

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY DECEMBER 13, 2011, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

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

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Jerry Hanson, Butch Helton, Donna Cantrell, Marcus Whaley, Kacie Huffaker, Mike Suttles, J. Brennon Garrett, Jonathan Lyons, Tim Marsh, Jeff Ownby, Mimi Kulp, Jeff Murrell, others.

Jim Gass - City Attorney
Midge Jessiman

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting October 25, 2011 were approved on a motion by Commissioner Young. Commissioner Harrell seconded and all voted in favor.

OLD BUSINESS

NEW BUSINESS

PLANNING COMMISSION

A. Special events

- 1. Old Time Photo – Outside Pony Pictures, 3059 Parkway, Weekends through January and weekdays and weekends through June, 2012, Sana Sancreek-Kelchner.**

No one was present to represent the request.

STAFF RECOMMENDATION

This was moved to the back of the agenda to wait for the applicant to arrive. The applicant did not arrive. Attorney Jeff Murrell, representing a nearby restaurant, reported that there is still smell from the "zoo." He said the zoo continues to operate even though the site and sign plans were turned down by the city. The Commission asked the City Attorney Jim Gass on how to proceed against the zoo operation. Mr. Gass said that proceedings against the zoo have begun.

ACTION TAKEN

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

- 2. Office of Special Events – SaddleUp! Celebration, Various City Locations, Wednesday, February 22 - Sunday, February 26, 2012, Butch Helton.**

Mr. Helton was present.

STAFF RECOMMENDATION

Mr. Helton reported that this was an annual event. He briefly discussed changes, which included horse and carriage rides at Clabough's Campground. Staff recommended in favor of the request.

ACTION TAKEN

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

- 3. Smoky Mountain Band Academy – Hatfield Music, Laurelwood Drive, Friday, May 4 -Sunday, May 6, 2012, Jack Hatfield.**

Mr. Hatfield was not present.

STAFF RECOMMENDATION

Mr. Taylor stated that the barn that is the proposed site for the academy has not been certified by an architect and is presently not in a condition to receive the public. Staff could not recommend in favor of the request.

ACTION TAKEN

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

D. Site Plans

1. Smoky Mountain Speed Park, Revised Site Plan, 3275 Parkway, Catherine Gilreath/Donna Cantrell - Vision.

Donna Cantrell was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that they were revising the site by rebuilding the track and adding kid's rides and an arcade. He said they were not proposing any on-site parking, but were requesting parking across River Road under section 402.19 of the zoning. He said that would need to be heard by the BZA for this to be approved. He reported that the solid waste plan/agreement needs to be finalized.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request subject to BZA approval of off site parking. Commissioner McClure seconded and all voted in favor.

2. Tethered Balloon, Site Plan, 100 Music Road, 100 Music Road, Marcus Whaley - W.C. Whaley, Inc.

Marcus Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that site plan was in order. However, he still needed an emergency evacuation plan and the FAA waiver to have a

balloon that high. He recommended that no building permit be granted until the city receives an FAA waiver for the balloon ride.

ACTION TAKEN

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

3. Wears Farm City Park, Site Plan, Wears Valley Road, James Kelley - BWSC.

James Kelley was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that ingress/egress for this site has already been approved by TDOT. He said that Family Dollar has an approved site plan adjacent to this site. He said the ingress/egress for this park, the family dollar, and a convenience store across the street are in fairly close proximity, so it could be a congested area. He said that it is up to TDOT to approve the ingress/egress and that the site plan meets the city's requirements.

ACTION TAKEN

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

4. Billboard World, LLC., Billboard Relocation Site Plans, Three Parkway locations, Darby Campbell.

Bob McManus was present.

STAFF RECOMMENDATION

Mr. Taylor stated the three sites that the billboards are to be relocated are Fast Stop Convenience Store, The Quality Inn, and Gino's Restaurant. He said all the sites show surveyed sign footprints that meet the required 5 feet off of the R.O.W. He recommended in favor of site plan 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 subject to staff's recommendation. Commissioner McClure seconded and all voted in favor.

5. Proposed Retail/Warehouse Space for Uzi Maman, Revised Site Plan, 2970 Parkway, Kacie Huffaker – Norvell & Poe.

Kacie Huffaker was present.

STAFF RECOMMENDATION

Staff Planner Taylor said they were expanding the building including an increase in retail space. However, he said they were not expanding the on-site parking, but were requesting parking across Willow Street under section 402.19 of the zoning. He said that would need to be heard by the BZA for this to be approved. He said that he had some concerns about truck circulation and blocking the public street. He continued that he has been assured by the developers that there will not be any problems with blocking the street.

ACTION TAKEN

Commissioner Young made a motion to approve the request subject to BZA approval of off site parking. Commissioner Ogle seconded and all voted in favor.

D. Requests for Rezoning

1. Renee and Joseph Romeo, Two parcels totaling approximately 2 acres (Tax Map 94D, Group E, Parcels 7.00 & 7.01), 715 Oldham Street, R-1 (Low Density Residential) to R-2 (High Density Residential) District.

