

# WASHINGTON STATE BOUNDARY REVIEW BOARD FOR CHELAN COUNTY

BRB File# 2022-002

## NOTICE OF INTENTION FILING INSTRUCTIONS

Please submit this Notice of Intention form and the Exhibits listed below to the Boundary Review Board Office: care of: Chelan County Auditor, Elections Division, 350 Orondo Avenue, Level 3, Suite 306, Wenatchee, WA 98801. (509) 667-6800, for determination of sufficiency by the Chief Clerk of the Board. Please submit the original with all exhibits, and the required \$50.00 filing fee.

The Notice of Intention is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the proposed annexation or boundary change or the proponent in the case of incorporation or formation.

The following items must be submitted and labeled as follows, pursuant to the adopted Rules of Practice and Procedure (III):

- **EXHIBIT A** A copy of the legal description of the boundaries of the area involved in the proposed action verified by the Chelan County Assessor's Office.
- **EXHIBIT B** A Chelan County Assessor's map on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated. Include a list of all parcel numbers for lots in proposed area.
- **EXHIBIT C** A vicinity map or series of maps no larger than 11 x 17
  1. The boundary of the area involved in the proposal and the size in acres.
  2. The current corporate boundaries of the proposing entity.
  3. Existing water & sewer service area boundaries of the proposing entity as it relates to the subject annexation area.
  4. Major physical features such as streets and highways, railways public facilities, etc.
  5. The boundaries of cities or special purpose districts having jurisdiction in or near the proposed area.
  6. The location of the nearest service point(s) for the required utility services to the area. Show existing and proposed water/sewer lines and diameter.
  7. The Chelan County zoning, Comprehensive Plan designation, Urban Growth Area Boundary, and proposed city plan and zoning designations.
  8. Floodways or floodplains and all critical areas.
- **EXHIBIT D** Documentation of the process: copy of the petition; proof of assessed valuation; copy of Determination of Sufficiency from Assessor's Office; affidavit of publication of public hearing notice; copy of the minutes of public hearing; a signed and certified copy of the resolution accepting the proposal as officially passed, with effective date.



- **EXHIBIT E** A copy of the Threshold Determination and completed SEPA checklist pertaining to the proposed BRB action with full explanations. Include the list of persons who were sent the checklist and all written comments from governmental agencies and the general public.

**NOTE:** *This is NOT to be completed by municipalities for annexation purposes.*

- **EXHIBIT F** A copy of any Interlocal agreements entered into under RCW 39.34 (Interlocal Cooperation Act) and under RCW 36.115 (Service Agreements) establishing which jurisdictions should provide various local government services and facilities and how those services and facilities will be financed.

**MUNICIPAL INCORPORATIONS:** Exhibits A, B, C, a copy of assessed valuation and a copy of the petition calling for the incorporation as required.

# WASHINGTON STATE BOUNDARY REVIEW BOARD FOR CHELAN COUNTY

## NOTICE OF INTENTION

for office use only:

BRB FILE # \_\_\_\_\_

1. Name of City, Town or special purpose district:

City of Wenatchee

2. Action Sought:



Annexation



Formation of a Special Purpose District



Incorporation



Other Boundary Change



Merger/Consolidation of Special Purpose District



Dissolution of Special Purpose District



Water or Sewer Extension \_\_\_\_\_ Size of Water Line \_\_\_\_\_ Sewer

Line

3. Briefly describe proposal: Annex 5 parcels into the City of Wenatchee. This proposal is called the Fair Properties LLC Annexation.

4. Method used to initiate the proposed action: ☒ Petition ☐ Election ☐ Resolution

5. State statute under which action is sought: RCW 35A.14.120-150

## FACTORS THE BOARD MUST CONSIDER

### POPULATION AND LAND USE:

1. Provide the following information:

POPULATION OF PROPOSED AREA			POPULATION OF EXISTING ENTITY	
	EXISTING	10-YEAR PROJECTION	EXISTING	10-YEAR PROJECTION
People	10	10	35,550	38,311
Residences	4	4	14,627	16,202
Businesses	10	11	4,204	4,531

2. What source is the basis for this projection information?

- People of proposed area:
  - Existing: The number of housing units multiplied by the Persons Per Household Intercensal Base for the City of Wenatchee for 2020 from Washington State Office of Financial Management, Forecasting and Research Division's Intercensal Estimates of April 1 Population and Housing, 2010-2020.
  - 10-Year Projection: The 10-year projection for residences multiplied by the Persons Per Household Intercensal Base for the City of Wenatchee for 2020 from Washington State Office of Financial Management, Forecasting and Research Division's Intercensal Estimates of April 1 Population and Housing, 2010-2020.
- People of Existing Entity

- Existing: April 1, 2021 (Revised) Population Estimate for the City of Wenatchee from the Washington State Office of Financial Management.
  - 10-Year Projection: Population projections were adopted under Chelan County Resolution 2015-112 and then later as a part of the Wenatchee Urban Area Comprehensive Plan (City of Wenatchee Resolution 2017-35). Using the same methodology, projections were calculated for 2021 and 2031 which had not previously been established. The current April 1, 2021 population estimate released by WA OFM is 86.51% of the projected population of the UGA. The 10-year projection for the city is calculated as 86.51% of the projected population of the UGA in 2031.
  - Residences of Proposed Area
    - Existing: Staff estimated the number of existing housing units using aerial imagery and address point data.
    - 10-Year Projection: The same 10-year growth rate used for the existing entity applied to the proposed area yields 4.43 housing units which rounds down to 4.
  - Residences of Existing Entity
    - Existing: 2021 Postcensal Estimate of Total Housing Units for the City of Wenatchee from the Washington State Office of Financial Management, Forecasting and Research Division's Postcensal Estimates of Housing Units, April 1, 2020 to April 1, 2021 (Revised)
    - 10-Year Projection: The number of housing units in the City of Wenatchee grew by 10.77% between 2010 and 2020 according to estimates from the Washington State Office of Financial Management's Forecasting and Research Division. The same growth rate was applied to the 10-year projection from 2021.
  - Businesses of Proposed Area
    - Existing: There are 10 businesses registered with the Washington State Department of Revenue located within the proposed area.
    - 10-Year Projection: The growth rate (10.77%) for businesses in the existing entity applied to the number of businesses in the proposed area.
  - Businesses of Existing Entity:
    - Existing: An export of active City of Wenatchee business license records from the Washington State Department of Revenue dated December 28, 2021 produced the listed number of records. This number includes businesses that do not have a physical location in city limits.
    - 10-Year Projection: The number of businesses is calculated as the same proportional share of the population for the projection as the existing.
3. Existing land use of the proposed area: Three of the parcels are improved with single family homes. One has a mini-storage facility with a dwelling unit on site. One of the parcels has a small commercial office building.
4. Existing land use of the area surrounding the proposal within 1000 feet: Uses include single family homes, duplexes, a place of worship, a cemetery, a mobile home park, a city park, agricultural land, and an electrical substation.
5. Are all surrounding & interior roads included in the annexation? ☐ Yes ☒ No If no, why not?  
All surrounding roads are already in city limits and there are no interior roads.
6. Is there new residential, commercial, or industrial development that is associated with this proposal?  
Potential commercial development.
- If yes, describe any projects being considered or proposed: The applicant, Fair Properties LLC, intends to build another small commercial office building on their property.
7. If the proposal is approved, will there be land use changes within the next 18 months?
- Land Use  
No land use changes expected, just a possible expansion of an existing use.
  - Zoning  
Applicant has applied for a zone change for two properties (1697 N Western Ave and 1730 McKittrick St) to be rezoned to Neighborhood Commercial (CN) from Residential Moderate and Mixed Residential Corridor overlay (MRC). This is a separate proposal from the annexation discussed in this application.
  - Comprehensive Plan  
The applicant has applied for a comprehensive plan land use map amendment for two properties (1697 N Western Ave and 1730 McKittrick St) to be changed to Neighborhood Commercial (CN).

from Residential Moderate and Mixed Residential Corridor overlay (MRC). This is a separate proposal from the annexation discussed in this application.

8. Has the proposed area been the subject of land use action by Chelan County in the last 6 years?  
No

If so, please explain

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9. a. Chelan County Comprehensive Plan designation for the proposed area:  
Residential Moderate (RM) for the whole property and Mixed Residential Corridor for the portion within 200ft of the Western Ave right-of-way.
- b. For surrounding areas within 1000 feet:  
Residential Moderate (RM) and Mixed Residential Corridor overlay (MRC)
- c. Chelan County Zoning for the proposed area:  
Residential Moderate (RM) for the whole property and Mixed Residential Corridor for the portion within 200ft of the Western Ave right-of-way.
- d. For surrounding areas within 1000 feet:  
Residential Moderate (RM) and Mixed Residential Corridor overlay (MRC)

10. Does your jurisdiction have an adopted comprehensive plan? Yes \_\_\_\_\_ Date Adopted: Last annual amendment was 12/9/2021

11. Describe how this proposal is consistent with the adopted comprehensive plan:  
The zoning designation and overlay aligns with the land use designation in the comprehensive plan. The proposed annexation area is located within an unincorporated portion of the Urban Growth Area (UGA). This UGA was adopted in compliance with RCW36.70A.110. RCW36.70A.110(4) states "(4) In general, cities are the units of local government most appropriate to provide urban governmental services. ..." The intent of the Growth Management Act (RCW36.70A) is for urban level development patterns to occur within the UGA and that cities are the intended service providers for these areas.

a. Proposed city zoning upon annexation: Residential Moderate (RM) for the whole area and Mixed Residential Corridor overlay (MRC) for the portion within 200ft of the N Western Ave right-of-way.

12. Has any portion of this area been previously reviewed by the Boundary Review Board? No

Explain: Staff is unaware of what areas may or may not have been reviewed by the Boundary Review Board in its previous iteration decades ago but this area has not been reviewed by the BRB in its current iteration.

13. Describe the following as required by RCW 36.93.170 and the effects on land use, accessibility and potential development:
- a. Topography: There is a steep grade change on the west and north side of 1730 McKittrick St and near the north side of 1618, 1620, and 1622 McKittrick St. 1697 N Western Ave is a relatively flat lot except for the southeast corner which overlaps with the previously mentioned steep grade. Each lot contains a gently sloping or flat area where structures are located. The area is already developed and certain lots have room for additional development or redevelopment if needed. All lots are accessed from a public street that is already within city limits.
- b. Natural Boundaries: The City of Wenatchee is surrounded by steep hills to the north, west, and south, and the Columbia River to the east. These features act as the natural boundaries for urban development and corresponding extension of municipal services. The proposed annexation area is located in an area that is fully surrounded by city limits and is well within the natural boundaries.
- c. Drainage Basins: The proposed annexation area is located within a drainage basin that is already partially within city limits.

