



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 4-T-25-RZ
4-E-25-PA

AGENDA ITEM #: 17
AGENDA DATE: 4/10/2025

▶ **APPLICANT:** MIKE BALLINGER
OWNER(S): Mike Ballinger

TAX ID NUMBER: 59 M E 005 [View map on KGIS](#)
JURISDICTION: Council District 4
STREET ADDRESS: 4602 MILLERTOWN PIKE
▶ **LOCATION:** South side of Millertown Pike, west of Amelia Rd
▶ **TRACT INFORMATION:** 2.15 acres.
SECTOR PLAN: East City
GROWTH POLICY PLAN: N/A (Within City Limits)
ACCESSIBILITY: Access is via Millertown Pike, a minor arterial street with 20 ft of pavement width within a 42-ft right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
FIRE DISTRICT: Knoxville Fire Department
WATERSHED: Loves Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / O (Office)
▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential) / RN-4 (General Residential Neighborhood)
▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** No, it is not an extension of either.
HISTORY OF ZONING REQUESTS: In 2012 the property was rezoned from R-1 (Low Density Residential) to O-1 (Office, Medical, and Related Services) (11-A-12-RZ).
SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
North: Single family residential, agriculture/forestry/vacant land - MU-SD/EC-4 (East Town Center Mall Area) - RN-1 (Single-Family Residential Neighborhood)
South: Single family residential - LDR (Low Density Residential), HP (Hillside Protection) - RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)
East: Single family residential - O (Office), LDR (Low Density Residential) - RN-1 (Single-Family Residential Neighborhood)
West: Agriculture/forestry/vacant land - O (Office) - O (Office)

NEIGHBORHOOD CONTEXT: The subject property is in a residential area adjacent to the commercial node along South Mall Road. I-640 and the Amazon warehouse are just to the north, and there are primarily single family residential uses to the south, along with Spring Hill Elementary School.

STAFF RECOMMENDATION:

- ▶ **Approve the MDR (Medium Density Residential) land use classification because it is consistent with the surrounding development.**

- ▶ **Approve the RN-4 (Medium Density Residential) district because it is consistent with the recommended land use classification and supported by available infrastructure and amenities.**

COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ONE YEAR PLAN, CHAPTER 1, PLAN AMENDMENT, ONE OF THE FOLLOWING CRITERIA MUST BE MET FOR ALL ONE YEAR PLAN AMENDMENTS (may meet any of these):

AN ERROR IN THE PLAN:

1. There are no apparent errors or omissions in the One Year Plan with regard to the requested MDR classification here. However, the O classifications on the south side of Millertown Pike are not reflective of the existing land uses and the MDR classification would be suitable for this residential area.

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

1. The property is located near a regional commercial and employment node to the northeast. The most significant change in the development pattern of this area is the construction of Amazon warehouse on the north side of I-640 which is a major employment center and would support additional housing in the area. The immediate vicinity has been experiencing residential growth in recent years. Examples of this include a 160-unit apartment complex that is under-construction near the I-640 interchange at Millertown Pike, a 156-unit apartment complex on the west side of Washington Pike, and an RN-4 rezoning and two duplex developments on three parcels located within 0.25 miles to the southwest.

CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There are no known public policy changes pertaining to the subject property and its land use designation.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. There are no new studies or plans specific to the MDR land use that apply to this request.

OTHER CONSIDERATIONS:

1. The property meets the location criteria of the MDR classification. It is located on a minor arterial street served by transit, has less than 15% slope for almost its entirety, and is within a mile of public activity centers, including Spring Hill Elementary, Richard Yoakley, and Knoxville Baptist schools, the Alice Bell Park, and several community-serving commercial amenities.

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. Between 2021-24, Amazon constructed a large warehouse redeveloping the former East Towne Mall site 0.50 miles north of the subject property.
2. Besides several other nonresidential developments at this commercial and employment node to the northeast, the area is experiencing modest residential growth as well, including the 160-unit Emerald Knoxville apartment complex near the I-640 interchange at Millertown Pike (currently under construction) and the 156-

unit The Jewel multifamily development on the west side of Washington Pike (constructed between 2022-2024).

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The RN-4 district is intended to accommodate mixed medium density residential development including single-family houses, duplexes, townhouses, and small-scale multi-family structures. Townhouse and multi-family development must be approved by Planning staff via administrative review or by the Planning Commission via Special Use, as outlined in Section 4.2.B. of the zoning ordinance.
2. The area has a mix of low and medium density residential uses as well as commercial uses. There are several large multifamily developments to the west within 0.7 miles and the area meets the intent of the RN-4 district.
3. The RN-4 zone has a maximum lot size restriction of 40,000 sq ft for multi-family dwellings. The subject property is approximately 2.15 acres so it would need to be subdivided for any multi-family development that exceeds 20 units.
4. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The proposed amendment is not expected to have any significant adverse impact on the surrounding area that accommodates mostly single family houses. Townhouse and multi-family dwellings would either require a staff level review or special use approval, based on the development form and number of dwelling units.
2. If multi-family development is pursued on this property, a 10-ft Class A buffer will be required for any parking lot abutting the residential properties on the east and south. Additional foundation landscaping may also be required.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Approval of the RN-4 district for this urbanized area served by KUB and transit would be consistent with the General Plan's Development Policy 5.2 that encourages concentration of developments in areas with adequate utilities and infrastructure.
2. The proposed rezoning would be consistent with the recommended MDR land use classification of the sector plan and One Year plan.

ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. The property is served by transit services and is close to Spring Hill Elementary, Richard Yoakley, and Knoxville Baptist schools, the Alice Bell Park, and several community-serving commercial amenities.
2. This is an urbanized area with adequate utility infrastructure provided by KUB.

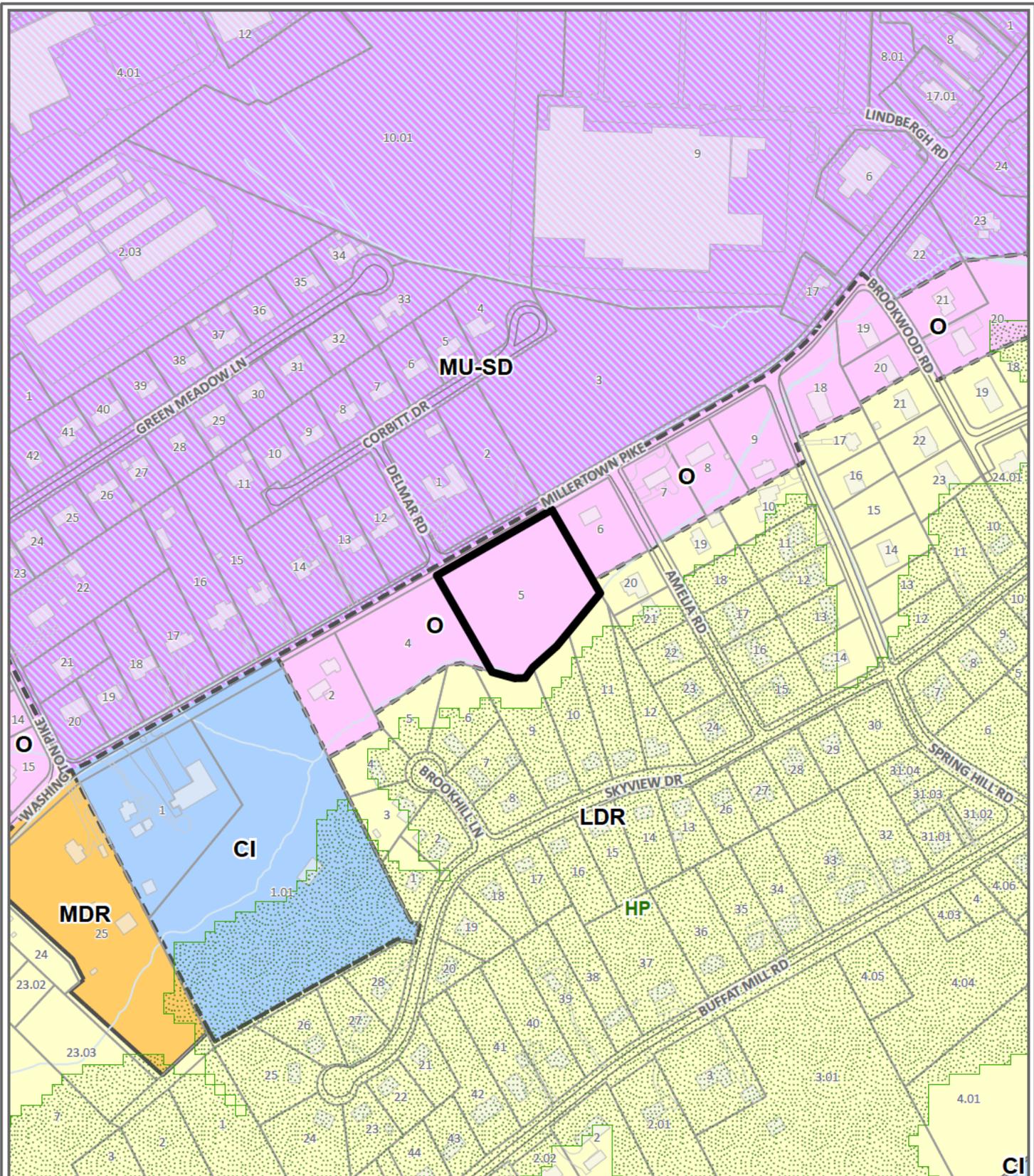
ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Spring Hill Elementary, Holston Middle, and Fulton 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.

If approved, this item will be forwarded to Knoxville City Council for action on 5/13/2025 and 5/27/2025. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



ONE YEAR PLAN MAP

4-E-25-PA

Petitioner: Mike Ballinger



From: O (Office)

To: MDR (Medium Density Residential)

Map No: 59

Jurisdiction: City

Original Print Date: 2/27/2025

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

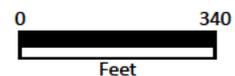
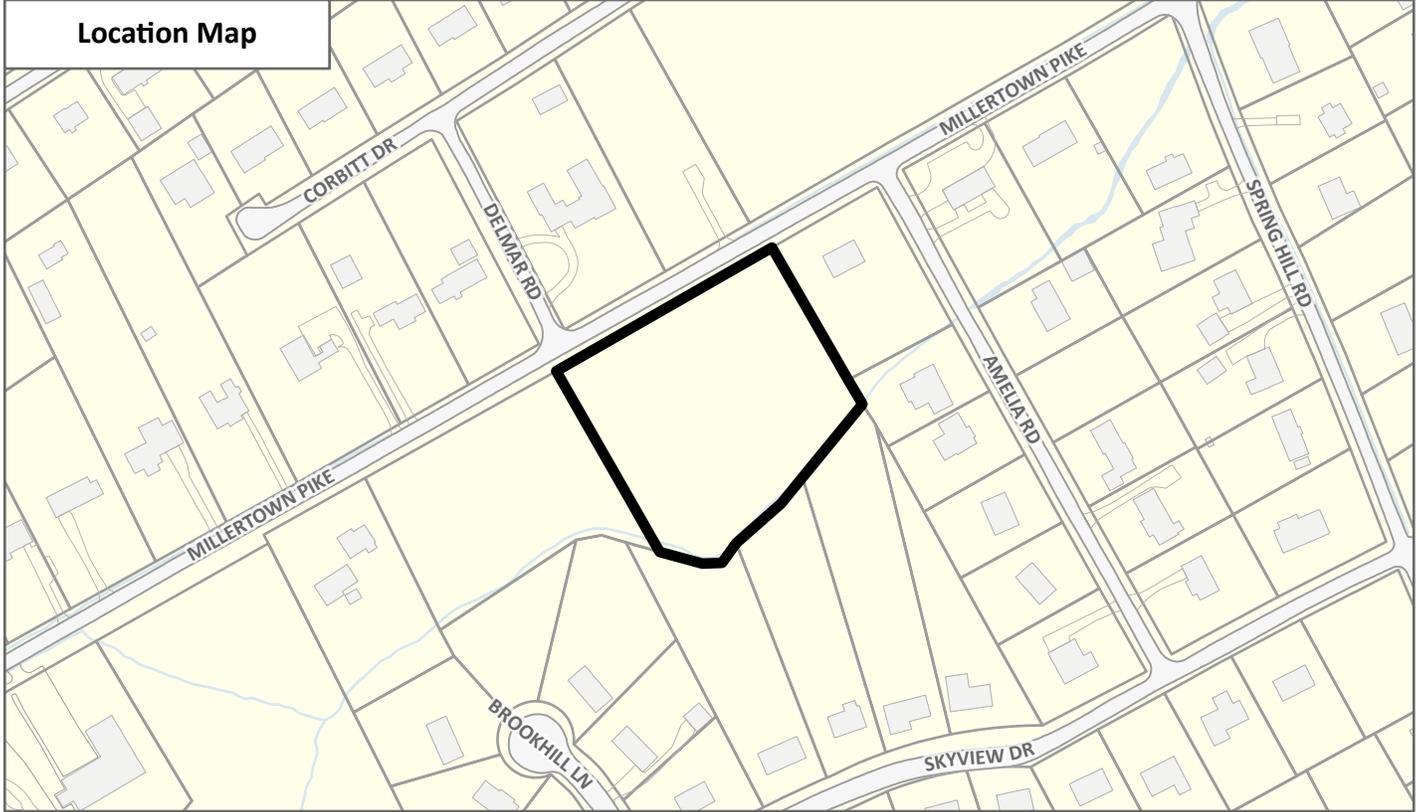


