

City of Franklin
City of Franklin
May 10, 2021 5:30 PM City Hall

A Copy of the "Open Meetings Act" is posted in the Council Room
This Agenda can be changed up to 24 hours prior to meeting time per open meeting law.

The Board may enter into closed session to discuss any matter on this agenda when it is determined by the council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of an individual and if such an individual has not requested a public meeting, or as otherwise allowed by law. A closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session.

It is the intention of the Board to take up the items on the agenda in sequential order. However, the Board reserve the right to take up matters in a different order to accommodate the schedules of the board members, persons having items on the agenda, and the public.

1. Call Meeting to Order Roll Call
2. Verification of Open Meetings Notice
3. **Discussion and Action Items**
 - 3.a. Public Hearing for the General Redevelopment Plan
4. Resolution 2021-02 General Redevelopment Plan
5. Adjourn

EXECUTIVE SUMMARY

This Redevelopment Plan (the "Redevelopment Plan" or the "Plan") is intended to provide a guide for the implementation of redevelopment activities within the examined Redevelopment Area in Franklin, Nebraska (the "City"), pursuant to the provisions of the Nebraska Community Development Law and sections 18-2145 to 18-2154 (together, the "Act").

The Franklin Community Development Authority (the "CDA"), acting as a redevelopment agency pursuant to the Act, intends to undertake or provide for the redevelopment within the study area, as shown on Figure 1 (the "Redevelopment Plan Area") in the Blight and Substandard Study. Redevelopment activities shall be utilized to promote the general welfare, the enhancement of the tax base, the economic and social well-being, the development of any public activities and promotion of public events in the Area, along with all other purposes, as outlined in the Act.

A Community Development Authority Redevelopment Plan must contain the general planning elements set out by section 18-2111 of the Act as items (1) through (6), as follows:

"(1) the boundaries of the redevelopment area with a map showing the existing uses and condition of the real property therein; (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; and (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.

Section 18-2113 of the Act, provides that a Community Development Authority must consider certain planning matters prior to recommending a redevelopment plan to the City Council for adoption. These considerations are defined therein, as follows:

"...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, 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 the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, 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."

CONCLUSION

While this Redevelopment Plan establishes overall policies and intentions toward the comprehensive redevelopment of the Area, additional phases may require subsequent project plans and redevelopment agreements consistent with this Redevelopment Plan

REDEVELOPMENT PLAN

The planning process for the Redevelopment Area has resulted in a listing of general planning and implementation recommendations. As previously discussed in the Blight and Substandard Determination Study, there are several structural and substandard conditions which are detrimental to the health, safety and general welfare of the community and generally obsolete in respect to the development and living environment expectations of Nebraska communities, including the City of Franklin. To eliminate these conditions and enhance private development activities within the Redevelopment Area, the City of Franklin will need to consider the following planning and redevelopment actions:

- rehabilitation of residential, commercial, industrial and public/quasi-public properties.
- maintain and/or replace, as necessary, the current infrastructure in the Area.
- code enforcement program for the clean-up of areas in violation and detrimental to health, safety and general welfare of the community.
- screening and/or buffering of adjacent industrial areas (beyond the Redevelopment Area) from residential uses, including the use of berms and, or, landscaping to partially screen parking or storage areas and enhance vehicular and pedestrian rights-of-way; and,
- condemnation of unsafe structures, acquisition where necessary and demolition of substantially deteriorated structures, and replacement with appropriate residential, commercial or industrial development.

Both a timeline and budget should be developed for the Redevelopment Plan. Each of these processes should be designed in conformance with the resources and time available to the CDA and the City. A reasonable timeline to complete the redevelopment activities identified in the Redevelopment Plan would be 10 to 15 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed redevelopment activities. These include, in addition to City and federal funds commonly utilized, Community Development Block Grant funding, HOME funding, special assessments, general obligation bonds, redevelopment bonds, occupation taxes and tax increment financing.

