

**MINUTES OF THE  
CITY OF PIGEON FORGE PLANNING COMMISSION  
AND BOARD OF ZONING APPEALS  
TUESDAY, JULY 28, 2015, 3:00 P.M.  
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Jay Ogle, Chairman  
Jeff Dodgen  
Jerry Clark  
Judy Harrell  
Tom Marsh  
Stephen Houser  
Tony Kyker

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Brandon Williams, Jerry Hanson, Kacie Huffaker, Kay Collier – Pittman, Marvell Sewell, Tim Loan, Rebecca Mazzei, Marcus Whaley, Donna Cantrell, Mimi Kulp, others.

Jim Gass, City Attorney  
Midge Jessiman

**BOARD OF ZONING APPEALS**

1. Call to order
2. Old business
3. New business

**A. Request for a gas station/convenience store in a C-6 district under Uses Permitted on Review (Section 711.3.6), Proposed Weigel's – Corner of Wears Valley and Henderson Spring Roads, Kacie Huffaker.**

Ms. Huffaker was present.

STAFF RECOMMENDATION

Staff Planner Taylor stated that the proposed use of gas station/convenience store can be in a C-6 district as a Uses Permitted on Review, provided that a lighting plan meets the specified requirements of that section of the ordinance. He said that a lighting plan has been reviewed that meets this section of the ordinance. Staff recommended in favor of the proposed use.

ACTION TAKEN

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

**B. Request for interpretation of sign ordinance, The Island at Pigeon Forge, 131 The Island Drive, Denise Henley.**

Ms. Henley was unable to attend.

STAFF RECOMMENDATION

Staff Planner Taylor said that the proposal was for a sign at an existing parking lot for the Island that was underutilized. He maintained that nobody realizes that this lot on Smoky Drive is connected to The Island development. He felt that signage for the lot would not only benefit the development, but would benefit the city since it would divert some cars away from the city owned lot for the convention center. He said there is currently nothing in the regulations that govern this type of signage. He showed the proposed sign and read a definition of a sign per the zoning ordinance. He said the sign would not be to attract attention to the business, but directing traffic to parking and under the ordinance could be considered an exemption to sign permitting. Discussion ensued. Commissioners understood the need, but showed ambivalence to possibly creating precedence with ruling in favor. They expressed preference to an ordinance amendment for this case and moving forward. Sentiment seemed to be, table one month while an ordinance amendment is being prepared.

ACTION TAKEN

Commissioner Harrell made a motion to table the request. Commissioner Clark seconded and all voted to table it.

**C. Request for interpretation of sign ordinance, The Ripken Experience, Jake Thomas Extension.**

Zank (Custom Craftsman) was present. He talked about the various signs that were created to help guide individuals throughout the park.

STAFF RECOMMENDATION

Staff Planner Taylor said that what was proposed is a series of wayfinding signs to direct people throughout this large park. He showed the Commissioners examples of the signs proposed and said that none of them would be visible outside the park. He said (like the previous item) there is currently nothing in the regulations that govern this type of signage. Commissioners felt this situation was different from the previous sign agenda item. Many felt that these type of wayfinding signs are expected (and necessary) inside a park and none are visible outside the park.

ACTION TAKEN

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

4. Adjournment

**PLANNING COMMISSION**

CALL TO ORDER

Chairman Ogle noted that a quorum was present.

APPROVAL OF MINUTES

Commissioner Marsh made a motion to approve the minutes Commissioner Harrell seconded and all voted in favor.

OLD BUSINESS

**Pigeon Forge Football and Cheer - Tigers on the Prowl 5k, (New Date) Saturday, October 10<sup>th</sup>, 2015, Wears Farm Park – Wears Valley Road, Sheena Cole.**

Ms. Cole was not present.

STAFF RECOMMENDATION

Staff Planner Taylor stated that the last date approved was during the National Quartet Convention (NQC) and police support would be difficult during that time. He said that this new date was agreed upon by all parties. He recommended in favor of the new date.

ACTION TAKEN

Commissioner Harrell made a motion to approve the new date for the event. Commissioner Marsh seconded and all voted in favor.

**Mountain Breeze Motel – Thursday, July 23<sup>rd</sup>, through Sunday, July 26<sup>th</sup>, 2015, 2926 Parkway, Suzy Campbell.**

Ms. Campbell was present and explained that she would like to extend the event through Sunday, August 2<sup>nd</sup> as they have a group coming into her hotel that would like to use the tent they have up.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

Commissioner Clark made a motion to extend the event. Commissioner Harrell seconded and all voted in favor.

