

MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
February 19, 2009
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples
Teresa Cantrell
Don Smith
Larry Claiborne
Phil Nemeth

MEMBERS ABSENT

Dana Soehn
Jason Seavy

OTHERS PRESENT

James Temple, Jr.
James Tomiczek
Bud Lawson
Jennifer Kennedy
Chad Kennedy

Staff Representatives: David Ball, City Planner
Ashley Miller, Assistant City Planner
Bart Hose, LPAO

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the, January 29, 2009, meeting, were unanimously approved following a motion by Mr. Phil Nemeth and a second by Mr. Don Smith.

Petitions and Communications from the Public

Staff Report

Staff passed out a memo informing the Board of an upcoming Board of Commission workshop to discuss the proposed hillside and ridges ordinances on Monday, February 23, 2009, at 4 p.m. at City Hall.

Old Business

New Business

a) Review and consideration for a minor subdivision of Tax Map 117E, Group F, Parcels 6, 10, and 17, located on at 565 North Ownby Drive, R-1A zone, requested by Household Financial Center.

Staff presented the request for preliminary and final plat approval for a proposed minor subdivision of Lots 16, 17, and 18 of the Ownby Hills Subdivision in order to consolidate the three lots into one 1.96 acre lot. Staff noted that the property is currently developed with a single-family residence. Staff added that in addition, the tax maps for this area depict a right-of-way that appears to terminate into the west side of Lot 16. Staff further stated that the right-of-way has not been depicted on the submitted plat information and therefore will need to be revised if in fact the right-of-way exists. Staff finally stated that the plat lacks a revised lot number and the following signatures of approval: Ownership and Dedication of all property owners, E-911, Sevier County Health Department, and Gatlinburg Utilities Department. After

further discussion, Mr. Phil Nemeth made a motion to grant preliminary and final plat approval for the minor subdivision subject to the lacking revised lot number, right-of-way area, and the signatures of approval being added to the plat. Mr. Don Smith seconded the motion, which passed with all members voting aye.

b) Review and consideration for a commercial site plan for “The Shops at Gatlinburg Town Center,” located at 739 Parkway, C-1 zone, requested by Chad Kennedy.

Staff presented the request for revised final site plan approval for “The Shops at Gatlinburg Town Center,” being a proposed 16,968 square feet, 3-story commercial building with 17 parking spaces. Staff noted that this project was previously reviewed by the Board on November 20, 2008. Staff pointed out that the site plan submitted in November 2008 did not reflect on-site parking for the development; however the latest revision shows 17 parking spaces to the rear and side of the building. Staff noted that due to the new parking area a landscape plan is required which has been designed to meet the specifications of Section 407.3 of the Municipal Zoning Ordinance. Staff also stated that the site plan reflects the existing fire line to the building running beneath the adjoining motels swimming pool. Staff added that the Utilities Department has noted that the existing fire line beneath the swimming pool should be abandoned and a new fire line installed with the other utilities to service the building. Staff further stated that the Utilities Department has stated that marking tape shall be placed on each utility line which indicates the type. Staff added that the Fire Department has noted that the plan does not reflect the type of sprinkler system, the FDC location, or the fire hydrant location. Staff also stated that the Fire Department has indicated that a fire hydrant must be located within 100 feet of the FDC, and the developer should be aware that an additional fire hydrant may have to be placed on the property to comply with the adopted Fire Codes. Staff also noted that the plan lacks a landscape plan, floor plan, building elevations, solid waste plan, stormwater plan, draining and erosion control plan, grading plan, and approval by the Utilities Department and E-911.

