



# **City of Grand Island**

**Monday, March 26, 2012**

**Council Session**

## **Item H1**

### **Referral of Blight and Substandard Study for Proposed Redevelopment Area #9 to the Regional Planning**

**Staff Contact: Chad Nabity**

# **Council Agenda Memo**

**From:** Chad Nabity, AICP

**Meeting:** March 26, 2012

**Subject:** Proposed Blighted and Substandard Area #9

**Item #'s:** H-1

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

## **Background**

Enclosed you will find a copy of a Substandard and Blight Study as prepared for the Gordman Grand Island LLC by Marvin Planning Consultants. This study is for approximately 72 acres of property in northwest Grand Island between Capital Avenue and State Street and U.S. Highway 281 and Webb Road. The study as prepared and submitted indicates that this property could be considered substandard and blighted. The full study is attached for your review and consideration.

Gordman Properties LLC has submitted this study for the review and consideration of the Grand Island City Council as permitted by Nebraska law. 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.

The question before Council will be whether to send the Study to the Planning Commission for their review and feedback. If the item is not sent to the Planning Commission the Council cannot declare the area substandard and blighted. Planning Commission will meet on April 4<sup>th</sup> and would have a recommendation ready for last Council meeting in April.

Once an area has been declared substandard and blighted the CRA can accept redevelopment proposals for the area that might or might not include an application for Tax Increment Financing.

## **Discussion**

The action item tonight relate to the Study for proposed CRA Area No. 9 in northwest Grand Island between Capital Avenue and State Street and U.S. Highway 281 and Webb

Road as shown below. The study was prepared for 72 acres, of all of which are in the Grand Island City Limits



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

The statutory procedures for accomplishing blight relief include the following steps: (1) the identification of a community redevelopment area consisting of portions of a city declared to be substandard or blighted in accordance with statutory definitions and in need of redevelopment, (2) the formulation of a redevelopment plan for such area or a redevelopment project within such area, and (3) the implementation of the redevelopment plan through various means including acquisition, sale, leasing, and contracting for redevelopment. Nebraska Revised State Statutes (NRSS) 18-2103, 18-2107, and 18-2109.

Under this statutory scheme, the governing body 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 enterprise. A private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment. See *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 277 N.W.2d 423 (1979), *Fitzke v. Hastings*, 255 NEB 46 (1998)

At this point, Council is only considering point 1 of Mr. Eley's opinion. According to NRSS §18-2109, it is clear that the Planning Commission must have the opportunity to review the Blight Study prior to Council declaring the property substandard and blighted. If Council wishes to consider a declaration of substandard and blight State Statute require that the question of whether an area is substandard and blighted be submitted to the Planning Commission for its review and recommendation.

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

### **Blighted Area of the Community**

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 today, March 19, 2012, 16.05% of the City has been declared blighted and substandard. The area proposed for Adams Street Area (Area 8) would add another 0.48%. The Gordon Grand Island



LLC study (Area 9) would add 0.38%. If both Areas 8 and 9 were to be declared substandard and blighted by the Council 16.91% of the community would bear that designation.

It does not appear that the declaration of both Area 8 and Area 9 would significantly impact the City's ability to declare other areas substandard and blighted.

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council Move to forward the Study to the Planning Commission.

### **Sample Motion**

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



# **City of Grand Island, NE**

## **Blight and Substandard Study**

### **Area #9**

**March 2012**







## **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 all four sides by major transportation routes and the general area of the community has seen considerable new development on the western perimeter of the area but limited 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*

*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 W. CAPITAL AVENUE AND N. WEBB ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE OF N. WEBB ROAD TO THE INTERSECTION OF THE CENTERLINES OF N. WEBB ROAD AND STATE STREET; THENCE WESTERLY ALONG SAID CENTERLINE OF STATE STREET TO THE INTERSECTION OF THE CENTERLINES OF STATE STREET AND US HIGHWAY 281; THENCE, NORTHERLY ALONG SAID CENTERLINE OF US HIGHWAY 281 TO THE INTERSECTION OF THE CENTERLINES OF US HIGHWAY 281 AND W. CAPITAL AVENUE; THENCE, EASTERLY ALONG THE CENTERLINE OF W. CAPITAL AVENUE TO THE POINT OF BEGINNING.



