



**CITY OF SCOTTSBLUFF**  
**Scottsbluff City Hall Council Chambers**  
**2525 Circle Drive, Scottsbluff, NE 69361**  
**PLANNING COMMISSION AGENDA**  
*Monday, June 14, 2021*  
*6:00 PM*

- 1. Welcome to the Planning Commission Meeting:** Chairman
- 2. Nebraska open Meetings Act:** For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the back of the council chambers in the west corner.
- 3. Roll Call:**
- 4. Notice of Changes in the Agenda:** Additions may not be made to this agenda less than 24-hours prior to the beginning of the meeting unless added under item 5 of this agenda.
- 5. Citizens with Items not Scheduled on the Regular Agenda:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.
- 6. Approval of the Planning Commission Minutes From:**
  - A May 10, 2021 Meeting.**
- 7. New Business :**
  - A Substandard and blighted review of Study Area #16 which is generally described as properties and tracts of land within the general vicinity**  
north of 27th Street, east of Avenue B, south of West 31st Street, and west of 1st Avenue in the central portion of the City of Scottsbluff. The area contains approximately 20.153 acres.
    - A. Conduct Public Hearing to obtain public comment on question of whether Study Area #16 is substandard and blighted as defined in the Nebraska Community Development Law.
    - B. Consider and act on Resolution recommending to City Council that Study Area #16 as substandard and blighted.
- 8. Old Business:**
  - A None**
- 9. Adjourn**

# **City of Scottsbluff, Nebraska**

**Monday, June 14, 2021**

**Regular Meeting**

**Item Appr. Min.1**

**May 10, 2021 Meeting.**

**Staff Contact: Zachary Glaubius, Projects & Planning Coordinator**

PLANING COMMISSION MINUTES  
REGULAR SCHEDULED MEETING  
MAY 10, 2021  
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, May 10, 2021, at 6:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of local circulation in the City, on April 30, 2021. The notice stated the date, time, and location of the meeting, and that the meeting was open to the public, that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda is kept current and available for public inspection at the Development Services office provided; the Planning Commission can modify the agenda at the meeting, if the business was determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chairman Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Mark Westphal, Henry Huber, Dave Gompert, Angie Aguillo, Dana Weber. "Absent": Callan Wayman, Jim Zitterkopf, Anita Chadwick. City Officials present were Gary Batt, Secretary, Anthony Murphy, Fire Marshal, Zach Glaubius, Project Planning Coordinator, Taylor Stevens, GIS.
- 2 Chairman Weber informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the January 25, 2021 meeting were reviewed. Conclusion, a motion was made by Westphal and seconded by Huber to approve the minutes from January 25, 2021 meeting. "Yeas": Estrada, Westphal, Huber, Gompert, Aguillo, Weber. "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The motion carried.
- 6 Chairman Weber opened the public hearing for the purpose of creating a Ag Estate Dwelling Site (AEDS) located at 210113 West 42<sup>nd</sup> Street currently zoned as AG. MC Schaff acted as the survey/engineering company. Chairman Weber asked for Gary Batt to read the staff report for the application. Gary read that the applicant has applied for an AEDS of 17.31 acres and the code requires a minimum of 2 acres. With a remaining 40 plus acres in the Ag zone owned by John Raymond. With no comments or questions raised, Weber motioned to close the public hearing and asked for a recommendation to the City Council for the creation of the AEDS. Estrada made the motion seconded by Westphal to give a positive recommendation for the AEDS to City Council. "Yeas": Estrada, Westphal, Huber, Gompert, Aguillo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 7 Chairman Weber opened a public hearing for a rezone for the applicant Scott James to rezone 1.6 acres from Ag Residential to R1A zoning (Single Family). The parcels are listed as Lots 2&3, Block 1, Kings acres subdivision. Chairman Weber asked Gary Batt to read the Staff Report. Batt stated the applicant wished to rezone the 1.6 acres into R1A. Batt noted that the rezoning was in compliance with the 2016 Comp Plan and that it was not injurious or hazardous to adjacent properties for the surrounding neighborhood. Batt said the sewer for the area is an SID and the surrounding properties were on private wells. Batt also stated the remaining Scott Property would be AR zoning, and the lots adjacent to the area being rezoned were R1A. Batt read the positive recommendation, the denial and the table recommendations to the committee.

Chairman weber asked if anyone present had questions.? Angie Aguallo asked what is the required lot size in an R1A zone, Batt replied 5500 square feet. Chairman Weber asked if anyone else had any questions, with there being none, he closed the Public Hearing asking for a recommendation for Council. Westphal seconded by Estrada made the motion to make a positive recommendation for the rezone to the City Council. "Yeas": Estrada, Westphal, Huber. Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.

- 8 Chairman Weber opened the public hearing for an application made by Scott James for a Preliminary Plat of the property Lots 2&3 , Block 1, Kings Acres Subdivision previously approved for rezoning. Weber asked Batt to read from the staff report. Batt said the applicant was asking for a prelim plat for lots 2&3 of Block 1, Kings Acre Subdivision. The two lots are a total of 1.6 acres. Batt read the report along with the positive recommendation, denial of and the tabling of the plat. Chairman Weber asked if anyone had questions, with there being none, he closed the public hearing asking for a recommendation to the City Council. Westphal made a motion seconded by Estrada to approve the Preliminary Plat. "Yeas": Estrada, Westphal, Huber. Gompert, Agualo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 9 Chairman Weber opened the public hearing for an application made by Scott James for a Final Plat for Lots 2&3 of Block 1, Kings Acres Subdivision. Batt was asked if there contained any other information than was already known about the property from the Preliminary Plat. Batt said no, Chairman Weber asked if anyone had any further info, with there being none, Chairman Weber closed the public hearing asking for a recommendation for the City Council. Weber then made the positive recommendation seconded by Aguallo to approve the Final Plat. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 10 Chairman Weber opened the public hearing for the Blight and Substandard Study for area #13. Chairman Weber asked Zach Glaubius to read and explain the areas affected in the area #13 study. Zach said the area affected is north and south of the intersection of 20<sup>th</sup> Street and Broadway. Zach stated the purpose is to aid for redevelopment of the study area, he read from the packet for the study area quoting the total amount this study would eventually blight. Zach said in total the amount of area would be add 1.86% to the already 24.55% bring a total to 26.41% if all four studies are approved. Zach said the city can blight a total of 35% of the City. After Zach finished Chairman Weber asked if anyone had questions, Henry Huber asked why a property is considered blighted if your property is kept up and your neighbors is in bad shape. And how does being blighted affect taxes? Kent Hadenfeldt (City Attorney) answered by saying the term blighted has no bearing upon your tax's, it allows for the area to be considered for redevelopment and the term blighted would be better named as redevelopment plan, except the State of Nebraska has not approved it. Weber asked if Starr Lehl had anything she cared to present, Starr also reiterated that the term Blighted should probably be called or deemed an Economic Redevelopment Area. She said this opened the area to possibilities for the owners and to developers in the study area. Chairman Weber asked why four study areas were coming to the Planning Commission, Starr replied that the funds are there for the studies at this time. Chairman Weber then asked if anyone had anything further, with there being none, he closed the public hearing asking for a resolution for Area #13. Huber made a positive recommendation for the resolution seconded by Agualo to the City Council to declare the Redevelopment Area #13 as substandard and blighted and in need of redevelopment. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "abstained": None, "absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.



- 11 Chairman Weber opened the public hearing for Area #14, Blight and Substandard study. He asked Zach what area was affected, Zach produced an arial map of the City showing the four study areas. Note: There was a map placed attached in the Planning Commission member packet. Zach spoke of the Area #14. Chairman Weber asked if anyone had questions concerning Area #14. With there being none, Chairman Weber closed the public hearing asking for a resolution and positive recommendation to Council for Area #14. Westphal made the recommendation seconded by Aguallo to ask City Council to declare the Redevelopment Area #14 as substandard and blighted and in need of development. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained", None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 12 Chairman Weber opened the public hearing for Area #15, Blight and Substandard study. He asked Zach if anything in area #15 was different from the two previous studies, Zach answered no. Chairman Weber asked if anyone had any other comments for Area #15. Starr Lehl said that the area shown is the old beef packing facility and that a company on Beltline East. She said that the occupant is wanting to demo the current building and build a new one at the recycle site. She said this would accommodate future growth in that area as well. Chairman Weber asked if anyone else had anything to add, with there being none, he closed the public hearing asking for a recommendation to positive resolution being forward to council. Huber made the motion seconded by Estrada to ask City Council to declare the Redevelopment area #15, as substandard and blighted and in need of development. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 13 Chairman Weber opened the public hearing for Area #17, Blight and Substandard study. Weber asked Zach if he had anything different in this study, Zach said no. Weber asked if anyone had any questions, Anthony Murphy, City Fire Marshal said that this area is in the primary fire zone and that any structures that are seriously damaged from a fire are required to be demolished in this area also in Area #13. But this aids in the redevelopment for the replacing of the structure or structures. After Anthony finished, Chairman Weber asked for any further questions or info. With there being none, Chairman Weber closed the public hearing asking for recommendation to pass the resolution . Estrada made a positive recommendation seconded by Westphal to ask City Council to declare the Redevelopment area #17 , as substandard and blighted and in need of development. "Yeas": Estrada, Westphal, Huber, Gompert, Aguallo, Weber. "Nays": None, "Abstained": None, "Absent": Wayman, Chadwick, Zitterkopf. The Motion Carried.
- 14 Chairman Weber asked if there was any further business, with there being none, he declared the meeting adjourned with the members to signify by saying Aye. Eastrada, Westphal, Huber, Gomper, Aguallo, Weber all signified by saying aye.

