



SPECIAL USE REPORT

► **FILE #:** 11-F-24-SU

AGENDA ITEM #: 21

AGENDA DATE: 11/14/2024

► **APPLICANT:** HOMESTEAD LAND HOLDINGS, LLC

OWNER(S): Mainland MCA Knoxville, LLC

TAX ID NUMBER: 106 P A 037

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 962 N GALLAHER VIEW RD

► **LOCATION:** East side of Gallaher View Rd, north side of Mars Hill Rd, south of Middlebrook Pk

► **APPX. SIZE OF TRACT:** 4.1 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via N Gallaher View Drive, a minor arterial street with a pavement width of 75 ft within a right-of-way ranging between 225 ft and 300 ft. Access is also via Mars Hill Road, a local street with a 23-ft pavement width within a 52-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Ten Mile Creek

► **ZONING:** RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay), (C) (Previously Approved Plan District)

► **EXISTING LAND USE:** Rural Residential

► **PROPOSED USE:** Removal of the previously approved planned district designation (C)

HISTORY OF ZONING: Part of a large governmental rezoning from R-1, A-1 to R-1E in 1985 (8-H-85-RZ); R-1E to R-1 rezoning request in 1996 (6-T-96-RZ, denied); R-1E to O-1 rezoning request in 2004 (7-U-04-RZ, denied); R-1E to C-6 rezoning request in 2013 (10-F-13-RZ, withdrawn prior to Planning Commission action); R-1E to RP-1 up to 1 du/ac rezoning request (1-D-16-RZ, approved); RN-1 (C) to RN-5 (C) rezoning request (7-I-24-RZ, County Commission approved RN-4 (C))

SURROUNDING LAND USE AND ZONING: North: Single-family residential, public/quasi-public land (remnant right-of-way) - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

South: Agriculture/forestry/vacant land - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

East: Single-family residential, agriculture/forestry/vacant land - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)

West: Multifamily residential, commercial - RB (General Residential) in the County, C-G-1 (General Commercial) in the City

NEIGHBORHOOD CONTEXT: The area surrounding the intersection of Middlebrook Pike and N Gallaher View Road is characterized by a mix of detached single family houses, apartment and townhouse residences in the general area, and modest commercial development in the immediate vicinity to the northwest.

STAFF RECOMMENDATION:

► **Withdraw the application, as requested by the applicant.**

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed.



Request to Postpone • Table • Withdraw

Homestead Land Holdings, LLC

11/7/24

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

Dec. 12, 2024

Scheduled Meeting Date

File Number(s)

11-SF-24-C/11-E-24-SU & 11-F-24-SU

POSTPONE

- ☐ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☐ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the _____ Planning Commission Meeting.

WITHDRAW

- ☒ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

- ☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

M. Anderson Baker

Applicant Signature

Anderson Baker

Please Print

865-328-6868

Phone Number

abaker@homesteadlandholdings.com

Email

STAFF ONLY

[Signature]

Staff Signature

Michael Reynolds

Please Print

11/7/2024

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☒ No

Amount:

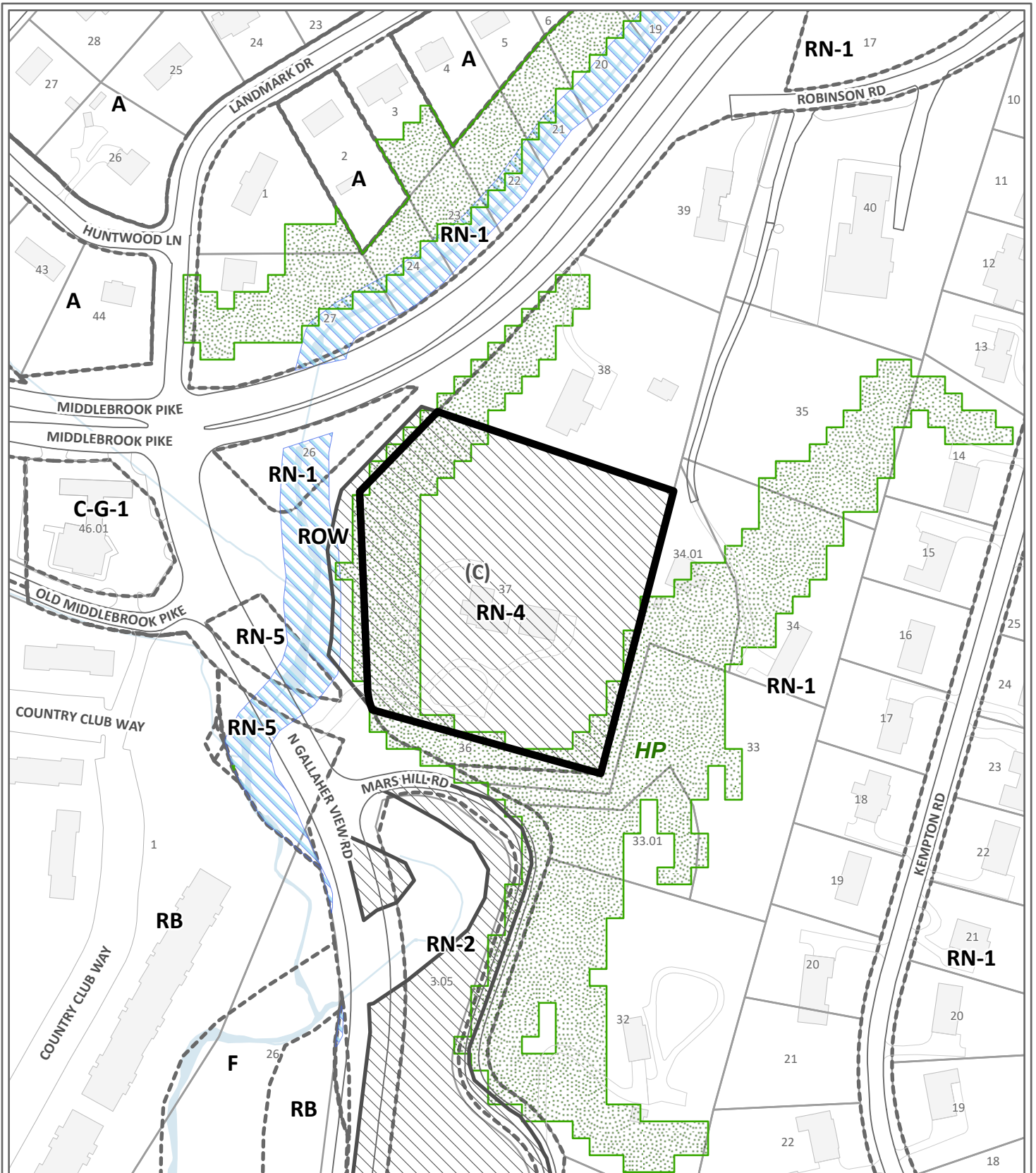
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



SPECIAL USE

11-F-24-SU

Petitioner: Homestead Land Holdings, LLC



Removal of the previously approved planned district designation (C) in RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay), (C) (Previously Approved Plan District)

Original Print Date: 10/9/2024

Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 106
Jurisdiction: City

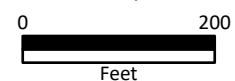
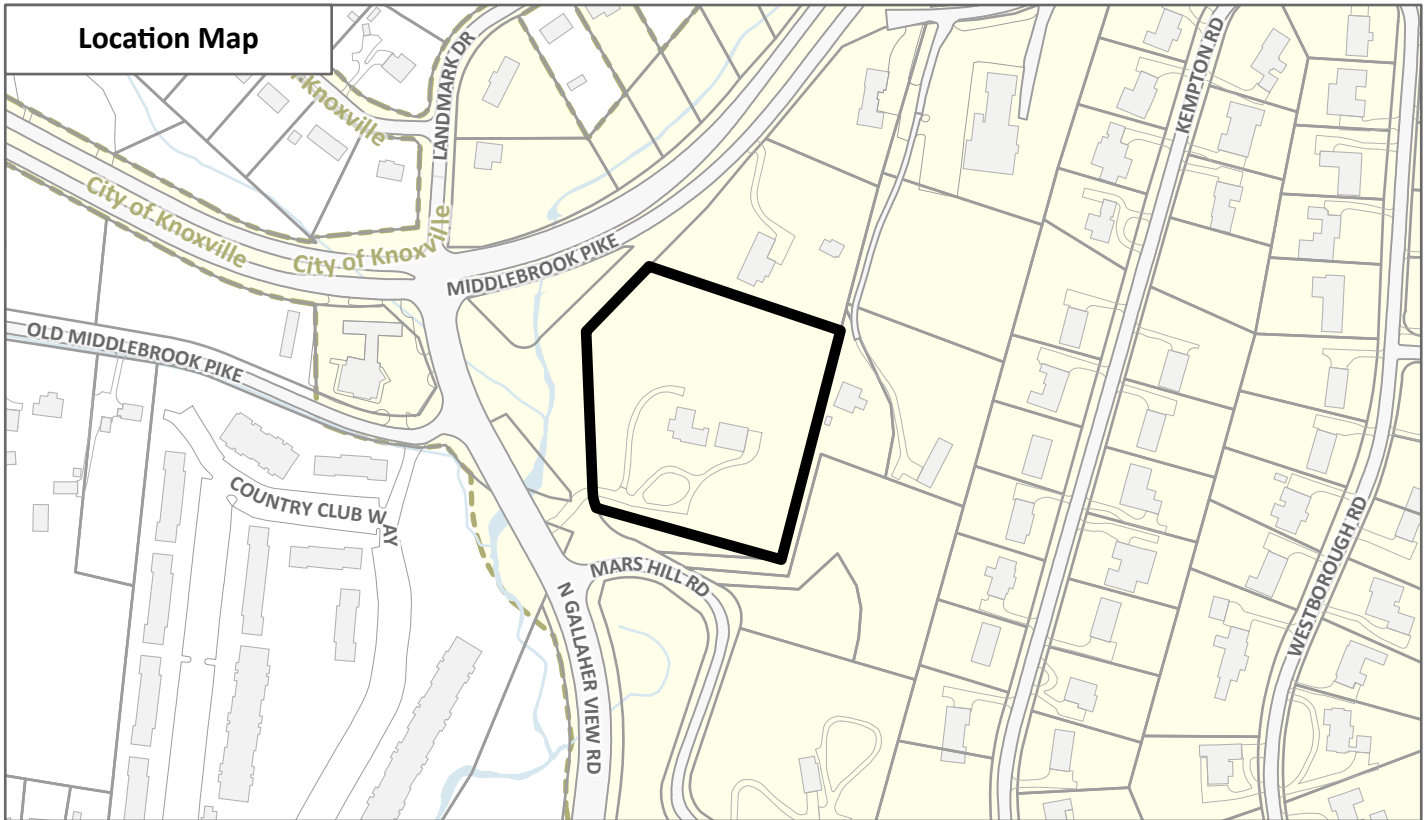


