

RESOLUTION NO. 408

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, MAKING FINDINGS REGARDING THE NEED FOR NEW AND BETTER COORDINATED PUBLIC FACILITIES IN ITS URBAN CORE AND APPROVING A PROCESS AND TIMELINE FOR THE SELECTION OF A PRIVATE DEVELOPMENT TEAM TO HELP FINANCE THESE IMPROVEMENTS AS PART OF A PUBLIC/PRIVATE PROJECT.

WHEREAS, the City of University Place (the "City") has conducted a series of workshops and charettes with extensive public participation and publicity over several years to consider the development of an urban center bounded by Bridgeport Way West, 35th Street West, 74th Avenue West and Homestead Park to encourage and focus civic activities and coordinate the provision of existing and additional public services; and

WHEREAS, the results of these planning activities have been captured in a series of public documents including Comprehensive Plan and Land Use Map (July 1998, amended May 2000 and August 2003), Zoning Code, Town Center Plan (May 1999), Economic Development Summit (May 2001), Towne Center Visioning Charrette (August 2002), University Place Towne Center Master Plan Charrette (November 2002), Economic Development Strategic Action Plan (December 2002), retail analyses (May 2002 and August 2003), Smart Growth Workshop (May 2003), housing study (August 2003) Towne Center Financial Analysis of Development Scenarios (September 2003); and

WHEREAS, the City is considering (a) the acquisition and construction or otherwise providing significant new public improvements within its urban center including public gathering spaces, streets and pedestrian thoroughfares, public parking, and a performing arts center, all with appropriate signage and ease of access, and (b) the improvement, better utilization and coordination of existing public investments within its urban center, including City Hall, the Pierce County Library University Place Branch, the Public Safety Building and Homestead Park; and

WHEREAS, to help finance these public improvements and increase and facilitate public use of its urban center, the City intends to develop these new, improved and coordinated public investments in conjunction with supporting commercial and residential uses (together, the "Towne Center Project"); and

WHEREAS, the City has acquired the property interests necessary to plan, construct, and improve these public improvements in conjunction with supporting retail and residential uses and now seeks to select one or more private partners to assist in the final design and development of the Towne Center Project; and

WHEREAS, the City intends to choose such private partners, finalize the design and the integration of the public and supporting private uses, and reach agreement regarding the financing the Towne Center Project with appropriate public involvement, but mindful of the need to move expeditiously in order to be responsive to the market demands of the retail and residential sectors; and

WHEREAS, the City desires to outline an orderly process for continued public comment and the selection of private parties that will efficiently maximize public participation and potential competition in furtherance of the City's interest; NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE UNIVERSITY PLACE WASHINGTON

Section 1. Findings. The City Council makes the following findings regarding the proposed Towne Center Project:

(a) The City and the Piece County Rural Library District have significant investments in the urban core of the City bounded by Bridgeport Way West, 35th Street West, 74th Avenue West and Homestead Park including City Hall, the Pierce County Library University Place Branch, the Public Safety

Building and Homestead Park, and yet these improvements are not functionally integrated, do not provide a focus or meaningful opportunity for civic events or citizen mingling, do not efficiently use the land and air space within the urban core, do not encourage supporting commercial and residential uses, and thus limit the opportunity for creating a vital, civic center for the City.

(b) Through an extensive series of workshops and charettes, with significant public involvement and discussion, the City has determined that with careful urban design and strategic public investment, the City can transform the urban center and geographic hub of the City into a civic center which will facilitate public mingling, events and activities, enhance the efficient delivery of public services, increase public safety, stimulate private investment and deepen the City's tax base.

(c) The proposed public improvements cannot be financed and cannot realize their functional potential without supporting private retail and residential investment and activity, and such private investment provides a critical opportunity to share the land and construction costs of the public improvements and more fully and efficiently use the land and air rights of the property comprising the proposed Towne Center Project.

(d) The City is committed to selecting one or more private developers to assist it in this project through a public process, but it is necessary to move expeditiously to select such a development team and to commence negotiations given the competitive nature of the retail and residential marketplace.

(e) The City has made contact over a lengthy period of time with regional and national developers regarding the potential of the proposed project, and especially given the relative weakness of the current economy, the City has discovered limited but significant interest in such a proposed development. The City believes that selecting a preferred developer with appropriate experience and financial wherewithal with whom to commence serious discussion and negotiations regarding the Towne Center Project is critical to the project's success.

Section 2. Development and Design Process. The City's Comprehensive Plan has been recently amended to encourage the creation of an urban mixed-use neighborhood in Towne Center that is intended to create an integrated residential, retail, park, public open space, and civic development that can be enhanced over time through public and private investment. The Towne Center Project will require that the City's Zoning Code be amended and that Towne Center Design Standards and a Towne Center EIS be approved. These amendments and approvals should be completed in coordination with the selection of a developer team and final design of the Towne Center Project. The Council hereby approves the tentative schedule attached hereto as Exhibit A to ensure the timely coordination of these various activities. The dates and times identified on Exhibit A are subject to change as permitted by applicable law.

