

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 21, 2004 PLANNING COMMISSION MEETING

**P.A.S.:** Miscellaneous #04005  
*48<sup>th</sup> & "O" Streets Redevelopment Area: Blight and Substandard Determination Study*

**PROPOSAL:** Marc Wullschleger, Director of the Urban Development Department, has forwarded a request to review the *48<sup>th</sup> & "O" Streets Blight and Substandard Determination Study* and to recommend the Redevelopment Area be declared blighted and substandard.

**CONCLUSION:** The 48<sup>th</sup> & "O" Streets Redevelopment Area qualifies as blighted and substandard within the definition set forth in the Nebraska Community Development Law, NEB REV STAT § 18-2103, as determined by the *48<sup>th</sup> & "O" Streets Blight and Substandard Determination Study*. The Blight and Substandard Determination Study is consistent with the redevelopment and revitalization activities identified in 2025 Comprehensive Plan.

<b><u>RECOMMENDATION:</u></b> Finding that the area is blighted and substandard.
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### **GENERAL INFORMATION:**

**LOCATION:** An area generally bounded by "M" Street on the south, 48th Street on the west, "R" Street on the north, and 52nd Street on the east, comprising of parts of the South 48th Street and Hartley neighborhoods.

**PURPOSE:** Nebraska Community Development Law, NEB REV STAT § 18-2109 requires the Planning Commission to review whether an area is substandard and blighted. A recommendation of the Planning Commission is required to be provided to the City Council prior to a redevelopment area being declared blighted and substandard.

**LEGAL DESCRIPTION:** See Appendix.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

### ***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. (F 17)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. (F 18)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. (page F 49)

Maintain and encourage retail establishment and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with, but not intrusive upon residential neighborhoods. (page F 49)

## **ANALYSIS:**

1. This is a request to determine whether the 48<sup>th</sup> & "O" Streets Redevelopment Area should or should not be declared substandard and blighted. 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 Redevelopment Area comprises 41.7 acres.
3. The Blight and Substandard Determination Study is consistent with revitalization activities outlined in 2025 Comprehensive Plan.
4. Public Works - Watershed Management reviewed the Blight and Substandard Determination Study and have the following comments: The existing language in the first paragraph of page 28 seems to be mixed up between storm and sanitary sewer (i.e. there are no public storm drain systems that are 8 inches in size). The below text is recommended to replace the storm drain portion of the text. I don't know about the sanitary sewer in this area though (addressed in 2nd paragraph of pg 27, should state sanitary sewer however instead of sewer).

*48<sup>th</sup> & "O" Streets Blight and Substandard Determination Study*

"Overland flow paths of storm drainage in the 48th and "O" Streets Redevelopment Area is also an issue. The majority of the existing drainage was installed in the 1950's and 1960's with mostly reinforced concrete pipe. The drainage along "O" Street was reviewed and in many places replaced with new systems and inlets in the recent widening of "O" Street (2002 - 2004). The current system is mostly of sufficient size to convey the design storm events for which they were constructed. However there is insufficient overland flow capacities during major rainfall events for the sump area on 52nd Street between "O" and "R" Streets. This area floods during major events (most recently 8/28/02 and 7/23/03) and floods structures to the west of this area, and is a major drainage problem in this area. A concept report has been completed for this area with possible alternatives for alleviating some of the flooding."

5. There are **two** structures within the Redevelopment Area that are less than 10 years of age, and **three** structures that are less than 20 years of age.
6. A consultant was hired by the City of Lincoln to conduct the study to determine whether or not there was a presence of substandard or blighting conditions in the study area.
7. A **substandard** area is defined in the Nebraska Revised Statutes as containing a predominance of buildings with the presence of the following **four** conditions:
  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.
8. The consultant conducted a detailed exterior structural survey of 25 structures, an interior structural survey of 24 selected structures, a parcel-by-parcel field inventory, interviews with City staff, and a review of pertinent reports and documents in order to determine if substandard conditions were present in the area. There are 25 structures located in the Redevelopment Area.
9. The consultant concluded that the area could be considered substandard because **three** of the **four** factors were found to be present to a strong extent, and one to a reasonable but less significant extent. The factors were found to be reasonably distributed throughout the study area.

*48<sup>th</sup> & "O" Streets Blight and Substandard Determination Study*

10. The factors that were found to be present to a strong extent were:
- # Dilapidation/ deterioration.
  - # Age or obsolescence.
  - # Conditions which endanger life or property by fire and other causes.

The presence of inadequate ventilation, light, air, sanitation or open spaces was found to a reasonable extent.

11. A **blighted** area is defined in the Nebraska Revised Statutes as having the presence of **twelve** 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. 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;
  12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
    - a) Unemployment in the 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.

*48<sup>th</sup> & "O" Streets Blight and Substandard Determination Study*

12. The area was reviewed to determine if the blighting factors were present to an extent that public intervention was appropriate or necessary, and that the factors were reasonably distributed throughout the study area.
13. The consultant determined that **eight** of the blighting factors were present to a strong extent; **two** were present to a reasonable extent; and **two** factors were not present.
14. The **eight** blighting factors found to be present to a strong extent were:
  - # Deteriorated or dilapidated structures.
  - # Faulty lot layout.
  - # Insanitary or unsafe conditions.
  - # Deterioration of site or other improvements.
  - # Improper subdivision or obsolete platting.
  - # Existence of conditions which endanger life or property by fire or other causes.
  - # Other environmental and blighting factors.
  - # One of the other five conditions.
15. It is the conclusion of the Consultant that the number, degree and distribution of blighting factors, as documented in this Study, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the Nebraska Community Development Law. The findings of this Blight and Substandard Determination Study warrant designating the Redevelopment Area as blighted and substandard.
16. A copy of the executive summary of the report is attached. The full report is on file with the Urban Development Department, and the Planning Department.

Prepared by:

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Duncan L. Ross, AICP  
Planner

**DATE:** July 12, 2004

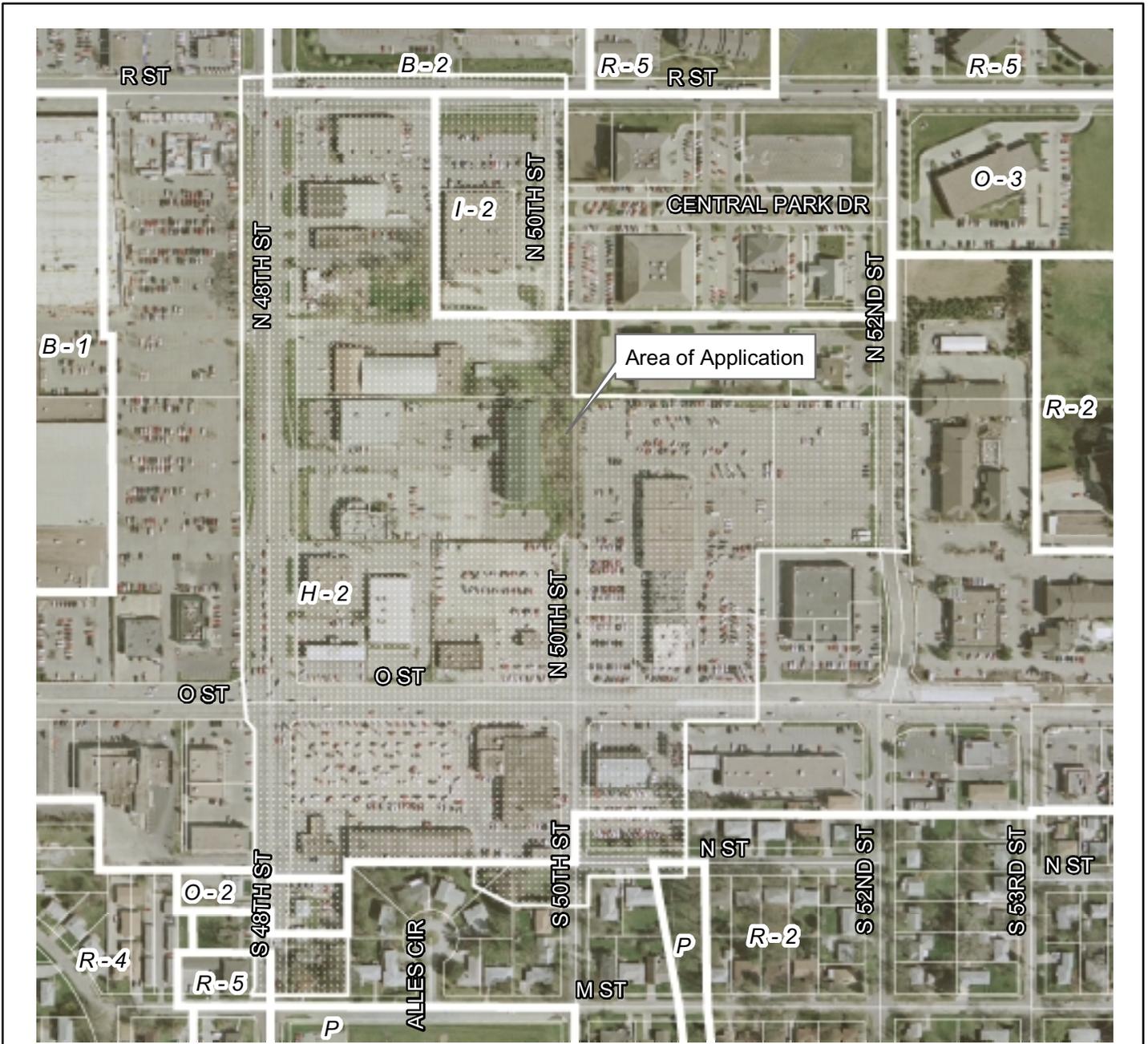
**APPLICANT:** Marc Wullschleger, Director  
Urban Development Department.  
808 P Street  
Lincoln, NE 68508  
Phone: 441-7606

