

Minutes
Baneberry Planning Commission
April 25th, 2024, 4:30p.m.
Baneberry City Hall

I. Call to Order:

Chairman Carter called the meeting to order at 4:32pm

II. Roll Call:

- A. Tom Carter, Chairman-Present
- B. Donna Hernandez, Mayor-Present
- C. George Davis, Secretary-Present
- D. Jim Stover-Present
- E. Karl Kammann-Present
- F. Michael Harriss-Present
- G. Doug Catt-Present

III. Public Comments:

- A. Jackie Gorrell, 414 Carmel Court, wanted to know if there was an update to the Ordinance governing trailers parked in front of Condos. She, once again, requested the Ordinance be updated to accommodate Condos. Ms. Gorrell also inquired about the trailer parked in front of the Baneberry Inn.
- B. Charles Kite, 9925 Tierra Verde, Knoxville, lawyer for Darrell Keene, pointed out that Mr. Keene's building permits were not on the agenda. He stated that at the March 4th meeting he was told the building permits would be on the April agenda. He anticipates they will be on the May agenda, particularly with what is happening at the State level.
- C. Darrel Keene, 419 Riverdale Drive, Sevierville, stated that he was told he was not supposed to be at the ETDD meeting. He also stated that he was told that 1/2 of the meeting was concerning him. He claims this is a clear conflict.
- D. Ken Glover, 3415 Mountain View Lane, Baneberry, inquired about the status of the golf course. He asked if he should expect development like what is happening at the end of Harrison Ferry Road at Nina Road.
- E. Shane Collins, Morristown, TN, inquired about minutes being posted on the City of Baneberry website once approved.

IV. Approval of Agenda:

Doug Catt made a motion to approve the agenda with the removal of item B: Proposed New Construction/Building Permit Moratorium, under New Business. Karl Kammann 2nd. Passed 6-0, with Michael Harriss abstaining.

V. Approval of Minutes:

Donna Hernandez made a motion to approve the minutes for April 1st, 2024. Michael Harriss 2nd. Passed 6-0 with Jim Stover abstaining.

VI. Communication from the Chairman: None

VII. Communication from Planning Commissioners:

- A. Karl Kammann inquired about the motion to remove New Business item B from the agenda.
- B. Michael Harris inquired about additional thought or progress toward a Comprehension Plan. He also referred to the 2015 document. Envision Baneberry. CM Phagan stated that he is in the process of reading and reviewing Envision Baneberry. He referred to Jordan Rockwell, ETDD representative, who stated that he can assist with managing the process of developing a Comprehension Plan. However, he suggested the City procure a consultant to guide and advise through the process of developing the Comprehensive Plan.
- C. Michael Harriss inquired about the start time for the Planning Commission meetings. He asked the Planning Commission if the time could be later so that residence who work can attend. He stated that he is sympathetic to their situation. He referred to the ETDD consultant, Jordan Rockwell, to see if he can attend at a later time. Once Mr. Rockwell confirmed he could attend, Mr. Harriss made a motion to change the start time of the Planning Commission meetings to 6:00pm for the fourth (4th) Thursday of each month. Doug Catt 2nd. Passed 6-1 with Karl Kammann voting "no".
- D. Tom Carter inquired about an ordinance that would prevent the further division of single lots. He asked if a meeting needed to be scheduled to investigate this further. CM Phagan stated that he will check with MTAS on this process and the next steps.

VIII. Communication from City Manager:

A. East Tennessee Development District (ETDD)

- CM Phagan explained the role of the ETDD representative, Jordan Rockwell. Mr. Rockwell will be attending the Planning Commission meetings as a consultant and in an advisory manner. Therefore, the Planning Commission will now meet the 4th Thursday of each month at 4:30pm, because Mr. Rockwell is unavailable on the first Monday of the month.
- CM Phagan introduced Jordan Rockwell. Mr. Rockwell then gave a brief description of his credentials. He stated that Baneberry is the tenth (10th) community he has worked with, and he has 6 ½ years of experience with ETDD. Mr. Rockwell also stated that he would leave his contact information with CM Phagan in case anyone wants to consult with him.

B. Building Official Report

CM Phagan reported that, due to the change in the Planning Commission meeting to the 4th Thursday of the month, the Building Official report will be presented at the May 23rd, 2024, meeting.

IX. Old Business:

Review and Recommend additional updates to ordinances and codes related to building, site development/improvement, zoning, subdivision, and roads.

- George Davis made a motion to delete the language in Ordinance 212-5, 722.1 and 712.1. Doug Catt 2nd. Donna Hernandez voted “no”. Motion passed 6-1.
- George Davis made a motion to recommend that, moving forward, all utilities are underground. The Ordinance will be presented to the Planning Commission at the May 23rd, 2024, meeting. Michael Harriss 2nd. Passed 7-0.

X. New Business:

- ### **A. Daniel and Celia Napier: Final Subdivision Plat Approval for Lot #1 Nina Rd/Iron Gate.**

CM Phagan conveyed that the owners had requested that this be postponed until the next Planning Commission meeting due to issues with the septic approval.

Mr. Rockwell explained that the Planning Commission can approve plans with contingencies. For example, plans can be approved with the contingency of a septic permit, since septic permits tend to take the longest to acquire.

Doug Catt made a motion to postpone the final Submission Plat approval to the next meeting, rather than approving it now contingent on other signatures. Donna Hernandez 2nd. Passed 7-0.

B. Proposed New Construction/Building Permit Moratorium

Item deleted, through a motion under agenda item IV.

XI. Adjournment:

Donna Hernandez made a motion to adjourn at 5:10pm


Planning Chairman, Signature


City Manager, Signature

5-23-24
Date