

# Northwest Corridors Redevelopment Plan

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Prepared by:

City of Lincoln, Nebraska  
Urban Development Department  
Coleen J. Seng, Mayor

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Marc Wullschleger  
Urban Development Department

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# Introduction

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The *Northwest Corridors Redevelopment Plan* is a guide for redevelopment activities within the Redevelopment Area. Exhibit 1, illustrates the location of the area within the broader context of the City of Lincoln. The boundaries are generally along Sun Valley Boulevard from West “O” Street to Cornhusker Highway, along Cornhusker Highway from I-180 to N.W. 12<sup>th</sup> Street, along N.W. 12<sup>th</sup> Street from Cornhusker Highway to Highland Boulevard, Highland Boulevard from N.W. 12<sup>th</sup> Street to N.W. 1<sup>st</sup> Street, and West Superior Street from N.W. 1<sup>st</sup> Street to I-180. A legal description of the Redevelopment Area can be found in Appendix A.

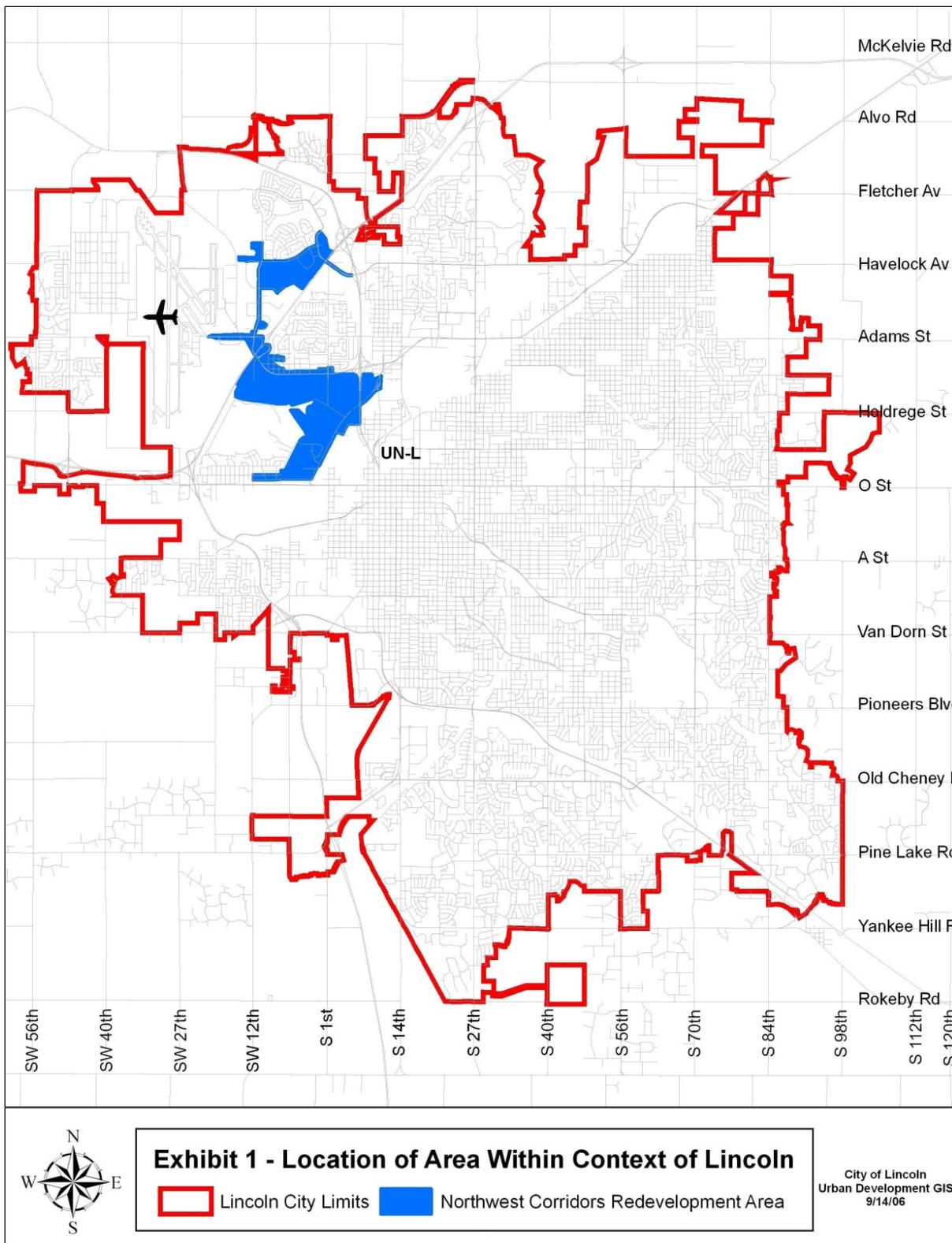
The Northwest Corridors were selected for evaluation of a Blight and Substandard Area due to the desire to present appealing “Gateway Entrances” to the City of Lincoln. An overall sense is that significant portions of the Redevelopment Area contain structures and properties adjacent to the corridors which have been allowed to deteriorate to the point where they no longer present an inviting entryway into the community.

Corridors within the Redevelopment Area include Sun Valley Boulevard, West Cornhusker Highway (Highway 6), N.W. 12<sup>th</sup> Street, West Adams, and Superior Streets. Additionally portions of the Redevelopment Area are adjacent to Interstate 80 and 180 corridors. Important developments and landmarks within the Redevelopment Area include the University of Nebraska Technology Park, Oak Lake Park, N.W. 12<sup>th</sup> Street, and Pfizer Research and Development campus.

Major land uses in the Redevelopment Area include parks/recreation, industrial, commercial, and underdeveloped/vacant lands. The Redevelopment Area contains an estimated 1,241 acres, of which approximately 870 acres have been developed. Residential uses are comprised of single family, multifamily, and mobile homes. A high concentration of commercial uses is located along the north side of West Cornhusker Highway, with a mixture of parks/recreation, public/quasi-public, and industrial uses abutting the south side the highway.

Incompatible and mixed land uses exist in highest concentrations in the west-central portion of the Northwest Corridors Redevelopment Area, along the north side of West Cornhusker Highway, between Interstate 80 on the west and N. 1<sup>st</sup> Street. Industrial, public, and highway commercial uses are adjacent to residential dwellings with little or no buffering to separate the different uses. Single family dwellings are separated from a power substation and highway oriented business only by West Cornhusker Highway, with commercial uses abutting dwellings along the north side of Cornhusker Highway. Land use conflicts occur within the Redevelopment Area and adjacent areas due to lack of proper separation and buffering.

# Exhibit 1: Redevelopment Area



The Northwest Corridors Redevelopment Area contains examples of areas that should have been replatted to reflect individual lots of record. These parcels are currently identified only by “metes and bounds” descriptions of Irregular Tracts, and multiple platted lots that were assembled to support a single use, and never replatted into a single lot of record. These examples represent a faulty lot layout in relation to size, adequacy, accessibility or usefulness. These lots of record do not support redevelopment efforts to improve the Redevelopment Area. The lot descriptions in their current state can make redevelopment efforts difficult. In addition, functional and economic obsolescence is prevalent in the properties throughout the central portion of the Redevelopment Area.

As a result of these conditions, the City of Lincoln commissioned a *Blight and Substandard Determination Study*. The Study, completed in September, 2006 concluded that the number, degree, and distribution of blighting factors warrant designating the area blighted and substandard.

The City recognizes that continuing blight and deterioration is a threat to the stability and vitality of the area and revitalization efforts cannot reasonably occur without public action. The *Northwest Corridors Redevelopment Plan* represents the City’s efforts to guide public and private redevelopment of the area.

### ***Plan Requirements***

Redevelopment activities are guided by *Community Development Law*, Neb. Rev. Stat., Section 18-2101, et. seq. (as amended). The statutes clearly state that the governing body must have declared the project area substandard and blighted in order to prepare a redevelopment plan.

The City has authorized its Urban Development Department to act as a redevelopment authority under the applicable Law.

The Urban Development Department has formulated, for the City of Lincoln, a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas including provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by re-planning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof.

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

A redevelopment plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project areas...

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

1. The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property area;
2. A land-use plan showing proposed uses of the area;
3. Information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment;
4. A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances;
5. A site plan of the area;
6. A statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

In making its recommendation to approve this plan, the Urban Development Department has considered the land uses and building requirements and determined that they:

1. are in conformance with the general plan for redevelopment in the City; and
2. represent a coordinated, adjusted, and harmonious development of the City and its environs. These determinations are in accordance with:
  - a. present and future needs, to promote health, safety, morals, order, convenience, prosperity;
  - b. the general welfare; and
  - c. efficiency and economy in the process of development.

Factors considered in the determination included among other things:

1. adequate provision for traffic, vehicular parking;
2. the promotion of safety from fire, panic, and other dangers;
3. adequate provision for light and air;
4. the promotion of the healthful and convenient distribution of population;
5. the provision of adequate transportation, water, sewerage, and other public utilities;
6. schools, parks, recreational and community facilities, and other public requirements;
7. the promotion of sound design and arrangement;
8. the wise and efficient expenditure of public funds; and

9. the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

This plan was reviewed by the Lincoln/Lancaster County Planning Commission for compliance with the Comprehensive Plan on October 11, 2006.

# Existing Conditions

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Major land uses in the Redevelopment Area include parks/recreation, industrial, commercial and underdevelopment/vacant lands (see Exhibit 2, Generalized Land Use). The Redevelopment Area contains an estimated 1,241 acres, of which approximately 870 acres have been developed.

The principle arterials within the Redevelopment Area are West Cornhusker Highway (Highway 6), N.W. 12<sup>th</sup> Street, and Sun Valley Boulevard. Additionally, portions of the Redevelopment Area are adjacent to Interstate 80 and Interstate 180 corridors.

An estimated 19 percent of the land in the Redevelopment Area is Streets/Highways/Railroad Right-of-Way (ROW). Commercial uses occupy approximately 9.4 percent of the total area and industrial 19.3 percent. Residential land area comprises an estimated 1.5 percent. Approximately 30 percent of the Redevelopment Area is underdeveloped or vacant.

Much of the Redevelopment Area, in particular, the areas south of Cornhusker Highway and along Sun Valley Boulevard are located within the Oak Creek and Salt Creek floodplains. The natural topography and the presence of federally protected wetlands in this area have been detrimental to development due to the potential flood hazard and unsuitable terrain for building. Environmental protections on the areas designated as wetlands also inhibit development from occurring in these areas.

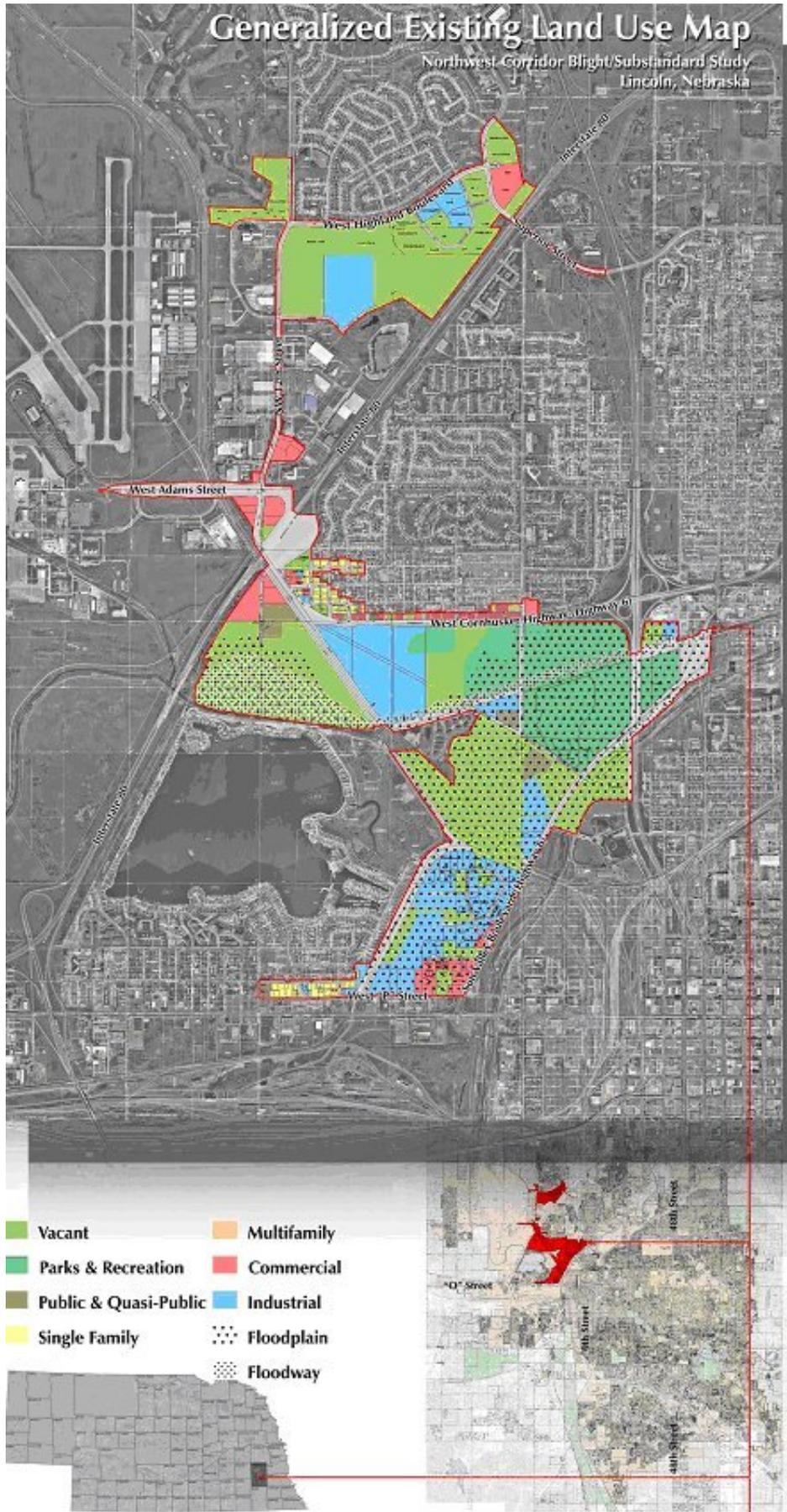
Incompatible and mixed land uses exist in highest concentrations in the west-central portion of the Northwest Corridors Redevelopment Area, along the north side of West Cornhusker Highway, between Interstate 80 on the west and N. 1<sup>st</sup> Street. Industrial, public, and highway commercial uses are located adjacent to residential dwellings, with little or no buffering to separate the different uses. Single family dwellings are separated from a power substation and highway oriented business only by West Cornhusker Highway, with commercial uses abutting dwellings along the north side of Cornhusker Highway. Land use conflicts occur in the Redevelopment Area and adjacent areas due to lack of proper separation and buffering.

An analysis of the subdivision conditions conducted during the *Northwest Corridors Redevelopment Area Blight and Substandard Determination Study* indicates that improper subdivision and obsolete platting is prevalent throughout. Several portions of the Redevelopment Area do not meet today's standards of platting and subdivision procedures. The central portion of the Redevelopment Area, generally south of West Cornhusker Highway, contains a substantial amount of individual parcels that are Irregular Tracts, described by a "metes and bounds" description. These Irregular Tracts generally range in size from four to 50+ acre parcels. These large tracts of land have been detrimental to

# Generalized Existing Land Use Map

Northwest Corridor Blight/Substandard Study  
Lincoln, Nebraska

**Exhibit 2:  
Existing  
Generalized  
Land Use**



commercial and industrial development between West Cornhusker Highway and Sun Valley Boulevard. Industrial and commercial uses, which have developed in this area have, in some locations, created an “island” in the middle of a larger Irregular Tract. In many instances, the original tract was not subdivided, leaving the vacant portion of the lot to deteriorate.

Large, irregular tracts of land exist in the center portion of the Redevelopment Area. Specifically in the region between Interstate 80 and N.W. 1<sup>st</sup> Street, where the large parcels exist that have remained vacant since being annexed into the corporate limits between 1962 and 1964. The portion of the Redevelopment Area between Interstate 80, Oak Creek, and the Burlington Northern Santa Fe and Union Pacific Railroad corridor (west of the Pfizer complex) is mostly vacant lands with its lowest elevations being either natural wetlands or within the official 100-year flood plain area.

Residential subdivisions in the West Cornhusker Highway and West “P” Street areas have development in the standard 50’ by 142’ lot sizes. These single family lots sizes are generally undersized by current market standards. Larger industrial subdivisions exist in the areas west of Sun Valley Boulevard, however, these areas have been developed as “islands” unto themselves with no through streets to develop areas beyond.

Efforts to overcome problems of inadequate subdivisions and obsolete platting and to secure sites of reasonably adequate size and shape for modern development purposes, typically requires the assemblage of adjacent parcels. This assemblage of parcels is complicated due to the irregular shapes and inconsistent size of adjacent parcels, as well as the need to negotiate with, in some cases, several individual owners to purchase land of appropriate size. Development focus needs to be based on a broader scale, including larger areas of the Northwest Corridors Redevelopment Area, rather than upon the piece meal development of smaller, individual subdivisions of the type that have been occurring. Conversely, areas on the north side of West “P” Street have recently been experiencing the replacement of functionally obsolescent 1920’s through 1950’s era commercial buildings with new commercial structures.

Lack of hard surfaced streets, the presence of graveled streets in combination with open storm water drainage ditches and the lack of frontage roads servicing commercial businesses along N.W. Cornhusker Highway creates limited redevelopment opportunities.

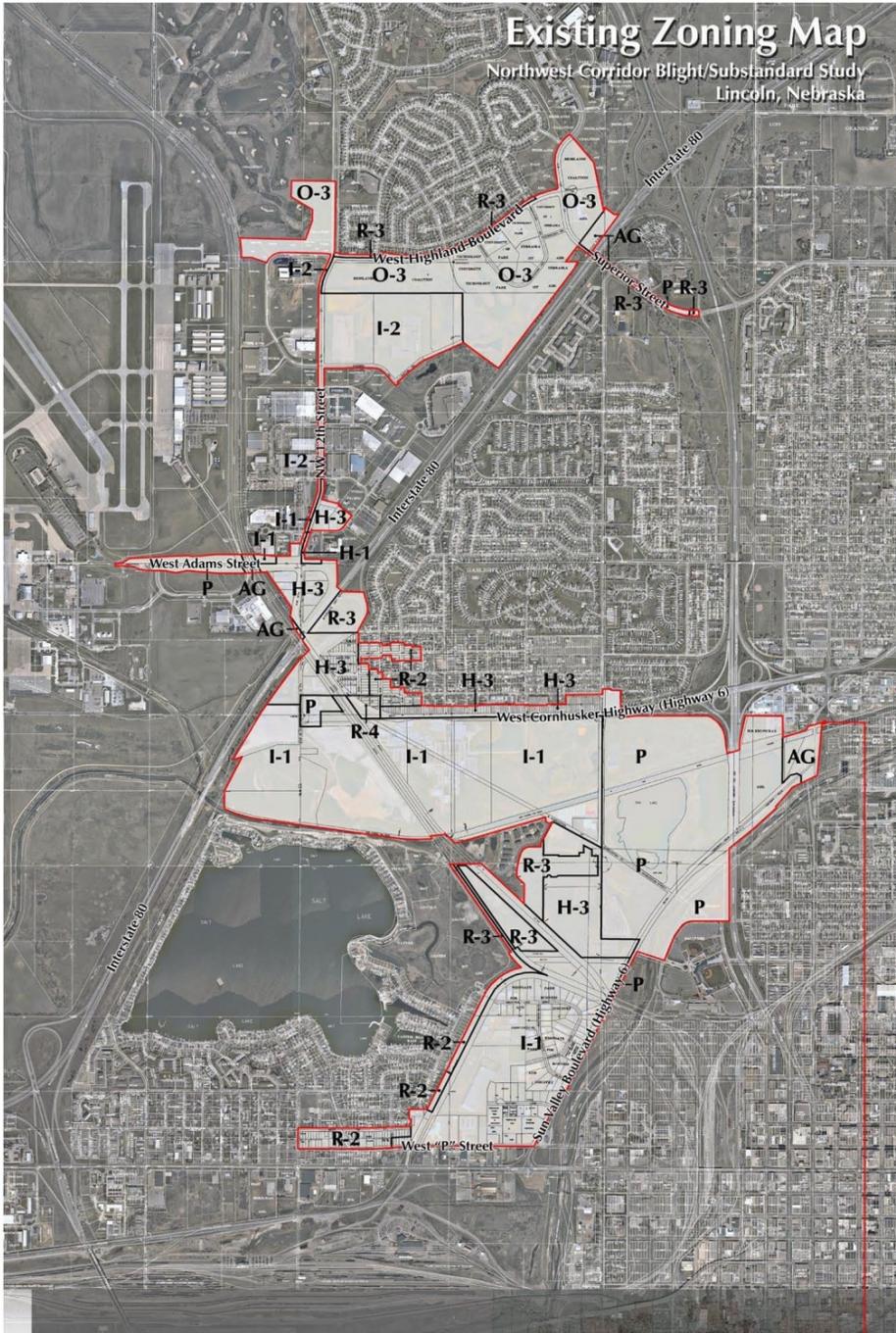
## **Zoning**

The existing zoning districts in the Northwest Corridors Redevelopment Area are primarily comprised of industrial, public use, and office park districts with some residential areas (see Exhibit 3).

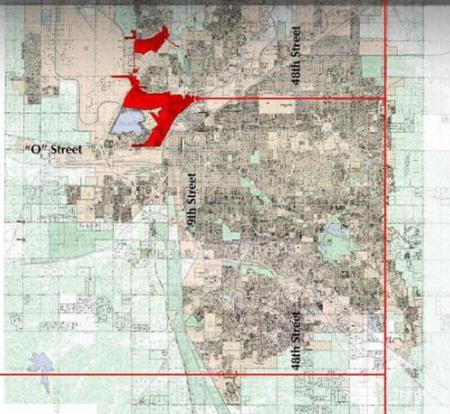
# Existing Zoning Map

Northwest Corridor Blight/Substandard Study  
Lincoln, Nebraska

## Exhibit 3: Existing Zoning



- |                          |                              |
|--------------------------|------------------------------|
| AG Agriculture District  | H-1 Interstate Commercial    |
| R-2 Residential District | H-3 Highway Commercial       |
| R-3 Residential District | I-1 Industrial District      |
| R-4 Residential District | I-2 Industrial Park District |
| O-3 Office Park District | P Public Use District        |



Hanna:Keelan Associates, P.C.  
Community Planning & Research  
3275 Holdrege  
PO Box 30252  
Lincoln, NE 68503  
(402) 464-5383  
Fax: (402) 464-5859  
email: planner@hanna:keelan.com

402.560.4100 c. 8030 Thornview Road  
402.489.5290 p.f. Lincoln, NE 68506  
jamie.koenig@mindspring.com

Architecture **1** NE  
An Association of Kurtis A. Sahr K.A. & James M. Koenig AIA

I-1: Industrial District – for developing stable or redeveloping areas representing light and heavy industrial uses and having a relatively high intensity of use and land coverage.

P: Public Use District – provides a district essential for mapping purposes which will identify real property presently owned and used by any government entity, including local, state, or federal governmental units and put to some form of public use.

O-3: Office Park District – Provides a developing or redeveloping area primarily consisting of a mixture of office and other types of compatible and complementary commercial uses, and residential uses in suburban areas. This district is intended to be located on arterial streets in close proximity or commercial uses. The district is intended to provide an appealing atmosphere, stressing the quality of the environment.

R: Residential – This district is intended to provide a small town residential area of relatively low density. This district provides for single-family and two-family and multiple and residential uses plus support facilities.

### ***Parks/Open Space/Trails***

Oak Lake Park -- Oak Lake Park is the only park located in this area. It is approximately 140 acres in size. It is located between Sun Valley Boulevard on the east, Charleston Street on the south, 1<sup>st</sup> Street on the west, and Cornhusker Highway on the north, with Oak Creek running through the middle of the park. The *2000-2025 Comprehensive Plan* identifies the future land use designation for Oak Lake Park as Green Space. The *Comprehensive Plan* also identifies the importance of protecting green space along drainage ways including Oak Creek, providing connectivity with other greenway corridors and preserving their natural attributes, such as floodplains and associate natural areas.

The park offers fishing, several picnic areas, playground equipment, restrooms, open shelters, a 15 acre dog run and trails. Directly south of Oak Lake Park is the BMX Track. This track is located on City land which is leased to a private organization. BMX enthusiasts use the track for form and competitive racing, as well as practice and leisure riding. Hobby Town leases part of the park land just north of Oak Creek and east of 1<sup>st</sup> Street.

Superior Street Trail -- A portion of the Superior Street Trail is located along the eastern portion of the Redevelopment Area north of Interstate 80. The portion of the area is from Interstate 80 on the south to West Highland on the north. This existing trail provides a connection to Roper Park Trail east of the Redevelopment Area.

Highlands Trail -- The trail is located along the northern portion of the proposed blighted area north of Interstate 80. A portion of this trail is located along West Highland Boulevard and continues north along N.W. 12<sup>th</sup> Street connecting with Highlands Park which is located out of the Redevelopment Area.

Oak Lake Trail -- Oak Lake Trail is located along Charleston Street and N. 1<sup>st</sup> Street from Charleston to Cornhusker Highway. The *Future and Existing Trails Plan* shows a future connection to this trail from 1<sup>st</sup> and Charleston Streets with the Roper Park and Superior Street Trail north of the Redevelopment Area. The Oak Lake Trail connects with the existing Haymarket Trail on the east.

Salt Creek Levee Trail -- An existing trail is located along the east side of the Salt Creek Levee and just east of the Redevelopment Area east of Sun Valley Boulevard. This trail connects with the "O" Street Trail on the south and the Oak Lake Trail on the north. The *Future and Existing Trails Plan* shows the trail along "O" Street eventually connecting with the trail going along "P" Street which is the southern edge of the Redevelopment Area.

## ***Transportation***

### Traffic Circulation

Sun Valley Boulevard is currently classified as a two-lane arterial with right and left turn lanes at its intersection with major and collector roadways. Sun Valley Boulevard, with an Average Daily Traffic (ADT) volume of 14,400 vehicles, provides motorists traversing West "O" Street with a direct connection to Cornhusker Highway. It is considered a vital link to the transportation network, as well as a roadway that is critical to the success of the business area. Future improvements will result in widening and realignment of Sun Valley Boulevard which will accommodate future traffic volumes and promote development along this corridor.

West Cornhusker Highway, located along the northern edge of the southernmost portion of the Redevelopment Area, is the primary east-east thoroughfare. West Cornhusker Highway is currently classified as a four lane arterial with an ADT of 18,800. This roadway has direct access to both Interstate 180 as well as Interstate 80, in addition to being recognized as a direct route to Lincoln's airport. Currently, West Cornhusker Highway is not scheduled for any improvements with the exception of some minor improvements in the area of Interstate 80 for widening.

N.W. 12<sup>th</sup> Street which is the northerly continuation of West Cornhusker Highway, connects the southern and northern Redevelopment Areas. This roadway is currently classified as a minor arterial with four lanes from West Highland Boulevard south to West Cornhusker Highway and two lanes from West Highland Boulevard north to Fletcher Avenue. The ADT on N.W. 12<sup>th</sup> Street north of Highland Boulevard is 1,900 with an ADT of 4,300 between West Highland Boulevard and Kingbird Road. Continued commercial, industrial, and residential development along this corridor will result in a significant increase in future traffic volumes. Future improvements to N.W. 12<sup>th</sup> Street will include the widening from two lanes to four lanes on that section of roadway between West Highland Boulevard and Fletcher Avenue.

### Access Issues

Numerous driveways on an arterial degrades traffic flow and results in a major issue because it creates conflict points in traffic flow. Whenever vehicles enter or exit traffic flow, it impedes the flow of traffic and creates safety hazards. Vehicles entering and exiting driveways on arterial streets impede traffic flow which generally results in a higher number of crashes. Therefore, a goal of the Redevelopment Plan should be overall reduction of driveways in the area.

### Parking

The *Blight and Substantial Determination Study* identified inadequate parking conditions throughout the Redevelopment Area. Residential uses account for the majority of parcels with gravel parking surfaces; 41 parcels with substandard surfaces. Commercial and industrial uses account for 13 parcels with gravel parking areas.

### Transportation/Land Use Relationship

The concept of accommodating urban growth while maintaining transportation system efficiency and preserving transportation resources for maximum effectiveness needs to be encouraged. A land use and transportation relationship will need to be developed in the Redevelopment Area which allows for greater user accessibility and greater internal connectivity. This concept is to promote a compact mix of land use within a single development area that are complementary such as retail, entertainment, and employment together with housing. The close proximity of complementary mixed land uses combined with an appropriate transportation design will promote the use of alternative modes of travel which reduces off-site travel needs and results in reducing vehicle trips and vehicle miles traveled. The integration of land use and transportation within the planning process is essential for compact development, mix of uses, pedestrian and transit orientation, and internal traffic circulation. This process can improve the overall transportation system efficiency by providing opportunities for multi-modal travel and congestion relief.

### Sidewalks and Pedestrian Activity

Sidewalks are adequately provided along West Cornhusker Highway. However, appropriate sidewalks are lacking in the residential and industrial areas north and south of Cornhusker Highway. Approximately 150 (57.9 percent) of the total 259 parcels have no sidewalks.

Pedestrian flow is interrupted by the high traffic volumes, traveling generally at excessive speeds, on West Cornhusker Highway. Typically, West Cornhusker Highway has four lanes of traffic throughout the Redevelopment Area. There are few intersections along West Cornhusker Highway that are signalized, making it difficult for pedestrians to cross this busy street corridor. The 2000 average traffic volume for N.W. 12<sup>th</sup> Street at West Adams was 12,800 vehicles, for West

Cornhusker Highway between N.W. 12<sup>th</sup> Street and N. 1<sup>st</sup> Street, 18,800 vehicles, and for Sun Valley Boulevard at Charleston Street, 12,400 vehicles per average 24-hour period, as determined by the Nebraska Department of Roads. This creates a conflict for pedestrian traffic attempting to access parks and recreation facilities located to the south of West Cornhusker Highway.

The southern area of the Redevelopment Area has limited sidewalks. There is a sidewalk along the north side of West "P" Street and along the west side of Sun Valley Boulevard for a distance of 480 feet north of "P" Street. There is no sidewalk completed along Sun Valley Boulevard from Big John's to Cornhusker Highway. Although there is evidence of pedestrian activity along this corridor, there is no space for the sidewalk with the current design of the overpasses along Sun Valley Boulevard. Proposed future improvements to the Sun Valley Boulevard will include sidewalk completion along this corridor.

The Westgate Park for Business and Industry was not required to complete sidewalks along the interior street system. Although there is limited right-of-way behind the street, any new development in this area should include sidewalk construction.

The sidewalk is complete along the north side of Cornhusker Highway from N. 1<sup>st</sup> Street to N.W. 12<sup>th</sup> Street. The Public Works and Utilities Department recognizes a major deficiency in the sidewalk along Cornhusker Highway from N. 1<sup>st</sup> Street to N. 11<sup>th</sup> Street.

The City identified a need for a sidewalk along this corridor with the recent reconstruction of the I-180 bridge and interchange by the State Department of Roads. The Nebraska State Department of Roads did not include sidewalk construction due to the concerns with pedestrian/vehicle conflicts at the access/exit ramps. The only pedestrian facilities between "O" Street and Superior Street, thought the I-180 corridor, are a Charleston Street and Adams Street.

