



# City of Grand Island

Tuesday, September 28, 2021

Council Session

## Item E-2

**Public Hearing on Proposed Blighted and Substandard Area 34 for approximately 86 Acres located West of Diers Avenue Between Faidley Avenue and State Street (The Starostka Group Unlimited)**

*Council action will take place under Resolutions item I-1.*

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Chad Nabity, Regional Planning Commission

**Meeting:** September 28, 2021

**Subject:** The Starostka Group Unlimited Study (Proposed Area #34) C-23-2021GI

**Presenter(s):** Chad Nabity, Regional Planning Commission

## **Background**

The Starostka Group Unlimited has commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 34. This study is approximately 86.4 acres of property located along the proposed Claude Road corridor between Faidley Avenue and State Street west of Diers Avenue in northwest Grand Island (Study Area). On August 10, 2021, Council referred the attached study to the Planning Commission for its review and recommendation. The study as prepared and submitted indicates that this property could be considered blighted and substandard. The full study is attached for your review and consideration.

The decision on whether to declare an area substandard and blighted is entirely within the jurisdiction of the City Council.

## **Discussion**

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

**18-2109. Redevelopment plan; preparation; requirements; planning commission or board; public hearing; notice; governing body; public hearing; notice.**

(1) 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 the public hearings required under this section, declared such area to be a substandard and blighted area in need of redevelopment.

(2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is substandard and blighted and shall submit the question of whether such area is substandard and blighted to the planning commission or board of the city for its review and recommendation. The planning

commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. Such notice shall include a map of sufficient size to show the area to be declared substandard and blighted or information on where to find such map and shall provide information on where to find copies of the substandard and blighted study or analysis conducted pursuant to this subsection. The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

(3) Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing required under subsection (2) of this section, the governing body shall hold a public hearing on the question of whether the area is substandard and blighted after giving notice of the hearing as provided in section 18-2115.01. Such notice shall include a map of sufficient size to show the area to be declared substandard and blighted or information on where to find such map and shall provide information on where to find copies of the substandard and blighted study or analysis conducted pursuant to subsection (2) of this section. At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may make its declaration.

(4) Copies of each substandard and blighted study or analysis conducted pursuant to subsection (2) of this section shall be posted on the city's public web site or made available for public inspection at a location designated by the city.

~Reissue Revised Statutes of Nebraska 7-19-18

A flow chart of the blight declaration process is shown in Figure 2.

At this time, the Council is only concerned with determining if the property is blighted and substandard. Figure 3 is an overview of the differences between the blight and substandard declaration and the redevelopment plan. If a declaration as blighted and substandard is made by Council then the Community Redevelopment Authority (CRA) can consider appropriate redevelopment plans. The redevelopment plans must also be reviewed by the Planning Commission and approved by Council prior to final approval.

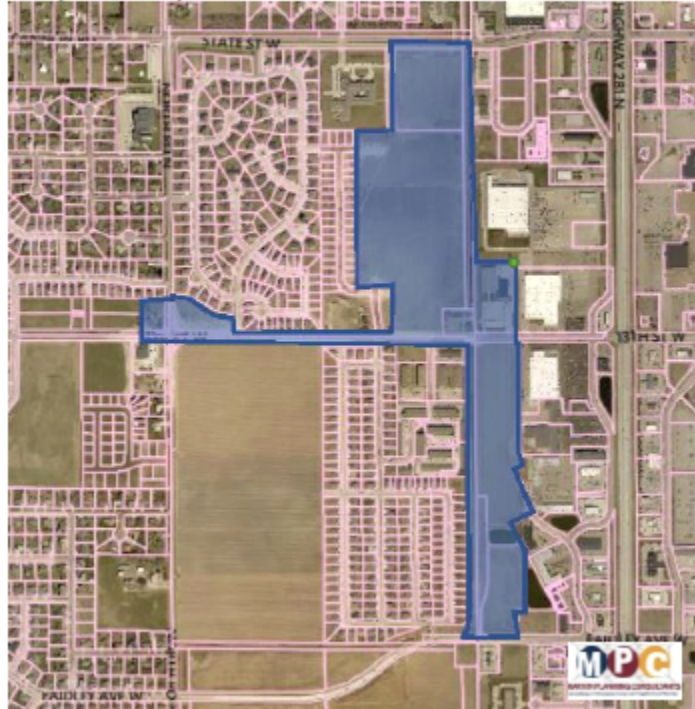
The City of Grand Island, as a City of the First Class, is permitted to designate an area of up to 35% of the municipal limits as blighted and substandard. As of September 21, 2021, 24.08% of the City has been declared blighted and substandard. This study for area 34 would add 86.04 acres or 0.44%. The total area declared blighted and substandard if area 34 is approved is 24.48%.

