

SOUTH KNOXVILLE / VESTAL REDEVELOPMENT & URBAN RENEWAL PLAN



KNOXVILLE, TENNESSEE
JUNE, 2006

APPROVED
January 16, 2007

KNOXVILLE CITY GOVERNMENT

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***South Knoxville/Vestal Redevelopment and Urban Renewal Plan
Knoxville, Tennessee
June, 2006***



**KNOXVILLE'S COMMUNITY DEVELOPMENT
CORPORATION**

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III. INTRODUCTION

The overall Vestal Community of South Knoxville is bounded by Chapman Highway to the east and the railroad to the west. Its northern boundary is created by the intersection of Chapman Highway and Maryville Pike. To the south of Vestal is Rodges Ridge.

Vestal was established and grew along the rail lines of an industrial corridor. The foundation of the community was tied to the industry and craft of marble quarrying and finishing.

"The historic Candoro Marble Works in Vestal . . . was a marble manufacturing plant, sawing and finishing marble blocks from quarries in Knox, Blount, and Loudon Counties and imported stone from all over the world. Candoro Marble Works, located on Maryville Pike was established in 1914 by the J.J. Craig Company and is located within Vestal's industrial area, bounded by railroad tracks. The site of the industrial area abuts the Vestal Lumber Company, the namesake and historic employer in the community. The Marble Works became the nation's foremost producer of Tennessee pink marble, as well as one of the largest importers of marble in the United States. Local buildings using marble from Candoro include the U.S. Post Office at 501 Main Street, the State office building at 627 Cumberland Avenue, and the interior finishes for some of the University of Tennessee buildings, all in downtown Knoxville . . . At it's most productive, Candoro employed 140 people, many of whom lived near the marble works."

–From Linda Snodgrass's Master's of Architecture Thesis,
"Using Historical Foundations as the Catalyst for New Growth . . ."
(August 2000, The University of Tennessee, Knoxville)

A large majority of the people who built and lived in the community also worked within the industrial corridor. As industry moved out of the area, the corridor became abandoned. Because of this, the settlements on either side are isolated from each

other, fragmenting the community. In the 1990's Vestal was identified as a community in decline.

IV. PROJECT BOUNDARY & EXISTING CONDITIONS

The South Knoxville proposed Vestal Redevelopment Area project area is generally bounded by the Chappell Road on the North, Martin Mill Pike on the East, Portions of A Avenue on, Ogle Street and Maryville Pike on the South and the railroad tracks adjacent to Spruce Street on the West as shown on Map in the Appendix labeled "Exhibit A". The area contains residential, single and multifamily, commercial, office, industrial, manufacturing and wholesale uses.

A number of properties in the area have been redeveloped and/or are occupied by active businesses, but these properties are interspersed among properties that are dilapidated or obsolete. Significant efforts to redevelop properties in the area for residential uses are also being made, but a number of other buildings that could be redeveloped for residential use remain blighted and dilapidated.

Vestal is a low to moderate income neighborhood located within Knoxville's Empowerment Zone. Historically a working class neighborhood, with its largest employers being industrial businesses parallel to the railroads, this land use pattern still exists today.

As an older industrial area, the neighborhood has experienced a disproportional amount of environmental issues. These issues have sparked ongoing community activism.

The neighborhood is served by a variety of commercial uses, mainly north of Ogle Avenue and along Martin Mill Pike and Mayfield Avenue.

The old neighborhood center, sometimes referred to as "Downtown Vestal" is located at the intersection of Ogle Avenue and Martin Mill Pike. Some of the original character of

“Downtown Vestal,” still exists today, mainly the buildings that have small setbacks with parking to the side of rear.

The Vestal area contains a diverse housing stock. Much of it was improved after the area was selected as a Bicentennial Neighborhood in 1997. A total of \$6.5 Million in private and public funding was awarded for housing and infrastructure improvements. Through the past several years this has lead to some reinvestment on the area. These are blighted properties in need of much repair. Due to the major repair required, the area qualifies as blighted under Section 13-20 of the Tennessee Code Annotated.

Blighted areas constitute physical and economic liabilities, requiring redevelopment in the interest of the health, safety and general welfare of the people of these communities. Such areas present difficulties and handicaps which are beyond remedy and control solely by the regulatory processes in the exercise of police power. They contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, public services and private investment.

State law defines "blight" or "blighted areas" as "areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, lack of ventilation, light and sanitary facilities, deleterious land use or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community."

To help illustrate what blight is, the following is a list of characteristics that constitute blight or blighting influences. Specifically, blight is an area or property characterized by both of the following conditions:

- 1. An area or property that is predominantly urbanized and an area in which the combination of conditions set forth below is so prevalent and so substantial that it causes a reduction of, or lack of, proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise or government, or both, without significant investment.**
- 2. An area or property that is characterized by one or more of the following:**

- a. Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions can be caused by serious building code violations, dilapidation and deterioration, serious deferred exterior maintenance or renovation, defective design or physical construction, faulty or inadequate utilities or other similar factors.
- b. Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by substandard design, inadequate size given present standards and market conditions, lack of parking, public improvements or utilities.
- c. Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the project area.
- d. The existence of subdivided lots of irregular form and shape inadequate size for proper usefulness and development that are in multiple ownership.
- e. Depreciated or stagnant property values or impaired investments, including, but not necessarily limited to those properties containing hazardous wastes that require the governmental authority.

