

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, SEPTEMBER 26, 2017, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Jay Ogle, Chairman
Jeff Dodgen
Tom Marsh
Tony Kyker
Stephen Houser
Jerry Clark
Laurie Taylor

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Brandon Williams, Mark Miller, Sammy Ownby, Jerry Hanson, Marcus Whaley, Mimi Kulp, Jay Stewart, Matthew Sprinkle, Marvelle Sewell, others.

Midge Jessiman
Jim Gass – City Attorney

BOARD OF ZONING APPEALS

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

A. Request for variance to allow a zero setback instead of the required 15 feet in an R-1 district or to allow an accessory building in a side yard and setback zero feet instead of the required five feet, 2003 Center Road, Randall Myers.

Mr. Stewart was present for the request. He explained his request and had pictures. He is proposing to build a wooden cover for his RV. He said he currently uses a tarp but feels a built cover would look better. He said his

neighbor is okay with this. He says it is too steep to put in the rear yard of the property.

STAFF RECOMMENDATIONS

Staff Planner Taylor said that (if attached) the setback required is 15 feet from property line and he proposes it on the property line. He agreed that it is steep behind where he wants it; but continued that on the other side of his property is less steep. He reported that Mr. Stewart already has an accessory structure in the rear yard without any permits. Mr. Taylor said this proposal plus the existing building would likely be in excess the 20 percent maximum allowed. Mr. Taylor said that there is no hardship since he could put it in the back as explained. Discussion ensued.

ACTION TAKEN

Commissioner Houser made a motion to deny both requests finding no hardship/grounds for either allowing a zero side setback or to allow accessory building in a side yard setback.

Commissioner Clark seconded and all voted to deny it.

B. Request for interpretation as to whether an intensive outpatient program/ counseling center is a permitted use in a C-4 District, Shops of Pigeon Forge, Suite 18 – 169 E. Wears Valley Road, Matt Johnson – LifeChangers.

This item was withdrawn before the meeting.

ADJOURNMENT

Commissioner Houser made a motion to adjourn the BZA. Commissioner Dodgen seconded and all voted in favor.

The meeting was adjourned at 3:15 p.m.

PLANNING COMMISSION

CALL TO ORDER

Chairman Ogle called the meeting to order.

APPROVAL OF MINUTES

Commissioner Marsh made a motion to approve the Planning Commission minutes for the meeting August 22, 2017. Commissioner Dodgen seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Pigeon Forge Office of Special Events, 28th Annual Winterfest Kickoff Event, Tuesday, November 7th, 2017, Patriot Park, Butch Helton (Public Property).**

Mr. Helton was present and reported only minor changes to last year's event.

STAFF RECOMMENDATION

Mr. Taylor stated 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 event. Commissioner Dodgen seconded and all voted in favor.

- 2. Annual Pigeon Forge Rotary Club – Craft Fair Tent, Saturday, September 30th through Saturday, October 28th, 2017, Patriot Park, Fred Frische (Public Property).**

Several Rotarians were present to represent the request.

STAFF RECOMMENDATION

Mr. Taylor stated the request was in order and that the city department administrative review committee recommends the event.

ACTION TAKEN

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

3. Sevier Aquatic Club (SAC) – Fall Kickoff 2017, Saturday, October 7th and Sunday, October 8th, 2017, Community Center Pool, Spencer Royer (Public Property).

Breckenridge Morgan was present. He said the tent is needed for overflow crowd as the pool area is small.

STAFF RECOMMENDATION

Staff Planner Taylor said that the only part of the event that needs special event approval is the outdoor tent. He said the rest is inside the Community Center. He stated the request was in order and that the city department administrative review committee recommends the event.

ACTION TAKEN

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

4. Sugarlands Mountain Fest – Tour de Smokies Bike Ride, Saturday, September 30th, 2017, (South) Parkway, Dollywood Land and Upper Middle Creek Road, Kate Barido (Public Property).

No action was necessary the item was withdrawn before the meeting.

5. East Tennessee Corvette Club – Car Show & Cruise, Thursday, October 5th through Sunday, October 7th 2017, Country Cascades (204 Sharon Drive) to inside lane of Parkway to Ogle Drive and return via Rena Street, Phil Harless/Pete Smith (Public Property).

Mr. Pete Smith was present for this annual event.