## Redevelopment Area 33

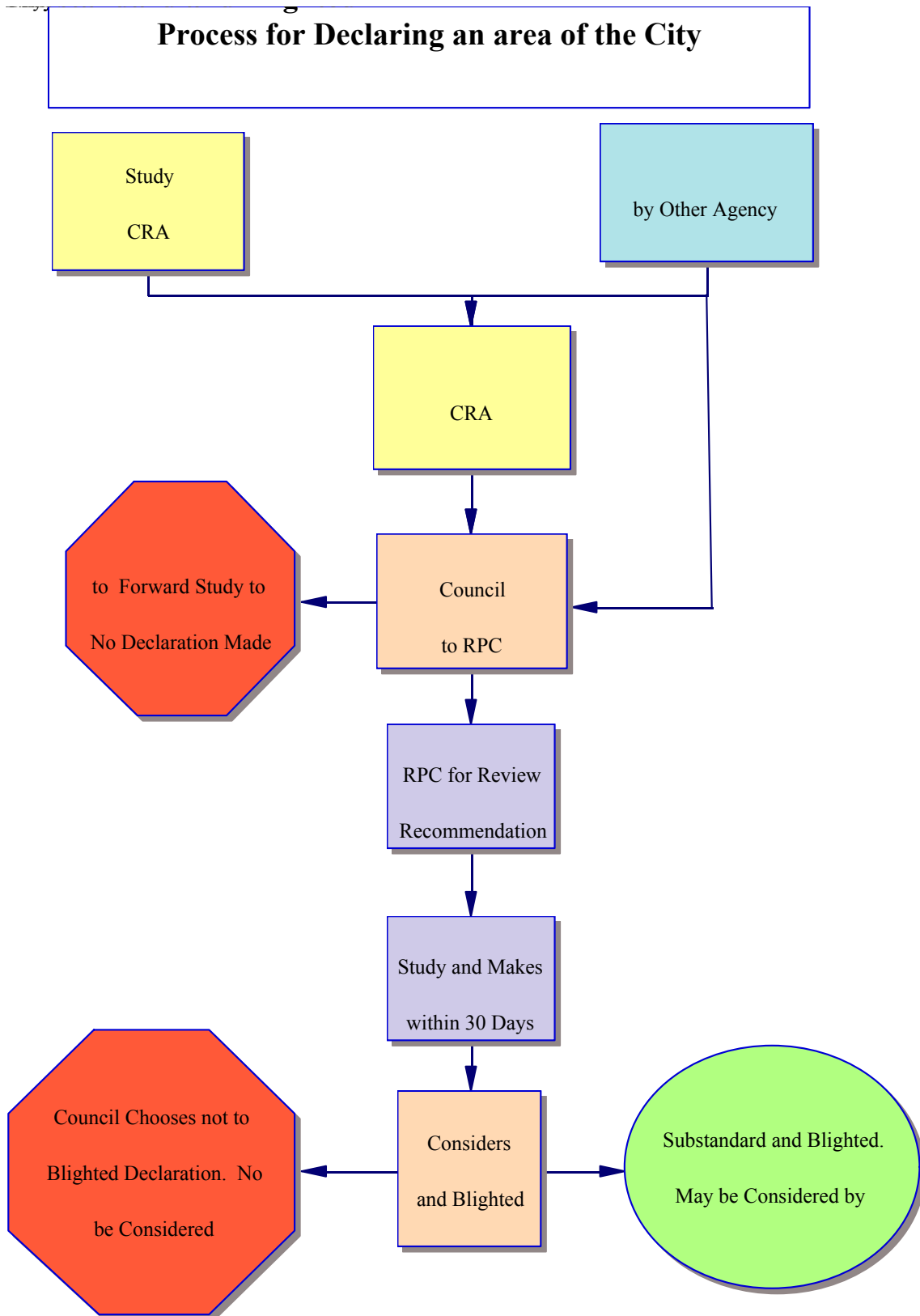
### Study Area

Figure 1

Study Area Map



Source: Hall County/Grand Island GIS, Marvin Planning Consultants 2021



**Figure 1 Blight Declaration Process (Planning Commission Recommendation is the second purple box).**

# Substandard and Blighted Declaration vs. Redevelopment Plan



- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>● <b>Substandard and Blighted Declaration</b></li><li>● A Study of the Existing Conditions of the Property in Question</li><li>● Does the property meet one or more Statutory Conditions of Blight?</li><li>● Does the Property meet one or more Statutory Conditions of Substandard Property?</li><li>● Is the declaration in the best interest of the City?</li></ul> | <ul style="list-style-type: none"><li>● <b>Redevelopment Plan</b></li><li>● What kinds of activities and improvements are necessary to alleviate the conditions that make the property blighted and substandard?</li><li>● How should those activities and improvements be paid for?</li><li>● Will those activities and improvements further the implementation of the general plan for the City?</li></ul> |
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Figure 2 Blight and Substandard Declaration compared to a Redevelopment Plan

It is appropriate for the Council in conducting its review and considering its decision regarding the substandard and blighted designation to:

1. Review the study,
2. Take testimony from interested parties,
3. Review the recommendation and findings of fact identified by the Planning Commission (Planning Commission did not identify any findings with their motion so none are available.)
4. Make findings of fact, and
5. Include those findings of fact as part of its motion to approve or deny the request to declare this area blighted and substandard. Council can make any findings they choose regarding the study and the information presented during the public hearing to support the decision of the Council members regarding this matter.

### **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:

(3) **Blighted area means** an area (a) which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. A redevelopment

project involving a formerly used defense site as authorized under section 18-2123.01 shall not count towards the percentage limitations contained in this subdivision;

(31) **Substandard area 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; and

~Reissue Revised Statutes of Nebraska 7-19-18

### **ANALYSIS-Blight and Substandard Study**

Study Area 34 has several items contributing to the Blight and Substandard Conditions. These conditions include:

#### **FINDINGS FOR GRAND ISLAND**

Study Area 34 has several items contributing to the Blight and Substandard Conditions. These conditions include:

#### **Blighting Summary**

These conditions are contributing to the blighted conditions of the Study Area.

- **Substantial number of deteriorating structures**
  - Within the study are 100.00% of the structures were deemed to be in a normal condition or worse.
- **Deterioration of site or other improvements**
  - The former Alltel site is basically vacant, and the entire site is becoming more and more deteriorated over time.
  - Measures to improve the former Alltel site appear to be non-existent or minimal.
  - The long-term vacancy of the Alltel facility is an indication of functional obsolescence.
- **Insanitary and Unsafe Conditions**
  - There is a linear detention cell located in the majority of the Study Area.
  - During major rain event the detention cell can become deep with water and can create a potential drowning potential.
  - Within the detention cell standing water during the summer months may become breeding grounds for mosquitoes and mosquitoes are known transmitters of the West Nile virus.
- **Diversity of Ownership**
  - Within this Study Area there are a total of eight property owners including the City of Grand Island. With some of the issues being discussed for this area as well as the initial phase of the Claude Road project, coordination and intervention by the City through this process will make for a much better development area in the future.
- **Factors Which Are Impairing and/or Arresting Sound Growth**
  - The need to continue Claude Road north to State Street.
  - Portions of this Study Area seem to be leftover tracts of land previous developments either could not obtain or chose to ignore at the time.