The City recently completed a sidewalk along the east and west sides of N.W. 12<sup>th</sup> Street from Cornhusker Highway to West Commerce Way through a sidewalk district. Identified is the completion of a sidewalk along the east side N.W. 12<sup>th</sup> Street from West Commerce Way to West Highland Boulevard. This sidewalk is identified to be included with a proposed resolution ordering construction. The resolution is targeted for City Council review and action by early spring.

There is a bikepath and sidewalk completed along the south side of West Highland Boulevard from N.W. 1<sup>st</sup> Street to N.W. 12<sup>th</sup> Street. Any additional development or redevelopment in this north area will also be expected to include completion of sidewalks in the areas where sidewalks do not exist.

## Public Transportation Services

The Northwest Corridors Area is served by two bus routes, the #11 Gaslight Village and the #12 Arnold Heights routes. Both of these routes serve the outer areas of the Redevelopment Area. There are no planned improvements to this area. A Transit Study, initiated early this year, is anticipated to be completed in January or February of 2007 and will examine route efficiencies which may include changes to these routes.

## ***Utilities***

The basic infrastructure is in place within the Redevelopment Area, however, as a result of age and continued development in the area, it is facing increasing demands. Utilities are in need of maintenance and, in some cases, replacement. A detailed analysis should be conducted to identify specific needs and projects, particularly on a case-by-case basis as redevelopment projects occur.

The Northwest Corridors Redevelopment Area is served by the following utilities:

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

## Water System

Water mains along the major corridors are in “good” condition with ages ranging from two years along the West P Street Corridor to as much as 40 years in the Sun Valley Boulevard Corridor. Water mains range in diameter from 6” to 8” along West P Street 12” to 16” along West Adams Street. Each of these mains are currently in “good” condition.

Underground utilities along N.W. 12<sup>th</sup> Street are approximately 30 to 40 years of age. Water mains along N.W. 12<sup>th</sup> Street and West Adams include 10” to 16” mains, between 25 and 35 years old. An area of aging and undersized mains exists in the residential neighborhoods north of the West Cornhusker Highway commercial corridor. Water mains of 4” in diameter, some over 100 years old, exist in this area. A few undersized segments throughout the Redevelopment Area have been replaced, but overall, the system meets current needs. As these underground utility systems continue to age, up-keep, repeated maintenance and piecemeal replacement of broken or faulty mains will continue to be an increasing problem in these areas of the Northwest Corridors.

According to today's development standards, a minimum of 6" diameter residential water main and 8" in commercial districts is recommended to insure adequate water pressure for fire protection purposes. A water main less than 6" or 8" in diameter does not meet recommended standards for fire protection. The high cost of replacing undersized water mains has forced the City to maintain a program that concentrates on repair and/or replacement as breaks occur. Annual budgeting only allows for a small amount of scheduled replacement of the oldest portions of the City's entire water main system.

### Sanitary Sewer System

The entire Northwest Corridors Area generally has wastewater infrastructure in place to serve new development and there is capacity at the Teresa Street plant for treatment. The area at Charleston and 1<sup>st</sup> Street to the west is served by that lift station. The Oak Creek Trunk line 47/54" runs along Oak Creek on the north side and would be a major consideration if the area was to develop. There are some mains which may need spot repairs if significant development was to take place and would be covered under annual Capital Improvement Projects (CIP) dollars.

### Watershed Management

*Highlands Area -- Drainage System:* The general drainage pattern in this area is from a northwest to southeast pattern. The area drains to a tributary of Lynn Creek or to Lynn Creek that runs along the east side of this area. Within this area, the underground drainage systems are limited to the existing street systems on adjacent and internal streets.

There are two Lower Platte South Natural Resource Districts (NRD) stormwater detention basins/dams within this Redevelopment Area that were constructed for flood control. Both basins (Lynn Creek Site 14 which is 1/3 mile southwest of Interstate 80 and N. 1<sup>st</sup> Street) and Lynn Creek 26 (just east of Interstate 80 and N. 1<sup>st</sup> Street) are dry under normal conditions. The University of Nebraska Foundation also built two ponds/lakes just upstream of Lynn Creek Site 14. The NRD retains a perpetual easement over the floodplain area and controls structures for the dams.

At the present time there are no proposed stormwater Capital Improvement Projects in the area.

*Sun Valley Boulevard Area -- Drainage System:* Oak Creek drains from west to east through this area, while Salt Creek drains southwest to the northeast along the eastern edge of the area. Oak Creek (tributary to Salt Creek) joins Salt Creek just east of the Redevelopment Area. Drainage patterns are toward the adjacent creeks through overland surface drainage and open drainage ways. The underground urban storm drainage systems within the area are limited to the adjacent streets and also to the internal streets in the southern portion of the area.

There are conservation easements on park property south and north of Charleston and west of Sun Valley Boulevard to maintain these areas as open areas. They were obtained as part of the construction of the baseball field located east of Sun Valley Boulevard off of Line Drive.

Currently there are no proposed Capital Improvement Projects in this area.

*Sun Valley Boulevard Area -- Existing Floodplain:* The majority of this area, with the exception of the northern portion between 1<sup>st</sup> Street and the Interstate is within the existing Oak and Salt Creek floodplains. It's recommended by the *Flood Insurance Study* and City policy that any development within the Salt Creek floodplain, in this area, that require zoning changes, platting, special permit or other similar type of planning revisions adhere to the maximum percentage allowable fill recommendations for Salt Creek. These are the areas south Oak Creek where recommended allowable fill is 0 percent for the area generally south of Line Drive, 15 percent for the area generally between Line Drive and I-180 and 100 percent for the relatively small area east of I-180. As stated under the Drainage System portion described above, there are permanent conservation easements in place that are required to meet no net fill standards. Also, it is City policy that any public property, within a floodplain being developed, meet no net fill standards.

*Sun Valley Boulevard Area -- Proposed Flood Plan:* The City of Lincoln is currently remapping Salt Creek. Generally the floodplain boundary is relatively similar to the existing boundary. However, the proposed allowable fill areas (i.e. storage areas) are proposed to be revised generally as follows: allowable fill of 35 percent for the area south of Oak Creek within the area and south of Line Drive, 55 percent south of Oak Creek between Line Drive and I-180, 15 percent south of Oak Creek and east of I-180 and 60 percent north of Oak Creek and east I-180. The current plan is to propose new ordinances making the allowable fill area provisions mandatory once the remapped floodplain for Salt Creek is adopted.

### Street Lighting

The majority of wiring is underground and there are no significant street lighting issues. In addition, the State of Nebraska is in the process of widening and lighting Interstate 80 through this area.

### ***Historic Significance***

The collection of parcels and streets that make up the Northwest Corridors Redevelopment Area include historic highway corridors and public property that has served a wide assortment of purposes.

Beginning at the south side of the Northwest Corridors, West "P" Street was the route of the D-L-D Highway, established in the 1910s to link Detroit, Lincoln, and Denver. Portions of that street still show glimpses of old brick pavement from the era. Lakeview Elementary School, just north of the southwest corner of the

Northwest Corridors at West “Q” Street and Capitol Beach Boulevard, was built in 1923.

Further north, Charleston to West Charleston Street also trace historic highways – the Pershing Highway from New York to San Francisco and the SYA (Seward-York-Aurora) Highway both followed this route west from Lincoln. Oak Lake Park was developed north of these highways as a Depression-era project on areas previously used as the city landfill.

North of West Cornhusker Highway is the former town of West Lincoln, incorporated in 1885 and annexed into Lincoln following the activation of the Lincoln Air Force Base in 1952. The Airport itself has played a central role in Lincoln’s history, from its founding as a municipal airfield in the 1920s with grass runways, to its mobilization as Lincoln Army Air Field in 1942 and very busy service during World War II, to its reactivation as the Air Force Base from 1952 to 1966, and its return to Lincoln as a major transportation and business hub since that time.

### ***Blight and Substandard Determination Study***

The City of Lincoln, through its Urban Development Department, entered into a contract with Hanna:Keelan Associates, P.C. to complete the *Northwest Corridors Redevelopment Blight and Substandard Determination Study*. The study was completed in March, 2006. This section was taken directly from that study.

An analysis was made of each of the blighted and substandard factors listed in the Nebraska legislation to determine whether each or any were present in the Redevelopment Area and, if so, to what extent.

#### Blight Factors

The Community Development Law identifies 12 factors that, when the majority are present, are sufficient to determine a finding of blighted.

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

11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
12. Area is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions:
  - 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 the area is unimproved land that has been within the city for 40 years and has remained unimproved during that time;
  - d. The per capita income of the study or designated blighted area is lower than the average per capita income of the city or village in which the area is designated; or
  - e. The area has had either stable or decreasing population based on the last two decennial censuses.

Of the twelve blight factors listed above, seven are present to a strong extent (factors 3, 4, 5, 9, 10, 11, 12) and factors 1, 2, and 6 are present to a reasonable, but more limited extent. The factor of tax or special assessment exceeding the fair market value of land was determined not to be a blighted factor. Defective or unusual condition of title was not reviewed.

### Substandard Factors

The Community Development Law defines a substandard area as one in which there is a predominance of buildings or improvements, nonresidential or residential, with the presence of:

1. Deterioration/dilapidation of structures.
2. Age of obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation, or open spaces; or
4.
  - a. High density of population and overcrowding; or
  - b. The existence of conditions which endanger life or property by fire and other causes; or
  - c. Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to public health, safety, and welfare.

The *Northwest Corridors Blight and Substandard Determination Study*, through analysis, field survey, and a detailed exterior structural survey of 222 structures concluded that of the four factors set forth in the Nebraska Community Development

Law (listed above), two factors were found to be present to a strong extent, while the remaining two factors were present to a reasonable, but less significant extent.

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

The conclusion presented in the *Northwest Corridors Blight and Substandard Determination Study* stated that the number, degree, and distribution of blighting factors are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in *the Nebraska Community Development Law*.

# Redevelopment Plan

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## ***Guiding Principles***

The Northwest Corridors are considered “Gateway Entrances” into Lincoln. Given the existing zoning and land uses in the Redevelopment Area, primary uses are likely to be commercial and industrial. However, given the entryway function of the Northwest Corridors, the following guiding principles should be considered with any redevelopment project:

1. Areas that require redevelopment, including areas with obsolete land uses or unresolvable land use conflicts, should be developed in ways that strengthen existing commercial, industrial, and residential investments. Stable areas or marginal areas with viable future uses should be targets for rehabilitation reinvestment.
2. Separate, to the degree possible, local and through traffic movements.
3. Establish defensible edges between residential and non-residential uses. Use streets or green ways to provide boundaries, thus realizing the benefits of mixed use while screening the negative effects of commercial and industrial growth on residential environments.
4. Improve street landscaping, where possible, along parking lots or in conjunction with new developments.
5. Encourage redevelopment to occur as clusters or hubs with appropriate site design features that accommodate shared parking and ease of pedestrian movement within the site.
6. Redevelopment should occur in ways that strengthen and support the existing business community in the Northwest Corridors Redevelopment Area.
7. Preserve and enhance entryway corridors into Lincoln.

## Commercial and Industrial Development Guidelines

The *Comprehensive Plan* shows the area as predominately industrial and commercial. Guiding principles for redevelopment projects within the area, therefore, should follow the recommendations in the *Lincoln-Lancaster County Comprehensive Plan* (adopted as amended on May 28, 2002) for commercial and industrial development. The development strategy presented in the *Comprehensive Plan*, pages F 37 – F 38, states the following:

...seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering neighborhoods, present and future home owners, other businesses, and infrastructure that provides a level of predictability as to where such employment concentrations might be located.

The *Comprehensive Plan* identifies the following General Principles for, “All Commercial and Industrial Uses (p. F – 38):

Commercial and industrial districts in Lancaster County shall be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and flood plain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for the in the near term.
- In sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- In areas accessible by various modes of transportation (i.e. automobile, transit, and pedestrian).
- So that they may enhance entryways or public way corridors, when developing adjacent to these corridors.
- In a manner that supports the creation and maintenance of green space as indicated in the environmental resources of the *Comprehensive Plan*.

#### Moderate to Heavy Industrial Development

The *Comprehensive Plan* identifies two areas as Heavy Industrial Centers: along N.W. 12<sup>th</sup> Street and south of West Cornhusker Highway, and north of Oak Creek and east of Interstate 80. Heavy industrial redevelopment centers should consider the following principles:

- Generally over 80 acres in size.
- Primarily used for manufacturing, processing, and assembly uses.
- May also include some warehouse, storage, and contractor yard uses with a minor amount of supporting commercial use – but they should be over 75 percent industrial use.
- Site characteristics, buffering, and appropriate zoning should be considered so that they enhance entryways or public way corridors, when developing adjacent to these corridors.

#### Light Industrial Development

The *Comprehensive Plan* identifies several light industrial centers. Light industrial centers should consider the following general principles:

- Generally a minimum of 50 acres in size.
- Primarily for lighter manufacturing uses with some additional office and retail uses located within the center.
- Due to lesser potential impacts, the centers can be located closer to residential, though residential uses should be buffered through landscaping, large setbacks, and transitional uses, such as office or open space.

The Guiding Principles of the Redevelopment Plan, along with issues identified in the Existing Conditions section of this Plan, provide the basis for the redevelopment projects.

### ***Redevelopment Activities: Public Improvements***

Infrastructure issues that include streets, sidewalks, and utilities impeded new development throughout the Redevelopment Area and contribute to the blighting conditions. Therefore, the following public improvement activities should occur:

#### **Streets**

- Streets should be constructed in conjunction with redevelopment projects and gravel roads should be paved.
- The excessive number of driveways and access points along West Cornhusker Highway impede traffic flow and create unsafe driving conditions. In conjunction with redevelopment projects, close/consolidate existing drives to help maintain traffic flows and increase safety while continuing to provide needed access to new and existing businesses.
- Coordinate improvements in the Northwest Corridors Redevelopment Area with future improvements including widening and realignment of Sun Valley Boulevard.

#### **Sidewalks and Pedestrian Movements**

The *Blight and Substandard Determination Study* identified a total of 150 parcels that lack sidewalks. The Public Works and Utilities Department recognizes a major deficiency in the sidewalk along Cornhusker Highway from N. 1<sup>st</sup> Street to N.W. 12<sup>th</sup> Street. Furthermore, sidewalks north and south of Cornhusker Highway are inadequate.

- Repair and replace sidewalks as necessary, particularly in conjunction with redevelopment projects.
- Construct sidewalks where none exist, both north and south of Cornhusker Highway and along the east side of N.W. 12<sup>th</sup> Street from West Commerce Way to West Highland Boulevard. Sidewalks should also be constructed in conjunction with redevelopment projects.
- Construct pedestrian walkways or facilities internally within the redevelopment project areas.
- Eliminate, to the extent possible, pedestrian vehicular movement conflicts, particularly along Cornhusker Highway where conflicts occur when residents north of Cornhusker Highway attempt to access parks and recreation facilities located to the south of Cornhusker Highway.

#### **Parking**

The *Blight and Substandard Determination Study* identified inadequate parking conditions throughout the area. Mobile home parks and some commercial and industrial uses have gravel parking.

- Pave gravel parking areas within redevelopment project areas.
- Improve parking surfaces where needed, particularly in conjunction with redevelopment projects.

### **Public Transportation**

Continue to provide transit opportunities within the Redevelopment Area and new service when feasible, as redevelopment occurs. Improvements may also include construction of bus shelters, kiosks with transit information, and bus pullouts.

### **Pedestrian/Bicycle Trails**

- Continue to identify and construct future trails including the future connection of the Oak Lake Trail from 1<sup>st</sup> and Charleston Streets with Roper Park and Superior Street Trail, north of the Redevelopment Area; and the Salt Creek Levee Trail connection along “P” Street, the southern edge of the Redevelopment Area.
- Complete public improvements along the trails when needed and feasible.

### **Parks**

Monitor conditions at Oak Lake Park and make improvements when needed and feasible.

### **Public Utilities**

- Street Lighting – Install street lights as needed in conjunction with redevelopment projects.
- Sewer and Water – Continue to monitor conditions and repair and replace as feasible.

### **Streetscape Beautification**

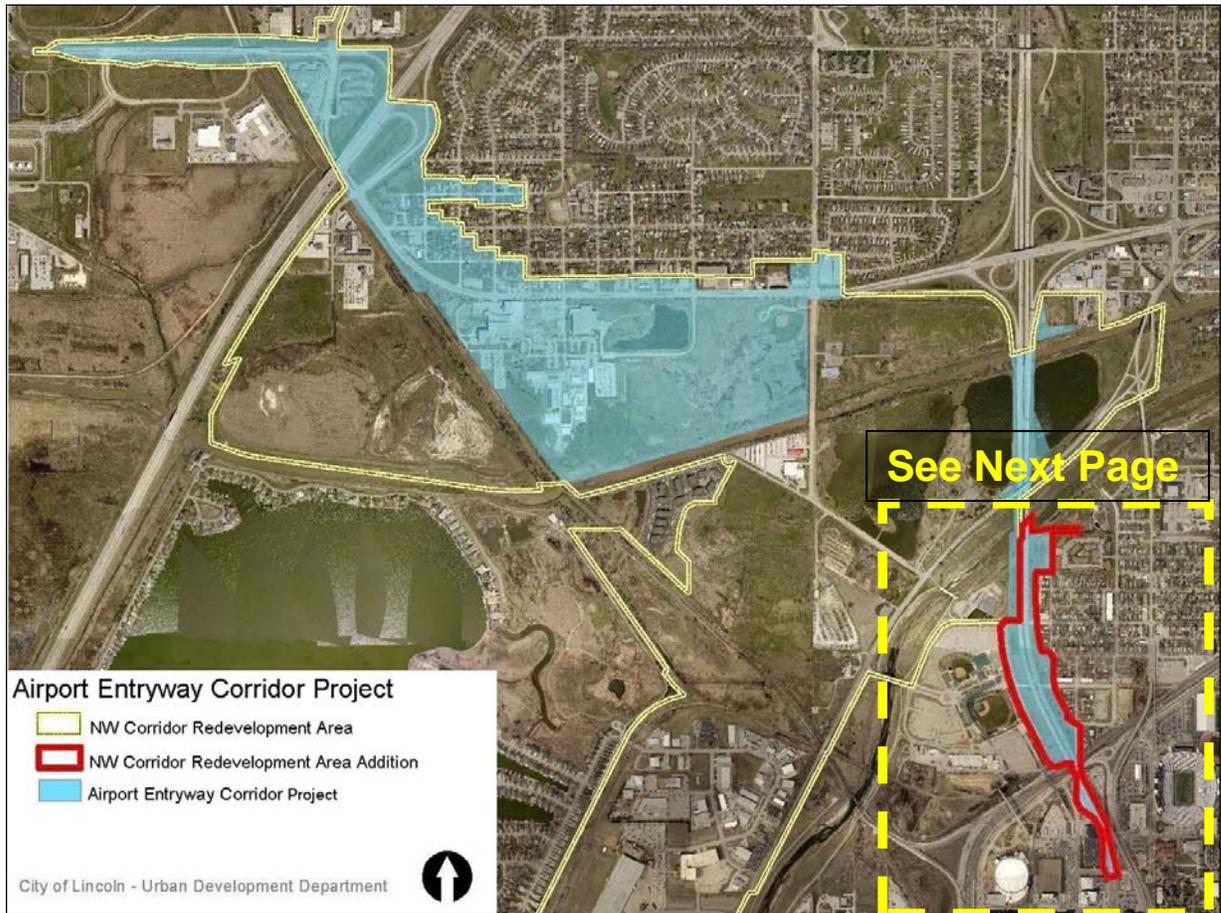
Design and construct a streetscape plan for West Cornhusker Highway. Elements should include, but not be limited to, lighting, thematic entrances and nodes, landscaping, removal of billboards, and general streetscape improvements.

#### **1. Airport Entryway Corridor Project:**

##### **Project Description:**

The corridor is generally located from near the Lincoln airport on West Adams St., east on Cornhusker Highway to the I-180 interchange, and south along I-180 to S Street. The corridor provides the first impression of Lincoln for visitors arriving at the airport but it is currently unwelcoming, uninspiring, poorly landscaped and blighted. Streetscape improvements will be coordinated with construction of roadway improvements to avoid conflict and make improvements in an efficient and effective way. The Project Area is illustrated in *Exhibit 3a* which also expands the boundary of the Northwest Corridors Redevelopment Plan to the south along the I-180 corridor right-of-way. The expanded boundary, shown in *Exhibit 3b*,

## Exhibit 3a: Airport Entryway Corridor Project

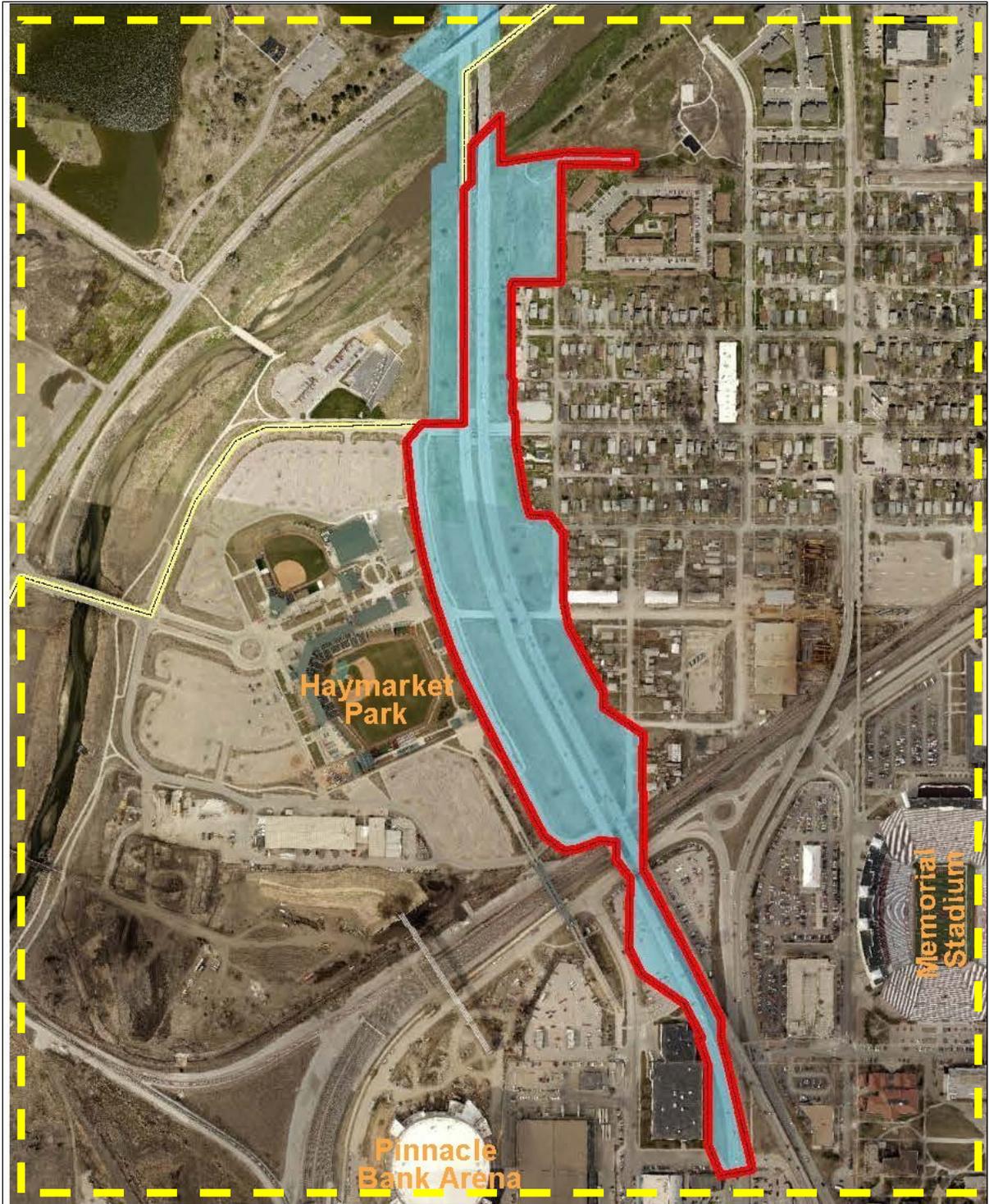


incorporates areas previously declared blighted and substandard through the Lincoln Center and Antelope Valley Redevelopment processes. The project area is approximately 298.6 acres, of which approximately 27.4 acres comprise the additional area.

Streetscape improvements may include:

- Landscaping, including irrigated street trees, evergreen trees, flowering shrubs, and stylized prairie plantings to direct views, provide shade and contribute to the overall visual appeal of the corridor.
- A unique, illuminated district marker that repeats along the medians of West Adams and cornhusker Highway. The marker will be constructed of corten steel with custom fabricated lights and a cultural iconic image that is illuminated at night.
- A series of banners that introduce rhythm, interest, and a distinctive identity to let people know they have arrived in the City of Lincoln. Banners will reflect the branding campaign and may also include iconic images of Lincoln the Man.

# Exhibit 3b: NW Corridor Redevelopment Area Addition



## Airport Entryway Corridor Project

 NW Corridor Redevelopment Area

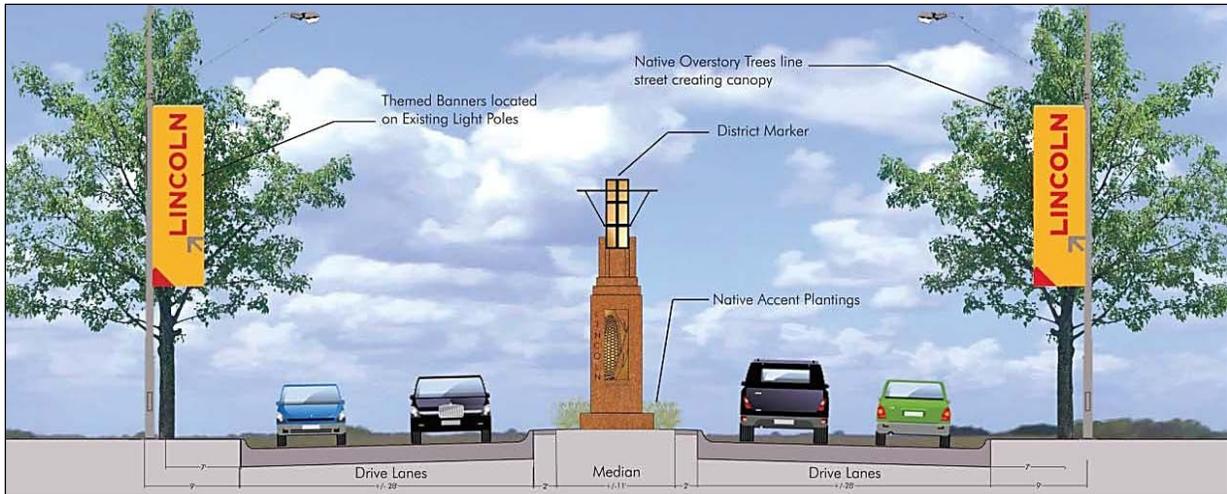
 Airport Entryway Corridor Project

 NW Corridor Redevelopment Area Addition

City of Lincoln - Urban Development Department



### Typical Cross Section of Proposed Streetscape Improvements



- Stylized prairie plantings and grouping of trees to frame views along I-180, with street trees and banners along the corridor as I-180 enters Lincoln at 9<sup>th</sup> Street.
- Prominent opportunities for public art.

In addition to the streetscape improvements, other actions within the Project Area will:

- Continue the Plan's objective of strengthening existing commercial, industrial and residential investments through redevelopment or rehabilitation of blighted, conflicting or obsolete land uses (See *Guiding Principles*, page 21).
- Continue implementation of **Project 7 – Acquisition of Substandard Commercial/Industrial Structures** (see page 44). Properties contributing to the substandard and blighting influences in the Redevelopment Area -- substandard commercial/industrial structures and uses inconsistent or incompatible with existing land uses -- will be acquired and made available for redevelopment. In some cases, parcels may be assembled for disposition. Properties to be acquired are included in Appendix B.

### Statutory Elements

The first priority is the construction of the streetscape improvements. The streetscape improvements will be constructed within the existing public right-of-way; therefore, no public acquisition of private property, relocation of families or businesses, or the sale of property is necessary to accomplish this Project. Since this is a Public Improvement project within existing public right-of-way, there are no changes in population density, land coverage, traffic flow, street layouts or street grades, parking, zoning, building codes or ordinances.

- **Financing and Cost Benefit Analysis:** The entire cost of the project is \$9.3 million which includes nearly four miles of roadway improvements, streetscape enhancements, and an endowment to maintain the

streetscape. The \$4.9 million roadway improvements are fully funded through the City's Street Construction program. The streetscape project extends beyond the boundaries of the NW Corridors Redevelopment Area, to Antelope Valley Parkway. The entire cost of the streetscape is estimated at \$2.5 million with an anticipated maintenance endowment ranging from \$1.4 to \$1.9 million. The primary funding source for construction of the streetscape project is City Certificate of Participation (COP) bonds. Resources for paying the debt service on these COP bonds are Tax Increment Financing (TIF), private funds, and General Fund revenues.

Tax Increment Financing (TIF) is expected to be generated from planned private business expansion in the project area along with property value appreciation within the area over time. Based on past appreciation history and known business expansions, TIF is estimated at \$1.5 million. Additional private funds may reimburse the General Fund for COP bond debt service. Regardless of the amounts of the final revenue sources for this project and other currently planned COP financed projects, the amount of debt service will decrease over the next few years.

Uses and sources are summarized below:

| Uses                   |                            | Sources             |                            |
|------------------------|----------------------------|---------------------|----------------------------|
| Roadway Improvements * | \$4,900,000                | Street Construction | \$4,900,000                |
| Streetscape            | \$2,500,000                | TIF                 | \$1,500,000                |
|                        |                            | COP                 | \$1,000,000 **             |
| Endowment              | \$1,400,000 to \$1,900,000 | Private fundraising | \$1,400,000 to \$1,900,000 |
| Total:                 | \$8,800,000 to \$9,300,000 |                     | \$8,800,000 to \$9,300,000 |

\* Includes concrete pavement repair with mill and overlay, curb replacement, and ADA curb ramps from NW 1<sup>st</sup> Street to West Adams Street, on Cornhusker Highway.

\*\* To be paid with private donations, when available, and other General Fund revenue sources. Item includes funding for additional streetscape improvements beyond the Redevelopment Area to Antelope Valley Parkway.

- **Public Infrastructure and Public Service Needs Impact:** The project will improve existing public infrastructure through the roadway improvements and streetscape in the public right-of-way. Improvements to existing infrastructure are more cost effective than construction of new public facilities. There will be no adverse impacts to City public services.



*Above and Below: Looking SE from roughly the intersection of West Saunders Street and Cornhusker Highway*



- ***Employment within the Project Area:*** The project will not have an adverse impact on employers or employees within the project area. Construction of the project may increase construction jobs.
- ***Employment in the City outside the Project Area:*** Approximately 145,811 persons living in the City of Lincoln were employed in 2012 according to the Nebraska Department of Labor. The median household income for the City was \$49,504 according to the 2008-2012 American Community Survey. Any increased employment in the project area will have a negligible impact on the overall employment in the City.
- ***Other Impacts:*** The Airport Entryway Corridor is a component of a larger overall strategy to increase the area's economic development potential, enhance Lincoln's image to visitors and employers, and improve the area's infrastructure. Enhanced aesthetics along this major entrance to the city will project a welcoming community. The corridor plan will integrate Lincoln's

branding campaign and will enhance Lincoln's identity for visitors. It will also complement the effort being made to develop the airport's economic potential.

