



Hall County Regional Planning Commission

Wednesday, February 1, 2017
Regular Meeting Packet

Commission Members:

Terry Connick	Hall County	
John Hoggatt	Grand Island	
Derek Apfel	Grand Island	
Hector Rubio	Grand Island	
Leonard Rainforth	Hall County	
Carla Maurer	Doniphan	
Dean Kjar	Wood River	
Dean Sears	Grand Island	
Jaye Monter	Cairo	Vice Chairperson
Pat O'Neill	Hall County	Chairperson
Greg Robb	Hall County	
Leslie Ruge	Alda	Secretary

Regional Planning Director: Chad Nabity

Planning Technician:
Edwin Maslonka

Administrative Assistant:
Tracy Gartner

6:00 PM
City Hall

Call to Order

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

DIRECTOR COMMUNICATION

This is an opportunity for the Director to comment on current events, activities, and issues of interest to the commission.



Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item A1

Agenda 2-1-17

Staff Contact: Chad Nabity

AGENDA AND NOTICE OF MEETING
Wednesday, February 1, 2017
6:00 p.m.
City Hall Council Chambers — Grand Island

1. Call to Order.

This is a public meeting subject to the open meetings laws of the State of Nebraska. The requirements for an open meeting are posted on the wall in this room and anyone who would like to find out what those are is welcome to read through them.

The Planning Commission may vote to go into Closed Session on any Agenda Item as allowed by State Law.

The Commission will discuss and may take action on any item listed on this agenda.

The order of items on the agenda may be reorganized by the Chair to facilitate the flow of the meeting to better accommodate the public.

2. Minutes of Jan. 4, 2017.

3. Request Time to Speak.

4. Public Hearing – Concerning a Blight and Substandard Study for 35.62 acres, in proposed Community Redevelopment Authority Area No. 21 in central Grand Island located along U.S. Highway 30, north of Seedling Mile Road and east of Stuhr Road. (C-07-2017GI)

5. Public Hearing – Concerning a Blight and Substandard Study for 281.8 acres in proposed Community Redevelopment Authority Area No. 22 at the former Cornhusker Army Ammunition Plant, located in the Harrison Township, north of Old Potash Highway and west of 80th Road. (C-08-2017GI)

6. Public Hearing – Redevelopment Plan concerning an amendment to the redevelopment plan for the Cairo Business Park. This is a Site Specific Redevelopment Plan for an area south of One-R Road/Kansas Street and west of 130th Road, in the Cairo Business Park Second Subdivision, in the Village of Cairo, Hall County, Nebraska. (C-09-2017Cairo)

7. Public Hearing – Redevelopment Plan concerning an amendment to the redevelopment plan for Community Redevelopment Authority Area 1. This is a Site Specific Redevelopment Plan for the former Brown Hotel at 112 W. Second St., or parts of Lot Six (6) and Lot Seven (7) in Block Sixty-Six (66) in the Original Town, City of Grand Island, Hall County, Nebraska. (C-10-2017GI)

- 8. Final Plat – Nagy’s Third Subdivision** located north of 5th Street and west of Plum Street in the City of Grand Island, Hall County, Nebraska (2 Lots and 0.132 acres)
- 9. Discussion and Possible Action on Overall Blight Study** on the entire Cornhusker Army Ammunition Plant or on a substantial portion of the plant, not including those areas separately declared.
- 10. Zoning Review Subcommittee Report.** (C-06-2017HC)
- 11. Director’s Report.**
- 12. Next Meeting March 1, 2017.**
- 13. Adjourn.**

PLEASE NOTE: This meeting is open to the public, and a current agenda is on file at the office of the Regional Planning Commission, located on the second floor of City Hall in Grand Island, Nebraska.

**Staff Recommendation Summary
For Regional Planning Commission Meeting
February 1, 2017**

- 4. Public Hearing – Blight and Substandard Study** commissioned by CIK Investments, Craig and Lesa Dixon, for 35.62 acres in proposed Community Redevelopment Area No. 21 in central Grand Island located along U.S. Highway 30, north of Seedling Mile Road and east of Stuhr Road. Approval of redevelopment plans for the purposes of using tax increment financing are authorized by the Nebraska Community Development Law in Chapter 18 of the Revised Nebraska State Statutes. It is expected that if this study is approved that a redevelopment project will be brought forward for consideration. A motion to approve Resolution No. 2017-03. (C-07-2017GI) (Hearing, Discussion, Action)
- 5. Public Hearing – Blight and Substandard Study** commissioned by Platte River Industrial Park LLC (an affiliate of Hornady Manufacturing) for 281.8 acres in proposed Community Redevelopment Area No. 22 at the former Cornhusker Army Ammunition Plant located in the Harrison Township, north of Old Potash Highway and west of 80th Road. Approval of redevelopment plans for the purposes of using tax increment financing to improve formerly used defense sites were authorized by the Nebraska legislature in 2013. The area must be declared blighted and substandard prior to the development of such plans. It is expected that if this study is approved that a redevelopment project will be brought forward for consideration. A motion to approve Resolution No. 2017-04. (C-08-2017GI) (Hearing, Discussion, Action)
- 6. Public Hearing – Redevelopment Plan** concerning an Amendment to the redevelopment plan for the Cairo Business Park. This is a Site Specific Redevelopment Plan for an area south of One-R Road/Kansas Street and west of 130th Road, in the Cairo Business Park Second Subdivision, in the Village of Cairo, Hall County, Nebraska. A motion to approve Resolution No. 2017-05. (C-09-2017GI) (Hearing, Discussion and Action)
- 7. Public Hearing – Redevelopment Plan** concerning an Amendment to the redevelopment plan for CRA, Area 1. This is a Site Specific Redevelopment Plan for the former Brown Hotel, a property located at 112 W. Second St., or parts of Lot Six (6) and Lot Seven (7) in Block Sixty-Six (66) in the Original Town, City of Grand Island, Hall County, Nebraska. Peaceful Root is proposing to renovate the building into an indoor parking garage, retail space and apartments at this site. A motion to approve Resolution No. 2017-06. (C-10-2017GI) (Hearing, Discussion and Action)

8. **Final Plat – Nagy’s Third Subdivision** located west of Plum Street and north of E. 5th Street in the City of Grand Island, Hall County, Nebraska. This is a subdivision of a single lot with two houses. The utilities for both houses are separate. Approval of this subdivision will require Council to waive the minimum lot size requirement. (2 lots and 0.132 acres)
(Discussion and Action)
9. **Discussion and Possible Action on Overall Blight Study** on the entire Cornhusker Army Ammunition Plant or on a substantial portion of the plant, not including those areas separately declared. (Discussion and Action)
10. **County Zoning Review – The Hall County Zoning Review Subcommittee** began meeting on January 19. (C-06-2017HC)
(Discussion)



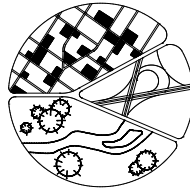
Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item E1

Minutes 1-4-17

Staff Contact: Chad Nabity



THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND,
WOOD RIVER AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN,
NEBRASKA

Minutes
for
January 4, 2017

The meeting of the Regional Planning Commission was held Wednesday, December 7, 2016, in the Council Chambers - City Hall – Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" on November 26, 2016.

Present: Dean Sears Pat O'Neill
 Les Ruge Carla Maurer
 Hector Rubio John Hoggatt
 Derek Apfel Leonard Rainforth
 Greg Robb (arrived at 6:04 p.m.)

Absent: Terry Connick, Jaye Monter, Dean Kjar

Other: Councilman Mitch Nickerson, City Administrator Marlan Ferguson.

Staff: Chad Nabity, Tracy Overstreet Gartner

Press: Austin Koeller, Grand Island Independent.

1. Call to order.

Chairman O'Neill called the meeting to order at 6:02 p.m.

O'Neill stated that this was a public meeting subject to the open meetings laws of the State of Nebraska. He noted that the requirements for an open meeting are posted on the wall in the room and easily accessible to anyone who may be interested in reading them.

O'Neill also noted the Planning Commission may vote to go into Closed Session on any agenda item as allowed by State Law.

The Commission will discuss and may take action on any item listed on this agenda.

The order of items on the agenda may be reorganized by the Chair to facilitate the flow of the meeting to better accommodate the public.

2. Minutes of the December 7, 2016 meeting.

O'Neill noted that a corrected version of the minutes had been prepared that changed the recorded next meeting date from January 11, 2017 to January 4, 2017.

A motion was made by Sears and seconded by Rainforth to approve the Minutes of the December 7, 2016 meeting as corrected.

The motion carried with 9 members in favor (Apfel, O'Neill, Ruge, Maurer, Robb, Rainforth, Rubio, Sears and Hoggatt), with no members abstaining or voting no.

3. Request Time to Speak.

Grand Island attorney Ron Depue, Item 4; Grand Island developer Heath Reinders, Item 5; Keith Marvin of Marvin Planning Consultants, Item 4; Dave Taylor, president of the Grand Island Area Economic Development Corp, Item 4.

4. Public Hearing – Concerning a Blight and Substandard Study for 285.26 acres at the former Cornhusker Army Ammunition Plant, located in Section 18, Township 11 North, Range 10 West of the 6th PM, at the northwest corner of 70th and Old Potash Highway. (C-02-2017GI).

Chairman O'Neill turned the meeting over to Secretary Ruge, as the blight study was commissioned by O'Neill's business, O'Neill Wood Resources. O'Neill left the meeting chambers at 6:07 p.m. Ruge appointed Maurer as Secretary Pro Tem, so he could assume Chairman duties.

Nabity said the Nebraska Legislature passed LB66 in 2013, which gave First Class Cities, such as Grand Island, the authority to redevelop former defense sites using tax-increment financing, provided that the area is declared blighted and substandard by local authorities. Marvin Planning Consultants conducted such a study and found the 285.26 acres owned by O'Neill and the Grand Island Economic Development Corp. as being eligible for a blight and substandard designation. The area is known as Area 20.

Ron Depue said O'Neill Wood Resources owns 35 of the 285.26 acres and has 55 additional acres under contract. Those 55 acres and the rest of the acreage in the study are currently owned by the Grand Island Area Economic Development Corp. Depue said the area has 10 existing buildings, nine of which are more than 40 years old and are in a state of deterioration. No residential development is allowed in the area due to covenants The Army put on the ground. He said those factors, along with being an "environmental Super Fund site" contribute to its blighted and substandard status.

Hoggatt questioned whether most of the ground in the study is currently being used as row crops and whether that means that most farm ground could be considered blighted and substandard.

Keith Marvin said the blight and substandard factors at the former Cornhusker Army Ammunition Plant aren't so much about what is above ground, but what is below it. He said there are substantial numbers of asbestos covered utility lines underground, as well as RDX contamination in the soil and groundwater. Marvin said the flat slope of the ground also results in water ponding, which can breed mosquitos. He said the City of Sidney also has a former defense site and completed a blighted and substandard study on the entire area to address redevelopment challenges that site has.

Hoggatt wondered if a full-site study could be done at Cornhusker, instead of looking only at the 285.26 acres, which he felt was a "piecemeal" approach.

Nabity said that could be a possibility. In the past, the Community Redevelopment Authority has commissioned blight and substandard studies and could be asked to consider the Cornhusker property. Nabity said the Regional Planning Commission could suggest a study be done on the land that could be used for agricultural or industrial/commercial development such as the land zone AG-SI and AG-SE, and perhaps not study the land that is used for the Heartland Public Shooting Park.

Dave Taylor said the EDC supports the O'Neill Wood Resources blight study as it could help O'Neill retain jobs and expand his business.

Grand Island City Administrator Marlan Ferguson, who formerly served as the EDC president, said the EDC initially purchased 1,700 acres of Cornhusker land and spent lots of dollars clearing concrete from foundations so that land could be farmed. He said Load Lines 2 and 3 have lots of underground debris and a tax-increment financing project could help clear those areas. Ferguson said he also worked on the passage of LB66 and sees a whole area study at Cornhusker as a beneficial idea. He said Cornhusker is a 20-square-mile site where there will be no residents to be bothered by commercial/industrial growth and the site has access to two railroads.

Ruge asked how much Cornhusker would add to Grand Island's 35 percent of allowed blighted and substandard area. Nabity said LB66 specifies that former defense sites are not counted into the percentage. Grand Island currently has about 20 percent of the city area that is blighted and substandard.

Rainforth asked about de-blighting property. Nabity said that can be done and other cities have removed redeveloped property from blighted and substandard areas. Grand Island probably wouldn't consider doing that until it reached about 30 percent blighted and substandard area, Nabity said.

Robb said he understands the concerns with the asbestos and RDX, but it's frustrating to hear that gravel roads, flat ground and bad little sheds can be criteria for blighting. He said they're all over and nothing is perfect. Robb said all the blight and substandard studies he's seen find the area blighted and substandard. Marvin said he only brings

forward studies on ground that qualifies as blighted and substandard. He said he turns down jobs on study requests on land that doesn't meet the state's blighted and substandard criteria.

A motion was made by Hoggatt and seconded by Apfel to approve the Blight and Substandard Study for Area 20 with the Marvin Planning Consultants study providing the findings of fact of blight.

The motion carried with 8 members voting in favor (Apfel, Ruge, Maurer, Robb, Rainforth, Rubio, Sears and Hoggatt) and no members voting no or abstaining.

O'Neill returned to chambers at 6:42 p.m. following the vote.

- 5. Public Hearing – Redevelopment Plan** – Concerning an Amendment to the redevelopment plan for CRA, Area 6. This is a site specific redevelopment plan for a property located at 204 N. Carey, or Lot One (1), in Block Twenty-Nine (29), in Packer & Barr's Second Addition to the City of Grand Island, Hall County, Nebraska (C-04-2017GI).

Nabity said Heath Reinders plans to build a four-plex with attached garages on this remaining empty lot at Carey and George. It is zoned R4 High Density Residential and is consistent with the comprehensive plan.

Sears advised Reinders to pay attention to drainage on the north side of the lot. Nabity said since this lot is the last one to be developed on the block, it historically has been used for water detention.

A motion was made by Ruge and seconded by Maurer to approve the redevelopment plan for Area 6.

The motion carried with 9 voting in favor (Apfel, O'Neill, Ruge, Maurer, Robb, Rainforth, Rubio, Sears and Hoggatt) and no members voting no or abstaining.

- 6. Public Hearing – Adoption of the Grand Island Zoning Map** – This is the re-adoption of the City of Grand Island Zoning Map with proposed changes as produced using the Hall County Geographic Information System. The map presented gives notice to all parties that the zoning districts, Grand Island city limits, and 2-mile extraterritorial jurisdiction are as shown on the zoning map, which is available at the Hall County Regional Planning Department Office (C-05-2017GI)

A motion was made by Rainforth and seconded by Ruge to approve the re-adoption of the Grand Island zoning map.

The motion carried with 9 voting in favor (Apfel, O'Neill, Ruge, Maurer, Robb, Rainforth, Rubio, Sears and Hoggatt) and no members voting no or abstaining.

Consent Agenda

7. Final Plat – Brewer Subdivision – located west of Elm Street and north of west 6th Street in the City of Grand Island, Hall County, Nebraska (2 lots and 0.2 acres.)

8. Final Plat – Lake Heritage 4th Subdivision – located south of Highway 34 and east of Blaine Street in the City of Grand Island, Hall County, Nebraska (2 lots and 9.54 acres.)

A motion was made by Hoggatt and seconded by Maurer to approve the consent agenda with the final plats of Brewer Subdivision and Lake Heritage 4th Subdivision.

The motion carried with 9 voting in favor (Apfel, O'Neill, Ruge, Maurer, Robb, Rainforth, Rubio, Sears and Hoggatt) and no members voting no or abstaining.

9. Creation of County Zoning Study Committee (C-06-2017HC) – Nabity reported that the Hall County Board asked for a study on the county's zoning regulations. Nabity said there have been recent discussions on location issues, such as for a livestock trailer washout, number of head in livestock operations and laying operations to serve the new hatchery in Grand Island, as well as discussions on rural subdivisions in neighboring counties. He said there are no pending issues so this is a good time for a review. Nabity suggested a subcommittee be established for an initial review to report back to the full commission. Subcommittee members are to include Nabity, Hall County Zoning Coordinator Loren "Doone" Humphrey, Hall County Supervisor Steve Schuppan and volunteers from the commission. O'Neill, Rainforth, Ruge and Robb volunteered, as did Judd Allan, who was in the audience and is expected to be appointed to the commission by the county board on Jan. 10. Nabity said one of the first things to look at will be the county's livestock regulations.

10. Director's Report – Nabity introduced newly appointed Commissioner Hector Rubio representing Grand Island and expected new Commissioner Judd Allan, who will be representing Hall County.

Nabity said the Nebraska Planning and Zoning Association annual conference will be held in Kearney on March 8, 9 and 10. Commissioners are invited to attend and the department will pay their registration.

Hoggatt requested that the next Regional Planning meeting include an agenda item to consider a blight and substandard study on all of the former Cornhusker Army Ammunition Plant property.

11. Next Meeting February 1, 2017.

12. Adjourn

O'Neill adjourned the meeting at 7:08 p.m.

Leslie Ruge, Secretary
By Tracy Overstreet Gartner



Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item F1

Blight Study Area 21

Staff Contact: Chad Nabity

Agenda Item # 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

January 23, 2017

SUBJECT: *CRA Blight Study (Proposed CRA Area 21) C-07-2017GI*

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 21”. This area as defined by the study will be referred to as Community Redevelopment Authority (CRA) Area 21. The study as prepared and submitted indicates that this property could be considered substandard and blighted. This only includes property that is located within the municipal limits of Grand Island. 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

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 14 of the study.

FINDINGS FOR GRAND ISLAND

Study Area 21 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighting Summary

Criteria under Part A of the Blight Definition

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

- **Substantial number of deteriorating structures**
 - Within the study are 96.1% of the structures were deemed to be in a deteriorated state or worse.
- **Deterioration of site or other improvements**
 - The only sidewalk in the area is located along the south edge of US Highway 30 and is in a deteriorated state.
 - Drainage of existing site is difficult based upon the existing topography.
- **Faulty Lot Layout**
 - Accessibility to some lots is currently a problem.
- **Insanitary or Unsafe Conditions**
 - Lack of sidewalk in the Study Area.
 - Deteriorated structure.
 - Unsecured site which contains hazardous materials.
 - Detention cell adjacent to the study area.
- **Dangerous conditions to life or property due to fire or other causes**
 - Dilapidated structures in study area.
 - Lack of sidewalk within the Study Area
 - Union Pacific Railroad Mainline adjacent to the study area
 - Lack of defined trafficways within the area.
- **Combination of factors which are impairing and/or arresting sound growth**
 - Lack of good access to the site.
 - Union Pacific Railroad Mainline adjacent to the area.
- **Diversity of Ownership**
 - There are currently 16 different owners listed for the property within the Study Area.
- **Improper Subdivision or Obsolete Platting**
 - Accessibility to some lots is currently a problem.
 - Lack of platted rights-of-way within the area, especially in the northern portion.
- **Defective/Inadequate street layouts**
 - Lack of platted rights-of-way within the area, especially in the northern portion.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years**
 - 23 (88.5%) units were determined to be 40 years of age or older
 - 3 (11.5%) units were determined to be less than 40 years in age
- **Stable or decreasing population based on the last two decennial censuses**
 - The population of the Study Area has remained stable over the past 22 years.

Other criteria for Blight were not present in the area

- 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 #21

Blight Study Area #21 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- Substantial number of deteriorated or deteriorating structures
- Deterioration of site or other improvements
- Faulty Lot Layout
- Insanitary and Unsafe Conditions
- 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
- Improper Subdivision or Obsolete Platting
- Defective/Inadequate Street Layout

Substandard Conditions

- Average age of the buildings and improvements 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 CIK Investments 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 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 shall not designate an area larger than one hundred percent of the as blighted;"

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. 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 commercial uses within the corporate limits of Grand Island.

