

ORDINANCE NO. 099-1763

An ordinance Approving the Central State Redevelopment Plan.

WHEREAS, the Metropolitan Development and Housing Agency desires to redevelop the area around and including the abandoned Middle Tennessee Mental Health Property; and

WHEREAS, the Metropolitan Development and Housing Agency has completed studies and prepared a plan for redevelopment entitled "Central State Redevelopment Plan," (herein referred to as the "Plan") consisting of a text, Redevelopment Plan (R.P.) Maps 1, 2 and 3, and Exhibit "A" attached thereto, all dated June 8, 1999, which have been filed with and referred to the Metropolitan Council of Nashville and Davidson County, Tennessee (herein referred to as the "Governing Body,") for review and approval; and

WHEREAS, the Metropolitan Development and Housing Agency has examined the area proposed for inclusion in the redevelopment project and determined that it is a blighted area with buildings or improvements located on the Middle Tennessee Mental Health property which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use, or obsolete layout, or any combination of these or other factors are detrimental to the safety, health, morals or welfare of the community and that such conditions should be eliminated in the public interest and the members of this Governing Body have been duly apprised and are aware of these conditions; and

WHEREAS, the project is located in Metropolitan Nashville and Davidson County, Tennessee and is to be undertaken by the Metropolitan Development and Housing Agency in accordance with and in furtherance of the objectives of Article 1, Section 8 and 21 and Article 11, Section 28 of the Constitution of Tennessee: 'The Housing Authorities Law,' Chapters 20 and 45, Public Acts of Tennessee of 1935 (1st 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 Tennessee Code Annotated Sections 13-20-201 through 13-20-216); and

WHEREAS, the Metropolitan Development and Housing Agency desires to utilize the tax increment funding provision pursuant to Tennessee Code Annotated 13-20-205 in furtherance of its projects; and

WHEREAS, the Plan for the area prescribes certain land uses and controls and provides for the acquisition by negotiation or otherwise of certain properties for public use or for resale to a redeveloper or developers; and

WHEREAS, the members of the Governing Body have carefully considered and reviewed the proposal for redevelopment, including the relocation of businesses that may be displaced; and

WHEREAS, in order to implement the Plan, the Governing Body must approve and authorize certain actions;

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE:

Section 1. That it is hereby found and determined that the redevelopment area defined by the Plan entitled "Central State Redevelopment Plan," dated June 8, 1999, is a blighted area as defined in and in accordance with Tennessee Code Annotated Sections 13-20-201 through 13-20-216; that conditions existing therein are detrimental to the safety, health, morals or welfare of the people of Nashville and Davidson County, that said area or such portions thereof as deemed necessary for acquisition by the Metropolitan Development and Housing Agency by negotiation or otherwise, as provided by Tennessee Code

Annotated 13-20-104 and 13-20-202, and so designated pursuant to the Plan, or any amendment or amendments thereto, should be so acquired by the Metropolitan Development and Housing Agency; and that such blighted conditions should be eliminated.

Section 2. That the Plan entitled "Central State Redevelopment Plan," consisting of a text, Redevelopment Plan (R.P.) Maps 1, 2 and 3, and Exhibit "A" attached thereto, all dated June 8, 1999 as filed with the Metropolitan Clerk, is hereby in all respects approved.

Section 3. That it is hereby found and determined that the Plan for the project area conforms to the General Plan for Nashville.

Section 4. That the use of tax increment funding pursuant to Tennessee Code Annotated 13-20-205, is hereby approved for undertaking activities specified in the Plan.

Section 5. That it is hereby found and determined that, in addition to the elimination of blight from the project area, the undertaking of the project in such area will further promote the public welfare and proper development of the community.

Section 6. That it is hereby found and determined that the Plan for the project area will afford maximum opportunity, consistent with sound needs of the locality as a whole, for the redevelopment of the area by private enterprise.

Section 7. That the Metropolitan Clerk is directed to file this Ordinance together with the Plan referred to herein as a part of the minutes of this meeting.

Section 8. That this Ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Janis Sontany & Charles French

CENTRAL STATE REDEVELOPMENT PLAN

Preface

The Central State Redevelopment Project is located south and east of the Nashville International Airport, approximately seven miles east of downtown Nashville in Davidson County Tennessee. This Redevelopment Area is undertaken by the Metropolitan Development and Housing Agency in accordance with and in furtherance of the objectives of Article I, Sections 8 and 21 and Article II, Section 28, of the Constitution of Tennessee: 'The Housing Authorities Law', Chapters 20 and 45, Public Acts of Tennessee of 1935 (1st 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 Tennessee Code Annotated Sections 13-20-201 through 13-20-216). The Metropolitan Council of Nashville and Davidson County has declared the area to be a blighted area within the scope of Tennessee Code Annotated, Section 13-20-201.

