



# **City of Grand Island**

**Tuesday, December 27, 2016**

**Council Session**

## **Item H-3**

**Consideration of Forwarding Blighted and Substandard Area #22  
(Platte River Industrial Park, LLC) to the Hall County Regional  
Planning Commission**

**Staff Contact: Chad Nabity**

# **Council Agenda Memo**

**From:** Chad Nabity, AICP

**Meeting:** December 27, 2016

**Subject:** Proposed Blighted and Substandard Area #22

**Presenter(s):** Chad Nabity, Director Grand Island CRA

## **Background**

Enclosed you will find a copy of a Blight and Substandard Study as prepared for Platte River Industrial Park LLC (an affiliate of Hornady Manufacturing) by Marvin Planning Consultants. This study is for approximately 281.8 acres of property at the Cornhusker Army Ammunition Plant (CHAAP) west of Grand Island located north of Old Potash Highway and west of 80<sup>th</sup> Road owned by Platte River Industrial Park LLC. The study as prepared and submitted indicates that this property could be considered substandard and blighted. The full study is attached for your review and consideration.

Platte River Industrial Park LLC has submitted this study for the review and consideration of the Grand Island City Council as permitted by Nebraska law. Hornady has eight existing buildings on the property that are used for research and testing for the Hornady Manufacturing site at 3625 W. Old Potash Highway. The company would proceed with further development of the property if the area can be declared blighted and substandard. The decision on whether to declare an area blighted and substandard is entirely within the jurisdiction of the City Council with a recommendation from the Planning Commission.

The question before Council will be whether to send the Study to the Planning Commission for their review and feedback. If the item is not sent to the Planning Commission, the Council cannot declare the area blighted and substandard. Planning Commission will meet February 1 and would have a recommendation ready following that meeting.

Once an area has been declared substandard and blighted the CRA can accept redevelopment proposals for the area that might or might not include an application for Tax Increment Financing. Should this be approved, you can anticipate that Hornady Manufacturing or Platte River Industrial Park LLC will submit an application for TIF to assist with the costs associated with fully developing this property.

## Discussion

The action item tonight relates to the Study for proposed CRA Area No. 22 west of Grand Island at the Cornhusker Army Ammunition Plant as shown below. The study was prepared for 281.8 acres, of all of which are located in a formerly used defense site.

### **Study Area**

**Figure 1**

### **Study Area Map**



Source: Marvin Planning Consultants 2016

Jerry Janulewicz City Attorney has reviewed the Nebraska Statutes and case law pertaining to the declaration of property as blighted and substandard. His comments on this application are as follows:

The statutes which provide for the creation of a redevelopment area or redevelopment project within a redevelopment area require the following procedure:

- A request is made to the city council to declare an area to be substandard and blighted and in need of development for purposes of enabling the creation of a redevelopment area or a redevelopment project within a redevelopment area.
- The city council submits the question of whether an area is substandard and blighted to the planning commission for its review and recommendation prior to making its declaration that an area is substandard and blighted.
- The planning commission must submit its written recommendations within thirty days after receipt of the request.
- Upon receipt of the recommendations from the planning commission or after thirty days if no recommendation is received, the city council may make its findings and declaration with respect to the property within an area.
- Unless the city council of the city in which such area is located has, by resolution adopted after a public hearing with notice, declared such area to be a substandard and blighted area in need of redevelopment, the Community Redevelopment Agency cannot prepare a redevelopment plan for a redevelopment project area.
- Following a declaration that an area is substandard and blighted, the Community Redevelopment Agency is authorized to prepare or cause to be prepared and recommend redevelopment plans to the governing body of the city and to undertake and carry out redevelopment projects within its area of operation and may enter into contracts with redevelopers of property containing covenants, restrictions, and conditions regarding the use of such property for residential, commercial, industrial, or recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions, and conditions as the authority may deem necessary to prevent a recurrence of substandard and blighted areas or to effectuate the purposes of the Community Development Law, and to provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with a redevelopment plan. Within the area of operation of the Community Redevelopment Authority, the authority may exercise its statutory powers with respect to the redevelopment project.

