

MINUTES OF THE  
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION  
May 28, 2009  
THURSDAY, 5:00 P.M., CITY HALL

MEMBERS PRESENT

Robert Maples  
Teresa Cantrell  
Don Smith  
Dana Soehn  
Jason Seavy

MEMBERS ABSENT

Phil Nemeth  
Larry Claiborne

OTHERS PRESENT

James Temple  
James Tomiczek  
Carol Muszik  
Zipline Coordinator

Staff Representatives: Bart Hose, LPAO  
Diane Townsend, Executive Secretary

Chairman Maples called the meeting to order at 5:00 P.M. The minutes, of the April 16, 2009, meeting, were unanimously approved following a motion by Mr. Don Smith and a second by Mr. Jason Seavy.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

**a) Review and consideration for a final plat of Tax Map 118, Parcel 3, located at 948 Watson Drive, R-1, R-2, C-3, and C-5 zones, requested by White Oak Apartment Ventures, LLC.**

Mr. Bart Hose from the Local Planning Office in Knoxville presented the request for final plat approval to adjust the sewer lift station easement area for Tax Map 118, Parcel 3 being the "White Oaks Apartments" property, Plat Book 38, Page 233. City staff was unable to attend this meeting and provided copies of the following information and comments to Board members in their agenda packets: The proposed plat is to adjust the sewer lift station easement area associated with Plat Book 38, Page 233. Specifically, the plat will reduce the area of the easement by 88.88 square feet. The design engineer has indicated that the adjustment to the easement area is needed to allow for a retaining wall that is to be constructed for a proposed access road for the development. A revised retaining wall and road plan should be submitted to the Utility Manager and Planning Staff. Further the Utility Manager has requested additional information about the relocation of the security fence for the sewer lift station. Also, due to the elevation difference between the private road and lift station site, there will need to be a guardrail located on the retaining wall for safety purposes. The plat appears to meet the minimum design requirements, but lacks the following signatures of approval: Ownership and Dedication, E-911,

Utilities Department, and Sevier County Electric System. Staff's recommendation is to grant final plat approval subject to the lacking signatures being added to the plat.

NOTES: Mr. James Temple was present and stated that the required plans are in Mr. Dale Phelps office waiting to be signed. Mr. Hose briefly reviewed the city staff's comments. After further discussion, Mrs. Teresa Cantrell made a motion to grant plat approval subject to staff's comments and the lacking signatures being added to the plat. Mr. Don Smith seconded the motion, which passed with all members voting aye.

**b) Review and consideration for preliminary and final PUD site plan for Tax Map 137C, Group C, Parcel 11, located at 222 Savage Gardens Road, C-1 zone, requested by MSM Capital, LLLP.**

Mr. Hose presented the request for preliminary and final PUD site plan approval for a proposed zip-line recreation use located on 2.71 acres and accessed via Savage Garden Road. City staff was unable to attend this meeting and provided copies of the following information and comments to Board members in their agenda packets: The proposed PUD located on Savage Garden Road is for a tourist zip-line recreation use. The plan reflects a racing zip-line, four additional zip-line courses, and a 16' x 24' check-in building on the 2.71 acre site. The check-in building is located at the lower portion of the property along Savage Garden Road. From the check-in facility, walking trails are proposed throughout the property to each of the zip-line staging areas. A final grading plan for the on-site grading has been submitted with the packet of information, however the cut and fill slopes along the 3' wide trails are noted to be at a 1H:1V slope. A retaining wall structure will have to be constructed to retain the slopes since the cut and fill section exceed a 2H:1V or a geotechnical engineer will have to certify the stability of the 1H:1V slopes prior to the issuance of any construction permits. The Public Works Director has reviewed the proposed 5' wide striping for a pedestrian walkway on the Savage Garden Road Right-of-Way. The Public Works Director has indicated that the striping of the City Street will not be permissible and has discussed with issue with the applicant. Also, a portion of the natural stone stairs that lead from the check-in building down to Savage Garden Road may encroach into the right-of-way area. The applicant has submitted a Right-of-Way Use Request to City Commission for the encroachment. The Building Inspections Department has raised some concerns about the structural elements of the zip-line. The applicant has been directed to consult with the Building Inspections Department about all structural issues that pertain to the development. The applicant should be aware that any approval by the Planning Commission does not warrant approval from the Building Inspections Department and all structural issues will need to be addressed through their office. The site indicates two trees that may need to be removed along the course just behind the check-in building, six trees to be removed within the racing zip-line, and four trees within the medium course. Based on the Tree Protection Ordinance, due to the size of five existing trees that are proposed to be removed, 10 trees are required to be replanted on the site at a size of 1.5" DBH at the time of planting. A landscape and replanting plan has been submitted for the development site. The replanting plan reflects the planting of 17 Tulip Poplars that are at least 1.5" DBH or greater. The PUD plan also lacks the

emergency rescue procedures, Utility Department approval, and E-911 approval. Staff's recommendation is to grant preliminary and final PUD Site Plan approval subject to the lacking signatures of approval and approval of the Right-of-Way Use Request by City Commission.

NOTES: Mr. James Tomiczek was present and gave an overview of the project. Mr. Tomiczek stated that parking would be across the street from the entrance at the Calhoun's parking area. Mr. Tomiczek added that he had met with EMS and that there would have to be a paved pull-off for access. Chairman Maples asked if the roads would be graded. Mr. Tomiczek stated no, the existing roads would be used. Mr. Tomiczek also stated that the tree removals have been marked and will be replaced by 17 tulip poplar trees and that the landscaping plan has been submitted. Mr. Tomiczek proceeded to show the board the visual impact from Historic Nature Trail with large photos of the proposed area which will be located below the city's water tank. Mr. Bart Hose noted that several areas on the final grading plan exceeded a 2 to 1 slope and would require certification of a geotechnical engineer or retaining walls. Mr. Hose then noted that there were two issues related to the Savage Garden Road right-of-way that would need to be approved by the City Board. The first was a stone stairway encroachment and the second involved the applicant's proposal to strip a five foot pedestrian walkway along the edge of the road. He noted that the existing road surface is fairly narrow, 18-21 feet wide, and that the proposed walkway would decrease it to 13-16 feet wide. Mr. Hose also noted that the Public Works Director, Mr. Ron Greene, wanted the applicant to be aware that planning commission approval does not guarantee approval of the right-of-way plans by the city or warrant building permits being issued. Mr. Hose also noted that the city's building inspectors had some questions regarding several proposed structural elements and that site plan approval did not guarantee codes approval. Chairman Maples asked if C-1 requires parking. Mr. Hose stated that on site parking is not required in a C-1 zone and that the original plan calls for bussing the customers in. Mrs. Carol Muszik was present and stated that she has leased office space near the Happy Hiker where parking is available. Mrs. Muszik added that the city planner had told her that parking is not required in C-1. Mr. Tomiczek added that the striping was going down toward Parkway for pedestrian site visibility. Chairman Maples asked where the office was located. Mrs. Muszik stated that the office is behind *Smokies Pub* on Parkway two blocks away. Mr. Hose reminded the Board that signatures from E-911, Water Department, EMS, and the right-of-way use requests approval from BOC was still needed. Chairman Maples reiterated that even with these approvals, building permits will still have to be approved by the Building Official. After further discussion, Mr. Don Smith made a motion to grant final PUD site plan approval subject to the lacking signatures and approval of the Right-of-Way Use Request by City Commission. Mr. Jason Seavy seconded the motion, which passed with all members voting aye.

**c) Review and consideration of a proposed amendment to the Appendix of the Municipal Zoning Ordinance by adding various review checklists, requested by Staff.**

Mr. Hose presented the request for review and consideration of an addition to the Appendix section of the Municipal Zoning Ordinance. City staff was unable to attend this meeting and provided copies of the following information and comments to Board members in their agenda

packets: Specifically, the request consists of adding the Planning Department's development checklists to the ordinance along with the Planning Commissions recently endorsed *Submittal Policy* requirements.

