



# **City of Grand Island**

**Tuesday, November 12, 2013**

**Council Session**

## **Item I-7**

**#2013-347 - Reconsideration of Approving Declaration of a Site  
Known as Redevelopment Area 13 Located North of Phoenix  
Avenue and West of Lincoln Avenue**

**Staff Contact: Chad Nabity**

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** November 12, 2013

**Subject:** Reconsideration of Approving Declaration of a Site  
Known as Redevelopment Area 13 Located North of  
Phoenix Avenue and West of Lincoln Avenue

**Item #'s:** I-8

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

## **Background**

Gary Jacobsen commissioned a Blight and Substandard Study for Proposed Redevelopment Area No. 13 to be prepared by Marvin Planning Consultants of David City, Nebraska. The study area includes approximately 2.16 acres referred to as CRA Area No. 13. The study focused on property bounded by the hike bike trail on the north, Lincoln Avenue on the east, Phoenix Avenue to the south and Adams Street on the west in central Grand Island. (See the attached map) On September 10, 2013, Council referred the attached study to the Planning Commission for its review and recommendation. On October 22, 2013 the City Council considered and did not approve Resolution 2013-347 that would have approved Area 13 as blighted and substandard. Council had considered amending the study to limit the area to be declared blighted and substandard to those properties within the municipal limits, specifically the Gauthier property under contract by Mr. Jacobsen. Council was told at the meeting that they would not be able to consider this smaller area; Council voted and did not approve the resolution that would have declared the whole area blighted and substandard. Since the last meeting staff has reviewed the case and determined that Council does in fact have the ability to declare a portion of the study area blighted and substandard. Council Member Minton is requesting that the City Council consider a motion to reconsider the action on Resolution 2013-347 and consider amending that Resolution so that only those portions of the study area currently in the Grand Island City Limits be declared blighted and substandard.

The decision on whether to declare an area substandard and blighted is entirely within the jurisdiction of the City Council with a recommendation from the Planning Commission.

## **Discussion**

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

### **Section 18-2109**

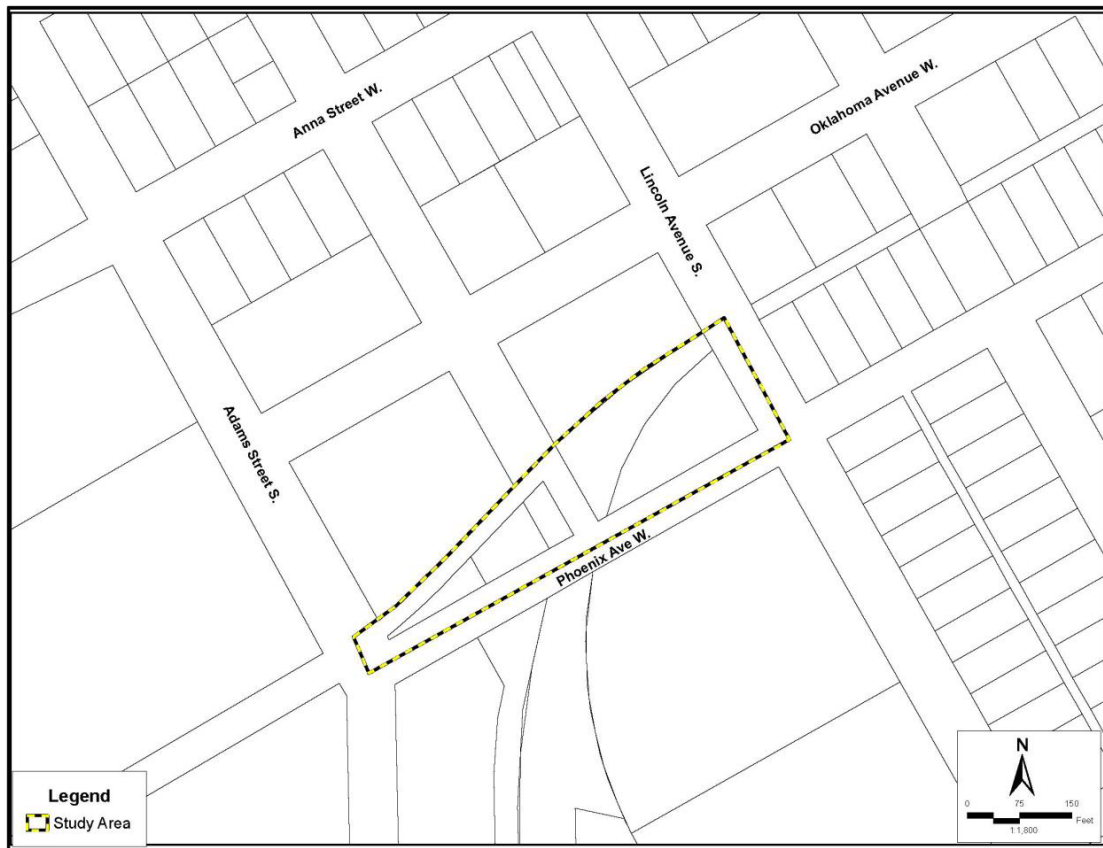
*Redevelopment plan; preparation; requirements.*

