



# City of Grand Island

Tuesday, July 27, 2021

Council Session

## Item E-3

**Public Hearing on Proposed Blighted and Substandard Area 33 for approximately 210 Acres located West of Prairie Road North of Husker Highway (Innate Development, LLC)**

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

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission

**Meeting:** July 27, 2021

**Subject:** Innate Development LLC Study (Proposed Area #33)  
C-20-2021GI

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

## Background

Innate Development LLC has commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 33. This study is approximately 210 acres of property located west of Prairieview Street and north of Husker Highway in western Grand Island (See the attached map) On May 21, 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.

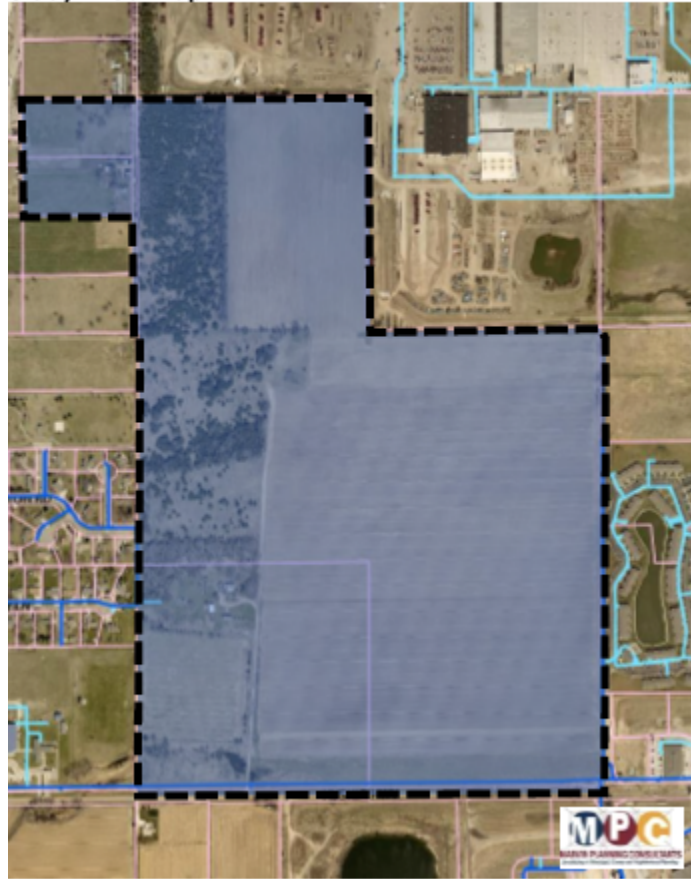
At this time, the Council is only concerned with determining if the property is blighted and substandard. Figure 3 is an overview of the differences between the blight and substandard declaration and the redevelopment plan. If a declaration as blighted and substandard is made by Council then the Community 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 July 19, 2021, 22.96% of the City has been declared blighted and substandard. Proposed Area 33 would add 210 acres (1.08%) bringing total to 24.04%. This study for area 34 would add 86.04 acres or 0.44%. The total area declared blighted and substandard if both areas 33 and 34 are approved is 24.48%.

