, Assistant City Planner/Human Resources Manager
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, January 19, 2012, meeting, were unanimously approved following a motion by Mrs. Teresa Cantrell and a second by Mrs. Dana Soehn.

Petitions and Communications from the Public

Staff Report

Staff welcomed Mrs. Jackie Leatherwood as the Mayoral appointment.

Old Business

New Business

a) **Review and consideration of a preliminary subdivision plat for Tax Maps 117 Parcel 23 and 117I, Group A, Parcel 30, located at 701 and 706 Nocks Drive, R-1 Zone, requested by Russell Brien.**

Staff presented the request for preliminary plat approval for a proposed subdivision of approximately 10.128 acres located off Nocks Drive, into three (3) separate lots. Staff stated that the preliminary plat depicts the subdivision of the 10.128 acres of land into three (3) separate lots being Lot 1 (0.4607 ac), Lot 2 (0.4607 ac), and Lot 3 (8.0898 ac). Staff stated that originally the 10.128 acres was made up of two (2) lots consisting of three (3) rental units with the larger lot consisting of two (2) of the units under the PUD development regulations. Further, staff noted that two (2) rental dwellings exist off of Nocks Drive and another (not depicted) located off of

the private street/easement referred to as Red Oak Heights Drive. Staff added that the physical access for the dwelling on Lot 3 is via Red Oak Heights Drive located on the southeast portion of the property. Staff explained that the current owners are requesting an approval to subdivide the two (2) units located on Nocks Drive off from the property to be sold as two (2) separate lots resulting in a three (3) lot subdivision. Staff also stated that each of the lots depicted will have public street frontage on Nocks Drive as required by the subdivision regulations and each dwelling is currently served with public water. Staff noted that sewer service is currently provided through individual septic tank and field line systems. Staff pointed out that the preliminary plat lacks only the depiction of any utility improvements that are currently installed on the property. Staff further noted that revised plans have been submitted with the approval of the County Health Department and consisting of lot sizes as required by the Health Department.

The Board asked if there is enough lot frontage on Nocks Drive for the three lots. Mrs. Donna Cantrell was present and stated that they do have the required frontage and have complied with Health Department requirements for minimum lot size. Staff stated that while the plat meets the minimum subdivision standards, there are conflicts with the Municipal Zoning Ordinance standards related to public street frontage and lot size. Staff added that the applicants have submitted a request to the Municipal Board of Zoning Appeals for a variance from the minimum lot size and street frontage requirements of Article VIII, of the Municipal Zoning Ordinance. Further, because the lot sizes and frontage requirements of the zoning ordinance differ from the subdivision standards, the MBZA is the only Board with the delegated authority to vary the standards of the zoning ordinance. Staff noted that the request is to be heard later this month, therefore, any plat approval should be subject to a variance by the MBZA for the reduced lot size and public street frontage. In the event the variance is not granted by the MBZA, a revised lot configuration will need to be submitted for the final plat approval. Staff added that the frontage also is higher to 100' with lots 30% slope greater and the application to MBZA is also for frontage.

After further discussion, Mrs. Dana Soehn made a motion to grant preliminary plat approval for the proposed subdivision subject to the lacking information and MBZA approval of the proposed lot configuration. Mr. Bud Ogle seconded the motion, which passed with all members voting aye.

b) Review and consideration for commercial site plan approval for “Midtown Lodge Redevelopment,” Tax Map 126N, Group A, Parcel 21, located at 805 Parkway, C-1 Zone, requested by 805 Parkway Partners.

Staff presented the request for a revised commercial site plan approval for a proposed redevelopment of the former “Midtown Lodge” located at 805 Parkway, to create a pay parking garage facility. Staff stated that the proposed plan consists of the removal of the “Midtown Lodge” to create a redevelopment area for a 263 space, pay parking garage. Staff added that the lot is approximately 2.34 acres and fronts Parkway, River Road, and Maples Lane, and the proposed floor area ratio for the redevelopment is .32. Staff noted that the allowable FAR for C-

1 District is 2.0 so the proposal is much less than permitted by the Zoning Ordinance. Staff also stated that the site plan depicts a proposed 263 space commercial pay parking garage with an area for future retail building and future parking area consisting of an additional 19 spaces. Staff also noted that the parking garage is a two (2) story facility with the bottom parking level being accessed from River Road only. Staff further noted that the ingress to the upper parking deck is depicted from Parkway. Staff stated that the Parkway ingress is limited to entry only and consists of two (2) entry drives. Staff explained that the entry drive area is arranged to accommodate a three (3) car stacking configuration for a total of a six (6) car stacking arrangement. Staff explained that the egress from the upper parking area is proposed from two (2) separate locations being one (1) at Maples Lane and one (1) into a private easement area that would exit onto River Road. Staff further stated that the lower parking level will exit onto River Road and into the private easement area located on the southwest portion of the property.

Staff stated that the site plan depicts the proposed parking deck and structure to be located in a special flood hazard area. Staff added that the lower area is open and should not pose any issues with the flood hazard area due to the fact that there are no proposed enclosures on the lower level. Staff also stated that an initial drainage analysis report was submitted for this project at the December meeting which did not include the upper parking deck. Staff explained that since the initial report, the retail building planned for the Parkway frontage has been alleviated and the area is now shown as a pervious, landscaped surface. Staff further stated that with the change in the site layout, a revisit of the storm water analysis will be required to ensure compliance with local and state requirements associated with the site drainage. Staff also stated that the landscaping for the project has changed from the original site submittal of December.

Staff stated that the Fire Department has indicated that the garage may require additional fire suppression systems. Staff pointed out that a further review will be required of the structural details upon a building permit request. Staff noted that the he following site plan items need to be submitted and/or revised to receive plan approval: a revised entrance off Parkway to accommodate emergency entry; a revised solid waste collection plan; a detailed landscape plan; easement information to ensure usage rights for the property; revised storm water plan and drainage report. Staff also noted that a state permit for the drainage plan has been obtained and therefore due to the recent plan modification, an amendment to the plan will be required to be reviewed and approved by the State.

After further discussion, Mr. Bud Ogle made a motion to grant site plan approval subject to a final site plan submittal with the lacking items being added to the plan. Mr. Larry Claiborne seconded the motion, which passed with 6 members voting aye, and Chairman Robert Maples abstaining.