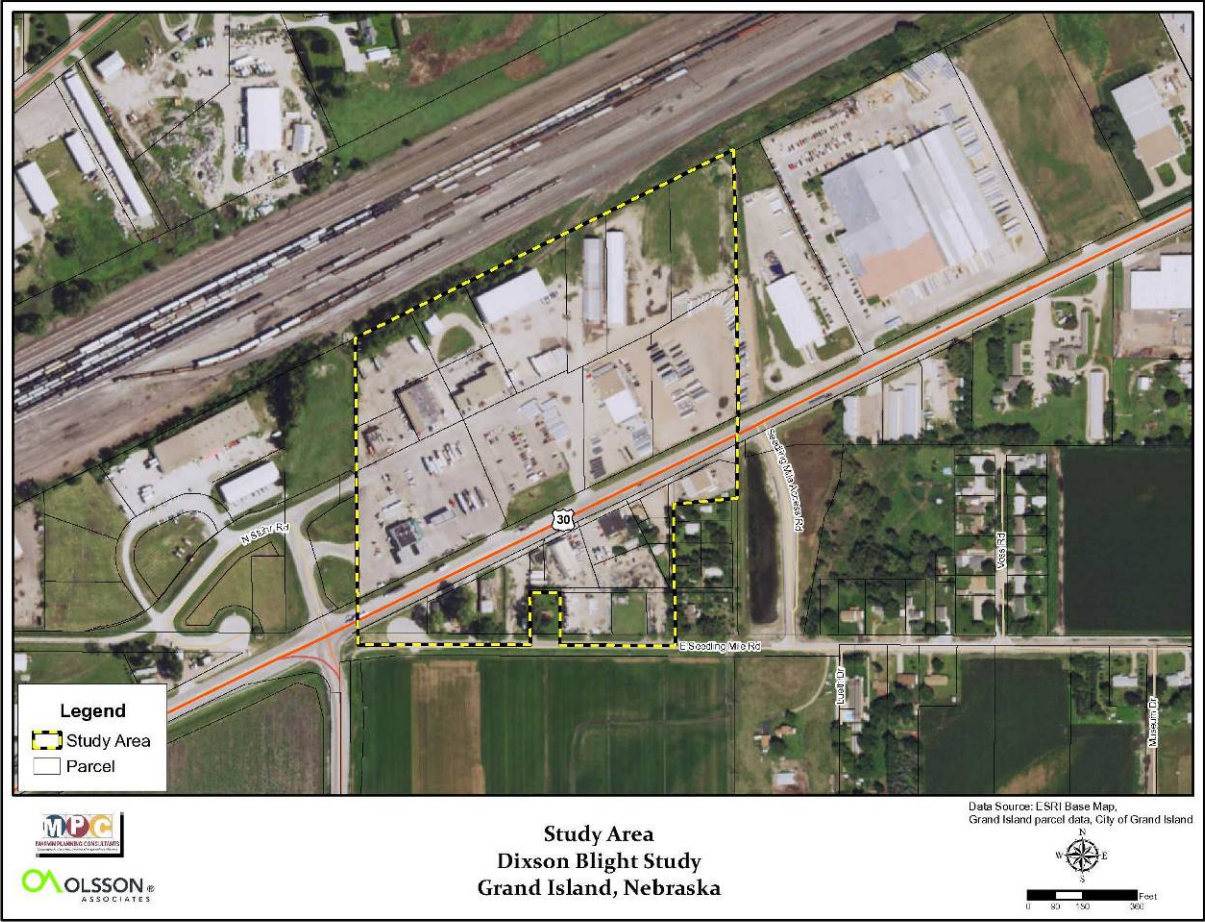
Through the redevelopment process the City of Grand Island can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Grand Island is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City of Grand 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

The Study consists of area described as follows: The Point of Beginning is the NW corner of a lot described as Bosselman Brothers Second Sub Lot 2; thence, northeasterly along the north property line of said lot and continuing northeasterly to the NE corner of a lot described as Bosselman Brothers Sub Lot 5; thence, southerly along the east property line of said lot and continuing southerly along the eastern property lines of properties until intersecting with the southeast corner of Lot A Stehr's Sub Lot 10; thence westerly along the south lot line of said lot to the southwest corner of said lot; thence, southerly along the west property line of Lot E of Stehr's Sub Lot 10 and continuing southerly along west property lines to the centerline of E. Seedling Mile Road; thence, westerly along said centerline to the extended east property line of Lot 3 Stehr's Subdivision; thence, northerly along said east property line to the northeast corner of said corner; thence, westerly along the north property to the northwest corner of said lot; thence, southerly along the west property line to the centerline of E. Seedling Mile Road; thence, westerly along said centerline to the extended western property line of a Lot described as Bosselman Brothers Sub Lot 1; thence, northerly along said extended west property line and continuing to the POB. Total area is 35.62 acres.

Figure 1



Source: Marvin Planning Consultants 2016

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 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	0.0%	0.0%
Single-family	0	0.0%	0.0%
Multi-family	0	0.0%	0.0%
Manufactured Housing	0	0.0%	0.0%
Commercial	30.85	89.1%	86.6%
Quasi-Public/Public	0	0.0%	0.0%
Parks/Recreation	0	0.0%	0.0%
Transportation	3.78	10.9%	10.6%
Total Developed Land	34.63	100.0%	
Vacant/Agriculture	0.99		2.8%
Total Area	35.62		100.0%

Source: 2016 Grand Island Blight Study Area 21, 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 uses to the total area within the Study Area. As discussed previously, the Study Area is commercial (86.6%) and land considered vacant accounts for only 2.8% of the total area.

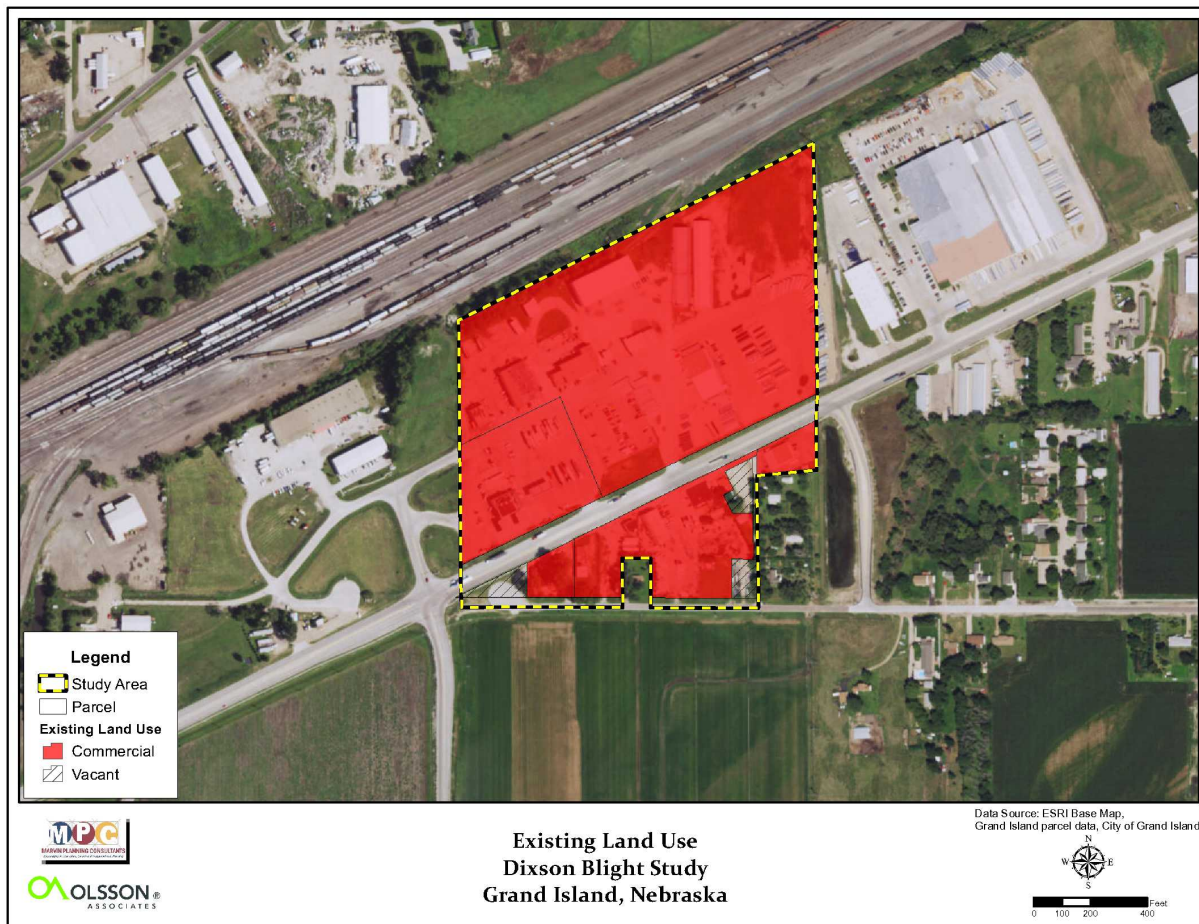
Figure 2

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.

CONTRIBUTING FACTORS

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

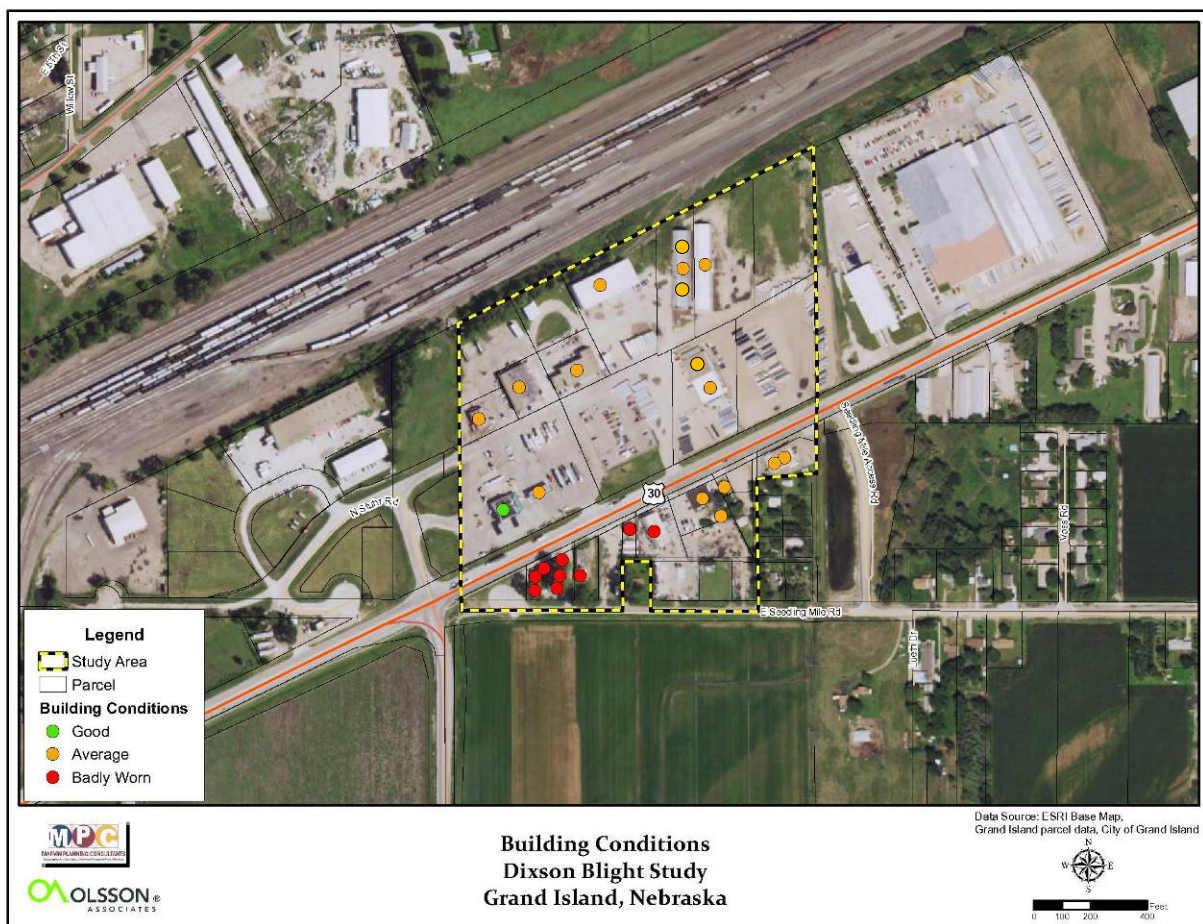
Structural Conditions

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
- 1 (3.9%) structures rated as good
- 0 (0.0%) structure rated as fair
- 16 (61.5%) structures rated as average
- 9 (34.6%) structure rated as badly worn

Figure 3
Structural Conditions



Source: Marvin Planning Consultants, 2016

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 that the older a structure gets the more maintenance and upkeep are required 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, 96.1% 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.

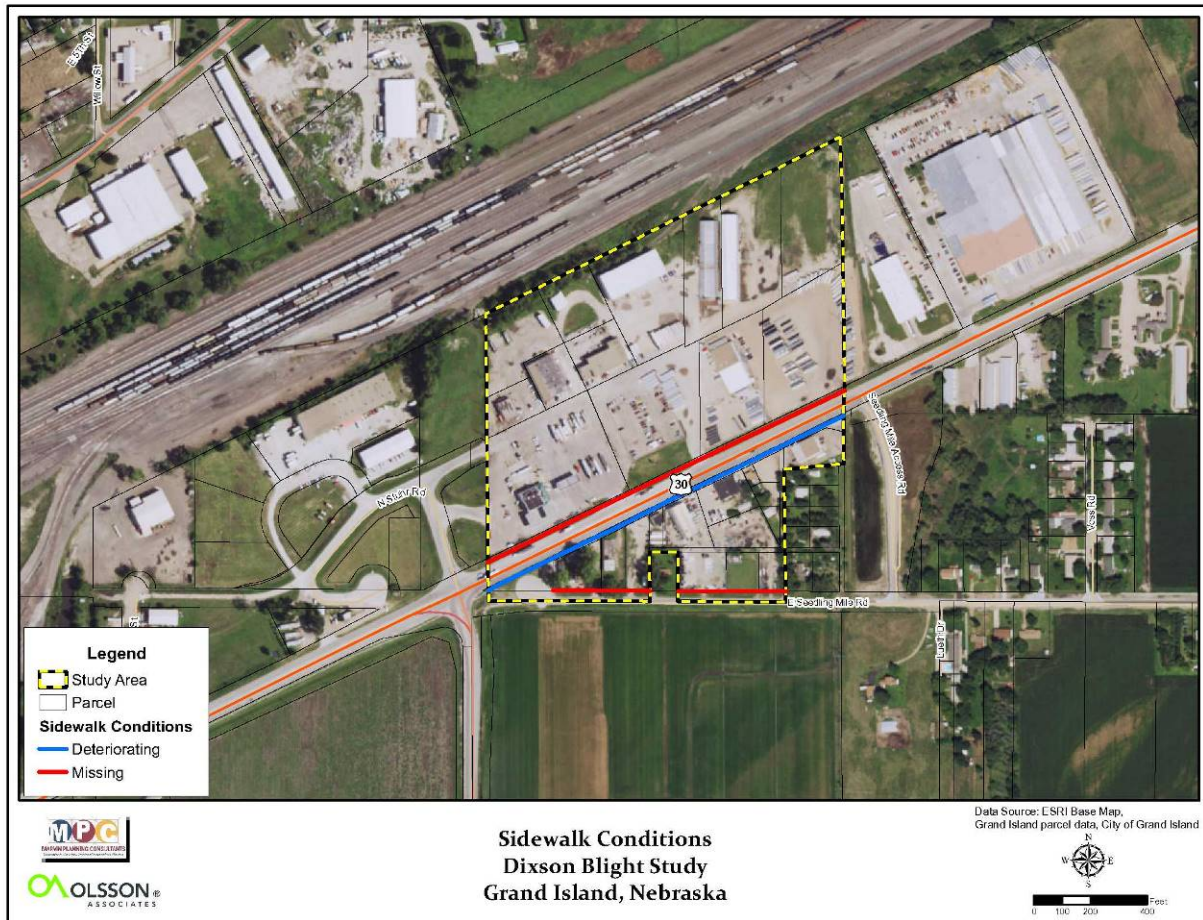
Deterioration of Site or Other Improvements

Sidewalk Conditions

Sidewalks, regardless of the area and uses within a community, should provide a safe means of movement for pedestrians. Sidewalks become increasingly more important along transportation routes considered to be arterials and highways. A sidewalk allows for pedestrian movement while keeping people off heavily traveled streets.

The sidewalk conditions were analyzed in the Study Area. The sidewalks were rated on four categories; adequate, deteriorating, dilapidating, and missing completely.

Figure 4
Sidewalk Conditions



Source: Marvin Planning Consultants, 2016

Within the study area there is approximately 3,508 lineal feet of area where sidewalk could or should be located. After reviewing the conditions in the field, the following is how the sidewalk conditions breakdown within the study area:

- 0 (0.0%) lineal feet of adequate sidewalk
- 1,394 (39.7%) lineal feet of deteriorating sidewalk
- 2,114 (60.3%) lineal feet of no sidewalk.

The only sidewalk in the study area is along the south side of US Highway 30. There is no sidewalk located along the north side or along Seedling Mile Road.

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.

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

Another item of note deals with the actual number of stormwater inlets in the study area. This area was developed as a large hard surfaced and graveled area; therefore, there are very few places for the water to run during wet periods.

Figure 5 is an existing topographic map from the City of Grand Island's website. The map confirms the flatness of the area along US Highway 30. The most common contour identified on the map is the 1835; however, they are separated by a great deal of distance. This distance is what identifies the flatness of the area.