## Redevelopment Area 33

### *Study Area*

Figure 1  
Study Area Map



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

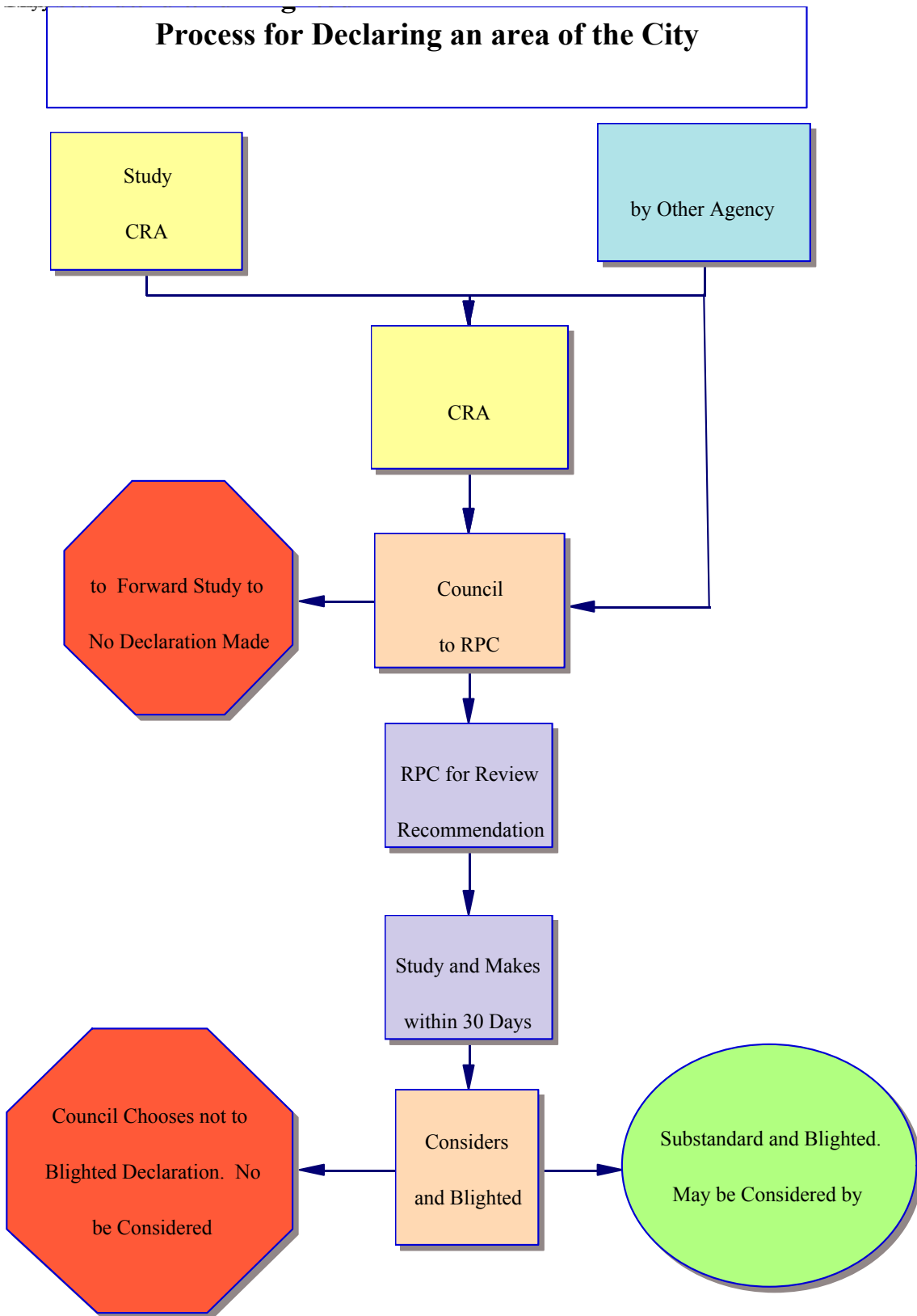


Figure 1 Blight Declaration Process (Planning Commission Recommendation is the second purple box).

# Substandard and Blighted Declaration vs. Redevelopment Plan



- **Substandard and Blighted Declaration**
  - A Study of the Existing Conditions of the Property in Question
  - Does the property meet one or more Statutory Conditions of Blight?
  - Does the Property meet one or more Statutory Conditions of Substandard Property?
  - Is the declaration in the best interest of the City?
- **Redevelopment Plan**
  - What kinds of activities and improvements are necessary to alleviate the conditions that make the property blighted and substandard?
  - How should those activities and improvements be paid for?
  - Will those activities and improvements further the implementation of the general plan for the City?

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 33 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 area 100.00% of the structures were deemed to be in a normal condition or worse.
  
- **Deterioration of site or other improvements**
  - Curb and gutter are missing over a majority of the frontage along Husker Highway.
  - The study area has what is considered rural section (ditches) and the drainage areas appear to be silting in.
  - A majority of the frontage of Husker Highway has average or poorer condition.
  - Sidewalks are missing within the entire study area.
  
- **Insanitary and Unsafe Conditions**
  - There is a Palustrine Emergent Wetland located in the study area. Standing water could create a sanitary and safety issue with mosquitoes.
  - There is also a Riverine Wetland on the south side which could create similar issues to the Palustrine Emergent Wetland.

### **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.**
  - 9 (100.00%) buildings or improvements were determined to be 40 years of age or older.
  - 0 ( 0.00%) buildings or improvements were determined to be less than 40 years of age.
  - The average age based upon a cumulative age calculation is 70.8 years.

