

BLIGHTED AND SUBSTANDARD
Determinational
S T U D Y

Cultivating Inspiration
Minden.
Nebraska

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Blighted and Substandard Determinational Study and Redevelopment Plan

Part A—Blighted and Substandard Determination Study

Purpose of the Study

The purpose and intent of this study is to determine whether all or part of each designated Redevelopment Study Area qualifies as a blighted and substandard area within the definition set forth in the Nebraska Community Development Law, Section 18-2103.

Two (2) Redevelopment Areas were identified, and the findings in this study are based on surveys and analyses conducted for each Redevelopment Study Area.

Redevelopment Study Area (Area 1): This redevelopment study area is contiguous and is combined into analysis together due to compatibility of uses and location on the west side of the arterial Brown Avenue. Area 1 is largely defined as residential in nature with limited highway commercial development. Approximate boundaries for this area are as follows:

- Undeveloped corporate limits on the north, Brown Avenue to the east, U.S. Highway 6 and 34 to the south, and Tower Street to the west

Redevelopment Study Area (Area 2): This redevelopment area is contiguous and is combined into analysis together due to compatibility of uses and location on the east side of the arterial Brown Avenue. Area 2 is largely defined as mixed with residential, highway commercial, recreation, and public uses. Approximate boundaries for this area are as follows:

- Undeveloped corporate limits on the north, U.S. Highway 6 and 34 to the south, Kearney Avenue to the east and Brown Avenue to the west

The Boundary Map contained within this document will give exact, graphical details of the area boundaries.

Basis For Blighted And Substandard Determination

Substandard Area

As set forth in the Nebraska legislation, a substandard area shall mean one with a predominance of buildings or improvements, whether nonresidential or residential in character, which displays one or more of the following factors:

1. Dilapidated/deterioration
2. Age or obsolescence
3. Inadequate provision for ventilation, light, air sanitation, or open spaces
4. Existence of conditions that endanger life or property by fire or other causes:



Junk cars provide a basis for blighted and substandard conditions.

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- a. High density of population and overcrowding
- b. The existence of conditions that endanger life or property by fire and other causes
- c. Any combination of such factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime and is detrimental to the public health, safety, morals, or welfare

This evaluation included conducting a survey of the Study Areas, completing a parcel-by-parcel land use inventory, performing a field reconnaissance of both areas, and reviewing pertinent reports, including the Minden Comprehensive Development Plan and additional documents containing information that could substantiate the existence of substandard conditions.

Blighted Area

The Nebraska Revised Statutes explicitly details the qualities of a blighted area within Section 18-2103. A blighted area shall mean an area where the presence of one or more of the following factors exist:

1. A substantial number of deteriorated or deteriorating structures
2. Defective or inadequate street layout
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
4. Unsanitary 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. Conditions that endanger life or property by fire or other causes
11. Any combination of such factors that substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability
12. Detrimental to the public health, safety, morals, or welfare of its present conditions and use, with 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 platted and subdivided property in an area is unimproved land that has been within the city for 40 years and remained unimproved during that time.



Unsafe conditions are created by outdoor storage of junk cars.

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- d. The per capita income of the study or designated blighted area is lower than the average per capita income of the city in which the area is designated.
- e. The area has had either stable or decreasing population based on the last two decennial censuses.

This evaluation was made on the basis that existing blighted and substandard factors must be present to an extent that would lead reasonable people to conclude public intervention is appropriate or necessary to assist with any redevelopment activities.

Survey Factors

Definitions and Explanation:

Each component of each structure in the analysis area was examined to determine whether it was in sound condition or had minor, major, or critical defects. Two types of building components were evaluated:

Major Components: These components include the basic structural elements of any building: the foundation walls, load-bearing walls, and columns and roof structure.

Minor Components: These components include the necessary secondary elements of any building: the wall surfaces and conditions, paint or wall covering condition, the roof condition, windows, doors, porches, steps and stairways, fire escapes, chimneys and vents, gutters and downspouts, etc.

Both the major and minor components were evaluated and ranked in one of four categories, and each category was assigned a numerical value as follows:

Ranking Category	Numerical Value
No Problems	1
Minor Problems	2
Major Problems	3
Critical Problems	4

The numerical rankings of each major and minor component were then combined to generate an overall building condition evaluation comprised of five categories as follows:

Major Component Numerical Ranking	Minor Component Numerical Ranking	Combined Numerical Ranking	Overall Building Condition
2 or less	6 or less	8 or less	Sound
3-5	7-8	10-13	Minor Deficient
6-7	9-17	14-24	Major Deficient
7-9	18-19	25-29	Substandard
10 or more	20 or more	30 or more	Dilapidated

Deteriorated roof and dilapidated gutters are a condition of blight.

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The “Overall Building Condition” entries are defined as follows:

Sound: A sound building is one that has been and can be kept in good condition with normal maintenance. A sound building has no major component defects, no minor component defects ranked as major or critical or with major deficiencies, but may have up to three minor components ranked as having minor defects.

Minor Deficient: Buildings ranked as deficient are those that require only minor repairs, which have not more than one major component defect that is minor in nature, which has not more than one minor component defect that is ranked as major in nature, nor more than three minor component defects ranked as minor in nature.