Neb. Rev. Stat. §§ 18-2107; 18-2109.

As stated in Fitzke v. City of Hastings, 582 N.W.2d 301 (Neb. 1998):

A CRA is not authorized to prepare a redevelopment plan for a redevelopment project area unless the governing body of the city first enacts a resolution declaring such area to be “a substandard or blighted area in need of redevelopment.” § 18–2109. After such a declaration has been made and a redevelopment plan has been prepared and approved, a CRA is authorized to enter into contracts with redevelopers of property containing covenants, restrictions, and conditions regarding the use of such property for residential, commercial, industrial, or recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions, and conditions as the [CRA] may deem necessary to prevent a recurrence of substandard or blighted areas ... and to provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with a redevelopment plan. § 18–2107(4). The CRA

may utilize tax increment financing to pay for redevelopment projects undertaken pursuant to the CDL. § 18-2124.

“Under this statutory scheme, a private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment.” *Fitzke, id.*, citing *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 277 N.W.2d 423 (1979). The legislative intent underlying the Community Development Law is the elimination of blighted and substandard areas and to prevent the reoccurrence of blight through a cooperative effort of the public and private sectors, not to aid private developers. *Fitzke, id.*

At this point, Council is only making a decision about whether to forward the study to the Planning Commission for their recommendation or not. According to NRSS §18-2109, it is clear that the Planning Commission must have the opportunity to review the Blight Study prior to Council declaring the property substandard and blighted. If Council wishes to consider a declaration of substandard and blight, State Statute requires that the question of whether an area is substandard and blighted is submitted to the Planning Commission for its review and recommendation.

The Planning Commission recommendation should be done at the first available opportunity, as the Planning Commission has 30 days to respond to Council’s request for a recommendation.

## **Blighted Area of the Community**

This area is located outside the City Limits in at CHAAP and as such any declaration as blighted and substandard is exempt from the 35% limit imposed by statute.

NRSS §18-2103 (11) 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 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. **A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01 shall not count towards the percentage limitations contained in this subdivision;**

The declaration of Area 22 would not impact the City's ability to declare other areas substandard and blighted.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to forward the Study to the Planning Commission for its recommendation.
2. Move to not forward the Study to the Planning Commission for its recommendation.
3. Refer the issue to a committee.
4. Postpone the issue to future date.
5. Take no action on the issue.

### **Recommendation**

City Administration recommends that the Council Move to forward the Study to the Planning Commission if Council wishes to consider the use of Tax Increment Financing as a redevelopment tool for this property.

### **Sample Motion**

Move to adopt resolution to forward the Study to the Planning Commission for their review and recommendation.





**Blight and Substandard Study for:**  
**Platte River Industrial Park LLC**



## **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 Platte River Industrial Park LLC 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 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;"*

*"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 include industrial and agricultural uses within the old Cornhusker Army Ammunition Plant and is outside the corporate limits of Grand Island; however, it falls under Chapter 18, Section 2123.01 of the Revised Nebraska State Statutes.

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:

Harrison TWP PT E1/2 of NW1/4 & NW1/4 NE1/4 PT W1/2 SE1/4 13-11-11

Total acres are 281.80 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 several 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 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 the parcel within the study area. The data from the survey are analyzed in the following paragraphs.

The existing land uses are predominately industrial with a total of eight newer buildings scattered along the perimeter of the property. These buildings are for research and testing for Hornady Manufacturing.

## **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 Chapter 18, Section 2123.01 of the Revised Nebraska State Statutes, this study area is deemed to be Blighted and Substandard. The area meets all of the criteria identified in the §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.

Based upon the site meeting the criteria found in §18-2123.01, this area meets the criteria for declaring it Blighted and Substandard.

