

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 2-L-26-RZ **Related File Number:**
Application Filed: 12/30/2025 **Date of Revision:**
Applicant: BENJAMIN C MULLINS

PROPERTY INFORMATION

General Location: West side of Fox Rd, east side of I-140, north of Castleglen Ln
Other Parcel Info.:
Tax ID Number: 131 158, 159 **Jurisdiction:** County
Size of Tract: 3.64 acres
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.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:**
Planning Sector: Southwest County **Plan Designation:** BP (Business Park)
Growth Policy Plan: Planned Growth Area
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.

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

Street: 0 FOX RD
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: OB (Office, Medical, and Related Services)
Former Zoning:
Requested Zoning: PC (Planned Commercial)
Previous Requests:
Extension of Zone: 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).

PLAN INFORMATION (where applicable)

Current Plan Category: N/A (Within the County Limits)

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:

Kelsey Bousquet

Staff Recomm. (Abbr.):

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.

Staff Recomm. (Full):

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.

Action: Approved with Conditions

Meeting Date: 3/5/2026

Details of Action:

Approve the PC (Planned Commercial) zone with the following conditions:

- 1) 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.
- 2) the following permissible uses shall also be recorded as restrictive covenants with the register of deeds prior to submitting a development plan: 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

Summary of Action:

Approve the PC (Planned Commercial) zone with the following conditions:

- 1) 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.
- 2) the following permissible uses shall also be recorded as restrictive covenants with the register of deeds prior to submitting a development plan: 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.

Date of Approval: 3/5/2026

Date of Denial:

Postponements: 2/12/2026

Date of Withdrawal:

Withdrawn prior to publication?: ☐ **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 4/20/2026

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved as modified with conditions

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Approved PC (Planned Commercial), with 5 conditions: 1) 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 (landscape buffer along the front of the property will be determined during the site plan phase); 2) the following permissible uses shall also be recorded as restrictive covenants with the register of deeds prior to submitting a development plan: signs as permitted by Section 3.90, watercraft and boat sales, recreational equipment 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; 3) no stacking of boats or vehicles for storage purposes on the exterior of the property; 4) there will be a limit of two monument or building signs with a limitation of indirect lighting only; and 5) additional five feet undisturbed setback from the right of way that will not be utilized in the development in any way.

Date of Legislative Appeal:

Effective Date of Ordinance: