

**RESOLUTION NO. 2022-25**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, APPROVING THE CITY OF LEXINGTON GENERAL REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA #6; AND APPROVAL OF RELATED ACTIONS**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:**

**Recitals:**

a. The Mayor and Council of the City of Lexington, Nebraska (the “**City**”), upon the recommendation of the City Planning Commission (the “**Planning Commission**”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), has previously declared an area, including an area legally described on the attached **Exhibit A** (the “**Redevelopment Area**”), to be blighted and substandard and in need of redevelopment; and

b. The Community Development Agency of Lexington, Nebraska (the “**Agency**”) has prepared a redevelopment plan (the “**Redevelopment Plan**”) a copy of which is attached hereto as **Exhibit B**; and

c. The Agency submitted the Redevelopment Plan to the Planning Commission for its recommendation on the Redevelopment Plan after holding a public hearing in compliance with the provisions of the Act; and

d. The Planning Commission has reviewed the Redevelopment Plan, held a public hearing thereon and recommended its approval by the Mayor and Council of the City;

e. The Agency has recommended approval of the Redevelopment Plan by the Mayor and Council of the City;

f. The City, in compliance with all public notice requirements imposed by the Act, published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan and received extensive public comment thereon; and

g. The City Council has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in it are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of

population, the provision of adequate transportation, water, sewerage, 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 prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

**Resolved that:**

1. The Redevelopment Plan is determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act. Section 18-2102 of the Act establishes the legislative declarations and determinations for the Act. The Redevelopment Plan clearly demonstrates that the criteria declarations have been satisfied. The Redevelopment Area (the “**Site**”) constitutes an economically and socially undesirable land use in its current state. The Site contains numerous buildings and infrastructure in a state of deterioration and is not properly subdivided. The Site is not designed for proper utilization, is undesirable for economic and social purposes and constitutes a barrier to the sound growth of the City. Given the foregoing, the conditions of the Site are beyond the remedy and control of normal regulatory processes and police power and due to the high cost of development and cannot be dealt with effectively by the ordinary operations of private enterprise. Further documentation of these findings is set forth in **Exhibit B**.

The City Council acknowledges receipt of the recommendations of the Agency and the Planning Commission with respect to the Redevelopment Plan.

2. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

3. This Resolution shall become effective immediately upon its adoption.

**PASSED and APPROVED** on November 8, 2022.



City of Lexington, Nebraska

\_\_\_\_\_  
Mayor

*Gene H. Feyert*

ATTEST:

*Camela Baruth*

City Clerk (Seal)

**EXHIBIT A**  
**LEGAL DESCRIPTION OF REDEVELOPMENT AREA**

The property is described as all real estate identified by the parcel numbers below in the office of the Dawson County, Nebraska, Assessor's office, to wit:

Redevelopment Area #6 - Parcel IDs.

240007395	240132750	240133110
240007484	240132769	240133145
240007654	240132793	240133153
240007662	240132823	240133196
240007743	240132831	240133218
240007824	240132858	240133242
240008286	240132882	240133250
240008367	240132890	240133293
240008456	240132920	240138546
240008634	240132939	240138589
240132285	240132963	240139224
240132610	240132971	240151704
240132645	240133013	240167570
240132653	240133021	240178459
240132661	240133072	240178548
240132742	240133102	

**EXHIBIT A**  
[Attach Redevelopment Plan]

# GENERAL REDEVELOPMENT PLAN.

## Purpose of Plan.

The purpose of this **General Redevelopment Plan** is to serve as a comprehensive guide for the implementation of development and redevelopment activities within **Lexington, Nebraska Redevelopment Area #6**. Redevelopment and development activities associated with the **Nebraska Community Development Law**, State Statutes 18-2101 through 18-2154 should be utilized to promote the general welfare and enhance the tax base, as well as promote the economic and social well-being of the Community.

A **General Redevelopment Plan** prepared for **Redevelopment Area #6** must contain the general planning elements required by Nebraska State Revised Statutes, Section 18-2111 re-issue 2012 items (1) through (6). A description of these items is as follows:

- (1) The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.



Furthermore, the **General Redevelopment Plan** must further address the items required under Section 18-2113, "Plan; considerations", which the City of Lexington must consider prior to Plan adoption. These "considerations" are defined as follows:

"...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with 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; including, among other things, adequate provision 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 population, 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 prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

### Location

**Redevelopment Area #6** is located in the west central portion of the City of Lexington, as highlighted in **Illustration 4, Context Map, Page 45**. The **Redevelopment Area** includes the listed parcels of record on file with the Dawson County Assessor's Office, as presented in the **Appendix, Page 42**.

