



City of Tukwila

Department of Community Development

Jim Haggerton, Mayor

Jack Pace, Director

April 29, 2015

NOTICE OF DECISION

TO: RLB Holdings Sports & Entertainment, Applicant
T. Ryan Durkan, HCMP, Contact
Washington State Department of Ecology

This letter serves as a Notice of Decision and is issued pursuant to TMC 18.104.170 on the following project.

I. PROJECT INFORMATION

File Number: A15-0015 Code Interpretation
Applicant: RLB Holdings Sports & Entertainment
Project Description: Determination of whether a spectator sports arena is a permitted use.
Location: TUC-TOD District East of the Green River
Associated Files: None
Comprehensive Plan Designation/Zoning District: TUC-TOD District

II. DECISION

SEPA Determination: The application is categorically exempt under WAC 197-11-800(19).

Decision on Substantive Permit: The Community Development Director has determined that a multi-purpose arena facility including spectator sports events is considered to be an outright permitted use in the Tukwila Urban Center-Transit Oriented Development Zoning District east of the Green River.

III. YOUR APPEAL RIGHTS

The Application calls for a Type 2 decision pursuant to Tukwila Municipal Code §18.104.010. One administrative appeal to the Hearing Examiner of the Decision on the Application is permitted. A party who is not satisfied with the outcome of the administrative appeal process may file an appeal in King County Superior Court from the Hearing Examiner's decision.

IV. PROCEDURES AND TIME FOR APPEALING

In order to appeal the Community Development Director's Decision on the Application, a written notice of appeal must be filed with the Department of Community Development within 14-days of the issuance of this Decision, that is by May 13, 2015.

The requirements for such appeals are set forth in Tukwila Municipal Code 18.116. All appeal materials shall be submitted to the Department of Community Development. Appeal materials MUST include:

1. The name of the appealing party.
2. The address and phone number of the appealing party; and if the appealing party is a corporation, association or other group, the address and phone number of a contact person authorized to receive notices on the appealing party's behalf.
3. A statement identifying the decision being appealed and the alleged errors in the decision, including any specific challenge to an MDNS.
4. The Notice of Appeal shall identify (a) the specific errors of fact or errors in application of the law in the decision being appealed; (b) the harm suffered or anticipated by the appellant, and (c) the relief sought. The scope of an appeal shall be limited to matters or issues raised in the Notice of Appeal.
5. Appeal fee per the current fee schedule. In addition all hearing examiner costs will be passed through to the appellant.

V. APPEAL HEARINGS PROCESS

Any administrative appeal regarding the Application shall be conducted as an open record hearing before the Hearing Examiner based on the testimony and documentary evidence presented at the open record hearing. The Hearing Examiner decision on the appeal is the City's final decision.

Any party wishing to challenge the Hearing Examiner decision on this application must file an appeal pursuant to the procedures and time limitations set forth in RCW 36.70C. An appeal challenging a DNS, an MDNS or an EIS may be included in such an appeal. If no appeal of the Hearing Examiner decision is properly filed in Superior Court within such time limit, the Decision on this permit will be final.

VI. INSPECTION OF INFORMATION ON THE APPLICATION

Project materials are available for inspection at the Tukwila Department of Community Development, 6300 Southcenter Blvd., Suite 100, Tukwila, Washington 98188 from Monday through Friday between 8:30 a.m. and 5:00 p.m. The project planner is Nora Gierloff, who may be contacted at 206-433-7141 for further information.

Property owners affected by this decision may request a change in valuation for their property tax purposes. Contact the King County Assessor's Office for further information regarding property tax valuation changes.



Jack Pace, Director
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