A. TABLE OF CONTENTS

This Redevelopment Plan dated June 8, 1999 consists of, and only of, the following Text, Exhibit and Maps:

I. TEXT

SUBJECT

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PREFACE i

A. TABLE OF CONTENTS 1

B. DESCRIPTION OF PROJECT AREA 2

1. Boundaries of the Project Area 2

2. Redevelopment Plan Objectives 2

3. Proposed Redevelopment Actions 2

C. LAND USE PLAN 3

1. Land Use Map 3
2. Land Use Provisions and Building Requirements 3
 - a. General Land Use Districts 3
 - b. General Design Regulations and Controls 4
 - c. Duration of Land Use Controls 6

D. LAND ACQUISITION 6

E. REDEVELOPERS OBLIGATION AND LAND USE CONTROLS 7

F. RELOCATION ASSISTANCE 7

G. TAX INCREMENT 7

H. PROCEDURE FOR AMENDING THE PLAN 8

I. SEVERABILITY 8

II. MAPS

Redevelopment Plan Map No. 1, Project Boundary Map June 8, 1999

Redevelopment Plan Map No. 2, Land Use Map June 8, 1999

Redevelopment Plan Map No. 3, Land Acquisition Map June 8, 1999

III. EXHIBITS

Exhibit "A", Boundary Description

B. DESCRIPTION OF PROJECT AREA

The Central State Redevelopment Project is located on the southern and eastern boundary of the property of Metropolitan Nashville Airport Authority (MNA). The area is generally bordered on the west and north by the MNA owned land and Harding Place and the proposed Harding Place extension on the south and east. The area includes the structures on the Middle Tennessee Mental Health property which meet the definition of blighted areas based on building surveys conducted in conjunction with this Plan and in accordance with Tennessee Code Annotated (TCA) Section 13-20-201. The area also includes vacant land owned by the MNA. The area encompasses about seven hundred fifty acres, exclusive of public rights-of-way, and a large portion of the area is vacant or underutilized.

The State abandoned Middle Tennessee Mental Health Facility became the property of the Metropolitan Government following the relocation of State facilities to a new location. The largest of buildings on the site are abandoned and have deteriorated to the extent rehabilitation is unfeasible.

The Central State Redevelopment Plan is consistent with and implements the recommendations of the General Plan for Nashville and Davidson County as reflected in the *Subarea 13 Plan (Updated 1996)*. The Redevelopment Plan is compatible with local plans for street improvements and land uses in the 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."

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 the planned development of industrial, commercial, mixed use, and warehousing.
- b. To provide for redevelopment of the Project Area, wherein vacant, 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.
- 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 and residents where necessary to accomplish the objectives of the Plan.
- 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, pedestrianways, parking facilities and other public improvements necessary to support the redevelopment of the area.

3. PROPOSED REDEVELOPMENT ACTIONS

The above objectives are to be accomplished through the coordinated and planned redevelopment of the area and the elimination of blighting influences posed by dilapidated buildings and structures, underutilized land, and incompatible uses. The various proposals of the Plan have been adopted to remove the conditions which have created or contributed to the substandard character of improvements in the Project Area and restore the vitality of the area through redevelopment and rehabilitation. The types of actions necessary to achieve this objective are:

- a. The acquisition of land through negotiation or condemnation for public purposes or private development in accordance with the Land Use Plan.
- b. The acquisition of land through negotiation or condemnation for the purpose of removing, preventing, or reducing blight.
- c. Demolition, clearance and relocation as necessary to achieve the objectives of the Plan.
- d. Closing, vacating, or relocating various streets, alleys, pedestrianways, or utilities.
- e. To provide for and construct improved streets, alleys, public facilities, open spaces, greenways, pedestrianways and other infrastructure.
- f. Negotiation of agreements, including, but not limited to development, sale or lease agreements, with developers to undertake redevelopment of property in accordance with the Land Use Plan.
- g. Changes in zoning to be consistent with the Land Use Plan and the *Subarea 13 Plan* and any updates thereto.

