DONELSON TRANSIT-ORIENTED REDEVELOPMENT PLAN

April 10, 2018

Metropolitan Development and Housing Agency
Nashville and Davidson County, Tennessee

PREFACE

The Donelson Transit-Oriented Redevelopment Project is located in Metropolitan Nashville and Davidson County, Tennessee, and is undertaken by the Metropolitan Development and Housing Agency, hereinafter referred to as "MDHA," in accordance with and in furtherance of the objectives of 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 transit-deficient area within the scope of Section 13-20-701 through 13-20-708 of the Housing Authorities Law. The Donelson Transit-Oriented Redevelopment District Plan will comply with existing Federal, State and local laws to include Metropolitan Codes 5.06.020, 5.06.050, and 5.06.060, and the Fair Housing Act, 42 U.S.C. § 3601, et seq.

A transit-deficient area means a high capacity transit area where facilities for high capacity transit are necessary to promote the elimination of traffic hazards, the implementation of regional solutions to traffic congestion, and the improvement of traffic facilities in order to protect the safety, health, morals, and welfare of the community. This Transit-Oriented Redevelopment Plan will work towards addressing these transit deficiencies. It is also part of Metropolitan Nashville's Housing Toolkit to preserve and create housing options for a mixture of incomes, including workforce and affordable housing.

In 2009, following a public engagement process, the Metropolitan Council adopted an Urban Design Overlay (UDO) along this corridor that provides development standards and transportation needs for Downtown Donelson. This redevelopment plan adopts the development standards set forth in the UDO document as approved in BL2009-560 effective November 23, 2009 and amended by BL2010-799 effective January 24, 2011.

In May 2017, the Tennessee Legislature passed legislation enabling housing authorities to create Transit-Oriented Redevelopment Districts. The legislation recognized that transit-deficient areas can impair sound growth, and actions can be taken to provide suitable density for development and prevent sprawl into rural areas.

In October 2017, Mayor Barry released *Let's Move Nashville: Metro's Transportation Solution*. This plan incorporated the ideas of the *NashvilleNext* strategic plan of 2015, the *nMotion* study of 2016, the Tennessee Legislature's IMPROVE act of 2017, and the Transit-Oriented Redevelopment enabling legislation that made redevelopment districts possible in transit-deficient areas.

At the same time, MDHA began meeting with officials and property owners about developing the first Transit-Oriented Redevelopment District in Donelson. In November 2017, the Mayor initiated the Transit and Affordability Taskforce to provide recommendations on how to proceed as Nashville begins to implement polices to address its transportation needs. This Donelson Transit-Oriented Redevelopment District incorporates many of the recommendations of the

Transit and Affordability Taskforce released in January 2018, along with input from residents and property owners in the impacted area.

The land included in this plan is within 1,320 feet on either side of Lebanon Pike and runs west to east from Park Drive to Stewarts Ferry Pike. It includes part of two major corridors, Lebanon Pike and Donelson Pike, with the latter providing direct access to the Nashville International Airport and Interstate 40, both to the south.

The area currently lacks sufficient parking for public transit commuters, streetscapes for pedestrian activity, and appropriate infrastructure to support higher density developments, such as multi-family housing, office buildings, employment centers, creative workspaces, and additional commercial and retail activities.

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NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

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B. DESCRIPTION OF THE PROJECT AREA

The Donelson Transit-Oriented Redevelopment Area (hereinafter "Project Area") is located east of downtown Nashville and covers approximately 145 acres of land surrounding the Music City Star Donelson train station.

The Project Area is approximately 2.5 miles from the Nashville International Airport and approximately six miles from downtown Nashville. It is currently home to a variety of retail businesses, including restaurants, auto services, and bowling alleys. The Project Area is currently zoned for low-density, residential uses such as RS20, RS10, and R10, and commercial and office uses such as CS, CL, and OR20. There are approximately 29 residential units, accounting for 16 percent of the total acreage, in the redevelopment district with an average appraised total value of approximately $145,000.

BOUNDARIES OF THE PROJECT AREA

The boundaries of the Donelson Transit-Oriented Redevelopment Project Area are shown on Redevelopment Plan Map No. 1, "Project Boundary Map," and are described in Exhibit A, which is attached.

