

# RESOLUTION 2127

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH BEND AND MIDDLE FORK PROPERTY DEVELOPMENT, L.L.C. AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME**

**WHEREAS**, RCW 36.70B.170 and North Bend Municipal Code (“NBMC”) Section 18.27.010 authorizes the City to enter into a development agreement with a person having ownership or control of real property within its jurisdiction; and

**WHEREAS**, Middle Fork Property Development, L.L.C. (“Developer”) intends to purchase, own, and control approximately 35 acres, zoned EP-2, located at SE 140th Street and 468th Avenue SE; and

**WHEREAS**, the property is considered to be a prime development opportunity for the City of North Bend that would generate good jobs, opportunity, and amenities for North Bend residents; and

**WHEREAS**, development of the property would assist North Bend’s economic development goals by supporting fiscal sustainability to meet existing and future financial obligations and provide essential services to current and future residents as well as strengthening and diversifying the economic base; and

**WHEREAS**, the Developer will submit a master plan for the property, per the Master Plan Overlay District requirement, after City Council approval of the DA; and

**WHEREAS**, the Development Agreement with the Developer, will have a term through December 31, 2044, consistent with the estimated completion date for the development of the property; and

**WHEREAS**, RCW 36.70B.200 requires that a development agreement be approved by ordinance or resolution after a public hearing; and

**WHEREAS**, the North Bend Planning Commission held a public hearing on the Development Agreement with the Developer on August 7, 2024, wherein the Commission received public comments, and provided a recommendation of approval following the public hearing; and

**WHEREAS**, City Council approved a motion on September 3, 2024, to move final action of the development agreement to October 1, 2024, for Council consideration; and

**WHEREAS**, City Council held a Special Council Meeting on September 10, 2024, and approved a motion to move the resolution authorizing a development agreement between North Bend and Middle Fork Property Development LLC from the October 1, 2024, City Council meeting to September 17, 2024, City Council meeting for final action;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Approval and Authority to Execute:** The City Council of the City of North Bend hereby approves the Development Agreement between the City of North Bend and Middle Fork Property Development L.L.C., in the form attached hereto as Exhibit A, and authorizes the Mayor to execute and administer the same.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17<sup>TH</sup> DAY OF SEPTEMBER, 2024.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Mary Miller, Mayor**

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**Kendra Rosenberg, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: September 17, 2024  
Posted: September 18, 2024

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**Susie Oppedal, City Clerk**