

METROPOLITAN DEVELOPMENT AND HOUSING AGENCY

Nashville and Davidson County, Tennessee

**CAPITOL MALL
REDEVELOPMENT PROJECT PLAN**

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PREFACE

This Capitol Mall Redevelopment Plan 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 The Housing Authorities Law, Tennessee Code Annotated, Sections 13-20-101, et. Seq. (the “Housing Authorities Law”). The Metropolitan Council of Nashville and Davidson County has declared the area to be a blighted area within the scope of Section 13-20-201 through 13-20-209, of the Housing Authorities Law.

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Needs update

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B. DESCRIPTION OF PROJECT AREA

The Project Area is non-residential in character and composed of an aggregation of inappropriate and marginal land uses within the broader area addressed by the Neighborhood Development Program (Project Tenn. A-19), the Fort Nashboro Neighborhood Strategy Area and adjacent areas. The Project Area is an area that has been determined to be a slum area, blighted, deteriorated and deteriorating. The amount and character of the land included in the boundary of the area is necessary to complete the integrated redevelopment plan described herein.

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".

2. REDEVELOPMENT PLAN OBJECTIVES

The intent OF THIS Redevelopment Plan is to accomplish those objectives of the Neighborhood Development Program (Project Tenn. A-19), of the Fort Nashboro Neighborhood Strategy Area, and of other plans and programs which are pertinent to the Project Area. Those objectives are as follows:

- a. To provide for the redevelopment of the Project Area, wherein deleterious land uses, dilapidation, obsolescence, the present subdivision and ownership of land and a combination of these factors precludes the orderly assemblage and necessary changes in the use of land. Certain structures which are not structurally substandard will also be acquired and demolished in order that the use of the Project Area may be of such density and design as to meet the long range needs of the central core of Metropolitan Nashville and complete the integrated redevelopment plan described herein.
- b. To establish a harmonious land use pattern which separates incompatible land uses and also provides sites suitably adequate for planned development.
- c. To make effective use of existing investments in infrastructure in the Downtown area.

- d. To provide for the improvement of the traffic system and other public facilities consistent with state and/or local government plans
- e. To improve pedestrian movement through the area.
- f. To provide land for a convention center in the central core of Metropolitan Nashville.
- g. To make possible public and private development integrated with and important to the development and successful operation of a convention center, including a convention hotel, retail, public spaces, parking, and linkages between facilities.
- h. To promote additional private investment in and around the Project Area over a long-term period.
- i. To promote Downtown Nashville as a strong center for retail, hotel, and office development.

3. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

The proposed redevelopment actions are those necessary to accomplish the Redevelopment Plan objectives listed above. These objectives include clearance and redevelopment. All properties proposed for acquisition are designated on the Land Acquisition Map, R.P. Map No. 3. Proposed redevelopment actions are:

- a) The acquisition and provision of land for improvement of the traffic system.
- b) Demolition, clearance and relocation as necessary within the Project Area to achieve redevelopment objectives and the integrated redevelopment plan.
- c) Closing various alleys and streets and relocation of utilities within the Project Area and replacing them with service and emergency access ways to service the proposed structures.
- d) The construction of a convention center.
- e) The acquisition and provision of land and/or air-rights for the construction of new hotels, offices, parking and commercial facilities by private developers.
- f) Construction of public improvements such as utilities, pedestrian ways, street improvements, etc. necessary to achieve the objectives of this plan.

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.

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

In order to achieve the objectives of this Redevelopment Plan, the redevelopment and use of land sold by the MDHA will be made subject to the provisions and requirements specified in the following sub-sections of this Section and Section D.2.

a) Permitted Uses

The general categories of uses are as follows:

- Commercial/Retail
- Convention Center
- Hotel
- Parking
- Public Use – streets, pedestrian ways and plazas

The specific principal and accessory uses permitted under each category are given by tract in Subsection b.

b) Regulations and Controls

1. Tract 25

- Intent: To redevelop this tract to provide for an underground parking structure with park/plaza space above.
- Principal Use: Parking, public use, retail/commercial/office, and public art
- Design Objectives: Judicious consideration should be given to the presence and architectural/historical importance of the Metropolitan Courthouse and the Stahlman Building on either side of Tracts 25 and 26. New construction should be compatible with these structures in terms of materials, size, scale, setback, color and texture.
- Vehicle Access: Restricted.

2. Tract 26

- Intent: To redevelop this tract to provide for an underground parking structure, with park/plaza space above
- Principal Use: Parking, public use, retail/commercial/office, and public art.
- Design Objectives: Judicious consideration should be given to the presence and architectural/historical importance of the Metropolitan Courthouse and the Stahlman Building on either side of Tracts 25 and 26. New construction should be compatible with these structures in terms of materials, size, scale, setback, color and texture.
- Vehicle Access: Restricted

3. Tract 32A

- Intent: To redevelop portions of this tract to provide for parking, public use, and plaza area, commercial/office, hotel, residential, arts/institutional and/or retail space in new or rehabilitated structures.
- Principal Use: Public park or plaza areas together with possible expansion of public uses in connection with the adjacent Ben West Public Library building, and/or commercial/office, hotel, residential, arts/institutional and/or retail use.
- Design Objectives: Consideration should be given to the appearance of this parcel as a gateway to downtown along Church Street.
- Vehicle Access: Restricted.

4. Tract 33A:

- Intent: To redevelop portions of this tract to provide for commercial/office, parking, hotel, residential, arts/institutional/public and/or retail space in rehabilitated structures.
- Principle Use: Commercial office/retail, parking, and consumer services. Where opportunities permit, residential use and

arts/institutional/public related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.

- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. The development of any properties on the Church Street frontage should incorporate street level retail space where MDHA considers it feasible from design or long-term market perspectives.
- Vehicle Access: Restricted.

5. Tract 34A

- Intent: To redevelop portions of this tract to provide for parking, commercial/ office, hotel, residential, arts/institutional/public, and/or retail space in new or rehabilitated structures.
- Principle Use: Commercial office/retail and consumer services. Where opportunities permit, residential use, parking and arts/institutional/public related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.
- Design Objectives: The design of new or rehabilitated properties on this block should be undertaken to enhance the pedestrian environment of Church Street and Capitol Boulevard. The development of any properties on the Church Street frontage should incorporate or preserve street level retail space where MDHA considers it feasible from design or long-term market perspectives.
- Vehicle Access: Restricted.

6. Tract 38A

- Intent: To redevelop the portion of this tract facing Church Street to provide for a public park/plaza area. To redevelop the remainder of Tract 38 for commercial/office, parking, residential, arts/institutional/public and/or retail space in new or rehabilitated structures.

