

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, December 9, 2019

5:15 PM - City Council Chambers

Open Meetings Act Announcement.

Items

1. Approve the minutes of the October 14, 2019 regular Planning Commission meeting.
2. Public Hearings and Regular Agenda.
 - A. Public Hearing - with respect to a Blight and Substandard Study regarding an amendment to Redevelopment Area #3, the creation of Redevelopment Area #4, and the creation of Redevelopment Area #5.
 1. Adjourn the Public Hearing.
 - B. Recommend approval of the Blight and Substandard Study regarding an amendment to Redevelopment Area #3, the creation of Redevelopment Area #4, and the creation of Redevelopment Area #5.
 - C. Receive and file an update regarding the City of McCook's Two Mile Extra Territorial Jurisdiction.

Adjournment.

**CITY MANAGER'S REPORT
DECEMBER 9, 2019 PLANNING COMMISSION MEETING**

ITEM NO. 2.A. Public Hearing - With respect to a Blight and Substandard Study regarding an amendment to Redevelopment Area #3, the creation of Redevelopment Area #4, and the creation of Redevelopment Area #5.

ITEM NO. 2.B. Recommend approval of the Blight and Substandard Study regarding an amendment to Redevelopment Area # 3, the creation of Redevelopment Area # 4, and the creation of Redevelopment Area #5.

BACKGROUND:

One of the continuous goals the McCook City Council has established is to ensure the City of McCook remains vital. In order to meet this goal, the City of McCook has championed economic development through the use of Nebraska's Community Redevelopment Law. Pursuant to the Community Redevelopment Law, the City of McCook has established three redevelopment areas which serve to identify portions of McCook that need governmental intervention to promote development. Development of these areas is encouraged through the use of Tax Increment Financing (ie. TIF). Numerous projects have occurred in the designated redevelopment areas as a result of TIF, including the completion of the Clary Village and Quillan Courts residential projects; the building of Cobblestone Hotel and Holiday Inn Express; and the construction of the Valmont Industries plant.

Over the course of the past few years, Staff has identified some areas that would benefit from a blight and substandard designation, as defined in the Community Redevelopment Law. In order to access TIF in a certain area, the City Council must make a blight and substandard determination. It is important to note, a blight and substandard designation has little to no negative impact on property valuations. On the contrary, a blight and substandard designation allows for public involvement with development projects which makes growth and improvement more likely. The ultimate goal is not only to improve a particular lot in distress, but also to improve the quality of life for the property owners who own land near these project areas.

Staff has worked with Miller & Associates to identify additional areas of McCook that could benefit from a blight and substandard designation. As a result of the research developed through this study, Staff is advocating for the adoption of a new Blight and Substandard Study. The new Blight and Substandard Study would amend Redevelopment Area # 3, create Redevelopment Area # 4, and create Redevelopment Area # 5.

Redevelopment Area # 3 originated in 2013. Redevelopment Area # 3 stretches from Highway 83 to East 11th Street. An amendment to Redevelopment Area # 3 occurred in 2015 which served to include the Four Corners Addition to McCook. With respect to the newly proposed 2019 Amendment, additional land would adjoin Redevelopment Area # 3, with the primary point of emphasis being the West 5th Street and West D Street intersection. Included in this area would be some commercial buildings, most notably the Charlie's building located along West 5th Street. In order to assure we meet the requirements of the Nebraska Community Development law, Staff proposes to include 13 residential homes adjacent to current Redevelopment Area # 3. It is Staff's and Miller & Associate's understanding that the redevelopment areas must be contiguous. In order

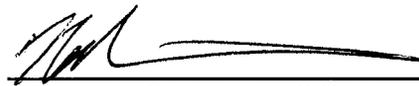
to achieve this requirement, 12 residential structures have been included in the proposed amendment.

Proposed Redevelopment Area # 4 is located just east of the intersection of Highway 83 and Highways 6 and 34. This area includes several commercial buildings and residential homes north of Highway 6 and 34. Redevelopment Area # 4 is a stand-alone location and would not amend Redevelopment Area # 3. With that said, Redevelopment Area # 4 is contiguous to Redevelopment Area # 3, assuring compliance with the Nebraska Community Development law.

Proposed Redevelopment Area # 5 is located partially within and partially outside the corporate limits of McCook. It is located on the east side of Highway 83 and the north side of West Q Street. It includes a number of commercial buildings and a few residential structures. It is contiguous to Redevelopment Area # 3. Additionally, the Nebraska Community Development Law allows for the inclusion of a portion of land located outside of the corporate limits in the City's designated redevelopment area. An example of this occurred with the inclusion of land located north of West J Street and Highway 83 as a part of Redevelopment Area # 3.

Earlier in 2019, the City Council approved a resolution forwarding the Blight and Substandard Study for these areas to the McCook Planning Commission. The Planning Commission is charged with reviewing the Study and making a subsequent recommendation to the City Council regarding the Study's suitability.

APPROVALS:



Nathan A. Schneider, City Manager

December 11, 2019



Lea Ann Doak, City Clerk

December 11, 2019

**CITY MANAGER'S REPORT
DECEMBER 9, 2019 PLANNING COMMISSION MEETING**

ITEM: 1.

RECOMMENDATION:

Approve the minutes of the October 14, 2019 regular meeting.

BACKGROUND:

Receive and approve the minutes.

FISCAL

IMPACT: None.

APPROVALS:



Lea Ann Doak, City Clerk

December 4, 2019

McCook Planning Commission
October 14, 2019
5:15 PM Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Vice Chair Hilker; Commissioners Davidson, Lyons, McDowell, Stevens, Graham.

Absent: Chair Vosburg; Commissioners Bradley, Dueland, Friehe.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Building Official Mooney.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on October 10, 2019, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Vice Chair Hilker announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the September 9, 2019 regular Planning Commission meeting.

Motion to approve the minutes of the September 9, 2019 regular Planning Commission meeting. This motion, made by Lyons and seconded by McDowell, passed.

Vosburg: ABSENT, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA
YEA: 6, NAY: 0, Absent: 4

2. Public Hearings and Regular Agenda.

- 2.A. Public Hearing - Regarding a zoning change request from Central Business (CB) District to Industrial Heavy (IH) District, for the following described property: Lots Four (4), Five (5), Six (6), and Seven (7), Block Thirty (30), Original Town Addition, to the City of McCook, Red Willow County, Nebraska.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment on a zoning change request from Central Business (CB) District to Industrial Heavy (IH) District, for the following described property: Lots Four (4), Five (5), Six (6), and Seven (7), Block Thirty (30), Original Town Addition, to the City of McCook, Red Willow County, Nebraska with the City Attorney to act as hearing officer. This motion, made by Stevens and seconded by McDowell, passed.

Vosburg: ABSENT, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA
YEA: 6, NAY: 0, Absent: 4

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the October 14, 2019 Planning Commission meeting (2 pages); Exhibit #2 - Notice of Hearing published, posted, and mailed (1 page); Exhibit #3 - Ownership List for mailing notice (1 page); Exhibit #4 - Land Use Action Request Form and attachments - including letter of request from Southwest Environmental Engineering, LLC (12 pages); and Exhibit #5 - Findings and Determinations of McCook City Council (2 pages)

City Manager Schneider reviewed the following information included in Exhibit #1: "A zoning change application has been filed by Frenchman Valley Coop. The physical address of the property is 301 West "A" Street. The legal description is Lots Four (4), Five (5), Six (6), and Seven (7), Block Thirty (30), Original Town Addition, to the City of McCook, Red Willow County, Nebraska. listed above. Frenchman Valley would like to change the zoning designation of the property from Central Business (CB) District to Industrial Heavy (IH) District. Frenchman Valley proposes to continue the current use of the property for feed mill purposes. In order to deter the release of fugitive dust from the premises, Frenchman Valley plans to perform upgrades, modifications, and repairs to on-site structures and grain handling systems. The property is located in the Central Business (CB) District. A feed mill is not a permitted principal use, nor does it qualify for a special exception per the requirements of the McCook Zoning Ordinance, Article 13 Business Commercial District (CB). Subsequently, Frenchman Valley's property falls under the non-conforming uses of land section found in McCook Zoning Ordinance, Article 22 Non-Conforming Uses of Land. According to Article 22, Frenchman Valley Coop currently operates under grandfather clause status in the BC District. With the proposed upgrades and construction, Frenchman Valley would lose its zoning protection per Article 22, Section 2203 and 2204. A copy Article 22 is attached to this report for the Planning Commission's consideration. Staff has been contacted by Frenchman Valley Coop regarding a zoning change, modifying the property's zoning designation from BC District to Industrial Heavy (IH) District. The McCook Zoning Ordinance, Article 17 Industrial Heavy District (IH) permits feed mixing plants within the district. A modification of the zoning designation from BC District to IH District would satisfy the use and structure requirements established by McCook's Zoning Ordinance. Staff reviewed this request in conjunction with the neighborhood's current zoning arrangement. West A Street borders Frenchman Valley Coop to the south. The property on the south side of West A Street rests entirely inside of the IH District. Within this neighborhood, there are numerous structures that fit within the permitted principal uses and structures as outlined in Article 17. It is the staff's opinion that a rezoning will not serve to impede properties located near Frenchman Valley Coop. On the contrary, staff believes a rezoning will benefit the neighborhood by allowing Frenchman Valley Coop to complete needed construction to reduce the amount of dust generated on-site. If the zoning request is approved by the City Council, Frenchman Valley Coop intends to apply for a variance to the Board of Zoning Adjustment to meet setback requirements as they relate to properties found within the IH District."

Jacque Riener, Southwest Environmental Engineering and representing Frenchman Valley, was present to address questions from the Commission. The change in zoning is requested to all Frenchman Valley to make changes at the property to comply with environmental requirements of the Nebraska Department of Energy and Environment (NDEE), in particular to reduce emissions. They would like to enclose the south bay so that when unloading grain the dust would be contained on the inside. Frenchman Valley's response to the NDEE is due October 31. They currently are a non-conforming use, which does not allow them to expand. Zoning as Industrial Heavy (IH) would be consistent with and adjacent to the IH zoning of areas south of "A" Street from west of West 4th to east of East 13th. The IH zone allows feed mixing plants as a permitted principal use. The City

is doing a traffic study of the area to determine how close the bay could be constructed the street and not obstruct vision.

Commissioner Graham supported the request, it would be good for the area to have the dust controlled.

Leigh Real questioned if this proposed zone change would have any effect on setback requirements on his property located to the north and asked Ms. Riener whether another location would be more practicable.

Ms. Riener stated that Frenchman Valley is considering all possible options.

Commissioner Hilker questioned if they do not make the renovations or choose to relocate, can we change the zone back.

City Manager Schneider stated that a zoning designation is always modifiable.

With no one else present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Hilker and seconded by Lyons, passed.

Vosburg: ABSENT, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA
YEA: 6, NAY: 0, Absent: 4

2.B. Recommend to the McCook City Council approval of the zoning change request from Central Business (CB) District to Industrial Heavy (IH) District, for the following described property: Lots Four (4), Five (5), Six (6), and Seven (7), Block Thirty (30), Original McCook Addition, to the City of McCook, Red Willow County, Nebraska.

Motion to recommend to the McCook City Council approval of the zoning change request from Central Business (CB) District to Industrial Heavy (IH) District, for the following described property: Lots Four (4), Five (5), Six (6), and Seven (7), Block Thirty (30), Original McCook Addition, to the City of McCook, Red Willow County, Nebraska. This motion, made by McDowell and seconded by Davidson, passed.

Vosburg: ABSENT, Hilker: YEA, Bradley: ABSENT, Davidson: YEA, Dueland: ABSENT, Friehe: ABSENT, Graham: YEA, Lyons: YEA, McDowell: YEA, Stevens: YEA
YEA: 6, NAY: 0, Absent: 4

Adjournment.

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 5:45 P.M.

Lea Ann Doak, Recording Secretary

**CITY MANAGER'S REPORT
DECEMBER 9, 2019 PLANNING COMMISSION MEETING**

2.C.

ITEM NO. ___ Receive and file an update regarding the City of McCook's Two Mile Extra Territorial Jurisdiction.

BACKGROUND:

In February, a joint meeting of the Red Willow County Planning Commission and the City of McCook Planning Commission was held to discuss the City of McCook's Two Mile Extra Territorial Jurisdiction (ie. ETJ). The topic of discussion was whether the boundary for the City of McCook's ETJ should be section and quarter section lines as opposed to radii extended from McCook's city limits.

Staff would like to follow up with an additional update regarding McCook's ETJ. Particularly, Staff and Craig Bennett have discussed how a reduction of the ETJ would impact Calabria Subdivision. Staff has reviewed the Calabria Subdivision Agreement and it doesn't appear the City of McCook has any responsibilities owed to Calabria Subdivision's developer. With that said, the City of McCook has provided building code services to Calabria Subdivision's residents for years. Staff would like to explore moving the ETJ line that bisects Calabria Subdivision to the south of the development, while contracting with Red Willow County to continue providing building code services for the residents of Calabria Subdivision. The reason Staff wants to continue providing building code services to Calabria Subdivision residents is because the Subdivision Agreement contemplates that future development within the Calabria Subdivision will comply with the City's zoning and subdivision regulations. In order to accomplish this requirement, it is prudent for the Calabria residents to work with the City of McCook's building inspector.

RECOMMENDATIONS:

ITEM NO. ___ Receive and file an update regarding the City of McCook's Two Mile Extra Territorial Jurisdiction.

APPROVALS:



Nathan A. Schneider, City Manager

December 4, 2019



Lea Ann Doak, City Clerk

December 4, 2019

SUBDIVISION AGREEMENT FOR CALABRIA SUBDIVISION,
CITY OF McCOOK, NEBRASKA

57 limits

JOE GIORGIONE

This Subdivision Agreement is entered into pursuant to the terms, conditions, and requirements of the Subdivision Ordinance #99-2523 of the City of McCook, Nebraska, by and between Joe Giorgione, hereinafter referred to as **DEVELOPER** and the City of McCook, Nebraska, hereinafter referred to as **CITY**.

The parties hereby state the following:

1. **DEVELOPER** is the owner of the following described real property:
See attached Exhibit A.

2. ~~Said property is situated within the CITY's two-mile zoning jurisdiction~~ and subject to the provisions of the City's Subdivision Ordinance #99-2523. The proposed subdivision is not located within five hundred feet of existing municipal streets, sidewalks, sanitary sewage systems, and water distribution systems. Therefore, the developer has submitted proposed construction of streets, sanitary sewage systems, and water distribution systems other than those required for subdivisions located either within the City limits or within five hundred feet of existing City infrastructure.

3. **DEVELOPER** desires to develop said real property as a subdivision to be known as Calabria Subdivision consisting of Lots 1-47.

4. **DEVELOPER** has received preliminary plat approval of the Calabria Subdivision and a certified copy is attached to this Subdivision Agreement, marked

Exhibit B, and incorporated herein by reference,

The **DEVELOPER** and **CITY**, in consideration of the mutual covenants and agreements contained herein, agree to the following:

DEVELOPER OBLIGATIONS AND REQUIREMENTS

Improvements; Designs

1. **DEVELOPER** shall comply with all terms and conditions of the City's Subdivision Ordinance #99-2523.
2. **DEVELOPER** shall consent, without protest, to annexation of said Calabria Subdivision into the corporate limits of the **CITY** at the request of the **CITY** at such time as the conditions set forth in the Subdivision Ordinance #99-2523 are met in terms of distance from existing City Infrastructure systems.
3. **DEVELOPER** has contracted with Miller & Associates, a Nebraska licensed professional engineering firm, to prepare the plans and specifications for the Calabria Subdivision. **DEVELOPER** has contracted with Miller & Associates, a Nebraska licensed surveyor to prepare the preliminary and final plat of the Calabria Subdivision.
4. At such time that the Calabria Subdivision is annexed into the corporate limits of the City of McCook, Nebraska as provided for in the Subdivision Ordinance #99-2523, **DEVELOPER** shall insure that all infrastructure, including but

not limited to streets, sidewalks, street lighting, sanitary sewage systems, and water distribution systems shall be in full compliance with the Subdivision Ordinance pertaining to subdivisions situated within the corporate limits. **DEVELOPER** acknowledges that any then existing streets, street lighting, sidewalks, sanitary sewage systems and water distribution system will be abandoned, modified, upgraded, and brought into full compliance with the existing City Subdivision Ordinance. The **DEVELOPER** shall be responsible for all costs incurred in order to bring the infrastructure into compliance with the City Subdivision Ordinance and shall be done in a timely fashion as approved by the **CITY**.

At such times as the required infrastructure is completed, the **DEVELOPER** shall dedicate all streets, alleys, easements and other open areas to the **CITY**.

5. **DEVELOPER** shall provide, and is attached to this Subdivision Agreement, the Drainage Report prepared by a Nebraska registered professional engineer.

6. **DEVELOPER** shall provide to the **CITY**, as part of this Subdivision Agreement, all required approvals from the NDEQ and the Bureau of Reclamation and shall comply with all requirements set forth by either the NDEQ and the Bureau of Reclamation. **DEVELOPER** shall further submit to the **CITY** proof of compliance with said requirements.

Subdivision Agreement
Calabria Subdivision
Page 4

7. **DEVELOPER** shall complete all improvements as required by this Subdivision Agreement and as set forth on the preliminary plat within one year from the date of this Subdivision Agreement.