No one was present

STAFF RECOMMENDATION

Staff Planner Taylor said in absence of the applicant he recommended that the item be carried over until January.

ACTION TAKEN

Commissioner Young made a motion to defer the request until the regular January meeting. Commissioner Ogle seconded and all voted in favor.

Planning Region Items

A. Subdivisions

1. Final Re-Subdivision of Brackins Subdivision, Lot 1, Little Laurel Road, Michael Suttles.

Michael Suttles was present

STAFF RECOMMENDATION

Staff Planner Taylor said the plat had all the signatures and was in order for approval.

ACTION TAKEN

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

2. Final Re-Subdivision of the David Wayne Lee Subdivision, Lot 1, Henderson Springs Road, McGrew Engineering & Surveying.

The item was withdrawn before the meeting

3. Final Re-Subdivision of the Ruby Parham Property, Lots 1R-1, 1R-2, Spruce Drive off of Upper Middle Creek Rd., J. Brennon Garrett – The Land Surveyors.

Brennon Garrett was present

STAFF RECOMMENDATION

Staff Planner Taylor said the plat had all the signatures and was in order for approval.

ACTION TAKEN

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

4. Final Re-Subdivision of the Patty & Darwin Frierson Property, Lots 1 & 2, Little Valley Road and Old Country Way, Jonathan Lyons – 360 Surveying.

Jonathan Lyons was present

STAFF RECOMMENDATION

Staff Planner Taylor said that building on the lots of this subdivision are all existing and were built on one lot. He reported they now are trying to separate the building on to individual lots. He said the problem is the plat is dependent on a shared driveway and well. He reported that on this plat one of the lots has steep unusable frontage. He reminded the planning commission they have a policy of every new lot having usable frontage. He showed the Commission slides of the lot's frontage, which all agreed was unusable. Mr. Lyons maintained that the lots share a drive and he has platted them in an easement. Discussion ensued. Many members felt the policy was current and that people should subdivide before they build multiple buildings.

ACTION TAKEN

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

D. Requests for Rezoning

1. Tim Marsh, approximately 13 acre parcel (Tax Map 104, Parcel 128.01), 1650 Little Cove Road, from R-1 (Rural Residential) to R2-M (Medium Density Residential) District

• Tim Marsh was present

STAFF RECOMMENDATION

Staff Planner Taylor reported the property is located on Little Cove Road. It is served by public water and is located on a collector street. He reported that R2-M was an appropriate district for the property.

ACTION TAKEN

Commissioner Young made a motion to recommend the item favorably to the Sevier County Commission. Commissioner McClure seconded and all voted in favor.

E. Miscellaneous Requests or Required Actions

1. Proposed amendments to Sevier County Zoning Resolution Section 504A – R-2M (Medium Density Residential) District, Jeff Ownby.

Jeff Ownby was present

STAFF RECOMMENDATION

Mr. Ownby reported that the R-2M is a recent added district. He said that through the previous rezone request he realized that Bed and Breakfast establishment should be added to the R-2M district. He is limiting them to four bedrooms and they must be sprinkled.

ACTION TAKEN

Commissioner Clark made a motion to recommend the item favorably to the Sevier County Commission. Commissioner McClure seconded and all voted in favor.

BOARD OF ZONING APPEALS

A. Louis and Mitzi Cox, Request for variance of zoning in a R-1 district to allow a 13.2 feet sideyard setback instead of the required 15 feet, Lot 1R Kings Hills Subdivision, Country Oaks Drive.

Kacie Huffaker was present

STAFF RECOMMENDATION

Staff Planner Taylor reported and that only the retaining wall and not the carport will be in the setback and only 1.8 feet in the setback. He showed the survey to the Board which showed the lot to be an odd configuration as well.

ACTION TAKEN

Commissioner McClure made a motion to approve a variance to allow a front setback of 13.2 feet. Commissioner Harrell seconded and all voted in favor.

B. Uzi Maman, Request for off-street parking on lot other than principal use under Section 402.19 of zoning ordinance, 2970 Parkway.

Kacie Huffaker was present

STAFF RECOMMENDATION

Staff Planner Taylor said that under the zoning ordinance that off-site parking is allowed if it "lies within four hundred (400) feet of the main entrance to such principal use, and not on the opposite side of a major street or stream." He said they are using a lot across minor street Willow Street and removing some buildings on that lot to place parking.

ACTION TAKEN

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

C. Smoky Mountain Speed Park, Request for variance of off-street parking requirements and/or interpretation of grandfathered status regarding lack of off-street parking, Smoky Mountain Speedpark, 3275 Parkway.

Donna Cantrell was present

STAFF RECOMMENDATION

Staff Planner Taylor again said that under the zoning ordinance that off-site parking is allowed if lies within four hundred (400) feet of the main entrance to such principal use, and not on the opposite side of a major

12/13/11

street or stream. He reported that the parking will be placed on a vacant lot across River Road, which is a minor street. Board member Harrell had some concerns about children crossing the street and felt a crosswalk should be added.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request with a added crosswalk across River Road. Commissioner Young seconded and all voted in favor.

The meeting was adjourned at 4:15 p.m.

Bill Bradley, Chairman

Attest: _____