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



Source: Gordman Grand Island LLC, 2012

## 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.

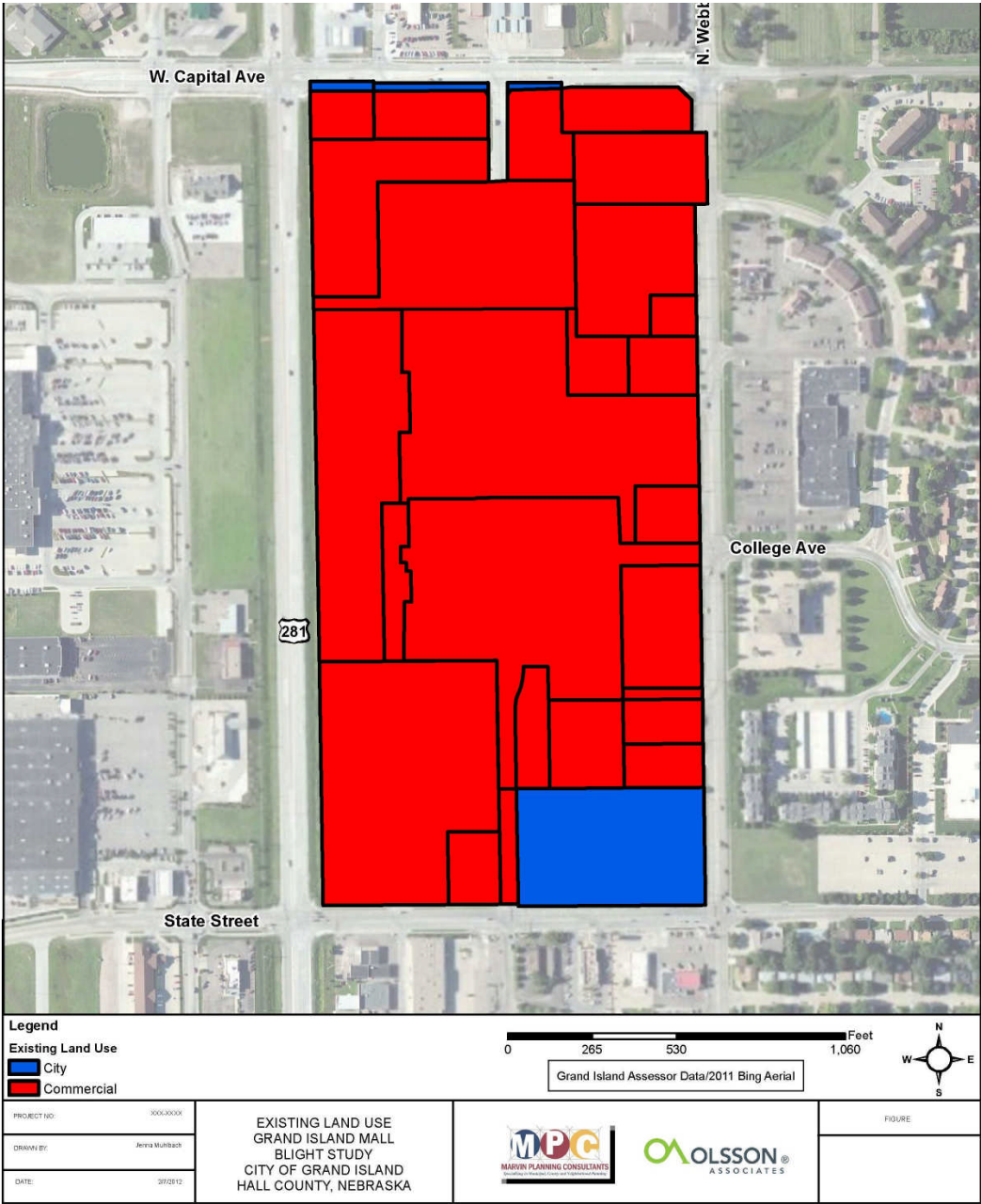
The Study Area is predominately Commercial uses with 93.0% of land in this use. The remaining 7% is Public/Quasi-public and is typically used for stormwater detention. One key note on existing land uses, within the interior of the Grand Island Mall portion there is currently a church using the space but has been included in the commercial uses.

