CITY OF ELLENSBURG

Minutes of Council Meeting, Special Session

Date of Meeting: January 8, 2007
Time of Meeting: 7:00 p.m.
Place of Meeting: Council Chambers, 501 North Anderson Street

Councilmembers Present: Barry, Bassett, Carlson; Lillquist, Niner, Perrie and Mayor O'Brien.

Others present were City Manager Barkley; City Attorney Pidduck; Community Development Director Witkowski; Public Works Director Akers; Senior Planner Smith; Deputy Clerk Keno; members of the Planning Commission and approximately 50 members of the audience.

ORDINANCE NO. 4467 - BUILDING AND LAND USE PERMIT FEES

Ordinance No. 4467 amends building and land use permit fees and was amended and given first reading at the Council's January 2, 2007 meeting. Prior to second reading and adoption, staff proposes an additional amendment to "footnote e. of the Table of Square Foot Construction Costs" to allow flexibility in setting construction values for large, complex remodel projects.

Amend Ordinance No. 4467 to include the language as set forth on page two of the agenda Carlson

"Table of Square Foot Construction Costs, footnote e." Affirmed

Read for the second time and adopt Ordinance No. 4467 as amended. Carlson

An ordinance of the City Council of the City of Ellensburg, Washington relating to fees charged for building permits; plumbing permits; mechanical permits; SEPA checklist reviews; zone change requests; planned unit development applications; conditional use permits; subdivision plats; boundary line adjustments; pre-application reviews; public improvement deferral agreements; variances; short plats; and appeals and amending sections 1.42.04, 3.01.18, 3.01.18-1, 3.01.19, 4.06.06, 12.08.12,

12.10.08, 12.10.40, 13.54.02, and 13.54.06. Barry (Yes) Bassett (Yes) Carlson (Yes) Lillquist (Yes) Niner (Yes) Perrie (Yes) O'Brien (Yes)

Motion approved.

PUBLIC HEARING - CONSIDERATION OF THE COMPREHENSIVE PLAN AND PLANNING COMMISSION RECOMMENDATIONS

Mayor O'Brien opened the public hearing to consider the corrected draft of the Comprehensive Plan

Community Development Director Witkowski entered the following materials into the written record:

* The agenda report on pages 27-50 of the agenda which includes the Planning Commission's recommendations and several letters to Planning Commission members;

* Washington Realtors letter dated January 5, 2007;

* Jean Putnam e-mail dated January 7, 2007;

* Mei Chun e-mail dated January 6, 2007;

* Two e-mails from Helen and Jay Bachrach dated January 8, 2007;

* State of Washington Department of Community, Trade and Economic Development letter dated March 2, 2006 previously entered into the written record and containing the Department's required review of and comments on the draft plan; and


Community Development Director Witkowski summarized the agenda report and the Planning Commission's recommendations. Should Council make any substantive changes to the corrected draft plan, another public hearing or EIS will be needed depending on the changes made.

Council consensus was to allow additional testimony time for commissions and groups beyond the five minute individual allotment.

The floor was opened for testimony from the public.

Martin Kaatz, 309 N. Poplar, member of the Downtown Task Force, submitted his comments in writing and spoke in support of the Downtown Task Force's proposal for regional retail at the South Interchange with an overlay district.

Tom Chini, 6121 Manastash Road, urged Council to consider the long term and obtain good traffic data for big box stores. He does not believe the South Interchange can handle the traffic from big box stores. The City has all the right-of-way it will ever own on Canyon Road. Most of that right-of-way is owned by the railroad. The West Interchange road is owned by the State Highway Department. In contrast to the South Interchange, the City owns 100 feet of right-of-way on University Way—west of Cora Street. The West Interchange is probably the only site where this type of big box development can succeed.

Doug Sorensen, 9409 N. Harborview Drive, Gig Harbor, WA, applicant for the South Interchange, spoke in favor of regional retail at the South Interchange. They own four accesses off of Canyon Road—some dedicated and some ready to be dedicated. A potential North-South road adjacent to
Canyon Road has been on the plans for years. Traffic issues at the South Interchange are nothing when compared with the traffic and sprawl that will result at the West Interchange. They have not solicited or contacted individuals or special interest groups to rally for their support to develop the property at the South Interchange. They have left the process to the citizens and Council to decide on the best location. The people, special interest groups and the Planning Commission have all spoken in favor of the South Interchange.

