

**MINUTES OF THE
GATLINBURG MUNICIPAL/REGIONAL PLANNING COMMISSION
March 21, 2019
THURSDAY, 5:00 P.M., CITY HALL**

MEMBERS PRESENT

Robert Maples
Larry Claiborne
Don Smith
Bud Ogle

MEMBERS ABSENT

Kirby Smith
Charlie Moore
Jackie Leatherwood

OTHERS PRESENT

Juli Neil
Bob Bentz
Marty Nicely
Gorden Brugman
Kacie Huffaker

Staff Representatives: David Ball, Building & Planning Director
Joe Barrett, ETDD

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Robert Maples called the meeting to order at 5:00 P.M. The minutes of the February 21, 2019 meeting were unanimously approved following a motion by Mr. Larry Claiborne and a second by Mr. Don Smith.

STAFF REPORT

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

OLD BUSINESS

NEW BUSINESS

Review and consideration for a site plan approval for “Anakeesta Observation Tower,” being Tax Map 126M, Group A, Parcel 33.03, C-1 Zone, located at 147 Baskins Creek By-Pass, requested by Cantrell Engineering & Surveying, LLC.

Staff presented the request for a revised PUD site plan approval for an observation tower addition to the “Anakeesta” development located at 147 Baskins Creek Road By-pass. Mr. Bob Bentz was present and gave the Board a brief overview of the tower addition. Mr. Bentz further presented visual information related to the Hillside Overlay District and stated that the tower would not be visible from any significant streets or downtown. Mr. Bentz noted that the upper observation deck is only 30’ above grade and the total tower just above 50’ in height. Mr. Bentz stated that the structure would consist of a stone base and be very similar in aesthetics as the other structures associated with “Anakeesta.” Staff added that the proposed tower site plan depicts a 32’ x 32’ tower base and that the tower location appears to be located on or immediately adjacent a property line boundary. Staff added that the proposed location may be a conflict with building code setback requirements and may require special fire rating of the structure in accordance with the adopted IBC Code Requirements. Staff noted that the PUD regulations allow for the property to develop under the underlying zoning district setbacks in commercial instances and therefore the 0’ setback is permissible. Staff further noted that discussions with Mr. Bentz has occurred regarding the consolidation of the properties to avoid boundary issues with the building and future buildings to be constructed on the property. The plan also depicts the addition of a proposed storm water detention area south of the tower location for the additional structure addition. However, no storm water calculations have been provided at this time.

Staff stated that the site plan lacks the following information: revised density information for the overall development; landscaping plan; fire department access; Hillside Overlay District screening information; utility plan; pedestrian access plan; Note, the flag element depicted exceeds the allowable height limits for flags and therefore may not be approved unless a variance is granted by the Municipal Board of Zoning Appeals.

Following a brief discussion, Mr. Larry Claiborne made a motion to approve subject to the lacking items and approvals which was seconded by Mr. Don Smith. The motion was unanimously approved by the Board with all members voting "aye."

Review and consideration for a final PUD site plan for "Laurel Estates-Phase 3," being Tax Map 117, Parcels 194.00 & 197.00, C-2 Zone, located on Whittles Way, requested by Norvell & Poe Engineers, LLC.

Staff presented the request for a final PUD site plan approval for "Laurel Estates Phase 3" located off Laurel Lane and Reba Lane, to incorporate an additional 13 units into the existing Planned Unit Development. Staff stated that the plan depicts an extension of the existing PUD development into an adjoining 7.5 acres and that the PUD involves the consolidation of Tax Map 117, Parcels 194, 197, and 216 to create the larger PUD property. The consolidation will require a future submittal of a subdivision plat to finalize the reconfiguring of the PUD property into a single parcel. Staff noted that a final subdivision plat to consolidate the properties would be presented at the April meeting. Staff presented the Board with revisions to the project and gave a brief overview of the changes. Ms. Kacie Huffaker, project engineer was present and assisted with questions from the Board regarding the site.

Staff noted that the property is zoned C-2 and lies west of the existing PUD development. The plan shows a new road to be constructed off of Whittlers Way to serve seven (7) of the proposed 13 units. The remaining six (6) units will be accessed from Whittlers Way. The plan depicts a road length of approximately 540 feet at a proposed pavement width of 22' wide. The road grade for the new section of road does not exceed 13.74% grade which is less than the maximum allowed of 15%. Ms. Huffaker advised that the terminus point of the road is shown as a T-turnaround and has been revised to a grade not to exceed 3% grade.

Staff added that the PUD plan depicts the extension of the water service into the new section of the development with an addition of two (2) fire hydrants to provide fire protection. The plan indicates that a 6" gravity sewer line will be extended to a connection in Glades Road to provide service to the new units. The water line will be a 6" ductile iron line that will connect to the existing water line in Whittlers Way. The utilities will need to be approved and coordinated with the Utility Department. Ms. Huffaker also provided an overall plan depicting the overall net gain of units for the entire development. Staff also noted that a drainage plan has been provided which shows a new storm water drainage system to be extended to an existing detention basin. Also, Ms. Huffaker confirmed that the analysis of the storm water and detention basin have been provided which indicates that the existing system will meet the minimum standards of the adopted storm water ordinance.

The final PUD site plan lacks the following: the revised legal documents incorporating the additional phase into the overall development will be needed to be provided prior to the issuance of development permits for Phase III; building elevations. Staff also noted that for areas of 30%

slope and greater, a Geotechnical Engineer's report in accordance with the Critical Slope Floating Zone requirements will be required as part of the PUD plan. Following a brief discussion, Mr. Bud Ogle made a motion to approve subject to the lacking items and approvals which was seconded by Mr. Larry Claiborne. The motion was unanimously approved by the Board with all members voting "aye."

Review and consideration of a re-subdivision and right-of-way abandonment of the "Stephen Whaley Addition Subdivision," and Tax Map 126N, Group J, Parcel's 2, 3, 5, 7, & 15, Tax Map 126M, Group A, Parcel 33.04 located at 204, 210, 110 & 117, Bishop Lane, Stephen Lane, and 184 Newton Lane, C-2 Zone, requested by Cantrell Engineering & Surveying, LLC.

This item was removed from the agenda at the applicant's request.

Review and discussion of changes to the adopted "Flood Damage Prevention Ordinance" related to the referenced "500 Year" elevation requirements for structures containing overnight sleeping accommodations and the TVA Flood Study.

Staff presented the request Review and discussion of changes to the existing Floodplain Overlay District and the Flood Damage Prevention Ordinance related to the 500 year flood elevation and the TVA Study. Staff stated that the purpose of this request is to discuss potential changes to the current floodplain regulations. The current Federal Emergency Management Agency (FEMA) standards and minimum requirements for floodplain development is to maintain a minimum of 1 foot above the 100 year flood elevation based on the FEMA Flood Study and Flood Insurance Rate Maps (FIRM's) for all types of development. In the adopted regulations of the City are references to the FEMA information and an additional reference to the Tennessee Valley Authority (TVA) Flood Report dated September of 1982. The City has always required a minimum of 1' above the 500 year flood elevation for structures with sleeping accommodations. Further, the City has required observation of the 500 year floodway as mapped by the TVA Report. As you may know, the original and current FEMA maps originated from the TVA Flood Report. However, in May of 2009 the FEMA mapping was updated based on a new datum.

Staff explained that in recent months the City has experienced considerable redevelopment of properties within special flood hazard areas as a result of the 2016 wildfires. It has been the observation and concern of the Planning Staff that while the TVA Report is a good source of reference when the FEMA Study fails to provide certain information such as a floodway boundary, etc., most surveyors and engineers are more accustomed to utilizing the FEMA mapping and study information in preparing flood elevation certificates and boundary maps. In addition, the TVA Report is not a document that has or will be updated by the TVA. Most surveyors do a conversion of the data based on the same datum that is used in the FEMA study when providing elevation information, however when providing floodplain boundary overlays the TVA data seems to be in conflict in many areas of the FEMA Study and Mapping.

In an effort to streamline and simplify these issues, it is Staff's recommendation that the FEMA Study and Mapping be the primary source for determining base flood elevations and finished floor elevations for both commercial and residential structures. Rather than reference the TVA Report, Staff recommends that minimum flood elevations consisting of an elevation of one (1) foot above the base flood elevation (100 year flood elevation) be the minimum for all new buildings. Further, to provide an additional freeboard elevation for buildings containing sleeping accommodations, a

minimum of one (1) foot above the 500 year flood elevation be required for finished floor elevations.

It is also recommended that the FEMA Maps be utilized to determine floodway locations for all streams with a mapped floodway. In instances where no floodway has been mapped by FEMA, then in accordance with the adopted Flood Damage Prevention Ordinance, Section 14-306, (3),(j), “When flood elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any flood elevation and floodway data available from a federal, state, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in floodprone areas meet the requirements of this ordinance.” Therefore, in these instances an option to developers would be to use the floodway boundaries as depicted by the TVA Study which is generally associated with the 500 year flood.

After reviewing the Gatlinburg Flood Damage Prevention Ordinance, the following sections have been identified as containing a reference to the TVA Study as an adopted source and/or reference to the 500-year flood. The following are the applicable sections identified:

- Section 14-304, Definitions:
 - (12) Elevated Building
 - (20) 500-year flood
 - (22) Flood elevation
 - (26) Flood hazard area
 - (36) Floodway

- Section 14-305, General provisions:
 - (2) Basis for establishing flood hazard areas

- Section 14-307, Provisions for flood hazard reduction:
 - (2)ii, Specific standards
 - (3), Standards for flood hazard areas with established flood elevations and with floodways designated
 - (3)a, Encroachments
 - (4)a Standards for flood hazard areas with established flood elevations but without floodways designated
 - (4)d Standards for flood hazard areas with established flood elevations but without floodways designated
 - (8)a Standards for unmapped streams

- Section 14-308, Variance procedures:
 - d, Powers, ii, Variance Procedures – Subsection (E).

In addition, it is recommended that the correct state agency be referenced in the definitions of Section 14-304 and notification requirements referenced in Section 14-306(3)(c) from the EC&D, LPAO to the Department of Environment and Conservation. Following a brief discussion, Mr. Larry Claiborne made a motion to direct Staff to move forward with the proposed changes to be

presented at a later date. Mr. Don Smith seconded the motion which was unanimously approved by the Board with all members voting "aye."

Unscheduled Items

Staff advised the Board that Mr. Marty Nicely, Recreation Director, was present to request an approval for the "Mynatt Park Improvements Plan," associated with the City's Local Parks and Recreation Fund Grant Application. Mr. Nicely explained that the improvements are primarily focused on improving accessibility in accordance with ADA Requirements throughout the Mynatt Park area. Mr. Nicely then presented an overview of the proposed improvements plan describing the various upgrades and site changes related to Phase I of the plan. Mr. Nicely stated that the project would consist of approximately a million dollars in ADA improvements to the park with half (\$500,000) of the funding being provided with the LPRF Grant from the State and the remaining to be matched by the City.

After a brief discussion, Mr. Don Smith made a motion to approve the site plan for the Mynatt Park Improvements. Mr. Bud Ogle provided a second and the motion passed with all members voting "aye."

Adjournment

The meeting was adjourned at 5:40 p.m. upon a motion by Mr. Don Smith and second by Mr. Bud Ogle which was unanimously approved by the Board.

Approved:



Planning Commission Secretary

4-18-19

Date