Exhibit A. Contextual Images

Location Map



Aerial Map

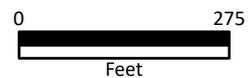


CONTEXTUAL MAPS 1

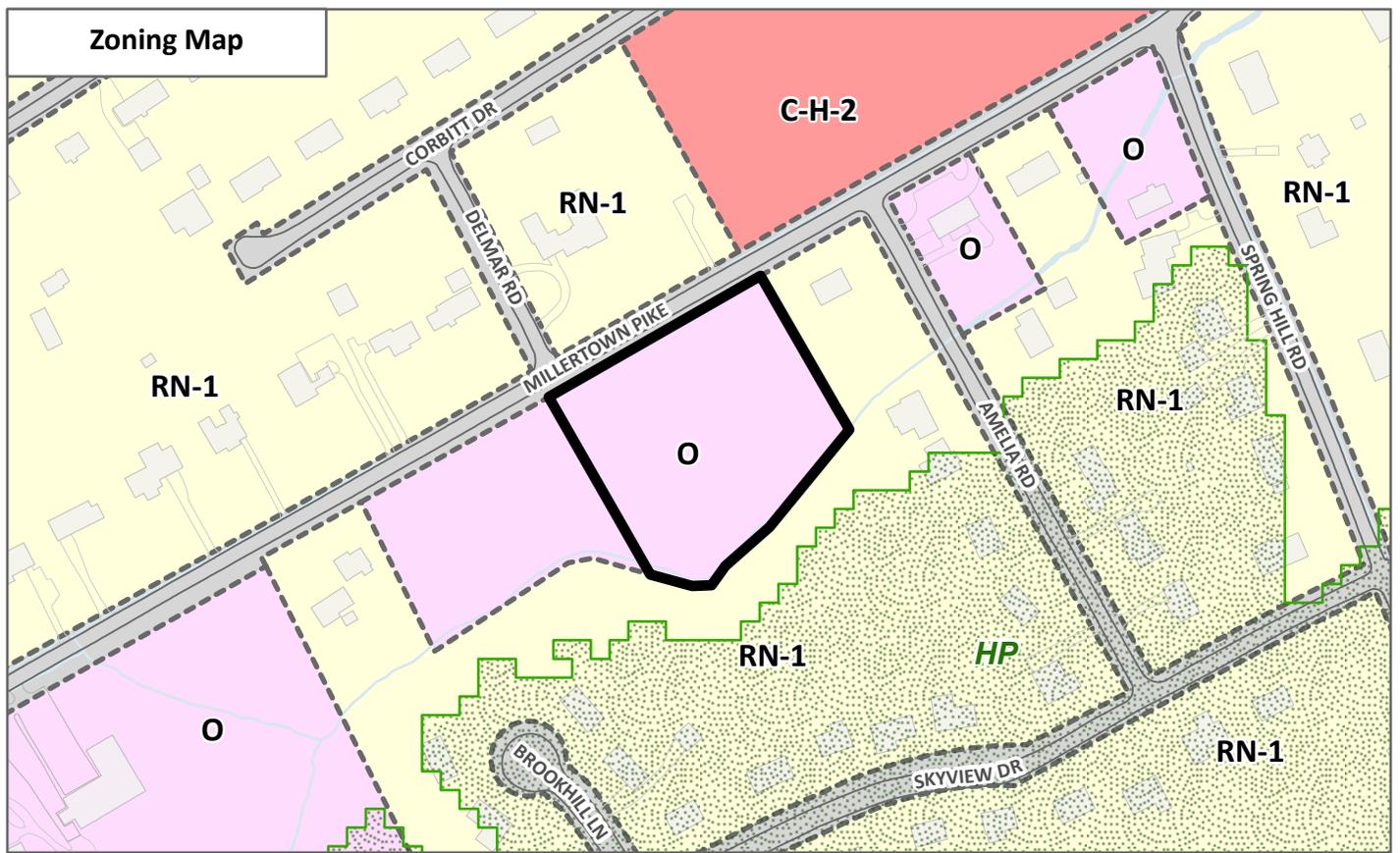
4-E-25-PA / 4-T-25-RZ



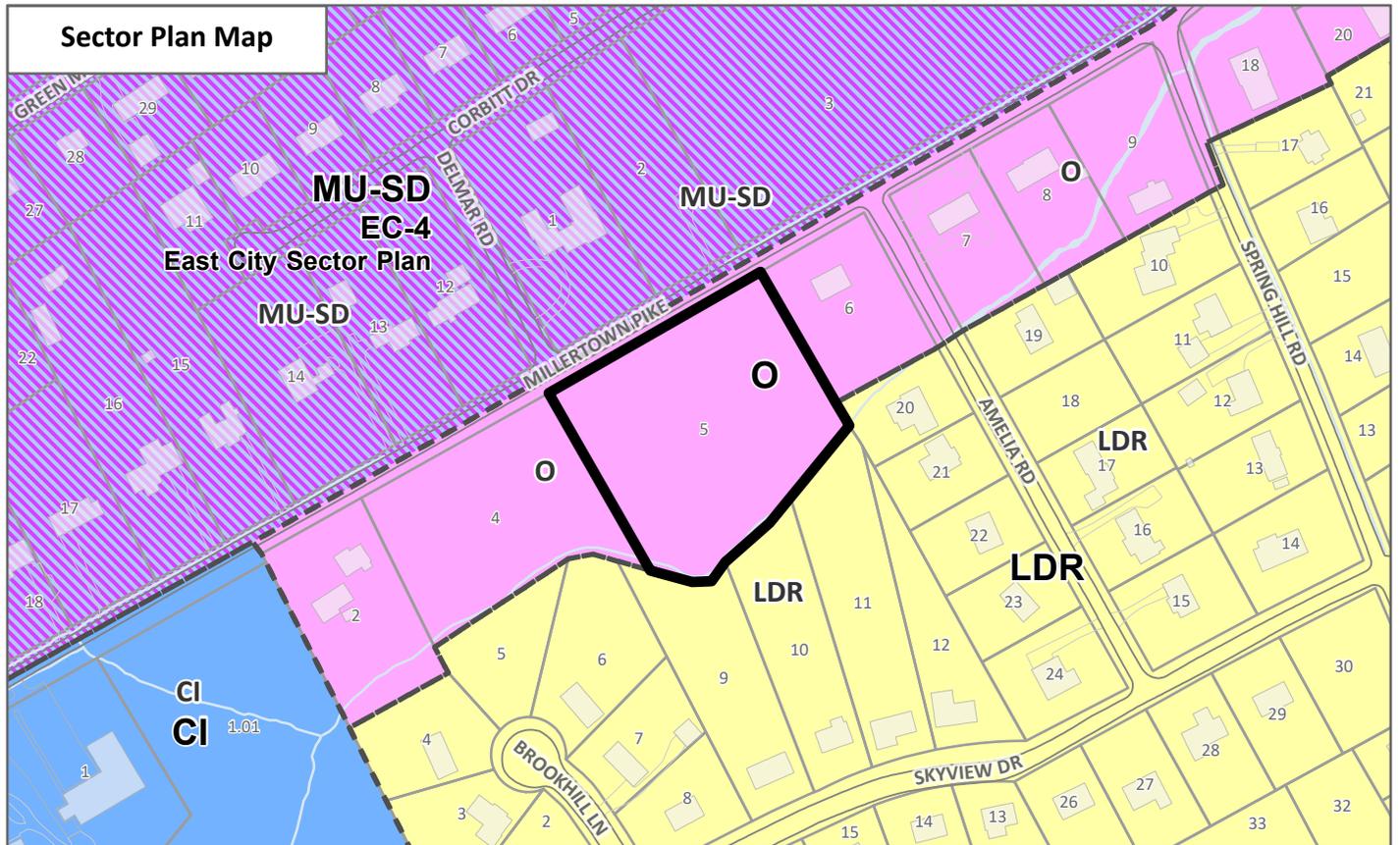
Case boundary



Zoning Map



Sector Plan Map

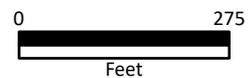


CONTEXTUAL MAPS 2

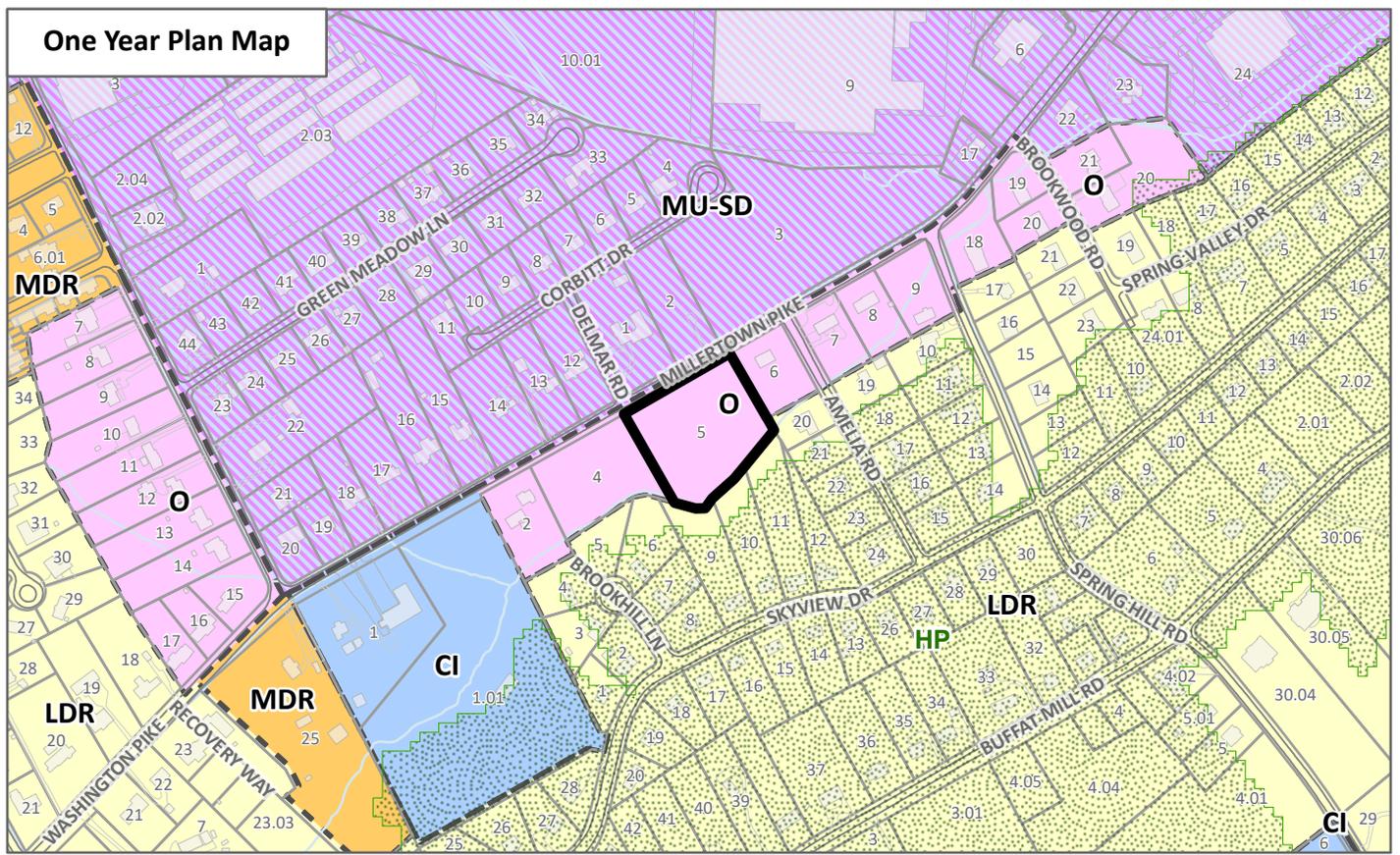
4-E-25-PA / 4-T-25-RZ



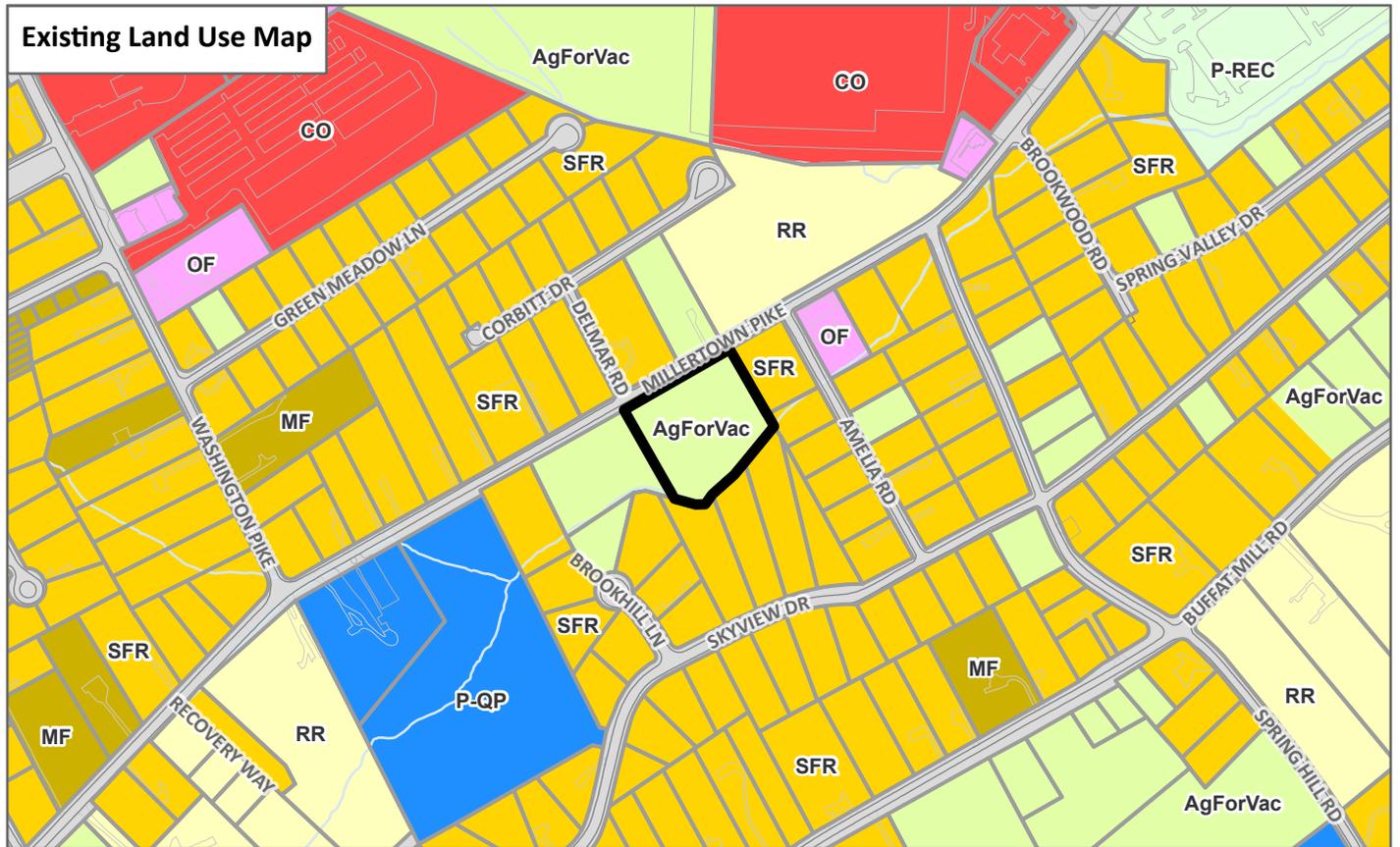
Case boundary



One Year Plan Map



Existing Land Use Map

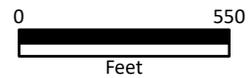


CONTEXTUAL MAPS 3

