

REZONING REPORT

▶ **FILE #:** 2-L-26-RZ **AGENDA ITEM #:** 21
 POSTPONEMENT(S): 2/12/2026 **AGENDA DATE:** 3/5/2026
 ▶ **APPLICANT:** BENJAMIN C MULLINS
 OWNER(S): Siddiqi Investments, LLC

TAX ID NUMBER: 131 158, 159 [View map on KGIS](#)
 JURISDICTION: County Commission District 5
 STREET ADDRESS: 0 FOX RD (0 FOX RD)
 ▶ **LOCATION:** West side of Fox Rd, east side of I-140, north of Castleglen Ln
 ▶ **APPX. SIZE OF TRACT:** 3.64 acres
 GROWTH POLICY PLAN: Planned Growth Area
 ACCESSIBILITY: Access is via Fox Road, a minor collector with 21 ft of pavement width within a right-of-way width that varies from 50-112 ft.
 UTILITIES: Water Source: First Knox Utility District
 Sewer Source: First Knox Utility District
 FIRE DISTRICT: Rural Metro Fire, Knoxville Fire Department
 WATERSHED: Sinking Creek

▶ **CURRENT ZONING:** OB (Office, Medical, and Related Services)
 ▶ **REQUESTED ZONING:** PC (Planned Commercial)
 ▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land
 ▶
 EXTENSION OF ZONING: No, it is not an extension.
 HISTORY OF ZONING: In 2008 the property was rezoned from A (Agricultural) to OB (Office, Medical, and Related Services) (3-K-08-RZ).
 SURROUNDING LAND USE AND ZONING: North: Office, single family residential - OB (Office, Medical, and Related Services), A (Agricultural)
 South: I-140 Right-of-Way
 East: Single family residential, rural residential - A (Agricultural), PR (Planned Residential) up to 3 du/ac
 West: I-140 Right-of-Way
 NEIGHBORHOOD CONTEXT: This property forms the southern boundary of a line of office uses on the west side of Fox Road. Across the street and to the south along Fox Road are single family houses on large lots and in subdivisions. I-140 abuts the subject property on the west side and the Kingston Pike commercial corridor is nearby to the north.

STAFF RECOMMENDATION:

▶ **Deny the PC (Planned Commercial) zone because it would be an encroachment of a commercial zone into a residential area and is not supported by changing conditions.**

COMMENTS:

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND ZONES AFFECTED, OR IN THE COUNTY GENERALLY.

1. Since the early 2000s, rezonings along Fox Road have largely been from the A (Agricultural) zone to OB (Office, Medical, and Related Services) and PR (Planned Residential) up to 3 to 4 du/ac.
2. Development trends along this section of Fox Road have primarily been office and residential uses, whereas commercial development has been concentrated along Kingston Pike to the north. The New Castle 35-lot subdivision and the Foxborough Hills 91-lot single-family subdivision are under construction roughly 900 ft southeast of the subject property.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSES OF THE APPLICABLE ZONING ORDINANCE.

1. The PC (Planned Commercial) zone is intended for a unified grouping of commercial buildings that do not require or desire a central business district location. The objective of this zone is to achieve the highest possible quality in site design, building arrangement, landscaping, and traffic circulation patterns.
2. Rezonings 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 PC zone does not restrict potential development by limiting use, but permitted uses generally include office, commercial services, and light distribution centers.
3. Since some permitted uses may be incompatible with others the developer of a planned commercial complex shall provide the planning commission with a list of uses permitted in the development which shall be compatible with each other and neighboring uses as authorized under restrictive covenants [Articles 5.33.02 and 5.33.13]. The applicant has provided a proposed restrictive covenant for this site that would limit allowable uses to retail sales of water sports and related activities, and farm equipment (Exhibit B). Should this request be approved, Staff recommends that the restrictive covenants be recorded with the Register of Deeds prior to submitting a development plan application as a condition of approval.

