



Hall County Regional Planning Commission

**Wednesday, January 4, 2017
Regular Meeting**

Item F1

Public Hearing-O'Neill Blight Study

Staff Contact: Chad Nabity

Agenda Item 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 27, 2016

SUBJECT: *Blight Study for Properties Located at the Cornhusker Army Ammunition Plant (O'Neill/EDC Property) Proposed as CRA Area 20 C-02-2017GI*

PROPOSAL: Attached is a copy of a Substandard and Blight Study as prepared by Marvin Planning Consultants entitled "Grand Island NE, Blighted and Substandard Study Area 20". This area as defined by the study will be referred to as Community Redevelopment Authority (CRA) Area 20. The study as prepared and submitted indicates that this property could be considered substandard and blighted. This property is located at the Cornhusker Army Ammunition Plant (CHAAP). Based on changes to the community redevelopment law in 2013, this property can be declared blighted and substandard and redevelopment projects can be considered by cities of the First Class. Grand Island is a city of the First Class. The study as presented shows that this property meets the criteria to be declared blighted and substandard of its own accord. If the Planning Commission does not make a recommendation within 30 days, Council can proceed with a decision on the declaration without recommendation from Planning Commission.

OVERVIEW

Formerly used defense site were not specifically declared blighted and substandard at the time the Nebraska Unicameral passed LB 66 and when it was signed by the Governor. Redevelopment Plans and projects were authorized, but the process to declare an area Blighted and Substandard remains unchanged.

The Statutory authority and direction to the Planning Commission is referenced below to explain the Planning Commission purpose in reviewing the study:

Section 18-2109

Redevelopment plan; preparation; requirements.

An authority shall not prepare a redevelopment plan for a redevelopment project area unless the governing body of the city in which such area is located has, by resolution adopted after a public hearing with notice provided as specified in section 18-2115, declared such area to be a substandard and blighted area in need of redevelopment. The governing body of the city shall submit the question of whether an area is substandard and blighted to the planning commission or board of the city for its review and recommendation prior to making its declaration. The planning commission or board shall submit its written recommendations within thirty days after receipt of the request. Upon receipt of the recommendations or after thirty days if no recommendation is received, the governing body may make its declaration.

~Reissue Revised Statutes of Nebraska

The attached study does not include a redevelopment plan. If this study is approved subsequent action will be necessary by both the Planning Commission and the City Council prior to any action involving Tax Increment Financing or the expenditure of tax dollars from the CRA budget within this area.

It is appropriate for the Planning Commission, in conducting its review and considering its recommendation regarding the substandard and blighted designation, to:

1. Review the study,
2. Take testimony from interested parties,
3. Make findings of fact, and
4. Include those findings of fact as part of its recommendation to Council.

Blighted and Substandard Defined

The terms blighted and substandard have very specific meanings within the context of the Community Redevelopment Statutes. Those terms as defined by Statute are included below:

Section 18-2103

Terms, defined.

For purposes of the Community Development Law, unless the context otherwise requires:

*(10) **Substandard areas** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;*

*(11) **Blighted area** shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and*

subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;

~Reissue Revised Statutes of Nebraska

ANALYSIS-Blight and Substandard Study

The following findings are copied directly from the Study. The analysis of the substandard and blighted factors is conducted on pages 5 to 17 of the study.

FINDINGS FOR GRAND ISLAND

Study Area 20 has several items contributing to the Blight and Substandard Conditions outside of the fact that it is a formerly used defense site. These conditions include:

Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

- **Qualifies under the Former Defense Site statute**
 - The real property located outside the corporate limits of the city is a formerly used defense site;
 - The formerly used defense site is located within the same county as the city approving such redevelopment project;
 - Formerly used defense site means real property that was formerly owned by, leased to, or otherwise possessed by the United States and under the jurisdiction of the United States Secretary of Defense. Formerly used defense site does not include missile silos.
- **Average age of structures is over 40 years of age**
 - Within the Study Area 100.0% of the structures meet the criteria of 40 years of age or older.
- **Substantial number of deteriorating structures**
 - Within the study are 90.0% of the structures were deemed to be in a deteriorated state or worse. While the other 10% are considered to be in an average condition.
- **Deterioration of site or other improvements**
 - Drainage of existing site is difficult based upon the existing topography.
 - County Road conditions.
 - Stormwater management.
 - Internal Infrastructure.
 - Old Cornhusker Army Ammunition Plant infrastructure and Contamination.
- **Insanitary or Unsafe Conditions**
 - Drainage of existing site is difficult based upon the existing topography.
 - Stormwater management.
 - Internal Infrastructure.

- Old Cornhusker Army Ammunition Plant infrastructure and Contamination.
- **Dangerous conditions to life or property due to fire or other causes**
 - Old Cornhusker Army Ammunition Plant Contamination.
- **Combination of factors which are impairing and/or arresting sound growth**
 - Old Cornhusker Army Ammunition Plant infrastructure and Contamination.
- **Stable or decreasing population based on the last two decennial censuses**
 - The population of the Study Area has remained stable over the past two decennial censuses.
- **Diversity of Ownership**
 - There are currently three different owners listed for the property within the Study Area.

The other criteria for Blight were not present in the area, these included:

- Faulty Lot Layout
- Improper Subdivision or Obsolete Platting
- Defective/Inadequate street layouts
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title,
- Unemployment in the designated area is at least 120% of the state or national average.
- One-half of unimproved property is over 40 years old.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area.