8. **DEVELOPER** shall provide one hundred percent (100%) of any infrastructure financing required by the preliminary plat.

9. The **CITY** hereby waives the requirements for alleys in the Calabria Subdivision as set forth on the preliminary plat and is provided for in Article One, Section 3.16 of Part D, Subdivision Ordinance #99-2523.

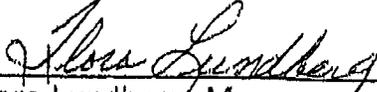
MISCELLANEOUS PROVISIONS

This Subdivision Agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and shall be binding upon the heirs, subsequent title owners in interest, devisees, executors, administrators, assignees, and successors of the **DEVELOPER**.



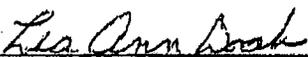
Joe Giorgione, Developer

CITY OF McCOOK, NEBRASKA



Flora Lundberg, Mayor

ATTEST:



Lea Ann Doak, City Clerk

EXHIBIT A

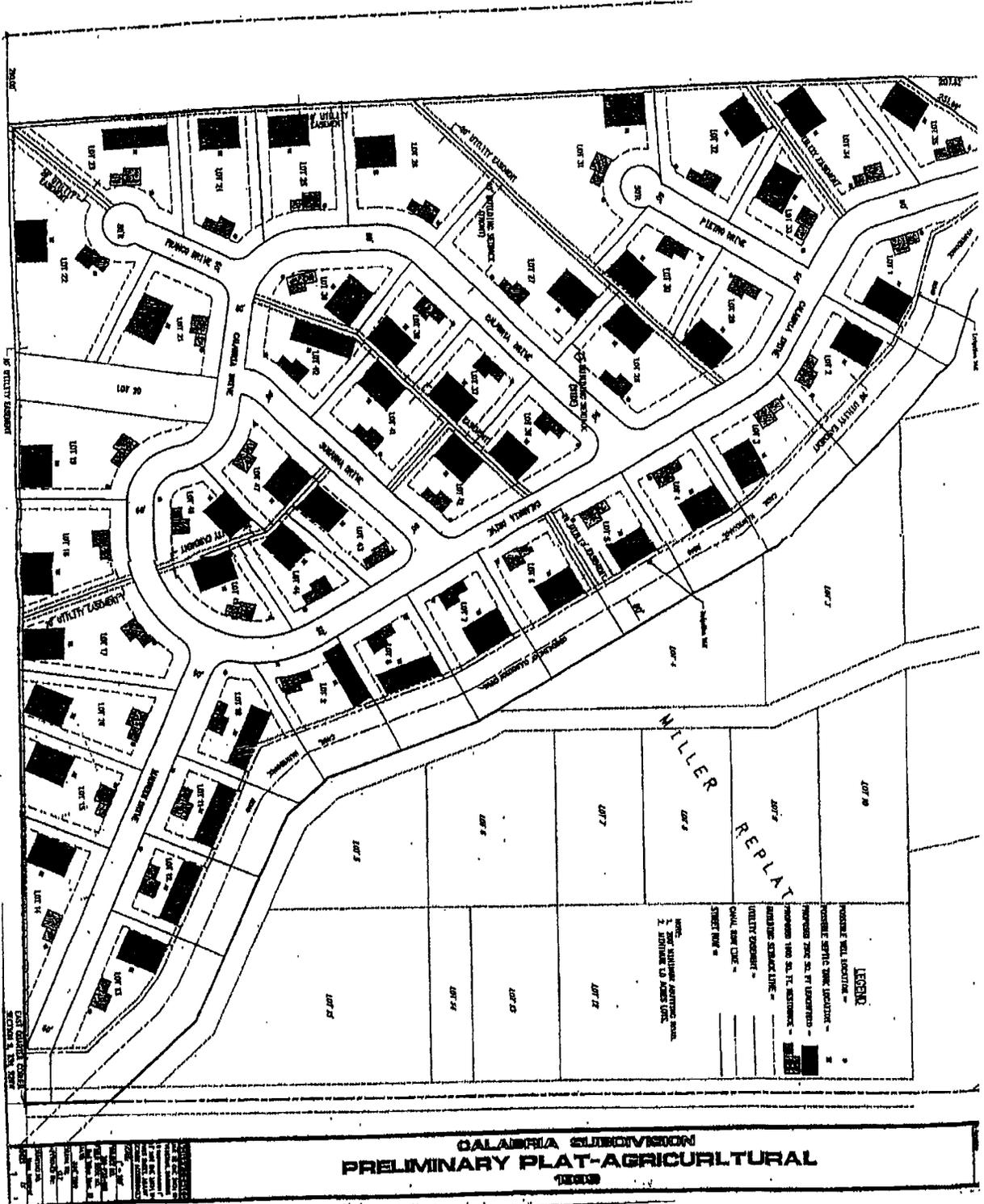
Tract #1: A tract of land in the Northeast Quarter of Section 9, Township 3 North, Range 29 West of the Sixth P.M., in Red Willow County, Nebraska, more particularly described as follows: Referring to the North quarter corner of said section; thence S89°21'E, 289.5 feet to a point; thence S01°18'W, 289.7 feet to a point; thence S89°20'E, 140.0 feet to the true point of beginning; thence N35°02'E, 79.5 feet to a point; thence S32°10'E, 78.0 feet to a point; thence N89°20'W, 87.2 feet to the point of beginning, containing 0.07 acres, more or less.

AND

The Northeast Quarter (NE¼) of Section Nine (9), Township-3-North, Range -29-West of the Sixth P.M., in Red Willow County, Nebraska, more particularly described as follows: Commencing at the north ¼ corner of said Section 9; thence East along the North line of said NE¼ 312.0 feet to the true point of beginning; thence continuing East along said north line, 53.2 feet to a point on the westerly right-of-way line of the Culbertson Extention Canal; thence S19°51'E, along said R.O.W. line, 178.4 feet to a point; thence S32°11'E, 308.2 feet to a point; thence S71°14'E, 182.0 feet to a point; thence S58°44'E, 102.3 feet to a point; thence S46°15'E, 492.8 feet to a point; thence S37°38'E, 70.9 feet to a point; thence S29°01'E, 738.4 feet to a point; thence S23°50'E, 42.5 feet to a point; thence S18°41'E, 484.6 feet to a point; thence S64°14'E, 597.7 feet to a point; thence S53°04'E, 73.1 feet to a point; thence S41°54'E, 175.9 feet to a point; thence S00°35'W, 148.2 feet to a point on the south line of said NE¼, 120.0 feet west of the SE corner of said NE¼; thence West along the south line of said NE¼ to a point 210.0 feet east of the SW corner of said NE¼; thence northerly along an existing fence 2,342.7 feet more or less to a point; thence Easterly, 225.4 feet more or less to a point 50.0 feet perpendicular distant to the Culbertson Extention Canal right-of-way line; thence Northwesterly parallel to said R.O.W. line, 119.0 feet more or less to a point; thence 12°20' Right, 202.5 feet more or less to the point of beginning containing 66 acres more or less; EXCEPT a tract of land in the Northeast Quarter of Section 9, Township 3 North, Range 29 West of the Sixth P.M., more particularly described as follows: Referring to the North quarter corner of said section; thence S89°21'E, 289.5 feet to a point; thence S01°18'W, 289.7 feet to the true point of beginning; thence S89°20'E, 140.0 feet to a point; thence S35°02'W, 252.0 feet to a point; thence N01°18'E, 208.0 feet to the point of beginning, containing 0.33 acres, more or less, conveyed by Survivorship Warranty Deed dated November 17, 1979 and recorded February 28, 1980 in Deed Book 110, Page 586 of the records of the Register of Deeds of Red Willow County, Nebraska.

Tract #2: A parcel of land lying in the Northeast Quarter (NE¼) of Section Nine (9), Township Three (3) North, Range Twenty-nine (29), West of the Sixth (6th) Principal Meridian, situated in Red Willow County, State of Nebraska, containing 10.41 acres, more or less, lying within the closed course more particularly described as follows: Parcel C, beginning at Point A, which point bears S89°21'E, 365.4 feet from the

North Quarter (N¼) Corner of said Section Nine (9) and proceeding thence S89°21'E, 133.5 feet to point B; thence S19°51'E, 95.3 feet to point C; thence S26°01'E, 45.4 feet to point D; thence S32°11'E, 152.5 feet to point E; thence S51°42'E, 141.4 feet to point F; thence S71°14'E, 142.9 feet to point G; thence S46°15'E, 627.7 feet to point H; thence S29°01'E, 825.8 feet to point I; thence S18°41'E, 396.1 feet to point J; thence S41°28'E, 126.8 feet to point K; thence S64°14'E, 538.4 feet to point L; thence S41°54'E, 278.9 feet to point M; thence S00°35'W, 202.7 feet to point N; thence N89°10'W, 120.0 feet to point O; thence N00°35'E, 148.2 feet to point P; thence N41°54'W, 175.9 feet to point Q; thence N 53°04'W, 73.1 feet to point R; thence N64°14'W, 597.7 feet to point S; thence N18°41'W, 484.6 feet to point T; thence N23°50'W, 42.5 feet to point U; thence N29°01'W, 738.4 feet to point V; thence N37°38'W, 70.9 feet to point W; thence N46°15'W, 492.8 feet to point X; thence N58°44'W, 102.3 feet to point Y; thence N71°14'W, 182.0 feet to point Z; thence N32°11'W, 308.2 feet to point A; thence N19°51'W, 178.4 feet to the point of beginning.



**CALABRIA SUBDIVISION
PRELIMINARY PLAT-AGRICULTURAL
1988**

Handwritten notes:
 49
 49
 188
 188

Blight & Substandard Study

Amendment to Redevelopment Area #3

Redevelopment Area #4

Redevelopment Area #5

City of McCook, Nebraska

2019



Miller & Associates
CONSULTING ENGINEERS, P.C.

1111 Central Avenue
Kearney, NE 68847
308-234-6456

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EXECUTIVE SUMMARY

Amendment to Redevelopment Area #3

The City of McCook contracted Miller & Associates, Consulting Engineers, P.C. to complete a blight and substandard assessment for an Amendment to Redevelopment Area #3 located within the corporate limits of McCook, Nebraska and is identified in Map 2- Amendment to Redevelopment Area #3 Location Map. The Study was completed to determine whether the area defined below qualifies as blighted and substandard within the definition set forth in the Nebraska Community Development Law.

All of Block 1 and all of Block 2 of the Seventh Addition to the City of McCook, Red Willow County, Nebraska, all of Block 3 and all of Block 4 of the Ninth Addition to the City of McCook, Red Willow County, Nebraska, all of Block 2 and the Easterly 330.0 feet of Block 3 of Kelley's Hilltop Addition to the City of McCook, Red Willow County, Nebraska, and more particularly described as follows:

BEGINNING at the intersection of the West Right-of-Way line of West 7th Street with the North Right-of-Way line of West E Street;

thence Easterly on said North Right-of-Way line of West E Street to the West line of East 330.0 feet of Block 3 of Kelley's Hilltop Addition to the City of McCook, Red Willow County, Nebraska;

thence Northerly on said West line of the East 330.0 feet and its Northerly extension to the North Right-of-Way line of West F Street;

thence Easterly on said North Right-of-Way line of West F Street to the East Right-of-Way line of West 4th Street;

thence Southerly on said East Right-of-Way line of West 4th Street to the North Right-of-Way line of West D Street;

thence Westerly on said North Right-of-Way line of West D Street to the West Right-of-Way line of West 4th Street;

thence Southerly on said West Right-of-Way line of West 4th Street to the South Right-of-Way line of West D Street;

thence Westerly on said South Right-of-Way line of West D Street to said West Right-of-Way line of West 7th Street;

thence Northerly on said West Right-of-Way line of West 7th Street to the Point of Beginning. Containing 17.54 Acres, more or less.

Redevelopment Area #4

The City of McCook contracted Miller & Associates, Consulting Engineers, P.C. to complete a blight and substandard assessment for Redevelopment Area #4 located within the corporate limits of McCook, Nebraska and is identified in Map 4- Redevelopment Area #4 Location Map. The Study was completed to determine whether the area defined below qualifies as blighted and substandard within the definition set forth in the Nebraska Community Development Law.

Part of the Southwest Quarter, part of the Northwest Quarter, and part of the Northeast Quarter of Section 30, Township 3 North, Range 29 West of the Sixth Principal Meridian, all of Benzing Addition to the City of McCook, Red Willow County, Nebraska, Lots 3 and 4 of Block 4 and all of Block 5 of West McCook Addition to the City of McCook, Red Willow County, Nebraska and more particularly described as follows:

BEGINNING at the intersection of North Right-of-Way line of West B Street, also being the North Right-of-Way line of Highways 6 and 34 with the South line of the Northwest Quarter of Section 30;

thence Easterly on said South line of the Northwest Quarter to the Southerly extension of the West line of Benzing Addition to the City of McCook, Red Willow County, Nebraska;

thence Northerly on said Southerly extension and on the West line of said Benzing Addition to the Northwest corner of said Benzing Addition;

thence Easterly on the North line of said Benzing Addition and on it's Easterly extension to the East line of the Existing Alley, also being the West line of Block 6 of Second High School Addition to the City of McCook, Red Willow County, Nebraska;

thence South on said East line of the Existing Alley to the North Right-of-Way line of West C Street;

thence Southeasterly to the intersection of the South Right-of-Way line of West C Street with the East line of the Existing Alley;

thence Southerly on said East line of the Existing Alley to said North Right-of-Way line of West B Street, also being the North Right-of-Way line of Highways 6 and 34;

thence Westerly and Northwesterly on said North Right-of-Way line of West B Street, also being the North Right-of-Way line of Highways 6 and 34, to the Point of Beginning.

Containing 8.69 Acres, more or less.

Redevelopment Area #5

The City of McCook contracted Miller & Associates, Consulting Engineers, P.C. to complete a blight and substandard assessment for Redevelopment Area #5 located partially within and partially outside of the corporate limits of McCook, Nebraska and is identified in Map 6- Redevelopment Area #5 Location Map. The Study was completed to determine whether the area defined below qualifies as blighted and substandard within the definition set forth in the Nebraska Community Development Law.

Part of the Northwest Quarter and part of the Southwest Quarter of Section 19, Township 3 North, Range 29 West of the Sixth Principal Meridian, part of the Northeast Quarter of Section 24, Township 3 North, Range 30 West of the Sixth Principal Meridian, and all of Blocks 9 through 15 of Four Corners Addition to the City of McCook, Red Willow County, Nebraska and more particularly described as follows:

BEGINNING at the intersection of South Right-of-Way line of West Q Street with the West Right-of-Way line of U.S. Highway 83;

thence Northerly on said West Right-of-Way line of U.S. Highway 83 to the Southwesterly extension of the Westerly line of Block 15 of Four Corners Addition to the City of McCook, Red Willow County, Nebraska;

thence Northeasterly and Northerly on said extension and on said Westerly line of Block 15 of Four Corners Addition to the City of McCook to the North line of said Northwest Quarter of Section 19;

thence Easterly on said North line of the Northwest Quarter of Section 19 to the East line of said Northwest Quarter of Section 19;

thence South on said East line of the Northwest Quarter of Section 19 to the North line of the property described in Warranty Deed recorded as Instrument No. 2006-00032, Red Willow County Records;

thence Westerly on said North line of the property described in Warranty Deed recorded as Instrument No. 2006-00032 to the West line of said property described in Warranty Deed recorded as Instrument No. 2006-00032;

thence Southerly on said West line of said property described in Warranty Deed recorded as Instrument No. 2006-00032 to the North line of the property described in Quitclaim Deed recorded as Instrument No. 2004-02110, Red Willow County Records;

thence Westerly on said North line of the property described in Quitclaim Deed recorded as Instrument No. 2004-02110 to the Westerly line of said property described in Quitclaim Deed recorded as Instrument No. 2004-02110;

thence Southwesterly on said Westerly line of said property described in Quitclaim Deed recorded as Instrument No. 2004-02110 and on the Westerly line of the property described in Warranty Deed recorded as Instrument No. 2012-00778, Red Willow County Records; to the existing City of McCook Corporate Limit Line;

thence Easterly on said Corporate Limit Line to said East line of the Northwest Quarter of Section 19;

thence South on said East line of the Northwest Quarter of Section 19 to said South Right-of-Way line of West Q Street;

thence Westerly on said South Right-of-Way line of West Q Street to the Point of Beginning.

Containing 170.63 Acres, more or less.

Conclusion

The investigation reasonably suggests blighted and substandard conditions exist as defined under the Law and these conditions are reasonably distributed throughout amended Redevelopment Area #3, Redevelopment Area #4, and Redevelopment Area #5. The survey analysis indicates the City of McCook should encourage long-term improvements throughout the area. The use of Community Development Law Provisions to assist with remedies and actions for the redevelopment of area in McCook, Nebraska is warranted and essential.

The conclusions presented in this Executive Summary are supported by the analysis and data included herein: The “Blight/Substandard Determination Study – Amendment to Redevelopment Area #3, Redevelopment Area #4, and Redevelopment Area #5, McCook, Nebraska”.

SECTION 1: INTRODUCTION

1.1 Purpose of Study

The purpose of this analysis is to determine whether the areas described in the Executive Summary within the governing jurisdiction of McCook, Nebraska qualifies as blighted and substandard within the definition set forth in the Nebraska Community Development Law.

