

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

MEMBERS PRESENT

Robert Maples  
Don Smith  
Larry Claiborne  
Phil Nemeth  
Dana Soehn  
Jason Seavy

MEMBERS ABSENT

Teresa Cantrell

OTHERS PRESENT

James Temple, Jr.  
Jay DeFoe  
John Merritt  
Bill Bashor  
Marcus Whaley  
Chad Kennedy  
Jennifer Kennedy  
Doyle Trentham

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, February 19, 2009, meeting, were unanimously approved following a motion by Mr. Don Smith and a second by Mr. Phil Nemeth.

Petitions and Communications from the Public

Staff Report

Old Business

New Business

**a) Review and consideration for preliminary PUD site plan for “Idyll Club Downtown Resort, Phase I” Tax Map 137B, Group B, Parcel 2, located at 323 Ownby Street, C-2 zone, requested by William Bashor, Jr.**

Staff presented the request for the preliminary PUD site plan. Staff stated that the proposed preliminary PUD site plan consist of Phase I being at total of four multi-family/townhouse units. Staff also stated that the master site plan submitted with the packet of information depicts a total of four phases for the development, which includes an amenities area and 28 units on 1.469 acres. Staff added that the four units within Phase I are accessed via a joint-use driveway off of Ownby Street. Staff explained that there is concern about the functionality and accessibility of the two end parallel parking spaces along Ownby Street. Staff stated that the concern is that vehicles parked at Units 3 and 4 will be unable to back out into the private drive. Staff recommends that these two parking spaces be eliminated and incorporated elsewhere on the property to maintain the required number of parking spaces. Staff further stated that the parallel

parking space at Unit 10 needs to be revised and the depth and radius of the parking space improved. Staff noted that the standard, used by staff, for parallel parking spaces is 12' deep by 24' wide. Staff further noted that the access point of the driveway is proposed to be at 30'. Staff added that the point of ingress/egress should be revised to meet the 26' maximum. Staff also stated that the plan notes the trash pick-up location but the actual dumpster location and layout design will need to be shown on the final PUD site plan. Staff further stated that if a key pad is used at the entrance road, in future phases, then it must be located deep enough as not to obstruct Ownby Street. Staff finally stated that the preliminary plan further lacked the density of the development, erosion control plan, and signatures from the design architect, surveyor, and engineer.

Mr. Bill Bashor, the applicant and architect, was present and provided the Board with an overview of the proposed development. Mr. Bashor explained that the log cabin of the former Lucinda Ogle property will be incorporated into the property amenities. Mr. Bashor noted that the proposed units will be one and a half stories in height. Mr. Bashor added that a revised site plan has been submitted to staff which revised the parallel parking spaces. Mr. Bashor explained that the parking spaces in question have been removed and incorporated elsewhere on the property. Mr. Phil Nemeth asked if the units will be for rent or sale. Mr. Bashor stated that the units will probably be sold. Staff stated that the issues with the parallel parking spaces and point of ingress and egress have been revised for the preliminary PUD site plan. Mrs. Soehn questioned if Lucinda Ogle's wild flowers are to be incorporated into the landscaping plan for the property. Mr. Bashor noted that there will be a sample garden as an amenity. After further discussion, Mr. Larry Claiborne made a motion to grant preliminary PUD site plan approval for the four units within Phase I subject to the lacking revisions being made prior to the final PUD site plan submittal. Mr. Don Smith seconded the motion, which passed with all members voting aye.

**b) Review and consideration for a minor subdivision of Tax Map 117, Parcel 87.02, located at 620 Mountain Drive, R-1 zone, requested by Annie Burris.**

Staff presented the request for a minor subdivision. Staff stated that the proposed minor subdivision consists of platting an interior property line in order to create two lots, Lot 1 (0.96 acres) and Lot 2 (1.52 acres). Staff pointed out that in 1995 the Burris property was approved for a single-family planned unit development and the current parcel contains two of the original PUD units. Staff noted that the request is to subdivide the 2.48 acre tract into two lots with an existing single-family residence on each lot. Staff added that the plat reflects a 25' x 40' (1,000 square feet) easement area on Lot 2 for the drain field area of Lot 1. Staff also stated that shown on the plat is a 20' wide easement (WD BK 495, PG 848) along the northeast property lines of Lots 1 and 2 and along the northwest property line of Lot 2. Staff finally stated that the plat lacks the right-of-way width for Mountain Drive and the following signatures of approval: Ownership and Dedication, E-911, Utilities Department, Sevier County Health Department and Sevier County Electric System. Mr. Marcus Whaley was present and said that he had evaluated the right-of-way width for Mountain Drive, but had difficulty finding the defined right-of-way

area. Mr. Whaley stated that he would further research the width of the Mountain Drive Right-of-Way. Mr. Whaley also stated that the easement area shown on the plat was at the request of the Health 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 right-of-way width and the signatures of approval being added to the plat. Mr. Jason Seavy seconded the motion, which passed with all members voting aye.

