



REPORT TO THE HEARING EXAMINER
from the DEVELOPMENT SERVICES DEPARTMENT

Project: Outpatient Drug & Alcohol Treatment Facility

Project Number: CUP-2026-0001

Applicant: Brian Franchini
Franchini Design
1012 Thompson St
Sumner, WA 98390

Project Address: 1230 & 1310 Fryar Ave
Sumner, WA 98390
Parcel #'s 0420247005 & 0420247006

Project Components: Conditional Use Permit, Building Permit(s)

Date of Hearing: Monday August 10th, 2026, at 10:00am. The city is conducting this public meeting using a hybrid model. The public is welcome to attend this meeting in person at City Hall Council Chambers or virtually by using the meeting access link below:
<https://sumnerwa-gov.zoom.us/j/85341537967>

Staff Representative: Brayden Shannon, Assistant Planner

Description: Proposal for an outpatient drug and alcohol treatment center (meeting the definition of an outpatient behavioral health facility) within two existing buildings with a combined square footage of 4,864 square feet. No revisions proposed to the site or interior spaces.

Recommendation: **APPROVE WITH CONDITION**

1. BACKGROUND INFORMATION

I. Site Location

The project site of two parcels totals 66,700 square feet, directly adjacent to the west of the site is the White River corridor. This site is within the Riverfront District of the Town Center, an area that allows for up to 6 stories multi-family and commercial.



II. Vicinity Description

The site is located in the Riverfront District of the Town Center (TCC) zoning, just east of the White River corridor and north of the Main Street and Traffic Avenue intersection:

North: Vacant land and the White River corridor. Properties further north along the White River corridor are zoned Light Industrial.

East: United States Post Office and a Ministry.

South: Fryar Flats and further south the existing Sumner Public Library site.

West: The White River, with existing residential dwellings on the other side.

2. ENVIRONMENTAL REVIEW

State Environmental Policy Act (SEPA) Review

No new construction is taking place as a result of this project; therefore, no SEPA review is required.

3. NOTICE

The proposed conditional use permit is classified as a Type V decision in accordance with Sumner Municipal Code (SMC) 18.56.030(I).

I. Notice of Application

The Notice of Application was posted on site, posted at Sumner City Hall, mailed to all property owners within 500 feet, posted on Sumner's website and published in the official city newspaper, *Courier Harold* on July 20th, 2026, in accordance with SMC 18.56.

II. Notice of Public Hearing

The Notice of Public Hearing was posted on site, posted at Sumner City Hall, mailed to property owners within 500 feet, posted on Sumner's website and published in the official city newspaper, *Courier Harold* on July 20th, 2026, in accordance with SMC 18.56.

4. COMPREHENSIVE PLAN

The subject site is zoned Town Center and is located within the Riverfront District.

The Sumner Comprehensive Plan includes numerous policy statements related to this proposal.

I. Land Use Sub-Element

Policy 1.7 Ensure new development is consistent with the policies of this Plan through implementation of regulations, programs, and project specific review.

Policy 6 Encourage neighborhood development that supports healthy communities.

II. Economic Development Element

Policy 1.1 Provide adequate land for different kinds of businesses and development to support this element and identify strategic redevelopment opportunities as land supply decreases.

Policy 1.5 Build upon existing strength of community, small-town character, and location to drive future policy decisions and actions.

III. Community Character Sub-Element

Policy 1.4 Implement and maintain a Zoning Code which implements the comprehensive plan and community vision.

IV. Family and Human Services Sub-Element

Policy 2 Support human services programs that focus on community health and safety.

2.1.7 Support substance abuse referral programs and local efforts to educate the public and City employees about substance abuse and local services.

5. ZONING

The site is within the Town Center district (TCC).

SMC 18.29.010 states:

The Town Center district is intended to be a transit-oriented development area with a mix of residential, commercial, retail and civic uses that serve the neighborhood and the larger region with goods and services and fosters economic development. The Town Center features a wide range of types of uses, from multifamily to townhouse and commercial and mixed-use buildings. Motor vehicles are accommodated in the street designs and parking areas, yet the Town Center district strongly promotes a pedestrian scale through building form and connections to the streetscape. The connectivity is accomplished with sidewalks, landscaping, building locations, signage and pedestrian-oriented development. An improved street grid system provides efficient circulation and supports transit.

6. DEPARTMENTAL COMMENTS

Comments have been solicited from the applicable City departments and integrated into this staff report.

7. PUBLIC COMMENTS

The below comments have been submitted for the proposed outpatient drug and alcohol treatment facility during the CUP comment period. Any comments that are submitted up until the hearing will be forwarded to the Hearing Examiner and added to the record.

Project Specific Comments (Exhibit J):

1. Comment of support for the proposal received from Colin Bjorkhart on 07/20/2026.
2. Comment received from Sidharth Taneja on 07/21/2026, topics of comment included:
 - a. Property ownership.
 - b. Treatment operator and associated licensing.
 - c. Client capacity and parking.

