

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
March 19, 2015
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Teresa Cantrell
Don Smith
Larry Claiborne
Dana Soehn
Charlie Moore
Bud Ogle
Kirby Smith
Jackie Leatherwood

MEMBERS ABSENT

Robert Maples

OTHERS PRESENT

Chuck Laney
Robert Johnson
Bruce Cantrell
Jay DeFoe
Jim Cortese
Amelia Sweeney
Logan Coykendall
Davy Thomas
Mr. & Mrs. Bentz
Guy Wantiez

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

Vice Chairperson Soehn called the meeting to order at 5:00 P.M. The minutes, of the, March 5, 2015, meeting, were unanimously approved following a motion by Mr. Bud Ogle and a second by Mr. Larry Claiborne.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a revised PUD site plan approval for “Westgate Resorts, Phase 12, Sales Building,” located at 915 Westgate Resorts Road, Tax Map 116, Parcel 195, and Tax Map 126, Parcels 4 and 6, C-4 Zone, requested by CEC, Inc.

Staff presented the request for a PUD site plan approval for a proposed 7,700 sq. ft. sales pavilion addition to the existing Phase 12 of the Westgate Resorts Development.

Staff stated that the site plan depicts the sales building to be located immediately adjacent to the open pavilion area and pool which is located near mid-rise building referred to as “Building 5000.” Staff noted that the developer has indicated that the building will be utilized as a sales and multi-purpose building for existing guests on the property and not for off-site generated sales that would result in more traffic and additional parking needs. Staff explained that initially, a

concern was raised with regard to the building and the impact to traffic and site parking. Staff stated that in response to the concerns, the developer has provided documentation that indicates that the building will specifically be used for internal sales to guests already staying on the property and does not involve sales to new owners or outside sales (see attached). Staff further stated that the developer has indicated that parking of the guests is already accommodated on the site at the units and that transportation to and from the sales center will be provided via internal modes of transportation thus alleviating the need for additional parking at the new sales center facility. Staff pointed out that however, Staff will need site information to incorporate the parking area lost due to the proposed building and to ensure Phase 12 parking facilities are adequate to accommodate the existing units.

Staff stated that in discussion with the project engineer, the building will not be visible from a SLRS as defined by the Hillside Overlay District provisions. Staff noted that a final visual assessment has been provided to illustrate the various perspectives and based on the previous review of the cabana facility, which is immediately adjacent the sales center, the visibility of the structure does not appear to be an issue. Staff pointed out that the Utility Department has verified that the proposed sales center does not appear to be an issue for capacity provided the additional sewer will be tied to the proposed sewer line that will be connected to the Dudley Creek Road public sewer. Staff added that the Utility Department has requested the final capacity calculations for water and sewer.

Staff stated that the site plan lacks the following: revised parking plan; fire department connection location on the utility plan; utility calculations for water and sewer; and verification that the structure will meet the 75% screening for Hillside Overlay District requirements, and landscape plans for the structure.

After further discussion, Mr. Bud Ogle made the motion to approve the request to grant PUD site plan approval for the proposed sales pavilion addition to Phase 12 subject to the lacking information being provided for Staff's verification and review. Mr. Larry Claiborne seconded the motion which passed with 6 members voting aye, with Mrs. Teresa Cantrell and Mrs. Dana Soehn abstaining.

b) Review and consideration for a commercial site plan approval for "Silverbell, LLC," located at 576 Parkway, Tax Map 126M, Group A, Parcel 33.01, requested by Silverbell, LLC.

Staff presented the request for a commercial PUD site plan approval for a mixed-use development consisting of 5-story building containing a hotel, parking and retail uses and other detached commercial structures to be located on the 2.11 acre property that is located at the corner of Parkway and Cherokee Orchard Road.

