

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY SEPTEMBER 27, 2011, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

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

MEMBERS ABSENT

Kevin McClure

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Jerry Hanson, Dennis Clabo, David Fee, Mike Suttles, Derek Hodges, Peggy Wilson, Sana Sancreek-Kelchner, Fred Frische, Butch Helton, Jim Arwood, Mimi Kulp, others.

Jim Gass - City Attorney

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting August 23, 2011 were approved on a motion by Commissioner Young. Commissioner Clark seconded and all voted in favor.

OLD BUSINESS

NEW BUSINESS

PLANNING COMMISSION

A. SPECIAL EVENTS

1. Old Time Photo – Outside Pony Pictures, 3059 Parkway, October 1st to December 31th, Sana Sancreek-Kelchner.

Ms. Sancreek-Kelchner was present. She reported that they only have been doing this on weekends and holidays and plan the same through December.

STAFF RECOMMENDATION

Staff reported that this has not been a problem this month and had no objections to extending the request.

ACTION TAKEN

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

2. 35th Annual Pigeon Forge Rotary Club – Craft Fair, Patriot Park, Saturday October 1st through Saturday, October 29th, 2011, Fred Frische.

Mr. Frische was present.

STAFF RECOMMENDATION

Staff recommended in favor of the annual event.

ACTION TAKEN

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

3. Pigeon Forge Office of Special Events, 22nd Annual Winterfest Kickoff Event (Patriot Park) and Veterans Parade (Jehu Street to Patriot Park via Parkway), Tuesday, November 8th 2011, Butch Helton.

Mr. Helton was present. He said they have added a veteran's parade this year before the activities at Patriot Park.

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.

4. Pigeon Forge High School – Tiger 8K Road Race in October, High School Wears Valley Road, Saturday, October 15th 2011, 414 Tiger Drive, Carrie Rudder.

No one was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that this event occurred two years ago and was a positive event for the city. He said the event is to raise money for the middle school cross country program. 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.

5. Miracle Theater – Christmasfest at the Opry, Front parking lot from Wonderworks to Miracle Theater, 2046 Parkway, Tuesday, November 1st through Saturday, December 31st, Tony Wilhelm.

Mr. David Fee was present. He said that this is a first time event and would be significant investment for their company. He explained that there would be crafts, ice skating, carriage rides, etc. and he handed materials out to Commission members. He said that there will be temporary buildings and a tent for the ice skating. He reported that would like to add a banner sign at light #3 (in addition to banners requested in application) and it is possible they will extend the event to January 3, 2012 if successful.

STAFF RECOMMENDATION

Staff Planner Taylor said that this event should be a good thing for the city. He did add that they would need fire and building codes inspection. He recommended approval. Board members stated their delight with this event coming to the city.

ACTION TAKEN

Commissioner McClure made a motion to approve the event.
Commissioner Harrell seconded and all voted in favor.

D. Site Plans

1. Mountain Manny's, Revised Site Plan, 3068 Parkway, Jim Arwood, Joseph Construction.

Mr. Arwood was present.

STAFF RECOMMENDATION

Staff Planner Taylor explained that the business had a fire that affected parts of the building and destroyed their kiosk. He said that staff could not find that any approval for the original kiosk. This kiosk blocked the sidewalk, which was a problem. He said they are now showing sidewalk being added around the proposed kiosk. This sidewalk will partly be located in the ROW and will eliminate a few ROW parking spots, including some handicap parking. He continued that this handicap parking is shown relocated on the site plan. Staff recommended in favor of the request.

ACTION TAKEN

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

E. Request for Rezoning

1. Jere Loveday, approximately 69 acre tract at 2204 Goldrush Road (Tax Map 084, Parcel 005.00) and (Tax Map 084, Parcel 004.01), R-1 (Low Density Residential) to C-6 (Mixed-Use Commercial) District.

No one was present to represent this request.

STAFF RECOMMENDATION

Staff Planner Taylor said that the property is currently zoned R-1 and they are requesting C-6. He said that the property fronts Veterans Blvd and the proposed ROW for Jake Thomas Extension. He said that C-6 is an

appropriate district for the property. Staff recommended that the request be sent (in favor) to City Commission.

ACTION TAKEN

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

Planning Region Items

B. Subdivisions

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

This item was withdrawn before the meeting.

BOARD OF ZONING APPEALS

- A. Variance request of Section 408.2.1 and 408.2.2 of Zoning Ordinance to allow a sign less than 5 feet from the ROW and have less than 9 feet ground clearance, 2256 Parkway, Eugene Lafollette Property.**

No one was present.

STAFF RECOMMENDATION

Mr. Taylor explained that there are two signs and both encroach into the required 5 feet sign setback from the ROW. One sign is also too high and the other does not have enough ground clearance. He continued that considering this has been before the board before without solution and the existing building would make compliance to setback difficult; staff would recommend that the larger (28' sign) be removed completely and the smaller sign have the section that does not meet clearance requirements, removed and a variance of setback be granted. Discussion ensued. Board members asked Attorney Gass if it can be deferred for one month. He said it could.

ACTION TAKEN

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

B. Interpretation of Section 711.1 of the zoning ordinance as to whether a riding stable should be is a permitted use in a C-6 Mixed-Use Commercial District.

STAFF RECOMMENDATION

Mr. Taylor explained that riding stables are not mentioned as either an allowable or prohibited use in the C-6 District. Staff feels that there is cause for some concern regarding this type use in C-6, but feel the use could be allowed under certain conditions. He recommended that the zoning text be changed to allow them as a "Use Permitted on Review" by BZA with the following conditions:

1. They are a certain distance from the street.
2. Must have adequate facilities that meet building codes (including public restrooms and ADA compliant). This would include existing structures on property being brought up to code, if being used by the public.
4. Fencing to keep horses from getting loose and possibly in the roadways.

City Attorney Gass explained that ordinance modification would be in order. The ordinance change would need to go before the City Commission then to a Public Hearing in order to be approved. He recommended that the request be withdrawn and a draft text amendment be presented by staff to Planning Commission at the meeting in October.

ACTION TAKEN

After much discussion, the item was withdrawn.

The meeting was adjourned at 3:50 p.m.

Bill Bradley, Chairman

Attest: _____