

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY JULY 26, 2022, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Stephen Houser – Chairman
Tony Kyker
Jeff Dodgen
Tony Watts
Mark Rutledge

MEMBERS ABSENT

Brenda Tweed

OTHERS PRESENT

Jerry Hanson, Jeremy Puckett, Ross Ogle, Brandon Williams, Sarah Jo Bounds, Jeff Farrell, Mimi Kulp, Mike Suttles, Chad Ayers, Devin Davis, David Hurst, Donny Mashburn, JB Turnmire, Gene Bovinett, Others.

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

PLANNING COMMISSION

CALL TO ORDER

PUBLIC COMMENT FROM CITIZENS

Chairman Houser asked for public comment. None expressed.

APPROVAL OF MINUTES

Commissioner Rutledge made a motion to approve the minutes from June 28, 2022. Commissioner Watts seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Sevier County Office of Alcohol and Drug Programs/ Sevier County C.A.R.E.S – I Wear Purple, Wednesday, August 31st, 2022, The LeConte Center & City Parking Lot, Teaster Lane, Pigeon Forge Police Department.**

Donny Mashburn was present and explained the event.

STAFF RECOMMENDATION

Staff Planner Taylor said the event is mostly inside, but some activities are outside near entrance. He reported that the city department administrative review committee recommends the event.

ACTION TAKEN

Commissioner Watts made a motion to approve the event. Commissioner Rutledge seconded and all voted in favor.

B. Subdivisions

- 1. Final Re-Subdivision Plat of Goldrush Hills Subdivision, Lot 7 into Lots 7A – 7D, Goldrush Road, Brennon Garrett – The Land Surveyors, Inc.**

The item was represented.

STAFF RECOMMENDATION

Staff Planner Taylor said that the proposed lots meet standards. He added that Lot 7A can now hook to sewer and has an access easement through Lot 7D. He furthered that Lots 7B and 7C have a shared access easement. Staff recommended in favor.

ACTION TAKEN

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

2. Final Re-Subdivision Plat of High Valley Subdivision, Lots 18 – 22 into Lots 18R, 19R, & 20R, 2680 High Valley Drive, Howard Dawson – Site, Inc.

The item was represented.

STAFF RECOMMENDATION

Staff Planner Taylor said this re-plat was redesigned a few times due to floodway constraints. He stated each of these proposed lots have buildable areas outside of the floodway. Staff recommended in favor.

ACTION TAKEN

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

C. Planned Unit Developments (PUD)

1. Final PUD Plat of Alpine Mountain Village PUD, Phase 6A (4 units), off Sugar Hollow Road, Rodney McCarter – CEC, Inc.

Jeremy Puckett was present.

STAFF RECOMMENDATION

Staff Planner Taylor stated that these lots have gotten final PUD plan approval by Commission and are now seeking final plat approval. He reminded the Commission that these lots were approved before the regulations were changed that increased required building separation.

ACTION TAKEN

Commissioner Watts made a motion to approve Final PUD Plat for the request. Commissioner Rutledge seconded and all voted in favor.

2. Final PUD Plans of Mill Springs Lodge of Laurel Crest Resorts (68 new units), 2628 Laurel Crest Lane, Jeremy Puckett – CEC, Inc.

Jeremy Puckett was present.

STAFF RECOMMENDATION

Staff Planner Taylor said there were no changes from the preliminary PUD plan that Commission recently approved. He continued utilities were modelled and they are using pervious pavers for stormwater. Staff recommended in favor.

ACTION TAKEN

Commissioner Watts made a motion to approve Final PUD Plan for the request. Commissioner Rutledge seconded and all voted in favor.

3. Final PUD Plan of Waterside Gardens PUD, Phase 1 (14 units), 540 Henderson Road, John S. Drummer – LDA Engineering.

Staff Planner said that representation for this item is running late and staff wanted them to explain traffic study and other items related to this development. Chairman Houser stated the item will be move to the end of the agenda as requested (see City Items F, #1).

4. Preliminary PUD Plan of Embassy Suites Hotel (168 rooms), 395 Jake Thomas Road (Tax Map 83, Parcel 90.02), Lawrence Emery – NE Group.

The item was represented.

STAFF RECOMMENDATION

Staff Planner Taylor said that this is a proposed six story hotel that will access through the existing Ripkin Experience cut. He stated that a proposed out parcel, that did not meet regulation, was removed but land remains proposed as vacant. He said the site plan is mostly in order but that they show a retaining wall in the platted 10 feet utility easement at the exterior property lines. He continued that Public Works is investigating whether the easement is needed, but staff proposes updating the site plan showing the retaining wall out of the easement until that is determined.

ACTION TAKEN

Commissioner Watts made a motion to approve Preliminary PUD Plan with an updated plan showing the retaining wall located outside the 10 feet perimeter utility easement. Commissioner Rutledge seconded and all voted in favor.

D. Site Plans

1. ALD Ventures of East Tennessee Rentals, Site Plan, 2870 Parkway, Robert Campbell – RGC & A.

Gene Bovinett represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor stated that they are proposing a cart rental at one of the tenant spaces. He said the site plan shows 14 cart rentals and the location they must be parked. Staff recommended approval.

ACTION TAKEN

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

2. Pratik Patel Duplex, Site Plan, 3291 Nellie Street, Israel Guzman – Guzman Subcontractors, Inc.

The item was represented.

STAFF RECOMMENDED

Staff Planner Taylor said property is zoned C-6 so the site plan must go before Planning Commission. He stated it is a duplex. Staff said the site plan is in order and recommended it.

ACTION TAKEN

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

3. Jurassic Tymes Golf (Goats on the Roof), Site Plan, 1341 Wears Valley Rd, Michael Suttles – Michael Suttles Land Surveying

Services.

