

**RECEIVED**By Virgil Amick at
3:54 pm, May 28, 2026**Bullfrog Flats, LLC**

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Redmond, WA 98052

Via Email Delivery

May 27, 2026

Virgil Amick
City of Cle Elum
Planning Department
119 West First Street
Cle Elum, WA 98922

Re: Bullfrog UGA Development Agreement:
Application for Major Amendment to Allow New Homes Marketing and Sales Center for Residential Development

Bullfrog Flats LLC, as Master Developer of the Bullfrog UGA, hereby respectfully requests a Third Amendment to the Bullfrog UGA Development Agreement on our behalf and that of Risewell Homes, the owner of Parcels J, S-1, and S-2. Risewell Homes expects to be ready to show and begin selling new homes in late July. To support this schedule, it is critical to expeditiously establish a marketing and sales location to welcome potential customers, distribute community information and home availability schedules, and provide a location(s) for home sale activities. In the process of preparing for this 2026 sales calendar, it has come to our attention that a specific use to accommodate the marketing and sales of new homes should be included as permitted uses within the residential development area of the Bullfrog UGA.

The Bullfrog UGA Development Agreement, executed October 30, 2002 and amended March 28, 2017 and March 25, 2025 (collective referred to as the "Development Agreement"), does not expressly address the essential need for a new construction community to include a structure(s) within the residential development area which would accommodate on-site marketing and sales of new homes. Given the lack of clarity in the Development Agreement on this point, a sales center(s) of any type, regardless of whether housed within a residence or use-specific structure, is not readily listed as a "permitted use" in the residential zones as set forth in the Conditions of Approval, i.e. the "Applicable Law" as defined by the UGA Development Agreement.

On-site sales centers are a mainstay in master plans throughout the country and are essential to a timely and successful sales program. Given Risewell's plans to begin new home sales this summer, allowing for an onsite location to serve as a sales 'center' or centers (depending in future based on project needs), whether as a temporary or permanent structure(s), is essential. It is essential and extremely time sensitive to update the residential uses to include a marketing and sales structure which will serve the anticipated sale of 1300-plus residences within a new community.



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This proposed Major Amendment would add “structure(s) accommodating marketing and sales of new homes” as a permitted use in all residential development areas of the Master Plan. No sales of homes outside of the UGA or re-sale operations are proposed. Once new homes sales within the residential development are complete, the use would no longer be applicable, any temporary structures would need to be removed, and any permanent structures would be converted to their permanent use based on the permitted uses within the zone and sold (if the permanent use is as a dwelling unit) or turned over to the HOA for the community use and enjoyment (if the permanent use is for the community).

Currently, allowable residential land uses are described in Paragraphs 14 (icl. table) and 15 of the DA Conditions of Approval. This application proposes to amend Section 14 by adding the following sentence to the end of Section 14, proposed language shown below *in italics*:

RESIDENTIAL USES

13. As shown on Attachment 1, residential uses shall be permitted in Parcels B, J, M, P-1 through P-4, S-1, and S- 2.

14. Uses permitted in these parcels shall be all of those uses permitted in the zones indicated in the following table, with the exceptions noted:

“Marketing and Sales use, including any reasonably necessary facilities and structures, specifically related to the residential build out of the UGA are allowed in all Residential Zones through completion of new homes sales. Any temporary structures would need to be removed, and any permanent structures would be converted to their permanent use based on the permitted uses within the zone and sold (if the permanent use is as a dwelling unit) or turned over to the HOA for the community use and enjoyment (if the permanent use is for the community).”

In addition, we propose the following amendment, inserting a second paragraph to Section 15, proposed language shown below *in italics*:

15. Lot and other development standards for the individual residential uses are specified in Attachment 2. If a specific standard is not listed in that attachment, the standards of Chapter 17.16 Residential District shall apply to single family development in Parcels P-1, P-2, P-3, P-4, S-1 and S-2, and the standards of Chapter 17.20 Multi-family District shall apply to development on Parcels B, J and M. In addition, if not otherwise specified in Attachment 2, the relevant standards of Chapter 17.04 General Provisions, 17.56 Off street parking and loading, 17.64 Landscaping, and 17.76 Site and design review shall apply.

“Marketing and Sales facilities and structures will be subject to the relevant standards of Chapter 17.04 General Provisions, 17.56 Off Street Parking and Loading, 17.64 Landscaping, 17.76 Site and Design Review, and relevant building codes.”



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5 | All land use applications submitted on or after October 31, 2027 shall be subject to
6 | the applicable standards as set forth in Sections 3.6-3.8 of the Development Agreement, as amended
by the Second Amendment.

We recognize that, pursuant to Section 6.5 of the Development Agreement, the City will consider whether additional SEPA review is warranted for this proposed modification. The nature of this proposed modification would not result in project-specific permit approval; the additionally permitted use facilitates the already permitted uses and purpose/intent of the Development Agreement, all of which were extensively reviewed under the prior EIS. As a result, this proposed amendment does not involve a substantial change to the proposal or present new information that would lead to significant new information that would indicate probable significant adverse environmental impacts. Under these circumstances, SEPA instructs that the City shall use the existing EIS, unchanged, to underlay its review of this application. WAC 197-11-600.

Please let us know if we can provide any additional information or narrative for your consideration of this request. As noted above, time is very much of the essence and we appreciate the City's expeditious review.

Best Regards,

Duana Koloušková
Chief Legal Officer

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