

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
June 19, 2014
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

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

MEMBERS ABSENT

Kirby Smith
Jackie Leatherwood

OTHERS PRESENT

Dave Hadden
Becky Hadden
Len Johnson
David Dixon
Hiren Patel
Floyd Mooneyham
Jay DeFoe
Gary Norvell
Ralph Bailey
David 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, May 15, 2014, meeting, were unanimously approved following a motion by Mr. Bud Ogle 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 rezoning of Tax Map 127, Parcel 20, being the “Greenbrier Restaurant,” located at 370 Newman Road, from C-3 (Neighborhood Commercial) to C-2 (General Business) Zone, requested by Dave Hadden.**

Staff presented the request for a proposed rezoning of Tax Map 127, Parcel 20, being the “Greenbrier Restaurant” property located at 370 Newman Road, from C-3 (Neighborhood Commercial) District to C-2 (General Business) District.

Staff stated that this request consists of rezoning of the 2.71 acres to re-classify the property from the current C-3 Zone designation to C-2 Zone. Staff also stated that the applicant has indicated that the purpose of the rezoning request is to expand the use of the property to incorporate a recreational zip-line. Staff added that the current Neighborhood Commercial District is limited to primarily service oriented businesses and does not indicate that recreational uses are permitted

uses. Staff noted that the current zoning designation of C-3 was approved by the City Commission in April of 2001 following a recommendation to disapprove by the Planning Commission. Staff also noted that in 1982, a request for C-2 Zoning was presented to the Municipal Planning Commission but was denied due to the unavailability of utilities and a disruption of the current zoning boundaries relationship with the natural break in topography at the property.

Staff added that in 2001, Staff recommended to deny the request based on the lack of adequate road and utility infrastructure to support higher density commercial uses. Since the request in 2001, water and sewer utilities have been provided to the property and surrounding properties. Staff explained that no changes have occurred to the road infrastructure in the immediate area that would provide adequate ingress and egress to high density commercial uses that are permitted by the C-2 Zone. Staff further stated that the guiding policies, of the adopted Land Use Plan, state that commercial land should be conveniently located, adequately sized, and compatible with the total community environment. Staff finally stated that due to the fact that the steeper terrain and narrow road system of the immediate area are less conducive for high density commercial development as permitted by the C-2 Zone, it is staff's interpretation that the request is not in keeping with the guiding policies of the adopted Land Use Plan.

Mr. David Hadden was present and stated that he concurred that the current road would be an issue for higher commercial use. Mr. Hadden inquired as to the process of approving the request subject to the road improvements being completed prior to final rezoning approval. Staff noted that the approval could not be contingent to avoid contract zoning. Mr. Hadden asked who would be the appropriate authority to get the road improvements implemented. The Board advised that the City Commission would have to approve any improvements to the City Street whether done by the City or by a private party. The Board also stated that the rezoning request could be further presented to the City Commission for their consideration whether approved or disapproved by the Planning Commission. After further discussion, Mrs. Teresa Cantrell made the motion to deny the rezoning request from C-3 to C-2 due to the lack of adequate road infrastructure to support higher density commercial development and based on the fact that the request is inconsistent with the adopted Land Use Plan guiding policies. Mrs. Dana Soehn seconded the motion which passed with all members voting aye.

b) Review and consideration for a commercial site plan for "Holiday Inn Express," Tax Map 126N, Group C, Parcel 27.01, located at 322 Historic Nature Trail, C-1 Zone, requested by Norvell & Poe.

Staff presented the request for a commercial PUD site plan approval for Phase 2 of the "Smoky Mountain Resort," the addition of "Holiday Inn Express" hotel, and an indoor swimming pool facility to the existing 4.63 acres currently developed with Phase 1 of the "Smoky Mountain Resort" development.

Staff stated that the project is being viewed as a commercial PUD due to the mixed lodging uses being proposed on the site. Staff noted that while the property is under a single ownership, the units will be rented differently and managed separately. Staff also stated that it appears that the accessory structures such as the pool and parking garage and open-space areas are shared amenities. Staff pointed out that as such, a copy of the legal documents for the development will be needed as required by the PUD Regulations.

Staff stated that the proposed site plan consists of the addition of a 27 unit condominium building for "Smoky Mountain Resorts" and a 113 unit hotel for "Holiday Inn Express." Staff added that the plan also includes the addition of an indoor pool facility to connect the two (2) proposed buildings. Staff also noted that the buildings will be connected via interior corridors and parking will be jointly shared as are the ingress and egress points onto Historic Nature Trail. Staff explained that the allowable density for the property is 2.0 (f.a.r) which will permit approximately 403,365.6 square feet of buildings to be placed on the property. Staff further noted that the final f.a.r. calculations provided for the property including all existing buildings, parking facilities, and proposed development is 1.594 which is below the 2.0 density allotments permitted by Article VIII. Staff stated that the parking for the proposed uses is determined using different methods. Staff added that the parking for the condominiums is based on the square footages of each of the units versus one (1) space for each of the hotel units plus two (2). Staff also stated that the total parking required for the site based on these methods is 321 total spaces. Staff further stated that the plan depicts a total of 321 spaces with the additional proposed parking and existing on-site parking.

