

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY MAY 22, 2012, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

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

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Donnie Mashburn, Fred Frische, Butch Helton, Toby Barnes, Teresa Hughes, Wayne Cook, James Tomechek, Ashvin K. Shah, Adrienne Ogle, Greg Johnson, Mimi Kulp, others.

Jim Gass
Midge Jessiman

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting April 24, 2012 were approved on a motion by Commissioner Young. Commissioner Clark seconded and all voted in favor.

NEW BUSINESS

PLANNING COMMISSION

City of Pigeon Forge Items

A. Special events

1. Moon Pie General Store and Book Warehouse – Grand Opening, 3127 Parkway, Friday, May 25 – Monday, May 28, 2012, Michael Beagan.

No one was present.

STAFF RECOMMENDATION

Staff Planner Taylor said staff has been working with them on this event. He said that one thing being proposed is a “man in costume.” He said that person must be near the building (away from the Parkway ROW) and must not try to wave customers and violate city ordinance. He also said they will need a sound permit if they decide to have amplified sound. Staff recommended in favor of the request.

ACTION TAKEN

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

2. Sevier County Right to Life – Memorial Walk for the unborn, Saturday, June 9, 2012, 10 AM – 1 PM, leaving Community Center to Red Roof Mall and back, Terry Aparicio.

This request was represented.

STAFF RECOMMENDATION

Staff Planner Taylor said this has been a regular event. He did ask that if the event gets cancelled (like the last one) that they contact PD as to not tie up officers waiting for people to show up. 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.

3. Annual Relay for Life – Crawfish Boil, Norma Dan Motel (3864 Parkway), Saturday, June 9, 2012, 11 AM – 6 PM, Donald Short.

Mr. Short was present and stated there would be no amplified sound during the event.

STAFF RECOMMENDATION

Staff Planner Taylor said this event has been held in Sevierville in the past. Staff recommended in favor of the request.

ACTION TAKEN

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

4. Jesus Tent Rally XVI – Youth Event, Riverbend Campground (2479 Riverbend Loop), Wednesday, July 11 – Saturday, July 14, 2012, Rex McCarter.

Mr. McCarter was present. He said he will stop amplified sound at 9:30 pm and talk to the neighbors about the event.

STAFF RECOMMENDATION

Staff Planner Taylor said there were complaints about the noise from the PA system at night. He recommended no amplified sound after 10 pm. Staff recommended in favor.

ACTION TAKEN

Commissioner Young made a motion to approve the request per staff's recommendation. Commissioner Harrell seconded and all voted in favor.

5. Stringtime in the Smokies – Old Mill Square, 175 Old Mill Avenue, Saturday, August 4, 2012, 10 AM -6 PM, Marvelle Sewell.

Ms. Sewell was present.

STAFF RECOMMENDATION

Staff was in favor of this annual event.

ACTION TAKEN

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

D. Site Plans

1. Green Leaf Smoky Mountain Resort Information and Sales Office, Site Plan, Veterans Blvd and Jayell Road, James Tomicezk, (Vision).

Mr. Tomicezk was present.

STAFF RECOMMENDATION

Mr. Taylor stated that it is a modular building that is to be there only 18 months and must meet the requirements stated in the Zoning Ordinance Section 412.1.2. Otherwise, Mr. Taylor said the site plan is in order.

ACTION TAKEN

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

2. No Way Jose's/Iron Boar Patio, Revised Site Plan, 104 Waldens Main Street, Kara Knapp (Associated Design Group).

Mr. Smith and Jimmy Taylor were present.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that they approved a site plan for this addition. However, he said they built a much bigger addition than that approved. They were given a stop work order and it appears the addition (they built) has building codes issues as well. He said the site plan still meets regulations and requested site plan approval be granted on the patio. But, he recommends a sign plan be resubmitted and approved. He said many of the existing signs for both No Way Jose's and the Iron Boar are out of compliance. Discussion ensued. Commissioners wondered if a time limit should be set for bringing the signage into compliance. Commissioners decided that signage should be in compliance within 60 days.