Unscheduled Items

Mr. Chad Davis provided the Board with training upcoming training opportunities and requested that members notify staff if they would like to participate in the training. Staff noted that members are required to obtain four (4) hours per calendar year.

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:18 P.M., after a motion by Mr. Bud Ogle and a second by Mrs. Teresa Cantrell.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
March 15, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Don Smith
Bud Ogle
Jackie Leatherwood

MEMBERS ABSENT

Larry Claiborne
Dana Soehn
Charlie Moore
Kirby Smith

OTHERS PRESENT

Russell Brien
Terry Maddox
Sue Maddox

Staff Representatives: David Ball, City Planner
Ashley Miller, Assistant City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, February 16, 2012, meeting, were unanimously approved following a motion by Mrs. Teresa Cantrell and a second by Mr. Don Smith .

Petitions and Communications from the Public

Staff Report

Old Business

a) Review and consideration of a final subdivision plat for Tax Map117, Parcel 23, and Tax Map 117I, Group A, Parcel 30, located at 701 and 706 Nocks Drive, R-1 Zone, requested by Russell Brien.

Staff presented the request for final plat approval for a proposed subdivision of approximately 10.128 acres located off Nocks Drive into three (3) separate lots. Staff stated that the final plat depicts the subdivision of 10.128 acres of land into three (3) separate lots being Lot 1 (0.5785ac), Lot 2 (0.5785ac), and the remaining 8.9 acres. Staff stated that the larger tract originally began as a PUD development with two (2) dwellings, one dwelling constructed off of Nocks Drive and another dwelling (not depicted) located off of the private street/easement referred to as Red Oak Heights Drive. Staff added that the third dwelling was situated on a separate parcel being Tax Map 117I, Group A, Parcel 30. Staff explained that the proposed division will create three (3) separate lots with each containing a single dwelling unit. Staff noted that the physical access for the dwelling on Lot 3 is via Red Oak Heights Drive located on the southeast portion of the property. Staff also stated that each of the lots depicted will have public street frontage on Nocks Drive as required by the subdivision regulations and each dwelling is currently served with public water. Staff also noted that sewer service is currently provided through individual septic tank and field line systems. Staff further stated that the final plat lacks only the depiction of any utility improvements that are currently installed on the property and signatures of approval from

the Health Department, E-911, Utilities Department, Sevier County Electric System, and the owner's signature. Staff also noted that the remaining acreage as depicted on the plat is based on the warranty deed book information and was not surveyed by surveyor. Staff pointed out that the Register of Deeds Office has a recorded map and affidavit attesting the boundary of the remaining property. Staff also noted a slight deviation from the preliminary plat with regard to the south property lines of Lot 1 to avoid a conflict with the existing road bed and utilities. Staff further noted that the Health Department was aware of the adjustment and had approved the minor revision.

Staff added that the applicants did submit a request to the Municipal Board of Zoning Appeals for a variance from the minimum lot size and street frontage requirements of Article VIII, of the Municipal Zoning Ordinance. Staff finally stated that on February 23, 2012, the Board of Zoning Appeals did grant variance approvals for the reduced lot sizes and frontages as depicted on the final plat. After further discussion, Mr. Bud Ogle made a motion to grant final plat approval for the proposed subdivision subject to the lacking information and signatures being added to the plat. Mrs. Jackie Leatherwood seconded the motion, which passed with all members voting aye.

New Business

a) Review and consideration for a minor subdivision of Tax Map 117L, Group F, Parcel 1, being Lots 2 and 4 of the "Hidden Hills Section A Subdivision," located at 216 Mockingbird Drive, R-1 Zone, requested by Linda Hanke.

Staff presented the request for an approval of a minor subdivision of Lots 2 and 4 of the Hidden Hills, Section A Subdivision, to consolidate the two (2) lots into a single lot being "Lot 2R," located off Mockingbird Drive. Staff stated that the proposed minor subdivision consists of the removal of the interior lot line between the two (2) lots to create a single lot consisting of 1.16 acres. Staff noted that the main access to the revised lot is obtained from Mockingbird Drive but the lot also fronts on Huskey Place. Staff added that the property is developed with a single family dwelling and is served with both public water and sewer. Staff also stated that the minor subdivision plat lacks only the signature of the Gatlinburg Utilities Department, and the Sevier County Electric System. After brief discussion, Mr. Don Smith made a motion to grant final plat approval subject to the signatures being added to the plat. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

b) Review and consideration for a minor subdivision of Tax Map 127H, Group C, Parcels 8 and 9, located on Rattlesnake Hollow Road, R-1 Zone, requested by Sue Maddox. Staff presented the request for an approval of a minor subdivision to consolidate two (2) lots in to a single lot, being Tax Map 127H, Group C, Parcels 8 and 9, located on Rattlesnake Hollow Road. Staff stated that the proposed minor subdivision consists of the removal of the interior lot line between the two (2) lots to create a single lot consisting of .35 acres. Staff added that the access to the revised lot is obtained from Rattlesnake Hollow Road. Staff also stated that the property is developed with a single family dwelling and is served with both public water and sewer. Staff further stated that the minor subdivision plat lacks only the signature of approvals for E-911, Gatlinburg Utilities Department, and the Sevier County Electric System. Following a brief discussion, Mr. Bud Ogle made a motion to grant final plat approval subject to the lacking signatures of approval. Mr. Don Smith seconded the motion, which passed with all members voting aye.

c) Review and consideration of proposed amendments to the Municipal Zoning Ordinance Sign Regulations, Article IV, Sections 411.3.1.2, 411.3.6.2, and 411.9.2, pertaining to “Incidental Signs,” requested by Staff.

Staff presented the request for a review of proposed amendments to Article IV, Section 411, being the Sign Ordinance Regulations, and more specifically to Sections 411.3.1.2, 411.3.6.2, 411.9.2, all related to “incidental signs. Staff stated that this request for review of proposed amendments of the current sign provisions governing incidental signs is a result of an aesthetic concern that was identified by the Environmental Design Review Board (EDRB). Staff also stated that the EDRB initiated discussions with the City Commission in a joint workshop session about their concerns of the numerous amounts of incidental signs that downtown businesses are utilizing and the overall aesthetic impact to the building facades in the downtown area. Staff noted that as a result of their workshop, the City Commission directed City Staff to develop some possible solutions specifically directed at reducing the number of incidental signs displayed at the businesses. Staff noted that these options (attached) have been developed and presented to the City Commission.

Staff stated that the attached memorandum dated February 7, 2012, outlines three (3) options that Staff has offered as solutions to the concern of the number of incidental signs that can be displayed at a business. Staff pointed out that in order to proceed with potential amendments, it is the desire of the City Commission that the Board conducts a review of these options and makes a recommendation for their future consideration. Staff noted as such, the attached memorandum has been attached which outlines the three (3) various proposals. Staff then provided visual examples of the various options.

Staff stated that there is also an issue with the display of merchandise and the utilization of garage doors in the downtown. Staff noted that the concern is related primarily to aesthetic issues. Chairman Maples stated that it would be a difficult job to regulate how to display goods and that this should be turned over to the EDRB and BOC. Mrs. Teresa Cantrell stated that less

signs would be better from an aesthetic perspective. Chairman Maples stated that the Board may want to table so that the members can look further into the matter to develop an opinion about the current signing of businesses in the downtown area. Mr. Chad Davis stated that the regulations may need to amend the sign definition to include merchandise such as a tee shirt with a \$7.99 price on it to differentiate between true merchandise displays versus using merchandise as a sign. Mr. Bud Ogle asked if this would affect downtown only. Staff stated that the proposal was intended to be city-wide however; there is the possibility that the provisions could be limited to the Aesthetic Overlay District. Staff then gave an overview of the current incidental regulations. Staff explained that the current ordinance provisions allow for several signs to be placed at a business which can have a negative aesthetic impact in the overall area aesthetics. Staff added with option #1, only two (2) incidental signs would be allowed. Staff noted that option #2 would allow two (2) incidental signs plus one (1) for every 25 feet over the first 25 feet. Staff stated that option #3 would be a percentage of the wall area with only 30 percent proposed. Mr. Bud Ogle asked how marquee signs would be affected. Staff stated that under current ordinance limits, incidental signs are limited in number with the use of a marquee sign. Staff added that none of the proposals impact the use of a marquee sign. Chairman Maples stated that he didn't realize that that the incidental signs were such an issue and if Staff has specific examples. Staff stated that in general the use of incidental signs has deteriorated the aesthetics of some of the downtown businesses in conjunction with the display of merchandise. Chairman Maples stated that it is hard to regulate good taste. Staff stated that through zoning we can regulate bulk, height, width, etc. Mrs. Cantrell stated that she thought we should try the overlay district area in downtown and if it works, expand to the rest of the City.

After further discussion, Mr. Bud Ogle made a motion to table this agenda item for further review by the Board. Mr. Don Smith seconded the motion with all members voting aye.

d) A public hearing on Resolution No. 876, being a resolution adopting Municipal/Regional Subdivision Regulations dated December 2011, for Gatlinburg, Tennessee Municipal/Regional Planning Commission and repealing the Subdivision Regulations of April 1988, in their entirety.

Mrs. Teresa Cantrell made a motion to open the public hearing. Mr. Don Smith seconded the motion with all members voting aye. Staff gave a brief overview of the review process to develop the proposed Subdivision Regulations. Staff stated that the proposed regulations also incorporate some of the recommendations of the Growth Readiness Report that was generated in 2009, as a result of a cooperative study of area regulations by the Southeast Watershed Forum, TVA, and the entities of Sevier County. Staff added that the proposed regulations will replace the current Subdivision Regulations. Chairman Maples then asked if the audience had any questions or comments with regard to the Subdivision Regulations. There was no response from the audience. Chairman Maples stated that the goal of the Board was to establish reasonable guidelines that will help the Board in the future review of development in the City and Planning Region. Mr. Bud Ogle asked if the proposed regulation would change anything in the downtown

area with regard to flood elevations and standards. Staff stated that FEMA Regulations and the locally adopted Flood Damage Prevention Ordinances are the tools that regulate properties in Special Flood Hazard Areas. Staff further noted that specific references have been incorporated within the Subdivision regulations to those documents but that there is no actual change to those provisions, just better references. Mr. Ogle enquired about specific setbacks from streams and rivers such as 50 feet or 100 feet? Staff stated that the Storm Water Ordinances incorporate buffer zones which impose additional setback in certain instances with regard to construction. Staff noted that those are more water quality issues and not necessarily related to flooding or FEMA standards. After further discussion, Chairman Maples made a motion to close the public hearing. Mr. Don Smith seconded the motion with all members voting aye

e) Review and consideration for final approval of Resolution No. 876, being a resolution adopting Municipal/Regional Subdivision Regulations dated December 2011, for Gatlinburg, Tennessee Municipal/Regional Planning Commission and repealing the Subdivision Regulations of April 1988, in their entirety.

Staff presented the request for a review and consideration for the approval of Resolution No. 876, being a resolution adopting Municipal/Regional Subdivision Regulations dated December 2011, for Gatlinburg, Tennessee Municipal/Regional Planning Commission and repealing the Subdivision Regulations of April 1988, in their entirety.

Staff stated that this is an item to formally adopt the Municipal/Regional Subdivision Regulations dated 2011 (attached), and repeal the current regulations dated 1988 in their entirety. Staff explained that these amendments and changes to the subdivision regulations have stemmed from the 2009 Growth Readiness Report which was generated through TVA and the Southeast Watershed Forum. Staff pointed out that as recalled, the Growth Readiness Report's primary focus related to water quality issues and the impact that development standards have on natural resources. Staff also stated that in addition, many changes and revisions that have been concerns of the Board in previous years related to road grades, variances, subdivision plat review processes, etc., have been incorporated into the new regulations. After further discussion, Mrs. Teresa Cantrell made a motion to approve the December 2011 Municipal/Regional Subdivision Regulations and further being a repeal of the current regulation dated April 1988 in their entirety. Mr. Don Smith seconded the motion, which passed with all members voting aye.

f) Election of Vice Chairman.

Staff stated that due to the resignation of Vice Chairman Jason Seavy, and the addition of a new board member, it is now necessary to elect a new Vice Chairman to fill the position. Chairman Maples opened the floor for nominations. Mrs. Dana Soehn was nominated by Mr. Bud Ogle as the Planning Commission Vice Chairman. The motion was seconded by Mr. Don Smith and with no other nominations Mrs. Dana Soehn was elected as Vice Chairman with all present voting aye.