14. Is the proposed area within the Urban Growth Area for your municipality? Yes

### MUNICIPAL SERVICES

1. What services will be provided in the proposed area?

	EXISTING PROVIDER	PROPOSED PROVIDER	TIME FRAME for SERVICES	HOW FINANCED
Water	Chelan County PUD	Chelan County PUD	No change	n/a
Sewer	City of Wenatchee	City of Wenatchee	No change	n/a
Fire	Chelan County Fire District 1	Chelan County Fire District 1	No change	n/a
Stormwater	Chelan County	City of Wenatchee	Immediate	n/a
Roads	City of Wenatchee	City of Wenatchee	No change	n/a
Parks	City of Wenatchee	City of Wenatchee	No change	n/a
Police	Chelan County	City of Wenatchee	Immediate	n/a
School	Wenatchee School District	Wenatchee School District	No change	n/a
Library	North Central Regional Library District	North Central Regional Library District	No change	n/a

2. Does your jurisdiction have a current Capital Facilities Plan?

Yes

Does it consider the proposed area? Yes, the public right-of-way serving this area is already in city limits and therefore addressed in the city's Capital Facilities Plan.

3. Describe the effect your jurisdiction's ordinances, governmental codes, regulations and resolutions will have on existing uses in the proposed area: Development regulations will remain nearly the same upon annexation. Chelan County adopts the city's development regulation for use in the unincorporated portions of the urban growth area in compliance with the 1997 Memorandum of Understanding between Chelan County and the cities within its boundaries. As of the date of this application they have adopted the city's development regulations through the end of 2020 and future adoption of subsequent amendments is expected. Other types of regulations will change however, including making it possible for properties to connect to city sewer which is located in the adjacent streets.
4. Describe the probable future needs for services and additional regulatory controls in the area? This area has been within the Urban Growth Area of the City of Wenatchee since the early 1990s and the city has been planning for services here ever since. Sewer and water are already available in both McKittrick St and Western Ave, and stormwater conveyance is located in Western Ave. The city infrastructure is in place to serve this area and no additional regulatory controls will be necessary.
5. Describe the probable effects of the proposal on the cost and adequacy of services and regulatory controls:
- In the proposed area? The adequacy of services will not be impacted as no significant land use changes are expected in the near future.
  - In the adjacent area? The adequacy of services will not be impacted as no significant land use changes are expected in the near future.
6. Estimate the following to be incurred under the proposal:
- Proponent Expenditures to be incurred:

- \$ 3,117 estimated annual increased cost of public safety services
- b. Proponent Revenues to be gained:  
\$ 4,177.52 annual City General Fund revenues from property taxes (full 2022 tax year)
  - c. County Revenue Lost:  
\$ 3,640.14 annual County Road Fund revenues from property taxes (full 2022 tax year)
  - d. County Expenditure Reduction:  
\$ 3,555 estimated annual decreased cost of public safety services
  - e. Fire District Revenue Lost:  
\$ n/a
  - f. Fire District Expenditure Reduction:  
\$ n/a
  - g. Financial Impact to Special Districts (library, parks, hospital):  
\$ n/a

7. What is the future impact of your proposal on the school district? No impact is expected.

## ENVIRONMENTAL INFORMATION

1. Is there an existing environmental review pertinent or related to this proposal? ☐ Yes ☒ No  
If No, answer questions 2 through 5.
2. Expected impact of any proposed development to adjacent roads and highways: The potential impact of future development on adjacent roads and highways is the same whether the annexation is approved or not as the development regulations are the same at this location whether it is in the county or the city.
3. Expected impact of any proposed development on air quality: The potential impact of future development on air quality is the same whether the annexation is approved or not as the development regulations are the same at this location whether it is in the county or the city. The Washington State Department of Ecology regulates air quality.
4. Does the area under consideration contain "critical areas"? (floodplain, wetland, steep slope wildlife habitat area etc.): The proposed annexation area contains areas designated as "Erosion Hazard Area" and "Landslide Hazard Area" under the city's critical areas regulations found in Chapter 12.08 Wenatchee City Code. The area is not within a designated floodplain, wetland, or wildlife habitat area. Chelan County critical areas mapping shows a portion of the area as erosion hazard area and no other designations.

## OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe fully which objectives of RCW 36.93.180 this proposal meets and which objectives this proposal does not meet. Please give your reasons for each of the objectives chosen:

1. Preservation of natural neighborhoods and communities:  
This proposal meets this objective because the immediate area is part of a natural neighborhood that is split between city and county jurisdictions. The proposal would be a step toward bringing the unincorporated "island" for which it is a part into the city and therefore closer to being under a single jurisdiction. It is the goal of the city that the residents in a given natural neighborhood or community should be under the jurisdiction of the same local government.

A major factor in the preservation of natural neighborhoods and communities is the character of the development that occurs. The City of Wenatchee's land use planning efforts for many years now have been seeking to ensure its development regulations contribute to great neighborhoods. This area has been in the city's Urban Growth Area (UGA) since the early 1990s. A version of city development regulations have applied in this area since the adoption of the 1997 Memorandum of Understanding between Chelan County and the cities within its borders. The city has adopted development codes that recognize the unique nature of the various neighborhoods in the UGA. The city has made many efforts to ensure the preservation of each natural neighborhood's character, in all parts of the UGA, including through the 2019 Housing Code Update.

The Residential Design Guidelines, first adopted in 2019 as part of the Housing Code Update, furthers steps to preserve the unique character of neighborhoods in a variety of ways including through the establishment of character areas. The Character Areas, and the standards associated with them, help ensure that as the various neighborhoods in the UGA see infill development occur, they will maintain their unique character. The city continues to monitor and refine its development regulations for all portions of the UGA to help preserve natural neighborhood character and foster community as development continues in compliance with adopted standards.

2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours: This proposal meets this objective because the western and southern boundaries are public street rights-of-way.
3. Creation and preservation of logical service areas: This proposal meets this objective. An unincorporated area that is fully surrounded by city limits is an illogical service area. Approval of this annexation would be a step toward eliminating an existing illogical service area and therefore moves both the city and the county closer to having logical service areas.
4. Prevention of abnormally irregular boundaries: This proposal meets this objective. An unincorporated area that is fully surrounded by city limits is an abnormally irregular boundary. Approval of this annexation would be a step toward eliminating an existing abnormally irregular boundary and therefore can be considered prevention of the same.
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand (10,000) population in heavily populated urban areas: Not applicable. This proposal is not a municipal incorporation and therefore is not applicable to this proposal.
6. Dissolution of inactive special purpose districts: Not applicable. It does not apply to this proposal.
7. Adjustment of impractical boundaries: This proposal meets this objective. An unincorporated area that is fully surrounded by city limits is an impractical boundary for the purposes of delivering municipal services. Approval of the proposed annexation could be considered an adjustment to make the boundaries more practical.
8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character: This proposal meets this objective. The proposed annexation area is urban in character.
9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority: This proposal meets this objective. The proposed annexation area is located outside any agricultural and rural lands designated for long term productive agricultural and resource use.



## EXHIBITS

See attached **Notice of Intention Filing Instructions** for explanation of Exhibits A, B, C, D, E, and F. Applicable Exhibits must accompany the Notice of Intention document.

**I certify that the above is true and accurate, and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.**

Dated this 5 day of May, 2022.

Signature

Glen DeVries

Name of person completing this form

Title

Community Development Director

Phone Number

509-888-3252

Email Address

gdevries@wenatchee.wa.gov

Mailing Address

PO Box 519, Wenatchee, WA 98807

Names, Addresses and Email Addresses of other persons who should receive correspondence from the BRB in regard to this Notice:

Matt Parsons m.parsons@wenatchee.wa.gov

Steve Smith steve@dadkp.com

**Exhibit A**  
**Fair Properties LLC Annexation**  
**Notice of Intention to the Washington State Boundary Review Board for Chelan County**

**Ordinance No. \_\_\_\_\_**

**EXHIBIT A**

**Boundary Description of Real Property to be Annexed into  
the City of Wenatchee, WA  
January 22, 2022**

**- FAIR PROPERTIES LLC ANNEXATION -**

Lots, parcels of land, and street right of way located within a portion of the southwest quarter of the northwest quarter of Section 33, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington, the combined perimeter boundary of said lots, parcels, and street being more particularly described as follows:

Commencing at the TRUE POINT OF BEGINNING, said point being the southwest corner of Lot 4, Chelan County Short Plat Number 1180, recorded January 23, 1985, in Book 2 of Short Plats, at page 70, record of said County, being the point of intersection of the North right of way line of McKittrick Street and the East right of way line of North Western Avenue and being also a point on the East line of Annexation Ordinance Number 2003-30, recorded October 31, 2003, under Auditor's File Number 2159538, records of said County;

thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County;

thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1;

thence easterly to the northeast corner of said Lot 1;

thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat;

thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County;

thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County;

thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948;

thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof;

(Fair Properties LLC Annexation Boundary Description continued)

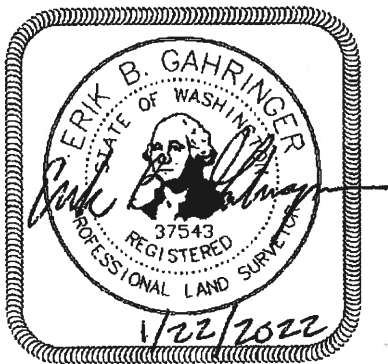
thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlynn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County;

thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33;

thence southerly along said East line to a point of intersection with the North right of way line of said McKittrick Street;

thence westerly and southwesterly along the North and northwesterly right of way line of said McKittrick Street, being also the northerly line of Annexation Ordinance Number 2015-37, recorded December 21, 2015, under Auditor's File Number 2430124, records of said County, to the TRUE POINT OF BEGINNING.

