

# **City of Scottsbluff, Nebraska**

**Monday, April 19, 2021**

**Regular Meeting**

## **Item Consent3**

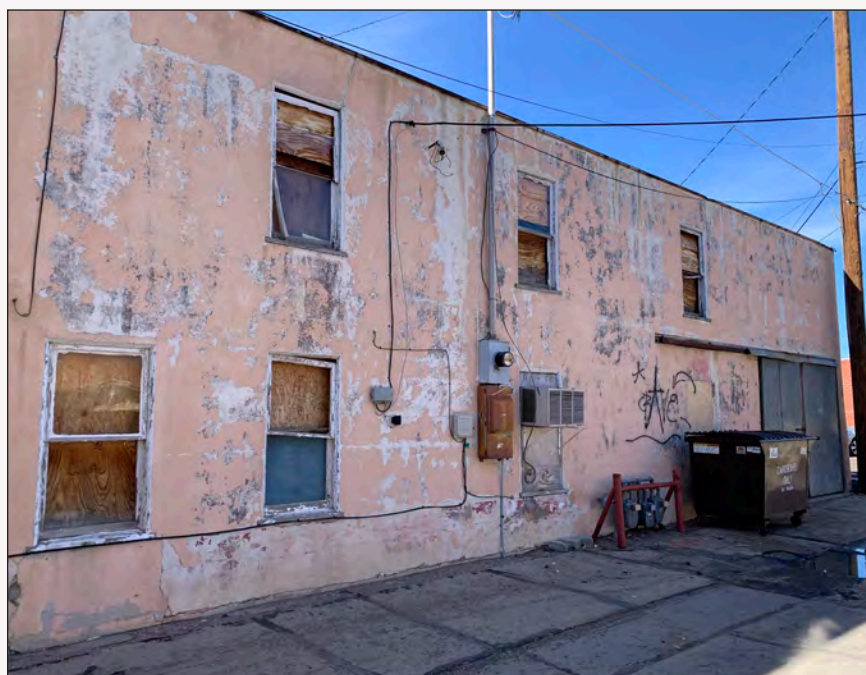
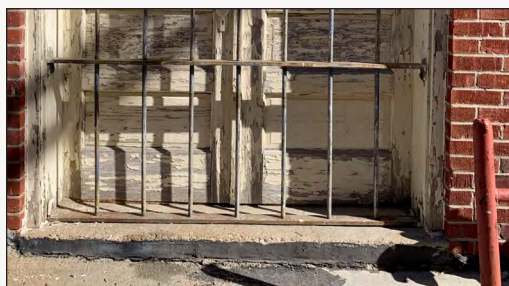
**Council to submit blight and substandard studies for Area Nos. 13, 14, 15, and 17 to Planning Commission for Recommendation.**

**Staff Contact: Dustin Rief, City Manager**



# STUDY AREA #13

## BLIGHT & SUBSTANDARD DETERMINATION STUDY City of Scottsbluff, NE



**PRESENTED TO**  
City of Scottsbluff  
Community Redevelopment

**PREPARED BY**  
MC Schaff & Associates, Inc.  
818 South Beltline Highway East  
Scottsbluff, NE 69361

**PROJECT**  
RS100094-2101

March 9, 2021







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## Purpose of this Analysis

The Blighted and Substandard designation opens the door for stimulating new development and allowing developers, in fact all citizens, the ability to make significant public improvements related to their project. The mechanism allows property owners the use of real estate property taxes (normally paid to other government agencies) for improvements including land acquisition and site preparation. Tax money can be used up to 15 years for this purpose.

This designation allows use of most of the new taxes generated by way of redevelopment. An owner pays the property tax but it is “refunded” for the purpose of land acquisition, site preparation and placing public improvements on the site. The program has worked well for Scottsbluff’s downtown and more recently, the Reganis Auto Dealership, hotel adjoining the dealership, and the Monument Mall. So, while the term may seem objectionable, the results can be very positive for the entire community.

The Nebraska Unicameral enacted legislation which addressed the existence of areas within communities that needed incentives to redevelop. These areas tended to be older and out of date. Often spotty improvements had been made but the general condition was not attracting expansion of existing business nor new development and investment. On its face, this appeared to be true of the Study Area shown in **Figure 1** on page 4, so a decision was made to give the area a closer look.

The purpose of this analysis is to identify and determine if an area within the City of Scottsbluff, Nebraska should be considered blighted and substandard under the criteria for such areas as set forth in the Nebraska Community Development Law, Section §18-2103. This Scottsbluff Blight and Substandard Study is intended to provide the Scottsbluff City Council the basis for determining the existence of blighted and substandard conditions within Scottsbluff’s corporate limits. Through this process, the City attempts to eliminate economic and/or social concerns that are detrimental to the future public health, safety, morals, and general welfare of the entire community. This study examines conditions relating to buildings, land use, and infrastructure within the study area to determine areas eligible for redevelopment under Nebraska Community Development Law.

Like other areas designated as Blighted and Substandard, much of the Study Area has not kept pace with overall community standards while other areas in the community have seen steady growth and development. Developments around the study area have seen hardships based on grade, land use, and utility locations. The Community Development Law enables cities to take steps to address these forms of decline through acquisition, clearance and disposition of property for redevelopment or through the conservation and rehabilitation of property.

This study examines existing conditions of land use, buildings, infrastructure, development patterns and general health, safety welfare aspects within the designated Study Area in the City of Scottsbluff. This has been done in an effort to determine its eligibility for redevelopment activities. The proposed Study Area #13 analyzed in this report is generally described as being in the northern downtown area, centered on Broadway, between 1st Avenue and Avenue A, and between 23rd and 18th Streets. A number of opportunities for redevelopment exist to allow the community to overcome some of the challenges in the Proposed Study Area #13.

Generally, the Broadway arterial has some long-standing successful businesses as well as recently developed locally-owned enterprises and national chain commercial growth. However, reinvestment in much of the Study Area is falling behind and is not on par with the overall community growth and level of private investment. Some properties in the Study Area have remained undeveloped while others have been allowed to rapidly decline due to a number of challenges. The Study Area is adjacent to corridors to the south and east that have been previously designated as blighted and substandard. Study Area #13 appears to be an excellent opportunity to provide incentives triggering new activity where adequate market forces are not present to move development in a positive direction.



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## Nebraska Revised State Statutes

Nebraska's Community Development Law clearly provides guidelines for communities to address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating areas as well as the prevention and elimination of substandard and blighted areas. This tool is provided in Neb Rev Stat §§18-2101 to 18-2154.

Nebraska Revised Statute §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

*"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 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 and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements."*

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community.

Nebraska Revised Statute §18-2105 grants authority to the governing body to formulate a redevelopment 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."*

The law states that there are a number of reasons an area goes beyond remedy and control solely by the regulatory process and cannot be dealt with effectively by ordinary police powers or ordinary operation of private enterprise without aid. Such things as overcrowding, unsafe, unsanitary conditions, inadequate planning,



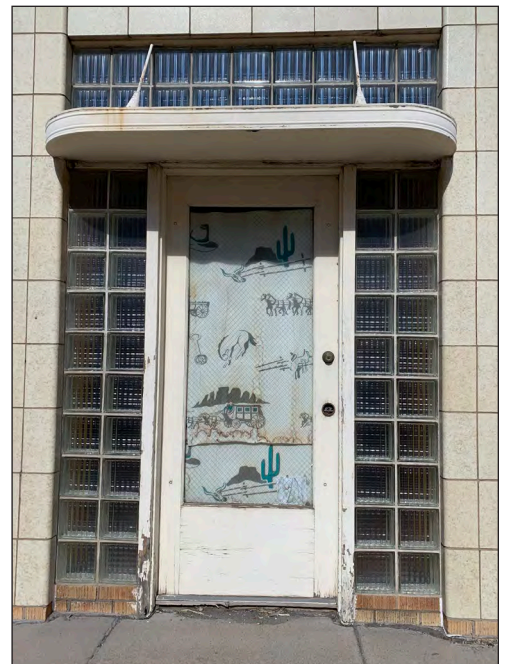
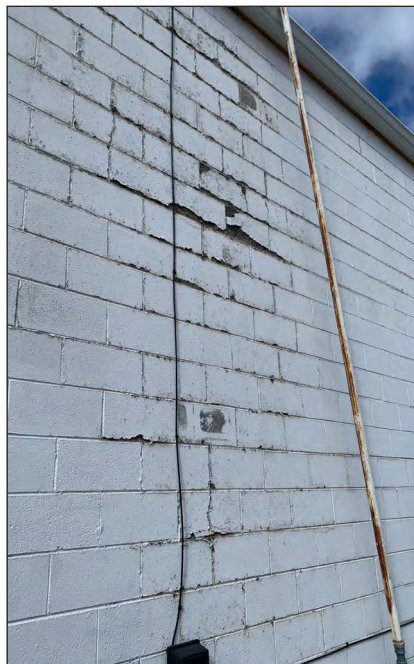
lack of proper light, air and open space, defective design and arrangement of buildings, faulty street layout and economically undesirable land uses are among the reasons.

The law goes on to provide the city with the ability to declare an area blighted and substandard followed by creating a workable program to utilize private and public resources to address specific conditions to be improved. The statute provides a means for the governing body to address and develop strategies for rehabilitation and redevelopment of the community. The main substance of a workable program is an adopted redevelopment plan for the defined area based in part on an adopted comprehensive plan.

Implementing this strategy for a Designated Study Area is intended to give the Community Redevelopment Authority and City Council a basis for determining the existence of blight and substandard conditions within the delineated Study Area. The general area considered for inclusion in the Study Area is shown in **Figure 1. Study Area #13** on page 4 of this report, with the area boundary described on pages 5-6. Parcel numbers with legal descriptions are provided in **Table 2**, located in **Appendix A**. The Study Area can generally be described to include land bounded by or adjacent to 23rd Street on the north, Avenue A on the west, 18th Street on the south, and 1st Avenue on the east.

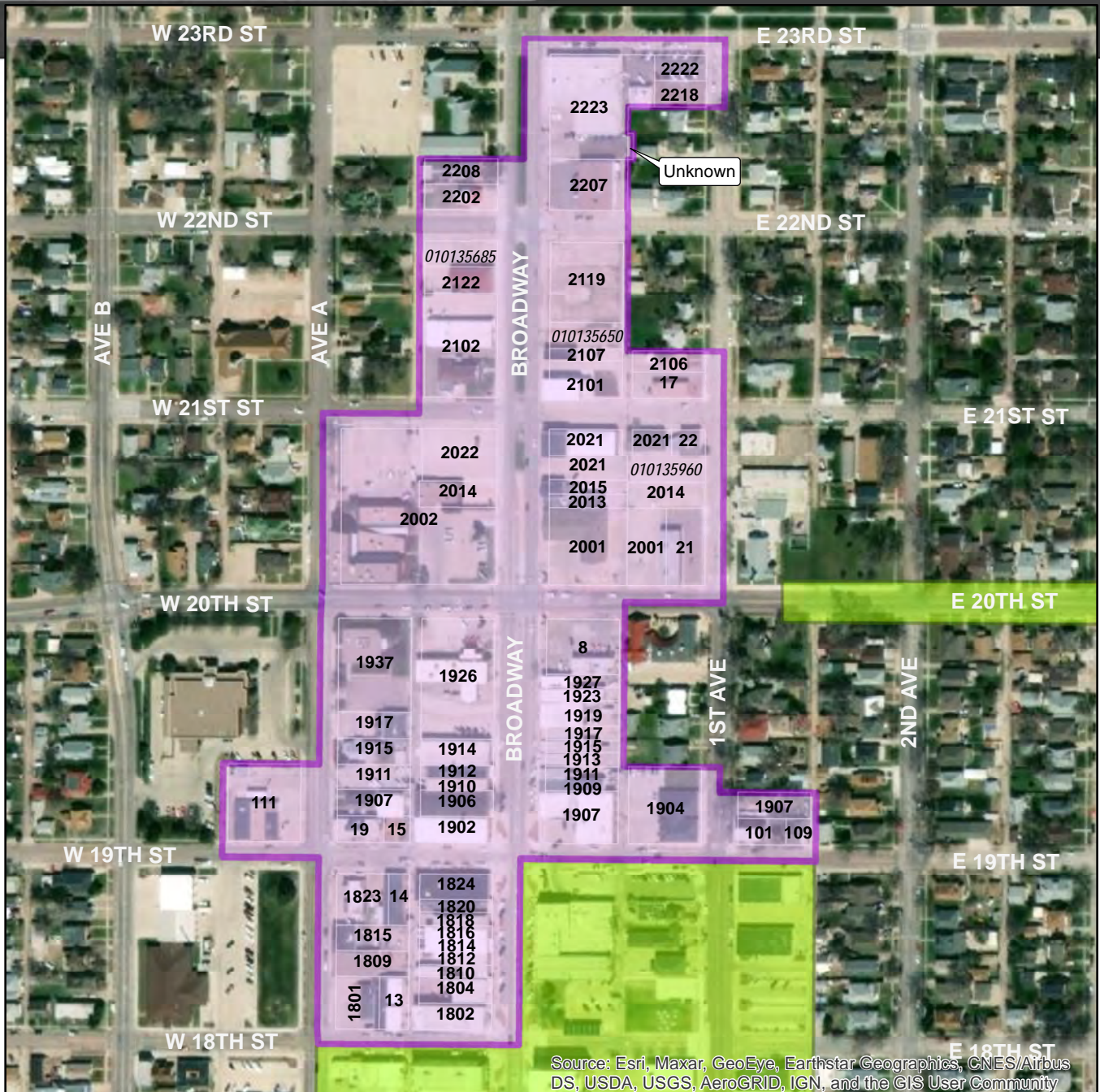
The study looks at existing land-uses, platting, structures and infrastructure systems to determine whether Study Area #13 or a part of it meets the statutory requirements for the designation as a Blighted and Substandard Area. With the growing interest and use of this valuable tool the State has taken an increased interest in assuring all using the tool use it in accordance with the statutes. For this reason, it is imperative the City of Scottsbluff closely adhere to the provisions set forth in the Nebraska Revised State Statutes.

The findings of this study will serve to guide the general redevelopment. The previously approved 2016 Comprehensive Plan and this Blighted and Substandard Study will present appropriate land uses, strategies for improved traffic circulation, economic development activities, and utilities and other improvement in accordance with the law.



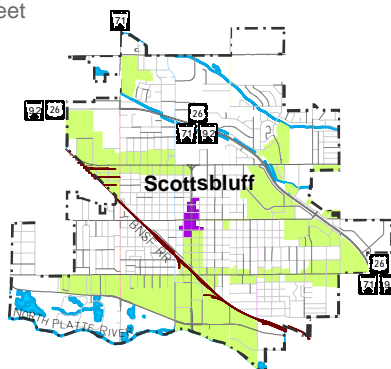
*Examples of Structural Conditions within the Study Area*





- Existing Redevelopment Areas
- Study Area #13
- Parcel Address
- Corporate Limits

Data Sources:  
 Parcels: Scotts Bluff County, 2016  
 Aerial: US Army Corps of Engineers, 2011



## Study Area #13

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 Scotts Bluff County, NE



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**Redevelopment Study Area (Site 13):** The redevelopment study area consists of properties and tracts of land within the general vicinity of Avenue A, Broadway, and 1st Avenue, between 23rd Street on the north and 18th Street on the south, in the central portion of the community. The site contains approximately 24.955 acres and is more particularly described as:

*Situated in the center of Section 23, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

***Beginning** at, the southeast corner of TL 8, TL9 & S2/3 OF TL 13, BLK 22, NORTH SCB ADD (Parcel #010135278), said point being on the north right-of-way line of East 22nd Street, and proceeding northerly on the east line of said Parcel #010135278 to the southeast corner of ALL TLS 2,10,11,12, BLK 22, NORTH SCB ADD (Parcel #010135308), said point also being the southwest corner of an Unknown parcel;*

*Thence, easterly on the south line of said Unknown parcel to the southeast corner of said Unknown parcel, said point also being the southwest corner of N 1/3 SE TL 5, BLK 22, NORTH SCB ADD (Parcel #010135235);*

*Thence, northerly on the west line of said Parcel #010135235 to the northwest corner of said Parcel #010135235, said point also being the on the south line of S 1/3 NE TL 4, BLK 22, NORTH SCB ADD;*

*Thence, westerly on the south line of Parcel #010135227 to the southwest corner of said Parcel #010135227;*

*Thence, northerly on the west line of said Parcel #010135227 to the northwest corner of said Parcel #010135227;*

*Thence, easterly on the north line of said Parcel #010135227 to the northeast corner of said Parcel #010135227 said point being on the westerly right-of-way of 1st Avenue, and continuing on an easterly extension of said Parcel #010135227 to the northerly-southerly centerline of 1st Avenue;*

*Thence, northerly on the 1st Avenue centerline to the easterly-westerly right-of-way of East 23rd Street;*

*Thence, westerly on the easterly-westerly centerline of East 23rd Street to the northerly-southerly centerline of Broadway Avenue;*

*Thence, southerly on the said centerline of Broadway Avenue to the easterly extension of the north line of LT 5, BLK 21, SUB BLK 21, N SCB ADD (Parcel #010149627);*

*Thence, westerly on the easterly extension of the north line of said Parcel #010149627 to the northeast corner of said Parcel #010149627;*

*Thence, westerly on the north line of said Parcel #010149627 to the northwest corner of said Parcel #010149627 and continuing on a westerly extension of said north line to the centerline of the northerly-southerly alley right-of-way between said Parcel #010149627 and LT 8, BLK 21, SUB BLK 21, N SCB ADD (Parcel #010149635);*

*Thence, southerly on said northerly-southerly centerline of the said northerly-southerly alley, also being the alley between Avenue A and Broadway, to its intersection with the centerline of the easterly-westerly right-of-way of West 21st Street;*

*Thence, westerly on said easterly-westerly centerline of West 21st Street to its intersection with the centerline of the northerly-southerly centerline of Avenue A;*

*Thence, southerly on said northerly-southerly centerline of Avenue A to the easterly extension of the north line of LTS 6-8, BLK 2, THIRD ADD (Parcel #010150994);*

*Thence, westerly on the easterly extension of said Parcel #010150994 to the northeast corner of said Parcel #010150994 and continuing westerly on the north line of said Parcel #010150994 to the northwest corner of said Parcel #010150994 and continuing westerly on a westerly extension of said north line of Parcel #010150994 to its intersection with the centerline of the northerly-southerly alley right-of-way between Avenue A and Avenue B, also*



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being the alley between said Parcel #010150994 and LTS 1-5 & 9-16 BLK 2, THIRD ADD (Parcel #010150943);

Thence, southerly on said northerly-southerly alley centerline between Avenue A and Avenue B to its intersection with the easterly-westerly right-of-way centerline of West 19th Street;

Thence, easterly on said easterly-westerly right-of-way centerline of West 19th Street to its intersection with the northerly-southerly right-of-way centerline of Avenue A;

Thence, southerly on said northerly-southerly right-of-way centerline of Avenue A to its intersection with the easterly-westerly right-of-way centerline of West 18th Street;

Thence, easterly on said easterly-westerly right-of-way centerline of West 18th Street to its intersection with the northerly-southerly right-of-way centerline of Broadway Avenue;

Thence, northerly on said northerly-southerly right-of-way centerline of Broadway Avenue to its intersection with the easterly right-of-way centerline of East 19th Street;

Thence, easterly on said easterly right-of-way centerline of East 19th Street to its intersection with the northerly-southerly right-of-way centerline of the alley between 1st Avenue and 2nd Avenue;

Thence, northerly on said northerly-southerly right-of-way centerline of the alley between 1st and 2nd Avenue to its intersection with the easterly extension of the north line of LT 7, BLK 1, SEVENTH ADD (Parcel #010146652);

Thence, westerly on said easterly extension of the north line of said Parcel #010146652 to the northeast corner of said Parcel #010146652, and continuing westerly on the north line of said Parcel #010146652 to the northwest corner of said Parcel #010146652 and continuing westerly on a westerly extension of the north line of said Parcel #010146652 to its intersection with the northerly-southerly right-of-way centerline of 1st Avenue;

Thence, northerly on said northerly-southerly right-of-way centerline of 1st Avenue to its intersection with the easterly extension of the north line of LT 6-8, BLK 2, SEVENTH ADD (Parcel #010146725);

Thence, westerly on said easterly extension of the north line of said Parcel #010146725 to the northeast corner of said Parcel #010146725, and continuing westerly on the north line of said Parcel #010146725 to the northwest corner of said Parcel #010146725, and continuing westerly on a westerly extension of the north line of said Parcel #010146725 to its intersection with the northerly-southerly centerline of the alley right-of-way between Broadway Avenue and 1st Avenue;

Thence, northerly on said northerly-southerly alley right-of-way centerline between Broadway Avenue and 1st Avenue to its intersection with the easterly-westerly right-of-way centerline of East 20th Street;

Thence, easterly on said easterly-westerly right-of-way centerline of East 20th Street to its intersection with the northerly-southerly right-of-way centerline of 1st Avenue;

Thence, northerly on said northerly-southerly right-of-way centerline of 1st Avenue to its intersection with the easterly extension of the north line of C 1/3 SE TL 5 EXC N 7', BLK 30, NORTH SCB ADD (Parcel #010135596);

Thence, westerly on said easterly extension of the north line of Parcel #010135596 to the northeast corner of said Parcel #010135596, and continuing westerly on the north line of said Parcel #010135596 to the northwest corner of said Parcel #010135596, and continuing westerly on a westerly extension of the north line of said Parcel #010135596 to its intersection with the northerly-southerly right-of-way centerline of the alley between Broadway Avenue and 1st Avenue;

Thence, northerly on said northerly-southerly right-of-way centerline of the alley between Broadway Avenue and 1st Avenue to its intersection with the north line of the easterly-westerly right-of-way of East 22nd Street, said point also being the southeast corner of Parcel #010135278, and said point being the Point of Beginning—said redevelopment study area containing an area of **24.955 acres**, more or less.



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The requirements for detailed planning beyond the Comprehensive Plan treatment include but should not be limited to:

1. Boundaries of the area, existing land use and condition of improvements
2. A land-use plan
3. A map showing population density, land coverage and building concentrations
4. An outline of proposed changes in ordinance, layout or other related ordinances
5. A site plan of the area
6. A statement outlining any additional public facilities or utilities required to support new land uses after redevelopment.

The Blighted and Substandard study highlights locations and opportunities for improvement and revitalization. Once the area is designated, the City can guide future development in this area and provide financial incentive for development. Using the Nebraska Community Development Law, the City can reduce or eliminate factors impeding redevelopment and implement programs or projects to improve conditions and minimize the negative impacts of blight and substandard conditions.

## Substandard and Blight Eligibility Analysis

### Substandard and Blight Definitions and Explanation

**Substandard areas** are defined by State Statute **§18-2103(31)**, 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 areas** are defined by State Statute **§18-2103(3)**, as the following:

*“Blighted area means an area, which*

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

*(b) in which there is **at least one** of the following conditions:*

*(i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;*

*(ii) the average age of the residential or commercial units in the area is at least forty years;*

*(iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;*

*(iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or*

*(v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a 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;”*



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The following are the specific definitions of “substandard” and “blighted” according to Nebraska State Law. These definitions serve to be the basis of this entire analysis and each portion of the definitions are examined individually throughout this document.

### **Substandard Area Definition**

By statute a substandard area means one where a predominance of building or improvements (residential or nonresidential) having one or more of the following characteristics:

- 1. Dilapidating or deteriorated**
  - a. Unacceptable standard for walls, foundation, roof, gutters, roof surface, chimney, fire escapes, weatherizing, steps, exterior paint and site conditions. Chipping, cracks, loose components, missing pieces, sags and other signs of substandard condition all qualify for this condition.
- 2. Age (obsolescence)**
  - a. A 40 years or more criteria was used for estimate.
- 3. Inadequate ventilation, light, air, sanitation, or open spaces**
  - a. Things like junked cars and other accumulated debris, antiquated infrastructure, unpaved parking, outdoor storage
- 4. Other conditions**
  - a. High density population or overcrowding (census)
  - b. Other conditions which could be unsafe or unsanitary endangering life or property.
  - c. Any combination of factors conducive to poor health, disease, mortality, delinquency or crime. Any combination that is detrimental to public health, safety, morals or welfare. This may include inadequate infrastructure as well as statistical data.

Structural conditions were evaluated using the U.S. Department of Housing and Urban Development standard definitions:

#### **No Problem**

- No structural or aesthetic problems are visible

#### **Adequate Condition**

- Slight damage to porches, steps, roofs
- Slight wearing of mortar between bricks/stone/block
- Small cracks in walls or chimneys
- Cracked windows
- Lack of paint
- Slight wear on steps, doors and frames

#### **Deteriorating Conditions**

- Holes, open cracks, rotted, loose, or missing material in parts of the foundation, walls (1/2 of the wall) or roof (1/4 of the roof)
- Shaky, broken, or missing steps or railings
- Numerous missing and cracked window panes
- Rotted or loose windows or doors no longer water-proof

#### **Dilapidated Condition**

- Holes, open cracks, rotted, loose or missing material over a large area of the foundation, on wall or on roof
- Substantial sagging of roof, floors, or walls
- Extensive fire, flood, or storm damage
- Inadequate original construction such as building elements made of scrap materials or conversion of structures not adequate for housing.



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**Blighted Area Definition**

The blighted area designation is based on a number of criteria or indicators of substandard conditions. These are specified in the law and outlined below.

1. The presence of a substantial number of deteriorated or deteriorating structures. This takes the form of structural problems, exterior paint, cracks, chimney, site conditions, roof and similar problems with the building.
2. Existence of a defective or inadequate street layout. This includes dead ends, railroad crossings, linear downtown, narrow alleys and blind crossings, as well as poor vehicular access and/or internal circulation, substandard parking definition and parking layout (lack of curb cuts, awkward entrance/exit points), offset or irregular intersections, substandard or nonexistent pedestrian circulation.
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness. Such things as landlocked parcels, odd shaped lots, undersized lots, and poor accessibility.
4. Unsanitary or unsafe conditions. Examples here include age and physical condition of structures, buildings located within the flood plain, lack of public infrastructure, unsanitary conditions and ventilation. Additional examples include graffiti or other forms of vandalism or vagrant activity, poorly lit and unlit areas, the existence of trash or debris or weeds, abandoned vehicles, uneven grading or steep slopes, environmental contamination, cracked or uneven sidewalks, a high incidence of reported crime.
5. Deterioration of site or other improvements. Such things as off-street parking, poor storm drainage, junk cars, dilapidated structures, neglected properties, debris, on-site storage, unscreened trash or mechanical storage areas, deterioration of parking surfaces, lack of landscaping, general site maintenance problems are examples.
6. Diversity of ownership. This condition exists when numerous lots are needed to develop to up to date standards. Assemblage is difficult without some form of public assistance.
7. Tax or special assessment delinquency exceeding the fair value of the land.
8. Defective or unusual conditions of title. Liens, improper filings are examples.
9. Improper subdivision or obsolete platting. Examples include undersized lots, improper zoning, lot configuration, easements and accessibility are problems that often are present.
10. The existence of conditions which endanger life or property by fire or other causes. Such things as inoperative infrastructure, site access, on-site storage, secluded areas for pests to thrive, poor surface drainage, poor street and poor sidewalk condition are examples.
11. 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. Here incompatible land uses, obsolescence and inability for a property to compete in the market place.
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
  - a. Unemployment in the area at least 100% of state or national average census data
  - b. The average age of residential and commercial units is over 40 years as determined by field observations
  - c. More than half of the plotted/subdivided property has been unimproved for 40 years using public record
  - d. Per capita income of the area is lower than the average of the city from census data.
  - e. The area has a stable or declining population based on the last two decennial censuses.



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## Analysis Approach

The approach and methodology utilized by M.C. Schaff & Associates, Inc. in conducting the Blighted and Substandard Area Determination Analysis included an assessment of all factors listed in the Nebraska Community Development Law as factors that indicate or contribute to making an area blighted and substandard. Data relating to factors such as building condition, building age, site conditions, adequacy of building sites, condition of public improvements, and unsanitary or unsafe conditions were developed through detailed exterior structural field surveys on a structure by structure basis and through collection of data on a unit by unit basis available from public records at the Scotts Bluff County Courthouse and via their online databases. Data relating to other factors such as the adequateness of street layouts, lot layouts and overall subdivision design were investigated on an area-wide basis.

Assessment of potential blighting factors stemming from diversity of ownership and tax or special assessment delinquencies were conducted through evaluation of courthouse and online county records for all property within the analysis area, referred to as the Study Area. The valuation, tax amount and any delinquent amount was examined for each of the properties, and public records were examined to determine the number of property owners in the Study Area.

## Additional Public Intervention Necessary

Although the presence of one or more of these substandard or blighting conditions may make it appropriate to declare an area substandard and blighted under the Statue, this analysis was conducted on the basis that additional public intervention over and above the exercise of the police power is necessary to overcome the problems that exist in any substandard and blighted area.



## Analysis of the Study Area

### Scottsbluff Designated Study Area #13

The City selected the Designated Study Area for evaluation to be within the corporate limits. The area is made up of various light commercial, office & professional, storage uses and vacant/undeveloped properties as well as public/semi-public uses. Single family residential surrounds much of the Study Area. This particular area was selected for several reasons.

1. The area is within an active commercial corridor.
2. There is a need to improve infrastructure due to substandard existing conditions.
3. There is obvious economic decline and functionally obsolete uses within the area.
4. There is the presence of blighted and substandard characteristics within the area.
5. A need is apparent for public intervention to stimulate the development and redevelopment of vital infrastructure systems to support private redevelopment efforts.
6. The proximity of the Study Area to two other blighted and substandard areas.

The City is in a position to remove negative factors and implement programs and projects to improve conditions thereby removing the blighted and substandard conditions. This not only benefits the corridor/study area but the entire community through private reinvestment and enhanced quality of life.

The field survey of the Study Area within the City was conducted in February 2021 to determine if this area, in fact, has experienced structure and/or site deterioration or if the area is experiencing other negative influences that decrease the potential for redevelopment or new development. The following information describes this Study Area in detail, as well as, specifying the methods and procedures used to determine if this Study Area should be declared blighted and substandard under the Nebraska Community Development Law.

The Study Area's southern border co-terminates with an existing Blighted and Substandard area (the Broadway downtown business district between 1st Avenue and Avenue A from Overland to West 18th Street and East 19th Street). An additional blighted and substandard area is located in the 20th Street corridor just east of the Study Area.

The total acreage within the City of Scottsbluff corporate limits is **4275.95 acres**. Currently, the city has approximately **1085.7 acres** designated as "Blighted and Substandard", approximately **25.4%** of the City's total acreage. The proposed additional "Blighted and Substandard" area consists of **24.955 acres**. This proposed area, if designated as "Blighted and Substandard", will add **0.584%** of the corporate limits to the total Blighted and Substandard area bringing it to **1110.7 acres** or **26.0%** of the total area of the City of Scottsbluff. This remains well within the allowed **35%** providing future opportunity to add more.

## Existing Land Use

The land uses that now exist within the Study Area are depicted on **Figure 2. Existing Land Use** (page 12), and can be placed in eight (8) categories, including:

- Office & Professional
- Commercial Service, Retail, and Restaurants
- Industrial/Storage
- Residential
- Public/Semi-Public
- Public Streets and Alleys
- Parking (Private, Commercial, Public, Semi-Public)
- Vacant / Undeveloped Land



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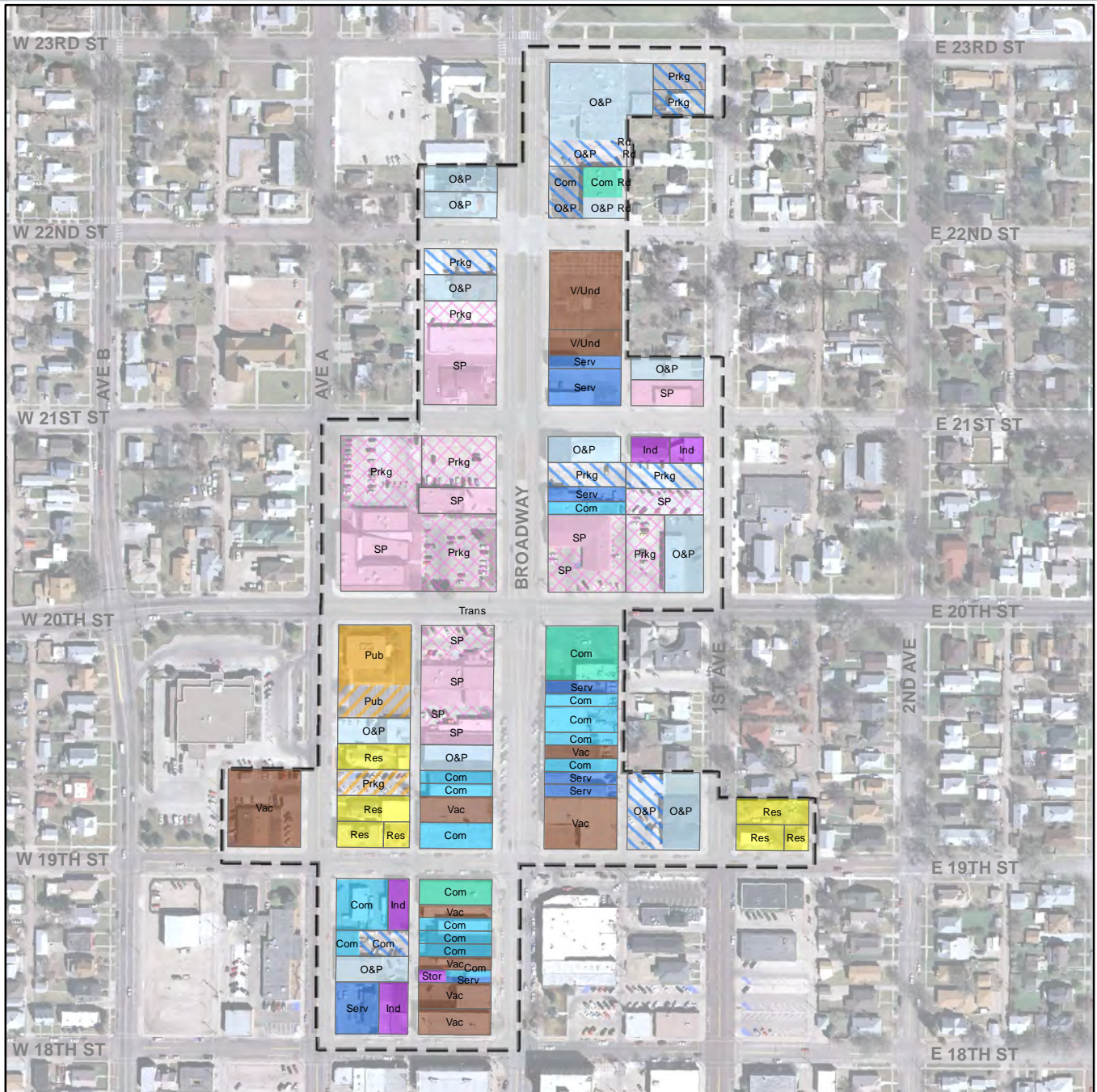
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Corporate Limits

Parcel

Study Area #13

**Study Area #13 Land Use**

Roads

Vacant / Undeveloped

Commercial Restaurant

Commercial Retail

Commercial Service

Commercial Parking

Office &amp; Professional

Semi-Public

Semi-Public Parking

Public

Public Parking

Industrial / Storage

Residential

**Existing  
Land Use**City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:

Land Use: MCS Field Survey, 2021

Parcels: Scotts Bluff County, 2019

Aerial: ESRI Basemap



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**Table 1****Existing Land use - Scottsbluff Blight Study Area #13  
Scottsbluff, Nebraska**

Land Use Category	Blight Study Area 13	
	Area (Acres)	Percent of Total Area
Office & Professional	2.47	10%
Industrial (Includes Storage)	0.41	2%
Commercial	2.82	11%
Retail	1.36	5%
Restaurant	0.60	2%
Service	0.87	3%
Residential	0.80	3%
Public / Semi-Public	2.45	10%
Public Streets & Alleys	9.59	38%
Parking Lot	4.22	17%
Vacant / Undeveloped Land	2.18	9%
	<b>24.95</b>	

Source: M.C. Schaff & Associates, Inc., Field Survey, February 2021

The land uses in Study Area #13, shown in **Figure 2** on the previous page, are analyzed further in Table 1 (at left), which provides the breakdown of land uses, acreages, and the total acreage within this Study Area.

The largest land use in Study Area #13 is that of public streets and alleys. This use comprises a total of over 9.59 acres, or 38% of the Study Area.

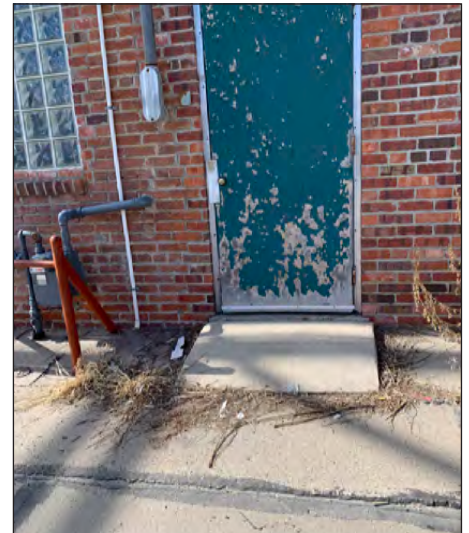
The second largest land use in this Study Area is that occupied by parking lots, including public (0.37 acre), semi-public (2.48 acres), and commercial parking lots (1.38 acres), comprising a total of 4.22 acres or 17%.

Commercial uses including retail, service, and restaurants are the third largest land use, 11% of the Study Area with 2.82 acres.

Office & Professional uses are the fourth largest land use, occupying 2.47 acres, 10% of the Study Area, while Public/Semi-Public uses occupy nearly as much area with 2.45 acres, also at 10%.

Vacant properties and undeveloped parcels occupy 2.18 acres, making up 9% of the Study Area. The two remaining land uses in Study Area 13 include Residential, and Industrial (which includes storage), which combined make up the remaining 5% of Study Area #13 with 0.8 and 0.41 acres, respectively.

Study Area #13 is directly adjacent and north of the previously blighted study area along Broadway which extends as far as 18th Street.



*Examples of Site and Structural Conditions within the Study Area*



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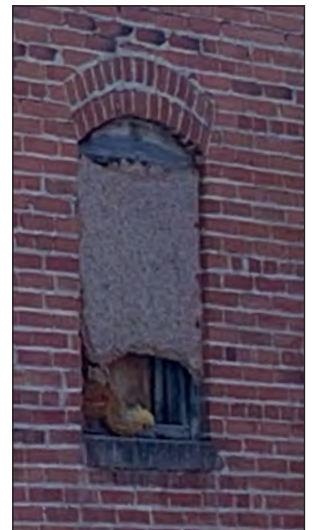
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*Examples of Structural and Site Conditions within the Study Area*





*Examples of Structure and Site Conditions within the Study Area*

## Findings and Contributing Factors

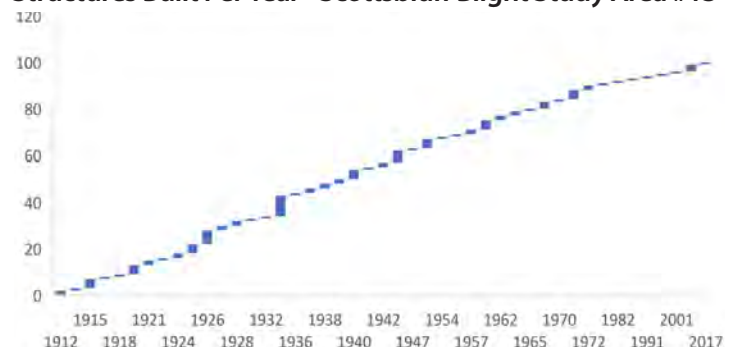
The intent of this study is to determine whether the subject area has experienced structural and site deterioration and if there are other negative factors that are decreasing the area's potential to develop. The field survey work was completed in February 2021 and strongly supports initial impressions that the area has in general declined below community standards. What follows are the factors evaluated to determine if there is a reasonable presence of blight and substandard conditions within the designated Study Area #13. This section reviews the building and structure conditions, infrastructure and land use found in the area based on statutory definitions, and observations and explains the identified contributing factors.

As set forth in Nebraska legislation, a blighted area means an area determined by reason of the presence of:

### 1. Deteriorated or Deteriorating Structures —Exterior Inspection of Buildings

There were a total of 102 structures evaluated using the Blighted and Substandard criteria as described on pages 7-9 of this report. Only the primary structures were evaluated under the Blighted and Substandard definition. Any outbuildings/other structures that were present were not included in the survey. The boundary for the Blighted and Substandard designation includes 100 buildings of known age (2 exempt buildings—ages are unknown), with a combined average age of 76 years. For structure age see chart below, **Figure 3** (page 16), and **Table 3 (Appendix B)**. Structure condition is summarized in **Figure 4**. Field surveys confirming Scotts Bluff County Assessor's data concluded that 19% are good, 64% are deteriorating (57% are average, 7% are fair), and 19% are worn out.

**Structures Built Per Year - Scottsbluff Blight Study Area #13**



Source: Scotts Bluff County Assessor online database, verified by M.C. Schaff & Associates, Inc., Field Survey, February 2021



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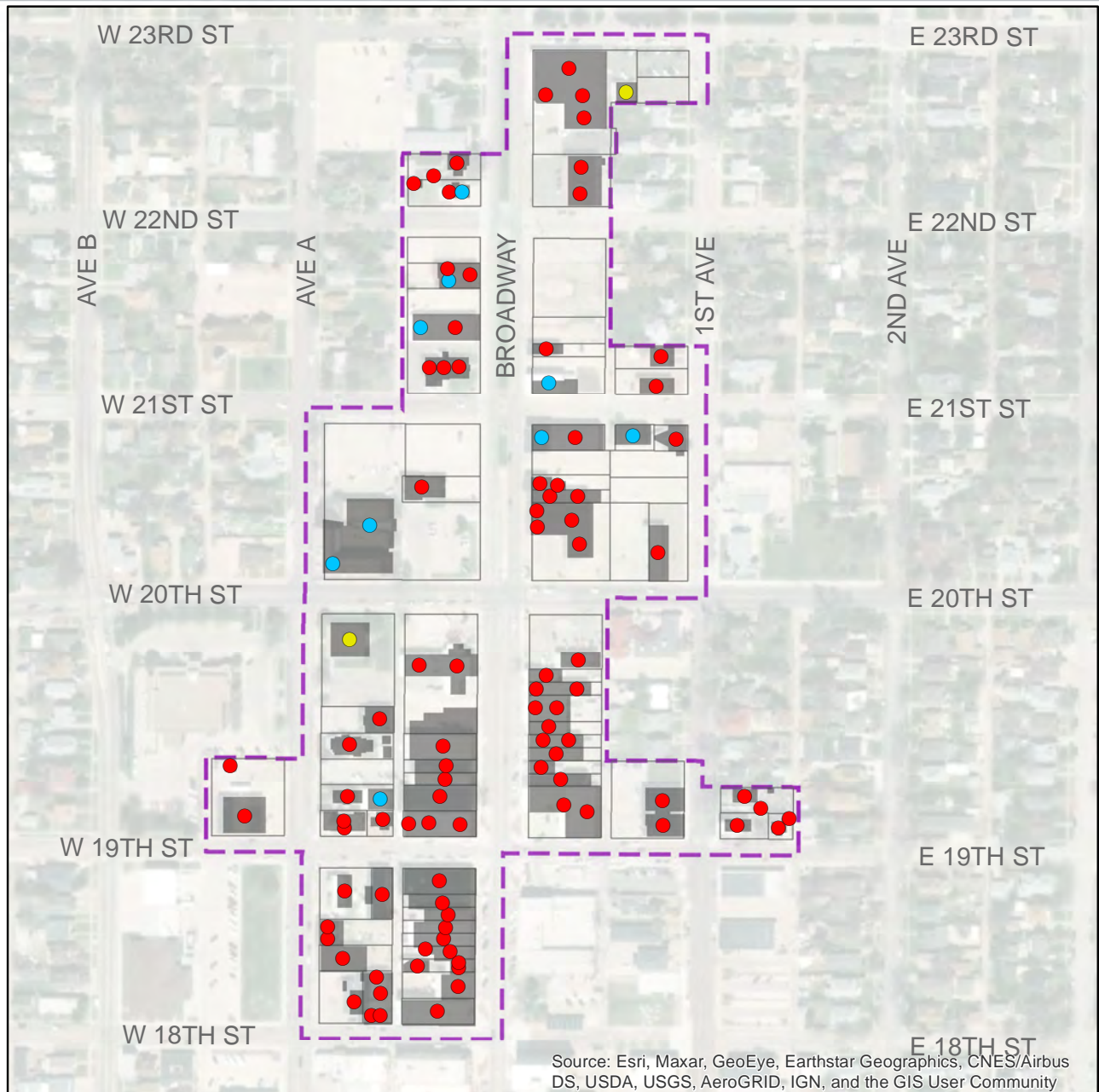
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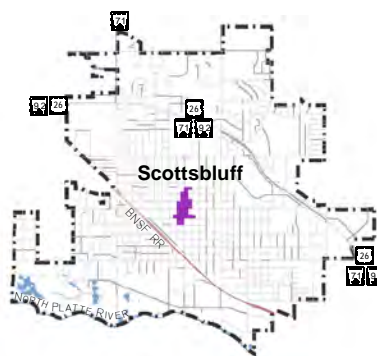




0 75 150 300 450 600 Feet

#### Study Area Structure Year

- 1910-1981 (91 Structures)  
- Built 40 or More Years Ago
- 1982-2021 (9 Structures)  
- Built Less Than 40 Years Ago
- Public Building/Unknown (2 Structures)  
- Age Unknown
- Study Area Building Footprint
- Study Area
- ▭ Study Area Boundary



## Structure Age

City of Scottsbluff  
Scotts Bluff County, NE

Structure age obtained from  
Scotts Bluff County Assessor  
online data sheets, Feb. 2021.