Mr. Bob Bentz was present and gave a brief overview and power point presentation of the project to the Board. Mr. Bentz discussed the various elements of the development including the

proposed plan to construct a 100 unit hotel, retail, possible restaurant use, parking facility, and a proposed overhead transportation mode combining chairs and gondola units to transport visitors to an adjoining property above the Baskins Creek Bypass. Mr. Bentz noted that the plan represents the first phase of development with additional future phases being planned for the property located off Baskins Creek Bypass.

Mr. Bentz stated that the current phase of development had received previous approvals from the Board of Commission to permit the improvements on and over public right-of-way to construct sidewalks and to cross over the Baskins Creek Bypass with the aerial element.

Mr. Bentz then addressed the issue of the existing large yellow poplar tree that exists on the common property line with Pi Beta Phi Elementary School. Mr. Bentz noted that the design of the building has been modified to preserve the tree as previously requested by the Board. Mr. Bentz stated that he has contracted with Mr. Jim Cortese, a tree specialists, to ensure that proper steps are taken to preserve the tree during and after construction of the project. Mr. Bentz noted that a building profile prepared by Trotter and Associates, depicts the proposed construction of the building with the tree protection recommendations of Mr. Cortese. Mr. Bentz noted that an offset of the building on the first level is designed to protect the root system of the tree and that the second level of the parking area was a cantilevered design so that no vertical elements of support would be required that would encroach into the roots of the tree. Mr. Cortese noted that the tree would undergo some selective pruning in the upper portions of the tree to keep limbs off the tree from projecting into the building. The Board voiced concern about the pruning and the impact of the pruning on the aesthetics of the tree. Mr. Jay Defoe with Trotter and Associates noted that the proposed pruning would not be noticeable from any surrounding view perspectives due to the way the building has been designed around the tree. Mr. Defoe further stated that the tree viewed from the adjoining and surrounding properties would have an appearance of a full intact canopy with little or no opportunity to see the pruned section of the tree. Mr. Bentz stated that much expense and effort has been put into the protection of the tree with several design scenarios having been gone through to evaluate best possible solutions. Mr. Bentz stated that it is an important objective to determine if the Board is agreeable with this design so that the specific design can move forward and permits be obtained from the City.

Staff stated that the proposed plan depicts a 100 unit hotel and two detached commercial retail structures to be constructed on the existing 2.11 acres. Staff noted that the proposed density for the site is 1.45 ratio which consists of 132,860 square feet of total building area on 91,792 square feet of land. Staff added that the property is accessed via a proposed two-lane, 24 foot access drive from Parkway which will also serve as joint-use access to the remaining Arrowmont School Property. Staff also stated that the site plan indicates that there will be 44 surface parking spaces and 61 parking garage spaces which equals 105 total spaces. Staff explained that however, the total parking for the site is 102 spaces with the plan indicating that there will be a net loss of three (3) spaces from the 105 spaces. Staff added that the plan also depicts Fire Department building access via two (2) easements on the adjoining Sevier County School Board

Property. Staff explained that these easement areas are to provide for ladder truck access to the proposed hotel building in the event of an emergency. Staff added that the Fire Department has indicated that the access plan, proposed Fire Department connection, and hydrant locations are acceptable to meet department needs.

Staff stated that the proposed plan shows the location of the retaining wall system adjoining Parkway which serves to elevate the private property elevation above the required floodplain elevations as part of a CLOMR-F submittal to FEMA and to elevate the public sidewalk adjoining the property. Mr. Guy Wantiez with CEC, Inc., gave a brief overview of the existing and proposed flood conditions of the property. Mr. Wantiez explained that currently the property is identified by FEMA as well as the TVA Flood Study as a special flood hazard area. Mr. Wantiez further explained the process of appealing to FEMA to have the Flood Insurance Rate Maps (FIRM's) revised through the CLOMR-F application. Mr. Wantiez gave a detail explanation of the 100 year and 500 year flood elevations associated with the property and how the proposed retaining wall and fill of the property would constitute a map change to remove the property from the special flood hazard area. Mr. Wantiez noted that upon completion, the buildings would be elevated and/or flood-proofed to one (1) foot above the 100 year flood elevation, and at or above the 500 year elevation for buildings with overnight sleeping accommodations.

