

- k. An Ordinance approving the request of Mike Ballinger for an amendment to the East City Sector Plan from Office to Medium Density Residential for property located at 4602 Millertown Pike. (Planning Commission Approved 14-0 Consent) (File No. 4-E-25-SP) (Council District 4)



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: May 27, 2025

DEPARTMENT: Knoxville-Knox County Planning

DIRECTOR or DESIGNEE: Amy Brooks

AGENDA SUMMARY An Ordinance approving the request of Mike Ballinger for an amendment to the East City Sector Plan from Office to Medium Density Residential for property located at 4602 Millertown Pike. (Planning Commission Approved 14-0 Consent) (File No. 4-E-25-SP) (Council District 4)

COUNCIL DISTRICT(S) AFFECTED 4th

BACKGROUND The applicant requested an amendment to East City Sector Plan Amendment from O (Office) to MDR (Medium Density Residential) for property located at 4602 Millertown Pike.

RECOMMENDATION The Planning Commission recommended approval of the East City Sector Plan amendment to the MDR (Medium Density Residential) land use classification because it is consistent with the surrounding development, by a vote of 14-0 Consent.

ESTIMATED PROJECT SCHEDULE This item was considered and recommended for approval by the Planning Commission on April 10, 2025. Therefore, the one hundred and twenty day deadline for final Council action on this item is August 8, 2025 per the City Zoning Ordinance, Appendix B, Article 16.1 - Zoning Text and Map Amendment.

PRIOR ACTION/REVIEW

| | | |
|-----------------------------|-----------|---------------------------|
| Planning Commission Meeting | 4/10/2025 | Published ad on 3/6/2025 |
| Knoxville City Council | 5/13/2025 | Published ad on 4/15/2025 |

Approved on first reading at the 5/13/2025 regular meeting by vote of 8-0.

FISCAL INFORMATION N/A

ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE APPROVING THE REQUEST OF MIKE BALLINGER, FOR AN AMENDMENT TO THE EAST CITY SECTOR PLAN FROM OFFICE TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 4602 MILLERTOWN PIKE. (FILE NO. 4-E-25-SP).

ORDINANCE NO: _____
Knoxville-Knox County
REQUESTED BY: Planning Commission
PREPARED BY: Law

APPROVED ON 1ST
READING: _____
APPROVED ON 2ND
READING: _____
APPROVED AS AN EMERGENCY
MEASURE: _____

MINUTE BOOK: _____ PAGE _____

WHEREAS, Mike Ballinger filed Application No. 4-E-25-SP with the Knoxville-Knox County Planning Commission (“Planning Commission”) to amend the East City Sector Plan for the City of Knoxville from Office to Medium Density Residential for property located at 4602 Millertown Pike; and

WHEREAS, at its April 10, 2025 meeting, the Planning Commission recommended to the Council of the City of Knoxville that the request to change the Sector Plan classification be approved; and

WHEREAS, public notice of hearing of this petition was published in the *Knoxville News Sentinel* on March 6, 2025 and public notice for the City Council meeting on May 13, 2025 was published in the *Knoxville News Sentinel* on April 15, 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE THAT:

SECTION 1: The East City Sector Plan for the City of Knoxville is hereby amended to change the base land use classification of the property located at 4602 Millertown Pike, more specifically described in Collective Exhibit 1, Parcel ID 59 ME 005, Fourth District, East City Sector, from Office to Medium Density Residential, Mike Ballinger, Applicant, File No. 4-E-25-SP.

SECTION 2: The following Planning Commission documents are attached as Collective Exhibit 1 to this Ordinance and made a part hereof by reference: The Knoxville-Knox County Planning Commission Plan Amendment Report, a portion of the Sector Plan on which the above described property is shaded, an excerpt from the Minutes of the Planning Commission meeting of April 10, 2025, the Development Request for Plan Amendment, and Public Notice.

