

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

MEMBERS PRESENT

Robert Maples
Dana Soehn
Kirby Smith
Teresa Cantrell
Larry Claiborne

MEMBERS ABSENT

Bud Ogle
Charlie Moore
Don Smith
Jackie Leatherwood

OTHERS PRESENT

Julie Neil, Mountain Press
Joe Shults
Jonathon Lyons
Matt Sprinkle
Charles Laney
Guy Wantiez
Bruce Cantrell
Alex Rigopaulos
William Arrants
Judy Arrants

Staff Representatives: David Ball, Building & Planning Director
 Chad Davis, ETDD

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Maples called the meeting to order at 5:00 P.M. The minutes of the October 15, 2015 meeting were unanimously approved following a motion by Mr. Larry Claiborne and a second by Ms. Dana Soehn.

STAFF REPORT

Staff introduced Gerri Lawall, the new executive secretary for the Building and Planning Department. Staff reminded the Board to complete the annual forms for the Tennessee Ethics Commission forms online. The link will be emailed to the Board Members for them to complete by January 31st.

PETITIONS AND COMMUNICATONS FROM THE PUBLIC

No petitions or communications from the public.

OLD BUSINESS

No old business.

NEW BUSINESS

Review and consideration for proposed improvements to Maples Road Right-of-Way, R-1 Zone, requested by Joe Shults.

Staff presented the request for the proposed widening and improvements to Maples Road. Staff explained to the Board that although there is a request to widen the road, no plans have been submitted regarding the proposed development. Staff stated that the property located at the end of Maples Road is currently zoned C-2 which is "General Business" District. Staff stated that the property owned by Mr. Shults does front on Glades Road and Maples Road. Staff further noted that the property was originally rezoned sometime between the late 70's to early 80's. Staff stated that the majority of the lots fronting on Maples Road are R-1 "Low Density Residential" District and that the uses of the structures are a mixture of

permanent residential and overnight rental properties. Staff has expressed a concern to Mr. Shults regarding the use of Maples Road to access a commercial development. Mr. Shults has indicated that the future development would most likely be of residential use. Staff stated that the purpose of the Board's review is to make recommendations regarding the proposed improvements to the City Commission based on the adopted Subdivision Regulations. The current Subdivision Standards permit dead-end streets at a width of 18' for lengths up to 1200' or 15 dwelling units. The existing road is 960 feet and currently serves eight (8) dwelling units. Staff noted that because the street is a City owned and maintained street, the City Commission is the only authority that can permit and/or authorize improvements to a public street by a private developer. However, it is the responsibility of the Planning Commission to review and recommend any improvements within a public right-of-way, to ensure the improvements are in keeping with the adopted subdivision regulations and in a manner to adequately accommodate future development demands that the infrastructure may be subjected to as a result of the permitted improvements. Staff also stated that the future development of the property would be required to undergo a Planning Commission review at which time the Board may require other access alternatives if the proposed use is too intense for the street giving access to the development.

Staff noted that the original information submitted with the request included a plan for widening the road to 20'. However, in order to create the additional pavement area, the plan depicts additional grading of the existing slopes above the road at a proposed slope of 1:1 and requires excavation onto adjoining private properties in order to achieve the proposed 20' width. Further, the plan will require new graded driveway areas for Lots 11, 12, and 13. Staff noted that the current road widths of Maples Road range between 10' and 16' with steep slopes located above and below the existing road. The survey and engineering information provided depicts an average road slope of 9 percent. Note, the current road improvements do not meet the adopted standards of the Gatlinburg Subdivision Regulations. Staff noted that the actual road grade would need to be indicated on the road profile in lieu of an average grade as indicated by the plan.

Mr. Joe Shults and Mr. Jonathan Lyons were present to discuss the item with the Board. Mr. Jonathan Lyons gave a brief overview of the plan and noted that there are conflicting right-of-way boundaries currently of record at the Register of Deeds Office. Mr. Lyons provided the Board with mapping that depicted the boundary conflicts and explained how the proposed widening improvements relate to each of the property boundary lines. Mr. Lyons advised that the plans have been revised to widen the road to 16' to avoid encroachment onto adjoining property owners with exception of some driveway adjustments. Mr. Lyons noted that the proposed plan had not yet been reviewed by the consulting engineer with regard to drainage system design or adjoining 1:1 slopes. Mr. Shults stated that he has met with the Fire Chief recently to evaluate emergency access of Maples Road. Mr. Shults added that even though the Fire Department typically requires 20' of width to allow for adequate access in the event of an emergency that the Fire Chief felt that the proposed 16' wide road would be sufficient, as long as the units had sprinkler systems and a public turn-around was provided at the end of the road. Staff provided the Board Members a copy of an email by the Fire Chief related to the road widening. Chairman Maples then inquired as to what Mr. Shults wanted as it relates to the request. Mr. Shults stated that he was seeking direction from the Board with regard to the road improvements. Mr. Maples stated that in his opinion that the Board could not react to the request without the proper development information in which to base a decision. Mr. Maples added that typically a specific plan is provided which details the development and then the Board decides whether or not a variance or deviation from the standards is acceptable based on the proposal and its impacts.