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

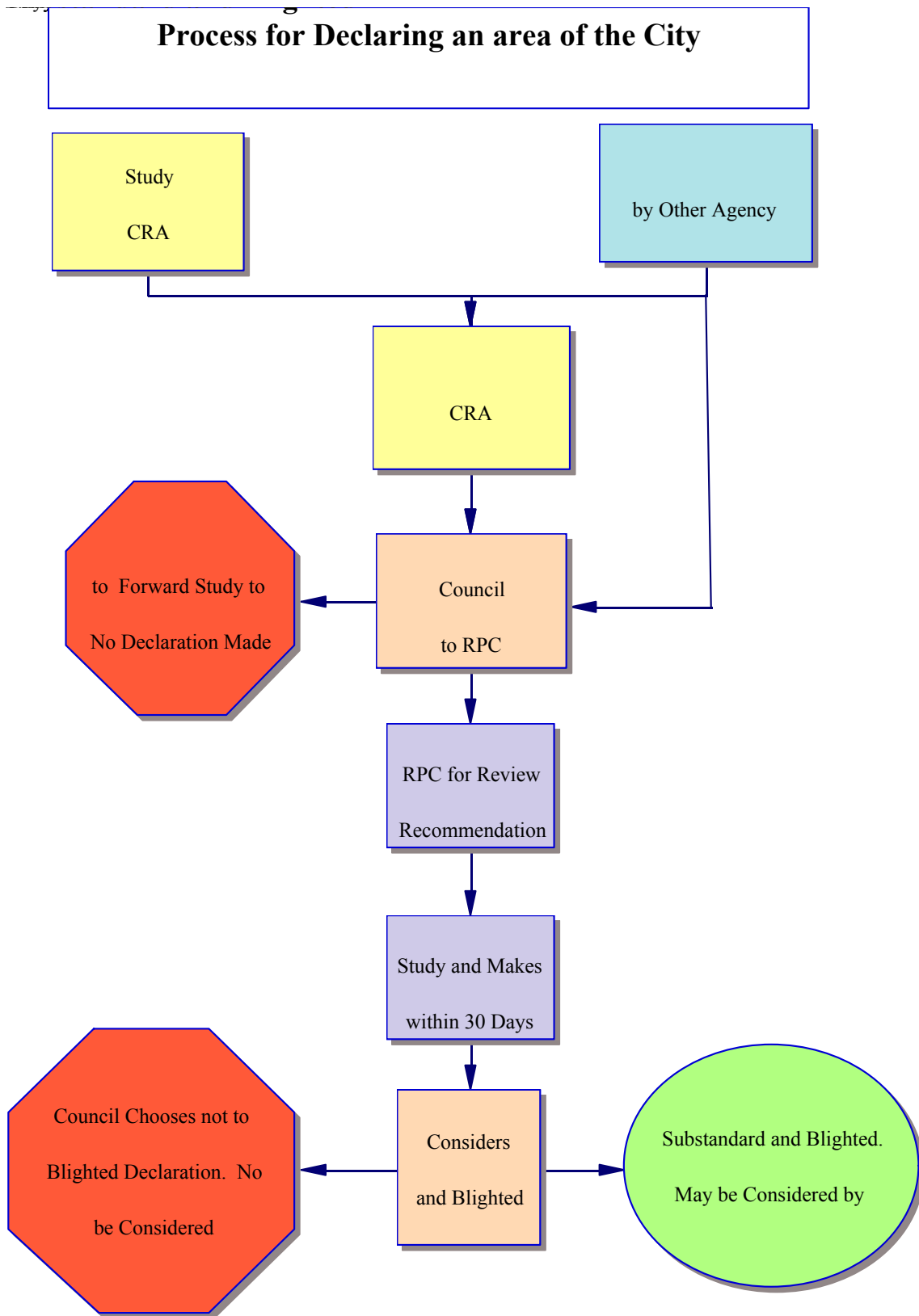
~Reissue Revised Statutes of Nebraska

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

At this time, the Planning Commission and Council are 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.



**Figure 1 Redevelopment Area 13 includes all properties within the hatched area.**



**Figure 2 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 3 Blight and Substandard Declaration compared to a Redevelopment Plan

## OVERVIEW Continued

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 finding of fact identified by the Planning Commission
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.

### Blighted and Substandard Defined

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

#### Section 18-2103

*Terms, defined.*

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

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

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

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

~Reissue Revised Statutes of Nebraska

## **ANALYSIS**

The following findings are copied directly from the Study. The analysis of the substandard and blighted factors is conducted on pages 6 to 15 of the study.

### **FINDINGS FOR GRAND ISLAND**

Study Area #13 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
  - 100.00% of the structures identified within the corporate limits, of the Study Area, were deemed to be in a state of deterioration or dilapidation
- Deterioration of site or other improvements
  - A large amount of sidewalk either in a deteriorated state or missing from properties in the area.
  - The existence of gravel streets within the study area.
  - The condition of the streets within the corporate limits.
- Dangerous conditions to life or property due to fire or other causes
  - The number of deteriorating structures
- Average age of structures is over 40 years of age
  - Within the Study Area 100.00% of the structures meet the criteria of 40 years of age or older.
- Improper Subdivision or obsolete platting
- Unsanitary / Unsafe conditions



- The area has major drainage issues and does not drain well and has the potential for standing water to be present for long periods of time.