The Vestal task force was formed to study and make recommendations. The task force recommends that the City and KCDC establish a “Redevelopment Area” in downtown Vestal. The task force recommends that after the “Redevelopment Area” is formed that KCDC enter into negotiations to acquire Parcel 109RM-021, located at 4119 Martin Mill Pike. In addition, the task force recommends that the south eastern portion of Parcel 123AB-003, located at 115 Ogle Avenue, be acquired and included in part of the development.

The redevelopment area clearly is eligible to be a redevelopment project within the meaning of Section 13-20-202(a) of the Tennessee Code Annotated. Based on physical inspections of the area conducted by KCDC, the redevelopment of area is blighted due to dilapidation of a number of the buildings throughout the redevelopment areas. Much of the land use in the area is also deleterious because of vacant buildings or inappropriate land uses. The redevelopment area also clearly qualifies as an Urban Renewal Project within the meaning of Section 13-20-212(a) of the Tennessee Code Annotated because the area, based upon physical inspection by KCDC, is blighted, deteriorated and deteriorating.

The general condition of the South Knoxville Vestal area is blighted with deteriorated and dilapidated buildings. The revitalization of these buildings through design controls

with a private developer will return the properties to the tax rolls and eliminate blighting conditions and the prevention of its recurrence.

V. REDEVELOPMENT PLAN OBJECTIVES

1. Eliminate the conditions of blight and inappropriate land uses existing within the redevelopment project area.
2. Ensure, to the greatest possible extent, that the causes of blighting conditions are eliminated or protected against.
3. Provide participation opportunities, for owner and business tenants in the areas to the overall redevelopment objectives of the Redevelopment Plan.
4. Encourage and ensure the redevelopment of the Project Area.
5. Encourage and foster the economic revitalization of the Project Area.
6. Buffer the residential areas from the industrial uses.
7. Provide code and design standards for infill housing.
8. Create smaller scale light standards for streets and alleyways.
9. Encourage the development of commercial space.
10. Provide for gateway entrances with arches to define the community.

The Vestal Task Force which met seven times with City and MPC staff recommended that the following types of uses be encouraged to locate on the existing blighted property at 4119 Martin Mill Pike:

1. Destination commercial which builds “off of” existing establishments.
2. Small neighborhood serving commercial uses.
3. Café’s, Mom & Pop stores, Candy shops, Ice Cream, Antiques, Boutiques, Art Galleries and Art Supplies stores.
4. Medical related facilities.

VI. RELATIONSHIP TO LOCAL OBJECTIVES

Public Utilities

The redevelopment area presently has full access to all public utilities. It is likely, however, that some utility improvements may be required in order to meet the demands of the renovated or newly developed structures.

Recreational and Community Facilities

Redevelopment of this area will support the South Knoxville waterfront development. The Area's proximity to the river, attractive view sheds, and connections to downtown make is attractive for mixed-use development that includes residences, offices, and retail/entertainment uses.

As part of the redevelopment of this area, every effort should be made to connect the area to the City's greenway system. This would promote recreational opportunities for the city's residents and encourage visits to the area.

Improved Traffic and Public Transportation

Redevelopment of the area will also serve to improve the flow of traffic between Vestal, downtown Knoxville, and adjoining neighborhoods. Downtown Knoxville is the hub of the area's public transportation network with trolleys serving the center city and bus lines connecting the city with south Knoxville. Transit improvement under the redevelopment plan should strive to incorporate the area into downtown Knoxville's transportation network and to improve traffic flow through the area, including pedestrian and cyclist traffic. Public improvement in the area will also facilitate access

between the redevelopment area and the proposed South Knoxville waterfront project, thus providing visitors to this area an additional venue for shopping, recreation, and sightseeing. Efforts should also be made to establish a greenway bike and walking path through the district and adjacent neighborhoods.

Additionally, the Norfolk Southern branch rail line that runs through the project area is currently utilized for rail freight movement to Blount County, primarily servicing Alcoa, Inc., and averages one train a day in either direction. This line has been identified in the South Waterfront Vision Plan as a primary future rail transit line connecting downtown Knoxville with the western half of the South Waterfront. There is also an ongoing effort to pursue the development of that line as a rail transit facility connecting Knoxville to Alcoa, Maryville and the airport.

As this rail line is developed as a transit line, the portion of the project area adjacent to the line will be an ideal location for a station area. A rail transit station will have a dramatic and powerful impact on the area around it, fostering what is often referred to as Transit Oriented Development (TOD). Such TOD development will have a very positive effect on overall investment and development in the project area. Therefore, such TOD or station area development should be planned for in the project area.

Vestal Task Force Recommendations

In addition to the items enumerated under the redevelopment goals and objectives section on page 7 that was recommended by the Task Force, other Task Force recommendations are as follows:

The Task Force recommends that the general site plan characteristics be consistent with the East Tennessee Design Center's plan for Downtown Vestal. These recommendations are:

1. Abandon Chappell Road right-of-way between the redevelopment parcel and the church. This segment of the right-of-way should be added to the redevelopment parcel.
2. Develop a shared parking lot with the Vestal United Methodist Church.
3. The ideal development should be a two-story building with neighborhood serving commercial establishment(s) on the first floor and residential/office space on the second floor.

4. The building should be oriented towards the street with parking located behind the building, in a shared parking arrangement with Vestal United Methodist Church.
5. The development should encourage a more pedestrian friendly environment.

Additional Task Force recommendations include:

1. In response to PNI Board of Directors request that the Vestal Task Force consider the Witherspoon site as an alternative project location, the Task Force has recommended that the earmarked \$500,000 should not be used for the Witherspoon site, due to the lengthy timeline associated with the environmental clean up (approximately 5 years).