Major Deficient (Deteriorating): Buildings ranked as deficient are buildings that require major repairs, which have not more than one major component ranked as critical or not more than two ranked as having deficiencies that are major in nature, nor more than five minor component defects ranked as major in nature.

Substandard: A structurally substandard building contains defects that are so serious and so extensive that the building may not be economically repairable. Buildings classified as substandard have not more than two major component defects ranked as critical or major in nature, nor more than four minor component defects ranked as critical.

Dilapidated: A dilapidated building contains such a combination of serious defects that no question remains that the building is uninhabitable and should be razed. All major components of a dilapidated building have defects that are major or critical in nature or a combination of less serious major component defects together with at least four minor component defects that are ranked as critical in nature.

Table 2
Existing Land Use—Field Analysis Results for the Combined Areas 1 and 2
Minden, Nebraska

Building Type	Sound	Deficient (Minor)	Deficient (Major)	Substandard	Dilapidated	Total Buildings	Total Dilapidated and Substandard Buildings	%
Commercial	8	4	2	8	5	21	13	62%
Residential	23	14	8	27	15	65	42	65%
Outbuildings	5	2	1	7	4	16	11	69%
Total	36	20	11	42	24	102	66	65%

Source: Olsson Associates (2010)

Structural deficiencies are a condition of blight.

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Conclusion (Area 1)

The study findings support a blighted and substandard designation for the Redevelopment Study Area (Area 1). The presence of blighted and substandard factors indicates the study area needs to be revitalized and improved to ensure that it will positively contribute to the physical, economic, and social well being of the City of Minden. The results of the study indicate that the Redevelopment Study Area has not been subject to comprehensive, sufficient growth and development through investment by the private sector nor would the area be reasonably anticipated to be developed without the potential aid provided in the Nebraska Community Development Law.

The Minden City Council is encouraged to review the findings detailed within this study with legal counsel to compare these findings to the requirements of the Nebraska Community Development Law and to consider declaring the Redevelopment Study Area (Area 1) as blighted and substandard.

Substandard Factors

Redevelopment Study Area (Area 1)

The area is primarily residential in nature with limited highway commercial development. Several blight and substandard factors were prevalent throughout, including lack of ADA compliant infrastructure, street paving, and curb and gutter improvements as well as structural issues such as roof, siding, or foundational issues.

In this study area, three of the substandard factors are present to a substantial extent. The first substandard factor involves the conditions of the buildings (not including outbuildings) that are contained within the redevelopment study area. Based on a comprehensive site analysis, 18 of the 29 buildings surveyed (excluding outbuildings), or 62 percent, are deemed substandard or dilapidated. The second factor involves the age of the structures within the redevelopment study area. Most buildings within this area are between 40 and 100 years old.

Individually, concerns such as those listed above provide evidence of substandard determination. Collectively, to the extent of 65 percent of the entire analysis area (both Areas 1 and 2), these concerns provide overwhelming evidence of a blighted and substandard determination.

Blighted Factors

Redevelopment Study Area (Area 1)

Of the twelve blighted factors set forth in the Nebraska Community Development Law, seven are present to a strong extent. The blighting factors that are present are reasonably distributed throughout the redevelopment study area.



Lack of property maintenance leads to an unsightly property with safety concerns.

Blighted and Substandard Determinational Study and Redevelopment Plan

Strong Presence

- A substantial number of deteriorated or deteriorating structures
- Faulty lot layout in accordance with size, adequacy, accessibility, or usefulness
- Unsanitary or unsafe conditions
- Improper subdivision or obsolete platting
- Deterioration of site or other improvements
- The existence of conditions that endanger life or property by fire or other causes
 - Specifically, street and sidewalk infrastructure dilapidation
- The average age of the residential or commercial units in the area is at least 40 years.

Conclusion (Area 2)

The study findings support a blighted and substandard designation for the Redevelopment Study Area (Site 2). The presence of blighted and substandard factors indicates the study area needs to be revitalized and improved to ensure that it positively contributes to the physical, economic, and social well being of the City of Minden. The results of the study indicate that the Redevelopment Study Area has not been subject to comprehensive, sufficient growth and development through investment by the private sector nor would the area be reasonably anticipated to be developed without the potential aid provided in the Nebraska Community Development Law.

The Minden City Board is encouraged to review the findings detailed within this study with legal counsel to compare these findings to the requirements of the Nebraska Community Development Law and to consider declaring the Redevelopment Study Area as blighted and substandard.

Substandard Factors

Redevelopment Study Area (Area 2)

The area is largely defined as mixed with residential, highway commercial, recreation, and public uses present. Several blight and substandard factors were prevalent throughout, including lack of ADA-compliant infrastructure, street paving, and curb and gutter improvements as well as structural issues such as roof, siding, or foundational issues.

In this study area, three of the substandard factors are present to a substantial extent. The first substandard factor involves the conditions of the buildings (not including outbuildings) that are contained within the redevelopment study area. Based on a comprehensive site analysis, 37 of the 57 buildings surveyed (excluding outbuildings), or 65 percent, are deemed substandard or dilapidated. The second factor involves the age of the structures within the redevelopment study area. Most buildings within this area are between 40 and 100 years old.