Portions of **Redevelopment Area #6** are located adjacent, but outside the Corporate Limits of Lexington. Land areas outside the Corporate Limits will need to be annexed to be included in the Community Development Agency's (CDA) area of operation and become eligible for Tax Increment Financing, as specific projects make application to the CDA for a redevelopment project. All Illustrations presented in this Redevelopment Plan identify the entire **Redevelopment Area #6** that has been declared blighted and substandard and in need of redevelopment pursuant to this General Redevelopment Plan. This General Redevelopment Plan shall be amended when a specific redevelopment project moves forward which will necessitate the annexation of any of the blighted and substandard property currently located outside of the Corporate Limits of the City before such property shall be eligible for the use of tax increment financing as part of a redevelopment project.

The **Redevelopment Area**, located north of Highway 30, equals an estimated **76.2 acres** and contains a single-family, commercial and public properties as well as undeveloped tracts of land. Approximately **56.6 acres, or 74 percent** of the **Area** is outside the Corporate Limits of Lexington. Approximately **15.3 acres, or 20.1 percent** of the **Area** consists of public properties. One important business in **Redevelopment Area #6** is Lexington Regional Health and Fitness Center.



## **Project Planning and Implementation Recommendations.**

The planning process for **Redevelopment Area #6** has resulted in a listing of **general planning and implementation recommendations**. As discussed in the **Blight and Substandard Determination Study**, the average age and condition of the structures, faulty lot layouts and the presence of functionally and economically obsolete land uses are a sufficient basis for designation of **Redevelopment Area #6** as **blighted and substandard**.

To eliminate blight and substandard conditions and enhance private development and redevelopment activities throughout the **Redevelopment Area**, the City of Lexington should consider the following **general development and redevelopment initiatives**. **Tax Increment Financing (TIF)** will need to be considered as a tool to assist in financing both development and redevelopment projects.

### ***General Development/Redevelopment Initiatives.***

- Develop **public and private partnerships** with funding entities and property developers to attract development to the **Redevelopment Area**. Create an **“Economic Development Initiative”** for **Redevelopment Area #6**, directed at increasing the property tax bases via primarily, commercial redevelopment activities. Utilize **TIF** and other available public and private sources of economic development funding, including State and Federal and private Foundation grants, as well as private investment, for the expansion of both existing and new developments. Such development activities must be in conformance with the City’s ***Comprehensive Plan*** and current ***Zoning and Subdivision Regulations***, pending changes or amendments to both documents.
- **Promote the development of undeveloped or under-developed properties within the Redevelopment Area by targeting those that are both functionally and economically obsolete.** Infill development should occur on vacant, development-ready tracts of land, which are suitable for either commercial or residential use.
- Establish a program of both the **rehabilitation and preservation of existing properties** in the **Redevelopment Area** using both private and public financing incentives.
- Commission a **proposed “site plan”** for the **Redevelopment Area**, complete with appropriate lot delineation for commercial, possibly with a mix of residential development, streets, sidewalks and water and sewer infrastructure.



- Plan and implement **alternative energy efficient systems** for development/redevelopment projects in **Redevelopment Area #6**, in conformance with Nebraska State Statutes regarding **Net Metering**. This would include the potential use of one or combination of wind, solar, biomass, geothermal, hydropower and methane energy systems in both existing and new development areas and buildings. New innovations in solar energy have reduced the costs and increased the efficiency of solar panels, making solar a particularly attractive option for the **Redevelopment Area**.

### *Infrastructure & Utility Systems Initiatives.*

- Create a capital plan to expand and improve both **public** and **private** water and sanitary sewer service systems.
- Establish a **program** to install **new sidewalks** where necessary, as well as **rehabilitate and resurface existing streets, new street lighting, landscaping, access roads and parking areas** in the **Redevelopment Area**, identified as being in a state of deterioration and in substandard condition. Of the 47 parcels, 16 parcels lack access to adequately maintained public sidewalks. The rest of the parcels had sidewalks that were immediately adjacent the street.

### Implementation.

Both a timeline and budget should be developed for the implementation of this **General Redevelopment Plan**. Each of these processes should be designed in conformance with the resources and time available by the City. A reasonable timeline to complete the redevelopment activities identified in the **Plan** would be seven to 15 years.

