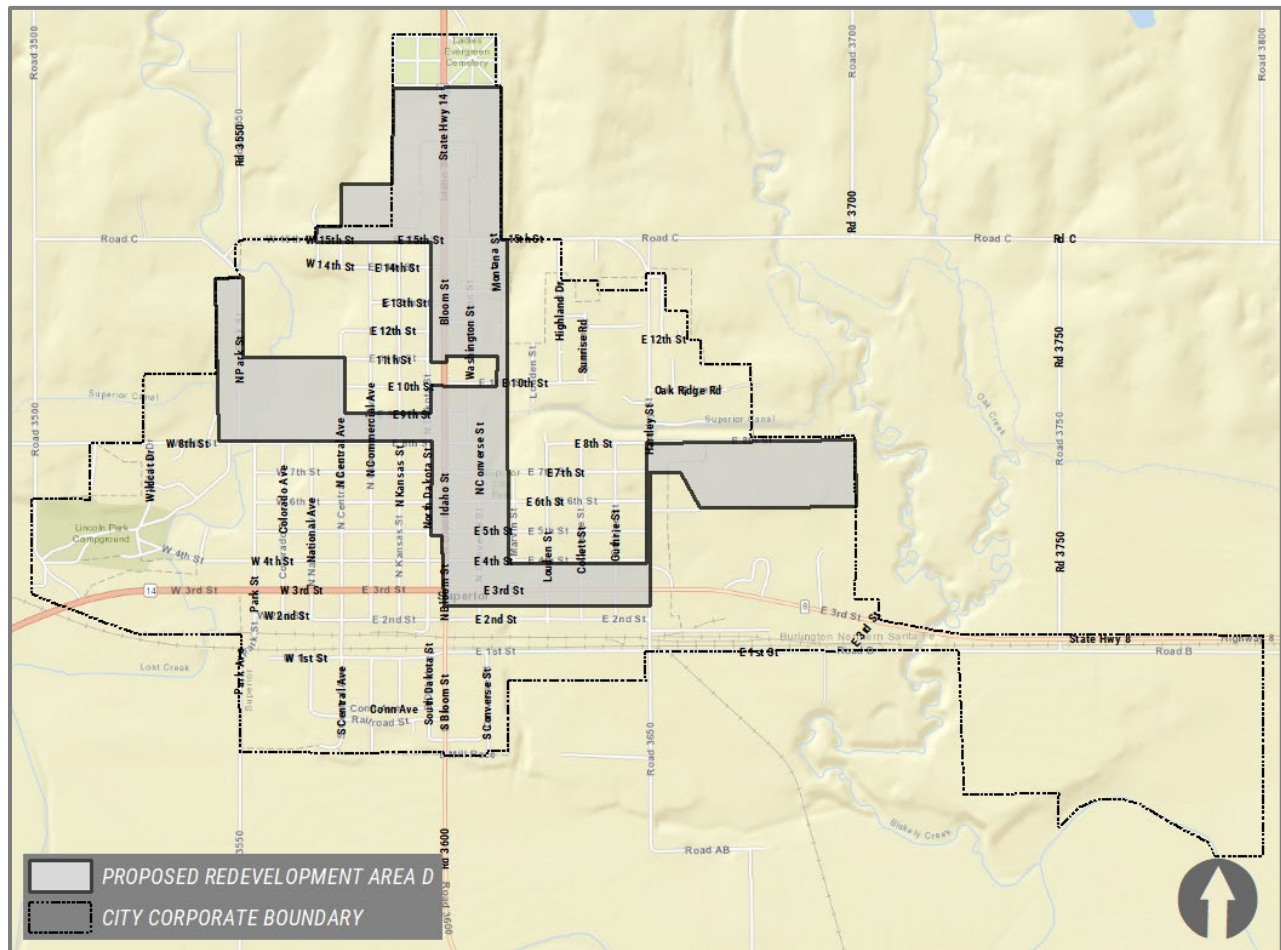


CITY OF SUPERIOR, NEBRASKA

Blight & Substandard Study and General Redevelopment Plan Redevelopment Area D

Bobbi Pettit, AICP

February 11, 2022



RURAL PLANNING

CONTENTS

PROPOSED REDEVELOPMENT AREA D	2
BLIGHT & SUBSTANDARD STUDY	2
COMMUNITY REDEVELOPMENT LAW	2
PURPOSE	3
IDENTIFICATION OF PROPOSED REDEVELOPMENT AREA D	4
Area Description:	4
Area Map:	5
BLIGHT & SUBSTANDARD CRITERIA	6
Substandard Criteria	6
Substandard Conclusion	11
Blight Criteria	12
Subjective Factors	12
Objective Factors	13
Blight Conclusion	15
REDEVELOPMENT AREA D	16
GENERAL REDEVELOPMENT PLAN	16

PROPOSED REDEVELOPMENT AREA D BLIGHT & SUBSTANDARD STUDY

COMMUNITY REDEVELOPMENT LAW

The State of Nebraska has established Community Redevelopment Law to correct conditions of blight within the State's municipalities and provide guidance for remedying conditions of blight, thereby encouraging redevelopment projects to take place in areas that would be considered otherwise undevelopable. (NRS 18-2102):

It is hereby found and declared that there exist in cities of all classes and villages of this state areas which have deteriorated and become substandard and blighted because of the unsafe, insanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable land uses.

Such conditions or a combination of some or all of them have resulted and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire communities in which they exist, needlessly increasing public expenditures, imposing onerous municipal burdens, decreasing the tax base, reducing tax revenue, substantially impairing or arresting the sound growth of municipalities, aggravating traffic problems, substantially impairing or arresting the elimination of traffic hazards and the improvement of traffic facilities, and depreciating general community-wide values.

The existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment, and the treatment of juvenile delinquency, and for the maintenance of adequate police, fire, and accident protection and other public services and facilities. These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the Community Development Law is hereby declared to be a matter of legislative determination.

It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue.

It is further found and declared that certain substandard and blighted areas, or portions thereof, may require acquisition, clearance, and disposition, subject to use restrictions, as provided in the Community Development Law, since the prevailing conditions of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that other areas or portions thereof may, through the means provided in the Community Development Law, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils, hereinbefore enumerated, may be eliminated, remedied, or prevented; and that salvageable substandard and blighted areas can be conserved and rehabilitated through appropriate public action and the cooperation and voluntary action of the owners and tenants of property in such areas.

PURPOSE

The purpose of a Blight & Substandard Study and Redevelopment Plan is to assist the City of Superior's elected and appointed officials in following the guidance set forth by the State Legislature and answering the question as to whether an area within the City's jurisdiction needs redevelopment. The area in question was compared to the definition of a substandard and blighted area as defined by Section 18-2103, which explicitly defines a substandard area as:

[A]n area in which there is a predominance of buildings or improvements, whether non-residential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

Section 18-2103 also defines a blighted area as:

[A]n area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses.

Section 18-2103 also states the amount of its area that a city can designate as blighted and substandard. Thus, Superior, a city of the second class, shall not declare more than 50% of the land within the City's corporate limits as blighted & substandard, in need of redevelopment:

In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted.

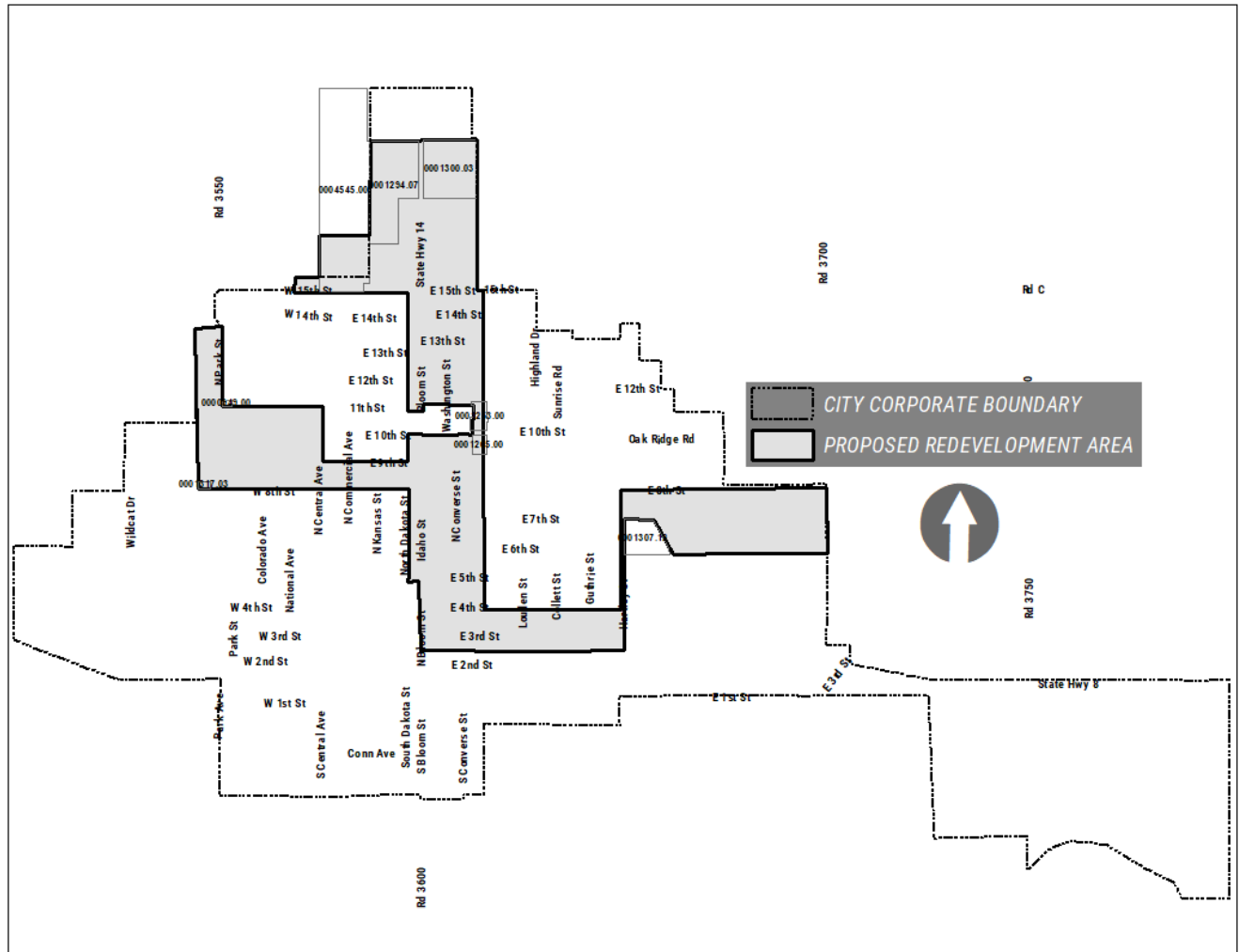
IDENTIFICATION OF PROPOSED REDEVELOPMENT AREA D

Area Description:

The proposed redevelopment encompasses 302 acres and is described as follows:

Beginning at the northwest corner of Parcel ID Number (PID #): 0001294.07 then moving east in a straight line until reaching city's corporate boundary line, then moving south along this line until reaching the north Right-of-Way (ROW) of 15th Street, then moving east for 89 feet, then moving south in a straight line until reaching the south ROW line of 4th St., then traveling east along this ROW line until reaching the west ROW line of Hartley St., then moving north along this ROW line until reaching the south ROW line of 8th St., then moving east along this ROW line until reaching the city corporate boundary line, then moving south along this line for 858 feet, then moving west in a straight line until reaching the southeast corner of PID # 0001307.12, then moving northwest and then west along this property line until reaching the east ROW line of Hartley St., then moving south along that ROW line for 1,722 feet, then moving west in a straight line until reaching the west ROW line of N. Bloom St./Idaho St., then moving north along that ROW line until reaching the south ROW line of W. 5th St., then moving west along that ROW line until reaching the east ROW line of North Dakota St., then moving north along that ROW line until reaching the north ROW line of E. 8th St., then moving along that ROW line until reaching the southwest corner of PID #0001317.03, then moving north in a straight line until reaching the corporate boundary line, then moving east along that line until reaching the east ROW line of N. Park St., then moving south along that ROW line until reaching the southwest corner of PID # 0000949.00, then moving east in a straight line until reaching the east ROW line of N. Central Ave., then moving south along that ROW line until reaching the east ROW line of North Dakota St., then moving north along that ROW line until reaching the north ROW line of E. 10th St., then moving east along that ROW line until reaching the northwest corner of PID # 0001265.00, then moving north in a straight line until reaching the northeast corner of PID # 0001253.01, then moving west in a straight line until reaching the east ROW line of Idaho St., then moving south until reaching the south ROW line of 11th St., then moving west along that ROW line until reaching the east ROW line of North Dakota St., then moving north along that ROW line until reaching the south ROW line of E. 15th St., then moving west along that ROW line until reaching the corporate boundary line, then moving north and then east along that boundary line until reaching the west property line of PID # 0004545.00, then moving north along that property line for 550 feet, then moving east in a straight line until reaching the corporate boundary line, then moving north along that boundary until reaching the beginning point at the northwest corner of PID # 0001294.07.

Area Map:



Substandard Criteria

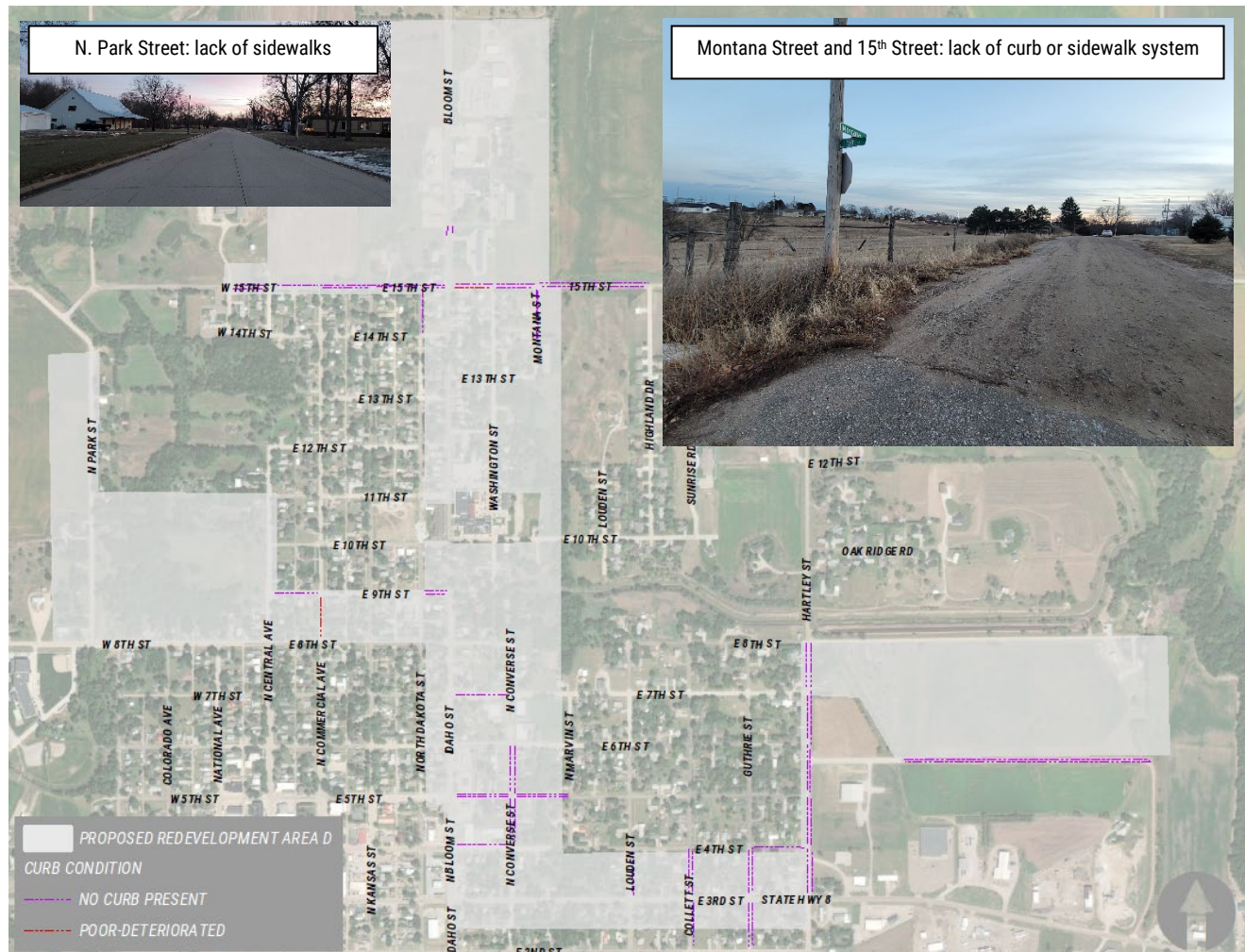
1. Dilapidation;
2. Deterioration;
3. Age or Obsolescence;
4. Conditions that endanger life or property by fire and other causes;
5. Inadequate provision for ventilation, light, air, sanitation, or open spaces; and
6. High density of population or overcrowding.

This factor is not substantial within the Proposed Redevelopment Area D.

In 2019, a pedestrian transportation and stormwater management study was completed. As part of that study, the condition of every street, curb, and sidewalk was inventoried. Per that assessment, a lack of sidewalks and sidewalks in poor-deteriorated condition were identified throughout the Proposed Redevelopment Area A.



In addition to noting several blocks of sidewalk that were deteriorated or missing, several lengths of street were also identified as not having any presence of curbs. A lack of adequate curbing creates conditions where deterioration of the street network will happen at an increased pace. Curbs control the flow of stormwater and enable the proper channeling of runoff to ensure water does not eventually saturate the subgrade underneath a roadway. Furthermore, the presence of curbs also provides traffic control, guiding vehicles to stay on a defined roadway rather than driving or parking along the side of a road.

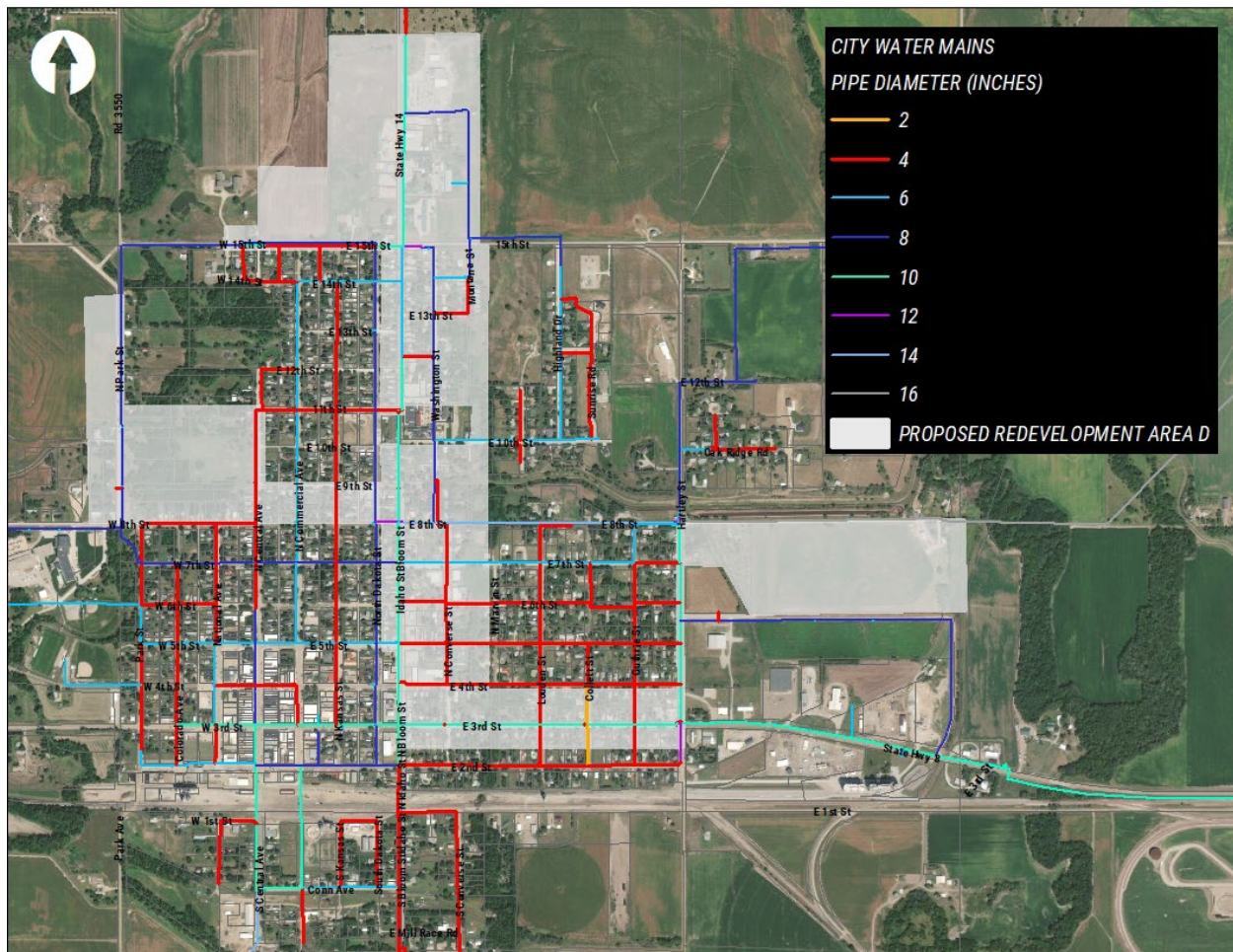


Based on the overall condition of sidewalks throughout Proposed Redevelopment Area D combined with the overall lack of curbs throughout the area, the area has a substantial amount of deterioration of public improvements.

Age or Obsolescence

Water Main Size

Several of the domestic water mains previously installed within the proposed area have a diameter of less than 4 inches. Recommended Standards for Water Works recommends that, to provide adequate fire protection, the minimum size of a water main must be no less than a six-inch diameter. The size of these mains would be considered obsolete by current development standards and practices.

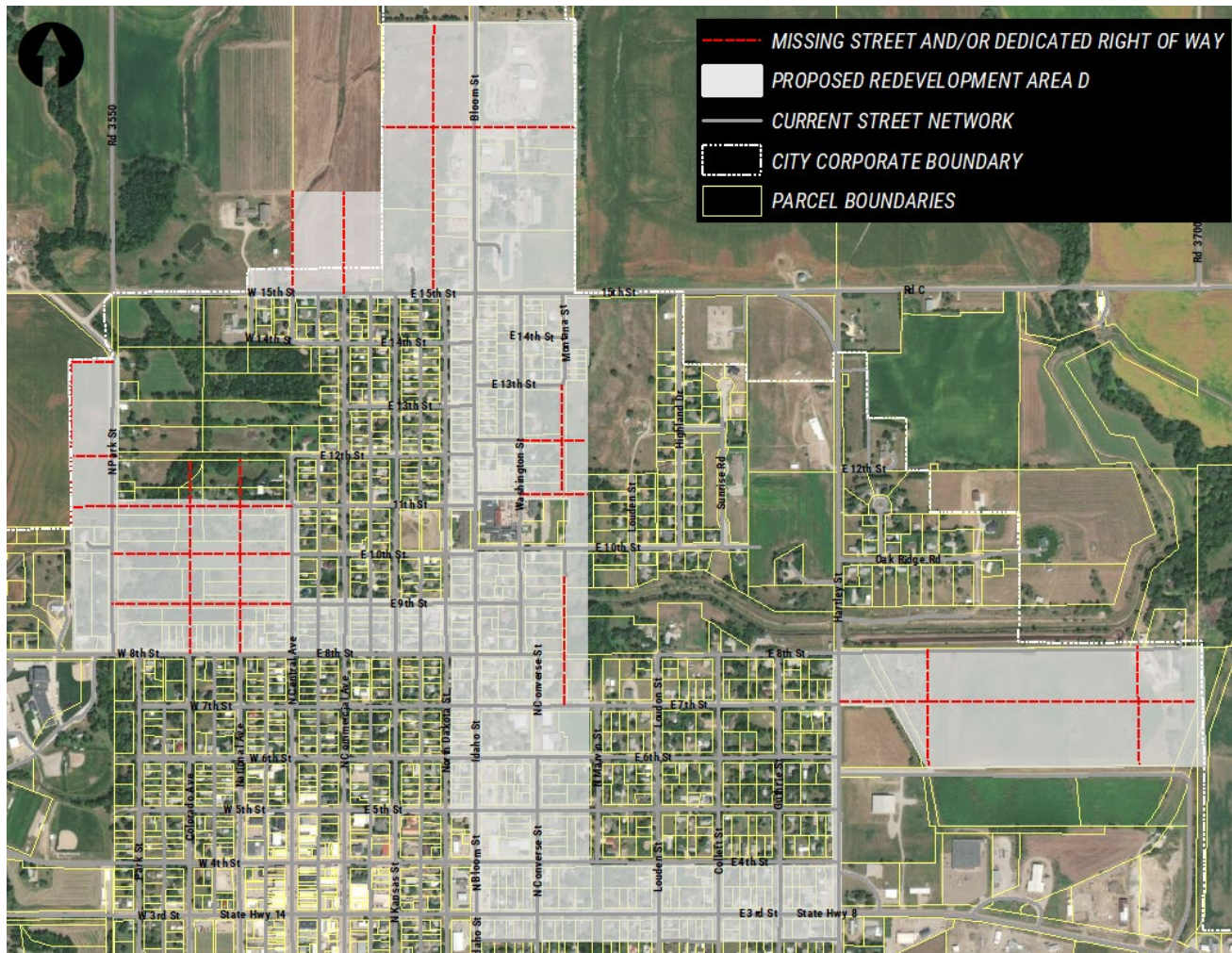


Adequately Served Lots

Parcels of land are also located within Proposed Redevelopment Area D that were added into the city through methods that are now be considered be obsolete. The map on the following page displays lots included in the proposed redevelopment area do not have adequate street rights of way provided. Some lots have no street access.

Per Nebraska Revised Statute (NRS) 19-916:

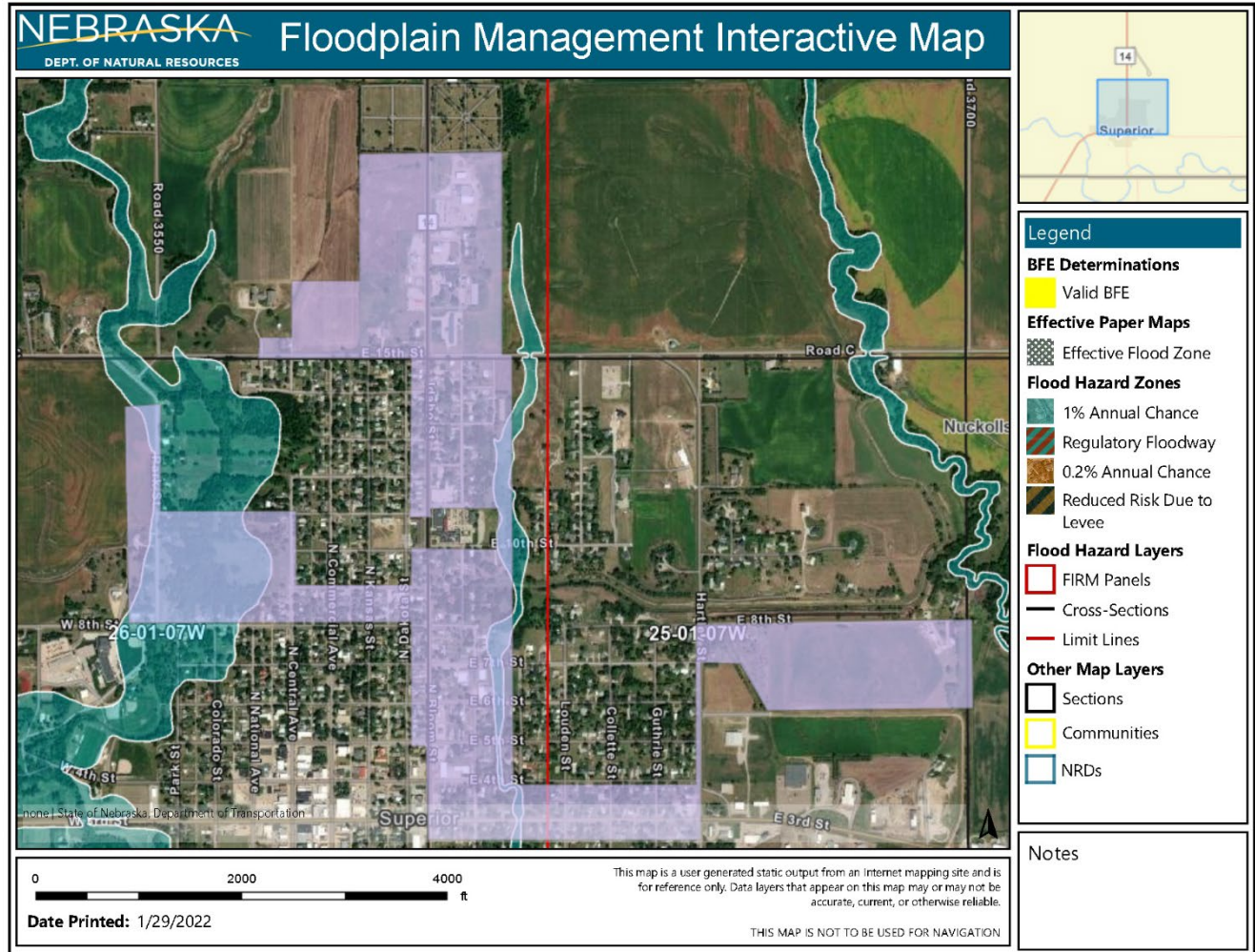
The local legislative body shall have power by ordinance to provide the manner, plan, or method by which land within the corporate limits of any such municipality, or land within the area designated by... a city of the second class or village pursuant to subsection (1) of section 17-1002, may be subdivided, platted, or laid out, including a plan or system for the avenues, streets, or alleys to be laid out within or across such land, and to compel the owners of any such land that are subdividing, platting, or laying out such land to conform to the requirements of the ordinance and to lay out and dedicate the avenues, streets, and alleys in accordance with the ordinance as provided in sections 16-901 to 16-905 and sections 17-1001 to 17-1004.



Conditions that endanger life or property by fire and other causes

Floodplain

According to data provided by the Nebraska Department of Natural Resources, portions of Proposed Redevelopment Area D are located within a flood hazard zone. The Federal Emergency Management Agency (FEMA) advises that any land with a 1% or greater chance of flooding are considered to be at high risk and have an it least 25% chance of flooding during a 30 year period. The presence of these lands within the proposed redevelopment area suggest that conditions exist that may endanger life or damage property by flooding.



Fire Protection

Recommended Standards for Water Works recommends that, to provide adequate fire protection, the minimum size of a water main must be no less than a six-inch diameter. As noted in the obsolescence portion of this section, water mains are located throughout the proposed redevelopment area that do not meet the minimum six-inch requirement for adequate for protection. Therefore, conditions also exist within the area that may damage property by fire.

Inadequate provision for ventilation, light, air, sanitation, or open spaces

This factor is not substantial within the Proposed Redevelopment Area D.

High density of population or overcrowding

This factor is not substantial within the Proposed Redevelopment Area D.

Substandard Conclusion

Three out of six substandard factors are present within the Proposed Redevelopment Area D.

1. Dilapidation
2. **Deterioration**
3. **Age or Obsolescence**
4. **Conditions that endanger life or property by fire and other causes**
5. Inadequate provision for ventilation, light, air, sanitation, or open spaces
6. High density of population or overcrowding

The Proposed Redevelopment Area D meets the definition of a substandard area in need of redevelopment projects that should be completed and/or encouraged by the City of Superior Planning Commission, City Council, and Community Redevelopment Authority.

Blight Criteria

In accordance with Community Redevelopment Law, a blighted area must have a strong presence of the following factors:

Subjective Factors are defined as any combination of:

1. Substantial number of deteriorated or deteriorating structures;
2. Deterioration of site or other improvements;
3. Existence of defective or inadequate street layout;
4. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
5. Improper subdivision or obsolete platting;
6. Insanitary or unsafe conditions;
7. Diversity of ownership;
8. Tax or special assessment delinquency exceeding the fair value of the land;
9. Defective or unusual conditions of title; and
10. Existence of conditions that endanger life or property by fire and other causes.

Objective Factors are identified as at least one of the following factors:

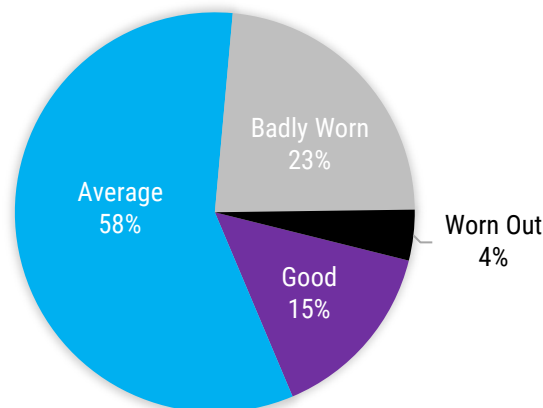
1. Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average;
2. The average age of the residential or commercial units in the area is at least forty years;
3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
4. The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located; and the
5. Area has had either stable or decreasing population based on the last two decennial censuses.

Subjective Factors

Substantial number of deteriorated or deteriorating structures

Information created by the Nuckolls County Assessor's office was compiled to determine the significance of the number of deteriorating structures in the area. More than $\frac{1}{4}$ of the structures in the area had a condition rating of 'Badly Worn' or 'Worn Out'. Therefore, a substantial number of deteriorated or deteriorating structures are present within the proposed redevelopment area.

CONDITION OF STRUCTURES-PROPOSED REDEVELOPMENT AREA D



Deterioration of site or other improvements

As demonstrated in the substandard portion of this study, many of the sidewalks in the area were identified as being in poor condition. Therefore, this factor has a strong presence of deteriorated site improvements.

Existence of defective or inadequate street layout & Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

As demonstrated in the substandard portion of this study, several lots in the area were brought into the city without being adequately or legally served by public roadways. Furthermore, the necessary rights of way have neither been platted nor dedicated to the city. Therefore, this factor has a strong presence of defective or inadequate street layout.

Improper subdivision or obsolete platting & Insanitary or unsafe conditions

As demonstrated in the substandard section of this report, the lack of dedicated access and easements for transportation, domestic water, and sanitary sewer, and other utilities has created the presence of these subjective, blight factors.

Diversity of ownership

Proposed Redevelopment Area D does not have a strong presence of this factor.

Tax or special assessment delinquency exceeding the fair value of the land

Proposed Redevelopment Area D does not have a strong presence of this factor.

Defective or unusual conditions of title

Proposed Redevelopment Area D does not have a strong presence of this factor.

Existence of conditions that endanger life or property by fire and other causes

As demonstrated within the substandard section of this report, lack of six inch water mains limits the city's ability to provide adequate fire protection to properties located in the area. Also, as demonstrated in the substandard portion of this study, the lands located within the 1% flood zone are at a higher risk being damaged by flooding. Therefore, conditions are present within Proposed Redevelopment Area D that could endanger life or damage property by fire and other causes.

Objective Factors**Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average**

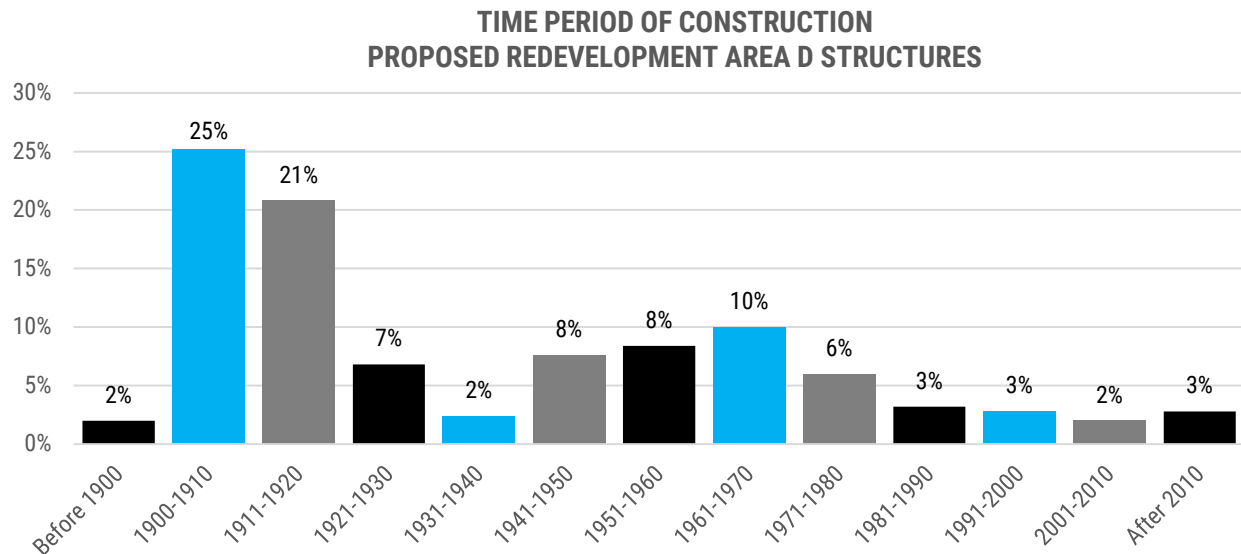
This factor is not present in Proposed Redevelopment Area D.

.

The average age of the residential or commercial units in the area is at least forty years

Data provided by the Nuckolls County Assessor was compiled to determine the average of residential and commercial structures in the area. The chart on the following page communicates those twenty five percent of structures in the area were built between 1900 and 1910. Over half of the units in the area were built prior to 1940.

The overall average age of the structures in the area was 84 years old. Therefore, this factor is present within the Proposed Redevelopment Area D.



More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time

This factor is not present in Proposed Redevelopment Area D.

The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located

This factor is not present in Proposed Redevelopment Area D.

Area has had either stable or decreasing population based on the last two decennial censuses

This factor is not present in Proposed Redevelopment Area D.

Blight Conclusion

A combination of six subjective factors and one objective factor are present within the Proposed Redevelopment Area D.

Subjective Factors:

- 1. Substantial number of deteriorated or deteriorating structures;**
- 2. Deterioration of site or other improvements;**
- 3. Existence of defective or inadequate street layout;**
- 4. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;**
- 5. Improper subdivision or obsolete platting;**
6. Insanitary or unsafe conditions;
7. Diversity of ownership;
8. Tax or special assessment delinquency exceeding the fair value of the land;
9. Defective or unusual conditions of title; and
- 10. Existence of conditions that endanger life or property by fire and other causes.**

Objective Factors:

1. Unemployment in the redevelopment 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 forty years;**
3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
4. The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located; and the
5. Area has had either stable or decreasing population based on the last two decennial censuses.

Proposed Redevelopment Area D meets the definition of a blighted area in need of redevelopment projects that should be completed and/or encouraged by the City of Superior Planning Commission, City Council, and Community Redevelopment Authority.

REDEVELOPMENT AREA D

GENERAL REDEVELOPMENT PLAN

Per Nebraska Revised Statute 18-2103 (27) a Redevelopment Plan means:

A plan, as it exists from time to time for one or more community redevelopment areas, or for a redevelopment project, which (a) conforms to the general plan for the municipality as a whole and (b) is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.

Per Nebraska Revised Statute 18-2111, a Redevelopment Plan must consist of the following components:

1. Map showing area boundaries, existing land uses, and condition of real property in the area.
2. Land use plan showing proposed uses.
3. Statement of proposed changes.
4. Statement about the kind and number of additional public facilities or utilities that will be needed to support new land uses in the area after redevelopment.
5. Information showing population density standards, land coverage, and building intensities after development [projects] (not applicable to general redevelopment plan).
6. Site plan of the area [for the redevelopment project] (not applicable to general redevelopment plan).

PROPOSED REDEVELOPMENT AREA D

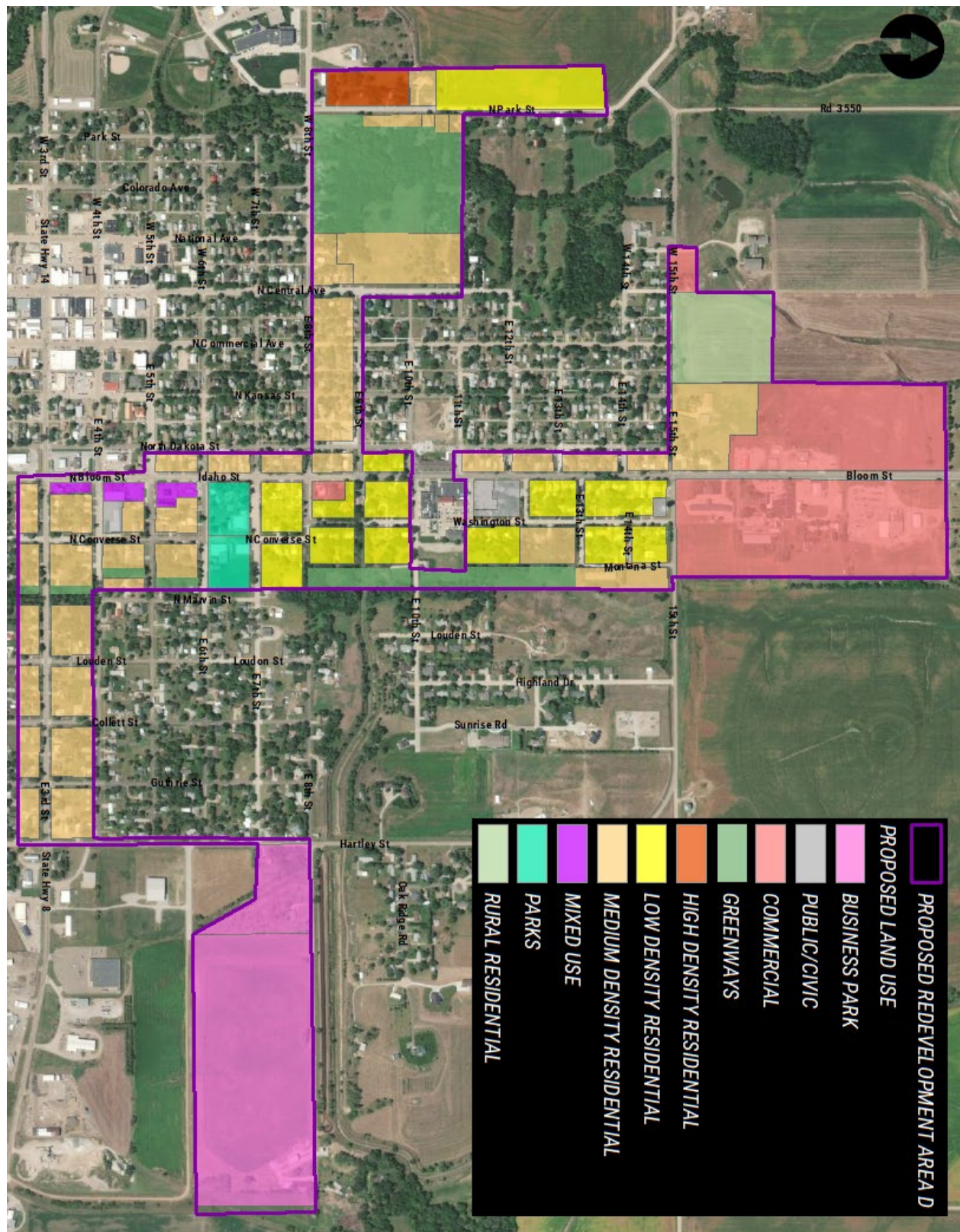
REAL PROPERTY CONDITION

- GOOD TO AVERAGE
- POOR TO BADLY WORN
- WORN OUT

CURRENT LAND USE

- AGRICULTURAL
- PUBLIC/CIVIC
- COMMERCIAL
- GREENSPACE
- PARKS
- RESIDENTIAL

2. Land use plan showing proposed uses:



3-4. Statement of proposed changes and statement about the kind and number of additional public facilities or utilities that will be needed to support new land uses in the area after redevelopment.

The City of Superior should complete redevelopment projects Per NRS 18-2103 (28), redevelopment projects will consist of one or some combination of those enumerated tasks, defined by the Statute:

Redevelopment project means any work or undertaking in one or more community redevelopment areas:

- (a) to acquire substandard and blighted areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of such substandard and blighted areas;
- (b) to clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and to install, construct, or reconstruct streets, utilities, parks, playgrounds, public spaces, public parking facilities, sidewalks or moving sidewalks, convention and civic centers, bus stop shelters, lighting, benches or other similar furniture, trash receptacles, shelters, skywalks and pedestrian and vehicular overpasses and underpasses, enhancements to structures in the redevelopment plan area which exceed minimum building and design standards in the community and prevent the recurrence of substandard and blighted conditions, and any other necessary public improvements essential to the preparation of sites for uses in accordance with a redevelopment plan;
- (c) to sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or for public use or to retain such land for public use, in accordance with a redevelopment plan; and may also include the preparation of the redevelopment plan, the planning, survey, and other work incident to a redevelopment project and the preparation of all plans and arrangements for carrying out a redevelopment project;
- (d) to dispose of all real and personal property or any interest in such property, or assets, cash, or other funds held or used in connection with residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or any public use specified in a redevelopment plan or project, except that such disposition shall be at its fair value for uses in accordance with the redevelopment plan;
- (e) to acquire real property in a community redevelopment area which, under the redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitate the structures, and resell the property;
- (f) to carry out plans for a program of voluntary or compulsory repair, rehabilitation, or demolition of buildings in accordance with the redevelopment plan;
- (g) in a rural community or in an extremely blighted area within a municipality that is not a rural community, to carry out construction of workforce housing.

In order to enable the completion of redevelopment projects, a redevelopment contract may be utilized. Per NRS Per NRS 18-2103 (26) a redevelopment contract is defined as:

“a contract entered into between an authority and a redeveloper for the redevelopment of an area in conformity with a redevelopment plan”.