Section 3. Developer Selection Process.

(a) The City Manager is hereby authorized to solicit proposals from commercial developers interested in working with the City on the Towne Center Project. In order to select the developer(s) best able to meet the needs of the City and support its proposed public improvements, the proposals should contain the following: (i) identification of a housing partner (or an expedited process for selecting such a partner) who would construct and sell or lease approximately 450 to 500 units of residential housing as part of the Towne Center Project; (ii) how the commercial developer would design, finance the construction, and lease a commercial complex of approximately 275,000 to 300,000 square feet of leasable retail space which is fully integrated with the public and housing aspects of the Towne Center Project; (iii) a financial statement and commitment letter or bank reference demonstrating the financial capacity of the development team to complete the commercial and housing components of the Towne Center Project; (iv) a schematic design consistent with City work to date depicting the integration of the commercial and housing components of the Towne Center Project in support of the public portions of the joint project, including parking, City Hall, the Public Safety Building, public meeting spaces, pedestrian corridors, streets, the Pierce County Library University Place Branch and Homestead Park, on all or a part

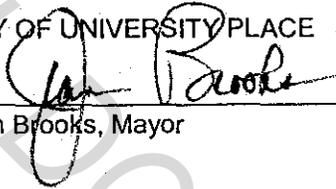
of the proposed site; (v) the allocation of ownership and construction, operation and maintenance responsibility among the commercial developer, the housing developer and the City for the public and private portions of the joint project; and (vi) a proposed timeline for development.

(b) The City Manager shall request that proposals be submitted within approximately 25 days of passage of this resolution, and the City Manager shall use his best efforts to evaluate the proposals and submit a recommendation to the City Council for the selection of a preferred developer team and alternatives, if available, on or about November 10, 2003. The City Council would expect to take action on that date to approve the selection of a preferred developer team (the "Developer") and authorize the City Manager to commence exclusive negotiations with the Developer leading to a developer agreement or agreements (the "Agreement") which will identify the respective roles and responsibilities of the parties with regard to all aspects of the Towne Center Project. As part of the negotiation process, the City would expect the Developer to participate in one or more public meetings at which the design aspects of the Project are discussed and public comment is received. The Agreement will identify those portions of the City's property or interests in such property that, consistent with the final design of the Towne Center Project, may be surplus to the public needs of the City and thus be available as part of the Agreement to be sold to the Developer for a negotiated price. The City Council would expect to consider finding this identified property or interests in property surplus to the City's needs at the time that it considers the final negotiated Agreement with the Developer.

Section 4. Effective Date. This resolution shall become effective immediately after its adoption and signature by the Mayor.

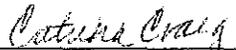
PASSED BY THE CITY COUNCIL ON SEPTEMBER 15, 2003.

CITY OF UNIVERSITY PLACE



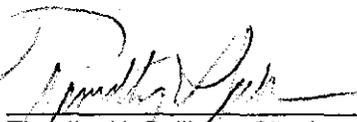
Jean Brooks, Mayor

ATTEST:



Catrina Craig, City Clerk

Approved as to Form:



Timothy X. Sullivan, City Attorney

EXHIBIT A

DATE	TENATIVE SCHEDULE
Monday, September 15, 2003	City Council Meeting – Public Hearing Towne Center Meeting #1 Resolution consideration to issue RFQ
Wednesday, September 17, 2003	Planning Commission Towne Center Overlay Zone Design Standards Visioning
Friday, September 19, 2003	Issue RFQ
Monday, September 29, 2003	Towne Center Neighborhood Meeting
Wednesday, October 1, 2003	Planning Commission Towne Center Overlay Zone Design Standards
Thursday, October 2, 2003	Towne Center Neighborhood Meeting
Monday, October 6, 2003	City Council Meeting Zoning Code Amendments consideration
Tuesday, October 7, 2003	Towne Center Neighborhood Meeting
Thursday, October 9, 2003	Towne Center Neighborhood Meeting
Monday, October 13, 2003	Towne Center RFQ Due Issue Draft Towne Center EIS
Wednesday, October 15, 2003	Planning Commission - Public Hearing Towne Center Overlay Zone Design Standards
Thursday, November 6, 2003	Planning Commission Recommendation to City Council Towne Center Overlay Zone Design Standards
Monday, November 10, 2003	City Council Meeting Towne Center Meeting #2 Developer Selection
Tuesday, November 18, 2003	City Council Meeting Towne Center Meeting #3 Developer Presentation - Proposal & Team Towne Center Overlay Zone Design Standards
Wednesday, November 26, 2003	Issue Final EIS
Monday, December 1, 2003	City Council Meeting

	Towne Center Meeting #4 Preliminary Development Agreement
Monday, December 8, 2003	City Council Meeting Towne Center Overlay Zone Design Standards Consideration
March 2004	City Council Meeting Towne Center Meeting #5 Final Development Agreement

UNOFFICIAL DOCUMENT