

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
February 21, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

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

MEMBERS ABSENT

Dana Soehn
Charlie Moore
Kirby Smith

OTHERS PRESENT

John M. Clayton
Mark Clayton
Lee Bennett
Julia Frederick
James Tomiczek

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 20, 2013, meeting, were unanimously approved following a motion by Mr. Don Smith 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 minor subdivision of Tax Map 126G, Group E, Parcels 10.00 and 26.00, located at 856 Chalet Village Boulevard, RR-1 Zone, requested by John Clayton.

Staff presented the request for a minor subdivision of Tax Map 126G, Group E, Parcels 10 and 26, being Lots 629 and 639, located on Chalet Village Blvd. and Village Loop Road, to adjust the interior lot line boundary to accommodate an accessory structure on Lot 629. Staff noted that these properties are located in the Gatlinburg Planning Region and both properties are owned by Mr. and Mrs. Clayton.

Staff stated that the request consists of the relocation of the interior lot line to create additional space on Lot 629 for an accessory structure. Staff pointed out that the owner began construction on the accessory building and discovered that the addition encroached onto the adjoining lot. Staff added as such, the proposed request is to relocate the interior lot line which will not only correct the encroachment beyond the property line boundary but also bring the structure into compliance with setback requirements. Staff also stated that the original lots sizes consisted of .564 acres (Lot 639) and .461 acres (Lot 629). Staff noted that the proposed request will

decrease Lot 639 by .03 acres and increase Lot 629 by .03 acres. Staff added that the lots are accessed via a shared access easement agreement from Chalet Village Boulevard. Staff further stated that the minor subdivision lacks E-911 Signature of Approval, Sevier County Health Department Signature of Approval and Sevier County Electric System Signature of Approval. After further discussion, Mrs. Teresa Cantrell made a motion to grant approval for the minor subdivision subject to the lacking signatures of approval. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

b) Review and consideration of a proposed rezoning of Tax Map 116, Parcel 198, from R-1 (Low Density) Residential District to C-4 (Recreational Commercial) District, located on North Mountain Trail, requested by Westgate Resorts.

This item was removed from the agenda at the request of the engineer.

c) Review and consideration for a preliminary plat approval for the proposed abandonment/closure and relocation of a portion of Proffitt Road Right-of-way, and resubdivision of the adjoining properties being Tax Map 118, Parcels 48, 50, 51, and 53, requested by Staff.

Staff presented the request for preliminary plat approval for the proposed abandonment/closure and relocation of a portion of Proffitt Road Right-of-way, and includes the re-subdivision of the adjoining properties being Tax Map 118, Parcels 48, 50, 51, and 53, located off Hwy. 321 - North (East Parkway).

Staff stated that the purpose of the request and right-of-way relocation is to accommodate the “sports complex” redevelopment project that is planned for the adjoining City and Sevier County Board of Education Properties. Mr. James Tomiczek was present and gave an overview of the sports complex redevelopment. Staff stated that the preliminary plat depicts the relocation of the existing Proffitt Road Right-of-way in a westward direction from its current location to the western most portion of Tax Map 118, Parcel 48, a City owned parcel. Staff explained that the new fifty foot right-of-way will consist of approximately .99 acres near the west boundary of Parcel 48 and will transition into an expanded right-of-way area to create a “round-a-bout” to manage both the Proffitt Road traffic and the ingress and egress into the adjoining City and Sevier County Board of Education properties. Staff added that the preliminary plat depicts the absorption of the current Proffitt Road Right-of-way area into the adjoining properties from its entrance along Hwy. 321-N to the newly incorporated “round-a-bout” right-of-way area. Staff pointed out that as a result of the abandonment and relocation of the Proffitt Road Right-of-way, there will be a replat of four existing lots depicted as Lots 1, 2, 3, and 5. Staff also stated that a fifth lot (Lot 4) is a new lot created to the west boundary of the new right-of-way area. Staff noted that the lots and their respective owners and lot areas are as follows:

- Lot 1 (5.32 ac.) – City of Gatlinburg,**
- Lot 2 (2.15 ac.) – City of Gatlinburg,**
- Lot 3 (6.69 ac.) – City of Gatlinburg,**
- Lot 4 (0.81 ac.) – City of Gatlinburg,**
- Lot 5 (34.10 ac.) – Sevier County Board of Education.**

Staff stated that the road construction plan for the new section of Proffitt Road depicts a 900' section that ascends from Hwy. 321 up to the proposed "round-a-bout" area with a maximum grade of 12% between Sta. 2+77.90 to Sta. 4+03.40. Staff also stated that the road design depicts three (3) traffic lanes at the ingress and egress points located at Hwy. 321-N of thirteen (13') feet in width. Staff pointed out that specifically, there will be two (2) egress lanes from Proffitt Road and a single ingress lane onto Proffitt Road from Hwy. 321-N. Staff also noted that a ten (10') foot median area is depicted on the design that extends approximately 180' from the intersection. Staff further stated that the proposed intersection configuration is very similar if not exact as the current Proffitt Road and Hwy. 321 intersection design. Staff finally stated that the proposed access will be coordinated with TDOT and subject to TDOT final approval.

Staff stated that a grading plan has been submitted with the preliminary plat and road construction plans. Staff added that in addition, a storm water pollution prevention plan has been developed and submitted to the Tennessee Department of Environment and Conservation for the proposed road construction and site excavation activities associated with the sports complex redevelopment. Staff also stated that the preliminary plat lacks the following: dimensions and calls for all new property lines; utilities plans for water and sewer; complete drainage plan for final road location and adjoining site; TDOT approval for the proposed Hwy. 321-N connection.

Staff noted that once the final road construction and relocation has been completed, a final plat will be submitted for approval depicting the final road location and associated drainage and site improvements. Commissioner Cantrell inquired if the storm water would be directed to the existing drainage cistern located on Hwy. 321 which drains to a nearby National Park Property? Ms. Cantrell stated that there is a concern with regard to the additional drainage and potential pollutants being diverted to the National Park Property and the environmental impacts. Mr. Tomiczek stated that those concerns would be addressed as part of the final drainage plan. Staff explained that as with all abandonments/closures and right-of-way replattings, the City Commission will have to conduct a public hearing and review prior to the final plat being made of record at the Sevier County Register of Deeds. After further discussion, Mr. Bud Ogle made a motion to grant preliminary plat approval for the proposed abandonment/closure of a portion of Proffitt Road and resubdivision of the adjoining properties and approval of the preliminary plat subject to the lacking items being submitted for Staff review. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

d) Review and consideration of a proposed rezoning of Tax Map 118, Parcels 48 and 50, from C-2 (General Business) Commercial District to C-4 (Recreational Commercial) District, located on East Parkway, requested by Staff.

Staff presented the request for a proposed rezoning of Tax Map 118, Parcels 48 and 50, from C-2 (General Business) Commercial District to C-4 (Recreational Commercial) District, located on East Parkway, requested by Staff. Staff explained that these are properties recently purchased by the City that are proposed to be developed in conjunction with the surrounding properties as a part of sports complex redevelopment project. Staff stated that the property consists of approximately two (2) parcels which consist of approximately 10.05 acres which is currently undeveloped with street frontage on Hwy.321-N and Proffitt Road. Staff also stated that the property is proposed to be developed in conjunction with the sports complex redevelopment which will involve the use of the property for recreational uses. Staff further stated that because these two (2) parcels will become part of a larger recreational use that includes surrounding property of the Sevier County Board of Education and City Community Center and Mills Park Area, the rezoning will create a consistent zoning classification throughout this area that is compatible with the uses being conducted on the properties.