Substandard Summary

Nebraska State Statute requires that “...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, **age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;”

This Study Area in Grand Island meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #20

Blight Study Area #20 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- **Former Defense Site**
- **Average age of structures is over 40 years of age**
- **Substantial number of deteriorated or deteriorating structures**
- **Deterioration of site or other improvements**
- **Insanitary and Unsafe Conditions**
- **Dangerous conditions to life or property due to fire or other causes**
- **Combination of factors which are impairing and/or arresting sound growth**

- Stable or decreasing population based on the last two decennial censuses
- Diversity of Ownership

Substandard Conditions

- Former Defense Site
- Average age of the structures in the area is at least forty years

Based on the study these areas meet the thresholds to qualify as blighted and substandard.

Tax increment financing would potentially be available for redevelopment projects on any of the property included in the study.

RECOMMENDATION:

Blight and Substandard Designation

Planning Commission staff is recommending consideration of the following questions as a starting point in the analysis of this Study and in making a recommendation on the question of whether the property in question is blighted and substandard.

Recommend Questions for Planning Commission

- Does this property meet the statutory requirements to be considered blighted and substandard? (See the prior statutory references.)
- Are the blighted and substandard factors distributed throughout the Redevelopment Area, so basically good areas are not arbitrarily found to be substandard and blighted simply because of proximity to areas which are substandard and blighted? Is development of adjacent property necessary to eliminate blighted and substandard conditions in the area?
- Is public intervention appropriate and/or necessary for the redevelopment of the area?
- Will a blight declaration increase the likelihood of development/redevelopment in the near future and is that in the best interest of the City?
- What is the policy of the City toward increasing development and redevelopment in this area of the City?

Findings of fact must be based on the study and testimony presented including all written material and staff reports. The recommendation must be based on the declaration, not based on any proposed uses of the site. All of the testimony, a copy of the study and this memo along with any other information presented at the hearing should be entered into the record of the hearing.

If the Regional Planning Commission concludes that the area in question meets the definition of blighted and substandard and supports such conclusion with findings of fact they should move to recommend **approval** of the declaration as blighted and substandard based on the facts presented and identified at this meeting.

If the Regional Planning Commission concludes that the area in question does not meet the definition of blighted and substandard and supports such conclusions with findings of fact, they

should move to recommend **denial** of the declaration as blighted and substandard based on the facts identified.

_____ Chad Nabity AICP, Planning Director

PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY

The purpose of completing this Blight and Substandard study is to examine existing conditions within a specific part of Grand Island. This study has been commissioned by the O'Neill Wood Resources in order to analyze the possibility of declaring the area as blighted and substandard.

The City of Grand Island, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of Sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under sections 18-2101 to 18-2144, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements".

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program. The statute reads,

"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."

Blight and Substandard are defined as the following:

"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

"Blighted area means an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the

sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event, shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a shall not designate an area larger than one hundred percent of the as blighted;"

Furthermore, Chapter 18, Section 2123.01 of the Revised Nebraska State Statutes:

Redevelopment project with property outside corporate limits; formerly used defense site; agreement with county authorized.

- (1) Notwithstanding any other provisions of the Community Development Law to the contrary, a city may undertake a redevelopment project that includes real property located outside the corporate limits of such city if the following requirements have been met:
 - (a) The real property located outside the corporate limits of the city is a formerly used defense site;
 - (b) The formerly used defense site is located within the same county as the city approving such redevelopment project;
 - (c) The formerly used defense site is located within a sanitary and improvement district;
 - (d) The governing body of the city approving such redevelopment project passes an ordinance stating such city's intent to annex the formerly used defense site in the future; and
 - (e) The redevelopment project has been consented to by any city exercising extraterritorial jurisdiction over the formerly used defense site.
- (2) For purposes of this section, formerly used defense site means real property that was formerly owned by, leased to, or otherwise possessed by the United States and under the jurisdiction of the United States Secretary of Defense. Formerly used defense site does not include missile silos.
- (3) The inclusion of a formerly used defense site in any redevelopment project under this section shall not result in:
 - (a) Any change in the service area of any electric utility or natural gas utility unless such change has been agreed to by the electric utility or natural gas utility serving the formerly used defense site at the time of approval of such redevelopment project; or
 - (b) Any change in the service area of any communications company as defined in section [77-2734.04](#) unless (i) such change has been agreed to by the communications company serving the formerly used defense site at the time of approval of such redevelopment project or (ii) such change occurs pursuant to sections [86-135](#) to [86-138](#).
- (4) A city approving a redevelopment project under this section and the county in which the formerly used defense site is located may enter into an agreement pursuant to the Interlocal Cooperation Act in which the county agrees to reimburse such city for any services the city provides to the formerly used defense site after approval of the redevelopment project.

This Blight and Substandard Study is intended to give the Grand Island Community Redevelopment Authority, Hall County Regional Planning Commission and Grand Island City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18, Section 2123.01. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The study area can be seen in Figure 1 of this report. A Redevelopment Plan to be submitted in the future will contain, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present which qualify the area as blighted and substandard.

BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY

This study targets a specific area within an established part of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this area includes several industrial uses, commercial uses and a limited number of residential uses within the corporate limits of Grand Island.

Through the redevelopment process the City of Grand Island can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Grand Island is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City of Grand Island can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

The following is the description of the designated area within Grand Island.

Study Area

Figure 1

Study Area Map



Source: Marvin Planning Consultants 2016

The Study consists of area described as follows: The Point of Beginning is the intersection of West Old Potash Road and North 70th Road (Alda Road); thence, northeasterly along the centerline of North 70th Road to the intersection with the centerline of West 13th Street (County Road 33); thence

westerly along the centerline of West 13th Street (County Road 33) to the extended west property line of a parcel described as Center Township PT E 1/2N of RR 18-11-10 231.28 AC; thence southerly along said west property line to the intersection with the centerline of West Old Potash Road; thence easterly to the POB. Total acres are 285.26 acres.

