January 20, 2020

Will Johnson, City Recorder
WJohnson@knoxvilleetn.gov

Will Johnson, City Recorder
City-County Building
400 Main Street, Room 467
Knoxville, TN 37902
Via Hand Delivery

RE: Appeal of Variances Granted by the City BZA to The Dominion Group
For Development Incompatible With The South Waterfront Vision Plan
File No. II-I-19-VA

Dear Members of Knoxville City Council:

I have been retained by the neighborhoods surrounding a new development named South Banks at Suttree Landing, a proposed 230-unit multi-family development comprised of ten buildings with two small commercial spaces for lease. The developer requested variances in order to, in essence, place big box rectangular buildings on the property, but in doing so violated the South Waterfront Vision Plan. The South Waterfront Vision Plan is a model of collaborative decision making, adopted by City Council in 2006 (see attached minutes of the April 25, 2006 regular session of the Council of the City of Knoxville and Resolution) to guide a waterfront development. With a taxpayer investment of over $600,000.00 and extensive public and business engagement, an advisory committee representing the full range of stakeholders – from residents to developers – this plan was created. Subsequently, codes were written to insure that the Vision Plan would be implemented according to the intent, which in part mandates preservation of what makes the riverfront special to the neighborhoods.
Last month, our BZA granted variances based upon hardship when there is no hardship. The developer has easy access to building designs compatible with the Vision Plan, and they are not being denied reasonable use of their property. The developer’s proposal violates the Vision Plan for a SW2 district. It destroys instead of preserves what makes the riverfront special to the neighborhoods. The requested variances are especially egregious because they undermine all of the contributors to the Vision Plan. Most importantly, they meet none of the criteria required to grant a variance.

The variance requested departs from the definition of the SW2 district. The requested variances undermine the multi-year public process to create the SW2 district. These slated big box rectangular buildings are available in an SW4 district. They should not be allowed in an SW2 district and that is exactly what the variances will allow.

SW2 suggests building types, including duplex houses, townhouses, row houses and multiple unit housing that adapts itself to the newly landscaped shoreline with a continuous riverfront road set back along the river’s edge. The SW2 definition at 4.1.3 titled Property Development Standards by District instructs planning to minimize obstructive views perpendicular to the river. The curvature of Waterfront Drive and the frontage requirements of an SW2 district insure that development will meet the intent of the Plan; however, the requested variances attempt to undo all of the community work, compromise and planning that created the SW2 district.

Without hardship, developers should not be allowed variances. These variances, if granted, actually redefine the SW2 district and undermine and change the entire Vision Plan. This Plan was enacted through General Provisions 4.1 of the South Waterfront District and the SW2 district zoning.

My clients respectfully request City Council overturn the BZA decision and not allow the variances requested. I look forward to seeing you at the scheduled hearing on my clients’ appeal.

With best regards, I am

Very truly yours,

HODGES, DOUGHTY & CARSON, PLC

Wayne A. Kline
Attorney for Neighborhoods Surrounding
the Proposed South Banks at Suttree Landing

WAK:kjc
Via Email and Hand Delivery
Attachments
MINUTES OF THE REGULAR SESSION
OF THE COUNCIL OF THE CITY OF KNOXVILLE

April 25, 2006
Main Assembly Room, City-County Building

The Council of the City of Knoxville met in Regular Session at 7:00 p.m. in the Main Assembly Room of the City-County Building on Tuesday, April 25, 2006.
Mayor Bill Haslam was present and presiding officer of the Council.
The following City Council members were present: Joe Bailey, Bob Becker, Vice Mayor Mark Brown, Rob Frost, Steve Hall, Joe Hultquist, Barbara Pelot, and Chris Woodhull.
Councilmember Marilyn Roddy was absent.
Councilmember Barbara Pelot led in the Invocation and Councilmember Frost led in the “Pledge of Allegiance to the Flag.”

APPROVAL OF MINUTES

Councilmember Frost made a motion to approve the minutes from the April 11, 2006 City Council Meeting. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried. The minutes were approved.

ADOPTION OF AGENDA

Councilmember Frost made a motion to add Ordinance 8b to the agenda.
Councilmember Becker seconded the motion. By unanimous voice vote the motion carried and the item was added to the agenda.