Staff stated that the rezoning request is supported by the adopted Land Use Plan and its policies for rezoning based on the adequacy of the existing utility infrastructures i.e. utilities, streets, etc. Staff did conduct an area mail-out to surrounding properties and no objection to the rezoning has been received to date. After further discussion, Mr. Don Smith made a motion to grant the rezoning of the property from C-2 to C-4 with a favorable recommendation to the City Commission for their review and consideration. Mr. Bud Ogle 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 5:45 P.M., after a motion by Mrs. Teresa Cantrell and a second by Mr. Don Smith.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
March 21, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Teresa Cantrell
Don Smith
Dana Soehn
Charlie Moore
Kirby Smith

MEMBERS ABSENT

Robert Maples
Larry Claiborne
Bud Ogle
Jackie Leatherwood

OTHERS PRESENT

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

Vice Chairman Soehn called the meeting to order at 5:00 P.M. The minutes, of the, February 21, 2013, meeting, were unanimously approved following a motion by Mr. Don Smith and a second by Teresa Cantrell.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a site plan approval for a proposed laundry facility addition to Westgate Resorts, Tax Map 116, Parcel 195.00, located on Winding Smoky Way, C-4 Zone, requested by Vision Engineering.

Staff presented the request for a site plan approval for a proposed laundry facility to be located within Phase XII, of Westgate Smoky Mountain Resort.

Staff stated that the proposed request consists of the addition of a freestanding laundry facility for the relocation of the current onsite laundry operations. Staff pointed out that currently, the laundry operations are located with in Phase IV and share space with maintenance operations. Staff also stated that the request is to construct a 9,600 square foot building to be used as an onsite laundry and storage area. Staff added that the proposed location of the building is located just across Winding Smoky Way from Building 5000. Staff noted that the site plan depicts the finished floor elevation of the building to be at 1731 feet. Staff further stated the project has been evaluated based on the Hillside Overlay District and due to the location, elevation, and surrounding vegetation, will not be visible from any corridors of significant.

Staff stated that the site plan depicts a grading plan to fill the site using a benching method in 5 foot increments. Staff added that the plan also shows the use of bio-retention areas and swales to address storm water runoff. Staff noted that the plan depicts utility connections to be made to existing private utilities at Winding Smoky Way through underground connections. Staff also noted that site plan lacks the following: parking layout, landscape plan, final drainage plan, building architectural elevations, and revised Phase XII boundary lines. Staff further noted that the engineer has agreed to provide documentation to confirm that the laundry facility is a relocation rather than a new operation. Staff explained that this is being required to show that the sewer volumes will not increase beyond anticipated volume for which previous approvals have been granted due to the capacity limitations of the public sewer line that crosses US 441 over to the Waste Water Treatment Plant.

After further discussion, Mr. Don Smith made a motion to grant site plan approval for a revised Phase XII, subject to the lacking items and documentation. 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 P.M., after a motion by Mrs. Teresa Cantrell and a second by Mr. Charlie Moore.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
April 18, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Jackie Leatherwood
Larry Claiborne
Dana Soehn
Charlie Moore
Kirby Smith

MEMBERS ABSENT

Teresa Cantrell
Bud Ogle
Don Smith

OTHERS PRESENT

Steven Hurlbut
Lee Bennett
Guy Jacob
James Tomiczek
Joe Waggoner
Chuck Laney
Jill Hobby

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, March 21, 2013, meeting, were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Charlie Moore.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a minor subdivision of Tax Map 126F, Group A, Parcel 11, located on Red Bud Lane, R-2 Zone, requested by Hugh Clabo.

Staff presented the request for a minor subdivision of Tax Map 126F, Group A, Parcels 11, being Lots 5, 6, and 12 of the Smoky Heights Subdivision, located on Red Bud Lane and Hill Street, to delete the interior lot line boundaries to create a single lot (12R). Staff stated that the request consists of the deletion of the interior lot lines to create the single lot 12R and reduce the total number of lots from three (3) to one (1) for the purpose of constructing a single family residence. Staff noted that the proposed lot area is .38 acres or 16,552 square feet. Staff explained that the combination of the three (3) lots into a single lot allows for adequate lot area to reconstruct a single family residence which will comply with required setbacks and alleviate the need to construct the building over boundary lines.

Staff further stated hat the minor subdivision plat lacks only the revised lot area, zoning district information, signatures of approval from Sevier County Electric System, E-911, Gatlinburg Utilities Department, and owner's signature of ownership and dedication. After further

discussion, Mr. Charlie Moore made a motion to grant approval for the minor subdivision subject to the lacking information and signatures of approval being added to the plat prior to recordation. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

b) Review and consideration for a final plat approval of Tax Map 126L, Group B, Parcels 21, 22, 24, and 25, located on Sycamore Lane, requested by Hurlbut Land Surveying.

Staff presented the request for a resubdivision of Tax Map 126L, Group B, Parcels 021.01, 022.00, 024.00 and 025.00 being the Sharpe Family Trust Property, located on Sycamore Lane and Willow Lane, to replat the existing lot line boundaries creating Lots 1, 2, 3, 4, 5, 6, and 7. Staff stated that this request is for the replatting of eleven (11) lots of record to create seven (7) lots located on Willow Lane and Sycamore Lane. Staff noted that the resubdivision involves the replatting of existing lots 2, 3, 4, 16-22, and portions of lots 2, 34, 42 and 43. Staff also stated that the resubdivision primarily consists of the deletion of interior lot lines of lots 16-22 and lot 34 to create four (4) larger lots. Staff added that the combination of these lots creates larger lots and results in structures being physically located on single lots rather than encroaching beyond interior property boundaries. Staff pointed out that it appears that the portions of lots 42, 43, and 34 were subdivided or deeded to the subject property many years ago. Staff also noted that the adjoining right-of-ways are city streets and consist of a sixteen (16) foot r-o-w area for Sycamore Lane and a thirty (30) foot r-o-w for Willow Lane. Staff stated that the resubdivision of existing lots 2, 3, and 4, (depicted as new Lots 5, 6, and 7) located on the north side of Sycamore, mainly consists of an interior lot line adjustment to resolve the encroachment of the existing structures beyond the property line boundary. Staff explained that the proposed line adjustments decrease all three frontages to less than 50 feet but that the minimum standards were being met with the submittal. Staff added that staff's recommendation to combine lots 2 and 3 (new lots 5 and 6) would not be necessary to create a single lot due to the compliance with the minimum standards. Staff stated that the plat lacks the following information: Signatures of approval for Sevier County Electric System, E-911, Gatlinburg Utilities, and signature of ownership and dedication of all property owners. Staff added that a revised plat has been submitted that contains the surveyor's signature and seal. After further discussion, Mrs. Dana Soehn made a motion to grant approval for the resubdivision subject to the addition of the signatures. Mrs. Jackie Leatherwood seconded the motion, which passed with all members voting aye.

c) Review and consideration of a proposed rezoning of Tax Map 116, Parcel 198, (3.28 acres) from R-1 (Low Density) Residential District to C-4 (Recreational Commercial) District, located on North Mountain Trail, requested by Westgate Resorts.