- The portion of the Study Area south of 13<sup>th</sup> street is very narrow, especially after Claude Road's right-of-way is removed.
- The northern portion of the Study Area also looks like a set of leftover pieces as well.
- **Dangerous Conditions to Life or Property Due to Fire or Other Causes**
  - There is a linear detention cell located in the majority of the Study Area.
  - During major rain event the detention cell can become deep with water and can create a potential drowning potential.
  - Within the detention cell standing water during the summer months may become breeding grounds for mosquitoes and mosquitoes are known transmitters of the West Nile virus.
- **Improper Subdivision or Obsolete Platting**
  - Portions of this Study Area appear to be "chopped up" land and leftover pieces.
  - Ideally, this Study Area should have been included in prior development efforts.

### **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.**
  - 4 units (66.67%) were determined to be 40 years of age or older.
  - 2 units (33.33%) were determined to be less than 40 years of age.
  - The average age based upon a cumulative age calculation is 50.5 years.

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

- Faulty Lot Layout
- Stable or decreasing population based on the last two decennial censuses.
- 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 Structure**

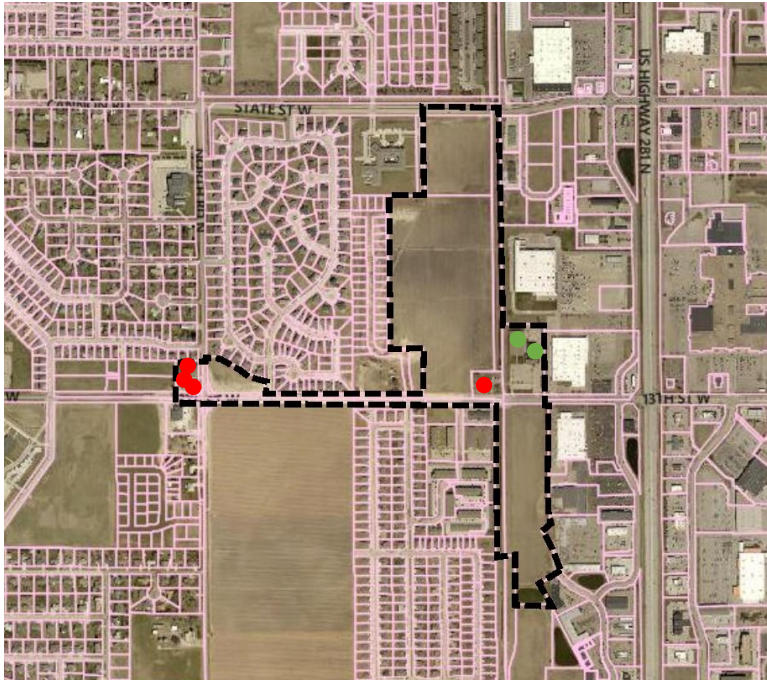
Within the Study Area there are nine structures. After researching the structural age on the Hall County Assessor's website, the following breakdown was determined:

- 4 units (66.67%) were determined to be 40 years of age or older.
- 2 units (33.33%) were determined to be less than 40 years of age.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 50.5 years; thus, meeting the requirements of the statutes.

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

**Figure 8: Age of Structures**



Source: Grand Island GIS, Hall County Assessor's Office, MPC 2021

### **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 BLIGHT AND SUBSTANDARD STUDY AREA #34**

Blight Study Area #34 has several items contributing to the Blight and Substandard Conditions. These conditions include:

#### **Blighted Conditions**

- **Condition of Structures**
- **Deterioration of Site and Other Improvements**
- **Insanitary and Unsafe Conditions**
- **Diversity of Ownership**
- **Factors Which Are Impairing and/or Arresting Sound Growth**
- **Dangerous Conditions to Life or Property Due to Fire or Other Causes**
- **Improper Subdivision or Obsolete Platting**
- **Average age of the residential or commercial units in the area is at least 40 years.**

#### **Substandard Conditions**

- **Average age of the structures in the area is at least forty years.**

### **Recommendation**

Staff recommends considering the following questions as a starting point in the analysis of this Study and in making a determination. The City Council is ultimately responsible for answering the question of whether the property included in the study is blighted and substandard **and** whether making such a designation is in the **best interest** of the City.

#### **Recommend Questions for City Council**

- 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.

### **Planning Commission Recommendation**

The Regional Planning Commission held a public hearing and took action on the blight and substandard study proposed Area 34 during its meeting on September 1, 2021. This study is approximately 86.4 acres of located along the proposed Claude Road corridor between Faidley Avenue and State Street west of Diers Avenue. (C-23-2021GI)

O'Neill opened the public hearing:

Nabity stated the proposed CRA Area #34 extends from Faidley Avenue to State Street along the Claude Road extension. If this is approved tax increment financing would be used to extend Claude Road and make the extension happen faster. Claude Road will help with the traffic between State Street and Old Potash Hwy. This will allow Public Works Department to better control traffic movements along Diers Avenue from Old Potash to State Street. Nabity explained that tax increment financing would be used to help with the cost of extending Claude Rd. Nabity recommends approval.

Rainforth asked if the area is zoned for business or residential or both. Nabity explained the east side of Moore's Creek is Commercial and the west side of Moore's Creek is Residential. With the extension of Claude Road there may be some uses mixed on either side of the road.

Matt Rief representing Starostka Group explained some of the details of the project.

Jordan Starostka was available for questions.

Dave Starostka was available for questions.

O'Neill closed the public hearing:

A motion was made by Randone and second by Ruge to approve proposed CRA Area #34 located along the proposed Claude Road corridor between Faidley Avenue and State Street west of Diers Avenue and Resolution 2021-06.