### **OTHER CONTRIBUTING FACTORS**

There were many other conditions examined and evaluated in the field and online. There are several conditions that will be reviewed in detail, on the following pages, that add to the overall condition of Blight and Substandard on the proposed site.

### ***Age of Structures***

Age of structures can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of structures 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the structures within the Study Area. Note the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

Within the study area there are 36 structures in some form or another. The age of structure has been determined by researching the structural age on the Hall County Assessor's and Treasurer's websites and reviewing older documents, as well as, a land survey completed on the entire site.

Considering the older structure have no specific dates attached to them since it was developed as a Federal Military facility, the assumption is the older structures were constructed as part of the original installation in 1942. Therefore, every Reinforced Concrete Pipe, the Manhole and the remaining foundations have been in place since 1942 and are currently 74 years old each.

The following breakdown was determined:

- 25 (69.4%) units were determined to be 40 years of age or older
- 11 (30.6%) units were determined to be less than 40 years of age

The breakdown is as follows for the 40 years and over:

- One above ground structure
- Two buried foundations
- 21 Reinforced Concrete Pipe culverts
- One concrete manhole

	Number of Structures	Construction date	Age	Cummulative Age
	25	1942	74	1850
	5	2013	3	15
	3	2014	2	6
	1	2015	1	1
	1	2016	0	0
	1	1996	20	20
<b>Total Cummulative</b>	<b>36</b>			<b>1892</b>
<b>Average Age</b>				<b>52.55555556</b>

The newer structures were constructed in the past few years by the property owner or are monitoring well buildings constructed when the site was mitigated for the contaminated groundwater in the 1990's.



Old manhole



A recently unearthed concrete footing on the site.