STAFF RECOMMENDATION

Staff Planner Taylor said there is some confusion from the way the event is listed. He continued they need PD support to get to the outside lane of the Parkway. It was noted that PD did not want the cars returning in a group via Ogle Drive and through the residential neighborhood. They were

to return to Country Cascades individually using various routes as they did last year. Mr. Taylor stated the request was in order and that the city department administrative review committee recommends the event.

ACTION TAKEN

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

6. Jesus is Coming March, Saturday, September 30th, 2017, Parkway – Light #10 to North City Limits, Emiko and Graciela Rodriguez (Public Property).

Mr. and Mrs. Rodriguez were present for the request. They said about 80 people are going to march up the Parkway for a religious celebration. They were hoping for PD support at intersections.

STAFF RECOMMENDATION

Staff Planner Taylor said that NQC is at the LeConter Center during that time and the police department would not be able to assist. They suggested moving the date or they must cross obeying traffic laws. The Rodriguez said it must be that day. Mr. Taylor said that without PD support that Planning Commission approval is not necessary as they have a right to assemble and march, but asked that they be careful at street crossings. The Rodriguez understood what was explained to them and wanted to have their march.

ACTION TAKEN

No vote was needed and Commissioners wished them well and asked they march safely.

B. Subdivisions

1. Wayne Ogle Subdivision, Lot 3R1 and 3R2, Marcus Whaley, WC Whaley, Inc.

Mr. Marcus Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor said this is in a C-6 district and that they are

subdividing into two lots. He stated that the plat is in order and has the required signatures. He recommended in favor.

ACTION TAKEN

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

C. Planned Unit Developments (PUD)

- 1. None.**

D. Site Plans

- 1. Dixie Stampede Costume Office, Site Plan, South River Road, Marcus Whaley – WC Whaley, Inc.**

Mr. Marcus Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that a plat combining four lots for this project has been approved. He said they are proposing a costume making/distribution and office. He said they are utilizing existing surplus parking and solid waste from Dixie Stampede for this use. During discussion Mr. Whaley said it was not a warehouse. Staff recommended in favor.

ACTION TAKEN

Commissioner Houser made a motion to approve the site plan.
Commissioner Clark seconded and all voted in favor with Commissioner Dodgen abstaining from the vote.

- 2. Pigeon Forge Properties, LLC. (Ropes Course and Roller-glider Attractions), Site Plan, Parkway, Marcus Whaley – W.C. Whaley, Inc.**

Mr. Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this is a proposed roll-glider attraction, ropes course, and retail shop. He said it meets parking, stormwater, and

landscaping requirements. There were questions from Commissioners about height of attractions. Mr. Taylor said there are 80 feet high towers proposed to the rear of the property which are allowed in a C-2 district. He recommended in favor of the site plan.

ACTION TAKEN

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

3. Wayne Ogle Subdivision, Lot 3R1 and 3R2, Site Plan, Marcus Whaley, WC Whaley, Inc.

Mr. Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor said the site plan is for two cabins that are close to, but not in the floodway. He said the cabins will meet all flood regulations. He said the cabins will be 20 feet apart and seven feet from side setback which will require fire walls. Discussion ensued.

ACTION TAKEN

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

4. Vacation Lodge Addition, Revised Site Plan, 3450 Parkway, Kacie Huffaker – Norvell & Poe Engineers. Inc.

Kacie Hukkafer was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this is a proposed addition to an existing hotel. He said they are adding 10 new rooms, breakfast bar for guest, along with a grease trap and additional parking. He said they are utilizing their existing solid waste plan, but the Sanitation Department is working with them for possible improvements to the plan. Staff recommended in favor.

ACTION TAKEN

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

E. Requests for Rezoning

- 1. None.**

F. Miscellaneous Requests or Required Actions

- 1. None.**

Planning Region Items

Staff Planner Taylor asked Chairman Ogle to address items under Miscellaneous Request first since there were variance requests related to items under Subdivision and PUDs. Chairman Ogle agreed.

E. Miscellaneous Requests or Required Actions.

- 1. Request for variance of Pigeon Forge Subdivision Regulations for road grade and vertical curve road standards on Parkside Retreat Way, Parkside Resorts PUD, Phase 2B, Tim Howell.**

Dale Carr was present for the request. He said he is working with Sevier County Stormwater Department to meet stormwater regulations. He felt to meet road grade standards would increase bank slope, making it hard to meet stormwater regulations.

