

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
FRIDAY, JANUARY 27 2015, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley, Chairman
Judy Harrell
Jay Ogle
Jeff Dodgen
Tom Marsh

MEMBERS ABSENT

Jerry Clark

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Brandon Williams, Jerry Hanson, Adam Carr, Brook Keyes, Jeff Ownby, Mike Suttles, Phil Leobo, Chuck Smith, Grant Berry, Brennon Garrett, Louise Wuebker, Ross Ogle, Bruce Cantrell, Jim Hinton, Gary Norvell, James Tomechec, Becky Ogle, Tony Rast, Jr., Mark Jendrek, Mimi Kulp, others.

BOARD OF ZONING APPEALS

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

A. Request for variance to allow a 12 ft rear setback instead of the required 25 ft, Iron Mountain Subdivision Lot 2B, Ronnie L. Sims.

Phil Lebo was present to represent the request. He said the current 5 ft deck is unsafe and too small. He would like to replace it with an 8 ft deck.

STAFF RECOMMENDATION

Staff Planner Taylor said that the existing 5 ft deck encroaches into the side setback. He said that he agrees that the current deck is unsafe and needs replacing. However, he stated that the applicant proposing to replace the 5 ft deck with an 8 ft deck would further encroach into the setback. He said that

no variance was granted for the existing encroachment and no grounds for variance have been provided. He said staff could not recommend variance (without grounds for one), but that the City would not force removal of the existing deck. He did say that staff could recommend replacing the current (unsafe) 5 ft deck with a (safe) deck of same size.

ACTION TAKEN

Commissioner Dodgen made a motion to deny the request for variance, but to allow the existing 5 ft. deck to be replaced with a deck of the same size. Commissioner Harrell seconded and all voted for the motion.

4. Adjournment

PLANNING COMMISSION

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

ELECTION OF OFFICERS

Election of officers for the 2015 Planning Commission.

Chairman Ogle asked for nominations and they were granted as follows:

ACTION TAKEN

Chairman: Commissioner Harrell nominated (Acting) Chairman Ogle, Commissioner Marsh seconded. No other nominations were received and all voted in favor of Chairman Ogle for the post.

Vice Chairman: Chairman Ogle nominated Commissioner Harrell, Commissioner Marsh seconded. No other nominations were received and all voted in favor of Commissioner Harrell for the post.

Secretary: Commissioner Harrell nominated Commissioner Dodgen, Commissioner Marsh seconded. No other nominations were received and all voted in favor of Commissioner Dodgen for the post.

APPROVAL OF MINUTES

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

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

1. Relay For Life – February Freeze 5k, Saturday, February 7, 2015, Old Mill Area, Teaster Lane, and Greenway, Brooke Keyes.

Ms. Keyes was present. She stated they are using the regular (police department approved) 5k greenway route.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

2. Old Mill Square – Easter on the Square, Old Mill Avenue, Saturday, April 4, 2015, 3341 Old Mill Street, Marvelle Sewell.

No one was present.

STAFF RECOMMENDATION

Staff recommended in favor of this annual event.

ACTION TAKEN

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

3. 33rd Annual Shades of the Past Rod Run, Dollywood Splash Country, Friday, September 11 through Saturday, September 12,

2015, Dan Draper.

Mr. Rod Milligan and Dan Draper were present. Mr. Draper explained that the event would be much the same as last year's event.

STAFF RECOMMENDATION

Staff Planner Taylor said that a multitenant commercial center is being built in front of the old Grand Hotel where the t-shirt trailer has been placed in previous year's event. He continued that due of this; the site plan is showing the t-shirt trailer in the Parkway R-O-W. He said that the trailer cannot be placed in the State R-O-W and would have to be located elsewhere.

ACTION TAKEN

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

4. Endurance Sports Management – The 6th Annual Double Dip Sprint Triathlon, Sunday, June 7th, 2015, Pigeon Forge Community Center and surrounding area, Kevin Mahan.

No one was present for this request.

STAFF RECOMMENDATION

Staff Planner Taylor said that this has been an annual event, but that organizers are proposing changing the time of year from fall to summer. He said this presented challenges for a busy time of year for the community center. He said after meeting with event staff, community center staff, and the police department; the date was changed from Saturday to Sunday. He recommended the request.

ACTION TAKEN

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

B. Subdivisions

1. Final Minor Subdivision of Lots 1 – 3 of Iron Circle Subdivision, Wilson Street, Chuck Smith.

Mr. Smith was present.

STAFF RECOMMENDATION

Staff Planner Taylor said the property was recently rezoned to R-2 and the proposed subdivision meets requirements. Staff recommended in favor of the request.

ACTION TAKEN

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

2. Final Minor Subdivision of Lots 1, 2, 2A, and 3 of the PFWV, LLC Property, Parkway and Lafollette Circle, Grant Berry.