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March 15, 2012
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Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:45 P.M., after a motion by Mr. Bud Ogle and a second by Mrs. Teresa Cantrell.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
April 19, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Dana Soehn
Bud Ogle
Kirby Smith

MEMBERS ABSENT

Don Smith
Larry Claiborne
Charlie Moore
Jackie Leatherwood

OTHERS PRESENT

Bret Whaley
Steven Hurlbut

Staff Representatives: David Ball, City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. Mrs. Teresa Cantrell made a motion to approve the minutes of the March 15, 2012, followed by a second by Mrs. Dana Soehn and all members voting aye. Mr. Bud Ogle noted a correction to the minutes under Item 6(d). Mrs. Teresa Cantrell made a motion to amend Item 6 (d) of the minutes to reflect that Don Smith had seconded the motion. Mr. Bud Ogle seconded the motion with all members voting aye.

Petitions and Communications from the Public

Staff Report

Old Business

a) Review and consideration of proposed amendments to the Municipal Zoning Ordinance Sign Regulations, Article IV, Sections 411.3.1.2, 411.3.6.2, and 411.9.2, pertaining to “Incidental Signs,” requested by Staff.

Staff presented a review of proposed amendments to Article IV, Section 411, being the Sign Ordinance Regulations, and more specifically to Sections 411.3.1.2, 411.3.6.2, 411.9.2, all related to “incidental signs. Staff reminded the Board that this item was tabled at the March 15, 2012, Meeting. Staff noted that this request for review of proposed amendments of the current sign provisions governing incidental signs is a result of an aesthetic concern that was identified by the Environmental Design Review Board (EDRB). Staff explained that the EDRB initiated discussions with the City Commission in a joint workshop session about their concerns of the numerous amounts of incidental signs that downtown businesses are utilizing and the overall aesthetic impact to the building facades in the downtown area. Staff added that as a result of their workshop, the City Commission directed City Staff to develop some possible solutions specifically directed at reducing the number of incidental signs displayed at the businesses. Staff further stated that these options have been developed and presented to the City Commission.

Staff stated that in the attached memorandum dated February 7, 2012, there are three (3) options that staff has offered as solutions to the concern of the number of incidental signs that can be displayed at a business. Staff also stated that in order to proceed with potential amendments, it is the desire of the City Commission that the Board conducts a review of these options and makes a recommendation for their future consideration. Staff further stated as such, the attached memorandum has been attached which outlines the three (3) various proposals.

Chairman Maples noted that since the last meeting he had conducted an informal review of the downtown businesses with regard to this issue. Mr. Maples further noted that it appeared that the current standards were not being enforced in some instances. Staff concurred that the ordinance provisions were not being completely enforced on a daily basis. Mr. Maples stated that because of the lack of enforcement, it was difficult to determine if in fact a problem exists with the placement of incidental signs. Mr. Maples further stated that he didn't feel the issue of merchandise display should not be addressed by the Board at this time.

Staff presented the Board with a visual display of the various proposed options regarding incidental signs. The Board expressed concern with the current standard and the complicated method of calculation. The Board stated that a simple limitation of the number of incidental signs that a business could display would seem much more practical and easier to enforce. Board Members also noted that the revisions should be limited to the Commercial Aesthetic Overlay District in the downtown area.

After much discussion regarding the number of signs, application of the provisions to malls and multi-story buildings, Mrs. Dana Soehn made a motion to recommend to the City Commission that the incidental sign ordinance provisions be amended to permit a maximum number of four (4) incidental signs per business in the Commercial Aesthetic Overlay District. Mrs. Teresa Cantrell seconded the motion which passed with all members voting aye.

New Business

a) **Review and consideration of a minor subdivision for Tax Map 117, Parcel 202, 202.01, and 210, located on Autumn Lane, R-1 Zone , requested by Steven Hurlbut.**

Staff presented the request for a preliminary and final plat approval for a proposed subdivision of part of Tax Map 117, Parcel 202 and Tax Map 117, Parcels 202.01 and 210, located on Autumn Lane. Staff stated that the final plat depicts the subdivision of Tax Map 117, Parcels 202, 202.01, and 210 located on Autumn Lane. Staff explained that the plat depicts interior lot line reconfigurations between Tracts 1 and 3, and between Tracts 2 and 3 to create revised tracts consisting of the following:

- Tract 1 - .67 acres;
- Tract 2 - .79 acres;
- Tract 3 – 4.10 acres.

Staff added that tracts 1 and 2 are being expanded in size with the proposed subdivision. Staff stated that the larger Tract 3 is being reduced in size but complies with the minimum lot size requirements as are established in Article VIII, of the Municipal Zoning Ordinance. Staff also

stated that since Tracts 1 and 2 are existing tracts of record, the proposed subdivision is viewed as an improvement to the existing lots due to the net increase in lot area. Staff added that water service, to all of the lots, is provided through an individual well. Staff noted that Tracts 2 and 3 utilize individual septic tank and field line systems for sewer. Staff also noted that Tract 1 is connected to the City's public sewer system. Staff further noted that all three (3) tracts front on Autumn Lane which is a City Street and all tracts are currently developed with single family residences. Staff further stated that in addition, the subdivision plat also depicts a lot line adjustment along the Autumn Lane boundary to create a consistent 40 foot right-of-way area. Staff finally stated that the plat lacks the following information: existing lot sizes and acreages and that the area of Lot 3 designated as a right-of-way should be changed to easement area. Mr. Hurlbut was present and noted that the change to the plat would be made.

After further discussion, Mr. Bud Ogle made a motion grant preliminary and final plat approval for the proposed subdivision subject to the lacking information being added to the plat. Mrs. Dana Soehn seconded the motion, which passed with all members voting aye.

b) Review and consideration for a proposed extension to the Letter of Credit for public infrastructure improvements for "Laurel Estates," located on Laurel Lane and Reba Lane, R-2 Zone, requested by Staff.

Staff presented the request for review and consideration of a proposed extension to an existing letter of credit for the public right-of-way improvements associated with the "Laurel Estates Planned Unit Development," located off of Laurel Lane and Reba Lane. Staff stated that the request consists of an extension of the existing **Irrevocable Letter of Credit No.06-10-06-0701** that has been issued for the public right-of-way improvements to Laurel and Reba Lanes as proposed by a plan prepared by Norvell and Poe Engineering. Staff also stated that the existing letter of credit is scheduled to expire on June 7, 2012. Staff added that all the improvements have been completed with exception of some of the utility improvements. Staff added that the Utility Manager would have to sign off on the improvements prior to the release of the letter of credit. After further discussion, Mrs. Dana Soehn made a motion to approve the six (6) month extension to the letter of credit. Teresa Cantrell seconded the motion, which passed with all members voting aye.