Location of a larger building foundation

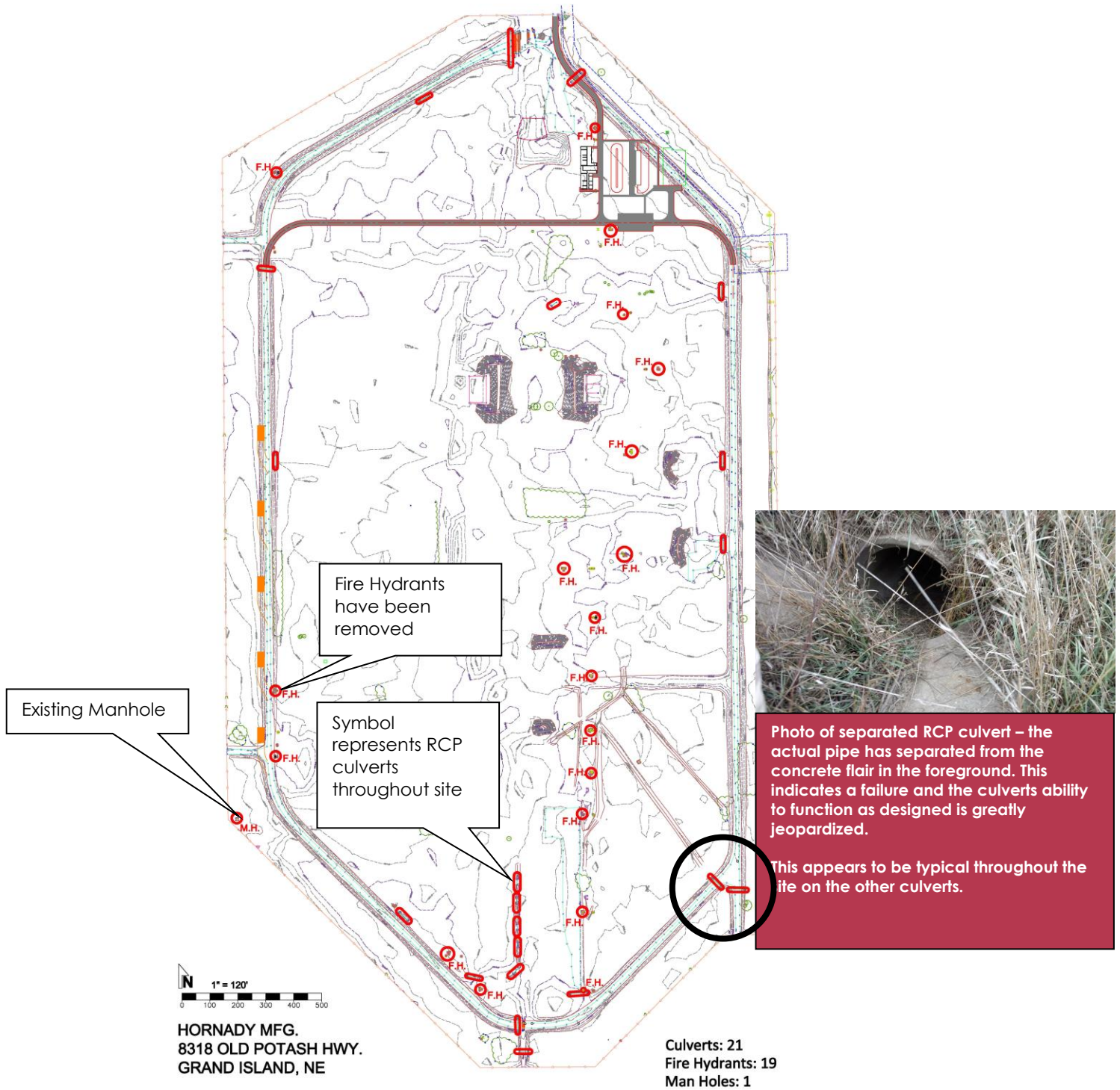


**Figure 2**  
**Structure Age Map – Buildings/Foundations only**



Source: Marvin Planning Consultants, 2016

**Figure 3**  
**Structure Age Map – Surveyed items only**



Source: Hornady Manufacturing, 2016



## Substantial Number of Deteriorating Structures

The site visit examined many existing CRP culverts which were easily accessible, all of these were in a state of deterioration and it is assumed that the others, having the same construction time, will be similar. The brick chimney is in a state of deterioration as well as the existing manhole. Finally, the remaining footings/foundations are showing signs of deterioration due to their exposure to the elements.

The older structures, constructed in 1942, are in a state of deterioration. Therefore, there is a substantial number of deteriorating structures within the study area.

## Deterioration of Site or Other Improvements

### *Drainage Conditions*

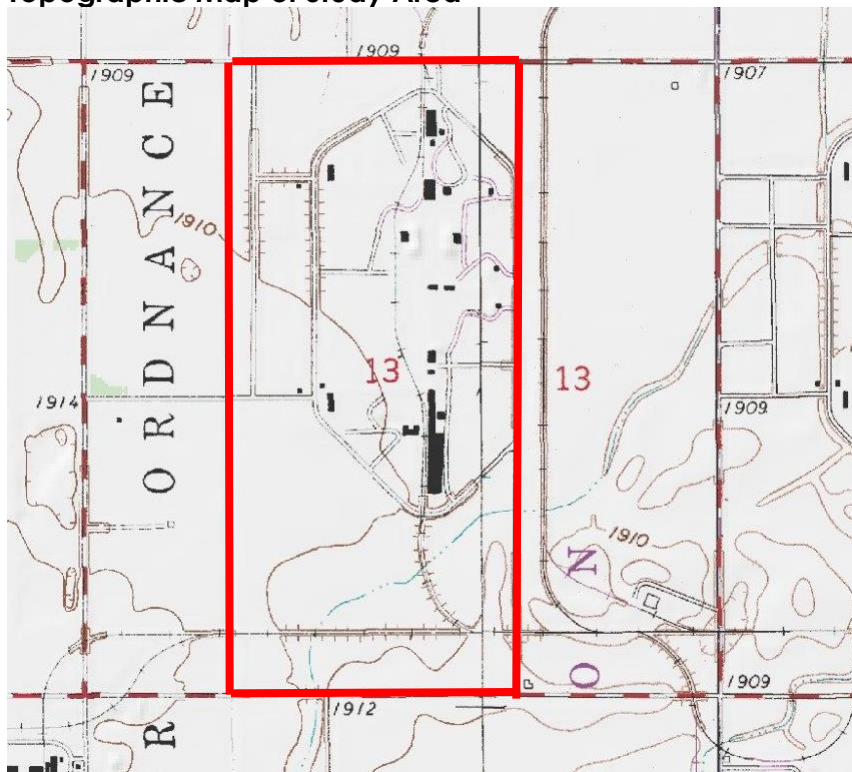
Grand Island has a long history of drainage issues due to the extreme flatness of the area, as well as the high-water table. Topography and soils can have a major impact on how a given portion of the area drains. The area designated in this Study Area is nearly flat or has an extremely small slope.

