



DEVELOPMENT PLAN REPORT

▶ **FILE #:** 3-B-23-DP

AGENDA ITEM #: 34

AGENDA DATE: 3/9/2023

▶ **APPLICANT:** ZEB BEASON/MBI COMPANIES, INC.

OWNER(S): Steven Hensley REAL Estate, LLC Steven Hensley REAL Estate, LLC

TAX ID NUMBER: 104 206

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 1324 BOB KIRBY RD

▶ **LOCATION:** E of Bob Kirby Rd, north of Bob Gray Rd

▶ **APPX. SIZE OF TRACT:** 8.4 acres

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Bob Kirby Road, a minor collector street with 20 ft of pavement width within 50 ft of right-of-way.

UTILITIES: Water Source: West Knox Utility District

Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **ZONING:** PR(k) (Planned Residential)

▶ **EXISTING LAND USE:** Rural Residential

▶ **PROPOSED USE:** Detached residential subdivision

DENSITY PROPOSED: .35 du/ac

HISTORY OF ZONING: The property was rezoned from A to PR up to 2.5 du/ac, with the condition of no clearing or grading before the Planning Commission approves a development plan.

SURROUNDING LAND USE AND ZONING: North: Single-family, Rural residential -- A (Agricultural), PR (Planned Residential)

South: Single-family -- PR (Planned Residential)

East: Single-family -- PR (Planned Residential)

West: Single-family, Rural residential -- A (Agricultural), PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area is developed with agricultural and low density residential uses under A, RA and PR zoning.

STAFF RECOMMENDATION:

▶ **Approve the development plan for a residential subdivision with up to 3 detached dwellings on individual lots, subject to 4 conditions.**

1) Providing sight distance certification for lot 3, with review and approval by Knox County Engineering and Public Works before the final plat is certified to record. The approved driveway location must be provided on the plat. If the required sight distance cannot be obtained, lot 2 and 3 must share access.

- 2) Providing the 35 ft peripheral setback along the Bob Kirby Road frontage.
- 3) Meeting all applicable requirements of the Knox County Zoning Ordinance
- 4) Meeting all requirements of the Knox County Engineering and Public Works during permit review.

With the conditions noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

COMMENTS:

This proposal is for a residential subdivision with 3 lots on this 8.48 acre property.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE

PR (Planned Residential) up to 2.5 du/ac:

A. The PR zone allows single family houses as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B. This PR zone district is approved for a maximum of 2.5 du/ac. The proposed density is 0.35 du/ac.

C. There is a condition on the PR zone district that, "no clearing or grading of the site shall be permitted until a development plan is approved by MPC (the Planning Commission) as a use on review." These types of reviews are now processed as a development plan. The property was not cleared or graded before making this request.

2) GENERAL PLAN - DEVELOPMENT POLICIES

A. Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) - The proposed detached residential structures will have a similar scale as the other residential development in the area.

3) NORTHWEST COUNTY SECTOR PLAN

A. The property is classified LDR (Low Density Residential), which allows consideration of up to 5 du/ac. The proposed development has a density of 0.35 du/ac.

B. The property is entirely within the HP (Hillside Protection) area. The slope analysis recommends no more than 4.56 acres of land disturbance, which is 50 percent of the property. The applicant states that lots 1 and 3, which are currently undeveloped, will disturb no more than 3 acres combined. The existing house and driveway are located on lot 2.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 40 (average daily vehicle trips)