The City of McCook is located in Red Willow County, Nebraska and has a total population of 7,698 based on the 2010 Census. The boundary of the Amendment to Redevelopment Area #3 is shown in Map 2 – Amendment to Redevelopment Area #3 Location Map. The boundary of Redevelopment Area #4 is shown in Map 4 – Redevelopment Area # Location Map. The boundary of the Redevelopment Area #5 is shown in Map 6 – Redevelopment Area #5 Location Map.

1.2 Substandard Area Definition

As described in Section 18-2103 (10) of the Nebraska Revised Statutes, a substandard area shall mean one where there is a predominance of structures or improvements, whether nonresidential or residential in character, which by reason of the presence of:

Dilapidated/Deterioration of Structures;
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, and is
Detrimental to the Public Health, Safety, Morals, or Welfare.

Dilapidated/Deterioration of Structures

The determination and rating of the structural condition is critical in determining a substandard area in need of redevelopment. The system used for classifying the conditions is a major part of any substandard area determination; it must be based on consistent and established criteria and result in accurate descriptions of existing structures. The condition of the structure was evaluated; the site classified; and other environmental conditions and deficiencies recorded.

Age or Obsolescence of Structures

Information on the age of the structure was recorded and evaluated. This data was gathered from the Red Willow County Assessor's data as reported on the County's GIS Workshop site.

Inadequate Provisions for Ventilation, Light, Air, Sanitation, or Open Spaces

The results from the exterior structure and lot conditions survey provided the basis for the detection of insanitary and unsafe conditions. There are a number of factors that present on-going negative conditions or impact, contributing to the physical decline of any developed area. Improper ventilation and sanitation facilities and lack of sun light, clean air, and open spaces contribute to the decline of any urban area. The presence of any or all of these factors, in reasonable amounts, is considered, under the Nebraska Community Development Law, to contribute to the substandard character of any urban area.

Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The existence of conditions endangering life or property by fire and other causes are identified within the study area. Age and structural conditions as well as structural types and public infrastructure present within the area are all evaluated to determine the existence of these conditions. High density of population and overcrowding can also contribute to conditions that endanger life.

Any Combination of Such Factors

When there is a predominance of the existence of any of the above four listed factors, or combination of factors, it indicates substandard conditions. These factors present potential for detrimental effects on public health and safety, morals, or welfare and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime. An evaluation of factors within each of the analysis areas and various combinations of substandard conditions will determine if substandard conditions exist.

1.3 Blighted Area Definition

Section 18-2103 (11) of the Nebraska Revised Statutes indicates a blighted area shall mean an area, which due to 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 and other causes;
or
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 is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which at least one or more of the following conditions exists:
 - a. unemployment in the study or 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 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;
 - d. the per capita income of the study or designated blighted area is lower than the average per capita income of the City in which the area is designated; or
 - e. the area had either stable or declining population based on the last 2 decennial censuses.

This evaluation includes a detailed exterior survey of the structure and parcel/lot within the study area, a land use inventory, field investigation, analysis of pertinent documents and data, which could validate the existence of blight conditions. The analysis of each of the eleven blight factors were evaluated as follows:

Substantial Number of Deteriorated or Deteriorating Structures

As previously mentioned, a substantial number of deteriorated or deteriorating structures are determined by a structural analysis rating. This is vital in determining a blighted area in need of redevelopment. The system used for classifying the conditions is a major part of any blighted area determination and it must be based on consistent and established criteria which results in accurate descriptions of existing structures. The condition of the structure was evaluated; the site classified; and other environmental conditions and deficiencies recorded.

Existence of Defective or Inadequate Street Layout

Existence of defective or inadequate street layout consists of an analysis of platted streets. Defective street layout is caused from improper platting, irregular land uses requiring platting changes, and topographical challenges including natural land disturbances like rivers or creeks. Defective or inadequate street layouts could also be caused from dead-end roads. These could all cause safety concerns for vehicular and pedestrian traffic with the main reason for concern being safety hazards caused by irregular intersections.

Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

Faulty lot layout in relation to size, adequacy, accessibility, or usefulness consists of the function of the land and how it is platted for development. Lots that are too small, inaccessible, or irregular can impede redevelopment efforts.

Insanitary or Unsafe Conditions

As mentioned previously, insanitary or unsafe conditions are in existence if conditions endangering life or property by fire and other causes are identified within the study area. Age and structural conditions as well as other land use styles present within the area are all evaluated to determine existence of these conditions which are considered blight criteria conditions. These conditions endanger life and can include overcrowding, junk, debris, presence of vermin or other wild animals, lack of sun and air movement, and any conditions which could lead to injury for residents.

Deterioration of Site or Other Improvements

Determining the deterioration of site or other improvements consists of completing site reconnaissance, assessing drainage concerns, evaluating the conditions of roads, and calculating vehicular problems such as parking and speeding. Blight conditions may include: deterioration or lack of improvements such as poor drainage, dirt or gravel roads, concrete or asphalt streets with cracks and potholes, lack of consistent sidewalk infrastructure, and ADA accessibility, undersized and/or deteriorated water and sanitary sewer mains, and many more site and development needs.

Diversity of Ownership

A large diversity of ownership can make it challenging to work through comprehensive redevelopment efforts. Having no diversity of ownership in the study area can also be a blight factor if the single ownership is not taking responsibility for the care and upkeep of the property. This is determined by researching Red Willow County Assessor data as reported on the County's GIS Workshop Site.

Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land

The list of delinquent taxes for real property in Nebraska is posted on the Nebraska Department of Revenue's website, as reported by each County's Treasurer.

Defective or Unusual Conditions of Title

This factor is said to be present when there are problems with the marketability of property titles, including unusual restrictions, unclear ownership, etc. Defective or unusual conditions of title can include improper filings. This can be corrected when the land is being sold, mortgaged, or both. However, defective conditions of the title can render the land unmarketable constituting a blight factor.

Improper Subdivision or Obsolete Platting

Improper subdivision or obsolete platting is considered a blight condition, when there is a wide range of shapes and sizes of platted land that exists within the study area. Some irregular lots of land may not conform to the current municipal standards. Irregular-shaped lots or outdated platting will create challenges for redevelopment efforts and are considered a blight factor.

Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The existence of conditions endangering life or property by fire and other causes are identified within the study area. Age and structural conditions as well as structural types and public infrastructure present within the area are all evaluated to determine the existence of these conditions. High density of population and overcrowding can also contribute to conditions that endanger life.

Any Combination of Such Factors

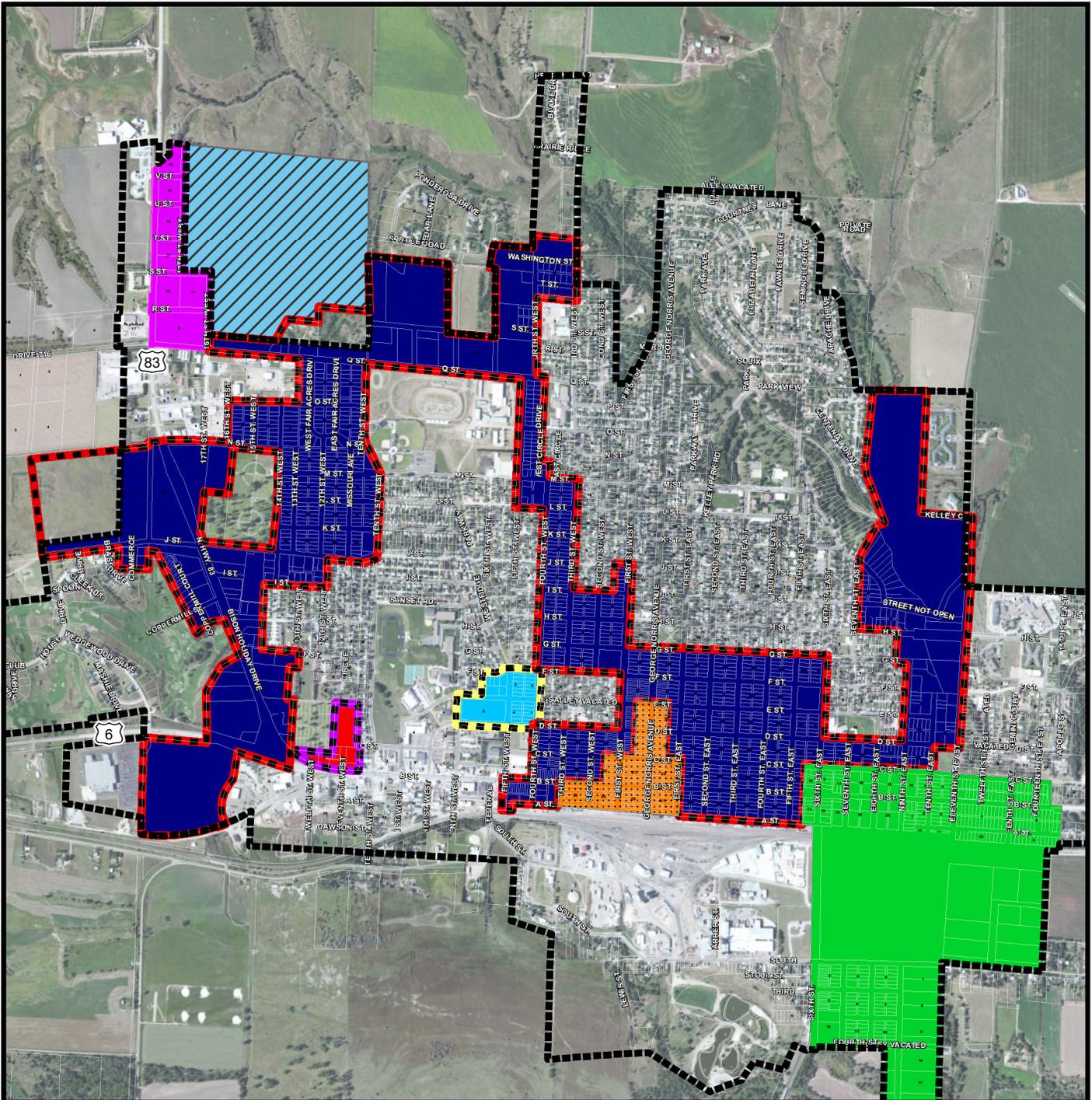
When any combination of such factors exists and substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability, is detrimental to the public health, safety, morals, or welfare in its present condition and use, and in which at least one or more of the following conditions exists:

- unemployment in the study or designated blighted area is at least 120% of the state or national average;
- the average age of the residential or commercial units in the area is at least 40 years;
- more than half of the platted 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;
- the per capita income of the study or designated blighted area is lower than the average per capita income of the City in which the area is designated; or
- the area had either stable or declining population based on the last 2 decennial censuses.

1.4 Community Development Law Classification

McCook is classified as a City of the First Class and, under the Community Development Law, may designate up to 35% of the City as blighted. The Amendment to Redevelopment Area #3 encompasses 17.43 acres, Redevelopment Area #4 encompasses 8.62 acres, and Redevelopment Area #5 encompasses 170.57 acres, of which 46.57 acres is located within McCook's corporate boundary. McCook's total corporate boundary is 3,494.41 acres. The total amount of area within the City designated as blighted and substandard is 1,056.41 acres, or approximately 29% of the community and are shown in Map 1- McCook Overall Blighted Area Map.

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Legend

-  McCook Corp. Boundary (3494.41 AC.)
-  Amendment to Redevelopment Area #3 (17.43 AC.)
-  1997 Area #1 (30.13 AC.)
-  Redevelopment Area #4 (8.62 AC.)
-  1997 Area #2 (263.69 AC.)
-  2019 Area 5 [Inside] (46.57 AC.)
-  2013 Area 3 (698.29 AC.)
-  2019 Area 5 [Outside] (124.06 AC.)
-  2013 Area #3 [Inside] (644.31 AC.)

Prepared By:



Miller & Associates
CONSULTING ENGINEERS, P.C.
Kearney, NE - (308) 234-6456



Map 1:
Overall Blight Map
McCook, Nebraska

1.4 Analysis Approach

Field survey data was collected by Miller & Associates, who analyzed the data collected and examined the condition, age, site, and other factors related to public health, safety, morals, or welfare. Street layout, accessibility, condition, and subdivision layout and design were also investigated within the Redevelopment Areas.

The rating of a structure's condition is a critical step in determining the eligibility of an area for redevelopment. The system to classify structures must be based on established evaluation standards and criteria and result in an accurate and consistent description of the existing conditions. The following summarizes the method used for assessing structural condition, the standards and criteria used for evaluation, and the findings of dilapidated/deteriorating structures.

A field survey method was used to assess and record the structure's conditions. The structural condition analysis was based on an exterior inspection to note deficiencies for the structure and to identify related environmental deficiencies. An inspection and analysis of the blighted and substandard factors listed in the State Statutes were made to determine whether each or any were present in the study area. Photos were taken of the structure and lot for each Redevelopment Area and are included in this document.

Structural Components

During the field survey every structural component within the Redevelopment Areas were examined, from the exterior, to determine whether its condition was sound or had minor, major, or critically substandard defects. Structural components examined were of two types.

Primary (Major) Components: These include the basic elements such as the structures' roof, walls, and foundation composition.

Secondary (Minor) Components: These components are the necessary secondary structural elements such as roof type, chimney, gutters and down spouts, wall surfaces and condition, paint, doors, windows, porches, steps, and fire escapes, driveway, and siding condition.

Criteria for Classifying Structure Components

Both the primary/major and secondary/minor components were evaluated, from the exterior, for a measure of determining the overall condition of the structure. This evaluation considered the relation and importance of each component separately and the effects the found deficiencies will have on the structure.

Structure Components Classifications

The four categories used in classifying structural conditions are as follows:

Sound: A sound structure is one that has been and can be kept in good condition with normal maintenance. Structural components contain no defects and require no treatment other than normal maintenance.

Minor Deficient (Minor Repair): A structure ranked as minor deficient has components that contain defects that can be corrected through the course of normal maintenance or minor repair. Minor defects have no real effects on either structural or architectural components. The rectification of such defects may be accomplished by the owner or tenant and are not considered in rating a structure as structurally substandard.

Major Substandard/Requiring Major Repair (Deteriorating): A structure ranked as major deficient has components with major defects over an extensive area. Correction of such major defects would require reconstruction of components by practiced and experienced people in that trade.

Substandard Critical (Dilapidated/Deteriorated): A substandard structure contains major defects that are so serious and extensive that the structure cannot feasibly be economically repaired. A dilapidated structure contains such serious defects that there is no question that it is uninhabitable and should be demolished. All major components of a dilapidated structure have defects that are major or critical in nature or a combination of less serious major component defects together with several minor component defects that are ranked as critical in nature.

Blighted and Substandard Factor Distribution

This analysis was performed on the basis that the substandard and blighted factors defined in the Nebraska Community Development Law must be reasonably distributed within an area determined to be substandard and blighted.

Blighted and Substandard Rating Criteria

Each of the blighted and substandard factors is classified into one of four criteria based off of the site reconnaissance and data analysis. The four factors are the following: not at all, mild, reasonable, and strong, all representing the degree of presence of each of the blighted and substandard factors.

1.5 Additional Public Intervention

The presence of one or more of these blighted and substandard conditions may make it fitting to declare an area blighted or substandard under state statute. This analysis was conducted because it was believed additional public intervention, over and above the exercise of police power, is needed to overcome the problems that exist in the substandard and blighted study area. Section 18-2012 of the Nebraska Community Development Law states: “a determination shall be made that the conditions existing in any such blighted and substandard area are beyond remedy and control solely by regulatory process in the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprises without the aids provided under the Community Development Law.”

1.6 Conclusion

Assessments of all the related factors listed in the Nebraska Community Development Law indicate whether an area is deemed blighted and substandard. Although the presence of one or more of the stated factors may be sufficient to make a finding of blighted and substandard under the State Statute, this evaluation was made on the basis that would lead rational persons to conclude public intervention is appropriate and/or necessary to assist with redevelopment activities.

SECTION 2: AMENDMENT TO REDEVELOPMENT AREA #3 ANALYSIS

2.1 Existing Land Use

Map 2 – Amendment to Redevelopment Area #3 Location shows the boundaries of the Amendment to Redevelopment Area #3 within the corporate limits of the City of McCook, Nebraska. Map 3 – Existing Land Use Map of Amendment to Redevelopment Area #3 depicts the existing land use within the study area. The existing land use category of the study area is designated as commercial.

2.2 Research Approach

The research approach implemented for the Blight and Substandard Determination Study included an assessment of the blight and substandard determination factors listed in the Nebraska Community Development Law. These factors were investigated on an area wide basis, which included exterior structural conditions, individual structures and properties, streets, alleys, sidewalks, driveways, railways, and open spaces. For further explanation of how data was collected and evaluated, see Analysis Approach previously presented in this document.

2.3 Substandard Factors

As an overview, Section 18-2103 (10) in the Revised Nebraska Statutes indicates a substandard area shall mean an area in which there is a predominance of building or improvements with a presence of the following:

Dilapidated/Deterioration of Structures;
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, and is
Detrimental to the Public Health, Safety, Morals, or Welfare.

