

FACTSHEET

TITLE: A Resolution requested by the Director of the Urban Development Department declaring the **Yolande Avenue Redevelopment Area** as blighted and substandard, as determined by the *Yolande Avenue Redevelopment Area Blight & Substandard Determination Study*.

STAFF RECOMMENDATION: A finding of reasonable presence of substandard and blighted conditions (**Miscellaneous No. 11003**).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 06/01/11
Administrative Action: 06/01/11

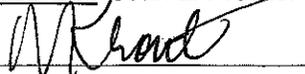
RECOMMENDATION: A finding of reasonable presence of substandard and blighted conditions (9-0: Esseks, Gaylor Baird, Cornelius, Partington, Taylor, Francis, Larson, Lust and Sunderman voting 'yes').

FINDINGS OF FACT:

1. This is a request to declare the **Yolande Avenue Redevelopment Area** as blighted and substandard pursuant to Neb.Rev.Stat. § 18-2103. After an area is declared blighted and substandard, the City may proceed with the preparation and approval of a Redevelopment Plan. Redevelopment Plan activities may include utilizing Tax Increment Financing (TIF) from private development to pay for public infrastructure and improvements.
2. This study area consists of an estimated 96.6 acres, more or less, comprised predominantly of commercial and industrial land uses, generally located between Cornhusker Highway and Salt Creek, from approximately North 14th Street at the west boundary to approximately North 24th Street at the east boundary. The *Yolande Avenue Redevelopment Area Blight and Substandard Determination Study* was conducted by Hanna:Keelan Associates, P.C., which has determined that there is a reasonable presence of substandard and blighted conditions in the study area.
3. The staff recommendation to find the area to be blighted and substandard is based upon the "Analysis" as set forth on p.3-5, concluding that the **Yolande Avenue Redevelopment Area** qualifies as substandard and blighted within the definition of the Nebraska Community Development Law, as determined by the *Yolande Avenue Redevelopment Area Blight and Substandard Determination Study*. The Study is consistent with the redevelopment and revitalization activities identified in the Comprehensive Plan.
4. On June 1, 2011, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On June 1, 2011, the Planning Commission agreed with the staff recommendation and voted 9-0 to find that there is a reasonable presence of substandard and blighted conditions in the **Yolande Avenue Redevelopment Area** and that the area should be declared blighted and substandard (**Miscellaneous No. 11003**).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: June 13, 2011

REVIEWED BY: 

DATE: June 13, 2011

REFERENCE NUMBER: FS\CC\2011\MISC11003 Blight

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for June 1, 2011 PLANNING COMMISSION MEETING

- PROJECT #:** Miscellaneous No.11003
Yolande Avenue Blight and Substandard Determination Study
- PROPOSAL:** The Urban Development Department has forwarded a request to review the Yolande Avenue Area Blight and Substandard Determination Study and to recommend the Area to be declared substandard and blighted.
- LOCATION:** An area generally located between Cornhusker Highway on the north, Salt Creek on the south, N. 14th Street on the west and N. 24th Street on the east.
- LAND AREA:** 96.6 acres, more or less
- CONCLUSION:** The Yolande Avenue Area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, NEB REV STAT § 18-2103. The Substandard and Blight Determination Study is consistent with the redevelopment and revitalization activities identified in Lincoln-Lancaster County 2030 Comprehensive Plan.

RECOMMENDATION:

Finding that there is a reasonable presence of substandard and blighted conditions in the Yolande Avenue Area as per § 18-2103 (11) Nebraska Revised Statutes.

