

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY JANUARY 25, 2011, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley
Robert Young
Jay Ogle
Kevin McClure
Judy Harrell

MEMBERS ABSENT

Keith Whaley
Jerry Clark

OTHERS PRESENT

David Taylor, Mark Miller, Karl Kreis, David Fee, Mike Suttles, Rod Milligan, Peggy Wilson, Butch Helton, Peggy Wilson, Dan Draper, Rod McCarter, Bill Delozier, John Joslyn, Forrest Lux, Mimi Kulp, others.

Jim Gass - City Attorney
State Planner- Bart Hose

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting December 14, 2010 were approved on a motion by Commissioner Young. Commissioner McClure seconded and all voted in favor.

OLD BUSINESS

NEW BUSINESS

PLANNING COMMISSION

A. SPECIAL EVENTS

- 1. Spring & Fall Grand Rod Runs, Grand Resort Hotel and Convention Center – Parkway, Spring (Wednesday April 13th)**

through Sunday April 17th) and Fall (Wednesday, September 14th through Sunday, September 18th), 2011, Rod Milligan.

Mr. Milligan was present.

STAFF RECOMMENDATION

Mr. Taylor recommended in favor of the request.

ACTION TAKEN

Commissioner Young made a motion to approve the event. Commissioner McClure seconded and all voted in favor.

2. Heritage Carriage Ride – Waldens Landing, Weather permitting January and February, 2011, Peggy Wilson.

Ms. Wilson was present.

STAFF RECOMMENDATION

Mr. Taylor explained that this event had been approved on a monthly basis and since there had not been any complaints he recommended expanding the approval to 6 months. This approval is for Waldens Landing only.

ACTION TAKEN

Commissioner Young made a motion to approve the request. Commissioner McClure seconded and all voted in favor.

3. Office of Special Events – SaddleUp! Celebration, Multiple Locations, Thursday, February 24 – Sunday, February 27, 2011, Butch Helton.

Mr. Helton was present.

STAFF RECOMMENDATION

Staff recommended in favor of the event.

ACTION TAKEN

Commissioner McClure made a motion to approve the request. Commissioner Ogle seconded and all voted in favor.

4. (29th Annual) Shades of the Past Rod Run, Dollywood's Splash Country, Includes a DJ and Official Event T-shirt Trailers at traffic light #1 & #8, Thursday, September 7th through Sunday September 11th, 2011, Rod Milligan.

Mr. Dan Draper was present.

STAFF RECOMMENDATION

Mr. Taylor reported that there had been complaints about the loud music from DJ's at lights #1 & #8. He said that the applicants reported needing these two areas to let people know of the new location for the event last year. Mr. Taylor recommended that this be the last year they can have these areas as part of the event. He also pointed out that a sound permit would be needed for this year. Mr Draper assured the planning commissioners that he would keep the sound down at these locations and would agree to not to have lights #1 and #8 as part of next years event.

ACTION TAKEN

Commissioner McClure made a motion to approve the event with staff's recommendation. Commissioner Young seconded and all voted in favor.

B. SUBDIVISION

1. Final Minor Re-Subdivision of the C.A. King Property into Lots 1 & 2, CA King and Pickle Streets, Tim Howell.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

C. Planned Unit Developments (PUD)

1. Revised Preliminary PUD Plan of Phase 3 of Grand Crowne PUD Resort, off of Music Mountain Drive between Teaster Lane and Sugar Hollow Road, Rod McCarter .

Mr. McCarter was present.

STAFF RECOMMENDATION

Mr. Taylor stated that 12 ft. had been added to the travel lanes of the street; since this proposed revision shows much of the parking has been moved from a lot to the street. He stated that the extra roadway will allow cars to pull safely out of spaces. He added that they would need to get sewer approval for this phase from City Commission. Staff recommended in favor.

ACTION TAKEN

Commissioner McClure made a motion to approve the request. Commissioner Young seconded and all voted in favor.

D. SITE PLANS

1. Smokin Eds BBQ Ribs and More, Inc., Site Plan, Parkway and Garland Street, Tim Wallace/Steve Helton.

This item was withdrawn before the meeting.

2. "A" Welding & Fabrication Building, Site Plan, 330 Wears Valley Road, Tony Montinery, E.S.D.S.

STAFF RECOMMENDATION

Staff recommended in favor of the site plan.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request . Commissioner McClure seconded and all voted in favor.

3. Water Magic, Site Plan, 2115-2141 Parkway, Mike Suttles – Vision/John Joslyn.

Mr. Joslyn and Mr. Suttles were present.

STAFF RECOMMENDATION

Mr. Taylor explained that a traffic study needs to be done for the area before other phases are presented. Commissioner Bradley asked if the

waterlines to the property were adequate for the project. Public Works Director Mark Miller stated that the total demand for water for the entire project must be decided before that can be answered. Mr. Taylor said that this site plan was in order and it was not contingent on the rezoning request, also on the agenda. He continued that the proposed pedestrian bridge on the plans would have to be approved by TDOT and City Commission. Staff recommended in favor of the site plan.

ACTION TAKEN

Commissioner McClure made a motion to approve the request. Commissioner Young seconded and all voted in favor.

E. REQUESTS FOR REZONING

- 1. Bill Delozier, approximately 1.5 acres portions of Tax Map 94, Parcels 32.00 and 32.06 on CA King Street, from C-2 (Tourist Commercial District) to R-1 (Rural Residential).**

Mr. Delozier was present.

STAFF RECOMMENDATION

Mr. Taylor said that the property is currently zoned C-2. He stated that the property owner is currently on the agenda to re-plat his property. This is to separate his commercial properties from his residential property and he would like his residence rezoned back to R-1. Mr. Taylor reported the property adjoins a residential neighborhood and is currently being used as residential. Staff recommended in favor of the rezoning.

ACTION TAKEN

Commissioner McClure made a motion to recommend the rezoning to the City Commission. Commissioner Harrell seconded and all voted in favor.

- 2. Nancy Brown, an approximately 0.8 acre parcel at 805 Iron Mountain Road (Tax Map 94D, Group A, Parcel 21.00), from R-1 (Rural Residential) to R-2 (High Density Residential).**

Ms. Brown was not present.

STAFF RECOMMENDATION

Mr. Taylor reported that the parcel is currently zoned R-1 and is in a residential subdivision. He said the petitioner would like the property rezoned R-2, so she can use the property for overnight rentals. This property does not adjoin any R-2 properties. There is an R-2 district on Iron Mountain Road, but her property is in the middle of an R-1 district. Commissioner Ogle stated that this could be considered a spot zoning. Staff recommended against the rezoning.

ACTION TAKEN

Commissioner McClure made a motion to deny the request. Commissioner Harrell seconded and all voted to deny the request.

3. John Joslyn, approximately 75.5 acres over 24 parcels on both sides of the Parkway on the northern most end of the city, from C-2 (Tourist Commercial) and C-4 (Planned Unit Commercial) to C-5 (Commercial Amusement Park).

Mr. Joslyn was present.

STAFF RECOMMENDATION

Mr. Taylor stated that this request is for 24 parcels totaling 75.5 acres (see map). These properties include the Titanic Museum and the Water Magic property, which just got site plan approval. He said the proposal is for a theme park and this would be the first C-5 property that is not Dollywood. He said this proposed rezoning will meet the minimum area requirement for a C-5 district (75 acres). However, the 24 parcels are not "under one ownership and liability," so a text amendment (on this month's agenda) is proposing removing that language. The rezoning would be conditioned on a successful text amendment change. He said that there are some other ordinance changes that may be coming as well. Mr. Taylor said this park should benefit the city and staff recommends the map and text change.

ACTION TAKEN

Commissioner McClure made a motion to rezone the parcels subject to text amendment to 709.4 Area Requirements being approved. Commissioner Ogle seconded and all voted in favor.

F. MISCELLANEOUS REQUESTS OR REQUIRED ACTIONS

1. Proposed text amendment to 709.4 Area Requirements. Staff.

STAFF RECOMMENDATION

Staff recommended that "under one ownership and liability" be removed from the text (see previous agenda item).

ACTION TAKEN

Commissioner Young made a motion to recommend the amendment to the City Commission. Commissioner McClure seconded and all voted in favor.

2. Election for officers in 2011 Planning Commission.

Bill Bradley was nominated to the Chair position.
Bob Young was nominated to the Vice Chairman position.
Jay Ogle was nominated to the Secretary position.

Commissioner Young made a motion to approve the request. Commissioner McClure seconded and all voted in favor.

The meeting was adjourned at 3:45 p.m.

BOARD OF ZONING APPEALS

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

A. Forrest Lux, 2640 High Valley Drive, Appeal of staff's decision regarding what constitutes a customary accessory building in a residential district .

Mr. Lux was present.

STAFF RECOMMENDATION

1/25/11

Mr. Taylor explained that Mr. Lux is appealing staff decision that that large metal storage containers are for commercial use and not classified as a "customary accessory building" for an R-1 district. The only other structures allowed in an R-1 district besides the main residence are "customary accessory building." Mr. Lux is proposing a large metal "cargo container" be placed in his back yard as a permanent addition. Staff showed the Commissioners pictures of the containers and the property. Much discussion ensued. The Commissioners agreed that allowing these in residential neighbors would have an adverse effect on the City and is not what the ordinance is referring to as "customary" for an R-1 district.

ACTION TAKEN

Commissioner Ogle made a motion to uphold staff decision that these containers are not customary for a residential district and should not be allowed in residential districts. Commissioner Young seconded and all voted in favor.

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

Bill Bradley, Chairman

Attest: _____