**TABLE 1: EXISTING LAND USE, GRAND ISLAND - 2011**

Type of Use	Acres	Percent of Developed land within the Study Area	Percent of Study Area
Residential	0	0.0%	0.0%
Single-family	0	0.0%	0.0%
Multi-family	0	0.0%	0.0%
Manufactured Housing	0	0.0%	0.0%
Commercial	66.84	93.0%	93.0%
Industrial	0	0.0%	0.0%
Quasi-Public/Public	5.02	7.0%	7.0%
Parks/Recreation	0	0.0%	0.0%
Transportation	0	0.0%	0.0%
<b>Total Developed Land</b>	<b>71.86</b>	<b>100.0%</b>	
Vacant/Agriculture	0		0.0%
<b>Total Area</b>	<b>71.86</b>		<b>100.0%</b>

Source: 2012 Grand Island Blight Study Area 9, Marvin Planning Consultants and Olsson Associates

Figure 2  
Existing Land Use Map



Source: Marvin Planning Consultants and Olsson Associates, 2012

## **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 16 units. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 11 (68.8%) units were determined to be less than 40 years of age
- 5 (31.2%) units were determined to be 40 years of age or older

Even though there is not a predominance of units 40 years of age or older the ones that meet the criteria are grouped together on the north end of the overall study area. Two of these units are predominate commercial units on the site and contain a large portion of the overall square footage of the buildings in the area. A typical unit in which commercial uses are rated is square feet; therefore the following is a breakdown of the square footage of the units in the study area:

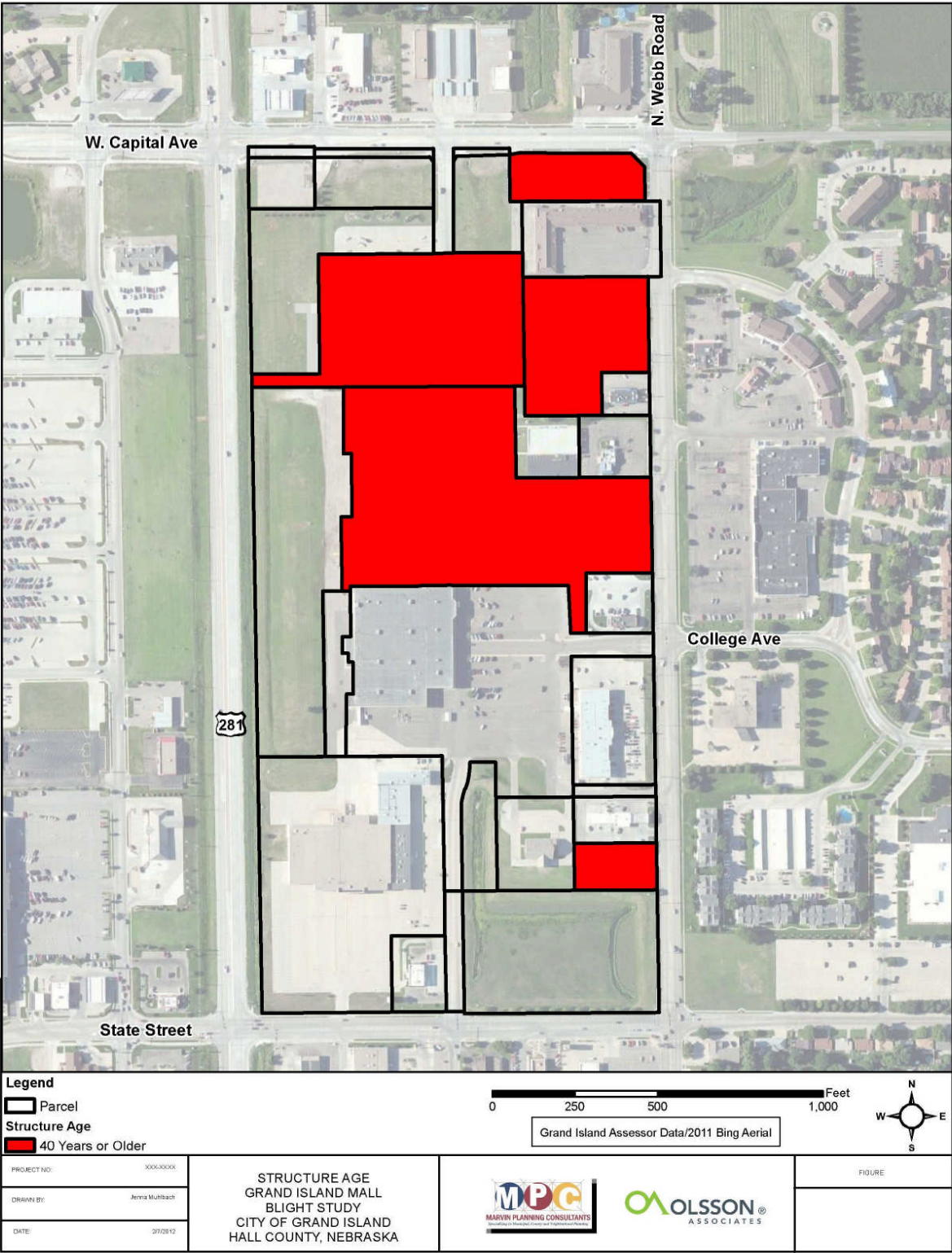
- 531,224 total square feet
- 282,593 s.f. of the total or 53.2% are at least 40 years of age.

In the case of the Grand Island Mall, a walk through in the public areas indicated that the interiors were completely out of date and in dire need of updating.

Due to the age of the structures and specifically the total square footage, the age of the units would be a direct contributing factor.



Figure 3  
Unit Age Map



Source: Marvin Planning Consultants and Olsson Associates, 2012



### Deterioration of Site or Other Improvements

The site improvements include the areas determined to be means of public ingress and egress to the study area as well as the area designed to move vehicular traffic through the site. In addition, this includes the actual surface parking areas. The condition of the site improvements vary greatly.

The Study Area contains a major deteriorated condition; the parking areas throughout the area, as well as the demarcated driving areas.

The parking areas throughout the entire Study Area are in a serious state of disrepair. In a number of situations, the deterioration may present a potential hazard to vehicles. The parking surface and driving areas contain major surface break-ups and spawling. These conditions have been likely caused by several circumstances over the years, including:

- Lack of maintenance
- Sub-soil conditions
- Heavier than expected traffic
- Flooding in recent years
- Freeze/thaw cycles

A number of these items can be prevented through proper design, enforcement and maintenance, with maintenance being a key.

Photos 1 through 7 indicate examples of different deteriorated conditions within the parking and driving areas across the entire site.

In addition to broken pavement in the Study Area, there are some areas where the actual driving areas have reverted to dirt and mud as seen in Photo 7.

Due to the large amount of broken pavement in the Study Area, the parking areas are considered to be deteriorated or in a state of deteriorating; therefore, they are a direct contributing factor to the conditions of blight.



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7

### Drainage Conditions

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

The visual survey of the site examined the entire area for potential drainage problems. The fact the City of Grand Island has one major and a couple of smaller detention cells in the Study Area are a major indicator as to the potential for flooding/drainage problems. The largest detention cell in the Study Area is also located on a prime intersection and on what could be a location for a tenant in the area.

In addition, the entire Study Area is within the 100-year floodplain; however, specific buildings/structures have been amended out of the floodplain.

The photographs of the Study Area indicate standing water within key drainage ways on the site, see Photo 8.

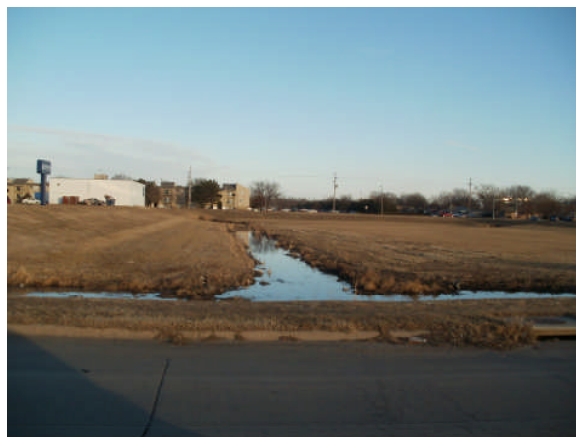


Photo 8

The drainage issue has also contributed to other problems in the area such as dictating traffic patterns in order to not interfere with the drainage on site (see Photo 9).

In addition to Photos 8 and 9, Photo 10 is a picture that was taken on May 11, 2005 after the city of Grand Island had been inundated by a spring storm that dropped nearly 8 inches of rain on the community. Photo 10 is from the southwest corner of the study area looking easterly.