REDEVELOPMENT PLAN OBJECTIVES

The specific provisions and actions incorporated into the Plan are necessary to achieve the following objectives:

a. To create a transit-oriented, mixed-use district around the train station by promoting transit-oriented principles intended to integrate land use and transit;
b. To provide a mix of uses and a high-quality pedestrian environment around a defined center;
c. To provide housing to a range of incomes, including units for affordable and workforce housing;
d. To create an environment that is safe and accessible for pedestrians, bikers, and drivers;
e. To minimize the total number of parking spaces needed in the redevelopment district;
f. To make transit stops focal points and locate them in areas that are accessible, visible, and well-lit;
g. To establish standards and guidelines for high quality development;
h. To provide for the layout of new public improvements necessary to support the redevelopment of the area; and
i. To establish harmonious land use patterns that support a mixture of uses.

PROPOSED REDEVELOPMENT ACTIONS

The intent of this plan is to assist in the implementation of the Downtown Donelson Urban Design Overlay (ordinance nos. BL2009-560 and BL2010-799), which may be amended from time to time.

The main redevelopment actions proposed for the Project Area are to create better transit connections; additional retail spaces, including small-scale, local retail businesses; and housing that attracts new residents with a mixture of incomes, including workforce and affordable units. New streetscapes, infrastructure, and public facilities should be created to adequately handle the change in traffic flow that may result from the addition of new residents and buildings. These goals may be achieved by the following activities:

a. Orient buildings to the street or to the Music City Star station to increase activity on the street, and create a pedestrian-friendly environment;
b. Design vertical mixed use buildings to accommodate active ground floor uses, such as retail and entertainment, while providing for office and residential uses on upper floors;
c. Construct buildings of high-quality, durable building materials in order to demonstrate sustained quality and a sense of permanence;
d. Place overhead utilities in alleys or underground as properties redevelop;
e. Encourage shared or separate detention and water quality areas as amenities by providing seating, walkways, and landscaping;
f. Accommodate multi-modal forms of travel along Lebanon Pike by including bike facilities and bus transit stops;
g. Develop shared parking plans for developments with different peak parking demands and operating hours to minimize the total amount of parking spaces needed;
h. Provide pedestrian connectivity to and from individual developments and to the Music City Star station and other transit stops, including sidewalks and crosswalks in parking areas through such means as markings, textured pavement, and other walkways and landscaping;
i. Promote transit extensions from the Music City Star to the Nashville International Airport and downtown Nashville;
j. Improve infrastructure throughout the district to support new and existing redevelopment projects; and
k. Place pedestrian scaled lighting along the street near sidewalks and at major pedestrian crossing areas.

C. LAND USE PLAN

LAND USE MAP

The parcels of land within the Project Area are as shown on Redevelopment Plan Map No. 2, "Land Use Map" and are restricted to permitted uses as further described in the following sections. The Downtown Donelson Urban Design Overlay defines the requirements in its sub-districts reflected on Map No. 2.

LAND USE PROVISIONS AND BUILDING REQUIREMENTS

Property located within the Project Area shall be required to follow the provisions set forth in this Redevelopment Plan.

In order to achieve the objectives of this Redevelopment Plan, the redevelopment and use of land located within the Project Area will be made subject to all requirements and restrictions specified in this section. A Design Review Committee designated as described in this Redevelopment Plan must approve all improvements affecting the exterior appearance of property and requiring building permits. This redevelopment plan adopts the standards set forth in the UDO as revised on January 19, 2011.

General Land Use Districts

Within the areas shown on Redevelopment Plan Map No. 2, "Land Use Map," land uses are per the base zoning except for the conditional and prohibited uses as stated in this Plan. The more restrictive controls shall apply.

The intent of the land use districts is to provide for facilities, businesses, services, and residences that support transit-oriented development in an urban area along a major corridor.

The permitted uses in this district include residential, institutional, educational, office, medical, commercial, transportation, recreation and entertainment, and other uses that may support the general character of the overall redevelopment district. These permitted uses must be so designed, located, and proposed to be compatible with surrounding land uses and transit-oriented development principles and operated such that the public health, safety, and welfare will be protected and will not adversely affect other property in the area.

