

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY APRIL 26, 2011, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Robert Young, Vice Chair
Jerry Clark
Jay Ogle
Judy Harrell

MEMBERS ABSENT

Bill Bradley
Kevin McClure

OTHERS PRESENT

David Taylor, Karl Kreis, Roger Price, Jim Arwood, Jerry Hanson Beth Penland, Dick Wellons, Danny King, Mimi Kulp, others.

Jim Gass - City Attorney
State Planner- Bart Hose

CALL TO ORDER

Chairman Young noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting March 22, 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. Alzheimer's Association – Smoky Mountain Walk 2011, Saturday, September 24th 2011, Pigeon Forge High School, Kay Watson.**

Caroline Jensen was present.

STAFF RECOMMENDATION

Staff explained that this is an annual event and there are no changes from last year.

ACTION TAKEN

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

2. Smart Bank – Banner on building displaying Saturday hours, May 2nd through July 1st, 2011, 2430 Teaster Lane, Kelly Fowler.

Bobby Castle was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that the applicant would like to display a banner sign for two month's to announce the bank's new Saturday hours. He reminded the board that banner signs are allowed only in conjunction with "city sanctioned special events." He questioned whether this is a special event. Discussion ensued. Planning Commission members agreed that this was not a special event and felt that the board should not approve a banner sign without a special event.

ACTION TAKEN

No action was taken. Mr. Castle withdrew the item.

3. Girl Scouts of Smoky Shadows - Make a Difference Day Walk for Animals, Saturday, October 15th, 2011, City Parking Lot, Carol Keathley.

Ms. Keathley was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this is an annual event, but it has to be moved from City Park to the greenway/parking lot because of City Park being moved. Staff has no objections to this venue change, but added that the greenway needs to remain unblocked during the event. Ms.

Keathley said they would not block the greenway and that they still hope to get City Park as they have been told it may not be closed by the date of their event. Mr. Taylor recommended the event and stated it would be fine to change the location as long as the Parks Department is fine with the change of venue. He also said she should be notified of the change.

ACTION TAKEN

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

4. Pigeon Forge Police Dept. - Safety Day, Saturday, 10 a.m.-2 p.m. April 30th, 2011, Walgreens, corner of Jake Thomas and Parkway, Officer Donnie Mashburn

Officer Donnie Mashburn was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this has happened in the past, but the Police Department wants to expand the event. He reported that the event provides a needed public service and he recommended in favor.

ACTION TAKEN

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

B. Subdivision

1. Final Minor Plat Revision of Lots 4 – 7, 31R, 32R, & 37R-1 of Cherokee Valley Subdivision, (Tax Map 93J, Group C, Parcels 4 – 7, 31, 32, & a portion of 37), Wears Valley Road, Ronnie Sims.

STAFF RECOMMENDATION

Staff Planner Taylor said the applicant could not be present and asked him to represent the plat. He said that staff has reviewed the plat. He feels that lot 37R-1 is not a buildable lot due to the extremely steep frontage. He showed pictures of the lot and drainage changes in the development to the board. He recommended that Lot 37R-1 be labeled as "unbuildable."

He says the applicant has agreed to this change and staff is waiting for the updated plat. He recommends the plat with the update.

ACTION TAKEN

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

C. Planned Unit Developments (PUD)

1. Joy Restaurant Group, Revised Preliminary Commercial PUD Site Plan, corner of Lafollette Circle and Parkway, Kacie Huffaker – Norvell and Poe.

STAFF RECOMMENDATION

Staff Planner Taylor reported that since approval last month there were a few changes to the plan; mostly with the parking layout and all existing buildings are being removed. He said the changes were minor and recommended approval.

ACTION TAKEN

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

2. Joy Restaurant Group, Final Commercial PUD Site Plan, corner of Lafollette Circle and Parkway, Kacie Huffaker - Norvell and Poe.

Ms. Huffaker was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this is the same plan as the previous item, but he felt the changes were so minor that staff could recommend both revised preliminary and final PUD approval in the same month. He said he recommends the plan with a variance of perimeter setback, which has been done in the recent past for smaller commercial PUDs and is supported in the regulations.

ACTION TAKEN

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

D. Site Plans

1. Family Chapel Church of God, Revised Site Plan, Charlottes Court, Bruce Rutherford – SRA Architect.

Mr. Rutherford was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this is a change of use for one of the warehouse buildings in Charlotte's Court. The plan shows parking added in the back of the building to accommodate this as a church. He added that staff receive a letter of credit or bond by 10 days for the parking or it be installed promptly.

