

RESOLUTION NO. 2022-18

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, ADOPTING AND APPROVING A REDEVELOPMENT PLAN ENTITLED, "AMENDMENT TO THE REDEVELOPMENT AREA #1 REDEVELOPMENT PLAN (THE R. PERRY CONSTRUCTION, INC. REDEVELOPMENT PROJECT)".

WHEREAS, pursuant to the Nebraska Community Development Law, Nebraska Revised Statutes Sections 18-2101 et. seq. (the "Act"), the Mayor and City Council of the City of Lexington, Nebraska (the "City"), designated a portion of the City, commonly referred to as "Redevelopment Area #1", as blighted, substandard, and in need of redevelopment under the Act; and

WHEREAS, the Mayor and City Council finds based on substantial evidence in the record of this proceeding that redevelopment of Redevelopment Area #1 will result in the elimination and prevention of blight and aligns with the purposes of the Act and the City's comprehensive plan for land use and development (the "Comprehensive Plan"); and

WHEREAS, attached hereto as Exhibit "A" is a proposed amendment to the general redevelopment plan previously adopted and approved for Redevelopment Area #1, entitled, "Amendment to the Redevelopment Area #1 Redevelopment Plan (The R. Perry Construction, Inc. Redevelopment Project)" (the "Redevelopment Plan"), which sets forth a specific redevelopment project pertaining to a portion of Redevelopment Area #1 (the "Redevelopment Project"); and

WHEREAS, in conformance with the Act, the Planning Commission of the City held a duly noticed public hearing on the Redevelopment Plan on August 3, 2022, and provided written findings on and recommended the Mayor and City Council's adoption and approval of the Redevelopment Plan; and

WHEREAS, in conformance with the Act, on August 8, 2022, the Community Development Agency of the City (the "Agency") provided written findings on and recommended the Mayor and City Council's adoption and approval of the Redevelopment Plan; and

WHEREAS, on August 9, 2022, the Mayor and City Council held a duly noticed public hearing on the Redevelopment Plan, in conformance with the Act; and

WHEREAS, after public hearing and review of the Redevelopment Plan, the Mayor and City Council determined that the Redevelopment Plan complies with the Comprehensive Plan of the City and will result in the elimination and prevention of blight; and

WHEREAS, after public hearing and review of the Redevelopment Plan, the Mayor and City Council determined that the Redevelopment Project contemplated in the Redevelopment Plan would not occur and would not be economically feasible without the use of tax-increment financing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY:

Section 1. The Redevelopment Plan attached as Exhibit "A" complies with, and furthers the objectives of, the Comprehensive Plan of the City.

Section 2. Based on the substantial evidence in the record of this proceeding, the Mayor and City Council finds as follows:

(a) The proposed land uses and building requirements for the Redevelopment Project as described in the Redevelopment Plan are designed with the general purpose of accomplishing, in conformance with the City's Comprehensive Plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; that under the Redevelopment Plan adequate provision is made for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of populations, the provision of adequate transportation, water, sewage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds and the elimination of, or prevention of the recurrence of, insanitary or unsafe dwelling accommodations or conditions of blight.

(b) The Redevelopment Plan contains a satisfactory statement of the proposed method and estimated costs of the Redevelopment Project; that no public improvements are required to be provided except as set forth in the Redevelopment Plan with respect to the Redevelopment Project; that there are no estimated proceeds or revenue expected to be obtained by the City from disposal of property to the redeveloper except as set forth in the Redevelopment Plan; that the Redevelopment Plan sets forth a satisfactory method of financing for the Redevelopment Project consisting of direct payment for public improvements or grant assistance to the redeveloper for the Redevelopment Project, as designated in the Redevelopment Plan, which method of financing is the issuance by the City of its tax increment revenue bond to provide funds to pay for the costs of certain eligible improvements by grant assistance, and that there are no families currently living within the site of the Redevelopment Project, as set forth in the Redevelopment Plan, which are currently expected to be displaced from such area as a direct result of the Redevelopment Project.

(c) The cost-benefit analysis prepared in conjunction with the Redevelopment Plan and attached thereto sets forth the factors required under section 18-2113 of the Act and supports the Mayor and City Council's adoption and approval of the Redevelopment Plan.

Section 3. The Redevelopment Project set forth in the Redevelopment Plan would not be economically feasible without the use of tax-increment financing; would not occur without the use of tax-increment financing; and the costs and benefits of the Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the Mayor and City Council and have been found to be in the long-term best interest of all those impacted by the Redevelopment Plan.

Section 4. Based on the foregoing and substantial evidence in the record of this proceeding, the Mayor and City Council hereby approve and adopt the Redevelopment Plan.

INTRODUCED BY COUNCIL MEMBER _____

PASSED AND ADOPTED THIS 9TH DAY OF AUGUST, 2022.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"
Redevelopment Plan

(See attached)

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