EXISTING LAND USES

The term "Land Use" refers to the developed uses in place within a building or on a specific parcel of land. The number and type of uses are constantly changing within a community, and produce a number of impacts either benefitting or detracting from the community. Because of this, the short and long-term success and sustainability of the community is directly contingent upon available resources utilized in the best manner given the constraints the City faces during the course of the planning period. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

Existing Land Use Analysis within Study Area

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using the Hall County Assessors website. This survey noted the use of each parcel of land within the study area. These data from the survey are analyzed in the following paragraphs.

TABLE 1: EXISTING LAND USE, GRAND ISLAND – 2016

Type of Use	Acres	Percent of Developed land within the Study Area	Percent of Study Area
Residential	0.00	0.0%	0.0%
Single-family	0	0.0%	0.0%
Multi-family	0.00	0.0%	0.0%
Manufactured Housing	0	0.0%	0.0%
Commercial	27.53	100.0%	9.7%
Quasi-Public/Public	0	0.0%	0.0%
Parks/Recreation	0	0.0%	0.0%
Transportation	0.00	0.0%	0.0%
Total Developed Land	27.53	100.0%	
Vacant/Agriculture	257.53		90.3%
Total Area	285.26		100.0%

Source: 2016 Grand Island Blight Study Area 20, Marvin Planning Consultants

Table 1 includes the existing land uses for the entire study area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare the all land uses to the total area within the Study Area. As discussed previously, the Study Area is considered to be commercial based upon the assessor's classification (9.7%) and land considered vacant accounts for 90.3% of the total area.

Figure 2
Existing Land Use Map



Source: Marvin Planning Consultants, 2016

FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY

This section of the study examines the conditions found in the study area. The Findings Section will review the conditions based upon the statutory definitions.

FORMER DEFENSE SITE

Based upon Section 18-2103 of the Revised Nebraska State Statutes, this study area meets the criteria necessary to be deemed Blighted and Substandard. Additionally, the study area meets the criteria identified in §18-2123.01:

1. The real property located outside the corporate limits of the city is a formerly used defense site;

2. The formerly used defense site is located within the same county as the city approving such redevelopment project;
3. Formerly used defense site means real property that was formerly owned by, leased to, or otherwise possessed by the United States and under the jurisdiction of the United States Secretary of Defense. Formerly used defense site does not include missile silos.

OTHER CONTRIBUTING FACTORS

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions that will be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

Figure 3
Unit Age Map



Source: Marvin Planning Consultants, 2016

Age of Commercial Units

Age of commercial units can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of commercial units 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the

structural age of the commercial units within the Study Area. Note the age of commercial units was determined from the Appraisal data within the Hall County Assessor's website data.

Within the study area there is a total of 10 commercial units. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 9 (90.0%) commercial units were determined to be 40 years of age or older
- 1 (10.0%) commercial units were determined to be less than 40 years of age

The age of commercial units would be a direct contributing factor.

Structural Conditions

Structural conditions were evaluated, structures were either rated as: Very Good, Good, Fair, Average, or badly worn. The data and rating system comes from the Hall County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 0 (0.0%) structures rated as very good
- 0 (0.0%) structures rated as good
- 0 (0.0%) structure rated as fair
- 1 (10.0%) structures rated as average
- 9 (90.0%) structure rated as badly worn



Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 100.0% of the structures in this study area are average condition or worse.

Due to the stated conditions found in the Hall County Assessor's data, the condition of the structure is a contributing factor.

Deterioration of Site or Other Improvements

Drainage Conditions

Grand Island has a long history of drainage issues due to the extreme flatness of the area, as well as the high-water table. Topography and soils can have a major impact on how a given portion of the city drains. The area designated in this Study Area is nearly flat or has an extremely small slope.

Figure 4
Structural Conditions



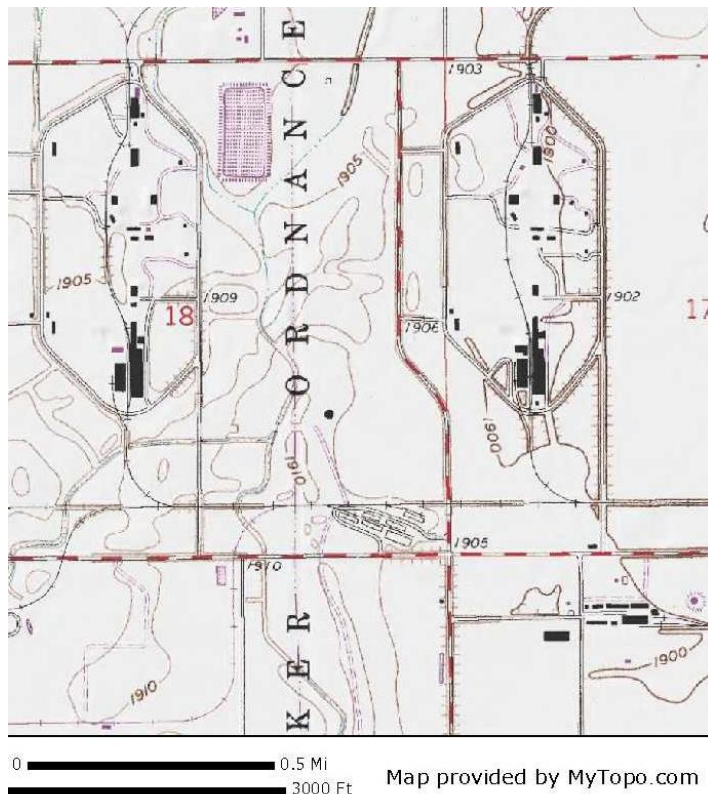
Source: Marvin Planning Consultants, 2016

The field survey examined the entire area for potential drainage problems.

Figure 5 is an existing topographic map from MyTopo.com showing the study area. The map confirms the flatness of the area throughout the entire study area falls along a contour of 1905 with occasional higher points. This contour covers the better portion of a mile-long section north to south.

The potential for standing water on this site is great. Standing water from poor drainage can be a catalyst for health issues like West Nile due to the potential mosquito breeding during the summer months.

Figure 5
Topographic Map of Study Area



Source: MyTopo.com (topographic map) and Marvin Planning Consultants

County Road Conditions

The study area has county roads on three sides of the properties. Old Potash Road is a paved road along the south edge of the area and is in average condition and is beginning to show some deterioration in places. The other two sides, 13th Street and Alda Road are graveled and appear to have above average traffic and are showing signs of wear. These roads are in need of continued maintenance now and in the future.

The existing road conditions are a contributing factor to the deterioration of site or other improvement within the area.

Stormwater management

The study area, is surrounded by rural section roads which includes drainage ditches. The ditches along with the lack of slope in the area, creates a negative impact on stormwater management for the area. This is typically true throughout the entire Hall County area.

The stormwater management system is a contributing factor to the deterioration of site or other improvement within the area.

Internal Infrastructure

The on-site area surrounding O'Neill Wood Resources is made up primarily of dirt and gravel. The area has numerous potholes and water holes. These are areas that may cause damages to vehicles. In addition, these areas are good places for standing water to collect and mosquitoes to collect.

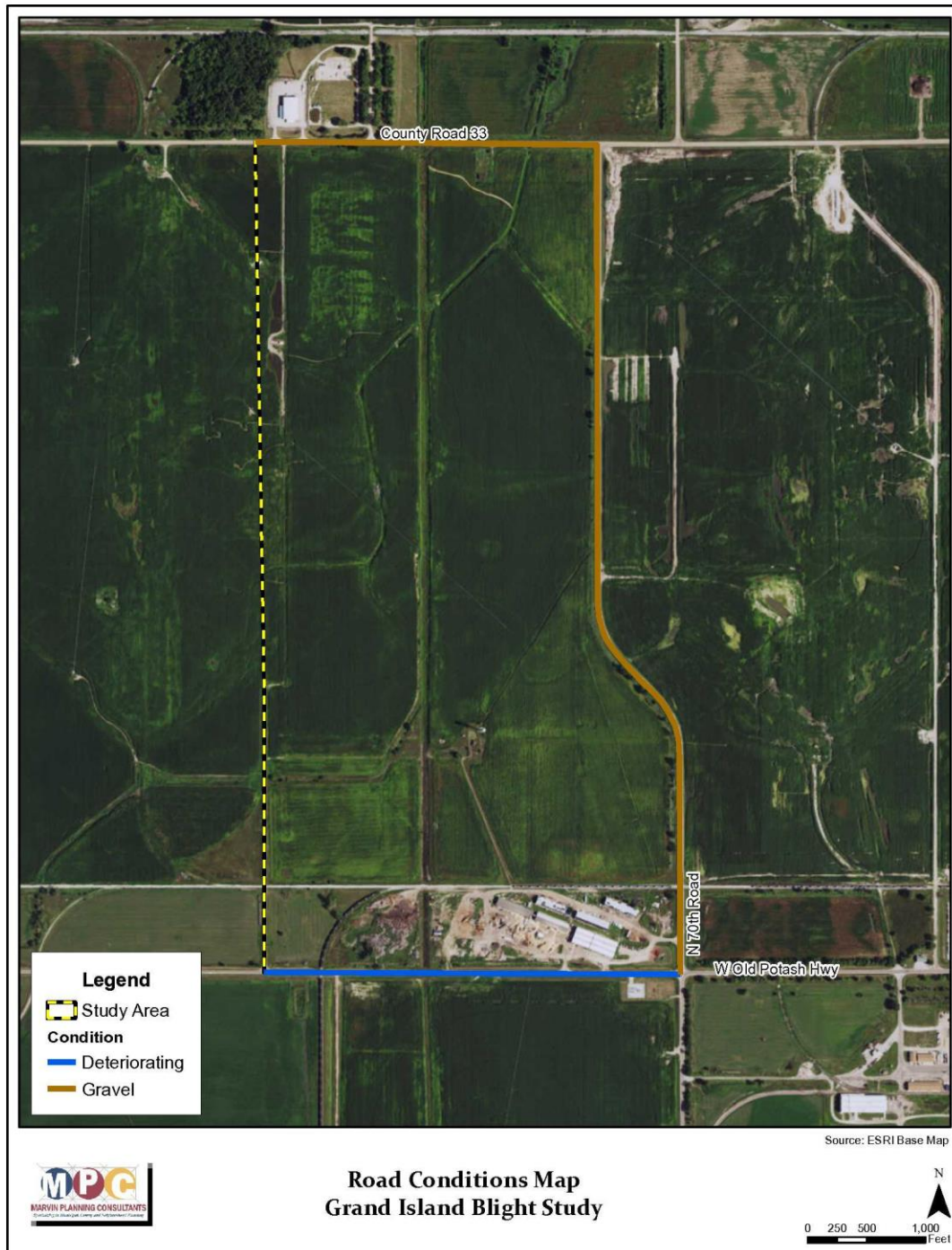


The internal infrastructure is a contributing factor to the deterioration of site or other improvement within the area.

Old Cornhusker Army Ammunition Plant Infrastructure and Contamination

Within the study area there are several pieces of the old base infrastructure still underground and above ground. Currently, there is an old water tower and well house on the O'Neill property and an old well house near 13th Street. In addition, there are old sanitary sewer lines still buried within the same area.

Figure 6
County Road Conditions



Source: Marvin Planning Consultants, 2016

Besides the water tower and well houses, there are older wood and asbestos covered water pipes connecting the old water system throughout the site, see Figure 7. These lines are currently in place as shown. At present, there is water still supplied through these lines to the O'Neill Wood Resources property (strictly for fire protection). Any type of development within this study will likely require the complete or partial removal of these asbestos pipes during demolition and construction, thus exposing the asbestos hazard if not controlled properly.

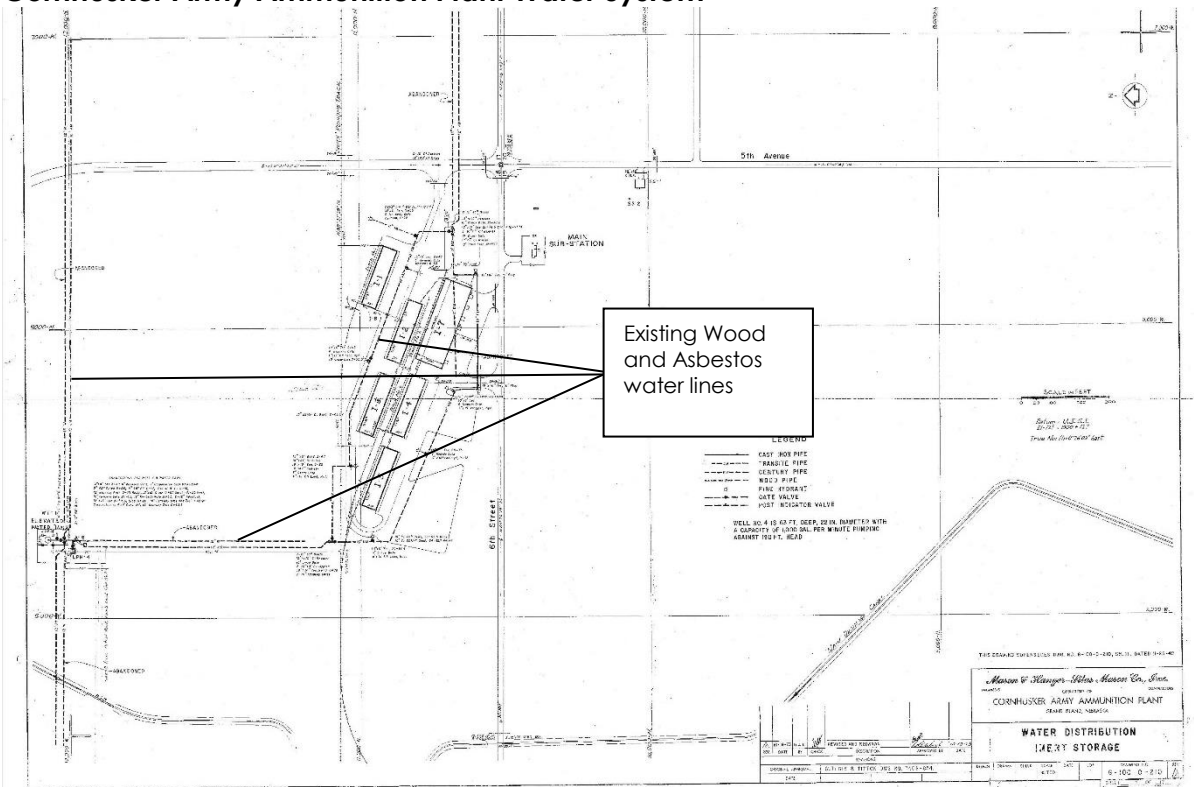
The existing sanitary sewer lines within the study area are constructed of similar materials. Similar to the water lines, these lines will likely need to be disturbed during any future development/redevelopment of the property, thus exposing the asbestos hazard if not controlled properly.

In addition to the aging and potentially hazardous infrastructure, the entire Cornhusker Army Ammunition Plant site is considered a potential hazardous area with regard to ground water contamination from RDX used during the manufacturing of explosives on the old site. The actual contamination plume is under the northern portion of the study area, see Figure 9. In addition, the plume has caused restrictions for potable domestic wells within the entire former ammunition plant site and beyond to be put into place.

The internal infrastructure, as well as, the former Cornhusker Army Ammunition Plant contamination plume are contributing factors to the deterioration of site or other improvement within the area.

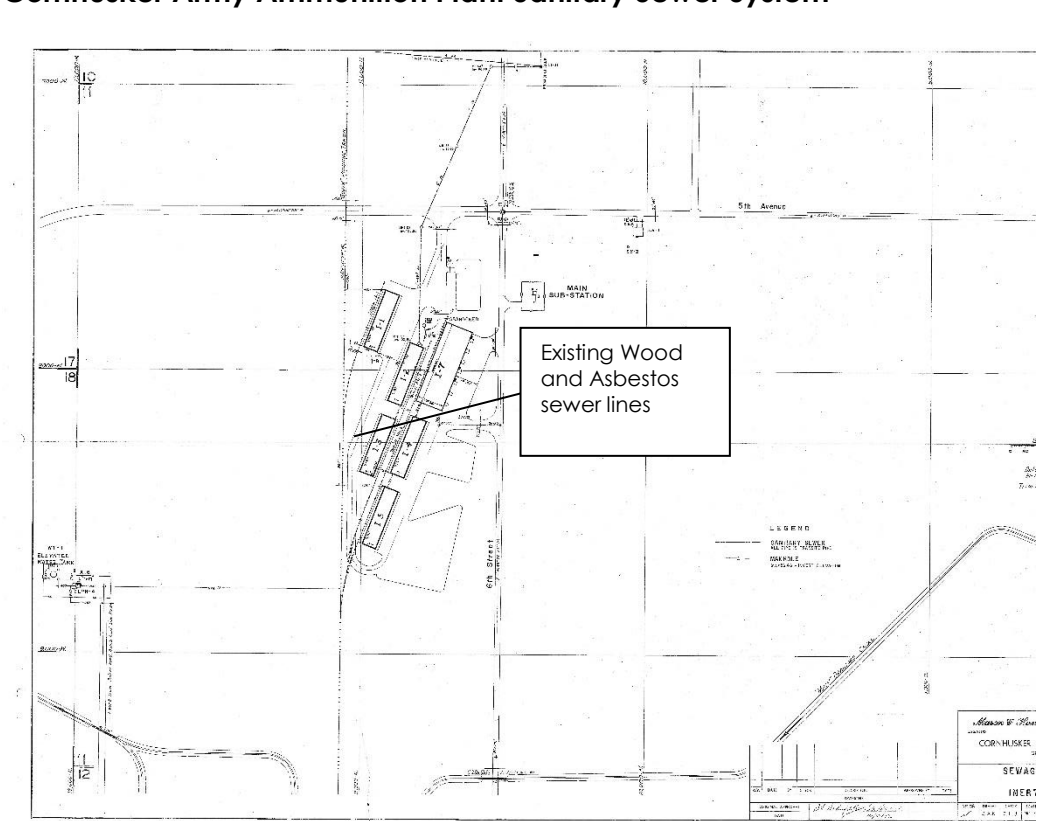


Figure 7
Cornhusker Army Ammunition Plant Water System



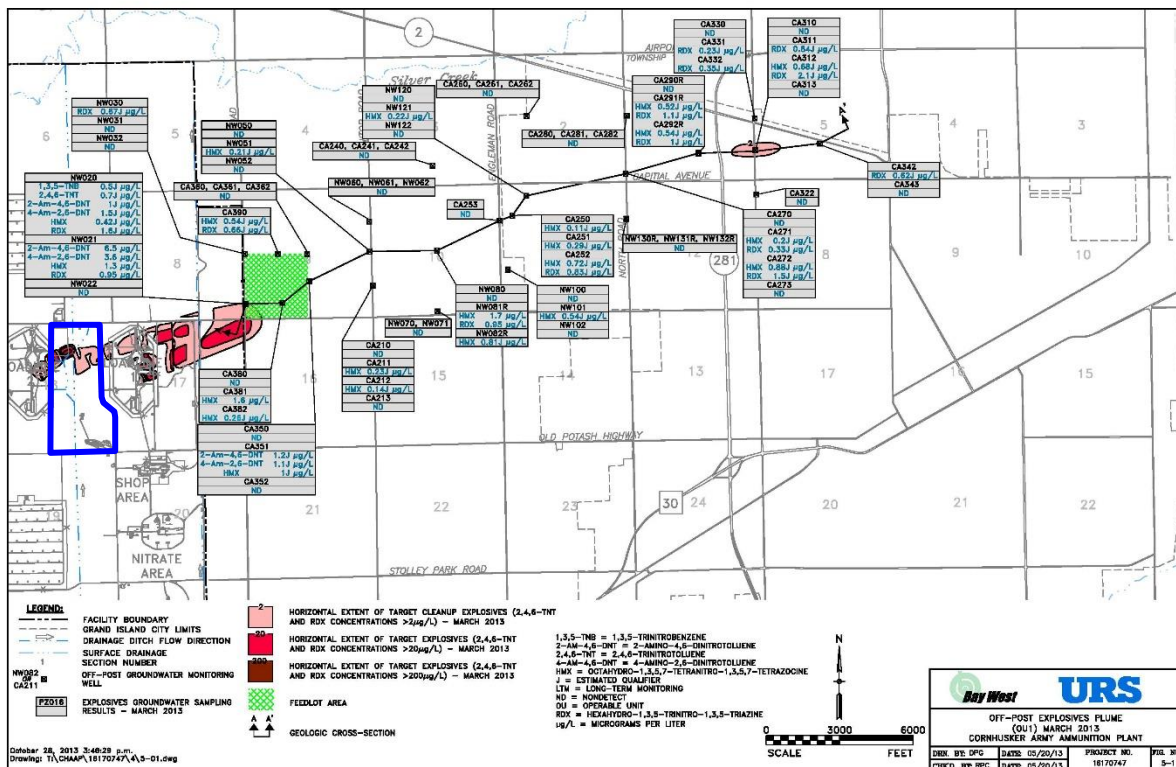
Source: City of Grand Island (Lot lines) and Marvin Planning Consultants

Figure 8
Cornhusker Army Ammunition Plant Sanitary Sewer System



Source: City of Grand Island (Lot lines) and Marvin Planning Consultants

Figure 9
Cornhusker Army Ammunition Plant Contamination Plume



Source: City of Grand Island (Lot lines) and Marvin Planning Consultants

Insanitary or Unsafe Conditions

There are a number of factors tending to fall under this category. The study area was found to have several factors falling into insanitary and unsafe. The following will outline the conditions found.