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

- Diversity of Ownership
- Factors Which Are Impairing And/or Arresting Sound Growth
- Dangerous conditions to life or property due to fire or other causes
- Faulty Lot Layout
- Improper Subdivision or Obsolete Platting
- 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 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.

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

## **FINDINGS FOR BLIGHT AND SUBSTANDARD STUDY AREA #33**

Blight Study Area #33 has several items contributing to the Blight and Substandard Conditions. These conditions include:

### **Blighted Conditions**

- **Substantial number of deteriorated or deteriorating structures.**
- **Condition of Structures**
- **Insanitary and Unsafe Conditions**
- **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 33 during its meeting on June 7, 2021. This study is approximately 210 acres of located west of Prairieview Street and north of Husker Highway. (C-21-2021GI)

Monter opened the public hearing:

Nabity stated the property is approximately 210 acres and is located west of Prairie Road and north of Husker Highway. The Substandard and Blight Study was prepared by Marvin Planning Consultants and indicates that this property could be considered blighted and substandard. The Planning Commission recommendation must be forwarded to the Grand Island City Council within 30 days of making the recommendation. If the 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.

Ron Depue, Keith Marvin and Scott Rief all testified in favor of declaring the area blighted and substandard and made themselves available to questions from the commission.

Ruge specifically asked about the ground water contamination in the area and if that was one of the factors that impacted this property and supported the declaration. Marvin agreed that it was included in the study because it does support the declaration and will impact the development of the property. Nabity stated that the developer's engineers have been in contact with city staff and both the Nebraska Department of Environment and Energy and the EPA and working

with them to coordinate development efforts within the restrictions on property as part of their due diligence.

Monter closed the public hearing:

A motion was made by Robb and second by Rubio to approve the Substandard and Blight Study CRA Area #33 and Resolution 2021-05.

The motion carried with eight members voting yes (Nelson, Ruge, Olson, Robb, Monter, Rubio, Hendricksen and Doane) 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. 32 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 #33**  
**March 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 33 of the city of Grand Island. This study has been commissioned by the Innate Development LLC 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 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 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**

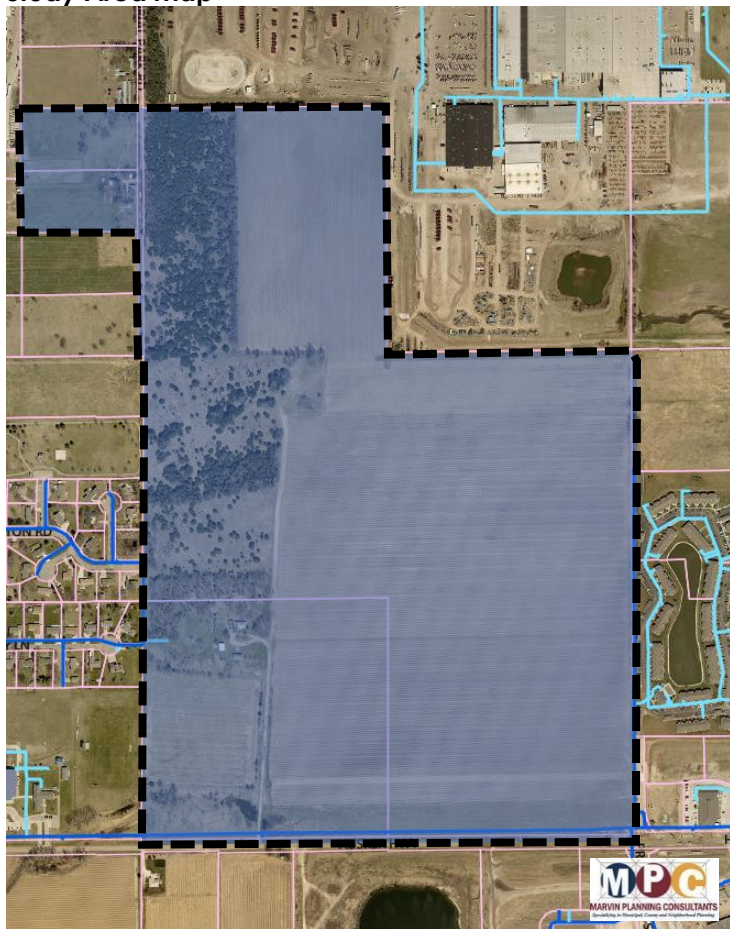
This study targets the entire corporate limits of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this area includes several uses including, a residential area which was once a farmyard and the rest of the property is used for agricultural purposes.