This road is lacking paving, adequate drainage and ADA-compliant sidewalk infrastructure.

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Individually, concerns such as those listed above provide evidence of substandard determination. Collectively, to the extent of 65 percent of the entire analysis area (both areas 1 and 2), these concerns provide overwhelming evidence of a blighted and substandard determination.

Blighted Factors

Redevelopment Study Area (Area 2)

Of the twelve blighted factors set forth in the Nebraska Community Development Law, seven are present to a strong extent. The blighting factors that are present are reasonably distributed throughout the redevelopment study area.

Strong Presence

- A substantial number of deteriorated or deteriorating structures
- Faulty lot layout in accordance with size, adequacy, accessibility, or usefulness
- Unsanitary or unsafe conditions
- Deterioration of site or other improvements
- Improper subdivision or obsolete platting
- Detrimental to the public health, safety, morals, or welfare of its present conditions and use
 - The average age of the residential or commercial units in the area is at least 40 years.
- Conditions that endanger life or property by fire or other causes, specifically, street and sidewalk infrastructure dilapidation

Part B—Redevelopment Plan

Purpose of the Study

The purpose of the Redevelopment Plan is to guide the implementation of community development within the previously examined Redevelopment Study Areas in the City of Minden. The Nebraska Community Development Law states that this plan should promote the general welfare, enhance the tax base, promote the economic and social well-being, and promote the development of public activities and public events in the area.

The required elements of the Redevelopment Plan include the following:

- Boundaries of the redevelopment project(s) with a map showing the existing uses and conditions (see the attached Map)
- A land-use plan showing proposed uses for both areas (see the attached Map)
- Potential demographic characteristics after redevelopment
- A statement of proposed changes to zoning ordinances, street layouts, building codes, etc.



This residential structure is plagued with aged siding and deteriorated roof.

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- A site plan for redevelopment areas
- A statement regarding new public facilities for both redevelopment areas

Furthermore, the Redevelopment Plan should demonstrate that proposed redevelopment efforts conform with the Comprehensive Development Plan for the City of Minden. Also, the plan should demonstrate, through its design and implementation, the efficient use of public funds and the mitigation of blighted and substandard conditions.

Moreover, the redevelopment recommendations provided are general in nature and are intended to provide a framework for future development within any of the study areas identified. While these recommendations do not specifically identify future land uses, they are meant to guide any proposed development. All future development within any of these redevelopment study areas must reflect the intent of this study and/or the City of Minden Comprehensive Development Plan.

For the purposes of this report, the focus of this section is two-fold. First, the section will address any policy or specific recommendations for each of the two (2) redevelopment study areas that should be considered for inclusion in the Comprehensive Development Plan. Second, recommendations will be made for future land uses and redevelopment projects for each redevelopment study area that will “promote the general welfare, enhance the tax base, promote the economic and social well-being, and promote the development of public activities and public events in the area.” Furthermore, all recommendations should be used to attract and guide any and all future redevelopment projects within each of the two study areas and the City of Minden.

Combined Redevelopment Plan (Areas 1 and 2)

Combined Redevelopment Plan recommendations from this analysis that align with the identified goals in the Minden Comprehensive Plan and Zoning Regulations (2011) Hanna:Keelan Associates, P.C.:

Goals, Policies and Action Strategies, Chapter 2, Community Image, Page 2.4, Policy 1.2: Improve and beautify the built environment of Minden, Action Strategy 1.2.1 – Remove dilapidated buildings, those structures that are cost prohibitive for rehabilitation; Action Strategy 1.2.2 – Promote the planting of trees and maintenance and preservation of landscapes; Action Strategy 1.2.3 – Improve streetscapes throughout all areas of the City of Minden; Action Strategy 1.2.4 – Implement a revitalization plan, with emphases placed on Highway 10, 6/34, and 74 corridors to expand upon continuing improvements in the downtown; Action Strategy 1.2.5 – Establish “Gateway Entrances” to the City of Minden to further improve the appearance of the community and attract highway travelers into the city.



This community arterial road is lacking ADA-compliant sidewalk infrastructure.

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- While the comprehensive plan for the City of Minden should be updated this year (2011) to include analysis and direction based on statistical demographic and economic data provided by the 2010 Decennial U.S. Census, it is clear that the actions desired by the community based on 2000 U.S. Census data remain relevant today.
- Both analysis areas are bordered by the highway corridors described in the above action plans. Field reconnaissance proved that significant need exists for not only promotional entrance node signage and landscape, but additional signage to adequately and effectively direct traffic to community assets.
- Placing of entrance node signage, directional or way finding signage, and landscape improvements throughout both study areas for visual enhancement of community transportation routes would greatly help promote the visual aesthetic of the community to visitors and those who call Minden home.
- Creating this redevelopment plan addresses the community's desire to implement a revitalization process. Information contained within both this plan and a plan in process (InVision Minden Community Plan) are efforts to develop guidelines for revitalizing of both Areas 1 and 2.
- A substantial amount of junk and debris is present on individual property owners' lawns throughout Area 2, but also in Area 1. Loose household items and junk cars parked on lawns pose not only an unpleasant aesthetic environment for the community, but also pose a risk to health, safety, and welfare. Consistent regulation through building and property inspection will help bring violators to compliance. To improve, the community should consider the following steps:
 - Review community codes and ordinances for storing vehicles and junk debris.
 - Educate, through a coordinated community campaign, on the importance of maintaining the community aesthetic for safety, health, and welfare as well as to enhance property value for all citizens.
 - Consistently regulate, through building and property inspection, and reprimand citizens not in compliance
 - Identify methods for junk and debris disposal or recycling, including funding for these programs