SECTION 3: If any part, sentence, phrase, clause, term, word, section, subsection, or provision of this ordinance is declared by a court of competent jurisdiction to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of the ordinance as a whole or any part other than the part so declared to be unconstitutional, illegal, or invalid.

SECTION 4: This Ordinance shall take effect seventeen (17) days from and after its passage, the welfare of the City requiring it.

Presiding Officer of the Council

Recorder

K:\COUNCIL\ORD\MPC\One Year Plan, Sector Plan Amendments\2025\Mike Ballinger (File No. 4-E-25-SP).docx



PLAN AMENDMENT REPORT

► **FILE #:** 4-E-25-SP

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, southwest of Amelia Rd**

► **APPX. SIZE OF TRACT:** **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 AND ZONING DESIGNATION:** **O (Office) / O (Office)**

► **PROPOSED PLAN DESIGNATION:** **MDR (Medium Density Residential)**

► **EXISTING LAND USE:** **Agriculture/Forestry/Vacant Land**

EXTENSION OF PLAN DESIGNATION: No, it is not an extension.

HISTORY OF 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 AND PLAN DESIGNATION: North: Single family residential, agriculture/forestry/vacant land - MUSD/EC-4 (East Town Center Mall Area)

South: Single family residential - LDR (Low Density Residential), HP (Hillside Protection)

East: Single family residential - O (Office), LDR (Low Density Residential)

West: Agriculture/forestry/vacant land - 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.**

COMMENTS:

PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No known new roads or utilities have been introduced to this area. The parcel has access via Millertown Pike, which is classified as a minor arterial and has transit access.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There are no apparent errors or omissions in the East City Sector 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.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS.

1. There is no known government policy pertaining to this area.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

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.

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.

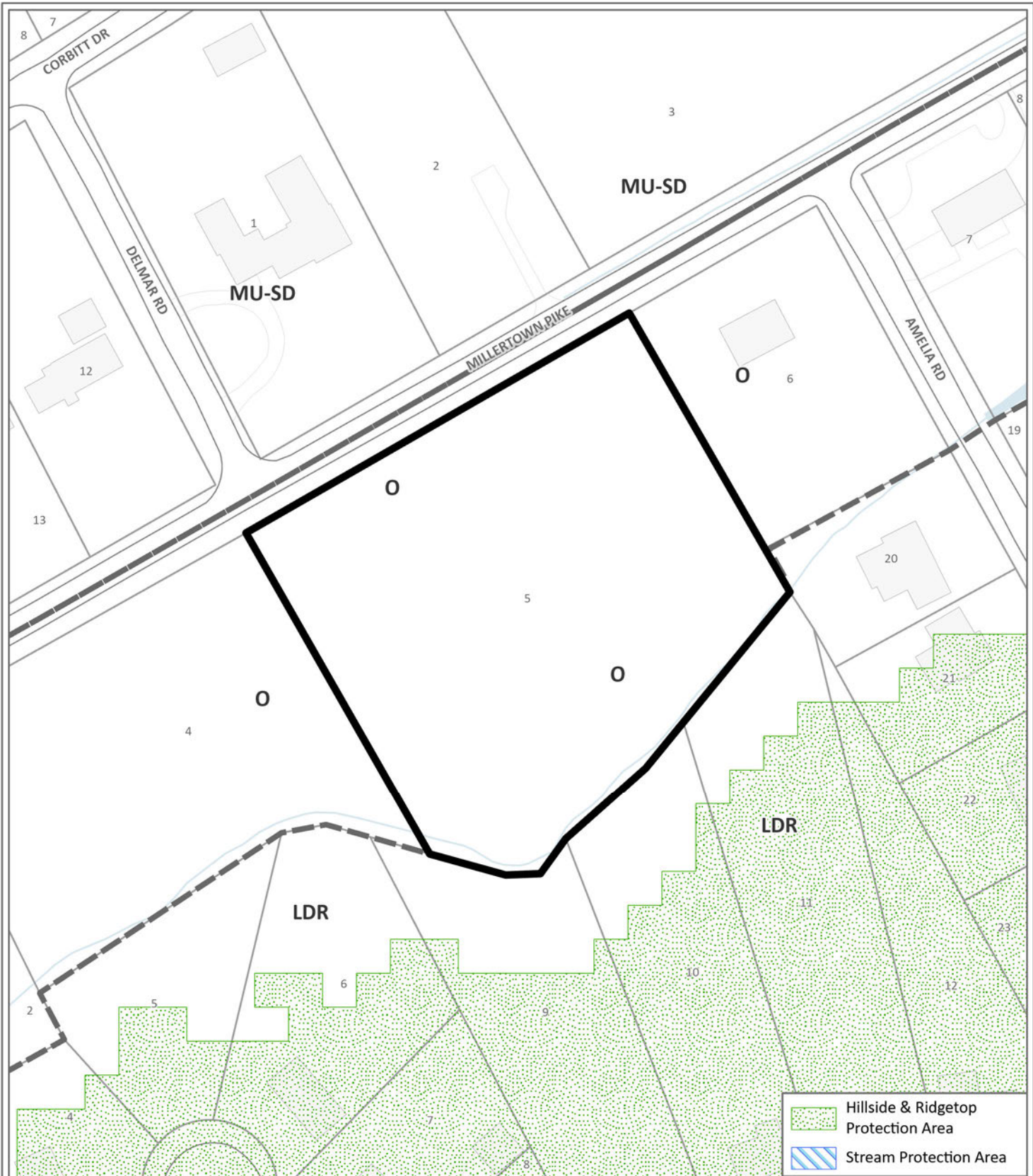
ESTIMATED TRAFFIC IMPACT: Not required.