Mr. Berry was present.

STAFF RECOMMENDATION

Staff Planner Taylor explained that the plat was in order; however one of the lots does not have the required public road frontage under the subdivision regulations. He said the applicant is on the agenda for subdivision variance. Staff recommended in favor of the request subject to the subdivision variance being approved.

ACTION TAKEN

Commissioner Harrell made a motion to approve the subdivision subject to the subdivision variance being granted. Commissioner Dodgen seconded and all voted in favor.

C. Planned Unit Developments (PUD)

1. Preliminary PUD Plan of the Clabough Property Cabins, Clabough Campground, Wears Valley Road, Brennon Garrett.

Mr. Garrett was present. He said he surveyed the property and two cabins

are too close. He said they are moving one cabin to comply.

STAFF RECOMMENDATION

Staff Planner Taylor said that this portion of the business has no approved site plan and no building permits. He said that staff is working to get them to comply with regulations for the cabin portion of the business and the proposed expansion. He recommended preliminary PUD approval at this time.

ACTION TAKEN

Commissioner Dodgen made a motion to grant preliminary PUD plan approval. Commissioner Marsh seconded and all voted in favor.

D. Site Plans

1. Goats on the Roof Mountain Adventure Park – Segways, Revised Site Plan, Wears Valley Road, Ross Ogle, Jr. and Louise Wuebker.

Ms. Wuebker and Mr. Ogle were present. Ms. Wuebker explained that they are adding Segway rides to Mr. Ogle’s business. She explained the details of this expansion with handouts to the Commission.

STAFF RECOMMENDATION

Staff Planner Taylor said that this is a proposed expansion to a larger development. He reported the Segway rides were not a problem as they will be completely contained on their property. However, he said that existing phases do not have a CO to conduct business. He said staff is working with them to comply. Bonds/letter-of-credits was received by staff before the meeting (for some of the yet-to-be completed work); but staff needs to review them further. He recommended the request subject to the bonds/letters being in order.

ACTION TAKEN

Commissioner Harrell made a motion to approve the site plan subject to staff’s recommendation. Commissioner Marsh seconded and all voted in favor.

2. Goose Gap Mini-Storage, Site Plan, Goose Gap Road, Bruce Cantrell.

Mr. Cantrell was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this development is using the new setbacks for C-3 recently approved by City Commission. He said the drainage plan was recently changed to use grass instead of the (existing) gravel as the pre-existing conditions for the site. He said this has changed their drainage plan. He said the site was never previously approved under site planning for gravel. He further said the business may need restrooms, but that will be address under building code compliance. If restrooms are needed, staff will need to review a utility plan.

ACTION TAKEN

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

3. Quality Inn, Revised Site Plan, 2162 Parkway, Jim Hinton.

Mr. Hinton was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that Planning Commission has approved multiple revisions and further ones are being proposed. He said that staff has requested all the changes be place on one site plan. He said they are proposing an indoor pool, outdoor pool and slide, and a new solid waste area. He said that they need to check with the sanitation department to make sure the new solid waste site works.

ACTION TAKEN

Commissioner Marsh made a motion to approve the site plan subject to solid waste being approved. Commissioner Dodgen seconded and all voted in favor.

4. Hilton Garden Inn, Site Plan, 2497 Teaster Lane, Kacie Huffaker.

Mr. Gary Norvell was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this site plan is being tied into the approved site plan for the Hampton Inn. He said the Hilton Graden site plan with the Hampton Inn revisions are in order. However, he reported they are proposing a new median cut on Teaster Lane, which need approval from public works department and TDOT.

ACTION TAKEN

Commissioner Harrell made a motion to approve the site plan subject to TDOT approval of the proposed median cut. Commissioner Dodgen seconded and all voted in favor.

5. The Island at Pigeon Forge Parking Lot, Revised Site Plan, The Island Drive, LeConte Village, LLC, Robert Johnson.

Mr. James Tomiczek was present for the request and briefly explained that they were proposing a parking lot expansion of 40 more spaces.

STAFF RECOMMENDATION

Staff Planner Taylor said the site plan revision was in order.

ACTION TAKEN

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

6. Request for a Temporary Use Permit, JB Market (OPC Location), JB Market, 4250 Parkway, Becky Ogle.

7. Request for a Temporary Use Permit, Goats on the Roof (OPC Location), Goats on Roof and Mountain Adventure Park, 1341 Wears Valley Road, Becky Ogle.

These two items were taken together. Ms. Ogle was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that one site was a renewal and one site was new. Pictures were shown of the new site. He said that both sites meet requirements and that (per regulations) that the person staffing the booths must stay behind the booth and not to call out to people. He also said that the Bonds/Letter of Credits were just received and need to be reviewed.