Prepared By: Erik B. Gahringer, PLS  
Date: January 22, 2022



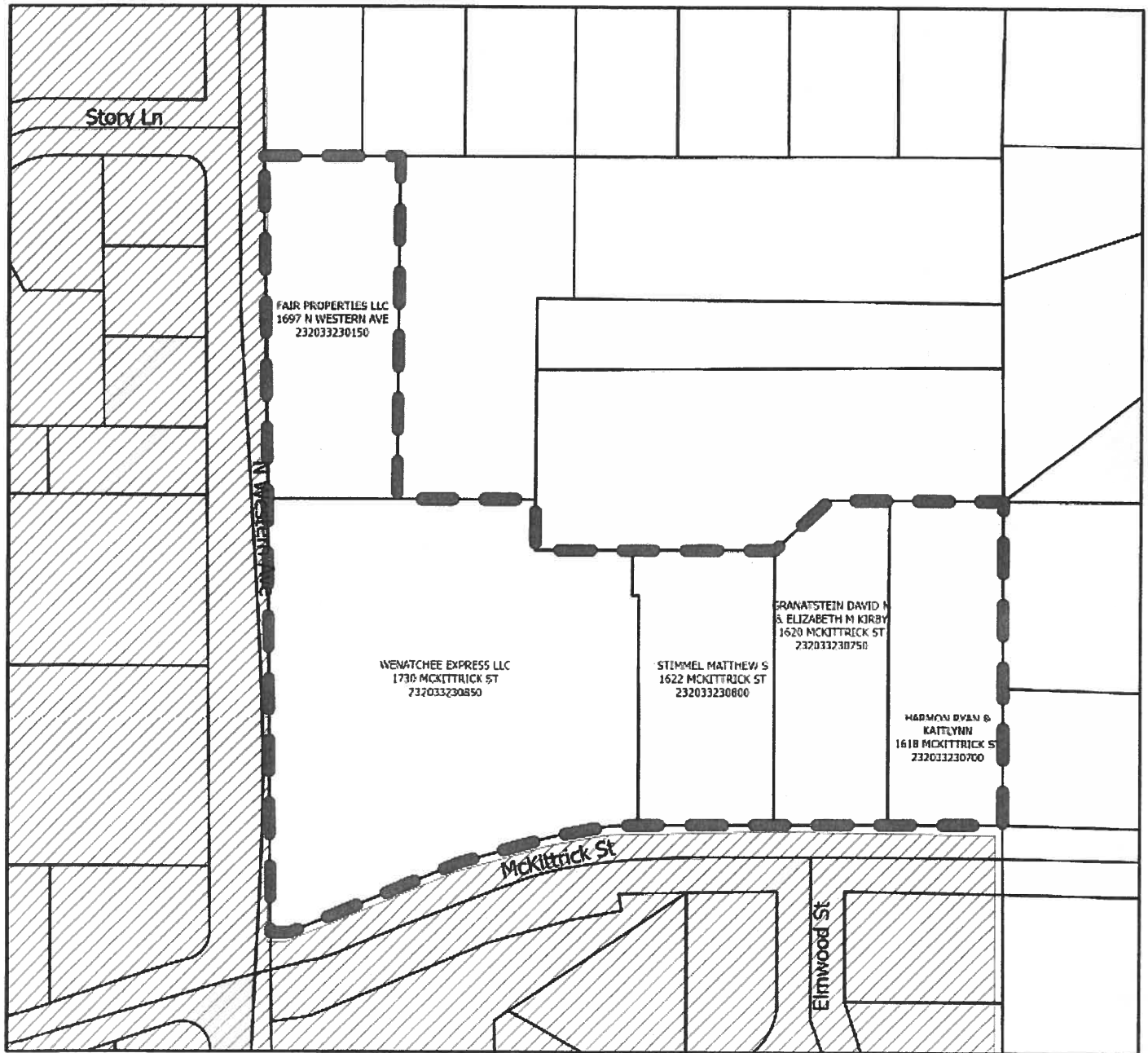
48° North  
Professional Land Surveying & Land Use Consulting  
P.O. Box 4266  
Wenatchee, WA 98807-4266  
Phone: (509) 436-1640

**Exhibit B**  
**Fair Properties LLC Annexation**  
**Notice of Intention to the Washington State Boundary Review Board for Chelan County**

# Exhibit B

## Fair Properties LLC Annexation

### Notice of Intention



### Legend

- Proposed boundary
- Urban Growth Area
- Parcels
- Streets

City limits

0 50 100 200 Feet



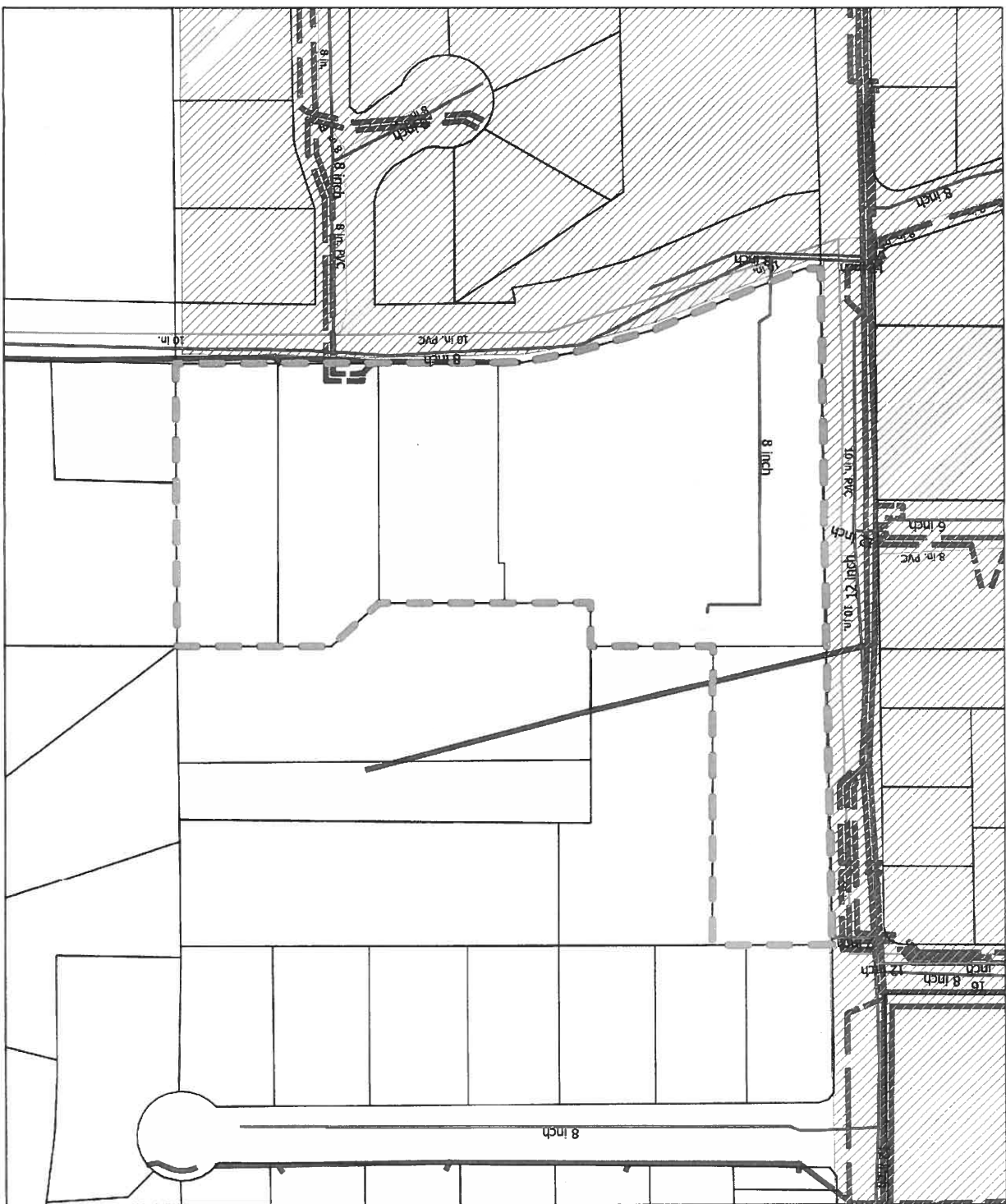
Acres in Proposed Boundary: 5.17

Parcel numbers for lots in  
proposed area:

232033230150  
232033230850  
232033230800  
232033230750  
232033230700

**Exhibit C**  
**Fair Properties LLC Annexation**  
**Notice of Intention to the Washington State Boundary Review Board for Chelan County**

# Exhibit C1 and C6 Notice of Intention Fair Properties LLC Annexation

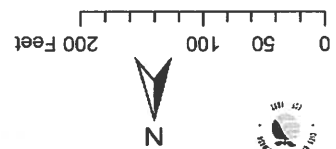


## Legend

- Urban Growth Area
- City limits
- Proposed boundary
- Parcels

- City of Wenatchee
- Sewer
- Sewer Main
- Collector Main
- Interceptor Main
- Force Main

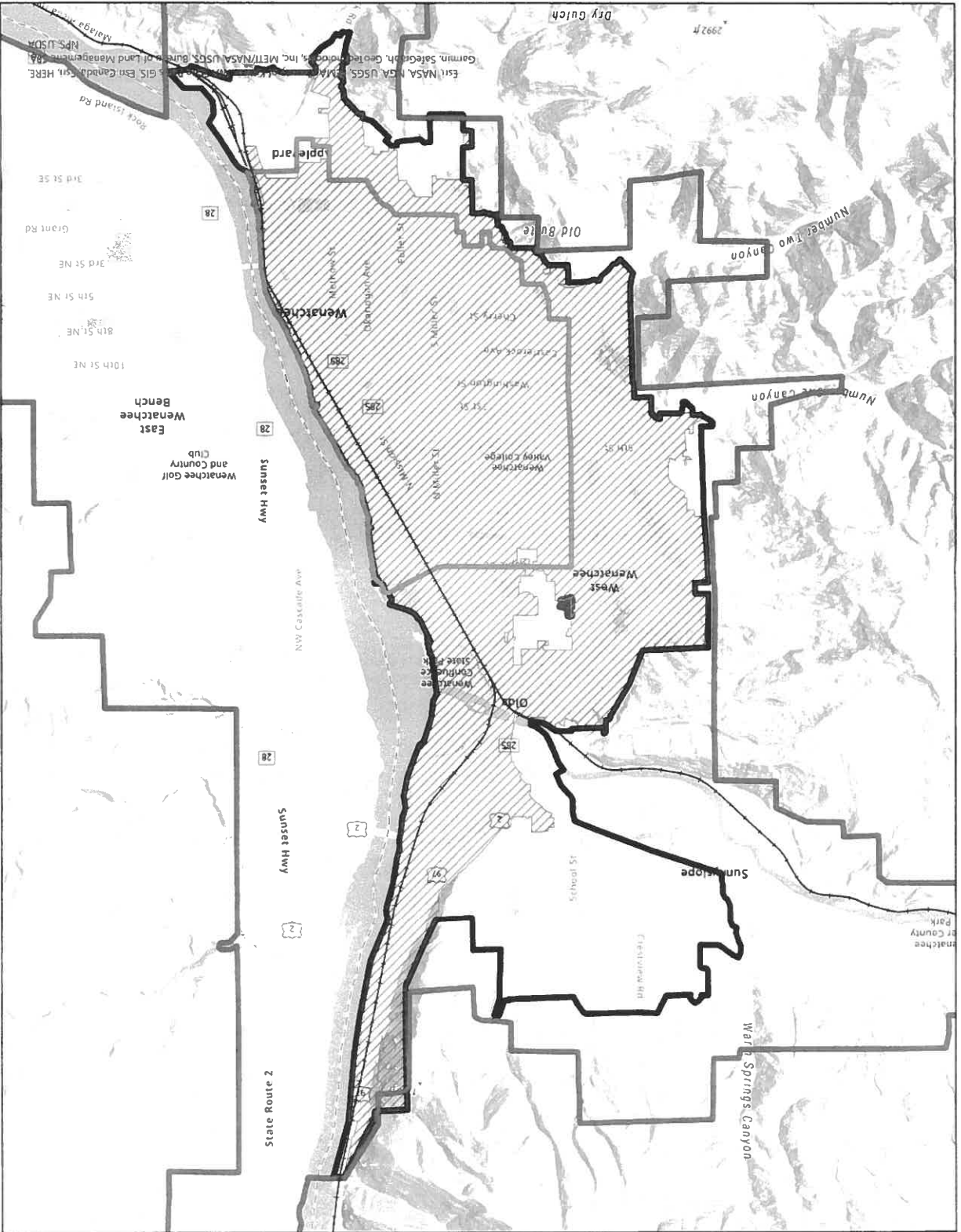
- Chelan County PUD
- Electrical
- PUD
- electrical/overheadline
- PUD
- electrical/undergroundline
- Bypass
- Distribution Main
- Exposed Pipe
- Interconnect
- Transmission Main
- Abandoned
- Overflow
- Drain
- <all other values>