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.



**4-E-25-SP
EAST CITY SECTOR PLAN MAP**

Petitioner: Mike Ballinger



From: O (Office)

To: MDR (Medium Density Residential)

Map No: 59

Jurisdiction: City

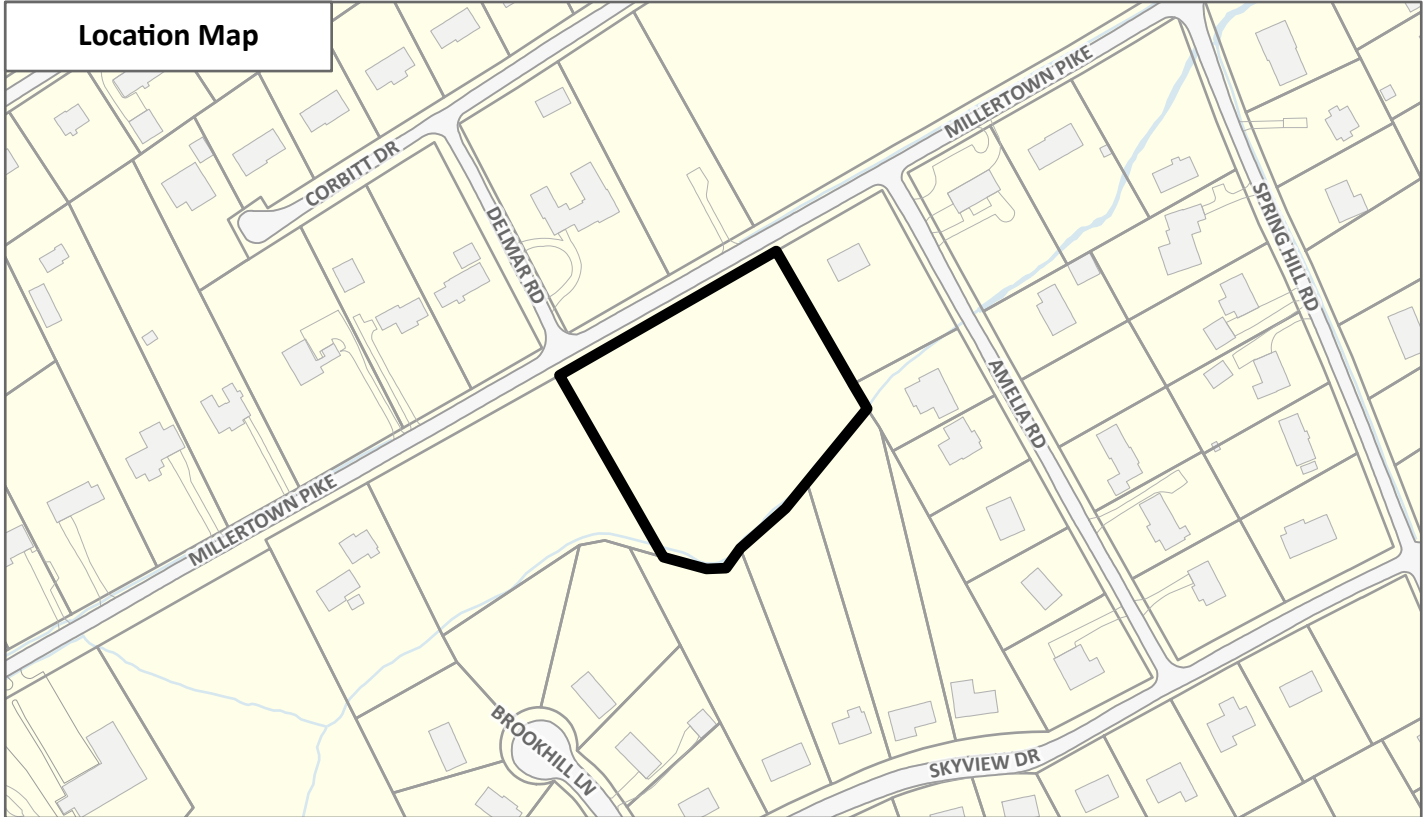
Original Print Date: 3/14/2025

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



Exhibit A. Contextual Images

Location Map



Aerial Map

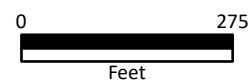


CONTEXTUAL MAPS 1

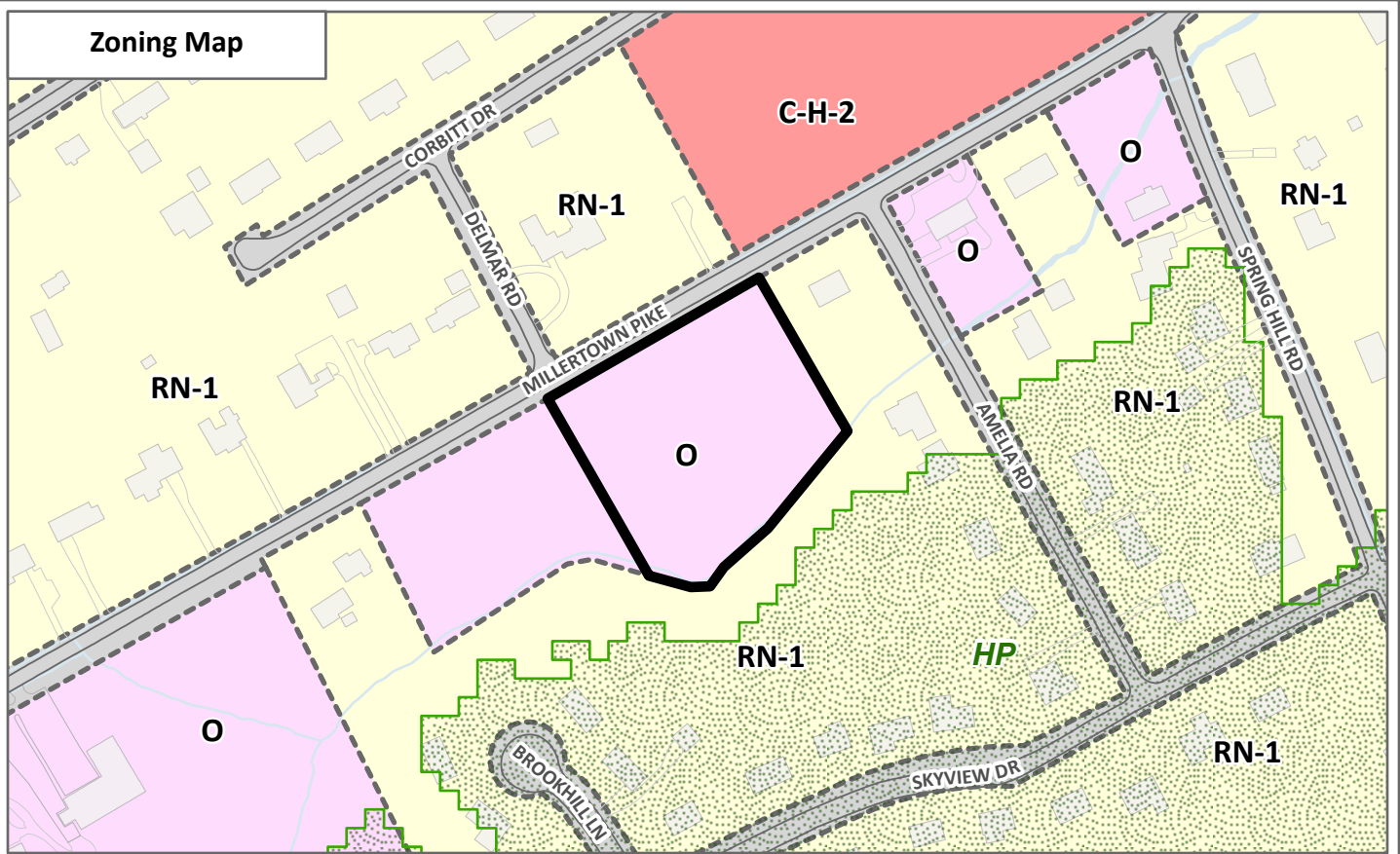