ACTION TAKEN

Commissioner Harrell made a motion to approve Items 6 and 7 subject the Bonds/Letter of Credits being in order. Commissioner Dodgen seconded and all voted in favor.

E. Requests for Rezoning

- 1. David Dixon, approximately 39 acres, (Tax Map 72, Parcel 152), Benjamin H. Carr, Jr. Property - Rainbow Road, R-1 (Low Density Residential) District to C-6 (Mixed-Use Commercial) District.**

Mr. James Tomiczek was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor explained that the tract is a largely undeveloped (R-1 zoned) land at the north end of the city behind Five Oaks Mall. He said the developers are proposing a large residential (time share) development, which will involve this property, property in Sevierville, and property in the County. He continued that the property is not currently served by sewer and will require long sewer and water extensions to serve the property; that upgrades to Rainbow Road are also needed. He said all the extensions/upgrades are being proposed at the developer's expense. He stated a report has been sent to SSR Engineers on the utility upgrades and staff is waiting for a response. He said the developers have agreed for a bond to be submitted to the city for the utility extensions by second reading. Staff recommended in favor.

ACTION TAKEN

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

2. Tony Rast Jr., approximately 10.51 acres, (Tax Map 93, Parcel 27.01), Little Valley Road, R-1 (Low Density Residential) District to C-6 (Mixed-Use Commercial) District.

Mr. Rast was present and reported he was recently annexed into the city.

STAFF RECOMMENDATION

Staff Planner Taylor said that per the city's zoning ordinance, annexed land must come into the city as R-1 until otherwise classified. He reported that there is an existing RV park on the property and that the proposed classification would bring the use into compliance. He said that staff feels C-6 is an appropriate classification for this property. Staff recommended in favor.

ACTION TAKEN

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

F. Miscellaneous Requests or Required Actions

1. Request for variance of subdivision regulation to create a lot without 50 ft of public road frontage, Proposed Lot 3 of the PFWV, LLC Property, Lafollette Circle, Grant Berry.

Mr. Berry was present. He said that this lot is being conveyed to the city for the creation of a section of the proposed "Westside Connector"; connecting Lafollette Drive to Wears Valley Road. He continued that it is advantageous to all parties to create this lot at this time.

STAFF RECOMMENDATION

City Attorney Gass said that it is easier to dedicate the land if the lot is created now; otherwise (the property) could get caught up with the developer's lending company. He said the land will be held in escrow and a stipulation has been placed on the plat that the lot is not to be developed until the city street is built.

ACTION TAKEN

Commissioner Marsh made a motion to approve the subdivision variance.

Commissioner Dodgen seconded and all voted to approve it.

Planning Region Items

A. Subdivisions

- 1. None.**

B. Planned Unit Developments (PUD)

- 1. None.**

C. Site Plans

- 1. None.**

D. Requests for Rezoning

- 1. Ross W. Ogle, approximately 21.5 acres on Mill Creek Road (Tax Map 105, Parcel 91.04), R-1 (Rural Residential) to A-1 (Agricultural) District.**

Mr. Ogle and Attorney Mark Jendrek were present. Mr. Jendrek said they were asking to "downzone" to Agricultural to allow rural agricultural business.

STAFF RECOMMENDATION

Staff Planner Taylor said that this district does allow a wide variety of rural business uses. Staff had concerns about noise to nearby structures if activities (such as) ziplines were there. He stated that staff determined that the nearby structures were commercial use and not single family residential. Staff recommended in favor.

ACTION TAKEN

Commissioner Marsh made a motion recommend the rezoning map amendment to County Commission. Commissioner Harrell seconded and all voted in favor.

- 2. Smoky Mountain Ridge on Cove Creek, LLC, approximately 90 acres on Covered Bridge Way off Wears Valley Road, (Tax Map**

104J, Group B, Parcel 1.00), R-1(Rural Residential) District to R-2 (High Density Residential) District.

Mr. Steve Miller was present for the request. He said that he recently purchased the development and wants to build cabins. He said he needs the increased height limits of the R-2 district (structures 48 ft high).

STAFF RECOMMENDATION

Staff Planner Taylor stated that the existing development already meets density requirements of the current district and the higher density district is not needed. County Planner Jeff Ownby stated that several of this type cabin developments were recently rezoned to R-2 and that this should have been added; but was missed during that "housekeeping" activity. He said the R-1 height limits cause problems for cabins development, due to the way the county measures structure height (starting at the bottom of the foundation). He said on steeper slopes that cabins can have as high a foundation as the actual structure.

ACTION TAKEN

Commissioner Dodgen made a motion to recommend the map amendment to County Commission. Commissioner Marsh seconded and all voted in favor.

4. Adjournment

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

Jay Ogle, Chairman

Attest:_____