

LOT PREP GUIDE

MIDWEST HOUSING DEVELOPMENT FUND, INC.

ACKNOWLEDGMENTS

RDG prepared this Lot Prep Guide at the request of Midwest Housing Development Fund, Inc. (MHDF). This Guide is a resource developed for MHDF's Midwest Housing Resource Network - connecting developers, community leaders, and other stakeholders to meet local needs for affordable housing development. MHDF is grateful for the support of the Nebraska Affordable Housing Trust Fund provided by the Nebraska Department of Economic Development's dedicated housing team.

Thank you to the following partners in housing for feedback and suggestions on the content for this Guide:

Omaha Municipal Land Bank - Shannon Snow

Spark - Jamie Berglund

Habitat for Humanity Omaha - Amanda Brewer

Schuyler Community Development - Brian Bywater

Holy Name Housing Corporation - Matthew Cavanaugh & Mike Gawley

City of Lincoln Urban Development Department - Wynn Hjermsstad

Omaha Economic Development Corporation - Annette Artherton

Nebraska City Area Economic Development Corp. - Dan Mauk

City of Fremont - Jennifer Dam

The Housing Foundation of Sarpy County - Carolyn Pospisil

Habitat for Humanity Fremont - Joy McKay

Nebraska Children and Families Foundation - Jason Feldhaus

Southeast Nebraska Economic Development District - Tom Bliss

Greater Fremont Development Council - Lauren Foster

Scribner Economic Development - Elizabeth Valla

Nebraska Housing Resource - Julia Gale

NeighborWorks Home Solutions - Leslie Coleman

A special thank you to the RDG team for your expertise and guidance:

Amy Haase, AICP
Charlie Cowell, AICP
Bridget Flaherty

For more information, please contact
Paula Kaslon:

402.334 8899 ext 233
pkaslon@mhdinc.com

TABLE OF CONTENTS

INTRODUCTION	7
SECTION 1: INDIVIDUAL INFILL LOTS	9
SECTION 2: MULTI-LOT REDEVELOPMENT	15
SECTION 3: GREENFIELD DEVELOPMENT	23

INTRODUCTION

Developing lots can seem daunting and every project can be unique but there are many commonalities and partners in our communities that will assist with each of these steps.

The following checklist outlines items to consider when acquiring and developing lots. This list is as complete as possible and strives to cover the most common issues that arise but every site is unique. The guide is divided into three types of development:

- › Individual Infill Lots
- › Multi-Lot Redevelopments
- › New “Greenfield” Development

The guide is further divided into common topic areas, including:

- › Physical site considerations
- › Legal considerations
- › City processes

Across these three topic areas items will need to be happening concurrently.

BEFORE THE PROCESS BEGINS

The first questions that one should ask are “why” and “who” – why do I/we/or someone else want to develop this lot? And who will find this lot useful? Lot development can be time consuming and expensive. Therefore, understanding the market for lots is essential. Ultimately the lot must be marketable to a builder or meet the desires of the market in your local community.

Partnerships and roles will need to be defined for larger scale projects, such as redevelopment sites or new greenfield subdivisions. These processes often require additional steps. Determining who will take ownership of those steps and the costs incurred is important to establish from the outset.



SECTION 1

INDIVIDUAL INFILL LOTS

An infill lot is traditionally a platted parcel of property with a separate and distinct number or other identifying designation which has been created, assigned, and recorded with the County Register of Deeds or Assessors office. These lots are usually in existence for several years and often have existing utilities, may have or had a structure at some time, and likely have structures on adjoining lots.

