

RESOLUTION NO. A- _____

1 WHEREAS, the City Council on October 22, 1984, adopted Resolution No. A-
2 69713 finding an area generally bounded by "R" Street, 17th Street, "S" Street, and 7th Street to
3 be blighted, and on October 19, 1987, adopted Resolution No. A-71701 finding said area to be
4 blighted and substandard as defined in the Nebraska Community Development Law (Neb. Rev.
5 Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

6 WHEREAS, The City Council has previously adopted the Lincoln Center
7 Redevelopment Plan and amendments thereto (hereinafter the "Lincoln Center Redevelopment
8 Plan" or "Plan") including plans for various redevelopment projects within said blighted and
9 substandard area in accordance with the requirements and procedures of the Nebraska
10 Community Development Law; and

11 WHEREAS, the Director of the Urban Development Department has filed with the
12 City Clerk proposed amendments to the Plan (hereinafter the "Amendments") for said blighted
13 and substandard area contained in the document entitled "Lincoln Flats/Bank of the West
14 Redevelopment Project" which is attached hereto, marked as Attachment "A", and made a part
15 hereof by reference; and

16 WHEREAS, the Director of Urban Development has reviewed said Amendments
17 and has found that if adopted the Amendments and the Plan meet the conditions set forth in
18 Neb. Rev. Stat. § 18-2113 (2006 Cum. Supp.); and

19 WHEREAS, said proposed Amendments to the Lincoln Center Redevelopment
20 Plan for the Lincoln Flats/Bank of the West Redevelopment Project have been submitted to the
21 Lincoln-Lancaster County Planning Commission for review and recommendations; and

22 WHEREAS, on August 29, 2008 notice of public hearing was mailed, postage
23 prepaid, to the president or chairperson of the governing body of each county, school district,
24 community college, educational service unit, and natural resource district in which the real

1 property subject to such plan is located and whose property tax receipts would be directly
2 affected and to all registered neighborhood associations located in whole or in part within one
3 mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the
4 public hearing to be held on September 10, 2008 before the Lincoln City - Lancaster County
5 Planning Commission regarding the Amendment, a copy of said notice and list of said governing
6 bodies and registered neighborhood associations having been attached hereto as Attachment
7 "B" and "C" respectively; and

8 WHEREAS, the Lincoln City - Lancaster County Planning Commission on
9 September 10, 2008 held a public hearing relating to the proposed Amendments to the Lincoln
10 Center Redevelopment Plan and found the Amendments to be in conformance with the
11 Comprehensive Plan and recommended approval thereof; and

12 WHEREAS, on September 19, 2008 a notice of public hearing was mailed
13 postage prepaid to the foregoing registered neighborhood associations setting forth the time,
14 date, place, and purpose of the public hearing before the City Council to be held on October 6,
15 2008, regarding the proposed Amendments to the Lincoln Center Redevelopment Plan, a copy
16 of said notice having been attached hereto as Attachment "D"; and

17 WHEREAS, on September 19, 2008 and September 26, 2008 a Notice of Public
18 Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place and
19 purpose of the public hearing to be held on October 6, 2008 regarding the proposed
20 Amendments to the Lincoln Center Redevelopment Plan for said blighted and substandard
21 area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

22 WHEREAS, on October 6, 2008 in the City Council chambers of the County-City
23 Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing
24 relating to the proposed Amendments to the Lincoln Center Redevelopment Plan and all
25 interested parties were afforded at such public hearing a reasonable opportunity to express their
26 views respecting said proposed Amendments to the Plan; and

1 WHEREAS, the City Council has duly considered all statements made and
2 materials submitted relating to said proposed modifications to the Plan; and

3 WHEREAS, the City Council now desires to modify said Plan by establishing the
4 “Lincoln Flats/Bank of the West Redevelopment Project”, on property described as Lots 10 and
5 11, Block 39, Original Plat, and Lot 6 and Outlot A, University Square Addition, with the adjacent
6 right-of-way to the center lines of N. 13th Street and O Street (Lincoln Flats/Bank of the West
7 Redevelopment Project Area”), to accommodate the redevelopment of an existing structure into
8 a mixed use of residential with commercial on the first floor and related public improvements
9 and streetscape.