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

- Combination of factors which are impairing and/or arresting sound growth
- Defective/Inadequate street layouts,
- Faulty lot layout,
- Defective or unusual condition of title,
- Economic or social liability detrimental to health, safety and welfare,
- Conditions provision of housing accommodations,
- One-half of unimproved property is over 40 years old,
- Inadequate provisions for ventilation, light, air, open spaces or sanitation, and
- Diversity of ownership.

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

This Study Area in Grand Island meets the definition with the average age of the structures being more than 40 years of age. In addition, the area meets the criteria for the existence of conditions which endanger life or property by fire and other causes.

### **FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #13**

Blight Study Area #13 has several items contributing to the Blight and Substandard Conditions. These conditions include:

#### **Blighted Conditions**

- Substantial number of deteriorating structures.
- Improper subdivision or obsolete platting.
- Deterioration of site or other improvements.
- Dangerous conditions to life or property due to fire or other causes.
- Average age of units is over 40 years of age.
- Unsanitary/unsafe conditions.

#### **Substandard Conditions**

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

- Existence of conditions which endanger life or property by fire and other causes.

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

## **RECOMMENDATION:**

Planning Commission and staff recommend 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 Planning Commission and 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 public intervention appropriate and/or necessary for the redevelopment of the area?

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.

The Regional Planning Commission concluded that the area in question meets the definition of blighted and substandard.

They recommend **approval** of the declaration as blighted and substandard.

The Planning Commission held a Public Hearing on this proposal at their meeting on October 2, 2013. No members of the public spoke at the public hearing.

Grand Island has 12 areas that have been declared blighted and substandard 3,482 acres. This represents 18.20% of the area of the City. Grand Island can declare up to 35% of its municipal area blighted and substandard. If Council approves the declaration of this area as blighted and substandard 2.16 acres would be added to the blighted and substandard area in Grand Island increasing the percentage by 0.01% to 18.21% well below the 35% limitation.

## **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

## **Recommendation**

A motion was made by McCarty and seconded by Bredthauer to approve the adoption of Blight and Substandard Study Area #13 as presented based on the study prepared by Marvin Planning Consultants.

A roll call vote was taken and the motion passed with 8 members present and voting in favor (Hayes, Snodgrass, O'Neill, Bredthauer, McCarty, Amick, Reynolds and Haskins) and no one voting against.

## **Sample Motion**

Move to reconsider the action of the October 22, 2013 meeting regarding Resolution 2013-347. If the Council chooses to reconsider the action they can consider approving the resolution by amending the study to exclude any property not within the municipal limits of Grand Island.



**City of Grand Island, NE**  
**Blight and Substandard Study**  
**Area #13**  
**July 2013**





## **PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY**

The purpose of completing this Blight and Substandard study is to examine existing conditions within the city of Grand Island. This study has been commissioned by an individual property owner within the community with the hope that the City will consider the study area for future redevelopment activity. The area is bordered on the south by a major transportation route and the general area of the community has begun to see some new investment in properties as well as considerable redevelopment activities.

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

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

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

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

Blight and Substandard are defined as the following:

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

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

This Blight and Substandard Study is intended to give the Grand Island Community Redevelopment Authority and Grand Island City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction. Through this process, the City and property owner 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. The Redevelopment Plan portion of this report will contain, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

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

### BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY

This study targets a specific area within an established part of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this area include commercial and public open space (primarily detention cells).