The motion was carried with seven members voting yes (Nelson, Allan, O'Neill, Ruge, Rainforth, Hendricksen and Randone) and no members voting no.

### **Alternatives**

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Sample Motion**

If Council wishes to approve the designation of this property as blighted and substandard, an action required if Tax Increment Financing is to be used for the redevelopment of properties in this area, a motion should be made to approve the Substandard and Blight Designation for Redevelopment Area No. 34 in Grand Island, Hall County, Nebraska finding the information in the study to be factual and supporting such designation. A resolution authorizing the approval of this study has been prepared for Council consideration.





**City of Grand Island, NE**  
**Blight and Substandard Study**  
**Area #34**  
**June 2021**



**PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY**

The purpose of completing this Blight and Substandard study is to examine existing conditions within Study Area 34 of the city of Grand Island. This study has been commissioned by the Starostka Group Unlimited, Inc. in order to analyze the possibility of declaring the area as blighted and substandard within this specific Study Area.

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 the Community Development Law, shall afford maximum opportunity, consistent with the 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 the Community Development Law, 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 of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the 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; disaster assistance; effect. 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."*

*"Notwithstanding any other provisions of the Community Development Law, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the Governor of the state has certified the need for disaster assistance under federal law, the local governing body may approve a redevelopment plan and a redevelopment project with respect to such area without regard to the provisions of the Community Development Law requiring a general plan for the municipality and notice and public hearing or findings other than herein set forth."*

Based on the Nebraska Revised Statutes §18-2103 the following definitions shall apply:

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



sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01 shall not count towards the percentage limitations contained in this subdivision;"

**"Extremely blighted area** means a substandard and blighted area in which: (a) The average rate of unemployment in the area during the period covered by the most recent federal decennial census is at least two hundred percent of the average rate of unemployment in the state during the same period; and (b) the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area;"

**"Substandard area** 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; and"

**"Workforce housing** means:

- (a) Housing that meets the needs of today's working families;
- (b) Housing that is attractive to new residents considering relocation to a rural community;
- (c) Owner-occupied housing units that cost not more than two hundred seventy-five thousand dollars to construct or rental housing units that cost not more than two hundred thousand dollars per unit to construct. For purposes of this subdivision (c), housing unit costs shall be updated annually by the Department of Economic Development based upon the most recent increase or decrease in the Producer Price Index for all commodities, published by the United States Department of Labor, Bureau of Labor Statistics;
- (d) Owner-occupied and rental housing units for which the cost to substantially rehabilitate exceeds fifty percent of a unit's assessed value; and
- (e) Upper-story housing."

This Blight and Substandard Study is only for a portion of the corporate limits of the city which has not previously been so designated. The Study is intended to give the Grand Island CRA, 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 the entire corporate limits of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this area includes several uses including, a residential area which was once a farmyard and the rest of the property is used for agricultural purposes.

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 is intended to redevelop and improve areas of the community. 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.

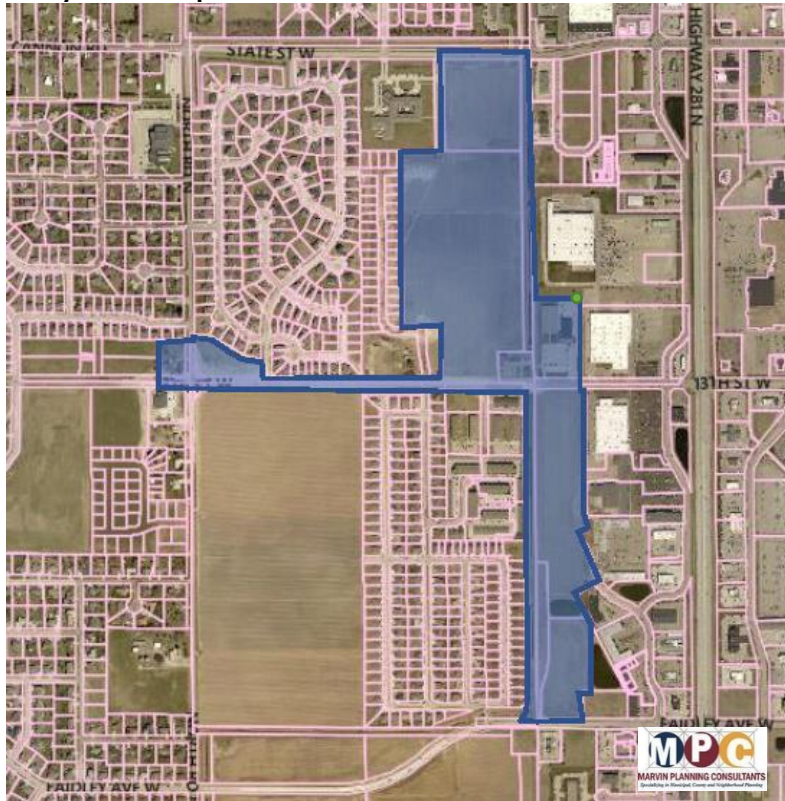
The following is the description of the designated area within the City of Grand Island.