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

### **Defective or Inadequate Street Layout**

The circulation layout within the Study Area is a haphazard means of ingress and egress based upon specific ownership patterns and presumably a series of easements across several properties.

The layout of the circulation pattern is simply done primarily through painted demarcation on the parking lots. There are minimal separation components such as islands or wheel stops in the Study Area, especially on the larger parking lots adjoining ShopKo, the Grand Island Mall property, and the Gordman property.

The traffic layout in some cases is greatly dependent upon where the drainage system is located in the area. In addition, due to the lack of overall planning in the Study Area, circulation between the different buildings and structures is difficult.

Due to the fact that the overall circulation pattern has been designed in a manner that allows vehicular traffic to freely move and cut across parking spaces as opposed to following a prescribed route, then there is the presence of a defective or inadequate street layout within the Study Area and this is a contributing factor to the area being blighted.

### **Unsanitary/Unsafe conditions**

The first contributing factor is the standing water and drainage issues that are found throughout the entire Study Area. This water has the potential to be the breeding grounds for insects, especially mosquitoes and their potential to carry the West Nile Virus.

Based upon the field analysis, there are sufficient elements present for there to be unsanitary and unsafe conditions in the Study Area. These conditions are predominately due to the drainage system and the possibility of standing water within the area.

### **Faulty Lot Layout/Improper Subdivision or Obsolete Platting**

The layout of properties and lots are a critical factor to successfully seeing property developed and users of the property being able to function in a manner that minimizes the impact on the end users. Based upon the boundaries for ownership in the Study Area, there are no specifically dedicated circulation areas other than a few "fingers" that shoot out to State Street, Capital Avenue, and Webb Road.