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

Figure 3 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 1910 with occasional higher points. This contour covers the better portion of a mile-long section north and 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 3**  
**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, on the north side, 13<sup>th</sup> Street is graveled and appears to have above average traffic and is showing signs of wear. These roads are in need of continued maintenance now and in the future.

**Figure 4**  
**County Road Conditions**



Source: Marvin Planning Consultants, 2016

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 Platte River Industrial Park location is made up primarily of gravel roads. The area may need to upgrade these roads if anything substantial is constructed on the site.

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

#### Groundwater Contamination

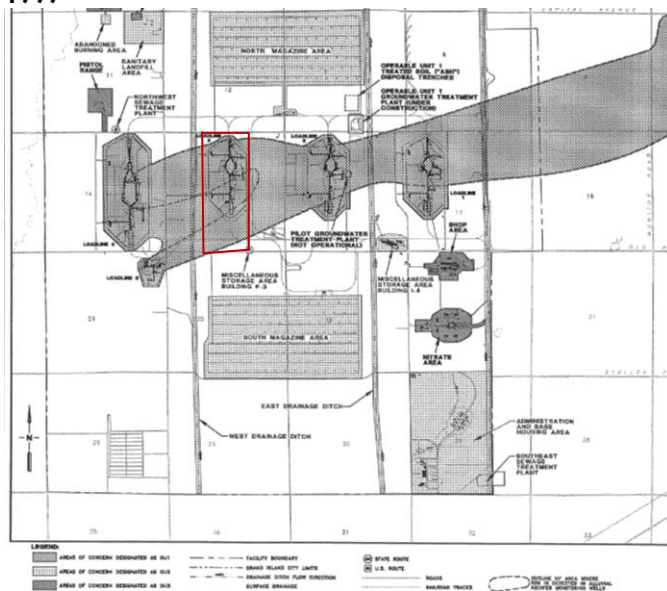
Examining the study area within context of the Cornhusker Army Ammunition Plant's 1997 Reuse Plan, the study area is considered to be in an "Area of Concern". Figure 5 indicates an area referred to as Operable Unit 1, which is where the study area is located. Based upon the report, when cesspools under the old load lines were examined and tested, it was determined:

- The cesspools were contaminated with explosive residues and heavy metals;
- The groundwater was contaminated with dissolved explosives, heavy metals, and organic solvents.

The groundwater contamination is currently being mitigated through a water treatment plant/process on site.

The entire Cornhusker Army Ammunition Plant site is considered a potential hazardous area with regard to groundwater contamination from explosive residue, heavy metals and organic solvents. 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.

**Figure 5**  
**Groundwater Contamination**  
**1997**



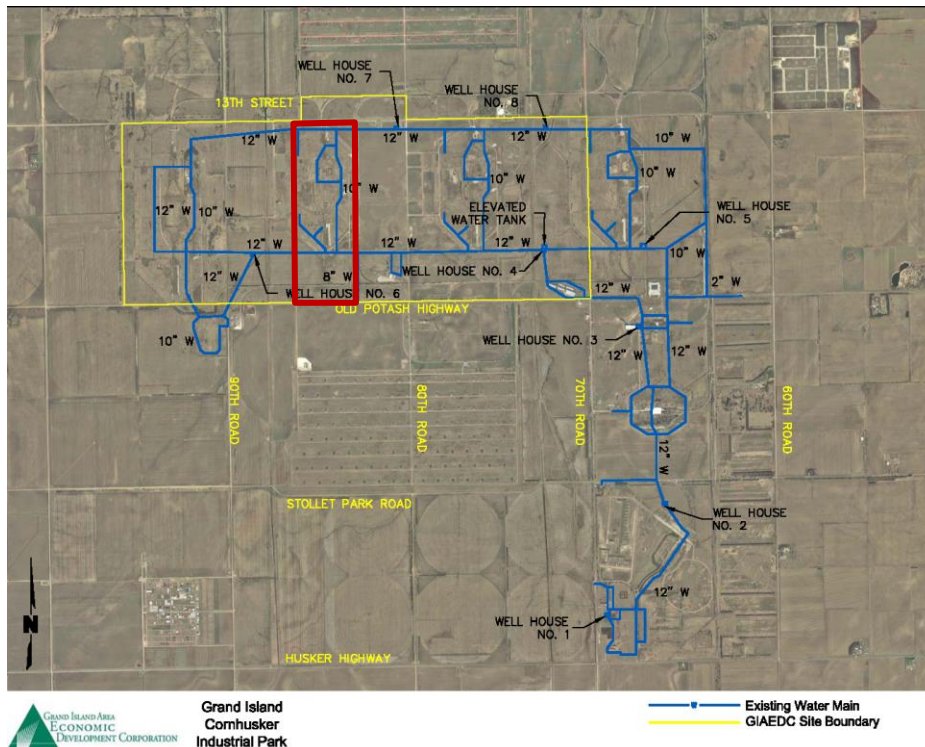
Source: CAAP Reuse Plan 1997

### Water System

In addition, there are older wood and asbestos covered water pipes underground that once connected the old water system to the site. Figure 6 indicates the primary water lines throughout the entire CAAP area; the area outlined in red is the actual study site. 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.



**Figure 6**  
**Cornhusker Army Ammunition Plant Water System**

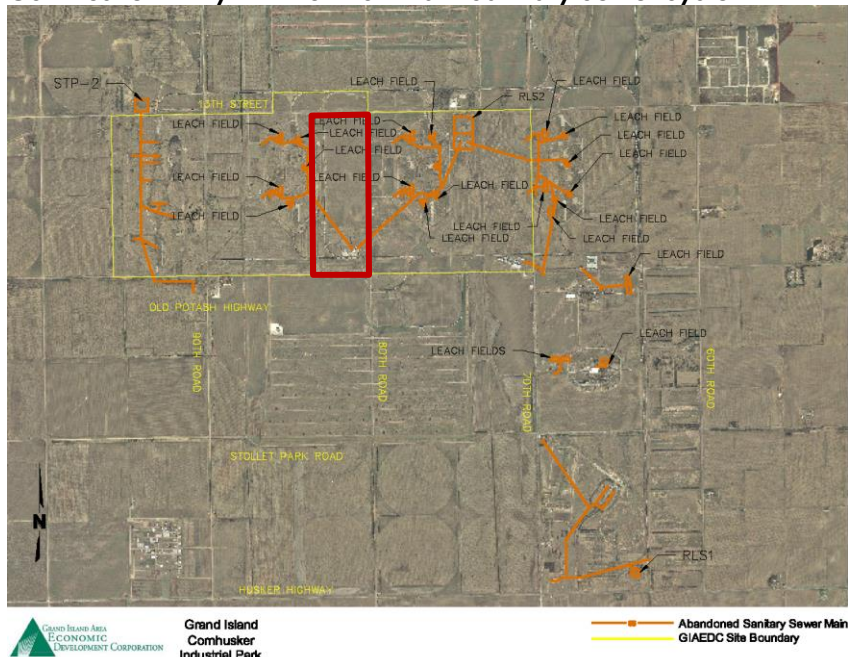


Source: Grand Island Economic Development Corporation

### Sanitary Sewer System

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. See Figure 7 for an approximate location of these sanitary sewer lines.

**Figure 7**  
**Cornhusker Army Ammunition Plant Sanitary Sewer System**



Source: Grand Island Economic Development Corporation

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.

### **Insanitary or Unsafe Conditions**

There are several 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 3 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 1910 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. It is apparent that the lack of adequate drainage will, in fact, create a hazard for 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.

#### ***Old Cornhusker Army Ammunition Plant Infrastructure and Contamination***

See narrative above

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 regarding ground water contamination. The actual contamination plume is under the study area, see Figure 5. 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 several dangerous materials including 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 5 indicates the study area in 1997 was directly over one of the most contaminated areas of CAAP.

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 many 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.

### **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**
  - Within the Study Area 75.8% of the structures meet the criteria of 40 years of age or older.
- **Substantial number of deteriorating structures**
  - Based upon the review of a few visible CRP culverts the age as well as weathering have placed them in a state of deterioration.
  - The footings are also in a state deterioration due to a lack of structural cover.
- **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.

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

- Diversity of Ownership
  - There is only one property owner within this study area
- Faulty Lot Layout
  - The layout may be faulty but it is not anticipated the property will be further divided with only one owner.
- Improper Subdivision or Obsolete Platting
  - The layout may be considered an improper subdivision or obsolete platting but it is not anticipated the property will be further divided with only one owner.



- The land was originally laid out by the U. S. Government during World War II.
- Defective/Inadequate street layouts
  - The street layout may be faulty but it is not anticipated this will not be an issue since these are private streets and the property is owned by one owner.
- Tax or special assessment delinquency exceeding fair value of the land.
  - NA
- Defective or unusual condition of title,
  - NA
- Unemployment in the designated area is at least 120% of the state or national average.
  - NA
- One-half of unimproved property is over 40 years old.
  - NA and property has been previously improved during World War II, Korea, and Vietnam.
- 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.
  - NA
- Stable or decreasing population based on the last two decennial censuses
  - NA

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, Section 2123.01 of the Revised Nebraska State Statutes, this study area is deemed to be Blighted and Substandard. The area meets all of the criteria identified in the §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.

### **Average age of the residential or commercial units in the area is at least 40 years**

Age of structures 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 36 structures. After researching the structural age on the Hall County Assessor's and Treasurer's websites, and reviewing older documents, as well as, a land survey completed on the entire site, the following breakdown was determined:

- 25 (69.4%) units were determined to be 40 years of age or older
- 11 (30.6%) units were determined to be less than 40 years of age

	Number of Structures	Construction date	Age	Cummulative Age
	25	1942	74	1850
	5	2013	3	15
	3	2014	2	6
	1	2015	1	1
	1	2016	0	0
	1	1996	20	20
<b>Total Cummulative</b>	<b>36</b>			<b>1892</b>
<b>Average Age</b>				<b>52.55555556</b>

Average Age of Structures is a contributing factor.

### **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 regarding ground water contamination. The actual contamination plume is under the study area, see Figure 5. 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 several dangerous materials including 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 5 indicates the study area in 1997 was directly over one of the most contaminated areas of CAAP.

Based upon the field analysis, there are sufficient elements present to meet the definition of dangerous conditions within 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 – PLATTE INDUSTRIAL PARK**

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

#### **Blighted Conditions**

- **Former Defense Site**
- **Existence of structures over 40 years of age**
- **Substantial number of 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**

#### **Substandard Conditions**

- **Former Defense Site**
- **Average age of the structures in the area is at least forty years**
- **Dangerous conditions to life or property due to fire or other causes**