

From: Emily Terrell
Sent: Thursday, January 16, 2025 5:30 PM
To: Scott Waller
Cc: Doug Beagle; Doug Ruth; Phil Olbrechts
Subject: Re: Joint Request to Reopen the Record for the Sumner CUP-2024-0007

The request for reconsideration is premature. I need to issue the final decision before a request for reconsideration is timely. Given the final action on the development agreement, I can now issue the final CUP decision. All parties of record (as opposed to just the city and applicant) need to be officially notified of that decision. Then we can entertain a request for reconsideration as part of the legal timeline.

My untimely issuance of the final decision prior to the completion of the development agreement unfortunately opened the door to ex parte contact. That needed to stop. We can now get back to the legally prescribed process.

I will issue the decision along with all ex parte contacts I have received. The entire package needs to be sent to all parties of record. Then we can proceed with a request for reconsideration.

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From: Scott Waller <ScottW@sumnerwa.gov>
Sent: Thursday, January 16, 2025 5:12:43 PM
To: Emily Terrell <emilyt@soundmunicipal.com>
Cc: Doug Beagle <dougb@sumnerwa.gov>; Doug Ruth <dougr@sumnerwa.gov>; Phil Olbrechts <olbrechtslaw@gmail.com>
Subject: RE: Joint Request to Reopen the Record for the Sumner CUP-2024-0007

Hi Emily,

The Library project development agreement has been approved by Council for authorization by the Mayor (attached). This allows the CUP to move forward. I did want to circle back on the request to reopen the hearing for the scope outlined below as I don't believe we've seen a decision on that request yet.

Thanks,

Scott Waller, Senior Planner
City of Sumner
Development Services Department
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Sumner, WA 98390
Ph: 253 299 5527
scottw@sumnerwa.gov



From: Doug Ruth <dougr@sumnerwa.gov>

Sent: Thursday, January 9, 2025 5:14 PM

To: emilyt@soundmunicipal.com

Cc: Andrea Marquez <AndreaM@sumnerwa.gov>; Doug Beagle <dougb@sumnerwa.gov>;
olbrechtlaw@gmail.com

Subject: Joint Request to Reopen the Record for the Sumner CUP-2024-0007

Ms. Terrell

Thank you for your quick response last week to Sumner's message providing additional information regarding a midblock sidewalk at the new library site. In your response, you observed that you would need to reopen the record to consider new information on the topic. Since this is an important matter to the parties, the City and Library District would like to proceed in that manner. As you noted, the current record is largely devoid of any discussion of the topic. Attached is a joint request to reopen the record for the limited purpose of submitting written material germane to the crosswalk condition. If you see fit to reopen the record, the City is happy to notify the other parties of record of your ruling.

(I'll quickly draw your attention to one typo, caught after the parties signed the request. The fourth sentence of the last paragraph incorrectly contains a "not" before "be removed". The sentence should read, "Both parties will independently provide the examiner facts that they otherwise would have presented at the hearing if they had not previous reviewed, discussed and then agreed as part of the SEPA analysis that a crosswalk should be removed from consideration.")

Thank you for your consideration,

Douglas Ruth
Deputy City Attorney
City of Sumner