Staff presented the request for a proposed rezoning application of Tax Map 116, Parcel 198 from R-1 (Low Density) Residential to C-4 (Recreational Commercial) District. Staff stated that the property is located off North Mountain Trail and consists of approximately 10.08 acres of undeveloped land. Staff noted that the property adjoins Westgate Smoky Mountain Resorts also located off North Mountain Trail that is currently zoned C-4. Staff stated that this request consists of a rezoning of a 3.28 acres portion of the subject property from R-1 (Low Density)

Residential to C-4 (Recreation Commercial) District. Staff stated that the property is located on N. Mountain Trail and contains approximately 10 acres (435,600 sq. ft.). Staff noted that this request was previously to be heard at the February Meeting but was withdrawn at the request of the applicants. Staff added that the applicant have revised the request to include a reduced rezoning area and added green space buffer of approximately 6.8 acres.

Mr. James Tomiczek was present on behalf of the applicants as the design engineer and gave a brief overview of the request. Mr. Tomiczek stated that the current applicants were aware that a request for commercial zoning was made by previous applicants in 2004, and denied by the Board due to the infrastructure issues. Mr. Tomiczek added that the property topography is relative flat to sloping conditions on the lower portions of the property where the applicants would propose to construct a surface parking facility for the adjoining development to alleviate the concern regarding infrastructure. Mr. Tomiczek further added that the upper portions of the property topography are steeper and that those areas would be proposed as a perpetual green space buffer with reservation to utilize the buffer with walking trails and recreational uses. Mr. Tomiczek added that there is one small area of proposed C-4 zoning that is included in the request, in the upper sloped portion of the property where a cabin could be constructed as a part of a later phase of development (approximately 15 years out). Mr. Tomiczek stated that adjacent residential area would be adjoined by the green space buffer to hopefully address concerns of the property owners with regard to future development in those areas.

Mr. Tomiczek also stated that Westgate had previously received approval for a parking area expansion to serve the development on an adjacent property located off of Beech Branch Road. Mr. Tomiczek stated that the proposed rezoning area is much more convenient in location to the existing development as it relates to employee parking which would alleviate the need for a shuttle service. Mr. Tomiczek also noted that the applicants were aware of the utility infrastructure concern raised by the City for development phases beyond Phase 12. Mr. Tomiczek stated that the proposed parking area would not require sewer service and due to the undeveloped area between the current development limits and the proposed rezoning area for the cabin would not be an immediate impact to the sewer line issue.

Staff stated that the adopted land use policies pertaining to commercial land use recommend that commercial areas be located in areas adequate in size to accommodate said commercial use. Staff also stated that land use policies recommend that rezoning of properties for commercial uses should consider the availability and adequacy of the public infrastructures serving the properties i.e. water and wastewater, streets, etc. Staff noted that the analysis of the infrastructure should be based on the current systems and whether or not the public infrastructures are adequately equipped and sized to safely and efficiently support the highest density of the proposed commercial development. Staff added that even though a parking area is proposed, that the Board has to consider the highest and most intense development permitted by the zoning district.

Chairman Maples inquired about the possibility of a variance to allow the parking area in lieu of a rezoning of the property. The Chairman stated that if a variance was granted the property could remain R-1 to protect the surrounding neighborhood from commercial development and provide for the parking need of the development. Staff explained that the Board of Zoning Appeals could not consider a use variance due to the legislative nature of such a request. Staff further noted that only the City Commission has legislative power through the adoption of various codes and ordinances. Staff explained that due to the concerns of inadequate infrastructure to serve more intense commercial development in the area, Staff recommends to deny the rezoning request for C-4 (Recreation Commercial) District. Staff also stated that the Board needs to formulate a recommendation to the City Commission for their review and consideration. After further discussion, Mrs. Dana Soehn made the motion to deny the rezoning request for C-4 (Recreation Commercial) District per staff recommendations and further recommends denial of the request to the Board of Commissioners. The motion passed unanimously with a second by Mr. Larry Claiborne.

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. Charlie Moore and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
May 16, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

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

MEMBERS ABSENT

Robert Maples
Don Smith

OTHERS PRESENT

Ned Vickers
Marcus Whaley
Jill Frye
Steve Hurlbut

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

Vice Chairperson Soehn called the meeting to order at 5:00 P.M. The minutes, of the, April 18, 2013, meeting, were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Charlie Moore.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration for a commercial site plan approval for “Sugarlands Distilling Company, LLC,” located at 805 Parkway, C-1 Zone, requested by Ned Vickers.

Staff presented the request for site plan approval for a proposed 9,791 sq. ft. commercial retail building to be added at 805 Parkway, has 2.34 acres and is located on the corner of Parkway and Maples Lane. Staff stated that currently the property is developed with a two-story parking facility. Staff also stated that the proposed site plan depicts a single story building with a rear access from Maples Lane. Staff added that the site plan shows a forty (40) foot curb cut along Maples Lane. Staff pointed out that the zoning ordinance requires access points to be limited to a maximum of 26’ in width and therefore, the site plan will need to be revised to a 26’ access point. Staff also stated that shown is a solid waste collection area between the new building and the adjacent parking area to the North of the building. Staff noted that the location, accessibility, and design will need to be reviewed and approved by the City’s Sanitation Department prior to the issuance of a building permit for the structure. Staff also noted that the Utility Department has indicated that both water and sewer services are available to the proposed building addition. Staff added that the plan needs to be revised to indicate the fire line and fire department connections area. Staff stated that the site plan lacks the following: complete property boundary information; revised floor area ratios to include existing parking structure and covered patio areas; revised access point, and fire line details. After further discussion, Mrs. Teresa Cantrell made a motion to grant site plan approval for the proposed commercial retail building subject to the lacking revisions and items. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

b) Review and consideration for a minor subdivision of Tax Map116C, Group A, Parcel 20, being Lot 6 of Huskey Grove Estates, located on Oakwood Drive and Long Hollow Road, RR-1 Zone, requested by Steve Hurlbut.

Staff presented the request for a minor subdivision approval for a proposed re-platting of the common boundary line between Lot 6 of the Huskey Grove Estates and the County Right-of-way Line for Long Hollow Road, located in the Gatlinburg Planning Region. Staff stated that the request consists of the re-platting of the common property line boundary between the subject lot and adjoining public right-of-way line of Long Hollow Road. Staff explained that the proposal is a result of an encroachment of the existing single family residence into the right-of-way recently discovered by the surveyor. Staff added that the encroachment is located on the east property boundary. Staff noted that the property is approximately 1.02 acres and located in the Planning Region. Staff also noted that in addition to the right-of-way, the existing structure also encroaches into the required 25' front yard setback area. Staff added that although the Board has platting authority, the Board does not have the authority to vary the setback requirements of the Regional Zoning Ordinance or the authority to re-plate the County Right-of-way boundary. Staff pointed out that the request will require approval by the Sevier County Road Superintendent's Office and possibly the County Commission. Staff further stated that the Regional Board of Zoning Appeals will have to review the front yard setback variance to determine if said variance is justified based on the physical hardships of the property.

