

2020

# City of Red Cloud Downtown Blight Study



JEO Consulting Group, Inc.

## **Introduction**

### ***Purpose of the Study***

This Red Cloud Blight and Substandard Study of the Designated Study Area is intended to give the Community Development Agency and City Council the basis for considering the existence of blight and substandard conditions within the delineated Study Area. Through this process, the Community Development Agency of the City of Red Cloud may employ and exercise the power authorized in Nebraska Community Development Law to eliminate and prevent blighted and substandard conditions that are detrimental to the future public health, safety, morals, and general welfare of the entire community as well as the surrounding region. This Blight and Substandard Study supersedes the existing Blight and Substandard Studies by amending and restating the current designations. If the City of Red Cloud finds and determines, based on substantial evidence in the record before it, that the recommended Blight and Substandard Area (detailed below and referred to herein as "Downtown Area") meets the statutory conditions for an area that is blighted, substandard and in need of redevelopment, the Designated Study Area will become a Redevelopment Area under the Community Development Law (Neb. Rev. Stats. §§ 18-2101 to 18-2154).

The Redevelopment Plan – the companion document to the Blight and Substandard Study - will contain local objectives regarding appropriate land uses, improved traffic circulation, economic development activities, public transportation, public utilities, and other public improvements, in accordance with the provisions of the Community Development Law.

### ***Background***

In 1975, the Nebraska Legislature enacted legislation in response to the existence of area in cities and villages that had become deteriorated and substandard for a variety of reasons. These areas were considered harmful to the social and economic well-being of the entire community in which they existed. Conditions in such area were considered beyond the remedy and control of the normal regulatory process or impossible to reverse through the ordinary operations of private enterprise. The Community Development Law, as it is known, enables cities and villages to take steps to eliminate blight through the acquisition, clearance, and disposition of property for redevelopment or the conservation and rehabilitation of the property.

Prior to the enactment of the legislation, Nebraska communities were unable to carry out redevelopment programs involving assembly of land for conveyance to private developers without the creation of an urban renewal authority approved by the voters of the municipality. The Community Development Law permits cities of all classes and villages to establish Community Development Agencies (CDAs) by ordinance. Such authority empowers CDAs to undertake broad urban renewal and municipal growth opportunities through a variety of mechanisms. This law, with subsequent amendments, has been the cornerstone of redevelopment and community development activities in Nebraska.

This Blight and Substandard Study examines existing conditions of land-use, buildings, and structures within the Designated Study Area in the City of Red Cloud to determine its eligibility for redevelopment activities. Potential opportunities for redevelopment exist throughout the Designated Study Area, which would allow the City of Red Cloud to overcome blighted and substandard conditions and avoid issues that could lead to blight and substandard conditions. When evaluating blight and substandard conditions, the City of Red Cloud must adhere to Nebraska Community Development Law.

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**Nebraska Revised State Statutes**

The Community Development Law provides guidelines under which municipalities may address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating area, as well as the prevention and elimination of substandard and blighted area. The Legislature has declared, in pertinent part:

*It is hereby found and declared that there exist in cities of all classes and villages of this state area 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...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...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 area which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue. §18-2102*

Consistent with these findings, municipalities have been granted the power to address deterioration, substandard conditions, and blight through any of a number of means, including “the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements.” Neb. Rev. Stat. §18-2104.

Nebraska Revised Statutes §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

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

The process of improving an area begins with the creation of a municipality-wide workable program for utilizing appropriate private and public resources to address the specific conditions to be improved. Such workable programs may include “provision for the prevention of the spread of blight into area of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted area or portions thereof by re-planning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted area or portions thereof.” Neb. Rev. Stat. §18-2105.

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community. Nebraska Revised Statutes §18-2105 also grants authority to the governing body to formulate a redevelopment program. The statute reads,

*The governing body of a city or an authority at its direction for the purposes of sections 18-2101 to 18-2144 may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted area, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into area of the municipality which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard or blighted area or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted area or portions thereof. §18-2105*

The main substance of a workable program is an adopted general redevelopment plan for a defined area, as well as the subsequent individual redevelopment projects that identify specific projects within a redevelopment area. Prior to the adoption of a general redevelopment plan, a municipality must have adopted a comprehensive plan (§18-2110), and shall have declared the redevelopment area to be a substandard and blighted area in need of redevelopment (§18-2109).

The important community development terms are defined in Nebraska Revised Statutes §18-2103, several of which are shown below (organization and emphasis added):

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

**Blighted area** means an area, which

(a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, 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.*

*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;*

## **Substandard and Blight Eligibility Analysis**

### **Red Cloud Designated Study Area**

The City of Red Cloud selected the Designated Study Area to be a portion of a property within the corporate limits for evaluation pursuant to the Community Development Law. The area is a mixed residential and commercial corridor. The Designated Study Area was selected for a number of reasons, including:

1. The presence of Blighted and Substandard characteristics within the Study Area.
2. The potential for private development and redevelopment activities within the Study Area.
3. The need for improvements in infrastructure due to specific existing conditions.
4. The economical and functional obsolescence of certain uses within the Study Area.
5. The need for public intervention to stimulate the development and redevelopment of vital infrastructure systems and housing to support these private redevelopment efforts.

Once declared substandard and blighted, the City of Red Cloud can stimulate and manage future development in this area by creation and use of the redevelopment plan and its statutory authority to provide financial incentives for private development.

Through the redevelopment process, the City of Red Cloud can guide future development in the community and provide financial incentives for development. The use of the Nebraska Community Redevelopment Law by the City is intended to improve the community and enhance the quality of life for all residents by eliminating conditions that contribute to the spread of blight and retard private reinvestment in the area due to these factors. Using the Nebraska Community Development Law, Red Cloud can eliminate negative factors and implement programs and/or projects identified to improve conditions, thereby removing or preventing blight and substandard conditions.

### **Substandard and Blight Conditions**

As set forth in section 18-2103(10), **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\***

Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)

- Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).

#### **2. Age or obsolescence**

Estimate age of structures (40+ years criteria)

#### **3. Inadequate provision for ventilation, light, air, sanitation, or open spaces**

Overall sight conditions

- Examples include junked cars or debris, cluttered alleyways, antiquated infrastructure systems (overhead power lines), outdoor storage/sanitation facilities, unpaved parking/outdoor storage.

#### **4. Other Substandard Conditions**

- (a) High density of population and overcrowding (census); or
- (b) The existence of conditions which endanger life or property by fire and other causes as unsanitary and unsafe conditions which endanger life or property by fire and other natural causes floodplain; or

- (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; is detrimental to the public health, safety, morals or welfare (includes sanitation concerns, inadequate infrastructure systems (sewer, water service mains, storm sewers), poor lighting, crime statistics, floodplain area, outdoor storage, site clutter).

As set forth in the Community Development Law, a **blighted area** shall mean an area, which by reason of the presence of:

**1. A substantial number of deteriorated or deteriorating structures\***

Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)

- Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).

**2. Existence of defective or inadequate street layout**

Condition of streets/inadequate access including sidewalks

- Examples include street conditions, dead ends, railroad crossings, linear downtown, narrow alleyways, blind crossings, and sidewalk condition.

**3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**

Conditions associated with accessibility/usefulness of the lots

- Examples include land locked parcels, odd shaped lots, undersized lots, lots with accessibility concerns.

**4. Unsanitary or unsafe conditions**

Conditions which pose a threat to public health and safety

- Examples include age and physical condition of structures, floodplain, lack of public infrastructure systems, unsanitary conditions, ventilation concerns.

**5. Deterioration of site or other improvements**

Field observation of age and condition of public utilities, debris and inadequate public improvements

- Examples include lack of off-street parking, storm drainage, junk cars, dilapidated structures, debris, on-site storage, congested overhead power lines.

**6. Diversity of ownership**

The total number of unduplicated owners

- Examples include the necessity of to acquire numerous lots is a hindrance to redevelopment. However, land assemblage of larger proportions necessary for major developments, is more economically feasible and will attract financial support, as well as public patronage required to repay such financial support. Such assemblage is difficult without public intervention.

**7. Tax or special assessment delinquency exceeding the fair value of the land**

Examination of public records to determine the status of taxation of properties

- Examples include delinquent taxes, real estate taxes, tax exempt.

**8. Defective or unusual conditions of title**

Examine public records to determine any defective or unusual title defects

- Examples include improper filings, liens, defective titles, etc.

9. **Improper subdivision or obsolete platting**  
Examine public records to determine improper subdivision and obsolete platting
  - Examples include undersized lots, improper zoning, lot configuration, easement concerns, never recorded vacated streets, accessibility concerns.
10. **The existence of conditions which endanger life or property by fire or other causes**  
Examine conditions which endanger life or property
  - Examples include inadequate, undersized or inoperative public infrastructure systems, floodplain, building materials, site access, on-site storage (cars), secluded area for pests and vermin to thrive, inadequate surface drainage, street/sidewalk conditions, etc.
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**  
Economic and/or socially undesirable land uses
  - Examples include incompatible land uses, economic obsolescence, functional obsolescence which relates to the property's ability to compete in the market place.
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 (Census statistics);
  - (b) The average age of the residential or commercial units in the area is at least 40 years;
  - (c) More than half of the plotted 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 (Public records);
  - (d) The per capita income of the designated blighted area is lower than the average per capita income of the city or village in which the area is designated (Census); or
  - (e) The area has had either stable or decreasing population based on the last two decennial censuses (Census).

\*Where structural conditions are evaluated, individual structures are rated in accordance with the following rating schedule as defined by the U.S. Department of Housing and Urban Development: no problem, adequate condition, deteriorating condition, or dilapidated condition. The following descriptions define the rating schedule used to assess and evaluate building and structure conditions:

#### **No Problem**

No structural or aesthetic problems are visible.

#### **Adequate Condition**

- Slight damage to porches, steps, roofs, etc. is present on the structure,
- Slight wearing away of mortar between bricks, stones, or concrete blocks,
- Small cracks in walls or chimneys,
- Cracked windows,
- Lack of paint, and
- Slight wear on steps, doors, and door and window frames.



**Deteriorating Condition**

- Holes, open cracks, rotted, loose, or missing materials in parts of the foundation, walls, (up to one-quarter of the wall), or roof (up to one-quarter of roof),
- Shaky, broken, or missing steps or railings,
- Numerous missing and cracked window panes,
- Some rotted or loose windows or doors (no longer wind- or water-proof),
- Missing bricks or other masonry of chimney, and
- Makeshift (un-insulated) chimney.

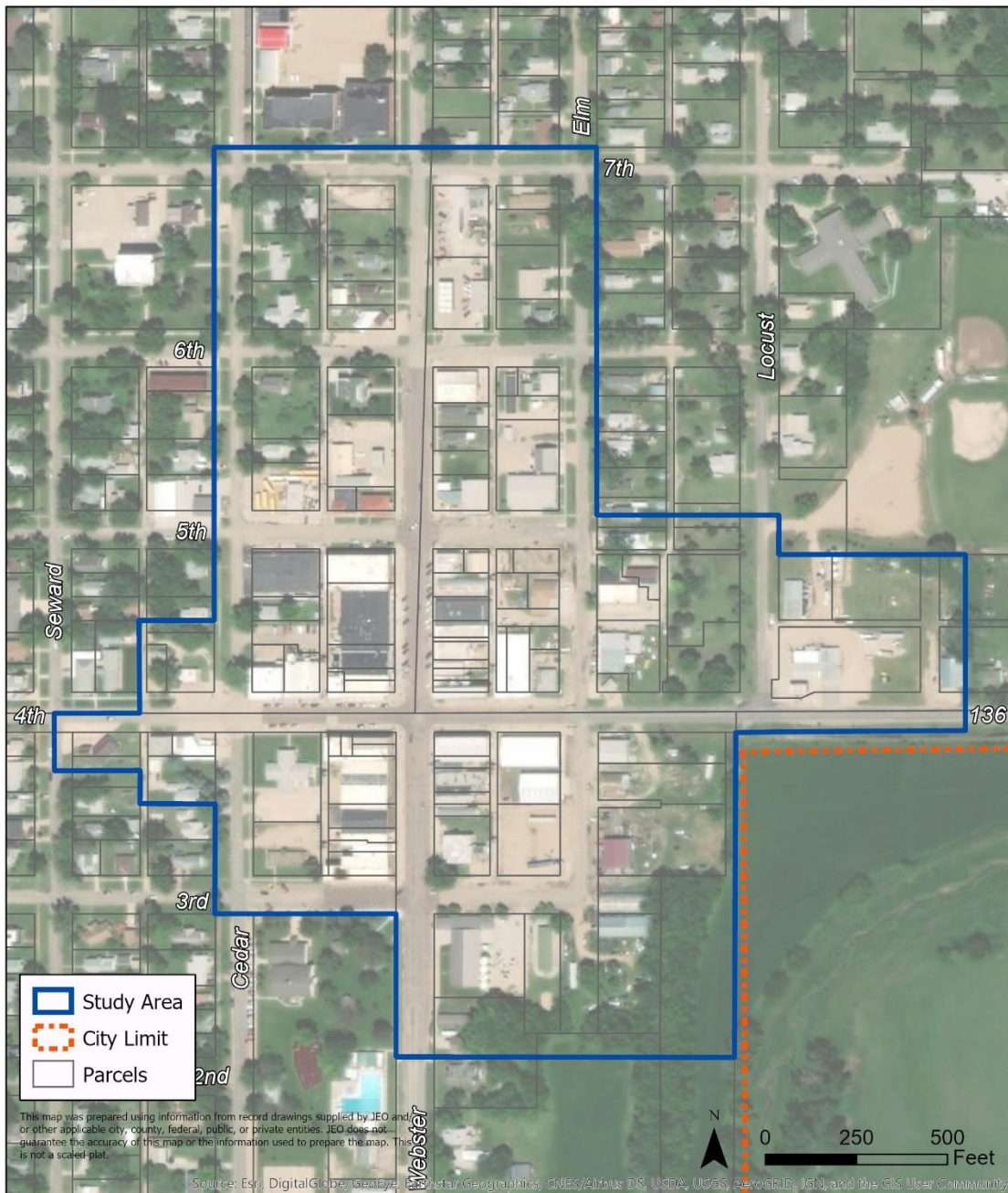
**Dilapidated Condition**

- Holes, open cracks, or rotted, loose or missing material (siding, shingles, brick, concrete, tiles, plaster, floorboards) over large area of foundation, on walls or on roof,
- Substantial sagging of roof, floors, or walls,
- Extensive damage by fire, flood or storm, and
- Inadequate original construction such as makeshift walls, roofs made of scrap materials, foundations or floors lacking, or converted barns, sheds, and other structures not adequate for housing.

## **Designated Study Area**

The initial study area as identified in the contract between the City of Red Cloud and JEO Consulting Group can be found in Figure 1. For this study, the initial study area will be known as the “Designated Study Area” which was reviewed for Substandard and Blight characteristics.

**Figure 1: Designated Study Area**



**City of Red Cloud, NE**

City of Red Cloud Blight Study: Study Boundary

Date: January 2020  
Software: ArcPro 2.4.2  
Created By: MRM  
File: 190565



## **Recommended Blight and Substandard Area**

Based upon the review of the Designated Study Area, and its context with the community, JEO Consulting Group recommends the Designated Study Area be the recommended as Blight and Substandard Area. This area consists of 46.25 acres. The legal description of the Recommended Area that follows was prepared by a JEO registered surveyor.

### **Legal Description of Downtown Area**

A PARCEL OF LAND LOCATED IN THE CITY OF RED CLOUD, NEBRASKA, AND BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, ALL IN TOWNSHIP 2 NORTH, RANGE 11 WEST OF THE SIXTH P.M., AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, ALL IN TOWNSHIP 1 NORTH, RANGE 11 WEST OF THE SIXTH P.M., WEBSTER COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 12, BLOCK 1, ORIGINAL TOWN OF RED CLOUD, NEBRASKA, SAID SOUTHWEST CORNER BEING ON THE NORTH RIGHT OF WAY LINE OF 7<sup>TH</sup> STREET; THENCE EAST ON SAID NORTH RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF LOT 24, BLOCK 5, SMITH & MOORE'S ADDITION TO RED CLOUD, SAID SOUTHWEST CORNER BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF 7<sup>TH</sup> STREET, AND THE EAST RIGHT OF WAY LINE OF ELM STREET; THENCE SOUTH ON SAID EAST RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF LOT 14, BLOCK 2, RICHARDSON'S ADDITION TO RED CLOUD; THENCE EAST ON THE NORTH LINE OF SAID LOT 14 TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE EAST TO THE NORTHWEST CORNER OF LOT 12, SAID BLOCK 2; THENCE EAST ON THE NORTH LINE OF SAID LOT 12 TO THE NORTHEAST CORNER OF SAID LOT 12, SAID CORNER BEING ON THE WEST RIGHT OF WAY LINE OF LOCUST STREET; THENCE EAST ON THE EASTERLY EXTENSION OF SAID NORTH LINE TO THE EAST RIGHT OF WAY LINE OF SAID LOCUST STREET; THENCE SOUTH ON SAID EAST RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, LUTZ'S ADDITION TO THE CITY OF RED CLOUD; THENCE EAST ON THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE EAST ON THE NORTH LINE OF BLOCK 1, GULLFORD'S ADDITION TO THE CITY OF RED CLOUD, TO THE NORTHEAST CORNER OF SAID BLOCK 1; THENCE EAST TO THE NORTHWEST CORNER OF LOT 9, BLOCK 2, OF SAID GULLFORD'S ADDITION; THENCE CONTINUING EAST ON THE NORTH LINE OF LOTS 9 AND 8, SAID BLOCK 2, TO A POINT LYING 12.5 FEET EAST OF THE WEST LINE OF SAID LOT 8; THENCE SOUTH, PARALLEL WITH AND 12.5 FEET EAST OF THE WEST LINES OF LOTS 8 AND 11, SAID BLOCK 2, TO THE SOUTH LINE OF SAID LOT 11; THENCE CONTINUING SOUTH ON THE SOUTHERLY EXTENSION OF SAID PREVIOUSLY DESCRIBED LINE, TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF 4<sup>TH</sup> STREET; THENCE WEST ON SAID SOUTH RIGHT OF WAY LINE TO THE WEST LINE OF SURVEYOR'S LOT 1, OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 11 WEST OF THE SIXTH P.M.; THENCE SOUTH ON THE WEST LINE OF SAID SURVEYOR'S LOT 1 TO A POINT OF INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 2<sup>ND</sup> STREET, AS ORIGINALLY PLATTED; THENCE WEST ON SAID EASTERLY EXTENSION OF SAID NORTH RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF BLOCK 27, ORIGINAL TOWN OF RED CLOUD, SAID SOUTHEAST CORNER BEING ON THE WEST RIGHT OF WAY LINE OF WEBSTER STREET; THENCE NORTH ON SAID WEST RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF SAID BLOCK 27, SAID NORTHEAST CORNER BEING THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE OF WEBSTER STREET AND THE SOUTH RIGHT OF WAY LINE OF 3<sup>RD</sup> STREET; THENCE WEST ON SAID SOUTH RIGHT OF WAY LINE TO THE NORTHEAST CORNER

OF BLOCK 24, ORIGINAL TOWN OF RED CLOUD, SAID NORTHEAST CORNER BEING THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE OF 3<sup>RD</sup> STREET AND THE WEST RIGHT OF WAY LINE OF CEDAR STREET; THENCE NORTH ON SAID WEST RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 6, BLOCK 25, ORIGINAL TOWN OF RED CLOUD; THENCE WEST ON THE SOUTH LINE OF SAID LOT 6 TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE CONTINUING WEST TO THE SOUTHEAST CORNER OF LOT 19, SAID BLOCK 25; THENCE NORTH ON THE EAST LINE OF LOTS 19 THROUGH 21 INCLUSIVE, SAID BLOCK 25, TO A POINT ON THE EAST LINE OF SAID LOT 21 LYING 5 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 21; THENCE WEST, PARALLEL WITH AND 5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 21, TO THE WEST LINE OF SAID LOT 21; THENCE CONTINUING WEST ON THE WESTERLY EXTENSION OF SAID PREVIOUSLY DESCRIBED LINE TO THE INTERSECTION WITH THE CENTERLINE OF SEWARD STREET; THENCE NORTH ON SAID CENTERLINE TO THE INTERSECTION WITH THE CENTERLINE OF 4<sup>TH</sup> STREET; THENCE EAST ON SAID CENTERLINE TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 13, BLOCK 14, ORIGINAL TOWN OF RED CLOUD; THENCE NORTH TO THE SOUTHEAST CORNER OF SAID LOT 13, SAID SOUTHEAST CORNER BEING ON THE NORTH RIGHT OF WAY LINE OF SAID 4<sup>TH</sup> STREET; THENCE CONTINUING NORTH ON THE EAST LINE OF LOTS 13 THROUGH 18 INCLUSIVE, SAID BLOCK 14 TO THE NORTHEAST CORNER OF SAID LOT 18; THENCE EAST TO THE NORTHWEST CORNER OF LOT 7, SAID BLOCK 14; THENCE CONTINUING EAST ON THE NORTH LINE OF SAID LOT 7 TO THE NORTHEAST CORNER OF SAID LOT 7, SAID NORTHEAST CORNER BEING ON THE WEST RIGHT OF WAY LINE OF SAID CEDAR STREET; THENCE NORTH ON SAID WEST RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 12, BLOCK 11, ORIGINAL TOWN OF RED CLOUD, SAID SOUTHEAST CORNER BEING THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE OF CEDAR STREET AND THE NORTH RIGHT OF WAY LINE OF 7<sup>TH</sup> STREET; THENCE EAST ON SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 46.25 ACRES, MORE OR LESS.

## **Findings and Contributing Factors**

The intent of this Study is to determine whether the Downtown Area within the community has experienced structural and site deterioration or if there are other negative factors which are decreasing the potential of development. The field survey conducted on Tuesday, May 7, 2019, indicated the community has such deterioration, thus the community warrants further examination regarding blighted and substandard conditions. The following factors were evaluated to determine if there is a reasonable presence of blight and substandard conditions within the Downtown.

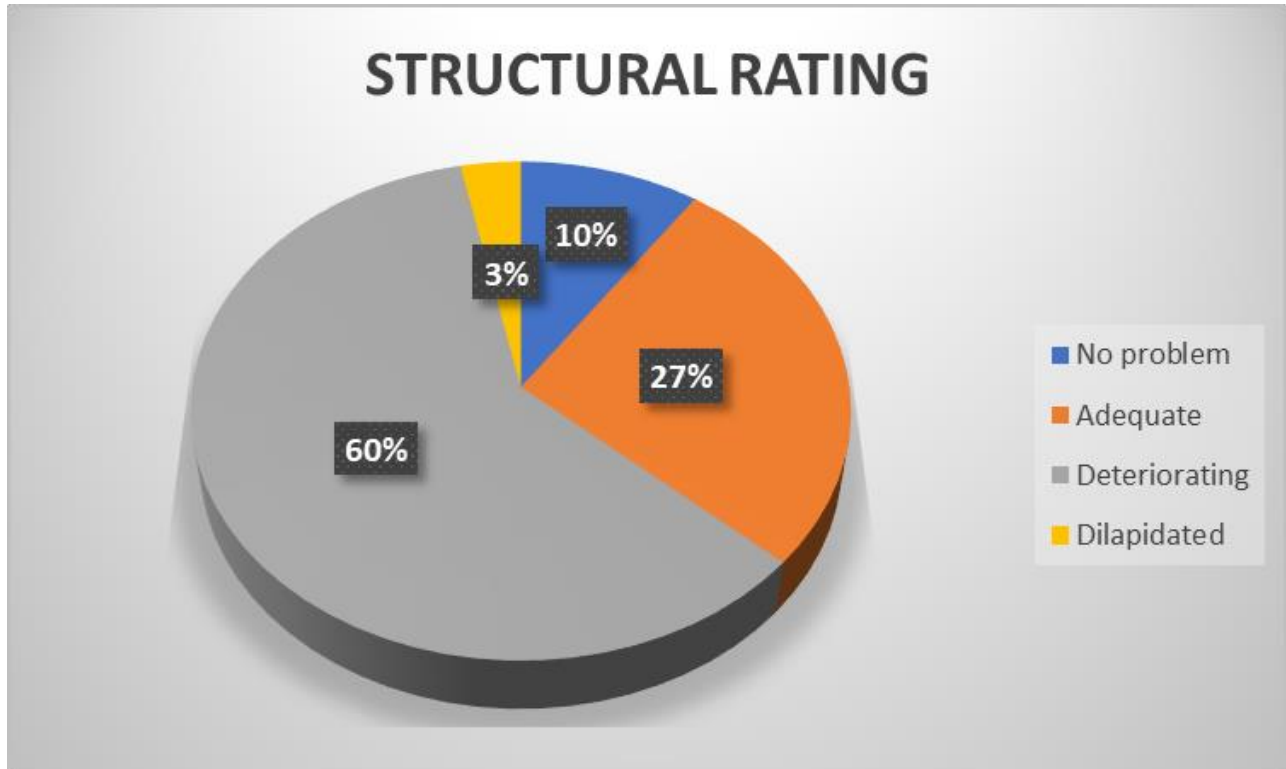
This section reviews the building and structure conditions, infrastructure, site conditions and land use found within Downtown based upon the statutory definitions, observations of the planning team during the field survey, and explains the identified contributing factors. *Appendix A* provides a visual description and documents examples of the different conditions described that led to the determination for each factor. See *Appendix A* for a visual description of the structures, public infrastructure, debris, vegetative overgrowth and other observed conditions within the Downtown Area.

## **BLIGHTED CRITERIA CONDITIONS**

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

### **Substantial Number of Deteriorated or Deteriorating Structures**

As a rule, the primary structure for each parcel within Downtown was examined. This is considered a significant contributing factor with 63% of the structures rated as Deteriorating or Dilapidated.



### **Defective or Inadequate Street Layout**

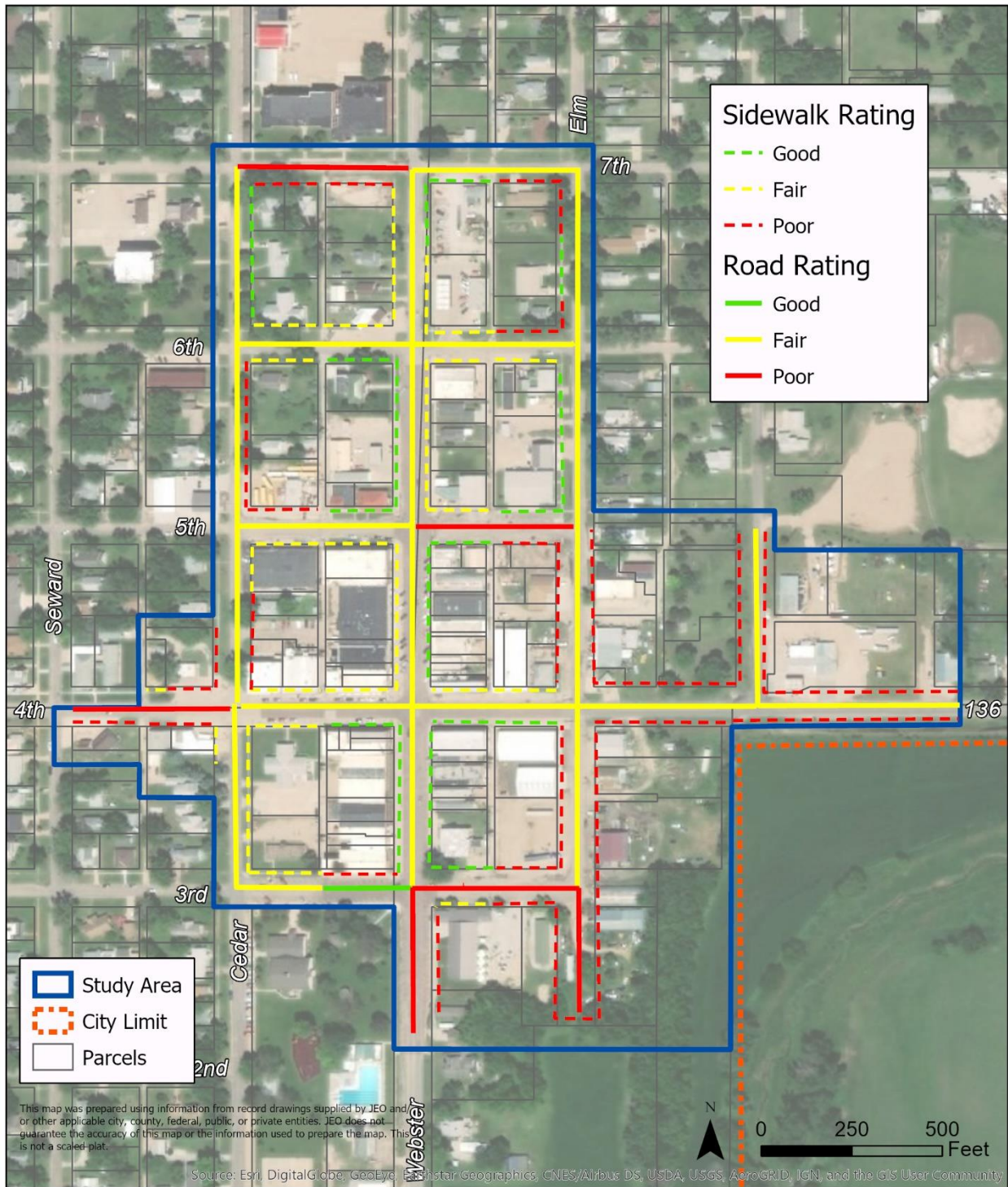
#### **Street Conditions and Accessibility**

Street conditions and accessibility within Downtown were evaluated in relation to the provision of safe and efficient public circulation and access, and with regard to ease of travel and appearance.

Overall, Downtown has adequate connective with the adjacent street grid and the majority of the streets were graded as fair. The four most southeastern blocks were noted in the subject study area as having poor streets or a lack of connectivity to the grid pattern. However, the area lacking connectivity has low development potential due to the Crooked Creek. Thus, this is not considered significant to be considered a contributing factor.



Figure 2: Transportation Conditions



## City of Red Cloud, NE

City of Red Cloud Blight Study: Structural Rating

Date: January 2020  
Software: ArcPro 2.4.2  
Created By: MRM  
File: 190565



**Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**

Throughout the Downtown Area, the lot sizes and shapes vary. Most of the lots are too small and have buildings crossing the lot lines. A few lots were noted as having no or limited access to the public right-of-way. Thus, there is a need for additional subdivision and infrastructure improvements for accessibility and usefulness. As a result, this factor is considered to be contributing the recommended blight designation.

**Unsanitary or unsafe conditions**

*Conditions which pose a threat to public health and safety*

**Vegetation Overgrowth**

There were several individual examples of tree, brush and weed overgrowth on the vacant areas of the study area. This can contribute to harboring rodents and vermin as well as pose a potential fire danger during drought or dry spells.

**Sidewalks**

The study area is a commercial district and is adjacent to residential neighborhoods. However, the area lacks sidewalks to safely allow for pedestrian movements through the site or connecting to adjacent uses.

**Debris**

Numerous examples of debris piles and outdoor storage included inoperable vehicles for noted during the field study. This can contribute to harboring rodents and vermin as well as pose a potential fire danger during drought or dry spells

**Floodplain**

The southeastern portion of the study area contains parcels within the 100-year flood plain. Flooding can pose a safety concern to people and structures in and around the floodplain.

As a result, this factor is considered to be contributing the recommended blight designation.

**Deterioration of site or other improvements**

**On-site vehicle circulation and parking area**

Numerous examples of deteriorating parking and circulation paths were noted in the study area.

**Sidewalks**

The lack of sidewalks including accessible crosswalks inhibits pedestrian movements through or on the study area.

**Drainage**

Downtown has a contains areas which do not drain properly and standing water was observed. ways.

Due to the poor or the lack of sidewalks, the degradation of driveways and parking areas, and improper drainage, this is considered a contributing factor.

**Diversity of ownership**

The diversity of ownership is evident in Downtown. Seventy-two percent of the property owners are unique property owners in Downtown. Thus, this is considered a contributing factor.



**Improper subdivision or obsolete platting**

**Obsolete platting**

Throughout Downtown, the lot sizes and shapes vary. Many lots are too small for a modern structure and need additional subdivision lot consolidation and infrastructure improvements for accessibility and usefulness. In addition, a few landlocked lots were noted in the area. As a result, this factor is considered to be contributing the recommended blight designation.

**The existence of conditions which endanger life or property**

*Conditions which pose a threat to public health and safety*

**Vegetation Overgrowth**

There were several individual examples of tree, brush and weed overgrowth on the vacant areas of the study area. This can contribute to harboring rodents and vermin as well as pose a potential fire danger during drought or dry spells.

**Sidewalks**

The study area is a commercial district and is adjacent to residential neighborhoods. However, the area lacks sidewalks to safely allow for pedestrian movements through the site or connecting to adjacent uses.

**Debris**

Numerous examples of debris piles and outdoor storage included inoperable vehicles for noted during the field study. This can contribute to harboring rodents and vermin as well as pose a potential fire danger during drought or dry spells

**Floodplain**

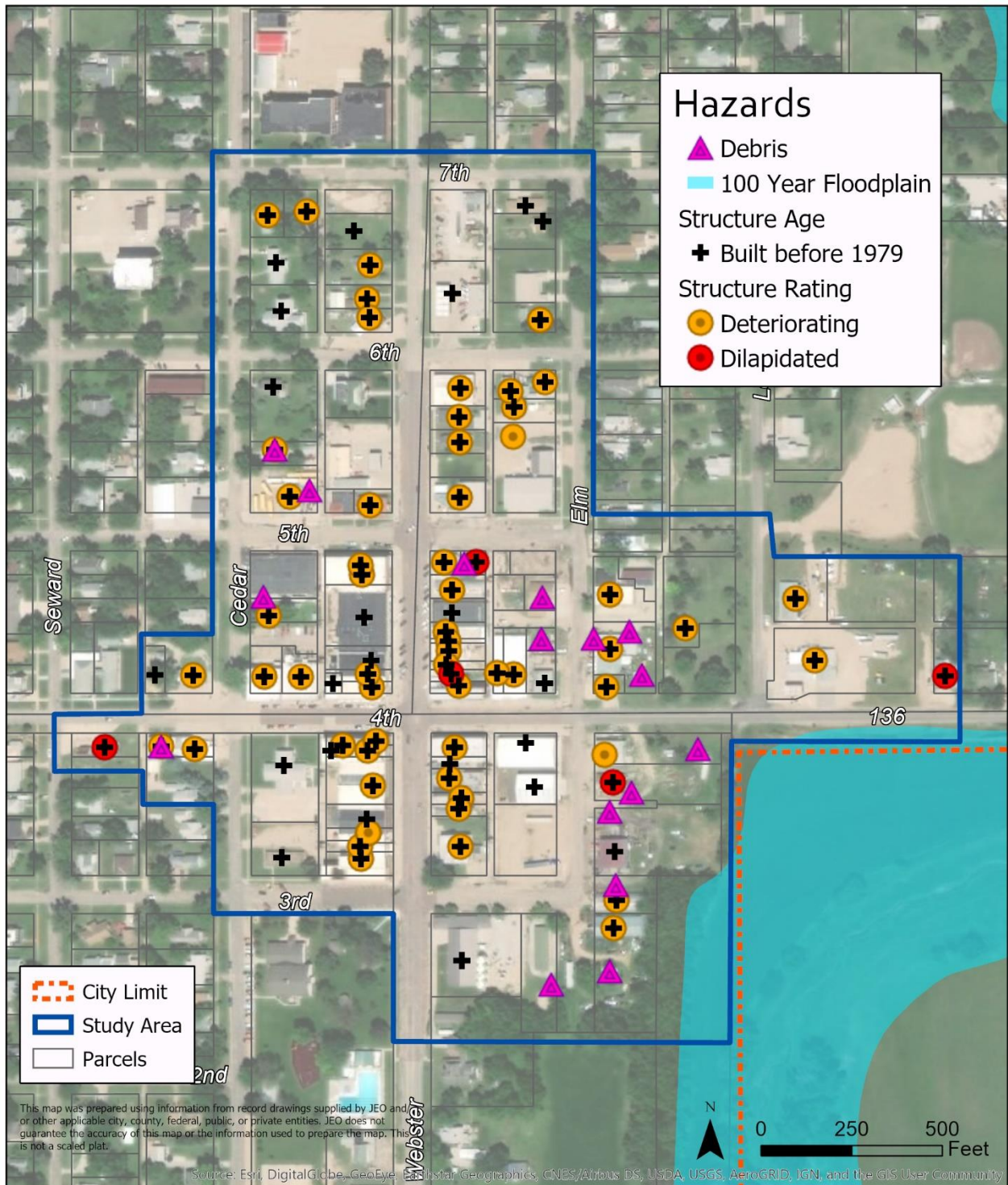
The southeastern portion of the study area contains parcels within the 100-year flood plain. Flooding can pose a safety concern to people and structures in and around the floodplain.

**Age and physical condition of structures**

The age of structures and poor physical condition in older building stock pose a potential safety hazard to the general public with the customary use of lead paints, asbestos, and other hazardous materials. The dilapidated structures pose physical threats to the general public with water intrusion or potential structural failure.

As a result, this factor is considered to be contributing the recommended blight designation.

Figure 3: Potential Hazards of Site



## City of Red Cloud, NE

### City of Red Cloud Blight Study: Potential Hazards

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**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.**

**Economically undesirable**

Economic and Functional Obsolescence is present with poor condition of some buildings, the improper juxtaposition of land uses, and deterioration of site conditions. This makes it difficult for these properties to compete in the marketplace.

As a result, it is considered a substantial contributor to the Downtown to be considered Blighted.

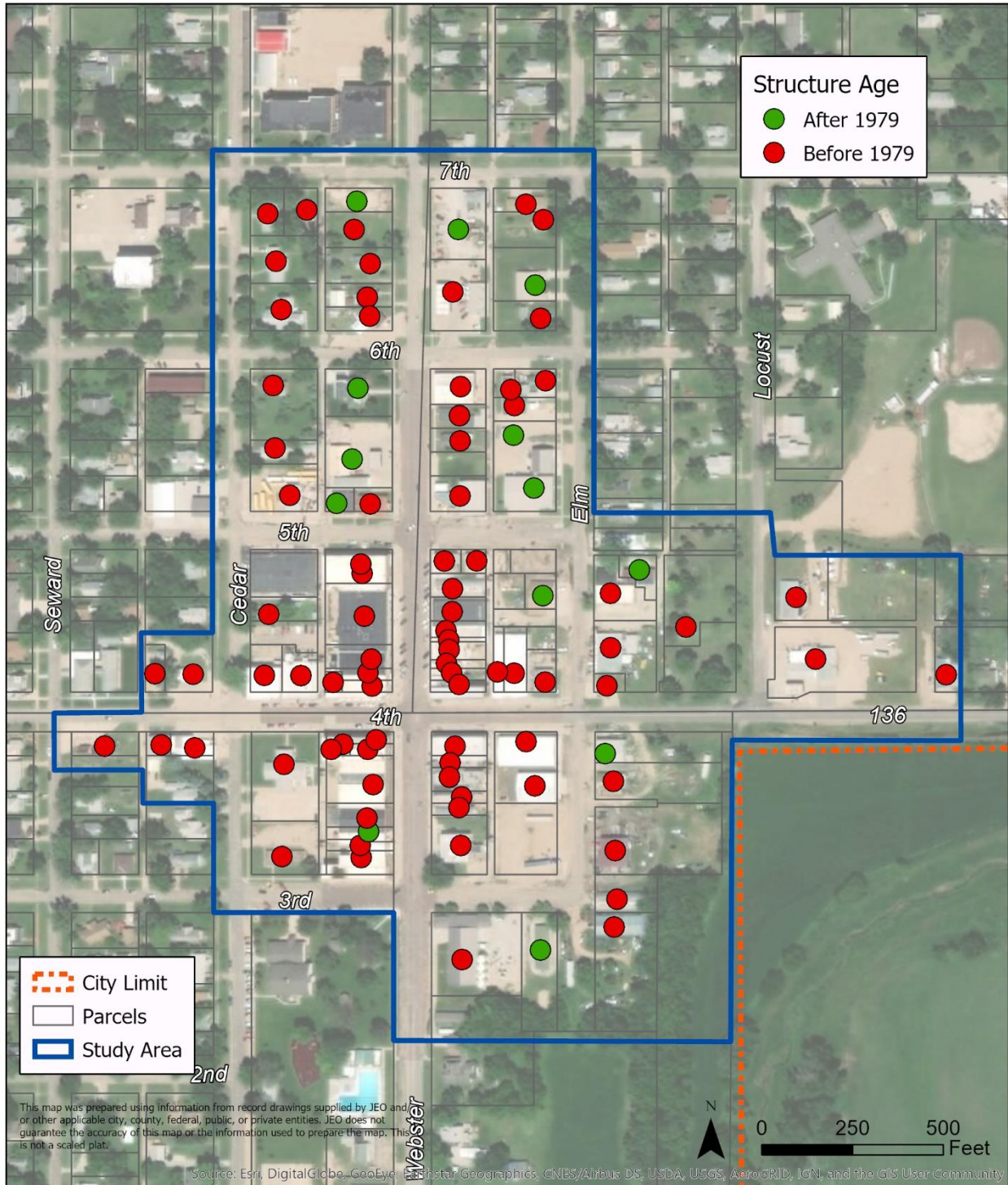
**Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:**

**The Average Age of the Residential or Commercial Units in the Area is at Least 40 Years  
Structure Age**

Information regarding the age of the permanent structures within Downtown was provided by the Webster County Assessor's Office and verified during the field survey. According to the data the average commercial structure is greater than 40 years old.



Figure 4: Age of Structure



## City of Red Cloud, NE

City of Red Cloud Blight Study: Building Age

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## **SUBSTANDARD CRITERIA**

A **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:

### **Dilapidation/deterioration**

As part of the Blight and Substandard Study, a Structural Conditions Survey was completed along with an analysis of the land use patterns in Downtown. The condition of the structures was analyzed and rated according to the schedule as defined by the U.S. Department of Housing and Urban Development (described in the *Eligibility Analysis Section*). See *Appendix A* for a visual description of the structures within the Downtown.

As a rule, the primary structure for each parcel within Downtown was examined. This is considered a significant contributing factor with 63% of the structures rated as Deteriorating or Dilapidated.

### **Age or obsolescence**

Information regarding the age of the permanent structures within the Downtown was provided by the Webster County Assessor's Office and verified during the field survey. The average age of the commercial structures built within Downtown is greater than 40 years old. Because of these findings, the structure age is considered to be a contributing factor to the substandard conditions in Downtown.

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

#### **Improper ventilation, light and air**

Downtown does not contain substantial evidence of inadequate provision for ventilation, light, air, sanitation, or open spaces. Thus, this is not considered a contributing factor to Downtown.

### **Other Substandard Conditions**

#### ***The existence of conditions which endanger life or property***

##### **Vegetation Overgrowth**

There were several individual examples of tree, brush and weed overgrowth on the vacant areas of the study area. This can contribute to harboring rodents and vermin as well as pose a potential fire danger during drought or dry spells.

##### **Sidewalks**

The study area is a commercial district and is adjacent to residential neighborhoods. However, the area lacks sidewalks to safely allow for pedestrian movements through the site or connecting to adjacent uses.

##### **Debris**

Numerous examples of debris piles and outdoor storage included inoperable vehicles for noted during the field study. This can contribute to harboring rodents and vermin as well as pose a potential fire danger during drought or dry spells

##### **Floodplain**

The southeastern portion of the study area contains parcels within the 100-year flood plain. Flooding can pose a safety concern to people and structures in and around the floodplain.

**Age and physical condition of structures**

The age of structures and poor physical condition in older building stock pose a potential safety hazard to the general public with the customary use of lead paints, asbestos, and other hazardous materials. The dilated structures pose physical threats to the general public with water intrusion or potential structural failure.

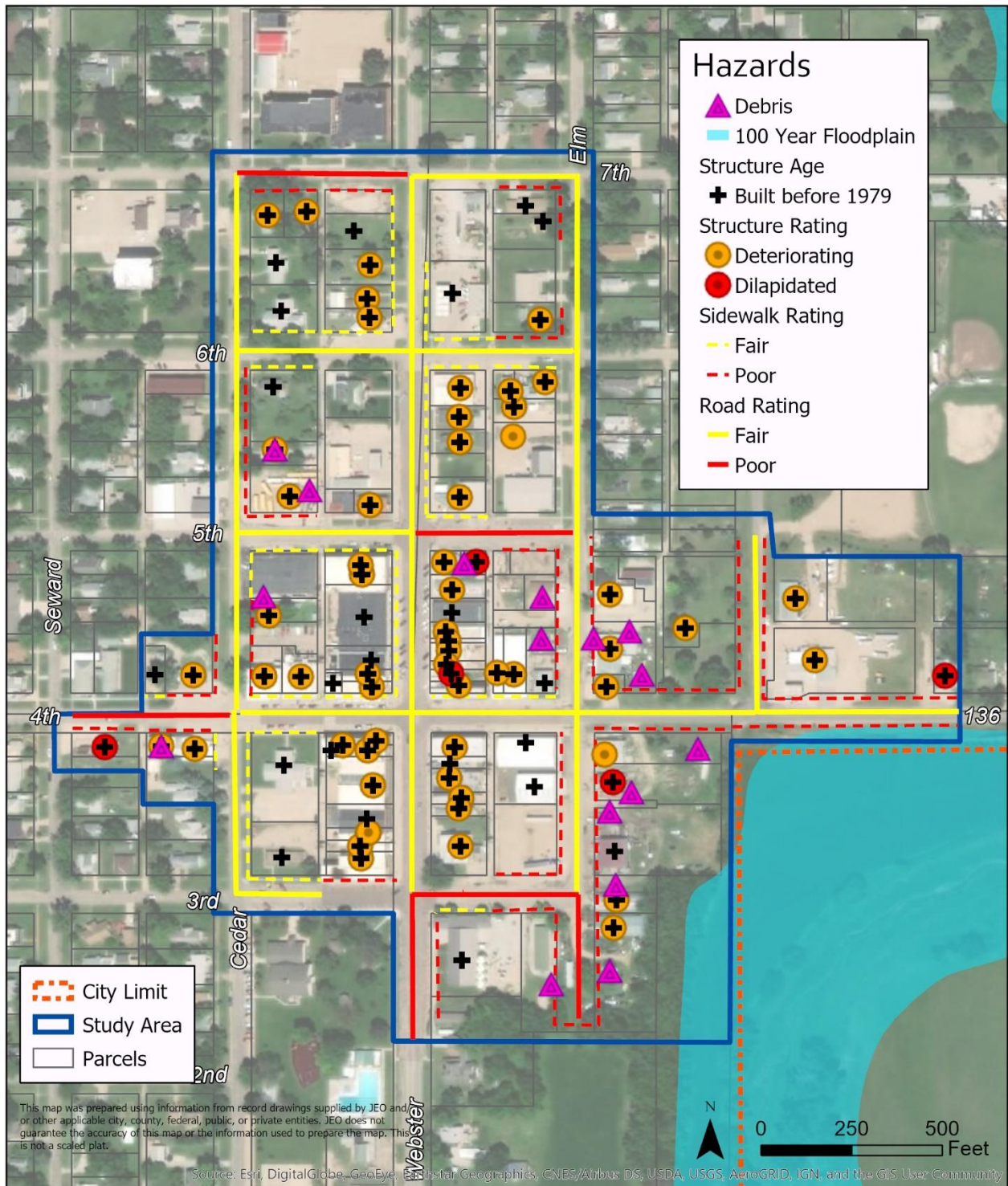
As a result, this factor is considered to be contributing the recommended blight designation.

***Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; is detrimental to the public health and safety***

No significant conditions were not observed during the field analysis and this is not considered to be a contributing substandard factor.



Figure 5: Parcels Showing Blight and Substandard Criteria



## City of Red Cloud, NE

### City of Red Cloud Blight Study: Potential Hazards

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## Blighted and Substandard Findings

Downtown has many items contributing to the Blight and Substandard Conditions. Based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, the area has various items that were considered beyond the remedy and control of the normal regulatory process of the City of Red Cloud or impossible to reverse through the ordinary operations of private enterprise. These conditions include:

**Table 1: Summary Matrix**

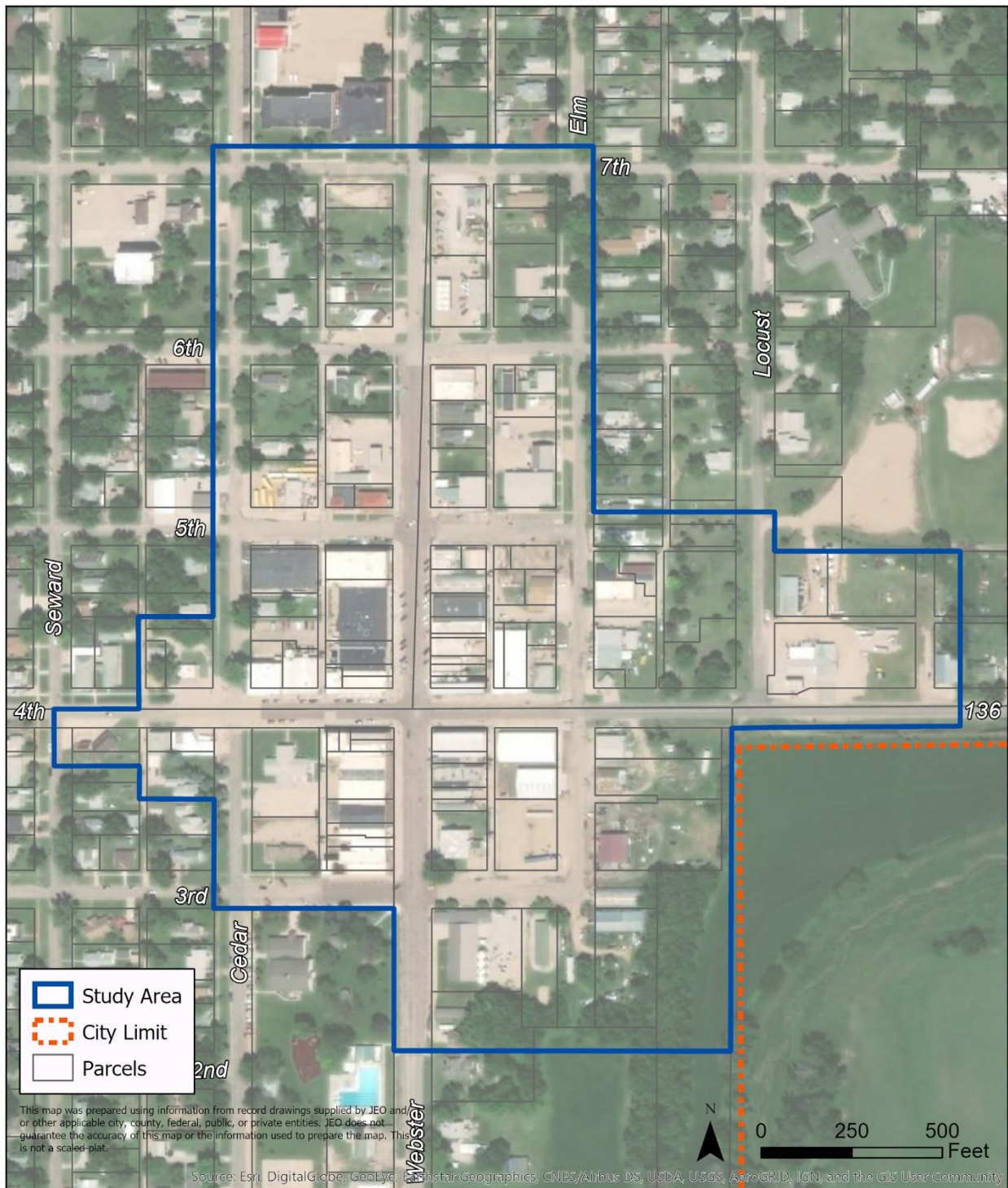
Criteria	
Structure condition	Yes
Street layout	No
Faulty lot layout	Yes
Unsanitary or unsafe Conditions	Yes
Deterioration of site	Yes
Diversity of owners	Yes
Tax special assessment	No
Titles Conditions	No
Obsolete Platting	Yes
Endanger Life/Property	Yes
Any Combination	Yes
Detrimental to Public Health, Safety	Yes
<b>BLIGHT TOTALS</b>	<b>9/12</b>
Exterior inspection of structures	Yes
Age of Structures	Yes
Inadequate provision for ventilation, sanitation	No
<b><i>Other Substandard – (The existence of conditions which endanger life or property)</i></b>	<b>Yes</b>
<b>SUBSTANDARD TOTALS</b>	<b>3/4</b>
<b>TOTALS</b>	<b>12/16</b>

## Conclusion

Several conditions within Downtown were evaluated during the field survey which contributed to blighted and substandard conditions. The conditions showing evidence of blight are interspersed throughout Downtown, and as such parcels with the boundaries of Downtown are recommended for further action.

It is the professional opinion of the consultant, based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, that Downtown contains the required conditions that would warrant a designation as blighted and substandard by the City of Red Cloud and the Community Development Agency. The City of Red Cloud should review this Blight and Substandard Study, and if satisfied with the findings contained in this Study, may, by resolution, designate Downtown as “Blighted and Substandard” as provided for in the Community Law.





## City of Red Cloud, NE

City of Red Cloud Blight Study: Study Boundary

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## Appendix A Photo Exhibit