

**MINUTES OF THE  
CITY OF PIGEON FORGE PLANNING COMMISSION  
AND BOARD OF ZONING APPEALS  
TUESDAY MAY 26, 2020, 3:00 P.M.  
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Laurie Taylor  
Tony Kyker  
Ken Maples  
Jeff Dodgen  
Mark Rutledge  
Brenda Tweed

MEMBERS ABSENT

Stephen Houser - Chairman

OTHERS PRESENT

Kacie Huffaker, Adam Carr, Mimi Kulp.

David Taylor – City Planner  
Karl Kreis – Assistant City Planner

**BOARD OF ZONING APPEALS**

CALL TO ORDER

Vice-Chairperson Taylor called the BZA meeting to order.

- A. Request for variance of PUD setback to allow a 10 feet perimeter setback instead of the required 25 feet in a C-4 district, Ayers Property – Teaster Lane, Vernon Fain Estate, Lot 4, Scott Osborn – R2R Studio, LLC.**

Mr. Osborn was present for the request.

STAFF RECOMMENDATION

Staff Planner Kreis reviewed the property with the Commissioners. He said the property is zoned C-4 and that it is a large property like in the C-4 district, but has a 650 feet long flag (access) to the main part of the property where the slope is greater. The owners request to build in the 50 feet access to be

closer to Teaster Lane and the slope is less. Mr. Kreis explained that the 25 perimeter setback of the C-4 district make developing within the flag impossible to meet at the side property lines, but that they could maintain 10 feet on both sides. He reported that in most other commercial zones there is no side setback and that it is set by building code and can be as little as zero. He explained that it is an unusual situation and that a long narrow access is not commonly seen in C-4 properties and is causing undue hardship. Staff recommended the requested 10 feet setback within the 650 feet flag area only and that they must meet the 25 feet perimeter setback at the main part of the property if developed.

#### ACTION TAKEN

Commissioner Maples made a motion to allow a ten feet setback at both sides only within the 650 feet (flag) area from Teaster Lane to the main part of the property; and that the rest of the property would be required a 25 feet perimeter setback. Commissioner Rutledge seconded and all voted in favor.

The meeting was adjourned at 3:10p.m.

### **PLANNING COMMISSION**

#### CALL TO ORDER

Vice-Chairperson Taylor called the meeting to order.

#### APPROVAL OF MINUTES

Commissioner Maples made a motion to approve the Planning Commission minutes for the meeting from April 28, 2020. Commissioner Tweed seconded and all voted in favor.

#### OLD BUSINESS

None.

#### NEW BUSINESS

### **City of Pigeon Forge Items**

#### ***A. Special Events***

1. None.

***B. Subdivisions***

1. None.

***C. Planned Unit Developments (PUD)***

1. **Preliminary PUD Plan for Carr Property RV Park, 2610 Florence Drive, Mike Suttles – Advanced Land Solutions.**

Adam Carr was present. He reported the existing bridge would be for pedestrians only, that vehicle access was coming from McGill Street.

STAFF RECOMMENDATION

Staff Planner Kreis said there have been a few designs and the one before them is workable. He reported the property is floodable so an evacuation plan is needed by final. He continued they would also need a final drainage plan with calculations and to show how they plan to migrate the 60 feet TDEC buffer by final PUD plan. Staff recommended preliminary PUD plan.

ACTION TAKEN

Commissioner Maples made a motion to approve Preliminary PUD Plan for the request. Commissioner Kyker seconded and all voted in favor.

2. **Final Minor RePlat of Lots 139 & 141 of Alpine Mountain Village PUD, Phase 5B, 2391 Alpine Village Way, David Hurst – Norvell & Poe Engineers.**

Micah Boaz was present for the request.

