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OFFICE OF CITY MANAGER
ELLENSBURG, WA

ALLIANCE INVESTMENT GROUP OF ELLENSBURG, LLC

August 26, 2013

To: City of Ellensburg Mayor and City Council

Sign Ordinance

On your sign ordinance with street design and landscaping requirements, in regards to business, the ability for customers to even see or locate a sign under these new regulations will have a very negative impact. If you look at the street design from the direction of travel, you will have either a bike lane or off site parking strip, then a landscaping strip, and then a sidewalk. If you add a five foot bike lane and a ten-foot landscaping strip, and then a five-foot sidewalk, you have twenty feet before the property line. Additionally, depending on what zoning the setback for the sign could be another fifteen feet, the customer may be looking up to thirty-five feet back from the site of travel to try and spot a sign that is no higher than forty-two inches off the ground, surrounded by very intense landscaping requirements that will blur more vision of the sign. This scenario becomes worse if the street design allows off street parking to block the view of the monument sign.

Signage for many businesses is a key to survival, especially if customers do not know they exist, cannot find them, or even remember they are there. Businesses then lose the ability to compete. Your sign ordinance is not business friendly, requiring far too small of allowable signage.

At the previous meeting, the Mayor stated he did not want to further discuss Article 6 (15.630), frequently flooded area, but we feel it is potentially devastating to so many owners of property in the Critical Area Ordinance. Almost all of your light and heavy industrial zoning, and some highway commercial, fall into this category. The question for you to ponder is: If you were an owner of a business that wanted to relocate to Ellensburg, and you were going to buy some industrial property, construct a building to house your business, into which you are going to be investing millions of dollars to get this building built, with relocation and set up costs, would you buy property that is given a designation of frequently flooded? If you are a bank or lending company officer in charge of ensuring your depositor a safe investment of their funds, would you recommend funding a project in a designation know as frequently flooded?

The way this chapter reads, any property that is listed by FEMA as in the flood plain is given the term

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"frequently flooded". Even if you have one chance in a hundred years that there may be a flood event on your property, this is the fate of your property. One day out of 36,500 days, and you are frequently flooded. May I also point out that even in non-flood plains, there is a chance of a flood event from a storm like we had in July of this year that affected different parts of the city that are not in the flood plain.

The word "frequently" lends itself to the meaning of more often than that of rarely occurring. If flooding was occurring on a property more than once a year, that would be frequent; every other year would be frequent; once every ten years starts to be a stretch. Once every 20, 40, 60, or 100 years is not frequent by definition.

You may have on your maps showing you have light and heavy industrial zones, but the reality is that you do not. We represent property of both light and heavy industrial and NO interested parties are willing to invest once they are presented with dealing with frequently flooded issues. The lending brokers are even less willing. Even the County Assessors office my be considering re-valuing property in the frequently flooded designation as to highest and best use as farm or pasture land.

The burden placed on a property owner to comply with frequently flooded studies are at such a level that it is not only financially impossible, it is structurally impossible. Let me give you an example. At the Center Point Business Park on Dolarway, to do the study that would prove what elevation the building would have to be built at, we have had estimates as high as $465,000, depending if a whole basin study would need to be done in order to satisfy all officials.

The Community Director has stated he would accept the Dolarway bridge study as best available science, as for establishing building elevation. This would create finished floors at 5- and 6-feet above existing ground levels on the first completed plat, basically wiping out most of the lots in order to obtain fill material to maintain a zero net gain. Of course, we can appeal the Community Director's decisions, according to your regulations. We are attempting to do this, which we are at $15,000 and counting.

There is nothing in our experience with this zoning or classification that would lend itself to being business friendly, let alone affordable. Also, there is nothing from FEMA that states that any and all property have to be labeled "frequently flooded". This is the most extreme interpretation applied. Would you consider looking at other communities that have not gone to such an extreme definition, that you might incorporate into this ordinance?

Also, we are concerned that this whole Land Development Code has no cost analysis as to the impact on property owners, and the public in general. I believe that under the Growth Management Act that cost analysis and their impacts must be part of the process.

Respectfully submitted,

Robert Terrell
Managing Member
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