

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY FEBRUARY 23, 2010, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley
Jay Ogle
Bill Howell
Kevin McClure

MEMBERS ABSENT

Keith Whaley
Robert Young
Jerry Clark

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Joe Dunn, Jerry Hanson, Mary Brown, Aaron Dickenson, Jim, Rankin, Harold Clabough, Ned Vickers, Leigh Ellington, Kenneth Zahn, Charlie Cobble, Mimi Kulp, etc.

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 15, 2009 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. **(28th Annual) Shades of the Past Rod Run, Dollywood's Splash Country (new location), Includes a DJ and Official Event T-shirt Trailers at traffic light #1 & #8, Thursday, September 8th through Sunday September 12th, 2010, Rod Milligan.**

This item was withdrawn before the meeting.

2. **Spring & Fall Grand Rod Runs, Grand Resort Hotel and Convention Center, Spring (Wednesday April 14th through Monday April 19th) and Fall (Thursday, September 16th through Sunday, September 20th), 2010, Rod Milligan.**

Mr. Kenneth Seaton II and Mr. Milligan were present.

STAFF RECOMMENDATION

Staff recommended in favor contingent upon a letter being sent to patrons of the hotel about limited parking and a letter concerning the overflow traffic to Assistant City Manager Eric Brackins.

ACTION TAKEN

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

3. **Samoyed Club of America – Agility Dog Trail, City Park, Tuesday, October 26th, 2010, Robin Cline.**

No one was present.

STAFF RECOMMENDATION

Mr. Taylor explained that staff was not opposed the event, but are working with Parks and Recreation department on the location. Staff feels that the City Park would be the best location, due to all the activity in Patriot Park in October.

ACTION TAKEN

Commissioner Howell made a motion to approve the event subject to the location being decided upon before the next meeting.

4. **Titanic Tennessee, LLC., – Grand Opening, 2134 Parkway, Wednesday, April 8th through Saturday, April 10th, 2010, Sean Skehan.**

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

5. Rumble in the Hills Bikefest 2010, Grand Resort Hotel and Convention Center, Friday, April 30th through Sunday, May 2nd, 2010, Kenneth Seaton, II.

Mr. Seaton was present.

STAFF RECOMMENDATION

Mr. Taylor stated that the proposal is for the Grand Hotel convention space, but included an outdoor stage and vending areas. Staff has had meeting with the applicants to address staff's concerns over information being promoted about the event ("bikers, babes, and beer"). He said the promoters have addressed many of those concerns. The concerts will be over by 7p.m. They are applying for a beer permit, but realize it will not allow beer (if approved at all) outside the indoor convention area. Staff has been in contact with the Fire Department and Police Department about this event. Staff will review this new event and look at police reports etc. before recommending it for other years.

ACTION TAKEN

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

6. Belz Outlets – 2010 Truckload Sales, Teaster Lane, Thursday, April 15th through Sunday, April 18th, Thursday, June 10th through Sunday, June 13th, Thursday, July 22nd through Sunday, July 25th, Thursday, September 16th through Sunday, September 19th, Thursday, October 21st through Sunday, October 24th, 2010, Egg Hunts, Saturday, March 27th and Thursday, October 28th, 2010, Amanda Fox.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

C. PLANNED UNIT DEVELOPMENTS (PUD)

- 1. Grand Crowne Resort, Revised Final PUD Site Plan, Phase 1 (for new entrance), Whistling Wind Way, Rod McCarter – Vision Engineering.**

This item was withdrawn before the meeting.

D. SITE PLANS

- 1. Colonial Real Estate, Request for a ground sign with less than 9' clearance under Section 408.2.2 of zoning text, 3047 Veterans Blvd, Fred Frische.**

Mr. Frische was present.

STAFF RECOMMENDATION

Mr. Taylor explained that under the code 408.8.2 the sign can have a clearance of less than 9' if the site distance is 200 ft. or more at egress. He recommended in favor.