A Tract described as follows:

The point of beginning (POB) is the NE corner of Lot 2 of 281 Retail Subdivision to the City of Grand Island; thence southerly along the east property line of said Lot and extending to the south right-of-way line of 13<sup>th</sup> Street West; thence, easterly along south right-of-way line to the intersection with the NE corner of a parcel described as Part of Block A, Crane Valley Subdivision; thence southerly along east property line to the intersection with Lot 1 Crane Valley Ninth Subdivision; thence, south along the east property lines to the intersection to the southeast corner of said Lot and the north right-of-way of Faidley Avenue West; thence; westerly along the south property line of said Lot 1 and continuing westerly to the intersection with the extended east property line of Lot 28, Larue Fourth Subdivision; thence, northerly along the east property lines of Larue's Fourth Subdivision to the intersection with the south right-of-way line of 13<sup>th</sup> Street West; thence westerly along said south right-of-way to the intersection with the extended west property line of a lot referred to as Lot 1 of the B & M Estates Subdivision; thence northerly along the west property line of said lot to the NW corner of said lot; thence, easterly along the north property line of said lot and extending to the perpendicular intersection of Outlot A of Summerfield Estates First Subdivision; thence northerly along the west property line of said lot to the NW corner of said Lot; thence, easterly along the northern property line of said Lot to the NE corner of said Lot; thence, southerly along the east property line of said Lot; thence, easterly along the north right-of-way line of 13<sup>th</sup> Street West to the intersection with the property line of a parcel referred to as Misc. tracts 12-11-10 Part E ½ SW ¼ and following said property line northerly and easterly to the NE corner of said parcel and continuing easterly to SW corner of Lot 2, Starlite Subdivision; thence, northerly along the west property line of said Lot to the intersection with the centerline of State Street; thence, easterly along the centerline of State Street to the perpendicular intersection with Lot 1, KAAAR Subdivision; thence southerly along the east property line of the City of Grand Island to the intersection with the NW corner of Lot 2 of 281 Retail Subdivision; thence, easterly to the POB. Overall coverage is 86.4 acres.

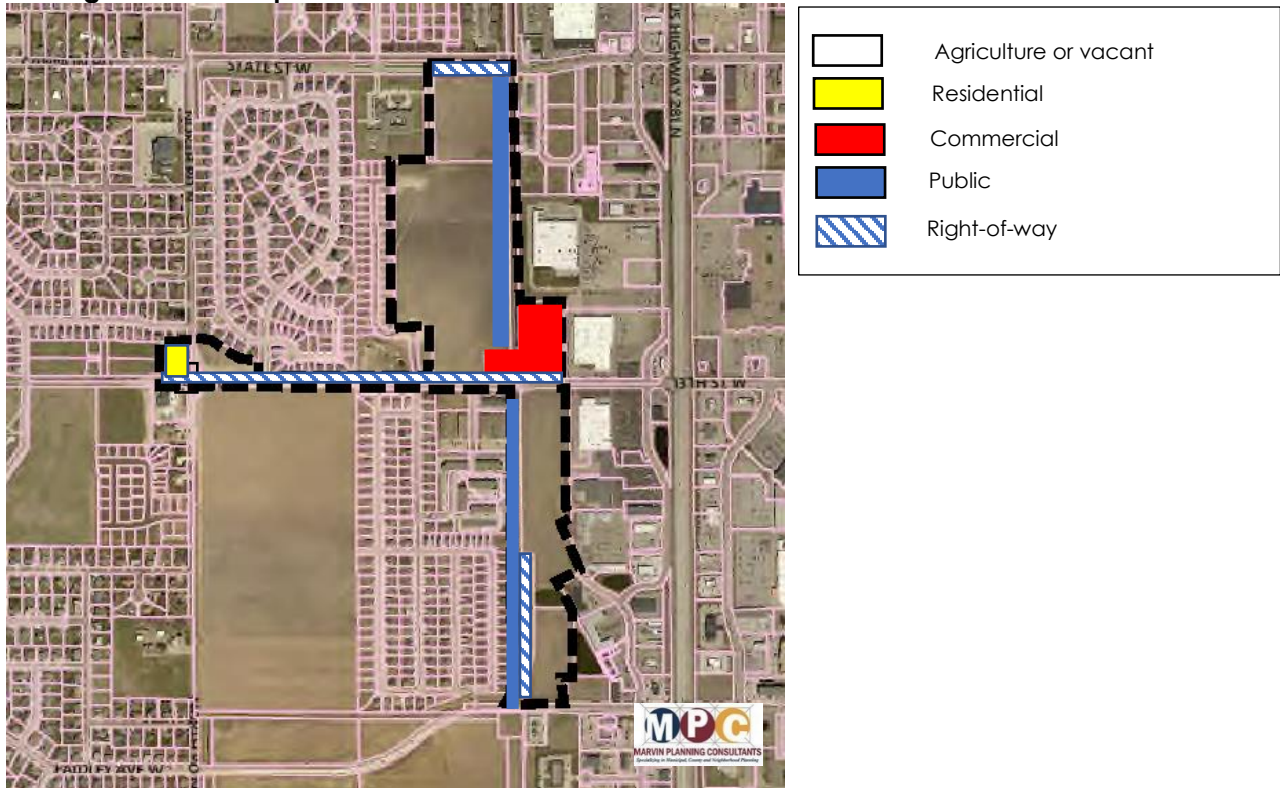
## Study Area

Figure 1  
Study Area Map



Source: Hall County/Grand Island GIS, Marvin Planning Consultants 2021

Figure 2  
Existing Land Use Map



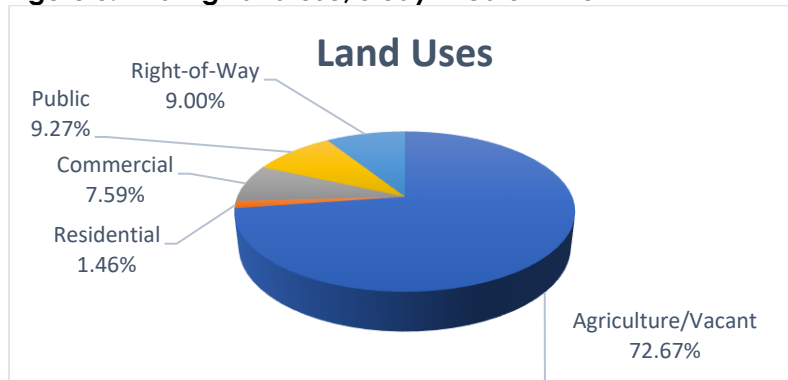
Source: Hall County Assessor's Office, Marvin Planning Consultants 2021



## EXISTING LAND USES

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

**Figure 3: Existing Land Use, Study Area 34 – 2021**



Source: Marvin Planning Consultants 2021

### **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. Figure 3 shows the different uses present within the corporate limits of the area. The different uses also have the overall percent of the total area.

