

# CASE SUMMARY

APPLICATION TYPE: SPECIAL USE



**File Number:** 9-A-25-SU                      **Related File Number:**  
**Application Filed:** 7/22/2025              **Date of Revision:**  
**Applicant:** MAINLAND MCA KNOXVILLE

## PROPERTY INFORMATION

**General Location:** South side of Middlebrook Pike, east side of N Gallaher View Rd, north of Mars Hill Rd  
**Other Parcel Info.:**  
**Tax ID Number:** 106 P A 037                      **Jurisdiction:** City  
**Size of Tract:** 3.95 acres  
**Accessibility:** Access is via N. Gallaher View Road, a minor arterial with four lanes and a center turn lane within a right-of-way width that varies.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Rural Residential  
**Surrounding Land Use:**  
**Proposed Use:** Townhouse development                      **Density:**  
**Planning Sector:** Northwest City              **Plan Designation:** MDR (Medium Density Residential), SP (Stream Protection)  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:** This area is comprised of a mix of single family residential dwellings on suburban style lots and multifamily residential dwellings in a large apartment complex. There is a small commercial node at the intersection of Middlebrook Pike and N Gallaher View Road. Public uses in the area are churches.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 962 N GALLAHER VIEW RD  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RN-4 (General Residential Neighborhood), HP (Hillside Protection Overlay)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** Two previous rezoning requests were denied, one in 1996 (4-T-96-RZ), and another in 2004 (7-U-04-RZ). A third request in 2013 was withdrawn (10-F-13-RZ). The property was rezoned from R-1E (Low Density Exclusive Residential) to RP-1 (Planned Residential) up to 1 du/ac in 2016 (1-D-16-RZ), then rezoned again from RN-1 (Single-Family Residential Neighborhood) to RN-4 (General Residential Neighborhood) in 2024 (7-I-24-RZ).

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** MDR (Medium Density Residential), SP (Stream Protection), HP (Hillside Ridgetop Protection)

**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:**

**No. of Lots Proposed:** **No. of Lots Approved:** 0

**Variances Requested:**

**S/D Name Change:**

**OTHER INFORMATION (where applicable)**

**Other Bus./Ord. Amend.:**

**PLANNING COMMISSION ACTION AND DISPOSITION**

**Planner In Charge:** Mike Reynolds

**Staff Recomm. (Abbr.):** Approve the special use request for up to 32 townhouses, subject to 10 conditions.

**Staff Recomm. (Full):**

- 1) Meeting all applicable requirements of the Zoning Code, including but not limited to principal use standards for townhouses (Article 9.3.1).
- 2) Meeting all applicable requirements of the City of Knoxville Engineering Department.
- 3) Meeting all applicable requirements of the City of Knoxville Plans Review and Inspections Department.
- 4) Meeting all applicable requirements of the City of Knoxville Tree Protection Ordinance.
- 5) Providing screening along the north and east lot lines as follows:
  - (a) Maintaining all existing, healthy evergreen trees and installing evergreen trees along the remainder of the lot line where there are gaps; and
  - (b) Installing an opaque privacy fence with a minimum 8-ft height where privacy fencing is proposed on the development plan.
- 6) Providing screening along the south lot line as shown on the development plan. The privacy fence must be opaque and at least 6 ft high. Evergreen trees may be installed instead of the privacy fence.
- 7) The new evergreen trees required in condition #5 and #6 must be consistent with the last option in the Type B landscape screening guidelines (Exhibit B) and the minimum tree planting size and tree species diversity standards in Article 12.4.A. and 12.4.B. (Landscape Design Standards) of the Zoning Code.
- 8) Installing a paved pedestrian connection from the internal driveway loop to the public sidewalk/greenway on either the Middlebrook Pike or N. Gallaher View Road frontage.
- 9) Retaining the proposed windows, projected massings with gabled roofs, recessed entrances at the covered porches (as applicable), overhangs, and other architectural features facing the internal driveway loop and facing any external road. Minor modifications to the exterior elevations may be approved by Planning staff during the permitting process.
- 10) Maintaining a minimum setback to the townhouse (principal) structures as follows: 25 ft along the north and east lot lines, and 19 ft setback along the south lot line. This setback line must be shown on the recorded plat. The setbacks for accessory structures must meet the standards in Article 10.3 (Accessory Structures and Uses) of the Zoning Code.

With the noted conditions, this plan meets the requirements for approval in the RN-4 (General Residential Neighborhood) zoning district and the criteria for a special use approval.

**Comments:** SUMMARY: This proposal is for a 32-unit, 2-story townhouse development on this 3.95-acre property at the intersection of N. Gallaher View Road and Middlebrook Pike. Access is from N. Gallaher View Road, north of the Mars Hill Road intersection. The townhouses face the internal driveway loop and will have a 1-car garage. Additional parking is provided around the driveway loop. Approximately one-third of the open space in the middle of the driveway loop is usable for the residents, with a stormwater retention pond in the remainder of this area (see plan sheet C201, site grading & drainage plan).

BACKGROUND: In September 2024, the sector plan and One Year Plan were amended from LDR (Low Density Residential) to MDR (Medium Density Residential), and the property was rezoned from RN-1 (Single-Family Residential Neighborhood) to RN-4 (General Residential Neighborhood). The (C) (Former Planned District) designation and HP (Hillside Protection Overlay) district were retained. In December 2025, the (C) (Former Planned District) designation was removed from the site (8-A-25-SU). With the (C) designation removed, the property can be developed under the current RN-4 zoning district regulations and MDR land use classification.

**SETBACKS:** The RN-4 zoning requires a minimum 5-ft side setback (15 ft combined) and a 25-ft rear setback. The setbacks are applied the same for large lots with multiple structures as for small lots with a house, which can result in the rear of structures being very close to a side lot line, closer than intended. Staff recommended that the applicant provide a minimum setback of 25 ft along the north and south lot lines, consistent with the required rear setback. The development plan provides a 25-ft setback along the north lot line and a 19-ft setback along the south lot line, where the abutting property is narrow and sits lower than the subject property with steep grades. The majority of the proposed structure nearest that lot line exceeds the recommended 25-ft setback. With the recommended and provided screening discussed below, staff recommends approval of the proposed setbacks.

**SCREENING:** The zoning code does not require landscape buffers (screening) between townhouses and other uses. However, since the long, 2-story rear elevations are near the north, east, and south property lines abutting single family residential to the north and east and a vacant lot to the south, staff recommended that the applicant provide screening, which could be a combination of evergreen trees and privacy fencing. The proposed screening includes privacy fencing directly behind the townhouse structures, and evergreen trees along the remaining portions of these lot lines. Staff recommends that the existing, healthy evergreen trees remain, planting new evergreen trees where there are gaps, and installing the proposed privacy fencing at the locations shown on the development plan, with a minimum height of 6 ft or 8 ft, depending on the location.

**LOT WIDTH:** The dimensional standards for townhouses in the RN-4 zone require a minimum lot width of 20 ft for each dwelling unit (du). The required lot width is cumulative based on the requested number of townhouses. In this case, the applicant is requesting 32 townhouses, so the minimum lot width is 640 ft (32 units x 20 ft/du). The property's width, measured at the required front setback line and parallel to the front lot line, is 304.5 ft, which is insufficient to allow the requested 32 townhouses. The property owner applied for a zoning variance to reduce the minimum lot width per du to 9.5 ft. This was approved by the Board of Zoning Appeals in September 2025, allowing consideration of no more than 32 townhouses on this property.

**LOT AREA:** In addition, each townhouse du requires 2,000 sqft of land area, so the property must be at least 64,000 sqft (1.47 acres). The 3.95-acre property meets the minimum lot area standard for 32 townhouses.

#### STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2)

##### 1) THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

A. The proposed use is consistent with the General Plan's development policy 9.3, which encourages that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities. The two-story townhouses with pitched roofs will be similar in scale and height to the residential development in the area, and the recommended screening will provide a buffer to the adjacent houses.

B. The Northwest City Sector Plan recommends the MDR (Medium Density Residential) land use with densities up to 24 du/ac in the City if a property has sidewalk connections to a nearby transit route. The proposed subdivision has an approximate density of 8.1 du/ac.

C. A pedestrian connection is proposed between the internal driveway loop and the Middlebrook Pike sidewalk. This is consistent with the MDR location criteria when considering zoning districts that allow more than 12 du/ac, recommending that they be within a quarter mile of transit service with sidewalk connections to the transit service. The RN-4 district allows consideration of densities exceeding 12 du/ac.

D. The proposed use is consistent with the sector plan and One Year Plan's MDR (Medium Density Residential) land use classification.

##### 2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

A. The RN-4 district is intended to accommodate mixed medium density residential neighborhoods in the City of Knoxville, characterized by houses, duplexes, townhomes, low-rise multi-family dwellings, and pocket neighborhoods.

B. The site plan conforms to the RN-4 dimensional standards (Article 4.3) and the principal use standards for townhouses (Article 9.3.1).

C. There are 1.08 acres of this 3.95-acre site within the HP (Hillside Protection) Overlay district. However, the site is exempt from the HP standards since the entire site was previously legally disturbed.

##### 3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The surrounding area to the north and east is characterized by one- and two-story houses, with the houses immediately adjacent being one-story. To the west is a fuel station with a convenience store.

Townhouses and multi-dwelling developments are the predominant use along Gallaher View Road to the south.

B. The proposed two-story structures with increased setback to the rear of structures will be compatible in size, scale, and location with the neighboring single-family houses.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

A. Townhouses are a compatible use with the surrounding residential uses.

B. With the recommended increased setbacks and screening, the proposal is not anticipated to injure the value of any nearby properties.

5) THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

A. The development is accessed via N. Gallaher View Road, a minor arterial, so it will not draw traffic through residential streets.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses immediately surrounding the subject property that would pose a potential hazard or undesirable environment for the proposed use.

**Action:** Approved with Conditions **Meeting Date:** 3/5/2026

**Details of Action:** Approve the special use request for up to 32 townhouses, subject to 10 conditions, with the modification to condition 5.A to read: "Maintaining all existing, healthy evergreen trees up to 12 ft from the property line and installing evergreen trees along the remainder of the lot line where there are gaps.

**Summary of Action:** Approve the special use request for up to 32 townhouses, subject to 10 conditions, with the modification to condition 5.A to read: "Maintaining all existing, healthy evergreen trees up to 12 ft from the property line and installing evergreen trees along the remainder of the lot line where there are gaps.

**Date of Approval:** 3/5/2026 **Date of Denial:** **Postponements:** 9/11/2025,  
10/2/2025,  
11/13/25, 12/11/25,  
2/12/26

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

## LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:**

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**