Conditional Uses

The following uses, upon the approval of the Design Review Committee, may be permitted in the District if it is so designed, located and proposed to be compatible with surrounding land uses, and operated such that the public health, safety, and welfare will be protected and will not adversely affect other property in the area.

- Artisan distillery
- Automobile repair
- Automobile sales, new
- Automobile sales, used
- Automobile service
- Bar or nightclub
- Concert venues
- Hotels/motels
- Light manufacturing
- Liquor sales
- Microbrewery
- Parking structures (freestanding)
- Research service
- Restaurants (with drive-through service)
- Restaurants with outdoor, live entertainment
- Owner-occupied short-term rentals
- Standalone surface parking lots

Prohibited Uses

The following uses are prohibited in the District and will not be permitted by MDHA.

- Adult entertainment
- Alternative financial uses
- Industrial uses (unless noted under conditional uses)
- Self-service storage
- Non-owner occupied short term rentals

Development Standards

Property within the Project Area shall comply with Section II: Development Standards (with the exception of subsections entitled "Application of the Standards" and "Modification and Process") and Section III: Transportation of the Downtown Donelson Urban Design Overlay document as amendment by BL2010-799, as may be amended from time to time by the Metropolitan Council or modifications by the Metropolitan Planning Commission.

This Redevelopment Plan provides additional development standards in addition to those found in the Downtown Donelson Urban Design Overlay.

Review Process and Submittal Requirements

NOTCE: This subsection of the Redevelopment Plan, entitled "Review Process and Submittal Requirements", is intended to be temporary. This subjection may be replaced in whole or in part by the Metropolitan Council by passing a Resolution receiving a majority of votes.

For any new development, redevelopment, or improvement on property located within the Project Area, a site plan, landscape plan, and elevations shall be submitted for review and approval by MDHA prior to issuance of any associated building permits. No improvement requiring a building permit (including new structures, additions, parking facilities, and signs) shall be erected, installed, enlarged, or altered until plans and permits have been approved by MDHA.

A Design Review Committee shall be ~~designated by the Executive Director of MDHA~~. appointed by nomination of the mayor of the Metropolitan Government of Nashville and Davidson County and approved by resolution of the Metropolitan Council. The Design Review Committee shall consist of nine (9) members who shall serve without compensation for a term of five (5) years each, composed as follows:

(i) Two (2) representatives of the Metropolitan Development and Housing Agency;
(ii) One (1) representative of the Metropolitan Planning Department;
(iii) One (1) representative of the Metropolitan Historic Commission;
(iv) One (1) representative of the Metropolitan Division of Transportation;
(v) One (1) qualified design professional licensed to practice architecture, civil engineering, landscape architecture, or urban planning in Tennessee;
(vi) One (1) current owner of real property within the redevelopment district;
(vii) Two (2) members nominated by the district council member of the Metropolitan Council in whose district the Project Area is located.

Since property located within the Project Area is also within the Downtown Donelson UDO, the applicant shall also be required to follow the UDO Final Site Plan and building permit process through the Planning Department as described in the UDO document, which may be amended from time to time.

No demolition permit shall be issued prior to approval of a plan for re-use by MDHA. If property is to be kept vacant or put to another interim use, the property owner must supply plans demonstrating a proposed site plan, including grading, landscaping, fencing, and any remaining structures.

Any or all of the following specific submittal requirements may be waived as unnecessary by MDHA.

1. Site Plan

   A site plan shall be prepared which shows locations of structures, appurtenances, walls, signs, driveways, parking and service areas, walks, utilities, plantings, and grades. The

site plan shall contain information sufficient to describe the context of the development, including off-site structures and conditions. Where the development is to be accomplished in stages, a description of the proposed staging shall accompany the site plan. All development should include sufficient off-street parking to accommodate all uses.

2. Landscape Plan

The landscaping plan shall contain the existing and proposed topographical contours of the site, designations of all existing landscaping which will be retained, location of all existing trees or other plants having a trunk diameter of six (6) inches or more, the locations of all proposed exterior lighting fixtures, the area to be lighted by each exterior lighting fixture, and the design of each exterior lighting fixture. Any standards that shall not be modified are explicitly noted as such in the Downtown Donelson Urban Design Overlay, as may be amended from time to time.

