



SUBDIVISION REPORT - CONCEPT/SPECIAL USE

► **FILE #:** 11-SF-24-C

AGENDA ITEM #: 22

11-E-24-SU

AGENDA DATE: 11/14/2024

► **SUBDIVISION:** 962 N GALLAHER VIEW SUBDIVISION

► **APPLICANT/DEVELOPER:** HOMESTEAD LAND HOLDINGS, LLC (DEVELOPER)

OWNER(S): Mainland MCA Knoxville, LLC

TAX IDENTIFICATION: 106 P A 036, 037

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 962 N GALLAHER VIEW RD (0 MARS HILL RD)

► **LOCATION:** East of North Gallaher View Road, north side of Mars Hill Road

SECTOR PLAN: Northwest City

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

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Ten Mile Creek

► **APPROXIMATE ACREAGE:** 4.31 acres

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

► **EXISTING LAND USE:** Rural Residential, Agriculture/Forestry/Vacant Land

► **PROPOSED USE:** 24-unit townhouse subdivision

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

► **NUMBER OF LOTS:** 24

SURVEYOR/ENGINEER: Russell N. Rackley Rackley Engineering

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.

► **SUBDIVISION VARIANCES REQUIRED:** Variance to reduce minimum sag K value from 25 to 15 at stop controlled intersection.

STAFF RECOMMENDATION:

► Withdraw the application, as requested by the applicant.

► Withdraw the application, as requested by the applicant.

ESTIMATED TRAFFIC IMPACT: 265 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

Knoxville-Knox County Planning Commission's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

Knoxville-Knox County Planning Commission's approval or denial of this special use 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

Michael Reynolds

Staff Signature

Michael Reynolds

Please Print

11/7/2024

Date Paid

☐ No Fee

Eligible for Fee Refund? ☐ Yes ☒ No

Amount:

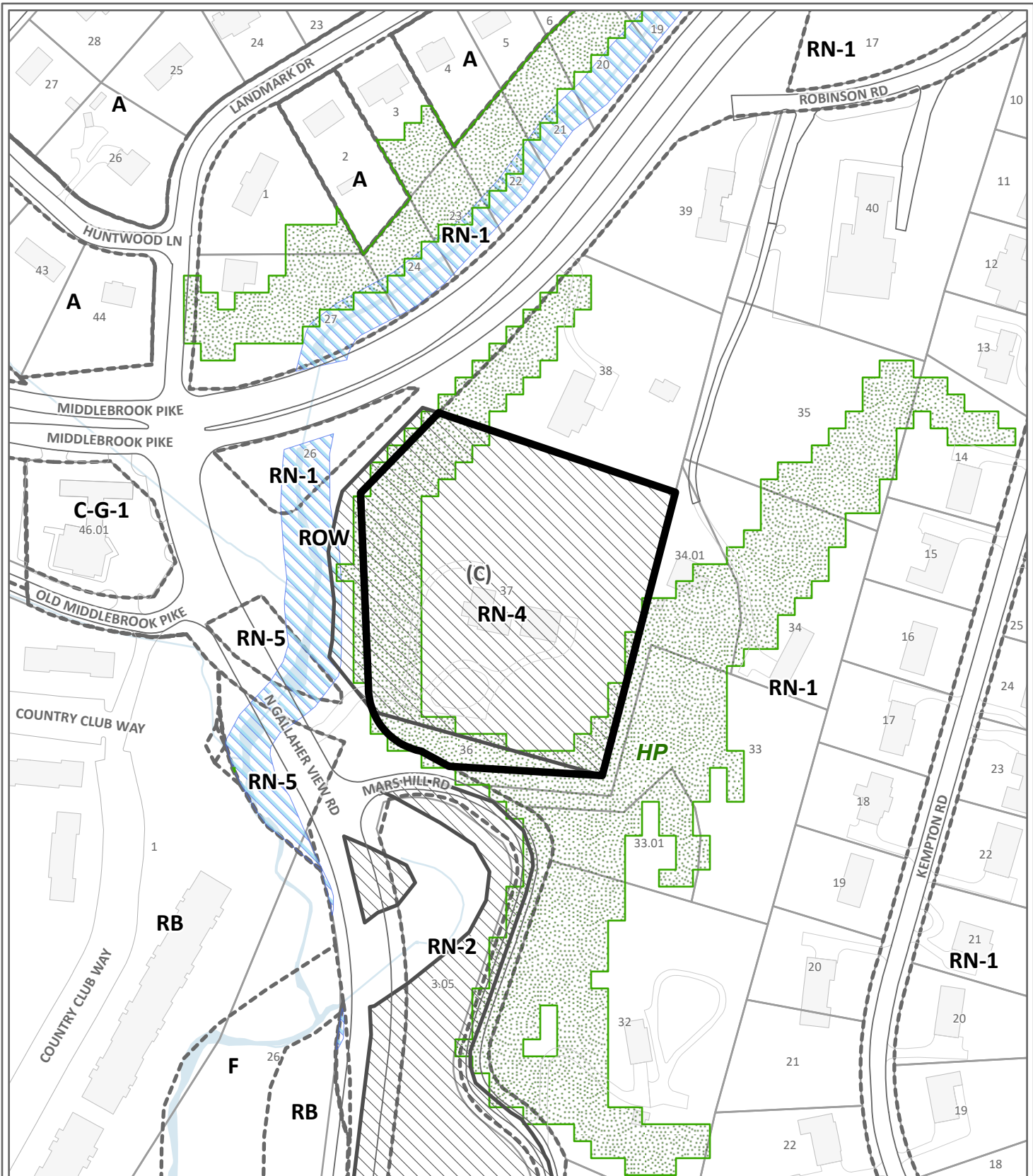
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