Acres in Proposed Boundary: 5.17  
Parcel numbers for lots in  
proposed area:  
232033230150  
232033230850  
232033230800  
232033230750  
232033230700

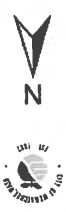


# Exhibit C2, 3, 4, and 5 Notice of Intention Fair Properties LLC Annexation



Acres in Proposed Boundary: 5.17  
 Parcel numbers for lots in

Proposed area:  
 232033230150  
 232033230850  
 232033230800  
 232033230750  
 232033230700



**Legend**

- City of Wenatchee
- Water Service
- Sewer Service
- Urban Growth
- City of Wenatchee
- Water Service
- Sewer Service
- Urban Growth
- City of Wenatchee
- Water Service
- Sewer Service
- Urban Growth

## Fair Properties LLC Annexation

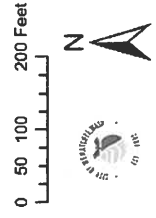
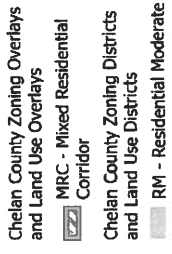
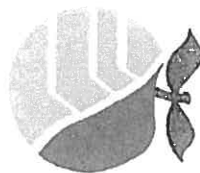




Exhibit D  
Fair Properties LLC Annexation  
Notice of Intention to the Washington State Boundary Review Board for Chelan County



**City of  
Wenatchee**

**Community Development Department**  
1350 McKittrick Street/ P.O. Box 519  
Wenatchee, WA 98801/ 98807  
(509) 888-3200 FAX -- (509) 888-3201

## PETITION TO COMMENCE ANNEXATION (DIRECT PETITION METHOD)


- We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Wenatchee, Washington, but contiguous thereto and designated as part of the Wenatchee Urban Growth Area. A legal description (Exhibit A) and map (Exhibit B) of this area are attached to this petition.
- We, the undersigned, who together, are the owners of not less than 60% assessed valuation of the real property described herein (Exhibit A), do hereby petition that such property(ies) be annexed to the City of Wenatchee under RCW 35A.14.120. The Wenatchee City Council approved the annexation at a regularly scheduled meeting. The following text is a quote of the motion made at the December 9, 2021 meeting as documented in the minutes:

*Motion by Councilmember Jim Bailey for City Council to approve the annexation boundary as proposed by staff and labeled option 1 in response to the ten percent (10%) annexation petition for property located in an unincorporated area northeast of the intersection of McKittrick Street and North Western Avenue, to require the adoption of the proposed zoning regulations as it is set forth in the comprehensive plan of the city, and to require the assumption of existing indebtedness of the city by the area to be annexed. Councilmember Linda Herald seconded the motion.*

*Motion carried (6-0).*

### WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Parcel Number	Physical Address	Property Owner	Signature	Title of Representative	Date
232033230700	1618 MCKITTRICK ST	HARMON RYAN & KAITYNN			2/11/22

**Ordinance No. \_\_\_\_\_**

**EXHIBIT A**

**Boundary Description of Real Property to be Annexed into  
the City of Wenatchee, WA  
January 22, 2022**

**- FAIR PROPERTIES LLC ANNEXATION -**

Lots, parcels of land, and street right of way located within a portion of the southwest quarter of the northwest quarter of Section 33, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington, the combined perimeter boundary of said lots, parcels, and street being more particularly described as follows:

Commencing at the TRUE POINT OF BEGINNING, said point being the southwest corner of Lot 4, Chelan County Short Plat Number 1180, recorded January 23, 1985, in Book 2 of Short Plats, at page 70, record of said County, being the point of intersection of the North right of way line of McKittrick Street and the East right of way line of North Western Avenue and being also a point on the East line of Annexation Ordinance Number 2003-30, recorded October 31, 2003, under Auditor's File Number 2159538, records of said County;

thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County;

thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1;

thence easterly to the northeast corner of said Lot 1;

thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat;

thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County;

thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County;

thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948;

thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof;

(Fair Properties LLC Annexation Boundary Description continued)

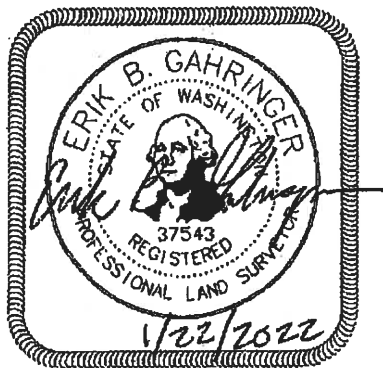
thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlynn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County;

thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33;

thence southerly along said East line to a point of intersection with the North right of way line of said McKittrick Street;

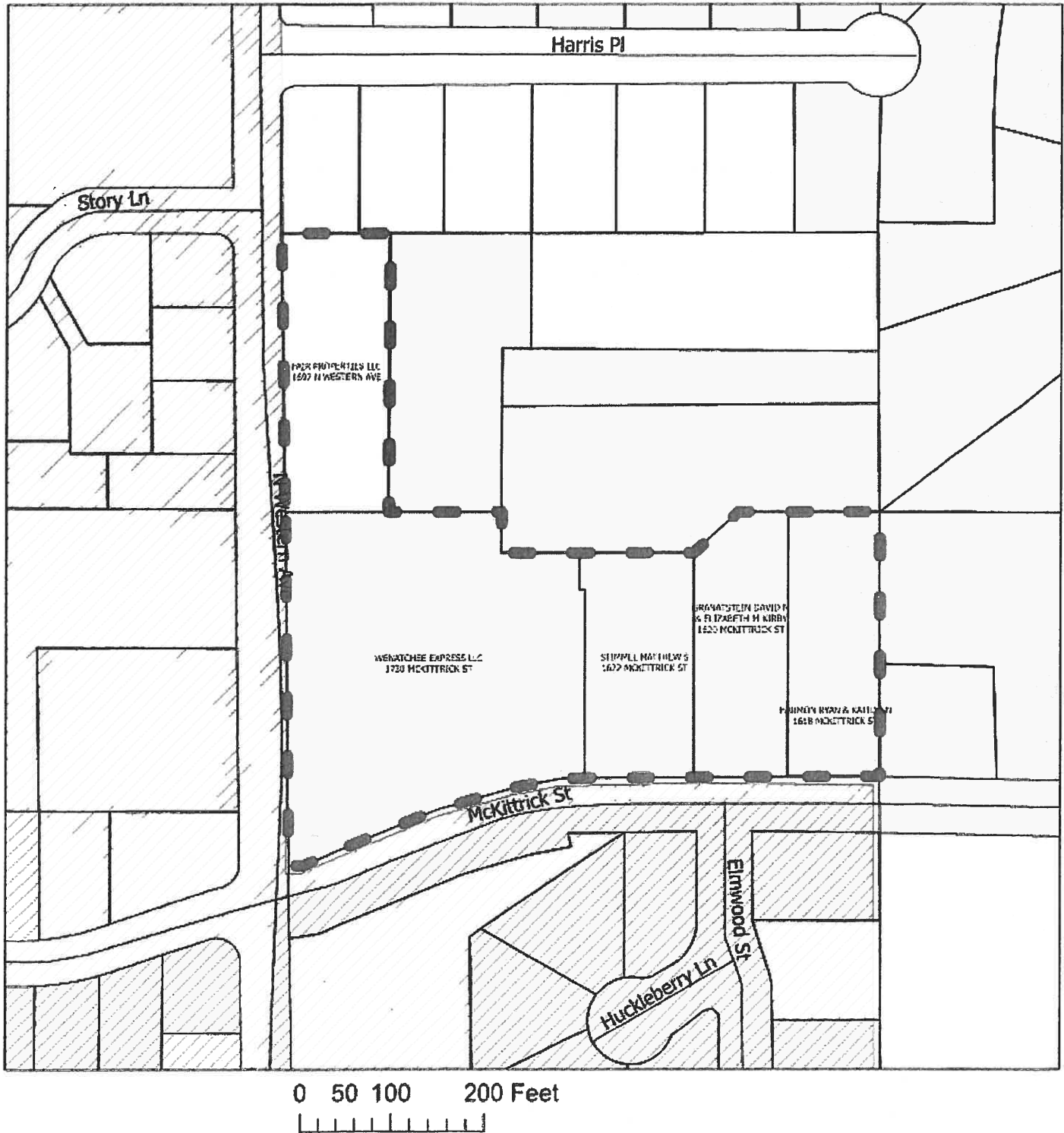
thence westerly and southwesterly along the North and northwesterly right of way line of said McKittrick Street, being also the northerly line of Annexation Ordinance Number 2015-37, recorded December 21, 2015, under Auditor's File Number 2430124, records of said County, to the TRUE POINT OF BEGINNING.

Prepared By: Erik B. Gahringer, PLS  
Date: January 22, 2022



48° North  
Professional Land Surveying & Land Use Consulting  
P.O. Box 4266  
Wenatchee, WA 98807-4266  
Phone: (509) 436-1640

# Exhibit B Fair Properties LLC Annexation 60% Petition Map



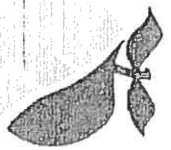
## Legend

- Proposed boundary
- Parcels
- City limits

- Urban Growth Area
- Streets







**City of  
Wenatchee**

**Community Development Department**  
1350 McKittick Street/ P.O. Box 519  
Wenatchee, WA 98801/ 98807  
(509) 888-3200 FAX – (509) 888-3201

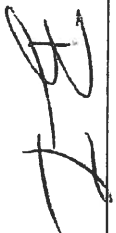
## PETITION TO COMMENCE ANNEXATION (DIRECT PETITION METHOD)

- We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Wenatchee, Washington, but contiguous thereto and designated as part of the Wenatchee Urban Growth Area. A legal description (Exhibit A) and map (Exhibit B) of this area are attached to this petition.
- We, the undersigned, who together, are the owners of not less than 60% assessed valuation of the real property described herein (Exhibit A), do hereby petition that such property(ies) be annexed to the City of Wenatchee under RCW 35A.14.120. The Wenatchee City Council approved the annexation at a regularly scheduled meeting. The following text is a quote of the motion made at the December 9, 2021 meeting as documented in the minutes:

*Motion by Councilmember Jim Bailey for City Council to approve the annexation boundary as proposed by staff and labeled option 1 in response to the ten percent (10%) annexation petition for property located in an unincorporated area northeast of the intersection of McKittick Street and North Western Avenue, to require the adoption of the proposed zoning regulations as it is set forth in the comprehensive plan of the city, and to require the assumption of existing indebtedness of the city by the area to be annexed. Councilmember Linda Herald seconded the motion.*  
*Motion carried (6-0).*

### WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Parcel Number	Physical Address	Property Owner	Signature	Title of Representative	Date
232033230150	1697 N Western Ave	FAIR PROPERTIES LLC		Manager	2/17/22

DECLARATION

Brian Fair  
(Name), under the penalty of perjury under the laws of  
the State of Washington, states and declares that he or she is the Manager  
(Official Capacity)  
of Fair Properties, LLC  
(Corporate Entity) that he or she has the authority to sign deeds  
and encumbrances on behalf of such entity, and that he or she has been duly authorized to sign the  
foregoing Petition for Annexation on behalf of such entity.

