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3 **BEFORE THE HEARING EXAMINER FOR KING COUNTY**

4 In re the matter of the Appeal by
5 CEDAR RIVER MONTESSORI SCHOOL

6 Appellant,

7 RE Preliminary Determination,
8

PREA20-0123

STIPULATION AND PROPOSED
ORDER

9 COME NOW, Appellant Cedar River Montessori School, and the King County
10 Department of Local Services, Permitting Division (the “Department”) and stipulate as
11 follows:

- 12 1. The Department hereby withdraws the Preliminary Determination entitled Zoning
13 Review Comments for PREA20-0123.
- 14 2. The proposal to enclose the pavilion as described by Cedar River in the underlying
15 materials constitutes a modification under King County Code.
- 16 3. Based on the facts presented in the present case, including those related to the present
17 size and composition of its student body, the Department agrees that Cedar River’s
18 current operations of Pre-Kindergarten through 8th Grade, given the range and
19 number of students as identified in the record and attending the 7th and 8th grades,
20 constitutes an elementary school under King County Code.
- 21 4. King County Code 21A.42.210(A) does not require a conditional use permit for
22 Cedar River’s proposed modification.
- 23 5. These stipulations resolve the issues appealed by Cedar River under the above
24 entitled action.
25

1 DATED this 22nd day of September 2020.

2
3 JOHNS MONROE MITSUNAGA &
4 KOLOUŠKOVÁ, PLLC

DANIEL T. SATTERBERG
King County Prosecuting Attorney

5 By /s/ Duana T. Kolouskova
6 Duana T. Koloušková, WSBA #27532
7 Attorneys for Cedar River Montessori

By /s/ Lena Madden
(per email authorization)
Lena Madden, WSBA #41246
Deputy Prosecuting Attorney
Attorneys for King County

8 **ORDER**

9 The parties have filed a Stipulated Motion as set for the above, and the Hearing Examiner,
10 having considered the stipulation and the other pleadings in this matter, and being fully
11 advised, HEREBY ORDERS:

- 12 1. The proposal to enclose the pavilion as described by Cedar River in the
13 underlying materials constitutes a modification under King County Code.
- 14 2. Cedar River's current operations of Pre-Kindergarten through 8th Grade as
15 stipulated above constitutes an elementary school.
- 16 3. King County Code 21A.42.210(A) does not require a conditional use permit for
17 Cedar River's proposed building permit.
- 18 4. On the basis of the foregoing Stipulation of the parties, this hereby ordered that
19 this action is **DISMISSED**.

20 DATED this 23 day of September 2020.

21 
22 _____
23 Alison Moss
24 Hearing Examiner *pro tem*

25 01-302-1 Stipulation and Proposed Order 09-23-20.doc

Cedar River Montessori School

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