GENERAL INFORMATION:

EXISTING ZONING: I-1, Industrial and H-3, Highway Commercial

EXISTING LAND USE: Industrial and Commercial

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2030 Lincoln and Lancaster County Comprehensive Plan identifies this area as commercial and industrial in the Future Land Use Plan. (p.17)

Economic Opportunity

The Plan seeks to improve physical and technological infrastructure, to maintain a healthy climate for locally owned and operated commerce and trade, to promote the recruitment of new companies and to provide a variety of training and employment opportunities. (p.6)

Guiding Principles for the Urban Environment - Overall Form

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods. (P.9)

Guiding Principles for the Economy

The City should work with developers interested in providing new industrial and office development sites. These sites are important for new companies to come to town and to help existing businesses relocate within Lincoln. (p.29)

The community actively encourages public-private partnerships, strategic alliances and collaborative efforts...as a means to accomplish its future economic objectives. (p.30)

Guiding Principles for Business and Commerce

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. (p.36)

ANALYSIS:

1. This is a request to determine whether the Yolande Avenue area should or should not be declared substandard and blighted per § 18-2103 (11) Nebraska Revised Statutes. After an area is declared substandard and blighted, the City may proceed with the preparation and approval of a Redevelopment Plan. Redevelopment activities may include utilizing Tax Increment Financing (TIF) from private development to pay for public infrastructure and improvements.
2. The purpose for the study is to address concerns from primary employers in the area about deteriorating public infrastructure. To address these concerns, to encourage expansion of the these employers and improve the business climate in the area, a Tax Increment Financing(TIF) district is being proposed. To qualify for TIF, a Blight and Substandard Determination Study must be completed first, with a Redevelopment Plan to follow.
3. The Urban Development Department hired a consultant who conducted the study to determine whether or not there was a presence of substandard or blighting conditions in the study area per § 18-2103 (11) Nebraska Revised Statutes.
4. The area comprises 96.6 acres. According to the land use categories identified in the Blight Study, approximately 17% of the land is in commercial use, 40.5% is in industrial use and 20.5% is developed as street or highway right-of-way, and 22% is vacant.
5. The Urban Development Department requests the determination study be reviewed by the Planning Commission for conformance with the Comprehensive Plan.
6. A **substandard** area is defined in the Nebraska Revised Statutes as containing a predominance of buildings or improvements with at least one of four conditions present:
 1. Dilapidation/deterioration
 2. Age or obsolescence
 3. Inadequate provision for ventilation, light, air, sanitation or open spaces
 4. a) High density of population and overcrowding; or
b) The existence of conditions which endanger life or property by fire and other causes; or
c) 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.

7. According to the Blight Study, the area qualifies as **substandard** because all four factors were found to have a strong presence.
- A) Dilapidation or deterioration of structures is evident in 31.3% of the structures (Page 21).
 - B) Based on field evaluation 56.3% of structures are over 40 years of age. (Page 21).
 - C) Conditions which endanger life or property by fire and other causes are evidenced by the presence of flammable materials and the absence of fire hydrant connections. (Page 23).
 - D) Based on field evaluation conducted by the consultant, 64.6% of parcels had overall site conditions rated as being in "fair" of "poor" condition. (p.32)
8. A **blighted** area is defined in the Nebraska Revised Statutes as having the presence of one or more of the twelve following conditions:
- 1. A substantial number of deteriorated or deteriorating structures;
 - 2. Existence of defective or inadequate street layout;
 - 3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
 - 4. Insanitary or unsafe conditions;
 - 5. Deterioration of site or other improvements;
 - 6. Diversity of ownership;
 - 7. Tax or special assessment delinquency exceeding the fair value of the land;
 - 8. Defective or unusual conditions of title;
 - 9. Improper subdivision or obsolete platting;
 - 10. The existence of conditions which endanger life or property by fire or other causes;
 - 11. Other environmental and blighting factors
 - 12. One of the following five conditions:
 - a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
 - b) The average age of the residential or commercial units in the area is at least 40 years;
 - c) More than half of the platted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
 - d) The per capita income of the designated blighted area is lower than the average per capita income of the city or City in which the area is designated; or
 - e) The area has had either stable or decreasing population based on the last two decennial censuses.
9. The study found the following 10 **blighting** factors to be present to a strong extent in the study area:
- A) A substantial number of deteriorated or deteriorating structures (Page 28).
 - B) Defective or inadequate street layout (Page 30).
 - C) Faulty lot layout in relation to size, adequacy, accessibility or usefulness. (Page 31)

- D) Insanitary or unsafe conditions (Page 32).
- E) Deterioration of site improvements (Page 33).
- F) Diversity of Ownership (Page 35)
- G) Improper subdivision or obsolete platting (Page 40).
- H) Conditions which endanger life or property by fire and other causes (Page 41).
- I) Other environmental and blighting factors (Page 43).
- J) Additional blighting conditions: The average age of the residential or commercial units in the area is estimated at 41.9 years (Page 44)

- 10. The study finds a strong presence of factor of all four factors that constitute an area as substandard within the study area, and out of 12 possible factors that constitute an area blighted, 10 are strongly present in the area. Therefore it is the conclusion of the study that sufficient conditions and factors meet the criteria of substandard and blight as evidenced in the Blight Study. These factors present a serious barrier to the planned and coordinated development of the area, have created an environment that negatively impacts private sector investment in the area, and serve as a detriment to the overall healthy economic growth and physical development of the community.
- 11. The Blight Study is on file with the Urban Development Department and the Planning Department.

Prepared by:

Tom Cajka
Planner

DATE: May 16, 2011

APPLICANT: Wynn Hjermstad
Urban Development Department
555 S. 10th Street, Suite 205
Lincoln, NE 68508
402-441-8211

CONTACT: same as applicant

MISCELLANEOUS NO. 11003

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

June 1, 2011

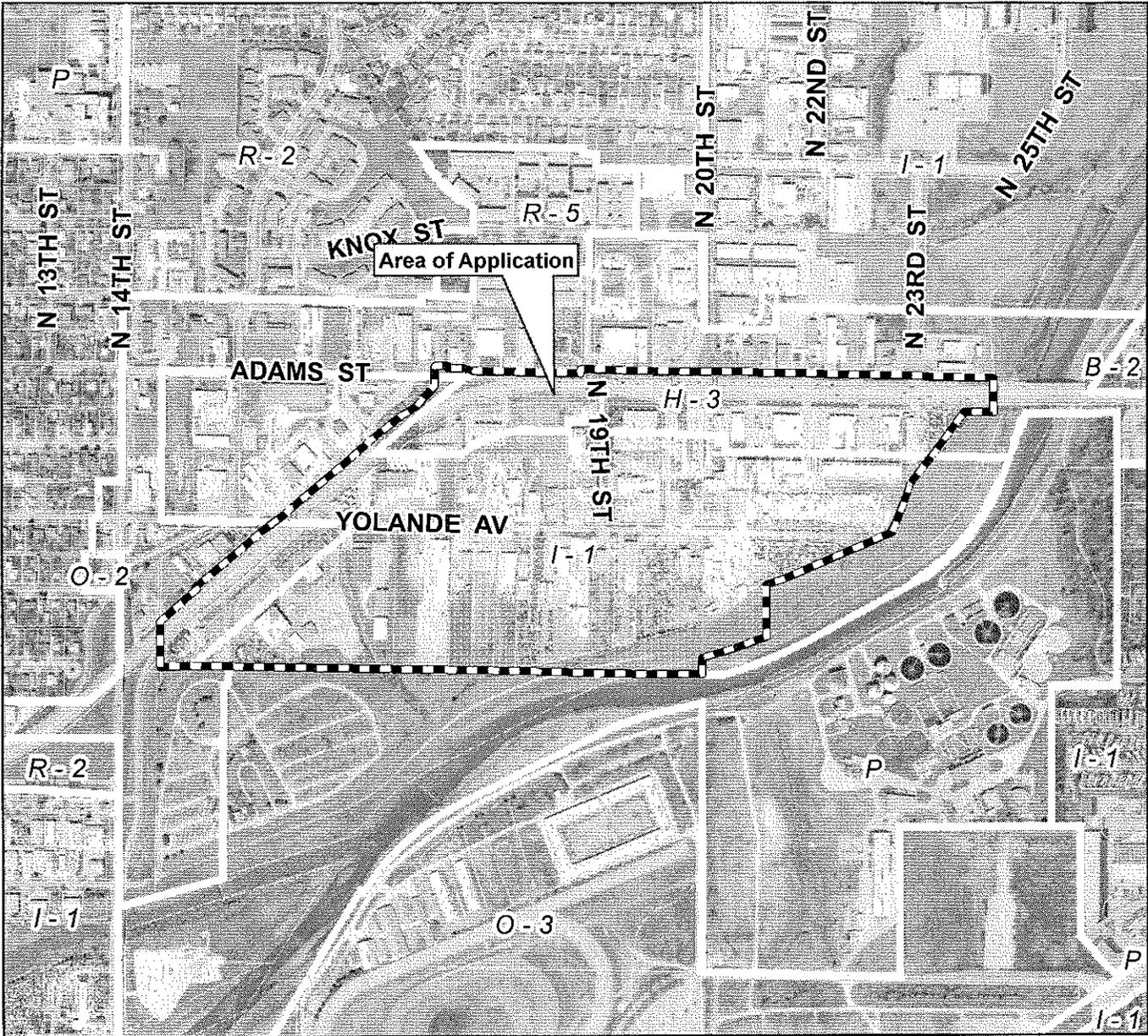
Members present: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 11005, CHANGE OF ZONE NO. 11015, CHANGE OF ZONE NO. 11016, STREET AND ALLEY VACATION NO. 11006** and **MISCELLANEOUS NO. 11003.**

Ex Parte Communications: None

Item No. 1.3, Change of Zone No. 11016, was removed from the Consent Agenda and scheduled for separate public hearing.

Larson moved approval of the remaining Consent Agenda, seconded by Taylor and carried 9-0: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington, Sunderman and Taylor voting 'yes'.



**Miscellaneous #11003
Yolande Ave & Cornhusker Hwy**

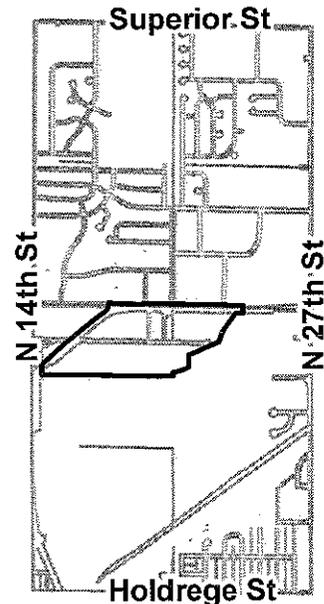
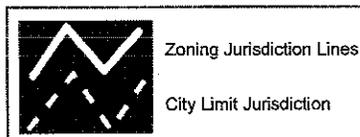
2010 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



Two Square Miles
Sec. 12 T10N R06E
Sec. 13 T10N R06E





**CITY OF LINCOLN
NEBRASKA**

MAYOR CHRIS BEUTLER
lincoln.ne.gov

Urban Development Department
David Landis, Director
555 S. 10th Street
Suite 205
Lincoln, Nebraska 68508
402-441-7606
fax: 402-441-8711

May 4, 2011

Marvin Krout, Director
City of Lincoln-Lancaster County Planning Department
555 S. 10th
Lincoln, NE 68508

Dear Marvin:

Enclosed is the Yolande Avenue Redevelopment Area Blight and Substandard Determination Study. Ten hard copies are included and a PDF will also be forwarded to your office today. The Study was completed in March, 2011 by Hanna:Keelan Associates, P.C. at the request of Plastic Companies Enterprises, Inc., (PCE).

Please forward the Study to the Planning Commission for their earliest consideration and review for conformity with the Comprehensive Plan. My understanding is that it should be on the June 1, 2011 Planning commission agenda.

If you have questions or need additional information, please contact me at 441-8211 or by e-mail at whjermstad@lincoln.ne.gov. Thank you.