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: **MISC TRACTS SE1/4 NW1/4 & NE1/4 SW1/4 & PT W1/2 SE1/4 25-11-10 plus the north half of the R.O.W. along Husker Highway, 158.69 AC** and a tract described as follows: **MISCELLANEOUS TRACTS PT SE1/4 SW1/4 25-11-10; plus, Hayman’s Subdivision Lots 5 and 6 and adjacent right-of-way of Memorial Park Road; plus, the north half of the R.O.W. along Husker Highway, 40.09 AC.** Total acres for this area is 210.32 acres.

**Study Area**

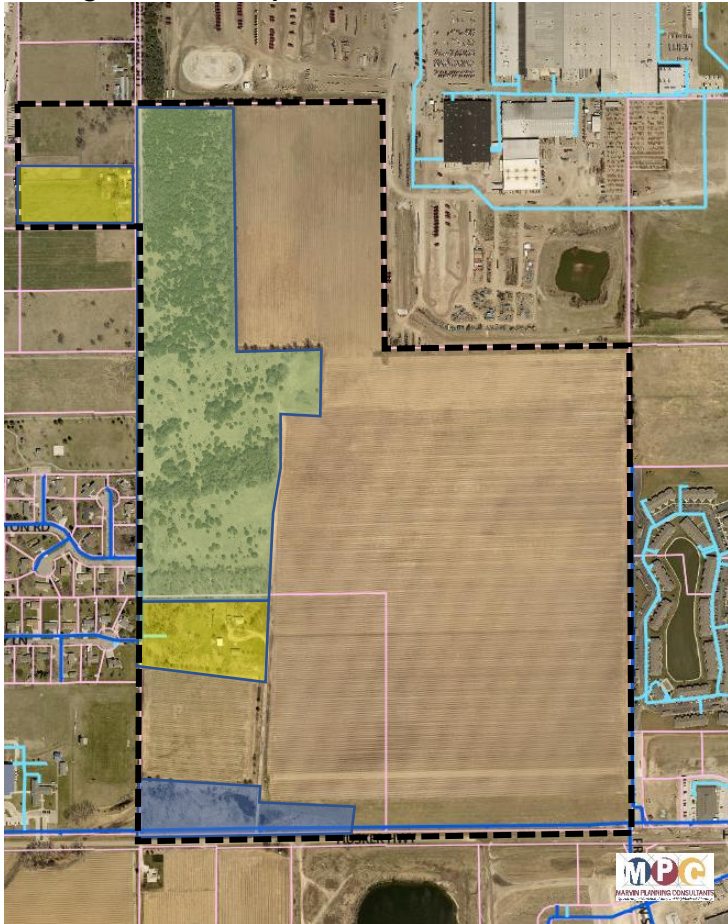
**Figure 1  
Study Area Map**



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



**Figure 2**  
**Existing Land Use Map**

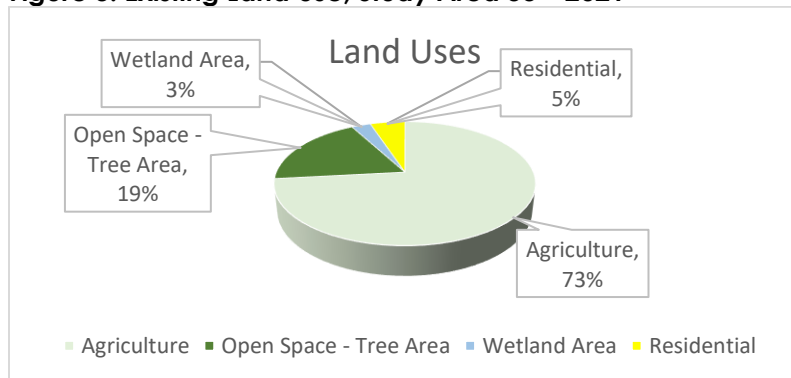


Source: Hall County Assessor's Office, Marvin Planning Consultants 2021

**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 33 – 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
- 0 (0.00%) structures rated as Above Normal
- 5 (55.55%) structures rated Normal
- 0 ( 0.00%) structures rated Below Normal
- 4 ( 44.44%) structures rated Poor
- 0 ( 0.00%) structure rated as Very Poor

**Figure 4: Structure Conditions**





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 in Poor Conditions.