Drainage Conditions

Grand Island has a long history of drainage issues due to the extreme flatness of the area, as well as the high-water table. Topography and soils can have a major impact on how a given portion of the city drains. The area designated in this Study Area is nearly flat or has an extremely small slope.

Figure 5 shows the existing topographic map from MyTopo.com showing the study area. The map confirms the flatness of the area throughout the entire study area falls along a contour of 1905 with occasional higher points. This contour covers the better portion of a mile-long section north to south.

The potential for standing water on this site is great. Standing water from poor drainage can be a catalyst for health issues like West Nile due to the potential mosquito breeding during the summer months.

The drainage conditions are a contributing factor to the Insanitary and Unsafe Conditions within the area.

Stormwater management

The study area, is surrounded by rural section roads which includes drainage ditches. The ditches along with the lack of slope in the area, creates a negative impact on stormwater management for the area. This is typically true throughout the entire Hall County area.

The stormwater management system is a contributing factor to the Insanitary and Unsafe Conditions within the area.

Internal Infrastructure

The on-site area surrounding O'Neill Wood Resources is made up primarily of dirt and gravel. The area has numerous potholes and water holes. These are areas that may cause damages to vehicles. In addition, these areas are good places for standing water to collect and mosquitoes to collect.

The internal infrastructure is a contributing factor to the Insanitary and Unsafe Conditions within the area.

Old Cornhusker Army Ammunition Plant Infrastructure and Contamination

Within the study area there are several pieces of the old base infrastructure still underground and above ground. Currently, there is an old water tower and well house on the O'Neill property and an old well house near 13th Street. In addition, there are old sanitary sewer lines still buried within the same area.

Besides the water tower and well houses, there are older wood and asbestos covered water pipes connecting the old water system throughout the site, see Figure 7. These lines are currently in place as shown. At present, there is water still supplied through these lines to the O'Neill Wood Resources property (strictly for fire protection). Any type of development within this study will likely require the complete or partial removal of these asbestos pipes during demolition and construction, thus exposing the asbestos hazard if not controlled properly.

The existing sanitary sewer lines within the study area are constructed of similar materials. Similar to the water lines, these lines will likely need to be disturbed during any future development/redevelopment of the property, thus exposing the asbestos hazard if not controlled properly.

In addition to the aging and potentially hazardous infrastructure, the entire Cornhusker Army Ammunition Plant site is considered a potential hazardous area with regard to ground water contamination from RDX used during the manufacturing of explosives on the old site. The actual contamination plume is under the northern portion of the study area, see Figure 9. In addition, the plume has caused restrictions for potable domestic wells within the entire former ammunition plant site and beyond to be put into place.

The internal infrastructure, as well as, the former Cornhusker Army Ammunition Plant contamination plume are a contributing factor to the Insanitary and Unsafe Conditions within the area.

Existence of Conditions endangering life or property due to fire or other causes

As mentioned earlier, the entire Cornhusker Army Ammunition Plant site is considered a hazardous area with regard to ground water contamination. The actual contamination plume is under the northern portion of the study area, see Figure 9. In addition, the plume has caused restrictions for potable domestic wells within the entire former ammunition plant site and beyond to be put into place.

The groundwater is contaminated with RDX, a dangerous carcinogen, which was used in the manufacture of explosive devices during the life of the ammunition plant and is extremely unsafe to humans and other animals. Figure 9 indicates there two of three highest levels of contamination present in the study area. This chemical is directly linked to several medical problems and conditions.

Based upon the field analysis, there are sufficient elements present to meet the definition of dangerous conditions within the Study Area.

Combination of factors which are impairing and/or arresting sound growth

Within this study area there are a number of factors that are impairing or arresting sound growth. A couple of these include:

- The contamination plume is a major condition factor arresting sound growth in the Grand Island area.

Based upon the review of the area, there is one sufficient element present to meet the definition of combination of factors which are impairing and/or arresting sound growth within the Study Area.

Stable or decreasing population based on the last two decennial censuses

Over the past 20 years the population within the study area has been stable or decreasing. The Study Area has had no population for the past two decennial censuses. Therefore, it meets the criteria for a stable or decreasing population.

Based upon the criteria for the area, by the US Department of Defense, all future land uses in this area shall not include permanent residential structures.

Diversity of Ownership

Within this small study area, there are three different property owners including O'Neill Wood Resources, ARS Nebraska LLC, and CAIP LLC. Coordination of any redevelopment of this area may require specific intervention that a Blight and Substandard designation offers.

Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

- **Qualifies under the Former Defense Site statute**
 - The real property located outside the corporate limits of the city is a formerly used defense site;
 - The formerly used defense site is located within the same county as the city approving such redevelopment project;
 - Formerly used defense site means real property that was formerly owned by, leased to, or otherwise possessed by the United States and under the jurisdiction of the United States Secretary of Defense. Formerly used defense site does not include missile silos.

Criteria under Part A of the Blight Definition

- **Substantial number of deteriorating structures**
 - Within the study area 90.0% of the structures were deemed to be in a deteriorated state or worse. While the other 10% are considered to be in an average condition.
- **Deterioration of site or other improvements**
 - Drainage of existing site is difficult based upon the existing topography.
 - County Road conditions.
 - Stormwater management.
 - Internal Infrastructure.
 - Old Cornhusker Army Ammunition Plant infrastructure and Contamination.
- **Insanitary or Unsafe Conditions**
 - Drainage of existing site is difficult based upon the existing topography.
 - Stormwater management.
 - Internal Infrastructure.
 - Old Cornhusker Army Ammunition Plant infrastructure and Contamination.
- **Dangerous conditions to life or property due to fire or other causes**
 - Old Cornhusker Army Ammunition Plant Contamination.
- **Combination of factors which are impairing and/or arresting sound growth**
 - Old Cornhusker Army Ammunition Plant infrastructure and Contamination.