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: City of Grand Island (topographic map) and Marvin Planning Consultants



Faulty Lot Layout

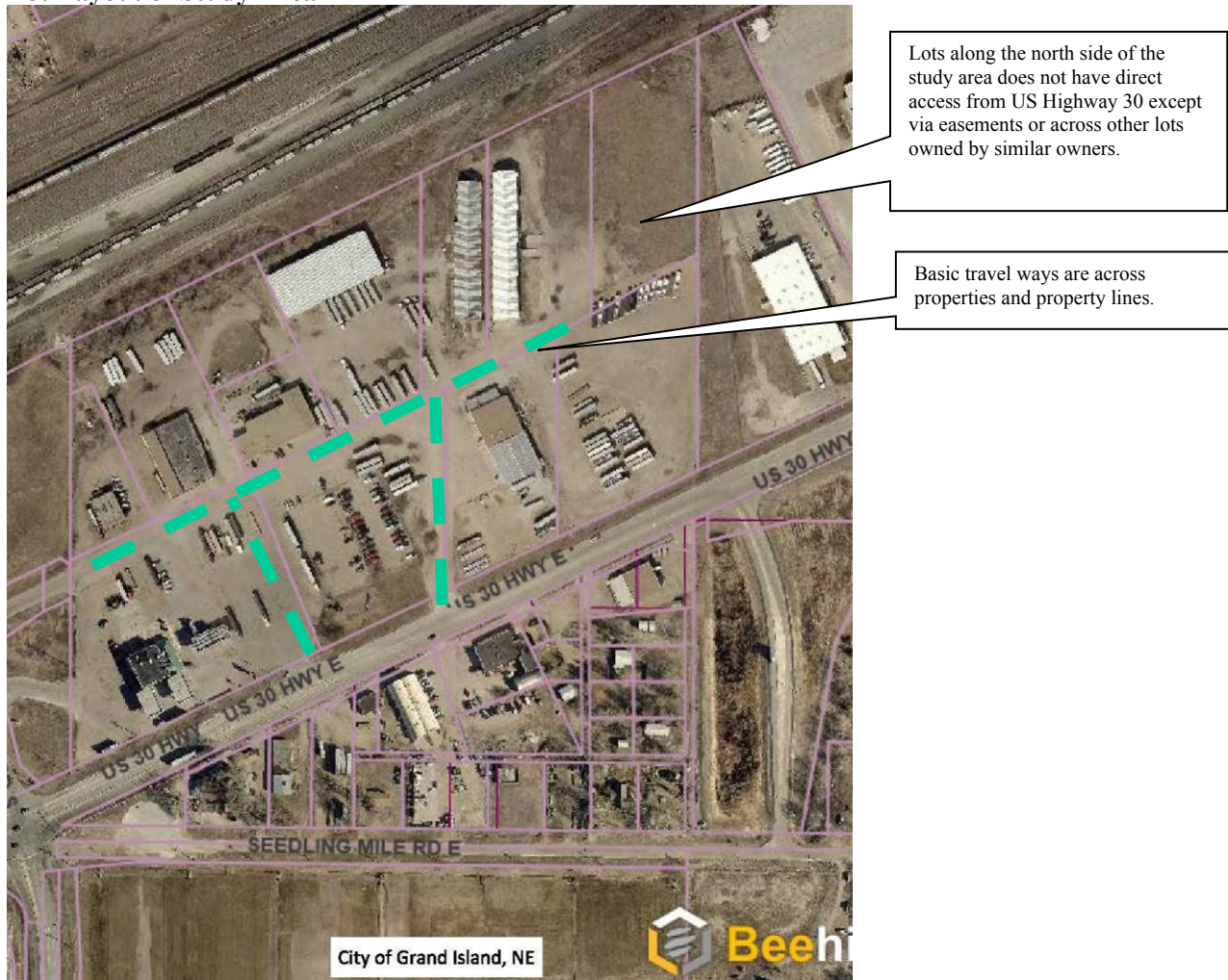
Faulty lot layout can lead to several issues including size of a lot, adequacy of the lot for the use, accessibility to the lot and/or the usefulness of the lot. There are a few factors to examine within this particular study area.

Accessibility of the Lots

Currently, the area has three points of access. Two of these are located along US Highway 30 and lead directly onto properties located along US Highway 30. The third access point is off Stuhler Road and leads directly onto a lot. None

of the three access points go to an internal roadway system or right-of-way. Even with properly filed easements, access to some of these lots could become an issue in the future.

Figure 7
Lot Layout of Study Area



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

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.

Detention Cell

The study area is bounded by a larger detention cell on the east. Although this cell is not in the study area, its proximity creates potential unsafe conditions. At the time of the study, the cell was partially filled due to recent rains and snow melt. The cell, though necessary to drain portions of the area, it still presents an unsafe condition.

Unsecured Areas



City of Grand Island, Nebraska • December 2016



Page 8

The primary parcel is currently unsecured and has the hazardous building as discussed in the previous paragraph. Steps need to be taken to either secure the property or eliminate the hazardous conditions. These areas include different trucking materials, tractors, damaged vehicles, semi-trailers, and more.



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

Located within the study area there are factors present that are a danger to life or property due to fire or other causes. Many these factors have been previously discussed in this report. These factors include:

- Detention cell near the study area
- Proximity to the Union Pacific Railroad Mainline. The mainline, considering the number of trains per day provides a risk for derailment and or sparks creating a fire along the route.
- Number of incompatible uses including industrial uses with outside storage adjacent to inhabited residential structures.

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 lack of good access to several properties within the study area.
- The Union Pacific Railroad Mainline to the north blocks any possible growth to the north.
- Size of lots (smaller), especially along the south side of the study area.

Based upon the review of the area, there are sufficient elements 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 population within the Study Area has had limited population for the past two decennial censuses. Therefore, it meets the criteria for a stable or decreasing population.

Diversity of Ownership

Within this small study area, there are 17 different property owners including the City of Grand Island and the State of Nebraska. Coordination of any redevelopment of this area may require specific intervention that a Blight and Substandard designation offers.

Figure 8
Improper Subdivision or Obsolete Platting



Source: City of Grand Island and Marvin Planning Consultants

Improper Subdivision or obsolete platting

This criterion follows closely with the Faulty Lot Layout. Much of this area can be considered to be improperly platted. Access is an issue for parts of this study area, See Figure 8.

Defective/Inadequate street layouts

This area contains defective street layouts, primarily since there are minimal platted streets within the area. The northern portion of the study area has no platted streets, only access easements. Someone unfamiliar with the area may be unaware of critical movement patterns made by the truck traffic in the area.

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 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.

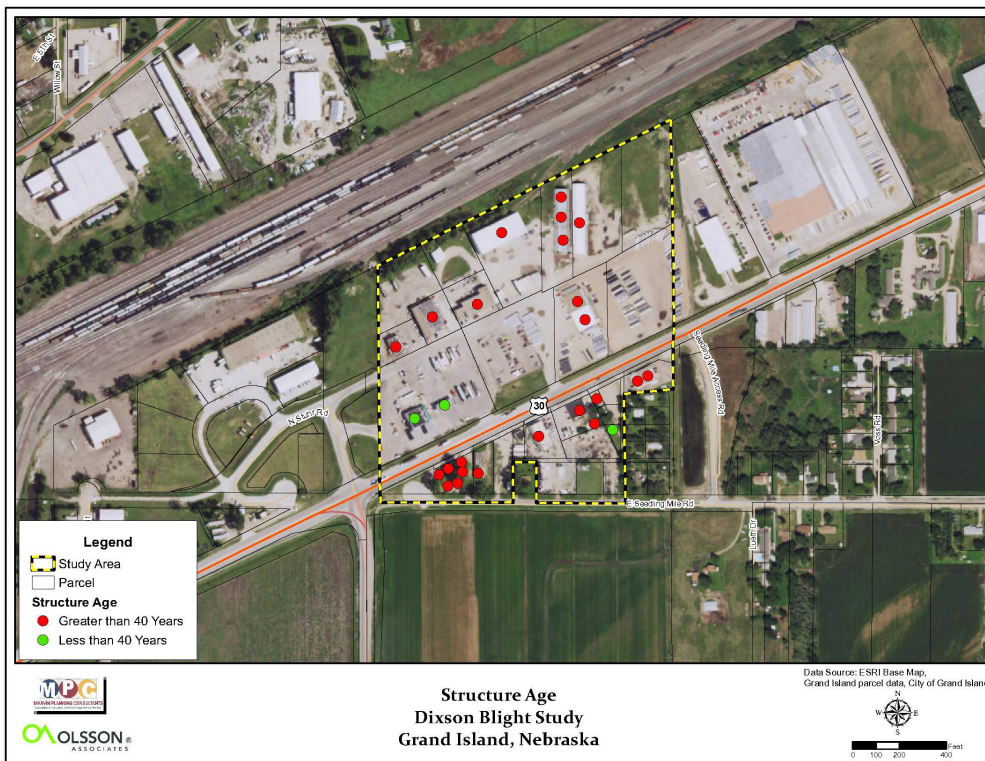
Within the study area there is a total of two primary structures. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 23 (88.5%) units were determined to be 40 years of age or older
- 3 (11.5%) units were determined to be less than 40 years in age

In addition, if all the actual ages of the structures were added together, then divided by the 26 structures within the study area, the mean age would be 58.07 years of age, see Table 1. The mean age also exceeds the 40-year requirement.

The age of the structures would be a direct contributing factor.

Figure 9 Unit Age Map



Source: Marvin Planning

Consultants, 2016

Table 2	Average	Unit	Age	Calculation
Number of Structures	Construction date	Age	Cummulative Age	
1	2015	2	2	
2	1998	38	40	
2	1969	96	136	
4	1962	220	356	
2	1960	114	470	
2	1958	118	588	
2	1957	120	708	
2	1956	122	830	
1	1945	72	902	
2	1944	146	1048	
6	1940	462	1510	
Total Cummulative	26		1510	
Average Age			58.07692308	

Blighting Summary

Criteria under Part A of the Blight Definition

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

- **Substantial number of deteriorating structures**
 - Within the study area 96.1% of the structures were deemed to be in a deteriorated state or worse.
- **Deterioration of site or other improvements**
 - The only sidewalk in the area is located along the south edge of US Highway 30 and is in a deteriorated state.
 - Drainage of existing site is difficult based upon the existing topography.
- **Faulty Lot Layout**
 - Accessibility to some lots is currently a problem.
- **Insanitary or Unsafe Conditions**
 - Lack of sidewalk in the Study Area.
 - Deteriorated structure.
 - Unsecured site which contains hazardous materials.
 - Detention cell adjacent to the study area.
- **Dangerous conditions to life or property due to fire or other causes**
 - Dilapidated structures in study area.
 - Lack of sidewalk within the Study Area
 - Union Pacific Railroad Mainline adjacent to the study area
 - Lack of defined trafficways within the area.
- **Combination of factors which are impairing and/or arresting sound growth**
 - Lack of good access to the site.
 - Union Pacific Railroad Mainline adjacent to the area.
- **Diversity of Ownership**
 - There are currently 16 different owners listed for the property within the Study Area.
- **Improper Subdivision or Obsolete Platting**
 - Accessibility to some lots is currently a problem.
 - Lack of platted rights-of-way within the area, especially in the northern portion.
- **Defective/Inadequate street layouts**
 - Lack of platted rights-of-way within the area, especially in the northern portion.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years**
 - 23 (88.5%) units were determined to be 40 years of age or older
 - 3 (11.5%) units were determined to be less than 40 years in age
- **Stable or decreasing population based on the last two decennial censuses**
 - The population of the Study Area has remained stable over the past 22 years.

Other criteria for Blight were not present in the area

- 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

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 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.

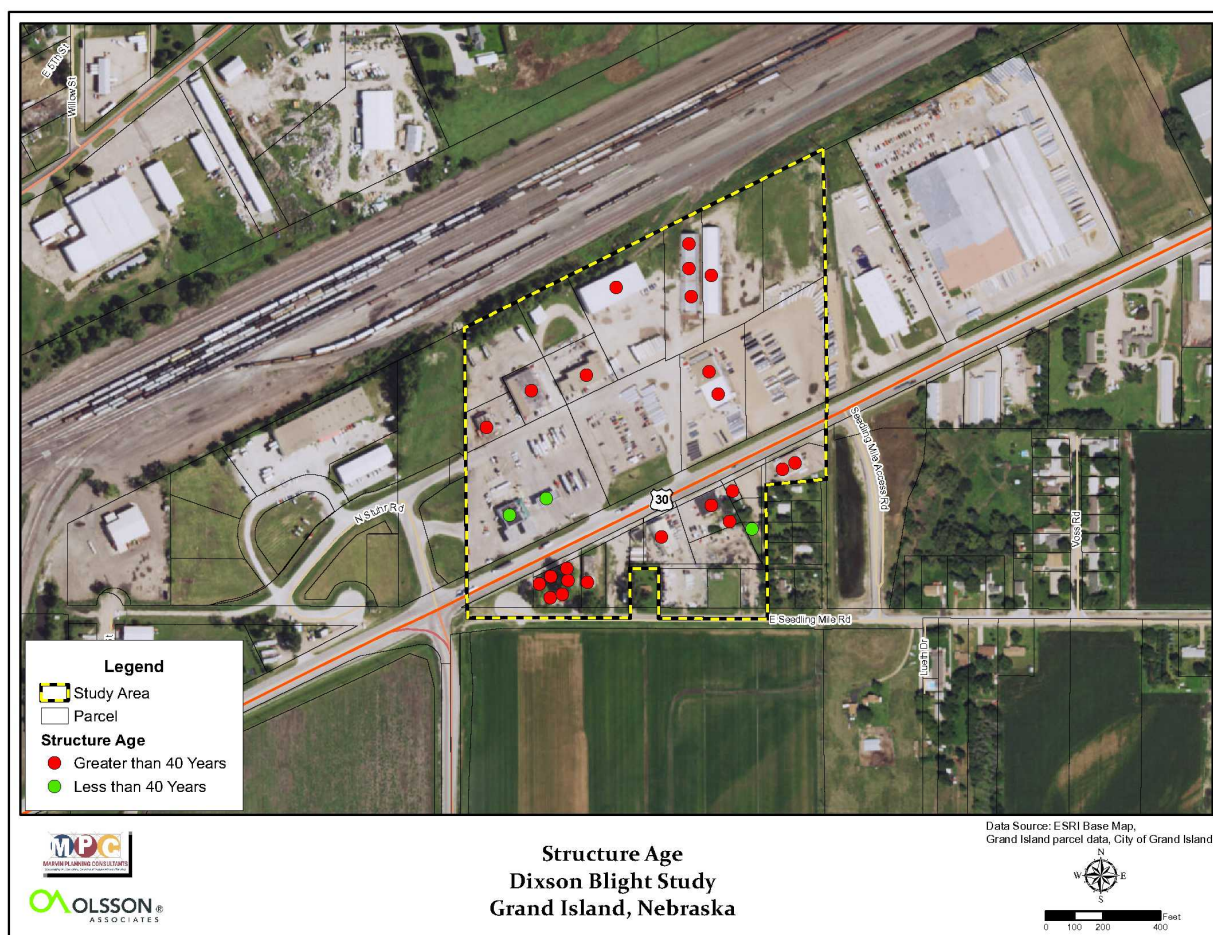
Within the study area there is a total of two primary structures. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 23 (88.5%) units were determined to be 40 years of age or older
- 3 (11.5%) units were determined to be less than 40 years in age

In addition, if all the actual ages of the structures were added together, then divided by the 26 structures within the study area, the mean age would be 58.07 years of age, see Table 1. The mean age also exceeds the 40-year requirement.

The age of the structures would be a direct contributing factor.

Figure 10 Unit Age Map



Source: Marvin Planning Consultants, 2016

Table	2	Average	Unit	Age	Calculation
	Number of Structures	Construction date	Age	Cummulative Age	
	1	2015	2	2	
	2	1998	38	40	
	2	1969	96	136	
	4	1962	220	356	
	2	1960	114	470	
	2	1958	118	588	
	2	1957	120	708	
	2	1956	122	830	
	1	1945	72	902	
	2	1944	146	1048	
	6	1940	462	1510	
Total Cummulative	26			1510	
Average Age				58.07692308	

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 defintion of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #21

Blight Study Area #21 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- Substantial number of deteriorated or deteriorating structures
- Deterioration of site or other improvements
- Faulty Lot Layout
- Insanitary and Unsafe Conditions
- 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
- Improper Subdivision or Obsolete Platting
- Defective/Inadequate Street Layout

Substandard Conditions

- Average age of the buildings and improvements in the area is at least forty years

Resolution Number 2017-03

HALL COUNTY REGIONAL PLANNING COMMISSION

A RESOLUTION RECOMMENDING APPROVAL OF A BLIGHT AND SUBSTANDARD STUDY BY THE CITY OF GRAND ISLAND, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Grand Island City Council at its December 27, 2016 meeting, referred **the Blight and Substandard Study commissioned by CIK Investments** 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**”); 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 experience 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,

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: February 1, 2017.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary



Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item F2

Blight Study Area 22

Staff Contact: Chad Nabity

Agenda Item 5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

January 23, 2017

SUBJECT: *Blight Study for Properties Located at the Cornhusker Army Ammunition Plant (Hornady) Proposed as CRA Area 22 C-08-2017GI*

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 22. This area as defined by the study will be referred to as Community Redevelopment Authority (CRA) Area 22. 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 4 to 18 of the study.

FINDINGS FOR FORMERLY USED DEFENSE SITE STUDY

Study Area 22 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.

Criteria under Part A of the Blight Definition

- **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.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years**
 - 25 (69.4%) buildings or improvements were determined to be 40 years of age or older
 - 11 (30.6%) buildings or improvements were determined to be less than 40 years of age
- **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

- 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
- Average age of the residential or commercial units in the area is at least 40 years
 - 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 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 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
- 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 buildings and improvements in the area is at least forty years
- Dangerous conditions to life or property due to fire or other causes

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 Hall County. 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 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.

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, 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 all the 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.

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.

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

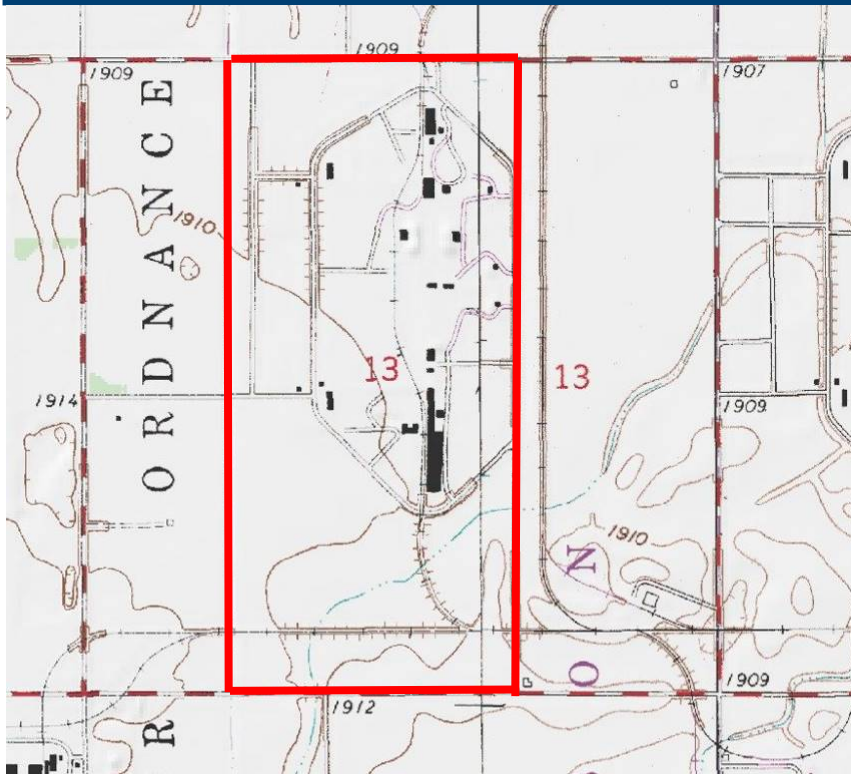
The Grand Island and Hall County area has a long history of drainage issues due to the extreme flatness of the area, as well as the high-water table. Topography and soils can have a major impact on how a given portion of the area drains. The area designated in this Study Area is nearly flat or has an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

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

Figure 2 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 2 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, 13th 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 3
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 4 indicates an area referred to as Operable Unit 1, which is

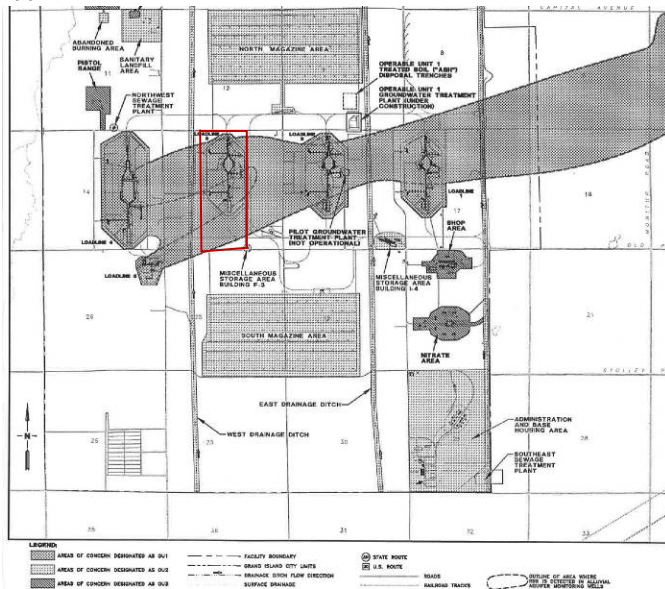
where the study area is located. Based upon the report, when cesspools under the old load lines were examined and tested, it was determined:

- 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 4
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 5 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.