Various funding sources exist for the preparation and implementation of a **capital improvement budget** designed to meet the funding needs of proposed development and redevelopment activities. These include local and federal funds commonly utilized to finance street improvement funds, i.e. Community Development Block Grants, Special Assessments, General Obligation Bonds and TIF. The use of TIF for development and redevelopment projects in **Redevelopment Area** is deemed to be an essential and integral element of financing. The use of TIF in connection with such projects is contemplated by this **General Redevelopment Plan** and such designation and use of TIF will not constitute a substantial modification to the **Plan**.

The City agrees, when approving this **General Redevelopment Plan**, to the utilization of TIF for appropriate development and redevelopment projects and agrees to pledge the taxes generated from such projects for such purposes in accordance with the Act. Any redevelopment project receiving TIF is subject to a **Cost Benefit Analysis**. TIF, as a source of public financing, ultimately impacts taxing authorities in the City of Lexington and Dawson County. Proposed projects using TIF must meet the Cost Benefit Analysis and the **"But for" test**. Accordingly, "But for TIF" a redevelopment project could not be fully executed and constructed in **Redevelopment Area #6**.

1. **Future Land Use Patterns.**

The existing land use patterns in **Redevelopment Area #6** are described in the **Blight and Substandard Determination Study (Pages 15 and 16)**. The **Redevelopment Area** consists of residential, commercial, public and undeveloped land uses. The **Structural/Site Conditions Survey** identified properties and structures classified as being in a deteriorating condition. Irregular tracts of undeveloped land should be targeted for future commercial and possibly a mix of residential development for appropriate platting procedures, as per the Lexington Zoning and Subdivision Regulations.

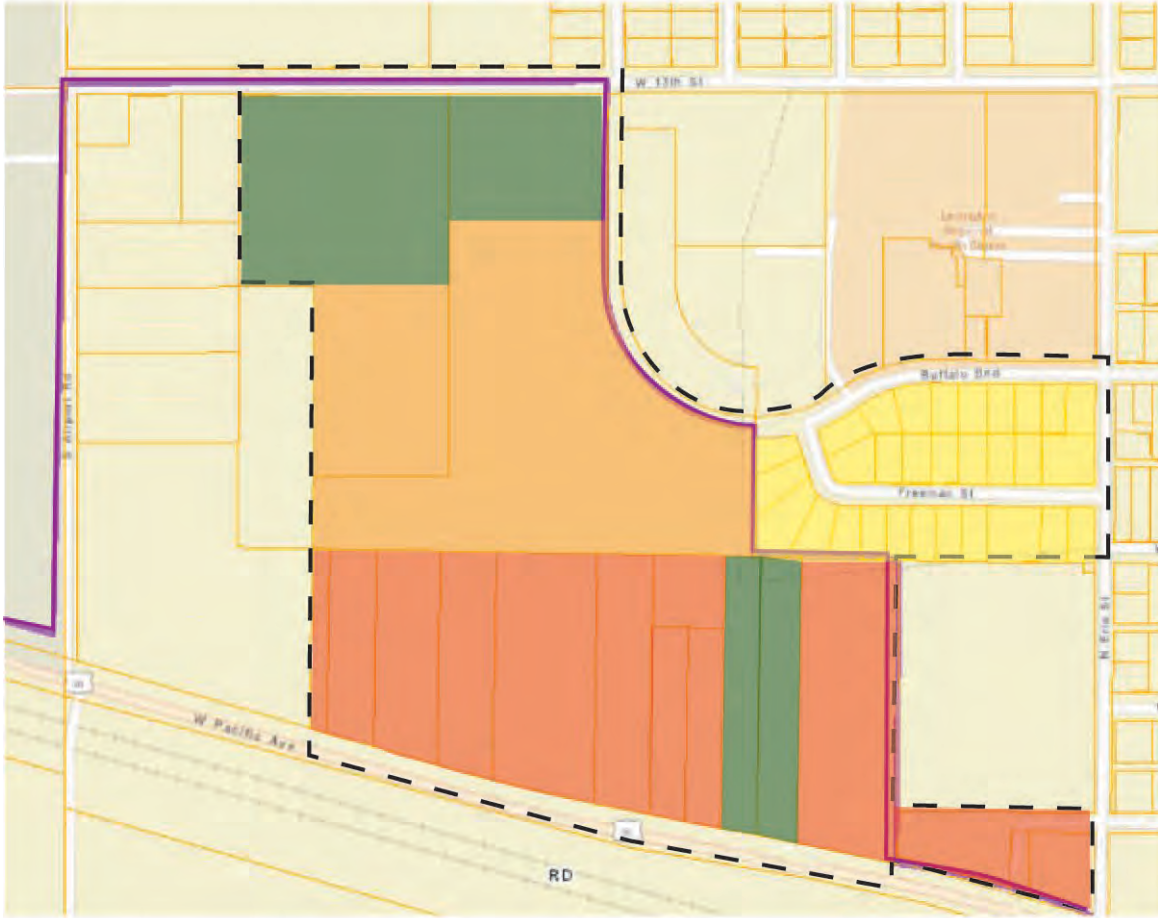
**Illustration 5, Page 49**, features a **Future Land Use Map**, which identifies the land use density and coverage, as well as a general site plan for the **Redevelopment Area**. The recommendations in this **General Redevelopment Plan** are consistent with the *Lexington Comprehensive Plan* and *Lexington Zoning/Subdivision Regulations*.

