

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY FEBRUARY 24, 2009, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley
Joyce Brackins
Jay Ogle
Bill Howell

MEMBERS ABSENT

Jerry Clark
Robert Young

OTHERS PRESENT

David Taylor, Karl Kreis,

City Attorney – Jim Gass
Bart Hose – State Planner

CALL TO ORDER

Chairman Bradley noted that a quorum was present.

APPROVAL OF MINUTES

The minutes of the meeting January 27, 2009 were approved on a motion by

NEW BUSINESS

PLANNING COMMISSION

A. SPECIAL EVENTS

1. **American Cancer Society – Relay for Life (Bike Event), Patriot Park, Saturday, March 21, 2009, Wayne Knight.**

STAFF RECOMMENDATION

Staff recommended in favor of the event.

ACTION TAKEN

Commissioner Howell made a motion to approve the request.
Commissioner Brackins seconded and all voted in favor.

- 2. Spring & Fall Grand Rod Runs, Grand Resort Hotel and Convention Center, Spring (Wednesday April 15th through Sunday April 19th) and Fall (Wednesday, September 16th through Sunday, September 20th), 2009, Rod Milligan.**

STAFF RECOMMENDATIONS

Mr. Milligan and Mr. Seaton were present.

ACTION TAKEN

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

- 3. March of Dimes - Bikers for Babies, Starts and Ends at Belle Island, Saturday, August 29, 2009, Maria Roberts.**

This item was withdrawn before the meeting.

- 4. (27th Annual) Shades of the Past Rod Run, National Parks Resort Lodge (host hotel)/Smoky River Ranch, Wednesday, September 9th through Sunday September 13th, 2009, Rod Milligan.**

Mr. Milligan and Mr. Seaton were present.

STAFF RECOMMENDATIONS

Staff recommended in favor.

ACTION TAKEN

Commissioner Howell made a motion to approve the request.
Commissioner Brackins seconded and all voted in favor.

D. SITE PLANS

- 1. Brusters Ice Cream, Site Plan, Parkway and Showplace Boulevard, Rod McCarter, Vision Engineering.**

Mr. McCarter was present.

STAFF RECOMMENDATIONS

Proposal will need to be replatted to accommodate the site plan. Staff recommended in favor.

ACTION TAKEN

Commissioner Brackins made a motion to approve the request. Commissioner Howell seconded and all voted in favor.

- 2. Wood Grill Buffet (former Great American Steak and Buffet) – Parkway and Sugar Hollow Road, Request for interpretation (Section 408.2.2 of Pigeon Forge Zoning Ordinance) to whether a proposed ground sign (with less than 9 feet clearance) has 200 feet of sight distance, Jess Davis.**

Mr. Jim Rankin was present.

STAFF RECOMMENDATIONS

Mr. Taylor reported that generally the sign height limit in the city is 25 feet and it has to be at least 9 feet off the ground. However, he explained that a sign can be more than 25' or less than 9' off the ground under certain conditions. These are allowable under the zoning regulation if there is sight distance (less than 9') or topography/sign congestion concerns (greater than 25' high). Commissioner Howell did not want to restrict sight distance by lowering the sign, but felt topography/congestion was sufficient to allow a 27'3" height as proposed in the applicant's sign plan.

ACTION TAKEN

Commissioner Ogle made a motion to approve the request at a 27'3" height but not lower than nine feet. Commissioner Howell seconded and all voted in favor.

PLANNING REGION ITEMS

G. SUBDIVISIONS

- 1. Final Plat Revisions to Wild Briar Subdivision, (Tax Map 96, Parcel 11), Rod McCarter.**

This item was withdrawn before the meeting.

H. PLANNED UNIT DEVELOPMENTS (PUD)

1. Final Minor Re-Plat of Hidden Springs Resort, Phase 2, Section 4 (Horizontal Property Regime – Tax Map 84, Parcel 116-117)), Patterson Lead Way, Richard Fraser/Tim Wallace.

This item was withdrawn before the meeting.

I. SITE PLANS

1. Up The Creek RV Campground, County Site Plan, Little Valley Road, (Tax Map 93, Parcel 27.01), Tony Lee Rast, Jr./W.C. Whaley.