3. Elevations

Building elevations shall be prepared which show the detailed architectural design of all faces of the proposed buildings, including all proposed building materials and finishes. MDHA shall review all proposals for development, redevelopment, and improvement to ensure that a high standard of architectural and structural quality is maintained through sustainable and durable building materials.

4. Off-Street Parking

All development should include sufficient off-street parking to accommodate all uses. Shared parking is encouraged. All off-street drives and parking areas shall be surfaced with asphalt, concrete, or other hard-surfaced, dustless material and so constructed as to provide for adequate drainage. Width of parking access from all streets in the Redevelopment District shall be limited to minimize interruptions to sidewalks.

5. Buffering

The Zoning Code of the Metropolitan Government and the Downtown Donelson UDO will generally determine buffering requirements for new development. However, MDHA may require additional buffering to protect commercial, residential, and pedestrian interests from traffic, noise, glare, trash, odors, negative visual impacts, and other harmful effects likely to be caused by the introduction of a more intensive use. The materials required and the use of buffers will be determined based upon the relative intensities of adjacent uses. The accumulation of trash, debris, or any noxious materials shall be prohibited.

6. Signs

Signs shall be limited to on-premises signs, related to the use or business conducted on the same site, and to incidental signs of a clearly general nature such as to portray time, temperature, or announcements of activities taking place at the location. No billboards or general advertising signs shall be permitted. Detailed signage plans shall be submitted for review and approval by MDHA and shall be permitted only when designed and placed in scale and harmony with the improvements on the building site and surrounding development as outlined in the Downtown Donelson Urban Design Overlay, as may be amended from time to time.

7. Temporary Structures and Interim 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. On property which has been acquired, but which has not yet been developed, MDHA may establish such interim uses as it deems desirable in the public interest consistent with local zoning and codes requirements. Requests for installation of portable buildings shall be reviewed and approved by MDHA relative to design, materials, location, and impact on neighboring properties.

8. Vehicular Accommodation and Service Areas

The Downtown Donelson Urban Design Overlay will generally determine requirements for the design of vehicular accommodations, including parking and service areas. However, MDHA may make additional requirements to ensure that vehicular and service areas are so designed as to adequately serve the development, but minimally impact neighboring properties. Temporary interim uses may be permitted under certain conditions.

9. Energy efficiency and environmental design assistance

Subject to the approval of the MDHA Board of Commissioners, design costs, commissioning costs and fees, and costs of required documentation associated with meeting the requirements of Leadership in Energy and Environmental Design (LEED), Green Globes, or other similar programs, as well as greening costs and energy modeling costs for certification by such programs, may be provided or subsidized by MDHA, as authorized under *Tenn. Code Ann. § 13-20-703(a)(4)(F).*

10. Modifications

Based on site-specific issues, modifications to the standards may be necessary. Modifications may be permitted because of the exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of a property. The condition shall be unique to the property and generally not prevalent to other properties in the general area, or have

been created by the previous actions of any person having an interest in the property after the effective date of this ordinance.

Any standard within the Donelson Transit-Oriented Redevelopment Plan may be modified as set forth herein and in the Downtown Donelson Urban Design Overlay. Requested modifications should meet the intent of the design standard, result in better urban design for the neighborhood as a whole, and should not impede or burden existing or future development of adjacent properties. Only minor modifications of less than twenty percent (20%) of the standards may be approved by the Design Review Committee. Any major modifications requested to the Downtown Donelson Urban Design Overlay must follow the process outlined in the Overlay and will require the additional approval of the Metropolitan Planning Commission.

Alternate development may be permitted where such development complies with the general intent and standards for land use as herein before specified under the regulations and controls provisions for these tracts but which, because of the nature of comprehensively planned development, may deviate in detail from exact compliance with all the various development restrictions. An alternate development of this type will be viewed as a planned development and deviation from development regulations and controls will be subject to approval by MDHA.

The Donelson Transit-Oriented Redevelopment Plan, the Downtown Donelson Urban Design Overlay, the NashvilleNext Plan, and any other policies or regulations from governing agencies shall be consulted when considering modifications. Any standards that shall not be modified are explicitly noted as such in the code as may be amended from time to time.