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 three categories: Fair, Poor, and missing completely.

Within the study area there is approximately 2,664 lineal feet or .50 miles of area where sidewalk could or should be located. The area along Husker Highway is a rapidly developing area of Grand Island with the new hospital and multiple commercial business located between the study area and US Highway 281. After reviewing the conditions in the field, the following is how the sidewalk conditions breakdown within the study area:

- **0 (0.00%) lineal feet of Excellent sidewalk**
- **0 (0.00%) lineal feet of Good sidewalk**
- **0 (0.00%) lineal feet of Average sidewalk**
- **0 (0.00%) lineal feet of Fair sidewalk**
- **2,664 (100.00%) lineal feet of no sidewalk**

Due to the lack of sidewalk, sidewalks are considered a direct contributing factor.



**Figure 5: Sidewalk Conditions**

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

### **Curb and Gutter**

Curb and Gutters have a number of direct and indirect roles in communities. Their primary function is to be a barrier to collect and direct water to be drained away. On a secondary level, they can help define where the streets start and stop, and they act as a physical barrier between pedestrian and vehicular traffic.

Curb and gutter for the Study Area were examined similarly to sidewalks. The curb and gutter were graded as either Excellent, Good, Average, Fair, Poor and Missing. There is not any curb and gutter within the study area. And is considered rural section drainage.

Within the study area there is approximately 2,664 lineal feet of curb and gutter possible. Of the total area, approximately 855 feet of concrete paving and underground pipe was constructed during the hospital project. In addition, there were several inlets constructed along the area. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the corporate limits:

- **855 (32.10%) lineal feet of Excellent curb and gutter**
- **0 ( 0.00%) lineal feet of Good curb and gutter**
- **0 ( 0.00%) lineal feet of Average curb and gutter**
- **0 ( 0.00%) lineal feet of Fair curb and gutter**
- **1,809 (67.90%) lineal feet of no curb and gutter**

The majority of this area's street and drainage have been designed and constructed in a manner referred to as rural section. There is a good reason since this area had once been under the county highway departments jurisdiction. Rural section street/road is one where water drains directly from the driving surface into ditches paralleling the street. This approach is adequate; however, this design typically sees the ditches begin to silt in and/or have tall grass growing in them. These factors quickly deteriorate the ability of the ditch to adequately drain away water from the driving surface and this typically leads to localized flooding and ponding. As this area becomes more urban, it needs to have urban amenities.

**Figure 6**  
**Curb and Gutter Conditions**



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



**Streets**

Streets within a community are essential to moving people and vehicles from place to place. Their condition and construction have an impact on the appearance of a community, which leads directly to how a community is perceived by the outside world.

Within the study area there is approximately 2,664 lineal feet or .50 miles of street possible. After reviewing the conditions in the field, the following is how the street conditions breakdown within the corporate limits:

- **855 ( 32.1%) lineal feet of Excellent street**
- **0 ( 0.0%) lineal feet of Good street**
- **0 ( 0.0%) lineal feet of Average street**
- **1,809 ( 67.9%) lineal feet of Fair street**
- **0 ( 0.0%) lineal feet of Poor street**

The newly paved area north and west of the new hospital is a well-designed and excellent driving surface. As development continues west of this pavement, the additional 1,800 feet of frontage is in need of upgrading.