(Signature)

(Printed Name)

(Title)

Brian Fair  
Manager

**Ordinance No. \_\_\_\_\_**

**EXHIBIT A**

**Boundary Description of Real Property to be Annexed into  
the City of Wenatchee, WA  
January 22, 2022**

**- FAIR PROPERTIES LLC ANNEXATION -**

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thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County;

thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1;

thence easterly to the northeast corner of said Lot 1;

thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat;

thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County;

thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County;

thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948;

thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof;

(Fair Properties LLC Annexation Boundary Description continued)

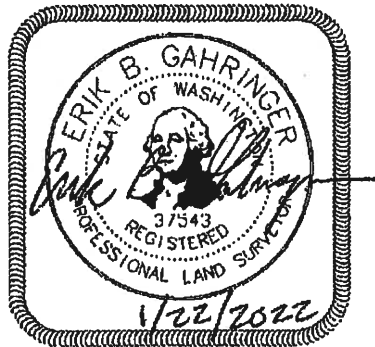
thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlynn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County;

thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33;

thence southerly along said East line to a point of intersection with the North right of way line of said McKittrick Street;

thence westerly and southwesterly along the North and northwesterly right of way line of said McKittrick Street, being also the northerly line of Annexation Ordinance Number 2015-37, recorded December 21, 2015, under Auditor's File Number 2430124, records of said County, to the TRUE POINT OF BEGINNING.

Prepared By: Erik B. Gahringer, PLS  
Date: January 22, 2022

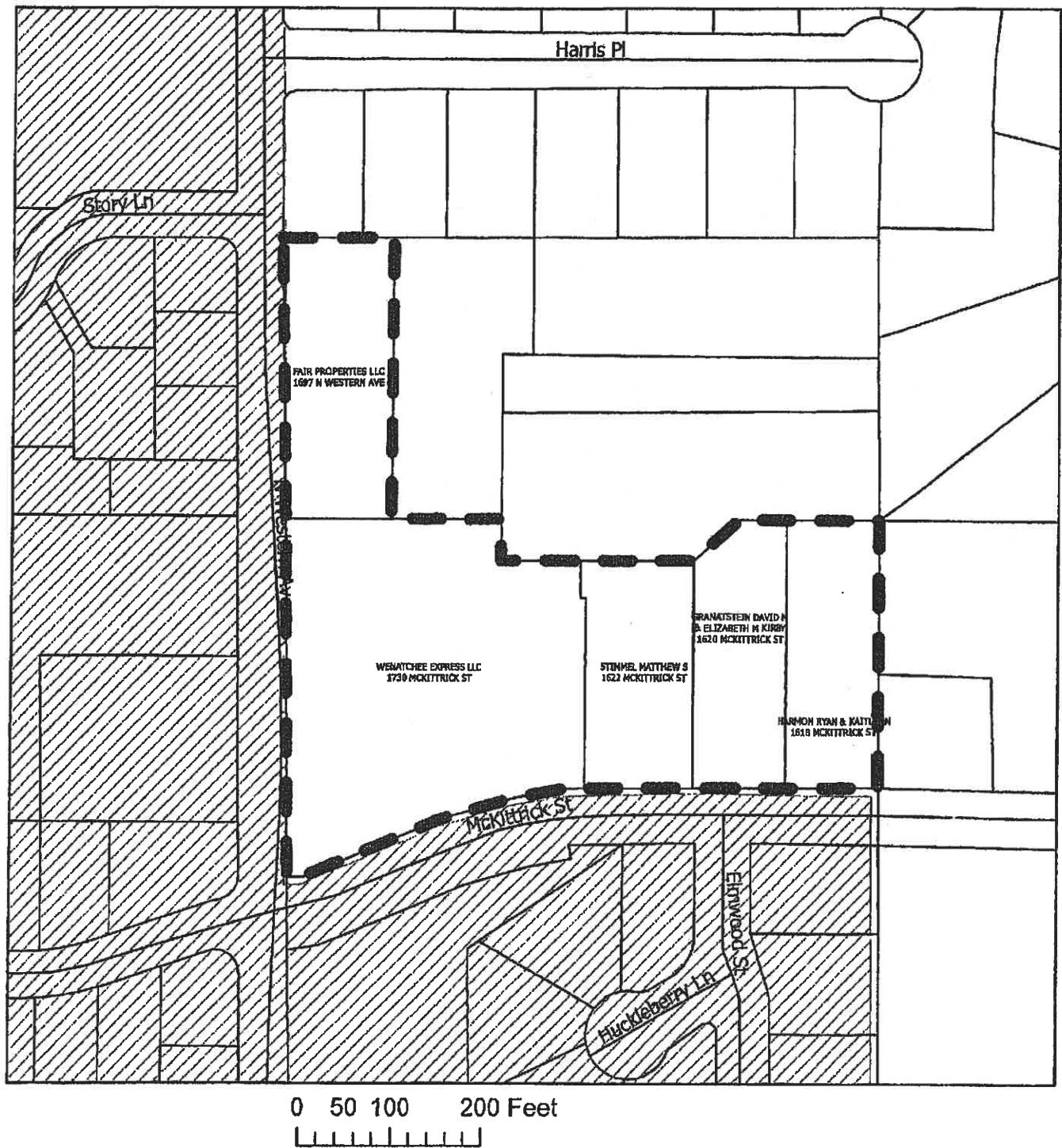


48° North  
Professional Land Surveying & Land Use Consulting  
P.O. Box 4266  
Wenatchee, WA 98807-4266  
Phone: (509) 436-1640

# Exhibit B

## Fair Properties LLC Annexation

### 60% Petition Map



#### Legend

- Proposed boundary
- Parcels
- City limits

- Urban Growth Area
- Streets





Community Development Department  
1350 McKittrick Street/ P.O. Box 519  
Wenatchee, WA 98801/ 98807  
(509) 888-3200 FAX - (509) 888-3201


## PETITION TO COMMENCE ANNEXATION (DIRECT PETITION METHOD)

- We, the undersigned, are owners of real property lying outside of the corporate limits of the City of Wenatchee, Washington, but contiguous thereto and designated as part of the Wenatchee Urban Growth Area. A legal description (Exhibit A) and map (Exhibit B) of this area are attached to this petition.
- We, the undersigned, who together, are the owners of not less than 60% assessed valuation of the real property described herein (Exhibit A), do hereby petition that such property(ies) be annexed to the City of Wenatchee under RCW 35A.14.120. The Wenatchee City Council meeting as documented in the minutes:

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*Motion carried (6-0).*

### WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Parcel Number	Physical Address	Property Owner	Signature	Title of Representative	Date
232033230850	1730 MCKITTRICK ST	WENATCHEE EXPRESS LLC		Mayor	2-15-22

DECLARATION

Michael A. Sherry under the penalty of perjury under the laws of  
(Name)  
the State of Washington, states and declares that he or she is the Manager  
(Official Capacity)  
of Wenatchee Forest, LLC that he or she has the authority to sign deeds  
(Corporate Entity)  
and encumbrances on behalf of such entity, and that he or she has been duly authorized to sign the  
foregoing Petition for Annexation on behalf of such entity.

[Signature]  
(Signature)  
Michael A. Sherry  
(Printed Name)  
Manager  
(Title)

Ordinance No. \_\_\_\_\_

**EXHIBIT A**

**Boundary Description of Real Property to be Annexed into  
the City of Wenatchee, WA  
January 22, 2022**

**- FAIR PROPERTIES LLC ANNEXATION -**

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thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County;

thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1;

thence easterly to the northeast corner of said Lot 1;

thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat;

thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County;

thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County;

thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948;

thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof;



(Fair Properties LLC Annexation Boundary Description continued)

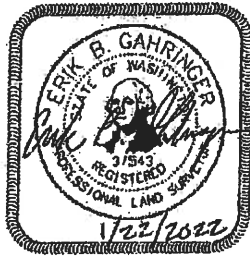
thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlynn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County;

thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33;

thence southerly along said East line to a point of intersection with the North right of way line of said McKittrick Street;

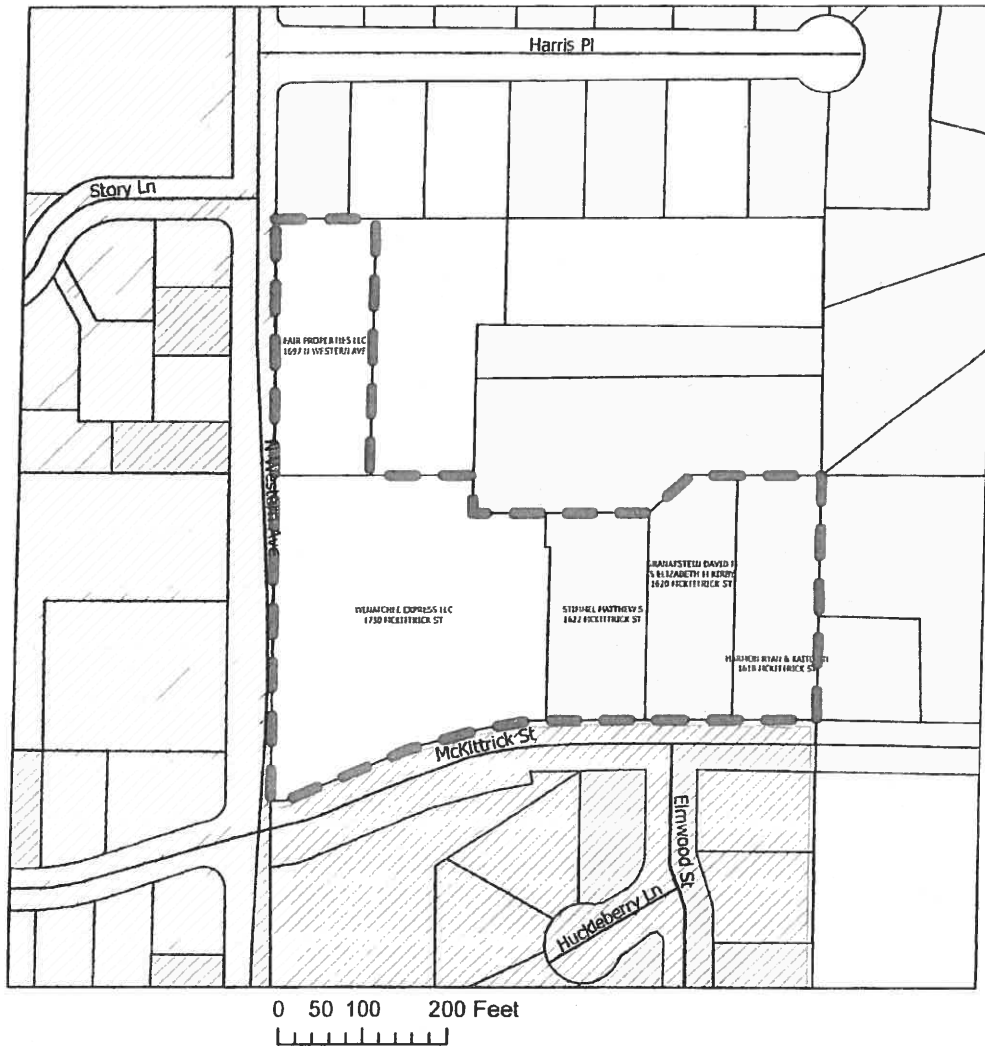
thence westerly and southwesterly along the North and northwesterly right of way line of said McKittrick Street, being also the northerly line of Annexation Ordinance Number 2015-37, recorded December 21, 2015, under Auditor's File Number 2430124, records of said County, to the TRUE POINT OF BEGINNING.