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," 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 all requirements and restrictions as specified in this section. All redevelopment on parcels as sold, leased or under redevelopment agreements through MDHA 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 or any future Overlay District enacted as part of the Metropolitan Zoning Code.

- a. General Land Use Districts: Within the general land use districts shown on R. P. Map No. 2, "Land Use Plan," the following represent objectives for redevelopment in accordance with this Plan:

Warehousing and Industrial District: The area surrounding the Nashville International Airport is typified with industrial uses. This is in keeping with the *Subarea 13 Plan* and is controlled by Zoning Regulations of the Metropolitan Government.

Uses

- Manufacturing, warehousing and distribution
- Transportation and transportation related uses
- Offices – business, governmental, professional, etc.
- Convenience and general retail sales and service
- Commercial
- Wholesale Sales
- Parking
- Public parks, greenways, plazas and playgrounds
- Restaurants and other eating or drinking establishments
- Accessory uses customarily incidental to any of the above

Conditional Uses: The following uses may be permitted in Warehousing and Industrial District if it is so designed, located and proposed to be operated such that the public health, safety and welfare will be protected and will not adversely affect other property in the area:

- Residential
- Hotel/Motel

- a. General Design Regulations and Controls: (This section shall only apply to property owned, sold or leased by the MDHA.) In order to achieve the objectives of the Central State 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.

1.) Site Plan

In the development, redevelopment, or improvement of all lots and parcels of land, the buildings and improvements shall be planned and designed as an entity. A site plan shall be prepared which shows buildings, structures, appurtenances, walls, fences, signs, driveways, parking and service areas, walks, utilities, plantings, grades and elevations and any other facilities which are proposed. Property shall be developed to permit safe entrance and exit from the public right-of-way by pedestrians and vehicles and to minimize the degree of conflict between these two modes. Entrances and exits from new buildings shall be designed to permit direct entry from and exit to public right-of-way by vehicles without requiring backing movements within public right-of-way wherever possible. The site plan shall be submitted to MDHA for review and approval, and where the development is to be accomplished in phases, a construction-phasing schedule shall accompany the site plan. The site plan shall contain a scale, north arrow, map and parcel number, property address, all property and street lines, all existing easements, the location of all off-site buildings within fifty feet of the site boundaries, and the location and capacity of all existing public utilities unless any or all of these specific requirements shall be waived as unnecessary by MDHA. Development shall conform to the approved site plan. Approval of a site development plan by MDHA shall not relieve the owner from receiving approvals from other governmental agencies as required by law or regulation.

2.) Landscape Plan

Those portions of lots or parcels of land which are not built upon or are not paved for parking or pedestrianways 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. The landscaping plan shall show location, size, spacing, species, form and quality of all existing and proposed materials. 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

Property shall be developed to enhance the overall appearance of the Project Area. Where possible, building materials, landscaping and paving materials should be coordinated to aid in creating a harmonious development. On newly constructed buildings, all of the exposed sides of a structure, (i.e. any building wall not abutting another) shall be treated architecturally with finish materials in character with the main facade of the building. For additions, finishes should be compatible with the existing building and the exterior materials of buildings on adjacent properties. Similarly, the exterior design and treatment of other facilities (e.g. courts, plazas, terraces, walls, walks, steps, etc.) shall be in character with the building. Elevation drawings shall be submitted to MDHA, which will review and approve them with respect to general design and materials affecting exterior appearances. Elevation drawings shall contain a scale, elevations of all existing structures which are to be retained, elevations of all new additions or new construction, location and description of all signs to be mounted or placed on any structure on the site, and designations of all proposed materials which will be exposed, including color and texture.

4.) Environmental Nuisances

To the extent possible, property shall be developed to contain, within the limits of the property, the effects of environmental nuisances created by the operation of commercial businesses. Environmental nuisances included shall be 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.

5.) 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. Surface parking should be appropriately landscaped.

6.) Off-Street Loading and Unloading

A service area with adequate off-street loading and unloading space to accommodate pick-up and/or delivery of goods or mail by truck, removal of waste materials, delivery of fuel, and other servicing functions required for buildings and structures shall be provided for all uses. The service area shall not encroach upon any space provided for off-street automobile parking, but maneuvering space may be shared. MDHA shall determine if the service area is adequate for the off-street loading and unloading requirements of the particular use and building proposed. Wherever feasible and practicable, a service area may serve a group of buildings on the same lot or adjacent lots. These requirements are in addition to and do not supersede zoning or other regulations pertaining to loading areas.