NEW BUSINESS

**City of Pigeon Forge Items**

***A. Special Events***

- 1. Smoky Mountain Convention Center - Smoky Mountain Military and Relic Show, Saturday, August 29<sup>th</sup> & Sunday, August 30<sup>th</sup>, 2015, 4010 Parkway, Pete Smith.**

Ms. Kay Collier-Pittman was present.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

**2. Smoky Mountain Convention Center – Church of God Worldwide, Sunday, September 27<sup>th</sup> – Monday, October 5, 2015, 2015, 4010 Parkway, Pete Smith.**

Ms. Kay Collier-Pittman was present.

STAFF RECOMMENDATION

Mr. Taylor stated that this large event is proposed during NQC and that no traffic support or reader board would be available for this years event. Ms. Collier-Pittman understood. Staff recommended in favor of the request.

ACTION TAKEN

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

**3. Country Cascades – Patel Family Reunion, Monday, August 3<sup>rd</sup> – Wednesday, August 5<sup>th</sup>, 2015, 204 Sharon Drive, Pete Smith.**

Ms. Kay Collier-Pitman was present and stated that a tent would be used as a prepping area. No cooking would be done on premises.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

**4. Old Mill Square – 12<sup>th</sup> Annual Old Mill Heritage Day, Saturday,**

**September 26, 2015, 10 a.m.-6 p.m., 175 Old Mill Avenue/ Butler Street, Marvelle Sewell.**

Ms. Sewell was present. She said it was basically the same as last year's event.

STAFF RECOMMENDATION

Staff recommended in favor of the yearly event.

ACTION TAKEN

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

**5. Country Barn Gift Shop – Girl Scout Troop (Rod Run) Fundraisers, Saturdays September 12<sup>th</sup> & 19<sup>th</sup>, 2015, 2869 Parkway, Joanne Overstreet.**

No one was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that since no one was present the item should be tabled and the outstanding issues discussed further.

ACTION TAKEN

Commissioner Harrell made a motion to table for one month.  
Commissioner Clark seconded and all voted in favor.

**6. Annual Pigeon Forge Rotary Club – Craft Fair Tent, Saturday September 26<sup>th</sup> through Saturday, October 24<sup>th</sup>, 2015, Patriot Park, Fred Frische.**

Mr. Frische was not present, but several present Rotarians spoke out in favor of this annual event.

STAFF RECOMMENDATION

Staff recommended this annual event be approved.

ACTION TAKEN

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

- 7. Southern Gospel Music Hall of Fame – SGMA Hall of Fame 5k Road Race, Saturday, October 3<sup>rd</sup>, 2015, LeConte Center/Greenway, Tammy Rice.**

No one was present.

STAFF RECOMMENDATION

Staff recommended this request be tabled due to no one being present to answer questions.

ACTION TAKEN

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

- 8. Beacon of Hearts – Freedom Fest, Thursday, September 3<sup>rd</sup> – Saturday, September 5<sup>th</sup>, 2015, Vacant Lot adjacent to 2478 Veterans Boulevard Tim Loan.**

Tim Loan was present for this request and spoke briefly about it.

STAFF RECOMMENDATION

Mr. Taylor said that staff has been working through the details of this event and they are ready to recommend in favor.

ACTION TAKEN

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

- 9. Dick's Last Resort – Neon Vibe Red, White, & Blue 5k, Saturday, November 14<sup>th</sup>, 2015, The Island Courtyard/Greenway, Rebecca Mazzei.**

Ms. Mazzei was present.

STAFF RECOMMENDATION

Staff explained that the route was still being decided and needs to be fully police department approved, but recommended in favor of the request.

ACTION TAKEN

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

***B. Subdivisions***

**1. Final Plat of Lots 1 – 14 of Cornerstone Subdivision, Keegan Drive, Marcus Whaley.**

Mr. Whaley was present and gave background of the subdivision. He explained there is a separate lot for the detention area that the home owners association will control.

STAFF RECOMMENDATION

Staff Planner Taylor said that Lot 8 had a fire hydrant on it that needed to be placed in an easement. He also stated that the plat is in order except for a signature from Public Works Director Miller who is out of town and will sign it on Monday. He recommended in favor subject to this change and required signatures.

ACTION TAKEN

Commissioner Marsh made a motion to approve the request subject to staff recommendations. Commissioner Harrell seconded and all voted favor.

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

**1. None.**

***D. Site Plans***



**1. Smithco Construction Duplex, Unit 3, Site Plan, Wilson Street, Howard Dawson, Jr.**

Mr. Chuck Smith was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this was similar to Units 1 and 2, which were recently PC approved. He said the site plan meets requirements including detention and recommended approval.