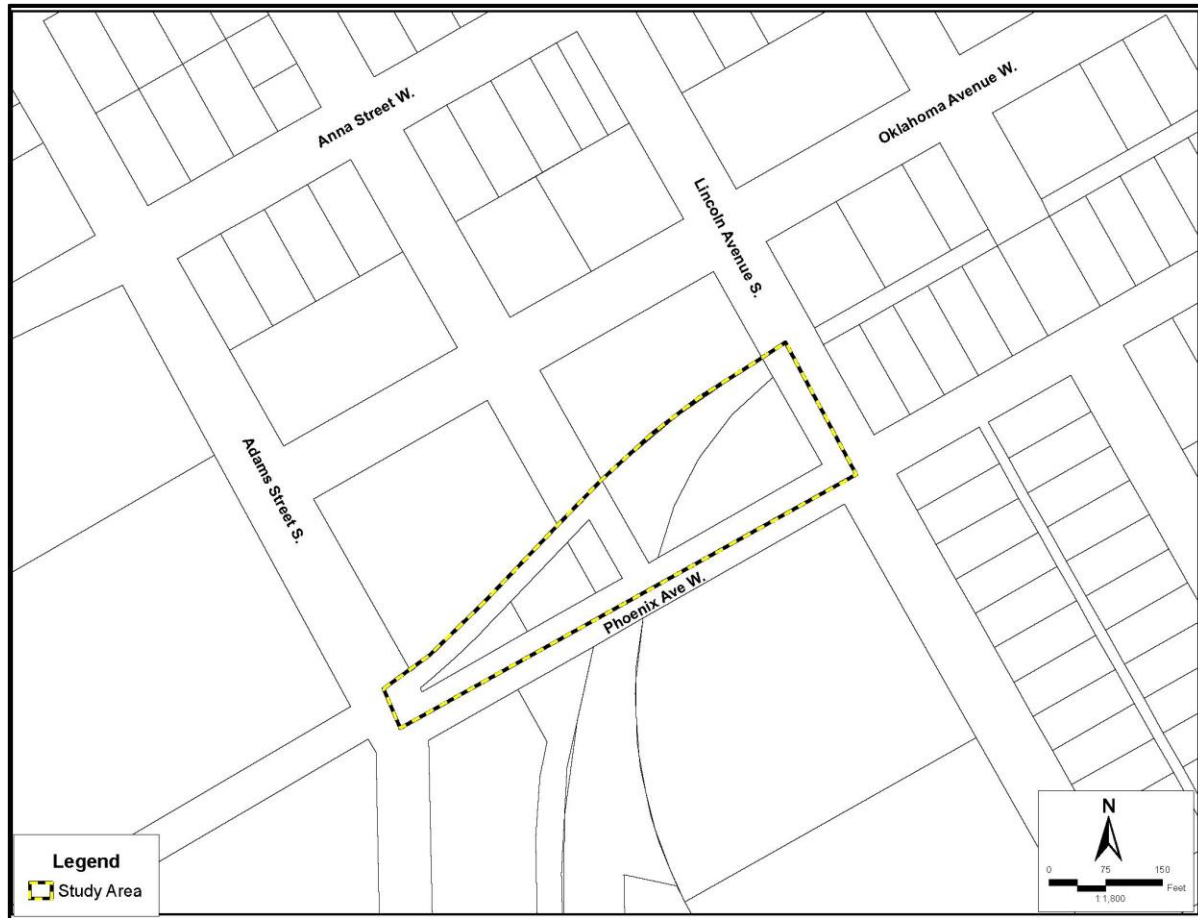
Through the redevelopment process the City of Grand Island can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Grand Island is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City of Grand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

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

### Study Area

POINT OF BEGINNING IS THE INTERSECTION OF THE CENTERLINES OF LINCOLN AVENUE S. AND PHOENIX AVENUE W; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF PHOENIX AVENUE W TO THE INTERSECTION OF THE CENTERLINES OF PHOENIX AVENUE W AND ADAMS STREET S; THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF ADAMS STREET S TO THE EXTENDED NORTH RIGHT-OF-WAY LINE CITY RIGHT-OF-WAY (OLD RAILROAD RIGHT-OF-WAY); THENCE, NORTHEASTERLY ALONG NORTH RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE CENTERLINE OF LINCOLN AVENUE S; THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING.

**Figure 1**  
**Study Area Map**



Source: Olsson Associates 2013

## 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 that either benefit or detract from the community. Because of this, the short and long-term success and sustainability of the community is directly contingent upon available resources utilized in the best manner given the constraints the City faces during the course of the planning period. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

### Existing Land Use Analysis within Study Area

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

Table 1 includes the existing land uses for the entire study area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare the all land uses to the total area within the Study Area.

The Study Area is predominately Industrial uses with 31.0% of land in this use. The remaining 69.0% is Transportation related, specifically public right-of-way and streets.

**TABLE 1: EXISTING LAND USE, GRAND ISLAND - 2013**

Type of Use	Acres	Percent of Developed land within the Study Area	Percent of Study Area
Residential	0	0.0%	0.0%
Single-family	0	0.0%	0.0%
Multi-family	0	0.0%	0.0%
Manufactured Housi	0	0.0%	0.0%
Commercial	0	0.0%	0.0%
Industrial	1.20	55.6%	55.6%
Quasi-Public/Public	0	0.0%	0.0%
Parks/Recreation	0	0.0%	0.0%
Transportation	0.96	44.4%	44.4%
Total Developed Land	2.16	100.0%	
Vacant/Agriculture	0		0.0%
<b>Total Area</b>	<b>2.16</b>		<b>100.0%</b>

Source: 2013 Grand Island Blight Study Area 13, Marvin Planning Consultants and Olsson Associates



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



Source: Marvin Planning Consultants and Olsson Associates, 2013

## **FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY**

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

### **CONTRIBUTING FACTORS**

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

#### **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 that are 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 that the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

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

- Two (100.0%) units were determined to be 40 years of age or older
- Also there are numerous structures outside of the boundary in another previously blighted area that are 40 years of age or older and are negatively impacting the area under discussion.

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

**Figure 3**  
**Unit Age Map**



Source: Marvin Planning Consultants and Olsson Associates, 2013

### Structural Conditions

Where structural conditions were evaluated, structures were either rated as: No problems, Adequate, Deteriorating, or Dilapidated. The following are the definitions of these terms:

#### No Problem/ Adequate Conditions

- No structural or aesthetic problems were visible, or
- Slight damage to porches, steps, roofs etc. is present on the structure,
- Slight wearing away of mortar between bricks, stones, or concrete blocks,
- Small cracks in walls or chimneys,
- Cracked windows,
- Lack of paint, and
- Slight wear on steps, doors, and door and window sills and frames.