**CONTACT:** Wynn Hjermstad  
Urban Development Department  
808 P Street  
Lincoln, NE 68508  
Phone: 441-7606

## Legal Description

Appendix

Beginning at a point on the west line of North 48<sup>th</sup> Street which is perpendicular to the north-south midpoint line of Lot 29, JG Miller's Subdivision of Section 20, Township 10 North, Range 7 East of the 6<sup>th</sup> P.M., which point is also the northwest corner of Lancaster County Assessor Parcel 17-20-413-003-000, thence north along the west line of North 48<sup>th</sup> Street to the northwest corner of the intersection of North 48<sup>th</sup> Street and "R" Street, thence east along the North line of "R" Street to the northeast corner of the intersection of North 50<sup>th</sup> Street and "R" Street, thence south along the east line of 50<sup>th</sup> Street to the southwest corner of Outlot B, Central Park South Addition, thence East along the South line of Outlot B, Central Park South Addition, a distance of 120', thence due south to a point on the north line of Lot G, Burleighs Subdivision, thence due east along the north line of Burleighs Subdivision and continuing due east across 52<sup>nd</sup> Street to a point on the east line of 52<sup>nd</sup> Street, thence due south along the east line of 52<sup>nd</sup> Street to a point on such east line which is perpendicular to the north-south midpoint line of Lot 29 of JG Miller's Subdivision, thence due west to a point perpendicular to the east line of Lot D, Burleighs Subdivision, thence due south and continuing across "O" Street to a point on the North line of Lot 3, Lemings Subdivision, thence due west along said north line to a point on said north line which is 240' east of the west line of said Lot 3, thence due South and continuing across "N" Street to the Northwest corner of Lot 9, Block 1, Stuhr's Park Subdivision, which is also on the south line of "N" Street, thence continuing due west along the south line of "N" Street to the southeast corner of the intersection of "N" Street and 50<sup>th</sup> Street, thence south along the east line of 52<sup>nd</sup> Street 80' to a point on said East line, thence due West across 50<sup>th</sup> Street and continuing due west across Lot 4, Lemings Subdivision to a point 94' south of the northeast corner of Alles Replat, thence northwesterly along the south and west lines of that portion of Lots 3 and 4, Alles Replat, which are included in Lancaster County Assessor's Parcel 17-29-200-016-000 to a point on the north line of Lot 4, Alles Replat, thence west along said north line to the northwest corner of Alles Replat, thence south along the west line of Alles Replat to a point on the north line of "M" Street, thence west along the north line of "M" Street and across 48<sup>th</sup> Street to the northwest corner of the intersection of "M" Street and 48<sup>th</sup> Street, thence north along the west line of 48<sup>th</sup> Street, across "O" Street, and continuing on the west line of north 48<sup>th</sup> Street to a point on the west line of 48<sup>th</sup> Street perpendicular to the point of beginning.



**Misc. #04005**  
**48th & 'O' St.**  
**Blight Study**

2002 aerial

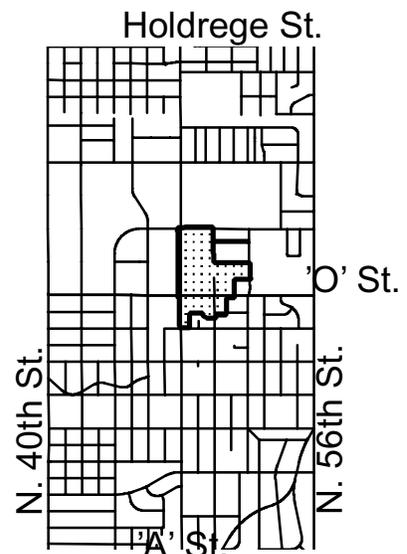
**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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 Mile  
 Sec. 22 T10N R7E  
 Sec. 29 T10N R7E



● Zoning Jurisdiction Lines  
 City Limit Jurisdiction





**Benjamin J Higgins**

07/08/2004 09:11 AM

To: Duncan L Ross/Notes@Notes  
cc: Devin L Blesecker/Notes@Notes, ljha@jeo.com  
Subject: 48th and O Blight Area comments, Application # Misc 04005

Duncan

I've reviewed MISC 04005, Blight Study for 48th and O and have the following comments:

- The existing verbage in the first paragraph of pg 28 seems to be mixed up between storm and sanitary sewer (i.e. there are no public storm drain systems that are 8 inches in size). The below text is recommended to replace the storm drain portion of the text. I don't know about the sanitary in this area though (addressed somewhat in 2nd paragraph of pg 27, should state sanitary sewer however instead of sewer).

"Overland flow paths of storm drainage in the 48th and "O" Streets Redevelopment Area is also an issue. The majority of the existing drainage was installed in the 1950's and 1960's with mostly reinforced concrete pipe. The drainage along "O" Street was reviewed and in many places replaced with new systems and inlets in the recent widening of "O" Street (2002 - 2004). The current system is mostly of sufficient size to convey the design storm events for which they were constructed. However there is insufficient overland flow capacities during major rainfall events for the sump area on 52nd Street between "O" and "R" Streets. This area floods during major events (most recently 8/28/02 and 7/23/03) and floods structures to the west of this area, and is a major drainage problem in this area. A concept report has been completed for this area with possible alternatives for alleviating some of the flooding."

Thanks

Ben Higgins  
Watershed Management  
City of Lincoln Public Works  
441-7589

# BLIGHT AND SUBSTANDARD DETERMINATION STUDY

## *EXECUTIVE SUMMARY*

### Purpose of Study/Conclusion

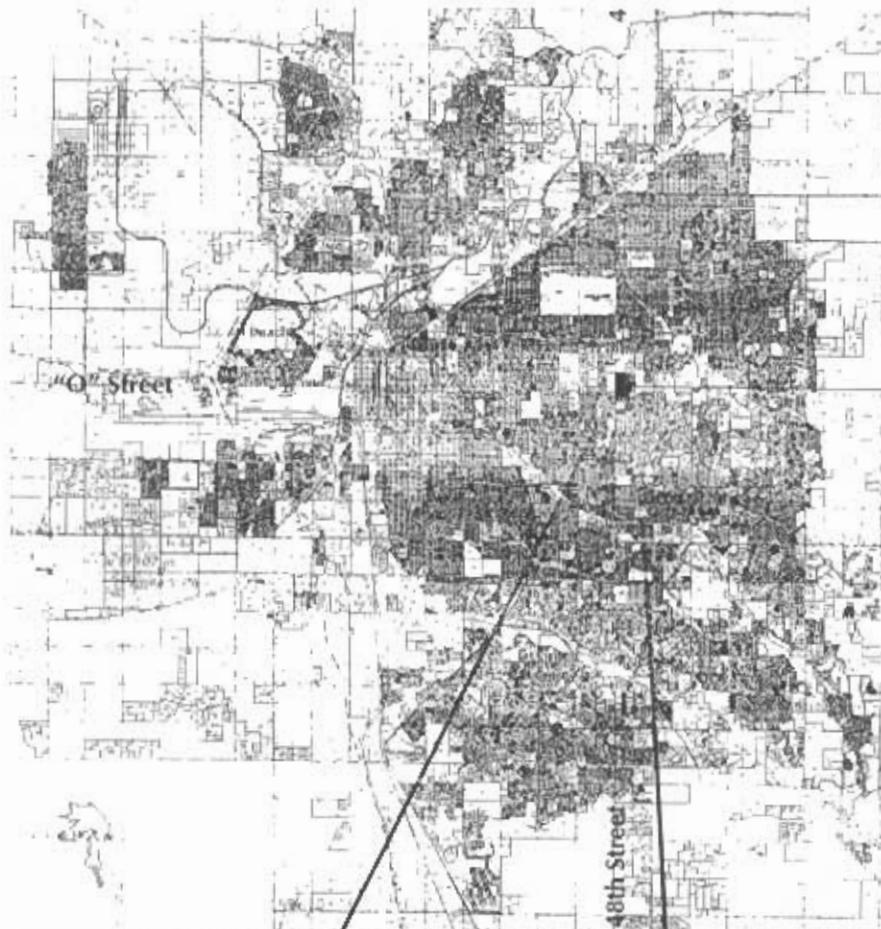
The purpose of this Study is to determine whether all or part of the designated 48<sup>th</sup> & "O" Streets Redevelopment Area, in Lincoln, Nebraska, qualifies as a **blighted and substandard area** within the definition set forth in the Nebraska Community Development Law, Section 18-2103.

The findings presented in this Blight and Substandard Determination Study are based on surveys and analyses conducted for the 48<sup>th</sup> & "O" Streets Redevelopment Area, referred to as the **Redevelopment Area**. Illustration 1 delineates the Area in relation to the City of Lincoln.

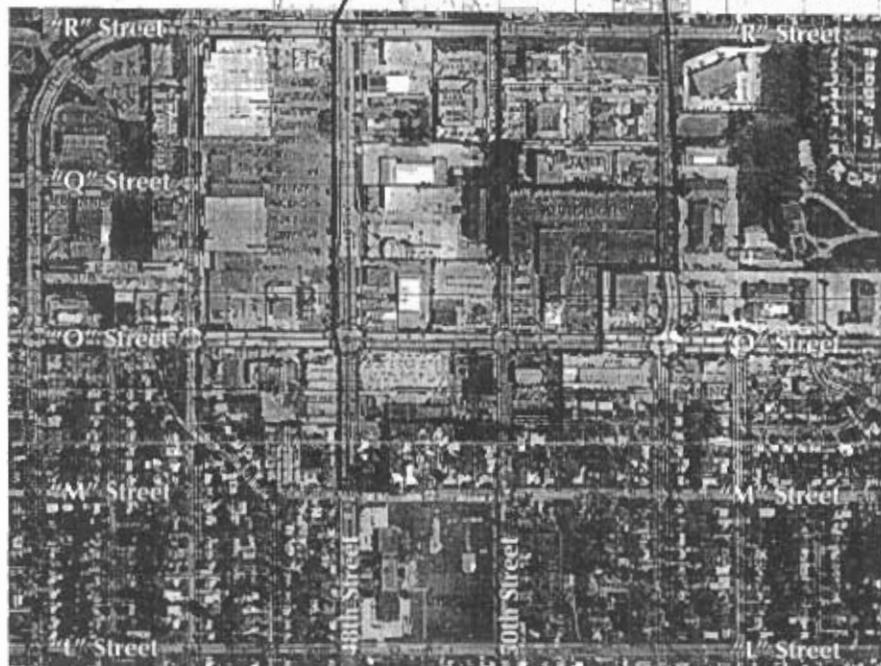
An area located in the City of Lincoln, Lancaster County, Nebraska, described as follows: Beginning at a point on the west line of North 48<sup>th</sup> Street which is perpendicular to the north-south midpoint line of Lot 29, JG Miller's Subdivision of Section 20, Township 10 North, Range 7 East of the 6<sup>th</sup> P.M., which point is also the northwest corner of Lancaster County Assessor Parcel 17-20-413-003-000, thence north along the west line of North 48<sup>th</sup> Street to the northwest corner of the intersection of North 48<sup>th</sup> Street and "R" Street, thence east along the North line of "R" Street to the northeast corner of the intersection of North 50<sup>th</sup> Street and "R" Street, thence south along the east line of 50<sup>th</sup> Street to the southwest corner of Outlot B, Central Park South Addition, thence East along the South line of Outlot B, Central Park South Addition, a distance of 120', thence due south to a point on the north line of Lot G, Burleighs Subdivision, thence due east along the north line of Burleighs Subdivision and continuing due east across 52<sup>nd</sup> Street to a point on the east line of 52<sup>nd</sup> Street, thence due south along the east line of 52<sup>nd</sup> Street to a point on such east line which is perpendicular to the north-south midpoint line of Lot 29 of JG Miller's Subdivision, thence due west to a point perpendicular to the east line of Lot D, Burleighs Subdivision, thence due south and continuing across "O" Street to a point on the North line of Lot 3, Lemings Subdivision, thence due west along said north line to a point on said north line which is 240' east of the west line of said Lot 3, thence due South and continuing across "N" Street to the Northwest corner of Lot 9, Block 1, Stuhr's Park Subdivision, which is also on the south line of "N" Street, thence continuing due west along the south line of "N" Street to the southeast corner of the intersection of "N" Street and 50<sup>th</sup> Street, thence south along the east line of 52<sup>nd</sup> Street 80' to a point on said East line, thence due West across 50<sup>th</sup> Street and continuing due west across Lot 4, Lemings Subdivision to a point 94' south of the northeast corner of Alles Replat, thence northwesterly along the south and west lines of that portion of Lots 3 and 4,

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Location of Study



Location of Study



City Context Map

**Hanna:Keelan Associates, P.C.**  
Community Planning & Research

3275 Holdings | (412) 414-7100  
1511 Moor | (412) 414-7100  
Lincoln, PA 15201 | email: planning@hanna-keelan.com

digital illustration produced by:  
412.582.2311 | 8000 Thackeray Road  
412.495.5799 | p. 1 | Lincoln, PA 15206  
hanna@hanna.com

**Architecture** **1** NE

## ***SUBSTANDARD AREA***

As set forth in the Nebraska legislation, a **substandard area** shall mean one which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of:

1. Dilapidated/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.

This evaluation included a detailed exterior structural survey of 25 structures, an interior structural survey of 24 of the total 25 structures, a parcel-by-parcel field inventory, conversations with pertinent City of Lincoln department staff and a review of available reports and documents containing information which could substantiate the existence of substandard conditions.

## ***BLIGHTED AREA***

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), a **blighted area** shall mean "an area, which by reason of the presence of:

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. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and
12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;
  1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
  2. The average age of the residential or commercial units in the area is at least 40 years;
  3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for 40 years and has remained unimproved during that time;
  4. The per capita income of the study or designated blighted area is lower than the average per capita income of the city or village in which the area is designated; or
  5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated factors may be sufficient to make a finding of blighted and substandard, this evaluation was made on the basis that existing blighted and substandard factors must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of blighted and substandard factors throughout the Redevelopment Area must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are blighted.

On the basis of this approach, the 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, three in the Redevelopment Area, are found to be present to a strong extent, while one is present to a reasonable, but less significant extent.

The substandard factors present are reasonably distributed throughout the Redevelopment Area. The factors determined to have a strong presence are dilapidated/deteriorating structures, age or obsolescence of structures and the existence of conditions which endanger life or property by fire and other causes. The inadequate provision for ventilation, light, air, sanitation or open spaces, was determined to have a reasonable presence of substandardness.

**TABLE 1  
SUBSTANDARD FACTORS  
48<sup>TH</sup> & "O" STREETS 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.	■
	<b>Strong Presence of Factor</b>	■
	<b>Reasonable Presence of Factor</b>	■
	<b>No Presence of Factor</b>	○

Source: Hanna-Keelan Associates, P.C., 2003

### ***STRONG PRESENCE OF FACTOR -***

The field study method used to analyze exterior building conditions determined that twelve, or 48 percent of the 25 total structures, in the Redevelopment Area, are ***deteriorating or dilapidated***. Additionally, interior examination of 24 of the total 25 structures confirmed that 10 structures, or 41.7 percent of the structures, were deteriorating or dilapidated. This factor is a strong presence throughout the Redevelopment Area.

Based on the results of a parcel-by-parcel field analysis, approximately 14 (56.0 percent) of the total 25 structures within the Redevelopment Area are ***40+ years of age*** (built prior to 1964). The factor of age or obsolescence is a strong presence in the Redevelopment Area.

The parcel-by-parcel field analysis also determined that the substandard factor ***existence of conditions which endanger life or property*** by fire and other causes was a strong presence throughout the Redevelopment Area. The primary contributing factors include masonry buildings with wood frame components and areas of insufficient water pressure for fire protection.

### ***REASONABLE PRESENCE OF FACTOR -***

The conditions which result in ***inadequate provision for ventilation, light, air, sanitation or open space*** is reasonably present and distributed throughout the Redevelopment Area.

***The prevailing substandard conditions evident in buildings and the public infrastructure, as determined by the field survey, include:***

1. Dilapidated/deteriorated structures;
2. Aging structures;
3. Fair to poor site conditions;
4. Aging of underground utilities;
5. Frame buildings and wood structural components in masonry buildings as potential fire hazards; and
6. Deteriorating sidewalks and streets.

## **BLIGHT FACTORS**

Of the 12 factors set forth in the Nebraska Community Development Law, eight are present to a strong extent, in the Redevelopment Area, and two are present to a reasonable, but more limited extent. The factors of tax or special assessment exceeding the fair value of land and defective or unusual condition of title were determined not to be blighted factors. The blighting factors, which are present, are reasonably distributed throughout the 48<sup>th</sup> & "O" Streets Redevelopment Area.

**TABLE 2  
48<sup>TH</sup> & "O" STREETS REDEVELOPMENT AREA  
BLIGHT FACTORS**

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 exceeding the fair value of land.	○
8.	Defective or unusual condition 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 other five conditions.	■
	<b>Strong Presence of Factor</b>	■
	<b>Reasonable Presence of Factor</b>	■
	<b>Little or No Presence of Factor</b>	○

Source: Hanna:Keelan Associates, P.C., 2003

48<sup>th</sup> & "O" Streets Redevelopment Area  
Blight and Substandard Determination Study

### ***STRONG PRESENCE OF FACTOR -***

***Deteriorated or dilapidated structures*** are a strong presence in the Redevelopment Area. A total of 48 percent of the 25 structures were found to be deteriorated or dilapidated, from the exterior analysis, and 41.7 percent from the interior analysis.

***Faulty lot layout*** exists to a strong extent throughout the Redevelopment Area. Conditions contributing to the presence of this factor include inadequate lot size, limited pedestrian circulation and lack of planned open space.

***Insanitary or unsafe conditions*** are strongly present throughout the Redevelopment Area. Contributing factors include age of structures and frame structural members of buildings.

***Deterioration of site or other improvements*** are a strong presence throughout the Redevelopment Area. A significant number and percentage of parcels in the Area have fair to poor overall site conditions. Deteriorating infrastructure also contributes to the strong presence of this factor.

***Improper subdivision or obsolete platting*** is a strong presence throughout the Redevelopment Area. Generally, lot sizes are too small for efficient development, based on today's planning standards. Several blocks have been reconfigured by meets and bounds descriptions, in the absence of individually platted lots, especially along 48<sup>th</sup> Street, between "M" and "R".

The ***existence of conditions which endanger life or property*** by fire or other causes is strongly present throughout the Redevelopment Area.

In regards to ***other environmental and blighting factors***, the presence of economically and socially undesirable land uses is strong throughout the Redevelopment Area.

***One of the required five additional blight factors*** have a strong presence throughout the Redevelopment Area. According to the field analysis, the average age of commercial (1971 or 33+ years) and residential (1942 or 61+years) buildings, within the Redevelopment Area, are 40+ years of age (built prior to 1964).

### ***REASONABLE PRESENCE OF FACTOR -***

***Defective or inadequate street layout*** is reasonably present, due to a significant amount of streets and alleys exhibiting fair to poor conditions.

***Diversity of ownership*** is reasonably present throughout the Redevelopment Area, with 11 total owners.

## Conclusion

It is the conclusion of the Consultant retained by the City of Lincoln that the number, degree and distribution of blighting factors, as documented in this Study, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the Nebraska Community Development Law. It is also the opinion of the Consultant, that the findings of this Blight and Substandard Determination Study warrant designating the Redevelopment Area as **"substandard" and "blighted."**

The conclusions presented in this Study are those of the Consultant engaged by the City of Lincoln to examine whether conditions of blight/substandard exist. The local governing body should review this report and, if satisfied with the summary of findings contained herein, may adopt a resolution making a finding of blight/substandard and this Study a part of the public record.



## ***BASIS FOR REDEVELOPMENT***

For a project in Lincoln to be eligible for redevelopment under the Nebraska Community Development Law, the subject area or areas must first qualify as both a "substandard" and "blighted" area, within the definition set forth in the Nebraska Community Development Law. This Study has been undertaken to determine whether conditions exist which would warrant designation of the Redevelopment Area as a "blighted and substandard area" in accordance with provisions of the law.

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (Cumulative Supplement 1994), **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

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.

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

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;