

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY APRIL 23, 2013, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley, Chairman
Robert Young, Vice Chair
Kevin McClure
Jerry Clark
Jay Ogle

MEMBERS ABSENT

Judy Harrell

OTHERS PRESENT

David Taylor, Karl Kreis, Mike Suttles, Mark Miller, Jerry Hanson, Jonathon Lyons, Brennon Garrett, Gary Ammon, Teresa Hughes, Russell Carr, Ashli Arden, Pete Smith, Butch Helton, Charlie Cobble, Beth Penland, Jimmy Taylor, Bruce Rutherford, Mary Brown, and others.

Jim Gass
Midge Jessiman

PLANNING COMMISSION

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the March 26, 2013 meeting were approved on a motion by Commissioner Young. Commissioner McClure seconded and all voted in favor.

NEW BUSINESS

City of Pigeon Forge Items

A. Special events

1. Pigeon Forge Police Dept. – Safety Day, Saturday, April 27, 2013, 10 AM to 2 PM, Walgreens, corner of Jake Thomas and Parkway, Officer Donnie Mashburn.

Mr. Mashburn was present.

STAFF RECOMMENDATION

Staff recommended approval of this event.

ACTION TAKEN

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

2. Cherie Atchley Memorial 5k, Saturday, June 1, 2013, 6 AM to 9 AM, Old Mill Area, Ann Marie Atchley.

Ms. Atchley was not present.

STAFF RECOMMENDATION

Mr. Taylor recommended approval of this event but stated that he would like to meet with her about the route.

ACTION TAKEN

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

3. Elvis Tribute , Sunday, April 28, 2013, Mountain Comfort Lodge – 4112 Parkway, Robert Keefer.

Ms. Shanon Vancuran was present.

STAFF RECOMMENDATION

Staff recommended approval of this event.

ACTION TAKEN

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

4. The Christmas Place at Bell Tower Square – Labor Day Weekend Sidewalk Sale, Friday, August 30th through Sunday, September 8th 2013, 2470 Parkway, Teresa Hughes.

Ms. Janet Donnelson was present.

STAFF RECOMMENDATION

Staff recommended approval of this event.

ACTION TAKEN

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

5. Christmas Place – Memorial Day Tent Sale, Friday, May 24th through Monday, May 27th 2013, 2470 Parkway, Teresa Hughes.

Ms. Hughes was present.

STAFF RECOMMENDATION

Staff recommended approval of this event.

ACTION TAKEN

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

B. Subdivisions

1. None

C. Planned Unit Developments (PUD)

1. None.

D. Site Plans

1. Billboard Relocation and Consolidation, Site Plan, Easy Stop 2015 Parkway, Darby Campbell, Bob McManus and Holt Gallery, LLC.

Mr. Campbell was present.

STAFF RECOMMENDATION

Staff Planner Taylor stated that this request meets the 5 ft. off right-of-way standard. He recommended in favor of the request subject to location approval and an agreement with the City being executed to relocate the sign. City Attorney Gass stated that a standard agreement between the applicant and City Commission must still be negotiated and approved.

ACTION TAKEN

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

2. Second Chance Tires, Revised Site Plan, 2839 Veterans Blvd., Bill Denton.

Mr. Denton was present.

STAFF RECOMMENDATION

Mr. Taylor stated that a bay was being added to the front of the building but there were some non-compliant issues that needed addressing. These include a deck built without permits, banners, tires on property, temporary trailer and cars for sale. He also said that the dumpster shown on the plans won't work and needs to be relocated. He said these items and fire codes have to be brought into compliance according to the zoning ordinance. Staff recommended that no building permits be issued before items are brought in compliance. Mr. Denton stated that they need the building permits in order to bring everything in compliance. He also stated that a dumpster would not be needed. Discussion ensued.

ACTION TAKEN

Commissioner McClure made a motion to subject to staff recommendation. Commissioner Young seconded and all voted in favor.

3. Xtreme Racing Center, Site Plan, 3144 Parkway, Gary Norvell - Norvell and Poe Engineering.

Mr. Norvell and Ms. Kacie Huffaker were present.