Streetscape improvements also send a message to the private sector that the City is willing to reinvest in the area. The improvements not only improve the corridor for people driving through, but also for the benefit of existing businesses and will create an environment that encourages the private sector to want to reinvest and make private improvements.

### ***Redevelopment Activities: Commercial and Industrial***

The following commercial and industrial redevelopment projects should occur in the redevelopment area:

- 1. Old Rosewood Hotel:** Redevelop dilapidated hotel site as commercial or industrial use, generally located at part of Lot 51.1.T. except the southern 14.61 acres. Project elements may include the following:
  - Acquisition and demolition of property described above.
  - General site preparation.
  - Environmental testing and remediation.
  - Construction of public utilities.
  - Construction of internal public roads, alleyways, and parking.
  - Sidewalk construction in the public right-of-way (ROW).
  - Construction of landscaping, ornamental lighting, and streetscape in the public ROW.
  - Re-plat and re-zone as required.
  - Enhancements of existing stormwater detention basins/dams for water quality and flood control.
  
- 2. Outdoor Activity Complex:** Support commercial/industrial redevelopment efforts at City and privately owned property generally located at Highlands Coalition, Block 2, Outlot I, Highlands Coalition, 4<sup>th</sup> Addition, Lot 2 and Highlands Business Park 2<sup>nd</sup> Addition Outlot B excluding the southern portion, as shown on Exhibit 4 as sub-area A. Project elements may include the following:
  - General site preparation.
  - Environmental testing and remediation.
  - Construction of public utilities.
  - Construction of internal public roads, alleyways, and parking.
  - Sidewalk construction in the public ROW.
  - Construction of landscaping, ornamental lighting, and streetscape in the public ROW.
  - Re-plat and re-zone as required.

### **3. University of Nebraska Technology Park Project 1 -- Verizon:**

Support commercial development on Outlot A, University of Nebraska Technology Park 1<sup>st</sup> Addition in Section 3-10-6 and 10-10-6 and Lot 80 Irregular Tract in Section 10-10-6. Projects elements may include the following:

- Property acquisition.
- Mass grading.
- Relocation of gas and electric lines.
- Construction of storm sewer.
- Traffic signalization.
- Relocation of 16" water line.
- Street extensions.
- Landscaping and street trees.

### **4. University of Nebraska Technology Park Project 2 – Perot:**

#### **Project Description:**

The University of Nebraska Technology Park Project 2 will consist of an office/commercial building of approximately 150,000 square feet located on approximately 21.7 acres as it is situated generally south of the western extension of Research Drive within the Technology Park at approximately N.W. 7<sup>th</sup> Street. In order to facilitate this Project, certain public improvements will be required. The Project site is shown on the Exhibit following the Statutory Elements section below, and incorporated by this reference. The Project site will require the extension of Research Drive and Cattail Road to provide two access points to the Project site. These street extensions will provide direct access to arterial streets adjacent to the Technology Park. In addition, the Project site will require the extension of sanitary sewer, storm sewer, municipal water service, and other utilities.

In addition to the public infrastructure items, the Project will involve the installation of sidewalks, street trees, ornamental street lighting, and landscaping in the public right-of-way as required by the Lincoln Municipal Subdivision Ordinance.

Public investment may assist in eligible expenditures, which may include site acquisition, site preparation, and public infrastructure including, but not limited to, public utilities to the Project site and extension of Research Drive and Cattail Road.

#### **Statutory Elements:**

**A. *Property Acquisition, Demolition, and Disposal:*** No public acquisition of private property, relocation of families or business, or the sale of property is necessary to accomplish this Project.

**B. *Population Density:*** The proposed development at the Project site contains no residential units and no residential units are envisioned. The



the extension of Cattail Road and Research Drive will be adequate to provide access to adjacent arterial streets. The intersection of Highlands Boulevard and N.W. 1<sup>st</sup> Street has been signalized.

**E. Parking:** Use Permit #80A identifies certain parking envelopes available for the location of parking for development projects within the University of Nebraska Technology Park. The private parking will be developed as a part of the Project and will exceed the parking requirements set forth in the O-3 Office Park zoning classification.

**F. Zoning, Building Code, and Ordinances:** The Project site includes an approximately 12-acre parcel which was recently included within the coverage of Use Permit #80A. This 12-acre parcel was changed to the O-3 Office Park zoning classification and is now subject to Use Permit #80A. Additional zoning changes shall not be necessary. No other changes are contemplated to local codes or ordinances. As the specific details of the Project are finalized, an administrative amendment to Use Permit #80A will be required to demonstrate that the Project complies with Use Permit #80A.

**G. Financing:** The estimated total cost to implement this office/commercial redevelopment is approximately \$25 million which includes approximately \$3 million of public investment. The source of public funds for these improvements will be Community Improvement Financing, estimated to be \$3 million, generated from the private development within the project area.

## **5. University of Nebraska Technology Park Project 3: World's Foremost Bank Project**

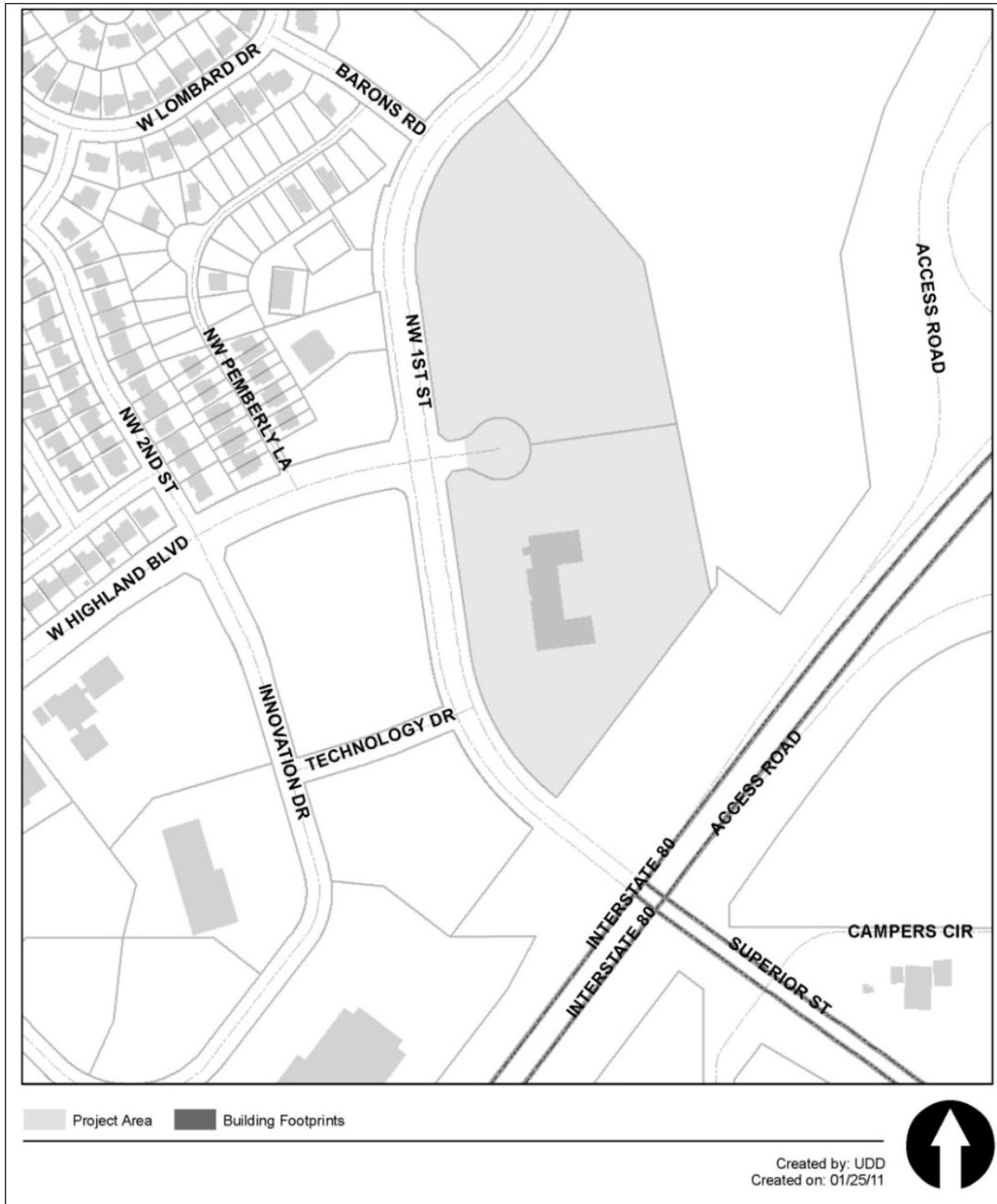
### **Project Description:**

The World's Foremost Bank Project will consist of an office building of approximately 40,000 square feet located on Lot 1, Block 1, Highland's Coalition 2<sup>nd</sup> Addition generally north of the existing bank location at 4800 N.W. 1<sup>st</sup> Street within the Technology Park. In addition, the World's Foremost Bank will be acquiring Outlot A, Highland's Coalition 2<sup>nd</sup> Addition and constructing a parking lot on this site. An approximately 4 – 5 acre parcel will be separately platted for future expansion purposes and a second phase of the project. Thus, the Project site shall be approximately 14.5 acres. In order to facilitate this Project, certain public improvements will be required. The Project site is shown on Exhibit 3b attached and incorporated by this reference. The Project site will require the vacation of Highland Court for which the applications have been filed.

In addition to the public infrastructure items, the Project will involve the installation of street trees, ornamental street lighting, and landscaping in the public right-of-way as required by the Lincoln Municipal Subdivision Ordinance.

Public investment may assist in eligible expenditures, which may include site acquisition, site preparation, public infrastructure and the reconstruction of the vacated Highland Court.

## Exhibit 3d: University of Nebraska Technology Park Project 3



### **Statutory Elements:**

**A. Property Acquisition, Demolition, and Disposal:** No public acquisition of private property, relocation of families or business, or the sale of property is necessary to accomplish this Project.

**B. Population Density:** The proposed development at the Project site contains no residential units and no residential units are envisioned. The

Project consists of an office/commercial development which will not affect population density in the Project area.

**C. Land Coverage:** The Project site is currently vacant, but will be developed with the Project. Based upon the Project consisting of approximately 40,000 square feet of building on the Project site, the Project would have a floor to area ratio within or below the requirement of Use Permit #80B, which sets a standard floor to area ratio of 30%. Thus, the Project is well within the land-coverage ratio envisioned by Use Permit #80B.

**D. Traffic Flow, Street Layouts, and Street Grades:** It is anticipated that the Project will increase traffic and that the current status of N.W. 1<sup>st</sup> Street will be adequate to provide access to the Project site. The intersection of Highlands Boulevard and N.W. 1<sup>st</sup> Street has been signalized. Additional traffic control measures, such as a deceleration lane to the Project site, are being considered based on the traffic analysis.

**E. Parking:** Use Permit #80B identifies certain parking envelopes available for the location of parking for development projects within the University of Nebraska Technology Park. The private parking will be developed as a part of the Project and will exceed the parking requirements set forth in the O-3 Office Park zoning classification.

**F. Zoning, Building Code, and Ordinances:** The Project site includes an approximately 19.32 acre parcel which is within the coverage of Use Permit #80B. Additional zoning changes shall not be necessary. No other changes are contemplated to local codes or ordinances. As the specific details of the Project are finalized, an administrative amendment to Use Permit #80B will be required to demonstrate that the Project complies with Use Permit #80B.

**G. Financing:** The estimated total cost to implement this office/commercial redevelopment is approximately \$6,200,000 which will yield incremental tax revenues sufficient to support approximately \$850,000 of City public investment. The source of public funds for these improvements will be Community Improvement Financing, estimated to be \$850,000, generated from the private development within the project area.

## 6. West Haymarket Sports Park (WHSP)

### Project Description:

The West Haymarket Sports Park is a mixed-use project consisting of a major expansion of youth sports facilities and related commercial uses and activities over approximately 65.7 acres. The project would be implemented within the Redevelopment Project Area, as shown in *Exhibit 3e* and is generally bounded by Sun Valley Boulevard on the east, Charleston and West Charleston Streets on the north, The View (a student housing complex) on the west, and the Union Pacific rail line on the south.

Exhibit 3e: West Haymarket Sports Park: Redevelopment Project Area



The Redevelopment Plan also designates the entire Redevelopment Project Area, as shown in Exhibit 3e, an Enhanced Employment Area (EEA) – as defined by the Nebraska Community Development Law (Chapter 18, Article 21, Section 18-2101, et seq.) As required by that law, within the EEA, jobs will be created for at least twenty-five new employees and at least \$2 million will be newly invested in the EEA.

The project's outdoor sports focus is girls' fast-pitch softball and other recreational sports. Pre-teen baseball may also possibly be incorporated as fields are available. The West Haymarket Sports Park is being designed for league play and large tournaments.

The project will generally consist of three phases. Phase I includes approximately 12 or more outdoor recreational fields including associated restrooms, concessions, maintenance facility and ball field accessory components, public and private roadways and associated public street modifications, parking, infrastructure and support. See *Exhibit 3f* for a proposed site plan. Phase 1 is anticipated to be completed prior to the 2015 sports season, starting mid-March.

Phase 2 of the project, *Exhibit 3g*, is intended to include multiple commercial projects with multiple start and completion dates. Primary projects are intended to include a large field house and smaller field house, lodging, restaurant(s) and other commercial uses to support sports activities. The commercial projects are intended to be partially supported by, and specifically complementary to, both outdoor and indoor sports facilities. The indoor sports facilities will allow Lincoln to host additional youth and amateur sports events focusing on volleyball, basketball, perhaps soccer, and also provide for multi-sport practice, training and exercise. A variety of after-school youth activities could also occur. Phase 2 will start either during Phase 1 construction or after completion of Phase 1. Implementation of Phase 2 may take three to five years, depending upon market absorption rates.

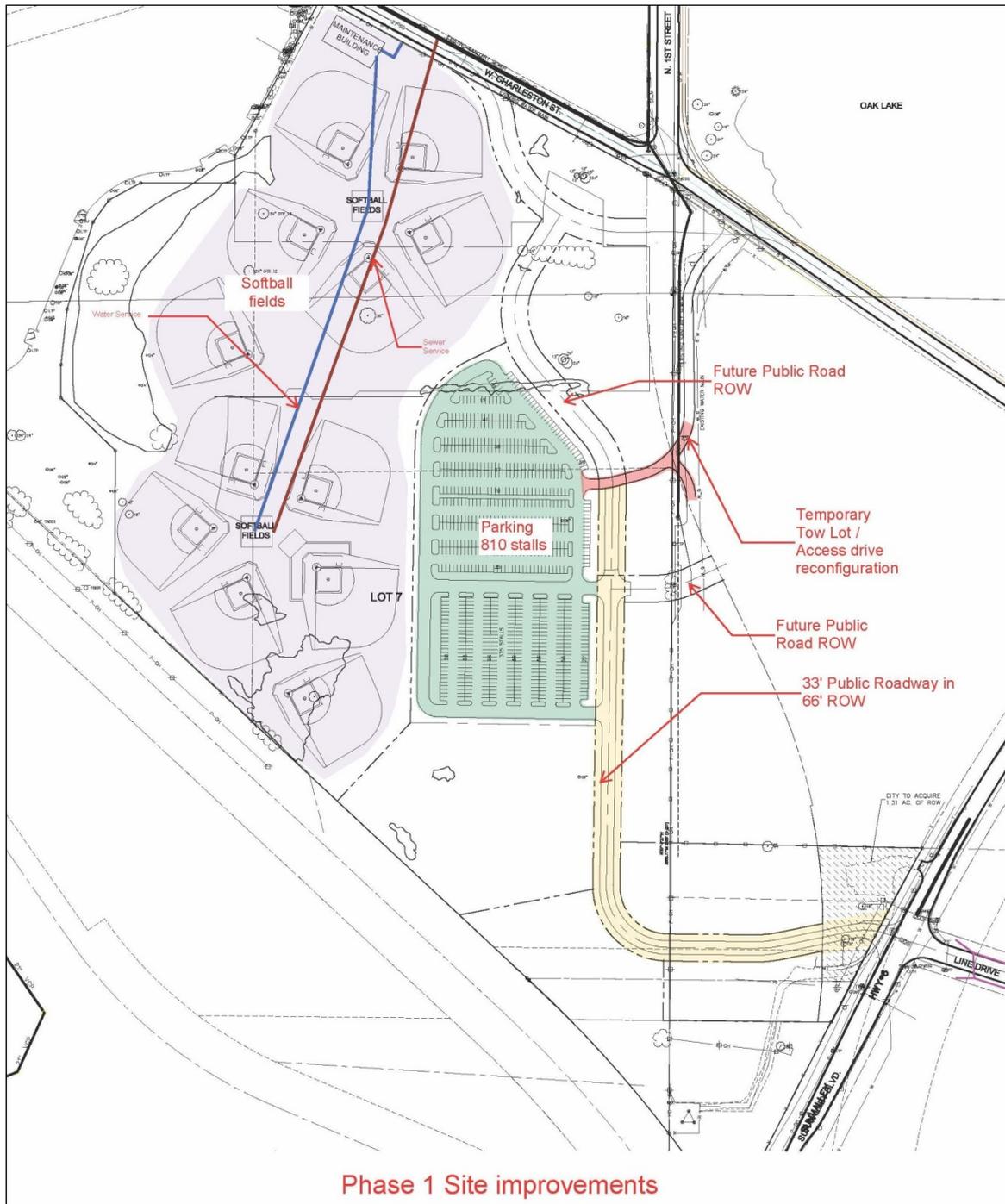
Phase 3 illustrates the Nebraska Department of Roads (NDOR) long range plan to realign Sun Valley Boulevard. *Exhibit 3h* illustrates the earlier two Phases along with that proposed realignment and new 1<sup>st</sup> Street connection.

Although the City's tow lot is included in the Redevelopment Project Area, no material changes are anticipated to the facility itself, although shared street and driveway access is anticipated. As traffic increases, improvements to the street and driveway access may become necessary.

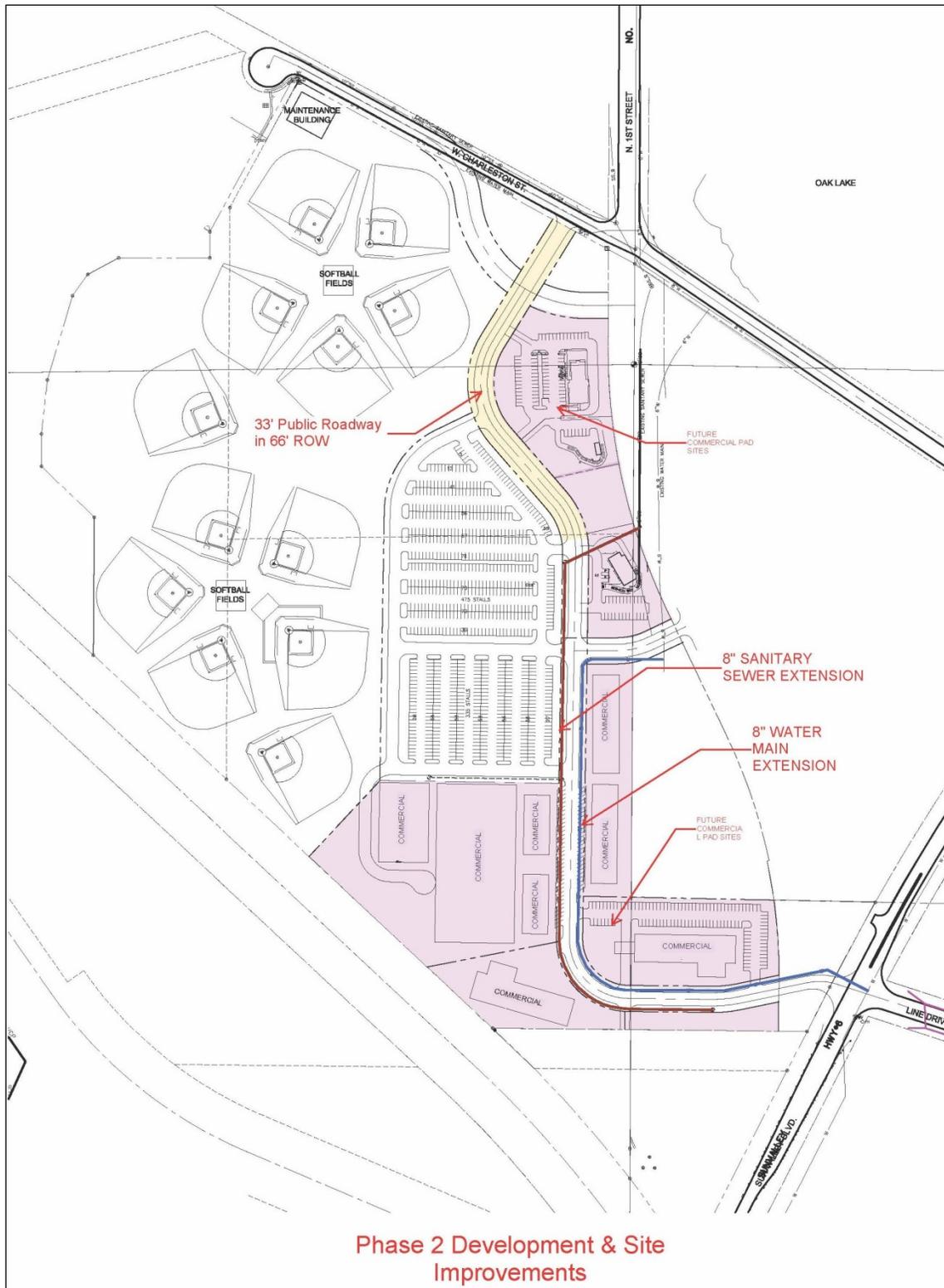
Most of the Redevelopment Project Area is in the designated 100-year flood plain and portions of the site include a former land fill. Both of these conditions will require remedial actions.

Public investment may assist in eligible expenditures. These may include site acquisition, demolition and site preparation, environmental remediation, public utilities, sidewalk and street improvements, and landscaping.

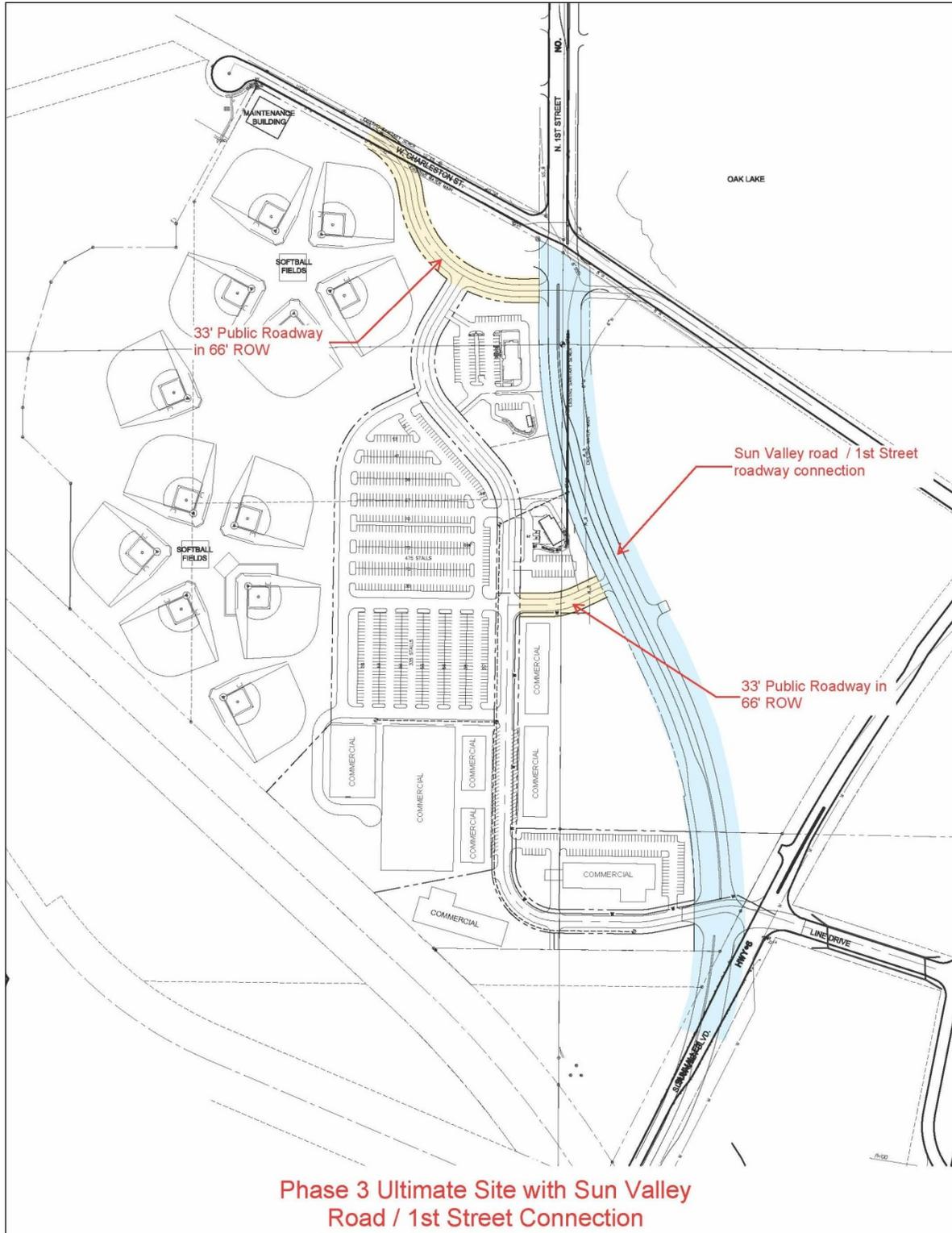
# Exhibit 3f: West Haymarket Sports Park Proposed Site Plan: Phase 1



# Exhibit 3g: West Haymarket Sports Park Proposed Site Plan: Phase 2



# Exhibit 3h: West Haymarket Sports Park Proposed Site Plan: Phase 3



**Statutory Elements:**

- A. *Property Acquisition, Demolition, and Disposal:*** The City may acquire the necessary fees, easements, property and covenants through voluntary negotiations. (See Land Acquisition Policy Statement, on file at the Urban Development Department and available upon request.) No relocation of families or businesses is required.
- B. *Population Density:*** The proposed development at the Project site contains no residential units and no residential units are envisioned. The Project consists of sports fields and associated uses, and commercial development which will not affect population density in the Project area.
- C. *Land Coverage:*** The Project site is currently vacant. Construction of Phase I will have minimal impact on land coverage but floor to area ratio will increase with full build-out of all Phases.
- D. *Traffic Flow, Street Layouts, and Street Grades:*** It is anticipated that the Project will increase traffic significantly during tournaments. New streets will be constructed as indicated on the Phase 1, 2 and 3 Site Plans (Exhibits 3f, 3g and 3h) for internal circulation. Access off Sun Valley Boulevard is currently under analysis.
- E. *Parking:*** Private parking will be developed as a part of Phase 1 and as illustrated in the Phase I Site Plan, Exhibit 3f. Additional parking needs and requirements will be evaluated in Phases 2 and 3 as development plans proceed.
- F. *Zoning, Building Code, and Ordinances:*** The Project area is currently zoned R-3 Residential District, Public Use District and I-1 Industrial District. Portions of the R-3 zoned lands are subject to an R-3 special permit. Approximately 65.7 acres will be rezoned to B-2 Planned Neighborhood Business District and be subject to a B-2 Use Permit. The current R-3 special permit will be removed from the B-2 zoned 65.7 acre area. The area will be further subdivided to accommodate the sports fields and the planned commercial tracts. No other changes are contemplated to local codes or ordinances.
- G. *Financing and Cost Benefit Analysis:*** As required by Nebraska Community Development Law ([Neb.Rev.Stat. §18-2113](#)), the City has analyzed the costs and benefits of the proposed Project including:

- **Tax Revenues**

| <b>Phase 1 Tax Increment Financing Analysis</b>     |  |                    |
|---|--|--------------------|
| <b>Phase 1: Outdoor Sports Fields &amp; Support</b> |  | <b>Amount</b>      |
| Base Value (2013)                                   |  | \$832,847          |
| Estimated New Assessed Value                        |  | \$13,823,226       |
| Increment Value                                     | <i>New Assessed Value minus Base Assessed Value</i>              | \$12,990,738       |
| Annual TIF Generated                                | <i>Increment x 0.02020638 (2014 Tax Rate) with 120% coverage</i> | \$218,747          |
| <b>TOTAL PHASE 1 FUNDS AVAILABLE</b>                | <i>Annual TIF Generated/120% x 14 years @ 5.5%</i>               | <b>\$2,116,463</b> |

Upon completion of the Project's Phase 1, the assessed value of the property within the Redevelopment Project Area will increase by an estimated \$13,000,000 as a result of the private investment. This will result in an increase in annual property tax collections during the fourteen (14) year TIF period estimated at \$262,496 upon completion of Phase 1 that will be available for the construction of public improvements related to the project; this amount is calculated with a 20% safety coverage factor, thus reducing the calculated estimate identified above to \$218,747. The public investment of a projected \$3,414,661 in Phase 1 TIF funds will leverage \$10,408,565 in private sector financing, resulting in more than \$3.05 of private investment for every City TIF dollar spent.

| <b>Phase 2 Tax Increment Financing Analysis</b>               |   |                    |
|---|---|--------------------|
| <b>Phase 2: Indoor Field-houses, Commercial &amp; Support</b> |   | <b>Amount</b>      |
| Base Assessed Value   |   | \$2,613,600        |
| Estimated New Assessed Value                                  |   | \$34,287,580       |
| Increment Value   | <i>New Assessed Value - Base</i>                            | \$31,673,600       |
| Annual TIF Generated  | <i>Increment x 0.02020638 (2014 Tax Rate) 120% coverage</i> | \$533,233          |
| <b>TOTAL PHASE 2 FUNDS AVAILABLE</b>                          | <i>Annual TIF Generated / 120% x 15 years @ 6%</i>          | <b>\$5,225,802</b> |

Upon completion of Phase 2 commercial improvements, the assessed value of the property within the Phase 2 Project Area will increase by an estimated \$31,673,600 as a result of the private investment. This will result in an

increase in annual property tax collections during the fifteen (15) year TIF period estimated at \$639,879 upon completion of Phase 2 that will be available for the construction of public improvements related to the project; this amount is calculated with a 20% safety coverage factor, thus reducing the calculated estimate identified above to \$533,233.

- **Occupation Tax**

This Redevelopment Plan includes the designation of the entire Redevelopment Project Area as an Enhanced Employment Area (EEA). Under the Nebraska Community Development Law, the City may levy a general business occupation tax upon categories of businesses and uses of space within the EEA for the purpose of paying all or any part of the costs of eligible public improvements and enhancements.

Upon completion of the project's Phase 1, the potential occupation tax is projected to generate approximately \$1,300,000 for public improvements and enhancements within the EEA. The Phase 2 projections estimate approximately \$1,465,000 to be generated from occupation tax.

To accomplish eligible public improvements and enhancements within the EEA, the City may issue bonds or notes and pledge the occupation tax to repay the indebtedness. The City believes that redevelopment of the Redevelopment Project Area and Enhanced Employment Area is in the vital and best interest of the City and is in furtherance of the health, safety, and welfare of its residents, and is in accordance with the public purposes and provisions of applicable laws.

- **Public Infrastructure and Community Public Service Needs Impacts**

It is not anticipated that the Project will have an adverse impact on existing public infrastructure or City services. The Project entails the capture of incremental tax revenues for eligible public purposes intended to include, but not limited to, land acquisition, demolition, site preparation, environmental remediation of this former landfill area, construction of new public roadway, sidewalks and other public access improvements, installation of utilities, and other eligible improvements. The Project will also facilitate an improvement in the shortage of local area sports fields and associated deficiency in youth sports tournaments, local league play and practice facilities, and associated recreational activities.

- **Employment Within & Outside the Redevelopment Project Area**

The Project will not have any adverse impact on employers or employees of firms located within the boundaries of the Project Area. Currently, there are no employers or employees within the Project Area. The Phase 1 Project is projected to create approximately 34 new Full Time Equivalent (FTE) jobs within the project area. New jobs will also be created in the Phases 2 and 3 areas although the quantity is currently

undefined. The Project is not anticipated to impose a burden or have a negative impact on other local area employers, but rather increase the need for services and products from existing local area businesses.

Dr. Eric Thompson of UNL's Bureau of Business Research has authored *Final Report, Economic Impact of the West Haymarket Sports Park*. Based upon an estimated \$47.4 million planned construction spending, the construction period impact is \$78.1 million. This construction period impact includes \$32.6 million in employee compensation spread over approximately 760 job-years.

o **Other Impacts**

The Project will increase business and tax base with a positive effect on both public and private entities. There will be a material tax shift because of the use of tax increment financing, but there will also be personal property tax and significant municipal revenue generated for the immediate benefit of the community. The Project will facilitate the redevelopment of a blighted and substandard area in the City, without the incurrence of significant public cost. The Project is also suggested to encourage additional development around the Redevelopment Project Area, including additional youth ball fields per VISION 2015 goals.

The Project will create tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing will defer receipt of a majority of new ad valorem real property taxes generated by the Project, this income could not have occurred without the use of TIF.

In addition to new personal property tax revenues, the Project will also contribute to municipal revenues through excise taxes, fees, sales taxes, and other taxes that occur and are paid by redevelopment and consumers in the Redevelopment Project Area.

The Project should have a positive impact on private sector restaurants, hotels, and other businesses within and around the area outside the boundaries of the Redevelopment Project Area. The additional hotel rooms, food establishments and the associated commercial development will provide necessary services and a substantial benefit to the City.

The Phase 1 sports field portion of the Project will not only provide a significant improvement for local league play and practices, but will generate additional tournaments for Lincoln citizens and visitors. Combined with a projected expansion of Optimist Youth Sports Complex on S. Folsom Street, West Haymarket Sports Park will create a significant increase in tourism to Lincoln, a benefit to both public and private sectors of the city.

## 7. Acquire Substandard Commercial / Industrial Structures

The Blight and Substandard Determination Study identified approximately 20 percent of all structures as substandard and having a major deficiency. Substandard Commercial/industrial structures contributing to the substandard and blighting influences in the Redevelopment Area, including structures that are inconsistent or incompatible with existing land uses, will be acquired and parcels made available for redevelopment. In some cases, parcels may be assembled for disposition. By acquiring and assembling parcels of land, the City can create marketable parcels which are of sufficient size to attract the interest of the private sector in realizing economies of scale on a project while making it possible to improve design through planned, integrated developments. The initial impact will be to eliminate blighting influences caused by substandard structures and that are inconsistent and incompatible with surrounding land uses. Parcels to be acquired are included in Appendix B.

Commercial and industrial parcels identified in Appendix B are proposed for acquisition in accordance with one or more of the reasons stated in this project. During project implementation, this section will provide the basis for determining the need to acquire miscellaneous parcels not previously identified to further accomplish the purposes of this Redevelopment Plan.

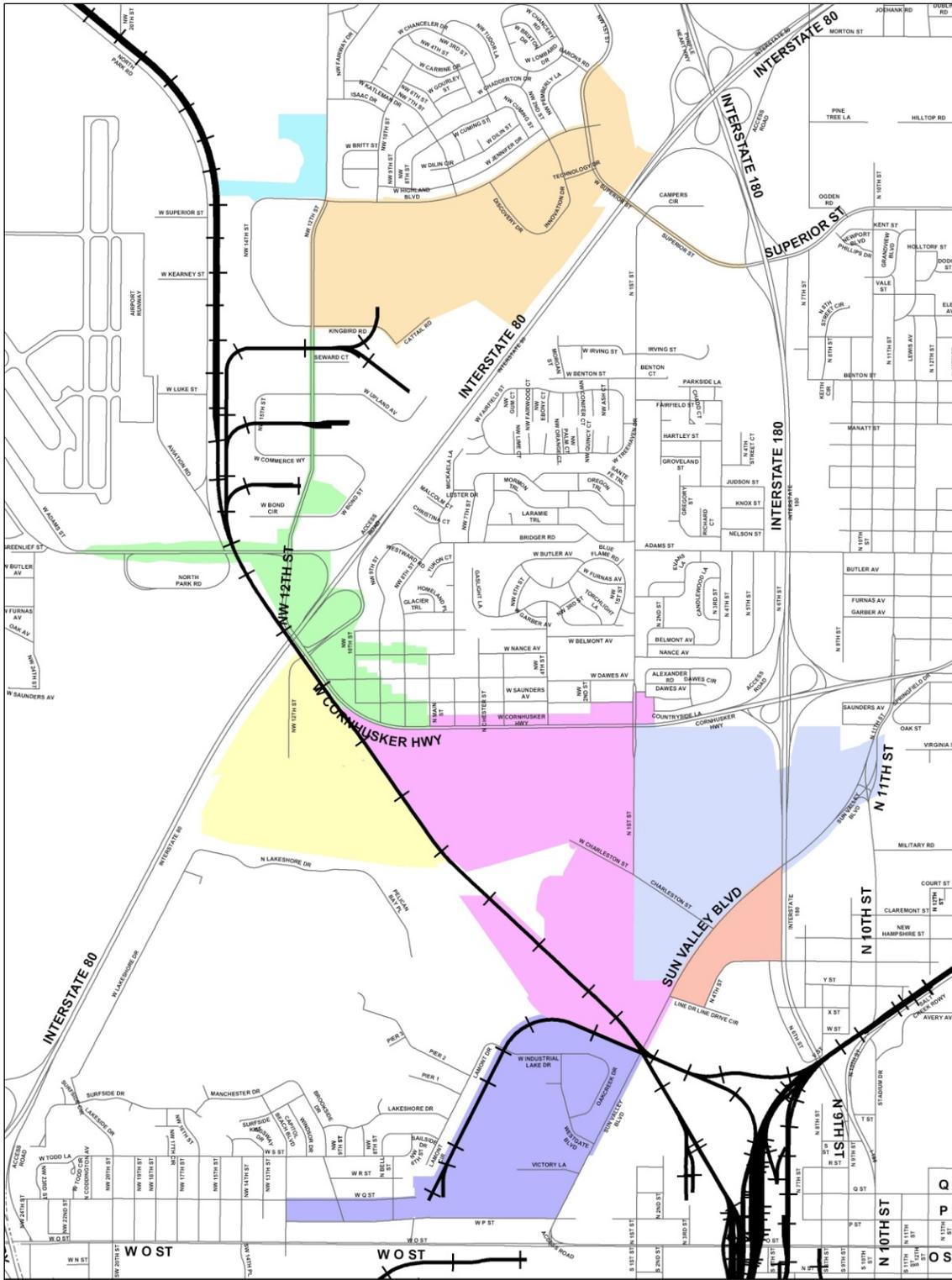
Although these projects and locations are considered key to redevelopment of the corridor, additional locations should be included as well. Additional voluntary acquisitions will be identified in Appendix B and added to this plan by Mayor's Executive Order as they occur.

### ***Sub-Project Areas***

The Redevelopment Area is comprised of eight sub-project areas with specific redevelopment activities identified within each sub-project. Activities will be undertaken as funding and private development proceeds. Sub-project areas are illustrated in Exhibit 4. Table 1 below identifies the redevelopment activities within each sub-project area.

**Redevelopment Activities within Sub-Project Areas**

| <b>Activity</b>            | <b>Sub-Project Area</b> |
|----------------------------|-------------------------|
| Streets                    | All                     |
| Sidewalks                  | All                     |
| Parking                    | All                     |
| Pedestrian/Bicycle Trails  | F and H                 |
| Parks                      | F                       |
| Street Lighting            | All                     |
| Streetscape Beautification | C, D, E, F              |
| Commercial/Industrial      | A, B, C, D, E, and H    |



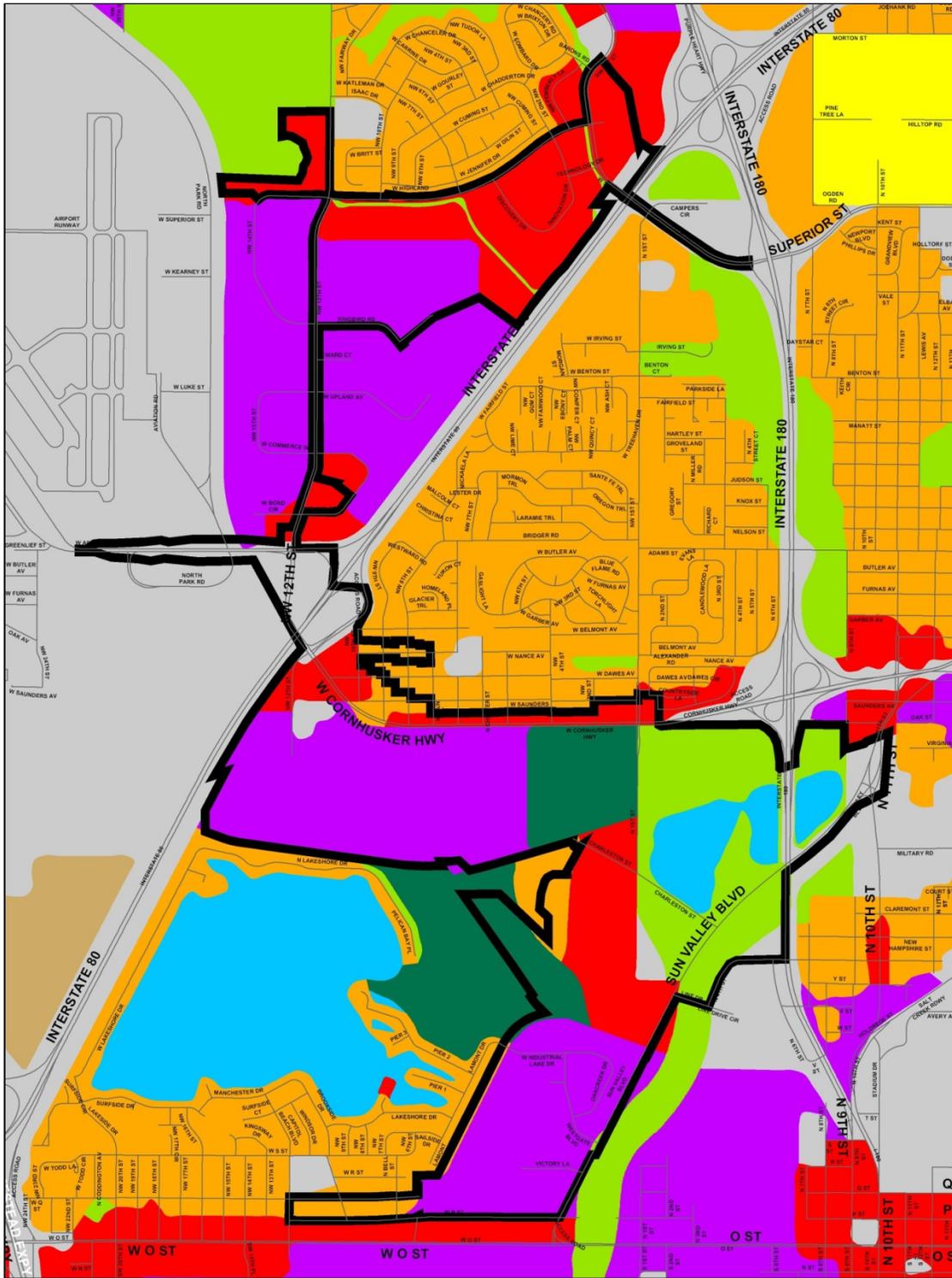
City of Lincoln  
 Urban Development GIS  
 Updated 9/27/2006

### Exhibit 4 - Sub-Project Areas

|     |          |   |                   |   |   |   |   |
|-----|----------|---|-------------------|---|---|---|---|
| —+— | Railroad | ■ | Sub-Area Projects | ■ | C | ■ | F |
| ■   | A        | ■ | D                 | ■ | E | ■ | G |
| ■   | B        | ■ |                   | ■ | F | ■ | H |

### ***Future Land Use***

Exhibit 5 is a Proposed Future Land Use map, taken directly from the City's *Comprehensive Plan*. The overall population density of the Redevelopment Area will generally remain stable. As redevelopment continues and additional projects are added, land coverage and building density will increase moderately.



### Exhibit 5 - Future Land Use

|  |              |             |                    |
|--|--------------|-------------|--------------------|
| Northwest Corridors Redevelopment Area | Public       | Green Space | Ag Stream Corridor |
| Lakes & Streams                        | Agricultural | Commercial  | Indus              |
| Environ Resources                      | Urban Res    |             |                    |

City of Lincoln  
Urban Development GIS  
9/12/06



## ***Redevelopment Processes***

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

- Property Acquisition – The City may acquire the necessary fees, easements, property and covenants through voluntary negotiations (see *Land Acquisition Policy Statement*, Appendix C). However, if voluntary agreement is not possible, the City may institute eminent domain proceedings.
- Relocation – Relocation may involve the temporary or permanent relocation of families, individuals, or businesses to complete redevelopment activities. Relocation will be completed according to local, state, and federal relocation regulations (see Appendix D, *Relocation Assistance*).
- Demolition – Demolition will include clearing sites on property proposed for public improvements; necessary capping, removal or replacing utilities; site preparation; securing insurance and bonds; and taking other necessary measures to protect citizens and surround properties. Measures to mitigate environmental findings may also be necessary, if determined by site testing.
- Disposal/Disposition – Sub-area projects will include the sale of land to private developers for redevelopment purposes. Developers will be selected in an equitable, open, and competitive proposal process according to the *Land Disposition Procedures* outlined in Appendix E.
- Requests for Proposals – Architects and engineers will follow the City’s standard selection processes to design the public facilities and improvements. Primary contractors will also be competitively selected.
- Estimated Expenditures – Preliminary estimates of project costs are included in Table 2, below. Projects will require *Requests for Proposals* and specifics are not yet determined; therefore estimates are very preliminary. Total public and private sector project costs are estimated to total \$35,100,000 over 15 years.

### **Project Expenditure Summary**

| <b>Activity</b>                               | <b>Private Sector Expenditures</b> | <b>Public Sector Expenditures</b> |
|---|------------------------------------|-----------------------------------|
| Streetscape Improvements                      |                                    | \$1,500,000                       |
| Total Commercial and Industrial Redevelopment | \$30,000,000                       | \$3,600,000                       |
| <b>Totals:</b>                                | <b>\$30,000,000</b>                | <b>\$5,100,000</b>                |

## ***Conformance with Comprehensive Plan***

The *Lincoln-Lancaster County Comprehensive Plan*, adopted May 28, 2002, as amended, represents the local goals, objectives, and policies of the City of Lincoln. The *Northwest Corridors Redevelopment Plan* was developed to be consistent with the *Comprehensive Plan*.

## ***Financing***

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

Sources of funding may include the following:

1. Special Assessments – Business Improvement Districts
2. Private Contributions
3. Sale of Land (Proceeds from the sale of land acquired for redevelopment, as identified in the Redevelopment Plan, shall be reinvested in the Redevelopment Area)
4. Municipal Infrastructure Redevelopment Fund (MIRF)
5. Community Development Block Grant Funds (CDBG)
6. Home Investment Partnership Act (HOME)
7. HUD Section 108 Loan Program
8. Community Improvement (Tax Increment) Financing (Ad Valorem Tax)
9. Capital Improvements Program Budget
10. Federal and State Grants
11. Interest Income
12. Advance Acquisition Fund – property rights/easements, public facility site acquisition.

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

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

That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each such public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of loan, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the authority shall so notify the county assessor and county treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

The effective date for the Community Improvement Financing provisions of the *Northwest Corridors Redevelopment Plan* for each sub-project is declared to be the date rehabilitation, acquisition, or redevelopment of substandard and blighted property in sub-project area first commences.

The Lincoln City Council concurred and declared the area blighted and substandard on October 23, 2006.

## Appendix A Legal Description

The Northwest Corridors Redevelopment Area boundary is described as an area in the City of Lincoln, Lancaster County, Nebraska, described as follows:

Commencing at the most Southerly point of Lot 1 Block 5, Highlands Coalition proceeding Southwesterly along said West right-of-way of NW 1<sup>st</sup> Street until reaching the intersection of NW 1<sup>st</sup> Street and W. Highland Boulevard;

then proceeding West along the West right-of-way of W. Highland Blvd. until reaching the intersection of W. Highland Blvd. and NW 12<sup>th</sup> Street;

then proceeding North along West right-of-way of NW 12<sup>th</sup> Street until reaching the Northeast corner of Lot 2, Block 2, Highlands Coalition 4<sup>th</sup> Addition;

then proceeding West along North border of said lot until reaching the Northwest Corner of said lot;

then proceeding South along West border of said lot until reaching the Southwest corner of Outlot I, Block 2, Highlands Coalition;

then proceeding West along North border of Outlot B, Highlands Business Park 2<sup>nd</sup> Addition,

then proceeding South along West border of said lot until reaching the Northeast corner of a vacated tract of land described as parcel number 11-09-200-997-000;

then proceeding East until reaching W. Highland Blvd.;

then proceeding Northeasterly along North right-of-way of W. Highland Blvd. until reaching the intersection of W. Highland Blvd. and NW 12<sup>th</sup> Street;

then proceeding South along West right-of-way until reaching Lot 4, Block 3, Union Pacific Addition; then proceeding West along North border of said lot;

then proceeding South along West border of said lot until reaching W. Adams Road/Interstate 80 Access Road;

then proceeding West along the North right-of-way of W. Adams Road until reaching the division of W. Adams Road;

then proceeding East along the South right-of-way of W. Adams Road until reaching Irregular Tract Lot 58 and 69, 16-10-6;

proceeding Southeast along said lots until reaching NW 12<sup>th</sup> Street;

then proceeding along the West right-of-way of NW 12<sup>th</sup> Street until reaching Irregular Tract Lot 4, 15-10-6;

proceeding Southwest past said lot and Irregular Tract Lot 5, 15-10-6;

proceeding Southwest along West border of Irregular Tract Lot 51, 16-10-6, South 14.61 Acre tract in Lot 51, 16-10-6, Irregular Tract Lot 38, 16-10-6, Irregular Tract Lot 49, 16-10-6;

then proceeding East along the South border of Lot 93 SW 15-10-6 also described as the center line of the new Channel Oak Creek crossing Irregular Tract 27 and 26, 15-10-6;

then crossing the South bank of Oak Creek to the most Westerly point of Lot 91SE and Lot 302 NE, 22-10-6;

proceeding East along North border of said lot to W. Charleston Street; then Southwest along said lot then Northwest along border of said lot;

then West along North border of Lot 132, 22-10-6;

then along West border of Lot 106 and 30, 22-10-6, until reaching Lamont Sixth Add Outlot A Lament 5<sup>th</sup> Lot 57, Lamont Sixth Add Outlot A the West along border of said lots and Lot 174, 22-10-6;

then South along border of Lot 174 and Lot 45, 22-10-6 until reaching the North right-of-way of W "Q" Street;

then proceeding West until Capitol Beach Boulevard;

then South along East right-of-way of Capitol Beach Blvd.

then proceeding East along North right-of-way of W "P" Street until reaching the intersection of W "P" Street and Sun Valley Boulevard;

then proceeding Northeast on the West right-of-way of Sun Valley Blvd. until reaching the Northwest corner of Irregular Tract Lot 149SE,

then proceeding on East right-of-way of Sun Valley Blvd. until reaching the intersection of Sun Valley Blvd. and Line Drive and N 4<sup>th</sup> Street;

then proceeding Northeast along said right-of-way to Charleston Street until reaching Interstate 80;

then proceeding North on West border of Interstate 80 until reaching Sun Valley Blvd.;

then proceeding Northeast along East right-of-way of Sun Valley Blvd. to N 10<sup>th</sup> Street

then proceeding North along East right-of-way of N 10<sup>th</sup> Street to the intersection of N 11<sup>th</sup> Street and the Interstate 80 Access Road;

then proceeding West until reaching Lot 2, M R Krupicka's Addition then North until intersection of N 9<sup>th</sup> Street and Oak Street

then West along border of Lot 1, M R Krupicka's addition;

then South along West border thereof until crossing Interstate 80 to Southeast corner of Irregular Tract Lot 89, 14-10-6,

proceeding North along border of Irregular Tract Lot 89,14-10-16; then West along said border;

then proceeding North along border of Irregular Tract Lot 93, 14-10-6;

proceeding North on Country Side Lane to Saunders Ave;

then proceeding West across border of Irregular Tract North 133' of W 128' Lot 93, 14-10-6 to East right-of-way of N Street until W. Saunders Rd;

proceeding West until reaching West border of Lot 22 and 23, Block 8, Midway;

then South along West border of said Lots to Southeast corner of Lots 1-4, Block 7, Midway;

then West along South border of Lots 1-4 and 5-9, Block 7 Midway;

then straight West until reaching N. Main Street

then North to North right-of-way of W. Saunders Rd;

then West along North right-of-way of W. Saunders Road to East right-of-way of NW 8<sup>th</sup> Street;

then North along East right-of-way of NW 8<sup>th</sup> Street to Southwest corner of Lots 2 and 3, Hoppe West Addition;

then West to the Northeast corner of Lots 5 & 6, Block 17, West Lincoln;

then North to Northeast corner of Lot 12, Block 17 West Lincoln; then to East right-of-way of NW 9<sup>th</sup> Street;

then North to Southwest corner of Lot 7, Block 8, West Lincoln;

then West to Southeast corner of Lot 6, Block 8, West Lincoln;

then North to Northeast corner of said lot;

then West to Northeast corner of Lot 7, Block 7, West Lincoln;

then North to Northeast corner of Lot 9, Block 7, West Lincoln;

then West to East right-of-way of NW 10<sup>th</sup> Street; then North along East right-of-way until Northwest corner of Lot 11, Block 7, West Lincoln,

then East to Southeast corner of Lots 3,4, 5, Block 9, West Lincoln;

then North to Northeast corner of Lots 10, 11, 12, Block 4, West Lincoln;

then West to Northwest corner of said lots;

then North to Northeast corner of Lots 13 and 14, Block 4, West Lincoln;

then West to East right-of-way of NW 8<sup>th</sup>

then North along said right-of-way;

then West to Northeast corner of Lot 4, Block 5, West Lincoln;

then West across to Northwest corner of Lot 9, Block 5, West Lincoln to Northwest corner of Lots 7, 8, 9, Block 6, West Lincoln;

then North on NW 10<sup>th</sup> Street around the East border of the Interstate 80 Access Road to the North;

then West around said Access Road across Interstate 80;

then North until W. Adams Road;

then West along W. Adams Road to East right-of-way of NW 12th Street;

then North along said right-of-way until the intersection of NW 12<sup>th</sup> Street and Kingbird Road;

then East along South right-of-way of Kingbird Road until Cattail Road

then Northeast along East right-of-way of Cattail Road;

then Northeast along border of Lot 80 NE, 10-10-6; then Southeast along said border;

then Northeast along said border and continuing Northeast along border of Outlot A of University of Nebraska Technology Park 1<sup>st</sup> Addition to West right-of-way of Superior Street;

then Southeast along said right-of-way to intersection of Superior Street and Interstate 80 Access Road

then back along East right-of-way of Superior Street to Northeast side of Interstate 80;

then proceed Northeast to Southwest border of Outlot A and that part vac Chadderton Circle adj, Highlands Coalition First Addition to Southeast corner of Lot 1, Highlands Coalition 2<sup>nd</sup> Addition;

proceeding along said border and the border of Outlot A, Highlands Coalition 2<sup>nd</sup> Addition until reaching NW 15<sup>th</sup> Street and the Point of Beginning.

## **Appendix B**

### **Substandard Commercial/Industrial Structures to be Acquired for Redevelopment**

None at this time.

# **Appendix C**

## **Land Acquisition Policy Statement**

### **I. ADMINISTRATIVE ORGANIZATION FOR LAND ACQUISITION OPERATIONS**

- A. All land acquisition functions, including negotiations and closings, will be performed by the City of Lincoln, or its agents. The conduct of condemnations will be performed by the Legal Counsel for the City. The staff is experienced and capable in the conduct of acquisition programs.
- B. The City of Lincoln approved land acquisition policies and procedures within the limits prescribed by the statutes of the State of Nebraska. Each individual property purchase, and the disbursement of payment, therefore, is approved by the Mayor. Condemnation proceedings are instituted by the City Law Department only after all efforts to reach a negotiated settlement have failed. Legal services will be performed by the Legal Counsel for the City.

### **II. POLICIES**

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

The following are policies for Real Property Acquisition:

1. Every reasonable effort will be made to expeditiously acquire real property by negotiation.
2. Real property will have separate appraisals before initiation of negotiations and the owner, or his representative, will be given the opportunity to accompany the appraisers on their inspection tour of the property.
3. Before initiation of negotiations for real property, the City's Reviewing Appraiser will establish an amount considered to be just compensation and the City shall make prompt effort to acquire the property for that amount.
  - a. The established amount shall not be less than the approved appraisal of fair market value for the property.
  - b. Any decrease or increase in the fair market value of the property, prior to the date of valuation, caused by public improvement; by physical deterioration within reasonable control of the owner, has been disregarded by the City and by the Appraisers in making the determination of fair market value.
  - c. The City's negotiator shall provide the owner with a written statement summarizing the basis for the amount established as just compensation.

Where appropriate, compensation for property acquired and for damages to any remaining real property shall be separately stated.

4. No owner shall be required to surrender possession until the City of Lincoln pays the agreed purchase price, or deposits with the Court the amount of award determined by the Condemnation Appraisers.
  5. Improvements will be scheduled so the owner or tenant shall receive a minimum 90 days written notice before having to move. Every effort will be made by the City to provide such notice as is required without undue hardship to the owner or tenant. (This is applicable to total acquisition of property.)
  6. If Owner or Tenant is permitted to rent property, the amount of rent shall not exceed fair rental value of subject property.
  7. The City of Lincoln will not take any action coercive in nature to compel an agreement on price for property.
  8. If acquisition must be by eminent domain, the City of Lincoln shall institute formal condemnation proceedings. The City shall not intentionally make it necessary for the owner to institute legal proceedings to prove fact of taking of his real property.
  9. If the owner feels the City of Lincoln's offer does not represent the true value of his property, he may refuse to accept it. He should then provide evidence concerning value, or damage, that warrants a change in the City's determination of just compensation. Should the City determine the additional information is valid, the price will be adjusted accordingly.
  10. If as a result of the real estate acquisition there is a portion of your property which is considered by the City of Lincoln to be an uneconomic remnant, you have the right to request an offer from the City of Lincoln to acquire the remnant.
- B. Owner will be reimbursed for the following expenses incidental to conveyance of real property:
1. Recording fee, transfer taxes and similar expenses.
  2. Penalty cost for repayment of any pre-existing recorded mortgage encumbering real property, provided the mortgage was entered into in good faith.
  3. Pro-rate portion of real property taxes paid which are allocable to a period subsequent to date of vesting title, or effective date of possession, whichever is earlier.
  4. The cost of abstract continuation and/or evidence of assurance of title.
  5. Litigation expenses such as legal, appraisal, engineering fees, etc., when:
    - a. Court determines that condemnation was unauthorized.

- b. City of Lincoln abandons a condemnation.
  - c. Property owner brings inverse condemnation action and obtains award of compensation.
- C. If a separate fixture appraisal is obtained, it shall contain the following immovable fixtures and personal property:
  - 1. Determination of division of appraisal coverage, enumerating and classifying improvements in-place.
  - 2. Appraisal of improvable fixtures, correlating their findings with both real estate appraisers.
- D. All appraisal contracts shall provide terms and conditions and fix the compensation for expert witnesses. These services will be utilized by the City of Lincoln to the extent necessary.
- E. Both real estate acquisition appraisals and immovable fixture appraisals will be reviewed by the City Appraisal Staff. All appraisals will be reasonable free of error and conferences with appraisers will ascertain that methods of approach and documentation are compatible, with no elements of value being omitted from consideration. City staff will conduct relocation interviews to verify ownership of certain fixtures and personal property claimed. Said claims will then be checked against existing leases and through interviews with fee owners.
- F. Preparation for acquisition includes:
  - 1. Preliminary title information supplied by local abstract companies; contents reviewed and entered in individual parcel folios.
  - 2. Individual parcel folios prepared; chronological activity indexed and all pertinent historical information entered.
  - 3. Basic forms of Real Estate Agreement (real estate, personal property and fixtures) reflecting policy for negotiations to acquire all classifications of property.
  - 4. Closing methods and policy determined.
  - 5. Policy for possession, property management, salvage and demolition, timetable of activities prepared.
  - 6. Closing statement form prepared together with such internal administration forms for notice to various units of inspection, accounting, property management, finance and legal counsel as may be required.
  - 7. Information letters prepared for distribution to all owners and tenants.
  - 8. Deed forms for conveyance of real estate, bill of sale forms for personal property, and condemnation forms for eminent domain procedure prepared.

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

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

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

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

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

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

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

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

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

The City of Lincoln will not require any owner to surrender the right to possession of his property until the City pays or causes to be paid, to the Lancaster County Court the amount due each interest acquired for the taking thereof as determined by the condemnation. Immediately following the determination of the amount of the condemnation award for the property, or each separate interest therein taken, the City will direct that payment to be made in an amount equal to the City's offer by the issuance of warrants drawn in favor of those entitled thereto to the County

Court of Lancaster County, Nebraska, for payment of the condemnation appraiser's fees connected with the taking. Upon approval of the City's Legal Counsel, such warrants shall be deposited with the County Court and will represent full compensation for the property taken, subject to appeal to District Court. In any event, title to the property rests with the City of Lincoln as of the date of payment of the condemnation award, as does the right to possession thereof within 90 days of said date, provided compensation due has been paid as prescribed and proper notice given.

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

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

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

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

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

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

## **Appendix D**

### **Relocation Assistance**

Use the following URL/link for Relocation Assistance:

<http://lincoln.ne.gov/city/urban/real/pdf/reloc.pdf>

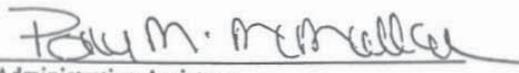
# Appendix E: Land Disposition Procedures

| ADMINISTRATIVE REGULATION - LAND DISPOSITION                                | CITY OF LINCOLN                                     |  |
|---|---|--|
| <b>SUBJECT:</b><br>Purchase, Dedication, Donation, or Sale of Real Property | <b>EFFECTIVE DATE:</b><br>August 15, 1994           | <b>A.R. NO.:</b><br>2A                     |
| <b>APPLIES TO:</b><br>All Departments                                       | <b>SUPERCEDES:</b><br>Subsection G.2. of A.R. No. 2 | <b>PAGE</b> <u>1</u><br><b>OF</b> <u>2</u> |

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

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

Approved:

  
 Administrative Assistant

  
 Mayor

ADMINISTRATIVE REGULATION

CITY OF LINCOLN

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

Approved:

Ray M. McMullen  
Administrative Assistant

[Signature]  
Mayor