

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY JUNE 25, 2013, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

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

MEMBERS ABSENT

Kevin McClure
Jay Ogle

OTHERS PRESENT

David Taylor, Karl Kreis, Mike Suttles, Mark Miller, Jerry Hanson, Laura Howard, Marvelle Sewell, Richard Abby, Ross Ogle, Mike Smelcer, Mimi Kulp, others.

Jim Gass
Midge Jessiman

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 Harrell. Commissioner Young seconded and all voted in favor.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. Keep Sevier Beautiful – Goblin Greenway 5k and Jack-O-Lantern Jaunt Kids Run, Saturday, October 12th, 2013, 6:30 p.m., City Parking Lot – Teaster Lane and Surroundings, Laura Howard.**

Ms. Howard was present.

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.

- 2. Stringtime in the Smokies – Old Mill Square, Saturday, August 3rd, 2013, 10:30 a.m. – 9 p.m., 175 Old Mill Avenue, Marvelle Sewell.**

Ms. Sewell was present.

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.

- 3. Toys for Tots – Endless Summer Bash, Saturday, August 3rd, 2013 (Alternate Date: Saturday, August 10th, 2013), 10 a.m. – 8:00 p.m., Patriot Park, Tina Nichols.**

Item was withdrawn before the meeting.

- 4. French's Boots – Tent Sale, Wednesday, July 3rd thru Friday, July 5th, 2746 Parkway, Brad French.**

Mr. Richard Abby was present.

STAFF RECOMMENDATION

Staff recommended in favor of the request.

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

1. None.

E. Requests for Rezoning

- 1. Ross Ogle Jr., approximately 15.6 acres on 1341 Wears Valley Road (Tax Map 93, Parcels 125.08 & 125.11), C-6 (Mixed Use Commercial) to C-2 (Tourist Commercial) District.**

Mr. Ogle was present and stated that he wanted to rezone the property to C-2 (Tourist Commercial) District. Mr. Ogle said that he wanted to rezone the property to increase signage and be allowed "theming," which is not allowed in a C-6 district. He said the property was C-2 before (the city-wide rezone to C-6 from commercial property off the parkway).

STAFF RECOMMENDATION

Mr. Taylor explained that (for the most part) all commercial zoned property that did not front the Parkway was rezoned to C-6 from the C-2 district. He continued that the reasons were to protect the scenic integrity of Wears Valley Road and Veterans Boulevard. He pointed out that the surrounding property is C-6 and this rezoning would be considered spot zoning and the nearest C-2 district is two and a half miles away. He explained the signage allowed in a C-6 district to the Commission, which he felt is adequate for the rural area. Some Commissioners defended what the C-6 is accomplishing for the city and did not want to see property being rezoned back and forth between districts.

ACTION TAKEN

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

F. Miscellaneous Requests or Required Actions

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

Mr. Jessee was not present.

STAFF RECOMMENDATION

Mr. Taylor explained that First Tennessee Bank has taken over the Mountain National Banks in Pigeon Forge. He said the two locations have requested temporary banners to be placed over the old sign until the new ones arrive. He said that this is an unusual request and he recommended it be allowed up to 30 days. He further recommended that they return to the Planning Commission next month if needing over 30 days.

ACTION TAKEN

Commissioner Young made a motion to approve the temporary banner for 30 days. Commissioner Ogle 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 3:20 p.m.

BOARD OF ZONING APPEALS

CALL TO ORDER

Chairman Bradley opened the Board of Zoning Appeals Meeting.

NEW BUSINESS

A. Joseph M. Livatino, 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.

No one was present.

STAFF RECOMMENDATION

Mr. Taylor stated that they are requesting to place the new sign at the former sign location. However, he pointed out that the sign was not setback far enough from the ROW per sign regulations. He showed pictures to the Board that setting the sign at the proper location would not have any effect on visibility for the public seeing the sign. He said that no true hardship was determined during review. Staff was opposed to the request.

ACTION TAKEN

Commissioner Harrell made a motion to deny the request without prejudice. Commissioner Clark seconded and all voted to deny.

B. Mike Smelcer, Request for interpretation of use of theming as defined in Section 317(a).1 of the Pigeon Forge Zoning Ordinance, Lumberjack Feud – Smoky Drive.

Mr. Smelcer was present. He showed pictures to the Board of his plans for "theming" the site. He showed large pictures of people, animals and the like on all sides of the building to the Board. It also included the name of the business, which he said is proposed "under glass."

STAFF RECOMMENDATION

Mr. Taylor stated that staff does not feel that this plan meets the city's intent for theming. He said that as currently written in the ordinance it is unclear if it could (or should) be allowed. He felt the proposed theming was relying too heavily on large pictures. He recommended that it is time to revisit the ordinance to try to redefine theming and place parameters on theming. After much discussion, many agreed the item be deferred until staff can propose an ordinance change. Mr. Smelcer was fine with that as well.

ACTION TAKEN

Commissioner Harrell made a motion to defer the request based on staff recommendation. Commissioner Young seconded and all voted to defer.

Bill Bradley, Chairman

Attest: _____