

**MINUTES OF THE
CITY OF PIGEON FORGE PLANNING COMMISSION
AND BOARD OF ZONING APPEALS
TUESDAY, FEBRUARY 27, 2024, 3:00 P.M.
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Stephen Houser – Chairman
Tony Kyker – Vice Chairman
Jeff Dodgen - Secretary
Tony Watts
Mark Rutledge
Brenda Tweed

MEMBERS ABSENT

OTHERS PRESENT

Jerry Hanson, Mike Suttles, Kacie Huffaker, Mike Smelcer, Jeremy Puckett, Jeff Farrell, James Temple, Chuck Smith, Mimi Kulp, Others.

David Taylor – City Planner
Loreto Ferrada – Assistant City Planner
Joe Barrett – Staff Planner
Nathan Rowell – Attorney

BOARD OF ZONING APPEALS

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

A. Appeal of staff’s decision regarding a request for additional graphics under Sections 408.2.11 and 408.9.1.4 in a C-2 district, Country Bear Gift Shop – 3260 Parkway, Michael Malka.

STAFF RECOMMENDATION

Staff Planner Taylor stated this request had been originally tabled in 2021 after a meeting with the attorney and representatives of the business to present an acceptable graphics plan that met the requirements of the zoning ordinance. The revised plan was submitted in 2023 of a large bear connected to the front façade of the building and approved. During construction of the bear, it was determined the connection to the building was not as shown on the approved plan. Staff suggested 2 options; 1. Void permit and give them the opportunity to come to compliance. 2. Give them the opportunity submit the plan as constructed for review. No one representing the interested parties was present. A citation was issued and it has been paid without any discussion. A stop work order was also issued. BZA gave an interpretation, stating that the new graphic does not meet the ordinance, nor does it meet the previously submitted plan and recommended a letter be drafted to the owner explain their options.

ACTION TAKEN

Commissioner Watts made a motion to go along with staff recommendation. Commissioner Tweed seconded and all voted in favor.

B. Request for a setback variance to allow a 23 feet front setback instead of the required 30 feet in an R-2 District, McMahan Addition No. 2, 552 McMahan Road – Merrill Austin.

STAFF RECOMMENDATION

Staff Planner Taylor stated a site plan for this parcel had been submitted and approved depicting the proposed house within the required setbacks. After construction, the building was found to be encroaching into the front setback 7.1 feet. A review of the site determined the lot did not meet the requirements for a variance, either topography or irregular shape. Mr. Austin spoke and said the measurements had been taken incorrectly by the installer, they went from the edge of street and not the property line. Commissioner Rutledge asked if the home was on a permanent foundation, Mr. Austin advised yes, on a concrete slab, for footers. Planner Taylor stated letters have been issued and recorded with the site plan showing that the location of house encroaches into the setback and that the City of Pigeon Forge will not enforce removal at this time. If the building is damaged any new structure or future additions will have to meet the setback requirements.

ACTION TAKEN

Commissioner Tweed made a motion to deny the variance request. However, she furthered the motion to allow for the letter to be recorded with the site plan, as recommended by staff. Commissioner Watts seconded and all voted to deny it.

4. Adjournment.

PLANNING COMMISSION

CALL TO ORDER

PUBLIC COMMENT FROM CITIZENS

Chairman Stephen Houser asked for public comment.

APPROVAL OF MINUTES

Commissioner Watts made a motion to approve the minutes from January 23, 2024
Commissioner Dodgen seconded and all voted in favor.

OLD BUSINESS

None.

NEW BUSINESS

None.

City of Pigeon Forge Items

A. Special Events

- 1. Holy Cross Catholic Church – Good Friday – Stations of the Cross, Friday, March 29th, 2024, 1:30p.m.-2:30p.m., 144 Wears Valley Road, Terry Aparicio. (Public Property).**

STAFF RECOMMENDATION

Staff recommended the annual event.

ACTION TAKEN

Commissioner Tweed made a motion to approve the event. Commissioner Kyker seconded and all voted in favor.

