

MERIDIAN DEVELOPMENT CORPORATION
THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN

RESOLUTION NO. 21-054

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY
OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION:

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE URBAN RENEWAL AGENCY OF MERIDIAN,
IDAHO, ALSO KNOWN AS THE MERIDIAN
DEVELOPMENT CORPORATION, PROVIDING A
RECOMMENDATION TO THE MERIDIAN CITY COUNCIL
TO PROCEED WITH THE PUBLIC HEARING ON
NOVEMBER 23, 2021, AND CONSIDERATION FOR
ADOPTION BY ORDINANCE THE (OPTION A) URBAN
RENEWAL PLAN FOR THE NORTHERN GATEWAY
DISTRICT URBAN RENEWAL PROJECT, ORIGINALLY
ADOPTED AND RECOMMENDED BY MDC RESOLUTION
NO. 21-036; AND FURTHER, THE MDC WITHDRAWS ITS
RECOMMENDATION TO THE MERIDIAN CITY COUNCIL
TO CONSIDER FOR ADOPTION BY ORDINANCE THE
(OPTION B) URBAN RENEWAL PLAN FOR THE
NORTHERN GATEWAY DISTRICT URBAN RENEWAL
PROJECT, ORIGINALLY ADOPTED AND
RECOMMENDED BY MDC RESOLUTION NO. 21-037;
AUTHORIZING AND DIRECTING THE CHAIR, VICE-
CHAIR, OR ADMINISTRATOR AND THE SECRETARY OF
THE AGENCY TO MAKE CERTAIN TECHNICAL
CHANGES; AUTHORIZING AND DIRECTING THE CHAIR,
VICE-CHAIR AND ADMINISTRATOR TO TAKE
APPROPRIATE ACTION; PROVIDING FOR THIS
RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE
AND APPROVAL; AND PROVIDING AN EFFECTIVE
DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban
Renewal Agency of Meridian, Idaho, also known as the Meridian Development
Corporation, an independent public body, corporate and politic, authorized under the
authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as
amended (the "Law") and the Local Economic Development Act, Chapter 29, Title 50,
Idaho Code, as amended (the "Act"), a duly created and functioning urban renewal
agency for Meridian, Idaho, hereinafter referred to as the "MDC";

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project
may not be planned or initiated unless the local governing body has, by resolution,

determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, based on inquiries and information presented by certain public entities, certain interested parties and property owners, MDC commenced certain discussions concerning examination of an area, most of which was located within the City, and a portion of which was located within the City's area of operation within unincorporated Ada County and subject to a pending voluntary annexation into the City, that may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for an urban renewal project;

WHEREAS, in 2021, MDC authorized Kushlan | Associates to commence an eligibility study and preparation of an eligibility report for an area 126.226 acres in size, approximately 77 acres of which was deannexed from the boundaries of the Downtown District Project Area. The area is generally located in the central part of Meridian, northeast of the City's downtown core, and east of Meridian Road and south of Fairview Avenue extending to Pine Avenue between NE 2nd Street and E. 3rd Street, and which area also includes a commercial area east of Meridian Road fronting Fairview Avenue on the north and a 17.64-acre parcel located on the northwest corner of Meridian Road and Cherry Lane. The eligibility study area is commonly referred to as the Northern Gateway District Study Area (the "Study Area");

WHEREAS, MDC obtained an eligibility report entitled Northern Gateway Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), which examined the Study Area, which area also included real property located within unincorporated Ada County that was the subject to a pending voluntary annexation, for the purpose of determining whether such area was a deteriorating area, a deteriorated area, or a combination of both a deteriorating area and a deteriorated area, as those terms are defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define the qualifying conditions of a deteriorating area and a deteriorated area, several of the conditions necessary to be present in such an area are found in the Study Area, i.e.,

- a. the presence of a substantial number of deteriorated or deteriorating structures; and deterioration of site;
- b. age or obsolescence;
- c. the predominance of defective or inadequate street layout;
- d. faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting;
- e. insanitary or unsafe conditions; and
- f. diversity of ownership;

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the MDC Board, on June 9, 2021, adopted Resolution No. 21-026, accepting the Report and authorized the Chair, Vice-Chair, or Administrator of MDC to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct MDC to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, the City Council on July 6, 2021, adopted Resolution No. 21-2273, declared the Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, and directed MDC to commence preparation of an urban renewal plan for the area designated;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the portion of the Study Area lying outside the City limits and within unincorporated Ada County included a 17.64-acre parcel located on the northwest corner of Meridian Road and Cherry Lane, and commonly referred to as 104 W. Cherry Lane, Meridian, Idaho, which parcel is owned by Kobe LLC and commonly referred to as the McFadden Property (the "McFadden Property"). At the time the City Council directed MDC to prepare an urban renewal plan for the Study Area, the McFadden Property was pending a voluntary annexation into the City;

WHEREAS, since it was unknown whether the McFadden Property would be timely annexed into the City, the MDC embarked on preparing alternative urban renewal plans for the proposed urban renewal project to redevelop a portion of the City, pursuant to the Law and the Act, as amended, referred to as the (Option A) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (the "Option A Plan"), which included the McFadden Property, and the (Option B) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (the "Option B Plan"), which did not include the McFadden Property;

WHEREAS, the MDC Board adopted the Option A Plan by Resolution No. 21-036 at its meeting on September 22, 2021, making certain findings, recommending the Meridian City Council adopt the Option A Plan and further directing the MDC Chair, Vice-Chair or Administrator and the Secretary to take all steps necessary to submit the Option A Plan to the City Council for its consideration and approval;

WHEREAS, the MDC Board adopted the Option B Plan by Resolution No. 21-037 at its meeting on September 22, 2021, making certain findings, recommending the Meridian City Council adopt the Option B Plan and further directing the MDC Chair, Vice-Chair or Administrator and the Secretary to take all steps necessary to submit the Option B Plan to the City Council for its consideration and approval;

WHEREAS, MDC submitted the Option A Plan and the Option B Plan to the Mayor and City Council;

WHEREAS, the Mayor and City Clerk have taken the necessary action in good faith to process the Option A Plan and the Option B Plan consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on October 7, 2021, the Meridian Planning and Zoning Commission considered the Option A Plan and the Option B Plan and found by P& Z Resolution Nos. 21-01 and 21-02 that the Option A Plan and the Option B Plan is in all respects in conformity with the City of Meridian Comprehensive Plan, as may be amended (the "Comprehensive Plan") and forwarded its findings to the City Council;

WHEREAS, the notice of public hearing on the Option A Plan was caused to be published by the Meridian City Clerk in the *Idaho Press* on October 15 and 29, 2021. The notice of public hearing on the Option B Plan was caused to be published by the Meridian City Clerk in the *Idaho Press* on October 15 and November 2, 2021;

WHEREAS, as of October 15, 2021, the Option A Plan and the Option B Plan were submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

WHEREAS, on October 12, 2021, the City Council held a public hearing on the annexation of the McFadden Property;

WHEREAS, the public hearing was continued to October 26, 2021;

WHEREAS, following the public hearing the City Council adopted Ordinance No. 21-1952 on October 26, 2021, annexing the McFadden Property, and the Ordinance Summary was published in the *Idaho Press*, on October 31, 2021;

WHEREAS, property cannot be included in two revenue allocation areas;

WHEREAS, as the McFadden Property was timely annexed into the City prior to the City Council's consideration of the Option A Plan and the Option B Plan, MDC seeks

to withdraw its recommendation to the City Council to adopt the Option B Plan by Ordinance, and to proceed with its recommendation to the City Council to consider and adopt the Option A Plan, by proceeding with consideration of the first reading of the Ordinance adopting the Option A Plan on November 16, 2021, the public hearing and the second reading of the Ordinance on November 23, 2021, and the third reading and final consideration of the Ordinance adopting the Option A Plan on December 7, 2021;

WHEREAS, the MDC Board finds it in the best interests of MDC and the public to continue to recommend the City Council's adoption of the Option A Plan, and to forward this Resolution to the Mayor and City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, AS FOLLOWS:

Section 1. That the above statements are true and correct.

Section 2. That MDC continues to recommend that the Option A Plan be adopted by the City Council following the public hearing and the City Council's ordinance approval process, and due to the timely annexation of the McFadden Property elects to withdraw its recommendation to the City Council to consider for approval the Option B Plan.

Section 3. The Chair, Vice-Chair, or Administrator, and the Secretary of MDC are hereby authorized and directed to take all steps necessary and convenient to submit this Resolution and recommendation to the Mayor, City Clerk and City Council on or before November 16, 2021.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED by the Urban Renewal Agency of Meridian, Idaho, on November 10, 2021. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on November 10, 2021.

APPROVED:

By _____
Chair of the Board

ATTEST:

By _____
Secretary 4837-8587-1354, v. 1