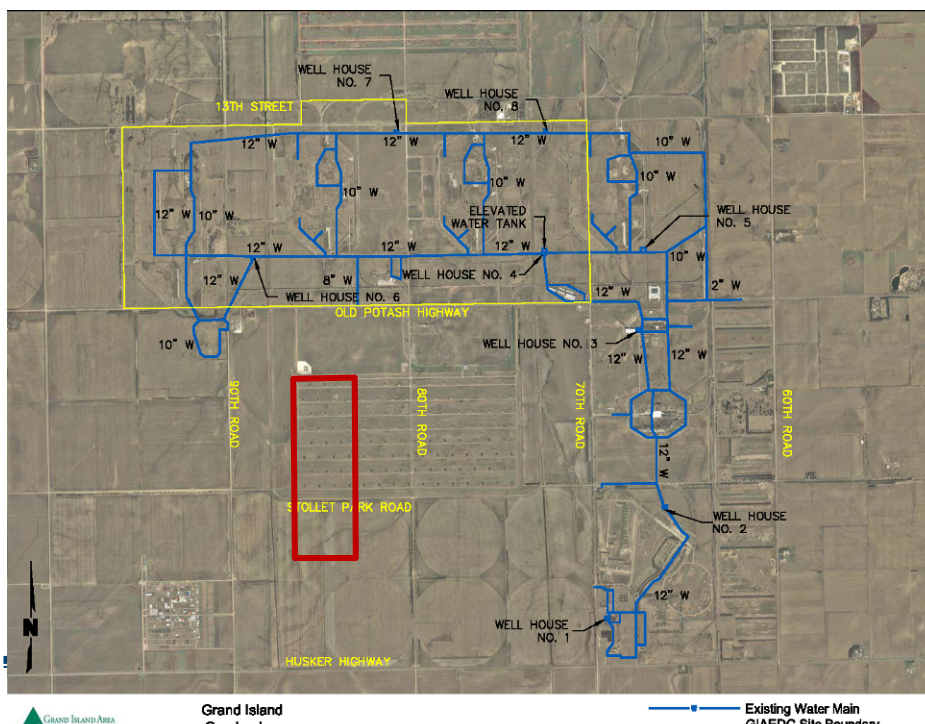


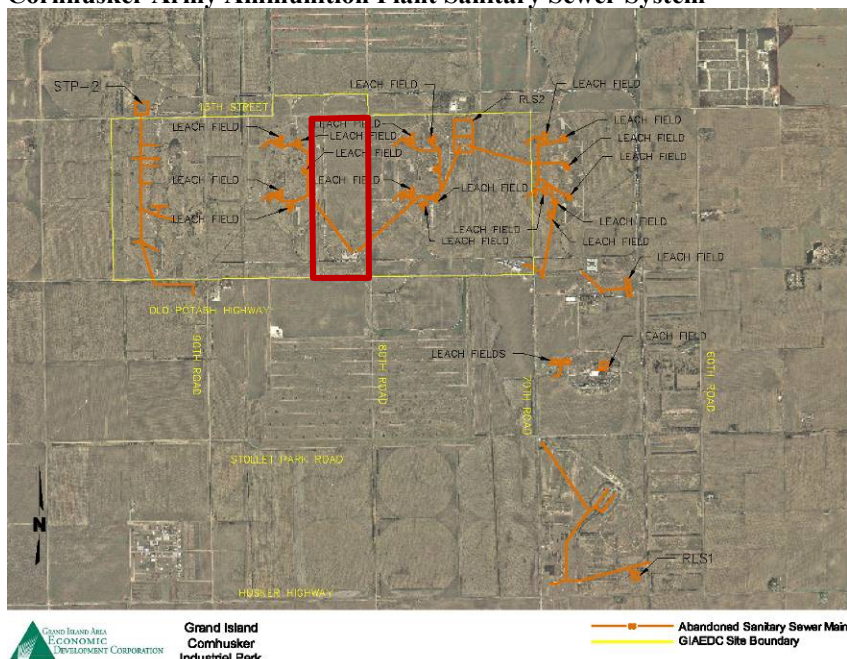
Figure 5
Cornhusker Army
Ammunition Plant Water
System

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 6 for an approximate location of these sanitary sewer lines.

Figure 6
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

The Grand Island and Hall County area 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 2 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 4. 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.

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 population within the Study Area has had to 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.

Average age of buildings and improvements in the area is at least 40 years

Age of buildings and improvements can be a contributing factor to the substandard conditions in an area. Statutes allow for a predominance of buildings or improvements 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 buildings or improvements. Considering that the older buildings or improvements have no specific dates attached to them since the property 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.

After researching the age of the other buildings and improvements on the Hall County Assessor's and Treasurer's websites, and reviewing older documents, as well as, the land survey completed on the entire site, the following breakdown was determined:

- 25 (69.4%) buildings or improvements were determined to be 40 years of age or older

- 11 (30.6%) buildings or improvements 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
Total Cummulative	36			1892
Average Age				52.55555556

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.

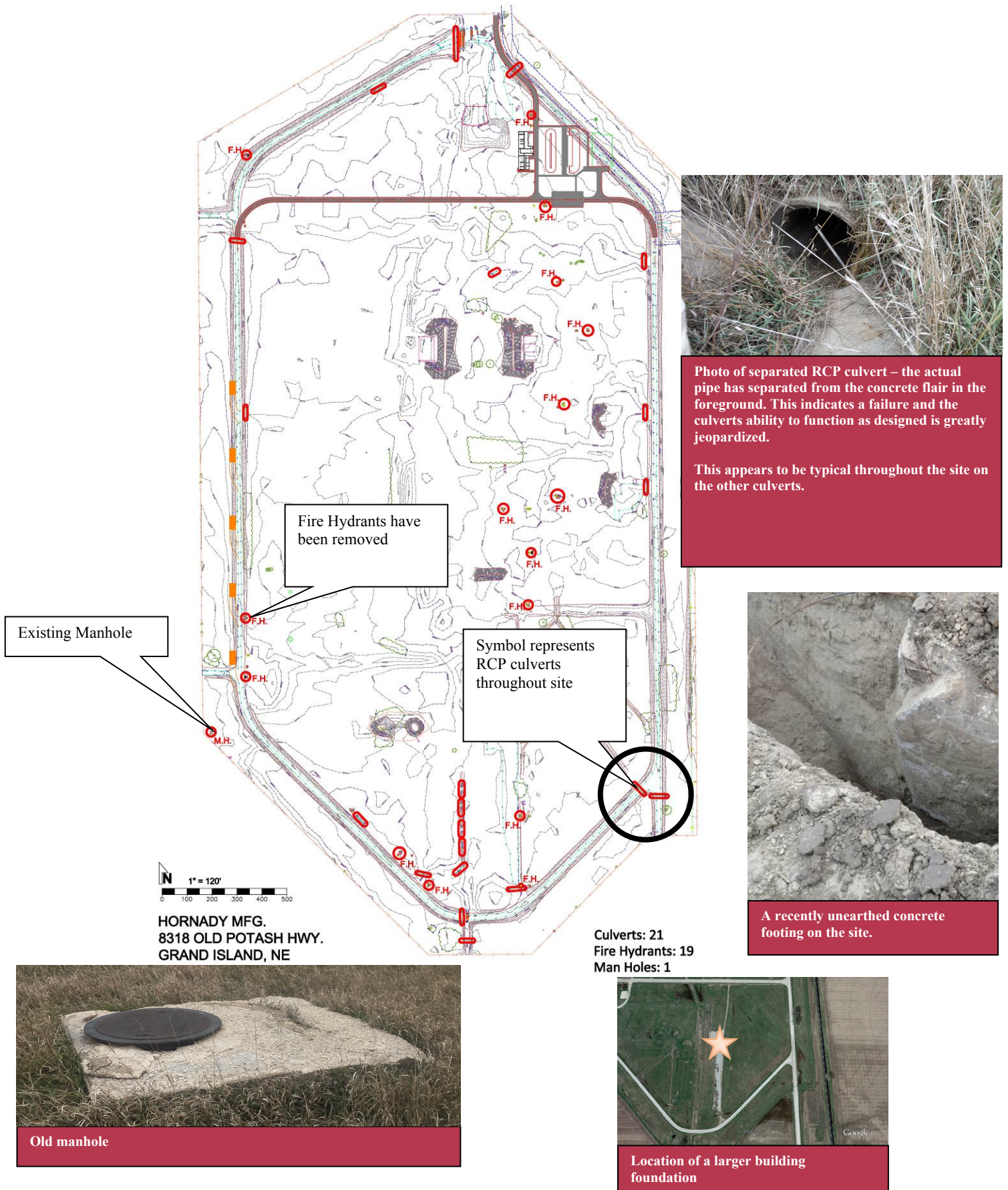
Average Age of Structures is a contributing factor.

Figure 7



Source: Marvin Planning Consultants, 2016

Figure 8
Structure Age Map – Surveyed items only



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**
 - 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.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years**
 - 25 (69.4%) buildings or improvements were determined to be 40 years of age or older
 - 11 (30.6%) buildings or improvements were determined to be less than 40 years of age
- **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

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

Average age of buildings and improvements in the area is at least 40 years

Age of buildings and improvements can be a contributing factor to the substandard conditions in an area. Statutes allow for a predominance of buildings or improvements 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 buildings or improvements. Considering that the older buildings or improvements have no specific dates attached to them since the property 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.

After researching the age of the other buildings and improvements on the Hall County Assessor's and Treasurer's websites, and reviewing older documents, as well as, the land survey completed on the entire site, the following breakdown was determined:

- 25 (69.4%) buildings or improvements were determined to be 40 years of age or older
- 11 (30.6%) buildings or improvements 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
Total Cummulative	36			1892
Average Age				52.55555556

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.

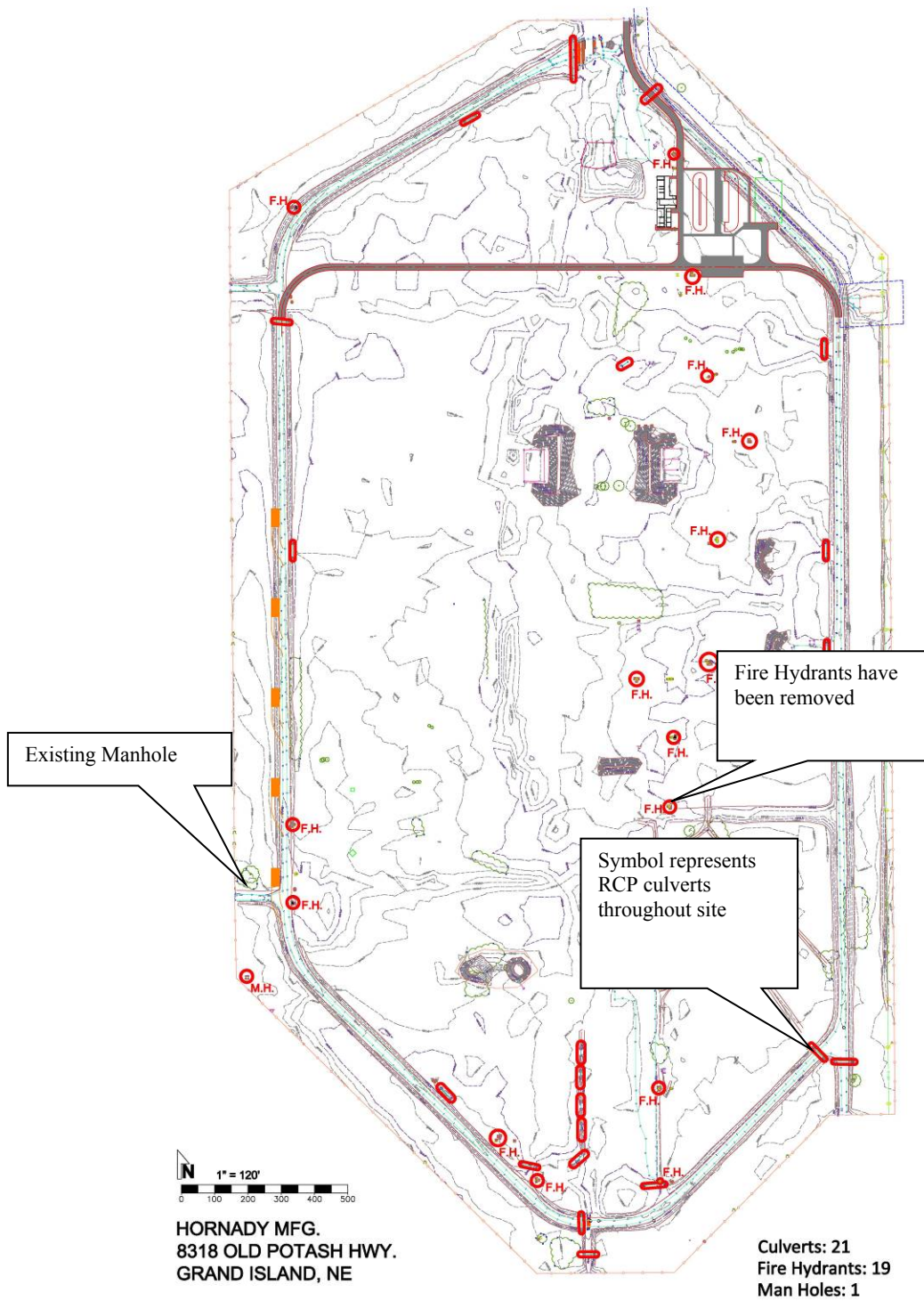
Average Age of Structures is a contributing factor.

Figure 9



Source: Marvin Planning Consultants, 2016

Figure 10
Building or Improvement Age Map – Surveyed items only



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 4. 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 6 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 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**
- **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 buildings and improvements in the area is at least forty years**
- **Dangerous conditions to life or property due to fire or other causes**

Resolution Number 2017-04

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 27, 2016 meeting, referred **the Blight and Substandard Study commissioned by Platte River Industrial Park LLC** 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 1990s.

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: February 1, 2017.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary



Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item F3

Redevelopment Plan Cairo Business Park

Staff Contact: Chad Nabity

Agenda Item 6

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION: January 23, 2017

SUBJECT:

Redevelopment plan amendment for property located in the Cairo Business Park Second Subdivision an area that has been declared Blighted and Substandard. The Redevelopment Plan is specifically for the following site: Site #1 Lot 1 of Cairo Business Park Second Subdivision with subsequent sites anticipated on Lots 2 through 18 of Cairo Business Park Second Subdivision all in the Village of Cairo, Hall County, Nebraska. This property is located at west of 130 Road and south of One-R Road/Kansas Street. (C-09-2017GI)

PROPOSAL:

The Village of Cairo is proposing to develop this site to encourage commercial and industrial expansion within the Village of Cairo. The property is zoned I2 Heavy Industrial. The development of this property with streets, sewer and water to support industrial uses is consistent with the zoning densities allowed and the plan for the area.

OVERVIEW:

The purpose of the CRA and the designated blight and substandard areas is to provide incentives for development in underdeveloped areas of the community. This proposed plan encourages a mix of commercial and residential uses that has been identified as a priority for development in the downtown area. This area has already been declared blighted and substandard by the Cairo CRA, the Hall County Regional Planning Commission and the Cairo Village Board.

This project is **consistent** with the **existing zoning** and the **future land use plan** for this area within the Village of Cairo. This is evident by the fact that the property is zoned I2 Heavy Industrial. The I2 zone allows for a wide variety of industrial and commercial uses. The future land use plan would allow industrial uses on this property.

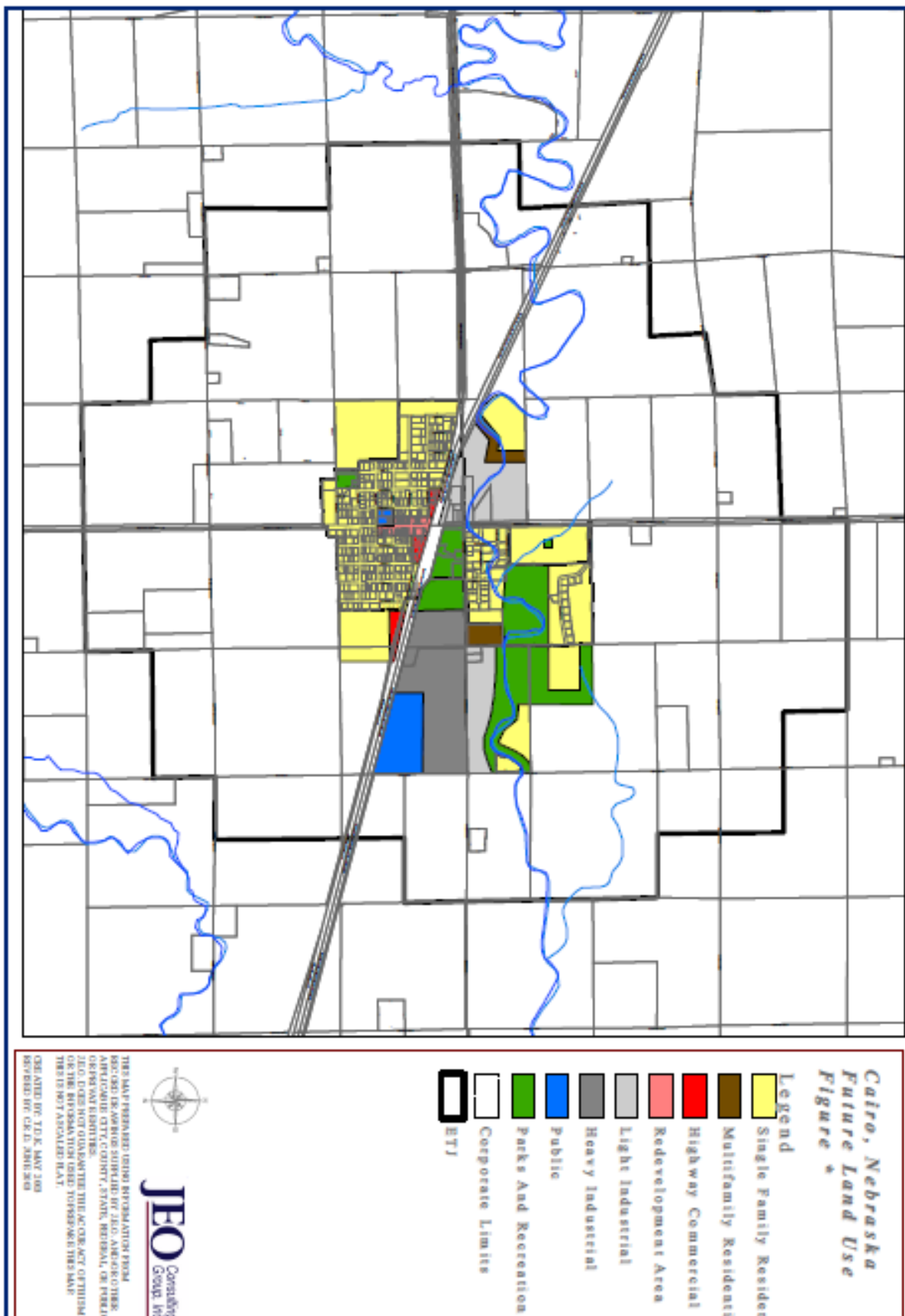
The Regional Planning Commission recommendation is limited to the appropriateness of the proposed use at this location. The Comprehensive Plan for the Village of Cairo calls for Heavy Industrial uses here.