CONCEPT PLAN / DEVELOPMENT PLAN

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

Petitioner: Homestead Land Holdings, LLC



Townhouse subdivision in RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay), (C) (Previously Approved Plan District)

Original Print Date: 10/9/2024

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

Map No: 106
Jurisdiction: City

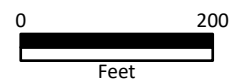
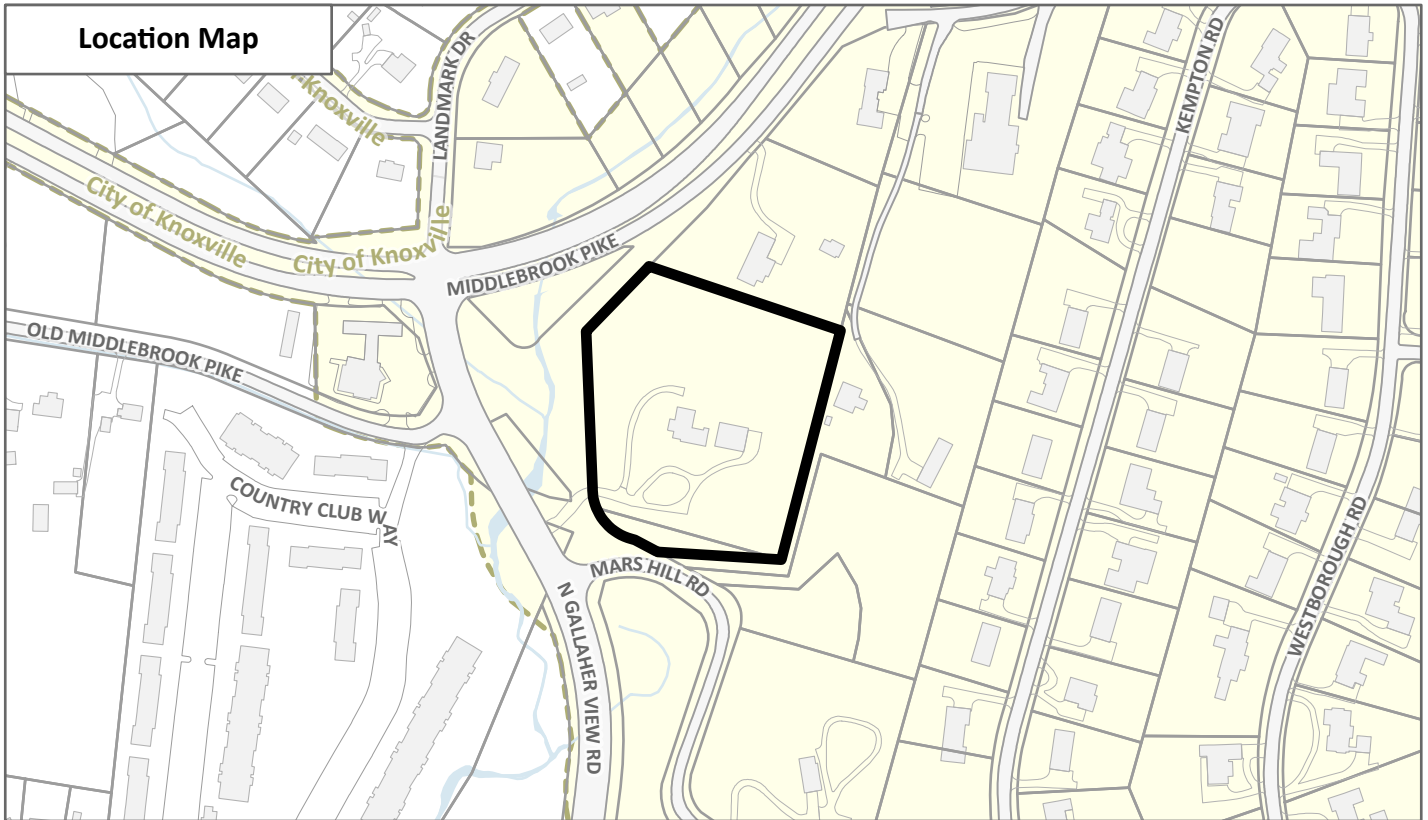