However, the Task Force recommends that a separate task force be formed at the appropriate time (before the site is clean) to address future land uses on the Witherspoon property. The task force should be a partnership that includes, but not necessarily limited to neighborhood residents (Example: Zone Advisory Council), State representatives, City representatives, and representatives from the private companies associated with the clean-up (Example: Bechtel Jacobs Company LLC).

2. This decision was the result of a letter of recommendation that was submitted by the South Zone Advisory Board. Specifically the Board wants the Task Force to respond to bullet point two, which reads, "Expand the charge given to the Vestal Bicentennial Task Force and allocated EZ funding as well as future funding to also include possible uses for the Witherspoon properties (redevelopment) after the site has been cleaned up."
3. The Task Force recommends that the City and KCDC establish a "Redevelopment Area" in Downtown Vestal. The geographic boundary should at least encompass the area depicted by the East Tennessee Design Center's plan for Downtown Vestal.

The Task Force recommends that KCDC utilize a public input process that utilizes members from this task force, especially those who represent the South ZAC.

4. The Task Force recommends that a Phase II Environmental Assessment be done for the property at 4119 Martin Mill Pike.
5. The Task Force recommends that the City abandon Chappell Road. The Task Force recommends that a "Bus Loop" be established around the rear of the Boys & Girls Club.
6. The Task Force recommends that the "slip lane" on the northwest corner of the Ogle Avenue and Martin Mill Pike Intersection be eliminated and a "T"

intersection be established. The redesigned intersection would include sidewalks.

7. The Task Force Recommends that the existing trail (Goose Creek Greenway) that currently terminates at the Boys & Girls Club be extended down to Martin Mill Pike, possibly following either the stream, or the abandoned Chappell Road right-of-way. The entire stream bed should be cleaned up and serve as an asset to the community.
8. The Task Force recommends that Martin Mill Pike and Ogle Avenue be redesigned to include recessed on street parking, bulb-outs, sidewalks, clearly marked pedestrian crossings, and pedestrian oriented street furniture.
9. The Task Force recommends that Tax Increment Financing, or TIF, should be utilized to make the before mentioned improvements, if additional funds cannot be secured.
10. The Task Force recommends that the parcel that is located at 130 Chapel Lane, which has a single-family residence located on it be acquired in the future for flood control, street realignment, or redevelopment needs.
11. The Task Force recommends that the three parcels be acquired if an opportunity arises, they are:
 - (1) Parcel 109PM-019, located at 4105 Martin Mill Pike
 - (2) Parcel 109PM-020, located at 4111 Martin Mille Pike
 - (3) Parcel 123AC-042, located at 4124 Martin Mill Pike

These parcels would only be acquired if all parties mutually agree and the purchase does not put any hardship on existing Vestal businesses owners.

VII. REDEVELOPMENT PROCESS

Although the redevelopment area as a whole contains blighted areas, several buildings in the redevelopment area contain active businesses, and numerous sound residential structures comprise established neighborhoods that should be preserved. The Plan's intent is to avoid public intervention with respect to any existing uses of properties that continue to comply with city regulations, and to achieve plan objectives related to land use change and property redevelopment.

Blighted properties include any properties that meet the definition of "blighted areas" within the meaning of Section 13-20-201 of the Tennessee Code Annotated. "Blighted areas" are areas with buildings or improvements, which by reason of dilapidation, obsolescence, overcrowding, lack of ventilation, light and sanitary facilities, deleterious land use, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community.

If KCDC identifies a specific property as "blighted" within the Redevelopment Area, KCDC anticipates issuing a request for redevelopment proposal from the existing owner of that property within 60 days from the date the determination has been made. KCDC will request the existing owner of a blighted property to submit to KCDC a redevelopment proposal specifying the intentions of such owner for redevelopment of that owner's property. Each proposal should include, in detail, descriptions of the intended use of the property, the improvements to be made to the property, a proposed budget for the cost of improvements, and a timetable for construction. In addition, each owner must demonstrate in its proposal its financial ability to complete any proposed redevelopment project, including evidence of the availability of funds to complete the project. A proposal from a property owner must be

submitted within 90 days from the date a proposal is requested from that property owner.

An advisory board will be established to be comprised of persons representing, to the extent practicable, the interests described in Section 13-20-208 of the Tennessee Code Annotated. The advisory board members will be appointed within 90 days of the date of plan adoption by the Chairman of the KCDC Board of Commissioners. The advisory board will examine the proposals of owners of blighted properties. The advisory board will advise KCDC in determining whether a proposal is consistent with this plan, whether the proposal is feasible and whether the intended use of the blighted property is compatible with the land uses recommended MPC and applicable City development regulations. However, the final action on any redevelopment proposal by a property owner will be by KCDC. The advisory board may discuss a property owner's redevelopment proposal with the property owner in whatever fashion the advisory board deems appropriate, and the property owner may resubmit a redevelopment proposal to KCDC based on such discussions.

If a property owner whose property has been identified as blighted by KCDC does not agree with such determination, that property owner may ask the advisory board to consider whether the property is blighted. In such a case, the advisory board will be asked to make a recommendation to the KCDC Board of Commissioners as to whether a particular property is blighted. The KCDC Board of Commissioners will then make a final determination as to whether a particular property is blighted, and the property owner will have 90 days from such determination to submit a proposal if such property owner's property is determined to be blighted.

If an owner's proposal to renovate its property is approved by KCDC, KCDC and the owner will enter into a development agreement under which the owner will agree to develop its property as described in its proposal as approved by KCDC. In the event that any such owner fails to renovate its property in accordance with its development agreement, KCDC may elect to acquire such property, subject to the limitations below, and make it available for redevelopment.

