

Bertelsen Winery CPA
LR 22-01
Responses to Public Comments Submitted to Skagit County
Applicant's responses submitted Tuesday November 15, 2022 to Skagit County

The Bertelsen Family is requesting to rezone approximately 69 acres from its current Rural Reserve, RRv, zoning to Small Scale Recreation & Tourism, SRT. At the present time, all efforts are directed towards providing Skagit County staff, Planning Commission, and County Commissioners with clear concise information upon which to provide a favorable decision. Skagit County has provided notice to surrounding properties of this pending rezone application. A total of 21 comments were submitted on behalf of the Bertelsen application, with 5 of these expressing concerns and lack of support. The other public comments, 76% of the total, expressed support of this proposal. When the SRT rezone is approved, there will be considerable more work to be coordinated before development of this proposal can be initiated. Provided below are the public's general comments of concern, with responses provided by the applicant's team.

1. Land value will be negatively impacted.

Response: The existing wine venue and proposed brewery are served by two, existing, state-approved, domestic water wells. More water will eventually be needed to pursue the other development aspects of this project. The subject property is located in Skagit PUD's service area, however there are no PUD waterlines in the immediate area. A future extension of potable water is necessary to support any other extent of development. With potable water available from PUD, the value of surrounding properties will significantly increase due to public water availability.

2. Traffic will increase substantially.

Response: Access to the existing winery and future amenities is provided predominately from Interstate Five which is located approximately one-quarter mile to the west. Traffic from the existing winery and future venues really has no need to travel easterly. For the short section of road from I-5 to the winery, the minimal impact of additional traffic will be contained in a small area. Furthermore, any consideration of increased traffic is a development issue that will be evaluated by Skagit County Public Works and possibly WSDOT. If there is a documented increase in traffic, mitigation measures will be required by Skagit County at the time of development.

A public comment relative to increased traffic was received from a party living on Bella Vista Lane. Bella Vista Lane is a dead-end road served from the east side of North Starbird Road, approximately one-third mile north of Starbird Road. Access to the Bertelsen Winery does not utilize North Starbird Road, as such, people living on Bella Vista Lane will not be exposed to any increase in traffic that may be generated by more patrons to the Bertelsen Winery. Please refer to the accompanying map illustrating the location of Bella Vista Lane and Bertelsen Winery.

3. Limited Water supply.

Response: It is a known fact that potable water in the Starbird Road area is VERY limited and the underlying aquifer is very sensitive. It is also a known fact, as frequently stated, that PUD water will have to be provided to this project area for the purposes of domestic water supply and fire protection before any further development can be approved by Skagit County.

4. Drainage and runoff negatively impact agricultural land.

Response: Reference was publicly made regarding “light farming activities” occurring in the vicinity. Surrounding properties are not zoned agricultural land. The vast majority of existing soils within this project are depicted as Tokul gravelly medial loam per the Soil Conservation Survey of Skagit County. This soil is described by the Soil Survey of Skagit County as following:

- Limited potential for grass & hay.
- No measurable value for pasture, potatoes, corn, peas, or winter wheat.
- In relation to camp areas, picnic areas, play grounds, paths/trails, and golf fairways, the soils are denoted as being wet with small stones. Its permeability is limited and is further restricted at depths below 39 inches.

Per the applicant, the onsite soils are very rocky. There have been unsuccessful attempts at even trying to grow silage corn. The only “farming” activities are limited to cutting hay. Due to the soil structure, rocky conditions, and no water available for irrigation, the soils are simply not productive for agriculture. Please refer to aerial photos previously-submitted to Skagit County which illustrate back to 1937 that no sustainable farming activities have been conducted in the area.

To represent or imply the soils as being at least moderately productive for Agricultural purposes is an over-statement. The conclusion is clear: This project will not cause a reduction or loss of farmable soils. Grape vines can grow in this rocky soil, however without significant yield.

There are no Natural Resource Lands, NRL, in the immediate area. The nearest NRL land is located 0.9 miles northeast.

In regards to drainage: Development does NOT increase the quantity of rainfall upon any land, rather, if not properly managed and mitigated, concentrated runoff waters from developed areas can be problematic. The management of drainage is a development task, not associated with the processing of this rezone. All future development involving the creation of hard surfaces will be required to provide a storm water management plan.

5. Safety concerns due to the increase in crime and roaming of transients.

Response: With no implication that transients harbor in Conway, downtown Conway is 3 miles to the north of the Bertelsen rezone proposal. There is no known and anticipated aspect of the Bertelsen’s rezone proposal that would encourage transients

nor that will foster crime. The Skagit County Sherriff's office was contacted in regards to having any concerns associated with this project. The Sherriff's Department response is provided below at #14.

6. RV Park-stated for higher end RV's-how regulated. If they are a paying customer, will you turn away an RV?

Response: The style and/or condition of a patron's RV is not a factor in the current rezone process. This will be an element of project management during the development phase.

