

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY AUGUST 27, 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

None

OTHERS PRESENT

David Taylor, Karl Kreis, Laura Howard, Butch Helton, Walter Rearden, Chuck Starritt, Kay Watson, James Needham, Kacie Huffaker, Marcus Whaley, Mark Graham, Rod McCarter, Jimmy Taylor, Scott Chamberlin, Mike Willcoxon, Ronnie Marshall, Perry Smith, other.

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 July 23, 2013 meeting were approved on a motion by Commissioner Young. Commissioner Harrell seconded and all voted in favor.

A motion was made by Commissioner Young and a second by Commissioner Ogle to revise the agenda by the addition of miscellaneous requests and one site plan. All voted in favor.

OLD BUSINESS

Staff Planner Taylor said that he the theming amendment was still in process as there were some issues to be worked out. The amendment should be ready soon.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Sevier County Marine Corp League #1206 – Rod Run Parking Fundraiser, Thursday, September 5 through Sunday, September 8 & Thursday, September 12 through Sunday, September 15, 2013, Red Roof Mall Parking Lot, Terry Witt..**

Walter Rearden presented for Terry Witt. This is an annual event.

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.

- 2. CC Isshiw Ryu - Fall Rod Run Fundraiser Lazerport, 2782 Parkway, Thursday, September 12 through Saturday, September 14, 2013, 10a.m.-12p.m., Chuck Starritt.**

Mr. Starritt was present. This item was actually running from September 5th through the 8th and the 12th through the 14th. There were two rod runs scheduled.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

3. Alzheimer's Association – Smoky Mountain Walk, Saturday, September 21, 2013, Pigeon Forge High School – 414 Tiger Drive, Kay Watson.

Ms. Watson arrived late.

STAFF RECOMMENDATION

Staff reported it was the same as other years and recommended in favor of the event.

ACTION TAKEN

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

4. Pigeon Forge Office of Special Events, 24th Annual Winterfest Kickoff Event (Patriot Park) and 3rd Annual Salute to Veterans Parade (Jehu Street to Patriot Park via Parkway), Tuesday, November 12, 2013, Butch Helton.

Mr. Helton noted that the parade will start at 4:30 and the official kick-off to Winterfest will be at 5:00 p.m. at Patriot Park. He said because of the holiday it will be the same night as Sevierville's kickoff.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

5. Keep Sevier Beautiful – Sevier County Recycles Day, Saturday, November 16, 2013, 8 a.m. - 1 p.m., Community Center Parking Lot – Community Center Drive, Laura Howard.

Ms. Howard was present. She reported it is an annual event. She said it was moved to the community center (from the city parking lot) now that The Island is operating.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

ACTION TAKEN

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

6. Knoxville Track Club – Pigeon Forge Midnight Road Race 8k, Holiday Inn, 2320 Parkway, Saturday, August 2, 2014, Laura Howard.

Ms. Howard was present. She reported the date is moving back to that of previous years, since traffic is less that weekend.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

7. Curly Cue (Cure for Diabetes) – 3223 Parkway, beside Red Rooster, Thursday, September 12 through Saturday, September 14, 2013, 10a.m.-5p.m., James Needham.

Mr. Needham was present. He asked to be allowed to sell hotdogs at this event to raise money for his daughter's diabetes.

STAFF RECOMMENDATION

Staff said that nothing can be located in the road right-of-way.

ACTION TAKEN

Commissioner Harrell 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

I. Warehouse Facility for Izi Maman, Site Plan, Two View Road, Kacie Huffaker, Norvell and Poe Engineering.

Ms. Huffaker was present and explained the site plan.

STAFF RECOMMENDATION

Staff Planner Taylor reported that there drainage will partially run through an adjoining business, but a drainage easement has been worked out. There was a general discussion about this site plan. The commission told the applicant to make sure that there adequate trees and landscaping to serve as a buffer. Staff Planner Taylor said the site plan was in order.

ACTION TAKEN

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

2. Don Hall Storage Warehouse, Site Plan, Dixie Avenue, Marcus Whaley, W.C. Whaley, Inc.

Mr. Whaley was present. This 9600 square feet structure will be located in a C-6 zone.

STAFF RECOMMENDATION

Staff Planner Taylor said that staff had some drainage concern, but details have been worked out. He said the site plan was in order. He reminded the Commission that this item will also have to be approved by the BZA as a use permitted on review.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request subject to BZA approval of use permitted on review. Commissioner Clark seconded and all voted in favor.

3. Krispy Kreme, Site Plan, 4074 Parkway, Mark Graham, Mark V. Graham Engineering.

Mr. Graham was present. The Krispy Crème is moving to the former Bonanza Steak House site. There will be a new building with more outdoor seating.

STAFF RECOMMENDATION

Staff Planner Taylor pointed out to the Commission that three corrections to the site plan have recently been made. They are proper ground sign location, a drainage note was added, and a water meter was relocated. He said the site plan was in order.

ACTION TAKEN

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

4. Popeye's Restaurant, Site Plan, 2638 Parkway, Rod McCarter, Vision Engineering.

Mr. McCarter was present. This is the site of the former Elvis Museum.

STAFF RECOMMENDATION

Mr. Taylor said the proposed restaurant will be located crossing two lots, so a lot combination plat will have to be done. Staff recommended in favor.

ACTION TAKEN

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

5. Harpoon Harry's, Revised Site Plan, Community Center Drive, Bud Griffin, CGLS Architects, Inc.

Houston Darty with Cannon and Cannon Engineers made the presentation. This is an expansion of the former Mandarin House Restaurant on Community Center Drive.

STAFF RECOMMENDATION

Staff Planner Taylor reported that they were adding decks with additional seating on the northern and eastern sides, second floor. He said there will be a total of 650 seats, but are showing the required parking for such. He said there is still an issue with solid waste collection that needs to be addressed. He said the dumpster area must be 14 feet wide. Staff recommended in favor with the understanding that the solid waste collection system has not been finalized.

ACTION TAKEN

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

6. Pigeon Forge Convention Hotel and Resort, Revised Site Plan, 3171 Parkway, Jimmy Taylor, Associated Design Group, Inc.

Mr. Taylor was present. The project of renovation will be completed by June 2014. A flood barrier has been put into place as the property is located in a flood hazard area. A letter of map reduction (LOMR) is in the process to remove the property from a flood hazard area. The convention center is being eliminated.

STAFF RECOMMENDATION

Staff Planner Taylor reported that in addition to reconstruction of the hotel, that they proposing multi-unit retail in front of the hotel on the parkway and reducing the size of the convention center to meet parking requirements. He said they are also adding parking behind the proposed retail space. Staff recommended in favor.

ACTION TAKEN

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

E. Requests for Rezoning

- 1. City of Pigeon Forge, Pigeon Falls, LLC, and BB & R Hotel Project, approximately 15 acres total of portions of Lots 1-6 of Tract 2 of Pigeon Falls, LLC (Portion of Tax Map 83, Parcel 90.20), Teaster Lane and future "Jake Thomas Road," C-6 (Mixed Use Commercial) to C-4 (Planned Unit Development) District.**

STAFF RECOMMENDATION

Staff Planner Taylor said that BB and R Hotel Project requested to re-zone a portion of its property in the Pigeon Falls, LLC subdivision to C-4 from C-6. The remainder of their property is already zoned C-4. It has been discovered that a strip of land was left between the old Jake Thomas Farm and the future Jake Thomas Road R-O-W when the land was last rezoned. Staff feels it is the best interest of the city moving forward that the land all be C-4. Staff recommended in favor.