Prepared By: Erik B. Gahringer, PLS  
Date: January 22, 2022



48° North  
Professional Land Surveying & Land Use Consulting  
P.O. Box 4266  
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# Exhibit B Fair Properties LLC Annexation 60% Petition Map



## Legend

- Proposed boundary
- Parcels
- City limits

- Urban Growth Area
- Streets



# 60 Percent (%) Assessed Value Calculation for Determination of Sufficiency

Annexation Name: 2022-01-WE Fair Properties LLC

2021-2022				
PID	Parcel No	Owner Name	Situs	Assessed Value Approval Comments
26329	232033230150	Fair Properties LLC	1697 N Western	\$490,602 Y
26341	232033230850	Wenatchee Express LLC	1730 McKittrick St	\$2,200,517 Y
26340	232033230800	Matthew S Stimmel	1622 McKittrick St	\$450,538 N No Petition
		David Granatstein & Elizabeth		
26339	232033230750	Kirby	1620 McKittrick St	\$343,848 N No Petition
26338	232033230700	Ryan & Kaitlynn Harmon	1618 McKittrick St	\$394,914 Y
Proposed Annex. AV:				\$3,880,419
Petition AV:				\$3,086,033
Petition Percentage:				79.53



Deanna C. Walter  
**CHELAN COUNTY ASSESSOR**

350 Orondo Ave, Suite 6  
Wenatchee, WA 98801-2885  
PHONE: 509-667-6365 FAX: 509-667-6664  
WEBSITE: <http://www.co.chelan.wa.us/assessor>

**DETERMINATION OF SUFFICIENCY  
DIRECT PETITION METHOD FOR ANNEXATION  
(RCW 35.21.005 / RCW 35A.01.040)**

Name of Annexation: *2022-01-WE FAIR PROPERTIES LLC*

Date petition submitted to County Assessor: *2/18/2022*

Terminal Date: *2/28/2022*

Assessment Date: *1/1/2021*

The petition ☒ DOES ☐ DOES NOT meet the required minimum 60% of assessed value.

Total Assessed Value of proposed annexation area: *\$3,880,419*

Total Assessed Value of petition: *\$3,086,033*

Percent of Assessed Value: *79.53%*

*Deanna Walter*  
Deanna Walter, Assessor

*3/1/22*  
Date

AFFP

Ad # 504572 Ad text :

City of Wenatchee  
Notice of Hearing on Petition for Annexation  
(Fair Properties, LLC)

## Affidavit of Publication

STATE OF WASHINGTON } SS  
COUNTY OF CHELAN }

The Wenatchee World is a legal newspaper published in the Chelan County, Washington, and approved as such by the Superior Court of said County and State. Serving the counties of Chelan, Douglas, Grant & Okanogan.

That said newspaper was regularly issued and circulated on those dates.

04/06/2022

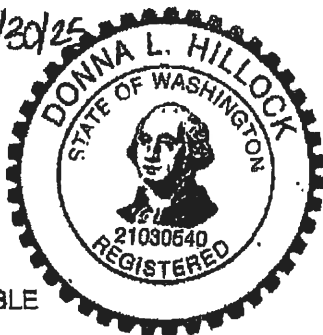
Subscribed to and sworn to me this  
6th day of April, 2022

  
Notary Public, Chelan County, Washington

My commission expires: 8/30/25

545968 504572

CITY OF WENATCHEE  
P.O. BOX 519  
ATTN: ACCOUNTS PAYABLE  
WENATCHEE WA 98807



NOTICE IS HEREBY GIVEN that on the 9th day of December, 2021, a petition was filed with the City Council of the City of Wenatchee, to annex the following described property in Chelan County, Washington, to the City of Wenatchee, to-wit:

Lots, parcels of land, and street right of way located within a portion of the southwest quarter of the northwest quarter of Section 33, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington, the combined perimeter boundary of said lots, parcels, and street being more particularly described as follows:

Commencing at the TRUE POINT OF BEGINNING, said point being the southwest corner of Lot 4, Chelan County Short Plat Number 1180, recorded January 23, 1985, in Book 2 of Short Plats, at page 70, record of said County, being the point of intersection of the North right of way line of McKittrick Street and the East right of way line of North Western Avenue and being also a point on the East line of Annexation Ordinance Number 2003-30, recorded October 31, 2003, under Auditor's File Number 2159538, records of said County; thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County; thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1; thence easterly to the northeast corner of said Lot 1; thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat; thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County; thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County; thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948; thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof; thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlyn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County; thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33; thence southerly along said East line to a

point of intersection with the North right of way line of  
said McKittrick Street; thence westerly and southwesterly  
along the North and northwesterly right of way line of said  
McKittrick Street, being also the northerly line of  
Annexation Ordinance Number 2015-37, recorded December 21,  
2015, under Auditor's File Number 2430124, records of said  
County, to the TRUE POINT OF BEGINNING;

which said property lies contiguous to the City of Wenatchee  
and has not heretofore been incorporated as a City or Town,  
which said Petition is signed by the owners of not less than  
sixty percent (60%) in value of the property according to  
the assessed valuation for general taxation.

NOTICE IS HEREBY FURTHER GIVEN that Thursday, the 14th day  
of April, 2022, at the hour of 5:15 o'clock p.m. of said  
day, or as soon thereafter as the matter may be heard, has  
been fixed as the time and place for public hearing upon  
said Petition in the City Council Chambers at City Hall in  
the City of Wenatchee, 301 Yakima Street, 2nd Floor,  
Wenatchee, Washington, at which time all interested persons  
may appear and express their opinion on whether the City  
should accept, reject or geographically modify the proposed  
annexation, whether the City shall require simultaneous  
adoption of the Comprehensive Plan if such plan has been  
prepared and filed for the area to be annexed, and whether  
the City should require the assumption of all or any portion  
of existing City Indebtedness by the area to be annexed.

DATED this 28th of March, 2022.

CITY OF WENATCHEE  
/s/ Tammy Stanger, City Clerk  
City of Wenatchee  
301 Yakima Street, Suite 301  
Wenatchee, WA 98801  
Phone: (509) 888-6204  
Email: [cityclerk@wenatcheewa.gov](mailto:cityclerk@wenatcheewa.gov)  
Website: [www.wenatcheewa.gov](http://www.wenatcheewa.gov)



## WENATCHEE CITY COUNCIL

**Thursday, April 14, 2022**

Wenatchee City Hall Council Chambers  
301 Yakima Street, 2<sup>nd</sup> Floor  
Wenatchee, WA 98801

### MINUTES

*"To create community through responsive leadership and services for the citizens and visitors of the  
Apple Capital of the World."*

**Present:** Mayor Frank Kuntz; Councilmember Position 1 Jose Cuevas, Councilmember Position 2 Mike Poirier; Councilmember Position 5 Mark Kulaas; Councilmember At-Large "A" Linda Herald; Councilmember At-Large "B" Keith Huffaker

**Staff Present:** Executive Services Director Laura Merrill; City Attorney Steve Smith; City Clerk Tammy Stanger; IS Support Tim McCord; Parks, Recreation & Cultural Services Director David Erickson; Police Chief Steve Crown; Finance Director Brad Posenjak; Senior Planner Matt Parsons; Public Works Director Rob Jammerman; Planning Manager Stephen Neuenschwander; Public Works Deputy Director-Utilities Jessica Shaw; Utility Planner Darci Mattioda; Facilities Manager Elisa Schafer; Operations Manager Aaron Kelly

**4:45 p.m. Executive Session.** The Mayor called the meeting to order at 4:45 p.m. for the purpose of meeting in executive session. Councilmembers Top Rojanasthien, Travis Hornby and Keith Huffaker were not present.

*Motion by Councilmember Mark Kulaas to convene in executive session, for a time period not to exceed 25 minutes, to discuss with legal counsel matters of potential litigation to which the city is likely to become a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. RCW 42.30.110(1)(i). Councilmember Mike Poirier seconded the motion. Motion carried (4-0).*

Councilmember Keith Huffaker arrived at 5:05 p.m. and joined the executive session. Council adjourned from executive session at 5:10 p.m.

#### **5:15 p.m. Regular Meeting**

**1. Call to Order, Pledge of Allegiance, and Roll Call.** Mayor Frank Kuntz called the regular meeting to order at 5:15 p.m. Councilmember Jose Cuevas led the Pledge of Allegiance. The excused absences of Councilmembers Top Rojanasthien and Travis Hornby were noted for the record.

## 2. Consent Items

Motion by Councilmember Keith Huffaker to approve agenda, vouchers, and minutes from previous meetings. Councilmember Mike Poirier seconded the motion. Motion carried (5-0).

## 3. Presentations

- Arbor Day Proclamation read by Councilmember Linda Herald and presented by Mayor Kuntz to Bonnie Orr of the Greater Wenatchee Arbor Day Association who said a few words about the upcoming Arbor Day distribution event on April 23.
- Stand Against Racism Proclamation read by Councilmember Mark Kulaas and presented by Mayor Kuntz to YWCA NCW Executive Director Rachel Todd who provided information about the annual Stand Against Racism event scheduled for April 26 at the Wenatchee Valley College fountain.

## 4. Citizen Requests/Comments. None.

## 5. Action Items

### A. South Wenatchee Avenue Emergency Stormwater Repair – City Project No. 2210

Deputy Public Works Director-Utilities Jessica Shaw provided an overview of the emergency stormwater repair work. There is no action requested. The purpose of this agenda item is to document the basis for the emergency action and enter it into the public record.

### B. Wenatchee Valley Regional Decant Facility Use Agreement with City of East Wenatchee

Deputy Public Works Director-Utilities Jessica Shaw presented the staff report. The Mayor and Council commented.

Motion by Councilmember Linda Herald for City Council to approve the Wenatchee Valley Regional Decant Facility Use Agreement with the City of East Wenatchee and authorize the Mayor's signature. Councilmember Jose Cuevas seconded the motion. Motion carried (5-0).

### C. Tourism Promotion Area Advisory Board Appointments

Executive Services Director Laura Merrill presented the staff report. Councilmember Linda Herald recused herself from this agenda item due to a conflict of interest.



Motion by Councilmember Mike Poirier for City Council to pass Resolution No. 2022-11 appointing Charlotte Mayo and Cody Beeson to the Tourism Promotion Area Advisory Board to fill two (2) vacant positions with terms ending December 31, 2024. Councilmember Mark Kulaas seconded the motion. Motion carried (4-0) (Herald conflict).

- D. Second Amendment to the Memorandum of Understanding between the Public Utility District No.1 of Chelan County and City of Wenatchee related to Visualization and Model Development/Video for the Loop Trail as part of the Confluence Parkway Project

Executive Services Director Laura Merrill presented the staff report. Council asked questions.

Motion by Councilmember Mark Kulaas for City Council to approve the Second Amendment to the Memorandum of Understanding between the PUD and City of Wenatchee related to Visualization and Model Development/Video for the Loop Trail as part of the Confluence Parkway project and authorize the Mayor's signature. Councilmember Mike Poirier seconded the motion. Motion carried (5-0).

- E. Consultant Service Agreement between North Forty Productions, LLC and the City of Wenatchee

Police Chief Steve Crown presented the staff report.

Motion by Councilmember Keith Huffaker for City Council to approve and authorize the Mayor's signature for the Consultant Services Agreement with North Forty Productions, LLC, to produce police recruitment videos. Councilmember Jose Cuevas seconded the motion. Motion carried (5-0).

- F. Department of Commerce Grant to City of Wenatchee through the 2022 Local & Community Projects Program - City Project No. 2112

Facilities Manager Elisa Schafer presented the staff report. Rick Wray and Sean Koester from Pinnacles Prep were also present and answered questions and commented. Council asked questions.

Motion by Councilmember Keith Huffaker for City Council to accept the Department of Commerce grant for Project No. 2112 - Pinnacles Prep Charter Public School Phase 1.5A & 1.5B Alterations & Addition and authorize the Mayor to sign the contract. Councilmember Linda Herald seconded the motion. Motion carried (5-0).

**G. Wenatchee Convention Center Roof Replacement – City Project No. SW22-01**

Facilities Manager Elisa Schafer presented the staff report. Councilmember Linda Herald recused herself from this agenda item due to a conflict of interest. Council asked questions.

Motion by Councilmember Mark Kulaas for City Council to award the contract for construction of the Wenatchee Convention Center Roofing Project, City Project No. SW22-01, to Signature Roofing Service, LLC in the amount of \$160,728.00 and authorize the Mayor to sign the construction contract. Councilmember Keith Huffaker seconded the motion. Motion carried (4-0) (Herald conflict).

**H. Lease Agreement with Dennis and Sharron Johnson for property located at 1202 South Columbia Street**

Community Development Director Glen DeVries presented the staff report. Council asked questions and commented.

Motion by Councilmember Linda Herald for City Council to authorize the Mayor to enter into a 15-year lease agreement with Dennis Johnson and Sharron Johnson for property located at 1202 South Columbia Street at no cost for the sole purposes of housing and associated services for the homeless. Councilmember Mike Poirier seconded the motion. Motion carried (5-0).

**I. Department of Health Drinking Water State Revolving Fund Pre-Construction Loan Contract – City Project No. 2202**

Utility Planner Darci Mattioda presented the staff report. Council asked questions.

Motion by Councilmember Keith Huffaker for City Council to approve the Department of Health Contract PCL27077 Application ID 2021-3986 for a Drinking Water State Revolving Fund Loan, for City Project No. 2202 - Crawford Main Replacement Project, and adopt this project into the 2022 Budget and the 2022-2027 Capital Facilities Plan. Councilmember Linda Herald seconded the motion. Motion carried (5-0).

**J. Department of Health Drinking Water State Revolving Fund Pre-Construction Loan Contract – City Project No. 1918-2020**

Utility Planner Darci Mattioda presented the staff report. Council asked questions.

Motion by Councilmember Mark Kulaas for City Council to approve the Department of Health Contract DWL27052 Application ID 2021-3984 for a Drinking Water State Revolving Fund Loan, for City Project No. 1918-2020 – AC Main Replacement Project, and adopt this project into the 2022 Budget and the 2022-2027 Capital Facilities Plan. Councilmember Mike Poirier seconded the motion. Motion carried (5-0).

**K. Public Works Emergency Response Mutual Aid Agreements**

Utility Planner Darci Mattloda presented the staff report. Council asked questions.

Motion by Councilmember Mike Poirier for City Council to authorize the Mayor to sign the agreements for mutual aid and partner with local agencies in Washington State. Councilmember Keith Huffaker seconded the motion. Motion carried (5-0).

At 6:03 p.m. the Mayor called for a short recess. The meeting resumed at 6:06 p.m.

**6. Public Hearing Items**

The Mayor explained the public hearing process.

**L. Fair Properties LLC Annexation**

Senior Planner Matt Parsons and Community Development Director Glen DeVries presented the staff report and a power point presentation. Council asked questions.

The Mayor asked for public comment.

- David Granatstein, 1620 McKlitricks, Wenatchee, spoke against the annexation. He is happy to be part of the County and does not want to be annexed into the city limits.

With no additional public comment, the Mayor turned this item back to the Council for additional comments and action.

Motion by Councilmember Mark Kulaas for City Council to pass Resolution No. 2022-13 providing for the Notice of Intent to the Chelan County Boundary Review Board to annex certain property to the City of Wenatchee. Councilmember Mike Poirier seconded the motion. Motion carried (5-0).

**M. JAB Investors LLC Annexation**

Senior Planner Matt Parsons and Community Development Director Glen DeVries presented the staff report and a power point presentation. Council asked questions and commented. It was noted that a letter from Chelan County had been received and provided to staff and Council and entered as part of the record.

The Mayor asked for public comment:

- o Chelan County Commissioner Bob Bugert and Chelan County Assistant Public Works Director Josh Patrick highlighted some points from Chelan County Engineer Eric Pierson's letter dated April 12, 2022, and asked for a deeper dialogue with the City for a systematic approach on a broader scale when it comes to annexations in the GMA. They feel that the "fingers" of land being annexed are a disservice to the citizens of Chelan County. The Mayor stated that annexations are accepted by the City through requests from property owners. There is also the ability now for "islands" to be annexed by agreement between cities and counties. Commissioner Bugert added that they need a good coordinated approach and that's what the Boundary Review Board is set up to do. The Mayor agreed there needs to be a discussion on the right thing to do for both the County and the City.

With no additional public comment, the Mayor turned the matter back to the City Council. After discussion the Council agreed that the public hearing should be continued to the next regular meeting on May 12, 2022, so staff can have some additional time to review the letter from Chelan County to address concerns.

*Motion by Councilmember Mark Kulaas to continue the public hearing to the next regular City Council meeting of May 12, 2022. Councilmember Keith Huffaker seconded the motion. Motion carried (5-0).*

**N. 2020 Community Development Block Grant Consolidated Annual Performance and Evaluation Report**

Planning Manager Stephen Neuenschwander and Community Development Director Glen DeVries presented the staff report and a power point presentation. Council asked questions.

The Mayor asked for public comment. There was no one who wished to speak.

He then turned the matter back to the City Council for action.

*Motion by Councilmember Linda Herald for City Council to accept the 2020 Community Development Block Grant Consolidated Annual Performance and Evaluation Report. Councilmember Jose Cuevas seconded the motion. Motion carried (5-0).*

**O. Road Name Change – Renaming the "2<sup>nd</sup> Street Canal Crossing" and the portion of "Second Street" located West of the Wenatchee Reclamation District canal within the Sienna Planned Development Phase I as "Ione Street"**

Public Works Director Rob Jammerman presented the staff report.

The Mayor asked for public comment. There was no one who wished to speak.

He then turned the matter back to the City Council for action.

*Motion by Councilmember Mark Kulaas for City Council to approve Ordinance No. 2022-05, amending the name of the 2<sup>nd</sup> Street Canal Crossing over the Wenatchee Reclamation District canal and the name of Second Street located West of the Wenatchee Reclamation District canal to Lone Street. Councilmember Linda Herald seconded the motion. Motion carried (5-0).*

## 7. Reports

### a. Mayor's Report. The Mayor reported on the following:

1. Efforts continue for the Confluence Parkway project. He asked the Council to be sure to take a look at the video that was recently created, which is a very well-done rendition of what the trail will look like.
2. Finance committee met today.
3. He asked Executive Services Director Laura Merrill for any updates she may have, and she reported that:
  - a. The Public Works Committee is canceled next week.
  - b. The Flywheel Conference is on 5/18/22 and 5/19/22. The City supports Flywheel and the economic development efforts they provide to the region. The city has tickets available if any Councilmember would like to attend. Jenny Rojanasthien and Blake Baldwin from NCW Tech will have a presentation at the next regular Council meeting.
4. The Mayor said he has been in conversations with Doug Rigoni of Coast Hotels and they are interested in extending the agreement with the Convention Center.
5. He also mentioned that negotiations have started for District Court services.

### b. Reports/New Business of Council Committees.

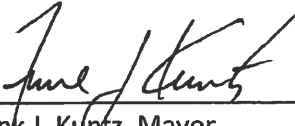
Councilmember Jose Cuevas reported that he will attend the Homeless Housing Task Force meeting next week.

Councilmember Linda Herald reported that she attended the Misawa Sister City Board meeting this past Tuesday. No trips are planned to Misawa this year due to the

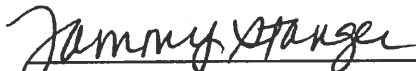
pandemic; however, the Mayor of Misawa and a small city delegation are planning to visit Wenatchee October 1-4. She also reported that the Wings & Wheels Festival is completely changing with a new name and new dates and they are hopeful Misawa will come for that in future years.

**8. Announcements.** The Mayor reminded Council that next Thursday's meeting is a work session and there is also a Public Safety Committee meeting next Thursday.

**9. Adjournment.** With no further business the meeting adjourned at 6:47 p.m.

  
\_\_\_\_\_  
Frank J. Kuntz, Mayor

Attest:

  
\_\_\_\_\_  
Tammy L. Stanger, City Clerk

**RESOLUTION NO. 2022-13**

**A RESOLUTION,** providing for the Notice of Intention to annex certain property to the City of Wenatchee.

**WHEREAS,** a petition to annex the real property hereinafter described was filed with the City Council of the City of Wenatchee, signed by owners representing 60% of the assessed valuation in the area for which annexation is petitioned; and

**WHEREAS,** a review proceeding for said annexation may be required pursuant to RCW 35A.14.220; and

**WHEREAS,** the information required in a Notice of Intention as provided for in RCW 36.93.130 is as follows:

**Fair Properties LLC Annexation**

- (1) Annexation of five parcels into the city of Wenatchee;
- (2) The applicant submitted a 10% petition for their property at 1697 N Western Ave so a new structure they hope to build in the future can connect to sewer. The city council expanded the boundary to include 4 additional parcels, 2 of which had signed annexation agreements when they connected to sewer;
- (3) See Exhibit "A" attached hereto; and
- (4) See Exhibit "B" attached hereto;

and

**WHEREAS,** City Council of the City of Wenatchee considered all factors relative to the proposed annexation,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE RESOLVE** as follows:

## SECTION I

That, upon completion of the Chelan County Boundary Review Board process pursuant to Chapter 36.93 RCW, the following described real property located in Chelan County, Washington, contiguous to the City of Wenatchee, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth;

and each and every part thereof will be annexed to the City of Wenatchee, State of Washington; and that the corporate limits of the City of Wenatchee will be extended so as to include the property and territory hereinbefore fully described.

## SECTION II

This Resolution shall take effect immediately.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE**, at a regular meeting thereof, this 14<sup>th</sup> day of April, 2022.

CITY OF WENATCHEE, a Municipal Corporation

By: Frank J. Kuntz  
FRANK J. KUNTZ, Mayor

ATTEST:

By: Tammy Stanger  
TAMMY STANGER, City Clerk

I certify that this is a true and correct copy of Resolution No. 2022-13 approved by the Wenatchee City Council on 4/14/2022.

Dated this 15th day of April, 2022.

Tammy Stanger  
Tammy Stanger, City Clerk

APPROVED:

By: Steve D. Smith  
STEVE D. SMITH, City Attorney



## **EXHIBIT A**

### **Boundary Description of Real Property to be Annexed into the City of Wenatchee, WA January 22, 2022**

#### **- FAIR PROPERTIES LLC ANNEXATION -**

Lots, parcels of land, and street right of way located within a portion of the southwest quarter of the northwest quarter of Section 33, Township 23 North, Range 20 East of the Willamette Meridian, Chelan County, Washington, the combined perimeter boundary of said lots, parcels, and street being more particularly described as follows:

Commencing at the TRUE POINT OF BEGINNING, said point being the southwest corner of Lot 4, Chelan County Short Plat Number 1180, recorded January 23, 1985, in Book 2 of Short Plats, at page 70, record of said County, being the point of intersection of the North right of way line of McKittlok Street and the East right of way line of North Western Avenue and being also a point on the East line of Annexation Ordinance Number 2003-30, recorded October 31, 2003, under Auditor's File Number 2159538, records of said County;

thence northerly along said East line to the southwest corner of Lot 1, said Short Plat, being also the northeast corner of said Ordinance and an angle point corner of Annexation Ordinance Number 2689, recorded November 2, 1987, in Book 884 of Deeds, at pages 2178-2188, records of said County;

thence northerly along the East right of way line of said North Western Avenue and the East line of said Ordinance Number 2689 to the northwest corner of said Lot 1;

thence easterly to the northeast corner of said Lot 1;

thence southerly to the southeast corner of said Lot; thence easterly to the northeast corner of Lot 3, said Short Plat;

thence southerly along the East line of said Lot 3 to the northwest corner of Parcel B, Boundary Line Adjustment Number 2003-009, recorded February 5, 2003, under Auditor's File Number 2135487, records of said County;

thence easterly to the northeast corner of said Parcel B, being also the northwest corner of Lot A, Boundary Line Adjustment Number 2002-101, recorded October 28, 2002, under Auditor's File Number 2128042, records of said County;

thence easterly to the northeast corner of said Lot A, being also an angle point corner of the West line of that parcel of land conveyed to David Granatstein and Elizabeth Kirby by Deed recorded April 26, 1993, in Book 992 of Deeds, at page 948;

thence northeasterly along the northwesterly line of said parcel to the northwest corner thereof;

(Fair Properties LLC Annexation Boundary Description continued)

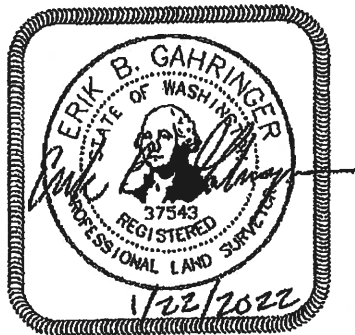
thence easterly to the northeast corner of said parcel, being also the northwest corner of a parcel of land conveyed to Ryan and Kaitlynn Harmon by Deed recorded March 15, 2019, under Auditor's File Number 2493212, records of said County;

thence easterly to the northeast corner of said Parcel, said corner being also a point on the East line of the northwest quarter of the southwest quarter of the northwest quarter of said Section 33;

thence southerly along said East line to a point of intersection with the North right of way line of said McKittrick Street;

thence westerly and southwesterly along the North and northwesterly right of way line of said McKittrick Street, being also the northerly line of Annexation Ordinance Number 2015-37, recorded December 21, 2015, under Auditor's File Number 2430124, records of said County, to the TRUE POINT OF BEGINNING.

Prepared By: Erik B. Gahringer, PLS  
Date: January 22, 2022

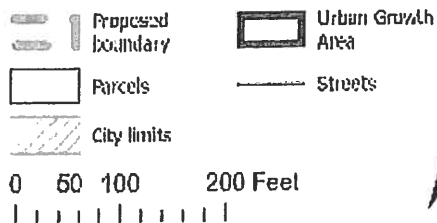


48° North  
Professional Land Surveying & Land Use Consulting  
P.O. Box 4266  
Wenatchee, WA 98807-4266  
Phone: (509) 436-1640

# Exhibit B Fair Properties LLC Annexation Notice of Intention



## Legend



Acres In Proposed Boundary: 5.17  
Parcel numbers for lots in  
proposed area:  
232033230150  
232033230850  
232033230800  
232033230750  
232033230700

Exhibit E - Not Applicable to this Proposal  
Fair Properties LLC Annexation  
Notice of Intention to the Washington State Boundary Review Board for Chelan County

Exhibit F  
Fair Properties LLC Annexation  
Notice of Intention to the Washington State Boundary Review Board for Chelan County

Interlocal agreements are available for download from the City of Wenatchee's Document Center at the following address: <https://wenatcheewa.civicweb.net/filepro/documents/3567/>

## MEMORANDUM OF UNDERSTANDING

The purpose of this Memorandum of Understanding (MOU) is to set forth the agreement between Chelan County and the Cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat on adoption and implementation of the unincorporated Urban Growth Area land use regulations and development standards. Land use regulations shall include zoning code, subdivision code, shoreline master program, State Environmental Policy Act and regulatory reform regulations. Development standards shall mean all regulations that pertain to the design criteria and infrastructure for a development proposal.

WHEREAS, Chelan County and its cities will provide comprehensive plans that provide consistency regarding future development within the cities Urban Growth Areas, and;

WHEREAS, the Washington State Growth Management Act requires Chelan County and its cities to enact land use regulations and development standards consistent with their comprehensive plan, and;

WHEREAS Chelan County and the Cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat will each adopt development standards intended to implement the comprehensive plans that are applicable to their respective cities and Urban Growth Area, and;

WHEREAS, Chelan County and the Cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat find that the adoption of such standards by the County will contribute to the achievement of the long term objectives that each city has for the development of its Urban Growth Area, and;

WHEREAS, implementation of this MOU satisfies Policy #2 and #6 of the County Wide Planning Policies;

NOW, THEREFORE, Chelan County and the Cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat do hereby agree:

SECTION 1: Chelan County will adopt each city's land use regulations, development standards and land use designations for that city's Urban Growth Area. Where the cities review procedures for implementing land use regulations and development standards within the unincorporated urban growth areas conflict with Chelan County's review procedures, the County's procedures shall control.

SECTION 2: Chelan County agrees to notify the cities of any and all land use development applications within the unincorporated urban growth area (i.e.: building permits, variances, shoreline permits, etc.) and allow the cities to provide comments regarding the proposals at least fifteen (15) days prior to final approval or public hearing.

SECTION 3: Chelan County will implement each city's water, sanitary and storm sewer requirements for any land use development within the city's Urban Growth Area.

SECTION 4: Chelan County will implement each city's street, street lighting, curb, gutter and sidewalk design standards within the cities unincorporated urban growth areas. It is intended that civil engineering plan review and inspections for streets and utilities related to *private* development projects will be conducted by each city's staff under the direction of each city's engineer or public works director in consultation with the County Engineer. The cities may charge plan review fees as necessary to cover the cost of providing these services.

SECTION 5: The Cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat agree to provide on-going technical and professional support to county staff responsible for implementing the land use regulations and development standards within the cities Urban Growth Areas.

SECTION 6: The Cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat agree that the land use regulations and development standards adopted in reliance upon this agreement are the complete requirements for developments within the Urban Growth Areas as they exist now or as amended. The cities will not impose any additional physical development requirements as a condition of utility connection approval.

SECTION 7: Chelan County shall be responsible for enforcing all land use and development violations within the unincorporated Urban Growth Areas.

SECTION 8: Each city is required to provide Chelan County copies of their land use regulations, development standards and land use designations that are applicable to development within the Urban Growth Area. Chelan County shall have the option of adopting these codes into their format or adoption by reference.

SECTION 9: Chelan County and the cities of Wenatchee, Chelan, Cashmere, Leavenworth and Entiat agree to develop a process for the joint consideration and adoption of future code amendments affecting the Urban Growth Areas. The parties further agree to establish a process for resolving disagreements over implementation of this Agreement.

SECTION 10: Upon execution of this MOU, Chelan County agrees to abolish the County Boundary Review Board since annexations can only occur within Urban Growth Areas.

AGREED TO THIS 8<sup>th</sup> day of July, 1997.

ATTEST: Evelyn L. Arnold,  
Auditor, Clerk of  
the Board

By: Kathleen Wood  
Deputy Auditor/Clerk of  
the Board

Date: 7-8-97

Earl L. Marcellus  
Earl L. Marcellus, Chairman  
Board of Chelan County Commissioners

Jim C. Lynch  
Jim C. Lynch, Commissioner  
Board of Chelan County Commissioners

Esther Stefaniw  
Esther Stefaniw, Commissioner  
Board of Chelan County Commissioners

John Hunter  
John Hunter, Mayor  
City of Cashmere

Ron Sloan  
Ron Sloan, Mayor  
City of Chelan

Juanita Allen  
Juanita Allen, Mayor  
City of Entiat

William Luebke  
William Luebke, Mayor  
City of Leavenworth

Earl Tilly  
Earl Tilly, Mayor  
City of Wenatchee





DAVID E GRIFFITHS  
CHELAN COUNTY TREASURER

PO BOX 1441  
WENATCHEE, WA 98807-1441

Phone: (509) 667-6405 Fax: (509) 667-6488  
WWW.CO.CHELAN.WA.US/TREASURER

**Paid By:** FAIR PROPERTIES

**RECEIPT NUMBER**

1517378

**DATE**

5/11/2022

Account Description	Account	Amount	Comment
BRB REVENUE PETITION OR NOTICE FEE	010.017.36991.00.000	50.00	
<b>Total</b>		<b>50.00</b>	

**Payment Type:** Payment

Check 12602

50.00

**Payment Code:** Full Payment

**Total Paid:**

**50.00**

Operator	Batch
<THERESAP>	<17027> - ACCTG 5/11/2022



For Property Tax Information, please visit our website at: [WWW.CO.CHELAN.WA.US/TREASURER](http://WWW.CO.CHELAN.WA.US/TREASURER)