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

11-F-24-SU

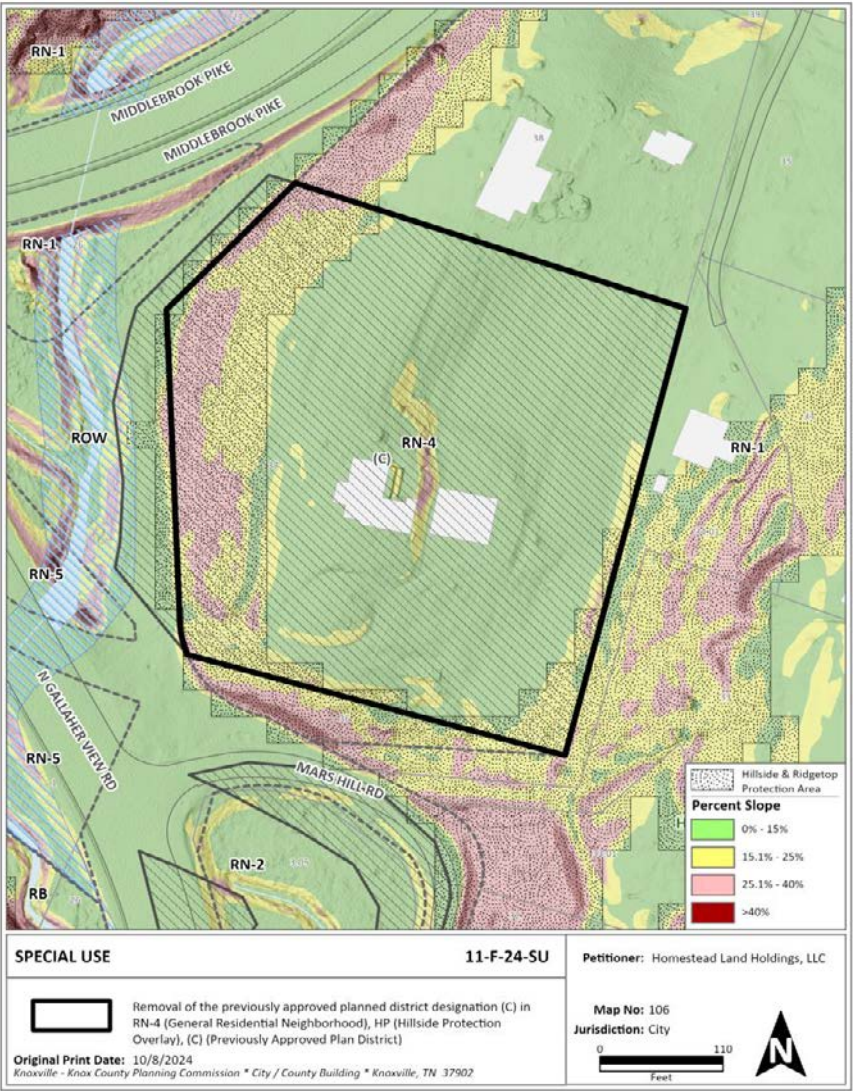


Case boundary

0 380
Feet



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	178,387.5	4.1			
Non-Hillside	131,140.6	3.0	N/A		
0-15% Slope	5,077.8	0.1	100%	5,077.8	0.1
15-25% Slope	27,378.1	0.6	50%	13,689.0	0.3
25-40% Slope	14,592.5	0.3	20%	2,918.5	0.1
Greater than 40% Slope	198.5	0.0	10%	19.9	0.0
Ridgetops					
Hillside Protection (HP) Area	47,246.9	1.1	Recommended disturbance budget within HP Area	21,705.1	0.5
			Percent of HP Area	45.9%	





Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Rezoning
☐ Plan Amendment
☐ Sector Plan
☐ City OYP / County Comp Plan

Homestead Land Holdings, LLC

Applicant Name

Developer

Affiliation

10/2/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

11-F-24-SU

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Russell N. Rackley, PE Rackley Engineering

Name / Company

PO Box 30456 Knoxville TN 37922

Address

865-850-1535 / rnrackley@rackleyengineering.com

Phone / Email

CURRENT PROPERTY INFO

Mainland MCA Knoxville, LLC

Owner Name (if different)

118 16th Ave S Ste 230 Nashville TN 37203

Owner Address

Owner Phone / Email

962 N GALLAHER VIEW RD

Property Address

106 P A 037

Parcel ID

4.1 acres

Part of Parcel (Y/N)?