The Planning Commission is required to comment on these applications to confirm that expenditure of public funds through TIF is not supporting uses that would be inconsistent with the Comprehensive Plan. The proposed use for industrial uses at this location is supported by the plan.

RECOMMENDATION:

That the Regional Planning Commission recommends that City Council **approve** of the redevelopment plan amendment as submitted. A resolution is attached for your consideration.

_____ Chad Nability AICP, Planning Director



Phased Site Specific Redevelopment Plan Cairo Business Park Second Subdivision 2017

This Redevelopment Plan is prepared by the Community Redevelopment Authority (CRA) of the Village of Cairo, Nebraska. This Redevelopment Plan for the Village is proposed pursuant to the Nebraska Community Development Law (the “Act”) and provides for the financing of sewer and water installation in the Redevelopment Area.

Executive Summary: Project Description

Michael W. Lowry and Denise K. Lowry (the Lowrys) has acquired Lot 1 and Land View Storage, LLC, has acquired Lot 2 of Cairo Business Park Second Subdivision to the Village of Cairo, Hall County, Nebraska. See attached Exhibit A for a plat of the subdivision (the “**Redevelopment Project Area**”). The Lowrys have constructed a 80 foot by 125 foot building on Lot 1. Land View Storage, LLC, intends to build two 40 foot by 200 foot buildings on Lot 2. However, in order to provide sewer and water to these lots and the other lots in the business park, the Village must install sewer and water mains. The installation of sewer and water mains is hereafter referred to as the “**Redevelopment Project/s**” or “**Project/s**.” The estimated cost of this infrastructure is shown on attached Exhibit B. Obviously this expense is too great for the taxpayers of the Village to fund. Creation of sewer and water districts will simply create debt of the Village as the balance of the subdivision is owned by the Village.

This plan provides that the CRA adopt a phased redevelopment project utilize tax increment financing to provide the Village funding to install the needed infrastructure for the Business Park. This plan intends that the CRA assist the Village with funding to install these necessary utilities. Initially, the CRA will issue its 2017 A Bond and deliver the same to the Village subject to an agreement that the Village install the required utilities.. The Village will use the proceeds for utility infrastructure in the Redevelopment Project Area. In order to pay the principal and interest on the 2017 Bond, the CRA will pledge the tax receipts from Lot 1 of said subdivision pursuant to section 18-2147 of the Nebraska Act. The division date for Lot 1 shall be established in the resolution providing for the issuance of the 2017 A tax increment revenue bond.

A separate 2017 B Bond shall be issued and delivered to the Village. The Village will use the proceeds for infrastructure in the Redevelopment Project Area. In order to pay the principal and interest on the Bond, the CRA will pledge the tax receipts from Lot 2 of said subdivision pursuant to section 18-2147 of the Nebraska Act. The division date for Lot 2 shall be established in the resolution providing for the issuance of the 2017 B bond tax increment revenue bond.

The bonds will not be guaranteed by the Village or its taxpayers. The bond will be repaid solely from the increase in real property taxes on said lots over a 15 year period

The increase in real property taxes from Lot 1 and Lot 2 will not be sufficient to pay the estimated costs of this project. Therefore, this plan intends that as each remaining lot in the subdivision is improved, the taxes will be pledged on each individual lot as and when the improvements are started. That means that this plan will be implemented in phases. The effective date for the pledge of taxes for each lot (except for Lot 1) is intended to be the January 1 following the issuance of a building permit as to each lot. The CRA intends, and this plan authorizes, the issuance of additional bonds for each additional lot. The CRA has the authority to size and issue the additional bonds to the Village, up to a maximum amount incurred or to be incurred by the Village to install the necessary sewer and water extensions. In that regard, the Village is authorized to hold the bond proceeds and bond payments until they have sufficient funds to extend a portion of such mains, from time to time as the Village deems appropriate. No further hearings will be required for the issuance of the subsequent bonds, as that issuance is contemplated by this plan.

Projects not financially feasible and will not occur in the Redevelopment Project Area without tax increment financing.

The Village Board and the CRA have determined that the estimated amount of infrastructure costs to implement the projects described herein are too great absorb and are not financially feasible to incur without the assistance from tax increment financing. Furthermore, the projects described in this plan would not occur in the Redevelopment Area without tax increment financing.

**Description Of The Real Property On Which Tax Increment Will Be Captured:
Property Description (the “Redevelopment Project Area”)**

TAX INCREMENT FINANCING TO PAY FOR INFRASTRUCTURE, GRANTS AND LOANS WILL COME FROM THE FOLLOWING REAL PROPERTY:

Site #1: Lot 1 of Cairo Business Park Second Subdivision to the Village of Cairo, Hall County, Nebraska.

Subsequent Sites: Lots 2 through 18, inclusive of Cairo Business Park Second Subdivision to the Village of Cairo, Hall County, Nebraska

Statutory Pledge of Taxes.

Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the Redevelopment Project Area shall be divided, from time to time in phases established by subsequent bond resolutions, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be established in the bond resolution related to a lot in the Redevelopment Project Area. Said taxes shall be divided as follows:

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment projects, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Site Specific Redevelopment Plan Complies with the Act:

The Act requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan meets the statutory qualifications as set forth below.

1. Project must be in an area declared blighted and substandard. [§18-2109]

The Redevelopment Project Area was declared blighted and substandard by action of the Cairo Village Board of Trustees prior to the adoption and implementation of this plan.[§18-2109] Such declaration will be made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.

2. Conformation to the General Plan for the Municipality as a whole. [§18-2103 (13)(a) and §18-2110]

The Village of Cairo adopted a Comprehensive Plan. This redevelopment plan and projects are consistent with the Comprehensive Plan, in that no changes in the Comprehensive Plan elements are intended.

3. The Redevelopment Plan must be sufficiently complete to address the following items: [§18-2103(13)(b)]

a. Land Acquisition: The Redevelopment Plan does not provide for real property acquisition. However this plan allows for the transfer of title of some or all parts of the

Redevelopment Project Area to the CRA and provides for subsequent resale or grant of the Redevelopment Project Area property.

b. Demolition and Removal of Structures: The project to be implemented with this plan does not intend that any structures be removed or demolished.

c. Future Land Use Plan: The future land use plan the Redevelopment Project Area is shown on Exhibit A and is intended to be Commercial and industrial. The attached map (Exhibit A) also is an accurate site plan of the area after redevelopment. [§18-2111(5)]

d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes. No changes are anticipated in building codes or ordinances. Nor are any other planning changes contemplated. [§18-2103(b) and §18-2111] Changes in street layouts will be provided by plan amendment to the extent changes in layout are implemented. Current zoning is I2, Heavy Industrial.

e. Site Coverage and Intensity of Use. The current building regulations provide the building density of the Redevelopment Area and are incorporated herein by this reference. Commercial and industrial development will provide a higher building intensity. Lot 1 contains an 80 foot by 125 foot building. Lot 2 will contain 2 buildings of 8,000 square feet each.

f. Additional Public Facilities or Utilities. Sewer and water main extensions will be required as a part of this plan. Other utilities would be impacted by the development. These include electrical lines and possibly paving. [§18-2103(b) and §18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This plan does not provide for acquisition of any occupied residences and therefore, no relocation is contemplated. [§18-2103.02]

5. Conflicts of interest by an Authority Member must be disclosed. No member of the CRA, nor any employee thereof holds any interest in any property impacted by this Redevelopment. [§18-2106]. In the event that a member of the Authority has a conflict, he or she shall so advise the Authority, in writing and shall abstain from any action that would present a conflict of interest.

6. The Act requires that the Authority consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers. The CRA pledges the tax increment revenue from Lot 1 and Lot 2 of the Redevelopment Project Area, and all other such lots from time to time to fund tax increment revenue Bonds. The proceeds of the Bonds shall be used to implement this redevelopment plan and the projects described above. The CRA shall deliver the Bonds to the Village which shall install and pay for the redevelopment projects. The CRA may acquire all or a part of the Redevelopment Project Area by

private purchase or as a grant from the Village. Disposal of any such property shall be either as a grant or for fair value at the time of disposition.

b. Statement of proposed method of financing the redevelopment project.

The CRA shall issue its Tax Increment Bond for each phase of the Plan (i.e. for each lot developed). However, the CRA shall not issue an aggregate total of such bonds in excess of the actual cost of infrastructure installation, engineering and legal expense. The Bonds shall be delivered to the Village and may be pledged to lending institutions for raising funds used to implement the redevelopment projects.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Statutory consideration prior to recommending a redevelopment Plan. Section 18-2113 of the Act requires: Prior to recommending a redevelopment plan to the governing body for approval, an Authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the Village and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The CRA has considered these elements in proposing this Plan. This Plan, in and of itself, will promote consistency with the Comprehensive Plan, in that it will allow for the utilization of undeveloped commercial and industrial lots.

8. Time Frame for Development. Development of these projects is anticipated to be begin during the 2016 calendar year. It will take a number of years to develop businesses in all of the lots in the Redevelopment Project Area.

9. Cost Benefit Analysis. Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The Authority does perceive a tax shift resulting from the proposed plan. The Building on Lot 1 of the Redevelopment Project Area is already constructed. However additional development is dependent on sewer and water. Therefore additional phases will not result in a tax shift.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

This plan provides for installation of infrastructure that will be paid from Tax Increment Revenues that will increase as a result of the project. No additional public service needs have been identified.

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;

There will be an impact on employers or employees in the Redevelopment Project Area as a result of this plan. It is intended that new businesses will locate in the area or that existing businesses will expand and locate in the area. This will have an impact of putting upward pressure on wages. The number of employees is not deemed overwhelming as it is intended that the site be developed over time and jobs will be added incrementally.

(d) Impacts on other employers and employees within the Village or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

Employers or employees outside the boundaries of the Redevelopment Project Area as a result of this plan may be impacted by an upward pressure in wages as unemployment in the county is below 3%.

(e) Any other impacts determined by the Authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

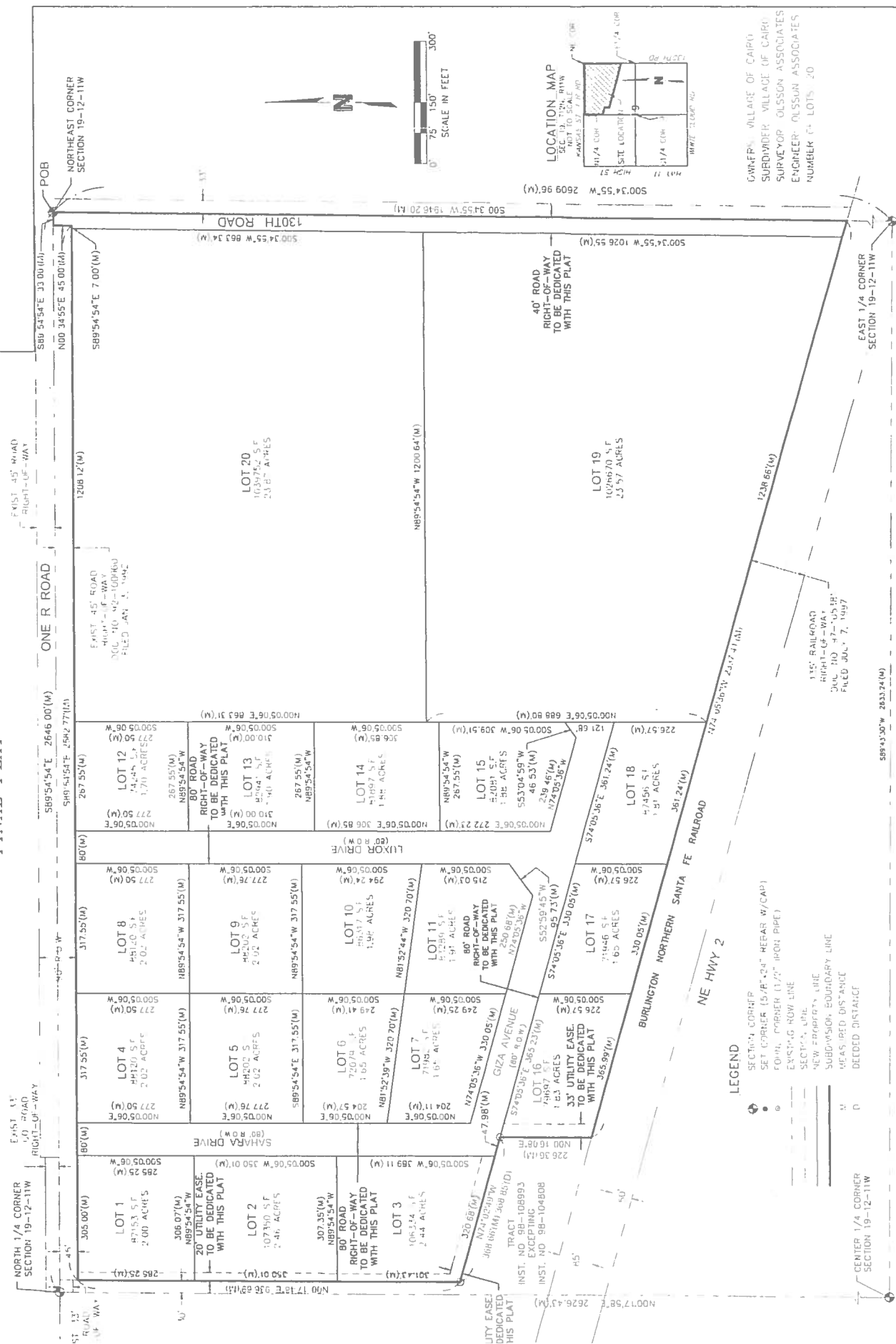
No other impacts have been identified as relevant by the CRA.

Exhibit A
(Subdivision Plat)

Exhibit B
(Estimated Cost of Sewer and Water Mains)

Sewer Main with Lift Station	\$370,000
Water Main	\$127,000 (not a closed loop)
Loop Water Main to Kansas Ave	<u>\$ 90,000</u>
Total	\$587,000

CAIRO BUSINESS PARK SECOND SUBDIVISION
HALL COUNTY, NEBRASKA
FINAL PLAT



INVITATION TO SUBMIT REDEVELOPMENT CONTRACT PROPOSALS

Public notice and invitation is hereby given by the Community Development Agency (Agency) of the Village of Cairo, Nebraska, to private developers or any persons interested undertaking the redevelopment of any area within the below described redevelopment area, to submit redevelopment contract proposals to the Agency. Further information as is available may be obtained at the office of the Agency located at the Village Hall, in the Village of Cairo. The Agency will consider all redevelopment proposals and the financial and legal ability of the prospective developers to carry out the proposals and the Agency may negotiate with any developers for purchase or lease of any real property in the redevelopment area. The Agency may accept such redevelopment contract proposal as it deems to be in the public interest as provided by the Nebraska Community Development Law. The redevelopment area affected by this notice is described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2 OF HOCHSTETLER SUBDIVISION, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF STATE HIGHWAY 11 AND THE POINT OF BEGINNING; THENCE WESTERLY TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTHERLY TO THE NORTHWEST CORNER OF SAID LOT 2, SAID POINT BEING ON THE SOUTH R.O.W. LINE OF OASIS STREET; THENCE NORTHERLY TO A POINT ON THE NORTH R.O.W. LINE OF OASIS STREET, SAID POINT BEING THE SOUTHWEST CORNER OF AN UNPLATTED TRACT OF LAND LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 12 WEST; THENCE NORTHERLY TO THE NORTHWEST CORNER OF AN UNPLATTED TRACT OF LAND LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 12 NORTH, RANGE 12 WEST, SAID POINT ALSO BEING ON SOUTH R.O.W. LINE OF SYRIA STREET; THENCE NORTHERLY TO A POINT ON THE NORTH R.O.W. LINE OF SYRIA STREET, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 6, BLOCK 4 OF FIRST ADDITION TO CAIRO; THENCE NORTHERLY TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4 OF FIRST ADDITION TO CAIRO, SAID POINT BEING ON THE SOUTH R.O.W. LINE OF MECCA STREET; THENCE NORTHERLY TO A POINT ON THE NORTH R.O.W. LINE OF MECCA STREET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 12, BLOCK 15 OF ORIGINAL TOWN OF CAIRO; THENCE NORTHERLY TO THE NORTHWEST CORNER OF LOT 1, BLOCK 15 OF ORIGINAL TOWN OF CAIRO, SAID POINT BEING ON

OF ORIGINAL TOWN OF CAIRO; THENCE NORTHERLY TO THE NORTHWEST CORNER OF LOT 1, BLOCK 10 OF ORIGINAL TOWN OF CAIRO, SAID POINT BEING ON THE SOUTH R.O.W. LINE OF MEDINA STREET; THENCE NORTHERLY TO A POINT ON THE NORTH R.O.W. LINE OF MEDINA STREET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 12, BLOCK 5 OF ORIGINAL TOWN OF CAIRO; THENCE NORTHERLY TO THE NORTHWEST CORNER OF LOT 1, BLOCK 5 OF ORIGINAL TOWN OF CAIRO, SAID POINT BEING ON THE SOUTH R.O.W. LINE OF STATE HIGHWAY 2; THENCE NORTHERLY TO THE POINT OF INTERSECTION OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 5 ALLEY R.O.W. AND THE NORTH LINE OF BNSF RAILROAD R.O.W.; THENCE SOUTHEASTERLY ALONG SAID NORTH R.O.W. LINE TO A SOUTHWESTERLY CORNER OF CAIRO BUSINESS PARK SUBDIVISION; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID CAIRO BUSINESS PARK SUBDIVISION TO THE POINT OF INTERSECTION OF THE NORTHERLY EXTENSION OF SAID WESTERLY LINE AND THE NORTH R.O.W. LINE OF ONE R ROAD; THENCE EASTERLY ALONG SAID NORTH R.O.W. LINE TO THE POINT OF INTERSECTION OF SAID NORTH R.O.W. LINE AND THE EAST R.O.W. LINE OF 130TH ROAD; THENCE SOUTHERLY ALONG SAID EAST R.O.W. LINE TO THE POINT OF INTERSECTION OF SAID EAST R.O.W. LINE AND THE SOUTH R.O.W. LINE OF STATE HIGHWAY 2; THENCE NORTHWESTERLY ALONG SAID SOUTH R.O.W. LINE TO THE POINT OF INTERSECTION OF SAID SOUTH R.O.W. LINE AND THE WEST R.O.W. LINE OF THE BE STREET; THENCE SOUTHERLY ALONG THE WEST R.O.W. LINE OF THE BE STREET TO THE POINT OF INTERSECTION OF SAID WEST R.O.W. LINE AND THE NORTH R.O.W. LINE OF MEDINA STREET; THENCE WESTERLY ALONG SAID NORTH R.O.W. LINE TO THE POINT OF INTERSECTION OF SAID NORTH R.O.W. LINE AND THE EAST R.O.W. LINE OF ALEXANDRIA STREET; THENCE WESTERLY TO THE POINT OF INTERSECTION OF SAID NORTH R.O.W. LINE

AND THE WEST R.O.W. LINE OF ALEXANDRIA STREET; THENCE WESTERLY ALONG SAID NORTH R.O.W. TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 6 OF ORIGINAL TOWN OF CAIRO; THENCE SOUTHERLY TO A POINT ON THE SOUTH R.O.W. LINE OF MEDINA STREET, SAID POINT BEING THE NORTHEAST CORNER OF LOT 18, BLOCK 9 OF ORIGINAL TOWN OF CAIRO; THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 9 OF ORIGINAL TOWN OF CAIRO, SAID POINT

18, BLOCK 16 OF ORIGINAL TOWN OF CAIRO; THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 16 OF ORIGINAL TOWN OF CAIRO, SAID POINT BEING ON THE NORTH R.O.W. LINE OF MECCA STREET; THENCE SOUTHERLY TO A POINT ON THE SOUTH R.O.W. LINE OF MECCA STREET, SAID POINT BEING THE NORTHEAST CORNER OF LOT 12, BLOCK 3 OF FIRST ADDITION TO CAIRO; THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 3 OF FIRST ADDITION TO CAIRO, SAID POINT ALSO BEING ON THE NORTH R.O.W. LINE OF SYRIA STREET; THENCE SOUTHERLY TO A POINT ON THE SOUTH R.O.W. LINE OF SYRIA STREET, SAID POINT ALSO BEING THE NORTHEAST CORNER OF AN UNPLATTED TRACT OF LAND LOCATED IN THE NW 1/4 OF SECTION 19, TOWNSHIP 12 NORTH, RANGE 11 WEST; THENCE SOUTHERLY TO THE NORTHEAST CORNER OF LOT 1 OF D&W SUBDIVISION; THENCE SOUTHERLY TO SOUTHWEST CORNER OF SAID LOT 1; THENCE WESTERLY TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID POINT BEING ON THE EAST R.O.W. LINE OF STATE HIGHWAY 11; THENCE WESTERLY TO A POINT ON THE WEST R.O.W. LINE OF SAID STATE HIGHWAY 11; THENCE SOUTHERLY ALONG SAID WEST R.O.W. LINE TO THE POINT OF BEGINNING ALL IN THE VILLAGE OF CAIRO, HALL COUNTY, NEBRASKA.