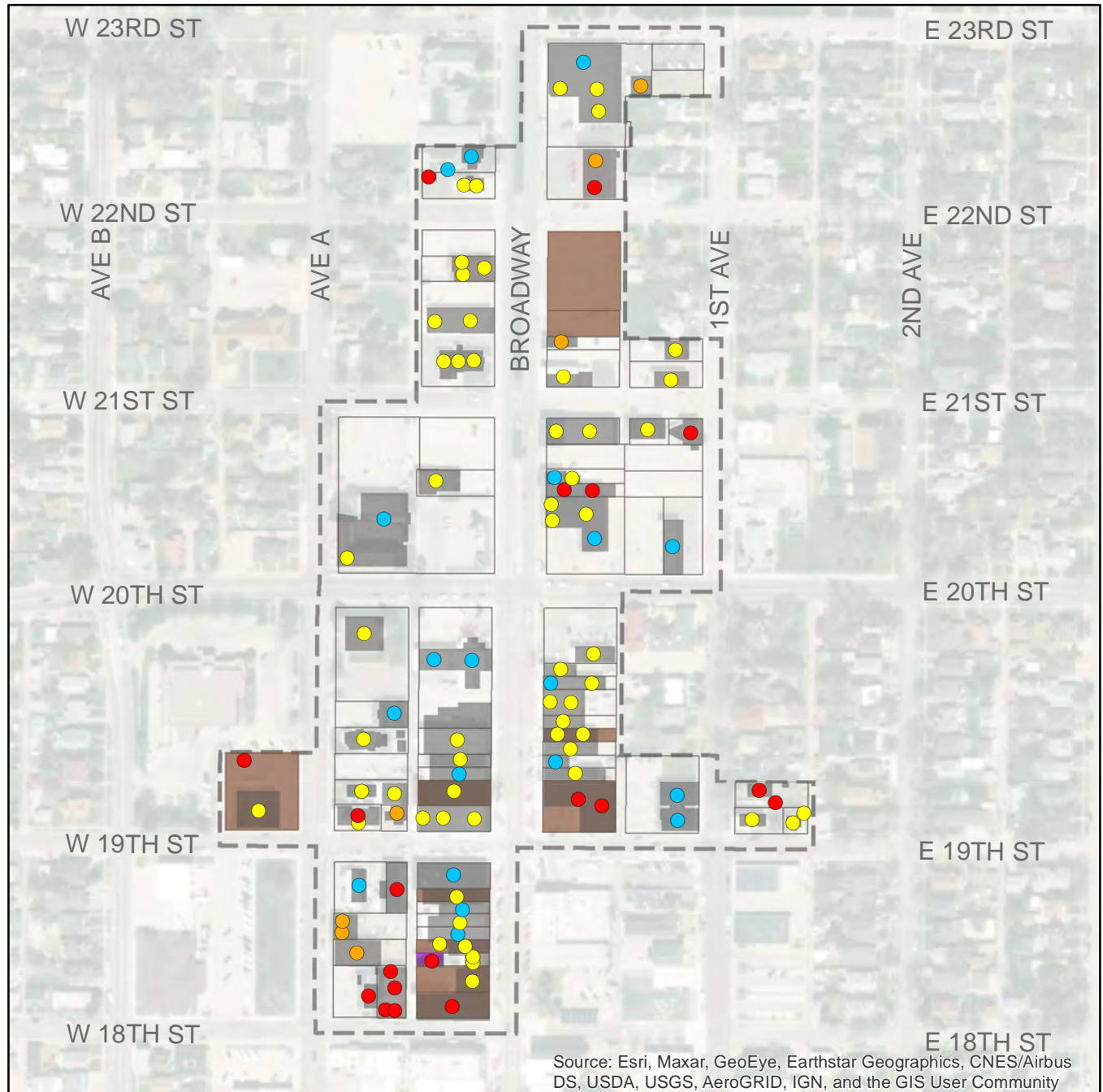
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0 75 150 300 450 600 Feet

#### Structure Condition

- Good (19)
- Average (57)
- Fair (7)
- Badly Worn (19)
- Vacant/Undev (10)
- Storage (1)
- Study Area Building Footprint
- Study Area Parcel
- ▬ Study Area Boundary

## Structure Condition

City of Scottsbluff, NE

Structure condition obtained from Scotts Bluff County Assessor online data sheets, and adjusted following field verification, Feb. 2021.



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**2. Defective or Inadequate Street Layout—Street Conditions and Accessibility**

Inadequate infrastructure, street conditions and accessibility as well as inability to safely move traffic through an area is a contributing factor to the blight and substandard conditions. The surface condition of public roads, curb & gutter, and sidewalks in the Study Area, displayed in **Figure 5**, is fair to good. While the road surfaces have been maintained to community standards, some alleys and some curb/gutter and sidewalk are deteriorating/dilapidated. The study area lacks some alleys and has dead-end alleys in some blocks. Following are some exhibited traffic safety and pedestrian experience issues that need be addressed.

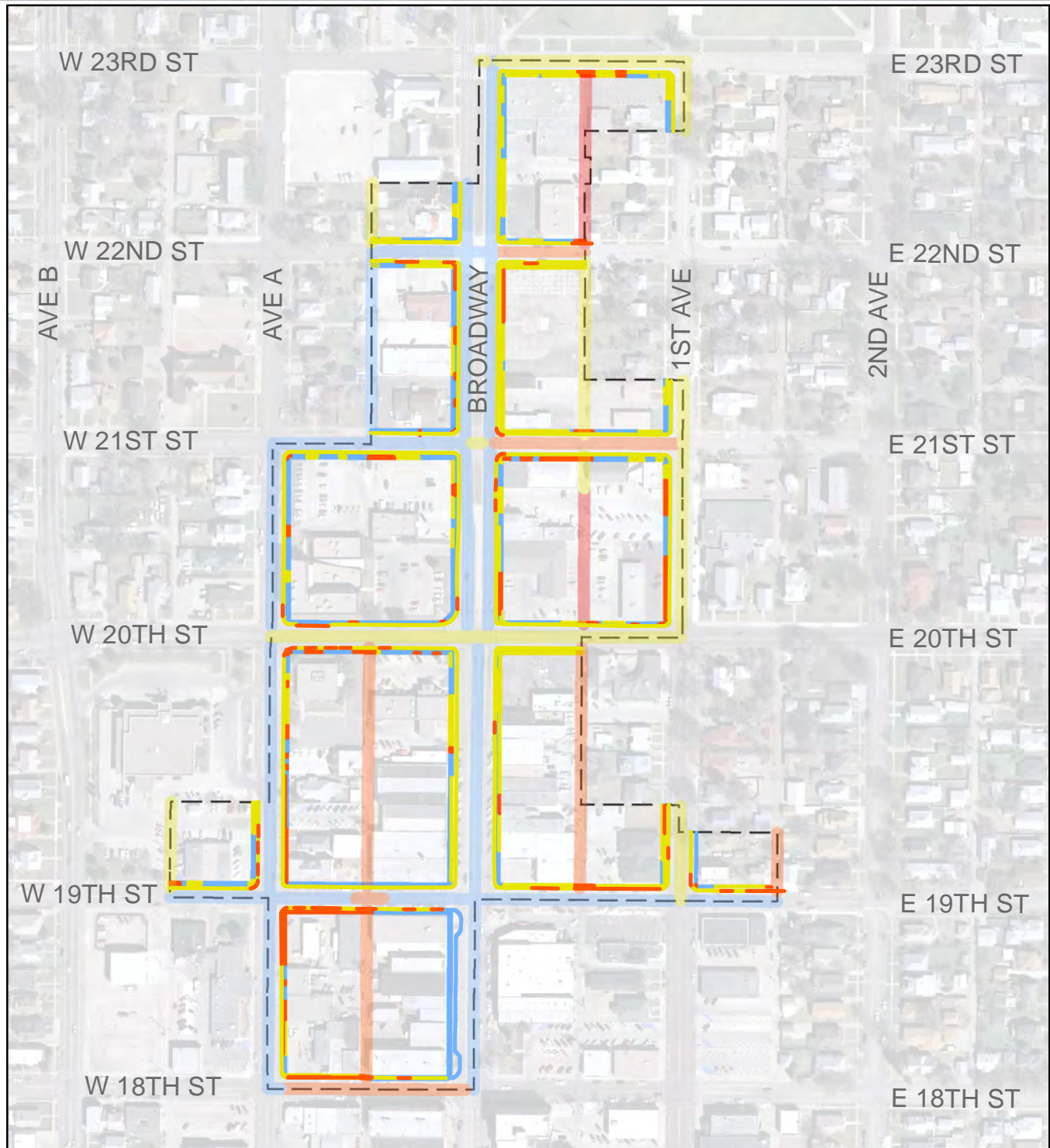
- a. While redevelopment will add to traffic counts, consideration should be given to enhancing the pedestrian experience with landscaping.
- b. Circulation behind Broadway properties is tight and alleys are designated as one-way to help alleviate congestion. The north-south alley between Broadway and 1st Avenue is a southbound one-way from 20th Street to 16th Street. The north-south alley between Broadway and Avenue A from 16th Street to 19th Street runs from south to north. However, in the 1900 block between Broadway and Avenue A, the alley runs in the opposite direction, from north to south.
- c. There is no public alley in the 2000 and 2200 blocks between Broadway and 1st Avenue. The 2200 block also contains a parcel of unknown ownership according to the Scotts Bluff County online database.
- d. East 18th Street is closed to traffic between Broadway and 1st Avenue, this dead-ends neighborhood traffic.
- e. While public sidewalks are provided throughout the Study Area, and a few on-street accessible parking stalls are provided via painted curb, the accessible parking stalls are located mid-block, are not in optimal locations, and do not have an adjacent curb cut for sidewalk access.
- f. Street, sidewalk, and curb and gutter condition was observed and noted as part of this study. A curb inlet on East 22nd Street does not properly fit the curb and should be replaced with a proper unit.
- g. Traffic congestion between Broadway and 2nd Avenue around Bluffs Middle School.



*Examples of Curb, Gutter, Sidewalk Conditions within the Study Area*



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**Street Surface**

- Good
- Deteriorating
- Dilapidated
- None

**Sidewalk / Curb /  
Gutter Condition**

- Good
- Fair
- Poor
- None



0 70 140 280 420 560 Feet

**Surface Condition**

City of Scottsbluff  
Scotts Bluff County, NE

Conditions observed during  
MCS field survey, Feb. 2021.



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### 3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Study Area #13 contains the northern downtown of Scottsbluff. Faulty lot layout is seen in the following instances:

- Platted lots with a single use are built over the top of lot lines. Where buildings are built over lot lines, these lots could be and should be combined; and this practice should not be continued in the future—an instance is found in the 1800 block between Avenue A and Broadway.
- One very small lot exists, with unknown ownership in the 2200 block between Broadway and 1st Ave. Ownership should be determined and the lot should be combined.
- There is no alley in the 2200 block between Broadway and 1st Avenue.
- The alley dead ends in the 1900 block between Avenues A and B, and in the 2000 and 2100 blocks between Broadway and 1st Ave.
- As downtown Scottsbluff has made landscaping and visibility improvements through bulbouts, parking circulation has been impacted in the eastern 1900 block of Broadway and parking lot configuration will need to be re-engineered for this vacant property.
- Closure of East 19th Street at Broadway dead-ends neighborhood traffic from West 19th Street.
- Narrow and shallow lots limit development. Instances can be found in the 100 block of East 19th Street, West 19th Street between Broadway and Avenue A, and the 2200 block between Broadway and 1st Avenue.



*Examples of Site & Pavement Conditions within the Study Area*

### 4. Unsanitary or Unsafe Conditions

Age of Structure is a contributing factor to the blighted and substandard conditions in the Study Area with 91% of the structures over 40 years of age. The statute allows the inclusion of this factor, regardless of structure condition, where there is a predominance of structures 40 years of age or older. See **Appendix B—Table 3** for a summary of structure ages.

### 5. Deterioration of Site or Other Improvements

#### Debris

Debris accumulates in gutters and alleys and is found throughout the Study Area, concentrated around undeveloped and vacant properties. Several significant examples of debris were noted in field observation. This debris included everything from construction materials, to clothing articles and discarded alcohol bottles as well as on-site storage (bed mattress and box springs, couch, chairs, tires, and numerous other items. Numerous (somewhat less severe) debris are present throughout the Study Area, suggesting the problem is growing.



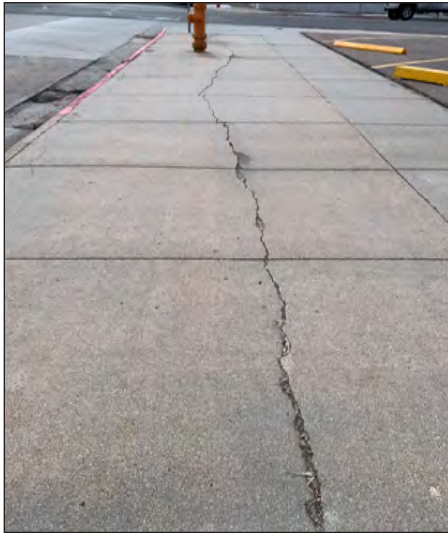
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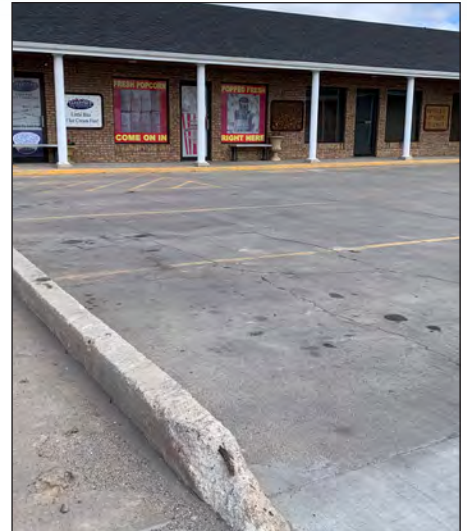
page 20





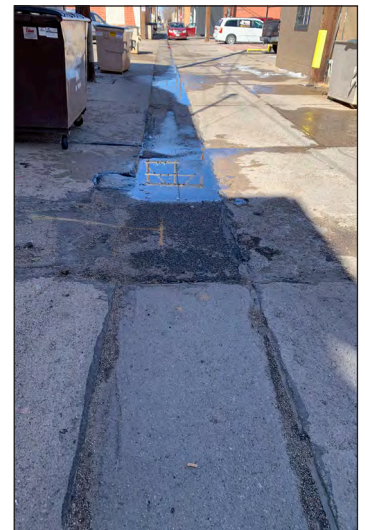
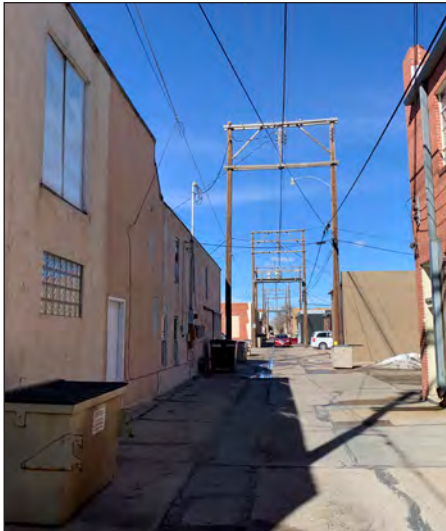
*Examples of Sidewalk Conditions within the Study Area*





*Examples of Parking Conditions within the Study Area*





*Examples of Alley and Parking Entrance Conditions within the Study Area*





*Examples of Street and Curb & Gutter Conditions within the Study Area*





### Dilapidated Structures

Structure conditions were examined both using Scotts Bluff County Assessor's online database of building appraisal and confirmed/adjusted through field evaluation. The data and rating system from the Scotts Bluff County Assessor's database was used to evaluate properties in the area, rating structures as either: Excellent, Good, Average, Fair, Badly Worn, and Worn Out. Rating terms are defined as follows:

**Excellent:** Typically newer construction or property that has been completely upgraded.

**Good:** Typically no major defects or aging conditions in field analysis.

**Average:** Typically minor defects showing up, 25% or less of the following—degrading roofing materials, masonry joints in need of tuck-pointing, or small cracks in foundation, broken glass, painted surfaces beginning to peel.

**Fair:** Similar to Average, conditions are worsening and cover a larger portion of structure.

**Badly Worn:** Structure is showing many of the conditions mentioned, and extent of aging and deterioration may require demolition to eliminate the conditions.

**Worn Out:** Aging, deterioration and conditions point toward demolition to eliminate the conditions.



Based on these ratings, it is assumed that Average condition and less would constitute less than desirable conditions due to age and structure status. It is common for older structures to require considerable maintenance and upkeep to maintain good and excellent condition, while an Average structure can show signs of deterioration that can more quickly become a dilapidated structure if not addressed.

Findings of the study show 18.6% structures in good condition, 63% deteriorating (fair to average condition), while 18.6% of the structures are badly worn/dilapidated and pose a threat. Using the above assumptions, overall, 81.4% of the structures in the Study Area are Average condition or worse.

Ninety-one (91%) of the 102 primary structures in the Study Area are in excess of 40 years and two are public structures of unknown age—structures in the Study Area range in age from 5 to 110 years. Thus, structure age and obsolescence *within the Study Area* is a contributing condition of blight and substandard.

**6. Diversity of Ownership**—73 properties with 53 owners; 1 unknown.

**7. Tax or Special Assessment Delinquency**—None identified.

**8. Defective or Unusual Conditions of Title**—One parcel of unknown ownership was identified in the Scotts Bluff County online property database.

**9. Improper Subdivision or Obsolete Platting**—One very small parcel of unknown ownership was identified within the Study Area. This feature alone is not substantial, but this does contribute to the blighting factor. See *appendix d—Figure 11* for a current zoning map of the area.



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## 10. The Existence of Conditions That Endanger Life or Property by Fire or Other Causes

*Figure 6*, on the following page, provides an overview of the blighted and substandard conditions located and photographed during field observations.

### Poor Sidewalk and Street Conditions

The entirety of the Study Area is serviced with sidewalks that vary in condition from excellent to poor. The condition of the street paving shows signs of age with cracks, gaps and missing pieces. Bituminous streets have been recently (in 2016 or 2020) chipsealed. Much of Broadway road surfacing has also been recently updated. However, non-Broadway concrete surfaces are aging with substantial cracking found throughout the Study Area. Street curbs and gutters show signs of aging with settling, cracks and missing pieces. Paved alleys range from minor cracking to patched dilapidated surfaces. These conditions are wide-spread.



### Poor Surface Drainage

Storm water drainage problems exist in the southeast portion of the Study Area in particular. During field analysis, several areas of standing water were noted as poor drainage exists in localized areas and alleys, and parking lots were noted lacking proper drainage at various locations throughout the Study Area.

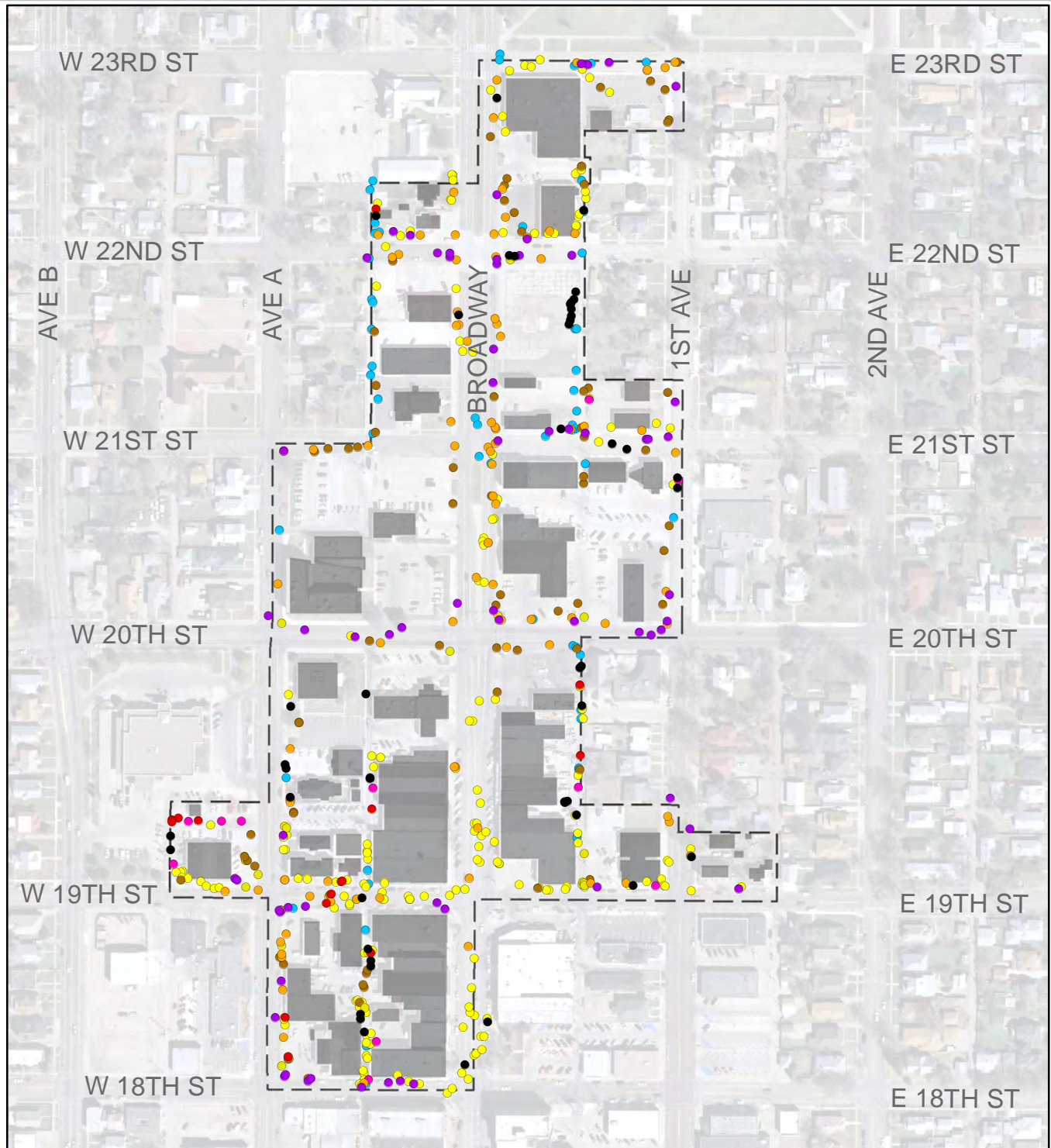


### On-Site Storage

The Study Area has sites of outdoor storage. These findings point to an impediment for development or upgrades in the neighborhood and should be evaluated for removal.







## Blighted and Substandard Conditions Locations

- Debris and/or Graffiti
- On Site Storage
- Curb & Gutter
- Sidewalk
- Infrastructure
- Drainage
- Parking
- Structure
- Road/Concrete

City of Scottsbluff, NE

Conditions observed during  
MCS field survey, Feb. 2021



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**11. Any Combination of Such Factors**—The combination of all blight and substandard conditions found within the Study Area could be considered a factor in substantially arresting sound growth in the area and obsolescence contributes toward an inability of property within the area to compete in the market place.

## **12. Detrimental to Public Health, Safety, Morals, Welfare in Present Condition**

While a minimum of at least one of the following factors is required for this condition to be met, at least two of the factors are confirmed to be present in the Study Area.

**a. Unemployment Rate At Least 100% of State or National Average**—was not considered a factor and was not researched as part of this study beyond determining that the unemployment rate in Scotts Bluff County, NE was 4.208% in 2020, while the US had an unemployment average of 8.1%, and Nebraska averaged 4.242% for the year.

**b. Average Residential and Commercial Structure Age Over 40 Years**—is a factor. The median age of the 100 primary non-public structures in the area is **76** years. Age of the structures within the Designated Study Area is provided through the Scotts Bluff County Assessor's online database and field verification. Only those structures built before 1982 qualify for the 40 years and older structures designation in the State of Nebraska laws. The Study Area contains 91 structures (**91%**) built before 1982.

**c. Subdivided/Platted Property Unimproved for 40 Years**—not considered as a factor.

**d. Per Capita Income Level**—not researched as part of this study.

**e. Decreasing Population**—is a factor. The Study Area contains residential properties, and is located in census tracts all of which the census data reports population from 1990, 2000, and 2010 decennial census. Map **Figures 7-10** provided in **Appendix C** illustrate the 1990, 2000, and 2010 decennial census as well as the projected 2020-2025 population change for census tracts covering and surrounding the Study Area. Based on the data illustrated on the maps, the Study Area and adjacent populated areas display a stable or decreasing population based on the last two decennial census; and a stable or decreasing population is also projected for 2020-2025 according to ESRI demographics data, which is based on the decennial census, Infogroup business data, other public and proprietary data sources, and proprietary models.



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## Conclusion of Blighted and Substandard Analysis

Based on this analysis, the Study Area meets the criteria of both blighted and substandard conditions. The area displays the presence of criteria required for a finding of a blighted and substandard condition as defined by the State of Nebraska Legislature.

The primary conditions leading to this conclusion include the following Blighted and Substandard Conditions:

- The Study Area has some inadequacies in the form of traffic movement capabilities and real property access. Numerous off-street paved parking areas exist, along with a few interior private drives. While some off-street parking areas and drives are well maintained, several parking areas, driveways and entrances crossing sidewalk travel ways are deteriorating or dilapidated pavement, gravel surfaced or unimproved. Defective or inadequate street layout thus may be considered a factor contributing to blighted conditions in this Study Area.
- The field survey also included an evaluation of the condition of site improvements including street surface conditions, curbs and gutters, street width adequacy, sidewalks, driveways, and off-street parking facilities, sanitary sewer facilities, and drainage facilities, and review of the city's GIS database pertaining to water distribution, hydrants, and storm water conveyance. The lack of or deterioration of site improvements include: Broadway itself has been improved within the last 8 years: in 2013 the street was resurfaced from 14th Street to 20th Street including new curb, gutter, sidewalk, bulbouts, and landscaping; and in 2016, a surface overlay project improved the street surface from 20th Street to 27th Street. In 2016 and 2020, the city undertook citywide chipseal projects to resurface bituminous streets. However, concrete side streets and concrete alleys as well as curb and gutter concrete paving shows signs of age with wide-spread conditions of cracks, gaps, and missing pieces.
- Multiple areas within the Study Area have storm drainage issues. The issues are primarily a result of the downstream storm drain system being undersized. Consequently, the upstream system within the Study Area floods during larger storm events.



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- There is a sidewalk system throughout the Study Area. Deteriorating and dilapidated sidewalks and driveway entrances contribute to generating traffic hazards for children and other pedestrians in this Area as pedestrians are forced to navigate broken pavement and potholes—their safety, well-being and health at risk.
- The Study Area contains many private driveways and off-street parking areas. Private drives and private parking lots are surfaced with concrete, native material or sparse gravel. Many driveways and parking areas, particularly those associated with commercial uses and higher traffic volumes are deteriorating.
- Over half of the Study Area appears unkept and / or contains substantial examples of debris. While there are well maintained properties, these are contrasted with a relatively high level of poorly maintained properties within this Study Area—which represent a considerable blighting factor. The lack of site improvements in various locations throughout the Study Area also serves to be a limiting factor to future development in the Study Area and thus is an additional factor contributing to blight. One of the keys in creating a positive image within an area is exterior maintenance of lots. Perfectly maintained structures can still be seen as deteriorating parts of the community when the exterior and/or curb appeal is less than desirable. Site improvements such as parking areas range from good to deteriorating to dilapidated. Public alleys, while not directly impacting curb appeal, contribute greatly to one's sense of well being. While alley surfaces may be patched for a relatively smooth ride surface, their dilapidated appearance reflects the neglect seen on the vacant building exteriors—dilapidating surfaces, broken and boarded windows and barred doors, and marred with graffiti.
- The Study Area has numerous lot layout faults in relation to size, adequacy, accessibility or usefulness. The field survey, combined with investigations of property ownership and plat maps indicate that several problem lots exist relative to lot layout, lot size, adequacy, and usefulness within the Study Area, and therefore, may be considered a contributing factor. Faulty lot layout in relation to accessibility or usefulness within this Study Area **may be** considered a factor contributing to blighted conditions in this Study Area.
- Conditions **exist** which endanger life or property by fire and other causes. The water main on Broadway from 20th Street to West Overland is old and will need to be replaced



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in the future. The water main on Avenue A from 20th Street to 27th Street is undersized and will need to be brought up to current standards in the future.

- The American Darling fire hydrant (Tag 384) located on the southeast corner of West 21st Street and Avenue A intersection has a GPM flow rate of 1431, and the flow rate of the Iowa Pumper hydrant (Tag 383) at the northeast corner of West 20th Street and Avenue A is 2968, while the other 16 hydrants in the Study Area #13 vicinity have a flow rate of 3500 GPM according to city GIS records. The parking stalls adjacent to Hydrants (Tag 380, Tag 415) are painted within 8 feet of the hydrant and consideration should be given to adjust/remove these on-street parking slots as city code requires a minimum distance of 10 feet. All parcels within Study Area #13 are within 500 feet of a hydrant with at least 1000 GPM flow rate.
- Conditions exist which are detrimental to the public health, safety, morals and welfare in the present condition with the existence of graffiti, debris, on-site storage, and inadequate drainage. The existence of an inadequate surface drainage system of the Area presents additional threats to health. The lack of sufficient drainage structures allows water to back up into travel ways impairing driveability, and onto property, ponding and stagnating, creating not only a physical hazard, but also increased potential for multiplying mosquito production, an additional health hazard to area residents.
- The per capita income of the area was not determined as a part of this study.
- Defective or unusual conditions of title—one parcel is of unknown ownership.

#### **Blighted conditions that do not appear to be present**

- There are not more than half of the plotted and subdivided property that is unimproved, within the city for forty years and has remained unimproved during that time. A large amount of the Study Area has remained unimproved but this amount does not exceed half of the area.
- Area-wide—diversity of ownership could be, but does not appear to be a factor.





### Blighted conditions not evaluated

- Beyond a review of the Scotts Bluff online data, tax or special assessment delinquency exceeding the fair value of the land was not further evaluated.

## Comprehensive Plan / Surrounding Property

According to the City's 2016 Comprehensive Plan, the Study Area is located in the Central Business District, extending northward into the central Residential District. The Comprehensive Plan provides the following principles for sustainable development in this area:

### Interconnection of Neighborhoods and amenities

- Transportation amenities should prioritize pedestrians. Encourage residents to park and walk.
- Connection to other services and areas of the city through multiple modes of safe transportation; bike lanes could connect to other pathways throughout the City.

### Sustainable development

- Reduce impervious cover—decrease storm water runoff while providing aesthetically pleasing landscaped areas.
- Focus on tree planting to help moderate temperatures and beautify public spaces.
- Continue making public improvements in landscaping and other public facilities to encourage additional private investment.
- Maintain landscaped areas to keep them attractive long-term.

### Access to culture and recreation

- Partner with Midwest Theater, Western Nebraska Arts Center to provide cultural opportunities downtown.
- Access to walking paths; signage to encourage more walking downtown.

### Strong neighborhoods and places, rooted in our unique character

- Promote cultural hub of the community through built design of buildings.
- Retain historical value of existing buildings.
- Encourage upper-story housing to increase vitality of the district.



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The development potential of property is determined by the property conditions themselves, and the conditions of surrounding property. This is particularly true for the Study Area. The Study Area abuts to two other blighted and substandard areas (Broadway downtown business district as well as the East 20th Street corridor).

The Study Area with its many parking areas and hardscape will benefit greatly from implementation of the Comprehensive Plan's sustainable development principles.



Adjoining the Study Area with the current adjacent blighted and substandard areas is necessary to accomplish the sound redevelopment planning and program of the City. In order to achieve the above principles of sustainable development from the City's Comprehensive Plan, it is vitally important to adjoin the Study Area with the adjacent blighted and substandard areas. This will enhance the development potential of the Study Area and the current adjacent blighted and substandard areas and create a continuous, harmonious redevelopment area in the Scottsbluff Downtown District.



## Blighted and Substandard Area Declaration

Based on the findings in this report, the Study Area may be declared blighted and substandard in keeping with and conforming to the Nebraska Community Development Law. This finding will make this area available for redevelopment activities. The General Redevelopment Plan, when prepared, shall be composed in a manner consistent with the City of Scottsbluff Comprehensive Plan.



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# appendix



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The referenced Study Area, in the city of Scottsbluff, Nebraska, includes the following identified Parcels with their legally described Additions, Blocks and/or Lots, and unplatted lands:

Parcel	Legal Description	Parcel	Legal Description
10135308	ALL TLS 2,10,11,12, BLK 22, NORTH SCB ADD	10334408	LT 5, WEBBER MANOR THIRD ADD
10279474	BLK 3, WEBBER MANOR 2ND ADD	10146725	LT 6-8, BLK 2, SEVENTH ADD
10135596	C 1/3 SE TL 5 EXC N 7', BLK 30, NORTH SCB ADD	10112871	LT 6, BLK 1, BROADWAY ADD
10135960	C1/3 NE S1/2 OF TL 1, BLK 35, NORTH SCB ADD	10150900	LT 6, BLK 1, THIRD ADD
10135693	C1/3 NE TL 2, BLK 31, NORTH SCB ADD	10163875	LT 6, BLK 21, SUB BLK 21, N SCB ADD
10135200	E 100' S 1/2 N 2/3 NE TL 3, BLK 22, NORTH SCB ADD	10266801	LT 6A, BLK 5, REPL SUB LT 6, BLK 5, EAST PORTAL ADD
10163646	E 47' LT 8, BLK 1, SEVENTH ADD	10245073	LT 6B, BLK 5, REPL SUB LT 6, BLK 5, EAST PORTAL ADD
10150935	E 50' LT 8, BLK 1, THIRD ADD	10146652	LT 7, BLK 1, SEVENTH ADD
10151672	E 56' LTS 5,6, BLK 8, THIRD ADD	10150919	LT 7, BLK 1, THIRD ADD
10112944	EX N 6" LT 12, BLK 1, BROADWAY ADD	10131639	LT 8, BLK 1, MCCLANAHANS ADD
10305238	LOTS 1-2-3, BLK 1, THIRD ADD	10112901	LT 9, BLK 1, BROADWAY ADD
10119574	LT 1, BLK 1, EAST PORTAL ADD	10131647	LT 9, BLK 1, MCCLANAHANS ADD
10135634	LT 1, BLK 30, NORTH SCB ADD	10135723	LT A,BLK 31, NORTH SCB ADD REPLAT TL 3-4-5-6
10256679	LT 1, BLK 35, SUB S 1/2 BLK 35, N SCB ADD	10119590	LT A, SUB LT 3, BLK 1, EAST PORTAL ADD
10119779	LT 1, BLK 5, EAST PORTAL ADD	10253688	LT B, SUB OF LT 3, BLK 1, EAST PORTAL ADD
10246983	LT 1, RHEAULT SUB	10160191	LTS 1-4, BLK 1, BROADWAY ADD
10146458	LT 1, SECOND WILDY & LANA INDUSTRIAL TRACTS	10112995	LOTS 1-9, BLK 2, BROADWAY ADD
10334327	LT 1, WEBBER MANOR THIRD ADD	10152245	LTS 10-11, BLK 1, TRI STATE ADD
10112928	LT 10, BLK 1, BROADWAY ADD	10113045	LTS 10, & 11, BLK 2, BROADWAY ADD
10131655	LT 10, BLK 1, MCCLANAHANS ADD	10132546	LTS 13,14, MAIN STREET ADD
10112936	LT 11, N 6 LT 12, BLK 1, BROADWAY ADD	10233768	LTS 14-15, BLK 2, BROADWAY ADD
10131698	LT 12, BLK 1, MCCLANAHANS ADD	10112960	LTS 14-17, BLK 1, BROADWAY ADD
10285334	LT 12, BLK 2, BROADWAY ADD	10162550	LTS 15,16, MAIN STREET ADD
10112952	LT 13, BLK 1, BROADWAY ADD	10113061	LTS 16-17, BLK 2, BROADWAY ADD
10113053	LT 13, BLK 2, BROADWAY ADD	10132619	LTS 23, 24, MAIN STREET ADD
10132554	LT 17, MAIN STREET ADD	10131604	LTS 3,4, BLK 1, MCCLANAHANS ADD
10132562	LT 18, MAIN STREET ADD	10152148	LTS 4-5 PT OF LT 6, BLK 1, TRI STATE ADD
10132570	LT 19, MAIN STREET ADD	10150994	LTS 6-8, BLK 2, THIRD ADD
10131574	LT 1A, BLK 1, MC CLANAHANS ADD REPLAT	10152172	LTS 7-9, BLK 1, TRI STATE ADD
10151621	LT 1A, BLK 8, THIRD ADD, REPL LT 1-2, BLK 8	10112898	LTS 7 & 8, BLK 1, BROADWAY ADD
10131582	LT 1B, BLK 1, MCCLANAHANS ADD REPLAT	10131671	N 1/2 LT 11, BLK 1, MCCLANAHANS ADD
10119582	LT 2, BLK 1, EAST PORTAL ADD	10135871	N 2/3 NE TL 1, BLK 34, NORTH SCB ADD
10135642	LT 2, BLK 30, NORTH SCB ADD	10135650	N 3' OF TL 8 AND N1/3 SW EX N3' TL9 BLK 30, NORTH SCB ADD
10256687	LT 2, BLK 35, SUB S 1/2 BLK 35, N SCB ADD	10135669	N 3' TL 9, S 1/3 NW TL 10, C 1/3 NW TL 11, BLK 30, NORTH SCB ADD
10119787	LT 2, BLK 5, EAST PORTAL ADD	10135685	N1/3 NE TL 1, BLK 31, NORTH SCB ADD
10256989	LT 2, RHEAULT SUB	10336141	PT SE (S OF DITCH) UNPL LANDS 14-22-55 (13.61)
10146466	LT 2, SECOND WILDY & LANA IND TR	10336141	PT SE (S OF DITCH) UNPL LANDS 14-22-55 (13.61)
10132589	LT 20, MAIN STREET ADD	10336141	PT SE (S OF DITCH) UNPL LANDS 14-22-55 (13.61)
10132597	LT 21, MAIN STREET ADD	10336141	PT SE (S OF DITCH) UNPL LANDS 14-22-55 (13.61)
10132600	LT 22, MAIN STREET ADD	10152393	PT TR 1 N OF HWY & PT TR 8, UNION LIVESTOCK ADD (8.05)
10151648	LT 2A, BLK 8, THIRD ADD REPLAT OF LTS 1-2, BLK 8	10131663	S 1/2 LT 11, BLK 1, MCCLANAHANS ADD
10146474	LT 3, SECOND WILDY & LANA IND TR	10135898	S 1/3 NE TL 2, BLK 34, NORTH SCB ADD
10135987	LT 3, BLK 35, S 1/2 BLK 35, N SCB ADD	10135618	S 1/3 SE TL 6, BLK 30, NORTH SCB ADD
10119795	LT 3, BLK 5, EAST PORTAL ADD	10135995	S 25' NW TL 6, BLK 35, NORTH SCB ADD
10151656	LT 3, BLK 8, THIRD ADD	10136029	S 28 1/2' OF N 125' NW PT TL 7, BLK 35, NORTH SCB ADD
10135928	LT 3, LT 4X, LT 4-6,LT 6A, BLK 34, NORTH SCB ADD	10131590	S 45' LT 2, BLK 1, MCCLANAHANS ADD
10246991	LT 3, RHEAULT SUB	10136010	S 46 1/2' OF N 96 1/2' NW PT TL 7, BLK 35, NORTH SCB ADD
10279466	LT 3, WEBBER MANOR THIRD ADD	10135197	TL 1, BLK 22, NORTH SCB ADD
10119604	LT 4, BLK 1, EAST PORTAL ADD	10135979	TL 2, BLK 35, NORTH SCB ADD
10150889	LT 4, BLK 1, THIRD ADD	10135278	TL 8, TL9 & S2/3 OF TL 13, BLK 22, NORTH SCB ADD
10245057	LT 4, BLK 5, EAST PORTAL ADD	10156364	TR 2,TR 3,& TR 4, EX N 20', WILDY & LANA INDUSTRIAL TR
10151664	LT 4, BLK 8, THIRD ADD	10156372	TR 5 EX N 20', 24-22-55, WILDY & LANA INDUSTRIAL TRACTS
10334343	LT 4, WEBBER MANOR THIRD ADD	10231994	TR B, WIEDEMAN SUB, REPLAT OF TR 1, WILDY & LANA INDUSTRIAL TRACTS
10112863	LT 5, BLK 1, BROADWAY ADD	10232001	TR D, WIEDEMAN SUB, REPLAT OF TR 1, WILDY & LANA INDUSTRIAL TRACTS
10150897	LT 5, BLK 1, THIRD ADD	10231986	TRACTS A & C WIEDEMAN SUB REPLAT TR 1 WILDY & LANA IND. TRACTS
10149627	LT 5, BLK 21, SUB BLK 21, N SCB ADD	10151680	W 84' LTS 5 & 6 , BLK 8, THIRD ADD
10245065	LT 5, BLK 5, EAST PORTAL ADD	10150927	W 90' LT 8, BLK 1, THIRD ADD
10131612	LT 5, PT LT 6, BLK 1, MCCLANAHANS ADD	10146660	W 93' LT 8, BLK 1, SEVENTH ADD

The **primary streets and roads** within the Study Area include:

E—W: 18th Street, 19th Street, 20th Street, 21st Street, 22nd Street, 23rd Street

N—S: Avenue A, Broadway, 1st Avenue



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**Table 3**  
**Structure Effective and Cumulative Ages - Blight Study Area #13**  
**Scottsbluff, Nebraska**

Year Built	Effective Age	No of Units	Cumulative Age
1912	110	2	220
1913	109	1	109
1915	107	4	428
1916	106	1	106
1918	104	1	104
1920	102	4	408
1921	101	2	202
1922	100	1	100
1924	98	2	196
1925	97	4	388
1926	96	6	576
1927	95	2	190
1928	94	2	188
1930	92	1	92
1932	90	1	90
1935	87	9	783
1936	86	1	86
1937	85	2	170
1938	84	2	168
1939	83	2	166
1940	82	4	328
1941	81	1	81
1942	80	2	160
1946	76	5	380

Year Built	Effective Age	No of Units	Cumulative Age
1947	75	1	75
1952	70	4	280
1954	68	1	68
1956	66	1	66
1957	65	2	130
1960	62	4	248
1962	60	2	120
1963	59	2	118
1965	57	1	57
1967	55	3	165
1970	52	1	52
1971	51	4	204
1972	50	2	100
1978	44	1	44
1982	40	1	40
1988	34	1	34
1991	31	1	31
1997	25	1	25
2001	21	1	21
2002	20	3	60
2017	5	1	5
Unknown	—	2	—
<b>Total Cumulative</b>		100	7662
<b>Average Age</b>			76.62

Source: Scotts Bluff County Assessor online database  
 confirmed by M.C. Schaff & Associates, Inc., Field Survey, February 2021



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**1990 US Census Block Population**

0	6 - 50
1	51 - 127
2 - 5	

**Study Area**

1990 US Census Population

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:

1990 Census shapefile and population data:  
Minnesota Population Center, National Historical Geographic Information System: Version 11.0 [Database]. Minneapolis:  
University of Minnesota. 2016. <http://doi.org/10.18128/D050.V11.0>. <https://data2.nhgis.org>

Imagery: NAIP, 1993 <ftp://dnrftp.dnr.ne.gov/pub/data/CoqArea/1993SPCOQQs/41103/>

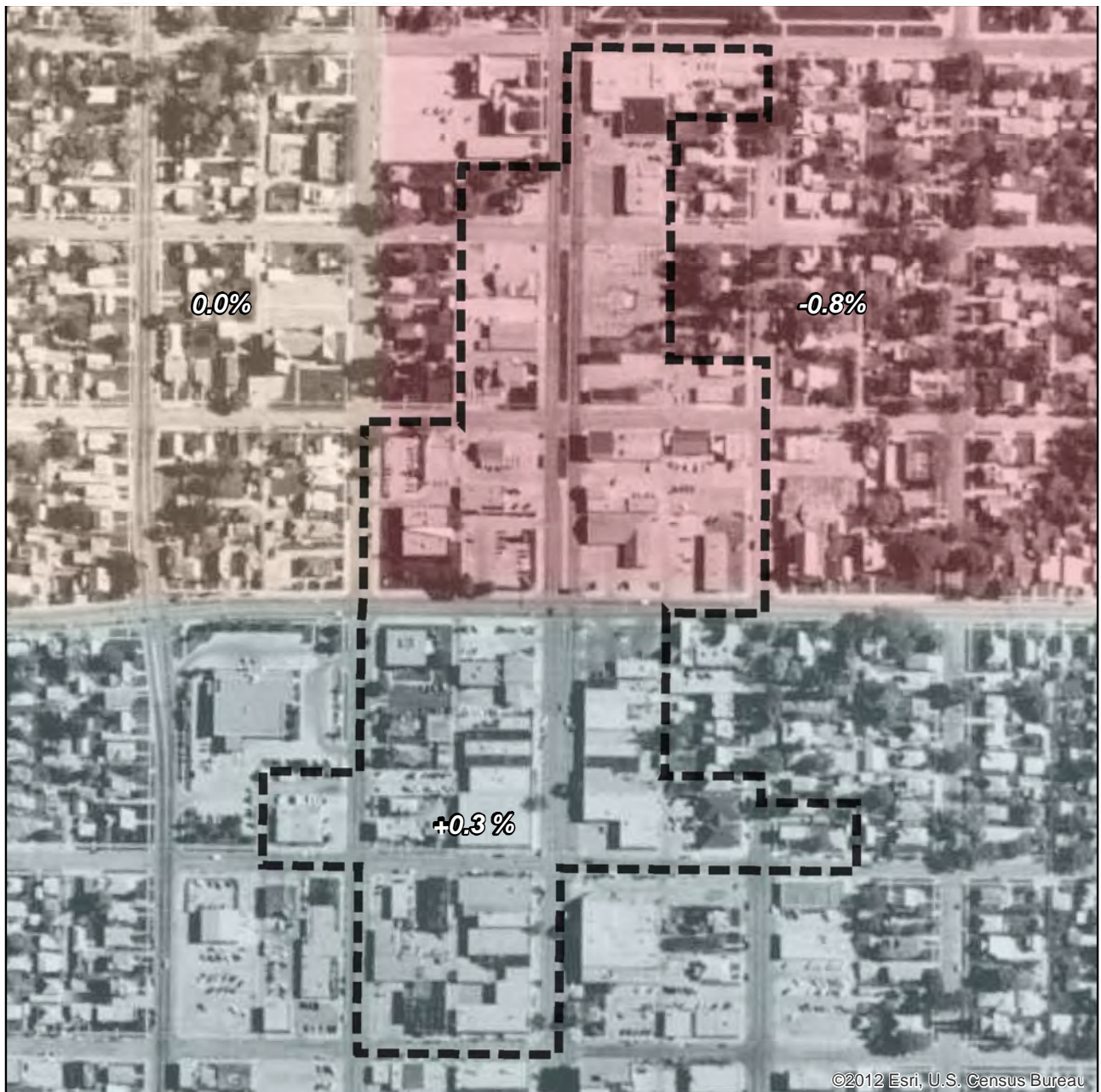


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0 75 150 300 450 600 Feet

#### 1990-2000 Population Change

Great Increase (More than 1.5%)