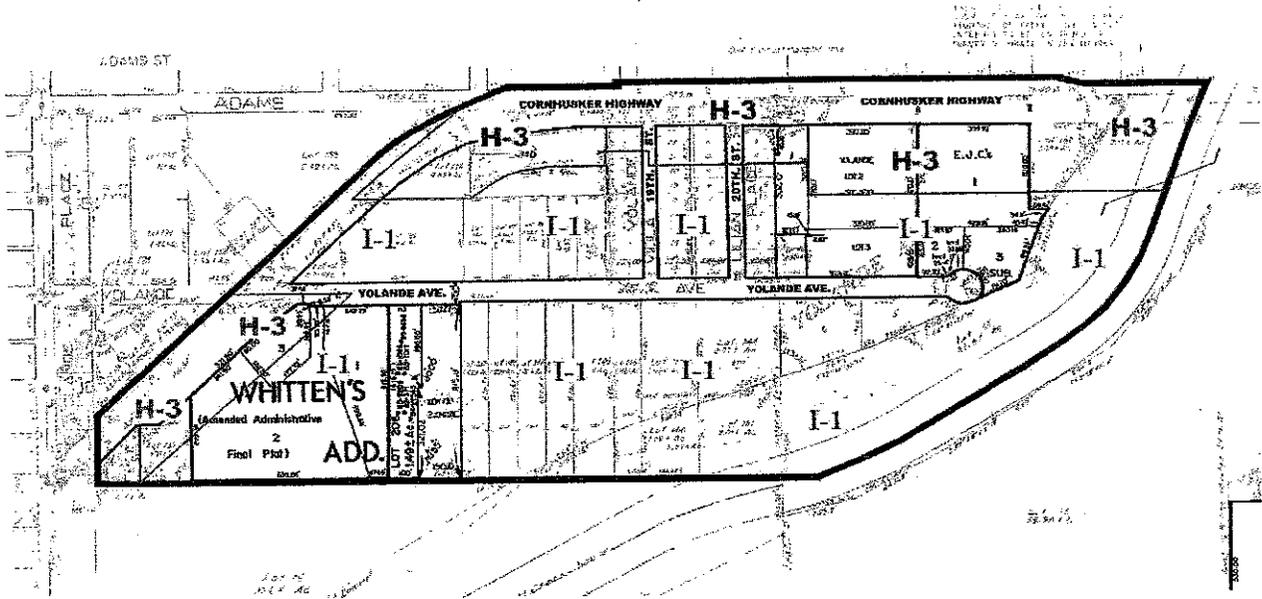
Sincerely,

Wynn S. Hjermstad, AICP
Community Development Manager

cc: Dave Landis, Director, Urban Development
Sheli Carpenter, CFO, PCE

enc.

**EXISTING ZONING MAP
YOLANDE AVENUE REDEVELOPMENT AREA
LINCOLN, NEBRASKA**



LEGEND

- H-3** Highway Commercial District
- I-1** Industrial District
- Redevelopment Area Boundary

ILLUSTRATION 3

**HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH**

* Lincoln, Nebraska * 402.464.5383 *

YOLANDE AVENUE REDEVELOPMENT AREA BLIGHT AND SUBSTANDARD DETERMINATION STUDY

EXECUTIVE SUMMARY

Purpose of Study/Conclusion

The purpose of this Study was to determine whether all or part of the designated **Yolande Avenue Redevelopment Area**, in Lincoln, Nebraska, qualified as a **blighted and substandard area**, within the definition set forth in the **Nebraska Community Development Law, Section 18-2103**.

The findings presented in this **Blight and Substandard Determination Study** are based on surveys and analysis conducted for the **Yolande Avenue Redevelopment Area**, referred to in this **Study** as the **Redevelopment Area**.

The **Yolande Avenue Redevelopment Area** contains an estimated 96.6 acres located, generally, between Cornhusker Highway and Salt Creek, from approximately North 14th Street at the west boundary, to approximately North 24th Street at the east boundary, City of Lincoln, Lancaster County, Nebraska. The **Redevelopment Area** is comprised predominantly of commercial and industrial land uses.

The **Yolande Avenue Redevelopment Area** boundary is generally described as follows: Beginning at the intersection of the north line of Cornhusker Highway (Highway 6) and the extended center-line of the Salt Creek, thence south along said extended line across the right-of-way of Cornhusker Highway and continuing south/southwesterly along the center-line of Salt Creek to its intersection with the north line of Lot 167 (also the north line of the former State Fair Park), thence west along said north line to its intersection with the extended east alley line of the half block at the east line of North 14th Street between Yolande Avenue and Cornhusker Highway, thence north along said east extended line to its intersection with the north line of Cornhusker Highway, thence northeasterly and east along said north line to its intersection with the extended center-line of Salt Creek, also known as the point of beginning.

Illustration 1 identifies the **Yolande Avenue Redevelopment Area** in context to the City of Lincoln.

On the basis of this approach, the Yolande Avenue Redevelopment Area is found to be eligible as “blighted” and “substandard,” within the definition set forth in the legislation. Specifically:

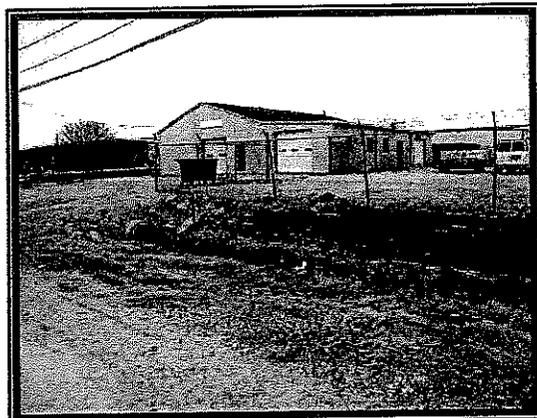
SUBSTANDARD FACTORS

Of the four Factors set forth in the Nebraska Community Development Law, all four Factors in the Yolande Avenue Redevelopment Area were found to be present to a strong extent.

**TABLE 1
SUBSTANDARD FACTORS
YOLANDE AVENUE REDEVELOPMENT AREA
LINCOLN, NEBRASKA**

1.	Dilapidated/deterioration.	☒
2.	Age or obsolescence.	☒
3.	Inadequate provision for ventilation, light, air, sanitation or open spaces.	☒
4.	Existence of conditions which endanger life or property by fire and other causes.	☒
Strong Presence of Factor		☒
Reasonable Presence of Factor		☐
Little or No Presence of Factor		○

Source: Hanna:Keelan Associates, P.C., 2011



BLIGHT FACTORS

Of the 12 Factors set forth in the Nebraska Community Development Law, 10 were present to a strong extent, in the Redevelopment Area. The Factor of tax or special assessment exceeding the fair value of land was determined not to be a Blighted Factor. The Factor of defective or unusual condition of title was not reviewed.

**TABLE 2
BLIGHT FACTORS
YOLANDE AVENUE REDEVELOPMENT AREA
LINCOLN, NEBRASKA**

- | | | |
|-----|--|----|
| 1. | A substantial number of dilapidated or deteriorating structures. | ☐ |
| 2. | Existence of defective or inadequate street layout. | ☐ |
| 3. | Faulty lot layout in relation to size, adequacy, accessibility or usefulness. | ☐ |
| 4. | Insanitary or unsafe conditions. | ☐ |
| 5. | Deterioration of site or other improvements. | ☐ |
| 6. | Diversity of Ownership. | ☐ |
| 7. | Tax or special assessment exceeding the fair value of land. | ○ |
| 8. | Defective or unusual condition of title. | NR |
| 9. | Improper subdivision or obsolete platting. | ☐ |
| 10. | The existence of conditions which endanger life or property by fire or other causes. | ☐ |
| 11. | Other environmental and blighting factors. | ☐ |
| 12. | One of the other five conditions. | ☐ |

Strong Presence of Factor	☐
Reasonable Presence of Factor	☐
Little or No Presence of Factor	○
Not Reviewed	NR

Source: Hanna:Keelan Associates, P.C., 2011