

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, JULY 26, 2016, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Jay Ogle, Chairman
Jeff Dodgen
Jerry Clark
Judy Harrell
Stephen Houser
Tony Kyker

MEMBERS ABSENT

Tom Marsh

OTHERS PRESENT

David Taylor, Karl Kreis, Brandon Williams, Jerry Hanson, Sammy Ownby, Bill Higgins, Laura Howard, Jackie Barnes, David Hurst, Sam Mosier, Kacie Kuffaker, Rod McCarter, Lance Cooper, Carol Muzick, Ron Rader, Richard Greene, Mimi Kulp, others.

Jim Gass, City Attorney
Midge Jessiman

PLANNING COMMISSION

CALL TO ORDER

Chairman Ogle noted that a quorum was present.

APPROVAL OF MINUTES

Commissioner Houser made a motion to approve the July minutes. Commissioner Clark seconded and all voted in favor.

OLD BUSINESS

None

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

1. Sevier Starz – Donut Dash 5k, Saturday, October 22, 2016, City Parking Lot –Greenway – Patriot Park, Laura Howard.

Laura Howard was present and briefly explained her event.

STAFF RECOMMENDATION

Staff explained that the route had to be adjusted due to it being a busy time at Patriot Park and the City Park Lot. He said the request was in order and that the city department administrative review committee recommends the event. He stated that they would need 1 million dollars liability insurance with the city listed as “additional insured.” Ms. Howard was fine with providing insurance.

ACTION TAKEN

Commissioner Clark made a motion to approve the request. Commissioner Houser seconded and all voted in favor.

2. Smoky Mountain Sevier ABWA – Jingle Jog 5k Run & Walk, Saturday, November 12th, 2016, Patriot Park – Greenway – City Parking Lot, Carol Lindsay.

Jackie Barnes was present. She agreed to conditions of city department administrative review committee (see below).

STAFF RECOMMENDATION

Staff reported that the city department administrative review committee recommended approval with the following conditions/recommendations. Applicant needs to understand that there is parking difficulties at Patriot Park that time of year, vendors are shown near center of park but must be located near the pavilion, need to contact Street or Parks Departments to get power in the park, need Fire Department approval for cooking areas, need sound permit and business license, need to contact Sanitation Department for trash cans, and need \$1,000,000 liability insurance with

the City as additional insured to Parks Department. Staff recommended in favor of the request with the conditions of the city department administrative review committee.

ACTION TAKEN

Commissioner Harrell made a motion to approve the request per staff's recommendations. Commissioner Dodgen seconded and all voted in favor.

B. Subdivisions

- 1. Final Minor Re-Subdivision of Conner Heights Subdivision Lots 96 – 101, 127 – 130, & 144 – 146, Conner Heights Road and Indian Knob Circle, David Hurst & Carol Muszik.**

David Hurst and Carol Muszik were present.

STAFF RECOMMENDATION

Staff said the plat is in order and recommended approval with all required signatures.

ACTION TAKEN

Commissioner Dodgen made a motion subject to signatures. Commissioner Harrell seconded and all voted in favor.

C. Planned Unit Developments (PUD)

- 1. None.**

D. Site Plans

- 1. Collier Development Co., Inc., Site Plan, 2772 Florence Drive, Derick Jones – Sterling Engineering, Inc.**

Architect Sam Mosier was present. He explained the different phases of the site plan.

STAFF RECOMMENDATION

Staff Planner Taylor said that this is a proposed 12,500 square feet office building. He said that staff has just received the latest plans which show a landscape island removed and heavy pavement added to assist solid waste removal. He continued that the solid waste plan will not be completed until the second phase, so there will be no solid waste removal service on-site until that it completed (approximately two weeks). Mr. Mosier understood and they plan to use nearby dumpsters they own during that time. Staff recommended in favor of the request.

ACTION TAKEN

Commissioner Harrell made a motion to approve the site plan. Commissioner Clark seconded and all voted in favor.

2. Honey Baked Ham, Revised Site Plan, 2750 Teaster Lane, Kacie Huffaker – Norvell and Poe Engineers, LLC.

Kacie Huffaker was present and briefly explained the site plan revision. She said that a landscape island and a parking space will be removed to add outdoor dining and a cooler was being added to the back.

STAFF RECOMMENDATION

Staff Planner Taylor said that there is plenty of surplus parking to remove the parking space and adding 12 seats to the patio. He stated that there are utility meters and backflow preventer in the landscape island, but they have worked with Public Works to move the backflow and are getting special covers for the meters. He continued that no tables should be placed on the covers and the site plan shows compliance with this condition. He recommended in favor of the request.

ACTION TAKEN

Commissioner Clark made a motion to approve the request. Commissioner Dodgen seconded and all voted in favor.

3. LeConte Village, LLC. – Storage Building Phase III Parking Area, Revised Site Plan, The Island Drive, Robert Johnson – Civil And Environmental Consultants, Inc.

Rod McCarter was present. He explained they are removing three parking spaces to add a storage building.

STAFF RECOMMENDATION

Staff Planner Taylor said the parking spaces were not part of the required parking. He continued that although near the river, there were no flood regulation issues regarding the request. He recommended in favor.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request. Commissioner Kyker seconded and all voted in favor.

4. O'Reilly AutoParts, Site Plan, 325 Wears Valley Road, Hugh Lucas – Wolverton Associates.

Lance Cooper was present and explained the site plan and the process of working with staff through various issues.

STAFF RECOMMENDATION

Staff Planner Taylor concurred that staff has been working through site plan issues with the engineers. He said they have a workable solid waste site, but admitted that plan could change when the adjacent lot is developed since they share an access. He continued that it has been determined that is a wetland at the eastern most part of the plan. He said that approximate three parking spaces will need to be removed from the plan to protect the wetland or the wetland must be mitigated. He said they have surplus parking to lose. He recommended that staff receive an updated site plan and/or permits from the Corps of Engineers and TDEC showing compliance before any building permits are issued.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request subject to staff recommendation. Commissioner Harrell seconded and all voted in favor.

5. The Challenge Dome – Zip Lines, Revised Site Plan, 115 Conner Heights Road, David Hurst & Carol Muszik.

David Hurst and Carol Muszik were present.

STAFF RECOMMENDATION

Staff Planner Taylor said that the original submittal was a Master Plan of the property per request of staff to understand the long range development of the property. He continued that those plans included ziplines, zipcoaster (with tunnels), new parking areas, cabins, and other attractions. He stated that those plans for the property are ambitious and the site plan itself was busy and hard to understand; yet very little information was provided on how the plans will be achieved. He said staff realized that more engineering and other information is needed before staff could recommend. He said the applicant expressed that the ziplines are what they really needed for this month, so the site plan before them was for the ziplines only. He recommended in favor of the ziplines, with no further approvals until full engineering is provided for the rest of the proposed development for the project.

ACTION TAKEN

Commissioner Kyker made a motion to approve the request per Staff's recommendation. Commissioner Clark seconded and all voted in favor.

E. Requests for Rezoning

- 1. Ron Rader, approximately 1.66 acres, (Tax Map 94D, Group A, Parcel 004.00, 004.01, 005.00) & approximately 640 feet of R-O-W of Teaster Lane and 100 feet of R-O-W of Ridge Road, Northeast intersection of Teaster Lane and Ridge Road, R-2 (High Density Residential) District to C-6 (Mixed-Use Commercial) District.**

Ron Rader is present.

STAFF RECOMMENDATION

Staff Planner Taylor said the property is currently vacant and located at the northeast intersection of Teaster Lane and Ridge Road (pictures and map of property were shown). He stated these properties adjoin a current C-6 district across Teaster Lane and Ridge Road. He continued that Teaster Lane is an Arterial Street for which most is already zoned C-6. Through discussion it was revealed that there are adequate water and sewer services to the property. Mr. Taylor explained this proposed rezone also includes a large chunk of R-O-W for both Teaster Lane and Ridge

Road that fills in the proposed expanded district. He said staff had no objection to the request.

ACTION TAKEN

Commissioner Kyker made a motion to recommend the rezoning to City Commission. Commissioner Dodgen seconded and all voted in favor.

F. Miscellaneous Requests or Required Actions

1. Request for a pedestrian-oriented development sign under Section 408.6.3.2.1 of the Zoning Ordinance, The Island at Pigeon Forge (Alcatraz Crime Museum – 3107 Parkway), Stephanie Goins.

Richard Greene was present.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that BZA rejected their request for interpretation to obtain an additional sign at the corner of the building. He explained at that meeting it was revealed that they were trying to get some signage to the back to be seen from the rest of The Island (at Pigeon Forge) development. He said although this museum is zoned C-2 it is still part of The Island PUD master plan and meets criterion for an extra sign of 37.5 feet as a "pedestrian oriented" development. He said The Island is a pedestrian oriented development with walking strongly encouraged/necessary throughout. He said these signs are generally applied for if pedestrians approach a business from the back. He said this situation applies here. Pedestrians on The Island would only see the back of this business. He recommended in favor of the extra sign.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request. Commissioner Clark seconded and all voted in favor.

Planning Region Items

A. Subdivisions

1. None.

B. Planned Unit Developments (PUD)

- 1. None.

C. Site Plan

- 1 None.

D. Requests for Rezoning

- 1. None.

E. Miscellaneous Requests or Required Actions.

- 1. None.

4. Adjournment

BOARD OF ZONING APPEALS

- 1. Call to order
- 2. Old business
- 3. New business

1. Request to revisit Jeep/UTV rental facility in the City Limits, Red Roof Mall, William Higgins.

Williams Higgins was present for the request. He repeated many times that he was confused about the parameters of what he could and couldn't do to operate his business. He says he needs five or more vehicles in the front, preferably in the Parkway R-O-W. He contents he has an office at the back of the Red Roof Mall for which he does business.

STAFF RECOMMENDATION

Staff Planner Taylor reported that Mr. Higgins, and how he conducts business, has been an on-going problem since he got approved to do business at the April BZA meeting. He gave the Board a copy of the April BZA minutes and said they are very specific about the parameters of this jeep rental business. He said most of these specifics were based on Mr. Higgins

and what he said he needed. He said that two jeeps or UTVs could be parked in the front and three had to be placed in back (total of five jeeps). He continued a small sign was to be placed in the window of the two jeeps in front and Mr. Higgins provided a graphic example of what he wanted. He reported the minutes stated he would also need to come back to the Board to increase number of jeeps or to add "slingshots." Mr. Taylor reported it was clear at that meeting and other times that all business was to be done from his Red Roof office and on Red Roof property. Mr. Taylor showed pictures of more than two jeeps in the front and in the Parkway R-O-W. He said they have repeatedly had to stop him from doing business in the Parkway R-O-W, which violates both municipal code and the R-O-W agreement with the State. He reported that they had to cite him to court since he wouldn't comply. He said that Staff still recommends he hold to the initial ruling of the BZA in April. Discussion ensued. Many suggestions were made, most unacceptable to Mr. Higgins.

ACTION TAKEN

After much discussion, Commissioner Dodgen made a motion to allow five jeeps in the front, but out of the Parkway R-O-W, signs can be places in the windshield of two vehicles, and business must be conducted out of his Red Roof office. Commissioner Houser seconded. Commissioners Kiker, Dodgen, and Houser voted to approve the motion; while Commissioners Harrell and Clark voted against the motion. The motion passed by a 3 to 2 margin.

4. Adjournment

The meeting was adjourned at 4:15 p.m.

Jay Ogle, Chairman

Attest: _____