Goals, Policies and Action Strategies, Chapter 2, Land Use and Development, Page 2.5, Policy 1.1: Maximize the existing land areas presently served by municipal infrastructure, Action Strategy 1.1.3 - Conduct infill of vacant parcels in developed residential areas; Policy 1.2 - Designate future commercial land areas that provide greatest access for both local and highway travelers; maintain existing and expand all general commercial and service land uses in the downtown and highway 10, 6/34 and 74 commercial corridors



This arterial is lacking ADA-compliant sidewalk infrastructure.

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- Generally speaking, the City of Minden has room to grow within the limits of both Areas 1 and 2. Infill opportunities are particularly abundant in Area 1 for residential and commercial uses. To truly maximize the utility of existing infrastructure, development of vacant parcels should be established as a priority.
- Highway 10 and Highway 6/34 are valuable commercial corridors for the city. When redeveloping this area, the city should be particularly conscious of how the corridor will serve tourist, local, and industrial traffic. Retail opportunities that capture the need to serve the volume of travelers on these corridors, whether local or tourist, will help support the community's tax base. The city may want to consider providing ease of entry to businesses wishing to redevelop or develop along the corridors through programs such as the following:
 - *Tax Increment Financing*: for improving the identified infrastructure deficiencies present, particularly concerning sidewalks, roads, landscape, and maintenance
 - *Revolving Loan Accessibility*: for developing new businesses along this corridor
 - *Enhanced Signage Regulation*: to protect corridor aesthetics and continue promoting of businesses within this area
- When designating the future commercial uses, the city should be conscious of connecting additional retail capture opportunities; hence, newly created corridors for development should effectively connect to existing retail areas in both the downtown and highway retail/commercial sectors.

Goals, Policies and Action Strategies, Chapter 2, Housing, Page 2.11, Goal 2: Coordinate housing programs with economic development efforts

- Communities with effective growth patterns are those that continuously monitor the impact of housing development as it relates to community capital investment and job creation. These communities are also continuously seeking opportunities to match funding and private development investment resources with housing options that are not only desired by the populace, but that also provide evidence of a return on investment on the part of the developer or community.
- Minden's approach to housing development in Areas 1 and 2 should be to assess the local economic drivers, growth patterns, land acquisition and utility extension costs, and demographic trends to determine what forms of housing development are not only desired, but are truly needed within the community. This form of formal or informal housing assessment will be an excellent tool for attracting private development, public and/or private investment, and residents to Minden.



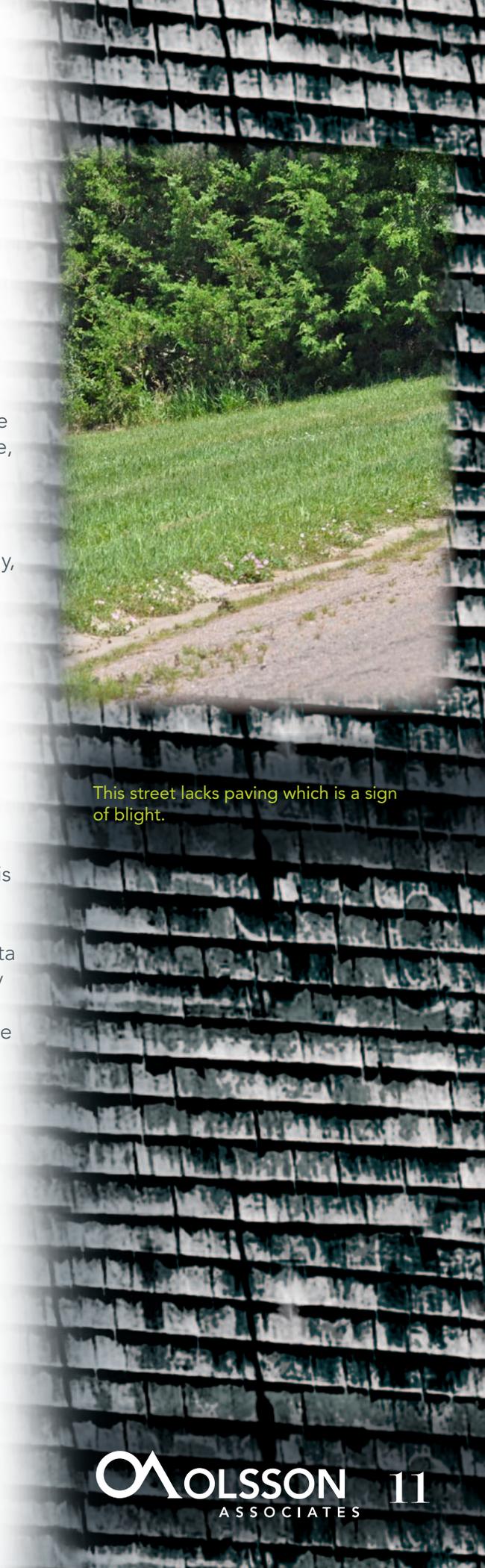
This street shows dilapidated paving, curb, and gutter infrastructure.

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- Because so much of the combined Areas 1 and 2 are mixed use in nature, multiple housing options should be explored. It is feasible that everything from larger lot, single-family housing to multi-family housing could be developed within this area to support a variety housing needs.
- To adequately support housing options in Areas 1 and 2, it will be necessary to not only assess the variety of housing development options, but also to assess, develop, and/or maintain the infrastructure to support these opportunities. Any existing housing developments should have adequate infrastructure servicing their properties such as ADA-compliance sidewalks, streets with in-tact curb and gutter, effective drainage, and paving. Any new development plats should be reviewed to ensure that these infrastructure attributes are present before approving of the final plat.
- The community would benefit, both aesthetically and structurally, from investigating housing rehabilitation funding that could be accessed by Area 1 and 2 homeowners.
- The city should create programs or sponsor a grant application to assist property owners redevelop substandard homes, which may include incentives for aesthetic improvements.

Goals, Policies and Action Strategies, Chapter 2, Public Facilities, Infrastructure, and Transportation, Page 2.13, Goal 1: Maintain and improve the existing public facilities and utilities in Minden and develop, as needed, new facilities and services to reflect the community's needs and demands

- Minden is one of a handful of Nebraska rural communities that is growing in population and bucking the trends of outmigration. While updating the comprehensive plan and thoroughly analyzing both the new demographic and economic Census data will provide a clearer picture of actual and projected community facilities and infrastructure needs, it will be important for the community to work in Areas 1 and 2 to maintain and improve the following:
 - Bike and walking trail/ADA-compliant sidewalk access for pedestrian safety and health and as an attraction for the community's residential areas
 - Programming for families and the community's elderly population—progressive communities provide access to wellness programs and facilities for combined recreational and community programming
 - Preserving and expanding community park and public recreational areas—within Area 2 resides recreational space that could be improved to not only provide opportunity for lodging tourists, but also to provide recreational and active space for multiple uses. Redeveloping this area to accommodate for additional needs should be researched



This street lacks paving which is a sign of blight.

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- The city should try to coordinate of the 1 and 6 Year Street Improvements Plan, the Capital Improvements Plan, and all other community visioning plans to ensure that suggestions for redevelopment made within this Redevelopment Plan align appropriately.
- Commit community funds to maintain and/or replace sidewalk infrastructure that is inadequate and not in compliance with ADA requirements.
- Commit community funds to complete paving for streets that are lacking paving, curbing, and gutters for effective drainage. Several streets within Areas 1 and 2 are badly in need of effective drainage mitigation.
- Enforce existing zoning codes and city ordinances involving property maintenance.
- Carefully review existing codes to enforce compliance for new development requests.
- Areas 1 and 2, while mostly containing some form of sidewalk infrastructure, are riddled with places where the infrastructure is either dilapidated or completely missing. As the community continues to age and interest exists to recruit younger families, it is necessary for the community to bring the sidewalk infrastructure to ADA compliance and then maintain that infrastructure for safety, health, and welfare. The community leaders should consider those who may not have ready access to vehicular transportation, such as those of limited financial means, elderly persons, or children, when making decisions for sidewalk improvements and mobility.
- While many streets within Area 1 and 2 are in acceptable condition, it will be important to maintain those with deficiencies to avoid major costs in reconstruction or lack of competitiveness as a community attempting to attract new residents and businesses.

Goals, Policies and Action Strategies, Chapter 2, Community and Economic Development, Page 2.16, Goal 2: Community and economic development practices should strive to both stabilize and improve the Minden economy

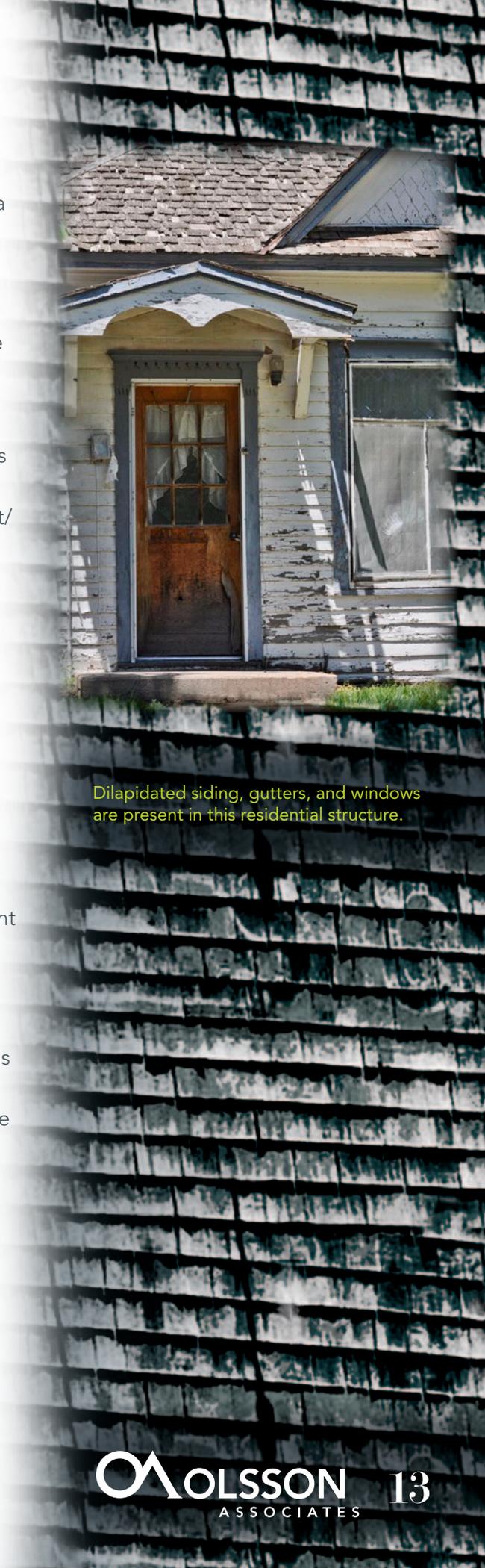
- Economic development doesn't typically occur as a "stroke of dumb luck." Businesses make location decisions to either start up or locate where they do based on factors that affect their ability to either operate in an environment where the cost of goods produced and sold is less than elsewhere or the market that appears to exist in a community provides adequate evidence that return on equity and profits will exceed that of operating elsewhere.
- Understanding the economic drivers of the community is the first step in understanding economic development potential within Areas 1 and 2. Essentially, the community would be wise to undergo an economic development demographics and site analysis to determine opportunities for industrial, commercial, and retail company development.



This recreational property suffers from a lack of soundness found in the aged roof.

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- To best support Areas 1 and 2, an inventory of available land for industrial, commercial, and retail development should be maintained and updated at all times for best marketing the area to prospective developers.
- Constant communication with utility and state development partners, as well as the real estate brokerage and development community, is the best mode for positioning the community for development opportunity. Partnerships developed between the Minden Economic Development and Chamber of Commerce organizations will play vital roles in the partnership for development.
- Creating and promoting community incentive package offerings is vital to playing the site selection for development game.
- Conversely, the community should be very conscious of the cost/benefit to providing incentives to any of the business sectors aforementioned as the net benefit in capital investment, and job creation (and assumed tax revenue to be collected over a specified duration, as a result) should provide for a positive return. The general sentiment is that you should incent to gain, not incent to lose.
- Areas 1 and 2 have multiple opportunities for enhanced retail and commercial development. Redeveloping Colorado Avenue as a potential collector from Brown Avenue to divert tourist traffic to the east side of the Pioneer Village property and directly to downtown Minden is an improvement that could provide for substantial retail and commercial development opportunities. Creating this collector to connect new retail and commercial developments to an existing, vibrant downtown should be carefully explored as a future community development option.
- A thriving community that supports its educational system ensures that it is taking the necessary steps to not only reserve land for future physical school growth, but also to support for other facets that promote economic growth. This includes, but is not limited to, the following:
 - Preserving of the community tax base to support funding the local school district through sound tax policy; maintaining street, sidewalk, and utility infrastructure serving the schools and community residents; and promoting the community aesthetic for residential appeal



Dilapidated siding, gutters, and windows are present in this residential structure.

Minden Community Betterment—Suggestions for Investment by the City of Minden in Capital Expenditure for Facilities

- *To accommodate the vibrant, growing population base*—seek entertainment and recreational options that will enhance the quality of place, not just quality of life. Enhanced visual attributes, such as landscaping public areas, maintaining and upgrading parks and trail systems and providing ready access to a variety of entertainment options that will support both younger and older populations will serve the community well in its growth. Communities experiencing in-migration will not only want to ensure that they are supporting their economic base, but also their “lifestyle” retailers. Coffee shops, hobby stores, farmers markets, and the like are important to enhancing community quality of life.
- *To encourage community wellness*—designate funds for improving sidewalks and for developing a community trail system; research grant and funding options for this form of development can be obtained through the Nebraska Game and Parks Commission and other allied entities. This form of development promotes community walkability for those with limited vehicle access, promotes safety for children and older residents, and creates for an inviting community that connects housing to recreational activity centers.
- *To promote the safety and welfare of residents*—improve community roads to include hard-surfacing, curbing, gutter, and ADA compliant sidewalks. Currently, many unpaved roads with significant drainage problems should be fixed. Consider all aspects of the redevelopment plan and suggestions found throughout when determining the one- and six-year transportation plan and the capital improvements plan, updating of the comprehensive plan, creating existing and future land use maps, considering zoning and subdivision codes, handling building codes, and preparing additional community visioning plans. All aspects of planning should be prioritized effectively to determine what tasks should be pursued in an appropriate order as to expedite redeveloping Areas 1 and 2 efficiently.
- *To promote economic opportunity*—target base development opportunities that will work for the demography and general environment of the City of Minden. The consultant recommends a sectoral or cluster approach to economic analysis that will build upon the already flourishing agricultural base of the region. Consider passing bills like LB 840, LB 1018, or LB 562 to reserve or capture funds for economic development and infrastructure for economic development preparedness. Only with base economic development does retail and commercial activity flourish. Concentrating on base economic development when considering extending incentives is important, but



Long-term, undeveloped, annexed property is a characteristic of blight.