Staff stated that the plat lacks the following items: owner's signature of Ownership and Dedication; Signature of Sevier County Road Superintendent; E-911 Signature of Approval; and revised Certificate of Approval for Recording to reflect Regional Planning Commission versus Municipal. Staff finally stated that any approvals should be subject to the approvals and signatures of the County. After further discussion, Mr. Charlie Moore made a motion to grant minor subdivision plat approval for the property boundary re-platting subject to the lacking revisions and signatures being added to the plat and subject to further approvals by the appropriate County authorities. Mr. Bud Ogle seconded the motion, which passed with all members voting aye.

c) Review and consideration for a minor subdivision of Tax Maps 117N, Group A, Parcel 1, and Tax Map 127, Parcel 1, located on Gatlin Drive, R-1 and R-2 Zone, requested by Citizen's National Bank.

Staff presented the request for a minor subdivision approval for a proposed re-platting of the common boundary line between Lot 1 of the "Park Towers Royale" property and the adjoining "Blue Green Vacations Unlimited, Inc." property. The subject property is located off Gatlin Drive. Staff stated that the request consists of the re-platting of the common property line boundary between the subject lot and the adjoining property. Staff also stated that the request consists of adding approximately 1.33 acres (57,849.3 sq. ft.) to the existing 2.29 acres (99,898 sq. ft.) development. Staff noted that the property is developed with an existing multi-family residential condominium. Staff explained that the proposed property addition is needed to add an amenities area to the existing development. Staff also noted that the adjacent "Blue Green Vacations Unlimited, Inc." property which is accessed from Hwy. 321 North, will consist of approximately 119 ± acres if the subdivision is approved by the Board. Staff further stated that The "Blue Green Vacations Unlimited, Inc." property is also developed with a multi-family development. Staff stated that the "Park Tower Royale" property will consist of 3.62 acres

upon finalization of the subdivision. Staff noted that both properties are served with public utilities and no extensions are required as a result of this request.

Staff also noted that the R-1 buffer zone associated with the Blue Green Property will need to be added to the plat. Staff stated that a 100 foot R-1 buffer zone was created along the Blue Green Property several years ago to protect the adjoining residential neighborhood. Staff further noted that although the property boundary line will be relocated as a result of the replatting, the R-1 Zone will still remain and therefore should be depicted on the plat.

Staff added that the plat lacks the following: Signature of Ownership and Dedication; E-911 Signature of Approval; zoning boundaries, and all physical improvements (buildings) to the property. After further discussion, Mr. Bud Ogle made a motion to grant minor subdivision plat approval for the property boundary re-platting subject to the lacking revisions and signatures being added to the plat. 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 5:15P.M., after a motion by Mr. Charlie Moore and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
June 20, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Don Smith
Larry Claiborne
Charlie Moore

MEMBERS ABSENT

Dana Soehn
Bud Ogle
Kirby Smith
Jackie Leatherwood

OTHERS PRESENT

Donna Cantrell
Andy Gladstein
Brian Mansfield
James Tomiczek

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 16, 2013, 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) Review and consideration for a revised PUD site plan for “Westgate Resort, Phase XII,” Tax Map 116, Parcel 195, C-4 Zone, requested by SRA.

Staff presented the request for revised PUD site plan review for “Westgate, Phase 12.” Staff stated that this request to revise Phase 12 and involves changes to Building Numbers 79 through 89 that propose elevator additions to some of the units to improve unit accessibility and compliance with ADA Requirements. Staff pointed out that the changes are as follows:

Building 79 – No change. The building will consist of 9 units;

Buildings 80 thru 85 – These six (6) buildings will be paired, via the elevator installation, to create three (3) buildings at 24 units per building;

Buildings 86 and 87 – No change. The buildings will consist of 9 units each.

Buildings 88 and 89 – These buildings will be removed from Phase 12 which consisted of 18 total units.

Staff noted that the 18 units that were planned for buildings 88 and 89 will be redistributed into buildings 80 through 85 to maintain the original unit count for the development. Staff also noted that the site plan depicts the combination of buildings 86 and 87 but due to capacity concerns

will not change and only consist of 9 units each. Staff also stated that the applicant originally requested that these two (2) buildings be increased to 12 units based on capacity of 14 model units currently located on the property which are not utilized on an overnight basis. Staff added that the applicant has been advised that the capacity can not be transferred to these units and therefore must not exceed the original 9 units per building.

Staff stated that the building foundations have been installed for Buildings 79 through 87. Staff noted that the proposed plan depicts an expanded footprint for buildings 80 through 85 to accommodate the additional three (3) units but will not involve a physical expansion of the foundation.

Mr. James Tomiczek was present and gave a brief overview of the project changes. Mr. Tomiczek also noted that the buildings will be slightly larger. Mr. Tomiczek explained that the plan also proposed a minor excavation of the existing parking area adjacent buildings 85 and 86 to provide for a handicapped parking area of less gradient that is more conducive to handicap use and is compliant with the ADA Code. Mr. Tomiczek added that there are no significant changes to the drainage system that require any revisions to the drainage plan. After further discussion, Mrs. Teresa Cantrell made a motion to grant revised site plan approval for Phase 12 subject to a revised layout plan depicting Buildings 86 and 87 as nine (9) unit buildings. Mr. Don Smith seconded the motion, which passed with all members voting aye.

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

Staff presented the request for revised PUD site plan review for “Elk Springs Resort,” which consists of removing a unit site and adding an accessory building, being a wedding chapel, in the place of the unit. Staff noted that preliminary revised PUD site approval was granted for the accessory building/use at the December 20, 2012, meeting.

Staff stated that the proposed request consists of the addition of a wedding chapel amenity to the existing Planned Unit Development. Staff added that the proposed chapel addition will actually be placed on the PUD Site in lieu of a previously proposed cabin unit resulting in no change to the permitted density of the RR-1 District. Staff explained that previously this request was presented to the Board under an individual, single ownership of the Chapel facility by the original developer. Staff also stated that due to the current zoning of the property as RR-1 (Rural Residential), any use of the chapel facility as a single ownership commercial use would be in conflict of the permitted RR-1 Zone Use Provisions. Staff pointed out that the developer has agreed to make the facility an amenity use of the property that permits use by the Home Owners Association and for the sole and exclusive use of the Elks Springs Resort Property. Staff further stated that the plan depicts the addition of the Wedding Chapel, and the associated storage and restroom facilities for the chapel. Staff noted that the PUD Site Plan also depicts additional parking areas for the Chapel to be incorporated throughout the property and that the zoning

ordinance requires a single parking space for every four (4) seats based on a maximum seating capacity of the Chapel.