Future Land Use Pattern

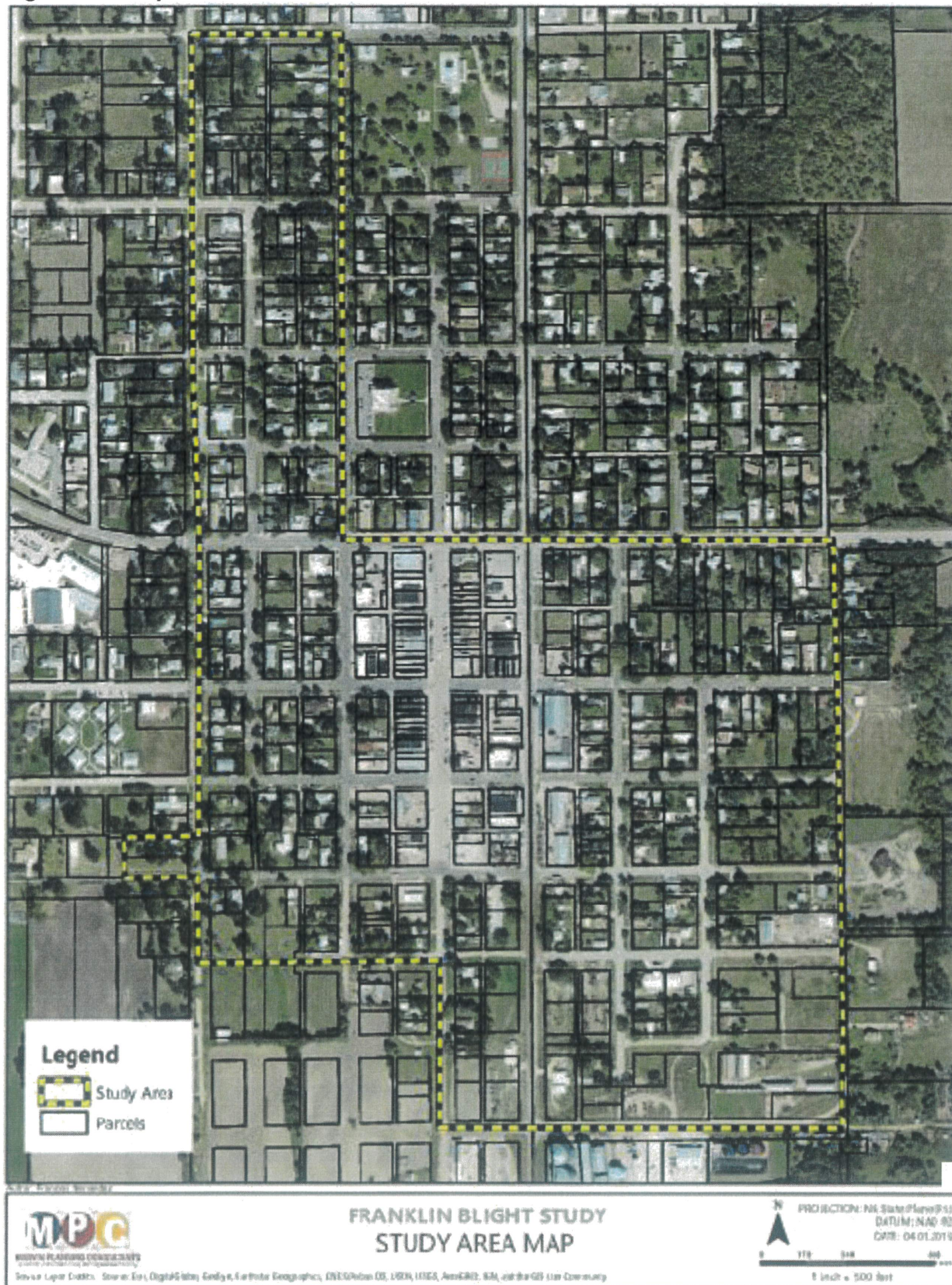
The existing land use patterns within Redevelopment Area were described in the Blight and Substandard Determination Study portion of this document. In general, the Redevelopment Area contains seven distinct land uses. The primary developed uses include commercial, single-family residential, industrial, parks and recreation, government, agriculture, and public/quasi-public use.

Future land uses recommended for Redevelopment Area are planned to be in general conformance with the current zoning patterns for the community. However, continued redevelopment of the commercial and industrial uses within the study area; plus, the redevelopment single-family residential within the study area.

Infill development in conformance with the associated future land use and zoning criteria are advocated throughout Redevelopment Area for vacant parcels. These lots, or parcels, are cost

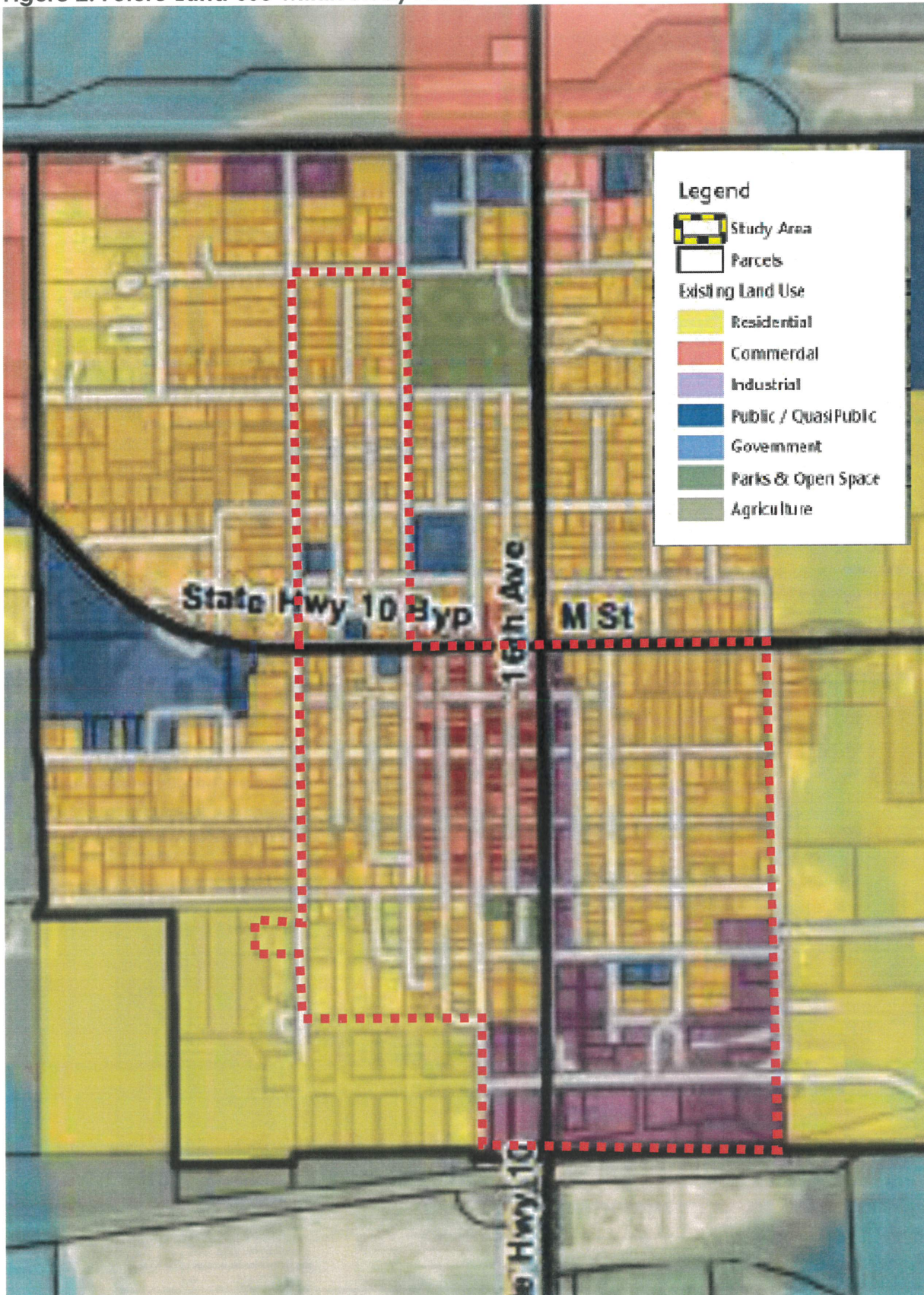
effective to develop as all required infrastructure is present.