Staff response to comments received:

1. Support for the proposal – Staff acknowledged the comment.
2. Property ownership – The property owner of record for the two parcels at 1230 & 1310

Fryar Ave is Clubwealth Real Estate Holdings LLC.

3. Treatment operator and associated licensing – The treatment operator is “12 and Beyond”. No licensing was submitted within the application and is a proposed condition on the permit for the Hearing Examiner’s approval to meet the requirements of SMC 18.35.010(C). The operator’s and property owner’s identity is presently within the submitted documents and materials available associated with the public notice.
4. Client capacity – Projected number of clients is not stated within the submittal; however, parking management is addressed and exceeds the minimum parking ratio standards per SMC 18.42.040(M).

8. REVIEW CRITERIA AND DISCUSSION

In accordance with SMC 18.56, a Conditional Use Permit requires a public hearing before the Hearing Examiner followed by written findings and a decision appealable through the judicial system.

I. Definitions and Criteria Requirements

- A. **SMC 18.04.0167 Behavioral health facility, outpatient.**
“Behavioral health facility, outpatient” means an outpatient facility licensed and regulated by the state of Washington, staffed to provide on-site care and that is not a hospital or medical office. Such facilities may include fixed-site opioid treatment programs, harm reduction programs, substance use disorder facilities, and mental health treatment facilities. Behavioral health facilities, outpatient, are deemed to be essential public facilities.
- B. **SMC 18.04.0364.3 Essential public facility.**
“Essential public facility” means a facility that is typically difficult to site, including facilities such as airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, treatment programs (including both mobile and fixed-site medication units), harm reduction programs excluding safe injection sites, substance use disorder treatment facilities, mental health facilities, group homes, recovery residences, community facilities, and secure community transition facilities.
- C. **SMC 18.29.040 Conditional uses.**
Conditional uses allowed in the town center districts are as follows:
...
 - R. *Behavioral health facility, outpatient.*...

Discussion: Per the definitions above, an outpatient behavioral health facility for substance use disorder programs is considered an essential public facility and would therefore be required to meet the siting criteria within SMC 18.35.010 for essential public behavioral health facilities. Additionally, as a “behavioral health facility, outpatient” is considered a conditional use within the Town Center zoning, the Hearing Examiner shall be guided by the criteria within SMC 18.48.050 in granting a conditional use permit.

II. SMC 18.35.010 (Siting criteria for behavioral health facilities.)

The following criteria will be considered when siting behavioral health facilities, including inpatient and outpatient facilities and opioid treatment mobile units:

- A. *Proximity and/or access to social services, transportation and other services to meet the needs of patients and support facility operations.*

Discussion: The proposed site of the facility is within approximately 1/4 mile from the Sumner Transit station through a walkable connection and is adjacent to the Sumner Link trail.

- B. *Prior to application, applicant should submit an operations plan that addressed the following:*

- 1. Facility point of contact (email, phone);*
- 2. Process for communicating with neighboring residents and businesses;*
- 3. Policies and procedures to address the neighborhood concerns;*
- 4. Number of residents and expected length of stay;*
- 5. Facility rules and regulations;*
- 6. Staffing plans (number and shifts);*
- 7. On-site parking plan and anticipated response calls;*
- 8. Safety and discharge plan.*

Discussion: An operations plan was submitted (Exhibit F) that addresses the above criteria. An on-site parking plan is not specifically provided and is within Exhibit E as the Site plan as no developmental changes are occurring on-site that would require parking to be readdressed or altered.

- C. *Proposed development shall be licensed by the appropriate state authority and subject to their building requirements.*

Discussion: Documentation demonstrating that this criterion has been met have not been submitted. This requirement will be met as conditioned.

- D. *The proposed development shall:*

- 1. Be consistent with the purpose of the zoning district in which it is located;*
- 2. Provide a landscaping plan which shall provide an aesthetic buffer*

adjacent to residential uses;

3. *Make adequate provisions for drainage, vehicular, and pedestrian access (including emergency vehicle access), water, sewer, recreational areas, and any other relevant features necessary to serve the public interest; and*
4. *If sited in a residential area, the facility should be compatible with any bulk, scale, or design standards in the established zone.*

Discussion: The site's proposed use is conditionally permitted, and the functionality of the site's operations will be consistent with general outpatient clinical medical office use hours and will not include any inpatient stays or services. The site presently meets landscaping, drainage, vehicular and pedestrian access standards as a developed site and is not proposing any development to the site that would incur alterations to the existing conditions. The design of the structures on site is presently consistent with bulk, scale, and design standards in the established zone.

E. Opioid Treatment Program Use Specific Additional Provisions.

Discussion: Not applicable, not proposing opioid treatment.