- Principle Use: Public park/plaza, commercial office/retail, parking, hotel and consumer services. Where opportunities permit, residential use and arts/institutional/public or park/plaza related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.
- Design Objectives: A park or plaza area should be developed to enhance the pedestrian environment of Church Street and Capitol Boulevard. New development on the remainder of Tract 38 should be compatible with the existing historical structures in terms of materials, size, scale, setback, color and texture.
- Vehicle Access: Restricted.

7. Tract 39A

- Intent: To redevelop portions of this tract to provide for commercial/office, parking, residential, arts/institutional/public and/or retail space in new or rehabilitated structures.
- Principle Uses: Commercial office/retail, parking and consumer services. Where opportunities permit, residential use and arts/institutional/public or park/plaza related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. New construction should be compatible with the adjacent Fifth Avenue National Register Historic District in terms of materials, size scale, height, proportion, orientation, setback, color and texture.
- Vehicle Access: Restricted.

8. Tract 45

- Intent: To redevelop portions of this tract to provide for commercial/office, parking, residential, arts/institutional/public and/or retail space in new or rehabilitated structures.

- Principal Use: Commercial/office/retail, parking and consumer services. Where opportunities permit, residential use and arts/institutional/public or park/plaza related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. New construction should be compatible with the adjacent Fifth Avenue National Register Historic District in terms of materials, size scale, height, proportion, orientation, setback, color and texture.
- Vehicle Access: Restricted.

9. Tract 46

- Intent: To redevelop portions of this tract to provide for commercial/office, parking, residential, arts/institutional/public and/or retail space in new or rehabilitated structures.
- Principal Use: Commercial/office/retail, parking and consumer services. Where opportunities permit, residential use and arts/institutional/public or park/plaza related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. New construction should be compatible with them in terms of materials, size, scale, height, proportion, orientation, setback, color and texture. The development of any properties on the Church Street frontage should incorporate street level retail space where MDHA considers it feasible from design or long-term market perspectives.
- Vehicle Access: Restricted.

10. Tract 51

- Intent: To redevelop portions of this tract to provide for commercial/office, parking residential, public use, arts/institutional and/or retail space in new or rehabilitated structures.
- Principal Use: Commercial/office, residential, retail, parking, and consumer services.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. New construction should be compatible with them in terms of materials, size, scale, height, proportion, orientation, setback, color and texture. The development of any properties on the Church Street frontage should incorporate street level retail space where MDHA considers it feasible from design or long-term market perspectives.

11. Tract 52

- Intent: To redevelop this tract to provide for commercial/office, parking, residential, public use, arts/institutional and/or retail space in new structures.
- Principal Use: Commercial/office, residential, retail, parking, and consumer services.
- Design Objectives: Any new development should be compatible with adjacent structures in terms of materials, size, scale, height, proportion, orientation, setback, color and texture.

12. Tract 53

- Intent: To redevelop portions this tract to provide for commercial/office, parking, residential, public use, situational and/or retail space in new structures.
- Principal Use: Commercial/office, residential, retail, parking, and consumer services.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. Any new development should be compatible with those

structures in terms of materials, size, scale, height, proportion, orientation, setback, color and texture.

13. Tract 59

- Intent: To redevelop portions this tract to provide for commercial/office, parking, residential, public use, situational and/or retail space in new or rehabilitated structures.
- Principal Use: Commercial/office, residential, retail, parking, and consumer services.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. Any new development should be compatible with those structures in terms of materials, size, scale, height, proportion, orientation, setback, color and texture.

14. Tract 60A

- Intent: To redevelop portions of this tract to provide for commercial/office, residential, parking, arts/institutional/public and/or retail space in new or rehabilitated structures.
- Principal Uses: Commercial office, hotel, residential and/or arts/institutional/public or park/plaza related uses attracting pedestrian traffic and twenty-four hour use of Church Street should be encouraged.
- Design Objectives: Judicious consideration should be given to the preservation and renovation of existing historical buildings on the tract. New construction should be compatible with the adjacent L & C Tower in terms of material, size, scale, height, proportion, orientation, setback, color and texture and supportive of the economic health of the adjacent Printer's Alley Historic District on the adjacent block.
- Vehicle Access: Restricted.

15. Tract 61A

- Intent: To redevelop portions of this tract to provide for commercial/office, residential, parking, arts/institutional/public and/or retail space in new or rehabilitated structures.
- Principal Use: Commercial office/retail, consumer services, and parking and religious services related to the activities of the Downtown Presbyterian Church located on this block. Where opportunities permit, residential use and public open space or institutional/arts related uses should be encouraged
- Design Objectives: Judicious consideration should be given to the presence and architectural/historical importance of the Downtown Presbyterian Church and the L & C Tower in providing for setbacks, height, bulk, and architectural detail of proposed developments on this block. Design and functional relationships of new facilities should consider the impacts on these key structures located on the block. The design and development of any office facilities on Church Street should incorporate street level retail space where MDHA considers it feasible from design or long-term market perspectives.
- Vehicle Access: Restricted.

16. Track 62A (all of block 62)

- Intent: To redevelop portions of this tract to provide for commercial/office, residential, arts/institutional and/or retail space in new or rehabilitated structures.
- Principal Use: Commercial office/retail, hotel, consumer services, and parking and religious services related to the activities of two existing churches on the block. Where opportunities permit, residential use and public open space or institutional/arts related uses should be encouraged. It is anticipated that uses connected with the churches such as day care or other services provided for the convenience of the public may be developed.

- Design Objectives: Judicious considerations should be given to the existence of church properties on the block and to the Downtown Presbyterian Church in providing for setbacks, height, Bulk, and architectural detail of proposed developments on this block. Design and functional relationships on new facilities should consider impacts on churches located on the block. The design and development of any office facilities on Church Street should incorporate street level retail space where MDHA considers it feasible from design or long-term market perspectives.
 - Vehicle Access: Not restricted.
17. Tract 63A (all of Block 63) (*Amendment No. 5 – Ord #098-1187, 6/2/98*)
- Intent: To construct a public library development with related public and private uses.
 - Principal Use: Public library, arts/entertainment, cultural/educational uses, residential, park/plaza, parking and a combination of retail and food shops and offices, and personal service businesses.
 - Design Objectives: The development of this area should be planned and designed as an entity with the existing Metro Parking Garage.
18. Tract 64A (all of Block 64)
- Intent: To redevelop this tract to include a commercial/retail structure on air rights over garage parking as an integral part of the development to occur on Tracts 62A and 63A. Tracts 62A, 63A and 64A will be connected by aerial linkages spanning the intervening streets.
 - Principal Use: Parking and a combination of retail shops, department stores and offices that provide for the convenience and service of the ultimate consumer, such as banks, the sale of food drugs, wearing apparel, household supplies, theaters, etc., restaurants and other eating and drinking establishments, but not

drive-in facilities; and personal service businesses such as barber or hairdressing shops, shoe repair, watch and jewelry repair, newsstands, tailoring, laundry, dry cleaning and pressing shops, etc., identification signs visible from the exterior of the building be permitted.