If an owner submits a redevelopment proposal, and KCDC does not approve the redevelopment proposal, KCDC shall notify the owner in writing, specifying the reason or reasons why KCDC did not approve the redevelopment proposal. The owner shall have 60 days from receipt of the notification to submit a revised redevelopment proposal responding to the reasons specified in the notification.

If an owner of a blighted property fails to submit a redevelopment proposal, fails to receive approval of its redevelopment proposal or fails to redevelop its property in compliance with its proposal, KCDC intends to acquire such property, subject to the limitations below, and to solicit proposals to redevelop such owner's property from third parties. Responses to such proposals shall also be submitted to the advisory board for its review and will be submitted to KCDC for approval of the most favorable proposal. KCDC will enter into a development agreement with any person whose proposal is approved by KCDC to ensure compliance with the redevelopment proposal.

If KCDC determines that it is necessary to acquire any property as provided in this Section, KCDC shall first attempt to negotiate a voluntary sale of the property with the owner(s) thereof. If a negotiated purchase of property is not achieved, KCDC will not exercise its eminent domain authority to acquire any property pursuant to this plan, except as described below, unless such action is approved by KCDC's Board of Commissioners and the City Council of the City, provided that City Council approval shall only be required if the property owner requests KCDC to submit the issue to City Council within thirty (30) days of when KCDC's Board of Commissioners approves the acquisition by eminent domain. Upon receipt of a request from a property owner to submit an acquisition to City Council, KCDC will request that the City Council consider the matter at its next regularly scheduled meeting. City Council's approval may be by resolution adopted in such manner as City Council typically considers resolutions. Nothing in this paragraph or elsewhere in this plan shall be construed to limit KCDC's authority to acquire property, including acquisitions by eminent domain if necessary; if the property will be used for public improvements, such as roads, parks or utilities.

VIII. LAND USE PLAN

“The Council of the City of Knoxville is empowered to regulate the use of land and buildings, the height of buildings, the size of open spaces, surrounding buildings and the density of population and deems it necessary to exercise the power so granted in order to encourage the most appropriate uses of land; to maintain and stabilize the value of property; to secure safety from fire, flood, panic, and other hazards; to prevent undue concentration of population; and to create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewerage, schools, parks, public utilities, and other facilities; to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants.” 1

The permitted uses of land within the Project Area are those uses that currently exist within the several zoning blocks of the redevelopment boundary. The zones include I-4, H-1, C-4, C-1, R-2, O-1 and OS-1. Those permitted uses in the various zones are addressed by the building requirements established by the Metropolitan Planning Commission (“MPC”). The proposed land use map is attached as Exhibit B.

“Zoning is a term applied to local regulations that prescribes how land may be used or developed; the permitted uses of land and buildings within zones or districts, the height and bulk of structures, size and location of open spaces, and the intensity with which land may be developed. Zoning also regulates signs, off-street parking, and restricts the extent to which industry and commerce may affect the environment. Zoning regulations do not involve construction details. These are specified in the city building codes.

Therefore, in order to achieve the objectives of this redevelopment plan, the redevelopment and use of land located within the Project Area will be made subject to all requirements and restrictions specified in the MPC zoning regulations, subdivision regulations, and the City of Knoxville building codes.” 1

1 Source: Metropolitan Planning Commission

IX. FINANCING PLAN

Neither KCDC nor the City expects to fund the cost of private redevelopment projects within the redevelopment project. Both property owners and developers of projects within the redevelopment area will be expected to demonstrate the financial ability to undertake and complete any private redevelopment project. Although neither KCDC nor the City expects to pay the direct cost of private redevelopment projects, KCDC and the City can assist property owners and developers in connection with redevelopment projects through various means, and KCDC would encourage property owners and developers who submit proposals to specifically identify what public assistance may be needed in connection with their redevelopment projects.

The assistance provided by KCDC and/or the City can take a number of forms. Specifically, KCDC and/or the City can pay the cost of public improvements, such as utility, street and sidewalk improvements, that may be needed in connection with a redevelopment project. The City may also facilitate in-lieu-of-tax agreements through its industrial development board to provide targeted tax incentives for developments which are deemed essential to the redevelopment and renewal of the area. The City may also assist property owners in realizing the benefits of being located in the City's empowerment zone and in utilizing other tax incentives, such as historic tax credits.

KCDC also intends to work with the City to promote the redevelopment area as an identifiable district that can be marketed as a destination for both residents and visitors. An appropriate name (for example, "Downtown Vestal") needs to be utilized to develop recognition of the area. Appropriate signage identifying the area should be installed.

The implementation of the public improvements, particularly any public parking, will also require the support of the City. KCDC does not anticipate, however, using tax increment financing as part of this redevelopment plan, and no tax increment provision is therefore included in this plan.

X. LAND ACQUISITION POLICY

The Land Acquisition Policy, as approved by the Board of Commissioners of Knoxville's Community Development Corporation sets forth procedures which are followed in all locally financed projects administered by the Agency. KCDC will:

- *Make every reasonable effort to acquire real property expeditiously through negotiated agreements;
- *Pay just compensation for all property interests acquired and conduct acquisition activities in a manner which minimized hardship to owners and tenants and which promotes public confidence in the land acquisition practices;
- *Assure consistent and fair treatment to all owners and tenants.

