

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY FEBRUARY 23, 2021, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Tony Kyker
Jeff Dodgen
Ken Maples
Mark Rutledge
Brenda Tweed

MEMBERS ABSENT

Stephen Houser - Chairman

OTHERS PRESENT

Jerry Hanson, Kacie Huffaker, Rod McCarter, Jeremy Puckett, Dixon Greenwood, Mimi Kulp, Karen Lay, Others.

David Taylor – City Planner
Karl Kreis – Assistant City Planner
Joe Barrett – Staff Planner
Nathan Rowell – City Attorney

BOARD OF ZONING APPEALS

1. Call to order.

Vice Chair Kyker called the meeting to order and recognized that there was a quorum.

2. Old business.

None.

3. New Business

A. Request for variance to allow a 20 feet front yard setback instead of the required 30 feet in an R-2 district, Cherokee Valley Subdivision, Lot 8, Cherokee Valley Drive, Marcus Whaley.

B. Request for variance to allow a 20 feet front yard setback instead of the required 30 feet in an R-2 district, Cherokee Valley Subdivision, Lot 14, 3136 Cherokee Valley Drive, Jim Odle.

Neither item was represented.

STAFF RECOMMENDATION

Acting Chair Kyker pointed out the similarities in the items and wondered if they could be handled together. City Attorney Nathan Howell said the merits of each item should be explained but that one action could be done for the items if it was warranted. Staff Planner Kreis said that past front setback variances have been granted by the Board for this side of the Cherokee Valley Subdivision, which is on this east side of Cherokee Valley Drive. He continued that there are floodway and topographical issues for each one of these lots. Mr. Kreis explained the importance in staying out of the floodway and said each site plan was showing no activities in the floodway. Staff recommended that both lots be allowed a 20 feet front setback in this R-2 district.

ACTION TAKEN

After much discussion, Commissioner Dodgen made a motion to allow a 20 feet front setback instead of the required 30 feet for both Lots 8 and 14 of Cherokee Valley Subdivision. Commissioner Maples seconded and all voted in favor.

ADJOURNMENT

The meeting was adjourned at 3:08 p.m.

PLANNING COMMISSION

CALL TO ORDER

Vice-Commissioner Kyker called the meeting to order.

PUBLIC COMMENT FROM CITIZENS

No one came forward for public comment.

APPROVAL OF MINUTES

Commissioner Maples made a motion to approve the Planning Commission minutes for the meeting from January 26, 2021. Commissioner Tweed seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

City of Pigeon Forge Items

A. Special Events

- 1. LeConte Center – Corvette Expo Spring 2021, Thursday, March 18th through Saturday, March 20th, 9 A M to 5 P M, 2021, LeConte Center – Teaster Lane, Byron Cooper, (Public Property).**
- 2. LeConte Center – Pigeon Forge Rod Run, (Spring) Thursday, April 15th through Saturday, April 17th, 2021, (Fall) Thursday, September 16th through Saturday, September 18th, 2021, LeConte Center – Teaster Lane, Rod Milligan (Public Property).**
- 3. Kerbela Shriners – 44th Annual Smoky Mountain Fun Fest Parade, Saturday, May 8th, 2021, River Road to Methodist Street onto Parkway, North to Jake Thomas, William Pavlis (Public Property).**

The organizers of this event arrived outside for these items but left when it was explained, for safety, that meeting attendance was being kept at a minimum and when told their event was recommended by Special Events Department Administrative Review.

STAFF RECOMMENDATION

Acting Chair Kyker asked if the special events could be addressed together. Staff Planner Kreis stated that Items #1 – 3 could, but Item #4 should be discussed separately. He continued that Items # 1 – 3 are annual events, with very little changes (except adding COVID protocols) that were recommended by the Special Events Department Administrative Review. Commissioner Maples wanted to make a few comments about the Rod Run. He expressed concerns about heavy traffic that weekend –

especially diesel trucks, alcohol consumption, and unlawful assemble at the local malls – especially diesel trucks.

ACTION TAKEN

Commissioner Maples made a motion to approve special events Items # 1 – 3. Commissioner Rutledge seconded and all voted in favor.

4. Mainstay Suites – Pontiacs in Pigeon Forge Car Show & Swap Meet, Thursday, June 3rd – Sunday, June 6th, 2021, 410 Pine Mountain Road, Joseph Blackburn (Public Property)

The item was not represented.

STAFF RECOMMENDATION

Staff Planner Kreis said that the special events administrative review had questions about the need for the proposed road closure. He reported that they decided to deferred the item until next month.

ACTION TAKEN

Commissioner Tweed made a motion to defer the item until next month. Commissioner Maples seconded and all voted in favor with Commissioner Rutledge abstaining from the vote.

B. Subdivisions

1. Final Minor Re-Subdivision Plat of Conner Heights Subdivision, Section 2, Lot 96R, Conner Heights Road, David Hurst.

Kacie Huffaker represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor said the lots are being re-platted for single family use in a C-6 district, which means it will have to meet R-1 setbacks. He continued the property is steep to the rear and that severe grading has already been done from an unfinished phase of the owner’s last development. Staff recommended that a geotechnical engineer certify the slope as being stable before the plat is finalizing and that no variances be granted for setbacks.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request subject to certification from a geotechnical engineer on the slope to the rear of the property being stable, which could be administratively reviewed and approved, and no variances permitted for these new lots. Commissioner Maples seconded and all voted in favor.

C. Planned Unit Developments (PUD)

1. Final PUD Plan for Covered Bridge Resort, Phase 4B, Mountain Lodge Way off Old Valley Road, Jeremy Puckett – CEC, Inc.

Jeremy Puckett represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor reported this was granted preliminary PUD plan last month and are asking for final this month. He said they are down to one retaining wall from three, but that this retaining wall could severely impact Lot 4B-4. Mr. Taylor felt this retaining wall should be done before building permits. Discussion ensued. Commissioners brainstormed that building permits could be granted for 4B- 1 through 4B – 3 (which are away from the wall) but no CO until wall is complete and certified; further, no building permit for 4B – 4 until wall is certified.

ACTION TAKEN

Commissioner Maples made a motion to approve Final PUD plan for Phase 4B and that building permits could be granted for 4B- 1 through 4B – 3 but no CO until wall is complete and certified (by geotechnical engineer), with no building permit for 4B – 4 until wall is certified. Commissioner Dodgen seconded and all voted in favor.

2. Final PUD Plan for Fiddlers Creek – Pine Mountain Cabins, Pine Mountain Road, Jeremy Puckett – CEC, Inc.

Jeremy Puckett was present.

STAFF RECOMMENDATION

Staff Planner Taylor said the PUD plan is mostly in order. He reported they

have worked through solid waste issues and a drainage maintenance easement has been added to the detention pond. He continued that the sewer line is being installed and should be completed by April. Staff recommended in favor.

ACTION TAKEN

Commissioner Maples made a motion to approve Final PUD Plan for the development. Commissioner Dodgen seconded and all voted in favor.

D. Site Plans

1. J & B Market – Additional Gas Pump, Site Plan, 4250 Parkway, Robert Campbell & Associates.

Kacie Huffaker represented the item.

STAFF RECOMMENDATION

Staff Planner Taylor reported there were some last minute changes after meeting with designers on site and that Commissioners were given the revised plan. He said the parking and proposed pump angles were changed to try to prevent drivers from turning into the store too quickly coming from the Parkway to Conner Heights Road, which backs up traffic into the Parkway. He explained the site is very tight but felt a pump could be added with this new design. He recommended in favor of the site plan revision.

ACTION TAKEN

Commissioner Maples made a motion to approve the site plan revision. Commissioner Dodgen seconded and all voted in favor.

2. Mountain Mile Adventure Polaris Rentals (Sling Shots), Site Plan, Tower Shops at the Mountain Mile – 2655 Teaster Land, Dixon Greenwood.

Dixon Greenwood was present.

STAFF RECOMMENDATION

Staff Planner Taylor said that they are adding a vehicle rental (Sling Shots) to this mall. He said the site plan is showing where the vehicles will be stored. He continued that two will be allowed in the front for display. Mr. Taylor stated that staff is getting a lot of these request and that they may have to be examined further as they are adding slow moving traffic to a congested city. Staff recommended in favor of this revised site plan.

ACTION TAKEN

Commissioner Dodgen recommended in favor of the revised site plan. Commissioner Rutledge seconded and all voted in favor.

E. Requests for Rezoning

1. Donald and Karen Lay, approximately 0.4 acres at Tax Map 83A, Group B, Parcel 1.00, 508 S. Asbury Drive, R-1 (Low Density) District to R-2 (High Density) District.

Karen Lay represented the item. She said she has lived in the house 22 years and is currently looking to selling and R-2 zoning would increase the value.