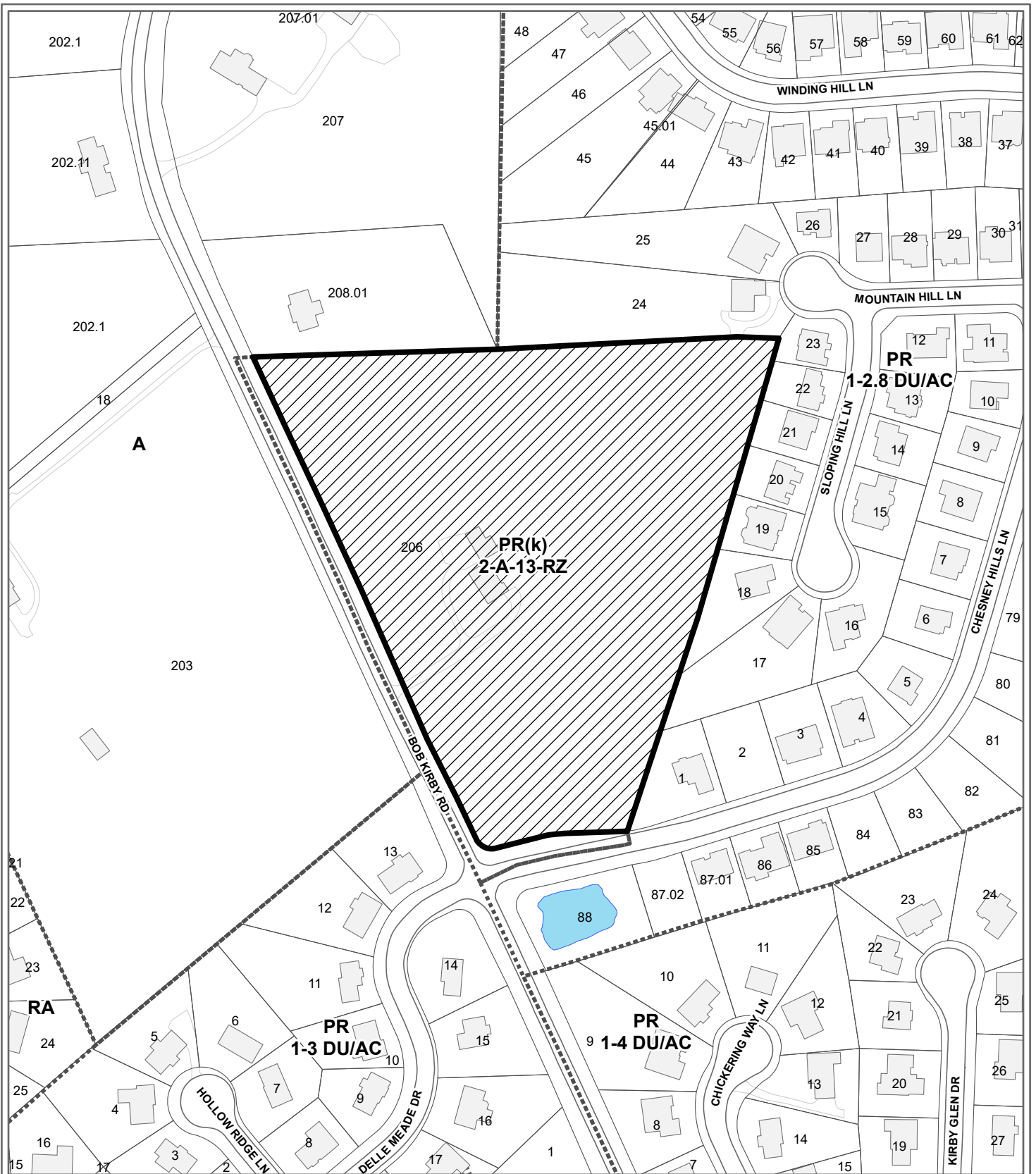
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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)

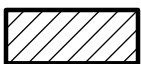
Schools affected by this proposal: Cedar Bluff Elementary, Cedar Bluff Middle, and Hardin Valley Academy.

- 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.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



**3-B-23-DP
DEVELOPMENT PLAN**



Detached residential subdivision in PR(k) (Planned Residential)

Petitioner: Zeb Beason/MBI Companies, Inc.

Map No: 104

Jurisdiction: County

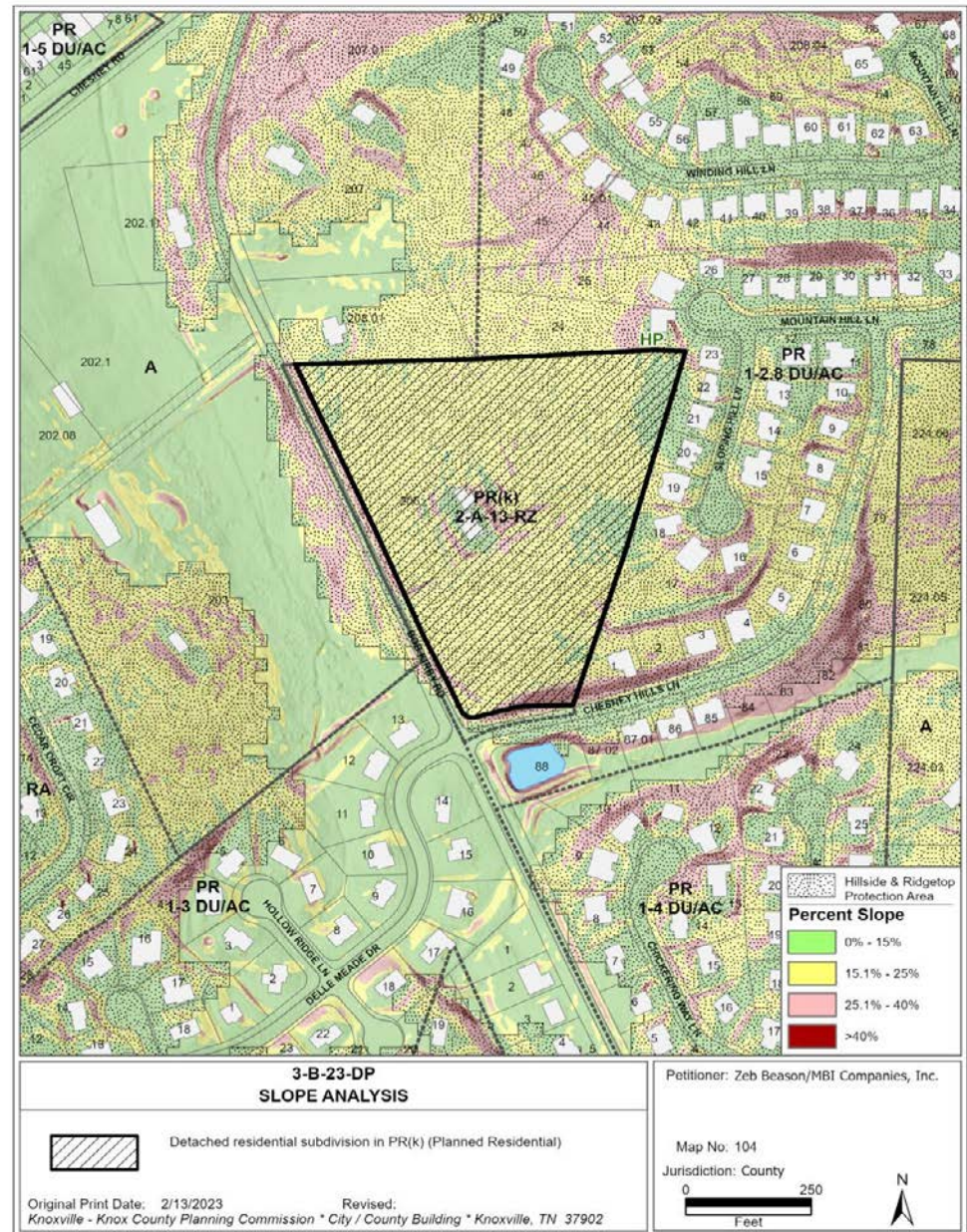


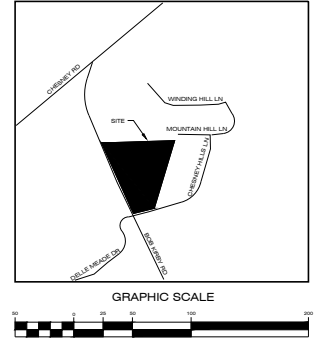
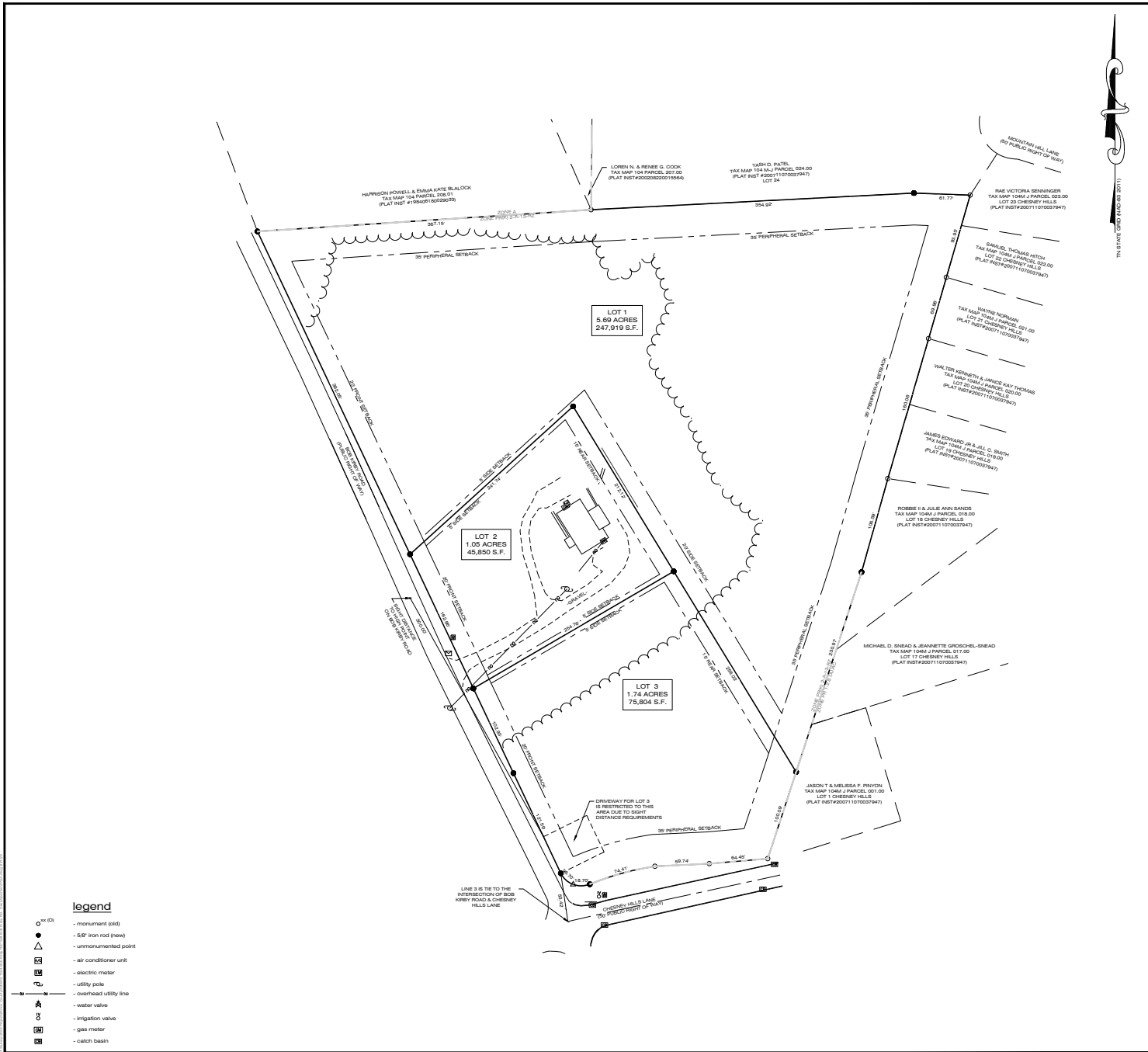
Original Print Date: 2/14/2023

Revised:

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

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	8.36		
Non-Hillside	0.005	N/A	
0-15% Slope	1.06	100%	1.06
15-25% Slope	6.84	50%	3.42
25-40% Slope	0.37	20%	0.07
Greater than 40% Slope	0.09	10%	0.01
Ridgetops			
Hillside Protection (HP) Area	8.35	Recommended disturbance budget within HP Area (acres)	4.56
		Percent of HP Area	0.5