Barbara Newman, 709 S. Alder, representing Citizen's Against Sprawl, urged Council to designate regional retail at the South Interchange. Most of the people coming to the South Interchange would be coming from the North which would lessen traffic impacts at the South Interchange. This group supports the version of the South Interchange as outlined in the Downtown Task Force proposal.

Joni Pinkney, 606 E. Manitoba, speaking as a member of Citizen's Against Sprawl and for herself, stated a scenario should be chosen based on what is in the best interests of the community and not whether or not you drive.

Helen Wise, 1106 E. 3rd, requested Council consider what is best for the community in the long term; she supports the South Interchange and the Downtown Task Force's proposal.

Roger Weaver, 1217 Radio Road, spoke in favor of regional retail at the West Interchange. Both interchanges are needed. If you look at leakage, growth and all the considerations that we need in this community we need both. We have no idea of what kind of product will be left at the South Interchange after completion of the technical reviews. Regional retail at the South Interchange has a long way to go to be shoved into the South Interchange. You could not get the South Interchange property ready to go for at least three years. The West Interchange has product ready to be used. The growth is going north and west and connectivity is needed in that area.

Larry Nickel, 317 North Pearl, #1, spoke to vest himself and others in a possible challenge or appeal of the elements of the revised Comprehensive Plan. Mr. Nickel spoke about problems with the draft plan and the current plan including critical areas, protection and identification of aquifer recharge areas, urban growth areas, annexation and utility extension policies, and lack of development impact fees. The plan does not define regional retail.

Randy Lamb, 4815 Road 6.5 N.E., Moses Lake, representing the Lamb Family property at the West Interchange, stated it has been over two years since they requested a comprehensive plan change to allow regional commercial use for their property at the West Interchange. They have participated fully in the City's comprehensive plan update. Mr. Lamb urged Council to adopt its preferred Alternative #3-the West Interchange—as the City's preferred alternative for regional commercial. The record demonstrates that the Lamb family has put significant resources into developing infrastructure and mitigating environmental sensitivities at the site making it ready for regional retail development. There is some merit in the portion of the Planning Commission's recommendation that would allow a variety of commercial uses and dense residential as options at both the West and South Interchanges. He
strongly disagrees that the South Interchange should be the exclusive location for regional commercial use because the record does not support the designation of regional retail at the South Interchange at this time. The record does support the West Interchange designation for regional commercial. Mr. Lamb submitted his comments in writing.

Steve Verhey, Chief Executive Manager of Washington BioDiesel, 1801 N. "B" Street, offered an opportunity to address Council in the future to discuss where energy for transportation is headed in the next decade.

Ron Criddlebaugh, 5731 Faust Road, Executive Director of the Ellensburg Chamber of Commerce, recapped the Chamber's position on regional retail. The Chamber supports regional retail within the City limits as well as mitigation efforts for the Ellensburg Downtown Historic District. If regional retail locates outside Kittitas County the effect on the downtown will be much more severe.

Jeff Slothower, 201 West Seventh, attorney representing the Lamb Family, spoke about the record and the facts that support Council's preferred alternative for the West Interchange. Economic studies indicate significant retail dollars leave the City because the businesses we have are not fully meeting the desires of our community. Through community surveys there is a need and a desire in the community for regional retail. The record clearly supports that the Lamb property is the best location for regional retail at the present time. The site is within the city limits, it is currently ready for development, under one ownership, and has much of the infrastructure already in place. The property has superior access to the freeway and no critical areas that would impact uses. If the City is attempting to capture the revenue and tax dollars before it goes to Cle Elum it should designate the Lamb property for regional retail uses. If Council goes with the Planning Commission's recommendations for regional retail solely at the South Interchange, he believes the City will lose that opportunity. There are significant constraints to locating regional commercial uses at the South Interchange. The Planning Commission recommendations for both the West and South Interchanges are not consistent with the SEPA review process previously performed. Adopting the Planning Commission's recommendations would require further study, delay and SEPA review. Council should modify the latest draft plan because it shows the Land property in a West Interchange study area. There is no need to duplicate studies that have been done by the Lamb family.

Beverly Heckart, 906 E. 1st Avenue, supports the South Interchange and the comments of Planning Commissioner Bottcher as outlined in his December 16, 2006 letter in support of the South Interchange proposal. She believes Ellensburg will develop regional retail before anyone else. The haste issue being used in support of the West Interchange is not a haste issue.