Tract Size

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

No

Septic (Y/N)

COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

DEVELOPMENT REQUEST

- ☐ Development Plan ☐ Planned Development ☒ Use on Review / Special Use
☐ Hillside Protection COA ☐ Residential ☐ Non-residential

Home Occupation (specify) _____

Other (specify) **Removal of the previously approved planned district designation (C)**

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

Related Rezoning File Number

Unit / Phase Number

Total Number of Lots Created

Additional Information _____

- ☐ Attachments / Additional Requirements

ZONING REQUEST

- ☐ Zoning
Change

Proposed Zoning

Pending Plat File Number

- ☐ Plan

Amendment

Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☐ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

\$450.00

Total

Fee 2

Fee 3

AUTHORIZATION

- ☐ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Homestead Land Holdings, LLC

10/2/2024

Applicant Signature

Please Print

Date

Phone / Email

Mainland MCA Knoxville, LLC

10/2/2024

Property Owner Signature

Please Print

Date



**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Anderson Baker	Knoxville, TN	



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☒ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ PA
☐ Rezoning

Homestead Land Holdings, LLC

Applicant Name

Developer

Affiliation

9/30/24

Date Filed

11/14/24

Meeting Date (if applicable)

File Number(s)

11-F-24-SU

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☐ Property Owner ☐ Option Holder ☐ Project Surveyor ☒ Engineer ☐ Architect/Landscape Architect

Russell N. Rackley, PE

Name

Rackley Engineering

Company

PO Box 30456

Address

Knoxville

City

TN

State

37922

ZIP

865-850-1535

Phone

rn@rackleyengineering.com

Email

CURRENT PROPERTY INFO

Mainland MCA Knoxville, LLC

Property Owner Name (if different)

118 16th Ave S, Ste 230 Nashville, TN

Property Owner Address

Property Owner Phone

962 N Gallaher View Rd.

Property Address

106 PA 037

Parcel ID

KUB

Sewer Provider

KUB

Water Provider

N

Septic (Y/N)

COMMUNITY ENGAGEMENT

Sign and return the **Public Notice & Community Engagement** form with this application.

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.**

DEVELOPMENT REQUEST

- ☐ Development Plan ☒ Use on Review / Special Use ☐ Hillside Protection COA
☐ Residential ☐ Non-Residential
Home Occupation (specify) _____

Related City Permit Number(s) _____

Other (specify) _____

SUBDIVISION REQUEST

Proposed Subdivision Name _____

Related Rezoning File Number _____

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created _____

- ☐ Other (specify) **Removal of previously approved "C" designation**
☐ Attachments / Additional Requirements _____

ZONING REQUEST

- ☐ Zoning Change

Proposed Zoning _____

Pending Plat File Number _____

- ☐ Plan Amendment Change

Proposed Plan Designation(s) _____

Proposed Density (units/acre) _____

Previous Rezoning Requests _____

- ☐ Other (specify) _____

STAFF USE ONLY

PLAT TYPE

- ☐ Staff Review ☒ Planning Commission

ATTACHMENTS

- ☐ Property Owners / Option Holders ☐ Variance Request
☐ Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

- ☐ Use on Review / Special Use (*Concept Plan*)
☐ Traffic Impact Study
☐ COA Checklist (*Hillside Protection*)

Fee 1	Total \$450.00
0401	
Fee 2	
Fee 3	

AUTHORIZATION

- ☒ I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.


Applicant Signature

Anderson Baker
Print Name / Affiliation

10/1/24
Date

865-328-6868
Phone Number

abaker@homesteadlandholdings.com
Email


Property Owner Signature

DONALD M CAIRE
Please Print

10/02/2024, SG
10/1/24
Date Paid



Public Notice and Community Engagement

Sign Posting and Removal

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission.

Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

Location and Visibility

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

Timing

The sign(s) must be posted not less than 12 days prior to the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

Acknowledgement

By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

11/1/24

Date to be Posted

11/15/2024

~~12/1/24~~

Date to be Removed

Have you engaged the
surrounding property owners
to discuss your request?

☒ Yes ☐ No

☐ No, but I plan to prior to the
Planning Commission meeting

Applicant Signature

Anderson Baker

Applicant Name

10/1/24

Date

Removal of "C" designation
FILE NUMBER
11-F-24-SU