- GENERAL NOTES**
- (1) Boundary is based on field survey.
 - (2) Verify exact size, depth and location of all underground utilities prior to construction.
 - (3) Property subject to all applicable easements, setback and restrictions of record.
 - (4) Verify current zoning with appropriate government planning agency prior to any site design and/or construction.
 - (5) This is not a general property survey pursuant to TCA 62-18.
 - (6) Horizontal coordinates are on TN State Grid (NAD83-2011), with elevations on NAVD83. Distances have not been reduced to grid.
 - (7) By graphic plotting, this property lies in Zone X on FEMA Panel #1700000050, which bears an effective date of 8-5-13, and is not in a special flood hazard area.
 - (8) The required utility and drainage assessment shall be ten (10) feet in width inside all exterior lot lines adjoining streets and private rights-of-way (including joint Permanent Easements). Easements of five (5) feet in width shall be provided along both sides of all interior lot lines and on the inside of all other exterior lot lines.
 - (9) Disturbed areas on lots 1 & 3 is estimated to be 3 acres.
 - (10) Speed limit of Bob Kirby Road is 30 m.p.h.
 - (11) Total Lots = 3 Total Area = 8.48 acres / 369,573 s.f.

- UTILITY INFORMATION**
- (1) Utility information as shown on this survey is represented by a combination of available maps and features evident during the field survey only.
 - (2) Verify exact size, depth and location of all underground utilities prior to design and/or construction.
 - (3) Notify Tennessee One-Call System, Inc. for underground utility location before you dig.

- ZONING INFORMATION**
- (1) Property is zoned PR(h) 2-A-13-RZ
 - (2) Building Setbacks: Front - 20' Side - 5' (unless controlled by 35' peripheral setback)
Rear - 15' (unless controlled by 35' peripheral setback)
 - (3) Verify full zoning regulations by contacting:
KNOXVILLE-KNOX COUNTY PLANNING
Suite 402, City/County Building
400 Main Street
Knoxville, Tennessee 37902
Phone (865) 215-2500
contact@knoxplanning.org

CERTIFICATION OF SIGHT DISTANCE

I hereby certify that the sight distance of Bob Kirby Road meets the Minimum Subdivision Requirements.

Registered Land Surveyor: H. Wade Lovin
Tennessee License No.: 2151
Date: _____

3-B-23-DP
Revised: 2/22/2023

**PRELIMINARY
NOT FOR CONSTRUCTION,
RECORD PURPOSES, OR
IMPLEMENTATION**

- legend**
- (8") - monument (88)
 - - 5/8" iron rod (new)
 - △ - unmonumented point
 - - air conditioner unit
 - ⊞ - electric meter
 - ⊞ - utility pole
 - - overhead utility line
 - ⊞ - water valve
 - ⊞ - irrigation valve
 - ⊞ - gas meter
 - ⊞ - catch basin

MBI

MBI COMPANIES INC.
399 N. WESGAMER ROAD
KNOXVILLE, TN 37918

PHONE: (865) 584-5000
FAX: (865) 584-5011
WEB: mbicompanies.com

**Know what's below.
Call before you dig.
In Tennessee call 811 or 1-800-351-1111**

OWNER:
Steven Hensley Real Estate LLC
1324 Bob Kirby Road
Knoxville, TN 37931
955-594-0999

CONTRACT # MBI-2023-001

PLANNING FILE # 12-02-29

CONCEPT PLAN FOR

**HENSLEY PROPERTIES AT
BOB KIRBY ROAD**

KNOXVILLE, TN 37931

Knox County, TN
Civil District: W-6
Tax Parcel ID:
Map 124 Parcel 208-00
Tennessee Relict: lot #20230202001885
Plat Ref: (s) N/A

Crew Chief: S. Setzfeld
Drawn By: L. Phillips
Apprv. By: Z. Beason

Field date: 10-12-22
Drawing date: 1-10-23
Last Revision:

Scale: 1" = 50'
Job No: 220902
SHEET NO.:

1 OF 1



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Zeb Beason/MBI Companies, Inc.