PHYSICAL SITE CONSIDERATIONS

WALKTHROUGH

If you are considering purchasing any lot for development, the first step should be walking the site or lot. During this walk, site condition issues should be observed but this does not preclude the need for an additional professional assessment of the lot or site. Items to consider during the walkthrough:

- Soil erosion
- Water features
- Wet soils
- Unusual noise, vibration, or smells
- Proximity to other uses and what those uses are
- Traffic levels on the adjoining street
- Street access
- Railroad tracks
- Overall vegetation
- Views and vistas
- Grade changes
- Materials dumped on the site
- Talk with residents or city officials to understand the history of the lot – use and reason for being vacant

If the lot appears to be a good prospect based on this initial walk-through of the site, the ownership and title search (see legal below) should begin. At the same time, Legal and City Process should also begin. In addition to the walk-through, individuals with topic-specific expertise should complete the following. Cost for these services can range based on the city and size of the lot.

Complete Purchase Agreement: if there are not significant issues with walkthrough, title search, or review of city plans

LEGAL CONSIDERATIONS

Legal issues with a lot can be one of the most time-consuming and expensive aspects of infill and redevelopment work. Issues can vary widely and include unclear ownership and liens against the property.

TITLE SEARCH

This process should begin with a title or abstract search to:

- Determine ownership
- Identify any liens on the property
- Identify unpaid taxes

All three of these items will be investigated as part of the purchase of the property but additional due diligence can be done early to determine whether you move forward on the site.

If there are any issues with the above list an attorney may need to be retained.

CITY PROCESSES

Cities have the right to regulate land to ensure the life, safety, and health of residents. Additionally, the city may charge fees to cover expenses incurred to provide services to the lot or cover impacts that the development may have on community services. Before purchasing the lot, the city's Comprehensive Plan and any neighborhood specific plans should be reviewed.

COMPREHENSIVE PLAN

- What is the future land use plan for this site?
- If it does not match your plans for the lot, what is the process for a Plan Amendment?
 - Are there any fees for requesting a land use plan amendment?
 - What level of neighborhood opposition may there be to the plan amendment?

ZONING

- What is the zoning of the site?
- If the lot needs to be rezoned to match your proposed use, what is the process?
 - What are the fees and estimated timeline for rezoning?
 - What level of neighborhood opposition would there be to the rezoning? How much additional time and costs may these delays create?

Note: If a rezoning is required, best practice is to reach out to adjoining property owners or the neighborhood association to discuss plans for the site.

PHYSICAL SITE CONSIDERATIONS, CON'T.

LEGAL LAND SURVEY

Your county appraiser, assessor, or register of deeds will have this information and your local city office will likely have floodplain information, but before purchase, a legal survey should be considered to identify the items below.

- Legal boundaries including size of the lot
- Floodplain and floodway locations
- Grade changes across the lot (topographic survey)
- Site drainage
- Wetlands identification
- Easement boundaries

SUBSURFACE CONDITIONS

This process can begin with free resources:

- DEQ on recorded wells, septic systems, and potential chemical storage
- Fire Marshal on underground storage
- Sanborn Maps for site history

To determine subsurface conditions soil testing may be necessary.

SOIL TESTING FOR:

- Demolition debris
- Over all soil condition for building upon

LEGAL CONSIDERATIONS, CON'T.

OWNERSHIP ISSUES TO ADDRESS

Issues with ownership can vary greatly and can significantly slow a process. Items to consider:

- Is the owner still living at the address on record?** If not, how can they be contacted
- If the property is owned by a company or LLC,** who is the point of contact who can make decisions regarding the property
- If more than one person is listed,** will negotiation with all parties be required
- If the owner has passed away, who now owns the property**
 - If there are multiple family members, will all parties need to be involved in the negotiation
 - If the property is in probate, what is the timeframe
- Is the property part of a bankruptcy**
 - If an active bankruptcy then court approval will be needed for sale
- Are there any mineral rights or lease hold rights**
- Identify owners of any easements**
- Are there any deed restrictions**
 - If so, are they still legal and enforceable
 - Can they be cleared

CITY PROCESSES, CON'T.