**Figure 7: Street Conditions**



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

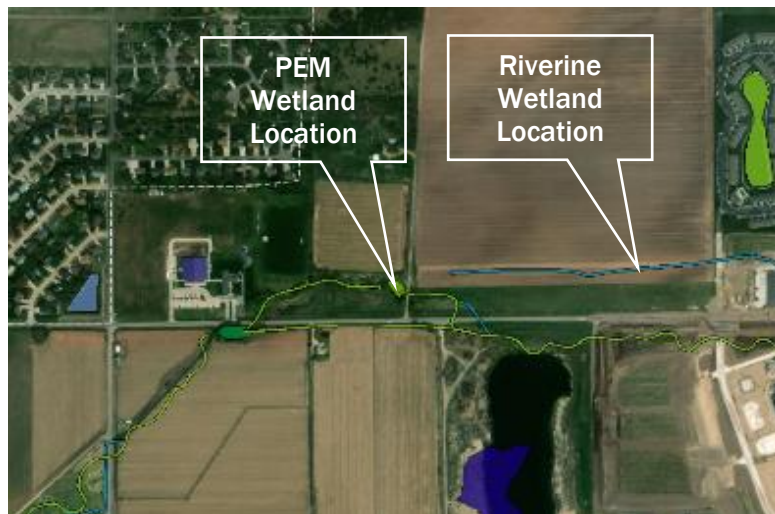


***Insanitary and Unsafe Conditions***

Along Husker Highway on the actual site is a drainage way which filters through a Palustrine Emergent Wetland (PEM). Within this wetland, there is a high probability that water sitting in the area may create Insanitary and Unsafe Conditions due to the water and the potential for breeding of mosquitoes and their ability to spread disease. The wetland is currently present and has been identified on the Wetland Mapper, therefore, this issue needs some level of mitigation which improves the overall safety of this body of water.

In addition, there is a small Riverine Wetland running along the south side of the study area.

**Figure 8: Insanitary and Unsafe Conditions**



Source: Wetlands Mapper (fws.gov), Marvin Planning Consultants 2021





**Groundwater Control Area**

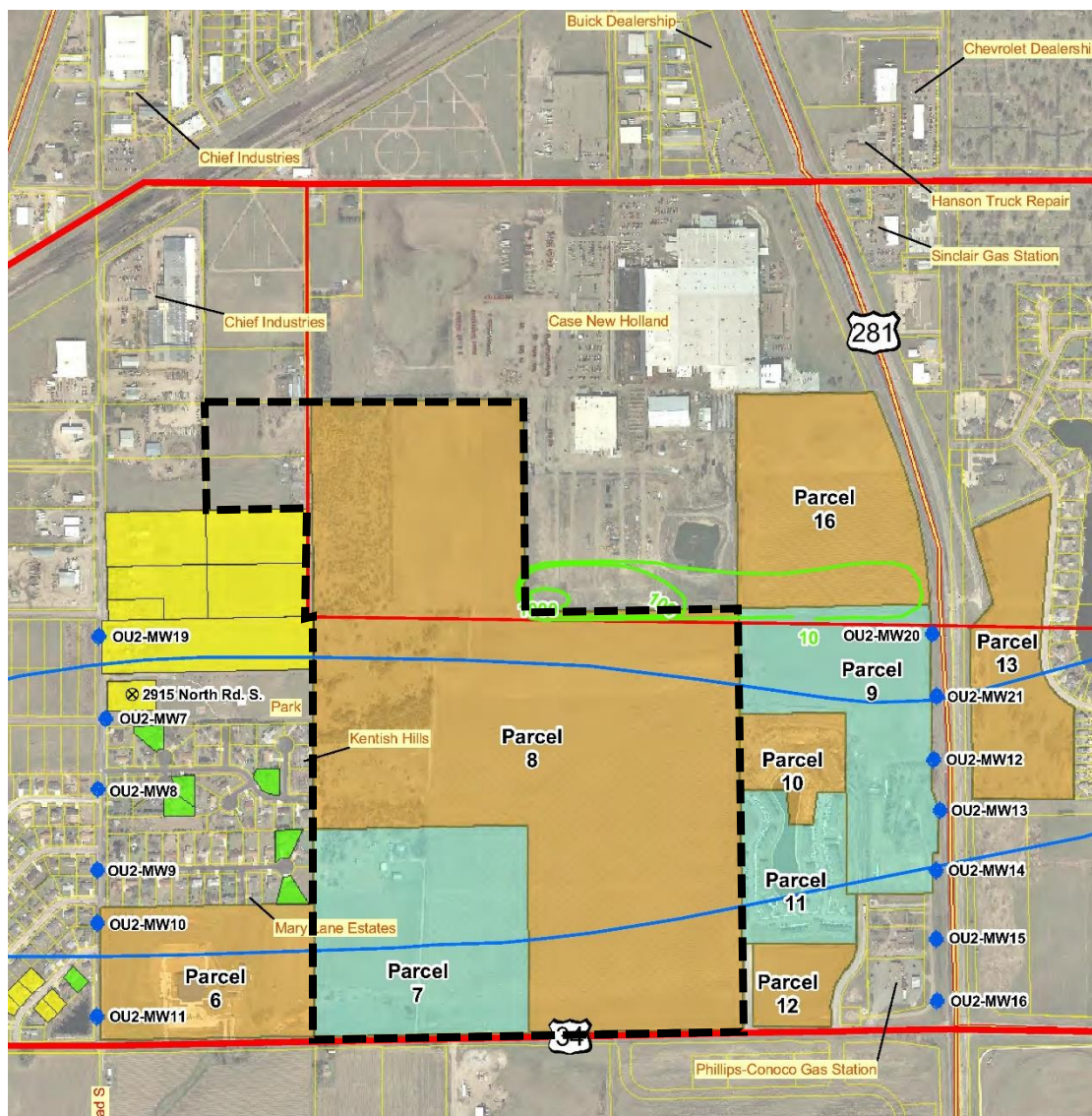
The study area sits in the middle of the Parkview Well Superfund Site dating to September 30, 2007. The site has two areas of groundwater contamination and associated source areas resulting from historical mismanagement of industrial solvents.