Moderate Increase (0.75% to 1.5%)

Slight Increase (0% to 0.75%)

Slight Decrease (-0.25% to 0%)

Moderate Decrease (-1.5% to -0.25%)

Great Decrease (Less than -1.5%)

Study Area

#### Data Sources:

Population: 2000 US Census Blocks  
[www2.census.gov/plmap/pl\\_blk/st31\\_Nebraska/c31157\\_ScottsBluff/PB31157\\_031.pdf](http://www2.census.gov/plmap/pl_blk/st31_Nebraska/c31157_ScottsBluff/PB31157_031.pdf) and  
[www2.census.gov/plmap/pl\\_blk/st31\\_Nebraska/c31157\\_ScottsBluff/PB31157\\_043.pdf](http://www2.census.gov/plmap/pl_blk/st31_Nebraska/c31157_ScottsBluff/PB31157_043.pdf)  
 Population block level data sourced from the DEC\_00\_SF1\_P002 table, [www2.census.gov](http://www2.census.gov)

Aerial: FSA, USGS Digital Orthophoto Quarter-Quadrangles, 1999

## 1990-2000 US Census Population Change

City of Scottsbluff  
Scotts Bluff County, NE



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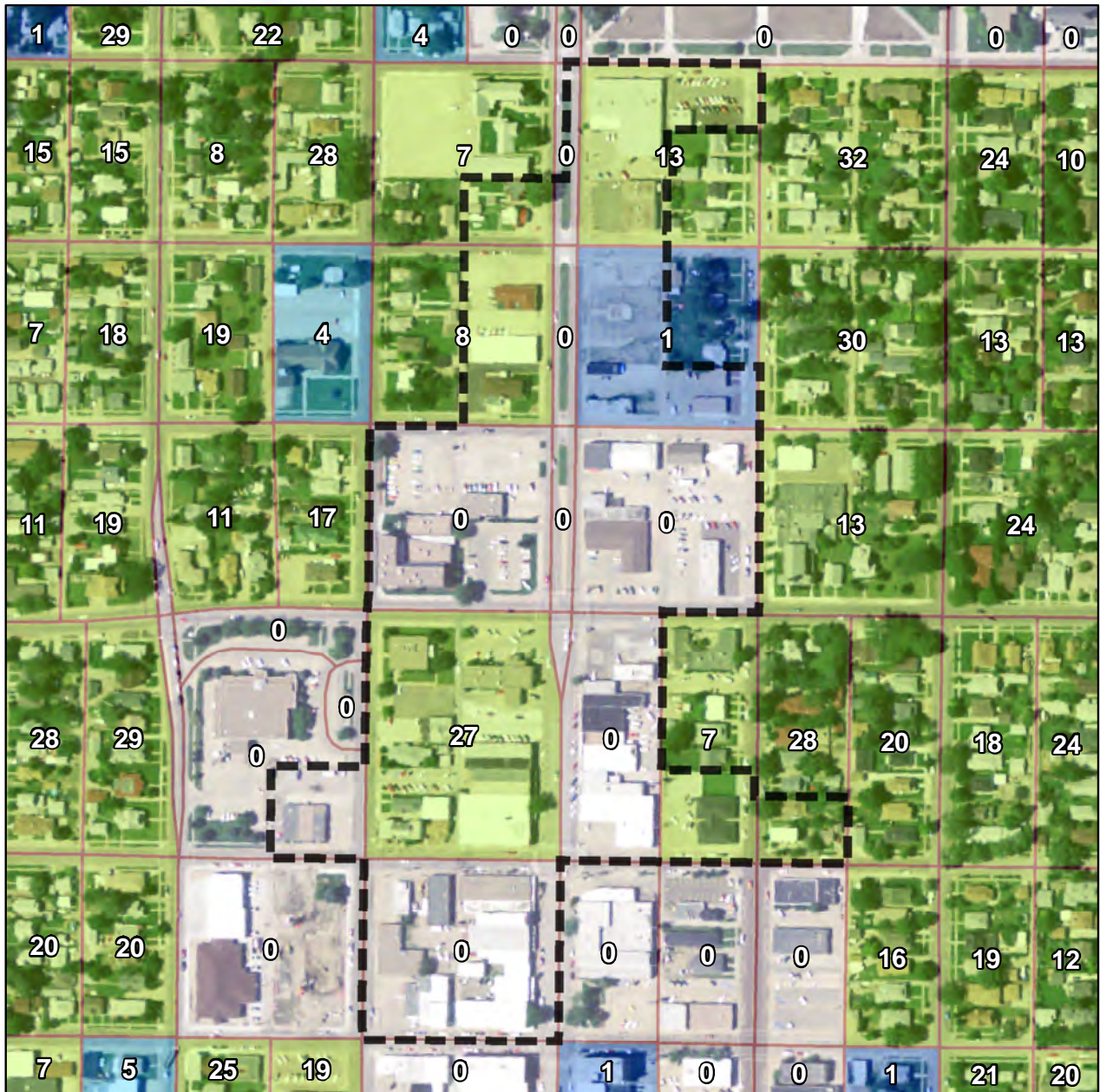
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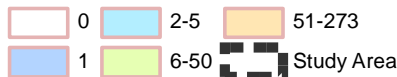
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## 2010 US Census Block Population

**2010 US Census Population**



City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Population: 2010 US Census Blocks and Block Level Population Data from [www2.census.gov](http://www2.census.gov)  
Imagery: Farm Service Agency (FSA) 2010 Imagery, Acquired on June 15-16, 2010  
[http://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4\\_NE\\_1m\\_2010/41103/](http://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4_NE_1m_2010/41103/)

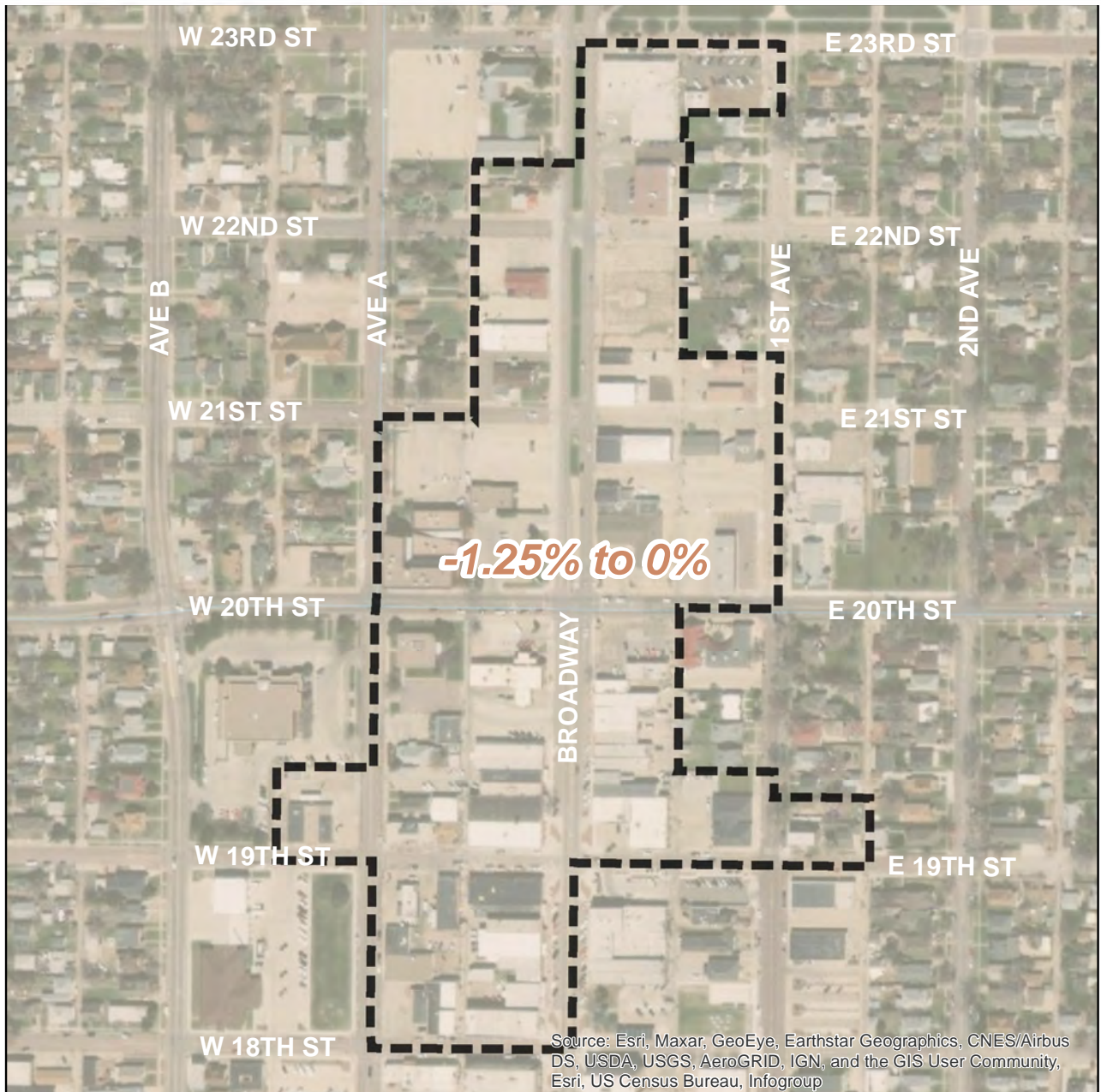


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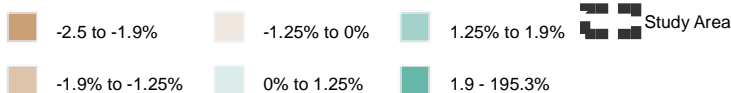
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## Estimated 2015-2020 USA Population Growth

### Estimated 2020-2025 USA Pop Growth



City of Scottsbluff  
Scotts Bluff County, NE

#### Data Sources:

Esri's Updated Demographics, Census Data, Tapestry Segmentation, and Business Summary data for the United States.  
Server: [https://demographics5.arcgis.com/arcgis/rest/services; Name: USA\\_Demographics\\_and\\_Boundaries\\_2020](https://demographics5.arcgis.com/arcgis/rest/services; Name: USA_Demographics_and_Boundaries_2020).

Imagery: Esri, Maxar Vivid, April 28, 2018

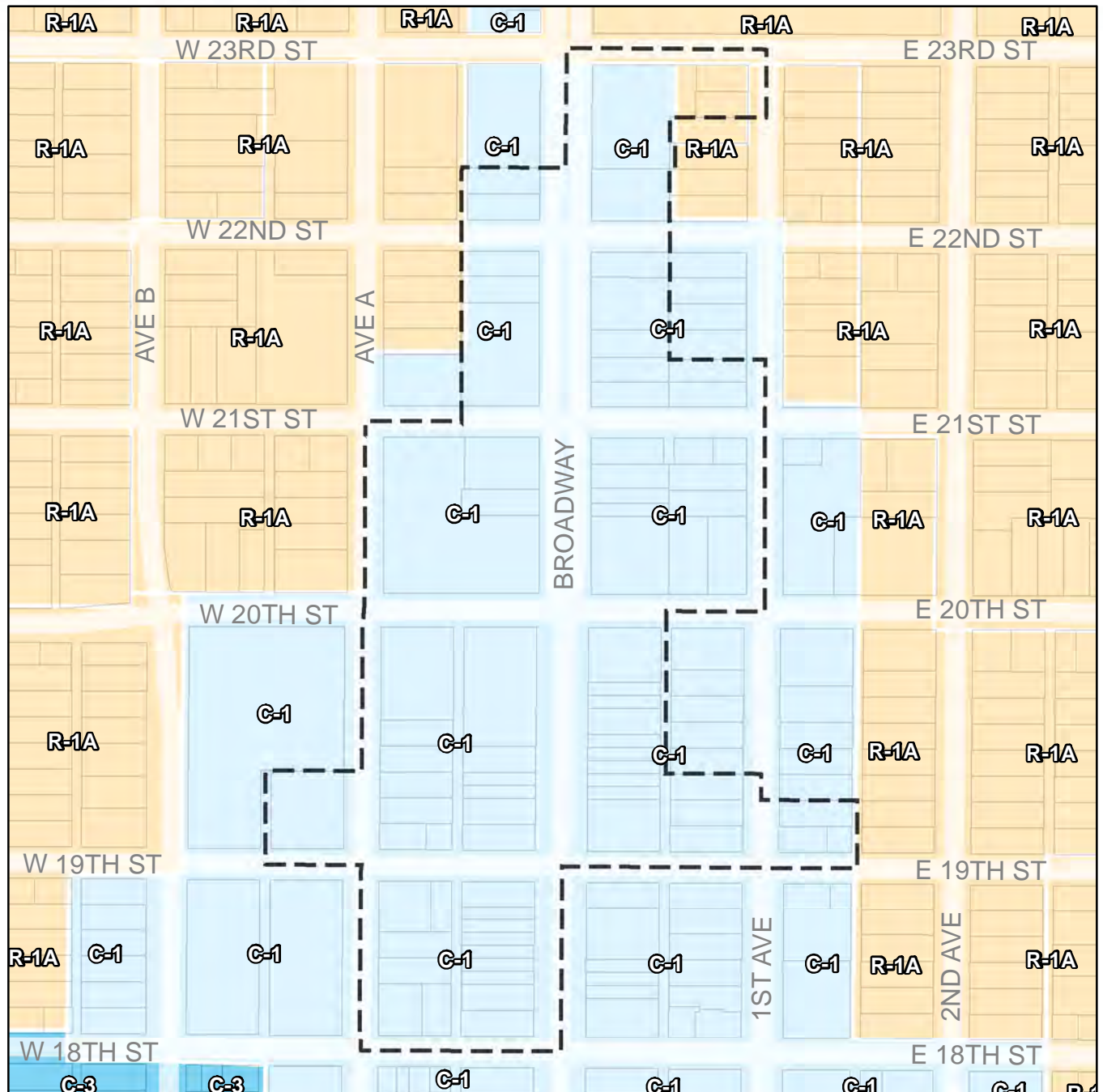


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0 75 150 300 450 600 Feet

- Central Business District (C-1)
- Heavy Commercial (C-3)
- Single Family Residential (R-1A)
- Study Area
- Corporate Limits

## Existing Zoning

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Zoning: City, 2020  
Parcels: Scotts Bluff County, 2017



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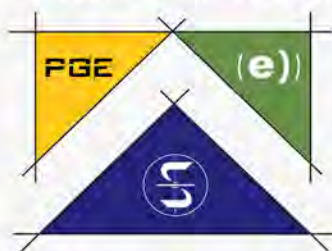
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**PROVIDING SIMPLY SMART SOLUTIONS**



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Engineering Firm | Environmental Consulting Group

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# STUDY AREA #14

## BLIGHT & SUBSTANDARD DETERMINATION STUDY City of Scottsbluff, NE



**PRESENTED TO**  
City of Scottsbluff  
Community Redevelopment

**PREPARED BY**  
MC Schaff & Associates, Inc.  
818 South Beltline Highway East  
Scottsbluff, NE 69361

**PROJECT**  
RS100094-2102

March 9, 2021







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## Purpose of this Analysis

The Blighted and Substandard designation opens the door for stimulating new development and allowing developers—all citizens the ability to make significant public improvements related to their project. The mechanism allows property owners the use of real estate property taxes (normally paid to other government agencies) for improvements including land acquisition and site preparation. Tax money can be used up to 15 years for this purpose.

This designation allows use of most of the new taxes generated by way of redevelopment. An owner pays the property tax but it is “refunded” for the purpose of land acquisition, site preparation and placing public improvements on the site. The program has worked well for Scottsbluff’s downtown and more recently, the Reganis Auto Dealership, hotel adjoining the dealership, and the Monument Mall. So, while the term may seem objectionable the results can be very positive for the entire community.

The Nebraska Unicameral enacted legislation which addressed the existence of areas within communities that needed incentives to redevelop. These areas tended to be older and out of date. Often spotty improvements had been made but the general condition was not attracting expansion of existing business nor new development and investment. On its face, this appeared to be true of the Study Area shown in **figure 1**, so a decision was made to give the area a closer look.

The purpose of this analysis is to identify and determine if an area within the City of Scottsbluff, Nebraska should be considered blighted and substandard under the criteria for such areas as set forth in the Nebraska Community Development Law, Section §18-2103. This Scottsbluff Blight and Substandard Study is intended to provide the Scottsbluff City Council the basis for determining the existence of blighted and substandard conditions within Scottsbluff’s corporate limits. Through this process, the City attempts to eliminate economic and/or social concerns that are detrimental to the future public health, safety, morals, and general welfare of the entire community. This study examines conditions relating to buildings, land use, and infrastructure within the study area to determine areas eligible for redevelopment under Nebraska Community Development Law.

Like other areas designated as Blighted and Substandard, much of the Study Area has not kept pace with overall community standards while other areas in the community have seen steady growth and development. Developments around the study area have seen hardships based on grade, land use, and utility locations. The Community Development Law enables cities to take steps to address these forms of decline through acquisition, clearance and disposition of property for redevelopment or through the conservation and rehabilitation of property.

This study examines existing conditions of land use, buildings, infrastructure, development patterns and general health, safety welfare aspects within the designated Study Area in the City of Scottsbluff. This has been done in an effort to determine its eligibility for redevelopment activities. The proposed Study Area #14 analyzed in this report is generally described as being in the southeast quadrant of the city between East 17th and East 15th Streets on the north and south respectively, 21st Avenue on the east, and the alley east of 17th Avenue on the west. A number of opportunities for redevelopment exist along and adjacent to the 21st Avenue Arterial allowing the community to overcome some of the challenges in the Proposed Study Area #14.

Generally, the corridors surrounding the study area have some long-standing successful businesses as well as recently developed locally-owned enterprises and national chain commercial growth. However, reinvestment in the Study Area is almost non-existent—not on par with the overall community’s growth and level of private investment. The Study Area saw growth between 1965-1980 but has seen much fewer improvements over the past 40 years, due to a number of challenges. The Study Area is bordered on the west by multi-family housing units, while its complete northern, eastern, and southern borders have all been previously designated as blighted and substandard, having seen limited new investment and rehabilitation to improved structures that remain in need of upgrading and redevelopment. Study Area #14 appears to be an excellent opportunity to provide incentives triggering new activity where adequate market forces are not present to move development in a positive direction.



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## Nebraska Revised State Statutes

Nebraska's Community Development Law clearly provides guidelines for communities to address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating areas as well as the prevention and elimination of substandard and blighted areas. This tool is provided in Neb Rev Stat §§18-2101 to 18-2154.

Nebraska Revised Statute §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

*"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 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 and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements."*

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community.

Nebraska Revised Statute §18-2105 grants authority to the governing body to formulate a redevelopment 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."*

The law states that there are a number of reasons an area goes beyond remedy and control solely by the regulatory process and cannot be dealt with effectively by ordinary police powers or ordinary operation of



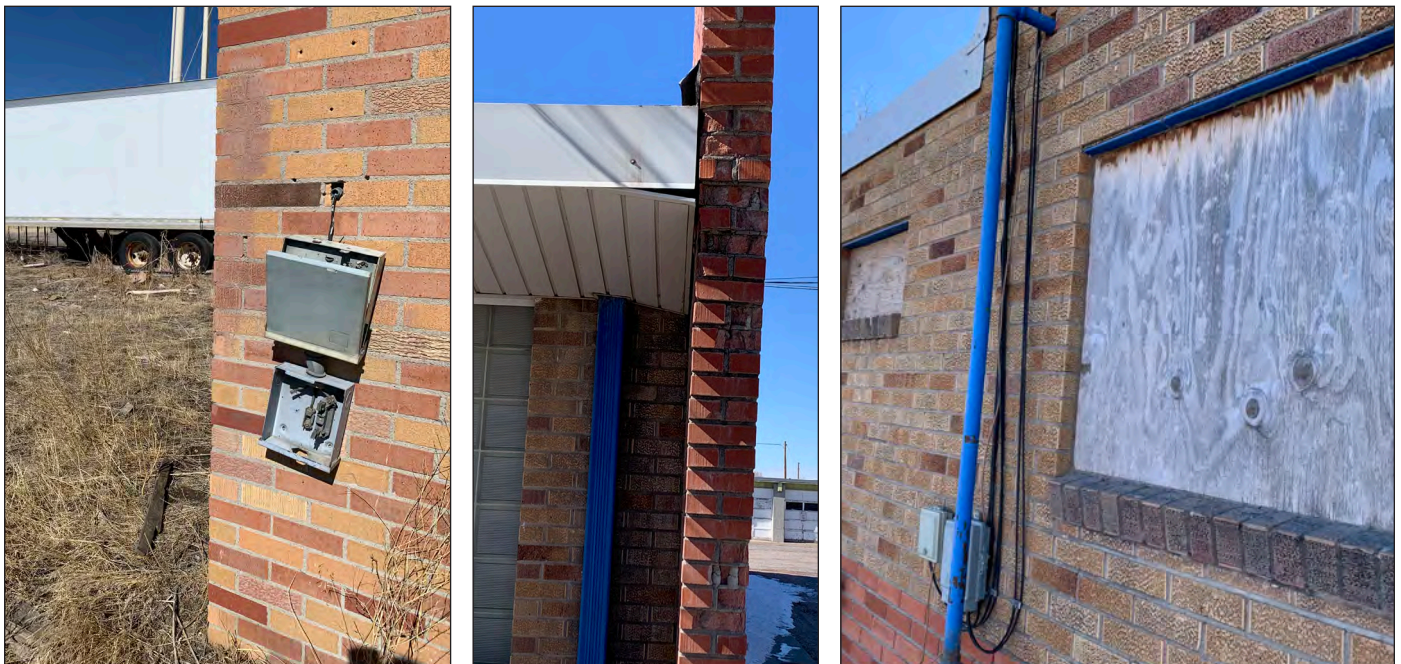
private enterprise without aid. Such things as overcrowding, unsafe, unsanitary conditions, inadequate planning, lack of proper light, air and open space, defective design and arrangement of buildings, faulty street layout and economically undesirable land uses are among the reasons.

The law goes on to provide the city with the ability to declare an area blighted and substandard followed by creating a workable program to utilize private and public resources to address specific conditions to be improved. The statute provides a means for the governing body to address and develop strategies for rehabilitation and redevelopment of the community. The main substance of a workable program is an adopted redevelopment plan for the defined area based in part on an adopted comprehensive plan.

Implementing this strategy for a Designated Study Area is intended to give the Community Redevelopment Authority and City Council a basis for determining the existence of blight and substandard conditions within the delineated Study Area. The general area considered for inclusion in the Study Area is shown in **figure 1. Study Area #14** on page 4 of this report, with the area boundary described on page 5 and parcels list provided in **Table 2** in the **appendix**. The Study Area can generally be described to include land bounded by 17th Street on the north, 15th Street on the south, the alley east of 17th Avenue on the west, and 21st Avenue on the east.

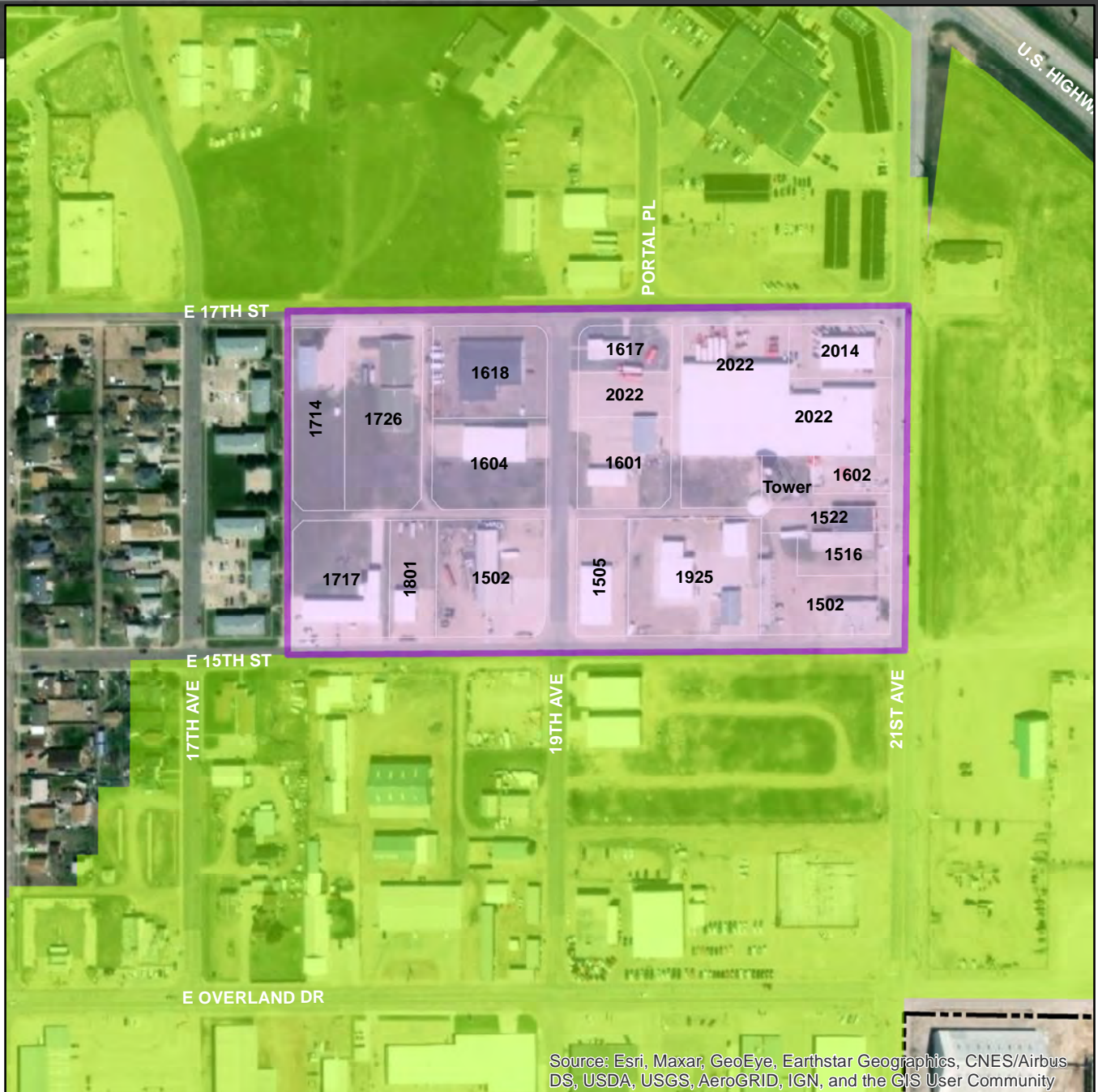
The study looks at existing land-uses, platting, structures and infrastructure systems to determine whether Study Area #14 or a part of it meets the statutory requirements for the designation as a Blighted and Substandard Area. With the growing interest and use of this valuable tool the State has taken an increased interest in assuring all using the tool use it in accordance with the statutes. For this reason, it is imperative the City of Scottsbluff closely adhere to the provisions set forth in the Nebraska Revised State Statutes.

The findings of this study will serve to guide the general redevelopment. The previously approved 2016 Comprehensive Plan and this Blighted and Substandard Study will present appropriate land uses, strategies for improved traffic circulation, economic development activities, and utilities and other improvement in accordance with the law.



*Examples of Structural Conditions within the Study Area*

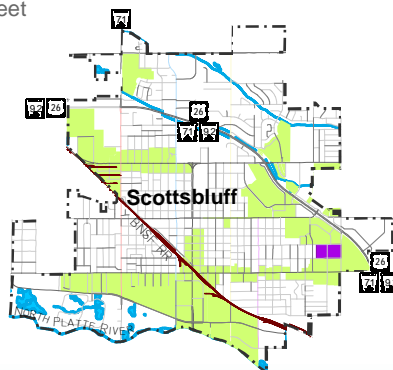




#### Redevelopment Areas

- Existing Redevelopment Areas
- Study Area #14
- Parcel Address
- Corporate Limits

Data Sources:  
 Parcels: Scotts Bluff County, 2016  
 Aerial: US Army Corps of Engineers, 2011



## Study Area #14

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**Redevelopment Study Area (Site 14):** The redevelopment study area consists of properties and tracts of land north of East 15th Street and south of East 17th Street, beginning at 21st Avenue on the east and running west for a distance of two blocks, in the southeastern portion of the community. The site contains approximately 18.156 acres and is more particularly described as:

*Situated in the North Half of the Southeast Quarter of the Southeast Quarter of Section 19, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

***Beginning** at the northerly-southerly 21st Avenue right-of-way centerline's intersection with the easterly-westerly right-of-way centerline of East 15th Street;*

*Thence, westerly on said East 15th Street right-of-way centerline to its intersection with the southerly extension of the northerly-southerly alley right-of-way between LT 5, BLK 5, EAST PORTAL ADD (Parcel #010245065) and LTS 7-13, BLK 5, REPL LTS 7-13, BLK 5, EAST PORTAL ADD (Parcel #010245081);*

*Thence, northerly on said southerly extension of right-of-way centerline of alley between said Parcel #010245065 and said Parcel #010245081, and continuing northerly on said right-of-way centerline of alley between Parcel #010245065 and said Parcel #010245081 and continuing northerly to its intersection with the easterly-westerly centerline of the East 17th Street right-of-way;*

*Thence easterly on said East 17th Street right-of-way centerline to its intersection with the northerly-southerly centerline of the 21st Avenue right-of-way;*

*Thence southerly on said 21st Avenue right-of-way centerline to the Point of Beginning, said redevelopment study area containing an area of **18.156 acres**, more or less.*

The requirements for detailed planning beyond the Comprehensive Plan treatment include but should not be limited to:

1. Boundaries of the area, existing land use and condition of improvements
2. A land-use plan
3. A map showing population density, land coverage and building concentrations
4. An outline of proposed changes in ordinance, layout or other related ordinances
5. A site plan of the area
6. A statement outlining any additional public facilities or utilities required to support new land uses after redevelopment.

The Blighted and Substandard study highlights locations and opportunities for improvement and revitalization. Once the area is designated, the City can guide future development in this area and provide financial incentive for development. Using the Nebraska Community Development Law, the City can reduce or eliminate factors impeding redevelopment and implement programs or projects to improve conditions and minimize the negative impacts of blight and substandard conditions.



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## Substandard and Blight Eligibility Analysis

### Substandard and Blight Definitions and Explanation

**Substandard areas** are defined by State Statute **§18-2103(31)**, 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 areas** are defined by State Statute **§18-2103(3)**, as the following:

*“Blighted area means an area, which*

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

*(b) in which there is **at least one** of the following conditions:*

*(i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;*

*(ii) the average age of the residential or commercial units in the area is at least forty years;*

*(iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;*

*(iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or*

*(v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a 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;”*

On pages 7 and 8 are provided specific definitions of “substandard” and “blighted” according to Nebraska State Law. These definitions serve to be the basis of this entire analysis and each portion of the definitions are examined individually throughout this document.



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**Substandard Area Definition**

By statute a substandard area means one where a predominance of building or improvements (residential or nonresidential) having one or more of the following characteristics:

**1. Dilapidating or deteriorated**

a. Unacceptable standard for walls, foundation, roof, gutters, roof surface, chimney, fire escapes, weatherizing, steps, exterior paint and site conditions. Chipping, cracks, loose components, missing pieces, sags and other signs of substandard condition all qualify for this condition.

**2. Age (obsolescence)**

a. A 40 years or more criteria was used for estimate.

**3. Inadequate ventilation, light, air, sanitation, or open spaces**

a. Things like junked cars and other accumulated debris, antiquated infrastructure, unpaved parking, outdoor storage

**4. Other conditions**

a. High density population or overcrowding (census)

b. Other conditions which could be unsafe or unsanitary endangering life or property.

c. Any combination of factors conducive to poor health, disease, mortality, delinquency or crime. Any combination that is detrimental to public health, safety, morals or welfare. This may include inadequate infrastructure as well as statistical data.

Structural conditions were evaluated using the U.S. Department of Housing and Urban Development standard definitions:

**No Problem**

- No structural or aesthetic problems are visible

**Adequate Condition**

- Slight damage to porches, steps, roofs
- Slight wearing of mortar between bricks/stone/block
- Small cracks in walls or chimneys
- Cracked windows
- Lack of paint
- Slight wear on steps, doors and frames

**Deteriorating Conditions**

- Holes, open cracks, rotted, loose, or missing material in parts of the foundation, walls (1/2 of the wall) or roof (1/4 of the roof)
- Shaky, broken, or missing steps or railings
- Numerous missing and cracked window panes
- Rotted or loose windows or doors no longer water-proof

**Dilapidated Condition**

- Holes, open cracks, rotted, loose or missing material over a large area of the foundation, on wall or on roof
- Substantial sagging of roof, floors, or walls
- Extensive fire, flood, or storm damage
- Inadequate original construction such as building elements made of scrap materials or conversion of structures not adequate for housing.



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**Blighted Area Definition**

The blighted area designation is based on a number of criteria or indicators of substandard conditions. These are specified in the law and outlined below.

1. The presence of a substantial number of deteriorated or deteriorating structures. This takes the form of structural problems, exterior paint, cracks, chimney, site conditions, roof and similar problems with the building.
2. Existence of a defective or inadequate street layout. This includes dead ends, railroad crossings, linear downtown, narrow alleys and blind crossings, as well as poor vehicular access and/or internal circulation, substandard parking definition and parking layout (lack of curb cuts, awkward entrance/exit points), offset or irregular intersections, substandard or nonexistent pedestrian circulation.
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness. Such things as landlocked parcels, odd shaped lots, undersized lots, and poor accessibility.
4. Unsanitary or unsafe conditions. Examples here include age and physical condition of structures, buildings located within the flood plain, lack of public infrastructure, unsanitary conditions and ventilation. Additional examples include graffiti or other forms of vandalism or vagrant activity, poorly lit and unlit areas, the existence of trash or debris or weeds, abandoned vehicles, uneven grading or steep slopes, environmental contamination, cracked or uneven sidewalks, a high incidence of reported crime.
5. Deterioration of site or other improvements. Such things as off-street parking, poor storm drainage, junk cars, dilapidated structures, neglected properties, debris, on-site storage, unscreened trash or mechanical storage areas, deterioration of parking surfaces, lack of landscaping, general site maintenance problems are examples.
6. Diversity of ownership. This condition exists when numerous lots are needed to develop to up to date standards. Assemblage is difficult without some form of public assistance.
7. Tax or special assessment delinquency exceeding the fair value of the land.
8. Defective or unusual conditions of title. Liens, improper filings are examples.
9. Improper subdivision or obsolete platting. Examples include undersized lots, improper zoning, lot configuration, easements and accessibility are problems that often are present.
10. The existence of conditions which endanger life or property by fire or other causes. Such things as inoperative infrastructure, site access, on-site storage, secluded areas for pests to thrive, poor surface drainage, poor street and poor sidewalk condition are examples.
11. 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. Here incompatible land uses, obsolescence and inability for a property to compete in the market place.
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
  - a. Unemployment in the area at least 100% of state or national average census data
  - b. The average age of residential and commercial units is over 40 years as determined by field observations
  - c. More than half of the plotted/subdivided property has been unimproved for 40 years using public record
  - d. Per capita income of the area is lower than the average of the city from census data.
  - e. The area has a stable or declining population based on the last two decennial censuses.



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## Analysis Approach

The approach and methodology utilized by M.C. Schaff & Associates, Inc. in conducting the Blighted and Substandard Area Determination Analysis included an assessment of all factors listed in the Nebraska Community Development Law as factors that indicate or contribute to making an area blighted and substandard. Data relating to factors such as building condition, building age, site conditions, adequacy of building sites, condition of public improvements, and unsanitary or unsafe conditions were developed through detailed exterior structural field surveys on a structure by structure basis and through collection of data on a unit by unit basis available from public records at the Scotts Bluff County Courthouse and via their online databases. Data relating to other factors such as the adequateness of street layouts, lot layouts and overall subdivision design were investigated on an area-wide basis.

Assessment of potential blighting factors stemming from diversity of ownership and tax or special assessment delinquencies were conducted through evaluation of courthouse and online county records for all property within the analysis area, referred to as the Study Area. The valuation, tax amount and any delinquent amount was examined for each of the properties, and public records were examined to determine the number of property owners in the Study Area.

## Additional Public Intervention Necessary

Although the presence of one or more of these substandard or blighting conditions may make it appropriate to declare an area substandard and blighted under the Statue, this analysis was conducted on the basis that additional public intervention over and above the exercise of the police power is necessary to overcome the problems that exist in any substandard and blighted area.

## Analysis of the Study Area

### Scottsbluff Designated Study Area #14

The City selected the Designated Study Area for evaluation to be within the corporate limits. The area is primarily warehouse/storage and light industrial in nature and also includes commercial service and restaurant uses, semi-public and public uses, and vacant/undeveloped areas. Surrounding the Study Area are similar uses, while the western edge is bordered by multi-family residential units. This particular area was selected for several reasons.

1. The area borders a very active commercial/industrial corridor.
2. There is a need to improve infrastructure due to substandard existing conditions.
3. There is obvious economic decline and functionally obsolete uses within the area.
4. There was the presence of blighted and substandard characteristics within the area.
5. A need is apparent for public intervention to stimulate the development and redevelopment of vital infrastructure systems to support private redevelopment efforts.
6. The proximity of the Study Area to other blighted and substandard areas—it is surrounded by blighted and substandard areas with the exception of the multi-family housing units on the west.

The City is in a position to remove negative factors and implement programs and projects to improve conditions thereby removing the blighted and substandard conditions. This not only benefits the corridor/study area but the entire community through private reinvestment and enhanced quality of life.

The field survey of the Study Area within the City was conducted in February 2021 to determine if this area, in fact, has experienced structure and/or site deterioration or if the area is experiencing other negative influences that decrease the potential for redevelopment or new development. The following information describes this Study Area in detail, as well as, specifying the methods and procedures used to determine if this Study Area should be declared blighted and substandard under the Nebraska Community Development Law.

The Study Area's north, east, and south borders co-terminate with existing Blighted and Substandard areas (the East Overland business district, and eastern community gateway areas along the south side of US Highway 26).

The total acreage with the City of Scottsbluff city limits is 4275.95 acres. Currently, the city has approximately 1085.7 acres designated as "Blighted and Substandard", approximately 25.4% of the City's total acreage. The proposed additional "Blighted and Substandard" area consists of 18.157 acres, or 0.42% of the city. Adding this proposed area to the existing "Blighted and Substandard" area brings the total Blighted and Substandard area to 1103.86 acres or 25.8% of the total area of the City of Scottsbluff. This remains well within the allowed 35% providing future opportunity to add more.

## Existing Land Use

The land uses that now exist within the Study Area are depicted on **figure 2** (Page 11), and consist of land uses which can be summarized in the following six categories:

- Office & Professional
- Commercial—Service, Restaurant
- Public & Semi-Public
- Industrial (includes Warehouse, Storage)
- Public Streets
- Vacant / Undeveloped Land



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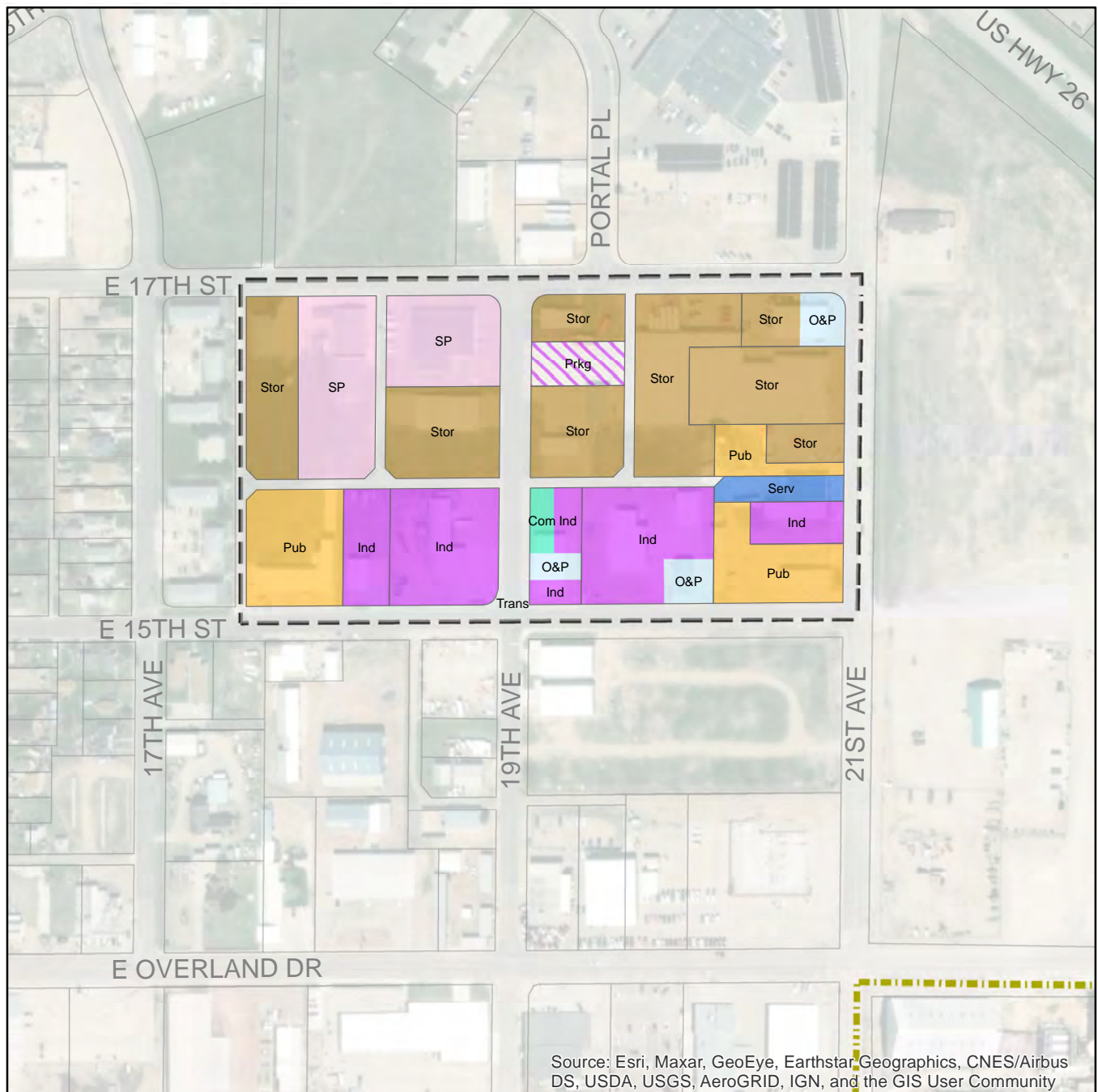
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- |                       |             |                      |
|-----------------------|-------------|----------------------|
| Corporate Limits      | Restaurant  | Industrial           |
| Blight Study Area     | Service     | Industrial Parking   |
| Parcel                | Semi-Public | Warehouse/Storage    |
| Office & Professional | Public      | Vacant / Undeveloped |
|                       |             | Roads                |

## Existing Land Use

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Data Sources:  
Land Use: MCS Field Survey, 2021  
Parcels: Scotts Bluff County, 2019  
Aerial: ESRI Basemap



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**Table 1**  
**Existing Land use - Scottsbluff Blight Study Area #14**  
**Scottsbluff, Nebraska**

Land Use Category	Blight Study Area 14	
	Area(Acres)	Percent of Total Area
Office & Professional	0.500	3%
Industrial (Includes Storage)	7.920	44%
Commercial	0.419	2%
<i>Service</i>	0.282	2%
<i>Restaurant</i>	0.137	1%
Public / Semi-Public	3.620	20%
Public Streets & Alleys	3.907	22%
Vacant / Undeveloped Land	1.791	10%

Source: M.C. Schaff & Associates, Inc., Field Survey, February 2021

The land uses indicated in Study Area 14 are analyzed further in Table 1 (at left). The data detail the breakdown of land uses within this Study Area, as well as the total acreage within this Study Area.

As indicated in Table 1, the largest land use in this Study Area is that of industrial uses, including storage. This use comprises a total of over 7.9 acres, or 44% of the Study Area.

The second largest land use in this Study Area is that occupied by public right of ways—streets and alleys. This land use comprises 3.9 acres, or 22% of the Study Area.

The third largest land use in the area includes public/semi-public parcels, comprising over 3.6 acres or one fifth of the Study Area.

Vacant and undeveloped uses make up one tenth of the Study Area and are the fourth largest use, with nearly 1.8 acres. Office & Professional and Commercial land uses occupy the remaining acre, each totalling 3% of the Study Area.

The Study Area is completely bordered on the north, east and west by previously declared blighted and substandard areas situated along US Highway 26, 21st Avenue, and East Overland.