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Chairman Dana Weber

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Gary Batt, Secretary

# **City of Scottsbluff, Nebraska**

**Monday, June 14, 2021**

**Regular Meeting**

## **Item New Bus1**

**Substandard and blighted review of Study Area #16 which is generally described as properties and tracts of land within the general vicinity**

*north of 27th Street, east of Avenue B, south of West 31st Street, and west of 1st Avenue in the central portion of the City of Scottsbluff. The area contains approximately 20.153 acres.*

*A. Conduct Public Hearing to obtain public comment on question of whether Study Area #16 is substandard and blighted as defined in the Nebraska Community Development Law.*

*B. Consider and act on Resolution recommending to City Council that Study Area #16 as substandard and blighted.*

**Staff Contact: Zachary Glaubius, Projects & Planning Coordinator**

SCOTTSBLUFF PLANNING COMMISSION  
STAFF REPORT

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To: Planning Commission  
From: Development Services Department  
Date: June 14, 2021  
Subject: Blight and Substandard Study  
Location: Study Areas #16 (See Attached Map).

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The following study has been conducted and submitted for review in the area shown on the attached map, this area is in proximity to the intersections of Broadway & Avenue B with 27<sup>th</sup> Street. The current blighted area in the Corporate Limits is 27.11%(1159.36 acres), the Study Area # 16 will add 0.47% (19.48 acres), thus increasing the total area 27.57%. The City is allowed to designate up to 35% of its area (4275.93 acres) within the corporate limits as blighted and substandard.

With Area 16 designated as blighted and substandard, developers will be able to apply for TIF for redevelopment. With TIF available, the developer can make necessary improvements to develop the area, extending utility lines and streets within the area. Additionally, businesses and property owners in blighted and substandard areas can apply for Façade Improvement Grants to improve the appearance of buildings and lots. (Map of the areas is attached). The City has provided you with a PDF of the Blight Study for Area 16. This study is in compliance with the 2016 Comprehensive Plan.

A Resolution will be required for each of the area #16 acknowledging that the Planning Commission has considered the Blight and Substandard studies at the public hearing formulating its recommendation to the City Council.

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RECOMMENDATION:

Approve:

Make a Positive Recommendation to the City Council to approve the Blighted and Substandard Study for Area #16 subject to the following condition(s):

Deny:

Make a Negative Recommendation to the City Council to disapprove the Blighted and Substandard Study for Area #16 for the following reason(s).

Table:

Make a motion to Table the Blighted and Substandard Study for Area #16 for the following reason(s).

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# STUDY AREA #16

## 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**  
RS100094-2104

April 15, 2021







**MCS**  
FAMILY OF COMPANIES

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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 #16**, 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 #16 analyzed is generally described as being a portion of the 2nd, 3rd, and 4th Webber Mannor Additions, north of 27th Street, east of Avenue B, and south of West 31st Street. A number of opportunities for redevelopment exist in this area which borders two busy arterials, allowing the community to overcome some of the challenges in the Proposed Study Area #16.

Generally, the corridors along the south and west sides of 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 much of the Study Area is almost non-existent—not on par with the overall community’s growth and level of private investment. A portion of the Study Area has remained undeveloped for the most part, due to a number of challenges. The Study Area is adjacent to areas on the south and west that have been previously designated as blighted and substandard, where commercial land uses and single family neighborhoods over the past decade have seen limited new investment and rehabilitation to improved structures remain in need of upgrading and redevelopment. **Study Area #16** 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 #16** on page 4 of this report, with the area boundary described on page 5 and parcel numbers and primary streets provided in **Table 2**, located in the **Appendix A**. The Study Area can generally be described to include land east of Avenue B, north of 27th Street, and south of West 31st Street and within the 2nd, 3rd, and 4th Webber Mannor Additions.

This study looks at existing land-uses, platting, structures and infrastructure systems to determine whether **Study Area #16** 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 (#16) 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*

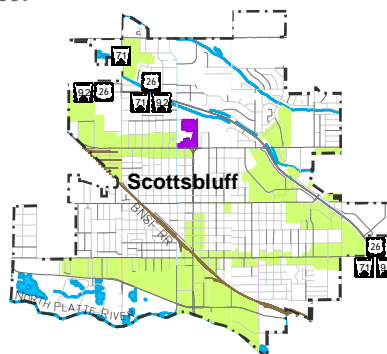




### Redevelopment Areas

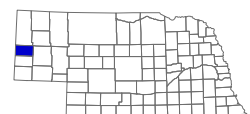
- Existing Redevelopment Areas
- Study Area #16
- Parcel Address
- Corporate Limits

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



## Study Area #16

City of Scottsbluff  
 Scotts Bluff County, NE



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**Redevelopment Study Area (Site 16):** The redevelopment study area consists of properties and tracts of land within the general vicinity north of 27th Street, east of Avenue B, south of West 31st Street, and west of 1st Avenue in the central portion of the community. The site contains approximately 20.153 acres and is more particularly described as:

*Situated in the West Half of the Southeast Quarter of Section 14, 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 BLK 3, WEBBER MANOR 2ND ADD (Parcel #010279474);*

*Thence, northerly on the east line of said Parcel #010279474 to the northeast corner of said Parcel #010279474, said point also being the southeast corner of PT SE (S OF DITCH) UNPL LANDS 14-22-55 (Parcel #010336141);*

*Thence, continuing northerly on the east line of said Parcel #010336141 to the northeast corner of said Parcel #010336141 to its intersection with the south line of BLK 5, WEBBER MANOR SUBDIV (Parcel #010108092);*

*Thence, southwesterly and westerly on the line between said Parcel #010108092 and Parcel #010336141 to its intersection with the eastern curved edge of the West 31st Street cul-de-sac right-of-way;*

*Thence, northerly and northwesterly on said right-of-way line of West 31st Street cul-de-sac to its intersection with the north line of West 31st Street right-of-way;*

*Thence, westerly on the north right-of-way line of West 31st Street to its intersection with the northerly extension of the west line of Parcel #010336141;*

*Thence, southerly on said northerly extension of Parcel #010336141 to the northwest corner of said Parcel #010336141, and continuing southerly on the west line of said Parcel #010336141 to its intersection with the north line of LT 2, WEBBER MANOR THIRD ADD (Parcel #010334335);*

*Thence, easterly and continuing on the line between said Parcel #010334335 and Parcel #010336141 to its intersection with the north line of BLK 3, WEBBER MANOR 2ND ADD (Parcel #010279474);*

*Thence, westerly on the north line of said Parcel #010279474 to the southeast corner of LT 1, WEBBER MANOR THIRD ADD (Parcel #010334327);*

*Thence, northerly on the east line of said Parcel #010334327 to the northeast corner of said Parcel #010334327;*

*Thence, westerly on the north line of said Parcel #010334327 to the northwest corner of said Parcel #010334327;*

*Thence, southerly on the west line of said Parcel #010334327 to the southwest corner of said Parcel #010334327, said point also being on the north line of LT 4, WEBBER MANOR THIRD ADD (Parcel #010334343);*

*Thence, westerly on the north line of said Parcel #010334343 to the northwest corner of said Parcel #010334343;*

*Thence, southerly on the west line of said Parcel #010334343 to its intersection with the north line of LT 5, WEBBER MANOR THIRD ADD (Parcel #010334408);*

*Thence, westerly on the north line of said Parcel #010334408 to the northwest corner of said Parcel #010334408, and continuing westerly on the westerly extension of the north line of said Parcel #010334408 to its intersection with the northerly-southerly centerline of the Avenue B right-of-way;*

*Thence, southerly on said Ave B right-of-way centerline to its intersection with the easterly-westerly right-of-way centerline of West 27th Street;*

*Thence, easterly on said West 27th Street right-of-way centerline to its intersection with the southerly extension of the east line of BLK 3, WEBBER MANOR 2ND ADD (Parcel #010279474);*

*Thence, northerly on said southerly extension of the east line of Parcel #010279474 to the southeast corner of said Parcel #010279474, said point being the Point of Beginning, said redevelopment study area containing an area of **20.153 acres**, more or less.*



Headquarters

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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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Blight Study | 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.



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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 #16

The City selected the Designated **Study Area #16** for evaluation to be within the corporate limits. The area is part vacant/undeveloped and commercial, and a variety of commercial, residential, semi-public and recreational uses surround the Study Area. This particular area was selected for several reasons.

1. The area is bordered on two sides by active commercial corridors.
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. Study Area #16 is in immediate proximity to another 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 Study Area and adjacent arterial corridors but also benefits 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 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 #16** should be declared blighted and substandard under the Nebraska Community Development Law.

The Study Area's western and southern borders co-terminate with an existing Blighted and Substandard area—the West 27th Street commercial business district.

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 approximately **20.152** acres, equating to **0.47%** 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 **1093.79** acres or **25.58%** 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 in **Figure 2** (Page 11), and consist of land uses which can be placed in five categories, including:

- Office & Professional
- Commercial Service, Retail, Restaurant
- Commercial Parking
- Public Streets
- Vacant / Undeveloped Land

The land uses indicated for the Study Area in **Figure 2** (page 11), are analyzed further in **Table 1** (Page 12). The data detail the breakdown of land uses within this Study Area, as well as the total acreage within this Study Area.



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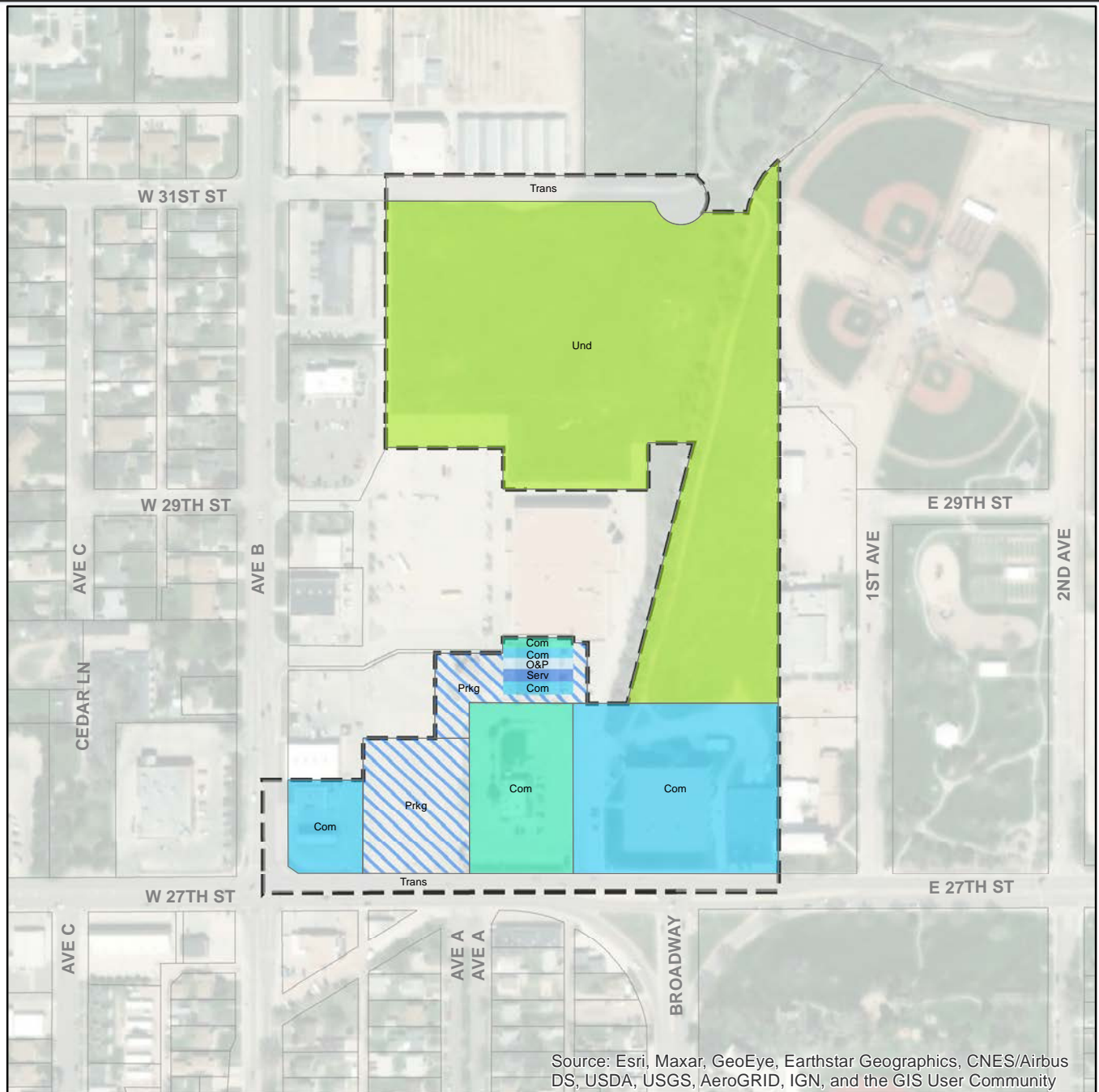
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- |                       |                      |
|-----------------------|----------------------|
| Corporate Limits      | Commercial Retail    |
| Blight Study Area     | Commercial Service   |
| Parcel                | Commercial Parking   |
| Office & Professional | Vacant / Undeveloped |
| Commercial Restaurant | Roads                |

## 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 #16  
Scottsbluff, Nebraska**

| Land Use Category         | Blight Study Area 16 |                       |
|---------------------------|----------------------|-----------------------|
|                           | Area(Acres)          | Percent of Total Area |
| Office & Professional     | 0.062                | 0.3%                  |
| Commercial                | 5.372                | 26.7%                 |
| Retail                    | 3.722                | 18%                   |
| Restaurant                | 1.573                | 8%                    |
| Service                   | 0.077                | 0.4%                  |
| Public Streets & Alleys   | 1.687                | 8%                    |
| Parking Lot               | 1.745                | 9%                    |
| Vacant / Undeveloped Land | 11.286               | 56%                   |

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 vacant/undeveloped land. This use comprises a total of over 11.29 acres, or 56% of the Study Area.

The second largest land use in this Study Area is that occupied by commercial uses, including retail, service, and restaurant. This land use comprises a total of 5.37 acres, or 26.7% of the Study Area. Adjacent commercial land uses occur all along the south, west, and north sides of the Study Area with recreational and semi-public uses along the eastern portion.

The third and fourth largest land uses within the Study Area are occupied by public streets and alley right-of-ways and commercial parking. Combined, these comprise over 3.4 acres or 17% of the Study Area. The facilities within the Public Streets & Alleys use category include two paved arterial streets and one gravel/native surface local street. No public alleys are present within this Study Area.

Office & Professional land use occupies 0.062 acres of land or 0.3% of the Study Area.

The Study Area is directly adjacent to one previously blighted study area along its western and southern boundaries.



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

## Findings and Contributing Factors

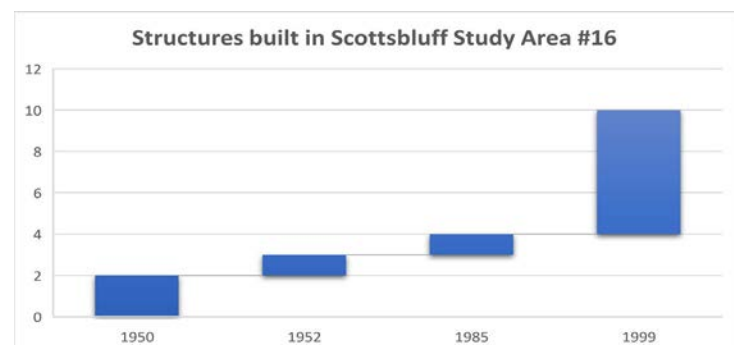
The intent of this study is to determine whether the subject area has experienced structural and site deterioration and whether there are other negative factors that are decreasing the potential to develop. The field survey work was done in February 2021, and strongly supported initial impressions that the area has sufficient presence of blighted and substandard conditions. What follows are the factors evaluated to determine whether 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. Deteriorated or Deteriorating Structures —Exterior Inspection of Buildings

There were a total of 11 structures evaluated using the Blighted and Substandard criteria as described on pages 6-9 of this report. Only the primary structures were evaluated under the Blighted and Substandard definition. One outbuilding/other structure was present but was not included in the survey. Thus the boundary for the Blighted and Substandard designation includes 10 buildings, with a combined average age of 38.9 years.

The chart below depicts structures' ages; also see **Figure 3** (page 15), and **Table 3 (Appendix B)**. Field surveys concluded that 0% were acceptable, 100% were deteriorating (average), and 0% were dilapidated. **Figure 4** (page 16) summarizes structure condition.



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

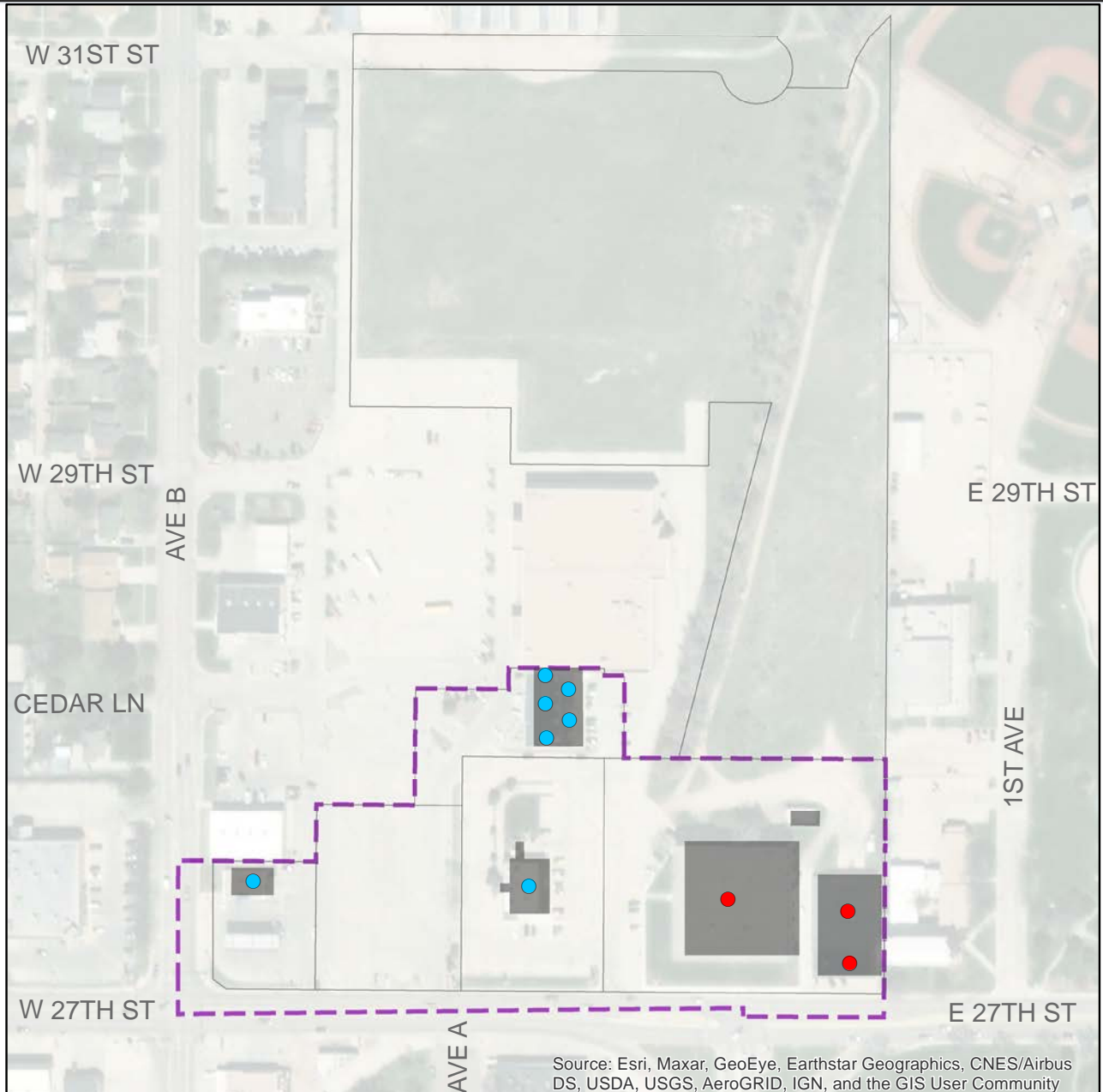


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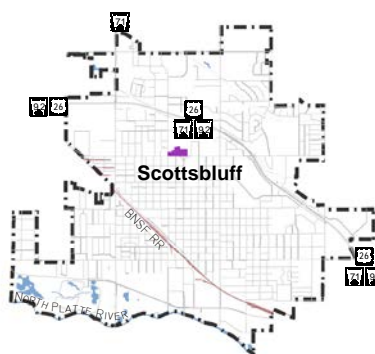
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**Study Area Structure Year**

- 1910-1981 (3 Structures  
- Built 40 or More Years Ago)
- 1982-2021 (7 Structures  
- 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.



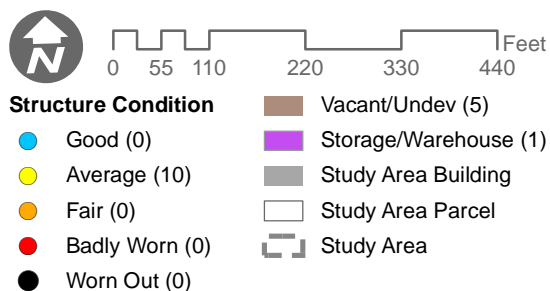
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## Structure Condition

### City of Scottsbluff, NE

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

**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. **Figure 5** (page 18) depicts surface conditions. The surface condition of public roads in the Study Area ranges from fair to poor. Some surfaces have been maintained to community standards, while some have not.

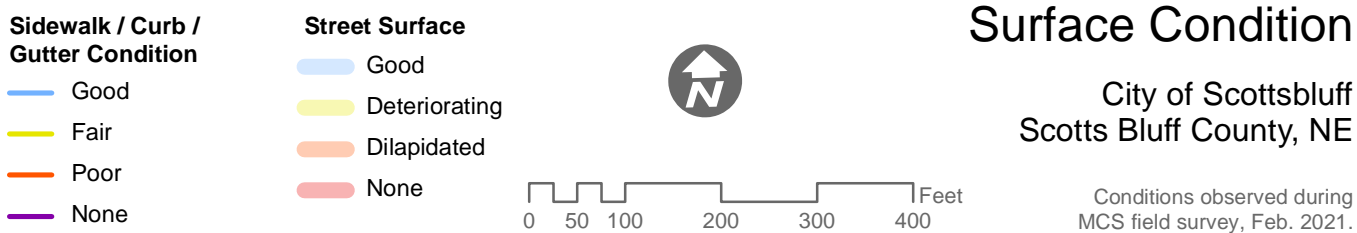
West 27th Street is concrete, recently crack-sealed. Avenue B is in need of an overlay. West 31st Street (cul-de-sac) has not been constructed as platted, is unpaved and lacks curb and gutter.

- a. There is no crosswalk at the intersection of Broadway and 27th Street in any direction. Crosswalks are located either two blocks west, at Avenue B, and two blocks east, at 2nd Avenue, along 27th Street.
- b. While redevelopment will add to traffic counts, consideration should be given to enhancing the pedestrian experience with landscaping.
- c. An irrigation/drainage ditch runs through the Study Area, isolating and limiting the use of a long narrow triangular portion of land, with limited access.
- d. There are no interior public streets or alleys within the Study Area.
- e. There are no public sidewalks for a majority of the Study Area, which is undeveloped, while public sidewalks do exist in the southern developed portion of the Study Area.



*Examples of Site Conditions within the Study Area*







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

Broadway terminates at West 27th Street leaving the undeveloped parcel to the north (which makes up 56% of the study area) accessible only via an unimproved West 31st Street as a public access. An open drain/irrigation canal cuts through this undeveloped parcel, hindering its development. There are no public alleys serving the Study Area.

### 4. Unsanitary or Unsafe Conditions

The open drainage ditch may be considered unsafe.

The Study Area, with its large unused/vacant parking areas along West 27th Street shows signs of multiple reckless driving markings on the pavement, both “cookies” and marks of acceleration exiting the parking lot from the curb area onto the busy commercial arterial as opposed to using one of the accesses. Multiple instances of alcohol bottles, discarded clothing, and additional debris in this area indicate the existence of a perpetual condition.

The intersection of Broadway and W 27th Street lacks crosswalks.

Age of Structure is not a contributing factor to the blighted and substandard conditions pertaining to unsanitary and unsafe conditions in the Study Area with just **under 39%** 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

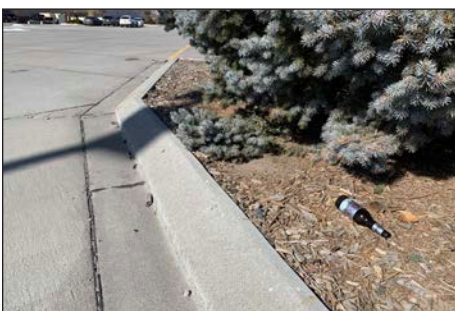
The risk of the spread of fire is amplified across the northern two thirds of the eastern half with its vegetation.

Debris accumulates in ditches, along the canal, and fences. Several significant examples of debris were noted in field observation. This debris included on-site storage and excessive discarded debris accumulating along fencing and seen throughout the Study Area. Numerous (somewhat less severe) additional instances are present, suggesting the problem is growing.

**Figure 6**, on page 20, displays debris, graffiti, on-site storage, and additional blight/substandard located during field survey.