4-E-25-PA / 4-T-25-RZ



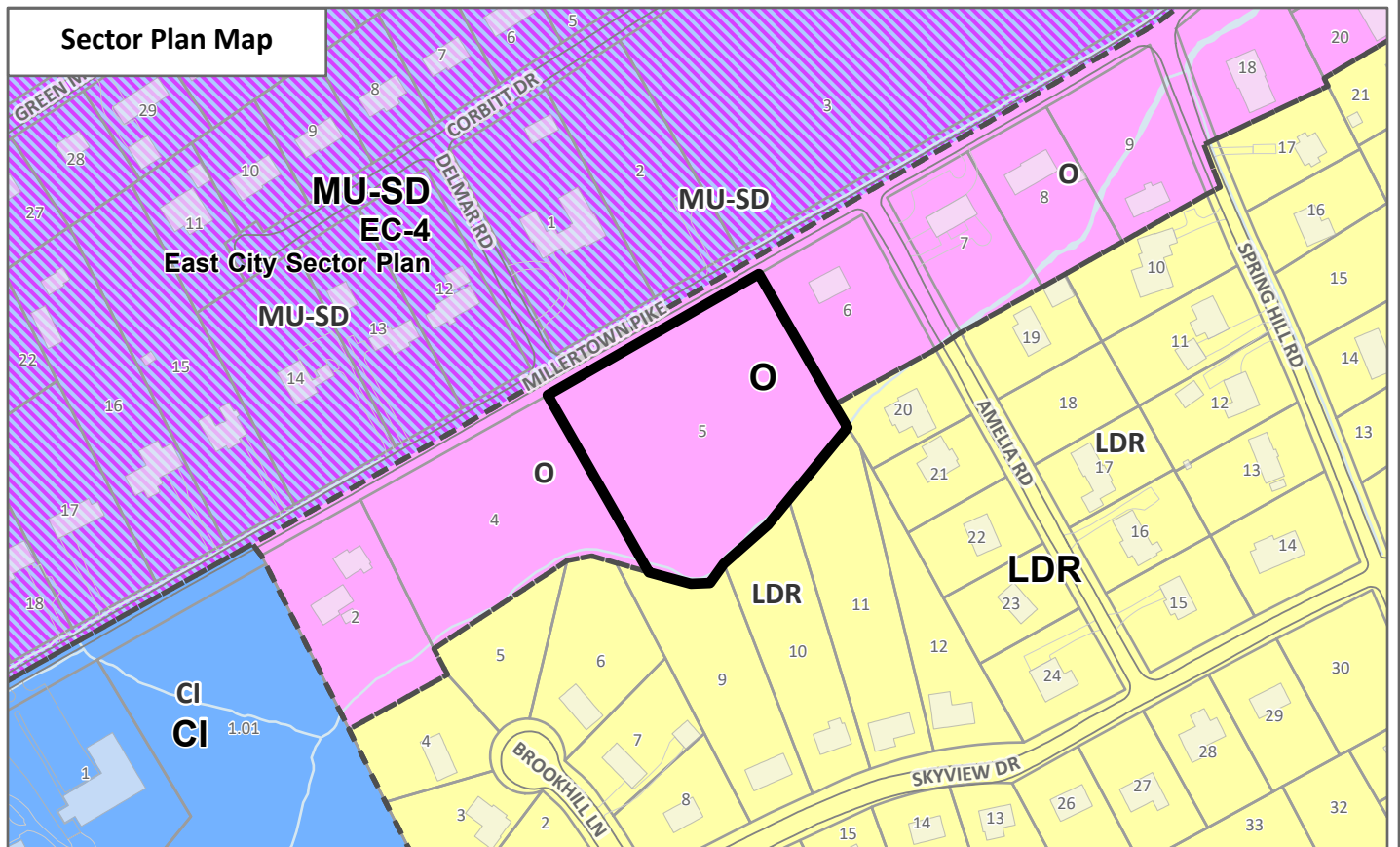
Case boundary



Zoning Map



Sector Plan Map

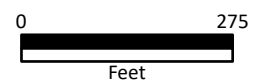


CONTEXTUAL MAPS 2

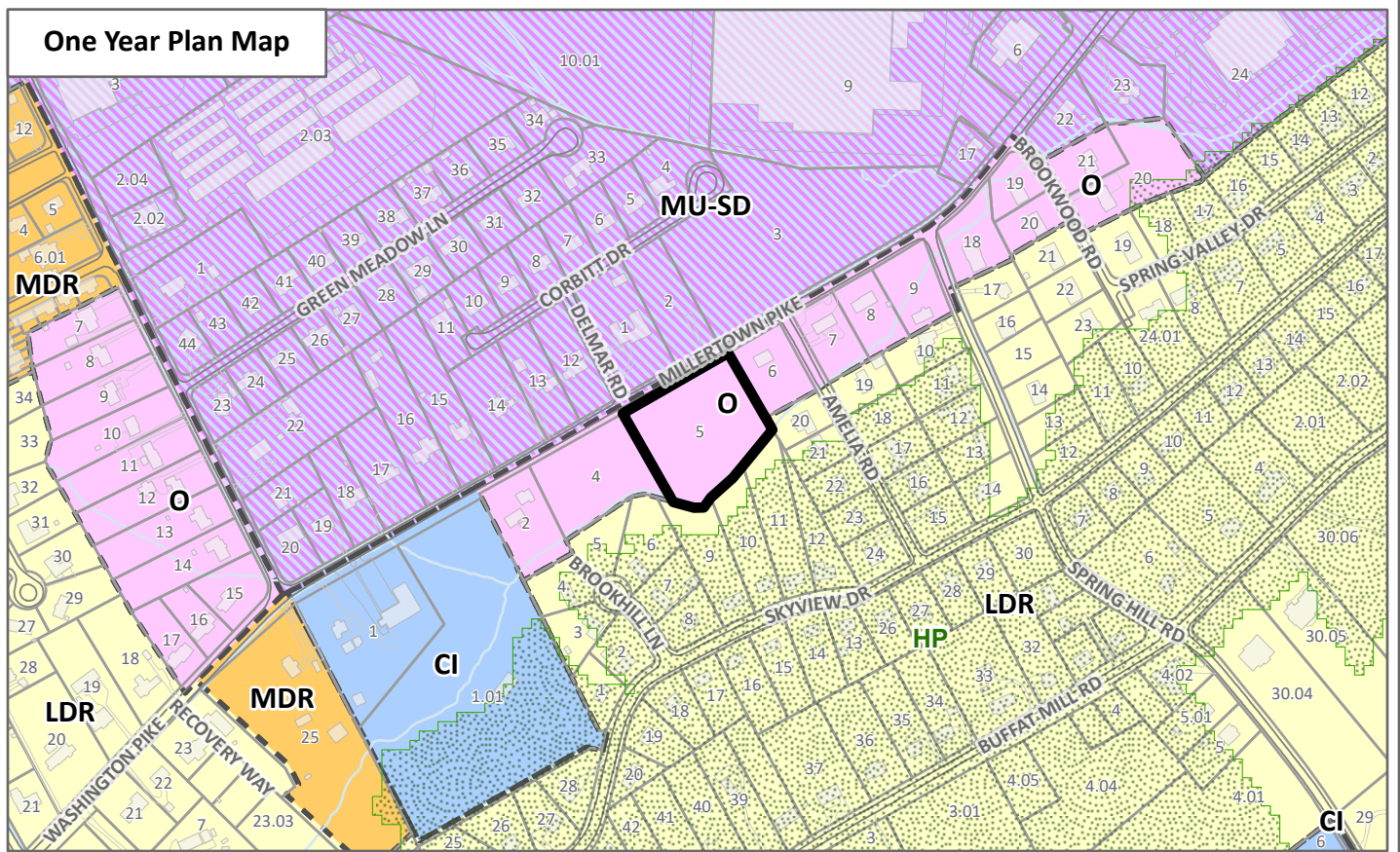
4-E-25-PA / 4-T-25-RZ



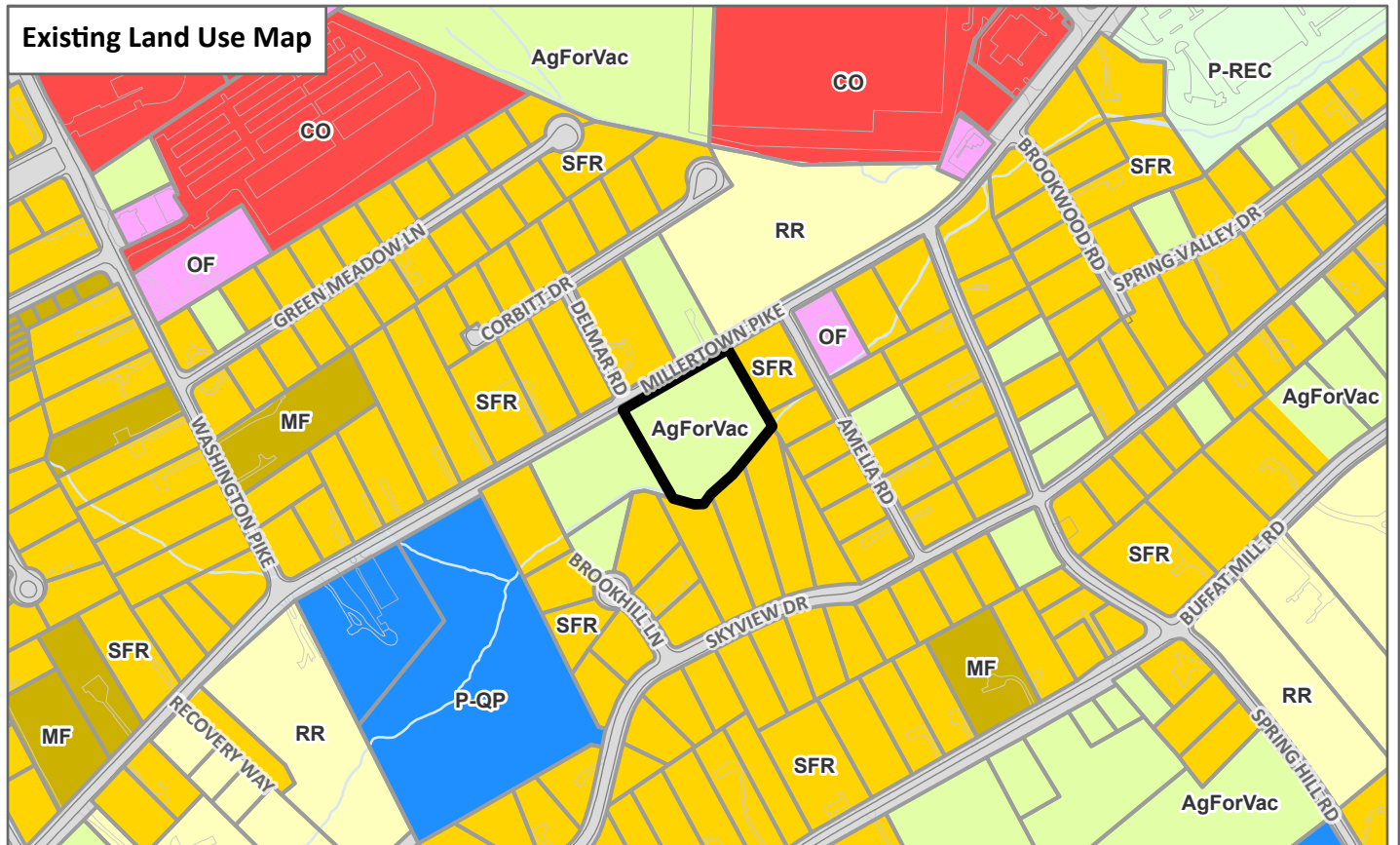
Case boundary



One Year Plan Map



Existing Land Use Map

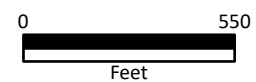


CONTEXTUAL MAPS 3

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



Case boundary