*Examples of Site Conditions within the Study Area*

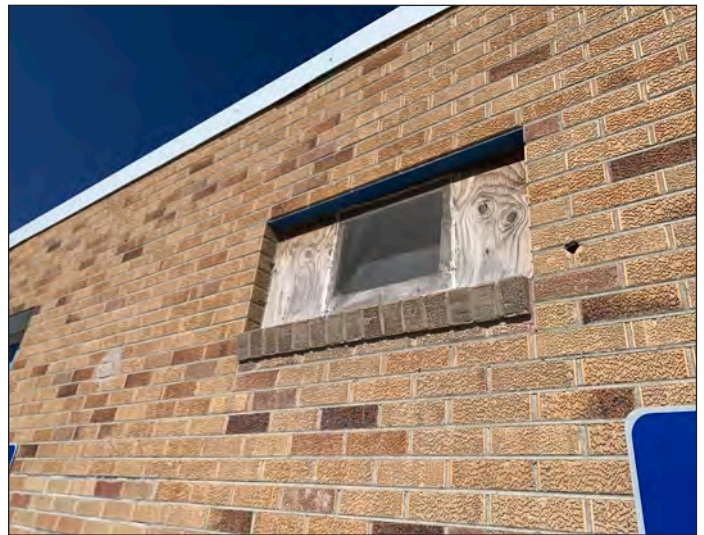
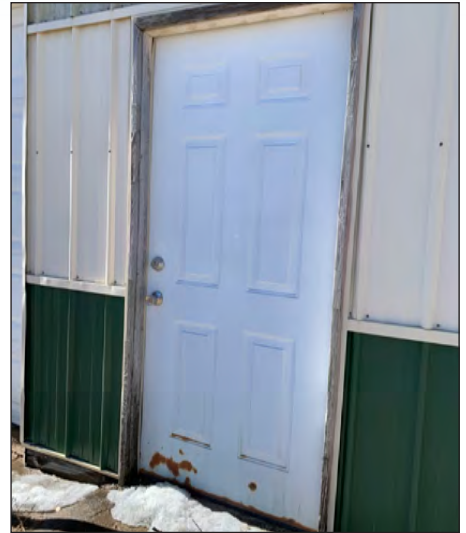


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*Examples of Structural Conditions within the Study Area*



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**Examples of Sidewalk, Curb & Gutter, and Street Conditions within the Study Area**

## Findings and Contributing Factors

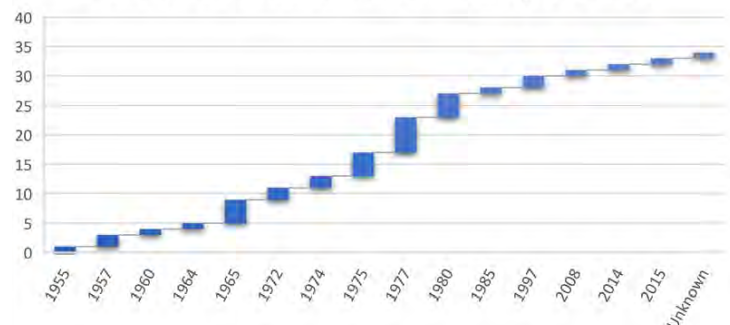
The intent of this study is to determine whether the subject area has experienced structural and site deterioration and if there are additional negative factors that are decreasing the potential to develop. The field survey work was completed in February 2021 and supports initial impressions that the area had in general declined below community standards. What follows are the factors evaluated to determine if there is a reasonable presence of blight and substandard conditions within the designated area. This section reviews the building and structure conditions, infrastructure and land use found in the area based on statutory definitions, observations and explains the identified contributing factors.

As set forth in Nebraska legislation a blighted area means an area which by reason of the presence of:

### 1. Deteriorated or Deteriorating Structures Exterior Inspection of Buildings

There were a total of 34 buildings evaluated using the Blighted and Substandard criteria as described on page 7 of this report. Only primary structures were evaluated under the Blighted and Substandard definition. Any outbuildings/ other structures present were not included in the survey. One public facility in addition to a municipal water tower are found within the Study Area. The boundary for the Blighted and Substandard designation includes 33 buildings of known age, with a combined average age of 44.9 years. For structure age see chart below, as well as **figure 3** on the following page, and **Table 3** (in **appendix b**). Structure condition is summarized in **figure 4** (page 16). Field surveys confirming Scotts Bluff County Assessor's data concluded that 3% (1 structure) was good, 94% were deteriorating (25 average, 4 fair, 7 badly worn), and 3% (1 structure) was dilapidated (worn out).

**Structures built in Scottsbluff Study Area #14**



Source: Scotts Bluff County Assessor online database, verified by M.C. Schaff & Associates, Inc., Field Survey, February 2021



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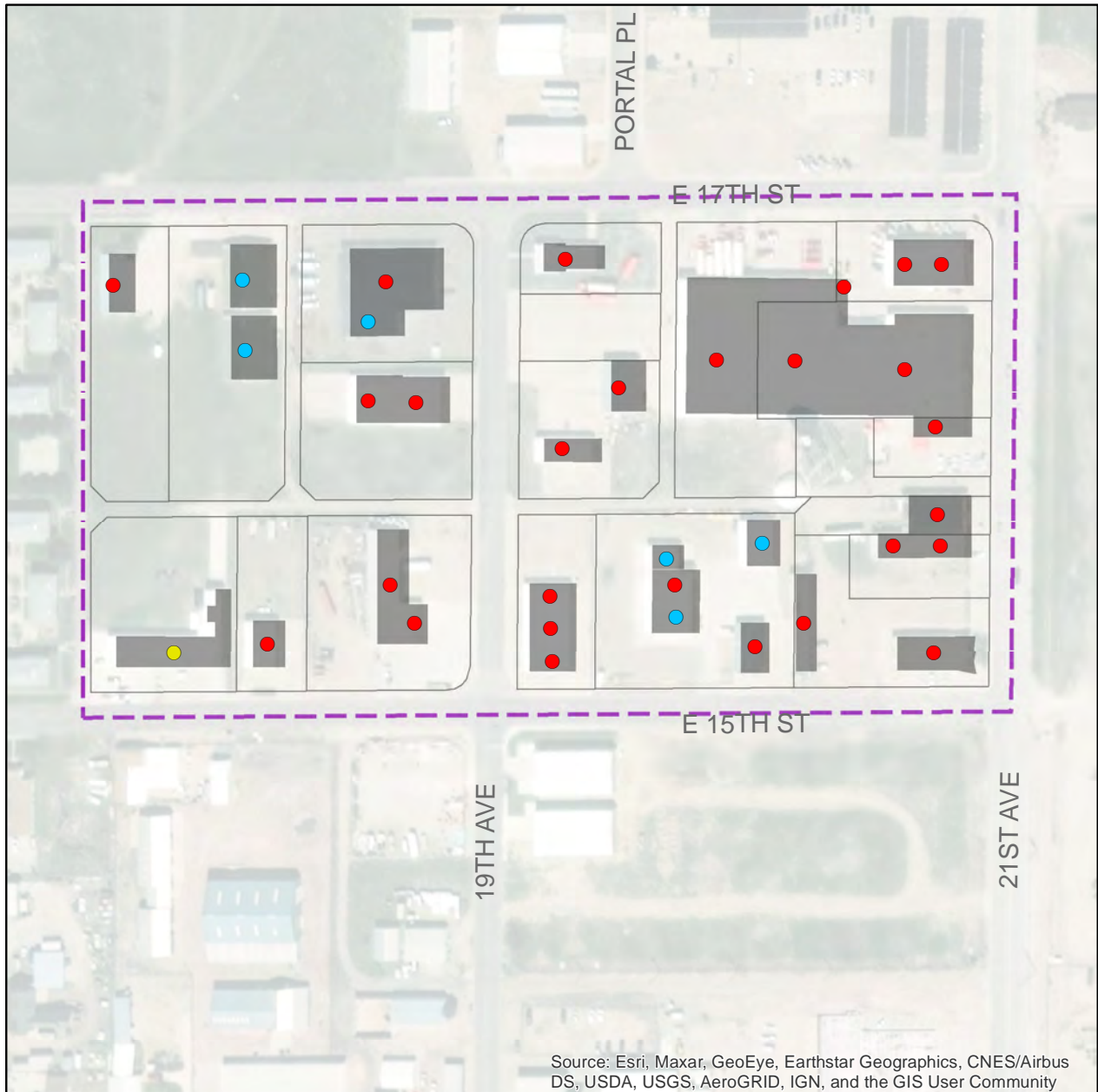
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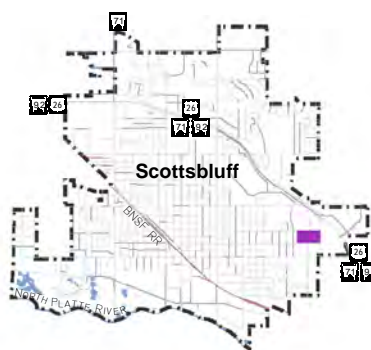
page 14





#### Study Area Structure Year

- 1910-1981 (27 Structures)  
- Built 40 or More Years Ago
- 1982-2021 (6 Structures)  
- Built Less Than 40 Years Ago
- Public Building/Unknown (1 Structure)  
- Age Unknown
- Study Area Building Footprint
- Study Area
- Study Area Boundary



## Structure Age

City of Scottsbluff  
Scotts Bluff County, NE

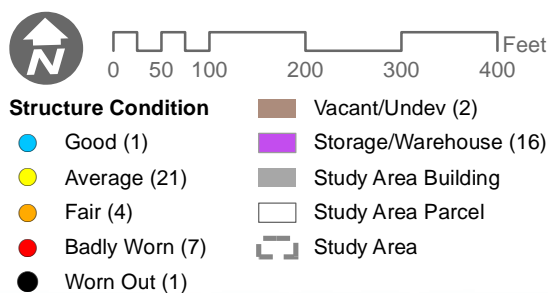
Structure age obtained from  
Scotts Bluff County Assessor  
online data sheets, Feb. 2021.



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## Structure Condition

### City of Scottsbluff, NE

Structure condition obtained from Scotts Bluff County Assessor online data sheets, and adjusted following field verification, Feb. 2021.



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**2. Defective or Inadequate Street Layout—Street Conditions and Accessibility**

**Inadequate infrastructure**, street conditions and accessibility as well as inability to safely move traffic through an area is a contributing factor to the blight and substandard conditions.

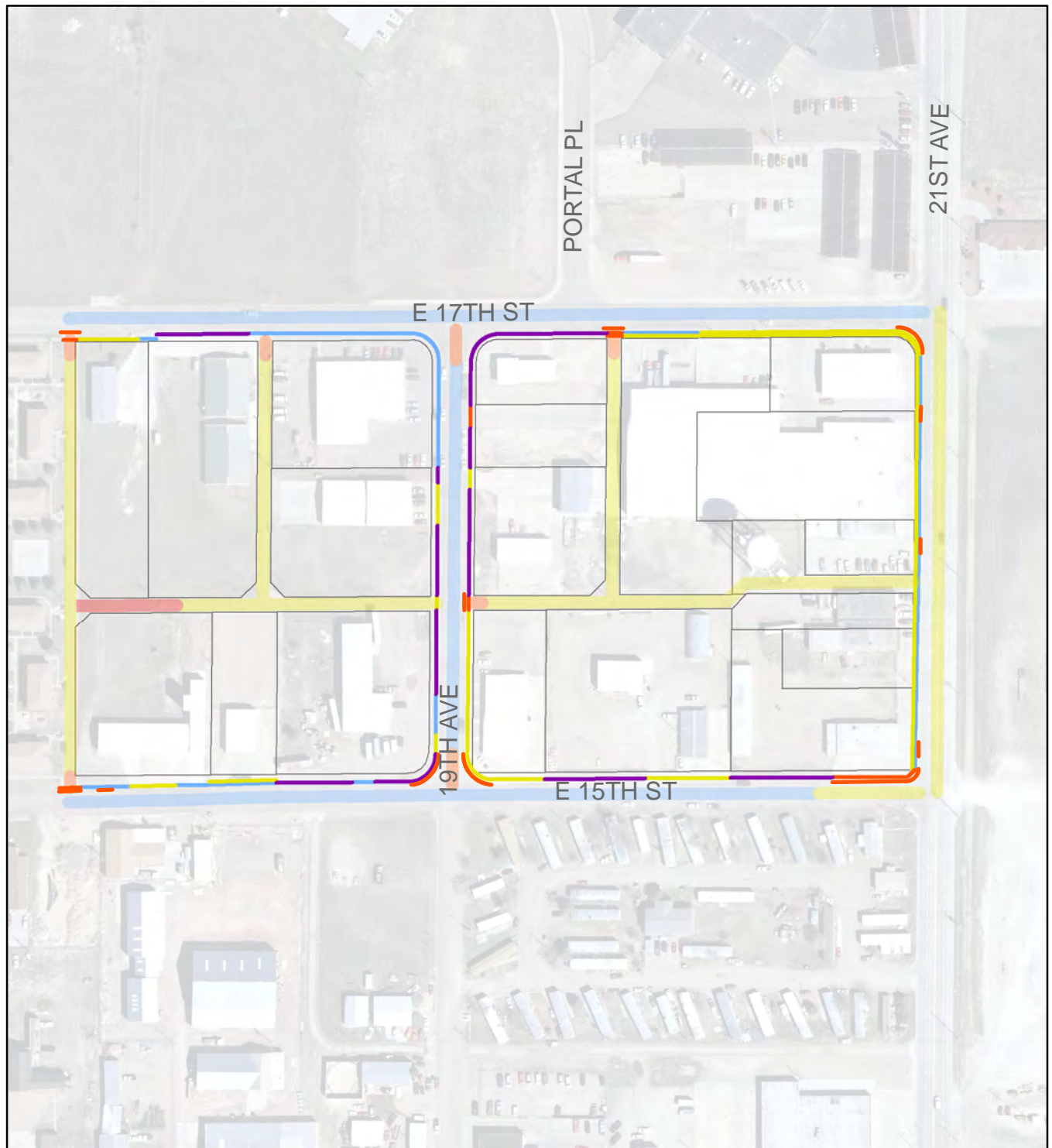
The surface condition of public roads including streets and alleys in the Study Area, displayed in **figure 5**, is fair to good. All bituminous surfaces have been recently chipsealed (either in 2016 or 2020) and maintained to community standards. The study area has alleys with gravel surfaces.

- a. Street concrete pavement, curb, and gutter display a significant amount of cracking, breaks and missing areas.
- b. Gravel and unimproved surface parking.
- c. Gravel alleys with poor drainage in need of resurfacing.
- d. Street access not consistent with the community's overall standard development pattern along other arterials in the community. Several curb cuts allow access to shallow paved areas along 21st Avenue where the sidewalk is less defined from the parking surface rather than providing defined parking areas separate from pedestrian travelways.
- e. Sidewalks are present along the west side of 21st Avenue, however, throughout the remaining blocks within the Study Area, some properties have public sidewalks, while others lack public sidewalks.



*Examples of Site Conditions within the Study Area*





**Street Surface**

- Good
- Deteriorating
- Dilapidated
- None

**Sidewalk / Curb / Gutter Condition**

- Good
- Fair
- Poor
- None



**Surface Condition**

City of Scottsbluff  
Scotts Bluff County, NE

Conditions observed during  
MCS field survey, Feb. 2021.



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### 3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

The Study Area contains some odd shaped lots, and buildings with a single use are built over and across parcel lines. As mentioned in the previous paragraph, property accessibility is limited along 21st Avenue, a busy four lane arterial. The east-west alley entrance from 21st Avenue is narrow, and the alley is platted with a narrow 14 foot wide bend as it passes the water tower heading west. In the block to the west side of 19th Avenue, this same east-west alley dead-ends behind the Rural Fire Hall rather than continuing (as-platted) to meet the north-south alley running on the east edge of the multi-family housing area that borders the Study Area on the west. The remaining alleys are platted 20 feet in width, standard in the community.



### 4. Unsanitary or Unsafe Conditions

Within this category, age of Structure is a contributing factor to the blighted and substandard conditions in the Study Area with 91% of the structures over 40 years of age. The statute allows the inclusion of this factor, regardless of structure condition, where there is a predominance of structures 40 years of age or older. See **Appendix B—Table 3** for a summary of structure ages.



### 5. Deterioration of site or other improvements

#### Debris

Debris accumulates in vacant properties, and along fences throughout the Study Area. Several significant examples of debris were noted in field observation. This debris included everything from construction materials, and on-site storage to excessive discarded debris and tumbleweeds accumulating along fencing. Numerous (somewhat less severe) additional instances are present across the entire Study Area as well, suggesting the problem is growing.

Light and heavy truck traffic on unpaved surfaces degrades air quality conditions.



#### Dilapidated Structures

Structure conditions were examined both using Scotts Bluff County Assessor's online database of building appraisal and confirmed/adjusted through field evaluation. The data and rating system from the Scotts Bluff County Assessor's database was used to evaluate properties in the area, rating structures as either: Excellent, Good, Average, Fair, Badly Worn, and Worn Out. Rating terms are defined as follows:

**Excellent:** Typically newer construction or property that has been completely upgraded.

**Good:** Typically no major defects or aging conditions in field analysis.

**Average:** Typically minor defects showing up, 25% or less of the



*Examples of Site Conditions within the Study Area*





following—degrading roofing materials, masonry joints in need of tuck-pointing, or small cracks in foundation, broken glass, painted surfaces beginning to peel.

**Fair:** Similar to Average, conditions are worsening and cover a larger portion of structure.

**Badly Worn:** Structure is showing many of the conditions mentioned, and extent of aging and deterioration may require demolition to eliminate the conditions.

**Worn Out:** Aging, deterioration and conditions point toward demolition to eliminate the conditions.

Based on these ratings, it is assumed that Average condition and less would constitute less than desirable conditions due to age and structure status. It is common for older structures to require considerable maintenance and upkeep to maintain good and excellent condition, while an Average structure can show signs of deterioration that can more quickly become a dilapidated structure if not addressed.



Findings of the study show 3% of the structures were dilapidated and pose a threat as well as 94% deteriorating. There are 27 structures which are in excess of 40 years in the Study Area, built between 1910-1981, while one public building is of unknown age and only 6 buildings have been constructed after 1981. Thus, structure age and obsolescence *within the Study Area* **is** a contributing condition of blight and substandard.

**6. Diversity of Ownership**—20 properties with 14 owners.

**7. Tax or Special Assessment Delinquency**—None identified.

**8. Defective or Unusual Conditions of Title**—None identified.

**9. Improper Subdivision or Obsolete Platting**—Buildings in the northeast section of the Study Area are built over lot lines. This feature alone is not substantial, but this does contribute to the blighting factor. See *appendix d—figure 11* for a current zoning map of the area.

**10. The Existence of Conditions That Endanger Life or Property by Fire or Other Causes**

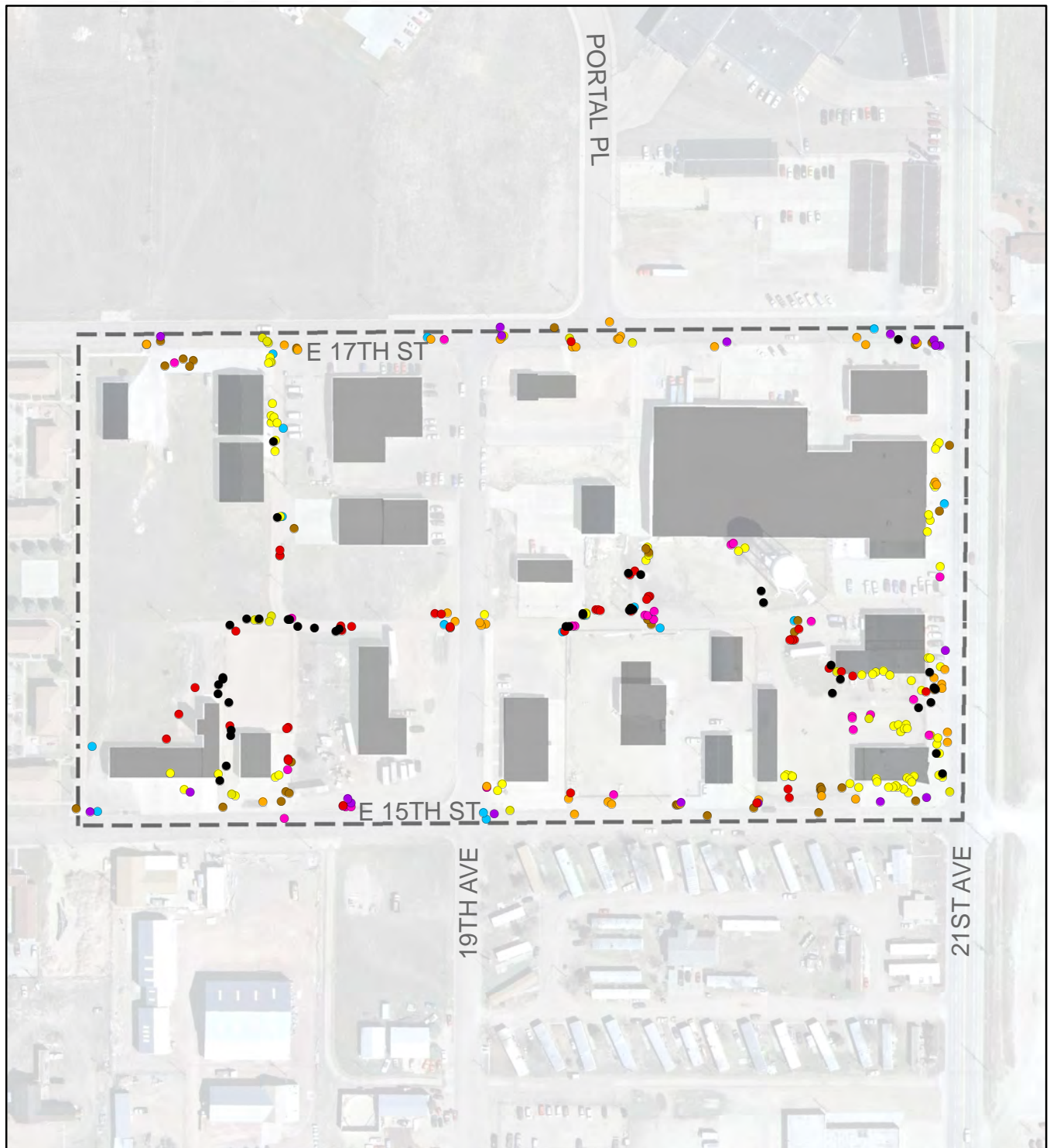
*figure 6*, on the following page, provides an overview of the blighted and substandard conditions located and photographed during field observations.

### Poor Sidewalk and Street Conditions

Part of the Study Area is not serviced with sidewalks. The condition of the existing sidewalks ranges from good to deteriorating. While the road travel surface has been recently chipsealed (2016-2020), the condition of the street concrete paving (intersections, curb & gutter) shows signs of age with considerable cracking, settling, gaps and missing pieces. These conditions are wide-spread.







## Blighted and Substandard Conditions Locations

- |                          |                  |                  |
|--------------------------|------------------|------------------|
| • Debris and/or Graffiti | • Sidewalk       | • Parking        |
| • On Site Storage        | • Infrastructure | • Structure      |
| • Curb/Gutter            | • Drainage       | • Roads/Concrete |

City of Scottsbluff, NE

Conditions observed during  
MCS field survey, Feb. 2021



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Blight Study | City of Scottsbluff, NE

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### On Site Storage

The Study Area has numerous sites of outdoor storage. These findings point to an impediment for development or upgrades in the neighborhood and should be evaluated for removal.

**11. Any Combination of Such Factors**—The combination of all blight and substandard conditions found within the Study Area could be considered a factor in substantially arresting sound growth in the area and obsolescence contributes toward an inability of property within the area to compete in the market place.

### 12. Detrimental to Public Health, Safety, Morals, Welfare in Present Condition

While a minimum of at least one of the following factors is required for this condition to be met, at least two of the factors are confirmed to be present in the Study Area.

**a. Unemployment Rate At Least 100% of State or National Average**—was not considered a factor and was not researched as part of this study beyond determining that the unemployment rate in Scotts Bluff County, NE was 4.208% in 2020, while the US had an unemployment average of 8.1%, and Nebraska averaged 4.242% for the year.

**b. Average Residential and Commercial Structure Age Over 40 Years**—is a factor. There are no residential buildings in Study Area #14. The median age of primary commercial structures in the area is **43.62** years. Age of the structures within the Designated Study Area is provided through the Scotts Bluff County Assessor's online database and field verification. Only those structures built before 1982 qualify for the 40 years and older structures designation in the State of Nebraska laws. Of the 33 buildings within the Study Area all but six structures were built before 1982.

**c. Subdivided/Platted Property Unimproved for 40 Years**—not considered as a factor.

**d. Per Capita Income Level**—not researched as part of this study.

**e. Decreasing Population**—is a factor. The Study Area contains no residential properties, and is located in census tracts all of which the census data reports population from 1990, 2000, and 2010 decennial census. Map **figures 7-10** provided in **appendix c** illustrate the 1990, 2000, and 2010 decennial census as well as the projected 2020-2025 population change for census tracts covering and surrounding the Study Area. Based on the data illustrated on the maps, the Study Area and adjacent populated areas display a stable or decreasing population based on the last two decennial census; and a stable or decreasing population is also projected for 2020-2025 according to ESRI demographics data, which is based on the decennial census, Infogroup business data, other public and proprietary data sources, and proprietary models.



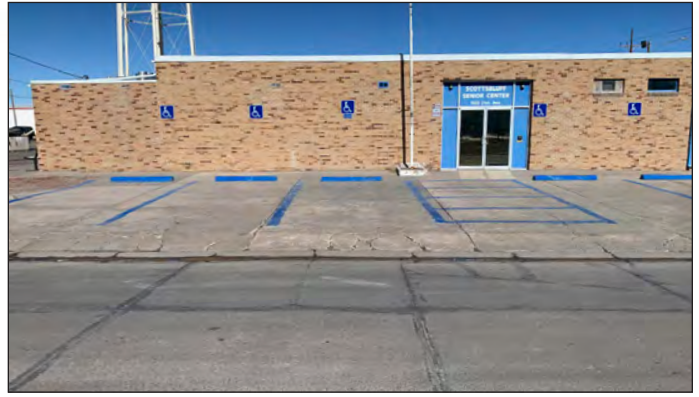


## Conclusion of Blighted and Substandard Analysis

Based on this analysis, the Study Area meets the criteria of both blighted and substandard conditions—the Study Area displays the presence of criteria required for a finding of a blighted and substandard condition as defined by the State of Nebraska Legislature.

The primary conditions leading to this conclusion include the following Blighted and Substandard Conditions:

- The Study Area has some inadequacies in the form of traffic movement capabilities and real property access. Numerous off-street private and semi-public paved and unpaved parking areas exist, along with a few interior private drives. While some off-street parking areas and drives are well maintained, many parking areas, driveways, alley entrances, and private entrances crossing sidewalk travel ways are deteriorating or dilapidated pavement, gravel surfaced, or unimproved. Defective or inadequate street layout thus may be considered a factor contributing to blighted conditions in this Study Area.
- Storm water drainage is inadequate and backs up on properties with unpaved parking as well as on undeveloped sites, which are lower in elevation—various sites throughout the Study Area. Alleys are in need of additional gravel surfacing and lack proper drainage.
- The field survey included an evaluation of the condition of site improvements including street surface conditions, curbs and gutters, street width adequacy, sidewalks, driveways, and off-street parking facilities, sanitary sewer facilities, and drainage facilities, and review of the city's GIS database pertaining to water distribution, hydrants, and storm water conveyance. In 2016 and 2020, the city undertook citywide chipseal projects to resurface bituminous streets. However, concrete street sections as well as curb and gutter concrete paving shows signs of age with wide-spread conditions of cracks, gaps, settling, and missing pieces.
- There are sidewalks in the Study Area, but not a continuous system, therefore, the Study Area is lacking a complete sidewalk system. Deteriorating and dilapidated sidewalks and driveway entrances contribute to generating traffic hazards for children and other pedestrians in the Study Area as pedestrians are forced to navigate broken pavement and potholes—their safety, well-being and health at risk.
- The Study Area contains many private driveways and off-street parking areas. Private drives and private parking lots are surfaced with concrete, native material or sparse gravel. Many driveways and parking areas, particularly those associated with commercial/industrial uses and higher traffic volumes are deteriorating or dilapidated.
- Over half of the Study Area appears unkept and/or contains substantial examples of debris. While there are well maintained properties, these are contrasted with a relatively high level of poorly maintained properties within this Study Area—which represent a considerable blighting factor. The lack of site improvements in various locations throughout the Study Area also serves to be a limiting factor to future development in the Study Area and thus is an additional factor contributing to blight. One of the keys in creating a positive image within an area is exterior maintenance of lots. Perfectly maintained structures can still be seen as deteriorating parts of the community when the exterior and/or curb appeal is less



than desirable. Site improvements such as parking areas range from good to deteriorating to dilapidated. Public alleys, while not directly impacting curb appeal, contribute greatly to one's sense of well being. Alley surfaces are unpaved and lack proper drainage. Neglect can be seen on the vacant building exteriors—dilapidating surfaces, broken and/or boarded windows, and graffiti.

- The Study Area has lot layout faults in relation to size, adequacy, accessibility or usefulness—including an alley with inadequate width, an alley that dead-ends rather than connecting as platted, and a common land use complex of buildings built over three separate lots, indicated both through field survey as well as investigations of property ownership and plat maps via the Scotts Bluff County online map and database. Therefore, may be considered a contributing factor. Faulty lot layout in relation to accessibility or usefulness within this Study Area may be considered a factor contributing to blighted conditions in this Study Area.
- Conditions exist which endanger life or property by fire and other causes. Poor sidewalk system condition, on-site storage, secluded areas for pests to thrive, and poor surface drainage are conditions found in the Study Area.
- Conditions exist which are detrimental to the public health, safety, morals and welfare in the present condition with the existence of graffiti, debris, junk cars, on-site storage, poor sidewalk conditions—lack of sidewalk, and inadequate drainage. Structure age averages over 40 years, and the census shows decreasing population trends over the past two decentennial census. The existence of an inadequate surface drainage system of the Study Area presents additional threats to health. The lack of sufficient drainage leads to ponding and stagnating surface water, creating not only a physical hazard, but also increased potential for multiplying mosquito production, an additional health hazard to area residents.

#### **Blighted conditions that do not appear to be present**

- There are not more than half of the plotted and subdivided property that are unimproved, within the city for forty years and that have remained unimproved during that time. A large amount of the Study Area has remained unimproved but this amount does not exceed half of the area.
- Diversity of ownership does not appear to be a substantial factor.

#### **Blighted conditions not evaluated**

- Tax or special assessment delinquency exceeding the fair value of the land was not identified.
- Defective or unusual conditions of title was not identified as a factor.
- Unemployment Rate At Least 100% of State or National Average was not considered a factor.
- With no residential property, the Per Capita Income of the area was not investigated as a part of this study.







## Comprehensive Plan / Surrounding Property

According to the City's 2016 Comprehensive Plan, the Study Area is located in the Southeast Industrial and Commercial District with C-3, M-1, and M-2 appropriate zones. Following are some principles for sustainable development in this area provided in the current Comprehensive Plan:

### Interconnection of Neighborhoods and amenities

Walkable connections of neighborhoods to neighborhood services along East Overland.

Connection to other services and areas of the city through multiple modes of safe transportation.

Formalized bicycle and pedestrian facilities.



### Sustainable development

Scottsbluff Drain—There is an opportunity to make changes to the drain that would improve storm water drainage, improve water quality, and provide green space for recreation and wildlife habitat.

Socially responsible economic development that fulfills the community's definition of success.

Encourage creative community development and entrepreneurship projects that take care of a social need for the neighborhood.

Plans and investments to increase economic viability of business corridor in East Overland.

Encourage infill development through mitigation of blighted properties and incentives.

Economic industrial growth on city periphery along Highway 26, South 21st Avenue, and South Beltline.



### Access to culture and recreation

Access to greenways and walking paths.

### Strong neighborhoods and places, rooted in our unique character

Promote cultural hub of the community through design standards.

Placemaking components to increase safety, wellness, social gathering, attractiveness of East Overland area.

Beautification along community gateways.

Housing rehabilitation and increase in quality of rental and other available housing.

Maintain availability of low income housing options.

Facilitate and support neighborhood involvement in plans, studies, and community events.





The development potential of property is determined by the property conditions themselves, and the conditions of surrounding property. This is particularly true for the Study Area. The Study Area abuts to three other areas declared as blighted and substandard: East Overland business district, and eastern community gateway areas along the south side of US Highway 26 and east side of 21st Avenue).

The Study Area will benefit greatly from implementation of the 2016 Comprehensive Plan's sustainable development principles.

Adjoining the Study Area with the adjacent blighted and substandard areas is necessary to accomplish the sound redevelopment planning and program of the City. In order to achieve the above principles of sustainable development from the City's Comprehensive Plan, it is vitally important to adjoin the Study Area with the adjacent blighted and substandard areas. This will enhance the development potential of the Study Area as well as the adjacent blighted and substandard areas and create a continuous, harmonious redevelopment area in the Scottsbluff Southeast Industrial and Commercial District.

## Blighted and Substandard Area Declaration

Based on the findings in this report, the Study Area may be declared blighted and substandard in keeping with and conforming to the Nebraska Community Development Law. This finding will make this area available for redevelopment activities. The General Redevelopment Plan, when prepared, shall be composed in a manner consistent with the City of Scottsbluff Comprehensive Plan.



# appendix



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The referenced Study Area, in the city of Scottsbluff, Nebraska, includes the following identified Parcels with their legally described Additions, Blocks and/or Lots, and unplatted lands:

Parcel	Legal Description
10119574	LT 1, BLK 1, EAST PORTAL ADD
10119582	LT 2, BLK 1, EAST PORTAL ADD
10119590	LT A, SUB LT 3, BLK 1, EAST PORTAL ADD
10119604	LT 4, BLK 1, EAST PORTAL ADD
10119779	LT 1, BLK 5, EAST PORTAL ADD
10119787	LT 2, BLK 5, EAST PORTAL ADD
10119795	LT 3, BLK 5, EAST PORTAL ADD
10146458	LT 1, SECOND WILDY & LANA INDUSTRIAL TRACTS
10146466	LT 2, SECOND WILDY & LANA IND TR
10146474	LT 3, SECOND WILDY & LANA IND TR
10156364	TR 2, TR 3, & TR 4, EX N 20', WILDY & LANA INDUSTRIAL TR
10156372	TR 5 EX N 20', 24-22-55, WILDY & LANA INDUSTRIAL TRACTS
10231986	TRACTS A & C WIEDEMAN SUB REPLAT TR 1 WILDY & LANA IND. TRACTS
10231994	TR B, WIEDEMAN SUB, REPLAT OF TR 1, WILDY & LANA INDUSTRIAL TRACTS
10232001	TR D, WIEDEMAN SUB, REPLAT OF TR 1, WILDY & LANA INDUSTRIAL TRACTS
10245057	LT 4, BLK 5, EAST PORTAL ADD
10245065	LT 5, BLK 5, EAST PORTAL ADD
10245073	LT 6B, BLK 5, REPL SUB LT 6, BLK 5, EAST PORTAL ADD
10253688	LT B, SUB OF LT 3, BLK 1, EAST PORTAL ADD
10266801	LT 6A, BLK 5, REPL SUB LT 6, BLK 5, EAST PORTAL ADD

The **primary streets and roads** within the Study Area include:

E—W: East 15th Street, East 17th Street

N—S: 21st Avenue, 19th Avenue



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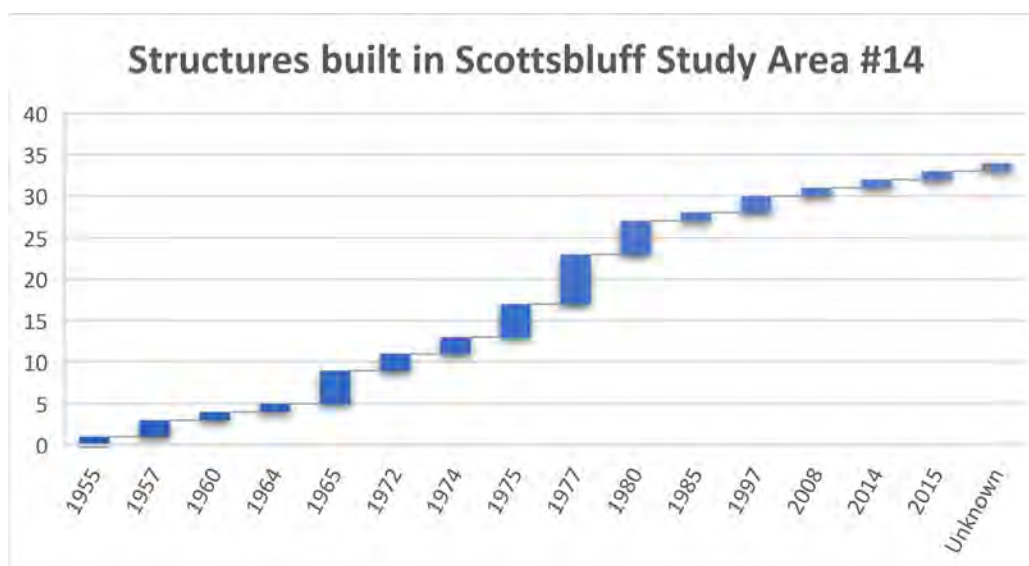
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**Table 3**  
**Structure Effective and Cumulative Ages - Blight Study Area #14**  
**Scottsbluff, Nebraska**

Year Built	Effective Age	No of Units	Cumulative Age
1955	67	1	67
1957	65	2	130
1960	62	1	62
1964	58	1	58
1965	57	4	228
1972	50	2	100
1974	48	2	96
1975	47	4	188
1977	45	6	270
1980	42	4	168
1985	37	1	37
1997	25	2	50
2008	14	1	14
2014	8	1	8
2015	7	1	7
Unknown	—	1	—
<b>Total Cumulative</b>		<b>34</b>	<b>1483</b>
<b>Average Age</b>			<b>43.62</b>

Source: Scotts Bluff County Assessor online database  
 confirmed by M.C. Schaff & Associates, Inc., Field Survey, February 2021

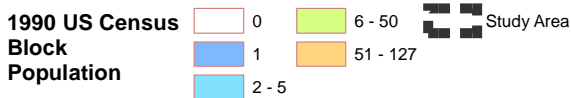
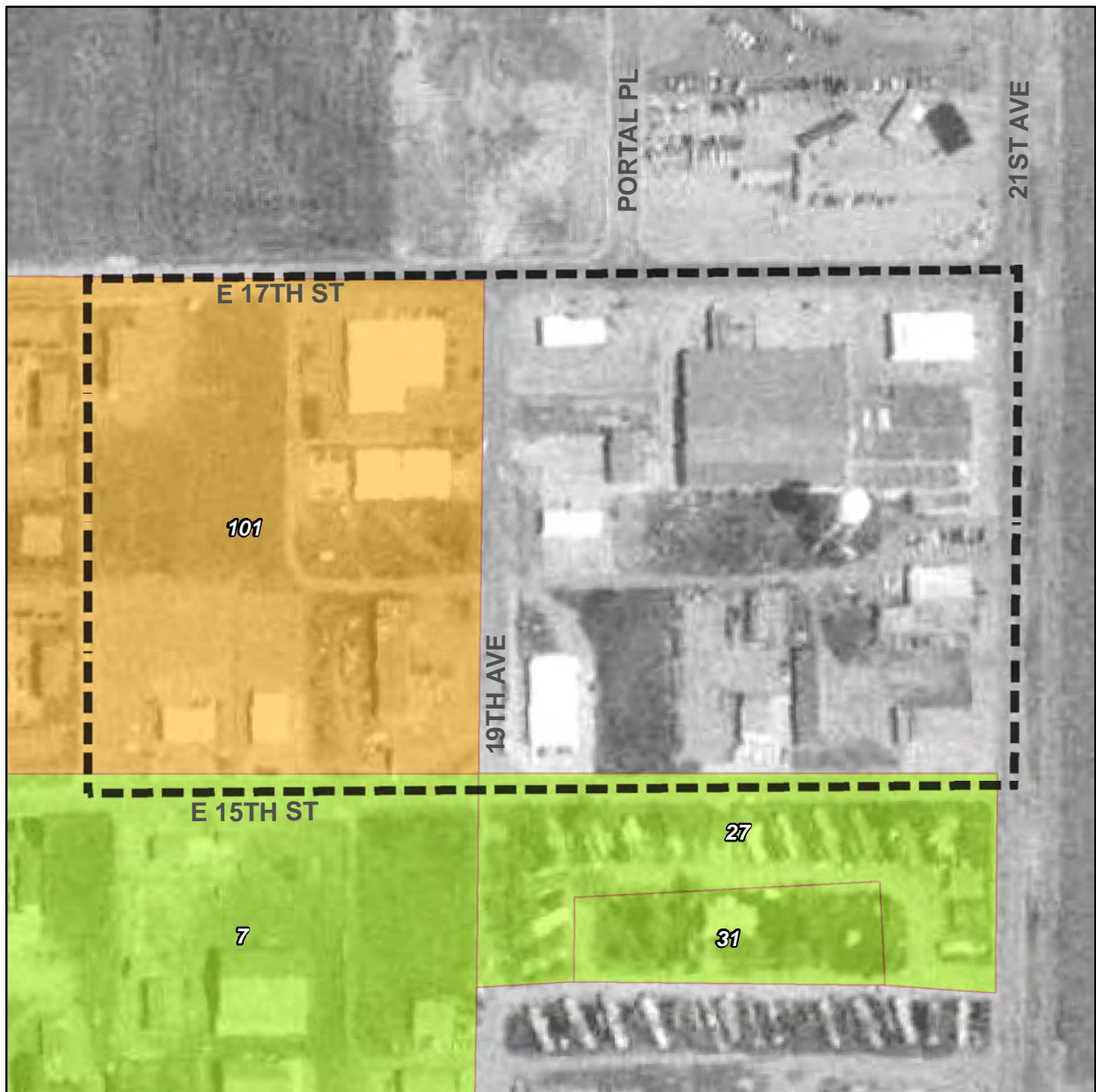


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**1990 US Census Population**

City of Scottsbluff  
Scotts Bluff County, NE

**Data Sources:**

1990 Census shapefile and population data:  
Minnesota Population Center. National Historical Geographic Information System: Version 11.0 [Database]. Minneapolis:  
University of Minnesota. 2016. <http://doi.org/10.18128/D050.V11.0>. <https://data2.nhgis.org>

Imagery: NAIP, 1993 <ftp://dnrftp.dnr.ne.gov/pub/data/CoqArea/1993SPCOQs/41103/>



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#### 1990-2000 Population Change

Great Increase (More than 1.5%)

Moderate Increase (0.75% to 1.5%)

Slight Increase (0% to 0.75%)

Slight Decrease (-0.25% to 0%)

Moderate Decrease (-1.5% to -0.25%)

Great Decrease (Less than -1.5%)

Study Area

## 1990-2010 US Census Population Change

City of Scottsbluff  
Scotts Bluff County, NE

#### Data Sources:

Population: 2000 US Census Block Groups. This layer shows past population change from 1990 to 2000 in the U.S., by block group. The data shown is from the U.S. Census Bureau's SF1 and TIGER data sets for 2010. Population block group level data sourced from ESRI ArcGIS Online.

Aerial: FSA, USGS Digital Orthophoto Quarter-Quadrangles, 1999



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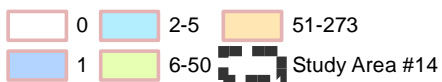
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**2010 US  
Census  
Population**



City of Scottsbluff  
Scotts Bluff County, NE

Imagery: Farm Service Agency (FSA) 2010 Imagery, Acquired on June 15-16, 2010  
[ftp://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4\\_NE\\_1m\\_2010/41103/](ftp://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4_NE_1m_2010/41103/)

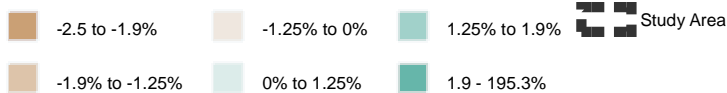






## Estimated 2015-2020 USA Population Growth

### Estimated 2020-2025 USA Pop Growth



City of Scottsbluff  
Scotts Bluff County, NE

#### Data Sources:

Esri's Updated Demographics, Census Data, Tapestry Segmentation, and Business Summary data for the United States.  
Server: [https://demographics5.arcgis.com/arcgis/rest/services;Name: USA\\_Demographics\\_and\\_Boundaries\\_2020](https://demographics5.arcgis.com/arcgis/rest/services;Name:USA_Demographics_and_Boundaries_2020).

Imagery: Esri, Maxar Vivid, April 28, 2018

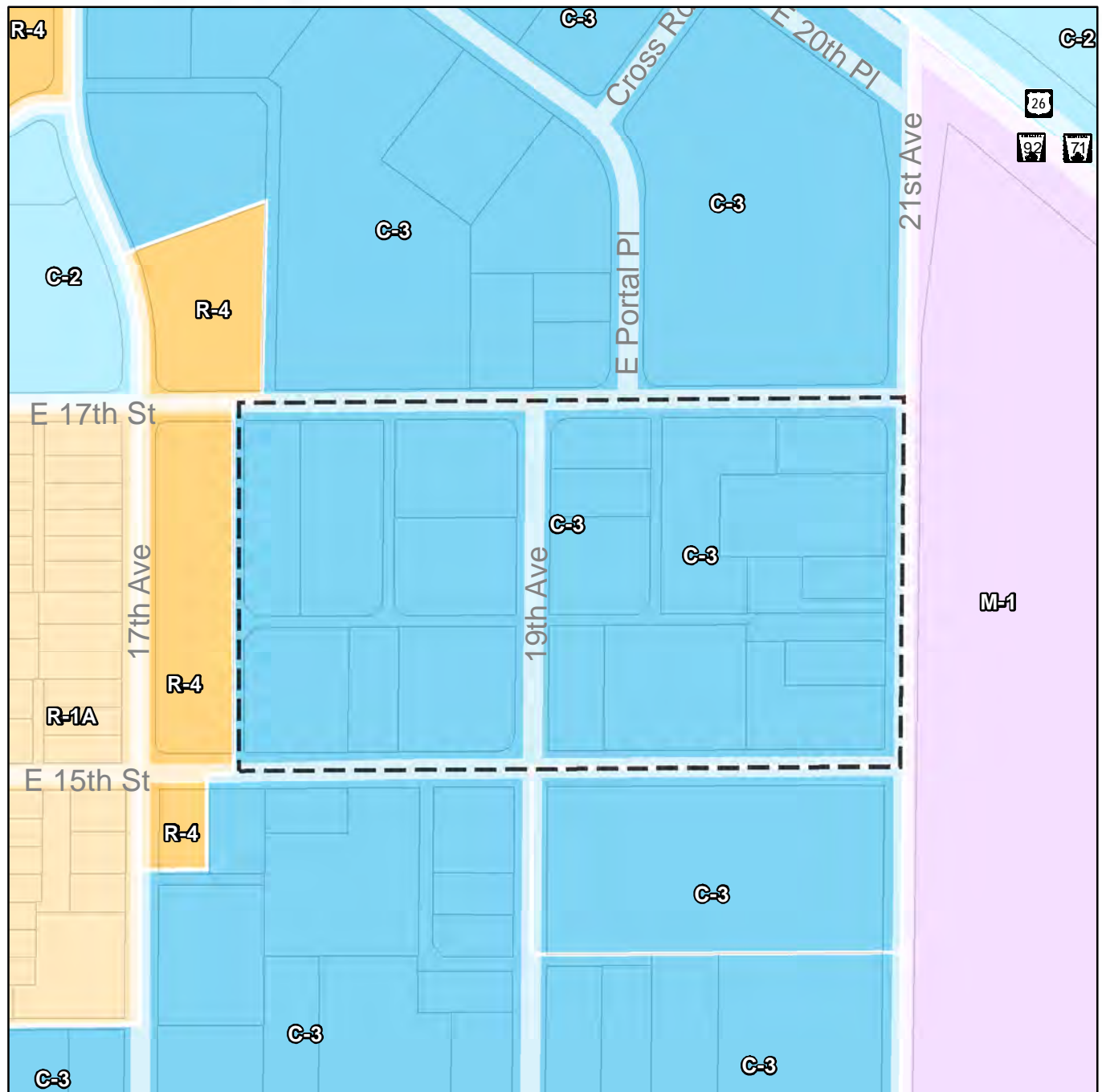


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0 70 140 280 420 560 Feet

- Neighborhood Commercial (C-2)
- Heavy Commercial (C-3)
- Light Manufacturing & Industrial (M-1)
- Single Family Residential (R-1A)
- Heavy Density Multiple Family (R-4)

- Study Area
- Corporate Limits

## Existing Zoning

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Zoning: City, 2020  
Parcels: Scotts Bluff County, 2017



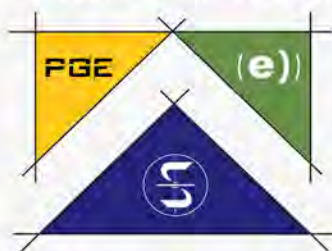
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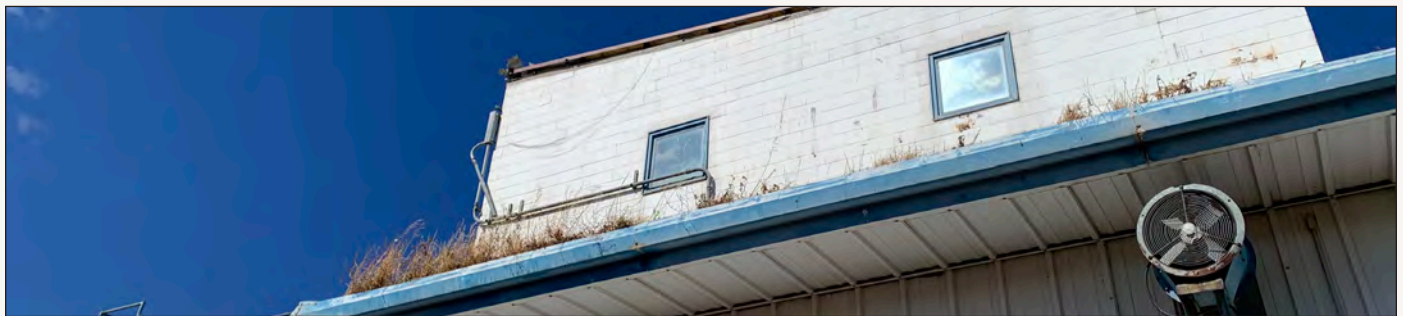
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# STUDY AREA #15

## BLIGHT & SUBSTANDARD DETERMINATION STUDY City of Scottsbluff, NE



**PRESENTED TO**  
City of Scottsbluff  
Community Redevelopment

**PREPARED BY**  
MC Schaff & Associates, Inc.  
818 South Beltline Highway East  
Scottsbluff, NE 69361

**PROJECT**  
RS100094-2103

April 1, 2021







*Site conditions in Study Area #15*



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Blight Study | City of Scottsbluff, NE

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## Purpose of this Analysis

The Blighted and Substandard designation opens the door for stimulating new development and allowing developers, in fact all citizens, the ability to make significant public improvements related to their project. The mechanism allows property owners the use of real estate property taxes (normally paid to other government agencies) for improvements including land acquisition and site preparation. Tax money can be used up to 15 years for this purpose.

This designation allows use of most of the new taxes generated by way of redevelopment. An owner pays the property tax but it is “refunded” for the purpose of land acquisition, site preparation and placing public improvements on the site. The program has worked well for Scottsbluff’s downtown and more recently, the Reganis Auto Dealership, hotel adjoining the dealership, and the Monument Mall. So, while the term may seem objectionable the results can be very positive for the entire community.

The Nebraska Unicameral enacted legislation which addressed the existence of areas within communities that needed incentives to redevelop. These areas tended to be older and out of date. Often spotty improvements had been made but the general condition was not attracting expansion of existing business nor new development and investment. On its face, this appeared to be true of the Study Area shown in Figure 1, so a decision was made to give the area a closer look.

The purpose of this analysis is to identify and determine if an area within the City of Scottsbluff, Nebraska should be considered blighted and substandard under the criteria for such areas as set forth in the Nebraska Community Development Law, Section §18-2103. This Scottsbluff Blight and Substandard Study is intended to provide the Scottsbluff City Council the basis for determining the existence of blighted and substandard conditions within Scottsbluff’s corporate limits. Through this process, the City attempts to eliminate economic and/or social concerns that are detrimental to the future public health, safety, morals, and general welfare of the entire community. This study examines conditions relating to buildings, land use, and infrastructure within the study area to determine areas eligible for redevelopment under Nebraska Community Development Law.

Like other areas designated as Blighted and Substandard, much of the Study Area has not kept pace with overall community standards while other areas in the community have seen steady growth and development. Developments around the study area have seen hardships based on grade, land use, and utility locations. The Community Development Law enables cities to take steps to address these forms of decline through acquisition, clearance and disposition of property for redevelopment or through the conservation and rehabilitation of property.

This study examines existing conditions of land use, buildings, infrastructure, development patterns and general health, safety welfare aspects within the designated Study Area in the City of Scottsbluff. This has been done in an effort to determine its eligibility for redevelopment activities. Proposed Study Area #15 is generally described as being in the Automobile Commercial District in south central Scottsbluff east of 9th Avenue along the north side of South Beltline Highway East. A number of opportunities for redevelopment exist along and adjacent to this corridor allowing the community to overcome some of the challenges in the Proposed Study Area #15.

The South Beltline Highway corridor as it continues to the west of Study Area #15 has some long-standing successful businesses, some of which have seen rejuvenation. However, reinvestment in the Study Area is almost non-existent—not on par with the overall community’s growth and level of private investment. The Study Area has remained unchanged for the most part for several decades, with no new investment or rehabilitation to improved structures. Study Area #15 appears to be an excellent opportunity to provide incentives triggering new activity where adequate market forces are not present to move development in a positive direction.



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Study Area #15 Site Conditions

## Nebraska Revised State Statutes

Nebraska's Community Development Law clearly provides guidelines for communities to address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating areas as well as the prevention and elimination of substandard and blighted areas. This tool is provided in Neb Rev Stat §§18-2101 to 18-2154.

Nebraska Revised Statute §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

*"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 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 and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements."*

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community.

Nebraska Revised Statute §18-2105 grants authority to the governing body to formulate a redevelopment 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."*

The law states that there are a number of reasons an area goes beyond remedy and control solely by the regulatory process and cannot be dealt with effectively by ordinary police powers or ordinary operation of



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private enterprise without aid. Such things as overcrowding, unsafe, unsanitary conditions, inadequate planning, lack of proper light, air and open space, defective design and arrangement of buildings, faulty street layout and economically undesirable land uses are among the reasons.

The law goes on to provide the city with the ability to declare an area blighted and substandard followed by creating a workable program to utilize private and public resources to address specific conditions to be improved. The statute provides a means for the governing body to address and develop strategies for rehabilitation and redevelopment of the community. The main substance of a workable program is an adopted redevelopment plan for the defined area based in part on an adopted comprehensive plan.

Implementing this strategy for a Designated Study Area is intended to give the Community Redevelopment Authority and City Council a basis for determining the existence of blight and substandard conditions within the delineated Study Area. The general area considered for inclusion in the Study Area is shown in **Figure 1. Study Area #15** on page 4 of this report, with the area boundary described on page 5, and parcel list with legal description provided in Appendix A. The Study Area can generally be described to include land bounded by the BNSF Railroad on the north, South Beltline Highway on the south, 9th Avenue on the west, and the Scottsbluff corporate limits on the east.

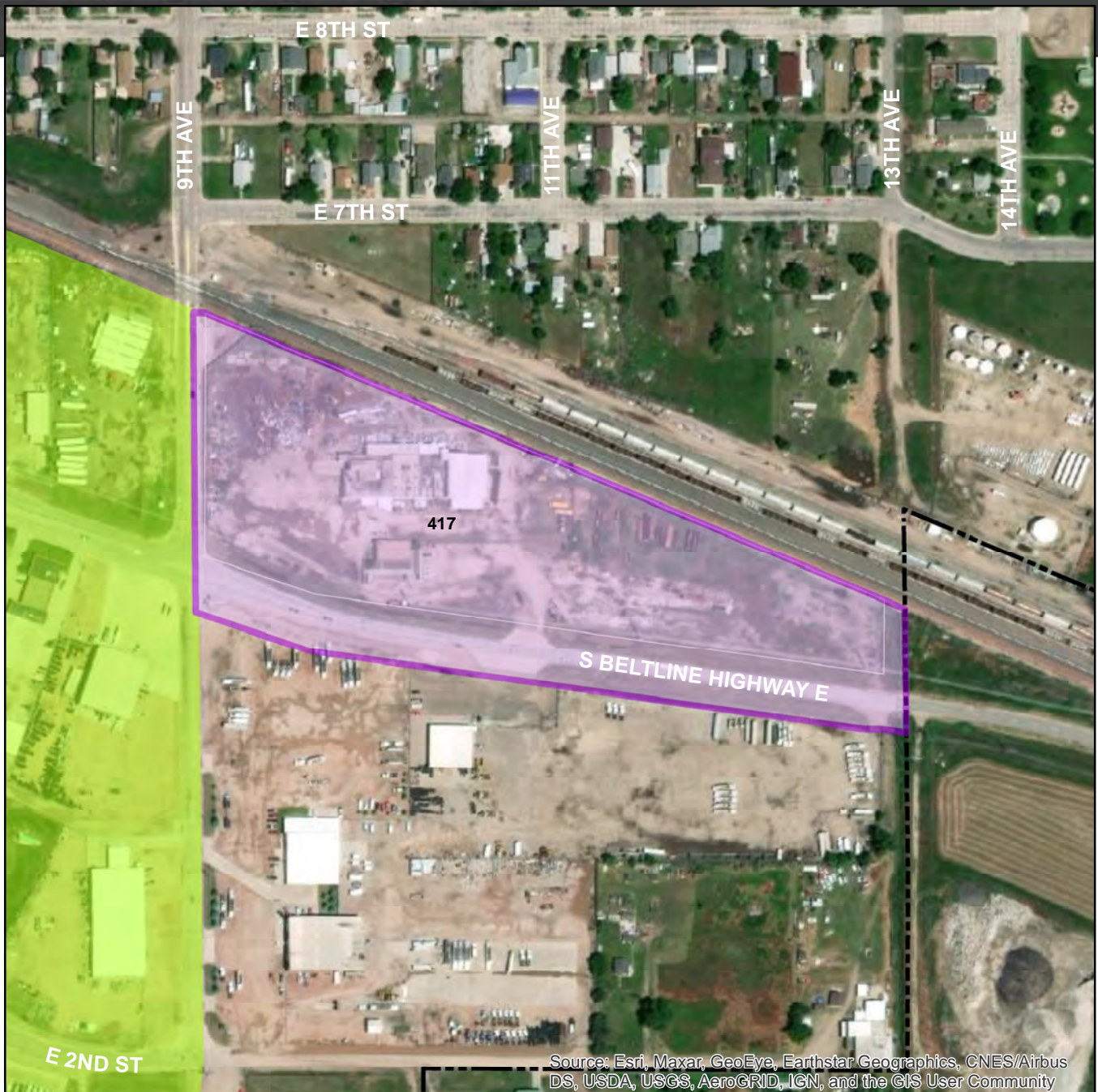
The study looks at existing land-uses, platting, structures and infrastructure systems to determine whether Study Area #15 or a part of it meets the statutory requirements for the designation as a Blighted and Substandard Area. With the growing interest and use of this valuable tool the State has taken an increased interest in assuring all using the tool use it in accordance with the statutes. For this reason, it is imperative the City of Scottsbluff closely adhere to the provisions set forth in the Nebraska Revised State Statutes.

The findings of this study will serve to guide the general redevelopment. The previously approved 2016 Comprehensive Plan and this Blighted and Substandard Study will present appropriate land uses, strategies for improved traffic circulation, economic development activities, and utilities and other improvement in accordance with the law.



*Examples of Structural Conditions within the Study Area*

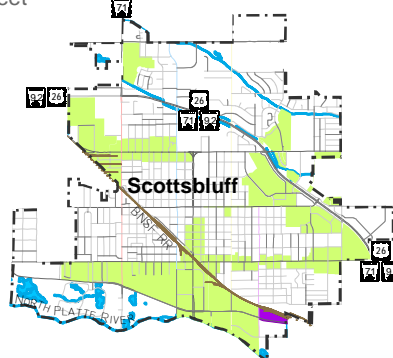




### Redevelopment Areas

- Existing Redevelopment Areas
- Study Area #15
- Parcel Address
- Corporate Limits

Data Sources:  
 Parcels: Scotts Bluff County, 2016  
 Aerial: US Army Corps of Engineers, 2011



## Study Area #15

City of Scottsbluff  
 Scotts Bluff County, NE



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**Redevelopment Study Area (Site 15):** The redevelopment study area consists of properties and tracts of land within the general vicinity south of the Burlington Northern Santa Fe railroad right-of-way, east of 9th Avenue, west of 13th Avenue and north of South Beltline Highway East in the southeastern portion of the community. The site contains approximately 13.590 acres and is more particularly described as:

*Situated in the South Half of the Southeast Quarter of the Northwest Quarter, and in the North Half of the Northeast Quarter of the Southwest Quarter of Section 25, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

**Beginning** at the northwest corner of PT TR 1 N OF HWY & PT TR 8, UNION LIVESTOCK ADD (Parcel #010152393), said point also being on the southern right-of-way line of the Burlington-Northern Santa Fe (BNSF) railroad right-of-way;

*Thence, southeasterly on said southern line of BNSF railroad right-of-way to its intersection with the southerly extension of the northerly-southerly right-of-way centerline of 13th Avenue, said point also being on the City of Scottsbluff corporate limits line;*

*Thence, southerly on the City of Scottsbluff corporate limits to its intersection with the southern right-of-way line of South Beltline Highway East;*

*Thence, westerly and northwesterly on said southern right-of-way line of South Beltline Highway East to its intersection with the centerline of the northerly-southerly 9th Avenue right-of-way;*

*Thence, northerly on said 9th Avenue right-of-way centerline to its intersection with the south line of the BNSF railroad right-of-way, said point also being a northwesterly extension of the north line of Parcel #01052393;*

*Thence southeasterly on said northwesterly extension of the north line of said Parcel #01052393 to the northwest corner of said Parcel #01052393, said point also being the Point of Beginning, said redevelopment study area containing an area of **13.590 acres**, more or less.*



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The requirements for detailed planning beyond the Comprehensive Plan treatment include but should not be limited to:

1. Boundaries of the area, existing land use and condition of improvements
2. A land-use plan
3. A map showing population density, land coverage and building concentrations
4. An outline of proposed changes in ordinance, layout or other related ordinances
5. A site plan of the area
6. A statement outlining any additional public facilities or utilities required to support new land uses after redevelopment.

The Blighted and Substandard study highlights locations and opportunities for improvement and revitalization. Once the area is designated, the City can guide future development in this area and provide financial incentive for development. Using the Nebraska Community Development Law, the City can reduce or eliminate factors impeding redevelopment and implement programs or projects to improve conditions and minimize the negative impacts of blight and substandard conditions.

## Substandard and Blight Eligibility Analysis

### Substandard and Blight Definitions and Explanation

**Substandard areas** are defined by State Statute **§18-2103(31)**, 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 areas** are defined by State Statute **§18-2103(3)**, as the following:

*“Blighted area means an area, which*

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

*(b) in which there is **at least one** of the following conditions:*

*(i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;*

*(ii) the average age of the residential or commercial units in the area is at least forty years;*

*(iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;*

*(iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or*

*(v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a 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;”*



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The following are the specific definitions of “substandard” and “blighted” according to Nebraska State Law. These definitions serve to be the basis of this entire analysis and each portion of the definitions are examined individually throughout this document.

### **Substandard Area Definition**

By statute a substandard area means one where a predominance of building or improvements (residential or nonresidential) having one or more of the following characteristics:

**1. Dilapidating or deteriorated**

a. Unacceptable standard for walls, foundation, roof, gutters, roof surface, chimney, fire escapes, weatherizing, steps, exterior paint and site conditions. Chipping, cracks, loose components, missing pieces, sags and other signs of substandard condition all qualify for this condition.

**2. Age (obsolescence)**

a. A 40 years or more criteria was used for estimate.

**3. Inadequate ventilation, light, air, sanitation, or open spaces**

a. Things like junked cars and other accumulated debris, antiquated infrastructure, unpaved parking, outdoor storage

**4. Other conditions**

- a. High density population or overcrowding (census)
- b. Other conditions which could be unsafe or unsanitary endangering life or property.
- c. Any combination of factors conducive to poor health, disease, mortality, delinquency or crime. Any combination that is detrimental to public health, safety, morals or welfare. This may include inadequate infrastructure as well as statistical data.

Structural conditions were evaluated using the U.S. Department of Housing and Urban Development standard definitions:

**No Problem**

- No structural or aesthetic problems are visible

**Adequate Condition**

- Slight damage to porches, steps, roofs
- Slight wearing of mortar between bricks/stone/block
- Small cracks in walls or chimneys
- Cracked windows
- Lack of paint
- Slight wear on steps, doors and frames

**Deteriorating Conditions**

- Holes, open cracks, rotted, loose, or missing material in parts of the foundation, walls (1/2 of the wall) or roof (1/4 of the roof)
- Shaky, broken, or missing steps or railings
- Numerous missing and cracked window panes
- Rotted or loose windows or doors no longer water-proof

**Dilapidated Condition**

- Holes, open cracks, rotted, loose or missing material over a large area of the foundation, on wall or on roof
- Substantial sagging of roof, floors, or walls
- Extensive fire, flood, or storm damage
- Inadequate original construction such as building elements made of scrap materials or conversion of structures not adequate for housing.



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**Blighted Area Definition**

The blighted area designation is based on a number of criteria or indicators of substandard conditions. These are specified in the law and outlined below.

1. The presence of a substantial number of deteriorated or deteriorating structures. This takes the form of structural problems, exterior paint, cracks, chimney, site conditions, roof and similar problems with the building.
2. Existence of a defective or inadequate street layout. This includes dead ends, railroad crossings, linear downtown, narrow alleys and blind crossings, as well as poor vehicular access and/or internal circulation, substandard parking definition and parking layout (lack of curb cuts, awkward entrance/exit points), offset or irregular intersections, substandard or nonexistent pedestrian circulation.
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness. Such things as landlocked parcels, odd shaped lots, undersized lots, and poor accessibility.
4. Unsanitary or unsafe conditions. Examples here include age and physical condition of structures, buildings located within the flood plain, lack of public infrastructure, unsanitary conditions and ventilation. Additional examples include graffiti or other forms of vandalism or vagrant activity, poorly lit and unlit areas, the existence of trash or debris or weeds, abandoned vehicles, uneven grading or steep slopes, environmental contamination, cracked or uneven sidewalks, a high incidence of reported crime.
5. Deterioration of site or other improvements. Such things as off-street parking, poor storm drainage, junk cars, dilapidated structures, neglected properties, debris, on-site storage, unscreened trash or mechanical storage areas, deterioration of parking surfaces, lack of landscaping, general site maintenance problems are examples.
6. Diversity of ownership. This condition exists when numerous lots are needed to develop to up to date standards. Assemblage is difficult without some form of public assistance.
7. Tax or special assessment delinquency exceeding the fair value of the land.
8. Defective or unusual conditions of title. Liens, improper filings are examples.
9. Improper subdivision or obsolete platting. Examples include undersized lots, improper zoning, lot configuration, easements and accessibility are problems that often are present.
10. The existence of conditions which endanger life or property by fire or other causes. Such things as inoperative infrastructure, site access, on-site storage, secluded areas for pests to thrive, poor surface drainage, poor street and poor sidewalk condition are examples.
11. 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. Here incompatible land uses, obsolescence and inability for a property to compete in the market place.
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
  - a. Unemployment in the area at least 100% of state or national average census data
  - b. The average age of residential and commercial units is over 40 years as determined by field observations
  - c. More than half of the plotted/subdivided property has been unimproved for 40 years using public record
  - d. Per capita income of the area is lower than the average of the city from census data.
  - e. The area has a stable or declining population based on the last two decennial censuses.



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*Study Area #15 on-site storage*

## Analysis Approach

The approach and methodology utilized by M.C. Schaff & Associates, Inc. in conducting the Blighted and Substandard Area Determination Analysis included an assessment of all factors listed in the Nebraska Community Development Law as factors that indicate or contribute to making an area blighted and substandard. Data relating to factors such as building condition, building age, site conditions, adequacy of building sites, condition of public improvements, and unsanitary or unsafe conditions were developed through detailed exterior structural field surveys on a structure by structure basis and through collection of data on a unit by unit basis available from public records at the Scotts Bluff County Courthouse and via their online databases. Data relating to other factors such as the adequateness of street layouts, lot layouts and overall subdivision design were investigated on an area-wide basis.

Assessment of potential blighting factors stemming from diversity of ownership and tax or special assessment delinquencies were conducted through evaluation of courthouse and online county records for all property within the analysis area, referred to as the Study Area. The valuation, tax amount and any delinquent amount was examined for each of the properties, and public records were examined to determine the number of property owners in the Study Area.

## Additional Public Intervention Necessary

Although the presence of one or more of these substandard or blighting conditions may make it appropriate to declare an area substandard and blighted under the Statute, this analysis was conducted on the basis that additional public intervention over and above the exercise of the police power is necessary to overcome the problems that exist in any substandard and blighted area.



## Analysis of the Study Area

### Scottsbluff Designated Study Area #15

The City selected the Designated Study Area for evaluation to be within the corporate limits. Bordered on the north by Burlington-Northern Sante Fe rail line, the Study Area is industrial, and is surrounded by industrial, commercial, office & professional, and single family residential uses. This particular area was selected for several reasons.

1. The Study Area is within an active commercial corridor.
2. There is a need to improve infrastructure due to substandard existing conditions.
3. There is obvious economic decline and functionally obsolete uses within the Study Area.
4. There was the presence of blighted and substandard characteristics within the Study Area.
5. A need is apparent for public intervention to stimulate the development and redevelopment of vital infrastructure systems to support private redevelopment efforts.
6. The adjacent proximity of the Study Area to an existing blighted and substandard area.

The City is in a position to remove negative factors and implement programs and projects to improve conditions thereby removing the blighted and substandard conditions. This not only benefits the corridor/study area but the entire community through private reinvestment and enhanced quality of life.

The field survey of the Study Area within the City was conducted in February 2021 to determine if this area, in fact, has experienced structure and/or site deterioration or if the area is experiencing other negative influences that decrease the potential for redevelopment or new development. The following information describes this Study Area in detail and specifies methods and procedures used to determine whether this Study Area should be declared blighted and substandard under the Nebraska Community Development Law.

The total acreage within the City of Scottsbluff city limits is 4275.95 acres, and the city currently has approximately 1085.7 acres designated as “Blighted and Substandard”—approximately 25.4% of the City’s total acreage. The proposed additional “Blighted and Substandard” area consists of 13.85 acres. Adding this proposed area to the existing “Blighted and Substandard” area brings the total Blighted and Substandard area to 1099.55 acres or 25.7% of the total area of the City of Scottsbluff. This remains well within the allowed 35% providing future opportunity to add more.

## Existing Land Use

The land uses that now exist within the Study Area are depicted on Figure 2 (Page 11), and consist of land uses which can be placed in three categories, including:

- Industrial
- Public Streets



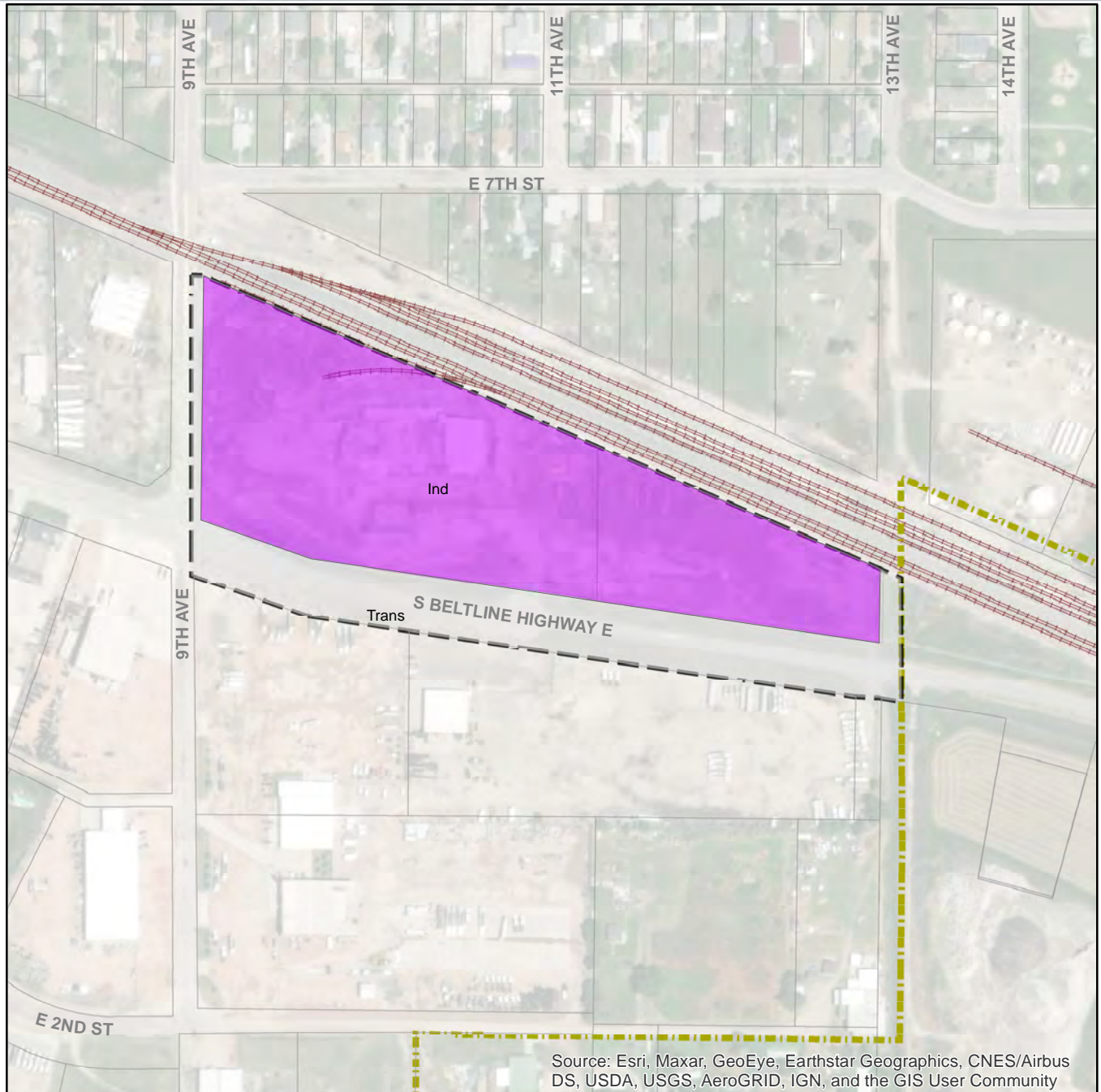
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## Existing Land Use

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Land Use: MCS Field Survey, 2021  
Parcels: Scotts Bluff County, 2019  
Aerial: ESRI Basemap



- Corporate Limits
- Blight Study Area
- Parcel
- Industrial
- Roads



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The land uses indicated for the Study Area on Figure 2, (page 11), are analyzed further in Table 1, below. The data detail the breakdown of land uses within this Study Area, as well as the total acreage within this Study Area.

**Table 1**  
**Existing Land use - Scottsbluff Blight Study Area #15**  
**Scottsbluff, Nebraska**

Land Use Category	Blight Study Area 15	
	Area(Acres)	Percent of Total Area
Public Streets & Alleys	3.847	28.3%
Industrial (Includes Storage)	9.743	71.7%

Source: M.C. Schaff & Associates, Inc., Field Survey, February 2021

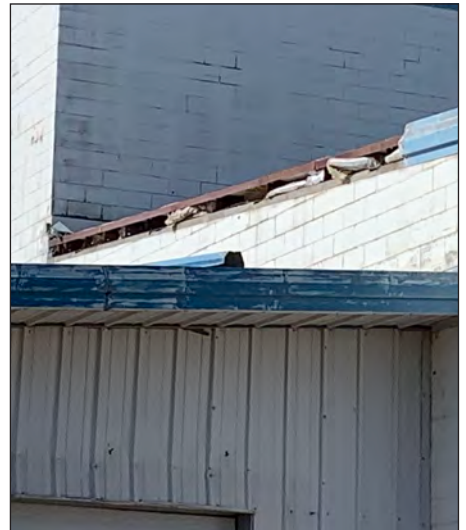
As indicated in Table 1, the largest land use in this Study Area is that of industrial land. This use comprises approximately 9.74 acres, or nearly 72% of the Study Area.

Public Streets occupies the remaining nearly 3.85 acres of land or just over 28% of the Study Area.



*Examples of Site Conditions within the Study Area*





*Examples of Structural Conditions within the Study Area*



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*Examples of Sidewalk, Curb & Gutter, and Street Conditions within the Study Area*

## Findings and Contributing Factors

The intent of this study is to determine whether the subject area has experienced structural and site deterioration and whether there are other negative factors which are decreasing the potential to develop. The field survey work was done in February 2021 and strongly supported initial impressions that the area had in generally declined below community standards. What follows are the factors evaluated to determine if there is a reasonable presence of blight and substandard conditions within the designated area. This section reviews the building and structure conditions, infrastructure and land use found in the area based on statutory definitions, and observations and explains the identified contributing factors.

As set forth in Nebraska legislation, a blighted area means an area which by reason of the presence of:

### 1. Presense of Substantial Number of Deteriorated or Deteriorating Structures

#### Exterior Inspection of Buildings

There were a total of 2 structures evaluated using the Blighted and Substandard criteria as described on page 7 of this report. Only the primary structures were evaluated under the Blighted and Substandard definition. No other structures were were not included in the survey. Thus the boundary for the Blighted and Substandard designation includes 2 buildings, with a combined average age of 53 years. Field surveys concurred with Scotts Bluff County Assessor online building appraisal data sheets and concluded that 0% were acceptable, 50% were deteriorating (average) and 50% were dilapidated (worn out). For structure age see **Table 3**, below and in **appendix b**, as well as **Figure 3** on page 15. Structure condition is summarized in **Figure 4**, located on page 16.

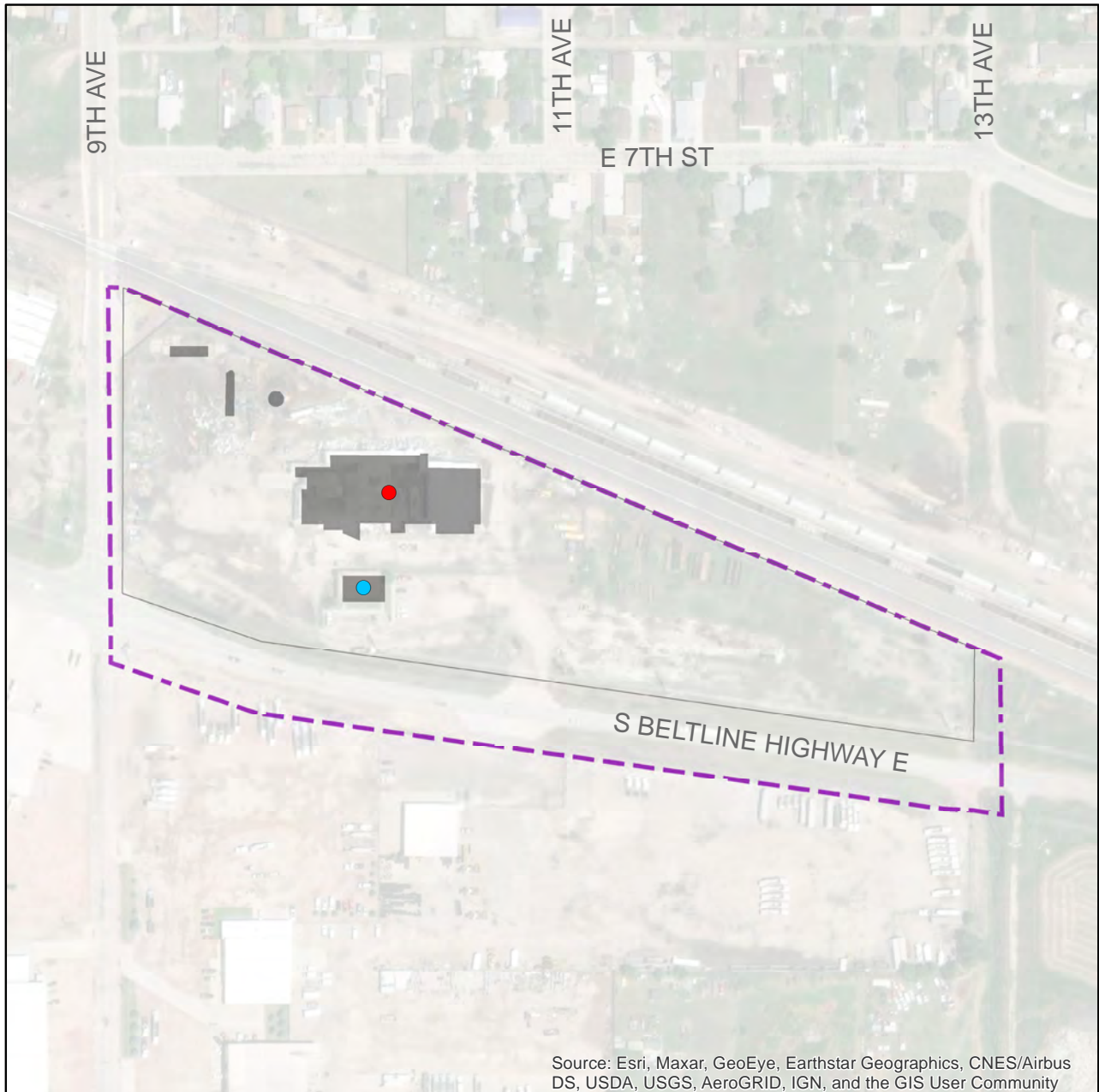
**Table 3**

**Existing Land use - Scottsbluff Blight Study Area #15  
Scottsbluff, Nebraska**

Year Built	Effective Age	No of Units	Cumulative Age
1955	67	1	67
1983	39	1	39
<b>Total Cumulative</b>		2	106
<b>Average Age</b>			53.00

Source: M.C. Schaff & Associates, compiled from information obtained from Scotts Bluff County Assessor's online database, February 2021.





#### Study Area Structure Year

- 1910-1981 (1 Structure  
- Built 40 or More Years Ago)
- 1982-2021 (1 Structure  
- Built Less Than 40 Years Ago)
- Study Area Building
- Study Area
- Study Area



## Structure Age

City of Scottsbluff  
Scotts Bluff County, NE

Structure age obtained from  
Scotts Bluff County Assessor  
online data sheets, Feb. 2021.

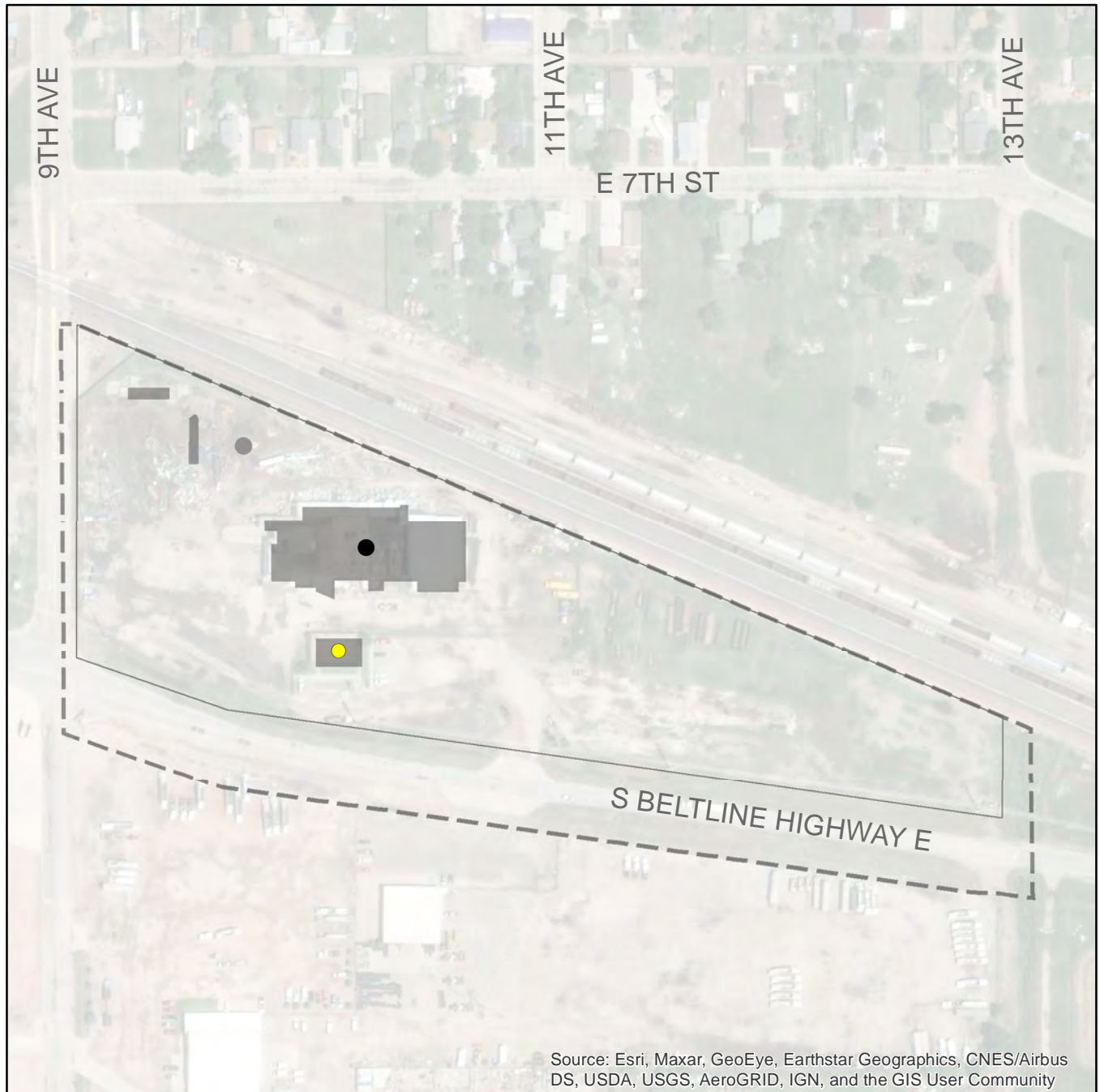


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Blight Study | City of Scottsbluff, NE

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0 55 110 220 330 440 Feet

**Structure Condition**

● Good (0)

● Average (1)

● Fair (0)

● Badly Worn (0)

● Worn Out (1)

■ Study Area Building Footprint

□ Study Area Parcel

▬ Study Area Boundary

## Structure Condition

City of Scottsbluff, NE

Structure condition obtained from Scotts Bluff County Assessor online data sheets, and adjusted following field verification, Feb. 2021.



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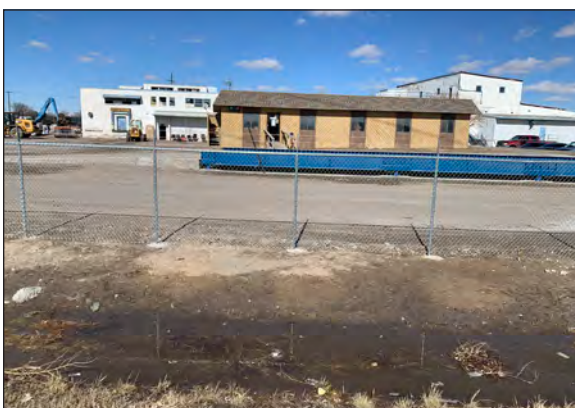
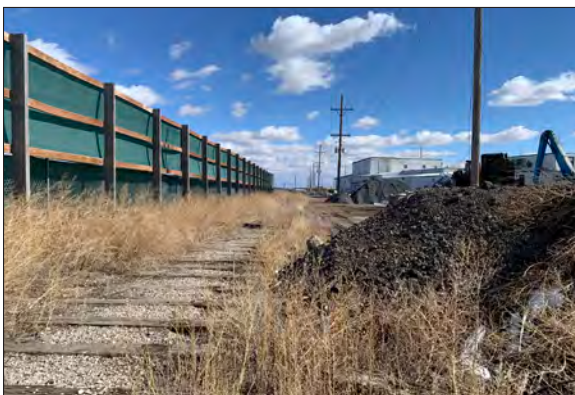
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*Examples of Site Conditions within the Study Area*

## **2. Defective or Inadequate Street Layout—Street Conditions and Accessibility**

Inadequate infrastructure, street conditions and accessibility as well as inability to safely move traffic through an area is a contributing factor to the blight and substandard conditions.

The surface condition of public roads in the Study Area is generally fair to good with dilapidated sections. Most of the surfaces have been maintained to community standards. The study area lacks an alley as it is bordered by railroad right of way on the north, is inaccessible from the east, and while it has a flattened curb on the west, is bordered by a fence along its western and northern borders.

- a. Virtually no sidewalk—the only sidewalk in the Study Area is at the intersection of 9th Avenue and South Beltline, on the northeast corner radius. Pedestrians have no sidewalk to traverse through the Study Area. Redevelopment will likely add to traffic counts, and consideration should be given to providing sidewalks as well as to enhance the pedestrian experience with landscaping.
- b. Gravel and unimproved surface parking.
- c. Alleys are not present.

## **3. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness**

An active railroad right of way borders the entire northern border of the Study Area parcel. A railroad crossing is located on the northwest corner of the Study Area. The western edge of the Study Area is bordered by a divided street with a concrete median located just south of the railroad crossing. The eastern edge of the Study Area is occupied by the Scottsbluff Drain, which outfalls into an open channel on the south edge of the railroad right-of-way and then travels under South Beltline via culvert.

## **4. Unsanitary or Unsafe Conditions**

Age of Structure is a contributing factor to the blighted and substandard conditions in the Study Area with half (50%) of the structures over 40 years of age. The statute allows the inclusion of this factor, regardless of structure condition, where there is a predominance of structures 40 years of age or older. See **Appendix B—Table 3** for a summary of structure ages. Structure condition also contributes to unsanitary and unsafe conditions as the dilapidated structure is home to flocks of pigeons that have open access via numerous missing and broken windows. Trees of substantial height are seen growing on the neglected roof.





**Sidewalk / Curb / Gutter Condition**

- Good
- Fair
- Poor
- None

**Street Surface**

- Good
- Deteriorating
- Dilapidated
- None



**Surface Condition**

City of Scottsbluff  
Scotts Bluff County, NE

Conditions observed during  
MCS field survey, Feb. 2021.



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## 5. Deterioration of Site or Other Improvements

### Debris

A significant amount of debris accumulates in ditches and along fences. Several significant examples of debris were noted in field observation. This debris included everything from construction materials, and on-site storage to excessive discarded debris and alcohol bottles accumulating along fencing. Numerous (somewhat less severe) additional instances are present as well suggesting the problem is growing.

Truck traffic on unpaved surfaces degrades air quality conditions. The risk of the spread of fire is amplified across the eastern section of vegetation within the Study Area.



### Dilapidated Structures

Structure conditions were examined both using Scotts Bluff County Assessor's online database of building appraisal and confirmed/adjusted through field evaluation. The data and rating system from the Scotts Bluff County Assessor's database was used to evaluate properties in the area, rating structures as either: Excellent, Good, Average, Fair, Badly Worn, and Worn Out. Rating terms are defined as follows:

**Excellent:** Typically newer construction or property that has been completely upgraded.

**Good:** Typically no major defects or aging conditions in field analysis.

**Average:** Typically minor defects showing up, 25% or less of the following—degrading roofing materials, masonry joints in need of tuck-pointing, or small cracks in foundation, broken glass, painted surfaces beginning to peel.