- 2. Holy Cross Catholic Church – Good Friday – Silent Procession with Candles, Friday, March 29th, 2024, 9:00p.m.-10:00p.m., 144 Wears Valley Road, Terry Aparicio. (Public Property).**

STAFF RECOMMENDATION

Staff recommended approval of the annual event.

ACTION TAKEN

Commissioner Tweed made a motion to approve. Commissioner Kyker seconded and all voted in favor.

- 3. Pigeon Forge Special Events – Music In The Mountains Spring Parade, Saturday, April 13th, 2024, 11a.m.-12:30, Jon Elder. (Public Property).**

STAFF RECOMMENDATION

Tabled due to issue with route.

ACTION TAKEN

- 4. Kerbela Shriners – 47th Annual Smoky Mountain Fun Fest Parade, River Road to Methodist Street to Jake Thomas Road, Saturday, May 11, 2024, 9a.m., William Pavlis. (Public Property).**

STAFF RECOMMENDATION

Staff recommended approval of the annual event.

ACTION TAKEN

Commissioner Tweed made a motion to go along with staff recommendation. Commissioner Kyker seconded and all voted in favor.

B. Subdivisions

- 1. None.**

C. Planned Unit Developments (PUD)

- 1. Final PUD Plan of Teaster Townhomes, 3141 Teaster Lane, Marcus Whaley – WC Whaley, Inc.**

STAFF RECOMMENDATION

Staff Planner Taylor presented Teaster Townhomes, a Final PUD for four units. Each unit is three stories and three bedrooms. The plan meets all minimum requirements and staff can recommend approval.

ACTION TAKEN

Commissioner Watts made a motion to approve the request based on staff recommendation. Commissioner Rutledge seconded and all voted in favor.

- 2. Preliminary PUD Plan, Covered Bridge Phase, 5A, Bear Creek Way off Old Valley Road, Jeremy Puckett – CEC, Inc.**

STAFF RECOMMENDATION

Staff Planner Taylor stated Covered Bridge Resort Phase 5A, is a Preliminary PUD located on Old Valley Road in a R-2 District. The plan includes a driveway off Bear Creek Way and three additional building sites, relocated from other areas. The maximum grade on the driveway is 14.4% and an as-built road grade will be required with the final. The location of water meters will also need to be verified and cannot be located in the parking area or walkway. Staff can recommend preliminary approval.

ACTION TAKEN

Commissioner Watts made a motion to approve the Preliminary PUD. Commissioner Tweed seconded and all voted in favor.

- 3. Preliminary PUD Plan of Hickory Drive Townhomes 2, 3010 Hickory Drive, Jeremy Puckett – CEC.**

STAFF RECOMMENDATION

Staff Planner Taylor stated Hickory Drive Townhomes 2 is a Preliminary PUD located at 3038 Hickory Drive in an R-2 District. The plan includes 13 two-bedroom townhomes with 21 parking spaces required and 22 provided. The drive aisle is one way with 15 feet of pavement width. The building is 6656 square feet with a concrete sidewalk in front. Drainage and stormwater requirements will be met with the use of pervious pavers. There are issues with the location of an unmapped stream in the front of the building and will have to meet FEMA requirements, as well as the steam buffer requirements. Will make certain only one way in and one way out and the sanitation issues have been resolved. Staff can recommend approval of the preliminary plan.

ACTION TAKEN

Commissioner Watts made a motion to approve the request. Commissioner Tweed seconded and all voted in favor.

4. Preliminary PUD Plan, Hotel Pigeon Forge Cabin Development Addition, 2179 Parkway, Jeremy Puckett – CEC, Inc.

STAFF RECOMMENDATION

Staff Planner Taylor presented Hotel Pigeon Forge Cabin Development, a Preliminary PUD and addition to an existing hotel located at 2179 Parkway in a C-2 District. The plan includes two cabins and driveway in the rear of the development. The proposed plan meets the preliminary plan requirements and staff will recommend approval.

ACTION TAKEN

Commissioner Watts made a motion to approve the preliminary plan. Commissioner Tweed seconded and all voted in favor.

5. Preliminary PUD Plan, Lafollette Addition No.1, Lot 97, Colonial Drive, Marcus Whaley – WC Whaley, Inc.

STAFF RECOMMENDATION

Staff Planner Taylor stated Lafollette Addition is a Preliminary PUD located on Lafollette Circle in a C-6 District. The plan includes five units with a maximum of three bedrooms. Pavers are used in the parking area for

stormwater and heavy duty paving for sanitation access. There are issues with the solid waste plan and location of water meters that will need to be resolved before final but staff can recommend preliminary approval.

ACTION TAKEN

Commissioner Watts made a motion to approve the request.
Commissioner Tweed seconded and all voted in favor.

6. Preliminary PUD Plan, Laurel Crest Maintenance Building, 2628 Laurel Crest Lane, Jeremy Puckett – CEC, Inc.

STAFF RECOMMENDATION

Staff Planner Taylor stated Laurel Crest is a Preliminary PUD for a proposed maintenance building located at Bluegreen Vacations Resort. The plan includes a 2,500 square foot building with second story deck, golf cart parking, retaining walls and two additional parking spaces. This will be an addition to an existing building. Due to the PUD regulations being updated and the site not allowing for the new regulations of 30 ft. being between the buildings, Planning commission can grant a variance to allow the 20 ft. of separation, as this meets building code requirements according to the zoning ordinance and does not affect the adjacent lots.

ACTION TAKEN

Commissioner Watts made a motion to approve the request.
Commissioner Tweed seconded and all voted to deny it.

7. Preliminary PUD Plan, Moon Mountain Village, 2203 Goldrush Road, Clive Sorhaindo – Cannon & Cannon, Inc.

STAFF RECOMMENDATION

Staff Planner Taylor stated Moon Mt Village is a Preliminary PUD for a proposed plan located on Veterans Blvd. and Goldrush Road. The plan includes a distillery, restaurant, retail, family entertainment center and pavilion with a stage. The development will be constructed in phases and each phase is dependent on the number of parking spaces outside the floodway. Other phases will be constructed upon approval by FEMA. The main issue is the right in/right out on Veterans and only 150 feet from

the McCarter Hollow entrance. Staff will recommend preliminary approval subject to all ingress and egress traffic use Goldrush. The recommendation is to approve the plan but not the right out. The developer will have the option to have the Corridor Committee review the plans and if approved represent with the final.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request but not the right in right out on Veterans. Commissioner Watts seconded and all voted in favor.

8. Preliminary PUD Plan, Walden Creek Resort, 1537 Walden's Creek Road, Kacie Huffaker – Compass Ventures

STAFF RECOMMENDATION

Staff Planner Taylor stated Walden Creek Resort is a Preliminary PUD located at 1537 Walden Creek Road in a C-6 District. The proposed plan has 118 camping sites, ten tiny homes, parking and drive aisle. Most of the site is currently located in the floodway, but received a CLOMR (Conditional Letter of Map Revision) in 2018 based on filling the site approximately ten feet. The additional fill will provide more usable space and relocate the floodway boundary. This is a large development in a flood prone area and the city is working with a third-party engineer to ensure best practices and do not cause any further flooding in the area. The fill, as presented, will cause the development to be 2 to 3 feet above the road. Staff advised recommended to approve the preliminary but that would have to have sufficient updates to plan before it could be approved at final.

ACTION TAKEN

Commissioner Watts made a motion to approve the request. Commissioner Tweed seconded and all voted in favor.

D. Site Plans

1. Dollywood Parking Expansion, Site Plan, 2367 Eagle Way, Ron Whittaker – C2RL Engineers, Inc.

STAFF RECOMMENDATION

Staff Planner Taylor stated Dollywood Parking Expansion is a request to add an additional 782 parking spaces and driveway access. The total disturbed area is 17.5 acres and will adjoin the existing parking area. There are still issues including a stream on the site that will require an ARAP (Aquatic Resource Alteration Permit). The developer is currently working with TDEC. No issues with plan, however, it will have to be phased out. Recommendation to approve with phases.

ACTION TAKEN

Commissioner Watts made a motion to approve the request.
Commissioner Tweed seconded and all voted in favor.

2. Three Bears General Store Dock Addition, Site Plan, 2865 Parkway, Jeremy Puckett – CEC, Inc.

STAFF RECOMMENDATION

Staff Planner Taylor stated the Three Bears Dock Extension is an expansion of the existing loading dock area and re-striping of the parking area. The expanded dock is approximately 1450 square feet. Staff is still working through building code and flood issues with a separate building on site and will need to be resolved before a separate building permit is issued.

ACTION TAKEN

Commissioner Watts made a motion to approve the request.
Commissioner Tweed seconded and all voted in favor.

E. Requests for Rezoning

1. Vazirani Property, 4.2 acres, Tax Map 84, Parcel 26, 2840 Veterans Blvd., R-1 (Low Density Residential) District to C-6 (Mixed-Use Commercial) District.

STAFF RECOMMENDATION

Staff Planner Taylor stated the Vazirani Property is a rezoning request for 2840 Veterans Blvd. Currently a portion of the property is located in a C-6 district and the remainder in an R-1 District. The owner is requesting an additional 4.83 acres be included in the C-6 District for a proposed

commercial use. The remaining 38.5 acres will remain R-1 with a single-family residential development planned. Staff has no objections to the rezoning. Chairman House asked if all the city infrastructure is in place and able to accept the increases caused by this development? Staff explained the utilities for the development will be modeled by SSR.

ACTION TAKEN

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

F. Miscellaneous Requests or Required Actions

1. Election of officers.

STAFF RECOMMENDATION

Chairman Houser made a motion to elect the same officers, as no new members had been identified.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the recommendations. Commissioner Tweed seconded and all voted in favor.

Planning Region Items

A. Subdivisions

1. Re-subdivision of the Lariscy Property, 1130 Mill Creek Road, Scott Cantrell – Cantrell Engineering and Surveying.

STAFF RECOMMENDATION

Staff Planner Taylor stated the Lariscy Property is located on Mill Creek Road in the planning region. The owner is requesting the 10.84-acre tract be divided into three lots. Staff has no objections but cannot approve until a plan with the required signatures is submitted.

ACTION TAKEN

Commissioner Dodgen made a motion to deny the request. Commissioner Tweed seconded and all voted in favor.

2. Re-Subdivision of Sharp Hollow Hills Property, Tract 3, Sharp Hollow Road, Brennon Garrett – The Land Surveyors, Inc.

STAFF RECOMMENDATION

Sharp Hollow Hills is 6.48 acres and the owner is requesting the tract be subdivided into three tracts. A plat has been submitted with the required approvals and signatures. Staff will recommend approval.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request. Commissioner Tweed seconded and all voted in favor.

3. Final Plan, Thunder Mountain, Phase 3B, Lots 4, 5, 6 & 15, Little Cove Road, David Hurst – Robert Campbell & Associates

STAFF RECOMMENDATION

Thunder Mountain Phase 3B is four lot subdivision and extension of Red Sky Way. Lot 4 is reserved for the drain field and a buildable area. The maximum grade of Red Sky is 15%. The preliminary was approved with a secondary outlet and should be shown on the plan. Staff is also waiting on a plat with the required signatures.

ACTION TAKEN

This item was withdrawn before the meeting.

B. Planned Unit Developments (PUD)

1. Preliminary PUD Plat and Plan, Parkside Resort Phase 5, Little Cove Road - Romans Engineering.

ACTION TAKEN

The item was withdrawn before the meeting.

C. Site Plans

1. None.

D. Requests for Rezoning

1. None.

ADJOURNMENT

The meeting was adjourned at 4:18 p.m.

Stephen Houser, Chairman

Attest: _____