STAFF RECOMMENDATION

Staff Planner Taylor said that the maximum road grade per subdivision regulations is 15 percent. He said that there is a 400 feet section of the road that varies from 18.6 to 16.8 percent road grade. He continued that it is made worse by not meeting vertical curve standards at the start of the road. He said they need around 305 feet and they are providing 25 feet. He stated that the bottom line is that the steepness combined with the lack of benching makes an unsafe situation as cars would approach the cross street (especially inclement weather). Furthermore, he said there are concerns for fire protection with these steep slopes as well. He said the Commission has not granted variance of road grade standard. Mr. Taylor also showed pictures to the Commission of the situation. Discussion ensued. Many Commissioners agreed that this was unsafe and did not

want to set precedence for allowing such a variance. Other Commissioners struggled with weighting these safety concerns with encouraging cabin development. After some active discussion Mr. Carr decided to withdraw the request and investigate options for the road.

ACTION TAKEN

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

- 2. Request of variance of subdivision regulation to allow a side setback of 5 feet instead of the minimum of 6 feet for Lot 1 and variance of 50 feet of public road frontage for Lot 2, Re-Subdivision of Mountain View Baptist Church, Lot 1 & 2, 2250 Goose Gap Road, Marcus Whaley – WC Whaley, Inc.**

Mr. Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor stated that 50 feet of road frontage is required for any new lot. He said that Lot 2 is proposed without road frontage. He continued it is a cemetery owned by the Mountain View Baptist Church who will continue to own and care for the cemetery. He said their finance company is asking for the cemetery on a separate lot and two easements will be platted to the lot. He said the second variance is for side setback subdivision standards to allow 5 feet instead of the required 6 feet for the existing building on Lot 1. He said that the cemetery borders the side of the building. He also reported that they have already received Sevier County BZA variance of Sevier County Zoning Ordinance standards. Staff recommended in favor of both variances.

ACTION TAKEN

Commissioner Dodgen made a motion to approve variance of subdivision standards to allow a 5 foot side setback for Lot 1 and to allow Lot 2 to not have any public road frontage. Commissioner Kyker seconded and all voted in favor.

- 3. Consideration of setting date and time for November/December Planning Commission/BZA Meeting and dinner, Staff.**

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that in the past the November and December Meetings (due to the holidays) have been combined and held on the 2nd Tuesday in December. He said this year that would be December 12th. He furthered the dinner location is currently TBA.

ACTION TAKEN

Commissioner Dodgen made a motion to cancel the regular scheduled November Planning Commission meeting and to have December Planning Commission meeting on December 12, 2017 at 3:00 PM at City Commission Chambers at Pigeon Forge City Hall. Commissioner Clark seconded and all voted in favor.

A. Subdivisions

1. Re-Subdivision of Mountain View Baptist Church into Lots 1 & 2, Goose Gap and Walt Price Road, Marcus Whaley – WC Whaley, Inc.

Mr. Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that they granted variance of Pigeon Forge Subdivision Regulation for side setback of Lot 1 and road frontage of Lot 2 bringing the plat in compliance. He said the plat is in order and recommended approval.

ACTION TAKEN

Commissioner Houser made a motion to approve the plat. Commissioner Dodgen seconded and all voted in favor

B. Planned Unit Developments (PUD)

1. Final PUD Plat and Plan of Parkside Resort PUD Development, Phase 2b (Lots 65 – 74), off Parkview Vista Way and Little Cove Road, Tim Howell.

This item was withdrawn before the meeting.

2. Final PUD Plat of Eagle Crest, Lots 135R – 139R), Cabin Envelope Relocation, Billard Way, Glenn F. Biggs, Jr.

No one was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that per State law the Planning Commission must take action on this plat, since after 60 days without action it would be approved. He said if denied they can present it next month with the required signatures.

ACTION TAKEN

Commissioner Marsh made a motion to deny the request due to lack of representation and necessary signatures. Commissioner Clark seconded and all voted to deny it.

C. Site Plan

1. Mountain View Baptist Church, Revised Site Plan, 2250 Goose Gap Road, Marcus Whaley – WC Whaley, Inc.

Mr. Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that they granted variance of Pigeon Forge Subdivision Regulation for side setback of Lot 1 and road frontage of Lot 2. He said the revised site plan is for an additional building to the property. He continued with these variances the revised site plan is in order and recommended approval.

ACTION TAKEN

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

D. Requests for Rezoning

1. None.

ADJOURNMENT

Commissioner Marsh made a motion to adjourn. Commissioner Dodgen seconded and all voted in favor.

The meeting was adjourned at 4:45 p.m.

Jay Ogle, Chairman

Attest: _____