Vice Mayor Brown moved to approve items 11k through 11q on the Consent Agenda.
Councilmember Becker seconded the motion. By unanimous voice vote the motion carried and the resolutions were adopted on final reading. (See Resolutions)

MAYOR’S REPORT

RE: RETAILER’S CERTIFICATE FOR MICHAEL FOLTZ d/b/a MIKE’S TOP FLIGHT WINE & SPIRITS, LLC d/b/a PINNACLE WINE & SPIRITS

An application for a renewal of a Retailer’s Certificate for Michael Foltz owner of Mike’s Top Flight Wine & Spirits, LLC d/b/a Pinnacle Wine & Spirits, 11385 Parkside Drive, Knoxville, Tennessee 37934 (requested by Department of Finance and Accountability), was presented to Council for consideration.
Councilmember Hall made a motion to approve. Councilmember Pelot seconded the motion.
Irene Guerinot of Casey’s Wines & Spirits spoke in opposition to granting the Retailer’s Certificate. She raised the question that the Gettellfinger Family might have an interest in Mr. Foltz’s business.
Councilmember Hultquist made a substitute motion to postpone the item for two weeks to give Morris Kizer, the Law Director, an opportunity to investigate the ownership interest of the business. Councilmember Bailey seconded the motion.
Mr. Foltz stated that the Getelfinger Family would not be involved directly or indirectly in the business. He further explained that he is the sole owner of the LLC, which owns the business.

Councilmember Hulquist withdrew his motion to postpone.
By unanimous voice vote the motion to approve the Application was approved.

RE: RETAILER’S CERTIFICATE FOR STEVEN T. GETTELFINGER AND HERMAN E. GETTELFINGER D/B/A TURKEY CREEK WINE & SPIRITS, LLC

An application for a renewal of a Retailer’s Certificate for Steven T. Getelfinger and Herman E. Getelfinger d/b/a Turkey Creek, Wine & Spirits, LLC, 10903 Turkey Creek Drive, Knoxville, Tennessee 37934 (requested by Department of Finance and Accountability), was presented to Council for consideration.

Councilmember Brown made a motion to approve. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried. The application was approved.

RE: MAYOR’S REMARKS

Mayor Bill Haslam announced that Boyce Evans has been hired as the City’s new Purchasing Agent.

Mayor Haslam recognized Boy Scout Troop #20 from the First Cumberland Presbyterian Church.

REPORTS OF COUNCIL MEMBERS OF COMMITTEES

Councilmember Rob Frost reminded everyone to vote.
Councilmember Pelot recapped some of the activities in the City that she had been involved with over the past week, including the following: Ceremony at West High School honoring Troops of the 278th, Dogwood Arts Festival Parade, Metropolitan Drug Commission Anniversary, Eastern Star Annual Meeting with approximately 1,000 members in attendance, and Victims’ Rights Week.

Councilmember Becker reminded everyone of the Mayor’s Budget Luncheon scheduled for Thursday, April 27 at 12:00 noon at West Hills Park.
Councilmember Hulquist announced that the South Waterfront Oversight Committee will be meeting on Wednesday, April 26 at 6:00 and that the City Council will have a workshop on the Vision Plan on Thursday, April 27 at 5:00 p.m. in the Small Assembly Room.

Vice Mayor Brown announced that the Five Points Redevelopment Celebration has been rescheduled to Friday, May 5 at 4:00 pm.

ELECTIONS AND CONFIRMATIONS

RE: APPOINTMENT OF RUBEN CREEL TO THE RESIDENTIAL NEIGHBORHOOD TRAFFIC SAFETY COMMITTEE

A Resolution appointing Ruben Creel to serve on the Residential Neighborhood Traffic Safety Committee (requested by Councilmember Frost) was presented to Council for consideration.

Councilmember Frost moved for approval. Councilmember Brown seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-129-06.
RE: APPOINTMENT OF INITIAL MEMBERSHIP OF THE GOLF COURSE ADVISORY COMMITTEE

A Resolution to appoint the initial membership of the City of Knoxville Golf Course Advisory Committee (requested by Vice-Mayor Brown) was presented to Council for consideration.