All interested developers or interested parties may submit redevelopment contract proposals to the Agency and further information as is available may be obtained at the office of the Agency in the Village of Cairo.

The above item(s) may be reviewed during normal office hours at the Village Hall located at 402 High Street, Cairo, Nebraska.

Christy Osburn,
Deputy Village Clerk
September 15 & 22, 2016
ZNEZ

**ORDINANCE NO. 449
AN ORDINANCE TO ADOPT
THE BUDGET STATEMENT TO BE
TERMED THE ANNUAL APPROPRIATION
BILL; TO APPROPRIATE
SUMS FOR NECESSARY EXPENSES
AND LIABILITIES, TO PROVIDE
FOR AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE CHAIRPERSON AND THE VILLAGE BOARD OF THE VILLAGE OF CAIRO, NEBRASKA.

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2016 through September 30, 2017. All sums of money contained in the budget statement are hereby appropriated for the necessary purposes

Resolution Number 2017-05

HALL COUNTY REGIONAL PLANNING COMMISSION

**A RESOLUTION RECOMMENDING APPROVAL OF A SITE SPECIFIC
REDEVELOPMENT PLAN OF VILLAGE OF CAIRO, NEBRASKA; AND
APPROVAL OF RELATED ACTIONS**

WHEREAS, the Chairman and Board of the Village of Cairo, Nebraska (the “**Board**”), referred the **Redevelopment Plan of the Cairo Business Park** 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 Village of Cairo, Hall County, Nebraska, pursuant to Section 18-2112 of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”); and

WHEREAS, the Commission has reviewed said Redevelopment Plan as to its conformity with the general plan for the development of the Village of Cairo, Hall County finding;

The proposed use as described in this plan is in compliance with the Comprehensive Plan for the Village of Cairo.

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

Section 1. The Commission hereby recommends approval of the Redevelopment Plan.

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: February 1, 2017.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary



Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item F4

Redevelopment Plan 112 W. 2nd

Staff Contact: Chad Nabity

Agenda Item #7

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

January 25, 2017

SUBJECT:

Redevelopment plan amendment for property located in Blight and Substandard Area 1 for a Site Specific Redevelopment Plan for property located at the 112 W 2nd Street in Grand Island, in Hall County, Nebraska to support this development. (C-10-2017GI)

PROPOSAL:

Peaceful Root LLC is proposing to renovate the first floor of this space for commercial space and parking and the second for upper-story commercial and residential uses. The property is zoned B3 Heavy Business and a mixed use building such as this is a permitted principle use.

OVERVIEW:

The purpose of the CRA and the designated blight and substandard areas is to provide incentives for development in underdeveloped areas of the community. This proposed plan encourages a mix of commercial and residential uses that has been identified as a priority for development in the downtown area. This area has already been declared blighted and substandard by the CRA, the Hall County Regional Planning Commission and the Grand Island City Council.

This project is **consistent** with the **existing zoning** and the **future land use plan** for this area within the City of Grand Island. This is evident by the fact that the property is zoned B3 Heavy Business. The B3 zone allows for a variety of commercial, office and residential uses including those proposed with this plan as permitted principal uses.

The Regional Planning Commission recommendation is limited to the appropriateness of the proposed use at this location. The Grand Island Comprehensive Plan calls commercial and residential uses here.

The Planning Commission is required to comment on these applications to confirm that expenditure of public funds through TIF is not supporting uses that would be inconsistent with the Comprehensive Plan. The proposed use for a mixed use development at this location appears to be supported by the plan.

RECOMMENDATION:

That the Regional Planning Commission recommends that City Council **approve** of the redevelopment plan amendment as submitted. A resolution is attached for your consideration.

_____ Chad Nabity AICP, Planning Director

Redevelopment Plan Amendment Grand Island CRA Area 1 December 2016

The Community Redevelopment Authority (CRA) of the City of Grand Island intends to amend the Redevelopment Plan for Area 1 within the city, pursuant to the Nebraska Community Development Law (the “Act”) and provide for the financing of a specific infrastructure related project in Area 1.

Executive Summary:

Project Description

THE REDEVELOPMENT OF THE BUILDING LOCATED AT 112 W 2nd STREET FOR COMMERCIAL AND RESIDENTIAL USES, INCLUDING FIRE/LIFE SAFETY IMPROVEMENTS AND BUILDING REHABILITATION AND REMODELING.

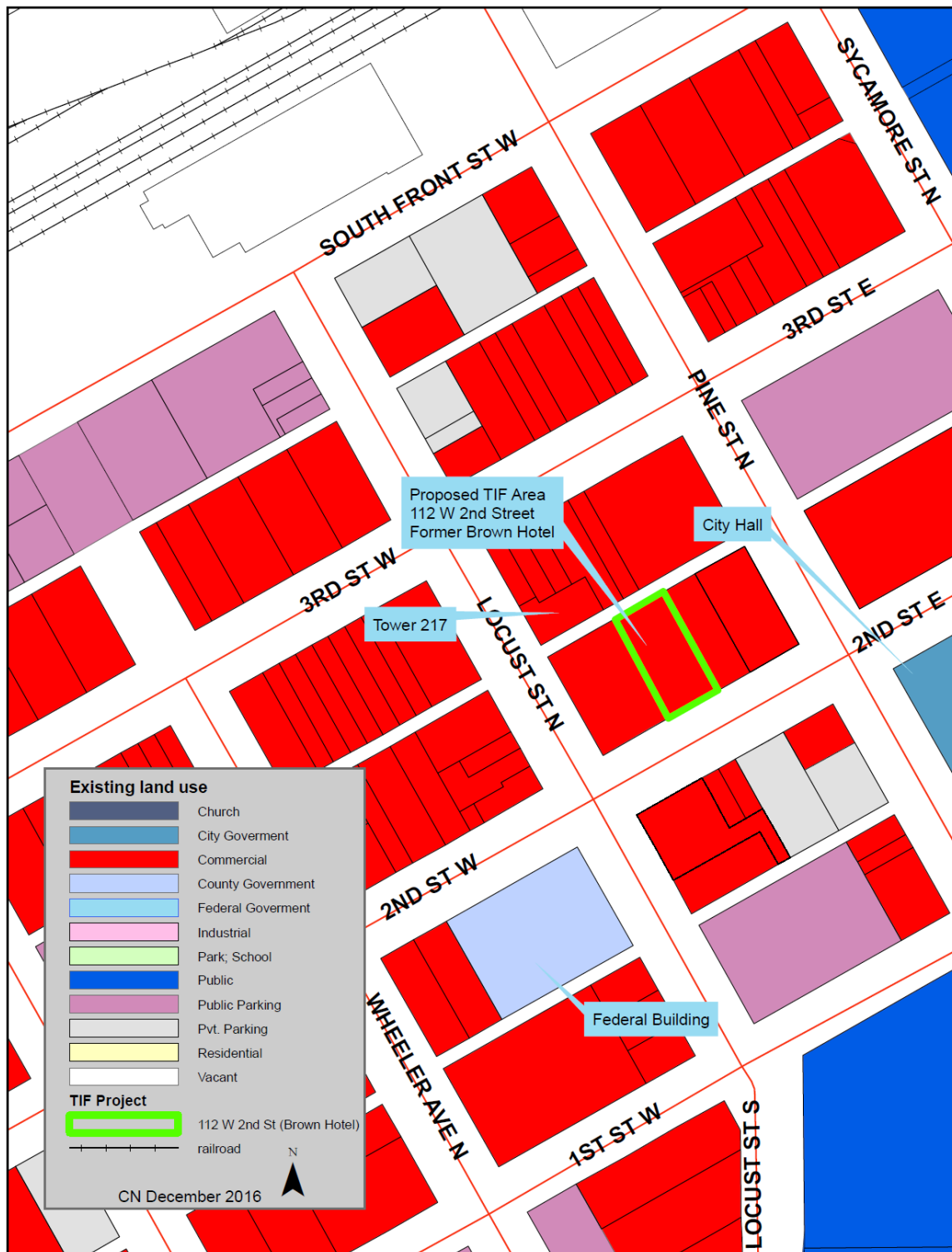
The use of Tax Increment Financing to aid in rehabilitation expenses associated with redevelopment of the Former Brown Hotel Building located at 112 W. 2nd Street into a mixed use building containing three apartments, two tenant spaces, indoor covered parking and additional space in the basement. The use of Tax Increment Financing is an integral part of the development plan and necessary to make this project affordable. The project will result in renovating this historic building into a combination of commercial space and market rate residential units along with providing dedicated parking stalls for these and nearby residential units.. The addition of the residential units is consistent with the downtown redevelopment plan and priorities to add 50 residential units downtown by 2019. This project would not be possible without the use of TIF.

Peaceful Root LLC is the owner of the property. Peaceful Root LLC purchased this property in 2015. The purchase price is not included as an eligible TIF activity. The building is currently vacant. The developer is responsible for and has provided evidence that they can secure adequate debt financing to cover the costs associated with the remodeling and rehabilitation of this building. The Grand Island Community Redevelopment Authority (CRA) intends to pledge the ad valorem taxes generated over the 15 year period beginning January 1, 2018 towards the allowable costs and associated financing for the acquisition and site work.

TAX INCREMENT FINANCING TO PAY FOR THE REHABILITATION OF THE PROPERTY WILL COME FROM THE FOLLOWING REAL PROPERTY:
Property Description (the “Redevelopment Project Area”)

112 W. 2nd Street in Grand Island Nebraska (Former Brown Hotel)

Legal Descriptions: Easterly Two - thirds of Lot Six (6) and the Westerly One -third of Lot Seven (7), in Block Sixty -Six (66) in the Original Town, now City of Grand Island, Hall County, Nebraska



Existing Land Use and Subject Property

The tax increment will be captured for the tax years the payments for which become delinquent in years 2019 through 2032 inclusive.

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase will come from rehabilitation of this vacant historic building for commercial and residential uses as permitted in the B3 Heavy Business Zoning District.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan. Said taxes shall be divided as follows:

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. The Redevelopment Project Area has been declared blighted and substandard by action of the Grand Island City Council on December 19, 2000.[§18-2109] Such

declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.

2. Conformation to the General Plan for the Municipality as a whole. [§18-2103 (13) (a) and §18-2110]

Grand Island adopted a Comprehensive Plan on July 13, 2004. This redevelopment plan amendment and project are consistent with the Comprehensive Plan, in that no changes in the Comprehensive Plan elements are intended. This plan merely provides funding for the developer to rehabilitate the building for permitted uses on this property as defined by the current and effective zoning regulations. *The Hall County Regional Planning Commission held a public hearing at their meeting on February 1, 2014 and passed resolution _____ confirming that this project is consistent with the Comprehensive Plan for the City of Grand Island.*

3. The Redevelopment Plan must be sufficiently complete to address the following items: [§18-2103(13) (b)]

a. Land Acquisition:

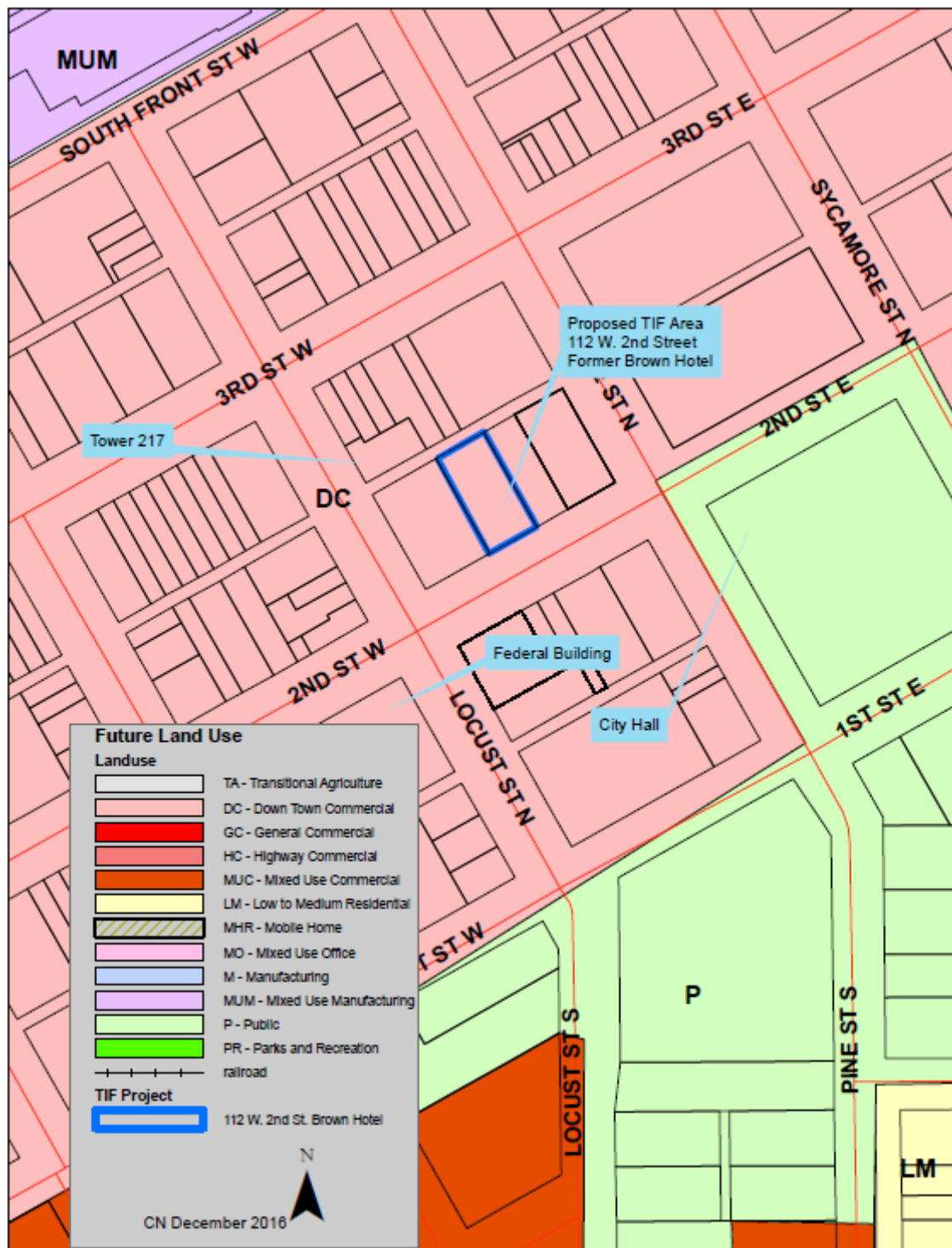
The Redevelopment Plan for Area 1 provides for real property acquisition and this plan amendment does not prohibit such acquisition. There is no proposed acquisition by the authority.

b. Demolition and Removal of Structures:

The project to be implemented with this plan does not provide for the demolition and removal any structures on this property.

c. Future Land Use Plan

See the attached map from the 2004 Grand Island Comprehensive Plan. All of the area around the site in private ownership is planned for Downtown Commercial development; this includes housing and commercial uses within the same structure. This property is in private ownership. [§18-2103(b) and §18-2111] The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5)]



City of Grand Island Future Land Use Map

d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes.

The area is zoned B3-Heavy Business zone. No zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances. Nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

e. Site Coverage and Intensity of Use

The developer is rehabilitating the existing building. The developer is not proposing to increase the size of the building and current building meets the applicable regulations regarding site coverage and intensity of use. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

Sewer and water are available to support this development. The developer will be required to extend a water line capable of providing sufficient water for the sprinkler system required to convert this building in a multifamily apartment building.

Electric utilities are sufficient for the proposed use of this building.

No other utilities would be impacted by the development.

The developer will be responsible for replacing any sidewalks damaged during construction of the project.

No other utilities would be impacted by the development. [§18-2103(b) and §18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property, owned by the developer, is vacant and has been vacant for more than 1 year; no relocation is contemplated or necessary. [§18-2103.02]

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106] No members of the authority or staff of the CRA have any interest in this property.

6. Section 18-2114 of the Act requires that the Authority consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The developer owns this property and acquisition is not part of the request for tax increment financing. The estimated costs of rehabilitation of this property is \$884,400

planning related expenses for Architectural and Engineering services of \$22,000 and are included as a TIF eligible expense. Legal, Developer and Audit Fees including a reimbursement to the City and the CRA of \$12,000 are included as TIF eligible expense. The total of eligible expenses for this project is \$918,400. The CRA has been asked to grant \$50,000 to this project to offset the cost of life safety improvements. The total eligible expenses for this project less other grant funds by the CRA is \$868,400.

No property will be transferred to redevelopers by the Authority. The developer will provide and secure all necessary financing.

b. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the sum of \$263,000 from the proceeds of the TIF. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2018 through December 2032.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Comprehensive Plan. This will have the intended result of preventing recurring elements of unsafe buildings and blighting conditions. This will accomplish the goal of both the Downtown Business Improvement District and the Grand Island City Council of increasing the number of residential units available in the Downtown area. This specific plan also increases the

availability of parking by providing private reserved spaces for residents in this and nearby buildings.

8. Time Frame for Development

Development of this project is anticipated to be completed between April 2017 and December of 2017. Excess valuation should be available for this project for 15 years beginning with the 2018 tax year.

9. Justification of Project

This is an historic building in downtown Grand Island that will be preserved with this project. The addition of a new upper story residential unit is consistent with goals to build 50 new residential units in downtown Grand Island by 2019 and with the goals of the 2014 Grand Island housing study and Grow Grand Island. The main floor will be used for both tenant space and indoor reserved parking.

10. Cost Benefit Analysis Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, *Neb. Rev. Stat.* (2012), the City of Grand Island has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses. Approximately \$263,000 in public funds from tax increment financing provided by the Grand Island Community Redevelopment Authority will be required to complete the project. This property has requested a life/safety grant of \$50,000. This investment by the Authority will leverage \$873,840 in private sector financing; a private investment of \$2.79 for every TIF and grant dollar investment.

