

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
November 20, 2014
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

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

MEMBERS ABSENT

Don Smith
Dana Soehn
Charlie Moore

OTHERS PRESENT

Luke Laney
James Tomiczek
Robert Johnson
Mike Stalcup

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

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, October 16, 2014, meeting, were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Kirby Smith.

Petitions and Communications from the Public

Staff Report

Staff reminded the Board members of the Ethics Committee and thanked them for attending the workshop prior to tonight's meeting.

Old Business

New Business

a) Review and consideration for a minor subdivision of Tax Map 126E, Group B, Parcel 1, located at 201 Parkway, C-1 Zone, requested by Carol Muszik.

Staff presented the request for review and consideration of a minor subdivision of Tax Map 126E, Group B, Parcel 1, located at 201 Parkway. Staff stated that the request consists of an interior lot line adjustment to correct a boundary line encroachment with the property's existing structure. Staff pointed out that the structure encroaches beyond the property boundary approximately 3.6' onto the adjoining property.

Staff also stated that the request involves the minor subdivision of the property to relocate the interior lot line separating Tax Map 126E, Group B, Parcels 1 and 2. Staff added as depicted on the plat, the minor subdivision would delete the old lot line and relocate the line approximately 3.6' to the south so that the existing building would be located entirely on Parcel 1.

Staff noted that the plat lacks the following information: revised scale to 1"=20'; Zoning District Information; revised floodplain information; revised adjoining property boundary information; certificates and signatures for E-911, Sevier County Electric System, Gatlinburg Utility Department, and Ownership and Dedication. Staff also noted that the adjoining property boundary information will need to be included depicting the remaining lot configuration and acreage.

After further discussion, Mr. Bud Ogle made a motion to grant approval of the minor subdivision subject to the lacking information being provided on a revised plat and submitted to Staff for final review prior to recordation. Mr. Larry Claiborne seconded the motion with all members voting aye.

b) Review and consideration for a commercial site plan for "Spider Net Course," Tax Map 126E, Group B, Parcel 1, located at 201 Parkway, C-1 Zone, requested by Carol Muszik.

Staff presented the request for review and consideration for a site plan approval for a tourist recreational use consisting of a multiple level net course to be constructed on Tax Map 126E, Group B, Parcel 1, located at 201 Parkway.

Staff stated that the request involves the review of a tourist recreational use for 201 Parkway consisting of a multiple level net course. Staff also stated that the proposed use involves the utilization of the existing building with the addition of a net course that is to be placed on the west side of the property between the existing building and the West Prong Little Pigeon River. Staff pointed out that the improvements do not involve construction of any permanent structure that would require attachment to the ground but rather a net system which is designed to attach to the on-site existing, mature trees. Staff noted that in the area behind the building, the applicant has identified several mature trees that will be utilized to attach the net system at various heights and levels (see attached information). Staff added that there may be removal of undergrowth from the property but all significant trees will remain intact. Staff further stated that because there is no new structure being placed on the property and no land disturbance activity, a storm water plan is not required for this request.

Staff stated that due to the fact that no new buildings are being constructed and no significant site changes to the site are being proposed, this request is a simple use review of the request to permit the tourist recreational use and permit the construction of the net course system. Staff added that the course will also include several constructed platforms, all of which are engineered for the attachment to the existing trees on the property. Staff noted that for these types of activities and unique applications, the Building Inspection Department will require attachment designs to be submitted to ensure that the platforms and net systems are safely installed and that the health and integrity of the trees are maintained. Staff further stated that Staff's understands that the course and all its attachments will be inspected by the State of Tennessee. Staff finally stated that prior to receiving a final certificate of occupancy and or final inspection from the City, a copy of the

State inspection will be required to verify that the course is safe and ready for utilization by the public.

Staff stated that a boundary plan has been submitted depicting the property boundaries and the significant on site trees. Staff also stated that the site plan lacks the following: net course layout in relation to the property boundary; floodplain information to determine no impact to floodway; revised electric utility layout; revised scale to 1"=20'; Zoning District Information; a proposed lighting plan with provisions to screen adjoining properties from course lighting;

After further discussion, Mrs. Teresa Cantrell made a motion to grant site plan approval subject to the lacking information being provided on a revised plan and submitted to Staff for final review. Mr. Larry Claiborne seconded the motion with all members voting aye.

c) Review and consideration for a revised site plan for "Westgate Resorts, Phase 12," located on North Mountain Trail and Dudley Creek Road, R-2, C-2, and C-4 Zones, requested by CEC, Inc.

Staff presented the request for a final PUD site plan approval for Westgate Smoky Mountain Resorts, Phase 12 Revised, consisting of the addition of two (2) buildings containing 24 total units and a new access road and sewer utility plan. Staff stated that the site plan depicts the addition of two (2) buildings being "Cabins 88 & 89" consisting of 12 units each for a total of 24 units. Staff noted that the existing Phase 12 contains 291 units located on 20.66 acres. Staff added that the additional units bring the total unit count for Phase 12 to 315 units and an overall development count of 716 units for the property. Staff explained that the PUD site plan depicts the units to be located north of "Buildings 3000, 4000, and 5000" and directly accessed from Smoky Loop Way. Staff further stated that the plan depicts additional parking areas to be added just north of "Building 5000."

