

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, AUGUST 23, 2016, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

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

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Brandon Williams, Jerry Hanson, Sammy Ownby, Dale Carr, David Hurst, Pete Smith, Kacie Huffaker, Rod McCarter, Lonnie Privett, David Proctor, Carol Muzick, Dale Carr, Mike Suttles, Richard Greene, Mimi Kulp, others.

Jim Gass, City Attorney
Midge Jessiman

BOARD OF ZONING APPEALS

1. Call to order
2. Old business
3. New business
 - A. **Request for interpretation of Section 412 (Temporary, Mobile, Factory-Built, or Factory Assembled Structures), Smoky Mountain Alpine Coaster – Shadesail Structure, 867 Wears Valley Road, Jessica Seitz.**

Mike Suttles was present for the request. He showed the Board graphics of a shade device they were proposing. He said it would be permanent in nature

and it would be engineered. He said there are similar devices currently being utilized at businesses in Pigeon Forge.

STAFF RECOMMENDATION

Staff Planner Taylor said that the device was not permanent in nature and would not meet building codes. He continued that it was made of fabric which is not allowed in that section of the zoning. Discussion ensued about what has been allowed in the city. Staff Planner Jessiman said that codes were written for these tent-like temporary structures after the city enter in a lawsuit to stop them. Board member Houser said that the item before them was for interpretation and he felt this was a temporary structure.

ACTION TAKEN

Commissioner Houser made a motion to deny the request; that the proposed shade device was not allowable under Section 412 as a temporary structure. Commissioner Harrell seconded the motion to deny and all voted to deny.

4. Adjournment

PLANNING COMMISSION

CALL TO ORDER

Chairman Ogle noted that a quorum was present.

APPROVAL OF MINUTES

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

OLD BUSINESS

(Moved to end of meeting)

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

1. Pigeon Forge Office of Special Events, 27th Annual Winterfest

Kickoff Event, Tuesday, November 8th, 2016, Patriot Park, Butch Helton.

Butch Helton was present and briefly explained the event. He said the stage is being moved from the parking lot to the field.

STAFF RECOMMENDATION

Staff explained that the request was in order and that the city department administrative review committee recommends the event.

ACTION TAKEN

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

2. Annual Pigeon Forge Rotary Club – Craft Fair Tent, Saturday October 1st through Saturday, October 29th, 2016, Patriot Park, Fred Frische.

Mr. Frische was present and said there were only minor changes from last year.

STAFF RECOMMENDATION

Staff explained that the request was in order and that the city department administrative review committee recommends this annual event.

ACTION TAKEN

Commissioner Marsh made a motion to approve the request. Commissioner Harrell seconded and all voted in favor.

3. Wounded Warrior Project – Warrior 10 mile and 5k Road Race, Saturday, January 28th, 2016, Starts in Sevierville to LeConter Center in Pigeon Forge via Veterans Boulevard and back, Frank Damante.

Mr. Damante was present. He said after looking at alternatives that they plan to use the same route as last year.

STAFF RECOMMENDATION

Staff explained that the request was in order and that the city department administrative review committee recommends the event with \$1,000,000 liability insurance with the city list as "additional insured."

ACTION TAKEN

Commissioner Kyker made a motion to approve the event with the liability insurance. Commissioner Houser seconded and all voted to approve it.

4. Margaritaville Hotel – Retrofoam Conference Demonstrations, Thursday, August 25th and Friday, August 26, 2016, The Island at Pigeon Forge Parking Lot D, Sherry Razo.

Steve Sayers was present and explained their event. He said there is no possibility of foam getting to the nearby creek.

STAFF RECOMMENDATION

Staff explained that the request was in order and that the city department administrative review committee recommends the event with \$1,000,000 liability insurance with the city list as "additional insured." He also said that there is an event at the LeConte Center on Saturday and the trailer must be gone by Friday evening.

ACTION TAKEN

Commissioner Houser made a motion to approve the request with the liability insurance and the trailer being off-site by Friday evening. Commissioner Kyker seconded and all voted in favor.

5. East Tennessee Corvette Club – Adding Car Parade to Event, Saturday, October 8th, 2016, Country Cascades (Sharon Drive) to inside lane of Parkway to Ogle Drive and return via Rena Street, Jan Hammons/Pete Smith.