STAFF RECOMMENDATION

Staff Planner Kreis reported that this cabin was built outside the lot lines and larger than intended when the lot was approved. He reported that staff has been trying to work with them to correct the situation and that this latest plat may work. Mr. Kreis pointed out that the parking is in the ROW, but said this situation while being less than ideal has been occurring in this development. He did say that the retaining wall was currently through one of the shown parking spaces and that would have to be

removed. Staff recommended the plat but that the Planning Commission not sign the plat until the retaining wall is moved and the HOA signs it as well.

#### ACTION TAKEN

Commissioner Maples made a motion to approve the minor plat, but not with the Planning Secretary signature until the retaining wall is moved and the HOA representative signs the plat. Commissioner Rutledge seconded and all voted in favor

### **3. Revised Final PUD Plan for Smoky Mountain RV Park & Resort at Pigeon Forge, Phase 1, 1111 Wears Valley Road, Gary Norvell – Norvell & Poe Engineers.**

Kacie Huffaker was present.

#### STAFF RECOMMENDATION

Staff Planner Kreis said that a poolhouse was built 8.3 feet from the property line and there is a 25 feet perimeter setback for this PUD. He stated that under Section 407.3.1 the setback can be varied by the Planning Commission. Staff felt this could be applied in this instance since the poolhouse is an accessory use, but this could only be applied to the pool house and to no other structures. After some discussion, he made clear that this was not a variance under State law to the setback.

#### ACTION TAKEN

Commissioner Maples made a motion to approve an 8.3 setback as shown on the site plan for the poolhouse under Section 407.3.1. of the ordinance for a PUD. Commissioner Dodgen seconded and all voted in favor.

### **4. Preliminary PUD Plan for Yogi Bear’s Jellystone Park Tent Development (within Bear Cove RV Park), 3404 Whaley Drive, Kacie Huffaker – Norvell & Poe Engineers.**

Kacie Huffaker was present.

#### STAFF RECOMMENDATION

Staff Planner Kreis reported that staff has been working with the owners

for a few months. He said that a tent development was discovered in the area that once had preliminary PUD approval for cabins. He said that no Planning Commission approvals were granted and no building permits issued or applied for this development. He said the structures (tents on wooden platform) were closer than 20 feet apart, but the latest plan shows them being adjusted to 20 feet apart. Discussion ensued. Many Commissioners were concerned about the current state of this area operating without bathrooms.

#### ACTION TAKEN

Commissioner Dodgen made a motion to approve Preliminary PUD Plan that tents must be 20 feet apart by final and securities in place for bathrooms to be built as proposed on site plan. Commissioner Rutledge seconded and all voted in favor.

### ***D. Site Plans***

#### **1. The Challenge Dome, Void Site Plans, David Hurst – Norvell and Poe – approved January 2017 and before, Conner Heights Road, Carol Musick.**

No one was present.

#### STAFF RECOMMENDATION

Staff Planner Kreis said that this property is no longer being developed by Carol Musick and people are leasing the tenant spaces for retail. He stated that these are shown as office on the most recently approved site plans. Staff has concerns about returning this to retail and returning the letter of credit for additional parking without nullifying the site plan for the property. Discussion ensued. Commissioners wanted some assurances that the built structures behind the retail (Dome and any others) be demolished before voiding the site plan. They felt it best to table the item until consulting with the city attorney.

#### ACTION TAKEN

Commissioner Maples made a motion to table the request. Commissioner Kyker seconded and all voted in favor.

### ***E. Requests for Rezoning***

- 1. Ironwood Cabins, LLC., approximately 16 acres over three parcels: Ironwood Cabins, LLC., Lot 1 -3 (formerly the Vernon & Dorothy Fain Property – Tax Map 94, Parcels 31.02), located at 505 & 509 Loraine Street at the northwest intersection of Country Oaks Drive and Loraine Street, R-1 (Low Density Residential) to R-2 (High Density Residential) District.**

The item was represented.