Staff finally stated that the road profile for the access road to the chapel indicates grades in excess of 18 percent for short sections. Staff noted that any grades above 15 percent would require a variance from the Board. Staff further noted that the Fire Department has looked at the physical condition of the road and feels that if the road is re-graded so that no portion exceeds 18 percent, that access would be acceptable. Ms. Donna Cantrell, project engineer, and Mr. Andy Gladstein, developer, agreed that the road could be re-graded to comply with Staff's recommendation. Staff also noted that the plan needed to be revised to include storm water and drainage plan for chapel parking areas, grading plan for any new parking areas, revised footprint consolidating the chapel and the restroom facility into a single building, building elevations, and revised legal documentation. Ms. Cantrell stated that no drainage plan had been submitted for the parking areas due to the lack of any significant changes in the site drainage. Ms. Cantrell stated that the areas currently exists and will require minimal grading due to the flat slope of the areas. After further discussion, Mrs. Teresa Cantrell made a motion to grant revised PUD site plan approval and road grade variance in accordance with the discussion to re-grade the road to less than 18 percent and subject to the submittal of the lacking items. Mr. Charlie Moore seconded the motion, which passed with all members voting aye.

c) Review and consideration of the City of Gatlinburg's proposed FY 2014–2018 Capital Improvements Program Projects, requested by the Planning Staff.

Staff presented the request for review and discussion of the FY2014-18 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 noted 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.

The CIP is made-up of four (4) types of funds as follows:

- Special Revenue
- General
- Water
- Waste Water

Staff stated that the Special Revenue Fund generally consists of projects that are specifically related to our tourism industry and the overall enhancement of our city. Staff also stated 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

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funds, which are Water and Waste Water, are self-supporting funds that are specifically related to the operations of the two public utilities.

Staff explained that attached are the project summary sheets for Fiscal Years 2014 through 2018. 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 wastewater. Staff added 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 directed the Board to add any recommendations for additional projects or suggestions regarding the proposed projects should be included in the Boards recommendation to the BOC. Mr. Larry Claiborne made the motion to make a favorable recommendation to the Board of Commissioners. The motion passed unanimously with a second by Mrs. Teresa Cantrell.

Unscheduled Items

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. Charlie Moore and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
July 18, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

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

MEMBERS ABSENT

Kirby Smith
Charlie Moore

OTHERS PRESENT

David Hurst
Zac Boyd
James Tomiczek
Robert Johnson
Donna Cantrell
Douglas Yates
Troy King
Brennon Garrett
Craig Cooper
Bret Whaley
Dr. Craig Benson

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, June 20, 2013, 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

Staff reminded the Board about the upcoming training session by "Select Tennessee."

Old Business

New Business

a) **Review and consideration for a final plat approval of a proposed right-of-way abandonment for a portion of Hemlock Street Right-of-way and minor subdivision of Tax Map 126E, Group A, Parcel 1, located at 539 Hemlock Street, C-2 Zone, requested by Brennon Garrett.**

Staff presented the request for a final plat approval for the re-platting of a portion of Hemlock Street and the adjoining Lots 1, 2, 3, and portion of 4, to abandon a section currently unused as a City Street, and to create a modified turnaround area.

Staff stated that the proposed request consists of the re-platting of the Northern most portion of Hemlock Street Right-of-way area (30' R-O-W) for a length of approximately 165 feet, for the purpose of consolidating the area into the adjoining Lots 1, 2, 3, and part of 4 to create a single lot of .78 acres (33,837 sq. ft), being "Lot 1R." Staff noted that the property is currently developed with an apartment building which was built in the 1960's. Staff further noted that the plat depicts the existing apartment building to be located almost entirely within the subject platted right-of-way area which currently prevents any vehicle use of the right-of-way. Staff stated that the current owners are requesting that the City approve the re-platting of the right-of-way area (approximately 30' x 165') which if approved, will result in an abandonment of any interest by the City for the future development of the right-of-way as a City owned street. Staff pointed out that the surveyor has created a modified turnaround area on the south end of the property for public use. Staff added that this area does not meet the minimum standards of design of the subdivision regulations and based on the surrounding terrain and W. Prong Little Pigeon River, it will be difficult to create a conforming turnaround area. Staff noted that there is currently no public turnaround area dedicated for the public's use and so, a dead-end situation exists at the end of Hemlock Street.

Staff stated that the subject plat depicts the current right-of-way area to extend to the undeveloped property to the North identified as the "King Family Trust" Property. Staff noted that the "King Family Trust" Property also has a deeded 20 access easement (see attached deed) through the Herbert Holt Park Property to the North. Staff added that however, it appears that the easement area is currently encroached upon by the City's main sewer pump building and system. Staff pointed out that, therefore, the Board should consider that if this abandonment is approved, the only access to the adjoining property is the 20' easement which does not meet the minimum standards of design for a subdivision and which is also physically impeded with an improvement. Staff also noted that the subdivision regulations require that lots must be arranged to front for a minimum of a 40 feet upon a right-of-way of no less than 40 feet in width. Staff also stated that while the adjoining lot is not being newly created by this proposed subdivision, nor does the lot currently front on a 40 foot right-of-way, the Board should consider if the end result of the re-subdivision and right-of-way abandonment will have a detrimental impact on the adjoining lot. Staff further stated that the approval of the request will limit the future access to the lot to a single access from and through Herbert Holt Park via the 20 feet easement.

Staff stated that The "King Family Trust" lot is steep and the future accessibility from either the 20 easement to the North or Hemlock Street is questionable even if the encroachments are removed from the access areas. Staff pointed out that any future development will require significant engineering to design a manageable access drive onto the property. Staff also stated that any future development of the property will be dependent on the ability to provide sufficient and adequate access to and from the lot.

Attorney Doug Yates was present as a representative for the current property and noted that research of the subdivision documents for this subdivision indicated and depicted various right-

of-way areas some of which were never fully improved or developed and then officially or unofficially accepted by the City. Mr. Yates further noted that the right-of-way in question in fact had been developed and encroached upon with the existing apartment building. Mr. Yates also explained that the deed research reveals that the adjoining King Family Trust Property is also provided and access from the area to the North which is currently occupied by the City and developed as "Herbert Holt Park." The Board engaged in discussion with Mr. Yates and Staff regarding the possibility of relocated the right-of-way on the subject property which would result in further subdivision of the property. Mr. Yates indicated that while a right-of-way relocation on paper may be feasible that the actual terrain of the property would not be practical to construct a roadway. Staff concurred that the adjoining steep topography would prohibit a feasible access to the "King Family Trust Property." Mr. Yates further noted that the adjoining owners of the "King Family Trust Property" have agreed and signed the agreement to abandon the subject right-of-way area.