RIGHT-OF-WAY VACATION

- Would acquiring an adjacent alley or other unused right-of-way increase the useability of the lot? If so, vacating right-of-way may be beneficial
 - What are the fees and estimated timeline for vacation?**
 - What is the cost of purchasing the vacated land?**

FEES

- Water connection
- Wastewater connection
- Stormwater impact
- Electric and/or gas connections
- Traffic impact
- Wetland mitigation
- Street reconstruction costs** (if access to utilities under the street requires opening up the street, this cost and the reconstruction of the street may be on the property owner)

PHYSICAL SITE CONSIDERATIONS, CON'T.

STRUCTURES – IF YES, THEN:

- Structural assessment – potential need for architectural or structural engineering to develop a structural needs assessment**
 - Identify environmental issues – lead based paint, asbestos
 - Code compliance review
 - Determine remaining life of building components

If the structure cannot be saved:

- Estimated demolition cost and estimated time**

UTILITY ACCESS

With assistance from your engineer, coordinate the following questions with the appropriate jurisdiction

- Distance to utilities**
 - Water
 - Sanitary sewer
 - Electric
 - Gas
 - High-speed internet
- Age of existing infrastructure:**
 - Will the street in front of the lot need to be opened up to replace aging infrastructure
- Calculate utility costs with engineer and contractor**

TREE SURVEY (IF APPLICABLE)

- Location
- Health and removal needs

LEGAL CONSIDERATIONS, CON'T.

LIENS ON THE PROPERTY

Liens on the property will need to be addressed before the purchase can be completed.

- Generate a list of all the liens and the amounts of those liens**
- How will those liens be cleared – current owner or part of the purchase agreement**
- Can government-issued liens be waived or cleared by the local jurisdiction**

UNPAID PROPERTY TAXES, SPECIAL ASSESSMENTS, OR OTHER PUBLIC OBLIGATIONS

Several different tax issues may be existing and determining whether you are willing to pay the taxes or the time to clear them is important. Items to consider:

- Are there outstanding taxes and to what amount?**
- Is the property in tax sale, and if so, who holds the tax certificate?**
- Can the city or county waive these taxes as part of a redevelopment deal?**

HIRING LICENSED PROFESSIONALS

Attorney

An attorney can be helpful for the development of land to help with zoning, property history research, and restrictions on the land, and clearing or obtaining a title for the land.

Gather recommendations or research real estate attorneys within your area. Confirm that their expertise matches your needs and check references.

Engineer

A land development engineer can help with assessing the land and assist in the design the utility connections. An engineer can also assist with confirming the development meets municipal regulations.

A land development engineer can be found within most engineering firms in your area. Check their websites for recent projects to see if their expertise matches your project.

COMMON TERMINOLOGY

DEQ: *Department of Environmental Quality*

Deed restriction: *limitation on land use, can limit structures and other activities*

Easement: *a right to use or cross into another's property without possessing it, typically for a specified purpose*

Grading: *some grading of a site is usually required before construction, grading consists of sculpting an area of land for the needs of a specific project*

Lien: *a security interest that is similar to collateral to secure the payment of a debt*

Tax Increment Financing: *a tool used by governments to finance redevelopment*

Wet Soil: *Soil that holds more moisture than typical, which can lead to erosion and unstable structures*

Wetland: *a type of ecosystem that consists of marshes or swamps and can be protected by federal, state, or local regulations*

SECTION 2

MULTI-LOT REDEVELOPMENT

A larger redevelopment site usually involves the assembly of several lots. These lots may have structures on them, likely involve more property owners, and potentially have contamination issues. These are just some of the reasons these assembly types can be more costly and time-consuming but very important to our communities. These lots are traditionally platted parcels of property with separate and distinct numbers or other identifying designations which has been created, assigned, and recorded with the County Register of Deeds or Assessors office.

