

**MINUTES OF THE  
CITY OF PIGEON FORGE PLANNING COMMISSION  
AND BOARD OF ZONING APPEALS  
TUESDAY SEPTEMBER 23, 2014, 3:00 P.M.  
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley, Chairman  
Jerry Clark  
Jeff Dodgen  
Jay Ogle  
Stephen Houser  
Tom Marsh

MEMBERS ABSENT

Judy Harrell

OTHERS PRESENT

David Taylor, Karl Kreis, Midge Jessiman, City Attorney Gass, Jerry Hanson, Sammy Ownby, Jake Old, Howard Reagan, Pam Ogle, Jimmy Taylor, Brandon Williams, Brent Collier, Mike Suttles, Louise Wuebker, Mimi Kulp, others.

**BOARD OF ZONING APPEALS**

1. Call to order

Chairman Bradley opened the meeting by asking both applicants if they had been notified that the BZA would be before Planning Commission. Mr. Collier indicated that he was notified. Ms. Wuebker said she had not. After some discussion she agreed to have her item heard at BZA before the Planning Commission meeting. Chairman Bradley called the meeting to order.

2. Old business

3. New business

**A. Request for interpretation of what constitutes a Segway "tour,"  
3337 Old Mill Street, Staff and Louise Wuebker.**

Ms. Wuebker was present.

STAFF RECOMMENDATION

Mr. Taylor gave some background for the item. He said that at the May 2014 BZA meeting the Board approved Segway sales and rentals, but not Segway tours. He said the city has been receiving complaints that Segways have been travelling throughout the city in "groups" causing pedestrian/Segway conflicts. He said groups of Segways have been noticed with a staff person in the front and one in back. He said this is considered "tour" to city staff. He continued that the business was called and asked about this, they reportedly were doing "rental experiences" not "tours." He wanted the Board to decide if what they are doing are "tours" or not. Ms. Wuebker admitted (her or staff) going out with every group. She said she did so for four reasons: 1) "Safety assist" – using a first aid kit, 2) "Traffic is intense" – help with large street crossings, 3) Liability reasons, and 4) Direct riders to "right places." Discussion ensued. City Attorney Gass said that if a staff member goes along he feels it is a "tour." He continued by saying that there is legal precedence to allow the Segways on the sidewalks as a handicap assist devices; but he feels the board could limit the number travelling together. Board asked for recommendations. Mr. Taylor stated he could understand the owners/staff wanting to accompany the riders, but felt a limit needs to be placed on the number of riders riding together. Discussion started about a number of riders. City Attorney Gass said that the Board could set a number and under that number would not be considered a "tour." After some negotiation the Board agreed to set more than seven Segway riders (including two staff members) is considered a "tour" and not allowed in the City of Pigeon Forge. Chairman Bradley asked that the matter be evaluated during the next six months and come back before the BZA at that time.

#### ACTION TAKEN

Commissioner Houser made a motion that more than seven Segway riders (including two staff members) is considered a "tour" and not allowed. He furthered motioned that the matter come before the Board in six months for follow-up. Commissioner Marsh seconded and all voted in favor.

#### **B. Request for off-site parking per Section 402.19 of the zoning text, Proposed Rooftop Restaurant – Brewery – Distillery – Winery, Brett Collier and Mike Suttles.**

Mr. Collier and Mr. Suttles were present. Mr. Suttles explained a parking analysis that he had prepared. It involved four parcels: 1) The lot of the proposed distillery, 2) Currently Corky's – proposed rooftop restaurant, 3) Golden Corral, and 4) an existing parking lot. He explained how they all would share the parking lot to lot. The map had 400 feet radii circles on

them with the businesses (existing and proposed) at the center of the circle. He explained how all businesses would have the required parking within 400 feet, albeit not necessarily on the same lot as the business.

STAFF RECOMMENDATION

Mr Taylor passed out maps to the Board members and read section 402.19 out loud. He explained that the parcel (with parking only on it) is further than 400 feet away when measured by pedestrian travel routes from the front of Corky's to the existing parking lot. He explained that the two restaurants (Corky's and Golden Corral) and the hotel adjacent to them already have a history of sharing parking from the existing parking lot. He explained the parking business by business. He says that Mr. Suttles analysis did not include an addition that had been done to Golden Corral, which increased their need for parking. Also, he showed through a recent aerial shot, that Mr. Suttles was showing 10 parking spaces where the addition has been built. He explained that the hotel needs 6 spaces from the back lot. He totalled the available parking and proposed parking and subtracted that from the required parking and determined that they are 39 parking spaces short. He concluded that there was not any available parking to share and what was there was not close enough to meet the section of ordinance. He could not recommend. Mr. Collier argued that it was close enough and he would take some tables out of one of his restaurants to make up the shortage. City Attorney Gass said they would need to resubmit a new analysis and that the Board would need to act on what was presented.

ACTION TAKEN

After much discussion this item was withdrawn by applicant.