Staff noted that the current owners have stated that Staff stated that the applicant is requesting approval of the re-subdivision and abandonment of the right-of-way area in order to facilitate the sale of the apartment building. Staff added that the request does create conflicts with the subdivision design standards however, the current layout and design does not conform to the minimum standards required by the regulations. Staff also stated that the right-of-way abandonment will require the review and approval/disapproval by the City Commission. Staff explained that strictly based on non-conformity with the subdivision regulations, Staff would recommend disapproval of the request. The Board expressed concerns that even though the proposal creates design conflicts with the subdivision standards that trying to rectify the problems by replatting an area that would not provide an actual feasible access does not resolve the matter. Further, the Board stated that the second access from Herbert Holt is an option for the adjoining property and that the precise location of that access would be a matter of the two subject property owners. Following considerable discussion between the Board and several members of the audience, Mrs. Teresa Cantrell made a motion to grant final plat approval for the re-platting of a portion of Hemlock Street and the adjoining Lots 1, 2, 3, and portion of 4, to abandon a section currently unused as a City Street, and to create a modified turnaround area subject to City Commissions approval. Mrs. Dana Soehn seconded the motion, which passed with all members, except for two nays, voting aye.

b) Review and consideration of a commercial site plan for "Ole Smoky Parking Lot," Tax Map 126K, Group E, Parcel 5, located at 715 Parkway, C-1 Zone, requested by John Wear. Staff presented the request for a site plan approval for a proposed redevelopment of the former "Riverside Motel" property to create a 177 space commercial parking lot, with a double gated access from Parkway and a single gated access from River Road. Staff stated that the request consists of a redevelopment of the property to create a commercial parking facility. Staff noted that the site plan depicts 177 spaces and the entry gates appear to be located in a manner to permit at least two (2) car staking for each entry point. Staff added that the site plan indicates that vehicles will exit the parking lot via a single exit onto River Road. Staff also stated that the

plan proposes the use of a 90 degree parking layout with 9' x 18' parking stalls and 24' drive isles. Staff pointed out that the site plan specifies approximately 5,800 square feet of landscaping areas associated with the lot with approximately 83 trees. Staff also noted that the calculated landscape area more than meets the site plan regulations however, the tree count is less than require by the zoning ordinance regulations.

Staff stated that a site storm water plan has not yet been submitted however based on the pre-site developed conditions, it is anticipated that the post construction conditions of the parking lot will have a net reduction on site run-off with the introduction of additional green space and landscaping. Staff added that a certified engineering report, analysis, and recommendation for site storm water will be required prior to issuance of a development permit. Staff also stated that if any site grading is proposed for the property, a grading plan will be required prior to the issuance of a development permit. Staff further stated that the survey also depicts that the north portion of the property is located in a special flood hazard area. Staff finally stated that in those flood hazard areas, it is recommended that any mechanical/electrical equipment be water tight or flood-proof equipment to protect the equipment in the event of a flood.

After further discussion, Mrs. Dana Soehn made a motion to grant site plan approval for the proposed commercial parking lot subject to the submittal of a certified storm water report from a licensed engineer and grading plan if the site is to undergo any site grading. Mr. Don Smith seconded the motion, which passed with 5 members voting aye, and Mrs. Jackie Leatherwood abstaining.

c) Review and consideration for the minor subdivision of Tax Map 126K, Group D, Parcel 22.01 and Tax Map 126, Parcel 3.02, located on Campbell Lead Road, R-2 and C-2 Zones, requested by Norvell and Poe Engineers.

Staff presented the request for review and consideration for a minor subdivision of Tax Map 126K, Group D, Parcel 22.01 and Tax Map 126, Parcel 3.02, to delete the interior lot line between the 1.02 acre remnant of parcel 3.02 and parcel 22.01 to create a total 17.44 acre tract and an 8.44 acre tract.

Staff stated that the proposed minor subdivision depicts the addition of a remnant of Tax Map 126, Parcel 3.02 to the adjoining Tax Map 126K, Group D, Parcel 22.01. Staff added that the remnant was apparently created when the right-of-way for Campbell Lead Road was established and platted and was never identified as a separate parcel, although physically separated from Parcel 3.02 by the right-of-way. Staff explained that the request simply combines the 1.02 acres to the adjoining Parcel 22.01 (16.42 acres) to create a revised parcel consisting of 17.44 acres. Staff noted that the remaining acreage for Parcel 3.02 which lies north of Campbell Lead Right-of-way is 8.44 acres. Staff pointed out that both of the parcels are owned by "Christus Bible Gardens Inc."

Staff stated that due to the size of the parcels, two plats have been created to depict the new lot configurations. Staff also stated that as such, staff recommends that both plats be recorded together for reference purposes to each of the respective parcels. Staff further stated that the plats lack the following: Signatures and certifications of approval from E-911, Sevier County Electric System, Sevier County Health Department and/or Gatlinburg Utility Department; and Signature of Ownership and Dedication.

After further discussion, Mrs. Teresa Cantrell made a motion to grant minor subdivision plat approval subject to the addition of certifications and signatures and subject to both plats being recorded together for reference purposes or an alternative is to revise the plats to depict both properties on the same plat and then record the single document. Mr. Bud Ogle seconded the motion, which passed with all members voting aye.

d) Review and consideration for a final plat approval for the minor subdivision of Tax Map 117N, Group A, Parcel 1, being “Park Towers Royale,” and Tax Map 127, Parcel 1, being “Bluegreen Vacations Unlimited, Inc.,” located on East Parkway and Gatlin Drive, R-1, R-2, R-2A and C-2 Zones, requested by Vision Engineering.

Staff presented the request for a minor subdivision approval for a proposed re-platting of the common boundary line between Lot 1 of the “Park Towers Royale” property and the adjoining “Blue Green Vacations Unlimited, Inc.” property. Staff stated that the subject properties are located off Gatlin Drive and East Parkway. Staff also stated that this request was reviewed by the Board on May 16, 2013, at which time the request consisted of the re-platting of the common property line boundary between the subject lot and the adjoining property to add approximately 1.33 acres (57,849.3 sq. ft.) to the existing 2.29 acres (99,898 sq.ft.) development. Staff noted that the request is now being revised to convey only 1.12 acres from the adjoining “Blue Green Vacations, Inc.” property to the “Park Towers Royale” property for a total area of 3.41 acres. Staff also noted that the request has been broken into two (2) separate plats in order to fully and more clearly depict the minor subdivision. Staff explained that as such, staff would recommend that both plats be recorded together for reference purposes to each of the respective parcels. Staff noted that the property is developed with an existing multi-family residential condominium. Staff added that the proposed property addition is needed to add an amenities area to the existing development. Staff further stated that the adjacent “Blue Green Vacations Unlimited, Inc.” property which is accessed from Hwy. 321 North, will consist of approximately 129.22 acres if the subdivision is approved by the Board. Staff further noted that the “Blue Green Vacations Unlimited, Inc.” property is also developed with a multi-family development.

Staff stated that the “Park Tower Royale” property will consist of 3.41 acres upon finalization of the subdivision. Staff pointed out that both properties are served with public utilities and no extensions are required as a result of this request. Staff finally stated that the plat lacks the following: Signature of Ownership and Dedication; E-911 Signature of Approval; and all physical improvements (buildings) to the property.

After further discussion, Mrs. Dana Soehn made the motion to grant minor subdivision plat approval for the property boundary re-platting subject to the lacking revisions and signatures being added to the plat and subject to the recordation of both plats together for reference purposes, or an alternative is to revise the plats to depict both properties on the same plat and then record the single document. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

e) Review and consideration for a Planned Unit Development Site Plan approval for Phase XIV, for the relocation of the onsite laundry facility for “Westgate Resorts,” Tax Map 116, Parcel 195, located off North Mountain Trail, C-4 Zone, requested by Vision Engineering.