Dilapidated/Deteriorated Structures

Survey data revealed several structures within the Amendment to Redevelopment Area #3 were deteriorated. Multiple primary structures need major rehabilitation, while several accessory structures and surrounding parking lots, retaining walls, and fences are also dilapidated requiring significant rehabilitation, removal, or replacement. There is scattered debris surrounding several structures, including loose trash, overgrown vegetation, downed tree limbs, and graffiti. Unwanted nuisances contribute to an environment that encourages pests and vermin.

Conclusion: The results of the field survey of the exterior building conditions indicate deteriorated structures are present to a reasonable extent within the Amendment to Redevelopment Area #3.

Age or Obsolescence of Structures

Data from the Red Willow County Assessor data indicates 85% of the primary structures within the Amendment to Redevelopment Area #3 were constructed prior to 1979, more than 40 years ago. Approximately half of the structures were built between 1900 and 1923.

Conclusion: Eighty-five percent of the primary structures are more than 40 years old, presenting a strong substandard factor within the Amendment to Redevelopment Area #3.

Inadequate Provisions for Ventilation, Light, Air, Sanitation, or Open Spaces

The results from the exterior building and lot conditions survey provided the basis for the detection of insanitary and unsafe conditions. Factors that present on-going negative conditions may contribute to the physical decline of any developed area. Improper ventilation and sanitation facilities and lack of sunlight, clean air, and open spaces can contribute to the decline of any urban area; the presence of any or all of these factors in reasonable amounts is considered, under Nebraska Community Development Law, to contribute to the substandard character of an urban area.

Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events.

Additionally, areas were identified, through the field survey, with cracked, uneven concrete leading to pooling/ponding water during rainfall events. This can attract insects and create insanitary conditions around the property. Also, varying amounts of junk, debris, and overgrown vegetation/downed tree limbs are prevalent within the Amendment to Redevelopment Area #3. This can negatively affect health and sanitation as well as create potential for fire hazards.

Conclusion: Inadequate provisions for ventilation, light, air, sanitation, or open spaces in the Amendment to Redevelopment Area #3 are present to a reasonable degree to constitute a substandard factor.

Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Amendment to Redevelopment Area #3. Eighty-five percent of the primary structures were more than 40 years old, with several structures being built between 1900 and 1922. One of the large commercial buildings is vacant and has been for some time. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.

There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation/downed tree limbs could constitute a substantial fire hazard, which would endanger both life and property.

Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events. Poor stormwater conveyance can be a threat to property and life.

Conclusion: The conditions that endanger life or property by fire and other causes were sufficient to constitute a strong substandard factor in the Amendment to Redevelopment Area #3.

Any Combination of Such Factors

The presence and combination of the above listed factors indicates substandard conditions exist. When two or more of these factors exist in the same area, they present potential for detrimental effects on public health and safety. An evaluation of substandard factors within the Amendment to Redevelopment Area #3 and various combinations of substandard conditions produced the following findings:

- There are several instances where varying amounts of debris, uncontrolled vegetation, and junk were identified, which constitute a fire hazard that could endanger both life and property. Junk and debris stored near or on buildings and lots can harbor breeding grounds for vermin that produce negative impacts on animal and human health as well as negatively impact the overall appearance and appeal of the area.
- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Amendment to Redevelopment Area #3. Eighty-five percent of the primary structures were more than 40 years old, with several structures being built between 1900 and 1922. The age of these structures implies wiring is possibly outdated and in many cases reaching the point of being overloaded by present-day electrical demands. Additionally, a large commercial structure located in the study area is more than 40 years old, which is a substandard condition. The building is currently vacant and has been vacant for some time. Previous uses of the commercial building have varied, including a grocery store and a bar. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.
- Several areas of sidewalk within the Amendment to Redevelopment Area #3 are cracked and uneven. There were several instances observed through our field survey where there the sidewalks were deteriorated to a point where it would significantly impede pedestrian traffic. With age and condition of the sidewalks in this area as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Amendment to Redevelopment Area #3, pedestrians do not have a consistent form of accessible transportation.
- Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events. Poor stormwater conveyance can be a threat to property and life. Additionally, cracked, uneven concrete leading to pooling/ponding water during rainfall events was noticed. This can attract insects and create insanitary conditions around the property.

Conclusion: The combination of these factors throughout the Amendment to Redevelopment Area #3 indicates a strong substandard presence.

Determination of Substandard Factors

A predominance of parcels within the Amendment to Redevelopment Area #3 meets the requirements of ‘substandard’ as outlined in the Nebraska Community Development Law. Structures and properties were evaluated and the substandard factors were determined to be present to one of the following strengths: strong, reasonable, mild, or not at all. There is a distribution of the defined factors that indicated the analysis area is substandard. A predominance of all four factors, and combinations of these factors, are present and were determined through the evaluation.

Conclusion: The Amendment to Redevelopment Area #3 has two substandard factors present to a reasonable extent, two substandard factors were present to a strong extent, and a combination of these factors was present to a strong degree. **Table 2.1 – Presence of Substandard Factors, Amendment to Redevelopment Area #3** summarizes the presence of substandard factors.

**Table 2.1 – Presence of Substandard Factors
Amendment to Redevelopment Area #3**

<i>Substandard Factor</i>	Degree
<i>Dilapidated/Deterioration of Structures</i>	Reasonable
<i>Age or Obsolescence</i>	Strong
<i>Inadequate Provision for Ventilation, Light, Air, Sanitation, or Open Spaces</i>	Reasonable
<i>High Density of Population and Overcrowding, or the Existence of Conditions Which Endanger Life or Property by Fire and Other Causes</i>	Strong
<i>Any Combination of Such Factors</i>	Strong

2.4 Blight Factors

As an overview, Section 18-2103 (11) in the Revised Nebraska Statutes indicates a blighted area shall mean an area, which by reason of the presence of the following:

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. Existence of conditions that endanger life or property by fire or other causes, or
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 is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which at least one or more of the following conditions exists:
 - a. Unemployment in the study or 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 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;
- d. 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;
- e. The area has had either stable or decreasing population based on the last two decennial censuses.

Presence of Substantial Deteriorated or Deteriorating Structures

Several primary structures within the Amendment to Redevelopment Area #3 are in poor condition. The exterior conditions survey revealed several deteriorating conditions including: rusting, weathered, and outdated conditions consistently present on a few commercial structures; deteriorating siding, windows, and porches on several residential structures; outdated, deteriorating signage; and dilapidated secondary structures. In addition, cracked and uneven parking lots, sidewalks, and retaining walls are in major need of rehabilitation and/or replacement. There is scattered debris surrounding several structures, including loose trash, overgrown vegetation, downed tree limbs, and graffiti. **Table 2.2 – Structural Rating, Amendment to Redevelopment Area #3** summarizes the exterior rating of primary structures in the Amendment to Redevelopment Area #3.

**Table 2.2 – Structural Rating
Amendment to Redevelopment Area #3**

<i>Land Use</i>	Sound	Minor Deficient Deteriorating	Major Deficient Deteriorating	Critical Substandard/ Dilapidated	Total Number of Structures	Blighted (Major/ Critical)
<i>Residential</i>	2	5	6	0	13	6
<i>Commercial</i>	1	7	1	0	9	1
<i>Public/ Quasi-Public</i>	0	3	0	0	3	0
<i>Total</i>	3	15	7	0	25	7
<i>Percent</i>	12%	60%	28%	0%	100%	28%

Note: Percentages are rounded.

A summarization of the classifications for the Amendment to Redevelopment Area #3 is as follows:

- Three (3) of twenty-five (25) primary structures were classified as structurally sound;
- Fifteen (15) structures were classified as deteriorating with minor defects;
- Seven (7) structures were classified as deteriorated with major defects; and
- Zero (0) structures were classified as substandard, dilapidated with critical defects.

Conclusion: Results of the exterior building survey conditions indicate twenty-eight percent (28%) of the structures are in major or critically deteriorating condition, which presents blight to a reasonable extent throughout the Amendment to Redevelopment Area #3.

Existence of Defective or Inadequate Street Layout

The intersection of Westridge Parkway, West ‘F’ Street, and West 5th Street located in the northeast corner of the Amendment to Redevelopment Area #3 could pose potential traffic concerns. Westridge Parkway runs diagonal northwest to the southeast and meets at the intersection of West ‘F’ Street and West 5th Street. Beyond the one unique intersection and diagonal road, the Amendment to Redevelopment Area #3 has a standard grid-style street pattern.

Conclusion: The existence of defective or inadequate street layout is present to a mild degree within the Amendment to Redevelopment Area #3.

Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

The field survey data defining building uses and conditions combined with the investigation and review of subdivision plat maps collectively indicate that no significant problems exist relative to lot adequacy, usefulness, size, and underutilization of land.

Conclusion: Faulty lot layout in relation to size, adequacy, accessibility, and usefulness is not at all present within the Amendment to Redevelopment Area #3; therefore, it does not qualify as a blight factor.

Insanitary and Unsafe Conditions

The results of the field survey provided the foundation for the recognition of insanitary and unsafe conditions throughout the Amendment to Redevelopment Area #3. Factors contributing to insanitary and unsafe conditions are:

- Deteriorating or dilapidated conditions cited in this Study are present with respect to the structures within the Amendment to Redevelopment Area #3. Hazards, such as inadequate roof condition/drainage, poor siding conditions, and dilapidated secondary structures.
- A few lots were found to have debris, uncontrolled vegetation, and junk scattered about the property. This is unappealing, unsafe, and constitutes fire hazardous conditions. These conditions also provide breeding and nesting grounds for vermin and produce public nuisance and eye sores, which can have a negative impact on surrounding health and viability of the area.
- Lack of clearly-marked pedestrian crossings also present safety issues for residents.
- Lack of ADA accessibility, based on 2010 ADA Design Guidelines, exists in public areas throughout the Amendment to Redevelopment Area #3.
- Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events. Poor stormwater conveyance can be a threat to property and life. Additionally, cracked, uneven concrete leading to pooling/ponding water during rainfall events was noticed. This can attract insects and create insanitary conditions around the property.
- Many areas of the streets within Amendment to Redevelopment Area #3 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen.

Conclusion: Insanitary and unsafe conditions are present to a strong degree throughout the Amendment to Redevelopment Area #3.

Deterioration of Site Improvements

Field observations performed to evaluate the condition of site improvements such as streets, alleys, sidewalks, curbs, and gutters provided the foundation for the recognition of deterioration of site improvements throughout the Amendment to Redevelopment Area #3. Factors contributing to deterioration of site improvements are:

Sidewalks within the Amendment to Redevelopment Area #3 are cracked and uneven. There were several instances observed through our field survey where the sidewalks were deteriorated to a point it would significantly impede pedestrian traffic. With age and condition of the sidewalks in this area as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition and non-existent ADA ramps and pedestrian crosswalks throughout the Amendment to Redevelopment Area #3, pedestrians do not have a consistent form of safe, accessible transportation.

Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events. Poor stormwater conveyance can be a threat to property and life. Additionally, cracked, uneven concrete leading to pooling/ponding water during rainfall events was noticed. This can attract insects and create insanitary conditions around the property.

Several secondary structures found within Amendment to Redevelopment Area #3 are deteriorating, affecting the overall appeal of the property and the neighborhood.

Fencing and retaining walls on a couple of the properties need rehabilitation and/or replacement. There are numerous cracks and significant wear and tear present on all surfaces of the retaining walls and several areas where there is damage to the fencing. This poses a safety concern and adds to the deteriorated state of site improvements.

Many areas of the streets within Amendment to Redevelopment Area #3 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen.

Conclusion: Deterioration of site improvements is present to a strong degree in the Amendment to Redevelopment Area #3 and constitutes as a blight factor.

Diversity of Ownership

The Amendment to Redevelopment Area #3 has a high diversity of ownership making it more challenging to assemble parcels of land to form a redevelopment project.

Conclusion: Diversity of ownership within the Amendment to Redevelopment Area #3 may affect the ability for proper redevelopment therefore constituting a mild blight factor.

Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land

The status of real estate taxes for properties located within the Amendment to Redevelopment Area #3 was evaluated. The list of delinquent taxes for real property in Nebraska is posted on the Nebraska Department of Revenue's website, as reported by each County's Treasurer. After reviewing the list for Red Willow County, it was determined that none of the properties located in the Amendment to Redevelopment Area #3 have any tax or special assessment delinquency.

Conclusion: This blight factor is not at all present within the Amendment to Redevelopment Area #3.

Defective or Unusual Condition of Title

A title insurance policy is usually issued whenever land is sold, mortgaged, or both; any title defects are corrected at the time of issuance. All other titles in the same subdivision or addition need to be checked when new title insurance has been written. Everything preceding the issuance of the title should be the same and any defects previously corrected. The possibility for title problems should be limited to improper filings, since platting on properties that have not been mortgaged or sold is very small.

Conclusion: Defective or unusual condition of title with properties in the Amendment to Redevelopment Area #3 does not appear to exist and does not at all constitute a blight factor.

Improper Subdivision or Obsolete Platting

Developed land uses in the Amendment to Redevelopment Area #3 consist of commercial, recreational, public service, and residential. The Amendment to Redevelopment Area #3 has traditional style platting with larger commercial lots and 50-foot wide residential lots. Even though many of the properties were constructed in the early 1900s, this platting style is still typical for development by today's standards.

Conclusion: Improper subdivision or obsolete platting is not at all present and does not constitute a blight factor within the Amendment to Redevelopment Area #3.

The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The field survey and data gathered were considered in determining the existence of conditions that endanger life or property by fire and other causes. Several conditions exist in the Amendment to Redevelopment Area #3 that could potentially endanger life or property to varying degrees and are summarized as follows:

- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Amendment to Redevelopment Area #3. Eighty-five percent of the primary structures were more than 40 years old, with several structures being built between 1900 and 1922. One of the large commercial buildings is vacant and has been for some time. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.
- There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation/downed tree limbs could constitute a substantial fire hazard, which would endanger both life and property.
- Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events. Poor stormwater conveyance can be a threat to property and life.

Conclusion: Conditions which endanger life or property through fire or other causes do exist to a reasonable extent in the Amendment to Redevelopment Area #3.

Any Combination of Such Factors

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 in which at least one or more of the following conditions exists:

- unemployment in the study or designated blighted area is at least 120% of the state or national average;
- the average age of the residential or commercial units in the area is at least 40 years;
- 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;
- the per capita income of the study or designated blighted area is lower than the average per capita income of the City in which the area is designated; or
- the area had either stable or declining population based on the last 2 decennial censuses.

There are significant blighted characteristics present within the Amendment to Redevelopment Area #3 as mentioned above. Examination of the field data and information gathered as part of this analysis indicates the existence of the following conditions, which impede the sound growth of the Amendment to Redevelopment Area #3:

- Unkempt appearances, junk, and debris produce negative impacts and site conditions. These results discourage development or rehabilitation efforts, and hamper overall economic development of the area.
- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Amendment to Redevelopment Area #3. Eighty-five percent of the primary structures were more than 40 years old, with several structures being built between 1900 and 1922. The age of these structures implies wiring is possibly outdated and in many cases reaching the point of being overloaded by present-day electrical demands. Additionally, a large commercial structure located in the study area is more than 40 years old, which is a substandard condition. The building is currently vacant and has been vacant for some time. Previous uses of the commercial building have varied, including a grocery store and a bar. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.
- Several areas of sidewalk within the Amendment to Redevelopment Area #3 are cracked and uneven. There were several instances observed through our field survey where the sidewalks were deteriorated to a point where it would significantly impede pedestrian traffic. With age and condition of the sidewalks in this area as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Amendment to Redevelopment Area #3, pedestrians do not have a consistent form of accessible transportation.

- Stormwater drainage and flooding has created many issues for this area. Several houses along 4th Street have had water in their basements. Businesses and the park along 5th Street have also had flooding and drainage challenges during rainfall events. Poor stormwater conveyance can be a threat to property and life. Additionally, cracked, uneven concrete leading to pooling/ponding water during rainfall events was noticed. This can attract insects and create insanitary conditions around the property.
- Several fences and retaining walls present within the area are in poor condition. There are numerous cracks and significant wear and tear present on the retaining walls and several areas where there is damage to the fencing. This poses a safety concern and adds to the deteriorated state of site improvements.
- Many areas of the streets within Amendment to Redevelopment Area #3 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen. The lack of upkeep with respect to the parking lot, sidewalks, curb and gutters, vegetation, exterior condition of the building, lighting, signage, etc. also shows major signs of site deterioration.

The following conditions also exist within the Amendment to Redevelopment Area #3 contributing to the blight factors:

- Red Willow County Assessor data indicates that 85% of the primary structures located within the Amendment to Redevelopment Area #3 were constructed more than 40 years ago. Many of the properties were built between 1900 and 1922. This can be discouraging for reinvestment in the area. The lack of rehabilitation and reinvestment is a major factor impeding the retention of adequate, safe, and sanitary development.
- The City of McCook, as a whole, has a lower median household income than the State of Nebraska. Based on the 2013-2017 American Community Survey reported McCook's median household income to be \$40,372 which is significantly lower than Nebraska's median household income of \$56,675.
- The City of McCook's population has shown a steady decrease since 1980, when the population was 8,404 to 2010, when the City had a population of 7,698 residents.

Conclusion: The combination of the blight factors outlined in this document and presence of socioeconomic constraints, limits the sound redevelopment, impedes provisions to provide adequate housing and commercial development, and produces an on-going economic liability. There is a strong presence of these blight conditions.

Determination of Blight Factors

A predominance of parcels within the Amendment to Redevelopment Area #3 meets the requirements of ‘blighted’ as outlined in the Nebraska Community Development Law. Structures and properties were evaluated and the blight factors were determined to be present to one of the following strengths: strong, reasonable, mild, or not at all. There is a distribution of the defined factors that indicated the analysis area is blighted. A predominance of all ten factors, and combinations of these factors, are present and were determined through the evaluation.

Conclusion: The Amendment to Redevelopment Area #3 has four blight factors not present, two blight factors present to a mild degree, one blight factor present to a reasonable extent, three blight factors were present to a strong extent, and a combination of these factors was present to a strong degree. **Table 2.3 – Presence of Blight Factors, Amendment to Redevelopment Area #3** summarizes the presence of blight factors.

**Table 2.3 – Presence of Blight Factors
Amendment to Redevelopment Area #3**

<i>Blight Factor</i>	Degree
<i>Substantial Number of Deteriorated or Deteriorating Structures</i>	Reasonable
<i>Existence of Defective or Inadequate Street Layout</i>	Mild
<i>Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness</i>	Not at All
<i>Insanitary or Unsafe Conditions</i>	Strong
<i>Deterioration of Site or Other Improvements</i>	Strong
<i>Diversity of Ownership</i>	Mild
<i>Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land</i>	Not at All
<i>Defective or Unusual Conditions of Title</i>	Not at All
<i>Improper Subdivision or Obsolete Platting</i>	Not at All
<i>The Existence of Conditions that Endanger Life or Property by Fire or Other Causes</i>	Reasonable
<i>Combination of Blighting Factors and the Presence of Other Socioeconomic Conditions</i>	Strong

2.5 Determination of Need for Public Intervention

Section 18-2102 of the Nebraska Community Development Law requires that in determining whether or not any area is blighted and substandard, the condition of the area must be such that the remedy of the blight and substandard conditions within the area be beyond the control of the City’s use of regulatory control and exercise of the police power, and cannot be effectively dealt with by the ordinary operations of private enterprise without the aids provided under this law. The McCook City Council, acting as reasonable and practical persons, could deem public intervention as essential or appropriate. For that reason, each factor being evaluated in the context of the extent of its presence, and the combined impact of all factors found in the area, this study finds that public intervention is needed for redevelopment efforts.

Evaluation of substandard and blighted conditions indicates that the City of McCook can and should encourage long-term improvements within the Amendment to Redevelopment Area #3. Improvements and conditions can be accomplished through applications of zoning regulations; nuisance abatement; infrastructure improvements; pedestrian accessibility improvements; dilapidated building demolition, rehabilitation, and construction; and debris cleanup. Increasing taxes or assessments to fund needed improvements would reduce available incomes of area patrons and lead to the further decline in the maintenance, upkeep, and quality of structures in the area and City as a whole.

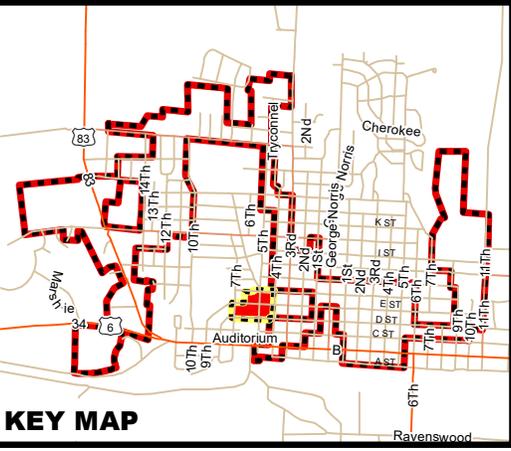
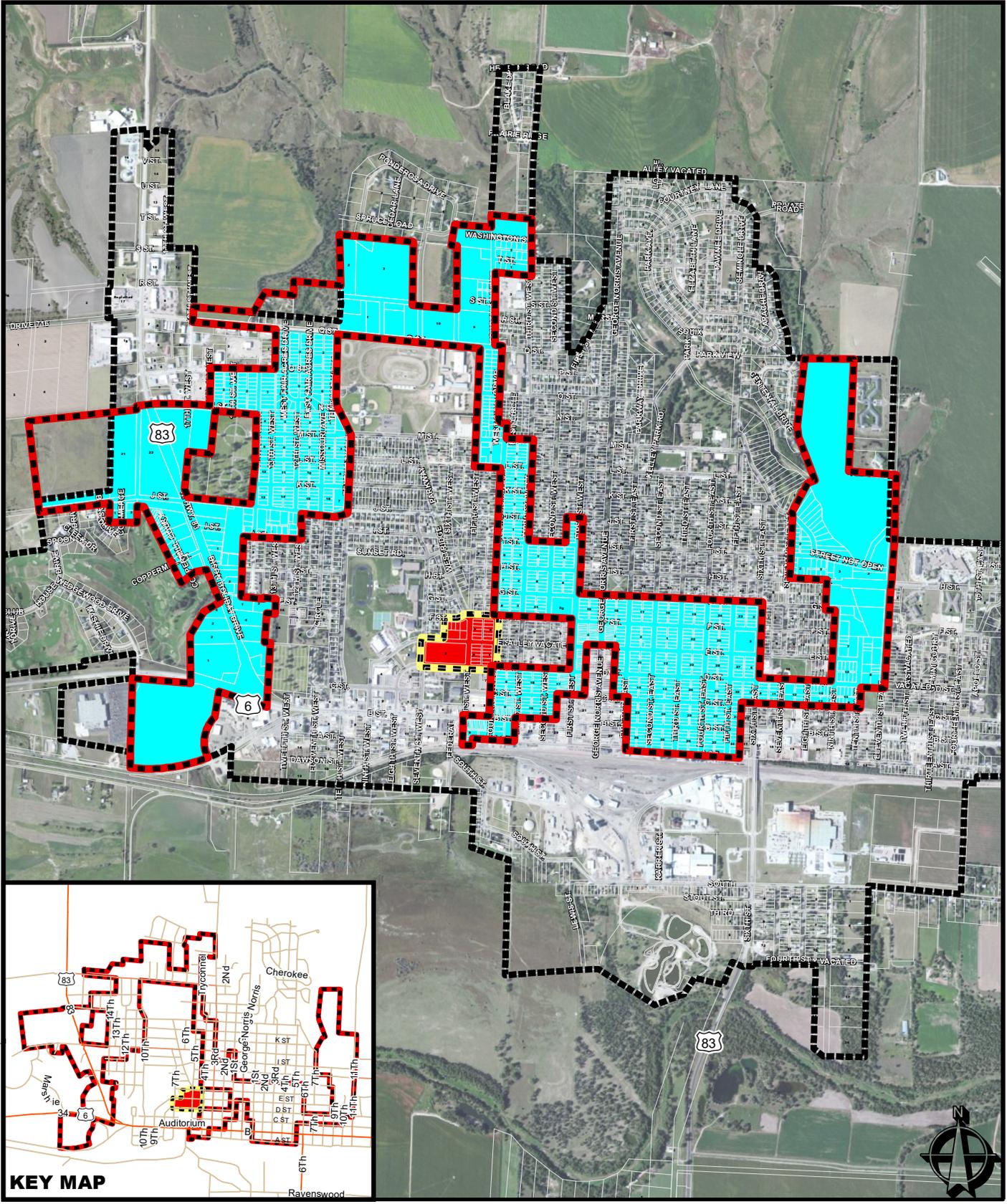
The community cannot achieve improvements without the aids made available through the Community Development Law. Existing conditions, including structural conditions, debris, overgrown vegetation/downed tree limbs, and vacancy are deterrents and discourage private redevelopment and investment. Many structures continue to age and deteriorate; if not redeveloped or rehabilitated, these structures can create safety concerns for the area. All of these conditions contribute to the decrease in marketability for development and redevelopment of the Amendment to Redevelopment Area #3. A solution can only be found through the means made available through the Nebraska Community Redevelopment Law.

In summary, if substandard and blighted conditions were remedied within a reasonable time, redevelopment of the area would improve the economic climate and prevent further decline of the area. This can be accomplished through joint efforts of the private sector, the City of McCook, and aids provided under the Community Redevelopment Law. Working together to remedy and repair substandard and blighted conditions has been determined to be essential, warranted, and vital to the redevelopment of the Amendment to Redevelopment Area #3.

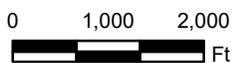
2.6 Conclusion

The previously listed substandard and blighted factors have been identified through analysis of census data, survey data results, and field evaluation and are sufficiently present and distributed for designation of the Amendment to Redevelopment Area #3 to be blighted and substandard.

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KEY MAP



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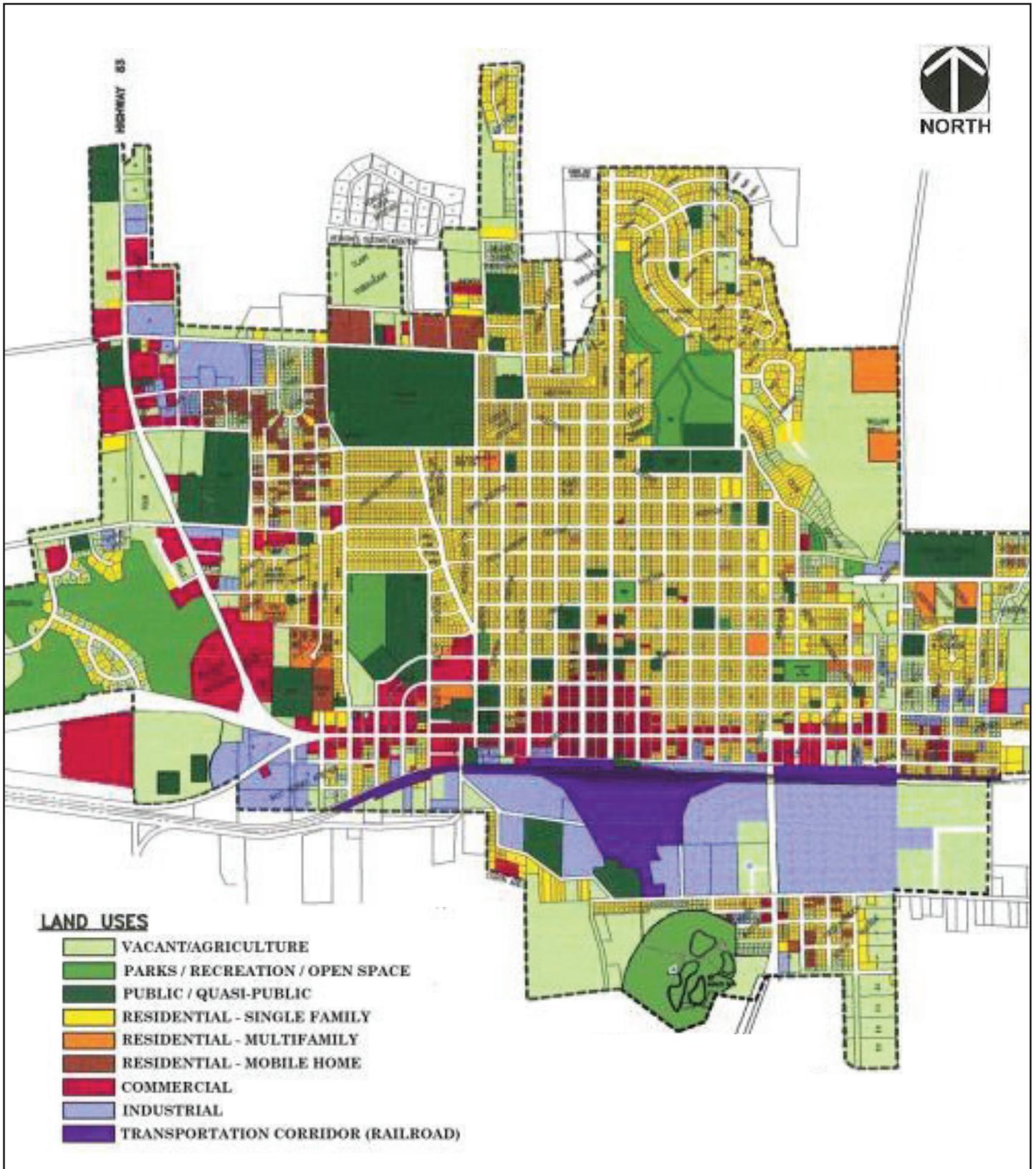


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Legend

-  2013 Area 3 (698.29 AC)
-  McCook Corp. Bdry (3494.41 AC.)
-  2013 Area 3 [Inside] (644.31 AC.)
-  Amendment to Redevelopment Area #3 (17.43 AC.)

Map 2:
Amendment to
Redevelopment
Area #3
McCook, Nebraska



Map Produced for
 McCook, Nebraska Comprehensive Plan 2013-2023, by:
HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

* Lincoln, Nebraska * 402.464.5383 *

Existing Land Use Map
 McCook, Nebraska

Images of Area #3



SECTION 3: REDEVELOPMENT AREA #4 ANALYSIS

3.1 Existing Land Use

Map 4 –Redevelopment Area #4 Location shows the boundaries of the Redevelopment Area #4 within the corporate limits of the City of McCook, Nebraska. Map 5 – Existing Land Use Map of Redevelopment Area #4 depicts the existing land use within the study area. The existing land use categories of the study area are designated as commercial, commercial, single-family residential, and multi-family residential.

3.2 Research Approach

The research approach implemented for the Blight and Substandard Determination Study included an assessment of the blight and substandard determination factors listed in the Nebraska Community Development Law. These factors were investigated on an area wide basis, which included exterior structural conditions, individual structures and properties, streets, alleys, sidewalks, driveways, railways, and open spaces. For further explanation of how data was collected and evaluated, see Analysis Approach previously presented in this document.

3.3 Substandard Factors

As an overview, Section 18-2103 (10) in the Revised Nebraska Statutes indicates a substandard area shall mean an area in which there is a predominance of building or improvements with a presence of the following:

Dilapidated/Deterioration of Structures;
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, and is Detrimental to the Public Health, Safety, Morals, or Welfare.

Dilapidated/Deteriorated Structures

Survey data revealed the several structures within the Redevelopment Area #4 were in a deteriorating state. Several primary structures need major rehabilitation, however multiple structures needed minor repairs, which, if left uncompleted, could create a deteriorated state. There is scattered debris surrounding several structures, including loose trash, overgrown vegetation, and evidence of unfinished construction. Unwanted nuisances contribute to an environment that encourages pests and vermin.

Conclusion: The results of the field survey of the exterior building conditions indicate deteriorated structures are present to a reasonable extent within the Redevelopment Area #4.

Age or Obsolescence of Structures

Data from the Red Willow County Assessor indicates that 4 of the 6, or 67%, of the primary structures within the Redevelopment Area #4 were constructed prior to 1978, more than 40 years ago. This area also has multiple trailer homes that appear to be more than 40 years of age but are not registered with the Red Willow County Assessor.

Conclusion: Sixty-seven percent of the primary structures are more than 40 years old, presenting a **strong** substandard factor within the Redevelopment Area #4.

Inadequate Provisions for Ventilation, Light, Air, Sanitation, or Open Spaces

The results from the exterior building and lot conditions survey provided the basis for the detection of insanitary and unsafe conditions. Factors that present on-going negative conditions may contribute to the physical decline of any developed area. Improper ventilation and sanitation facilities and lack of sunlight, clean air, and open spaces can contribute to the decline of any urban area; the presence of any or all of these factors in reasonable amounts is considered, under Nebraska Community Development Law, to contribute to the substandard character of an urban area.

Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life.

Additionally, areas were identified, through the field survey, with cracked, uneven concrete leading to pooling/ponding water during rainfall events. This can attract insects and create insanitary conditions around the property. Also, varying amounts of junk, debris, and overgrown vegetation are present within the Redevelopment Area #4. This can negatively affect health and sanitation as well as create potential for fire hazards.

Conclusion: Inadequate provisions for ventilation, light, air, sanitation, or open spaces in the Redevelopment Area #4 are present to a **reasonable** degree to constitute a substandard factor.

Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #4. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1921 and 1945. This could indicate outdated infrastructure that could cause catastrophic damage if it fails.

There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation could constitute a substantial fire hazard, which would endanger both life and property.

Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life.

Conclusion: The conditions that endanger life or property by fire and other causes were sufficient to constitute a **strong** substandard factor in the Redevelopment Area #4.

Any Combination of Such Factors

The presence and combination of the above listed factors indicates substandard conditions exist. When two or more of these factors exist in the same area, they present potential for detrimental effects on public health and safety. An evaluation of substandard factors within the Redevelopment Area #4 and various combinations of substandard conditions produced the following findings:

- There are several instances where varying amounts of debris, uncontrolled vegetation, and junk were identified, which constitute a fire hazard that could endanger both life and property. Junk and debris stored near or on buildings and lots can harbor breeding grounds for vermin that produce negative impacts on animal and human health as well as negatively impact the overall appearance and appeal of the area.

- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #4. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1921 and 1945. The age of these structures implies wiring is possibly outdated and in many cases reaching the point of being overloaded by present-day electrical demands.
- Several areas of sidewalk within the Redevelopment Area #4 are cracked and uneven. There were several instances observed through our field survey where there the sidewalks were non-existent or deteriorated to a point where it would significantly impede pedestrian traffic. With age and condition of the sidewalks in this area as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Redevelopment Area #4, pedestrians do not have a consistent form of accessible transportation.
- Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life.

Conclusion: The combination of these factors throughout the Redevelopment Area #4 indicates a strong substandard presence.

Determination of Substandard Factors

A predominance of parcels within the Redevelopment Area #4 meets the requirements of ‘substandard’ as outlined in the Nebraska Community Development Law. Structures and properties were evaluated and the substandard factors were determined to be present to one of the following strengths: strong, reasonable, mild, or not at all. There is a distribution of the defined factors that indicated the analysis area is substandard. A predominance of all four factors, and combinations of these factors, are present and were determined through the evaluation.

Substandard Determination Conclusion

The Redevelopment Area #4 has two substandard factors present to a strong extent and three substandard factors present to a reasonable extent, and a combination of these factors was present to a strong degree. **Table 3.1 – Presence of Substandard Factors, Redevelopment Area #4** summarizes the presence of substandard factors.

**Table 3.1 – Presence of Substandard Factors
Redevelopment Area #4**

<i>Substandard Factor</i>	<i>Degree</i>
<i>Dilapidated/Deterioration of Structures</i>	Reasonable
<i>Age or Obsolescence</i>	Strong
<i>Inadequate Provision for Ventilation, Light, Air, Sanitation, or Open Spaces</i>	Reasonable
<i>High Density of Population and Overcrowding, or the Existence of Conditions Which Endanger Life or Property by Fire and Other Causes</i>	Strong
<i>Any Combination of Such Factors</i>	Reasonable

3.4 Blight Factors

As an overview, Section 18-2103 (11) in the Revised Nebraska Statutes indicates a blighted area shall mean an area, which by reason of the presence of the following:

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. Existence of conditions that endanger life or property by fire or other causes, or
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 is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which at least one or more of the following conditions exists:
 - a. Unemployment in the study or 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 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;
 - d. 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;
 - e. The area has had either stable or decreasing population based on the last two decennial censuses.

Presence of Substantial Deteriorated or Deteriorating Structures

Several primary structures within the Redevelopment Area #4 are in poor condition. The exterior conditions survey revealed several deteriorating conditions including: deteriorating siding, windows, and porches on several residential structures. In addition, cracked and uneven parking lots, and sidewalks are in major need of rehabilitation and/or replacement. There is scattered debris surrounding several structures, including loose trash, overgrown vegetation, and evidence of unfinished construction. **Table 3.2 – Structural Rating, Redevelopment Area #4** summarizes the exterior rating of primary structures in the Redevelopment Area #4.

**Table 3.2 – Structural Rating
Redevelopment Area #4**

<i>Land Use</i>	Sound	Minor Deficient Deteriorating	Major Deficient Deteriorating	Critical Substandard/ Dilapidated	Total Number of Structures	Blighted (Major/ Critical)
<i>Residential</i>	1	5	6	0	12	6
<i>Commercial</i>	2	2	0	0	4	0
<i>Public/ Quasi-Public</i>	0		0	0	0	0
<i>Total</i>	3	7	6	0	16	6
<i>Percent</i>	19%	44%	37%	0%	100%	37%

Note: Percentages are rounded.

A summarization of the classifications for the Redevelopment Area #4 is as follows:

- Three (3) of sixteen (16) primary structures were classified as structurally sound;
- Seven (7) structures were classified as deteriorating with minor defects;
- Six (6) structures were classified as deteriorated with major defects; and
- Zero (0) structures were classified as substandard, dilapidated with critical defects.

Conclusion: Results of the exterior building survey conditions indicate 37% of the structures are in major or critically deteriorating condition, which presents blight to a reasonable extent throughout the Redevelopment Area #4.

Existence of Defective or Inadequate Street Layout

The parking lot on the northwest corner of the intersection of Highway 6 and West 11th Street has a light pole that creates a parking hazard for multiple parking stalls. A residential dwelling in the area lacks a driveway. West 11th Street ends in a dead-end that loops around.

Conclusion: The existence of defective or inadequate street layout is present to a mild degree within the Redevelopment Area #4.

Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

The field survey data defining building uses and conditions combined with the investigation and review of subdivision plat maps collectively indicate that no significant problems exist relative to lot adequacy, usefulness, size, and underutilization of land.

Conclusion: Faulty lot layout in relation to size, adequacy, accessibility, and usefulness is not at all present within the Redevelopment Area #4; therefore, it does not qualify as a blight factor.

Insanitary and Unsafe Conditions

The results of the field survey provided the foundation for the recognition of insanitary and unsafe conditions throughout the Redevelopment Area #4. Factors contributing to insanitary and unsafe conditions are:

- Deteriorating or dilapidated conditions cited in this Study are present with respect to the structures within the Redevelopment Area #4. Hazards, such as inadequate roof condition/drainage, poor siding conditions, and dilapidated secondary structures.
- A few lots were found to have debris, uncontrolled vegetation, and junk scattered about the property. This is unappealing, unsafe, and constitutes fire hazardous conditions. These conditions also provide breeding and nesting grounds for vermin and produce public nuisance and eye sores, which can have a negative impact on surrounding health and viability of the area.
- Lack of clearly-marked pedestrian crossings also present safety issues for residents.
- Lack of ADA accessibility, based on 2010 ADA Design Guidelines, exists in public areas throughout the Redevelopment Area #4.
- Stormwater drainage and flooding could create issues for this area Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life. Additionally, cracked, uneven concrete leading to pooling/ponding water during rainfall events was noticed. This can attract insects and create insanitary conditions around the property.
- Many areas of the streets within Redevelopment Area #4 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen.

Conclusion: Insanitary and unsafe conditions are present to a reasonable degree throughout the Redevelopment Area #4.

Deterioration of Site Improvements

Field observations performed to evaluate the condition of site improvements such as streets, alleys, sidewalks, curbs, and gutters provided the foundation for the recognition of deterioration of site improvements throughout the Redevelopment Area #4. Factors contributing to deterioration of site improvements are:

- Sidewalks within the Redevelopment Area #4 are either non-existent or cracked and uneven. There were several instances observed through our field survey where there the sidewalks were deteriorated to a point where it would significantly impede pedestrian traffic. With age and condition of the sidewalks in this area as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition and non-existent ADA ramps and pedestrian crosswalks throughout the Redevelopment Area #4, pedestrians do not have a consistent form of safe, accessible transportation.

- Stormwater drainage and flooding could create issues for this area. Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life.
- Additionally, cracked, uneven concrete leading to pooling/ponding water during rainfall events was noticed. This can attract insects and create insanitary conditions around the property.
- Many areas of the streets within Redevelopment Area #4 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen.

Conclusion: Deterioration of site improvements is present to a strong degree in the Redevelopment Area #4 and constitutes as a blight factor.

Diversity of Ownership

The Redevelopment Area #4 has a moderate diversity of ownership making it more challenging to assemble parcels of land to form a redevelopment project.

Conclusion: Diversity of ownership within the Redevelopment Area #4 may affect the ability for proper redevelopment therefore constituting a mild blight factor.

Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land

The status of real estate taxes for properties located within the Redevelopment Area #4 was evaluated. The list of delinquent taxes for real property in Nebraska is posted on the Nebraska Department of Revenue's website, as reported by each County's Treasurer. After reviewing the list for Red Willow County, it was determined that none of the properties located in the Redevelopment Area #4 have any tax or special assessment delinquency.

Conclusion: This blight factor is not at all present within the Redevelopment Area #4.

Defective or Unusual Condition of Title

A title insurance policy is usually issued whenever land is sold, mortgaged, or both; any title defects are corrected at the time of issuance. All other titles in the same subdivision or addition need to be checked when new title insurance has been written. Everything preceding the issuance of the title should be the same and any defects previously corrected. The possibility for title problems should be limited to improper filings, since platting on properties that have not been mortgaged or sold is very small.

Conclusion: Defective or unusual condition of title with properties in the Redevelopment Area #4 does not appear to exist and does not at all constitute a blight factor.

Improper Subdivision or Obsolete Platting

Developed land uses in the Redevelopment Area #4 consist of commercial and residential. The Redevelopment Area #4 has traditional style platting with larger commercial lots. Even though many of the properties were constructed in the early 1900s, this platting style is still typical for development by today's standards. There is a large lot that is unplatted, which may hinder development.

Conclusion: Improper subdivision or obsolete platting within the Redevelopment Area #4 may affect the ability for proper redevelopment therefore constituting a mild blight factor.

The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The field survey and data gathered were considered in determining the existence of conditions that endanger life or property by fire and other causes. Several conditions exist in the Redevelopment Area #4 that could potentially endanger life or property to varying degrees and are summarized as follows:

- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #4. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1921 and 1945. The age of these structures implies wiring is possibly outdated and in many cases reaching the point of being overloaded by present-day electrical demands.
- There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation/downed tree limbs could constitute a substantial fire hazard, which would endanger both life and property.
- Stormwater drainage and flooding could create issues for this area. Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life.

Conclusion: Conditions which endanger life or property through fire or other causes do exist to a reasonable extent in the Redevelopment Area #4.

Combination of Blight Factors

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 in which at least one or more of the following conditions exists:

- unemployment in the study or designated blighted area is at least 120% of the state or national average;
- the average age of the residential or commercial units in the area is at least 40 years;
- 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;
- the per capita income of the study or designated blighted area is lower than the average per capita income of the City in which the area is designated; or
- the area had either stable or declining population based on the last 2 decennial censuses.

There are significant blight characteristics present within the Redevelopment Area #4 as mentioned above. Examination of the field data and information gathered as part of this analysis indicates the existence of the following conditions, which impede the sound growth of the Redevelopment Area #4:

- Unkempt appearances, junk, and debris produce negative impacts and site conditions. These results discourage development or rehabilitation efforts, and hamper overall economic development of the area.

- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #4. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1921 and 1945. The age of these structures implies wiring is possibly outdated and in many cases reaching the point of being overloaded by present-day electrical demands.
- Several areas of sidewalk within the Redevelopment Area #4 are either non-existent or cracked and uneven. There were several instances observed through our field survey where there the sidewalks were deteriorated to a point where it would significantly impede pedestrian traffic. With age and condition of the sidewalks in this area as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Redevelopment Area #4, pedestrians do not have a consistent form of accessible transportation.
- Stormwater drainage and flooding could create issues for this area. Stormwater drainage and flooding could create issues for this area. There are minimal curbs along the street and inadequate drainage systems. This could lead to flood damage to the properties in this area. Poor stormwater conveyance can be a threat to property and life.
- Many areas of the streets within Redevelopment Area #4 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen. The lack of upkeep with respect to the parking lot, sidewalks, curb and gutters, vegetation, exterior condition of the building, lighting, signage, etc. also shows major signs of site deterioration.

The following conditions also exist within the Redevelopment Area #4 contributing to the blight factors:

- Red Willow County Assessor data indicates that 67% of the primary structures located within the Redevelopment Area #4 were constructed more than 40 years ago. Many of the properties were built between 1921 and 1945. This can be discouraging for reinvestment in the area. The lack of rehabilitation and reinvestment is a major factor impeding the retention of adequate, safe, and sanitary development.
- The City of McCook, as a whole, has a lower median household income than the State of Nebraska. Based on the 2013-2017 American Community Survey reported McCook's median household income to be \$40,372 which is significantly lower than Nebraska's median household income of \$56,675.
- The City of McCook's population has shown a steady decrease since 1980, when the population was 8,404 to 2010, when the City had a population of 7,698 residents.

Conclusion: The combination of the blight factors outlined in this document and presence of socioeconomic constraints, limits the sound redevelopment, impedes provisions to provide adequate housing and commercial development, and produces an on-going economic liability. There is a strong presence of these blight conditions.

Determination of Blight Factors

A predominance of parcels within the Redevelopment Area #4 meets the requirements of ‘blighted’ as outlined in the Nebraska Community Development Law. Structures and properties were evaluated and the blight factors were determined to be present to one of the following strengths: strong, reasonable, mild, or not at all. There is a distribution of the defined factors that indicated the analysis area is blighted. A predominance of all ten factors, and combinations of these factors, are present and were determined through the evaluation.

Blight Determination Conclusion

The Redevelopment Area #4 has three blight factors not present, three blight factors present to a mild degree, three blight factors present to a reasonable extent, one blight factor were present to a strong extent, and a combination of these factors was present to a strong degree. Table 3.3 – Presence of Blight Factors, Redevelopment Area #4 summarizes the presence of blight factors.

**Table 3.3 – Presence of Blight Factors
Redevelopment Area #4**

<i>Blight Factor</i>	Degree
<i>Substantial Number of Deteriorated or Deteriorating Structures</i>	Reasonable
<i>Existence of Defective or Inadequate Street Layout</i>	Mild
<i>Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness</i>	Not at All
<i>Insanitary or Unsafe Conditions</i>	Reasonable
<i>Deterioration of Site or Other Improvements</i>	Strong
<i>Diversity of Ownership</i>	Mild
<i>Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land</i>	Not at All
<i>Defective or Unusual Conditions of Title</i>	Not at All
<i>Improper Subdivision or Obsolete Platting</i>	Mild
<i>The Existence of Conditions that Endanger Life or Property by Fire or Other Causes</i>	Reasonable
<i>Combination of Blighting Factors and the Presence of Other Socioeconomic Conditions</i>	Strong

3.5 Determination of Need for Public Intervention

Section 18-2102 of the Nebraska Community Development Law requires that in determining whether or not any area is blighted and substandard, the condition of the area must be such that the remedy of the blight and substandard conditions within the area be beyond the control of the City, solely by regulatory control and exercise of the police power, and cannot be effectively dealt with by the ordinary operations of private enterprise without the aids provided under this law. The McCook City Council, acting as reasonable and practical persons, could deem public intervention as essential or appropriate. For that reason, each factor being evaluated in the context of the extent of its presence, and the combined impact of all factors found in the area, this study finds that public intervention is needed for redevelopment efforts.

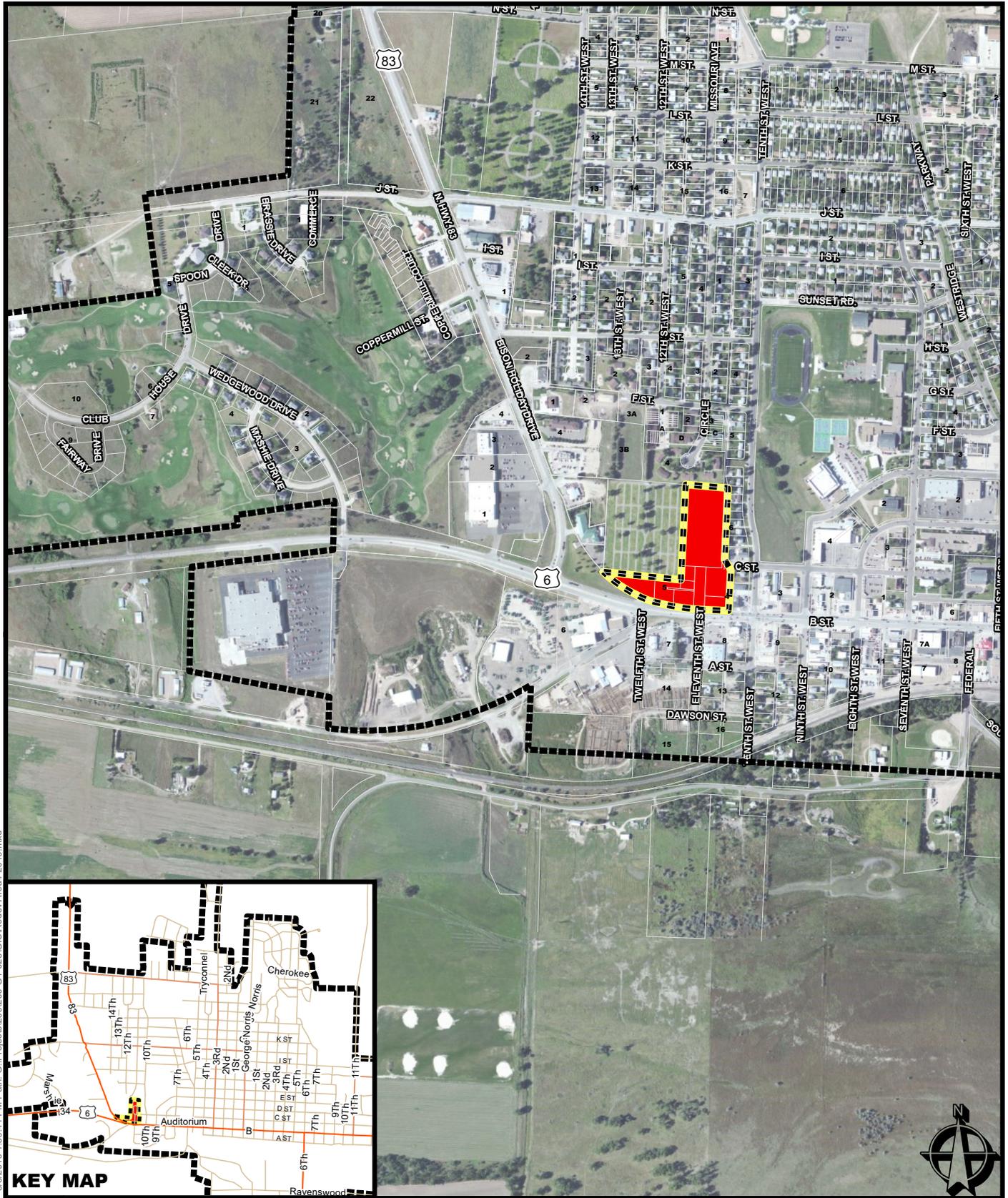
Evaluation of substandard and blighted conditions indicates that the City of McCook can and should encourage long-term improvements within the Redevelopment Area #4. Improvements and conditions can be accomplished through applications of zoning regulations; nuisance abatement; infrastructure improvements; pedestrian accessibility improvements; dilapidated building demolition, rehabilitation, and construction; and debris cleanup. Increasing taxes or assessments to fund needed improvements would reduce available incomes of area patrons and lead to the further decline in the maintenance, upkeep, and quality of structures in the area and City as a whole.

The community cannot achieve improvements without the aids made available through the Community Development Law. Existing conditions, including structural conditions, debris, overgrown vegetation/downed tree limbs, and vacancy are deterrents and discourage redevelopment and private investment. Many structures continue to age and deteriorate; if not redeveloped or rehabilitated, these structures can create safety concerns for the area. All of these conditions contribute to the decrease in marketability for development and redevelopment of the Redevelopment Area #4. A solution can only be found through the means made available through the Nebraska Community Redevelopment Law.

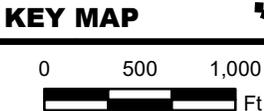
In summary, if substandard and blighted conditions were remedied within a reasonable time, redevelopment of the area would improve the economic climate and prevent further decline of the area. This can be accomplished through joint efforts of the private sector, the City of McCook, and aids provided under the Community Redevelopment Law. Working together to remedy and repair substandard and blighted conditions has been determined to be essential, warranted, and vital to the redevelopment of the Redevelopment Area #4.

3.6 Conclusion

The previously listed substandard and blighted factors have been identified through analysis of census data, survey data results, and field evaluation and are sufficiently present and distributed for designation of the Redevelopment Area #4 to be blighted and substandard.



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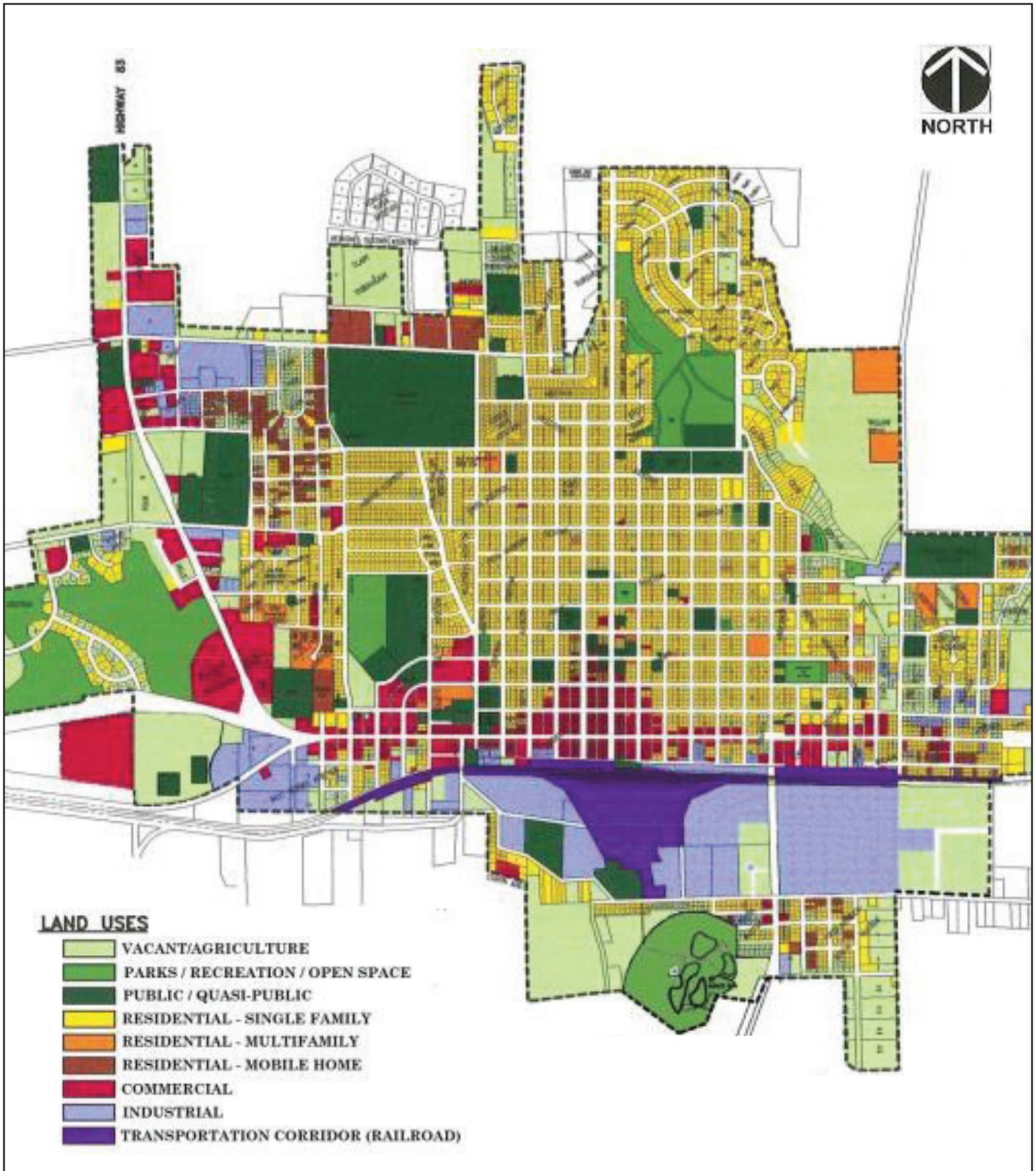
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Kearney, NE - (308) 234-6456

Legend

- McCook Corp. Bdry (3494.41 AC.)
- Redevelopment Area #4 (8.62)

**Map 3:
Redevelopment
Area #4
McCook, Nebraska**



Map Produced for
 McCook, Nebraska Comprehensive Plan 2013-2023, by:
HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

* Lincoln, Nebraska * 402.464.5383 *

Existing Land Use Map
 McCook, Nebraska

Images of Area #4



SECTION 4: REDEVELOPMENT AREA #5 ANALYSIS

4.1 Existing Land Use

Map 6 –Redevelopment Area #5 Location shows the boundaries of the Redevelopment Area #5 within the corporate limits of the City of McCook, Nebraska. Map 7 – Existing Land Use Map of Redevelopment Area #5 depicts the existing land use within the study area. The existing land use category of the study area is designated as commercial.

4.2 Research Approach

The research approach implemented for the Blight and Substandard Determination Study included an assessment of the blight and substandard determination factors listed in the Nebraska Community Development Law. These factors were investigated on an area wide basis, which included exterior structural conditions, individual structures and properties, streets, alleys, sidewalks, driveways, railways, and open spaces. For further explanation of how data was collected and evaluated, see Analysis Approach previously presented in this document.

4.3 Substandard Factors

As an overview, Section 18-2103 (10) in the Revised Nebraska Statutes indicates a substandard area shall mean an area in which there is a predominance of building or improvements with a presence of the following:

Dilapidated/Deterioration of Structures;
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, and is
Detrimental to the Public Health, Safety, Morals, or Welfare.

Dilapidated/Deteriorated Structures

Survey data revealed the several structures within the Redevelopment Area #5 were deteriorated. Some primary structures need major rehabilitation, while several accessory structures and surrounding parking lots are also in need of major repairs, requiring significant rehabilitation, removal, or replacement.

Conclusion: The results of the field survey of the exterior building conditions indicate deteriorated structures are present to a reasonable extent within the Redevelopment Area #5.

Age or Obsolescence of Structures

Data from the Red Willow County Assessor data indicates that 6 out of 9, or 67%, of the primary structures within the Redevelopment Area #5 were constructed prior to 1978, more than 40 years ago.

Conclusion: Sixty-seven percent of the primary structures are more than 40 years old, presenting a strong substandard factor within the Redevelopment Area #5.

Inadequate Provisions for Ventilation, Light, Air, Sanitation, or Open Spaces

The results from the exterior building and lot conditions survey provided the basis for the detection of insanitary and unsafe conditions. Factors that present on-going negative conditions may contribute to the physical decline of any developed area. Improper ventilation and sanitation facilities and lack of sunlight, clean air, and open spaces can contribute to the decline of any urban area; the presence of any or all of these factors in reasonable amounts is considered, under Nebraska Community Development Law, to contribute to the substandard character of an urban area.

There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation/downed tree limbs could constitute a substantial fire hazard, which would endanger both life and property.

Areas were identified, through the field survey, with cracked, uneven concrete leading to pooling/ponding water during rainfall events. This can attract insects and create insanitary conditions around the property. One of the large commercial buildings is vacant and has been for some time. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues. This can negatively affect health and sanitation as well as create potential for fire hazards.

Conclusion: Inadequate provisions for ventilation, light, air, sanitation, or open spaces in the Redevelopment Area #5 are present to a mild degree.

Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #5. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1930 and 1970. One of the large commercial buildings was vacant at the time of this study. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.

There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation/downed tree limbs could constitute a substantial fire hazard, which would endanger both life and property.

Conclusion: The conditions that endanger life or property by fire and other causes were sufficient to constitute a strong substandard factor in the Redevelopment Area #5.

Any Combination of Such Factors

The presence and combination of the above listed factors indicates substandard conditions exist. When two or more of these factors exist in the same area, they present potential for detrimental effects on public health and safety. An evaluation of substandard factors within the Redevelopment Area #5 and various combinations of substandard conditions produced the following findings:

- There are several instances where varying amounts of debris, uncontrolled vegetation, and junk were identified, which constitute a fire hazard that could endanger both life and property. Junk and debris stored near or on buildings and lots can harbor breeding grounds for vermin that produce negative impacts on animal and human health as well as negatively impact the overall appearance and appeal of the area.
- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #5. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1930 and 1970. One of the large commercial buildings was vacant at the time of the study. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.
- Several areas of sidewalk within the Redevelopment Area #5 are cracked and uneven. Where sidewalks exist, they are in good condition. However, there is only a patchwork of sidewalks on the south side of West Q Street and are non-existent on Highway 86. With age and condition of the sidewalks in this area, as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Redevelopment Area #5, pedestrians do not have a consistent form of accessible transportation.

Conclusion: The combination of these factors throughout the Redevelopment Area #5 indicates a strong substandard presence.

Determination of Substandard Factors

A predominance of parcels within the Redevelopment Area #5 meets the requirements of 'substandard' as outlined in the Nebraska Community Development Law. Structures and properties were evaluated and the substandard factors were determined to be present to one of the following strengths: strong, reasonable, mild, or not at all. There is a distribution of the defined factors that indicated the analysis area is substandard. A predominance of all four factors, and combinations of these factors, are present and were determined through the evaluation.

Substandard Determination Conclusion

The Redevelopment Area #5 has one substandard factor present to a mild extent, one substandard factor present to a reasonable extent, two substandard factors were present to a strong extent, and a combination of these factors was present to a strong degree. Table 4.1 – Presence of Substandard Factors, Redevelopment Area #5 summarizes the presence of substandard factors.

**Table 4.1 – Presence of Substandard Factors
Redevelopment Area #5**

<i>Substandard Factor</i>	Degree
<i>Dilapidated/Deterioration of Structures</i>	Reasonable
<i>Age or Obsolescence</i>	Strong
<i>Inadequate Provision for Ventilation, Light, Air, Sanitation, or Open Spaces</i>	Mild
<i>High Density of Population and Overcrowding, or the Existence of Conditions Which Endanger Life or Property by Fire and Other Causes</i>	Strong
<i>Any Combination of Such Factors</i>	Strong

4.4 Blight Factors

As an overview, Section 18-2103 (11) in the Revised Nebraska Statutes indicates a blighted area shall mean an area, which by reason of the presence of the following:

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. Existence of conditions that endanger life or property by fire or other causes, or
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 is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which at least one or more of the following conditions exists:
 - a. Unemployment in the study or 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 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;
 - d. 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;
 - e. The area has had either stable or decreasing population based on the last two decennial censuses.

Presence of Substantial Deteriorated or Deteriorating Structures

Several primary structures within the Redevelopment Area #5 are in poor condition. The exterior conditions survey revealed several deteriorating conditions including: rusting, weathered, and outdated conditions consistently present on a few commercial structures; deteriorating siding, windows, and porches on several residential structures; outdated, deteriorating signage; and dilapidated secondary structures. In addition, cracked and uneven parking lots, sidewalks, and retaining walls are in major need of rehabilitation and/or replacement. There is scattered debris surrounding several structures, including loose trash, overgrown vegetation, downed tree limbs, and graffiti. Table 4.2 - Structural Rating, Redevelopment Area #5 summarizes the exterior rating of primary structures in the Redevelopment Area #5.

**Table 3.2 – Structural Rating
Redevelopment Area #4**

<i>Land Use</i>	Sound	Minor Deficient Deteriorating	Major Deficient Deteriorating	Critical Substandard/ Dilapidated	Total Number of Structures	Blighted (Major/ Critical)
<i>Residential</i>	1	1	1	0	3	1
<i>Commercial</i>	3	1	1	0	5	1
<i>Public/ Quasi-Public</i>	0	0	0	0	0	0
<i>Total</i>	4	2	2	0	8	2
<i>Percent</i>	50%	25%	25%	0%	100%	25%

Note: Percentages are rounded.

A summarization of the classifications for the Redevelopment Area #5 is as follows:

- Four (4) of the eight (8) primary structures were classified as structurally sound;
- Two (2) structures were classified as deteriorating with minor defects;
- Two (2) structures were classified as deteriorated with major defects; and
- Zero (0) structures were classified as substandard, dilapidated with critical defects.

Conclusion: Results of the exterior building survey conditions indicate 25% of the structures are in major or critically deteriorating condition, which presents blight to a reasonable extent throughout the Redevelopment Area #5.

Existence of Defective or Inadequate Street Layout

The street pattern in the Redevelopment Area #5 has a standard grid-style street pattern.

Conclusion: The existence of defective or inadequate street layout is not at all present within the Redevelopment Area #5.

Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness

The field survey data defining building uses and conditions combined with the investigation and review of subdivision plat maps collectively indicate that are minimal existing problems relative to lot adequacy, usefulness, size, and underutilization of land.

Conclusion: Faulty lot layout in relation to size, adequacy, accessibility, and usefulness is mildly present within the Redevelopment Area #5.

Insanitary and Unsafe Conditions

The results of the field survey provided the foundation for the recognition of insanitary and unsafe conditions throughout the Redevelopment Area #5. Factors contributing to insanitary and unsafe conditions are:

- Deteriorating or dilapidated conditions cited in this Study are present with respect to the structures within the Redevelopment Area #5. Hazards, such as inadequate roof condition/drainage, poor siding conditions, and dilapidated secondary structures.
- A few lots were found to have debris, uncontrolled vegetation, and junk scattered about the property. This is unappealing, unsafe, and constitutes fire hazardous conditions. These conditions also provide breeding and nesting grounds for vermin and produce public nuisance and eye sores, which can have a negative impact on surrounding health and viability of the area.
- Lack of ADA accessibility, based on 2010 ADA Design Guidelines, exists in public areas throughout the Redevelopment Area #5.
- Several areas of the streets and parking lots within Redevelopment Area #5 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen.

Conclusion: Insanitary and unsafe conditions are present to a reasonable degree throughout the Redevelopment Area #5.

Deterioration of Site Improvements

Field observations performed to evaluate the condition of site improvements such as streets, alleys, sidewalks, curbs, and gutters provided the foundation for the recognition of deterioration of site improvements throughout the Redevelopment Area #5. Factors contributing to deterioration of site improvements are:

- Several areas of sidewalk within the Redevelopment Area #5 are cracked and uneven. Where sidewalks exist, they are in good condition. However, there is only a patchwork of sidewalks on the south side of West Q Street and are non-existent on Highway 86. With age and condition of the sidewalks in this area, as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Redevelopment Area #5, pedestrians do not have a consistent form of accessible transportation.
- Several secondary structures found within Redevelopment Area #5 are deteriorating and one large commercial structure is vacant, affecting the overall appeal of the property and the neighborhood.
- Many areas of the streets within Redevelopment Area #5 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen.

Conclusion: Deterioration of site improvements is present to a strong degree in the Redevelopment Area #5 and constitutes as a blight factor.

Diversity of Ownership

The Redevelopment Area #5 has a mild diversity of ownership making it more challenging to assemble parcels of land to form a redevelopment project.

Conclusion: Diversity of ownership within the Redevelopment Area #5 may affect the ability for proper redevelopment therefore constituting a mild blight factor.

Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land

The status of real estate taxes for properties located within the Redevelopment Area #5 was evaluated. The list of delinquent taxes for real property in Nebraska is posted on the Nebraska Department of Revenue's website, as reported by each County's Treasurer. After reviewing the list for Red Willow County, it was determined that none of the properties located in the Redevelopment Area #5 have any tax or special assessment delinquency.

Conclusion: This blight factor is not at all present within the Redevelopment Area #5.

Defective or Unusual Condition of Title

A title insurance policy is usually issued whenever land is sold, mortgaged, or both; any title defects are corrected at the time of issuance. All other titles in the same subdivision or addition need to be checked when new title insurance has been written. Everything preceding the issuance of the title should be the same and any defects previously corrected. The possibility for title problems should be limited to improper filings, since platting on properties that have not been mortgaged or sold is very small.

Conclusion: Defective or unusual condition of title with properties in the Redevelopment Area #5 does not appear to exist and does not at all constitute a blight factor.

Improper Subdivision or Obsolete Platting

Developed land uses in the Redevelopment Area #5 consist of commercial, agricultural, and residential. The Redevelopment Area #5 has traditional style platting with larger commercial lots. Even though many of the properties were constructed in the mid-1900s, this platting style is still typical for development by today's standards. However, the residential lots are unevenly platted and could create difficulties in future development.

Conclusion: Improper subdivision or obsolete platting may affect the ability for proper redevelopment therefore constituting a mild blight factor.

The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

The field survey and data gathered were considered in determining the existence of conditions that endanger life or property by fire and other causes. Several conditions exist in the Redevelopment Area #5 that could potentially endanger life or property to varying degrees and are summarized as follows:

The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #5. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1930 and 1970. One of the large commercial buildings was vacant at the time of the study. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.

There are instances where varying amounts (minor and major) of debris, uncontrolled vegetation, and junk were identified through our field survey. The presence of debris, junk, overgrown vegetation/downed tree limbs could constitute a substantial fire hazard, which would endanger both life and property.

Conclusion: Conditions which endanger life or property through fire or other causes do exist to a reasonable extent in the Redevelopment Area #5.

Combination of Blight Factors

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 in which at least one or more of the following conditions exists:

- unemployment in the study or designated blighted area is at least 120% of the state or national average;
- the average age of the residential or commercial units in the area is at least 40 years;
- 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;
- the per capita income of the study or designated blighted area is lower than the average per capita income of the City in which the area is designated; or
- the area had either stable or declining population based on the last 2 decennial censuses.

There are significant blight characteristics present within the Redevelopment Area #5 as mentioned above. Examination of the field data and information gathered as part of this analysis indicates the existence of the following conditions, which impede the sound growth of the Redevelopment Area #5:

- Unkempt appearances, junk, and debris produce negative impacts and site conditions. These results discourage development or rehabilitation efforts, and hamper overall economic development of the area.
- The field survey indicated there are a number of conditions which endanger life or property to varying degrees within the Redevelopment Area #5. Sixty-seven percent of the primary structures were more than 40 years old, with several structures being built between 1930 and 1970. One of the large commercial buildings is vacant and has been for some time. Continued vacancy of the building could allow for further decline of the structure's condition leading to more serious issues.
- Several areas of sidewalk within the Redevelopment Area #5 are cracked and uneven. Where sidewalks exist, they are in good condition. However, there is only a patchwork of sidewalks on the south side of West Q Street and are non-existent on Highway 86. With age and condition of the sidewalks in this area, as well as the lack of ADA accessible ramps and clearly defined pedestrian crossings, there are significant issues leading to pedestrian safety hazards. With several areas of existing sidewalks in poor condition throughout the Redevelopment Area #5, pedestrians do not have a consistent form of accessible transportation.
- Several areas of the streets and within Redevelopment Area #5 are in poor condition with spalling, severe cracks, and potholes. Road conditions impact the surrounding neighborhood. Without proper repair and continued maintenance, the current conditions will worsen. The lack of upkeep with respect to the parking lot, sidewalks, curb and gutters, vegetation, exterior condition of the building, lighting, signage, etc. also shows major signs of site deterioration.

The following conditions also exist within the Redevelopment Area #5 contributing to the blight factors:

- Red Willow County Assessor data indicates that 67% of the primary structures located within the Redevelopment Area #5 were constructed more than 40 years ago. Many of the properties were built between 1930 and 1970. This can be discouraging for reinvestment in the area. The lack of rehabilitation and reinvestment is a major factor impeding the retention of adequate, safe, and sanitary development.
- The City of McCook, as a whole, has a lower median household income than the State of Nebraska. Based on the 2013-2017 American Community Survey reported McCook’s median household income to be \$40,372 which is significantly lower than Nebraska’s median household income of \$56,675.
- The City of McCook’s population has shown a steady decrease since 1980, when the population was 8,404 to 2010, when the City had a population of 7,698 residents.

Conclusion: The combination of the blight factors outlined in this document and presence of socioeconomic constraints, limits the sound redevelopment, impedes provisions to provide adequate housing and commercial development, and produces an on-going economic liability. There is a strong presence of these blight conditions.

Determination of Blight Factors

A predominance of parcels within the Redevelopment Area #5 meets the requirements of ‘blighted’ as outlined in the Nebraska Community Development Law. Structures and properties were evaluated and the blight factors were determined to be present to one of the following strengths: strong, reasonable, mild, or not at all. There is a distribution of the defined factors that indicated the analysis area is blighted. A predominance of all ten factors, and combinations of these factors, are present and were determined through the evaluation.

Blight Determination Conclusion

The Redevelopment Area #5 has three blight factors not present, one blight factor present to a mild degree, three blight factors present to a reasonable extent, one blight factor was present to a strong extent, and a combination of these factors was present to a strong degree. Table 4.3 – Presence of Blight Factors, Redevelopment Area #5 summarizes the presence of blight factors.

**Table 4.3 – Presence of Blight Factors
Redevelopment Area #5**

<i>Blight Factor</i>	Degree
<i>Substantial Number of Deteriorated or Deteriorating Structures</i>	Reasonable
<i>Existence of Defective or Inadequate Street Layout</i>	Not at All
<i>Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness</i>	Mild
<i>Insanitary or Unsafe Conditions</i>	Reasonable
<i>Deterioration of Site or Other Improvements</i>	Strong
<i>Diversity of Ownership</i>	Mild
<i>Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land</i>	Not at All
<i>Defective or Unusual Conditions of Title</i>	Not at All
<i>Improper Subdivision or Obsolete Platting</i>	Mild
<i>The Existence of Conditions that Endanger Life or Property by Fire or Other Causes</i>	Reasonable
<i>Combination of Blighting Factors and the Presence of Other Socioeconomic Conditions</i>	Strong

4.5 Determination of Need for Public Intervention

Section 18-2102 of the Nebraska Community Development Law requires that in determining whether or not any area is blighted and substandard, the condition of the area must be such that the remedy of the blight and substandard conditions within the area be beyond the control of the City, solely by regulatory control and exercise of the police power, and cannot be effectively dealt with by the ordinary operations of private enterprise without the aids provided under this law. The McCook City Council, acting as reasonable and practical persons, could deem public intervention as essential or appropriate. For that reason, each factor being evaluated in the context of the extent of its presence, and the combined impact of all factors found in the area, this study finds that public intervention is needed for redevelopment efforts.

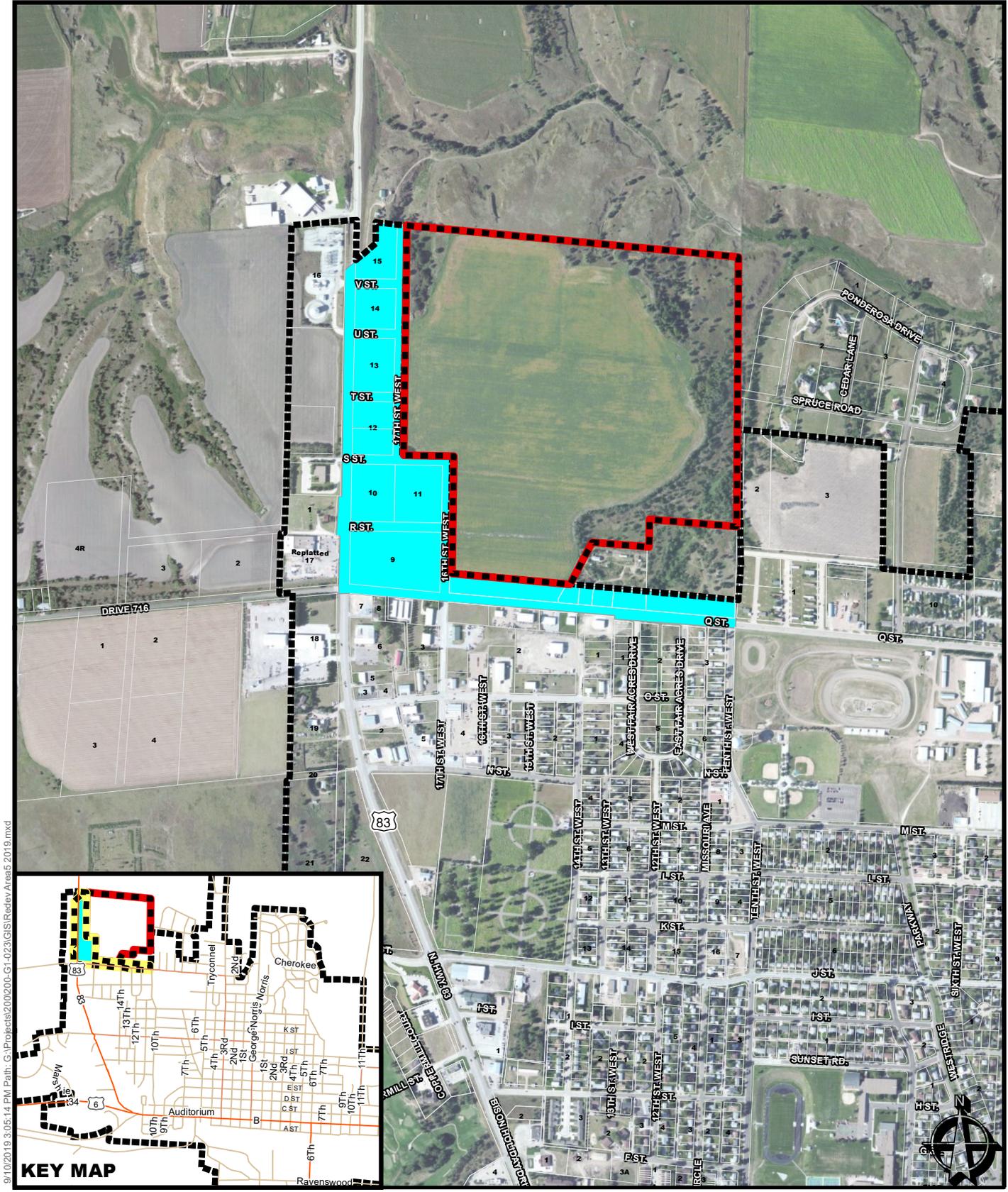
Evaluation of substandard and blighted conditions indicates that the City of McCook can and should encourage long-term improvements within the Redevelopment Area #5. Improvements and conditions can be accomplished through applications of zoning regulations; nuisance abatement; infrastructure improvements; pedestrian accessibility improvements; dilapidated building demolition, rehabilitation, and construction; and debris cleanup. Increasing taxes or assessments to fund needed improvements would reduce available incomes of area patrons and lead to the further decline in the maintenance, upkeep, and quality of structures in the area and City as a whole.

The community cannot achieve improvements without the aids made available through the Community Development Law. Existing conditions, including structural conditions, debris, overgrown vegetation/downed tree limbs, and vacancy are deterrents and discourage redevelopment and private investment. Many structures continue to age and deteriorate; if not redeveloped or rehabilitated, these structures can create safety concerns for the area. All of these conditions contribute to the decrease in marketability for development and redevelopment of the Redevelopment Area #5. A solution can only be found through the means made available through the Nebraska Community Redevelopment Law.

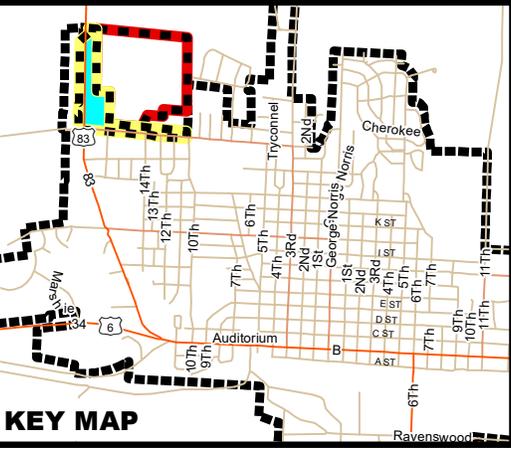
In summary, if substandard and blighted conditions were remedied within a reasonable time, redevelopment of the area would improve the economic climate and prevent further decline of the area. This can be accomplished through joint efforts of the private sector, the City of McCook, and aids provided under the Community Redevelopment Law. Working together to remedy and repair substandard and blighted conditions has been determined to be essential, warranted, and vital to the redevelopment of the Redevelopment Area #5.

4.6 Conclusion

The previously listed substandard and blighted factors have been identified through analysis of census data, survey data results, and field evaluation and are sufficiently present and distributed for designation of the Redevelopment Area #5 to be blighted and substandard.



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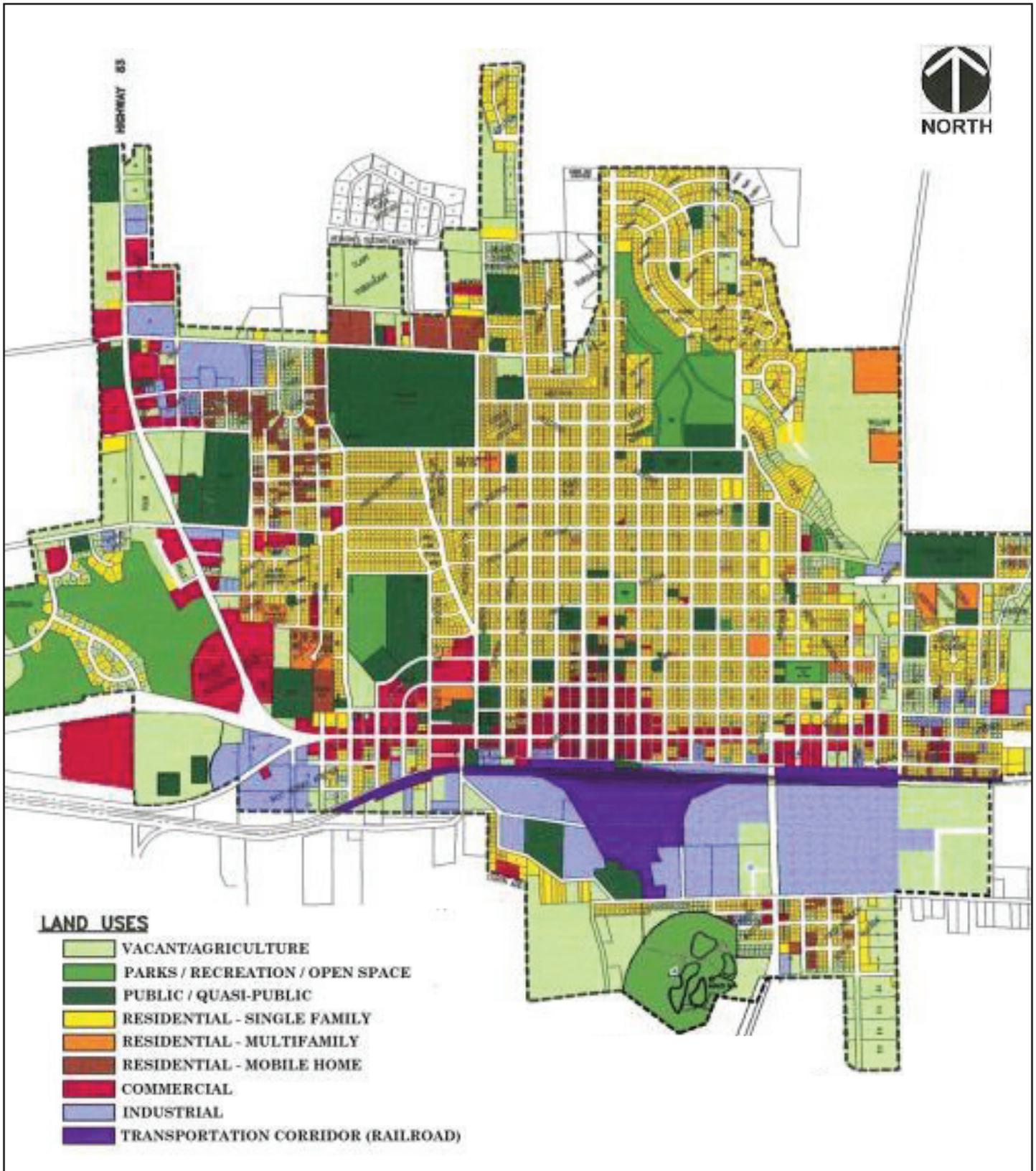


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Legend

- McCook Corp. Bdry (3494.41 AC.)
- 2019 Area 5 [Outside] (124.06 AC.)
- 2019 Area 5 [Inside] (46.57 AC.)

Map 4:
Redevelopment
Area #5
McCook, Nebraska



Map Produced for
 McCook, Nebraska Comprehensive Plan 2013-2023, by:
HANNA:KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

* Lincoln, Nebraska * 402.464.5383 *

Existing Land Use Map
 McCook, Nebraska

Images of Area #5