**c) Review and consideration for a revised final PUD site plan for “Gateway Gatlinburg,” Tax Map 126D, Group A, Parcels 4-8, located on Parkway at Park Lane, C-1 and C-2 zones, requested by Norvelle & Poe Engineers.**

Staff presented the request for a revised final PUD site plan. Staff stated that the proposed revised final PUD site plan does not change the building layouts. Staff pointed out that the request primarily consists of changes related to the Park Lane Right-of-Way relocation. Staff added that the right-of-way area has been increased and the ingress/egress points reduced from four to three. Staff noted that in September 2008, all the points of access should be controlled to be no more than 26-feet wide. Staff also stated that it appears that the three lane points of ingress/egress exceed the maximum width allowed by the ordinance and should be revised to meet the ordinance standards. Staff also noted that the Tennessee Department of Transportation (TDOT) has given verbal approval for the curb cuts along Parkway. Staff added that the revision reflects parking that will back into the Park Lane Right-of-Way area. Staff stated that the developer is giving the City a new constructed road and right-of-way but is reserving the right to use portions of the right-of-way in this manner. Staff also stated that this will be finalized in the deed exchange and final acceptance of road improvements by the City. Staff pointed out that it appears that due to the reconfigured right-of-way, a portion of the building in Phase 5 at the second point of ingress/egress encroaches into the front yard setback area. Staff also noted that the plan should be revised to remove the encroachment or a variance sought after through the Municipal Board of Zoning Appeals. Staff further stated that the site plan does not reflect the revised density calculations for the development since the re-platting of the right-of-way area.

Staff stated that due to the nature of the multiple lots within the PUD and due to the design of the vehicular and pedestrian circulation, a joint-use access and parking easement will be needed for the properties. Staff also stated that a site plan needs to be submitted reflecting the proposed buildings in relation to the proposed property lines (Item 6b). Staff added that the proposed development adjoins the West Prong Little Pigeon River and the Dudley Creek Floodplain Areas. Staff noted that the proposed development encroaches into the 100 year and 500 year floodway and floodplain areas. Staff further stated that the designers should be aware that all structures must be elevated at a minimum of 1’ above the 100-year base flood elevation and any structure containing overnight sleeping accommodations will have to be elevated to 1’ above of the 100-year base flood elevation and be located at or above the 500-year with floodway elevations. Staff pointed out that prior to the issuance of any development permits, and the bond/letter of credit for the Park Lane Right-of-Way will have to be secured. Staff finally stated

that the revised final site plan lacks the building elevations, sign locations, legal documentation, E-911 approval, Sanitation Department's approval, Utilities Department's approval, TDOT's approval, and revised TDEC's approval.

Chairman Maples inquired about a turn lane. Mr. James Temple was present and stated that the entrance to the property has been revised at TDOT's request due to the curvature and line of sight on Parkway. Mr. Seavy questioned if a traffic light will be incorporated at the first curb cut on Parkway. Mr. Temple stated that a traffic light will not be incorporated at this time because of the four-way traffic light at Dudley Creek Road. Mrs. Soehn questioned the Park Lane access to Herbert Holt Park. Mr. Temple stated that Park Lane will be the City's right-of-way and that the movements into and from the park have not been lessened from the current access conditions. Staff stated that at the last submittal a "No-Rise" certification was provided by the engineer. Mr. Temple noted that the "No-Rise" certificate was for both the 100-year and 500-year flood events. Mr. Temples explained that as the drawings are finalized then developer may be back with revisions to the final site plan. Staff questioned Mr. Temple about utilities approval. Mr. Temple stated the Utilities Department approved the utilities plans last fall. Chairman Maples questioned if there were any issues with the sewer capacity. Mr. Temple responded that a letter was issued from Mr. Dale Phelps and the City's engineer that approved the demand numbers for the development. Staff stated that upgrades have been made to the wastewater treatment plant which has helped with the process. After further discussion, Mrs. Dana Soehn made a motion to grant revised final PUD site plan approval subject to the lacking items. Mr. Don Smith seconded the motion, which passed with all members voting aye.