Mr. Tony Rast Jr. and Marcus Whaley were present.

STAFF RECOMMENDATIONS

Mr. Taylor explained that 38 sites were proposed with a 10' waterline extended to the site. He read an email from Mark Samples, Director of Environmental Health that stated that he would recommend 18-22 sites on this property until further study is done. He stated that a bond for the 10' waterline, and a bond for road improvements would need to be turned in. Staff is not in favor of the request because of the uncertainty with the number of sites. Commissioner Howell felt that the site plan could be brought back before Planning Commission if the number of sites changed. Others felt that a copy of the site plan (with a Health Department stamp) should be returned to Planning staff if no other changes were made.

ACTION TAKEN

Commissioner Ogle made a motion to approve the site plan subject to a bond on the road and 10" waterline, bond for road improvements to Little Valley Road, and Health Department approval to this site plan. Furthermore, any changes would have to go through Planning Commission. Commissioner Howell seconded and all voted in favor.

J. REQUESTS FOR REZONING

1. Ross Ogle and Ross Ogle, Jr., approximately 11 acres on two parcels, (Tax Map 105, Parcel 91 & a (0.5 acres) portion of Parcel 89), from R-1 (Rural Residential) to C-1 (Rural Commercial) District.

No one was present.

STAFF RECOMMENDATIONS

Mr. Taylor stated that staff is in favor of this item being recommended to County Commission.

ACTION TAKEN

Commissioner Howell made a motion to recommend the item to City Commission. Commissioner Brackins seconded and all voted in favor.

2. Randal Robinson, approximately 2.78 acres (Tax Map 105, Parcel 108.00 and 108.04) from R-1 (Rural Residential) District to C-2 (General Commercial) District.

Mr. Robinson was present.

STAFF RECOMMENDATIONS

Mr. Taylor explained that C-2 zoning is very intensive and that this property is not conducive to C-2. He explained that the area is residential and the road would (potentially) need improvements if it were rezoned to C-2. Staff recommended that C-1 zoning would be a more compatible use for this area. Mr. Robinson argued that he needed C-2 zoning to allow a business to sell cars.

ACTION TAKEN

Commissioner Howell made a motion to recommend C-2 zoning to the County Commission based on the fact that the property is already being used for that purpose. Commissioner Brackins seconded and all voted in favor.

3. Donna Steen, approximately 2.4 acres (Johnnie E. Dockery Property – Tax Map 73, Parcel 66.04) from R-1 (Rural Residential) District to C-2 (General Commercial) District.

Ms. Steen was present.

STAFF RECOMMENDATIONS

Staff explained that this subdivision off Roberts Court was developed as a commercial subdivision. The rest of the subdivision was made commercial during the public comment period of the enactment of County Zoning (per a recommendation from the Planning Commission to the County Commission). However, this and another adjoining property were not included on the final map as commercial. Staff is uncertain why this was not part of that change. Mr. Taylor recommended in favor of the request,

but stated the tract owned by Randy Chambers (Tax Map 73, Parcel 66.01) be included in the rezoning request, which is between the existing commercial zone and this request.

ACTION TAKEN

Commissioner Howell made a motion to recommend the rezoning to County Commission subject to staff recommendation. Commissioner Ogle seconded and all voted in favor.

K. MISCELLANEOUS REQUESTS OR REQUIRED ACTIONS

1. None

The meeting was adjourned at 4:30 p.m.

BOARD OF ZONING APPEALS

1. Call to order
2. Old business
3. New business

A. Appeal of staff decision regarding sign height (Section 408.2.9.2 of the zoning text), Bill Delozier.

Mr. Delozier was present.

STAFF RECOMMENDATIONS

Mr. Taylor explained that under city regulations the maximum sign height can be extended to 30' (from 25') if the topography or congestion is severe enough to warrant changing the sign height. The applicant claimed their land is 4' below the Parkway.

ACTION TAKEN

Commissioner Howell made a motion to approve the 29-foot sign. Commissioner Brackins seconded and all voted in favor.

4. Adjournment

Bill Bradley, Chairman

Attest: _____