STAFF RECOMMENDATION

Staff Planner Taylor said that the proposal is encroachment into a long standing residential neighborhood. He reminded the Commission that it has become policy to protect single family residential land in the city. Staff recommended to deny the encroachment into a large R-1 district. Commissioner Maples stated that the city cannot become all over-night rental, that there must be permanent residents.

ACTION TAKEN

Commissioner Maples made a motion to recommend to City Commission that the zoning map remain R-1 for this property. Commissioner Rutledge seconded and all voted to deny the proposed map change with Commissioner Kyker abstaining.

2. Rhonda S. Clabo, approximately 7.1 acres at Tax Map 84, Parcel 57.00, 1217 McCarter Hollow Road, R-1 (Low Density) District to R-2 (High Density) District.

The item was not represented.

STAFF RECOMMENDATION

Staff Planner Taylor said the property is located north on McCarter Hollow Road at the city limits near Applewood and Hickory Manor Roads. He stated the situation is different from the previous item and each one has to be evaluated separately. He continued it was likely annexed into the city as R-1 and never rezoned, pointing out that it is surrounded by R-2 and C-5 zoned property. Mr. Taylor pointed out there is another small R-1 parcel off Applewood that is also surrounded by commercial and R-2 property. Staff recommended the request and that the small parcel should be added to the request if the landowner is willing.

ACTION TAKEN

Commissioner Maples made a motion to recommend the requested map amendment to City Commission and to add the small parcel on Applewood if the landowner is willing. Commissioner Dodgen seconded and all voted in favor.

F. Miscellaneous Requests or Required Actions

- 1. None.**

Planning Region Items

A. Subdivisions

- 1. Preliminary Subdivision Plat for Donna Stair Property Lots 1 – 8, Caney Creek Road, Rod McCarter – CEC, Inc.**

Jeremy Puckett was present for the request.

STAFF RECOMMENDATION

Staff Planner Taylor said they are proposing eight new lots and a new public road. He said they are proposing the lots be on a community sewerage system and wells which requires a one-acre minimum which each lot meets. He said some of the lots are hook lots across the proposed road, which is not ideal, but they have labelled one side non-buildable so both side of the road doesn't get built. Commissioner Kyker

wanted in the minutes that no variances would be granted to the proposed lots. Staff recommended in favor of Preliminary Plat.

ACTION TAKEN

Commissioner Maples made a motion to grant preliminary plat. Commissioner Dodgen seconded and all voted in favor.

B. Planned Unit Developments (PUD)

- 1. None.**

C. Site Plan

- 1. None.**

D. Requests for Rezoning

- 1. Donna Stair, approximately 11 acres at Tax Map 106, Parcels 134.00, 247 Caney Creek Road, R-1 (Rural Residential) District to R-2M (Medium Density Residential) District.**

No one represented the request.

STAFF RECOMMENDATION

Staff Planner Taylor said that this slight up-zone would allow up to four-plex units and bed and breakfast. He stated there is not water and sewer but Caney Creek Road is a major collector. Staff recommended in favor.

ACTION TAKEN

Commissioner Maples made a motion to recommend the proposed map amendment to County Commission. Commissioner Dodgen seconded and all voted in favor.

- 2. William Burch Wynn, approximately a 1-acre portion of Tax Map 95, Parcels 121.20, 1605 Upper Middle Creek Road, C-2 (General Commercial) District to R-1 (Rural Residential) District.**

The item was not represented.

STAFF RECOMMENDATION

Staff Planner Taylor said the request is to down-zone the front portion of the lot from C-2 to R-1. He stated the back portion of the property is already R-1. He said he does not understand the request and has tried to contact the landowner. He reported the property fronts a major collector with public water not far from the city limits and C-2 is appropriate zoning. Mr. Taylor felt the rezone is unnecessary and the property owner must be confused about a need to rezone. Commissioner Maples expressed concern about this coming back after a short time to be rezone back to C-2.

ACTION TAKEN

Commissioner Maples made a motion to table the request in order to reach out to the landowner for clarification. Commissioner Dodgen seconded and all voted in favor.

F. Miscellaneous Requests or Required Actions

- 1. None.**

ADJOURNMENT

Commissioner Taylor made a motion to adjourn. Commissioner Maples seconded and all voted in favor.

The meeting was adjourned at 4:20 p.m.

Stephen Houser, Chairman

Attest: _____