**d) Review and consideration for a commercial site plan for "Open Hearth," Tax Map 126N, Group C, Parcels 1 and 2, located at 1138 Parkway, C-1 zone, requested by GO Partners, LLC.**

Staff presented the request for a commercial site plan. Staff stated that the proposed commercial site plan reflects a porch addition to the existing commercial building and grading of the site for a new driveway. Staff added that the property is approximately 1.60 acres and adjoins the National Park. Staff also stated that the property is accessed via two existing curb cuts along Parkway. Staff added that the plan reflects the widening of the curb cut located at Traffic Light #10 from the existing width of 24' to 43' to accommodate a more functional access to the upper parking area. Staff noted that the zoning ordinance requires that points of ingress/egress not exceed 26'. Staff pointed out that the developer has made application for a variance to the Municipal Board of Zoning Appeals for the additional curb cut width. Staff explained that the Utility and Building Inspections Departments have raised an issue about the existing grease trap on the property and the proposed porch addition potentially being located over the top of the grease trap. Staff added that the Utility Department has asked that the grease trap be abandoned if it is not needed for the development and the sewer connection capped to prevent infiltration. Staff also stated that the Building Inspections Department has noted that a geo-technical engineer will have to certify the stability of the soil over the grease trap if it is to remain or remove the grease trap. Staff added that the Building Inspections Department also stated that if the grease

trap is to be removed it will have to be removed down to undisturbed soil or compacted fill verified by soils engineer. Staff pointed out that the applicant should consult with both departments prior to requesting any construction permits. Staff further stated that the landscape plan submitted lacks the 5' buffer strip along the property line with the National Park due to the existing retaining wall. Staff also stated that the tree counts and landscaped areas required have been provided for elsewhere on the property. Staff finally stated that the plan lacks approval from the Utility Department and Sanitation Department.

Mr. Jay DeFoe was present and stated that the biggest challenge for the property is getting people from the roadway up to the building, and as a solution the property owner is relocating the driveway and incorporating a porch with a stairway system from the lower parking area. Mr. DeFoe explained that the porch will be log and heavy timber construction with a stone veneer. Staff stated that the Utilities Department and they have indicated approval of the plan with the exception of the grease trap. Mr. DeFoe stated that once a tenant is finalized for the space then the owner's will address the grease trap issue. After further discussion, Mr. Phil Nemeth made a motion to grant commercial site plan approval subject to the lacking approvals being submitted to staff. Mr. Don Smith seconded the motion, which passed with all members voting aye.

**e) Review and consideration for a commercial site plan for "The Shoppes at Gatlinburg Town Center," located at 739 Parkway, C-1 zone, requested by Chad Kennedy.**

Staff presented the request for the commercial site plan. Staff stated that the proposed development consists of a 17,718 square feet, three story commercial building with 17 parking spaces. Staff noted 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 also noted that a landscape plan has been submitted for the parking area and has been included in the packet of information. Staff added that the Utilities Department and Fire Department have reviewed the proposed utilities plan. Staff explained that both departments feel as though the FDC connection, the fire hydrant, and the back flow preventer need to be placed to the rear of the swimming pool. Staff also stated that the site engineer has resubmitted the utilities plan for review and consideration by the Fire and Utilities Departments. Staff added that it is anticipated that their review will be complete by the meeting date. Staff also stated that the Utilities Department is requesting that the engineer and surveyor submit a detailed plan for the utility corridor that comes from River Road to service the proposed building. Staff pointed out that the design engineer should consult with both departments about these issues. Staff noted that the plan also lacks a solid waste collection plan and approval by the Utilities Department and E-911. Staff has discussed the drainage and erosion control plan with the civil engineer who has explained that due to the uniqueness of the property and the basement design, the traditional best management practices would not necessarily be effective at this site. Staff further stated that the engineer has recommended that an approach would be to apply specific techniques as needed in the field, to prevent sediment run-off and to create specific filtration devices to remove any excessive debris and liquid generated during construction activities.

Staff noted that the Utilities Department is given a preliminary approval of the revised utilities plan but added that the design engineer will need to show the details and location of the back flow preventer. Staff further noted that the Utilities Department has indicated that the back flow preventer will need to be located near the proposed fire hydrant. Staff stated that a solid waste collection plan needs to be resolved with the Sanitation Department. Staff also noted that a drainage/erosion control plan by the engineer has been received; however the plan lacks E-911 approval. After further discussion, Mr. Don Smith made a motion to grant commercial site plan subject to the lacking information and signatures. Mr. Larry Claiborne seconded the motion, which passed with all members voting aye.

**f) Review and consideration for a minor subdivision of Tax Map 126F, Group B, Parcel 21, located at 572 Greystone Heights Road, R-1 zone, requested by Jimmy and Judith Mason.**  
This item was removed from the agenda at the request of the surveyor. Mr. Don Smith made a motion to remove the agenda item. Mr. Phil Nemeth seconded the motion with all members voting aye.

#### Unscheduled Items

At the Board's request, staff passed out the current PUD site plan, commercial site plan, and plat checklists, along with a list of acceptable lacking items for each checklist. The Board and staff discussed the list of lacking items. The Board then directed staff to develop a policy for lacking items and present the policy as an official agenda item at the April meeting.

#### 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. Jason Seavy.

#### Approved:

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**Planning Commission Secretary**

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**Date**