ACTION TAKEN

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

E. REQUESTS FOR REZONING

- 1. Fairtenn, LLC., a 44.04 acre portion of Tax Map 94, Parcel 145, Pine Mountain Road, R-1 (Low Density Residential) to C-4 (Planned Unit Commercial) District.**

Mr. Rich Thompson was present.

STAFF RECOMMENDATION

Mr. Taylor explained that this area had been looked at for rezoning on many occasions. The proposed percentage of commercial, residential, and open space development is appropriate for the zoning request of C-4. Staff recommended in favor.

ACTION TAKEN

Commissioner Howell made a motion to recommend this item to the City Commission. Commissioner McClure seconded and all voted in favor.

F. MISCELLANEOUS REQUESTS OR REQUIRED ACTIONS

1. Request for extension of preliminary plat approval for Covered Bridge Resorts PUD Development Phases 4B and 5, Rod McCarter - Vision.

Mr. McCarter was present.

STAFF RECOMMENDATION

Mr. Taylor stated that staff had no objection to the request. Mr. Kreis suggested a time limit of 1 year.

ACTION TAKEN

Commissioner Howell made a motion to approve the request with a deadline of starting work by February 2011. Commissioner McClure seconded and all voted in favor.

Planning Region Items

A. Subdivisions

1. Final Minor Subdivision of Lots 1 – 3 of the Hansel Ogle Property, 2552 Goose Gap Road, Smoky Mountain Land Surveying Co, Inc., Howard Dawson.

STAFF RECOMMENDATION

Staff pointed out that the plat was originally submitted as a five lot subdivision which was not approved. The re-submittal is two lots, and staff recommends favor of the subdivision.

ACTION TAKEN

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

2. Final Minor Subdivision of Lots 1 – 4 of the Barbara E. White Property, Ellis Lane, Ronnie Sims.

Mr. and Mrs. White were present.

STAFF RECOMMENDATION

Mr. Taylor stated that the plat was in order and recommended in favor.

ACTION TAKEN

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

1. Election of Officers for the Planning Commission in 2010.

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.

The meeting was adjourned at 3:35 p.m.

BOARD OF ZONING APPEALS

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

A. Request for a variance for sign set back, Colonial Real Estate, 3049 Veterans Boulevard, Fred Frische.

Mr. Frische was present.

STAFF RECOMMENDATION

Mr. Frische was requesting a 4 ft. variance of sign setback to be setback 1 foot from the ROW. Mr. Taylor explained that there would be no impact on sight distance by moving the sign closer to the ROW in this case. He explained that the circumstances are unique due to topography and a retaining (built for the public sidewalk) 5 ft. from the property line. The sign will be 6 ft. back from the retaining wall and up on a hill. To hold the applicant to the letter of the ordinance would require the sign to be in the parking lot. Staff recommended in favor of the request.

ACTION TAKEN

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

B. Appeal of staff decision regarding modification of existing non-conforming sign, Pops Catfish, 3576 Parkway, Bill Delozier.

Mr. Delozier was present.

STAFF RECOMMENDATION

Mr. Taylor explained that Pop's Catfish currently has a non-conforming sign of 40 ft. high (25 ft. is required). They are requesting to change the entire sign – in doing so requires the sign to come into compliance. Mr. Delozier is appealing this and feels his sign height is "grandfathered" and also states he is proposing to reduce the height to 36 ft. from 40 ft. Mr. Taylor said there is some sign congestion in the area (pictures were shown) and per zoning (section 408.2.9.2) staff could recommend 30 ft., but not 36 ft. Much discuss ensued. Some board members wanted

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more time to review and more details of the sign. Also, the feeling was this was more of a variance request than appeal of staff decision.

ACTION TAKEN

Commissioner Howell stated that he would like to see measurement and more detail on the sign. He made a motion to defer the item to next month and to change it to a variance request on next month's agenda. Commissioner McClure seconded and all voted to defer it.

The meeting was adjourned at 3:55 p.m.

Bill Bradley, Chairman

Attest: _____