

ORDINANCE NO. BL2009-436

An ordinance approving Amendment No. 3 to the Arts Center Redevelopment Plan and Amendment No. 8 to the Capitol Mall Redevelopment Project Plan.

WHEREAS, the Metropolitan Council, by Resolution No. 2008-143, authorized the Metropolitan Development and Housing Agency to undertake predevelopment activities related to the construction of a new convention center ("Music City Center") located at 5th Avenue South and Demonbreun Street; and,

WHEREAS, such predevelopment activities have included the completion of a Master Plan that has been developed through a public input process, which details plans for the location of the Music City Center and the progression of redevelopment and growth around the Music City Center to allow for future expansion; and,

WHEREAS, the Arts Center Redevelopment Plan (the "Arts Center Plan") consisting of text, exhibits, and maps currently exists as previously approved by Ordinance Number 098-1188, and subsequently amended by the adoption of Ordinance Nos. 099-1761 and BL2002-1063; and,

WHEREAS, the Capitol Mall Redevelopment Project Plan (the "Capitol Mall Plan") consisting of text, exhibits, and maps currently exists as previously approved by Ordinance Number 82-845, and subsequently amended by the adoption of Ordinance Nos. 87-1695, 91-1567, 93-774, 97-755, 98-1187, BL2002-1033 and BL2004-424; and,

WHEREAS, the property selected by the Metropolitan Council for the location of the new Music City Center is located within the Arts Center Redevelopment District and the Capitol Mall Redevelopment Project Area, the assembly and redevelopment of such property as contemplated in the Master Plan would be better facilitated if all property were within the boundaries of one redevelopment district; and,

WHEREAS, the Master Plan envisions significant growth in the Capitol Mall Redevelopment District in the area south of Broadway, which will necessitate public-private partnerships; and,

WHEREAS, there has been prepared and referred to the Metropolitan Council for review and approval Amendment No. 3 to the "Arts Center Redevelopment Plan" replacing the R.P. Maps 1, 2, and 3 and the legal description; and,

WHEREAS, there has been prepared and referred to the Metropolitan Council for review and approval Amendment No. 8 to the "Capitol Mall Redevelopment Project Plan" consisting of certain changes in the text of the Redevelopment Project Plan and replacing R.P. Maps 1, 2, and 3 and the legal description; and,

WHEREAS, said Amendment to the aforesaid redevelopment plan has been approved by the Board of Commissioners of the Metropolitan Development and Housing Agency; and,

WHEREAS, the Metropolitan Council has held a public hearing and has carefully considered and reviewed the proposed amendment to the redevelopment plan.

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

Section 1. That the "Arts Center Plan" is hereby amended by replacing "Exhibit A" with a new "Exhibit A", dated April 14, 2009, depicting a revised legal description, which is attached hereto and as Exhibit 1 and made part of this Ordinance.

Section 2. That the "Arts Center Plan" is hereby amended by replacing "R.P. Maps 1, 2, and 3" with three new "R.P. Maps 1, 2, and 3" all dated April 14, 2009, which are attached hereto as Exhibit 2 and made part of this Ordinance. Any reference in the Plan text to R.P. Maps 1, 2, and 3 shall be construed to refer to the three new maps, all dated April 14, 2009.

Section 3. That the "Capitol Mall Plan" is hereby amended by replacing the boundary description, dated April 14, 2009, depicting a revised legal description, which is attached hereto and as Exhibit 3 and made part of this Ordinance.

Section 4. That the "Capitol Mall Plan" is hereby amended by replacing "R.P. Maps 1, 2, and 3" with three new "R.P. Maps 1, 2, and 3" all dated April 14, 2009, which are attached hereto as Exhibit 4 and made part of this Ordinance. Any reference in the Plan text to R.P. Maps 1, 2, and 3 shall be construed to refer to the three new maps, all dated April 14, 2009.

Section 5. That the "Capitol Mall Plan" is hereby amended by replacing the following paragraphs in Section C.2.b of the Plan with the following:

(5) 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.

Principle Uses: Civic facilities, public spaces, entertainment, office, retail, hotel.

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.

(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.

Section 6: That the "Capitol Mall Plan" is hereby amended by adding the following new paragraphs to Section C.2.b:

(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.

Section 7. That the "Capitol Mall Plan" is hereby amended by replacing Section C.2.d., Period of Duration of These Provisions, in its entirety and replacing it with the following:

"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.”

Section 8. That the “Capitol Mall Plan” is hereby amended by replacing Section F, Tax Increment, in its entirety and replacing it with a new Section F, Tax Increment, attached hereto as Exhibit 5 and made a part of this ordinance.

Section 9. That the findings and determinations relative to the “Capitol Mall Redevelopment Project Plan” approved by Ordinance No. 77-716 as the “Capitol Boulevard Extension, Bicentennial Park and Housing Development Plan,” amended by Ordinance No. 82-845 to become the “Capitol Mall Redevelopment Project Plan” and subsequently amended by Ordinance No. 87-1695, Ordinance No. 91-1567, Ordinance No. 93-774, Ordinance No. 98-1187, Ordinance No. BL2002-1033 and Ordinance No. BL2004-424 are hereby reaffirmed and redetermined. That it is hereby found and determined that the redevelopment area defined by the Plan entitled “Capitol Mall Redevelopment Plan” as defined in and in accordance with Sections 13-20-201 through 13-20-209, of the Housing Authorities Law; 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, condemnation or otherwise, as provided by any applicable provision of the Housing Authorities Law, 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 such blighting conditions eliminated.

Section 10. That the Music City Center Master Plan is approved and adopted to facilitate future development of those properties located in both the Arts Center Redevelopment District and the Capitol Mall Redevelopment Project Area as designated in the Master Plan, which is attached hereto as Exhibit 6 and incorporated herein.

Section 11. 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: Sponsored by: Jim Forkum, Tim Garrett, Erica Gilmore, Greg Adkins, Rip Ryman

[View Exhibits](#)

LEGISLATIVE HISTORY	
Introduced:	April 21, 2009
Passed First Reading:	April 21, 2009
Referred to:	Planning Commission - Approved 8-0 (May 28, 2009) Federal Grants Review Committee Planning & Zoning Committee
Passed Second Reading:	May 19, 2009
Passed Third Reading:	June 2, 2009
Approved:	June 9, 2009
By:	