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

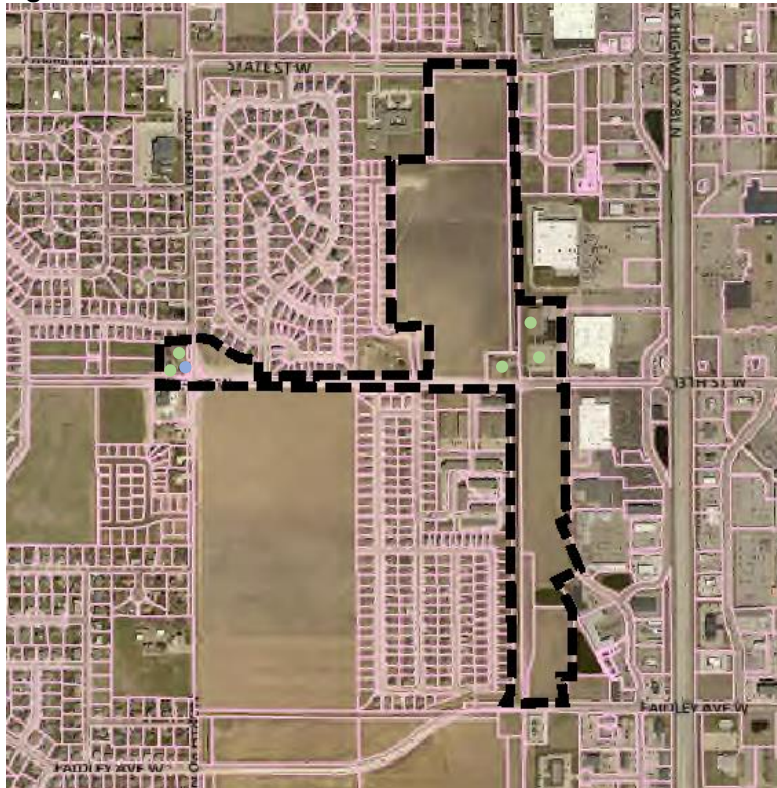
### **Structural Conditions**

Structural conditions were evaluated, structures were either rated as: Excellent, Very Good, Above Normal, Normal, Below Normal, Poor or Very Poor. The data and rating system come from the Hall County Assessor's database and is the same database used to value properties in the area. According to the data there are five structures in the Study Area.

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

- **0 (0.00%) structures rated as Excellent**
- **0 (0.00%) structure rated as Very Good**
- **1 (16.67%) structures rated as Above Normal**
- **5 (83.33.00%) structures rated Normal**
- **0 ( 0.00%) structures rated Below Normal**
- **0 ( 0.00%) structures rated Poor**
- **0 ( 0.00%) structure rated as Very Poor**

**Figure 4: Structure Conditions**



Source: Grand Island GIS, Hall County Assessor's Office, MPC 2021

Based upon these data, an assumption has been made that normal condition and less would constitute the possibility of some or considerable deterioration. It is common for older structures to need more maintenance and upkeep in order to maintain a good or higher condition. Even a structure rated as normal 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, 80.00% of the structures in this Study Area are considered to be in Normal Conditions. However, it appears the old Alltel facility is showing wear beyond a normal condition.



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***

#### ***Alltel Property***

The Alltel property, on the eastern side of this area, is in a deteriorated condition. The concrete in the parking lot is in poor condition and other parts of the site seem to have been left to deteriorate.



The key deterioration of the parking lot is as follows:

- Concrete is in poor condition due to cracking spalling.
- The area has had some landscaping upkeep but only minimal.
- The parking islands and curb and gutter on-site are in a deteriorated condition.
- Other site amenities, fencing, etc., are deteriorating.
- The old site signage has been left to deteriorate.



In addition, the fact the Alltel facility has been vacant for several years indicates a presence of functional obsolescence. Functional obsolescence is a factor of deterioration of site or other improvements.

Typically, sidewalk condition, street condition, and curb and gutter condition are examined in a typical study. However, these are not a major contributing factor in this Study Area. In most cases, all three of these items are newer and are in good condition.

Overall, the site deterioration of the former Alltel site will only become worse if something is not done to promote the eventual purchase and redevelopment of this site. In its current state it is becoming an eye sore to the area in the near future.

Therefore, the condition of the former Alltel site is contributing factor under Deterioration of Site or Other Improvements.