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

1. As previously mentioned, the subject property is located at the edge of a transitional area consisting primarily of residential and office uses, with surrounding properties zoned OB, A, and PR, with up to 3 to 4 du/ac. This section of Fox Road provides a buffer between the intensive commercial development to the north and the low density residential development to the south. The PC zone at this location would disrupt the established transition in land use intensity and encroach into a residential area. Furthermore, if approved, it could act as a catalyst for further commercial rezonings along Fox Road.
2. The subject property abuts Pellissippi Parkway to the west, a designated state scenic route. Structures within 1000 ft of a scenic highway are limited to building heights of 35 ft per TN Code § 54-17-115.
3. If the rezoning is approved, it is recommended that a condition requiring a Type C landscape buffer be required around the south and eastern sides of the property, and a Type A landscape buffer along the north side of the property to visually screen any proposed uses from neighboring residential development.

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

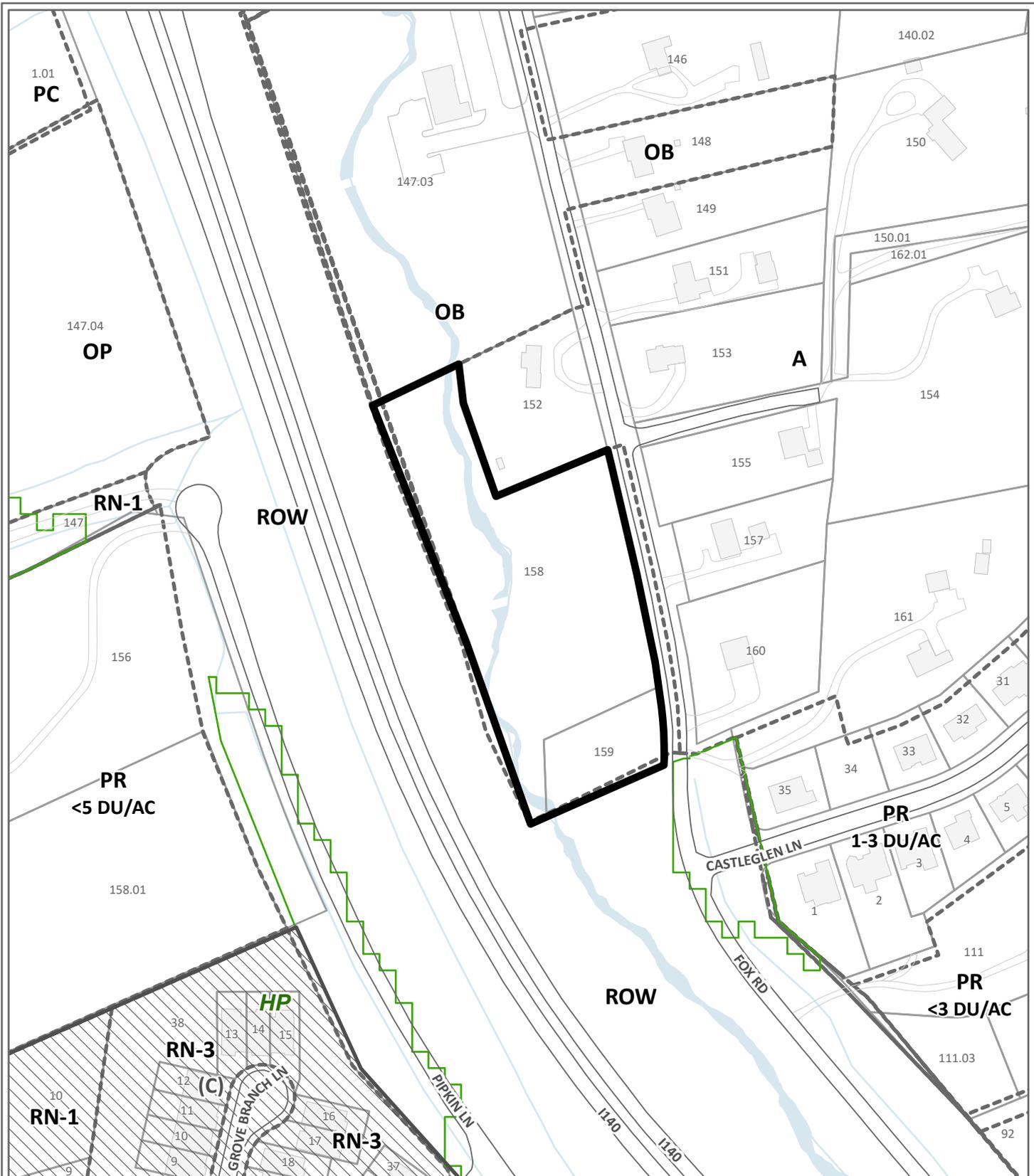
1. In November 2001, the Knox County Commission and Knoxville City Council amended the Southwest County Sector Plan based on the findings of the Fox Road Corridor Study. The study recommended amending the land use classification to O (Office) for properties along Fox Road, south of Capital Drive to the I-40 right-of-way, to provide a transition in land use intensity between the more intensive commercial development on Kingston Pike to the north and the low-density residential uses to the south. The requested PC zone does not align with the plan's recommendation.
2. With the adoption of the 2024 Comprehensive Plan, the land use designation for this area was changed to the BP (Business Park) place type because it was the closest equivalent to the previous O land use class. The BP place type is intended for employment-intensive uses that may include corporate, office, light industrial, advanced manufacturing, and support services.
3. The PC zone is partially related to the BP place type. Partially related zones must meet additional criteria. The proposed rezoning meets the first criterion, as it permits uses consistent with the secondary uses listed in the land use mix.
4. The proposed rezoning is not consistent with the Comprehensive Plan's Implementation Policy 2: Ensure that development is sensitive to existing community character. The PC zone at this location would provide opportunities for more intensive development in a transitional area bordering less-dense residential development.