4-E-25-PA / 4-T-25-RZ



Case boundary



The Planning Commission met in regular session on April 10, 2025, at 1:30 p.m. in the Small Assembly Room of the City County Building.

Item No.

File No.

9. ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner	Present	Absent	Arrive late/left early
John Huber, Vice-Chair	✓		
Louis Browning	✓		
Rich Levenson	✓		
Tamara Boyer		✓	
Nancy Barger	✓		
Katie Overton	✓		
Marité Pérez	✓		
Matt Anderson	✓		
Logan Higgins	✓		
Miles Biggs	✓		
Kara Daley	✓		
Nick Gill	✓		
Amy Midis	✓		
Karyn Adams	✓		
Tim Hill, Chair	✓		

CONSENT ITEMS READ

1. MOTION (BARGER) AND SECOND (ADAMS) WERE MADE TO APPROVE THE CONSENT ITEMS AS READ.

MOTION CARRIED UNANIMOUSLY 14-0. APPROVED

17. MIKE BALLINGER

4602 Millertown Pike / Parcel ID 059ME005, Council District 4.

Item No.

File No.

A. EAST CITY SECTOR PLAN AMENDMENT

4-E-25-SP

From O (Office) to MDR (Medium Density Residential).

1. STAFF RECOMMENDATION

Approve the MDR (Medium Density Residential) land use classification because it is consistent with the surrounding development.

APPROVED ON CONSENT EARLIER IN THE MEETING

B. ONE YEAR PLAN AMENDMENT

4-E-25-PA

From O (Office) to MDR (Medium Density Residential).

1. STAFF RECOMMENDATION

Approve the MDR (Medium Density Residential) land use classification because it is consistent with the surrounding development.

APPROVED ON CONSENT EARLIER IN THE MEETING

C. REZONING

4-T-25-RZ

From O (Office) to RN-4 (General Residential Neighborhood).

1. STAFF RECOMMENDATION

Approve the RN-4 (Medium Density Residential) district because it is consistent with the recommended land use classification and supported by available infrastructure and amenities.

