



## CHELAN COUNTY PROSECUTING ATTORNEY

**ROBERT W. SEALBY**

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### CRIMINAL DEPUTIES

Ryan S. Valaas, Chief Deputy  
Allen F. Blackmon  
Lee O'Brien  
Julia E. Hartnell  
Clayton J. Graef  
Michael H. Munneke  
Colin F. DeBruhl  
Micaela R. Meadows

### CIVIL DEPUTIES

Susan E. Hinkle, Chief Deputy  
Marcus S. Foster  
Kammeron N. Todd

### CHILD SUPPORT DEPUTY

Kasey J. Edgar

MAIN OFFICE / FELONY DIVISION.....(509) 667-6202  
MAIN OFFICE FAX.....(509) 667-6490  
DISTRICT COURT DIVISION .....(509) 667-6271  
JUVENILE COURT DIVISION .....(509) 667-6453  
DISTRICT COURT/ JUV DIVISION FAX.....(509) 667-6476  
CIVIL DIVISION.....(509) 667-6330  
CIVIL DIVISION FAX.....(509) 667-6511  
CHILD SUPPORT DIVISION .....(509) 667-6200  
CHILD SUPPORT DIVISION FAX.....(509) 667-6525

July 8, 2022

*Via Hand Delivery*

Clerk of the Board  
Washington State Boundary Review  
Board for Chelan County  
c/o Chelan County Auditor  
Elections Division  
350 Orondo Ave., Suite 306  
Wenatchee, WA 98801

Re: Boundary Review Board File # 2022-003  
City of Wenatchee *Notice of Intention* for the proposed annexation commonly  
known as JAB Investors LLC Annexation

Dear Clerk:

Please find enclosed with this letter:

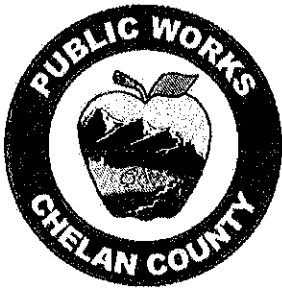
- 1) The signed request to invoke Boundary Review Board jurisdiction previously emailed to the Board on June 17, 2022 in reference to BRB File No. 2022-003.
- 2) Copy of the Treasurer's office receipt for payment of the BRB Petition for Review Fee.
- 3) Letter dated April 12, 2022 and prepared by Eric Pierson, PE that was submitted to the Wenatchee City Council regarding County concerns with the proposed annexation.

We appreciate the Board setting this matter for hearing and review. Additional materials will be submitted to the Board prior to the August 24, 2022 hearing date.

Sincerely,

Kammeron N. Todd  
Deputy Prosecuting Attorney





# CHELAN COUNTY

DEPARTMENT OF PUBLIC WORKS  
316 WASHINGTON STREET  
SUITE 402  
WENATCHEE, WASHINGTON 98801  
TELEPHONE 509/667-6415

ERIC P. PIERSON, PE  
DIRECTOR/COUNTY ENGINEER

June 17, 2022

*Via Email*

Clerk of the Board  
Washington State Boundary Review  
Board for Chelan County  
[BRB.Clerk@CO.CHELAN.WA.US](mailto:BRB.Clerk@CO.CHELAN.WA.US)

Re: City of Wenatchee File No. 2022-02-WE  
JAB Investors LLC Annexation Notice of Intention

Dear Clerk:

Based on the materials provided in the packet regarding the above-referenced action, Chelan County Public Works, as an affected governmental unit, hereby requests a review be undertaken by the Boundary Review Board pursuant to RCW 36.93.100.

Thank you for your consideration.

Sincerely,

Eric P. Pierson, PE  
*Director of Chelan County Public Works &  
County Engineer*



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: ERIC PIERSON CC ENGINEER

RECEIPT NUMBER

1521188

DATE

6/27/2022

Account Description	Account	Amount	Comment
BRB REVENUE PETITION OR NOTICE FEE	010.017.36991.00.000	200.00	
Total		200.00	