- **Diversity of Ownership**

- There are currently three different owners listed for the property within the Study Area.

Criteria under Part B of the Blight Definition

- **Average age of commercial units is over 40 years of age**

- Within the Study Area 90.0% of the commercial units meet the criteria of 40 years of age or older.
 - **Stable or decreasing population based on the last two decennial censuses**
 - The population of the Study Area has remained stable over the past two decennial censuses.
 - Based upon the county assessor's assessment records, the average age of the commercial units within the study area is 61.5 years.

The other criteria for Blight were not present in the area

- Faulty Lot Layout
- Improper Subdivision or Obsolete Platting
- Defective/Inadequate street layouts
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title,
- Unemployment in the designated area is at least 120% of the state or national average.
- One-half of unimproved property is over 40 years old.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area.

Substandard Conditions

FORMER DEFENSE SITE

Based upon Chapter 18, Sections 18-2103 and 2123.01 of the Revised Nebraska State Statutes, this study area is deemed to be Blighted and Substandard. The area meets the necessary eligibility criteria identified in the §§18-2103 and 18-2123.01:

1. The real property located outside the corporate limits of the city is a formerly used defense site;
2. The formerly used defense site is located within the same county as the city approving such redevelopment project;
3. Formerly used defense site means real property that was formerly owned by, leased to, or otherwise possessed by the United States and under the jurisdiction of the United States Secretary of Defense. Formerly used defense site does not include missile silos.

Predominance of Buildings/Improvements based on Age, Dilapidation, and Deterioration

Age of buildings or improvements can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of units that are 40 years of age or older to be a contributing factor regardless of their condition. Note the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

Within the study area there is a total of 10 structures. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 9 (90.0%) commercial units were determined to be more than 40 years of age
- 1 (10.0%) commercial units were determined to be less than 40 years of age

There is a predominance of buildings or improvements 40 years of age or older.

Structural Conditions

Structural conditions of buildings or improvements were evaluated, structures were either rated as: Very Good, Good, Fair, Average (deteriorating), or badly worn (dilapidation). The data and rating system comes from the Hall County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for building or improvements in the study area:

- 0 (0.0%) buildings or improvements rated as very good
- 0 (0.0%) buildings or improvements rated as good
- 0 (0.0%) buildings or improvements rated as fair
- 1 (10.0%) buildings or improvements rated as average
- 9 (90.0%) buildings or improvements rated as badly worn

Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions (deteriorating and/or dilapidation) due to physical conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 100.0% of the structures in this study area are average condition or worse.

Due to the stated conditions found in the Hall County Assessor's data, the condition of the buildings or improvements are a contributing factor.

Substandard Summary

Nebraska State Statute requires that "...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, **age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or **the existence of conditions which**

endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

This Study Area in Grand Island meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #20

Blight Study Area #20 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- **Former Defense Site**

- Blighting Conditions – Part A**

- **Substantial number of deteriorated or deteriorating structures**
 - **Deterioration of site or other improvements**
 - **Insanitary and Unsafe Conditions**
 - **Dangerous conditions to life or property due to fire or other causes**
 - **Combination of factors which are impairing and/or arresting sound growth**
 - **Diversity of Ownership**

- Blighting Conditions – Part B**

- **Stable or decreasing population based on the last two decennial censuses**
 - **Average age of commercial units is over 40 years of age**

Substandard Conditions

- **Former Defense Site**
- **Predominance of Buildings/Improvements based on Age, Dilapidation, and Deterioration**

Resolution Number 2017-01

HALL COUNTY REGIONAL PLANNING COMMISSION

A RESOLUTION RECOMMENDING APPROVAL OF A BLIGHT AND SUBSTANDARD STUDY FOR A FORMERLY USED DEFENSE SITE BY THE CITY OF GRAND ISLAND, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Grand Island City Council at its December 13, 2016 meeting, referred **the Blight and Substandard Study commissioned by O'Neill Wood Resources** to the Hall County Regional Planning Commission, (the "**Commission**") for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska, pursuant to the Nebraska Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "**Act**"), including the redevelopment of formerly used defense sites; and

WHEREAS, the Commission has reviewed said Blight and Substandard Study and confirmed the following findings:

- This property as presented in the study meets the requirements to be declared substandard,
- This property as presented in the study meets the requirements to be declared blighted,
- The factors are necessary to declare the property blighted and substandard are sufficiently distributed to impact development across the entire site,
- This property despite its potential for economic development has not experienced significant development in large part because of the lack of public infrastructure in and around the site,
- That development of this property to its full potential is in the best interest of the City of Grand Island and the entire region,
- That there are projects ready to develop at this site if they can meet the financial goals of the developers,
- That the City of Grand Island, the Grand Island Area Economic Development Corporation, and the Hall County Board of Supervisors have repeatedly made attempts to encourage further industrial and manufacturing development of this site since it was declared surplus by the U.S. Army Corp of Engineers in the mid 1990's.

NOW, THEREFORE, BE IT RESOLVED BY THE HALL COUNTY REGIONAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Blight and Substandard Study.

Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: January 4, 2017.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary

