

Appellant's Exhibit 41

(as referenced in June 30, 2017

*Appellant WPDC Cleveland LLC's Witness and Exhibit List*)

**Laing, Aaron M.**

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**From:** Vicki Orrico <Orrico@jmmlaw.com>  
**Sent:** Thursday, March 23, 2017 11:31 AM  
**To:** Steve Fischer  
**Subject:** FW: Andora - Site Plan Entitlement; LAND-2017-00290 - Description

FYI

Best Regards,

*Vicki E. Orrico*

Vicki E. Orrico

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**From:** Sean Miller [mailto:sean@paylinedata.com]  
**Sent:** Thursday, March 23, 2017 11:29 AM  
**To:** Gary Lee; Cameron A. Zapata  
**Cc:** Vicki Orrico  
**Subject:** Re: Andora - Site Plan Entitlement; LAND-2017-00290 - Description

Gary and Cameron,

After reviewing the options for the site plan entitlement we have decided we want to proceed with including the use change to allow cannabis within a section of the building.

It was suggested by our attorney and the city attorney to do the following: **Revise the site plan entitlement/admin mod application to say *the use is general retail* (for coffee shop and retail clothing store) with future potential conversion of one 1500 square foot space to marijuana retail use.**

I'm not sure how this needs to be worded within the site plan entitlement. Please let me know if you have any questions.

Sean Miller  
Partner

# payline

**Inc.**  
**50**

#208 in 2016

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**From:** Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)>  
**Date:** Tuesday, March 21, 2017 at 3:27 PM  
**To:** Sean Miller <[sean@paylinedata.com](mailto:sean@paylinedata.com)>, Seth Bailey <[seth@paylinedata.com](mailto:seth@paylinedata.com)>  
**Cc:** Vicki Orrico <[Orrico@jmmlaw.com](mailto:Orrico@jmmlaw.com)>, Steve Fischer <[SFISCHER@REDMOND.GOV](mailto:SFISCHER@REDMOND.GOV)>, "Cameron A. Zapata" <[cazapata@redmond.gov](mailto:cazapata@redmond.gov)>  
**Subject:** Andora - Site Plan Entitlement; LAND-2017-00290 - Description

Sean and Seth,

I have consulted with the City Attorney about your description of the project and the parking requirements, and this what he has concluded:

1. Listing Marijuana Retail Sales as a proposed use could simplify the upcoming appeals, so we don't have to deal with Marijuana issue later. But you (the applicant) will need to decide. If we do it this way, now, the approval will need to state that Marijuana Sales Use is not approved until all licensing requirements are met, and no license applications have been submitted to the City yet (or something like that).
2. Regarding parking for the Marijuana use, we cannot tell what we are going to require yet. We will be evaluating the Marijuana use portion under RZC 21.40.010.C.1.a (screen shot below), and the minimum parking requirement for Marijuana Sales of 2 stalls per 1000 sq. ft. GFA.

As I will be on vacation beginning 5:00 pm today – through March 28<sup>th</sup>, please reply back to Steve Fischer, Cameron Zapata, and me, by tomorrow – with the description of the use you want to use, otherwise it may affect the timing of the processing and approval.

Cameron will be your contact, while I am away. Her phone number is (425) 556-2480, and I cc'd her on this email too.

## RZC 21.40 PARKING STANDARDS

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### 21.40.010 Vehicle Parking

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A. **Purpose.** The purpose of the parking standards is to:

1. Ensure that parking facilities are properly designed and located in order to meet the parking needs created by specific uses;
2. Promote efficiency and safety in the design and location of parking facilities; and
3. Protect surrounding land uses from adverse impacts commonly associated with parking facilities.

B. **Scope.** The regulations adopted in this chapter apply to all parking facilities located within the City.

C. **Administration.** In the administration of this section, the following rules shall be used:

1. Nonconforming Parking

- a. A development that met the parking requirements in effect at the time it was approved but that does not have sufficient parking spaces to meet the current requirements of this chapter may continue to operate with the parking deficiency as long as no enlargement or land use change is made that would require additional parking spaces.

*Gary Lee,*

Senior Planner  
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