

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, AUGUST 25, 2015, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Jay Ogle, Chairman
Jeff Dodgen
Jerry Clark
Judy Harrell
Tom Marsh
Stephen Houser
Tony Kyker

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Brandon Williams, Jerry Hanson, Kay Collier – Pittman, Jim Arwood, Mary Brown, Butch Helton, Kathy McIntyre, Jake O'Donnell, Amanda Armstrong, Joanne Overstreet, Carol Keathly, Guy Wantiez, Peggy Wilson, Kay Collier-Pittman, James Tomechec, , Mimi Kulp, others.

Jim Gass, City Attorney
Midge Jessiman

PLANNING COMMISSION

CALL TO ORDER

Chairman Ogle noted that a quorum was present.

APPROVAL OF MINUTES

Commissioner Harrell made a motion to approve the minutes. Commissioner Marsh seconded and all voted in favor.

OLD BUSINESS

Dick's Last Resort – Neon Vibe Red, White, & Blue 5k, Saturday, November 14th, 2015, The Island Courtyard/Greenway, Rebecca Mazzei.

Ms. Mazzei was not present.

STAFF RECOMMENDATION

Staff Planner Taylor stated that the previous date requested was approved, but they would like to change the date to November 7th, 2015. He recommended in favor of the new date.

ACTION TAKEN

Commissioner Harrell made a motion to approve the new date for the event. Commissioner Marsh seconded and all voted in favor.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Pigeon Forge Office of Special Events, 26th Annual Winterfest Kickoff Event, Tuesday, November 10th, 2015, Patriot Park, Butch Helton.**

Mr. Helton was present. He explained that the event was mostly the same, but they did change the location of the stage.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

Commissioner Marsh 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, October 3rd, 2015, Community Center/Parkway, Terry Aparicio.**

No one was present.

STAFF RECOMMENDATION

Mr. Taylor stated that this event has been changed to October 10th, 2015 due to NQC and lack of police support available at that time. He continued that some of the other logistics of the event had to change as well. No one was present to explain the changes, so he recommended tabling the event until next month.

ACTION TAKEN

Commissioner Houser made a motion to table the event. Commissioner Marsh seconded and all voted to table the event.

3. TGIFridays – Rod Run Fundraiser, Friday, September 11th & Saturday, September 12th and Thursday, September 17th through Saturday, September 19th, 2015, TGIFridays – 2794 Parkway, Kathy McIntyre.

Ms. Kathy McIntyre was present. Upon questioning from Commissioners, she said they were donating the funds to Smoky Mountain Food Ministries.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

4. Citizens National Bank – Rod Run Cookout for Alzheimer’s, Saturday, September 13, 2015, Citizens National Bank – 2661 Parkway, Jake O’Donnell.

Mr. Jake O’Donnell was present. He said they were donating 100 percent of the money to local charities. He said the actual date is September 19th not the 13th.

STAFF RECOMMENDATION

Staff recommended in favor of the event with the date correction.

ACTION TAKEN

Commissioner Harrell made a motion to approve the request for September 19th, 2015. Commissioner Houser seconded and all voted in favor.

5. Magic Softball Rod Run Fundraiser, Thursday, September 17th through Sunday, September 10th, 2015, Fantasy Golf – 3263 Parkway, Ken Tuggle.

Mr. R. Barglof was present. He said his event was to September 19th not September 10th, 2015.

STAFF RECOMMENDATION

Staff Planner Taylor stated that the event was in order.

ACTION TAKEN

Commissioner Marsh made a motion to approve, noting the date change. Commissioner Dodgen seconded and all voted in favor.

6. Smoky Mountain Alzheimer's Tennessee WALK, Saturday, September 26th, 2015, Pigeon Forge High School – 414 Tiger Drive, Kay Watson.

Ms. Amanda Armstrong was present. She reported no changes to this annual event.

STAFF RECOMMENDATION

Staff recommended this annual event be approved.

ACTION TAKEN

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

7. Country Barn Gift Shop – Girl Scout Troop (Rod Run) Fundraisers, Saturdays September 12th & 19th, 2015, 2869 Parkway, Joanne Overstreet.

Joanne Overstreet and Carol Keathley were present. They reported it would be the same as other years.

STAFF RECOMMENDATION

Staff recommended in favor of this request.

ACTION TAKEN

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

8. Southern Gospel Music Hall of Fame – SGMA Hall of Fame 5k Road Race, Saturday, October 3rd, 2015, LeConte Center/Greenway, Tammy Rice.

The item was withdrawn before the meeting.

B. Subdivisions

- 1. None.**

C. Planned Unit Developments (PUD)

- 1. None.**

D. Site Plans

- 1. Top Jump, Site Plan, 3135 Parkway, Guy Wantiez.**

Guy Wantiez was present. He explained the site plan including the drainage plan.

STAFF RECOMMENDATION

Staff Planner Taylor said that this site plan is in order and recommended approval. He did say the solid waste plan might change, but functions as shown.

ACTION TAKEN

Commissioner Marsh made a motion to approve the request. Commissioner Houser seconded and all voted in favor.

2. Goldrush Stables, Revised Site Plan, Goldrush Road, Mike Suttles.

Ms. Peggy Wilson was present. She explained that they would like to add pony rides to her business.