Exhibit A. Contextual Images

Location Map



Aerial Map



CONTEXTUAL MAPS 1

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

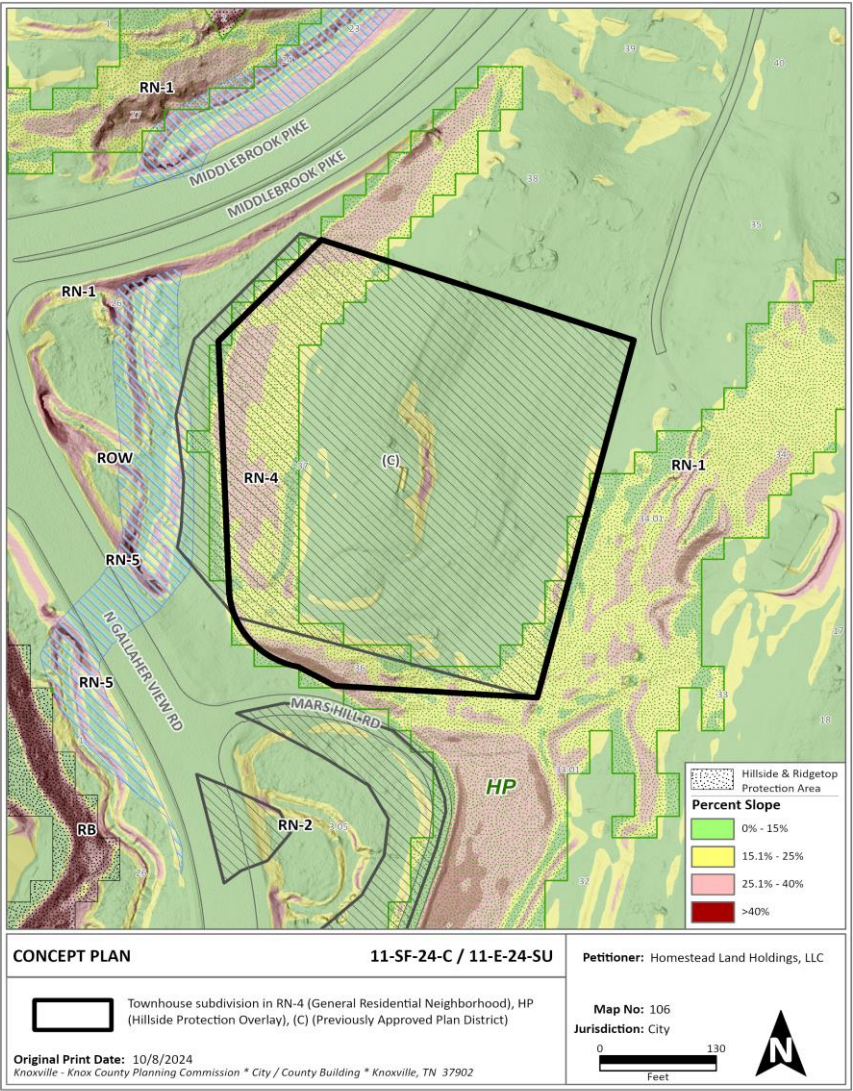


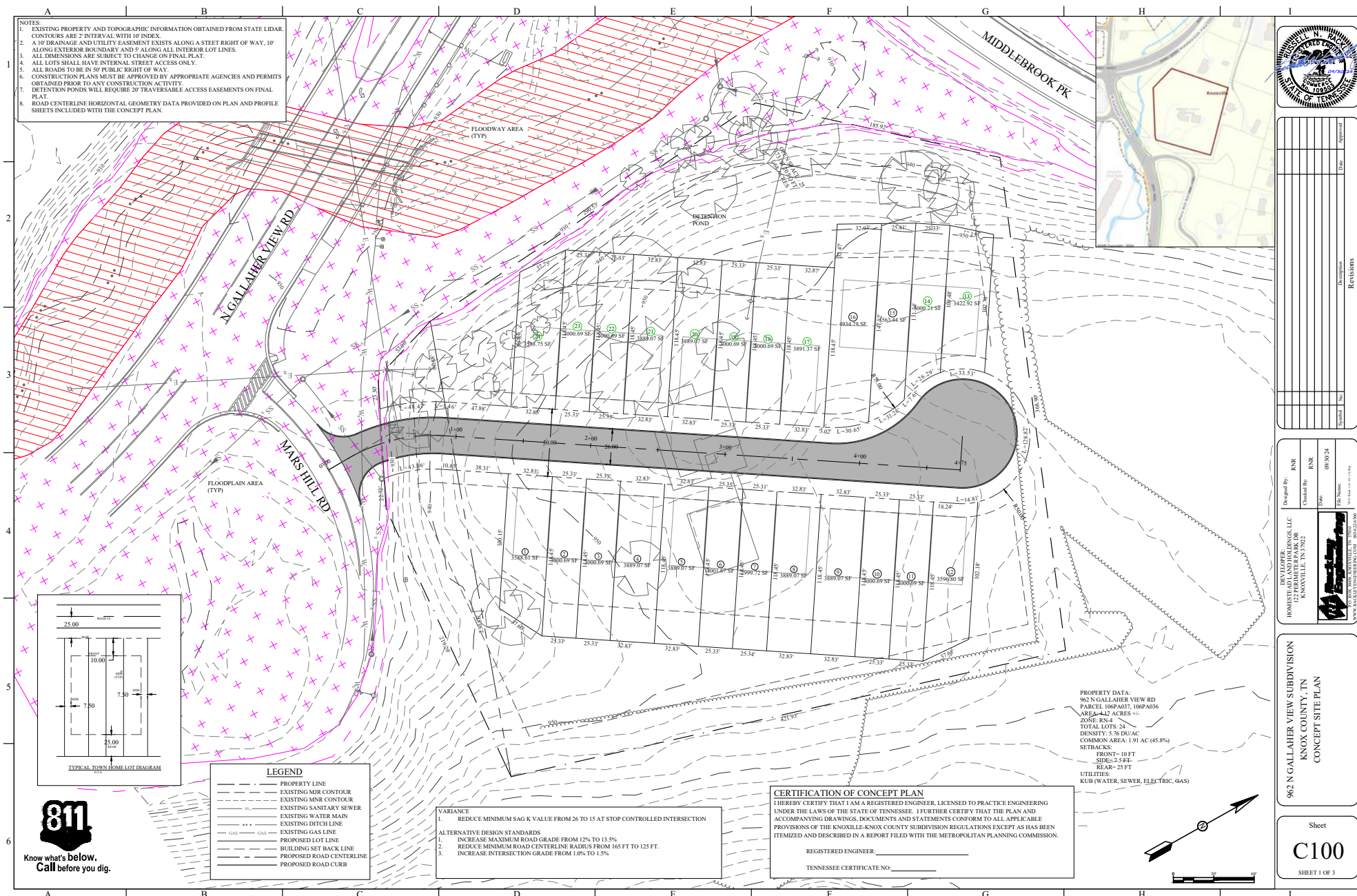
Case boundary


0 360
Feet



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	187,832.8	4.3			
Non-Hillside	131,157.5	3.0	N/A		
0-15% Slope	5,793.6	0.1	100%	5,793.6	0.1
15-25% Slope	31,579.6	0.7	50%	15,789.8	0.4
25-40% Slope	17,917.9	0.4	20%	3,583.6	0.1
Greater than 40% Slope	1,384.2	0.0	10%	138.4	0.0
Ridgetops					
Hillside Protection (HP) Area	56,675.3	1.3	Recommended disturbance budget within HP Area	25,305.4	0.6
			Percent of HP Area	44.6%	