Payment Type:	Payment	Cash	200.00
Payment Code:	Full Payment	Total Paid:	200.00

Operator	Batch
<BONNIES>	<17215> - ACCTG 06/27/2022

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



# CHELAN COUNTY

DEPARTMENT OF PUBLIC WORKS  
316 WASHINGTON STREET  
SUITE 402  
WENATCHEE, WASHINGTON 98801  
TELEPHONE 509/667-6415

ERIC P. PIERSON, PE  
DIRECTOR/COUNTY ENGINEER

April 12, 2022

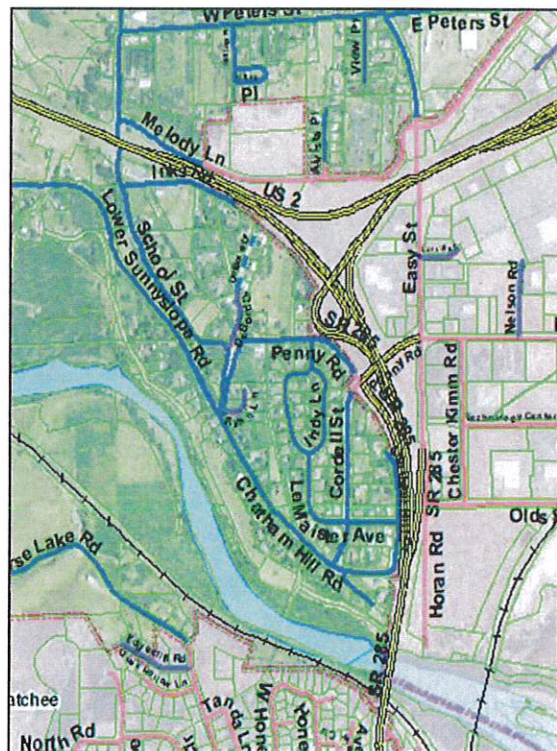
Wenatchee City Council  
P.O. Box 519  
Wenatchee, WA 98807-0519  
Via email: [cityclerk@wenatcheewa.gov](mailto:cityclerk@wenatcheewa.gov)

## Re: 2022-02-WE, JAB Investors, LLC Proposed Annexation

Dear City of Wenatchee Council Members:

On behalf of Chelan County Public Works Department (CCPW), these comments are being submitted for consideration in the matter of 2022-02-WE JAB Investors, LLC Proposed Annexation. As we are all aware, development into North Wenatchee and the Sunnyslope area is increasing. Although the City and County have been working together, the strategy for growth and development in Sunnyslope is still fluid. With that in mind, CCPW has a number of concerns related to public works and infrastructure that make the proposed annexation inadvisable. CCPW appreciates the Council's consideration of these factors and respectfully asks that you disapprove the JAB Annexation, as proposed.

Currently, the Sunnyslope/City boundary is a fingerlike extension from the more consistent Ohme Garden Road boundary. **Fig. 1.** This elongated boundary currently creates some overlap in services and responsibilities. For example, there are currently "islands" within the city limits where there is a patch of County. See, **Fig. 2.** This interrupts efficient service and is confusing or frustrating to property owners.



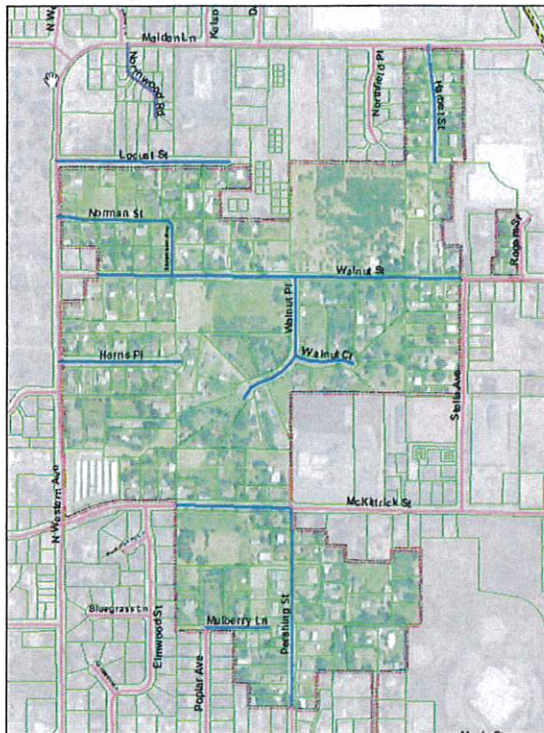
**Fig. 1.** Extending the "finger" of City property along Melody Ln creates inefficient overlapping services and jurisdictions resulting in more confusion for property owners, rather than less.



The County and City public works departments strive for coordination and cooperation, but whenever there is an opportunity to simplify governing jurisdiction and service responsibilities it benefits the public.

We are better able to efficiently provide services, make maintenance and construction plans, and address public concerns or emergencies when the complexity of the City/County boundary is reduced. It is easier for the general public to identify and contact the appropriate authority when a boundary is consistent and logical, or has an obvious line of demarcation. Recognizing that this is not always possible, we hope that the benefits and disadvantages presented herein, will be taken into consideration whenever possible.

As it relates to the matter at hand, the more general considerations discussed above are specifically applicable to the proposed JAB Investors LLC Annexation, as discussed below.



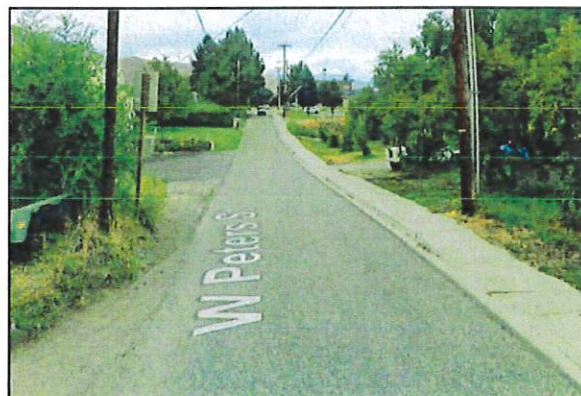
**Fig. 2.** Large "Island" of County in the middle of the City. City boundary and roads in pink. County roads in blue.