**Fair:** Similar to Average, conditions are worsening and cover a larger portion of structure.

**Badly Worn:** Structure is showing many of the conditions mentioned, and extent of aging and deterioration may require demolition to eliminate the conditions.

**Worn Out:** Aging, deterioration and conditions point toward demolition to eliminate the conditions.



*Examples of Site Conditions within the Study Area*

Based on these ratings, it is assumed that Average condition and less would constitute less than desirable conditions due to age and structure status. It is common for older structures to require considerable maintenance and upkeep to maintain good and excellent condition, while an Average structure can show signs of deterioration that can more quickly become a dilapidated structure if not addressed.

Findings of the study show 50% of the structures were dilapidated and pose a threat as well as 50% deteriorating. The combined average age of structures in the Study Area is well over 40 years—one of the structures was built in 1983 while the other main structure complex is 67 years old. Thus, structure age and obsolescence *within the Study Area* **is** a contributing condition of blight and substandard.





**6. Diversity of Ownership**—The Study Area contains only one parcel, therefore, diversity of ownership is not considered to be a factor.

**7. Tax or Special Assessment Delinquency Exceeding Fair Value of Land**—No tax or special assessment delinquency was discovered in *Nebraska Taxes Online* data review, therefore, it is not considered a factor.

**8. Defective or Unusual Conditions of Title**—None identified, therefore, not considered a factor.

### **9. Improper Subdivision or Obsolete Platting**

The entire Study Area is lower in elevation than its perimeter road network. Storm pipes under property access entrance appear to be partially blocked. While much of the area is now either unpaved or under cover of vegetation, the area does not appear to have sufficient drainage, rather than properly draining to the southeast of the Study Area. A railroad crossing is located at the northwest corner of the Study Area. The Study Area is long triangular shape, which limits its capabilities for development. See *appendix d—Figure 11* for a current zoning map of the area.



### **10. Conditions that Endanger Life or Property by Fire or Other Causes**

*Figure 6*, on the following page, provides an overview of the blighted and substandard conditions located and photographed during field observations.

#### **Poor Sidewalk and Street Conditions**

The entirety of the Study Area is not serviced with sidewalks. The condition of the street paving shows signs of age with cracks, gaps, patches, and missing pieces. Where it exists, street curb and gutters also show signs of aging with cracks and missing pieces along 9th Avenue. The remainder of the roadway, South Beltline Highway East, has no sidewalk and no curb and gutter system. All storm water along this roadway flows into adjacent ditches and properties.



#### **On-Site Storage**

The Study Area has sites of outdoor heavy industrial on-site storage, integral to its industrial land use. These findings point to an impediment for development or upgrades in the neighborhood and should be evaluated for screening from adjacent residential and professional office uses.

#### **Poor Surface Drainage**

Storm water drainage problems exist in the western portion of the Study Area in particular. During field analysis, several areas of standing water were noted as poor drainage exists in localized areas within the parcel, and parking lots were noted lacking proper drainage at various locations throughout the Study Area.



0 125 250 375 500 Feet

## Blighted and Substandard Conditions Locations

City of Scottsbluff, NE

- |                          |                  |                  |
|--------------------------|------------------|------------------|
| ● Debris and/or Graffiti | ● Sidewalk       | ● Parking        |
| ● On Site Storage        | ● Infrastructure | ● Structure      |
| ● Curb & Gutter          | ● Drainage       | ● Roads/Concrete |

Conditions observed during  
MCS field survey, Feb. 2021



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**11. Any Combination of Such Factors**—The combination of all blight and substandard conditions found within the Study Area could be considered a factor in substantially arresting sound growth in the area and obsolescence contributes toward an inability of property within the area to compete in the market place.

## **12. Detrimental to Public Health, Safety, Morals, Welfare in Present Condition**

While a minimum of at least one of the following factors is required for this condition to be met, at least two of the factors are confirmed to be present in the Study Area.

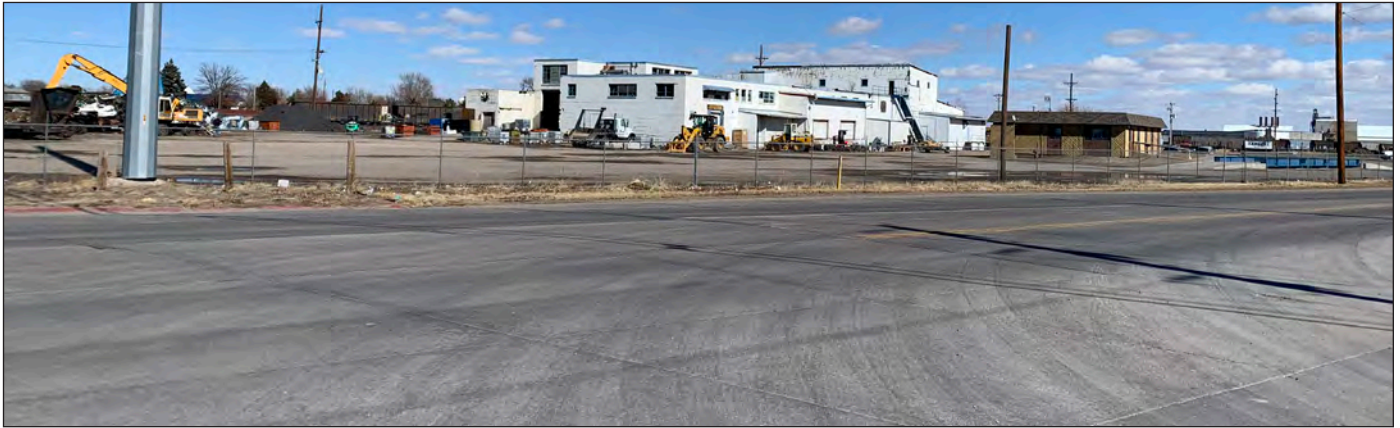
**a. Unemployment Rate At Least 100% of State or National Average**—was not considered a factor and was not researched as part of this study beyond determining that the unemployment rate in Scotts Bluff County, NE was 4.208% in 2020, while the US had an unemployment average of 8.1%, and Nebraska averaged 4.242% for the year.

**b. Average Residential and Commercial Structures Age Over 40 Years**—is a factor. The median age of the two (2) primary non-public structures in the area is **53** years. Age of the structures within the designated Study Area is provided through the Scotts Bluff County Assessor's online database and field verification. Only those structures built before 1982 qualify for the 40 years and older structures designation in the State of Nebraska laws. The Study Area contains two primary structures, one built in 1983, and one built in 1955.

**c. Subdivided/Platted Property Unimproved for 40 Years**—not considered as a factor.

**d. Per Capita Income Level**—While the median income of the residential census tracts adjacent to the Study Areas is lower than the average median income of Scotts Bluff County and the average of the census tracts within the City for the previous census, this factor was not investigated as part of this study—not a factor.

**e. Decreasing Population**—is a factor. The Study Area contains no residential properties, yet is located in census tracts of which the census data reports population from 2000, and 2010 decennial census. Map **Figures 7-10** provided in **appendix c** illustrate the 1990, 2000, and 2010 decennial census as well as the projected 2020-2025 population change for census tracts covering and surrounding the Study Area. Based on the data illustrated on the maps, the Study Area and adjacent populated areas display a stable or decreasing population based on the last two decennial census; and a stable or decreasing population is also projected for 2020-2025 according to ESRI demographics data, which is based on the decennial census, Infogroup business data, other public and proprietary data sources, and proprietary models.



## Conclusion of Blighted and Substandard Analysis

Based on this analysis the Study Area meets the criteria of both blighted and substandard conditions. The area displays the presence of criteria required for a finding of a blighted and substandard condition as defined by the State of Nebraska Legislature.

The primary conditions leading to this conclusion include the following blighted and substandard conditions:

- a. The Study Area has inadequacies in the form of traffic movement capabilities and real property access. While a few off-street paved parking areas exist, the remaining interior private drives, off-street parking areas and driveways are deteriorating gravel surfaced or unimproved. Defective or inadequate street layout thus may be considered a factor contributing to blighted conditions in this Study Area.
- b. Storm water drainage in the Study Area is inadequate and does not drain properly from the property. The Study Area is generally lower in elevation than the surrounding transportation improvements with which it is surrounded.
- c. The field survey included an evaluation of the condition of site improvements inclusive of street surface as well as curb and gutter conditions, street width adequacy, sidewalks, and driveways. Additionally, off-street parking facilities, sanitary sewer facilities, and drainage facilities and inadequacies or deterioration of site improvements were identified:
  - Gravel and unimproved internal driveways, no internal streets. Lack of paved parking and proper site grading creates various unnavigable areas following heavy rain.
  - The Study Area is lower in elevation than the surrounding roadways. The single roadway access to the property is located along South Beltline. Surface water is intended to flow towards the southwest corner of the Study Area where two 36" drainage pipes are located to carry drainage out of the area to the south. The two 36" pipes empty into one 12" pipe flowing south.
  - Street as well as curb and gutter paving along 9th Avenue shows major signs of age with wide-spread conditions of heavy cracking as well as gaps, and missing pieces. South Beltline also contains broken/patched panels.
  - There is no sidewalk system serving any of the Study Area. Two developed structures are not served by public sidewalks. The non-existence of sidewalks contributes to generating traffic hazards for children and other pedestrians in this Area as pedestrians are forced to walk along the edge of streets—their safety, well-being and health at risk.
  - There are no roadway accesses along the north, west, and east sides of the Study Area. An active railroad corridor parallels the entire northern border, while the eastern end is bordered by the Scottsbluff Drain.





- d. The Study Area contains a metal recycling yard, and is only buffered on the north (partially) and west sides with a green fence screen. However, the salvaging operations far exceed the green fence screen in height. Over half of the Study Area appears unkept and / or contains substantial amounts of weeds and numerous examples of debris in addition to the heavy industrial operations. This relatively high level of poorly maintained property represents a considerable blighting factor. One of the two structures located within the Study Area is dilapidated to the point that trees of substantial height are growing on the roof and flocks of pigeons make their home within the structure. The lack of site improvements to existing structures in the Study Area also serves to be a limiting factor to future development in the Study Area and thus is an additional factor contributing to blight.
- e. The Study Area has lot layout faults in relation to size, adequacy, accessibility or usefulness. Due to its proximity to the railroad along with access limitations, faulty lot layout in relation to accessibility or usefulness within this Study Area **may be** considered a factor contributing to blighted conditions in this Study Area.
- f. Conditions **exist** which endanger life or property by fire and other causes. According to City GIS data layers and visible fire hydrants, the nearest municipal water distribution lines are located along the west side of the 9th Avenue north-south right-of-way. The southeast corner of the Study Area parcel is approximately 1,350 feet from the nearest public fire hydrant.
- g. Conditions **exist** which are detrimental to the public health, safety, morals and welfare in the present condition with the existence of graffiti, debris, on-site storage, inadequate drainage and lack of any public sidewalks. Average structure age is over 53 years. The existence of an inadequate surface drainage system of the Study Area presents additional threats to health. The lack of sufficient engineered drainage and structures allows water to pond and stagnate, creating not only a physical hazard, but also increased potential for multiplying mosquito production, an additional health hazard to area residents located in the adjacent residential area to the north.

#### **Blighted conditions not evaluated and/or do not appear to be present**

- a. According to a review of Nebraska Taxes Online completed in March 2021, there are no taxes or special assessment delinquency exceeding the fair value of the land. No further evaluation was performed.
- b. Defective or unusual conditions of title were not discovered during Scotts Bluff County online data review performed in March 2021.
- c. There is but one parcel in the Study Area—upon this parcel, improvements have been made. The parcel, including the unimproved eastern half, has been within the city limits for over 40 years.
- d. The Study Area includes one industrial use and no residential uses, therefore per capita income and unemployment of the area were not determined as part of this study.
- e. Diversity of ownership is not a factor.



## Comprehensive Plan / Surrounding Property

According to the City's 2016 Comprehensive Plan, the Study Area is located in the southeast **Automobile Commercial District**. The Comprehensive Plan provides the following applicable principles for sustainable development in this area:

### Interconnection of neighborhoods and amenities

- *Transportation amenities should prioritize pedestrians. Increase bicycle accommodations throughout the city no matter the mode of transportation (vehicles, bicycles, pedestrians) through city-wide system connectivity and targeted hardscape improvements. This includes southeast bicycle facilities and connectivity within the citywide cycling loop.*
- *Enhance pedestrian facilities and connectivity: prioritizing areas with high populations and those without vehicles (children, poor, elderly); obstruction free connectivity and safe crossings.*
- *Promote safety and efficiency of movement for vehicular traffic. Major arterial corridors (South Beltline) should be enhanced by beautification, wayfinding improvements, and problem point reduction. Improve collector roads (9th Avenue) by enhancing neighborhood safety, while promoting active transportation.*
- *Plan for land uses with high intensity vehicle traffic, particularly commercial vehicle traffic along South Beltline.*
- *Promote neighborhood commercial centers that serve the needs of the surrounding neighborhood, are residential in scale, accommodating pedestrian traffic, and allowing adequate vehicular access.*
- *Route legibility to attractions and amenities tied to community identity.*

### Sustainable development

*Development should be responsive to the market and social needs of the region and city infrastructure and policies should accommodate development's swift responsiveness. City investments should be fiscally conservative and equitable throughout the city. Growth will not saddle future generations with long term environmental or economic burdens. Development and redevelopment will best respond to the needs of the community if the community is involved in shaping those plans. Included in this strategy are:*

- *Land use decisions should ensure compatibility of neighboring land use intensities, using hours, transportation access, mass, and emissions as a guide.*
- *Neighborhoods and corridors should have land use intensities appropriate for those areas to maximize land use utility.*
- *Prioritization of infill development through incentives, residential home rehabilitation, and brownfields redevelopment.*



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- *Redevelopment in blighted areas that holistically address the economic, social, business, and physical health needs of the community.*
- *Work regionally to aggressively market, prepare, and certify sites most suited for industry and business recruitment.*
- *Build a strong community core through placemaking, mixes of uses, integration of motorized and non-motorized transportation options, and strategic investments for social and economic stability.*
- *Ensure growth is guided in a data-driven manner that promotes cost effective extension of the current utilities system while providing for future capacity and location demands—preserve areas where future utilities servicing would be logical and growth would be in demand.*
- *Actively work to improve quality of stormwater runoff. At a minimum, meet all requirements of the City's Phase II NPDES stormwater permit. The City should set an example for residents by using best management practices that minimize stormwater pollution.*
- *Environmentally responsible growth that minimizes conflict with flood plains, wildlife, wetlands, waste, and preserves natural beauty.*
- *Encourage preservation of open space in floodplain areas. If floodplain areas are to be developed, ensure that buildings are elevated properly.*
- *Ensure that any development in the floodway does not result in elevated flood levels.*
- *Utilize landscaping to minimize the negative effects of the built environment. For example, tree planting can help keep streets and parking lots cool in summertime, and landscaping with native plants can provide habitat for wildlife, such as birds and butterflies. Native or well-adapted plant choices can minimize the amount of irrigation water necessary to a landscape.*

### Access to culture and recreation

*Recreational and entertainment amenities should be woven into the fabric of the community. These amenities include parks and outdoor spaces, playgrounds, sidewalks and walking trails, pools, concert venues, restaurants, and plazas. Integrating these amenities into the shared spaces in the community works to promote a community where people want to be and improve the wellness of the community. Included in this strategy are:*

- *Walking accessibility by all households in city limits to a community park or playground.*
- *Walking and cycling paths with connectivity to all areas of the community and looped service.*
- *Coordinated transportation for all ages to cultural and recreation centers.*
- *Promotion, way-finding and ease of motorized and non-motorized access to natural environments and recreation opportunities such as the riverfront.*



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### Strong neighborhoods and places, rooted in our unique character

- Clean neighborhoods where trash, nuisance, and road problems are identified, communicated, and acted upon.
- Ensure security and safety throughout the community- especially in neighborhoods and destination corridors.
- Beautification of entryway and heavily trafficked community corridors.
- Cultivation of a community identity in public spaces with inspiration from the local natural environment, old west heritage, and cultural heritage of residents.
- Community design standards in neighborhood commercial areas and downtown that promote human scale interaction and promote cultural assets of the community's citizens.

The development potential of property is determined by the property conditions themselves, and the conditions of surrounding property. This is particularly true for the Study Area. The Study Area abuts to another blighted and substandard redevelopment area (the South Beltline Highway East commercial district).

The blighted and substandard factors from the adjacent blighted and substandard redevelopment area to the west that have not yet been completely addressed, should be referenced along with this study.

Adjoining the Study Area with the current adjacent blighted and substandard areas is necessary to accomplish the sound redevelopment planning and program of the City. In order to achieve the above principles of sustainable development from the City's Comprehensive Plan, it is vitally important to adjoin the Study Area with the adjacent blighted and substandard areas. This will enhance the development potential of the Study Area and the current adjacent blighted and substandard areas and create a continuous, harmonious redevelopment area along the South Beltline southeast arterial entrance into Scottsbluff.

## Blighted and Substandard Area Declaration

Based on the findings in this report the Study Area may be declared blighted and substandard in keeping with and conforming to the Nebraska Community Development Law. This finding will make this area available for redevelopment activities. The General Redevelopment Plan, when prepared, shall be composed in a manner consistent with the City of Scottsbluff Comprehensive Plan.





# appendix



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providing **Simply Smart Solutions**

The referenced Study Area, in the city of Scottsbluff, Nebraska, includes the following identified Parcels with their legally described Additions, Blocks and/or Lots, and unplatted lands:

Parcel	Legal Description
10152393	PT TR 1 N OF HWY & PT TR 8, UNION LIVESTOCK ADD (8.05)

The **primary streets and roads** within the Study Area include:

E—W: South Beltline Highway East

N—S: 9th Avenue



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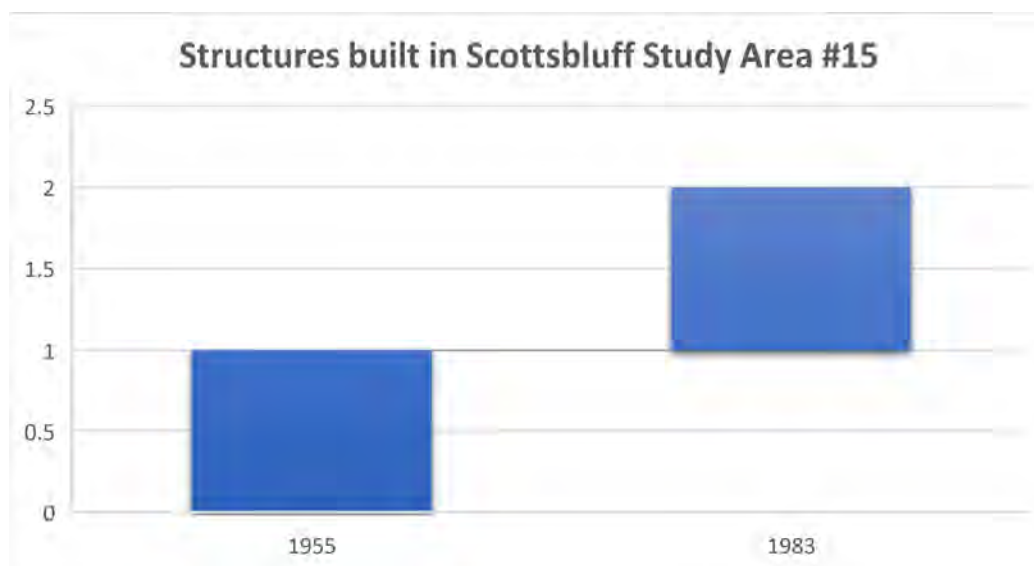
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**Table 3**  
**Structure Effective and Cumulative Ages - Blight Study Area #15**  
**Scottsbluff, Nebraska**

Year Built	Effective Age	No of Units	Cumulative Age
1955	67	1	67
1983	39	1	39
Total Cumulative		2	106
Average Age			53.00

Source: Scotts Bluff County Assessor online database  
 confirmed by M.C. Schaff & Associates, Inc., Field Survey, February 2021

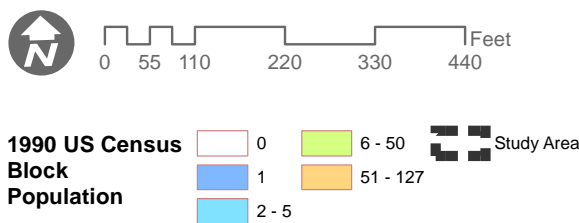


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## 1990 US Census Population

City of Scottsbluff  
Scotts Bluff County, NE

**Data Sources:**

1990 Census shapefile and population data:  
Minnesota Population Center. National Historical Geographic Information System: Version 11.0 [Database]. Minneapolis: University of Minnesota. 2016. <http://doi.org/10.18128/D050.V11.0>. <https://data2.nhgis.org>

Imagery: NAIP, 1993 <ftp://dnrftp.dnr.ne.gov/pub/data/CoqArea/1993SPCOQs/41103/>



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0 75 150 300 450 600 Feet

#### 1990-2000 Population Change

Great Increase (More than 1.5%)

Moderate Increase (0.75% to 1.5%)

Slight Increase (0% to 0.75%)

Slight Decrease (-0.25% to 0%)

Moderate Decrease (-1.5% to -0.25%)

Great Decrease (Less than -1.5%)

Study Area

## 1990-2010 US Census Population Change

City of Scottsbluff  
Scotts Bluff County, NE

#### Data Sources:

Population: 2000 US Census Block Groups. This layer shows past population change from 1990 to 2000 in the U.S., by block group. The data shown is from the U.S. Census Bureau's SF1 and TIGER data sets for 2010. Population block group level data sourced from ESRI ArcGIS Online.

Aerial: FSA, USGS Digital Orthophoto Quarter-Quadrangles, 1999



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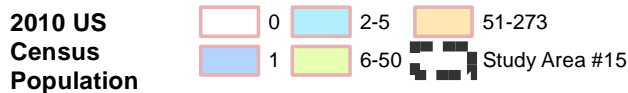
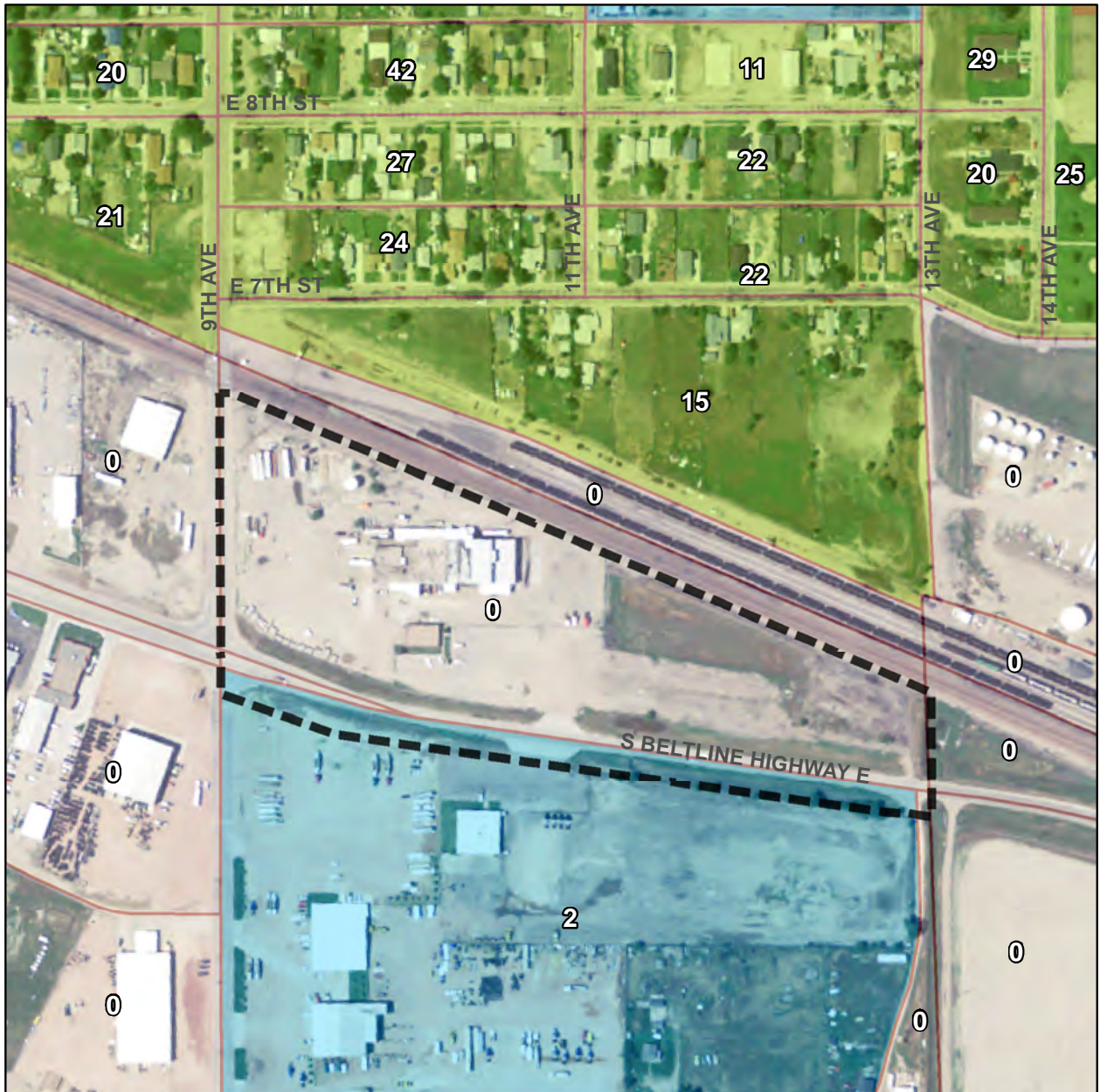
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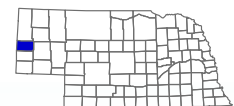




**2010 US Census  
Block Population**

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Population: 2010 US Census Blocks and Block Level Population Data from [www2.census.gov](http://www2.census.gov)  
Imagery: Farm Service Agency (FSA) 2010 Imagery, Acquired on June 15-16, 2010  
[http://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4\\_NE\\_1m\\_2010/41103/](http://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4_NE_1m_2010/41103/)



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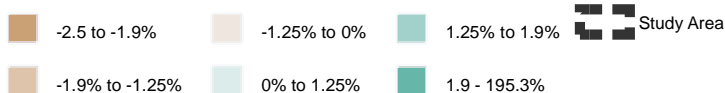
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## Estimated 2015-2020 USA Population Growth

### Estimated 2020-2025 USA Pop Growth



City of Scottsbluff  
Scotts Bluff County, NE

#### Data Sources:

Esri's Updated Demographics, Census Data, Tapestry Segmentation, and Business Summary data for the United States.  
Server: [https://demographics5.arcgis.com/arcgis/rest/services; Name: USA\\_Demographics\\_and\\_Boundaries\\_2020](https://demographics5.arcgis.com/arcgis/rest/services; Name: USA_Demographics_and_Boundaries_2020).

Imagery: Esri, Maxar Vivid, April 28, 2018

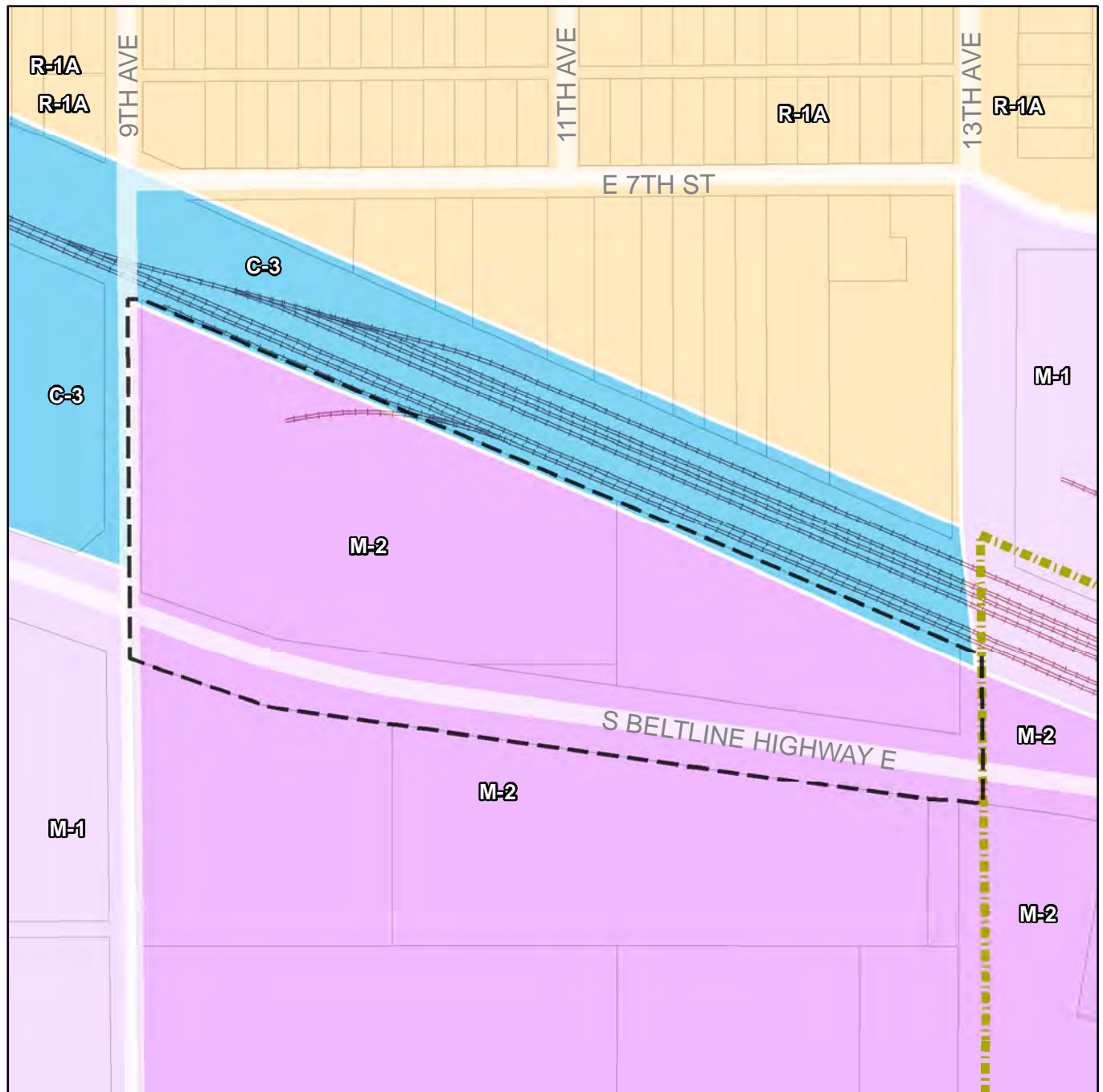


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Blight Study | City of Scottsbluff, NE

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- Light Manufacturing & Industrial (M-1)
- Heavy Manufacturing & Industrial (M-2)
- Single Family Residential (R-1A)

- Study Area
- Corporate Limits

## Existing Zoning

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Zoning: City, 2020  
Parcels: Scotts Bluff County, 2017



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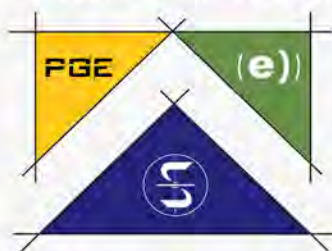
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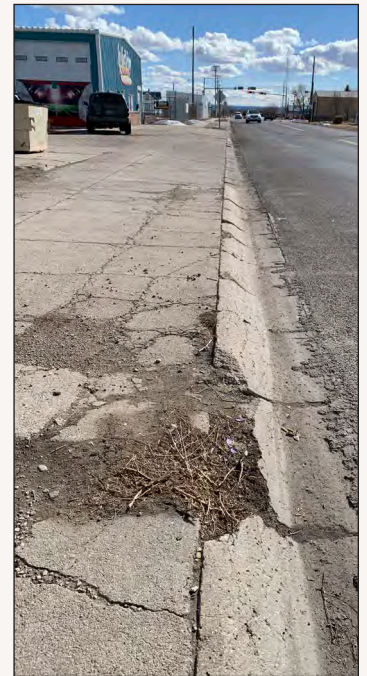
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# STUDY AREA #17

## BLIGHT & SUBSTANDARD DETERMINATION STUDY City of Scottsbluff, NE



**PRESENTED TO**  
City of Scottsbluff  
Community Redevelopment Authority  
Planning Commission

**PREPARED BY**  
M.C. Schaff & Associates, Inc.  
818 South Beltline Highway East  
Scottsbluff, NE 69361

**PROJECT**  
RS100094-2105

April 8, 2021





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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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## Purpose of this Analysis

The Blighted and Substandard designation opens the door for stimulating new development and allowing developers, in fact all citizens, the ability to make significant public improvements related to their project. The mechanism allows property owners the use of real estate property taxes (normally paid to other government agencies) for improvements including land acquisition and site preparation. Tax money can be used up to 15 years for this purpose.

This designation allows use of most of the new taxes generated by way of redevelopment. An owner pays the property tax but it is “refunded” for the purpose of land acquisition, site preparation and placing public improvements on the site. The program has worked well for Scottsbluff’s downtown and more recently, the Reganis Auto Dealership, hotel adjoining the dealership, and the Monument Mall. So, while the term may seem objectionable the results can be very positive for the entire community.

The Nebraska Unicameral enacted legislation which addressed the existence of areas within communities that needed incentives to redevelop. These areas tended to be older and out of date. Often spotty improvements had been made but the general condition was not attracting expansion of existing business nor new development and investment. On its face, this appeared to be true of **Study Area #17**, shown in **Figure 1** on page 4, so a decision was made to give the area a closer look.

The purpose of this analysis is to identify and determine if an area within the City of Scottsbluff, Nebraska should be considered blighted and substandard under the criteria for such areas as set forth in the Nebraska Community Development Law, Section §18-2103. This Scottsbluff Blight and Substandard Study is intended to provide the Scottsbluff City Council the basis for determining the existence of blighted and substandard conditions within Scottsbluff’s corporate limits. Through this process, the City attempts to eliminate economic and/or social concerns that are detrimental to the future public health, safety, morals, and general welfare of the entire community. This study examines conditions relating to buildings, land use, and infrastructure within the study area to determine areas eligible for redevelopment under Nebraska Community Development Law.

Like other areas designated as Blighted and Substandard, much of the Study Area has not kept pace with overall community standards while other areas in the community have seen steady growth and development. Developments around the study area have seen hardships based on grade, land use, and utility locations. The Community Development Law enables cities to take steps to address these forms of decline through acquisition, clearance and disposition of property for redevelopment or through the conservation and rehabilitation of property.

This study examines existing conditions of land use, buildings, infrastructure, development patterns and general health, safety welfare aspects within the designated Study Area in the City of Scottsbluff. This has been done in an effort to determine its eligibility for redevelopment activities. The proposed Study Area #17 analyzed in this report is generally described as being in south central Scottsbluff along Avenue B, straddling the Burlington Northern Santa Fe (BNSF) Railroad between West Overland and West 18th Street and between Avenues A and C. A number of opportunities for redevelopment exist along and adjacent to this arterial corridor, which serves as an important interconnection among three districts: the Central Business District, South Broadway, and Southwest Residential—allowing the community to overcome some of the challenges in Study Area #17.

Reinvestment in the Study Area is not on par with the overall community’s growth and level of private investment. The Study Area faces a number of challenges and is adjacent to three areas (on the eastern and southern borders) that have been previously designated as blighted and substandard. Single family neighborhoods within the Study Area and to the south and west, over the past decade, have seen limited new investment, and rehabilitation to improved structures remain in need of upgrading and redevelopment. Study Area #17 appears to be an excellent opportunity to provide incentives triggering new activity where adequate market forces are not present to move development in a positive direction.



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## Nebraska Revised State Statutes

Nebraska's Community Development Law clearly provides guidelines for communities to address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating areas as well as the prevention and elimination of substandard and blighted areas. This tool is provided in Neb Rev Stat §§18-2101 to 18-2154.

Nebraska Revised Statute §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

*"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 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 and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements."*

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community.

Nebraska Revised Statute §18-2105 grants authority to the governing body to formulate a redevelopment 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."*

The law states that there are a number of reasons an area goes beyond remedy and control solely by the regulatory process and cannot be dealt with effectively by ordinary police powers or ordinary operation of



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private enterprise without aid. Such things as overcrowding, unsafe, unsanitary conditions, inadequate planning, lack of proper light, air and open space, defective design and arrangement of buildings, faulty street layout and economically undesirable land uses are among the reasons.

The law goes on to provide the City of Scottsbluff with the ability to declare an area blighted and substandard followed by creating a workable program to utilize private and public resources to address specific conditions to be improved. The statute provides a means for the governing body to address and develop strategies for rehabilitation and redevelopment of the community. The main substance of a workable program is an adopted redevelopment plan for the defined area based in part on an adopted comprehensive plan.

Implementing this strategy for a Designated Study Area is intended to give the Community Redevelopment Authority and City Council a basis for determining the existence of blight and substandard conditions within the delineated Study Area. The general area considered for inclusion in the Study Area is shown in **Figure 1. Study Area #17** on page 4 of this report, with the area boundary described on pages 5-6 and parcel numbers and primary streets provided in **Table 2**, located in **Appendix A**. The Study Area can generally be described to include land between Avenues A and C and between West Overland Drive and West 18th Street, including a corridor extending westerly from Avenue B along the southern border of the BNSF railroad right-of-way and north of the Cowen Drive residential area.

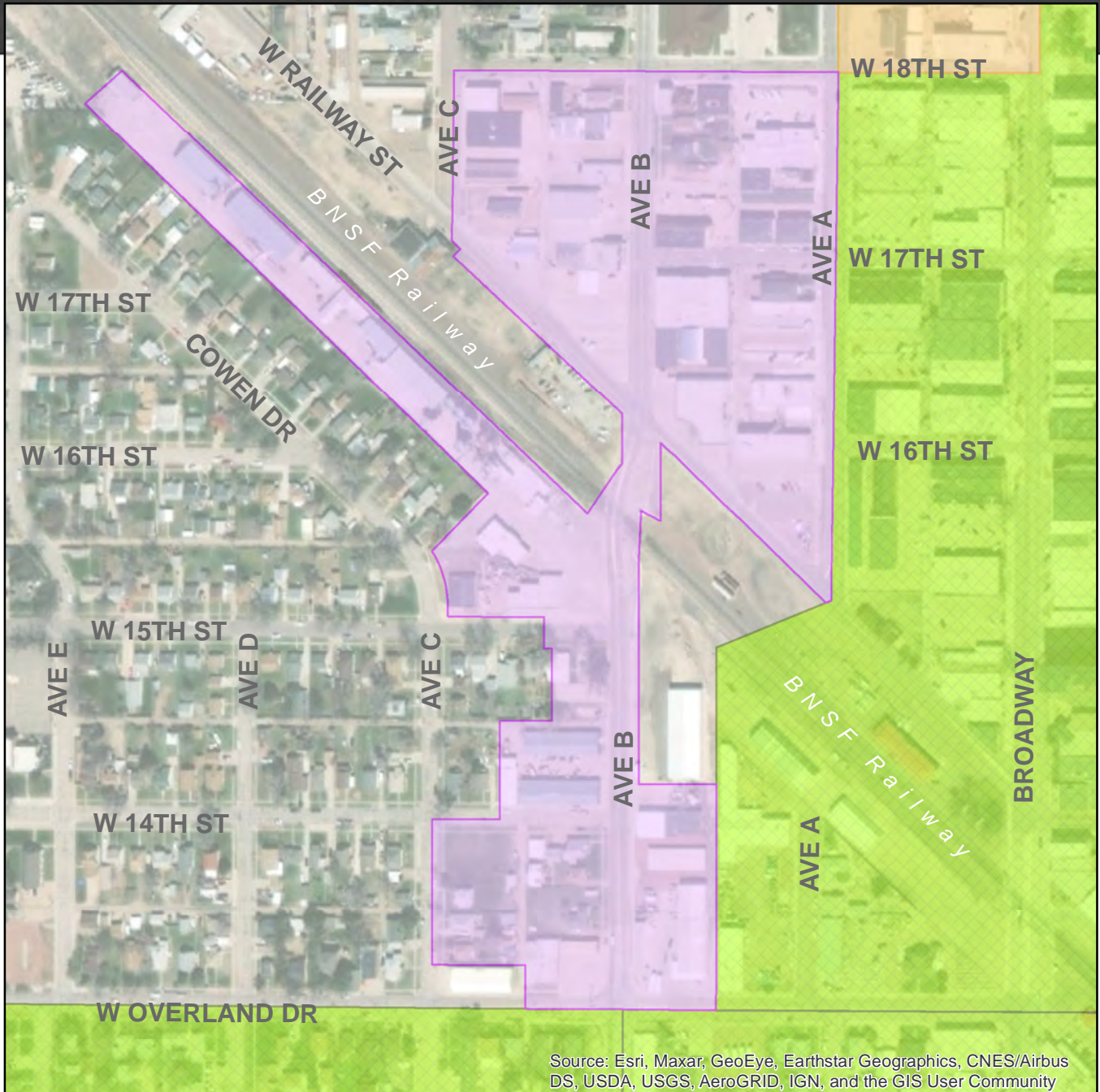
This study looks at existing land-uses, platting, structures and infrastructure systems to determine whether Study Area #17 or a part of it meets the statutory requirements for the designation as a Blighted and Substandard Area. With the growing interest and use of this valuable tool, the State has taken an increased interest in assuring all using the tool use it in accordance with the statutes. For this reason, it is imperative the City of Scottsbluff closely adhere to the provisions set forth in the Nebraska Revised State Statutes.

The findings of this study will serve to guide the general redevelopment. The previously approved [2016 City of Scottsbluff Comprehensive Plan](#) and this Blighted and Substandard Study (#17) will present appropriate land uses, strategies for improved traffic circulation, economic and sustainable development activities, and utilities and other improvement in accordance with the law.



*Examples of Structural Conditions within the Study Area*



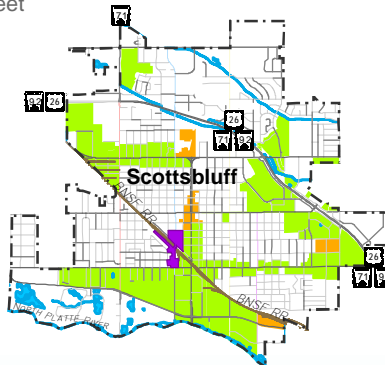


17

### Redevelopment Areas

- Existing Redevelopment Areas
- Study Area #17
- Other Study Area
- Corporate Limits

Data Sources:  
 Parcels: Scotts Bluff County, 2016  
 Aerial: US Army Corps of Engineers, 2011



## Study Area #17

City of Scottsbluff  
 Scotts Bluff County, NE



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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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**Redevelopment Study Area (Site 17):** The redevelopment study area consists of properties and tracts of land within the general vicinity between Avenues A and C and between West Overland Drive and West 18th Street, including a corridor extending westerly from Avenue B along the southern border of the BNSF railroad right-of-way and north of Cowen Drive, in the south central portion of the community. The site contains approximately 22.861 acres and is more particularly described as:

*Situated in the Southeast Quarter of the Southwest Quarter and in the Southwest Quarter of the Southeast Quarter of Section 23, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

*Beginning at the northwest corner of LTS 10-11, BLK 1, TRI STATE ADD (Parcel #010152245);*

*Thence, easterly on the north line of said Parcel #010152245 to the northeast corner of said Parcel #010152245, and continuing easterly on an easterly extension of said north line of Parcel #010152245 to its intersection with the northerly-southerly centerline of the alley right-of-way between Avenue B and Avenue A, and between said Parcel 010152245 and LTS 16-19, BLK 1, TRI STATE ADD (Parcel #010152253);*

*Thence, southerly on said alley right-of-way centerline to its intersection with the north line of the West Overland Drive right-of-way, and continuing on a southerly extension of said alley centerline to the easterly-westerly centerline of the West Overland Drive right-of-way;*

*Thence, westerly on said West Overland Drive right-of-way centerline to its intersection with the southerly extension of the northerly-southerly alley right-of-way centerline of the alley between Avenue B and Avenue C;*

*Thence, northerly on said southerly extension of said alley right-of-way centerline of the alley between Avenue B and Avenue C to its intersection with the north right-of-way line of West Overland Drive, and continuing northerly on said alley right-of-way centerline of the alley between Avenue B and Avenue C to its intersection with the easterly extension of the north line of LT 8, BLK 1, MCCLANAHANS ADD (Parcel #010131639);*

*Thence, westerly on said easterly extension of the north line of said Parcel #010131639 to the northeast corner of said Parcel #010131639, and continuing westerly on the north line of said Parcel #010131639 to the northwest corner of said Parcel #010131639, and continuing on a westerly extension of the north line of said Parcel #010131639 to its intersection with the northerly-southerly right-of-way centerline of Avenue C;*

*Thence, northerly on said Avenue C right-of-way centerline to its intersection with the easterly-westerly right-of-way centerline of West 14th Street;*

*Thence, easterly on said West 14th Street right-of-way centerline to its intersection with the southerly extension of the west line of Lots 9-12, Block 1, Sunset Addition (Parcel #010150595);*

*Thence, northerly on the southerly extension of said west line of Parcel #010150595 to the southwest corner of said parcel, and continuing northerly on the west line of Parcel #010150595 to the northwest corner of said parcel, and continuing northerly on a northerly extension of said parcel to the south edge of Lot 4, Block 1, Sunset Addition;*

*Thence, easterly on the south line of said Lt 4, Blk 1, Sunset Add and continuing on an easterly extension thereof to the southwest corner of Lots 1-2, Block 1, Sunset Addition (Parcel # 010150498);*

*Thence, northerly on the west line of said Parcel # 010150498 to the north line of Block 1, Sunset Addition;*

*Thence, westerly on said north line of Block 1, Sunset Addition to the southerly extension of the east line of LT 1 EX E 115', ALL LT 2, KELLEY-BRESTER REPLAT (Parcel # 010113622);*

*Thence, northerly on said southerly extension of the east line of Parcel #010113622 to the south line of said Parcel #010113622;*



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Blighted &amp; Substandard Study Area #17 | City of Scottsbluff, NE

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*Thence, westerly on the south line of Kelley-Brester Replat to the southwest corner of said Kelley-Brester Replat, said point also being the Cowen Drive east right-of-way;*

*Thence, northerly on Cowen Drive east right-of-way to the south corner of LT 4, KELLEY-BRESTER REPLAT (Parcel #010113673);*

*Thence, northeasterly on the southeast line of said Parcel #010113673 to the northeast line of Kelley-Brester Replat, said point also being on the southwest line of PT E 1/2 SW, UNPL LANDS, 23-22-55 (Parcel #010274405);*

*Thence, northwesterly on the southwest line of said Parcel #010274405 to the west corner of said Parcel #010274405;*

*Thence, northeasterly on the northwest line of said Parcel #010274405 to the north corner of said Parcel #010274405, said point also being on the southwest line of the Burlington Northern Santa Fe (BNSF) Railroad right-of-way;*

*Thence, southeasterly on said BNSF southwest right-of-way line to its intersection with the west right-of-way line of Avenue B;*

*Thence, northerly on the west right-of-way line of Avenue B to its intersection with the southwestern right-of-way line of West Railway Street;*

*Thence, northwesterly on said West Railway Street southwest right-of-way line to its intersection with the Avenue C right-of-way centerline;*

*Thence, northerly on said Avenue C right-of-way centerline to its intersection with the West 18th Street right-of-way centerline;*

*Thence, easterly on said West 18th Street right-of-way centerline to its intersection with the Avenue A right-of-way centerline;*

*Thence, southerly on said Avenue A right-of-way centerline to the West Railway Street southwest right-of-way line;*

*Thence, northwesterly on the said West Railway Street southwest right-of-way line to its intersection with the Avenue B east right-of-way line;*

*Thence, southerly on said Avenue B east right-of-way to the northwest corner of LTS 10-11, BLK 1, TRI STATE ADD (Parcel #010152245), said point also being the Point of Beginning, said tract containing an area of **22.861 Acres**, more or less.*



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The requirements for detailed planning beyond the Comprehensive Plan treatment include but should not be limited to:

1. Boundaries of the area, existing land use and condition of improvements
2. A land-use plan
3. A map showing population density, land coverage and building concentrations
4. An outline of proposed changes in ordinance, layout or other related ordinances
5. A site plan of the area
6. A statement outlining any additional public facilities or utilities required to support new land uses after redevelopment.

The Blighted and Substandard study highlights locations and opportunities for improvement and revitalization. Once the area is designated, the City can guide future development in this area and provide financial incentive for development. Using the Nebraska Community Development Law, the City can reduce or eliminate factors impeding redevelopment and implement programs or projects to improve conditions and minimize the negative impacts of blight and substandard conditions.

## Substandard and Blight Eligibility Analysis

### Substandard and Blight Definitions and Explanation

**Substandard areas** are defined by State Statute **§18-2103(31)**, 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 areas** are defined by State Statute **§18-2103(3)**, as the following:

*“Blighted area means an area, which*

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

*(b) in which there is **at least one** of the following conditions:*

*(i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;*

*(ii) the average age of the residential or commercial units in the area is at least forty years;*

*(iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;*

*(iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or*

*(v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a 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;”*



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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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The following are the specific definitions of “substandard” and “blighted” according to Nebraska State Law. These definitions serve to be the basis of this entire analysis and each portion of the definitions are examined individually throughout this document.

### Substandard Area Definition

By statute a substandard area means one where a predominance of building or improvements (residential or nonresidential) having one or more of the following characteristics:

1. **Dilapidating or deteriorated**
  - a. Unacceptable standard for walls, foundation, roof, gutters, roof surface, chimney, fire escapes, weatherizing, steps, exterior paint and site conditions. Chipping, cracks, loose components, missing pieces, sags and other signs of substandard condition all qualify for this condition.
2. **Age (obsolescence)**
  - a. A 40 years or more criteria was used for estimate.
3. **Inadequate ventilation, light, air, sanitation, or open spaces**
  - a. Things like junked cars and other accumulated debris, antiquated infrastructure, unpaved parking, outdoor storage
4. **Other conditions**
  - a. High density population or overcrowding (census)
  - b. Other conditions which could be unsafe or unsanitary endangering life or property.
  - c. Any combination of factors conducive to poor health, disease, mortality, delinquency or crime. Any combination that is detrimental to public health, safety, morals or welfare. This may include inadequate infrastructure as well as statistical data.

Structural conditions were evaluated using the U.S. Department of Housing and Urban Development standard definitions:

#### No Problem

- No structural or aesthetic problems are visible

#### Adequate Condition

- Slight damage to porches, steps, roofs
- Slight wearing of mortar between bricks/stone/block
- Small cracks in walls or chimneys
- Cracked windows
- Lack of paint
- Slight wear on steps, doors and frames

#### Deteriorating Conditions

- Holes, open cracks, rotted, loose, or missing material in parts of the foundation, walls (1/2 of the wall) or roof (1/4 of the roof)
- Shaky, broken, or missing steps or railings
- Numerous missing and cracked window panes
- Rotted or loose windows or doors no longer water-proof

#### Dilapidated Condition

- Holes, open cracks, rotted, loose or missing material over a large area of the foundation, on wall or on roof
- Substantial sagging of roof, floors, or walls
- Extensive fire, flood, or storm damage
- Inadequate original construction such as building elements made of scrap materials or conversion of structures not adequate for housing.



## Blighted Area Definition

The blighted area designation is based on a number of criteria or indicators of substandard conditions. These are specified in the law and outlined below.

1. The presence of a substantial number of deteriorated or deteriorating structures. This takes the form of structural problems, exterior paint, cracks, chimney, site conditions, roof and similar problems with the building.
2. Existence of a defective or inadequate street layout. This includes dead ends, railroad crossings, linear downtown, narrow alleys and blind crossings, as well as poor vehicular access and/or internal circulation, substandard parking definition and parking layout (lack of curb cuts, awkward entrance/exit points), offset or irregular intersections, substandard or nonexistent pedestrian circulation.
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness. Such things as landlocked parcels, odd shaped lots, undersized lots, and poor accessibility.
4. Unsanitary or unsafe conditions. Examples here include age and physical condition of structures, buildings located within the flood plain, lack of public infrastructure, unsanitary conditions and ventilation. Additional examples include graffiti or other forms of vandalism or vagrant activity, poorly lit and unlit areas, the existence of trash or debris or weeds, abandoned vehicles, uneven grading or steep slopes, environmental contamination, cracked or uneven sidewalks, a high incidence of reported crime.
5. Deterioration of site or other improvements. Such things as off-street parking, poor storm drainage, junk cars, dilapidated structures, neglected properties, debris, on-site storage, unscreened trash or mechanical storage areas, deterioration of parking surfaces, lack of landscaping, general site maintenance problems are examples.
6. Diversity of ownership. This condition exists when numerous lots are needed to develop to up to date standards. Assemblage is difficult without some form of public assistance.
7. Tax or special assessment delinquency exceeding the fair value of the land.
8. Defective or unusual conditions of title. Liens, improper filings are examples.
9. Improper subdivision or obsolete platting. Examples include undersized lots, improper zoning, lot configuration, easements and accessibility are problems that often are present.
10. The existence of conditions which endanger life or property by fire or other causes. Such things as inoperative infrastructure, site access, on-site storage, secluded areas for pests to thrive, poor surface drainage, poor street and poor sidewalk condition are examples.
11. 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. Here incompatible land uses, obsolescence and inability for a property to compete in the market place.
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
  - a. Unemployment in the area at least 100% of state or national average census data
  - b. The average age of residential and commercial units is over 40 years as determined by field observations
  - c. More than half of the plotted/subdivided property has been unimproved for 40 years using public record
  - d. Per capita income of the area is lower than the average of the city from census data.
  - e. The area has a stable or declining population based on the last two decennial censuses.



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Blighted &amp; Substandard Study Area #17 | City of Scottsbluff, NE

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## Analysis Approach

The approach and methodology utilized by M.C. Schaff & Associates, Inc., in conducting the Blighted and Substandard Area Determination Analysis included an assessment of all factors listed in the Nebraska Community Development Law as factors that indicate or contribute to making an area blighted and substandard. Data relating to factors such as building condition, building age, site conditions, adequacy of building sites, condition of public improvements, and unsanitary or unsafe conditions were developed through detailed exterior structural field surveys on a structure by structure basis and through collection of data on a unit by unit basis available from public records at the Scotts Bluff County Courthouse via their online databases. Data relating to other factors such as the adequateness of street layouts, lot layouts, and overall subdivision design were investigated on an area-wide basis.

Assessment of potential blighting factors stemming from diversity of ownership and tax or special assessment delinquencies were conducted through evaluation of online county courthouse records for all property within the analysis area, referred to as the Study Area. The valuation, tax amount and any delinquent amount was examined for each of the properties, and public records were examined to determine the number of property owners in the Study Area.

## Additional Public Intervention Necessary

Although the presence of one or more of these substandard or blighting conditions may make it appropriate to declare an area substandard and blighted under the Statue, this analysis was conducted on the basis that additional public intervention over and above the exercise of the police power is necessary to overcome the problems that exist in any substandard and blighted area.



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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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## Analysis of the Study Area

### Scottsbluff Designated Study Area #17

The City selected the Designated Study Area #17 for evaluation to be within the corporate limits. The area straddles the BNSF Railroad via the Avenue B railroad crossing and is primarily a commercial arterial corridor combined with industrial, office & professional, and residential uses. This particular area was selected for several reasons.

1. The area is within an active commercial corridor.
2. There is obvious economic decline and functionally obsolete uses within the area.
3. There was the presence of blighted and substandard characteristics within the area.
4. A need is apparent for public intervention to stimulate the development and redevelopment of vital infrastructure systems to support private redevelopment efforts.
5. The Study Area is in immediate proximity to two other blighted and substandard areas.

The City is in a position to remove negative factors and implement programs and projects to improve conditions thereby removing the blighted and substandard conditions. This not only benefits the corridor/study area but the entire community through private reinvestment and enhanced quality of life.

The field survey of the Study Area within the city was conducted in March and April 2021, to determine whether this area, in fact, has experienced structure and/or site deterioration and whether the area is experiencing other negative influences that decrease the potential for redevelopment or new development. The following information describes this Study Area in detail and specifies the methods and procedures used to determine whether Study Area #17 should be declared blighted and substandard under the Nebraska Community Development Law.

The Study Area's southern border and the majority of its eastern border co-terminate with existing designated Blighted and Substandard Areas.

The total area within the City of Scottsbluff corporate limits is 4275.95 acres. Currently, the city has approximately 1085.7 acres designated as "Blighted and Substandard", approximately 25.4% of the city's total acreage. The proposed additional "Blighted and Substandard" area consists of 22.86 acres, equating to 0.5% of the total area within the City of Scottsbluff. Adding this proposed area to the existing "Blighted and Substandard" area brings the total Blighted and Substandard area to 1108.56 acres or 25.9% of the total area of the City of Scottsbluff. This remains well within the allowed 35% providing future opportunity to add more.

## Existing Land Use

The land uses that now exist within the Study Area are depicted on **Figure 2** (page 12), and consist of land uses that can be placed in seven categories, including:

- Commercial (retail, service)
- Office & Professional
- Industrial (including storage)
- Residential (single family, multi-family)
- Public Streets and Alleys
- Parking (public, commercial, industrial)
- Vacant / Undeveloped Land



Headquarters

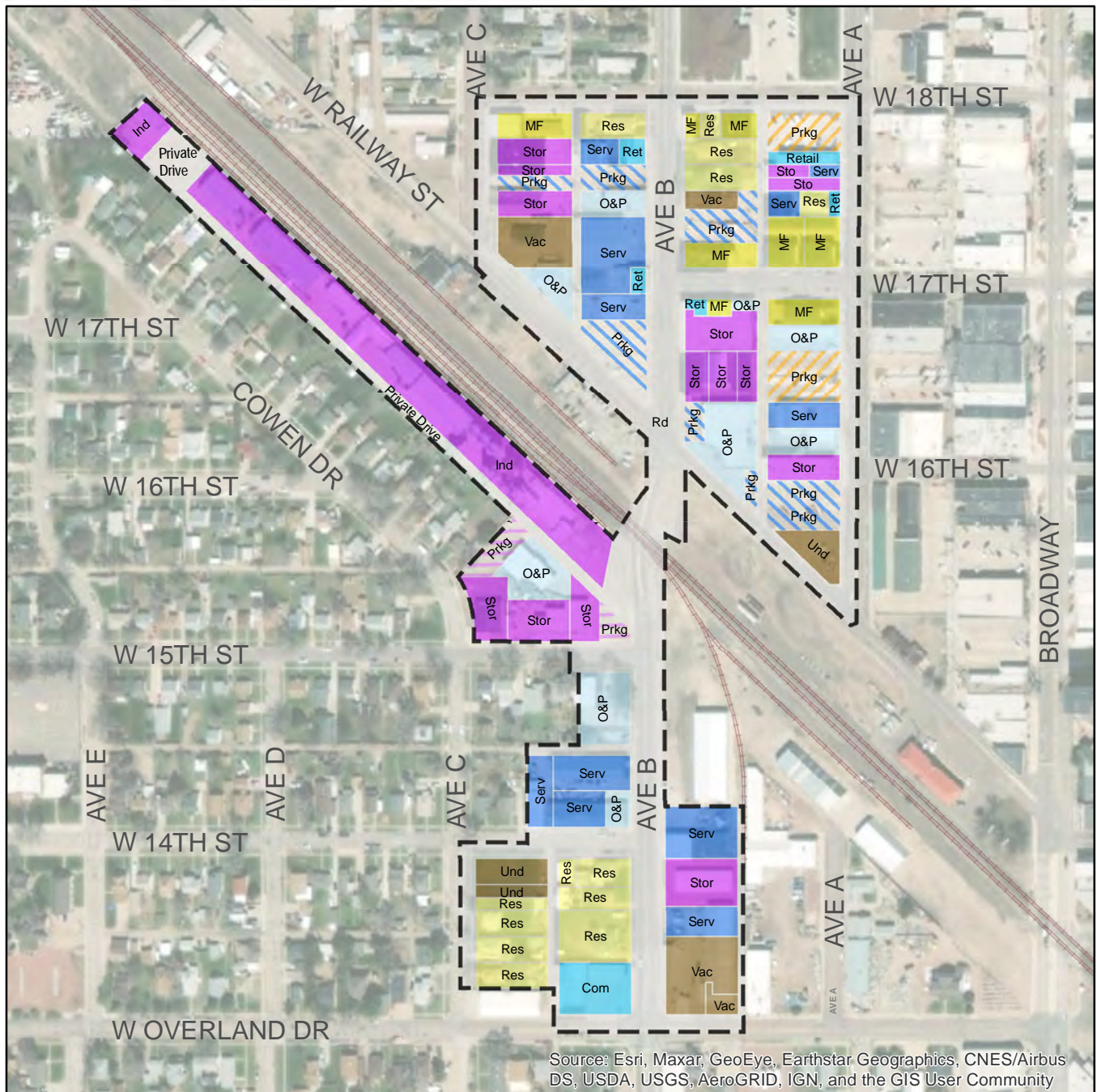
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- |                       |                           |                      |
|-----------------------|---------------------------|----------------------|
| Commercial Retail     | Industrial / Storage      | Public Parking       |
| Commercial Service    | Industrial Parking        | Vacant / Undeveloped |
| Commercial Parking    | Single Family Residential | Roads                |
| Office & Professional | Multi-Family Residential  | Study Area #17       |

## Existing Land Use

City of Scottsbluff,  
Nebraska

Data Sources:  
Land Use: MCS Field Survey, 2021  
Parcels: Scotts Bluff County, 2019  
Aerial: ESRI Basemap



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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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**Table 1****Existing Land use - Scottsbluff Blight Study Area #17  
Scottsbluff, Nebraska**

Land Use Category	Blight Study Area 17	
	Area (Acres ±)	% of Total Area
<b>Commercial</b>	<b>2.52</b>	<b>11.0%</b>
Retail	0.55	2.4%
Service	1.97	8.6%
<b>Office &amp; Professional</b>	<b>1.68</b>	<b>7.3%</b>
<b>Industrial</b>	<b>5.02</b>	<b>21.9%</b>
Industrial	2.17	9.5%
Private Rd (Industrial)	0.74	3.2%
Storage	2.11	9.2%
<b>Residential</b>	<b>2.74</b>	<b>12.0%</b>
Multi-Family Residential	0.96	4.2%
Single Family Residential	1.78	7.8%
<b>Vacant/Undeveloped</b>	<b>1.31</b>	<b>5.7%</b>
<b>Public Streets &amp; Alleys</b>	<b>7.74</b>	<b>33.8%</b>
<b>Parking</b>	<b>1.89</b>	<b>8.3%</b>
Public Parking	0.56	2.5%
Commercial Parking	1.12	4.9%
Industrial Parking	0.21	0.9%

Source: M.C. Schaff &amp; Associates, Inc., Field Survey, February 2021

The land uses indicated for the Study Area on **Figure 2**, (page 12), are analyzed further in **Table 1**, left. The data details the breakdown of land uses within this Study Area, as well as the acreage subtotals within this Study Area.

As indicated in Table 1, the largest land use in this Study Area is that of public streets and alleys. This use comprises a total of over 7.74 acres, or 33.8% of the Study Area.

The second largest land use in this Study Area is that occupied by industrial uses, which includes storage and a long private drive due to the lack of an alley. This land use comprises a just over 5.02 acres, or 21.9% of the Study Area.

Residential uses make up the third largest land use with over 2.74 acres and approximately 12% of the Study Area.

Commercial service and retail uses combine to make 11% of the Study Area with 2.52 acres for the fourth largest land use within the Study Area.

The fifth largest land use is that of parking, including not only public parking lots, but also commercial and industrial parking areas, occupying nearly 1.9 acres, or 8.3% of the Study Area.

Office & Professional land uses are the sixth largest land use with 1.68 acres, while vacant and/or undeveloped properties round out the uses within the Study Area occupying 5.7%.

The Study Area is directly adjacent to areas previously declared blighted and substandard, located along nearly all of its eastern boundary as well as its southern boundary.

**Examples of Site Conditions within the Study Area**

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*Examples of Site Conditions within the Study Area*



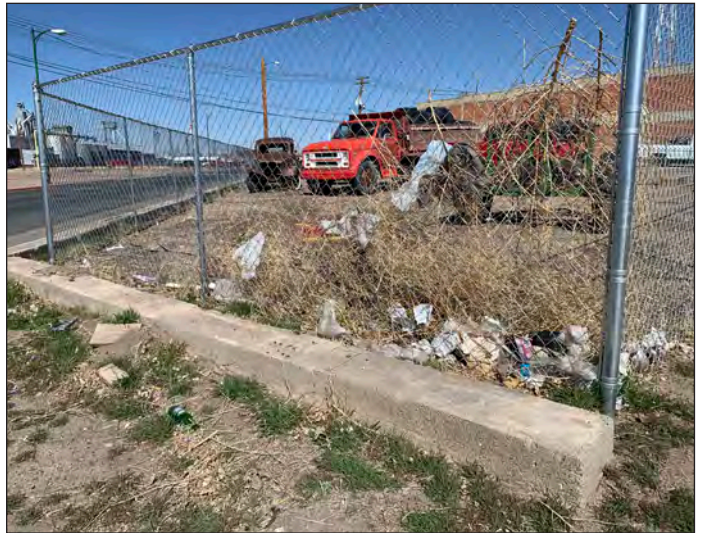
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*Examples of Site Conditions within the Study Area*



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*Examples of Sidewalk, Structure, and Alley Conditions within the Study Area*

## Findings and Contributing Factors

The intent of this study is to determine whether the subject area has experienced structural and site deterioration and whether there are other negative factors that are decreasing the potential to develop. The field survey work was completed in February-April 2021, and strongly supported initial impressions that the area had generally declined below community standards. What follows are the factors evaluated to determine whether there is a reasonable presence of blighted and substandard conditions within the designated area. This section reviews the building and structure conditions, infrastructure, and land use found in the area based on statutory definitions, details observations, and explains the identified contributing factors.

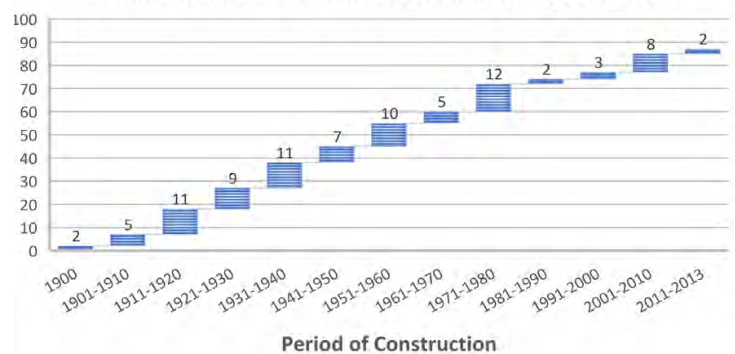
As set forth in Nebraska legislation, a blighted area means an area which by reason of the presence of:

### 1. Deteriorated or Deteriorating Structures —Exterior Inspection of Buildings

There were a total of 88 structures evaluated using the Blighted and Substandard criteria as described on pages 7-9 of this report. Only the primary structures were evaluated under the Blighted and Substandard definition. Thirteen outbuildings/other structures were present but were not included in the survey, including one public structure. Thus the boundary for the Blighted and Substandard designation includes 87 buildings of known age (1 exempt building—age is unknown), with a combined average age of 68.9 years. For structures' ages, see chart below, **Figure 3** (page 17), and **Table 3 (Appendix B)**. Field surveys concluded that 3.4% were good to excellent (including average plus), 93.2% were deteriorating (66.7% fair plus to average, 8% badly worn plus, 18.4% badly worn), and 3.4% were dilapidated (worn out).

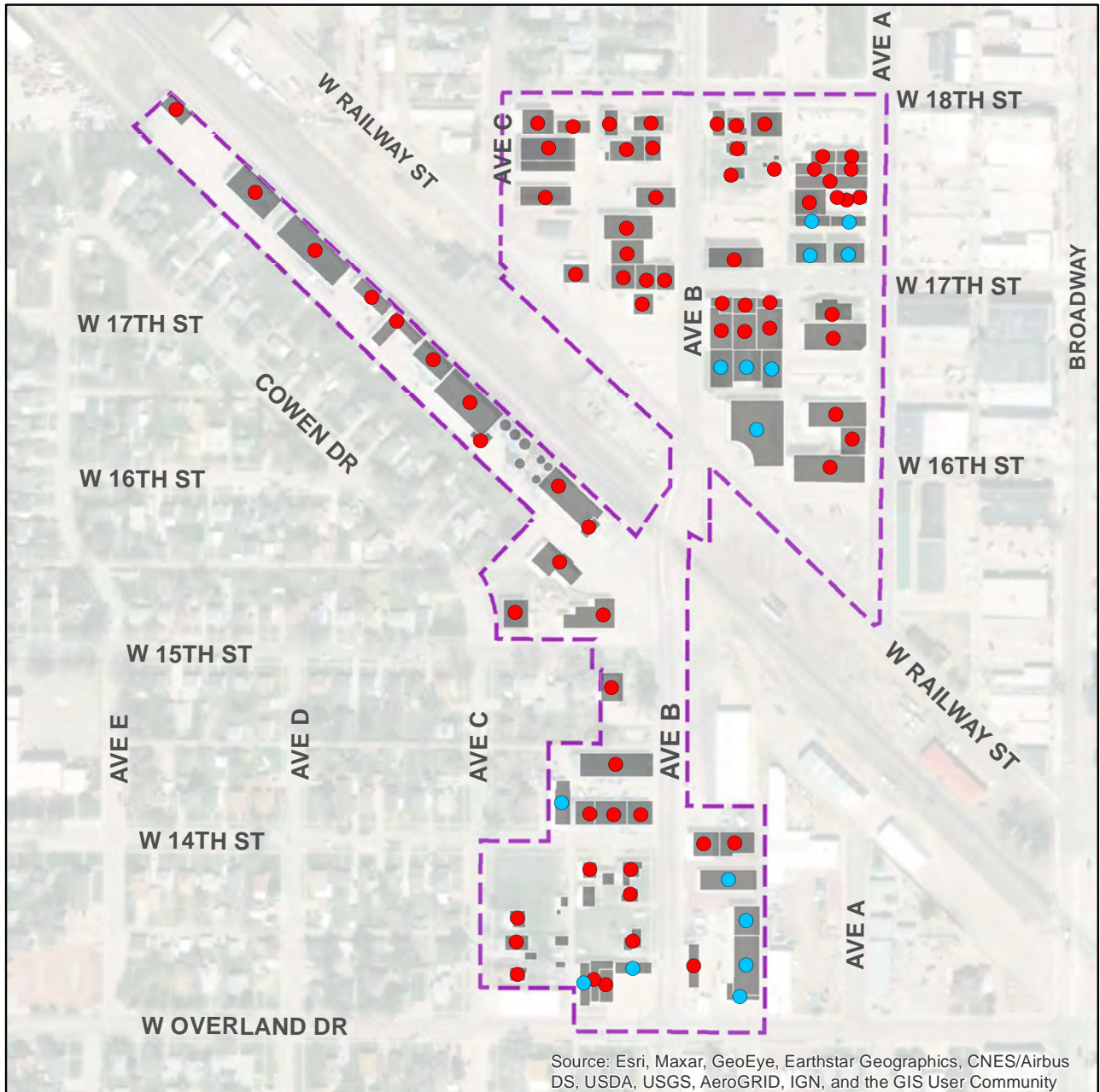
**Figure 4** (page 18) summarizes structure condition.

**Current structures built in Scottsbluff Study Area #17**



Source: Scotts Bluff County Assessor online database, verified by M.C. Schaff & Associates, Inc., Field Survey, March 2021





**Study Area Structure Year Built**

- 1910-1981 (73 Structures  
- Built 40 or More Years Ago)
- 1982-2021 (15 Structures  
- Built Less Than 40 Years Ago)

- Study Area Building Footprint
- ▭ Study Area Boundary

**Structure Age**

City of Scottsbluff  
Scotts Bluff County, NE

Structure age obtained from  
Scotts Bluff County Assessor  
online data sheets, Feb.-Mar. 2021.  
Building footprints: City of Scottsbluff  
with revisions by MCS&A

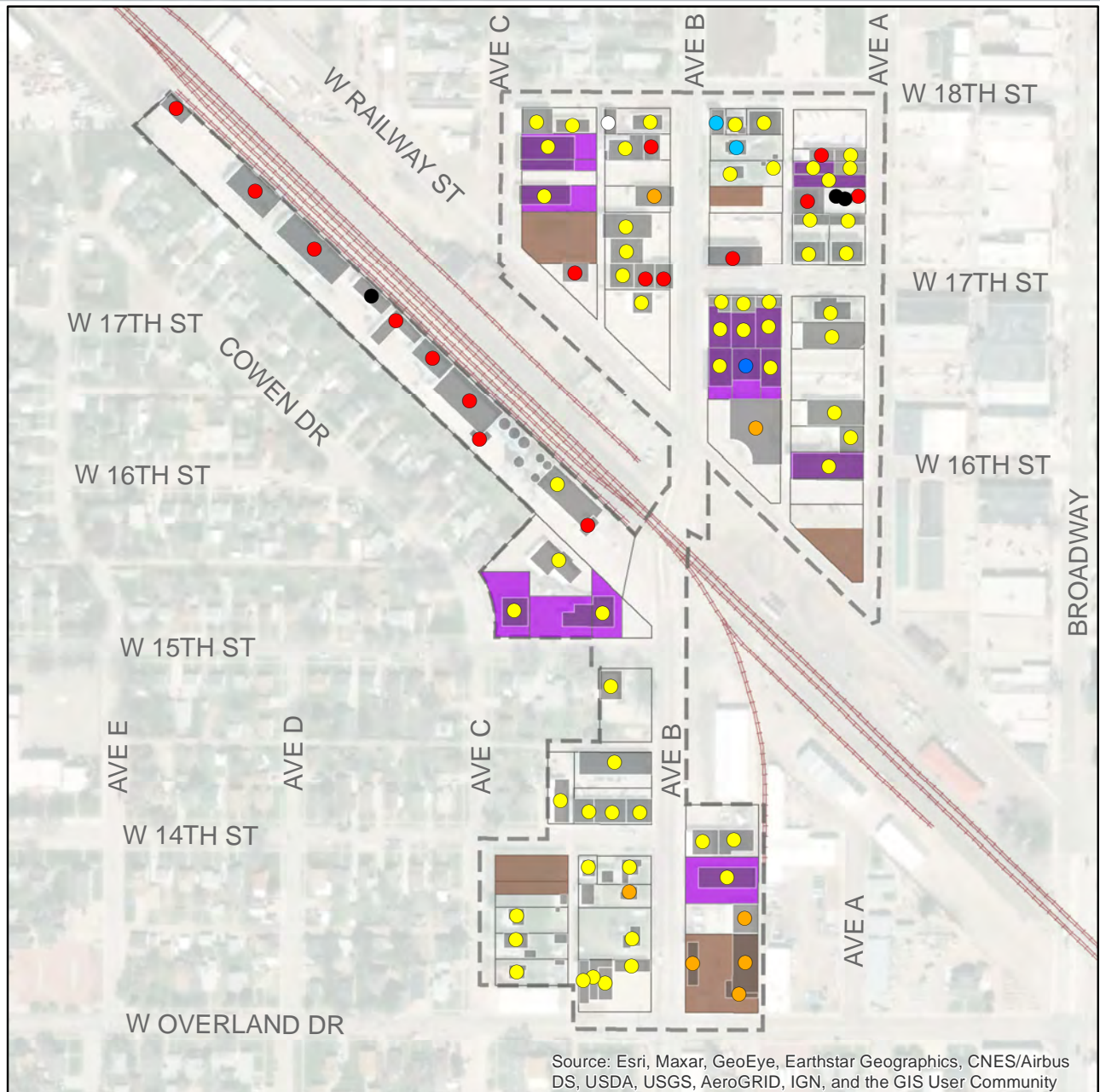


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0 75 150 300 450 600 Feet

### Structure Condition

- 1—Excellent
- 2—Good (includes Average
- 58—Average (includes Fair Plus)
- 7—Badly Worn Plus
- 16—Badly Worn
- 3—Worn Out
- 1—Exempt

- Vacant/Undev (7)
- Storage/Warehouse (14)
- Study Area Building
- Study Area
- Study Area

## Structure Condition

### City of Scottsbluff, NE

Structure condition obtained from Scotts Bluff County Assessor online data sheets, and adjusted following field verification, Feb. 2021.



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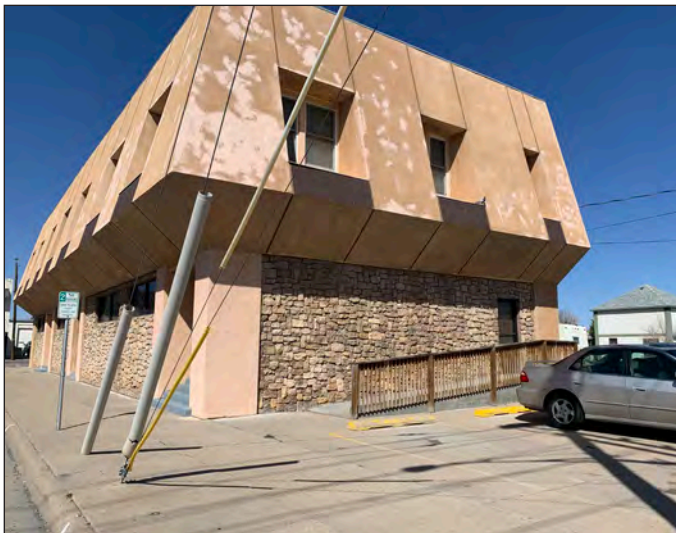
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*Examples of Structure Conditions within the Study Area*



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**2. Defective or Inadequate Street Layout—Street Conditions and Accessibility**

Inadequate infrastructure, street conditions, accessibility, and inability to safely move traffic through an area is a contributing factor to the blight and substandard conditions. **Figure 5** (page 21) depicts surface conditions.

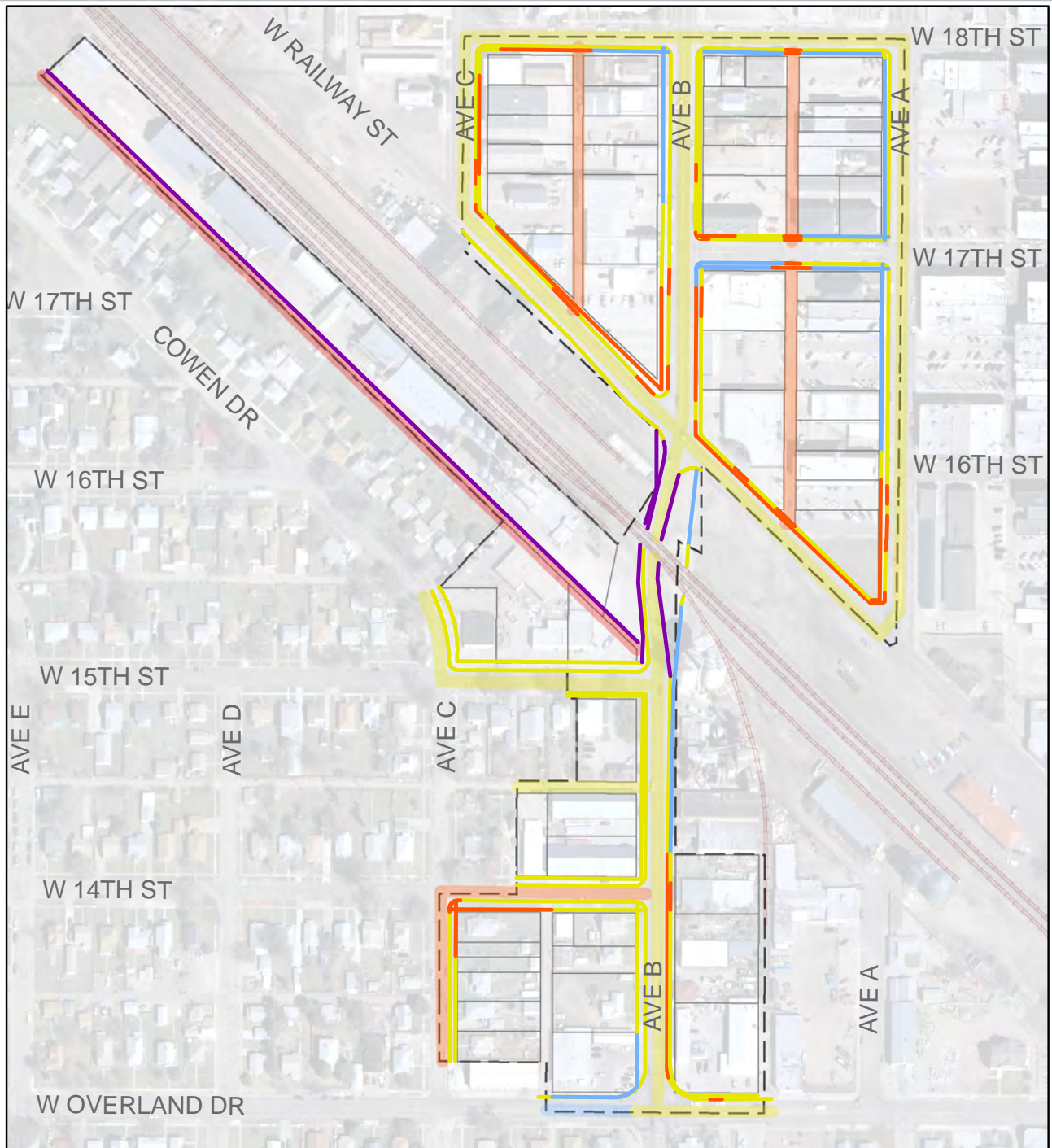
The surface condition of public streets in the Study Area is generally good as most streets in the vicinity have been recently chipsealed. However, while some alleys are gravel, alley surfaces north of the railroad tracks are paved and range from cracked and worn to heavily cracked and dilapidated. Therefore, not all surfaces have been maintained to community standards. The Study Area lacks an alley in the vicinity of a long narrow industrial parcel along the south side of the railroad tracks, which is accessible only on the east end via a private unpaved drive.

- a. While redevelopment will add to traffic counts, consideration should be given to enhancing the pedestrian experience with landscaping. While some corner curbs have accessible ramps, many do not.
- b. The diagonal Railway Street paralleling the BNSF railroad on the north side of railroad crossing at Avenue B is irregular and a contributing factor.
- c. Gravel and unimproved surface drives and unimproved parking for some lots are contributing factors.
- d. No alleys are present for some blocks south of the BNSF railway: the 1300 block between Avenues A and B, and the Study Area portion west of Avenue B and north of West 15th Street.
- e. Study Area has incomplete sidewalk network. Instances of sidewalks have numerous safety issues—pole and guy wire with heaving panels blocking usage, cut away section with abrupt dropoff, trip hazards, and numerous corners lacking an ADA accessible ramp.
- f. There is a lack of crosswalks across Railway Street and Avenue B as well as lack of accessible ramps.



*Examples of Site Conditions within the Study Area*





**Sidewalk / Curb / Gutter Condition**

- Good
- Fair
- Poor
- None

**Street Surface**

- Good
- Deteriorating
- Dilapidated
- None



0 62.5 125 250 375 500 Feet

**Surface Condition**

City of Scottsbluff  
Scotts Bluff County, NE

Conditions observed during  
MCS field survey, Feb. 2021.



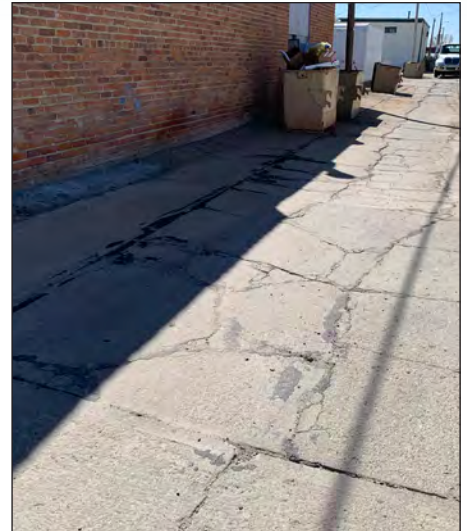
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*Examples of Street and Alley Conditions within the Study Area*

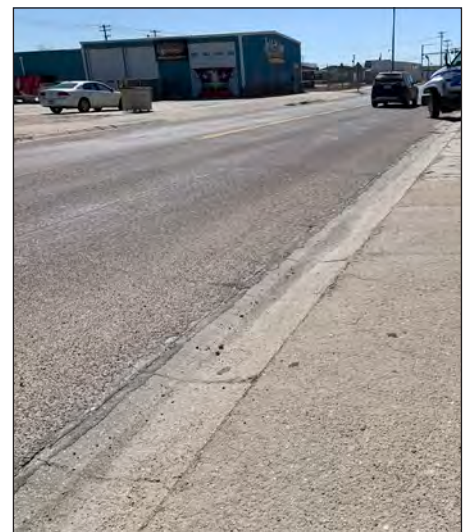
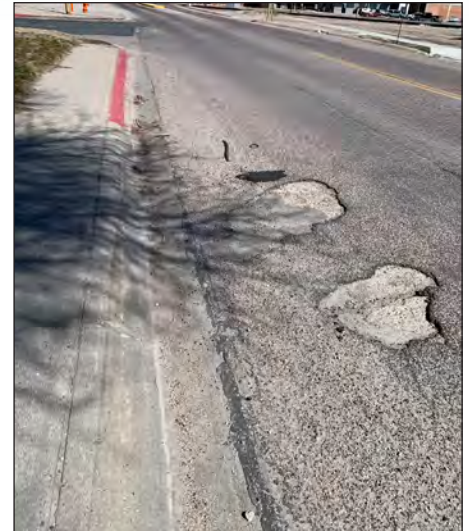


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*Examples of Street and Alley Conditions within the Study Area*



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### 3. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

Several lots are small and narrow, and one large lot is rather long and narrow with no alleys and is only accessible from a public street at one end, therefore, property accessibility is quite limited with no internal street/alley infrastructure.

A very active railroad right-of-way and crossing exists in the center of the Study Area.

Narrow and shallow lots limit development. Instances can be found in the 200 Block of West 14th Street, the 100 Block of West 18th Street, the 200 Block of West Railway Street, the 1700 Block of Avenue A, and the 1300 Block of Avenue C.

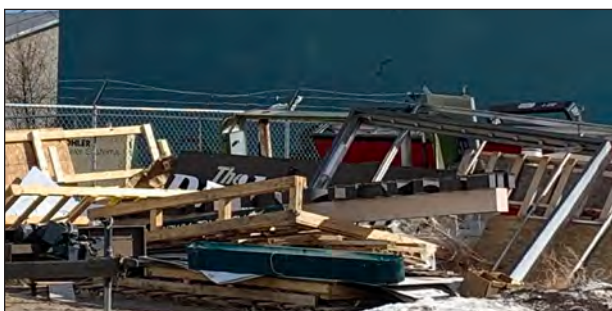
Platted lots with a single use are built over the top of lot lines. Where buildings are built over lot lines, these lots could be and should be combined; and this practice should not be continued in the future—instances are found in the 1500 Block of Avenue B and the 1700 Block of Avenue C.



### 4. Unsanitary or Unsafe Conditions

Age of Structure is a contributing factor to the blighted and substandard conditions pertaining to unsanitary and unsafe conditions in the Study Area with **83%** of the structures over 40 years of age. The statute allows the inclusion of this factor, regardless of structure condition, where there is a predominance of structures 40 years of age or older. See **Appendix B—Table 3** for a summary of structure ages.

Additionally, three structures within the Study Area are dilapidated (worn out).



### 5. Deterioration of site or other improvements

#### Debris

Debris accumulates in ditches, gutters, and along fences and railroad ROW. Several significant examples of debris were noted in field observation. This debris included everything from a mattress and discarded furniture, to construction materials, on-site storage, and excessive discarded debris accumulating along fencing and throughout the Study Area.

Light and heavy truck traffic on unpaved surfaces degrades air quality conditions in industrial areas centrally located within the Study Area. **Figure 6** displays debris, graffiti, on-site storage, and additional blight/substandard located during field survey.



*Examples of Site Conditions within the Study Area*



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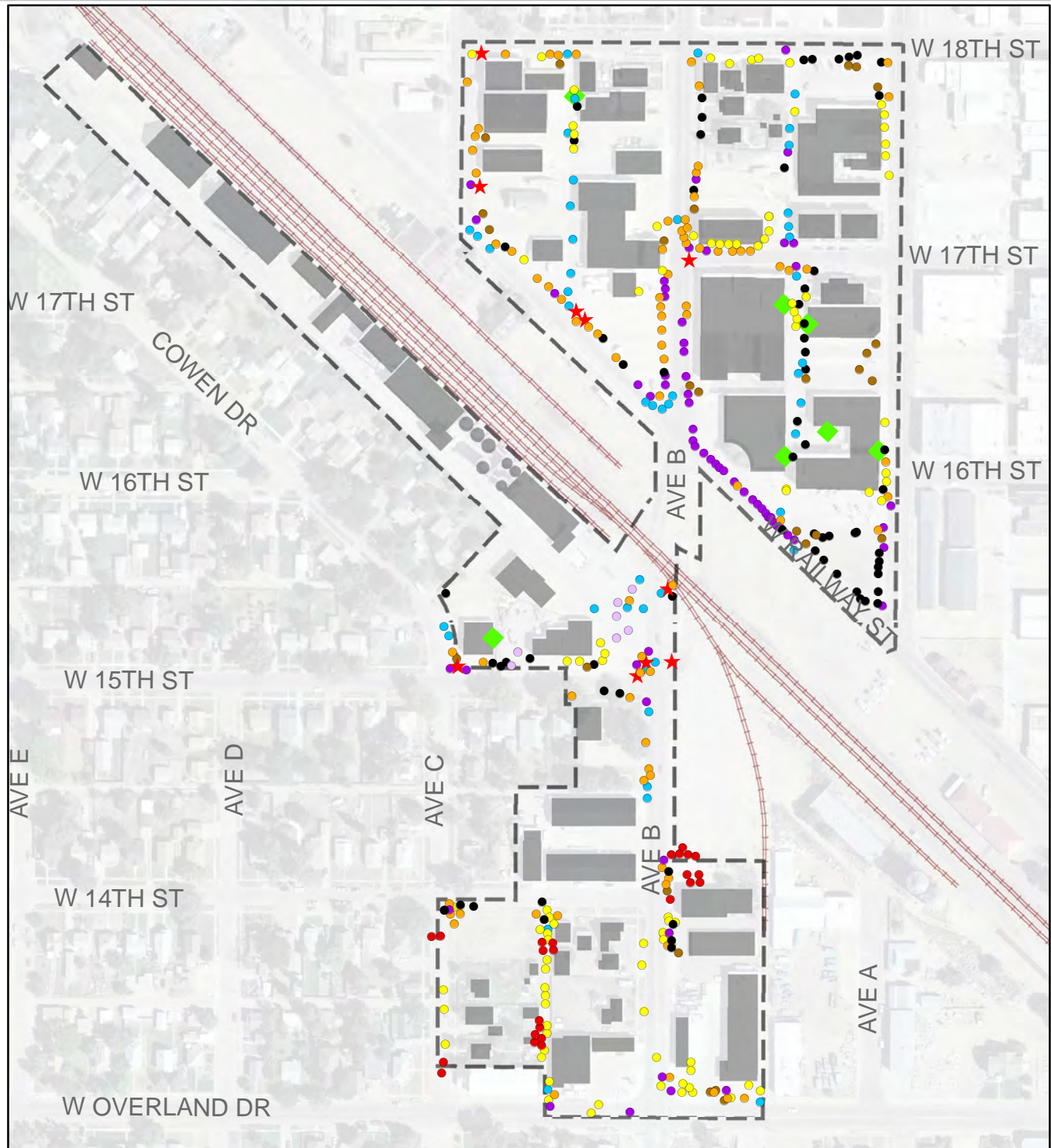
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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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providing **Simply Smart Solutions**



0 125 250 375 500 Feet

- |                   |                  |                  |
|-------------------|------------------|------------------|
| ★ Safety          | ● Curb & Gutter  | ● Structure      |
| ◆ Graffiti        | ● Sidewalk       | ● Drainage       |
| ● Debris          | ● Infrastructure | ● Roads/Concrete |
| ● On Site Storage | ● Parking        |                  |

## Blighted and Substandard Conditions Locations

City of Scottsbluff, NE

Conditions observed during  
MCS field survey, Feb. 2021



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*Examples of Graffiti within the Study Area*





*Examples of Debris - Site Conditions within the Study Area*







*Examples of Parking Conditions within the Study Area*





*Examples of Site Conditions within the Study Area*



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### Dilapidated Structures

Structure conditions were examined both using Scotts Bluff County Assessor's online database of building appraisal and confirmed/adjusted through field evaluation. The data and rating system from the Scotts Bluff County Assessor's database was used to evaluate properties in the area, rating structures as either: Excellent, Good, Average, Fair, Badly Worn, and Worn Out. Rating terms are defined as follows:

**Excellent:** Typically newer construction or property that has been completely upgraded.

**Good:** Typically no major defects or aging conditions in field analysis.

**Average:** Typically minor defects showing up, 25% or less of the following—degrading roofing materials, masonry joints in need of tuck-pointing, or small cracks in foundation, broken glass, painted surfaces beginning to peel.