10 NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of
11 the City of Lincoln, Nebraska as follows:

12 1. That the Lincoln Flats/Bank of the West Redevelopment Project is
13 described in sufficient detail and is designed with the general purpose of accomplishing a
14 coordinated, adjusted and harmonious development of the City and its environs which will
15 promote the general health, safety and welfare, sound design and arrangement, the wise and
16 efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or
17 unsafe dwelling accommodations or conditions of blight.

18 2. That incorporating the Lincoln Flats/Bank of the West Redevelopment
19 Project into the Redevelopment Plan is feasible and in conformity with the general plan for the
20 development of the City of Lincoln as a whole and said Plan is in conformity with the legislative
21 declarations and determinations set forth in the Community Development Law.

22 3. That the substandard and blighted conditions in the Lincoln Flats/Bank of
23 the West Redevelopment Project Area are beyond remedy and control solely by regulatory
24 process and the exercise of police power and cannot be dealt with effectively by the ordinary
25 operations or private enterprise without the aids provided by the Community Development law,
26 specifically including Tax Increment Financing.

1 4. That elimination of said substandard and blighted conditions under the
2 authority of the Community Development Law is found to be a public purpose and in the public
3 interest; and

4 5. That the Lincoln Flats/Bank of the West Redevelopment Project would not
5 be economically feasible without the use of tax-increment financing.

6 6. That the Lincoln Flats/Bank of the West Redevelopment Project would not
7 occur in the Lincoln Flats/Bank of the West Redevelopment Project Area without the use of
8 tax-increment financing.

9 7. That the costs and benefits of the redevelopment activities, including
10 costs and benefits to other affected political subdivisions, the economy of the community, and
11 the demand for public and private services have been analyzed by the City Council as the
12 governing body for the City of Lincoln and have been found to be in the long-term best interest
13 of the City of Lincoln.

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
15 Lincoln, Nebraska:

16 1. That pursuant to the provisions of the Nebraska Community Development
17 Law and in light of the foregoing findings and determinations, the Amendments to the Lincoln
18 Center Redevelopment Plan attached hereto as Attachment "A", establishing the Lincoln
19 Flats/Bank of the West Redevelopment Project are hereby accepted and approved by the City
20 Council as the governing body for the City of Lincoln.

21 2. That the Urban Development Director, or his authorized representative, is
22 hereby authorized and directed to take all steps necessary to implement the provisions of said
23 Redevelopment Plan as they relate to the above-described amendments.

24 3. That the Lincoln Flats/Bank of the West Redevelopment Project Area is
25 the Redevelopment Project Area comprising the property to be included in the area subject to
26 the tax increment provision authorized in the Nebraska Community Development Law.

1 4. That the Finance Director is hereby authorized and directed to cause to
2 be drafted and submitted to the City Council any appropriate ordinances and documents for the
3 authorization to provide necessary funds including Community Improvement Financing in
4 accordance with the Community Development Law to finance related necessary and
5 appropriate public acquisitions, improvements and activities set forth in said Amendments to the
6 Lincoln Center Redevelopment Plan.

7 5. That it is intended that this resolution and the modifications adopted
8 herein are supplemental hereto the findings, approvals, and authorizations set forth in
9 Resolution No. A-68489, Resolution No. A-70273, Resolution No. A-71073, Resolution No. A-
10 71490, Resolution No. A-71701, Resolution No. A-72046, Resolution No. A-72329, Resolution
11 No. A-72774, Resolution No. A-73000, Resolution No. A-73698, Resolution A-74165,
12 Resolution No. A-74186, Resolution A-74291, Resolution No. A-74583, Resolution No. A-
13 74603, Resolution No. A-75257, Resolution A-75784, Resolution A-75974, Resolution A-76438,
14 Resolution No. A-77828, Resolution No. A-78138, Resolution No. A-78688, Resolution No. A-
15 80587, Resolution No. A-81681, Resolution No. A-83005, Resolution No. A-83839, Resolution
16 No. A-84238, Resolution No. A-84478, Resolution No. A-84603, Resolution No. A-84867, and
17 Resolution No. A-84979.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2008: _____ Mayor