The future land use patterns within the **Redevelopment Area** support commercial development on both vacant lands and existing properties adjacent Highway 30, as well as multi-family residential and public land use development on vacant lands adjacent W 13<sup>th</sup> Street.









Undeveloped Parcels

CITY OF LEXINGTON, NEBRASKA  
 REDEVELOPMENT AREA #6  
 FUTURE LAND USE MAP



**ILLUSTRATION 5:**

**LEGEND**

-  REDEVELOPMENT AREA BOUNDARY
-  LEXINGTON CORPORATE LIMITS
-  COMMERCIAL
-  SINGLE-FAMILY RESIDENTIAL
-  MULTI-FAMILY RESIDENTIAL
-  PUBLIC/QUASI-PUBLIC

**HANNA:KEELAN ASSOCIATES, P.C.**  
**COMMUNITY PLANNING & RESEARCH**

2. **Future Zoning Districts.**

The future land use designations shown in **Illustration 6** should be in conformance with the City's ***Comprehensive Plan*** and ***Zoning/Subdivision Regulations***. The **Future Zoning District Map for Redevelopment Area #6** is identified in **Illustration 6, Page 51**. This represents allowed land development densities, land coverage and potential building intensities of the **Redevelopment Area**.

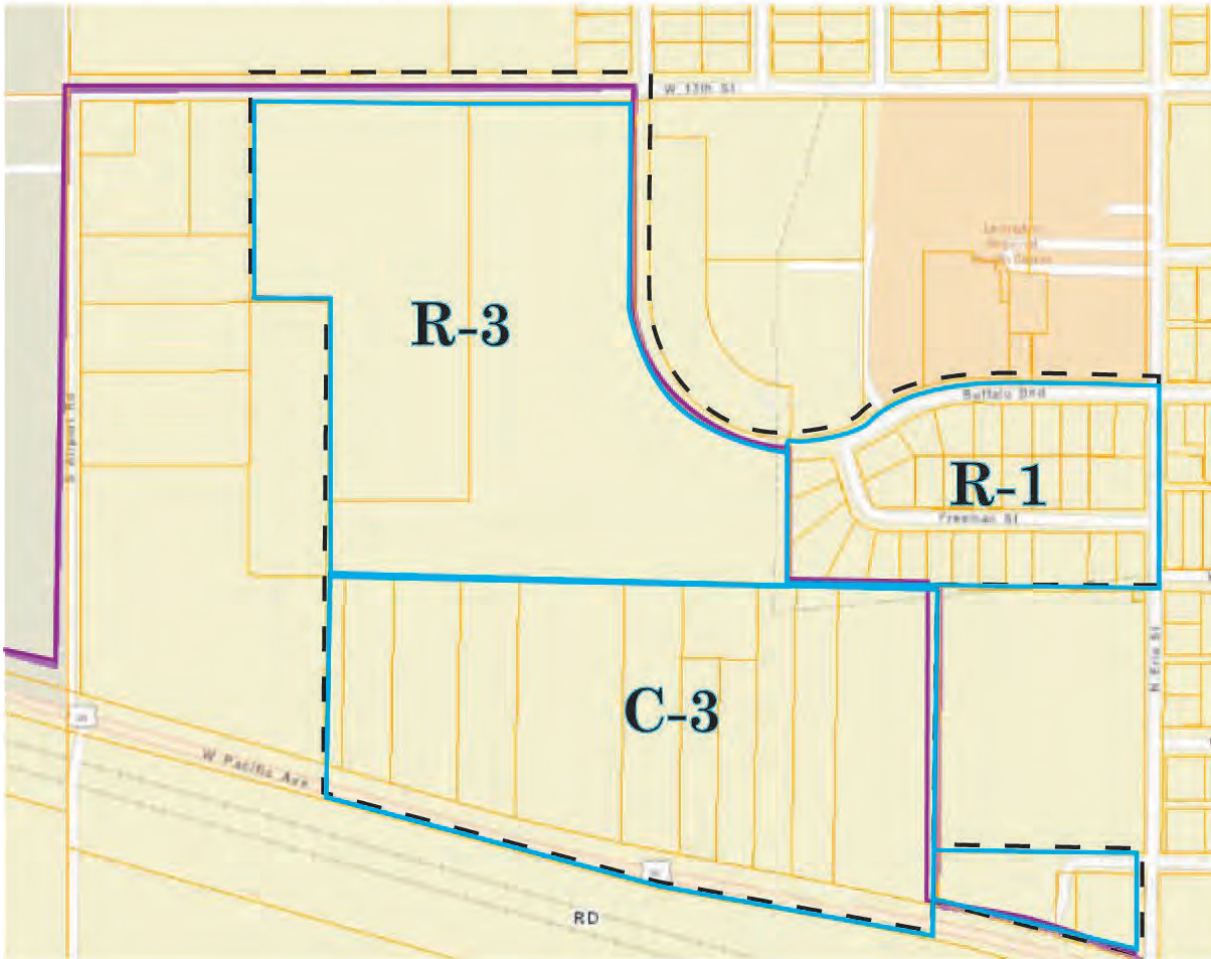
3. **Recommended Public Improvements.**

The primary purpose of a **General Redevelopment Plan** is to allow for the use of public financing for a specific project. This public financing is planned and implemented to serve as a "**first step**" for public improvements and encourage private development within **Redevelopment Area #6**. The most common form of public improvements occurs with infrastructure, specifically streets, water, sanitary sewer and storm sewer systems, sidewalks, and planned open space uses.

The primary infrastructure concerns in the **Redevelopment Area** are the need to monitor utility and infrastructure systems in order to make repairs or replacement as these systems continue to age, as well as by expansion of modern infrastructure to undeveloped land areas. Additionally, the sidewalk systems will need to be expanded.




The **Blight and Substandard Determination Study** focused on the condition of existing structures and sites, as well as improvement needs for deteriorated and dilapidated infrastructure systems to service both developed and undeveloped land throughout the **Redevelopment Area**. It is recommended the City of Lexington work closely with developers to ensure that