

RESOLUTION NO. 3249

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING A FIVE-YEAR EXTENSION OF THE WSU FOREST DEVELOPMENT AGREEMENT AS IT RELATES TO PROPERTIES OWNED BY VWA-BONNEY LAKE, LLC.

WHEREAS, on December 22, 2009 the City, Weyerhaeuser, Washington State University entered into the *WSU Development Agreement*; herein after, the Agreement, to guide the development of the former WSU Demonstration Forest, which will expire on December 31, 2024; and

WHEREAS, in 2017 VWA-Bonney Lake, LLC purchased approximately 40% of the property identified to be developed with commercial and retail uses; and

WHEREAS, VWA-Bonney Lake, LLC has developed most of the properties since the purchase, but still owns three vacant lots; and

WHEREAS, on September 17, 2024 VWA-Bonney Lake, LLC submitted a request to extend the Agreement to provide time to develop these three remaining lots under the terms of the Agreement; and

WHEREAS, Section 12.3 of the Agreement provides that the City Council can grant a one-time extension to extend the Agreement for an additional five (5) years; and

WHEREAS Section 12.3 of the Agreement provides further that the City Council may modify the agreement;

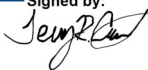
NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:


Section 1: Extension Granted. The City Council of Bonney Lake grants an five-year extension of the of the *WSU Development Agreement* as it relates only to the properties own by VWA-Bonney as of the date of this Resolution. The new termination date of the *WSU Development Agreement* is now December 31, 2029.

Section 2: Self-Storage Facilities Prohibited. As a condition of extending the Agreement for an additional five-year period, self-storage facilities and mini-warehouses (NAICS 531130) shall not be an allowed use on the properties subject to this extension.

PASSED BY THE CITY COUNCIL this 12th day of November 2024.

AUTHENTICATED:

Signed by:

339A07C13E9E292
Terry Carter, Mayor

DocuSigned by:

975A05G52D794G6...
Sadie A. Schaneman, CMC, City Clerk

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

| | | |
|---|---|---|
| Agenda Item Type: Resolution | Agenda Bill Number & Ordinance/Resolution/Motion Number: AB24-113/Resolution 24-113 | |
| Department/Division Submitting: Public Services | Presenter: Jason Sullivan | City Strategic Goal Category: DON'T FILL OUT YET |

Agenda Subject: WSU Forest Development Agreement Extension – VWA Bonney Lake LLC.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Five-Year Extension Of The WSU Forest Development Agreement As It Relates To Properties Owned By VWA-Bonney Lake, LLC.

Administrative Recommendation: Approve.

Short Background Summary (Use a memo to write a full history): On December 22, 2009, The City Entered Into The WSU Development Agreement, Scheduled To Expire On December 31, 2024. VWA-Bonney Lake, LLC Purchased Approximately 40% Of The Commercial Property That Was Subject To Development Agreement In 2017. While Most Of The Area Has Been Developed, They Still Own Three Vacant Lots. They Have Requested A Five-Year Extension Of The Development Agreement To Give Them Time To Develop These Three Remaining Lots Under The Terms Of The Existing Development Agreement. As Discussed At The November 5th City Council Workshop, A Provisions Has Been Added To The Extension To Prohibited The Development Of Self-Storage Facilities On The Lots Owned By VWA-Bonney Lake LLC.

Attachments: Resolution R24-113, VWA-Bonney Lake Extension Request, And Property Map.

| 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): November 5, 2024 | Public Hearing Date(s): |
| Meeting Date(s): November 12, 2024 | Tabled To: |

| APPROVALS | | |
|--|--------------------------------------|--|
| Department Director: <i>Jason Sullivan</i> | Mayor: <i>Terry Carter</i> | Date Reviewed By City Attorney (if applicable): |

WSU Development Agreement Extension Narrative

Property Owner and Applicant:

VWA-Bonney Lake, LLC

Contact:

Shawn Jurisch, VWA-Bonney Lake, LLC

Location

Lot 3, 7 and 8 of the City of Bonney Lake Short Plat Alteration No. PLN-2021-02620 as recorded under Recording No. 202110045001, records of Pierce County, Washington

Tax Number 0519036062 is addressed as 20502 98th ST E

Tax Number 0519036071 is addressed as 9907 205th Ave. E

Tax Number 0519036072 is addressed as 9903 205th Ave. E

Description of Proposal

The parcels noted above are subject to the WSU Development Agreement (Resolution No. 1991 passed by City Council on December 22, 2009) recorded under 201001110833 along with the following subsequent amendments:

- First Amendment to Development Agreement (Resolution 2410) recorded under 201409250679
- Second Amendment to Development Agreement (Resolution 2552) recorded under 201611280252
- Third Amendment to Development Agreement recorded under 201702210853

Pursuant to section 12.3, the Development Agreement will terminate 15 years from the effective date. However, section 12.3 goes on to state that the City Council may grant a one-time extension of up to 5 additional years. As VWA-Bonney Lake, LLC has three undeveloped parcels listed above subject to the existing WSU Development Agreement and VWA-Bonney Lake, LLC desires to maintain conformity of these remaining parcels with the existing development, we are respectfully requesting a 5-year extension.

VWA Bonney Lake LCC Properties




Legend

 VWA Properties

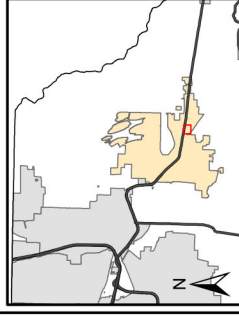
 Tax Parcels

 Base Parcel

 Road Labels

 Road Labels

County - 2023 Ortho



Date: 11/5/2024 03:17 PM

The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.