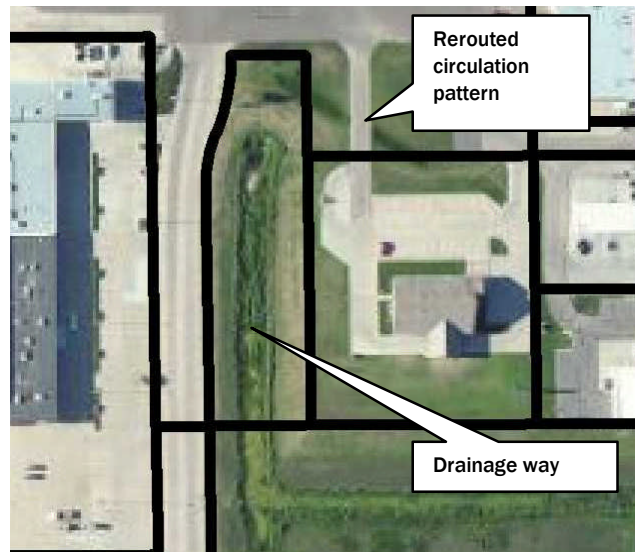


Photo 9

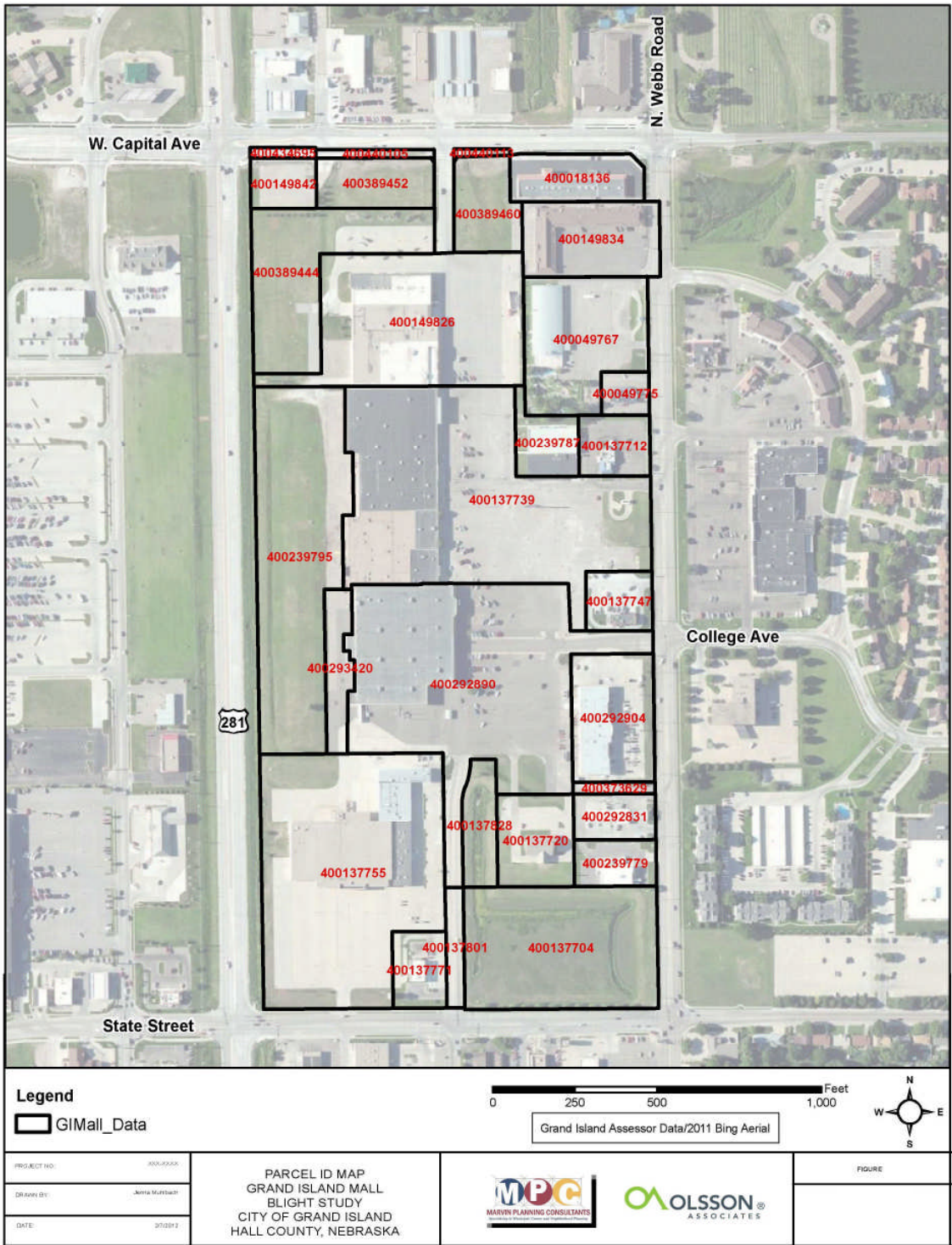


Photo 10



In addition, the overall configuration of the lots, based upon the Assessor's boundaries is confusing and follows little rationale, even the Outlot where Taco John's and Burger King are located appear to be after thoughts.

Figure 4  
Parcel Layout Map



Source: Marvin Planning Consultants and Olsson Associates, 2012



### Diversity of Ownership

The diversity of ownership is not a common contributing factor that impacts an area's status as blighted and substandard. In the case of Blight Area 9, the diversity of ownership is probably one of the more critical elements present. Within the Study Area there are 17 different property owners. When redeveloping an area similar to Blight Area 9, this level of diversity is a hindrance to redevelopment; therefore it becomes necessary for the City and the CRA to become a party to the redevelopment activities. The City and CRA can without major commitments aid in orchestrating the redevelopment effort. In addition, the availability of Tax Increment Financing and other funding mechanisms can entice the property owners to undertake the necessary activities.

Figure 5 shows the diverse ownership by parcel.

Based upon the diversity of ownership and the relatively confined area within Blight Area 9, there are sufficient elements present to meet the statutory requirements.

### Stable or Decreasing Population

Over the past 20 years the population within the study area has been stable. The population within the Study Area has been 0 residents for the past two decennial censuses. Therefore, it meets the criteria for a stable or decreasing population.

### Other Contributing Factors

One of the final contributing factors towards the Study Area being declared as Blighted is the change in assessed valuation in the area between 2011 and 2002. Overall, 11 of the 17 properties showed a decrease in assessed valuation. These declining valuations are an indicator of:

- A lack of overall investment in the structure/property
- A general declining condition of the structure/property
- An overall lack of investment in the entire area

The properties that are declining in assessed valuation are having a negative impact on both the adjacent property owners that may be investing in their properties and the overall city assessment which translates into how well the City can provide services to the general public.

One final contributing factor is the existing location of the Grand Island Mall pole sign on the Webb Road side of the Study Area. Currently the sign poses a safety risk due to its location. The pole sign is located in the middle of the parking lot and is paved right up to the poles. In addition, there are no barriers in place to minimize the potential for vehicles to hit the sign. If a driver is not paying attention and/or is unfamiliar with the parking lot configuration the potential is good for a collision. Photo shows the location of one of two poles supporting the sign.