7. Pollution, litter, overall cleanliness.

Response: Other than vehicles driving on any road, there is no pollution generated by this rezone proposal. Any accusations of lack of cleanliness and litter management will be addressed by the applicant at such time as development tasks are conducted.

8. Reducing farming activities.

Response: Refer to item #4 above.

9. Environmental impact study? Water and soil contamination

Response: Based on the extent of forecasted development associated with this rezone proposal, there is no level of future development that would trigger an Environmental Impact Statement.

There are no known sources of contamination associated with this rezone proposal, nor with any future development represented.

As referenced, water provided by Skagit PUD is necessary for the expanded aspects of this rezone proposal.

10. Aquifer impact-Bertelsen's property is allowed 5,000 gallons per day currently. Adding RV, Hops crops, etc. will exceed water allocation. What is water plan (plan vague).

Response: For many months, the applicant's team has represented that the associated properties are located in Skagit PUD's service area, however the waterlines have not yet been extended far enough south to serve this rezone proposal. The extension of PUD water is a necessary component after this rezone proposal to SRT is approved.

These four Bertelsen properties are currently provided potable water from two, existing, state-approved well-water sources. This water will continue to be used in support of the current winery and the building being renovated to function as a brewery.

11. New zoning allows adding 35 structure (cabins), what will stop them from being built.

Response: The SRT has limited "cabin development", hence, the RV camping experience is being based on mobile RV vehicles and tents. There has not been any assertion of constructing permanent cabin structures.

12. Violation of the GMA-not small scale and does not fit the criteria for siting new commercial/industrial LAMIRDs.

Response: Per WAC 365-196-425 titled Rural Element, there are three levels of LAMIRD, each applying to certain conditions, either existing, proposed, or densified.

Type 1 LAMIRDs - Isolated areas of existing more intense development. Within these areas, rural development consists of infill, development, or redevelopment of existing areas. These areas may include a variety of uses including commercial, industrial, residential, or mixed-use areas. These may be also characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

Type 2 LAMIRDs - Small-scale recreational uses. Counties may allow small-scale tourist or recreational uses in rural areas. Small-scale recreational or tourist uses rely on a rural location and setting and need not be principally designed to serve the existing and projected rural population. (A) Counties may allow small-scale tourist or recreational uses through redevelopment of an existing site, intensification of an existing site, or new development on a previously undeveloped site, but not new residential development. Counties may allow public services and facilities that are limited to those necessary to serve the recreation or tourist uses and that do not permit low-density sprawl. Small-scale recreational or tourist uses may be added as accessory Certified on 10/25/2019 WAC 365-196-425 Page 5 uses for resource-based industry. For accessory uses on agricultural lands of long-term commercial significance, see WAC 365-196-815.

Type 3 LAMIRDs - Small-scale businesses and cottage industries. Counties may allow isolated small-scale businesses and cottage industries that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents, through the intensification of development on existing lots or on undeveloped sites.

If Skagit County elects to recognize this proposal as a LAMIRD, it would likely be recognized as a Type 2 LAMIRD. The SRT, WAC, and Skagit County Comprehensive Plan clearly allows Skagit County Planning & Commissioners to support this rezone proposal.

13. Critical Areas concerns.

Response: Critical areas will be thoroughly examined as part of the development tasks. An examination of critical areas associated with this rezone proposal is not necessary.

14. Conway does not have enough resources to support (Fire, police, etc.)

Response: The Conway Fire District and Jeff Willard of the Skagit County Sherriff's office were each contacted to address this matter. The extent of future venues and events is unknown, however likely to be consistent with past activities.

As specifically quoted by Jeff Willard: "While the Sheriffs' office cannot predict what impact the additional buildings and expansion of the business at Bertelsen Winery may cause law enforcement, I can state that there have only been 3 law enforcement related calls at the address of the winery since 2014."

15. Capitalizing on surrounding properties privacy.

Response: None of the activities proposed after this rezone will generate an invasion to anyone's privacy. In relation to the two parcels being rezoned on the north side of Starbird Road, all directly adjoining properties west, north, and east are owned by the Bertelsen family. In relation to the two parcels being rezoned on the south side of Starbird, no opposing comments were received from parties having adjoining ownership to the east and south. The southwesterly side of this property is adjoined by the I-5 right of way, with Starbird Road along the north side of these two parcels.

16. Ineligible for consideration as a LAMIRD.

Response: Refer above to response #12.

17. Septic and stormwater concerns.

Response: Development regulations pertaining to storm water management and septic are necessary tasks that will be examined and put into effect once this rezone proposal is approved by Skagit County, and development activities are slated.

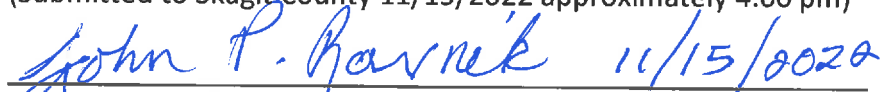
18. SCC 14.16.130 limits the size of 2 permitted retail structures in SSRTs to 3,000 sf and 1,500 sf for accessory structures. The winery building is over 4,000 sf.

