



# PLANNING COMMISSION MINUTES March 2, 2017

The regularly scheduled meeting of the Sevierville Regional Planning Commission was held at the Civic Center, 130 Gary Wade Blvd., Sevierville, Tennessee on Thursday, January 5, 2017 at 5:26 P.M.

There were present and participating:

## **MEMBERS PRESENT**

Lyle Overbay, Chairman  
Jim Arwood, Vice Chairman  
Vincent Snider, Secretary  
Bryan Atchley, Mayor  
Wayne Helton  
Daryl Roberts

## **MEMBERS ABSENT**

Conley T. Murrell

## **STAFF PRESENT**

Pam Caskie, Development Director  
Butch Stott, Director of Code Enforcement  
Judi Forkner, Senior Planner  
Dustin Smith, Planner/Recording Secretary  
Jim Ellison, Project Manager

Chairman Overbay declared a quorum present and announced the meeting would proceed.

## **APPROVAL OF MINUTES**

A motion was made by Mr. Arwood, and seconded by Mr. Helton, to approve the minutes from the January 5, 2017 meeting. The motion passed with a unanimous vote.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **ANNEXATION – REQUEST FOR ANNEXATION AND CONSIDERATION OF PLAN OF SERVICES – PORTION OF RAINBOW ROAD – MICHAEL L. ROSS AND BRIAN LEWIS, PETITIONERS.**

#### **Staff Recommendation**

Ms. Caskie explained the intent for the land being requested for annexation is to develop as a housing mixture involving some workforce housing. She explained staff had a couple of concerns in relationship to sewer access and the state of Rainbow Road. In order to work out these issues and alleviate some of the concerns of the staff a pedestrian bridge has been proposed to cross the river allowing for more pedestrian traffic; it is also proposed to locate the sewer line along this bridge to extend service across the river. She explained a plan of services has been completed and recommended approval.

#### **Action Taken**

A motion was made by Mr. Arwood, and seconded by Mayor Atchley, to approve the annexation request. The motion passed with a unanimous vote.

### **SUBDIVISION – GARRETT AND ASSOCIATES REQUEST A 3-LOT SUBDIVISION APPROVAL FOR T.S. WOODS – 162 KYKER FERRY ROAD (CITY).**

#### **Staff Recommendation**

Mr. Smith explained even though this tract is split by Kyker Ferry it is currently considered one lot. The intent is to separate the residential uses from the existing warehouse. He explained there is a quit claim deed needs to be finalized for a portion of Trena Drive on proposed lot one. Since this is a three-lot subdivision it does require approval of the Planning Commission. Staff recommended approval subject to a finalized quit claim deed, and obtainment of the necessary signatures.

#### **Action Taken**

A motion was made by Mr. Snider, and seconded by Mr. Roberts, to approve the subdivision subject to finalization of the quit claim deed and obtaining necessary signatures. The motion passed with a unanimous vote.

### **SUBDIVISION – W.C. WHALEY INC. REQUESTS A LOT SUBDIVISION – 635 WALL STREET (CITY).**

#### **Staff Recommendation**

Ms. Caskie explained there is some complicated configuration of ownership on the plat presented. She explained the warehouse units are under one ownership and the large building is four units all under separate ownership. Due to tax complications, the owners have requested the parcel be split. Ms. Caskie explained staff has multiple concerns with the way the plat is being presented. Under our current regulations proposed Lot 21R would need to meet the setbacks of the PUD regulations which would be a 25-foot perimeter setback. Neither of the side lot lines

come close to meeting this setback. In addition, there would also be an encroachment into the setback on proposed lot 23R. Ms. Caskie explained since this is dealing with a subdivision it must come before the Planning Commission for approval if there is a variance from what regulations are required. She stated that due to the severity of the variances staff does not feel comfortable recommending approval.

A question was raised as to whether the site currently meets our regulations. Ms. Caskie explained that it did not and is currently nonconforming. She also explained it was difficult to say the layout presented was an improvement of the nonconformity.

Marcus Whaley addressed the Planning Commission explaining the tax bill issues regarding separate ownership of the buildings placed on one common lot and the reasoning behind the subdivision request. He explained he understands the setback concerns, however, the buildings are already existing and if something were to happen they would be required to rebuild in conformity to existing regulations.

#### **Action Taken**

A motion was made by Mayor Atchley, and seconded by Mr. Arwood, on the premise that the existing condition is non-conforming, to approve the subdivision subject to receipt of the necessary signatures. The motion passed with a unanimous vote.

#### **SITE PLAN – MARK FREEMAN ARCHITECTURE PLLC REQUESTS SITE PLAN APPROVAL FOR A HOSPITALITY YOGURT AND COFFEE SHOP – 1259 MIDDLE CREEK ROAD (CITY).**

#### **Staff Recommendation**

Ms. Caskie explained this site plan is for a Sweet Frogs frozen yogurt and coffee shop combination to be located on the corner of Veterans Boulevard and Middle Creek Road. She explained the site plan meets all regulations and staff recommended approval.

#### **Action Taken**

A motion was made by Mr. Snider, and seconded by Mr. Helton, to approve the site plan. The motion passed with a unanimous vote.

#### **SITE PLAN – LECRAW ENGINEERING REQUESTS SITE PLAN APPROVAL FOR RIVER LANDING OUTLOT #2 – 717 WINFIELD DUNN PARKWAY (CITY).**

#### **Staff Recommendation**

Mr. Smith explained this was the last outlot available on the River Landing development. He explained it has a similar development pattern to the recently developed lot and that the overall drainage plan handles this sites stormwater runoff. Staff recommended approval.

### **Action Taken**

A motion was made by Mr. Snider, and seconded by Mr. Roberts, to approve the site plan. The motion passed with a unanimous vote.

### **SITE PLAN – WILLIAM ROBINSON REQUESTS SITE PLAN APPROVAL FOR Y-12 CREDIT UNION – DOLLY PARTON PARKWAY; MAP 50, PARCEL 102.01 (CITY).**

### **Staff Recommendation**

Mr. Smith explained the site plan is for a Y-12 Credit Union located on the corner of Dolly Parton Parkway and Industrial Park Drive. He explained the drainage requirements for this site had not been met at this time. An agreement has been established that these requirements would be addressed on the adjacent site designed to handle the runoff from both lots. Other than the stormwater issue the site plan meets all regulations. Staff recommended approval subject to the submittal of a stormwater design that meets City requirements.

### **Action Taken**

A motion was made by Mr. Arwood, and seconded by Mayor Atchley, to approve the site plan subject to the submittal of a stormwater design that meets regulations. The motion passed with a unanimous vote.

### **SITE PLAN – W.C. WHALEY INC. REQUESTS SITE PLAN APPROVAL FOR APARTMENTS – 513 RAILROAD STREET (CITY).**

### **Staff Recommendation**

Ms. Caskie explained staff believes this site to be overdeveloped and could have a more functional layout. However, she explained this density is allowed in the R-3 zone and the site plan conforms to current regulations. She explained that while staff cannot give a negative recommendation, she does not feel comfortable giving a recommendation of approval.

### **Action Taken**

A motion was made by Mr. Arwood, and seconded by Mr. Helton, to approve the site plan. The motion passed with a unanimous vote.

### **ROW ABANDONMENT – SEVIER DEVELOPMENT GROUP, INC. REQUESTS ROW ABANDONMENT FOR A PORTION OF KILBY STREET (CITY).**

### **Staff Recommendation**

Ms. Caskie explained the main purpose of this abandonment is for the City to quit claim a portion of the right-of-way that encroaches into the building on parcel 049J B 4.00 to the owner. She explained this would get as much of the building as possible out of the right-of-way allowing the owner to proceed with some financing efforts.

Mr. McCrosky addressed the Planning Commission with concerns he owned property on the Kilby Street Right-of-Way. He explained this was the first he became aware of the abandonment and asked the members to hold their vote for further discussion, in which the owner agreed.

### **Action Taken**

A motion was made by Mayor Atchley, and seconded by Mr. Roberts, to table the abandonment request. The motion passed with a unanimous vote.

### **QUIT CLAIM DEED AMENDMENT – SEVIER COUNTY VOLUNTEER FIRE DEPARTMENT REQUESTS A QUIT CLAIM DEED AMENDMENT – INDUSTRIAL PARK DRIVE (CITY).**

### **Staff Recommendation**

Ms. Caskie explained this is a request by the Sevier County Volunteer Fire Department to amend their original quit claim deed that was recorded for the abandonment of a portion of right-of-way on Industrial Park Drive. The current deed on record requires the abandoned portion of the right-of-way to revert to the city upon use of the lot for anything other than a fire department. She explained that recently a portion of a portion of Industrial Park Drive was abandoned and quit claimed to Pathways Church without such language required in their quit claim deed. SCVFD is requesting the revert language be removed from their quit claim deed on this basis. Ms. Caskie explained staff has no issue with the removal of this language, and recommended approval.

### **Action Taken**

A motion was made by Mr. Snider, and seconded by Mayor Atchley, to approve the amendment request. The motion passed with a unanimous vote.

### **STAFF REPORTS**

Ms. Caskie discussed various development standards and asked the Planning Commission for their review an input.

Mr. McCrosky expressed concerns with the new ordinance proposal.

Mr. Rotan discussed his concerns regarding the grandfathering of uses.

A determination was then made by the Planning Commission members that a decision on the forward progression of the proposed ordinance would be made at the April meeting.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 6:28 P.M.

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Lyle Overbay, Chairman

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Vincent Snider, Secretary

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Dustin Smith, Recording Secretary