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continuing to promote of accessibility of funding for retail and lifestyle-variety developments is very important to sustaining the younger, and growing, Minden population base. The combined aid in the tax base is necessary to create a thriving, vibrant community attractive to outsiders.

- *To encourage sustainable and desired development patterns*—review and consider revising the existing zoning code to accommodate the change in the population dynamic of the community as will be indicated in the release of the 2010 U.S. Census Bureau data. Considerable changes have occurred in the economy and in general land use regulations, both state and federal, during the last 10 years (which would have been the last Census Bureau data analyzed to complete the zoning code changes for the City of Minden), and we suggest reviewing these codes to ensure current applicability.
- *To maintain existing populations*—ensure that housing stock is not only affordable, but that it meets the demands of the current population’s service needs. Adjust determined land uses and development codes to accommodate what is needed to best serve existing residents and curb poor development patterns and vacancy. A housing study should be undertaken in the future to determine housing need priorities.
- *To preserve the value of property*—provide training for the City Planning Commission and the City Board to help members identify desired and undesirable planning and development characteristics. Decline requests for developments that are clearly incompatible uses to adjacent properties. Higher standard development expectations lead to more desirable developments.
- *To increase younger population numbers*—invest in developing amenities that are of interest to younger families. Active outdoor recreation coupled with adequate community physical recreation facilities are a significant draw for younger populations. Develop young adult leadership opportunities, namely a local Leadership Program, for to help make decisions on community improvements and direction. Encourage younger adult participation in all facets of community for leadership succession. Use reserved city or Economic Development funds to invest in industrial, but also invest in some smaller retail businesses supporting families such as daycare centers, grocers, clothiers, sundries, and wellness centers, etc.
- *To improve Minden’s quality of housing stock*—help homeowners rehabilitate housing units in the community. Engage prospective developers of elderly housing by obtaining information on how the city can help provide equity through state and federal grant and loan programs. Identify housing needs through a housing study, and adjust land use designations on the Future Land Use Map to reflect adequate space to accommodate identified housing needs.



Lack of paving and ADA-compliant sidewalk infrastructure plague this corridor.

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The consultant suggests that city expenditures be concentrated in the following areas, which are ordered in terms of priority:

- Roads infrastructure and improvements to include surfacing
- Drainage improvements, including sewer and storm sewer improvements
- Sidewalk infrastructure and improvements
- Retail and commercial corridor improvements, including frontage and infrastructure improvements
- Housing rehabilitation and infill development
- Parks and recreation improvements
- Wellness center development

A Phasing Plan that includes public involvement should be devised to budget capital expenditures for the above suggested improvements.

Reviewing the current and future land use maps shows no immediate need to revise the planned land use; however, the City of Minden should consider, aside from reviewing and updating its zoning code, a revision to their Comprehensive Plan. A review of the plan indicates a fair level of obsolescence throughout the Goals and Objectives portion of the plan. Completing a strategic planning process combined with revisions to the Comprehensive Plan would help to better align redevelopment objectives with current community desires.

The following information pertains to Tax Increment Financing, which is accessible and allowable within both of the identified redevelopment areas.

Introduction To Tax Increment Financing (TIF)

Background

- TIF, or tax increment financing, is designed to finance public costs associated with a private development project.
- Property tax increases resulting from a development are targeted to repay the investment required by a project.
- The purpose of tax increment financing is to promote the viability of existing businesses and attract new commercial enterprises.
- Think of tax increment financing as a loan for developers. The city is borrowing funds that it expects to recoup in the form of a higher tax base. However, that loan is specifically earmarked to finance public costs.
- Tax increment financing is designed to finance the public costs associated with a private development project. Examples of public costs include the following:
 - Making public improvements (streets, sidewalks, landscaping, parking areas, etc.)
 - Acquiring redevelopment sites



This commercial property exhibits multiple characteristics of blight.

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- Preparing a site (demolition, grading, etc.)
- Providing utility extension and hook-up fees
- Nebraska voters approved community tax increment financing (then known as community improvement financing) in November of 1978. The Nebraska unicameral passed enabling legislation in 1979. Forty-six (46) states currently use some form of tax increment financing.
- Although all types of development projects can apply for tax increment financing (i.e., commercial, residential, industrial, mixed-use), commercial projects are most common.

Overview of Process

Tax increment approval consists of three primary steps:

1. Designating a Blighted or Substandard Area: Under Nebraska law, local governments may use tax increment financing only to redevelop substandard and blighted areas within a community.
 - a. *Substandard*: Buildings and improvements are detrimental to public health and safety.
 - b. *Blighted*: At least one of the following conditions has to exist:
 - i. Unemployment in the development area is 120 percent of state or national levels.
 - ii. The average age of buildings is at least 40 years old.
 - iii. More than half of the land is unimproved and has remained so for 40 years.
 - iv. Per capita income is less than average.
 - v. The redevelopment area has stable or decreasing population over the course of the last two censuses.
2. Preparing and Approving a Redevelopment Plan: A specific redevelopment plan is produced for the project area. The plan must include these six sections:
 - a. Boundaries of the project area
 - b. Land-use plan showing proposed uses of area
 - c. Details on standards of population densities, land coverage, and building intensities after redevelopment.
 - d. Statement of proposed changes within the zoning ordinances, maps, street layouts, street level or grades, or building codes and ordinances
 - e. Site plan of the area
 - f. Statement describing kinds of additional public facilities or utilities required to support new land uses after redevelopment
3. Approving a Redevelopment Plan: After approving the redevelopment plan, the city and the developer negotiate a redevelopment contract. The contract describes responsibilities and financial details.



This street lacks quality paving, curb, and gutter infrastructure.

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Creation of A Redevelopment Project Using Tax Increment Financing

Creation of A Redevelopment Area

- Cities of all classes and villages of this state are hereby granted power and authority to create a community development agency by ordinance, which agency may consist of the governing body of the city or village or a new or existing municipal division or department, or combination thereof...(Neb. Stat. §18-2101.01)
- Governing Body/Community Redevelopment Authority ("CRA") designates a study area.
- CRA commissions a Blight and Substandard Determination Study of the area.
- CRA considers and adopts the study and recommends to the Planning Commission and City Council that the area be determined blighted and substandard.
- The City Council submits the question of whether the area is substandard and blighted to the Planning Commission for purposes of obtaining the Planning Commission's recommendation within 30 days.
- The Planning Commission reviews study and makes recommendation, or makes no recommendation, within 30 days, and refers the matter back to the City Council.
- The City Council holds a public hearing, considers the results of the Blight & Substandard Determination Study, and determines whether the area is blighted and substandard, as those terms are defined in the Community Development Law (Neb. Rev. Stat. §18-2103 (10) and (11)).
- After a blight and substandard determination by the Council, the CRA may proceed to prepare a plan.

Preparation of Redevelopment Plan For Redevelopment Area

- Comprehensive Plan considerations: No redevelopment plan may be prepared until the amendments to the Comprehensive Plan for the area under review are completed, reviewed by the Planning Commission, and adopted by the Council. 18-2110.
- Consultants or CRA staff members, usually with input from city planning staff members, prepare the Redevelopment Plan for redeveloping the area. The CRA board approves the plan, after any modification by the CRA.
- The Planning Commission reviews the Redevelopment Plan, and makes recommendations to the CRA within 30 days. The Planning Commission may elect not to act within 30 days, in which case the Redevelopment Plan is taken to the Council with no recommendation.
- Upon receiving the Commission's recommendations, or if no recommendations are made within 30 days, the CRA may



This corridor lacks paving, curbing, gutters, and ADA-compliant sidewalk infrastructure.

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recommend the Redevelopment Plan to the City Council, accompanied by the recommendations of the Planning Commission, if any, and additional information required by §18-2114.

- The CRA must consider certain factors before recommending to the Council, and, if TIF is to be used as part of any project after 1/1/1999, a cost-benefit analysis is required. §§18-2112 and 18-2113.
- The Redevelopment Plan is considered by the City Council at a public hearing after giving the notice required by §18-2115.
- The City Council, after attending the public hearing and considering factors such as the “but-for test” and a cost-benefit analysis, may approve the Redevelopment Plan. §18-5116.
- If the Council does not approve the plan, it may be modified and brought back for further consideration
- After the plan is approved, it may undergo subsequent modifications. Any later modifications to the plan must also be approved by the Council. §18-2117.

Implementation of Redevelopment Project(s)

- Upon approval of the plan by the Council, the CRA must seek proposals for redeveloping all or part of the Redevelopment Area by published notice. §18-2119.
- If the CRA determines that it will accept a redevelopment proposal, it must notify the Council, in writing, of its intention to accept the proposal at least 30 days prior to doing so. Id.
- Thereafter, the CRA may enter into and execute the redevelopment contract and other documentation needed to effectuate the redevelopment contract. Id. A sample redevelopment contract, contemplating a “pay-as-you-go” TIF agreement, is attached as a part of this outline. It is also common for the TIF indebtedness to be bonded. Most larger Nebraska communities use bonded indebtedness in all or most of their TIF agreements.
- If the redevelopment project or contract includes using TIF, a pledge of taxes is made for paying such obligations. TIF may be divided for up to 15 years. §§18-2147 and 18-2050.
- Other documentation will generally include Council’s Resolution, City’s Pledge of TIF Revenues, and a Notice Filing with the Register of Deeds regarding the existence of the Redevelopment Contract concerning the subject property.
- Documentation will be filed with the Property Tax Administrator per §18-2117.01.
- A conclusive presumption that a redevelopment agreement or bond is in accordance with the Community Development Law arises in any suit, action or proceeding challenging the agreement or bond brought more than thirty (30) days after the agreement or bond is executed or issues. §18-2150.



Outdoor storage of junk debris poses a threat to safety.