Staff stated that the C-1 zone height limitations are established in Article VIII, of the Municipal Zoning Ordinance. The average height for hillside development in C-1 is forty-eight (48') feet and the maximum height is sixty (60') feet. Staff explained that the developer is proposing to raise the grade around the Phase II building of Smoky Mountain Resorts and therefore create a flat building site around the building through the use of various retaining walls. Staff pointed out that however, the Holiday Inn Express building will have various and differing finished grade elevations around the building and therefore has been designed to meet the average and maximum height limitations. Staff noted that the original "Crown Park" development was approved based on a previous provision in Article VIII that allowed additional height provided the development consisted of on-site parking and open-space. Staff added that the original plan provided an enhanced landscape plan for each phase of development. Staff also stated that the property has changed ownership and the development plan is different from a layout and design perspective. Staff further stated that the new owners have decided to comply with the C-1 height limitations for the remaining portions and phases of development and follow the minimum landscape requirements. Staff pointed out in review of the landscape plan it appears that the proposed plan exceeds the areas required for landscaping but is short in the required number of trees for the site. Staff also noted that the total number of trees required for the proposed development is 168. Staff added that the total number of trees being proposed is 84 trees which are a combination of deciduous shade trees and small flowering trees. Staff further noted that the

plan depicts 19 of the 84 trees to be a minimum of 14' – 16' in height which is much more significant than the minimum height of five (5') feet. The remaining 65 trees are proposed at a minimum of six (6') feet in height. Staff added that the landscape plan depicts the use of shrubbery and ground cover in areas of the parking and building perimeters as well as along areas where walls are utilized along the exterior boundaries.

Staff stated that the site plan lacks the following information: revised building elevations/calculations to verify height compliance for Smoky Mountain Resorts Phase II; Verification of Fire Department clearances and fire lanes for Phase II building; Fire Department approval of the FD Connection at "Holiday Inn Express" building; approval of the solid waste container design from the Sanitation Department.

After further discussion, Mr. Charlie Moore made a motion to grant site plan approval for the proposed redevelopment plan subject to the additional information and approvals. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

c) Review and consideration for a commercial site plan for "Country Inn and Suites Overflow Parking," Tax Map 126N, Group F, Parcel 9, located at 225 Reagan Drive, C-2 Zone, requested by Len Johnson.

Staff presented the request for site plan approval for a proposed overflow parking lot for "Country Inn and Suites," located at 421 Reagan Lane. Staff stated that the site plan depicts the redevelopment of an existing lot located at 225 Reagan Drive, which contains an existing single family residence with a proposed overflow parking lot for the Country Inn & Suites which is located at 421 Reagan Lane. Staff added that the existing hotel property (formerly a portion of Ramada Inn) has recently been re-subdivided to create a detached 73 unit hotel use that requires 75 separate and distinct parking spaces. Staff also stated that the hotel property currently contains 60 spaces which are 15 spaces short of the required parking. Staff pointed out that the Parking Regulations allow for off-site parking provided that the parking is located within 400 feet of the use. Staff further noted that due to the lack of property and land area at 421 Reagan Lane, the applicant has requested that the overflow and additional parking spaces be developed at 225 Reagan Drive which is within the 400 feet distance requirement.

Staff stated that the proposed plan depicts 20 parking spaces in a 90 degree layout with 10 spaces on each side of a twenty four feet drive aisle. Staff also stated that the lot is accessed from both Haynes Lane and Stuart Lane. Staff further stated that the site plan lacks the following: detailed landscape plan; erosion control and drainage plan; storm water plan; and signage plan. Staff finally stated that because the parking area is required for the hotel use and is limited for the exclusive use of the hotel, information on the access control mechanisms for the parking lot is needed to show how the parking area will be limited for hotel customers and for emergency access to the lot. After further discussion, Mr. Bud Ogle made a motion to grant site plan approval for a proposed overflow parking lot subject to the lacking information. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

d) Review and consideration for a wall sign for “The Snazzy Attic,” located at 702 Parkway, Suite 5, C-1 Zone, requested by Steve and David Whaley.

Staff presented the request for review and consideration for a proposed wall sign for “The Snazzy Attic” located at 702 Parkway. Staff stated that the applicant has requested Planning Commissions review of the sign permit application for the wall sign as a result of a previous disapproval by the Environmental Design Review Board (EDRB) that occurred on April 24, 2014. Staff added that the request is made to the Planning Commission based on the Sign Regulations of the Municipal Zoning Ordinance, Article IV, and Section 411.13.2, related to the approval processes for sign applications.

Staff noted that the Board disapproved this particular sign with the recommendation that the sign be redesigned to be more consistent with the other proposed signs for the business. Staff also stated that the applicant, Mr. David Whaley, has chosen to request Planning Commissions review and approval of the sign in lieu of the redesign option presented by the EDRB. Staff explained that the sign is a 4’ x 8” (32 sq. ft) wall sign proposed on the exterior wall of the business which is located on the second floor of the 2-story building located at 702 Parkway. Staff pointed out that based on the provisions of the sign ordinance, each business is permitted up to four (4) permanent signs and a certain square footage allotment based on the closest sign setback. Staff explained that in this particular request, the applicant has requested approval of the 32 sq. ft. sign as one (1) of four business signs for a total of forty-four (44) square feet. Staff noted that unlike the EDRB, Planning Commission reviews must be conducted based strictly on zoning compliance issues such as size, placement, and height. Staff also noted that the applicant has verified that the sign is below the maximum height of twenty five (25) feet and that the wall location where the proposed sign is to be placed is immediately adjacent the business of “The Snazzy Attic.” Staff further stated that the applicant has indicated that the face of the wall area to be used for the placement of the sign is the legal property of the applicant and as such, legal for the placement of the wall sign as proposed in the application. Staff finally stated that based on a zoning compliance review of the application, the sign does appear to meet size allotments, location and height limitations of the Sign Ordinance Provisions. After further discussion, Mr. Bud Ogle made a motion to grant approval of the proposed wall sign request based on zoning compliance with the Sign Ordinance Provisions of the Municipal Zoning Ordinance for “The Snazzy Attic.” 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 5:48 P.M., after a motion by Mr. Charlie Moore and a second by Mrs. Dana Sohen.

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Approved:

Planning Commission Secretary

Date