#### Deteriorating Conditions

- Holes, open cracks, rotted, loose, or missing materials in parts of the foundation, walls, or roof (up to 1/4 of wall or roof),
- Shaky, broken, or missing steps or railings,
- Numerous missing and cracked window panes,
- Some rotted or loose windows or doors (no longer wind- or water-proof), and
- Missing bricks, or cracks, in chimney or makeshift (uninsulated) chimney.

#### Dilapidated Conditions

- Holes, open cracks, or rotted, loose or missing material (siding, shingles, brick, concrete, tiles, plaster, floorboards) over large areas of foundation,
- Substantial sagging of roof, floors, or walls,
- Extensive damage by fire, flood or storm, and
- Inadequate original construction such as makeshift walls, roofs made of scrap materials, foundations or floors lacking, or converted barns, sheds, and other structures not adequate for housing.

These are criteria used to determine the quality of each structure in the Study Area.

In a recent conditions survey, the structures within the corporate limits were rated. Within the corporate limits portion of the study area there are a total of two structures.

After reviewing the overall conditions of the structures in the corporate limits portion include:

- 0 (0.00%) structures rated as adequate
- 0 (0.00%) structures rated as deteriorating
- 2 (100.0%) structures rated as dilapidated

Overall, 100.0% of the structures in this area are in a state of disrepair. Figure 3 shows the data on a block level as opposed to structure. Typically, if there were several structures deemed to be deteriorating or dilapidated then the entire block was downgraded. For purposes of this study there is approximately 100.0% of the block area within the Study Area has dilapidated structures.

Due to the state of disrepair of a number of properties in the area, the conditions represent conditions which are Dangerous to conditions of life or property due to fire or other causes.

**Figure 4**  
**Structural Conditions**



Source: Marvin Planning Consultants and Olsson Associates, 2013

### Sidewalk Conditions

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

Within the study area there is approximately 802.32 lineal feet of sidewalk. 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 adequate sidewalk
- 337.65 (42.1%) lineal feet of deteriorating sidewalk
- 464.67 (57.9%) lineal feet of no sidewalk. There was no sidewalk deemed to be dilapidated.



Overall, 100% of the sidewalks are in either a deteriorating state or completely missing. Missing sidewalk is as bad as dilapidated or deteriorating sidewalk since there is no safe place to walk other than across someone else's property or in the street. See Figure 5 for the locations of these sidewalks.

Due to the large amount of deteriorating and missing sidewalk, the sidewalk conditions would be a direct contributing factor.



### Street Conditions

The street conditions were analyzed in the Study Area. The streets were also rated on four categories; adequate, deteriorating, dilapidated, and missing completely. The following is the breakdown for the area.

Within the study area there is approximately 932.64 lineal feet of street. After reviewing the conditions in the field, the following is how the street conditions breakdown within the corporate limits:

- 0 (0.00%) lineal feet of adequate street
- 606.13 (65.0%) lineal feet of deteriorating street
- 326.51 (35.0%) lineal feet of gravel streets.
- There was no street deemed to be dilapidated.

Overall, 100.0% of the streets are in either a deteriorating state or were paved with gravel, thus an obsolete material for an urban area. See Figure 6 for the locations of these streets.

Due to the large amount of deteriorating and missing street, the street conditions would be a direct contributing factor.



### Curb and Gutter

Curb and Gutters have a number of direct and indirect roles in neighborhoods. Their primary functions is to be a barrier that collects and directs 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 streets and sidewalks. The curb and gutter will be graded as either adequate, deteriorating, dilapidated, or missing. In addition, curb and gutter will be examined based upon their location, within the incorporated area or within the county industrial park.



Within the study area there is approximately 804 lineal feet of curb and gutter possible. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the corporate limits:

- 160.00 (19.9%) lineal feet of adequate curb and gutter
- 196.44 (24.4%) lineal feet of deteriorating curb and gutter
- 447.97 (55.7%) lineal feet of no curb and gutter or rural section.

There was no curb and gutter deemed to be dilapidated.

In total, 80.1% of the curb and gutters are in either a deteriorating state or are missing. See Figure 7 for the locations of these curb and gutter.

Due to the large amount of deteriorating and missing curb and gutter, the curb and gutter conditions would be a direct contributing factor.

### Deterioration of site or other improvements

Throughout this Area, there is a large portion of sidewalk that is either deteriorating or missing. In addition, a large portion of the curb and gutter has been determined to be either deteriorating or missing.

Finally, the area has a large amount of deteriorating streets. The streets have been patched over and over due to large amounts of cracking that has been occurring in the pavement.

These are major considerations in determining if the area has deteriorated sites or improvements.

Based upon the field analysis, there are sufficient elements present to meet the definition of deterioration of site and other improvements in the Study Area.



### **Dangerous conditions to life or property due to fire or other causes**

There are two structures within the Study Area that are deteriorated and appear to be getting worse. The continued deterioration from this point forward will place some of these properties at risk for fire.

In addition, there are a couple of properties in close proximity that if they go untouched in the future could present a danger to life if someone were to sneak onto the property. This property needs to have a repaired security fence put into place in order to minimize the threat.

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

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

The majority of this area was platted in the 1800's as the city began to grow and when there was still an active railroad line serving this part of Grand Island. The vast number of the lots, as they are platted today, will be difficult to redevelop.