Mr. Shults advised the Board that there are three (3) options to access the property: Of the three, improving Maples Road is the best option, as it includes less impact on the surroundings. Mr. Shults added that constructing access from Glades Road would involve cutting into and disturbing existing hills and vegetation. Mr. Shults noted that Reba Lane could be an access except that there is an existing resident who is has already voiced resistance to any changes to the road. Further, Mr. Shults indicated

that there is the potential to construct a road from Shield View Drive to the property but that significant land disturbance will be involved to achieve the road necessary to meet the City Standards. Mr. Shults added that he felt that since Maples Road exists and that he could improve the conditions of Maples Road for all concerned, that the City would rather the proposed improvements be implemented in lieu of a new road. Mr. Shults stated that the fill improvements to the property have currently ceased to maintain a specific property elevation to be able to match a new road from Shields View Drive in the event the proposed improvements to Maples Road were not approved by the City.

Chairman Maples questioned if this new plan encroaches on any property lines adjacent to the road. Mr. Shults answered that there is no encroachment. Ms. Dana Soehn advised that normally requests presented to the Board are accompanied by proof that there is no encroachment. Ms. Teresa Cantrell raised concerns about the number of existing dwellings and the impact that these additional residents will have on road, even though the road will be improved. Concerns were also raised by Ms. Dana Soehn about exceeding the limits of 15 units allowed to be serviced by a dead-end road, when there are already 9 units serviced by Maples Road. Mr. Shults stated that a definite number had not yet been determined as it relates to the property but that his research revealed a need for permanent housing in the area.

Following further discussion, Ms. Dana Soehn made a motion to defer this consideration until Mr. Shults could provide the City with a specific development plan including the accompanying engineering reports associated with the road improvements, drainage, and any consent information from the adjoining property owners who may be affected by the road improvements. The motion was seconded by Larry Claiborne and all members voted "Aye."

Review and consideration for a pavilion addition at "Westgate Smoky Mountain Resort," located at 915 Westgate Resorts Road, C-4 Zone, requested by Matt Sprinkle, Civil & Engineering Consultants, Inc.

Staff presented plans for an addition to Phase I, of the Westgate Resort, consisting of a 2-story activities pavilion to the existing sales center. Staff stated that the building addition consists of a 3,000 sq. ft. lower level retail business area and a 3,265 sq. ft. upper level activity pavilion area. Staff noted that the new building will be served by on-site water and sewer infrastructure. Staff explained that the plan does depict a relocation of the existing sewer line to the south of its current location in order to accommodate the proposed building location. Further, Staff stated that the utilities plan also shows the addition of a new fire hydrant to the east of the building. As previously noted in review of development phases for Westgate Resorts, there is a concern of capacity of the public sewer line that crosses US 441 (Spur) over to the wastewater treatment plant. However, Staff stated that the Utility Department has reviewed the proposed building addition and has indicated that the addition will have a negligible impact to the existing sewer line capacity due to there only being 2 restrooms, making the impact low on the existing sewer lines. Also, Staff added that there are 32 units in phase 12 that will eventually be using newly constructed sewer lines, further lessening the impact on existing lines. Staff added that the site plan indicates that the location of the pavilion will comply with C-4 zoning setback requirements. Further, the architectural design of the building does comply with the height limitations of Article VIII, of the Municipal Zoning Ordinance. Staff also stated that this activity center will be used only for on-site guests, removing the need to include additional parking. Staff explained that a letter has been issued by the Westgate Corporate Offices stating that the facility will only be utilized by guests that are currently staying on the property and that it is not open to the general public. A motion to approve the proposed plans, subject to providing the revised floor area ratios for all development on the property, was made by Larry Claiborne and seconded by Mr. Kirby Smith. The motion was passed by the Board with all members present voting aye except Teresa Cantrell who abstained.

Review and consideration for site plan approval for “Anakeesta” Development, located at 576 Parkway and Baskins Creek Bypass, C-1 Zone, requested by Guy Wantiez, Civil & Environmental Consultants, Inc.

Staff presented the request for the approval of a proposed “chandola” or aerial transit system element which is located on the southern end of the Parkway property and crosses over to the Baskins Creek Bypass to the 55 acres. Staff noted that the approval also includes the relocation of the historic “Arrowmont Shop” structure to the 55 acres including the access drive and parking area. Staff advised that the plan depicts the emergency access drive to the upper terminal for the aerial transit system, and a 60’ observation tower that will be constructed on the 55 acres. Staff noted that the original site plan approval for the Parkway property did not include the detail information of the aerial transit system and therefore was omitted from the approval of the Board.