4. Adjournment

**PLANNING COMMISSION**

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the August 26, 2014 meeting were approved on a motion Commissioner Marsh. Commissioner Dodgen seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

**City of Pigeon Forge Items**

***A. Special Events***

- 1. The Island In Pigeon Forge – 2nd Annual Halloween Celebration, Friday, October 31, 2014, 5:30 p.m.-11:00 p.m., 131 The Island Drive, Summer Wilson.**

No one was present.

STAFF RECOMMENDATION

Mr. Taylor recommended in favor of this event. He stated there will not be any off-site hayrides.

ACTION TAKEN

Commissioner Clark made a motion to approve the request. Commissioner Houser seconded and all voted in favor.

***B. Subdivisions***

- 1. None.**

***C. Planned Unit Developments (PUD)***

- 1. Final PUD Plan of Pigeon Forge Hotel and Convention Center, 3171 Parkway (former The Grand Resort Hotel), Jimmy Taylor, ADG .**

Mr. Taylor was present. He explained the site plan. He said they have reduced the number of cabins from 12 to 10 from preliminary approval. He reported obtaining a LOMR from FEMA to reduce the size of the floodplain. Despite this, he said that one cabin will need to be elevated.

STAFF RECOMMENDATION

Staff Planner Taylor said that the first submitted utility plan did not match conditions of preliminary approval to tie water to a line on Jake Thomas Road (this condition was based on a Public Works Department recommendation). He said since that time the applicant has been working with the Public Works Department to tie unto Francis Avenue. He said based on recommendations from Public Works, staff recommends final PUD plan with the proposed utility plan changes.

ACTION TAKEN

Commissioner Ogle made a motion to approve the PUD subject to staff recommendation. Commissioner Marsh seconded and all voted in favor.

***D. Site Plans***

**1. Doc Collier's Restaurant (Brewery, Distillery, and Winery), Site Plan, 3576 Parkway, Brent Collier/Mike Suttles.**

Mr. Collier and Mr. Suttles were present.

STAFF RECOMMENDATION

Mr. Taylor said that parking issues (lack thereof) remains unresolved since the item was withdrawn (by the applicant) at the BZA meeting earlier. Additionally, he said there are pending stormwater issues. These issues include a retaining wall proposed closer than 30 feet from the top of the stream bank. He said this does not meet the stormwater ordinance. He said there were other issues as well.

ACTION TAKEN

After discussion, this item was withdrawn by the applicant.

**2. Red Roof Inn, Revised Site Plan, 2826 Parkway, Jimmy Taylor, ADG.**

Mr. Taylor was present. He explained that his client is proposed to add a restaurant to the third floor of this existing hotel. He explained that this restaurant will be elevated over some of the parking and traffic circulation for the hotel.

STAFF RECOMMENDATION

Staff Planner Taylor explained that the site plan was in order and recommended in favor.

ACTION TAKEN

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

**3. Billboard Relocation, Site Plan, Mountain Cove Gift Shop – 3410 Parkway, Howard Reagan.**

Bryce W. McKenzie was present for this item. He stated that they are proposing moving a billboard from the Candy Makers to Mountain Cove Gifts.

STAFF RECOMMENDATIONS

Mr. Taylor started by stating it is not the responsibility of the Planning Commission to approve or deny whether (or not) a billboard can be constructed at this location. He said those powers rest within the City Commission. He continued that it is the task of the Planning Commission to insure that "if" a billboard is allowed, that it is being proposed at least five feet off of the Right of Way. He explained that the site plan before them shows the proposed billboard at least five feet off the ROW. He said he could recommend site plan approval. City Attorney Gass also stated that any action by Planning Commission is subject to approval by the City Commission. He continued that City Commission will determine whether (or not) it meets city ordinances or can replace a billboard removed from another location.

ACTION TAKEN

Commissioner Clark made a motion to approve the site plan for the billboard with the understanding that City Commission will have to approve the relocation. Commissioner Marsh seconded and all voted in favor.

**4. Walden's Landing – Forge Cinema Expansion, Revised Site Plan, Walden's Landing – Parkway, R2R Studio, Inc.**

ACTION TAKEN

No action was necessary the item was withdrawn before the meeting.

***E. Requests for Rezoning***

1. None.

***F. Miscellaneous Requests or Required Actions***

1. None.

**Planning Region Items**

***A. Subdivisions***

1. None.

***B. Planned Unit Developments (PUD)***

1. None.

***C. Site Plans***

1. None.

***D. Requests for Rezoning***

1. None.

***E. Miscellaneous Requests or Required Actions.***

1. None.

OTHER BUSINESS

**Pam Ogle Harpoon Harrys construction tent in parking lot.**

Ms. Ogle stated that a tent has been erected in the parking lot of Harpoon Harry's Restaurant on the Parkway (formerly the Mandarin House Restaurant) for construction use during renovations. She explained that she had been

asked to take the tent down, because it didn't meet regulations. They have since completed a special events application to allow the tent. Mr. Taylor explained that staff needs to look into the matter to see if it meets regulations or how they may need to proceed.

4. Adjournment

The meeting was adjourned at 4:00 p.m.

\_\_\_\_\_  
Bill Bradley, Chairman

Attest:\_\_\_\_\_