Planning Commission Minutes

April 19, 2012

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Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 6:05 P.M., after a motion by Mrs. Dana Soehn and a second by Mrs. Teresa Cantrell.

Approved:

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
May 17, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Don Smith
Dana Soehn
Charlie Moore
Kirby Smith
Jackie Leatherwood

MEMBERS ABSENT

Teresa Cantrell
Larry Claiborne
Bud Ogle

OTHERS PRESENT

Joe Shults

Staff Representatives: David Ball, City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, April 19, 2012, Meeting, were unanimously approved following a motion by Mr. Don Smith and a second by Mrs. Dana Soehn.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a minor subdivision of Tax Map 1170, Group A, Parcels 18 and 19, located on Galloway Lane, R-1A Zone, requested by Joe Shults.

Staff presented the request for preliminary and final plat approval for a minor subdivision of Lot 29 and 30 of the Smoky View Subdivision being Tax Map 1170, Group A, Parcels 18 and 19, located on Galloway Lane. Staff stated that the proposed minor subdivision consists of the consolidation of Lots 29 and 30 to create a single lot (Lot 29R) consisting of 1.421 acres. Staff pointed out that the property is zoned R-1A (Low Density Residential) which prohibits overnight rentals. Staff also stated that the plat depicts the deletion of the interior lot line to create the single parcel. Staff explained that the property fronts on Galloway Lane and is served with public water. Staff noted that there is no public sewer available to the property so sewer service will consist of an individual septic tank and field line system. Staff added that the plat also depicts a 20 foot easement for ingress and egress to the subject property as well as the adjoining property. Staff further stated that the plat lacks the following information: revised zoning district designation from R-2 to R-1A, Health Department Signature of Approval, E-911 Signature of Approval, Gatlinburg Utilities Department Signature of Approval, Sevier County Electric System Signature of Approval, and the Signature of Ownership and Dedication.

After further discussion, Mr. Charlie Moore made a motion to grant preliminary and final plat approval for the proposed minor subdivision subject to the lacking information being added to the final plat prior to recordation. Mr. Don Smith seconded the motion, which passed with all members voting aye.

b) Review and consideration of the City of Gatlinburg's proposed FY 2013–2017 Capital Improvements Program Projects, requested by the Planning Staff.

Staff presented the request for Review and discussion of the FY2013-17 Capital Improvements Program Projects. Staff stated that the Capital Improvements Program (CIP) is a budgeting tool that is utilized by the Board of Commission, to identify capital projects that should be undertaken within a five (5) year planning process. Staff also stated that the projects are identified and prioritized by individual departments and then compiled into a formal document by the CIP Committee and then to the Board of Commission for their review and considerations during their annual budgeting process.

Staff explained that the CIP is made-up of four (4) types of funds as follows:

- Special Revenue
- General
- Water
- Waste Water

Staff further explained that the Special Revenue Fund generally consists of projects that are specifically related to the tourism industry and the overall enhancement of the city. Staff added that the General Fund consists of projects that have been identified as needs within specific departments to carry out general operations of the City Government. Staff further stated that the final two funds, which are Water and Waste Water, are self-supporting funds that are specifically related to the operations of the two public utilities.

Staff stated that attached are the project summary sheets for Fiscal Years 2012 through 2017. Staff added that these summary sheets identify the name of the projects, project amounts, department priorities, and the projected years that the department would like to undertake the project. Staff noted that all projects generally fall within the five (5) year program with the exception of water and wastewater. Staff also noted that the wastewater projects have been projected based on in-house construction, which will require more than the five-year time frame for their completion.

Staff asked the Board to please review the project summary sheets for a formal recommendation of approval to the Board of Commission. Staff also stated that any recommendations for additional projects or suggestions regarding the proposed projects should be included in the Boards recommendation to the BOC.

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After further discussion Chairman Robert Maples made the motion to make a favorable recommendation to the Board of Commissioners for the FY 2013-17 CIP Program. The motion passed unanimously with a second by Mrs. Dana Soehn.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:15 P.M., after a motion by Mr. Don Smith and a second by Mr. Charlie Moore.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
July 19, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Don Smith
Larry Claiborne
Charlie Moore
Bud Ogle
Kirby Smith

MEMBERS ABSENT

Dana Soehn
Jackie Leatherwood

OTHERS PRESENT

Al Shirley
Dale Phelps
John Matthews

Staff Representatives: David Ball, City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, May 17, 2012, meeting, were unanimously approved following a motion by Mr. Charlie Moore and a second by Mr. Don Smith.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a commercial site plan for a proposed office building for “Mountain Shadows Resort,” located on Hidden Hills Road, C-2 Zone, requested by Al Shirley.

Staff presented the request for commercial site plan approval for a proposed modular office building located at the intersection of East Parkway and Hidden Hills Road being Tax Map 117, Parcel 236.04. Staff stated the request consists of the placement of a modular office building on a 1.15 acre vacant piece of property located at the intersection of East Parkway and Hidden Hills Road. Staff noted that the plans of the modular building denote a square footage of 1,171 square feet. Staff also stated that the applicant should be aware that prior to any building permits being issued, the applicant will have to submit the state seals for the modular building to the Building Official. Staff further stated that prior to issuance of building permits, a copy of the TDOT highway access approval will be required to ensure proper connection to the State Highway. Staff also noted that the site plan depicts a gravel parking lot for the surface material. Staff pointed out that the plan proposes to substitute (or count) existing trees on the rear of the property towards satisfaction of the required tree plantings for the development. Staff explained

that the Board will need to determine if the gravel surface and tree substitution are acceptable alternatives in the fulfillment of the site plan regulations. Staff added that the design engineer has submitted certified drainage calculations stating that the post runoff conditions will not increase over the pre-construction conditions. Staff finally stated that the plan lacks only the detail on the electrical service (must be underground), and a detailed landscape plan indicating number and location of specific plantings. After further discussion, Mr. Don Smith made a motion to grant commercial site plan approval for the proposed office building subject to the lacking items. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

b) Review and consideration for a commercial site plan for the “Gatlinburg Waste Water Treatment Facility,” Tax Map 116, Parcel 132, located at 1025 Banner Road, R-2 Zone, requested by SRA.

Staff presented the request for site plan approval for a proposed addition to the existing Waste Water Treatment Plant Administrative Building located on Banner Road. Staff stated that the request consists of a 35’ x 75’ second (2nd) story, above grade addition for the administration building at the Waste Water Treatment Plant Facility. Staff noted that the facility functions as the administrative offices for plant operators and provides laboratory facilities. Staff added that the existing building consists of a main floor with a flat roof system and a basement level. Staff also stated that the proposed plan will add a second floor, a pitched roof system, and a new entry area with an elevator and exit stairways for the building. Staff further explained that the expansion will increase the size of the building by approximately 2,625 square feet. Mr. Dale Phelps, Utilities Manager, was present and gave a brief overview of the project. After further discussion, Mr. Charlie Moore made a motion to grant commercial site plan approval for the proposed administrative office building expansion. Mr. Bud Ogle seconded the motion, which passed with all members voting aye.

c) Review and consideration of a local hazard mitigation plan referred to as the “Sevier County Hazard Mitigation Plan,” as provided for by United States Federal Legislation under the Disaster Mitigation Act of 2000, requested by the Planning Staff.

Staff presented the request for review and recommendation for a proposed hazard mitigation plan for the City as provided for through Federal legislation and the Disaster Mitigation Act of 2000. Staff stated that the 2011 Sevier County Hazard Mitigation Plan was developed as a multi-jurisdictional plan for Sevier County, City of Gatlinburg, City of Sevierville, and Town of Pittman Center. Staff introduced Mr. John Matthews, Sevier County Emergency Management Agency Director, who then gave a brief overview of the plan. Mr. Matthews further explained that the County and City of Sevierville had adopted the plan as presented and noted that Pigeon Forge has a separate plan that was prepared by a private consultant.

Staff stated that the request is for a review and recommendation of the hazard mitigation plan to the City Commission for adoption. Staff noted that the plan was developed through the cooperative efforts of Sevier County Emergency Management, Tennessee Emergency

Management Agency (TEMA), and representatives of each municipality. Staff explained that the purpose of a local hazard mitigation plan is to identify the community's risks and then create mitigation projects to address the risks. Staff stated that the creation and adoption of the plan is valuable to the City in that the plan provides for better post disaster decision making processes, education on mitigation approaches, and prioritizing projects. Staff added that in addition, by having a hazard mitigation plan in place, the City's opportunity to secure State and Federal funding for mitigation projects are improved and grant processes are facilitated much more efficiently. Staff also noted that these types of plans are often developed with private contractors at significant expense to local governments. Staff also stated that because this plan was developed with the assistance of TEMA and cooperatively with other local agencies, the plan was developed at no or very minimal cost to the City. Furthermore, each plan developed has to undergo a thorough review and approval process by both TEMA (State) and FEMA (Federal). Staff pointed out that at this stage, this plan has been reviewed and approved by both agencies and adopted by the County. Staff further stated that the plan is not in effect for each municipality until such time that the legislative body adopts the plan through a local resolution.

Staff stated that the development of the plan required participants to identify the local natural hazards. In this area, three (3) natural hazards were identified as hazards most likely to impact Sevier County: flooding, tornados/severe storms, and freezes/winter storms. Staff also stated that once the hazards were identified, an assessment of each jurisdiction was made regarding the vulnerability and probability of the hazards to determine a risk factor based on scientific and historical information. Staff explained that the development committee then began developing mitigation strategies and goals of which the plan would be based. Three (3) primary goals were established as follows: 1) Protect the lives and health of citizens and visitors from the effects of natural hazards; 2) Emphasize mitigation planning to decrease vulnerability of existing and new structures; and 3) Encourage public support and commitment to hazard mitigation, by communicating mitigation benefits. Staff stated that the next steps involved identification and prioritization of mitigation projects using the SAFE-T method. Staff also stated that the SAFE-T method is a rating system using five variables that include Societal, Administrative, Financial, Environmental, and Technical. Staff further stated that the proposed plan has identified several projects throughout the County as shown on pages 23 and 24. Staff stated that the plan list projects specific to Gatlinburg and projects that encompass all of the participating communities. Staff added that the various projects include residential buyouts, bank stabilizations, and public storm/safe rooms for schools, county-wide evacuation route, and early warning and detection systems. Staff noted that while specific projects are identified in the plan, there is no obligation that the municipalities undertake the projects in any specific order or timeframe. Staff further stated that the plan is a working document that will allow new projects and priorities to be established and incorporated as needed by the communities. Mrs. Teresa Cantrell made the motion to approve the Hazard Mitigation Plan and to make a favorable recommendation to the Board of Commission. The motion passed unanimously with a second by Mr. Don Smith.

Unscheduled Items

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Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:30 P.M., after a motion by Mr. Bud Ogle and a second by Mr. Don Smith.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
August 16, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Teresa Cantrell
Don Smith
Dana Soehn
Charlie Moore
Kirby Smith
Jackie Leatherwood

MEMBERS ABSENT

Robert Maples
Larry Claiborne
Bud Ogle

OTHERS PRESENT

Leland Wykoff
Steve Nichols
Rachel Osborn
David Powell
Ned Vickers

Staff Representatives: David Ball, City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, July 19, 2012, meeting, were unanimously approved following a motion by Mrs. Teresa Cantrell and a second by Mrs. Jackie Leatherwood.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a commercial site plan approval for “Margaritaville,” Tax Map 126N, Group A, Parcel 21, located at 805 Parkway, C-1 Zone, requested by Margaritaville Holdings, LLC.

Staff presented the request for a commercial site plan approval for a proposed 13,000 square feet restaurant building addition to an existing 2.34 acre tract. Staff pointed out that the remaining property is developed with a two-story commercial parking garage. Staff noted that the property is located at 805 Parkway at the former Midtown Lodge Property.