ACTION TAKEN

Commissioner Ogle made a motion to approve the revised site plan with the condition that signage be brought into compliance by 60 days. Commissioner Harrell seconded and all voted in favor.

3. The Island at Pigeon Forge Parking Area, Site Plan, between Parkway and Teaster Lane, Guy Wantiez, (Vision).

Mr. James Tomicezk was present.

STAFF RECOMMENDATION

Mr. Taylor was in favor of the parking area site plan. However, he recommended that a preliminary PUD master plan be submitted (and approved) before any other site plan approvals are granted for the development. He felt this piece meal submittal made for inadequate site review. Fire hydrants must be located.

ACTION TAKEN

Commissioner Clark made a motion to approve the request per staff's recommendation. Commissioner Harrell seconded and all voted in favor.

E. Requests for Rezoning

1. **Larry G. Barker, approximately 0.7 acres at 2751 Parkway (Tax Map 83J, Group A, Parcel 24.00), The Parkway – 100 feet south of the intersection with Smoky Drive, To remain C-2 (Tourist Commercial) District as C-7 (Planned Unit/Public Use Development) District request pending.**

Mr. Tomicezk was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this property is currently part of the (Belle) Island rezoning request to rezone property to C-7. He stated that this part of the property was asking to be removed from that request. He continued that the C-7 rezoning request will require them to remove their signage, which they didn't want to have happen before the high season. He said this will not affect the original request since they will still have more than 20 acres. He said that this property might be added back (to C-7) at a later date. He further said that the developers were requesting a small vacant lot (Tax Map 83, Parcel 19) be removed as well. He continued that the C-7 will remain over 20 acres with this removed as well. He said C-2 is an appropriate zoning for the properties and staff recommends they be removed of the initial request.

ACTION TAKEN

Commissioner Ogle made a motion to recommend to City Commission that these two areas remain C-2. Commissioner Clark seconded and all voted in favor.

F. Miscellaneous Requests or Required Actions

- 1. Proposed amendment to the zoning text of Section 414 (Site Plan Regulations for Special Events, Festivals, and Similar Activity Uses), Staff.**

STAFF RECOMMENDATION

Staff Planner Taylor reported that as instructed by the Commission, staff prepared a draft proposal of possible changes to the zoning ordinance regarding special events. He said that in the proposed amendment a special event is better defined to be "special" and on-going events are no longer allowed. He stated special events during times like Winterfest could be a month long. However, all other special events are limited to up to three days, no more that 6 times per year. Chairman Bradley asked if language could be added where special events can't come before the Commission more than 12 months in advance. Mr. Taylor agreed.

ACTION TAKEN

Commissioner Young made a motion to recommend to City Commission subject to adding Chairman Bradley's suggestion. Commissioner Harrell seconded and all voted in favor.

With no other business Chairman Bradley adjourned the Planning Commission meeting.

BOARD OF ZONING APPEALS

CALL TO ORDER

Chairman Bradley opened the Board of Zoning Appeals Meeting.

OLD BUSINESS

- A. Administrative review of Goldrush Horseback Riding Stable under Section 711.3.8 of C-6 zoning district, Staff.**

STAFF RECOMMENDATION

Staff Planner Taylor explained that last month a site plan was approved for this item. He stated under section 711.3 it should have also come before the Board of Zoning Appeals as a Use Permitted on Review. He said that it meets the requirements of that section (711.3.8) and staff still recommends the site plan.

ACTION TAKEN

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

NEW BUSINESS

A. Request for variance to allow a 20.5 feet front yard setback instead of the required 30 feet in a C-6 district, Marshall Addition – Lot 51 (3221 Cook Street), Michael Suttles.

No action was necessary. This item was withdrawn before the meeting.

The meeting was adjourned at 3:40 p.m.

Bill Bradley, Chairman

Attest: _____