Staff explained that some of the plans were submitted Wednesday, February 18, and due to the late submittal the Fire Department had not been able to provide feedback. Staff further explained that the architectural renderings had not been sealed and signed by a licensed architect. Mr. Chad Kennedy was present and explained that the site plan modifications are due to a change in the future leasee of the project. Mr. Kennedy stated that a landscape buffer could quickly be designed by the architect. Mr. Kennedy explained that the architect that designed this submittal also designed the last set of plans. Mr. Kennedy asked the Board to approve the site plan subject to the Fire Department’s approval. The Board questioned when the last plans were submitted. Staff stated that the plans were submitted late on Wednesday afternoon prior to the meeting. Staff further noted that due to inspection schedules, the Fire Department had no opportunity to review the plans. Chairman Maples questioned the McDonald’s foundation. Mr. Kennedy noted that a permit for the piers has been secured and the piers will support the basement of the proposed building. Staff noted that the applicant should be aware that the Board’s approval does not warrant exemption from other City codes. Mr. Phil Nemeth questioned the Utilities Department’s approval. Staff noted that the design engineer has been in discussions with the

Utilities Manager, but the main concern is the Fire Department's access. Mr. Kennedy explained that the 20-foot fire easement from a previous plan is still in place for this plan. Staff noted that the easement needs to be shown on the site plan. The Board and staff discussed the site plan review and the amount of lacking information. Mr. Phil Nemeth stated that it is difficult to grant an approval with half a page of noted lacking items. Mr. Kennedy stated that he understood that the site plan approval does not trump other City ordinances. Mr. Phil Nemeth asked for the lacking items list. Staff stated that the plan lacks final Utilities Department's approval, Fire Department's approval, solid waste plan, landscape plan, architectural seal and signature, E-911 approval, drainage and erosion control plan, and grading plan. Mr. Larry Claiborne asked Mr. Kennedy if he had considered withdrawing the request from the agenda. Mr. Kennedy asked the Board to approve the site plan subject to the lacking items. Mr. Larry Claiborne stated that the plan lacks the basic information. After further discussion, Mr. Phil Nemeth made the motion to deny the request due to the amount of lacking information. Mr. Larry Claiborne seconded the motion which passed with all members voting aye.

c) Review and consideration for a revised final PUD site plan for "Gatlinburg Falls Parkview Resort," Tax Map117, Parcel 63, located on Ridge Road and Cheshire Court, R-1 and R-2 zones, requested by Venture Real Estate Group, LLC.

Staff presented the request for revised final PUD site plan approval for "Gatlinburg Falls Parkview," in order to reconfigure the units along Park Vista Way, a private street, and change the access of Unit 42. Staff stated that the proposed revised PUD site plan consists of reconfiguring the units along Park Vista Way and the access to Unit 42. Staff pointed out that the previously approved site plan reflects both Units 42 and 45 to be accessed via Park Vista Way about midway along the roadway. Staff also stated that the current proposal is to access Unit 42 via a private driveway from Shady Grove Road and the access to Unit 45 will be from a driveway at the end of the turnaround area on Park Vista Way. Staff also stated that there are some concerns about the Unit 42 access. Staff added the Fire Department has issued a concern about the access to the unit because of the width of Shady Grove Lane, and staff questions the functionality of the turnaround area proposed at the unit. Staff noted that in the review of the revised plan, staff noticed that the intersection of Park Vista Way and Parkview Point Way is at a grade of 15%. Mr. James Tomiczek was present and stated that the intersection is flat. Staff finally stated that the plan further lacks approval from E-911 and the Utilities Department.

Mr. Tomiczek stated that Unit 42 is in the same location as previously approved, but the request is to change the access to the unit to be off Shady Grove Lane. Mr. Tomiczek explained that based on comments received by staff, the Fire Department expressed concern about accessing the unit from Shady Grove Lane and in a previous meeting a promise was made to the neighborhood that none of the traffic from the development would use Shady Grove Lane or Old Cartertown Road for access. Mr. Tomiczek noted that the site plan has been revised which reflects the access to Unit 42 via the private road within the development. Mr. Tomiczek stated that a set of stairs have been incorporated into the design from the parking area to the unit. Mr. Tomiczek noted that the proposed design needs to be contingent upon the Fire Department's approval.

Staff stated that the original concern was with the additional traffic loads on Old Cartertown Road and the issue of an E-911 address off of Shady Grove Lane. Staff explained that after these issues were discussed with Mr. Tomiczek the alternative design to access the unit from within the development was presented. Mr. Tomiczek reiterated that everything is accessed from within the development, and Unit 42 will utilize a stair system from the parking deck to the unit. Mr. Tomiczek further stated that the plan still needs to be evaluated and approved by the Fire Department. After further discussion, Mr. Don Smith made a motion to grant revised final PUD site plan subject to the Fire Department's approval of stair system to Unit 42. Mrs. Teresa Cantrell seconded the motion, which passed with all members voting aye.

d) Review and consideration for the resubdivision of Tax Map 126D, Group A, Parcels 4-8, and the closure and replatting of the Park Lane Right-of-Way, located off Parkway, C-1 and C-2 zones, requested by Gateway Gatlinburg.