Based upon the review of the plat of the area, there are sufficient elements present to meet the definition of improper platting or obsolete platting within the Study Area.

### **Unsanitary / Unsafe conditions**

The area being evaluated for the conditions of blighted and substandard needs to be examined for the unsanitary and unsafe conditions. A primary item that was examined was the drainage conditions of the area.

#### *Drainage Conditions*

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

The field survey examined the entire area for potential drainage problems. One field survey was completed the same day of a rain event. During the field visit there was standing water throughout the entire area. Water was standing in large potholes, in drainage ditches, along areas that were supposed to drain the water away.



Standing water from poor drainage can be a catalyst for Health issues like West Nile due to the potential mosquito breeding that can occur.

Drainage also can be tied directly to the next issue that was analyzed during the field investigations, curb and gutter conditions.

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

### **Blighting Summary**

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

- Substantial number of deteriorating structures
  - 100.00% of the structures identified within the corporate limits, of the Study Area, were deemed to be in a state of deterioration or dilapidation
- Deterioration of site or other improvements
  - A large amount of sidewalk either in a deteriorated state or missing from properties in the area.
  - The existence of gravel streets within the study area.
  - The condition of the streets within the corporate limits.
- Dangerous conditions to life or property due to fire or other causes
  - The number of deteriorating structures
- Average age of structures is over 40 years of age
  - Within the Study Area 100.00% of the structures meet the criteria of 40 years of age or older.
- Improper Subdivision or obsolete platting
- Unsanitary / Unsafe conditions
  - The area has major drainage issues and does not drain well and has the potential for standing water to be present for long periods of time.

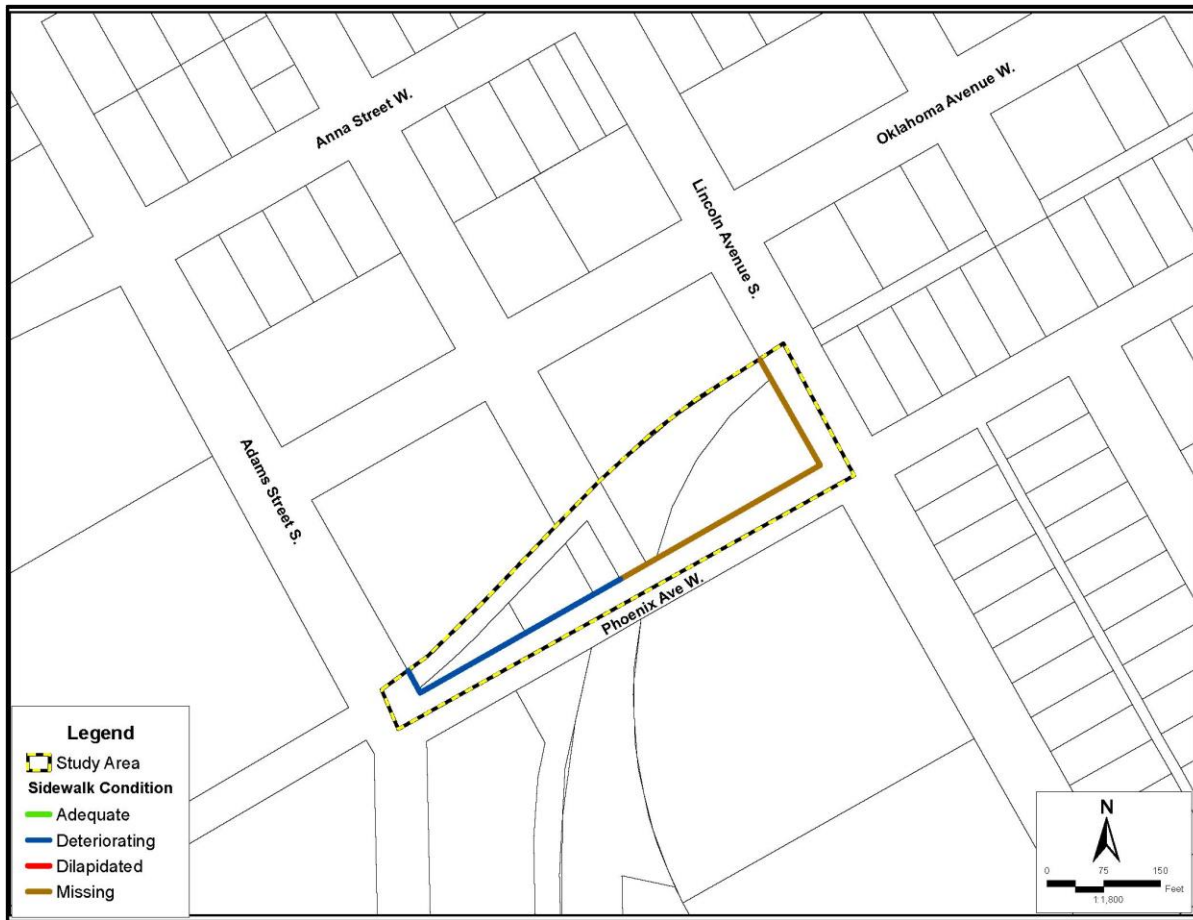


The other criteria for Blight were not present in the area, these included:

- Combination of factors which are impairing and/or arresting sound growth
- Defective/Inadequate street layouts,
- Faulty lot layout,
- Defective or unusual condition of title,
- Economic or social liability detrimental to health, safety and welfare,
- Conditions provision of housing accommodations,
- One-half of unimproved property is over 40 years old,
- Inadequate provisions for ventilation, light, air, open spaces or sanitation, and
- Diversity of ownership.