Vice Mayor Brown moved for approval. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. A copy of the Resolution is attached to these minutes as R-130-06.

ORDINANCES ON SECOND READING

RE: ANNEXATION – CROSS PARK DRIVE AND PARK VILLAGE ROAD

An Ordinance to annex certain territory adjoining the bounds of the City of Knoxville, an area generally being described as a tract of land southwest of the intersection of Cross Park Drive and Park Village Road (1-4-06:AX), which property is to be incorporated into the limits of the City of Knoxville and to revise the boundary of Ward 47 of the City of Knoxville so as to include said area (requested by Mayor), to be considered in conjunction with A Resolution to adopt the Plan of Service dated April 2006 for annexation of an area generally being described as a tract of land southwest of the intersection of Cross Park Drive and Park Village Road (requested by Mayor), was presented to Council for consideration.

Councilmember Frost moved to approve the Annexation Ordinance. Councilmember Pelot seconded the motion.

Councilmember Pelot moved to approve the Resolution. Vice Mayor Brown seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-131-06.

By unanimous voice vote the motion to approve the Annexation Ordinance carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-77-00.

RE: BUDGET AMENDMENT

An Ordinance to amend the Operating Budget for Fiscal Year 05-06 (requested by Department of Finance and Accountability) was presented to Council for consideration.

Vice Mayor Brown moved for approval. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried. A copy of the Ordinance is attached to these minutes as Ordinance No. O-78-06.

RE: ALLEY CLOSURE – HOME FEDERAL BANK OF TENNESSEE, INC.

An Ordinance to close an alley off Walnut Street between Clinch Avenue and Union Avenue, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owners, Home Federal Bank of Tennessee, Inc., Applicant (MPC approved 12-0-1) (File No. 3-A-06-AC) (Sixth District), was presented to Council for consideration.

Vice Mayor Brown moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-79-06.

RE: KNOXVILLE ONE YEAR PLAN ADOPTION

An Ordinance to adopt the Knoxville One year Plan dated 2006 as prepared by the Metropolitan Planning Commission for the City of Knoxville (MPC approved 12-0-1) (File No. 3-A-06-OYP), was presented to Council for consideration.
Councilmember Frost moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-80-06.

RE: ONE YEAR PLAN AMENDMENT REQUEST OF JENNIFER WOLF

An Ordinance approving the request of Jennifer Wolf for a One Year Plan Amendment from Low Density Residential to Neighborhood Commercial for property located on the east side of Martin Mill Pike, south side of Keeble Avenue (MPC approved 12-0-1) (File No. 1-M-06-PA) (First District), was presented to Council for consideration. Councilmember Hultquist moved for approval. Vice Mayor Brown seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-81-06.

RE: REZONING REQUEST OF JOHN MICHAEL ELLIOTT

An Ordinance to rezone property from R-1A, Low Density Residential District/H-1, Historic Overlay District to C-1, Neighborhood Commercial District/H-1, Historic Overlay District, property located on the northwest side of Arthur Street, northeast side of McGhee Avenue, John Michael Elliott, applicant (MPC approved 12-0-1) (File NO. 3-B-06-RZ) (Sixth District), was presented to Council for consideration. Vice Mayor Brown moved for approval. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-82-06.

RE: REZONING REQUEST OF AYMAN OBEISSY

An Ordinance to rezone property from C-6, General Commercial Park District to C-3, General Commercial District, property located on the north side of Western Avenue, east of Sanderson Road, Ayman Obeissy, Applicant (MPC approved 12-0-1) (File NO. 3-G-06-RZ) (Third District), was presented to Council for consideration. Councilmember Hall moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-83-06.

RE: CHARTER AMENDMENT – ELECTIONS

An Ordinance to amend Ordinance No. O-19-06 which is an ordinance to amend the City Charter so as to provide that the City’s regular election day shall be on the first Tuesday after the First Monday in November following the Primary Election so as to correct the date upon which said Ordinance shall be submitted to the voters for approval (requested by Council), was presented to Council for consideration. Councilmember Becker moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-84-06.

HEARINGS ON ZONING MATTERS, APPEALS FROM ACTION OF MPC/BOARD OF ZONING APPEALS OR PLANS REVIEW

None
RESOLUTIONS

RE: AUDIT CONTRACT WITH CHERRY, BEKAERT & HOLLAND, L.L.P.

A Resolution approving an agreement with Cherry, Bekaert & Holland, L.L.P. for the audit of the financial books and records of the City of Knoxville for Fiscal Year 2005-2006 (requested by Councilmembers Roddy, Pelot, Hultquist, Woodhull and Becker) was presented to Council for consideration.

Councilmember Becker moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-132-06.

RE: AGREEMENT WITH KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE

A Resolution authorizing the Mayor to execute an amendment to the agreement with the Knoxville-Knox County Community Action Committee to increase the funding by $50,000.00 to provide minor home repair services and accessibility improvements for low income households (requested by Department of Community and Neighborhood Services), was presented to Council for consideration.

Vice Mayor Brown moved for approval. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-133-06.

RE: CONTRACT WITH SOUTHERN CONSTRUCTORS, INC. FOR BEARDEN VILLAGE VEHICLE TRIP REDUCTION PROJECT

A Resolution authorizing the Mayor to approve Change Order No. 2 to Contract No. C-06-0025 between the City of Knoxville and Southern Constructors, Inc. for the Bearden Village Vehicle Trip Reduction Project, No. 05C-G-0423, so as to increase the contract price by $184,577.04 for a new contract price of $3,491,648.16 (requested by Department of Operations and Engineering), was presented to Council for consideration.

Councilmember Pelot moved for approval. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-134-06.

RE: CONTRACT WITH SOUTHERN CONSTRUCTORS, INC. FOR NORTHWEST/BADGETT FIELD PROJECT

A Resolution authorizing the Mayor to approve Change Order No. 3 to Contract No. C-04-0177 between the City of Knoxville and Southern Constructors, Inc. for the Northwest/Badgett Field Project No. 03C-G-0414, so as to increase the contract price by $70,243.90 for a new contract price of $447,766.90 and to increase the contract time by 91 days to June 30, 2006 (requested by Department of Operations and Engineering), was presented to Council for consideration.

Councilmember Hall moved for approval. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-135-06.

RE: SOUTH WATERFRONT VISION PLAN

A Resolution adopting the South Waterfront Vision Plan (requested by Mayor) was presented to Council for consideration.

Councilmember Hultquist moved for approval. Councilmember Frost seconded the motion.

Rachel Craig, Gavin McMillan and Councilman Hultquist addressed the issue.
By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-136-06.

RE: TRANSFER OF PROPERTY AT 4622 ROBINDALE ROAD TO KNOXVILLE UTILITIES BOARD

A Resolution authorizing the Mayor to execute and deliver on behalf of the City of Knoxville all documents necessary to transfer to the Knoxville Utilities Board real property located at 4622 Robindale Road, at no cost (requested by Department of Finance and Accountability), was presented to Council for consideration.

Councilmember Becker moved for approval. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-137-06.

RE: TRANSFER OF PROPERTY AT 418 JAMEY STREET TO KNOXVILLE UTILITIES BOARD

A Resolution authorizing the Mayor to execute and deliver on behalf of the City of Knoxville all documents necessary to transfer to the Knoxville Utilities Board real property located at 418 Jamey Street, at no cost (requested by Department of Finance and Accountability), was presented to Council for consideration.

Vice Mayor Brown moved for approval. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-138-06.

RE: TRANSFER OF PROPERTY AT 781 BAGWELL ROAD TO KNOXVILLE UTILITIES BOARD

A Resolution authorizing the Mayor to execute and deliver on behalf of the City of Knoxville all documents necessary to transfer to the Knoxville Utilities Board real property located 781 Bagwell Road, at no cost (requested by Department of Finance and Accountability), was presented to Council for consideration.

Councilmember Frost moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-139-06.

RE: TRANSFER OF PROPERTY AT 3501 BUFFET MILL ROAD TO KNOXVILLE UTILITIES BOARD

A Resolution authorizing the Mayor to execute and deliver on behalf of the City of Knoxville all documents necessary to transfer to the Knoxville Utilities Board real property located at 3501 Buffet Mill Road, at no cost (requested by Department of Finance and Accountability), was presented to Council for consideration.

Councilmember Frost moved for approval. Councilmember Becker seconded the motion. By unanimous voice vote the motion carried and a copy of the Resolution is attached to these minutes as Resolution No. R-140-06.

The following pension resolutions were approved unanimously on first and final reading under the consent agenda:

R-141-06 A Resolution granting a pension of $1,537.38 per month to Jerrod W. Smith, an Employee of the Knoxville Police Department (requested by Pension Board)

R-142-06 A Resolution granting a pension of $969.08 per month to Gary D. Bell, an Employee of the Knoxville General Government (requested by Pension Board)
R-143-06 A Resolution granting a pension of $567.81 per month to Carolyn A. Daniel, an Employee of the former Knoxville City School System (requested by Pension Board)

R-144-06 A Resolution granting a pension of $955.78 per month to John Vanhooze, an Employee of the Knoxville General Government (requested by Pension Board)

R-145-06 A Resolution granting a pension of $2,637.86 per month to George A. Sayne, an Employee of the Knoxville Fire Department (requested by Pension Board)

R-146-06 A Resolution granting a pension of $1,569.83 per month to Steve H. Whitt, an Employee of the Knoxville General Government (requested by Pension Board)

R-147-06 A Resolution granting a pension of $1,934.80 per month to Karen M. Wright, an Employee of the Knoxville General Government (requested by Pension Board)

ORDINANCES ON FIRST READING

RE: CODE AMENDMENT – ANIMALS

An Ordinance to amend the Knoxville City Code, Chapter 5, concerning dangerous dogs (requested by Police Department), was presented to Council for consideration.

Councilmember Becker moved for approval. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and the Ordinance was passed on first reading.

RE: COMMUNITY IMPROVEMENT (202) FUND – MARKET SQUARE DISTRICT ASSOCIATION

An Emergency Ordinance of the Council appropriating the sum of $500.00 from the Community Improvement (202) Fund and donating same to the Market Square District Association as financial support toward hosting the Annual Farmers' Market (requested by Councilmember Woodhull) was presented to Council for consideration.

Councilmember Woodhull made a motion to approve. Councilmember Frost seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as O-85-06.

RE: COMMUNITY IMPROVEMENT (202) FUND – NORTH HILLS AREA ASSOCIATION

An Emergency Ordinance of the Council appropriating the sum of $250.00 from the Community Improvement (202) Fund and donating same to the North Hills Area Association to defray certain costs necessary to provide representation, education and various services in the North Hills Area (requested by Councilmember Frost) was presented to Council for consideration.

Councilmember Frost made a motion to approve. Councilmember Pelot seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as O-86-06.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOX YOUTH SPORTS, INC.

An Emergency Ordinance of the Council appropriating the sum of $5,000.00 from the Community Improvement (202) Fund and donating same to Knox Youth Sports, Inc., to assist toward purchase of certain needed maintenance equipment (requested by Councilmember Bailey), was presented to Council for consideration.
Councilmember Bailey made a motion to approve. Vice Mayor Brown seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as O-87-06.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOXVILLE SYMPHONY SOCIETY, INC.

An Emergency Ordinance of the Council appropriating the sum of $500.00 from the Community Improvement (202) Fund and donating same to the Knoxville Symphony Society, Inc. to be utilized as financial assistance toward the cost of security for the 2006 Annual Show House Event (requested by Councilmember Pelot) was presented to Council for consideration.

Councilmember Pelot made a motion to approve. Councilmember Bailey seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as O-88-06.

RE: COMMUNITY IMPROVEMENT (202) FUND – KNOX HERITAGE, INC.

An Emergency Ordinance of the Council appropriating the sum of $500.00 from the Community Improvement (202) Fund and donating same to Knox Heritage, Inc. to be utilized toward their 2006 Summer Supper Series Events (requested by Councilmember Frost) was presented to Council for consideration.

Councilmember Frost moved for approval. Councilmember Woodhull seconded the motion. By unanimous voice vote the motion carried and a copy of the Ordinance is attached to these minutes as Ordinance No. O-89-06.

