

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, AUGUST 27, 2019, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

MEMBERS ABSENT

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

OTHERS PRESENT

Dixon Greenwood, Kacie Huffaker, Mike Shular, Jeff Farrell, Mimi Kulp, Jack Maples, Jared Maples, Jerry Hanson, Brandon Williams, Marcus Whaley, Fred Frische, Ron Cook, Nathan Rowell, Jimmy Taylor, Joe Keener, Dixon Greenwood, Chief Tony Watson, others.

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

BOARD OF ZONING APPEALS

CALL TO ORDER

Vice-Chairman Taylor called the meeting to order. Chairman Houser arrived later and led the rest of the meeting.

A. Request for interpretation as to whether wineries are a permitted use in a C-4 District, Tower Shops at the Mountain Mile (formerly Belz Mall Redevelopment), Teaster Lane, Dixon Greenwood.

Dixon Greenwood was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that the C-4 district does not include a list of permitted uses, just "commercial planned unit developments." He stated that wineries are listed in the C-6 & C-7 as a permitted use. He continued that C-2 has a winery that existed before it was annexed and has been considered non-conforming. He said that is has been the position of City and Planning Commissions not to have distilleries on the Parkway and states wineries could be a concern as well. Discussion ensued. Some Commissioners were concerned about any type of manufactured spirits, that may be giving out free samples, to be allowed on the Parkway. Some felt it could be allowed in a C-4 district if it was a certain distance from the Parkway and suggested it match municipal code of 400 feet off the Parkway like distilleries. City Attorney Wyrick advised that this matter be addressed under zoning and not municipal code. She suggested a workshop may be necessary. A Planning Commission workshop was scheduled for September 11th at 9 AM.

ACTION TAKEN

After much discussion, Commissioner Taylor made a motion table the request. Commissioner Marsh seconded and all voted in favor.

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 Marsh made a motion to approve the Planning Commission minutes for the meeting from July 23, 2019. Commissioner Marsh seconded and all voted in favor.

OLD BUSINESS

STAFF RECOMMENDATION

Staff Planner Taylor informed the Commissioners that the mural ordinance was passed by City Commission and staff received the Maples Hotel submittal package. He said it meets the requirements but lacks the maintenance easements required. He said that the easements documents are to be prepared by City Attorney Wyrick.

ACTION TAKEN

Commissioner Maples made a motion to approve the proposed mural subject to the easements being drafted and recorded. Commissioner Rutledge seconded and all voted in favor.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. City of Pigeon Forge Police and Fire Departments – Safety Day, Thursday, October 24th, 2019, 3p.m. - 7p.m., Community Center, Chief Catlett and Chief Watson (Public Property).**

Chief Watson was present for the event.

STAFF RECOMMENDATION

Staff Planner Kreis said that it is an annual event and similar to last year's event. He said that last year was the first year it was combined with the Spooktacular and it went well. He stated the city department administrative review committee recommends the event.

ACTION TAKEN

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

- 2. Annual Pigeon Forge Rotary Club – Craft Fair Tent, Saturday September 28th through Saturday, October 26th, 2019, Patriot Park, Fred Frische (Public Property).**

Mr. Frische was present for the request.

STAFF RECOMMENDATION

Staff Planner Kreis said that it is a long standing annual event and similar to last year's event. He stated the city department administrative review committee recommends the event.

ACTION TAKEN

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

B. Subdivisions

- 1. None.**

C. Planned Unit Developments (PUD)

- 1. Preliminary PUD Plan for Smoky Mountain RV Park & Resort (formerly known as Eagles Nest Campground), 1111 Wears Valley Road, Gary Norvell – Norvell and Poe Engineers.**

Kacie Huffaker represented the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that the existing campground has been bought and they are adding bathhouses, pool, and some in-fill sites. He said they are proposing many new site in the Floodway. He stated that an engineered no-rise and other FEMA requirements must be met. He continued with all that is required for FEMA and that some of that same area has TDEC buffer requirements too, that he could not recommend preliminary PUD for anything within the floodway. He recommended preliminary be granted to the rest of the development.

ACTION TAKEN

Commissioner Dodgen made a motion to approve preliminary PUD plan for proposed development shown outside the mapped floodway. Commissioner Maples seconded and all voted in favor.

2. Revised Final PUD Plan for Tower Shops at the Mountain Mile (formerly Belz Mall Redevelopment), Teaster Lane, Dixon Greenwood.

Dixon Greenwood was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said this plan revision included adding a kid train and kiosks, and that the dumpster and circulation behind the shops has changed. Staff recommended the minor site plan revisions.

ACTION TAKEN

Commissioner Kyker made a motion to approve the final PUD plan revision. Commissioner Maples seconded and all voted in favor.