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

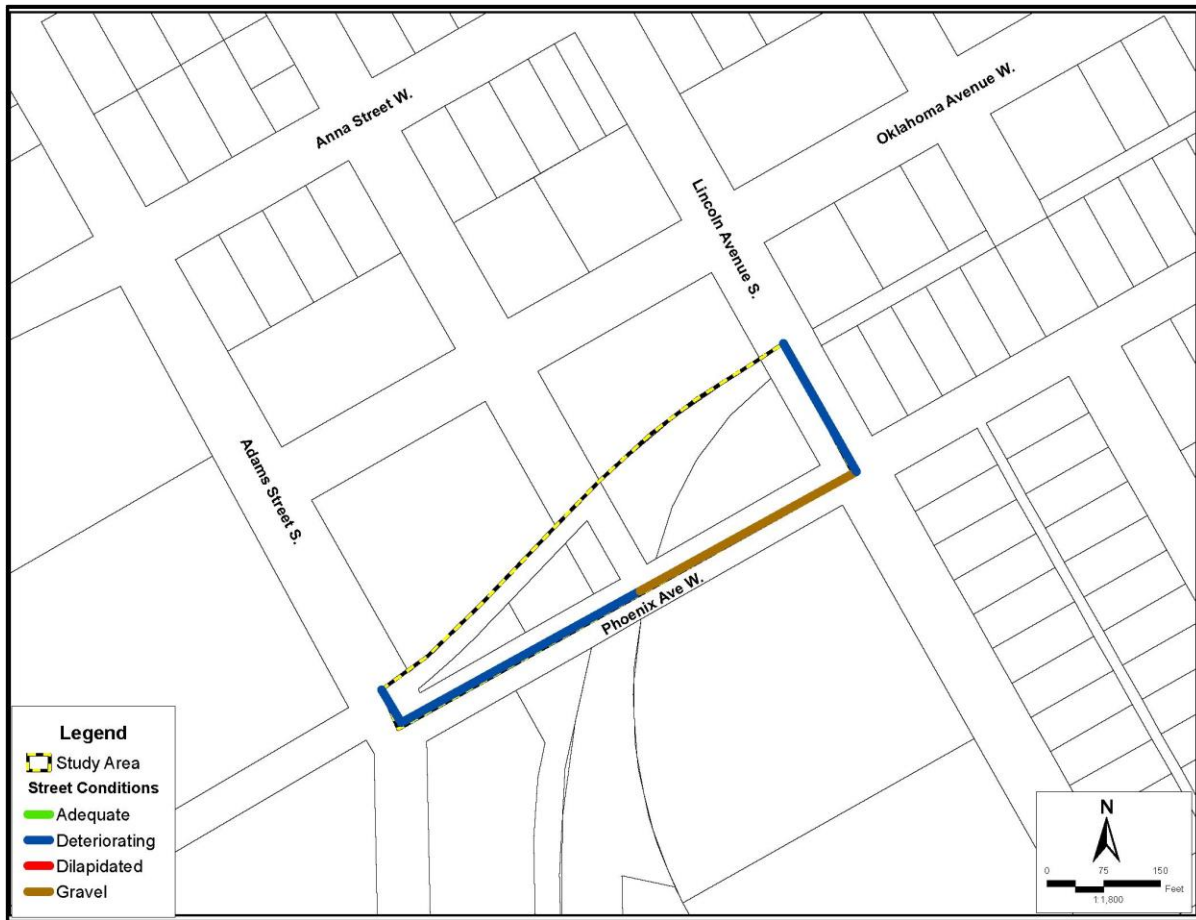
**Figure 5**  
**Sidewalk Conditions**



Source: Marvin Planning Consultants and Olsson Associates, 2013

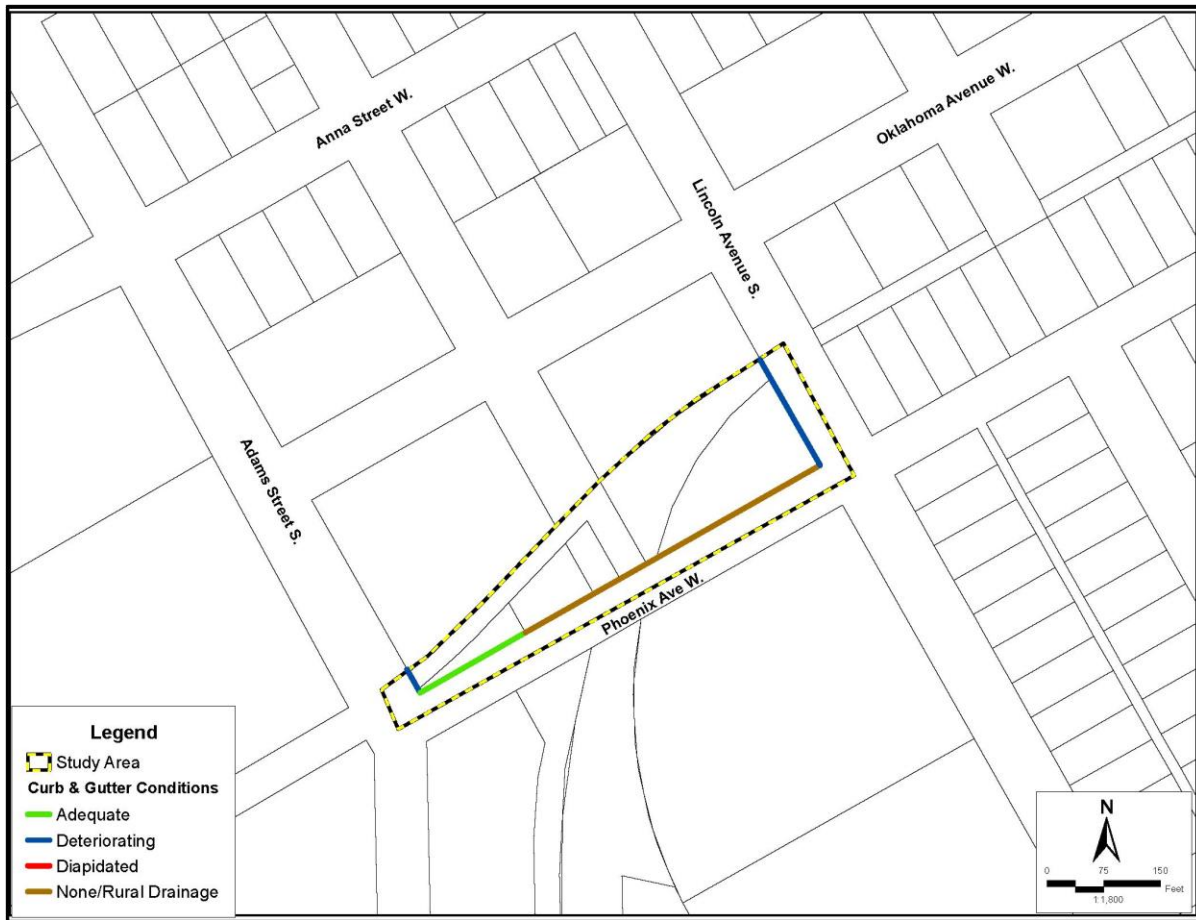


**Figure 6**  
**Street Conditions**



Source: Marvin Planning Consultants and Olsson Associates, 2013

**Figure 7**  
**Curb and Gutter Conditions**



Source: Marvin Planning Consultants and Olsson Associates, 2013

## **Substandard Conditions**

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

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

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

- 0 (0.00%) units were determined to be less than 40 years of age
- 2 (100.00%) units were determined to be 40 years of age or older

There is a predominance of units 40 years of age or older.

## **Substandard Summary**

Nebraska State Statute requires that at least one of five substandard factors be present in a community. This Study Area in Grand Island has one of the five. The other criteria for Substandard were not present or the data was not readily accessible in the area, these included:

- Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
- 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;
- the per capita income of the area is lower than the average per capita income of the city or in which the area is designated
- the area has had either stable or decreasing population based on the last two decennial censuses.

## **FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #13**

Blight Study Area #13 has several items contributing to the Blight and Substandard Conditions. These conditions include:

### **Blighted Conditions**

- Improper subdivision or obsolete platting
- Deterioration of site or other improvements,
- Dangerous conditions to life or property due to fire or other causes,