The proposed request consists of incorporating the Planning Department's development and Planning Commissions recently endorsed *Submittal Policy* requirements into the Appendix of the Municipal Zoning Ordinance. The development checklists to be incorporated are:

1. Planning Commission Submittal Policy
2. Residential Site Plan Checklist
3. Sign Checklist
4. Commercial Site Plan Checklist
5. Preliminary Plat Checklist
6. Final Plat Checklist
7. Minor Subdivision Checklist
8. Preliminary PUD Checklist
9. Final PUD Checklist
10. Critical Slope Floating Zone Checklist
11. Hillside Overlay District Checklist

The addition of the checklists into the ordinance will make it easier for developers and designers to find the information and will also make the items that required very clear for the said developers and designers. Staff's recommendation is to grant approval for the proposed addition to the Appendix of the Municipal Zoning Ordinance and recommend to the Board of Commission for the incorporation of said information into the Municipal Zoning Ordinance.

NOTES: Mr. Hose stated that he had discussed this item with Mr. Ball and the commission could defer action on the item if they wanted to review it with the city staff. Chairman Maples stated that everyone had worked hard on the checklists and that the commission had previously discussed them. After further discussion, Mr. Don Smith made a motion to grant approval for the proposed addition to the Appendix of the Municipal Zoning Ordinance and recommend to the Board of Commission for the incorporation of said information into the Municipal Zoning Ordinance. Mrs. Dana Soehn seconded the motion, which passed with all members voting aye.

**d) Review and consideration of the City of Gatlinburg's proposed FY 2009–2014 Capital Improvements Program Projects, requested by Staff.**

Mr. Hose presented the request for review and discussion of the FY2009-14 Capital Improvements Program Projects. City staff was unable to attend this meeting and provided copies of the following information and comments to Board members in their agenda packets: 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. 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

The Special Revenue Fund generally consists of projects that are specifically related to our tourism industry and the overall enhancement of our city. The General Fund consists of projects that have been identified as needs within specific departments to carry out general operations of the City Government. The final two funds, which are Water and Waste Water, are self-supporting funds that are specifically related to the operations of the two public utilities.

Attached are the project summary sheets for Fiscal Years 2009 through 2014. 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. Please note all projects generally fall within the five (5) year program with the exception of wastewater. The wastewater projects have been projected based on in-house construction, which will require more than the five-year time frame for their completion.

Please review the project summary sheets for a formal recommendation of approval to the Board of Commission. Also, any recommendations for additional projects or suggestions regarding the proposed projects should be included in the Boards recommendation to the BOC.

NOTES: Mr. Bart Hose asked members to review the project summary sheets for a formal recommendation of approval to the Board of Commission. Mr. Hose also stated that any recommendations for additional projects or suggestions regarding the proposed projects should be included in the Commission's recommendation to the BOC.

Chairman Maples stated that this is more or less a formality for the Board. Mr. Don Smith stated that gutter replacement for the City Hall Complex was in last year's budget. Mr. Hose and Chairman Maples noted that unfunded or incomplete projects are generally rolled over into the next year. After further discussion, Mrs. Dana Soehn made a motion to make a favorable recommendation to the Board of Commissioners. The motion passed unanimously with a second by Mrs. Teresa Cantrell.

Unscheduled Items

Chairman Maples reminded the Board to look over the minutes carefully to make sure they are accurate before approval. Mrs. Dana Soehn stated that the White Oak Flats development looks different from the way it looked on paper when the commission approved it. She noted its size and the amount of grading. The development of residential units above the retail spaces was also noted. Mr. Hose pointed out that it was a large project and was approved prior to the city's new hillside regulations and other related codes. He also noted that he thought the second story residential units had been discussed. Finally, Mrs. Townsend noted that Mr. Ball had experienced a death in the family and asked the commission to remember them in prayer.

Adjournment

There being no further business to come before the Board, the meeting was unanimously adjourned at 5:20 P.M., after a motion by Mrs. Teresa Cantrell and a second by Mrs. Dana Soehn.

**Approved:**

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**Planning Commission Secretary**

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**Date**