

# Van Dorn Amended Redevelopment Plan

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City Council: xx/xx/2023

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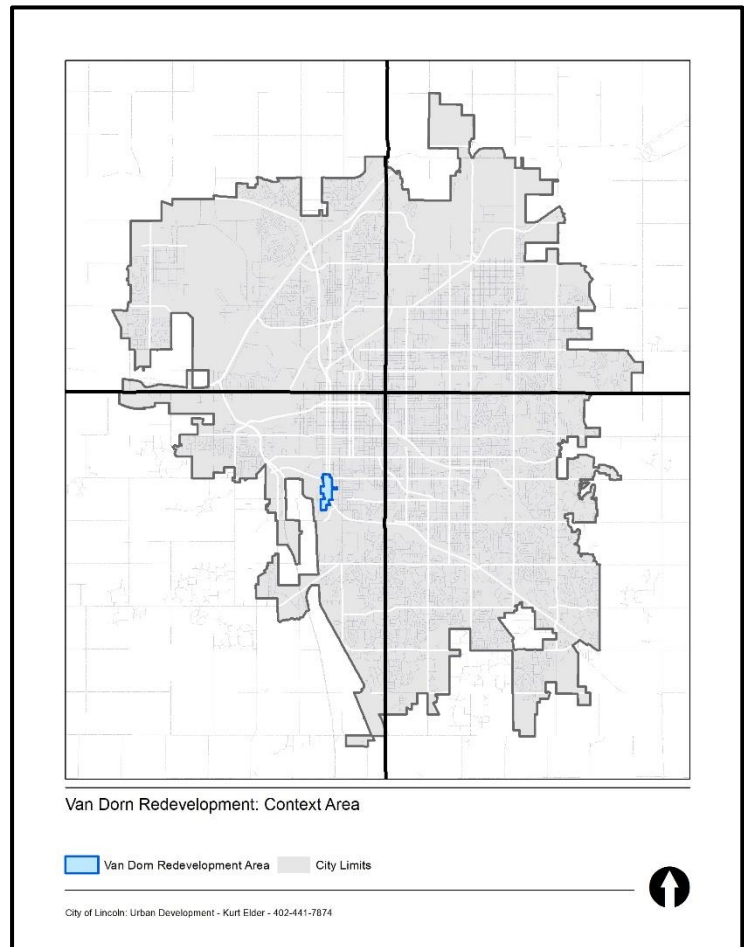
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## Introduction

The Amended Van Dorn Redevelopment Area (“Amended Redevelopment Area”) connects travelers to north and south Lincoln. 10th Street functions as an entryway corridor into downtown Lincoln. The 9th and 10th Street corridors carry significant amounts of traffic through this highly visible area.

The Amended Redevelopment Area’s major land uses include industrial, commercial, single-family residential, vacant, and parks and recreation. The area contains an estimated 102 acres total, 93 acres from the 2007 blight and substandard determination plus 9 acres from the 2022 blight and substandard determination, including approximately 60 developed acres (59 acres from the 2007 blight and substandard determination and 1 acre from the 2022 blight and substandard determination). There is a concentration of highway commercial uses located in the east-central portion of the Amended Redevelopment Area along 10th Street. The northern development of the Amended Redevelopment area is comprised of parks and recreation and single-family residential structures. Industrial uses round out the southern portion of the Amended Redevelopment Area.



At the time of the 2007 blight and substandard determination, the Amended Redevelopment Area had begun to show signs of decline and that decline continues today. The aging housing stock is beginning to deteriorate, debris and litter are more prevalent, some of the infrastructure is old and in poor condition, and some commercial structures have become functionally and economically obsolete. Driving through an area of decline can create a lack of confidence in the area, resulting in a lack of reinvestment.

Exhibit 1 illustrates the Amended Redevelopment Area’s location within the broader context of the City of Lincoln (the “City”). The Amended

Redevelopment Area boundaries are generally from Hill Street to just north of Pioneers Boulevard between 7th Street and 10th Street, as well as a portion of High Street between 10th Street and 13th Street. A legal description of the Amended Redevelopment Area can be found in Appendix A.

Hanna:Keelan completed the *Van Dorn Redevelopment Area, Lincoln, Nebraska – Blight and Substandard Determination Study* in 2007. The Amended Redevelopment Area was originally declared blighted and substandard by the Lincoln City Council (“City Council”) on January 8, 2007 via Resolution A-84172.

Hanna:Keelan completed the *Van Dorn Redevelopment Area #2 – Blight and Substandard Determination Study* in 2022, expanding the designated area to include portions of right-of-way along Van Dorn Street, 10th Street, and High Street. The City Council declared the second portion of the Amended Redevelopment Area blighted and substandard on December 12, 2022 via Resolution A-93742.

Through these designations, the City Council determined the Amended Redevelopment Area needs revitalization and strengthening to ensure it will contribute to the economic and social well-being of the City. Public improvements are needed to encourage wide-spread private investment.

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.

## Plan Requirements

Redevelopment activities are guided by the *Community Development Law* (the “Act”), found at 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 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 a workable program to:

- Utilize appropriate private and public resources;
- Eliminate or prevent the development or spread of urban blight;
- Encourage needed urban rehabilitation;
- 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
- Clear and redevelop substandard and blighted areas or portions thereof.

Section 18.2111 of the Act 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 Act further identifies 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 conditions 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 recommendations to approve this plan, the Urban Development Department considered the land uses and building requirements and determined that they are in conformance with the general plan for redevelopment in the City and represent a coordinated, adjusted, and harmonious development of the City and its environs. These determinations are in accordance with:

- Present and future needs to promote health, safety, morals, order, convenience, and prosperity;
- The general welfare; and

- Efficiency and economy in the process of development.

Factors considered in the determination include, among other things:

- Adequate provision for traffic, vehicular parking;
- The promotion of safety from fire, panic, and other dangers;
- Adequate provision for light and air;
- The promotion of healthful and convenient distribution of population;
- The provision of adequate transportation, water, sewerage, and other public utilities;
- Schools, parks, recreational, and community facilities, and other public requirements;
- The promotion of sound design and arrangement;
- The wise and efficient expenditure of public funds; and
- The prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

## Existing Conditions

### **Land Use**

Major land uses in the Amended Redevelopment Area include industrial, commercial, single-family residential, vacant, and parks and recreation (see Exhibit 2). The area contains an estimated 156 acres, of which approximately 60 are developed acres. The residential structures are all single-family units. There is a concentration of highway commercial uses located in the east-central portion of the Amended Redevelopment Area along 10th Street. Van Dorn Park occupies a large portion of land to the north with a smattering of residential structures. Industrial uses encompass the southern portion of the Amended Redevelopment Area.

Calvert Street and Van Dorn Street are the Amended Redevelopment Area's principle east/west arterial streets. Ninth Street and 10th Street are the principle north/south arterial streets.

An estimated 19 percent of the land use in the Amended Redevelopment Area is classified as Streets/Highway/Railroad Right-of-Way. Commercial uses occupy approximately five percent of the total area. Residential land area comprises an estimated four percent. Approximately 34 percent of the Amended Redevelopment Area is vacant. The Amended Redevelopment Area is primarily comprised of industrial and public/quasi-public zoned property, with fringe areas zoned for residential and commercial use.

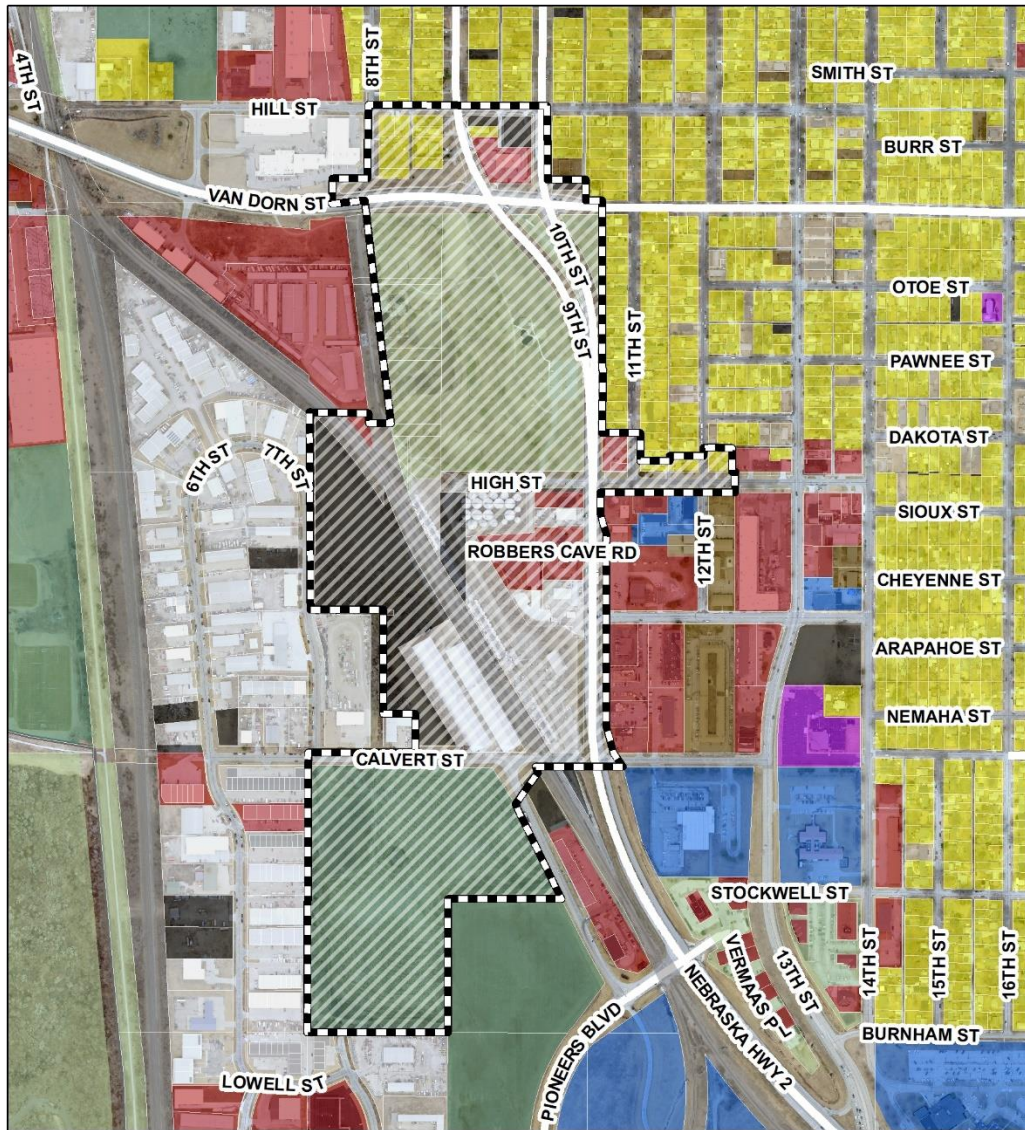
An analysis of the subdivision conditions in the *Van Dorn Redevelopment Area, Lincoln, Nebraska – Blight and Substandard Determination Study* and *Van Dorn*

*Redevelopment Area #2 – Blight and Substandard Determination Study* indicates that improper subdivision and obsolete platting is prevalent throughout the Amended Redevelopment Area. Several portions of the Amended Redevelopment Area do not meet today's standards of platting and subdivision procedures. Lots in residential neighborhoods throughout the Amended Redevelopment Area contain a substantial number of individual parcels that are undersized or inappropriately platted, based on modern planning standards for efficient redevelopment.

Residential subdivisions north of Van Dorn Street between 8th Street and 10th Street and along High Street between 10th Street and 13th Street have developed in the standard 10-foot by 142-foot lot sizes. These lot sizes are undersized by modern standards, which typically utilize approximately 100-foot by 140-foot lots for single family dwellings. In a few instances, smaller lot sizes or irregularly shaped lots are adjacent to the intersection of 9th Street, 10th Street, and Van Dorn Street, creating conditions of crowding and inadequate space. A large, undeveloped and unsubdivided lot of approximately 25 acres exists south of Calvert Street. Such a large lot without adequate access into the site requires appropriate subdivisions to configure the parcels of land for development.

Efforts to overcome problems of inadequate subdivision and obsolete platting and to secure sites of reasonably adequate size and shape for modern development purposes, 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 several individual owners to purchase land of appropriate size in some cases. Development focus needs to be based on a broader scale, including larger areas of the Amended Redevelopment Area, rather than upon a piecemeal development of smaller, individual subdivisions of the type that have been occurring.





Van Dorn Redevelopment: Current Land Use



City of Lincoln: Urban Development - Kurt Elder - 402-441-7874



## Zoning

Exhibit 3 identifies existing Zoning Districts within the Amended Redevelopment Area. The Amended Redevelopment Area is comprised of

industrial and public/quasi-public zoned property with fringe areas zoned for residential and commercial use. The zoning districts within the area are as follows:

*P Public Use District* – This district is intended to provide a district essentially 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. This district is not intended to be applied to land that is used by governmental entities on an easement or leased basis if title to the land is in private ownership.

*R-2 Residential District* – This district is intended to provide a generally stable residential use in areas of the City that are largely developed. With a gross density of generally three to five dwelling units per acre, this district permits single- and two-family dwellings and supportive community services, such as parks, playgrounds, schools, libraries, and churches. It is intended that this district be limited to previously platted portions of the City already undergoing substantial development, thereby preserving existing low-density development.

*R-T Residential Transition District* – This district is intended to provide a transitional area consisting primarily of office and other types of small-scale commercial uses in close proximity to residential uses. This district is intended to provide a buffer between neighborhoods and more intensive commercial or industrial uses, stressing compatibility with nearby residential areas.