- Design Objectives: The redevelopment of this tract should be planned and designed as an entity with the development of Tracts 62A and 63A. Consideration should be given where feasible to the integration of existing retail facilities not needed for the mall into the design of the planned retail facility.
- Vehicle Access: Access to the site may be permitted from Commerce, Sixth Avenue, North and Seventh Avenue, North

19. Tract 72A (portions of Block 72) and Tract 73A (all of Block 73) and existing Sixth Avenue North Right of Way between Commerce Street and Broadway.

- Intent: To redevelop these tracts to provide for high intensity uses compatible with existing civic and cultural facilities. Redevelopment should include integrating pedestrian crossings or overpasses connecting with Tracts 63A and 82A
- Principal Uses: Civic facilities, public spaces, entertainment, office, retail, hotel.
- Accessory Use: accessory uses incidental to the principal uses, such as, offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, parking, offices to accommodate the convention center management staff, truck unloading area, and access roads or ramps.
- Design Objectives: The redevelopment of this tract should be planned with judicious consideration for its architectural relationship to adjacent blocks and should complement the entire Capitol Mall Redevelopment Project Area.

- Vehicle Objectives: Access to the site may be permitted from Commerce Street, Seventh Avenue North, Broadway and Opry Place.

20. Tract 74A

- Intent: To develop existing surface parking on the block for any of a variety of high intensity uses and to preserve and enhance the historic structures on Lower Broadway and the Ryman Auditorium. Principal Uses: Entertainment, commercial/retail, residential, office, parking, museums, and public spaces.
- Principal Uses: Entertainment, commercial/retail, residential, office, parking, museums, and public spaces. Office uses are permitted only on the parcels abutting Broadway. No new office uses will be permitted elsewhere on Tract 74A as a principal use. Any new tower developments constructed on Tract 74A will be limited to hotel or other commercial/retail activities other than offices use except for offices incidental and accessory to the principal hotel or other commercial/retail activity. In no event shall the incidental office space in such a tower development exceed more than twenty (20) percent of the total floor area of the structure.
- Design Objectives: The Ryman Auditorium should be renovated as a museum or other appropriate use and be incorporated into the development of this block, which will include public park, plaza or pedestrian mall space. The development is envisaged to consist of a mixture of low-rise buildings, ranging up to twelve stories, all carefully integrated with tower developments, which may range up to twenty-three stories. The tallest structures shall be built on Commerce Street with the scale diminishing toward Broadway. The scale of structures on the block should diminish from Commerce Street, where highrise structures may be appropriate, to Lower Broadway. New construction on the existing parking lot

north of the Ryman Auditorium should be designed to foster pedestrian traffic along the adjacent streets and should not unduly diminish the character of the Ryman Auditorium or the visibility of the Ryman's west façade. Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. In addition to preserving the Ryman Auditorium, historically significant buildings on Broadway will be preserved and integrated into the development and any deteriorating facades will be repaired and upgraded. New construction located immediately behind the buildings fronting on Broadway or on Broadway itself will be compatible with the earlier buildings in materials, size, scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District, but any new structures should not imitate past architectural styles. Care should be taken in the design of new development on this block to promote the economic revitalization of the Broadway Historic District.

- Vehicle Access: Not restricted.

21. Tract 75A

- Intent: To develop a mixed-use development linked with development to occur on Tracts 74A and 75A.
- Principal Use: Entertainment, commercial/retail, residential, office, parking, museums, and public spaces. No more than one new office building or tower development which includes office uses shall be constructed on Tract 75A.
- Design Objectives: The redevelopment of this tract should be planned and designed as an entity with the development of Tracts 74A and 76A. the development is envisaged to consist of a mixture of low-rise garden style buildings, ranging up to twelve stories, all carefully integrated with tower developments, which may range up

to forty-seven stories. The tallest structures shall be built on Commerce Street with the scale diminishing toward Broadway. Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. Historically significant buildings on Broadway will be preserved and integrated into the development and any deterioration facades will be repaired and upgraded. New construction behind the buildings fronting on Broadway or on Broadway itself will be compatible with the earlier buildings in materials, size scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District, but any new structures should not imitate past architectural styles. Care should be taken in the design of new development on this block to promote the economic revitalization of the Broadway Historic District through pedestrian linkages to Broadway and through improved pedestrian service access along the rear of buildings fronting on Broadway.

- Vehicle Access: Not restricted.

22. Tract 76A

- Intent: To develop a mixed-use development to include a public plaza or pedestrian ways integrated by
- Principal Use: Entertainment, commercial/retail, residential, office, parking, and public spaces.
- Design Objectives: The redevelopment of this tract should be planned and designed as an entity with the development of Tracts 74A and 75A. The development is envisaged to consist of a mixture of low-rise garden style buildings, ranging from three to twelve stories. That portion of Tract 76A designated on R.P. Map No. 2A as “Pedestrian/Service Mall” is to be dedicated for permanent plaza, park, or open space. Façade guidelines of the

Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. Historically significant buildings on Broadway will be preserved and integrated into the development and any deterioration facades will be repaired and upgraded. New construction behind the buildings fronting on Broadway or on Broadway itself will be compatible with the earlier buildings in materials, size scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District, but any new structures should not imitate past architectural styles. Care should be taken in the design of new development on this block to promote the economic revitalization of the Broadway Historic District through pedestrian linkages to Broadway and through improved pedestrian service access along the rear of buildings fronting on Broadway.

- Vehicle Access: Not restricted.

23. Tract 81A (portions of Block 81)

- Intent: To provide land for an arena or activities associated with or supportive of a multi-purpose arena facility or complex.
- Principal Use: Arena 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: New construction behind the buildings fronting on Broadway will be compatible with the buildings in the Broadway National Register Historic District in materials, size, scale, height, proportion, orientation, setback, color and texture. Contemporary design must be compatible with the character of the Broadway District, but any new structures should not imitate past architectural styles. Care should be taken in the design of the new development on this block to promote the economic revitalization of the Broadway National Register Historic District.