The Superfund Site has established remedies in place for the source and its associated Plumes. These remedies are established in order to minimize exposure by humans, especially the consumption of the water within this area.

This area has strict guidelines regarding future operations in the area including the drilling of new water wells with a design capacity of 50 gallons per minute or more; unless an individual party chooses to demonstrate through prescribed hydrological studies that such contamination is not present.

Figure 5 of the Parkview Well Superfund Site (Groundwater Control Area #3) indicates all of the proposed areas of this study are within the adopted boundaries of said Control Area #3. Figure 9 of this study contains a portion of said Figure from Groundwater Control Area #3.

**Figure 9: Groundwater Control Area #3 and Study Area**



Source: City of Grand Island

**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
2	1938	83	166	166
4	1952	69	276	442
1	1954	67	67	509
2	1957	64	128	637
<b>9</b>				<b>637</b>
				<b>70.8</b>

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

**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:

- 9 (100.0%) unit was determined to be 40 years of age or older.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 70.8 years; thus, meeting the requirements of the statutes.

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

**Figure 10: Age of Structures**



### **Blighting Summary**

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

- **Substantial number of deteriorating structures**
  - Within the study area 100.00% of the structures were deemed to be in a normal condition or worse.
  
- **Deterioration of site or other improvements**
  - Curb and gutter are missing over a majority of the frontage along Husker Highway.
  - The study area has what is considered rural section (ditches) and the drainage areas appear to be silting in.
  - A majority of the frontage of Husker Highway has average or poorer condition.
  - Sidewalks are missing within the entire study area.
  
- **Insanitary and Unsafe Conditions**
  - There is a Palustrine Emergent Wetland located in the study area. Standing water could create a sanitary and safety issue with mosquitoes.
  - There is also a Riverine Wetland on the south side which could create similar issues to the Palustrine Emergent Wetland.

### **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.**
  - 9 (100.00%) buildings or improvements were determined to be 40 years of age or older.
  - 0 ( 0.00%) buildings or improvements were determined to be less than 40 years of age.
  - The average age based upon a cumulative age calculation is 70.8 years.

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

- Diversity of Ownership
- Factors Which Are Impairing And/or Arresting Sound Growth
- Dangerous conditions to life or property due to fire or other causes
- Faulty Lot Layout
- Improper Subdivision or Obsolete Platting
- 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 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
2	1938	83	166	166
4	1952	69	276	442
1	1954	67	67	509
2	1957	64	128	637
<b>9</b>				<b>637</b>
				<b>70.8</b>

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

### 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:

- 9 (100.0%) unit was determined to be 40 years of age or older.

However, when examining the age based upon a cumulative approach, as in Table 1 the average age of the primary structures is equal to 70.8 years; thus, meeting the requirements of the statutes.

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

**Figure 11: Age of Structures**



### **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 #33**

Blight Study Area #33 has several items contributing to the Blight and Substandard Conditions. These conditions include:

#### **Blighted Conditions**

- **Substantial number of deteriorated or deteriorating structures.**
- **Condition of Structures**
- **Insanitary and Unsafe Conditions**
- **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 June 8, 2021 meeting, referred the **Blight and Substandard Study for CRA Area 33, commissioned by Innate Development 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**"); and

**WHEREAS**, the Commission held a public hearing regarding said Blight and Substandard Study at their meeting on July 7, 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:** July 7, 2021

HALL COUNTY REGIONAL PLANNING COMMISSION

ATTEST:

By: Leslie E. Ruge  
Secretary

By:  
Chair