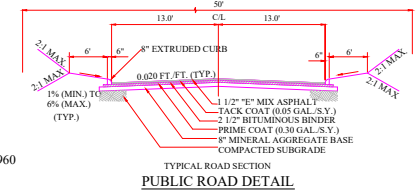
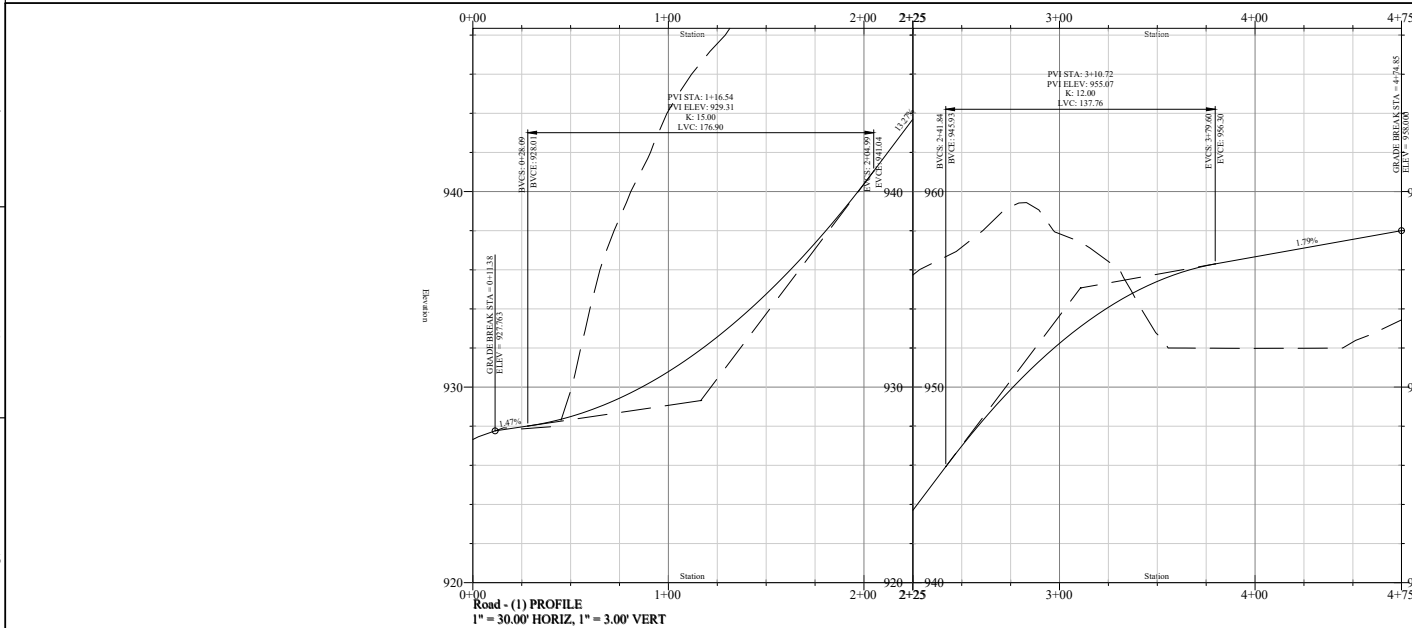
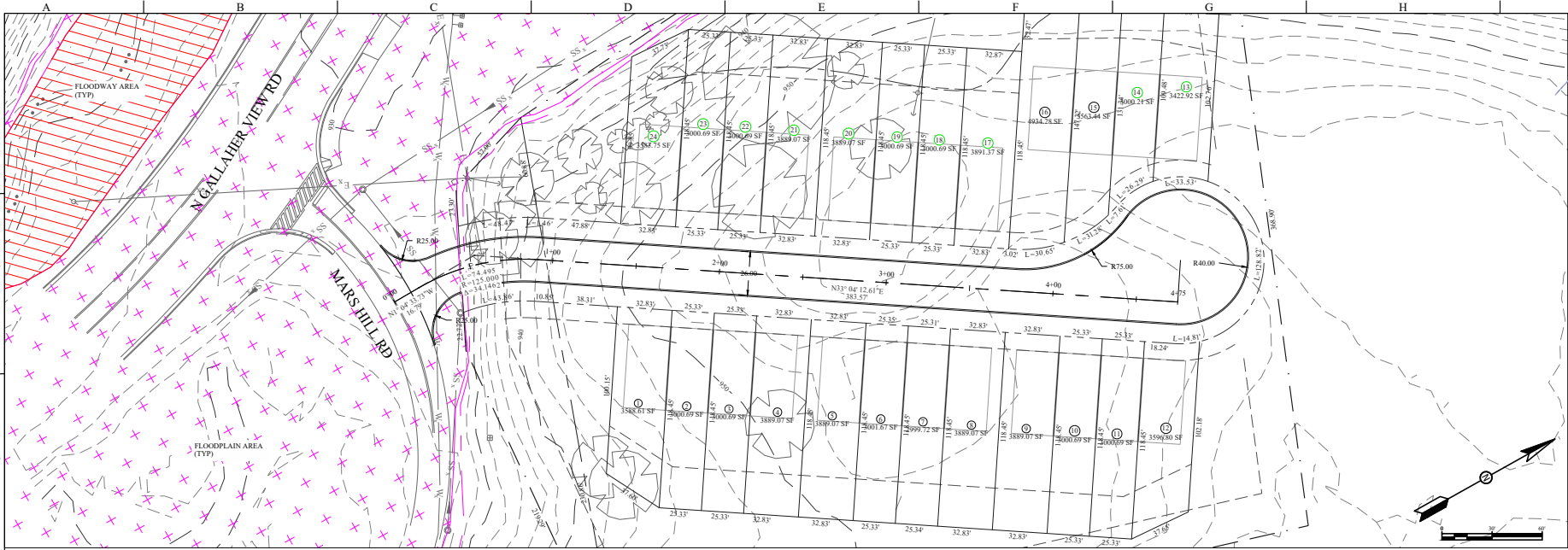


[illegible]

DEVELOPER: HOMIESTEAD LAND HOLDINGS, LLC 122 PERIMETER PARK DR. KNOXVILLE, TN 37922	Designed By: RNR	Date: 09/30/24
	Checked By: RNR	
 <p>P.O. BOX 3036, KNOXVILLE, TN 37923</p>		File Name: W:\B\Bnd - C-01-14