ACTION TAKEN

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

- 2. Carrol Rauhuff, approximately 1.3 acres total of portions of Tax Map 72, Parcels 129.00 and 131.01 and Cain Hollow Road ROW, Cain Hollow Road, M-1(Industrial) to R1 (Low Density Residential) District.**

No one was present for this request.

STAFF RECOMMENDATION

Staff reported part of these properties are zoned R-1 and part M-1. He said the properties has been used for residential even though part is zoned M-1. The request is to zone all of both parcels to R-1, their current use. Staff recommended in favor.

ACTION TAKEN

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

F. Miscellaneous Requests or Required Actions

1. Travelodge Inn and Suites, Request for temporary Grand Opening signs, 3206 Parkway, Ken Seaton II.

This item was withdrawn before the meeting.

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

No one was present for this request.

STAFF RECOMMENDATION

Staff Planner Taylor noted that he had thirty days to remove the banner sign on the side of the building, which was done. And, replace the temporary banner sign over the original sign in thirty (30) days. He said the sign has not arrived and ask to extent the request for another thirty days.

ACTION TAKEN

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

4. Bluegreen Vacations, Request for a Temporary Use Permit (OPC Location), Gold Mine/Old Mill General Store – 113 Old Mill Avenue, Scott Chamberlin.

5. Willcoxon Ventures, Request for a Temporary Use Permit (OPC Locations), Fast Stop Gas Station - 2586 Parkway, Shell Gas Station - 2570 Parkway, Kenjo Gas Station – 3145 Parkway, Three Bears General Store – 2861 Parkway, Captain Jim’s Seafood – 3985 Parkway, Mike Willcoxon.

6. Star Marketing, Request for a Temporary Use Permit (OPC Locations), Outback Leather – 3409 Parkway, Ronnie Marshall.

Chairman Bradley requested to take items 4, 5, and 6 together due to the similarity. All three gentlemen were present.

STAFF RECOMMENDATION

Staff Planner Taylor said that these are being brought before the board for re-evaluation as they have not gotten approve in a while. He reported that none of the OPCs were new. He noted that none of the staff at the OPC could operate outside of the stand and that was agreed by the representatives present. Staff recommended in favor.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request. Commissioner Dodgen 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 3:40 p.m.

BOARD OF ZONING APPEALS

CALL TO ORDER

Chairman Bradley opened the Board of Zoning Appeals Meeting.

NEW BUSINESS

A. Don Hall Storage Warehouse, Use Permitted on Review to allow a warehouse in a C-6 District, Dixie Avenue, Marcus Whaley, W.C. Whaley, Inc.

Mr. Whaley was present.

STAFF RECOMMENDATION

Staff Planner Taylor showed that according to Section 711.3.5 a warehouse must meet additional requirements if the façade is made of cinderblock or sheet metal. The site plan noted that this structure will not be constructed of those materials. Staff recommended in favor of the use permitted upon review.

ACTION TAKEN

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

B. David Bailey, Request for variance to allow a sign 2.5 feet off R-O-W, instead of the 5 feet required under Section 408.2.1., Xtreme Racing – 3144 Parkway.

Mr. Perry Smith was present for this request.

STAFF RECOMMENDATION

Staff Planner Taylor said that non-conforming sign that are too tall have been replaced, but he said staff could not find any precedence for replacing a sign too close to the Parkway R-O-W. There was considerable discussion over this request. The original site plan showed the sign five feet off the right-of-way as required. The requestor wants to save money by using the existing sign, which is 2.5 feet off the R-O-W. Now, he wants to take the face down

on the original sign and replace with a new face due his financial issues. The use of the existing sign was denied in June as well as the variance for 2.5 feet.

ACTION TAKEN

Clark made a motion to allow a temporary sign for sixty (60) days but the new sign must be in compliance with the code and moved back five feet as shown on the original site plan. Harrell seconded. The original request for a variance was denied and a temporary sign was allowed for sixty days.

The meeting was adjourned at 3:58 p.m.

Bill Bradley, Chairman

Attest: _____