North 27th Street Redevelopment Plan

March, 1998
City of Lincoln
Urban Development Department

CITY OF LINCOLN

North 27th Street Redevelopment Plan

An Amendment to the Radial Reuse Redevelopment Plan
(Revised)

Prepared by:

City of Lincoln, Nebraska
Urban Development Department
Don Wesely, Mayor

Approved:

_____
Marc Wullschleger, Director
Urban Development Department

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North 27th Street Redevelopment Plan

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Cover artwork courtesy of RDG Crose Gardner Shukert.

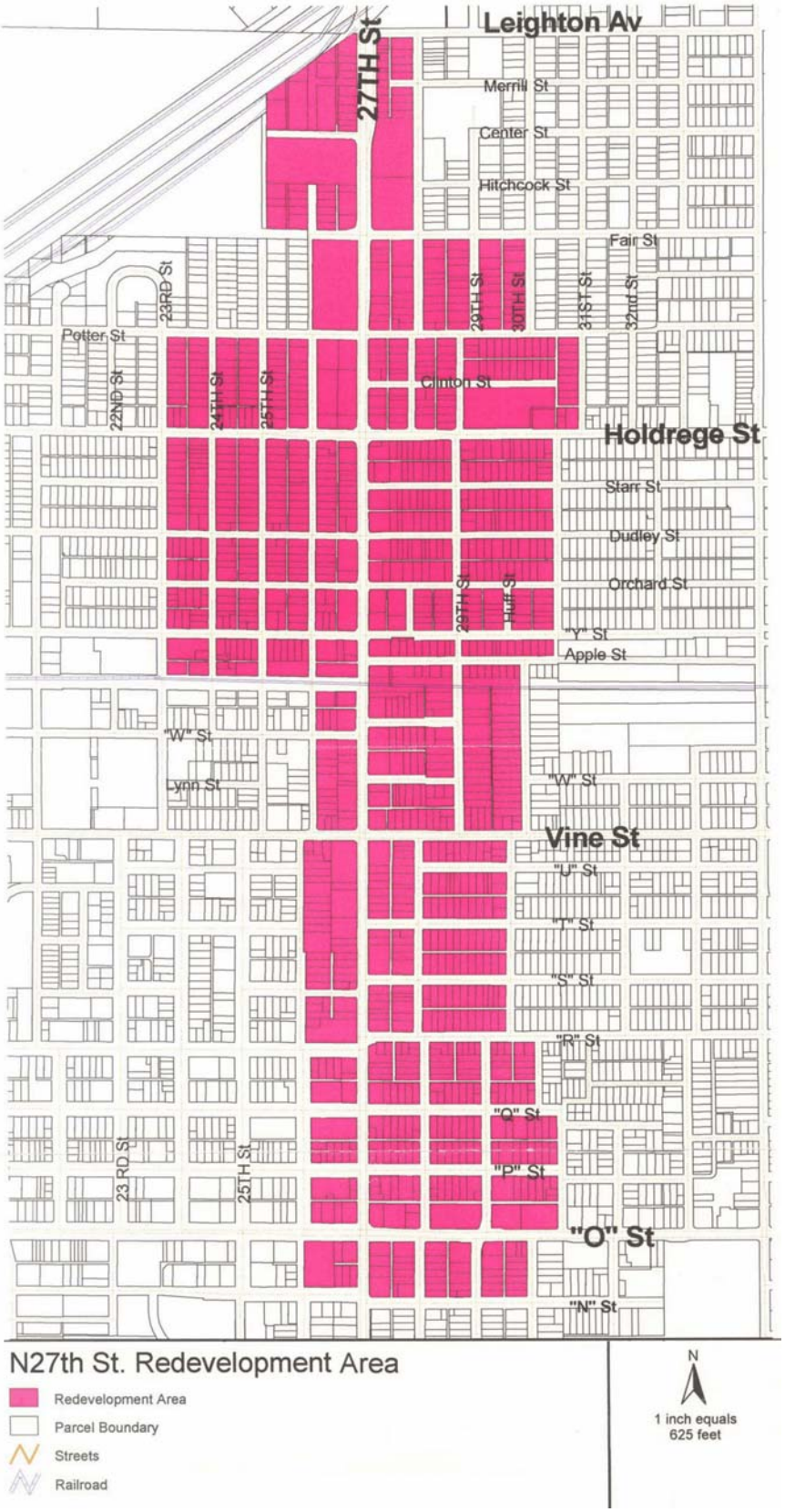
INTRODUCTION

This document, the *North 27th Street Redevelopment Plan*, has been prepared as an amendment to the *Northeast Radial Redevelopment Plan - 27th Street East* as amended by the June, 1984 *Radial Reuse 27th Street West/Malone East/Malone Study Area Redevelopment Plan* to include these areas into a single redevelopment plan. Exhibit 1 illustrates the *North 27th Street Redevelopment Plan* boundaries, which is located between “N” Street on the south and the viaduct over the Burlington Northern Santa Fe right-of-way, parallel to Cornhusker Highway, on the north. All references within the *Radial Reuse 27th Street West* portion of the 1984 Redevelopment Plan, as amended, to the area included in Exhibit 1 is superseded by this document. Blight and substandard conditions in the North 27th Street corridor included in the 1984 plan have not been alleviated. Blighting conditions have actually increased in the corridor, creating the need for a new Redevelopment Plan that incorporates both the 1984 blighted area as well as the area addressed in this plan. The remainder of the 1984 Redevelopment Plan has not been addressed or altered. Exhibit 2 illustrates the boundaries of the 1984 Redevelopment Plan and amendments.

The *North 27th Street Redevelopment Plan* is a guide for redevelopment activities within the North 27th Street Redevelopment Area. Located in north-central Lincoln, North 27th Street has become one of the City’s principal north-south arterials, linking Interstate 80 on the north with Highway 2 on the south. The redevelopment area spans portions of four different neighborhoods including Clinton, Hartley, Malone, and Woods Park.

The earliest development in this area dates back to the mid-1880's, corresponding to Lincoln's first growth "boom." A mix of commercial, residential and civic uses developed, following a streetcar line. In the 1920s, some commercial buildings were built on the property line, especially in the area of 27th and Vine. Residential development had small set backs, using the wide public right-of-way as a buffer from the street. Auto-oriented uses became typical in the 1970s that often included free standing buildings surrounded by parking. In the 1980s, the street was improved to a four-lane divided facility from “N” Street north. While 27th Street is a major arterial street, it has also become a significant barrier, since it divides neighborhoods and discourages pedestrian activity.

Increasing traffic, the proximity of the street to residential and commercial development, commercial growth, and the need to stabilize adjacent neighborhoods were some of the issues that led the North 27th Street Business Association, in February of 1994, to request City assistance in completing a plan for the corridor. Over the following years, a steering committee comprised of local business and neighborhood representatives worked on a plan, culminating with the completion of *The North 27th Street Corridor*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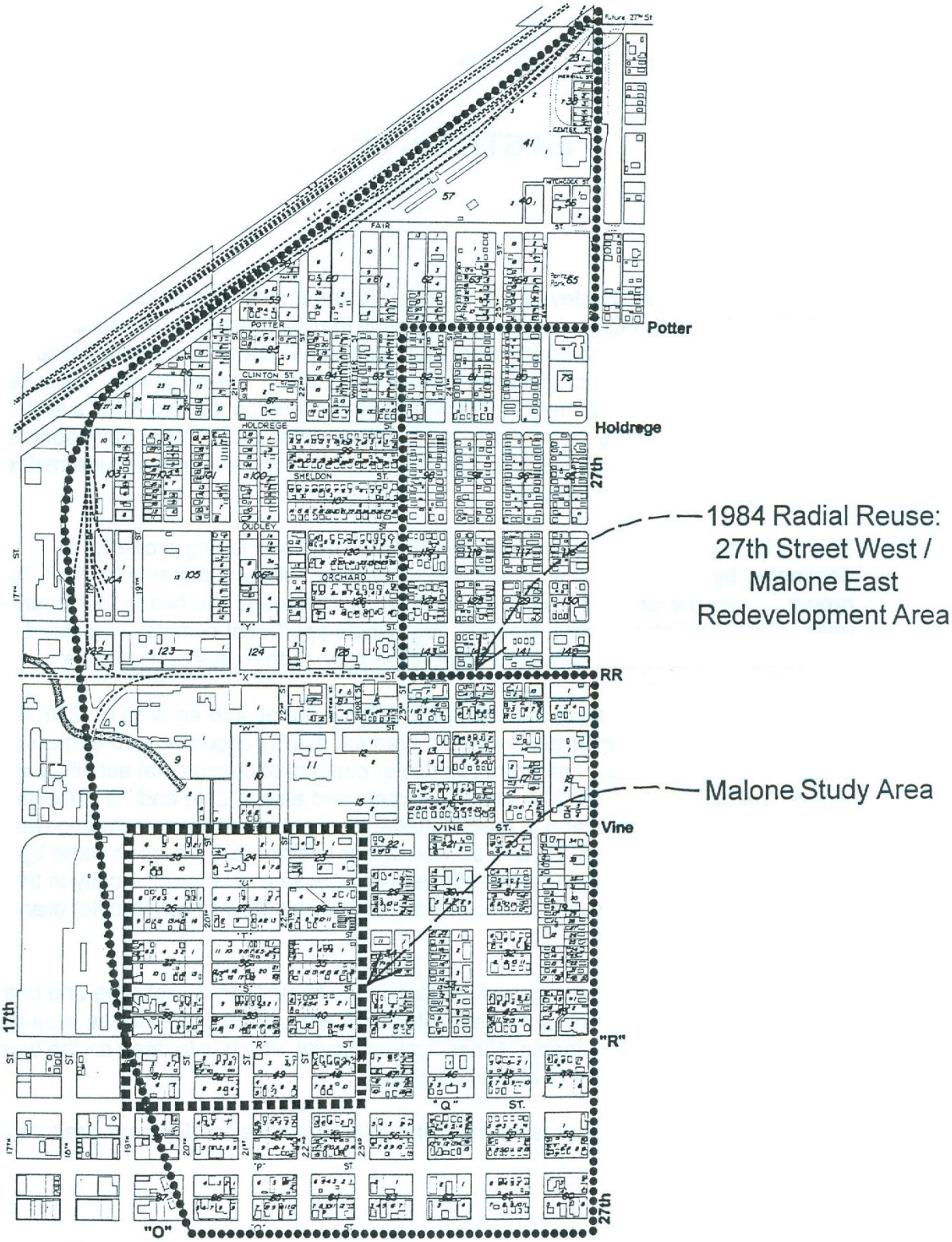
N27th St. Redevelopment Area
Redevelopment Area
Parcel Boundary
Streets
Railroad
N
1 inch equals
625 feet



North 27th Street Redevelopment Plan

1984 Radial Reuse Redevelopment Plan Boundaries

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Exhibit 2

Plan in 1997. While the steering committee was working on the plan, the City, in 1996, commissioned the *North 27th Corridor/Enterprise Community Target Neighborhood Study Area: Blight and Substandard Determination Study* . As a result of the study, the North 27th Street Redevelopment Area was declared substandard and blighted by the Lincoln City Council on April 22, 1996. In June of 1997, the City Council adopted *The North 27th Corridor Plan* as an amendment to the Comprehensive Plan.

The City recognizes that continuing blight and deterioration is a threat to the stability and vitality of the North 27th Street corridor and that revitalization efforts cannot reasonably occur without public action. Both the North 27th Street Corridor Plan and the Blight Study laid the foundation for this Redevelopment Plan.

PLAN REQUIREMENTS

Redevelopment activities are guided by Community Development Law, Nebraska State Revised Statutes, Section 18-2101 through 18-2150 reissue 1991, 1997 Supp. The statutes clearly state that the governing body must have declared the project area substandard and blighted in order to prepare a redevelopment plan.