3. Final PUD Plan of Wholesale Furniture and Linens, Phase One (one building and parking), 1201 Wears Valley Road, WC Whaley – WC Whaley, Inc.

Mr. Whaley was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that the project received preliminary in March. He stated they are utilizing a reduced setback due to the smaller lot and narrowness of it. He said that although there will not be much change in the site plan from preliminary to final, staff has not gotten the PUD documents required for final. Mr. Taylor reported that the contractor would just like to get started on one building and they propose phasing the project and a letter has been drafted by a retained attorney that PUD documents will be drafted. Staff was worried about setting a precedence. Discussion ensued. Mr. Whaley said that the PUD would all be under one ownership and that they would like a foundation permit soon. Commissioners seem to express that a foundation could be granted but no building permit being issued until PUD documents are received and reviewed by staff. City Attorney Wyrick concurred that withholding building permits is a power the Commission has utilized with regularity. Staff also wanted a bond for parking and landscaping are received within 10 days.

ACTION TAKEN

Commissioner Maples made a motion to approve final PUD for Phase 1 (one building) subject to PUD documents being staff approved before any building permits and a bond or letter or credit for parking and landscaping received within 10 days. Commissioner Marsh seconded and all voted to approve it with Commissioner Dodgen abstaining.

D. Site Plans

1. Buzzed Bull (proposed into New York, New York building), Revised Site Plan, 3239 Parkway, Jimmy Taylor – Associated Design Group, Inc.

Mr. Taylor was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this existing establishment is creating a unit that will sell ice cream with alcohol. He said they have added a grease trap and that the parking chart meets regulations. He continued that the parking lot is in need of repairs and that landscaping needs to be added. He said that a bond or letter of credit is needed with 10 days for paving and landscaping.

ACTION TAKEN

Commissioner Kyker made a motion to approve the site plan if a bond or letter of credit is received within 10 days for paving and landscaping. Commissioner Marsh seconded and all voted in favor.

2. Smoky's Furniture, Site Plan, 2771 Veterans Boulevard, Kacie Huffaker – Norvell and Poe Engineers.

Kacie Huffaker was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said this is a proposed two story building with 12,400 square feet of retail at ground level with 12,400 square feet of storage above. He stated that many details have been worked through and staff is ready to

recommend this design. He continued that this is part of a much larger lot and staff does have concerns on how the rest of the property is to be developed since this proposal utilizes all the usable frontage. He recommended in favor with a bond or letter of credit for paving and landscaping being received within 10 days.

ACTION TAKEN

Commissioner Maples made a motion to approve the site plan with a bond or letter of credit for paving and landscaping being received within 10 days. Commissioner Dodgen seconded and all voted in favor.

E. Requests for Rezoning

- 1. None.**

F. Miscellaneous Requests or Required Actions

- 1. Request for annexation, approximately 10 acres off Jess Wilson Road (Tax Map 082, Parcels 140.00 & 140.01 and approximately 730 feet of ROW of Jess Wilson Road) and review of Plan of Services, Jack Parton – Sevier County Board of Education.**

No one represented this request.

STAFF RECOMMENDATION

Staff Planner Taylor said this property is being annexed for a public school. He said the property will come into the city as R-1 zoning which public buildings are allowed as a permitted use. He reviewed the rest of the plan of services, which he said was fairly standard. Staff recommended the annexation and proposed plan of services.

ACTION TAKEN

Commissioner Kyker made a motion recommend the annexation and the proposed plan of services to the City Commission. Commissioner Taylor seconded and all voted in favor.

Planning Region Items

A. Subdivisions

1. Final Plat of Laurel Branch Subdivision, Phase 3, Lots 19 – 21, Newt Huff Way, David Hurst – Norvell & Poe Engineers.

Kacie Huffaker was present for the request.

STAFF RECOMMENDED

Staff Planner Taylor said that these lots have been waiting on Sevier County Environmental Health Department approval. He said they have been approved for at least a two-bedroom system. He said that all signatures have been obtained and staff recommended approval.

ACTION TAKEN

Commissioner Dodgen made a motion to approve final plat for these three lots. Commissioner Maples seconded and all voted in favor.

B. Planned Unit Developments (PUD)

1. Preliminary PUD Plan for Trace Way RV Park, Trace Two Hundred Subdivision, Lot 1 – Wears Valley Road, Donna Cantrell – Cantrell Engineering & Surveying, PLLC.

This item was withdrawn before the meeting.

C. Site Plan

1. None.

D. Requests for Rezoning

1. None.

E. Miscellaneous Requests or Required Actions

1. None

ADJOURNMENT

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

The meeting was adjourned at 4:35 p.m.

Stephen Houser, Chairman

Attest: _____