

Comp. Plan Conformance 009004

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 Mall Capitol Environs
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 Mall Capitol Environs Redevelopment Project have been submitted to the
21 Lincoln-Lancaster County Planning Commission for review and recommendations; and

22 WHEREAS, on March 27, 2009 notice of public hearing was mailed, postage
23 prepaid, to the president or chairperson of the governing body of each county, school district,

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

9 WHEREAS, the Lincoln City - Lancaster County Planning Commission on April 8,
10 2009 held a public hearing relating to the proposed Amendments to the Lincoln Center
11 Redevelopment Plan and found the Amendments to be in conformance with the Comprehensive
12 Plan and recommended approval thereof; and

13 WHEREAS, on April 17, 2009 a notice of public hearing was mailed postage
14 prepaid to the foregoing registered neighborhood associations setting forth the time, date,
15 place, and purpose of the public hearing before the City Council to be held on May 4, 2009,
16 regarding the proposed Amendments to the Lincoln Center Redevelopment Plan, a copy of said
17 notice having been attached hereto as Attachment "D"; and

18 WHEREAS, on April 17, 2009 and April 24, 2009 a Notice of Public Hearing was
19 published in the Lincoln Journal Star newspaper, setting the time, date, place and purpose of
20 the public hearing to be held on May 4, 2009 regarding the proposed Amendments to the
21 Lincoln Center Redevelopment Plan for said blighted and substandard area, a copy of such
22 notice having been attached hereto and marked as Attachment "E"; and

23 WHEREAS, on May 4, 2009 in the City Council chambers of the County-City
24 Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing
25 relating to the proposed Amendments to the Lincoln Center Redevelopment Plan and all
26 interested parties were afforded at such public hearing a reasonable opportunity to express their
27 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 expanding the
4 boundaries of an existing project known as the Lincoln Mall Redevelopment Project (generally in
5 the area of the two blocks between H Street and K Street and South 10th Street and South 11th
6 Street) to include property described as the public rights-of-way of Centennial Mall from the
7 south side of K Street to the mid-point of M Street, J Street from the west side of 16th to east
8 side of 17th Streets, Goodhue Boulevard from the north side of H to the south side of G Streets,
9 and 14th, 16th, K and H Streets adjacent to the State Capitol Building, to accommodate the
10 redevelopment of amenities on Lincoln Mall and in the street and public rights-of-way servicing
11 Block 119 and the Capitol Environs District, including sidewalks, utilities, curbs, plantings and
12 landscaping, street furniture, public art, other hardscaping and transit improvements and
13 renaming the project as the "Lincoln Mall Capitol Environs Redevelopment Project."

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

16 1. That the Lincoln Mall Capitol Environs Redevelopment Project is
17 described in sufficient detail and is designed with the general purpose of accomplishing a
18 coordinated, adjusted and harmonious development of the City and its environs which will
19 promote the general health, safety and welfare, sound design and arrangement, the wise and
20 efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or
21 unsafe dwelling accommodations or conditions of blight.

22 2. That incorporating the Lincoln Mall Capitol Environs Redevelopment
23 Project into the Redevelopment Plan is feasible and in conformity with the general plan for the
24 development of the City of Lincoln as a whole and said Plan is in conformity with the legislative
25 declarations and determinations set forth in the Community Development Law.

26 3. That the substandard and blighted conditions in the Lincoln Mall Capitol
27 Environs Redevelopment Project Area are beyond remedy and control solely by regulatory

1 process and the exercise of police power and cannot be dealt with effectively by the ordinary
2 operations or private enterprise without the aids provided by the Community Development law,
3 specifically including Tax Increment Financing.

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

7 5. That the Lincoln Mall Capitol Environs Redevelopment Project would not
8 be economically feasible without the use of tax-increment financing.

9 6. That the Lincoln Mall Capitol Environs Redevelopment Project would not
10 occur in the Lincoln Mall Capitol Environs Redevelopment Project Area without the use of
11 tax-increment financing.

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

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
18 Lincoln, Nebraska:

19 1. That pursuant to the provisions of the Nebraska Community Development
20 Law and in light of the foregoing findings and determinations, the Amendments to the Lincoln
21 Center Redevelopment Plan attached hereto as Attachment "A", establishing the Lincoln Mall
22 Capitol Environs Redevelopment Project are hereby accepted and approved by the City Council
23 as the governing body for the City of Lincoln.

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

1 3. That the Lincoln Mall Capitol Environs Redevelopment Project Area is the
2 Redevelopment Project Area comprising the property to be included in the area subject to the
3 tax increment provision authorized in the Nebraska Community Development Law.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009: _____ Mayor