ACTION TAKEN

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

**2. Smoky Mountain Jump Factory, Site Plan, Charlotte Court, Kacie Huffaker.**

Ms. Huffaker was present and explained the site plan.

STAFF RECOMMENDATION

Staff Planner Taylor said that the site plan was mostly in order. He said that a couple trees near the dumpster site will need to be removed at Sanitation Department request. He reminded the applicant that no off premise signs would be allowed.

ACTION TAKEN

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

**3. Weigel's Convenience Mart, Site Plan, Wears Valley and Henderson Spring Road, Kacie Huffaker.**

Ms. Huffaker was present and explained the site plan. She said that this was a very challenging site, created mostly by developing a section of Wears Valley Road ROW where all the utilities are currently located. She said all the utilities in that ROW needed to be relocated. She continued that there was also a stream through the property that needed to be

relocated. She said that she has two out of the three permits needed for relocating a stream (still waiting on TVA permit).

STAFF RECOMMENDATION

Staff Planner Taylor said that the ROW was closed through re-platting last month. He stated all utilities and blue line stream are proposed being relocated. He explained that detention is located in a concrete structure which meets requirements. He recommended approval subject to the TVA permit being granted.

ACTION TAKEN

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

***E. Requests for Rezoning***

**1. Teresa Miller, approximately 7.65 acres on Middle Creek and Jayell Roads (Tax Map 73, A portion of Parcel 13), R-1 (Low Density Residential) District to C-6 (Mixed-Use Commercial) District.**

Wyatt Bunch and Donna Cantrell were present for this request. Mr. Bunch explained the various activities of their business. He said he currently has a horseback trail through the subject property, which he would no longer be able to operate without the rezoning.

STAFF RECOMMENDATION

Staff Planner Taylor said that staff has been working with the business owner to bring his business in compliance. He said part of the problem is his business operations do not match the zoning of the property, either in the city or county. He said that only a small portion of his 130 plus acre commercial business is located within city limits (7 acres) and most of the business is in Pigeon Forge planning region of Sevier County. Mr. Taylor said that R-1 is the correct zoning district for this portion of the property, since it currently provides a buffer for the nearby residents. He said that the current horse trails are likely not a problem, but ATV and go cart rides could be expanded close to residents with C-6 zoning. He also showed slides of on-going stormwater issues that the city has been dealing with

and feels more intensive use does not make sense at this time. Discussion ensued. Commissioners expressed varying opinions and seemed split.

ACTION TAKEN

Commissioner Clark made a motion to recommend against the request and for City Commission to have the map remain R-1 for the subject property. Commissioner Harrell seconded and the vote was split.

A roll call vote was asked for by Chairman Ogle:

Commissioner Houser voted for the request,  
Commissioner Clark voted against the request,  
Commissioner Harrell voted against the request,  
Commissioner Marsh voted for the request,  
Commissioner Dodgen voted for the request,  
Commissioner Kiker voted against the request, and  
Chairman Ogle broke the tie by voting against the request.

The request was rejected by a 4 to 3 margin. The Planning Commission recommends to City Commission that the property remain its current zoning (R-1).

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

- 1. Request for a detention facility being combined with other required site planning elements under Section 409.2.1 of the ordinance, Parkway Plaza Retail Shops – 3959 Parkway, Gary Norvell.**

This item was removed before the meeting.

**Planning Region Items**

***A. Subdivisions***

- 1. None.**

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

- 1. None.**

**C. Site Plan**

- 1 None.**

**D. Requests for Rezoning**

- 1. Teresa Miller, approximately 130 acres on Jayell Road (Tax Map 73, A portion of Parcel 13), A-1 (Agricultural) District to C-1 Rural Commercial) District.**

Wyatt Bunch and Donna Cantrell were present for this request. Mr. Bunch explained the various activities of their business, some of which are not allowed in the A-1 district.

STAFF RECOMMENDATION

Staff Planner Taylor said that horseback rides and ziplines were allowed in the A-1, but not ATV and go cart rides as shown on a proposed site plan for this property. He reminded the Board they were trying to bring the existing business into compliance. He said that staff supported commercial zoning for this portion of the property.

ACTION TAKEN

Commissioner Harrell made a motion to recommend the rezoning to County Commission. Commissioner Clark seconded and all voted to approve.

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

- 1. None.**

4. Adjournment

The meeting was adjourned at 4:55 p.m.

\_\_\_\_\_  
Jay Ogle, Chairman

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