*B-1 Local Business District* – This district is intended to provide a stable area of local retail to existing community and existing neighborhoods. It provides for functional business uses to serve those communities and neighborhoods. Dwellings are permitted only above the first floor.

*B-2 Planned Neighborhood Business District* – This district is intended to provide a developing area for planned retail uses to serve neighborhoods. This district includes a use permit provision to provide for the integration of the business area with adjacent residential areas and thus reduce the adverse impact on residential areas through enhanced design.

*H-3 Highway Commercial District* – This is a district for a redeveloping area intended to provide for low-density commercial uses requiring high visibility and/or access from major highways. The uses permitted generally include those of the neighborhood and highway business areas.

*I-1 Industrial District* – This district is for a developing stable or redeveloping area representing light and heavy industrial uses and having a relatively high intensity of use and land coverage.





Van Dorn Redevelopment: Current Zoning

 Van Dorn Redevelopment Area  Zoning

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## Parks/Open Space/Trails



Van Dorn Park is located on the southwest corner of the 9th Street, 10th Street, and Van Dorn Street intersection. The City acquired the multiple land parcels that make up Van Dorn Park through both donation and acquisition. Historic records indicate that the property at the north end of the park abutting Van Dorn Street was donated to the City on July 14, 1919, upon the condition that this parcel be used for park purposes only. The City acquired much of the eastern portion of the park through purchase and private donations in 1925 and the western portion of the park through a \$100,000 donation from George Holmes in 1963. These portions of Van Dorn Park are not encumbered by

use restrictions. With its current configuration, this neighborhood park has a total of 28 acres.

Existing park features include playground equipment that was updated in 2020, picnic tables, off-street parking, sidewalks, restrooms, a drinking fountain, a memorial to William T Van Dorn, a pollinator garden, and an enclosed picnic/park rental shelter. Funding for some of these upgrades come in part through donations from private individuals and the Indian Village Neighborhood Association. The rental facility was originally a branch library but was closed due to its difficult access. The park also contains many mature trees, including oak, elm, locust, and pine. The most recent trees and shrubs in the park were planted by volunteers in 2022. This was the first time that new trees were introduced into the park in 20 years.

As a result of various street widening/improvement projects over the years, Van Dorn Park now has limited access for pedestrians from the residential neighborhoods to the north and east of the park it is intended to serve. Limited

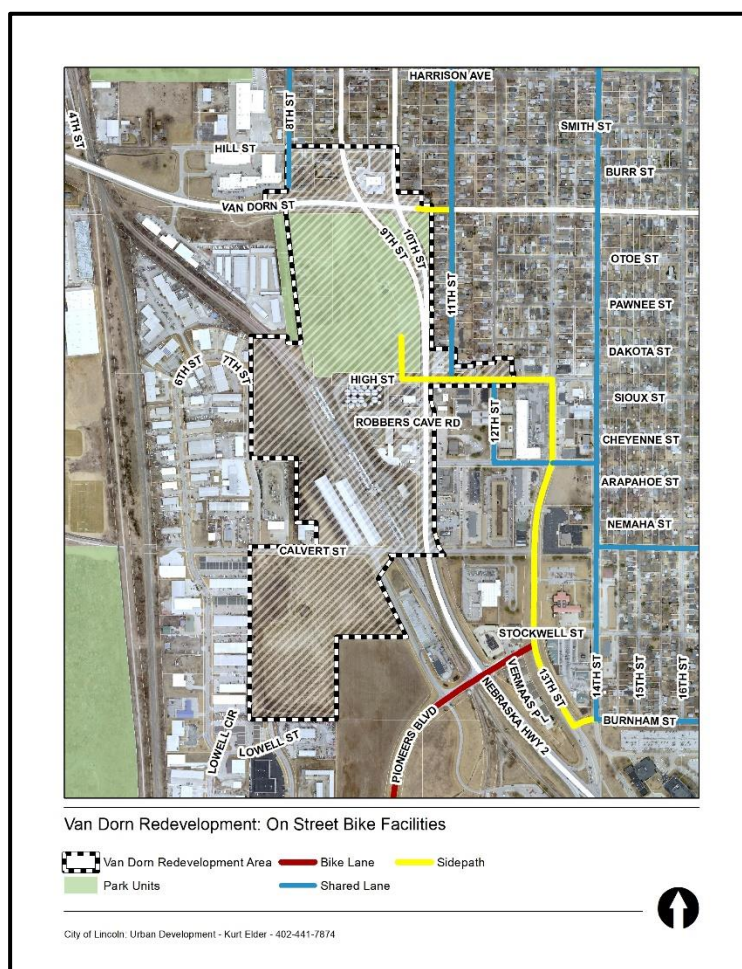
access to the neighborhoods makes this park a prime area for socially undesirable activity. The Lincoln Parks and Recreation Department is in the process of developing a Van Dorn Park master plan to guide future park development.

See Exhibit 4 for park locations.

Urban working-class families identify access to open spaces and trails as a highly sought after amenity when choosing where to live. The Amended Redevelopment Area has multiple trails that run through the area or nearby, including a natural surface trail. Trail connectivity should be considered when determining where to locate a modern signaled pedestrian crossing in the Amended Redevelopment Area.

The Bison Trail is located in the Amended Redevelopment Area on the south side of Van Dorn Street, beginning at 9th Street, going west through the area and eventually to Pioneers Park. The Bison Trail connects the neighborhoods to the north of Van Dorn Street to Van Dorn Park via an underpass under Van Dorn Street. This underpass is unlit and the area surrounding the underpass openings is not well maintained. Such lack of maintenance and safety features can lead to socially undesirable activity.

Parks and Recreation hopes to eventually construct a trail that will provide a connection between Van Dorn Park and the Boosalis Trail at 17th Street and Nebraska Parkway. This connection is hindered by the lack of modern signaled pedestrian crossings to provide access across 9th Street and 10th Street. An on-street bike route is identified along 8th Street going north of Van Dorn Street.



Other parks, just outside of the Amended Redevelopment Area include Standing Bear Park to the northwest and Wilderness Park and the Jamaica Trail just west of the area.

See Exhibit 5 for trail locations.

## Transportation

### **Traffic Circulation**

Van Dorn Street is the primary east-west arterial located in the northern part of the Amended Redevelopment Area and has an Average Daily Traffic (“ADT”) count of approximately 19,830 vehicles on the west end of Van Dorn Street and approximately 7,070 vehicles utilizing Van Dorn Street east of 10th Street. The land uses adjacent to Van Dorn Street include commercial, industrial, public property, and some residential.

Though Van Dorn Street is no longer part of the Nebraska Highway 2 system, it is still considered a vital link to the transportation network as well as a vital link to the businesses in the Amended Redevelopment Area.

The primary north-south arterial streets located in the Amended Redevelopment Area are 9th Street and 10th Street, which operate as a one-way pair. One-way traffic patterns can create unintended speeding hazards. The Amended Redevelopment Area contains traffic calming features such as traffic signals at major intersections that moderate traffic flow and speed, but this does not reduce the traffic flow to levels safe for all user experiences.

Ninth Street operates as the southbound one-way at its intersection with Van Dorn Street and 10th Street operates as the northbound one-way. These roadways have an ADT of 27,590 and 12,660 respectively. The land uses adjacent to 9th Street and 10th Street include commercial, industrial, public property, and some residential.

The land uses adjacent to 9th Street and 10th Street include commercial, industrial, public property and some residential uses making these streets vital to the movement of vehicles and the delivery of goods. Currently, Van Dorn Street, 9th Street, and 10th Street have controlled access which ultimately leads to more efficient and safer traffic flow. This efficiency is good for vehicles but can create pedestrian and biking hazards. To protect pedestrian and bike access across these streets, a modern signaled pedestrian crossing should be located somewhere along 10th Street to create a safer pedestrian and biking experience.



## Parking

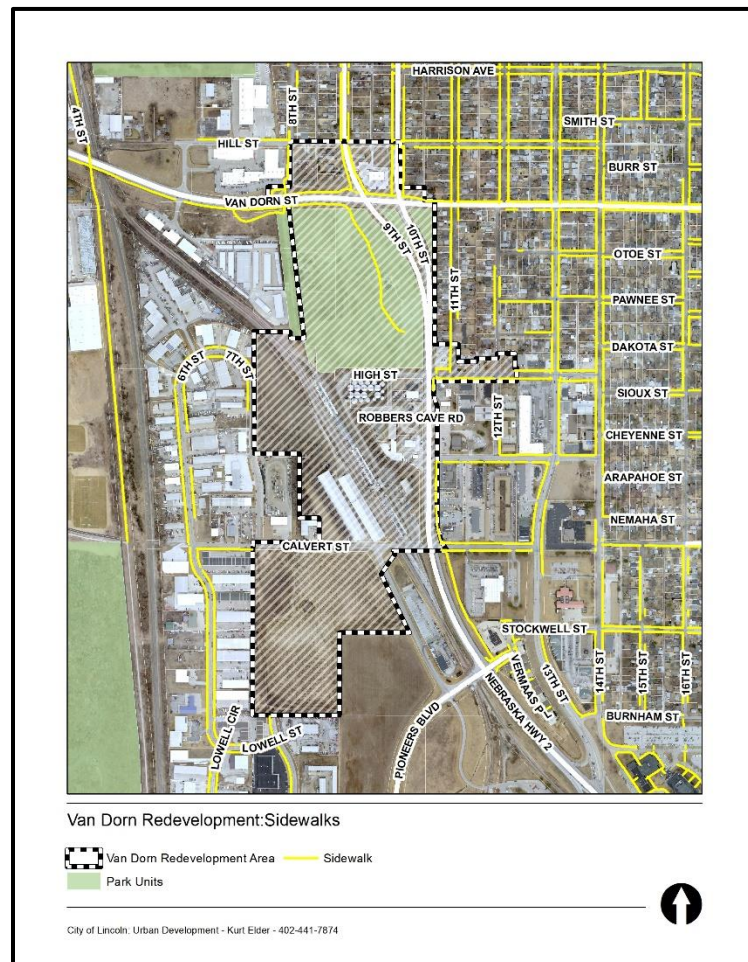
Both the *Van Dorn Redevelopment Area, Lincoln, Nebraska – Blight and Substandard Determination Study* and the *Van Dorn Redevelopment Area #2 – Blight and Substandard Determination Study* identified inadequate parking conditions throughout the Amended Redevelopment Area. Residential and commercial uses accounted for the majority of the parcels with graveled parking surfaces. Further, asphalt parking lots in the area have fallen into disrepair and create mobility hazards in the Amended Redevelopment Area.

## Sidewalks and Pedestrian Activity

Sidewalks are not adequately provided and maintained throughout most of the Amended Redevelopment Area. Most of the 30 parcels without sidewalks are located in the southern portion of the Amended Redevelopment Area, south of

the Burlington Northern Santa Fe (“BNSF”) Railroad. However, some residential and commercial properties in the northern and eastern portion of the Amended Redevelopment Area also lack sidewalks, especially the northeast portion of High Street between 10th Street and 13th Street. Residential properties north of Van Dorn Street and along High Street between 10th Street and 13th Street currently lack adequate access to the pedestrian trail leading to Van Dorn Park.

Although elements of a complete sidewalk system exist to varying degrees within the Amended Redevelopment Area, the overall pedestrian experience is lacking. Street trees elevate the landscape throughout the northern



portion of the Amended Redevelopment Area but thin out at the southern portion of the redevelopment area. Signage and wayfinding in the area is also limited. Van Dorn Park is well identified but appropriately placed



neighborhood signs identifying the Indian Village Neighborhood Association, the Irvingdale Neighborhood Association, and the South Salt Creek Neighborhood Association could promote a sense of place and identity in the Amended Redevelopment Area.

Pedestrian flow is interrupted by the high traffic volumes generally traveling at excessive speeds on south 10th Street, as well as 9th Street and Van Dorn Street. Typically, 10th Street has four lanes of traffic throughout the Amended Redevelopment Area. While the intersection at Van Dorn Street is signalized, the volume and speed of traffic make it difficult for pedestrians to cross this busy street corridor.

See Exhibit 6 for sidewalk locations.

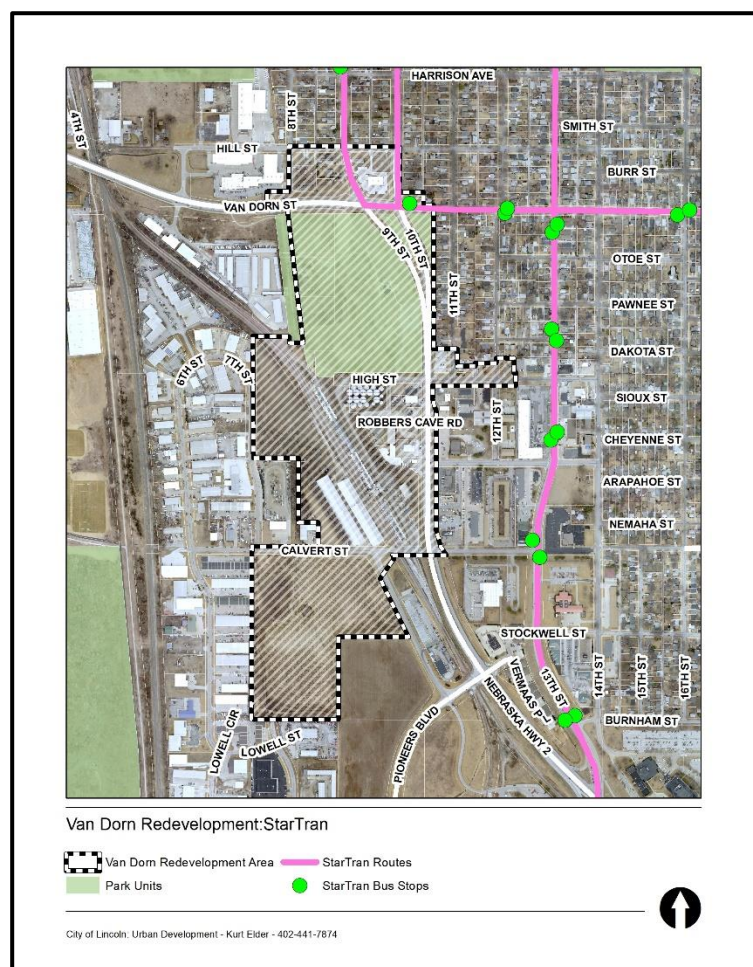
### Street Layout

Lack of platted streets southwest of the BNSF Railroad tracks has limited development of areas adjacent to the railway corridor. The presence of broken asphalt driveways and open stormwater drainage ditches west of the highway commercial uses fronting south 10th Street hinder redevelopment efforts in this portion of the Amended Redevelopment Area.

### Public Transportation Services

The StarTran's #56 – Sheridan route serves the northern portion of the Amended Redevelopment Area. Route #13 – South 13th provides service along 13th Street east of the Amended Redevelopment Area. The 2022 Transit Development Plan includes a long-term phasing plan for improved route services. This phasing plan includes later evening service and improved frequency for these two routes.

See Exhibit 7 for StarTran routes.



## Public Utilities

### **Water Systems**

The water distribution mains in the Amended Redevelopment Area vary in age, with the oldest being over 50 years. The area is zoned or used for commercial or industrial uses should have 8" or 12" mains, respectively, per Lincoln Water System design standards. Also, distribution mains should be looped to provide reliable coverage for fire protection.

The commercial area on 10th Street between High Street and Calvert Street is served by a 12" main. The portion between Arapahoe Street and High Street was reconstructed in 2006 due to a history of water main breaks.

Ninth Street from Van Dorn Street south to Pawnee Street is served by a 4" dead end water main. The mains going north of Van Dorn Street in both 8th and 9th Streets are also 4" mains. Depending on future adjacent land uses, these mains should be eventually upgraded to a larger main and dead-end mains should be looped to another place on the existing system, if possible.

Other open areas in the Amended Redevelopment Area do not have water service. Distribution mains will need to be extended into those areas according to Lincoln Water System design standards as development occurs.

### **Sanitary Sewer Systems**

The pipe material in this area is, for the most part, vitrified clay pipe (VCP) and the age of the pipe material ranges from the 1940s to 1971. There is some new pipe that was installed in 1990 in the area under the Subway Restaurant on South 10th Street and the Post Office on Calvert Street and South 10th Street. This pipe material is PVC (plastic). All pipe sizes are 8 inch.

Television inspection was performed in this entire area in 2004 and according to the inspection reports for the area, no problems were identified, and the pipe is in good condition.

There are no identified improvements for this area at this time, no spot repairs are needed to correct any defects.



## Watershed Management

The topography for the Amended Redevelopment Area slopes generally to the west to Salt Creek with the relatively mild to steep grade (typical grade is approximately five percent). The urban storm water drainage system consists of a few relative minor systems that outlet to the west and some open drainage.

There is some Salt Creek floodplain east of the railroad both north and south of Calvert Street, with a significant portion of the area west of the railroad and north and south of Calvert Street in the floodplain.

See Exhibit 8 for floodplain review.

## Street Lighting

The poles on Van Dorn Street and just north and south of Van Dorn Street on 9th Street and 10th Street were installed in 1994. They are 35 foot and 40-foot galvanized poles with cobra-head luminaries fed with underground wire and are in good condition.

Most of the poles on 9th Street and 10th Street between Van Dorn Street and High Street were installed in 2000. They are 35 and 40-foot, painted, steel poles with cobra-head luminaries fed with underground wire. The poles at the southeast side of Van Dorn Park are 45 foot, painted, steel poles with cobra-head luminaries fed with an underground wire and were installed in 2018. The polls are overall in good condition and Lincoln Electric System will be conducting an inspection of the poles in the Amended Redevelopment Area in 2023.



## Historic Significance

The most conspicuous element of the built environment in the Amended Redevelopment Area is the AGP grain elevators along the BNSF Railroad tracks. These elevators are an iconic symbol of Midwestern agriculture and of rail transportation. This complex is arguably the most visible example of the building type in Lincoln. Further study would be required to argue that the elevators are eligible for listing on the National Register of Historic Places, but it is possible.



A much less conspicuous, but more broadly recognized historic resource in the southern portion of the Amended Redevelopment Area is Robbers Cave. Its origin can be traced to about 1870, when Pioneer Brewery had cooling chambers for its beer hand-dug into the side of the Dakota sandstone bluff. When the brewery soon ceased operations, the uses of the cave slipped into lore and legend before emerging in the early 20th century as “Robbers Cave,” a popular tourist and recreation site accessed by street cars. It operated until 1973, reopened briefly in 1986, then closed again and the entrance was more or less sealed in the 1990s.

The cave was once again reopened in 2011 when Blue Blood Brewery unsealed the entrance and opened the cave to the public for tours. Today, the brewery is closed but members of the public can book the cave for tours or special events. The cave is experiencing an overgrowth of lampenflora that is threatening the historic carvings on its walls and two portions of the cave were filled in during the most recent Salt Creek flooding event. Given its historical significance, activities to further stabilize, develop, and protect the cave should be considered when determining how to allocate public funds from redevelopment activities in the Amended Redevelopment Area.

Van Dorn Park, in the center of the Amended Redevelopment Area, began as a ten-acre gift from the heirs of W.T. Van Dorn in 1919, to which the City added an additional ten acres, by purchase, in 1925 and purchased another eight acres with a donation from George Holmes. The Van Dorn family operated a nursery and planted a cherry orchard in the area in the 19th century. No specific historic structures or landscape designs have been identified in the park, although it is possible that remnants may remain of a “Persian Lilac” hedge planted around the park in 1919-1920.

North of Van Dorn Park, there are approximately two dozen residential lots (in whole or in part) and about a dozen standing houses. While some of these houses appear to be very well maintained, their dates of construction (or relocation to this area) range widely from the 1910s to the 1980s. The area does not have sufficient continuity to suggest a historic district and none of the individual houses appear to possess a clear architectural or known historic significance for individual listing.

See Exhibit 9 for historic locations and districts.

### Blight and Substandard Determination Study

For a project in the City to be eligible for redevelopment under the Act, the subject area or areas must first qualify under the law as both a “Blighted” and “Substandard” area. At the City’s request, Hanna:Keelan Associates, P.C. completed the *Van Dorn Redevelopment Area, Lincoln, Nebraska – Blight and Substandard Determination Study*, which was conducted on the portion of the Amended Redevelopment Area that makes up the Van Dorn Redevelopment Area #1 shown in Figure 10 below. The study was conducted during the summer of 2006 and completed in October 2006. The evaluation included a detailed exterior survey of every building in the study area, a parcel-by-parcel land use inventory, a field reconnaissance of the entire area, meetings with city department staff members, and a review of pertinent reports and documents containing information which could substantiate the existence of blight.