7.) Construction Approvals

No parking area or parking facilities, 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 showing the location of the facilities, improvements, and structures on the land have been approved by MDHA, 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.

8.) Temporary Structures and Interim or Alternate Uses

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

9.) Process for Appeal from Action taken by MDHA Design Review Committee.

In order to insure 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 within three (3) days after notification of Design Review Committee action to the Administrative Appeals Board. 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 land 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 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 applicable permit and cause any non-conforming structure to be removed. 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 provided by the Metropolitan Code of Laws.

a. Duration of Land Use Controls

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, 2039.

C. LAND ACQUISITION

1. PROPERTY DESIGNATED FOR ACQUISITION

Property designated for acquisition is identified on the "Proposed Land Acquisition Map," R. P. Map No. 3. Acquisition may be 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 land; to provide for the replatting of land and the development or adjustment of streets, alleys and pedestrianways; to assemble suitable disposition tracts; and acquire real property where the condition of title, diverse ownership of real property to be assembled, street or lot layouts, or other conditions prevent a proper development of the property. 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.

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 Map 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 or 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, 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.

3. CONDITIONS BY WHICH LAND NOT DESIGNATED FOR ACQUISITION MAY BE ACQUIRED

In order to achieve the objectives of the 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. Map No. 3, "Land Acquisition Map". Additional properties may be acquired at the request of the owner; to provide for necessary adjustments in utility easements to street, alley or pedestrian rights-of-way; to provide land for public use in connection with State or local projects; to provide clear and marketable title for vacant or abandoned properties.

E. REDEVELOPERS 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 ensure 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 Zoning Code 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, as well as, 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 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 affecting the exterior 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 interests 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.

F. RELOCATION ASSISTANCE

The MDHA has established plans and procedures and shall provide assistance to individuals and businesses permanently or temporarily displaced by its actions in acquiring land for implementation of this Plan. 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. Since many of the planned developments incorporated in this Plan are to occur on vacant land or through the renovation of existing unused or underutilized structures, it is expected that relocation of businesses will be minimal. Business relocations that do occur will be handled in accordance with MDHA's redevelopment policies and procedures, which reflect Federal, State, and Local legislation.

G. TAX INCREMENT

Total property taxes receivable from land and leaseholds in the Central State Project Area are currently estimated at \$450,000 based on a total assessed value of approximately \$10.5 million. 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 \$50 million. The total net annual increase of about \$1 million in property taxes so generated in the Central State Redevelopment Project will not occur without the redevelopment activities of MDHA.

Given the conditions of blight as well as the difficulty of development presented by poor access and the diversity of ownership of individual tracts evident in the Central State Redevelopment Project Area, private investment and redevelopment is

unlikely to occur. The activities of MDHA will make the area conducive to new private development and result in increased tax revenues to the Metropolitan Government. The tax increment backed debt of \$7.5 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. As of 1998, tax increment financing from all redevelopment districts in Nashville and Davidson County consumed less than 1.5 percent of the annual amount of property taxes due the Metropolitan Government.

Existing and anticipated sources of revenue to finance the undertaking, including the estimated amount from tax increment backed bonds or other indebtedness are:

State & Local Funds \$25,000,000

Tax Increment Financing \$ 7,500,000

The estimated amount of total bonded or other indebtedness from the beginning to the end of the project is \$32,500,000. State and local cost estimates include planned improvements to the Middle Tennessee Mental Health Property and the Harding Place Extension. The amount of bonds or other indebtedness backed by the tax increment shall not exceed \$7.5 million. 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, 2039. 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 be in compliance with State law.

H. PROCEDURE FOR AMENDING THE 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 the 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.

I. 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.

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 a point at the southwest intersection of Old Murfreesboro Road and Harding Place Extension right-of-way; thence northwardly approximately 15,600 feet to the intersection of Elm Hill Pike and the northwest property line of Parcel 136, Davidson County Property Map 108; thence westwardly with the southern margin of Elm Hill Pike approximately 1,200 feet to the overpass of Elm Hill Pike and Interstate 40; thence westwardly with the southern right-of-way of Interstate 40 approximately 1,300 feet to a point; thence southwardly, with a straight line parallel to, and 600 feet east of, Runway 20L 2R, approximately 14,200 feet to the north right-of-way of Murfreesboro Road; thence westwardly with the northern right-of-way of Murfreesboro Road approximately 7,800 feet to the southeast property line of Parcel 121, Davidson County Property Map 120; thence northwardly with the eastern property line of Parcel 121 approximately 520 feet to the northeast corner of Parcel 121; thence westwardly with the northern property line of Parcel 121 approximately 500 feet to the northwest corner of Parcel 121; thence southwardly with the western property line of Parcel 121 approximately 520 feet to the southwest corner of parcel 121; thence continuing in a straight line to the southern right-of-way of Murfreesboro Road; thence eastwardly with the southern right-of-way of Murfreesboro Road approximately 150 feet to the northwest property line of Parcel 56, Davidson County Property Map 120; thence southerly with the eastern property line of Parcel 56 approximately 1,700 feet to the southwest corner of Parcel 56; thence continuing in a straight line to the southern right-of-way of School Lane; thence westwardly with the southern right-of-way of School Lane approximately 300 feet to the intersection of Weaver Drive; thence southwardly approximately 325 feet with the western property line of Parcel 61, Davidson County Map 120 to the southwest property corner of Parcel 61; thence eastwardly with the northern property line of Parcel 62, Davidson County Map 120, eastwardly approximately 300 feet to the southeast property corner of Parcel 57, Davidson County Property Map 120; thence southwardly with the western property lines of Parcels 22, 21, 20, 19, 18, 17, 16, 15, 14, 13 and 12 approximately 1,300 feet to the northeast property corner of Parcel 7, Davidson County Property Map 120-14; thence southerly, with the eastern property line of Parcel 7 approximately 600 feet to the northern right-of-way of Currey Lane; thence continuing in a straight line to the southern right-of-way of Currey Lane; thence eastwardly approximately 200 feet to the northwest property corner of Parcel 15, Davidson County Property Map 134-2; thence southerly approximately 350 feet to the southwest corner of Parcel 15; thence eastwardly approximately 100 feet to the southeast corner of Parcel 15 and the western property line of Parcel 16, Davidson County Property Map 134-2; thence southerly with the western property line of Parcel 16, approximately 950 feet to the northern property line of Parcel 13, Davidson County Property Map 134; thence eastwardly approximately 1,600 feet with the northern property line of Parcel 13, 294 and 296, Davidson County Property Map 134 to the eastern right-of-way of the old McGavock Pike; thence northwardly, with the eastern right-of-way of McGavock Pike approximately 4,500 feet to the southern right-of-way of Murfreesboro Road; thence eastwardly with the southern right-of-way of Murfreesboro Road approximately 2,100 feet to the eastern bridge support of the airport runway; thence southerly approximately 6,000 feet to the southeast property corner of Parcel 18.02, Davidson County Property Map 134 and the northern right-of-way of McGavock Pike; thence southeastwardly with the northern right-of-way of McGavock Pike approximately 1,500 feet to the western right-of-way of Harding Place; thence with the western right-of-way of Harding Place approximately 1,300 feet to the northeast property corner of Parcel 302, Davidson County Property Map 134; thence northwestwardly with the northeastern property line of Parcel 302 approximately 550 feet to the southwest property corner of Parcel 276, Davidson County Property Map 134; thence northerly approximately 1,200 feet with the western property lines of Parcels 276, 277, 284 and 285, Davidson County Property Map 134; thence northeastwardly approximately 1,100 feet with the northwestern property lines of Parcels 285, 286 and 287 to the right-of-way of Airpark Drive; thence eastwardly with the northern right-of-way line of Airpark Drive approximately 700 feet to the intersection of Donelson Pike; thence northwardly with the western right-of-way of Donelson Pike approximately 3,000 feet to the northeast property corner of Parcel 310; thence northwardly with the western right-of-way of Donelson Pike approximately 1,700 feet to the southern right-of-way of Murfreesboro Road; thence eastwardly with the southern right-of-way of Murfreesboro Road approximately 2,500 feet to the intersection of Murfreesboro Road and Old Murfreesboro Road; thence with the southern right of way of Old Murfreesboro Road approximately 1,200 feet to the intersection of the Harding Place Extension right-of-way being the point of beginning.

LEGISLATIVE HISTORY	
Introduced:	June 15, 1999
Passed First Reading:	June 15, 1999

Referred to:	Planning Commission - Approved 7-0 (6/10/99) Federal Grants Review Committee Planning & Zoning Committee
Passed Second Reading:	July 6, 1999
Passed Third Reading:	July 20, 1999
Approved:	July 21, 1999
By:	