

City of Kearney, Nebraska

Blight and Substandard Study Redevelopment Area #12

Project No. 18-0199 Phase 101

Prepared by



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REVELOPMENT AREA #12 DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF SECTION TWENTY-EIGHT (28), TOWNSHIP NINE (9) NORTH, RANGE FIFTEEN (15) WEST OF THE 6TH P.M., BUFFALO COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, PATRIOT SECOND SUBDIVISION; THENCE SOUTHWESTERLY ALONG THE EAST RIGHT OF WAY LINE OF PIPER AVENUE, A DISTANCE OF 37.85 FEET TO THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF PIPER AVENUE AND THE EXTENDED NORTH LINE OF LOT 1, KEARNEY INDUSTRIAL SUBDIVISION; THENCE WESTERLY, ALONG THE NORTH LINE OF SAID LOT 1, KEARNEY INDUSTRIAL PARK SECOND AND THE NORTH LINE OF LOT 1, KEARNEY INDUSTRIAL PARK, A DISTANCE OF 2236.98 FEET TO THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF CHERRY AVENUE AND THE EXTENDED NORTH LINE OF LOT 1, KEARNEY INDUSTRIAL PARK; THENCE NORTHERLY ALONG THE WEST RIGHT OF WAY LINE OF CHERRY AVENUE, A DISTANCE OF 1759.53 FEET TO A POINT 33 FEET WEST OF AND 1386.92 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 28; THENCE EASTERLY DEFLECTING 90 DEGREES RIGHT A DISTANCE OF 1174.10 FEET; THENCE SOUTHERLY DEFLECTING 84 DEGREES RIGHT A DISTANCE OF 1124.87 FEET; THENCE EASTERLY DEFLECTING 84 DEGREES LEFT A DISTANCE OF 962.19 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF PIPER AVENUE; THENCE NORTHERLY, ALONG THE WEST RIGHT OF WAY LINE OF PIPER AVENUE, A DISTANCE OF 1094.24 FEET TO THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF PIPER AVENUE AND THE NORTH RIGHT OF WAY LINE OF CESSNA STREET; THENCE EASTERLY, ALONG THE NORTH RIGHT OF WAY LINE OF CESSNA STREET, A DISTANCE OF 915.81 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF CESSNA STREET AND THE EAST RIGHT OF WAY LINE OF AIRPORT ROAD; THENCE SOUTHWESTERLY ALONG THE EAST RIGHT OF WAY LINE OF AIRPORT ROAD, A DISTANCE OF 1682.04 FEET TO THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF AIRPORT ROAD AND THE EXTENDED SOUTH LINE OF LOT 2, PATRIOT TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 4,322,057 SQUARE FEET OR 99.22 ACRES MORE OR LESS WHICH INCLUDES 7.83 ACRES OF ROAD RIGHT OF WAY.

CONCLUSION

The study findings support a blighted and substandard designation for the study area. The presence of blighted and substandard factors reveals the study area needs revitalization and strengthening to ensure it will contribute to the physical, economic, and social well-being of the City of Kearney, Nebraska. Study findings support that the private sector has not invested in the growth or development of the study area. In addition, the area cannot be reasonably developed without (“but for” test) the Nebraska Community Development Law’ potential aid.

The City of Kearney’s elected board and city management are encouraged to review the results of this study with legal counsel to compare these findings to the requirements of the Nebraska Community Development Law and take into consideration the declaration of the study area as blighted and substandard.

INTRODUCTION

This blight and substandard determination study examines existing conditions of land use, buildings, and structures within the City of Kearney, Buffalo County, Nebraska, to determine eligible areas for redevelopment activities. Specific areas within the city that have the potential for redevelopment activities to overcome blighted and substandard conditions were studied. When evaluating blight and substandard conditions, the city shall adhere to Nebraska Community Development Law, as provided for in the Nebraska Revised State Statutes.

