

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, SEPTEMBER 25, 2018, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

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

MEMBERS ABSENT

Jerry Clark

OTHERS PRESENT

David Taylor, Karl Kreis, Sammy Ownby, Joe Keener, Kacie Huffaker, John Wear, Mimi Kulp, John Wear, Nikki Harrell, Steven Hurlbut, Marcus Whaley, Dixon Greenwood, Thomas Compton, others.

Cindy Wyrick – City Attorney

PLANNING COMMISSION

CALL TO ORDER

Chairman Houser called the meeting to order.

APPROVAL OF MINUTES

Commissioner Marsh made a motion to approve the Planning Commission minutes for the meeting from August 26, 2018 with one minor correction on attendance, Commissioner Taylor seconded and all voted in favor.

OLD BUSINESS

- A. Storage Container Update: Staff Planner Taylor gave an update to the storage container problem in the city. He said that the last letter they mailed had a positive effect on lessening the number of illegal containers. He reported that staff and city attorney are drafting another letter and gathering

information of properties out of compliance. He said that there may be a workshop to further address the problem.

- B. Legends PUD (former Daysprings Resort) Update: Staff Planner Taylor reminded the Commission that there were several deficiencies that prevented staff from recommending final PUD at the last meeting. He said that one was for drainage. He stated that staff has recently received a letter from an engineer, and a copy of the letter was distributed to the Commissioners. He read the letter and he felt that it was not thorough enough, not stamped and sealed, and did not address the drainage from the clubhouse to the nearby neighbor, which he repeated has been staff's main concern. He expressed that staff cannot recommend final PUD. John Wear said that he mainly needs a building permit for the clubhouse and could wait on final PUD. He continued that the drainage cannot be finalized until the top coat of the road is down as the water currently cannot get to the drains. Mr. Taylor said that building permits are not issued without final PUD. Discussion ensued. Commissioner Maples felt that the improvements being made to the development was important to the city and that he should be granted a building permit. City Attorney Wyrick said that the engineer letter is vague and did not provided protection to the city. She continued that the developer has violated city ordinances over and over, and even one directly after the last Planning Commission meeting. She said she (and staff) would be willing to meet with engineer(s) and Mr. Wear to work towards a solution.

ACTION TAKEN

Commissioner Maples made a motion to grant a building permit for the clubhouse. The motion failed for lack of a second.

Chairman Houser asked if there were any other motions.

Commissioner Taylor made a motion that staff be presented with a revised drainage letter and PUD plan that could be approved administratively. Commissioner Dodgen seconded and Commissioners Marsh, Kyker, Taylor, and Dodgen voting in favor with Commissioner Maples voting against the motion.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

1. Adrenaline Sports Management – Santa Hustle in the Smokies' Half Marathon & 5k, Sunday, December 9th, 2018, Parkway, Heather Frayn.

Nikki Farrell represented the request. She reported the event is remaining the same as previous years.

STAFF RECOMMENDATION

Staff Planner Kreis said that this has been recommended by the city department administrative review.

ACTION TAKEN

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

2. Parkway Mission of Hope – Outreach Revival, Monday, October 1st through Friday, October 5th, 2018 (maybe longer), 118 Golf Drive, Thomas Compton (Appeal of Administrative Review).

Mr. Compton and his wife represent this request. He asked that his tent event could be five days. He said he did not know about the new regulations, and that his last one was five days.

STAFF RECOMMENDATION

Staff Planner Kreis said that the event is being proposed for longer than three days which is the maximum under the (new) regulations. He said that the city department administrative review committee has no authority to lengthen events so Mr. Compton must appealing to this the Commission. He continued that there was another tent revival event that was allowed extra days for one year, so they could plan for the shorter period the following year.

ACTION TAKEN

Commissioner Dodgen made a motion to allow the event to be five days this year, but that future events be three days or less. Commissioner Marsh seconded and all voted in favor.

A. Subdivisions

1. Final Minor Re-Subdivision of Country Oaks Subdivision, Phase 2, Lot 1 (into two lots), Country Oaks Drive, Steven Hurlbut.

Mr. Hurlbut was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this is a two lot subdivision. He said there is an existing house not served with public sewer and the nearest sewer connection is about 275 feet from the proposed lot (Lot 1B). He read a note to be placed on the plat, basically that no building permits are to be issued to Lot 1B until the sewer is extended at the owner's expense. Mr. Taylor stated it is a tight lot and he wanted a note added that no setback variances are to be granted to Lot 1B. He furthered that all required signatures are needed.

ACTION TAKEN

Commissioner Dodgen made a motion to grant final plat approval subject to staff's notes being added and required signatures. Commissioner Kyker seconded and all voted in favor.

2. Final Minor Re-Subdivision of Conner Heights Subdivision Lots 145R & 146 (into three lots), Indian Knob Circle, David Hurst.

Kacie Huffaker was there to represent the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that Lot 145 was being divided into two lots and that the remaining portion was to be added to Lot 146. He said he could recommend with required signatures.

ACTION TAKEN

Commissioner Maples made a motion to grant final plat approval subject to required signatures. Commissioner Kyker seconded and all voted in favor.

3. Final Minor Re-Plat of Pigeon Falls, LLC, Tracts 2, (into) Lots 4R, 5R, 5R-1, 7R, 8R, & 9R-1, Teaster Lane and Jake Thomas Road, Joseph Colvin.

Joseph Colvin represented the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that nine lots are becoming seven lots and one is to become the new city parking lot. He said he could recommend final plat subject to required signatures.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request subject to required signatures. Commissioner Kyker seconded and all voted in favor.

C. Planned Unit Developments (PUD)

1. Final PUD Plan for Staybridge Suites (former Proposed Hotel & Retail Shops), 2519 Teaster Lane, Gary Norvell – Norvell & Poe.

Kacie Huffaker was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that although it is now one business this project started as a PUD, but the retail was removed. He said the site plan was mostly in order, but that the dumpsters needed more angling and the corner across from the solid waste area needs to be reduced. He said he could recommend with those changes.

ACTION TAKEN

Commissioner Maples made a motion to grant final PUD approval with solid waste modifications. Commissioner Taylor seconded and all voted in favor.

D. Site Plans

1. Rowdy Bear, Site Plan, Parkway, Marcus Whaley - WC Whaley, Inc.

Mr. Whaley was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that one of the lots already has site plan approval and they are adding an adjacent lot and redesigned and more attractions added. He said that the developer plans to leave it two lots and long term lease the property. He continued that there is a building overhang encroaching the drainage area. He wanted a note added to the plan that city is not responsible for damages if working in the area. Discussion ensued about the long term lease. Commissioners wanted to make sure that all activities were covered since the lots were dependent on each other for parking, drainage, solid waste, and others. Some Commissioners requested that City Attorney Wyrick help work on the language for the site plan. Staff felt that should be in order before any building permits are issued.

ACTION TAKEN

Commissioner Maples made a motion to approve the site plan subject to notes being added to the site plan regarding long term lease expectations and drainage situation which met approval of the City Attorney; and, this must be completed before any building permits issued. Commissioner Taylor seconded and all voted in favor.

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 Plan

1. None.

D. Requests for Rezoning

1. None.

F. Miscellaneous Requests or Required Actions

1. None.

ADJOURNMENT

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

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

Stephen Houser, Chairman

Attest: _____