#### **1. Access and traffic flow.**

Based on the December 9, 2021 Council meeting discussion, the 10% annexation petition proposal included the identified parcels, but not the Melody Lane right of way (which is contiguous to existing City right of way). City staff amended the proposal to include that portion of Melody Lane adjacent to the proposed annexation. CCPW agrees with City Staff's change that aligns the jurisdiction of the property with the jurisdiction of the roadway and access.

However, only the parcels to the South of the JAB Investors LLC property appear to have access onto Melody Lane via that portion of right-of-way included in the annexation proposal. Due to the topography and adjacent properties, the JAB property appears to abut W. Peters Street to the North and Hilltop Place to the East. Our issues and concerns for access and traffic flow apply to both of these accesses.

The current proposal accommodates access to the city right of way for the southern properties, but does not do the same for the property to the North. Due to the positioning and access of the JAB Investors parcel, the proposed annexation creates a number of issues specific to the JAB parcel, that don't apply to the southern Blair, Cooper, and Grace City Church properties. The proposed annexation essentially



W. Peters Street in front of the JAB property. Looking West toward School Street.

creates two classes of property for purposes of analyzing the costs and benefits of the proposed annexation as a whole.

The JAB property access on W. Peters Street significantly complicates development permitting if it is annexed. The owner would be required to satisfy both City and County requirements pertaining to any development of the parcel for purposes of access, traffic impacts, road improvements, etc.

The County roadways that would serve the property are narrow and have very limited rights of way to allow for widening or other improvements. (Peters St. intersects with School Street and Easy Street. See Fig. 4, appended to this letter.)

The limiting factors of the county roads will impact any potential development of the JAB parcel regardless of the annexation. The annexation simply creates overlap of jurisdiction over the development, as opposed to keeping it in "one house" to reduce the time, energy, and resources of the developers and County and City staff. Additionally, it creates the potential for conflicting permit conditions in direct conflict with the GMA. This result is entirely different from the effect annexation would have on developing the Blair, Cooper, and Grace City properties, as they would only have to permit with the City.

Furthermore, the traffic increase in this area from development and the nearby school has already impacted travel on the local roads necessitating planning and construction of major projects at School Street, Easy Street and Knowles Road. County road projects are intended to make improvements that address current and future transportation needs. However, funding for such projects can be irregular and relies, in part, on the property tax of the serviced properties.

Annexation of any property without also coordinating annexation of the infrastructure and service responsibility severs the tax base from those services it ought to contribute to.

Disapproval of the proposed annexation would keep all permitting solely with the County avoiding confusion to the applicant, conflicting requirements, and allowing the owner to work with one entity. It would also keep properties serviced by one jurisdiction within the tax base and regulated by that jurisdiction.

## **2. Services**

Both the City and the County have an interest in municipal boundaries that enable us to provide quality service to the public consistently and cost effectively.

To our knowledge, the proposed annexation area is not currently served by any Wenatchee services. While the property will not be a true "island" given the adjoining property to the south, but from a transportation and services perspective it is. City services seem much more likely to extend to the JAB Property from the Northeast of the property rather than crossing the private property of the southern parcels, if, or when an extension occurs.

The annexation as proposed creates a “service gap” between Ohme Garden Road and the annexed property. Due to the location and circular direction the proposed annexation creates, it does not provide for a community approach to governance and services that would better inform the County and City as to the wants and needs of the area between Ohme Garden Road or Easy Street and the proposed annexation or School Street. CCPW would encourage a more deliberate approach that takes into consideration logical boundaries, rather than the patchwork the JAB Investors LLC proposed annexation would create.

In conclusion, CCPW believes that the proposed annexation is contrary to the goals and directives of the GMA by complicating development and permitting. The annexation does not improve services to these parcels, nor does it streamline governance. There was no discussion at the December 9, 2021 Council meeting about why the proposed annexation is advantageous or desirable to the property owners, but it is clear there are a number of disadvantages. CCPW opposes the proposed annexation. The CCPW, as an affected government unit, would likely seek review by the Boundary Review Board if the annexation as proposed, is approved.

I apologize for not being able to attend this meeting in person in order to further discuss these concerns, or answer questions. Should the Council desire any additional information, please don’t hesitate to contact me.

Respectfully,



Eric Pierson PE  
Director/County Engineer



Fig. 4. View of County and City Roadways  
in Relation to the JAB Investors LLC Property  
(County roadways appear in BLUE, City roadways and limits appear in PINK)

