## BEFORE THE HEARING EXAMINER FOR THE CITY OF LAKEWOOD In the Matter of the Appeal of FINAL DECISION UPON REMAND Déjà Vu Tacoma, Inc. Of October 14, 2019 Notice and Order denying business license. WHEREAS, on December 31, 2019 a Findings of Fact, Conclusions of Law and Final Decision (Final Decision) was issued for the above-captioned matter, and WHEREAS, the Final Decision included a remand to determine if business license denial would extinguish the nonconforming use rights of the Appellant, and WHEREAS, the Final Decision identified that if the City Manager determined that the license denial would not extinguish nonconforming use rights pursuant to LMC 18A.40.450(C) that the denial of the business license would be sustained, and WHEREAS, while complying with the remand order the City requested that exhibits be renumbered to reflect its Bates stamping of exhibits, and

WHERAS, the City and Appellant were given the opportunity and have not objected to the issuance of a revised Final Decision that renumbers the exhibits and adds the City determination that denial of the business license doesn't extinguish nonconforming use rights,

## NOW, THEREFORE,

## **DECISION**

Upon waiver of objection, the December 31, 2019 Findings of Fact, Conclusions of Law and Final Decision is re-issued by this Final Decision Upon Remand, subject to the addition of the January 7, 2020 City's Answer on Remand and the revision of exhibit numbers. This re-issuance of the December 31, 2019 final decision involves no changes other than a change in issuance date and the revised exhibit list below:

Exhibits 27-29 of the December 31, 2019 a Findings of Fact, Conclusions of Law and Final Decision is replaced with the following:

- 27. Rebuttal 2016 LPD Reports. Stamped at pages 610-624.
- Declaration of Dunn. Stamped at pages 625-628.
  - 29. Notice of appeal. Stamped at pages 629-633.
  - 30. City's Exhibit List (3rd). Stamped at pages 634-639<sup>1</sup>.
  - 31. January 7, 2020 City's Answer on Remand

DATED this 13th day of January 2020.

im A. Olorents

Hearing Examiner for City of Lakewood

<sup>1</sup> This exhibit has been added for the convenience of the parties and just lists all the exhibits admitted into the record.

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2	Appeal
3	This Decision is a final decision of the City of Lakewood. No further administrative appeal of this decision
4	the City Council or any other administrative appellate authority is authorized by the Lakewood unicipal Code.
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