Response: This is one task of many development matters that will be addressed after this rezone proposal is approved by Skagit County.

Accompanying Documents:

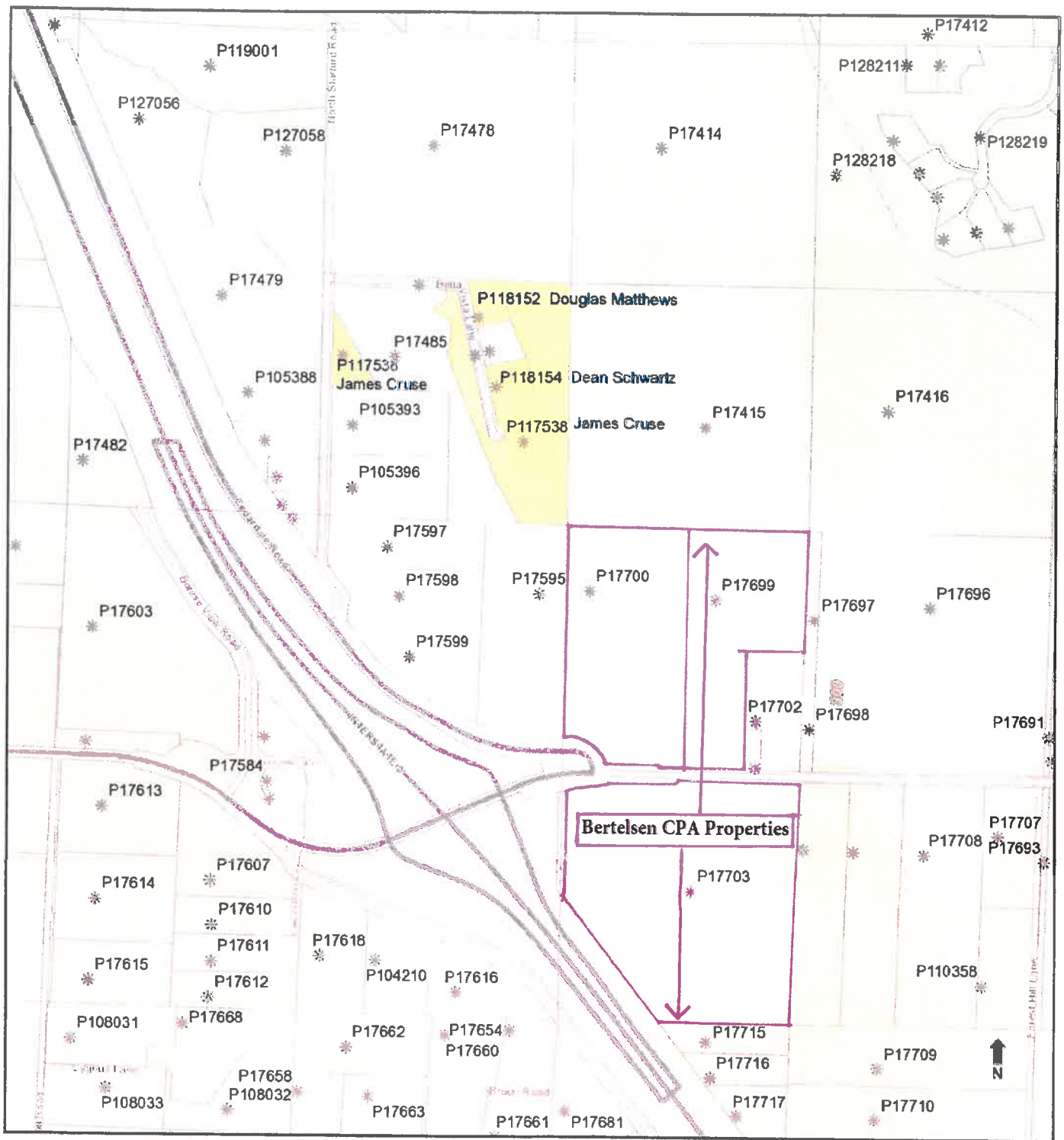
Map illustrating the location of some public commenters in relation to Bertelsen Winery

Prepared by John Ravnik, Applicant's Representative
(Submitted to Skagit County 11/15/2022 approximately 4:00 pm)



John P. Ravnik, P.E. Date

PC: Bertelsen Winery

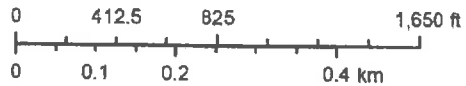


November 15, 2022

1" = 752'

Legend

- County Boundary
- Tax Parcel Numbers
- Land Accounts
- Senior Citizen Accounts
- Mobile Home Only Accounts
- Building Only Accounts
- Tax Parcels
- Pre Tax Account Property



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet