

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, MARCH 26, 2019, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Stephen Houser, Chairman
Laurie Taylor
Tony Kyker
Ken Maples
Jeff Dodgen
Tom Marsh

MEMBERS ABSENT

OTHERS PRESENT

Sammy Ownby, Brandon Williams, Kacie Huffaker, Don Collier, Marcus Whaley, Jack Maples, Dixon Greenwood, Summer Blalock, Stephanie Bailey, Bryon Cooper, Rod Milligan, Anita King, Howard Reagan, Paula King, Matthew Sprinkle, Mimi Kulp, Paul Williams, Bob McManus, Jeremy Puckett, Kacie Huffaker, others.

Cindy Wyrick – City Attorney
Joe Barrett – Staff Planner
David Taylor – City Planner
Karl Kreis – Assistant City Planner

PLANNING COMMISSION

CALL TO ORDER

Vice-Chairman Taylor called the meeting to order.

PUBLIC COMMENT FROM CITIZENS

Vice-Chairman Taylor inquired if there were any public comments. Bob McManus asked to address the Commission. He said he is excited about Pigeon Forge. He continued that he and hotel partners are involved in the Riverwalk property that is currently being developed on Teaster Lane. He wanted to remind the Commissioners that there will be deed restrictions and covenants that will govern this development. He also said he

supports the agenda items for the planning commission meeting. Chairman Houser arrived during the comment period.

APPROVAL OF MINUTES

Commissioner Kyker made a motion to approve the Planning Commission minutes for the meeting from February 26, 2019. Commissioner Taylor seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

1. Kerbela Shriners – 43rd Annual Smokey Mountain Fun Fest and Parade, Saturday, May 11th, 2019, Parkway – Methodist Street to Jake Thomas Road, Bill Pavlis (Public Property).

Bill Pavlis was present for the request.

STAFF RECOMMENDATION

Staff Planner Kreis said that this is an annual event and that the city department administrative review committee recommends the event.

ACTION TAKEN

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

2. Titanic Museum Attraction – The Color Run 5k Run, Saturday, July 20th, 2019, Start at Titanic to Christmas Tree Lane via Parkway (and return), Christina Collins (Public Property).

Christina Collins was present and stated that the race would start at 8 a.m. this year.

STAFF RECOMMENDATION

Staff Planner Kreis said that this event was held the previous year and went well. He said the city department administrative review committee recommends the event but reminds organizers that no color throwing can happen along the Parkway and would need to be contained on Titanic property. Ms. Collins agreed to this request.

ACTION TAKEN

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

B. Subdivisions

- 1. None.**

C. Planned Unit Developments (PUD)

- 1. Preliminary PUD Plan of The Lofts, Phase II (Workforce Housing Units), 3611 Householder Street, Jeremy Puckett – CEC, Inc.**

This item was withdrawn before the meeting.

- 2. Preliminary PUD Plan of Wholesale Furniture and Linens (Retail & Warehouses), 1201 Wears Valley Road, WC Whaley – WC Whaley, Inc.**

The item was represented.

STAFF RECOMMENDATION

Staff Planner Taylor said the PUD was in order for preliminary approval. He said (per regulations) that a loading dock will need to be added and landscape plan needs some changes by final PUD approval.

ACTION TAKEN

Commissioner Maples made a motion to approve Preliminary PUD Plan for the request subject to staff recommendation. Commissioner Marsh seconded and all voted in favor.

3. Preliminary PUD Plan of Riverwalk Park (Commercial) PUD, 3032 Teaster Lane, Rod McCarter – CEC Inc

Chris Berry and others were present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said this was a commercial PUD on the Riverwalk property. He stated that there was 90,000 sq/ft of retail space proposed. He continued there would be three entrances to the development, one on Jake Thomas Road and two on Teaster Lane. He said one of the ingress/egresses on Teaster Lane would align Ridge Road and be lighted. He explained various aspects of the site plan like solid waste and stormwater. He did say that there is a sign on Jake Thomas Road shown, but it is not part of this site plan approval. Staff recommended preliminary PUD plan.

ACTION TAKEN

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

D. Site Plans

1. Oldham Street Cabin, Site Plan, 684 Oldham Street, Jeremy Puckett – CEC, Inc.

Jeremy Puckett was present.

STAFF RECOMMENDATION

Staff Planner Taylor said this was a 21 bedroom cabin proposed in an R-2 district. He said the site plan was in order. He said that due to the size of the cabin a solid waste site was required but that they plan to remove the solid waste themselves. Mr. Taylor reported the solid waste site is being proposed at the end of a long road. He said a note needed to be added to the plan that the city is not responsible for damage to the (12 feet wide) road if at some time the solid waste site is built and utilized.

ACTION TAKEN

Commissioner Maples made a motion to approve the site plan per staff's recommendations. Commissioner Taylor seconded and all voted in favor.

2. Mountain Valley Vineyards, Revised Site Plan, 2174 Parkway, Gary Norvell – Norvell & Poe Engineers.

Don Collier and Mike Smelcer were present for the request. Mr. Collier read State law regarding farming and farm operation that he felt exempted his proposed winery expansion from the city's regulation.

STAFF RECOMMENDATION

Staff Planner Taylor said that this site plan was approved last month with the condition that the golf cart building being removed before any building permits issued. He reported that the Planning Commission has made the condition of withholding building permits 11 times in the last year to other site plans. He said the approved site plan shows the golf cart building being removed. He said that Mr. Collier wants the CO to be held up instead of withholding the building permits. Mr. Collier said that he would have to buy up the contract for the golf cart business and that the fruit is on the way for the wine. Mr. Taylor said that the development could have multiple buildings as a PUD but they would need to submit PUD plans for staff to review. He continued that as a PUD the 25 feet perimeter setback could be an issue. City Attorney Wyrick said the State statute Mr. Collier read does not apply to this situation. She said the Commission has been consistent with withholding building permits to maintain compliance. She also felt the Commission could not approve this as a PUD until plans for a PUD were presented. Kacie Huffaker asked for a special called meeting could be considered so they could submit PUD plan. Mr. Collier withdraw his plans.

ACTION TAKEN

No vote was necessary.

E. Requests for Rezoning

1. None.

F. Miscellaneous Requests or Required Actions

1. Request for annexation of 47 acre portion of the Montgomery Property (Tax Map 72, Parcel 109.00) and 1,500 feet of ROW of River Divide Road & 1,100 feet of ROW of Henderson Road and Review of Plan of Services, 540 Henderson Road, Daniel Moore.

No one was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that the request contains 47 acres and does adjoin the city limits. He said there is a 6" waterline to the property and sewer is 700 feet away. He reviewed the plan of services with the Commissioners including the section where utilities would be extended at owner's expense. He also read a summary of finding from SSR Engineers saying that the proposed RV park would cause overloads to Fenway lift station. He recommended adding language about the landowners paying for upgrades to the system as deemed necessary by SSR Engineering. He read an example for the Commissioners from the last annexation in that part of the city. He said that there is going to be a City Commission workshop regarding this and other annexation request.

ACTION TAKEN

Commissioner Maples made a motion to recommend the Plan of Services to City Commission with the recommended changes to the Plan of Services regarding upgrades to utilizes as read at the meeting. Commissioner Dodgen seconded and all voted in favor

2. Request for additional graphics under Section 408.6.4, Crave Golf Club, Chucky Blalock.

Mr. Blalock was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that staff has reviewed the request and they are under the maximum 20% additional graphics. He recommended the request.

ACTION TAKEN

Commissioner Taylor made a motion to approve the request. Commissioner Marsh 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.

F. Miscellaneous Requests or Required Actions

1. None.

ADJOURNMENT

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

The meeting was adjourned at 4:05 p.m.

BOARD OF ZONING APPEALS

CALL TO ORDER

A. Interpretation of Section 408.6.4.1. as to whether additional graphics can be placed on surfaces other than walls, Waldens Landing - Lumberjack Feud - Parkway, Chucky Blalock.

Mr. Blalock was present. He argued that the front of the building and the fence function together and made his case to the Board.

STAFF RECOMMENDATION

Staff Planner Taylor showed the Board graphics of the proposal to place some of their additional graphics along the fence and some on the building. He said they are under the 20% graphics and that this is a new amendment and now some interpretation of it is needed. He said that there is not an objection to having it on the fence but the ordinance does say "façade". Discussion ensued. It seemed the building and fence were very close to each other. Many agreed that if the fence and building were connected they would both be the "façade" and it could be placed on either. Mr. Blalock was willing to have them connected.

ACTION TAKEN

Commissioner Dodgen made a motion interpreting that a fence that shared connections to a building would be part of the "façade" as described in Section 408.6.4.1 and additional graphics could be placed on either or both. Commissioner Maples seconded and all voted in favor.

The meeting was adjourned at 4:25 p.m.

Stephen Houser, Chairman

Attest:_____