### ***Insanitary and Unsafe Conditions***

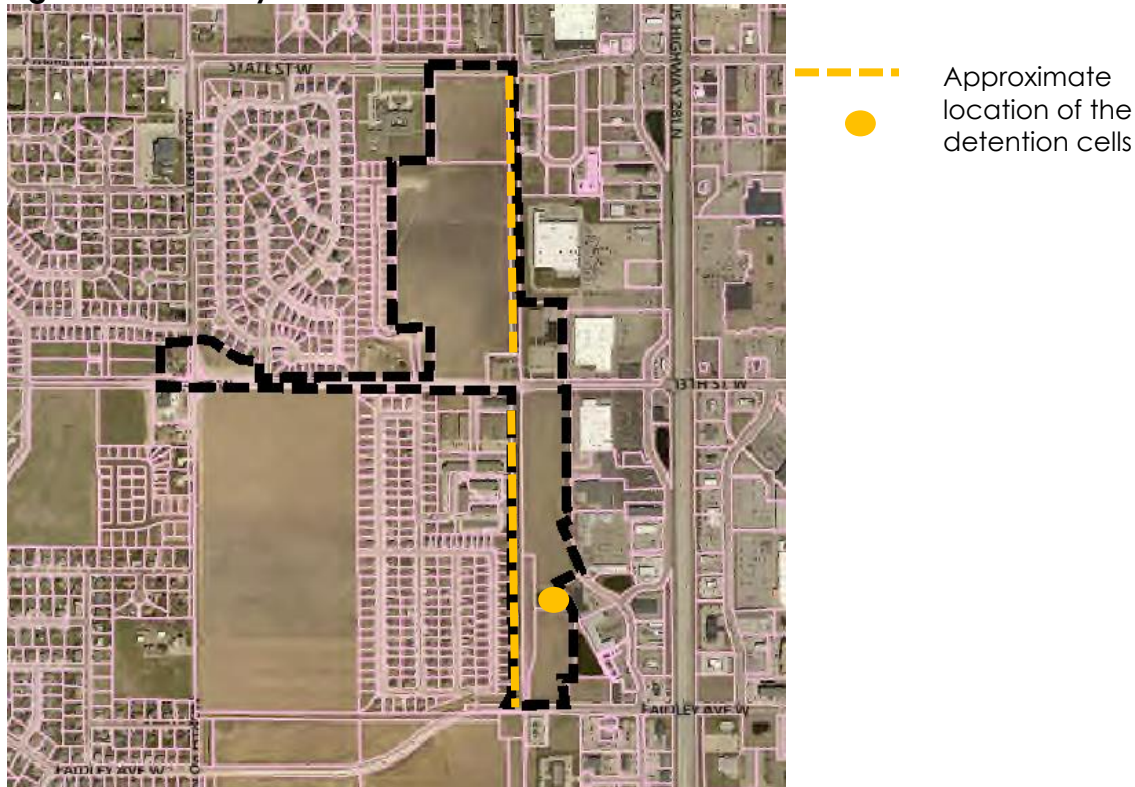
Throughout the entire Study Area is a city owned and maintained detention cell. The cell is relatively deep and is capable of carrying a considerable amount of water during and after a major rain event.

In addition, there is another detention cell along the southern edge of the Study Area and has the same issues as the linear detention cell.

Neither detention cell has any barriers to keep individuals from accessing the area when the cell has water.

Therefore, Insanitary and Unsafe Conditions are a contributing factor to the Blighting and Substandard Conditions of Area #34.

**Figure 5: Insanitary and Unsafe Conditions**



Source: Grand Island GIS, Hall County Assessor's Office, MPC 2021





### **Diversity of Ownership**

Within this Study Area there are a total of eight property owners including the City of Grand Island. With some of the issues being discussed for this area as well as the initial phase of the Claude Road project, coordination and intervention by the City through this process will make for a much better development area in the future.

Diversity of Ownership is a contributing factor to the declaration of Blighted and Substandard.

### **Factors Which Are Impairing and/or Arresting Sound Growth**

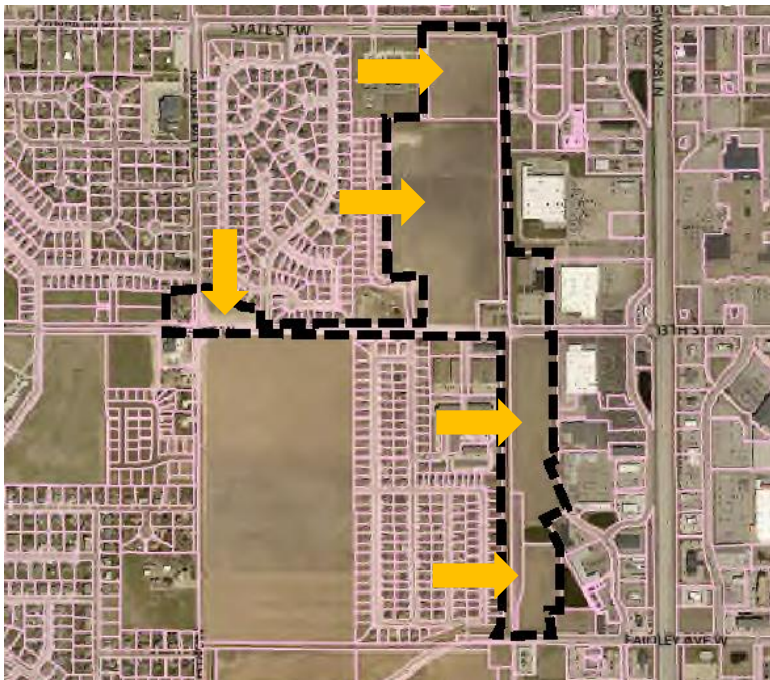
Portions of this Study Area seem to be leftover tracts of land previous developments either could not obtain or chose to ignore at the time. The portion of the Study Area south of 13<sup>th</sup> street is very narrow, especially after Claude Road's right-of-way is removed. Future development of this property, due to the width of the tract impairs and arrests sound growth through this specific area.

The northern portion of the Study Area also looks like a set of leftover pieces for whatever reason. However, these undeveloped tracts as they appear are impacted by factors impair sound growth of the remaining areas.

The continuation of Claude Road along the edges of this Study Area would be instrumental in eliminating key factors impairing and arresting sound growth. The extended road would provide a primary road through the area between Faidley Avenue and State Street.

Therefore, based upon past development decisions and construction, Factors Which Are Impairing and/or Arresting Sound Growth is a contributing factor to declaring this area blighted and substandard.

**Figure 6: Factors Which Are Impairing and/or Arresting Sound Growth**



Source: Grand Island GIS, Hall County Assessor's Office, MPC 2021



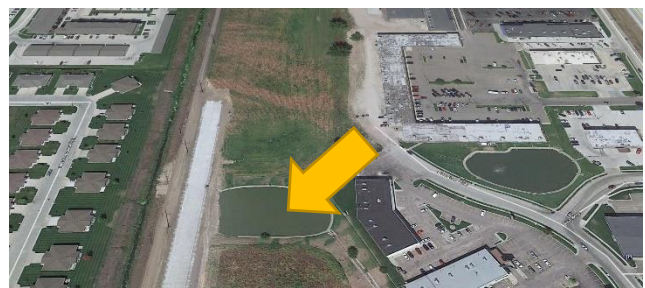
### **Dangerous Conditions to Life or Property Due to Fire or Other Causes**

Throughout the entire Study Area is a city owned and maintained detention cell. The cell is relatively deep and is capable of carrying a considerable amount of water during and after a major rain event.

