

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Agenda Item Type: Resolution	Agenda Bill Number & Ordinance/Resolution/Motion Number: AB24-77/R24-77	
Department/Division Submitting: Public Services	Presenter: Jason Sullivan	City Strategic Goal Category: DON'T FILL OUT YET

Agenda Subject: City Utility Property Surplus (Peak410).

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Declaring A Portion Of Tax Parcel 0519021071 Surplus And Authorizing The Transfer Of Such Portion Of Property In Accordance With Bonney Lake Municipal Code Section 2.70.100.

Administrative Recommendation: Approve

Short Background Summary (Use a memo to write a full history): Tax parcel 0519021071 was acquired by the City to support its water, stormwater, and sewer utilities. Under the Peak410 Project, the Developer has committed to constructing a Decant Facility for the City on this property to enhance support for these utilities. As part of the Decant Facility construction, the stormwater pond located on tax parcel 0519025043 to the west, owned by Compass RLC LLC, requires enlargement. Additionally, the Developer has agreed to provide perpetual stormwater detention for the City's Decant Facility. The surplus property is earmarked for expanding the stormwater pond on tax parcel 0519025043.

Attachments: Resolution R24-77, Public Hearing Notice, And Newspaper Proof.

BUDGET INFORMATION			
Budgeted Amount	Current Balance	Expenditure Amount Needed	Budgeted Balance Difference
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW					
Public Hearing Date:		Name Of Committee/Commission Public Hearing Was Done At:			
Date & Name Of Committee/ Commission Meeting	Return To Committee/ Commission/Board	Council Workshop Discussion	Consent Agenda	Council Full Issues	Chair's Signature For Approval Of Next Steps
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Date: Name:	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	
Hearing Examiner Review:					

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s): 7/23/2024
Meeting Date(s): 6/25/2024 And 8/13/2024	Tabled To:

APPROVALS		
Department Director: Jason Sullivan	Mayor: Terry Carter	Date Reviewed By City Attorney (if applicable):

RESOLUTION NO. 3229

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, DECLARING A PORTION OF TAX PARCEL 0519021071 SURPLUS AND AUTHORIZING THE TRANSFER OF SUCH PORTION OF PROPERTY IN ACCORDANCE WITH BONNEY LAKE MUNICIPAL CODE SECTION 2.70.100.

WHEREAS, tax parcel 0519021071 was acquired by the City to support the operations of its water, stormwater, and sewer utilities; and

WHEREAS, the westerly 100 feet of tax parcel 0519021071, comprising approximately 19,265 square feet as delineated in Exhibit “A” attached hereto, has been deemed surplus to the City’s ongoing needs; and

WHEREAS, under the Peak410 Project, the Developer has committed to constructing a Decant Facility for the City of Bonney Lake on the remaining portion of Tax Parcel 0519021071 to further support the City’s utilities; and

WHEREAS, the stormwater pond located on tax parcel 0519025043 to the west, owned by Compass RLC LLC, requires enlargement due to reduced stormwater capacity in Tract A's pond, as per the Developer's obligation to provide perpetual stormwater detention for the City's Decant Facility; and

WHEREAS, the surplus property is proposed to be utilized for enlarging the stormwater pond on tax parcel 0519025043; and

WHEREAS, the public hearing date was regarding the City intent to surplus said property was set by Resolution 3218 as required by BLMC 2.70.100; and

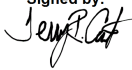
WHEREAS, in accordance with RCW 35.94.040 and BLMC 2.70.100D, a duly noticed public hearing regarding the proposed surplus and transfer of said property was held on July 23, 2024.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Bonney Lake does hereby resolves as follows:

1. The described portion of property listed in Exhibit “A”, attached hereto and incorporated herein as if fully set forth, are hereby declared surplus to the City’s continuing needs and are not required for public service; and
2. The Developer's construction of a stormwater facility and acceptance of the City’s stormwater in perpetuity is adequate and fair consideration for the surplus property; and

3. The Mayor or designee is authorized to sign the Boundary Line Adjustment on behalf of the City transferring the westerly 100 feet of tax parcel 0519021071 containing approximately 19,265 square feet to Compass RLC LLC.

