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**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF SNOHOMISH**

In the Matter of the Application of

No. 17-13-CUP

**Joshua Scott, Craft, LLC**

CD Trust

v.

**REQUEST FOR  
RECONSIDERATION**

For Approval of a Conditional Use Permit

The Applicant, Craft, LLC (“Craft”) requests partial reconsideration of the Examiner’s March 20, 2014 Decision (“Decision”) conditionally approving a conditional use permit (“CUP”) for an assisted living facility located at 402 Avenue E, Snohomish, Washington.

**I. RELIEF REQUESTED**

This request for reconsideration is based upon Snohomish Municipal Code (“SMC”) 14.95.110(B).<sup>1</sup> Specifically, Craft requests that the Examiner reopen the record, or set a date for a short hearing, to address and clarify Finding of Fact #24 and Decision Conditions #1 and #5.

<sup>1</sup> Per the attached email from the Snohomish City Attorney, the City has established March 31, 2014 as the deadline for submitting a motion for reconsideration in this matter.



1 facility. If agreement is not reached, Craft requests a short hearing so that both parties can  
2 present evidence on this critical issue.

3 **B. Clarification of Decision Condition #5.**

4 Craft requests clarification of Condition #5 so that the project can be developed without  
5 adverse impact to the surrounding uses but also in a manner that will also best serve the needs of  
6 the assisted living residents.

7 Decision Condition #5 states: *“There shall be no unlicensed rooms on the premises for*  
8 *occupancy by City staff or offered to non-residents of the Assisted Living Facility.”* The  
9 reference to “City staff” in Condition #5 appears to be a typographical error that should be  
10 corrected. In addition, Craft requests that the record be opened for evidence or a suggested  
11 agreed-upon condition that would allow one or more staff-persons to live on premises, which is  
12 common for assisted living facilities of this size.

13 **III. CONCLUSION**

14 For the foregoing reasons, Craft respectfully requests that the Examiner grant its request  
15 for reconsideration and reopen the record/hearing for the limited purpose of fully addressing  
16 Decision Conditions #1 and #5.

17 Submitted this 31<sup>st</sup> day of March, 2014.

18  
19 FOSTER PEPPER PLLC

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21 

22 Patrick J. Mullaney, WSBA #21982  
23 Attorneys for Applicant Joshua Scott, Craft, LLC  
24  
25  
26

## Patrick Mullaney

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**From:** Tim J. Filer  
**Sent:** Wednesday, March 26, 2014 4:04 PM  
**To:** Patrick Mullaney  
**Subject:** Fw: Motion for Reconsideration Coho Real Estate; Potential LUPA  
  
**Importance:** High

Tim J. Filer | Foster Pepper PLLC | 206-447-2904 | [FileT@foster.com](mailto:FileT@foster.com)

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**From:** Thom Graafstra  
**Sent:** Wednesday, March 26, 2014 3:18 PM  
**To:** Tim J. Filer; [dennison@SnohomishWA.gov](mailto:dennison@SnohomishWA.gov); [bauman@SnohomishWA.gov](mailto:bauman@SnohomishWA.gov)  
**Cc:** Grant Weed; Kathy Pugh  
**Subject:** Motion for Reconsideration Coho Real Estate; Potential LUPA

Tim:

I have confirmed for you that the last date for filing reconsideration is March 31, 2014. The city deems the date of the decision for reconsideration and LUPA filing to be March 24, 2014.

Tom

Thom H. Graafstra  
WEED, GRAAFSTRA AND BENSON, INC., P.S.  
21 Avenue A, Suite F  
Snohomish, WA 98290  
(360) 568-3119; (360) 568-4437(fax)

This electronic message transmission contains information from the law firm of Weed, Graafstra and Benson, Inc., P.S. which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this electronic transmission in error, please notify us immediately by reply e-mail and delete the original message. Thank you.

1 **DECLARATION OF SERVICE**

2 I, Kathy Hulings, certify under penalty of perjury under the laws of the State of  
3 Washington that, on this 31<sup>st</sup> day of March 2014, I caused a copy of the preceding document to  
4 be delivered to each of the following by the method indicated below:

5 Via E-Mail and U.S. First Class Mail to:

6 City of Snohomish Hearing Examiner  
7 c/o Mr. Owen Dennison,  
8 City Planning Director  
9 116 Union Ave  
10 Snohomish, WA 98290-2943

11 Via U.S. First Class Mail to:

12 John and Colleen Dunlap  
13 1614 Fourth Street  
14 Snohomish, WA 98290

15 Mitch Cornelison  
16 331 Avenue F  
17 Snohomish, WA 98290

18 Karen M. DeYoung  
19 418 Avenue G  
20 Snohomish, WA 98290

21 Carroll Brown  
22 432 Avenue G  
23 Snohomish, WA 98290

24 Beth Corsaro Jarvis  
25 1914 Fifth Street  
26 Snohomish, WA 98290

Anthony Holloway  
232 Avenue G  
Snohomish, WA 98290

Becky and Fai Dawson  
220 Avenue D  
Snohomish, WA 98290

Rich and Eileen Softye  
1314 Fourth Street  
Snohomish, WA 98290

Henry Eskridge  
416 Avenue E  
Snohomish, WA 98290

Richard Gordon  
332 Avenue E  
Snohomish, WA 98290

Carole Barnes  
420 Avenue E  
Snohomish, WA 98290

Mark Hedges  
10256 NE 118th Place  
Kirkland, WA 98034

Eric and Bernadetta Frohnen  
P.O. Box 2176  
Snohomish, WA 98291

Sayra Slife  
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Snohomish, WA 98290

Ardie McLean  
323 Avenue E  
Snohomish, WA 98290

Diana Raphael Carver  
330 Avenue A  
Snohomish, WA 98291

Susan Bjorling  
219 Avenue E  
Snohomish, WA 98290

Sara Quinton  
316 Avenue C  
Snohomish, WA 98290

Kathleen McKenty  
418 Avenue H  
Snohomish, WA 98290

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Bonnie Blake  
330 Avenue H  
Snohomish, WA 98290

Morgan Davis  
206 Avenue I, Apt 3  
Snohomish, WA 98290

Verna Stegmer and Robin Bader  
318 Avenue E  
Snohomish, WA 98290

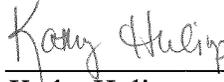
Nicholas and Gretchen Bender  
427 Avenue E  
Snohomish, WA 98290

Louisa Moe  
417 Avenue H  
Snohomish, WA 98290

Ed Poquette  
5402 93<sup>rd</sup> Dr SE  
Snohomish, WA 98290

I certify under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct.

DATED this 31<sup>st</sup> day of March, 2014, at Seattle, Washington.

  
\_\_\_\_\_

Kathy Hulings