Applicant Name

Affiliation

1/18/2023

Date Filed

3/9/2023

Meeting Date (if applicable)

3-B-23-DP

File Number(s)

CORRESPONDENCE

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

Zeb Beason MBI Companies, Inc.

Name / Company

299 N Weisgarber Rd Knoxville TN 37919

Address

865-584-2999 / zebb@mbicompanies.com

Phone / Email

CURRENT PROPERTY INFO

Steven Hensley REAL Estate, LLC Steven

Owner Name (if different)

1324 Bob Kirby Rd Knoxville TN

Owner Address

Owner Phone / Email

1324 BOB KIRBY RD

Property Address

104 206

Parcel ID

8.4 acres

Tract Size

Part of Parcel (Y/N)?

West Knox Utility District

Sewer Provider

West Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

E of Bob Kirby Rd, north of Bob Gray Rd

General Location

City

Commission District 3

PR(k) (Planned Residential)

Rural Residential

Count

District

Zoning District

Existing Land Use

Northwest County

Planning Sector

LDR (Low Density Residential), HP (Hillside Protection)

Sector Plan Land Use Classification

Planned Growth Area

Growth Policy Plan Designation

DEVELOPMENT REQUEST

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

SUBDIVISION REQUEST

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

ZONING REQUEST

<input type="checkbox"/> Zoning Change	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)
Proposed Density (units/acre) Previous Zoning Requests	
Additional Information _____	

STAFF USE ONLY

PLAT TYPE

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1	Total
\$500.00	
Fee 2	
Fee 3	

AUTHORIZATION

Applicant Signature: Zeb Beason/MBI Companies, Inc. Date: 1/18/2023
Please Print

Phone / Email: _____
Property Owner Signature: Steven Hensley REAL Estate, LLC Steven Hensley REAL Estate, LLC Date: 1/18/2023
Please Print

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



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

Zeb Beason / MBI Companies, Inc.

Surveyor

Applicant Name

Affiliation

1-11-23

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Zeb Beason

MBI Companies, Inc.

Name

Company

299 N Weisgarber Road

Knoxville

TN

37919

Address

City

State

ZIP

865-584-2999

zebb@mbicompanies.com

Phone

Email

CURRENT PROPERTY INFO

Steven Hensley Real Estate LLC

1324 Bob Kirby Rd Knoxville TN 37931

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

1324 Bob Kirby Rd

104 206

Property Address

Parcel ID

West Knox Utility

KUB

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

East side of Bob Kirby Road, north side of Chesney Hills Lane

8.02 ac +/-

General Location

Tract Size

City County

3rd

PR(K)

Single Family Dwelling

District

Zoning District

Existing Land Use

Northwest County

LDR (hp)

Planned Growth

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
 Residential Non-Residential

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

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

Other (specify) _____

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change Proposed Zoning _____

Plan Amendment Change Proposed Plan Designation(s) _____

Proposed Density (units/acre) Previous Rezoning Requests

Other (specify) _____

Pending Plat File Number

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	Total
Fee 2	
Fee 3	

AUTHORIZATION

Zeb Beason / MBI Companies, Inc.

Applicant Signature

Please Print

Date

Phone Number

Email

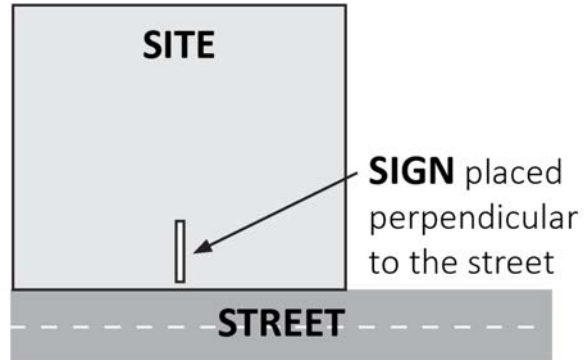
Property Owner Signature

Please Print

Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

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, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, 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.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ 2/24/2023 _____ and _____ 3/10/2023 _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Zeb Beason/MBI Companies, Inc.

Date: 1/18/2023

File Number: 3-B-23-DP

- Sign posted by Staff
 Sign posted by Applicant