

ORDINANCE NO. BL2014-699

An ordinance approving Amendment No. 5 to the Arts Center Redevelopment Plan, Amendment No. 10 to the Capitol Mall Redevelopment Project Plan, Amendment No. 1 to the Jefferson Street Redevelopment Plan, and Amendment No. 7 to the Rutledge Hill Redevelopment Plan. (Proposal No. 2014M-0010T-001).

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, BL2002-1063, BL2009-436, and BL2013-377; 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, BL2004-424; BL2009-436, and No. BL2013-377; and,

WHEREAS, the Jefferson Street Redevelopment Plan (the "Jefferson Street Plan") consisting of text, exhibits, and maps currently exists as previously approved by Ordinance Number BL2005-797; and,

WHEREAS, the Rutledge Hill Redevelopment Plan (the "Rutledge Hill Plan") consisting of text, exhibits, and maps currently exists as previously approved by Ordinance Number 80-133, and subsequently amended by the adoption of Ordinance Nos. 87-1695, 91-1520, 97-755, 97-754, BL2005-875, BL2013-377; and,

WHEREAS, these amendments to the "Arts Center Redevelopment Plan," "Capitol Mall Redevelopment Project Plan," "Jefferson Street Redevelopment Plan," and "Rutledge Hill Redevelopment Plan" (herein referred to as the "Plans") consisting of certain changes to the text of the Plans prepared for and adopted by the Board of Commissioners of the Metropolitan Development and Housing Agency has 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 Council has held a public hearing and has carefully considered and reviewed the proposed amendments to the redevelopment plans.

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 amended by replacing Section C.2.c "Duration of Land Use Controls" of the Plan 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 in effect until December 31, 2040.

Section 2. That the Arts Center Plan is amended by replacing Section G "Tax Increment" of the Plan in its entirety and replacing it with the following:

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. Additionally, heightened speculation for the redevelopment of the Methodist publishing site has spurred additional investment.

Although most of these projects today are developed without the need for financial assistance, aging infrastructure in the Arts Center 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 \$60 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 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 financing shall include planning, engineering and legal expenses; administrative costs; land acquisition; relocation; site clearance; and streets, pedestrian-ways, utilities, public open spaces, parking garages, and other uses as allowed under State law, or other structures or public improvements necessary for carrying out the Arts Center Redevelopment Plan, or other adopted and approved redevelopment plans.

Section 3. That the Capitol Mall Plan is amended by replacing Section G "Tax Increment" of the Plan in its entirety and replacing it with the following:

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 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 financing shall include planning, engineering and legal expenses; administrative costs; land acquisition; relocation; site clearance; and streets, pedestrian-ways, utilities, public open spaces, 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.

Section 4. That the Jefferson Street Plan is amended by replacing Section C.2.c "Duration of Land Use Controls" of the Plan 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 in effect until December 31, 2040.

Section 5. That the Jefferson Street Plan is amended by replacing Section G "Tax Increment" of the Plan in its entirety and replacing it with the following:

In light of the anticipated construction of a new baseball park in the adjacent Phillips Jackson Redevelopment District, major redevelopment activities are anticipated for the area surrounding the new stadium and along the Jefferson Street corridor. A total annual

increase in property taxes so generated is unlikely to occur within the Project Area without the redevelopment activities of MDHA. Therefore, the Metropolitan Government as the taxing agency within the Project Area has not been and will not be negatively impacted by this increase in tax increment funding authority.

The use of tax increment financing will spur new development and assist in replacing and updating aging infrastructure. TIF can be utilized for other purposes such as wider sidewalks and streetscape improvements, preservation of historic structures which can equal or exceed the cost of new construction and remediate environmental issues inside structures and under the ground.

The total amount of bonded or other indebtedness to be incurred may not exceed \$15 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 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 financing shall include planning, engineering and legal expenses; administrative costs; land acquisition; relocation; site clearance; and streets, pedestrian-ways, utilities, public open spaces, parking garages, and other uses as allowed under State law, or other structures or public improvements necessary for carrying out the Jefferson Street Redevelopment Plan, or other adopted and approved redevelopment plans.

Section 6. That the Rutledge Hill Plan is amended by replacing Section G "Tax Increment" of the Plan in its entirety and replacing it with the following:

Private and public investment continues to strengthen the downtown core. Since the opening of the Music City Center in 2013, the South of Broadway ("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. A significant recommendation that emerged from the plan is the Division Street extension project, located in the Rutledge Hill Redevelopment District. This complete street project runs from 8th Avenue South to 2nd Avenue South. It will correct a fragmented street network and allow for better traffic distribution. It will also provide new opportunities for infill development and connections between Music Row, Vanderbilt, Belmont, Midtown, The Gulch with the Lafayette neighborhood, Fulton Campus, Howard Office Building, and Rolling Mill Hill. This project was a high-priority recommendation in the South of Broadway Strategic Master Plan completed in January 2013 as well as a proposed arterial boulevard recommended in the Metro Planning Department's Major Street and Collector Plan as well as a recommendation in the Metro Planning Department's Downtown Community Plan.

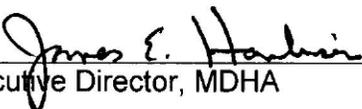
Although most of these projects today are developed without the need for financial assistance, aging infrastructure in the Rutledge Hill Redevelopment District needs to be

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.

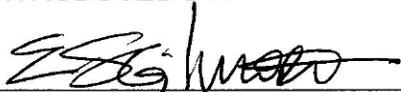
The total amount of bonded or other indebtedness to be incurred may not exceed \$60 million with a final maturity on or before December 31, 2040, provided that the principal amount of any debt refunded or refinanced shall not be counted in computing such total. Upon retirement of all bonds, loans, or 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 financing shall include planning, engineering and legal expenses; administrative costs; land acquisition; relocation; site clearance; and streets, pedestrian-ways, utilities, public open spaces, parking garages, and other uses as allowed under State law, or other structures or public improvements necessary for carrying out the Rutledge Hill Redevelopment Plan, or other adopted and approved redevelopment plans.

Section 7. That this Ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

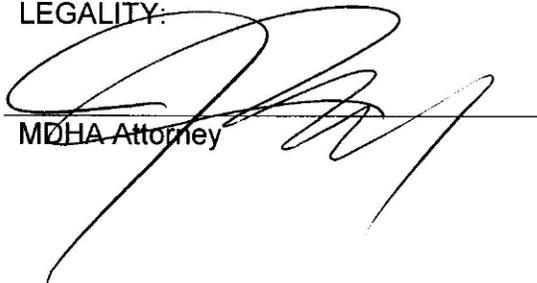

Executive Director, MDHA

INTRODUCED BY:





APPROVED AS TO FORM AND LEGALITY:


MDHA Attorney


Member(s) of Council