PASSED by the City Council this 13th day of August 2024

Signed by:


339AD7C13E9E492

Terry Carter, Mayor

AUTHENTICATED:

DocuSigned by:



975A05C52D794C6

Sadie A. Schaneman, CMC, City Clerk

EXHIBIT A

Decant Property (PART)

Parcel Number: 0519021071

Address: 22218 96th Street East

Surplus Portion Acreage/Square Footage: 19,265 square feet

Surplus Portion Assessed Valuation \$116,441

That portion of Section 02 Township 19 Range 05 Quarter 12 DESCRIBED AS THE WESTERLY 100 FEET OF PARCEL B OF BLA 2021-04-13-5001.





NOTICE OF PUBLIC HEARINGS and REVISED DETERMINATION OF NONSIGNIFICANCE (DNS)

The public has the right to review the contents of the official file for the proposal, provide written comments, participate in the public hearings/meetings, and request a copy of the final decision. The most current application materials are available for public review by [clicking on the link next to the file number\(s\) provided in this notice](#), or by requesting a link from the staff contact listed in this notice.

Notice Date:	7/3/2024	Comment Due Date:	7/18/2024 (SEPA) 7/23/2024 (Public Hearing)
Project:	<p>The proposed Peak410 Business Park (PFTBP) will include the construction of nine (9) buildings totaling approximately 1,002,815 sq. ft. of light industrial, manufacturing, warehouse / distribution, retail and office uses on a 64acre site on the north and south sides of State Route (SR) 410 East. This is an increase of approximately 152,815 sq. ft. of floor area and 14 acres from the original proposal. In addition to the onsite building construction, the project includes several onsite and offsite utility and roadway improvements.</p> <p>This proposal includes:</p> <ul style="list-style-type: none"> • City-initiated vacation of approximately 11,991 sq. ft. of right-of-way at the northeast corner of the intersection of SR 410 E and 225th Ave E (Resolution No. 3218); • Proposed surplus of an existing City stormwater easement on Tax Parcel No. (TPN) 051902-5044 and existing City sanitary sewer easement on TPNs 051902-5041, -5042, and -5050; and • An amendment to the original Peak 410 Development Agreement (Pierce County Auditor’s File No. (AFN) 202212080022). 		
Project Name:	Peak410 Business Park Development Agreement Amendment		
Location:	<p>The properties are generally located along State Route (SR) 410 E between bounded by 220th Ave E to the west, 230th Ave E to the east, 96th St E to the north, and 100th St E to the south.</p> <p>On-Site: 22212, 22309, and 22320 State Route (SR) 410 E; 22503 97th St E; XXX 99th St Ct E; 9619, 9625, 9701, 9705, and 9906 229th Ave E; and XXX 225th Ave Ct E.</p> <p>Off-Site: 22919, 23015, and 23021 SR 410 E; and 9804 233rd Ave E</p>		
Tax Parcel(s):	<p>On-Site: 051902-1001 (Pierce County), -1011, -1012, -5041, -5042, -5043, -5044, -5045, -5046, -5047, -5048, -5049, -5050, -5051, -1068, -1069, -1071, -6001, -6002, -6003, and -6032</p>		