APPROVED ON CONSENT EARLIER IN THE MEETING



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

Mike Ballinger

Owner

Applicant Name

Affiliation

09-30-2024

04/10/2025

File Number(s)

Date Filed

Meeting Date (if applicable)

4-T-25-RZ
4-E-25-PA
4-E-25-SP

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

Richard LeMay

LeMay and Associates

Name

Company

10816 Kingston Pike

knoxville

Tn

37934

Address

City

State

ZIP

865-671-0183

Phone

Email

CURRENT PROPERTY INFO

Mike Ballinger

3411 Boles Rd Knoxville, Tn 37932

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

4602 Millertown Pike Knoxville, Tn

865 405-8123

059ME005

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

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

Related City Permit Number(s)

Home Occupation (specify) _____

Other (specify) _____

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Combine Parcels
 Divide Parcel
 Total Number of Lots Created

Other (specify) _____

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

Zoning Change **R-4 RN-4 (General Residential Neighborhood)**

Proposed Zoning

Plan Amendment Change **Office to MDR**

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
	\$1,700.00
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. If there are additional owners or options holders, each additional individual must sign the Property Owners/Option Holders Form.

[Signature]

Mike Ballinger

1-3-25

Applicant Signature

Print Name / Affiliation

Date

Phone Number

865-405-8123

Email

Mike Ballinger

02/24/2025, SG

1-3-25

Property Owner Signature

Please Print

Date Paid

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.

03/28//2025

4/11/2025

Date to be Posted

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

Mike Ballinger

Mike Ballinger

1/6/25

Applicant Signature

Applicant Name

Date

4-T-25-RZ_4-E-25-PA_4-E-25-SP

FILE NUMBER

THANK YOU for your submission!

Your notice has been submitted for publication. Below is a confirmation of your order. You will also receive an email confirmation.

ORDER DETAILS

Order Number:
LOKR0277651

Order Status:
Submitted

Classification:
Public Notices

Package:
General Package

Total payment:
173.96

Payment Type:
Account Billed

User ID:
L0013876

External User ID:
676064

ACCOUNT INFORMATION

Knoxville-Knox County Planning
400 W Main ST # 403 DALLAS DEARMOND
Knoxville, TN 37902-2427
865-215-3810
dallas.dearmond@knoxplanning.org
Knoxville-Knox County Planning
Contract ID: GOVT

TRANSACTION REPORT

Date
April 11, 2025 11:21:51 AM EDT

Amount:
173.96

ADDITIONAL OPTIONS

1 Affidavit

SCHEDULE FOR AD NUMBER LOKR02776510

April 15, 2025
Knoxville News Sentinel

PREVIEW FOR AD NUMBER LOKR02776510

PUBLIC NOTICE

The following items will be considered by the Knoxville City Council on May 13, 2025, at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main St., Knoxville, TN. For information related to these items, visit KnoxPlanning.org/agenda. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at (865) 215-2104.

ORDINANCE AMENDMENTS

8-E-23-OA – R. BENTLEY MARLOW – Consideration of an amendment to the Knoxville City Code, Appendix B, Zoning Code, Article 12 Landscape. Planning Commission Action: Approve requested Ordinance Amendments

REZONINGS/PLAN AMENDMENTS

4-F-25-RZ - GARRETT JERNIGAN- 1608, 1612, 1616 EIGHTH AVE. Proposed rezoning. Planning Commission Action: Approve I-MU (Industrial Mixed Use)

4-G-25-RZ - BRANDON BOLDING- 6907 CENTRAL AVENUE PIKE. Proposed rezoning. Planning Commission Action: Approve C-G-1 (General Commercial) and F (Floodplain Overlay)

4-L-25-RZ - NORTHCREEK RENOVATION AND CONSTRUCTION, LLC- 0, 6714 KECK RD. Property located southeast of Callahan Dr., northeast side of Keck Rd. Proposed rezoning. Planning Commission Action: Approve C-G-1 (General Commercial)

4-Q-25-RZ - KATHRYN GREER - 305 RANDOLPH ST; 600 E MAGNOLIA AVE; 611 E DEPOT AVE. Proposed rezoning. Planning Commission Action: Approve DK-W (Downtown Knoxville-Warehouse Subdistrict)

4-S-25-RZ - J SCOTT BUSBY, AIA- 1908 GRAND AVE. Proposed rezoning. Planning Commission Action: Approve I-MU (Industrial Mixed Use)

4-E-25-SP, 4-E-25-PA AND 4-T-25-RZ - MIKE BALLINGER- 4602 MILLERTOWN PIKE. Proposed Sector Plan and One Year Plan amendments, proposed rezoning. Planning Commission Action: Approve Sector Plan and One Year Plan Amendments to MDR (Medium Density Residential) and rezoning to RN-4 (General Residential Neighborhood)
April 15 2025
LOKR0277651

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