ACTION TAKEN

Commissioner Harrell made a motion to approve the request subject to the Letter of Credit being received within 10 days. Commissioner Clark seconded and all voted in favor.

2. Office building, Revised Site Plan, Lots 11 & 12 of Sandpike Commercial Park Subdivision, Mike Smelcer - SRA Architects.

Mr. Smelcer was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that they revising the site plan to have on-street parking added to the front of the building. He said the cars will be off the paved cul-de-sac, so as not to impede circulation. He recommended approval.

ACTION TAKEN

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

3. Furniture Store, Site Plan, Veterans Blvd, Tim Howell/Ron Ogle.

Mr. Howell was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that staff has been looking at versions of this site plan for a few months. He reported that this property is now in a C-6 district. He said they have made some changes, but there continues to be excessive outdoor furniture displayed on the grounds in the R-O-W. The board was shown pictures of the site. He said they have not received a drainage plan. Staff recommended to deny the site plan.

ACTION TAKEN

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

4. Hampton Inn, Site Plan, Teaster Lane at Christmas Tree Lane, Kacie Huffaker - Norvell and Poe.

Ms. Huffaker was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that this site plan is in the new C-6 district. He said the site plan was an excellent example of what C-6 could be and felt the development would be an asset to the city. He recommended approval.

ACTION TAKEN

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

5. Tomb - Waldens Landing, Pedestrian Oriented Development Sign under Section 408.6.3.2.1, 2528 Parkway, Suite 1, Ned Vickers & Bruce Williams.

STAFF RECOMMENDATION

Staff Planner Taylor reminded the board that a pedestrian oriented development can have an additional sign under this section of the zoning.

He said that two businesses in Waldens Landing have already been granted such a sign by the board, hence, establishing Waldens Landing as a pedestrian oriented development. Staff recommended approval.

ACTION TAKEN

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

Planning Region Items

E. Requests for Rezoning

- 1. James R. and Theresa Miller, approximately 135 acres at 1150 Jayell Road, Sevierville (Tax Map 73, Parcel 13.00), County Rezoning Request, R-1 (Rural Residential) to A-1 (Agricultural) District.**

Mr. Miller was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported they are requesting this down-zoning just outside city limits. He said he has no objection to recommending this request.

ACTION TAKEN

Commissioner Harrell made a motion to recommend the rezoning to County Commission. Commissioner Ogle seconded and all voted in favor.

BOARD OF ZONING APPEALS

- 1. Mountain View Condos, Request for development sign arching over the road R-O-W, Plaza Drive, Tommy Thomas.**

STAFF RECOMMENDATION

Staff Planner Taylor showed the board pictures of the proposed sign, which is proposed arched across a private section of Plaza Drive. He said that the question is whether this type of sign (arching over the R-O-W) is a ground sign. He reported that if it is a ground sign, it meet sign height limit, but the base was not setback the required 5 feet off the R-O-W. Mr. Thomas argued that a setback of five feet would push the sign back to where it could not be

seen. Commissioner Young felt the board has seen these sign before as a ground sign. Other Commissioners agreed it is a ground sign, but felt he would have to meet the five foot setback. Staff asked that he provide staff a survey showing it to be 5 feet off the R-O-W before it is permitted.

ACTION TAKEN

Commissioner Harrell made a motion that it is a ground sign and to provide staff a survey showing it to be 5 feet off the R-O-W before it is permitted. Commissioner Clark seconded and all voted in favor.

2. Appeal of Stop Work Order for building without an approved site plan, Smoky Mountain Zoo, 3059 Parkway, Attorney S. Douglas Drinnen & Curtis Krebs.

ACTION TAKEN

This item was withdrawn before the meeting.

3. Request for Warehouse within 500 ft of residence in C-6, corner of CA King and Keegan Drive, Tim Howell/Bill Delozier.

Mr. Howell was present.

STAFF RECOMMENDATION

Staff Planner Taylor reported that a warehouse is under Use Upon Review by the BZA and some requirements are listed with this. One is a warehouse has to be 500 ft from a residential structure. He said that staff has a site plan showing warehouse buildings within 500 feet. Mr. Howell argued that this was too limiting to the property.

ACTION TAKEN

Mr. Howell withdrew the item and said he may pursue a rezoning request.

4. Furniture Store, Use Upon Review for C-6 district, Veterans Blvd, Tim Howell/Ron Ogle.

Mr. Howell was present.

STAFF RECOMMENDATION

4/26/11

Based on the withdrawal of the previous item, this item could not be acted upon.

ACTION TAKEN

This item was withdrawn.

The meeting was adjourned at 4:05 p.m.

Attest: _____

Bill Bradley, Chairman