

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY MARCH 23, 2021, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Stephen Houser - Chairman
Tony Kyker
Jeff Dodgen
Ken Maples
Mark Rutledge
Brenda Tweed

MEMBERS ABSENT

OTHERS PRESENT

Joe Keener, Mike Suttles, Sammy Ownby, Tim Wallace, Jeremy Puckett, Marcus Whaley, John Greer, Todd Bowling, Tim Wallace, Matt Sprinkle, Mimi Kulp, Others.

David Taylor – City Planner
Karl Kreis – Assistant City Planner
Joe Barrett – Staff Planner
Nathan Rowell – City Attorney

BOARD OF ZONING APPEALS

1. Call to order.

Chairman Houser called the meeting to order and recognized that there was a quorum.

2. Old business.

None.

3. New Business

A. Request to revisit the sound plan approval to allow an amusement in a C-6 district as Use on Review (Section 711.3.7 of the zoning

text) in a C-6 district, Xtreme Racing Center - 3144 Parkway, Perry Smith.

No one was present to represent the item.

STAFF RECOMMENDATIONS

Staff Planner Taylor read the minutes from the BZA April 2013 for which noise from carts were a concern at approval for the Uses Permitted on Review. He stated that at that time he received a letter that the cart met sound requirements and minutes also stated that cars were to be run one at a time. The minutes also mentioned the issue may need to be revisited. He reported that the area residents are now complaining of noise and it has been discovered that the cars are a newer model and they are now racing multiple cars together. Commissioner Rutledge concurred stating he received a letter from residents complaining that the noise has increased. Staff recommended that the City Attorney write a letter to Mr. Smith and Xtreme Racing stating they needed to comply with the C-6 zoning for noise requirements and to detail to the city how they would bring themselves into compliance.

ACTION TAKEN

Commissioner Maples made a motion for City Attorney Rowell to send a letter to Xtreme Racing Center. Commissioner Kyker seconded and all voted in favor with Commissioner Rutledge abstaining.

B. Request for interpretation as to whether this cart rental, sales, storage, and repair business is allowed under Section 711.2.3 or must be approved as a Use Permitted on Review under Section 711.3.1 and/or Section 711.3.2 in a C-6 district, Fun on Wheels, LLC – 117 Golf Drive, Diana Campbell.

Joe Keener and Diana Campbell were present. They were okay with surrounding the fenced area shown on the site plan with trees.

STAFF RECOMMENDATION

Staff Planner Taylor said this is cart sales, rental, repair, and storage that is proposing to move into an existing building. He continued that the C-6 district addresses some of these uses for "auto" and also addresses "storage yards." He stated that staff felt that some interpretation was needed as to which (if any) use it is and potential BZA approval if needed for Uses Permitted on

Review. Staff felt it was closest to an auto sales and repair which is both Sections 711.3.1 and 711.3.2. He said they meet the minimum of 50 vehicles to be allowed under Section 711.3.2 and he recommends that they surround the fenced area around the parked carts as in Section 711.3.1.

ACTION TAKEN

Commissioner Maples made a motion that this business is allowed as a Uses Permitted on Review per Sections 711.3.1 and 711.3.2 and must meet the tree requirements of the surrounding the fence with trees per Section 711.3.1. Commissioner Dodgen seconded and all voted in favor.

C. Request for furniture display area as a Use Permitted on Review under Section 711.3.3 in a C-6 district, Wholesale Furniture and Linens – 1215 Wears Valley Road, Ronnie Cook

No one represented this request.

STAFF RECOMMENDATION

Staff Planner Taylor pointed out on the site plan the proposed outdoor display area. He explained to the Board that a display area is allowed for a furniture store in a C-6 if it meet certain criterion. He reported that the store owner decided not to have or show one on the original approved PUD plan, but city staff has been having problems with his outdoor displays in the ROW and in his required parking spaces. Mr. Taylor said that this display area is not in the ROW or his parking and meets requirements of Section 711.3.3. Staff can recommend that outdoor displays only be in the area shown on the site plan.

ACTION TAKEN

Commissioner Maples made a motion to made a motion to allow the furniture display area under Section 711.3.3 of the ordinance as presented on the site plan. Commissioner Tween seconded with Commissioner Dodgen abstaining.

ADJOURNMENT

The meeting was adjourned at 3:20 p.m.

PLANNING COMMISSION

CALL TO ORDER

Chairman Houser called the meeting to order.

PUBLIC COMMENT FROM CITIZENS

No one came forward for public comment.

APPROVAL OF MINUTES

Commissioner Rutledge made a motion to approve the Planning Commission minutes for the meeting from February 23, 2021. Commissioner Kyker seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

1. Mainstay Suites – Pontiacs in Pigeon Forge Car Show & Swap Meet, Friday, June 4th – Sunday, June 6th, 2021, 410 Pine Mountain Road, Joseph Blackburn (Public Property).

Commissioner Rutledge gave background to the event and stated the road closure would be in case of rain. He said rain caused problems with the event last year.

STAFF RECOMMENDATION

Staff Planner Kreis said that this event was on last month's agenda and got deferred by the Special Events Administrative Review and the Planning Commission. He reported that the Special Events Administrative Review has approved the annual event but could not recommend the road closure. He continued that the review committee thought closing Willa View Drive would be too disruptive to that neighborhood and there were no good alternatives to Willa View Drive for them. Mr. Kreis explained events on public property (or parts of them) must be approved by Planning Commission. Discussion ensued. Commissioner Maples

questioned whether the Planning Commission had authority to close a public road.

ACTION TAKEN

Commissioner Maples made a motion to deny the closing of Willa View Drive during the special event. Commissioner Tweed seconded and all voted to deny road closure with Commissioner Rutledge abstaining.

B. Subdivisions

- 1. Preliminary Subdivision Plat of Ironwood Cabins, Lots 3 – 8 (5 lots), 505 Lorraine Street, Tim Wallace – Wallace Surveying.**

This item was withdrawn before the meeting.

- 2. Final Re-Subdivision Plat of Lot 2 of Stone Crest Heights (3 Lots), Valley Heights Drive, Tim Wallace, Wallace Surveying.**

This item was not represented.

STAFF RECOMMENDATION

Staff Planner Taylor reported this was a three lot subdivision on steep land, but meets all subdivision requirements for an R-2 district. He continued that he has been assured by the applicant they can meet all setbacks and that no variances can be recommended in the future for these proposed lots.

ACTION TAKEN

Commissioner Dodgen made a motion to approve final plat for the request. Commissioner Rutledge seconded and all voted in favor.

C. Planned Unit Developments (PUD)

- 1. Preliminary PUD Plan of Golf Road Cabins, Phase II, Golf and Cedar Roads, Jeremy Puckett – CEC, Inc.**

Jeremy Puckett represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor said that Phase 1 has final and this is for the next phase. He stated Golf Drive will be extended to Cedar Road but it has not been decided if the road will be public or private. Staff recommended Preliminary PUD Plan.

ACTION TAKEN

Commissioner Maples made a motion to approve Preliminary PUD Plan. Commissioner Dodgen seconded and all voted in favor.

2. Preliminary PUD Plan of Veterans Overlook, Lots 1 – 9, Lee Cardwell Circle, Marcus Whaley – WC Whaley, Inc.

Marcus Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported they are proposing 9 cabins off Veterans Boulevard. He said there is not sewer currently at the property but they are proposing an extension to get it there. He added that more walking paths have been added to make the cabins more accessible. He also stated they would need a better drainage plan by final but staff could recommend preliminary PUD.

ACTION TAKEN

Commissioner Maples made a motion to approve Preliminary PUD Plan for the development. Commissioner Kyker seconded and all voted in favor.

D. Site Plans

1. Dollywood Splash Country Breakroom, Site Plan, 2700 Dollywood Parks Blvd., Mike Smelcer – SRA Architects, Inc.

John Greer represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor stated they are basically replacing one of the buildings at this park. He said the site plan was in order and recommended it.

ACTION TAKEN

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

2. DreamCatcher Hotel, Site Plan, Jake Thomas Road, Matt Sprinkle – CEC, Inc.

Matt Sprinkle was present.

STAFF RECOMMENDATION

Staff Planner Taylor said this would be a 200 unit/6 floor new construction hotel. He stated there is a piece of land that will be platted into this property, but it is not part of the site planning. He said that the site plan was in order and recommend it.

ACTION TAKEN

Commissioner Maples recommended in favor of the site plan.
Commissioner Kyker seconded and all voted in favor.

3. Exorent ATV and Dune Buggy Rental, Site Plan, The Shops at Pigeon Forge – 1156 Wears Valley Road, Mike Suttles – Land Surveyors Services, Inc.

Mike Suttles represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor said this is proposed at Suite 9 at the Shops of Pigeon Forge. He reported based on retail space of the unit that there are 10 spaces for parking approved for this suite. He added they are matching the rentals (ten) to those parking spaces. He said two will be displayed near the front and the rest they are showing stored away from the front of other retail shops. Staff recommended the site plan.

ACTION TAKEN

Commissioner Rutledge made a motion to approve the request.
Commissioner Tweed seconded and all voted in favor.

4. Fun on Wheels, Site Plan, 117 Golf Drive, Mike Suttles – Land Surveyors Services, Inc.

Mike Suttles was present.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that at BZA the use was approved as sales, rental, storage and repair for carts. He said there will be 145 carts including low speed vehicles. He continued that the city may need to look at the low speed vehicles as to whether they are safe to be on the Parkway. Discussion ensued. An owner for one of the proposed rentals facilities said they can be programed for different speeds. Commissioner Maples said the ban (for low speed carts/vehicles) should be for the whole city. Some worried because carts are used so much in campgrounds. City Attorney Rowell said that the ban could be just for being off public streets. Mr. Taylor said the site plan is in order and recommended it.

ACTION TAKEN

Commissioner Maples made a motion to approve the request. Commissioner Tweed seconded and all voted in favor.

5. Hot Wheelz Pigeon Forge Rentals, Site Plan, 2264 Parkway, Suite B, Mike Suttles – Land Surveyors Services, Inc

Mike Suttles was present.

STAFF RECOMMENDED

Staff Planner Taylor stated that they were proposing to have the vehicles both inside and outside. He said based on parking they can have up to seven outside. He reported there could be building code issues but the site plan was in order and recommended it.

ACTION TAKEN

Commissioner Maples made a motion to approve the request. Commission Tweed seconded and all voted in favor.

6. KSSC Investments, LLC., Billboard Site Plan, Veterans and Dixie Ave., Mike Suttles – Land Surveyors Services, Inc.

- 7. PF Billboards, LLC, Billboard Site Plan, 523 Wears Valley Road, Mike Suttles – Land Surveyors Services, Inc.**
- 8. Sevier Holdings, LLC, Billboard Site Plan, 661 Dollywood Lane, Mike Suttles – Land Surveyors Services, Inc.**
- 9. XXX Distillery, LLC. Billboard Site Plan, 3435 Teaster Lane, Mike Suttles – Land Surveyors Services, Inc.**
- 10. Poole Property, Billboard Site Plan, Teaster Lane, Mike Suttles – Land Surveyors Services, Inc.**
- 11. Veterans Boulevard Property, Billboard Site Plan, Veterans Boulevard, Mike Suttles – Land Surveyors Services, Inc.**

Several individuals represented these items including a court reporter.

STAFF RECOMMENDATION

Chairman Houser asked to start the discussion on Site Plans Item #6 through Item #11 together. Staff Planner Taylor said the applications were received before Planning Commission deadline. He continued that a moratorium was invoked by City Commission against issuing any sign permits in the city limits. He recommended that Items #6 through #11 be deferred until the moratorium has been lifted. City Attorney Nathan Rowell concurred with this recommendation.

ACTION TAKEN

Commissioner Maples made a motion to defer Items #6 through #11 until the moratorium has been lifted. Commissioner Rutledge seconded and all voted to defer the items.

E. Requests for Rezoning

- 1. William Stinnett, approximately 0.7 acres at Tax Map 94D, Group A, Parcel 40.00, 924 Iron Mountain Road, R-1 (Low Density) District to R-2 (High Density) District.**

The item was not represented.

STAFF RECOMMENDATION

Staff Planner Taylor said that the properties that surround this request are all zoned R-1. Staff considers this neighborhood encroachment, spot zoning, and cannot recommend.

ACTION TAKEN

Commissioner Maples made a motion to deny the proposed map change and to recommend to City Commission that the property remain R-1. Commissioner Dodgen seconded and all voted to deny the proposed map change.

F. Miscellaneous Requests or Required Actions

- 1. None.**

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.**

F. Miscellaneous Requests or Required Actions

- 1. None.**

ADJOURNMENT

Commissioner Tweed made a motion to adjourn. Commissioner Maples seconded and all voted in favor.

The meeting was adjourned at 4:20 p.m.

Stephen Houser, Chairman

Attest: _____