Modifications must be approved by the ~~MDHA~~ Design Review Committee. All appeals must originate through MDHA. Any determination made by the Design Review Committee regarding the standards of the Downtown Donelson Urban Design Overlay document may be appealed to the Planning Commission after notification of Design Review Committee action.

11. Process for Appeal from Action Taken by ~~MDHA~~ Design Review Committee

Applicants can appeal Design Review Committee decisions. If the appeal relates to a modification of regulations enforced by the Metro Planning Department, the appeal will follow the procedures of the Metropolitan Planning Department. If the appeal relates to the regulations to the Redevelopment Plan, the applicant will file their appeal with the Director of Urban Development within three (3) days after notification of Design Review Committee action.

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. The 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. If an applicant requests a hearing, MDHA shall convene a meeting of the Administrative Appeals Board which shall hear evidence and make a determination (by majority vote) as to whether the appropriate decision was reached by the Design Review Committee.

12. Enforcement

In the event that the Redevelopment Plan restrictions or requirements of the Design Review Committee are violated, MDHA shall notify the permittee and/or the owner of record of the alleged violation. MDHA may also notify the Zoning Administrator, the Metropolitan Legal Department, and/or other legal counsel in order to seek enforcement of the Redevelopment Plan, including the pursuit of all remedies available at law or in equity, including the rights to pursue mandatory injunctions and/or other specific performance.

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 Metropolitan Government of Nashville and Davidson County, and shall continue in effect until December 31, 2048.

D. LAND ACQUISITION

Land acquisition for use under Tennessee Code Annotated, Sections 13-20-701, et. seq. (the "Housing Authorities Law"), is necessary to install, construct, or reconstruct streets, utilities, and site improvements essential to the preparation and development of sites for uses in accordance with a transit-oriented redevelopment plan; to install, construct, or reconstruct parks, public open spaces, public playgrounds, pedestrian ways, and all parking structures, regardless of use, in accordance with a transit-oriented redevelopment plan; and to install, construct, or reconstruct privately-owned affordable housing or workforce housing. The authority shall not use eminent domain to eliminate transit-deficient areas; provided that the authority may use eminent domain to acquire land, or interests in land, for public facilities and public infrastructure, including high capacity transit facilities.

CONDITIONS BY WHICH LAND MAY BE EXEMPTED FROM ACQUISITION

Certain properties or portions thereof designated for acquisition may be exempted from acquisition as provided herein. Exemption may be made if it will not require a change in the Land Use Plan or plans for street or utility improvements; the exemption and permitted continuation of a non-conforming use by MDHA will not adversely affect the use and/or

disposition of adjoining parcels or the success of the redevelopment project as a whole; the owner of any exempted 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 structures 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; the owner enters into and abides by the requirements of a contractual agreement to be executed by and between the owner and MDHA for the use and development of the exempted property. Any such exemption shall be made conditional until the owner has complied with all of the requirements of the contractual agreement.

E. REDEVELOPMENT OBLIGATION AND LAND USE CONTROLS

MDHA, in disposing of the land in the Project Area to be redeveloped, will, in its contract and deed or other instruments of conveyance, include such terms and conditions as in the judgment of MDHA will be necessary or advisable to ensure redevelopment of the Project Area and its use thereafter, in accordance with this Plan, and to address the transit infrastructure deficiency 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 zoning ordinances, provisions, and regulations of the Metropolitan Government of Nashville and Davidson County; building, electrical, plumbing and other local codes and ordinances; the requirements of this Redevelopment Plan; and such other requirements as may be set forth in the contracts between MDHA and the redevelopers. Any contract or agreement for disposal of project land by sale, lease or retention shall contain, and the deed or deeds to the land shall contain a covenant that the redeveloper and its successors and assigns shall not discriminate upon the basis of race, color, creed, sex, marital status, or national origin in the sale, lease, or rental, or in the use or occupancy of the property or any improvements erected or to be erected thereon. It is intended by this Plan that MDHA is the 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 MDHA may find desirable in order to implement and effectuate the objectives of this Plan, will obligate the purchasers of land in the Project Area and their successors in interest to:

1. Devote the parcels owned by them to, and only to, uses and controls specified in this Plan;
2. Diligently pursue the construction of the improvements as provided in the disposition contract, and to begin and complete such improvements within a reasonable time as provided by the contract;

3. Make no changes, additions or alterations in such improvements after completion of their construction that are not approved by MDHA as being in conformity with this Plan, or as it may be changed or amended; and
4. Not reassign contract rights, resell or otherwise transfer the land or any part thereof or interest therein purchased by them prior to the completion of the improvements thereon without the approval of MDHA and except in cases satisfactory to MDHA, and not to speculate in or with respect to such land.