future public roads and private driveways and parking areas within **Area** are constructed in conformance with City development standards. New or redeveloped streets, sidewalks, alleys, municipal water and sewer mains and privately owned service lines should be designed to meet the provisions of the ***City of Lexington Subdivision Regulations***.

CITY OF LEXINGTON, NEBRASKA  
 REDEVELOPMENT AREA #6  
 FUTURE ZONING DISTRICTS MAP



**ILLUSTRATION 6:**

**LEGEND**

-  REDEVELOPMENT AREA BOUNDARY
-  LEXINGTON CORPORATE LIMITS
-  ZONING DISTRICT BOUNDARY
- R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT
- R-3 HIGH DENSITY RESIDENTIAL DISTRICT
- C-3 HIGHWAY COMMERCIAL DISTRICT

**HANNA:KEELAN ASSOCIATES, P.C.**  
**COMMUNITY PLANNING & RESEARCH**

#### 4. Alternative Energy Considerations.

Development within **Redevelopment Area #6** is recommended to supplement the standard energy sources for lighting, heating and cooling, with alternative energy systems such as wind, solar, geothermal, biomass and methane. Individual buildings and larger industrial business are strongly recommended to access these alternative energy sources in combination with *green building* techniques.

**LEED** building certification also guides the use of energy conservation methods to reduce the consumption of energy by HVAC systems in new and rehabilitated buildings. In the United States, LEED certification is recognized as a standard for measuring building sustainability. Achieving this certification demonstrates that the building meets the ideals of being green.

#### Conclusions.

A successful **General Redevelopment Plan** for **Lexington, Nebraska Redevelopment Area #6** should guide both development and redevelopment opportunities and activities adjacent the **Redevelopment Area**.

The City of Lexington should seek funding sources to create a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in the **Redevelopment Area**. The demolition of selected substantially deteriorated existing buildings will enhance the visual appearance of the **Area**, making it more attractive for future development.

Prior to continued street and pedestrian transportation network improvements, the City should develop a plan to such improvements, comparing the costs of these improvements to the revenue generated by the Community's tax-base.