Description	Use of Funds.			
	TIF Funds	Other Grants	Private Funds	Total
Site Acquisition			\$180,000	\$180,000
Legal and Plan*			\$12,000	\$12,000
Engineering/Arch			\$22,000	\$22,000
Renovation	\$263,000	\$50,000	\$571,400	\$884,400
Financing Fees			\$	\$
Contingency			\$88,440	\$88,440
TOTALS	\$263,000	\$50,000	\$873,840	\$1,186,840

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2017, valuation of approximately \$205,086. Based on the 2016 levy this would result in a real property tax of approximately \$4,457. It is anticipated that the assessed value will increase by \$809,452 upon full completion, as a result of the site redevelopment. This

development will result in an estimated tax increase of over \$17,590 annually. The tax increment gained from this Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

Estimated 2016 assessed value:	\$ 205,086
Estimated value after completion	\$ 1,014,538
Increment value	\$ 809,452
Annual TIF generated (estimated)	\$ 17,590
TIF bond issue	\$ 263,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The redevelopment project area currently has an estimated valuation of \$205,086. The proposed redevelopment will create additional valuation of \$809,452. No tax shifts are anticipated from the project. The project creates additional valuation that will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. It is not anticipated that this will impact schools in any significant way. Fire and police protection are available and should not be negatively impacted by this development. The addition of life safety elements to this building including fire sprinklers and a second exit actually reduce the chances of negative impacts to the fire department.

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;

This will provide additional housing options in the downtown area consistent with the planned development in Downtown Grand Island.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Grand Island area. This will provide housing options for employees of Downtown businesses that wish to live Downtown.

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

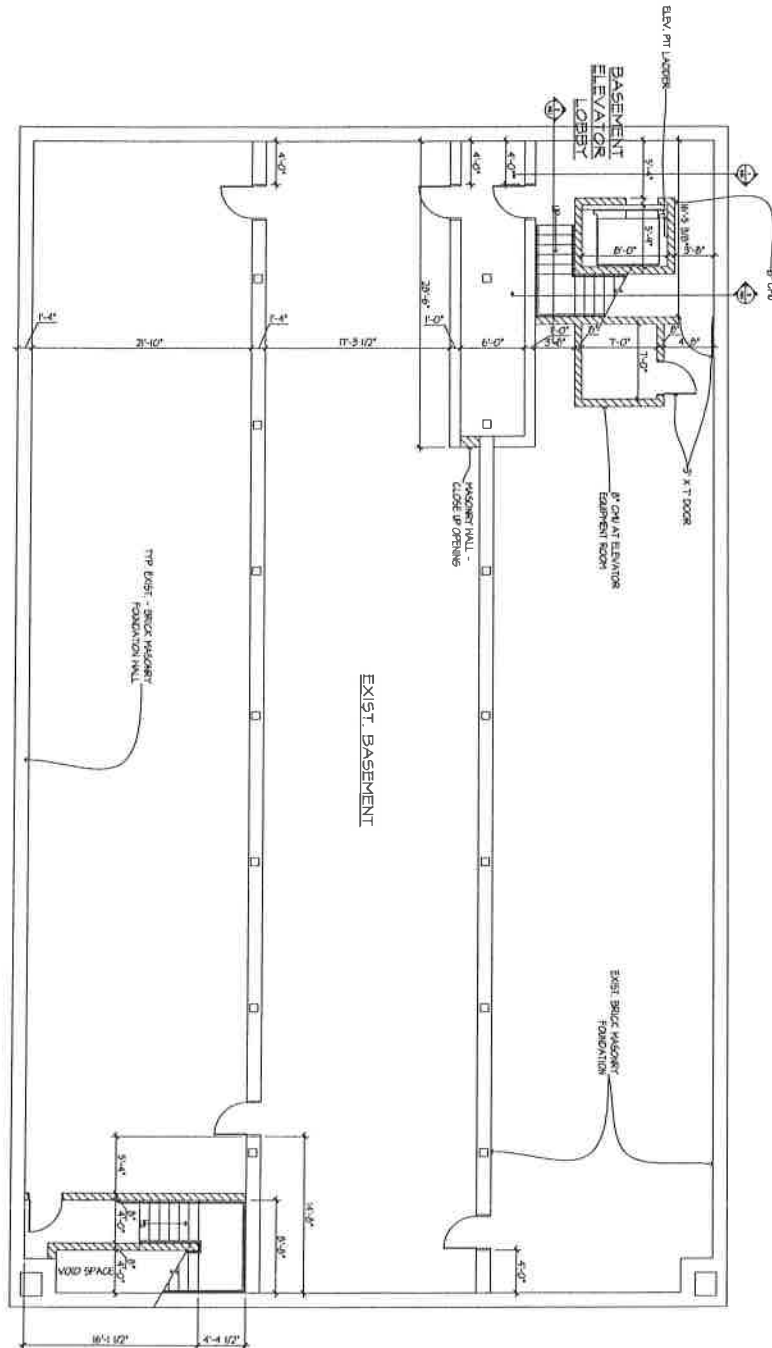
This project is consistent the goals of the Council, the Downtown BID, the CRA, and Grow Grand Island to create additional housing units in downtown Grand Island.

Time Frame for Development

Development of this project is anticipated to be completed during between April of 2017 and December 31 of 2017. The base tax year should be calculated on the value of the property as of January 1, 2017. Excess valuation should be available for this project for 15 years beginning in 2018 with taxes due in 2019. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years or an amount not to exceed \$263,000 the projected amount of increment based upon the anticipated value of the project and current tax rate. Based on the estimates of the expenses of the rehabilitation the developer will spend at least \$918,400 on TIF eligible activities in excess of other grants given. The CRA will reserve the right to issue additional debt for this project upon notification by the developer of sufficient expenses and valuation to support such debt in the form of a second or third bond issuance.

INDEX OF DRAWINGS

ARCHITECTURAL
 A10 FIRST FLOOR PLAN
 A11 SECOND FLOOR PLAN
 A12 THIRD FLOOR PLAN
 A13 STAIR SECTIONS



BASEMENT PLAN
 SCALE: 3/8" = 1'-0"
 NORTH
 TOTAL NITPA IS FIRE
 SPRINKLERED BUILDING

WEBB & COMPANY ARCHITECTS, LLC HAS
 PROVIDED THIS INFORMATION FOR YOUR
 INFORMATION ONLY. IT IS NOT RESPONSIBLE
 FOR ANY CONSTRUCTION OF THIS
 PROJECT.

COPYRIGHT © 2016
 ALL RIGHTS RESERVED. ALL INFORMATION CONTAINED
 HEREIN IS THE PROPERTY OF WEBB & COMPANY
 ARCHITECTS, LLC. NO PART OF THIS DRAWING MAY BE
 REPRODUCED OR TRANSMITTED IN ANY FORM OR BY
 ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT
 PERMISSION IN WRITING FROM WEBB & COMPANY
 ARCHITECTS, LLC.

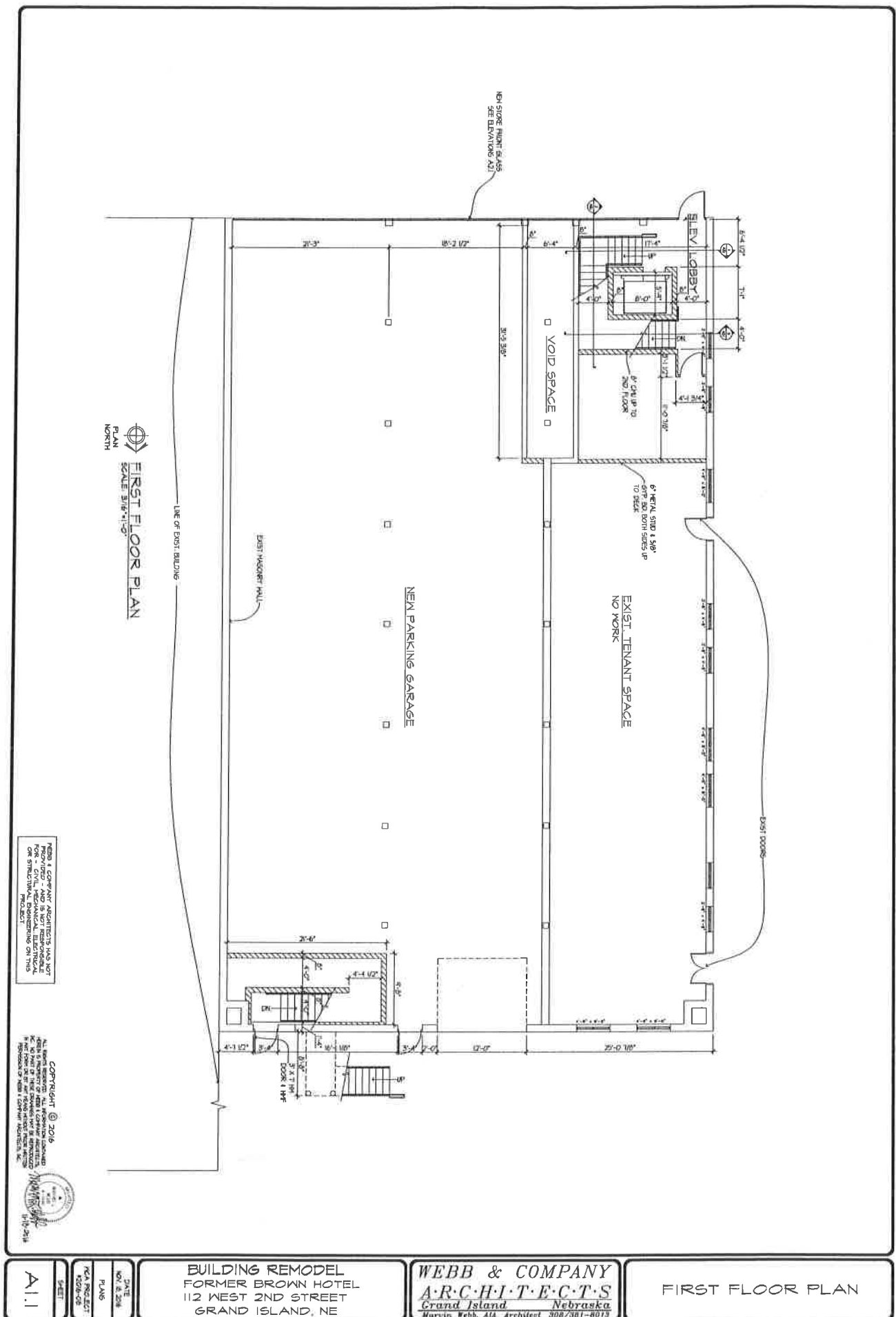
A10

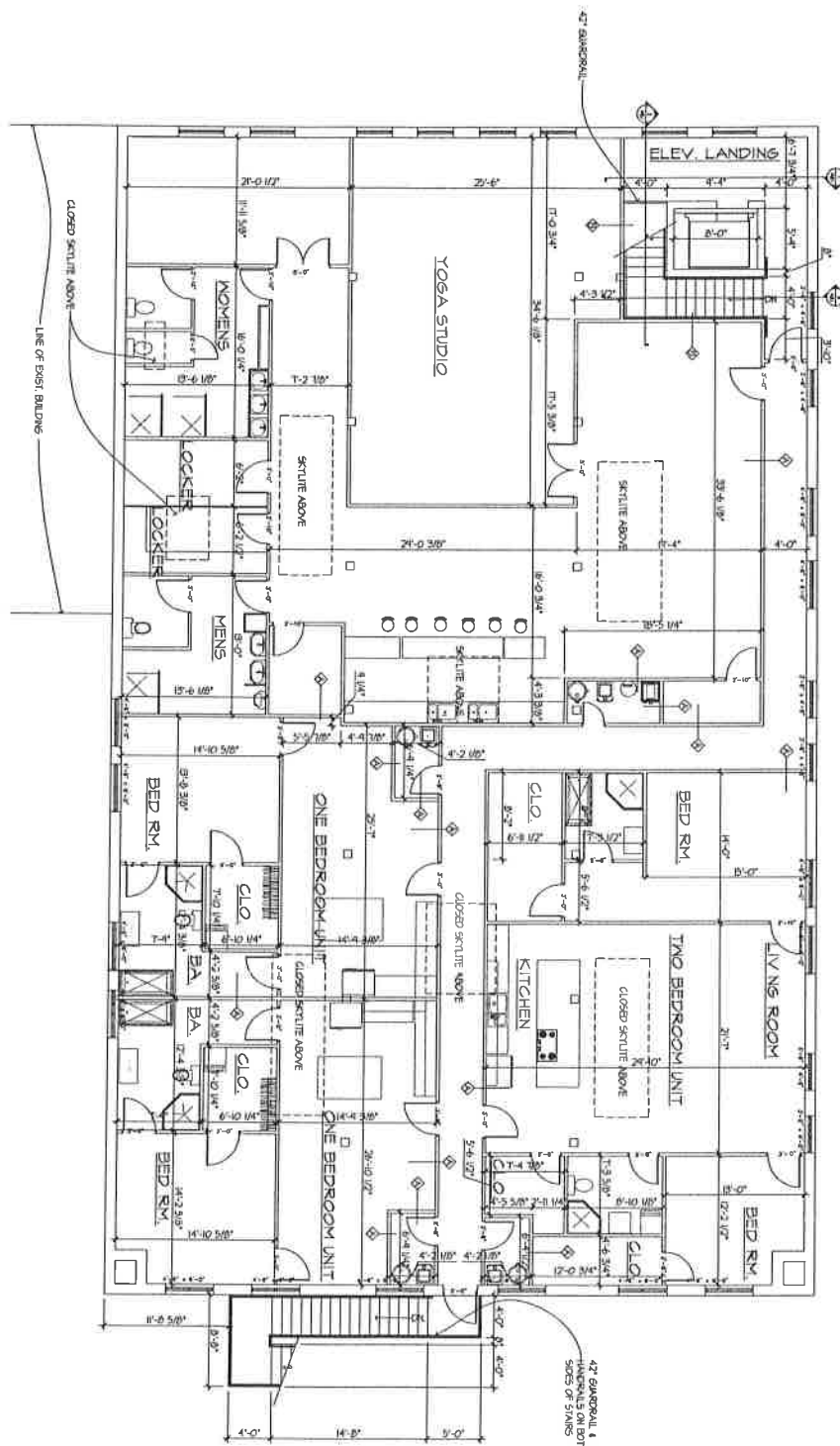
DATE: NOV 18, 2016
 PLANS: NCA PROJ-EDT
 42016-08

BUILDING REMODEL
 FORMER BROWN HOTEL
 112 WEST 2ND STREET
 GRAND ISLAND, NE

WEBB & COMPANY
 ARCHITECTS
 Grand Island, Nebraska
 Marvin Webb, AIA Architect 308/381-8013

BASEMENT PLAN





SECOND FLOOR PLAN
 SCALE 3/8" = 1'-0"
 NORTH
 ALL DOORS IN ONE HOUR FIRE RATED CORRIDOR WALLS
 SHALL BE 45 MIN. FIRE RATED SOLID CORE DOOR DOORS
 WITH DOOR CLOSERS & SMOKE SEALS.

WEBB & COMPANY ARCHITECTS HAS NOT
 BEEN LICENSED TO PROVIDE ARCHITECTURAL
 OR STRUCTURAL ENGINEERING ON TWO
 PROJECTS.

COPYRIGHT © 2016
 ALL RIGHTS RESERVED. NO PART OF THIS
 DRAWING IS TO BE REPRODUCED OR
 TRANSMITTED IN ANY FORM OR BY ANY
 MEANS, ELECTRONIC OR MECHANICAL,
 INCLUDING PHOTOCOPYING, RECORDING,
 OR BY ANY INFORMATION STORAGE AND
 RETRIEVAL SYSTEM, WITHOUT THE
 WRITTEN PERMISSION OF WEBB & COMPANY
 ARCHITECTS, LLC.

A1.2

SHEET

PCA PROJECT

PLANS

DATE

NOV 8, 2016

BUILDING REMODEL
 FORMER BROWN HOTEL
 112 WEST 2ND STREET
 GRAND ISLAND, NE

WEBB & COMPANY
ARCHITECTS
 Grand Island, Nebraska
 Marvin Webb, AIA Architect 308/381-8013

SECOND FLOOR PLAN

Resolution Number 2017-06

HALL COUNTY REGIONAL PLANNING COMMISSION

**A RESOLUTION RECOMMENDING APPROVAL OF A SITE SPECIFIC
REDEVELOPMENT PLAN OF THE CITY OF GRAND ISLAND, NEBRASKA;
AND APPROVAL OF RELATED ACTIONS**

WHEREAS, the Chairman and Board of the Community Redevelopment Authority of the City of Grand Island, Nebraska (the “**Authority**”), referred **the Redevelopment Plan for 112 W. Second St. by Peaceful Root LLC** 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 Section 18-2112 of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”); and

WHEREAS, the Commission has reviewed said Redevelopment Plan as to its conformity with the general plan for the development of the City of Grand Island, Hall County finding;

The proposed use as described in this plan is in compliance with the Comprehensive Plan for the City of Grand Island.

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

Section 1. The Commission hereby recommends approval of the Redevelopment Plan.

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: February 1, 2017.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary



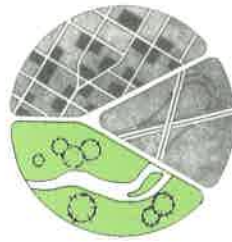
Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item M1

Nagy's 3rd Subdivision

Staff Contact: Chad Nabity



THE REGIONAL PLANNING COMMISSION of Hall County, Grand Island, Wood River and the Villages of Alda, Cairo and Doniphan, Nebraska

January 25, 2017

Dear Members of the Board:

RE: Final Plat – Nagy's Third Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Nagy's Subdivision, located in Grand Island, in Hall County, Nebraska.

This final plat proposes to create 2 lots, on a tract of land comprising the westerly two thirds (W. 2/3) of Lot Seven (7), Block Twenty Three (23), Nagy's Addition to the City of Grand Island, Nebraska, said tract containing 0.132 acres.