F. RELOCATION ASSISTANCE

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. The relocation provisions of this Plan shall not apply to relocation necessitated by the acquisition of property by the State of Tennessee, the Metropolitan Government of Nashville and Davidson County, or any other governmental body unless such jurisdiction has entered into an agreement with MDHA to reimburse its costs for providing relocation services in connection thereto. It is the intent of this Plan to minimize the need for displacement or relocation of businesses or residents. When relocation is necessitated in connection with the implementation of the Plan, the health and continued viability of the business should be considered in providing reasonable time and assistance in finding and moving the establishment to a suitable relocation site.

G. TAX INCREMENT FINANCING

The cumulative assessed value of all real estate within the Donelson Transit-Oriented Redevelopment District currently stands at approximately $33,000,000 (thirty-three million dollars). The projected future increase in the value of property developed in conjunction with the Plan is estimated to be approximately $300,000,000 (three-hundred million dollars). The additional property taxes so generated in the Donelson Transit-Oriented Redevelopment District will not occur without the redevelopment activities of MDHA.

Despite the presence of commuter rail within the District, inadequate transit infrastructure, an absence of connectivity, and other transit deficiencies exist. Therefore, it is necessary to induce investment through available economic development tools. The activities of MDHA will make the area conducive to new private development and result in increased tax revenues to the Metropolitan Government. As identified in the *Let's Move Nashville Transit and Affordability Taskforce report*, MDHA will use tax increment financing to fund infrastructure, affordable housing, and economic development activities. Specifically, MDHA commits a minimum of $10,000,000 (ten million dollars) <u>not to exceed $15,000,000 (fifteen million dollars)</u> of tax increment financing to the development of affordable and workforce housing units ("Minimum Housing TIF"). For the Donelson Transit Oriented Redevelopment District, affordable housing

shall mean residential units affordable to and occupied by households earning sixty percent (60%) or less of area median income (AMI). Any project that includes housing and receives tax increment financing shall provide a minimum of 10% of the new or rehabilitated units on the project site as affordable housing to residents qualifying at 60% AMI or below, and this requirement shall continue even if the Minimum Housing TIF has been reached. The remainder of the $30,000,000 (thirty million dollars) of tax increment backed debt provided for by the Plan will be used to support infrastructure and economic development activities.

The tax increment backed debt of $30,000,000 (thirty million dollars) provided for by the Plan will require approximately 30 percent of the projected net new property tax revenues generated by the Project Area, if development can be induced.

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 2017, tax increment financing from all redevelopment districts in Nashville and Davidson County consumed approximately two percent of the annual amount of property taxes due the Metropolitan Government. The addition of TIF in this district will not have a significant impact on this percentage.

Existing and anticipated sources of revenue to finance the Project, including the estimated amount from tax increment backed bonds or other indebtedness, are Tax Increment Financing: $30,000,000 (thirty million dollars).

The amount of bonds or other indebtedness backed by the tax increment shall not exceed $30,000,000 (thirty million dollars), provided that the principal amount of any debt refunded or refinanced shall not be counted in computing such total. 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, 2048.

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.

No incremental tax revenues for property in the Project Area may be pledged as collateral for, or to support payment of, a loan or other debt obligation related to a project or property outside of the Project Area.

H. PROCEDURE FOR CHANGES IN THE APPROVED PLAN

This Plan may be modified, changed or amended by MDHA or the Metropolitan Council in accordance to the procedures specified in Tenn. Code Ann. Section 13-20-704. Any

recommended amendment to this Plan must be approved: (1) by ordinance after a public hearing; and (2) by the MDHA Board of Commissioners.

In no event will the provisions of this Plan be amended or 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.