Pete Smith was present. He said they are asking for police support to have a 100 car parade up the Parkway in conjunction with one of their events. He said city department administrative review committee has concerns about the cars returning to the hotel via Rena Street and disruption to the neighborhood. He said that the cars would continue to Gatlinburg and not return using Rena Street.

STAFF RECOMMENDATION

Staff explained that the city department administrative review committee reviewed the event. He said October is very busy, so the Police Department could only give support to get the cars out on the Parkway together, but they would have to obey traffic laws from there.

ACTION TAKEN

Commissioner Clark made a motion to approve the request with staff recommendations. Commissioner Kyker seconded and all voted in favor.

6. Appeal of Administrative Review Decision: The Christmas Place at Bell Tower Square – Labor Day Tent Sale, Friday, September 2nd through Sunday, September 18th, 2016, 2470 Parkway, Teresa Hughes.

No one was present for this request.

STAFF RECOMMENDATION

Staff explained that the city department administrative review committee reviewed the event. He reminded the Commission that the regulations for special events have changed and that the maximum length for this type event is three days and this is proposed for 16 days. He said the city department administrative review committee voted to deny due to it being proposed too long. He continued that messages were left for the applicant that it was deny and that it was being place on the agenda for appeal. The calls were not returned.

ACTION TAKEN

Commissioner Clark made a motion to deny the appeal. Commissioner Harrell seconded and all voted to deny.

B. Subdivisions

- 1. None.**

C. Planned Unit Developments (PUD)

- 1. Preliminary PUD Plan for Bear Cove Falls PUD, Phase 2, McMakin Drive off Dollywood Lane, Gary Norvell – Norvell and Poe Engineers, LLC.**

Kacie Huffaker was present and explained Phase 2 of this development. She said 15 additional units and extension of private roads and utilities are being proposed.

STAFF RECOMMENDATION

Staff Planner Taylor said that this phase is very challenging land with large cuts and fill required in the design. He said that there is enough information to recommend primary approval but there are some things needed before final. He said that Timeless Way is too steep at the intersection with McMakin Way (7% slope) and that more benching is needed. He said more information is needed on water pressure at that elevation and water design needs more automatic flushers. Mr. Taylor recommended that no construction until after final approval.

ACTION TAKEN

Commissioner Kyker made a motion to approve the request with more road benching and water design/water pressure being satisfactory to staff by final and no construction to commence until final approval. Commissioner Harrell seconded and all voted in favor.

D. Site Plans

1. Country Cascades Hotel – Waterpark Addition, Revised Site Plan, 204 Sharon Drive, Gary Norvell – Norvell and Poe Engineers, LLC.

Kacie Huffaker and Nick Collins were present and explained the waterpark addition. They explained that this feature was for hotel guest only and would not be open to the public and no charges would be collected.

STAFF RECOMMENDATION

Staff Planner Taylor said the site plan addition was in order and he recommended in favor.

ACTION TAKEN

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

2. The Challenge Dome – Master Plan, Revised Site Plan, 115 Conner Heights Road, David Hurst & Carol Muszik.

Mr. Hurst and Ms. Muszik were present. They explained the master plan which adds ziplines, zip-coasters, cabins, Dome coaster, and new parking areas.

STAFF RECOMMENDATION

Staff Planner Taylor said the plans are too busy and hard to decipher. He continued that more engineering is needed throughout. He also stated concerns about clearances of the ziplines and zip-coasters that he said show potential dangerous intersections. Additionally, there was not enough information on parking areas and cabins. He said he could not recommend at this time and recommended the applicant withdrawn the request until the issues are worked out and more information is obtained. Discussion ensued.

ACTION TAKEN

No action was necessary the item was withdrawn by the applicant.

E. Requests for Rezoning

1. LeConte Village, LLC, approximately 1 acre over one and a half parcels, (Tax Map 83J, Group A, Parcel 14.00 & a portion of 19.00) Smoky Drive just northwest with the intersection of The Island Drive, C-2 (Tourist Commercial) District to C-7 (Planned Unit/Public Use Development) District.