**The following identifies estimated costs for the improvement of various infrastructure features in the Redevelopment Area.**

Normal Street Replacement

Costs are dependent on street width and thickness of pavement or overlay. Concrete paving of 6" thick with integral curbs costs an estimated \$63 per square yard. Asphalt overlay has a cost of \$4.20 per square yard, per inch of thickness of asphalt overlay.

The cost to construct a 6" thick, 30' wide concrete street is \$210 per linear foot. The cost to construct a 6" thick, 60' wide concrete street is \$420 per linear foot.

The cost to construct a 2" thick, 30' wide asphalt overlay is \$28 per linear foot. The cost to construct a 2" thick, 60' wide asphalt overlay is \$56 per linear foot.

Ramped Curb Cuts

\$1,700 each

Sanitary Sewer

\$75 to \$85 per linear foot

Water Valves

\$1,500 each

Fire Hydrants

\$5,000 each

Overlay of Parking Lots

Asphalt overlay costs \$3.60 per square yard per inch of thickness of asphalt overlay. Therefore, the cost of a 2" overlay of a 150 x 150 foot parking lot is \$18,000.

Storm Sewers

The cost of Storm Sewers is dependent upon the size of the storm sewer pipe and on the number of inlets required. A breakdown of approximate unit prices is as follows:

- 15" RCP costs \$70 per linear foot
- 18" RCP costs \$80 per linear foot
- 24" RCP costs \$95 per linear foot
- 30" RCP costs \$150 per linear foot
- 36" RCP costs \$165 per linear foot
- 42" RCP costs \$180 per linear foot
- 48" RCP costs \$225 per linear foot

Inlets cost an estimated \$5,000 each. Therefore, assuming 470 linear feet of 30" storm sewer and four inlets per block, a block of storm sewer would cost \$90,500.

## **Public and Private Foundations.**

This **General Redevelopment Plan** addresses numerous community and economic development activities for **Redevelopment Area #6**, in Lexington, Nebraska. The major components of this **General Redevelopment Plan** will be accomplished as individual projects, however, a comprehensive redevelopment effort is recommended.

Just as the redevelopment efforts should be tied together, so should the funding sources to ensure a complete project. The use of State and Federal monies, local equity and tax incentives coupled with private funding sources, can be combined for a realistic and feasible funding package.

The following provides a summary listing of the types of funding to assist in implementing this **General Redevelopment Plan**.

Each selected redevelopment project should be accompanied with a detailed budget of both sources and uses of various funds.

### **Public/Private Funding Sources**

- Building Improvement District
- Tax Increment Financing
- LB 840, LB 1240
- Historic Preservation Tax Credits (State & Federal)
- Low Income Housing Tax Credits (NIFA & State)
- Sales Tax
- Community Development Block Grants - Re-Use Funds
- HOME Funds
- Nebraska Affordable Housing Trust Fund
- Rural Workforce Housing Investment Fund
- Community Development Assistance Act
- American Rescue Act Plan
- Intermodal Surface Transportation Efficiency Act
- Small Business Administration-Micro Loans
- Local Lender Financing
- Owner Equity
- Donations and Contributions



## **Foundations**

American Express Foundation  
Kellogg Corporate Giving Program  
Marietta Philanthropic Trust  
Monroe Auto Equipment Company Foundation  
Norwest Foundation  
Piper, Jaffray & Hopwood Corporate Giving  
Target Stores Corporate Giving  
Pitney Bowes Corporate Contributions  
Burlington Northern Santa Fe Foundation  
US West Foundation  
Woods Charitable Fund, Inc.  
Abel Foundation  
ConAgra Charitable Fund, Inc.  
Frank M. and Alice M. Farr Trust  
Hazel R. Keene Trust  
IBP Foundation, Inc.  
Mid-Nebraska Community Foundations, Inc.  
Northwestern Bell Foundation  
Omaha World-Herald Foundation  
Peter Kiewit and Sons Inc. Foundation  
Thomas D. Buckley Trust  
Valmont Foundation  
Quivey-Bay State Foundation

# GENERAL REDEVELOPMENT PLAN AMENDMENTS

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<u>PROJECT NAME / LOCATION AND COST</u>	<u>RESOLUTION #</u>
1. _____ \$ _____	_____
2. _____ \$ _____	_____
3. _____ \$ _____	_____
4. _____ \$ _____	_____
5. _____ \$ _____	_____
6. _____ \$ _____	_____
7. _____ \$ _____	_____
8. _____ \$ _____	_____
9. _____ \$ _____	_____
10. _____ \$ _____	_____