To that end, KCDC shall:

- a. Provide the owner and tenant of property to be acquired with an official written notice of its intent to acquire the real property. Such notice shall be given as soon as feasible after the approval to acquire the property, but prior to the date on which negotiations to acquire the property are initiated. The Notice of Intent to Acquire shall include (or be accompanied by) a statement of explanation of the acquisition procedures, including condemnation, and shall explain the principal rights and options of the owner and/or tenant.
- b. All property interests to be acquired shall be appraised independently by a competent professional appraiser in private practice, which appraisals shall then be reviewed by a competent KCDC staff appraisal reviewer. No appraiser shall have any interest, financial or otherwise, in the property to be acquired.
- c. The appraiser shall make an on-site inspection of the property to be acquired and shall give the owner or their designated representative an opportunity to accompany him during the inspection of the property. The name (s) of the individual (s) who accompanied the appraiser shall be denoted on each appraisal report.
- d. The staff review appraiser shall determine the acceptability and adequacy of the appraisal reports and shall require any corrections or further documentation as may be deemed necessary.
- e. After the staff review appraiser finds the appraisal reports acceptable and proper, he shall present to KCDC his report indicating opinion of the fair market

value for the property to be acquired. Said value shall not be lower than the lowest appraisal or higher than the highest appraisal. The number of appraisals shall be determined by the complexity of the acquisition. "Fair market value" shall be defined, in general, as "what a willing buyer is willing to pay, but is under no compulsion to do so, and what a willing seller is willing to sell for, but is under no compulsion to sell."

f. Following acceptance of the staff review appraiser's recommendation, KCDC shall verify that the appraisers and the staff review appraiser have performed in a competent manner in accordance with applicable law, and shall then establish a fair market value (just compensation) for each identified property interest to be acquired.

g. Initiation of negotiations for the acquisition of property shall be commenced with each owner of a separately held compensable interest as soon as practicable after the fair market value of interest has been established.

h. The basic negotiation procedures which shall be followed are:

- (1) A written offer to the owner to acquire his property, delivered person; or if the owner (or his representative) is not available, may be mailed by certified or registered mail.
- (2) The offer shall include the full purchase price and a statement explaining the basis for the amount established as just compensation for all interests in the property. It shall properly identify the property and shall include any other necessary information pertinent to the offer and to the acquisition of the property.
- (3) The owner shall be advised that the normal closing costs, including title search and preparation of the deed, will be paid by KCDC. The owner shall also be advised that they are not required to pay a sales commission; however, all loans, liens, and outstanding taxes on the property must be satisfied prior to or at the time of settlement.
- (4) KCDC shall make every reasonable effort to discuss the offer purchase with the owner, to explain the procedures fully, and shall give the owner a reasonable length of time to respond to the offer.
- (5) If the owner presents evidence indicating the need of further review or revision in the fair market value as established, KCDC shall require the appraiser to update their appraisal or shall obtain a new appraisal.

i. Before instituting a condemnation proceeding, KCDC shall make a diligent, conscientious effort to induce the owner to accept the established fair market

value for their property. A final offer to acquire the property shall be made in writing to the owner or their representative, and reasonable time allowed for acceptance.

j. No owner-occupant or tenant lawfully occupying real property shall be required to move without notification in writing from KCDC at least thirty days prior to the date on which possession will be required. The owner-occupant or tenant shall further be advised of all property management policies which relate to their occupancy.

k. Real property acquisition activities shall be coordinated with relocation activities to ensure that those persons displaced shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.

NOTE: In the event that federal funding should be received for the benefit of the project, or any part thereof, KCDC shall comply with all applicable regulations, procedures and actions as required by such grants or funding as it relates to acquisition and relocation activities.

XI. RELOCATION PLAN AND POLICY

KCDC's Relocation Policy, prepared in accordance with state and local laws, serves as a guideline to be consistently followed and implemented throughout the relocation phase of the Vestal Redevelopment and Urban Renewal Plan. This redevelopment project, if solely financed through local sources, will be subject to the City's Relocation Ordinance. Further, if the project, or any part thereof, should receive federal funding, thus requiring compliance with additional or other guidelines, all applicable regulations will apply. The relocation activities for the Vestal Redevelopment and Urban Renewal Plan shall be carried out in such a manner:

*To insure, to the maximum extent possible, the prompt and equitable relocation and re-establishment of persons, businesses and non-profit organizations displaced as a result of project activities;

*To provide relocation assistance without regard to race, creed, color, sex or national origin;

*To provide relocation assistance in a fair manner so that no displacee shall suffer disproportionate injuries as a result of the project.

In order to formulate this relocation plan and to establish the feasibility of assisting all who may be displaced by the project, an initial survey of project occupants and possible resources has been conducted by KCDC. That survey indicates that adequate resources are, and will be available to meet the needs of all displacees.

Upon approval of the Redevelopment Plan, a KCDC representative will personally contact each business to be displaced and will explain the relocation program and will discuss and determine any special needs of the displacee. The assigned staff representative will assist businesses in finding a suitable and acceptable replacement location and will follow through on any special needs or assistance determined necessary or helpful. Every effort will be made to minimize the hardships of relocation and re-establishment of businesses. Under local policy, actual reasonable moving expenses will be paid for the relocation of all movable items according to the adopted policy. KCDC staff will assist the displacee in filing the required claims and in obtaining documentation necessary to the payment of claims.

All businesses that are displaced from property as a direct result of the acquisition of that property may be eligible for relocation assistance and payments. Eligibility is established if the business lawfully occupies the property to be acquired at the time negotiations begin for the purchase of the property; however, if a business begins occupancy of the property after negotiations have begun for its purchase, that occupant will not be eligible for assistance or payments. Property owners and tenants will be so advised in the "Notice of Intent to Acquire" which will be delivered prior to the initiation of negotiations for acquisition. A "Notice to Vacate", if required, will be given to all occupants following acquisition of property.