You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on February 1, 2017 in the Council Chambers located in Grand Island City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
Manager of Postal Operations
Benjamin and Associates

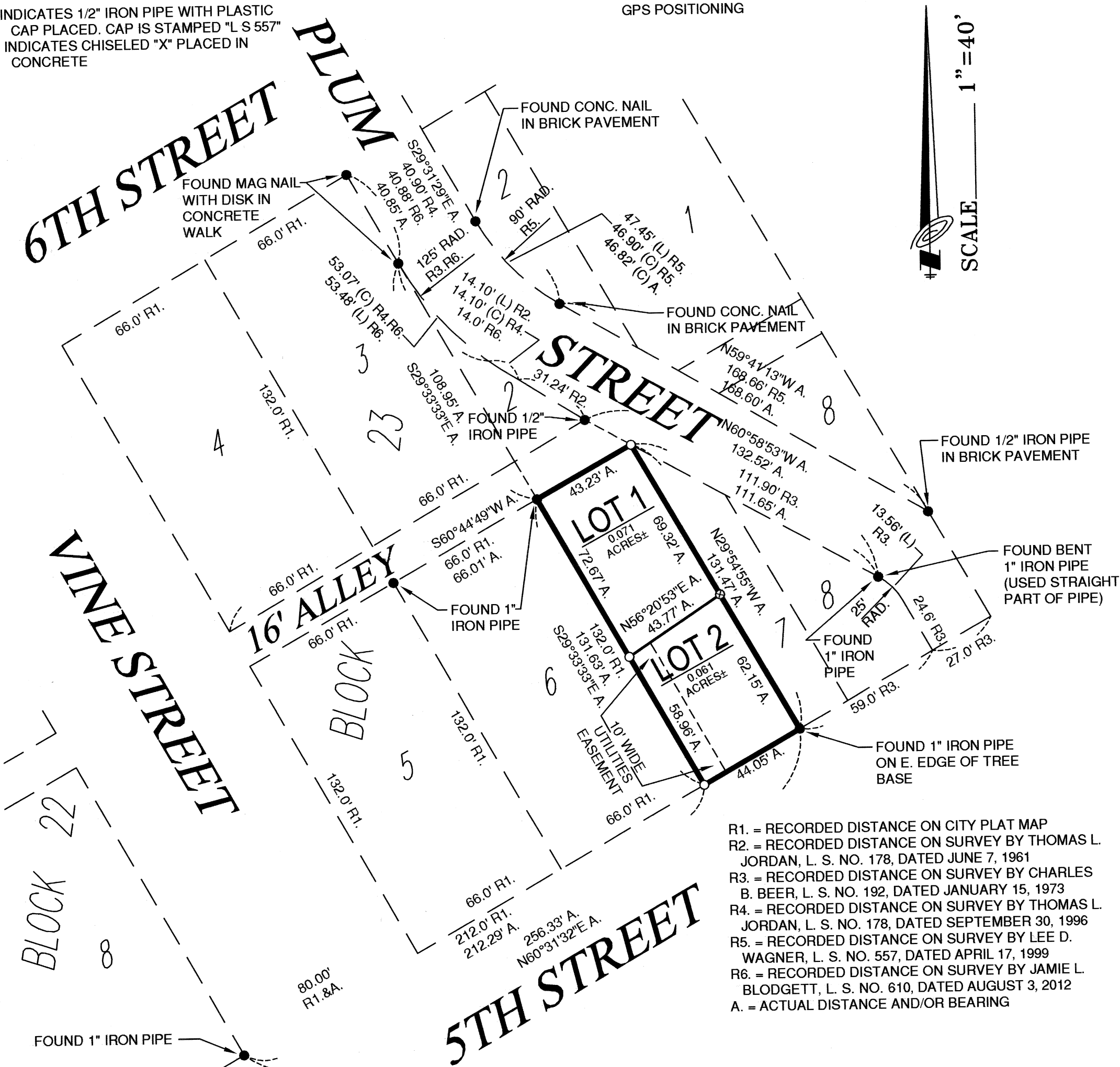
This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.



- - INDICATES 1/2" IRON PIPE WITH PLASTIC CAP PLACED. CAP IS STAMPED "L S 557"
⊗ - INDICATES CHISELED "X" PLACED IN CONCRETE

NOTE: BEARINGS SHOWN ARE BASED ON GPS POSITIONING

SCALE 1" = 40'



R1. = RECORDED DISTANCE ON CITY PLAT MAP
R2. = RECORDED DISTANCE ON SURVEY BY THOMAS L. JORDAN, L. S. NO. 178, DATED JUNE 7, 1961
R3. = RECORDED DISTANCE ON SURVEY BY CHARLES B. BEER, L. S. NO. 192, DATED JANUARY 15, 1973
R4. = RECORDED DISTANCE ON SURVEY BY THOMAS L. JORDAN, L. S. NO. 178, DATED SEPTEMBER 30, 1996
R5. = RECORDED DISTANCE ON SURVEY BY LEE D. WAGNER, L. S. NO. 557, DATED APRIL 17, 1999
R6. = RECORDED DISTANCE ON SURVEY BY JAMIE L. BLODGETT, L. S. NO. 610, DATED AUGUST 3, 2012
A. = ACTUAL DISTANCE AND/OR BEARING

SURVEYOR'S CERTIFICATE

I hereby certify that on _____, 2017, I completed an accurate survey (made under my supervision) of "NAGY'S THIRD SUBDIVISION" in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof; that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron markers were placed at all corners as shown on the plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

Lee D. Wagner, Registered Land Surveyor No. 557

LEGAL DESCRIPTION

(PER WARRANTY DEED 200702511, HALL COUNTY REGISTER OF DEEDS OFFICE)

A tract of land comprising the Westerly Two Thirds (W. 2/3) of Lot Seven (7), Block Twenty Three (23), Nagy's Addition to the City of Grand Island, Hall County, Nebraska, said tract containing 0.132 acres, more or less.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that J & B RENTALS, L.L.C., a Limited Liability Company, being the owner of the land described hereon, have caused same to be subdivided, platted and designated as "NAGY'S THIRD SUBDIVISION" in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the easements, if any, for the location construction and maintenance of public service utilities forever, together with the right of ingress and egress thereto, and hereby prohibiting the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements, and that the foregoing subdivision as more particularly described in the description hereon as appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, we have affixed our signatures hereto at _____, Nebraska, this _____ day of _____, 2017.

J & B RENTALS, L.L.C.,
a Limited Liability Company

William P. Ziller, Member

Julann K. Ziller, Member

ACKNOWLEDGEMENT

State of Nebraska

ss

County of Hall

On the _____ day of _____, 2017, before me, _____, a Notary Public within and for said County, personally appeared William P. Ziller, Member of J & B RENTALS, L.L.C., a Limited Liability Company, and Julann K. Ziller, Member of J & B RENTALS, L.L.C., a Limited Liability Company, to me personally known to be the identical persons whose signatures are affixed hereto, and they did acknowledge the execution thereof to be his and her voluntary act and deed as such Members, and the voluntary act and deed of said Limited Liability Company, and that they were empowered to make the above dedication for and in behalf of said Limited Liability Company.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at _____, Nebraska, on the date last above written.

My commission expires _____.

Notary Public

(SEAL)

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and the Villages of Alda, Cairo and Doniphan, Nebraska.

Chairman

Date

Approved and accepted by the City of Grand Island, Nebraska, this _____ day of _____, 2017.

Mayor

City Clerk

NAGY'S THIRD SUBDIVISION
IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
BENJAMIN & ASSOCIATES, INC. - ENGINEERS & SURVEYORS - GRAND ISLAND, NEBRASKA

SHEET 1 OF 1





Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item 1

Overall Blight Study CHAAP

Staff Contact: Chad Nabity

Agenda Item # 9

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING January 24, 2017

SUBJECT: Substandard and Blight Designation for property at the Cornhusker Army Ammunition Plant (CHAAP)

Background:

At the January 4, meeting of the Hall County Regional Planning Commission a blighted and substandard study for Grand Island Redevelopment Area 20 was considered and recommended for approval. Area 20 is a 285 acre portion of the almost 20 square miles that encompass this formerly used defense site. A second study Area 22, another 280 acres, will be considered at the February Planning Commission meeting.

Concern was expressed by Planning Commissioners that these studies were coming in piecemeal. The question was asked about declaring all, or a large portion, of CHAAP blighted and substandard with a single study. The smaller studies were done at the request of the property owners and they paid for the studies, limiting those studies to areas that they had an interest in. The Planning Commission interest extends beyond the benefits to a single or small group of property owners and asked that an item be placed on the February meeting agenda to discuss, and possibly take action, on a wider view of the redevelopment of CHAAP.

The State of Nebraska changed the Community Development Law in 2013 and gave the power to approve redevelopment plans for the use of Tax Increment Financing to cities of the first class on formerly used defense sites located in the same county as the city of the first class. Hall County has one formerly used defense site, CHAAP, and one city of the first class, Grand Island. The CHAAP is located between Airport Road and Husker Highway on the north and south and 60th Road and Schauppsville Road on the east and west. There are four primary zoning districts as defined by the approved reuse plan for the ammunition plant.

AG-SE-Special Agriculture/Events Zone (Husker Harvest Days)

Intent This special use district is to allow for agricultural uses as well as special agricultural demonstration event, expositions and trade shows that require large land areas, in accordance with the Cornhusker Army Ammunition Plant (CAAP) Comprehensive Reuse Plan. Ranch and farm dwellings are not allowed due to Environmental Protection Agency issues with the CAAP site. Adult Establishments are permitted uses in this Zoning District, but are regulated to control the negative secondary effects of these uses, as set forth in Article 3, Section 3.29. Reference Resolution 15-067 Adopted, November 3, 2015

AG-SI-Special Agriculture/Industrial Zone (Old Load Lines)

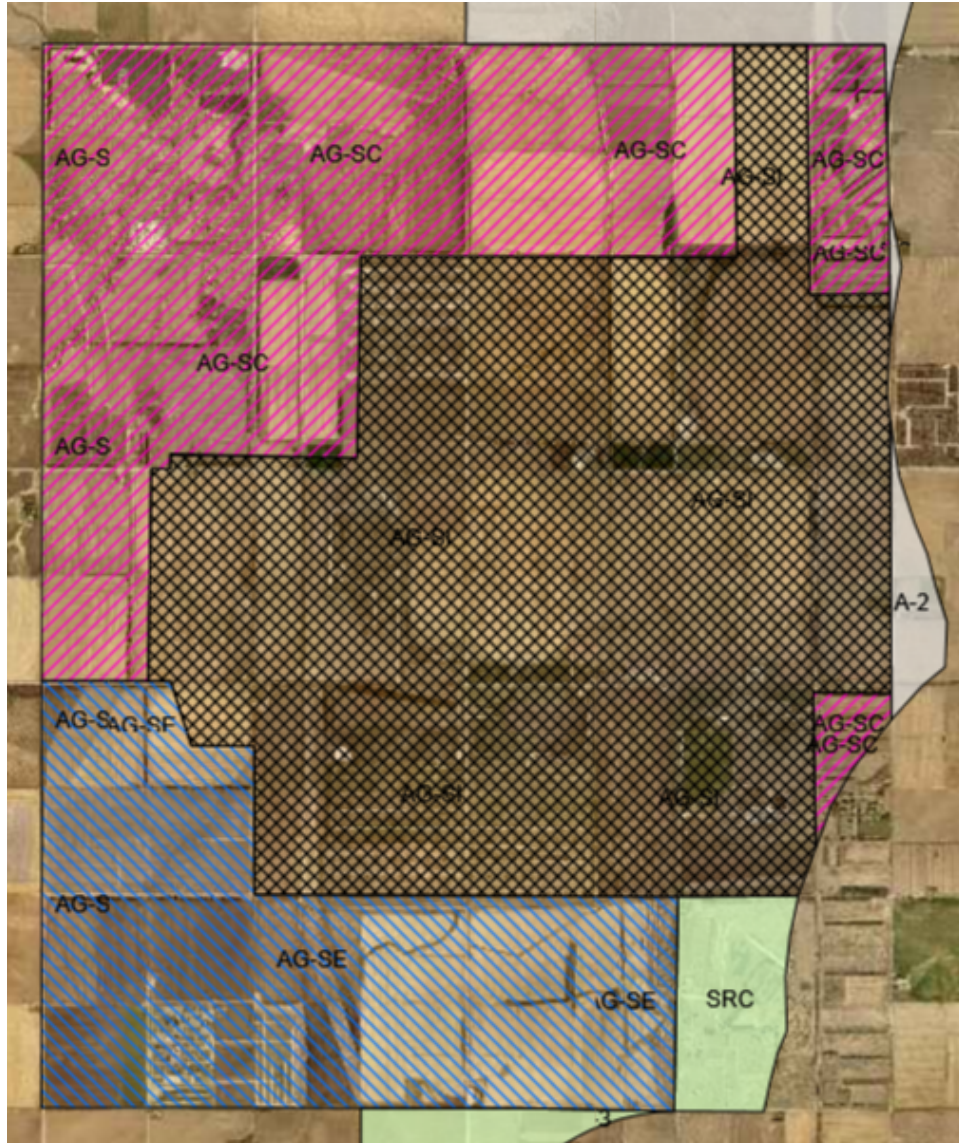
Intent This special use district is to allow for agricultural uses as well as manufacturing, processing, fabrication, research, warehousing, storage and wholesaling facilities in accordance with the Cornhusker Army Ammunition Plant (CAAP) Comprehensive Reuse Plan. Ranch and farm dwellings are not allowed due to the Environmental Protection Agency issues with the CAAP site. Adult Establishments are permitted uses in this Zoning District, but are regulated to control the negative secondary effects of these uses, as set forth in Article 3, Section 3.29.

SRC-Special Recreation/Conservation Zone (Shooting Park)

Intent This district use is to allow for special outdoor recreational shooting facilities, recreational vehicle campgrounds as well as low impact recreational uses associated with pedestrian and equestrian trails, in accordance with the Cornhusker Army Ammunition Plant (CAAP) Comprehensive Reuse Plan.

AG-SC Special Agriculture/Conservation Zone (Burning Grounds and Wildlife Refuges)

Intent This special use district is to maintain lands in a predominately agricultural use, yet allow for limited, low impact recreational uses associated with pedestrian and equestrian trails, in accordance with the Cornhusker Army Ammunition Plant (CAAP) Comprehensive Reuse Plan. Ranch and farm dwellings are not allowed due to Environmental Protection Agency issues with the CAAP site.



Zoning at CHAAP

The Planning Commission does not have a budget to hire a consultant to prepare a blight study. Blight studies have generally been conducted and paid for either by the Community Redevelopment Authority or a property owner or interested party. The Planning Commission could, if they choose to, make a recommendation to the City, County, Grand Island Area Economic Development Corporation and/or Community Redevelopment Authority about conducting a study to declare all, or a large portion of, CHAAP blighted and substandard. The AG-SE and AG-SI sections of this property appear to be the ones that could benefit the most and that have the most potential for development.

_____ Chad Nabity AICP, Planning Director



Hall County Regional Planning Commission

**Wednesday, February 1, 2017
Regular Meeting**

Item 2

Hall County Zoning Review Subcommittee Report

Staff Contact: Chad Nabity

Agenda Item # 10

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING January 24, 2017

SUBJECT: Hall County Zoning Regulations Review Subcommittee

Background:

At the January 4, meeting of the Hall County Regional Planning Commission, a subcommittee was formed to review the Hall County Zoning Regulations. The County Board asked for the creation of this committee at the meeting on December 13, 2016. Les Ruge, Pat, O'Neill, Leonard Rainforth, Greg Robb, and Judd Allan all agreed to serve on the committee as planning commission members. Chad Nabity and Loren "Doone" Humphrey, representing county staff, were also appointed to the committee. Two county board members, Supervisors Karen Bredthauer and Steve Schuppan, were appointed by the Chair of the Board of Supervisors to represent the Board on the committee. Other committee members may be added by the committee for review of specific topics.

The committee met for the first time on January 19. Minutes of that meeting are included with this packet. Minutes from those meeting will be included with every Planning Commission meeting until this committee is no longer needed.

The Planning Department has created a Dropbox for the committee's finalized documents and minutes of the meetings. This can be found at: <http://tinyurl.com/HCzoningCommittee>.

_____ Chad Nabity AICP, Planning Director

**Hall County Zoning Review Subcommittee
Meeting Minutes
Thursday, Jan. 19, 2017**

Present: Loren Humphrey, Hall County Facilities/Zoning; Hall County Planning Commissioners Leslie Ruge, Leonard Rainforth, Greg Robb (arrived at 7:45 a.m.); Planning Commission Chairman Pat O'Neill; Hall County Supervisor Karen Bredthauer; Regional Planning Director Chad Nabity.

Absent: Hall County Supervisor Steve Schuppan; Regional Planning Commissioner Judd Allan.

Introduction: Nabity called the meeting to order at 7:35 a.m. at Grand Island City Hall. He explained that on Dec. 13, 2016 the Hall County Board directed that a review of the county's zoning laws be conducted. Hall County had a significant update to its zoning regulations in 2004 when the Comprehensive Plan was updated. Those 2004 regulations have had piecemeal updates over the years on topics including, wind farms, group homes and adult entertainment regulations. Nabity suggested a full update to the Comprehensive Plan would be timely, however, the county doesn't have the funding for that update. Instead, the county board directed the Regional Planning Commission to do a review via a subcommittee. Two supervisors were appointed to serve on the subcommittee with the commissioners, along with Nabity and Humphrey. The commission met January 4 and appointed five members to the subcommittee.

A copy of the 2004 regulations, including updates through the present, was distributed to the committee. Nabity said one of the first issues the committee may want to review is livestock regulations. Hall County previously regulated only hog operations, but through the 2004 update decided not to single out any animal. Instead the regulations are based on animal units, which refers to the allowed number of various types of farm and husbandry animals that can be kept in either open pens or in confinement. Currently 1,000 head of cattle are allowed on 20 acres, 500 horses or 700 dairy cows. Nabity said Hall County's regulations were written to encourage agricultural use of the rural land and discourage residential use – meaning a 1,000 head feed yard is required to be setback a quarter mile from an existing house, but if the house comes after the feed yard, the house must have a 1.5 times setback, or three-eighths of a mile. Hall County implemented a way to protect feed yards by offering a no-fee registration. Only two feed yards registered. The county can only protect setback distances from feed yards that register, Nabity said.

Hall County Zoning Regulations: A spreadsheet showing Hall County's livestock feeding setbacks and minimum numbers compared with the neighboring counties of Buffalo, Howard, Merrick, and Adams, showed that Hall County is already more permissive than most neighboring counties on livestock issues. Hamilton County is in the process of drafting new regulations that should be complete later in 2017. Adams County has started using an odor footprint model to determine setbacks for feeding operations, which varies depending on prevailing winds and whether development occurs on the west, east, north or south side of a feedlot.

Robb said there are some changes in agriculture that he would like to see addressed in Hall County's regulations – such as the use of hoop houses with dry bedding as opposed to lagoons for receiving animal waste. Nabity said the county may also want to look at animal days instead of animal units on land. He cited the use of large herds of goats in some states that are brought in to intensely clear ground over a matter of days, which could be disallowed under some of the current municipal and village regulations. Nabity said there also be the need for livestock owners to identify temporary pens from ones for permanent use. He also cited a need for discussing the use of land for agricultural related activities, such as a livestock trailer washout.

Robb said he feels that Hall County's livestock feeding regulations are fair. He likes the 1,000 head number for regulating cattle because that's the same number where the Nebraska Department of Environmental Quality gets involved. Robb said having feed yards at least a half mile from homes is smart and in the best interest of sparing the feedlot owner a barrage of complaints from neighbors. Robb said he considers himself the posterchild of headaches from neighbors. Robb said he doesn't see Hall County as a prime candidate for expansion in feed yards because a lot of the available ag ground is prime irrigated ground, with the exception of the northwest part of the county.

Robb said he's seen a lot of rural residential growth in Adams County and wondered if that was a focus for Hall County. O'Neill said rural residences can generate more tax revenue than farm ground if it's in an area that works, such as Amick Acres. Bredthauer said rural residential growth can also spur expectations from homeowners on road access and fresh odor-free air that may not be realistic every single day.

Bredthauer shared an animal feeding operation siting matrix proposed by the Nebraska Department of Agriculture as part of LB606. The matrix scores a proposed operation on issues such as size, environmental protection, setbacks, zoning, water quality protection, odor control, manure application, traffic, economic impact and appearance. Any site that scores high enough on the matrix would automatically be approved for a conditional use permit or special siting permit. The committee didn't like the idea of the matrix being approved on the state level for mandated use on the local level, however, the committee did like the matrix approach and generally supported the possible development of a local matrix of issues that should be addressed for an ag use to be approved. The committee said the matrix could even be developed so that any applicant meeting all the matrix requirements in a satisfactory manner would be approved as a permitted use, instead of having to go through the conditional use permit process. Robb liked that idea because he said Hall County is developing a reputation that the need for a conditional use permit means no permit following a public crucifixion.

The committee discussed meeting every couple of weeks to review livestock regulations and other zoning issues that need review. Hall County's zoning regulations, as well as those from neighboring counties, will be placed in an electronic drop box for members to access.

Meeting adjourned at 8:30 a.m. Members will be asked to complete a DoodlePoll to set the next meeting time.

Documents handed out at the meeting were:

- Hall County Zoning Regulations last updated November 2015.
- Spreadsheet comparing Hall County livestock regs to surrounding county regs.
- Nebraska Department of Ag livestock siting matrix (LB106.)

Respectfully submitted,
Tracy Overstreet
Planning Administrative Assistant