F. Opioid Treatment Program (OTP) Mobile Units Specific Additional Provisions.

Discussion: Not applicable, not proposing opioid treatment.

III. SMC 18.48.050 (Conditional Use – Zoning)

- A. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated;*

Discussion: The proposed facility use will not be detrimental to the public welfare or injurious to the properties within the vicinity. The facility will operate during daytime hours, Monday through Saturday from 8:00 AM to 5:00 PM, and maintain a secure check-in and check-out protocol for clients and staff to ensure a professionally managed environment.

- B. The proposed use shall meet or exceed the performance standards that are required in the district it will occupy;*

Discussion: The proposal meets the criteria set forth in SMC 18.29.060 for performance standards in the Town Center:

- A. Required Landscaping. For each development in the Town Center, a landscape plan shall be submitted for approval by the development services director. The requirements of the city of Sumner design and development guidelines shall be met. Landscape plans shall be prepared*

and submitted in accordance with Chapter 18.41 SMC.

Discussion: No new development/construction is proposed at this time that will trigger landscape review, however, presently the site meets the minimum 10% landscape requirement of SMC 18.41.

B. Expansion of Specified Existing Uses.

Discussion: Not applicable, not the proposed use.

C. As applicable, the provisions of the city of Sumner design and development guidelines per Chapter 18.40 SMC shall be met for new development.

Discussion: No new development/construction is proposed at this time that would require design review per Chapter 18.40 SMC.

D. As applicable, the provisions of the Town Center Code shall be met for new development.

Discussion: No new development/construction is proposed at this time that would require development review against either the Town Center Code within SMC 18.29 or the Form-Based Code for the Town Center. Any development pursued will be required to address the applicable permitting requirements.

E. School, Church and Public Parking Facility Height Exceptions.

Discussion: Not applicable, not the proposed use.

F. Craft coffee roasting shall comply with the following performance standards:

Discussion: Not applicable, not the proposed use.

G. Indoor emergency shelters and indoor emergency housing shall:

Discussion: Not applicable, not the proposed use.

H. Permanent supportive housing and transitional housing shall:

Discussion: Not applicable, not the proposed use.

I. Town Center IDEA Overlay Uses.

Discussion: Not applicable, not proposed as an IDEA overlay use.

J. Overhead Utilities.

Discussion: Not applicable, no overhead utilities proposed.

- C. *The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;*

Discussion: The proposed change of use will not alter the current layout of the site, so no changes to the visual character or access functionality are anticipated. The days and hours of operation, Monday through Saturday from 8:00 AM to 5:00 PM, are similar to those of an office use and would not include overnight stays or after-hours operations that would generate irregular traffic activity comparable to the surrounding area. The applicant notes the Fryar Avenue corridor is characterized by commercial and professional office development. Staff concurs that a conversion of the site from professional offices to an outpatient behavioral health facility is functionally similar to a clinical office and would be compatible with the surrounding land uses. Additionally, the parking requirement for 4,864 square feet of medical clinic use would require approximately 12 parking stalls; there are 26 parking stalls currently provided, with the two individual lots having appropriate parking for their respective buildings on-site.

- D. *The proposed use shall be in keeping with the goals and policies of the Sumner comprehensive plan;*

Discussion: The proposed conversion of use meets the goals and policies of the Sumner comprehensive plan by providing a use that supports the city's efforts and goals to provide a healthy community by supporting human service opportunities for community members.

- E. *All measures have been taken to minimize the possible adverse impacts which the proposed use may have on the area in which it is located.*

Discussion: The proposed outpatient treatment center proposes various measures, such as the secure check-in/check-out process, schedule-based appointments, and standard hours of operations, that will provide minimization of possible adverse impacts associated with an outpatient drug and alcohol treatment center use.

9. EXPIRATION AND TIMING OF LAND USE PERMITS

Land use permit decisions shall abide by and are regulated under SMC 18.56.220.

10. STAFF RECOMMENDATION

Proposal CUP-2026-0001 for a conditional use permit for the Outpatient Drug & Alcohol Treatment Facility should be APPROVED with the following condition by the Sumner Hearing Examiner.

1. Prior to issuance of the Certificate of Occupancy, it shall be demonstrated that the development is licensed by the appropriate state authority.

11. APPEALS

An appeal of the CUP decision may be filed pursuant to Sumner Municipal Code (SMC) Section 18.56.030 for Type V decisions through the judicial system within 21 days of the date of decision.

12. EXHIBITS

- A.** Staff Report to the Hearing Examiner
- B.** CUP Application
- C.** CUP Criteria Cover Letter
- D.** Floor Plan
- E.** Site Plan
- F.** Operations Plan
- G.** Transportation and Services
- H.** CUP Notice of Application and Hearing
- I.** Zoning Map
- J.** Public Comments