Figure 1: Study Area



Source: Franklin Blighted and Substandard Study, MPC 2019

Figure 2: Future Land Use within Study Area



Source: Franklin Comprehensive Plan 2019, MPC 2019

Future Zoning Districts

A future zoning plan for Redevelopment Area is reflected in the existing zoning map contained herein. The map illustrates the future zoning classifications are in conformance with the City's Comprehensive Plan and current zoning classifications. However, as stated above, expansion of the industrial and commercial uses within the area is recommended, including the expansion of current industrial uses into other non-residential districts within the Redevelopment Area.

Recommended Public Improvements

Streets, Curb and Gutter, and Sidewalks:

Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of streets and sidewalks is ongoing by the City through its various programs. The Blight and Substandard Study identified deteriorating, dilapidated and rural section curb and gutter, as well as sidewalks, as a major contributing substandard condition. An upgrade of these improvements is a primary and first step in the redevelopment of the Area. Gravel streets, which are to remain public streets, in the area should be improved to City standards.

Storm Water:

Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of storm sewer lines and facilities, including curb and gutter, is ongoing by the City through its various programs.

Potable Water:

Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of water lines is ongoing.

Sanitary Sewer:

Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of sanitary sewer lines and facilities is ongoing by the City through its various programs.

Electrical Power:

Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of electrical power lines and facilities is ongoing by the City through its various programs.

Residential District

Primary redevelopment focus should concentrate on housing rehabilitation and overall site condition improvements. Additionally, the City or CDA may improve certain lots by demolishing deteriorated structures on those lots. The City or CDA should then market the acquired and improved lots to allow for the private construction of the replacement residential units. The lots selected to be acquired as part of an initial project, and each future project, need not be contiguous, but shall be selected on availability, funding and likelihood of successful development. The CDA may also develop a residential revolving fund to provide funding to owners to upgrade their property. Initial and on-going funding is discussed below.

Commercial District

Overall upgrade of site conditions and structures are a primary focus. Expansion of such uses as well as a combination of properties is necessary for the redevelopment of the Area. Various public financing tools, as described in this Redevelopment Plan, may be made available for such commercial and industrial redevelopment. Public streets, where appropriate, may be vacated to encourage contiguous commercial or industrial redevelopment. Traffic patterns for commercial/industrial truck traffic should be studied to minimize the effect on the adjacent residential area.

Financing

Redevelopment Bonds

The Plan proposes the CDA examine the use of redevelopment bonds (the "Bonds") to be repaid from several sources as set out in each particular issuance. These sources include all or a portion of the excess *ad valorem* real estate taxes generated by a series of redevelopment projects pursuant to § 18-2147 of the Nebraska Revised Statutes ("Tax Increment Financing" or "TIF") for a period of 15 years from the respective project effective dates, special assessments, *ad valorem* real estate taxes from the special redevelopment levy, grants and other income from the Redevelopment Area. The proceeds of the Bonds to assist in payment of project costs, as further defined in a subsequent redevelopment contract or contracts. The costs of adequate redevelopment of the Area are too great to be absorbed by either the Developer or public without the assistance of Tax Increment Financing, as further described in the cost benefit analysis to be provided with each project.

The Bonds issued for the commercial/industrial redevelopment would generally be purchased by the developer using such funds granted to it by the CDA. In addition to necessary public improvements, the Bond proceeds would be used to provide funding for allowable expenses incurred by the Developer.

Each of these subsequent redevelopment project plans may contain a provision for the division of *ad valorem* taxes for each respective project, thereby allowing the excess *ad valorem* taxes that are collected from each project to be available and pledged to the outstanding Bonds for the full statutory period. The effective date of each pledge, as described above, shall be the date determined either by contract or by modification of the outstanding Bond terms.

Any use of this financing source, including TIF, will require a project specific Redevelopment

Loan/Grant Programs

The CDA and the City of Franklin need to create a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in Redevelopment Area. The rehabilitation of residential, commercial and industrial buildings would prolong the life of the structures, create safe and decent living and shopping environments and enhance the pride of the community. As discussed above, funding may be available through the CDA levy or from the excess *ad valorem* taxes from each project as it develops.

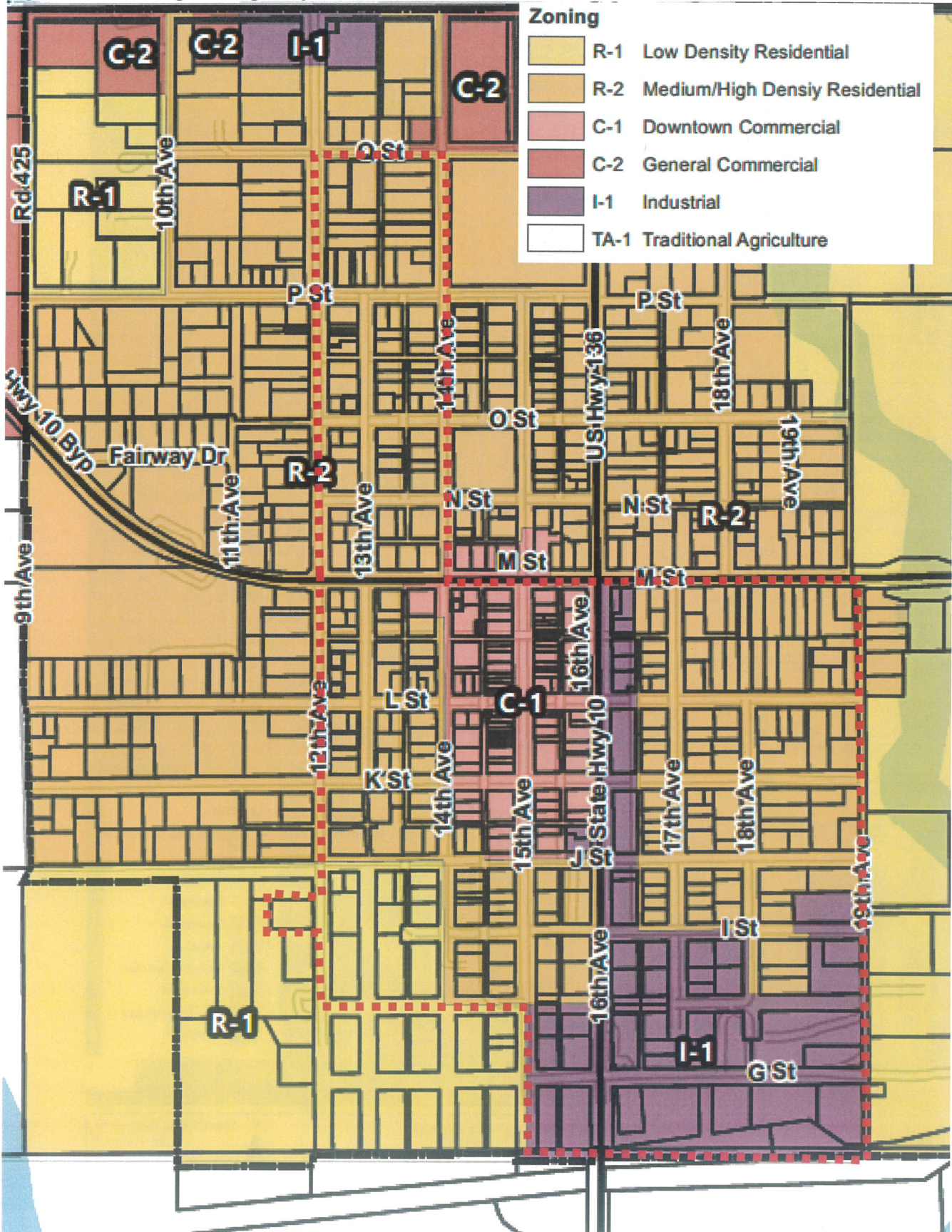
Property Acquisition

The CDA should establish and utilize a tax levy as permitted in the State Statutes (levy must be under the specific lids established or vote in by a levy override as allowed). The levied funds from the tax levy as well as *ad valorem* taxes from the Area projects could aid in acquiring and hold properties for future redevelopment. It may be necessary to improve said properties and provide other incentives to attract investor/developers to these buildings due to their age and condition"

SUMMARY

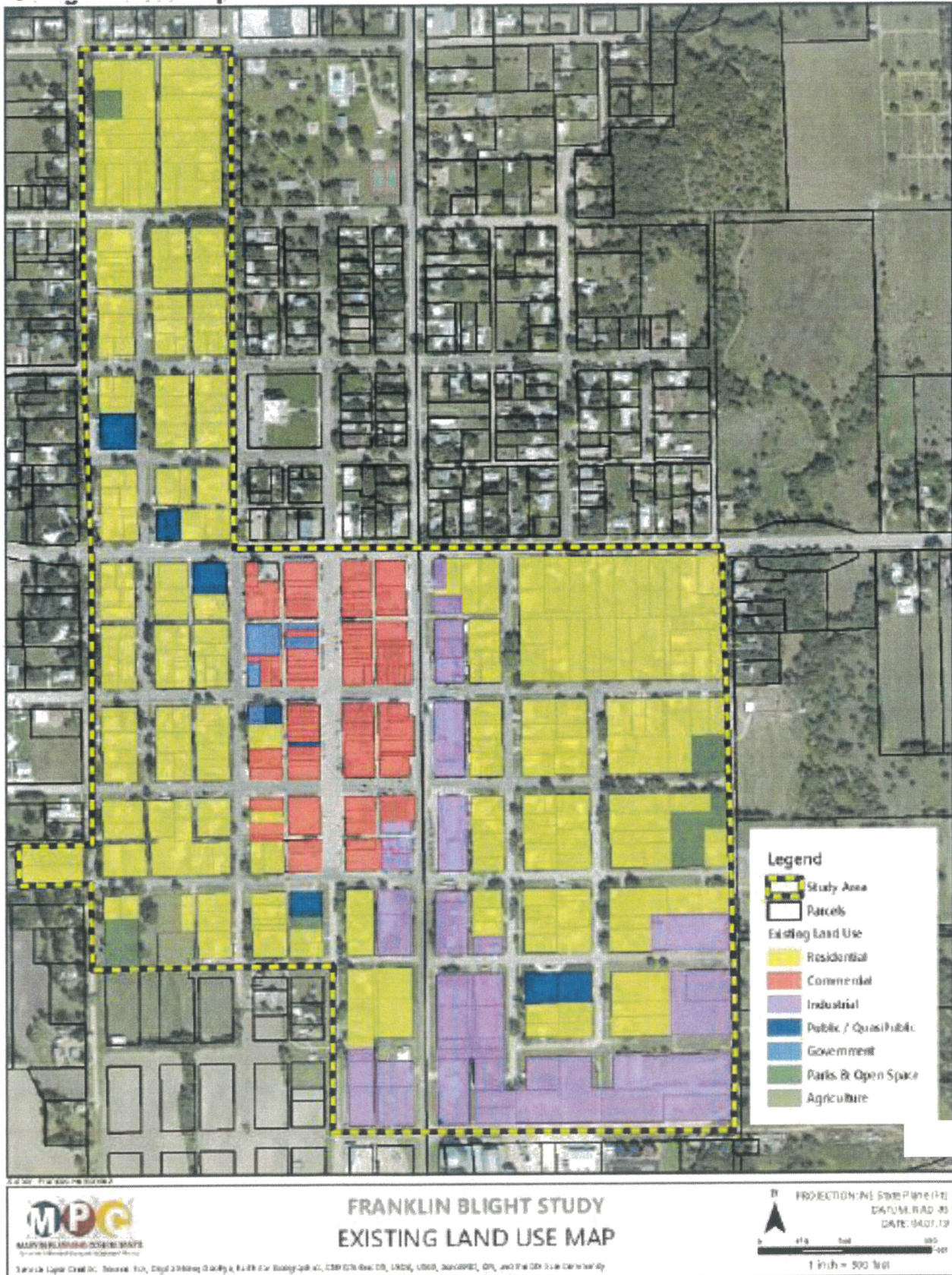
The recommendations listed above are to grant authority to the City of Franklin and the CDA in creating a viable and sustainable living environment in Franklin, through the full use of the Community Development Law.

Figure 11: Existing Zoning Map



Source: Marvin Planning Consultants, SCEDD 2019

Figure 3: Existing Land Use within Study Area



Source: Franklin Blighted and Substandard Area 2, MPC/SCEDD 2019

**PLANNING COMMISSION OF THE
CITY OF FRANKLIN, NEBRASKA**

RESOLUTION NO. 2021-02
(General Redevelopment Plan)

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
FRANKLIN, NEBRASKA, MAKING A RECOMMENDATION TO THE CITY OF
FRANKLIN, NEBRASKA, WITH RESPECT TO THE APPROVAL OF A GENERAL
REDEVELOPMENT PLAN.**

RECITALS

A. Marvin Planning Consultants has prepared a General Redevelopment Plan for the City of Franklin, Nebraska (the "City") for a certain Redevelopment Area of the City (the "Redevelopment Area"), a copy of which is on file with the City Clerk (the "Redevelopment Plan").

B. The Community Development Authority of the City of Franklin, Nebraska (the "CDA") has submitted to the Planning Commission for review and recommendation, the question of whether the Redevelopment Plan should be recommended for adoption by the City Council.

C. On May 10, 2021, the Planning Commission held a public hearing relating to the question of whether the Redevelopment Plan should be recommended for adoption by the City Council.

D. The Planning Commission has reviewed the Redevelopment Plan and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found and recommended by the Planning Commission of the City of Franklin, Nebraska, in accordance with the Nebraska Community Development Law (the "Act") codified at Neb. Rev. Stat. §§18-2101 through 18-2155, as follows:

1. The Redevelopment Area is, or will be, in need of redevelopment to remove blight and substandard conditions identified in the City of Franklin Blight and Substandard Study.
2. The Redevelopment Plan will, in accordance with the present and future needs of the City of Franklin, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan is in conformance with the general plan for development of the City of Franklin as a whole, as set forth in the City of Franklin Comprehensive Plan.

BE IT RESOLVED, that pursuant to the provisions of the Act and in light the findings in paragraphs 1 through 3 above, the Planning Commission does hereby recommend (i) recommendation of the Redevelopment Plan by the CDA to the City Council; and (ii) approval of the Redevelopment Plan by the City Council as the governing body of the City.

DATED this 10th day of May, 2021.

FRANKLIN PLANNING COMMISSION

Chairperson

ATTEST:

Secretary

4834-9831-5236, v. 1