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December 9, 2015

Via Electronic and Regular Mail

Ryan Countryman
Snohomish County Planning and Development Services
M/S #604
3000 Rockefeller Avenue
Everett, WA 98201-4046

RE: Your July 29, 2015 Request for Clarifications

Dear Ryan:

This correspondence is forwarded in response to your letter of July 29, 2015 requesting clarifications to the Point Wells submittal drawings. It appears that your requests are based on what we believe to be erroneous assumptions regarding the nature and necessary level of required site plan detail contemplated by the County's Urban Center Code, SCC 30.34A. We request the opportunity to discuss which of the clarifications outlined in the letter should be made now and which should be deferred to the construction permit stage.

Your requests appear to be based on an assumption that the required submittals must reflect a level of detail normally associated with construction-related permit documents rather than a more generalized site plan review. Thus, the required "clarifications" described in your letter would require the completion of significant additional design work. Doing so goes well beyond the level of detail required by the Urban Center Code for this type of generalized site plan review.

Based on both the language of the Urban Center Code, SCC 30.34A et. seq., and the project architect's experience and view of standard architectural practice, we believe that the submitted drawings were prepared in strict accordance with the code's requirements. As will be more fully explained below, we read the language of the UC code as contemplating the submittal and review of generalized site plans. Greater design detail, including refinements to the approved site plan and specific building designs, are to be prepared in conjunction with the creation of final architectural drawings. These final drawings must, of course, be consistent with and reflect the approved general site plan.

As an example, the submitted plans reflect an assumed gross average unit size of 1,000 square feet. Thus, the 3,081 unit count set forth in the application was calculated by dividing the overall project square footage by 1,000 square feet. As you have correctly noted, this means that the *average* number of units per floor often calculates to be something other than a whole number. Thus, you have requested that the building plans be further developed to exactly depict the final number of units per floor.

The effort required to prepare what amounts to final building design will be expensive, time-consuming and ultimately unnecessary. It will also be wasteful since construction-level architectural drawings cannot be prepared until the project FEIS has been issued, site plan approval has been received,

conditions for development have been agreed to, and then current market demands have been ascertained. It goes without saying that such final designs must be consistent with the approved site plan. It also goes without saying that these final designs will almost certainly deviate to some extent from the generalized depictions in the submittal drawings.

A sampling of the required components of an Urban Center development plan, as set forth in SCC 30.34A.170, demonstrate that the submittals are to be *conceptual* in nature:

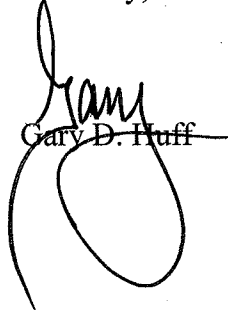
30.34A.170 Submittal requirements.

- (1) An urban center development plan must contain, at a minimum, the following:
 - (a) A graphic presentation depicting:
 - (i) *Conceptual* graphic presentation depicting the layout and design of the proposed development;
 - (iv) Proposed building heights and FAR;
 - (vii) The location of . . . proposed structures . . . ;
 - (b) A detailed description of the *design intent, architectural character and spatial qualities* and relationships of and between the major structures . . . ;
 - (e) The location of the building *envelope* of all structures . . . ;
 - (i) A description of intended type of uses including the timing of development, if phased . . . ;
- (4) *Illustrations representing the design intent and architectural character* of the urban center, including:
 - (b) *General architectural character* of buildings . . . ;

This code language evidences the clear intent that the site plan is to be conceptual in nature. At the review stage, the architectural character of buildings and the character of the open spaces are to be depicted in *general* illustrations. The code language further implies that refinements will be reflected in final architectural drawings which shall be provided at such later date when site development construction plans and building permit applications are submitted.

Thus, we request the opportunity to further discuss which of the clarifications outlined in your letter should be made now and which should be deferred to the construction permit stage.

Sincerely,


Gary D. Huff

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cc: BSRE Point Wells, LP
Steven D. Farkas
Steve Ohlenkamp
Douglas A. Luetjen