As mentioned earlier in this Plan, if special project funding is received which requires implementation of other than local policies; KCDC will comply with applicable regulations relative to all relocation matters.

KCDC is mindful of the needs of the present occupants within the project area who may be displaced, and will make every effort to minimize the hardships to those displacees. Accordingly, the purchase of properties and the displacement of occupants will be

scheduled and coordinated in such a manner to accommodate, to the maximum extent possible, those special needs which may require extraordinary assistance.

No owner-occupant or tenant lawfully occupying real property shall be required to move without notification in writing from KCDC at least thirty days prior to the date on which possession will be required. The owner-occupant or tenant shall further be advised of all property management policies which relate to their occupancy.

Real property acquisition activities shall be coordinated with relocation activities to ensure that those persons displaced shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.

NOTE: In the event that federal funding should be received for the benefit of the project, or any part thereof, KCDC shall comply with all applicable regulations, procedures and actions as required by such grants or funding as it relates to acquisition and relocation activities.

XII. LAND DISPOSITION PLAN

Acquired land will be conveyed to developers through a Special Warranty Deed that contains restrictive covenants and a reversionary right to insure redevelopment and prevent speculation. Accordingly, developers must complete the Final Plan development authorized by the KCDC Board of Commissioners. Further, undeveloped land and/or buildings shall not be sold for a profit and will be subject to seizure by KCDC.

After proper submission, review and approval of an accepted Redevelopment Plan as determined to be in the best interest of our community, various parcels may be replatted, so as to allow maximum usage and conform to existing building codes, thereby facilitating speedy acquisition and development within the plan boundary. Specific site development shall be accomplished by the sale of acquired properties to private developers, individuals and/or community groups or other entities that will develop the land within the scope of the stated Redevelopment Plan. Public improvements may be accomplished by the City of Knoxville in conjunction with individual private developments.

XIII. INTERIM USE OF ACQUIRED PROPERTIES

It shall be the intent of this Redevelopment Plan to continue current uses until such time as a development proposal materializes, and/or until the need for development is imminent. If, however, a property owner wishes to sell, or an occupant wishes to relocate prior to the scheduled need, KCDC may purchase the property and provide for an appropriate interim use.

