

**METROPOLITAN DEVELOPMENT AND HOUSING AGENCY**

Nashville and Davidson County Tennessee

**EAST BANK REDEVELOPMENT PLAN**

Enacted: February 29, 1996

Amended: June 1, 1999

## EAST BANK REDEVELOPMENT PLAN

### PREFACE

The East Bank Redevelopment Project is located in Metropolitan Nashville and Davidson County, Tennessee and is undertaken by the Metropolitan Development and Housing Agency, hereinafter referred to as "MDHA," in accordance with and in furtherance of the objectives of Article I, Section 8 and 21, Article II, Section 28, of the Constitution of Tennessee: The Housing Authorities Law, Chapters 20 and 45, Public Acts of Tennessee 1935 (1<sup>st</sup> Extraordinary Session), as amended; Chapter 114 of Public Acts of Tennessee of 1945, as amended; Chapter 181 of Public Acts of Tennessee of 1955; said statutes now codified in Sections 13-20-201 through 13-20-216 Tennessee Code Annotated. The Metropolitan Council of Nashville and Davidson County has declared the area to be blighted area within the scope of Section 13-20-201, Tennessee Code Annotated.

EAST BANK REDEVELOPMENT PLAN  
NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

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## B. DESCRIPTION OF PROJECT AREA

The East Bank Redevelopment Project is located directly across the Cumberland River from the Nashville Central Business District. The area encompasses the property between the River and Interstate 65 on the west and east, and between Main Street and the proposed right of way of the Franklin Street Bridge and Shelby Avenue on the north and south. The general physical condition of the East Bank is blighted. Studies completed by MDHA in 1990 indicated that over half of the properties were substandard. Recent reconnaissance reveals that this percentage has increased to over 60%. Large portions of the Project Area are vacant or underutilized.

In addition to the core area of the East Bank Redevelopment Project described in the preceding paragraph, the Project Area was extended in 1999 to include properties on and in the vicinity of Main Street and Woodland Street. This additional area abuts the original East Bank Project Area along Interstate 65 and extends eastward to the Five Points Redevelopment Project boundary in the vicinity of South 10th Street. This additional area exhibits characteristics of and is a blighted area based on surveys conducted in 1998 by the Metropolitan Development and Housing Agency. Over 40% of the structures were classified as substandard, exhibiting characteristics of dilapidation or major deterioration. Inclusion of this area will assist the implementation of the Subarea 5 Plan which recommends revitalization of the commercial strip along Main Street now characterized by obsolete or marginal development and economically distressed conditions. Inclusion of the additional area will encourage revitalization of Main Street in a manner consistent with and benefiting from the completion of the new public stadium and other private projects in the original East Bank Project Area.

### 1. BOUNDARIES OF THE PROJECT AREA

The boundaries of the Project Area are shown on Redevelopment Plan (R.P.) Map No. 1, "Project Boundary Map," and are as described in Exhibit "A", which is attached.

### 2. REDEVELOPMENT PLAN OBJECTIVES

The specific provisions and actions incorporated in the Plan have been developed and are necessary to achieve the following objectives:

- a. To establish harmonious land use patterns and provide sites adequate for stadium and related activities.
- b. To provide for redevelopment of the Project Area, wherein non-conforming or deleterious land uses and the present subdivision and ownership of land precludes the orderly assemblage and desired changes in the use of land.
- c. To eliminate substandard buildings through acquisition and demolition or through a conservation program for the rehabilitation of existing structures where feasible and compatible with the Land Use Plan.
- d. To clear and provide for redevelopment of portions of the Project Area in which a change in type or intensity of land use is necessary. Within these

areas, it may be required, and is within the objectives of this Plan, that certain buildings which are not structurally substandard may be acquired and demolished.

- e. To establish standards and guidelines for the redevelopment and continued use of the area which will assure adequate light, air, open-space, off-street parking, and the future stability of the entire area through quality development
- f. To provide for the relocation of businesses where necessary to accomplish the objectives of the Plan. It is recognized that some businesses within the project area are dependent on river or rail access and therefore coordination of various government agencies may be required to insure suitable relocation sites.
- g. To eliminate and prevent the recurrence of blight
- h. To eliminate vacant and underutilized land, by monitoring development and taking actions necessary to encourage effective and desirable uses of land in accordance with the Plan.
- i. To provide for the layout of new streets, pedestrian ways and other public improvements necessary to support the redevelopment of the area

### 3. PROPOSED REDEVELOPMENT ACTIONS

The ultimate objective of the Land Use Plan is to create an environment conducive to the long term economic viability of the stadium and related activities through the coordinated and planned redevelopment of the area and the elimination of blighting influences posed by dilapidated buildings and structures and underutilized land. The types of actions necessary to achieve this objective are:

- a) The acquisition of land through negotiation, condemnation, or otherwise for public purposes; for private infill development where the condition of title, the diverse ownership of real property to be assembled, street or lot layouts, or other conditions prevent a proper development of the property in accordance with the Land Use Plan and neighborhood needs; and for the purpose of removing, preventing, or reducing blight.
- b) Demolition, clearance and relocation as necessary within the Project Area to achieve the objectives of the Plan.
- c) Closing, vacating, or relocating various streets, alleys, pedestrian ways, or utilities.
- d) To provide for and construct improved streets, alleys, public facilities, open spaces, and pedestrian ways.
- e) Negotiation of agreements with developers to undertake redevelopment of property in accordance with the Land Use Plan.
- f) To provide for improvements in the existing Shelby Street Bridge to allow access for pedestrian, trolley and other associated uses between the Central Business District and the Stadium area.

## C. LAND USE PLAN

### 1. LAND USE MAP

The permitted uses of land within the Project Area are as shown on R.P. Map No. 2, "Land Use Map Plan", and as further described in the following sections.

### 2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

In order to achieve the objectives of this Redevelopment Plan, the redevelopment and use of land as sold or leased by MDHA will be made subject to the provisions and requirements specified in the following subsections of this Section and Section D.2. All provisions of this section shall likewise apply to parcels not being acquired under provisions of this Plan when the owner of such parcel shall acquire land designated on the "Proposed Land Acquisition Map," RP. Map No. 3, as an addition to the tract not designated for acquisition. No improvements on such property may be made, extended or enlarged unless the land assembled together and including property not to be acquired shall be in accordance with all controls of this section except improvements or expansion may be permitted in situations where the property owner owned the land or improvements prior to the adoption of this plan. All redevelopment on parcels as sold, leased or under redevelopment agreements through MDHA as well as any improvements in the area subject to the General Design Regulations and Controls at Section C.2.c. of this Plan must be approved by a design review committee designated by the Executive Director of MDHA. The Board of Commissioners of MDHA may supplement this Plan with rules and standards to assist the design review committee in interpreting this Plan as it relates to appropriate uses, design, color, setbacks, landscaping, parking, ingress and egress and other restrictions in accordance with this section.

#### a. Permitted Uses

The general categories of use are as follows:

- Stadium
- Residential
- Commercial/Retail
- Convention Center
- Hotel
- Parking
- Public Use—street, pedestrian ways and greenways

The specific principal and accessory uses permitted under each category are given by tract in Subsection b. Residential shall be permitted use in all areas designated as Commercial/Retail on RP. Map No. 2 Land Use Map.

