

May 22, 2020

Ethan Spoo  
WSP Global, Inc.  
Via email to [ethan.spoo@wsp.com](mailto:ethan.spoo@wsp.com)

Re: Minit Management Proposed Conditions of Approval  
#2020-009-CUP/SPR/SPL/SEPA

Mr. Spoo,

Please find below the Applicant's response to the proposed conditions of approval related to Washington State Department of Transportation comments received today for the above-referenced project. The Applicant's response follows the proposed condition of approval below:

**Proposed Condition of Approval** - The applicant shall obtain an Access Break from the Washington State Department of Transportation (WSDOT) prior to final site plan approval from the City for the two proposed pedestrian connections to the La Center Road right-of-way. Should WSDOT not approve the pedestrian connections, the applicant shall remove the proposed pedestrian connections to La Center Road from the site plan and this change shall be reflected on the final site plan.

**Response** - Approval of the access break should not hold up approval of the final site plan or civil engineering plans. The access breaks are a very minor part of the overall development, and to rely on WSDOT's approval could significantly affect the start of construction on the balance of the site. Final site plan and civil plan approval should be approved without reliance upon WSDOT's approval for the access breaks. Construction of the access breaks would be upon WSDOT's approval, and any condition of approval should state as such. However, approval of on-site civil plans should not be tied to or otherwise associated with WSDOT's approval of the access breaks. A revised condition of approval should read, *"The applicant shall obtain an Access Break from the Washington State Department of Transportation (WSDOT) prior to construction of the two proposed pedestrian connections through the La Center Road right-of-way. Should WSDOT not approve the pedestrian connections, the applicant shall remove the proposed pedestrian connections to La Center Road from the site plan and this change shall be reflected on submittal of a revised final site plan."*

**Proposed Condition of Approval** - The applicant shall construct right-of-way improvements on La Center Road to current WSDOT standards and shall obtain WSDOT's approval of construction plans. Such approval shall be provided to the City prior to engineering plan approval.

**Response** - As with the access breaks above, WSDOT's review and approval of work inside their right-of-way should not be tied to or otherwise associated with civil plan approval for on-site work. Additionally, the Development Agreement provides for the following:

current road design standards. The City will also allow Minit Management to retain its current access to NW La Center Road as a right-in/right-out until such time as the City determines that the new (yet to be constructed) intersection of NW Paradise Park Road and NW La Center road meets signalization warrants. When signal warrants are met at that new intersection, Minit Management will close its NW La Center Road access and, from that point forward, rely upon the new access points onto NW Paradise Park Road. The full cost of the design, permitting and construction of the new access points shall be paid by the Tribe through separate agreements with the Parties. All of these street and intersection improvements shall be designed, permitted and constructed by the Tribe to the applicable City design standards.

Based on the discussion and DA excerpt above, a revised condition of approval should read, “At such time as the Applicant closes the access point to the site from NW La Center Road, the applicant shall construct right-of-way improvements for closure of the access on NW La Center Road to current WSDOT standards and shall obtain WSDOT’s approval of construction plans. Such approval from WSDOT shall be provided to the City.”

Respectfully,



Michael Odren, R.L.A.  
Landscape Architect, Land Use Planner  
Associate Principal