Nebraska Revised State Statute 18-2101.01, enables a municipality to declare that blight and substandard conditions exist. The statute reads as follows:

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

Furthermore, Nebraska Revised State Statute 18-2103.11 provides:

...In no event shall a city of the metropolitan, primary, of 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.

Exhibit 2

Redevelopment Area	Acres		
	(Inside Corporate Limits)	(Outside Corporate Limits)	
1	127.53		
2	177.16		
3	138.43		
4	110.69		
5	593.21		
7	109.47		
8	157.83	66.19	
9	658.35	33.34	
10	584.34	60.09	
TOTAL	2,657.01	159.62	
TOTAL Corporate Limits		9,208.28	
Blighted Designated %	28.85	Remaining %	6.15
		Remaining Acres	566.31

• Total acres for each redevelopment area were generated by geographic information system and not by legal survey. For exact acres, a legal survey is required.

This blight and substandard determination study is intended to give the community development agency (CDA) and the city's elected board the basis for determining whether of blighted and substandard conditions exist within the City of Kearney's corporate limits. Through the determination process, the city attempts to eliminate economic and/or social concerns, which are detrimental to the future public health, safety, morals, and general welfare of the entire community.

The findings of this blight and substandard study provide the structure of the redevelopment plan for the community. The redevelopment plan will contain, in accordance with the provisions of Nebraska Community Development Law, local objectives regarding appropriate land uses, improved traffic circulation, trails and bike paths, economic development activities, public infrastructure, public utilities, and other public improvements.

BLIGHT AND SUBSTANDARD ELIGIBILITY ANALYSIS

The evaluation that the City of Kearney, Nebraska is eligible for a blight and substandard analysis was made on the basis that existing blighted and substandard factors must be present to an extent which would lead a reasonable person to conclude public intervention is appropriate or necessary to assist with any redevelopment activities.

Substandard areas are defined by Nebraska Revised State Statute 18-2103.10 as the following:

Substandard areas shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals, or welfare.

Blighted areas are defined by Nebraska Revised State Statute 18-2103.11 as the following:

Blighted area shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary 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 which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or City in which the area is designated; or (v) that the area has had either stable or decreasing population based on the last two decennial censuses...

Because of these definitions, the City of Kearney, Nebraska, was deemed eligible for a blight and substandard analysis, and public intervention is appropriate or necessary to assist with redevelopment of specific areas in the community.

Contributing Factors

Population

Exhibit 3 provides U.S. Census Bureau recorded population numbers for communities and unincorporated areas within Buffalo County, Nebraska, and the state of Nebraska from 1990 to 2010. The City of Kearney's population has increased more than 19 percent since 1990. Based on the last two decennial censuses, the City of Kearney' population growth does not make population a contributing factor of blighted conditions within a community.

Exhibit 3 Population 1990 - 2010 Buffalo County Communities and Unincorporated Areas

Community	1990	2000	% Change 1990-2000	2010	% Change 2000-2010	% Change Last Two Decennial Censuses 1990-2010
Nebraska	1578417	1711265	7.76%	1826341	6.30%	13.57%
Buffalo County	37603	42341	11.19%	46102	8.16%	18.44%
Kearney	24993	27576	9.37%	30997	11.04%	19.37%
Gibbon	1530	1754	12.77%	1835	4.41%	16.62%
Ravenna	1375	1385	0.72%	1362	-1.69%	-0.95%
Amherst	230	261	11.88%	248	-5.24%	7.26%
Elm Creek	852	894	4.70%	901	0.78%	5.44%
Miller	130	156	16.67%	136	-14.71%	4.41%
Pleasanton	375	361	-3.88%	341	-5.87%	-9.97%
Riverdale	216	209	-3.35%	182	-14.84%	-18.68%
Shelton	959	1135	15.51%	1060	-7.08%	9.53%
Incorporated Areas	30660	33731	9.10%	37062	8.99%	17.27%
Unincorporated Areas	6943	8610	19.36%	9040	4.76%	23.20%

Source: U.S. Bureau of the Census, Profile of General Population and Housing Characteristics, 1990-2010

Structure Age

Structure obsolescence or age are contributing factors of blight and substandard conditions in the study area.

An aerial photo of the Kearney Army Air Field provides photographic evidence of housing units that were built between 1946 and 1947. Although none of those housing structures currently exist, 18 of those original housing foundations remain (pictured below is one of the existing foundations being re-purposed for machine storage).



Harold Nehls, "U.S. Army Air Forces Aerial Photographic Section," Historic Kearney, accessed May 15, 2018, <https://historickearney.unk.edu/items/show/24>.



Exhibit 4 provides information that a majority of structures in the study area are more than 40 years old. The study area has 20 structures/sub-structures. Based upon structure age research using photographic information and parcel information gained from <http://buffalo.gisworkshop.com>, all 20 structures/sub-structures are at least 40 years old. Based upon field observations and additional research from <http://buffalo.gisworkshop.com>, there are approximately 87 acres of land within the study area that are vacant and owned by the City of Kearney, Nebraska. Study results demonstrate that 100 percent of the structures surveyed may be classified as obsolescent, or at least 40 years old.

Structure Condition



Structure dilapidation, deterioration, and/or existence of conditions that endanger life or property by fire and other causes, or any combination of such factors, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime and are detrimental to the public health, safety, morals, or welfare of the community. All are contributing factors of blight and substandard conditions in the study area.

This section explores the land use, building, and structural conditions found within the study area and are based upon the statutory definitions and on contributing factors.

The structural survey inspected the exterior conditions of structures through a “windshield survey.” This means that structural surveyors were only able to evaluate the physical conditions of a structure and its immediate surroundings as visible from the public right-of-way. This survey did not include any evaluation of interior structural conditions or any other physical condition not detectable from the street.

Exterior conditions of structures were evaluated and rated in accordance with the following schedule: sound condition, minor repairs needed, major repairs needed, or dilapidated. The following descriptions define the rating schedule used to assess and evaluate building and structure conditions:

Sound Condition

- *A unit that appears new or well maintained and structurally intact. The foundation should appear structurally undamaged, and there should be straight roof lines. Siding, windows, and doors should be in good repair with good exterior paint condition. Minor problems such as small areas of peeling paint and/or other maintenance items are allowable under this category.*

Minor Repairs Needed

- *A unit that show signs of deferred maintenance or that needs only one major component, such as a roof.*

Major Repairs Needed

- *A unit in need of replacement of one or more major components and other repairs (e.g., no storm shelter, incomplete foundation work, roof structure replacement and reroofing, as well as painting and window replacement).*

Dilapidated

- *A unit suffering from excessive neglect, where the building appears structurally unsound and maintenance is nonexistent, not fit for human habitation in its current condition, may be considered for demolition, or that—at a minimum—major rehabilitation will be required.*

Exhibit 5 demonstrates the existence of structures that are dilapidated, are deteriorating, or have conditions that endanger life or property by fire and other causes. The study area has 20 structures/sub-structures. The results of the survey indicate that 18 (90 percent) of the structures show signs of dilapidation, deterioration, and/or existence of conditions that endanger life or property by fire and other causes or any combination of such factors; are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; and are detrimental to the public health, safety, morals, or welfare in the study area.

Lot Layout

Faulty lot layout in relation to size and other conditions is a contributing factor to blight. Many lots within the study area have been determined to be of inadequate size, configuration, accessibility, and usefulness in the present layout. The present layout, or lack of appropriate land-use planning, impedes potential development and growth of the study area. Preliminary and final platting would be required for future development to occur.

Public Infrastructure Analysis

This section analyzes the condition of water, sewer, sidewalks, streets, and curb and gutter (drainage). These are the main components comprising the public infrastructure system in the study area. The public infrastructure, where possible, was analyzed and rated in a fashion similar to the structure conditions analysis.

Curb and Gutter

The presence of curb and gutter in the study area was analyzed, with the results contained within **Exhibit 6**. The study area has 0.95 total centerline miles. Within the study area, 100 percent of the street did not have curb or gutter.

