

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

MEMBERS PRESENT

Bill Bradley, Chairman
Robert Young, Vice Chair
Jerry Clark
Judy Harrell
Jay Clark
Jeff Dodgen

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Dennis Clabo, Jimmy Taylor, Marvelle Sewell, Bruce Rutherford, Mary Brown, Pete Smith, Jim Arwood, Gary Ammon, Clyde Cummins, Fred Frische, Kevin Mahan, Guy Wantiez, James Joseph Hinton, Mike Smelcer, Marcus Whaley, Kenny Patel, Mimi Kulp, others.

Midge Jessiman – Planning Advisor East Tennessee Development District

PLANNING COMMISSION

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the June 25, 2013 meeting were approved on a motion by Commissioner Young. Commissioner Clark seconded and all voted in favor.

OLD BUSINESS

Staff Planner Taylor said that he had three items under old business. First, he introduced Sammy Ownby as the newly appointed City of Pigeon Forge Codes Enforcement Officer. Secondly, he said they are setting up training on the Powers of the BZA for August and he wanted the Commission to consider dates. It was decided to have the training August 8th from 6 PM to 9 PM in the City Hall Annex

Room B. Lastly, he informed the Commission that staff is still working on the proposed ordinance change regarding "theming."

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Smoky Mountain Resorts - Smoky Mountain Civil War and Relic Show, 4010 Parkway, Saturday, August 24th – Sunday, August 25th, 2013, Pete Smith.**

Mr. Smith was present. He reported that they will be having cannons again this year, but they will stop firing them at 4 PM. He said he has applied for a sound permit.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

- 2. Comedy Barn – Kickin Chicken 5K Run and Fun Walk, Loop from The Island Drive to Old Mill area and back, Saturday, August 31st, 2013, 7 a.m. -10 a.m., Clyde F. Cummins.**

Mr. Cummins was present. He reported this was a first time event.

STAFF RECOMMENDATION

Staff remained him that the banner signs must be 32 sq/ft or less. And, the police department preferred they start their race in the Parkway travel lane and not in the ROW, which could block access to some neighboring businesses. Police would assist in the closure of the lane. Mr. Cummins was fine with this change. 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 Pigeon Forge Rotary Club – Craft Fair, Patriot Park, Saturday September 28th through Saturday, October 26th, 2013, Fred Frische.

Mr. Frische was present. He reported it was the same as other years.

STAFF RECOMMENDATION

Staff recommended in favor of the event.

ACTION TAKEN

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

4. Endurance Sports Management – Double Dip Sprint Triathlon, Saturday, August 24th, 2013, Pigeon Forge Community Center and surrounding area, Kevin Mahan.

Kevin Mahan was present. He reported that since being informed that old City Park is now closed he changed the run to go through the high school grounds. He had written approval that he could use school property for his event.

STAFF RECOMMENDATION

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.

5. Old Mill Square – 10th Annual Old Mill Heritage Day, 175 Old Mill Avenue/ Butler Street, Saturday, September 28th, 2013, Marvelle Sewell.

Ms. Sewell was present. She reported it was the same as other years.

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.

6. Old Mill Square – Christmas on the Square, 175 Old Mill Avenue, Saturday, December 7, 2013, Marvelle Sewell.

Ms. Sewell was present. She reported it was the same as other years.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

B. Subdivisions

1. Re-Subdivision of Lots 1 – 13 of David Butler Subdivision into Lots 1R and 4R, 3171 Parkway, Jonathon Lyons, 360 Surveying, Land Surveying Services.

Jimmy Taylor represented the request.

STAFF RECOMMENDATION

Staff Planner Taylor stated that the plat is in order. However, he said the Public Works Director has been unavailable to sign the plat. He recommended that the plat being approved conditioned on getting all required signatures including public works department.

ACTION TAKEN

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

C. Planned Unit Developments (PUD)

1. None.

D. Site Plans

Dollywood 2014 Attraction, Revised Site Plan, 2700 Dollywood Parks Blvd., Guy Wantiez, Vision Engineering.

Mr. Wantiez was present and explained the site plan. He said they were redeveloping some of the land to add a coaster attraction.

STAFF RECOMMENDATION

Staff Planner Taylor said that the site plan was in order.

ACTION TAKEN

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

2. Quality Inn, Revised Site Plan, 2162 Parkway, James Joseph Hinton, Cope Architecture.

Mr. Hinton was present. He explained that they were proposing to add an outdoor pool and front canopy to an existing hotel.

STAFF RECOMMENDATION

Staff Planner Taylor said the site plan was in order.

ACTION TAKEN

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

3. Multi-family Building for Mike Ball, Site Plan, Lot 2D Agnes Bradley Property, Marcus Whaley, W.C. Whaley, Inc.

Mr. Whaley was present

STAFF RECOMMENDATION

Staff Planner Taylor said this site plan was very similar to an approved/built fourplex on the adjacent property by the same developer. He showed pictures of the site. He stated staff had concerns about drainage for the two properties combined. He reported a revised drainage plan has been submitted that staff can recommend.

ACTION TAKEN

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

E. Requests for Rezoning

1. None.

F. Miscellaneous Requests or Required Actions

- 1. First Tennessee Bank (formerly Mountain National Bank), Request for continuation of temporary signage at 2 locations, 242 Wears Valley Road and 3104 Teaster Lane, Devona Jessee, Snyder Signs.**

No one was present for this request.

STAFF RECOMMENDATION

Staff Planner Taylor said that the sign has not arrived, but should be there soon. He recommended that they be granted another 30 days.

ACTION TAKEN

Commissioner Young made a motion to approve the request for 30 days. Commissioner Clark seconded and all voted in favor

- 2. Days Inn, Request for temporary signage, 3785 Parkway, Kenny Patel.**

Mr. Patel was present. He said that he recently purchased the property and changing the name, but the sign has not yet arrived.

STAFF RECOMMENDATION

Staff Planner Taylor showed pictures of two banner signs, one over the existing sign and one on the side of the building. He said that staff could recommend the banner over the existing sign for up to 30 days. However, he said the other sign will need to be removed.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request for 30 days, but the banner on wall must be removed. Commissioner Harrell seconded and all voted in favor

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 3:25 p.m.

BOARD OF ZONING APPEALS

CALL TO ORDER

Chairman Bradley opened the Board of Zoning Appeals Meeting.

NEW BUSINESS

A. Jimmy Taylor, Request for multiple variances and continuation of non-conforming uses, Pigeon Forge Convention Hotel and Resort, 3171 Parkway.

Mr. Taylor was present. He explained they are redeveloping the site with the same use, using the existing structures. He said upon site survey they found several things in non-compliance with the regulations.

STAFF RECOMMENDATION

Staff Planner Taylor showed the Board pictures of the various issues to be addressed. He said that they were looking for two variances of front setbacks, one for an entry canopy and one for eaves and columns of the guest building. He continued that they also wanted to continue to use an entry to parking that is too wide and have a parking setback that is too narrow. He said that the property is being redeveloped in a similar manner as it was used. As such, he recommended that instead of granting variances, staff would recommend that they be allowed to upgrade the non-conforming uses. This way if the property was completely redeveloped for a different use, there would not a variance that will stay with the property. City Attorney Gass said that allowing upgrade of non-conforming uses could be allowed and preferable to variance.

ACTION TAKEN

Commissioner Harrell made a motion to allow the developer to upgrade the four non-conforming issues presented to the board. Commissioner Young seconded and all voted in favor

B. Bruce Rutherford, Interpretation of sign ordinance as it relates to wall signs and request for variance of ground sign size requirements, Goats on the Roof, Wears Valley Road.

Mr. Rutherford and Mr. Ross Ogle, Jr. were present.

STAFF RECOMMENDATION

Staff Planner Taylor showed pictures of the various issues. He said they have researched whether a wall sign can be placed on an accessory building and he feels the ordinance does not distinguish. Therefore, staff has no issues with the current wall sign. He continued that the ground sign was too large and he said they have placed an illegal sign on one of the walls. Also, "grain bin" was included on the sign plan. Mr. Rutherford said he didn't realize the ground sign was too large and there would be no lettering on the grain bin. He also said he thought if a sign was behind glass that it did not count as an additional wall sign. Upon seeing the pictures, Board member Harrell pointed out that there were goats on top of the ground sign that are also out of compliance. Mr. Taylor recommended the illegal sign be removed and the ground sign come into compliance.

ACTION TAKEN

There was a consensus among the board that the sign behind the glass is considered a wall sign and not allowed. Commissioner Young made a motion that the second wall sign be removed and the ground sign must come into compliance. Commissioner Dodgen seconded and all voted in favor

The meeting was adjourned at 3:50 p.m.

Bill Bradley, Chairman

Attest: _____