#### b. Specific Principal and Accessory Uses

1. Tracts 1, 4-6, 15, 24-28

Intent: To provide land for future development to support a stadium or activities associated with or supportive of a multi-purpose stadium facility.

Principal Use: Stadium and/or parking, hotel, or public or private facilities, businesses, or services designed to promote or be compatible with arts, culture, sports, or convention facilities.

Design Objectives: The redevelopment of these tracts should be planned and designed as an entity with the development of all other tracts. Special consideration should be devoted to such items as landscaping, lightning, aesthetics, safety and security. The tracts adjacent to the Shelby Bridge should include design considerations for pedestrian, trolley and other associated uses of the bridge.

2. Tracts 2, 3, 7, 8, 10-14 and 16-23

Intent: To provide land for a stadium and stadium related activities associated with or supportive of a multi-purpose stadium facility.

Principal Use: Stadium and/or parking, hotel, or public or private facilities, businesses, or services designed to promote or be compatible with arts, culture, or sports facilities.

Design Objectives: The redevelopment of these tracts should be planned and designed as an entity with the development of all other tracts. Special consideration should be devoted to such items as landscaping, lightning, aesthetics, safety and security. The tracts adjacent to the Shelby Bridge should include design considerations for pedestrian, trolley and other associated uses of the bridge.

3. Tract 9

Intent: To provide land for government and governmental related uses.

Principal Use: Governmental offices, services or parking.

Design Objectives: The redevelopment of these tracts should be planned and designed as an entity with the development of all other tracts. Special consideration should be devoted to such items as landscaping, lightning, aesthetics, safety and security.

4. Tracts 29-32, 37

Intent: To redevelop this deteriorated commercial strip by encouraging the establishment of new and viable businesses suitable to a major thoroughfare and adjacent neighborhoods.

Principal Use: Institutional, Commercial/Retail, Office, Residential, Hotel, and Public uses and accessory uses customary thereto.

Conditional Use: Auto repair and service are permitted on Main Street where otherwise permitted by the Metropolitan Zoning Ordinance to the extent that the outdoor storage of junked vehicles is avoided or eliminated. Light Manufacturing and Warehousing are permitted on Main Street where otherwise permitted or permitted with conditions by the Metropolitan Zoning Ordinance if it is determined by MDHA that such development will be so designed, located, and operated such that the public health, safety, and welfare will be protected; it will not adversely affect other property in the area with traffic, loading, and unloading, or

outdoor storage of materials or equipment; and it will not impede the proper development of other parcels of property in accordance with this Plan.

Design Objectives: Development on this block should be carried out in a manner designed to improve the appearance of the streetscape along Main Street between South 5th Street and South 10th Street. Trees and other landscaping, preferably in accordance with a comprehensive streetscape improvement plan, should be encouraged. Outdoor storage of materials or equipment should be screened or buffered from Main Street. New development should not be allowed which obscures or detracts from the view of the State Capitol building from Main Street. Restoration and improvement to the setting of the structure at 931 Main Street which may be worthy of an historic designation is encouraged.

5. Tracts 33,39,43

Intent: To redevelop portions of this tract for activities suitable in proximity to the interstate and adjacent stadium and providing a buffer between the interstate and residential areas to the east.

Principal Use: Commercial/Retail, Office, Education, Hotel, Parking, Public, Institution, and Transportation/Communication/Utility uses and accessory uses customary thereto.

Design Objectives: Any new development occurring on this block should reflect the character and setting of the adjacent historic neighborhood and properties. New structures should not imitate past architectural styles and should be compatible with historic buildings in the selection of materials, size, scale, proportion, height, orientation, color and texture.

6. Tracts 34-36,38

Intent: To redevelop this deteriorated commercial strip by encouraging the establishment of new and viable businesses on Main Street frontage and development of less intensity and suitable to adjacent residential areas on the Woodland Street frontage.

Principal Use: Institutional, Commercial/Retail, Office, Residential, Hotel, and Public uses and accessory uses customary thereto. Liquor stores are not permitted on the Woodland Street frontage.

Conditional Use: Parking. Auto repair and service are permitted on Main Street where otherwise permitted by the Metropolitan Zoning Ordinance to the extent that the outdoor storage of junked vehicles is avoided or eliminated. Auto repair and service uses are not permitted that would front onto Woodland Street or side streets. Light Manufacturing and Warehousing are permitted on Main Street where otherwise permitted or permitted with conditions by the Metropolitan Zoning Ordinance if it is determined by MDHA that such development will be so designed, located, and operated such that the public health, safety, and welfare will be protected; it will not adversely affect other property in the area with traffic, loading and unloading, or outdoor storage of materials or



equipment; it will not be designed so as to place heavy truck traffic onto Woodland Street; and it will not impede the proper development of other parcels of property in accordance with this Plan.

Design Objectives: Development on this block should be carried out in a manner designed to improve the appearance of the streetscape along Main Street between South 5th Street and South 10th Street. Trees and other landscaping, preferably in accordance with a comprehensive streetscape improvement plan, should be encouraged. Outdoor storage of materials or equipment is discouraged and should be buffered and screened from view. New development should not be allowed which obscures or detracts from the view of the State Capitol building from Main Street. Development on these tracts should not be permitted which would result in the Woodland Street frontage exhibiting characteristics of a back door or back alley. Development on the Woodland Street frontage should reflect its setting in proximity to historic residential areas and not imitate past architectural styles. Development on Woodland Street should be compatible with historic buildings in the selection of materials, size, scale, proportion, height, orientation, color and texture.

7. Tract 40

Intent: To maintain this tract for use by religious institutions with adequate landscaped parking to prevent traffic congestion in adjacent residential areas.

Principal Use: Institutions and accessory uses customary thereto.

Alternate Use: In the event that the current use of this block ceases in the future, it may be developed for Residential or Public Use.

8. Tract 41

Intent: To maintain this tract for use as a playground park serving the community and neighboring residential areas.

Principal Use: Public Uses and accessory uses customary thereto.

Alternate Use: Residential.

Design Objectives: Improvements to this park should be compatible with and supportive of the goal of supporting neighboring historic neighborhoods.

9. Tract 42

Intent: To redevelop properties on Woodland Street with uses compatible with and contributing to the setting of adjacent historic residential areas.

Principal Use: Institutional, Commercial/Retail, Office, Residential, and Public uses and accessory uses customary thereto. Liquor stores and auto repair and services are not permitted on the Woodland Street frontage.

Design Objectives: Outdoor storage of vehicles, materials or equipment is not permitted. Development on the Woodland Street frontage should reflect its setting in proximity to historic residential areas and not imitate past architectural styles. Development on Woodland Street be compatible

with historic buildings in the selection of materials, size, scale, proportion, height, orientation, color and texture.

c. General Design Regulations and Controls

In order to achieve the objectives of the East Bank Redevelopment Plan, the following general regulations and controls shall apply to all land within the Project Area developed, redeveloped, or improved subsequent to the approval of this Plan whether or not any amendments thereto and in addition to those set forth in the previous subsection:

1. Site Plan

In the redevelopment of all blocks and parcels of land, the buildings and improvements shall be planned and designed as an entity. A site plan shall be prepared by the developer which shows buildings, uses, plazas, terraces, pools, walls, fences, walks, steps, signs, driveways, parking facilities, service facilities, utilities, planting, grades and elevations, and any other facilities which are proposed. The site plan shall be reviewed and approved by the MDHA, and where redevelopment is to be accomplished in stages, a breakdown and staging of the proposed construction shall accompany the site plan. Development shall conform to the approved site plan. If after initial approval, an agreement to the site plan is approved by the MDHA, then the latest officially amended site plan shall constitute the approved site plan.

2. Landscape Treatment

Those portions of lots or parcels of land which are not built upon or are not paved for parking or pedestrian ways shall be planted in accordance with a landscaping plan and shall be maintained in accordance with such a plan. The detailed planting plan shall be developed based on the approved site plan and shall be submitted for review and approval by MDHA prior to its execution. A landscaping plan shall contain the existing topographical contours of the site, any and all proposed new contours of the site, designations of all existing landscaping which will be retained, location of all existing trees or other plants having a trunk diameter of six (6) inches or more, the locations of all proposed exterior lighting fixtures, the area to be lighted by each exterior lighting fixture, and the materials and colors of each exterior lighting fixture unless any or all of these specific requirements shall be waived as unnecessary by MDHA

3. Exterior Design

All the exposed sides of a building (i.e. any building wall not abutting another) shall be treated architecturally with finish materials in character with the main facade of the building. Similarly, the exterior design and treatment of other facilities (e.g. courts, plazas, terraces, walls, walks; steps, etc.) shall be reviewed and approved by the MDHA with respect to general design and materials affecting exterior appearances.

4. Historic Preservation  
Contemporary design must be compatible with the character and setting of the historic building or district where any exist.
5. Construction Approvals  
No parking area or parking facilities and no building or other structure or improvement (including signs and loading docks and ramps) shall be erected, placed, enlarged, or altered until the construction plans and specifications and the plans showing the location of the facilities, improvements, and structures on the land have been approved in writing by MDHA, its successor, or assigns, as to compliance with the restrictions set out herein and also as to the sufficiency and beauty of landscaping and the adequacy and location of parking facilities.
6. Environmental Nuisances  
To the extent possible, property shall be developed to contain, within the limits of the property, the effects of environmental nuisances included shall be noise, odor, unsightly storage, and other specific environmental nuisances identified by MDHA. The storage of equipment, materials, or goods, in open areas of any lot or parcel of land shall be screened from view by a fence, wall, hedge, plantings, or other appropriate means of screening, provided the storage of such equipment, materials or goods are normal or customarily incidental to the uses. The accumulation of trash, debris, or any noxious materials shall be prohibited.
7. Off-Street Parking  
All off-street drives and parking areas shall be surfaced with asphalt or concrete and so constructed as to provide for adequate drainage. The entrances and exits of all required or permitted accessory off-street parking facilities with ten (10) or more spaces shall be located not less than fifty (50) feet from the intersection of any two (2) street lines. However, access less than fifty (50) feet of such intersection may be permitted if such a location is not hazardous to traffic safety and not likely to create traffic congestion.
8. Signs  
Signs shall be limited to on-premises signs, related to the use or business conducted on the same site, and to incidental signs of a clearly general nature such as to portray time, temperature, or announcements of activities taking place at the location. An on-premises sign is further defined as a sign that advertises or attracts attention to a specific event, activity, establishment, commodity, product, service, or entertainment which is conducted, sold, distributed or offered on the same premises as the sign. No billboards or general advertising signs shall be permitted.

Signs on Woodland Street east of South Fifth Street shall be further limited as follows:

Freestanding identification for all properties shall be limited to one sign for each principal use on each street on which the use has frontage. Such signs shall not exceed twenty-five (25) square feet each in size.

All Signs will be subject to review and approval by MDHA and will be permitted only when designed and placed in scale and harmony with the improvements upon the building site and surrounding development. MDHA approval of any and all sign permits shall be conditioned upon Permittee's continued compliance with these restrictions.

9. Temporary Structures Uses

Temporary structures including those used in connection with construction on any block or street within the Project Area shall be permitted, with the approval of MDHA for successive periods up to six months each. On property which it has acquired but which has not yet been developed, MDHA may establish such interim uses as it deems desirable and in the public interest consistent with local zoning and codes requirements.

10. Off-Street Loading and Unloading

Service facilities for off-street loading and unloading shall be provided for each building where feasible. The facilities shall be adequate to handle the needs generated by the building for pick-up and/or delivery of goods by truck, removal of wasted materials, delivery of fuel and other servicing functions. The intent and design objective of the plans is to provide common service facilities serving all of the building on a tract wherever feasible and practicable. Vehicular access to the service facilities may be shared or combined in the driveway to parking. The truck entrance to a building or structure shall be not less than 14 feet in height. This vertical height may be reduced at the discretion at the MDHA.

11. Process for Appeal

In order to ensure due process for an applicant whose plans for development, redevelopment, or signage, are disapproved by the MDHA Design Review Committee, the Executive Director of MDHA shall appoint an Administrative Appeals Board, consisting of three members of MDHA management. This Board will hear appeals associated with any/all action taken by MDHA's Design Review Committee in the enforcement of provisions of this Redevelopment Plan. Permittee may appeal a decision of the Design Review committee to the Administrative appeals Board within three (3) days after notification of Design Review Committee action. If Permittee requests a hearing, MDHA shall convene a meeting of the Administrative Appeals Board which shall hear evidence and make a

determination (by majority vote of those voting) as to whether the appropriate decision had been reached by the Design Review Committee.

In the case of violations of the Redevelopment Plan restrictions, MDHA shall notify the Permittee and or the owner of record of the alleged violation ("Violation Notice"). If the Permittee/Owner disputes the alleged violation, such party may within three (3) days after receipt of the Violation Notice, request a hearing by the Administrative Appeals Board. MDHA shall convene a meeting of the Administrative Appeals Board, which shall hear evidence and make a determination (by majority vote of those voting) as to whether Redevelopment Plan restrictions have been violated by Permittee/Owner. If the violation has not been remedied within three (3) days after the later of (i) Permittee/Owner's receipt of the Violation Notice, or, (ii) the date of the Administrative appeals Board issues its written determination that a violation has occurred (the "Appeals Board Determination"), MDHA may send the Violation Notice or the Appeals Board Determination (as the case may be) to the Zoning Administrator who shall be authorized to revoke the Permit. In addition, MDHA and/or the Zoning Administrator and/or the Metropolitan legal Department shall be entitled to immediate injunctive and other equitable or legal relief to enforce restrictions of the Redevelopment Plan, including pursuing all remedies available at law or in equity, including without limitation those that are provided by the Metropolitan Code of Laws.

d. Period of Duration of These Provisions

The provisions of this Plan, specifying the land uses for the Project Area and the requirements and restrictions with respect thereto, shall commence upon approval of the Plan by the governing body of the Metropolitan Government of Nashville and Davidson County, and shall continue in effect until December 31, 2025.

e. Applicability of Provisions and Requirements

The provisions and requirements set forth herein under Section C.2 a, b, c, d and Section C.3, shall apply to all properly within sections which are identified in Land Acquisition Map, R.P. Map No. 3. The provisions are also applicable for the development that is proposed on air rights above parking garages, even though a garage itself may be under separate ownership and the land and improvements never acquired by MDHA. If the land is sold for private development, written agreements to abide by said provisions shall be negotiated by MDHA with the owners of said properties after their adoption of this Redevelopment Plan. Failure to comply may be cause for MDHA to reacquire such property, if such acquisition may be necessary to achieve the objective of the Plan

3. ALTERNATE DEVELOPMENT

Alternate development may be permitted where such development complies with the general intent and standards for land use as herein before specified under the regulations and controls provisions for these tracts but which, because of the nature of

comprehensively planned development, may deviate in detail from exact compliance with all the various development restrictions. An alternate development of this type will be viewed as a planned development and deviation from development regulations and controls will be subject to approval by MDHA.

#### D. LAND ACQUISITION

##### 1. PROPERTY DESIGNATED FOR ACQUISITION

Property designated for acquisition is identified on the "Land Acquisition Map," R. P. Map No. 3. Acquisition is necessary to provide for the redevelopment of vacant and underutilized land, to eliminate structures which, because of poor initial construction, inadequate maintenance, obsolescence or other conditions, are not suitable for rehabilitation; to eliminate non-conforming land uses which are detrimental to the area or the redevelopment of East Bank and its vicinity; to provide for the replanting of land and the development or adjustment of streets, alleys and pedestrian ways; and to assemble suitable disposition tracts. It is not proposed to acquire all acquisition parcels at the time of approval of this Plan, but as funds are available and the private market would support redevelopment. In the event that it becomes necessary to acquire property by eminent domain, the Agency will acquire from the property owner, if the property owner so chooses, all other property owned by that property owner located within the plan boundaries.

##### 2. CONDITIONS BY WHICH LAND MAY BE EXEMPTED FROM ACQUISITION

Certain properties or portions thereof designated for acquisition may be exempted from acquisition as provided herein. Exemption may be made if it will not require a change in the Land Use Plan or plans for street or utility improvements; the exemption and permitted continuation of a non-conforming use by MDHA will not adversely affect the use and/or disposition of adjoining parcels or the success of the redevelopment project as a whole; and the owner of any such parcel agrees to eliminate any non-conforming use on the parcel as may be requested by MDHA, to rehabilitate all structures on the parcel, use the land and structure in accordance with the provisions of this Plan for its duration, acquire such land as deemed necessary by MDHA to conform to current local zoning and codes requirements, and/or sell any portions of the tract as deemed necessary by MDHA for street right-of-way or other purposes. Any such exemption shall be made conditional until the owner has complied with all of the requirements of a contractual agreement to be executed by and between the owner and the MDHA.

#### E. REDEVELOPMENT OBLIGATION AND LAND USE CONTROLS

MDHA, in disposing of the land in the Project Area to be redeveloped, will, in its contract and deed or other instruments of conveyance, include such terms and conditions as in the judgment of the MDHA will be necessary or advisable to insure redevelopment of the Project Area and its use thereafter, in accordance with this Plan, and to prevent recurrence of the condition of blight or inappropriate land uses in this area. Such provisions will be contained in such contracts, deeds or other instruments of conveyance irrespective of whether they duplicate, in whole or in part,

requirements of existing or proposed zoning ordinances or other local laws, ordinances or regulations with respect to the Project Area, so that such obligations may operate independently of such zoning or other laws, ordinances or regulations. In all instances, the improvements in the Project Area will be made in accordance with the applicable Metropolitan Comprehensive Zoning Ordinance provisions and regulations; building, electrical, plumbing and other local codes and ordinances; the requirements of this Redevelopment Plan; and such other requirements as may be set forth in the contracts between MDHA and the redevelopers. Any contract or agreement for disposal of project land by sale, lease or retention shall contain, and the deed or deeds to the land shall contain a covenant that the redeveloper and its successors and assigns shall not discriminate upon the basis of race, color, creed, sex, marital status, or national origin in the sale, lease, or rental, or in the use or occupancy of the property or any improvements erected or to be erected thereon. It is intended by this Plan that the MDHA is beneficiary of all such covenants and obligations and 10 that it shall be entitled to represent the interests and to act on behalf of the community in enforcing any covenants and obligations as to the redevelopment and continued uses of the Project Area in accordance with the Plan. Such contracts, deeds, or other instruments of conveyance, in addition to including such other terms and conditions as the MDHA may find desirable in order to implement and effectuate the objectives of this Plan, will obligate the purchasers of land in the Project Area and their successors in interest to:

1. Devote the parcels owned by them to, and only to, uses and controls specified in this Plan;
2. Diligently pursue the construction of the improvements as provided in the disposition contract, and to begin and complete such improvements within a reasonable time as provided by the contract;
3. Make no changes, additions or alterations in such improvements after completion of their construction that are not approved by MDHA as being in conformity with this Plan, or as it may be changed or amended; and
4. Not reassign contract rights, resell or otherwise transfer the land or any part thereof or interest therein purchased by them prior to the completion of the improvements thereon without the approval of MDHA and except in cases satisfactory with MDHA, and not to speculate in or with respect to such land.
5. Include in all its projects that the developer or contractor shall secure goods, professional services and labor from minority groups in the construction or contracts. During construction, at least fifteen (15%) percent of the total work force shall be "minorities" as defined in Section One of Substitute Ordinance No. 084-413, and it shall be further provided that such "minorities" must be citizens and residents of Nashville-Davidson County.

#### F. UNDERGROUND UTILITY LINES

All existing and proposed utility distribution lines (i.e., electric telephone) will be placed and/or relocated underground where feasible. A majority of the existing electric and telephone distribution lines are underground but most of the existing service connections to buildings are overhead. All service connections will also be placed underground or inside the structure where feasible. Any new or existing lines for water, sewer, thermal or gas will be placed or relocated consistent with applicable codes, ordinances or regulations.

#### G. RELOCATION ASSISTANCE

The Metropolitan Development and Housing Agency, in accordance with applicable laws and regulations, shall provide assistance to individuals and businesses currently within the Redevelopment Plan area who are displaced during initial implementation of property acquisition by MDHA. Assistance will be offered in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended, or other applicable federal, State or local laws and regulations that may be in effect at the time even though no State or federal funds may be involved with a particular project. Business relocations that do occur will be handled in accordance with MDHA's redevelopment policies and procedures which reflect federal, State, and local legislation

#### H. TAX INCREMENT

The projected future increase in the value of property developed in conjunction with the Plan on land leased or sold by MDHA is estimated to exceed \$300 million, of which \$30 million is expected to be private development. The total net annual increase of about \$4.5 million in property taxes so generated in the East Bank Project will not occur without the redevelopment activities of MDHA.

The activities of MDHA will provide resources necessary for business relocations, make the area conducive to new private development, and result in increased tax revenues to the Metropolitan Government. The tax increment backed debt of \$25 million provided for by the Plan will require less than fifty percent of the projected net new property taxes generated by the Project Area if development can be induced to occur. Therefore, the Metropolitan Government, as the taxing agency within the Project Area, will realize substantial revenues from the project and will not be substantially impacted by a tax increment financing provision.

The estimated total cost of public improvements and activities associated with the redevelopment project is approximately \$25 million. The estimated amount of total bonded or other indebtedness from the beginning to the end of the project from tax increment financing is \$25,000,000. The amount of bonds or other indebtedness backed by the tax increment shall not exceed \$25,000,000. The final maturity date on any bonded or other indebtedness backed by the tax increment from eligible properties shall be on or before December 31, 2025. Upon retirement of all bonds, loans, or other indebtedness incurred and payable from tax increment funds or at such time as moneys on deposit in the tax increment fund or funds are sufficient for such purpose, all property taxes resulting from the incremental development of the Project shall be retained by the Metropolitan Government. Activities or improvements eligible for tax increment funding shall include planning, engineering and legal expenses; administrative costs; land acquisition; relocation; site clearance and environmental remediation; economic development or other such activities necessary to preserve or create jobs primarily for those of low income; and streets, pedestrian ways, utilities, public open spaces and greenways, and parking garages or other structures or public improvements necessary for carrying out the East Bank Redevelopment Project or other adopted and approved redevelopment plans.

#### I. PROCEDURE FOR CHANGES IN THE APPROVED PLAN

Prior to the sale of any project land or the execution of a contract for such a sale, this Plan may be modified, changed or amended by MDHA, with the subsequent approval of the Metropolitan



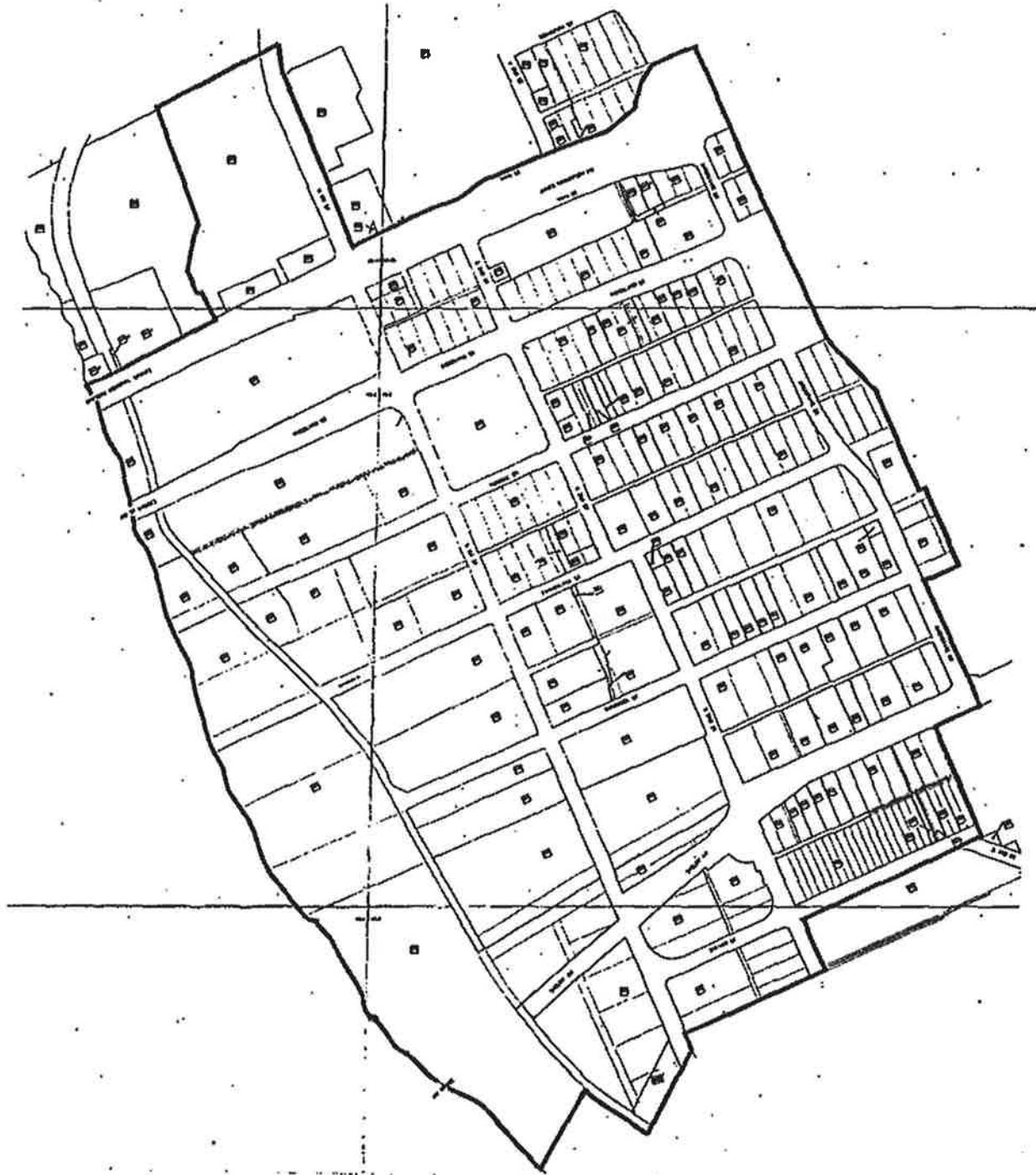
Council. After part or all of the project land has been disposed of by MDHA, the Plan, including the provisions specifying the land uses for the Project Area and the requirements and restrictions with respect thereto, may be modified, changed or amended by MDHA with the subsequent approval by the Metropolitan Council; provided, however that in no event will the provisions of this Plan be modified in any manner which will adversely affect any as yet not fully developed land in the Project Area that has been sold or leased by MDHA, or as to which a sales contract has been entered into by MDHA, except with the written consent of the then owners of such land or of the parties to such contract, or their successors in interest.

J. SEVERABILITY

The invalidation of any one or more of the foregoing provisions of this Redevelopment Plan or Ordinance as approved by the Metropolitan Council of the Metropolitan Government of Nashville and Davidson County or any part thereof by judgment of any Court of competent jurisdiction shall not in any way affect the validity of any other of such provisions of the Plan but the same shall remain in full force and effect.

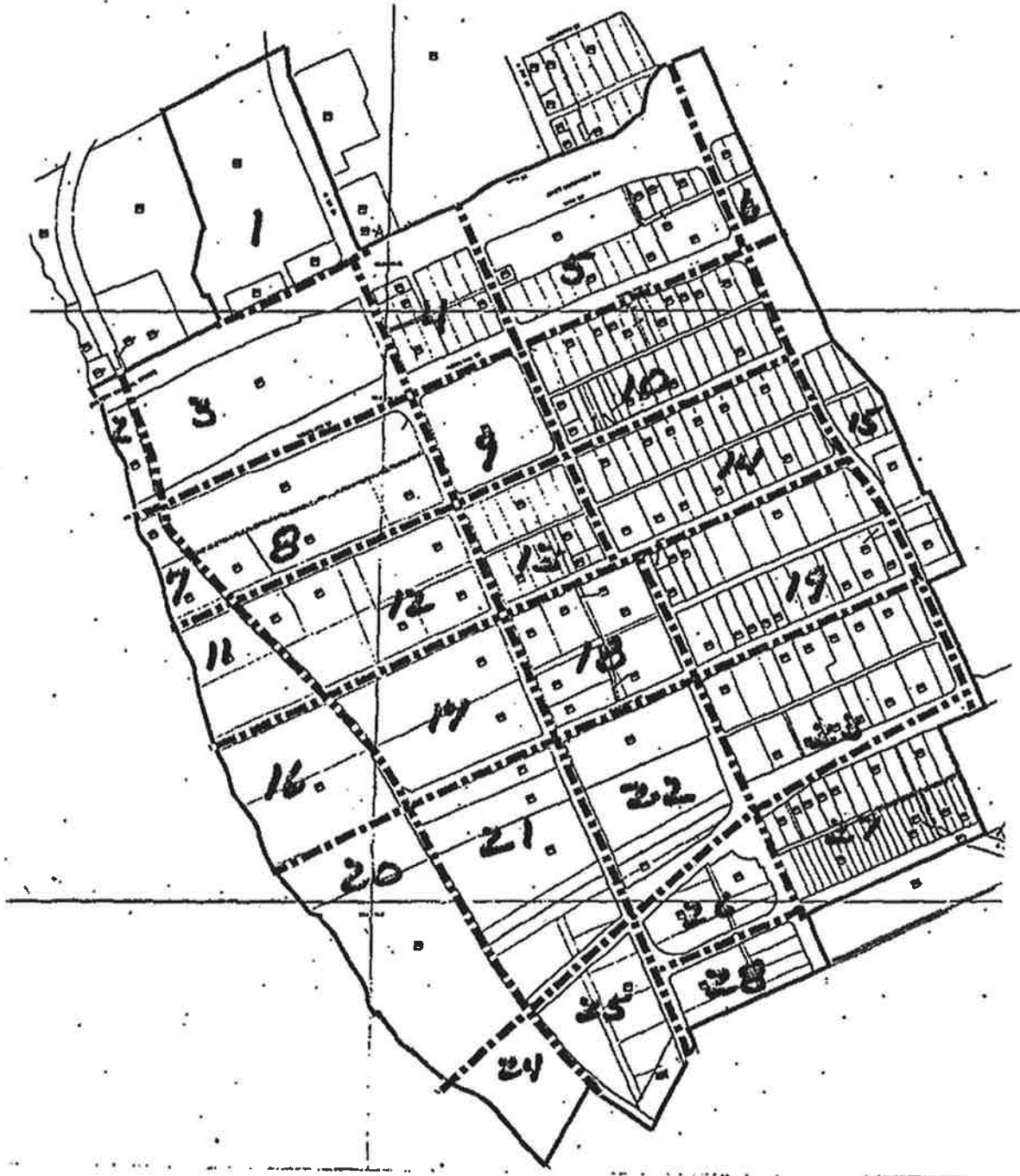
EAST BANK REDEVELOPMENT PLAN

Map 1  
Project Boundary



EAST BANK REDEVELOPMENT PLAN

Map 2  
Land Use Plan



EAST BANK REDEVELOPMENT PLAN

Map 3  
Proposed Land Acquisition

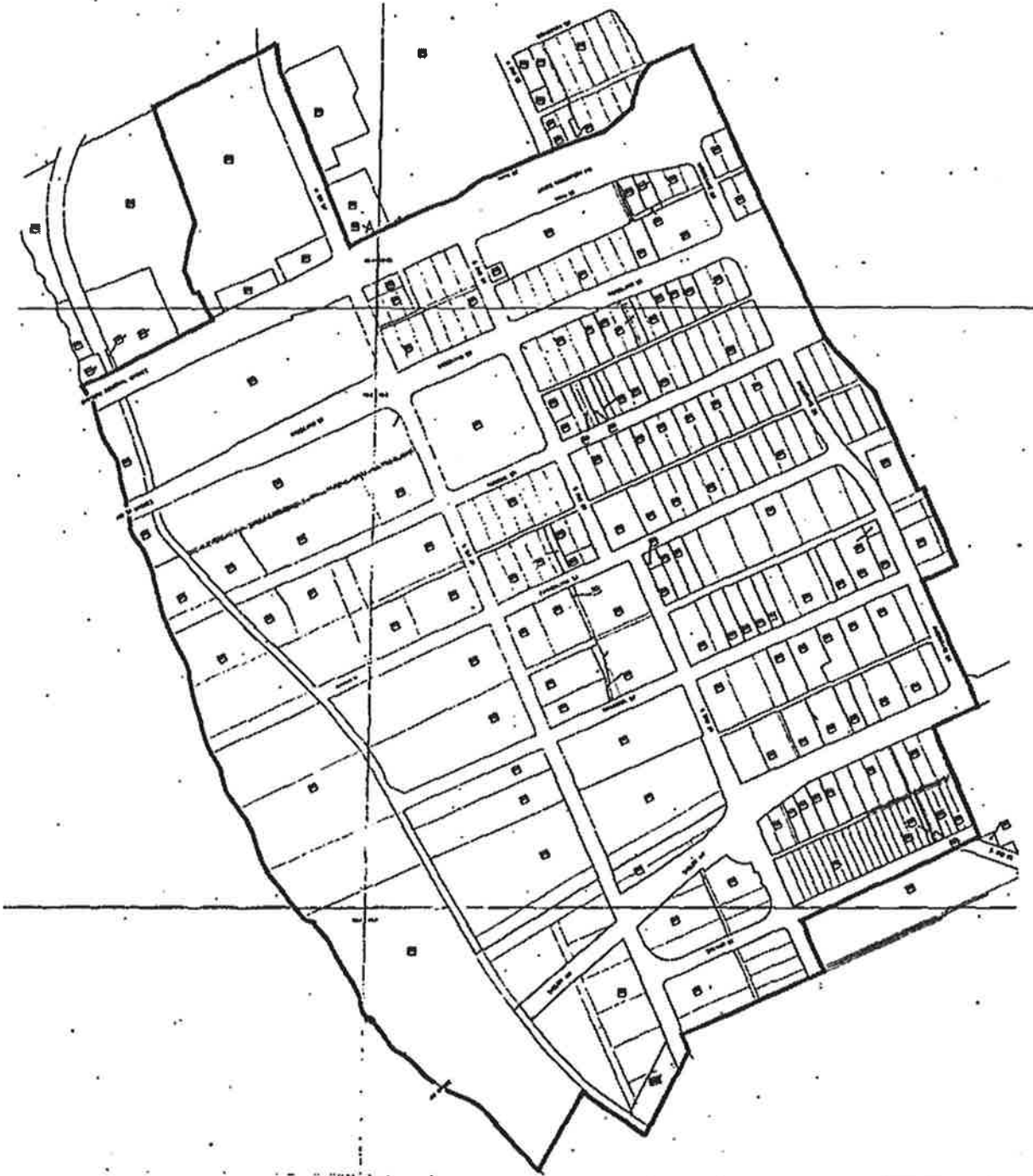


EXHIBIT "A"  
EAST BANK REDEVELOPMENT PLAN  
PROJECT BOUNDARY DESCRIPTION

Being a tract of land in Metropolitan Nashville and Davidson County, Tennessee as shown on Project Boundary Map No. 1 and 1A and generally described as follows:

Beginning at the point of the east river bank of the Cumberland River and the northwesterly line of Main Street; thence, with the northwesterly line of Main Street northeastwardly approximately 4,300 feet, to the northeast corner of Main Street and North Fifth; thence northeastwardly approximately 400 feet to a point; thence easterly approximately 700 feet to the easterly line of North Sixth Street; thence southerly approximately 200 feet to the northeast corner of an alley; thence easterly with said alley approximately 3,250 to the intersection of Finn Street; thence at an angle southeasterly 65 feet, more or less, to the northwesterly corner of parcel 278 (Map 82-12); thence easterly and across an alley and along the property line of parcel 5 (Map 83-9) to a point; thence at an angle, northeasterly approximately 65 feet, across North Tenth Street to the northwest margin of Parcel 3 (Map 83-9); thence northeasterly approximately 100 feet; thence southerly approximately 215 feet, to southerly margin of Gallatin Pike; thence westerly on a curve approximately 300 feet, to the northeast margin of parcel 194 (Map 83-9), thence southerly approximately 175 feet, across an alley; thence westerly approximately 130 feet, to the northwesterly margin of Parcel 197 (Map 83-9); thence southerly approximately 200 feet, to the southerly line of Woodland Street; thence westerly approximately 900 feet, to the intersection of McFerrin Avenue; thence northwesterly with the easterly line of McFerrin Ave. approximately 200 feet, to a point at the intersection of McFerrin Avenue and an alley; thence westerly approximately 500 feet, to the intersection of South Ninth Street and an alley; thence southerly approximately 210 feet, to a point at the intersection of South Ninth Street and Woodland Street; thence easterly approximately 180 feet, on Woodland Street to a point; thence southerly approximately 200 feet, along the easterly margin of Parcel 80 (Map 82-16) to the centerline of an alley; thence westerly approximately 850 feet, to the intersection of South Eighth Street; thence southerly approximately 200 feet, to the intersection of South Eighth Street and Russell Street; thence westerly with the centerline of Russell Street; approximately 2,000 feet, to the intersection of South Fifth Street; thence southerly approximately 405 feet, to the centerline of South Fifth Street and Fatherland Street; thence westerly along centerline of Fatherland Street, approximately 400 feet, to the westerly margin of South Fourth Street; thence northerly along said margin approximately 375 feet, to a point which becomes the easterly right-of-way of Interstate Highway 65, and continuing northerly an additional 375 feet, more or less, to the southerly margin of Woodland Street; thence westerly approximately 650 feet, to the intersection of the southwesterly right-of-way line of I-65 and I-24 and Interstate Drive; thence, with the southwesterly right of way line of I-65 and I-24 southeastwardly approximately 1,900 feet to the point of intersection with the southeasterly line of Sylvan Street; thence, with the southeasterly line of Sylvan Street southwestwardly approximately 650 feet to the point of intersection with the northeasterly line of South Second Street; thence, with the northeasterly line of South Second Street southeastwardly approximately 200 feet to the property line of parcel 93-7-10, extended;

thence, southwestwardly approximately 500 feet with the southeasterly property line of parcel 93-7-10 to the intersection of the southwestwardly property line of parcel 93-7-10 and South First Street; thence, with the northeasterly line of South First Street southeastwardly approximately 70 feet to the point of intersection with the southwesterly property line of parcel 93-7-48, extended; thence, with the southeasterly property line of parcel 93-7-48 southwestwardly approximately 240 feet to the point of intersection with the southwestwardly line of the Louisville and Nashville Railroad; thence, with the southwestwardly line of the Louisville and Nashville Railroad, northwestwardly approximately 250 feet to the point of intersection with the southeasterly property line of parcel 93-7-22; thence, with the southeasterly line of property parcel 93-7-22 southwestwardly approximately 310 feet to the point of intersection with the northeasterly bank of the Cumberland River; thence, with the northeasterly river bank of the Cumberland River as it meanders northwestwardly approximately 3,100 feet to the point of intersection with the southeasterly line of Main Street, being the point of beginning

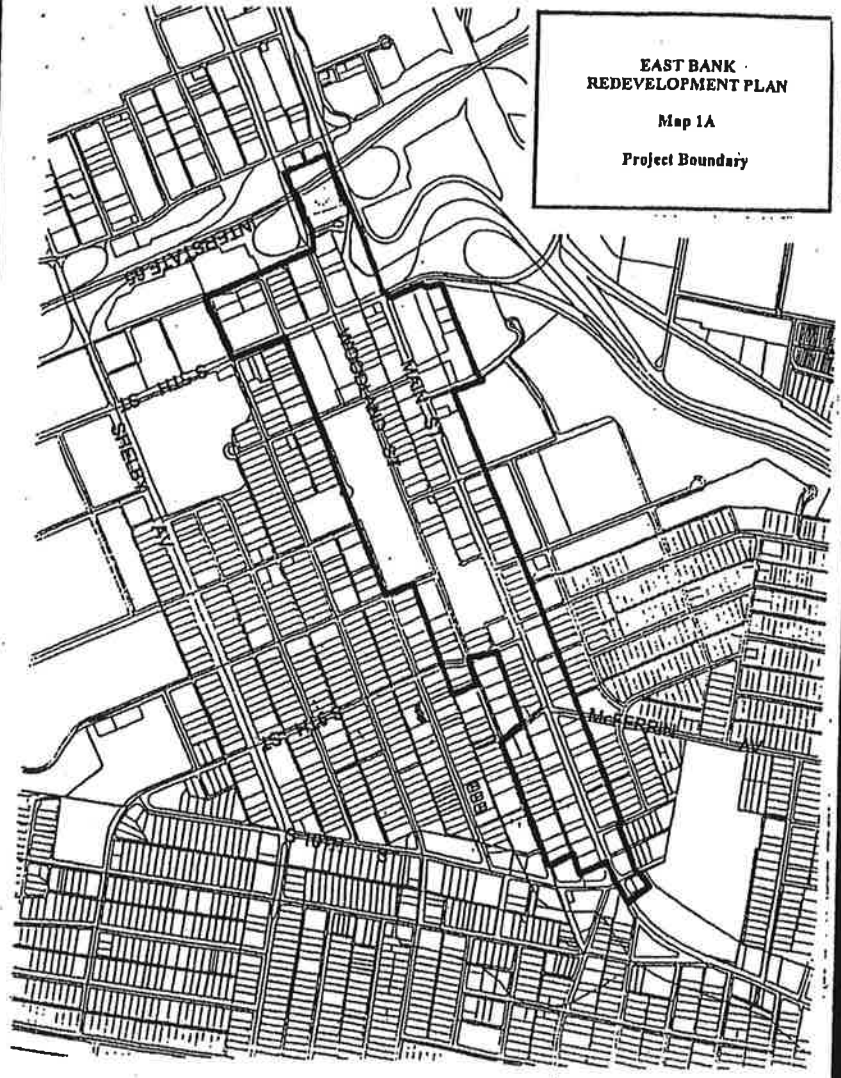
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EAST BANK  
REDEVELOPMENT PLAN

Map 1A

Project Boundary



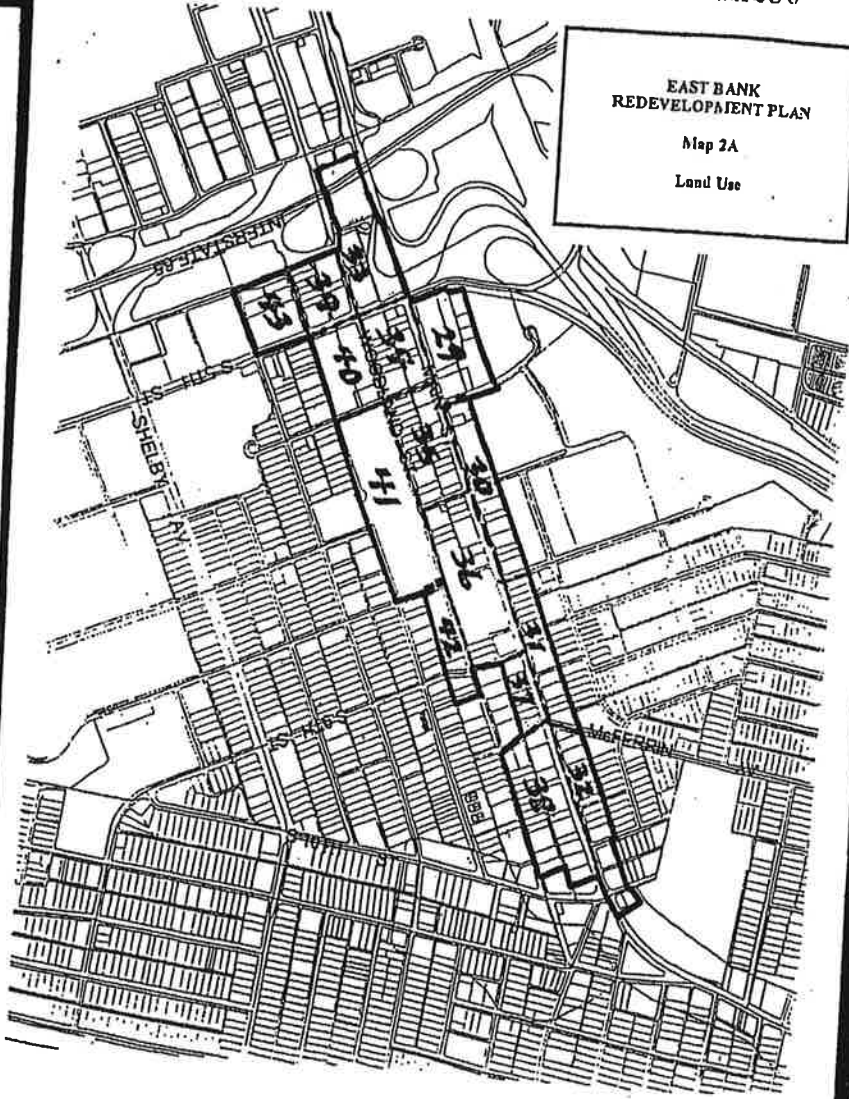
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EAST BANK  
REDEVELOPMENT PLAN  
Map 2A  
Land Use



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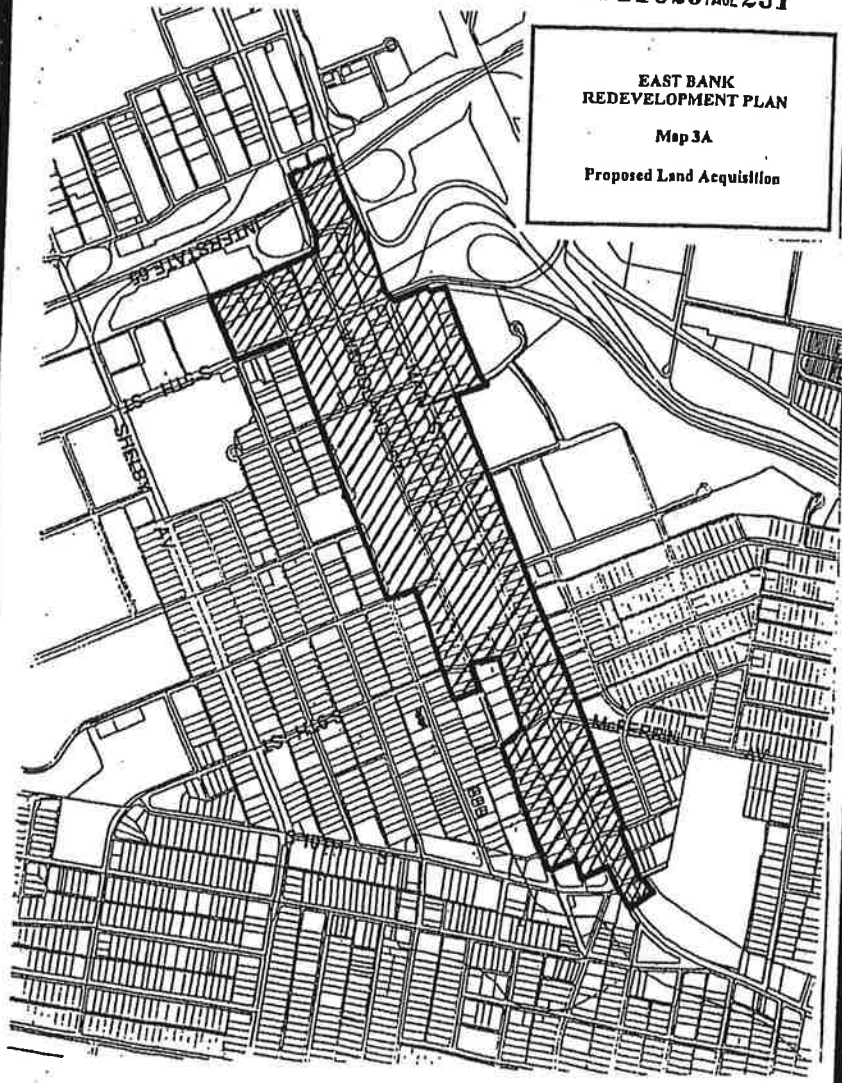
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EAST BANK  
REDEVELOPMENT PLAN  
Map 3A  
Proposed Land Acquisition



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# EAST BANK REDEVELOPMENT PLAN

Map 2  
Land Use