STAFF RECOMMENDATION

Staff Planner Taylor said that the site plan was in order. However, he said there are sign compliance issues that staff has been unsuccessfully in trying to resolve. He said that there are unpermitted signs on the property and horse statues that must be counted as signage in a C-6 district. He stated that staff gave notice to the signage compliance issues in the staff comments distributed to them. He said the comments stated signage must come into compliance before staff could recommend. Ms. Wilson argued that businesses like Sables have statues too. Compliance Officer Ownby said he would look into the matter. Discussion ensued.

ACTION TAKEN

Commissioner Harrell made a motion to approve the site plan, if signs were brought into compliance in two weeks. Commissioner Marsh seconded and all voted in favor.

3. Collier Wine Tasting and Sales, Revised Site Plan, Old Mill Avenue and River Road, Mike Smelcer.

Ms. Collier-Pittman was present.

STAFF RECOMMENDATION

Staff Planner Taylor said they are proposing replacing (and expanding) a deck to an existing building. He reported that the building is on small lot and does not conform to today regulations. However, he continued that the wine tasting is a retail use, which is the same use as the previous business. He also said that since the deck will be uncovered it will not be counted as additional retail space. Ms. Collier-Pittman said no product would be on the deck, it was simply a place to look out over the river between tasting.

ACTION TAKEN

Commissioner Houser made a motion to approve the site plan revision. Commissioner Marsh seconded and all voted in favor.

E. Requests for Rezoning

- 1. LeConte Village, LLC, approximately one half acre on The Island Drive (Tax Map 83J, Group A, A portion of Parcels 19.00 & 24.00), C-2 (Tourist Commercial) District to C-7 (Planned Unit/Public Use Development) District.**

James Tomiczek was present. He said they have revised their request to (the portion) of (Tax Map 83J, Group A) Parcel 19 and would like to withdraw (Tax Map 83J, Group A) Parcel 20.

STAFF RECOMMENDATION

Staff Planner Taylor explained that the property is currently a parking lot at the northwest intersections of The Island Drive and Smoky Drive. Part of the parcel is already zoned C-7 and the developers are requesting the remainder to be C-7. The original request also included property that fronted the Parkway, but that part of the request was removed (by the applicant) for more study. Staff had no objection to this latest request.

ACTION TAKEN

Commissioner Houser made a motion to recommend the updated request to City Commission. Commissioner Marsh seconded and all voted in favor.

F. Miscellaneous Requests or Required Actions

- 1. Proposed Pigeon Forge zoning text amendment by adding Section 408.4.1.1 (Off Premise Parking Signage) regarding parking signs for businesses with off premise parking areas, Staff.**

STAFF RECOMMENDATION

Staff Planner Taylor reminded the Commission that this proposed amendment arose after a BZA request last month for a sign at an existing parking lot for the Island. He said that the Board preferred an amendment to the zoning text over approving the request. He explained the circumstances for which these signs are allowed and the proposed height

and size of the signs. Discussion ensued over how these signs would be addressed if the lot was on more than one street. Commissioners seem to agree that a sign should be allowed on all street frontages, but only if the total amount of signage is divided and not increased. Questions also arose over the lighting of the sign. It was decided that the proposal should be re-worded that, if lighted, it should be internally lit.

ACTION TAKEN

Commissioner Houser made a motion to recommend to the proposed zoning text amendment to City Commission with the following changes: if the sign is on parallel or perpendicular streets that the total amount of signage is divided and not increased; and if the sign is illuminated that it be internally lit only. Commissioner Clark seconded and all voted in favor.

2. Proposed Pigeon Forge zoning text amendment by adding Section 332 (Storage Yard) a definition of storage yards, Staff.

STAFF RECOMMENDATION

Staff Planner Taylor said that a storage yard is listed under "uses permitted" in the M-1 (Industrial) District and "uses prohibited" in a C-6 (Mixed-Use) Commercial District. However, he said a definition of a storage yard is not included in the zoning ordinance. He read the proposed definition to the Commission.

ACTION TAKEN

Commissioner Houser made a motion to recommend the zoning text amendment to City Commission. Commissioner Marsh seconded and all voted in favor.

3. Review of a proposed municipal ordinance to restrict vehicle sales on property within city limits not located in legally licensed and approved vehicle sales lots, Staff

STAFF RECOMMENDATION

Staff Planner Taylor told the Commission that this proposal was for a new municipal code and not a zoning text amendment. However, he said it was requested that Planning Commission review the item for input. Mr. Taylor said that there is an increasing problem of cars (and other vehicles) being

parked along arterial roads for sale; most of which are not being sold by property owners. He said the proposed code limits one car per property, the car must be owned by the property owner for which the car is placed, and limits length of display to two months. It also disallows the sale of cars on City or State ROW. One Commissioner asked that two months be changed to 60 days. Other discussion ensued. Some Commissioner worried about how this would affect special events like Rod Runs. They explained that during these events, many individual sell cars along the Parkway ROW for short periods of time. Commissioners wanted further study or exception added to allow this type of short term sale.

ACTION TAKEN

Commissioner Houser made a motion to table the item for staff to study and make changes. Commissioner Harrell seconded and all voted in favor.

Planning Region Items

A. Subdivisions

1. None.

B. Planned Unit Developments (PUD)

1. None.

C. Site Plan

1. None.

D. Requests for Rezoning

1. None.

E. Miscellaneous Requests or Required Actions.

1. None.

4. Adjournment

The meeting was adjourned at 4:55 p.m.

8/25/15

Jay Ogle, Chairman

Attest: _____