At the time of the study, of the twelve blight factors set forth in the Act, seven were present to a strong extent and three were present to a reasonable, but more limited, extent. The tax or special assessment exceeding the fair value of land factor was determined not to be Blighted factor. Hanna:Keelan did not review the defect or condition of title factor.

The Blighted factors which are present are reasonably distributed throughout the Amended Redevelopment Area. The factors determined to have a strong presence were:

- Existence of defective or inadequate street layout.
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- Insanitary or unsafe conditions.
- Improper subdivision or obsolete platting.
- The existence of conditions which endanger life or property by fire or other causes.
- Other environmental and blighting factors: economically and socially undesirable land uses, inappropriate mixed land uses and site conditions with specific properties.
- One of the other five conditions: average age of buildings.

The three Blighted factors with a reasonable presence were:

- Deteriorated or dilapidated structures.
- Deterioration of site or other improvements.
- Diversity of ownership.

Of the four Substandard factors set forth in the Act, two factors in the Amended Redevelopment Area were found to be present to a strong extent, while the remaining factors were present to a reasonable, but less significant, extent.

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

In 2022, at the City's Request, Hanna:Keelan Associates, P.C. completed the *Van Dorn Redevelopment Area #2 – Blight and Substandard Determination Study* which was conducted on the portion of the Amended Redevelopment Area that makes up the Van Dorn Redevelopment Area #2 shown in Figure 10. The study was conducted during the summer of 2022 and completed in October 2022. The evaluation included a detailed exterior survey of every building in the study area, a parcel-by-parcel land use inventory, a field reconnaissance of the entire area, meetings with city department staff members, and a review of pertinent reports and documents containing information which could substantiate the existence of blight.

At the time of the study, of the twelve blight factors set forth in the Act, six were present to a strong extent four were present to a reasonable, but more limited, extent. The tax or special assessment exceeding the fair value of land

factor was determined not to be Blighted factor. Hanna:Keelan did not review the defect or condition of title factor.

The Blighted factors which are present are reasonably distributed throughout the Amended Redevelopment Area. The factors determined to have a strong presence were:

- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- Insanitary or unsafe conditions.
- Improper subdivision or obsolete platting.
- The existence of conditions which endanger life or property by fire or other causes.
- Other environmental and blighting factors: economically and socially undesirable land uses, inappropriate mixed land uses and site conditions with specific properties.
- One of the other five conditions: average age of buildings.

The four Blighted factors with a reasonable presence were:

- Existence of defective or inadequate street layout.
- Deteriorated or dilapidated structures.
- Deterioration of site or other improvements.
- Diversity of ownership.

Of the four Substandard factors set forth in the Act, three factors in the Amended Redevelopment Area were found to be present to a strong extent, while the remaining factor was present to a reasonable, but less significant, extent.

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

Hanna:Keelan's opinion in both studies was that the number, degree, and distribution of Blighted and Substandard factors, as documented in each study, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the Act.



It was also Hanna:Keelan's opinion that the findings of both studies warrant designating the Amended Redevelopment Area as "Substandard" and "Blighted." The City Council concurred both times, and by resolution, declared the Van Dorn Redevelopment Area #1 shown in Figure 10 blighted and substandard on January 8, 2007, and the Van Dorn Redevelopment Area #2 shown in Figure 10 blighted and substandard on December 12, 2022.



## Identified Issues

Based on the review of existing conditions, the following issues and concerns were identified and should be considered in conjunction with the Guiding Principles (next section) in the identification of projects for the Amended Redevelopment Plan.

- Undersized and inappropriately platted parcels in the residential and commercial areas.
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
- Limited access to Van Dorn Park.
- Inadequate and/or lack of modern signaled pedestrian crossing mechanisms.
- Inadequate parking in some areas.
- Inadequate or no sidewalks in some areas.
- High traffic volumes.
- Some water mains need to be upgraded.
- No water service in some areas.
- Some street lighting poles are in poor condition.

## Amended Redevelopment Plan

### **Guiding Principles**

The Comprehensive Plan identifies several policies for commercial, industrial, and residential areas. The following guiding principles are taken directly from the Comprehensive Plan and should be used as a guide for redevelopment activities.

### **Infill and Redevelopment Overall Guiding Principles**

Infill and redevelopment should:

- Encourage redevelopment of aging and underutilized commercial centers, along with other large sites in existing area to add a variety of housing types that are affordable to diverse incomes. A mix of residential and commercial uses is desirable in locations with good visibility and access.
- Develop new design standards for redevelopment projects that encourage density, a variety of housing types, optimize infrastructure costs, and help overall cost of property development.
- Strive for predictability for neighborhoods and developers for residential development and redevelopment.

## **Commercial and Industrial Development Overall Guiding Principles**

Commercial and Industrial Centers should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for 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 existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
- In areas accessible by various modes of transportation (i.e., automobile, bicycle, transit, and pedestrian).
- So that they enhance entryways or public 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 section of the Comprehensive Plan.

## **Existing Neighborhoods Overall Guiding Principles**

Existing Neighborhoods should:

- Promote the preservation, maintenance, and renovation of existing housing and supporting neighborhood uses throughout the City, with special emphasis on low- and moderate-income neighborhoods.
- Maintain and enhance infrastructure and services, commensurate with needs, in existing neighborhoods.
- Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality for all residents while acknowledging the need for affordable housing.
- Preserve, protect, and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
- Implement elements of Complete Neighborhoods for existing neighborhoods.
- Promote neighborhood and community design that supports healthy and active lifestyles.

## Redevelopment Activities: Public Improvements

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

### **Streets and Sidewalks**

Sidewalks are not adequately provided for and maintained throughout most of the Amended Redevelopment Area. Most of the 30 parcels without sidewalks are in the southern portion of the Amended Redevelopment Area, south of the Burlington Northern Santa Fe (“BNSF”) Railroad. However, some residential and commercial properties in the northern and eastern portion of the Amended Redevelopment Area also lack sidewalks, especially the northeast portion of High Street between 10th Street and 13th Street. Lack of a modern signaled pedestrian crossing creates a hazardous situation for pedestrians and cyclists wishing to cross 9th Street or 10th Street.

Lack of platted streets, also in the area southwest of BNSF Railroad tracks, has limited development of areas adjacent to the railway corridor. The presence of broken asphalt driveways and open stormwater drainage ditches west of the highway commercial uses fronting south 10th Street hinder redevelopment efforts in this portion of the Amended Redevelopment Area.

In conjunction with redevelopment projects:

1. Construct and repair sidewalks.
2. Construct streets.
3. Construct a modern signaled pedestrian crossing along 10th Street.
4. Pave gravel streets.
5. Pave alleys.

### **Public Utilities**

Ninth Street from Van Dorn south to Pawnee Street is served by a 4” dead end water main. The mains going north of Van Dorn Street in both 8th Street and 9th Street are also 4” mains. Depending on future adjacent land uses, these mains should eventually be upgraded to a larger main and dead-end mains should be looped to another place on the existing system, if possible.

Other open areas in the Amended Redevelopment Area do not have water service. Distribution mains will need to be extended into those areas according to Lincoln Water Systems design standards as development occurs.

## **Parks and Recreation**

The following trail project should be planned and completed:

1. A trail connection between the Boosalis Trail and the Bison Trail.
2. Construction of a modern signalized pedestrian crossing that assists in this trail connection.

The following Van Dorn Park improvements should be completed:

1. Continued development of playground with new standard neighborhood park sized equipment that meets current safety and ADA accessibility guidelines that compliments the newly installed playground equipment.
2. Landscape improvements, including complete landscape plantings along the park frontage along the west side of 9th Street.
3. Revitalization of existing parking lots, including lighting and other safety features to provide the best user experience possible within the park.

## **Other Public Improvements**

1. Install ornamental pedestrian lighting on the north side of Van Dorn Street, adjacent to the Bison Trail connector from the underpass at 8th Street and Van Dorn Street, east.
2. Enhance pedestrian experience at the underpass at 8th Street and Van Dorn Street by installing lighting and placemaking markers.
3. Place identifier signs for Indian Village Neighborhood Association, Irvingdale Neighborhood Association, and South Salt Creek Neighborhood Association.
4. Construct an entryway feature at 10th Street and Van Dorn Street.

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

The following commercial and industrial redevelopment projects should occur in the Amended Redevelopment Area:

1. Support commercial redevelopment efforts located at Block 13, Lot 7, south Park Addition, more generally known as 2750 south 10th Street. Project elements may include:
  - a. Land acquisition.
  - b. Environmental testing and remediation.
  - c. Removal of curb cuts.
  - d. Pave alley.
  - e. Construction of parking lot.
  - f. Sidewalk construction in the public ROW.

- g. Construction of landscaping, ornamental lighting, and streetscape in the public ROW.
2. Further stabilize, develop, and protect Robbers Cave.
3. Acquire substandard commercial/industrial structures. Substandard commercial/industrial structures contributing to the substandard and blighting influences in the Amended 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 private sector. Sale of these assembled parcels will assist 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 that are inconsistent and incompatible with surrounding uses.

### Sub-Project Areas

Sub-project areas will be identified as redevelopment occurs.

The Robber's Cave Project Area is shown in Appendix B.

The Pedestrian Crossing and Van Dorn Park Enhancement Project is shown in Appendix C.

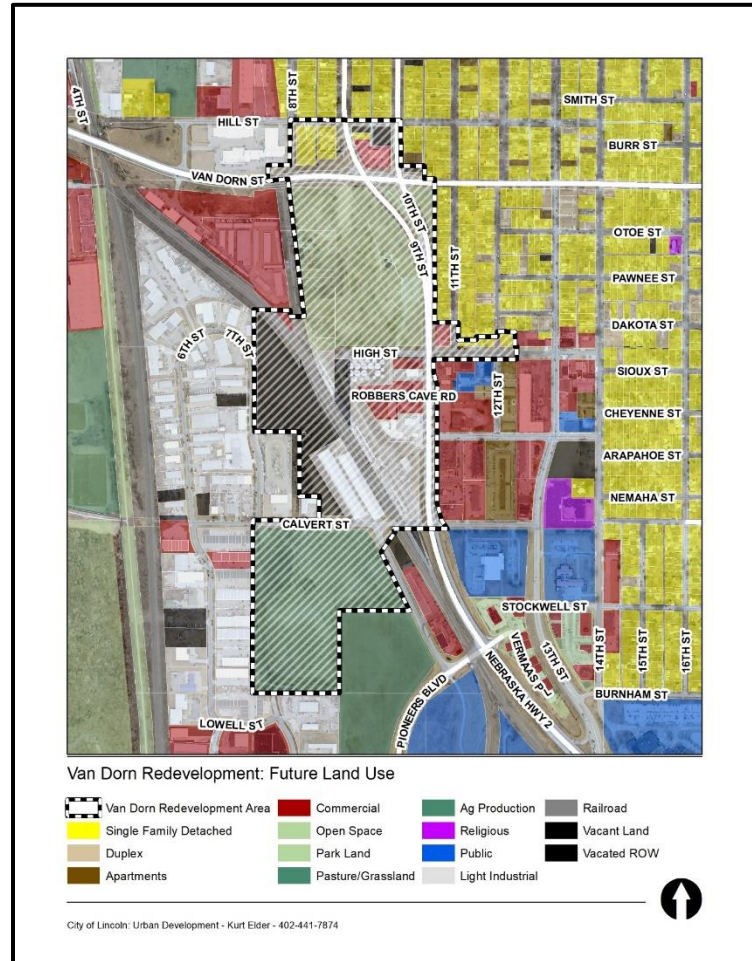
## Future Land Use

Exhibit 11 is a Proposed Future Land Use Map taken directly from the Comprehensive Plan. The overall population density of the Amended Redevelopment Area will generally remain stable. As redevelopment continues and additional projects are added, land coverage and building density will increase moderately.

## Redevelopment Process

Public improvements and redevelopment activities may require construction easements; floodplain permits, 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 process for these activities includes the following:

- *Property Acquisition* – 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, 555 south 10th Street, Suite 205, Lincoln, NE 68508). 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 *Relocation Assistance* on file at the Urban Development Department, 555 south 10th Street, Suite 205, Lincoln, NE 68058).





- *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 surrounding 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* on file at the Urban Development Department, 555 south 10th Street, Suite 205, Lincoln, NE 68058).
- *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

Estimates of the costs associated with each redevelopment project will be determined as projects occur, and a cost-benefit analysis for each such redevelopment project will be conducted to determine the costs and the benefits of the proposed project prior to implementation. Necessary public improvements will be prioritized and constructed as TIF dollars are generated.

### Plan Conformance

*PlanForward*, the City’s 2050 Comprehensive Plan, adopted November 22, 2021, as amended, represents the local goals, objectives, and policies of the City. The Amended Redevelopment Plan was developed in accordance with, and is consistent with, the Comprehensive Plan. All opportunities for redevelopment of the Amended Redevelopment Area shall be considered and implemented in conformity with the Comprehensive Plan. The redevelopment of the Amended Redevelopment Area provides opportunities for commercial and residential infill development.

The City’s *Climate Action Plan* prioritizes the continuation of mixed-use development, the adoption of pedestrian-oriented development, and the adoption of transit-oriented development (“TOD”) policies regarding the City’s growth and redevelopment. The Climate Action Plan also emphasizes the alignment of economic development goals with climate-ready workforce. Thus, ideal redevelopment projects will provide for walkable, mixed-use housing options and/or will incorporate businesses, institutions, or public services

which further the goals of climate-smart innovation and economic development.

The City's *Affordable Housing Coordinated Action Plan* identifies strategies which could influence the future land use and zoning within redevelopment areas, such as increasing the percentage of land zoned for multi-family and missing middle housing, expanding the number for affordable units through the Low-Income Housing Tax Credits ("LIHTC") funding product, and encouraging infill redevelopment in existing neighborhoods. Redevelopment projects formed by these strategies are more likely to increase the density of housing units and population within redevelopment areas. Effective redevelopment proposals will also aim to minimize any adverse effects on existing residents.

All development or redevelopment projects in the Amended Redevelopment Area should be consistent with the goals set forth in the Comprehensive Plan, Climate Action Plan, and Affordable Housing Coordinated Action Plan.

## Financing

The primary burden for revitalization of the Amended 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.

Sources of funding may include:

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 Amended Redevelopment Plan, shall be invested in the Amended Redevelopment Area.
4. Municipal Infrastructure Redevelopment Fund (MIRF).
5. Municipal Infrastructure Redevelopment 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 Land 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 Act, 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 to exceed 15 years, or 20 years in an extremely blighted area, 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 Amended 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.

# Appendix A

## Legal Description

## Appendix B

### Robber's Cave Project

Project completed. See attached PDF for plan.

## Appendix C

### Pedestrian Crossing and Van Dorn Park Enhancement Project

The Pedestrian Crossing and Van Dorn Park Enhancement Project (the “Project”) contemplates the construction of a pedestrian crossing over 10th Street or other location within the Project Area defined below. Van Dorn Park has limited access for pedestrians from the residential neighborhoods to the north and east of the park it is intended to serve. A pedestrian crossing will provide access to the park and continuity between trails and other public locations in and near the Redevelopment Area. The Project Area (“Project Area”) includes all of Van Dorn Park, the public right-of-way, as well as all of the parcel located at 2744 South 9th Street, more particularly described as South Park Addition, Block 12, Lot 4-6, & N20’ Lot 7 & Lots 11-13 EX PT on W for ST & Vac N-S Alley Adj & N20’ Van Dorn St Adj & E PT Lot 14 (the “Project Site”).

The Project is consistent with the Comprehensive Plan. One of the Comprehensive Plan’s goals is to create a multi-modal system that provides travel options to support a more compact, livable urban environment. Creating connectivity to trails and access to public space meets that goal.

Publicly funded redevelopment activities may include the following: construction of public infrastructure, streetscape enhancements, park enhancements, and other public improvements, enhancements, and expenses as permitted under the Act and in the Amended Redevelopment Act.



## **Statutory Elements**

*Property Acquisition, Demolition, and Disposal:* The City may acquire property to further the Project, however the City will not use eminent domain if the City does acquire property for the Project. The City of Lincoln Land Acquisition Policy Statement is on file at the Urban Development Department, 555 S. 10<sup>th</sup> Street, Suite 205, Lincoln, NE 68508.

*Population Density:* The Project will not add any residential units to the City and does not anticipate increasing the Population density in the Amended Redevelopment Area.

*Land Coverage:* The Project will not change land coverage in the Project Site. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City.

*Traffic Flow, Street Layouts, and Street Grades:* The Project is not likely to significantly impact traffic flow. Lincoln Transportation and Utilities (“LTU”) will be consulted to ensure the Project prioritizes pedestrian access and safety while having a minimal impact on traffic flow.

*Parking:* The Project will not create a need for parking and might actually have a beneficial impact on parking by increasing multi-modal forms of access to the park, thereby reducing the number of vehicles that need to park.

*Zoning, Building Code, and Ordinances:* The Project is a permitted use in the Public, H-3, and RT Districts. The Project will conform with all applicable building code requirements and ordinances.

## **Proposed Cost and Financing**

Utilization of the TIF will create approximately \$150,000 in public financing. The source of public funds for these improvements will be the tax increment generated from the private development on the Project Site.

The City designated the Amended Redevelopment Area, including the Project Area, as blighted. This designation allows for the division of taxes for up to 15 years for TIF purposes. The Project Site is designated as extremely blighted, which allows for the division of taxes for up to 20 years for TIF purposes. This Amended Redevelopment Plan authorizes the City to utilize TIF in accordance with the Act.

## **Cost Benefit Analysis**

As required by the Act, the City’s Urban Development Department has analyzed the costs and benefits of the proposed Project including:



### Tax Revenue

The Project Site has a base value of \$643,700. This would generate approximately \$150,000 in available funds over 20 years for principal and interest payments. The City will seek additional funding sources to support any deficiencies in the cost of Project activities.

The tax increment gained from the Project Area would not be available for use as City general tax revenues over that time because those funds will be used for bond or loan repayment. After up to the 20 year period or when the debt is retired, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy.

<b>Tax Increment Finance Analysis</b>		
Description		Amount
Base Value	= <i>Current Assessed Value</i>	\$871,700
New Assessed Value	= <i>Untrended Value</i>	\$1,181,900
Increment Value	= <i>New Assessed Value - Base</i>	\$310,200
Annual TIF Generated	= <i>Increment x 0.02</i>	\$6,204
Bond Note Issued	= <i>Annual TIF x 20 years @ 5%</i>	\$77,316

### Public Infrastructure and Community Public Service Need Impacts

The Project will increase the availability of public infrastructure and services within the Project Site by creating continuity to public trails and access to Van Dorn Park.

### Employment Within the Amended Redevelopment Area

The Project will not generate additional employment within the Amended Redevelopment Project Area.

### Employment in the City Outside the Amended Redevelopment Area

The Project will not generate additional employment outside the Amended Redevelopment Project Area.

### Impact on Student Populations of School Districts

The Project will not impact the student population of Lincoln Public Schools.

### Other Impacts

Though utilizing TIF will defer the majority of the incremental ad valorem real property taxes generated by the Project for up to 15 years, there will be potential additional revenue generated by the Project from sales tax generated

by the increased pedestrian traffic throughout the Amended Redevelopment Area.

### **Finding of Need for TIF**

Section 18-2116 of the Act requires the City Council to make the following findings before authorizing the use of TIF:

- The Project and plan as proposed would not be economically feasible without the use of TIF; and,
- The Project as proposed would not occur in the Amended Redevelopment Area without the use of TIF.

The Urban Development Department believes that the improvements proposed in this plan would not occur “but for” the utilization of TIF in the Amended Redevelopment Area. Construction of a pedestrian crossing is not identified in the Capital Improvement Program six-year plan at this time and is not a priority for funds without the use of TIF.

### **Project Schedule and Implementation**

Following the approval of the Amended Redevelopment Plan, the following steps will occur in the implementation of the project:

- Following agreement approval, the City may issue and sell Community Improvement Financing bonds or notes to fund the public improvements related to the Project.
- The City will review construction drawings of public and private improvements.
- The City will competitively bid TIF-funded public improvements, as needed and required by the City’s Purchasing Department.
- The City will construct the public improvements and enhancements.