Rod McCarter is present. He explained that a similar request was approved by Planning Commission before and this expands on that request. He said that there are plans to develop the property but he could not go into details.

STAFF RECOMMENDATION

Staff Planner Taylor concurred with Mr. McCarter that a similar request was recommended by Planning Commission, but was withdrawn at the City Commission level before any action. He told the Commission that the property would be owned by the owners of The Island and would become part of The Island PUD development. Some Commissioners saw this

request different because it included required parking for the James Manor Hotel. Mr. McCarter assured the Commission that the plans for the property would include parking for the hotel. Commissioners also wondered why they needed C-7 for the plans for the property and were hesitate to approve such a high intensity district close to the Parkway.

ACTION TAKEN

No action was necessary; the item was withdrawn by the applicant.

F. Miscellaneous Requests or Required Actions

1. None.

Planning Region Items

A. Subdivisions

1. Survey of the Parkside Investments, G.P. Property, Pine Mountain Road and Parkview Vista Way, Tim Howell.

Dale Carr was present for the request. He explained that there are five parcels and two cabins per parcel. He said that are seeking water and sewer easements for lines installed.

STAFF RECOMMENDATION

Staff Planner Taylor said that the utilities that they are requesting the easements for were already installed and extended from the Parkside PUD without any Planning Commission approvals. He stated a road was constructed over the utilities from the Parkside PUD that was done in a manner that they were fined by TDEC; again without PC approvals. He said the road cannot meet road grades and connects the Parkside PUD development to these lots. He continued that these lots are functioning as another phase of the PUD development and, as such, full engineering plans (including fire flow) need to come before PC, starting with a revised preliminary PUD plans. He recommended denial of this survey and that full preliminary PUD plans be submitted for this phase of development.

ACTION TAKEN

Commissioner Harrell made a motion to deny the request. Commissioner Clark seconded and all voted to deny.

B. Planned Unit Developments (PUD)

- 1. None.**

C. Site Plan

- 1. None.**

D. Requests for Rezoning

- 1. Parkside Investments, approximately 20 acres over four parcels (Tax Map 105, Parcel 6.00, 6.01, 6.02, 6.03), Pine Mountain Road near the intersection with Little Cove Road, R-1 (Rural Residential) District to R-2 (High Density Residential) District.**

Dale Carr was present. He said the reason for the rezone request is to get higher structures that the R-2 zoning would allow.

STAFF RECOMMENDED

Staff Planner Taylor stated that this property is very steep and not conducive to high density zoning. He continues that it is so steep that one drive was constructed across all frontages to serve these four - five plus acre parcels. He reminded the Commission (from the previous agenda item) that the utilities are served from Parkside PUD and were extended without any Planning Commission approvals. He said no fire flow data has been submitted. He felt this is another phase of the Parkside PUD and full plans showing it as such are needed before considering a high density residential zone. Staff recommends that this request not be recommended to County Commission, that the property remain R-1.

ACTION TAKEN

Commissioner Harrell made a motion to recommend to the County Commission that these Parkside properties remain R-1 zoning. Commissioner Clark seconded and all voted in favor of the motion.

E. Miscellaneous Requests or Required Actions.

1. None.

OLD BUSINESS

Special Event: Revised Site Plan for Pigeon Forge Rod Run, Request to move Rod Run T-shirt sales trailer, Rod Milligan.

STAFF RECOMMENDATION

Staff Planner Taylor said that the event has already been approved. He continued that they are requesting to move the T-shirt trailer from where it was approved (in front of China Bazaar) to in front of Blake Jones Go-carts. He said that it would not be in the Parkway R-O-W, but would take away two R-O-W parking spaces. Mr. Taylor said that although there has not been any incidence, which he knows of, that there, have been safety concerns with the China Bazaar location. Mostly due to too much activity already there with the convenience store nearby. He asked the Commission, that although Mr. Milligan was not present, to allow the special events site plan revision due to safety concerns at the approved location.

ACTION TAKEN

Commissioner Houser made a motion to approve the special events site plan revision. Commissioner Marsh seconded and all voted in favor.

4. Adjournment

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

Jay Ogle, Chairman

Attest: _____