RE: MORATORIUM UPON BUILDING PERMITS IN THE LONSDALE REDEVELOPMENT AREA

An Emergency Ordinance implementing an emergency, temporary ninety (90) day moratorium upon the issuance of any building permits for new housing construction in the Lonsdale Redevelopment Area pending a review and report from officials and professional staff at the Metropolitan Planning Commission concerning the most appropriate method for preserving the residential character of the Lonsdale Redevelopment Area Neighborhood (requested by Councilmember Becker), was presented to Council for consideration.

Councilmember Becker moved for approval. Councilmember Hultquist seconded the motion.

Councilmember Becker amended the ordinance so as to revise the attached map to exclude Lonsdale Homes. Vice Mayor Brown seconded the motion. By unanimous voice vote the motion carried.

By unanimous voice vote the motion to approve the ordinance as amended carried and a copy of the Ordinance is attached to these minutes as Ordinance NO. O-90-06.

PUBLIC FORUM

Danni Varlan addressed Council regarding the need for sidewalks in the Bearden High School Area and the opportunity to join in a County project to construct the sidewalks.

Oscar "Poor Boy" Brown addressed Council regarding the need for a black assistant police chief, and the candidates he supports in the upcoming county election.

Rosie Noriega and Lisa Barba addressed Council regarding immigrants.
ADJOURNMENT

There being no further business to come before City Council, upon motion the meeting adjourned at 8:12 p.m.

[Signature]
Presiding Officer of the Council

[Signature]
Assistant City Recorder
RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE ADOPTING THE SOUTH WATERFRONT VISION PLAN.

WHEREAS, the Knoxville South Waterfront, characterized as the area between James White Parkway extending west to the railroad bridge near Neyland Stadium, has experienced recent development interest; and

WHEREAS, in April 2005, Fregonese Calthorpe & Associates, LLC, completed a City Council-authorized Feasibility Study of the Knoxville South Waterfront to determine whether a plan and implementation strategy should be commissioned; and

WHEREAS, the Feasibility Study concluded that public investment in a coordinated plan was justified and provided guidance for the structure and format of the vision and action plan; and

WHEREAS, on October 4, 2005, the Knoxville City Council authorized the execution of a contract to develop a Knoxville South Waterfront Vision Plan and Action Plan with the Hargreaves Associates professional consultant team, including Ann
SECTION 2: The Knoxville City Council hereby authorizes Mayor Haslam’s administration and the Hargreaves consultant team to prepare and publish the final Vision Plan document.

SECTION 3: The Knoxville City Council hereby authorizes the use of pages 1 through 98 of the Vision Plan as the basis for development of an Action Plan designed to guide Vision Plan implementation, including the development and future adoption of new development regulations.

SECTION 4: The Knoxville City Council hereby refers the Knoxville South Waterfront Vision Plan to the Knoxville -- Knox County Metropolitan Planning Commission for appropriate recognition within the South City Sector Plan and the City of Knoxville One-Year Plan.

SECTION 5: This Resolution shall take effect from and after its passage, the welfare of the City requiring it.

[Signature]
Presiding Officer of the Council

[Signature]
Recorder
OPTIONS
City Council may approve, deny, or postpone action on the resolution.

RECOMMENDATION
The Mayor's administration recommends approval of the resolution.

ESTIMATED PROJECT SCHEDULE
The Vision Plan has been completed on time and within the project's budgeted funds. The Action Plan will be completed by the end of June 2006.

PRIOR ACTION/REVIEW
City Council approved funding for a $31,640 Feasibility Study for the South Waterfront in January 2005, and approved $400,000 in funding for a South Waterfront Master Plan in the City's 2005-06 budget. A Council workshop was held on September 22, 2005 to discuss the scope of work and contract for this project, and led to the addition of $214,069 in a later budget amendment to allow the Vision Plan and Action Plan to be fully funded.

On March 30, 2006, City Council conducted a special called workshop to discuss the Vision Plan prior to the April 25th adoption request.

FISCAL INFORMATION
The 2005-06 budget contains a $614,069 for the project.

ATTACHMENTS

- Draft resolution adopting the Knoxville South Waterfront Vision Plan

Note: The draft Vision Plan has been provided previously to City Council members and is posted on the City of Knoxville website (www.cityofknoxville.org).

Respectfully submitted:

[Signature]

Dave Hill
Chief Operating Officer