062 N GALLAHER VIEW SUBDIVISION
KNOX COUNTY, TN
CONCEPT SITE PLAN

Sheet
C100

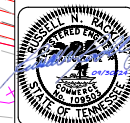
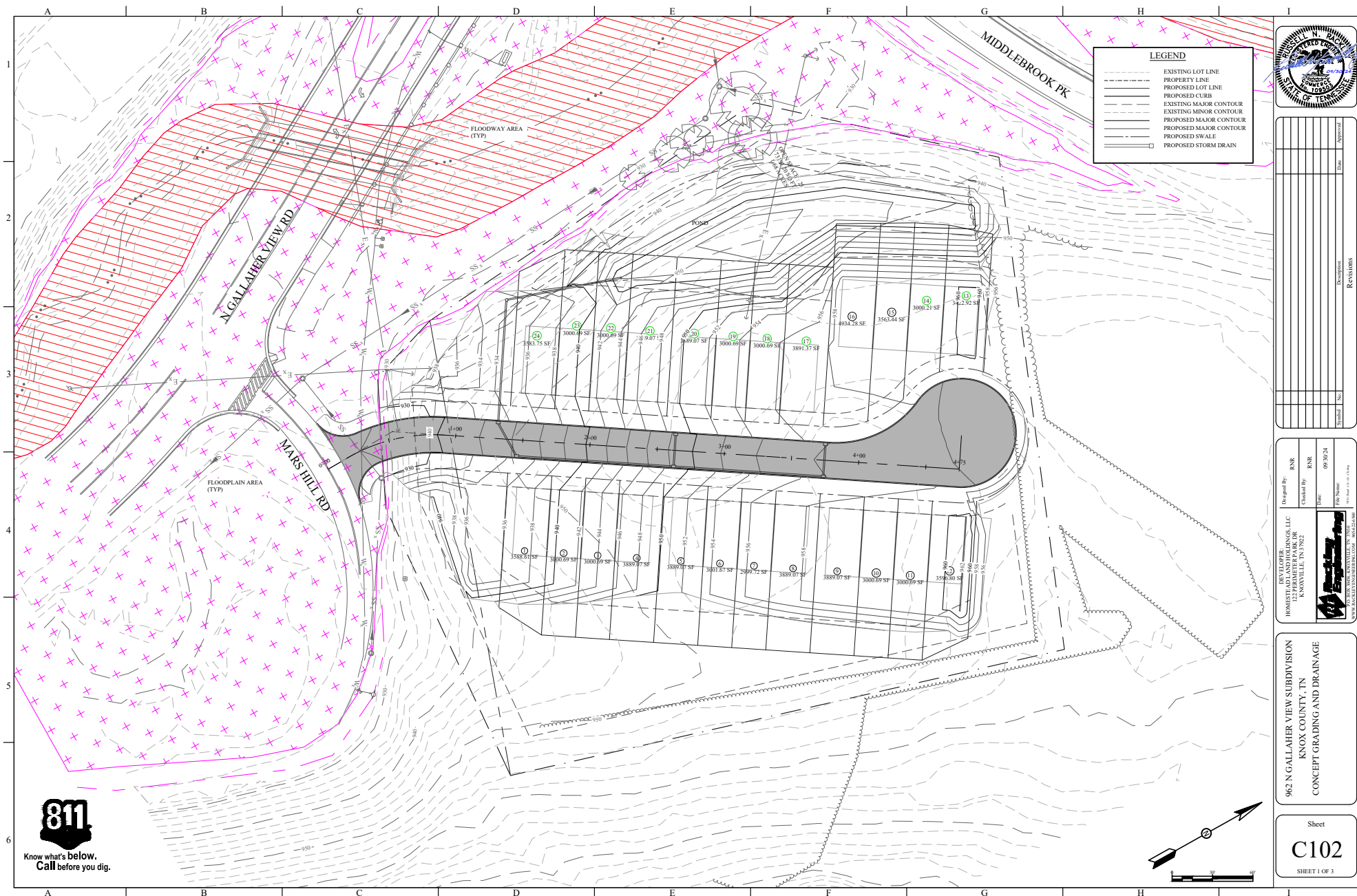


Revisions	Revision	Date	By	Appr

Designed By: RSR	Checked By: RSR	Drawn: 09/04/24	File Name: 982 N GALLAHER VIEW RD
PROJECT: 982 N GALLAHER VIEW RD		DATE: 09/04/24	SCALE: AS SHOWN
PROJECT: 982 N GALLAHER VIEW RD		DATE: 09/04/24	SCALE: AS SHOWN
PROJECT: 982 N GALLAHER VIEW RD		DATE: 09/04/24	SCALE: AS SHOWN

982 N GALLAHER VIEW SUBDIVISION
KNOX COUNTY, TN
CONCEPT ROAD DESIGN

Sheet
C101
SHEET 1 OF 3

[illegible]