**Fair:** Similar to Average, conditions are worsening and cover a larger portion of structure.

**Badly Worn:** Structure is showing many of the conditions mentioned, and extent of aging and deterioration may require demolition to eliminate the conditions.

**Worn Out:** Aging, deterioration and conditions point toward demolition to eliminate the conditions.



Based on these ratings, it is assumed that Average condition and less would constitute less than desirable conditions due to age and structure status. It is common for older structures to require considerable maintenance and upkeep to maintain good and excellent condition, while an Average structure can show signs of deterioration that can more quickly become a dilapidated structure if not addressed.

Findings of the study show **3.4%** of the structures were dilapidated and pose a threat as well as **93.1%** deteriorating. There are **72** structures, (**83%**) in excess of 40 years of age in the Study Area. Thus, structure age and obsolescence *within the Study Area* is a contributing condition of blighted and substandard.



**6. Diversity of Ownership**—59 properties with 34 owners. Narrow and small parcels of diverse ownership do exist and could be considered a contributing factor.

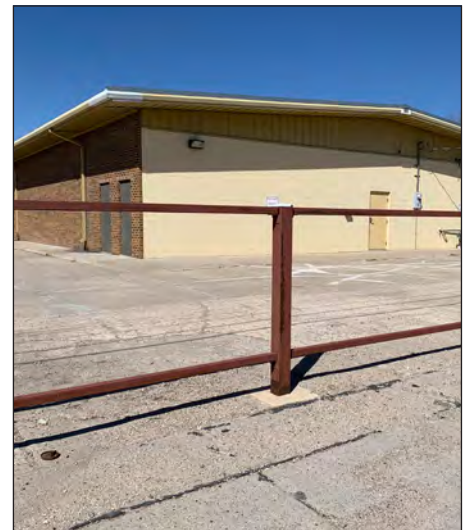
**7. Tax or Special Assessment Delinquency**—None identified, therefore, not considered a factor.

**8. Defective or Unusual Conditions of Title**—None identified, therefore, not considered a factor.

### 9. Improper Subdivision or Obsolete Platting

A railroad crossing is located in the center of the Study Area. The Study Area contains a long narrow parcel and several small parcels, which limits their capabilities for development. See **Appendix D—Figure 11** for a current zoning map of the area.





*Examples of Structure Conditions within the Study Area*







## 10. The existence of conditions which endanger life or property

*Figure 6*, on page 25, provides an overview of the blighted and substandard conditions located and photographed during field observations.

### Poor Sidewalk and Street Conditions

The majority of the Study Area is serviced with sidewalks that vary in condition from excellent to poor. The condition of the street paving shows signs of age with cracks, gaps and missing pieces. Bituminous streets have been recently (in 2016 or 2020) chipsealed. Concrete surfaces are aging with substantial cracking found throughout the Study Area. Street curbs and gutters show signs of aging with settling, cracks, and missing pieces. Paved alleys range from minor cracking to patched dilapidated surfaces. These conditions are wide-spread.

### Poor Surface Drainage

Storm water drainage problems exist in the central portion of the Study Area in particular. During field analysis, several areas of standing water were noted as poor drainage exists in localized areas including private unpaved drives, and parking lots.

### On-Site Storage

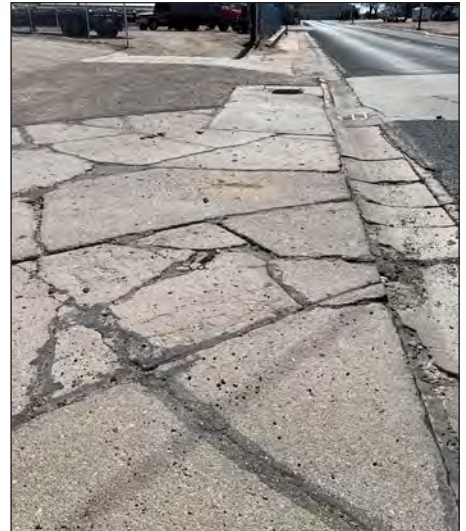
Throughout the Study Area, numerous sites of outdoor storage were noted. These findings point to an impediment for development or upgrades in the neighborhood and should be evaluated for removal.

### Structure Age

The average age of the **87** main structures in the area is **68.9** years. Age of the structures within the designated Study Area is provided through the Scotts Bluff County Assessor's Office and field verification. Only those structures built before 1982 qualify for the 40 years and older structures designation in the State of Nebraska laws. The Study Area contains **72** structures built before 1982.

**11. Any Combination of Such Factors**—The combination of all blight and substandard conditions found within the Study Area could be considered a factor in substantially arresting sound growth in the area, and obsolescence contributes toward an inability of property within the area to compete in the market place.





*Examples of Sidewalk Conditions within the Study Area*



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*Examples of On-Site Storage within the Study Area*

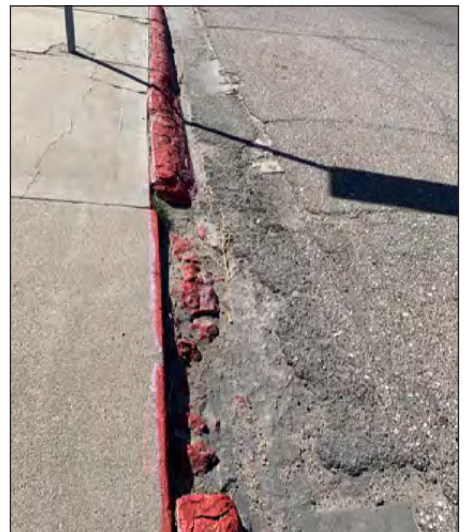


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*Examples of Curb & Gutter and Drainage Conditions within the Study Area*



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## 12. Detrimental to Public Health, Safety, Morals, Welfare in Present Condition

A minimum of at least one of the following factors is required for this condition to be met, and at least one of the factors is confirmed to be present in the Study Area, considering average structure age.

**a. Unemployment Rate At Least 100% of State or National Average**—was not considered a factor and was not researched as part of this study beyond determining that the unemployment rate in Scotts Bluff County, NE was 4.208% in 2020, while the US had an unemployment average of 8.1%, and Nebraska averaged 4.242% for the year.

**b. Average Residential and Commercial Structure Age Over 40 Years—is a factor.** The median age of the **87** primary non-public structures in the area is **68.9** years. Age of the structures within the Study Area #17 is provided through the Scotts Bluff County Assessor's online database and field verification. Only those structures built before 1982 qualify for the 40 years and older structures designation in the State of Nebraska laws. The Study Area contains **87** structures of known age, (**83%**) built before 1982.

**c. Subdivided/Platted Property Unimproved for 40 Years**—not considered as a factor.

**d. Per Capita Income Level**—not researched as part of this study.

**e. Decreasing Population**—is not considered a factor. The Study Area contains residential properties, and is located in census tracts all of which the census data reports population from 1990, 2000, and 2010 decennial census. Map **Figures 7-10** provided in **Appendix C** illustrate the 1990, 2000, and 2010 decennial census as well as the projected 2020-2025 population change for census tracts covering and surrounding the Study Area. Based on the data illustrated on the maps, the Study Area and adjacent populated areas display a slight increase in population based on the last two decennial census (1990-2010), from approximately 70 to 81; and a stable population is projected for 2020-2025 according to ESRI demographics data, which is based on the decennial census, Infogroup business data, other public and proprietary data sources, and proprietary models. The projected 2020-2025 model shows a stable to 1.25% decrease in population in the tract containing the larger number of residential units north of BNSF railroad, and a stable to 1.25% increase in population in the tract where the Study Area contains fewer residential units south of the BNSF railroad.



## Conclusion of Blighted and Substandard Analysis

Based on this analysis, Study Area #17 meets the criteria of both blighted and substandard conditions—the area displays the presence of criteria required for a finding of a blighted and substandard condition as defined by the State of Nebraska Legislature.

The primary conditions leading to this conclusion include the following blighted and substandard conditions:

- a. The Study Area has inadequacies in the form of traffic movement capabilities and real property access. Numerous off-street paved parking areas exist (conditions range from good to poor), while the remaining interior private drives, off-street parking areas and driveways are deteriorating gravel surfaced or unimproved. Defective or inadequate street layout thus may be considered a factor contributing to blighted conditions in this Study Area.
- b. Storm water drainage on parcels centrally located within the Study Area is inadequate and ponds on the property.
- c. The field survey included an evaluation of the condition of site improvements inclusive of street surface as well as curb and gutter conditions, street width adequacy, sidewalks, and driveways. Additionally, off-street parking facilities, sanitary sewer facilities, and drainage facilities and inadequacies or deterioration of site improvements were identified:
  - Gravel and unimproved internal driveways, lack of internal streets where a long narrow parcel and adjacent residential neighborhood lack an alley.
  - Lack of paved parking and proper site grading/drainage creates unnavigable areas following heavy rain.
  - A single roadway access to long narrow property located along BNSF railway, west of Avenue B
  - Paved public alleys as well as curb and gutter paving along much of Study Area shows major signs of age with wide-spread conditions of heavy cracking, gaps, and missing pieces. Streets, while mostly recently chipsealed, also contains broken/patched panels.
  - The sidewalk system serves nearly all of the Study Area, but displays a substantial amount of cracking as well as upheaval, gaps, and has a pole with guy wire blocking a portion. The west side of Avenue B south of Railway Avenue and north of West 15th Street is not served by public sidewalks. There is a lack of crosswalks in the vicinity of the BNSF railway. Many corners lack ADA accessible ramps. The sidewalk deficiencies and limited number of hazards contributes to generating traffic hazards for children and other pedestrians in the Study Area as pedestrians are forced to walk along the edge of streets—their safety, well-being and health at risk.
  - A very active major heavily traveled railroad corridor diagonally cuts through the Study Area.



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Blighted & Substandard Study Area #17 | City of Scottsbluff, NE

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- d. The Study Area contains three structures of worn out status, and the lack of site improvements to many existing structures in the Study Area serves to be a limiting factor to future development in the Study Area and thus **is** an additional factor contributing to blight.
- e. The Study Area has lot layout faults in relation to size, adequacy, accessibility or usefulness. Due to its proximity to the railroad along with lack of an alley and access limitations, faulty lot layout in relation to accessibility or usefulness within this Study Area **is** considered a factor contributing to blighted conditions in this Study Area.
- f. Conditions **exist** which endanger life or property by fire and other causes. The BNSF Railroad corridor is unsecured along much of the Study Area, allowing individuals to walk along the tracks of this busy rail corridor. Standing water gives rise to mosquitos. According to city GIS data layers and visible fire hydrants, the entire Study Area is within 450-500 feet of a fire hydrant. Review of hydrant placement reveals a break in the standard hydrant grid spacing normally seen throughout the city where a majority of any location within the community are within 250-300 feet of a hydrant. This break in the grid is in the vicinity of West 16th Street and Cowen Drive, the same long narrow industrial land use area with a single access on one end and lacking an alley, adjacent to BNSF railway.
- g. Conditions **exist** which are detrimental to the public health, safety, morals and welfare in the present condition with the existence of graffiti, debris, on-site storage, inadequate drainage and needed sidewalk, ADA ramp, and crosswalk improvements. **Average structure age is 68.9 years.** The existence of an inadequate surface drainage system in part of the Study Area presenting additional threats to health—where the lack of sufficient engineered drainage and structures allows water to pond and stagnate, creating not only a physical hazard, but also increasing the potential for multiplying mosquito production, an additional health hazard to area residents located in the adjacent residential areas to the south and west.

#### **Blighted conditions not evaluated and/or do not appear to be present**

- a. According to a review of *Nebraska Taxes Online* completed in March 2021, there are no taxes or special assessment delinquency exceeding the fair value of the land. No further evaluation was performed.
- b. Defective or unusual conditions of title were not discovered during Scotts Bluff County online data review performed in March 2021.
- c. There are not more than half of the plotted and subdivided property that is unimproved, within the city for forty years and has remained unimproved during that time.
- d. The Study Area includes a variety of uses including residential uses, however, per capita income and unemployment of the area were not determined as part of this study.
- e. Diversity of ownership (34 owners of 59 parcels) could be but was not necessarily a notable factor.



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## Comprehensive Plan / Surrounding Property

According to the City's 2016 Comprehensive Plan, the Study Area straddles the border of three districts: Residential (northern and western portions of study area), Central Business District (northeast portion of study area), and South Broadway (southeast portion of the study area). The Comprehensive Plan provides the following principles for sustainable development in these areas:

- Plan parks and walkability into future development.
- Encourage in fill development where possible.
- Direct high intensity industrial uses to best suited sites in Scottsbluff-Gering-Terrytown.

The Comprehensive Plan provides the following applicable principles for sustainable development in the **Central Business District**:

### Interconnection of Neighborhoods and amenities

- Transportation amenities should prioritize pedestrians. Encourage residents to park and walk.
- Connection to other services and areas of the city through multiple modes of safe transportation; bike lanes could connect to other pathways throughout the City.

### Sustainable development

- Reduce impervious cover—decrease storm water runoff while providing aesthetically pleasing landscaped areas.
- Focus on tree planting to help moderate temperatures and beautify public spaces.
- Continue making public improvements in landscaping and other public facilities to encourage additional private investment.
- Maintain landscaped areas to keep them attractive long-term.

### Access to culture and recreation

- Partner with Midwest Theater, Western Nebraska Arts Center to provide cultural opportunities downtown.
- Access to walking paths; signage to encourage more walking downtown.

### Strong neighborhoods and places, rooted in our unique character

- Promote cultural hub of the community through built design of buildings.
- Retain historical value of existing buildings.
- Encourage upper-story housing to increase vitality of the district.



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The Comprehensive Plan provides the following applicable principles for sustainable development in the **South Broadway District** and **Southwest Neighborhoods**:

#### Interconnection of Neighborhoods and amenities

- Improve pedestrian and cycling facilities across the arterials and throughout the neighborhood. Enhance east-west and over train track connections.
- Safe and efficient motorized transportation along major arterials, encouraging location of transportation-reliant business along South Beltline.
- Determine best possible fixed route bus stops along major roadways.
- Allow and encourage neighborhood commercial development at node intersections and corridors within walking distance to residential neighborhoods.
- Safe routes to school with attention to crosswalks on high traffic roads, crossing guards, and drop-off, pick-up traffic flow.

#### Sustainable development

- Incorporate native species, and natural landscaping into codes, commercial development, and campus landscape design.
- Encourage mixed use and residential development in South Broadway to increase economic activity and vitality in the community core.
- Encourage in fill development through mitigation of blighted properties and incentives, preparing sites to respond to market demand.
- Preserve land—city utilities could be extended for long term (10-20 year) development needs.
- Natural storm water facilities in uses with high percentage of impervious surfaces.
- Avoid development in floodplain.
- Restrict uses that may have a negative impact on the City's well field.

#### Access to culture and recreation

- Connect residential areas to neighborhood parks through walking and biking trail connectivity and attention to pedestrian accommodations along and across heavily trafficked thoroughfares.
- Provide multiple non-motorized connections to Riverside Park from other areas of the community.
- Enhance non-motorized connections from south Broadway to Downtown.
- Plan for a public access to a park or greenspace in current and new development, striving for each residence to be no more than a quarter mile walking distance from recreation facilities.
- Create positive, safe gathering places for neighbors and youth in parks and outside of restaurants.

#### Strong neighborhoods and places, rooted in our unique character

- Make programs that encourage up-keep of private property and neighborhoods more accessible and better communicated.
- Facilitate and support neighborhood involvement in plans, studies, and community events.
- Continue traditional neighborhood style of homes, streets, and sidewalks in residential areas.
- Improved programmatic, aesthetic, and physical connections to the riverfront.
- Improve aesthetics and landscaping along collectors, arterials, and in front of businesses, utilizing native species and enforcing design standards [utilized] in Northwest Commercial Corridors.



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The development potential of property is determined by the property conditions themselves, and the conditions of surrounding property. This is particularly true for Study Area #17. The Study Area abuts two other blighted and substandard areas (Broadway downtown business district and South Beltline corridor).

The Study Area with its many parking areas and hardscape will benefit greatly from implementation of the Comprehensive Plan's sustainable development principles.

In order to achieve the principles of sustainable development included in the City's 2016 Comprehensive Plan, it is vitally important to adjoin the Study Area with the adjacent previously blighted and substandard areas. This will enhance the development potential of not only Study Area #17 but also the current adjacent blighted and substandard areas and will create a continuous, harmonious redevelopment area in the Scottsbluff Central Business District, South Broadway District, and Residential Districts.

## **Blighted and Substandard Area Declaration**

Based on the findings in this report, the Study Area may be declared blighted and substandard in keeping with and conforming to the Nebraska Community Development Law. This finding will make this area available for redevelopment activities. The General Redevelopment Plan, when prepared, shall be composed in a manner consistent with the City of Scottsbluff Comprehensive Plan.



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# Appendix



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The referenced Study Area, in the city of Scottsbluff, Nebraska, includes the following identified parcels with their legally described additions, blocks and/or lots, and unplatted lands:

**Table 2**  
**Scotts Bluff County Ownership Parcels - Blight Study Area #17**  
**Scottsbluff, Nebraska**

Parcel	Legal Description	Parcel	Legal Description
10113622	LT 1 EX E 115', ALL LT 2, KELLEY-BRESTER REPLAT	10137564	LT 6, BLK 5, ORIGINAL TOWN ADD
10113630	E 115' LT 1, KELLEY-BRESTER REPLAT	10137572	LT 8, BLK 5, ORIGINAL TOWN ADD
10113649	LT 3, KELLEY-BRESTER REPLAT	10137599	LT 10, BLK 5, ORIGINAL TOWN ADD REPLAT
10131574	LT 1A, BLK 1, MC CLANAHANS ADD REPLAT	10137602	LTS 11-12, BLK 5, ORIGINAL TOWN ADD
10131582	LT 1B, BLK 1, MCCLANAHANS ADD REPLAT	10137610	LTS 13-14, BLK 5, ORIGINAL TOWN ADD
10131590	S 45' LT 2, BLK 1, MCCLANAHANS ADD	10137629	LTS 15-16, BLK 5, ORIGINAL TOWN ADD
10131604	LTS 3,4, BLK 1, MCCLANAHANS ADD	10150498	LTS 1,2, BLK 1, SUNSET ADD
10131612	LT 5, PT LT 6, BLK 1, MCCLANAHANS ADD	10150595	LTS 9-12, BLK 1, SUNSET ADD
10131639	LT 8, BLK 1, MCCLANAHANS ADD	Lot 10A	LT 10A, BLK 1, SUNSET ADD
10131647	LT 9, BLK 1, MCCLANAHANS ADD	Lot 10B	LOT 10B, BLK 1, SUNSET ADD
10131655	LT 10, BLK 1, MCCLANAHANS ADD	10151699	LT 2, BLK 9, THIRD ADD
10131663	S 1/2 LT 11, BLK 1, MCCLANAHANS ADD	10151702	LT 3, BLK 9, THIRD ADD
10131671	N 1/2 LT 11, BLK 1, MCCLANAHANS ADD	10151710	LT 4, BLK 9, THIRD ADD
10131698	LT 12, BLK 1, MCCLANAHANS ADD	10151729	LTS 5-7, BLK 9, THIRD ADD
10137378	LT 1, N1/2 LT 2, BLK 4, ORIGINAL TOWN ADD	10151745	LT 8-10, BLK 9, THIRD ADD
10137386	S 1/2 LT 2, BLK 4, ORIGINAL TOWN ADD	10151788	EX N 50' & EX PT OF SE CORNER OF LT 11, BLK 9, THIRD ADD
10137394	S1/2 LT 3, BLK 4, ORIGINAL TOWN ADD	10151796	LT 13, BLK 9, THIRD ADD
10137408	N1/2 LT 3, BLK 4, ORIGINAL TOWN ADD	10151818	LT 14, BLK 9, THIRD ADD
10137416	LT 4, BLK 4, ORIGINAL TOWN ADD	10151826	LT 15, BLK 9, THIRD ADD
10137424	LTS 5C, BLK 4, ORIGINAL TOWN ADD-REPLAT OF 5A REPLAT OF LTS 5-6	10151834	LT 16, BLK 9, THIRD ADD
10137440	LTS 7,8, BLK 4, ORIGINAL TOWN ADD	10152148	LTS 4-5 PT OF LT 6, BLK 1, TRI STATE ADD
10137459	LT 9, BLK 4, ORIGINAL TOWN ADD	10152172	LTS 7-9, BLK 1, TRI STATE ADD
10137467	LT 10, BLK 4, ORIGINAL TOWN ADD	10152245	LTS 10-11, BLK 1, TRI STATE ADD
10137475	LT 11, BLK 4, ORIGINAL TOWN ADD	10161368	LT 1, BLK 9, THIRD ADD
10137483	E 70' OF E 110' LT 12, BLK 4, ORIGINAL TOWN ADD	10162879	LT 7, BLK 5, ORIGINAL TOWN ADD
10137491	W 40' OF E 110' OF LT 12, BLK 4, ORIGINAL TOWN ADD	10274405	PT E 1/2 SW, UNPL LANDS, 23-22-55
10137505	W 30' OF LT 12, BLK 4, ORIGINAL TOWN ADD	10294066	N50' LT 11, ALL LT 12, BLK 9, THIRD ADD
10137513	LT 1, BLK 5, ORIGINAL TOWN ADD	10305173	LTS 3-4, BLK 5, ORIGINAL TOWN ADD
10137548	LT 2, BLK 5, ORIGINAL TOWN ADD	10345728	LTS 5B, BLK 4, ORIGINAL TOWN ADD-REPLAT OF 5A REPLAT OF LTS 5-6
10137556	LT 5, BLK 5, ORIGINAL TOWN ADD		

The **primary streets and roads** within the Study Area include:

E—W: West 18th Street, West 17th Street, West Railway Street, West 15th Street, West 14th Street, West Overland Drive

N—S: Avenue A, Avenue B, Avenue C



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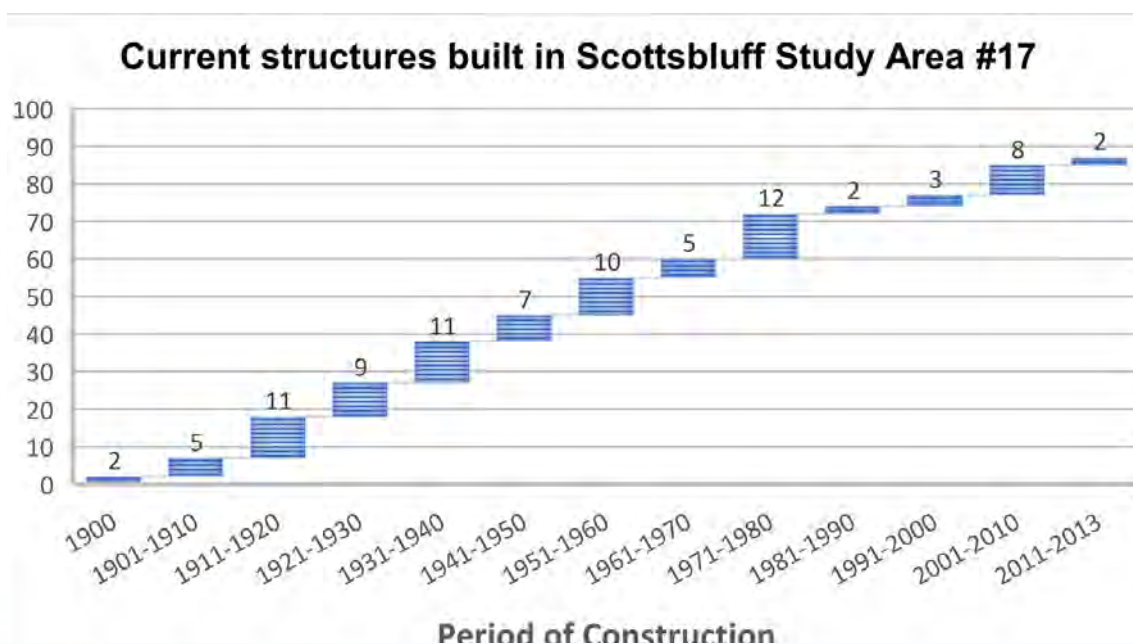


**Table 3**  
**Structure Effective and Cumulative Ages - Blight Study Area #17**  
**Scottsbluff, Nebraska**

Year Built	Effective Age	No of Units	Cumulative Age
1900	122	2	244
1910	112	5	560
1913	109	1	109
1920	102	10	1020
1923	99	3	297
1924	98	1	98
1927	95	3	285
1930	92	2	184
1935	87	1	87
1937	85	2	170
1940	82	8	656
1945	77	3	231
1946	76	2	152
1948	74	1	74
1949	73	1	73
1952	70	1	70
1955	67	2	134
1958	64	3	192
1959	63	1	63
1960	62	3	186
1962	60	1	60
1966	56	1	56

Year Built	Effective Age	No of Units	Cumulative Age
1967	55	1	55
1970	52	2	104
1972	50	1	50
1974	48	1	48
1976	46	1	46
1977	45	3	135
1979	43	2	86
1980	42	4	168
1985	37	1	37
1990	32	1	32
1994	28	1	28
1996	26	1	26
1997	25	1	25
2002	20	1	20
2003	19	2	38
2005	17	2	34
2008	14	1	14
2009	13	2	26
2011	11	1	11
2013	9	1	9
<b>Total Cumulative</b>		<b>87</b>	<b>5993</b>
<b>Average Age</b>			<b>68.9</b>

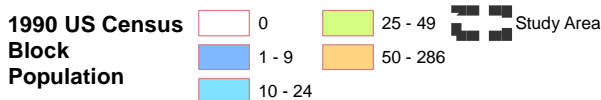
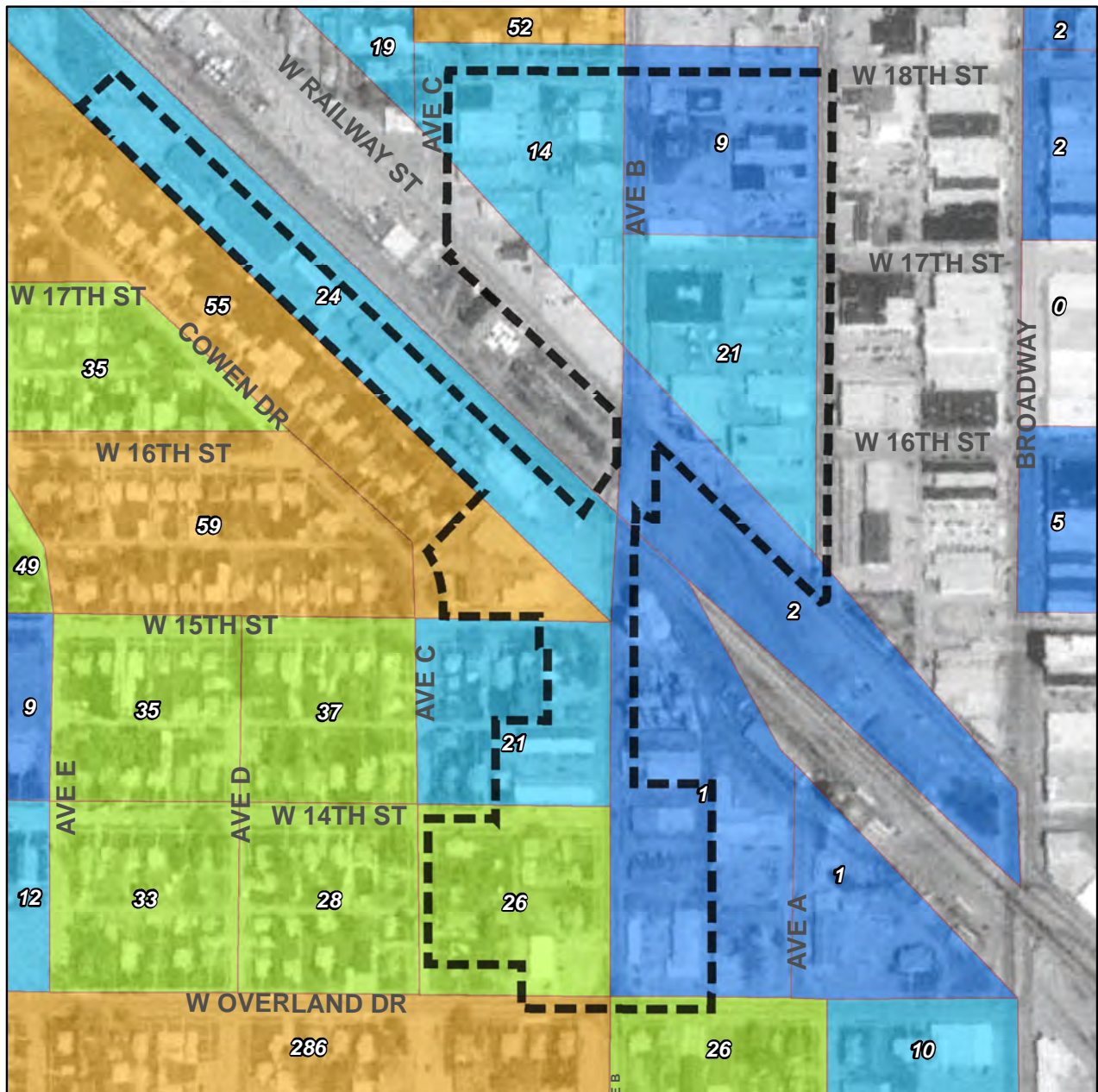
Source: Scotts Bluff County Assessor online database  
 confirmed by M.C. Schaff & Associates, Inc., Field Survey, February 2021



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**1990 US Census  
Population**

City of Scottsbluff  
Scotts Bluff County, NE

**Data Sources:**

1990 Census shapefile and population data:  
Minnesota Population Center, National Historical Geographic Information System: Version 11.0 [Database]. Minneapolis:  
University of Minnesota. 2016. <http://doi.org/10.18128/D050.V11.0>. <https://data2.nhgis.org>

Imagery: NAIP, 1993 <ftp://dnrftp.dnr.ne.gov/pub/data/CoqArea/1993SPCOQs/41103/>



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### 1990-2000 Population Change

Great Increase (More than 1.5%)

Moderate Increase (0.75% to 1.5%)

Slight Increase (0% to 0.75%)

Slight Decrease (-0.25% to 0%)

Moderate Decrease (-1.5% to -0.25%)

Great Decrease (Less than -1.5%)

Study Area

## 1990-2010 US Census Population Change

City of Scottsbluff  
Scotts Bluff County, NE

### Data Sources:

Population: 2000 US Census Block Groups. This layer shows past population change from 1990 to 2000 in the U.S., by block group. The data shown is from the U.S. Census Bureau's SF1 and TIGER data sets for 2010. Population block group level data sourced from ESRI ArcGIS Online.

Aerial: FSA, USGS Digital Orthophoto Quarter-Quadrangles, 1999



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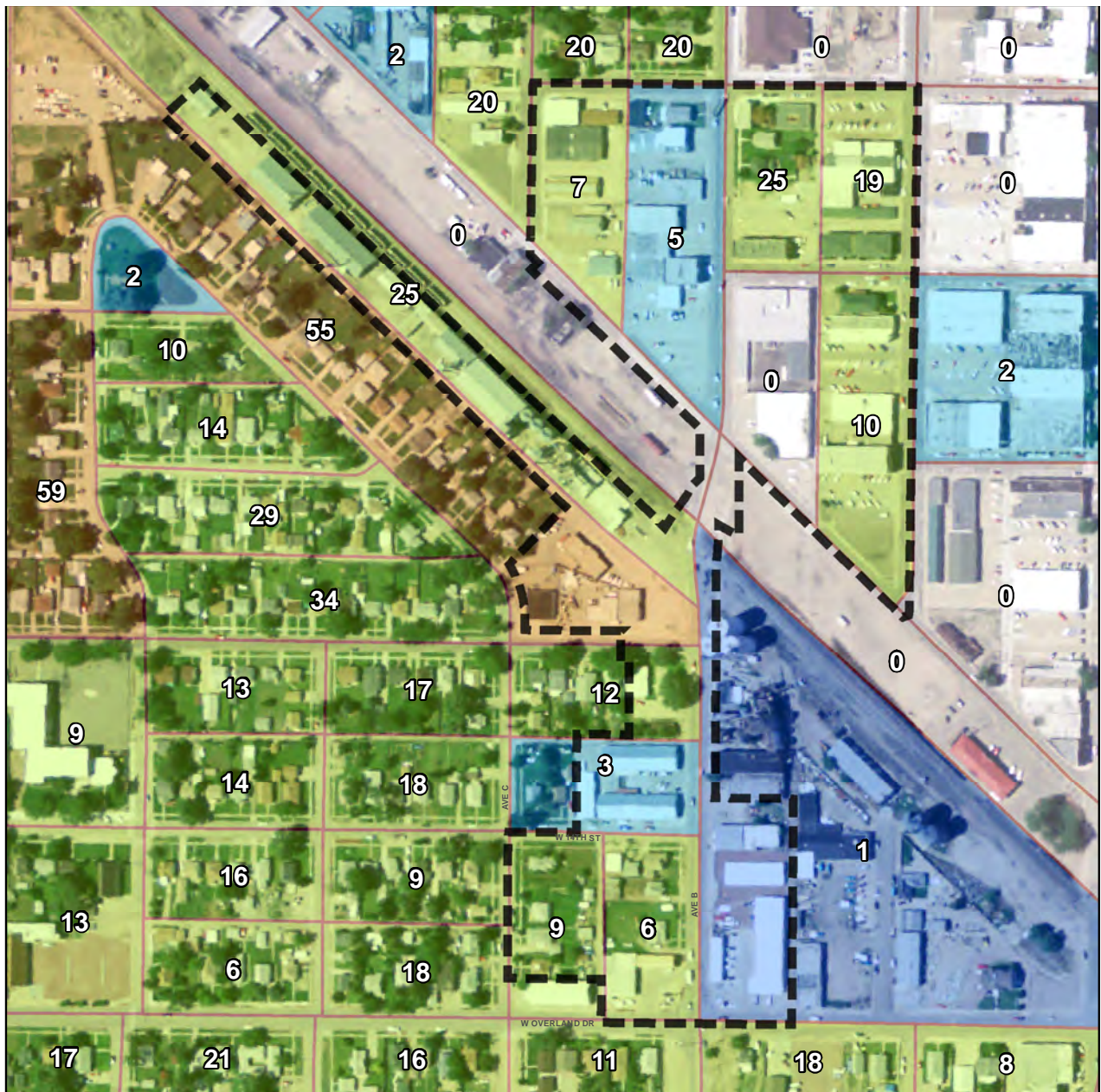
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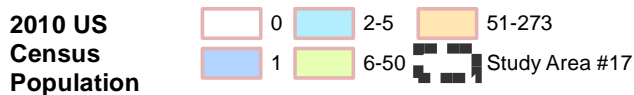
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## 2010 US Census Block Population



City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Population: 2010 US Census Blocks and Block Level Population Data from [www2.census.gov](http://www2.census.gov)  
Imagery: Farm Service Agency (FSA) 2010 Imagery, Acquired on June 15-16, 2010  
[http://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4\\_NE\\_1m\\_2010/41103/](http://dnrftp.dnr.ne.gov/pub/data/CoqArea/Band4_NE_1m_2010/41103/)

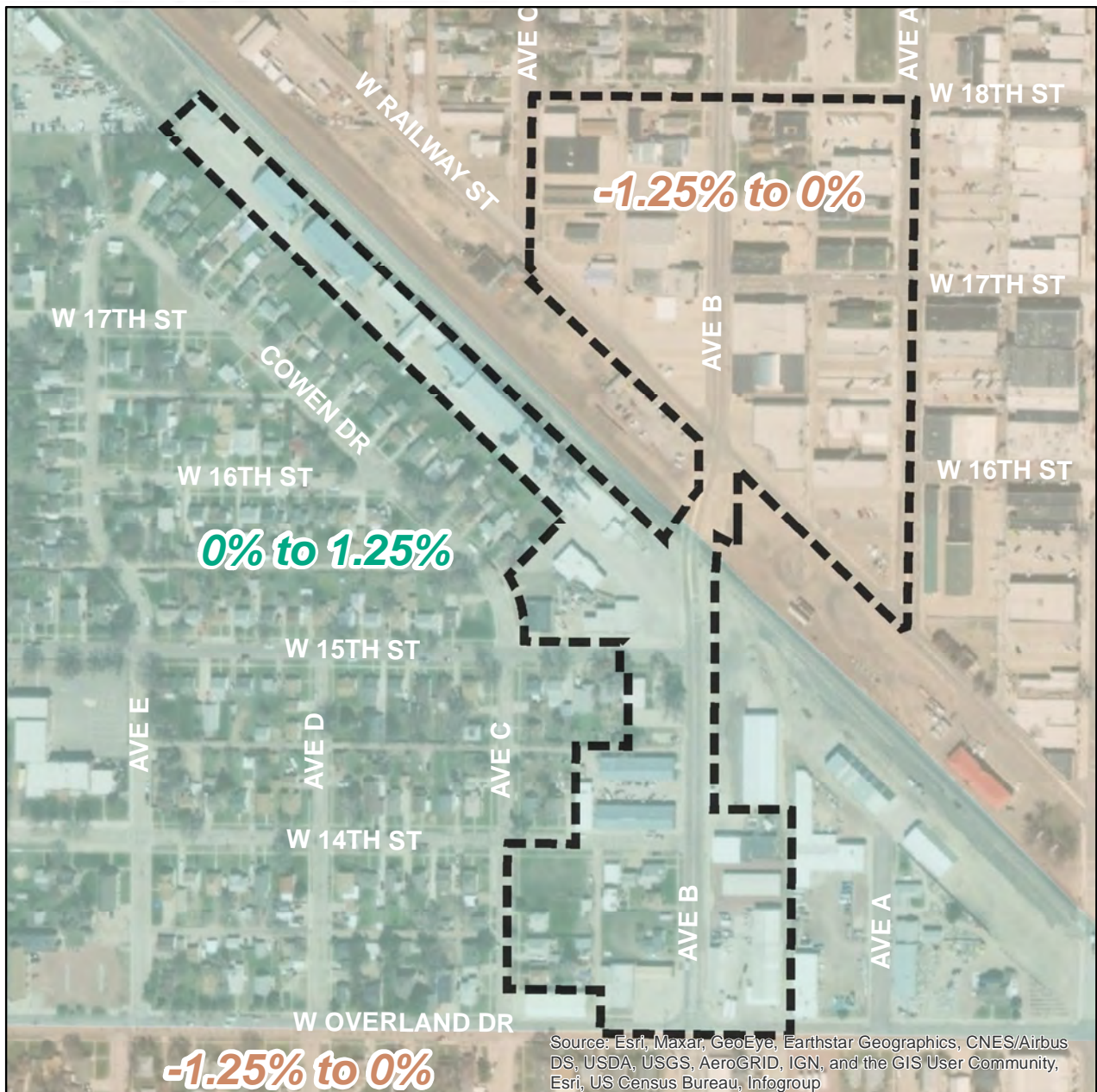


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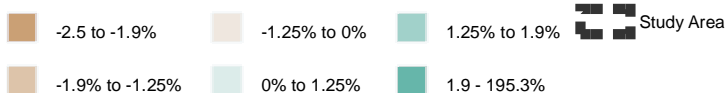
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## Estimated 2015-2020 USA Population Growth

### Estimated 2020-2025 USA Pop Growth



City of Scottsbluff  
Scotts Bluff County, NE

#### Data Sources:

Esri's Updated Demographics, Census Data, Tapestry Segmentation, and Business Summary data for the United States.  
Server: [https://demographics5.arcgis.com/arcgis/rest/services; Name: USA\\_Demographics\\_and\\_Boundaries\\_2020](https://demographics5.arcgis.com/arcgis/rest/services; Name: USA_Demographics_and_Boundaries_2020).

Imagery: Esri, Maxar Vivid, April 28, 2018

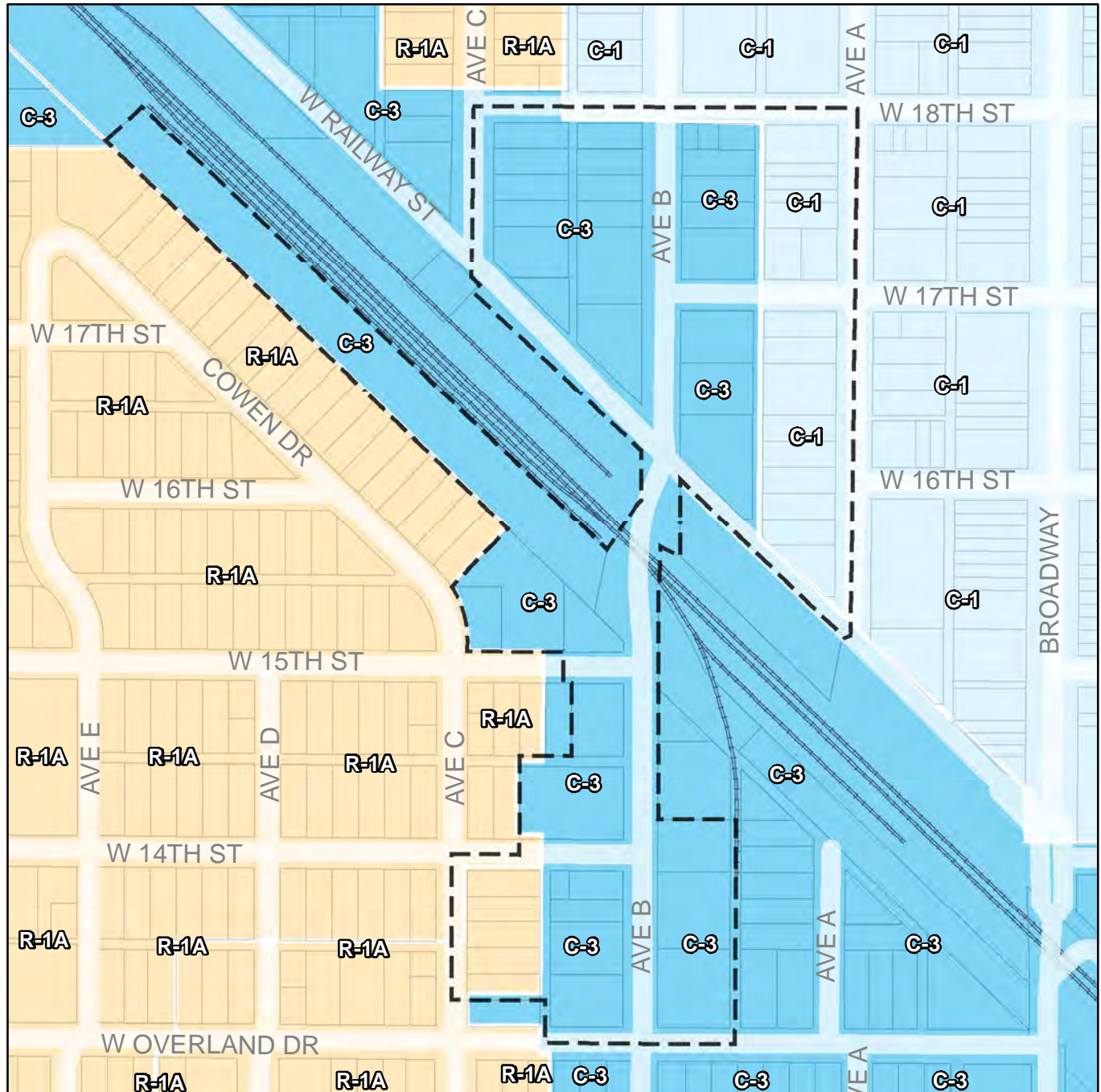


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0 75 150 300 450 600 Feet

- Central Business District (C-1)
- Heavy Commercial (C-3)
- Single Family Residential (R-1A)
- Study Area

## Existing Zoning

City of Scottsbluff  
Scotts Bluff County, NE

Data Sources:  
Zoning: City, 2020  
Parcels: Scotts Bluff County, 2017



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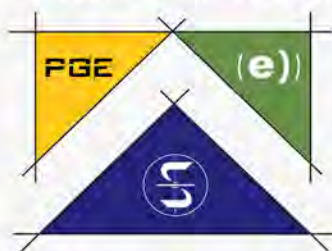
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