Staff presented the request for final plat approval consisting of reconfiguring the existing property lines, the closure of the existing Park Lane Right-of-Way, and the re-platting of the Park Lane Right-of-Way. Staff added that currently there are 5 parcels (Tax Map 126D, Group A, Parcels 4-8) and the Park Lane Right-of-Way that make up the "Gateway Gatlinburg" development site. Staff also stated that the final plat proposes to delete the interior property lines and the right-of-way area and create 7 parcels, one of which in the relocated Park Lane Right-of-Way. Staff pointed out that the proposed lot configuration is as follows:

<u>Lot:</u>	<u>Acreage:</u>	<u>Square Footage:</u>	<u>Public Street Frontage:</u>
Lot 1	2.00 acres	87,120.13 sq. ft.	Parkway and Park Lane
Lot 2	0.76 acres	33,210.40 sq. ft.	Park Lane
Lot 3	1.72 acres	74,895.31 sq. ft.	Park Lane
Lot 4	1.38 acres	60,286.33 sq. ft.	Park Lane
Lot 5	1.23 acres	53,684.89 sq. ft.	Park Lane
Lot 6	0.35 acres	15,257.22 sq. ft.	Park Lane
Parcel 7	0.66 acres	28,961.46 sq. ft.	Park Lane Right-of-Way Proposal

Staff stated that the current Park Lane Right-of-Way is 29,246 square feet or 0.67 acres, and the proposed relocation area for the Park Lane Right-of-Way is 28,961.46 square feet or 0.66 acres. Staff noted that the Board of Commission approved on first reading the closure and relocation of the public right-of-way, however the request is still required to have a second reading and public notice before any deeds are signed. Staff also noted that a bond or letter of credit will need to be posted along with two construction estimates for the proposed Park Lane improvements. Staff further noted that the access to Herbert Holt Park will need to be coordinated with the Public Services Director during the road closure and reconstruction process of Park Lane. Staff also pointed out that there are several sewer easements that are shown to be abandoned by the plat and a utility easement area granted along Parkway. Staff noted that the Board of Commission will have to approve the abandonment and acceptance of all City assets. Staff finally stated that the final plat appears to meet the minimum design standards, but lacks the following signatures

of approval: Ownership and Dedication of all property owners, E-911, Utilities Department, Sevier County Electric System, and the surveyor.

Staff noted that the revised plat was needed due to a revision required by the Tennessee Department of Transportation (TDOT). Mr. James Temple was present and stated that TDOT wanted Park Lane to be extended to allow for more site distance. Mr. Temple further stated that he was notified about the TDOT change after the plat had been before the City Commission on first reading. Staff stated that the Subdivision Regulations require a 50' right-of-way, however Park Lane currently is a 30' right-of-way. Staff noted that the plat proposes to leave Park Lane as a 30' right-of-way. Staff also explained that Lot 5 has public street frontage on the existing and proposed Park Lane. Staff noted that the Park Lane Right-of-Way services Herbert Holt Park and that the new road will be wider than the existing roadway. Mr. Phil Nemeth questioned the proposed road widths. Mr. Temple noted that Park Lane will be 24' down to the parking garage and then narrows to 18' to match up with the bridge. Staff stated that prior to recording that a bond or letter of credit will need to be submitted and the property exchange secured with City Commission. After further discussion, Mrs. Teresa Cantrell made a motion to grant final plat approval with the reduced right-of-way subject to the Board of Commission's final approval of the Park Lane Right-of-Way closure and relocation, the bond or letter of credit being submitted for the public infrastructure improvements, and the lacking signatures being added to the final plat. Mr. Don Smith 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 6:15 P.M., after a motion by Mr. Don Smith and a second by Mr. Larry Claiborne.

Approved:

Planning Commission Secretary

Date