DEVELOPER: HOMESTEAD, AND HOLDINGS, LLC 122 PERIMETER PARK, DR. KNOXVILLE, TN 37922	Designed By:	RNR	Date: 09/30/24	File Name: 9701 Road 101 10-10-24.dwg
	Checked By:	RNR		

062 N GALLAHER VIEW SUBDIVISION
KNOX COUNTY, TN
CONCEPT GRADING AND DRAINAGE

Sheet
C102
SHEET 1 OF 3

Alternative Design Standards

The minimum design and performance standards shall apply to all subdivisions unless an alternative design standard is permitted within Article 3 Section 3.01.D, Application of Alternative Design Standards, or Article 4.01.C, Street Standards (within Hillside and Ridgetop Areas).

There are some alternative design standards that require Planning Commission approval, and some that can be approved by the Engineering Departments of the City or County. However, the City or County Engineering Departments, as applicable, will provide review comments on any alternative design proposed. These comments will be provided during the review process.

Alternative Design Standards Requiring Planning Commission Approval

Section 3.03.B.2 - Street frontage in the PR (Planned Residential) zone, Knox County

Section 3.03.E.1.e – Maximum grade of private right-of-way

Section 3.03.E.3.a – Pavement width reduction, private rights-of-way serving 6 or more lots

Section 3.04.H.2 – Maximum grade, public streets

Section 3.04.I.1.b.1 – Horizontal curves, local streets in Knox County

Alternative Design Standards Approved by the Engineering Departments of the City of Knoxville or Knox County

Section 3.03.E.3.a – Right-of-way width reduction, private rights-of-way serving 6 or more lots

Section 3.04.A.3.c – Right-of-way dedication, new subdivisions

Section 3.04.F.1 – Right-of-way reduction, local streets

Section 3.04.G.1 – Pavement width reduction, local streets

Section 3.04.H.3 – Intersection grade, all streets

Section 3.04.J.2 – Corner radius reduction in agricultural, residential, and office zones

Section 3.04.J.3 – Corner radius reduction in commercial and industrial zones

Section 3.11.A.2 – Standard utility and drainage easement

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision Regulations are requested above or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested.



Signature

Russell N. Rackley, PE

Printed Name

09/30/24

Date

For each alternative design standard requested, identify how the proposed alternative design either meets the intent of the standard in the Subdivision Regulations or meets an alternative, nationally recognized engineering standard such as The American Association of State Highway and Transportation Officials (AASHTO) or Public Right-of-Way Accessibility Guidelines (PROWAG).

1. ALTERNATIVE DESIGN STANDARD REQUESTED:

Increase maximum road grade from 12% to 13.5%

Approval required by: Planning Commission ☒ Engineering ☐

Engineering supports the alternative design standard requested

(to be completed during review process): YES ☐ NO ☐

Engineering Comments:

2. ALTERNATIVE DESIGN STANDARD REQUESTED:

Decrease minimum road centerline radius from 165 ft to 125 ft

Approval required by: Planning Commission ☒ Engineering ☐

Engineering supports the alternative design standard requested

(to be completed during review process): YES ☐ NO ☐

Engineering Comments:

3. ALTERNATIVE DESIGN STANDARD REQUESTED:

Increase intersection maximum grade from 1.0% to 1.5%

Approval required by: Planning Commission ☐ Engineering ☒

Engineering supports the alternative design standard requested

(to be completed during review process): YES ☐ NO ☐

Engineering Comments:

4. ALTERNATIVE DESIGN STANDARD REQUESTED:

Approval required by: Planning Commission ☐ Engineering ☐

Engineering supports the alternative design standard requested

(to be completed during review process): YES ☐ NO ☐

Engineering Comments:

5. ALTERNATIVE DESIGN STANDARD REQUESTED:

Approval required by: Planning Commission ☐ Engineering ☐

Engineering supports the alternative design standard requested

(to be completed during review process): YES ☐ NO ☐

Engineering Comments:

The Planning Commission may reduce or otherwise vary the requirements of the Subdivision Regulations when it finds the hardship criteria are met. In granting such variances, the Planning Commission may attach and require whatever conditions it feels are necessary to secure the basic objectives of the varied regulations. Any variance granted by the Planning Commission shall be noted in its official minutes along with the justification for granting the variance (Subdivision Regulations, Section 1.05).

HARDSHIP CONDITIONS TO BE MET:

- 1 Conditions Required:** Where the Planning Commission finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, they may, after written application, grant variations to the regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variations shall not have the effect of nullifying the intent and purpose of these regulations or the comprehensive plan.
- 2 Evidence of Hardship Required:** The Planning Commission shall not grant variations to these regulations if the purpose of the variation is solely for financial gain. The Planning Commission shall not grant variations to the Subdivision Regulations unless they make findings based upon the evidence presented to them in each specific case that the following hardships are met:
 - a. Because of the particular surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.
 - b. The conditions upon which the request for a variation is based is unique to the property for which the variation is sought and is not applicable, generally, to other property, and has not been created by any person having an interest in the property.
 - c. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision Regulations are requested above or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested.