Staff presented the request for a site plan approval for the relocation of an on-site laundry facility to Phase XIV, of Westgate Smoky Mountain Resort. Staff stated that the proposed request consists of the construction of a freestanding laundry facility for the relocation of the current onsite laundry operations. Staff pointed out that currently, the laundry operations are located within Phase IV and share space with maintenance operations. Staff stated that the request is to construct a 9,600 square foot building to be used as an onsite laundry and storage area. Staff noted that the site plan depicts the finished floor elevation of the building to be at 1843.50 feet. Staff explained that the project has been evaluated based on the Hillside Overlay District and due to the location, elevation, and surrounding vegetation, will not be visible from any corridors of significant.

Staff stated that the applicants have indicated that the proposed location of the laundry facility is a temporary site. Staff also stated that as future development occurs, the facility will be relocated through out other future phases. Staff added that as such, the applicants have requested that the site be permitted to utilize pervious surfaces (gravel) surrounding the laundry facility as to minimize storm water runoff. Staff further stated that the applicants have requested that the landscaping requirement be waived due to the temporary nature of the facility. Staff noted that the site plan depicts minor grading to create the building site. Staff also noted that the plan also shows the use of bio-retention areas and swales to address storm water runoff. Staff added that the plan depicts utility connections to be made to existing private utilities at Winding Smoky Way through underground connections. Staff explained that while water service is available to the property, verification will be required to determine adequate fire protection (i.e. hydrants) is appropriately located to the facility and whether or not a sprinkler system will be required for the building. Staff further explained that a sewer line extension will be required and therefore, a sewer line construction and profile plan is needed for the extension. Staff finally stated that in addition, because the applicants have requested the use of alternative surfacing materials, the Fire Department will have to review the drive grades and proposed materials to determine if alternative are adequate to provide emergency access to the building.

Staff stated that the site plan lacks the following: building architectural elevations, and sewer line construction plan and profile. Staff added that the engineer has agreed to provide documentation to confirm that the laundry facility is a relocation rather than a new operation.

Staff explained that this is being required to show that the sewer volumes will not increase beyond anticipated volume for which previous approvals have been granted due to the capacity limitations of the public sewer line that crosses US 441 over to the Waste Water Treatment Plant.

Staff noted that the Utility Department Director has indicated that the proposal does not appear to increase sewer demands beyond the current site conditions. Staff also noted that this approval will replace any previous Phase XIV approvals and any future Phase XIV development plans will require another review by the Board.

After further discussion, Mrs. Teresa Cantrell made a motion to grant site plan approval for a revised Phase XIV, subject to the lacking items and documentation. Mr. Bud Ogle seconded the motion, which passed with all members voting aye.

f) Review and consideration for a re-subdivision of Lots 6 and 7 of the “A. Victor King Subdivision,” being a portion of Tax Map 116 Parcel 155.02, located on Timber Ridge Road, RR-1 Zone, requested by Troy King.

Staff stated that the request is for a subdivision approval for a proposed re-platting of the common boundary line between Lots 6 and 7 of the “A Victor King Subdivision” located off Timber Ridge Road in the Gatlinburg Planning Region.

Staff added that the request consists of an interior lot line relocation between Lots 6 and 7 to add approximately 1.257 acres to Lot 6 from Lot 7. Staff pointed out that the subdivision, if approved, will result in an increased lot size for Lot 6 of 1.257 acres for a total of 61.557 acres, and a decrease in Lot 7 of 1.257 acres for a total of 4.217 acres. Staff also stated that both lots will meet the minimum lot size requirements of the Regional Zoning Ordinance and both lots are depicted with frontage on the County Road.

Staff stated that the plat lacks the following information: Signatures of approval for E-911, Sevier County Electric System, Sevier County Health Department, and Owner’s Signature of Ownership and Dedication. Staff noted that the Health Department Signature of Approval must be obtained prior to approval of the plat. Staff stated that the applicant has obtained the Health Department Signature of Approval and recommends approval of the subdivision subject to the remaining signatures.

After further discussion, Mr. Bud Ogle made a motion to grant subdivision approval for a proposed re-platting of the common boundary line between Lots 6 and 7 of the “A Victor King Subdivision” located off Timber Ridge Road in the Gatlinburg Planning Region. Mrs. Jackie Leatherwood seconded the motion, which passed with all members voting aye.

g) Election of Officers

Mr. Bud Ogle made a motion for all officers to remain the same as Chairman Robert Maples, Vice Chairperson Dana Soehn, and Secretary Teresa Cantrell. Mr. Don Smith seconded the motion with all members voting aye.

Unscheduled Items

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 6:30 P.M., after a motion by and a second by.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
October 17, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Larry Claiborne
Dana Soehn
Charlie Moore
Kirby Smith
Jackie Leatherwood

MEMBERS ABSENT

Don Smith
Bud Ogle

OTHERS PRESENT

Mike Smelcer
Melvin W. Large
Woody Soehn
Bret 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, July 18, 2013, meeting, were unanimously approved following a motion by Mr. Charlie Moore 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 minor subdivision of Tax Map 126M, Group A, Parcel 33.03 and Tax Map 126L, Group E, Parcel 19.00, located on Baskins Creek Bypass and Silverbell Heights Lane, C-1 and R-1 Zones, requested by Vision Engineering.

This item was removed at the request of the owner.

b) Review and consideration for a commercial site plan of Tax Map 126N, Group K, Parcel 17.00, located on Circle Drive, C-2 Zone, requested by City of Gatlinburg.

Staff presented the request for site plan approval for a proposed 2800 square foot storage building for the indoor storage and maintenance of the City's decorative lighting programs.

Staff stated that the proposed storage building is to be located on an existing site currently owned and utilized by the City's Building Maintenance Department. Staff explained that this property is primarily used for the storage and maintenance of the City's light displays that are used throughout the area during various holiday seasons. Staff added that the current facility does not provide adequate storage and work area to properly house and maintain the City's light displays and therefore the additional 2800 square feet is needed for this specific purpose.

Staff noted that the site has been excavated and elevated to accommodate the proposed metal building so that the building can be placed at an elevation one (1) foot above the base flood elevation as required by FEMA. Staff further stated that the site will be accessed via Circle and Hughes Road and all city services are available to the property. Mr. Mike Smelcer was also present and noted that the building would be an earth tone metal building placed on the recently excavated site. The Board inquired about the fill materials. Mr. Smelcer noted that a soils engineer has been consulted and the fill was necessary to meet the FEMA elevation standards. After further discussion, Mr. Charlie Moore made a motion to grant site plan approval for the proposed 2800 square feet storage building. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

c) Review and consideration for the release of the Letter of Credit #21238 and the acceptance of right-of-way improvements for “Stone Fence Lane,” located in “The Settlement at Gatlinburg, Phase II,” Subdivision, R-2 Zone, requested by Staff.

Staff presented the request for the review and consideration of the release of Letter of Credit #21238 that was issued on the account of David Gilleland, for the completion of the road and right-of-way improvements to “Stone Fence Lane,” located in Phase 2 of “The Settlement at Gatlinburg” subdivision. Staff stated that the request involves the release of Letter of Credit #21238, in the amount of \$25,712.50 that was issued on the account of Mr. David Gilleland, for the completion of the road and right-of-way improvements associated with “Stone Fence Lane.” Staff also stated that the request includes the acceptance of “Stone Fence Lane” as a City Street. Staff explained that the street and right-of-way improvements were officially dedicated to the public upon the recordation of the final plat that was recorded in 2006. Staff added that the plat depicts a fifty (50) foot right-of-way area of approximately 1100’ with a T-turnaround at the termination point of the road.