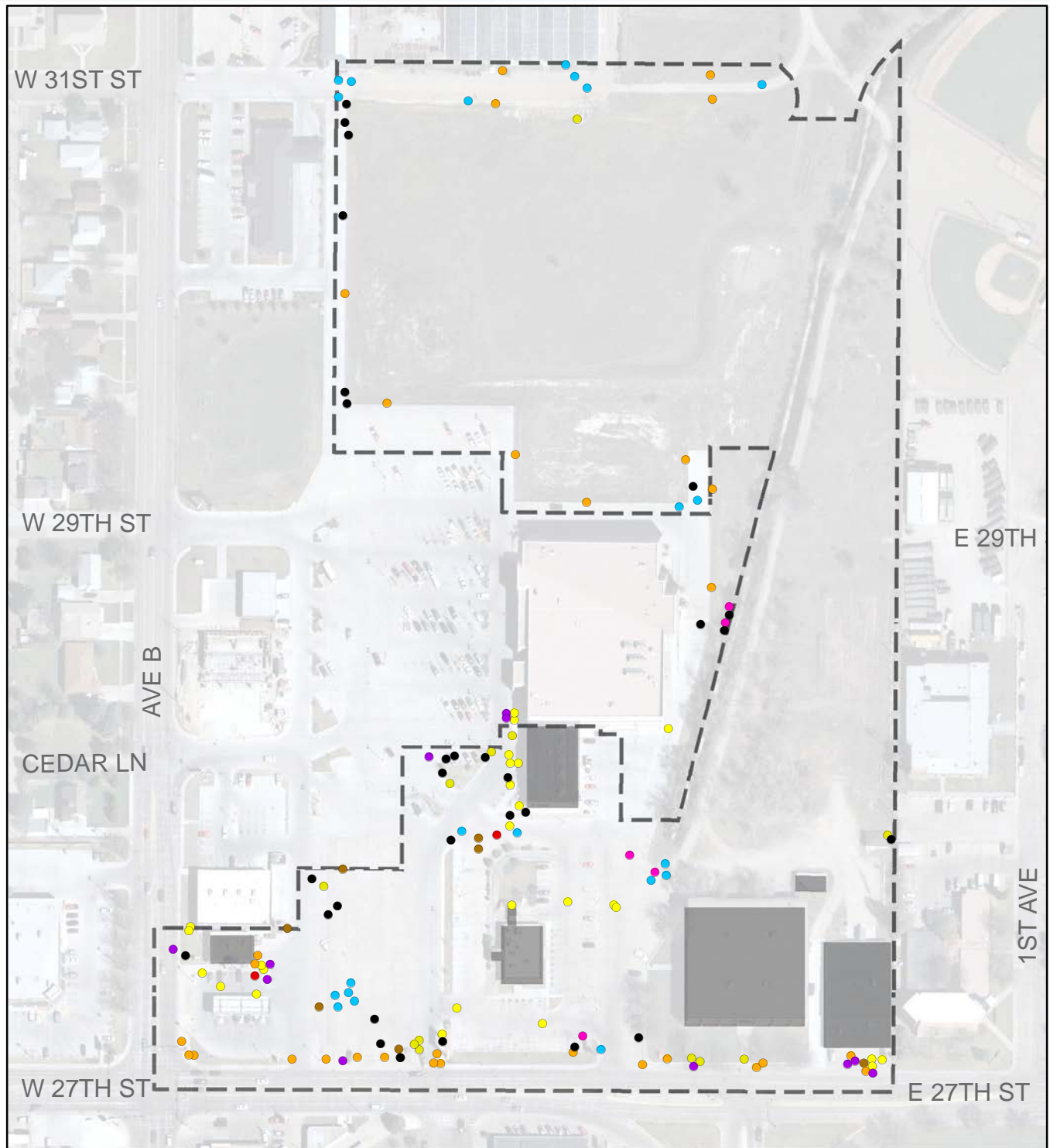
#### Dilapidated Structures

Findings of the study show 100% of the structures area deteriorating. There are 38.9% of the structures which are in excess of 40 years in the Study Area—built between 1950 and 1999. Thus, structure age and obsolescence *within the Study Area* **is not** a contributing condition of blight and substandard.



*Examples of Site Conditions within the Study Area*





## Blighted and Substandard Conditions Locations

City of Scottsbluff, NE

Conditions observed during  
MCS field survey, Feb. 2021

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



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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.



**6. Diversity of Ownership**—6 properties with 4 owners. Not 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**

The lack of proper platting has caused a hardship with utility extensions, road networks and grading. Broadway ends at West 27th Street. While internal private drives provide access to the Study Area, the only public street access to the undeveloped parcel making up over half of the Study Area is also undeveloped—W 31st Street. There are no public alleys serving the Study Area.

An open irrigation ditch/canal cuts through the Study Area, creating a long narrow triangular portion of the undeveloped parcel with many development challenges pertaining to accessibility and usefulness.

See **Appendix D—Figure 11** for a current zoning map of the area.







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

*Figure 6*, on page 20, provides an overview of the blighted and substandard conditions located and photographed during field observations.

### Poor Sidewalk and Street Conditions

The southern and western borders of the Study Area are serviced with public sidewalks in fair condition. The condition of the street paving shows signs of age with cracks, gaps and missing pieces. Street curb and gutters also show signs of aging with settling, cracks and missing pieces. West 31st has no curb and gutter. There is no crosswalk at the intersection of Broadway and 27th Street in any direction.

### 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 the vicinity of West 31st Street and in localized areas including private unpaved drives, and commercial parking lots where standing water was seen following a precipitation event.

**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.

**Structure Age**

The predominant ages of the main commercial structures in the area is split between 71 years and 22 years, averaging out to almost **39** 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 3 structures built before 1982.

**11. Any Combination of Such Factors**—The combination of many 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**

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 Unimproved Subdivided/Platted Property.

**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 not a factor at this time. The median age of the **10** primary non-public structures in the area is **38.9** years. Age of the structures within the Study Area #16 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 **10** structures of known age, **(30%)** built before 1982.

**c. Subdivided/Platted Property Unimproved for 40 Years**—is a factor with **56%** of the Study Area property having been subdivided/platted and within the corporate limits for at least 40 years.

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

**e. Decreasing Population**—is considered a factor. The Study Area does not contain residential properties, and is located in census tracts all of which the census data does not report 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 displays no increase in population based on the last two decennial census (1990-2010); 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 Study Area.



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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:

- a. The Study Area has inadequacies in the form of traffic movement capabilities and real property access. One platted street remains undeveloped and without curb and gutter. Numerous off-street paved parking areas exist (conditions range from good to poor). There is no crosswalk at the intersection of Broadway and 27th Street in any direction. There are no alleys within the Study Area. 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 contains an open drain, undeveloped field, and an unpaved/unimproved city street without curb and gutter.
- c. 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. The deficiencies / deterioration of site improvements include:
  - The Study Area has no internal public streets. The unpaved/unimproved public West 31st Street can experience access limitations during and following periods of heavy precipitation.
  - An irrigation lateral/canal cuts through the east side of the Study Area. This portion of the Study Area is lower in elevation than the surrounding developments without proper drainage. Surface water does not drain away from portions of the paved commercial parking area following precipitation events.
  - Street and curb & gutter paving shows signs of age, as does the paved commercial parking with conditions of cracks, gaps, and missing pieces, as well as settling.



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- While there are sidewalks in the southern developed area, there is no sidewalk system serving more than half of the Study Area. There is a lack of defined crosswalks across 27th Street at its intersection with Broadway—pedestrian safety, in particular children's well-being and health are at risk considering the predominance and close proximity of this intersection to schools, church, parks, residential, and commercial uses in the area.
- d. Over half of the Study Area appears unkept and / or contains substantial amounts of weeds, as well as discarded debris, persistent pavement marking from reckless driving, and broken fencing. This relatively high level of poorly maintained properties within this Study Area represents a considerable blighting factor. The lack of site improvements in well over half of 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. The field survey, combined with investigations of property ownership and plat maps indicate one lot with faults relative to lot layout, lot size, accessibility, and usefulness within the Study Area. 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.
- g. Conditions **exist** which are detrimental to the public health, safety, morals and welfare in the present condition with the lack of public sidewalks and need for crosswalks. The existence of an inadequate surface drainage system also presents additional threats to health. The lack of sufficient drainage 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. The perpetual presence of reckless driving marks on pavement, as well as discarded alcohol bottles, debris, and clothing, and extremely bent stop sign in the vacant parking area along West 27th Street are evidence of a detrimental condition to public health, safety, morals, and welfare.
- h. The lack of proper platting has caused a hardship with utility extensions, road networks and grading.
- i. There are **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.
- j. There is steady/decreasing and not increasing population over the last two decennial census.



**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. The Study Area includes commercial and undeveloped/vacant uses, therefore, per capita income and unemployment of the area were not determined as part of this study as no residential uses are found within.
- d. Diversity of ownership (4 owners of 6 parcels) is not a notable factor.

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## Comprehensive Plan / Surrounding Property

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

### Interconnection of Neighborhoods and amenities

- Improve pedestrian and cycling facilities across the highway (US Hwy 26) and throughout the neighborhood. Utilize neighborhood through streets and multi-modal accommodations along 27th Street and Avenue B.
- Safe and efficient motorized transportation along major arterials, encouraging shared driveways and limited access points.
- 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.
- Natural storm water facilities in uses with high percentage of impervious surfaces.
- Direct higher intensity uses towards arterials, with highest intensities at intersections of arterials and collectors.
- Build successful nodes at major intersections on 27th Street through aesthetics, building design, and encouraging commercial and mixes of uses.



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- Preserve undeveloped land where city utilities could be extended for long term (10-20 year) development needs.
- Encourage new development to be contiguous with existing development with planned linkages between roads and utilities.
- 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 parks through walking and biking trail connectivity and attention to pedestrian accommodations along and across heavily trafficked thoroughfares.
- Plan for a public access to a park or greenspace in current and new development, striving for no one residence to be 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.
- Improve aesthetics and landscaping along collectors, arterials, and in front of businesses, utilizing native species and enforcing design standards in Northwest Commercial Corridors.

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 #16. The Study Area is bordered on the south and west by another blighted and substandard area (the West 27th Street Commercial District).

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

The blighted and substandard factors from the adjacent blighted and substandard areas and in particular the findings of the West 27th Street Corridor Blight and Substandard Study, which have not yet been completely addressed, should be incorporated along with this study by this reference.

Adjoining the Study Area with the current adjacent blighted and substandard area 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 2016 Comprehensive Plan, it is vitally important to adjoin Study Area #16 with the adjacent blighted and substandard area. This will enhance the development potential of not only Study Area #16 but also the current adjacent blighted and substandard areas and will create a continuous, harmonious redevelopment area in the Northwest 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.



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# 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                              |
|----------|--|
| 10279466 | LT 3, WEBBER MANOR THIRD ADD                   |
| 10279474 | BLK 3, WEBBER MANOR 2ND ADD                    |
| 10334327 | LT 1, WEBBER MANOR THIRD ADD                   |
| 10334343 | LT 4, WEBBER MANOR THIRD ADD                   |
| 10334408 | LT 5, WEBBER MANOR THIRD ADD                   |
| 10336141 | PT SE (S OF DITCH) UNPL LANDS 14-22-55 (13.61) |

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

E—W: West 27th Street, East 27th Street, W 31st Street

N—S: Avenue B, Broadway



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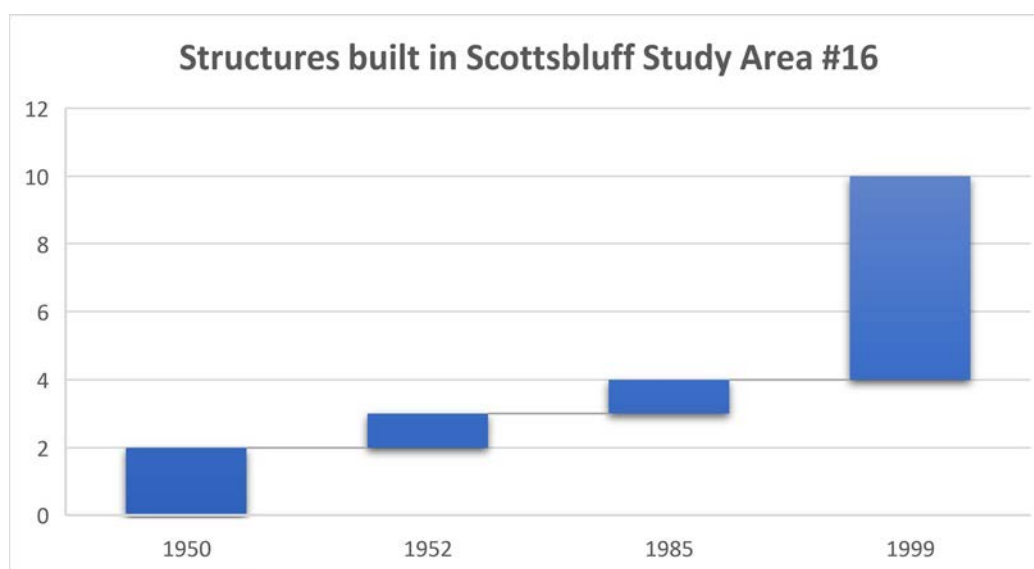
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**Table 3**  
**Structure Effective and Cumulative Ages - Blight Study Area #16**  
**Scottsbluff, Nebraska**

| Year Built              | Effective Age | No of Units | Cumulative Age |
|-------------------------|---------------|-------------|----------------|
| 1950                    | 72            | 2           | 144            |
| 1952                    | 70            | 1           | 70             |
| 1985                    | 37            | 1           | 37             |
| 1999                    | 23            | 6           | 138            |
| <b>Total Cumulative</b> |               | <b>10</b>   | <b>389</b>     |
| <b>Average Age</b>      |               |             | <b>38.90</b>   |

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

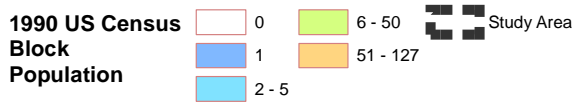
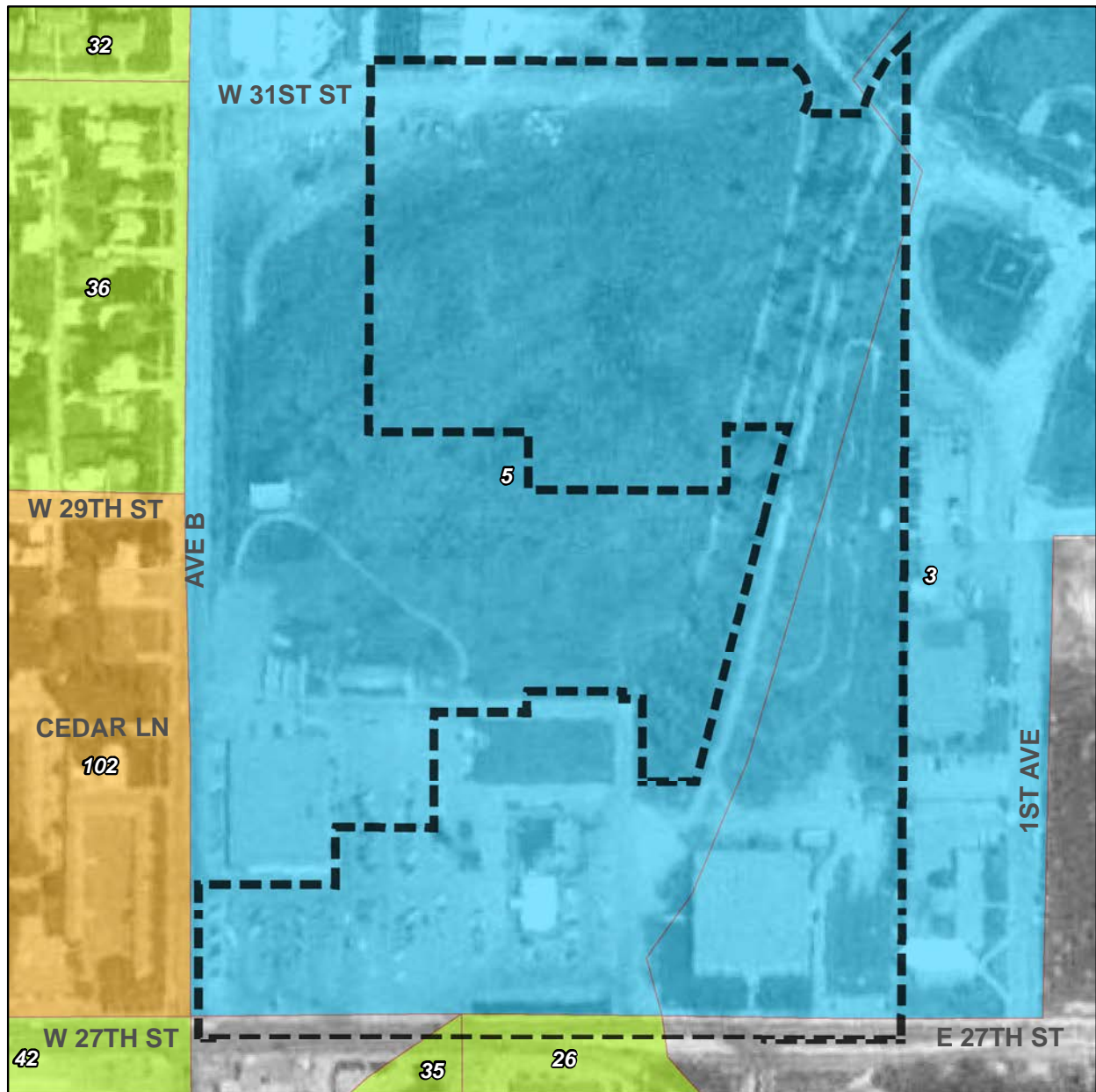


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**1990 US Census Population**

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/>



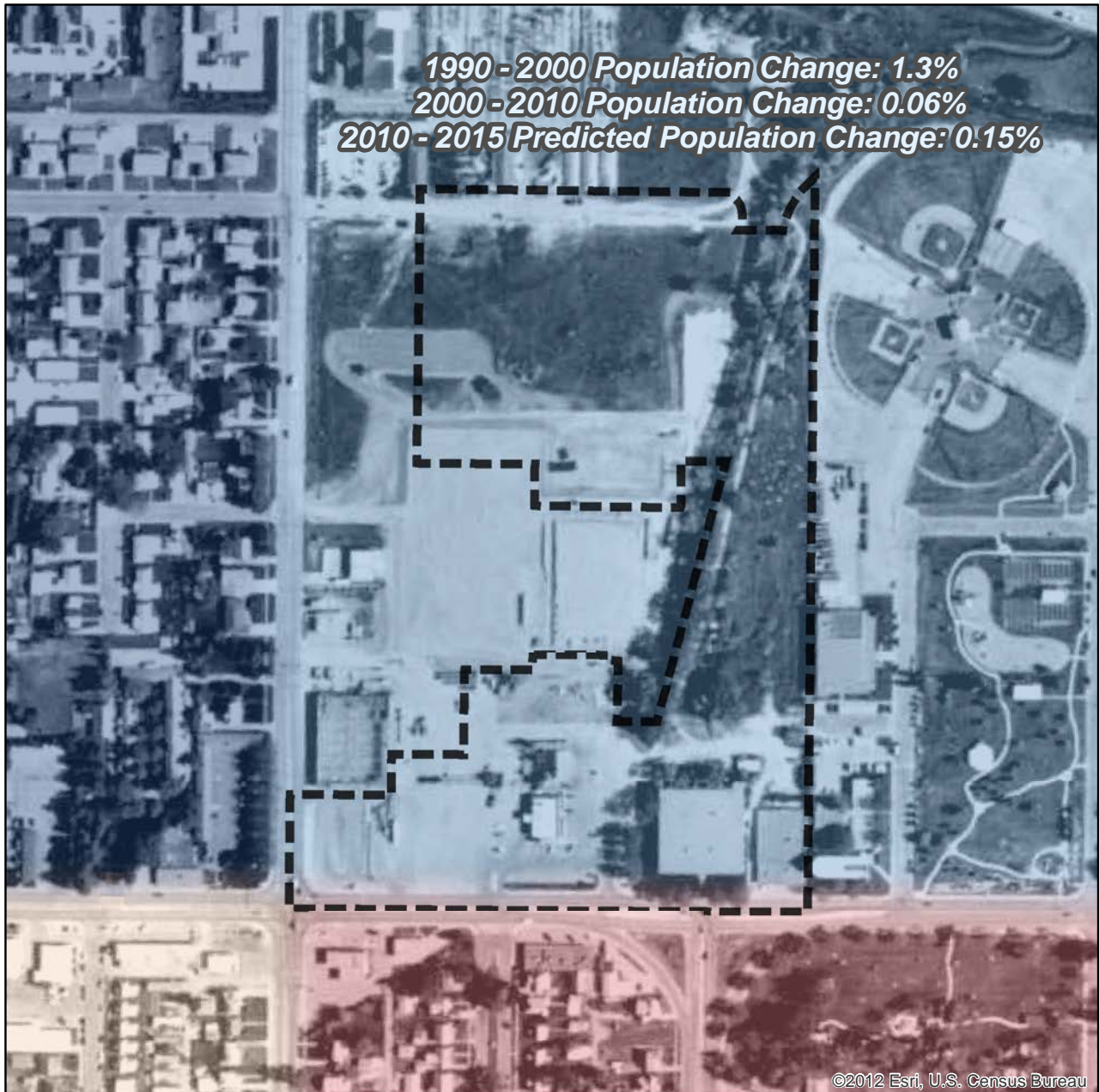
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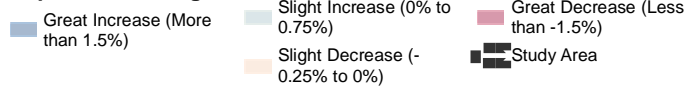
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**1990-2000  
Population Change**



**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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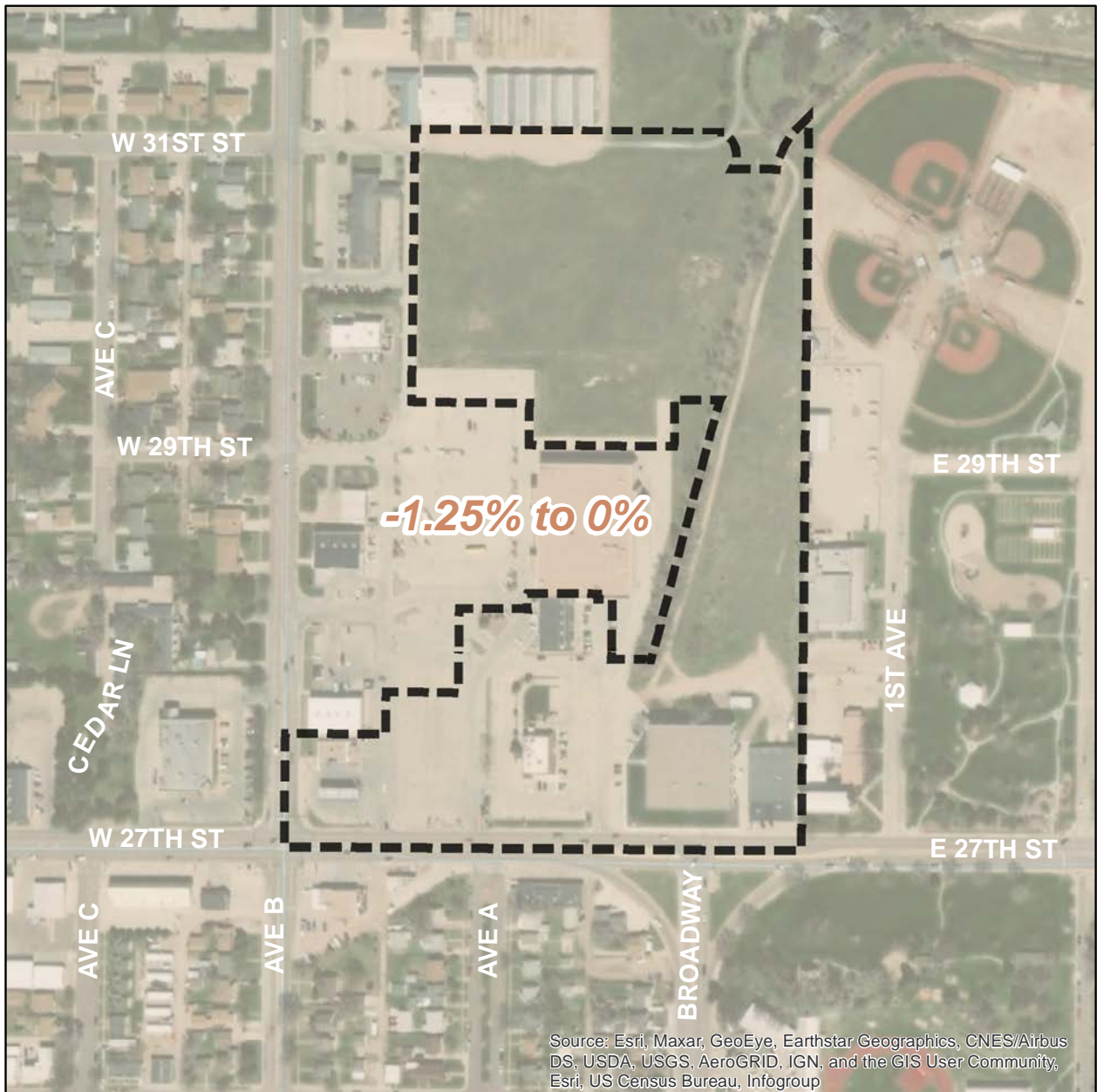
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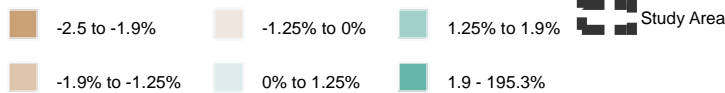






## Estimated 2015-2020 USA Population Growth

### Estimated 2020-2025 USA Pop Growth



City of Scottsbluff  
Scotts Bluff County, NE

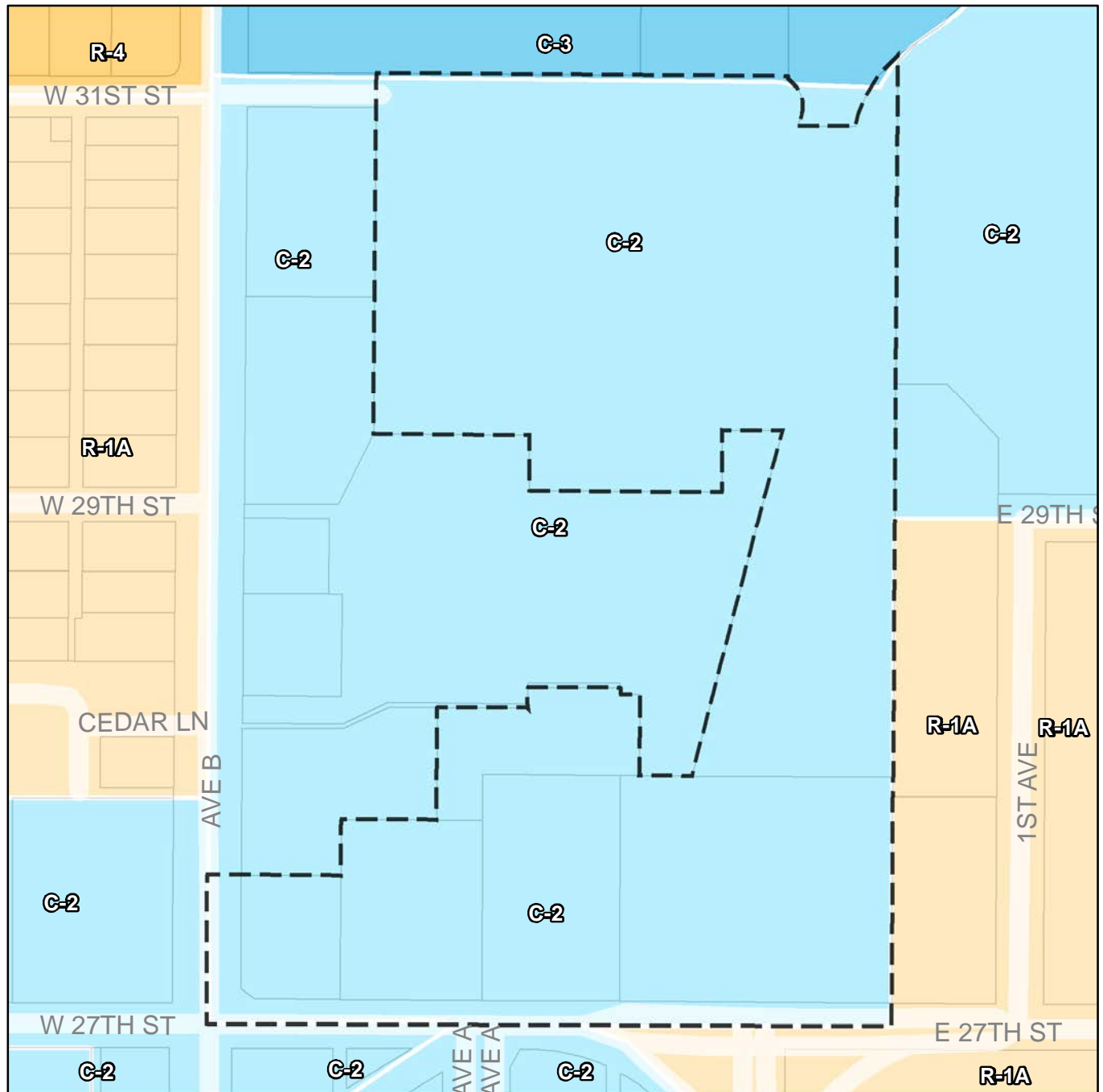
Data Sources:  
Esri's Updated Demographics, Census Data, Tapestry Segmentation, and Business Summary data for the United States.  
Server: [https://demographics5.arcgis.com/arcgis/rest/services; Name: USA\\_Demographics\\_and\\_Boundaries\\_2020](https://demographics5.arcgis.com/arcgis/rest/services; Name: USA_Demographics_and_Boundaries_2020).  
Imagery: Esri, Maxar Vivid, April 28, 2018



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- Neighborhood Commercial (C-2)
- Heavy Commercial (C-3)
- 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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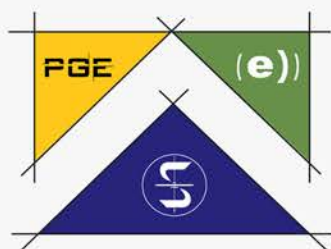
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**PROVIDING SIMPLY SMART SOLUTIONS**



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## RESOLUTION \_\_\_\_\_

### BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

#### Recitals:

- a. The question of whether the “Redevelopment Area,” as defined below, is substandard and blighted as those terms are defined in the Nebraska Community Development Law (the “Act”) has been submitted to the Planning Commission.
- b. The “Redevelopment Area” encompasses the area in Scottsbluff, Nebraska, described as set forth in Exhibit A to this Resolution.
- c. The Planning Commission has received and reviewed the Blight & Substandard Determination Study, Study Area #16 prepared by M.C. Schaff & Associates, Inc. and dated April 15, 2021 (the “Study”).
- d. The Planning Commission conducted a public hearing on June 14, 2021 for the purpose of making a recommendation to the City Council as to whether the Redevelopment Area is and should be determined as substandard and blighted as those terms are defined in the Act.
- e. The Planning Commission considered the Study and the comments at the public hearing in formulating its recommendation to the City Council.

#### Resolved:

1. The Redevelopment Area meets the criteria set forth in Sections 18-2103(3) and (31) of the Act, as described and set forth in the Study, and the inclusion of all property in the Redevelopment Area is necessary to create a unified redevelopment area sufficient to encourage developers and redevelopment and to carry out the purposes of the Act.
2. The Planning Commission recommends to the City Council that the City Council declare the Redevelopment Area as substandard and blighted and in need of redevelopment.
3. All prior resolutions of the Planning Commission in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.
4. This Resolution shall become effective immediately upon its adoption.



**PASSED and APPROVED** on June 14, 2021

**PLANNING COMMISSION OF THE CITY  
OF SCOTTSBLUFF, NEBRASKA**

By: \_\_\_\_\_  
Chair

ATTEST:

By: \_\_\_\_\_  
Recording Secretary

**Exhibit A**  
**Redevelopment Area (Area 16)**

Properties and tracts of land within the general vicinity north of 27th Street, east of Avenue B, south of West 31st Street, and west of 1st Avenue in the central portion of the community. The area contains approximately 20.153 acres and is more particularly described as:

*Situated in the West Half of the Southeast Quarter of Section 14, 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 BLK 3, WEBBER MANOR 2ND ADD (Parcel #010279474);

*Thence, northerly on the east line of said Parcel #010279474 to the northeast corner of said Parcel #010279474, said point also being the southeast corner of PT SE (S OF DITCH) UNPL LANDS 14-22-55 (Parcel #010336141);*

*Thence, continuing northerly on the east line of said Parcel #010336141 to the northeast corner of said Parcel #010336141 to its intersection with the south line of BLK 5, WEBBER MANOR SUBDIV (Parcel #010108092);*

*Thence, southwesterly and westerly on the line between said Parcel #010108092 and Parcel #010336141 to its intersection with the eastern curved edge of the West 31st Street cul-de-sac right-of-way;*

*Thence, northerly and northwesterly on said right-of-way line of West 31st Street cul-de-sac to its intersection with the north line of West 31st Street right-of-way;*

*Thence, westerly on the north right-of-way line of West 31st Street to its intersection with the northerly extension of the west line of Parcel #010336141;*

*Thence, southerly on said northerly extension of Parcel #010336141 to the northwest corner of said Parcel #010336141, and continuing southerly on the west line of said Parcel #010336141 to its intersection with the north line of LT 2, WEBBER MANOR THIRD ADD (Parcel #010334335);*

*Thence, easterly and continuing on the line between said Parcel #010334335 and Parcel #010336141 to its intersection with the north line of BLK 3, WEBBER MANOR 2ND ADD (Parcel #010279474);*

*Thence, westerly on the north line of said Parcel #010279474 to the southeast corner of LT 1, WEBBER MANOR THIRD ADD (Parcel #010334327);*

*Thence, northerly on the east line of said Parcel #010334327 to the northeast corner of said Parcel #010334327;*

*Thence, westerly on the north line of said Parcel #010334327 to the northwest corner of said Parcel #010334327;*

*Thence, southerly on the west line of said Parcel #010334327 to the southwest corner of said Parcel #010334327, said point also being on the north line of LT 4, WEBBER MANOR THIRD ADD (Parcel #010334343);*

*Thence, westerly on the north line of said Parcel #010334343 to the northwest corner of said Parcel #010334343;*



*Thence, southerly on the west line of said Parcel #010334343 to its intersection with the north line of LT 5, WEBBER MANOR THIRD ADD (Parcel #010334408);*

*Thence, westerly on the north line of said Parcel #010334408 to the northwest corner of said Parcel #010334408, and continuing westerly on the westerly extension of the north line of said Parcel #010334408 to its intersection with the northerly-southerly centerline of the Avenue B right-of-way;*

*Thence, southerly on said Ave B right-of-way centerline to its intersection with the easterly-westerly right-of-way centerline of West 27th Street;*

*Thence, easterly on said West 27th Street right-of-way centerline to its intersection with the southerly extension of the east line of BLK 3, WEBBER MANOR 2ND ADD (Parcel #010279474);*

*Thence, northerly on said southerly extension of the east line of Parcel #010279474 to the southeast corner of said Parcel #010279474, said point being the Point of Beginning, said redevelopment study area containing an area of **20.153 acres**, more or less.*

# **City of Scottsbluff, Nebraska**

**Monday, June 14, 2021**

**Regular Meeting**

**Item Old Bus.1**

**None**

**Staff Contact: Zachary Glaubius, Projects & Planning Coordinator**