Signature

Russell N. Rackley, PE

Printed Name

09/30/24

Date

It is the applicant's responsibility to identify the hardship that would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was adhered to. Each of the variance criteria must be addressed in the comments below with specific facts regarding the unique details of the property and/or project, as applicable.

1. VARIANCE REQUESTED:

Reduce minimum sag K value from 26 to 15 at stop controlled intersection

Specify the hardship that would result for each of the variance criteria:

- A. Pertaining to the particular surroundings, shape, or topographical conditions of the subject property:

Property is bordered on the North and West by a floodzone, a floodway, and steep slopes. The eastern boundary is a heavy tree line providing screening to the adjoining residential homes. The only location for the entrance is a steep bank.

- B. Pertaining to conditions unique to the property that are not applicable to other property and has not been created by any person having an interest in the property.

Property is bordered on the North and West by a floodzone, a floodway, and steep slopes. The eastern boundary is a heavy tree line providing screening to the adjoining residential homes. The only location for the entrance is a steep bank.

- C. Pertaining to the granting of a variance will not be detrimental to public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

In our opinion the requested variance will not create an unsafe condition.

To be completed by the City or County Department of Engineering, as applicable:

Engineering supports the variance requested (to be completed during review process): YES ☐ NO ☐

Engineering Comments:



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

10/1/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

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

File Number(s)

CORRESPONDENCE

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

Russell N. Rackley Rackley Engineering

Name / Company

PO Box 30456 Knoxville TN 37930

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 / 0 MARS HILL RD

Property Address

106 P A 036, 037

Parcel ID

4.31 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

<input type="checkbox"/> Development Plan	<input type="checkbox"/> Planned Development	<input checked="" type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA	<input type="checkbox"/> Residential	<input type="checkbox"/> Non-residential	
Home Occupation (specify) _____			
Other (specify) Townhouse subdivision			

SUBDIVISION REQUEST

962 N Gallaher View Subdivision	Related Rezoning File Number
Proposed Subdivision Name	
Unit / Phase Number	24 Total Number of Lots Created
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	

5.57 du/ac

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 Total

\$1,150.00

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.

Applicant Signature	Homestead Land Holdings, LLC	10/1/2024
	Please Print	Date

Phone / Email

Property Owner Signature	Mainland MCA Knoxville, LLC	10/1/2024
	Please Print	Date



Development Request

DEVELOPMENT

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

SUBDIVISION

- ☒ Concept Plan
☐ Final Plat

ZONING

- ☐ Plan Amendment
☐ SP ☐ OYP
☐ Rezoning

Homestead Land Holdings, LLC

Developer

Applicant Name

Affiliation

9/30/2024

November 14, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

11-SF-24-C
11-E-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

Rackley Engineering

Name

Company

PO Box 30456

Knoxville

TN

37922

Address

City

State

ZIP

865-850-1535

rnrackley@rackleyengineering.com

Phone

Email

CURRENT PROPERTY INFO

Mainland MCA Knoxville LLC

118 16th Ave S, Ste 230, Nashville, TN 37203

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

962 N Gallaher View Rd & 0 Mars Hill Rd

106PA037 & 036

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

November 22, 2021

DEVELOPMENT REQUEST

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

☒ Residential ☐ Non-Residential

Home Occupation (specify) _____

Other (specify) Townhouse development with 9 or more units

Related City Permit Number(s)

SUBDIVISION REQUEST

962 N Gallaher subdivision

Proposed Subdivision Name

1

Unit / Phase Number

☐ Combine Parcels

☒ Divide Parcel

24

Total Number of Lots Created

Related Rezoning File Number

7-I-24-RZ

☐ Other (specify) removal of (c) designation

☐ Attachments / Additional Requirements

ZONING REQUEST

☐ Zoning Change

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

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

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat)

☐ Use on Review / Special Use (Concept Plan)

☐ Traffic Impact Study

☐ COA Checklist (Hillside Protection)

Fee 1

0102

Fee 2

Fee 3

Total

\$1,150.00

AUTHORIZATION

M. Andrew Baker

Applicant Signature

Homestead Land Holdings, LLC

Please Print

9/25/24

Date

865-328-6868

Phone Number

abaker@homesteadlandholdings.com

Email

Norman M. Carr

Property Owner Signature

dcaire@mainlandcompanies.com

Please Print

9/30/24

Date

Pd. 10/01/2024, SG



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

962 N Gallaher View -
concept

FILE NUMBER

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