#### STAFF RECOMMENDATION

Staff Planner Kreis said that this property has been investigated for R-2 zoning for some time but has had issues preventing it from moving forward. The last one being the pump station that serves the area is full. He continued that on the City Commission agenda (after this meeting) is a request for a gravity sewer line that would replace the pump station. Staff can recommend the property as R-2 if the gravity sewer line is approved.

#### ACTION TAKEN

Commissioner Maples made a motion to recommend this request to the City Commission subject to the gravity sewer line being approved by City Commission. Commissioner Rutledge seconded and all voted in favor.

### ***F. Miscellaneous Requests or Required Actions***

- 1. Proposed text amendment to Section 907.1 (Bridge Specification) of the Pigeon Forge Zoning Ordinance regarding pedestrian bridges across the West Prong of the Little Pigeon River, Staff.**

#### STAFF RECOMMENDATION

Staff Planner Kreis said that Section 907 (Pedestrian Bridges Across the West Prong of the Little Pigeon River) was added to the zoning ordinance last May and detailed specifications for bridges and access was part of the ordinance. He continued one of the specifications is a 15 foot public easement (near the property line) from the bridges to a public R-O-W (in most cases, the Parkway) to be usable for the public at large. He stated the first bridge proposal is from a Holiday Inn being constructed on the Parkway. He reminded the Commission that the hotel's site plan was

approved before the bridge ordinance was finalized and they only have 5 feet between a parking deck and lot line. He said previous Planning Commission discussion seemed to center around an easement of 15 feet as excessive since the bridge minimum is 12 feet wide. Staff recommends 10 feet wide easement.

ACTION TAKEN

Commissioner Kyker made a motion to recommend the proposed zoning text amendment to the City Commission. Commissioner Maples seconded and all voted in favor.

**Planning Region Items**

***A. Subdivisions***

**1. Final Plat of Laurel Branch Subdivision, Phase 3, Lots 1 – 18, Newt Huff Way, David Hurst – Norvell & Poe Engineers.**

Kacie Huffaker was present.

STAFF RECOMMENDATION

Staff Planner Kreis reported that preliminary plat has been granted for these lots. He said that three lots from this phase has already been granted final plat. He stated the lots are steep and by county slope standards must be 2 acres, yet qualify for a front setback of 20 feet front setback under subdivision regulations. He said they have county Health Department, Road department, and Stormwater Department approval. Staff recommended final plat with all signatures including Pigeon Forge Public Works Department for the water line.

ACTION TAKEN

Commissioner Dodgen made a motion to approve the request with all signatures including Pigeon Forge Public Works for water line. Commissioner Kyker seconded and all voted in favor.

***B. Planned Unit Developments (PUD)***

**1. None.**

***C. Site Plan***

- 1. None.**

***D. Requests for Rezoning***

- 1. Michael Vance, approximately 11 acres over four parcels (Tax Map 95, Parcels 137.00, 137.01, 138.00, & 139.00), 1530 Upper Middle Creek Road, Road, R-1 (Rural Residential) & C-2 (General Commercial) Districts to C-1 (Rural Commercial) District.**

STAFF RECOMMENDATION

Staff Planner Kreis said this property is a proposed expansion to a nearby RV park. He reported all the lots are bisected by a stream and after one crosses the stream the land gets quite steep. Staff felt the steep land to the back of the property was not suitable commercial land. Staff recommends that the property be rezoned to C-1 only to the stream, which is approximately 300 feet off Upper Middle Creek Drive, and that the rear of the property remains R-1.

ACTION TAKEN

Commissioner Maples made a motion to recommend to the County Commission that the property be rezoned to C-1 to the stream, approximately 300 feet off Upper Middle Creek Drive, and the remainder of the property remain R-1. Commissioner Kyker seconded and all voted in favor.

***F. Miscellaneous Requests or Required Actions***

- 1. None.**

ADJOURNMENT

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

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

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Stephen Houser, Chairman

Attest: \_\_\_\_\_