	Off-Site: 051902-1044 and -6004; 051901-2016 and -2036
Environmental Review:	NOTICE IS HEREBY GIVEN that a Revised Determination of Non-Significance (DNS) was issued on July 3, 2024, under WAC 197-11-340. All comments are welcomed and will be accepted prior to 5:00PM on July 18, 2024 . The responsible official may reconsider or withdraw the DNS based on new information or possible impacts discovered during the comment period. This determination may also be appealed to the City of Bonney Lake Hearing Examiner per the procedures in BLMC 16.02.100 and 14.120.020. A complete appeal application and fee shall be received by the Public Services Department prior to the close of business fifteen (15) days from the end of the comment period (August 8, 2024). A final decision will not be made on this proposal until after August 12, 2024 .
Public Hearing:	<p>NOTICE IS HEREBY FURTHER GIVEN that the City of Bonney Lake City Council will convene three related Public Hearings at 6:00 p.m. on 7/23/2024 or soon thereafter in the City Council Chambers at the Bonney Lake Justice and Municipal Building, 9002 Main Street E., Bonney Lake, Washington to receive public testimony on the following:</p> <p>Public Hearing 1: City-Initiated Vacation of Existing Rights-of-Way and Easements (Proposed Ordinance D24-78).</p> <p>Public Hearing 2: Surplus and Conveyance of Utility Property (Proposed Resolution R24-77)</p> <p>Public Hearing 3: First Amendment To The Peak410 Business Park Development Agreement (Proposed Resolution R24-51)</p> <p>The public can call in to the City Council Meeting at: 323-792-6234 (Meeting ID: 108 592 120#) or participate virtually using the link available on the Bonney Lake City Council Meetings webpage: https://www.ci.bonney-lake.wa.us/government/departments/administrative_services/city_clerks_office/city_council_meeting.</p>
Public Comment:	The public has the right to review the draft ordinance, provide written comments, participate in the public hearings/meetings, and request a copy of the final decision. Written comments will be accepted if filed with the Public Services Department at 21719 96th Street E., Buckley, WA 98321, if filed on or before 5:00 p.m. on July 23, 2024 .
Applications:	PLN-2023-02893 Development Agreement Amendment; PLN-2024-02910 SEPA Revision: https://bonneylake.box.com/s/02g0orqqnpua5hu3a63rneqdiuefdl1j
Staff Contact:	Jason Sullivan, Interim Public Services Director, Email: sullivanj@cobl.us Phone: (253) 447-4355
Documentation Available:	Draft Development Agreement Amendment, Revised Site Plans, Right-of-Way Vacation and Easement Surplus Exhibits, Revised Phasing Plan, Revised SEPA Checklist, Traffic Impact Analysis, Wetland Memos

Classified Proof

Client	3100013000 - City of Bonney Lake- LEGAL ADS	Phone	(253) 862-8602		
Address	9002 Main St E, Suite 300	E-Mail	powers-hubbarda@ci.bonney-lake.wa.us		
	Bonney Lake, WA, 98391	Fax			
Order#	998864	Requested By	AMANDA POWERS HUBBARD	Order Price	\$134.42
Classification	3030 - Legal Notices	PO #	PROP RES R24-77	Tax 1	\$0.00
Start Date	07/10/2024	Created By	0917	Tax 2	\$0.00
End Date	07/17/2024	Creation Date	07/02/2024, 02:45:34 pm	Total Net	\$134.42
Run Dates	2			Payment	\$0.00
Publication(s)	Enumclaw Courier Herald				
Sales Rep	9470 - Jennifer Tribbett	Phone	(360) 802-8212		
		E-Mail	jtribbett@courierherald.com		
		Fax			

**NOTICE OF PUBLIC
HEARING
Surplus and Sale of
Utility Property
Proposed Resolution
R24-77**

The City Council of the City of Bonney Lake will hold a Public Hearing during the regular meeting of July 03, 2024, at 6:00 p.m., or as soon thereafter as possible, to consider the surplus and sale of utility real property, specifically an existing City stormwater easement on Tax Parcel No. (TPN) 051902-5044 and an existing City sanitary sewer easement on TPNs 051902-5041, -5042, and -5050 (Proposed Resolution R24-77). As authorized by Bonney Lake Municipal Code (BLMC) 2.70.100.E, the applicant for the Peak 410 Business Park proposes to dedicate replacement easements in-lieu of payment.

All members of the public may provide testimony during the public hearing or they may submit written comments prior to the public hearing. The City Council meets at Bonney Lake Justice & Municipal Center located at 9002 Main Street East, Bonney Lake, WA 98391. Written comments may be submitted to the City Clerk at 9002 Main Street E, Suite 300, Bonney Lake, WA 98391.

For citizens with disabilities who are requesting translators or adaptive equipment for communication purposes, the City requests notification as soon as possible as to the type of

service or equipment
needed.
ECH998864
7/10/24, 7/17/24