**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION
A RESOLUTION AMENDING THE EAST CITY SECTOR PLAN**

WHEREAS, the Knoxville-Knox County Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the East City Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Mike Ballinger has submitted an application to amend the Sector Plan from O (Office) to MDR (Medium Density Residential) for property described in the application; and

WHEREAS, the Planning Commission staff recommends approval of a revised amendment to the East City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Planning Commission, at its regularly scheduled public hearing on April 10, 2025 after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY PLANNING COMMISSION:

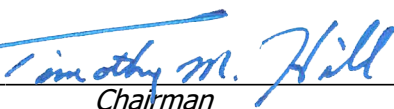
SECTION 1: The Planning Commission hereby adopts the revised amendment to the East City Sector Plan, with its accompanying staff report and map, file #4-E-25-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

4/10/2025

Date


Chairman


Secretary

April 10, 2025

1:30 P.M. | Main Assembly Room
City County Building

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)

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

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

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.**

JULY 2024

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

Proposed Zoning

☒ Plan Amendment Change**Office to MDR**

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
☐ Amendment Request (*Comprehensive Plan*)

ADDITIONAL REQUIREMENTS

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

Fee 1

Total

Fee 2

\$1,700.00

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

Print Name / Affiliation

Date

Phone Number

Email

Property Owner Signature

Please Print

Date Paid

02/24/2025, 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.

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](https://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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