Debbie Strand, Executive Director of the Economic Development Group of Kittitas County, 221 E. 4th, stated regional retail is necessary in Kittitas County. Dollars are leaving the County when we could use the money in our County. The Economic Development Group supports the Planning Commission's recommendation for a buildable lands inventory and supports designating both the West and South Interchanges for regional retail. Let the market drive the issue.
Lou Savidge, 209 W. Tacoma, spoke about the commercial hi-way and tourist zones and Ellensburg's proximity to the Columbia Basin.

Jack Piper, 2900 Umptanum Road, spoke in support of regional retail to draw retail customers from outside the area into the City's local base. He favors the West Interchange because it has five of seven major arterials running through it and it has been fully developed. The property owner at the South Interchange is waiting for government to take care of him and is not doing a lot of planning. Canyon Road cannot handle the increased traffic. Council should allow regional retail at both interchanges.

Colin Condit, 215 E 9th, talked about growth on the west side of the state and how it impacts those communities. The City needs to grow in terms of what the average householder can expect in terms of his tax rates. The property owners here now who do not have the full protection of impact fees will bear the costs of this new development. He does not believe there are minimal environmental impacts at the West Interchange; the City is making decisions on land without a critical areas ordinance in place.

Robert Terrell, 7120 Hanson Road, speaking from a developer standpoint, pointed out that land and square footage costs are the determining factor for project viability. If the numbers do not work the developer will go elsewhere.

Larry Nickel, Steve Verhey and Martin Kaatz spoke a second time.

Council asked questions of staff.

The Downtown Task Force's recommendation for the South Interchange would not require a SEPA addendum; however, it would require a public hearing.

The amended UGA boundaries are not in the amended January 3 draft plan. The UGA boundary as it currently exists in the comp plan contains more than enough area for target population OFM projections for 2025. That area does not need to be added for the plan update process to go forward and can be addressed during the amendment process.

Bill Grimes, Studio Cascade addressed the January 5, 2007 letter from the Washington Realtors regarding data requirements not meet. Mr. Grimes addressed those points in his November 9, 2006 letter to the Washington Realtors. City Attorney Pidduck pointed out areas in the January 3, 2007 draft comp plan that respond to the concerns expressed in the Realtors's January 5, 2007 letter.

David Miller, Planning Commission Chairperson, stated it was not the intent of the Planning Commission for the South Interchange option that the entire area be developed as a CC-II type regional retail zone. The Commission's vision of the area was to see a mixed use development as proposed at the West Interchange. The current draft plan identifies the entire West Interchange as the
West Interchange land use designation. That was intent of the geographic boundaries the Commission was trying to attempt to define for the South Interchange. The fact that a portion of the area to the east out to Bull Road is not currently in the City limits is not particularly relevant in the long term vision. The Commission feels the West Interchange is best suited for light industrial; they don't see that potential at the South Interchange. The Planning Commission does not believe their motions conflict each other. The intent was to recognize that the South Interchange area bounded by Bull Road, Mountain View, Canyon Road and I-90 is a contiguous area that does deserve a subarea plan. In addition, the Commission has very serious concerns about adopting the proposed "Mixed Residential" land use designation and recommends the City retain the current residential land use designations.

There being no further testimony, Mayor O'Brien closed the public hearing.

Council took a break at 9:06 p.m. and returned at 9:20 p.m.

Allocate a total of 20 minutes so each councilmember can make a statement. Niner Affirmed

Councilmembers expressed their individual viewpoints on the draft comprehensive plan, including the location for regional retail.

Designate both interchanges for regional retail. Perrie

For clarification purposes, this motion will amend the draft Comprehensive Plan to include the South Interchange boundary as defined by Council at the July 31, 2006 meeting.

Council asked questions of staff. Another public hearing will be needed by adding the South Interchange—but not a SEPA addendum.

Vote on motion. Barry (Yes) Bassett (No) Carlson (Yes) Lillquist (Yes) Niner (No) Perrie (Yes) O'Brien (Yes)

Motion approved.

Council briefly discussed the comprehensive plan text amendments from the Planning Commission.

**ADJOURN** Adjourn at 10:12 p.m. Carlson Affirmed

______________________________ Mayor

ATTEST: _________________________ City Clerk