

**MINUTES OF THE  
CITY OF PIGEON FORGE PLANNING COMMISSION  
AND BOARD OF ZONING APPEALS  
TUESDAY APRIL 28, 2009, 3:00 P.M.  
CITY HALL, PIGEON FORGE, TENNESSEE**

MEMBERS PRESENT

Bill Bradley  
Jerry Clark  
Robert Young  
Bill Howell  
Jay Ogle  
Joyce Brackins

MEMBERS ABSENT

OTHERS PRESENT

David Taylor, Karl Kreis, Mark Miller, Terry Aparicio, Frank Aparicio, Jim Tipton, Trey Jackson, Mike Suttles, Lynn Cole, Jerry Britton, Derek Hodges, Leigh Ellington, Keith Walker, Tim Dunnivant, Jeff Beckett, Ross Ogle, Steve Hurlbut, Mimi Kulp, others

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 March 24, 2009 were approved on a motion by Commissioner Brackins and seconded by Commissioner Howell.

NEW BUSINESS

**PLANNING COMMISSION**

**A. SPECIAL EVENTS**

- 1. First Baptist Church – Vacation Bible School, Sunday, June 7 – Thursday, June 11, 2009, 6p.m. - 9p.m., 209 Wears Valley Road, Keith Walker, Pastor.**

STAFF RECOMMENDATION

Staff recommended in favor

ACTION TAKEN

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

2. **Sevier County Right to Life – Celebrate Life at Patriot Park Picnic, Saturday, August 8<sup>th</sup>, 2009, 10a.m. - 4p.m., Patriot Park, Terry Aparicio.**

Ms. Aparicio was present.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

Commissioner Young made a motion to approve the event. Commissioner Howell seconded and all voted in favor.

3. **The 24<sup>th</sup> Annual Dolly's Homecoming Parade, Friday, May 8<sup>th</sup>, 2009, 6p.m., Parkway (from River Road to Wears Valley Road), Leigh Ellington.**

Ms. Ellington was present.

STAFF RECOMMENDATION

Staff recommended in favor.

ACTION TAKEN

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

5. **Rebel Store, Request for a Temporary Use Permit (OPC Location), 3259 Parkway, Rock Hays.**

This item was withdrawn before the meeting.

- 9. The Track – 25 years of Business, Employee/Customer Appreciation Day, Saturday, May 16<sup>th</sup> 2009, 10a.m. to close, 2575 Parkway, Marty Profitt.**

STAFF RECOMMENDATION

Staff recommended in favor subject to banners being 32 square feet or less.

ACTION TAKEN

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

- 10. Christmas Place – Christmas in July – July 1-30, 2009, 2470 Parkway, Kathy Biggs Rodriguez.**

This item was withdrawn before the meeting.

- 4. Mama's Farmhouse Restaurant, Request for a Temporary Use Permit (OPC Location), 202 Pickel Street, Tim Dunnivant.**

- 6. Hillbilly Village, Request for a Temporary Use Permit (OPC Location), 3259 Parkway, Rock Hays.**

- 7. Golden Eagle, Request for a Temporary Use Permit (OPC Location), 121 Old Mill Avenue, Rock Hays.**

- 8. Boston Bucket Seafood Restaurant, Request for Temporary Use Permit (OPC Location) 3214 Parkway, Rock Hays.**

STAFF RECOMMENDATION

Staff recommended that items #4, 6, 7, and 8 the OPC Locations be approved in one motion. Staff recommended in favor.

ACTION TAKEN

Commissioner Howell made a motion to approve the OPC locations. Commissioner Brackins seconded and all voted in favor with Commissioner Young abstaining.

## **D. SITE PLANS**

### **1. Fastop Market, Site Plan, Southeast Wears Valley Road, Isaacs Enterprises, Inc., Jeff Beckett.**

Mr. Beckett was present.

#### STAFF RECOMMENDATIONS

Mr. Taylor explained that staff is concerned about the entrance from Wears Valley Road and has spoken with the Police Department about that issue. It is an entrance only for the east bound lanes and there will be no exiting (of any type) or entering from the west bound lanes. Signage will also be placed to that effect. Staff recommends in favor of the site plan.