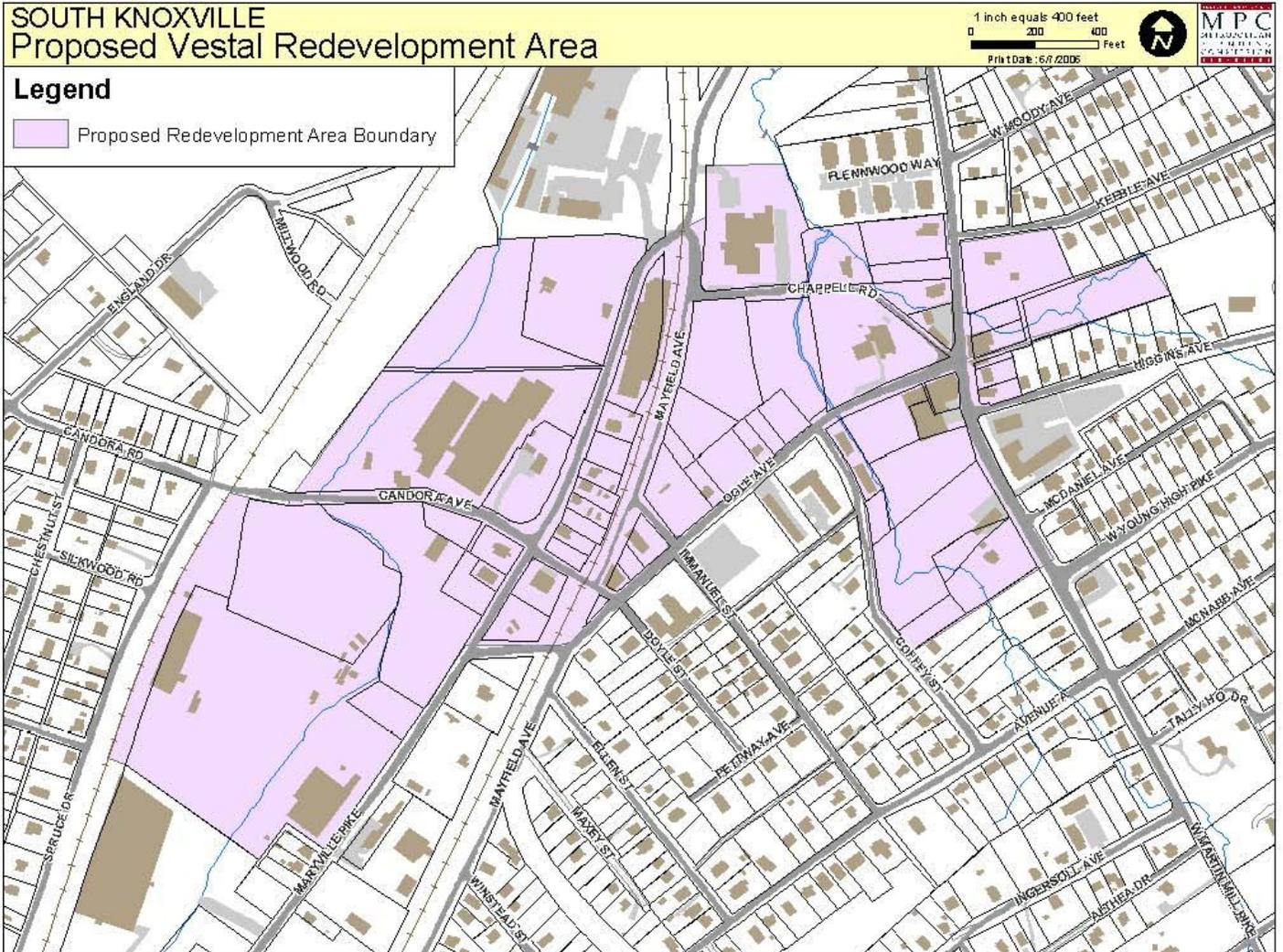
XIV. PROPERTY MANAGEMENT

Due to the construction schedules, it is anticipated that certain properties may be under management by KCDC at various times during the redevelopment process in the redevelopment area. Although the primary objectives of the property management activity will be to minimize the length of occupancy of property after acquisition and to relocate occupants as quickly and efficiently as possible into appropriate accommodations in accordance with this plan, relocation and construction activities will be staged in a manner determined most beneficial to the project. Only such maintenance as may be required for the health and safety of persons lawfully remaining in occupancy will be undertaken with respect to acquired properties. A rent schedule will be established by KCDC for any property which is to be occupied after acquisition.

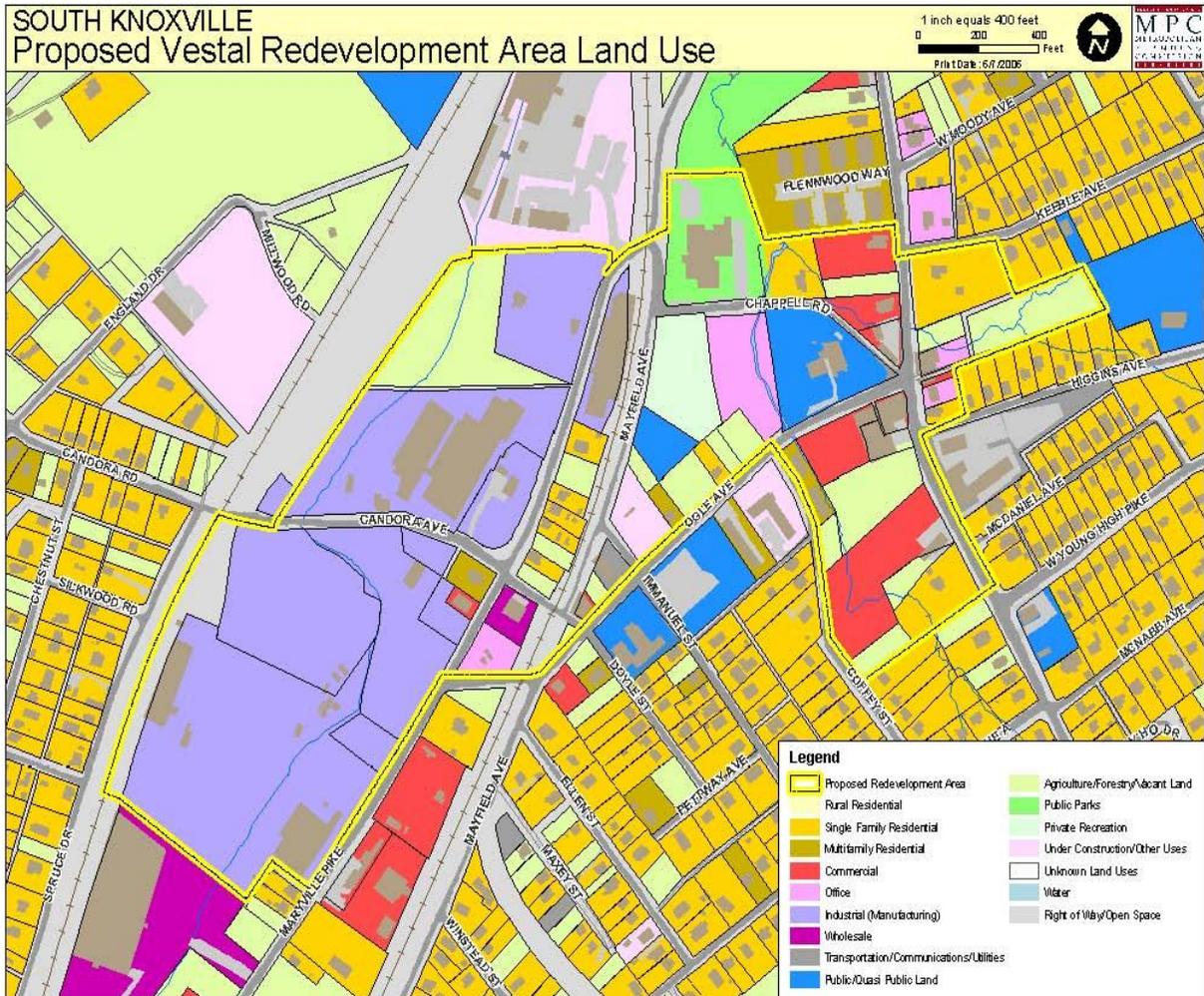
XV. PLAN AMENDMENTS

In the course of implementing this redevelopment plan, amendments to this plan may be warranted. Any amendments to this plan will only be adopted by City Council after a public hearing is conducted in the same manner as the hearing was conducted prior to the adoption of this plan and, where applicable, in compliance with the requirements of Section 13-20-205 of the Tennessee Code Annotated. Notice of any proposed amendments will be given to all property owners within the project area pursuant to the requirements of state law. If County Commission's approval of any amendment is required by state law, such approval will also be requested.