Staff stated that the request consists of the construction of a single-story, 13,000 square feet restaurant building on the existing 2.34 acre tract. Staff also stated that the property and proposed restaurant will front on Parkway and Maples Lane with pedestrian access being provided from the existing public sidewalk areas. Staff added that the plan indicates a .13 Floor Area Ratio (F.A.R.) for the property. Staff also noted that the square footage of the parking garage has not been computed into the floor ratio and therefore needs to be revised to depict actual F.A.R. for the entire development located on the property. Staff explained that the allowable F.A.R. for a C-1 District development is 2.0 which would equate to 4.68 acres or

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203,860.8 square feet of finished floor area for this property. Staff further stated that the finished floor elevation of the proposed building is 1146.0 feet which is well above the 100 year flood elevation for this property.

Staff stated that the design engineer has previously submitted certified drainage calculations for the parking garage structure. Staff also stated that a revised report will be needed to include the proposed restaurant building and associated areas stating that the post runoff conditions will not increase over the pre construction conditions. Staff further stated that the plan also lacks the building dimensions, revised F.A.R., revised solid waste collection area, and building elevations to verify building heights are compliant with the C-1 limitations.

Mr. Leland Wykoff was present and inquired about the ingress and egress design for the parking lot structure, especially along Maples Lane. Staff explained that the request does not relate to the parking lot site plan and design which was previously approved by the Board. Staff further noted that the Maples Lane connection was an exit only and that other ingress and egress points are located on Parkway and River Road.

After further discussion, Mr. Charlie Moore made a motion to grant commercial site plan approval for the proposed restaurant building subject to the lacking items. Mr. Don Smith seconded the motion, which passed with all members voting aye.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:20 P.M., after a motion by Mr. Charlie Moore and a second by Mrs. Teresa Cantrell.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
October 18, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Dana Soehn
Bud Ogle
Kirby Smith

MEMBERS ABSENT

Don Smith
Larry Claiborne
Charlie Moore
Jackie Leatherwood

OTHERS PRESENT

Donna Cantrell
Dot Egli
Ralph Egli
Tim Goodwin
Nicholas Voyles

Staff Representative: David Ball, City Planner

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, August 16, 2012, Meeting were unanimously approved following a motion by Mrs. Teresa Cantrell and a second by Mrs. Dana Soehn.

Petitions and Communications from the Public

Staff Report

Public Chapter 1023

Old Business

New Business

a) Preliminary and final plat approval for an access drive easement for “The Wood Shed,” Tax Map 137B, Group A, Parcel 22, located at 508 Ski Mountain Road, R-2 Zone, requested by RSC Properties.

Staff presented the request for preliminary and final plat approval for a minor subdivision of Lots 1 and 10, the right-of-way of Cook Drive, and includes a proposed access easement for Tax Map 137B, Group A, Parcels 22 and 23. Staff stated that the request primarily involves creating an access easement across Parcel 22, which is City Owned Property, to allow the construction of a driveway from Cook Drive to the commercial building located on Parcel 23. Staff noted that the plat also depicts revisions to Cook Drive Right-of-way areas and adjoining parcels, which were previously deeded and conveyed through registered deeds at the Sevier County Register of Deed Office. Staff also stated that the proposed access easement which bisects the City’s Property will require an additional review and approval by the City Commission prior to recordation of the plat.

Staff stated that the applicants have submitted a site plan which depicts the proposed location of the access easement area and the improvements to the access area. Staff explained that if approved by the City Commission, this easement area will be used to provide for a private driveway which will allow access from Cook Drive through the City's property to the commercial business on Parcel 23. Staff also stated that the driveway would allow vehicular traffic to access the business from the adjoining business located on Parcel 11 without requiring vehicles to re-enter Ski Mountain Road. Staff noted that the primary ingress and egress to Parcel 23 from Ski Mountain Road will stay intact as it exists today.

Staff stated that the plat lacks signatures of ownership and dedication, E-911 signature of approval, Electric System Approval, Health Department and/or Utility Department Approval, and specific details on the easement area. Staff also stated that the plat should be approved subject to the City Commission's Approval for the access easement. Staff noted that if the easement area is disapproved by the City Commission, the minor subdivision plat will need to be revised to delete the easement area and then recorded to depict the existing deeded revisions which have previously occurred but not previously platted and recorded.

After further discussion, Mr. Bud Ogle made a motion to grant preliminary and final plat approval for the proposed minor subdivision subject to the lacking information and make a favorable recommendation to the City Commission for the proposed access easement. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:40 P.M., after a motion by Mrs. Teresa Cantrell and a second by Mrs. Dana Soehn.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
December 20, 2012
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Don Smith
Larry Claiborne
Dana Soehn
Kirby Smith
Jackie Leatherwood

MEMBERS ABSENT

Teresa Cantrell
Charlie Moore
Bud Ogle

OTHERS PRESENT

Brian Mansfield
Donna Cantrell
Logan Coykendall

Staff Representatives: David Ball, City Planner
Chad Davis, ETDD Representative

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, November 15, 2012, meeting, were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Don Smith.

Petitions and Communications from the Public

Staff Report

Staff advised that information related to the new requirement for members to file with the State Ethics Commission would be forwarded in January. Staff further noted that the forms are required to be complete by January 31, 2013.

Old Business

New Business

a) Review and consideration for a rezoning of Tax Map 126N, Group G, Parcel 7.00, located at 426 Trentham Lane, from R-2 Zone to C-2 Zone, requested by Craig Trentham and Logan Coykendall.

Staff presented the request for a rezoning of the subject property from R-2 (Medium Density) Residential to C-2 (General Business) Commercial District. Staff stated that the property is located on Trentham Lane and contains approximately .76 acres (33,105.6 sq. ft.). Staff noted that the property is currently developed with a single-family residence and its accessory structures. Staff explained that the applicant has indicated that the purpose of the request is to change the current zoning to commercial to permit the use of the existing structure as a private office space. Staff also stated that the subject property is adjoined on the West and South boundaries by R-2 zoned properties which are developed with a variety of uses including residential, communications utility (AT&T), and a City office building (former Shilling Center).

Staff pointed out that the property across Trentham Lane to the North is zoned C-2 and is developed with a multi-family structure. Staff added that the vacant property to the immediate East is property under the same ownership as the subject property and is zoned C-2.

Staff further stated that in review of the current Land Use Plan, the property is depicted as commercial for the purposes of future development in the area. Staff added that the property is serviced with both public water and sewer and the streets providing access are public streets. Staff pointed out that this area has not experienced commercial development to the degree of areas developed in closer vicinity to Airport Road and Parkway. Staff noted that this particular area still possesses many residential characteristics with many of the older residential structures still in existence. Staff also noted that Trentham Lane is constructed and functions mostly as a minor street which loops back into Reagan Drive.

Staff stated that in lieu of a C-2 zoning classification, Staff is recommending that the Board consider an alternative zoning of R-3 (High Density) Residential classification. Staff also stated that the R-3 District is a residential district but provides for professional offices, etc. that would accommodate the applicants desired use of the property (see R-3 Description). Staff noted that rather than rezoning the single parcel, Staff is recommending that five (5) adjoining properties be included in the reclassification to the R-3 (see attached map). Staff also noted that the surrounding properties are currently zoned R-2 with the exception of the immediate property to the east (Tax Map 126N, Group G, Parcel 6) which is currently C-2. Staff added that this property is also owned by the applicant and is currently vacant. Staff further noted that the remaining four parcels are currently developed with a variety of uses. Staff added that two of the parcels have single family residences constructed on them, one (1) property is under the ownership of AT&T, and is used as a communication utility, and the remaining parcel is a City owned and occupied office building (formerly known as the Shilling Center).

Staff stated that they have advised the applicant of this recommendation for the R-3 designation. Staff noted that the applicant has agreed to the R-3 in lieu of the C-2 for both properties. Staff further stated that the surrounding property owners have been contacted with regard to the reclassification of their properties to R-3 and no objection has been raised to the proposed rezoning. Staff finally noted that Staff would recommend that the C-2 zoning request be denied with a recommendation to the City Commission that the following six (6) tax parcels be reclassified from R-2 to R-3 Zone:

<u>Tax Map</u>	<u>Group</u>	<u>Parcel</u>
126N	G	5
126N	G	6
126N	G	7 (Subject Property)
126N	G	8
126N	G	9
126N	G	10

After further discussion, Mr. Larry Claiborne made a motion to grant the request for a rezoning of the subject property from R-2 (Medium Density) Residential and C-2 (General Business) Commercial District to R-3 (High Density) Residential. Mr. Kirby Smith seconded the motion, which passed with all members voting aye.

b) Review and consideration for a site plan revision for “Elk Springs Resort,” a Planned Unit Development, Tax Map 107, Parcel 116, located on Powdermill Road, RR-1 Zone, requested by Vision Engineering.

Staff presented the request for Preliminary site plan approval for a revised PUD site plan for “Elks Springs Resort,” to incorporate a proposed wedding chapel accessory structure into the development. Staff stated that the development is accessed from Powdermill Road and located in the Gatlinburg Planning Region.

Staff stated that the request consists of the deletion of residential unit site “120” to be replaced with an accessory wedding chapel structure. Staff noted that the preliminary plan is intended to depict the approximate location of the wedding chapel. Staff also noted that the applicant has been advised by staff that the wedding chapel use can not be approved as a freestanding commercial use. Staff added that the property is zoned RR-1 which is a Rural Residential District designation. Staff further stated that while the district does allow for churches and chapels, Staff does not feel that commercial wedding chapels are permitted in the RR-1 District. Staff pointed out that because the property has been developed as a Planned Unit Development consisting of residential rental cabins, staff would agree that chapels as an accessory use or amenity to the primary use of the property would be permitted within the PUD. Staff explained that if the intent is to utilize the chapel as a commercial business which is accessible to others outside the realm of the PUD ownership and rental use, the chapel would then be in violation of the Regional Zoning Ordinance.

Attorney, Mr. Brian Mansfield was present as a representative for the developer and noted that the developer has requested to establish the wedding chapel as a private element which would be under the sole control of the developer. Mr. Mansfield further noted that owner is willing to establish parameters for the use of the chapel in conjunction with the planned unit development bylaws and covenants. Staff noted that under the provisions of the Regional Zoning Ordinance, this type of building is generally viewed as an accessory use to the primary use which would be the residential units.

Staff noted that the preliminary site plan depicts the approximate location of the wedding chapel and also denotes additional parking areas associated with the chapel. Staff stated that these areas are denoted along the main access road serving the development in various locations. Staff explained that under the Regional Zoning Ordinance, Article IV, Section 402.2, the required parking for a chapel would be determined based on one (1) space for each four seats in the chapel, therefore, the maximum number of parking spaces will be determined based on a maximum seating capacity of the wedding chapel. Staff also stated that once the parking space number is determined, a detailed parking plan will be required along with the necessary storm

water and drainage plans for the disturbance areas. Staff further stated that specific plans will be required for the access road to the chapel to determine that road grades and widths comply with the subdivision standards.

Staff pointed out that additional plans for utilities, landscaping as well as the necessary approvals by the Health Department, E-911 and Electric System will be required for a final site plan submittal. Staff also stated that the revised legal documents that define and incorporate the chapel use into the PUD will be required with any approvals that may be required by the Home Owners Association.

After further discussion, Chairman Robert Maples made a motion to grant preliminary site plan approval for the revised PUD and requested that the legal documents be submitted for the review of the City Attorney to determine if the proposed use of the chapel doesn't create a zoning conflict. Mrs. Dana Soehn seconded the motion, which passed with all members voting aye.

c) Review and consideration for a proposed extension to the Letter of Credit for infrastructure improvements for "The Settlement, Phase II," located off Forest Springs Drive, R-2 Zone.

Staff presented the request for a one (1) year Letter of Credit extension for Letter of Credit #21238, on the account of David Gilleland, for infrastructure improvements associated with "Forest Springs Drive, Phase 2," located off Forest Springs Drive.

Staff stated that the request is for the approval of a one (1) year extension of the letter of credit that was issued for the infrastructure improvements for Phase 2, of the Forest Springs Development. Staff noted that the development is a residential subdivision that includes infrastructure associated with utilities and roadway improvements. Staff also noted that the development has been ongoing and the remaining letter of credit for \$25,712.50 is needed to finalize the infrastructure improvements. Staff pointed out that due to recent economic impacts to development in general, there has been little or no activity associated with the development of this property. Staff further stated that a revised construction cost estimate will be needed to ensure the current letter of credit amount is adequate to complete the improvements.

After further discussion, Mrs. Dana Soehn made a motion to grant a one (1) year extension for the letter of credit to ensure the completion of the infrastructure improvements associated with Phase 2 of this development. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:40 P.M., after a motion by Mr. Don Smith and a second by Mr. Larry Claiborne.

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Approved:

Planning Commission Secretary

Date