Staff stated that the developer has provided a conceptual plan for the entire 55 acres for the benefit of the Board to show the various elements that will eventually be constructed on the property. The design engineer has provided the layout design for the aerial transit system depicting the various tower locations, heights, and overall aerial transit system routing from Parkway to the upper development. The plan also provides a building profile of the aerial terminal structure that the aerial transit system will be located in at the Parkway property. The specific detail of the platforms for the aerial transit system is depicted for both properties. The platforms are approximately 23 feet in height above finished grade. There are 14 various towers located on the plan that extend from the Parkway property up to the terminal located on the upper property. The towers range in height from a minimum of 20’ to a maximum of 78’. The route will require an approximate 25’ clear pathway for the transit system infrastructure and involve selective pruning techniques along the edges of the pathway. Based on the profiles, the system should be concealed from view along most corridors due to the varying topography associated with the 55 acres. Staff has recommend that the infrastructure elements be painted with dark brown or black colors to further obscure the visibility of the towers.

Staff noted that the second element under review consists of the relocation of the “Arrowcraft” building from the Parkway property to the 55 acre tract. Staff stated that the building is proposed to be placed at the lower portion of the property with access to the building coming from Baskins Creek By-pass. The plan depicts a 24’ wide road into the property for approximately 360’. The road is terminated at a temporary turnaround/parking area just beyond the Arrowcraft building. Staff noted that the proposed road grades meet the Subdivision Regulations standards. The plan also indicates that a gate structure will be placed at the entrance of the property. Staff also pointed out that the building will not contain water and sewer at this time and is only to be available to the public for historical viewing purposes. Mr. Cantrell noted that HVAC system would be used in the building for climate control to help preserve the interior building materials and finishes.

Staff explained that the last two elements under review are related to the upper portion of the 55 acre tract. Staff noted that they include an emergency access driveway to the upper aerial transit terminal area and a 60’ observation tower. Mr. Wantiez noted that the proposed emergency drive is not intended for public access but simply an emergency access to the aerial transit system and the observation tower. The drive profile has been provided depicting grades of 15% or less for a length of 1,254 feet. The road layout depicts a drive of 12’ in width with two (2) foot shoulders and several pull off areas. Mr. Wantiez noted that the driveway does contain a Y-turnaround area at the end to accommodate emergency vehicles. Staff also added that the driveway layout plan also depicts various retaining walls along the drive ranging in height but none of the walls are projected above the maximum permitted under the Critical Slope Floating Zone requirements of 15’. In addition, the utility plan depicts the extension of a 6” water main along the driveway to provide additional fire hydrants and fire protection to the upper portion of the property. Staff noted that the Fire Department is not opposed to the narrow road width,

knowing it is not for public usage. Mr. Guy Wantiez also noted that it is merely an access road and includes pull-offs and a turn-around for Fire Department equipment.

Staff explained that the final element is the observation tower structure which is located along the emergency access driveway. The tower is shown at a maximum height of 60' and includes a pull off area immediately adjacent the tower for emergency access. The tower location within the PUD 25' perimeter setback area has previously been approved by the Municipal Board of Zoning Appeals. Staff added that the applicant has provided view profiles of the proposed tower from various locations throughout the downtown area and the tower does not appear to be in conflict with the Hillside Overlay District provisions. Staff also noted that the plan does depict various pioneer roads on the master concept plan. Mr. Bruce Cantrell added that the roads have been profiled and that no grades exceed 15%. Mr. Cantrell added that in the future the pioneer roads will be incorporated into the development as access to future phases of the development. The Board inquired about the future development features. Mr. Cantrell added that there is the potential for small tree house rental units and additional recreational uses such as ziplines, mountain coaster, and other similar adventure tourism activities. Mr. Cantrell also noted that there is a site at the lower portion of the 55 acres that is projected to be used for commercial lodging facility.

Staff stated that the plan lacks the following information: Geotechnical evaluation of the property in accordance with the Critical Slope Floating Zone requirements; a proposed disturbance plan/limitations for the aerial transit system and upper development; development floor area ratios for both properties.

After some brief discussion, a motion was made by Ms. Teresa Cantrell to approve the submitted plans, subject to the submission of the lacking information. Ms. Dana Soehn provided a second and the motion was passed unanimously.

UNSCHEDULED ITEMS

Concerns were raised by Mr. Alex Rigopoulos, Mr. William Arrants and Ms. Judy Arrants, property owners near the proposed "Anakeesta" Development. Mr. and Ms. Arrants were particularly concerned about the noise of the attractions as well as the motor noise for the chondola. Mr. Wantiez and Mr. Cantrell spoke with them about the project and advised that the motor will be located at the top tower and that the transit system would be powered by an electric driven motor. They also advised that the owners live adjacent to the property as well, so they would be attentive to potential noise caused by the project. Mr. and Mrs. Arrants were given some prints for the project and their contact information was given to Mr. Wantiez and Mr. Cantrell so the owners could contact them about their concerns.

ADJOURNMENT

There being no further business to come before the Board, the meeting was unanimously adjourned at 6:15 p.m. after a motion by Mr. Kirby Smith, and a second by Ms. Teresa Cantrell.

Approved:

Planning Commission Secretary

Date