Photo 11

## **Blighting Summary**

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

- **Age of Structure**
  - 5 of 16 units (31.2%) are 40 years of age or older.
  - 282,593 square feet of the total 531,224 square feet (53.2%) of retail space is 40 years of age or older
- **Existence of defective or inadequate street layout**
  - The only street layouts in the Study Area are striped parking areas with the main vehicular circulation falling into the remaining areas.
  - All streets/circulation areas are private property
- **Faulty lot layout in relation to size adequacy, accessibility or usefulness**
  - The Study Area is divided into 17 different owners and the boundaries are gerrymandered in no logical manner.
- **Dangerous conditions to life or property due to fire or other causes**
  - The primary signage (pole sign) on the Webb Road side of the area has two large steel poles that have no separation from the vehicular movements of the site.
  - The parking lots are in a major state of disrepair and in some cases could easily cause damage to a vehicle if they were driven over.
  - The drainage system in the Study Area has the potential for standing water to be present.
- **Combination of factors which are impairing and/or arresting sound growth**
  - The Study Area is approximately 80 acres and has 17 different property owners; therefore the diversity of ownership has the potential to impair sound growth
  - The overall lack of investment in the area over the past 10 years. Of the 16 properties, 11 (64.7%) have seen a declining assessed valuation.
- **Diversity of Ownership**
  - There are 17 different property owners within the Study Area. Some owners have invested in their properties while others have done minimal maintenance at best.
- **Improper Subdivision or obsolete platting**
  - The Study Area is divided into 17 different owners and the boundaries are gerrymandered in no logical manner.
- **Stable or decreasing population over last two decennial censuses**
  - The population of the Study Area has remained stable over the past 22 years.

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

- 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

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 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 16 units. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 11 (68.8%) units were determined to be less than 40 years of age

Even though there is not a predominance of units 40 years of age or older the ones that meet the criteria are grouped together on the north end of the overall study area. Two of these units are the predominate commercial units on the site and contain a large portion of the overall square footage of the buildings in the area. A typical unit in which commercial uses are rated is square feet; therefore the following is a breakdown of the square footage of buildings in the study area:

- 531,224 total square feet
- 282,593 s.f. of the total or 53.2% are at least 40 years of age.

In the case of the Grand Island Mall, a walk through in the public areas indicated that the interiors were completely out of date and in dire need of updating.

Due to the age of the structures (specifically the total square feet), the age of the units would be a direct contributing factor.

### **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 #9**

Blight Study Area #9 has several items contributing to the Blight and Substandard Conditions. These conditions include:

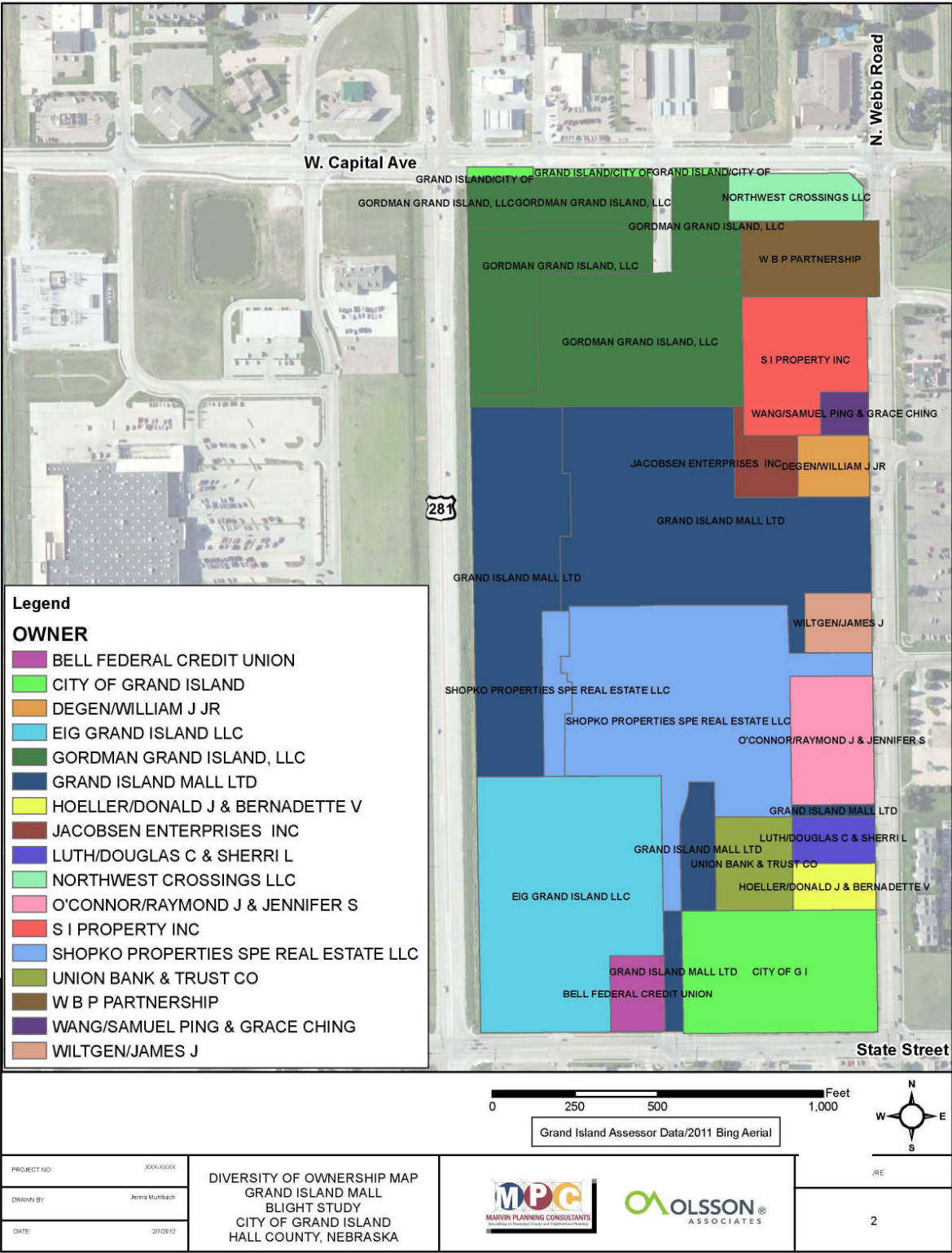
#### **Blighted Conditions**

- Diversity of Ownership
- Defective or inadequate street layout
- Faulty lot layout
- Improper subdivision or obsolete platting
- Unsanitary / Unsafe conditions,
- Deterioration of site or other improvements,
- Dangerous conditions to life or property due to fire or other causes,
- Combination of factors which are impairing and/or arresting sound growth,
- Average age of units is over 40 years of age.
- Stable or decreasing population based on the last two decennial censuses

#### **Substandard Conditions**

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

Figure 5  
Diversity of Ownership Map



Source: Marvin Planning Consultants and Olsson Associates, 2012





## **CONCLUSION**

Based upon the issues and conditions indicated from the survey of this area, there is sufficient criteria present to declare Area #9 of Grand Island as Blighted and Substandard as provided for in the Nebraska Revised Statutes. The conditions found throughout the entire area constitute a designation of blighted and substandard. The eventual use of Tax Increment Financing or other incentive programs would be of great benefit to the entire area.

James I. Shamberg (1921-2010)  
John A. Wolf  
John B. McDermott  
Ronald S. Depue  
Mark T. Porto  
Alfred E. Corey III

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Since 1885  
ATTORNEYS AT LAW

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March 5, 2012

RaNae Edwards  
City Clerk  
City Hall  
PO Box 1968  
Grand Island, NE 68802

Re: City of Grand Island, Nebraska  
Blight and Substandard Study Area #9

Dear ReNae:

I am enclosing a disk and one hard copy for a Blight and Substandard Study for Area #9 in the City of Grand Island, Nebraska, dated March 2, 2012. The study is submitted on behalf of my client, Gordman Grand Island LLC. Please place the study on the City Council's agenda for the March 26, 2012, meeting. In the event the Council refers the study to the Regional Planning Commission, I would like this matter scheduled on the April 4, 2012, Planning Commission meeting. Thank you for your assistance.

Sincerely yours,

SHAMBERG, WOLF, McDERMOTT & DEPUÉ

  
Ronald S. Depue

RSD/gs  
Enclosures  
cc: Chad Nabity  
Marvin Planning Consultants