Notwithstanding the above, amendments to the Ordinance approving this Plan may be made in the procedure set forth in the Ordinance.

I. SEVERABILITY

The invalidation of any one or more of the foregoing provisions of this Redevelopment Plan or Ordinance, as approved by the 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.

J. MAPS AND EXHIBITS

MAP NO. 1, PROJECT BOUNDARY MAP

MAP NO. 2, LAND USE MAP

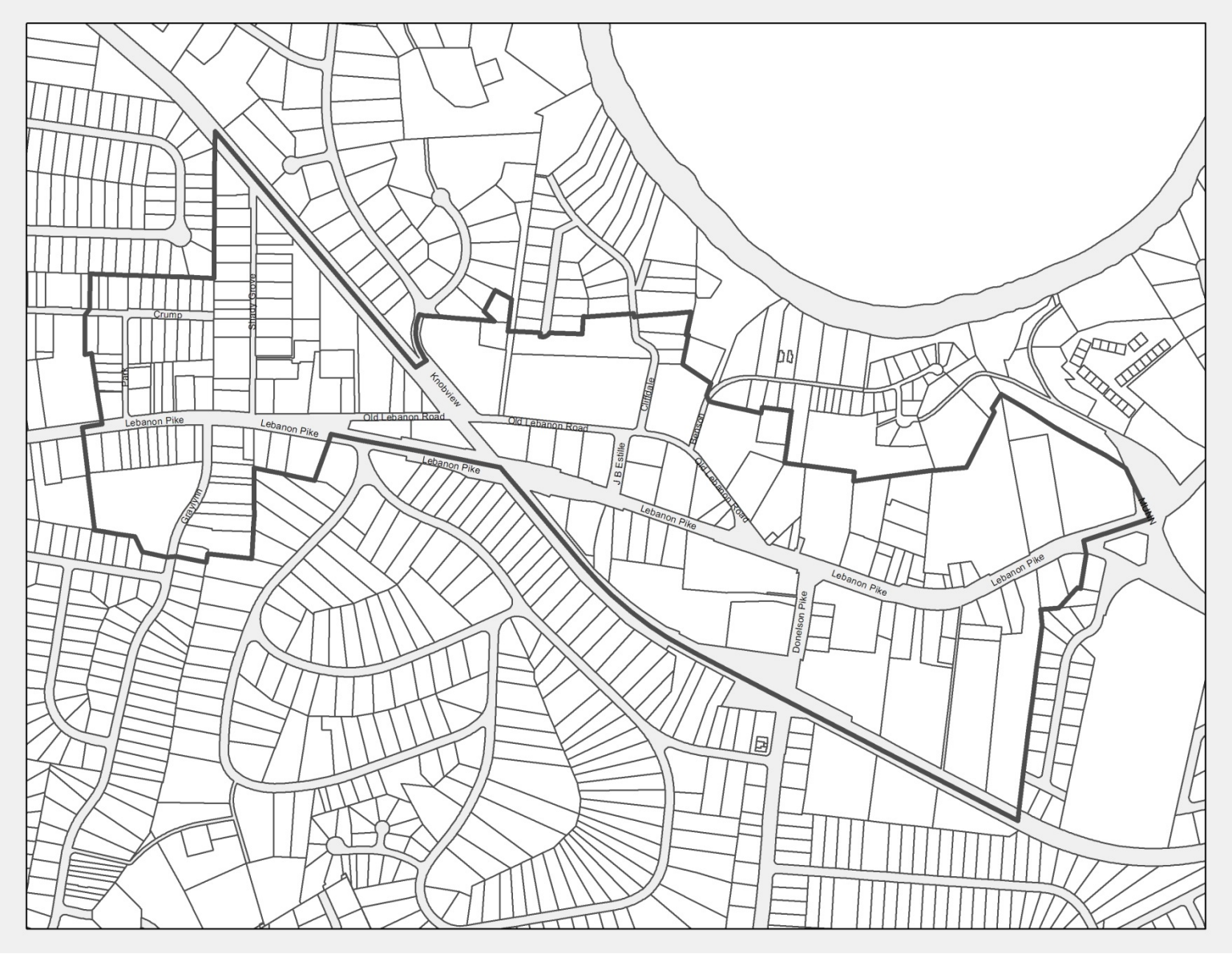

EXHIBIT A, PROJECT BOUNDARY DESCRIPTION

The Donelson Transit-Oriented Redevelopment District shall encompass 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 SW corner of parcel "09504001300", proceed in a northerly direction along the eastern boundary of parcel "09504001100" until its intersection with Park Drive, then proceed across Park Drive to the SW corner of parcel "08416011600", then proceed in a northerly direction along the western boundary of parcel "08416011600", then proceed in an easterly direction following the rear boundaries of parcels that front on Park Drive and Crump Drive until reaching the rear boundary of parcel "08416015800", then proceed in a northerly direction following the rear boundaries of parcels that front on Shady Grove Road, then proceed north until the center of the railroad right-of-way, then proceed in a southeasterly direction along the centerline of the railroad right-of-way approximately 1,700 feet, then proceed in a northeasterly direction to the centerline of Knobview Drive, then proceed along the centerline of Knobview drive until a point opposite the NW corner of parcel "08513001700", then proceed in an easterly direction to parcel "08513001700" and follow its northern boundary to its intersection with the SE corner of parcel "08513001000", then proceed in a southerly direction approximately 175 feet along the eastern boundaries of parcels "08513001700 and 08513006600" to a point opposite the NW corner of parcel "08513004600", then proceed in an easterly direction across parcel "08513006400" to the NW corner of parcel "08513004600", then proceed in an easterly direction along the northern boundary of parcel "08513004600" until intersecting the centerline of Cliffdale Road, then proceed in a southerly direction approximately 20 feet along the centerline of Cliffdale Road, then proceed easterly to the NW corner of parcel "08513004900", then proceed easterly along the boundary of parcel "08513004900" to its NE corner, then proceed in a southerly direction following the rear boundaries of parcels that front on Cliffdale Road until the intersection of the boundary of