Curbs and gutters are a means of stormwater collection and play an important role in the overall community drainage system. It should be noted that the study area lacks a comprehensive stormwater management plan. The lack of curb and gutter doesn't necessarily reflect poor community stormwater management. However, the combination of gravel streets without curbs and/or gutters and undeveloped land and the lack of a specific area stormwater management plan, is a cause for concern and a contributing factor to the blight and substandard conditions of the study area.

Street Conditions

Streets within the study area were analyzed for condition and status in relation to the provision of safe and efficient public circulation and access. **Exhibit 6** provides the street conditions in the study area for 0.95 centerline miles. The study indicates that roughly 100 percent of the streets within the study area are in serious or poor condition.

The condition of streets, as the inability/ability of those streets to move traffic in and through the study area, is a contributing factor to the blighted and substandard conditions of the study area.

Sidewalks

The condition of sidewalks in the study area were not analyzed because there are no sidewalks in the study area. Sidewalks aid in separating pedestrian and vehicular traffic. Because no sidewalks are in the study area, this is considered a safety issue and the lack of sidewalks is a contributing factor to the blight and substandard condition of the study area.

Wastewater Utility Infrastructure

The condition of the public sanitary sewer system was analyzed and found to be maintained and operating as designed. Development of the study area may cause additional wastewater utility infrastructure demands on the system and may play a critical role in the development or growth of the study area.

Water Utility Infrastructure

The condition of the public water system was analyzed and found to be maintained and operating as designed. Development of the study area may cause additional water utility infrastructure demands on the system and may play a critical role in the development or growth of the study area.

Fire Hydrant Protection Infrastructure

A 350-foot buffer—which is the typical length of a city residential block—was drawn around each fire hydrant to establish a fire protection coverage area map. The results are presented in **Exhibit 7**. The analysis determined that areas of the study area are greater than 350 feet from a fire hydrant. It should be noted that water flow (gallons per minute) is an extremely important factor when determining the appropriate distance between a fire hydrant and structures.

BLIGHT AND SUBSTANDARD STUDY FINDINGS

Of the 12 blighted factors set forth in the Nebraska Community Development Law, 9 are present to a strong extent in the study area. The factors of tax or special assessment exceeding the fair value of land and defective or unusual condition of title are of little to no presence. The blighting factors that are present are reasonably distributed throughout the study area.

Blighted Conditions Present in the Study Area:

- *Substantial number of deteriorating structures*
- *Unsanitary or unsafe conditions*
- *Deterioration of site or other improvements*
- *Defective or unusual conditions that endanger life or property by fire and other causes*
- *Factors that substantially impair or arrest the sound growth of the community*
- *Structures in the area at least 40 years old*
- *Faulty lot layout in relation to size and other conditions*
- *Trash, material, and other debris throughout the area*
- *Economic or social liability detrimental to health, safety, and welfare of the community*

Substandard Conditions Present in the Study Area

- *Dilapidation, deterioration, old age, or obsolescence of structures*
- *Existence of conditions that endanger life or property by fire and other causes*
- *Property structures 40 years or older*

The other eligibility criteria for blight and substandard are not present in the area but include the following:

- *Defective or unusual condition of property ownership title*
- *Inadequate provisions for ventilation, light, air, open spaces, or sanitation*
- *Diversity of ownership*
- *Declining population over the last two census periods*

These issues are not present or are limited enough as to have minimal impact on the overall condition of the study area.

Issues that were not researched because of a lack of data, confidentially, and other potential disclosure concerns include the following:

- *Tax/special assessment delinquency greater than fair value of land*
- *Tax delinquency*
- *Underemployment that equals 120 percent of the state or national average*
- *Per capita income less than city-wide average*
- *High-density population and overcrowding*

GENERAL REDEVELOPMENT PLAN

Purpose of Plan

The purpose of the Redevelopment Plan is to guide the implementation of the community development activities within the previously examined Redevelopment Study Area #12 in the City of Kearney, Nebraska.

Nebraska Revised State Statute 18-2105 grants legal authority to the governing body to formulate a redevelopment program. The statute reads as follows:

The governing body of a city or an authority at its direction for the purposes of sections 18-2101 to 18-2144 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 or 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.

Nebraska Revised State Statute 18-2111 requires general planning element shall be included. The statute reads,

The authority may itself prepare or cause to be prepared a redevelopment plan or any person or agency, public or private, may submit such a plan to an authority. A redevelopment plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project area, and shall include without being limited to: (1) The boundaries of the redevelopment project area, with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional

public facilities or utilities which will be required to support the new land uses in the area after redevelopment. Any redevelopment plan may include a proposal for the designation of an enhanced employment area.

Furthermore, the Redevelopment Plan should demonstrate that proposed redevelopment efforts are in conformance with the Comprehensive Development Plan for the City of Kearney, Nebraska. Also, the Plan should demonstrate through its design and implementation the efficient use of public funds and the mitigation of blighted and substandard conditions.

Recommendations

For the purpose of this report, primary redevelopment projects include the development of an industrial economic development. The specific Redevelopment Plan for Redevelopment Study Area #12 should be amended on an as-needed basis to ensure and promote the development of this area in a comprehensive way.

Redevelopment projects in Redevelopment Study Area #12 will require significant investment in public infrastructure including water, sanitary sewer, and streets. However, specific needs are unknown at this time in the redevelopment planning process.

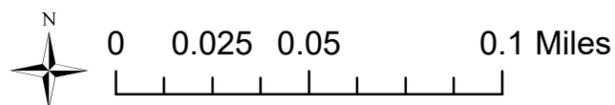
Finally, the Kearney Comprehensive Plan (Adopted July 26, 2016, Resolution No.:2016-116) recommends that Redevelopment Study Area #12 serve as an area for general industrial uses, specifically light industrial and general industrial. The recommended industrial development of the Redevelopment Study Area #12 poses no land use conflicts but the City of Kearney should revisit each industrial redevelopment project in this area to ensure each project doesn't have an adverse consequence on the current and future uses of this area.



Structure Age

- Less Than 40 Years
- Greater Than 40 Years

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 DRAWN BY: JJJOHNSON
 DATE: June 27, 2018



City of Kearney, Nebraska
 Structure/Sub-Structure Age Map

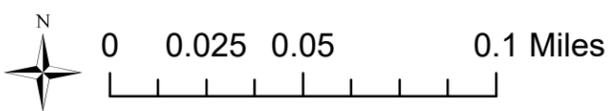
2018 Redevelopment Area



Structure Condition

- Sound Condition
- Minor Repairs Needed
- Major Repairs Needed
- Dilapidated

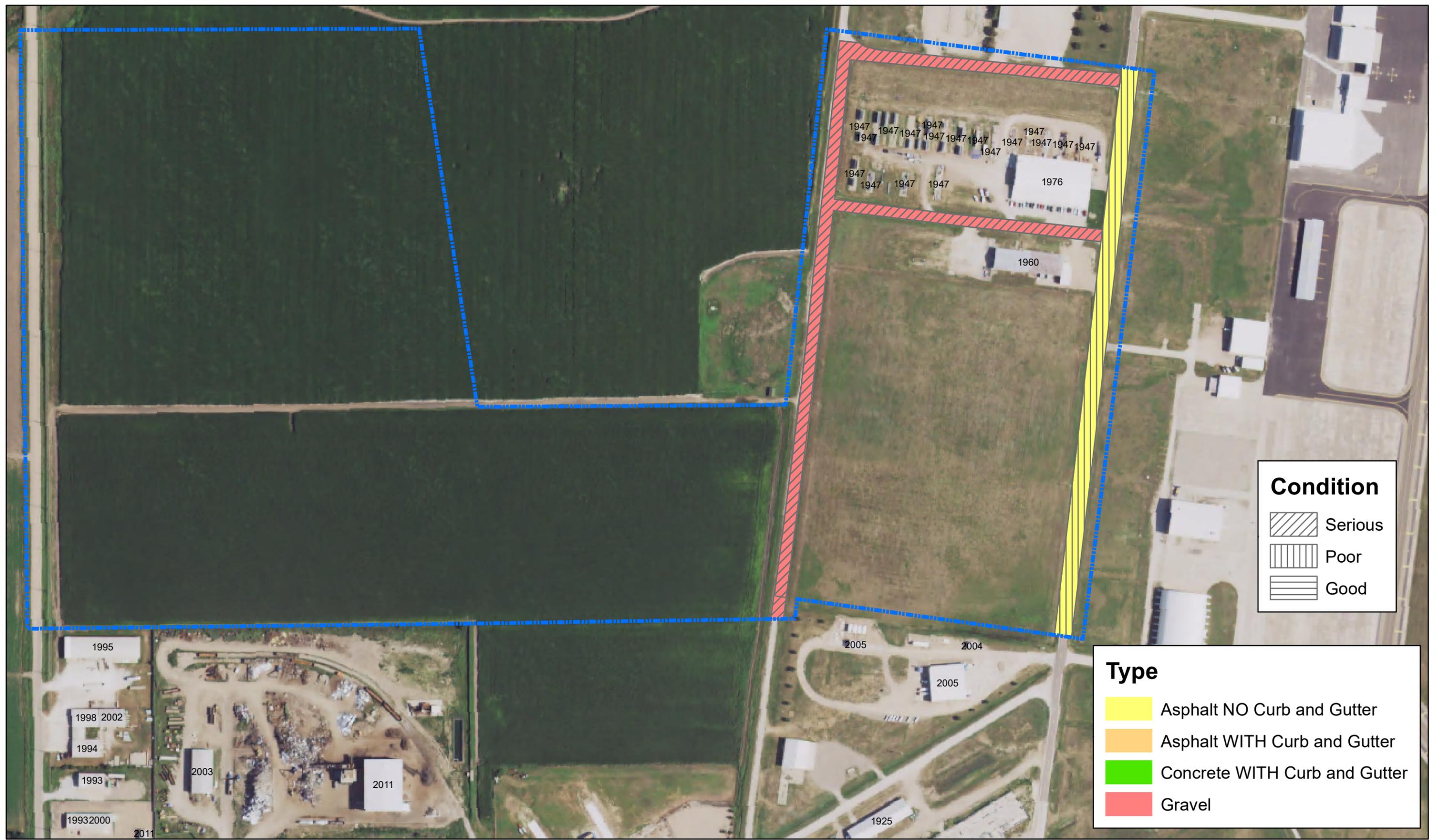
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 DATE: June 27, 2018



City of Kearney, Nebraska
 Structure Condition Map

2018 Redevelopment Area

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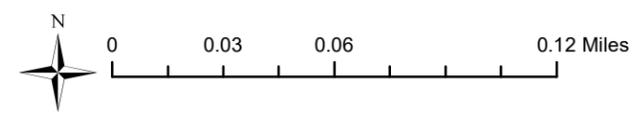
Condition

	Serious
	Poor
	Good

Type

	Asphalt NO Curb and Gutter
	Asphalt WITH Curb and Gutter
	Concrete WITH Curb and Gutter
	Gravel

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City of Kearney, Nebraska
 Street/Road Condition Map

2018 Redevelopment Area

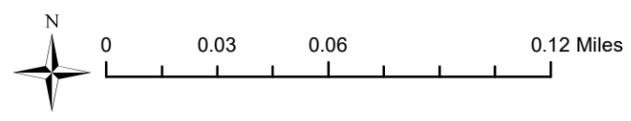
OLSSON ASSOCIATES
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Fire Protection

- Fire Hydrant
- 350 ft. Fire Protection Buffer

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DATE: June 28, 2018



City of Kearney, Nebraska Fire Protection Map

 2018 Redevelopment Area


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