In addition, there is another detention cell along the southern edge of the Study Area and has the same issues as the linear detention cell.

Neither detention cell has any barriers to keep individuals from accessing the area when the cell has water.

Therefore, Dangerous Conditions to Life or Property Due to Fire or Other Causes are a contributing factor to the Blighting and Substandard Conditions of Area #34.



### **Improper Subdivision or Obsolete Platting**

Due to the previous discussions regarding "chopped up" land and leftover pieces, this area at some point, ideally, should have been included in prior development efforts. Instead, this Study Area has been left out of a number of platting opportunities thus creating such an odd development area.

Improper Subdivision or Obsolete Platting is a contributing factor to the Blighting and Substandard conditions found in the Study Area.

### **Age of Structure**

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.

**TABLE 2: AVERAGE STRUCTURAL AGE, BY METHOD – 2021**

Number	Year	Age	Cumulative	
1	1921	100	100	100
1	1966	55	55	155
2	1975	46	92	247
2	1993	28	56	303
<b>6</b>				<b>303</b>
				<b>50.5</b>

Source: Grand Island GIS Aerials, Hall County Assessor's and Marvin Planning Consultants 2021

**Note: the two structures listed as 1975 were determined by use of the 1975 aerials online, these structures may actually be older.**

### **Age of Structure**

Within the Study Area there are nine structures. After researching the structural age on the Hall County Assessor's website, the following breakdown was determined:

- 4 units (66.67%) were determined to be 40 years of age or older.
- 2 units (33.33%) were determined to be less than 40 years of age.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 50.5 years; thus, meeting the requirements of the statutes.

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

**Figure 7: Age of Structures**



Source: Grand Island GIS, Hall County Assessor's Office, MPC 2021

### **Blighting Summary**

These conditions are contributing to the blighted conditions of the Study Area.

- **Substantial number of deteriorating structures**
  - Within the study are 100.00% of the structures were deemed to be in a normal condition or worse.
- **Deterioration of site or other improvements**
  - The former Alltel site is basically vacant, and the entire site is becoming more and more deteriorated over time.
  - Measures to improve the former Alltel site appear to be non-existent or minimal.
  - The long-term vacancy of the Alltel facility is an indication of functional obsolescence.
- **Insanitary and Unsafe Conditions**
  - There is a linear detention cell located in the majority of the Study Area.
  - During major rain event the detention cell can become deep with water and can create a potential drowning potential.
  - Within the detention cell standing water during the summer months may become breeding grounds for mosquitoes and mosquitoes are known transmitters of the West Nile virus.
- **Diversity of Ownership**
  - Within this Study Area there are a total of eight property owners including the City of Grand Island. With some of the issues being discussed for this area as well as the initial phase of the Claude Road project, coordination and intervention by the City through this process will make for a much better development area in the future.

- **Factors Which Are Impairing and/or Arresting Sound Growth**
  - The need to continue Claude Road north to State Street.
  - Portions of this Study Area seem to be leftover tracts of land previous developments either could not obtain or chose to ignore at the time.
  - The portion of the Study Area south of 13<sup>th</sup> street is very narrow, especially after Claude Road's right-of-way is removed.
  - The northern portion of the Study Area also looks like a set of leftover pieces as well.
- **Dangerous Conditions to Life or Property Due to Fire or Other Causes**
  - There is a linear detention cell located in the majority of the Study Area.
  - During major rain event the detention cell can become deep with water and can create a potential drowning potential.
  - Within the detention cell standing water during the summer months may become breeding grounds for mosquitoes and mosquitoes are known transmitters of the West Nile virus.
- **Improper Subdivision or Obsolete Platting**
  - Portions of this Study Area appear to be "chopped up" land and leftover pieces.
  - Ideally, this Study Area should have been included in prior development efforts.

### **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.**
  - 4 units (66.67%) were determined to be 40 years of age or older.
  - 2 units (33.33%) were determined to be less than 40 years of age.
  - The average age based upon a cumulative age calculation is 50.5 years.

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

- Faulty Lot Layout
- Stable or decreasing population based on the last two decennial censuses.
- 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 Structure

Within the Study Area there are nine structures. After researching the structural age on the Hall County Assessor's website, the following breakdown was determined:

- 4 units (66.67%) were determined to be 40 years of age or older.
- 2 units (33.33%) were determined to be less than 40 years of age.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 50.5 years; thus, meeting the requirements of the statutes.

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

**Figure 8: Age of Structures**



Source: Grand Island GIS, Hall County Assessor's Office, MPC 2021



### **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 BLIGHT AND SUBSTANDARD STUDY AREA #34**

Blight Study Area #34 has several items contributing to the Blight and Substandard Conditions. These conditions include:

#### **Blighted Conditions**

- **Condition of Structures**
- **Deterioration of Site and Other Improvements**
- **Insanitary and Unsafe Conditions**
- **Diversity of Ownership**
- **Factors Which Are Impairing and/or Arresting Sound Growth**
- **Dangerous Conditions to Life or Property Due to Fire or Other Causes**
- **Improper Subdivision or Obsolete Platting**
- **Average age of the residential or commercial units in the area is at least 40 years.**

#### **Substandard Conditions**

- **Average age of the structures in the area is at least forty years.**

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 August 10, 2021 meeting, referred the **Blight and Substandard Study for CRA Area 34, commissioned by Starostka Group Unlimited** 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 held a public hearing regarding said Blight and Substandard Study at their meeting on September, 2021, 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,
- 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:** September 1, 2021

HALL COUNTY REGIONAL PLANNING  
COMMISSION

ATTEST:

By:   
Chair

By:   
Secretary

Secretary