parcel "09601000400" with Benson Road, then proceed in an easterly direction across Benson Road to the NW corner of parcel "09601001700", then proceed in an easterly direction along the northern boundary of parcel "09601001700" to its intersection with parcel "09601002000", then proceed approximately 35 feet in a northerly direction along the boundary of parcel "09601002000", then proceed in an easterly direction across parcel "09601002000" to the SE corner of parcel "09601002100", then proceed in an easterly direction along the boundary of parcel "09601002000" to its NE corner, then proceed in a southerly direction along the boundaries of parcels "09601002000 and 09601001700" to the NW corner of parcel "09601001500", then proceed in an easterly direction along the northern boundaries of parcels "09601001500, 09601003200, 09601002700, 09601002500, 09602000300, and 09602000500" to the intersection of parcel "09602000500" with the SE corner of parcel "09602000600", then proceed in a southeasterly direction to the intersection of Munn Road, Lebanon Pike, and Stewarts Ferry Pike, then proceed westerly along the centerline of Lebanon Pike approximately 385 feet, then proceed in a southerly direction to the NE corner of parcel "09602006900", then proceed in a southerly direction along the eastern boundaries of parcels "09602006900, 09602001900, and 09602001700" to the center of the railroad right-of-way, then proceed in a northwesterly direction along the centerline of the railroad right-of-way to the point where it crosses under the centerline of Lebanon Pike, then proceed westerly along Lebanon Pike to a point opposite the NE corner of parcel 09504018700, then proceed southerly to parcel

09504018700 and follow the southern boundaries of parcels “09504018700, 09504024500, and 09504024600” until intersecting parcel “09504018200”, then proceed southerly along the rear boundaries of parcels fronting Graylynn Drive until reaching the SE corner of parcel “09504017700”, then proceed westerly along the boundary of parcel “09504017700” to its intersection with Graylynn Drive, then proceed across Graylynn Drive to the SE corner of parcel “09504006000”, then proceed westerly along the boundary of parcel “09504006000” to its intersection with parcel “09504024400”, then proceed northerly along the boundaries of parcels “09504006000 and 09504005000” to the centerline of Lebanon Pike, then proceed easterly along the centerline of Lebanon Pike to a point opposite the SW corner of parcel “09504001300”, then proceed to the SW corner of parcel “09504001300”, the point of beginning.