Mr. Suttles and Ross Ogle were present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that issues have mostly been worked through but stormwater plan has not been finalized and staff needs additional information before recommending it.

ACTION TAKEN

Commissioner Watts made a motion to approve the site plan subject to final storm water plan being reviewed and approved administratively. Commissioner Rutledge seconded and all voted in favor.

4. Mountain Coaster Teaster Lane, Site Plan, 2509 Teaster Lane, W.H. Breck Bowlin – Land Development Solutions.

The item was represented.

STAFF RECOMMENDATION

Staff Planner Taylor said the site plan is mostly in order, but staff needs a finalized evacuation plan. Mr. Taylor assured Commissioner Kyker that slope in parking lot has been reviewed and is less than the 7 percent, which is less than the maximum approved by the Commission.

ACTION TAKEN

Commissioner Watts made a motion to approve the request with evacuation plan being submitted and approved administratively. Commissioner Dodgen seconded and all voted in favor.

5. Hillside Subdivision Lot 23R Duplex, Site Plan, 526 Royal Coachman Drive, Brennon Garrett – The Land Surveyors, Inc.

The item was represented.

STAFF RECOMMENDED

Staff Planner Taylor said that they had been working through this for a while. He reported they converted their garage to habitable space without permits. He explained this would be two principal buildings on one lot which is not allowed per zoning. He continued they now show connection between the two buildings with a breezeway but staff does not feel that is enough to be considered one building. Discussion ensued. Commissioners seems to agreed that a more substantial architectural designed connection was needed to be considered one building.

ACTION TAKEN

Commissioner Watts made a motion to deny the site plan. Commissioner Rutledge seconded and all voted to deny.

E. Requests for Rezoning

1. Request for de-annexation of approximately 1.8 acres over two properties at 2350 and 2354 Henderson Springs Road (Tax Map 82, Parcels 86.01 & 86.05), Henderson Springs Road, Devin Davis and Chad Ayers.

Devin Davis, Chad Ayers, and others were present for this request. Mr. Davis reported that he originally requested sewer, but since his family has less demand on the on-site system than the previous owner, the on-site sewer system has been working fine and does not need city sewer. He agreed the city offered sewer, but insisted he has been given contrary and confusing information from city staff. He said (and his family) plans to live there, yet over-night rent part of the property. Mr. Ayers spoke, many times out-of-order, mostly contending his property is more valuable if he can sell it as an overnight rental. He also feels he has been given the "run around" by the city as a whole. Both Mr. Ayers and Mr. Davis admit buying the properties after they were annexed into the city.

STAFF RECOMMENDATION

Staff Planner Taylor said the properties were annexed in 2003 and 2015 by owner request to be connected to the city sewer. He furthered stated that the Plan of Services reads that the sewer will be extended at the owner's expense, but city has offered to extend the sewer lines. He continued that nearest available sewer connections are between 100 to 200 feet away. Mr. Taylor reported that after rezoning of the property seem unlikely (from R-1 to R-2), the application was withdrawn and the

petitioners now seek de-annexation to overnight rent the properties. Chairman Houser felt that after being on last month's agenda for re-zone and denied recommendation for rezone; the Planning Commission encouraged the applicants to consider de-annexation instead. Commission Rutledge felt that the petition for de-annexation was nothing more than a back door way to overnight rent the property. He continued that the city and Planning Commission has stood firm on not losing anymore long-term single family residents and added that overnight rentals are disruptive to the neighborhoods. Commissioner Rutledge also reported that neighbors contend that loud noises of parties have been coming from these properties. Discussion ensued.

ACTION TAKEN

Commissioner Watts made a motion to recommend de-annexation of both properties to the City Commission. Commissioner Dodgen seconded the motion. Chairman Houser called for a roll-call vote. The vote was as follows:

- Commissioner Kyker: Yes – Recommend De-annexation to City Commission.
- Commissioner Dodgen: Yes – Recommend De-annexation to City Commission.
- Commissioner Watts: Yes – Recommend De-annexation to City Commission.
- Commissioner Rutledge abstaining from the vote for personal reasons.
- Chairman Houser vote unnecessary.

Chairman Houser announced that by a 3-0 margin, "Yeses" has it, therefore Planning Commission recommends to City Commission to de-annex the properties.

F. Miscellaneous Requests or Required Actions

1. (Revisited from City Item D. #3) Final PUD Plan of Waterside Gardens PUD, Phase 1 (14 units), 540 Henderson Road, John S. Drummer – LDA Engineering.

Mr. J.B. Turnmire arrived late and started by explaining the traffic study. He said modelling concluded that existing road infrastructure can handle this additional traffic, but some upgrades are needed to road width and

such.

STAFF RECOMMENDATIONS

Staff Planner Taylor reminded the Commission that this development received preliminary PUD in April 2021 subject to utility modelling, traffic study, and floodway area labelled as “unbuildable.” He said some road work has been completed, utilities have been modelled, Mr. Turnmire reported on traffic study, and floodway has been labelled as “unbuildable.” He added they are now seeking final PUD for phase 1 (14 units). He said there is 10 proposed phases. He stated that detention will need to be added in phase 1 and lift station will need upgraded before buildout. Staff recommended in favor of final PUD for phase 1

ACTION TAKEN

Commissioner Dodgen made a motion to approve Final PUD Plan for Phase One. Commissioner Watts seconded and all voted in favor.

Planning Region Items

A. Subdivisions

- 1. Final Subdivision Plat of Laurel Creek Subdivision, Lots 1 – 11, McMahan Sawmill Road, Terry Romans – Romans Engineering.**

This request was withdrawn before the meeting.

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 Rutledge made a motion to adjourn. Commissioner Watts seconded and all voted in favor.

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

Tony Kyker, Vice Chairman

Attest: _____