Staff then provided additional overview with regard to the logic being applied with the regard to changes to the TVA Study, which is referenced in the City's adopted Flood Damage Protection Ordinance. Staff explained that the original FEMA FIRM's were established from the data generated by the 1988 TVA Flood Study and that the flood elevations and boundary data was consistent between the two documents. Staff stated that in 2009, FEMA released a new flood study which was based on a different datum control which slightly changed the information. Staff noted however, because TVA no longer publishes flood studies for local communities, the TVA information remains unchanged from the 1988 Study. Staff stated that due to the fact that the original FIRM's were based on the TVA Flood Study, it was logical that the datum change and proposed site improvements being implemented as part of the CLOMR-F would affect the TVA elevations in the same manner. Further, Staff stated that the new engineering data would be considered the latest and best available information which will be reviewed and evaluated by FEMA engineers in the CLOMR-F application and if approved by FEMA Engineers would be substituted in lieu of the dated TVA Study information.

Staff explained that the Board of Zoning Appeals has approved the setback encroachments with the wall system to permit the fill of the site and the City Commission has granted approval for the public right-of-way improvements. Staff noted that the revised plan does not include a cross-walk area at Traffic Light 5 as previously indicated. Staff added as such, the sidewalk will be an elevated sidewalk that runs continuously without the interruption of a stair system as previously proposed at the initial review of the project. Staff stated that the site plan further depicts a proposed pedestrian bridge from Cherokee Orchard Road over to the subject property. Staff

pointed out that the bridge will require TDEC, Army Corp of Engineer, and FEMA approval prior to installation. Further, the bridge will require coordination with the City Public Works and Trolley Departments. Staff added that all public right-of-way area improvements will require the developer to submit two costs (2) estimates for the review by the Public Works Department and eventually a surety bond to ensure the installation of the improvements.

Staff stated that the plan also includes specific details as it relates to the existing 52 inch diameter Yellow Poplar Tree which is located on the property line of the subject property and the adjoining School Board property. Staff noted that the certified arborist, Mr. Jim Cortese, has provided a report (see attached) on the existing condition of the tree as well as proposed recommendations to ensure the health and survival of the tree. Staff added that as depicted on the site plan, the tree will remain as requested by the Planning Commission in previous reviews of the property.

Staff stated that the storm water drainage report for the proposed development indicates that the post construction peak flow discharges for the developed site will be equal to or less than preconstruction discharge conditions for the 2, 5, 10, and 25 year storm event. Staff noted that the only outstanding issue relates to the site stormwater buffer zones associated with the property. Staff added that the site engineer has previewed the issue with TDEC and indications are that the buffer is not applicable due to the existing developed site conditions thus rendering the buffer non-existent. Staff explained that the applicants will be requesting a variance from the City's Storm Water Ordinance buffer requirements with the Board of Appeals.

Staff stated that the landscape plan is also included which depicts new landscaping along the adjoining School Board Property and the external parking area. Staff also stated that there are two (2) solid waste collection areas that are shown on the site plan. Staff added that the Sanitation Department has indicated some concerns with the areas being adjacent to proposed parking stalls. Staff noted that the final details will need to be reviewed and approved by the Sanitation Department. Staff explained that the plan depicts a gondola platform area on the site plan however, no specifics have been submitted with this request detailing the building or structure associated with the element. Staff added that this particular element will require future reviews by the Board to ensure zoning compliance.

After further discussion, Mrs. Teresa Cantrell made the motion to approve the request for a commercial PUD site plan approval for the proposed mixed use development per Staff recommendations and subject to the final approvals from the Board of Appeals for the buffer encroachments, final approvals for the proposed pedestrian bridge from the various local, State and Federal entities, and a final review and approval of the solid waste container. Mr. Claiborne provided a second to the motion which passed with all members voting aye.

7. Unscheduled Items

8. Adjournment

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 Mr. Don Smith and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date