

RIVER FRONT EAST AREA
URBAN RENEWAL ELIGIBILITY REPORT

PREPARED FOR THE
GARDEN CITY URBAN RENEWAL AGENCY

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BACKGROUND

The Garden City Urban Renewal Agency (“Agency”) authorized preparation of the subject report on December 19, 2011. The report will provide the technical support for a policy decision by the Mayor and Garden City City Council (“City Council”) concerning a second urban renewal area adjacent to the existing River Front urban renewal area.

The area includes property on both sides of Chinden Boulevard from Veterans Parkway on the north to the city limits on the south with the Boise River being the eastern boundary and the city limits being the western boundary. The area also includes several parcels on East 42nd Street and both sides of Adams. These parcels are currently located in the existing River Front project area.

Idaho Code Section 50-2008(a) states:

An urban renewal project for an urban renewal area shall not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or a deteriorating area or a combination thereof and designated such area as appropriate for an urban renewal project.

Hence, Step One in planning a second urban renewal project is approval of a resolution by the City Council making certain findings about the River Front East Area described above. This resolution would also authorize the Agency to prepare an urban renewal plan for the area. The attached definitions of *deteriorating area* and *urban renewal project* are very pertinent to this step and are the focus of this report.

Step Two in the urban renewal planning process is action by the Agency to prepare an urban renewal plan and recommend its approval to the City Council.

The City Council initiates Step Three by referring the urban renewal plan to the Planning and Zoning Commission and setting a public hearing before the City Council to review the plan. Step Three is completed by a Planning and Zoning Commission finding that the urban renewal plan conforms to Garden City's Comprehensive Plan.

Step Four is the adoption of a City Council ordinance after conducting the public hearing approving the urban renewal plan.

DISCUSSION

This report focuses on whether the River Front East Area, as previously described and as outlined on the attached map, qualifies as a *deteriorating area* pursuant to Idaho Code Section 50-2018(9) and as a *deteriorated area* pursuant to Section 50-2903(8)(b) under virtually identical definitions. A copy of this joint definition is attached. The first statutory reference is from the basic urban renewal statute, while the second comes from the revenue allocation law.

In addition, the report will discuss why the area is appropriate for an urban renewal project.

A. Present Conditions

The attached definition of *deteriorating area* and *deteriorated area* (Idaho Code § 50-2018(9) and § 50-2903(8)(b)) lists ten different conditions that may be present in such an area, with the tenth being the catch-all "any combination of such factors." The presence of these conditions was documented by field trips in December 2011 and January 2012; contacts with various Garden City ("City") officials, Ada County Highway District ("ACHD") staff; and assessor file information. Then the area and its public infrastructure were evaluated, and the

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numbers that correspond to the applicable characteristics in the definition were placed at the appropriate locations on the attached map.

B. Deteriorating/Deteriorated Area Characteristics

The following is a listing of conditions found in the area by their corresponding numbers in the definition and a brief explanation of that condition and how it was evaluated and identified:

1. A substantial number of deteriorated or deteriorating structures. Given their age and condition, most of the structures in the area would be evaluated as deteriorating. Newer buildings and those that were substantially rehabilitated within the last five to ten years are not considered deteriorating. A new residential area at the end of 36th Street, next to the Boise River, is an example of single family housing in the area. Deteriorated buildings would be those that are so run down that they should be demolished, allowing the land to be recycled for other uses. Some deteriorated buildings were identified in the area.

The number “1” appears at representative locations in virtually all blocks to indicate the presence of deteriorating structures. While there are newer and rehabilitated buildings at various locations, there are also older deteriorating buildings in virtually every block.

2. Predominance of defective or inadequate street layout. Adams and the numbered streets from 41st and 32nd between Chinden Boulevard and the river are the primary streets that serve the area. Adequate street layout would add east-west streets at the rear lot lines between 41st and 36th Streets as well as additional north-south cross streets between Chinden Boulevard and Adams. Therefore, when the number “2” appears on these blocks, this indicates inadequate street layout.

3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.

This characteristic also applies to the deep lots between 41st and 36th Streets from Osage to the Boise River. Had these blocks been laid out with additional streets rights-of-way, improved internal circulation would have meant better utilization of these parcels within these blocks. The number “3” on these blocks identifies the problem.

4. Insanitary or unsafe conditions. Typical insanitary conditions include excessive amounts of junk, trash, and weeds in violation of the City’s minimum property maintenance code. No attempt was made to identify individual parcels with having trashy conditions.

There are numerous unsafe conditions throughout the area. Most are found with the street systems and include lack of sidewalks, curbs, and gutters. Sidewalks are lacking on all of the streets except Adams from Veterans Parkway to 40th and a few selected sections of other streets, including the streets at the ACHD complex. Therefore, when the designation “4ST” appears on these streets, that indicates unsafe conditions, primarily the lack of sidewalks.

5. Deterioration of site and other improvements. Site improvements include parking lots, fences, and landscaping areas, basically things other than structures that make up a developed property. The term “other improvements” is the place where public improvements such as streets, sidewalks, curbs, gutters, bridges, storm drains, water mains, sanitary sewers, and public facilities are included. When the number “5” appears on the map on street rights-of-way, it denotes those streets are deteriorated. Portions of West 32nd, 33rd, West 38th, Osage, and Stockton Streets have this designation.

Many of the developed properties have deteriorated site improvements, usually parking lots. Since there are so many properties with deteriorated site improvements, no attempt

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was made to identify each parcel. The number “5S” appears on the map throughout the area because of the deteriorated sewer lines at the joints and at manholes. During times of high river water flow, the sewer lines are infiltrated with enough water to threaten overflow, a situation requiring expensive remedial action by the City.

The City Senior Center on Reed Street is an example of a public facility showing signs of deterioration, particularly with the parking lot. Therefore, the number “5PF” is placed on this parcel.

6. Diversity of ownership. Typically this characteristic is present when an area that needs to be redeveloped because of rundown buildings is divided into a number of different ownerships. This condition is found throughout the area. It could also occur where existing businesses are hindered in expanding because of the number of adjacent property ownerships. Multiple ownerships are more difficult for developers to assemble. Most of the sub- areas received this designation because of their ownership and development patterns.

7. Tax and special assessment delinquency exceeding the fair value of the land. This characteristic does not apply to the area.

8. Defective and unusual conditions of title. These conditions have not been found in the area.

9. The existence of conditions which endanger life or property by fire and other causes. The primary focus of this characteristic is inadequate fire protection facilities, particularly the water main and hydrants serving existing development. Existing 4 inch lines in Stockton from 41st to 30th and in 33rd, 34th, and 35th from Stockton to Carr are inadequate to provide acceptable fire flow. Larger water mains and, hence, larger fire hydrants are required to

serve new development. Therefore, a number “9F” appearing on the map in those locations indicates a lack of adequate fire protection facilities.

10. Any combination of such factors. This number is placed on all areas where two or more of the other characteristics are present.

C. Effects of Present Conditions

1. Results in economic underdevelopment of the area. Field review and aerial photography show several examples of underdeveloped property. The areas served by the inadequate 4 and 6 inch water mains are examples.

2. Substantially impairs or arrests the sound growth of a municipality. River Front East needs to catch up with the other newer commercial and higher density housing areas in the City. As discussed above, there are significant areas that have stagnated because they lack the necessary public infrastructure. When the City is unable to meet infrastructure needs for extended periods of time, there is less incentive for the private sector to invest in new development. Thus the sound growth of the City is adversely affected.

3. Retards the provision of housing accommodations or constitutes an economic or social liability. Older commercial and residential areas often suffer from an inadequate public infrastructure. The River Front East Area has significant problems with the inadequate street system, deteriorated sewer mains, and an inadequate fire protection system. The longer adequate public infrastructure is delayed, the more new private development will be discouraged. Hence, generation of increased property and other taxes will decline, so the area will become an economic liability for the City and the other taxing districts.

4. Is a menace to the public health, safety, morals, or welfare in its present condition or use. The previous discussion has established that this area has had slower growth

and, as a result, has become a modest economic liability. In addition, the unsafe condition of the street system creates safety problems for the residents and businesses. Accordingly, these conditions represent a menace or threat to the public welfare or prosperity and safety of the community.

D. Appropriateness of the Area for an Urban Renewal Project

The second part of the City Council's determination is the policy decision of whether or not the area is appropriate for an urban renewal project.

Note that part of the definition of an urban renewal project includes, "undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated and deteriorating areas." This report has provided evidence that the River Front East Area is a deteriorating area because of the presence of various conditions, most of which are related to the public infrastructure. Either public infrastructure is older and needs to be replaced and/or upgraded or it is inadequate to serve existing and new development. In either case, the result is the same, existing development is often discouraged from upgrading and expanding, and new development is often slowed or thwarted because of the lack of necessary public infrastructure. In this area, there have been some new developments, including the residential area at the end of 36th Street, but more are needed.

Preparation and approval of an urban renewal plan for the River Front East Area would give the City additional resources to solve the public infrastructure problems in the area and to encourage new developments. Tax increment revenue from possible new development could help to improve the situation. Increased property taxes generated by new developments within the total area could be used by the Agency to finance a variety of needed public improvements.

Public-private partnerships between the Agency and developers could encourage other new

private developments. Finally, some of the new commercial developments may also generate new jobs in the community that would, in turn, benefit City residents.

CONCLUSION

This report concludes that the River Front East Area described in this report is a deteriorating and deteriorated area and, as such, is appropriate for an urban renewal project.

Attachments

DEFINITION OF DETERIORATING AREA, IDAHO CODE § 50-2018(9)

AND DETERIORATED AREA, IDAHO CODE § 50-2903(8)(b)

A deteriorating or deteriorated area is any area which by reason of the presence of (1) a substantial number of deteriorated or deteriorating structures; (2) predominance of defective or inadequate street layout; (3) faulty lot layout in relation to size, adequacy, accessibility, or usefulness; (4) insanitary 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) the existence of conditions which endanger life or property by fire and other causes; or (10) any combination of such factors, (a) (results in economic underdevelopment of the area);¹ (b) substantially impairs or arrests the sound growth of a municipality; (c) retards the provision of housing accommodations; or (d) constitutes an economic or social liability; and (e) is a menace to the public health, safety, morals, or welfare in its present condition or use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in Idaho Code Section 50-2008(d) shall apply.² Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowners as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.³

¹This appears only in the revenue allocation statute.

²This appears only in the urban renewal statute.

³ During the field observations, no operations of this type were found.

DEFINITION OF URBAN RENEWAL PROJECT, IDAHO CODE § 50-2018(10)

“Urban renewal project” may include undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated or deteriorating areas and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

- (a) acquisition of a deteriorated area or a deteriorating area or portion thereof;
- (b) demolition and removal of buildings and improvements;
- (c) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, off-street parking facilities, public facilities or buildings and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this act in accordance with the urban renewal plan;
- (d) disposition of any property acquired in the urban renewal area (including sale, initial leasing or retention by the agency itself) at its fair value for uses in accordance with the urban renewal plan except for disposition of property to another public body;
- (e) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of building or other improvements in accordance with the urban renewal plan;
- (f) acquisition of real property in the urban renewal area which, under the urban renewal plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property;
- (g) acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of blight or deterioration, or to provide land for needed public facilities;
- (h) lending or investing federal funds; and
- (i) construction of foundations, platforms and other like structural forms.