5. The subject property is within the Planned Growth Area of the Growth Policy Plan, which is intended to encourage a reasonably compact pattern of development and promote expansion of the Knox County economy. The rezoning aligns with the intent of the Planned Growth Area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 4/20/2026. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



REZONING

2-L-26-RZ

Petitioner: Benjamin C Mullins



From: OB (Office, Medical, and Related Services)

To: PC (Planned Commercial)

Map No: 131

Jurisdiction: County



Original Print Date: 1/6/2026

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

Existing Land Use Map

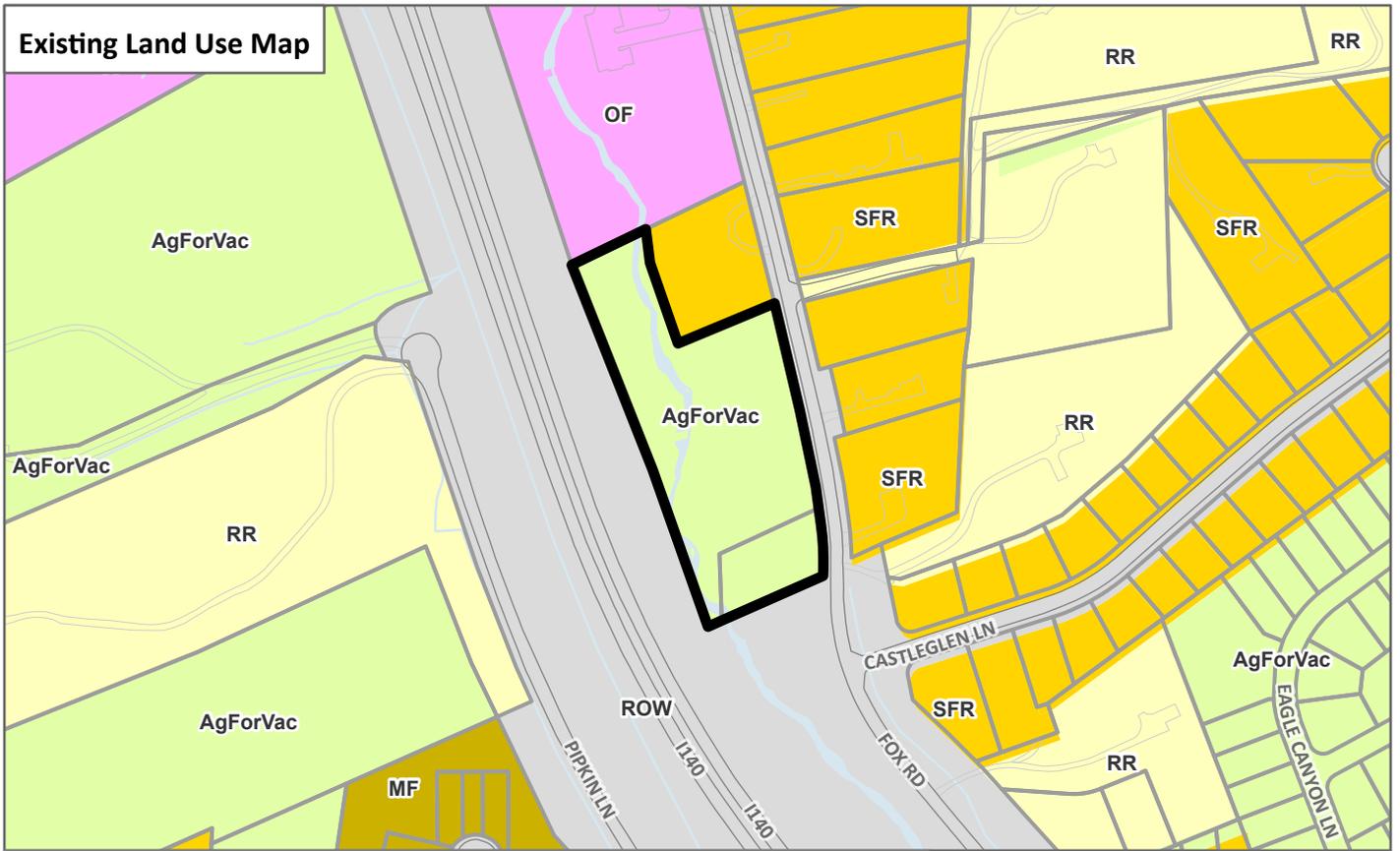


EXHIBIT A, CONTEXTUAL MAPS

2-L-26-RZ



Case boundary

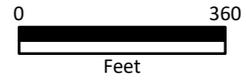
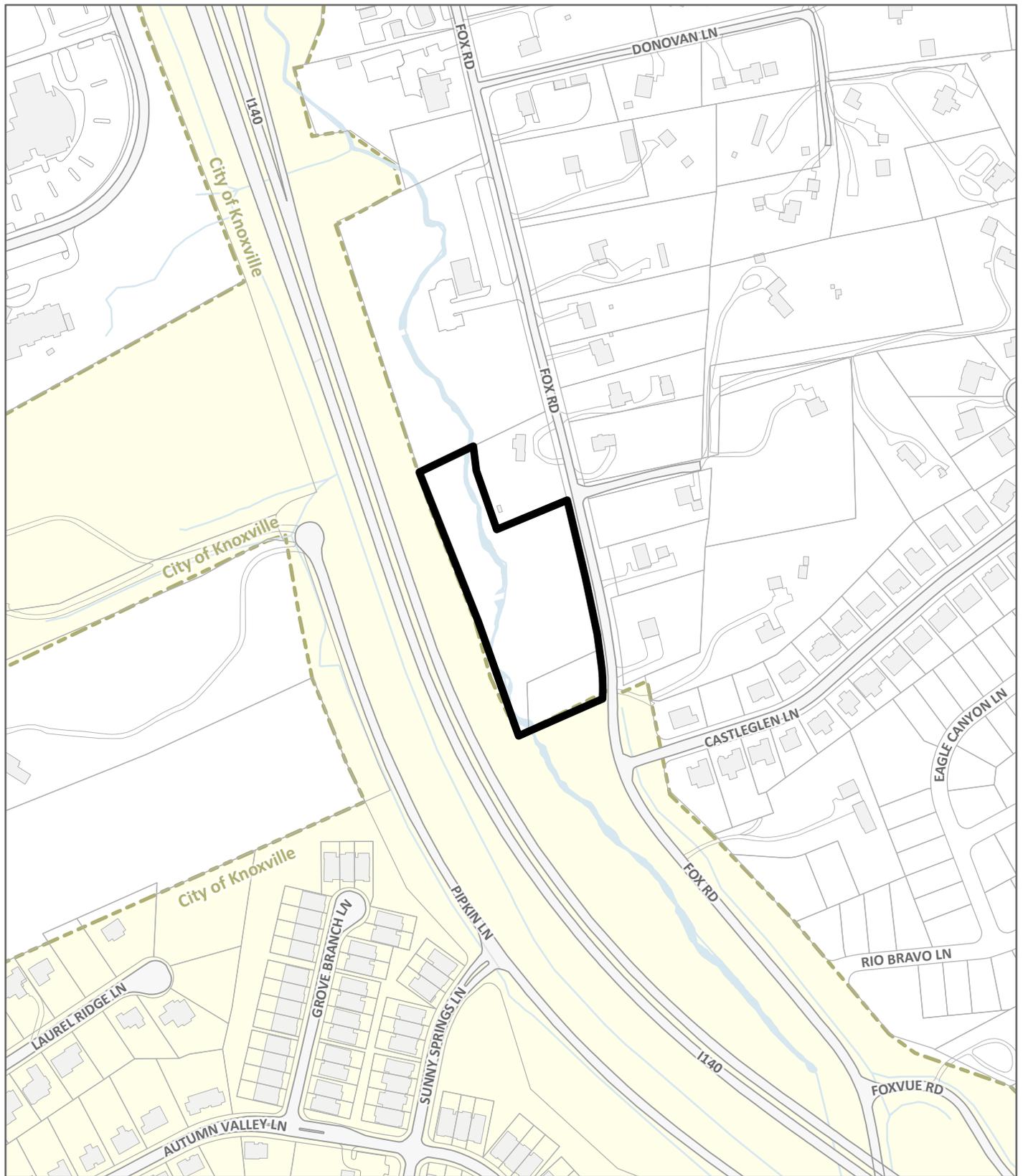