STAFF RECOMMENDATION

Mr. Taylor stated that Tammy King Road (part of this site plan) was abandoned at a recent City Commission meeting. He said that this property is partly zoned C-2 and C-6. He continued that in the C-6 section an "amusement" type use is subject to the BZA approval under Section 711.3.7 as a "Uses Permitted on Review." As such, it is subject to special sound and lighting requirements. He said there are also special landscaping requirements that were met on the site plan. He stated the site plan was in order and he could recommend approval conditioned on BZA approval of sound and lighting requirements. Attorney Gass recommended also that a conveyance agreement be obtained and a recorded plat showing abandoned Tammy King Road now being a circulation easement for the Pine Mountain Shopping Center and racetrack.

ACTION TAKEN

Commissioner McClure made a motion to approve the request subject to staff's and Attorney Gass recommendations. Commissioner Ogle seconded and all voted in favor.

4. Smoky Mountain Alpine Coaster, Revised Site Plan, Wears Valley Road, Mike Suttles.

Mr. Suttles was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this was a site plan revision. He said that they were now going to use existing curb cuts, seven parking spaces were added, solid waste location changed, and circulation to the back changed. He reported some of these changed the drainage but it has been updated. He recommended the revisions.

ACTION TAKEN

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

E. Requests for Rezoning

- 1. Kiwishe-Stoller Acquisition USA L.P., approximately 6.69 acres at the intersection North River Road and Jake Thomas Road (Tax Map 94C, Group E, Parcel 43.00), C-6 (Mixed Use Commercial) District to C-2 (Tourist Commercial) District.**

Mr. Taylor was present.

STAFF RECOMMENDATION

Staff Planner Taylor showed pictures of the site which was the Grand Hotel. He said that this property has always functioned like other C-2 Parkway property due to the close proximity to the Parkway. He said staff could recommend the request.

ACTION TAKEN

Commissioner McClure made a motion to recommend to City Council.
Commissioner Ogle seconded and all voted in favor.

- 2. City of Pigeon Forge, approximately 43.75 acres at the intersection of Jake Thomas and Teaster Lane, (Tax Map 83, Parcels 90.04 and 90.11), C-4 (Planned Unit – Commercial) & C-6 (Mixed-Use Commercial) to C-7 (Planned Unit/Public Use Development) District.**

STAFF RECOMMENDATION

Staff Planner Taylor stated that this property is the new city parking, which is part of the current public/private partnership required for C-7 zoning. He said this property being C-7 would be more consistent with plans and current use for the area. He recommended in favor.

ACTION TAKEN

Commissioner Clark made a motion to recommend to City Council.
Commissioner Ogle seconded and all voted in favor.

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

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

BOARD OF ZONING APPEALS

CALL TO ORDER

Chairman Bradley opened the Board of Zoning Appeals Meeting.

NEW BUSINESS

A. Jia Khanna, Request to update an existing non-conforming wall sign, James Manor Hotel - 2735 Parkway.

Mr. Khanna was present.

STAFF RECOMMENDATION

Staff Planner Taylor said the business would like to expand a current wall sign from 20 sq/ft to 48 sq/ft. He said that it is a permitted sign, but under today's regulations is on the wrong wall. He said they are still within the square footage required under the zoning. He said that under these unusual circumstances that staff does not object to the small sign expansion.

ACTION TAKEN

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

B. Gary Norvell, Request to allow an amusement in a C-6 district as Use on Review (Section 711.3.7 of the zoning text), Xtreme Racing Center - 3144 Parkway.

Gary Norvell and Perry Smith were there to represent the item. Mr. Smith reported that the go-cart will have "silent mufflers" that will meet the requirements for the district.

STAFF RECOMMENDATION

Staff Planner Taylor stated that Mr. Smith has provided information that a single go-cart will meet the requirements. However, Mr. Taylor reported there will be 45 carts at the site. He was afraid that many carts at once could exceed limits. Mr. Smith said that this is different from other tracks in that go-carts are on the track one at a time for a time-trial type environment and not racing each other. Discussion ensued. Commissioners were concerned about noise levels. Mr. Taylor recommended that during a test run a sound certification be submitted showing that noise levels comply, prior to CO from the city being issued. Mr. Smith objected, but ultimately agreed to the certification. Mr. Taylor said if the sound levels cannot be obtained that other measures like a wall barrier near the residential area to quiet the sound may be necessary. Mr. Taylor stated that this subject may need to be revisited to assure that the sound is within the regulation. Staff also stated that minor changes are being made to the light plan submitted, so it completely conforms as well.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request subject to staff recommendation and asked that Mr. Smith be a good neighbor moving forward. Commissioner McClure seconded and all voted in favor.

The meeting was adjourned at 4:05 p.m.

Bill Bradley, Chairman

Attest: _____