Staff explained that in previous reviews of Phase 12 and beyond, the Utility Department had advised that no future phases beyond Phase 12 could be approved until such time that the sewer line from North Mountain Trail to the Waste Water Treatment Plant was improved to increase the capacity of the line. Staff pointed out that to date no change or improvements have been undertaken with regard to the existing sewer line that would accommodate the additional capacity demands that would be imposed by additional units.

Mr. James Tomiczek, the project engineer, was present and gave a brief overview of the project explaining that the developer has recently purchased additional property immediately adjacent the current development site which extends down to Dudley Creek Road. Mr. Tomiczek noted that in past reviews of additional development phases, the issue of adequate sewer capacity in the existing public sewer line that extends across the National Park Right-of-way (referred to as the "Spur") to the waste water treatment plant, was a limiting factor due to the difficulties associated with the approval and permitting processes. Mr. Tomiczek noted however that the recent property purchase provides for a potential solution to the sewer capacity issue as well as

development traffic issues. Mr. Tomiczek then proceeded to review the details of a new access road and proposed sewer line. Mr. Tomiczek noted that the road would be a 24' wide private street with maximum grades of less than 15 percent. The Board inquired about the length of the road and its correlation to the Kristi's Place property. Staff explained that the road length, from its intersection with Dudley Creek Road, to the point where it intersects Winding Smoky Way, is approximately 5,400 feet but that the road did not extend onto the adjoining property. Staff noted that the road ascends from Dudley Creek Road approximately 540' in elevation up to Winding Smoky Way.

Mr. Tomiczek continued and noted that a new 8" sewer line would be constructed within the new road bed for the length of the road from the public sewer line in Dudley Creek Road up to Phase 12 of the development. Mr. Tomiczek noted that the proposed sewer line will serve the additional 24 units and future development phases. Mr. Tomiczek also explained that the existing "Building 5000," currently located in Phase 12, will be connected to the new sewer line to reduce sewer discharge loads on the existing system and infrastructure that is located in the National Park Right-of-way. Staff noted that the Utility Department is currently reviewing the proposal to connect the 8" sewer line to the existing sewer system in Dudley Creek Road to determine that the proposal is viable and that the existing system can accommodate the added sewer loads. Staff also noted that the proposal, if approved by the City, would alleviate the need to expand the existing sewer line from North Mountain Trail to the Waste Water Treatment Plant in order to continue development on this property.

Staff also noted that another significant issue that has arisen as a result of recent discussions between the developers, National Park Service, and the City, relates to the traffic impacts of any proposed and future development of this property. Staff pointed out that the original master concept plan submittal contained a traffic study for the proposed development which evaluated the traffic impacts based on a maximum of 650 units. Staff noted that at that time, the study determined that the existing accesses to the property were adequate with the implementation of minor improvements and without any significant off-site improvements being recommended. Staff added that through the years, while the master concept plan has evolved to include additional development phases, the traffic study has not undergone updates to evaluate the impacts of additional development. Staff further noted that previous approvals of revisions to the master concept elude to evaluating traffic impacts with various phase approvals but have not been undertaken to date. Staff also stated that the current unit count for the property based on the engineering data is 692 total units. Staff added that with the additional 24 units, the total unit count for the property would be 716 units. Staff explained that as such, the developer has been advised that an updated, comprehensive traffic study will be required to assess the current and future impacts of the development to the surrounding public road ways and streets, and to provide recommendations with regard to any needed improvements. Staff added that in addition, the study will need to specify and correlate number of units to the recommended street improvements in order to guide future phase approvals by the Board. Staff stated that the developer has agreed to conduct the traffic study and provide an updated master plan in

conjunction with the recommendations of the study. Mr. Tomiczek noted that the developer has contracted with a traffic engineering firm to conduct a traffic study for the development. Mr. Tomiczek added that it is anticipated that the study will be completed and ready for submittal very soon. Staff also noted that the road design includes two (2) significant areas of fill located between Stations 10+38.50 and 12+00 and Stations 28+50 and 33+03.50. The fill is approximately 30' deep. Staff also noted the plan includes several areas of cut slope along the new road. Staff further stated that a geotechnical engineers report regarding the road construction will be required to ensure the road location is viable due to the steep terrain of the property and for all cut and fill slopes in excess of a 2:1 slope ratio. Staff also stated that this property does fall into the Critical Slope Floating Zone due to the natural topography exceeding 30%. The road construction cross-section will be needed to ensure compliance with the adopted road construction standards of the Subdivision Regulations. Mr. Tomiczek stated that a geotechnical engineer would be involved in the construction of the road.