The Community Development Law Section 18.2111 defines the minimum requirements of a redevelopment plan as follows:

> 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...

The statutes further identify six elements that, at a minimum, must be included in the redevelopment plan, they are:

1. The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property within the boundaries;
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;
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.

EXISTING CONDITIONS

LAND USE

The North 27th Street Redevelopment Area is a linear strip of land located in the north-central section of the City of Lincoln. It extends from "N" Street on the south to the viaduct over the BNSF Railroad tracks on the north. The area is centered around North 27th Street, which is one of Lincoln's primary north-south arterial streets. As a result of the long period of development in this area, which started in the mid-1880's and continues through to the present day, a wide array of land uses have developed and now exist in the area. Current land uses in the redevelopment area include residential, commercial, industrial, and public.

The periphery of the redevelopment area (non 27th Street facing property) is dominated by single family and multi-family housing. Many of the smaller multi-family properties are the product of converting large, older houses into two to four apartment units. There are also several modern, large-scale apartment complexes located in the redevelopment area that contain anywhere from ten to thirty residential units.

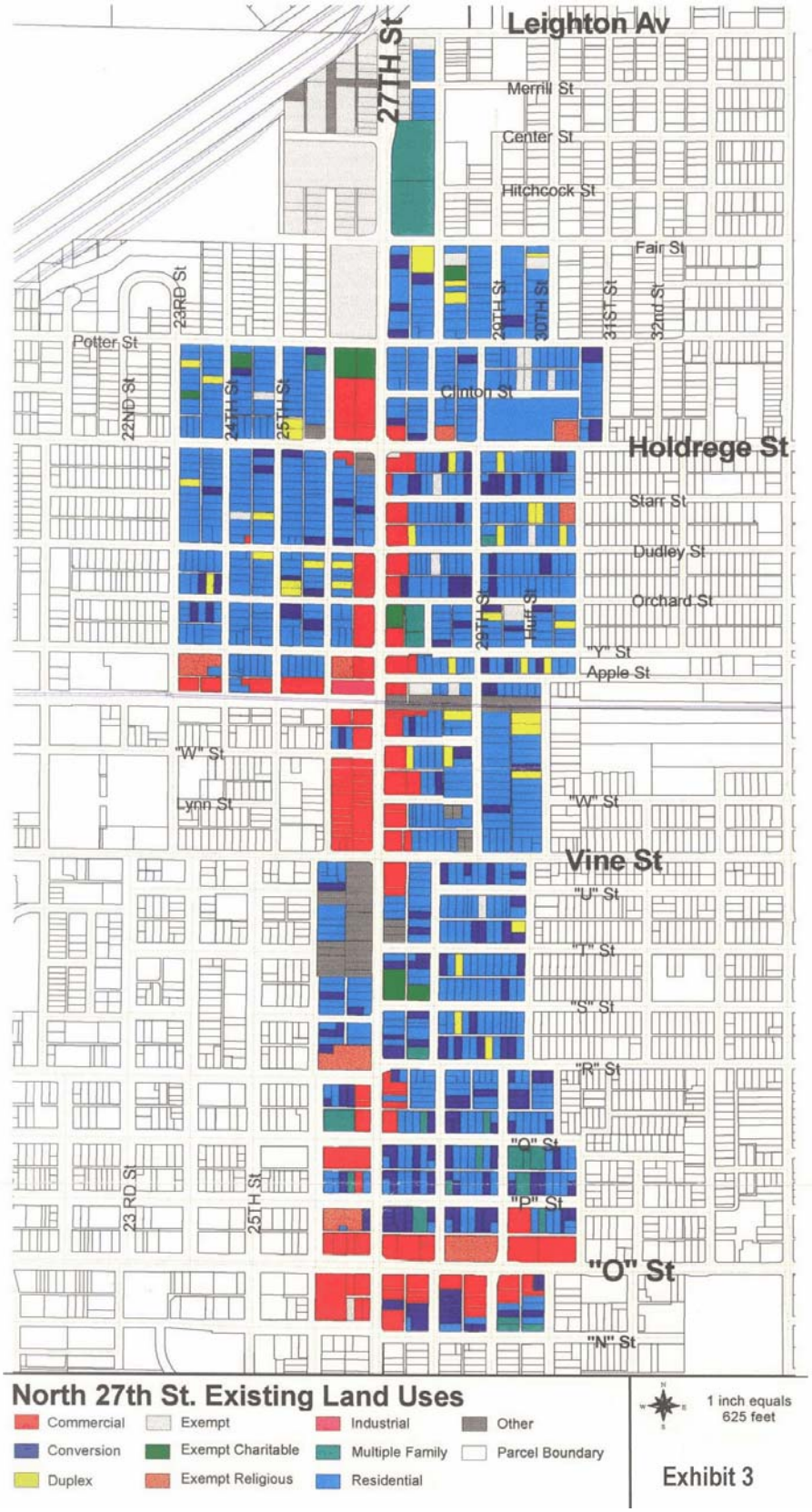
Most of the commercial uses in this area are concentrated into an area on 27th Street between "T" and Clinton Streets, with the greatest activity occurring at the intersection of 27th and "W" Streets. There are two lesser clusters of commercial activity, centered around the intersections of 27th and "O" Streets and also at 27th and "Q" Streets. The North 27th Street streetscape is predominated by commercial uses, including retail stores and shops, restaurants, and service sector businesses. There is some light industrial activity that occurs in the redevelopment area and is found mostly in the "X" Street vicinity, where a former Missouri Pacific Railroad (now Union Pacific) branch extends through the area.

There is one park and one mini-park located in the North 27th Street area and both are located in the northern third of the redevelopment area. Public uses in the area are comprised mostly by the Lincoln Water System facility, which is located on the west side of 27th Street, between Fair and Leighton.

The functional land use groups for the North 27th Street Redevelopment Area can be seen on Exhibit 3.

ISSUES

The Blight and Substandard Determination Study revealed that a large percentage of residential and commercial structures are in poor condition. In addition, commercial disinvestment coupled with relatively low household purchasing power limits the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"R" St
"Q" St
23 RD St
25TH St
"P" St
"O" St
"N" St
North 27th St. Existing Land Uses
Commercial
Conversion
Duplex
Exempt
Exempt Charitable
Exempt Religious
Industrial
Multiple Family
Residential
Other
Parcel Boundary
1 inch equals 625 feet

Exhibit 3

demand for new retail or service businesses in the corridor. Although the heavy through traffic has countered these limitations by generating a demand for auto-oriented businesses, the space requirements of these businesses have caused conflict with adjacent residential areas. The number of gas stations, liquor stores, used car lots and other auto-related businesses has also caused conflict with adjacent residential areas as well as set the tone for commercial development within the corridor.

Adding auto-oriented development to traditional older urban development has resulted in sites that typically lack adequate maneuvering room for automobiles. The result is conflict between local and through traffic using 27th Street. The mixed land uses also have created a sense of discontinuity - development does not seem to unify the street, but instead gives it a feeling of disjointed development.

Significant deterioration often occurs when residential areas directly abut a major arterial such as 27th Street, or commercial areas. Housing along 27th Street does show signs of disinvestment and distress. Based on the Blight Study, only about 25% of housing units do not require rehabilitation or reinvestment.

In *The North 27th Street Corridor Plan,* the overall urban environment is described as follows:

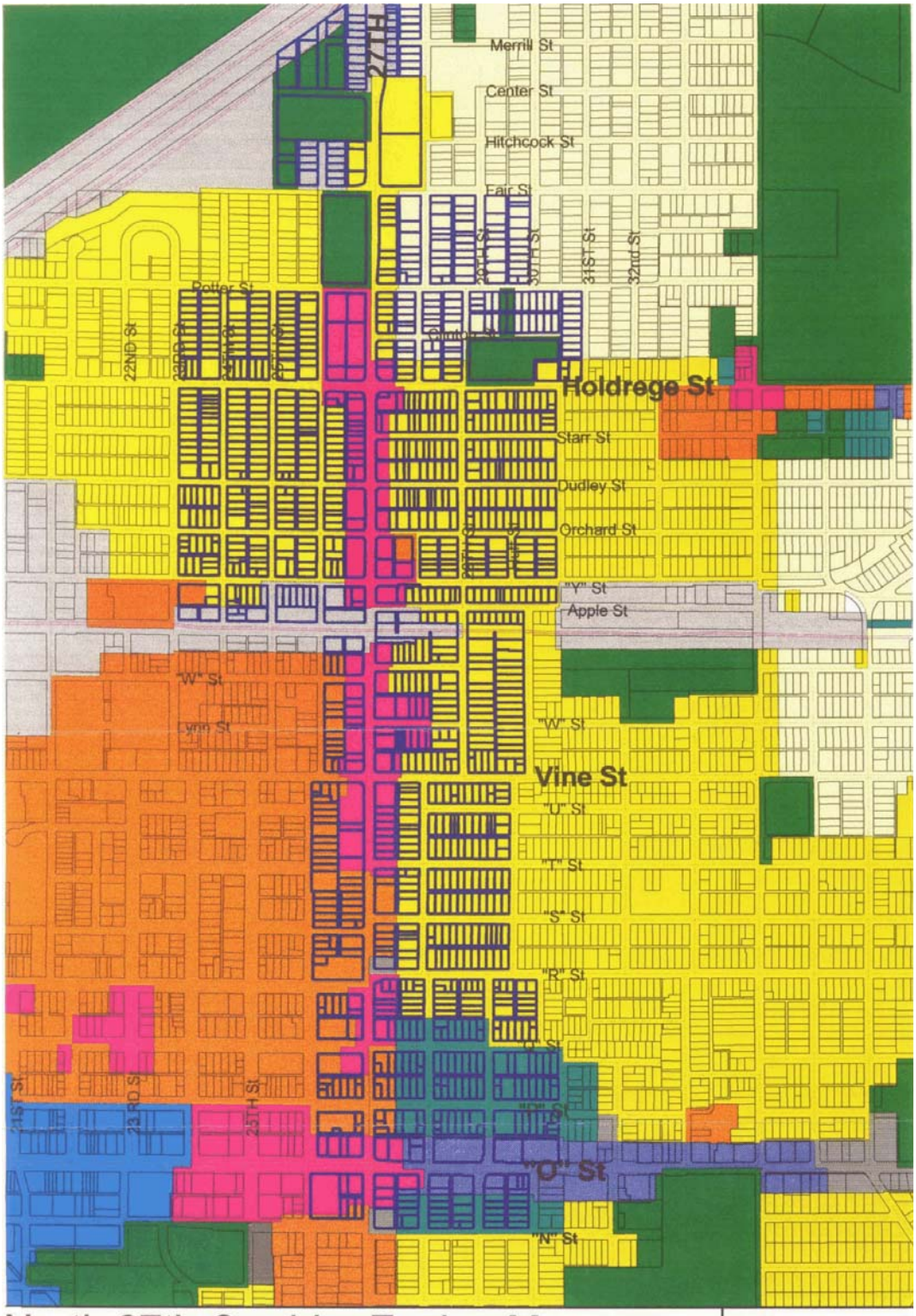
> While passing through a relatively dense urban neighborhood with intensive commercial uses, the 27th Street corridor presents a generally unfriendly environment to pedestrians. The corridor exhibits a hard, noisy, and uncomfortable urban setting, generally discouraging pedestrian movement and defining the street as a major barrier between neighborhoods on the east and west.

ZONING

Due to the long gestation period of its development, prior to the creation of Lincoln's zoning ordinance in the 1920's, the North 27th Street Redevelopment Area contains many different land uses. This fact, in conjunction with the long, linear nature of the area, helps to explains why there are many different zoning districts in the area. Zoning areas found in the redevelopment area include the following:

- Residential districts, R-4, R-6, and R-C (Residential Conservation)
- Residential/Commercial districts, R-5 and R-6
- Office/Commercial zones, O-2 and B-3
- Industrial zones, I-1
- Public Use, P
- Local Landmark (zoning overlay)

A majority of the property facing 27th Street is zoned B-3, except for some R-6 zoning located between "P" and "T" streets and some R-4 and Public lands generally north of Holdrege Street. For further zoning specifics, see Exhibit 4.



North 27th Corridor Zoning Map

- Local Business District
- Commercial District
- Center Business District
- Industrial District
- Office District
- Public Use
- Residential (R-2)
- Residential (R-4)
- Residential (R-5)
- Residential (R-6)
- Residential (R-7)
- Project Area
- Parcel Boundary
- Streets
- Railroad

N

1 inch equals 625 feet

Exhibit 4

ISSUES

Since zoning has tended to follow the mixed land use patterns created by the historical development in the area, the location of districts perpetuates the land use conflicts discussed in the preceding section. Deteriorated housing, situated between commercially zoned areas, that is not feasible to rehabilitate continues to be a blighting influence. New, more appropriate land uses, such as commercial, are limited by current zoning. Conversely, viable residential areas are threatened by commercial encroachment due to the proximity of commercial zones. Commercial strip zoning does not provide adequate depth for sound development.

PUBLIC FACILITIES

PARKS AND OPEN SPACES

There is one park and one mini-park located in the North 27th Street Redevelopment Area. Pentzer Park is a mid-sized park situated on the west side of North 27th Street, between Potter and Fair Streets, adjacent to the Salvation Army Community Center. Clinton Crossroads is the small mini-park, located on the southeast corner of the intersection of 27th and Holdrege Streets. However, this mini-park is mostly hard surfaced and is too small to sustain any significant recreational activity. This passive park is also showing signs of deterioration primarily due to lack of maintenance.

TRANSPORTATION

Public Transportation Services The North 27th Street Redevelopment Area is well served and throughly covered by Lincoln's Star Tran bus system. Seven different bus routes serve the area Monday through Friday, while there are only four routes that serve the area on Saturday. There is no bus service on Sundays anywhere in the City.

Hiker/Biker Trails There is one trail in the study area, the John Dietrich Bikeway, which is located in the northern periphery of the redevelopment area. The trail extends to 48th and Fremont Streets on the east, and to 22nd and Holdrege Streets on the west. Current plans are to extend this trail to the University of Nebraska City Campus.

Railroads There is one railroad serving the study area. The former Missouri Pacific line, now a Union Pacific branch, bisects the redevelopment area between "W" and Apple Streets, in the vicinity of "X" Street. This line extends eastward to approximately 35th Street, where it served a lumber yard that has recently relocated. Union Pacific is currently considering abandonment of this line which would significantly impact the 27th Street corridor.

Street System The North 27th Street Redevelopment Area is served by a rectilinear grid pattern street system. The area is transversed by several arterial streets that have been identified within Chapter 10.36 of the Lincoln Municipal Code. Included in this list are Lincoln's two primary arterial streets, "O" Street and 27th Street. North 27th Street is the primary north-south traffic corridor through the city and is the only north-south

arterial in the redevelopment area, while all other streets carry traffic east and west. "O" Street serves as the primary east-west thoroughfare in Lincoln. Other arterials in the redevelopment area include "P", "Q", "R", Vine, and Holdrege Streets. Currently, "P", "Q"and "R" Streets are cited as arterials only to the west of 27th Street. "P" and "Q" Streets are the only one-way streets in the area, with "P" Street carrying eastbound traffic, while vehicular movements on "Q" Street move westward. However, with the planned Market Place development, “P” is scheduled to become two way in the summer of 1998. All other streets in the area are two-way collector streets.

Approximately 29 percent of the streets surveyed in the Blight Study were in fair to poor condition. In addition, the majority of the alleys examined in the Blight Study were not hard surfaced and were found to be in fair to poor condition.

Traffic Circulation Local traffic circulation is an issue in the redevelopment area. Development both north and south of the corridor has increased traffic on North 27th Street causing conflicts with local trips. North-south local streets provide little relief for local trips using 27th Street, resulting in mixed local and regional traffic.

Parking Parking is an area of concern throughout the redevelopment area. Since a large portion of the area developed prior to the wide-spread use of the automobile, it was not designed to accommodate parking. No on-street parking is permitted on any of the arterial streets and the parking along collector streets in the residential areas is inadequate. The Blight Study determined that 29 percent of the residential parcels examined had no on-site parking. The study also determined that nearly 49 percent of the residential properties that did have parking on them had unimproved parking surfaces. Off-street parking in the redevelopment area is inadequate and needs to be addressed in order to meet both current and future needs.

Sidewalks, Streetscape Beautification, and Pedestrian Activity A portion of the sidewalks in the North 27th Street Redevelopment Area were surveyed in a parcel-by-parcel field survey as part of the Blight Study. Based on the findings, sidewalks are adequately provided for in the North 27th Street area. However, approximately 43 percent of the sidewalks examined were in either fair or poor condition.

The lack of streetscape beautification is one of the major concerns of this area. The historic development in the redevelopment area has almost no setback from the right-of-way, which creates a hard, noisy, and unfriendly environment that discourages pedestrian activity. Additionally, there are only five signalized intersections in the redevelopment area which, when combined with the heavy traffic volumes on the arterial streets, further inhibits pedestrian movements within the area. The area north of Potter Street is more pedestrian friendly, with its wider set backs, which allows for a softer, safer pedestrian environment.

UTILITIES

The basic infrastructure is in place within the redevelopment area; however, it is old and facing increasing demands. As a result, utilities are in need of maintenance and, in some cases, replacement. A detailed analysis should be conducted to identify specific needs and projects.

The North 27th Street Redevelopment Area is served by the following utilities:

- Sanitary Sewer System (underground)
- Storm Sewer System (underground)
- Water Lines (underground)
- Gas Lines (underground)
- Electrical Conduits (overhead and underground)
- Telephone conduits (overhead and underground)
- Cable Conduits (overhead and underground)

WATER SYSTEM

The Lincoln Water System is headquartered in a facility located in the northern most segment of the redevelopment area, at 27th and Fair Streets. The facility is well maintained and landscaped, and enhances this segment of the redevelopment area. The water system in the redevelopment consists mostly of 4" and 6" water mains. A 36" water supply main extends the entire length of the project area, underneath the 26th Street right-of-way. Other larger mains include a 16" line paralleling 25th Street from Fair to Holdrege; a 10" line paralleling the Union Pacific Railroad branch ("X" Street vicinity); 8", 10", and 12" lines running under "O" Street, and a 10" line paralleling "N" Street west of 27th.

SANITARY SEWER SYSTEM

The waste water system is a closed system, separate from the storm water sewer system. All of the waste water sewer lines in the redevelopment area are constructed from 8" lines. The waste water sewer operates as a gravity-flow system and flows to the Theresa Street Treatment Facility, which is located north of the redevelopment area. Due to age and increased demand on the system, there are significant problems in the vicinity of 27th and Vine, from 26th to 28th Streets and then north to “W” Street. Currently, there are two parallel eight inch mains in Vine Street constructed of clay pipe with numerous compound cracks, offset joints, and grease buildup problems. Several of the sections also have areas that are off-grade, contributing to maintenance problems. In addition, sections of sewer laying in the alley between 27th and 28th Streets, from Apple north to Orchard are constructed of old clay pipe with numerous broken service connections, multiple-quadrant cracks, and broken joints between pipe sections. Some sections are off-grade and one section in particular is a short inverted siphon that causes grease and grit accumulation problems.

STORM WATER SEWER SYSTEM

The storm water system is separate from the sanitary sewer system. This is a gravity flow system that drains generally from east to west, and from south to north. There is a large underground box culvert that begins at approximately 28th and "W" Streets. A second box culvert begins at 27th and Dudley Streets. Significant drainage problems exist in the study area, particularly in the vicinity of “X” Street. A detailed study should be conducted of drainage problems in this area.

STREET LIGHTING

Street lighting in the redevelopment area is generally comprised of high-pressure sodium. The streetscapes along 27th, "O", and Vine are extremely well lighted and it appears that most of the rest of the redevelopment area has adequate lighting, with at least one street lamp located on every block. The exception is a few streets in the southern portion of the redevelopment area between 27th and 28th Streets, from "P" to "U" Streets, which do not have a street light on the block. Although most of the area seems to have adequate amounts of lighting, some additional lighting fixtures may benefit or enhance the area.

SECURITY

Public security, or the perceived lack of security in the 27th Street corridor is a critical issue in the area. Recent public disturbances in the area have been highly publicized in the media and add to the perception that the corridor is an unsafe place. *The North 27th Street Corridor Plan* states that, “...design features, including lighting, the creation of open spaces with a high degree of street visibility, and populated streets are important in creating an environment that attracts and protects users. Equally important is the potential for an ongoing police presence in the area. Therefore, consideration should be given to the establishment of a Lincoln Police Department precinct station in a visible location in the corridor.”

HISTORIC SIGNIFICANCE

The majority of the potential historic sites in the North 27th Street Redevelopment Area are concentrated in an area between "N" and Vine Streets. Within this segment of the redevelopment area there are two properties that have been individually listed as local landmarks, as well as one local landmark district. The individual properties include the John Taylor House, located at 2721 "P" Street and the East Lincoln Baptist Church located at 2748 "S" Street. The eastern edge of the Hawley Landmark District is also included in the redevelopment area, with its eastern boundary running north-south in the alleys between 26th and 27th Streets, and extending from "R" to "U" Streets.

Other potentially eligible National Register properties located in the redevelopment area include a brick bungalow located on the northwest corner of 28th and "N" Streets, the Masonic Temple situated on the northeast corner of 27th and "S" Streets, the Wagey Pharmacy Building at the intersection of 27th and Vine Streets, and the western one half of the block facing 26th Street between "O" and "P" Streets. This half block area contains two significant Art Deco structures (now a dry cleaners and a paint store) and an architecturally significant church. An area east of a line extending along the alley between 27th and 28th Streets and from "P" to "T" Streets is also considered to be potentially eligible as an historic district. The former Northeast Branch Library, now Neighborhoods, Inc. is another significant piece of Lincoln architecture that is worthy of preservation, although it is no longer National Register eligible since it has been moved from its original site.

ANTELOPE VALLEY MAJOR INVESTMENT STUDY

The Antelope Valley MIS is a three year study jointly sponsored by the City of Lincoln, University of Nebraska, and the Lower Platte South Natural Resources District. Its purpose is to address storm water management, transportation and community revitalization in the core of the city. A proposed six lane roadway in the vicinity of 19th Street and realignment of Holdrege to connect to the new roadway will impact traffic volumes in the 27th Street corridor. The new roadway is projected to relieve increasing traffic on North 27th Street. Holdrege is expected to remain at existing levels, while Vine is projected to increase.

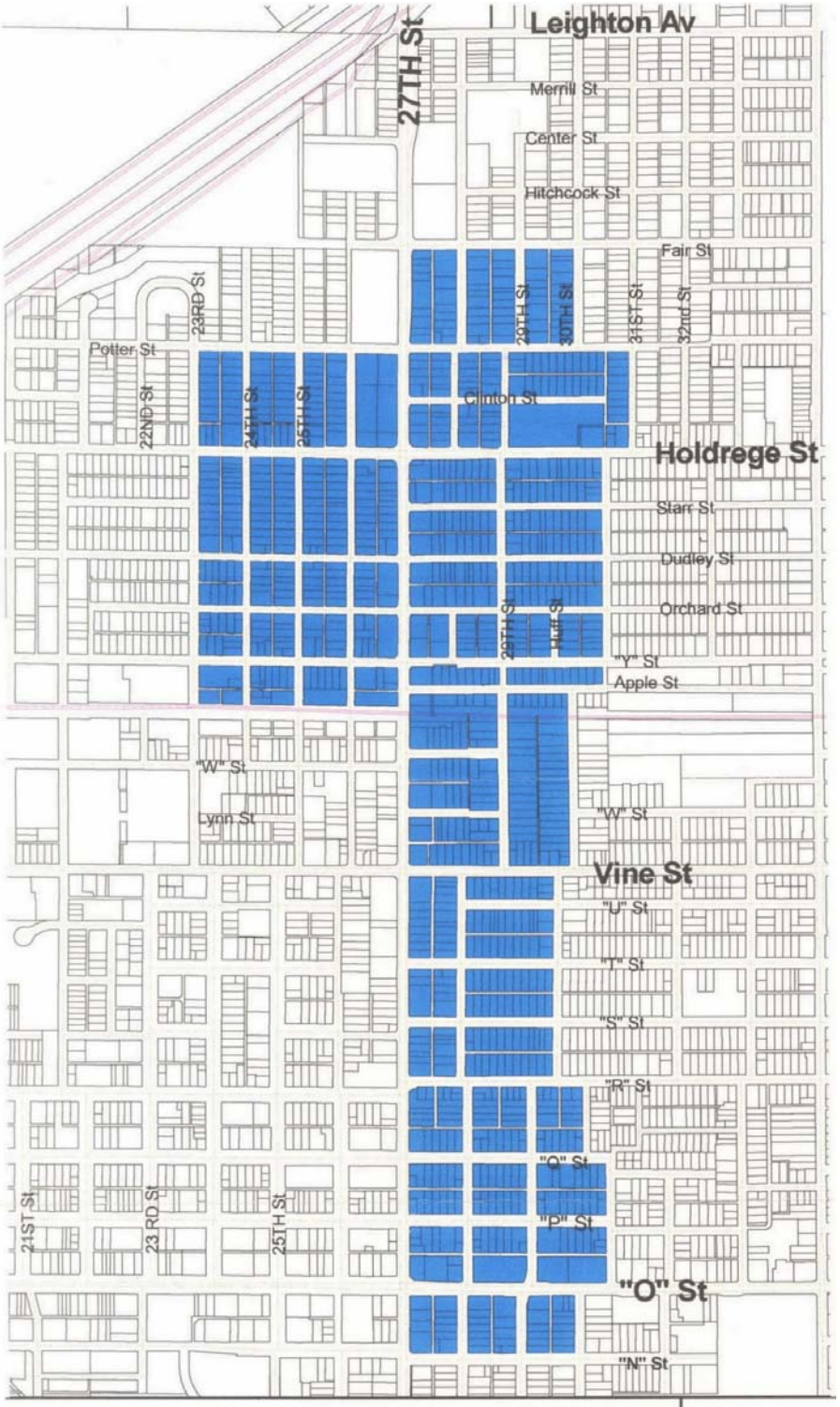
Storm water improvements will have the effect of removing a substantial area in the core of the city from the flood plain. As a result, redevelopment in the Malone neighborhood is anticipated. This new development, to the west of 27th Street, will impact traffic and land use on 27th. In view of the anticipated new development, potential changes to “P”, “Q” and “R” Streets may occur as well, including possible closure of some of these through streets to the west, and changes to existing one-way traffic. All of these changes are likely to impact 27th Street. The actual impacts will be assessed in Phase IV of the Study, currently underway and anticipated to be complete in 1999.

A community revitalization strategy identified in the draft study is the development of Wrap-Around Community Centers. Wrap-Arounds are multi-purpose facilities that, utilizing existing buildings, may serve a variety of functions including social service, recreational, and educational. The draft study identifies North 27th Street, in the vicinity of the Salvation Army on Potter Street, as a potential location for a Wrap-Around.

BLIGHT AND SUBSTANDARD DETERMINATION STUDY

More than one half of the North 27th Street Redevelopment Area was examined as a part of the larger, *North 27th Corridor/Enterprise Community Target Neighborhood Study Area: Blight and Substandard Determination Study* completed in April, 1996. The blight study included the areas on North 27th Street that were not previously declared blighted: all of the area east of 27th Street, except the four-block area north of Fair Street; the area west of 27th Street, from Apple to Potter. Excluded from this study was the four block area east of 27th Street, north of Fair Street and west of 27th Street, running from "N" to Apple, and from Potter to Leighton. Exhibit 5 shows the portions of the North 27th Street Redevelopment Area that were included in the 1996 study.

The evaluation included a detailed exterior structural survey on a random sample of properties, an interior structural survey of a few properties, and a parcel-by-parcel field inventory of every property. The evaluation included conversations with pertinent department staff members from the City of Lincoln, and the examination of critical documents and reports that could help substantiate the existence of substandard conditions. The evaluation used standards set fourth in Section 18-2103 (11) of the Nebraska Revised Statutes (Cumulative Supplement 1997) to determine substandard and blighted areas.



N27th St. Blight & Sub-Standard Determination Study Area

- Blight Study Area
- Parcel Boundary
- Streets
- Railroad

N

1 inch equals 625 feet

Exhibit 5

BLIGHT FACTORS

State Statutes identify 12 factors that, when the majority are present, are sufficient to make a finding of blighted. In the North 27th Street Redevelopment Area, the following seven factors were found to have a "strong presence:"

- Existence of defective or inadequate street layout.
- Unsanitary or unsafe conditions.
- Deterioration of site or other improvements.
- Diversity of ownership.
- The existence of conditions which endanger life or property by fire or other causes.
- 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. (Other environmental and blighting factors.)
- Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one or more of the following conditions present:
    - The average age of the residential area or commercial units in the area is at least 40 years.
    - The per capita income of the study or designated blighted area is lower than the average per capita income of the city or city in which the area is designated.

The blight study found the following factors had a "reasonable presence:"

- A substantial number of deteriorated or deteriorating structures.
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- Improper subdivision or obsolete platting.

Of the twelve factors set forth in the Nebraska Community Development Law, just two had little or no presence in the study area:

- Tax or special assessment delinquency exceeding the fair value of the land.
- Defective or unusual conditions of title.

SUBSTANDARD FACTORS

State statutes define a substandard area as one in which there is a predominance of buildings or improvements, nonresidential or residential, with the presence of:

1. Deterioration/dilapidation of structures.
2. Age or obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation, or open spaces; or
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 conductive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to public health safety, morals, and welfare.

The study determined that two of the four factors had a strong presence in the area and the additional two factors had a reasonable presence. Factors 2 and 4b had a strong presence while factors 1 and 3 had a reasonable presence.

It was the conclusion of the study that the number, degree, and distribution of blighting factors were beyond the remedy and control of regulatory processes in the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the assistance provided under the Nebraska Community Development Law. It was also the opinion of the consultant that the area warrants designation as "substandard" and "blighted," based upon the findings of the Blight and Substandard Determination Study.

The Lincoln City Council, by resolution, declared the area blighted on April 22, 1996.

REDEVELOPMENT PLAN

GUIDING DEVELOPMENT PRINCIPLES FOR THE NORTH 27TH STREET CORRIDOR

The North 27th Street Corridor Plan identified several development principles that should be used as a guide for redevelopment activities. The redevelopment of the North 27th Street Redevelopment Area should generally achieve the following:

1. **Mixed Uses** North 27th Street should be a mixed use corridor, using the street as an environment for both business and living. The corridor should be a community that accommodates a variety of appropriately located uses, and should not be just an expanded linear commercial district.

2. **Redevelopment with Conservation** Stable residential, commercial, and civic development are the foundation of the plan. Areas that require redevelopment, including areas with obsolete land uses or unresolvable land use conflicts should be developed in ways that strengthen existing commercial and residential investments. Stable areas or marginal areas with viable future uses should be targets for rehabilitation reinvestment.

3. **Affordable Housing Replacement** Replace and even expand the affordable housing stock by assuring adequate sites for moderately priced residential development.

4. **The Street as a Unifier** Reduce 27th Street's dividing influence. Make 27th Street more crossable and view it increasingly as a link rather than a wall between neighborhoods.

5. **Functional Separation of Traffic** Separate, to the degree possible, local and through traffic movements.

6. **Defensible Edges** Establish defensible edges between residential and non-residential uses. Use streets or green ways to provide boundaries thus realizing the benefits of mixed use while screening the negative effects of commercial growth on residential environments.

7. **Open Space and Neighborhood Commons** Provide needed green space by changing land use and transportation patterns along the corridor by:
   a. Create short cul-de-sacs by closing the 27th Street access to several local cross streets.
   b. Pursue greening of the railroad corridor.
   c. Use strategic sites along the corridor for open space.
   d. Improve street landscaping where possible along parking lots or in conjunction with new developments.

8. **A Pedestrian Friendly Environment** The entire corridor redevelopment should provide a safe and positive environment for pedestrian movement by:
   a. Providing clearly marked and signaled major street intersections.
   b. Using pedestrian scale lighting and graphics along 27th Street.
   c. Providing clear paths from adjacent neighborhoods to the 27th Street corridor and activity centers near or along 27th Street.
   d. Developing pedestrian overpasses at strategic points along the corridor.
   e. Requiring new projects to provide direct connections from front door of businesses to 27th Street sidewalks.
   f. Encouraging project designs which place commercial buildings rather than parking lots along the street.
9. **Regulatory Framework** Develop zoning and signage regulations for the 27th Street corridor which recognize its mixed use character and the objective of reducing visual conflicts. Elements should include:
   a. Developing an urban corridor overlay district as a combination or replacement for the current B-3 zoning in the study area.
   b. Implementing new sign standards for the corridor.
10. **Security** Public security is a fundamental concern in the redevelopment area. Therefore, design features, including lighting, the creation of open spaces with a high degree of street visibility, and populated streets are important in creating an environment that attracts and protects users. Equally important is the potential for an ongoing police presence in the area.

SUB-PROJECT AREAS

The Redevelopment Plan is divided into three Sub-project areas with specific redevelopment activities identified within each sub-project. Activities will be undertaken as funding and private development proceed. Sub-project areas are illustrated in Exhibit 6:

- **Sub-Project A** is the continuation and completion of the *Radial Reuse 27th Street West* portion of the 1984 Redevelopment Plan, as amended, that includes the area transferred to this Redevelopment Plan.
- **Sub-Project B** includes only the blocks adjacent to 27th Street included in the 1996 Blight Study.
- **Sub-Project C** is the balance of the area included in the 1996 Blight Study, located on the periphery of the study area and primarily residential.

The next section of this Redevelopment Plan details specific redevelopment activities. The table on page 29 identifies the redevelopment activities included within each sub-project area.

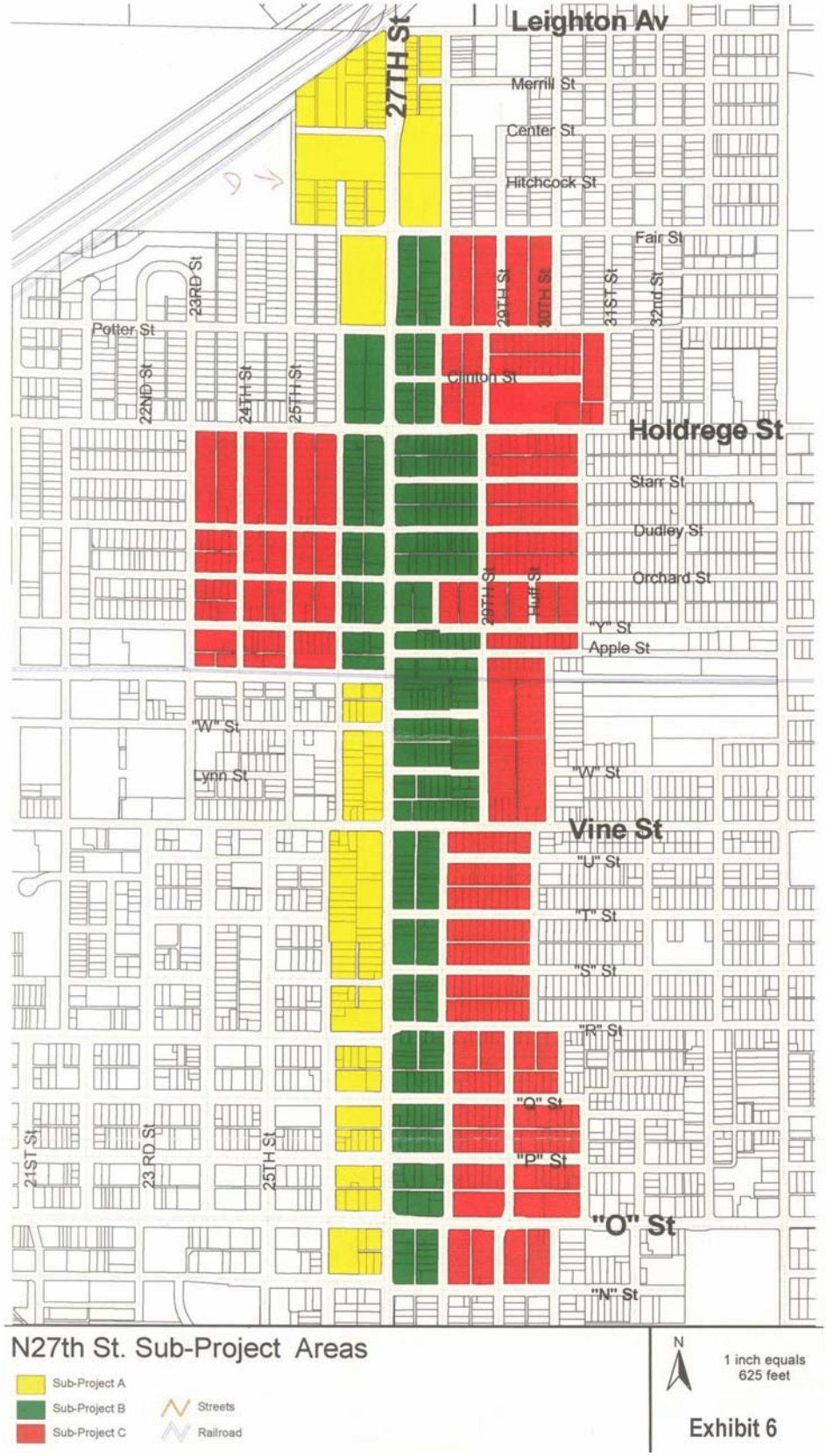

Leighton Av
27TH St
Merrill St
Center St
Hitchcock St
Fair St
23RD St
29TH St
30TH St
31ST St
32nd St
Potter St
22ND St
24TH St
25TH St
Clinton St
Holdrege St
Starr St
Dudley St
Orchard St
28TH St
Hall St
"Y" St
Apple St
"W" St
Lynn St
"W" St
Vine St
"U" St
"T" St
"S" St
"R" St
"Q" St
"P" St
21ST St
23 RD St
25TH St
"O" St
"N" St
N27th St. Sub-Project Areas
Sub-Project A
Sub-Project B
Sub-Project C
Streets
Railroad
N
1 inch equals
625 feet

Exhibit 6

REDEVELOPMENT ACTIVITIES: INFRASTRUCTURE IMPROVEMENTS

Land use and traffic patterns along North 27th Street have resulted in conflicts between local and through traffic and an unfriendly, unsafe place for pedestrians. In addition, the overall deteriorating condition of the infrastructure - streets, alleys, sidewalks, and sanitary sewer - impede new development throughout the redevelopment area and contribute to the blighting conditions. Therefore, the following public improvement activities should occur:

STREETS AND ALLEYS

1. Intersection improvements to accommodate vehicular traffic flow with pedestrian needs. Specific intersections to improve are Vine, “Y”, and Holdrege. Improvements include:
   - upgraded signals
   - provision of turn lanes
   - street graphics
   - pedestrian scale lighting
   - contrasting paving textures

   It is anticipated that right-of-way acquisition will occur at Vine and Holdrege, although detailed studies to determine right-of-way needs must be completed. In addition, all right-of-way acquisition must be included in the Comprehensive Plan; therefore, any additional right-of-way identified for acquisition will require an amendment to the Comprehensive Plan.

2. Close 27th Street access to several local cross streets and create cul-de-sacs. Closed streets may include:
   - Dudley (east and west of 27th Street)
   - Orchard (east and west of 27th Street)

3. It may be necessary to vacate all or portions of particular streets or alleys to promote redevelopment. In these situations, the City will act upon the individual merits of the development proposal.

4. Alley Improvements - the majority of alleys examined in the Blight Study were found to be in fair or poor condition. Alleys should, at a minimum, be rocked and paved where feasible.

SIDEWALKS

The Blight and Substandard Determination Study identified 43 percent of the sidewalks as in either fair or poor condition. Additional surveys will be completed and sidewalks repaired or replaced as necessary.

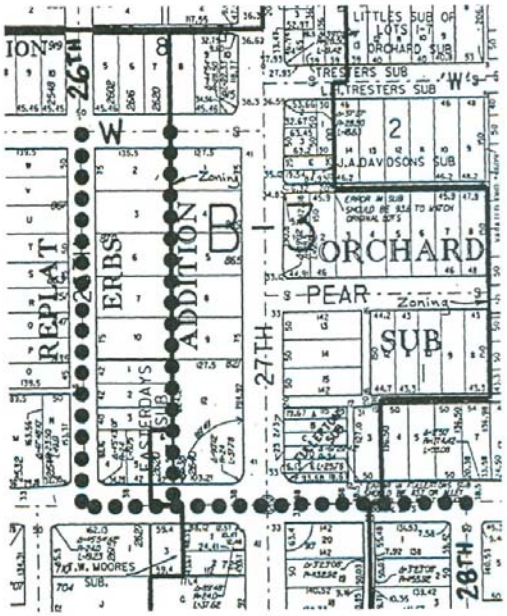
STREETSCAPE BEAUTIFICATION

Design and implement a design plan for 27th Street unification and beautification. Elements should include but not be limited to lighting, thematic entrances, landscaping and streetscape.

PUBLIC UTILITIES

In the Existing Conditions section of this Plan, much of the infrastructure in the area was identified as inadequate - in need of maintenance and, in some cases, replacement. In order for new development to occur, the following public improvements should occur:

1. Replace the eight inch sewer along Vine Street from 28th to 26th Street, and then north to “W” Street. This project involves the replacement of sewer from manhole 131 to 130 to 21 to 22, and from manhole 487 to 451 to 22, then from manhole 22 to 544 to 265 (see Exhibit 7). The sections that flow north from Vine Street to “W” Street will be relocated to 26th Street to accommodate redevelopment at the northwest corner of 27th and Vine. Total length of this project is removal of approximately 1660 feet of 8" main, replaced with approximately 1350 feet of new 8" main.
2. Replace the 8" sewer in the alley between 27th and 28th Streets, from Apple north to Orchard (see Exhibit 7). Replacement will begin at manhole 226, then north to manhole 335, then manholes 488, 489, 336 and ends at manhole 337. The total length of this project is approximately 865 feet.



North 27th Street Redevelopment Plan

Sanitary Sewer Projects

N

Exhibit 7

3. Study drainage and storm sewer conditions in the vicinity of “X” Street. This location has also been identified as a key redevelopment site and likely to stimulate continued private redevelopment in the corridor. However, drainage issues should be corrected before redevelopment begins. After completing the study of conditions, repair and replacement should proceed as needed.
4. Complete a detailed analysis of storm water sewers, sanitary sewers, and the water system to determine additional needed improvements. Complete improvements as required to support current and anticipated development.

REDEVELOPMENT ACTIVITIES: COMMERCIAL

Several locations have been identified as essential to redevelopment of the North 27th Street Corridor. These are areas where redevelopment activities will be highly visible and will be more likely to spur continued redevelopment in the corridor. Key locations for commercial redevelopment include:

1. 27th and “O” Street: improvements to existing businesses. A stable commercial area with some businesses experiencing physical deterioration. Provide financing for exterior repair and facade improvements through the Urban Development Department Economic Development Program.
2. 27th and “P” Street: commercial redevelopment. This pocket of residential development is located just one block from the major intersection of 27th and “O”. Street widening has resulted in very little set back from 27th Street. Structures appear to be in poor and deteriorating condition. Acquire substandard houses; redevelop small transitional commercial use retail center. Project elements include:
   - Acquire two substandard houses at “P” Street: Kinney’s “O” Street Addition, Lots 1 and 2.
   - Relocate tenants
   - Demolish structures
   - Develop transitional commercial uses
   - Pave off-street parking
   - Relocate/upgrade utilities
   - Eliminate two driveways on North 27th Street; widen existing alley curb cut
   - Construct curb cut on “P” Street
   - Re-zone from R6 to transitional/commercial
3. 27th and east side of block between “S” and “T” Street: office redevelopment. Adaptive reuse of existing historic building and construction of new office development. Project elements include:
   - Acquisition of lots 1 - 2, 7 - 12, Block 5, Houtz and Baldwins Subdivision
   - Relocate tenants

- Demolish structures
- Pave off-street parking
- Relocate/upgrade utilities
- Provide two curb cuts on “T” Street for ingress and egress.
- Pave and landscape outside property line, driveways, approaches and sidewalks.

4. 27th and Vine: major redevelopment of the commercial block between Vine and W Streets from 26th to 27th Street. Development components may include a large retailer, multi-tenant center, and relocated restaurant. The design should minimize traffic conflicts and provide direct pedestrian connections to 27th Street. Project elements include:
   - Acquisition of Erb’s Addition, lots 1 - 10, 12, and Easterday’s subdivision of lot 11 of Erb’s Addition, lots 1 - 6
   - Relocation of tenants
   - Demolition of existing structures
   - Pave off-street parking
   - Relocate/upgrade utilities
   - Current zoning facing 26th Street is R6, re-zone to commercial
5. 27th and “X”: Commercial redevelopment. Deteriorated commercial building, known as the Broom Factory, to be demolished and replaced with up to two retail/office buildings. Some retail to service/appeal to users of adjacent bike trail. Project elements include:
   - Acquisition of Union Pacific Railroad ROW (no additional acquisition)
   - Consolidate two curb cuts into a standard driveway
   - Secure driveway easements with adjacent property owners
   - Pave and landscape driveways, approaches and sidewalks outside property line
   - Vacate east portion of existing alley entrance onto North 27th Street
   - Re-zone acquired Union Pacific Railroad ROW from industrial to public
6. 27th and Apple: Commercial Redevelopment. Develop multi-tenant office building. Project elements include:
   - Acquisition of Union Pacific Railroad ROW
   - Eliminate driveway on North 27th Street
   - Secure easements
   - Pave alley
   - Pave off-street parking
   - Relocate/upgrade utilities

7. 27th and Holdrege: Mixed use development. Acquire marginal commercial areas and redevelop small neighborhood retail center, approximately 9,000 square feet, on southwest corner. Project activities include:
   - Property Acquisition: Cooley's Addition, Lots 1, 2, and 3, excluding Street ROW
   - Relocation of tenants
   - Demolition of current buildings
   - Construct new driveway onto 26th Street.
   - Pave alley
   - Pave off-street parking
   - Relocate/upgrade utilities
8. West side of 27th Street but east side of the block between "S" and "T" Streets: Eight blighted properties have been acquired by the City, tenants relocated and buildings demolished. Redevelop this City owned property to office/commercial. Consideration should be given to including second story housing units above the commercial/office building(s). Project elements include:
   - Pave alley
   - Provide access north of alley to northern boundary of the site
   - Relocate/upgrade utilities
   - Pave and landscape outside property line, driveways, approaches and sidewalks.
   - Re-plat and re-zone
   - Close "S" Street west of the alley to prevent through traffic from increasing in the abutting neighborhood residential area
9. West side of 27th Street but east side of the block just north of "T" Street and Project Number 8, above: Acquire a substandard commercial building and redevelop the site for parking. Project elements include:
   - Property acquisition: The south half of Lot C and all of Lot B, Hawley's Addition, more commonly known as 601 North 27th Street
   - Demolition of the current building
   - Construction of parking lot with landscaping

Although these locations are considered to be key to redevelopment of the corridor, additional locations should be included as well.

REDEVELOPMENT ACTIVITIES: RESIDENTIAL

Replacing and expanding affordable housing is a development principle of this plan which may require site acquisition, relocation, demolition, construction and site preparation. The City should also acquire substandard housing for redevelopment purposes, either to replace with new housing or other development. When possible,

rehab programs available through the City of Lincoln should be utilized to improve overall housing conditions.

RESIDENTIAL DEVELOPMENT AND HOUSING REHABILITATION

1. Improve the quality and viability of residential areas.
   - Separate residential areas from incompatible uses .
   - Provide public infrastructure and park facilities.
   - Limit non-residential traffic in residential areas.
   - Rehabilitate or remove existing deteriorating and substandard housing.
2. Expand the housing supply available in the redevelopment area.
   - Encourage housing that is affordable, particularly for low and moderate income households.
   - Maximize opportunities for homeownership in the Redevelopment Area, especially for persons of low and moderate income.
   - Work closely with private lenders, the Nebraska Investment Finance Authority, Lincoln Housing Authority and private developers to expand the supply of affordable housing and maximize homeowners opportunities in the Redevelopment Area.

To maximize the potential for new residential development in the Redevelopment Area, parcels may be acquired by the City and made available individually or assembled for ultimate disposition. Parcels identified for acquisition for residential redevelopment are included in Appendix D.

ACQUISITION OF SUBSTANDARD HOUSING

Substandard housing contributing to blighting influences in the Redevelopment Area, including housing that is inconsistent or incompatible with existing land uses, will be acquired and parcels made available for redevelopment. In some cases, parcels may be assembled for disposition. By acquiring and assembling parcels of land, the City can create marketable parcels which are of sufficient size to attract the interest of the private sector. Sale of these assembled parcels will assist the private sector in realizing economies of scale on a project while making it possible to improve design through planned, integrated developments. The initial impact will be to eliminate blighting influences caused by substandard housing that is inconsistent and incompatible with surrounding land uses. Parcels to be acquired are included in Appendix E.

Parcels identified in Appendices D and E are proposed for acquisition in accordance with one or more of the reasons stated under the preceding two sections titled Residential Development and Housing Rehabilitation and Acquisition of Substandard Housing. During project implementation, these two sections will provide the basis for determining the need to acquire miscellaneous parcels not previously identified to further accomplish the purposes of this Redevelopment Plan.

REDEVELOPMENT ACTIVITIES: PUBLIC FACILITIES/IMPROVEMENTS

PEDESTRIAN OVERPASS

Develop a trail bridge in the vicinity of "X" Street to connect bike paths. The MoPac Trail bridge will accommodate a grade separated, approximately ten to twelve foot wide pathway serving pedestrians and bicyclists. Accessible ramps at either end of the bridge structure will provide access to adjoining residential and commercial areas. It is anticipated that the bridge will be a steel structure with bowstring trusses mounted on support columns. The form and design details of the bridge structure should serve as an urban design element contributing positively to the character of the North 27th Street corridor. Streetscape elements, such as benches and light poles, should be of a complementary design character to unify the area. The spaces along the sidewalk at either end of the bridge could be developed as pedestrian oriented seating nodes or gathering places.

RAILROAD CORRIDOR IMPROVEMENTS

"Greening" of the railroad spur between Apple and "W" Streets, in the vicinity of "X" Street. This corridor would receive major landscaping. The MoPac Trail should be extended through the corridor and include the pedestrian overpass over 27th Street. Anticipated activities include:

- Acquisition of ROW, 26th to 28th at "X"
- Extend MoPac Trail
- Landscaping

POLICE STATION

Construct a full service police station in the vicinity of 27th and Holdrege. An approximately 7,500 square foot, multi-level structure is proposed. Design of the building should include space for a fully functioning police station as well as contribute to the overall design characteristics of the corridor. Project elements include:

- Land acquisition north of Holdrege, west of 27th Street: Yates and Thompson's Subdivision, Lots 5 - 12, except street ROW
- Relocation and demolition
- Paving of off-street parking for a minimum of 50 parking stalls
- Building construction
- Landscaping
- Utility relocation/upgrade
- Re-zone from Commercial to Public

COMMUNITY WRAP-AROUND CENTER

Develop a community wrap-around center in the vicinity of 27th and Holdrege. Project elements include:

- Land acquisition north of Holdrege, west of 27th Street: Benadom's Subdivision, Lots 8 - 23, except street ROW on the south
- Relocation and demolition

- Paving of off-street parking
- Building construction
- Landscaping
- Utility relocation/upgrade

VACATE LES FACILITY

Vacate the LES facility located between “N” and “O” on the west side of 27th Street. Remove equipment and prepare site for private redevelopment.

ADDITIONAL REGULATORY CONTROLS

Develop an urban corridor overlay district as a combination or replacement to the current zoning. Complete a new zoning configuration consistent with redevelopment activities. A new sign standard should also be implemented for the corridor.

ACTIVITIES BY SUB-PROJECT AREAS

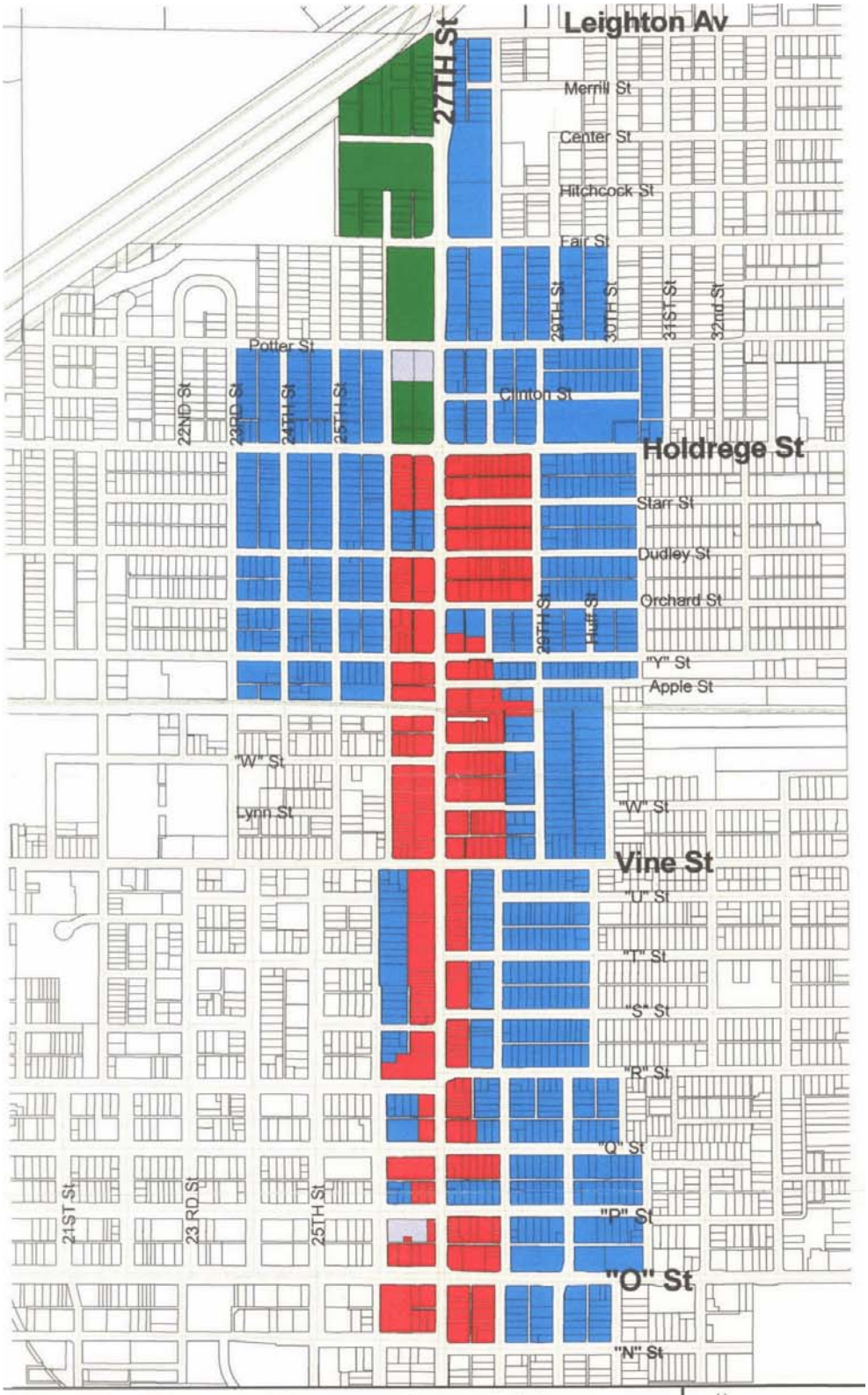
Listed in Table 1 are the redevelopment activities within each sub-project area.

Table 1: Redevelopment Activities within Sub-Project Areas

Activity	Sub-Project Area
Streets and Alleys:	
- Intersection improvements at Vine	A and B
- Intersection improvements at "Y" and Holdrege	B
- Close/cul-de-sac streets	B
- Street/alley vacation	A, B and C
- Alley improvements	A, B and C
Sidewalk Repair and Replacement	A, B and C
Streetscape Beautification	A and B
Public Utilities:	
- Sewer replacement, 26th to 28th, Vine to "W"	A and B
- Sewer replacement 27th & 28th, Apple to Orchard	B
- Drainage improvements, 27th and "X" Streets	B
- Analysis of and improvements to storm water sewers, sanitary sewers and water system	A, B and C
Commercial Activities	
- 27th and "O"	A and B
- 27th and "P"	A
- 27th and "S"/"T"	B
- 27th and Vine	A
- 27th and "X"	B
- 27th and Apple	B
- 27th and Holdrege (SW corner)	B
Residential Activities	A, B and C
Public Facilities/Improvements	
- Pedestrian Overpass	A and B
- Railroad corridor improvements	A and B
- Police Station	B
- Community Wrap-Around Center	B
- Vacation of LES facility	A
- Additional regulatory controls	A and B

FUTURE LAND USE

Exhibit 8 is a proposed Land Use map for the corridor. The overall population density of the redevelopment area will generally remain stable. However, If multi-family apartment buildings are constructed, density could increase. Land coverage and building density will increase moderately.



N27th Street Future Land Use

N

1 inch equals 625 feet

Residential
Commercial
Public
Semi-Public (Church)
Streets
Railroad

Exhibit 8

REDEVELOPMENT PROCESSES

Public improvements and redevelopment activities may require construction easements; vacation of street and alley right-of-way; temporary and permanent relocation of families, individuals and businesses; demolition, disposal/sale of property; and site preparation (may include driveway easements; paving driveways, approaches and sidewalks outside property line; relocation of overhead utility lines; and rerouting underground utilities; as needed). The processes for these activities include:

Property Acquisition The City may acquire the necessary fees, easements, property and covenants through voluntary negotiations (see Land Acquisition Policy Statement, Appendix A). However, if voluntary agreement is not possible, the City may institute eminent domain proceedings.

Relocation Relocation may involve the temporary or permanent relocation of families, individuals or businesses to complete redevelopment activities. Relocation will be completed according to local, state and federal relocation regulations (see Appendix B, Relocation Assistance).

Demolition Demolition will include clearing sites on property proposed for public improvements; necessary capping, removal or replacing utilities; site preparation; securing insurance and bonds; and taking other necessary measures to protect citizens and surrounding properties. Measures to mitigate environmental findings may also be necessary, if determined by site testing.

Disposal/Disposition Sub-area projects will include the sale of land to private developers for redevelopment purposes. Developers will be selected in an equitable, open and competitive proposal process according to the Land Disposition Procedures outlined in Appendix C.

Requests for Proposals Architects and engineers will be competitively selected to design the public facilities and improvements. Primary contractors will also be competitively selected. The selection process involves issuing a Request for Proposals (RFP). Proposals received by the designated deadline are reviewed by a selectioncommittee. Interviews may be scheduled by the selection committee. Standard City practices are used for the selection process.

Implementation Steps

1. Select projects and activities for implementation.
2. Issue and sell Improvement Financing Bonds if and when necessary.
3. Acquire property rights and easements as necessary.
4. Relocate families and individuals as necessary.
5. Competitively select architects and engineers to design the public facilities and improvements, when necessary.
6. Approve the public facilities and improvements design.
7. Competitively select primary contractors to construct public facilities and improvements.
8. Construct public facilities and improvements.

9. Where necessary, competitively select developers and negotiate appropriate redevelopment agreements, if necessary.
10. Oversight of developer activity.

ESTIMATED EXPENDITURES

Preliminary estimates of project costs are included in Table 2 and are estimated to be $16,050,000 over 15 years, including public and private expenditures.

Table 2: North 27th Street Redevelopment Area Project Expenditure Summary

Activity	Private Sector Expenditures	Public Sector Expenditures
Commercial Redevelopment	$6,000,000	$1,500,000
Pedestrian Overpass		1000000
Police Station		1742000
Community Wrap-Around Center	750000	1758000
Design Plan and Implementation		1500000
Greening of Railroad ROW		300000
Infrastructure (i.e., sewer, streets)		1500000
Subtotal	**$6,750,000**	**$9,300,000**

Total Private and Public Expenditures: $16,050,000

CONFORMANCE WITH COMPREHENSIVE PLAN

The Lincoln-Lancaster County Comprehensive Plan, adopted November 14, 1995, as amended, represents the local objectives, goals and policies of the City of Lincoln. *The North 27th Street Redevelopment Plan* was developed to be consistent with the Comprehensive Plan.

FINANCING

The primary burden for revitalization of the redevelopment area must be on the private sector. The City must provide public services and public improvements and participate where necessary in the redevelopment process, but the needs of the area are beyond the City's capacity to do alone. Financing of proposed improvements will require participation by both the private and public sectors. Where appropriate, the City may participate by providing financial assistance for the rehabilitation of structures. The development of new complexes and the reuse of existing structures will be the responsibility of the private sector.
Sources of funding may include:

1. Special Assessments - Business Improvement Districts
2. Private Contributions
3. Sale of Land Proceeds
4. Municipal Infrastructure Redevelopment Fund (MIRF)
5. Community Development Block Grants
6. HOME
7. HUD Section 108 Loan Program
8. Community Improvement (Tax Increment) Financing (Ad Valorem Tax)
9. Capital Improvements Program Budget
10. Federal and State Grants
11. Interest Income
12. Advance Acquisition Fund - property rights/easements, public facility site acquisition.

Project activities will be undertaken subject to the limit and source of funding authorized and approved by the Mayor and City Council.

According to the Community Development Law, any ad valorem tax levied upon real property in the redevelopment project for the benefit of any public body shall be divided, for a period not to exceed 15 years after the effective date of such provision, by the governing body as follows:

- That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each such public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and
- That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes,

> advances of money, or indebtedness, including interest and premiums due, have been paid, the authority shall so notify the county assessor and county treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

The effective date for the Community Improvement Financing provisions of the North 27th Street Redevelopment Plan for each Sub Project is declared to be the date rehabilitation, acquisition, or redevelopment of substandard and blighted property in the sub project area first commences.

SOURCES

Alliant Communications maps

Cablevision maps

City of Lincoln. *Lincoln Municipal Code*, Section 10.36. Lincoln, NE.

City of Lincoln Urban Development Department. *City of Lincoln Havelock Redevelopment Plan*. Lincoln, NE. December, 1997.

Hanna Keelan Associates, et. al. *Lincoln, Nebraska North 27th Corridor/Enterprise Community Target Neighborhood Study Area: Blight and Substandard Determination Study*. Lincoln, NE. April, 1996.

Lincoln/Lancaster County Planning Department GIS maps

Lincoln Electric System maps

Lincoln Public Works Department maps

Lincoln Water System maps

State of Nebraska. *Nebraska Revised Statutes, Cumulative Supplement 1994*, Lincoln, NE. 1994.

RDG, Crose, Gardner, Shukert. *The North 27th Corridor Plan*. Omaha, NE. April 1997.

APPENDIX A

LAND ACQUISITION POLICY STATEMENT

I. ADMINISTRATIVE ORGANIZATION FOR LAND ACQUISITION OPERATIONS

A. All land acquisition functions, including negotiations and closings, will be performed by the City of Lincoln, or its agents. The conduction of condemnations will be performed by the Legal Counsel for the City. The staff is experienced and capable in the conduct of acquisition programs.

B. The City of Lincoln approved land acquisition policies and procedures within the limits prescribed by the statutes of the State of Nebraska. Each individual property purchase, and the disbursement of payment, therefore, is approved by the Mayor. Condemnation proceedings are instituted by the City Law Department only after all efforts to reach a negotiated settlement have failed. Legal services will be performed by the Legal Counsel for the City.

II. POLICIES

A. Real Estate appraisals are made by staff or selected fee appraisers. Second real estate appraisals, if required, may also be by fee appraisers.

The following are policies for Real Property Acquisition:

1. Every reasonable effort will be made to expeditiously acquire real property by negotiation.

2. Real property will have separate appraisals before initiation of negotiations and the owner, or his representative, will be given the opportunity to accompany the appraisers on their inspection tour of the property.

3. Before initiation of negotiations for real property, the City's Reviewing Appraiser will establish an amount considered to be just compensation and the City shall make prompt effort to acquire the property for that amount.

   a. The established amount shall not be less than the approved appraisal of fair market value for the property.

   b. Any decrease or increase in the fair market value of the property, prior to the date of valuation, caused by public improvement; by physical deterioration within reasonable control of the owner, has been disregarded by the City and by the Appraisers in making the determination of fair market value.

   c. The City's negotiator shall provide the owner with a written statement summarizing the basis for the amount established as just compensation. Where appropriate, compensation for property acquired and for damages to any remaining real property shall be separately stated.

4. No owner shall be required to surrender possession until the City of Lincoln pays the agreed purchase price, or deposits with the Court the amount of award determined by the Condemnation Appraisers.

5. Improvements will be scheduled so the owner or tenant shall receive a minimum 90 days written notice before having to move. Every effort will be made by the City to

provide such notice as is required without undue hardship to the owner or tenant. (This is applicable to total acquisition of property.)

6. If Owner or Tenant is permitted to rent property, the amount of rent shall not exceed fair rental value of subject property.
7. The City of Lincoln will not take any action coercive in nature to compel an agreement on price for property.
8. If acquisition must be by eminent domain, the City of Lincoln shall institute formal condemnation proceedings. The City shall not intentionally make it necessary for the owner to institute legal proceedings to prove fact of taking of his real property.
9. If the owner feels the City of Lincoln's offer does not represent the true value of his property, he may refuse to accept it. He should then provide evidence concerning value, or damage, that warrants a change in the City's determination of just compensation. Should the City determine the additional information is valid, the price will be adjusted accordingly.
10. If as a result of the real estate acquisition there is a portion of your property which is considered by the City of Lincoln to be an uneconomic remnant, you have the right to request an offer from the City of Lincoln to acquire the remnant.

B. Owner will be reimbursed for the following expenses incidental to conveyance of real property:

1. Recording fee, transfer taxes and similar expenses.
2. Penalty cost for repayment of any pre-existing recorded mortgage encumbering real property, provided the mortgage was entered into in good faith.
3. Pro-rate portion of real property taxes paid which are allocable to a period subsequent to date of vesting title, or effective date of possession, whichever is earlier.
4. The cost of abstract continuation and/or evidence of assurance of title.
5. Litigation expenses such as legal, appraisal, engineering fees, etc., when:
   a. Court determines that condemnation was unauthorized.
   b. City of Lincoln abandons a condemnation.
   c. Property owner brings inverse condemnation action and obtains award of compensation.

C. If a separate fixture appraisal is obtained, it shall contain the following immovable fixtures and personal property:

1. Determination of division of appraisal coverage, enumerating and classifying improvements in-place.
2. Appraisal of improvable fixtures, correlating their findings with both real estate appraisers.

D. All appraisal contracts shall provide terms and conditions and fix the compensation for expert witnesses. These services will be utilized by the City of Lincoln to the extent necessary.

E. Both real estate acquisition appraisals and immovable fixture appraisals will be reviewed by the City Appraisal Staff. All appraisals will be reasonable free of error and

conferences with appraisers will ascertain that methods of approach and documentation are compatible, with no elements of value being omitted from consideration. City staff will conduct relocation interviews to verify ownership of certain fixtures and personal property claimed. Said claims will then be checked against existing leases and through interviews with fee owners.

F. Preparation for acquisition includes:

1. Preliminary title information supplied by local abstract companies; contents reviewed and entered in individual parcel folios.
2. Individual parcel folios prepared; chronological activity indexed and all pertinent historical information entered.
3. Basic forms of Real Estate Agreement (real estate, personal property and fixtures) reflecting policy for negotiations to acquire all classifications of property.
4. Closing methods and policy determined.
5. Policy for possession, property management, salvage and demolition, timetable of activities prepared.
6. Closing statement form prepared together with such internal administration forms for notice to various units of inspection, accounting, property management, finance and legal counsel as may be required.
7. Information letters prepared for distribution to all owners and tenants.
8. Deed forms for conveyance of real estate, bill of sale forms for personal property, and condemnation forms for eminent domain procedure prepared.

(NOTE: Paragraphs G, H, and portions of I cover items of notice, relocation assistance, etc., relating to total property acquisitions as well as general policies.)

G. The "single offer" system for acquisition will be utilized in all negotiations. The City will establish fair market value and be prepared to justify and substantiate the determination in the event it is challenged. Staff will present and explain forms, terms and conditions of purchase in personal interviews with each property owner and tenants. The date of this interview will establish the beginning of negotiations which regulates many relocation payments.

For the purpose of all negotiated transactions, the City will require conveyance of real estate by Warranty Deed or deed instrument sufficient to place marketable title in the City of Lincoln. Standard forms of such instruments conforming to Nebraska Law are on hand and will be used in every case. Each owner executing a Real Estate Agreement should furnish a current abstract of title as specified in said offer. Legal Counsel for the City will render an opinion of the condition of said title, and upon determination that in his opinion said title appears merchantable, will assist with the closing process. Title to all property will be vested in the City of Lincoln on the date of closing, which will also be the date of payment of the purchase price and the date of conveyance instruments. The City of Lincoln shall have the right to possession within 90 days of closing date, (or 90 days from date of written notice if later than closing date), or as provided in the Real Estate Agreement. A statement by a responsible City Official, resulting from an inspection of the property acquired, will be contained in each acquisition folio. This statement will precede payment and closing and must determine that all property purchased is present and in place in substantially the condition as of the date appraised.

H. Immovable items attached to the Real Property, that would incur substantial economic damage if removed, will be negotiated for and acquired at the appraised value-in-place for continued use in the present location. A "Single Offer" at the maximum price will be offered the owner of such property, but if the owner elects to move any such appraised item it will be relocated rather than acquired and the appraised amount deducted. Until the business to be displaced has definitely located a relocation site, it is almost impossible to determine whether certain process fixtures can be relocated or should be acquired by the City of Lincoln. When such fixtures have been acquired, paid for, and a bill of sale conveyed, and the seller then finds it would have been desirable to have relocated them, it shall be the City of Lincoln's policy to reconvey such items to the original owner in return for the exact amount of value-in-place price paid for them, and then pay for their relocation. Under no circumstances will fixtures sold back to the original owner by the City of Lincoln be at salvage value, or any amount less than that paid for them. Generally, the terms and conditions of existing leases and pre-acquisition conferences with owners and tenants by all appraisers and City Staff will have clarified ownership.

NOTE: Process utilities that are service entrances and concealed utilities are ineligible for compensation as relocation expenses and will be treated as immovable fixtures. The utilities listed by the fixture appraiser as "Eligible for Relocation" formerly would have been compensated in relocation for those items. Therefore, process utilities are appraised even though eligible for relocation compensation. However, the claimant may still enter a claim for payment for replacement of those eligible utilities at the new location providing the appraised value-in-place of the claimed utilities is deducted from the relocation claim.

Immovable fixtures and process utilities not appraised will be handled through the direct loss of property process. It is expected that claims for severance damages caused by partial taking will be minimal.

All fixtures and improvements appraised and acquired become the property of the City of Lincoln as clarified in the Real Estate Agreement and may not be removed by any other than authorized personnel or the demolition contractor.

I. Upon thoroughly exhausting every avenue of negotiation available, the City of Lincoln will direct their Legal Counsel to prepare for the appropriation of all property to be acquired through eminent domain proceedings. Such petitions will be drafted by the Legal Counsel clearly defining the property to be acquired and the ownership thereof, land, improvements, immovable and movable property (if any) located therein, with such particularity that the petitions and the resulting action of the condemnation appraisers, or district court appeals, will clearly establish such ownership and rights to compensation. Owner-Occupants of dwelling units that may be eligible for the Replacement Housing Payment will be made aware that the award received through eminent domain proceedings (excluding interest thereon, or consequential damages), determined by the condemnation appraisers, or by District Court will become the basis for any Replacement Housing Payment to be claimed. Immediately preceding preparation of petitions, preliminary title information will be updated. Fee appraisals and fixture appraisals will be reviewed.

To the extent necessary, a reinspection of each property to be condemned will be conducted by the appraisers to determine that the property, on the date of taking, is in substantially the same condition as it was on the date of their original appraisal and that their opinions of value, therefore, hold true as of the date of taking. Each appraiser's

testimony may then be presented to the condemnation appraisers and, in case an appeal is filed, to the District Court.

The City of Lincoln will not require any owner to surrender the right to possession of his property until the City pays or causes to be paid, to the Lancaster County Court the amount due each interest acquired for the taking thereof as determined by the condemnation. Immediately following the determination of the amount of the condemnation award for the property, or each separate interest therein taken, the City will direct that payment to be made in an amount equal to the City's offer by the issuance of warrants drawn in favor of those entitled thereto to the County Court of Lancaster County, Nebraska, for payment of the condemnation appraiser's fees connected with the taking. Upon approval of the City's Legal Counsel, such warrants shall be deposited with the County Court and will represent full compensation for the property taken, subject to appeal to District Court. In any event, title to the property rests with the City of Lincoln as of the date of payment of the condemnation award, as does the right to possession thereof within 90 days of said date, provided compensation due has been paid as prescribed and proper notice given.

Nebraska statutes provide a 30-day period from the award of condemnation during which an appeal can be filed by either party. Acceptance of the award deposited with the County Court extinguishes the right of appeal as to that particular party. In the event an award is not claimed and no appeal is filed during the statutory period, the right to appeal is barred and the County Judge immediately causes the condemnation papers to be recorded in the records and transfer books of Lancaster County, Nebraska.

In case an appeal is filed, the County Judge forwards copies of all pertinent papers to the Clerk of District Court for subsequent trial and determination of the damages in the condemnation appealed from. At that point, the City of Lincoln, with or without the consent of condemnee, may petition the District Court to order payment immediately of the award appealed from, thereby reducing interest costs on the award while the case is being prepared and subjected to trial.

Although title and right to possession is vested in the City of Lincoln as of the date of payment of the condemnation award, no lawful occupant of property taken will be required to surrender possession without at least 90 days written notice (a separate notice in addition to the notice of condemnation) from the City of Lincoln stating the date on which possession will be required. Terms and conditions for temporary rental of condemned property for owner-occupants and tenants are detailed in the project property management policy.

District Court trial of all condemnation awards appealed will be defended by the City of Lincoln's Legal Counsel utilizing the services of contract appraisers as expert witnesses for the City. Compensation for witness services is provided for in existing appraisal contracts. After condemnation suits, awards and appeals therefrom have been filed, agreements as to value may be entered into by stipulation. Appeal cases will be diligently prosecuted to bring the case to trial and judgment in the shortest time possible and necessary for the preparation of an adequate defense. In this manner, and with the court directed partial payments of awards outlined previously, interest and court costs will be held to a minimum level.

In most instances, the sale of privately-owned property to the City of Lincoln for public purposes is considered "involuntary conversion" by the Internal Revenue Service, and the owner may not have to pay capital gains tax on any profit from the sale of the property to the City of Lincoln, if the money is reinvested in similar property within two

years. Internal Revenue Service Publication 549, entitled "Condemnations of Private Property for Public Use", is available from the IRS. It explains how the federal income tax applies to gains or loses resulting from the condemnation of property, or its sale under the threat of condemnation, for public purposes. IRS Publication 17, "Your Federal Income Tax", available from the IRS contains similar guidance. The owner is advised to discuss his particular circumstances with his personal tax advisor or local IRS office. State income tax considerations should also be discussed as appropriate.

APPENDIX B

RELOCATION ASSISTANCE

Use the following URL/link for Redevelopment Assistance:
http://lincoln.ne.gov/city/urban/real/pdf/reloc.pdf

APPENDIX C

LAND DISPOSITION PROCEDURES

ADMINISTRATIVE REGULATION - LAND DISPOSITION CITY OF LINCOLN

SUBJECT:	EFFECTIVE DATE:	A.R. NO.:
Purchase, Dedication, Donation, or Sale of Real Property	August 15, 1994	2A
APPLIES TO:	SUPERCEDES:	PAGE 1
All Departments	Subsection G.2. of A.R. No. 2	OF 2

Subsection G.2. of Administrative Regulation No. 2 is hereby amended to read as follows:

2. The City of Lincoln also owns properties surplus to its need which are not public ways. Generally no action has been taken in the past as to their disposal until a request to purchase them is received. Those requests may be received by any operating department; however, it is believed most are received by the Real Estate Division. Once a request is received, verification of the City's ownership of the parcel is made. Once ownership is confirmed, contact is made to the Public Works, Planning and to the operating department utilizing the real estate to determine if it is surplus. If it is desirable to dispose of the property the reservations of easements of specified uses are sought. All reports are returned to the Real Estate Division. A presentation of the request to purchase and report is made by the operating department at Director's Meeting for a recommendation to or by the administration. In the event the administration may recommend that the property not be sold, the Real Estate Division is notified so that it can respond to the original request advising of the administration's decision. If the decision is to dispose of the real estate, the operating agency shall notify the Real Estate Division and which shall refer the request, recommendations, and all other reports to the Planning Department which will report on the conformity of the proposed action to the comprehensive plan in accordance with Article 9B Section 6 of the City Charter. The report of the Planning Department shall then be forwarded to the City Council, along with an ordinance to authorize the sale for its consideration. At that time, the Real Estate Division submits a appraisal of the property. The same process of developing an estimate of the value of the property is followed as in the case of vacated streets and alleys. The same number of copies of the appraisal report are delivered to the City Clerk for referral to the City Council and to the Mayor's Office. Once all reports have been received by the Council, the matter is placed on the agenda for consideration. If the property is to be disposed of, the Law Department is directed to prepare documents as are necessary to convey the property and upon the terms set by the City Council. Those documents are furnished to the Mayor's Office for execution. The Law Department delivers the executed deeds when the considerations as prescribed by the Council are received. Such monies are delivered to the Finance Department for deposit in the account of Advance Land Acquisition. It naturally follows that if the decision of the Council is to reject or disapprove the sale of surplus

Approved:

Administrative Assistant

Mayor

property, that decision is communicated to the Real Estate Division who notifies the original person, persons or businesses requesting its purchase. All purchase requests will ultimately be referred to the City Council for its approval or denial.

Approved:

Administrative Assistant

Mayor

APPENDIX D

PARCELS TO BE ACQUIRED FOR RESIDENTIAL DEVELOPMENT

East Side of 27th Street - Fair to Potter:

- W. H. Irvine's 2nd Addition, Block 4, Lots 24, 25 & South 7.5' of Lot 26, except west part for road, more commonly known as 1700 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, North 17.5' of Lot 26 and all of Lot 27, except west part for road, more commonly known as 1710 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, Lots 28, 29 & 30, except West part for road, more commonly known as 1724 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, Lots 31 & 32, except West part for road, more commonly known as 1730 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, Lots 33-39, except West part for road
- W. H. Irvine's 2nd Addition, Block 4, Lots 40 & 41, except West 21' for road, more commonly known as 1762 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, Lots 42 & 43 feet, except West 21' for road, more commonly known as 1802 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, Lot 44, & South15' of Lot 45, except West 21' for road, more commonly known as 1820 North 27th Street
- W. H. Irvine's 2nd Addition, Block 4, Lot 45, except South 15' & all of Lot 46, except West part for road, more commonly known as 1834 North 27th Street

APPENDIX E

PARCELS TO BE ACQUIRED, SUBSTANDARD HOUSING

- Keystone Addition, Block 1, North 48 feet of Lot 4, except E5.5 feet, more commonly known as 511 N. 27th Street
- Keystone Addition, Block 1, Lot 3, except part for street, more commonly known as 521 North 27th Street
- Keystone Addition, Block 1, Lot 2, except 285 square feet on north and east for Street, more commonly known as 529 North 27th Street
- Keystone Addition, Block 1, Lot 1, except 304.4 square feet for street , more commonly known as 533 North 27th Street
- Hawley's Addition, South Half of Lot A, except 335.6 square feet on east for street, more commonly known as 535 North 27th Street
- Hawley's Addition, North Half of Lot A, except 368.8 square feet on East, more commonly known as 537 North 27th Street
- Hawley's Addition, Lot B, except east part for street & South ½ of Lot C, except East 8.5 feet, more commonly known as 539 North 27th Street
- Keystone Addition, Block 1, West 102 feet of the South one foot of Lot 4 and the West 102 Feet of Lot 5, more commonly know as 2630 "S" Street
- Keystone Addition, Block 1, West 54.5 feet, East 60 Feet, and the South 1 foot of Lot 4 and the West 54.5 feet, East 60 feet of Lot 5 except the triangle in the Southeast corner for street right-of-way, more commonly known as 501 North 27th Street
- Hawley's Addition, South 46 feet of Lot B, more commonly known as 539 North 27th Street