- Average age of units is over 40 years of age.

### **Substandard Conditions**

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

RESOLUTION 2013-347

WHEREAS, on June 27, 1994, the City of Grand Island enacted Ordinance No. 8021 creating the Community Redevelopment Authority of the City of Grand Island, Nebraska, to address the need for economic development opportunities through the vehicles provided in the Nebraska Community Development law at Neb. Rev. Stat. §18-2101, et seq., as amended; and

WHEREAS, Gary Jacobsen has caused to be prepared a Blight and Substandard Study for an area referred to as Area No. 13; and

WHEREAS, Marvin Planning Consultants completed such Blight and Substandard Study and has determined that the area should be declared as substandard or blighted area in need of redevelopment; and

WHEREAS, Gary Jacobsen presented such study to the Grand Island City Council on September 10, 2013 and

WHEREAS, on September 10, 2013 the Grand Island City Council referred such study to the Hall County Regional Planning Commission for review and recommendation; and

WHEREAS, the Regional Planning Commission held a public hearing and recommended approval of such study at its October 2, 2013 meeting; and

WHEREAS, a public hearing to consider approval of a Blighted and Substandard designation was held on September 22, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Blight and Substandard Study for Redevelopment Area No. 13 as identified above is hereby approved, and those areas identified in said study are declared to be blighted and substandard and in need of redevelopment as contemplated in the Community Development law.

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Adopted by the City Council of the City of Grand Island, Nebraska, November 12, 2013.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 8, 2013	☐ City Attorney