Mr. Tomiczek then proceeded to present view shed profiles for the two (2) new cabins as seen from Highway 441 Corridor. Mr. Tomiczek noted the existing vegetation location and stated that several significant trees exist below the proposed units that should provide screening of the buildings. Staff noted that in review of the profiles, Staff can not verify that the units are not visible and that the existing vegetation will provide the required 75% screening of the buildings. Staff also noted that the plan and the photos indicate that there is existing vegetation currently in place however the degree of screening that the vegetation provides is not conclusive. Staff added that the structure's first floor is located at an elevation of 1710' with proposed building height at approximately 56' from finished grade on the low side of the building. Staff also stated that the existing "Buildings 3000 and 4000" are visible and it appears that the upper floors and roof structure of the proposed buildings will be near the elevations of the existing buildings. Staff pointed out as such, additional view shed information and a more detailed inventory of the existing vegetation is needed to ensure screening will be achieved per the HOD requirements. Mr. Tomiczek noted that in other instances the developer has arranged to allow for an on-site evaluation by staff to better visualize the structure and the existing vegetation to determine if the required screening has been achieved. Further, Mr. Tomiczek requested that approval be granted subject to scheduling a time to conduct the visual inspection with staff.

The Board inquired about the need for the approval of the 24 units at this time since the traffic studies and sewer reviews were not complete at this time? Mr. Tomiczek stated that it is believed that the new road and sewer line will accommodate the 24 units however without any problems but that the road and sewer line would not be constructed for just 24 units. Mr. Tomiczek noted that the plan is to follow up with additional submittals once the studies and reviews are complete that will include unit counts similar to the Phase 12. Mr. Luke Laney was present and added that by submitting the 24 units at this time it would allow the construction of the 24 units to move forward independent of future phases, once the study is completed, and prevent having to wait another month or two for the completion of design documents associated with future, larger phases.

Staff stated that the developer is requesting a final approval for the PUD site plan to add “Buildings 88 and 89” to Phase 12 and for the new road and utility access off of Dudley Creek Road as presented. Staff’s recommendation is to grant the final approval with the following stipulations or conditions: final approval of the units will be subject to the Gatlinburg Utility Department’s approval of the sewer plan; the submittal of a completed traffic study which encompasses not only the current proposal but future build-out of the property and establishes a maximum number of units for each phase; a submittal of additional view shed information to verify that the proposed units will be screened in accordance with the HOD requirements; and with the understanding that the issuance of any future building permits will only occur once all lacking documents have been submitted to Staff and compliance with locally adopted regulations can be verified. Staff further recommended that any approval for the additional 24 units by the Board should be subject to the submittal of the traffic study prior to obtaining any building permits for the construction of the units and provided the study supports the additional units with no other improvements required by the engineer.

After further discussion, Mr. Robert Maples made a motion to grant the PUD site plan approval subject to staff’s recommendations. The motion was then seconded by Mr. Larry Claiborne, which passed with 5 members voting aye, and Mrs. Teresa Cantrell abstaining.

d) Review and consideration for a street name change for “Hickman Hollow Road,” to “Hickam Hollow Road,” requested by Staff.

Staff presented the request for review and consideration for a proposed street name change of the existing “Hickman Hollow Road,” to “Hickam Hollow Road.” Staff stated that a street name change request application has been submitted to Staff for the name change of “Hickman Hollow Road” to the proposed name of “Hickam Hollow Road.” Staff advised that the applicant has submitted a request form containing a listing of the twelve current residents and businesses which are currently addressed off of Hickman Hollow Road. Staff also noted that a signature of each of the residents and businesses with existing addresses has been included in this request.

Staff added that the request for the name change was presented to Staff by Dr. Jack A. Parton, who advised that the original street name was originally listed as “Hickam Hollow Road.” Staff explained that the street name was researched to determine when the name change occurred but was unable to determine a specific date or reason for the name change. Staff added that there is the possibility that due to the similarity of the two names that the name was inadvertently changed during the development of the E-911 emergency directory. Staff further stated that a second possibility is that the street sign was inadvertently placed with the wrong street name. Staff finally stated that whatever the case, the request is simply to rename the street back to “Hickam Hollow Road.” Staff added that a map showing the various E-911 addresses along the street is included with the request containing the signatures of the residents and businesses with current addresses and the proposed street name.

After further discussion, Mr. Bud Ogle made a motion to approve the proposed street name change from “Hickman Hollow Road” to “Hickam Hollow Road.” Mr. Kirby Smith seconded the motion with all members voting aye.

Unscheduled Items

Mrs. Teresa Cantrell made a motion to count the one-hour training session on November 20, 2014, towards their continuing education. Mrs. Jackie Leatherwood seconded the motion, with all members voting aye.

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 6:00 P.M., after a motion by Mr. Larry Claiborne and a second by Mrs. Teresa Cantrell.

Approved:

Planning Commission Secretary

Date