- Vehicle Access: Not restricted.
24. Tract 82A (Includes all of Block 82).
- Intent: To provide parking and truck marshalling yard for the convention center. This tract may later be used for other development subject to approval of the MDHA.
 - Principal Use: Parking
 - Design Objectives: To maximize parking capacity and facilitate traffic flow. Special consideration shall be given to items such as landscaping, lighting, drainage, aesthetics, safety and security.
 - Vehicle Access: Access to the site may be permitted from McGavock Street, Fifth Avenue South, Broadway and Sixth Avenue South.
25. Tract 91A
- Intent: To provide land for a variety of new high intensity uses compatible with existing civic and cultural facilities located south of Broadway, including the Gaylord Entertainment Center, Country Music Hall of Fame and Museum, and Schermerhorn Symphony Center. Principal Use: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.
 - Principal Uses: Arena 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 blocks should be planned and designed to accommodate high intensity development supportive of a strong pedestrian environment in the area south of Broadway. The scale and orientation of new development south of Broadway should emphasize the importance of Demonbreun Street, 5th Avenue, and any future extension of Gateway Boulevard as primary streets in the area.

- Vehicle Access: Not restricted, except for new development located on any future extension of Gateway Boulevard from which access will be restricted.
26. Tract 92A (all of Block 92)
- Intent: To provide land for an arena or activities associated with or supportive of a multi-purpose arena facility or complex.
 - Principal Use: Arena 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 this block should be planned and designed as an entity with the development of Tracts 81A, 82A, 91A, 93A, 95A, 96A, 97A, 98A, 99A, and 100A. Special consideration should be devoted to such items as landscaping, lighting, aesthetics, safety and security.
 - Vehicle Access: Not restricted.
28. Tract 94A
- Intent: To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
 - Principle Uses: Convention Center, for meetings and exhibitions.
 - Accessory Uses: Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.
 - Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Convention Center Master Plan approved by the Metropolitan Council

contemporaneously with Amendment No. 8 to the Capitol Mall Redevelopment Project Plan (the “Master Plan”).

- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran’s Boulevard from which access will be restricted.

29. Tract 95A

- Intent: To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
- Principle Uses: Convention Center, for meetings and exhibitions.
- Accessory Uses: Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.
- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran’s Boulevard from which access will be restricted.

30. Tract 96A

- Intent: To develop a portion of this site for a convention center hotel, complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user and other uses in accordance with the Master Plan.
- Principle Uses: Convention center hotel, arts and entertainment, cultural facilities, civic facilities, structured parking, retail and public spaces.

- Accessory Uses: Accessory uses incidental to the principal uses, such as retail businesses for the convenience and service of the ultimate consumer, truck unloading area, and access roads and ramps.
- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran's Boulevard from which access will be restricted.

31. Tract 97A

- Intent: To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
- Principle Uses: Convention Center, for meetings and exhibitions.
- Accessory Uses: Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.
- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran's Boulevard from which access will be restricted.

32. Tract 98A

- Intent: To provide land for a variety of new high intensity uses compatible with existing civic and cultural facilities located south of Broadway, including the Gaylord Entertainment Center,

Country Music Hall of Fame and Museum, and Schermerhorn Symphony Center.

- Principal Use: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.
- Design Objectives: The redevelopment of these blocks should be planned and designed to accommodate high intensity development supportive of a strong pedestrian environment in the area south of Broadway. The scale and orientation of new development south of Broadway should emphasize the importance of Demonbreun Street, 5th Avenue, and any future extension of Gateway Boulevard as primary streets in the area.
- Vehicle Access: Not restricted, except for new development located on any future extension of Gateway Boulevard from which access will be restricted.

33. Tract 99A

- Intent: To provide land for a variety of new high intensity uses compatible with existing civic and cultural facilities located south of Broadway, including the Gaylord Entertainment Center, Country Music Hall of Fame and Museum, and Schermerhorn Symphony Center. Principal Use: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.
- Design Objectives: The redevelopment of these blocks should be planned and designed to accommodate high intensity development supportive of a strong pedestrian environment in the area south of Broadway. The scale and orientation of new development south of Broadway should emphasize the importance of Demonbreun Street, 5th Avenue, and any future extension of Gateway Boulevard as primary streets in the area.

- Vehicle Access: Not restricted, except for new development located on any future extension of Gateway Boulevard from which access will be restricted.

34. Tract 100A

- Intent: To provide land for a variety of new high intensity uses compatible with existing civic and cultural facilities located south of Broadway, including the Gaylord Entertainment Center, Country Music Hall of Fame and Museum, and Schermerhorn Symphony Center. Principal Use: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.
- Design Objectives: The redevelopment of these blocks should be planned and designed to accommodate high intensity development supportive of a strong pedestrian environment in the area south of Broadway. The scale and orientation of new development south of Broadway should emphasize the importance of Demonbreun Street, 5th Avenue, and any future extension of Gateway Boulevard as primary streets in the area.
- Vehicle Access: Not restricted, except for new development located on any future extension of Gateway Boulevard from which access will be restricted.

35. Tract 101 (*Amendment No. 4 – Ord#O97-755, 6/3/97 – As Exhibit A-1*)

- Intent: To provide adequate and suitable space in appropriate locations for high intensity residential uses mixed with a wide range of compatible non-residential uses. Living areas are integrated with working and shopping areas to encourage the reduction of travel needs and parking requirements. Strong pedestrian linkages are encouraged. The preservation of existing buildings that contribute to the historical or architectural character of the district is also encouraged.

- Principal Use: Residential mixed with compatible non-residential use, including office, retail shops, entertainment, restaurants and other eating and drinking establishments, but not drive-in facilities; and personal service businesses such as barber or hairdressing shops, shoe repair, watch and jewelry repair, dry cleaning and pressing shops, etc.
 - Design Objectives: Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. New Construction on Broadway will be compatible with the earlier buildings in materials, size, scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District but any new structures should not imitate past architectural styles.
36. Tract 102 (*Amendment No. 4 – Ord#O97-755, 6/3/97 – As Exhibit A-1*)
- Intent: To provide adequate and suitable space in appropriate locations for high intensity residential uses mixed with a wide range of compatible non-residential uses. Living areas are integrated with working and shopping areas to encourage the reduction of travel needs and parking requirements. Strong pedestrian linkages are encouraged. The preservation of existing buildings that contribute the historical or architectural character of the district is also encouraged.
 - Principal Use: High intensity residential mixed with compatible non-residential use, including office, retail shops, entertainment, restaurants and other eating and drinking establishments, but not drive-in facilities; and personal service businesses such as barber or hairdressing shops, shoe repair, watch and jewelry repair dry cleaning and pressing shops, etc.
 - Design Objectives: Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels

in the Broadway National Register Historic District. New construction on Broadway will be compatible with the earlier buildings in materials, size, scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District but any new structures should not imitate past architectural styles.