PHYSICAL SITE CONSIDERATIONS

If you are considering purchasing any lot for development the first step should be walking the site or lots. During this walk, site condition issues should be observed but this does not preclude the need for additional professional assessment of the lot or site. Items to consider during the walkthrough:

- Soil erosion**
- Water features**
- Wet soils**
- Unusual noise, vibration, or smells**
- Proximity to other uses and what those uses are**
- Traffic levels on the adjoining street**
- Street access**
- Railroad tracks**
- Overall vegetation**
- Views and vistas**
- Grade changes**
- Materials dumped** or other indications of potential pollutants that will need to be mitigated
- Talk with residents or city officials** to under the history of the lots – use and reason for being vacant

If site/lots appear to be a good prospect, the ownership and title search (see Legal) should begin. In addition to the walk-through, individuals with topic-specific expertise should complete the following. Cost for these services can range based on the city and the number and/or size of the lots.

LEGAL CONSIDERATIONS

Legal issues with multiple lots can be one of the most time-consuming aspects of multi-lot redevelopment work. Issues can vary widely and include unclear ownership and liens against the property.

TITLE SEARCH

This process should begin with a title or abstract search to:

- Determine ownership**
- Identify any liens on the property**
- Identify unpaid taxes**

All three of these items will be investigated as part of the purchase of the property but additional due diligence can be done early to determine whether you move forward on the site.

If there are any issues with the above list an attorney may need to be retained.

CITY PROCESSES

Cities have the right to regulate land to ensure the life, safety, and health of residents. Additionally, the city may charge fees to cover expenses incurred to provide services to the lot or cover impacts that the development may have on community services. Before purchasing the lot, the city's Comprehensive Plan and any neighborhood specific plans should be reviewed.

COMPREHENSIVE PLAN AND/OR REDEVELOPMENT PLAN

- Has a redevelopment plan been completed for the area?** This is often required to use tools like Tax Increment Financing
 - If not, is one required?
 - Who is responsible for completing the redevelopment plan?
 - Is legal counsel needed
- What is the future land use plan for this site?
- If it does not match your plans for the lot, what is the process for a Plan Amendment?
 - Are there any fees for requesting a land use plan amendment?**
 - What level of neighborhood opposition may there be to the plan amendment?**

Complete Purchase Agreement: if there are no significant issues with walkthrough, title search, or review of city plans

PHYSICAL SITE CONSIDERATIONS, CON'T.

LEGAL LAND SURVEY

Your county appraiser, assessor, or register of deeds will have this information and your local city office will likely have floodplain information, but before purchase, a legal survey should be considered to identify the items below.

- Legal boundaries including size of the lots
- Floodplain and floodway locations
- Grade changes across the lots (topographic survey)
- Site drainage
- Wetlands identification
- Easement boundaries

SUBSURFACE CONDITIONS

This process can begin with free resources:

- DEQ on recorded wells, septic systems, and potential chemical storage
- Fire Marshal on underground storage
- Sanborn Maps for site history

To determine subsurface conditions soil testing may be necessary.

SOIL TESTING FOR:

- Demolition debris
- Pollutants
- Conditions for building upon

LEGAL CONSIDERATIONS, CON'T.

OWNERSHIP ISSUES TO ADDRESS

Issues with ownership can vary greatly and can significantly slow a process. Items to consider:

- Is the owner still living at the address on record?** If not, how can they be contacted
- If the property is owned by a company or LLC,** who is the point of contact who can make decisions regarding the property
- If more than one person is listed,** will negotiation with all parties be required
- If the owner has passed away, who now owns the property**
 - If there are multiple family members, will all parties need to be involved in the negotiation
 - If the property is in probate, what is the timeframe
- Is the property part of a bankruptcy**
 - If an active bankruptcy then court approval will be needed for sale
- Are there any mineral rights or lease hold rights**
- Identify owners of any easements**
- Are there any deed restrictions**
 - If so, are they still legal and enforceable
 - Can they be cleared

CITY PROCESSES, CON'T.

ZONING

- What is the zoning of the site?
- If the lots needs to be rezoned to match your proposed use, what is the process?
 - What are the fees and estimated timeline for rezoning?**
 - What level of neighborhood opposition would there be to the rezoning? How much additional time and costs may these delays create?**

Note: If a rezoning is required, best practice is to reach out to adjoining property owners or the neighborhood association to discuss plans for the site.

PLAT OF SURVEY OR SUBDIVISION:

A plat of survey or subdivision plan is needed if combining lots to complete the multi-lot development.

- A plat of survey is usually allowed for small lot consolidation or split and takes less time and cost.

A plat of survey can typically be approved administratively by the local jurisdiction without a public hearing from an approval body.

- A subdivision plan is needed for multiple lot consolidation and typically takes approval from a local approval body.

The timeline can be up to 60-90 days for full plat approval and recording by the local jurisdiction.

PHYSICAL SITE CONSIDERATIONS, CON'T.

STRUCTURES - IF YES THEN:

- Structural assessment – potential need for architectural or structural engineering to develop a structural needs assessment**
 - Identify environmental issues – lead based paint, asbestos
 - Code compliance review
 - Determine remaining life of building components

If the structure cannot be saved:

- Estimated demolition cost and estimated time**

UTILITY ACCESS

With assistance from your engineer, coordinate the following questions with the appropriate jurisdiction

- Distance to utilities**
 - Water
 - Sanitary sewer
 - Electric
 - Gas
 - High-speed internet
- Age of existing infrastructure:**
 - Will the street in front of the lot need to be opened up to replace aging infrastructure
- Calculate utility costs with engineer and contractor**

LEGAL CONSIDERATIONS, CON'T.

LIENS ON THE PROPERTY

Liens on the property will need to be addressed before the purchase can be completed.

- Generate a list of all the liens and the amounts of those liens**
- How will those liens be cleared – current owner or part of the purchase agreement**
- Can government issued liens be waived or cleared by the local jurisdiction**

UNPAID PROPERTY TAXES, SPECIAL ASSESSMENTS, OR OTHER PUBLIC OBLIGATIONS

Several different tax issues may exist and determining whether you are willing to pay the taxes or the time to clear them is important. Items to consider:

- Are there outstanding taxes and to what amount?**
- Is the property in tax sale, and if so, who holds the tax certificate?**
- Can the city or county waive these taxes as part of a redevelopment deal?**

CITY PROCESSES, CON'T.

RIGHT-OF-WAY VACATION

- Would acquiring an adjacent alley or other unused right-of-way increase the useability of the lot? If so, vacating right-of-way may be beneficial**
 - What are the fees and estimated timeline for vacation?**
 - What is the cost of purchasing the vacated land?**

FEES

- Water connection**
- Wastewater connection**
- Stormwater impact**
- Electric and/or gas connections**
- Traffic impact**
- Wetland mitigation**
- Street reconstruction costs** (if access to utilities under the street requires opening up the street, this cost and the reconstruction of the street may be on the property owner)

PHYSICAL SITE CONSIDERATIONS, CON'T.

STREETS & SIDEWALKS

The following street and sidewalk items should be assessed and associated costs determined

- Condition of internal streets and sidewalk
- Condition of adjoining streets
- ADA accessible sidewalks

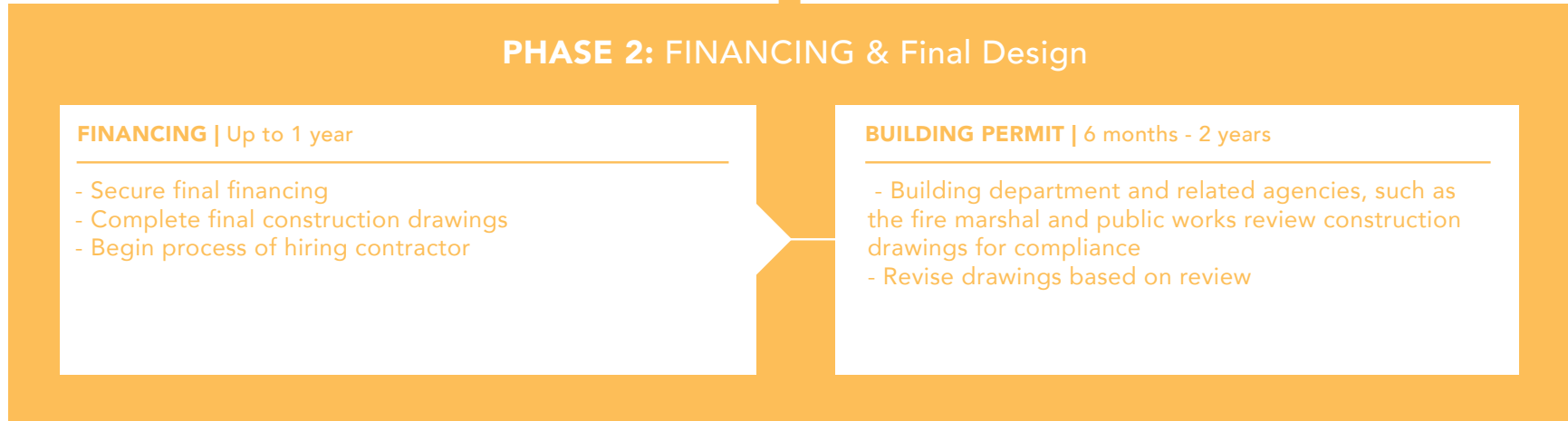
TREE SURVEY (IF APPLICABLE)

- Location
- Health and removal needs

DEVELOPMENT PROCESS AND AVERAGE SCHEDULE



PROJECT APPROVAL



BUILDING PERMIT ISSUED

PHASE 3: CONSTRUCTION

CONSTRUCTION | 18 Months - 3 years

- Sales and leasing work begins
- Construction period of 12 to 36 months and potentially longer for full build-out of a subdivision or mixed use development

INSPECTIONS | Throughout Construction

- Inspections by building department
- Certificate of Occupancy issued with final inspection

CERTIFICATE OF OCCUPANCY ISSUED

PHASE 4: POST-CONSTRUCTION

LEASING & SALES | 6 Months - 1 year

- Final lease up or sale of units
- On-going monitoring for non-traditional financing up to 15 or more years.

SECTION 2

GREENFIELD DEVELOPMENT

Greenfield development refers to developing on a site not previously platted or developed. These may be sites in agricultural production or historically platted areas that were never developed. Greenfield sites typically have few property owners but may not be readily served by public utilities or improved streets. Developing greenfield sites may be less challenging from a legal and site preparation perspective but more costly from a development perspective.

PHYSICAL SITE CONSIDERATIONS

If you are considering purchasing a greenfield site for development, the first step should be walking the site. During this walk, site condition issues should be observed, but this does not preclude the need for additional professional assessment of the site. Items to consider during the walkthrough:

- Soil erosion
- Water features
- Wet soils
- Unusual noise, vibration, or smells
- Proximity to other uses and what those uses are
- Traffic levels on the adjoining street
- Street access
- Railroad tracks
- Overall vegetation
- Views and vistas
- Grade changes
- Materials dumped or other indications of potential pollutants that will need to be mitigated
- Talk with residents or city officials to understand the history of the lots – use and reason for being vacant

If a site appears to be a good prospect, a market analysis and proforma for development should be considered to get a preliminary understanding if a housing development is a good investment. Note that there will be some sunk costs that will not be recouped during this step if the site is determined to not be a sound investment.

LEGAL CONSIDERATIONS

Issues can vary widely and include unclear ownership and liens against the property.

TITLE SEARCH

This process should begin with a title or abstract search to:

- Determine ownership
- Identify any liens on the property
- Identify unpaid taxes

All three of these items will be investigated as part of the purchase of the property but additional due diligence can be done early to determine whether you move forward on the site.

If there are any issues with the above list an attorney may need to be retained.

CITY PROCESSES

Cities have the right to regulate land to ensure the life, safety, and health of residents. Additionally, the city may charge fees to cover expenses incurred to provide services to the lot or cover impacts that the development may have on community services. Before purchasing the lot, the city's Comprehensive Plan and any neighborhood specific plans should be reviewed.

COMPREHENSIVE PLAN AND/OR REDEVELOPMENT PLAN

- Has a redevelopment plan been completed for the area?** This is often required to use tools like Tax Increment Financing
 - If not, is one required?
 - Who is responsible for completing the redevelopment plan?
 - Is legal counsel needed
- What is the future land use plan or site-specific plans in a redevelopment plan?
- If it does not match your plans for the lot, what is the process for a Plan Amendment?
 - Are there any fees for requesting a land use plan amendment?**
 - What level of neighborhood opposition may there be to the plan amendment?**

ZONING

- What is the zoning of the site?
- If the lots needs to be rezoned to match your proposed use, what is the process?
 - What are the fees and estimated timeline for rezoning?**

Complete Purchase Agreement: if there are no significant issues with walkthrough, title search, or review of city plans

PHYSICAL SITE CONSIDERATIONS, CON'T.

- A market assessment and/or proforma should consider:
 - › The demand for housing within the community or region
 - › The types of housing best suited for the site
 - › A general understanding of costs for development including but not limited to:
 - » Land acquisition costs if not already owned
 - » Site work and grading
 - » Utility service (see below)
 - » Legal services and fees (see legal below)
 - » Construction material and labor costs
 - › A general understanding of revenue from the development including but not limited to:
 - » Lot sale price, or final home sale price if also acting as the builder
 - » Achievable rents if acting as the final property manager and renting units
 - » Available public incentives for development

If the development in mind “pencils out,” ownership and title search (see legal below) should begin. Individuals with topic-specific expertise should complete the following, if not already completed in conjunction with the proforma analysis. Cost for these services can range based on the city and the number and/or size of the site.

LEGAL CONSIDERATIONS, CON'T.

OWNERSHIP ISSUES TO ADDRESS

Issues with ownership can vary greatly and can significantly slow a process. Items to consider:

- Is the owner still living at the address on record?** If not, how can they be contacted
- If the property is owned by a company or LLC, who is the point of contact who can make decisions regarding the property**
- If more than one person is listed, will negotiation with all parties be required**
- If the owner has passed away, who now owns the property**
 - If there are multiple family members, will all parties need to be involved in the negotiation
 - If the property is in probate, what is the timeframe
- Is the property part of a bankruptcy**
 - If an active bankruptcy then court approval will be needed for sale
- Are there any mineral rights or lease hold rights**
- Identify owners of any easements**
- Are there any deed restrictions**
 - If so, are they still legal and enforceable
 - Can they be cleared

CITY PROCESSES, CON'T.

- What level of neighborhood opposition would there be to the rezoning? How much additional time and costs may these delays create?**

Note: If a rezoning is required, best practice is to reach out to adjoining property owners or the neighborhood association to discuss plans for the site.

DEVELOPMENT OR ANNEXATION AGREEMENTS

Annexation Agreement

If the site is outside city limits, an annexation agreement may be needed with or before the plat application. These agreements typically state the intent to agree to annex into the city once public improvements are complete.

Development Agreement

A development agreement is typically entered into with the local jurisdiction if public incentives are provided to the project. The city may require specific design elements, housing types, or improvements in return for public incentives.

PHYSICAL SITE CONSIDERATIONS, CON'T.

LEGAL LAND SURVEY

Your county appraiser, assessor, or register of deeds will have this information and your local city office will likely have floodplain information, but before purchase, a legal survey should be considered to identify the items below.

- Legal boundaries including size of the site/lot(s)
- Floodplain and floodway locations
- Grade changes across the lots (topographic survey)
- Site drainage
- Wetlands identification
- Easement boundaries

SUBSURFACE CONDITIONS

This process can begin with free resources:

- DEQ on recorded wells, septic systems, and potential chemical storage
- Fire Marshal on underground storage
- Sanborn Maps for site history

To determine subsurface conditions soil testing may be necessary.

SOIL TESTING FOR:

- Demolition debris
- Pollutants
- Conditions for building upon

LEGAL CONSIDERATIONS, CON'T.

LIENS ON THE PROPERTY

Liens on the property will need to be addressed before the purchase can be completed.

- Generate a list of all the liens and the amounts of those liens
- How will those liens be cleared – current owner or part of the purchase agreement
- Can government issued liens be waived or cleared by the local jurisdiction

UNPAID PROPERTY TAXES, SPECIAL ASSESSMENTS, OR OTHER PUBLIC OBLIGATIONS

Several different tax issues may exist and determining whether you are willing to pay the taxes or the time to clear them is important. Items to consider:

- Are there outstanding taxes and to what amount?
- Is the property in tax sale, and if so, who holds the tax certificate?
- Can the city or county waive these taxes as part of a redevelopment deal?

CITY PROCESSES, CON'T.

PLAT OF SURVEY OR SUBDIVISION

A plat will need to be prepared to divide the site into sellable lots and public streets legally constructed. The local jurisdiction may have processes that differ depending on the number of lots or improvements needed.

- Set up a meeting with the local city or county staff to understand platting requirements, design standards, deadlines, and other procedural information. Sample questions to ask include:
 - › What are the fees for a plat application?
 - › How many meetings are required with the Planning Commission and City Council?
 - › What information is needed for the preliminary plat application?
 - › What improvements need to be completed (or are allowed to be completed) before approval of a final plat? For example, site grading, public street improvements, etc.
 - › Which improvements can be completed at a later date, after approval of a final plat?
 - › Are there any cost-sharing provisions for public services from the city or other public utilities?
 - › What are the timeline requirements for the installation of public improvements?
 - › How long is a preliminary plat valid until submittal of a final plat?
 - › What type of adjustments are allowed to a final plat without redoing the public approval process?

PHYSICAL SITE CONSIDERATIONS, CON'T.

STRUCTURES - IF YES THEN:

- Structural assessment - potential need for architectural or structural engineering to develop a structural needs assessment**
 - Identify environmental issues - lead based paint, asbestos
 - Code compliance review
 - Determine remaining life of building components

If the structure cannot be saved:

- Estimated demolition cost and estimated time**

UTILITY ACCESS

With assistance from your engineer, coordinate the following questions with the appropriate jurisdiction

- Distance to utilities**
 - Water
 - Sanitary sewer
 - Electric
 - Gas
 - High-speed internet
- Calculate utility costs with engineer and contractor**

CITY PROCESSES, CON'T.

The timeline for a preliminary plat application and approval can be 60 to 90 days.

A final plat will generally be approved without conflict if conforming to the preliminary plat. However, an application must still be submitted for public hearing and approval and can take 30-60 days from submittal to final recording, depending on local meeting schedules.

POTENTIAL FEES

- Application fees**
- Water connection**
- Wastewater connection**
- Stormwater impact**
- Electric and/or gas connections**
- Traffic impact**
- Wetland mitigation**
- Street reconstruction costs** (if access to utilities under the street requires opening up the street, this cost and the reconstruction of the street may be on the property owner)
- Recording fees**

PHYSICAL SITE CONSIDERATIONS, CON'T.

STREETS & SIDEWALKS

The following street and sidewalk items should be assessed and associated costs determined

- Is a traffic analysis needed
- Will the streets accessing the site need to be replaced or expanded
- ADA accessible sidewalks

TREE SURVEY (IF APPLICABLE)

- Location
- Health and removal needs