Staff pointed out that the final paving and improvements to the street were just recently completed in addition to a slope repair to an area of the street that had failed back in the spring of this year. Staff noted that the letter of credit was issued to ensure the completion of the roadway improvements so that the road upon its completion could be accepted by the City. Staff also stated that the street improvements including associated utilities have all been installed and inspected to the Public Works and Utility Department satisfaction. Staff further stated as such, there is no further need to hold the letter of credit to ensure the improvements are installed by the developer. After further discussion, Mrs. Dana Soehn made a motion to grant approval of the release of Letter of Credit #21238 and make a favorable recommendation to the City Commission for the official acceptance of Stone Fence Lane as a City Street. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

Unscheduled Items

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Mrs. Dana Soehn made a motion to count the one-hour training session on September 19, 2013, towards their continuing education. Mrs. Teresa Cantrell 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 6:10 P.M., after a motion by Mr. Charlie Moore and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
December 19, 2013
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Teresa Cantrell
Larry Claiborne
Dana Soehn
Charlie Moore
Jackie Leatherwood

MEMBERS ABSENT

Robert Maples
Don Smith
Bud Ogle
Kirby Smith

OTHERS PRESENT

James Tomiczek

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

Vice Chairperson Mrs. Dana Soehn called the meeting to order at 5:00 P.M. The minutes, of the November 21, 2013, meeting, were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mrs. Jackie Leatherwood.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

a) Review and consideration of a master concept plan and PUD site plan approval for “Westgate Smoky Mountain Resort, Phase 14,” located off North Mountain Trail, C-2, C-4, and RR-1 Zones, requested by Vision Engineering.

Staff presented the request for a review of a revised master concept plan; and a review and consideration for approval of Phase 14 for Westgate Smoky Mountain Resorts. Staff stated that the master concept plan is for review only and does not require a formal approval by the Board. However, staff noted that the PUD site plan for Phase 14 has been submitted for approval of the proposed 344 additional units. Staff added that this Phase appears to be the combination of previous Phases 14 and 15 thus the reason for a submittal of a revised master concept plan.

Staff pointed out that in a previous review of Phase 12 that occurred in 2008, it was noted that 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 also stated 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 Phase 14. Staff further stated that in a recent request by the developer to improve the line, the City’s consulting engineer

has recommended that the Planning Commission not consider approving Phase 14 until it is known when the line improvements will be completed and ready for service (see attached November 25th McGill Letter).

Staff stated that based on the recommendation of the City's consulting engineer and the fact that the sewer line serving this development is not adequate at this time to accommodate the additional sewer demands of Phase 14, Staff recommends to deny the request for approval of phase 14. Staff finally stated that any review of the revisions to the master concept plan at this time would seem premature until the sewer issues have been resolved to accommodate additional phases.

Mr. James Tomiczek with Vision Engineering was present and stated that the developers were aware of the sewer line issue and are trying to remedy the capacity with a proposal to improve the line. Mr. Tomiczek further noted that the submittal was made in hopes that the Phase approval be granted so that the on-site construction activities could be undertaken in conjunction with the line improvements thus avoiding delays in the development processes. However, Mr. Tomiczek did state that the developer was aware of the correspondence from the consulting engineer regarding the recommendation for denial at this time.

After brief discussion, Mrs. Teresa Cantrell made a motion to disapprove based on Staff recommendations due to the inadequacy of the line and at the recommendation of the City's consulting Engineer. Mr. Larry Claiborne seconded the motion with all present members voting aye.

b) Review and consideration for a minor subdivision of Tax Map 126M, Group A, and Parcel 33, located on Cherokee Orchard Road and Parkway, C-1 Zone, requested by Vision Engineering.

This item was removed at the request of the applicant.

c) Review and consideration for a commercial site plan approval for "Gatlinburg Auto Brokers," located at 1420 East Parkway, C-2 Zone, requested by Dewan Tant.

This item was removed at the request of the applicant.

d) Review and consideration of a revision to the Municipal Zoning Ordinance, Article VII, Section 701.10, to incorporate the use of Bed and Breakfast Establishments in the R-1 (Low Density) Residential District, requested by Staff.

Staff presented the request for an amendment to Article VII, Section 701 being the R-1, (Low Density Residential) District Use Provisions, to add Section 701.10 to permit the use of "Bed and Breakfasts Establishments" as permitted uses.

Staff stated that the request consists of adding Section 701.10 to the Municipal Zoning Ordinance to incorporate the use of "Bed and Breakfasts Establishments" as permitted uses in the

R-1 District. Staff pointed out that at the direction of the City Commission. Staff has created an ordinance to add these uses in the residential district (see attached) for the future consideration of the City Commission. Staff noted that the City Commission has conducted a first hearing on the amendment and favorably acted on the changes. Staff added that there is a second reading and public hearing that will take place at a later City Commission Meeting.

Staff stated that in review of the request, the proposal is in keeping with the existing adopted Land Use Policies which recommend that Bed and Breakfast Establishments be permitted in Single Family Districts. Staff stated that the only exception is that these type uses not be permitted in those districts prohibiting overnight lodging and rentals such as the R-1A and R-2A Districts. Staff noted that in additional research of other similar communities to Gatlinburg, the use of Bed and Breakfasts Establishments in residential areas is very common and especially in heavy tourism based economies where overnight rentals are permitted uses. Staff also stated that the revision also include that adequate parking must be provided for each sleeping unit in addition to the required parking for the permanent resident or innkeeper. Staff concluded that the Board must review and provide a formal recommendation to the City Commission for their consideration at their second reading and public hearing meeting on this item.

Following a brief discussion, Mrs. Teresa Cantrell made a motion that the amendments be approved and formally recommended to the City Commission. Mr. Larry Claiborne seconded the motion which passed unanimously.

e) Review and consideration of certain improved streets as public streets for a recommendation to the City Commission, requested by the Street and Planning Departments.

Staff presented the request for the following streets to be approved and recommended to the City Commission as City Streets: North Ownby Drive, Crescent Drive, Pritchard Drive, and Point Place. Staff stated that these four (4) streets are located in the Glades Area and a final determination as to their public street status is needed for City Street mapping and maintenance purposes.

Staff stated that the Street Department has advised that the four (4) streets in question have previously been developed with pavement improvements and received continued maintenance by the Department. Staff also stated that the streets in question have some public utilities such as water or sewer or a combination of both and electricity. Staff added that the streets are used to provide other public services such as garbage collection and postal delivery. Staff has also verified that each of the streets contain a fifty (50) foot right-of-way area which meets the subdivision requirements for residential streets.

Staff stated that based on adequate right-of-way areas of 50', existing improvements and the continued maintenance activities that have occurred over the years, Staff recommends that streets

be formally recommended to the City Commission as City Streets. After further discussion, Mr. Larry Claiborne made a motion to accept the streets as City Streets. Mrs. Jackie Leatherwood 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 5:25 P.M., after a motion by Mrs. Teresa Cantrell and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date