XVI. SEVERABILITY



APPENDIX B



APPENDIX C

R E S O L U T I O N

RESOLUTION NO. R-147-05

1 A RESOLUTION OF THE COUNCIL OF
2 THE CITY OF KNOXVILLE
3 AUTHORIZING KNOXVILLE'S
4 COMMUNITY DEVELOPMENT
5 CORPORATION TO STUDY AND
6 PREPARE A REDEVELOPMENT PLAN
7 FOR THE VESTAL AREA WITHIN THE
8 CITY OF KNOXVILLE AND TO
9 CONDUCT A PUBLIC HEARING
10 REGARDING THE NECESSITY FOR
11 THE ADOPTION OF SUCH A
12 REDEVELOPMENT PLAN.

RESOLUTION NO: R-147-05
REQUESTED BY: Community & Neighborhood Services
PREPARED BY: Law
APPROVED AS TO FORM AND
CORRECTNESS: Director of Law
APPROVED: 4-12-05
APPROVED AS
AN EMERGENCY
MEASURE:
MINUTE BOOK 69 PAGE

17 WHEREAS, pursuant to the provisions of Tennessee Code Annotated §13-20-
18 101, et seq , Knoxville's Community Development Corporation is authorized to study and
19 make recommendations concerning the redevelopment of areas within the City of
20 Knoxville; and

21 WHEREAS, the Council of the City of Knoxville desires that Knoxville's
22 Community Development Corporation study and prepare a redevelopment plan for the
23 Vestal area and conduct a public hearing to determine the necessity for the adoption of
24 such a redevelopment plan; and
25

26
27
28

1 **WHEREAS**, the Vestal area is generally bounded by Candora Avenue, Geyland
2 Drive, and Maryville Pike to the west; Martin Mill Pike and Keeble Avenue to the east;
3 Ogle Avenue and Coffey Street to the south; and Chappell Road and Keeble Avenue to
4 the north.
5

6 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE**
7 **CITY OF KNOXVILLE:**

8 **SECTION 1:** That Knoxville's Community Development Corporation be and
9 hereby is authorized and directed to prepare a redevelopment plan for the Vestal area
10 within the City of Knoxville.

11 **SECTION 2:** That Knoxville's Community Development Corporation be and
12 hereby is authorized and directed to conduct a public hearing to determine the necessity
13 for the adoption of the redevelopment plan for the Vestal area pursuant to Tennessee
14 Code Annotated § 13-20-203b)(3)

15 **SECTION 3:** This Resolution shall take effect from and after its passage, the
16 welfare of the City requiring it.
17

18 
19 _____
20 Presiding Officer of the Council

21 
22 Recorder

R E S O L U T I O N

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE APPROVING THE SOUTH KNOXVILLE/VESTAL REDEVELOPMENT AND URBAN RENEWAL PLAN

RESOLUTION NO: R-25-07

REQUESTED BY: KCDC

PREPARED BY: Law

APPROVED AS TO FORM AND

CORRECTNESS: _____

Director of Law

APPROVED: 01-16-2007

APPROVED AS AN EMERGENCY MEASURE: _____

MINUTE BOOK 71 PAGE _____

WHEREAS, the Council of the City of Knoxville approved Resolution No. R-147-05 on April 12, 2005, authorizing Knoxville's Community Development Corporation ("KCDC") to prepare a redevelopment and urban renewal plan for the Vestal Community in an area generally bounded by Candora Avenue, Geyland Drive, and Maryville Pike to the west; Martin Mill Pike and Keeble Avenue to the east; Ogle Avenue and Coffey Street to the south; and Chapell Road and Keeble Avenue to the north; and

WHEREAS, the aforementioned resolution directed KCDC to prepare the South Knoxville/Vestal Redevelopment and Urban Renewal Plan, and to conduct a public hearing to determine the necessity for the adoption of the Plan as provided in T.C.A. §§ 13-20-203 (b) (1) and 13-20-205 (c); and

1 WHEREAS, KCDC conducted a community meeting on August 22, 2006, and the required
2 Public Hearing on September 19, 2006, with the property owners and the general public as required
3 by Section 13-20-203(b)(3) of the Tennessee Code Annotated, as amended; and,

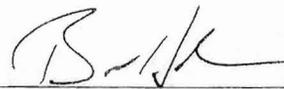
4 WHEREAS, there were no negative findings at the public hearing which would warrant
5 revision of the redevelopment plan; and,

6 WHEREAS, KCDC prepared said plan pursuant to the procedure required for both an urban
7 renewal plan and a redevelopment plan.

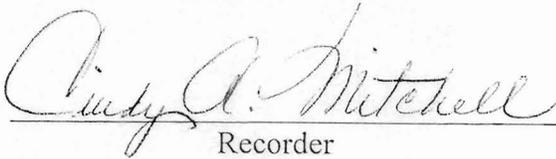
8 NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
9 KNOXVILLE:

10 SECTION 1: The South Knoxville/Vestal Redevelopment and Urban Renewal Plan is
11 hereby approved, and the City Recorder is hereby directed to file a copy of said Redevelopment Plan
12 with the minutes of this meeting.

13 SECTION 2: This Resolution shall take effect from and after its passage, the welfare of the
14 City requiring it.

15
16
17 

18 _____
19 Presiding Officer of the Council

20 
21 _____
22 Recorder

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