#### ACTION TAKEN

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

### **2. National Park Resort Lodge, site plan, 2385 Parkway, SRA Architects.**

Mr. Smelcer was present.

#### STAFF RECOMMENDATIONS

Mr. Taylor explained that this site plan adds 160 units to the hotel, a pool complex and some parking. Staff recommended in favor. He said that the Tennessee Shindig does not meet current parking regulations but has more parking now than the original site plan.

#### ACTION TAKEN

Commissioner Brackins made a motion to approve the site plan.  
Commissioner Young seconded and all voted in favor.

## **E. Requests for Rezoning**

### **1. Credit Shelter Trust/Cindy Owens Trustee, approximately 11.27 acres on two parcels (Tax Map 94, Parcels 156.00 and Tax Map 94F, Group F, Parcel 31.01) Ogle, R-1 (Low Density Residential) District to C-2 (Tourist Commercial) District.**

## STAFF RECOMMENDATIONS

No one was present. Mr. Taylor stated that this was recommended by this board to the City Commission in November 2007 but was not reviewed by them because of issues of ownership/power of attorney for some of the land. These issues have since been worked out. Staff recommends in favor based on past approval.

## ACTION TAKEN

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

## **PLANNING REGION ITEMS**

### **G. SUBDIVISIONS**

#### **1. Preliminary Re-Subdivision Plat of Lots 1R, 2R, 3R, 4R, and 8R Americana Community (Tax Map 82, Parcel 98.00, District 5), Crestview Drive, Frank and Terry Aparicio/ Mike Suttles.**

Frank and Terry Aparicio were present along with their Attorney Jim Tipton .

## STAFF RECOMMENDATIONS

Mr. Taylor reported that the plat was moving some existing lots to the front of the subdivision and adding a short road to better access the lots. He stated that he has worked with TDEC and Sevier County Highway Department and has not found any issues with the site. The site also conforms to all Subdivision Regulations. Based on this information staff feels comfortable recommending in favor of the request.

Mr. Britton, "a resident of the subdivision who is opposed to the subdivision", noted that the plat was stamped with a "Meets Gatlinburg Regulations" certification. Mr. Taylor explained that this is a preliminary plat and that the certification will be corrected before final plat approval. City Attorney Gass concurred stating that certification is not required for preliminary approval.

Legal representation for both sides (Aparicio's and Home Owners Association) admitted to meeting and being close to finding a solution. Legal counsel for the Home owner's Association said if they can't work out something by next month, they will no longer oppose the plat.

After much discussion, The Aparicio's withdrew the request.

#### ACTION TAKEN

No action was necessary. The item was withdrawn.

#### **2. Final Minor Re-Subdivision of Tract 4 of the Ruth Houk Cates and Tony Cates Property into Parcels 1-3 of the Cates Property, Mortar Road, Steven Hurlbut**

Mr. Hurlbut was present.

#### STAFF RECOMMENDATION

Mr. Taylor recommended in favor subject to required signatures.

#### ACTION TAKEN

Commissioner Young made a motion to approve the request subject to staff recommendation. Commissioner Ogle seconded and all voted in favor.

### **I. SITE PLANS**

#### **1. Smoky Mountain Zip Line, County Site Plan, Mill Creek Road, Ross Ogle.**

Mr. Ogle was present.

#### STAFF RECOMMENDATIONS

Mr. Taylor stated that staff recommends in favor of this request. The only concern is the proposed driveway being gravel on very steep terrain. However, he stated that is allowed according to county restrictions. Staff is especially worried about access to the property for emergency vehicles like ambulances.

#### ACTION TAKEN

Commissioner Howell made a motion to approve the request contingent upon a letter from the Ambulance Service stating that safety is not an issue in accessing all zip line stations. Commissioner Young seconded and all voted in favor.

The meeting was adjourned at 4:10 p.m.

\_\_\_\_\_  
Bill Bradley, Chairman

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