Exhibit A. Contextual Images



LOCATION MAP

2-L-26-RZ



Case boundary

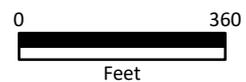


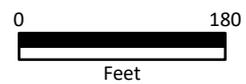
Exhibit A. Contextual Images



AERIAL MAP



Case boundary



Restrictive Covenants for 2-L-26-RZ

Under the existing Business Park (BP) Comprehensive Future Land Use Map, the PC (Planned Commercial Zone), is considered “partially related” and is appropriate with qualifications such as development plan approval with conditions. Additionally, the PC zone provides, that “[s]ince some permitted uses may be incompatible with others, the developer of a planned commercial complex shall provide the planning commission with a list of uses permitted in the development which shall be compatible with each other and neighboring uses as authorized under restrictive covenants.” See Article 5.33.02 of the Knox County Zoning Ordinance.

This application seeks to rezone existing OB property, which is currently vacant and undeveloped. We are seeking to establish a retail boat and watercraft store, with accessory service and storage functionality, on the property utilizing its visibility from I-140 and its proximity to Fort Loudon Lake and Fox Marina. As such, the uses permitted in the PC zone should be as follows:

- Signs as permitted by Section 3.90;
- Watercraft and Boat Sales
- Recreational Equipment Retail Sales
- General Watersport Retail Sales
- Service Center for Watercrafts and Boats
- Outdoor Storage of Watercrafts and Boats with proper fencing and screening
- Farm Equipment Retail Sales
- Allowable Accessory Uses to the Principal Use.

This will allow the intended use to be established on the ~3.8 acre site, and reasonably similar uses in the future, and would further allow Planning Commission to review and condition improvements to the site that will mitigate potential adverse impacts of the proposed business with adjacent office and residential properties. The PC zone allows or more site plan oversight by the Planning Commission since every development would require a development plan and the zoning can be conditioned on establishing restrictive covenants either at the time of the zoning or at the time of the development plan. The current OB zoning could allow uses permitted without additional planning commission approval such as hospitals, hotels, demolition landfills (less than 1 acre), wireless communication facilities, and multi-family use up to 12 units an acre (or up to 24 units an acre on a use on review). In contrast, there is more oversight and review to the PC zone which has traditionally been preferred as a transition zone to residential properties over other less regulated commercial zones.

Public Notice and 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). The contact information you provide in your application may be used for that purpose. We require applicants to acknowledge their role in this process.

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.

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.

~~2-1-26~~ 01/31/2026

Date to be Posted

2-13-26

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

Benjamin C. Mullins

Applicant Name

12-29-25

Date