



GLENROSE FUNDRAISING CAMPAIGN

Your Continued Support of Our Ongoing Legal Fees to Protect Our Rural Glenrose Homes Is Urgently Needed, and Appreciated To Continue the Fight.

The Glenrose Association will continue to resist SYSA's proposed regional sports complex, planned for nearly 20 acres of rural land at the SE corner of 37th and Glenrose Road. Our opposition to this proposal extends back well over 11 years. It has and continues to be a long difficult battle, but we feel we are making good progress advancing our position. We are committed to helping every Glenrose neighbor/resident protect our homes and rural way of life from this grossly inappropriate intrusion.

We have always believed that existing zoning rules do not permit this type of facility on land zoned Urban Reserve. We are working as efficiently as possible through the judicial system to try and prove this point. If our legal challenges are successful, they may lead to a total denial of the project. We will continue to oppose this regional sports complex until it is no longer a threat to the Glenrose community, or our reasonable legal remedies have been exhausted.

In order to successfully overcome this intrusion, we need your continued help and financial support now more than ever! The defense of our neighborhood has been, and will continue to be, a challenging and costly legal process; up to \$50,000 by some estimates over the next 12 to 18 months. The good news is that there are over 1400 households in Glenrose. In a perfect world if every household contributes a small amount (between \$50 and \$100), we will have enough money to carry on the fight for all of us.

WE'VE GOT THIS!



WE COULD HAVE THIS!



PLEASE CONTRIBUTE WHAT YOU CAN. If we stay united ...we have a chance at preserving the peace and serenity of our rural neighborhood!

PLEASE READ ON FOR A MORE IN-DEPTH REPORT ON THE STATUS OF OUR LEGAL EFFORTS, BY BOARD MEMBER PHILIP BROOKE.

Dear Glenrose Neighbor,

The purpose of this letter is twofold; first to bring you up to date on the proposed sports complex and the efforts of The Glenrose Association (TGA) to defeat its construction, and second, to ask each of you to consider making a donation to the Association's legal defense fund in order to continue the fight.

You will recall from prior newsletters that the board of directors of the TGA (Board) hired legal counsel, Bricklin and Newman LLP to represent us in our ongoing fight with Spokane Youth Sports Association (SYSA) and the Spokane County Planning Department, to prevent the construction of the sports complex. Our position is that the Urban Reserve zone in which we live does not permit the construction of the proposed sports complex. At the Board's direction, our legal counsel sent on July 9, 2019 a "Request for Administrative Interpretation" to John Pederson the Planning Director for the Spokane County Building and Planning Department. The Request asked Mr. Pederson to determine the classification of the proposed "use" as a "participant sports and recreation (outdoor only)" under the zoning code for Spokane County, which is a use not permitted within the Urban Reserve zone. Instead, Mr. Pederson replied on August 27, 2019 that the use classification as "community recreation facility", a use which is permitted in the Urban Reserve zone, had already been determined on June 17, 2008 by the Planning Department, and therefore no response was required. Further, any appeal period from that determination had long since expired.

In response, the Board directed our legal counsel to file an action in Spokane County Superior court called a "Petition for Peremptory Writ of Mandamus" in which action TGA was the petitioner and John Pederson was the respondent. The nature of the action was to obtain an order of the court directing Mr. Pederson to timely respond to our July 9, 2019 Request for Administrative Determination. After a hearing before the court on June 26, 2020, the court issued its written order on July 20, 2020 granting TGA request for a Preemptory Writ of Mandamus and requiring John Pederson to issue an administrative interpretation in response to TGA July 19, 2019 request. The court found that any determination by the Planning Department contained in Department pre application notes on June 17, 2008 were not "issued" and therefore



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The Glenrose Association
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resulted in a denial of any right to appeal by TGA at that time.

TGA anticipated that once received the Administrative Determination would simply reaffirm The Planning Departments prior assertion that the sports complex fits under the definition of Community Recreation Facility, a permitted use. We have now received the court mandated Administrative Determination from Mr. Pederson, and as expected he has determined that the use classification is Community Recreational Facility. TGA is now in a position to appeal that determination to the Spokane County Hearing Examiner. So, for the first time TGA will have the determination as to the use classification reviewed by a third party. An adverse ruling from the Hearing Examiner may then be further appealed to the Spokane County Superior Court.

The Board is committed, based upon both the mission statement of TGA and the support and feedback received from all of you, the members of the Association, and the greater Glenrose community, that we will resist the proposed sports complex project until it is no longer a threat to our community. In order to effectively continue the fight, we need to raise funds for anticipated legal fees that will be incurred going forward. At this time we are current with all fees thus far billed. We are filing an appeal of Mr. Pederson's administrative decision to the Hearing Examiner and we anticipate a second appeal to Superior Court may be needed. We have asked our legal counsel to estimate those costs. Their response is that we need to be prepared for an expense of around \$50,000. This amount would be less if we don't need to appeal to Superior Court.

We are encouraged by our initial success securing a favorable ruling from superior court, granting TGA request for a Preemptory Writ of Mandamus. This action has set us up for our first hearing on the use classification. We hope to leverage off this to an ultimate defeat of the sports complex project. It has thus far been a challenging and complicated process to get to this point and it is important that we do not lose our momentum. But in order to be successful we need the financial support of as many of you as we can get. So please contribute what you can.

We Sincerely Thank You for Your Continued Support and Consideration, Philip Brooke, Board Member

The Glenrose Association (TGA) has Federal 501c3 standing, so contributions may be tax deductible. PLEASE MAIL CONTRIBUTIONS TO: TGA at PO Box 30202, Spokane WA 99223 or you can also go to TGA website, www.glenroseassociation.org and click on the membership/donation tab and make a donation online to our legal fund.

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THE GLENROSE ASSOCIATION LEGAL FUND DONATION FORM

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Please make your check payable to The Glenrose Association. Mail this form with your payment.

The Glenrose Association PO Box 30202 Spokane, WA 99223

THANK YOU SO MUCH FOR YOUR CARE AND CONCERN FOR OUR COMMUNITY!