

RESOLUTION NO. A-_____

1 WHEREAS, the City Council, on June 19, 2000, adopted Resolution No. A-80238
2 finding an area generally bounded by "N" Street on the south; the viaduct over the Burlington
3 Northern Santa Fe right-of-way, parallel to Cornhusker Highway on the north; 23rd Street on the
4 west; and 31st Street on the east to be blighted and substandard as defined in the Nebraska
5 Community Development Law (Neb. Rev. Stat. § 18-2101, et seq. as amended) and in need of
6 redevelopment; and

7 WHEREAS, the City Council has previously adopted the North 27th Street
8 Corridor and Environs Redevelopment Plan and amendments thereto (hereinafter the "Plan")
9 including plans for various redevelopment projects within said blighted and substandard area in
10 accordance with the requirements and procedures of the Nebraska Community Development
11 Law; and

12 WHEREAS, the Director of the Urban Development Department has filed with the
13 City Clerk proposed amendments to the Plan (hereinafter the "Amendments") for said blighted
14 and substandard area contained in the document entitled "Proposed Amendment to the North
15 27th Street Corridor and Environs Redevelopment Plan for the Little Saigon Commercial
16 Development Project", which is attached hereto, marked as Attachment "A", and made a part
17 hereof by reference; and

18 WHEREAS, the Director of Urban Development has reviewed said Amendment
19 and has found that if adopted the Amendment and the Plan meet the conditions set forth in Neb.
20 Rev. State. § 18-2113 (Reissue 2007); and

21 WHEREAS, said proposed Amendment to the Plan has been submitted to the
22 Lincoln City - Lancaster County Planning Commission for review and recommendation; and

1 WHEREAS, on January 2, 2009 notice of public hearing was mailed, postage
2 prepaid, to the president or chairperson of the governing body of each county, school district,
3 community college, educational service unit, and natural resource district in which the real
4 property subject to such plan is located and whose property tax receipts would be directly
5 affected and to all registered neighborhood associations located in whole or in part within one
6 mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the
7 public hearing to be held on January 14, 2009 before the Lincoln City -Lancaster County
8 Planning Commission regarding the Amendment, a copy of said notice and list of said
9 registered neighborhood associations having been attached hereto as Attachment "B" and "C"
10 respectively; and

11 WHEREAS, the Lincoln City - Lancaster County Planning Commission on
12 January 14, 2009 held a public hearing relating to the proposed Amendment to the Plan and
13 found the Amendment to be in conformance with the Comprehensive Plan and recommended
14 approval thereof; and

15 WHEREAS, on January 23, 2009 a notice of public hearing was mailed, postage
16 prepaid, to the foregoing governing bodies and registered neighborhood associations setting
17 forth the time, date, place, and purpose of the public hearing before the City Council to be held
18 on February 9, 2009 regarding the proposed Amendment, a copy of said notice having been
19 attached hereto as Exhibit "D"; and

20 WHEREAS, on January 23, 2009 and January 30, 2009 a notice of public
21 hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place,
22 and purpose of the public hearing to be held on February 9, 2009 regarding the proposed
23 Amendment to the Plan for said blighted and substandard area, a copy of such notice having
24 been attached hereto and marked as Attachment "E"; and

1 WHEREAS, on February 9, 2009 in the City Council Chambers of the County
2 City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing
3 relating to the proposed Amendments to the North 27th Street Redevelopment Plan and all
4 interested parties were afforded at such public hearing a reasonable opportunity to express their
5 views respecting said proposed Amendment to the Plan; and

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

8 WHEREAS, the City Council now desires to modify said Plan by establishing the
9 Little Saigon Commercial Development Project on property generally located at North 26th and
10 W Streets (“Little Saigon Commercial Development Project Area”), to accommodate the
11 construction of an 8,400 square foot commercial/retail building.

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

14 1. That the Proposed Amendment is described in sufficient detail and is
15 designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious
16 development of the City which will promote general health, safety, and welfare, sound design
17 and arrangement, the wise and efficient expenditure of public funds, and the prevention of the
18 recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

19 2. That incorporating the Little Saigon Commercial Development Project into
20 the Plan is feasible and in conformity with the general plan for the development of the City of
21 Lincoln as a whole and said Plan is in conformity with the legislative declarations, and the
22 determinations set forth in the Community Development Law.

23 3. That the substandard and blighted conditions in the Little Saigon
24 Commercial Development Project are beyond remedy and control solely by regulatory process
25 and the exercise of police power and cannot be dealt with effectively by ordinary operations or

1 private enterprise without the aids provided by the Community Development law, specifically
2 including Tax Increment Financing.

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

6 5. That the Little Saigon Commercial Development Project would not be
7 economically feasible without the use of tax-increment financing.

8 6. That the Little Saigon Commercial Development Project would not occur
9 in the Redevelopment Area without the use of tax-increment financing.

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

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

17 1. That, pursuant to the provisions of the Nebraska Community
18 Development Law and in light of the foregoing findings and determinations, the Proposed
19 Amendment to the North 27th Street Corridor and Environs Redevelopment Plan attached
20 hereto as Attachment "A" establishing the Little Saigon Commercial Development Project is
21 hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

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

1 3. That the Urban Development Director, or the Director's authorized
2 representative, is hereby authorized and directed to contact the owners and tenants of those
3 properties listed herein, if any, for the purpose of negotiation of contracts or options for the
4 acquisition of all interests in said real estate in accordance with the land acquisition procedures
5 of the City of Lincoln; and to take all steps necessary for the acquisition of said property by
6 purchase, if possible.

7 4. That the Finance Director is hereby authorized and directed to cause to
8 be drafted and submitted to the City Council any appropriate ordinances and documents for the
9 authorization to provide necessary funds, including Community Improvement Financing in
10 accordance with the provisions of the Community Development Law, to finance necessary and
11 appropriate public acquisitions, improvements, and activities set forth in said Amendments to
12 the North 27th Street Corridor and Environs Redevelopment Plan.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009: _____ Mayor