37. Tract 103 (*Amendment No. 4 – Ord #O97-755, 6/3/97 – As Exhibit A-1*)

- Intent: To provide adequate and suitable space in appropriate locations for high intensity residential uses mixed with a wide range of compatible non-residential uses. Living areas are integrated with working and shopping areas to encourage the reduction of travel needs and parking requirements. Strong pedestrian linkages are encouraged. The preservation of existing buildings that contribute the historical or architectural character of the district is also encouraged.
- Principal Use: High intensity residential mixed with compatible non-residential use, including office, retail shops, entertainment, restaurants and other eating and drinking establishments, but not drive-in facilities; and personal service businesses such as barber or hairdressing shops, shoe repair, watch and jewelry repair dry cleaning and pressing shops, etc.
- Design Objectives: Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. New construction on Broadway will be compatible with the earlier buildings in materials, size, scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District but any new structures should not imitate past architectural styles.

38. Tract 104 (*Amendment No. 4 – Ord#O97-755, 6/3/97 – As Exhibit A-1*)

- Intent: To provide adequate and suitable space in appropriate locations for high intensity residential uses mixed with a wide range of compatible non-residential uses. Living areas are integrated with working and shopping areas to encourage the reduction of travel needs and parking requirements. Strong pedestrian linkages are encouraged. The preservation of existing buildings that contribute the historical and architectural character of the district is also encouraged.
- Principal Use: High intensity residential mixed with compatible non-residential use, including office, retail shops, entertainment, restaurants and other eating and drinking establishments, but not drive-in facilities; and personal service businesses such as barber or hairdressing shops, shoe repair, watch and jewelry repair dry cleaning and pressing shops, etc.
- Design Objectives: Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. New construction on Broadway will be compatible with the earlier buildings in materials, size, scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District but any new structures should not imitate past architectural styles.

39. Tract 105

- Intent: To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
- Principle Uses: Convention Center, for meetings and exhibitions.
- Accessory Uses: Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate

consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.

- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran's Boulevard from which access will be restricted.

40. Tract 106

- Intent: To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
- Principle Uses: Convention Center, for meetings and exhibitions.
- Accessory Uses: Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.
- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran's Boulevard from which access will be restricted.

41. Tract 107

- Intent: To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
- Principle Uses: Convention Center, for meetings and exhibitions.

- **Accessory Uses:** Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.
- **Design Objectives:** The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- **Vehicle Access:** Not restricted, except for new development located on any future extension of Korean Veteran's Boulevard from which access will be restricted.

42. Tract 108

- **Intent:** To develop a multi-purpose convention center complete with meeting rooms, exhibit areas and service areas, such as restaurants, small retail shops, newsstands, or other similar uses, for the convenience of the ultimate user.
- **Principle Uses:** Convention Center, for meetings and exhibitions.
- **Accessory Uses:** Accessory uses incidental to the principal uses, such as offices for the use of businesses and professions, retail businesses for the convenience and service of the ultimate consumer, offices to accommodate the convention center management staff, truck unloading area, and access roads and ramps.
- **Design Objectives:** The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- **Vehicle Access:** Not restricted, except for new development located on any future extension of Korean Veteran's Boulevard from which access will be restricted.

43. Tract 109

- **Intent:** To provide land for a variety of new high intensity uses compatible with the new convention center.

- Principle Uses: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.
- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran’s Boulevard from which access will be restricted.

44. Tract 110

- Intent: To provide land for a variety of new high intensity uses compatible with the new convention center.
- Principle Uses: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.
- Design Objectives: The redevelopment of this tract should be planned and designed consistent with the Master Plan.
- Vehicle Access: Not restricted, except for new development located on any future extension of Korean Veteran’s Boulevard from which access will be restricted.

c) General Regulations and Controls

The following general regulations and controls shall apply to all land within the project area acquired by the MDHA and are in addition to those set forth in the previous subsection:

1. Site Plan

In the redevelopment of all blocks and parcels of land, the building 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 the 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 amendment to the site plan is approved by the MDHA, and where the redevelopment is to be accomplished in stages, a breakdown and staging of the proposed construction shall accompany the site plan. Development shall conform the approved site plan. If after initial approval, an amendment to the site plan is approved by the MDHA, then the latest officially amended site plan shall constitute the approved site plan.

2. Exterior Design.

All of the exposed sides of the building (i.e., any building wall not abutting another) shall be treated architecturally with finish materials in character with the main façade 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.

3. Temporary Structures.

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 the MDHA for successive periods up to six months each.

4. Parking.

Parking garages may be extended beneath adjacent sidewalks to within ten feet of the curb line provided; however, that the topmost surface of the structure is not less than four feet below the grade of the sidewalk, in order to maintain a minimum four-foot depth of soil for street trees and utilities.

5. 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 waste materials, delivery of fuel, and other servicing functions.

The intent and design objective of the plan is to provide common service facilities serving all of the buildings 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. The vertical height may be reduced at the discretion of the MDHA.

6. Signs.

The sign regulations found in Metropolitan Zoning Code, Section 17.37, as may be amended from time to time, shall govern the use of signs of all parcels subject to the Downtown Code and located in the Redevelopment District. For parcels not subject to the Downtown Code, the signage guidelines adopted by the Board of Commissioners of the Metropolitan Development and Housing Agency shall control all signage on the parcel. Provided however, the foregoing or any other provision of the redevelopment plan to the contrary notwithstanding, billboards shall not be permitted within the boundaries of the redevelopment district.

7. Storage in Open Areas.

The storage of equipment, goods, wastes, trash, debris and any other materials, or containers for such storage in open areas, will be prohibited.

8. Interim Use.

The MDHA may establish such interim uses as it deems desirable in the public interest on property which it has acquired and not yet sold to a developer.

9. Historic Preservation

Except as otherwise noted, this section applies to properties located on Broadway in the Capitol Mall Redevelopment Project. No structure listed or eligible for the National Register of Historic Places nor any structure contributing to a National Register Historic Secretary of the Interior's Standards for Historic Preservation except as may be otherwise provided for herein. No permit for the demolition of any eligible or contributing structure shall be issued unless it is determined by MDHA that the building is economically infeasible for renovation. No demolition permit

on such a structure shall be issued until 90 days following receipt of a demolition request by MDHA unless the health and safety of the community is determined to be in jeopardy. This demolition permit and waiting period does not apply to any alteration to or the partial demolition of the rears of buildings on Broadway as contemplated by Section C.2.b. of the Plan. The demolition permit and waiting period requirements shall apply to the Ryman Auditorium located at 116 5th Avenue North (Parcel O93-06-3-71) in the Capitol Mall Redevelopment Project.

In administering the demolition permit process, the minimum 90 day waiting period shall begin as of the date the permit is applied for at the Metropolitan Department of Codes. Not more than 10 days after the application date for a demolition permit, MDHA shall notify in writing all property owners within the Broadway National Register Historical District, the Metropolitan Historical Commission, the Metropolitan Planning Commission, and any other parties registering with MDHA in writing that they wish to receive such notices, that a demolition request is pending. The MDHA design review panel shall hold a public hearing on the demolition request not less than 45 days before the end of the waiting period. At least 20 days prior to the public hearing, MDHA shall notify in writing all property owners within the Broadway National Register Historical District, the Metropolitan Historical Commission, the Metropolitan Planning Commission, and Historic Nashville, Inc. and place a notice of said public hearing on the proposed demolition in a local newspaper of general circulation. Also, at least 20 days before the public hearing, the owner of the property shall provide the MDHA and MDHA shall provide on request the following information:

- An estimate of the cost of the proposed demolition;
- A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structure and its suitability for rehabilitation;

- The estimated market value of the property both in its current condition, and after completion of the proposed demolition or removal;
- An estimate as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
- The amount paid for the property, date of purchase and the party from whom the property was purchased, and any terms of financing between the seller and buyer;
- If the property is income-producing, the annual gross income from the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
- The remaining balance on any mortgage and annual debt service during the same period;
- All appraisals obtained within the previous two years;
- Any listings of the property for sale or rent, price asked, and offers received within the previous two years;
- The assessed value of the property according to the two most recent assessments;
- Real estate taxes for the previous two years;
- The form of ownership or operation of the property;
- Any other information including income tax bracket of the owner, applicant, or principal investors in the property so as to determine if the property does yield or may yield a reasonable return to the owners.

Within 15 days of the Public Hearing and not less than 30 days from the end of the waiting period, MDHA shall issue a written finding as to whether the demolition permit should be issued and the reasons for its decision. This shall be a final decision appealable to the Chancery Court of Davidson County.

The 90 day period shall not be required in instances where the health and safety of the community are in immediate jeopardy. In making this determination, MDHA shall convene its design review panel as constituted in this section and consider evidence presented by the Metropolitan Department of Codes or the Metropolitan Department of Health as well as independent architectural or engineering assessments from experts recommended by the Metropolitan Historical Commission as to the safety or health issues involved.

Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. New construction behind the buildings fronting on Broadway or on Broadway itself will be compatible with the earlier buildings in materials, size, scale, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District but any new structures should not imitate past architectural styles.

For new buildings or side or rear additions to buildings within fifty feet of the right-of-way of Broadway, maximum building height shall be limited to the greater of the following:

- 35 feet
- The height of the tallest historically significant building on the same or opposing block face, if greater than 35 feet
- Equal to $d+25$ feet where d equals the horizontal distance (in feet) between the proposed building and any historically significant structure on an adjoining parcel, with said distance being measured perpendicular to the side building line of the historic structure.

In any design review affecting properties on Tracts 74A, 75A, or 76A of the Capitol Mall Redevelopment Project Plan, MDHA shall consult with

the staff of the Metropolitan Historical Commission concerning the designation of historic buildings and recommendations concerning compatibility of proposed activities. In order to give consideration to the preservation of historic buildings and compatibility of new development with the setting of historic structures, the Executive Director of MDHA, in any design review affecting properties designated to be of concern by the Metropolitan Historical Commission, shall include on the design review panel a representative of the Metropolitan Historical Commission, a private citizen or expert selected by MDHA from among three persons nominated by the Metropolitan Historical Commission, and one or more representatives who are either property owners or businessmen in the Second Avenue or Broadway National Register Historic Districts and who shall have not direct interest in the proposed development. When required by law or regulation, a representative of the State Historic Preservation Officer shall also be invited to sit on the design review panel. The aforesaid notwithstanding, the design review committee may receive and weigh the comments of any interested party as to the significance of historic buildings or settings and suggested mitigation or documentation activities if any proposed development will result in alteration or demolition of such buildings or alteration of their setting in relation to existing surroundings.

10. Process For Appeal from Action Taken by MDHA Design Review Committee.

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 actions taken by MDHA' Design Review Committee in the enforcement of provisions of the Redevelopment Plan. Permittee may appeal a decision of the Design Review Committee to the Admintrative 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 has 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, 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 the 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 to be in effect until December 31, 2040.

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 property within sections, which are identified in Land Acquisition Map, R.P. Map No. 3 proposed for acquisition. 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 the MDHA. If the land is sold for private redevelopment, written agreements to abide by said provisions shall be negotiated by the MDHA with the owners of said properties after adoption of this Redevelopment Plan. Failure to comply may be cause for the MDHA to reacquire such property, if such acquisition may be necessary to achieve the objective of the Plan.

3. Alternative 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 the MDHA.

D. PROJECT PROPOSALS

1. Land Acquisition.

Property designated for acquisition is identified on the "Land Acquisition Map," R. P. Maps No. 3 and 3A. Acquisition is necessary to provide for the clearance and redevelopment for private and public uses as permitted by the Plan; 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 the Capitol Mall Project; to provide for the replatting of land and the adjustment of streets, alleys and pedestrian ways; and the assemble suitable disposition tracts.

Certain properties or portions thereof designated for acquisition shall be exempted from acquisition as provided herein. Exemption shall be made if it will not require a change in the Land Use Plan or plans for street or utility improvements; the

exemption and/or permitted continuation of a non-conforming or a detrimental use by MDHA will not adversely affect the use and/or disposition of adjoining parcels acquired or to be acquired; 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.

In order to achieve the objectives of this Plan, it may be necessary and MDHA is authorized to acquire certain properties in the Project Area in addition to those designated on R.P. Maps No. 3 or 3A, "Land Acquisition Map." Additional parcels may be acquired at the request of the owner; to provide for necessary adjustments in utility easements or street, alley or pedestrian rights-of-way; to eliminate dilapidated or deteriorated structures which may be found to exist following subsequent surveys of interior conditions where the owner of the property shall have been notified and accorded a reasonable time, in no case less than ninety (90) days from the date of notice, to bring the structure into compliance with applicable building and housing codes; or to provide clear and marketable title for vacant or abandoned properties.

2. Redeveloper's Obligation and Land Use Controls.

Disposition of the land comprising the Project Area will be made on the basis of affording maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of such area by private enterprise. The land in the area will be disposed of, by lease or sale, to private parties or public bodies for redevelopment by them, in accordance with the provisions of this Plan and their contracts with the MDHA. Preliminary plans for the redevelopment of the property and the construction drawings for the improvements thereon shall be submitted by the developer to the MDHA for

review and approval, to determine compliance with this Redevelopment Plan.

Construction of the improvements shall not be undertaken without the MDHA's prior written approval of said plans and construction drawings.

The MDHA, in disposing of the land in the Project Area to be redeveloped by private or public parties, will in its contract and deed or other instruments of conveyance to such parties, 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 Redevelopment 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 the 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 or national origin in the sale, lease, or rental, or in the use or occupancy of the property or improvements erected or to be erected thereon.

It is intended by this Plan that the MDHA be beneficiary of all such covenants and obligations and that it (in addition to other appropriate public agencies) 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:

- a. Devote the parcels owned by them to, and only to, uses and controls specified in this Redevelopment Plan;
- b. 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. (This obligation, however, will not be made applicable to mortgagees and their successors in interest);
- c. Make no changes, additions or alterations in such improvements after completion of their construction that are not approved by the MDHA as being in conformity with this Plan;
- d. Not reassign contract rights, or to not 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 the MDHA and except in cases satisfactory with the MDHA, and not to speculate in or with respect to such land. Upon the proper completion of improvements as required in the disposition contract, the MDHA will promptly provide certification to the owner that improvements have been completed in accordance with said contract.

3. Underground Utility Lines.

All existing and proposed utility distribution lines (i.e., electric and 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.

E. 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 the MDHA.

F. TAX INCREMENT

Private and public investment continues to strengthen the downtown core. Since the opening of the Music City Center in 2013, the SoBro area of downtown has begun to experience significant transformation. Guided by the SoBro Master Plan that formed a vision for the neighborhoods south of Broadway, several new redevelopment projects are planned for the area. Projects that are currently under design that will most directly impact the Capitol Mall Redevelopment Project Plan include a \$35 million dollar riverfront Amphitheatre planned at the intersection of 1st Avenue and Korean Veterans Memorial Boulevard overlooking the Cumberland River.

Although most of these projects today are developed without the need for financial assistance, aging infrastructure in the Capitol Mall Redevelopment District needs to be addressed. With this new growth comes a greater demand to accommodate supportive infrastructure, such as public parking, to compliment new development both currently underway and anticipated. Wider sidewalks and streetscape improvements including trees and other landscape improvements are coming at a cost of the elimination of on-street parking. Preservation of historic structures can equal or exceed the cost of new construction. Unforeseen environmental issues inside structures and under the ground can leave blighted properties undeveloped for years. The availability of Tax Increment Financing can mitigate these costs associated with new redevelopment while encouraging sustainable development appropriate for our city's urban core.

The total amount of bonded or other indebtedness to be incurred may not exceed \$230 million with a final maturity on or before December 31, 2040, provided that the principal amount of any debt refunded or refinanced shall not be counted in computing such total. Upon retirement of all bonds, loans, or their indebtedness incurred and payable from 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 financing shall include planning, engineering and legal expenses; administrative costs; land acquisition; relocation; site clearance; and streets, pedestrian-ways, utilities, public open space, parking garages, and other uses as allowed under State law, or other structures or public improvements necessary for carrying out the Capitol Mall Redevelopment Project Plan, or other adopted and approved redevelopment plans.

G. 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 Redevelopment 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 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 the 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.

H. 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 judgement 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.

CAPITOL MALL REDEVELOPMENT PLAN

Map 1
Project Boundary

CAPITOL MALL REDEVELOPMENT PLAN

Map 2
Land Use Map

CAPITOL MALL REDEVELOPMENT PLAN

Map 3

Proposed Acquisitions

EXHIBIT A
BOUNDARY DESCRIPTION

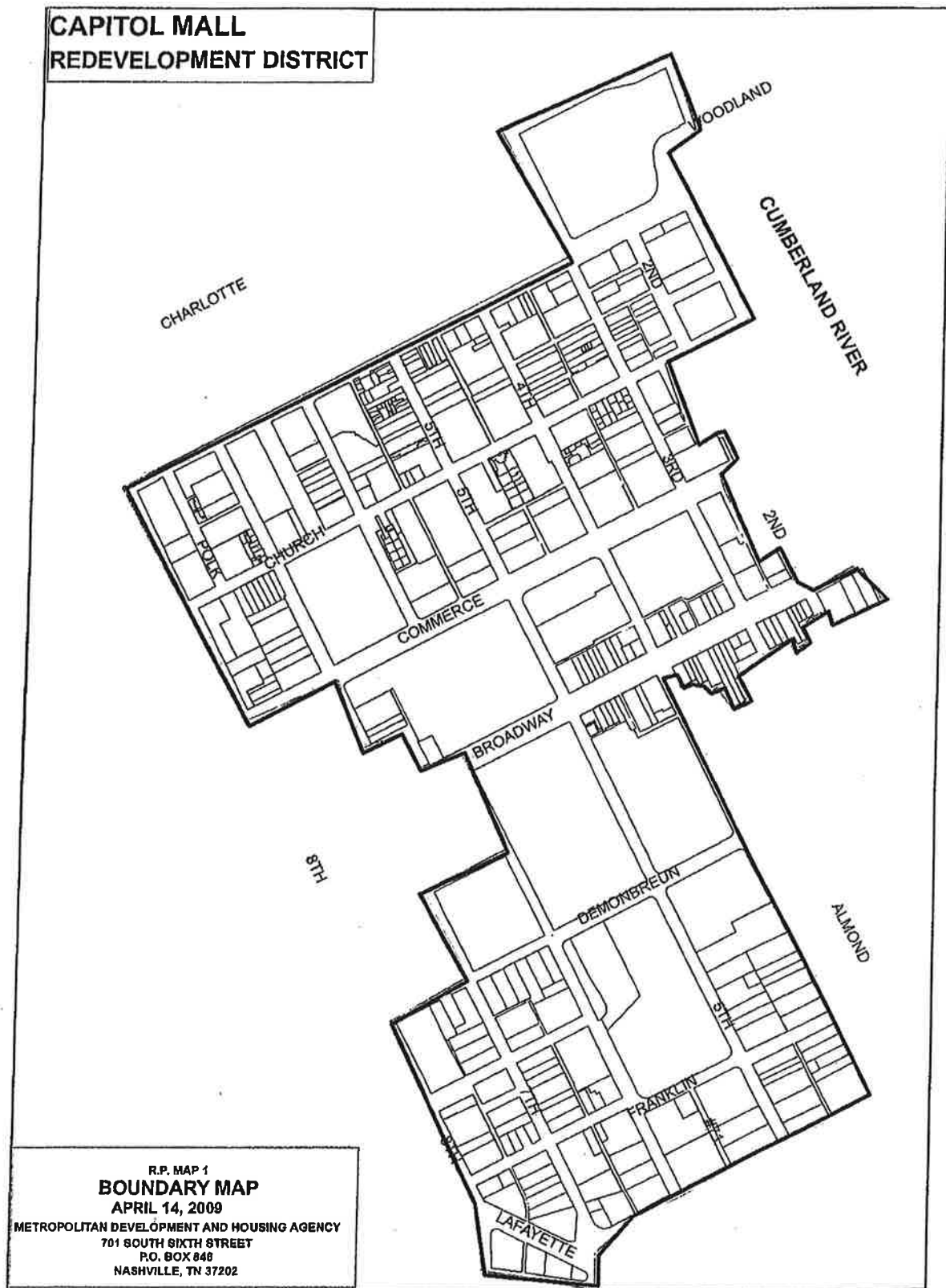
Being a tract of land in Metropolitan Nashville and Davidson County, Tennessee as shown on Project Boundary Map No. 1 and generally described as follows:

Beginning at the point of intersection of the northwesterly line of Church Street and the northeasterly line of Eighth Avenue North; thence, with the northeasterly line of Eighth Avenue northwestwardly to the northeast corner 8th Avenue North and Union Street; thence northeasterly with the northern line of Union Street to the northwest corner of 3rd Avenue North and Union Street; thence northwardly with the western margin of 3rd Avenue North to the northwest corner of 3rd Avenue North and Deaderick Street; thence eastwardly with the northern right-of-way of Deaderick Street to the northeast corner of the right-of-way of Deaderick and 1st Avenue North; thence southeastwardly with the eastern right-of-way of 1st Avenue N. to the southeast corner of the intersection of 1st Avenue N. and Church Street; thence west with the southern margin of Church Street to the eastern property line of Parcel 93-6-2-1; thence southerly with the eastern property line of Parcel 93-6-2-1 to the northern property line of Parcel 93-6-2-30; thence eastwardly with the northern property line of Parcel 93-6-2-30 to the western right-of-way of Second Avenue North; thence southerly with the eastern right of way of Second Avenue North to the intersection of Commerce Street; thence west with the northerly right of way of Commerce Street approximately 115 feet to a point; said point being an extension of the northeasterly line of Alley No. 11; thence, crossing Commerce Street (as widened) southeastwardly approximately 100 feet to the point of intersection with the northeasterly line of Alley No. 11; thence, with the northeasterly line of Alley No. 11 southeastwardly approximately 410 feet to a point being the property line between Parcel Nos. 93-6-2-44 and 93-6-2-47; thence, with the property line between Parcel Nos. 93-6-2-44 and 93-6-2-47 northeastwardly approximately 120 feet to a point lying on the centerline of Second Avenue North; thence, southeastwardly with said centerline to its intersection with the centerline of Broadway; thence, northeasterly approximately 215 feet to the intersection of First Avenue South; thence, southeastwardly approximately 150 feet to the intersection of an Alley; thence, southwestwardly approximately 215 feet with the Alley to the intersection of Second Avenue South; thence, northwestwardly approximately 60 feet to the

intersection of an Alley; thence, southwestwardly with the Alley approximately 69 feet to a point of intersection with the northeasterly property line of Parcel No. 93-6-4-46; thence, with the northeasterly property line of Parcel No. 93-6-4-46 southeastwardly approximately 70 feet to the southeast corner of Parcel No. 93-6-4-46; thence, with the southerly property line of Parcel Nos. 93-6-4-46, 45, 43, 42 and 41 approximately 150 feet to the intersection of Third Avenue South; thence, southeastwardly with Third Avenue South approximately 20 feet to the intersection of the southern property line of Parcel No. 93-6-4-29 extended; thence, with the southern property line of Parcel Nos. 93-6-4-29, 24, 23, 22, 21, 20, 19, 18, 17, 15 approximately

350 feet to the intersection of Fourth Avenue South; thence, southeastwardly with the centerline of Fourth Avenue South approximately 1,900 feet to the southeasterly line of Peabody Street, if extended to the centerline of Fourth Avenue South; thence, southwestwardly with the southeasterly line of Peabody Street approximately 1,320 feet to a point, said point being an extension of the southeasterly line of Peabody Street with the intersection of the southwesterly line of Seventh Avenue South, if extended; thence, approximately 200 feet along the west margin of Seventh Avenue South to the northwest corner of Seventh Avenue South and Lea Avenue; thence west approximately 455 feet along the north margin of Lea Avenue to the southwest corner of Eighth Avenue South; thence north approximately 1,085 feet along the west margin of Eighth Avenue South to the south margin of Demonbreun Street; then approximately 390 feet east-northeast along the south margin of Demonbreun Street to the southwest corner of Seventh Avenue South; thence northwestwardly with the southwesterly line of Seventh Avenue South approximately 244 feet to a point being the southeasterly line of Alley No. 73, if extended; thence, crossing Seventh Avenue South northeastwardly to the southeasterly line of Alley No. 73 and in a northeastwardly direction along the southeasterly line of Alley No. 73 approximately 375 feet to a point of intersection with the southwesterly line of Sixth Avenue South; thence, with the southwesterly line of Sixth Avenue South, northwestwardly approximately 600 feet to a point of intersection with the southeasterly line of Broadway; thence, with the southeasterly line of Broadway southwestwardly approximately 125 feet to a point which is the extension of the southwesterly line of Alley No. 57; thence, with the southwesterly line of Alley No. 57 and its extension northwestwardly approximately 300 feet to a point being the southeasterly property line of Parcel No. 93-6-3-27; thence, with the southeasterly property line of Parcel No. 93-6-3-

27 southwestwardly approximately 170 feet to the northeasterly line of Seventh Avenue North; thence, with the northeasterly line of Seventh Avenue northwestwardly approximately 73 feet to the point of intersection with the northwesterly line of Alley No. 63 northeastwardly approximately 168 feet to the southwesterly line of Alley No. 57; thence, with the southwesterly line of Alley No. 57 northwestwardly approximately 91 feet to a point being the southeasterly property line of Parcel No. 93-6-3-24; thence, with the southeasterly property line of Parcel No. 93-6-3-24 and its extension southwestwardly approximately 228 feet to a point in the southwesterly line of Seventh Avenue North; thence, with the southwesterly line of Seventh Avenue North northwestwardly approximately 115 feet to the point of intersection with the southeasterly line of Commerce Street (as widened); thence, with the southeasterly line of Commerce Street (as widened) southwestwardly approximately 332 feet to the point of intersection with the northeasterly line of Eighth Avenue North; thence, with the northeasterly line of Eighth Avenue North northwestwardly approximately 625 feet to the point of intersection with the northwesterly line of Church Street, being the point of beginning.



R.P. MAP 1
BOUNDARY MAP
APRIL 14, 2009
METROPOLITAN DEVELOPMENT AND HOUSING AGENCY
701 SOUTH SIXTH STREET
P.O. BOX 848
NASHVILLE, TN 37202

